

City Council Regular Meeting Session Transcript – 6/28/2018

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[10:19:09 AM]

>> Mayor Adler: All right, council, are we ready to gear this up? Before we start, we have invocation this morning by reverend Joshua Edmond, who is the associate minister of the freedom temple pentecostal church. Would everyone please rise?

>> Good morning, everyone. It's such an honor to be here before you today. Thank you for the opportunity to give me to serve in this capacity. I figured in preparation for this invocation I'd take a look at the agenda and figure out which items I'd pray for.

[Laughter]. But then I realized pretty quickly there's not enough time in the agenda to pray for the items on the agenda!

[Laughter] So I realize how tremendous your responsibility is as well as how tremendous your opportunity is to positively impact this city, our communities, our families, our children. And with that in mind, please join me in prayer. Lord, we come to you humbly, thank youing you for your grace and your mercy. We thank you for your protection in times of natural disaster, we thank you for your peace in times of turmoil. We thank you, lord, for putting a love and a faith and a hope inside of us to give us strong family bonds. Lord, you know what this city is facing on an individual citizen level. And we ask that you put your hand on us. That we be on your agenda. That your will will be done. And that as the city prospers economically, as we build higher and higher, that you reach lower and lower. That none be forgotten, that none be disenfranchised. That none be cast aside. Your word declares that faith, hope and love will never pass away and that the greatest of these is love.

[10:21:17 AM]

We ask that love be the motivating factor in every decision that is made. That love be relevant with every opposed motion and every motion that is a aye. We ask that love be so important that it will help us cast our own preferences aside. That we'll be able to replace selfishness with selflessness. We ask that you advance this city, that you encourage this council, that your wisdom will lead us in everything

that we do. We ask that you truly show yourself to be faithful, to be mighty in this city. And we'll be careful to give you the glory, the honor and all of the praise, in Jesus' name we pray, amen.

>> Mayor Adler: Thank you. Council and everyone here, I want us to take a moment of silence in just a moment to remember and to mark the passing of Devon coney, who was one of our brand new fire cadets, who fell as cadet training was beginning. I had the honor and the privilege to be with him and his mother the day before he passed away at the hospital, and his mom spoke about how proud she was of him and just how excited he was to be entering the cadet class. Devon was a civilian employee in the fire department for four or five years, and it was his dream to be a fireman.

[10:23:33 AM]

He worked really hard and she described the training regimen that he went through in anticipation of this opportunity. It's just proud to know that we have that caliber and character in our cadet class, and it is horrible that he passed away. So if we could just take a second to mark this moment. Thank you. Is our -- is [indiscernible] In the room with us? Would y'all come down here for a second? Mr. Weeks, I just want you to be here when we talk about just some incredibly wonderful news about our library. The new Austin public library has been nominated by the international federation of library associations as a final finalist for library of the year. We are one of five finalists from around the world to be nominated. We are the only library in the United States to be nominated. It is an annual award given to new libraries, the finalists being judged on different criteria, including the extent to which the library takes into account new digital development and local culture and sustainability and the wishes and needs of the users of the library.

[10:25:53 AM]

This year's winner is going to be announced in Malaysia on August 28th, so we'll all keep our fingers crossed. Our municipal library is an incredible building and there are thousands of people that have been visiting there everyday that it's been open. I've referred to it as our Hanukkah municipal da cathedral. I have said we have the best library in the world and I'm hoping to get affirmation of that in August of the I wanted to say congratulations to the voters in this community. It shows us what we can do when as a community we get together and put something on a bond so that we can drive infrastructure and amenities for our community. The people who worked on that project, the prior councils that set that project into motion, but also to the staff, to you and the staff of that library, because a big function of that award is looking at how it performs for the community. And you and the staff are just doing a magnificent job and on behalf of the council and the city I want to say thank you and we have our fingers crossed. Do you want to say something, Andrew?

>> Just echoing those words. We have an incredible public building and the staff, as the mayor mentioned, is just dedicated public servants to ensure that we are providing the high quality services for our residents. So congratulations and thank you.

[Applause].

[10:27:54 AM]

>> Mayor Adler: Mr. Weeks?

>> I truly want to thank the mayor, city manager and the council as a whole for supporting our efforts and more importantly the citizens. We are seeing over 100,000 customers that come through our doors on a monthly basis. And it's a testament to the hard work and dedication of those that came before us and those that are with us now. So I want to thank you and the citizens of Austin, thank you very much and thank you for this.

>> Mayor Adler: Thank you.

[Applause].

>> Mayor Adler: All right. That said, we'll go ahead and begin the meeting today. It's Thursday, June 28th of 2018. It's 10:28. We're in the city council chamber here in Austin. I'm looking at changes and corrections. And it looks like we have had some items that have been withdrawn and the withdrawn items are number 33, 32, 56, and 64. Item number 22 it should be noticed is a section 108 family business loan to gh 2 M harvest lc successor in interest to perform its edge, inc. Item number 55 is a duplicate, so it has been withdrawn. Item number 57, it's to authorize and execute a contract with dij construction, inc.

[10:29:54 AM]

Item number 65, Ms. Houston has joined as a co-sponsor. Item number 77 is related to item number 20. Item number 97 is to be reviewed on July 10th, 2018. Item number 98 is the relevant city code section is titled 25, and it's to be reviewed on -- well, it says June 26th of 2018. Has been reviewed. It was reviewed on June 26th. June 26th, '18. And item number 104 the proper address is 1600 east third street. We have late backup in 15, 22, 23, 24, 25, 27, 31, 54, 58, 60, 65, 67, 71, 72, 88, 89, 90, 98, 100, 102, 103, 104, 105, 106, 108, 110, 115, 121 and 130. That's all posted in public. Let's take a look now at pulled items. The pulled items that I'm showing are item number 23 and 24, pulled by councilmember kitchen. I have 27, which looks like it's been pulled by speakers. I have 28 and 29 that have been pulled by the law department, but I think we could probably pull law down and they could give us numbers to those so we could keep those on consent.

[10:31:56 AM]

Is legal here? Okay. We'll do that in just a second. Also being pulled is item number 31 by Ms. Houston. Item number 33 pulled by Mr. Flannigan. Item 54 has been pulled by speakers. Item number 60 has been pulled by Mr. Flannigan. Item 63 I've pulled for the amendment that was posted. 66, Mr. Flannigan and I have both pulled that. I have a posted amendment on that. 70 was pulled by Mr. Flannigan. 72 I think was pulled by Mr. Flannigan.

>> Kitchen: Can I speak to that for a second?

>> Mayor Adler: Yes, go ahead.

>> Kitchen: It's up to Mr. Flannigan, but the backup, the revised backup has the changes he was interested in, so it could be left on consent.

>> Mayor Adler: So you would be offering the most revised version of that that incorporates Mr. Flannigan's change as well as the one I had talked about in work session?

>> Flannigan: Yeah. And I just want to thank councilmember kitchen for those minor weeks tweaks that helped to address my concerns.

>> Mayor Adler: Okay. That being the case then, this item stays on the contingent consent. Sorry? So the changes on -- what number was this? 72. The name is zilker metropolitan park and that change has been made to conform its name. It's looking position representatives from park users from across the city and it's directing a traffic as well as a -- traffic and parking study.

[10:34:02 AM]

So those are the changes that have been incorporated. So that item then, 72, stays on consent. Also being pulled by speakers it looks like is the soccer, which is items 60, 117 and 130. Those are the items I have that are being pulled. Does legal want to come down and -- hang on one second D legal want to come down and give us the numbers on those two cases so we can pull them? This is item number 28 and 29.

>> Yes, mayor, mayor pro tem, councilmembers. I'm here on item number 28, and I'm here today to recommend that you approve a payment of \$257,500 to settle the Melvin versus city of Austin lawsuit.

>> Mayor Adler: Okay. \$257,000 --

>> \$257,500.

>> Mayor Adler: 257,500. Sorry. Okay. With that number put into the blank, that will stay on consent. What about item number 29?

>> Ray layered, assistant city of Austin in the Monroe case.

>> Mayor Adler: Could you pull the microphone a little closer.

>> In the Monroe case the amount is \$895,000.

>> Say that again?

>> \$895,000.

>> Mayor Adler: \$895,000. Okay. That number will be filled in and it will stay on consent. Colleagues, any other pulled items? Ms. Houston?

>> Houston: Mayor, I just was unable to hear the last three things that you said before we went to the law department.

>> Mayor Adler: The -- was it -- it was soccer. There are three soccer items that are resulted all being pulled.

[10:36:04 AM]

It's item 60, 117 and 130. Yes, Mr. Renteria?

>> Renteria: Yes, mayor. I don't want to pull number 67, but I just want to make a correction, the part 2 in this ordinance it says 1200

[indiscernible] And the street should be added at the end.

>> Mayor Adler: Street, okay. So noted. Councilmember pool?

>> Pool: Mayor, this is on items 23, 24 and 25. And I know that they have been pulled by councilmember kitchen, 23 and 24, but I wanted to make a motion -- I want to also pull 25.

>> Mayor Adler: Okay. 25 is pulled as well. Councilmember alter?

>> Alter: I'd like to pull item 125 for the codenext testing, please? And then I have -- I have a quick question on 38, so I'd like to pull it, but it will be very quick if we could do that after consent. And then on -- for 124 I had a friendly amendment that I was hoping we could still do on consent. That is the item about providing support, organizational support for immigrants. And I wanted to amend the second be it further resolved, the last line, so it said support policy and efforts, so that we're clear that there would be the opportunity for the staffing would be engaged in helping to shape the policy or to take the policy recommendations from the immigrant affairs commission and move that forward. I think Ms. Garza, you may be the sponsor of that? Is that acceptable?

>> Garza: Yes.

[10:38:05 AM]

>> Mayor Adler: Without objection we're going to add that to -- what was it? Item number?

>> Alter: 124.

>> Mayor Adler: Hang on a second. Mr. Flannigan, did you have objection to that.

>> Flannigan: No.

>> Mayor Adler: Without objection that amendment is added. Continue on, councilmember alter.

>> Alter: And then on 58, which is the appointments, I had a quick question for you that I think is very straightforward. First I just wanted to say I appreciated your efforts, transparency with respect to your nomination to the planning commission. I did have a clarifying question, though. The planning commission has 13 members and we are only 11 people on this dais, so we have two additional nominations and appointments that are made to the planning commission. Is this nomination your personal nomination of the 11th member or is this the nomination of the 12th and 13th member of that body? I believe that Mr. Oliver was your personal nomination before, so I was assuming that was the case, but I did want to get some clarification.

>> Mayor Adler: This nomination is to replace Mr. Oliver.

>> Alter: So that would be your personal mayoral --

>> Mayor Adler: I don't know the answer to that. It is what it is. It is to replace Mr. Oliver, which is the vacancy that exists.

>> Alter: So I'm just going to flag that when we move forward with the 12th and 13th with the people that you had appointed previously, we need to have a conversation about what the process is for appointing them to the planning commission. We do not have to have that today. Consistency Mr. Oliver was your personal appointment previously, I'm going to support this today, but I just wanted to flag that as a conversation that we'll need to have in the future. Thank you.

>> Mayor Adler: Any other comments before we have people speaking on the consent agenda? Yes, Mr. Flannigan?

>> Flannigan: Just on number 11, which is the interlocal with Williamson county for emergency call response, I want to thank staff for moving this forward. It's -- the thing is on, so -- you got me now?

[10:40:06 AM]

Okay. I just want to thank staff for moving forward with this interlocal with Williamson county. It's going to be -- it's a first step. It doesn't immediately turn on, but it's going to really help the public safety of the folks, the 40, 45,000 residents, including myself, that live in Williamson county, to have more coordination amongst our public safety agencies. So I really want to thank staff and let my community know that that's happening. And then on 41, which is the pre-k item with aisd, you know it is my common practice to vote against specific agreements with the school district, but I also want to thank staff for letting me know that pre-k programs accept out of district transfers. So this is a type of program that will be available to the vast majority of my district that is outside of aid. And then on number 58 I want to add one more name for the tourism commission, Scott Joslef.

>> Mayor Adler: Okay. Yes, councilmember kitchen.

>> Kitchen: I just wanted to say that I pulled items 23 and 24. I'm happy with moving forward on 25. I pulled items 23 and 24 because there are three sections of it that I feel like are not ready. We can keep it on consent if we carve out those sections or we can have that discussion shortly after the consent menu if we want to do that.

>> Mayor Adler: Councilmember pool was also pulling item number 25. Councilmember pool?

>> Pool: I have pulled items 23, 24 and 25 in large not only because of the comments that we made at work session about feeling that we didn't have all the information, all the answers that we needed, but enough time in order to think them through, but we also now as of yesterday have a letter from Austin interfaith requesting the postponement of these three items from the June 28 agenda for further discussion until the council reconvenes in August August.

[10:42:11 AM]

I think you all have a copy of this letter, so this is an important letter to me and supports the requests that a number of us had to postpone this. As to item 25, city manager cronk could you speak to that? You and I had a conversation about that and I asked if it could move forward independently.

>> Councilmember, the staff recommendation is to pull them as --

>> Pool: I'm not sure everyone can hear you. Thanks.

>> The preference from staff is to pull them as a bundle. So if you're going to pull two of them, pull all three.

>> Pool: So that is why I have pulled all three and requested they remain together as a bundle. I think the indication on it Tuesday was that there was a significant interest on the dais to postpone to August. Thank you.

>> Mayor Adler: Okay. So we're going to pull those three items, 23, 24 and 25. We'll discuss them later. Mayor pro tem.

>> Tovo: Mayor, on that note I wonder if we could discuss the idea of the postponement early on so that if there are people waiting for it we can answer that question. And also, with regard to the boat house item, which I know has been pulled by councilmember Flannigan, but also probably by speakers, and I'm going to figure out what number that is here in a minute, but I would like to request a time certain of 3:30. We have quite a few speakers who would like to address us on that topic.

>> Mayor Adler: Okay. So rather than do a time certain at 3:00, that would allow us to take testimony earlier than that. Can we say that we won't take action early early than 3:00?

>> Tovo: That's fine.

>> Mayor Adler: So we won't take any action on the boat issue, which is item number 70, before 3:00, but if we have time and there are speakers here, we'll take speakers earlier than that. Yes, councilmember troxclair.

>> Troxclair: I want to also add a name to the tourism commission, Mary Katherine stout.

[10:44:18 AM]

And I think that gets us to -- anyway, I think if one more person appoints with a person today then we would have a quorum.

>> Mayor Adler: Okay.

>> Tovo: Mayor? We are trying to finalize our recommendation, so if we want to hold back on that or if we want to reconsider it later or do whatever we need to, we might have an answer to that by the end of the day.

>> Mayor Adler: Okay.

>> Kitchen: Mr. Mayor, I would suggest rather than holding the item, just add it at the end of the day if the mayor pro tem is able to do that.

>> Mayor Adler: She could. It would require a vote to reconsider once we pass it.

>> Houston: Mayor, can we just lay it on the table and bring it back up?

>> Mayor Adler: Let's lay that one on the table. So we'll lay on the table -- we'll pull also -- we're going to pull also the number 58, which are appointments. Further discussion before we ask for speakers on the consent agenda? Yes.

>> Alter: I was wondering if you could provide some legislator on folks who wanted to come speak to the bond what the opportunities will be for speaking on that so we can communicate that out? We've had a lot of people asking about that timing.

>> Mayor Adler: What we said is that both on soccer if people are here -- both on that and soccer if people are here during the day we can hear testimony, but won't take action until after dinner. And I also said that we would be taking speakers generally on the bond before we take speakers on soccer. The only possible change to that would be the same considerations we always use, children and exigent circumstances. That was my intent. Okay. Speakers on the contingent we'll now call up. Mr. Pena, do you want to come up, Gus Pena?

[10:46:31 AM]

>> Morning, councilmembers, mayor, city manager. I need to talk to you. My name is Gus Pena, I am a co-founder of veterans for progress. I gave you some erroneous members on membership. It's close to 90955 members right now, veterans, air force, Marines, Navy and army. First of all I want to say 42, 43, 45, 46 on housing, we're supportive. We also support mhmr, used to be called mhmr, integral care, for all these agencies to have that funding. Mr. Mayor and legal and city manager, my dad was buried at the

-- at Austin memorial park cemetery. We buried him in 1967. He died in 1967. We recent -- not recently, a couple of years ago, they allegedly removed the remains of my dad's body and bones to another area. And Gus what, 217, respectfully saying, remains of other people, were supposedly, allegedly moved the same day, 217. Okay of? We know that the coffins are in bad shape. Come on. I'm not a dummy, I'm not a rocket scientist, but 217 remains of precious citizens and individuals moved to another grave site in one day? It's not possible. So those are the things we're going to speak to you, Mr. City manager. And do you know what? My dad is a World War I veteran. I'm not going to say former. He's a World War I veteran. He deserves better than that. We want to know if his remains are still there, were actually moved or not. 217 bodies moved in one day? I'm not a rocket scientist, but it doesn't equate, okay? And there's a meeting with Sharon bladd, thank you very much, that is not possible. Then I'm going to go forward. I want to say something now, and I'm going to leave you.

[10:48:33 AM]

I have to go to another meeting. But I just want to thank Sharon blyth for that. We have some special gifts here and, councilmember troxclair, I'm going to read them out and you can also recognize them. We have oak hill pack troop 505, Russell Schroeder -- I'm sorry -- you can help me with the name.

[Inaudible].

>> Russell Schroeder, Mike Schroeder and Scott

[indiscernible] With troop 505, can you stand up and be recognized by the mayor and council? Come on, guys, give them a hand.

[Applause]. These are our future. Thank you very much for allowing me to do that. Councilmember troxclair, I wanted you to also acknowledge them. I acknowledged them, but I want to say this, mayor. I'm pretty ticked off right now and I have a heart condition, but I'm going to tell you this much. We need to come to the bottom of this. 217 remains --

[buzzer sounds]

-- Removed in one day. It doesn't equate. We need to have that meeting. Do you understand me? Thank you very much. And thank you, guys, for allowing me to recognize y'all. Thank you very much.

>> Mayor Adler: Thank you. Is Greg Nazar here? What about David king? Mr. King, do you want to come on down?

>> Thank you, mayor, mayor pro tem and councilmembers and city manager and city attorney as well. Didn't want to miss anybody. I want to thank you for approving -- I hope you're about to approve item 53 regarding the suspension of the requested rate increase by Atmos Atmos energy process so we can make sure that the rate increase is justified because no doubt it will have a negative impact on our low income families. And regarding item 36, the zilker botanical garden membership program and waiver of \$69,128 in fees, I hope that we are -- that the council will require that there be some metrics to measure the extent to which the memberships at the zilker botanical garden are equitable to our communities of color and the fees are not barriers to low income families.

[10:50:58 AM]

They should have the opportunity to take part in this club, this garden, zilker botanical garden and we should remove barriers from their ability to do that. Thank you.

>> Mayor Adler: Thank you. 58 has been pulled. David dewiliger? Come on down. Is --

>> Good morning, mayor and council. Item 61 is regarding the apprenticeship programs that we hope that the city would make a resolution to have buildings built using apprentice workers. I am the training director for the Austin electrical training alliance, which was formerly the jatc, the joint apprenticeship training program for the electrical workers. I am with 520 out of Austin. The reason for apprentices is of course to learn their trade and it is a difficult trade. And just looking around the city, you can see these buildings that have been going up. They're all very complicated. And the installation of the work is complicated. We need to ensure that the people that are building these buildings have been properly trained. And through an apprenticeship program is the way you do it. And it's important to understand, too, that the durations of these projects are getting shorter and shorter as well as getting complicated. Years ago we used to have fully engineered drawings that we could have people on those jobs that may have been less trained, but nowadays we can't. The safety issues for the people working on the jobs and including the safety issues that may come about after the projects are done to ensure the safety for people that are in the buildings. So please consider this item number 61. Thank you.

[10:53:00 AM]

>> Mayor Adler: Thank you. Sylvia Mendoza? Larry Salazar is on deck.

>> I'm going to speak against -- first I'm going to acknowledge Ora Houston, the royalty of city council because she knows how to get down to the nitty-gritty, the matter, the problems. She also asks questions. Jimmy Flannigan because he has a good sense of humor. He's always laughing at my jokes. Delia Garza, that was a good move that Brian Manley should be the permanent police chief even though I said it over a year ago. And the city manager, because he's innocent until proven guilty.

[Laughter]. I guess that's it. Wait a minute! My source informed me that this councilmember attended a very small neighborhood meeting and it wasn't just hi and bye. She stayed over an hour, wanted to hear their concerns, and her assistant was also present. And that councilmember is... Drum roll... Ann kitchen! And now I'm going to speak against the minutes -- oh, city manager, thank you for making it happen that Brian Manley is the permanent police chief, because we graduated from the same high school! Okay. I'm against the minutes because -- not the minutes, but the way it's stated because June 21st is missing and I didn't get the memo informing me that y'all were going to be going somewhere else. So I need to speak to your boss. Oh, I forgot, I am your boss! We the people are your boss!

[10:55:01 AM]

So I'm going to need some correspondence. Let me know what y'all accomplished on that trip. All right. I've still got time. Let me see what I can play.

[♪Music♪].

[Buzzer sounds]

>> Mayor Adler: Thank you very much. Is Larry Salazar here? Do you wish to speak? Okay. What about Dan Redmond? I think -- 25, that's been pulled. Jeremy Henricks? Not here? Okay. Is anybody else signed up on any items that have not been pulled? I think those were the list I had. All right.

[10:57:01 AM]

That brings us up to the dais again to go through the consent agenda today. Is item number 1 through item number 79, but then also 116 through 130. That's the consent agenda. It should also be noted that we do not have items number 127 and 128 so we skipped from items 126 to 129. Yes, councilmember pool?

>> Pool: And I see that item 129 is a 4:00 P.M. Time certain --

>> Mayor Adler: I'm sorry, what.

>> Pool: You were listing all of the items on consent, and inadvertently I think we included 1 twine, 129 which has a 4:00 P.M.

>> Mayor Adler: That's right, thank you. All right, so the pulled items that I'm showing are 23, 24, 25, 27, 31, 33, 38, 54, 58, 60, 63, 66, 70, 117, 125 and 130. Any comments? Any comments that anyone wants to make? Is there a motion to approve the consent agenda? Mr. Flannigan makes the motion. Is there a second? Mr. Casar seconds. Any discussion on the consent agenda?

[10:59:02 AM]

Councilmember troxclair.

>> Troxclair: Go ahead.

>> Houston: I didn't see you, I'm sorry.

>> Houston: Mayor, show me voting no --

>> Mayor Adler: Ms. Houston.

>> Houston: Show me voting no on 55 and 121.

>> Mayor Adler: Okay. Councilmember troxclair?

>> Troxclair: I want to be shown voting no on items 2, 26, 61, 62, and 124.

>> Mayor Adler: Okay.

>> Mayor Adler: Okay. Further discussion on the dais? It's been moved and seconded the consent agenda. Those in favor? Those opposed? It's everyone on the dais except Ms. Houston who is off. But the notations that she made will still be in the record. That's the consent agenda. There was one that you thought we could handle quickly, councilmember alter, 38?

>> Alter: Yes, I wanted to ask --

>> Mayor Adler: Before you start, there are people who behind up for the bond. It's highly unlikely that anyone is going to get a chance to be asked to speak on the bond before lunch. Hopefully it will be time this afternoon, but I just want to let people know. Councilmember alter.

>> Alter: Thank you. So item 13 -- item 38 is approving a resolution authorizing the acceptance of funding from the state of Texas, office of the governor, to implement the APD project entitled APD violence against victim investigative project, and I just had two real quick questions for staff if there is someone in APD that might be able to answer. So this is funding for something that's been a high priority in the community. Can you please explain why the department did not apply for the maximum funds allowable under this opportunity?

[11:01:08 AM]

>> There's no maximum allowable under this fund source.

>> Alter: Okay, so we could have also applied for more funding than we did if there's no maximum?

>> We could have, but -- so with all the state grant funding, capcog -- how do I explain it? To prioritize funding across the state, we use cogs. Are you familiar with the cogs?

>> Alter: Uh-huh.

>> Through capcog they get a certain amount of follow funding and we applied for one-third for the capcog area. So we applied for just about as much as we thought was realistic.

>> Alter: Thank you for the clarification. I'm glad that we applied and I'm glad we got the money. I just wanted to highlight this as a priority for the community. And my second -- community. My second question is what's the plan for more support of this type? Not necessarily of the grants, but for this --

>> We have about \$4 million right now that we're using to tackle the backlog problems, and we are -- we have an application pending for an additional \$2 million at the federal level. We should hear back by August or September, and I imagine we're going to apply for additional funding for as many fiscal years as it takes to resolve the issues.

>> Alter: Thank you for the clarifications.

>> Mayor Adler: Okay. Is there a motion to approve this item 38? Councilmember alter makes that motion. Is there a second? Councilmember Casar. Any discussion? Those in favor please raise your hand. Those opposed. Unanimous on the dais with Houston and the mayor pro tem off. Let's bring up 23, 24, 25.

[11:03:09 AM]

Mayor pro tem is not here. There are two people that want to speak to this, just two people, so I would be inclined to let them speak. I'm calling up 23, 24 and 25, all of them. We have Theresa Ferguson and Dan Redman that have asked to speak. Why don't you come on down. Ms. Ferguson, you have three minutes.

>> Hello, mayor --

>> Mayor Adler: Hang on.

>> Garza: It's my understanding councilmember pool was going to make a motion to postpone. Would it be proper for the speakers to speak just on the postponement?

>> Mayor Adler: Let's do that. I think that's right. Thank you. So there's going to be a motion to postpone. Do you want to speak to that or wait to see whether this item gets postponed?

>> I'll wait.

>> Mayor Adler: Mr. Edman, do you want to -- Mr. Redman, do you want to speak -- is he here? No. Let's come up to the dais. Councilmember pool, do you want to make a motion to postpone?

>> Pool: Yes, I make a motion to postpone to our first meeting in August or when the city manager deems it ready to come back for action.

>> Mayor Adler: There's been a motion to postpone. Is there a second to the motion to postpone? Postponed until August 9th is there a second to the motion to postpone? Councilmember kitchen seconds the motion to postpone. Is there any discussion? Councilmember kitchen.

>> Kitchen: I can speak to my concern. First off, I think these -- this is a great program and I want to thank our staff for all the work they have done on it. I also want to thank the staff for getting back to me about the questions that I raised at work session. And I appreciate that. But there's some more work to be done, from my perspective, on the questions that I raised and others may have question too and it's a function of timing.

[11:05:16 AM]

People want to feel more comfortable with what's in it. I appreciate councilmember pool's motion and I would encourage the city manager to bring this back to us on August 9th because I think that we can work it out between now and then. And again, not to completely rehash, but my -- the three points that I -- three main points that I raised at work session that I wanted to work on further related to small businesses and just make -- making the language clearer in the program that -- that small businesses are -- are considered. So for example the bonus qualifier section I think needs to be strengthened in terms of bonuses for small businesses in the scoring. The -- the tier 1 section related to businesses that are eligible needs some additional clarity that really small businesses, micro businesses could be eligible. And then finally I have concerns about the waiver language that waives certain benefits, so I think the process for that needs to be tightened up. So --

>> Mayor Adler: Okay. Any further discussion? Yes. Wait a second. Mr. Flannigan, then Mr. Renteria.

>> Flannigan: As I said in work session, I think the staff has done a really fantastic job with this. More important the number of times they've come before us and walked us through the development of this proposal, I'm -- I'm going to vote against the postponement because I think they've done a good job and I think there's more details to flush out and there's more opportunities to work on it, but I'm encouraged we're willing to bring this back at the first meeting in August so we don't end up having is this really fantastic work get that domino effect of postponement which sometimes we find ourselves doing.

>> Mayor Adler: Okay.

[11:07:17 AM]

Any further discussion? Mr. Renteria.

>> Renteria: I also agree with my colleague, Jimmy Flannigan. You know, we have a big need out there for especially the nonprofit corporations out there and groups that are desperate need for office space, performance space, and we have some very good projects out there that are waiting for the opportunity to get funded. And I hope that we take care of all our -- all our questions very soon and encourage the staff to go out there and meet with the people that have problems because the longer we wait, the more groups are going to get hurt and I'm just hoping that we can really, you know, get this program underway. I've had some people that approached me that have great ideas and are often great -- they are looking for opportunities to give back to this community and I hope that we really focus on the need.

>> Mayor Adler: Okay. Councilmember alter.

>> Alter: Thank you. I think it's precisely because the staff has put so much time into this and spent so much time talking to our community that we need to take just a little bit more time to make sure that the policy is doing what we think it's doing, what has been explained to us, and because it is so creative and because it is so new, taking that extra little bit of time to get it right I think is really important and I look forward to having my questions answered and reviewing the material that was provided late yesterday in more depth, but I just want to signal that this is -- for me, this is a postponement to get what is a very promising policy right and that's why I'm supporting that.

[11:09:22 AM]

>> Mayor Adler: Okay. Greg Casar. Mr. Casar.

>> Casar: I'm going to be voting yes on postponement if the motion to postpone doesn't pass, then I would like the council to consider moving forward on these items, but removing the exceptions and waivers part and bringing that back in August and potentially bringing back some of those small business issues that councilmember kitchen has asked for. I'll vote yes on postponement, but if we can't postpone it, those are the two areas I've heard the most concern, I would like those brought back if the postponement fails. Just to really put a fine point on some of my concerns with the exceptions portion is that as we said at work session, we used to have a two-thirds -- or a super majority threshold for some of these exceptions, that doesn't seem to be clear here. And I do have real concerns about justifying our wage exceptions based on hard to employ. I think we may actually be running up against discrimination laws with that. We can't say that because somebody has a criminal background or somebody might have a disability that we are going to have a policy saying those folks could be paid less so we should think about how we should get those people paid more. There are exceptions to figure out how people get on that for getting paid more, but I'm uncomfortable with some of the answers we received to that question.

>> Mayor Adler: Okay. Ms. Houston.

>> Houston: Thank you, mayor. And I'm going to be voting against the postponement because one of the things that we've talked about with economic development department is how we need to be location based and how we need to focus those efforts in parts of the city that have not had the equitable distribution of opportunities for jobs and employment and all the other things that we talk about but they are no there, and this kind of guides that direction into those areas where we need to have, as councilmember Garza says, grocery stores, not other things that we can kind of put in there place.

[11:11:34 AM]

And so I have one of those districts where we've not really focused economic development in an intentional way in that district so I really appreciate you all looking at that and I understand concerns about waivers and pay and as I stated in the meeting, I supported the comments that were made about folks with disabilities and the impact that increase in wages might have on their ability to continue to draw down their federal benefits. Those are the things we need to look at and I think those can be done, but I want to go forward and keep going on this one.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I just want to say I will be voting for the P, but I'm doing some understanding that on-postponement, this will not slow down the program. We can't begin this program until we fund it and

that's part of the budget. So my expectation is will not slow down the program. The only reason that I'm considering postponing 25 at all is because staff has asked us to keep -- yeah, staff has asked us to keep all three together. So as far as I'm concerned, we could go forward with 25, but I'll respect the staff's request that we keep all three together and postpone them as a group.

>> Mayor Adler: Anyone else? Councilmember pool.

>> Pool: I just wanted to reiterate my hope that when staff comes back in August with the additional answers and tweaks to the program that it also includes a way to provide kind of a bonus ranking for minority or women-owned businesses that right now we don't have goals in this document, about out that we make sure that we have these programs available and look for some bonuses for minority and women-owned businesses.

>> Mayor Adler: Any other comments? Manager.

>> Mayor, councilmembers, certainly if it's the will of the dais to postpone this, we will be coming back with alternative -- or with recommendations in August, but I would also say and maybe staff can speak to this as well, it's always helpful for clarity for the manager when they are going to be developing the budget in the month of July and so if there is certainty that I can have today about this proposal moving forward, that would be preferred.

[11:14:02 AM]

And then second, I think some of the -- as an alternative some of the themes we're hearing on the dais right now could be brought back to, as councilmember Casar said and as councilmember kitchen highlighted a number of themes on knowing that there are some issues that we still need to work out, so even if it did move forward today, that we would still be coming back in August with some strategies to address those concerns that we're hearing today.

>> Mayor Adler: For my part, if this item is postponed, I -- as far as clarity goes for budgeting process, I would need us, however this is passed, to -- to either today or a different day to work on the exceptions section. I share the same concerns that councilmember Casar raised, but with that caveat and understanding, I'm going to support this. So I would like you to do for me, I would like you in your budget to treat the budgeting as if this was something that was going to get passed. What?

>> I appreciate that, but it has not been passed and so --

>> Mayor Adler: Mayor pro tem.

>> Tovo: Just briefly, as I indicated on Tuesday, I'm more comfortable postponing this. And, you know, we have a very challenging agenda today and I think if a significant number of our colleagues are asking for more time to review something, we should honor that request. We've also heard requests from several community groups, it's my understanding workers defense and as mentioned Austin I Austin interfaith have requested postponement. My opinion I'm going to be really open to those requests on items today in lieu of the fact that -- I mean with regard for the fact that, you know, among other things we've been in all-day meetings for most of this week.

[11:16:06 AM]

So it's made it challenging. To devote as much time as we would want on every item on the agenda today. But we still have a responsibility to make good decisions so that will mean tradeoffs today in terms of items moving forward or not moving forward.

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

>> Alter: I just wanted to reiterate what I said in work session that I support moving forward with funding for this in the budget, but I do want a postponement to take the time to do the due diligence that's necessary. It would be hard, as I mentioned then, to find a creative new program that is trying to address our strategic plan that is more along than this one so I would support funding for it, I just want to make sure the details of the policy match what we've been told all along.

>> Mayor Adler: Further discussion? Anybody else want to say anything else on the dais? There's been a motion to postpone. It's been seconded. Those in favor of postponing please raise your hand. Those opposed? Houston, Renteria and Flannigan voting no, the others voting aye. These three items are postponed until August 9th and manager, my sense is from the direction from the dais the request is that you include this in the budget that you propose. It's your budget, but I think that's a sentiment of the dais and I have other heads that are nodding in approval. Okay. Let's then take a look now at item number 33. Mr. Flannigan, you pulled this item.

>> Flannigan: Yes, as I said in work session, we are seeking additional data from municipal court in order to make a more informed decision so I'm asking for postponement to September 20th.

[11:18:07 AM]

>> Mayor Adler: Does anybody object to the P? Ms. Houston seconds. Is there anybody objecting to the postponement to September 20th? I'm sorry, what?

>> Pool: Just a quick question. We always ask on postponements what's the impact I'm sure if staff is scoflaw and delinquent traffic and red light camera cases.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: We had meetings with court leadership and being on judicial committee as you and I both are, the muni court staff are always very accommodating our requests. They have assured me there is no issue with this. In fact, part of the question that we're seeking to answer is if the program as written is even doing the thing it says it's doing. There is some question if Travis county is following the program, Williamson county is doing it, so actually it's rather important that we postpone it to make sure we know exactly what the impacts to the program is.

>> Mayor Adler: Okay. Any objection? If from is no action, this item is postponed. Ms. Houston, you pulled 31. We have one person signed up to speak.

>> Houston: Let's see that one person.

>> Mayor Adler: Is Ms. Joseph here? Zenobia Joseph. She's not here? Ms. Houston, do you want to outline why you pulled it?

>> Houston: Yes, mayor. As I stated in the work session, on Tuesday I had some real concerns about how this money is being reallocated.

[11:20:18 AM]

And so my motion -- I did it again. My motion will be after we hear from Mr. Goode is to divide the question, postpone the first three pages until August the 9th when this comes back, and then vote on the -- the second and third be it resolved so that they can continue -- begin to work with council offices on how to deploy the rest of the quarter cent funds to complete the projects.

>> Mayor Adler: Okay. So Ms. Houston wishes to divide the question and vote on the first be it resolved separately from the last three. Is that right?

>> Houston: All of it -- all of it -- let's see. Yes, we will be voting on be it further resolved the process to select and implement the remaining quarter cent replacement. Everything before that will be postponed until August 9th.

>> Mayor Adler: What about the fourth one, there are four. You are saying you want number 3 could be considered separately from the other four?

-- To be considered.

>> Houston: I want the last two be it further resolved to be separate from everything else in the document. And everything else in the document comes back to us on August the 9th.

>> Mayor Adler: Okay. Yes, Ms. Kitchen.

>> Kitchen: Was that a motion or --

>> Houston: Yes, I did make a motion.

>> Kitchen: I have something I want to say.

>> Mayor Adler: This is how we're going to do this. First I need a motion to pass this item and we'll divide the question and move to postpone. So is there a motion to pass this item number 31? Ms. Kitchen makes that motion. Is there a second?

[11:22:18 AM]

Councilmember Garza seconds that. There's now been a request to divide the question so I'm going to divide the question and we will vote on the -- on the whereas clauses and the first two resolved separately from voting on the last two resoutherly direction clauses. Mr. Goode, do you want to speak to this? I'm sorry, councilmember pool.

>> Pool: I'm glad he's here and sounds like he's going to explain what this is and what the ultimate intent of this is and what the action will mean today.

>> Sure. Assistant city manager Robert Goode. Capital metro came to us a month or two ago and we're seeking a partnership funding for doing some preliminary engineering on their project connect corridors. And their request was for you to consider putting \$15 million in the upcoming 2018 bond proposal. And as we continue to work with them through the potential alternatives, as you know the quarter cent funds are capital metro funds that by a miracle agreement they reimburse us for transportation projects that meet transportation criteria. So they were -- we were sending them a bill and they were sending us a check back on reimbursement for those expenses and that seemed like since they were asking for funding, one of the alternatives we could come up with was not to have them reimburse us for \$6 million of those funds. There were 21 million that were left, 15 millionish were already completed and reimbursed or in progress. That left \$6 million left of projects that weren't underway. And so that seemed like a way that you all, if you chose to support the project connect effort, could allow them to keep that \$6 million with a caveat they would put that into money for project connect quarters. You all should be concerned about what happens with the \$6 million, so this resolution contemplates that we would replace that funding and we would come back on August 9th to adopt that funding which would be likely certificates of obligation if you so choose to do that.

[11:24:35 AM]

And we -- the resolution also calls out we couldn't execute that amendment until that action would be taken place on August 9th. So the replacement funding would be in place, that \$6 million, so there would be no loss of the quarter cent funding for projects, the funding for projects in your districts with that action on August 9th.

>> Mayor Adler: Okay. Councilmember kitchen.

>> Kitchen: I appreciate councilmember Houston's concerns and support her concerns, but I think -- I think the revised version answers those because -- and thank you, Mr. Goode, for coming up with a revised version. But basically the first be it resolved says that city manager is authorized to work with cap metro on this arrangement that we talked about, but what was added was language that says and is authorized to execute the amendment upon city council's adoption of funding to replace the 6 million. So what the action would be taken is that would be simultaneous. In other words, there's no change to that arrangement with cap metro until this council votes on replacing that 6 million. So that way we have the certainty of the intention, which is -- which is that those quarter cent projects will continue. So

I respect councilmember Houston's concerns, but I think they are addressed and so I'm going to vote to move forward with this.

>> Mayor Adler: Ms. Houston.

>> Houston: And assistant city manager Goode, my concern is that until we have that extra action on August the 9th, I don't have any certainty that this will occur, and so I would like to have that all together. District 1 has -- is number one on every list in the city about the need for sidewalks, high traffic crashes, every list that there is a number one.

[11:26:42 AM]

And so I need to have some certainty this money is going to be available, and that will not happen until we come back on August the 9th. So all due respects, councilmember kitchen, I don't understand the urgency because it's my understanding capital metro doesn't even have any plans to implement this project connect even after the design stage is over. So I would like to divide the question so that we can do what they need to have done at the staff level to bring back to us something concrete on August the 9th

>> Mayor Adler: Councilmember pool. Then councilmember troxclair.

>> Pool: Thanks for this good discussion. It's helping everybody, I think. Can you explain for us, Mr. Goode, what the thought process was as far as putting this item on the bond that we'll have in November? Could we, in fact, put additional funding for the cap metro project on the bonds?

>> Certainly. Council could take that action to put it in a potential bond referendum for the voters to consider in November.

>> Pool: But can you explain why -- why that wasn't an option when this was drawn up?

>> The timing is -- if council approves this now or August 9th and we can move forward with cap metro, they can get consultants on board so they can get going on the preliminary engineering as quickly as they can to continue that work.

>> Pool: Okay. Thank you.

>> Mayor Adler: Councilmember troxclair.

>> Troxclair: I am going to second or support councilmember Houston's motion on this. I guess -- and my -- I guess really my question for council is assuring \$6 million of certificates of obligation is nonvoter approved debt. And of all the needs that we have in the city, I mean this is -- I just can't remember another time where somebody just says, hey, I need \$6 million and within such a short period of time we say okay, let's just issued nonvoter approved debt to cover \$6 million.

[11:28:50 AM]

We're going to have a conversation later today about pools, parks, roads, about sidewalks, about this huge bond package, and I just don't -- I just don't know that of all of the things that are going to be competing for our dollars that \$6 million to cap metro for a study on high capacity transit is what rises to the top of my criteria. And I'm -- I'm genuinely surprised it's rising to the top of the criteria of the council too. So I just -- I don't understand the urgency for this item. I understand they want to get started on it, but we're going to have the choice -- we have the choice of putting it on the ballot and allowing the voters to decide whether or not they want to spend \$6 million -- or however much money we decide on in. And given those two options, I'm always going to support giving voters the ability to weigh in on how their money is spent.

>> Mayor Adler: Mayor pro tem and then councilmember Garza.

>> Tovo: Yeah, I just wanted to weigh in on why this is rising to the top of the priority list for me in a way and why I'm going to support it. We have some real transportation challenges and mobility challenges in this city. We need to take decisive action. We needed to take divisive action, you know, for some time now and have been doing our best to make good strides between approving the mobility bond and other actions. This is high priority pore me because we absolutely need good mobility solutions. These are quality of life issues but also environmental issues and also affordability issues because when people can travel more on high capacity transit, it also reduces their bills. Because you asked the question, I wanted to answer that's why it's on my priority list to move this item forward and to support our partner in looking toward high capacity transit solutions.

[11:31:04 AM]

>> Mayor Adler: Councilmember Garza.

>> Garza: I have similar comments to mayor pro tem. We do have needs and usually second is traffic congestion right behind affordability. This should be and is a priority for all of us, and again I'll just reiterate what I said in work session, we have to work together with our other agencies to solve some of these really big challenges. And this is an opportunity to get that study done as quickly as possible. We need to get people out of their cars, and if we can build, if the study comes back and says here's some great opportunities and ways we can get some more high capacity transit, not necessarily rail, there's other ways, there's buses on priority lanes that could be used in the right-of-way. Cap metro -- you know, some people seem to think because they get a portion of the sales tax they have this giant budget, and the reality is they have to meet federal mandates that are unfunded that takes a significant amount out of their budget. And so I will be supporting this measure. We have to work together to solve our traffic congestion issues. We have to try to get people out of their cars as we are continually growing as a city, and if we have one person in one car, things are just going to get worse.

>> Renteria: Mayor?

>> Mayor Adler: Councilmember Renteria.

>> Renteria: I'm also you're also going to be supporting this item. The voters made it very clear that when they passed the city's transportation bond of \$720 million that their priority was transportation. And they want us to come up with a solution to fix this problem that we're having. You know, we have -- you know, there's -- we're getting to that point now where we don't act soon, there are going to be gridlock and I don't drive as much anymore as I used to, I ride my bicycle now because I don't want to put up with this traffic the way it is, and we need an alternative way to, you know, get around.

[11:33:19 AM]

And this is going to be, you know, we need to fix this problem that we're having. And we need to work with everyone, you know. And I'm on capital metro also, and we're trying our best to, you know, fix this traffic jam that we're facing every day here in Austin. So I'm going to be supporting it.

>> Mayor Adler: I spoke in support of Ms. Houston at the work session because I think that it is wrong for us to put in jeopardy money that is available. I asked staff at that point to change the ordinance resolution so as to guarantee that either we take action to replace the funding or this funding doesn't -- doesn't disappear and stays. So I think that in good faith you've tried to respond to the question I've asked and I agree with councilmember kitchen that I think the concern has been met because this guarantees that the money would be there one way or the other. Councilmember Houston. His --

>> Mayor Adler: If you all want to keep passioning around. Councilmember Flannigan.

>> Houston: I think it's a good thing to pass it around.

>> Flannigan: I'm going to vote no on both the divided questions. I really appreciate staff being creative and I want you to be creative, and then sometimes I will support the creative idea and sometimes I won't support the creative idea. I think in this case there's a right way to do this with cap metro and there's a less right way and this to me is the less right way. And on the other side I'm less comfortable with any councilmember being independently authorized to spend money which is effectively what the second half of the resolution does. I -- I think it's a better process to have the full council be making those votes.

[11:35:20 AM]

>> Mayor Adler: Further discussion? Councilmember alter. The right side of the dais is deferring to the left side. Councilmember alter.

>> Alter: Mr. Goode, I was just wondering if you could clarify what is the fund balance for these quarter center amounts at cap metro at this point in time?

>> The fund balance, we've -- out of 21 million that was left when this first ordinance -- resolution was passed, about 15.8 has been spent or in progress, leaving that \$6 million that hasn't started the process yet. That's what we would continue to work with council offices on your projects.

>> Alter: Does cap metro have bonding authority?

>> That's probably a better question for cap metro.

>> Alter: Are they here?

>> No.

>> We do not.

>> Mayor Adler: Looks like we have someone coming to the podium.

>> Alter: Can I ask you the fund balance question directly?

>> Yes, ma'am. With regard to the balance that is owed on the quarter cent, capital metro has that in its account. Assuming it would have been ultimately transferred to the city of Austin.

>> Alter: Okay.

>> Houston: I think you asked what was the fund balance.

>> Alter: Yes.

>> I would have to check on the details. I know we have the full availability of the remaining balance that was under current agreement prior to any action today that's owed to the city of Austin.

>> Alter: I would like to see that. I suspect we'll vote before then, but I would like to have that provided to my office, please.

>> Mayor Adler: Would you identify yourself for the record, please?

>> I'm sorry?

>> Mayor Adler: Would you identify yourself.

>> Todd hemmingson, capital metro.

[11:37:22 AM]

>> Alter: I agree with the sentiments of Mr. Flash about the right way to do things.

-- Plan. It's my understanding -- Flannigan it's my understanding the cap metro board had original put this in the bond and I -- unsure, I appreciate that the revised version says that you will find ways to fund it, but I'm uncomfortable with cos for this because I don't understand how we justify an urgency for these projects when we had money that we could have used for them. And I don't know at this point what we would be giving up in order to fund this. And I understand there's a need for the planning for cap metro, but I'm uncomfortable making a decision on \$6 million without knowing what we're not able to fund because we made this choice. And I understand that you have tried to make it so that we will have that in August, but it seems to me that the right way to do this would be to put it on the bond and let the voters decide. Thank you.

>> Mayor Adler: Okay. Now do you want to talk? Councilmember Houston.

>> Houston: Thank you. Don't leave yet. So capital metro does not have any bonding capacity ability?

>> We do not, no, ma'am. Absent a vote of the public.

>> Houston: So what does that mean? You can ask the public to give you ability to put something on the ballot?

>> That's not my matter of -- area of expertise so my understanding is if -- if we wanted to do a bond with voter approval, that would be something, but in our history that has never been done. That may not be the case and I can confirm that.

>> Houston: Would you please?

>> Yes, ma'am.

>> Houston: And for -- there's no other ways you all are unable to do certificates of obligation?

[11:39:28 AM]

>> No, we are a pay as you go organization in that sense. If,.

>> Mayor Adler: Councilmember kitchen, then councilmember pool.

>> Kitchen: I would just say I appreciate everyone's concern but I'm concerned with the tenor of some of the comments. We're not doing something for cap metro. This is an issue for the entire city, and my colleagues have articulated it very well. It's an equity issue, it's a transportation issue, and -- and I won't repeat what everyone has said. It's also very important to move quickly with this. Putting it on the bond will delay the efforts to move forward with -- with high capacity transit planning. This is simply planning related to that. Any efforts to actually implement and actually construct any high capacity would go in front of the voters, it would need to. We're simply talking about a piece, a piece of the planning that cap metro has already done. So councilmember alter, the fact that the cap metro board recommended putting it on the bond does not indicate that the cap metro board would prefer this be put on the bond. It is simply we need to move forward with this as quickly as possible, and I think in the order of magnitude about the -- about what we're talking about with mass transit and the benefit to the community, the entire community, it's very important that we have the flexibility to move forward with it. We are not talking about not doing these quarter cent funds. We are -- we found a very creative way to make sure that we continue with those projects and that we guarantee that we're going to continue with those projects before we execute any change in this arrangement.

[11:41:29 AM]

And to my mind, this is absolutely critical that we go ahead and move forward with it.

>> Mayor?

>> Mayor Adler: Councilmember pool.

>> Pool: Thanks everybody for this conversation because it's really important and it's definitely highlighted something that I would like to suggest to the city manager and maybe to our friends at cap metro and to my colleagues who serve on the cap metro board. Maybe there's a way that we could all meet together in some sort of a combined meeting so that when issues of this level of importance to our community can be discussed well in advance of us getting down to a yes and no answer on this. For example, the conversation about whether you have bonding authority is a good one and sounds like you might. I'm not really sure Mr. Hemmingson, it's not his bailiwick so he's not want to go offer that up. But if you don't have it, then we definitely, I would think, would want to work with legislative delegation at the capitol and do a couple of things. Maybe see about cap metro getting bonding authority. And then I'm also interested and I mentioned this on advertise, seeing if we might be -- Tuesday, might be some way make the allocation that goes to capital metro larger, not by taking anything from anybody else but by making that bucket bigger. All of this is legislative action. I know the dragon is at the edge of the world on that. So just to conclude, let's have these kinds of conversations with both boards together so that we can surface the concerns and maybe have additional information or action taken. I was also concerned about it looked like we were kind of moving a -- something -- what's that shell game where you have a cup here and put it under here and swap it around and try to follow the bean under the cup?

[11:43:33 AM]

So my initial concerns were that the public wouldn't be able to follow the money and understand what it was we were actually doing, which is why I was interested in having acm Goode come up and describe the intent of this issue. I will go ahead and support this given that I've been able to air some of the reluctance that I had originally. I also had an opportunity to talk with Mr. Clarke with cap metro the other evening so that was also helpful. So if we could put on the table a couple of things, one would be legislative action to the extent that we can promote that along with our friends at cap metro, and then joint board meetings at some regular interval so we can have these conversations, especially going forward as I understand that the city of Austin and cap metro will be even more closely aligned on issues related to multimodal transit. Thanks.

>> Mayor Adler: Ms. Houston.

>> Houston: Thank you, mayor, and I think that what is playing out today is something that the whole city of Austin needs to see. Is that we were able to through an interlocal agreement receive funding from capital metro to provide some much needed services in geographic areas which had been forgotten and/or neglected for years. And so all of my missing sidewalks, which I'm at the top of the list in, I'm able to fix some of those. All of the noncompliant Ada sidewalks I was able to fix some of those. All of my failing sidewalks, dnf, I was able to fix some of those. As I said, top intersection crash locations, speed and safety crossings for my kids on Johnny Morris road where Gus Garcia middle school is and there is no way to safely get across that street. And because of that relationship, I had some certainty in those dollars.

[11:45:38 AM]

But as we play out today in so many of the members of the capital metro board are sitting right next to me, the priorities are not for the people in my district, and I don't mean to sound ugly and if it sounds ugly, I'm just trying to be realistic. This is the same capital metro that has cut services to the majority of the people in district 1 who now have longer wait times and have to walk longer distances to get to the bus stop. Most of those people are transit dependent. And so when we talk about how these services are going to benefit the community, my district has not seen that. My district has not benefited from those assertions that are being made today. And I don't know that I can depend on August the 9th when you come back with some kind of readjustment or recalibration or finding new pockets of money that district 1 will still get any kind of support because it seems as though, once again in this community, equity is not an issue. A bird in the hand is worth all the -- all the ones you find in the bush, and this was a bird in the hand. We now how we could use the money. The community decided how we could use the money and what their priorities, health and safety priorities were, not a board, not -- and I think we need to partner with all of our transportation partners so that we are on the right pages. As I said on Tuesday, one of the things that I was want to go use some of that money for was on 969 to have a rapid transit a lane, but that's gone now. That will never come back. And once we vote on this, I don't know that I will ever get any money to finish those tiers of projects that we've identified for the people in district 1 that are not close to the central city, but the ones that are further out that nobody thinks about or very rarely thinks about and it's hard to get any kind of infrastructure improvements out there to temperature.

[11:47:42 AM]

So I'm very disappointed by this conversation because it doesn't take into conversation the people, it talks about the planning for an agency, and I don't know what the financials are so I'm not sure why you all don't have enough money to do this, and I certainly don't minute contributing something, but why can't we -- well, we can, why can't we do certificates of obligation for the 6 million and give it to them? Why do they have to take it -- that's an option that was not presented. Can we do certificates of obligation to fund the 6 million and then we keep what we have? Why can't we do that? Is it not urgent?

>> I don't believe we can issue certificates of obligation for another agency.

>> Houston: Well, certificates of obligation for us to fund the design --

>> Sidewalks and the other quarter cent ones, that's what --

>> Houston: I believe, again, that's going to be a tax burden on the same people that we say we're trying to help. It's going to be a tax burden on the same people we're trying to help. And again, they are not seeing any benefit from the partner agency that we're trying to help. So I see that the vote is not going to go that way. I'm just really sorry that it has to play out this way, and maybe if we had had

conversations earlier, maybe if this had come up in some of our transportation meetings that we would have been aware of this and been able to do some more creative thinking. But I'm not going to be able to -- now that we can't divide the question, I'm not going to support the bond because I see the detriment it's going to do to my district.

[Applause]

>> Mayor Adler: Councilmember Garza.

>> Garza: I always appreciate councilmember's passionate statements but I have to respectfully disagree that equity has not been priority for this council or those of us on the cap metro board.

[11:49:43 AM]

I voted against the connection 2025 because of the concerns. There were lines cut throughout this city. There was no district that had more than the other. I had lines cut in my district that I fought as a cap metro board member to have there, they were cut, there were lines cut throughout the city in an effort to make it more frequent and more reliable for the entire city. This is about the people. And it's taxes either way. It's either your sales tax that funds it or it's through this measure that we're trying to commit here. I just -- to say that -- to make a general statement that we don't care about equity, that we don't care about the people, I have to strongly disagree with because I would encourage councilmember Houston to go, to watch past cap metro meetings where I made passionate pleas similar to the ones I just made but I didn't get the support on the cap metro board, but I fully support the things that we did. We have to use -- you have to use what we can to move forward and this is an opportunity for everyone to get -- to get rapid, frequent, reliable service for everyone. And as long as I'm on that cap metro board, that is what I will continue to advocate for.

>> Mayor Adler: We've divided the questions. We have all the whereas causes and the first two -- councilmember kitchen.

>> Kitchen: I want to reiterate what I said before. We are not -- I want to repeat not cutting any funds or any projects for any of the quarter cent projects by this action. And we are taking action simultaneously -- in the language that I read earlier, we're not authorized to execute any amendment with cap metro until -- until after we adopt the funding to replace the quarter cent.

[11:51:49 AM]

So I just think it's important that, you know, we have differing opinions upon how that's done and when that's done, but I want to make it very clear that by voting today we are not cutting funds for any quarter cent project in any district. I wouldn't do that.

>> Mayor Adler: Mr. Casar.

>> Casar: I feel I need to speak up as well because I'm very supportive of this item for the same reasons councilmember Garza and councilmember kitchen just mentioned. Actually on the rankings of most dangerous intersections, I think when we funded those, the number one most dangerous lies entirely within my district at Lamar and Rundberg, and we were able to fund that. There are many projects among some of the most dangerous missing sidewalks in the city. And we have quarter cent funds dedicated to do that. We have students from Lanier high school speak to us about the dangers of crossing at Fairfield drive and that's on my quarter cent list, and I would never vote to do something that would undo that commit. That's why what we are voting on says this will not reduce any any way the quarter cent funding, so that's why I'm supportive of this item. We need to move forward on transit planning because it's critical for us to be able to improve mass transit in the city, and this is a creative item that I appreciate staff putting together that can get us that and not remove any quarter cent funding. If it goes any different, then we can fix that. But I don't think that it's helpful for us to characterize this as cutting from quarter cent funding when it's so painstakingly written we're not cutting any of our quarter cent projects out of the loop. I wouldn't do anything to cut that given the massive inequity in some of -- inequity in some of this transportation infrastructure in my own community and part of why when we got this quarter cent funding I thought we needed to put more of an equity lens on it and not divide it in ten pieces but dedicate more to some of the places that have less infrastructure.

[11:54:04 AM]

But in the end since we went with cutting it in ten parts, I think we've been able to maximize that. I appreciate the process we've gone through with council and staff and I don't blend -- intend to change that. I anticipate that there really is no way around keeping this commitment to council

>> Mayor Adler: Council member alter.

>> I had a question for the city manager if he's prepared to spend city funds for these projects.

>> I thought it's in the resolution. I'm hearing for some council members and myself included, one of the hesitations, I appreciate the resolution, but I would like to hear from the city manager himself on that.

>> Can staff speak to this?

>> That's what August 9th would do. We can't guarantee it's council authorization, we'll guarantee we'll bring something forward August 9th for you to consider.

>> When you do that, we need to know what you're not spending the money on, that we could have been spending the money on. That is what is giving me heartburn and I think for transparency sake, we need to understand that. You may support cap metro wholeheartedly but might support something else wholeheartedly, and not knowing what we're giving up makes me really uncomfortable. When you bring it back August 9th, I hope you bring back that level of transparency so we know what we're voting on more clearly. And if -- can you commit to that?

>> Well, that will be a challenge. You got a potential vote today for bond program for millions and millions of dollars. Every one of these programs has millions and millions and millions of dollars of need.

[11:56:08 AM]

To say I can't come back and say, I'm not going to do this sidewalk because of your action, it does reduce our debt capacity by \$6 million, but you're considering perhaps \$925 million today. So, in light of that, I really can't identify a project that we won't do because of this action.

>> Mayor Adler: Let's take a vote.

>> Mayor?

>> Mayor Adler: Yes, miss Houston

>> Houston: One other thing. I'm sorry we're now in a position where we're going tit for tat, saying that at my number one district intersections have crashed. That's not the issue. The issue is that there is no guarantee, either through certificates of obligation, or through whatever creative thing you all come up with, that at the end of the day, district 1 will still have \$1.18 million to do some of the things that district 1 wants to do, not what other people wants to do. That's the issue for me. And there is no guarantee. I see it's written, but just like many people in my community, there's a lack of trust that this will actually happen, because the same 11 people have to vote on it. And you can see the way the votes are going now. So, maybe they don't vote to authorize cos. Maybe that's a vote that doesn't get to be taken. I don't want to keep going over the same things, because I think everybody has said what they think is the best thing. I can only repeat what I think is the best thing for my district, and the needs that they have, and the needs that they've expressed, and the needs that have never been addressed by this city. And I'm sorry if that sounds mean or ugly, but the facts are the facts. Benign neglect is happening in district 1 and I was trying to at least make a dent in many so of those things.

[11:58:14 AM]

So I'm ready to vote, mayor.

>> Mayor Adler: We have Mr. Pena to speak. Mr. Good, I read the documents that you've written to say that if we come back as a council and don't authorize the co, then the quarter penny funding stays the way --

>> We could not initiate the amendment without the action on the 9th.

>> Mayor Adler: If council comes in for whatever reason, changes its mind, or whatever reason the quarter penny gets spent the way it gets spent today.

>> Houston: Mayor does it get spent twice? Because we've given it back to capital metro?

>> Mayor Adler: We won't have given it back to capital metro. Because they can't give it back to capital metro until the subsequent vote. That's the guarantee written into this. Will Pena.

>> I'm here to support your comments, council member Houston. I have a lot of hispanics in your district and everywhere else. I religiously attend the board meetings. I was a former investigator and slab rat investigator for the collateral justice department. I have it with me. I showed it to you, Mr. Adler, when you were running for office at your campaign headquarters. I see a lot of disconnect. I see a lot of like, my sister in Houston said it wriktly. Even in my district 3, I'm a native of east Austin where the railroad tracks used to run in front of our house, wake us up at 3:00 in the morning to build the dam on town lake. What I'm saying, there's disconnect. There's discrimination. There's a lot of people that have been left out of the process and district 1 is the hurting district. We have a lot of people over there and it's growing. And district 3. Also, your district also council member Garza.

[12:00:14 PM]

Thank you for your vote when you voted on the schedule. Let me tell you about these schedules, also. They are detrimental to the people. You have to walk, like council member Houston said, walk nearly a mile, a mile, to get to a bus stop now with the new changes. So, you know, that's not good. So, let's put some, like our drill instructor used to say, use your mindset, brain housing group. There is a lot of discrimination here. And it ain't good. This is a city of Austin, Progressive city. It ain't Progressive anymore. It's gotten to the point it doesn't matter what the lower class is and what they do to us. Make it equity, equity for everybody. Fair and honest. Equity. Thank you very much and respond however you want to my comments. I don't give a darn now anymore. But I know this much. Listen to what the people have to say. That's what veterans for progress have said, this ain't good. Thank you.

>> Mayor Adler: Thank you. We're back up to the Diaz. Those in favor, please raise your hand. Council member, pool, Casar, mayor pro tem, Renteria, Garza, kitchen and me. Those opposed, raise your hand, troxclair, Houston, Flannigan and alter. That passes. Now we'll take a vote and discuss the next section. These are the last two clauses. Council member Garza? Okay. I'm going to vote against this when -- because as I read this, this gives the -- what we're doing is we're delegating to council members the ability to spend funding. This was dollars that we decided up, and at the time that we did that, we talked about the policy of entering into a practice where we took money and divided it and spent it equal amounts in districts without regard to need, and as a general policy, I think we've done a really good job of making sure that we spend the money with the greatest need exists.

[12:02:39 PM]

But, this practice ran counter to that, and the balance that we achieved at that time was to say that even though we divide it up and let each district make their list, that it still has to come back to the council. And I thought that at the very least, that was the appropriate way to handle that when we did do that. So, that each one of us had at least to put before the entire council the question of how honey

would be spent. I don't even know if this is proper legally to give that kind of discretion to individual council members. But in any event, I just think that it doesn't -- it's not much just to say everybody gets to do their own discussions with the department, but it comes back to council, and I think we should preserve that measure of the compromise that was reached. Miss Houston?

>> Houston: One of the reasons that I supported that is because once again, some of the reason that I was not able to fund some of my projects that have been identified, is because of the push and pull between departments that take forever to get to my projects. And I know that other people have projects. It's 11 of us, and some people have more priority than others have priority. So, Sarah drive, for example, a railing on Sarah drive, was one of the ones that was in my project, and we're still waiting. That's three years later, two kids have died climbing into that culvert during the rain events. And all I ask for is railing to protect the kids so they can't climb through, they can't climb over. So, that's still there.

[12:04:39 PM]

So, they say that's going to be funded. But there are other things on that list that, you know, if I can't get down on jolly Morris road, so the kids from mobile home park can walk to bible Overton. Let's move that to trails. No. That's not the priority in the neighborhood. So, some of it is push and pull in the departments. I don't know how other people have it but there's a push and pull and disconnect with departments on how you stage these things and get the design phase to the implementation phase. You know, I said about the pedestrian beacon at givens park. It's up. Hasn't been turned on. I mean three years I've been waiting on that so kids can cross safely during the park in the summer but they're still running across. So, there's some things going on that allowed me to have a lot of money left, so I know that doesn't have anything to do with it, but it's about having the ability for that to be controlled by the people who know what the district looks like, all 46 miles of it, not just what parts of the district look like. And sometimes we only focus as a city down at the central city, which is one of the problems about -- that we had with the at-large system. Now that we have a large governance structure, my area goes all of the way out to Howard lane in yager. Yet I need to have that conversation. You all don't though that. I don't know what your districts look like. I have to trust that you know what your district needs and I need to support that, because I'm not going to go look for yours, mine is big enough. So, those are the kinds of things that I thought would be better, to let them have the conversation with us, because we know what our areas look like, and we're going to try to do the best to stay connected, compact, use transit when we can and when we cannot, we'll have to figure out what else to do.

[12:06:46 PM]

>> Mayor Adler: Further discussion? Council member Garza and council member Renteria.

>> I just want to be clear. What were the two results?

>> The third one and fourth one.

>> Mayor Adler: The previous vote we passed all of the whereas clauses in the first two be resolved, so now we're looking at third and four be resolveds.

>> I'm sorry, could staff explain -- so, we approved the cap metro funding for the study, right? The first action that we took.

>> The action you're considering now, we agree with the philosophical discussion of splitting money up within districts but you already did that, now, we're finding it's a little cumbersome when one of your programs falls off the board because of some reason, feasibility. We want to move that money to another project. We can't do that until we come back to the full body. That's what 3 and 4 do is to say working with each council district office with you, if we have to move funding around that still meet the transportation criteria, that's required, so they still have to be transportation projects, we would be allowed to do that administratively. That's what 3 and 4 does.

>> Garza: So whatever fund something left --

>> No, for all of the remaining work we have to do in the quarter cent funds, yes.

>> Garza: If I had half a million -- I understand what you're saying, there are some projects where we're told we can't do that. It would give council the ability to say here's another one and staff has to say that meets all of the criteria and that allows council to move that money?

>> That's right. We can still do that but the way it is now it's cumbersome and time intensive. We'll be back -- we have not done that yet. Because we're working with each office. We likely would come back with changes to that list.

>> Garza: But this only applies to that that's left, the balance.

[12:08:52 PM]

>> That's right.

>> Garza: This is not authorizing any future --

>> That's right.

>> Mayor Adler: Council member Renteria.

>> Renteria: I thought when we did the transportation bond that we pull additional \$2 million in district 1? Can any of that money be used? We knew there was a greater need in district 1, so, when we did the transportation bond, we put an additional \$2 million for sidewalks in that district. Is that correct?

>> We have \$37.5 million of sidewalk funding that we're working in each district, but -- as council member Houston identified, she has the most missing sidewalks, so a portion of that, those funds, are going to her district.

>> Renteria: So we can still build sidewalks there?

>> We're still building sidewalks in every district, yes.

>> Renteria: Thank you

>> Mayor Adler: Council member kitchen?

>> Kitchen: I'm going to support moving forward with these. I don't want to -- we had this long conversation -- I respect what the mayor is saying when we had these conversations before. Give where we are today with the quarter cent project, I think that it's important for you to be able to work directly with the council members for all of the reasons that council member Houston stated, so, I'm going to support these.

>> Mayor Adler: Any further discussion on the last two clauses? Mayor pro tem?

>> Tovo: Now that we're picking -- now that we're separating out things, I would prefer to vote on those two things separately, too, for the reasons that you articulated. I have great reluctance having -- having - - setting a precedent where we have council offices making individual decisions, and I understand and don't want it to be cumbersome. I can't see why we can't handle it in the way we see our appointments and commissions, have a regular standing item. There's a couple advantages, one it helps see connections between our areas and opportunities for potentially adding funding for somebody else's project, when we have, as we do, industries that connect and sidewalks that connect.

[12:11:05 PM]

I know council member Casar and I have one that connect that we received funding for. I think that's important, too, that we have worked with our districts to identify these projects. It doesn't mean, though, that once the city goes out there and starts working on the sidewalk, that there aren't concerns, so, this also -- I think having it as a standing item on our agenda gives a signal to the public what project is moving forward. That way, if they want to comment on it, before it gets implemented they are aware of it as well and I think that is helpful for all of us in terms of public acceptance of those projects when they are on the ground.

>> Mayor Adler: Sorry. Further discussion before we vote? Yes, council member alter?

>> Alter: I was just wondering if a standing item, where it's treated sort of like appointments where you're really kind of raising something when it's an egregious type of situation, if that addresses the on the ground concern that you have expressed on multiple times to me with this process? I'm in a different situation, this that my -- I had a lot of projects from my predecessor that just were not feasible. There were no records left, so we have to switch a lot of projects, and that will be a different situation than other people, but I would just like to hear from you, if you think something like what's being talked about addresses your concern there.

>> I'm not sure it does. It would help. Getting an item on council agenda is not an easy task. There's lots of work from staff to do that. So, even if it was a standing item, we would still be providing backup on what the changes would be and it is more work to do it this way. We certainly, at the will of the council, will do that. But this proposal will make it more efficient.

>> Alter: Don't you provide that to each of us?

[12:13:07 PM]

Essentially what the backup would be would be something you are providing us when we made our decision?

>> It is. It's a little more work to put on the council agenda but we can certainly do that if that's your will.

>> Alter: Thank you.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I know there's different processes that the staff go through. Different deadlines and earlier ones bringing it to council. I just ask if we could -- if we don't move forward with having individual council offices making those decisions but have yet a standing item, I wonder if you can figure out kind of a different sort of staff process so it's as easy as possible and not requiring any additional work than staff are currently doing as they go office to office. I should have indicated earlier, I said, for the reasons the mayor shared, I just want to say again, we've had these conversations about how to make those decisions and whether we split up money or consider it together. In my opinion, we've been very respectful when council members have said that they have particular priorities and needs, and there's only one quarter cent probably that I'm aware of that we didn't move forward. I think we acknowledged the expertise that each council member brings to this process and the knowledge that they have about their district but I do thing, especially in these early years, when we're so -- when we're really establishing how 10-1 will work and being very sensitive to the needs and different needs of each district but also, as we're being able to balance those against the needs of the whole city, I think it's really important that we establish processes that will lead the city into the future, and I'm -- continuing to have the council be the accountable body for how taxpayer dollars are spent, is the best path. Sorry, that was -- I got around to a different point but city manager, the question was related to you, if you can figure out an expedited process so it's not more work for the staff.

[12:15:09 PM]

It's the same that we're doing.

>> Mayor pro tem, we'll certainly look into that.

>> Mayor Adler: Okay. Miss kitchen?

>> Kitchen: I am going to continue to support this. I do want to make sure that whatever we do, we don't sort of redo the decision that we made a number of years ago, because a number of years ago, we did decide on certain dollars for each district, and some districts have used more of their money than others. So, I wouldn't want district 1 to get caught in a change of heart on the board -- on the council, in

terms of how we do these things. So, all we're really talking about is an approval process for moving money around within a district, and I have no reason, nor desire, to second guess a council member on how they do that. Because they are doing that in the context of criteria that have been established and approved by this body. So, I'm going to continue to support these, and I just want to caution that we be careful with any process that we're putting in place here, that we don't inadvertently end up applying a different set of criteria to someone's district who has not -- who isn't as far along right now for various reasons in using those funds.

>> Mayor Adler: Only because you just raised that then, to be clear that I am the only one person, I of course lost that vote three years ago, about not distributing money by need but doing it by district and I recognize that and have supported all of the efforts to expedite the funding and honoring the will of the council in that, in terms of all of the things that have happened. And in part, it's because I -- I have supported and honored that agreement. I support and honor all of it, including the one formality and catch that says, that even though we all get to decide and use our own expertise, it does come back to council, just like our nominations for others.

[12:17:23 PM]

So, rethinking that, or redoing that, is furthest from anything that I would consider doing. In fact, it was only to hold on to what was that agreed balance back then, that I raised this issue. We ready to take a vote, Mr. Casar and council member pool?

>> Casar: I think to that. Which is check and balance and money being divided. Mayor pro tem and I were talking. We think we approved all of the quarter cent projects. I think there's one that we questioned but so far they've all been approved. But I think it has less to do with the quarter cent fund money and I want to make sure these projects come back to council for keeping good, good governance practices in place more than this having to do anything to do with the quarter cent funding.

>> Mayor Adler: So the record is clear it got divided 11 ways. I have a Quinn constituent it got cutting is 1 pays. Council member pool.

>> Pool: I'm trying to rec when we first got the funding and qualified it a quarter cent. Did we agree on the dais that this was an unusual situation. That we were going to divide it equally ten ways and the bid that was also indicated for the mayor to distribute? I think I remember that conversation, because normally, we wouldn't have wanted to say equal allocations of everything to every district, because the fact is that some parts of town need more help than others in different categories. Can anybody remind -- do you all remember that, that conversation?

>> Mayor Adler: We've only done it one other time and that's when we did the transportation bond and there was a bucket that we also divided in equal components, but then we came back. That's how we did it at the end of June, and then in August, we came back. I think that's what Mr. Renteria was referring to, because there was some concern on the dais that we had inadvertently divided money in a way that didn't send it to the greatest district by need.

[12:19:35 PM]

So we reallocated how much money we had in two different pots so as to take some of the money out of the equal pile -- pot, and into the need pot. I think Mr. Renteria is referring to. Are we ready to take a vote so we can get to citizen communication? Let's take a vote. Those in favor of the last two resolve clauses? Are the last two tied together in.

>> Not necessarily. The last one is a cap metro suggesting that we go back to them and see if their board doesn't have to approve these changes.

>> Mayor Adler: Okay. Let's take them separately. We'll do the third resolve clause first. These in favor of the third resolve clause, please raise your hand. We have alter, troxclair, kitchen, Houston and Renteria. Those opposed, raise your hand. It's the balance of the dais that resolve clause does not pass. Now we'll vote on the fourth resolve clause. Those in favor of the fourth resolve clause please raise your hand. Those opposed, it's everyone on the dais. This passes with the exception of the third resolve clause.

>> Houston: Mayor, before we move on. Will capital metro be coming back to us during the next budget cycle for additional money?

>> I'm sorry, I didn't hear the question.

>> Houston: Will council be coming back for additional money and if so, how much?

>> I can't anticipate another

>> Houston: I'm sorry?

>> I can't anticipate that they will. I don't know. I haven't been told that.

>> Can we ask?

>> Houston: They asked for 15 and you gave them six. I think that will be finding them through that first year of preliminary engineering and then we have to reassess.

>> Mayor Adler: All right. Let's go on to citizen's communication. Council member pool?

>> Pool: I have one last question since the second resolve failed -- >>>ity third one.

[12:21:41 PM]

The first one continues over from page 3 to 4.

>> Pool: Okay. Gotcha. I was -- okay.

>> Mayor Adler: So all of them passed except the second to the last resolve clause.

>> Pool: The second. Okay. So, since that one failed, my question is -- sorry, I counted wrong. We will still have -- and this supports what council member Houston was talking about previously, we will still have a discussion that will highlight the projects that are in district 1 and any of the other districts that have not been completed to ensure that there is money for these project in the budget?

>> Mayor Adler: It's written in a way that guarantees there's money for those projects. The full count of the quarter penny money is not put into jeopardy.

>> Pool: Thank you.

>>> Let's goes to citizen's communication. The first person we have speaking is Carlos Leone? Mr. Leone, you have three minutes. Mr. Leone?

>> So, Carlos Leone. In Austin, June 28th, 2018 to speak what's write. First and foremost, for letting me hold public servant government employees accountable for their words and actions. Ren that Moore, administrative supervisor, APD central records, still has not delivered to me the legally requested dash cam video recording from late evening 1-8-17 that is legally mine per the public information act and attorney general paxton's open records ruling 2016-1001 which says it's none responsive basic information that must be released.

[12:23:47 PM]

Document 1 on screen, which you all have in front of you right now. 4-3-17 Moore falsely claimed into writing that previous determination exempted APD to release it to me because it was being used to prosecute crime. Next, however, judge Garcia dismissed the bogus crossing mid block charge 3-30-17. After jeopardy attached. Next. 4-27-17, judge Solomon dismissed the refiled bogus ped and roadway charge for insufficient evidence legally terminating your wrongful prosecution against me, read citation 1419982 per state V. Winfrey. Camera on me now. Therefore, I allege Moore never had any legal ground to not turn over to me the video, but especially now, because your prosecution against me legally ended 14 months ago. Therefore, Moore's alleged criminal behavior continues, dragging down APD, mocking Texas law, and making a fool of police chief manly, whose pledge to improve police accountability and records oversight, helped him get the permanent post two weeks ago. Therefore, Moore needs to release and deliver that video to me yesterday, which -- oh, to rightly serve me and follow the rule of law, which Manley, city attorney Morgan and D.A. Moore should enforce now.

[12:25:55 PM]

To punish and prosecute Renee Moore for not complying to make Austin safer for us all which is their responsibility. Otherwise, freedom city is really a police state, that us people have the right to alter or abolish to institute new government without you to effect our safety and happiness

>> Mayor Adler: Sir, your time expired. Thank you. Next speaker is quasi Evans. What about SHAWN Collins? Come on down. On deck is Dan Conrad. Is Dan Conrad here? Dan Conrad? No? What about Roderick -- you'll be on deck. Go ahead. You have 3 minutes, sir.

>> Thank you. Thank you for scheduling this today. I understand it might go late. Tomorrow is a off day for the world cup, so we're getting close to the England game at 1:00. So trying to expedite this. I want to stoke us Austin loves soccer. If you look at TV ratings it's been top of the board. Austin and soccer is the same DNA. All about inclusiveness. Diversity, passion. If you have been able to go to these world cup matches. You see strangers giving each other high five, hugging, it's dynamic community you don't see in other sports and something that would be a real asset here. Just for me and so many other folks that are big soccer advocates as long as you can remember my life has been measured in soccer moments from the time my dad coached me as a kid and I continue that tradition with my own kids for neighborhood sports, out west. That only takes you so far. There's one experience I had as a kid. I lived in the D.C. Area and got to go to a camp with the Washington diplomats who were in the early '80s.

[12:28:01 PM]

I got to go and play on a travel team for quite a while. I got to play in their stadium. It was one of the most pivotal moments in my life. I got to play on the same pitch as pele, and others. This experience was so pivotal, it made me want to keep playing, playing all I could. And one of the toughest days of my life, comparably to death in the family and that sort of thing and favorite teams losing was when I lost the state semifinals in high school. I should have been one of the people picked for penalties but the other guy, he missed it. That's history. But I -- it would be so amazing to so many people here if we didn't have to travel all over. In the past couple years I've gone to Frisco, London, new York, Philadelphia, San Antonio, Washington, D.C. To see soccer matches because I can't go here. Fortunately in a couple weeks I'm going to Round Rock. But nothing right here in town, and I think it would make -- it would be so great to have a team here, and -- like one example, just the passion here, I live out in Muir, and the pub there, is the official Liverpool pub. My son is a big fan, he go there's in his kit, it's the uniform and just this camaraderie. There's no age, race, socioeconomic. Nothing matters. Everything is part of the group there. He's there singing the songs and dancing and cheering and such an amazing atmosphere. And even the -- just an example of the players, the community of it, after a match for soccer, the players come and they applaud the fans because they appreciate what they've done, that they supported them. That's something that I hope I can do with all of you guy, I can applaud you after you go no, on any on 60 and no on 30.

[12:30:02 PM]

>> Mayor, I don't think he stated his name for the record.

>> That's all right. First-timer. Sean Collins.

>> Thank you very much. Mr. Mercado, you're up next. Is Brian cotter here? Brian cotter? No? What about Mike wanan? You'll be up next.

>> My name is rob Mercado a graduate of the university of Texas and volunteer soccer coach to my 10-year-old and 14 other boys at town and country soccer club in north Austin. While I didn't grow up with soccer the world's game has become so important to my family the families of kids I coach and thousands of other Austin families that play with us every week at the games, practice on the training grounds and at camps all across Texas. This game brings families and communities together and spans across races, ages, party affiliation and economic groups if you're asking what soccer will do for Austin it will bring this city together. I urge you to vote yes on 130. And bring this team home to Austin. Austinites will cheer that team on and fill that stadium and wear that Austin Jersey with pride wherever in the world they go. In addition I urge this council to vote no on item 60 while publicly positioned at an attempt at fairness. Item 60 is clearly an attempt to delay bringing soccer to Austin. Mls has shown it wants Austin, today, tonight, Austin has to show that it wants major league soccer. A lot of discussion is around opportunity cost and lost tax revenue. If this was about getting the most tax revenue. They would have sold it to a developer for millions of dollars years ago and have a Sr. Mass shopping complex there that none of the nearby neighborhoods want. On to two items council must decide if the purpose is generate most tax revenue or true mission is do good for the city's resident the.

[12:32:06 PM]

Instead of throwing out excuses and road blocks that were developed by political opportunists. Let work together as a city with major league soccer and sports ventures to get the best deal to Austin taxpayers and bring major league Soccer to Austin please vote yes on 130 and no on 60. Thank you for your time.

>> Mayor Adler: Thank you. Is Joan Brooke here? Joan Brooke? No? What about Monica Guzman? You'll be up next.

>> My name is Mike wynand. I was a resident of district 5. It is important for me to speak as well and ask you to support item 130. On today's agenda. Possibly tomorrow morning and also to vote down item 60. I reviewed the proposal for McCall place and the results of the community conducted survey by city staff. It's clear that is an opportunity we can't afford to dismiss. It's also an opportunity that's not going to be before us again. Mls has relocated a team only once before and has an extension expansion roses he which members of other communities paid huge sums of money just to be a part of and get a chance for the opportunity before us now. McCullough place has been dormant for two decades and providing no value to the city and while there may be other uses for it the same could be said for other city tracts of land. This is the only suitable location for mls. To provides accessible green space for an area that needs it and support for housing initiatives. Chambers across the city supports the proposal but the value it brings to the community goes beyond dollars and cents. I think as of late we've all felt that as our city grows perhaps we're growing apart.

[12:34:11 PM]

Our community is made of diverse backgrounds, interest and walk of life and that's what makes living in Austin so wonderful, but we're still one Austin. And this team can be a banner for us all to rally behind supporting a game that celebrates diversity and inclusion. Games wouldn't be a chains for us to support the team but a chance for us to show the bride that we have in the city in our shared community. There's no mixed use development that can offer that. I offer you to vote down 60 and let the city manager get into negotiations with psv to find the right Gael for the city. If that deal can't be reached then other alternatives can and should be considered but if we do get this deal done. It wouldn't be just a soccer team it would be an Austin Texas team. And would be up to us to show the world and really ourselves what that can mean. Thank you.

>> David king?

>> Go ahead. Thank you for this opportunity to speak. My name is Monica Guzman. Today a stand as a district 4 resident and member of the equity action team. I left my debriefing for two trainings that happened a few weeks back, more focused on the codenext team. My comments are not on codenext but ongoing race iism. This city has unfortunate sorted history of institutionalized racism and systemic inequities. I think it's great the city is doing workshops. I ask you support the exit office to secure a contract for continued training with all of the departments. I understand at least two members of council have been through the training. I look forward to hearing about every member of council down to the last person on the city payroll, temporary or otherwise. What concerns me is one of the things that comes up is about gate keeping.

[12:36:16 PM]

Gate keeping in itself is not bad or good. It's about the context. You want to make sure you're protecting information from the wrong hands, or you want to make sure it gets out to everybody that needs to have it. When I got in here today, to quickly register, I was discussed to Shiite em60 and 130 and 117 were grouped together. Forcing people to vote for, they support all of them or none of them or neutral. I don't think that's fair. They should have been listed separately at least as far as support and ability to speak. Unfortunately I chose to do neutral showing where I stand. That will come up later today and that leaves out a lot of people that really don't understand how that works. What I want to see also, seems like a shift but it does come into play, I want to see the city invest in the people, the community as a whole, especially the eastern crescent, the vulnerable communities. I want to see the city be proud that they are making sure people have housing, education, workforce training, improve the quality of life for everybody, not to be proud of a stadium that could stand empty most of the year. Thank you.

>> Mayor Adler: Miss Guzman, just for you and for the record in case people are noticing, when we put items together, that's so the speakers all speak at the same time. But we'll take individual votes on each of those items.

>> I understand. Thank you.

>> Mayor Adler: Uh-huh. Mayor pro tem, did you -- >>

>> Tovo: Yeah, I know another individual raised a question about that as well, they wanted -- they were hearing from people who wanted to be able to register different opinions on different measures, so I wonder -- I don't though if we want to have a discussion about that, or -- about how it's being combined in the speaker system or just allow -- afford people the opportunity when they came up to explain --

[12:38:19 PM]

>> Mayor Adler: I hadn't thought about that.

>> Tovo: Where they weigh in on each

>> Mayor Adler: I hadn't thought about that practical issue, let's figure something out so people can register. Thank you for bringing that to our attention.

>> Thank you.

>> Mayor Adler: Mr. King?

>> Thank you, mayor. Mayor pro tem, council members. City manager and city attorney. You know, I'm here speaking in support of doing a open and transparent process so you have all of the options on the table, including the stadium option, and after you deliberate on all of those options, if you feel like the best option for our communities is the stadium, I can accept that. So, I'm here, not to speak against any of those soccer-related items, soccer related items but to speak for item number 60. We should and can have a professional soccer team and income restricted housing for low income families. They are not exclusive. Council has a responsibility to residents and taxpayers to consider the highest and best use of city-owned property. In open and transparent request for proposal process helps ensure council fulfills its responsibility. Land is one of the most expensive barriers to income restricted affordable housing particularly for houses earning below 50 percent median income. Council knows that and is provided a list for land that could be used for income restricted affordable housing and the city provided such a list. As I understand not one income restricted housing unit has been built on city-owned land on this list yet a private equity firm comes to town for a private soccer team and dictates a short time line. Council responded quickly and expedited the request. Why does it seem that the urgency to facilitate the use of city-owned land for a private equity firm is the priority over the worsening housing crisis for low income families in Austin?

[12:40:20 PM]

Where is the urgency to build income restricted housing on city-owned land for displaced low income families? I would like to share with you a comment I received from a supporter of the proposed soccer stadium at McKalla place which we know is near the domain. Quote, if they were identifying McKalla as location for low income housing, I would oppose it. I would oppose that no matter if MLS was an option. Putting low income housing next to the domain would be a disaster. I was surprised by that statement.

And I responded with my surprise and disdain. My final comment is to echo the concerns expressed by Monica Guzman, by combining the mckalla items one must sign up in favor of, against or neutral on all three even if they have different perspective on each items. In the future please separate the items so people can designate the reference for each item in a group. I think there is a way. We're a high tech community. We know about software here. We are fix that soft wash to say they're in a group but within this group each item you can designate whether you support, oppose or neutral on each item. There's a way. This is a fairly simple solution. Thank you so much.

>> Thank you. Anybody sign up for citizen communication that I have not called? Egg. I think that's it. So, we're now at 12:41. We'll take a recess. We're going to go into closed session to take up two items, pursuant to 551 government code we'll discuss legal items related to --

>> Mayor? Miss Joseph is here. I think you called her name earlier

>> Mayor Adler: We did. We called her up when there was debate on an item, as opposed to citizen communications.

>> Okay. Okay. Sorry.

>> Mayor Adler: That item has now passed.

[12:42:20 PM]

Yeah. That's what that was. The city council will now go into closed skz to take up two items. City council will discuss legal matter related to item 60 and city manager solicit plans of development of 10414 mckalla place and item number 10, direct the city manager to analyze proposal from pre court ventures to begin negotiations. Without any objection, we will go into executive session on the items announced.

>> I just wanted to clarify that my request had been for both the real estate and legal executive session, so I don't want us to be precluded by that, by anything that you said.

>> Mayor Adler: Okay. We'll note it both ways. Both as legal and real estate and we'll figure out when we get back there how to handle those logistics.

>> Thank you.

>> Houston: And, mayor, even though miss Joseph was -- she's one of our bus rider, and so, I'm sure that's why she was late. Because she's usually here right when she's supposed to be. I would like to allow her three minutes to say whatever it was -- is that okay, miss Joseph.

>>> Yes. Let's do that.

>> Houston: Yeah. Because -- I don't remember the item number, but we've already voted on it. But you're here and please address it.

>> Thank you, mayor and council members. I'm not sure if it was 1 or 60 that you called my name for

>> Mayor Adler: 31.

>> 31 was specifically related to the \$6 million for capital metropolitan transportation authority and I want to contextualize the issue and let you know specifically on May 21st, 2018 Tom Hemmington briefed the affordability committee and he did not have any sense of urgency then but was asked about equity in the context of Project Connect and he said off the top of his head he did not know about an equity policy.

[12:44:33 PM]

However, I want you to keep in mind that Title 6 of the Civil Rights Act of 1964 must be complied with even with Project Connect, so I want you to recognize as well that there were some concerns that were raised during the work session by Council member Houston and I appreciate here calling me up to speak. As related to Cap Remap and I want you to be cognizant of the fact that Cap Remap -- Project Connect. I want you to understand that the \$3 million downtown contract was actually extended to \$3.6 million. What's important for you to understand as well is that Mr. Javier Aguero actually testified a year ago and talked about the 25 studies -- or, 25 years worth of studies that have been done and that the citizens are tired of Capital Metro just doing studies so I want you to take consideration that they have consolidated those plans and the \$6 million that you're wanting to give to Capital Metro may or may not be a worthy cause because according to Mr. Aguero it's billions of dollars not just millions that are required for the third phase. I want you to understand there's a disconnect as it leads to affordable housing and transit, in the strategic planning in the blueprint, you have one quarter of a mile of affordable housing where the focus of Capital Metro is half a mile to the bus stop. Specifically you have corridors like on Palmer Lane where it's 3 miles for citizens to walk to the bus stop still. While you're contemplating whether or not -- you may have voted on the item, I understand. As you move forward I want you to understand north of the transit center, those buses operate 45 to 60 minutes and just this morning respectfully I did get an e-mail from the federal transportation region 6 director Mr. Robert, he actually specified that there would be someone that will look into these concerns that I have.

[12:46:38 PM]

Because Council member Kitchen respectfully is the one that sponsored the sole resolution and it was exclusionary. Unfortunately it's discriminatory. One of the things that are required for any routes eliminated named in the minority 30 population be analyzed before those cuts are made. I want you to be aware of those issues and understand that even though the Title 6 service equity analysis was done, they did in fact, meaning Cap Metro -- I'll wrap up on this -- Capital Metro found an impact on 13 routes due to be eliminated in 18 of 20 and due to change as well. It's not something I made up, it is actually in writing. I thank you Council member Pool and Council member Houston and you, as well, Mayor, to speak. Thank you very much.

>>> It's 12:44. We'll be in recess -- executive session. And the real estate -- we're going to be going back as council member alter indicated on both 551 .072 and 551 .071 to discuss these items with reference to both real estate and legal. We'll be in executive session.

[3:12:25 PM]

>> Mayor Adler: Before we get started and come back in, councilmember Garza, did you have something?

>> Garza: I did. I wanted to quickly represent a group of girls here today. For those of you -- and I had it here and then I -- it is a two-general organization that empowers young Latinas and their mothers through education and support services that increase preparedness, participation and success in post-secondary education. The goal was to get the mothers involved and help get their daughters down this path to encourage them to go to college and it's had this unintended thing many of the mothers are inspired to go back to school which is really cool. So this week's summer camp called intern week, the goal of this weeks-long program was to teach different girls about different career opportunities. At internship the girls have been able to visit 911, learn about emergency response, visit municipal court, talk with judges, visit the library and they are here finishing their week to watch city council and watch policy making. Some of the girls visited architecture firms and small businesses to learn about the private sector, they are from north Austin, south Austin. They have diverse interests and they want to make a difference in their community. Some are interested this criminal justice, becoming lawyers and architects, and I was really humbled and honored that the group of the girls were in the Delia Garza leadership academy and I joke my forest gump group. If the girls could stand up.

[Reading names of guests]

[3:14:36 PM]

Those are all the ones I have. Also the city has been able to provide funding during the budget time to help with these wonderful programs that encourage Latinas to go into -- to go to college. So thank you, girls, for participating in this program.

[Applause] We'll go outside and I'll take a brief picture with them, but thank you, mayor.

>> Mayor Adler: Thank you all for coming and joining us. I don't know why councilmember Garza chose to do it this way. You could have sat here with us for the next three or four hours.

[Laughter] Seeing government work. All right, councilmembers, colleagues. You want to do the consent agenda on zoning and planning? It will let a lot of people go.

>> Thank you, mayor. Council, Greg Guernsey, planning and zoning. Our 2:00 zoning items that I'll offer for consent. Starting with number 86, this is case npa-2016- 0016.01. Applicant is requesting indefinite postponement. Notification will be required prior to taking this item back. Item number 87, case c14-

2016-0079, again, this is applicant request for postponement indefinitely. Item number 88, c14-2016-0136, staff would offer this for consent approval on second and third readings. Item number 89, case c14-2017-0012, ready for consent approval on second and third reading.

[3:16:37 PM]

Item number 90, c14-2017-0149 --

>> Mayor Adler: I think 90 was pulled by Ms. Houston.

>> Houston: Good catch, mayor.

>> Mayor Adler: I have your back.

>> Thank you, mayor. Item 91, npa-2017-0021.01, this is a staff requested postponement to your August 9th meeting on item 91. Item 92, npa-2017-0016.03, staff is requesting P to your August 9 agenda. 93, npa-2016-0005.04, staff is requesting postponement of this item to your August 9th agenda. Item 94, c14h-2017-0055, staff is requesting postponement of this item to your August 9th meeting. Item number 95, npa-2016- 0014.01, staff is requesting postponement of this item to your August 23rd meeting. Item number 96, c14-2017- 0010, staff is requesting postponement to August 23rd meeting. Item 97, c14-2017-0138, staff is requesting postponement on this item to your August 9th agenda. Item number 98, case c14-2015-0062.01, staff is requesting postponement on this item to your August 23rd agenda. Item number 99, c14-2017-0130 is a discussion item.

[3:18:44 PM]

The applicant would like to discuss some of the items. Item 100 --

>> Mayor Adler: That's been pulled as well by Ms. Ms. Houston.

>> This could possibly stay on consent with councilmember Houston's change. But I'm not sure, mayor, if you want to --

>> Mayor Adler: Ms. Houston, does that make sense to you?

>> Houston: I have a motion.

>> Mayor Adler: Why don't you read it or say what your motion is and we'll leave it on consent.

>> Flannigan: I'm going to pull it.

>> Mayor Adler: 100 pulled.

>> 101, c14-2017-0148, applicant has requested indefinite postponement of this case. Item number 102, npa-2018- 0002.01, this is already for consent approval on all three readings. Item number 103, c14-

2017-0050. Sh, ready for consent approval on all three readings. Item 104, c14-2017-0051, sh, also located at 1600 east third street. This is ready for consent approval on three readings. Item number 105,, I understand councilmember Flannigan may wish to discuss this item Z pulled by Mr. Flannigan.

>> 106, this is ready for consent approval on all three readings. Item number 107, case c14-2018-0044, this is staff postponement to August 9th item 108, c14-2018-0030, this is ready for consent approval on all three readings.

[3:20:54 PM]

Item number 109, c14-2018-0035, this is staff requested postponement to August 9th. Item 110, c14h-2018-0013, the applicant has asked for postponement to April 30th I know we have an individual in the audience would not object to a postponement, but is requesting a different date of August 9th, so it would be a discussion postponement.

>> Mayor Adler: Which number?

>> 110. Number 111, npa-2017- npa-2017-0016.02, there is a neighborhood request, applicant agreement for postponement of this case to August 23rd. Item number 112, c14-2017- 0094, neighborhood postponement, applicant agrees, to August 23. And that's all I can offer at this time.

>> Mayor Adler: So I'm seeing that the consent agenda is between 91 and 112, and the pulled items I'm showing are 99, 100, 105, and 110.

>> And 110 --

[multiple voices] To clarify the date.

>> Mayor Adler: It's being pulled.

>> Yes.

>> Mayor Adler: The ones pulled 99, 100, 105 and 110. Sure enough. It starts with 86, not at 91. So it's from 86 to 112. The ones I show being pulled are 90, 99, 100, 105 and 110. We need a motion to approve the consent agenda.

[3:22:59 PM]

>> And close the public hearing where applicable.

>> Mayor Adler: And close the public hearing where applicable.

>> Garza: I have a question because I was out. Was 96 postponed?

>> Mayor Adler: 96 postponed to 8-23.

>> Garza: Thank you and I'll second.

>> Mayor Adler: Second by councilmember Garza. 99 has been pulled. 100 has been pulled. I'm looking at speakers. 110 has been pulled. That gets us to 112. The consent agenda has been moved and seconded. Is there any discussion, comments? Those in favor of the consent agenda. Those opposed? Unanimous on the dais. Those are all the consent items. Thank you. Let's now work our way back up to the earlier agenda that we had for pulled items. I think we're on -- let's look at the postponements. Thank you, mayor pro tem. Postponements, let's do that because we know we're going to postpone that. That is item number 110.

>> Applicant has requested postponement to August 30th. Ms. Younger is here in the audience. But I know there is an individual here that is -- would like to speak to the postponement and has a desire to postpone to August 9th.

>> Mayor Adler: To August 9th.

>> Alter: I just wanted to mention, 80 will probably take two minutes. It just couldn't be on consent before.

>> Mayor Adler: We'll come back and do that. Postponed items here, I have one person signed up to speak.

[3:25:01 PM]

That would be Linda kendralosi. Do you want to speak to the postponement day? 8-30 or 8-9?

>> Yes, your honor. Sorry. Mr. Mayor.

>> Mayor Adler: That's okay.

>> Yes, I'm Linda kendralosi. You heard this case on May 10th for first reading. There was some period of time before we found out it was set on June 28th, which was seven-week interval to go to second and third reading. We only learned -- I learned a few days ago but only saw yesterday a request for postponement from the applicant late yesterday to move this to August 30th. I think the next available date would be August 9th. I understand that you will give the postponement when it's requested the first time so I understand that. She asked for postponement for further discussion with city personnel. I think she's had ample time to discuss this with city personnel and community for months. I don't understand why we aren't going to second and third reading, but I would like to ask you put it on the August 9th agenda and let's move past this.

>> Mayor Adler: Okay. Thank you. Is there someone here, is the applicant here? Yes, mayor pro tem.

>> Tovo: Mayor, I'm not sure that any of those associated with the local historic district application thought they needed to be here today because we had actually encouraged them to seek a postponement, and so I had indicated to them that I was going to ask my colleagues to postpone it. I know they also sent in a letter and it has now been recorded as a neighborhood postponement, but I

want my colleagues to understand I suggested that to them because I think it's appropriate. For one reason, we have an extraordinarily long agenda.

[3:27:02 PM]

This is a case where I think we need to spend more time, but also, you know, we have a group of individuals who have spent a long time doing community engagement, reaching out to their neighbors, talking about this. I understand not all neighbors are in agreement about the zoning request, but I want to afford them the time they need to have meetings with council offices or council staff as they have an opportunity to. June has been incredibly packed for this council. We've had more meetings than usual just this week alone. To those of you gathered earlier, this week alone we were in all-day council meetings all day Tuesday, Wednesday and again Thursday. That makes it just extraordinarily tough for people trying to schedule meetings for community members to come in and talk to elected officials making decisions about their applications. I don't think August 9th gets us past that. The month of July, I know some of you are traveling, it's going to be difficult to set up meetings in that time, and August 9th is going to be a very heavy council agenda as well. I don't see any reason not to honor the request until the 30th and that's going to be my motion.

>> Mayor Adler: Further discussion? Ms. Kendralosi? Is there -- I know that you want to have this done as soon as possible. Is there a material difference in the three weeks going from 8-9 to 23? Other than you just want to have it done?

>> I can't imagine that there's any more information to explore. We have had months to lobby councilmembers, and I know that they have. Outreach, as if there was some lack of opportunity or this were being rushed.

[3:29:02 PM]

It was rushed to an application, it was rushed through historic landmark and planning commission in the first reading, but then it comes to a grinding halt and I think that's because -- well, I have my --

>> Mayor Adler: But I understand --

>> I don't think it has anything to do with the merits of this and I think it's ready, it's more than ready. Plenty of opportunity.

>> Mayor Adler: I understand. Usually as a matter of courtesy in these kinds of situations we would postpone it to a date that worked unless there was a reason why that date did not work. As I understand --

>> Okay.

>> Mayor Adler: So it's been moved -- is there a motion to postpone this to the 23rd? Mayor pro tem.

>> Tovo: Yeah, the 30th. A motion to postpone this to the meeting on the 30th.

>> Mayor Adler: Is there a second to that motion? Councilmember Casar seconds that. Any discussion? Those in favor of the postponement please raise your hand. I'm sorry.

>> [Inaudible]

>> Mayor Adler: Those in favor of postponement please raise your hand. Those opposed? It's postponed. 27 we're going to hold off and move it later. That gets us to item number 54. This was pulled by speakers. Do we want to hear the speakers first before we have a motion? Let's do that. Mr. Peña here? Do you want to come down and speak on item 54? Is Joe Garcia here? You'll be up at this next podium. You have donated time from Lauren Smith. Is Lauren Smith here in you will have five minutes, Mr. Garcia. Mr. Peña, three minutes.

>> Good afternoon, mor, councilmembers, Gus peña. I'll be brief, number 54, we're in alignment with the -- some of the owners and no change in rates.

[3:31:09 PM]

Keep it affordable and I'll keep it brief. That's what the consensus is about our request from veterans for progress. No change in rates. Thank you.

>> Mayor Adler: Thank you. Before Mr. Garcia speaks, is innocent Joe Ku here? Mr. Garcia, you can go. Afternoon. Rco John billbase did you not be here so I'm here on his behalf. We want to thank Jason and Jacob for working with the industry to come up with what we agreed to on 99% of the proposed ordinance you have before you. However, we are adamantly opposed to section 23 and 24 that deregulates the rates in the city of Austin. As proposed by council, each individual company would decide what the rates were. And we believe that would create consumer confusion. We believe there are two guiding principles for rate setting by the city. One is protect the consumer and number 2 is ensure that drivers have the ability to make a livable wage. We believe the current recommendation on 23 and 24 does not adhere to those pro principles. We also believe that eliminating the rates established by council does not help us compete with tncs, but creates competition among the franchises with a race to the become.

-- Bottom. The tnc model that is currently operating across the state is a low-cost model that relies on thousands of part-time individuals. Our business model relies on professional drivers who support families, send kids to college, pay mortgages. This year we are targeted to hit over one million trips in the city of Austin.

[3:33:12 PM]

We do about 500 wheelchair accessible rides on a monthly basis, and there are many customers who use taxi cab as their choice of transportation. We believe in discussions with staff that we needed some

flexibility to discount during large events like acl, sxsw, U.T. Home games. However, we believe that the proposal submitted by staff is not one that would be conducive to help in that area. I've handed out a table of taxi cab rates across the country, and as you can see, we are pretty much in line with most of the cities in the top ten cities. However, if you look at Los Angeles -- Los Angeles, San Francisco, Portland, Seattle where you have a huge tnc population, they have not chosen to eliminate rates. And yet I think council -- staff is recommending we adopt an Atlanta, Georgia model who has a population of 480,000 to mirror, and yet we reached out to the cab companies in Atlanta and they are not aware that they can set the rates. They set the rates that are established by the city. So we believe that --

[buzzer sounding]

-- What we ask council is to move forward with all the other parts of the ordinance and renew 23 and 24 and have a real discussion about the impact of rates on the elderly community that uses taxis and the disability community.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Is mooku sadeki here? You will be at this podium. Sir, three minutes.

>> Mayor, city council, city manager, thank you for the opportunity.

[3:35:14 PM]

My name is [inaudible]. I'm the -- privilege to own the transportation company. It is owned by about -- percent of foreigners who are your neighbors, friends, taxpayers, volunteers who strive to put food on the table for their families. We buy and shop locally. We survive on local support. We started with about 548 members. We are now down to 330 members. Uber [indiscernible]. The members of the group thank council for your effort in trying to keep Uber out of Austin. Uber, Lyft, et cetera -- for members. Their presence has cost our business up to 75% if not more. Any more -- that may impede would be a financial disaster to our families. Having said that

[indiscernible] Majority of amendments of the ordinance except for a few areas. Section 442. Deletion of at least 40% of the vehicles -- franchise holder must be owner operated. This has been deleted. We want it to be included.

[3:37:16 PM]

We are also against -- 2463. We are rejecting the idea of deleting the -- the area amended so we would like that to be included. And then the other area we have mixed feelings about is 466. Some members are in favor, some members are against. Those that are against believe that -- on top of the car is not to the owner best interest.

[Buzzer sounding] Contend that -- the top lines identifies that they are taxi company. So if those can be made optional, I think it would favor -- members.

>> Mayor Adler: Thank you. Mr. Sadeki. Would you please introduce yourself in. Three minutes.

>> I strongly oppose having to allow no fare minimum or maximum and also I oppose charging flexible rates and flat rates for fares. With these new changes, able to implement [indiscernible] To the riders when the riders are in most need. On the other hand, no fare minimum will create a race to bottom completion and when taxi franchises and drivers. As a taxi driver, I know one of my regular customers are those people who doesn't even own a car or effort to own a car or drive a car.

[3:39:29 PM]

They do their basic needs, for example going groceries or keeping important appointments like seeing a doctor without the help of taxi service. Imagine it's rush hour or it's one of our highest traffic festival days. Who are those vulnerable people do if they need to see a doctor. They can afford

[indiscernible] Triple or quadruple the regular price. So they will call an ambulance. Now it's rush hour and our first responders are busy at those calls which can be easily avoided if we keep the system as it is. I also oppose so-called virtual meter. Currently all the tncs are using this method to count fare. Did any of us here ride a tnc car and able to see the meter? No. The meter are hidden in the driver's smart phone in some app, not like visible as it is right now. Which can be seen by riders, even seen by taxi law enforcers from our state or on duty. I finally oppose getting rid of color scheme and lights. In a rainy day or a dark night, how a taxi driver discerns a cab from the crowd of all the other vehicles if there is no light be seen from far or if the [indiscernible] Is not in bright colors like the way it is.

[3:41:36 PM]

So I -- finally, I meal to Mr. Mayor and all councilmembers --

[buzzer sounding]

-- Please oppose these new measures, oppose these changes.

>> Mayor Adler: Thank you.

>> Which will not bring any benefit to your taxi drivers like me.

>> Mayor Adler: Thank you very much. Those are all the speakers we had sign up. We're back up to the dais on item number 54. Is there a motion on item number 54? Is staff here on this one? So it sounds like the issue is with fares, do you want to describe what you are doing?

>> Yes, Mr. Mayor, Robert spiller, director of transportation for the city of Austin. Austin transportation department. What we're trying to do with this entire regulation overhaul, if you will, is significantly

reduce the level of regulation on the taxi industry to give them the best ability to compete within the market both with those mobility systems that we regulate and as well as those we don't regulate. We feel, as we've recommended to you, that that includes giving them the control of their rates. We have managed this industry for some time and we're trying here through this set of ordinances to give the full business authority back to the industry here so that they can decide how best to compete. You know, we believe when they set prices that they will be looking at the cost of service or the cost of the services that they offer to the drivers in terms of their terminal fees. We think that they will look at their overhead rates and see how to lower those or minimize those rates as much as possible before they start to reduce the drivers' rates.

[3:43:42 PM]

If they reduce drivers' rates, I think that we enable build into this concept the portability that drivers can jump ship, if you will, and go to a different taxi authority if they will, especially if they are no longer required to maintain the different colored cars or some of the apparatus that would keep them from more easily switching companies. And so we do think that the marketplace has finally changed to an environment where we're pretty comfortable saying that we should no longer manage all the strings and rudders of this entity or this industry. We're, of course, willing to take direction from council and follow whatever wisdom you all would put forward in terms of the policy.

>> Mayor Adler: With respect to this, you propose to review after three months to see how it's working since you are trying something new?

>> Absolutely.

>> Mayor Adler: And if things started blowing up earlier than that, you could get back to it?

>> Of course.

>> Mayor Adler: Someone want to make a motion on this item number 54?

>> I move.

>> Mayor Adler: Mr. Lent makes the motion motion Mr. Renteria makes a second. Mr. Flannigan seconds. Discussion? Councilmember alter.

>> Alter: I wasn't sure if there was a representative here from the taxi drivers association of Austin, union, or not.

>> I don't know.

>> Alter: Is there someone from the union, the taxi drivers association here? Okay. Can you just walk us through then -- I understand your argument that you want it to be more plex flexible pricing and freedom to create competition and allow them to compete better with the tncs and to provide lower pricing. Can you just walk me through the opposite argument?

[3:45:45 PM]

For not doing that? I'm just -- I'm hearing they are upset about it, but I'm not understanding the full -- it's Gooding to lower the rates and there's going to be a race to the bottom.

>> I would think, and I'm not an economist, but I would think that the service will be priced at what is the best price for the customer to maximize the number of customers coming to the particular franchise. And so I would expect that the companies would look to cut their costs and still maintain a livable wage for their drivers in their terminology so that they don't lose drivers, because then they would be competing on drivers. So the hope would be is that then the companies would be competing on the service they provide and develop loyalties within their customers as to what flavor of taxi that you would want to use. I know right now when I'm at the airport I certainly have my preference if I have a choice to choose between a specific one taxi or the other, and that that carries over when I go to other airports.

>> Alter: How --

>> As a personal user. >>.

>> Alter: -- Pricing affect for the elderly or disabled?

>> We've actually built into the ordinance, we believe, a way to incentivize additional taxi cab services for persons with disabilities. We still maintain, and Jacob, if you will be ready to answer the specifics, we still maintain the council directive to maintain a base level of service for persons with disabilities, but then we give discounts for additional cabs that are retrofitted or prepared for handicapped service, and then we also convert to an actual demonstration that they are providing that service.

[3:47:51 PM]

Can you elaborate on that?

>> Yes. Mayor and council, thank you. So we've built in a 5% -- right now taxi cab companies have to maintain a 6% of their fleet be wheelchair accessible vehicles. That will remain. Also we've tried to incentivize use of taxi cabs with people who use wheelchairs. If taxi cab companies maintain a 5% ride ratio of -- they will be able to have permit fees waived for that vehicle. We're hoping that will incentivize use for people who use wheelchairs. Currently taxi cabs are the only ground transportation service for hire that we regulate that -- where we regulate their fares. All of the ground transportation services such as limousines, charters, electric vehicles, we do not regulate their fares. But they have shown that they have maintained equitable fares across the board.

>> Mayor Adler: Further discussion? Mayor pro tem.

>> Tovo: I just continue to have concerns and I voiced these on Tuesday about how this is going to impact people who really rely on this consistent service and consistent pricing and whose budgets don't

allow them to pay the surge pricing, as one of our speakers said, if they happen to have a doctor's appointment at the same time there was an event going on in town.

[3:49:53 PM]

So, you know, I don't know what the solution is since that's one of the key items you all are bringing forward, but I guess I would like to ask, we talked the other day about a check-in point and having the staff maintain good touch, and I guess if this passes today, I would like it to do so with the direction that you report back in three months, but I would like you to -- I would like to find some way, city manager, of really reaching out to those who are dependent on this service to get to doctors' appointments and other basic needs places on how this has impacted them. I think I just heard you say it works out to equitable fares overall, but if there is some way we can reach out to actual consumers who rely on this service, who are going to be the ones most impacted by that fluctuating price scale, I would like to get that kind of feedback. And I would like to have the ability -- if the feedback is not good, I would like to have the ability to remove that fluctuating scale. I would want assurance if you come back in three months and people are saying it was three times the price when I went to my doctor's appointments after this change, then I want the ability to stop that fluctuating price immediately. So if we pass this today, could we come back and amend it and take out 23 and 24 with no issues, or is it a big rigmarole.

>> Councilmember, I hear it's important to you. If you would like us to check back in in three months, we can. There will be a period of time of writing the rules and moving forward so this first three months might not be the best.

>> Tovo: Six, whatever makes sense.

>> We'll be ready to come back. I would just say that in addition to the risk of having to pay surge prices, they also might have the benefit of paying sale prices too on a particular day or if a cab company wants to provide a discount rate for doctors' appointments, that would be a business option for them.

[3:51:54 PM]

So we'll try to --

>> Tovo: I understand that, but it's a little like picking the -- the lowest fare available, you need to have flexibility in your schedule to really benefit from that. While some people may benefit from that unusually low price, if you have to be at work at X time and your way of getting -- I was just at a school the other day and there were parents dropping off children because there's no school bus service, they were dropping them off in cabs. If you have to be there with your child at 9:00 and that's your lowest cost, most time efficient option rather than trying to take a bus, then you can't afford to wait until that surge price goes down, you've got to get in a that cab and get there. So okay, so it sounds like maybe three months isn't the right period of time, but the second part of my question is would we be able to

very easily make that amendment if in six months, say, that change turns out to be really death mental to people using our cabs?

>> Yeah, it would be -- we would be able to do that. And I would add that there is -- we do main date every taxi cab have a visible phone number visible to ridership at all times and that line comes straight to my office. So I would be monitoring any complaints we would possibly get about fares and collecting those and be able to bring those forward as well.

>> Tovo: I think that's one way of collecting feedback. I would ask our city manager to think more broadly about what groups might also be useful to pull on this change because there will be some people who have to find other options than cabs and they may never get into the cab to file a complaint with you. Let me say then the direction I would provide at the appropriate point -- let me do it now since that's the most efficient thing and I'm not making it as a motion without having a walking motion or whatever you've named it.

[3:53:57 PM]

In three months you would report back in and if that's enough sufficient time, report back in at six months. But in a timely enough way that we would have the option of making a change and getting rid of the fluctuating price scale.

>> Absolutely.

>> We can affirmatively reach out to all stakeholder groups and ensure compliance and that they are getting an equity I believe ride. Equitable ride.

>> Tovo: If you could let us know how you will be conducting that feedback and what groups and that way council can suggest others if appropriate.

>> Absolutely.

>> Mayor Adler: Okay. With that direction, it's and moved and seconded. Ms. Houston.

>> Houston: Yes, and I don't know anything about the cab company business -- you can't hear me?

>> It could just be me.

>> Houston: I've been kind of weak. I may have a softer voice. Don't know much about the cab business, but talk to me just a little about permitting. What does the franchise issues permits to the cab drivers, right? So that to me seems like a large expense from the cab drivers' point of view. What, if anything, does this do for that?

>> That's not exactly how it works, councilmember. The city provides the permits to the drivers. We permit the drivers, provide them a chauffeur's license, and then the cab companies or the franchises actually hire the employees. We provide permits to the franchise to operate cars. One of the things this does is reduce the inspection costs for these cars, those vehicles. It also reduces the amount of effort to expand the number of permits or reduce the number of permits they have. So it should make it easier

and more cost effective. I would say that's only part of the cost that the franchise passes on to the driver.

[3:55:58 PM]

There are other services that the franchise offers. We are removing the requirement to have an in-city dispatch facility, which should lower the cost for the franchises. They should be able to pass that on to the drivers and so there should be a lower cost to the franchises to do business and hopefully they would pass that on to driver.

>> Houston: Tuesday work session I asked the question about the drivers being the permit holders -- well, they are anyway, but not having to pay funds to the franchise companies. And I think that was called operating authority. What happened to that idea?

>> Yes, ma'am. So, you know, we were asked by council to work with the public. We started down the road towards an operating authority. They would have still had to pay fees because they are actually purchasing services from the franchise or in that case the operating authority. As we worked with the urban transportation commission, they asked us to go back to the franchises and listen again about what the benefits of the franchise concept is. We were convinced by the franchises and the drivers that the franchises provided a business advantage for the companies and that it allowed them to better bond and get funding to do capital things with their vehicles. And so we switched back to the franchise. I think in hindsight, councilmember, the operating authority would have been very similar to the franchises. Right now we have an open franchise and so if somebody wanted to open a new franchise and convince council that there was a public meeting or additional franchise, they could certainly do that. We think that we would be supportive of lowering the hurdle to open new franchises and that's what we want present to you in the future. That's essentially what we were trying to achieve with the operating authority. Right now it only takes 25 vehicles to create a new franchise and so that was similar to what the operating authority requirement was.

[3:58:04 PM]

>> Houston: So my primary concern is that the rider, riders --

>> Yes.

>> Houston: -- Of cabs, who usually have a set fare, won't know what that fare is until they actually get into the cab. And that each franchise can have different rates, so as a rider I never know whether to call Austin cab or yellow cab or the co-op cab because everybody can set different fares. And you think that keeps them at equal with the tncs?

>> So what we think, councilmember, is that where multiple cab companies gather, at taxi cab stands or at the airport, those users will be able to shop between cabs because they will be able to see the

different rates. They will be able to go up to a blue cab, white cab, yellow cab, green cab, purple cab, and see the difference in rates and make a decision that way. I think as the user that typically is at home that calls a cab company, they will form a relationship, a customer relationship with one company because they feel that they either get better service or better cost and they will make their decision based off of their experiences as they shop in the industry. And so I think at the beginning it will be hard for that customer to learn what's best value for them, but just as when perhaps you choose to fly or I choose to fly, I know which are the low-rate airlines and I typically go to them first. And I think that will show up in the market here.

>> Houston: So in gathering data over the next three months or however long we're doing this, I'd like to see if the ridership for the cab companies start to fall.

>> We will provide the data that we receive. I also wanted to say is that the city --

>> Houston: Do you get that traditionally or do we have to ask you?

>> We do as part of our data requirement.

[4:00:06 PM]

It's not always realtime but we'll work on that. The other thing to assure you is because the taxi cab companies hope to notify us of their rate changes, we'll be making sure that's posted in a public location so that there is a place to find that information. I know that not everybody uses computers equally, but we will make sure that data is available on a regular basis.

>> And the customers will have a couple of options. They will be able to call the companies individually and request their rates from one place to another, but also we will also have a city web page where we're going to post the links to the web pages, pricing web pages of the other taxi cab companies and we believe that will be a benefit as well.

>> Mayor Adler: Any further discussion? Those in favor of this item please raise your hand. Those opposed? Ms. Houston voting no, the others voting aye. It passes. Thank you.

>> Thank you, councilmembers.

>> Mayor Adler: All right, so I'm looking now, that was item 54. Item number 50 -- 58. I think people are still checking with potential nominees. That gets us to item number 63. Mayor pro tem, that's yours. I pulled that because I wanted to offer the amendment that was handed out.

[4:02:08 PM]

>> Houston: I'm confused. We're still waiting on 58? I'm having a hard time hearing.

>> Mayor Adler: I'm sorry.

>> Pool: Mayor? We may be able to take 58 as we take the next one because it looks like you did get a replacement, an update.

>> Mayor Adler: There's still other people checking.

>> Pool: Oh, there are. Thanks.

>> Mayor Adler: I pulled item number 58 and my intent was to carry forth everything the mayor pro tem had, but also to give the -- I'm sorry.

>> 63.

>> Mayor Adler: 63, rather. To carry forward everything the mayor pro tem had, but also to provide the city manager and our professional staff with the ability to see if there are other ways to solve the same question or the same issue. Rather than really just recommending a specific solution. This is similar to the amendment that I usually bring in this kind of situation. Mr. Renteria.

>> Renteria: Item 115, 115 has no speakers.

>> Mayor Adler: We'll get to that one in a second. Item number 63 is in front of us. Mayor pro tem, do you want to make your motion on 63?

>> Tovo: Move passage of this item.

>> Mayor Adler: Is there a second? Councilmember Garza seconds that. I've handed out an amendment. I'm sorry. I've handed out an amendment. Is there a second to the amendment? Mr. Flannigan seconds that. I just think that as a council we have a professional staff, it's good practice for us to identify the problem that we're trying to solve and then asking professional staff to tell us how we should solve those problems.

[4:04:18 PM]

I appreciate when my colleagues have good ideas and they should present the good ideas, but it's not something that I've been working on probably as long as the sponsors of these kinds of things and I just wanted to ask professional staff to give them a wider berth to come back to. Any further debate or discussion?

>> Tovo: Yeah, I wanted to talk about that. I hadn't spoken to my resolution so I'm going to want to do that as well.

>> Mayor Adler: Okay.

>> Tovo: You know we have a loophole in our ordinance. Councilmember Renteria and others brought forward what is a really important set of revisions for this community, the tenant relocation ordinance. And this provides tenants with notice and other provisions to make sure that their rights are protected in a climate of rapid redevelopment, including the development of a lot of our existing market rate affordable housing or non-subsidized affordable housing, I should say. It's clear from some of the

circumstances that have arisen over the last year or so, we have several examples where property owners stopped renewing leases or did other things, and then in effect got around the tenant relocation ordinance because by the time it came time for them to come to a zoning change or do something different they didn't have tenants. So other cities we identified the problem. In fact, councilmember Renteria's staff was quoted on one of the articles talking about this problem that it was a concern and so we've known what the problem is and it is time to fix it and other communities have done so when we talk to staff about it, other communities have done so by having a look-back period. So I'm not disinclined to asking our city manager to provide other recommendations as long as one of them -- and this is I guess a question to you, mayor -- as long as one of them is an ordinance change. Because as I understand it, that's what's needed to affect a look-back period. And so I just really have no problem as a councilmember bringing forward a specific -- if we've identified a problem and we've identified what seems like a good solution, I think it's our -- completely within our realm of options to bring forward that.

[4:06:34 PM]

And I would say we've known for awhile it's a problem and we haven't seen a solution come forward from staff. So now I as an elected leader am saying pursue the solution and come back and tell us how it would work. So I don't mind being prescriptive on this. If your amendment is just basically saying come back with what I've asked for and none of the recommendations, then I don't have a problem with it. If capital one of the possibilities that -- if one of the possibilities that might come from our amendment is something on the ordinance change then I can't support it.

>> Mayor Adler: I appreciate your willingness to let staff work on it. I tried to put in the language that specifically said they're directed to come back with what was necessary to make the ordinance change. What you described is exactly the intent that I was trying to draft to. Is that an acceptable amendment?

>> Tovo: That's fine. And I would say it's always my expectation that if we initiate an ordinance change sometimes staff will come back and say here's the ordinance and we don't represent it. I've certainly -- recommend it. I've certainly see that happen before. I think when we say provide your recommendations on it, we're going to hear them in the context of our discussion. But if it makes everybody feel better to have it in there, I will do that moving forward.

>> Mayor Adler: The amendment is accepted. Any discussion? Ms. Houston?

>> Houston: Does this include people in manufactured home communities?

>> Tovo: Yes. It's my understanding that after our initial tenant relocation councilmember Renteria brought forward an additional resolution to make sure that that provided protections for those in manufactured housing as well. And so the tenant relocation applies to all of those as would this.

>> Tovo: Thank you. And thank you for asking that question because those are exactly the couple of examples that I'm aware of that have given rise to the need to really address this right away.

[4:08:35 PM]

>> Mayor Adler: Okay. It's been moved and seconded. The amendment accepted. Those in favor please raise your hand? Those opposed? It is approved unanimously on the dais.

>> Casar: Mayor? I made a mistake on the taxicab item, item 64. I brought up the amendment to allow all three door vehicles to be cabs and not ban hatch backs from being cabs for whatever reason. Can we reconsider that so I can make that amendment make sense?

>> Mayor Adler: Yes. Mr. Casar moves to reconsider the taxicab matter that be just approved. What was that number?

>> Casar: 54.

>> Mayor Adler: Item number 54. The motion is to reconsider S there a second for that? Councilmember Garza seconds that. Is there any objection to reconsideration? Hearing none we are back to reconsidering on 54. Mr. Casar, do you want to make your amendment.

>> Casar: I want to make the amendment that we currently allow three-door vehicles to be cabs, but we don't allow trucks or whatever for some-odd reason, so I wanted to allow other three door vehicles to be cabs.

>> Mayor Adler: Mr. Casar moves the amendment to item 54 S there any objection to this item being included? Without objection it is included. Councilmember pool?

>> Pool: Can we check in with staff on the history of why the hatch backs, maybe they were not as safe as they are now. A is staff here?

>> No.

>> Pool: They don't know?

>> They're coming.

>> Councilmember, we can wait for them to come down or just wait to get back to you on that too.

>> Casar: Sorry, y'all.

>> Mayor Adler: So we're reconsidering the taxicab issue. Councilmember Casar has made an amendment to include vehicles with at least three doors.

[4:10:41 PM]

Councilmember pool has asked you to explain why it was that it originally was four and not three.

>> Casar: No, it included three doors, just not three-door hatch backs or trucks.

>> Right. I think the definition, Robert spillar, transportation department. I think the definition of the vehicle that was allowable for a taxicab vehicle evolved over time when we got to vans we realized vans could have three doors and maybe not four doors. So that's why I think the three door leaked in there. The one concern about the configuration of the doors is that we don't want a third door or the passenger door opening into traffic. We like it opening to the curb side. Then also that third door needs direct access or the passenger's apartment needs to have a direct access, so a three-door hatchback where somebody has to lift forward a seat would not be recommended by staff simply because somebody could get trapped in the back during a fire. So as long as that third door is accessible to the passenger compartment, I think the amendment is a positive change.

>> Casar: I think that --

>> Does that make sense?

>> Casar: So the third door having to be street side, you already allow three door cars. So we don't have the requirement for the third -- on the three-door cars that we currently have under what we just passed earlier today to be street side. Right? Right now what we just passed, but I amended, said we do allow three-door cars.

>> We do allow three-door cars --

>> But it stipulates it must be a minivan or a van.

>> Casar: That's the change we're making. We're not making a change relative to street side or not street sides.

>> Because minivans typically have that door to the non-driver's side.

>> We just want to make sure that the door opens right next to the passenger seat so that the passenger, for example, doesn't have to climb over something in order to get out of the door.

[4:12:46 PM]

So when it's a minivan or a van it has that ability.

>> If you will allow us that leeway, we think it's fine.

>> Casar: And if you're coming down Guadalupe right here and the van is on the right side it's not street side.

>> You're right.

>> Casar: Okay. So my amendment is just to your intent. We're not asking them to flip over seats or climb in.

>> Mayor Adler: So are you guys okay with this amendment?

>> Yes, sir.

>> Mayor Adler: The amendment has been moved and seconded. There was no objection to it being included. It's included. Threats take a vote on item number 54 as amended. Those in favor please raise your hand? Those opposed? It's unanimous on the dais so 54 is taken care of. That gets us to 66. That gets us to item number 66. I pulled this again similar to 63. Same thing, proposed an amendment. Mayor pro tem, do you want to offer 66?

>> Tovo: Yes. I'd like to move passage of this item, which is to ask our city manager to look at centralizing our public information request work for council offices.

>> Mayor Adler: Okay. It's been moved. Seconded by Ms. Houston. Do you want to address it before I offer the amendment or is the amendment okay? The intent again here is to make sure that the manager comes back with exactly the proposal that you're thinking about, but also to let us know if there's like a software change that could do it or something else that he would recommend as a way to deal with this.

>> Tovo: I'm comfortable with that as long as the analysis and whatnot is not so broad that it would prevent us from getting this accomplished for this year's budget cycle or sooner if possible. City manager, are you -- do you feel comfortable that this is something that the language the mayor is adding is not expanding the scope to a place where it's going to be months and months of analysis?

[4:14:51 PM]

>> Mayor pro tem, no, I don't. And certainly since this item has been brought forward we've been working with staff to look at software and other changes. So that would be a possibility.

>> Tovo: Super. That sounds good to me. I'm happy to accept it as a friendly amendment.

>> Mayor Adler: Any objection to the amendment being put on. Hearing none it's incorporated. Those in favor on 66? Those opposed? It's unanimous on the dais and 66 -- Ms. Troxclair votes no. Others voting aye. 10-1 it passes. All right. That gets us then to -- let's see if we can do item number 70. We have item number 70 is the Austin rowing club. We have -- we have 75 people signed up to speak.

[Laughter].

>> Alter: Could we do the number 80? It won't take a minute.

>> Mayor Adler: But the folks speaking in favor of it have proposed to limit themselves to only 18 people.

>> We've got it down to 12.

>> Michael [indiscernible] On behalf of the Austin rowing club. I've got it down to 12 people with some being at the end.

>> Mayor Adler: Okay. Let's do some that we can do here quickly then. There were some I thought we could do here quickly. 115.

>> Alter: 80.

>> Mayor Adler: 80 we have some people that have signed up to speak, two people. Let's go through and see what we can handle here quickly. I'm doing number 80. Two people are signed up to speak.

[4:16:54 PM]

Mr. Pena and Monica Guzman. Are they here? 80 is connecting low income households with available income units. And I think someone wanted to move passage of number 80? We have a motion on the floor?

>> Alter: Yeah, I move what's in the backup plus my amendment, which just asks the city manager to explore how the program can expand to include unsubsidized affordable housing units in high opportunity areas and how the program can assist those experiencing emergency situations. The emergency situations was in the resolution. We discussed this at the housing committee, but we didn't get the language into the final version.

>> Mayor Adler: Okay. So this is moving number 80 that's in the backup, adding the words expand to include unsubsidized affordable housing units in high opportunity areas and how the program can -- has been handed out. Is there any objection to this amendment being included? Hearing none, that's included. That's the motion as amended, seconded by councilmember pool. Anybody want to discuss this? Mr. Flannigan.

>> Flannigan: I would also like to suggest an amendment to add a fourth bullet point to the first be it resolved, which -- just to remind my colleagues starts with such a program could. It's not exhaustive, just examples. But to add a data point that says publish data on the open Austin data portal because I think it might be valuable to have the list of income restricted units available to third-party apps or other developers that want to make available or note in their housing apps what units may be income restricted.

>> Mayor Adler: Any objection to that amendment being included? Hearing none that amendment is included. Further discussion on this item? Mr. Casar?

>> Casar: I'll be brief. We discussed this at housing community, but I know it's been a discussion in the community for some time.

[4:18:59 PM]

I appreciate the work that the housing department has been doing to try to make more valuable when income restricted units -- where they are in the city and how you can get to them. But I think given the income of income restricted units that we want, we want to really figure out ways that not just people who are low income get into those units, but those folks who need the most badly often times aren't the people who find out about them most quickly or first. Somebody with a little bit more time or a little bit

more flexibility who may not be in as dire of a situation might have more time to find those units and therefore it creates sort after skewed system. So I think it's really interesting and would be really -- I think it creates a lot of potential to find the people who need them the most to be connected to the units the most quickly as possible while I think to councilmember Flannigan's point, really connecting them in the community, but are really connecting them in emergency situations who might lose their units, to connect them as soon as a unit is open would be something we figure out. I appreciate the housing committee working on this and the council passing it.

>> Mayor Adler: Okay. And not changing it up here to slow this down, by hope is that in housing we get to the place where people register and qualify and are then on a list attend the next person up on the list gets notified when there's an opportunity and they have the first opportunity to be able to seek the accommodation. We're not there yet. I think it's aspirational and we see some other cities doing it really well. Further discussion on item number 80? Is Mr. Pena here to speak? No. Is Monica Guzman here? No. We're back up to the dais here on item number 80. Is there any further discussion? Those in favor of item number 80 please raise your hand? Those opposed? It's unanimous on the dais and number 80 passes.

[4:21:05 PM]

Number -- let's see what we have here with one or two speakers. Item number 90 is a zoning case. Ms. Houston, do you think that will take awhile, number 90? Yes, she does. Item number 99, genesis auto auto. There are two people speaking in favor of that. That shouldn't take that long, no? Let's call up number 90 -- 99, rather. This is genesis auto.

>> Houston: And then, mayor, we'll be ready for 90.

>> Thank you, mayor and council. Item number 99 is case c-14-2017-0130 for the property located at 4410 east William cannon drive. It has a zoning change to community commercial conditional overlay zoning for a tract of land that's about 36,000 square feet. The zoning and platting commission did recommend the staff recommendation that did contain several conditional overlays that have been carried over from a previous zoning case. They did remove auto sales as a prohibited use to that list. And I'll just note that the existing property is that use. Applicant, though, would like to remove two of the prohibited uses that are a part of that conditional overlay that involve auto repair and auto washing. And the applicant's agenda, Mr. Lozano, is here to speak to that request. I'll pause if you have additional questions that I can answer.

>> Mayor Adler: Thank you. Let's call up the applicant to speak.

[4:23:08 PM]

Why don't you come on up. Introduce yourself. You have five minutes.

>> Good afternoon, mayor, city manager, members of council. My name is Sergio Lozano, I am a licensed professional engineer in the state of Texas, license number 89158 in good standing. I'm here before you to bring

[indiscernible] To Mr. Garcia, the applicant of this rezoning case. I'm going to be brief because I know I only have three minutes. And I hope Ms. Garza, I can persuade you to discuss with us the circumstances. But basically in the year 1998 Mr. Garcia bought this property. He always had been in the car rental business as he migrated from Mexico. And again, Mexico is slightly different than Austin, Texas. We don't have land uses, per se. So he open up his car dealership and continued it until the year 2000. He was notified that he could not use the sales if he hired a person to run a change for him. This person went to the rezoning issue, but very curiously the use of car sales was not there, which was the intent of this property. Mr. Garcia's ability of speaking English are not at its best. As a matter of fact, in your backup package there should be an affidavit that he wrote in Spanish. But he operated after the zoning was denied because he was told by the agent that he got the zoning change. Mayor Gus Garcia signed it and he was ready to go. In the year 2016 he receives a notice from code compliance saying that he has -- he doesn't have a building permit for his property.

[4:25:19 PM]

He hires an engineer who tells him, oh, no problem, we can do it. Even though he knew that this was not allowed within the zoning district, he went ahead and filed a change of use application that of course was denied. After that he came with me, we talk about it. We talk to the people immediately adjacent to him and nobody was in opposition. So we met with the staff. Staff felt that they had removed the use of car sales because that's what the neighborhood wanted and we told him that at this time there was not such an opposition. As a matter of fact, in your package you can only see that there were two people that signed, and one of whom rescind their objection. It should be in your backup package. We have discussed with Ms. Delia Garza's staff this particular project and they have concerns that Mr. Garcia has violated codes and ordinances and so on. And yes, there is evidence of that, and that's why we're here. We want to remedy that situation, we want to file for a site plan so we can build water quality ponds, detention ponds and bring this particular site into full compliance. This is the only business that Mr. Garcia has and that's what his family does for a living. They are here with us this afternoon. His son, his daughter, his wife all run the same business. And we are here just to hopefully convince you that he has been operating as an honest car salesman, and I want to repeat that, honest car salesman for 20 years and he's one of those endangered species, mayor, that we are losing, those entrepreneurs that are of hispanic origin that are overburdened by the good or bad decisions that have been made.

[4:27:22 PM]

So I'm here to answer any questions that you may have.

>> Mayor Adler: Thank you. And what was your name, sir.

>> Sergio Lozano.

>> Mayor Adler: Thank you very much. Is Cynthia Garcia here? Does she want to speak? Does Ms. Garcia wish to speak?

>> [Inaudible].

>> Mayor Adler: Okay. Those are the people that we had signed up -- no. James Esteban, do you want to speak? It's the last speaker. While he's coming up does someone want to move passage of 99?

>> Garza: I want to move zap's recommendation, which was the -- adding the sales.

>> Mayor Adler: Which was what?

>> Garza: Which allows him to still do automotive sales.

>> Mayor Adler: So this is the -- councilmember Garza moves the zap recommendation. Seconded by Mr. Casar that includes the two allowances that the speaker just -- one of the two?

>> Garza: No. He's asked additional for repair and washing, and I'm not asking for that. I can speak to that if he wants --

>> Mayor Adler: You're moving the zap recommendation.

>> Garza: Yes.

>> Mayor Adler: Sounds good. Sir?

>> My name is Esteban high means Jimenez. I'm actually his mechanic. Not his mechanic, but for his shop he brings all his cars to me and I see he's really having a hard time to have all his cars ready because when you sell cars you buy a car at the auction and it comes not ready really. You have to put some money in it and then go through all that. So knowing Daniel for a long time, he's really a good person.

[4:29:25 PM]

He's been trying real hard to make the property commercial so he can have his own shop and do everything in there, like the repair and all that because, you know, auto shops are kind of expensive because we charge for every item that we do. And when it comes to repairs, he spends a lot of money. So knowing him as a good person, I would suggest that he would get that property commercial so he can do his auto repair and everything. Thank you.

>> Mayor Adler: Okay. Those are the speakers. We're now back up to the dais. You can sit down, sir. Actually, you can open and close.

>> Again, my name is Sergio Lozano and I would just like to ask Ms. Garza, you just said staff recommendation.

>> Garza: Zap.

>> Zap. Thank you very much. I just wanted to clarify that. Thank you very much.

>> Mayor Adler: Councilmember Garza, do you want to speak to this?

>> Garza: Sure. As Mr. Lozano pointed out, this has been a very applicant complicated case over a very long period of time. It's my understanding Mr. Lozano offered his services for free. I think this is an issue that speaks to the barriers that small businesses face when it's hard to understand the process, it's hard to go through this process if you can't pay a consultant to guide you through the process. And so what ends up happening is they're not in compliance because it's so hard to go through this process. So that being said, there is a history unfortunately of some code issues, and I'm hoping that this is a compromise that I could accept where to allow the sales. I do have concerns and there were environmental concerns about the repair and the washing and that's why I can't support that right now, but I hope that you can continue to help them to implement the water quality issues and then hopefully you can come back when we see that there are some water quality and environmental issues in place.

[4:31:30 PM]

But this will allow them to do sales on the property.

>> Mayor Adler: Okay, thank you. Sir? You can go ahead and sit down unless you get called up, but thank you. We're now continuing up at the dais. This has been moved and seconded the zap recommendation. Further discussion on the dais? Okay. Let's put it to a vote. Those in favor of the motion of councilmember Garza please raise your hand? Those opposed? It's unanimous on the dais the zap recommendation passes. Okay. Let's do number 70, which is the Austin rowing club. I'm sorry? We'll get to that. We'll get to that. A lot of people here. Mayor pro tem, do you want to make a motion on item number 70?

>> Tovo: Yes. I would like to move passage of this item.

>> Mayor Adler: Is there a second to that? Councilmember alter seconds that. Mayor pro tem, do you want to speak to it?

>> Tovo: Sure. I know we have some speakers and I'd love to hear from them as well, but I'm supportive of moving this forward as we've discussed in our work session, the Austin rowing club has been a great partner to the city and has done a really fine job with that facility and with the programs that they offer in the community. So in light -- especially in light of some of the mitigating circumstances of the construction that went on nearby, I think it is in the city's best interest and the community's best interest to extend that -- to extend their contract a bit further. And so with that I would love to hear -- I know we have about 75 people signed up to speak, 78 not wishing to speak, and the majority, the great majority in favor.

[4:33:32 PM]

I know we do have a list of identified speakers and so I would just welcome that community feedback.

>> Mayor Adler: Okay. Before we get to speakers does anybody want to say anything on the dais? I will say something to many friends I have in the room, in case you want to speak to the issue. Nothing would please me more than the Austin rowing club get this concession. I couldn't imagine there being a bidding process in this situation where the Austin rowing club would not end up with the concession. But I'm having trouble in figuring out how to justify not putting it up to opened by process. I know there are other concessionaires out on the lake who have expressed an interest to be able to bid. I don't know that they would be successful. But I know now that they're also suggesting if this goes through that they want to make sure that they don't have to put theirs up for competitive bidding when their concessions come up. And I just am trying to figure out how I respond to any of this. Again, nothing would please me more than the Austin rowing club have this. I couldn't imagine it ending up any other way, but we have a process in the city to allow for competitive bidding. And at some point if all of these contracts come up to the council to take it out of that competitive bid process, I'm not sure -- I'm not sure how we handle that. So I would ask people that when they speak help me with the dilemma that I'm facing. Any further discussion before we go to folks to speak? Okay. Then we'll hear from people who want to speak. I have what purports to be a speaker list of 12 people speaking in favor of this. We have two people to speak against this, one with donated time from two people.

[4:35:40 PM]

So we'll hear from some of the people speaking in favor, then I'll call some of the people speaking against and then the people in favor again. Councilmember pool.

>> Pool: In answer to the comments that you made about why this is different, I do know that there were mitigating circumstances surrounding the contract in the first place and I'm hoping that Mr. Whellan or somebody here with the rowing club can be pretty specific and clear on why it was that those of us who agreed to co-sponsor this felt like this was okay to do. Thank you.

>> Mayor Adler: Okay, yes.

>> Tovo: And I know this was pulled off the consent agenda by one of my colleagues. It would have been pulled obviously by speakers as well. So I don't know, councilmember Flannigan, if you feel comfortable talking about -- you had pulled this, I believe, from the consent agenda and if you have questions that might inform the public comment that would be helpful too.

>> Flannigan:

>> Mayor Adler: Okay. We'll get to public comment. The first speaker that I have on my list is Regina rownoff.

>> It's actually Regina rowgof/joe. She couldn't make it. She's having some migraines today. I'm going to read Regina's speech. As a former president of Austin rowing club and I stood in this spot about seven years ago doing a similar process. So thank you for allowing members of the Austin rowing club community to speak today. I'm Camille Jobe on behalf of Regina and I'm here to speak on behalf of

Austin rowing club. I personally have been a member of Austin rowing club since 2003. I know that the club and boat house is a special place for community, friendship, athleticism and outreach. It is a non-profit whose mission is to support the advancement of rowing by providing an inclusive culture with recreational, competitive and community outreach programs for all ages and abilities regardless of race, gender, sexual orientation or physical ability.

[4:37:57 PM]

In 2012 they added the duties of building management, facility upkeep, vendor relationship guidance and economic development when awarded the waller creek boat house contract. That contract ends in February of 2019. And today we are asking for an extension of our contract prior to engaging in the rfp process with the parks and recreation department. I also understand that this is a big ask and it is outside the typical process when used in regard to contracts with pard. However, the ask from Austin rowing club does not come because we are seeking favoritism or a special deal. Rather we are asking city council to recognize the significant impact the construction of the waller creek tunnel site has had on our ability to conduct normal and regular business. We're here because we help in receiving the full - because we want help in receiving the full value of the contract that we were awarded, which should include an opportunity to conduct business and operate the facility without ever-present construction. The waller creek tunnel was scheduled for completion in late 2013, one year after the Austin rowing club opened. And it was understood that 2012 and 2013 would be considered our start-up year and business would proceed as usual. Instead we had construction until October of 2017. The waller creek tunnel is adjacent to the waller creek boat house. When excavators, back loaders, front shovels, cranes, jackhammers and other heavy duty equipment are present at the waller creek tunnel, they are also present at the boat house. And parkland is not viewed by citizens as a space cluttered with construction and equipment. Construction fences present around the property over the last five years made the waller creek boat house appear to be under construction --

[buzzer sounds]

-- Even when we were open for business.

[4:39:59 PM]

B I believe I have additional minutes, is that correct?

>> Mayor Adler: No. You have three minutes unless somebody is donating you time and they have to be here to donate you time. Would you come down, please and give the the clerk your name? Here is Regina. Okay. I am right here, construction fences present.

>> Regina Rogoff. I hope you appreciate that I was stuck in Austin traffic, but I'm now here.

[Laughter]. So construction fences were present around the property over the last five years making the waller creek boat house appear to be under construction even when we were open for business. The cafe patio was rendered almost useless when the jackhammers were in use merely 200 feet away. Water pumps and generators ran constantly. Bright lights were brought in, taking away any semblance of natural feel of the boat house that most visitors were looking for when viewing lakefront property. Many patrons expressed confusion in trying to find the kayak business downstairs when construction trucks are parked in front of the building. However -- okay. This is somebody else's. So despite the construction, Austin rowing club has proven that we are trending -- thank you. I don't use this kind of thing. Okay. Are trending towards a positive place with revenue and programming. Each year the Austin rowing club has generated more revenue than the year prior and we are the fastest growing business on lady bird lake as measured by the parks department revenue concession report. Additionally in 2017 we had the third highest revenue share paid to the city. We are also one of the three concessions listed on the 2017 report to have an increase in revenue share paid to the city between 2016 and 2017.

[4:42:12 PM]

We've invested in our boat house, spending over \$200,000 in improvements to the facility to make it more welcoming and receptive to businesses and prospective renters of the venue, and of course we have continued to grow our outreach programs, adding programs that reach new demographics and new socioeconomic sectors of the Austin community. The waller creek boat house has many unique qualities, but for our purposes today, the ability to serve as a revenue -- as a venue rental sets us apart from the other concessions. We ended 2017 paying 15% of our gross revenue to the city of Austin. This is the highest contracted percentage of any concessionaire paid monthly. This should be offset by the ability to engage in higher margin activities.

[Buzzer sounds] Such as rental and catering, but construction noise -- do we have any other time?

>> Mayor Adler: Does anyone else want to donate time? Would you come down and give the clerk your name? First 10 speakers are going to have three minutes each and then it's a minute after that.

>> I'm almost done. I apologize.

>> Mayor Adler: That's okay.

>> The construction noise, fencing and work vehicles were anticipated for a short time, but as the years went on our official venue status with south by southwest was revoked and we were informed that construction was just untenable for their purposes. Had we known then what we now know, we likely would have argued for different terms within our contract or created provisions specifically directed at the waller creek tunnel, but one can't predict the future. The Austin rowing club has done its best to be a good steward of the waller creek boat house. I think we've done an exceptional job. We hope that you will consider the impediments we have encountered when running the boat house.

[4:44:13 PM]

>> Mayor Adler: Thank you. Is Pat Hays here? Is Chelsea Moore here? Why don't you come down and you will speak at this podium.

>> Good afternoon. My name is Pat Hays and I'm here speaking on behalf of my wife, who is president of Austin Rowing Club. She sends her regrets that she couldn't appear today. She had a long-standing engagement out of state. This is Nicole. There may be no better experts on the Waller Creek Tunnel and specifically the Waller Creek Tunnel -- the Waller Creek than the folks in this room. It may not be discussed as often as the impact of the construction had both directly and indirectly on the Waller Creek Boat House. I would like to share a moment of your time sharing a glimmer of that. Two-year extensions don't appear to be common for park concessions. The only other concessionaire listed on the annual concession report for Town Lake Park concessionaires is the Zilker Zephyr. That two-year extension comes at the end of a contract that already had two five-year extensions and an initial period of 10 years. In this sense, this makes sense. When our contract was signed in 2012, the expected completion date of construction for the Waller Creek Tunnel was late 2013 to early 2014. A two-year extension on our five-year contract would then provide the opportunity for Austin Rowing Club to operate the boat house for five years unencumbered by construction. I'm here today to tell you that we have not had the ability to operate the boat house for five years unencumbered from construction. In fact, as I stand here today, we have not experienced a single calendar year without some form of heavy machinery, construction fencing, construction barriers, generators, water pumps, etc. adjacent to the property. I can also tell you that during South by Southwest rental periods, which is a key time for any venue that is tasked with rental, we did not have a single year without construction, barriers of some kind on the property until this year, 2018.

[4:46:20 PM]

Although Austin Rowing Club is primarily a space for recreation and community and our contract with the city of Austin, Article 4, Bond Fund Requirements, Section 4.01, intended use, states that the Austin Rowing Club is called upon to use the facility as a space for, quote, event space rental. We used the event space rental, we intend to help us meet the cost of running the building, adding to our share for the city and to meet our obligations. You heard me mention 2018. Coincidentally 2018 was our best South by Southwest financially since 2014 when we were contracted as an initial venue. Once we signed the boat house contract, we quickly linked up with South by Southwest and were contracted to be an official venue in 2013, 2014 and 2015. We knew it would open doors with event planners throughout the city. However, in 2015, South by Southwest client Oracle retracted their contract for an activity. The reason for both the retraction by Oracle and the vacancy was construction on the Waller Creek Tunnel. Despite the lack of a vendor, South by Southwest and Austin Rowing Club negotiated a new contract which refunded \$7,500 to South by Southwest.

[Buzzer sounds] And offered a credit for 2016 of \$30,000. I'm sorry, I was told I had six minutes.

>> Mayor Adler: No.

>> [Inaudible].

>> Mayor Adler: So the people that are coming in are getting donated time, which means that people toward the end are going to get one minute when we do this testimony. 10 at three minutes and then we go to one minute. Go ahead.

>> Despite the lack of a vendor, south by southwest and Austin rowing club were able to negotiate a new contract which refunded \$7,500 and offered a 2016 credit of \$30,000 directly due to the construction. Additionally, south by southwest refused to execute a full contract for 2016 until construction was completed with assurances that we received the construction was almost finished we entered into an agreement by south by southwest dependent upon the completion of construction.

[4:48:22 PM]

Unfortunately, construction was again not completed totally and the boat house under the terms of our agreement with south by southwest sat empty during the week of south by southwest interactive 2016. It is our view that if south by southwest is known worldwide and locally for their ability to put on a great event and if they are telling us that the site isn't ready, then we believe that it was not ready. I've truncated for time and I would like to close in the interest of time, I'd like to close with a success story because there is a happy ending. Our story starts in October of 2017. We had a corporate venue rental booked sometime in advance for the October 2017 month. After hearing about the dewatering of the waller creek tunnel outlet from our event planner, which we are obligated to do, a conversation that happened more times than I can count, they told us that they would like to cancel the contract due to the construction. The event planner properly escalated the complaint to our executive director as has become customary. They spent several days and man hours, several days, using our contacts at the city of Austin and directly firm date that the crews would be finished and off site. We were able to obtain assurances from both coa and the contractor that they would be finished one week prior to the planned event. These were similar to the assurances we received for the south by southwest 2015 Oracle event. The workers were off site on time and only one week later the event went off without a hitch, but that's not why I'm telling you this story. About a month after the event we were contacted by renter who thanked us for an excellent event, commented on the beauty of the site and booked another event for the same date in October October 2018. One week was the difference.

[Buzzer sounds]

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Chelsea Moore. Is Daria parker here? Daria parker? You will be at this podium.

[4:50:23 PM]

Thank you. Go ahead, Ms. Moore.

>> Hi. Thank you for your time. I appreciate the opportunity. My name is Chelsea Moore, I'm the founder and owner of row fitness, which is a vendor and partner at the waller creek boat house, managed by the Austin rowing club. I'm a former collegiate rower and coach. I have a passion for bringing indoor rowing benefits to rowers and non-rowers. I started my business in February 2014. Classes are held at the waller creek boat house indoor and outdoor, but we are -- our draw is that we are an outdoor -- we bring the machines out on the deck and we have a beautiful view of the lake as you guys well know in that space. As you know, in fitness and in Austin, it is not an easy market and that draw was really important for us at the beginning of the business. When I on owe when we moved in in 2014 the instruction was in full swing, so we knew what we had don't into, but we had the understanding that it would be complete pretty quickly. The construction as you know went through November 2017. When the construction was happening, our classes out on the balcony often smelled of gasoline. There was a -- the noise of the machinery when it was going. It was very loud and so it would often confuse people because it felt like as people have said previously, that it was not open or not finished in some regard. So I think that affected business, but we have found success at the waller creek boat house. In fact, this year is our best year yet and we're finally finding a foot hold in Austin, and I think I can speak for all of the vendors where we're finding some traction and we're excited to stay in the waller creek boat house if you will have us.

[4:52:24 PM]

The most frustrating, just to mention, even despite all of the setbacks, in 2016 and early 2017, we got national publications covering us, so self magazine covered my business, mentioning us in front of -- as one of the things -- indoor rowing places to check out in the nation. I also was featured on the today show, which is the national today show. And it featured us on the balcony of the rowing club. So we're finding great success and we're really excited to see where it goes because it is a workout that serves all fitness levels. And essentially it brings an entry point to the rowing community when you don't know how to get into rowing, you step into a rowing class and you are entered into this rowing community. And the partnership between Austin rowing club and row fitness is a significant one. And I am an I've been an arc member since 2011. I support arc and hope you do too.

>> Mayor Adler: Thank you very much. After Ms. Parker is Brenda walk. Go ahead.

>> Thank you to the council for allowing me to present in favor of the proposal, number 70. I'm Darla McDonald, and I own congress avenue kayaks. Brought metal kiddies' paddle with me, for the ones who can't handle the big ones. I'm a subconcession in I'm a subconcession with the Austin rowing club and I pay concession fees, I report monthly to the city, just as Kelly and the other partners in the boat house. The days are behind us, thank goodness, of construction from the tunnel. We are glad to have survived that. We're proud to say that our kayak business has grown.

[4:54:28 PM]

We're averaging above 60% sales growth each of the last four years, so we're growing. It's good business. And we hope to continue to do that. We have a couple of site improvement plans under way because of the investment we've already made. And we hope to get those plans activated so that our location and the services we're providing really do row even more. We are very excited about that. Our investment as congress congress avenue kayak, we've provided certain facility reinvestments, including a racking system and repairing some of the facility around \$76,000 over the life period that we've been there. And investing also in our fleet replacement. That's on the order of \$170,000. We would like to continue to provide this service. We're excited about being there and we would think it's a privilege to continue serving in the boat house and would love to do that. So thanks for the opportunity.

>> Mayor Adler: Thank you. Is Janeen spirodoza here. Yows yourself, you have three minutes.

>> I'm Brenda walk and president of the Austin rowing club. Our mission is to support the sport of rowing by making it accessible to everyone. We offer a variety of low cost and no cost rowing programs for young and adult rowers, a free rowing course for our veterans and a free national learn to row dieday for ordinarily landlubber austinites. Each year we host three rowing events each year on lady bird lake. They are nationally sanctioned by U.S. Rowing, the governing body for the sport in the United States.

[4:56:32 PM]

Being sanctioned as official U.S. Rowing regattas is a prestigious recognition of years of hard work we've put in and it is a privilege to offer the three events to our rowing community. Our regattas are not hosted at the waller creek boat house. The events take place at festival beach east of I-35. Each regatta brings 100 to 1500 rowers with just about that many friends, family and rowing geeks to cheer them on. Because they are multiday events, out of town supporters take the opportunity to explore all that that Austin has to offer, including our world famous restaurants and food trucks, concerts, museums, hotels and the obligatory I love you so much at Joe's coffee. All that adds up. Our regattas bring over five million dollars to Austin each year. By hosting these regattas, our club makes Austin the destination for rowers in Texas and the south central region. Reattract rowers from not only Texas, but states like Colorado, Louisiana, Alabama and Oklahoma. Competitors range in age from 14 years old to 95. We have youth rowers who learned the discipline of a team sport, build college applications, earn scholarships and college level rowers, including our very own longhorns, and adult rowers trying to beat personal records and giver the younger rowers a run for their money. Running a single regatta takes a lot of hard work, but this is Texas and we like to do things just a little bit bigger here, so we run three. Regattas of this magnitude require planning at least a year in advance. As soon as we finish one we immediately turn around and apply for a new permit from the parks and recreation department to host the event again the following year. We update course maps, implement new safety plans and train volunteers so we can ensure each regatta is more efficient, safe and successful than the last. Luckily Austin rowing club has the facilities, the expertise, the course equipment and the U.S.

[4:58:32 PM]

Rowing authority to pull it all off. We rely heavily on a wonderful network of over 500 volunteers to ensure our regattas live up to and even raise the bar on the extremely high safety and experience standards set by U.S. Rowing. Recently we have expanded the number of events available to adaptive rowers so that people with different impairments still have the opportunity to compete.

[Buzzer sounds]

>> Mayor Adler: Thank you.

>> Do I get more time?

>> Mayor Adler: If you do it's going to come out of somebody else's time behind you.

>> I have one minute. Thank you.

>> Mayor Adler: One minute.

>> As I mentioned, we provide opportunities for people of all walks of life to get involved in rowing. One of our most important contributions is hosting the Texas state rowing championships. This particular regatta acts as a regional qualifier for our high school athletes, qualifying for and competing at regionals is a necessary step for crews to qualify for youth national championships. Without arc there would be no Texas state championships and all youth rowers in Texas would have to travel out of state to attend a regional qualifier. No other rowing club has the experience to host this event and we are proud to do so. Austin rowing club loves giving opportunities for people of all ages and skill sets to learn about the sport of rowing, get outdoors, get moving and get involved in the Austin community. Everyday we work tirelessly to uphold and improve the exceptional legacy we started over 30 years ago. Needless to say, Austin rowing club looks forward to having a secure contract so we can continue with the planning needed for our 2019 regattas. I've submitted to you --

[buzzer sounds]

-- Letters from U.S. Rowing and a couple other clubs.

>> Mayor Adler: Thank you very much.

>> Mayor Adler: You have three minutes.

>> My name is [indiscernible] And this is Tracy bowie. We've combined two four-minute talks into two paragraphs. I was -- I'm going to speak. I was 82 -- I was born 82 years ago in Brackenridge hospital and have lived in hospital and have been a professor at UT almost all my life.

[5:00:42 PM]

My first job was at a parks & recreation department, summer playground supervisor at Gillis park when Beverly Sheffield was director, but my working supervisor was the highly revered assistant director, Roy Guerrero, a 34-year employ of pard. Over the past 12 years, I've also participated in other monthly programs at the Lamar senior activity center and the south Austin activity center so I have had and continue to have personal experiences with -- with pard, which contribute to the national high regard that Austin enjoys. Now, I discovered rowing when I turned 60 and I've been a must be of the Austin rowing club for 22 years. Tracy here won't tell her age, but she is an exemplary older adult rower, fine form, and great fitness. We're improvising. An important reason you should vote for this resolution, Austin rowing club provides substantial recreation, health, and socializing benefits for older adults. As representatives of older adults, we have been greatly enriched because arc has created a culture that is very receptive and encouraging to older adults. And rowing with a crew encourages strong friendships and social interactions, both of which have been associated through research with maintaining physical and mental health throughout aging. We also have many older adults who row singles and doubles, but any type of rowing, whether it is on the water or in the rowing training room pays off in Independence for aging adults.

[5:02:52 PM]

In addition, arc has hosted groups from the Lamar senior activity center and south Austin senior activity center for rowing and kayaking outings. We also have placed an indoor rowing machine in the Lamar senior activity center last summer and trained staff for that. And now, due to time limitations, you are going to miss our dramatic conclusion.

[Laughter]. Thank you.

[Buzzer sounding]

>> Mayor Adler: Thank you.

[Applause] John Derek here? John Derek? Last of the three-minute speakers in favor.

>> I'm John Derek. I happen to be the equipment director for Austin rowing club. I was going to originally speak to our -- some of our outreach to veterans, of which I am one, but to address the mayor's concern on why to consider an extension. One of the things having to do with the boat club and anything to do out in the water, it's an insanely capital, intensive business. Any of our vendors come in, have to spend tens of thousands of dollars. You heard Darla speak to what she's invested. We have three other vendors who were petitioning us for space. The problem is, they have to invest so much money that a five-year contract isn't sufficient time for them to get their money back. So what we -- one of the things that we're proposing here is to extend our -- our contract to enable investment in the club. Our investment as a club and also vendors' investment over a long period of time.

[5:04:58 PM]

And I don't think that's been adequately addressed, either us as a club understanding that, and certainly the city or the parks department, their -- the parks department was focused on revenue and didn't realize dealing with water-based businesses how expensive that would be over time. So thank you very much for your time.

>> Mayor Adler: Thank you. Let's go -- here now -- is Matt nifton here?

>> Yes.

>> Mayor Adler: Why don't you come. You have donated time from Summers Richie. Is Summers Richie here? Is Davis Caldwell here? Okay. You have nine minutes.

>> Good afternoon, mayor and council, and thank you for your service to the community. I'm Matt nifton and almost 20 years I've owned and operated Austin's other rowing concession, Texas rowing center. We're located on the hike and bike trail behind Austin high school. We join city staff in opposing the resolution to automatically extend the contract to operate waller creek boat house. However, if you decide to proceed with the resolution, we ask that the Texas rowing center be added so that our contract is extended for the same period of time. Texas rowing center is the largest and most successful concession partnership on lady bird lake. We're a floating community center. We have the highest gross revenues and pay the most concession fees to the city by a wide margin. Between 2013 and 2017, we paid over 961,000 to the city, almost three times as much as the Austin rowing club did during that period. Texas rowing center is the largest rowing operation in Texas with over 700 adult rowers and 200 rowing kids. By comparison, Austin rowing club has 300 total rowers, about one-third.

[5:06:59 PM]

Rowing is important but it's only a small part of what we do. We're the largest standup paddle board and Kay yak rental operation in the U.S. Last year we did approximately 120,000 paddle rentals. Our low prices and friendly customer service make us a hub of constant activity. If you visit Texas rowing center you'll see people from all zip codes enjoying fun on lady bird lake. Texas rowing center has also been a leader in providing free and low-cost services to underserved populations. For example, since 2005, we've been a host and sponsor of Texas river school, a nonprofit dedicated providing educational river trips to at-risk kids. We've donated over \$100,000 to Texas river school to provide trips for 5,000 students from elementary schools like Zavala, Mitz, Sanchez and Campbell. We also partner with Con MI madre. In 2009 we created Texas rowing for all, dedicated for people with physical, intellectual and sensory disabilities. We serve over 200 people with disabilities, teaching them how to row and paddle, during a school year and summer camps. None of this community service is required by our contract, it was just the right thing to do. The city took note of our community work and now requires new concession contracts like the waller creek contract to include work with the underserved. We're proud to have been the leader in this area. Unlike the 3-\$4 million boat house that comes with the waller creek contract, our contract did not include a facility. Our 20,000-square-foot dock and boat house buildings were entirely funded by TRC at zero cost to the city. We're currently in the middle of an \$800,000 capital improvement project to expand our dock and build a floating boat house to prevent issues with crossing boats across the trail; in other words, a safety issue. If anyone is deserving of an automatic contract

renewal, it's us. Two important facts you should know about Austin rowing club and the current contract. First, nonprofit does not mean lower prices.

[5:09:01 PM]

It just means Austin rowing club gets the privilege and competitive advantage of operating tax-free. Despite that advantage, Austin rowing club's prices are significantly higher than Texas rowing centers. A year membership at Austin rowing club is \$780 compared to 499 for a year pass at Texas rowing center, that's 54% more. The kids' competitive rowing program at Austin rowing club is \$690 per semester, that's compared to 550 at Texas rowing center, that's 25% more. Second. Austin rowing club has woefully underperformed in generating concession fees. Despite operating from a state-of-the-art facility that houses a restaurant, indoor rowing studio, and is rented for special events, Austin rowing club's fees to the city are a fraction of Texas rowing center's concession fees. The current waller creek contract called for an estimated concession payments totaling but over \$1.2 million. So far, Austin rowing club has paid only about one-third of that amount, \$413,000. Today's proposed resolution would take the extraordinary step of bypassing the rfp process to reward a concessioner that reviewed one third of the revenues called for by the contract.

-- Finished they get the special treatment? Fees should not be the most important thing but they represent something even more critical, that's public access. Those numbers tell us that waller creek is vastly underutilized public asset that should be providing more public access to the river. Texas rowing center knows how to deliver public access. We are inclusive not exclusive. If my organization is permitted to bid, we will provide the city with an amazing proposal to consider. Aspirator of the waller creek boat house, we would generate much greater access, we would guarantee at least double the current revenues generated by Austin rowing club, and we would establish waller creek boat house as an olympic and paraolympic training center.

[5:11:03 PM]

We'd also create a partnership with nearby schools, kealing and martin middle schools just as with Austin high school. And we'd provide adequate space for Austin rowing club to continue to operate and do their good work. Waller creek is the finest boat houses in America, there's no reason our 900 rowers and their 300 cannot enjoy all the amenities of this fine facility. This will elicit new ideas that could make this arrangement outstanding. Having multiple bidders would provide city staff with leverage to ensure the city's contract goals are actually achieved. No doubt you've heard reasons why Austin rowing club is underperformed, things like the tunnel construction next-door, yet Austin rowing club has operated without interruption every day since the contract began. Or a lack of parking. Yet waller creek boat house is on the river near one of the biggest residential building booms in the history of America. If you can't capitalize on all those new potential customers within walking distance, you need a new plan. Please vote no to the resolution so that the public gets the benefit of some much-needed new ideas to

make waller creek boat house amazing. Alternatively, we ask that the resolution be amended to include an extension for Texas rowing center. Thank you.

>> Mayor Adler: Thank you. Is Kimberly D udah here? Kim ry dudah? What about hehmeth hinnaman? Is Dr. Jennifer lord here? Dr. Lord? You'll be at this podium. Sir. One minute.

>> You have a chartered flag there? You ready to roll? Okay. People who do special things deserve special consideration. Earlier, Mr. Derek described some of the veteran-oriented rowing opportunities offered by the arc.

[5:13:09 PM]

As a very senior disabled veteran, I've been the beneficiary of one of these, the learn-to-row program. By email, you've received materials related to a film based on my experience. The film is currently under consideration for commercial adaptation and national distribution by multiple organizations. Titled "Preserving the bond," the film describes the passion and creative value of preserving the bonds of inclusive collaboration among veterans, among the services, between the city and its veterans, within central Texas at large, and when shown nationally --

[buzzer sounding]

-- Will attractively present the Austin ethos as an alternative to national divisiveness.

>> Mayor Adler: Thank you, sir. Okay. Is Alan Pease here? You'll be up next. You'll have three minutes. You have one minute.

>> I'm Dr. Jennifer lord, an orthopedic surgeon. I've been rowing with Austin rowing club for two and a half years. My talk was three minutes so here's the boiled-down version. Our outreach program is called rise, which is the rowing in-school experience. Basically we provide teaching of how to use machines which are the indoor rowers to middle school at-risk youth. This is important for me in particular because our obesity rates in Austin are 9% for white children, 22% for African American children, and 24% for hispanics. We currently are in burnet and Murchison middle schools, looking at Reagan early college high and east Austin high. So far the results of our two years in the program have shown good results. We've had 86% improvement in cardiovascular fitness as well as improvement in grades, P.E., for kids in the program, and actually their attendance in classes are higher than kids who are not in the program.

[5:15:17 PM]

[Buzzer sounding] 20% of our [indiscernible] Are beneficiary of this program.

>> Mayor Adler: Thank you very much. Thank you. Mr. Pease, you have three minutes. And when you're done, is Megan Smith here? Why don't you come on down. You'll have one minute at this podium. Three minutes, sir.

>> Mayor, mayor pro tem, the rest of the council. I'm opposed to this. I'm not opposed to Austin rowing club at all. But to save us the three minutes for me, I echo the mayor's remarks upon starting this, that I think we're going down a dangerous path that we should be doing an rfp because that is what is supposed to happen in this case. Not mentioned among what else Texas rowing center does, because apparently there's only one other person to speak besides me, they sponsor the cap2k every year, helping people learn to swim, not just to row. I'm a swimmer. And in addition to that, they host the domestic violence day every year and get a good crowd for that and do that very well. So I'm going to end it right here. I agree with the mayor. This is just what should happen, and I hope it does.

>> Mayor Adler: Thank you. Is -- is mahima gill -- I think this is what this is. Please come on down. You have one minute. Go ahead.

>> First I would like to thank you and I'd like to say that my teammates, we worked tirelessly and we put our hearts and souls into writing speeches to talk about how we feel to you guys. But in respect to your time and your interest I will be speaking for them. My name is Megan Smith. I'm a senior at west wood high school in northwest Austin.

[5:17:19 PM]

This will be my fifth year at the Austin rowing club. In my time here at Austin rowing club, I've been offered the opportunity to work at the parks & rec group, and the parks & rec groups that come down to our boat house. I see it beneficial that having the camps at our boat house have been, not only for them, but us. Although in northwest Austin, the number of west wood students have been increasing and number of members at the rowing juniors have been increasing as well. I'd like you to know that --

[buzzer sounding]

--

>> Mayor Adler: You can finish your thought. You can finish your thought. Just -- you can conclude and finish your thought.

>> Okay. The Austin rowing club is the only approved Round Rock ISD rowing club for off-campus P.E., and a lot of my teammates, we use the northwest Austin location for the metro rail and that's our only way of getting to practice for some was.

-- Forsome of us. We work tilesly to ensure all of our teammates are able to compete at regattas so we try to make sure we're very inclusive.

>> Mayor? Megan?

>> Okay.

>> Flannigan: I just want to do thank you, making the trip down from district 6, speak at a council meeting is not easy to do, and especially for understanding and appreciating the Round Rock ISD folks have access to city facilities too. I want to thank you for being here.

>> Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Is Berkeley Adair here? Come on down. Those will be all the speakers we have.

[5:19:20 PM]

You have one minute.

>> Hello. I'm Naima Gill, senior in political science, district 6. So I am the daughter of Melica Gill, Aaron Gill, and somehow kind of I'm the daughter of Arc. I've learned a lot of lessons there and my very first experience at Arc five years ago, I still remember it to this day, and I think it signifies exactly what Arc stands for. So my first day, show up at Arc, I'm super nervous, I don't know what rowing is, I've never seen oar, both, or rigor. I look up, no one's dressed like me. It's a corridor, but I expected to see at least one person. You know? So I was nervous. But, this guy, this bald guy with a bit of a beard, he walks up behind me, taps on my shoulder, gives me a handshake. He shakes, looks in my eye and says "Welcome." That meant so much to me and I will always remember that as Arc.

[Buzzer sounding]

>> Mayor Adler: Thank you.

>> Arc is not just a boat house or a rowing club, it's a family. Thank you for your time.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: You'll be the last speaker that we have, and you have one minute.

>> Hello. My name is Berkeley Adair. I live in district 10 and I'm very grateful to be here speaking to you today on behalf of my team. I'm a rising sophomore here in Austin, and I joined the club at the very beginning of this year. I was so nervous, but I was very pleased to find a supportive team at the Austin rowing club, run by a community of people with a common goal of bettering each other in our community. I've learned to work hard, set goals, and persevere even through the hardest moments, which has helped me every day of my life. I've had learned how to make and keep strong relationships and utilize my resources.

[5:21:24 PM]

One of the biggest things is how to be confident in my abilities but humble and teachable by acknowledging all the things my coaches and teammates have to offer. The vision of Austin rowing club is to be an inclusive culture with recreational, competitive and outreach programs for all ages and abilities. These hopes and promises have been fulfilled in uniform ways, from offering many low cost programs, scholarships and classes for the community.

[Buzzer sounding] In this way, Austin rowing club creates more inclusive environment and is beneficial to the communities it serves. Thank you for your time.

>> Mayor Adler: Thank you very much. Council, that brings us back up to the dais.

[Applause]

>> Mayor Adler: Does anybody want to address anything? Yes, Mr. Flannigan.

>> Mayor Adler: Thank you, mayor. I also want to thank our other young d-6er that came and spoke. Not a lot of d-6ers make their way down to city council. It means a lot that y'all are here. I share a lot of your concerns, mayor, and as I've read through the proposal, for me this is not about whether or not arc is good or bad, this is just -- this is a process question, and I'm curious -- mayor pro tem in my reading of the resolution, it seems to permanently waive this for the future. Was that your intention?

>> Tovo: No.

>> Flannigan: Okay.

>> Tovo: That is not my intention.

>> Flannigan: Great. So maybe you can point to where I'm reading it wrong.

>> Tovo: I can't do that, councilmember.

>> Flannigan: I'm sorry.

>> Tovo: But if you'd like to amend it, if there's a line that is giving you pause and making it sound as if --

>> Flannigan: Yeah.

>> Tovo: -- It's extended into the future I'm happy to entertain an amendment to fix that or provide the city manager with direction that this is intended to be for the meet future, not sort of indefinitely.

>> Flannigan: So I think the first be it resolved where it just says the requirements are waived for concession agreement extensions, it doesn't -- it doesn't kind of bracket what that would mean.

[5:23:34 PM]

And then I get that the second be it resolved says pending recommendations from the concessions. And the other thing that would make me feel better about it is -- and I'm not sure if this is a council question

or a staff question, about the nature of concession contracts, is, is there -- are there concession contracts where these extenuating circumstances come into play -- maybe, Ms. Mcneil, you can help me understand this. Because I definitely empathies empathize with what the rowing club went through, but I don't know about the expectations and do extenuating circumstances change those agreements?

>> I'm acting director, parks & recreation. Councilmember, I cannot think of another -- off the top of my head, another concession contract where there were extenuating circumstances. There has been, for certain purchasing kinds of things or certain things where the staff has perhaps needed an extension to be able to finish a process where we have extended for six months or for a certain amount of time, which is allowable by code, but I can't think of a situation that you're describing where that has happened. It doesn't mean it has not happened, it --

>> Flannigan: Sure.

>> -- Just means I cannot think of one.

>> Flannigan: That's the thing I'm struggling with. Unfortunately, as you remarked earlier in the day, it's been very difficult to focus our efforts on every single item. It's been a crazy agenda. My original thought was somewhere that's referenced the extenuating circumstances, and note in the be it resolved that it's just for a single -- I don't know if this is something contemplated --

>> Mayor Adler: Got.

[5:25:34 PM]

>> Tovo: Yes. Thank you, councilmember. I would propose to fix the first item you mentioned by saying, in that be it resolved, are waived for a concession agreement extension with the rowing club.

>> Flannigan: Singular.

>> Tovo: As long as that works with our legal department, who may have helped craft that language, I think that fixes --

>> Flannigan: Okay.

>> Tovo: -- The first point you mentioned. Then I do see we really didn't -- though it was certainly a great part of the impetus for bringing this forward, I didn't reference the extenuating circumstances. So I just very quickly drafted a "Whereas" that I will read. Where is it whereas construction at waller creek lasted approximately four years longer than expected and impacted the Austin rowing club's operations and ability to maximize revenue opportunities.

>> Flannigan: Yeah. That's much -- makes me feel much better about it not setting a precedent for the future or for other concessionaires, this is really about the waller creek thing caused an issue. Even though I still remain kind of uncomfortable with the existing -- more than a 20-year-old policy, resolution from 1998, I can live with it as long as we've noted waller creek and it's just for one.

>> Mayor Adler: So to that end, continuing answer to the question I asked initially -- because I already knew the wonderful things that the Austin rowing club did and a lot of the programs that it has. And I understand the desire for a longer contract generally to be able to amortize, but that's not just true for Austin rowing club, that should be true of any contract extension that's competitively bid. If five years isn't enough to get people to invest, then all the contracts should be longer than five years. That, again, is not just typical to the Austin rowing club. But what I did hear was that one element, as you heard that, Mr. Flannigan, which is to say that there was a significant capital investment by these folks, and they had a period of time up to a four-year period of time when they weren't able to fully amortize the expense they had bought construction activity that was going on.

[5:27:48 PM]

So as I look at this, now that it's limited to a contract extension, if it was something that was done just in response to that absence of the ability to amortize the capital, there's a lot of "Whereas" clauses in here that speak to the great work of the Austin rowing club. To me, none of those things are relevant with respect to this extension because we expect all of our vendors to do wonderful things that are out there, and that should be built into the rfp. But to the degree in this instance, because of something outside of their control, that was caused by the city of Austin, there was an inability to be able to amortize the capital expenditures for a period of time when it was anticipated they would be serving income, then I -- then I'm okay with this. But that's what I would like to be taken into account. Not the good works because everybody should be doing good works out there. But this circumstance, and if it's based on that, then I will also be based in favor of this resolution with the change offered by the mayor pro tem. Any objection to the amendment that the mayor pro tem offered that limited its one extension? Hearing none, that change is included. Mr. Renteria.

>> Renteria: Your honor, this is

-- mayor, this is a very difficult vote for me also. I have dealt with other contracts, concession contracts with the city, and I have gone and lobbied my way on trying to -- before I even came on the council, trying to get extensions on contracts -- contracts that -- and all of them were put up for bid, so I am going to support this, but I just want to make it perfectly clear that, you know, it really troubles me when we don't put out something for bidding -- you know, we -- we try to be fair in this city, and we try to be inclusive, and, you know, we go out of our way to make sure that it's fair and competitive biddings that we do.

[5:29:58 PM]

We just have dealt with one in the airport, you know, which was very difficult because there was some vendors that have deep roots in our neighborhood, in this city. So I just wanted to make it perfectly clear, I will support this one this time, only, but I'm not going to be supporting other ones that come up.

>> Mayor Adler: It's been moved and seconded. Is there any further discussion? Mr. Flannigan?

>> Flannigan: Just be clear, it's taking out the plural from the be it resolved and the whereas the mayor read in. The whereas the mayor read in, in addition to the slight change in the be it resolved, both of those are included. There's a whereas that refereed waller creek and then the be it resolved won't say making it from plural to singular, from extensions to extension.

>> Mayor Adler: Okay. So it adds that whereas clause, and it makes it a singular extension to respond did to that circumstance. Those in favor of this items, please raise your hand. Opposed? It's unanimous on the dais with councilmember Casar off.

[Applause]

>> Mayor Adler: All right. We're getting really close to music and proclamations. We only have one proclamation tonight so it's going to be a recommendation that we come back quickly so we can take testimony from people. But we have two items that have nobody that have signed up to speak, and I want to know if we can take care of these two items quickly. Item 115 is a regulating plan for plaza saltillo. No one has signed up for this. Is there a motion to approve the plan? Mr. Renteria makes a motion. Is there a second? Councilmember Garza. Is there anybody here to testify at the public hearing?

>> And, mayor, that would include closing the public hearing?

>> Mayor Adler: It will in just a second.

[5:31:58 PM]

I wanted to make sure that there was no one hear to speak at the public hearing. Can you -- item 115. This is the saltillo on --

>> Plaza saltillo on.

>> Mayor Adler: If everyone could be quiet when you're leaving, please. Thank you. I've called item 115, public hearing and action on the saltillo regulating plan. Is there anyone here to speak? There are none. Mr. Renteria moves approval of the plan and closing of the public hearing, seconded by councilmember Garza. Any discussion? Those in favor, please raise your hand. Those opposed? It's passed unanimously on the dais with councilmember alter and Flannigan off. What about item number 129? Is that one we could also handle here?

>> I believe so. Item number 129 is about granting a specific amendment for the development of property at 11501 burnet road, also known as the broadmoor property. We have an amendment to your ordinance. Under part, it would remove part D from the ordinance, and I think councilmember pool may be actually passing the amendment out. And, mayor, in this item as well, I don't believe we have any speakers signed up.

>> Pool: And, mayor, I can speak to the amendment.

>> Mayor Adler: Okay. Is there a motion to approve this item 129?

>> Pool: I move.

>> Mayor Adler: Councilmember pool may go it. Is there a second? Councilmember Renteria makes that. Do you want to offer your amendment?

>> Pool: Sure. I passed out an amendment sheet for the item, and so I'll public it for a minute and then we can let Mr. Guernsey or any other staff answer any questions.

[5:34:03 PM]

The amendment on the definition of site allows the developer to share site regulations across the site and implement their master plan for the project. The master plan includes many parks and trails along with office towers, retail and residential buildings. I'm removing the language in the ordinance about the train station because although we are wanting to make certain the project will include the station, we've already taken care of that with language that was already passed in the zoning ordinance. Including those language constraints here could force the project to start with the train station, and that's not in the phasing plan, so I'd like to see if either Mr. Rusthoven or then linseisen could come up and explain the issue.

>> Mr. Linseisen is coming down right now.

>> Mayor Adler: Is staff in agreement with us?

>> Yes.

>> Mayor Adler: Okay. Keep it brief, if you would.

>> Andy linseisen in development services. I think councilmember pool laid that out very well. There is a trigger in the zoning fee side of the train station. This is about the development that would allow them to have site regulations enforced on an overall basis versus on a site by site basis as land development code in this area gives them the ability before the train station happens to do some development that might be more intense in a certain spot, to help them get to the train station, just kind of the first phase. The rest would just have to stay until they get there. Staff is in support of this amendment. It gives them flexibility in how they develop more than anything else.

>> Mayor Adler: Okay. Thank you. Is there any objection to this amendment being included? Councilmember kitchen?

>> Kitchen: I'm sorry, I just need to understand it better because --

>> Mayor Adler: Okay.

>> Kitchen: If you could just bear with me.

>> Mayor Adler: That's okay.

>> Tovo: So what this is doing -- tell me again how this -- I mean, because if I just read it on the face of it, it appears to me that it's taking out requirements related to capmetro.

[5:36:09 PM]

I heard the councilmember say something and you say something differently but I'm not understanding it. Can you run through this again? What is supposed to happen with regard to the rail station?

>> Yes, I'll try again. So they have existing entitlements on the site. You passed this afternoon a zoning ordinance that contains a trigger that once a train station has been constructed or under construction, they receive additional entitlements. This ordinance that you're looking at right now would allow them to take their existing entitlements that that we have today, without a train station, and have some flexibility in how they construct what they have. So if it said -- if they wanted to put more entitlements on one little corner, they can average -- they can change how they average it out. They can't get any more entitlements than they have today on the ground until the train station is built. It just gives them flexibility in how they do the development.

>> Kitchen: And I have a couple of questions I could ask Mr. Rusthoven that may also help. So why take this -- why take this out and what is the impact?

>> The impact of taking it out would be that they would be allowed to spread the development regulations on the tract without the station next being built, but we would still require that before they get the additional entitlements, that they got from the zoning case that you passed earlier, that the station would need to be built. So the station is tied to additional entitlements, but the station is not going to be tied to your ability to spread those entitlements anywhere they like on the property.

>> Kitchen: Okay. So I want to make sure I can repeat that then. So there are additional entitlements involved, but taking this language out means that they only get -- it really means that their additional entitlements only occur with the rail station.

[5:38:10 PM]

>> Correct. On the zoning case you approved earlier today, the zoning -- the increase in entitlements are directly tied to the train station. This item just allows them to take those entitlements and instead of saying you have to comply on an individual site by site basis, says you have to comply as a property, not individual site. So removing this section takes out the qualification that the only way they can comply as a property rather than as an individual site, taking out the train station as a necessary part of that, because we don't feel the train station -- the ability to spread the regulations over the entire property is not something that we feel is necessary to tie to the train. We do feel it is necessary to tie to the train that the additional entitlements require the building of the station. So the ability to spread the entitlements throughout the property, as Andy said, the entitlements are not going up, with the ability to spread them. But what we're doing by removing this letter B is not requiring the train station in order to spread the entitlements. We are requiring the train station to get more entitlements.

>> Garza: Do we know if capmetro saw this and is okay with this?

>> Capmetro did not actually ask to have that language included in there. It was something that frankly, the law department put in and in discussions yesterday and today, it was decided that that was no longer needed. Capmetro hasn't been involved in that at all because I don't think capmetro would care whether they took some F.A.R. From this site and moved it over to that part of the site, and whether the station was needed to be moved in order to do that. As I said, this just allows the entitlements to be not looked at on an individual site plan basis but to be considered for the entire broadmoor development, so it's not something capmetro was ever involved in. They have been involved in the discussions about requiring this train station as a condition of getting the additional entitlements because that's what the zoning case was all about, but this ability to move some F.A.R. Or some height from here to there, we've always been looking at as one big project because it is so large.

[5:40:17 PM]

It's kind of like a big pud. You know, they need the and the to move things around within the property rather than --

>> Kitchen: Okay. So I'm understanding from what you're saying that removing this from here does not change in any way either the timing or the location or anything related to the capmetro rail station on that property.

>> No, it does not. If they want to get more entitlements, the ones that were given that are in that zoning case today, then the station needs to be under construction or finished before they get those entitlements.

>> Mayor Adler: Okay. Any further discussion?

>> Renteria: What happened was also that they had made a commitment to build the rail station because where we're -- our rail station, where it's at right now at Cramer, they -- the developers there wanted to build a rail station so it could stop there and show people back and forth. And I guess when we passed the zoning change, they met a commitment there. But they haven't gotten the finance to be able to commit to that development, so they want to continue their project. But they don't have the funding to -- the way it's written up, it sounds like y'all had made an agreement that the rail station had to be there in order for them to start, but they -- and if they complete it, they get all this entitlement, but they're not going to be able to build that I just heard that campo had guaranteed some loan money to metro, and I really want to figure out what's really going on, so --

>> So this is what I read in the paper this morning, was that the regional mobility authority agreed to loan capmetro some money, which I think would get them halfway to the cost of moving the station and metro has agreed to kick in some of their own, but they're still obviously balanced so the presumption is to get to that balance, the developer would have to pay that to get the station moved, and that would be the cost that he has, paying those additional entitlements tied to the zoning case from this morning.

[5:42:25 PM]

>> Garza: Is this just first reading? Can we just approve this on first reading?

>> I believe the applicant has some contractual deadlines that they need to meet. As I said, this is an item that would normally be included in the zoning case that you passed earlier today, but it was decided that it had to be a separate item. We typically approve these things, if it were a pud, it would be part of the zoning ordinance and not be a separate item. We can look at it as just a separated piece of the zoning case that you approved earlier.

>> Garza: I just -- I don't know if maybe we can table this and run it by -- I just don't feel -- I know you explained it three different times and I still don't understand what's going on here.

>> Mayor Adler: Let's table this one and pick it back up after dinner so you have a chance to be able to check. We're past 5:30. We're a quarter to 6:00. We're going to have some music, some proclamations. We only have one proclamation. My suggestion is we get back early, with as many councilmembers as we can, and start taking testimony because we still have, you know, lots of items to work through. I don't know that everybody is going to immediate -- is going to need to speak but we probably have 150 speakers across all the elements. Ms. Alter.

>> Alter: I wanted to make sure we try to take the bond after dinner so we're not trying to decide about \$600 million at midnight tonight.

>> Mayor Adler: Well, we know that we're going to take the soccer up last. There are several other items, too, that we also need to be able to think about as well, but certainly the bond is a high priority. Yes, councilmember kitchen.

>> Kitchen: Oh, I just was -- similar question to councilmember alter's. I really would like to understand the order that we're going to take things up.

>> Mayor Adler: I'm not real sure, I'm going to go back and take a look at these things, 10 or 12 things so I'll do that during the break. Obviously, we're going to try to get the bond testimony because we need to work on that tonight.

>> Kitchen: Okay. But the soccer is going to be last.

>> Mayor Adler: Soccer is going to be last.

>> Houston: And, mayor, where are we on 58? Because some people have been here all day.

>> Mayor Adler: We have some people still checking with names so we'll take that up after dinner.

[5:44:29 PM]

Anything else?

>> Alter: So what time did you say you wanted to come back?

>> Mayor Adler: Well, it's 5:44. There's going to be music and a single proc. I'd say maybe 6:30. Come back at 6:30. Mayor pro tem if you're here and I'm not, please start. It is 5:44 and we're going to stand adjourned -- or recessed. Recessed for music. Sorry.

[Laughter].

>> Mayor Adler: In your dreams. In your dreams. Recessed -- let's listen to some music.

[5:53:40 PM]

>> Mayor Adler: Again, as I say to people, if you have been with us the last ten hours, you know why this is the best part of city council meetings. You know, we're the live music capital of the world, and consistent with that tradition, I think we're the only city council that I'm aware of that has live music at every one of our city council meetings. We press it into the walls and into the chairs and during long city council meetings, we try to pull it back out again. Tonight we are gifted with monte warden. He won his first Austin music award for best new band when he was just 15 years old. That was about a year or two ago.

>> About that.

>> Mayor Adler: About that. Now, warden's biggest commercial success has been his multimillion selling songwriter -- as multimillion-selling songwriter, landing cuts in major films and television shows, as well as cuts by artists like Carrie Underwood, Travis Tritt, George Strait, just to name a select few. Warden co-wrote the smash hit "Desperately". Warden is a rare two-time member of the Texas music hall of fame, both as a solo artist and as a member of the Wagoners. Additionally, he has been highly engaged as a key stakeholder in the city of Austin's revenue development initiatives. Specifically, the tip the band program, which we all should be doing in this city. Please join me in welcoming monte warden.

[Applause]

>> Thank you.

[♪ Music playing ♪]

[5:55:40 PM]

[Singing] >>> >> >>> >> >>>

[♪Music♪].

[Singing].

[5:58:22 PM]

[Applause].

>> Thank you.

>> Mayor Adler: That was extraordinarily beautiful. Thank you so much. So Texas music hall of fame doesn't even compare to being able to play Austin city council chambers.

[Laughter].

>> I've said that my whole life.

>> Mayor Adler: That's right. You've made the big time now. So if somebody was watching or they were out here today or watching on TV or watching you later and they want to get some of your music, do you have a website?

>> Yes, sir. The wagoneers.com if they want to see the dates.

>> Mayor Adler: If they want to get music they should go to that website to get it?

>> Yes, sir.

>> Mayor Adler: And if they want to find out where your next gigs are they would go there and check?

>> Yes, sir. And also I play every Wednesday at the Saxon pub with the wagoneers, and actually I'll play tonight, leave here, and play with the continental club jazz club.

>> Mayor Adler: Okay. 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 and our local favorites and newcomers alike. And whereas we are pleased to showcase and support our local artists. Now therefore I, Steve Adler, mayor of the live music capitol, do hereby proclaim June 28th of the year 2018 as monte warden day in Austin, Texas. Congratulations.

[Applause].

>> Thank you, there mayor.

[6:00:23 PM]

And I come from the best hometown in the whole wide world. Y'all go out and hear music, and when you do, pay the cover and tip the bands and buy the merch. Thanks.

[Applause].

>> Hello Austin. My name is Jimmy Flannigan, the councilmember for district 6. Y'all fill in around there, fill in around there. I've been on this council for about 18 months, and this is the second time I think I've gotten to do this, but it is certainly more than just an honor and a privilege, but it is so meaningful and

important this proclamation. I am the first openly gay man to serve on the Austin city council and I take that responsibility very seriously. And there are so many talented members of the lgbtq, ia, all in community. It's an all-in community. Everybody is a part of it. And it's something that I cherish and I love and all of my friends that are standing behind me, and especially our new city manager, the latest member of this community to be running the city of Austin.

[6:02:33 PM]

So it is my pleasure to read this following proclamation: Be it known that whereas pride month takes place in June to recognize the positive impact of lesbians, gay, bisexual, transgender people throughout the city and the globe. People celebrate the diversity that the lgbtq members contribute to the world. And whereas it commemorates the stonewall riots that occurred in June 1969 in new York City and sparked the modern lgbtq can civil rights movement so that all persons can enjoy the dignity of equal rights including the right to love whomever they wish to love. And whereas the lgbtq community contributes tremendously to the economic, political and social fabric of Austin, Texas, and whereas the city of Austin proudly values inclusivity and strongly supports perform platforms for lgbtq employees and citizens to be connected through the recently created stonewall equality employee network, seen, and the lgbtq quality of life advisory commission. Now therefore I, Jimmy Flannigan, city council for Steve Adler, mayor of the city of Austin, and the entire city council, do hereby proclaim June 2018 as pride month in Austin, Texas.

[Applause]. There are two important speakers I want to bring up. First Katherine Gonzalez, who is a member of the lgbtq quality of life commission.

[Applause].

>> Thank you, Jimmy and council, mayor. I work I work at out youth, and to 28 years it has been our honor to teach youth what it is to be seen, which I guess it's no surprise then that my husband leads seen here in Austin.

[6:04:44 PM]

You know, it's really important to us as a quality of life commission, newly formed, that our community knows that it's seen, and one of the maybe not easiest ways, but certainly one of the most physical is to do things like this, to come together and recognize that we simply exist. It is no question, it's simply fact. So thank you very much, Jimmy, for starting the push for the quality of life commission, founding it, however we talk about that as we move forward in history. And let us not forget all of the trans people of color out there who continually face inordinate amounts of violence. Let's make sure they are seen too.

[Applause].

>> Flannigan: Thank you, Katherine. And now I want to bring up the chair or president?

>> President.

>> Flannigan: President of the stonewall equality employee network, seen, Ronnie Gonzalez.

>> Thank you, city councilmember, city manager cronk, mayor addly, Rodney Gonzalez, I'm the director for the human services department and the equality network. Each day it's a day to be proud of who you are and your authentic self. This month is not just honoring the 1969 riots in Manhattan and not just celebrating the victories that we have accomplished, but also recognizing the struggles and challenges that lie ahead. Some people might ask why pride month, why is the month special for you? The fact is it took us 46 years to obtain marriage equality, so something like that is worth celebrating, but not just that, but there are many other challenges that lie ahead. Last year the city of Austin for those reasons formed the stonewall equality employee network.

[6:06:47 PM]

We chose that name carefully. First to pay homage to videos individuals who start -- those individuals who started the March for equality. But also as Katherine had said, the name seen brings about an awareness of visibility. Through awareness we bring recognition and through recognition we will bring more equality. Our mission is to foster an inclusive and respectful organizational culture in the city of Austin, and we advocate on behalf of lbgtqi employees by partnering with city leadership to develop ways to attract, support and retain lbgtqi employees. Together we've coordinated multiple events including participation in the city's annual gay pride parade. We participated in our first annual national coming out day event. And we brought more awareness to the city of Austin and awareness of identities in our workforce through events like the managing the spectrum forum. So on behalf of the board I accept the proclamation and I thank all of those who contributed to the development of seen and more importantly I ask those who have not been a member of seen to join seen and help us to continue to fight for the challenges and the struggles ahead. Thank you.

[Applause].

>> Flannigan: And I'll just end again with a special thanks to.

>> Mayor Adler:. He first called for the lbgtq quality of life commission just a couple of months before I got elected. And being able to create that commission in 2017 and help my staff form the seen network has been an honor for me. But also important to note that our struggles are not over, our victories are not secured, and we still have a lot of work to do to keep the equality we've earned and to ensure that equality spreads to every member of our community. Thank you.

[Applause].

[6:38:21 PM]

>> Tovo: Good evening, thanks for being here. We will get started as soon as we have a quorum. Hopefully we'll have one here soon.

[6:41:14 PM]

Hello, colleagues. If you are on your way down we will get started as soon as you get here. We are just waiting for a few more councilmembers to come down to the dais so we can get started.

[6:46:25 PM]

>> Tovo: Good evening and welcome. I'm mayor pro tem Kathie tovo and we're going to go ahead and get started on some of the testimony on the bonds. We're reconvened at 6:46 P.M. In city hall chambers. Our first speakers will be Sylvia Orosco, you will be first. Followed by Rebecca

[indiscernible] And Michael torres. We will use both podiums. If you will -- what is it called if you are not the first person? The second would work too. I was thinking in keeping with the evening I thought I would use the one when you're the next person up. Thank you, on deck. Softball. Thank you, Ms. Orosco.

>> Am I on? Good evening, mayor pro tem and councilmembers. My name is Sylvia Orosco, the executive director of mexicarte museum. Mexicarte museum is an anchor in our city and located on the fifth street mexican-american heritage corridor and congress avenue in downtown Austin. I am here to ask you for your support of mexicarte museum in the bond election and to approve the bond election advisory task force and the city of Austin's recommendation to include mexicarte museum at the recommended level. Both the members of the bond task force and the city staff have visited the museum thoroughly analyzed this project and have concluded that it is needed, reasonable and good for the city of Austin. We ask that you support this recommendation. In July mexicarte museum will begin its 35 its year in presenting exhibitions and education programs. Over the years thousands of people and children have visited the museum, have been inspired and have left with knowledge about art, culture and history. I thank you the city of Austin and the community for supporting the mexicarte museum all these years.

[6:48:27 PM]

We produce great exhibitions and programs. What is lacking, what is a need? Visiting the building or looking at the building from the outside, the answer is obvious. What is lacking is a building itself. The building is 25,000 square feet. Only the first floor can be used for public programs. 18,000 square feet is underutilized. There is a need and an opportunity for us -- before us. Support the bond and you will improve the museum so that exhibitions and education programs can be held on the first floor. Support

from the bond will enhance cultural experiences for people of all levels of socioeconomic status and serve the needs of the citizens citywide. Support from the bond will improve the quality of life and build a stronger sense of community. Support from the bond will help us achieve a museum building that Austin can be proud of, that will preserve a cultural legacy. The current young Latino artist exhibition is dedicated to our parents and grandparents. Gill Rocha, the curator of the exhibit, writes that we carry the dreams of our ancestors on our shoulders. We are their living aspirations and yearning for creative opportunity. Today as an artist and teacher, Rocha wants new generations to share stories, maintain traditions and forge new ones that our parents and grandparents never had the opportunity to do. Mexicarte museum carries that responsibility today and in the future. Support mexicarte museum, support the bond. In this way you are building a better tomorrow for our city and for our community. Thank you.

>> Thank you so much. Ms. Gomez. And next up again will be Michael torres followed by David Quintanilla.

>> Good evening. My name is Rebecca Gomez and I'm served as curator for ex-bigs and programs at mexicarte museum for four years.

[6:50:32 PM]

I'm a Latina and born and raised in Austin, Texas. I earned a master's degree in art history with a focus on Mexican and Latin American art and I was fortunate enough to find an opportunity working in my area of expertise in my hometown. Mexicarte museum is the only museum in the state of Texas dedicated solely to mexican-american and Latin American visual arts. This is unique because there are only a handful of museums in this country that are dedicated to this mission. And this is an extremely small number considering there are over 35,000 museums, art museums in the United States. Moreover, mexicarte museum has so much potential. If we were to receive funds to fix our facilities, we can only currently use the first floor for exhibition space and for programming. So having more space will allow us to accommodate more visitors, host more exhibits and serve more of our community. Mexicarte museum has also been working with the prestigious American alliance of museums to achieve accreditation status, the highest status a museum can achieve. We've gone through a number of the steps, but their final recommendation is to renovate our facilities. We can only pass accreditation if our facilities are up to par, meaning we have temporary control, humidity control, just to name a few. And that will help us care for our permanent art collection. We have over 5,000 objects in our holdings right now and we continue to exhibit this collection to our public. We do extensive research in order to provide relevant exhibits to our community. We also work with hundreds of artists that are from Austin or live in the city every single year and also something that I think is unique to our museum is we work with a lot of emerging museum professionals and artists to provide them opportunities that they might not otherwise have -- they might not have at larger institutions. And so we've serviced thousands of artists over the years. Just to name a few examples we have local artist Michael Anthony Garcia who participated in two young Latino artist series both as a curator and artist.

[6:52:41 PM]

Another one is Leslie moody Castro is is an independent curator and curated Texas biennial here in Austin. She also worked for the mexicarte. And councilmembers, I really strongly implore you to consider having us on the bond because we are an asset to this city and we help touch the lives of so many of our underrepresented community members. And our doors are open seven days a week. We're resourced to all citizens in Austin. And I encourage anyone who has not been down to the museum to give us a call, come down and see our latest exhibit, which was featured in today's newspaper in the "Austin american-statesman", " as well as it was voted the number one exhibit by glass tire, which is an online resource for all visual arts in the state of Texas.

[Buzzer sounds] Thank you.

>> Tovo: Thank you very much. Welcome.

>> My name is Michael torres, president of the mexicarte museum board of directors. Thank you, mayor and city councilmembers for your service and thank you for hearing my testimony. I want to talk about three things. One is our community support and also our need as well as our readiness. As far as community support we have strong community support and we support the community. We have over 25 board members. We organized the day of the dead parade every year that has over 10,000 participants, that's each year. Our taste of Mexico celebration and Katrina ball has over 10,000 people that participate. And we've educated over 250,000 students as par of our arts education program and we intend to educate another 250 now in the coming years. We conducted a study to gauge community support in terms of our capacity to raise money to support the infrastructure of the building, and the butler group came and said we could raise three and a half million dollars on our own. We have letters of support for the inclusion of mexicarte in the upcoming election from the greater Austin hispanic chamber. In fact, they use our building occasionally for events. Downtown Austin alliance, Austin arts commission, hispanic Latino quality of life, Austin saltillo sister city alliance, the association of mix impresarios, pan American round table, southwest optimists club kabla, Texas folk art and restaurant association.

[6:54:50 PM]

We have a need that can only be met through the expansion of our public-private partnership with the city. The city made a determination that our current building structural framing does not meet the load required -- code required for load capacities. That the foundation is deficient and cannot carry any additional load. Due to those issues as mentioned earlier, the third floor is no longer accessible to the public as well as the second floor. Our master lease agreement with the city prohibits us from introducing commercial developers to expand space for the museum. However, even if we could get an amendment to that master lease agreement, commercial developers have no interest because the footprint is only 7,000 square feet. By the time you take out hallways, restrooms, elevators and stairwells you're down to 4,000 or 5,000 square feet which is not of interest to a commercial developer.

They're usually interested in a 25, 30,000 square foot footprint. Our only option is to expand our public-private partnership, to expand our space and ensure its security. With the partnership we will be able to continue to serve the city of Austin and educate another 250,000 students in the city of Austin. With the help of city management we have our green sheet and budget completed. We have been planning this day for 17 years and thanks to city management and their help over the last seven years we're ready to go. We ask for your support, and if possible to combine us with parks to ensure this very important reconstruction of the building on fifth and congress is done in order to bring congress avenue into compliance with the city of Austin's structural loading requirements of structural and loading foundation. Thank you.

>> Mayor Adler: So is David Quintanilla here? David Quintanilla? What about Stephanie Sandoval? And what about Elizabeth Rogers? Is Elizabeth Rogers here? What about Armando almandarzes?

[6:56:59 PM]

What about Hermelinda Sam reap pa. While the speakers are coming down, council, we have 90 speakers that are signed up for soccer, which we said we weren't going to get to until later in the evening. It could be several hours here, depending on how long the bond people go. I think we might be able to be in a position to give kind of a head's up to the people who are speaking or deciding whether or not to wait. I have red the amendments councilmember pool, that you are making to number 60, and that combined with the memo that came from staff catasta me that I'm probably going to vote for number -- indicates to me that I am probably going to vote for number 60. My hope is with the changes that mayor pro tem made to item 30 is that that will be something that you are going to be able to support. Is that where you think you are?

>> Pool: Yes.

>> Mayor Adler: Okay. I don't know if it makes sense for us to give any indication to folks who are here waiting for three hours or coming back where we are, if there's any kind of deal, but I just thought that I would check. Yes.

>> Kitchen: And in that vein I'll give the same indication that with the amendments that I've seen, I also will be able to support 60 as well as 130.

>> Mayor Adler: Okay. Does anybody else want to give an indication to people? Mr. Renteria? Mayor pro tem?

>> Tovo: Sure. Is it? 130. And likewise with the changes that you've introduced I intend to support your item as well, councilmember pool.

>> Pool: And I wanted to thank the mayor pro tem for adding a number of the amendments that I had requested on to 130, which is why I was also able to support hers.

[6:59:00 PM]

Thank you for that. For everybody's work on all of these.

>> Mayor Adler: Okay. We're on a roll. Councilmember Casar, do you want to express anything?

>> Casar: Mayor, I'm going to have printed out some amendments for some more community benefits to negotiate for in 130, but given where we're at on the dais, I think it makes sense for both.

>> Mayor Adler: For both, okay. Anybody want to give any other indications? Okay. My sense is that both of them are probably going to pass at this point. I just want people to have seen that. All right. We're going to continue on with the bond conversation. Please identify yourself and you will have three minutes.

>> Okay. Good evening, my name is Stephanie Sandoval and I'm the education coordinator at mexicarte museum. I was born and raised in Dallas, but spent my Summers here in Austin and consider myself an austinite. I'm also proud Latina and received my ba in art history and ma in art education from UT Austin. My first experience with mexicarte museum was when I briefly worked as a story associate during the summer four years ago. After I graduated from UT I began working as an education development associate, at which time we received the prestigious national arts and humanities youth program award in 2016. I've had the pleasure of being part of an extraordinary vision in coordinating the most remarkable art education programs for students, families and visitors. However, the lack of space and equipment has hindered our ability to provide proper education programs for our growing population of visitors.

>> We have provided art outreach classes to over 2,000 students alone. These students are from a low-income neighborhood and don't have the opportunity to take art classes or even visit an art museum. That's where we come in. Our art outreach program teaches students about the importance of Latin culture and encourages students to be proud of their heritage. We offer free admission to these students and invite them to the museum to create a guided tour and create an artwork they get to take home with them.

[7:01:08 PM]

One instance I was leading a tour with a group of middle schoolers from a predominantly Latin school, 96%. The students learned about the altars we had on display and pointed out the items who the person represented the altar was dedicated to. After the tour the students were able to look at the art on their own and a girl came up to me with tears in her eyes. She looked at me and said I have never been to a place before where the art in my culture is being displayed for everyone to see. Thank you so much. The movement resonated with me and made me realize just how important it is for students to enter a space that is dedicated to their own culture and heritage. In a world filled with hate, fear, discrimination, entering a space like mexicarte museum makes students proud of who they are and where they come from. We could be doing so much more to help these kids but we are unable to due to the lack of space and equipment. During the height of our most popular exhibit season we turn away teachers workers' compensation want to bring their students in for tours. We have to cap the number of students in the

galleries to 35 kids because our space is too small. When students want to do an art activity in the museum we have to bring out tables and chairs from the back and do the activity right in the middle of the gallery. Other museums have proper facilities. Some museums have more than one floor of gallery space. We have to make due with the space we have. It's not enough. Council members, I urge you to consider funding for our building renovations. Thank you so much for your time tonight.

>> Mayor Adler: Before she speaks, is Charles here? Won't you come on down.

>> Good evening, everybody. Thank you so much, mayor, council members, city manager. And thank you for going to the border to speak and stand up on behalf of immigrant families.

[7:03:15 PM]

There was a person like yourself several years ago that was a dedicated public servant. And it was this little boy right here. Isn't he cute? He gave 60 years of his 68 years in this world to public service. He was the first Latino elected to the Austin city council, and we were all so proud. He became the first Latino mayor in the history of Austin. John Trevino Jr., my uncle was a para trooper in the military. When he returned to Austin he volunteered with the St. Vincent de Paul society and that is where he learned what true poverty looked like. And he decided to do a lot about that. He became the director of the Austin war on poverty program in east Austin and there he was so creative. He developed a volunteer tax assistant program for everybody, a bulk trash collection system, and he supervised the development of the Austin tenants council and the meals on wheels program. John Trevino Jr. Then set his eyes on city hall, but why he would do that is a head scratcher because at the time council paid \$10 a meeting, or \$40 a month for council service. So council service was not meant for people like ourselves, certainly not poor folks like John Trevino Jr. But he did not let that stop him. At city hall John wondered where were our people? Why aren't we at city hall? Why aren't we getting city business contracts? Why are we not represented on city boards and commissions? Why was such few money given to social services programs? When John Trevino left in 1988, he changed all of that. He served on the board of the capital metro bus company, and when vans were no longer in use, John got those vans and sent them to our sister city in Mexico where they went to orphanages to take those kids to hospital visits and wherever else they needed to go to.

[7:05:31 PM]

At U.T. He developed their first hub program. So for 60 years John Trevino Jr. Gave and gave and gave. And we're asking for money after 12 years to begin development of a park that bears his name in northeast Austin. John Trevino park at Morrison ranch is located closer where his family settled by Hornsby bend. It is an area of town that is developing rapidly. Thank you so much for your time and for your service.

>> Thank you. Is Joe Ramirez here?

>> Mayor Adler, council members, and city manager cronk, good evening. I'm here to ask you to designate \$5 million of the bond package for first phase development of the John Trevino Jr. Metropolitan park at morrisson ranch. He was the first Latino elected to the Austin city council. He subsequently became acting mayor, making him the first Latino in the city's history to serve as mayor. These facts alone make him one of the most important figures in the history of Latinos in this city. But equally important is what Mr. Trevino accomplished before, during, and after his time on the council. Many of his accomplishments continue today to benefit all citizens of Austin, regardless of neighborhood, race, or ethnicity. Recognizing his importance, not just for Latinos, but for the entire city, the city council of 2006 established the Trevino metropolitan park. The idea was to honor him with a living legacy that would continue to serve the people of this city, just as Mr. Trevino did throughout his entire life. 12 years have passed. It is time to move from intent and ceremony to action.

[7:07:32 PM]

With this burgeoning population our city needs more recreational spaces. The parks and recreation department has estimated the cost of first phase development to be \$5 million. I urge you to designate that amount for Trevino metropolitan park in the bond package. Thank you for listening and for considering this request.

>> Mayor Adler: Before he speaks, is John Rooney here? What about Margaret mensuche?

>> [Inaudible]

>> Mayor Adler: She's outside? She needs to let me know when she comes back in. Is Ted sif here? You will be up at the podium. Go ahead.

>> Good evening. Well, I started out with good morning, then went to good afternoon. And so here we are. Good evening, city council members, mayor Adler, and city manager cronk. I'm Jo Ramirez and I am here as the chair of the hispanic Latino quality of life advisory commission. First I would like to thank you for all the work you do for our community and for traveling to look after our families who have been separated -- for the kids who have been separated from their parents. I am here to report to you that our commission that represents almost 40% of the population in Austin enthusiastically approved and recommended funding for all the cultural centers including \$37 million for our beloved Mexican American cultural center so that they are able to complete phase two. Also \$50 million to our little gem on congress, and \$5 million for the John Trevino park. You heard from previous speakers about John Trevino, so I'm not going to go into more details, but I just want you to know that Mr. Mayor pro tem Trevino was the first elected official for city council.

[7:09:49 PM]

And he really -- at that time when he became mayor pro tem and he really opened the doors to many Latinas like myself and to be able to participate in the political process. While all that money may seem

like a lot to some, for our community it feels like we are just barely catching up. And we will leave that investing into the cultural centers and the John Trevino park will bring many of the benefits, not just to those communities, but to the whole community and to future generations to come. Thank you.

>> Mayor Adler: Is Steve Johnson here? What about Trenton Henricksen? Go ahead, Mr. Sif.

>> Thank you, mayor and council. I appear before you tonight in my capacity as president of the board of the shoal creek conservancy and co-chair of a new coalition of voices called Austin outside. We champion outdoor places throughout the Austin community for the benefit of every austinite who comes to live, play, or work here. We simply endorse the whole process. You're going to hear from a lot of people who have one or another issue, and our issues are we love there to be more money for aquatics and more money for urban trails, but beyond that I commend first the city staff for the almost two years of effort that is resulting in this hearing tonight. And then the 16 months of effort for your bond election advisory task force, the core of the proposals you are considering tonight came from that task force and the staff's review of it.

[7:11:57 PM]

Before you most particularly tonight, though, through the council message board we know are at least two packages. And Austin outside and the shoal creek conservancy commence to you the package offer as council member kitchen as your best starting place. Austin is a big city. It's going to be a big infrastructure package to accommodate the needs. Affordable housing needs, transportation needs, public safety needs, pool and park and rec needs. Health center needs of this big city. So we commend that to you and think that the citizens will support it. Beyond that, I just give back the rest of my time. Thank you for your service.

>> Mayor Adler: Thank you, Mr. Sif. Is Isabel Guerrero here? Okay. So you have then five minutes. Is Katy de Delos here? You will be at the other podium. So the speaker has three minutes and two minutes of donated time. That's five minutes.

>> Mayor and city council members, thank you for this opportunity to comment on the proposed 2018 bond issue. I'm here as leader of Austin interfaith to talk to you about the concerns of Austin families. Although we recognize that many important issues in this bond package, I will restrict my remarks to affordable housing. Austin interfaith is a nonpartisan organization. Over the past years in a series of house meetings and civic institutions, Austin interfaith has asked families what pressures they face. They have told us loud and clear affordable housing is critical to them. They have told us that every year they have seen housing in their neighborhoods become less affordable.

[7:13:58 PM]

They have told us they are seeing their neighborhoods, especially families with children, seniors, and people of color being pushed out of the city. They told us their communities, especially east and south

Austin, are struggling to sustain themselves amidst rising housing costs. The city's own research echo these concerns. In 2014 Austin housing choice survey 52% of renters surveyed responded they had to reduce or forego spending on a basic need in order to afford housing. That includes 31% reporting having to reduce or forego medical spending. 22% reported having to reduce or forego spending on food. I cannot be silent when the least of us have to choose between being homeless and being hungry. This is why Austin interfaith must call on you to make a meaningful investment on affordable housing in our city. We call on you to pass an affordable housing bond issue that promotes an inclusive and diverse population through a wide range of affordable housing options. We call on you to ensure that the majority of these funds in this bond benefit families at 30% to 50% a/fi. Especially families with children. We call on you to pass an affordable housing bond issue that minimizes displacement of current residents by helping to offset skyrocketing land values, housing costs, rents, and taxes. We call on this city to recognize the injustice of past historic land use practices that discriminate against whole segments of the community and to ensure there's no new discrimination in the distribution of bond funded projects. We call on you to ensure any housing bond is part of the larger housing strategy that preserves existing affordable housing, encourages affordable housing alternatives and co-ops, mobile home parks, and only incentivizes new construction. Since I have five minutes I'm going to add a little thing that our labor people in Austin interfaith also point out, this will create thousands of jobs in construction.

[7:16:10 PM]

And these could be good, safe jobs. Finally, at our recent delegates assembly, 150 Austin interfaith leaders pledged to fight for an agenda that included a affordable housing bond. We are calling on you to build a bond we can fight for. You'll see that we are serious about the 10,500 voters we pledge to sign up this fall. Thank you.

[Applause]

>> Mayor Adler: Thank you. Ms. Dellos.

>> Mayor, council, I have a video for you.

>> Mayor Adler: Okay.

[Video playing]

>> I took that video last week. That's right across the street from the abgb. That's my neighbor, Margie. She's gotten stuck in that mud before and had to be rescued by the fire department. That situation with that sidewalk is untenable. It is unacceptable. I'm thankful to Thomas Hernandez for immediately that day responding to a 311 request in removing the mud. That's a great temporary solution.

[7:18:12 PM]

That sidewalk needs to be completely reengineered. When we talk about a city that's Progressive. When we talk about a city being built for people, for people of all ages and abilities to be able to get wherever they need to go, whether it's a library, the grocery store, school. What Margie experienced there is unacceptable and we can do better. Not only is that from the sidewalk perspective, but if you noticed, Margie had to go on to old tour street and then get back on the sidewalk using the railroad track! That is a nightmare! And I'm just horrified that that is her daily experience. I am excited, however, that we have an opportunity with this bond package. And I really would love to see the proposal for council member kitchen be the starting point for this. But that's a great starting place. We can do something different. We can actually build a city and have the infrastructure we need for all of our neighbors. Thank you.

[Applause]

>> Mayor Adler: Thank you. Ms. Kitchen.

>> Kitchen: Could I ask the city manager to check on that particular sidewalk and the order of priority it is in our sidewalk plan?

>> Sure. I'll do that.

>> Mayor Adler: You want to say something?

>> I think I saw John Rooney come in.

>> Mayor Adler: Yes, he's in the back of the room. I had said earlier that if we had kids show up for soccer we would give them a chance to be recognized. And it looks as if we have a room full. We're discussing the bond and we probably have a couple three hours of testimony for the bond before we get to the soccer deal.

[7:20:16 PM]

You too some day can serve on city council.

[Laughter]

[Applause]

>> Mayor Adler: We also had a discussion a little bit earlier, there's been some amendments to item 60. There was a letter from the city manager that talked about how he would handle gathering additional information. And there were some amendments to item 130, which authorizes the negotiation on the contract for soccer. It looks like they are both going to be able to move forward. It looks like now they work that day.

[Cheering and applause]

>> Mayor Adler: So I wanted to give you a chance to get recognized and let us see the kids who are here so that you don't have to stay here if you don't want to. You could go home. Certainly, that doesn't stop anybody who wants to stay here for the next several hours when we call this. But if there are one or two

people that can come down and tell us who is here so we can recognize the teams. Is there that kind of a person with the group?

>> Mayor, why don't we invite all the kids to come down front? Can we have --

>> Mayor Adler: Why don't all the kids come down.

[Cheering and applause]

>> Mayor Adler: So let's bring down everybody here. All the kids down here. All the soccer players. Come on down.

[Cheering and applause]

>> Mayor Adler: How are you guys doing?

>> Let's get a picture.

[7:22:19 PM]

>> Mayor Adler: Is there an appointed spokesman? If one or two of you want to say something, let us know who is here on your team. We have a microphone. Step on up to that microphone.

>> Woo!

[Applause]

>> Hello. My name is heath Whitfield. I think it is a great importance that the city and surrounding communities and kids of Austin receive this great mls franchise. I speak for myself and others who love and play soccer that this is a major opportunity to not only watch but play in the Columbus crew academy teams. It would also be much more convenient and fun to see a pro soccer game in your hometown rather than taking a six to eight hour round trip to Dallas or Houston to see one. For these reasons I think it would be great to bring the mls to atx.

[Cheering and applause]

>> Hello. My name is Jackson white, and I'm 12 years old. I have been playing soccer for nine years and I'm currently on the lone star national development academy team. I love playing soccer because it's a game where you can show your skill and technique, and it doesn't matter how big you are and how tough you are. It helps me express myself through the game and develop leadership qualities both on and off the field. I think having an mls team in Austin would greatly benefit youth soccer players and also help unite our city. Soccer games are something where everyone can enjoy. Just look at the games being played for the world cup. And one day I would love to play for the world cup, but that would be a hard thing to do if we didn't have Columbus crew because some of the teams that I have played against like fc Dallas, San Antonio fc, Houston dynamos, they have filters into their pro club. And right now lone star does not.

[7:24:22 PM]

If Columbus crew comes here we will be able to play for our city. So I would encourage you to please vote for item 130 to allow the possibility for Columbus crew to come to mckalla place.

[Cheering and applause]

>> Just talk right into there.

>> Thank you for voting for soccer.

[Cheering and applause]

>> I wonder if any of the girls want to get up there. Come on, girls, girls. All you got to do is say I like soccer. One of the girls.

>> All y'all go at once. It's easier as a group.

>> You've got seven girls up here wanting to hear from you.

[Cheering and applause]

>> Hello. My name is jack. I'm 15 years old and I'm going to be a sophomore at lake Travis high school. I play for the local club lake Travis elite and my school. My first home was right next to where the possible future stadium will be built. I have played soccer all my life and my passion for it has grown year after year. I am here today to speak in favor of the city council moving forward to bring mls to Austin. I have been fortunate enough to have a family that has been able to take me abroad to Europe to see games and play with kids who share one of the same passions as I do. I would like to tell you a brief story that made a huge impression on me about how soccer can bring different people and cultures together. I was with my family in Florence and we were walking by a square where a school of kids had just let out.

[7:26:24 PM]

I saw there were a group of kids playing soccer in a little field and I wanted to join them. However, I didn't speak any Italian and I was nervous to go in because of that. But I had a ball with me. They saw that I had a ball and called for me to pass it to them. Immediately we had hit off and we played for hours without knowing how to speak either of our languages. During the same trip I was able to spend some time in London and I was lucky enough to see Manchester united play Chelsea. The atmosphere was electric and you could feel the raw emotion and support coming from the united supporters throughout the whole match. While united had lost the game 1-0, the memory that stuck with me the most was the feeling of passion I felt sitting with the fans, belting chants and singing about how much we loved our club. I feel like bringing a soccer club to Austin will allow all soccer fans to experience what I experienced. I would like to thank you for allowing me to be here and share my love of soccer with you.

[Cheering and applause]

>> Hi. I'm Harper Clarkson.

>> I'm Amanda Summers and we are both 14. We're going to Anderson high school. We play for river city rangers soccer club. And we both played middle school soccer and we really think it's important for kids like us to have a soccer team here. Right now we have to drive really far away just to see a game. And the only team right now I can watch is the U.T. Women's soccer team, which is really awesome. But I want to have an mls team hopefully inspire other kids to play soccer and connect with their fellow teammates from other teams even, from school. That's how you get friends and you can really just have a great life with soccer. I played most of my life and most of my friends are from soccer.

>> Yeah, it really unites people.

[7:28:26 PM]

Thank you.

[Cheering and applause]

>> Hi. My name is Alex luck and I have been playing soccer in Austin for nine years.

>> Hi. I have been playing soccer for eight years.

>> We are both here to present our cases on why the mls should move to Austin.

>> The mls's arrival in Austin will promote the game of soccer in the city of Austin. That is because it will give visitors from other cities one more thing they will enjoy while visiting the capital of Texas.

>> Also an mls team in Austin will bring the city together and give them something to cheer for.

>> My brothers and I were lucky enough to meet Carly lord. They inspire us to play soccer and always give our all, not just on the field but in our everyday life.

>> Those are our reasons why an mls team needs to be relocated to Austin, Texas. Thank you.

[Cheering and applause]

>> My name is [indiscernible] And me and my sister have been playing soccer since we were five years old. We would like to see professional soccer teams in our favorite city, Austin. And it would be be a dream come true if that would happen. So vote for mls.

[Cheering and applause]

>> Mayor Adler: And talking to us, this is how your city council representing all parts of the city makes its decisions. We sit here and we have people from the community, like yourselves, come and give us advice and suggestions and this process doesn't work without citizens and residents coming in and talking to us. So thank you very much. You guys did great tonight.

[7:30:27 PM]

We're probably going to take a vote here in probably like three or four hours.

[Laughter]

>> Mayor Adler: But we will be considering what you told us when we do take that vote. Thank you very much.

[Cheering and applause]

>> Mayor Adler: Thank you. Thanks for being here, guys. Thank you. Thanks for being here. And to the parents who are here wearing uniforms, we're not going to get to soccer until later. It looks as if we have two resolutions. It looks as if they are probably both going to pass tonight would be my guess. You are certainly welcome to stay, if that's something that you want to do, but we had agreed we were only going to call the kids out of turn and we're going to go back now to taking testimony on the bond that we'll be considering in November. So, back now to the testimony on the bond. Is Margaret mittasuche here? Come on down? Is Adrian Dever here? You have donated time so you have five minutes. And then John Rooney. Is John Rooney here? You will be at the other podium.

>> I had actually just signed up in case I needed to donate time to Margaret, so we're good.

>> Mayor Adler: I'm good with that. What about Tom Wald? Is Tom Wald here? No. Oh, I'm sorry. Is Patricia here? Yes, I see you donated time, so you'll have five minutes, Mr. Wald.

[7:32:30 PM]

Proceed.

>> Mayor and council members, I feel pretty lucky to have stepped in right at the same time as the kids because I thought that was amazing testimony. And I'm glad they had that opportunity. I'm Margaret and I am the chair of the Austin parks foundation board. And I think, as you all know, Austin parks foundation partners with our community to enhance people's lives by making our public parks, trails, green spaces much better through volunteerism, innovative programming, advocacy, and financial support. Since 1992 we have been committed to making Austin's over 300 parks, trails, and green spaces better for everyone. From volunteer work days to activation programming, a large capital improvement projects, as well as keeping, you know, getting our park adopters out there and stewarding for their parks. We support promoting park development, maintenance, accessibility, and improvements. Over the years we built a grassroots movement of park stewards across the city and we are proud to partner with the city of Austin. To date apf has awarded more than \$3.5 million, the music festival grants program for community initiated parks improvements. Last year alone we deployed nearly 6500 volunteers at more than 200 city park projects across Austin representing almost half a million dollars in volunteer labor investments in our parks. I know that a few of you council members try and make it out to it's my park day, and that is really one of my favorite days of the year, or two days of the year.

Because we really get the neighbors out there caring for their parks, meeting each other, and really participating in some of the real benefit of the outdoor space of Austin, Texas.

[7:34:34 PM]

We know that Austin parks department's current needs assessment indicates that approximately \$700 million is necessary for repairs and renovations of our system of aging parks infrastructure. Of the two suggested starting points for your deliberations tonight posted to the council message board, we support council member kitchen's amendments to the resolution you are considering. It not only maintains parks funding, the recommendations of the bond election advisory task force, but it recognizes the need for additional funding to address our failing aquatics infrastructure, to build out our urban trails plan. In addition to supporting her amendments to add additional funding for parks and trails, we urge you to consider urgent aquatics and trails needed as you weigh in on the competing priorities for tonight. The benefits of green spaces are numerous. Parks serve as economic drivers, provide countless environmental and ecological advantages, create positive health impacts, and build strong and connected communities. Studies consistently show every dollar invested in parks is leveraged many times over. The city's private partners, including apf, work very hard every day to raise private dollars to invest in projects and leverage city dollars to fund projects large and small. Over the years hundreds of millions of dollars have been raised by environmental groups in Austin to contribute to maintaining our public green spaces. We are looking to the city to do its part and to join us as we work together to create the great parks that all austinites deserve. This bond funding opportunity will not only let us begin tackling the vast needs of our park systems, but it will let us do so in a way that addresses its current inequities and it will benefit areas of our town that have traditionally been underserved. We urge you to support this funding so that the parks department can begin addressing these inequities in a meaningful way.

[7:36:41 PM]

Austin voters consistently support smart bond initiatives. We believe that this recommendation before you as it relates to parks, trails, and green spaces, is solid. And we believe this item should appear on the November ballot to give citizens of Austin an opportunity to approve a lasting investment in the future of Austin's parks. Thank you.

[Applause]

>> Mayor Adler: Is Adrian goldsbury here? No? What about Adam Greenfield? Won't you come on down to this podium. Go ahead, sir.

>> Hi. My name is Tom Wald. I'm speaking tonight on behalf of walk Austin. I'm on the walk Austin board. I also serve on the pedestrian advisory council. I'm here in speaking in support of the bond and in support of at least \$20 million for sidewalks, at least \$15 million for vision zero, and for urban trails

funding as well. I think that one of the things I find about sidewalk funding is it continues to be something that's not very -- it's kind of, to use the pun, it's very pedestrian, so it doesn't have ongoing loud champions for it. And I think it's something that just gets forgotten. We have a huge gap. As of our 2016 sidewalk master plan, we have a \$1.6 billion need that needs to be met. And I think it's such a large number that I have decided again to repeat a visualization, a former board member, Patricia, is going to demonstrate, and we will clean this up immediately afterwards. It's demonstrated through something that's very familiar to all of us. I asked my colleague just before and they're like, are you sure that's the best metaphor? It's the sort of thing that we very much expect. And when it's not there we're very disappointed. Just think whenever there's a sidewalk missing, think of it that way. I appreciate the video that Katy showed before.

[7:38:42 PM]

So you all have received the pedestrian advisory council resolution regarding the gap in sidewalk funding. If you haven't seen that or if you have any questions I or one of our board members will be happy to meet with you on that. It shows for fiscal year '18 -- let me put it this way. For the sidewalk master plan, it prioritized the next ten years, 2016 onward, for sidewalk funding to be spent. \$40 million a year, \$400 million total. And that is \$25 million in new construction and \$15 million in maintenance. This bond package includes sidewalk maintenance funding. The last bond package included sidewalk building funding. So our gap, though, so with that we still haven't met the gap that exists with the sidewalk master plan. It slates \$40 million a year yet there was a \$13.8 million gap for fiscal year '18. And for this coming fiscal year there's a \$16.3 million gap. That's including the \$20 million on the bond package and all other anticipated funding. So there's no plan yet on how we're going to meet that money. I encourage you to raise some funding in this and find other sources such as through the city budget, increasing the transportation user fee and other sources to meet that unmet gap. And I wanted to demonstrate. So this is the \$1.6 billion worth of need. And for -- I have heard from at least a couple of council members, well, we already allocated money in the 2016 bond package for sidewalks. Well, for context, this is the \$37.5 million -- is that five minutes?

>> Mayor Adler: Yes. Five minutes or three minutes? It was three minutes. You have two more. Sorry.

>> So, this is the equivalent of the \$37.5 million. Six sheets. And then in addition, there was school funding. We don't have a precise figure yet.

[7:40:42 PM]

They are still doing community outreach. But this is the estimate for how much sidewalk funding is going to come out. And then the corridors, which is huge. But a lot of those sidewalks exist. Some is probably going to be tearing up sidewalks that are Ada compliant. This is the best estimate we could come up with from the pedestrian advisory council. This is what's coming out of the 2016 bond package, and that's why it's very important to continue over and over again to continue to fund the sidewalk master

plan. And I look forward to working with all of you on ways to accelerate that spending rate and at the very least meet our \$40 million a year commitment that was made in 2016. I appreciate your time. I appreciate the process and I do wholeheartedly support the bond package and sidewalk funding that's in it. Thank you.

[Applause]

>> Mayor Adler: Thank you. Is Seneca Savoy here? Okay. Is garric Janine here? What about Marcus Denton? Thank you. You'll have seven minutes when you come. Sir, you have three minutes.

>> Good evening, mayor and council. I just want to say that he really wiped the floor with that speech. Does that work? I'm a board member of walk Austin. I'm also a member of the pedestrian advisory council. Our official position is, as Tom said, we support \$20 million of sidewalk funding. Also \$15 million of vision zero funding. When you think of the great cities of this world, we often think about their streets. Streets where there are people. Lively streets, streets where people can meet their neighbors, where they can fall in love with people they meet on the way, where children can walk to the parks nearby, where people with disabilities can access grocery stores around the corner.

[7:42:56 PM]

Walk Austin considers it a human right of every resident to have these basic features here in Austin. We have a lot of amazing parks, a lot of amazing sporting facilities. We want to make sure that every single person living in Austin can access these. And to do that we want a fully built out sidewalk network, just like people who drive have a fully built out road network. We want a fully built-out sidewalk network. It's basic infrastructure. It's going to make a huge difference to the everyday lives of people that live here. This bond is just the beginning of what we need. As Tom says, we need a lot more, but this is a start. So we urge you to vote for it. And thank you so much for all your wonderful work on this bond. We really appreciate it. Great work, guys. Thank you.

[Applause]

>> Mayor Adler: Thank you. Is Rachel stone here? Rachel stone? What about Andre? What about Teresa Ferguson? Paul Saldana? Go ahead.

>> Hi. I'm here on behalf of democratic socialists of America and in collaboration with keep Austin affordable. We are here to talk about what we believe to be the single most important investment that this city can make, both in its citizens and its future. And that is to put the largest possible bond towards affordable housing that we can, up to \$300 million. Dsa has been preoccupied with this issue because of the way that housing preconditions all of the other possibilities for justice for our most vulnerable. We are not just talking here about retirees.

[7:44:58 PM]

We are not just talking about people who have lived in the city for a long time. We are talking about people who are boarding on homelessness. We are talking about people who have been driven away from services that could gain access to a new life if they had access to steady shelter . We are talking about people who have gotten out of prison and are relying on extended networks because they are shut out of the affordable housing. And we are talking about the people who rely on affordable housing right now, who are at the mercy of an administration that has every intention to defund them and has already done so across cities around the country. We have one path forward and that is to remove the provision of those services fundamental for human life. Fundamental for survival, for health, for access to opportunity, for access to all the things that segregation has denied this city for over 100 years. Are all dependent upon the placement, provisioning, and the quality of housing. We know that through the most recent study on affordable housing, who wants to live near affordable housing, that the placement of affordable housing is one of the most effective ways to combat segregation. That if we place an affordable housing complex within a low-income neighborhood that we have a radius that goes around it that reduces segregation directly, reduces property crime rates, reduces violent crime rates, reduces overall segregation, and creates up to \$116 million in economic activity. I'm not talking about the construction here. We're talking about buy effects. This is the most recent study on all low-income tax credit finance areas throughout the country, right? And with external applicability. We know the most effective way of reducing recidivism is providing housing first services towards people coming directly out of prison.

[7:47:03 PM]

We know that they have recently run a trial in Washington that replicated this and we have individual sites across the country, some of which have recidivism rates as low as 1%, unmatched with anything you could do with a predicted policing program. This is one of the lowest cost and highest return investments the city can make.

[Buzzer]

>> Are we at seven minutes already?

>> Mayor Adler: That was supposed to be seven minutes.

>> We know these things can be achieved by building flexibility into our housing plan. Their use of community land trust we can take housing off of the market, taking out of the demands of property taxes, allowing flexibility to build housing across the entire spectrum of mfi affordability, from 20% to 80%. That allows people to stay in their homes, to build cooperatives, and to have nonprofits build. That gives the ultimate flexibility in that regard. We know that the actual physical structures require large investments up front, and the landowner we wait the more expensive it gets. The fundamental things we are doing, building things and buying land get more expensive over time. And the sooner we do it the less expensive and more impactful it is. We know that if we allow someone to live in a high-opportunity area where they would never be able to afford it with their own market rate, that they increase their life earnings, decrease the chance that they are going to be in prison, and decrease their chance of dying prematurely, because it's the only route we have directly out of economic and racial

segregation. Housing is one of the few things that can directly impact health spending without catastrophic care. It's a fundamental prerequisite for justice. And we are committed to this. We didn't come to this lightly. We corroborated with other organizations, we canvassed our own membership to come to consensus on this large number and on the effort it will take to pass it.

[7:49:12 PM]

We researched which things caused these bond measures to pass or not pass. We developed canvassing plans and I, along with everyone behind me on this wall, are the tip of an iceberg, 900 people deep, that will do everything within our power to educate the people of this city about how they can transform the fundamental nature of our housing and our justice by voting yes on this bond. And by following along, not just on election day, but afterwards when projects are approved. When we can go into housing complexes and ask people about their needs, bring that back here. When we can take advantage of the tenet rights that this council recently expanded to give people the first meaningful anti-eviction rights in this state. All that is only possible because you are willing to expand public and public finance housing. To give people real rights, real security, and access what they need for health and for justice. We can reduce crime. We can reduce segregation. We can create economic returns far out of proportion to anything else that we could spend them on. And we can create a legacy that will last for 80, 90 years into the future. What Austin looks like in composition, in architecture, in health, in crime will be a consequence for the next century of how you vote today. We urge you to vote for justice. Thank you.

[Cheering and applause]

>> Mayor Adler: Ms. Houston isn't with us right now, and I wish she was. Because she started a new custom here in the chamber. If we applaud between every one of the speakers it will add about 20 minutes to half an hour for our evening, which is going to go on through the wee hours. So if we could snap fingers.

[7:51:14 PM]

Or she had -- jazz hands or whatever it was.

>> It's applause in sign language.

>> Mayor Adler: Applause in sign language. That way we can keep going. If we could keep going. Is Teresa Ferguson here? Paul Saldana. Is bill bunch here? Is Mike kanadi here? You have three minutes.

>> Thank you. Should have gone before him because that's a hard act to follow. I'm Andre and I am here representing the Austin board of realtors. A board represents 13,000 members in central Texas who connect people with homes, helping austinites buy and lease homes and manage small-scale properties. 2018 marks the anniversary of the fair housing act which was signed in 1968. We are going through an on going and growing affordable housing crisis in this city. Our housing crisis affects just about everyone,

but especially low-income households, single parents, people with disabilities, families with children, and it is driving many to look for homes far from job centers and other services. Historic challenges call for historic measures. The board is asking you to support a strong investment in housing in the long-term that will provide the housing we need to ensure Austin can continue to be a city for all. And with that, I'll keep it short. I'll try to help you get home a little earlier. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Good job. Ralph Webster. Is Ralph Webster here? Is go Paul here?

[7:53:16 PM]

Please go ahead.

>> Greetings, mayor, council members, I'm Mike, with the Barton springs conservancy. It's nice to be speaking with y'all while the sun is still out. Thank you for starting us early tonight. I'm here as a district 10 resident represented by Alison alter and I'm here as an honorary constituent of council member troxclair and kitchen because they share jurisdiction with mayor Adler over the Barton springs area. I could go through the connection we have with council members, because we view Barton springs as having a city-wide constituency. Last time we spoke about how the bathhouse would be suitable to be included in the bond package, but I think we have decided there are other very qualified uses of the bond money that should take priority in this case. We believe that the bathhouse is qualified for bonds but we think it is ideally suited to be part of the historic restoration and preservation projects in the upcoming budget cycle. So we are willing to bypass bond funds for now, as if we have any control over that. And we hope to free the bond funds for some worthy community priorities that we share with the broad coalition of parks, trails, and open space, and also affordable housing advocates you have heard from tonight. We want the 2018 bond package to include funds for parks, pools, and trails. And we want to commend the work of the bond election advisory task force for the recommendations they came up and that the city manager has largely adopted. We would like to point out, importantly, those recommendations include \$72 million for open space protection, which we think is vital. It includes \$45 million for parkland acquisition, which we also believe is very important from the parks and rec category. Both of these should be bigger, if at all possible. Especially as the need is so critical for protecting our parks and our public spaces. So we specifically support the addition of \$20 million to help build out the urban trails.

[7:55:20 PM]

We would also support \$20 million for the pool projects. And from what I understand, council member kitchen's resolution is a step in the right direction to achieve larger spending in those areas. We really think there are many worthy causes that you must prioritize, but one suggestion we think for marrying

the parks, trail, and pool cause to the affordable housing cause is to look at them as essentially being related in that the parks and trails and pools serve as the public outdoor spaces for many of our affordable housing situations. I'm not an expert on this but this is a sense I have that these sort of provide our yards and our pools for some of the structures that might not otherwise have these amenities. If that's a way to resolve them as something complimentary. I will be returning next month and urging you to prioritize the bathhouse, but, in the meantime, please -- I'll stop there. Thank you very much.

[Buzzer]

>> Mayor Adler: Speaker no. 17, Katy spoke, so we can mark that. Is Jessica Wolff here? Why don't you come on down.

>> Good evening, mayor, council members, city manager, city attorney, staff members, and the citizens in attendance. I'm the president of the network of [indiscernible]. We represent over 15 nonprofit organizations in Austin. Most of them are Asian American. I'm here to speak in favor of the proposed bond package, except I'm going to ask you all in favor of the Asian American resource center. My understanding is the Asian American resource center is proposing a \$5 million bond and we are requesting it be increased to \$15 million.

[7:57:30 PM]

Why are we requesting that? Arc has been steadily growing and the center has outgrown its current facilities. Arc is one of the most utilized facilities in the city with over 60,000 visitors expected this year. Arc is not just searching the Asian American community, but the community at large. It services educational, cultural, economic, health, recreational exhibits and many, many more purposes. Some of the activities include senior activities, senior meals, including the health screenings, English as a second language classes, camps for children, and many, many more activities, not just the visitations. Arc gives the sense of belonging to the Asian American community. It has been the anchor for the community to celebrate, to use, to benefit from the arc. When we recruit businesses to look here to Austin we showcase arc as our anchor. Arc is serving our community in many ways that we did not envision when the facility was originally constructed. You have a tough task to balance priorities for our great community and I hope you will consider our request along with many our requests as you make your decisions. And thank you for all your service and to the bond task force for their time. It has been a long and lengthy process, but I think you all have a tough task to make sure you balance the things, and we are putting in our request. Thank you for your consideration.

>> Mayor Adler: Thank you.

>> Mayor Adler: Thank you. Before you speak, is Liz Martinez here? Why don't you come on down.

[7:59:32 PM]

Introduce yourself and then you have three minutes.

>> Good evening, mayor, mayor pro tem, and councilmembers. My name is Jessica Wolf. I'm the business liaison for Better Builder Workers Defense. I'm here standing in support of item 27. We applaud council for hearing our concerns and proposing an increase in the affordable housing bond to \$250 million, with councilmember Kitchen's amendment. This bond can help affordable rent for working families, and this is important because low wage immigrant construction workers are desperately trying to live in the community they helped build. Many of our members at Workers Defense can no longer afford to live within Austin city limits. And we support city council's effort to create affordable housing. We believe the housing -- we believe housing must be affordable and that it must be built ethically. We believe this bond in Austin city council can achieve both and we look forward to working with the council and developers to ensure construction results and good, safe jobs. This is important because a construction worker in Texas is killed on the job every three days. According to the most recent facts published in the Bureau of Labor Statistics, Texas accounts for 12.9 of U.S. Construction fatalities, the highest in all states. Just this week less than a hundred miles from Austin there was an explosion at a site that injured 12 construction workers and killed one. Our thoughts and prayers are with those affected families. The majority of this council has consistently looked to new and innovative approaches to make Austin more affordable, and we thank you for consistently supporting working class, immigrant families in the construction industry here in Austin. Thank you for your time.

>> Mayor Adler: Thank you. Sorry. Is Monica Guzman here?

[8:01:36 PM]

What about Jay Crosby? Jay, come on down. You have three minutes.

>> Okay. All right.

[Speaking Spanish]

>> Good afternoon. My name is Liz Martinez and I'm active member of workers defense project. I'm here in support of item 27. I would like to first recognize our council for having proposed an increase to \$250 million for affordable housing. This has the potential to help thousands of working families in Austin, not just to find somewhere to live but to also create thousands of good and safe jobs in construction.

[Speaking Spanish]

>> I am a single mother of two kids whom I love with all my heart and for whom I work hard every day to be able to provide for and offer a better future.

[8:03:38 PM]

I have been working in construction for a few years now and have seen firsthand the difficult and dangerous conditions that we expose ourselves to every day, to be able to build homes, roads, buildings, et cetera. But what seems to happen often is that we build beautiful houses that we will never get to live in due to high rent amounts. With this proposal, we can begin to change that so that us, the people that are building those homes, can also have the opportunity to one day live in them.

[Speaking Spanish]

>> I have worked in construction -- in commercial residential sites and the truth is that both sectors, there's still a lot of work to be done to ensure that we have dignified and safe jobs. In my time working in construction I have heard many constructions of wage theft, workplace injuries and worst, the fatal accidents, which at the end of the day, the family does not even get an apology.

[Speaking Spanish]

>> And that is why it's important to create jobs where the safety standards and salaries are also high in order to prevent these sort of things from happening, it is our duty to take care of the workers that go out everyday to build our beautiful city. Thank you for your time.

>> Mayor Adler: And for people that are watching, we give more time to people who are translating because they shouldn't have time counted against them in that things have to be said more than once. Is Mary Arnold here?

[8:05:38 PM]

Why don't you come on up, Ms. Arnold. Mr. Crawsley.

>> Hello, mayor Adler and councilmembers, thank you so much for your time and service for all the people of the city of Austin. My name is Jay craws ley. I live in a 650-square-foot complex in district 7 with my wife and four-year-old son and we are renters like most of the citizens of the city of Austin. I currently serve as vice chair of the pedestrian advisory council and I work for nonprofit farm and city. As Tom so eloquently explained to you, we are very concerned, we've been spending a lot of time looking into sidewalk funding. And in 2016, you made a promise to the people of the city of Austin to spend \$15 million a year on Ada reconstruction and \$25 million a year on new sidewalk funding. And that was supposed to start this year with the ramp-up period on the Ada funding. And this year, you will finish this year, if all the data we've been able to gather from staff is correct, about \$13 million short. And if you pass a \$20 million sidewalk bond and include the staff recommendations for ramping up a little bit of sidewalk funding, next year you will be \$16 million short of your promise. This is very concerning to us. And I guess just, you know, sidewalks are the basic unit of our community. They are for -- for people with disabilities, they are -- for many people, it is the access to the rest of the whole city, and how many lucky enough that our block got a sidewalk. We did not have sidewalks before and it has dramatically changed my life and my four-year-old son's life. It has made our street more safe. So I beg of you to figure this out. And we are -- I hope that you will figure this out between this bond and this year's budget and meet the promise that you made two years ago somehow.

[8:07:43 PM]

I hope you will increase sidewalk funding in this bond to \$40 million. I'm not aware of anything that is more important to -- to meeting the needs of our communities more than that. And then vision zero, and every five days someone dies in your transportation system. Every single day some family has to deal with someone suffering an incapacitating injury, the life-changing thing. This is -- your staff put together proposals for \$26 million of saving lives by making our transportation system safer. The current proposal is only to fund 15 million of that. I encourage to you consider the full \$26 million with more pedestrian safety treatment with the transit speed and reliability programs. I don't -- I don't think there's anything else proposed in this bond that will save people's lives. And final note, I just want to say we did a bunch of work on the Rainey neighborhood traffic study. I want to support the mac funding. You have to legalize funding in codenext also. Thank you.

>> Mayor Adler: Our rules say that the first 20 people that speak have three minutes each. Speakers after that have one minute. We do that usually when we're talking about a debate where there are two sides, where people are defending sides. I'm not sure this is the same kind of thing where speakers are speaking about specific things that they want, and I'm not sure that it's appropriate to have the first 20 people be able to speak for three minutes, people who sign up later who are speaking on the topic for the very first time. So I can certainly be corrected by the panel, but I'm going to continue to give people three minutes to speak, but certainly if the council wanted to change that, they -- they could. And then after Ms. Arnold speaks, is David Pinkham here?

[8:09:46 PM]

Why don't you come on down.

>> Mayor and members of the city council --

>> Mayor Adler: I'm sorry. Is Lee turner here? Lee turner? Okay. So you'll have five minutes when you come down. Ms. Arnold, I apologize.

>> I'm here to ask you not to include \$50 million in the bond election for the red bud trail bridge in 2012, there were bonds on the election at that time, and they were approved, \$3 million to design a new red bud trail bridge. That was 2012. This is now 2018. And we have nothing to show from that money from the 2012 bond election. Surely a new replacement for the red bud trail bridge can be done for less than 50 million. There was one citizen public meeting in June of 2012 -- pardon me -- June of 2016 where we could come and see some information about the proposal. But the engineers that you all hired in may of 2015 didn't complete their contract with the city until spring of 2016. And they have been paid money. I know that. But we don't know what has come of it. And it's very, very discouraging that what we see on the website is a huge, enormous thing that seems much too large and seems not necessary to accomplish what they were trying to accomplish with the red bud trail bridge. And I'm opposed to

putting this money on the ballot without knowing the results of the money that we have spent on engineers so far. Thank you.

[8:11:52 PM]

>> Mayor Adler: Okay. I think we had a speaker with time that was donated, five minutes. Come on down. Is Jasiah Stevenson here? Mr. Stevenson. What about Mark McKimm? Mark McKimm? Okay. He needs to let me know if he comes back. Eric Goff? Why don't you come on down, Eric. Go ahead. You have five minutes.

>> Thank you. Good evening, everybody. My name is Dave Pinkham. I'm one of the co-chairs of Austin Democratic Socialist America. We're here for [indiscernible], it was fun, it was a great time. You know why we're here. We want the \$300 million housing bond. There they are. I painted them. We want a hundred million dollars of it to go to public land acquisition. We want the city to now take the time to lay out a bold and proactive vision for the future of Austin, a future where the needs of the poor and working class folks are provided for. We're in a housing crisis. Rent goes up and up and up, but our wages don't. They stay flat. The market hasn't and will never solve this problem. Its function is to extract profits from people's needs, not to provide for them. The only solution for this crisis is to decommodify housing, decommodify the land and homes built upon it, and provision them as a public good. We need city-owned properties, we need community land trusts, we need public and affordable housing of all kinds across the board. It's an intersectional issue, really. The radical poverty caused by capitalism and the gentrification and displacement of poor and working class families dramatically affects people of color.

[8:13:57 PM]

The unattainable cost of housing keeps working women in bad living situations and unhealthy and abusive relationships because they can't afford to leave. It pushes people into the streets where they experience chronic homelessness and inevitable encounters with the police, which, in turn, then cycles them endlessly in and out of the system which in turn extracts even more profit from their increasingly desperate lives. Our situation is dire. I could continue the list of injustices for the rest of my time and the rest of everyone here's time tonight, and I would never run out. But we can turn the tide. We can turn it by doing what we -- what DSA does best, and that is going out en masse and talking to folks about their issues, their struggles, and building a movement to win a more just society. We did it for paid sick days. Our comrades in New York City just did it to elect accompanied roadway Cortez to the house of representatives, a DSA member, and we'll do it again for public housing, for affordable housing, to win justice and dignity, a place to live, for the people in Austin who need it the most. So let's do 3 hundred million with a hundred million for land acquisition so that, together, we can begin to make Austin a city that serves the many whose lives and work make the city go and not the few who are profiting off the market as it is now. Thank you.

>> Mayor Adler: Thank you. Is Courtney sagari here? Yes?

>> Yes.

>> Mayor Adler: Okay. Is Kim verella here? All right. So you'll have five minutes, Courtney. Go ahead. If you would come on down to this podium.

[8:16:00 PM]

Mr. Goff.

>> Mayor, sorry, how many people have spoken at three minutes already?

>> Mayor Adler: I don't know exactly how many people have spoken. There are 33 speakers remaining.

>> Garza: Okay. I mean, I appreciate that people are speaking on different issues, but it seems like one minute might be enough time for people to come up and say the issue that they're here for. We obviously have a lot of council discussion after this and we have another time-consuming issue after that, so I would be comfortable with just continuing with our existing rules that after the first 20 speakers, we give everyone a minute.

>> Mayor Adler: Okay. Councilmember troxclair is suggesting that we go to a minute a speaker. Anybody else want to address this on the dais? Yes, Mr. Casar.

>> Casar: I think that given the variety of issues, it does make sense for it to be longer than a minute. I'm fine with sticking it out to the three or I think a compromise position might be say after 8:20 or 8:30, to go to two minutes and just leave it at that.

>> Mayor Adler: Mr. Flannigan?

>> Flannigan: Are we intending to take testimony in August when we actually vote on ballot language? Will there be another time for people to come and speak?

>> Mayor Adler: I don't think we have discussed that.

>> Flannigan: Because if we are, then I think it's fine to go to a minute here because there will be a whole other round of speaking opportunities in August. August --

>> Mayor Adler: Mr. Casar.

>> Casar: I think the manager made it clear it's important to set these buckets. I think people in the community, it's going to be important to set the buckets today, and I think that's probably what most people are interested in. I know that we can technically change those in August but just like under the transportation bond, I think changing them too much in August creates problems, and so I, inc. A lot of people are really interested in us setting the buckets tonight and I'd like to make sure that we don't miss something, because if people come testify in August, we can change it but it might be a little too late.

[8:18:18 PM]

Technically it's not, but practically, it could be.

>> Mayor Adler: I was going to say that I think the testimony tonight is going to be the significant testimony on the bond. Just because as a practical matter, it's so hard to change things in August. We might be moving things around, but I don't know the answer to that. So the question whether we want to go shorter than 20 minutes. After a minute, we go to a minute. Councilmember troxclair was suggesting we go to a minute. There was some support. Mr. Casar said we can also pick something in the middle, go to two minutes. Councilmember Garza?

>> Garza: I feel like we're wasting time talking about this, but I would suggest a compromise in that no donated time and just try to keep your comments really short. But this is different. This is like the budget hearing where people are coming and they're talking about different things, and I guess for those, there's obviously a lot of support for the 300 million. I think that's great, if you guys could just keep maybe your comments to a little less. But I think this is different, and I would support a compromise. Just try to keep it short and no donated time.

>> Mayor Adler: Okay. Try to keep it short doesn't work. Do we want to do two minutes time? All right. Let's go to two minutes now. We've gone past 20 speakers.

>> Two minutes.

>> Mayor Adler: Two minutes. Let's do it now.

>> I do have slides, though.

>> Mayor Adler: Okay.

>> So my name is Eric Goff around I'm here on behalf of aura. We stand for Austin for everyone. And housing affordability is a critical issue that affects every other item in the city. When people can't afford a place to live, they can't afford anything else. And we can go big at 300 million. I want to show you recent bond issues, in 2016 and 2017, that passed overwhelmingly in support.

[8:20:26 PM]

And if you divide those populations, those sizes, you can see that 300 million is right in line with something that passed overwhelmingly in other cities that are dealing with similar issues. And you have people here in the audience tonight that have promised you and continue to promise you to go out and knock on doors from now to November to get that passed. I'm one of them. Next slide. Next slide. This next slide will show many other organizations that have also joined aura and dsa that you've already heard from, that have already committed to going out knocking on doors, changing the community for the better. We need a huge amount for land acquisition, although codenext is critical to delivering housing, we won't be able to deliver housing for the poorest among us through the market anytime soon, if ever. And so we need to create new publicly owned housing on publicly owned land through this

bond issue. I really hope that you do that tonight, and you do have the support of the community, and you do have the support of this country to go big on affordable housing. Thank you so much.

>> Mayor Adler: Rachel Stone here? Why don't you come on down. You have two minutes. You have two minutes.

>> My name is Courtney. I'm sexual assault medical company advocate at the Safe Alliance. I'm here to speak about how access to affordable housing is essential to our work. According to national research, up to 20% of sexual assault victims become homeless as a result of sexual violence. For survivors of abuse including myself, we know there's no path to long-term safety and stability that doesn't pass through the front door of a safe, affordable, and permanent home.

[8:22:37 PM]

Yet the demand for safe services far exceeds our capacity. In the last fiscal year, 674 sexual assault survivors received advocacy services and 578 survivors received forensic exams in the immediate aftermath of a rape. 22 sexual assault survivors, in the need of a safe place to stay, were able to immediately enter a safe emergency shelter but we don't have enough capacity for all who are in need. In the last fiscal year, an average of 49 households per night were on the waiting list for shelter but remained unable to be served due to lack of capacity. It is clear that there is a criminal need for affordable housing in Austin. Through previous affordable housing bonds, Safe has been able to link eligible families to affordable permanent housing through bond-funded units that has allowed us to help our most vulnerable clients to obtain and maintain safe, stable, permanent homes. These are families that would otherwise be homeless if not for access to this type of housing. Both permanent and supportive housing and access to rental assistance are vital to helping homeless survivors reestablish their lives. I would like to leave you with a survivor's success story. Please note that her name and identifying information has been changed to protect her safety and privacy. Lena came to the shelter hoping to find a moment of safety. She had experienced severe sexual assault in her early teen years followed by a long-term abusive relationship. Lena developed PTSD with severe panic attacks as a result of complex trauma.

[Buzzer sounding] She grew afraid to leave her house and unable to work. An eviction led to a four-year period of living on the streets where she experienced repeated episodes of physical and sexual violence.

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Thank you. Is Louis Conway here?

[8:24:37 PM]

No? What about Glen Scott? Why don't you come on down to this podium. Introduce yourself. You have two minutes.

>> Thank you. Thanks for giving me time to speak. My name is Rachel stone. I'm a former Hyde attorney and I was on the bond election task force, I was chair of the affordable housing working group. And I just wanted to come out in support of the bond package. We really put a lot of work into it. We did a significant amount of public input and we feel like the -- what we put together is reflective of what we heard from the community. But I did want to say that we got a huge number of comments and asks for money towards affordable housing, and one of the things we heard from the city staff while we were in our affordable housing meetings was that they were concerned about capacity for getting this money out, and now that we know that if the bond is larger, then the city will get that capacity they need. I think that's really important, like we need a department that can -- is not saying no to funds. They need the capacity. They need to increase their size. We need to address these problems. So I just want to encourage council to go for the most amount that you can for affordable housing because, you know, that's what -- we really need it there. Thank you.

>> Mayor Adler: Thank you. Is Heidi Sloan here? What about Schuller? Come on down to this podium. Please introduce yourself. You have two minutes.

>> Yes. I'm Glenn Scott. I'm an Austin resident since the '70s and homeowner since 1985 in district 1. Thank you, council, for hearing voices in the community today. This housing crisis that many have talked about is not just an Austin crisis, it is a nationwide crisis. Our for-profit providing of housing on the basis of the profit motive has not built enough housing by the millions in our country for decades, and we are just seeing more and more of this crisis as it intensifies.

[8:26:51 PM]

This housing, as previous speakers said, are not built to meet needs. Austin is very much part of this crisis, and I'm not going to go through stacks on this crisis. I'm going to talk about its impact. It has a long history, and I hope you'll think about that. I'm an old-timer. I'm an old-timer. I've been organizing in Austin and on the road as a union organizer for many years. Union organizing, and starting out as a housing advocate, a tenants' rights organizer. And I'm wearing a button that we wore, Texas tenants union from 1979 to 1981. And we organized and demanded better conditions in housing and stopping evictions when landlords would evict for very poor conditions in which tenants complained. And that fight is still going on. And I appreciate some of the reforms you've passed, but we've got a lot more to do because, again, housing is unaffordable. The bottom half of Austin is being priced out of rental and homeowner housing, and again, this is due to the reliance on the private market. The private market is not solving the housing crisis. Indeed, it's creating it.

[Buzzer sounding]

>> Mayor Adler: Thank you.

>> We need a -- we don't need any more profit motive, we need a people's motive, and that people's motive is --

>> Mayor Adler: Thank you.

>> -- A \$300 million bond. Thank you for investing and hope you vote for --

>> Mayor Adler: Come to this podium over here. Either one. Mr. Shuller, come on over here. You have two minutes.

>> Good evening. Thank you for hearing testimony on this really important issue. We -- my name is Heidi Sloan. I am here with Austin dsa to ask for your support on a \$300 million housing bond, as you know.

[8:28:52 PM]

We're here to ask for your support for housing as a human right, for all persons regardless of income or background or job title or age to have access to a safe and secure place to rest their heads. And we ask you for 300 million. We ask you for more than is maybe comfortable. And we ask this from you and we ask for the opportunity from you to activate austinites who will be most directly impacted by this bond. Those whose lives would be changed completely by access to housing. We want to reach out not just to those who might actually be in the forefront of mind as to whether a bond is feasible or not, those who traditionally cause us to wring our hands in worry. We ask you to consider those who we might activate in this work. Those whose lives would be completely changed. Those whose lives would be impacted the most by having access to secure housing, by knowing that their city is for them. And we've already mentioned, of course, that we want to canvas for this issue, but we want to canvas specifically for the folks who don't know that there's a way forward for them, and that you, as their councilmembers, and that we, as a city, are for them. We want to represent their voices and get them to the ballot for something that is forever them, for us all.

[Buzzer sounding]

>> Thank you so much.

>> Mayor Adler: Thank you very much. Before Mr. Shuller speaks, is Thomas shehi here?

[8:31:02 PM]

Come on do you know to this -- come on down. You have two minutes.

>> I'm the aic committee chair for the Nao,

[indiscernible] Organizations. We request for \$15 million bond for the AOC. The number doesn't come from the air. We actually did a survey from the community and we have a survey -- you have the handout right in front of you. On the third page, you can see the handout with the red colors, and that's survey result. We have 90 people surveyed in this project, there's a lot of space in there, use that AOC, subcommittee also did a space calculation and cost calculation. I'm a professional project manager for a

popular agency for the last 20-something years so I did that pretty confident with the numbers. And so we're asking for \$15 million bond. And we also want to point out [indiscernible] Has been serving the Asia Asian community and also austinites very well. Last year, have 54,000 people attended using the facility. This year as of may, we already got 29,000 people using the facility. So by end of year, it will way more than \$55,000 -- 50,000 people using the facility, which is very popular. So the center is used for most, not only Asian, but also austinites, they like that. Last year the

[indiscernible] Market, 5,000 people tried to squeeze in the facility. My daughter couldn't find a parking space, couldn't squeeze into the door because so many people liked the space. They like this. Now, also I want to point out the committee hasn't supported this facility in phase one since 2000. In the handout, the last page, the second page where I actually pointed out the Asian community has -- in the second page, pointed out, we use \$100,000 Eda grant for the master plan. We finished that in four months in 2006, and we also performed services, \$340,000 to create a city criteria manual.

[8:33:08 PM]

[Buzzer sounding] And we also \$750 Eda grant for the construction of that, we applied for that and the city cosigned it. So total of those monies adds up to \$1.2 million. So we did spend a lot of money, spent a lot of community efforts for that.

>> Mayor Adler: Thank you.

>> So we're asking for \$15 million for the grant, for the bond package.

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Is Sheila frankfort here? Yes. Come on down to this podium, please. You have two minutes.

>> Hi. I am Thomas Shehee. I'm with Austin dsa. I work at internal revenue service. The wages are just enough for most of my coworkers to commute 30 minutes or like an hour to my shock, or in my case, live with my parents. And in this day of age in stagnant wages, living with your parents is like the new success. So I urge you for the housing bond, to keep put00, like a hundred, \$300 million, housing as human rights, solidarity forever. Thank you.

>> Mayor Adler: Thank you. And then is OMAR cadir here?

>> Oh, yeah.

>> Mayor Adler: Please come on down. You have two minutes. Go ahead, two minutes.

>> Thank you for your attention. My name is Dr. Sheila frankfort. I'm a licensed psychologist that works primarily with veterans. I'm an Austin resident and proud member of the Austin democratic socialists of America. I'm here to advocate in strong support for \$300 million for affordable and public housing. Research shows that instable, unstable, and poor quality housing is a significant predictor of poor

mental health and psychological dysfunction. And I see this in my own therapy room. I have veterans who drop out of therapy because they have to move an hour, two hours away from the clinic, and they're unable to come to therapy. I have patients who are holding onto their sobriety with -- by their fingers and nails.

[8:35:14 PM]

I'm worried if they lose their housing, they're not going to be able to keep their health together. And I have veterans who are depressed because, you know, they don't have a high quality of life and there's no quality of psychotherapy that can take away the pain of losing their home. So even though psychotherapy can't give people houses, you can, you know, and you can make a huge contribution to people's quality of lives, and do something really meaningful. So I urge you strongly to include money for public and affordable housing in this bonding bill. And I will go out with all of my colleagues to knock doors and get votes for this bill. Thank you.

>> Mayor Adler: Go ahead, sir.

>> Thank you, Mr. Mayor, city council. My name is OMAR. I'm here speaking in my capacity as democratic nominee of Williams county treasurer and a Round Rock resident. And I'm speaking in favor of \$300 million affordable housing bond. Now, like many, I'm a transplant to Texas. And although for the last ten years, living in round Rock, I've been living in Round Rock, I've been working in Austin. Community jobs across the city, mainly the domain, I witnessed a phenomenon that I never thought I'd see. The proliferation of poverty. I would drive to work every day and over that ten-year period, more and more bridge underpasses and traffic light stops are occupied by people that deserve better. There was no panhandling ten years ago. The further north -- the further north you travel from city hall. But every day I'd commute, I felt like I would see poverty earlier and earlier in my commute, closer and closer to my home. Georgetown, for example, today has a very visible account of poverty.

[8:37:16 PM]

And thankfully, Georgetown compassionately has decided not to criminalize it, but start a conversation about it and find solutions for their city. \$300 million is not the end, but it's a step in the right direction. And your neighbors are asking to stop creating and exporting poverty. So please, find it in your hearts and don't end with \$300 million. And I know, Mr. Mayor, I've heard you probably 300 million times that you want to end poverty. And I hope this is a step in the right direction, and the first domino of many to help humanity and mankind, and everybody in the region, especially in the city of Austin. Thank you.

>> Mayor Adler: Thank you. All right. Let's see here. Here? You have time donated by Clifford. We'll do two minutes and one minute on the time that's donated so you have three minutes, sir. And then while

he's getting ready to speak, is Joe Catherine Quinn here? What about Craig nazor? Ms. Quinn will be up next. Go ahead, sir. You have three minutes.

>> Mayor, council, thank you for giving me this opportunity. My main purpose is to support the carver museum and cultural center, being founded as part of the 2018 bond election. I want to ask that the council support the bond task force recommendation of funding the carver museum, carver museum and cultural circle, for the lease of \$7,000,500, as recommended by the task force. The carver museum was built about 20 years ago with the phase II and III bond that's never been completed.

[8:39:22 PM]

We recommend \$15 million additional to support the carver museum. With this, we hope to -- this will make the carver museum cultural center the best in the state of Texas, with your support. Thank you.

>> Mayor Adler: Thank you. Is Craig nazor here? No? What about Roy Whaley? Craig? Okay. There he is. Yes. You have two minutes.

>> Good evening, mayor, mayor pro tem and city council. Thank you so much for the opportunity to speak tonight and to express our support for councilmember kitchen's package of \$250 million in bonds for affordable housing. I'm here representing both caratos of Austin and keep Austin affordable coalition. As you've heard from other speakers, we are, across our country in a housing crisis. The number of austinites and residents of Travis county who experience being rent-burdened each year grows year to year, meaning that people are paying more than 50% of their monthly income on rent. That is not sustainable for a household and puts people in the position of making difficult and really impossible choices about meeting their basic needs. When you have to work all the time to keep a roof over your head, that leads to a very, very poor quality of life. At caritos of Austin, we believe that every austinite who has a stable place to call home can reach their full potential and contribute to our community. I know that one of your top two priorities is to address homelessness, and I would say that if you are going to reach this priority and be successful at addressing this priority, enough affordable housing is an absolute must.

[8:41:45 PM]

That is a component that will absolutely move the needle on ending homelessness and --

[buzzer sounding]

-- We must do that in our community. Thank you.

>> Mayor Adler: Thank you. Roy Whaley will be at this podium. Two minutes.

>> My name is Craig nazor. I'm a member of the conservation committee of the Sierra club. As such, we strongly support as much funding as you can provide for parks. I think parks are very important to this

city, and we kind of are getting behind ourselves sometimes at the rapid rate of development. I also think we need to keep as much money in there as possible to support watershed protection lands because water is going to be a huge thing in our future that will affect everybody and it'll affect the people that are least well off the most. And I -- we also believe, and I believe, that we should support affordable housing. I think it's a very important thing, and I think we need to do it. However, I just want to say that I don't think it is -- I don't think the city can possibly do as much as needs to be done for affordable housing. I think the real resolution to this problem is going to take more input from the state and more input from the federal government, which I -- we may not get in the near future. So we've just got to keep all that in mind as we move forward. So thank you very much.

>> Mayor Adler: Thank you, Mr. Nazor. Before Mr. Whaley starts speaking, is Nicole stern here? Nicole stern? What about Sharon sparland? Come on down. You have two minutes. Mr. Whaley, two minutes.

>> Howdy, y'all. My name is Roy Whaley. I'm the conservation chair for the Austin regional group, the Sierra club. And, yes, we absolutely support the open space and parks bond.

[8:43:50 PM]

Please don't reduce it below the recommended 72 million. Also, we do indeed support the affordable housing and ask you to find more money because that is also an environmental issue beyond being just the right thing to do, it helps reduce sprawl. It helps people live in the city. And so please find some more money for affordable housing. And one way to do that would be to set up a linkage fee that will be a steady supply of money instead of having to come here for bond hearings and beg for money. Set up the linkage fee. I know that's a state issue, so I'm going to ask each and every one of you to call the -- not just our local delegation, but the other people you know in Texas and say, "Please pass this." They have been blocking it. We have to get that passed so that we've got steady funds, ongoing funds for affordable housing. At the same time, we'd like to see you approach, reproach, the taxes here in Austin and have a very small percentage, 1/8th of a percent go to our parks, so that we don't have to go, hallelujah, we have enough money to fix a pool next year. Let's have steady funding mechanisms to do that. And then I'm going to conclude by saying we get -- listen to the people. That's in your job description. It's real simple. Y'all shouldn't even be having a discussion is to whether or not it's two minutes, three minutes. Each vote counts the same. We voted --

[buzzer sounding]

-- You people in. Therefore, your job description is to listen to us. If you can't do the job, don't apply for the job.

[8:45:52 PM]

>> Mayor Adler: Thank you. Thank you.

[Applause]

>> Mayor Adler: Is Mera Huerta here? What about marina Roberts? What about Yuro McDonald? Come on down. Go ahead and start. Two minutes.

>> Thank you, mayor and councilmembers. My name is Sharon sparland. I am here tonight as a representative of shoal creek conservancy to voice our sport for the bond proposals as presented by councilmember kitchen. I have been volunteering with shoal creek for over a year now. I've seen the good work it's doing as it partners with the city and nonprofits like the trail foundation, Pease park conservancy, and Austin park foundation, to make shoal creek watershed a fun and safe place for every austinite who lives, works, and plays here. Shoal creek conservancy supports all aspects of the flood mitigation open space proposition. We support the transportation infrastructure proposition, as proposed in the kitchen amendment, particularly the proposed 20 million for sidewalk rehabilitation, and where the sidewalks end, there are trails. The urban trail network is a growing component of the overall connectivity needed for people walking, running, biking, for health, play, and to work. We support councilmember kitchen's proposal adding 3 million for the expanding urban trails. We request as much as 7 million more to continue the build-out of existing projects in our urban trails master plan. And after a hot trail walk, we all need to cool off. Shoal creek conservancy supports the parks & recreation proposition as proposed in the kitchen amendment, especially the increase to 40 million for aquatics.

[8:47:55 PM]

We also request you add as much as 7 million in additional funding for swimming pool repairs and renovation. If these additional funds are not included, the staff analysis is that Gillis, montopolis, siviton and northwest pools will fail in the next five years. I had the privilege of participating in the par Bartholomew pools last year and see how important Bartholomew pool is to them. Thank you very much.

>> Mayor Adler: Thank you. Come to this podium. Either one. Why don't you come down. Go ahead, please. Introduce yourself and you have two minutes.

>> All right. Thank you very much. For your service to the city and for giving me this time to speak. My name is yura McDonald. I was born in Austin and attend UT. I support the bond for \$300 million. I think no a is too great. I know homeless people after moving to the city because of the housing crisis. A tent was torn down by the police in the night. He worked 60 hours a week to afford a home. Another friend, a trance gender friend who has a disability was sexually assaulted. One musician friend discovered after playing a show last night almost all of his belongings had been stolen. One friend must choose between living independently or returning to an abusive home. I've experienced the effect housing has on health, crime, and quality of life. I live in a cooperative in district 7 which was established as affordable housing for low income people, including those who recently were homeless or left prison. Affordable housing is one of the most important investments we can make for the many people who are moving here, especially low-income people. Thank you very much four time.

>> Mayor Adler: Thank you very much. Is David gujon here? David? Why don't you come on up to this podium. Introduce yourself. You have two minutes.

>> My name it marina from district 3, Mr. Renteria. I'm here with Austin dsa to ask you to support a \$300 million housing bond.

[8:49:58 PM]

A number of you have received emails and calls from folks I reached out to. I assure you given the opportunity I will get people to the polls in November also. I feel really strongly about this, not only because Austin is in a housing crisis but because I believe this bond is one of the best solutions we have to address that crisis. Austin is at a crossroads and I'm afraid of what will happen if we don't make this investment in a big way now. Working class community members who make vital contributions to Austin will be burned with constant instability. My family knows what that instability feels like. My mama has been homeless multiple times in her life and my brother is homeless in the city of Houston right now. I was homeless in college myself during Summers when my housing scholarship didn't apply. I saved enough working night jobs to pay for summer tuition but not housing. I squatted in buildings I wasn't authorized to be in and I slept on couches. I wouldn't wish those struggles on somebody I hated but those experiences have taught me to appreciate the difference between what people want and what we need. The other side of that crossroads, Austin is where you'll have the power to lead us tonight. We have the chance to come out ahead by saying yes to 300 million. We can buy more land today than we could later. It's also easier and more cost efficient to invest in programs that keep renters in homes they can afford than it is to undo the damage caused by housing instability and homelessness. We know that housing instability is linked to crime, domestic violence, recidivism, poor outcomes for children, and many other consequences which are better prevented an treated. In the same way living in an educated society benefits you, whether or not you have children going to public school, living in a society where your neighbors are housed benefits you. Instability for working class is instability for our community. We cannot be a prosperous city if the workers who keep Austin running cannot thrive here.

[Buzzer sounding]

>> Thank you so much.

>> Mayor Adler: Thank you very much. Is David Durbin here?

[8:52:00 PM]

Is dawn Lewis here? Is Christopher birchstead here? Come on down, sir. Go ahead.

>> Gotten. My name is David dujon. I'm with the Mexican American cultural center. I'm here in support of -- full support of the \$37 million for phase two of the Mexican American cultural center which the master plan has recently been approved by city council. Actually, before I go further, I do want to thank

council for the support with all the issues that have been going on on the border. I know that the mayor had a special council meeting where he was going to present to the board and we appreciate the fight that you've been continuing at the border and everyone else as well. The Mexican American cultural center has completed a master plan process as you have approved already, that was inclusive, collaborative, and equitable. We are excited for the prospect of the completion of the mac and first of first of all -- and fulfilling what this council has done for the community. Through that process the mac has learned quite a bit about who we are and how we fit within the fabric of our city. The way we fit within here is very critical, I would say, especially given the juncture of the growth of our city. The cultural center has an impact to a city that is truly felt at every level with every citizen, and we ask that the city invest in our cultural centers, in our cultural institutions, and our cultural infrastructure, just the same that we would in sidewalks and affordability. I want to express that the master plan has been vetted and debated with many of you in the room, and we appreciate that process, and we are very hopeful for the growth of the city of Austin and its cultural centers and art institutions. Thank you very much.

>> Mayor Adler: Thank you.

[8:54:01 PM]

>> Good evening, mayor and council. I agree with --

>> Mayor Adler: State your name, please.

>> On, I'm David Durbin, district 7. And I agree with what I've heard from the members of dsa and workers defense project and Sierra club this evening. Don't need to add anything to that. I too will support the bond package. Just want to say one thing, and that is that I hope that you will take into account the safety and mobility and recreational needs of those who either can't or don't drive cars. Thank you.

>> Mayor Adler: Thank you. Is Jennifer Hidalgo here? Jennifer Hidalgo? Why don't you come to this podium. Introduce yourself, please. And you have two minutes.

>> Hi. My name's Chris birchstead, a member of Austin dsa, resident of district 10 and I'm here to advocate the amount of \$300 million on the housing bond. We have an affordable housing crisis in Austin right now, and I've seen this personally. I graduated from the university of Texas in 2011 and I watched as all of my friends gradually moved out from west campus to north campus to north Austin, to out of Austin, until very few of my colleagues that I graduated with are still here. So I think it's very important also to support the largest amount that we can possibly imagine for housing. And that will help us solve the homeless crisis and that will help us build a better Austin that we want to live in, that keeps its citizens here rather than pushing them further and further out to the periphery, where they have to commute into the city, polluting air, where they can actually live where they work. And that's the Austin I want to live in and that's the Austin that 300 million will help us work towards. Thank you.

>> Mayor Adler: Thank you. Is Aaron Goodson here? Aaron Goodson? Come on down. Please introduce yourself and you have two minutes.

>> My name is Jennifer Hidalgo.

[8:56:01 PM]

I just want to start by saying thank you to any council members who support affordable housing here in Austin. I honestly don't know where I'd be without it. I grew up here in Austin, born and raised and I don't remember a lot of my early childhood except that my father spent most of it in prison and my mother was always working. It was my grandmother who always came to my rescue. She opened her home to me. She was strong and independent and outspoken. But also very loving. She was my idol. During that time, I got my G.E.D., got a good job, fell in love with someone. I can tell he had issues. I was strangely attracted to him, but we ended up having -- started having children. I got scared. Ultimately I gave him an ultimatum to either marry me or that's it. And that was a mistake. It was very toxic. But when it turned to -- into physical abuse, I was terrified, especially because my kids were witnessing it all. Our family life was a nightmare. Excuse me. Once again, it was my grandmother who came to my rescue. We all moved in with her and even though there were five of us, squeezed into one bedroom. I knew we were finally safe. 2016, my grandmother passed away and I was heartbroken. She had been such a major force in my life. I understood when the rest of my family wanted us to move out and to sell her home, but once again, that left us with nowhere to live. We were homeless, and I felt so low. Then I remembered hearing about foundation communities, and I had read somewhere that they had provided affordable housing. At this point, I had nothing to lose, so I applied. When I called -- when I got the call that we'd been accepted, I was so grateful. When they told me the name of our new community was live oak, I started to cry. My grandmother's house was on live oak. Excuse me. I knew this was a sign that my grandmother was still watching over us. And since moving in, life has changed for us in so many ways. We finally have a place to call our own.

[8:58:02 PM]

[Buzzer sounding] Just please help us to have the stability of a home as long as -- as with many other people, vote for affordable housing. Thank you.

>> Mayor Adler: Thank you. Is Mark McCartney here? Why don't come up on down. Please introduce yourself. You have two minutes.

>> Okay. Good evening. Thank you. My name is Erin. I'm senior director of housing at the Safe Alliance. We are a merger of Austin children's shelter and Safe Place. And we want to end sexual exploitation and child abuse, domestic violence. According to national research, 80% of homeless women and children have experienced domestic violence and here in Texas, 27% of former foster care use the report experiencing homelessness within three years of aging out of the system. I'd like to reiterate what my colleague mentioned earlier. What we know is that there is no path to long-term safety and stability for survivors of abuse that doesn't go right through the front door of their own safe, affordable, and permanent home. Now, past affordable housing bonds have allowed us to help survivors access bond-funded

permanent supportive housing and other affordable housing in this community, and to that, I just want to leave with you Bonnie's story. I've changed her name to protect safety and privacy but the rest of this is

>> As a child Bonnie was abused by her mother's boyfriend so she ran away from home at 15. She was targeted by traffickers living on the street and spent ten years being trafficked, which she could only escape by marrying a gang leader powerful enough to take her off the street. It was another 20 years before she escaped that abusive husband. He controlled every aspect of her life, especially their children, but once the children were grown he put her right back on the street. Bonnie spent another three years living on the streets, which after a lifetime of trauma meant she was living with PTSD, panic attacks, and chronic pain. An additional assault by a stranger sent her to the emergency room where nurses and law enforcement her to safe.

[9:00:07 PM]

At safe Bonnie was able to have emergency shelter and transitional housing. She received medical and mental health care, helped to access SSI benefits, case management, and pier support. A lot of doors opened for her, but the most important door was the door to her home made possible through affordable housing bonds. Thank you.

>> Mayor Adler: Thank you. Is Charles Cloutman here? Why don't you come down to this podium? Please introduce yourself. You have two minutes.

>> Mark Mccartney. I'm here representing Austin I want to thank you and the bond task force for their hard work. I can't say how great it is to be up here advocating for affordable housing and not having to mention code next.

[Laughter]

>> That's quite a relief. So as you have already heard a bunch of times, we are advocating for \$300 million on affordable housing bond, including at least \$100 million in land acquisition. Because we're in a housing crisis and the blueprint shows us we're \$6 million short. \$300 million can pass because of groups knocked on thousands of doors to pass paid sick leave and we're going to canvass even more for this because we believe it is a human right, not an investment. 60,000 people a year move to Austin and they all need a place to live, including the people that are here that are in danger of displacement. This bond will not only provide thousands of homes to working families, but working with our allies at workers defense project, we hope it will create thousands of good, safe construction jobs in an industry far too often defined by wage theft and serious safety violations. This is the area of the -- the city's area of greatest need now and at \$300 million it should the largest component on the ballot. But I would be discouraged to see it drop below \$250 million. Thank you for supporting affordable housing.

>> Mayor Adler: Thank you. Is Sheila watson here? Sheila watson? Come on down. You have two minutes.

[9:02:08 PM]

>> Thank you, mayor, council. Charles Cloutman with meals on wheels central Texas. I want to let you know that because of the last bonds we have been able to protect and preserve hundreds of houses of our low-income clients. And they can now live in safe, affordable, accessible housing all because we had the foresight to go forward with affordable housing. In this next bond election we'll have the opportunity to do much more. Let's imagine Austin where our elderly can stay home, elderly can stay in place and be safe the rest of their lives. Live in accessible housing, be able to get off their porches, get to their bathrooms. To be able to live in safety in the same home they have lived in 50 years. Let's imagine an Austin that is actually inclusive. Let's imagine an Austin that has the funding to be able to purchase a failing low-income multi-family housing project. Stop those people from being evicted. Stop them from going away from our protective services, transportation. Let's imagine an Austin that is inclusive, that is compassionate, that helps all the continuum of care. I am a fiscal conservative, former Republican. I am not one of my other brothers in the back but I do believe that we should throw as much money as we can at affordable housing. Let's all do this together. Thank you very much.

>> Mayor Adler: Thank you. Is Emma boardman Lawson here? Not here? She needs to let me know when she's here. Is Anna M. Here? Anna, come on down. Introduce yourself, sir. You have two minutes.

>> I have been here before. You know what strikes me is funny.

[9:04:09 PM]

There's no reason we should have 2,000 homeless people in our city. As of Saturday I'll be one of them, but you probably couldn't tell. I stand in solidarity with my dsa comrades and ask you to pass this \$300 million bond. I would love more money out of the open space budget that has so much money. I would like to apply \$100 million to be dedicated to land acquisition to support permanent affordability through public land, expansion of land banking, especially in areas susceptible to gentrification and displacement. Let's supply \$115 million to rental housing development assistance to expand affordable housing for working class and low-income austinites. Ensure that a significant portion of the affordable housing funds be targeted to public housing, affordable housing cooperatives of all types and community land trusts. But also ensure that elected officials responsible for spending the bonds show accountability by consulting tenant unions, rental advocacy organizations, people experiences homelessness with the feedback and oversight opportunities designed to engage those not traditionally well represented in the political process, like myself, again, mayor. Ensure affordable housing be targeted toward residents at and below 60% area median household income. I think you guys have the data. We need at least 50,000 more affordable housing units. Guys, just do the right thing like we ask you to do always. If you guys have our back, we have yours. Thank you.

>> Mayor Adler: Thank you. Is Susanna Amanza here? You have two minutes.

>> My name is Anna masel, I'm the chair for the Mexican cultural center.

[9:06:11 PM]

I have to say really quickly I was asked if I was nervous coming up here and I said no because I have 15 members in my family. I feel very comfortable.

>> Mayor Adler: You also have three minutes.

>> Thank you. The vision of the Mexican American cultural center has struggled for 40 years to stay in focus through heated battles over funding. Developers creation of inadequate transportation and parking issues and the evolving neighborhood with increased

[indiscernible]. Today our downtown location is valuable but 30 years ago the site had little to offer. It was the city's garage, home of the fleet maintenance department carved out of the barrio of the neighborhood on waller creek. We showed the effects of almost a century of abuse and neglect. Still more than 30 years of waiting in the current neighborhood it has been a home for [indiscernible]. Now 2018 appears to be the year the persistence of the 40 year struggle will continue to bear fruit. A new level of cooperation among the advocates and city of Austin task force, they have recommended \$15 million to expand the phase two. The priorities of the \$15 million recommendation for general renovations to the building. Renovations to the auditorium, the site improvements that included the main entrance to the sb Mac. But not the entire phase two. As helpful as \$15 million will be, it falls short of the estimated \$37 million for completion of phase two as developed in the updated master plan by the architects and was approved by city council. I ask for your support on behalf of the community. This facility means very much to our community. Not just to the barrio but it means a lot to all Mexican Americans within the city of Austin.

[9:08:14 PM]

So I am asking for your support of \$37 million to complete phase two. Thank you very much.

>> Mayor Adler: Thank you. Ms. Almanza. Before you speak, is Jordan Stewart here? Why don't you come on down? You'll be at this podium? Please introduce yourself. You have two minutes.

>> Good evening, mayor and council members. I'm one of the persons that have sued the city of Austin for not putting code next on the ballot and will be in court on Monday in room 325, the courthouse. As you know, there are five schools in east Austin that are in jeopardy of being closed due to underenrollment. And the problem is because so many families have been displaced from east Austin. They are in jeopardy of being closed due to the displacement of families. We now have the opportunity through the affordable housing bond to do land acquisition, and for over ten years for that work to close the facilities that emitted toxic pollution right across the street from Zavala elementary. We were successful and they were closed and relocated to Lockhart. But I think we now have the opportunity to bring low-income housing and families back into east Austin by acquiring that land that they have and that it is adjacent to the brown building owned by the city of Austin. So actually you could almost

redevelop a one square block building from Chicon to Robert Martinez from fourth to fifth street except for a moon shape that was bought by endeavor there. It could be redevelopment for low-income housing and could bring families back to these underpopulated schools that are in jeopardy of closing down.

[9:10:16 PM]

So we must make sure that that land acquisition funding be done in high priority areas where major displacement has happened. As you know, the university of Texas has already done a study where all the displacement are and even though they have said Cesar Chavez neighborhood is a garner, we shouldn't even address it. We still should address it. Support the affordable housing bond money. Thank you.

[Applause]

>> Mayor Adler: Before Mr. Store talks, is Walter Maro here. Introduce yourself.

>> My name is Jordan Stewart, I am a resident of district 9. I'm also here on behalf of Austin dsa to speak in favor of increasing the number of the affordable housing bonds at \$300 million. My first encounter with the idea that housing is a very unjust thing in the United States of America was when I was 5 years old. We had a roof over our heads. It was falling apart but we had a house. Two of my best friends, Pedro and Hugo, their single mother worked 60 hours a week at a factory and they lived in a homeless shelter. My 5-year-old brain couldn't understand that. If that was like that in the '90s, you can only imagine what it is now when housing is more expensive. And they have working class families of all colors, but especially people of color into the ground. The important thing about changing the number is about changing the conversation. We have always dealt in subsidizing the market housing. What we need to do is rebegin the conversation towards building new public housing, purchasing land for community land trusts, doing everything we can to invest our city's money in human beings instead of developers in a housing market that has proven time and time again that it only works for the very rich.

[9:12:24 PM]

So I would like to ask to as much as possible to increase the bond to \$300 million would be great. Thank you.

>> Mayor Adler: Thank you. Fred McGee, why don't you come on down to this other podium.

>> I wanted to really ask you to work to finalize a package tonight. I support Ann kitchen's amendment that was on the message board. It's important to come to a resolution because myself and others are working really, really hard to get a poll out, to get the messaging out, to build the campaign in July and August. You still have to come back in August and finalize bond language, but at that point we're off and running. So it would be really difficult and set us back if this is just sort of a preliminary to a whole other conversation in August. We are really grateful to the voters for their support of the 2013 bonds. Those

\$65 million have been invested effectively. I feel confident we can win a \$250 million election. We can tell the stories of the people that have been impacted and the difference that we have made over the years. So I really urge you to work towards a package that makes sense tonight so that that can be very minor formality in August. Thank you.

>> Mayor Adler: You have two minutes.

>> Good evening, mayor and council. How are you? Fred Mcgee here. I am the former president of the Montopolis neighborhood association. The current president of the Carson ridge neighborhood association. The founder and director of Preserve Rosewood. I'm happy to report that my friends, neighbors, and colleagues in Montopolis have elected me to represent them on the community development commission again. So you'll be seeing my name at some point in the future for appointment back to that commission. Before I get started with my two minutes, mayor, I sincerely hope you will put item 81 next after this.

[9:14:29 PM]

We have been waiting all day and I'm asking you nicely, sir. Thank you very much. What I would like to say is that we've been here before. Our city, in 1937 and 1938, thanks to the leadership of congressman Lyndon Johnson and mayor Tom Miller, established the first public housing authority under the 1937 U.S. Housing act. A housing authority that is now in the process of privatizing its entire public housing stock. You need to arrest that. You need to stop this. It's wrong. It's immoral and you should pass a \$300 million housing bond so that the housing authority can't use the excuse that they don't have any money to do it. This is happening in New York. It's happening all over this country. We can combine environmental protection via the pass of house standard. We can combine it with affordable housing that is truly affordable for people who really need it, and we can do it in a way that historically preserves the iconic landmarks in our city. Thank you very much for your attention.

>> Mayor Adler: Is Steve Johnson here? You have two minutes, sir.

>> Do you need to call someone else?

>> Mayor Adler: No.

>> Hi. My name is Steve Johnson. I'm with a community group called Love Austin Pools that supports keeping all of Austin's pools open. I want to talk to you particularly about the amount of money on the bond for public swimming pools. The bond election task force recommends \$33 million, which gives us a new pool for Colony Park, replacement for Gibbons, replacement for Maybell Davis and \$10 million left over for existing pools. But the Parks and Recreation board has recommended \$68 million, which gives us all of that plus a replacement for Sievetan, Gillis, Montopolis, and a new pool in Southwest Austin.

[9:16:41 PM]

In addition there's a different replacement for Mabel Davis, which I think is the year-round natatorium, and \$9.7 million left over for existing facilities. Of the pools I just mentioned, one each are in Mr. Casars, Ms. Houston's, Ms. Pool's, and Ms. Troxclair's district, and the other four pools are in Mr. Renteria's district. I think this gives us equity. It gives the public what they want, and I encourage you to please keep Austin cool by voting for money for the pools. Thank you.

>> Mayor Adler: Thank you. Is anybody else signed up to speak that I missed? Okay. That takes us up to the dais. Mr. Casar.

>> Casar: Mayor, I would like to move an amendment I'm passing now which is what council member kitchen posted on the message board most recently. I'm happy to summarize it.

>> Mayor Adler: Is there a second to this resolution? Council member kitchen seconds the amendment.

>> Casar: This amendment --

>> Mayor Adler: So, to be clear --

>> Casar: Casar-kitchen amendment on the top.

>> Mayor Adler: As the motion. The motion has been seconded. Speak to your motion.

>> Casar: So the motion brings the affordable housing bond up from the task force recommendations, up from \$161 million to \$250 million. The storm water and open space section stays the same as the most recent staff memo, which is above staff's recommendation, but it is at the most recent staff memo at \$184 million. Leaving intact the watershed protection money and the open space in that section. Parks and recreation, we add an additional \$7 million for pool repair.

[9:18:45 PM]

And the Doherty arts center is moved from parks and recreation to the cultural centers. The public safety remains the same at \$38 million. Health and human services retains the \$16 million health center and neighborhood center in dove springs. Libraries and cultural centers has the Doherty arts center in it. It adds \$15 million for creative spaces in the music and arts issues that have been discussed, along with \$12 million to cultural centers to address the issues brought up by folks at the Mac. In the transportation section, it adds \$3 million for urban trails and it removes some of the signals and technology money and some of the street reconstruction money to bring the bond total to \$925 million. It also makes sure that we are mentioning some example projects such as making sure we're talking about senior and affordable housing. It doesn't require, because I think we can talk about a contract with the voters if we want one when we come back from the summer break, but it calls out Guerrero and Trevino park. The oak hill and lions municipal golf course in the exhibit explaining what each bond proposition means. It leaves us under the two-cent -- below the two-cent tax increase because it is at \$925 million bond. In summary, this bond can repair broken sidewalks, invest in neglected parks, build a pool in colony park where there isn't one, repair some of our failing pools, the aarc, carver, Doherty, build a health clinic in dove springs, build public safety facilities, address flooding. It's investing in

ourselves. It's making a really serious investment, and most importantly it confronts our housing crisis. If it weren't for the advocacy from so many organizations we never would have gotten here.

[9:20:50 PM]

\$250 million in housing is almost four times as much as we have ever done at once. It is double to what we have done in housing bonds combined. It moves the needle beyond where we have been and can hopefully change our city for the better and inspire people into doing more. So I hope that we can pass a bond like this one, but I'm very open to hearing what amendments might be brought forth.

>> Mr. Mayor. Thank you, Mr. Casar. I think you laid that out very well. And I am excited about this bond package. The unprecedented amount that it adds for housing as well as the other important priorities that you laid out. I want to just say that I want to acknowledge the work that we have been doing with our legal department to make sure the wording is exactly right and there's a few places in here I have talked to -- you know, I talked to our legal staff about there may be a few wording things here or there that we'll need to work on between now and August, but I don't think we need to worry about those tonight.

>> I'm also supportive of this motion. I just wanted to ask. I know we're talking about buckets, and I asked the question on the message board saying that I was generally supportive of this. Because I spoke at work session about increasing the funding for the Mac so that they could complete phase two. And there was an increase to the cultural center bucket. I'm just wondering when do we allocate -- when do we make it clear that that increase was for the Mac? Is that a decision we Mac in August?

[9:22:53 PM]

>> Mr. Mayor?

>> Mayor Adler: Yes.

>> I forgot to mention, and I don't know if this will address what you are asking, council member Garza, but I meant to also suggest that in August I was planning to work with my colleagues to bring a resolution that provides some additional direction around both processes and perhaps some other indications of how we intend to address particular buckets. That would be like what we did for the mobility bond.

>> My recollection of the mobility bond was we asked staff to create kind of a matrix and a process. And I really wasn't happy with that process.

>> Okay.

>> So are we -- are you saying that we're going to ask staff to create a matrix?

>> No, no, no, no. Not at all. I'm not suggesting what that would look like. All I meant to suggest was that that's one avenue for providing additional direction. That's all I meant.

>> I'll say I'm supportive of this under the assumption that the increase to that bucket was to the Mexican American cultural center. And there were several council members, including the mayor, that also voiced support for an increase for the Mexican American culture center to be able to do its phase two.

>> Mayor.

>> Mayor Adler: Yes, Mr. Casar.

>> Casar: My intention would be to focus on the buckets tonight and in August I would be very supportive of line iteming some specific issues to ensure council member Garza just laid out. But for some of the bigger chunks like infill parks or neighborhood parks, I don't want to name every single one of those, because that's way more fluid. But I think for some big ticket items such as the Mac, it might make sense -- well, I would be supportive of at least making sure that we specifically designate money to each of those cultural centers.

[9:24:57 PM]

>> Mayor Adler: Okay. Mr. Renteria.

>> Renteria: Yes, mayor. You know, I really was pushing for \$300 million for affordable housing. We are in a crisis, but I know that I'm not going to have the support for \$300 million so I am going to be supporting Ann kitchen's \$200 million for affordable housing. I think we're making a big leap. I was hoping that we could get a little bit more but I'm willing to compromise and work with my colleagues to make sure that we use this funding wisely, you know, and but I really would like to see if it's possible to at least a little bit more for affordable housing.

>> Just a procedural question. Is it possible -- I'm getting questions from offline that people can't see what was proposed and I don't think there's clarity that it was the same motion that Ms. Kitchen had put out. I don't know if it's possible to just put on the docucam the people who were watching or are here in the chambers who don't have a motion sheet may have a chance to look at it.

>> Mayor Adler: How does this compare to what you posted?

>> It's exactly the same. This is exactly the same as what's on the council message board. But we could certainly put it up if people want to do that.

>> You can have my copy.

>> Mayor Adler: Mayor pro tem.

>> Tovo: Yeah, I want to thank my colleagues for coming up with a balanced proposal that really gets us an increase in affordable housing, which I think is really desperately needed. I was a strong supporter of the last two affordable housing bonds.

[9:26:59 PM]

Last three, actually, including the one that unfortunately failed. And we'll absolutely support this one. I did just distribute a sheet on the dais that I want to talk about for a minute. As we talked about in the work session the other day, I pointed out that we were not -- that the bond advisory recommendations that came to us did not include the \$3.5 million that the Austin history center really needs to be able to locate their collections there and to do the work that they need to do. And so council member kitchen, I know your proposal said you tried to incorporate the suggestions people had made. That one, I don't believe, is reflected in here. And I think it's important. We can talk more about why, and I know we have -- I think we may have some speakers here or some people in the audience who can talk about why that's so critical. But that is a long overdue project. It's one that the council in the past has passed, has supported via resolution to have the Austin history center moved to the fox center. I mentioned on Tuesday when I toured the history center last -- number one, I have used that collection a whole bunch for personal reasons, for city reasons, for my own research. And it's a fabulous collection. When I took the tour recently, there were boxes of archival records in the kitchen facilities, because they are so out of space. There are staff members working with boxes of archival documents all around them because there's no room. And the staff members who provided me with a tour said there are collections they are aware of that are very important to the history center that are really going to enhance our ability to have that information as part of our city collection, but they have asked people to hang on to their papers just because they are so out of storage right now. So I think it's something really important to get in there. The other one on here I distributed is to increase funding for the Asian American resource center, to bring it up to the same. And I appreciate those -- we have gotten lots of e-mail and Mr. Lao spoke earlier about and provided us with some information that if we -- that we really need to get the full ten in there to be able to do some of the construction.

[9:29:15 PM]

While I appreciate that, it's hard for me to figure out how to do that with what's in front of us today. But \$2.5 million would get it up to the same level as the carver museum. And so that is my other proposal. So that is -- those are two specific things. As I see it, that would increase the funding in council member kitchen's proposal under branch library renovations, that would increase it up to \$35 million. And for cultural center improvements, that would increase it to \$57 million. So where we find that \$6 million is something I would throw out to you all where we would want to trim to put those in. I also just want to say a general point about how we move forward. I appreciate that many members of the public -- thank you all, number one, for being here, for advocating, especially for housing, but other important needs. Thank you for your commitment to go out and knock on doors and get the community support we need and the political will to pass these critical, critical needs in our which you know the. Community. I am reluctant as we move forward to August, before we start line iteming different expenditures, I do want to have a discussion about how we frame the language in our commitment to voters in such a way that

provides us with flexibility. We are moving into a time period where you know very excitingly we can use our hotel occupancy taxes for historic preservation. There are a couple projects on this list, like mexicarte that I think would be a great candidate for that. If we have allocated millions of dollars to our historic preservation money for that project one year, I want to be able to use bond funding for something else. While I am absolutely supportive of making sure we have a firm commitment to do the expansion to the Mac and have the funding in place for mexicarte, I do want the flexibility to later shift things around if we have other funding resources.

[9:31:29 PM]

So I hope the city manager will do what's been done, and our staff in the past, which is to provide us with the kind of language that allows us to make those shifts later, understanding that we're -- we are also going to follow through on those commitments. It just may be through a different set of funding, if those possibilities present themselves.

>> Mayor Adler: So I like the -- I appreciate the work on that because I think that gets us really, really close, for me. But I have some of the same issues, mayor pro tem, that you had. We did talk about the Faulk. I think that the number that I have on the letter from them was \$3.3 million. In my letter from June 18th, I think it was \$3.3 million. And I seem to recall that they had told the bond committee that if they could get \$2.3 million that they would raise the additional \$1 million. So that would make that \$2.3 million-ish. I agree with the additional money for the Asian American resource center so they can continue the process and be able to key up projects. I would put something in for the carver center as well. I think one of the reasons why the Mac is able to make such a strong showing here is because they have had the planning money to be able to come up with a project and the carver hasn't had that, so they don't have that project. So some planning money I would put in that. Last, I'm concerned about the transportation dollars that are coming out of the road repair, street repair. Maybe that's something that he can talk about. What I understand is that that's just critical money. I don't know if it's so critical it would be CO2, but if we don't repair those roads then the cost for us is much greater than that and we're at the place where we would be getting behind the ball on that.

[9:33:39 PM]

If you add up all those pieces, that would be -- you know, if it was a 2.3 plus a 2.5, roughly 5 with a million for the carver, that's 6. We are talking about roughly \$10 million. As I looked at this I don't know exactly where I would cut \$10 million out of this. But it seems to me it's something we should consider. This bond has \$28 million in it for flood buyouts. We have also handed flood buyouts before with the duff charge. My understanding is we can, if we were to take \$10 million out of the bond and put it into duff, that would cost the median home 10 cents a month. And that would free up \$10 million in the bond to be able to use. So it would increase then the fee by 10 cents a month for the median home. That would raise \$10 million that could be put to flood buyouts, the same way we have done flood

buyouts in the past. And that \$10 million that was freed up in the bond, staying at the same 925 could be used for the Faulk and the Asian American resource center, the carver, and the transportation numbers. That would be something that I would like us to consider.

>> Could I speak to that, Mr. Mayor.

>> Mayor Adler: Hang on a second. Let me give other people a chance to speak --

>> I want to speak --

>> Mayor Adler: We'll come back to you. Council member pool.

>> Pool: Thanks. I don't know how to -- I don't know if we're going to nail down exact numbers tonight or if we're going to work through some things in July and come back with the actual numbers. I know there are some folks who are wanting us to be really specific.

[9:35:43 PM]

I wanted to just have us think a little bit about the fact that in the past we have put off repairs on roads and we had a really big bond, not two years ago, for mobility purposes for road reconstruction moneys in it. The same way we have put off repairs for pools for so long that they are imperilled. And we are seeing closures. So I would like us to focus a little bit on the priorities that we were promised in 2016, which was that we would set aside a large amount of money for transportation and then we would focus on other priorities in this bond. There are numbers in the transportation infrastructure list that are important. The bridge and culvert item is important. Some of these others are important. I'm looking specifically at possibly where we have the funding for the rehabilitation on existing city streets and cost participation in utility projects. That has been lowered some already. I'm thinking that because of all the work we are doing with the \$720 million bond on mobility, there may be a lot of this -- I know these are different projects, but we are putting a whole lot of our revenue into transportation. Meanwhile, if we just had -- I'm just looking for an additional \$10 million for our aquatics. And that would get us to fund sievetan, Gillis, montopolis, and northwest. Those are the four existing pools that need to have complete replacements, but with \$10 million on top of the additional 7 that has been put into this. And then taking a little bit of -- and then matching it with some of the \$10 million for renovations and upgrades to the existing aquatics facilities, I think we can save four of the aquatics facilities that are really important in our community.

[9:37:50 PM]

Already we will be in the \$33 million paying for colony park district pool park, givens, Mabel Davis, and then additional fund for renovations and upgrades to existing facilities. So I would like to find a little bit of margin somewhere where we can put an additional \$10 million into the aquatics, which would be under the parks and recreation. And that has been a real focus for our parks and aquatics and outdoor

advocates this year. And then there was one other thing I wanted to mention. Has said anything about the flood mitigation, but I support the funding for the flood mitigation. I haven't heard anybody talk about lowering that or changing that. So I'm very supportive of our flood mitigation. But I would like to find a little bit of margin to shift moneys around so that we can address the real needs that we have with our aquatics programs.

>> Mr. Mayor, could I --

>> Mayor Adler: Ms. Houston.

>> Houston: Council member kitchen, do you have something to say?

>> Kitchen: Well, the mayor laid out a proposal for cutting an area that is very critical to my district, and I would like the opportunity to explain it.

>> Mayor Adler: I was keeping the flood buyout at exactly the same dollar amount. I wasn't taking any flood buyout moneys away.

>> Kitchen: You are. By suggesting to raise the duff we are actually charging people with an increased rate for the duff. We are also potentially slowing down the buyouts. So we're talking about raising the dollar amounts for this bond and raising the cost to individuals by raising their rate on the duff.

[9:40:03 PM]

So you are talking about doing both and potentially delaying the dollars that are available. I just felt like it was important to say that. I will now defer to council member Houston.

>> Mayor Adler: Ms. Houston.

>> Houston: Thank you, council member kitchen and mayor. I just want to say to people I really appreciate your passion and your coming down here and everybody speaking so heartfully for the things that really impact their lives. There are many people, however, that are not here, who are not able to come here tonight and talk just as passionately about what the tax implications are to their lives. And so this is not going to be something that is popular, but this is where I am. My total amount is about \$647,500,000, give or take a few. I have \$200 million in housing. In transportation my priorities, as I have said in the past, are bridges and infrastructure, culverts so that the -- with the density and the impervious cover that I'm experiencing, we're experiencing all over the city. We are now getting flooding where we have never had flooding before. I too took out some money out of street reconstruction and sidewalk rehabilitation because I thought I had money some place else. I may be putting some of that money back in tonight. Signals and technology at \$4.5 million, because we have some buckets of money in our mobility bonds for some of that. Vision zero, maybe we think about some of these as things we put on the next bond in 2020, is that something we have to have.

[9:42:03 PM]

We have never talked about the things on here that could be put in another bond or could be paid for in another way. The neighborhood partnering program, I just cut that in half so that transportation bucket is about \$59 million. Parks and recreation, I know how people love their parks and pools. I've got about \$40 million for aquatics. Building renovations. We have, again, the infrastructure in some of our city buildings, if it were a private building, code would close it down. But it's not, so I've got \$11.5 million to rehab some of our facilities and our assets. Additional infrastructure, parks, trails, all of that, 10.5, parkland improvements. \$17 million parkland acquisition is about \$45 million. And then the replacement facility is -- thought that that could be done through certificates of obligations rather than through the bond, so I deleted that from this proposal. Flood mitigation, open spaces, \$112 million. And open space acquisition, \$72 million. That's \$184 million. Then we've got libraries, museums, and cultural arts. And that totals out to be \$64 million. Some of our branches, library branches, are really in dire shape, as well as the Faulk central library. Cultural improvements, \$27.5 million. And then for our creative classes where we talk about places like the flat bread press where we just need to find a space for people who are creatives to be able to do their art, that's about \$5 million. Then we've got the fire stations. I totaled that out because now that we're going to make them -- I think we're going to use certificates of obligations to fund those.

[9:44:10 PM]

Health and human services, dove spring center, \$60 million. The low end, \$647.5 million. And that's to respond to the cries that I hear in district 1. And throughout the city when I'm around about the tax implications of a higher bond.

>> Mayor Adler: The process we could use, I saw two different things posted. One had the bond at 925, which is about the 2 cents. And the other had, as Ms. Houston just laid out, a package that was substantially lower. Maybe we could figure out first at what level the majority of us are at. And then take it from there at either of those two levels. Does that make sense as a way to begin to approach this? Okay. So let's talk first about where people are in terms of the total bond package. I would support the kitchen-casars total at 925. We have a motion on the floor. I'm just trying to figure out how to advance it. So I'm trying to move outside of that structure a little bit to direct us.

>> That's what I was asking what the process was. I was trying to figure out what the process was. I would like to offer mine as a substitute motion.

>> Let's do that.

>> Mayor Adler: Okay. So we have a substitute motion. It's like the 650 number.

>> Round it off.

>> Mayor Adler: Does anybody want to speak further to the 650-ish number versus the 925 number?

[9:46:17 PM]

Council member Casar.

>> Casar: In reading council member Houston's and other's proposal, I appreciate it brings the housing number up and addresses other issues. I do think a -- I made the motion and seconded by Ms. Kitchen to do the 925 because I think it has the opportunity to bring more parts of the community together by getting housing, not at 200, but by 250 by increasing money to aquatics, by still addressing sidewalks. I think with the new staff information, it still being under 2 cents, still being the tax impact of the transportation bond that was just passed by such a significant margin, my hope is that we can address the other needs in the community that weren't addressed by that bond. Still at a reasonable rate. So I do appreciate the other proposal but urge my colleagues to see if there are any tweaks we have to make to make it on the 925 and keep it under 925.

>> Mayor Adler: Is there a second to Ms. Houston's 650 range? Council member pool seconds that. Discussion about the range and the substitute in the 9 or 650 range. Do you want to take a vote? A vote between the bond in the 650 range. Let's take a vote on the substitute, which would put it at \$650,000.

>> We are talking about millions.

>> Mayor Adler: Yeah, \$650 million.

[Laughter]

>> Mayor, before we vote on it, I would like to add some things back in. As a substitute motion.

>> Could I speak?

[9:48:18 PM]

>> Mayor Adler: Go ahead.

>> I think what -- I appreciate what council member pool is trying to do, but I think what we're trying to do is determine where we're starting from. So I think we have to vote on the substitute motion first and then that will tell us where we're starting.

>> Mayor Adler: So a strict procedural rule has us pulling up each one of them and working through each one of them. That would be the strict rule. My suggestion would be that in this circumstance, because it's a budget item like this, I don't know that that's the best process to work off of. So I think it's more appropriate for us to figure out where the base is and then how we work off of that. So that's what I would recommend. But certainly if the will was on the council to do differently then we could do it differently. It just seems to me to be the better process here. Mayor pro tem.

>> Tovo: Yeah, I agree. And I'm really in favor of not doing the strict interpretation of the substitute motion in lots of circumstances, but definitely in this one. And if this one passes I would say then we can

start amending it in that way. The other option would be just to pull them both down and just start with the question of what the amount should be. I'm open to either one, as long as we --

>> Mayor Adler: I think it can get us to the same place, it's just basically where we start. Basically we're choosing which is the base motion that we work off of. Ms. Houston has proposed it be the 650 in that ballpark. That's take a vote on if that should be the base. And if not, the other will be the base. Those in favor of using Ms. Houston's as the base, raise your hand. Houston, troxclair, pool, and -- sorry. It's getting really late here. Alison. Four people.

[9:50:20 PM]

Those opposed -- those interested in using the other one, raise your hand. It is the other votes and then abstaining is Flannigan. We are now going to work off the 925 as the base. Changes to the 925 base motion. Mayor pro tem.

>> Tovo: So in light of the amendments I handed out, one of which, as you pointed out, had a typo. I would suggest -- so if you would just adjust my amendments accordingly down to 3.3 from 3.5. I would make a motion to increase the branch library renovations to \$34.8 million, and the cultural center improvements to \$5.7 million. And before anyone asks me the question of where I take that from, I don't have an answer to that. And that's really a conversation I wanted to have here about where we would take that from. So that's my motion.

>> Mayor Adler: Okay. Is there a second to the motion to make those changes? I'll second that motion. I have -- council member kitchen raised a question about the dove and it delays things. I want to ask that question, just because I don't know. Is there a finance person here that can speak to the duff?

>> Mr. Mayor, we might also ask the question of the total. I mean, my understanding is that the 925 is 2 cents, but we may want to have a conversation with our staff about what exactly the parameters are we're working with in terms of the totals.

>> Mayor Adler: We could do both of those. And at this point, I don't know. You have raised some questions that caused me some pause on the duff.

[9:52:22 PM]

If it means we can't do the flood that way. At this point I'm just asking questions just to learn.

>> Sure, that's fine.

>> Mayor Adler: But we could explore other alternatives as well.

>> The questions I would raise on the duff would be the timing, the fact that you're taxing people twice. And then whenever you do that you are potentially taking away from other funds -- from other projects in water.

>> Mayor Adler: So to that end, my understanding is that some of the other flood buyouts we have done historically we have done through the drainage fee. Is that correct?

>> Interim assistant city manager. Yes, we have funded buyouts in the past with the drainage utility fund.

>> Mayor Adler: Drainage utility fund. That's the duf or duf. That's the three questions council member kitchen asked, in this bond right now, my understanding is there's \$28 million for flood buyouts. And I support doing the flood buyouts. So I'm in favor of that \$28 million in expenditure. If we were to take \$10 million of that out of the bond and fund that \$10 million out of the drainage utility fee instead, I think there were three questions with that. One is would that delay the buyout program? Second would be what would that mean in terms of increased drainage utility fee for the median home? And then the third one -- Ms. Kitchen help me -- the third one was?

>> Kitchen: I don't know what the right term is but you could be replacing other projects. Yeah.

>> Mayor Adler: Would that mess up, in terms of the way you are anticipating using the duf, would that interfere with programmed or future plans?

[9:54:31 PM]

>> Sure. I think I can answer just the baseline approach that the watershed protection department has taken in the past which is through the drainage utility fee we have dedicated around \$2 million per year for buyouts. Now, if there is a desire to fund \$10 million, I think the clarification would need to be whether or not that would purely be associated with a fee increase. In which case the rates would be required to be increased roughly 10 cents per month, which would equate to about \$1.20 added to the median home fee charge. Now, if you want us to look at this scenario without a fee increase then you would be in a position of having to delay other projects from the capital improvement program that watershed has designated. I do have a person at the watershed to provide more detail on those projects if you want to hear them.

>> Mayor Adler: I don't need to do that because I wouldn't want to delay the capital projects. So I wouldn't want to do that, so I don't need to ask that question. So what it would be is we could do it with the duf but it would mean 10 cents more in fee. For how long or what duration?

>> I believe that would be associated with, I believe, a 20-year bond. 20-year bond.

>> Mayor Adler: All right.

>> I'm sorry. I didn't understand that part.

>> Mayor Adler: It would be an additional 10 cents a month for a 20-year period of time to diffuse \$10 million in bonds.

>> That would assume the drainage fee would be paying off the debt on what would probably be a co as opposed to trying to generate an additional \$10 million, you know, through the duf.

>> So -- okay.

[9:56:31 PM]

So what would that --

>> Mayor Adler: Go ahead.

>> What would that do to the timing? What impact might that have on the timing? In other words, because my understanding -- I may have this wrong. But my understanding is that the cos, the amount of money we have available to us in cos is impacted by the amount of dollars that we are also doing these other -- in these other bonds. And so I would want to understand if that \$10 million would be delayed in any way than if it was in these bonds. If my understanding is correct, by going to cos we don't get extra money.

>> Mayor Adler: So this would be -- my understanding is this is not a co that's being paid off by the same property tax revenue. So it's a co that is just would be created, associated with that duf. Which is why I thought it could happen on the same timing and would be outside of the debt structure associated with our property tax revenues.

>> Okay. So what I'm hearing -- so my question remains the timing, because we would -- I don't know if we would have to increase the rate on the duf before we could guarantee that we were going to get that \$10 million, so that would be one of my questions. So I don't know if that's a budget item. I guess that's a budget item.

>> Mayor Adler: If we were to do it, we could probably do it as part of the August 9 -- at the same time we were doing everything else.

>> We can answer those questions, but my primary we are raising a rate. And I'm really very concerned about raising our rates and raising the duf.

>> Mayor Adler: That would be the trade-off.

[9:58:32 PM]

In this case it's a rate I'm comfortable raising because it's a Progressive rate. The bigger the homes the bigger the impervious cover area, the greater the share of the fee.

>> I would rather consider going up on the bond, you know.

>> Mayor Adler: Regardless, would you just answer the timing question, please, that was asked. If we were to do it off the duf, does it change the timing of the flood buyouts?

>> I wouldn't think so if a co was passed. That money could be appropriated in one or two years, similar to what would happen if it was the bond.

>> Mayor Adler: That answers my questions on that. Mayor pro tem and then council member pool.

>> Tovo: I have a question about not the duf.

>> Mayor Adler: That's fine.

>> Tovo: Can somebody answer a question for me about the arts center? I know there is \$3 million remaining from previous bond allocated funds for the Doherty art center. And because that wasn't sufficient to actually get the project done, there's a more significant amount allocated in this bond of \$25 million. And I'm just trying to make sure that that other \$3 million was indeed accounted for in terms of the total project cost and it wasn't be available for, for example, the Faulk.

>> [Inaudible - no mic].

>> Mayor Adler: Can't hear you.

>> Kimberly Mcneely, acting director of parks and recreation. So you are correct, mayor pro tem, there is an additional three million dollars that was from a previous bond that had not been spent on the dac because it was insufficient to be able to do the work. It will be combined should the bond pass with the 25 million to be a total of 28 million to help rebuild the dac. And just for your information, councilmembers, there has been an entire program put together in cooperation with public works that provide us with that 28-million-dollar estimate.

[10:00:42 PM]

>> Tovo: Thanks. I couldn't remember the total funding of it, but that's a long overdue project and I want to see that move forward. So councilmember kitchen, I wonder if you could just give me a sense of were there -- what were the areas in the proposal that you've brought forward that may have increased the bond task force recommendations where we might look to to trim to see if we can have capacity for this, beyond the housing, which I was to keep where it is? So outside of the housing amount are there areas that are increases from its bond task force recommendations where we could look to?

>> Kitchen: I think councilmember Casar went through them a minute ago.

>> Casar: I can mention them again.

>> Mayor Adler: Just before you do, is there a motion to go past 10:00? Mayor pro tem makes that motion. Is there a second to that motion? Mr. Renteria seconds that. Ready to take a vote? Those in favor of extending please raise your hand past 10? I don't think we had a majority.

[Laughter]. Who wants to vote to extend past 10? Who does not?

[Laughter]. Alison votes no, Ms. Troxclair votes no, the others voting aye. Ms. Houston is abstaining. Okay. We're going to keep going. Do you want to answer the question.

>> Casar: There was a seven-million-dollar addition for pools. There was a 15-million-dollar addition for creative spaces, music and arts. There was a 12-million-dollar addition at the mac. There was a three-million-dollar addition for urban trails, and then there was the -- bringing housing to 215.

>> Mayor Adler: Seven, 15 and then what?

>> Seven million for the pools, 15 million for music and arts, 12 million for the mac and creative space.

[10:02:44 PM]

>> And three for urban trails.

>> Casar: Three for urban trails.

>> Mayor Adler: And there were some associated decreases as well.

>> Casar: In the traffic signalization, which the stuff that we don't need for matching grants, and in the street reconstruction.

>> Casar: Street reconstruction is 68 million and it took six and a half.

>> Mayor Adler: Okay. Councilmember pool.

>> Pool: Thanks, mayor. I was going to ask the same question about the Daugherty to see if we could shift it to cos and it doesn't look like they will work. The Daugherty has kind of flip-flopped between two different categories in the last few days. Ms. Stephen, could you explain to us which category does the Daugherty arts center need to be in? Is it parks and rec facilities or is it in the other category facilities?

>> It actually is at the will of the council. From a legal perspective it could go in either place. Pool what was the thinking of staff moving it out of the one? Was it the facilities category and then in parks and recreation facilities?

>> It was in cultural centers to begin with. It was moved to parks. Park staff believes it acts a more like a rec center than a cultural center because of the programming so they were going to move it into the parks with their other facilities.

>> Pool: Ms. Neck Neely.

-- Mcneely.

>> Kimberly Mcneely, acting parks and recreation director. I agree with what Karla just told you. We believe it's a rec center and it performs differently than other cultural centers so it's most appropriate -- our recommendation is that it's most appropriate in the parks and recreation portion of the bond proposal.

>> Pool: Okay. I would like to try to do that with this one since I think it doesn't really make any difference in the dollar figure, but I would like to suggest that we put the Daugherty arts center in with parks and recreation facilities unless there's some specific reason not to.

[10:04:53 PM]

It sounds like that's what the staff is recommending. So just putting it back into the category it was in when staff submitted the recommendation. And then does that make sense?

>> Mayor Adler: I heard that. I don't know that I'm in favor of that, but I understand what you're saying.

>> Pool: And everyone understood the reasoning for it, that it acts more like a recreational facility as opposed to a cultural center. Okay. The other question I had with regard to cos, I'm curious would it be possible to fund the dove springs health clinic through certificates of obligation? Is that a possibility? And if so, does that mean we might be able to do that more quickly? There is a rush to the podium.

[Laughter]. And the reason why I'm asking this is I'm looking to free up \$10 million to add to the aquatics so that we can take care of Montopolis and Northwest pools to add to the list of I am perilled awe caught picks facilities.

>> Casar: Mayor, I think the baseline question is just because we issue cos for something doesn't mean we get \$10 million freed up because it still impacts the tax rate. So that's the question I would want to understand.

>> Pool: We may both have an -- both have an understanding about that that's similar and maybe Mr. Canally can talk about that. My understanding is the capacity is soon to be 20 to 40 a year, but it's not necessarily capped. That was the number from staff. So there are two questions. The first one, could dove springs potentially be moved over to be funded out of cos, and then what is the impact of cos on -- because I think that was also the question that the mayor pro tem was talking about.

>> Casar: Because more than the legal question of health centers being co-able or not, I think at the end of the day the intent is to try to get \$10 million more without going over two cents.

[10:07:01 PM]

But I think the baseline question is if we cut the dove springs health center, which -- out and co-ed it, it doesn't mean we could spend \$10 million more in pools without going over the two cents, unless it does, but my understanding is it doesn't.

>> Greg Canally, finance. Again, the fresh updates to our bond capacity, which included looking at the certificate for the fire stations that we already made that decision O left us 925 million. So an additional 15 million above where we were about two months ago. Certainly you can issue certificate of obligations

for dove spring health centers. That meets the requirement of that as a public facility, but ultimately that would have the tax rate impact above what we have at two cents for the \$925 million.

>> Mayor Adler: It doesn't free up money.

>> It does not free up money.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I have a proposal to make for a way to fund the amounts I've distributed. And let me just say it's not a fun position to be in now that there's sort of a carefully balanced proposal that moment of you have worked on to say let's cut here, but I'm going to have to do it nonetheless because I think the two needs I've outlined are very important and I don't want the history center to be in the position of the Daugherty center and other projects that we've included bond funding in packages, but not quite enough to actually get the project accomplished. So mayor, I've gone back through some -- gone back through the documentation I had and I don't see a -- I'm concerned about funding it at a level of 2.3 million. I think that would be a heavy lift to ask the Austin history center association to raise one million dollars for that project. But I would propose reducing that amount to three million dollars and asking -- and encouraging them to raise that additional 300,000.

[10:09:06 PM]

And then increasing the funding for the asian-american resource center, lowering that request to 2 million, and reducing the funding for acquisition or support of acquisition, funding for the acquisition or support of acquisition of property for creative spaces to 10 million to accomplish that additional funding. But let me say that I certainly recognize that it's important to continue to move forward on our support of our creative spaces, and the acquisition of them, but I'm very hopeful that we can use our hotel occupancy taxes for a couple of different purposes within the libraries and cultural centers. I think that -- I've already identified one project in there that I think would be ideal for hotel occupancy tax funding and that's mexicarte, which would free up -- if we're able to do that, would free up capacity within this bond package. And frankly, some of the acquisition of properties for creative spaces could also be historic properties and might also be eligible for historic preservation -- for hotel occupancy funding. So that's the best I can do at the moment. That would be my proposal. That would keep the amount amount -- that would increase the amount a bit, but again, with the understanding that we would try to advocate for -- we would try to look creatively for other funding opportunities to get that number back up collectively through other funding.

>> Mayor Adler: Ann.

>> Kitchen: Well, I appreciate -- I appreciate the need for additional funding for the Faulk as well as the asian-american resource center. So I appreciate you bringing that. I don't think it's appropriate to take it out of the creative bucket. I mean, this is already way less than was originally suggested for that bucket.

[10:11:14 PM]

I would be more interested in looking at the dollars that are in the transportation arena because of the amount of funding we've put for transportation over the years. And so I appreciate what you're suggesting, but I could not go with that. I mean, that's cutting a bucket -- I don't know what the math is, but taking it from 15 down to 10 is a significant dollar amount.

>> Tovo: Mayor? You know, if I could -- the challenge here is that we have advocates for the asian-american resource center who have asked for 10 million and I'm trying to speak out an additional two million. That is -- I think we need to be mindful of all of the requests we've had and try to figure out capacity for them. So I'm certainly open to other suggestions. I'm certainly open to other suggestions for where to find the money, but the process of -- it sounds as if we're not going to be able to vote on the amendments to support these unless we identify -- and let me say we don't typically do that in our budget process and I'm a little -- I'm struck by how it's becoming necessary to do it here in a way that's very different from our process. But I'm open to any other options people have for where to find the funding for this. I just -- I think they should be given serious consideration even if they're not in the package you're bringing forward.

>> Kitchen: And I just made another suggestion for you to look at.

>> Tovo: [Inaudible].

>> Mayor Adler: So we don't have to do a process any different so we're kind of making this up on the fly. So we make that process happen. Mayor pro tem, I would support what you're saying. This is a horrible deal here because it's like you have children here and you're having to choose. My first preference would be to do the duf just because I think that that would expand that.

[10:13:17 PM]

In the absence of that, I would support the 3-2 and the 10. And I'll tell you that in the back of my mind while I'm not asking anybody else to agree to it, I know that -- I don't want to open up a can of worms here and I know talking to people out in the music thing that I talk to, if we do a convention center expansion that it will increase the pots of money that we have available for music, not that anybody else has to join with that on there, not that that avenue exists, and I will keep that in the back of my head. But my first preference would be the duf. If there's not super in doing the duf, then -- not interest in doing the duf, then I would support that move. Ms. Houston?

>> Houston: Mayor, you've slipped into using acronyms and everybody doesn't know what a drainage utility fee is and how that's going to impact them. So anyway, I'm just saying that we're all tired, but I want to add since we took a vote this morning and some of the possibility for the quarter-cent fund that has been given are being transferred to capital metro, I'll need to put five million back into street reconstruction and five million into sidewalk rehabilitation so that if you can't find the money at least it's in the bond.

>> Mayor Adler: Okay. So let's take these up in term, let's put them up and take a vote and move on. Right now we have one from the mayor pro tem, we had one from Ms. Houston. I would suggest we start taking votes on them. Alison?

>> Alter: I'm concerned about the overall size that we're talking about, but if we are going to be adding I think that we need to be cutting. I want to point out again because it's late and we're all tired, what I'm calculating, which are additions above and beyond what the bond election advisory task force or what staff had recommended as places that are possible as we think about this adding -- because I don't think we can go above if this is where we're landing.

[10:15:34 PM]

So there was \$89 million added to housing. There was three million dollars added to transportation for urban trails, although there were subtractions as well and transportation. There was seven million added to pools and there was 12 million added for the mac and there was 15 million added for creative spaces.

>> Mayor Adler: I think those were the additions. Do you want me to treat yours as a motion and we'll take a vote and then go to Ms. Houston's.

>> Tovo: Sure. I'm supportive of the drainage utility idea that you floated. So if it makes sense to add that as the mechanism for paying for this, I think that's -- I think that's -- not the mechanism for paying for it, the mechanism for balancing it out to get it back to the number, I would support that.

>> Mayor Adler: Okay. So let's first take a vote -- I'll break it into pieces as a way to handle this. The question is adding three to the Faulk and two to the asian-american resource center. There are two possible ways that have been proposed to pay for that. One is taking five out of the creative music art spaces and the other one is increasing the duf by five million dollars. Those would be two different ways to raise the five million dollars.

>> Kitchen: And I suggested a third way.

>> Mayor Adler: And the third way was to --

>> Kitchen: To take it out of transportation. And I don't have a -- I would think that would be reconstruction. I also might suggest that we -- I would suggest splitting that up so that we would take three out of the creative, which would put it down to 12, which compares well to what councilmember alter brought up.

[10:17:42 PM]

So I would take three out of that and two out of transportation.

>> Casar: Mayor, for what it worth I would support that motion as well if it could get us to a broad consensus.

>> Mayor Adler: Okay. Mr. Goode and spillar, talk to us about transportation monies here. Talk to us about the transportation money that's out in the base money -- base motion that came from Mr. Casar and Ms. Kitchen and also talk to us about -- let's start there.

>> Sure. Robert good, assistant city manager. Balancing obviously competing needs. From the transportation side, especially the street reconstruction, I want to contrast what you did in 2016. If you recall in 2016 the first program we brought forward as staff is half was mobility and what was was renewal. At the end of the day it was reduced to \$11 million of capital renewal. This bond program is all capital renewal. So we're all about reconstructing streets and Richard can give you more data. The streets that are in failing condition. Our metric is 80% satisfactory or better. We're down to 74 now and going the wrong direction. I know you're competing needs, but this doesn't keep us at 74. The base motion continues to trend, but a little less of a curve than any reduction would be. So in the -- we're in the street business for decades. We're heading -- I'm just telling you we're heading in the wrong direction. So everything you take away from the street reconstruction -- when you hit bond programs, we're out there reconstructing streets that are completely failed. The operation and maintenance funds that Richard uses is just to maintain fair and good streets in that level of condition because it costs so much money when we get to this stage.

[10:19:49 PM]

So that's the competing need again where you have that metric and we're heading in the wrong direction.

>> Mayor Adler: And what was the the cut in transportation in the base motion?

>> It was down from 75 to 68.5. So you took six and a half away at the base motion. The motion that you're discussing is to take another two million dollars, from what I understand, away from street reconstruction, that would reduce it to 66.5.

>> Mayor Adler: If we were going to take six and a half out of transportation somewhere, is there a better place to take it out of than that?

>> No, other than I hate to bring up councilmember alter's bridge. The only thing I could talk about is could we find grant funding? It's fully funded now. If you reduce that fund at all, it means we have to find grant funds to complete that. So that would be the instance if you reduce that bridge number then we're going to have to find matching funds of some kind to build that bridge.

>> Mayor Adler: If we were to reduce the bridge money could we find partners to contribute that in Westlake or city of Westlake or with the campo?

>> We would have to try. We can't commit to that. We can't guarantee that would come back.

>> Mayor Adler: What do you think the chances are for that?

>> We didn't hit the grant funds on the last time around --

>> Mayor Adler: I'm sorry?

>> We didn't hit the grant funds the last time around for campo because that was a mobility fund and this was deemed as a maintenance project. So there's a lot of competing bridges in central Texas for that fund. So I can't tell you the percentage that we would -- the chance that we would have to compete well for that. It would be a -- it would be more of a regional product because that bridge deals with several cities and we would hope it would fare well that way, but it's hard to predict.

>> Alter: Mayor?

>> Renteria: I have a question for them.

>> Mayor Adler: Councilmember Renteria and then councilmember alter.

>> Renteria: I don't have a question for you, but my understanding is that we do have some money in the park acquisition from the linkage fee that we have.

[10:21:53 PM]

Now I'm wondering how much do we really have, if someone could give me that answer. We do have a linkage fee for parkland acquisition. And I'm wondering how much money do we have in that account and if it's already accounted for.

>> Mayor Adler: Someone know the answer to the question? I'm not familiar with the linkage fee. Parkland dedication fee?

>> Renteria: Parkland dedication fee. Don't you use the parkland dedication fee to buy parkland.

>> We do. Kimberly Mcneely, acting director parks and recreation. The answer to the question is yes, it's governed by ordinance. It comes to us a year within a certain amount of time after the fees are -- after the fees are charged, then it comes to us within about a year and then the ordinance tells us how we can use that money first to buy land and then if the land is not available, we can use it for amenities within a certain distance. Program I'm not sure I understand when you say a parkland linkage --

>> Renteria: Do we have a balance right now of funding?

>> We do. If I could go look in my notes and come back, I would have to ask somebody how much we have in that and I could bring that back to you.

>> Renteria: Thank you.

>> Quickly.

>> Houston: Mayor? Ms. Mcneely? Ms. Neck neck Neely, I think he was talking about the parkland dedication fee.

>> Mayor Adler: He wondered what the balance was in the -- owe.

>> I can bring you back the balance. I will just remind everybody that parkland dedication can only be spent within a certain distance of where that particular development is, so there may be a total, but that total doesn't necessarily mean we could spend it across the city of the we would have to spend it in certain areas. I probably will likely not be able to get all of that detail, but I'll definitely get you the amount of money.

>> Mayor Adler: Okay.

[10:23:53 PM]

Councilmember alter?

>> Alter: And the parkland dedication fee amounts tend to be very small in those areas so they don't actually allow you to buy any parkland for the most part. Just on the bridge I just wanted to clarify that the amendment clarifies that it's for other priority bridges and the original intention if we did get campo money was to fund other bridges. So we have revised the language so that if we get campo money we can move to the next couple of bridges, which are critical infrastructure. So that's just something to keep in mind there. And that bridge was chosen because it is also linked up to our water treatment plant which serves a huge chunk of the city and the water trucks have been able to -- trucks from the water plant have to be able to come over that bridge because they're not allowed to go through Westlake by our agreements, and that will create a lot of challenges for the water system.

>> Mayor Adler: Councilmember troxclair.

>> Troxclair: I was just going to ask Robert, assistant city manager good, if he -- can you remind me how much was in the 2016 bond for urban trails?

>> 27 and a half million.

>> Troxclair: 27 of in million. And is the three million on this new motion adds three million for urban trails. I don't know -- it seems like we already dedicated a pretty significant portion of money to urban trails. So if we are looking for a place to find a few million dollars, that -- it seems a little bit repetitive to me to be including it in this bond as well.

[10:26:01 PM]

>> Casar: Mayor? If it hasn't been made, I think that I'd like to formally make the compromise motion that councilmember kitchen brought up to fund these needs by reducing the creative space by three and street reconstruction by two.

>> Mayor Adler: It's been moved to do the Faulk at three more, arc at two more, creative space at three less, and transportation at two less. That was Mr. Casar's motion. Is there a second to that? Councilmember kitchen seconds that. Councilmember pool.

>> Pool: That sounds good to me.

[Laughter]

>> Mayor Adler: The transportation stuff is just hard.

>> Houston: Mayor? The reason that I removed urban trails is because for three million dollars you only get three miles of trails. It's a million dollars a mile. So that's why I zeroed that out so that we could put that to use in some other way.

>> Tovo: Mayor?

>> Renteria: Mayor, can I get -- I think this is going to give us an answer of how much she has.

>> Kimberly Mcneely, acting director of parks and recreation. So we will be receiving an appropriation of about 6.9 million that was collected last year this coming October and previous years' fees are approximately four million dollars.

[10:28:01 PM]

So that would be a total of 10.9 million.

>> Renteria: And where -- what area is this allowed to be?

>> We're looking for a spreadsheet, councilmember, that will detail that. That's not detail that I will be able to get on my phone quickly, but we're trying to get the spreadsheet and get copies quickly.

>> Mayor Adler: Let's take two votes, potentially two votes. One vote, and if not a second vote. Putting three million dollars more into Faulk, two million dollars into arc, two different ways to pay for it. One, that five million dollars comes, three million dollars out of creative space, two million dollars out of transportation and the other one has five million dollars, which was the mayor pro tem's coming out of the creative spaces. Let's first take a motion on the three and the two. Okay? So the vote is to put three million dollars more into Faulk, two million dollars into the arc. We'll take two different votes on how to pay for it. The first vote will be to take three million dollars out of creative arts and two million dollars out of transportation. If that does not pass, then we'll take a motion to see if people want to do that by taking five million dollars out of the creative space. Mayor pro tem?

>> Tovo: Mayor, not to confuse things, the motion I had made was the addition. I like better the idea of taking it out of a couple of places rather than reducing the acquisition by five million. So I never made that as a formal motion. I'm happy to --

>> So the motion is to just increase Faulk by three and Austin rowing club by two, we'll be out of balance by -- and arc by two, we will be out of balance and have to figure out how we're doing that, which is more how we're doing budgets.

>> Kitchen: Mr. Mayor, I appreciate --

>> Mayor Adler: We're going to do this in pieces. We're going to take the first vote for it and see if we increase by five and someone can move to make the cut and I'll make that first compromise and we'll vote on that.

[10:30:13 PM]

Mayor pro tem has asked to split the question on that and I think she's entitled to do that. Ann?

>> Kitchen: Then I'd like to take the vote on reduction first because I don't want to vote against adding anything. You know? And I could be -- we could be spending the night voting on all the things we want to add and then working our way back. So I appreciate what the mayor pro tem is asking, but it puts us all in a very difficult position. I would rather take a vote that is a problem-solving vote on how we're going to add these and how we might subtract.

>> Tovo: That's fine. I'm just trying to move us forward and I was -- I was looking around, and there were heads nodding no to the proposal that we have come to, which councilmember Casar made as a formal proposal. So I think that this was a better path. I'm completely comfortable with moving forward and voting on what you just described as a problem solving motion. We're all about solving problems. Which would be adding the five million in and taking it out of the places that we just --

>> The first is we'll add the five million dollars in for the Faulk and arc and taking three million dollars out of creative, two million dollars out of transportation. If that doesn't work then I'm going to say what about taking five million dollars out of the creative space. Councilmember troxclair in.

>> Troxclair: I would like to add a third option, which would be to take three million dollars out of the urban trails and two million dollars out of creative spaces. I think that's the easier -- not easier. I think that makes more sense. The staff or the bond -- whatever they're called, committee, didn't recommend any more money for urban trails. So we shouldn't be taking money out of basic road improvements. We've got to keep up with our infrastructure. So I just wanted to put that out there as a third option.

>> Mayor Adler: Okay. Let's see how we go here.

[10:32:14 PM]

It will probably end up getting down to two and we'll figure out how to get down to one. But we're adding five million dollars, three to the Faulk and two to the arc. There are three different ways proposed to fund that. The first one we're going to vote on is three million dollars out of creative, two million dollars out of transportation and the next is five million dollars out of creative and the third one we're going to vote on is three out of urban trails and two out of the creative spaces. So let's take the vote. How many people here. Are there six people that would pay for it by taking three out of the creative spaces and two out of transportation. Who favors that? That is pool, Casar, the mayor pro tem and kitchen. So there's four people on that one. Let's ask the vote on the second one, which is to take

five out of the creative space. Who's in favor of that one? That's three people. That's Alison, the mayor pro tem and me. Who is in favor of taking three out of the urban trail and two out of creative spaces. And that's four. Of course that's how that would be.

[Laughter] So I think that we'll throw out the one with three votes, which is the five out of the creative spaces. That then gets us two. You only get to vote once. So the two options in front of us right now are three out of creative, two out of transportation, and the other one is two out of creative and three out of urban trails. Let's take a vote on the first one. Three out of the creative spaces, two out of transportation. Who is voting for that one?

[10:34:18 PM]

Pool, Casar, mayor pro tem, and kitchen. The other one voting --

>> Pool: Alison had her hand up for that too.

>> Mayor Adler: Pool, Alison, Casar, mayor pro tem, kitchen. That's five. The other option is to take three out of urban trails and two out of creative. Those in favor of that please raise your hand? That's troxclair, Houston, Garza and me. That means somebody didn't -- two people didn't vote, right? Mr. Flannigan is abstaining on all these votes.

>> [Inaudible].

>> Mayor Adler: I'm sorry, what? So it doesn't look like people want to make the -- make the change. So the base -- so it's not changing, the Faulk --

>> Casar: Mayor, let's not go over 925. We can figure this out. We're really close. So why don't we -- if we take one out of trails and one out of street reconstruction and three out of creative can we just get there?

>> Mayor Adler: Let's try that. One out of trail, one out of street reconstruction, three out of creatives. In favor of that raise your hand?

[Laughter]. All right. We have six. We have kitchen, Garza, Renteria, me, the mayor pro tem and Casar and Alison, I think.

[Applause]. You didn't -- pool voted in favor of that one?

>> Casar: Let me make this very clear. There is still over \$60 million in street reconstruction left. It still leaves the transportation bond at 116 million, which still leaves it at housing, transportation, watershed being the three big parts.

>> Pool: My concern is if we take anything out of trails, it's even -- even one million is a third of it and it's only three million.

[10:36:25 PM]

And what Mr. Casar saying, there's a whole lot more in transportation.

>> Mayor Adler: I want to check the vote. It was 3-1-1, three out of creative, one out of trails, one out of transportation. Please raise your hand if you support that? This is three out of arts, one out of transportation, one out of trails? So it is kitchen, Garza, Renteria. Funding the five million dollars by taking three million out of creative, one million out of trails, and one million out of transportation, 3-1-1. Those in favor of that raise your hand, kitchen, Garza, Renteria, me --

>> Tovo: If there's anywhere else in transportation that we could take it from I'd like to leave trails at three million. Do you have any suggestion, councilmember pool?

>> Pool: Well, I think the 60 million are the -- the 68 million could take one more million haircut.

>> Tovo: Could we try that instead? Could we try taking one out of the city streets?

>> Mayor Adler: All right. So take three out of creative arts, two out of transportation. Three out of creative arts, two out of transportation. Is there votes for that? Raise your hand if you would do that. It is pool, three out of creative arts, two out of transportation. It is pool -- tovo where in transportation?

>> Mayor Adler: Out of the roads construction. It is pool, Casar, the mayor pro tem, me, Garza, kitchen. That passes. I want you to consider as we look at the bond stuff coming back with the co on transportation, Mr. Good, as we look at that to see if there's -- for that kind of work if we can co that work as part of the budget process if that makes sense.

[10:38:28 PM]

I'd like for us to take another look at that. All right. That passes. Other changes?

>> Houston: Mayor, just a quick pause in the process I'm got two zoning cases that I think we could knock out. Some people are sleeping here.

[Laughter]. I didn't point at awe. I mean, I did point at you.

[Laughter] I think we've got two zoning cases --

>> Mayor Adler: Are we ready to just move on this bond and move it forward?

>> Yes.

>> Mayor Adler: Those in favor of the bond as it sits right now raise your hand? Mr. Flannigan.

>> Flannigan: I've stayed quiet this whole time.

>> Mayor Adler: Your turn.

>> Flannigan: I'm really uncomfortable with this process. I clearly am not in the majority opinion on the dais here. There was a speaker that spoke earlier that talked about him being glad that we didn't have to

talk about codenext in this conversation, and I don't think we can get away with that because as I have said in work session many times, part of codenext is how our tax base grows. We seem to make these decisions in silos. We also had a very long meeting with homestead exemption where we celebrated what amounted to I think less than a 30-dollar tax cut and what we are contemplating is a 60-dollar tax increase. I find it very frustrating in our strategic planning process there was consensus that we didn't want to increase taxes more than six percent. I don't see any analysis of how these items align with our strategic planning processes, and this whole process seems very similar to the annual budget process we follow where we all get frustrated because there's a billion dollar budget and yet we are arguing over the last three to four million dollars.

[10:40:36 PM]

When the bond advisory task force made their presentation, I distinctly remember them saying that they too could not figure out how to make a hard choice, so they just presented everything and asked us to make the hard choices, and I don't think that's what we're doing. When we did our strategic planning, we identified housing and homelessness as our top two issues. And I think as much as I will not be able to support the item tonight, I do support making a significant investment in housing. I also support that the housing we pay for is made legal through codenext and we have to take these decisions at the same time. We talked on we had and we saw charts about how affordable housing bonus could add 20 feet to a bonus and I could sense the frustration from some of my colleagues who are now willing to do a 300-million-dollar bond, but I don't think there's an honest conversation about where we're willing to spend it. We all have very different districts. My district has historically not been very supportive of bond elections. There's a number of reasons for that, good and bad. But I'm mostly frustrated because I don't see the list of projects. And if I'm going to ask my community to consider supporting nearly a billion dollars in bond spending, I have to know the individual projects and I have to know the operational impacts and I have to know that it's not going to force us to do co spending later. There are folks who say when we built the central library, which as we acknowledged this morning, is an internationally recognized building, that original bond did not cover the full cost and some people say oh, we knew, we knew when we passed that bond it didn't cover the full cost, but I am not seeing any evidence that that is being fully vet understand this bond package.

[10:42:45 PM]

So I support -- especially support the housing pieces because as we have identified these are the top two priorities for this council and for this city. But I continue to be frustrated at our inability to make the hard choice and that I think ultimately is what we are elected to do.

>> Mayor Adler: I hear that, Mr. Flannigan, and I appreciate the place that you're coming from. My sense is as we go around the city and as we did our strategic planning, the number one place that this community wants us to invest in ourselves is in housing and affordability. The homeless in our city. And

we have a bond package which is doing that now here in such a significant and major statement about who we are as a community and what our priority is and what our value is. And I'm proud to be part of that. Transportation and infrastructure is a huge issue in this city. Everyone recognizes that as well. We did have a large bond election with transportation, but that was all trying to deal with future congestion and we'll have 30 miles of sidewalk by the end of last year. That was a high priority in the community, something that we've talked about in the strategic planning. This is to make sure that our roads work in the city and don't fall apart and I think there's going to be really wide support for that that. It's been a long time since we really invested in parks and recreation and open space in the city and this is a city that values that. It's not as large or the priority that the housing or the transportation has, but I think that represents a community value.

[10:44:54 PM]

And we've had people die here in this community for want of spending money, and I think the community would support that because we've all seen what happens here in the flash flood capital of the world. And then we have a community that's doubling down in equity and trying to bring a segregated community together. And the emphasis on this bond and equity at all levels of it I think really responds to where the community is right now. This bond does not have some of the facilities that we would like to see in public safety and some other areas, but we have moved away from doing those kinds of facilities as part of our bond and we've moved now to a different model. To those like we did with the development services and I think we'll see those happening with the public safety facilities, but still there's a significant public safety investment here and then a smaller investment of health and human services. This is a bond I think that really does reflect our values and a community that is generally doing well and an economy that is strong, but not strong for everybody. And that's what this bond focuses in on. It is about affordability and transportation and equity at its core. I think what we did with extending the homestead exemption as many of us talked about, those of us who supported it, said we recognize we were going to be doing a bond and wanted to do that and indicate that we recognized the competing issues that existed. So I hear you and I understand this and nobody likes to pay taxes.

[10:46:54 PM]

And I hesitate only because what's appropriate to say to me -- 72% of our tax increase over the last 10 years is not city or county, it's the state school tax. We can't control that and this doesn't impact that. So for me this is a bond that I will be proud to support and to promote because I think it reflects where our city is right now. Mr. Casar?

>> Casar: And I know we have other items to get to, but I think it's an important vote so I want to thank so many of the people in the community who have worked on this throughout over a year of process, all of the bond election advisory task force members and people at Austin outside, Austin parks foundation,

naao, the advocates for the carver, the mac board, people in the business community, everyday people that came out. And then especially all those organizations that pushed us so far to make this the most important investment in affordable housing that this city has made. Let's keep Austin affordable, Austin justice co-ly, adapt, the cooperative business association, family elder care, friends of Austin neighborhoods, left up to you us, Texas apple seed, workers defense action fund, habla, our own displacement task force, all of these people are going to need you after we take this vote to make sure that this thing passes and we start confronting not only our housing crisis head on, but address all of these other needs and issues in our city. I think it's going to be a very powerful investment in ourselves, our families and our future. Thank you.

>> Mayor Adler: We ready to take a vote? Councilmember alter.

>> Alter: I heard the heartburn expressed by Mr. Flannigan about the total amount. That's why I supported Ms. Houston's motion at the beginning. And I find that my preferences are closer to what the bond election advisory task force put forward or what the staff put forward.

[10:49:05 PM]

I don't have the votes to stay at that level and I'm going to support this tonight. And you just really want to ask that if in August I may want to divide the question if I'm not convinced that we can reach the levels on the affordable housing. I'm very committed to making an investment in affordable housing if we're going to deliver the affordable housing we have to make the public investments. I just don't know yet if the community is ready for 250 million. I'm willing to take that wager, but I'm hoping that someone is going to show me the polling by the time we get to August so that I can be sure that if we take that step that we'll be supported at the ballot box. So I am voting tonight to allow the voters to make that decision and hopefully they will want to make that investment, but I want to recognize that we are taking a risk in doing that and we are also extending the bond over several more years where we could have split it up and done it in chunks showing evidence of having been successful. So I look forward to the community engagement and I hope that by the time August comes I will see the evidence of the support in the community at that level for the affordable housing bond. We do have the responsibility to put forward a bond that people will pass so concerns me. I'm going to support it tonight and I've seen a demonstration of people willing to go out and advocate for the bond and I look forward to working with you on that.

>> Mayor Adler: Those in favor of the bond package -- Ms. Houston?

>> Houston: I'm sorry.

>> Mayor Adler: That's okay. First of all, I appreciate everybody being here as well.

[10:51:06 PM]

And you know I started at the low end. Regardless of your enthusiasm, people are hurting out there. So regardless of whose taxes they are, and most of it is the Austin independent school district, they're still hurting. And I need to be cognizant of that. And if we make such an investment in affordable housing then we have to make a comparable investment in infrastructure because the people who come here and live here have to have the infrastructure to be able to do that. And so I haven't made up my mind what I'm going to do tonight because it's just too much at almost 11:00. But I will be ready to make -- raise my hand at some point.

[Laughter].

>> Troxclair: I just wanted to say quickly that I do value the people who have taken the time to come down here and stay so late. But we have to remember the people who around here who we also represent, just the regular people who are -- who we're seeing at the grocery store, who came to my town hall and told me overwhelmingly that they are tired of being nicked and died to death. I think the council is making a strategic mistake in putting \$250 million towards affordable housing and cutting street reconstruction when we all know that one of the -- consistently the number one or two things that people care about is roads and transportation and this is the bond that's supposed to be able to help with that. I know that I'm going to have a really -- I know that this bond is going to have a tough time in my district because of that alone. So just I guess a word of caution to -- on that.

[10:53:08 PM]

And on the affordable housing piece, we are in an affordability crisis, but what -- the message that is not seeming to get through is that the more bonds we pass and the higher we raise taxes, the more people can't afford to stay in the homes that they have. And that is what is pushing people into needing subsidized government housing. The best way to help everybody in the city, everybody, is to reduce the tax burden on them. So that income keep more money in their pockets and they can support their families and spend their money the way they see fit. So this bond, I mean, the voters have just been hit with a really series of tax increases. And I know -- and mayor, every time you bring up aid, yes, of course, that's a big portion of our property tax bill, but it doesn't abdicate our responsibility as this council to do our part to keep Austin affordable. And we're not doing that by increasing property taxes every year and putting huge bonds on the ballot. So I'm going to respectfully vote against this bond.

[Applause].

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I don't want to say a whole lot. It's late. But I do want to say that -- I want to say thank you to everyone that's here and all the signs that say 300 on them. I'm very proud of the work that you have done in regard to housing and look forward to your support. This is an historic -- historic level of funding for housing and it's -- from my perspective it's time that we have that conversation with the community and I hope that the community is ready. I think that they're ready and we need to have the conversation and we need to ask the community to vote on this.

[10:55:12 PM]

This is such a critical need in our community.

>> Mayor Adler: Mr. Renteria?

>> Renteria: I want to thank all of you to coming and and supporting. We know we have a housing crisis and I'm looking forward to working with y'all to pass this bond. I really want to thank all of y'all, especially the housing advocates that stayed here with us. We know what you're talking about. We see it out in the street. Yes, the taxes are a problem, but do you know what? I'm a low income person. When I leave here I'll go back to my low income, but I want to help my kids, I want to help my family. I want to have them stay here in Austin. I don't want them to move out and have to commute back and forth because we're investing more money on roads because we have this urban sprawl. And unless we build more affordable housing in the inner city, in the core especially, then we're going to continue this sprawl. And I've gone to other cities that have made the same -- that have decided that they weren't going to invest in housing and they have sprawls that goes for miles and miles and miles and traffic jams and they're having to spend -- look at Seattle. They approved a 25 billion-dollar bond so they could do their transportation. Do we want to do that? You know, where -- Amazon cannot even deliver a package overnight because they can't guarantee it. They cannot get their package delivered. So we need to really do something to be able to keep people here in Austin and not forcing them to move out.

[10:57:12 PM]

And I want to thank y'all.

>> Mayor Adler: Two things real quick. It's been pointed out to me that Mr. Casar and councilmember kitchen in the creative space it says creative space acquisition. The wording I think should say creative space acquisition and development so it's not just acquisition. Been awhile since we started the conversation, but I had suggested that we not try to wordsmith right now because we have to have -- legal is going to come back to us with language that works, so rather than try to do that right now, what I'd like to do is work between now and August so that the language that comes back to us is the appropriate --

>> Mayor Adler: Point well taken. I would ask legal to take a look at that to make sure that it's not unduly restricted. And then the last group I think we need to thank before we go on is staff. This has been a huge project for a really long period of time involving virtually every department here in the city. Almost two years in this process. A lot of time and y'all ended up in not too many ways very far from where you were, except for a sizeable move in the housing so you guys came really close to getting the community will here. So thank you for that.

[Applause]. Are we ready to take a vote? Those in favor of the bond, please raise your hand. Those opposed, Ms. Houston voting no, Ms. Troxclair voting no, Mr. Flannigan voting no. The others voting aye. It passes 8 to 3.

[Cheers and applause] She voted just before she walked out.

[10:59:17 PM]

>> Tovo: Mayor, maybe a quick one would be the Ferguson crossing.

>> Mayor Adler: Okay. What number is that?

>> Tovo: 100.

>> Mayor Adler: All right. We're going to give the evil eye to anybody that picks a number that takes a long time. All right. Let's call 100. Mr. -- You pulled that, 100? Ferguson crossing, you pulled that?

>> Talking about Ferguson?

>> Mayor Adler: Ferguson. Let's do that. Number 100. You pulled that? What was the issue?

>> So --

>> Mayor Adler: As people leave, I would ask that you keep it down so we can keep going. We still have miles to go. Yes. Ms. Troxclair.

>> Troxclair: I am trying to hang in there, but I think I'm going to go back to my maternity leave.

>> Mayor Adler: Is there anything you want us to take before you go, Ellen?

>> Troxclair: Well, I posted -- councilmember alter had posted on the message board about item 125. I posted something back so if that works for her, hopefully they would have consensus -- we would have consensus. But I don't -- I don't think that I have it in me to wait around for it. So that's okay if you don't take it up now.

>> Mayor Adler: Well, let's take it.

>> Troxclair: Okay.

>> Mayor Adler: So 125 is the one that councilmember troxclair -- is that going to take us a while to do? That's the codenext testing issue.

>> I'm not ready for 125.

>> Mayor Adler: Okay. She's not ready for that.

>> Tovo: I'm pretty sure we could do 58. We can knock 58 out, the commissioners.

>> Mayor Adler: Right. We could do that one too. I'm trying to figure out 125 before councilmember troxclair leaves. Do we not want --

>> Troxclair: I mean, I'm saying it's okay --

[11:01:20 PM]

>> Kitchen: I have a suggestion. Councilmember alter, you did -- even if your language is not exactly -- if you were working on that, you posted it on the message board so I think we could have a conversation on the content, unless you're changing the content of what you posted.

>> Alter: Ms. Troxclair posted back to me and I haven't digested what she posted back because we were talking about the bond and I haven't read through what she posted, which doesn't completely agree with what I posted.

>> Kitchen: Maybe we could have that conversation on the dais right now while she's here.

>> Alter: We can try. I just haven't read it yet.

>> Kitchen: She can tell you what she wrote.

>> Troxclair: If I -- you asked about the open meetings, them being subject to open meetings act. We had originally thought about that when we first put out the language. We talked to legal about it. It brought up some complications because it's not officially a city board or commission. You know, there's quorum requirements and all these other things that was going to -- would make it really difficult for them to comply. So I suggested language that would basically ask the city manager to make it an open and transparent process. And I can't remember the other thing that you asked. But I was hoping that you would be amenable to something that spoke to transparency without -- without necessarily making it necessarily subject to Toma.

>> Alter: You asked to take up 58 for a second. I can just talk to my staff and we can come back to it.

>> Mayor Adler: I'm fine diagnose 58. Doing 58. 58 is the nominations. There are some nominations that have been added on the tourism commission. John reedy, by councilmember pool, Scott joslove, by councilmember Flannigan, Kate singleton by the mayor pro tem, Mary Catherine stout by troxclair.

[11:03:27 PM]

The other ones were as shown. Is there a motion to approve 58? Ms. Houston makes that. Is there a second to that? Mr. Flannigan seconds that. Any discussion?

>> Tovo: We now have speakers on that one. I just realized we now have speakers which we typically don't do on boards and commissions. We have four.

>> Mayor Adler: Okay.

>> Tovo: I don't know if they're still here to speak.

>> Mayor Adler: Let's ask and see if they're still here. This is number 58. Let me call them. Is Hector Ordaz here? What about Juan Oyervides? No? What about Peggy Vasquez? What about Angela Garza? Okay. We have no speakers. Is there a motion to approve --

>> We already have a motion.

>> Mayor Adler: We had a motion and it was seconded, that's right, seconded. Any discussion? Yes.

>> Renteria: Are we taking the --

>> Mayor Adler: Can I talk to you about that before you do that?

>> Yeah.

>> Mayor Adler: So we'll just go with these right now.

>> Okay. Yeah.

>> Mayor Adler: Those in favor of this motion, please raise their hand. Opposed? It's unanimous on the dais with councilmember Casar and alter -- boards and commission -- councilmember Casar off, the others voting aye. 58 passes. Okay?

>> Alter: And if anybody doesn't know who to appoint to that one, I have another person who's really interested who has experience and background in this, so I'd be happy to pass his name along.

>> Mayor Adler: Okay. Thank you. All right. That took care of 58.

>> How about 129?

>> Mayor Adler: A lot of people are have you got stuff out. 100, we called that one before.

[11:05:28 PM]

Mr. Flannigan, you pulled that.

>> Flannigan: Ferguson?

>> Mayor Adler: Ferguson. We have one person waiting here to speak. Is Joyce Thorson here? Before you speak, Mr. Flannigan, do you want to talk about the issue that you had when you pulled this?

>> Flannigan: We. In the last council meeting, we also brought it up very late at night and I laid out my issue about forcing compatibility on future Austin taxpayers, but our inability to force compatibility on their neighbors. And I said in the end of that meeting that since it was late, I would bring it up again at second reading. Well, now here we are so I'm now forced to bring it up even though it is after 11 o'clock at night. So, again, my concern is that when we're talking about compatibility, it is not fair to the future Austin residents of this development that anything could be built across the street from them because it is not in the city, and so that is a future burden, or it was said in Wednesday -- said on Wednesday, those residents have no protection. I'm not a big fan of that language when it comes to compatibility, but that's the language we were using on Wednesday, and so by -- by that specific -- you know, which is the only one I'm talking about where it triggers compatibility, we're affording a protection to people who are not in the city, but we are not able to afford that protection to people who are in the city. And that is my objection with that.

>> Mayor Adler: Okay.

>> Houston: So I'm going to let Mr. Rusthoven or Guernsey speak to that, but we're going to only have warehouse limited office across the site. No housing. No compatibility on -- in the city part. I mean, the compatibility is on the city side of the property. The other -- the houses are in the county.

[11:07:29 PM]

>> Flannigan: I know. That's my point. So if the whole thing was in the city, then compatibility would work both directions.

>> Houston: Okay.

>> Flannigan: But because it's not, the folks who will move into that development, who will be future austinites --

>> Houston: There's no housing. That's why we're going to try to make the motion --

>> I'm with planning and zoning. I'll be very brief. There is an amendment I believe that you have on the dais, councilmember Houston, that would remove the housing element that would be on tract 2, and then return that to the warehouse limited office district, and then only provide for a 50-foot vegetative buffer that would be provided and maintained for screening purposes on tract 2 along the eastern property line. So there would be a removal of the residential component that was suggested and approved on second reading, and we'll return it to all -- basically office -- the office warehouse district. So there's -- there's not Austin residents that are being protected by -- now, between the development on tract 1 and tract, because it'll all have the same use now.

>> Mayor Adler: So, in essence, the compatibility that was being proposed in the residential buffer is no longer there.

>> That's right. Because tract 1 and tract 2 are now proposed to be all basically the wlo zoning. There would be a buffer along the eastern property line, a 50-foot buffer, but it affords the property owner basically the ability to all use it as a commercial use, save and except that 50-foot buffer along the eastern property line.

>> Houston: And that's just to protect the people who live in the county from seeing the warehouse uses on the property.

[11:09:35 PM]

>> Mayor Adler: Okay. Mr. Flannigan, then I want to ask the applicant to speak so we can hear what the property owner is thinking.

>> Flannigan: The co that talks about compatibility standards, does that remain?

>> The co regarding compatibility?

>> Flannigan: Yeah. There's a co that makes the site comply with compatibility standards --

>> That is basically removed.

>> Flannigan: What is basically removed?

>> It's removed.

>> Flannigan: Okay.

>> The only thing left is a 50-foot buffer along San some, which I understand the applicant is agreeable to.

>> Flannigan: I feel much better with that compatibility co removed. So I'm -- I still have a -- I struggle with anything protecting folks that are not austinities because they don't get to vote and they don't pay their -- they don't pay city taxes and they are not annexed and likely could never be annexed because of changes in state law and possibly changes in city policy, so I still struggle with how it is we interact with folks in -- it's etj area; right? I've got plenty of etj areas, and nine times out of ten, what happens is the etj area gets redeveloped and has a negative impact on the folks on the city side. And in this case, without the housing there, I can understand that might be a slightly different thing, but I still struggle with the precedent, but I feel significantly better having the compatibility co removed from this site, so I appreciate that. Thank you.

>> Mayor Adler: Okay.

>> Houston: Where's the agent? Did you call him up? Okay.

>> Mr. Whelan?

>> Mayor Adler: We'll get that. Do you want to make a motion? What is your motion?

>> Houston: I want to make --

>> Mayor Adler: How would you phrase the motion you want to make?

>> Houston: Well, I'm going to ask Greg to phrase the motion because --

>> Mayor Adler: That's fine. That's fine. We can do that.

[11:11:36 PM]

>> Houston: I move to approve the applicant's request to rezone the property located at 3207 Ferguson lane to warehouse limited office. The conditional overlay is to protect the people in the etj. They're in a whole single-family residential area, and that overlay will require a 50-foot wide vegetative buffer on the second track, and removing the conditional overlay requiring the 50-foot-wide set back on tract 1. So we're removing one and but one in to vegetate them so that they will be screened. Is that right?

>> Mayor Adler: Mr. Renteria? Mr. Renteria seconds that. You want to speak to it?

>> That is correct. There are some things that are allowed also in that buffer area that would include on-site water detention, water quality, drainage, underground utility improvements or other improvements that would be necessary, otherwise required by the city for this area. So --

>> Houston: And I think the neighborhood is in agreement, and I think if this Ferguson --

>> Mayor Adler: All right. Let's begin with the applicant who gets to open up first. I'm sorry.

>> Houston: Okay.

>> Mayor Adler: Is the applicant here?

>> Michael Whelan on behalf of the applicant. I have nothing to say. We're agreeable to this motion.

>> Mayor Adler: You're agreeable. We have a speaker signed up.

>> Okay. Joyous Thorson. I live in walnut place neighborhood. I've been here nine hours so I can say these three sentences.

[Laughter]. I want to thank council woman Houston for to go her time to visit. Her assessment of the situation is greatly appreciated. While the neighborhood hoped for a larger vegetative buffer, I am here to support Ms. Houston's proposal of a buffer and enhanced water detention to protect homes on walnut creek and Ferguson branch.

[11:13:39 PM]

Thank you.

[Applause]

>> Tovo: Mayor, I just wanted to say thank you. Thank you for sicking it out this whole long day. Civic engagement is tough work. And we really appreciate it.

>> Houston: And you all be careful going home. That's a long way out there. Thank you for coming down.

>> Mayor Adler: It's been moved and seconded. Seems like everybody is in agreement. Those in favor, please raise your hand. Those opposed? It's unanimous on the dais with councilmember -- Mr. Flannigan votes -- still votes no. Mr. Flannigan votes no, Mr. Casar is off the dais, the others voting aye, it passes. Thank you.

>> That also included closing the public hearing.

>> Mayor Adler: It also includes closing the public deal. All right. What else do you have on zoning? Let's do 125 because councilmember troxclair is here. Troxclair okay. I'll just make a motion to pass item number 125. This is the codenext working group for non-zoning regulations. And I think that

councilmember alter passed out an amendment, but I don't think I can support it. We can either go line by line or take an up or down vote.

>> Alter: I'd like to explain.

>> Mayor Adler: So it's been moved by -- let's back up. Councilmember troxclair moves 125. Is there a second to councilmember troxclair?

[11:15:41 PM]

Councilmember kitchen seconds that. Then we have an amendment that's offered by councilmember alter. Is there a second to the amendments offered by councilmember alter? Councilmember pool. Now let's discuss the amendments. Has staff had a chance to take a look at these?

>> I don't know if we have enough copies. This is what I posted on the message board earlier but I don't know if we had enough copies brought down. So I -- is it my turn?

>> Mayor Adler: Yes. Explain the amendment if you want to.

>> Alter: So I had asked for this to -- most important, to comply with the Texas open meetings act, and I know that Ms. Troxclair has mentioned that there's some challenges with that because it's not a legally constituted board. But we can still set the same standards as the Texas open meetings act even if it doesn't set those -- meet the standards of being a board. So, for instance, the meetings can be noticed and posted, the meetings can be in a public location, accessible to the public, and records of the meeting, discussion either meeting minutes or the meetings can be recorded. None of that requires us to satisfy being a legally constituted board of the city. We can follow those procedures of transparency without that. So we could try to do that. Another part of what I was trying to do was to require that -- troxclair I'm fine with that, with what you just laid out.

>> Alter: Okay. Troxclair and it's different from what's in your written amendment.

>> Alter: No, I know. I was just passing this out. I was passing this out more as, like, this is what I was basing it off of, and then we would try to figure stuff out. This is just what I posted up. This is what I posted, I think, this morning, and I was explaining the rationale behind it.

[11:17:45 PM]

And in response to your message, I was saying that we could still do something that was short of the Texas open meetings acts that meets the spirit of that, and so I was proposing that as an alternative. The other part that I think is really important and I'm not sure if you responded to was ensuring that a person who is a registered lobbyist cannot participate in the group of design and development professionals. And I think that's real important. I didn't know -- I didn't hear a response from you on that

or understand your response from the message board on that if you would agree with that troxclair I'm okay with that as well.

>> Alter: Okay troxclair it's

okay. >> Troxclair: Okay. It's really the rest of it that I'm not.

>> Alter: Okay. The other part -- we got some agreement there. So for the first part, maybe we can say, in part 2, in obtaining the review, modeling and testing required under paragraph 1 above, the city manager shall ensure open and transparent public process that mirrors the Texas open meetings act, and then has those three things that I talked about at least, and anything else that we can incorporate from that without seeing the board. And the three things that I mentioned were the meetings to be noticed and posted, the meetings to be in a public location, accessible to the public, and recordings of the meeting discussion, either meeting minutes or the meetings recorded. Then we could keep the language about the lobbyists. And the other part that I'm concerned about is that I really want the recommendations to come from the staff. The design and development professionals can provide guidance, input, and support to the staff, but the staff, as the public servants, are charged with balancing all of the goals of imagine Austin, whereas others have sets of interests. So it may not balance the full goals we need. In a code the staff can take the expertise and input and provide a balance of recommendations.

[11:19:51 PM]

Design and development can reach out to us with anything different from what the staff recommend with regard to conflicts in the code.

>> Kitchen: I'm sorry, councilmember alter, I didn't catch the three things -- you said noticed and posted --

>> Alter: So there's a couple different parts of what I was trying to accomplish in my amendments. One part was to have the Texas open meeting act --

>> Kitchen: That's the part I have a question.

>> Alter: The three things I mentioned in that regard are meetings to be noticed and posted, the meetings to be in a public location, accessible to the public, and records of the meeting discussion should be made, either meeting minutes or the meetings recorded.

>> Kitchen: Got it.

>> Alter: And I don't know if there's something else that I'm missing from that that would be easy to translate without calling it -- having Toma apply. Then the lobbyist stuff, which sounds like --

>> Kitchen: I heard everything else.

>> Alter: Okay. The third part though, was to ask about the recommendations coming from staff rather than the bodies.

>> Troxclair: So I guess I'll just respond to that. Really, the purpose of this is to have a group of professionals give us some technical feedback and expertise. We've had a lot of conversations with city staff and with consultants and certainly appreciate them, but really, I want -- we want something similar to what the planning commission did with the zoning -- the zoning code, which was really take it piece by piece and to an in-depth examination of it. They just didn't get to examine other things like the, you know, water detention and parking and -- you know, so if the zoning code says you can put a certain number of units on a piece of property, but then if the other code -- but if parts of the parking or another part of our code, non-zoning code, says that you're restricted in another way, then it doesn't really matter what's in our zoning code.

[11:22:01 PM]

So I just want to make sure those things are driving, and I'm hearing from the community that we need to look a little bit further at those other parts of the code. And so I totally respect and appreciate staff's opinion. I just -- the point of this was to really have some -- some technical expert sit down and take a look at it, and, you know, I'm sure that the staff can give us their feedback after the group gives us recommendations. But -- but I don't think that -- but I don't necessarily think that what you're proposing is the best way to approach it.

>> Mayor Adler: Councilmember kitchen, then Mr. Flannigan.

>> Kitchen: So perhaps, councilmember alter, the language that's on the message board that councilmember troxclair recommended might work, because it says -- it's adding a new 1c, and it says city staff should provide council with a staff response to each recommendation. So that way, you're getting -- that way, you're getting the staff's response, but you're also getting the recommendations of the group of professionals, which is what councilmember troxclair was mentioning.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: So I agree with that language in part because I'm -- I want to be cognizant that we don't put staff in a very difficult position. They've already made a recommendation, and I think it's probably more appropriate to respond recommendations. It's kind of a weird thing to ask them to recommend another thing when they've already kind of made a recommendation. So I definitely would support that item C that I think councilmember kitchen noted.

>> Mayor Adler: So I'm confused here. I had seen a posting earlier that talked about reconstituting the cag. Is that still in here?

[11:24:05 PM]

>> Alter: That was something that I wanted to float out there to consider. Ms. Troxclair indicated that she would not be in favor of that, so I was focusing on the other parts.

>> Mayor Adler: Okay. So this is different than what had been posted, as described.

>> Alter: I think this is like the first part, but I don't -- I don't --

>> Mayor Adler: Okay.

>> Alter: I don't have it -- I mean, I posted this verbatim, and then I threw out something else to consider.

>> Mayor Adler: That's probably what it was. So, for me, what I think would be really helpful is, while we're gone here in July, if staff could get together with the group of technical experts and in a very public and open way, pick some properties and let everybody see the properties that are going to be tested, let everybody in the community weigh in on what it is, how the impact of the code would be, to get back to us technical answers on whether there are challenges or not as quickly as we can so that we can discuss and the community can see them. That's what I understood the thing coming from councilmember troxclair. And since I see this kind of thing is kind of in and out in six weeks or however fast that this can happen, I don't see us constituting a board or making appointments. I just want the staff to grab some technical consultants, but this time in a very public way so everybody can see what's happening. And if they think they're falling astray or not doing something right, they can see it and say, wait a second, that's not right, didn't you think about this. But as quickly as you can get answers, we need to say answers. It was one of the holes we had when we were meeting as a group during the month of June. So when I look at this, I see this almost by way of direction, which is where we were, and I don't know that we need to actually come up with language. Maybe it's something we can just do by direction and say to the manager and staff, get some experts together in a very public way that everybody can see and the public can weigh in, get us some technical stuff as quickly as you can.

[11:26:12 PM]

Hopefully while we're gone, that would tell us whether or not any of these challenges really exist. That's what I would do. And then I'd move on to the next item that we have.

>> Renteria: I would support that because I don't think this if we try to form a group and all that, we're not going to do it in six -- we're not doing it in six weeks. It's just going to take too long, and I think that we do have the staff here, and if we can get some professional people -- because I know that in the past we have made mistakes when we granted, you know, special zoning, hoping that they would build affordable units, and it got to the point where they couldn't afford to build any units, so they would just opt out and not even build any, just went with the base zoning and left it at that, so I would really want to see all of it, the staff to really take a look just like you had mentioned.

>> Mayor Adler: Ms. Houston.

>> Houston: Mr. Guernsey, while you're -- while you're standing there, could you speak to us briefly how you might go about tackling this task?

>> I guess based on what I just heard, I do have subconsultants to opticos and others that would probably call in and ask for -- and talk with them. They're part of the contract I have right now that could

aid in this, as working with some of the design professionals, I guess, that was suggested. As far as the number of sites, I don't think there's probably enough time to do ten, but I would probably look at different parts of the city and different varieties of sites that would be suggested that could give the information, I think, that you're looking for, council. In regards to the cag, I don't think there's enough time to reconvene all that and to have that done in a six-week period.

[11:28:16 PM]

But I think we could come back and put it probably in a memo form and get back to you fairly quick kind of what that process would look like. And I understand, although it might be staff-led, it would be staff reacting to, I guess, the review by these technical experts. Is that --

>> Mayor Adler: To me, that's what it is, but the technical stuff that happened in the past was not something that the community saw. Different organizations did it --

>> I understand this needs to be an open and public process, that people need to be aware of, I guess, when we will be meeting and whatever results come out, that they could be looked at by everyone of what we looked at.

>> Mayor Adler: And they could weigh in at the beginning and say this is what we think is going to be what you're going to see, so they have the opportunity to be able to do that.

>> Houston: Mayor, I wasn't really finished yet.

>> Mayor Adler: Oh, I'm sorry.

>> Houston: Okay. And, Mr. Guernsey, I appreciate that, and I appreciate how you're going to approach it. But one of the things that I agree with the mayor is, is about the transparency. People need to have -- be able to trust that there's some neutrality about how this testing is being done, if that's clear.

>> Yes. I understand that.

>> Houston: Okay.

>> Kitchen: Mr. Mayor?

>> Mayor Adler: Yes. Councilmember kitchen --

>> Troxclair: Okay. I was just going to call the question, and I know that you have -- you've said that we could do this just with direction, but since we have something in front of us written that says exactly what you said, I think we might as well pass it without Alison's three changes with the transparent process, no one who's a registered lobbyist, and providing an opportunity for a staff response.

>> Kitchen: Mr. Mayor?

>> Mayor Adler: So you're suggesting -- maybe -- I need to see what the motion is that councilmember troxclair is intending to do.

[11:30:18 PM]

You're saying to accept these amendments, or not accept these amendments?

>> Troxclair: The only three things that we're changing from the original motion, from the original posted language, is adding that it's going to be a transparent process that mirrors the Texas open meetings act, included -- including notice and posted meetings, public locations and a record -- recording of meetings; two, that the person can't be -- that nobody in the group can be a registered lobbyist; and, three, that the staff can respond to recommendations made by the group. Otherwise, it just stays original.

>> Mayor Adler: Okay. So councilmember troxclair moves to amend the amendment so as to return to the original document with the exception of those three points, that it mirrors the public meetings in so much as we have noticed the public meetings, at public places and available, that there be a record of the division, and further, that the person involved isn't a registered lobbyist, and that the staff can react to the recommendations. That's been moved. Is there a second to the amendment coming from councilmember troxclair? Councilmember kitchen seconds that. Discussion on the amendment to the amendment? Yes.

>> Tovo: Okay. Councilmember troxclair moved her item.

>> Mayor Adler: Correct.

>> Tovo: Councilmember alter brought forward --

>> Mayor Adler: An amendment.

>> Tovo: -- A series of amendments. I mean, I regarded these as a series of amendments or a substitute motion. You've been talking about them as an amendment, but there are multiple amendments. And now councilmember troxclair is amending -- amending either a substitute motion or amending an amendment? That's just really not our process --

>> Mayor Adler: It was an amendment that came from councilmember alter. That's what this was. It was an amendment that -- but oftentimes our amendments have multiple parts.

[11:32:20 PM]

Sometimes we divide the question and we consider them all separately, which we could certainly do here. In this case, the amendment to the amendment was to strike the changes other than those that were listed. That is an appropriate amendment to the amendment that was seconded. We can divide the question and take them in pieces but that's the amended to the amendment. Councilmember kitchen. I recognized her. You said you had a process question. Let's hear from her, then I will come straight to you.

>> Kitchen: I have a process question, too, because I just wanted to remind everyone we have speakers.

>> Mayor Adler: True.

>> Kitchen: In case we were overlooking that.

>> Mayor Adler: Okay. Mayor pro tem.

>> Tovo: [Indiscernible]

>> Mayor Adler: Alison?

>> Alter: I wanted to clarify, first of all, what I presented here had nothing to do with the cag. I had thrown that out as an idea to talk about. That's not on the table here. When I'm talking about the role of staff, I'm imagining that the professionals are identifying the conflicts, but I want to hear from the staff on what the solutions are because it's the staff's role to help us with all of the goals of imagine Austin. And I appreciate you incorporating those other pieces, Ms. Troxclair. There's one other part, though, that is important to me that I wanted to see if you'd be willing to incorporate, which is part a, the impact of non-zoning regulations on achieving the goals of imagine Austin is how I would like it to read. Every regulation is going to have an impact on the unit capacity, and, you know, it's really a question of conflicts of how these are all working together that we would want to be looking at.

>> Troxclair: I'm more comfortable with the original language of that part of the resolution.

[11:34:23 PM]

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: The way I read part a is not whether or not the impact is on overall capacity yield, but capacity yield compared to what it gets under the current code under chapter 23. It's not a reference to the blueprint or any other number, it's just a question of could you get under draft -- draft 3 what they got under the current code. That's kind of the way I'm reading a. I'm more comfortable with the language as written because that's kind of how I'm reading it.

>> The reference to 23-4 would be the staff recommended codenext.

>> Mayor Adler: Okay. What we're going to do is I'm going to take the testimony of the people that have signed up if they want to speak, and then we will take the amendment in parts, then we'll go down and vote on, in essence, what are the striking of the sections, and we'll just work our way through this. The first person to speak is andrei labomadrof. Is he here? What about ashcan? What about Sylvia Mendoza? Eric Goff? Come on down. Ms. Mendoza, you're up first, then Mr. Goff.

>> I think you need a break so I'm here to provide the entertainment. I don't have the rights to this music and I don't know if it will play, but here it is. Once again, I'm going to acknowledge Ora Houston, the royalty of city council. She knows the right questions to ask to get down to the nitty-gritty of the problem, and she looks good in purple.

[11:36:26 PM]

Jimmy Flannigan, because he's got a good sense of humor and his demeanor is kind of cool. Thank you, city manager -- where did he go? -- For asking for feedback and making it possible that Brian Manley should become the permanent police chief. I'm so happy because Brian Manley and I graduated from the same high school. Sorry, I just had to repeat that again. I see that he is not playing chess because he's not here to hear me. And to Ellen troxclair, I bring greetings from the delegates at the state convention. San Antonio district 14, 21, and 24. Okay? Well, I'm going to speak on item 25 now. Because I like the people who are sponsoring it. Let's see, Ellen troxclair and Jimmy Flannigan, and who was the other person? I forgot. And I feel you need to leave it to the experts. For the next part -- I forgot my gloves. Go get 'em.

[♪ Music playing ♪] Let me see if I can beat the bell.

[Music playing]

>> [Indiscernible]. Leave it to the experts.

[Music playing]

[11:39:17 PM]

Mr. Goff. Is chivas Watson? Mr. Goff, you're the last speaker. Go ahead.

>> Good evening, council. I'm here tonight on behalf of

[indiscernible], a coalition of over, I think, 10 to 15 community groups covering a wide range of Austin, and I just want to say that I agree with the previous speaker.

[Laughter]. I also want to be clear that we have some specific viewpoints on this resolution. Thank you so much for your leadership in bringing this and thank you for your support on this specifically, I want to make sure that staff is not the group that is writing the recommendation. Staff already wrote the recommendations. That's called draft 3. We want to make sure that we have outside groups as much as possible weigh in and give people an opportunity through this open process that you've laid out, a chance to weigh in and provide those recommendations. I think it's a critical thing to do to test this code, to see whether staff gets an A or a C on codenext. And then secondarily, I want to make sure that, to the extent that we do have this process that it's something that we can go through multiple steps so people can provide feedback on what will be tested, how it will be tested, to make sure that we get the right -- right things tested and tested in the right way so you, as community leaders, can go back to the community and say here are the results, you can trust the results because we had this open process with multiple steps. And, finally, I just want to say that we would support the amendment as drafted with the changes to the transparency things as necessary. That's fine.

[11:41:17 PM]

And just to be clear, we want to make sure that it's not a staff recommendation or consultant recommendation but an outside recommendation, that staff can weigh in on if they choose to. Thank you so much.

>> Mayor Adler: Thank you. Those are all the speakers. Let's go through this, beginning at the beginning. And that way we can finish this and get to the next thing. Yes, councilmember alter.

>> Alter: I want to just get some clarity because now I'm really confused over what you're actually asking for in here. So in "A," is the impact of non-zoning regulations on achieving the unit capacity yield otherwise available under chapter 23, so it's comparing it to what is offered in draft 3? Or the current code? Because I heard -- Mr. Flannigan was wrong on that, it was draft 3 that you want? And then it would be the impact of non-zoning regulations on the goals of imagine Austin? So you could also have non-zoning regulations that are furthering the goals of imagine Austin? Is that the way that I'm reading - I mean, I'm just trying to understand, I'm not really sure what we're going and asking them to test.

>> We are asking them to analyze cumulative effect of regulations on capacity and their financial viability. And I think the way that we originally drafted it gets to -- gets to that point. And I -- yeah. Gets to that point.

>> Alter: But we already have a tree ordinance. We already have certain things that are part of what are in those non-zoning regulations that are trying to achieve other goals. Where does that come in to the analysis that would come out of this?

>> Troxclair: Well, those are the kinds of things that they're going to be looking at to see how those impact what we're saying we can achieve under the third draft.

[11:43:26 PM]

We've laid out that we're going to get -- that we want this certain capacity, that we want this certain units, we have this number that we're trying to get to, and we've only been looking at the zoning code in a silo, but there's a lot of other parts of our regulations that are going to affect whether or not we can get to that number. So we just have to understand what we're really talking about.

>> Alter: And I guess what I'm having trouble with is all of those things, to achieve other goals that are in imagine Austin.

>> Mayor Adler: Fill Flannigan, mayor pro tem, then Ann kitchen.

>> Flannigan: I'm sorry that I read that next time last time because I'm more familiar seeing it in draft 3, not as a chapter before it's adopted so that's what threw me off. I think it's important to remember that what we're asking a group of design and development professionals is to look at the technical

implementation. It is up to us to interpret imagine Austin. So they'll come back with recommendations, the design and development professionals will have recommendations. Staff will have a response. And then it will be up to us to interpret it. And I've -- I mean the drainage chapter is a great example of one that goes farther than the current code, and I support that it goes farther. It addresses a real need that, but for that change, we're going to have to spend a lot of money, and we did not allocate that kind of money in the bond. So it's not a -- how do we scale back what's in draft 3, it's how do we interpret what's in draft 3, compared to the entitlements of the zoning code, the zoning section. And so getting that feedback from the design professionals with the staff responsible then will allow us -- in my opinion, I think it will allow us to then interpret where the things in the zoning code might help us achieve unit, but then preserve the elements that, as we interpret as a council, the things that we're trying to accomplish in imagine Austin.

[11:45:30 PM]

So I wouldn't want design and development professionals to interpret imagine Austin, I think that's our job.

>> Mayor Adler: All right. Should we vote on amendments? Yes, mayor pro tem.

>> Tovo: Yeah, this is sort of a really challenging situation because this is different, really different in some ways from what we talked about in our codenext session yesterday. I mean, it sounds to me as if we're -- you know what you've just described, councilmember Flannigan, I'm not sure is -- would even fit into a. I mean, if what we want to know is how the water -- the changes with regard to flood mitigation strategies will help us achieve our aims, I'm not sure we're going to get that out of a, because a seems to be saying asking design professionals to look at how those non-zoning regulations are going to impact unit capacity yields and the financial feasibility of tested projects. Doesn't it -- I mean the language as it's drafted doesn't say to me that we're going to hold these in the balance and determine how well it's -- I mean, financial feasibility is not the same as -- I mean, you're talking about financial feasibility for the developer, unit talking about the financial benefit to the city of mitigating those potential flood issues as we just described. So it's really hard for me to talk when you're kind of nodding your head no and frowning. So I see that maybe I'm misunderstanding it, but I think that -- I think that -- I don't know how best to proceed. I think having the general direction might make better sense, but I would support -- I think I would support the edits on this one because I'm just not sure -- it seems a very narrow focus. We're asking them to evaluate how things -- it seems to me, how things like our tree protection standards impact unit capacity and the financial feasibility of a project. And is that really the question we want to be asking of the testing? I agree that we need testing, but that seems to be a different focus on it.

[11:47:33 PM]

>> Mayor Adler: So for me, when I'm looking at the non-zoning chapters, and I see that we're requiring greater detention than is currently required, I can see that and understand the benefit of that, and I can see why it is that I would want to support that because that's, on its face, I can see that and I can understand that. So for each of the non-zoning chapters, I can look at what is the transportation requirement now versus the requirement before, the additional tracts, I see the benefit of that. On its face, I can see that. What I can't see is what the impact of those things overlaid on each other are on yield, and as I talk to people, I hear differing views on that. So that's information I don't have. So that's the information that I want to get. That doesn't mean that that's the controlling issue for me or the most important issue for me or the deciding issue for me. And it doesn't mean that I'm not concerned about or can't see and can't appreciate and value the changes that are made in 23 -- in the non-zoning sections in each of them. This is asking, for me, is filling in information I don't have, and that I can't tell from looking at that. So I'm not asking them what we -- what we should do, I'm not asking them to weight that and decide what's best for the city. It's answering the technical question that I don't have the competence to be able to answer myself. And a technical question that there's dispute in the community about. So I wanted to be very transparent just so that we're all working with the same information as best we can. But that's why the language that councilmember troxclair was right to me, because that's the answer -- that's what I can't tell when I look at it because I don't have the competence to be able to look at that and tell it. The other things that you're talking about that have great value, I can look at and understand and see.

[11:49:40 PM]

Councilmember kitchen.

>> Kitchen: I just want to say that, yeah, to me the value in doing this is from a technical perspective. I'm not looking for this group to weigh the policy priorities. And that's not they're role. That's our role. And I'm not looking for recommendations on what our policy priorities should be. That's our role. What I'm looking for simply is the technical impact. And I think the mayor described it in the way that I would. And so I just want to emphasize that. I don't want the public to misunderstand that we are pushing off our responsibility or our -- you know, our role in weighing the policy aspects of this. This is just information. It's important, technical information.

>> Mayor Adler: All right. Are we ready to take a vote on the amendments and run through this? Yes, councilmember pool.

>> Pool: Mayor pro tem, which paragraph was it that you were pointing to?

>> Tovo: 1a.

>> Pool: That's what I thought. It seems to me, if I just add a couple of notes, that the scope is too narrow in that paragraph. It's too focused on one outcome, and for a small group of stakeholders. But I'm wondering, mayor, it may not seem controlling to you, but I'm thinking the outcome may be constrained to the focus because of the wording. And if that's based on that wording, that may be all of

the information that we're going to get. And in that case, it won't be very holistic as far as code testing, and if that's the case, then perhaps this shouldn't be the last word on the testing.

>> Mayor Adler: There could be lots of different kinds of testing that we want to do.

[11:51:41 PM]

This technical testing is not holistic at all for me. It's answering a very specific and discrete question. And the and doesn't it look at the value of lots of other things. That's just not part of what this is.

>> Pool: Well, and I think that that's really important to note because I know if I was thinking about testing, I thought it would be more holistic. But if you are -- if you are -- if you know -- if we know that we are voting on this and that it is constrain and it is only a very narrow application, then I want us to be voting knowing that; otherwise, I think that I am supportive of the mayor pro tem's approach.

>> Mayor Adler: I would agree, for me, it's very narrow. It's getting a technical answer to something that I don't have the capacity to answer myself. A lot of the stuff in the non-zoning questions I can read it and understand it and see if benefit, and I understand it. That's within my ability to do. But what the benefit of what councilmember troxclair is doing in this is answering some questions I don't have the competence to answer myself. And I'm hearing different things from the people and I don't know what's right.

>> Pool: I'm not disagreeing with that I just want it to be real clear to everyone, if we are approving this, that that is what we are doing. It's really narrow.

>> Mayor Adler: That's all that it would be for me. Are we ready to go through these and take a look at them? All right. In the first paragraph, councilmember alter proposes some changes. Councilmember troxclair doesn't want to do those changes. So it's the amendment to the amendment. Councilmember troxclair moves to undo the red letters in 1. I'm going to go through this and take these in sections.

>> Troxclair: Mayor, isn't it easier if I just offer the same way I did earlier, my amendment to the amendment and pass it as a whole thing, rather than going through each of these?

[11:53:42 PM]

>> Mayor Adler: It is unless someone is going to want to divide the question.

>> Troxclair: Okay.

>> Mayor Adler: Councilmember troxclair's amendment is to not accept the changes that have been offered, except that in paragraph 2, it would say that it mirrors the Texas open meetings act in that it requires meetings to be noticed and posted, that there's a public meeting that's accessible, and that there's a record of discussion. And it would provide that someone who's a lobbyist can't participate, and

it would further provide that the staff can report its reaction to the technical determinations of the -- of the technical people. Councilmember alter.

>> Alter: Would you be amenable to adding to that to list the people who are in attendance in the records of the meeting discussion would include those in attendance? Because we don't have a board, so you wouldn't have the board was attending, but you'd have a record of who attended?

>> Mayor Adler: Do you have any objection to that?

>> Troxclair: Someone who's participating in the meeting, not necessarily just someone attending in the audience.

>> Alter: People who are participating.

>> Troxclair: Yeah. Sure.

>> Mayor Adler: Okay. Add to it people who are participating in the meeting should be made part of the record. Okay. That has been moved and seconded. Any discussion? Those in favor of that amendment, please raise your hand. Those opposed? Those abstaining? Yes, it's a change to yours. This is still the amendment to the amendment. Those in favor of the amendment, please raise your hand. Troxclair, kitchen, Houston, Garza, Renteria, me. Those opposed? It is -- [audio difficulties] -- the main issue in front of us. Any other changes proposed to it?

[11:55:44 PM]

Should we take a vote on it? Yes.

>> Tovo: Yeah. I have come to a place of comfort after our discussion, only with the understanding that, yeah, this is an extremely narrow focus, and it's not even really what we talked about yesterday in terms of seeking technical expertise to understand how the compatibility requirements are changing and -- I mean we talked about -- we talked about a pretty broad scope of testing yesterday. Even within the category of technical expertise. And this is even more narrow and provides less information and not along the lines of the testing that some people have requested of us. However, it's more information, I'm happy to have it, but I agree with the point that councilmember pool was making, which is, I think we need different kind of broader testing at a very -- later in the process, and before implementation of the code.

>> Mayor Adler: And one of the questions that we asked when we were together as a group for our staff to do is to work with the consultants to do the economic modeling that would tell us what the impact was with the different compatibility overlays. So I think we just had that discussion at the meeting, and I hope we get that information. But this is not addressing that in this -- I think you're right. So we did talk about additional kinds of testing that we wanted as part of the process. I agree with that. Councilmember alter.

>> Alter: I wanted to clarify, I think on the message board, there was a compromise that I appreciated Ms. Troxclair putting forward about the staff providing a response. Is that included in the motion?

>> Mayor Adler: I read that. It was in the motion.

>> Alter: Okay. Thank you.

>> Mayor Adler: Those in favor of this as amended, please raise your hand. Those opposed? It's unanimous on the dais. It passes. Thank you. 125 is passed.

[11:57:48 PM]

Okay. We're getting closer now. What about 129? 129.

>> Pool: So this is the one where it was the broadmoor -- it was the broadmoor item that was the follow-on to the zoning case. I do have extra copies of item 88, which was the zoning case. Does anybody want me to pass these out? Because I'm happy to.

>> I had my questions answered so I think we can just vote on it.

>> Pool: Well, your answers -- okay. I can put Mr. Rusthoven through his paces and answer some questions if necessary. But otherwise, I think the motion is still on the table, mayor, is that right, where I've just moved -- this is 129.

>> Mayor Adler: 129. There's a motion sheet that's been made -- I think it's already been moved and seconded.

>> Pool: Yeah. And I do want to get these questions into the record.

>> Mayor Adler: Okay.

>> Pool: So if you would give -- indulge me. Okay. Mr. Rusthoven, here we go. It's my understanding that the language in this ordinance as proposed allows site development regulations to be allocated to the property as a whole, and then allows site development regulations to be tracked on a site plan by site plan basis. Is this correct?

>> Yes.

>> Pool: As a follow-up, in the event that the applicant has two site plans active on different parts of the site, the site regulations applicable to each site will still be those allocated to the site as a whole, but again, they will be tracked separately for each site plan. Is this correct?

>> Yes.

>> Pool: Thank you. Thank you, mayor.

>> Mayor Adler: Okay. Councilmember pool moves adoption of this item consistent with the motion sheet, and it was seconded.

[11:59:53 PM]

I'm sorry, what?

>> [Off mic]

>> Mayor Adler: Okay. I think Mr. Renteria had already seconded that any discussion before we vote? Those in favor, please raise your hand. Those opposed? Unanimous on the dais. That number 129 passes. Okay. And it closes the public hearing. Yes.

>> Houston: I promise 90 is quick.

>> Mayor Adler: I'm sorry, what?

>> Houston: 90.

>> Mayor Adler: Also no one here to speak on that. Can we dispense with item 90?

>> Case c14-2017-0149, property 5521 Springdale road, ready for approval on second and third readings.

>> Houston: It was closed.

>> Yes. I believe councilmember Houston has a motion. I could read it into the record. That would be to add a new part 2 to the ordinance, that the property within the boundaries of the conditional overlay, combined district established by this ordinance is subject to the following conditions. Commercial uses on the property may be no less than 1% of the total square footage of the property, allowing for residential use as an accessory use in the commercial uses, and then renumbering the remaining parts.

>> Mayor Adler: Okay. Ms. Houston makes that motion. Is there a second to that? Councilmember Garza seconds that. Is the applicant here?

>> Yes, the applicant is here and in agreement with these conditions.

>> Mayor Adler: Everybody is agreeable with this? Applicant, are you in agreement with this?

>> The applicant is in agreement with this and I want to thank the law department for coming up with another way to get to a solution we couldn't get to. They defined live/work units in a different way, and I want the site plan reviewer to know that a year from now when we're doing a site plan, that that's what that meant.

>> Mayor Adler: Thank you.

>> Houston: Could you put the picture up, please? This has been a very difficult and long and laborious negotiation because the neighborhood is -- this is a commercial zoning that we're going to add mixed use to, and the neighborhood, in keeping with compact and connected, services, they needed some services in their future land use map, they've always had some commercial property.

[12:02:24 AM]

We've got about 3,000 addresses within a mile of this property, and so this is going to be the solution, I think, that both the neighborhood and the developer will serve both of their needs, so they'll have some amenity space on the Springdale side. This is on a major corridor. I'm not going to get into the lack of bus routes again, but this is -- this used to have a bus route but it stops at 51st street. These live work units are going to be on Springdale, then we can have something like a drive -- a -- what do you call those things? -- A drop-off for cleaners, which is something the neighborhood wants. This is close to Mueller, but it's -- you have to drive out of your neighborhood to get there. And so we think this is a good solution to both what the neighborhood needs as amenities and what commercial spaces and what the developer needs for residential units. So I appreciate the work. And thank the legal department for their work.

>> Mayor Adler: Okay. Councilmember troxclair.

>> Troxclair: I just wanted to say really quickly that I am -- I do really need to leave. I told myself I would be here till 5:30, then 8:00, then 10:00, now it's midnight. And I have knew baby, and I want to go back to my maternity leave. But I want to say to all the people here about the soccer issue, I am excited about the potential of having soccer in Austin. I'm looking forward to continuing the negotiations. I would vote for that item if I was able to stay. I also feel like we should just do our due diligence and know what other things were foregoing, which is why I would also support the other item, which I don't remember any of the numbers anymore.

[12:04:27 AM]

So I would support all of the above, and I appreciate everybody's enthusiasm and just want to make sure that we can get the -- regardless of what we end up doing on that side, I want to make sure it's the best deal for Austin.

>> Mayor Adler: Sounds good. Say hi to your baby for us.

[Applause]

>> Mayor Adler: We have some -- item 90 has been moved and seconded. The applicant is okay with that we have no one speaking. Are you ready to vote?

>> Third reading, mayor, not second and third.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: Will you read that again?

>> It is the property may be no less than 1% of the

[indiscernible] Of the property, allowing for residential as an accessory to the commercial uses.

>> Flannigan: So it's to ensure less than none -- or more than none, essentially.

>> It's to require some non-residential use.

>> Flannigan: And generally speaking when you've got a mixed use, you could build none.

>> Yes, you could build all of one or all of the other.

>> Flannigan: Thanks.

>> Mayor Adler: Those in favor, please raise your hand? Those opposed? Flannigan votes no, others aye, troxclair is off the dais, so is Renteria. That passes. Thank you.

>> Houston: I'm so glad you're consistent.

>> Mayor Adler: Can we do item 114?

>> I'm sorry, 105?

>> C14, 201-8005, lantana block P, lot 3. Two additional overlays in your backup that there's been agreement between the applicant and the neighborhood. That would be adding outdoor entertainment use, and the height is limited to one story not to exceed 28 feet. I believe this was pulled by councilmember Flannigan and I don't think we have any speakers.

>> Mayor Adler: Okay. Someone move adoption of this 105? Councilmember pool and the mayor pro tem seconds.

[12:06:30 AM]

Is the applicant here?

>> The applicant is Mr. Whelan. I don't believe he needs to speak unless --

>> Mayor Adler: Everybody okay? Any questions? Mayor pro tem?

>> Tovo: I think I heard Mr. Rusthoven say that you support the additional conditional overlays?

>> [Off mic]

>> Tovo: Thank you.

>> Mayor Adler: On behalf of the applicant, yes is what he said. Without a microphone turned on. Mr. Flannigan.

>> Flannigan: Did you say there was a height co or --

>> Yes, there's a height limited to one story and not to exceed 28 feet.

>> Flannigan: And this site is currently a one-story strip mall? Is that right?

>> Yes, gr, up to 60 but it is one story.

>> Flannigan: And we're just zoning a single space?

>> Yes, to offer a liquor store, yes.

>> Flannigan: So in some contemplated future project, if we didn't add the cos, what would that mean?

>> It would mean the portion of the strip center that's covered by this cs 1 zoning to allow for the liquor store could not be redeveloped, just this portion above.

>> Flannigan: How high would a cs1 let you go.

>> 60 feet.

>> Flannigan: And the number we were zoning?

>> 12,138 square feet.

>> Flannigan: So -- so are there many 60-foot square -- 1200-foot footprint 60-foot buildings?

>> Not that I'm aware of no,.

>> Flannigan: Okay. Thank you.

>> Mayor Adler: It's been moved and seconded. Any further discussion?

>> And close the public hearing.

>> Mayor Adler: And closing the public hearing. Those in favor, please raise your hand. Those opposed? Mr. Flannigan votes no, others voting aye with councilmember troxclair off the dais. That takes care of that number. Let's do 114.

[12:08:41 AM]

>> Through, Mr. Mayor, mayor pro tem council. I'm from the watershed protection department. The item before you this morning is a floodplain variance request at 1301 west Koenig lane in the shoal creek watershed. There is an overall picture of the property. It is on a street that goes by many names, in this case it's called Koenig lane. It is right across the street from McCallum high school. As you can see from the property outlined in red, it is surrounded by that white color, which is the 100-year Philip. The dark color is the 25-year Philip. As I said before, sounded by the hundred-year floodplain of what we call the grover tributary of shoal creek, and the creek itself, the creek center line of grover tributary runs on the southside of the property because you can see in that light blue dashed line. Zoom up to the property a little bit, and you can see the location of the floodplain a little bit clearer there. There are some current buildings on the site right now that were constructed about 1985, and at that time the property was not located in the floodplain. The use that's on the site right now, it has been discontinued for more than 90 days, and that will come up here in a few minutes as an -- an important note. The property was purchased in about July of 2017, and it was -- the floodplain for grover tributary was established in August of 2013. So at the time of the purchase of the property was in the floodplain. It's been on the FEMA map floodplain since 2016, so we have some floodplain history going back to 2013. This is in the high priority area of flooding for the city of Austin.

[12:10:47 AM]

This is something we have been studying, actively studying to come up with solutions for flooding and erosion and water quality so it is something that we are looking at for certain. So this development is proposing to do a four-story multifamily residential with this 383 residential units. The building itself will be elevated two feet above the 100-year floodplain and almost two feet, 1.8 feet, above the 500-year floodplain. Now, the engineers have shown and we agree with the fact that this building will not cause increased flooding on other properties. And in addition to that -- they are doing some over detention on the site, which means they're holding back more water than they're required to hold back. They've listened to the neighborhood. We do have some flooding situations in the neighborhood, which I've described, and so they are doing their part to overdetain on the property itself. However, as you noted, the hundred-year floodplain surrounds the property itself, and so the property does not have safe access. So the variance requests, really, the main request is the safe access variance which we have discussed before. In addition to that, the code prohibits expanding, changing, or enlarging or altering that increases its non-conformity in putting 383 residential units into the floodplain without having safe access, we consider that to be increasing the non-conformity. So let's talk about the safe access a little bit. So the safe access rule states that you have to walk from the building to the right-of-way, all at an elevation one foot above the floodplain. That's for safety for first responders to get to the building and for the occupants of the building to get out of the building at time of flood.

[12:12:49 AM]

So the hundred-year flood is up to one and a half feet deep and up to six feet per second, maybe not the same location, but in general, those are the maximum depths and velocities for the hundred-year flood. And then the 500-year flood accordingly. Now, on a very sunny day, it's very common to think about these depths and think that's not that deep. Right? We all know what a kiddie pool looks like. It's not that deep. Flood waters are not clear, though. As you can from this picture, you don't know what's under flood waters. It's dark usually at night, and flood waters are flowing by, you're not quite sure what's under the water, it's uneven surfaces, so even a small amount of water can be dangerous. In this case, that picture was taken from that trailer right there, which there was a river flowing by them at that time. So even a little bit of water can be unsafe. Now, to respond to that safe access issue, we have been talking about the applicant about a flood safety plan. Part of our -- we've talked about this before, but one of the major pieces that we do as our department is to educate the public about flood risks. And we think that is an important way to get the word out about -- about why flooding is dangerous. And they have been proposing -- they are proposing with this development to educate the people within this property, whether it be the time of lease, periodically, or both, about flood risk at this property. And so they've come up with some signs, you can see an example of a sign right here, that they're going to place a sign at various spots throughout the building, and then they have pledged to us and we like pledges, but we made it a condition of a draft ordinance in your package, that they will come up with a flood safety plan that we will agree to if this gets approved. So summary of the findings for you, like I said, the development itself does not cause adverse flooding to other properties.

[12:14:56 AM]

And the proposed finished floor is above the minimum requirements under the code. However, there's no safe access and they are adding additional occupancy, significant occupancy into the floodplain. The density increase is significant. Now, this is where that comes back up, what I was saying earlier about the use being discontinued for more than 90 days. So our read of the hardship condition of the code is that this property has a hardship. And why is that? Because if someone comes in to redevelop this property, like this applicant is doing, they cannot meet the floodplain rules because they can't meet the safe access rule. If someone wants to use the existing buildings on the site, since they have been discontinued for more than 90 days, even that would require that they meet the floodplain rules. So regardless of the activity on this property, new development or redevelopment of the buildings that are there, since it's been discontinued, would require a floodplain variance. Sorry about that. Because of the depth that we talked about in the safe access issues, staff is recommending denial of this variance. We did work with the applicant a lot about maybe that -- they did talk to some of their neighbors about maybe getting an access easement and all those things fell through. They have been working with us quite a bit to try to minimize the flood risk at this community, both through design and their pledge to do the flood safety plan. However, we are recommending denial of the variance. I do have a draft ordinance in your backup packet, and I wanted to address the three conditions that are in there. One is the elevation certificate that certifies the building is built to the elevations they stated it would be built. Verification from them that the flood warning signs were installed as designed.

[12:16:59 AM]

And, again, as I stated before completion of the flood safety plan. That's all I have. If you have any questions, I'm happy to answer them and I know the applicant is here as well.

>> Pool: Mayor? Could I ask Mr. Shuck a couple of questions? Thank you as always for being here and being at the end of the line.

>> You're welcome.

>> Pool: We need to change the name of the department so it's not starting with a W anymore. Mr. Shuck, could you talk a little bit about the -- I understand that this site has a relatively low velocity of water flow, that this site fills up like a bathtub and then slowly -- slowly loses water. And the general depth that it may come to. How high -- how much higher -- how high would it come on that site?

>> Yeah, so that's a great question. Thank you for something it. The depths range from a half a foot to one and a half feet. So there's some exits have a half foot, some have one foot, and some have one and a half feet, for the hundred-year flood. For the 500-year flood, those depths range from two feet down to 1.1 feet.

>> Pool: And my understanding is the structure is going to be constructed up high enough so it is out of the floodplain. Is that correct?

>> That's correct. Of about the minimum required elevations.

>> Pool: Okay. I think that's all I need from Mr. Shuck, but I'll have some questions for Mr. Hartman, who I think is here, the applicant. Thank you, Mr. Shunk.

>> You're welcome.

>> Houston: Excuse me, before you go up -- almost got you.

>> Almost.

>> Houston: Is this the old --

>> First Texas.

>> Houston: First Texas Audi site? Thanks.

>> Yes.

[12:19:03 AM]

>> Pool: Applicant?

>> Mayor Adler: You have five minutes.

>> David Hartman on behalf of led core properties. Thanks to Mr. Shunk, for his excellent presentation, for working with us to get to this point. This site he's already described, it's got Mccallum high to the east that is zoned single-family. To the west, just below that panhandle is some single-family residentials, tracts, immediately abutting us. Project history, it's apartments with parking and public parking and multiuse trail. We initially also proposed retail use on the northwest corner. We worked closely with the neighborhood, with park staff, with councilmember pool and her staff, and we're proud to be before you today not only dedicating a half acre of parkland but constructing that parkland, and we have a multiuse trail that we're going to exhibit. When we filed our zoning case, we understood we were going to have to raise the buildings, so we asked for in and council at this time last year basically approved a slight increase in height to allow us to respond to that need to increase the building. Subsequent to that, the board of adjustment approved variance on that Mccallum high east side, and they did not -- they denied the variance to the west, so we were limited to three stories and 40 feet on the west side. Back when the site was developed in '85, as Mr. Shunk said, they only had to capture to the 25-year storm. What we committed to the neighborhood early on is that we're going to not only come to current code but exceed code and overdetain, and we're excited to be here before you on the verge of issuance of this site plan, hopefully, and honoring that commitment. Obviously, we reduce impervious cover substantially. This shows that public park and multiuse trail with the park on the northwest corner, Koenig lane is on the north top of that property line, and then the multiuse trail that winds throughout, this is a nice view.

[12:21:06 AM]

It happens that Koenig lane is actually on the bottom of this slide, but you see a nice vegetated trail that will wind through the property and the nice urban park right there at the corner of the property. This is probably the most constrained site I've ever worked with on my professional career, floodplain, trees, easements, compatibility, topography we'll look at. Floodplain bounds the structure and -- on all four sides, and all three sides, it encompasses all the right-of-way on three sides and the drainage on the southside of the property as well. This happens shows some nice trees, heritage trees that we're preserving along the east and the green compatibility. We've worked close in collaborative fashion with Mr. Shk and his department to come up with the state-of-the-art plans that fall within three areas we'll describe in three quick slides. This slide basically summarizes the whole case in a nutshell, as has been described, it's basically two feet above the hundred-year floodplain. About that about the 500-year floodplain, so shelter in place, four stories worth of shelter in place is the primary response. Depth and velocities have been discussed. And in the unlikely event somebody is going to need to evacuate, there's going to be multiple points of access to and from the right-of-way, including via elevated pedestrian bridge. I've got some exhibits for. The flood notification plan, the flood safety plan is going to be a gold standard. Again, built into the ordinance, prior to C of O, required by the ordinance. We're going to have email notification, other sort of shelter in place. A top-notch education plan, educating residents before they sign the lease and reminding them thereafter. Flood signage has been shown, but look at the first couple of sentences and they have language Mr. Shunk described.

[12:23:09 AM]

Actually, they suggested the language about sheltering in place. Do not exit the property. Here's another shot of that. This shows the exit evacuation plan on all four routes, all four exits, all four corners of the building. This is kind of the legend details the various myriad signs, directional evacuation route. And the elevated pedestrian bridge on the southwest corner of the property is shown in this location, that it crosses that drainage swale from dry land to dry land, adjacent to the garage. This is a profile of that elevated bridge, pedestrian bridge that shows it's a foot above the floodplain. This shows the multiple access egress routes there you go through that elevated pedestrian bridge. And this just lays on top of that the depth and velocity, you can see on that southern one, for example, it says a half a foot max depth. And the six-foot per second --

[buzzer sounding]

-- I'll just close with reasons to support that we've already discussed and leave with you a couple of quick speakers after me to -- then we can answer questions after everyone speaks, whenever you'd like.

>> Mayor Adler: Okay. Thank you. Yes, mayor pro tem.

>> Tovo: Mr. Hartman, I have a quick question for you. Do you think more -- I heard Mr. Shunk say that you had worked on trying to get safe access through one of your neighbors and I wondered if you thought more time would help you achieve success in any of those negotiations.

>> We've been -- thanks for the question. We've been at that for more than a year. We've had multiple proposals and each time those various proposals, trying to respond to concerns that we perceived or that we picked up with different language of the access easement, have not had any fruition whatsoever. Believe me, if we could have that access easement this variance would be granted administratively and we'd far prefer to proceed administratively with staff rather than have to be before council, so this is our last, last effort.

[12:25:18 AM]

>> Tovo: I'm sorry, your last, last --

>> Last effort.

>> Tovo: I see. Okay. So you don't think there are any possibilities there to work with any of your neighbors to get safe access for your property?

>> That's correct. There's only one neighbor, if you look at -- there's only one neighbor that has dry land, that's to the south, and we've exhausted that option. That's why we're here.

>> Tovo: That's unfortunate. Okay. Thank you.

>> Mayor Adler: Thank you. Yes, councilmember kitchen.

>> Kitchen: I have a related question. You had -- you showed us the diagram of the pedestrian bridge. And I may not understand all the parameters for safe access, but if you go back to -- I thought that that was -- does that not go far enough outside the floodplain to satisfy safe access? Is that what the problem is?

>> So while the bridge itself may be above, you then have to walk to the east to get to grover avenue through the floodplain.

>> Kitchen: So walking across the neighbor's parking lot doesn't count then, I guess.

>> Without access easement, it does not.

>> Kitchen: Okay. Okay.

>> Yeah.

>> Mayor Adler: Okay. We have speakers that are signed up here. Ian?

>> Actually, this is Brett Rohde, for the project, the Rohde partners.

>> Mayor Adler: Okay. Mr. Rohde.

>> Yeah, this project reminds me, it's very similar to a project I worked on about 18 years ago, Austin city lofts nearby here. The project was surrounded by floodplain, still is. There, we had about eight inches of water depth around the building, at its shallowest point.

[12:27:26 AM]

We came for a variance at that time, and it was given a variance. That was back in 2000. In 2014, right across the street is 5th and west, which is more recent, 39-story building still under construction there. Minimum water depth -- 1.7 feet and they were given a variance. Without those variances, both of those projects would not have been possible. So this project that we're talking about tonight is pretty similar. Our project is -- I think we've designed it to be very safe. There's no occupied space in the floodplain at all. The flood waters themselves don't even come up to the building other than a small area on the northwest corner. The foundation walls around the building, perimeter are completely flood-proof, one-foot-thick concrete. There are numerous points of access. I think before Hartman already talked about that. On the south portion of the site where the bridge connects over across, that depth of water is only six inches during the 100-year flood, projected to be six inches deep. Numerous areas to shelter in place in the project, including a four-story concrete parking garage. All critical life safety systems in the building are completely out of the floodplain and are protected. The project has already gone through complete plan review and has completely passed that process with the city. But we do have a couple of enhancements that we're amenable to adding to the project to enhance the life safety, and those would be adding an emergency generator, which is not required by the project, and that would make for a -- an enhanced life safety scenario during a flood event.

[12:29:35 AM]

And then the next one is kind of innovative, and that is a flood warning system in the building which would be triggered by the national weather service alerts. And those alerts would go flood event alert would go out to the residents of the building through the fire alarm system, which is already part of the project. So that would alert anyone that would be sleeping in the building.

[Buzzer sounding] So we think we've designed a very safe building for the site. Thank you.

>> Mayor Adler: Thank you. Ian Asselstein.

>> Good morning. My name is Ian, I'm vice president for real estate development for the led core properties. We've had the pleasure the last two years working with the flood department on this particular flood variance, and it's been very cooperative and collaborative effort, which we've all really appreciated. What I wanted to explain today is the flood safety plan that was discussed earlier. Led core properties has safety at the forefront of their company. It's important for them. We have a health and safety department. And what we've discussed and are committed to doing is deploying that entire department to creating a flood safety plan that would be the gold standard plan for projects going

forward. Not only for our project but for the flood department to use in other projects that might be in a similar situation. It would be loop 410 the cover all scenarios, residents and staff could both use it and look at it for the correct way to operate and to react in any flood scenario. This, of course, would be developed in collaboration with and to the satisfaction of the flood department, and would be a condition to have it to the flood satisfaction prior to our certificate of occupancy.

[12:31:35 AM]

And I believe this has already been written into the ordinance. So we're very excited to put this together. I know it's late, so that's all the time.

>> Mayor Adler: Thank you. Brett Rohde. Brett Rohde? That was Brett Rohde. Got it. All right. Those are all the speakers we have. We're back up to the dais.

>> I'm prepared to make a motion, then I'd like to speak to it. So I want to make a motion to approve the variances for the flood that the applicant has requested.

>> Mayor Adler: Okay. Is there a second to the motion to grant the variance? Councilmember Kitchen seconds the motion. Go ahead.

>> Pool: Thank you, councilmember Kitchen. I just want to do make a couple statements. First off, I wanted to thank the applicant for working so diligently with the Brentwood neighbors. Brentwood was really, really involved in this project from the very beginning, and you'll notice that nobody is here tonight to oppose this particular element of the case, and that's significant. I also want to do thank Mr. Shunk and the excellent efforts of our flood staff because they bring really important information to us, and it certainly has informed the work that Mr. Hartman and his team is doing and has done on the parcel. Normally -- in fact, I can't think of even a handful of these flood variances that I've ever been willing not to approve -- I mean not to deny. It's late. But this one is different, and that is primarily because of the efforts that the applicant has gone to to put the entire structure above the floodplain, the numerous exit points, the elevated bridge, and the warning system that would also be part of this -- of this project.

[12:33:37 AM]

So I'll just leave it there because of the interest of time, but I really appreciate all the work that everybody put on this project, and I think it's a good one. It's a good one at this site. It's a good reuse of the first Texas Honda site. It's where I bought all my cars back then. I also would move to close the public hearing.

>> Mayor Adler: Okay. Further discussion on the dais? The motion is to grant the variance.

>> Houston: Mayor?

>> Mayor Adler: Yes, Ms. Houston.

>> Houston: Do we have any idea how many times in the past the properties flooded?

>> You asked Mr. Historical flooding? We don't have any reports of this particular site having flood issues in the past.

>> Mayor Adler: Discussion on the dais? Ready to take a vote? Councilmember kitchen? Ready to take a vote in those in favor of granting the variance, please raise your hand. Pool, Flannigan, Casar, Renteria, Garza, kitchen. Those opposed? The balance of the dais, troxclair off the dais. The variance is granted, 731.

>> Thank you, everybody.

>> Mayor Adler: 641. Okay. All right. We're almost to soccer. Let's do 81. We're getting close, guys. 81, this is montopolis, this is a condemnation deal. With respect to item 81 being a non-consent condemnation item, is there a motion to the effect that the city council of Austin authorizes the use of power eminent domain for the agenda for public uses described therein?

[12:35:55 AM]

Is there a motion, authorized condemnation? Mr. Renteria makes the motion. Is there a second to that motion? Mr. Casar seconds that motion. It's been moved and seconded. We have some people to testify. Do we want to hear from them? Susana Almanza. Okay. Fred McGhee, you have time donated from hetta alias. Is she here? No? What about Christian caballero? You have three minutes.

>> [Indiscernible]

>> Mayor Adler: Come on down and give the clerk your name. You have five minutes.

>> Good morning, members of the city council and mayor. It's been a long day. I've been here since 10 o'clock. Mr. Mayor, before I get started with my comments, I have a favor to ask of you. I would appreciate it if you would refer to me in these kinds of formal settings as Dr. Fred McGhee. You may not be aware of it, but my mother is pretty proud of the fact that I'm the first African American to graduate from the university of Texas with a ph.d. In archeology.

[Applause] And before that, of course I had a fairly distinguished military career, in the Navy diving community. So I am an African American historic preservation pioneer. And by doing restorative justice in this particular case, pursuant to what you approved with the hospital hot taxvote a few months ago, you would be righting a wrong.

[12:37:56 AM]

30 years ago, St. Edward's Baptist church, which is the sponsor of the building on this particular site that I hope you will condemn and put it to public hands for use as a museum, had its property taken by the city of Austin in an eminent domain proceeding under the justification that the city would build a road, and the city never built the road. Rarely, I think, does a body such as this get an opportunity to literally do a one-for-one, tit for tat, restorative justice like this. And I hope that you will right this wrong. We will, if this property gets placed in public hands, I promise you, not just in Montopolis, but elsewhere, take very good care of it. And we'll make sure that future generations will understand the historical significance of Austin's and Montopolis's working class and Latino and African American history. Something which our city has heretofore really been kind of not good in commemorating as much as the homes of rich people -- the homes of rich people in other parts of town actually not as old as Montopolis. With that said, I will, for the sake of time, be quiet and if you have any questions, I would be happy to answer them. It's been three years since the property was purchased by the current owner. It's been a long three years, and I hope tonight we can wrap it up. Thank you very much.

>> Mayor Adler: Thank you. Susana Almanza? Is Stephanie city council here? You'll be on deck.

[12:40:00 AM]

Is Austin Stowell here? He's donating time. You'll have five minutes. Ms. Almanza.

>> Good morning. I'm Susana Almanza and I'm the president of the Montopolis neighborhood. Contact team and the Montopolis neighborhood association. And as Dr. Fred Mcghee stated, this has been a long, hard struggle and a journey. It's been one where there's been a lot of pain. There's been a lot of hurt feelings. And then there also has been a struggle to save a historical site as the Negro school, and actually Georgia Steen is here and she'll be speaking. She was actually one of the students there at the Negro school. But I also want to thank you, mayor, because when this issue came out, we contacted you, and you opened your doors to have that meeting to talk about preserving the Negro school. And I know that we went through the historic commission and a lot of rules got changed, the way the historic commission voted, so I'm glad changes came out of this particular case. And I know, mayor, that we had several meetings with you, and some of them were very filled with tension because we were trying to preserve the history, and the history of the struggle of African American people in the Montopolis community, and that school, and it meant so much to us. And because we didn't want to see it torn down and replaced with condos and townhomes and \$300,000 homes when the median salary for people -- mfi median family income is 28,000 in Montopolis. It's still a place where there's a large amount of poverty but it's very rich in cultural history. As you know, Montopolis didn't become part of Austin until 1954, even though we were just there across the river, and it was once known as poverty island.

[12:42:07 AM]

So it has a lot of different history, and so we hope that you will use eminent domain so we can give and preserve the Negro school, and as Dr. Mcghee says, open it up as a museum and have projects and programs there for the whole city to enjoy. And I think this would be a good step in looking at the whole issue of institutional racism and righting the wrong of looking -- equity, meeting a lot of the goals, mayor, that you have set forth in this city. Because you will go down in history, never was -- never, and I've been here all my life, 66 years, and never before has a mayor made an issue of racism as an issue in the forefront in the history of the city of Austin.

[Buzzer sounding] 10:00 thank you very much .[buzzer sounding]

>> So I thank you very much for that. Thank you.

>> Mayor Adler: Is Dave Cortez here? Dave Cortez? All right. Please.

>> Hi. My name is Stephanie Stowell. My husband and I are at 500 Montopolis. I will echo the statement, it has been a very long three years. I've actually had two children in the amount of time that we've owned this property. We purchased it three years ago under the understanding it was a vacated church of Christ. So when we purchased it, we did not know the history that came to light. We have worked to make great attempts with time and finances to work preserving the structure privately. I'd like for you to reference item 93 and 94 that were delayed, but 49 is a staff-initiated zoning case that was unanimously approved by HLC to build six homes and preserve the structure that's now being delayed because of the eminent domain process.

[12:44:18 AM]

Very evident by today, I've been here six 10 o'clock also. Should a building offered for private preservation be on the taxpayers' budget list? Not only for renovation of the structure, but maintenance and future programming. If the city feels it's appropriate to take other property via eminent domain, we deserve market compensation, that the current flawed appraisal does not reflect. We ask if you do initiate through real estate services, do not appeal decisions made by the eminent domain proceedings at special commissions court. This does not need to be an ongoing appeals process and we would like to be done with it. Thank you.

>> Mayor Adler: Thank you. Council, we're back up to the dais. There's been a motion to authorize eminent domain. It's been seconded. Any discussion? Ready to vote? Ms. Houston?

>> Houston: Legally what exactly does that mean? Does that mean we continue to negotiate? Or does that mean we go ahead and initiate eminent domain? I don't understand.

>> By your action today, if you pass this you will be authorizing the city attorney to proceed with the eminent domain proceedings.

>> Mayor Adler: That doesn't as if preclude continued negotiations at any point in the process but it means the city would file a lawsuit in eminent domain and initiate the process.

>> Houston: The only reason I ask that question, we did this only once before that was to get parking lot at the university hills library when we first started, eons ago, and we still haven't gotten it, so I'm just trying to think about what is the timeline that we're talking about, to go through a process like this. And we still haven't gotten the property at university hills.

[12:46:20 AM]

>> Mayor Adler: Widely variable.

>> Houston: Okay.

>> Mayor Adler: How long it takes on any given taste. All right. It's been moved and seconded to authorize eminent domain. Mr. Flannigan?

>> Flannigan: So if staff can help me understand, my recollection is that there was an authorization to use hotel occupancy tax funding to maintain the site? Is that -- is my recollection correct about that? I'm just concerned about -- I mean after the purchase, how is the site maintained? How is it converted to a museum? Where does that -- how does that happen? I just don't want -- if we're going to do it, I don't want it to sit and Gow or whatever the word is.

>> I'm interim officer for office of real estate services. My understanding is the hot tax was to acquire the property.

>> Flannigan: Oh. So I guess you couldn't use hot tax for maintenance and operations? My recollection is fuzzy about what you can use that money for.

>> Mayor Adler: You can.

>> Flannigan: You can. And is that a future decision we'll make as a council or --

>> Mayor Adler: Future.

>> Flannigan: That's a future decision. But it's an eligible -- okay.

>> Mayor Adler: Let's take a vote. Those in favor of authorizing eminent domain, please raise your hand. Those opposed? It's unanimous on the dais with councilmember troxclair gone. One more item before we do soccer. One more item. Sorry, 113.

>> Good morning, mayor and council, this is -- I am Kerry Lang, assistant director for the ems department, and this item before you is to conduct a public hearing and to consider an ordinance on first reading for the application for republic ems ltd. For a non-emergency medical franchise transfer services. This item did go to the ems advisory board, austin/travis county ems advisory board may 2nd, and the advisory board recommendation and vote was against this franchise application.

[12:48:27 AM]

The information in the report was sent to you on may 6th. If you have -- I'll be available if you have any questions.

>> Mayor Adler: Okay. We have some people signed up to speak. Do we want to hear from the speakers? This is a public hearing considering an ordinance on first reading for non-emergency medical transfer franchise. Yes, councilmember kitchen.

>> Kitchen: I was just going to ask staff a question. Should I wait?

>> Mayor Adler: No, no, go ahead.

>> Kitchen: Okay. Can you speak to -- there's a board that reviews this. Right? Can you speak -- can you just speak for a few minutes about what action they took?

>> The austin/travis county ems advisory board, that is a board that is created through the Ila with -- with Travis county, and in the meeting on may 2nd, they made -- they voted against the franchise.

>> Kitchen: Okay.

>> Going into effect with the city.

>> Kitchen: Okay. Do you have -- I don't know if they came up with reasons for that or --

>> So -- so in the staff findings, there was some questions that the staff brought up, some issues that the staff brought up. Some of the billing practices that were brought up or that were identified during the review of the application caused some concern for staff, as well as a number of their -- excuse me, let me look at my notes real quick. In addition to their billing, some of their billing practices, during that meeting it was not evident who the full ownership of the organization was. Staff went back and asked for information about ownership and received some information this past Monday, but we're still not clear about the full ownership of the organization.

[12:50:35 AM]

And without that, we cannot complete the review of the office of inspector general exclusion list for medicare and medicaid services.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: Okay. Mayor pro tem.

>> Tovo: Just on that point, I'm sorry, councilmember kitchen, I missed your question. You were asking about the staff -- why the staff were recommending denial --

>> Kitchen: No --

>> Tovo: It was my understanding -- thank you for clarifying because I missed that first part. It was my understanding that the ems advisory board recommended that the franchise not be granted and that the -- I thought there was a recommendation from staff that it also not be granted.

>> Correct.

>> Kitchen: That's what I was asking.

>> Tovo: Great. I just want to do clarify, it was both of those.

>> Both the staff -- yes, ma'am.

>> Tovo: Okay. Thank you very much.

>> Flannigan: Mayor?

>> Mayor Adler: Yes.

>> Flannigan: Help me understand, because you couldn't identify who owned it.

>> Say it again?

>> Flannigan: Sorry, you couldn't identify the owners of republic?

>> The full ownership of police car. So when the application was turned in, the ownership was turned in as an ltd., and the way that the application is set up, it asks for partners, but ltd. Is set up with members, so one -- one partner was turned -- one member was turned in as the owner. So we asked for clarification on the full ownership, and the information that we got was that a, LLC, along with the member, was the owner of the ltd. And so we still don't have the individuals in place who are full owners so that we can run that information against the oig list.

>> Flannigan: And what is the oig list --

>> I'm sorry, the office of nonresponsive general --

>> Flannigan: What is the process where you're running it against this oig list?

>> We run every owner and employee against the oig list to ensure that they are able to do business with medicare and medicaid services.

>> Flannigan: Oh, I see. Thank you.

[12:52:37 AM]

>> Mayor Adler: Okay. Do we want to hear from the people testifying? Okay. Let's hear from them. Is Lance Keltner here? Is Lonnie shortlick here?

>> Actually, Dr. Shortlick had to go back to corpus Christi, Texas because we ran late and the other had to go back, he stayed as long as he could.

>> Mayor Adler: Apologize for that.

>> No worries. Thank you very much for hearing me out. I brought this up to you guys actually last summer, and I don't work for public ems. I have a video production company, and I was really introduced to these people based on my video production at freestanding emergency centers. Just to go over that very quickly, if you aren't familiar with that program, freestanding ers are set up as a very boutique, all inclusive er that a person can go there and be treated any way they can at a major hospital er. The major differences are you get seen by doctor within about five minutes. So republic ems is a boutique company that works particularly with freestanding ers. They are licensed to work with over a hundred clients here in the state of Texas. They work in Houston, they work in Dallas, they work in a lot of other major markets. And what I found is, dealing with the doctors and the owners of the freestanding ers, they were incredibly taken with the amount of care and customer service republic put into the job they do with these freestanding ers. They found they were able to have across the board republic will show up within 15-20 minutes to transfer a patient that needs to be transferred for surgery or hospitalization, as opposed to some of the larger companies that take Dwight some time to do so. In fact, I had lunch with an owner of a freestanding er here in town that said that the largest ems provider in the state of Texas, which is here this evening, took an average of an hour to hour 25 minutes to transfer their patients to surgery.

[12:54:47 AM]

So there's eight customers of republic ems that used them in different parts of the state now that have either facilities that are open here in Austin or facilities that will be opening in the next few months. And what republic to be able to do is service those existing customers that now operate in Austin. I'm very big on the free market society, and I know that we are a free market society, and I believe that keeping this company through -- from operating in Austin is like H-E-B, using their clout, to try to not have a neighborhood grocery store open in a neighborhood in town. The larger people here, they're huge, they're established. However, republic does meet the needs of a very niche group, which is the freestanding market. And I don't see any harm in them operating here. I attended the meeting, the ems advisory board meeting, and it was absolutely -- how do I say this? It was ridiculous. The gentleman that was supposed to run the meeting walked in and immediately tried to table this and not even hear it. He didn't even want to have the hearing. Later in the meeting -- if you'll let me just finish this one thing --

>> Mayor Adler: You can finish your point.

>> Later in the meeting his excuse for that was, he literally said, I don't -- I want to wait and see how this might affect acadian. I'm like, okay, you work for austin/travis county ems, you're not supposed to be favoring one company over another. So if there's some details that need to be worked out here, republic has all that information. I know they do because I know these guys now. And I'd like for you guys to give them a fair shake.

>> Mayor Adler: Thank you.

>> I appreciate your time.

>> Mayor Adler: Thank you. Is Clint boatman here? Daniel Osborne? Gus Peña?

[12:56:47 AM]

Sir.

>> Good evening, Mr. Mayor, mayor pro tem, and councilmembers. My name is Daniel Osborne. I'm the president and CEO of republic ems. I just want to go ahead and clarify a couple of things as well. I did respond to the ownership question. Republic ems is an ltd.,

--[indiscernible] LLC is the partner and there's another partner. I'm sole owner of both those entities. We've been in good standing with medicare, medicaid, and the state health services for over ten years. Notify problems with those entities. All of our charts are filled out by certified ambulance coders and we have two compliance people in our office. We are a small business. I have -- I represent 200 employees. 99% of them have commercial insurance. I'm also an eight-year Houston fireman. I left -- republic has always gone because of need. Okay? We went into Beaumont, we went into Baytown because these freestanding emergency centers were not getting the service that they needed. I didn't want to go to those areas. I'm not -- I'm in Austin today, and I love your city, I love you guys because you -- your city is amazing. This is where I come to relax. I come from Houston. You guys know what you're doing. But with republic, I have 17 ambulances. There's members in this room that have over 300. And you guys have the three largest ambulance services in the state of Texas. Two of them aren't even based out of this state. They could drop 30 more units here tomorrow. One of them could, if there was a need. I have units and there were medical professionals, there were two er doctors here that know, that call us, that use us, that are opening facilities here, and they're unable -- they already know what they're up against. They've already been up against in it these other markets.

[12:58:49 AM]

I operate in every greater metroplex in Texas, and in a lot of smaller entities, including College Station. And I work side-by-side with these other entities. I respect these other entities, and I am not trying to compete against them. I can't. I'm just here to provide another alternative option, a texas-based option, and I appreciate your consideration.

>> Mayor Adler: Thank you.

>> Can I ask a question, mayor?

>> Mayor Adler: Yes, question.

>> Garza: Can you speak to -- seems like there were two concerns, that the advisory board had an issue with billing, and then the -- the inability to determine the ownership.

>> Yes, ma'am. So on the billing practices, we pride ourselves -- and I'll tell you some other things that are very important. Republic never sends an account to collections. I've never put a lien on anybody. There's ambulance providers, big boys that do. I will never send an account to collections on -- for any austinites. Most medical facilities don't -- they send to it collections. Our billing practices, we bill, I'll give you an example, on medicare, for instance, we have software, medicare wants to bill to fractional mileage. So 8.1, we bill 8.1. We had an error between our system and the clearinghouse, that some of those charts were not being rounded to that fractional. We corrected that and made good on it. It was something that we didn't even know about. I really really appreciate, after going through the process with austin/travis county ems, we did send a couple people to Las Vegas to up our compliance. We have new compliance policies in place. And we took care of those issues. But I'm not the only plans provider with those issues or that have had worse issues in the billing side.

[1:00:50 AM]

As far as ownership, we are an ltd. An ltd. Is not a common business in Texas. It has -- these two wonderful attorneys -- we have a general partner and we have a limited partner. The liability lies with the general partner. Beep LLC. I'm owner of beep LLC. I'm also owner of the limited partnership and it reflects that on our insurance. I can also produce my 855b, my medicare paperwork that I turned in years ago that reflects that ownership. I'm in good standing with all of those entities. We bill not as many as most people, but we bill two or three hundred medicare claims a month, and I've never had an issue with medicare. One of the things we do employ 65% off-duty fire and ems. That's something else that's really autism about republic, because we want that higher quality person on that unit going to those freestanding emergency centers. Coming from Houston fire, we don't bill anything that we shouldn't bill. I wouldn't do that to the guys on the units. I wouldn't ask them to do that. And I will gladly give all my records, be as transparent as possible.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Thank you for responding.

>> Yes, ma'am.

>> Kitchen: I wanted to just ask a little more specific question, if I could.

>> Yes, ma'am.

>> Kitchen: I'm sure you've seen the report, so what I wanted to ask about is the report talked in terms of examples of pcrrs being billed at a higher level of service than the documentation indicated. And if I'm reading this right, talking about billing for emergent transports even though the documentation contradicted the emergency level, I think you're familiar with what I'm talking about?

[1:02:53 AM]

>> Yes, ma'am. Absolutely.

>> Kitchen: If you want to speak to that.

>> So we transfer primarily on a freestanding emergency centers, these patients are going, it's upgraded care, they're going to the hospital. Not every single one of them is going for surgery or -- they could be having a cardiac issue that they're going for directed med. Majority of our patients are directed med. We do have some that are in Austin in those emergency situations, you guys -- we would utilize -- they would utilize austin/travis county for those. We transport some of those patients in some of the other locations around Texas because the 911 system does not provide those transports. And some of the area, the gray area of -- is it emergency, is it not emergency, that's up to the coder, the person billing that ticket out, and we have compliance things in place to make sure they're billing appropriately. And there's things that are open to -- everything that we bill is billed to medicare standard. And it's in writing. And we provided that documentation also after the meeting, to show that.

>> Mayor Adler: Okay. Thank you.

>> Thank you.

>> Mayor Adler: Is Eric Thibodeaux here? Is Amanda balm here in you'll be up next. Is Shannon Eller here? You're donating time so when you come up, you'll have five minutes. Sir, you have three minutes.

>> Good morning, council and mayor. I'm Eric Thibodeaux with

[indiscernible] Ambulance. Since 2007, acadian has been one of two private ems non-emergency medical transport providers in the city of Austin. We have abided by the rules and regulations by the franchise, and until just earlier this month we added a third franchise holder who is standing right here in the room as well, and we just ask that there be time allowed to see what effect that has on the system as a whole, as far as emergency and non-emergency medical transportation is concerned.

[1:05:13 AM]

Thank you.

>> Mayor Adler: Thank you.

>> Houston: May I ask a question right quick? Sir?

>> Mayor Adler: Sir?

>> Yes, ma'am.

>> Houston: So you don't mind another vendor coming in you just want to wait to see the impact?

>> The impact on adding the third vendor that was just added earlier this month.

>> Houston: That was just added.

>> Yes, ma'am.

>> Houston: Do you all only do runs to freestanding emergency clinics, or you do everybody?

>> No, ma'am, we take care of everything, non-emergentwise in the city of Austin.

>> Houston: Okay. Thanks.

>> Mayor Adler: You have five minutes.

>> Thank you. Good morning. As Eric said, allegiance mobile health, I'm district manager for allegiance in this area. We did just begin our franchise services. It was 16 days ago, now it's 17 because it's 1:00 A.M. We did a great deal of research to provide the necessity of a third service coming into the city. But at this time, there's not enough data to prove that a fourth service is needed, not even to provide services to the freestanding eds. There's a handful of freestanding eds inside of Austin and a handful that are in the surrounding area. Since we just began about two weeks ago, almost three weeks ago, we haven't reached our full capacity, and so to echo what Mr. Thibodeaux said, we do also request that it's denied at this point until there's enough data to prove whether or not a fourth service would be necessary inside the city. According to the city code, that public convenience must be met in order to provide a franchise to this fourth provider, and I don't think -- right now there's no data because we haven't even finished our first month yet. So until there is data, I don't think that adding a fourth service is appropriate.

[1:07:13 AM]

>> Mayor Adler: Thank you. Is that an ordinance standard? Is that -- do we have to make a finding or effectively find that there's a public need?

>> Yes. The ordinance requires that the applicant prove a public -- that they provide a public convenience by being added on as a service. And also, the code does require that all franchisees -- that you cannot -- franchisees can not only did a niche portion of the service, they have to provide the service to everyone who makes the request. And so with the applicant, only focusing a niche, we cannot prove that they have provided the services or have the ability to provide the services to our organizations that may require it, like dialysis centers, to hospitals, or hospital to hospital, because they only focus on the niche that they provide from freestanding to hospitals.

>> Mayor Adler: Okay. Thank you. Ms. Houston?

>> Houston: Ms. Lane?

>> Yes.

>> Houston: Is that a statewide regulation, that you can't have a niche --

>> No. The current ordinance --

>> Houston: Is that a city --

>> It's a city ordinance.

>> Houston: Okay.

>> That says that you cannot -- you have to provide services to anyone who makes the request. You cannot -- you cannot defer services because you only focus on a niche. So if they became a franchisee, they would have to be able to provide services to anyone who called.

>> Houston: And one other thing, they are operating in Houston and some other areas. Do you do reference checks with the freestanding emergency rooms in those areas?

>> They provided a number of references and recommendation letters in their application, and we did look at those. Some of the information in the recommendation and references indicated that there was a long wait for services for the freestanding er, so we went back and looked at our numbers here in Austin.

[1:09:25 AM]

And in Austin, there is not a long wait. We -- we have a minimal number of freestanding ers and right now the longest wait, the longest average rate that we saw was 39 minutes. And the ordinance allows for an hour for non-scheduled requests.

>> Houston: Okay.

>> Mayor Adler: We have one more person to speak. Is Troy mayor here? Last speaker. Mr. Mayor.

>> Good morning. Thank you for allowing me to be here. I've made this similar presentation before whenever I am representing my company, acadian plans service. Likewise, tonight, it's no different than the past message that we've delivered. We really do not believe there's a need for another plans service here in the area. You now have three franchise providers serving the needs of the non-emergency transportation system here in the city of Austin. I feel we do a very good job, a great job, in fact, and now having three, we're working as a team in order to meet the needs of the hospital systems, the nursing homes, and whomever else is calling for non-emergency. As Amanda pointed out, there's not been enough time to fully understand the effect of having a third. We need to remember as well that just because you're increasing a number of plans services here does not necessarily mean you're increasing the number of transports that are taking place. It's further diluting it and taking away from one area. We are not taxpayer-based, we are not subsidized, so we're lying upon the business that we have. We're very transparent, we provide compliance support to the austin/travis county officials every month. They see what we're doing. We have to meet their requirements. The percentage, the mandates. And we're doing just that. And if for some reason we're not, we are being held accountable in answering to those questions.

[1:11:25 AM]

So, again, transparency is something I truly believe is important, and the three organizations you have here now are very transparent. I am hopeful that you would see to it not to allow this fourth provider to come into the area and allow us to continue working with the three agencies you have now partnering together to meet the needs of the citizens. Thank you.

>> Mayor Adler: Thank you. Mayor pro tem, you want to make a motion?

>> Tovo: Yeah. Based on my review of the report and the findings, I'm going to support the staff's recommendations and the advisory board's recommendation and make the following motion. Because the applicant has not demonstrated by clear and convincing evidence that public convenience will be served by granting this franchise, I move that we deny the issuance of the franchise.

>> Mayor Adler: Is there a second on the motion? Councilmember pool seconds the motion. Mayor pro tem, do you want to address it or --

>> Tovo: I think we have, after reviewing the report and the staff's recommendation, I'm going to go with the staff's expertise on this and their assessment that the application doesn't meet the findings of the -- of our ordinance.

>> Mayor Adler: Further discussion on the dais? Ms. Houston?

>> Houston: I know absolutely nothing about freestanding emergency rooms except one of my good friends is a co-owner, doctor of one over on far west, and doesn't have anything but good things to say about this company. They didn't know that I knew him. He wasn't on -- I met with him, I guess, over a year ago, and I just picked up the phone and said, do you know anything about these folks? And had a reference not only from Austin but from Houston where two brothers, and one's in Houston, one's here, but anyway, nothing but good things to say about the fast response time and sometime -- anyway, I'm just very confused about the whole thing.

[1:13:28 AM]

And -- I don't --

>> Mayor Adler: Fillmr. Flanniga N.

>> Flannigan: I'm struggling with Ethan as well, and that it's -- I'm not convinced that restricting a fourth provider is a benefit. I feel competition is a benefit, especially when there's no taxpayer subsidy. I would -- I would support either a postponement so there was more time to further dig into this, or un approval. I won't support just a denial outright until I feel more comfortable that I have all the information. That's where I'm at right now.

>> Mayor Adler: And I have question for staff. If we denied this now, does that mean that they couldn't come back in six months or a year and make an application?

>> If this is denied now, they would be able to come back. However, the ordinance just put a moratorium in for a year so they would be able to come back after June 30th of 2019. But they could come back and reapply.

>> Mayor Adler: For me on this one, I'm convinced this company, to me, seems to be very good, and I can understand how the recommendations that Ms. Houston heard would be favorable. But I don't think that's the issue that's in front of us. I think that the issue in front of us is, as the mayor pro tem set out, for whatever reason, we're in the position of rewarding or not rewarding franchises, so this is not an open market situation. It's our job to grant an additional franchise if the applicant makes the showing that there's, in essence, the need or the additional convenience, and a showing hasn't been made.

[1:15:32 AM]

We just added another franchise. It could easily be that with this new franchise in place, we still have additional need and bringing in an additional franchisee could help serve the community better in overall service, but it's going to take time for that to be determined, proof wasn't made to date. Councilmember kitchen.

>> Kitchen: Yes, I agree with what everyone has said. I am -- I'm going to have to support the staff's recommendation and the advisory board's recommendation, but I don't -- I don't read it as based on the number of franchises. They raise some very -- in their words, serious concerns as part of their review. And so I'm going to have to rely on that, and that, combined with the fact that it sounds like at some point in the future, this company could come back, it also concerns me what the staff raised in terms of the oig review, which is a very important review process. So at this time, I'm going to support the mayor pro tem's motion.

>> Mayor Adler: It's been moved and seconded. Any further discussion? Councilmember pool.

>> Pool: I'm going to support this as well, and if I'm right, this is just first reading. Is that correct?

>> Mayor Adler: If we deny it, I think that it's over. Ready to take a vote? Those in favor of the mayor pro tem's motion to deny the franchise, please raise your hand. Those opposed? Those abstaining? Garza abstains, Houston opposed, the others voting -- let me back up. Houston and Flannigan voting no. Garza abstaining. The others voting yes.

[1:17:34 AM]

Troxclair off the dais. The franchise is not granted. Okay, gets us to soccer.

[Cheers and applause] All right. You guys have made it into the next round.

[Laughter]. We have three Tuesday in front of us, counsel, items 60, item 117, item number 130. We're going to call all those at the same time, meaning that people who come up and testify will speak to any one or more of the three items. You certainly don't have to take the same position on the three items. And we'll take a vote on them at the end, separately or together, based on what the testimony looks like. Councilmember pool.

>> Pool: Mayor, given the late hour and the number of people who want to speak, I'd like to ask that we limit the testimony to a minute per person so that we can -- I think we can get the sentiments -- I think we can --

>> Boo!

>> Mayor Adler: Hang on. Hang on.

>> Pool: That I think we can get a good sense of the sentiments in that amount of time and then let people get to our resolution and we can do this expeditiously. Thank you.

>> Mayor Adler: Okay.

>> Flannigan: Mayor?

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: I am often in agreement with that sentiment. However, I am often consistent in my belief in that sentiment, and I think there have been plenty of occasions where we've been at a late hour and when there's a lot of people that -- I just think we've been in this position before and regardless of the majority of the crowd's position, we have ultimately granted the typical process. And so I think we should continue to grant the typical process.

[1:19:37 AM]

>> Mayor Adler: Okay. Councilmember pool.

[Cheers and applause]

>> Mayor Adler: So councilmember pool has suggested we go to a minute each. Is there a second to that suggestion? So we're just going to continue on.

>> Pool: So just to -- our typical process, so everybody knows what to expect.

>> Mayor Adler: All right. In our typical process, the first 20 people that speak, speak for three minutes each, then we go to one minute. That's our standard rule. Before we start, I want to say something that we said earlier this afternoon. My sense is, as you're -- as you are talking to the council, there have been amendments that the mayor pro tem has made to her item, which is item number 130, which at this point I think has brought over support from some or many or all of the people who did item number 60. With respect to item number 60, there were some amendments that were made by councilmember pool, and a description of how 160 -- how 60 would be handled if it passed, that came from staff. That's been posted in backup. It's also on the message board. And with that, because it as if

--because doesn't it impact the timing, I think there is some if not more or all support for item number 60, and that includes me. And we can talk about those kinds of things as we get into the discussion. But it looks like that's going to be able to move forward, and the staff is going to be told to negotiate in

earnest with the soccer team and come back on the 9th with deal points. And that, if you can reach that, as well as the staff receiving whatever proposals anyone would like to submit otherwise.

[1:21:46 AM]

So I just want to let you know that that's probably -- that's where the sentiment of people are. Just want to do give you that background. Mayor pro tem.

>> Tovo: Mayor, I know that we had lots of young people here earlier and we have very few of them now, but it's my understanding there may still be a few so when you call up the testimony, if we could start with any children that are left who still want to testify.

>> Mayor Adler: Okay.

[Applause]

>> Mayor Adler: Earlier this evening I think we had 50 soccer players up here and most of them gave testimony earlier. I'm sorry?

>> Kitchen: Mr. Mayor?

>> That counts as your first 20.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Just a quick question. Mayor pro tem, I don't know if I have a copy of your latest version because I know you had some amendments. Or is it all on the message board?

>> Tovo: My latest version with the amendments is the one that was posted in backup yesterday, so probably the one that --

>> Kitchen: Okay.

>> Tovo: Probably the one that we're working from is the same one.

>> Tovo: Okay.

>> Mayor Adler: All right. Let's get into the testimony. Like we say, first 20 are going to have three minutes. It's going to be one minute after that. If you have donated time from someone, the donated time is at one minute and won't count against the first 20. Don't feel a need to take all the time if you don't want to, but you're certainly welcome to. All right. Let's start the people. Susan serrells here? Come on down. Is Kathleen funk here? Kathleen funk? No?

>> Yes.

>> Mayor Adler: Yes?

[1:23:47 AM]

Okay.

>> Hello. I am Susan Sorrells. I've been in Austin 41 years, 36 of those years in quail creek. I'm in district 4. While mckalla is district 7, quail creek is the closes neighborhood. Mckalla will impact district 4. From my driveway is 1.2 miles in a car. It's much closer as the crow flies. No neighborhood will be impacted more than quail creek. Mckalla development is in our backyard. We've got to focus on the needs of Austin when deciding Mccall a. Of course those are affordable housing, controlling taxes, and traffic gridlock. Currently, in the Mccall a area, traffic includes the domain, capital metro bus barn as 183 and burnet and a hub for breweries on metric boulevard. Coming soon in a very small area, we have the broadmoor expansion across from the domain which will add at least 2,000 houses units, two multistory apartment obligation burnet and breaker and around the corner on burnet. This is a small area to support all this. This area cannot even absorb the coming soon traffic, let alone the traffic and parking in a 20,000-seat venue would bring. This is really not viable. The parking spots referred to in the surrounding businesses that may be available for soccer patrons may conflict with the brewery patrons who currently park far and wide on weekend nights. And even if these parking spaces are real, it just adds to the traffic horror and the knowingly -- and knowingly sentences the mcmckalla placea area to a transportation hell. This will be paid for by Austin taxpayers. This is backwards and this is wrong. City-owned property should generate revenue for Austin taxpayers. It's this council's responsibility to evaluate all options for mckalla. Mckalla development must not be an egregious burden to one small part of Austin stretched to its limit, nor cost Austin taxpayers money.

[1:25:56 AM]

It should generate revenue. Austin may be the perfect location for major league soccer but not mckalla, not city-owned land and not underwritten by taxpayers. In closing, if you would not put a 20,000-seat venue and everything it brings within one mile of your home, I ask you not to put it within one mile of my home. First and foremost, your obligation is to the citizens of Austin. Corporate freebies offered to any business are paid for by Austin taxpayers. Please be mindful of what you are doing to those of us who are working class austinities, around currently struggle to stay in our homes and pay our taxes. Thank you.

[Applause]

>> Mayor Adler: We have lots of folks that are going to speak. What we have learned is that if we have applause between each speakers it adds about 20 to 30 minutes on the night. So there's a general custom in here following from Ms.

>> Houston: That introduced this, that works really well, if you show your appreciation by snapping your fingers or jazz hands, that'll enable us to keep going and we'll be able to see the response that we have. I'm going to call you then, I'm going to call all the kids that we have in here.

>> Alter: Mayor, is it possible to get that mic moved down? It's hard to hear from that.

>> Mayor Adler: Yep. Why don't you pull that down. Good job. Okay. I'm going to let Ms. Funk go, then we'll get the kids. Ma'am.

>> Thank you, mayor Adler. My name is Cathy Funk, I live in district 4. I'm here this morning because I'm very concerned about the traffic and the parking problem that would be created by putting any large venue in Mckalla place. I have a very unique perspective because I've lived this past 21 years one mile away from Mckalla place and before I lived in Austin I lived in Ohio -- at Ohio State University, exactly one mile away from that stadium.

[1:28:01 AM]

So I know a little bit -- I know a lot about both areas. That stadium is located on the Ohio State Fairgrounds, which is 360 acres, and has 14,000 parking spots. Mckalla only has 24 acres and supposedly 1,000 parking spots. In Columbus Interstate 71 runs adjacent to the stadium, you exit the freeway and drive a short distance on a large city road, then drive straight into the massive parking area. But at Mckalla we would get off of the already more congested Mopac Expressway, drive down Breaker and Burnet, both of which are already overwhelmed with traffic, and then be funneled into a very narrow space, and that is a guaranteed bottleneck. Even though Columbus has a freeway leading almost directly into their stadium, their traffic congestion is awful and their parking is chaotic. And I urge you all to go online and look at the recent reviews of that stadium and the parking and traffic situation. Just in the past week, countless reviews have been posted complaining about that very situation. Now, imagine how much worse that would be in Austin with our already horrendous traffic. In Columbus, people who don't want to pay the exorbitant parking fee head over to the neighborhoods that surround the area and park there, and I'm sure that that would happen as well in my neighborhood, which is the closest one to Mckalla. And I'd like to tell you a little bit about my neighborhood. Cook Elementary School is one block from my house and I'd like to give you statistics about that school. 94% of the students at Cook are considered economically disadvantaged. 88% are Hispanic. 70 are in bilingual classes.

[1:30:03 AM]

Now, this is Quail Creek. This is the families that make up a huge part of our neighborhood. These kids get out there, they ride their bikes in the streets, they play ball and they run around, they laugh and they have fun. And they're wonderful families. However, very few of those parents are going to come down here to city council and speak. And a lot of them aren't even eligible to vote in this city. So I believe this neighborhood needs to have a voice, and that's why I'm here.

[Buzzer sounding]

>> Mayor Adler: Thank you very much.

>> Is that it? Thank you.

>> Mayor Adler: Why don't you introduce yourself, tell us your name.

>> Hi. I'm Luke.

>> Mayor Adler: Hey, Luke.

>> Should I go ahead and start? Okay. Hello. My name is Luke. I am 12 years old, and I've played for nasa and lone star soccer club. I've been playing since I was three years old, and I love the game. Soccer teaches me about teamwork. It's taught me that you can count on other people, that when you're in a tough position, you can pass the ball to a people mate. Soccer has taught me that life is about more than skills or winning and losing, it's about giving it your all and playing with your heart. I think that everyone should get the chance to play soccer because it's a great sport, but I know that's not the case. I know I'm very lucky. I know if a major league soccer team comes to Austin, they will give scholarships to make it possible for kids to play on a team. If city council makes the decision to bring a major league soccer team to our city, it will be an important part of my life. I'll be able to grow up going to games with my family and some day I might even bring my own kids. Mayor Adler, mayor pro tem tovo, and councilmembers, on behalf of my dad, who is also a soccer player and soccer coach, on behalf of my mom, my two brothers, friends, and teammates, please make the decision tonight to bring major legal soccer to Austin. Thank you for your leadership and your consideration.

[1:32:03 AM]

>> Mayor Adler: Thank you. Good job. Good job. What's your name?

>> Good morning. Mayor Adler and councilmembers. I'll try and keep this short. It's pretty late. My name is [indiscernible] Scruggs. I'm 17 years old. I'm here urging you to vote yes on 10. I played soccer for nearly my entire life. I come here today to voice my hopes and the hopes of many other kids I know just like me all across the city. When I first heard the rumor of a soccer team coming to Austin, I was overjoyed. The prospect of finally being able to go to a sporting event that didn't involve the university of Texas, although I love them, was quite intriguing to me. Being able to root for something the city of Austin can call its own is something I think could be incredibly special to all austinites. The success of a professional sports team to this city can't be solely predetermined on monetary values. There's so much more to gain by having a sports team than just money. A team and a stadium offer a venue for the community to come together. In a time where so many things divide us, a soccer team can bring the people of this city together no matter our color, our class, or our creed. I urge this council to support opening negotiations to bring mls to Austin immediately. Please vote yes on 130. Thank you.

>> Mayor Adler: Thank you very much. Good job.

>> Flannigan: Mayor?

>> Mayor Adler: Yes, Mr. Flannigan.

>> Flannigan: I just want to thank the young people that stayed late, and it might be the last thing that gives me hope for the future of this nation to see how well spoken you kids are.

[Applause]

>> Mayor Adler: All right. Adam Cahn. Why don't you come on up. Is Johnny D Lemone here?

[1:34:05 AM]

Is Paul Lemone here? He left. Okay. Is David Wyatt here? All right. John. You're going to have three minutes when you come up. Mr. Cahn, three minutes.

>> Thank you. Adam Cahn. I've lost track of the numbered items, so I will say I am testifying against fast-tracking a soccer stadium and for an open and competitive bidding process. However that works out on the agenda items. Now, I'm sure you're going to get a lot of arguments and a lot of testimony tonight that basically comes down to corporate welfare being bad. I could -- I've got plenty of notes here that I'm going to cross out and just save time, but I'm going to plus-one on everything else you're going to hear on that subject. I look at this proposal and see what's being discussed right now and honestly I'm seeing two things, a potentially 80-year lease term, and a long-term property tax abatement. And both of those things by themselves are deal breakers. I don't need to go any further. That being said, what really disappoints me and what really leaves me just saddened by this entire process is that Austin is being that scumbag city that is trying to steal someone else's team. What has Columbus, Ohio ever done to us that we are trying to steal their crew? I know nothing about soccer beyond the fact that, apparently, the Columbus crew are an iconic franchise in major league soccer and their fans do not want them to leave Columbus, Ohio, and I don't see why we should stab Columbus, Ohio, in the back to steal their team. #Save the crew, I guess by default, but finally, finally, the one thing that I really do want to say, and this is the one thing that I want you guys to listen to me about, it is the business model under which major league soccer operates.

[1:36:19 AM]

Major league soccer is a ponsy scheme. This is a league that I don't know what's going to happen in five years, but I would be shocked if it continues to exist in ten. And we are potentially considering a 20- to 40- to 80-year commitment on a league that does not have a sustainable business model. I urge you to read this in a lot more detail. Dead spin.com has been working on this for several years. I could brief any of you any more so, but the business model of major league soccer is not sustainable past maybe six or seven years, and that is the number one reason why this will be a bad deal for this city in the long run. Thank you.

>> Mayor Adler: Thank you. Mr. Lemone, you have three minutes. Is Craig here? That I go nezzar? Go ahead.

>> My name is Johnny Limon, and I'm here as one person, but, you know, I do come from a family of over 3400 members. Here in the city of Austin. And I want to say one thing, I'm glad that I heard what the young person said a while ago, but even some of the ones that spoke earlier about a divided city.

Ever since I-35 was built, our city has been divided. And one thing that I have been also noticing is that myself, hispanic, Latino, Mexican American, I call myself a tejano because I'm a proud Texan. But here in the city of Austin there's a lot of advances that happen here in the city, in parklands, on parklands, a lot of events that are for profit also, that do not include our culture. Our music. And I was happy, and I thank Mr. Dave greeley for giving me as one person a chance to meet with him, to talk about these things that -- where the city has fallen short in addressing us, welcoming the hispanic/latino population in Austin.

[1:38:36 AM]

One thing I can say, the majority of hispanic kids and Latino kids, whatever we fall under, is they play soccer. Soccer is their number one sport. And I'm glad to hear that, you know, the younger kids saying that it would unite us. And I think that it surely will. And I'm very happy that when I talked to you, Mr. Greeley, I mention -- the culture thing because right now, we -- many of us of mechanics Dan American descent, we go to San Antonio to celebrae our culture because there's not really much here that includes us. And I'm glad the soccer -- even though I don't know too much about soccer, but I have a lot of little nephews and one niece that I know of, but a lot of other little cousins that also play soccer. And so I feel that very true that soccer will unite this city because this past week, I went around driving around during some of the soccer games, and the mixture of people that I saw there supporting soccer, regardless what team was playing, they were united. They all were happy. And I think that is something that will be, you know, really be real helpful for this city in uniting all of us, that the city of Austin has something that united the majority of all the people, regardless of what race he was, was the aqua festival. I know some of y'all are native austinities, remember the Austin aqua festival. Every night was a different ethnic night. German night. Italian night. Mexican night.

[Buzzer sounding] Every night. And that was, you know, one of the greatest things that happened in the city. And I think that soccer would do that to Austin, especially to culture events.

>> Mayor Adler: Thank you very much.

[1:40:39 AM]

Is Roy Whaley here? Is Ed English here? Come on down, Ed. Is Chad benicky here? No? What about Jimmy smart? No? You'll have three minutes, Mr. English. Go ahead.

>> Hello, Austin city council. My name is Craig nazer. I'm a member of the conservation committee of the Sierra club Austin regional group. I want to thank you for staying here so late tonight. I'm here representing the Sierra club to ask you to please be certain that whatever agreement you make as to the disposition of the mckalla site, you protect the integrity of the cat kale wetlands in Austin as headwaters of little walnut creek. Preserving this wet land does not mean destroying stormwater detention ponds on top of it. It means preserving and restoring the wetlands with natural vegetation, surrounded by

proper setbacks and mitigation for any impervious cover added to the rest of the site. I visited this property a number of times. Growing on a portion of this site are cat tails, willow trees, cottonwood trees and sick more trees. All of these plants, particularly cat tails, require perennial water to grow. The watershed protection department has made a brief examination of this site. I believe a more thorough examination of this site, including examination of historical aerial photography will show that before any development this was a wet land. You'll find the headwaters of shoal creek, as well as segments of bull creek watersheds. There used to be a cat tail wetlands near headwaters of shoal creek. It is now buried under the Arbor walk parking lot. As you know, shoal creek has major flooding problems. There are two creeks in my neighborhood about a mile northeast of mckalla site that have seen significant erosion due to impervious cover placed under headwaters.

[1:42:44 AM]

One site, north star greenbelt, is being successfully mitigated through a watershed restoration project. The other creek, mostly on private property, ace more serious problem. A small creek in the 1907s, this is now a 30-foot deep gully undermining private structures and city infrastructure. The fix will cost over a million dollars and private landowners are being asked to pay a significant amount of the expense. This is the direct result of too much impervious cover built on the creek headwaters. The upper end of little walnut creek flows mostly through private property in district 4. It also flows through some fine city parks. I hope we can agree that increased flooding on little walnut creek is not a risk worth taking. I have been told by the watershed protection department that the entire walnut creek watershed continues to be out of compliance with the federal clean water act. Through much effort, this situation is slowly improving, but this progress could be easily reversed through unwise development. In addition, due to current federal inaction, climate change will continue to have increasingly devastating effects on Austin, particularly when it comes to water quality erosion and flooding. My concern is that the enormous political pressure now being placed on the city to make a quick decision on the mckalla site will result anything nothing of science and damaging the watershed. Private corporate profits will not mitigate for such an error. Thank you very much.

>> Mayor Adler: Thank you. Is Tina cannon here? Tina cannon here? No? What about Susana Almanza? Richard suttle? You'll be at this podium.

>> Mayor, I had a donor for time who wasn't able to stay, and I have a substitute donor who wasn't able to sign up because he couldn't find my name.

>> Mayor Adler: He can just go to the clerk and give the clerk his name and then you'll get donated time.

>> Yes. So I have five?

>> Mayor Adler: Five minutes.

>> I probably won't --

>> Mayor Adler: What you have is four minutes.

>> I probably won't even need that.

[1:44:46 AM]

>> Mayor Adler: Okay. You have four minutes.

>> Mayor -- excuse me, mayor, mayor pro tem and councilmembers, I'm Ed English and a long-term -- excuse me. Long-term resident of north Austin. These agenda items are about priorities. I'm a sports fan and understand the excitement that a sports team generates. Having a professional sports team call Austin home certainly has some allure. I get that. But we are at a critical point in addressing our housing needs. As a friend of mine put it last week, we don't have a soccer crisis, we have a housing crisis. The mckalla site is in my neck of the woods. I've lived in the area 35 years. I've driven by the site all those years and done business with a company on mckalla. Suffice it to say I know the area very well. I would love to see the site used exclusively or at least significantly for affordable housing. By the city's own analysis, the mckalla site is the best site in Austin on city-owned property for housing. It is in a high opportunity area with major transportation but route in burnet road, a great east/west route in breaker, two elementary schools nearby, hundreds of job opportunities nearby at the domain, the business hub of Braker and metric, even the pickle research center. North Austin medical center is near on or about and H-E-B not far away. Almost any box you want checked as desirable for an affordable housing location is indeed checked. Doesn't our need for affordable housing rise to the level of importance to at least open the site up for competitive bids that might include using the site predominantly for housing? To fail to at least explore that option is to signal to the citizens of Austin what your priorities are. The bookings institute did a study study of sports stadiums and used some examples to make their points. Consider the issue Baltimore faces -- consider the issues Baltimore finds itself facing with their stadium.

[1:46:50 AM]

For foregoing \$14 million a year in tax revenue, they've seen no measurable economic benefit, no payments on the revenue stream they were promised, and even had to place liens on the stadium for unpaid water bills. The point that I'm attempting to make here is trust but verify. It's rather obvious that you're going to enter into -- excuse me, it's late -- it's rather obvious that you're going to enter into negotiations with Precourt, and I would ask that during those negotiations, you consider substantial penalties for non-performance on their promises. In addition, a lawsuit against Precourt has been allowed to proceed with a court ruling earlier this week. Are we dealing with a company that can even move to Austin, and should we be negotiating at this point? Also, with the prospect of a bond package including affordable housing on the November ballot, ask yourself how the public will view that if mckalla place, an outstanding site for housing, isn't even opened up for bidding that would use it for housing. Again, what does that say about our priorities? As a city, we deserve and can wait for a pro sports team seeking Austin as a home that has the time to allow us to fully weigh the cost and benefits of having them here versus other options. I ask that you support and vote for item number 60. Thank you very much for your time and attention.

>> Mayor Adler: Thank you. Is Kristin Markham here? No? Is Chris continue Markham here in is Roberto silva here? Come to this podium. Mr. Suttle, you have four minutes.

[1:48:50 AM]

>> I won't take it. I want to thank y'all for all your work and all your attention to this and hopefully continued work and attention as we negotiate and try to bring a major league soccer team here. I also want to thank everybody here that's been waiting on this for a long time and has stayed and showing excitement. I'm just going to introduce a video and sit down, and I hope 130 passes, and I hope we get the opportunity to work out something that the community can be proud of, and it brings a soccer team here. This is a little video that was put together just to the sport itself.

[Video playing.]

[1:51:44 AM]

>> Mayor Adler: Thank you. Is bill bunch here? Is rod Mercado here? What about Alejandro Reyes? What about Monica Guzman? You'll be up at this podium. After -- okay. Go ahead, sir. You have three minutes.

>> Good morning. My name is Roberto silva. I've been working with professional soccer for over 20 years now, and for the last -- for the past five years I've been working in Austin and professional soccer with local ownership. I have invested several millions of dollars to make it happen. Five years ago, we decided on our process of -- of trying to bring mls to Austin. We had two routes to go. One of the routes was to bring a franchise from mls from zero or create grass roots model and grow and bring major league soccer with time, like it has happened with most of the last franchises that have been considered by mls. We decided to go that route, and I'm very proud to let you know, council that no matter what happens on this process, we will have professional soccer next year in Austin. We will have a usl team playing at cycle of the Americas, a major league facility with winning team. We're investing a lot of money to make that happen in a proper way. With my experience, I've got to say that, of course, I could not -- it would be not fair with myself if I would come here and tell that you mls is not a good solution. I think it is. I just have to make sure that we do it in the right way. And I think it's very clear at this moment that we have to make the right [indiscernible] In this process.

[1:53:47 AM]

And one of them is, and I think it's the most important one at this moment, is, it is clear that we're doing this in a rush, and it is clear that doing this in a rush is not necessarily good for the city. And my understanding is that we're doing this in a rush so psv can have a team in 2019 in Austin. My question

has not been answered until today, is, where are they playing in '19? Do they have a contract with the venue to play next year? Do they have approval from mls to play next year in Austin on that -- sorry -- on that venue that they have selected? If they don't do that, if they don't have that option, why are we doing this in such a rush? We can take more time and make sure that we're going to be doing this in the right way and the best way to Austin, and make sure that whatever franchise comes here on mls level, or any other level in professional soccer, does it right and make it work so we're not going to be here a few years from now on the I'm situation that Columbus is, on the fact that it didn't work over there, and we don't want to -- we don't want that to happen to Austin. We want it to be successful in Austin. So please, make the right questions as soon as we approve 130 on the negotiation, I urge the city manager to --

[buzzer sounding]

-- Make the right questions and we're available to support you guys in that process.

>> Mayor Adler: Thank you. You have some donated time, Mr. Reyes. Is Rachel Wyatt here? Not still? What about Collin brandonberg? You have four minutes.

>> I thought I had seven minutes.

>> Mayor Adler: No, because each additional minute is one minute because we have so many speakers and I didn't hear Rachel Wyatt. Is Rachel Wyatt here? She's not here so you have three plus one. Four minutes.

>> Okay.

[1:55:47 AM]

I'll rush through prepared remarks if I may. Ladies and gentlemen of the city council, mayor Adler, my name is al raise your hand oh Reyes, managing partner at a localitiesing agency called Latin works. I appreciate the opportunity to speak before you. I'd like the share a story relevant to this opportunity working with major league soccer team, our great city of Austin. '70s, a 15-year-old young teenager arrived in a suburb of Los Angeles. Along with parents, four brothers, two sisters, speaking no English, he and his family struggled with a transition to an environment that was far more complex and sophisticated than anything they had experienced in their poor surroundings back in Mexico. The transition to American life was made easier through the support of a small, but active immigrant soccer community, at the high school where he enrolled and elementary and middle school where his siblings attended. Within a couple of years the m.d.est two-bedroom rental became the gathering place for a broader group of kids who through love of the game, from friendship, and became family. The group included a fellow Mexican, a graduate and two other kids. It offered auto warm retreat from challenges of his new life and a place to develop social and emotional skills that would eventually serve him well in life. For his brothers, luck delivered a young soccer coach from new York who provided guidance, advice, and laid groundwork for development. Soccer was not recognized as a global powerhouse that it really was and participation at the youth level was barely starting to Blake out. But Los Angeles did have a professional soccer team, in the original North American soccer league where many aging stars came to

finish their careers. For the family and young friends, the team became a very important part of their life. Earning and saving money to attend games turned into a habit. Watching a few road games available on television became a rhythm, ritual, and one day hoping to be a soccer hero, offered the kids an incentive to do good in school and without temptations of other college and teenage years.

[1:57:58 AM]

The parents could better manage the challenges of raising kids and serve to teacher the young group valuable lessons. As the oldest in the family, the teenager became an example to his younger siblings and friends. Over the years, they followed his footsteps and played high school and club soccer. They also took on jobs to help the family opened to support their needs tore soccer equipment and, yes, to buy tickets to their professional teams' gape. Eventually they all completed higher education, achieved success in various fields and I'll talk a little bit about that a little later on. But the young man managed to attend college as student athlete and help make ends meet, he coached high school soccer games and eventually earn his degree. He was able to fulfill his dream of professional soccer by joining a club, while it lasted only three months, he stuck around by landing a job in the P.R. Office. This was marketing knowledge that would come handy later in life. His experience allowed him to move on as a career position in the beer business, a then opportunity that went into a career as marketing executive at anheuser-busch, one of the biggest beer companies in the bush and very powerful sports marketing organization in corporate America at the time. There, his ground in soccer paid great dividends. He sold the company and became a global sponsor of the world cup, a sponsorship that they retain to this day. He also created what became the premier marketing property in the U.S. Hispanic market. And he was instrumental in helping with the launch of major league soccer in the united States, positioning his companies as sponsor and placing its brand name on the Jersey of his former home town team, by then called the L.A. Galaxy. Along the way here in the NBA, joined the board of a publicly traded company --

[buzzer sounding]

-- Et cetera, et cetera. Let me close by simply tell you that as you might guess by now, I'm the kid in that story.

[1:59:59 AM]

I lived 20 years ago to start a business and an agency that has been pretty successful we believe, by this time. But as I look like over the last four decades, I see a clear trail that began with soccer. I consider myself living proof and testament to this power to change lives.

>> Mayor Adler: Thank you.

>> Okay.

>> Mayor Adler: Thank you. You have time donated to you, Ms. Guzman, from Debra bloomentrit. Is she here? No? So you'll just have -- what about James Casey?

>> Here.

>> Mayor Adler: Okay. So you have four minutes. And then after you is Scott Kraeger. Is he here? Come on up to this podium. You have four minutes.

>> Thank you, mayor Adler. My name is Monica Guzman, district 4 resident. Let me start by making it clear, I am not in opposition to soccer. I never have been, and I get really upset when I hear people say that about me. I got it right on the news earlier today in the atrium. Growing up, I played kick ball. There was no soccer. My baby sister, she was varsity soccer at Johnston high school. I remember standing at house park watching her play, sometimes even in the rain. My son in grade school, he played soccer. I have nothing against it. I welcome soccer. I also welcome a private for-profit entity to do like the other private for-profit entities, whether it's a grocery store or a car dealership, pay for your own land. Pay for your property taxes. It's a disservice to the taxpayers. We're the ones that would have to foot the bill. I've been here almost all day long, like many people, I watched people testify, I heard them testify, your discussions, I missed out on testifying about the bonds but that's fine, I was in an important discussion somewhere else.

[2:02:02 AM]

But I found it painful to hear how you were talking about not wanting to burden the taxpayers. How important housing is for this community that you're willing to practically give away the largest piece of land available. I don't like hearing people say, oh, nobody cares about it. No one's ever had any interest. I have been going before elected officials for five years off and on. I'm sure mayor pro tem remembers me in prior ten four, that all public entities with underutilized and unutilized land need to make it available for affordable housing. In 2010, Allen grim was looking at mckalla place for his community first village. That didn't happen. 2012 argues developer approached the Gracie woods neighborhood association. Unfortunately, I don't know that they went to the city, and if they didn't, I don't know why not. 2015, I believe, or '16, Capella capital partners was working with the city, a request for proposal, rfp was being worked on but when city manager left, it lost momentum. In 2014, the then council issued a resolution tasking city manager to identify a minimum of three city-owned properties that were suitable for affordable housing. Mckalla scored the highest. It was aligned with imagine Austin, it's near two major corridors, the proximity to public transportation, nearby schools, a grocery store. In February 2017, another memo issued, mckalla is still number one. I'm part of the healthy food access work group with the food policy board. I'm in a subcommittee about housing affordability. I know multiple departments, neighborhood and housing, office of sustainability, parks & rec, among others. They are in the process of creating a review process, evaluating city-owned land and the best use for the greatest number of people.

[2:04:04 AM]

Guess what's number one on the list. Mckalla. I have recommended affordable housing, I've recommended co-locating with food access. We may not be having struggles with food access like dove springs, but we don't have eight grocery stores within the same zip code, either. We need better access to food. As I said, when I was here earlier today, if you want to be proud of something, be proud that you improve the quality of life for your constituency. You've got them off the street. You made sure they weren't housing -- weren't suffering housing instability. They had a house. Family friendly housing, affordable to them, not to some college student --

[buzzer sounding]

-- Who hustles coffee. Be proud of that. That's a need. Soccer is a want. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Is Joseph benino here? Joseph? David Pruitt. What about Spencer Davis? What about Thomas beretts? Gabriel Guerrero? Luke Markham? Ed Scruggs? Alan Pease? Senovia Joseph? Why don't you come on down. You have three minutes, sir.

>> My name is Scott Krieger and I'm a proud soccer father. I fell in love with the game by watching my daughter play com pettive live 15 years. You have before you a legacy moment, a chance to bring a major league sports team to our city here in Austin where I've been a resident for 35 years. It's not just a soccer team, it's not just an expansion -- it's not an expansion team, it is an existing team that happened to finish in what you would call the final four of major league soccer last year.

[2:06:16 AM]

I greatly appreciate the city proposing a study of mckalla place back in December as a property that a soccer club should look at and study for use. For the development of a soccer park with a stadium, providing outdoor venue opportunities for festivals, music, and having space available for affordable housing. I would encourage to you vote for item 130, a vote for item 130 is a vote for what can be Austin's team. Thank you.

>> Mayor Adler: I'm sorry, after Ms. Joseph speaks, it'll be Erin rockland. We'll take you next. Ms. Joseph.

>> Mayor, do you have my handouts?

>> Mayor Adler: I to not. It's coming now.

>> And are we at one minute or --

>> Mayor Adler: You have three minutes.

>> Oh.

>> Mayor Adler: You're still within the first 20. Thank you. Okay.

>> Thank you, mayor and councilmembers, I'm senobia Joseph. My comments are specifically related to item 60. To the sponsors I just want to say thank you. I am not opposed to the request for proposal process. I am opposed to 130 where that language was inserted, specifying that they had to look for -- the city manager had to look for affordable housing in another location. And so this is pretty disturbing to me, mayor, because I did go and do a recon there yesterday to see that area for myself, one ingress, one egress, at least that's what I saw. And so I would just ask you to recognize that my comments are specifically related to capital metropolitan transit authority.

[2:08:22 AM]

I want you to understand that location matters. When it comes to affordable housing, it is not enough to simply put affordable housing somewhere. It has to be in a high opportunity area in order to ensure that the people who live in the affordable housing area have access to the transportation. I want you to understand that at rogy lane, which is an item you saw earlier today, I want you to understand that 300, the bus stop was right in front of the Springdale apartments right there, affordable housing, now they have to walk approximately a mile up to 51st street because Mueller, the more privileged place, is there. I want you to understand that the people still walk three miles from Parmer lane between Samsung and Dell to the 392 bus stop off of dessau road. It is not enough, mayor, to simply put affordable housing someplace else in the city. You have to put it where those white millennials are. Let me just remind you of the information that was collected by capital metropolitan. Approximately 5,000 surveys were collected. 72% were from whites. 52% females. 25 to 35. They made \$100,000. These access to two vehicles. I want you to understand that that is the target audience, and if you do not have affordable housing where those people reside, then the people will not have access. I want do you understand that we no longer have east/west connectivity north of north Lamar transit center and city councilmember Casar has been asleep at the wheel. I want you to understand that the immigrants ride the buses too. I want you to understand, mayor, that we no longer have east west connectivity to the Arbor eat arboretum. I know the area. I walked there yesterday. I went to see for myself and I would ask that the members on the board who have not gone there go there to see it for themselves. I am disappointed that I see councilmember Garza and Renteria's names on this as co-sponsors of 130. It is not enough to put affordable housing someplace else in the city.

[2:10:28 AM]

I want you to understand as well that 240, specifically the yellow piece of paper that I gave you, is my complaint to the state bar against councilmember kitchen, because 240 has no access anymore to St. David's, and she did not include them in her resolution. It is discriminatory and it does nothing for the transit dependent rider. Please do the right thing, mayor, and put soccer someplace else. If you have any questions, I'll gladly answer them at this time.

>> Mayor Adler: Thank you. Mr. Scruggs, you have three minutes, sir.

>> Thank you, mayor, mayor pro tem. Happy Friday, and thanks for staying up with us. I come here tonight as the father of three kids. They played soccer for 12 straight years, recreational club and school soccer. We've spent many a morning on the freezing cold pitch out at Westgate or in the hot sun out at slaughter lane for many years. It is a beautiful game. It's given so much to our female and to families across this region. And I think it's underestimated in many, many ways, the ties that people have to this game. Having a top soccer team and park at mckalla will be an asset, a highly visible, accessible asset. To tens of thousands of fans who will attend matches each season, to the public that will use the facility in its open space and music facilities, and also to those people who will live in the affordable housing units set in the plan. Also, it's important to remember that it will provide jobs. True story, I have a brother who lives in Portland, Oregon, he is in his mid 60s, he has very serious health problems for many years. He works at the ticket office for the Portland timbers. He walks to work. It is the best job he's ever had and it's really been a lifesaver in his case.

[2:12:33 AM]

We can't discount those jobs. We can talk about affordable housing for people, but we need jobs for those people as well. And people have jobs for many different reasons. But I know in my brothers are case, it's been a lifesaver. But most of all, the team in the park will greatly enhance and diversify the culture of this city, codify the diverse culture of this city. One thing I know about this game is it binds people together, it binds cultures together, and communities together, and, lord, we need that right now. So I will close by saying that we have this opportunity to take advantage of this great opportunity. The facts Russias we're not facts are, we're not going to get an mls team if we don't take this chance. That's not the way it works. I hope we will take advantage of this, and negotiate the best deal for the city and community. We're still about to negotiate the deal. That's what people need to understand. We're going to get the best deal for the city, and I urge you to begin those negotiations immediately. Thank you.

>> Mayor Adler: Thank you. Mr. Rockland, you have time donated by Tim white. Is Tim white here?

>> Thank you. I believe he is.

>> Mayor Adler: Let me find out if he's here. Is Mr. White here?

>> Actually, I'm incorrect, he's not. He went home.

>> Mayor Adler: Okay. You'll have three minutes. After you is Elizabeth luck. Is Elizabeth luck here? What about Alexander luck? What about Judy garamay? You'll be up next, three minutes. Mr. Rockland, go ahead.

>> Good morning, council, reps, and mayor. I appreciate being here. I'm also a UT professor so I'm used to talking to tough crowds at strange times during the day. But my comments will also be coming from multiple roles that I've had, including a psychologist and founder of the nonprofit soccer assist. Soccer assist is now in its fourth year as a nonprofit.

[2:14:35 AM]

We've raised over \$120,000, watering \$40,000 in scholarships. We've held free camps. The next one is 21st and 22nd of July. It will be completely free to underserved, primarily hispanic east Austin. We're also saving to build a sports court and currently in negotiations with dove springs about that. This organization evolved out of a personal experience. Our kid Dillon who was here earlier today played two years in a low-income, primarily hispanic east Austin community. While there, Dillon became a better soccer player but more important learned life lessons about privilege, diversity and how other kids have it much tougher than him, even in our own city. Now a few of his then teammates are playing in the U.S. Development academy, the highest level of youth soccer in our country. If mls happens, this program would be offered for free, and at a cost of about \$3,000 per kid, plus paid travel and uniforms. Two things I've learned from our nonprofit that have relevance for the items upon review. First, the soccer passion and tradition that exists in the Austin hispanic community. You may not know this, but there are underground Mexican lesion that play on dirt fields here in town. My son played on them. At these games, families paid two dollars per game to play. Many of these kids only dreamed to have the funds to apply no Mary more formal lesion. A few years ago soccer assist was able to charter a bus for scholarship kids to go to Houston for a tour, not even play in the game. They're still talking about this experience and sharing pictures online. What an mls team would mean for these kids and the value of having a free development program at the highest level of U.S. Soccer would be tremendous. Sports and communities, soccer brings communities together. We've heard about that already. Many have written about this point of late. I've seen it here in Austin. Through our scholarship program, I've seen families from del valle hug families from Westlake over a nice cross the a half volumey.

[2:16:36 AM]

These sense scenes are priceless. They're rare in this city. Those scenes and lessons that come with them, for youth and adults, would only increase if this happens. Hopefully on and off the pitch. We've seen communities strengthen through sports as people have referenced UT football, I've also seen that myself. But realistically, at those games it's UT students, alum, faculty and friends. Mls would likely do that for all of us. I'm running out of time. So I'll say one more thing. This is about opportunity. And when we look at the definition of opportunity, it's called the set of circumstances --

[buzzer sounding]

-- That make it possible to do something. Let's do something, Austin. Let's make something special that has implications for everyone, not all those that can be evaluated [indiscernible] --

>> Mayor Adler: Thank you, sir. Is Alexander Stanger here?

>> How long do I get.

>> Mayor Adler: Four minutes.

>> Four minutes. My name is Judy [indiscernible]. I am opposed to the city leaders allowing a give-away of city-owned land, services, and taxes. To this end, I have spoken to Tom neistrom, chief of compliance and enforcement in Dallas. He crooked at the U.S. Fish and wildlife national wetlands inventory map. He saw potential wetlands in the middle of the proposed site. He said this site needs to be reviewed by the U.S. Army corps of engineers. I called the U.S. Army corps of engineers. The site needs to be evaluated physically and questions need to be answered by either the city or psv. Number one, has a wetlands delineation been performed? Number two, has a jurisdictional determination been completed for waters of the United States? Number three, what would be the impact to waters of the united States by the proposed project?

[2:18:40 AM]

If violations occur, the federal government will look to the city. The city is subject to the Texas antiquities code which mirrors a federal code. Jennifer walker, chief of valleys at the corps of engineers, needs a letter from the city or psv to begin this process. A stadium begins on the outcities -- belongs on the outskirts of town, not close in to a neighborhood. The microbreweries and restaurants they desire in their model will spring up by the time the stadium is completed in a different area. Psv is depending on the businesses around the proposed stadium to provide their parking. Psv needs to stand on its own and not intrude on other businesses. They need to pay their own way and purchase private land. Our perennial spring and possible wetlands need to be protected. I ask the city council, the mayor, and city staff to exercise due diligence in this process. I have -- if you want copies of the names and phone numbers of the people that I talked to, I can leave it with the clerk.

>> Mayor Adler: Leave them with the clerk. Thank you, ma'am.

>> 4:00.

>> Mayor Adler: Is Leon Cruz here? Leon Cruz? What about Lucas Parra? Mike Jennings? Ben noyas? Joshua Burton? Sean Burton? Dan Conrad? Come on down. You have three minutes.

>> Thank you, Mr. Mayor. Hi. My name is Alexander stranger. I'm a resident of Austin who cares deeply about the issues plaguing our city.

[2:20:44 AM]

I have extensively studied psvs mls proposal and after much thought and deliberation, I can say with absolute certainty that this is a disaster. Not only does Mr. Precourt refuse to pay property taxes for mckalla place, not only is he leasing the land for a dollar a year for up to 80 years, which, by the way, shows a really strong commitment to honoring his lease to the city, not only does the stadium have a thousand parking spaces available for a 20,000-seat stadium, many of which are reserved for vips -- oh, and by the way, the plans into the parking lot is no bigger than the hallway here in city hall. But Mr. Precourt and psv have been found guilty of numerous health code violences while owner of the crew,

including, but not limited to, having mouse droppings in the concession stand food. Cited by an article written on -- cited by a man named Matthew Yoder via the come back dot-com and broadcasted by Columbia, Ohio's CBS affiliate. I don't know about y'all but I wouldn't personally trust someone who feeds mouse feces to his customers with fulfilling any promises to the city. I stand in firm support of item 60 and 100% believe that we should entertain other offers that can and will be better for the city of Austin.

[2:22:48 AM]

Thank you.

>> Mayor Adler: Thank you. Is -- after Mr. Conrad speaks, is Nathan hogan here? Nathan hogan? What about Marcus Cole? Lily Gilligan? What about Sofia Willis? Jesus segura? Joy segura? Samantha Suarez? Come on down. Sir, you have three minutes.

>> Thank you all. I really appreciate the time and for all of you staying up so late. I know it's getting late so I'll try to make this as quick as possible. Like one other person here, I actually come from Columbus, Ohio. I played soccer at Ohio state, I coached in the year and my first job was actually with the crew. I've seen the power of mls and what it can do for the community. I've seen my high school, kids that I coached, that got scholarships to play that ended up going to college and getting an education where they otherwise would not have been able to. While you've heard testimony of the quality of the location in Columbus, that's not the case. There's one entrance in, one entrance out, and while Columbus and Austin are very similar, the biggest difference there is Ohio state dominates that area, along with the Columbus yellowjackets. Here we don't have anything to rally around collectively. Austin is such a transient city, this allows us all to come together, similar to when I played, I got to meet players from Guatemala, Venezuela, east L.A., 2001 to Florida. It gives people a chance to come together and, you know, meet in the middle. That's what we need right now. We don't need fighting back and forth, we need to rally together, and, Austin, this is the perfect time for it.

[2:24:53 AM]

Thank you all.

>> Mayor Adler: Thank you. Is Jeremiah Bentley here? Come on down. You have three minutes.

>> Thank you so much. I just want to say thank you for being here, I appreciate everyone who's actually stayed and waited with us as well. I made some incredible new friends which is a true testament of what I have to say today. I urge you guys to go positive with 130 because this is our time. This is the time for Austin to jump into mls. This is the time that we have been waiting for to jump in on the world's biggest sport. As we can see every four years, countries from all over the world gather and play the became that everyone loves, that everyone has seen and everyone has had some sort of experience to. Just a couple days ago, unfortunately, you know, Germany was eliminated. Korea was not qualified to go to the world

cup but because Mexico went through, they celebrated with them. It was a celebration for all countries even if they didn't qualify. It's a celebration, it is a thing that unites us, and it's a thing that I have seen growing up all my life and it is something that I love and truly appreciate. I have lived in Austin now for ten years. I was born here. I grew up in police chief yeah and South America. My dad Bolivian. This is the best city in the United States. I love the culture, people, welcoming environment that is here and the welcoming environment that I hope will receive mls. This is our chance to take it and I know we're going to make the right decision on it, and I do know that it's something that's going to bring us together, now more than ever is when we need that. We need to be united, we need to be one, we need our culture and diversity, we shouldn't let these things tear us apart. These are things that should bring us together, and I know soccer will do that and it will bring it for everybody.

[2:26:56 AM]

Thank you.

>> Mayor Adler: Thank you. Before you speak, sir, is whichhivas Watson here? Come on down. You have one minute. We've now moved into those speakers.

>> I'm Jeremiah a Bentley, district 6 resident with the greater Austin chamber of commerce and hispanic chamber. I want to speak on something that not many folks have touched on, it's the opportunity of mckalla place specifically. Not only just for soccer but as a -- as an event venue, outdoor stadium, as a place that's in the center of a growing region by 2040 we'll have four or five million residents in the Austin Williamson county area and it is located right in the million dollars of things. I think it's a great opportunity for community benefits, both for mls, both for soccer, but also for the region as a whole. So I would encourage y'all to vote yes on 130. Pursue this going forward, for advantage of soccer, the park, affordable housing considered on the site and for overall positive benefit for all austinites, both near and far. So thank you very much.

>> Mayor Adler: Thank you.

>> Hi there. I think you may have called my name when I was outside.

>> Mayor Adler: What's your name?

>> Mark [indiscernible]

>> Mayor Adler: I did. Go ahead. You have one minute.

>> First of all, thank you, council, for letting me be up here. I'm Marcus Cole. Agree up here in Austin which I know is rare now. Went to McCallum high school. I know I've met a couple of through through my mom, but if you know me, you know how much I love the sport of soccer. I'm a lover of the sport as a spectator, as well as a fan. A spectator, as well as a player, excuse me I grew up playing for the rangers as well as loan stars. This sport gave me a golden ticket to receive an ivy league education at the university of Pennsylvania. To me major league sock Eric team seems like a no-brainer in Austin but I know nothing gets through council without due diligence.

[2:28:57 AM]

For that you should all be proud. I think this is a unique opportunity we should all jump on. This deal provides both economic and community benefits, and I think I speak for many in saying I can't think of any better use of mckalla place than to serve as the home of Austin's first professional franchise. Our city is young, diverse, demographic, makes it among the nation's top locations to be receptive of the opportunity we have today and I urge council the listen to the cries of your city and bring us the mls team we deserve.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: You of three minutes.

>> Three minutes. Chivas Watson, district 10 resident for the next few days. I think you all are lying to yourselves. The cries in the city are for affordable housing. The cries in the city are because our Latino communities are being antagonist by ice, not because they want soccer. Soccer, just like basketball, football, polo, Nike, we need people to live. Everybody has a right the live, and if you weren't -- the woman earlier, a few people ago, said this is the right time to bring a soccer team here? No, it was the right time to end discretionary arrest in the city.

>> Mayor Adler: Mr. Chivas, thank you.

>> That means you have the opportunity to continue to do the right thing and bring us the affordable housing that we need. We have representation here in the building that can show you proposals for what they think is affordable housing, but that means we can continue to propose new ideas. Bringing the stadium that doesn't even have enough parking for everybody that's going to come together for soccer, I'm telling you, I've worked in the domain for ten years. Whether you're in district 7 or district 4, that's going to continue to indoctrinate our kids into thinking sports advertise only answer.

[2:31:02 AM]

I think we need to analyze the real issues in the community here in Austin, and it damn sure ain't soccer. We can play soccer all over the city. How about you compound with coda since that was a failure as well? On Braker and burnet and mckalla place, we could continue to provide for the constituents, in Ms. Pool's district, and make it seem like at least while the world is on fire, Austin has the steam to do the right thing. This is a money grab and we all see it. We could all use the economic benefit. Maybe we could add more affordable housing because we jaws labored with you for hours earlier about all the affordable housing finances that we need. Again, we do not need mls in the city. I'm not against soccer but I am against B.S. We do not need to continue to decimate communities that need the affordable housing and the improvements that we need for leisure. We've got enough sidewalks. We've got

enough parks. I need you guys to really think about this. Is it -- is it worth -- is it worth it the domain, half of the domain has incentivized leases and you're going to give city-owned land for free? Hell, give me a place there before I leave. Since I'm being evicted. Guys, again, let's analyze, consider our ways like it says in the bible, you do not want to oppose the constituents that come here weekly, not just when it calls for soccer.

[Buzzer sounding]

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Anthony precor. We have Ed Laura. Is Ed Laura here? Ed Laura? No? What about cooper pavestsky? No? You have three minutes, Mr. Precor.

>> Good morning.

[2:33:03 AM]

My name is Anthony Precourt. It's been an honor to bring the vision of major league soccer to this great city of Austin, Texas, a city I've enjoyed for many years. As one of the youngest investor operators of an mls franchise, the youthful energy, inclusiveness and the spirit of this community presents an incredible opportunity for this club to do its part to bring the city closer together. I'd like to thank all of you for participating and sticking around all night. Tremendous resilience of the council and all the people in this room. I'd like to thank the mayor, the mayor pro tem, the city council, the city manager, the city staff, for all of your hard work. We understand there are many choices that you face as a city and your leadership has been greatly appreciated. Just as this world cup has captured the attention of the globe, we imagine the passion and drama of mls capturing the attention of Austin. Perhaps just as important, we also imagine the spirit of Austin capturing the attention of the soccer community. We are committed to bringing Austin its first major professional soccer team, and bringing the world's most popular sport to the city. We are committed to giving back to this community in numerous ways. We're excited about the community benefits and economic impact that this culture can bring to the city. We're committing the working with you to develop an acceptable proposal for your consideration on August 9th. It is important for us to bring this city a major league soccer team. I'm truly grateful for the opportunity and I hope that you pass 130 this evening. Thank you very much.

>> Mayor Adler: Thank you.

>> I'm Tracy, I'm cooper's mom. We had to take him home. I'm wondering if I could speak --

>> Mayor Adler: Have you signed up to speak? Speak?

>> No. I'm his mother.

>> Mayor Adler: Is he still here?

[2:35:03 AM]

>> No, we had to take him home. He's seven.

>> Mayor Adler: He's already gone home.

>> [Indiscernible]

>> Mayor Adler: Oh, I called him. I called him?

>> You called him.

>> Mayor Adler: Okay. Come on up. You have one minute.

>> Thank you. My name is Tracy. I am a resident of Austin. We live in south Austin. My son has basically grown up with a soccer ball attached to his foot. He actually was almost born in the soccer stadium in Philadelphia. So it's important to our family, it's important to him. It's important to our school district, and I'm hoping that you guys would support 130 and support Precourt. Thank you.

>> Mayor Adler: Thank you very much. All right. Is -- I think we went through some of these names. We went through Nathan hog un, Marcus Cole, and others. Jeremiah a Bentley, raffle Solis, Jackson white, Tony Jenkins, Manuel Gutierrez. Come on down. Is Ramon Diaz here? What about [indiscernible] Diaz? What about James caltman? What about Ross mcglachen? What about Jared Esquivel? Joshua -- Jared. Okay. You have one minute. It goes fast. You'll have one minute as well.

>> Good morning. First I'd like to thank the council for allowing me to address these particular items.

[2:37:05 AM]

I'd like to speak in favor of item 130. From the voice of a UT student veteran flow citizen and sports enthusiast. Sports in Austin and surrounding areas has a champion winning mindset, empowering citizens and spectators to strive for similar heights in hire own right. This year the Texas stars minor league hockey team playing out of cedar park readily together to reach the finals. Returning once again since 2014. The Austin spurs under coach Blake Ahern clutched a championship and consistence consistently collected divisional titles on their journey to the top. Let's add to that momentum, further clear the path and introduce our talents in the major lesion by approving item 130. I will defer to the council and other responsible parties to determine plans, permits, and in essence the quantifiable. But allow me to represent the unquantity final. Unable. Unable quantifiable. But the initiative of this stadium and this new team.

>> Mayor Adler: Thank you. Is Joshua graham here? Christian reynosa? Christian? Come on down. You have one minute. Introduce yourself. You have one minute. Goes fast.

>> I'm a 24-year resident of Austin. I'm in favor of proposition 130. As an east sider, I resist change, that excludes austinities such as I [indiscernible]. Soccer is togetherness. A new stadium, taxpayers, psv has

calmed my doubts. It's a good business, ready to brace calibration the city. Not only is it paying for the entire stadium, that which will create jobs for construction and for people who are working there, but also donate \$500,000 to housing, a criticize in the city. Nelson Mandela once said sports has a power to unite and soccer ace sports entity that's young and old, rich and poor, and it's people from all walks of life.

[2:39:14 AM]

As you have seen here today speaking in favor of proposition 130. Thank you.

>> Mayor Adler: Thank you. Is Al alonze here? What about Mike Carr? Mr. Carr, come on down. You have one minute.

>> Thank you. Council, hello. My name is Christian ray reynosa. I'm a musician, I reside in east Austin and I'm in favor of bringing an mls team to mckalla place. If you were to ask me how much time I specialist in the domain district of Austin I would answer and tell you not very much. I have at the enter interest of high end retail stores, overpriced bars and restaurants. The domain wasn't built to cater to people in my income bracket. But that perception of this part of Austin doesn't -- but the -- excuse me -- the perception that this part of Austin doesn't embrace the masses can change through soccer. This beautiful sport is for everyone. This is how every area of Austin should feel, inclusive, regardless of social status, income, race, sexuality. Let's do something that will stand the test of time for all of Austin and bring mls here.

>> Mayor Adler: Thank you. After Mr. Carl we have Josh abetsky. Is he here?

>> He donated time.

>> Mayor Adler: I'm sorry?

>> Donating time.

>> Mayor Adler: To someone else? Have you told the clerk? Let her know who you're donating time to. Is Josephina hill here? What about Thomas Bryant? Harper Clarkson?

[2:41:18 AM]

Lorrainea Solis. Okay. You have one minute, sir.

>> Hi. I'm Mike Carr. I am the father of eight children because spontaneity causes people.

[Laughter] But my children are all advocates, and I watch this happen due in large part because we stood in soccer stadiums, and when our team won, I watched them hug people that neither looked like them nor speak their primary language nor come from their background. But then conversations began that led to relationships, and so whenever those friends feel pain in today's world, there's a relationship

there, and so they advocate. That is what can happen here in Austin. It's not just a team, it's not just a stadium. It is a rallying post that we can put there around which diversity can gather and find one point of commonality. Thank you.

[Buzzer sounding]

>> Mayor Adler: Thank you. What is your name? I'm sorry.

>> Josephina hill.

>> Mayor Adler: Okay. Is Thomas Bryant here? You're fine, sir. Is Thomas Bryant here? What about Harper Clarkson? Lorrainea Solis? Samantha Frick? Pete reed? Erica villa? Allen Fincher? What's your name, sir?

>> Pete reed.

>> Mayor Adler: Go ahead.

>> I'm an austinite and I'm here as part of the east Austin soccer club. We are a nonprofit club that began in 2004. We're fully based of volunteers and have over 200 boys and girls, ages 5 to 18. The majority of our players are from low-income households have also gone to colleges and universities around the area.

[2:43:23 AM]

Soccer is greatly played in the Austin area and for our community, soccer is more than just a sport. It promotes and encourages education, teamwork, and leadership. While also teaching good sportsmanship. We believe having the mls team in Austin will give the young players of our community a visual goal to reach. Mls can help teach the children of our community that with hard work and education, they can play for a great university and even play for their local mls team. Mls is a great opportunity for Austin because it can --

[buzzer sounding]

>> Sorry. Thank you.

>> Mayor Adler: Thank you very much. Is Eric Avila here? What about Allen Fincher? Adam Lopez Dunton? You have one minute, sir.

>> Good morning. My name is Pete reed. I'm an attorney here in Austin. I first came to Austin in 1995 as an exchange student, originally from Scotland. And I'm not used to arguing about soccer this late at night, at least not sober, anyway.

[Laughter]. I wrote an op Ed in the statesman last week talking about how soccer could bring Austin together, and I urge you to read that. It was written for you. Everyone else seems to be making that same point. I'd like to point out instead, it seems to have brought this city council together, surprisingly tonight. I want to thank you for your patience and your stamina and listening to this. I also want to

thank the people that have spoken against this tonight. I do believe that soccer can bring us all together. I think also, as soccer fans, we are also supportive of affordable housing. I hope that you'll be supportive of soccer. I think there's room for both. I don't think you have to have one or the other. I hope to see you at soccer games and I hope to support you for your affordable housing as well.

[2:45:24 AM]

[Buzzer sounding]

>> Mayor Adler: Is Sarah Beauchamp here? What about mason Carmichael? David Estrada?

>> I'm here.

>> Mayor Adler: Why don't you come on down, David. You have some donated time, is Josh bobetsky here? Yes in donating time. And keland Robinson here? Yes? You'll have three minutes. You have one minute.

>> Hi. Thank you. I'm sorry that you're still here. I wouldn't be here if it wasn't for soccer. Literally, my parents played coed soccer at grad school. My whole family has played soccer. I've refereed since I was 12 years old. Austin has so many different divisions of soccer, premier through 6th open dig, 30s, over 30s, 1 and 2, 40s, and over 50s. Zilker park used to play -- have soccer fields with lines and full size goals. Now you go out there and there's people playing pickup games every day of the week. And I'm all -- I said I was a referee. I try to look at stuff unbiased like y'all do, and I do believe in affordable housing and those people did touch me with their passion. And I -- I will leave with you this. There was a civil war in Africa in the early 2000s. There is players that begged for their country to stop fighting.

[Buzzer sounding] And they got them to stop fighting and brought peace. People were killing each other. The sport saved people's lives.

>> Mayor Adler: Thank you. Mr. Estrada, you're going to have three minutes. Is Zachry hanalt here?

>> Sounds good.

>> Mayor Adler: Hang on one second. Isocoria -- is Zachry here?

[2:47:26 AM]

Is Sean Clausen here? Is Dillon rocland here? No? What about dawn Lewis? No? What about Caitlin Schwartz? What about mark tooch in her Jeffrey Brunson? Jeffrey Brunson, come on down. You have three minutes, sir.

>> Okay. All right. First of all, I have to address some falsehoods really quickly. The first person said that mls is a dying sport. No, it's been around for 20 -- 23 years, and it's growing. It's a complete falsehood. Columbus isn't exactly being left. Cincinnati, an hour and a half south of them, they're having a brand

new sports stadium built for mls so that's an alternative for them so they're not being completely left in the dark. Also, some people came up here and discussed -- in some of the north Austin neighborhoods, they discussed their want for affordable housing, and it's quite -- you know, quite frankly, it's a ruse. In 2014 they fought tooth and nail against the homeless shelter at mckalla place. And I find it hypocritical that they are all of a sudden wanting to have it now -- I'll go quickly here. In fact, I can skip -- I'm skipping more and more things, so let me get down to my points real quickly here. I'm an eleven-year homeowner in north Austin Gracie woods neighborhood. I'm strongly for the updated mls stadium plan. And it's easy to oppose change. So there's an illusion that north Austin neighborhoods are against it. But in reality, young urban professionals all around are for it.

[2:49:29 AM]

It's going to provide entertainment, things to do. It's going to be a thriving thing. There's been a sensible phenomenon going on throughout the years with venues being located in downtown areas. Right? Well, you know, we have our normal downtown, we have Frank Erwin center. The north gateway district is essentially -- it is our downtown now. And it's in need of a venue with the density and the people and the population. The venue is a perfect fit in our second downtown. So especially for the live music capital. I can't wait to hear some good music there. Traffic is a concern and let me address that. It's a huge concern. It's multifaceted, there's going to be so many things, the metro bus here, I didn't see anybody [indiscernible] So they should probably do it themselves. You know, so that will be taken care of, and it's be addressed multifaceted. Mls stadiums can hold 3 events a year. I've got them right here based on the 2017. So look at the domain-like alternative proposals. Retail business offices --

[buzzer sounding]

-- Residential, this represents extra traffic consistently for an entire year.

>> Mayor Adler: Thank you.

>> What would you recommend --

>> Mayor Adler: Thank you. Sir? Sir? Thank you.

>> Thank you.

>> Mayor Adler: Thank you very much.

>> Bye-bye.

>> Mayor Adler: Is Jeffrey Brunson here? That's you. Thank you. Is Peter Percival here? What about Hollis beesly?

[2:51:32 AM]

You want to come on down? You have one minute.

>> Thank you for your leadership and commitment to Austin. My name is Jeff Brunson. I'm a board member of the Austin soccer foundation. Our local charter uses the beautiful game as a vehicle to support the local community with academic scholarships, field development and player development and I'm going to be very brief. Hopefully I'm one of the last speakers. I want everybody to know that the Precourt has pledged several million dollars designated for nonprofits in new soccer programs. These community benefits and direct cash contributions do not happen if another mixed use development happens at mckalla place. Mckalla place has sat empty for more than 20 years generate nothing economic impact, no jobs. This proposal would bring upward to a thousand new jobs, both full and part-time. And I believe it would be a good move for Austin. Thank you.

>> Mayor Adler: Thank you. Michael Warren? And then -- I'm sorry. Before you start, is anache Jonas noami here? What about Susan spitaro? You'll be up down here. You have some donated time. Is Norma Guerra here? And is Margaret Gomez here? All right. You'll have three minutes. Go ahead.

>> Mayor, mayor pro tem, distinguished councilmembers, my name is Mike Warren. My family and I live and work in the mckalla area. I run a small company of displaced years, senior engineering experts laid off by technology companies after decades of service because they have allegedly become too expensive. I've also served on several boards, from my experience the real power in this room is behind me. That's the folks seated and standing behind me. To my weary recollection, a sample of the things y'all voted for as affordable housing at a reported expense of infrastructure, requiring future bonds.

[2:53:37 AM]

As was mentioned by two distinguished city council members, that further exacerbates the tax burden on the existing residents like us. As far as I can discern, mls offers an opportunity to bring real revenue and not entirely from our pockets. It invites real dollars from beyond our great city vis-a-vis --

[buzzer sounding]

>> Mayor Adler: Thank you, sir.

>> In summary, I implore you to pass 130.

>> Mayor Adler: Thank you. Is Barbara rush here? Barbara rush? What about Greg Johnson?

>> Pass.

>> Mayor Adler: Pass? Thank you. Is John Chen here? And Mr. Chen, looks like you have some donated time. Is Mike cever here? Okay. Go ahead.

>> Thank you. On may 24th, I paid for a professional poll by strategic research associates. And what it said is that 55% -- it was of 600 registered voters, that 55% really like soccer. But the other thing it said which no one has asked is that 83% of Austin voters believe if the city council sells or leases the land, it should be fair market value. 87% said psv should have to pay property taxes. 84% said that the city of Austin should at least receive some of the revenue from events at the stadium. 83% said psv should pay

for changes in infrastructure, including the capmetro rail station. 93% said the stadium should provide enough parking for events, and none of those things are happening. On June 1st, 2018, psv released their proposal.

[2:55:39 AM]

And what they are looking for is 24 acres of land that is worth between 22 and \$29 million. And they want to pay a dollar a year for 80 years. The estimated property tax, if that property is worth 225 million, which is -- I put that really as a very low, conservative number, I \$4.9 million in taxes, property taxes every single year. One million of that is to city of Austin, the rest is the other jurisdictions, which I might point out that you have not asked them what they think about having a stadium and exempting them from property taxes. The other things in that proposal is site preparation and remediation paid by Austin taxpayers. Development fees waved, lost to Austin taxpayers. Movement of the rail station paid by Austin taxpayers. Area wide infrastructure, paid by Austin taxpayers. Insurance fees, warranty, all paid by Austin taxpayers. Signage for the event paid for by Austin taxpayers. You need to look at this proposal extremely hard. I think that all they're doing is putting a stadium in our land, and taxpayers here are paying for everything else. Their proposal is material and complete. They have no parking and traffic management plan. It is irresponsible for you to take this seriously until you see one. And that is how they are going to move 20,000 people in and out, a plan that says just go on out there and find your own way and walk in is not a traffic management plan. So you must insist upon that. The training complex, what they say in their proposal is, the parties' intent to enter into discussions regarding the development operation of a training complex that may, I emphasize may, include youth soccer activities.

[2:57:40 AM]

So they're talking about activities, but their proposal does not say that. And the next question is, if they are going to have them, where is that going to be? Are they asking for more land at the taxpayers' expense? Because we need to know that.

[Buzzer sounding]

>> Thank you.

>> Mayor Adler: Thank you very much. Mr. Chen you're going to have three minutes but before you start, is Marcus Whitfield here? And you have some time donated from Nathan Simmons. All right. You'll have two minutes when you come up. Mr. Chen, you have three minutes.

>> Hi. My name is John Chen and I want to thank the mayor and council for giving us the opportunity to present our plan for the mckalla district. We are proposing a plan that creates a community centered around affordable housing and addresses community needs. We've been to these community meetings. We've heard the residents talk about the need for an opportunity to have affordable housing, to be able to age in place in their neighborhood, to not be displaced by rising costs. We've spoken with nonprofit

leaders in our community who are being pushed out by rising costs for space and cost for rent. You know, out of this, I really want to emphasize that this is about creating something that is for austinities. It's not for out of state interests that are coming to town. We're not against soccer, but we do believe that agenda item 60, in putting this up for a community discussion about how to best use a public asset for the benefit of the public and, you know, how to take this as an opportunity to address critical needs for housing, and to, you know, create -- and a special community right there.

[2:59:43 AM]

Like we've heard about how soccer creates a community. But right there, there are few sites in the city left that are the size, the access to opportunity, and the access to transportation we've heard so many community members come to speak so passionately about this and we're very grateful for this. I just believe that taking this as an opportunity to review all of our options and go behind agenda item 60 is the right way to go for taxpayers and the only fair way to treat public property. With that, you know, we look forward to hopefully seeing agenda 60 -- agenda item 60 be passed by the community, in order to give us a chance to submit additional updates and a detailed plan that, you know, reflects our ongoing conversations with neighbors, community leaders, and, you know, we believe this will give us a chance to take this and, you know, address our pressing needs within the city. And with that, I yield my time.

>> Mayor Adler: Thank you very much.

>> City leaders, thank you for staying up this evening to listen to all of us. We are really excited that item 60 has been put on a rfp type path. It's very necessary. As John mentioned, we've been talking to the community folks, and we have put together a comprehensive affordable housing project plan for this property. I want all of y'all to know that I've spent the last five years of my life putting together affordable housing developments with local folks.

[3:01:48 AM]

They have been successful. This site is one of very few remaining that meet the criteria, very extensive criteria, that affordable housing requires. And this is not just affordable housing. We're going to have education, wellness, there will be office space, grocery space. Our company has performed over 300 real estate transactions in the central Texas area over the last 25 years. I have been involved in the majority of those transactions. This is something I look very forward to. This is a special place. Soccer is a special thing as well. But it doesn't deserve the type of incentives that are being proposed. We're not asking for the same incentives, but, wow, what could we do with those same incentives? Just something to think about. But we're not asking for that. But we are asking for legitimate rfp process. That would be great. And we love item 60 and we hope to see y'all August 9th and make this a successful place for austinities, built by austinities. Thank you very much.

>> Mayor Adler: Thank you. Is Lee Nichols here? Lee Nichols? Jamal alzarfar, come on up. You'll have one minute in a second. Is Wallace Goodman here? Wallace Goodman? What about David Herman? Anthony card? Why don't you come on over. Go ahead, sir. You have a minute.

>> Thank you. Thank you all for staying up so late and listening to all of us. I'm not going to do as good a job as my son did earlier. He was one of the few that got to speak earlier and I couldn't do better than him. My I've been a resident of Austin over 25 years.

[3:03:52 AM]

My dad's Iraqi and my mom is from Louisiana. I was born and raised in Texas so I'm weird. Soccer is weird. In a wonderful way that Austin is weird. I have played every sport, but no other sport in my life has brought together people and communities, differing worlds like soccer. I've left two knees on the fields of Austin, soccer fields, I've been playing here over 18 years. I've played with frenchmen, englishmen, two wingers who were Vietnamese cardiologists, twin brothers, even people from odd places like Florida. Please do what you can to pass 130 and bring this unique opportunity to this wonderful city.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Would you introduce yourself and you have one minute.

>> This is David Herman. A famous Austin event called south by southwest brought together some soccer related people a couple years ago, and I walked up and asked a very innocuous question to the commissioner of the mls who happened to be, you know be unknown to me, I said welcome to the biggest city in America without a professional sports team. There was a notable guffaw in the audience. From that point it was the first addressing of something, I moved here four years ago and helped them go through the entire process of bringing a team to Minnesota and building a stadium in a strikingly similar place which actually happened to be one mile away from my house. Unfortunately, I've moved to this city, now I get to see this come to fruition again, where I now reside. Seeing how it's come to a state like Minnesota, who is a big soccer following, and this city having a big soccer following, I think it's a great attestment to the city's background and everything.

[3:05:53 AM]

[Buzzer sounding] Thank you for your time.

>> Mayor Adler: Thank you. Would you introduce yourself and then you have one minute as well.

>> Good morning. My name is Tony Cardoni, Anthony, legally. I live in the, I guess, original affordable housing theory. I'm not saying I'm be assessed obsessed to soccer but I have driven to San Antonio to see

them play. My sister goalie. Austin is ready for mls, we're a major legal city without a major league franchise. I think the major concerns we've had about the deals, I trust city manager cronk. I believe we can get a great deal that works for both the city and psv. What that will mean is a soccer team for our city and we can do that at fair market, which includes all the benefits for the community. So in conclusion, I think there's a lot of things we could do with mckalla place but I think even if you put up for an rfp --

[buzzer sounding]

-- You'll find that soccer is the best choice. Thank you.

>> Mayor Adler: Thank you very much. Those are all the people, inc. People I thinki've signed up. Has anybody signed up to speak that I haven't called? All right, council, that brings us up to the dais. Councilmember pool, do you want the make a motion, get it seconded?

>> Pool: Yes, mayor, I would. I'd like to move approval of item 60 and then I do have a couple comments that I can make either now or lighter.

>> Mayor Adler: Hang on, councilmember pool moves item 60. Is there a second to that? Councilmember alter seconds that. As we go through this, mayor pro tem, do you want to make a motion just to lay it out and I'll get that seconded?

[3:07:54 AM]

>> Tovo: Sure. Or I can make it after we vote on that one but I'd like to move approval of item 130.

>> Mayor Adler: Okay. Is there a second to that? Councilmember Garza seconds that. Councilmember pool, you want to address item number 60?

>> Pool: Yes, thank you. First I'd like the thank everybody who stayed up all night and spoke with us tonight. The last meeting in June is always a marathon, and you all got a chance to participate and contribute to it with us, and I appreciate you sticking it out with us. I'd also like to thank my co-sponsors, councilmember Houston, alter, and troxclair for all of their hard work work on our resolution and the sponsors of item 130, mayor pro tem tovo, mayor Adler, and councilmembers Garza and Renteria for all of their good work as well. I want to say just say that the thing that has been clearest to me over the past week is how we all want what's best, the best deal for this city. And I appreciate that. I don't think it's a secret that I was less than impressed by psv's first offer. But I also recognize it is just that, a first offer. So I think that taken together, items 60 and 130 put the city in the best possible negotiating position, considering the accelerated timeline. I'll reserve my final judgment for when psv and city staff return to us with proposals for a stadium and for mixed use projects in August, and I hope to see everyone putting their best foot forward. Thank you all.

>> Mayor Adler: Thank you. Further discussion with respect to item number 60? Yes, councilmember Garza.

>> Garza: I was trying to understand the red lines, and so the first "Be it resolved," it sounds like so we're not soliciting, we're just saying you can turn in -- you have some plan, and then the second "Be it resolved," I'm not saying this is what it intended to do, but it sounds like it says bring back to us on August 9th a process, then those bullets follow.

[3:10:21 AM]

So it sounds like it's saying on the 9th bring back to us a process that provides information necessary to enable private sector to submit reasonably detailed plans, includes a timeline that enables the private sector to respond, so it sounds like it doesn't bring back on the 9th what I thought the intent was. So if that was the intent, I would -- I move -- I'll make a motion to amend -- I know I can't make one now because I just spoke. Can you explain the second be it resolved?

>> Pool: We were working with the memo that we got from staff yesterday that talked about the process that staff has crafted in order to open the door for additional proposals. There was a concern about using the word "Solicitation" because it's used differently in purchasing quarters versus law. And so based on the information that we got from our purchasing office and from our law department, we put together the language that law was comfortable with that would indicate that we are willing to accept other proposals for this property. And it is not -- it's not a formal request for proposal. It's simply, we are opening the door and welcoming proposals that may come our way.

>> Garza: I understand that, but that doesn't answer my question.

>> Mayor Adler: So my understanding of this is -- and I read item number 60 in the context of the memo that came from staff. Item number 60, the processes and the procedures that are called for in 60 have been set out in the memo. And my understanding is what the memo says is that the manager will be setting up an opportunity for people to be able to submit whatever they submit. The manager will receive those things, and at the same time if 130 passes, at the same time he brings back a contract proposal for us, he would also present to us whatever it was that had been received by way of proposal, but it's my hope that on August 9th, for me, we'll be able to act at that point with respect to the -- hopefully with the contract terms that will be brought to us.

[3:12:53 AM]

>> Garza: Okay. I'm just saying this resolution that was moved does not refer to any memo, so --

>> Mayor Adler: And I think that's important for us to discuss it. That was the discussion I had with councilmember pool, that the way to understand item number 60 is to see the memo as the manager having already responded, in essence, to 60, saying in response to item number 60, this is what I'm going to do. That's what that memo is, and that memo is made part of the backup in today's deal. It's also posted on the council message board.

>> Garza: Okay. So just to be clear, the second "Be it resolved" is not saying on the 9th bring us back this process that enables the private sector to submit reasonably detailed plans that includes a timeline that enables the private sector? Sounds like on August 9th we could be presented something that says here's a process to receive plans.

>> Mayor Adler: I think it's the manager is directed to initiate a process to receive plans. He has initiated that process and described it in the memo. So when he brings back the deal points, assuming 130 passes, he will also tell us what he received by August 3rd with respect to the other proposal.

>> Garza: Okay. If that's the intent, I don't think the second -- the bullets in the second "Be it resolved" are necessary, so I will -- if I need to be recognized later, I will move to take those out.

>> Mayor Adler: Okay. Ms. Houston?

>> Houston: It's way past my bedtime. Yeah, it's almost my wake-up time. 4:30 welcome here in a minute. I'd like to amend the last sentence to say, returns to city council on August 9th, 2018, for status update and August 23rd for council action.

[3:14:53 AM]

That'll give us a chance to have time to review whatever the city manager comes up with before we vote.

>> Mayor Adler: Ms. Houston is moving to amend, so that the manager will tell us what he's received on August 9th, and then the council will take action on August 23rd. Is there a second to that?

>> Pool: I can view that as a friendly.

>> Mayor Adler: I wouldn't -- I wouldn't take that.

>> Pool: Okay.

>> Mayor Adler: Mayor pro tem.

>> Houston: You didn't make the motion, mayor. She wanted to say -- you still are entitled to get to the motion. Is there a second to that amendment?

>> Pool: I second it.

>> Mayor Adler: Okay. Councilmember pool seconds it.

>> Houston: So she said that she would accept it as a friendly, and I said that's fine, and so then what just happened? Usually we are able to do that.

>> Mayor Adler: No, you can't -- she can't -- you can only accept an amendment like that if there's no objection on the dais. Otherwise, you make an amendment, it gets seconded, and then we take a vote about whether to include it or not. So it's been moved --

>> Houston: You objected to it. I was trying to figure out -- I couldn't figure out who --

>> Mayor Adler: I did. It's been moved and seconded to have submitted and received. Do you want to address your amendment, Ms. Houston?

>> Houston: I think I already did.

>> Mayor Adler: Okay.

>> Houston: The city manager will be soliciting these -- the plan, then he will report back on the 9th, gives us time to look at all of that, and then make a -- take a vote on the 23rd.

>> Mayor Adler: Okay.

[3:16:53 AM]

Mayor pro tem.

>> Tovo: I see that councilmember Houston has a similar one for item 130, and so I just want to talk about at first that sounded like a reasonable plan, but I understand there are some time frames that are challenging from the mls side. So I just wanted to ask whoever is the right person to answer that question if the 23rd -- if we move forward with a path of the 23rd, if that -- what that does to the time frame, the decision making time frame for mls.

>> Mayor, members of the council, my name's Richard on behalf of psv. As you know, we've been in the process for quite a while. We've had several instructions by the city to look at different sites. We've been in the process for a while. We actually have a deadline that we're getting extended that is prior to August 9th. August 9th is a very important date for us. We were disappointed that we couldn't get this done before the summer break, and pushing it to the 23rd is problematic for us while we're trying to get into a new stadium here in March of 2021. So it is problematic for us to keep pushing this.

>> Alter: Mayor?

>> Mayor Adler: Councilmember alter.

>> Alter: I think I understand what Ms. Garza was getting at with respect to her question. I think it was a question of the grammar not leading to what we were -- was the intent, and I might have a solution which would be the city manager is directed the initiate a process for receiving the plans referenced above that meets the following goals, colon, then the four bullets, and then the city manager is directed to return to the city council on August 9th, tow, for a status update or for council action on any plans received.

[3:19:01 AM]

So I think the question originally was a grammar question of whether it would accomplish what we were saying, but I think that would accomplish that, and I'm happy to give this --

>> Mayor Adler: That makes sense to me. Is there any objection to making that last one, the manager will initiate a process for receiving plans referenced above, that do these four things, the four bullet points, and then the manager will return to the city council on August 9th for a status update or for council action?

>> Pool: Yes. And I see that -- I'm going to see that one as a friendly, and we specifically -- if I could, we lifted the -- that as a word-for-word recitation of that same element from item 130. And I'm happy to break it into two parts and put it below the bullets.

>> Mayor Adler: Okay. So without objection, I think we can make that change. But then we still have Ms. Houston's saying -- instead of saying return to action on the 9th for status update or council action --

>> Houston: And unfortunately, mayor, if the dais doesn't have all the information, then the dais really can't make informed amendments. With that clarification, then I will withdraw my motion.

>> Mayor Adler: Okay.

>> Houston: I'm going to go home in a minute, so --

>> Mayor Adler: All right then. We have that change and that's been amended. As we had talked about, Ms. Houston withdraws her amendment. Is there any further discussion on this?

>> Garza: Just real quick, it was -- there was a grammar issue, but it also -- even fixing that, I just want to make sure that on August 9th, we're not going to get a report back that says, I've provided the information, I've -- you know, am I making sense? Lining on the 9th we're going to get -- the updates are going to be here are these plans, and here are these plans.

[3:21:04 AM]

Is that correct, city manager?

>> Correct. Mayor, councilmembers, I had asked staff to look at the original item 60 and said if this were to move forward, how would we implement that? And so that was the memo that you received yesterday. Maybe I can just ask procurement if -- the changes that were identified today that are being incorporated into the revised item 60, does that change how you would go about the implementation at all?

>> Mayor, councilmembers, James Scarborough, purchasing officer. The memo that we sent out today was, in part, in response to some of the questions that we were receiving concerning the possibility of incorporating consideration of other approaches or other application of the mckalla property. It would be -- and in that conversation, there was discussion of possibly an rfp or a solicitation or what have you. We don't have a competitive process that could compare, very unlike applications for this property, we have a possibility of developing a more detailed proposal from the developer. And then there are other opportunities to develop this particular property. We put together an approach to gathering those -- those ideas, those concepts, and we will be able to bring them back to you at the first meeting in August. And then at that time, we would be able to take direction from council as to which ones of those

that you might want staff to pursue further, whether that be the development of the sports stadium or whether that be pursuit of any of the other concepts that may be submitted back to staff.

>> Mayor Adler: Okay. So we have language here in number 60.

[3:23:06 AM]

Is there any further discussion on this? Those in favor of item 60, please raise your hand. Those opposed? Mr. Renteria votes no. Those abstaining? Councilmember Garza abstains, the others voting aye. It is 9-1-1. That gets us to sh 130 -- I mean sh. I'm driving home right now. Item 130, which has been moved and seconded. Do you want to address it, mayor pro tem?

>> Tovo: I think there are amendments. Do you want to take the amendments and then -- or you want me --

>> Mayor Adler: It's been moved and seconded. Do you want to discuss the amendment first or do you want to discuss the -- all right. Mr. Casar.

>> Casar: So, mayor -- sorry -- mayor, I passed around an amendment. It has -- creates three major -- or three changes to the terms of negotiation or three additions. First it changes maximizing on-site affordable housing opportunities to a requirement of at least 130 units of affordable housing on site. Second, it specifies higher labor standards than even the last resolution required, making sure that we have good jobs for concessions and custodial contractors. And requiring all employees to follow the policy that we've established under our current chapter rules. Third, it asks for an establishment of a formal inclusion plan. Some pieces of that would be addressing the challenges from our community workforce master plan, dedicating a set-aside minimum portion of marketing and outreach budgets to inclusion of diverse communities, and something that actually got two tips from folks that worked on major league soccer in Houston.

[3:25:10 AM]

One of them was to have a community-involved decision-making process if the selection of team name and mascot if we're to have major league sports. They made, I think, a huge mistake at first by trying to name the dynamo the 1836s. The community fought that and changed to it a more appropriate, inclusive name in Houston. And also, my understanding is that there's a commitment in that contract also for low-cost family pack ticket options making up a portion of the tickets. So I offer those amendments for the dais's consideration.

>> Mayor Adler: These are all things that the manager is being instructed to raise and pursue in negotiations. It's been moved by Mr. Casar. Is there a second to those amendments? Mayor pro tem?

>> Tovo: Yeah. I would just say I accept all those as friendly. We've also included some provisions for significant numbers of free and low-cost tickets, and as we talked about at one of the work sessions, we

certainly want this to comply with the highest labor standards, so I appreciate councilmember Casar for spelling out some of those. I think it's very consistent with the spirit of the resolution.

>> Mayor Adler: Any objection to those being included? Hearing none, those are included. Does anybody want to address this item 130? Mayor pro tem.

>> Tovo: Yeah. Let me just say, first of all, gosh, we've never had really such a large crowd, I don't think, at 3:30 in the morning, or at least not recently. So thank you all for staying. This is really quite something. I know many, many people at home, but one of the things that was really, I think, very inspiring for me to see are how many children were able to come out and how enthusiastic they were and how articulate they were about why soccer mattered to them. We've talked a lot over the last few months. I have to say it's been a very interesting conversation about soccer and I've learned a lot. I'm not -- I'm not a soccer fan.

[3:27:11 AM]

I've been to one game and it was kind of neat, and I think it's going to be an exciting thing for Austin. But as somebody who is not there ply support -- who is not terribly supportive pointed out, my children are not a soccer fan, why am I doing this? One thing that's been very interesting, hearing people's stories about why major league soccer mattered, why having a major league sports team here in Austin mattered and how it could make a difference and how it would give us a to rally around. I think it's going to be a very good thing in Austin. I'm excited to see this moving forward tonight. But what I'm most really excited about is the potential for our youth, for all the kids who are going to come watch games, who are taking used to soccer -- participating in youth soccer right now, I think one of the speakers earlier talked about how -- about being able to see the visual impact -- what did she say? The way that -- being able to see major league soccer players in Austin would give kind of a visual goal for all of those young people. And that is a really good thing. And I think major league soccer will be good for our community. I think it will give us a unifying and rallying cry but I'm also really excited about the benefits that will aaccrue to families who will go and watch and benefit from this and see players out on the field who will inspire them to improve their own sense of the sport. So, again, thanks and appreciate the conversation. I will say just a couple caveats. We are not -- I completely believe we should treat this like any other economics incentives deal. We are putting a big investment in with our public land and we should treat it like any other economic incentives. So at the end of the day, those community benefits really need to outweigh the public investment.

[3:29:12 AM]

And so you have certainly my commitment and I know that of others here on this dais that we're going to look very carefully at the financial elements of this arrangement that we're going to have a very clear understanding from our staff about what the property taxes are that we would be foregoing if the use is declared by T cad to be tax-exempt, that we would have a very clear understanding of whether there

would be any other costs if the city of our participation in this, of our partnership in this, that we will retain the controls over the property that are appropriate to that kind of a partnership, and again that we'll make sure that it really is in the best interest of the community and the benefits that accrue to this -- maybe it's not good to use in this setting, but benefits to the community are really significant enough. The other piece that I think is really important, and I appreciate the speakers who have brought this up, we have had a long-term goal in this community of building affordable -- of building affordable housing on city-owned land and we have had that discussion. I have brought forward multiple resolutions, and we still don't have a project underway. And so I understand the frustration. I think this would be a good site for affordable housing, but I think it will be a great site for a stadium. And some of those other sites as we've talked about would be very good for housing. But I do think we owe the community of advocates and the large number of people who really need affordable housing the promise that we are going to move forward in the very near future at the same pace we're moving forward potentially with this arrangement, that we will move forward with a project on piece of city-owned land so that's -- I would just emphasize to the city manager that I think that's really an important part of the commitment that we keep to the community to make sure that we're moving forward with a project, if we decide and the contract negotiations land us in a place that we can move forward with a stadium at mckalla.

[3:31:20 AM]

Thanks.

>> Mayor Adler: Councilmember Casar.

>> Casar: Yeah, I appreciate hearing from everyone tonight, and over the course of the last few months. I know that throughout the day on this issue, I've had constituents, many constituents from district 4 on either side of this issue. I've really appreciated hearing everyone's input. Of course today's votes aren't the end of the conversation. This conversation clearly will continue. The areas of concern that I've really heard, especially from folks living near mckalla place have been sort inform three areas. One from folks in the neighborhood nearby, people have been concerned about traffic and other impacts nearby, but then also I've heard from some of the parents and pta groups that have been brought up here by folks on the other side that they really want to be there on game day and be able to have something to take their kids to. While at the same time, I recognize that there are really legitimate concerns about, you know, seeing this sort of development near folks' homes. So I think it's -- that's a hard balance to strike. I think the feedback is meaningful and that's part of why I think it's really important for some of the provisions that have been listed in the resolution and that I've amended in to add a more formal inclusion plan to ensure that those families from such diverse backgrounds nearby really get a benefit out of a soccer stadium and a soccer team here. People have brought up affordable housing, and I've told people in meetings that are both for and against this proposal that I wouldn't be able to support this stadium on this piece of land if we did not have affordable housing around the stadium. So that's why I think it's really critical to have it very clearly laid out in the resolution that we want a minimum of 130 affordable housing units on this site. And I'm diligently -- have been working and brought on part-time staff this year to redevelop the Home Depot and Chrysler dodge dealership tract in my district to also have affordable housing on city-owned land, and I think this resolution will move forward an

additional piece of city-owned land for affordable housing, alongside the significant commitment we just made in the bond.

[3:33:34 AM]

So I wouldn't be able to support this proposal if it's not also promoting both the cultural benefit of soccer and the affordable housing, and I think that the resolution tonight, I can vote for it because it moves both forward. And then of course folks have brought up very reasonable concerns around subsidizing for-profit enterprise. I wish that it wasn't the way the game is played for major league sports to be subsidized all over the country. But if we do want to move into major league sports, I appreciate the staff's analysis of how much are we subsidizing major league sports here compared to other places? And it seems like there is the possibility that we could actually be on the much better end of that deal, but again, that has to be negotiated out between here and August. It would be my preference, of course, and all of ours, I think, on the dais, to not have to subsidize this, but if we want soccer, then we have to figure out whether or not our subsidy and our deal -- how it compares to other soccer deals. Ultimately major league soccer, as far as I can tell, doesn't generate tons of money. This isn't the best business deal we could get for the site. This isn't a good didded the best economic development tool. If we're going to do soccer, it shouldn't be for economic development, it's for the cultural benefit and for the community benefit to our community. If we're developing the mckalla site to make money then we shouldn't be looking into affordable housing or looking into soccer. If we're looking into it to make money, we should do something else. So -- but that doesn't mean the deal shouldn't be physically sound. We need and I expect strong negotiation between here and August. I won't support a deal if it doesn't provide the affordable housing on site. I won't support a deal if it's not fiscally sound. I won't support a deal if it doesn't bring those community benefits. But our city is more than or gdp. Our city is supposed to be something that brings folks together and makes folks happy and deals with supporting people's basic needs, and so if there's a way for us to have community benefits, a fiscally sound deal and the cultural benefit of soccer, then that's something that I think we should negotiate for and keep our minds open about, and so that's why I'll be able to -- that's why I was glad to support item 60 and to support this item here today as well.

[3:36:01 AM]

>> Mayor Adler: Councilmember alter.

>> Alter: I'll try and be short because it's late. Thank you all for being here. I want to invite all the companies that would like to come and invest in our community to put their best foot forward through this process that we've laid out tonight. I want to thank mayor pro tem tovo for shaping a resolution to lay out some of our expectations of our staff with some policy guidance for a fiscally sound negotiation. I have been to professional soccer on multiple continents and my kids do play soccer. And I believe that soccer could be great for Austin. But I also know that Austin could be great for mls, and Mr. Precourt,

your first offer was not good enough for our community. Whether or not you meet your August 9th deadline is going to depend on how you approach this process. And I hope that and invite to you approach this process as an investment in our community as a place that you want to stay over the long haul, and bring all that soccer can bring to our community.

>> Mayor Adler: Yes. Mr. Flannigan.

>> Flannigan: So I also want to thank everybody for sticking around so late. You know, there are a couple things about this process that may be unfamiliar to some of you. Normally when we go this late we're seeing a lot of the same faces that we see many times over. There's a lot of new faces here tonight and I think that's really exciting. One of the things that may seem weird is how much debate we seem to have live and in person compared to other types of governmental entities, and this is about the rules we have and, you know, some of us are not co-sponsors to resolutions because you can only so many, and once you have those, once those co-sponsors are put together, you can't talk to them anymore. You can only talk to them here. So councilmembers kitchen, Casar, and myself, not being on those resolutions, mean we can only have these conversations in public, and that's good governance, but it also takes a long time and it makes you stay long because when there's 130 items and there's a group of councilmembers who weren't able to talk behind closed doors, this is the process that we have.

[3:38:18 AM]

It's good for governance. It's hard to the folks that want to come and testify. I want to thank you all for sticking around. I also want to implore to our diligent friend in the media who have also stuck it out to please report this not as an approval but the continuing of a negotiation. And I don't want anyone to think in the community that the initial deal that was put out that is initial but not final is somehow being blessed as a final deal that will be very confusing for the community. And as staff can attest, as many of my colleagues will agree, we are not strangers to voting no on a contract that staff has negotiated. Not even in the last six months have we done this before. So the decision that we make in August is not predetermined. And just because we have directed staff with a laundry list of things does not mean that we're all going to approve them. This is about measuring community benefit. We have said time and time again that we don't sell public lands, that when we have public lands, we are measuring community benefit. Sometimes those community benefits to the mayor's point, I thought so eloquently said the other day, sometimes those community benefits don't have an easy dollar figure. And we have to figure out how much we value those emotionally, how much we value those as a community, in much the same way that when we buy open space or build a park, we are measuring community benefit more than just the dollars that that park otherwise could have been. So I think there's a lot of work to do. I am -- I have all the faith in the world that Mr. Predeport Mr. --Mr. Precourt will wish he hadn't negotiated with our staff because I think they're going to put him through the ringer. I think at the end of the day our staff is going to do a good job and I hope the final deal is something I can approve because it provides far more benefits to this community in ways that are measurable and immeasurable than we could have done otherwise compared to where we can build affordable housing on sites all throughout the city.

[3:40:28 AM]

He.

>> Mayor Adler: Mr. Renteria.

>> Renteria: You know, I just want to let my -- let y'all know that, you know, when we instructed staff to go out and negotiate, we instructed them that we are not going to be liable or stuck with a half-used stadium if something happened. We instructed them that we want everything in there, put in there that's going to safeguard us from any liability at all. So I just want to reassure people out there that, you know, we instructed our staff, when they're negotiating, that we are going to make sure that, you know, this is -- this is a project that's not going to be where we're stuck holding the bag. So just want to let people know that.

>> Mayor Adler: Come in Garza?

--Councilmember Garza.

>> Garza: I wanted to thank councilmember tovo to take the lead on this. I know it's not the best position to be in, especially someone who's been a leader in affordable housing longer than I was in were. Thank you again, mayor pro tem tovo. I will say again I will not support a deal that does not bring significant community benefits to this community, but I do honestly believe that this is a great opportunity to unify this community. Mr. Limon's comments -- it's interesting, growing up in San Antonio, when I moved here, and I meet so many Latinos who would talk about about how great San Antonio was, to me, I'm like, well, that's just -- you know, what is so great about San Antonio? Because I thought Austin was so great. And I realized it was because San Antonio just has this amazing appreciation for the hispanic culture. And when you grow up in that community, it's normal to you, but when you grow up in a community where you don't feel like your culture is appreciated, you love going to that city that does.

[3:42:33 AM]

So, you know, growing up in San Antonio, I remember we -- my dad would buy us the -- we would get the cheap seats, the obstructed view at the spurs games behind a giant concrete pillar because they were easier to afford, so I hope that you offer some affordable tickets for families here, not obstructed. It will be a new stadium. And, yeah, I just think this is a really good opportunity to bring something really great here, and I look forward to seeing what the negotiation brings, and I certainly hope that it provides significant community benefits.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I'm going to be very brief because I think my colleagues have all articulated very well what our thinking is up here on the dais. I want to thank the mayor pro tem and I want to thank

councilmember pool for bringing forward what is combined together with these two resolutions, really moves us forward. And I also want to say that at the end of the day, I think the most succinct and the best way to put this language from the mayor pro tem's list of items is the fact that we're looking for the best possible financial return and community benefits to the city for the project. And I won't be -- I'm very excited about the soccer stadium. I think it's a good opportunity for the city, but at the end of the day, I won't be able to support it unless it is the best possible financial return and community benefit for the city. And I think that the council with this resolution, item 130, it won't be a secret about what that means because the list of items in 130 is -- I think is very articulate in explaining the things that we're looking for.

[3:44:39 AM]

>> Mayor Adler: I guess what I would just add would be, you know, I join my colleagues on the council in saying to our staff and our manager, please negotiate a really strong deal. And we've given you a lot of deal points I feel like to a degree. Everybody on the dais is talking to you, Mr. Precourt, as we send everybody off to negotiate. I believe that there's a good deal to be made here and that you'll be able to make that and come back on the 9th. My hope is, is that you'll work hard and be able to get to that point prior to the 9th. And if you are, then we can publish something and the community can see it and the council can see it ahead of time, maybe even meet early on it in August if you're able to get that back for people to see. Again, you know, there are so many things that are going so well in this city that we look around that we are very proud of in this city, and we need to be, and we are in this city. But there are also parts of this city that we all recognize are things we need to work on. I think the vote we took earlier tonight to have a bond for \$250 million to address affordable housing in this city is us taking a really keen focus on an area in this city that we're not doing great in. Because we have affordability issues in the city and focusing on it. And if we're honest with ourselves, we know that Austin is a city that is way too segregated for the city that we want to have. Socially and geographically segregated city.

[3:46:41 AM]

I hope, Mr. Precourt, and Mr. Clark, that when you guys sit down, you negotiate hard and come up with a good deal because I think if together you're able to deliver soccer to this city, you will give this city something that it does not have now. And that is a grand opportunity for all parts of this city to get together in common purpose in a way that just does not happen in our city now. And I would emphasize the points made by some of my colleagues that, for me, I don't evaluate this based on the economic return any more than I think the city did when we had the library, which was wonderful is a wonderful facility that has thousands of people going to it a day on an incredibly valuable piece of property but we didn't look at the value of that property in deciding whether or not to put a library there. The long center across the way is an incredibly valuable piece of property. But we didn't look at what we could have sold that property for when we decided to put the performing arts center there. The evaluation for me will be in the basis of the negotiations that you guys do in terms of the deal that comes out because

it has the prospect of giving to this city something that would not only be good for the team and good for mls but would be really good for -- for our city. So I hope that you guys are able to come to a good deal for us. Any other further discussion on this before we take a vote? Those in favor of item number 130, please raise your hands. Those opposed? It is unanimous on the dais.

[Applause] Hang on.

[3:48:41 AM]

Hang on. Hang on. With Ms. Troxclair and Ms. Houston gone. Will someone move passage of 117, which is to fund the negotiating team experts? Ms. Garza makes that motion. Second, I need a second. Councilmember Casar seconds that. Is there any discussion? Those in favor of 117, please raise your hands. Those opposed? Passes by the same unanimous vote. I want to thank everybody for coming. It is 3:48, and this meeting is adjourned.