

City Council Regular Meeting Session Transcript – 03/07/2019

Title: City of Austin

Description: 24/7

Channel: 6 - COAUS

Recorded On: 3/7/2019 6:00:00 AM

Original Air Date: 3/7/2019

Transcript Generated by SnapStream

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[10:06:12 AM]

>> Mayor Adler: It looks like we're ready and have a quorum so we'll quick it off. Before we start our meeting we have invocation with reverend Josh Robinson, hope presbyterian church. Everyone please rise. >> Good morning. I bring you greetings from district 6, proud and honored to serve in that district with councilmember Flannigan. I offer you this morning both a prayer and a blessing. Let us pray. Eternal source, creator of all, the one and the holy god, you alone are worthy of our praise. Make us instruments of your love, agents of your justice and peace, strengthen us to work for unity and harmony between people of every race, color and creed. Enable us to respect all of your creation and to love one another as ourselves that we may serve one another in humility, simplicity and joy. Oh god, lover of justice and equity, you call us to support the weak, to help those who suffer and to honor all people. By the power of your spirit, make us advocates for your justice so that all may be reconciled in your beloved community. Oh mighty god, I ask that you bless all those in hold office in the city of Austin, that they may do work in the spirit of wisdom, kindness and justice. Help them to use their authority to serve faithfully and to promote the general welfare for all. This we pray in the name of Jesus the Christ, amen. And now a blessing I offer you. As you do your work this day, may the spirit of truth go ahead of you to lead you on the way. May the spirit of truth go behind you to encourage you. May the spirit of truth go above you to bless you, by beneath you to support you, next to you to befriend you and may the spirit of truth go within you to empower you to serve those who need you to serve them faithfully. May it be so. Thank you.

[10:08:20 AM]

>> Mayor Adler: It is Thursday, March 7th, 2019. We are in city council chambers here at 301 west second street in Austin. It is 10:08. We have a quorum. In taking a look at the changes and corrections today, it should be noted that items number 2 and number 12 are withdrawn. And item number 14 the description, commercial activity, the word activity was misspelled. It's been corrected. Items 53 and 54,

this is the Alamo I think zoning case. In the blacklands. This is not before us until 2:00, but this is just to give notice that at 2:00 councilmembers harper-madison and tovo will request that no decision be made prior to 4:00. If someone shows up prior to 4:00 and they want to speak and if we have time will we still let them speak? Anyone who shows up after four will not be given an opportunity to talk, but if they're here before 4:00 we don't want to make it so we can't hear from them. So on that item 53 and 54 at 2:00, it will be noted that anyone who shows after 4:00 will be allowed to speak and we're not going to deliberate or take a vote until then. Item number 7 is being pulled because we have to determine whether we're approving or not approving. And items 3, 4, 5 and 11 have been pulled for speakers. Those are all bond questions. >> Harper-madison: If I may, mayor, items 53 and 54

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we received a request for postponement there so I don't know if we need to continue with the original plan to have that be time certain at 4:00 P.M. >> Mayor Adler: Well, we can't postpone it until 2:00. We can certainly adjust what we just said so at 2:00 we could have a conversation about whether or not it gets postponed. And so we will discuss that then at 2:00 on the question of whether or not to postpone. >> Harper-madison: Yes, sir. >> Mayor Adler: If we decide not to postpone, would we still do the same 4:00 issue? I'm just trying to give notice to people. Or at 2:00 if there's not a postponement will we go in and consider it at that point? I think what we'll do is keep it the way that we had it at 4:00 -- let me back up. We will consider it at 2:00 on the question to postpone. Should we not postpone we will not take until a until after 4:00. All right. That gets us -- also it should be noted that there are changes -- the boards and commissions nominations and waivers will be as appear on the yellow sheet that's been handed out to all the councilmembers. All right. So we have pulled 3, 4, 5, 11, and 7. Anything else to pull before we get discussion on the consent agenda? Yes. >> Casar: I'd like to pull 14. It will take one minute. >> Mayor Adler: Okay. 14 pulled. We have no -- number 27. Is Mr. Horseley here?

[10:12:25 AM]

Come on down. You can speak on the consent agenda. Item number 27. >> Good morning. I am James horseley, an eighth grader at Fulmore middle school. I'm working on a policy school project on gerrymandering. I've read books and looked at maps. Through this district I've learned how drawing the districts lines can affect elections. As someone who will be able to vote in five years, I feel it is necessary to eliminate the specter of the [indiscernible] Over democracy. Many are unaware of the impact this can have on their vote system. It turns out that your vote matters upside down. By allowing politicians to change the rules so they can reign in power for as long as they want. I hope you will try to end this selfish practice. The first would be to pass the resolution. Thank you for the opportunity to speak. >> Mayor? >> Mayor Adler: Yes, councilmember alter. >> Alter: I want to thank you for coming today and speaking your views. It's always important that our next generation works in the democratic process. I am happy to support this for a citizen led commission for Texas voters who were representative of the diversity, partisan balance and geography for all future redistricting. Thank you. >> Mayor Adler: Thank

you. >> Harper-madison: One quick question. We pulled item 44 this morning, but I don't know that you said that when you were mentioning pulled items. >> Mayor Adler: It's not on the consent agenda, so item number 44 is a zoning matter, so that will come up at 2:00. >> Harper-madison: Thank you. >> Mayor Adler: Yes, councilmember tovo. >> Tovo: Mayor, I missed who pulled -- I understand three, four and five and 11 got pulled for speakers. I missed who pulled 14. >> Mayor Adler: Councilmember Casar did from

[10:14:25 AM]

the dais just a moment ago. >> Casar: And I think it's just a small legal correction but I didn't want to bother us now. >> Mayor Adler: Okay. Yes, mayor pro tem Garza? >> Garza: It's my understanding that seven can stay on consent. I don't know if -- unless councilmembers have questions obviously. But if I can move that we not object and keep it on consent unless there are objections to that. >> Mayor Adler: Mayor pro tem has suggested that we keep it on consent and we say -- unless we say not object. Any concerns about that? Councilmember alter? >> Alter: I had some additional direction to go with that motion. I don't know if it would be appropriate now -- >> Mayor Adler: Let's pull 7 -- >> Alter: It will be quick. >> Mayor Adler: I think several people will want to at least speak to that issue, but I suspect it will still pass that way. I think those are all the citizens that I had signed up to speak on the agenda. Again, the pulled items are 3, 4, 5, seven, 11 and 14. The consent agenda is items 1 through 33 and also 59. Is there a motion to approve the consent agenda? >> Garza: I wanted to speak on 13 before we pass it. Item 13 is the lease for more administrative space in southeast Austin. So I wanted to provide the following direction. Keep it on consent if there's no objection to this direction, which is because the area where this administrative building will be located is considered a childcare desert and because the city of Austin human resources department is concerned for the health and welfare of its employees and is committed to providing cost effective benefit benefits which includes childcare, staff shall work with the landlord to determine the feasibility of including a childcare center on site. If costs appears to be the main obstacle, staff will seek council's direction on how to proceed. An on-site childcare center would benefit both employees at this facility and at the new municipal court which will be located close by. I believe that's already an existing space.

[10:16:26 AM]

And just to speak to that, there was a story this morning on Kut about childcare and childcare deserts. And one of the people featured was a family in district 2 who travels 60 -- I can't remember if it's 60 miles or 60 minutes everyday to get to an affordable childcare facility from del valle to oak hill. And how that family also had to sell plasma at some point to be able to afford childcare and all the living expenses. So I think the city needs to step up and start providing this for our employees. Other agencies when they can't fill the space with their own employees, they're able to offer it to families close by. Cap metro, for example, has an on-site childcare facility. ACC has stepped up to provide an site drop-in childcare. And so my office will also be working on a resolution that we include this in future rfps. And if

cost is the main concern, I would like council to be able to decide if that's something we can put in the budget or the city manager can just put it in the budget. [Laughter]. So that's all. >> Mayor Adler: Okay. Let's get a motion on the floor. Is there a motion to approve the consent agenda? Councilmember tovo makes that motion. Seconded by councilmember Renteria. Discussion now? Councilmember pool. >> Pool: I just wanted to ask a really quick question on the childcare, provision of childcare and the operations. I don't know if -- >> Mayor Adler: Which number? >> Pool: It's the item that -- the item that mayor pro tem is offering. Maybe it would be to mayor pro tem. And just to preface this because I'm supportive, back in the 1980s when I was a state agency worker, I participated as an appointee from my a agency to craft

[10:18:28 AM]

and develop a state agency childcare center that I believe still exists up on north of us on 15 street, I think it's on Guadalupe. There were a lot of issues surrounding that that needed to be explored and nailed down, and it -- it was a complex proposition. So knowing all of that and given the background that I have in that and also of course having to find and pay for childcare myself, back in the day, which wasn't easy even then, so I appreciate how it isn't easy now. I just wanted to find out if this is proposed to be something that the city would own and operate and maintain and -- I think I heard rfp so that sounds to me like we would be looking for quality childcare provider to come in and lease the space or use the space on the city's behalf. >> Garza: So the way other agencies have done this, for example, cap metro provides the space and contracts the service out, the same as Texas mutual provides the space and contracts it out. One of the obstacles is you need to have a certain number of sinks so it's that infrastructure and the start-up cost. And that's where I think the city could come in and help, but we would be leasing this. I would assume we would be leasing the space, contracting that out to somebody -- for somebody else to run. >> Pool: Great. That sounds great. Thank you so much. >> Mayor Adler: Okay S there any objection to that direction being added to this item 13? Hearing none that direction is added. Further discussion on the consent agenda? Councilmember alter? >> Alter: I noticed on item 26 for the fee waiver for the south Asian festival sponsored by the [indiscernible] Alliance, they needed additional fees waived and I'd like to add \$200 to the amount.

[10:20:28 AM]

>> Mayor Adler: So noted. >> Alter: There's more above that. >> Mayor Adler: Which number was that? >> Alter: 26. Give me a second and I can tell you. >> Mayor Adler: Okay. Any other discussion on the consent agenda? Let's take a vote. Those -- >> Alter: It's -- there was 925 that was paid plus mine would be 1125, and the fees are 1595. >> Garza: Let's just add the remainder on mine. >> Mayor Adler: Okay. Councilmember Casar takes the balance. Thank you. Further discussion? Throws in favor of the consent agenda please raise your hand? Those opposed? It's unanimous on the dais, the consent agenda passes. So let's now pick up the items that we have. We have some people that are signed up to speak. Let's go ahead and do that. We'll call items 3, 4, 5 and 11. Let's call the people that have signed up. First Stewart

Hirsch. Mr. Hirsch come on down. >> Of. >> Thank you, mayor and members of the council. Thank you for giving Austin voters the opportunity to pass general obligation bonds last November. Thank you to Austin voters for approving the bonds and disapproving petitions that would have impeded housing affordability. Thank you for amending the budgets of city departments to reflect voter decisions. And thank you for the resolution on code amendments that could remove impediments to housing affordability. It looks to me that all of these actions align with the goals of the strategic housing blueprint approved

[10:22:29 AM]

by the city council in 2016 and other city council actions. So I say to you well done. Please approve these items today. Thank you. >> Mayor Adler: Thank you. Is Ku young Kim here? [Indiscernible] Is on deck. Mr. Kim, come on down. You're speaking about the bond propositions. >> Number five. Good morning, honorable city mayor, councilmembers. You made Austin city a place in heaven, I say that before. Today urs, those company people came to Travis county commissioners' court to build illegally civil and family court downtown. We opposed it, but they continue. They collected \$91 million illegally and it disappeared. Urs, these people, \$91 million, pay back Travis county commissioners' court. Last Tuesday I went to Travis county commissioners' court, ask judge Sarah Eckhardt to go home. I asked police officers arrest Sarah Eckhardt. Now, urs, those people must pay back \$98 million to Travis county. I caught the criminal. I don't know where they are.

[10:24:31 AM]

Now I found it here. Thank you, your honor. >> Mayor Adler: Thank you very much. John ready and then list tall Kelly is on -- crystal Kelly is on deck. >> I didn't want to leave you hanging, but I don't need to speak and neither does my colleague Ms. Kelly. >> Mayor Adler: Thank you. That gets us to Stewart Sullivan. Then after Mr. Sullivan it's Leonard woffler. Mr. Sullivan you have three minutes. >> Thank you. And I've come here to speak on behalf of the economic development creative spaces money. And I'm looking at the possibility that there's a question that I had, and I had a question for you, perhaps Mr. Mayor can clarify for me. I had been under the impression that there is a strict timeline for release of the bond money, particularly if we don't do it in August or September it will be another year in 2020. And I know there was confusion, the city staff had mentioned that to me and we had kind of heard that. I knew there were things moving around and I talked to Mr. Reynolds earlier today. I wonder if you could clarify that. >> Mayor Adler: I'll make sure we bring up finance staff to address that and I think the direction that we're going to hear is if this council can amend the budget and move forward at any point during the process that it wants to. So it's not -- specifically it's not true that if we don't appropriate it or approve it by August that we have to wait a year. That is not true. But we will have the finance people come up and discuss that directly. >> That's great news and that kind of -- the first half of what I was going to speak on was the urgent I have for it because not only the urgency for the bond timeline, which

may not be an issue anymore, but there's obviously a lot of the various people looking for money for this are in a dire strait and couldn't

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last another year if that were the case. And the next question I had was the -- the allocation of 500,000 versus the first full 12 million. And that was, simply stated, \$5,000 in a commercial property in this particular city is not going to accomplish much of the goals that the actual bond was -- was proposed to do. It was in my understanding going to be for acquisition to property. And that amount of money upfront would not help us very much. I think the entire 12 million being released at once would allow us to have a lot more options on how we approach this as well as work quicker to get back to the idea that a lot of the applicants are in dire straits. We're seeing them leave -- we're seeing them pass away now. Some of them are on month to month and we want to be able to get them into more of a stable thing so they can stop worrying about surviving this month and next month and get on to being arts. >> Mayor Adler: I think we'll be discussing that too, and I think at length the 500 versus 12, or may not, but I think that at the end of the day there's not going to be a limitation on what the arts community can be developing proposals for moving forward on because I think everybody wants to have the broadest palate available for creative ideas, but we'll be discussing that in particular as well. >> Thank you very much. That's what I had to say. >> Kitchen: Could I say something? Stewart, I want to thank you for your work on the music commission and your work with the joint subcommittee of arts and music and bringing forward your recommendation. I'm hearing what you're saying in terms of the dire straits that many of our music and arts community are in, and the need urgency as well as the need for the full amount of creativity for us to hear from you guys

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what can be done with 12 million. So as the mayor said we'll be having that conversation and I think that will be our goal. I don't want to predict, but that's certainly my goal is that we come away from today understanding that we can issue -- we can ask ideas from the creative community for the full 12 million. >> Well, thank you. And I also want to thank everyone for giving us the opportunity to even have this money to try to allocate. Thank you. >> Mayor Adler: Thanks for your support during the bond election. All right. Next speaker is Leonard walker. Gus Pena is on deck. Mr. Walker, you have three minutes. >> All right. I guess I'm going to talk about the housing for all of us, like homeless people. So I had to go to the arch, where there's bad up there everyday. Nobody helps anything. Only the people who work there and they allow drugs to be sold out there and dos drugs. It would be good for housing, for people who actually want to help and don't want to be around that. And I sleep on the streets all the time because I'd rather be out there where I can be my own positive and not be in a negative with the arch and stuff. I like being -- I don't like being around violence. And people, they want to help and around all the violence at the same time. And I'm just tired of going to arch. It isn't good for owe we need real housing, people that actually want to help because the arch is really bad and people act like they don't care about the

stuff going on out there and insides, fights and stuff. I don't like being around all that. The arch is really bad and there's no change, it's dirty and everything. If worse comes to worse I do sleep at the arch, but it's very rare. That's how bad it is.

[10:30:33 AM]

But basically for housing for people who really want to help, don't do no drugs, do something with their lives, find a job, instead of being at the arch with all these drug dealers, where they're at. >> Mayor Adler: Thank you. It's important for us to know, and we're taking steps right now to change the function of the arch. It's important for us to. Thank you for coming and talking to us today. >> Thank you. >> Casar: And sir, thank you for coming and sharing with us today. We take that really seriously. It's always really powerful for people to come talk to us. >> The thing about the arch is there are fights all the times, drugs everywhere. I don't like being around all that so I'd rather stay from the crowd so I don't get in trouble. >> Casar: And usually what this vote is that we're taking, we're going to put as much money into building housing in all parts of the city that's affordable and addresses some of the issues you've talked about more in one year than we traditionally have done over the course of five careers. So this vote -- five years. So this vote is really significant. We're putting about five times as much money into building housing that's for low income people than we usually do. >> If you do drugs, then you're out of there, but people who actually want to help, get off drugs, stay away from violence and be positive and not negative. It's only for those people that are homeless, still doing drugs, they won't want the help. You can't help somebody that don't want to be helped. >> Casar: And I hear that you there are a lot of people that need and want that support and we're trying to listen better and do better. Thank you for coming and speaking to us. >> Mayor Adler: Thank you, sir. Mr. Pena, you have three minutes. >> Good morning, mayor, councilmembers. Gus Pena, founder of veterans for progress. We have a lot of homeless veterans still. I met Mr. Walker last week. I didn't come over here for self aggrandizement. I came over here so he can speak to the issues that he

[10:32:34 AM]

knows about at the arch, Salvation Army. And what echo is not doing enough for the homeless people, homeless veterans. I'm going to tell you something, Mr. Walker -- I'm very passionate and I cry because we're in Austin, Texas, the best city in the United States of America, if not in the world, and we have homeless people and iow our health department is doing very well on housing and vouchers, et cetera, but this man just told you what's going down. I didn't have to prompt him. This man lives the life over there and it's very dangerous. I pass by there everyday and they know me. They call me Mr. Big stuff because I'm kind of chunky and heavy. But the issue is this, I love that moniker and I'll keep it. We need rapid rehousing immediately, expeditiously. I've been saying that since Bruce Todd. Transitional housing, nobody has been talking about transitional housing. People from homelessness to self-sufficiency. So kudos to the director of housing. That's a good -- the health department, Stephanie Hayden. I love her because every time I have an issue that I bring up for her, she listens to me and they work heavily on it. I

just want to say this about the funding. Make sure it goes to direct housing, rapid rehousing. And I've been doing this since even before Bruce Todd was mayor. Transitional housing, we need that. Where did it go, what happened to that verbiage? And I really do think -- I'm going to say this, I know I've been tough on y'all, but I appreciate each and every one of y'all, even you, Renteria. But the issue is this, we need everybody, everybody to come forth because it is everybody's responsibility. And I lost 31 pounds on the campaign trail because of this issue, not because of this issue, but because I was passionate enough to bring up housing and the

[10:34:35 AM]

need for housing. We've got so many more people coming into Austin, where are we going to put them? Single moms with children that are homeless. Yeah, that's right. But thank you very much. I hear councilmember Garza, I hear you and all of y'all also, thanksoou very much for the hard work. And councilmember Natasha Harper Madison, the door is open for me there, I know that, and I appreciate y'all very much. We need a lot of help like Mr. Walker said. Anyway, thank you very much. >> Mayor Adler: Thank you. Those are all the citizens we had signed up to speak on this item. We're back up to the dais. We have three, four, five and 11 in front of us. Any conversation on the dais? Yes, councilmember kitchen. >> Kitchen: I don't know if you want to take a motion first. I just have -- I just have some questions for staff that I want to get on the record. >> Mayor Adler: Let's do this. Is there a motion to approve items 3, 4, 5 and 11? Mayor pro tem makes that motion, seconded by councilmember Casar. Now a discussion. >> Kitchen: Okay. I think that -- I need to ask some questions of staff, so I'm not sure if it's -- let's start with Ms. Hart. And if you feel that someone else needs to come up, then that would -- that would be fine. So what I'm wanting to do -- first, I appreciate all the efforts and all the back and forth conversations that we've had since work session. We've had some good conversations both with you and with the department, with Rebecca giello and the department and James Scarborough in purchasing. Because there was some confusion, I think, I wanted to get clarity on the record of what we can do. That's what I'm looking for. So I really have two very specific questions. Let me say first that the

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reasons for my questions and the reason that I have raised the question of appropriating the whole 12 million for creative spaces is because the bottom line is having the ability to move forward and solicit ideas from the creative community, from our arts and music community, on the full range of possibilities up to the 12 million. So that we are not at this stage of the game by the action we are taking today limiting the ideas that we can get from them. We all understand that -- I believe that when those ideas come back to the council, the council will have to make some determination on what to proceed with. But we don't -- but my intent is not to -- not to narrow the options that we can hear from. So that was one intent. And the other intent is not to slow down the process. As we heard from an earlier speaker, our arts and music community are in -- I think as he put it, dire straits and that's one of the reasons that we moved forward with the bond and the community support of the bond. And that is because there is

an imperative and urgent need for creative spaces both preserving and developing creative spaces. So here -- I think that I can just ask these two specific questions and that will get at what I'm trying to understand. So first is staff able or is staff authorized to issue an rfp to solicit ideas for projects for up to the full 12 million without an appropriation of the full 12 million today. >> Councilmember, in response to your question, we will be able to issue an rfp for open ideas for up to

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the 12 million, which is the bond authorization. What we will need to do is once we have the responses, if we want to contract with our -- entertain any of those specific projects that are proposed, we would then bring back sufficient appropriation or budget amendment to match that contract. >> Kitchen: Okay. >> So the budget and the contract would come back at a later date, but we are not precluded from issuing an rfp to solicit the idea at this point. That's unlike an information -- a request for bid on a construction contract. In this case we're asking for an rfp for a concept, not the ability to build a road, for instance. And so it's a little bit -- we have a little more flexibility with this and we're entertaining that, but at the end of the process when we want to spend the money, we would have to bring back the appropriation at that time or budget amendment. >> Kitchen: Okay. So I'm understanding, and just tell me yes or no, did I understand correctly, that staff can issue an rfp to solicit ideas for the projects for up to the full 12 million without the appropriation of 12 million today. >> Yes. >> Kitchen: Okay. Then the second question that I have is that -- I think you answered it, but I just want to clarify. So by doing -- proceeding this way, that does not require a two-step solicitation process. I understand what you said that the council has to take additional steps in terms of appropriating and contracting, but it doesn't require -- it doesn't require a two-step solicitation process. In other words, by issuing an -- by issuing this kind of rfp, the staff can come back to council like you explained but it won't require them to go out and

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issue another rfp. >> We will structure this rfp as a single procurement that we can bring back to the council for their consideration. >> Kitchen: All right. Those are the questions that I had, and with -- I'm sorry, you go ahead. >> Mayor Adler: Councilmember Casar. >> Casar: Thank you for the question and thanks to the staff for helping us clear this up because there's all different kinds of contracts and so much happening in this item. So thanks for your diligent work on this. And what I do think needs to be clear and I think it is clear from councilmember kitchen's questions, but doubly clear, is we're not voting on whether the rfp comes back to us or whether you go ahead and do it. We're not voting on that. We're just voting on getting started with the bond program and by this action the way that it's posted, we're not closing any doors on up to \$12 million. We can just kind of proceed and figure out when we rfp and how that process works from here. >> That's correct. All we're doing is appropriating the initial money, but we are resolving the question about whether an rfp could move forward. And that doesn't need council action. >> Casar: An rfp could move forward on your own or you could bring it back to us. We're not voting on that process today, just voting on the appropriation. >> That's correct. >> Casar: I'm

really -- I'm excited about the creative space money and project just like I'm excited about the tons of flood mitigation and water quality money that we're doing, fire stations, fixing services, almost an entire bond in housing money in one vote in one year. So I think it's just a testament to the work of a bond oversight committee that we started talking about back in 2016, citizen volunteers, so much staff time especially in the finance office, and across departments. So I'm supportive of this being this way because it doesn't close any doors, and I think it's also testament to even if we had some misunderstandings and some questions during work session that we were able to work things out to a way

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that helps everybody. So thank you. >> Mayor Adler: And I like this too and I appreciate the work to make it very clear that as our commissions and as our community and as our staff are thinking about how to spend this money, they could spend anywhere from zero to \$12 million. And that we're not -- and I appreciate that we're not precluded from doing an rfp or a one-step process. Nor are we deciding we want to do a one-step process as opposed to a two-step process because I want that to be part of the -- part of the conversation. So while we're not precluding the ability to do one step process, and that could be the recommendation that comes back from staff and the commissions, we're not deciding that question here today or giving direction on that question here today. I mean, ultimately I think that they're going to be kind of competing needs. I think one, we need to hear from the arts communities as well as the citizens and people not associated with arts communities, but just hear from everybody on what could happen. I hope that among the things that I hope among the things are being considered are big, grand things that take advantage of having that much capital available, and I hope if at the end of the day there's a decision to -- or direction or guidance to really do something big or grand, at whatever level that might be, that that's made specifically available and that as many people can compete in the community as possible with that being a specific goal. But that said, we're not deciding any of that process here today, and probably on the dais it would be different views on how that process should go or not go, but making very clear that the idea is that we need to surface the goal from zero

[10:44:41 AM]

to 12 million and that the process we're doing allows for an rfp to issue as a 1-step process, that allowance is also important as well. Further discussion? Yes, mayor pro tem. >> Garza: I just I want to thank staff for helping us work through this process question, and I want to thank councilmember kitchen for working with my office. As I said at work session, I was concerned about what appeared to be a prioritization and then there was -- I saw a media headline that said the arts community needs money now but councilmember concerned, I mean, and so I'm -- I know it was about a flexibility, and I believe the process going forward provides the flexibility for the arts money as a supporter of the arts community, I'm glad that they can have this flexibility and we can move forward with the staff's recommendation. >> Mayor Adler: Any further comments? >> Kitchen: I have one more. >> Mayor Adler: Councilmember pool and then councilmember kitchen. >> Pool: Councilmember kitchen can go in

front of me if she stills talking about the additional allocations. I just wanted to make a comment about one item that is already in -- in the works. >> Mayor Adler: Understood. Councilmember kitchen. >> Kitchen: Yes. I just wanted tomes again the importance of moving fast, the importance of ensuring that we hear -- we hear the full create -- we allow for the file creativity that will come from our arts and music commission, that we hear from them. I want to emphasize this is not about us, not about the council, this is about our creative community. And so I'm looking forward to hearing from them, what they want to see. They're the experts on how we can best preserve

[10:46:42 AM]

creative spaces. So. . . >> Mayor Adler: Councilmember pool. >> Pool: And I also support the allocation of the 12 million as an early out. And I also wanted just to shine a light and thank our watershed protection department for the land acquisition that will preserve open space and protect groundwater quality in -- what was the location of that? It's part of hays county, west of mountain city, 15 miles south of Austin. This is a really key, strategic acquisition on the city's part. And I appreciate the ability of the city to find, locate and afford to purchase open space because we are losing it so quickly. So thank you to staff for that targeted acquisition. >> Mayor Adler: Okay. The -- yes, councilmember alter. >> Alter: Thank you. I echo that it's wonderful to see that we're able to move forward with that open space acquisition. Thanks to the voters and the bond, and I appreciate councilmember kitchen bringing clarity to how we can address the creative space issues. My question is on item 5, the red bud bridge funding that's coming from the 2012 bond and particularly about the engagement process. We're getting some emails about concern are from the public about being ae to participate in this phase, and it does say something in the rca about that but I think it mid be helpful, Mr. Mendoza, if you could clarify how the public been engageddality this next phase of the engineering process and design, please. >> Most certainly, councilmember, Richard Mendoza, director of public works. The item before you today is tying the bow of red bud trail bridge. We've been engaged with the community in prior public

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meetings to get input to complete the bridge concept engineering report. We've arrived at a point now where we're ready to come back to the public in the next series of public meetings, which will be scheduled in the near term to show results of that final bridge concept engineering report. Today's funding will allow that work to be complete, and that will exhaust the 2012 funding. But we have proposed in the 2018 bond is to move forward with the final design and construction, but we do fully expect and do plan to go back out to the public, as well as reengage our neighbors, namely in west lake hills, to get and listen to any issues that they may have with the project. >> Alter: Great. We will also be looking at moving the process forward to try to secure campo funding in time for the next call. >> Most definitely. That's the critical timing to complete this report, to have some shovel ready or shelf ready to make it well-competing for other projects in the region. >> Alter: Look forward to getting the word out on those public meeting options so the public can provide feedback at this stage. >> Thank you,

councilmember. Thank you for your support. >> Mayor Adler: Sounds good. Councilmember tovo. >> Tovo: Just to clarify the conversation you just had, so the authorization of these funds don't -- aren't for a particular design, that that work is still -- >> It will be the next phase. And then the public engagement process will be reintroduce as we move into final design. >> Tovo: Prior to or after there is a final design? I think -- [overlapping speakers] >> Councilmember, it will coincide with the final design. The next public meeting. >> Tovo: So I guess I'm sorry I still don't -- I'm still not clear on the role of the public in helping provide feedback for that

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design, as you -- as I'm sure you know you there are concerns about what kind of design the city might proceed with with regard to that bridge. So will the feedback happen prior to the design work being completed? So the design work can be shaped by that public feedback? >> You are correct. >> Tovo: Okay. >> It will happen prior to the final design. >> Tovo: Thank you very much. >> Mayor Adler: All right. We have a motion to approve three, four, five, 11 as submitted, it's been seconded. Those in favor please raise your hand. Todd. Unanimous on the dice. That gets us here to item number -- let's look here. Item number 7, las decrossing -- velocity crossing. I think there were several that wanted to speak to that before we take a vote. Is there a motion to approve this item as approved? No objection. Mayor pro tem, is there a second to that? Councilmember Flannigan. Discussion on the dais. Comments. Councilmember alter. >> I think this looks like a important development for that area of the city. I would like us to add direction to inform Travis county that the council will object to any future in-city by Travis county until council has approved an updated city P.I.D. Policy we we currently have a moratorium on that and for P.I.D.S that are within the city limits we are missing opportunities to influence those developments along with our values and for the investments to be those that we prioritize. It would not be objecting to this particular one, but to provide some notice to Travis county that we want to have our own P.I.D. Policy if we're going to be doing P.I.D.S within the city. >> Mayor Adler: Okay.

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Yes, mayor pro tem. >> Garza: I would be concerned about adding that as direction. I think we can say that from the dais as individual councilmembers, but I understand -- I absolutely understand the city's concern about us not having a policy right now, and I understand you're not objecting to the one before us as well. But each one of these is very unique. I am concerned about Travis county, you know, continually doing that. That being said, I think this one is an example of a good one, and I don't know what's -- I don't know where the city is on a policy, and I don't know what's coming -- what else is coming. And so I'd be concerned about being in a position making a statement that we will not accept anymore because what if one comes up in northeast Austin where it's spurring economic development that that area needs and, you know, we have been considering these on a case-by-case basis, and so I couldn't support that if that's something that we're gonna vote on right now. >> Mayor Adler: I think we can raise that issue. We can't adopt policy today on that because we haven't been noticed to adopt a

policy on P.I.D.S so we can't adopt a policy here. I would express the same concern that my colleague on the council has raised, both. I think we -- manager, we need to get to the policy. We need to -- right now we're spending a lot of time reviewing these. We don't even get a reviewer fee for these things. There are contributions made to affordable housing, but how are city of Austin housing can't access those funds because they're not part of that process. So I would join the voices to say, please, avoid us having to be in this situation. There are people in the community not knowing who it is they should be going to be able to present these kinds of ideas. >> Mayor, councilmembers, this was the same section

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reflected in a March 4 memo that came from our deputy city manager and just expressing that we are now forming the group that will look at the P.I.D. Policy. We're hoping to bring something back in September. We don't know of any others that would be in this category so I think the timing works out well, but this is -- I think we're generally in that same agreement of we need to quickly move forward with a broader P.I.D. Policy for the city. >> Mayor Adler: Councilmember Flannigan. >> Flannigan: I wanted to back what you the mayor pro tem said. I agree I'm not comfortable signaling intent on future decisions where every single one of them is different, the conditions are variable. That's kind of why P.I.D.S exist on some level because it's just not -- every site is a different situation. So and I just want to - to also say that Travis county are our partners. They're not our competing jurisdiction. We are in these issues together, so I'm not as upset or concerned about in-city P.I.D.S. I'm a little more concerned that while I want to make sure that we're encouraging our two jurisdictions' staff to be friendly and I'm sure that they are, but to have a much stronger relationship so that we're accomplishing our mutual goals together. >> Mayor Adler: That's a good point. Further discussion on this item? Mayor pro tem. >> Garza: I just want to thank Karl and Doug for the work that they have done in bringing -- and the planning. I think they serve as a great example of how other developers can work with us. They have become involved in the community. I have seen them at school events there. They have learned what del valle needs. They have reached out to my office, working hard for that grocery store. If you heard my comments today about on-site child care, that would be a great

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one, too. You know, it's so important that we have these good relationships and we bring these much-needed services and while I agree that we need to work on this policy, this P.I.D. Is a great example of working with the community, understanding the needs of the community, and bringing us something that I think will provide some great -- spur some great economic development in southeast Austin. So thank you all for your support on this. >> Mayor Adler: I've also had the opportunity to be with you at the school, with the superintendent, the community, too, and I think that you -- I wanted to reiterate what mayor pro tem has said. Thank you. Anything else? Those in favor of this item, no objection, please raise your hand. Those opposed. It's unanimous on the dais with councilmember Renteria off. >> Mr. Mayor? >> Mayor Adler: Yes. >> I would like to make a motion to reconsider item number 25, and I

know we still need to talk about the one that councilmember Casar pulled. But one of my commission members was inadvertently left off the list so I didn't know if this was the appropriate time to address that. >> Mayor Adler: Okay. It would be. There's been a motion to reconsider item number 25. There's been a second. Is there any objection to reconsidering item number 25? Hearing no objection, we're going to reconsider item number 25. Do you want to make a motion on item 25? >> Yes, I wanted to make a motion to reconsider. There is community technology and telecommunications commission nomination that I had submitted for Michelle Rhinehart and she has done all her paperwork through the clerk's office and was on a previous iteration of this list but I just knew this was the time to prevent further delay of her appointment. >> Mayor Adler: Okay. Councilmember Ellis moves passage of item 25 about the

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addition of the person she just named. Is there a second? Councilmember Casar seconds that motion. Is there any further discussion on this item 25? Hearing none those in favor please raise your hand. Those opposed. Passes unanimously on the dais. >> Ellis: Thank you. >> Mayor Adler: Okay. All right that gets us past item 7. That gets us up to item 14. Mr. Casar, I think you pulled this one. >> Casar: Mayor, I'd like to move passage of 14 and then I'm going to hand out this small legal amendment. >> Mayor Adler: There's been a motion to approve item number 14. Is there a second to that motion so it can be before us? The mayor pro tem seconds that. >> Casar: So I'm handing out an amendment. The goal of the -- it's just a small cleanup. We've talked to law and parks about it and I think there's no problem with it purchase in the new additions and updates to the ordinance on how people can use parks, there was a section that said a person can't conduct a group activity, and I think the goal -- my understanding is the goal was to make sure that an agency didn't conduct a group activity. The problem with the language as it's posted is if a person -- an agency -- we wouldn't want to unintentionally outlaw somebody showing up with ten of their friends to swim at a pool. While I don't think that our parks department would criminally charge somebody for doing that I would rather our law clearly reflect that. I think the goal was to make sure that a caregiver not conduct a group activity at a pool without alerting the parks department. That was I think the intent of law and parks was to ensure that a field trip doesn't come to a pool with a group of kids without knowing the -- letting the parks director know to make sure a nonprofit or day care doesn't show up for a swim class without letting the parks department know. So I've maintained that. The goal is to make sure that a person can show up with their friend and have a birthday party in a park

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without committing a criminal act. Seems reasonable, I think. If somebody wants -- >> Mayor Adler: I'm trying to figure out what caregiver is. >> Casar: Caregiver is defined in the ordinance as something like a day care or a field trip so we just want to make sure that -- >> Mayor Adler: If it's a defined term, I'm cool with it. >> Casar: It's defined. >> Mayor Adler: Thanks. Any objection -- >> Renteria: Mayor, I just

have one question. >> Mayor Adler: Yes. >> Renteria: Mayor, at martin middle school there's -- and metz, there's a lot of summer day care centers there and they bring their kids there to swim as an activity, you know, almost every day at our swimming pool. So how would that affect them? >> Casar: Yeah. So the ordinance as posted makes it so that a day care has to let parks know, hey, every day we're going to bring kids everyday and parks would say yes and then that's fine. What I'm changing is to leave it so that day cares or schools have to let parks know, but that an individual person doesn't have to call the parks director and say, hey, I'm bringing friends to the pool. So that's the change I'm making. I'm leaving it so day cares and schools still have to let parks know but I'm just making it so that an individual person doesn't have to do so -- if they're not doing it for profit, they're not doing it as part of an agency, they're just doing what I think almost everybody ends up doing with their friends. Again, I don't doubt that if we passed it as posted that we wouldn't wind up with that problem, I'd just rather our law reflect our practice. >> Mayor Adler: Okay. >> Tovo: Mayor, where is the definition of caregiver? I'm not seeing it in the first round -- >> Casar: I don't have it printed here on the motion sheet because we moved kind of late but maybe Trish can help us. >> Assistant isstone, section 821 which is not in the draft ordinance because we're not amending that particular section, R means an agency, day care center or private swim class. The change that councilmember Casar is making is not out of line with current code. >> Tovo: Yeah, I'm not concerned about the change. I am concerned about whether

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the definition collides teachers and I didn't necessarily hear teachers called out in the definition you just read. Because I think we do want it to capture schools who have planned field trips. >> So I'm not sure if the schools are taking the children to the parks. I think -- to the swimming pools. I think parks would need to answer that question. >> Tovo: I know from experience they do. I mean, just as a parent I know schools have field trips to the parks and because, you know, you're dealing sometimes with very large groups we would absolutely want our parks staff to have a heads-up and to have an appropriate number of lifeguards. >> Acting assistant director, Luke cuss massy from parks and recreation. I would concur that we do want to have a heads-up from schools bringing a large number of students, that way we can hav appropriate coverage at the pool. -- >> Okay. My apologies, councilmember. The term "Agency" is defined and it's an organization that provides supervised care for children, and then we also -- the code also defines a day care center as salesperson or organization that provides care for six or more children. >> Tovo: So you believe -- so it's not a state school or private school but you believe between those two definitions public schools are covered? >> Yes. >> Tovo: Okay. Thank you. >> Mayor Adler: Anything else? >> Casar: Mayor, one last comment before we pass it all. One thing we are passing is we are continuing and reupping on the ban of sale of, like, small wrapped foods or small pieces of art. I think that that goes beyond this ordinance but it is in this ordinance we're about to pass, and so, again, some activities that I see as pretty normal in our parks, they're -- pretty often I'll go and play a sport in a park and somebody is selling a popsicle or

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I've been in a situation where somebody has drawn a picture of me and my pretends and sold it to us for five bucks, those sorts of activities unfortunately in this ordinance are illegal in the city of Austin. I have concerns about that. I'm willing to move forward with the ordinance, but it was on August 31, 2017, when we moved forward with the resolution to create programs for people experiencing homelessness to be able to make some money through a city program that we did add additional direction asking the manager to look at those issues, to find ways for people to sell things in public spaces without being criminalized. There was additional direction to that resolution asking for the manager to look at that when we got the memo back responding to the resolution it didn't address that component so I would like for our staff to continue working to find ways to make it so that -- again, I know that we aren't going out there trying to nab those folks doing it but, again, I'd really like for our laws to reflect our practice so if somebody wonders can I go sell wrapped -- I see some people playing basketball, can I show up and sell potato chips to them I'd love them to know they're on safe ground and can't get the city called for doing so because it's great for people in the park and great for people trying to make a little bit of money. >> Sara Hensley, director of parks and recreation. The intent is certainly not to go out and patrol the parks for that purpose. We have plenty to do other than be able to do that. I will say what this does is say that we would ask they come through us so we know who is out there, we know what they're selling and we can approve that. We're not trying to be so dictatorial that it prohibits people, but it is important when we have people representing businesses, whether be it small or large, that we know what they're selling, we know what it is that they're out there doing so that we can ensure that it is not just something that could cause a problem and then we'd be liable for that. So we are not trying to

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prohibit that but we also want to make sure we know who's in the park selling what and that it is not a conflict of city policy or even if we have multiple doing it in the same area, that also causes problems. >> Casar: I would just say that if we could think of is there a carve -- I totally agree aif somebody is going to be associated with a business and doing some large-scale thing they should definitely have to go through the parks department but if there were the potential of some thoughtfulness of carve-outs for that smallest individual person so they don't have to crawl through, I think it could be good for the liveliness of not just our parks but for our city. That's not to figure out here. I think it's to be noted currently if want to sell a -- you have a basket of potato chips and want to sell them to people in the park technically you're violating the law if you don't call the city before doing that and that's just not great. >> Mayor Adler: Noted. Further discussion? Those in favor of passing item number 14 please raise your hand. Those opposed. It is unanimous on the dais. Takes us through all of the consent items. So we can now turn to -- let's do the Austin housing finance corporation. I'm going to recess the city council meeting here at 11:08, I'm going to convene the board of directors of the Austin housing finance corporation. It's 11:08. It is March 7, and we're in city council chambers here at 301 west second street. You want to take us through our agenda. >> Hi, Rosie truelove, treasurer of Austin housing finance corporation. Welcome to the new board members that were appointed earlier in the meeting today. We have six items on the agenda for you today. The first four are loans

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through our rental housing development assistance ownership housing development assistance program. Item number 5 is the appointment of city manager Rodney Gonzalez as a director and president to a number of our partnership organizations, and item number 6 is approval of the minutes from a number of past meetings. I offer them all on consent. >> Mayor Adler: So you spoke to item number 1 and item number 6? >> Yes. >> Mayor Adler: The others are not consent is. >> All of them are consent, one through four are loans through our application process and four -- five and six are all consent items. >> Mayor Adler: Got it. Is there a motion to approve the consent agenda? Councilmember Renteria makes the motion. Councilmember alter seconds. Any discussion? Those in favor -- oops, yes, councilmember tovo. >> Tovo: Yeah, I just wanted to make a quick comment about item number 4, which is the blackland CDC loan. And you might have noticed from the backup that these -- this development is going to be called the Bouldin creek alley flats and I wanted to acknowledge the reason, as I understand it that these are going to be called the Bouldin creek alley flats is because blackland received funding from what was then called the Bouldin creek development corporation and I believe they allocated \$42,700 for the blackland cd&it's a great example, in my opinion, of a community organization identifying as a high need affordable housing. At the time Bouldin creek CDC didn't have the capacity or available projects where they could put the investment that came from the Hyatt development across the lake, and so they allocated money to blackland as well as I think possibly to another organization at the time. So I just want to recognize,

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you know, I think CDCs are really valuable and I mention it in part also because the last time Bouldin creek CDC, now renamed -- more regionally based and has now been renamed south central CDC in recognition of that regional boundary. There was a suggestion I was in some way voting on something I shouldn't so I'm acknowledging that this has absolutely nothing to do with the Bouldin creek CDC's contribution but I do have a relationship and I did have a major role in both founding the Bouldin creek CDC as well as negotiating the Hyatt deal. Again, it has no bearing on this case but the last one didn't either so I'm just noting it for the record. >> Mayor Adler: Got it. Councilmember Flannigan. >> Flannigan: So I think this is a good example of how we can consider the fee-in-lieu process and other collections in terms of building new housing. It doesn't necessarily have to be immediately adjacent to where the fees were collected. I know we often have debated that on the dais and having differing opinions this sounds like a great example of that. On the flip side it seems like Bouldin creek is an area where we need housing so I'm hopeful to see less of the housing get built in areas that are already dealing with a lot of new development and we're seeing that housing get put into all those areas too. So it's kind of a good news-good news situation. >> Mayor Adler: Anything further? Let's take a vote. Those in favor please raise your hand. Unanimously on the dais so item 34 passes. >> Thank you. >> Mayor Adler: Thank you very much. With that we adjourn our Austin housing finance corporation meeting, and

we are now back in the city council meeting here at 11:12, having just handled the ahfc meeting. We're back to our agenda. I think that the next items we can hit at this point are

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the public hearings, items 41, 42, and 43. We have no citizens signed up on these. Is there a motion to move items 41, 42, 43 and close the public hearings? Councilmember pool makes that motion. Is there a second? Councilmember Renteria seconds it. Before us, again, are items 41, 42, 43. No one has signed up to speak. Councilmember Casar. >> Casar: Mayor, is item 43 recommended by staff or recommended against by staff? >> Mayor Adler: I think it's recommended. Is floodplain staff here for this? >> Casar: If it's recommended by staff, I have no objection. We can just move ahead. >> Mayor Adler: Okay. So let's divide up -- you want to speak to item 43? >> Rey Arellano, assistant city manager, and yes, floodplain do recommend passing this agenda item. >> Mayor Adler: Councilmember tovo, did you have questions? >> Tovo: I do. >> Mayor Adler: Okay. >> Tovo: Shall I launch into them? >> Mayor Adler: Yes. >> Tovo: Or did you want to take up 41 and 42. >> Mayor Adler: We can do that. Let's divide the question. Take up item 41 and 42. Officer of 41, 42 please raise your hands. Councilmember Flannigan. >> Flannigan: Yes on 41, no on 42 for me, please. >> Mayor Adler: Okay. Let's take a vote on 41. Those in favor of 41 please raise your hand. Those opposed. It's unanimous on the dais. Item number 42, those in favor please raise your hand. Those opposed. Councilmember Flannigan votes no, others voting aye. It passes. That gets us to item 43. Councilmember tovo has

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questions of staff. >> Tovo: So this was a case that came before us two years ago, I guess, December 2016, I believe, and was split, the council was split on a 5-5 vote with councilmember Garza off the dais. And I'm trying to figure out what exactly -- I think the staff recommendation at the time was not recommending this project, and I'm wondering if they have made -- if the difference between then and now in terms of your recommendation is the fact that they plan to elevate it beyond the -- elevate it beyond what they had intended before. It seems to me the square footage is still about the same. I think they were proposing at the time the increase from 912 square feet to over 3,000, as I recall. There was a motion and I think it's the one that failed for a smaller-sized unit, but, again, the square footage seems the same so I'm wondering what about the recommendation has changed. >> Thank you. Kevin Shunk, floodplain administrator from the watershed department. I have a presentation to talk about some of the things but I'm happy just to answer a question if you'd like me to. There was a slight change in the application itself, a slight reduction of the square footage, but the house itself was elevated 1 foot higher than what it was previously. But the major change in this -- comparing this application to the last is our understanding of flood risk in Austin has changed since then and that is being changed based on a historic rainfall known as Alice pertain and Alice 14 is telling us more severe rainstorms are more likely to occur in Austin than previously thought. That caused us to update our floodplain regulations which

we started in August of last year. Through that entire process we have come up with a draft ordinance that we have put out to the public in

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mid-december to address these -- this new understanding of flood risk and part of that draft ordinance has what we call -- it's a new exception and we're calling it the redevelopment is exception. And that redevelopment exception would allow staff the administrative authority to approve a building in the 100 or 25-year floodplain if it meets four criteria. It has to replace an existing regional -- >> Mayor Adler: Hang on for just a second. Is this in your presentation? >> Yes, sir. >> Mayor Adler: Let's do that because there are a couple members on the dais that were not. I've always found your presentations to be helpful and clear. Why don't you take us through the presentation you were intending to take us through. >> Thank you. So here we are. Floodplain [indiscernible] Avenue D, in the waller creek watershed. This is a picture of the Hyde park neighborhood, 45th street is the street running east-west in the middle of the sheet there. Speedway is a north-south street running in the middle of the screen. That's the UT field there on the north side that open space area. What we're seeing here is the 25-year floodplain in dark blue with a hundred-year floodplain limits outside of that in light blue. The subject property is highlighted there for you in yellow. Zooming in a little closer you can see the entire lot and the road at the front of the lot is entirely within the 25 and 100 year floodplain. The existing building is like we said -- like councilmember tovo said, is a 912 square foot house. It is below the floodplain by 1.7 feet, the 100 -- current 100 year floodplain. It's also below the current 25-year floodplain by 1.2 feet and current five hundred-year floodplain by

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two point 4 feet. There is a history of flooding within this neighborhood. This picture was taken actually on avenue D from a storm that happened in November 2004. There were two -- actually two flood events within this time period. The high watermark you can see there was on avenue D as I stated. We don't have reports of structural flooding but the carpet that's being removed from that house indicates there probably was structural flooding during that flood event. Also in 2014 there was another flood event on waller creek. We had some flooding not of structures again but of roadways that got flooded within the neighborhood itself. The proposed development is planning to replace the existing home with the new home, significantly bigger than the existing home. The existing home is 912 square feet. The proposed home of 3,253 square feet. It will be built on a pier and beam foundation which will allow the home to be elevated above the floodplain. The height above the current 100 year floodplain that the proposed home would be built is 3 feet and the height above the current five hundred-year floodplain would be 2.3 feet and the applicant has submitted information to the city that we have reviewed that indicates that this development will not cause increased flooding on other properties. Here's the quick comparison of the previous application in 2016 to the current application, again, a very slight decrease in the condition area of the home. The height of the home above the current 100 year floodplain

increases by 1 foot, so it used to be 2 feet higher, now it's 3 feet above the hundred-year floodplain. The current 500-year rfp, again, the increase of a foot, the home is now 2.3 feet above the current 5-hundred-year floodplain. The floodplain levels themselves have not changed.

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The current 500-year floodplain and current 25 and hundred year levels remain the same as they were when we reviewed the application in 2016. So the variance request that they're asking on this application is to the safe access requirement and that rule basically says that you have to be able to walk from a building to the right-of-way all at an elevation that's at least 1 foot above the floodplain. For a property that's entirely within the floodplain and the road in front of the house is entirely within the floodplain, they can meet that rule. That's why they're requesting a variance. Again, this is a brand-new building that is encroaching on the 25 and 100 year floodplain, and, again, consistent with how we have determined these requests previously, when a development is proposing to increase its conditioned area, whether it be renovated or brand new building but increase in a conditioned area for a lot that does not meet safe access we consider that an increase in the nonconformity of the property. That's another variance that they're requesting. The most significant thing about this development is that it is decreasing flood risk. It's elevating the building above the floodplain by the current 100 floodplain by 3 feet. That proposed -- the minimum finished floor elevation is above the minimum required by the current land development code. However, the building does not meet the safe access rule. The depth of flooding at the house in front of the house is about 3 feet and maybe 300 feet away to walk out of the floodplain to get to 0 feet, and the velocity of the flood waters in the street is actually quite low. There at the end you can see the staff is recommending approval of this application. And to be honest with you, I'm still a little nervous

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about seeing that up on screen because we had not done that in the past. And the reason for that is for the last ten years, two years ago on this exact same property I have been sitting up here telling council that for a building that does meet safe access increasing the conditioned area of that building increases flood risk. And I still believe that there is an increase in flood risk, but the thing that's changed like I was saying is our understanding of flood risk here in Austin has changed and that's based upon a new rainfall study called at last 14 and at last 14 is telling us more severe storms are more likely to occur than we previously thought and because of that happening watershed protection department has initiated a code amendment process starting last August to amend our floodplain regulations. One of the most significant pieces of that code amendment, proposed code amendment is what we're calling the redevelopment exception. And that will basically allow staff the administrative authority to approve a new building in the 25 or 100-year floodplain as long as it meets these four criteria. It has to replace an existing residential building, it has to be 2 feet above the 100-year floodplain, which on the interim period until we get our floodplain studies done two, three years down the road is the 500-year

floodplain, it does not increase the number of dwelling units on the property so you can't go from a single-family home to a duplex or single family plus Adu but you can go duplex to duplex and last but not least, which this application satisfied it does not increase flooding on other properties. Our intent with this redevelopment is to incentivize reducing flood risk for the thousands of building in the floodplain.

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In the current 100 year floodplain there's about 4,000 buildings. Now that we know flood risk is changing in Austin, there's gonna be about 7,000 buildings in the new 100 year floodplain. We have a daunting task with watershed protection to address flooding citywide. And to increase the number of buildings by 80% that are in the 100 year floodplain is a lot for us to do. So, therefore, we thought it would be a great idea to have an exception that will incentivize reducing flood risk for a number of residential buildings because 80% of those buildings in the floodplain are residential buildings, it would be -- it would be astounding floodplain management to reduce that risk despite the fact they may still not meet the safe access requirement. And, again, this structure we're suggesting would be done on private funding as opposed to the city doing a project. There is a draft ordinance in your packet, and there are two conditions on the ordinance. They're pretty typical with conditions we have in other ordinances. There's a requirement to dedicate a drainage easement, save and except the building area itself and there's a condition to submit a elevation certificate, which will show that the house was built at the elevation that was on the plans itself. I'm happy to answer any questions. I think the applicant is here, but I'm not sure if they're in the chambers at this time. >> Mayor Adler: Councilmember tovo, did you have further questions? >> Tovo: I do. I do. So as I understood -- thank you for the presentation. As I -- as I think I'm understanding your rationale, it's not that this new application better meets a couple of those -- a couple of the criteria, it's that we're shifting our rose a bit.

[11:27:06 AM]

>> You're exactly right. >> Tovo: It still cannot meet the criterion for safe access, both for residents as well as for emergency responders. >> Correct. >> Tovo: Is there a way they could have met that criterion by raising it further beyond -- >> There is not. Since the lot itself and the road in front of the property is within the floodplain, there is no way they could meet that safe access criteria on this lot. >> Tovo: And so I see the four bullet points you listed that I guess will become part of our new ordinance, but am I right in thinking that we're seeing a shift from the amount of habitable space to an emphasis instead on whether an additional structure has been added. >> You're exactly right, the emphasis being not so much on the conditioned area but the elevation of the house and the number of dwelling units on the property. That is a big change. >> Tovo: Because it -- the rationale before was that when you increase from, say, 900 square feet to 23 plus hundred square feet you are certainly increasing the likelihood there will be more people on that site who then need assistance if there is a flooding situation and you have emergency responders who can't -- >> That's correct. >> Tovo: -- Who can't get access. That was why the increase of habitable space was always an issue. >> Our current code requires houses to be a

minimum of 1 foot above the hundred-year floodplain. This -- another part of our proposed ordinance is to increase that by 1 foot for 2 feet. Ain, you're making the building safer by elevating it higher above the floodplain. And that justification there was the reasoning we were -- we wanted to go forward with this exception that reduces the flood risk based on the height of the building, not so much the condition area of the building. >> Tovo: So it still cannot meet -- it still is not meeting the conditioned space -- it is increasing the conditioned space and it still doesn't have safe access. >> Correct. >> Tovo: Okay. All right. Thank you.

[11:29:08 AM]

>> Mayor Adler: Councilmember pool.I: Thanks, for the presentation. It was helpful. If I'm remembering right from the presentations that you and your staff made in my district when we were looking at changes to the floodplain, the red zone was dubbed the red zone. Parts of district 7 that discovered that their homes now were in a floodplain and a lot of these folks were on fixed income for various reasons. They were told that they couldn't change the footprint of their house because of FEMA restrictions and they couldn't -- there were a variety of restrictions on them. If you could remind me what those where I cans are based on FEMA and its requirements, and then tell us how the changes that you're proposing here in this draft ordinance continue to align with and comply with FEMA because at the end of the day an important piece that we can't overlook or forget is that anyone who is going to be in this floodplain has to be able to afford the national flood insurance that is then required on their residence. >> Right. So the main issue -- the main requirement of FEMA is based upon what they call substantial improvement. If a building is proposed to be substantially improved, which means that the value of the improvements is more than 50% of the value of the building, not the land, just the building, if it is a substantial improvement, the entire buildingg has to be brought into alignment with the code -- the local in code. So if you're doing a non-substantial improvement and you're elevating -- and you don't meet the code, whether that be safe access or free board, then you do not have to meet those requirements because that's not substantial. But if you're doing a substantial improvement to a building and it doesn't meet free board or safe access than it has to meet those in order to be approved by staff. If not then it comes to city

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council for a floodplain variance. So it's that substantial improvement piece which we're not changing at all with the floodplain regulation changes, that piece still exists within our code. >> Pool: What about the footprint limitation? I thought -- >> A footprint limitation is more based upon the conditioned area, and sometimes adding footprint area can cause adverse flooding on other properties so sometimes that limits what you can doh that -- with the footprint changes. And, again, we are not proposing any changes to that piece of our floodplain regulation with this code amendment. >> Pool: And in this case the footprint is changing. Is that right. >> It is. It's changing with this one significantly. >> Pool: Right. >> But the applicant's engineer has submitted information to us that tells us that this development will not

cause adverse flooding on other properties. I will state that the main reason for that is because the foundation type, it's a pier and beam foundation so the foundation will be elevated -- the building will be elevated above the floodplain. All that exists then for flood water to come in contact with is piers instead of the entire foundation of the house, which it currently is. >> Pool: Sure. Two things then and somebody else may have questions. I would like to have a better understanding about how the draft ordinance that our flood folks are going to be recommending to us aligns and continues to adhere to requirements by the federal government because we can't inadvertently put our residents in a situation where even if they can afford the flood insurance and they know they need it they wouldn't be able to get it from nrip and then the second piece I have is just some kind of a guarantee or assertion by the builder who is going to be doing the changes to make this a substantially larger home that our inspectors can go out and double-check and make sure that that foundation truly is 3 feet above grade and that it's

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unimpeded and that the water is going to be able to flow simply and unimpeded underneath the pier and beam. I'd like to have some assurances. >> So there's another piece of the pipeline management regulations, we call it the structural certification. And that has to be provided to the staff either before it's built or -- I mean, before a permit or after the permit to show that the building can withstand the forces of the flood waters that will be placed against it. We have received that for this design already. The elevation certificate, which is one of the conditions in the backup packet, will certify that the building was built according to the plans that was submitted and approved by the city. >> Pool: Okay. And then what happens if something -- what if there's a significant flood event and in fact neighbors are flooded and -- can they come back and say that it was because of this changed footprint for this particular home? >> Again, the applicant's engineer has shown us information and we have reviewed it and approved it that shows that this development will not cause adverse flooding on other properties. >> Pool: Okay. Thank you. >> Mayor Adler: Mayor pro tem. >> Garza: It's not a question, just a -- I guess a comment on how we're voting on this. These are always incredibly difficult for me because especially when, you know, we -- because the safe access thing still isn't accounted for. And having seen horrific flooding in my district and it happened at night, while people were asleep, I just -- this really -- I lean in not supporting these variances. That being said we often have the family here who provides their story and can provide some kind of, you know, hardship case where, you know -- and I greatly

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appreciate when that's part of the context of these votes. So are the -- is the owner here? And do they -- >> I'm not positive about that. >> Garza: Okay. >> Mayor Adler: Is the owner, applicant -- >> I don't actually see him. >> Garza: So not knowing that context and the safe access part and how sometimes these things happen at night and not only put the people who live there at risk but our public service people as well, I don't think I can support this variance. >> Mayor Adler: Councilmember Flannigan. >>

Flannigan: So I find myself feeling about this the same way I feel about a zoning case. Where we have a larger systemic problem but we're only kind of presented with it in this very narrow frame. The new structure will be safer than the current structure so I'm inclined to support it. But the bigger question of we've got this flood alley coming right through a neighborhood, what is the long-term evolution of this neighborhood that gets more people out of danger? So it's not so much that this variance is going to help me solve that question, but what is -- you don't have to give the long answer because this isn't really the time, but what is the bigger flooding mitigation strategy for these areas? Are we encouraging landowners to move? Are we going to -- I mean, if this was raw land we would have turned this into a greenbelt. This would have been a flooding greenbelt like we're doing in Robinson ranch where we're going to be addressing these things. This may be a land code question, too. How are we creating a scenario where over time as neighborhoods turn over, and they -- all do, we are moving our development pattern away from green belts in a way we're moving people out of harm's way but not losing housing units because obviously that's our number 1 and number 2 goal as a city. I don't know how we're contemplating doing that. The other train of thought is are there drainage

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infrastructure projects like waller creek that changes the floodplain, where are we thinking about those tools, where are we not thinking about those tools outside of the downtown core. That's my thought process, not something we can get into now. I'm inclined to support this because that's just the scenario I'm in with this decision. >> If I may respond to that, as far as the -- one of the things that our department does is identify flood risk throughout the city. Once we identified the flood risk then we you identify what might be the solution for that particular area. Then we prioritize which areas are going to get project funding the soonest. We have identified this area of Hyde park as a high probability of flooding. There's about 43 structures that are in the current 100 year floodplain. The level of flooding for this area compared to other areas of town might not be enough or it isn't enough this time, such that we would be doing a project here. What that project is we don't know at this time. Might it be buyout, might it be channelization, might it be a detention pond? Could be a lot of things. But through that master plan prioritization process we will identify the flood risk and then identify the areas where we can feasibly do projects. >> Flannigan: I think my larger point is that's only one option. Another option for us as we think about all the things is what is the land use pattern we want to see as neighborhoods evolve? That may be another tool where this evolves over 20 years into a greenbelt because we've made that choice because I'm not going to spend \$500 million on a floodplain project there when I've got stuff in district 2 and other parts of town where it's acres and acres and acres. So I don't have an answer for that but it just seems like a valuable question to be asking. >> Mayor Adler: Councilmember Casar. >> Casar: So is it right that in summary this is a variance right now under current code but under your proposed idea it wouldn't be a variance and so we're just sort of stuck in between about whether we want to implement a variance that if

[11:39:16 AM]

we passed your proposed ordinance WOU a variance? >> That's correct. >> Casar: So it's sort of, like, if we think that the new proposed idea is good, as far as we can tell, then we should grant it because -- but under our current laws -- >> Right. I mean, the variances that are brought for this development are based upon the current floodplain management rules. But the recommendation is based upon our current understanding of flood risk and the fact that we have this draft ordinance on the street that we're talking with stakeholders with at the current time. >> Casar: Okay. So if -- in the future this very well would not be a variance, this very well would be what we actually want to see happen, which is to see private investment reduce flooding even in small ways. >> If the proposed ordinance is approved as written, then yes, that is the case. >> Casar: Okay. So, yeah, we're just in a complicated weird spot but I appreciate you trying. >> Sure. >> Casar: Thank you. >> Mayor Adler: Councilmember Kitchen. >> Kitchen: I have concerns about this along the same lines that councilmember Garza mentioned. So -- and I also share councilmember Flannigan's concerns. So I don't think I'm gonna be able to support this. I think that the bigger picture I'm looking forward to our conversation about the bigger picture, and I know that we are also, as a city, that you all are updating our -- I forget what it's called but we have a flooding master plan that y'all are in the process of updating. And so one of the things that we have said over time is the importance of mitigation as opposed to the back end, which is buyouts. And so I'm really concerned and looking forward to conversation that's get more into mitigation and incenting mitigation. So I appreciate the staff's effort to bring forward some changes in policy that recognize the fact that we

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have more homes that are in the floodplain, but to me -- but to me I hear that more as we have an even greater risk for those homes, and so I am -- I am wanting to think about the kinds of mitigation that actually is more along the lines of incenting people not to continue to live in those areas and building bigger homes in those areas and continuing to invest in those areas. So because I have seen, as councilmember Garza mentioned, what can happen with flooding in neighborhoods. And I know we all have, but I think about our onion creek neighborhood, where it happened at night, it was difficult for people to get out, it puts them at risk, it puts the first responders at risk. So, anyway, that's a long way of saying that at this point in time I can't support this. >> Mayor Adler: So I guess my assessment of this for me, obviously, if we could wave a magic wand and have nothing built in a floodplain that would be the first choice. I like the suggestion we chup with something that's Hor holistic and global to deal with this, maybe making it part of how we do land development planning and how we do our planning. That makes sense to me. With respect to the particular variance request that's in front of us know it seems to me it's something that I would support because if there's someone sleeping in that house and a flood happens, n3 months, or whatever, I'd rather have them sleeping 3 feet above the flood waters than in the flood waters and I think if they're sleeping 3 feet above the flood waters there's a better chance our ems people aren't going to have to be responding to them. So for the reasons that you have given that it's kind of an imperfect kind of thing because the best thing is just not to have a house there, but we have a house there. And we're not at a place where we can say no one can

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live in that house so somebody is going to be living in that house, so if someone is going to be living in that house I would like them to be 3 feet higher than to be in the floodplain and if -- and if we can get everybody that's sleeping in the flood waters to be built 3 feet out of the flood waters, recognizing we don't have the money to do that if we're incenting private investment to do that, this is how that happens. So I would still like you to come up with a broader, bigger solution, but in this instance I'm gonna vote to let them sleep 3 feet higher than in the flood waters. Councilmember Renteria, and then councilmember pool. >> Renteria: Mayor, thank you. I'm gonna be supporting this. I had -- this one there on Williamson creek are saying they're not gonna move out, they didn't take advantage of the buyout because they love that area, and they're just requesting that if they can build up higher, you know, raise it up two or 3 feet higher than the 100-year flood that that's what they would prefer. So, you know, I hope that, you know, when we finish the whole hearing and study on our our floodplains that we can come up with a solution to that where people -- we can't force people out of their homes. So it would be best if they're up higher and safe than having them flood. And incur all that expense that they would -- they will. So I'm gonna support it. >> Mayor Adler: Councilmember pool. >> Pool: Mayor, I appreciate what you were saying about the people sleeping 3 feet above, and that makes a lot of sense. But I am still hung up on the fact that there isn't any safe access to or out of that property. So that if something were to happen where there would be a medically fragile person inside, they might be up out of the water, but no one could get to them to bring them out. And I think that's the piece

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that we -- I think we still need to grapple with that. >> Mayor Adler: Mayor >> Garza: I remember we had this discussion previously and I don't remember where it landed, but we talked about, in councilmember kitchen's and in mine, we dealt with significant buyouts, and we talked about if we provide these variances, if there was some kind of thing that runs with that deed or whatever that says you cannot participate in a buyout at any point, and any future buyers are made aware there was a variance sought, it was approved, you cannot participate in any buyouts because for us to be approving a variance and then turning around and possibly having to buy them out is a concern. And so I don't remember where that conversation landed. >> One thing that I will say about that process is that when we have done buyouts in the past, it is for buildings that have flood risks that are below the floodplain elevation. In the onion creek area, district 5, there are some properties that do not have -- flood risks, however, they're in the entire area surrounded by buildings that are part of the buyout project. There aren't very many of those, but it's a rare case we will offer a buyout to a home that does not have flood risk. Typically they're done for buildings well below -- that have significant flood risk. >> Garza: So this house is not considered part of an area that has flood risk? >> Say it again? >> Garza: This house is not considered part of an area with a flood risk? >> If the proposed building is built three feet above the 100-year floodplain, then they would not have the same flood risk that the neighbors do that are in the

floodplain, the building is below the floodplain elevation. So we might think of this property differently than we would other properties if we're

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considering buyouts. We don't even know if buyouts is the recommended alternative for this area. It might be or might not be. >> Garza: I know. I'm just saying further down the line. I can't imagine us saying to that one house, you're three feet above, but maybe this is a legal question. >> Chad Shaw, city legal department. It's partially a legal question. I only came up because I do remember some of that conversation. And I would say that the focus when we addressed this earlier was on leaving options open for future -- for future councils if this isolated property perhaps was part of a larger -- a larger concern where staff had identified a larger project that was necessary, and future councils wanted to take action. It probably would not be viable --advisable for an earlier council to say this was not an option. And I don't think council can tie the hands of future councils in that way. >> Garza: I appreciate that. I guess that's just another concern when we provide variances, that the scenario could exist that ten years down the road, as climate change continues, that we will be in a position of another buyout and we'll be buying out a home at probably a high price that we provided a variance for. >> Flannigan: Mayor? >> Mayor Adler: Yes, councilmember Flannigan. >> Flannigan: Mayor pro tem, I really like where you were headed there. I think another option, instead of making it about buyouts, is about setting a price floor. To me, it's not just about buyouts after a horrible flood event. A future council may decide that they want to, as a watershed protection activist buy the properties. And in that case, we might want to say that in a variance situation, the value that will be considered in an eminent domain

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proceeding, or however that would have to be figured out, is based off the land only, not the improvements, or some other way to kind of divide that question. Because the land is still the land, but we're giving a variance on the improvements, and that may be another way to think about it. But I like that being included in the larger policy debate, not necessarily about any one property in front of us. >> Mayor Adler: Further discussion on the dais? Yes. >> Ellis: Yeah, I wanted to take a quick moment, while I appreciate the idea of building a safer house high up out of the floodplain, I do want to be very cautious about encouraging building in areas that clearly are seeing differences in flooding activity throughout the years and how we prepare as a city to protect people who are living along these greenbelts. Can you tell me more about the timeline of what ordinance or resolution suggestion would be coming to us so we can better evaluate if we are now going to be setting a precedent for what is coming down the road or if we should maybe wait on this decision till we know what that looks like more, with more debate? >> Sure. The first thing I'll say is that the exception as it is written today includes the caveat that it has to replace an existing building. So this is not an exception that would allow new buildings on undeveloped lots that would be in the floodplain. It's only to have a building that's in the floodplain now, presumably below the floodplain level, to reduce flood risks and build a

new building above the floodplain. The current process we're in right now, we released the draft ordinance mid-december and we are now meeting with various stakeholder groups to hear their comments or concerns about the draft ordinance. We're going to take those comments, concerns, and consider those within watershed protection and other departments within the city, draft a second draft of the ordinance, then start going through the boards and commissions process leading up to coming to city council for public

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hearing. The time frame on that, I would imagine that this takeover process is going to take us probably several months so that takes us to midsummer maybe. That's getting into the budget time frame, so it's a little unclear on exactly when we plan on coming back to city council, but it would definitely be after the summer. >> Mayor Adler: Okay. Councilmember tovo. >> Tovo: Yeah, I just wanted to -- I just wanted to indicate why I won't be supporting this. I know we've heard from some neighbors in the area, as well as the neighborhood association, and I will likely be asked, so I'll just provide -- provide my thoughts on it. I think last time this was a case that really gave me pause, and I struggled over it then, and I'm struggling over it a bit now, you know, but at the end of the day, I think while these were much easier decisions prior to the onion creek flooding for me, you know, that really has changed how I view and how I analyze these floodplain variances. And I appreciate very much and look forward to analyzing and moving forward with an ordinance based on the atlas work. You know, the fact is that, at this point, the criteria are what they are, and this does not meet the criteria. And at the end of the day, it just -- it worries me both from the standpoint of safety and safe access for our emergency responders, and it also concerns me that we could be facing higher financial consequences for the city if this is an area where we buy out houses for the reasonings -- for the reasons my colleagues have suggested we would be allowing a variance. But I think we all are coming at this from a position of safety, but my vote on this is going to be a no. >> Mayor Adler: Councilmember pool? >> Pool: Again, thanks for a really thorough presentation and discussion. I also want to make sure that whatever happens with the

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rewrite, with the ordinance, that we don't find ourselves inadvertently in a situation, and this would be down the road years from now, probably, where a council would decide that those greenbelts don't need to be providing flood control for us anymore; we're going to start building homes on them. And I just want to make sure that we don't somehow inadvertently lead us down that direction when all the hard lessons that we've learned during the buyouts and and the many millions of dollars spent and the families disrupted is lost to the general memory. So I think we need to be really, really mindful of that when we are making some changes through the recommendations through atlas and that we don't do something that has the inadvertent effect of overturning all of these hard decisions that we've made and recognitions of how the flood alley operates in Austin. Thanks. >> Mayor Adler: Okay. Further discussion? >> Harper-madison: Yes, if I may. As it pertains to future ordinances, I appreciate your

description and it was very helpful for me to understand that there will be different stipulations moving forward, but with this particular item, we're talking about this house that will be there either in its current state, not elevated, or in its future state and elevated. Those are our options. Correct? >> Correct. >> Harper-madison: Okay. Thank you. >> Mayor Adler: Any further discussion? Ready to take a vote? Councilmember alter. >> Alter: I was just wondering if you could put up the slide that has the number of feet above the floodplain that this would be -- >> Yes. So there's the proposed house right there. 3.4 feet above the current

[11:55:22 AM]

25-year floodplain, 2.3 feet above the current 500-year floodplain. And the reason why we put the 500-year floodplain on there is because the current 500-year floodplain is a proxy, it's very similar to what we expect the new 100-year floodplain to look like. So when we see the current 500-year floodplain now, that's what we're thinking is going to be very close to what the new 100-year floodplain will be. >> Alter: And is my understanding that, should we adopt the advice that staff is putting forward after we go through the thorough vetting process for Alice 14, that if that were to be the outcome of atlas 14, should the property owner still own it, they would be able to do just this at that point in time? >> If it is approved as currently written, yes, that is correct. >> Alter: Okay. Thank you. >> Mayor Adler: Any further discussion? Let's take a vote. Those in favor -- actually, is there a motion yet? Is there a motion to approve the matter? Councilmember harper-madison makes the motion. Those in favor, please raise your hands. Flannigan, Ellis, Casar, Renteria, Natasha harper-madison and me. Other people on the dais, it passes 6-5. It's an ordinance, it would have needed seven votes to pass, so it'll come back to us on further reading. I think that is all of the things that we can take before the noon citizens communications. So it is 11:57. In three minutes, mayor pro

[11:57:24 AM]

tem, if you would gavel that process to start. [Council in recess]

[12:00:40 PM]

>> Garza: All right. Good afternoon. The mayor had to attend to city business off the dais but we're going to start citizens communication. I have Elizabeth cholera rusthovenburg to speak on the veteran art festival and yellow bridge in October. >> Good afternoon, city council members, thank you for having me today. My name is Elizabeth collura-rosenberg. I'm army veteran and dance director for the Austin veteran arts festival scheduled this fall from October 17th to November 18th. One of the events I'm trying to coordinate is a community thriller of Michael Jackson's dance on the yellow bridge over by the Austin public library, which will be concurrent with some of our veteran pieces of art that will be on

display there, and what I'm trying to do is integrate the community, invite veterans and help promote our festival. So if you would refer to the two handouts I have provided for you, there is some background about the festival, as well as myself, anything to to some of the description of what we plan to do for the event. At this point, the Austin veteran arts festival is an opportunity to promote and celebrate healing through arts for veterans. As a veteran, I have found dance to be an extremely wonderful way to help process both some of my military training, as well as combat experience, and help me regain my individuality as an Austin citizen. So if there are any questions or if you would like some more information? >> Garza: Thank you for providing us this

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information and thank you for your service. Just FYI, citizens communication is not a Q and a opportunity. Citizens community is not a Q and a opportunity, it's just an opportunity for citizens to come and speak. But thank you for this information. And you can also email all the councilmembers any further information. >> Thank you. >> Tovo: I'd request this gets put on the action calendar, please. >> Garza: We don't really have an action calendar but if there's something a councilmember can sponsor, you can reach out to councilmembers. >> Thank you so much. >> Garza: The next is Andrea greige. >> She's not here. >> Garza: She's not here. Okay. Savannah Hernandez speaking on -- to be determined. >> Hello, city council. My name is Savannah Hernandez. I would have met y'all last month, but unfortunately mayor Adler doesn't know the rules of city council. So I'm going to go ahead and jump right on into what I'm going to be talking about today, and that is the fiscal irresponsibility of this city council and the complete dismissal of your constituents' voices. The city council voted to allow planned parent who had to rent property for. >> 1 a year. This was valued at over \$110,000 per year, fair marketplace price, and also set the receive renovations by planned parenthood valued at \$102 million. This also had Austin life care who offers similar services to those offered at planned parenthood minus the abortions, so I think it's fair to say planned parenthood is costing cameras millions of dollars, not to mention the money they receive every year, that goes 1.5 billion over

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the past three years. Why is it this clinic needs free rent? This is a company that goes against millions of Texans' spiritual and religious beliefs and I'd like to point out the criminal activity happening between 2020 Democrats, many on this council, and planned parent who had. The following Texas Democrats in congress received campaign contributions from plant participate hood as follows. [Inaudible] Gina Jones, 7300 Sylvia Garcia, 13,000, [indiscernible] 9,000, Beto O'rourke. How can any organizations that receives government money be contributing to campaigns specifically to only one party? But let's put morals aside for one second. Fiscally, doesn't this city council have an obligation to do its best for this city and budget? Let's over look the fact they're responsible for stopping innocent beating hearts, hundreds every single day, or let's get rid of the fact they take that of a billion dollars every single year in taxpayer funding for some reason the city council thinks they need free rent. So, mayor Adler, who isn't

here right now, and city council, how do you justify this fiscally irresponsible decision that goes against millions of Texans' beliefs and costs taxpayers millions of dollars, because I as constituent and all these people here today would like to know? >> [Off mic] >> And we will keep continuing to come back until mayor Adler gives us an answer because we would like an answer. Would anyone like to respond? >> Garza: Again, as I told the previous speaker, this isn't an opportunity for Q and A, but thank you, Ms. Hernandez, for coming.

[12:06:44 PM]

[Applause] >> Garza: The next speaker is Terry Colgan and the subject is to be determined. >> Yes, ma'am. Subject is Austin animal center. I'm Terry Colgan. I live in district 10. Since the passage of the no-kill plan by the Austin city council? 2010, Austin animal services' performance has been judged by one measure, and that's live outcomes. While Austin's no-kill success has been an important achievement for our city and one we are proud of, three programs, spay-neuter, shelter services, have been neglected and undermined by animal services' sole reliance on one performance measure, live outcomes. We're here to request that the city council and the city manager restore the balance needed in animal services to ensure that shelter services, spay-neuter, and animal protection have performance expectations in funding to meet those expectations. The animal service budget needs performance measures to ensure not only a high live outcome rate but also quality of life for shelter animals. Promoting quality of life as well as live outcomes will also improve morale among staff and volunteers who are crucial to achieving high live outcomes. Please support adding three performance measures to the animal services budgets. That's both the general fund and the donation fund budget, to promote spay-neuter, spay-neuter, improvements in animal protection, and improvements in shelter services as follows. For spay-neuter, please consider setting a target in the budget that 90% of all animals that leave the shelter will leave already sterilized. This 90% target is intended

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to match the 90% live outcome goal that has been such a successful tool in promoting live outcomes. Austin has been a leader in promoting live outcomes, and we would like Austin to also be a leader in promoting spay and neuter. For animal protection, please consider setting a target that 90% of all calls about animal -- calls to 311 about animal cruelty and neglect will have a positive outcome. The 90% target will require some work to come up with a definition of positive outcomes. We will need a team of staff volunteers and advocates to work with animal services management to do this. We propose funding a pilot project in one city council district and in an incorporated area of one county precinct to conduct such a pilot. Number three, for animal services, please consider setting a target that 90% of eligible dogs in the shelter get daily breaks. Eligible dogs would be dogs who are -- [buzzer sounding] >> Garza: Thank you, sir. That's your three minutes. Thank you for coming. >> Thank you. You all have a copy of the presentation. >> Garza: Jeannie Ramirez, here to speak on Austin water and homelessness, ethics committee should be fired. >> Thank you for being here. I'm really disappointed that our mayor is not

here. This is not -- I don't think it's right. Anyway, I am an animal community political activist. I'm also a musician of 30 years. And I have stage III breast cancer. I start radiation in two weeks. I am not happy about the way

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this council, all of y'all, and the mayor, have not even come on to do a press conference when we had the last water crisis, the zebra mussels, and said we're sorry, you know, we don't understand this, basically you did, though, because I've done my research and there were many articles years ago already talking about this. My immune system is compromised. I have a new grandson who was in NICU 77 days. His immune system is compromised. I don't feel that -- not one of you guys did, you know, a press conference for the zebra. I don't understand -- you know, I didn't even know what was going on, basically. I did smell rotten meat, then I told my husband, maybe your steak from last night -- this is where we were at. I do not drink the bottled -- bottled water -- I mean water here in Austin. I drink bottled water. My husband is like, the water we're buying is from Houston and Dallas. Anything but Austin water. How about that? This is ridiculous! And we're supposed to be the golden city here? Everyone is moving in? South by is happening. Nobody knows anything about this. We can do better. All I wanted is for mayor Adler to say, look, in four months, I understand -- and it's a crisis, let's just call it what it is. I just feel like -- I was so happy when we did the 10-1 situation with city council. We have minorities up there, and I feel like you guys are just complacent. That's what I feel. I feel you guys don't speak, you're not fearless. Let me tell you, when you have stage III breast cancer, you're going to be fearless. I have nothing to lose by sitting up here and talking to y'all. I really don't. I really -- I don't understand why you guys could have had a press conference, individual, why aren't y'all speaking up for yourself? I don't get this. I feel like you're not doing enough. I'm going to -- zebra muscle -- I don't know if

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y'all read the article a few days ago, arctic water in ozarks, they are contaminated with zebra mussels. They got a grant from the government and they are doing a cleanup. What are y'all doing? Do y'all have divers going to check up the mussels growing? Do we have a special team that's watching? Because it's going to happen again. The quality of life is going to crap here in Austin. Let's just be real. My electricity in 78748 has gone out five times. I thought brownouts y'all weren't wanting to admit to. I call, there's a guy, I don't have his name now, but he did call me back. [Buzzer sounding] I didn't even get to say anything about the -- I'm just going to say this -- >> Garza: Thank you, Ms. -- >> You guys should not -- babysitting? \$168,000? There are nighttime nannies. I'm a musician. Can you please put my pictures up, please? I'm a pugs of 30 years. I have my Saxon pub and coffee shops. Thank you, just a couple more seconds. I think all musicians in Austin should get a badge. We are vetted. Look how long I've been playing here in Austin. I'm not -- you know, the wonders of the world here, I'm a low profile artist, but I'm a backbone. Hundreds and hundreds of million dollars do south-by, and y'all can't -- collaboration

with Ronald Swinson, beyond a millionaire, give badges, we can go to the convention center and learn about our own crap to be inspired? >> Garza: Thank you. Actually, councilmember has a question for you. >> Tovo: I actually have a suggestion. I know we have a representative from our water utility here. I think you've raised some important points about communication and how we do that move forward. >> Thank you. >> Tovo: I think they can also provide with you some of the things about what kind of work we're doing now in terms of diving. >> I just want to say I know

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you all are building, but I went to high school in 1982. We had the Salvation Army in 1982, a hundred years. We're in 2019 and we're still at a hundred beds? Where is the mayor to hear this? >> Tovo: This is really important -- >> I'm calling oh all these big -- John Mackey, the guy, Google -- had an emergency meeting with you guys. >> Tovo: Thank you so much for raising those important issues. I know that probably my colleagues would join me in inviting you to come back to citizens communication to talk about some of those topics. >> Garza: Our next speaker is Glenn towery, Austin veterans art festival theater piece. >> Hello, everyone, they passed out the paperwork? My name is Glen Terry. I'm here to talk to you about the work our organization, the veteran suicide prevention channel is doing to try to mitigate the veteran suicide crisis that is in the entire United States right now Austin, through auspices of the mayor and other facilities here in the city, are allowing us to do this festival. I think Austin is a fantastic place to do it D because of the caring and sharing you have shown for veterans. We're using the arts to heal veterans. If you check, go do your work, you will see the best results they have been able to determine from the intrepid centers, all over the united States and also from all of the vas, many vas throughout the United States, that art is really working. You don't need drugs for art. I'm here to talk to you today -- I can tell you more about the Austin veterans art festival or as we call it, the ava fest, about charges for the use of theaters at the cultural centers. Right now, we have -- if you

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add up all of the charges that you see outlined on the paper, ava fest theater budget, we did the math, it comes to about \$23,000 at the cultural centers. The plays we will do are veteran-related, they're plays that show veterans that we care. And also that have different messages in them that are very positive for veterans. We want to do the plays during the festival. Since they're at the cultural centers, we're asking that you get together and decide in our favor that maybe we can, for our inaugural event -- this is the first event of this ava fest, that we -- you can waive the charges for the theaters. That would be a great help to us, if you could do that. We have a lot of organizations that are working with us right now, the task force is working with us, the mayor has been providing guidance to his office for us, and we really want to do something positive. Right now, this first inaugural festival will look more like a home event, but we have national intentions. We want this to become a national festival. We want to make sure that veterans begin to practice art in a way that begins to -- for them to see the impact that art can have in their lives. So that is basically what I wanted to do, I want to say some of the new city council

members, we haven't had a chance to talk to you, you probably don't know anything about it. It is our intention to contact you, let you know more and also to seek your endorsement for what we're trying to do. [Beep] Thank you so very much. >> Garza: Thank you, sir. Thank you for your service. We can send some staff out -- you said you're working with the mayor's office, but we can send some staff to help you through the process of waiving

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fees is. I will say we have budgets as to what we can waive. >> I was told it might be possible, I know each individual city council member in their district can waive fees, I was told by an entire city council action, that the fees, it is possible that they could be waived in their entirety. That is why I was here to talk today. Because we had discovered that. >> >> Garza: We can have more staff talk to you about that. >> Thank you. >> Garza: Next speaker is Wendy Murphy, animal services. >> Thank you for the opportunity to speak. I am Wendy Murphy, I'm in district 4, I've lived in Austin about 30 years. When I first moved to Austin, I became suddenly very aware of the suffering of animals as regards homeless dogs and cats. It caused me distress, so I started bringing them into my home. I didn't want to take them to the shelter, because it is not a fun place for dogs, I didn't want them to be euthanized. I started doing private rescue. I didn't work with another group. I had to sort of self-educate. A took advice from a lot of people, I sought advice and I took the advice. One of the main things is I was educated about the graphically compelling information regarding free to a good home advertising animals for free. And because of that, I never did that. And I will never do it. The city of Austin does do it because they feel it is necessary or has been necessary to achieve the live outcome for no-kill status.

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I'm really wanting to talk specifically about spay neuter. I was also educated about spay neuter and the paramount experience of spay neuter. I don't feel like we do enough in Austin -- that the city -- that the animal shelter does enough to proactively. We're all thrilled that Austin has achieved no-kill status. We want to take a deeper look at how that status was achieved and what we can do better. Spay-neuter is one of the things to do better. We need to be more proactive. As you will see in the handouts and I think was already stated, we propose a 90% sterilization rate. That is 90% of the animals that leave will be sterilized. That is the goal for live outcome. As for one of the tools to achieve this, we should implement mandatory spay neuter on second impoundment. If the shelter can't achieve this proposed rate we're suggesting, we're asking the city council to please, please try to put enough money in the budget for that purpose. This will greatly enhance the efforts of Austin to continue its no-kill status and will reduce the need for the undesirable practices of closed intake, which the shelter is also forced to do in order to be no-kill. Closed intake and free adoption days. We want Austin to be a leader [beep] In promoting spay-neuter. Thank you. >> Garza: Thank you, ma'am. The next speaker will Mckenny, also animal shelter subject. >> Hello, good afternoon. My name is will Mckenny, I live in district 8, I'm here

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to request the city council and city manager see to it that animal services has performance measures, in addition to just live outcomes. If have measures in the budgets to meet those expectations. For one of the animal services performance measures that promoted quality of life, please consider adding the following performance measure to the budget, percent of eligible shelter dogs who get daily kennel breaks. About 30 to 100 dogs a day do not get daily kennel breaks. They're not stepping 1 foot out of their kennels for 24-plus hours. These are healthy dogs who have little or no behavioral issues. There is no reason they not be given at least a few minutes every day of human affection and exercise. Since 2015, volunteers have been asked that dog walkers be hired. All dogs eligible for breaks although part-time dog walkers are hired, dogs are not getting the daily needed breaks. We'll need to commit more hours to this problem. We need to ensure this is done and all dogs get needed kennel breaks. Thank you for your time and your service. >> Garza: Thank you, sir. The next speaker is Jim Templeton, subject of APD. >> Good afternoon. Can you pull up the slides? First of all, I will present some data. The data is pulled from the APD annual crime report, the line item, so 112,000 line items, I searched and curated, this is available to the

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city's statisticians. And data from the FBI ucr, all of the data is from 2017, unless otherwise noted. I think most of you probably know that last year, or 2017, we had approximately 800 rap in Austin. We have a very high, in fact, twice the U.S. Average rate of rape in Austin. 86 per hundred thousand versus the country average of 42. There is also data there showing we have a higher rate than Houston and Dallas. The APD annual report -- and there are two data sources, shows -- this is a direct cut and paste from their report, that in 2007, that they had 53% rape closure rate, however, added together the cleared by arrest and cleared by exception, whereas they compared it to the national average, which is cleared by arrest. I don't personally -- I am skeptical that this is an accident. I pulled together the rape closure rate and arrest rate for the APD by sector. I encourage you to have the city statisticians also look through this data. If you look at closed by arrest by sector, the George sector in downtown has the worst report card. They've only closed by arrest 8%. However, they closed by exception 75%. Now, everybody remember that the city -- and thank you for doing this -- thank you for initiating the third-party audit, because of the closed exception rate is being

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misused by APD. It is not the only problem that we have at APD. We have the warrior -- in the last couple years, warrior versus guardian problem. We have the highest rate of killing persons believed to

experience mental health crisis. D.N.A. Backlog, excessive use of force and reckless shootings, and specifically, I want to call out because I want to know this information. Kxaa crime photos show numbered up to 38 after eight officers fired on aquantus griffin last year. I want to know, where did all of the bullets go? This is a crowded downtown area and no bullet miss. They miss the intended target, but they don't miss. [Beep] For your other information. >> Garza: Did you provide this presentation to us? >> It is there, I have paper copies. >> Garza: You can e-mail the council. >> I e-mailed the council last month, I didn't hear back from a single one of you. More data, rapes for the year. I read somewhere chief manly said this is difficult data to get. There it is. >> Garza: In fairness, everybody got three minutes. >> Thank you. >> I want to ask Mr. Templeton, I would like a copy. >> I'm sorry. >> Alter: This is councilmember alter. If you have a hardcopy to share. >> I can give you a copy on a USB stick. >> Alter: A hardcopy -- >> The data is to point you in the right direction and also, you don't have to wait until the report comes out in July or August. You can look right now at the abuse by sector. Again, I don't think these are accidental things.

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>> Alter: Thank you for raising these issues. >> Garza: Councilmember Casar. >> Casar: I did read your e-mail on other issues, I disagreed on it, but I did hear your comments. >> Garza: Thank you, sir. The last speaker -- I'm sorry if I don't say the name correctly. Ramisus >> So, I was hired at city hall via security officer, I was supposed to be a security office at different locations. I was told I was going to get \$13.50 an hour, no benefits. At training I was paid 7.25 an hour. When ien choired of my manager. They said we no longer pay people more than 7.25 an hour for training. Now, if you're tolded you're going to get this amount of money and get paid another amount of money that's called bait and switch. It happens here at city hall. You might want to check with the contract companies that you signed the contract for. Because they're a reflection of you. Honestly 7.25 an hour is a slap in the face. This is not McDonald's this is not burger king. You're paying people poverty wants to protect you. At one point I was eligible for food stamps because I was paid poverty wages at city hall. And then add insult to injury, I was hired for part-time hours. I was working full-time hours for the zee, 14, 15 hours at the most yet I received no benefits. Work full time and received no

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benefits. That's a nice way to cheat you out of benefits. Call them contractors give them know benefits no job prospects. And you want to call yourselves the city, I don't think so. You want to call yourself aprogressive, pro equality, lbgtq, you can't call yourself that and not play equal wages. Behind council doors there's home phobia, this is the most harassing place I ever worked at. Honestly, to conclude, because I'm not going to waste any more of my time. I'll be back to talk about the workplace harassment, homophobia and bullying or I can submit it to the city clerk via paper. Here's your best city of Austin. You can take your badge and exploit someone else. Clearly you're running this as a front. You're paying people no benefits and hiring companies that pay people poverty wages and you're calling

yourself a city. So, please don't call yourself Progressive, don't call yourself pro equality when you're paying people poverty wages, literally. You're qualified for food stamps. That's quality wages. Take your badge, stop call yourself Progressive, stop calling yourself pro equality. That's not here. Thank you. >> Thank you for being here today. We have several council members looking at the issue of contracting out services at the city of Austin including security and custodial services and look whether some of those jobs were brought inhouse. I was not aware of a differential with training wages. That's something we'll add to the agenda. >> I'm sorry like who signed the contract?

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Like you should know when you sign the contract this is what you're paying your employees. So, playing dumb, I'm sorry, playing -- that's just an excuse. >> Thank you for raising the issue of training wages. It is certainly something we'll look into. >> I just want to close by thanking everybody that came. We certainly listen and take your concerns seriously. So, we're going to go into closed session. The city council will now go into closed session to take up four items pursuant to sex 551474 of the government code the city council will discuss personal matters related to item 37 evaluate performance of the city clerk. Item 38. Evaluate compensation and benefits for the city auditor. Item 49 evaluate and consider compensation for municipal court clerk. Item 30 employment duties and evaluation of city manager. If there is no objection to go into executive session on the items he announced? Hearing none, the council will

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[executive session]

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[Executive session]

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>> Mayor Adler: All right. We are back in here on March 7th. City council chambers, continuation of our meeting. While on recess, we were in executive session. While in executive session, we discussed personnel matters related to those four items. We're now back. Do you want to take us through the consent agenda? >> Sure, mayor. The planning and zoning department, your agenda today, we have items 44 and 45. I believe councilmember harper-madison wants to pull those. Approval on second and third readings, for cases on which the public hearing is still open, item 47. There's a request by staff on this case to postpone until March 28th. Item 48, c-14, can offer this for consent on all three readings. Item 49, npa2017, staff is requesting a postponement of this item until March 28th. Related item is item 50, c14, staff is also requesting a postponement of this item until March 28th. Item 51, case c14, staff is requesting a postponement of this item until March 28th. .Item 52, recommending this for approval on all three readings.

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Item 53, our discussion postponement cases. Item number 55, case c-14, 2018-012, requesting a postponement until March 28th. Item 56, c14-2018, a postponement request until April 25th. Case c14, there's a postponement request on this case until March 28th. Related item, item 58, also a request for postponement. >> Mayor Adler: 44-58, pulled 44, 55, 53, 54. Is there a motion to approve the other items on consent to close the public hearings as appropriate? Councilmember pool makes the motion. Is there a second to that motion? Councilmember Flannigan seconds that. Any discussion? >> Mayor. >> Mayor Adler: Yes. >> Casar: Is it correct that on this consent we're moving 57 and 58 on a postponement? >> Mayor Adler: 57 and 58 are postponed until 3/28. >> Casar: I'll support the consent agenda. I want to make a brief comment. >> Mayor Adler: Go ahead. >> Casar: People have asked me since the last council meeting why I was the lone no vote. I'm often an advocate for more housing, especially multifamily attached housing near the center of the city. I'm that kind of advocate because I think that housing shortages hurt our environment and impact rents for low and moderate income people. I'm against this case although I'll support the postponement because I've been a consistent

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advocate for not advocating for the loss or supporting the loss of already-dense, already-relatively affordable housing that would cause a large amount of involuntary displacement. During codenext, we had to up-zone existing older multifamily in order to reach our housing capacity goals. That's why I'm not supportive of zoning this property, because it fits into that category of already dense, already transit-supportive, older multifamily that could lead to significant displacement of tenants and could lead to the continued displacement of more people along Riverside drive. I just have real concerns about this case. We don't have to support zoning cases that might result in large-scale displacement as an anti-displacement measure. We can root affordability on places like Riverside through other strategies. More

low-income people live in this zip code than anywhere else in the city. It's not too late for Riverside and places like Rundberg in my district. We just need to keep on fighting to keep those folks in place the best that we can, be they moderate or low-income folks. >> Mayor Adler: Yes, councilmember Renteria. >> Renteria: I agree with Greg that we need a lot more affordable units. And I want to make sure that, you know, when it comes back to us that we could work out, everybody could agree that we need this kind of housing, this kind of density. Right now I know there's only 300 units. They're older. So they can turn around and build 300 units there, high-end. So that's a big concern for me. So I hope that they can come back with a better project to provide more affordable units, especially some families.

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I know that, you know, what's happening now is that a lot of the three-bedroom units are there on these apartments because they were built for students. Usually it's a three-bedroom apartment. But each bedroom is assigned to a student and they share the kitchen. So, you know, you could come back with these kind of three-bedroom homes -- apartments, I mean. But we need to make sure that it goes to families and it's affordable. >> Mayor Adler: Councilmember Flannigan. >> Flannigan: I have plenty of comments on the case, but since we're postponing it, I'll save it for a future debate. I'd like to be shown voting no on 46 for reasons I discussed on Tuesday. On 52, just a comment about our kind of oddly conflicting policies about connectivity and issues with curb cuts on highways. This has a restriction about not connecting to the neighborhood street, which might be fine in this context, but not sure how we can restrict curb cuts on high-speed roads where you end up with more dangerous crashes with our desire to segregate certain types of uses. Just putting a pin in that. >> Mayor Adler: On the consent agenda, as we push past the ones that my colleagues talked about before, I'm anxious to see what the plan comes back. I don't know the reason for the postponement. These questions about making sure that we have affordability in the city are obviously very critical. I'm not sure in every one of these cases there's always going to be a clear answer that is obviously right. I'm concerned about us trying to grab as many opportunities as we can appropriately to plan

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permanent affordability. And I know that the discussion of this property holds that prospect to have some permanent affordability. Right now, even though the units are affordable, there's no permanence associated with that and too many places in the city we see these kind of units over time then convert or mature into something else. And then those people and their families, people like them are forever gone. Without getting into the debate now, just to state that concern and I'm anxious to see what happens before it comes back to us. All right. Any further discussion on the consent agenda before we vote? Those in favor of the consent agenda, please raise your hand. Those opposed? >> I'm sorry. I was doing too many things. I wanted to also make note that I'm going to vote no on item number 46. >> Mayor Adler: With the notations made, it was unanimous on the dais otherwise to approve the consent agenda. 44, 45, 53, 54. I think you pulled these, 44 and 45? >> I did. And so I pulled 44 and 45. I'm going

to vote yes for the item. But I pulled 44 and 45 because we need to make one modification. So, the neighborhood and the community are very interested in a couple of additional conditional overlays that pertain to alternative financial services, bail bond services, residential treatment, and then subsequently a gas station. So I'm in support of these conditional overlays with the exception of the fact that I would like to very much make note that a residential treatment opposition further

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stigmatizes people who are seeking treatment. And so while I find it problematic, I pulled it just do bring that part up. I would like for us to add -- because the others already exist in this conditional overlay. So what we're adding is the gas stations to that exemption -- to that restriction, rather. >> Mayor Adler: Okay. Let's go ahead and lay this out and then we'll ask for -- and then we'll bring it back up for a motion on the dais. >> Sure. Items 44 is c14-2017, for the property located at I believe it was 914 east brakier lane, to rezone the property from sf2 to 4a. As councilmember harper-madison mentioned, this was approved on first reading with the co, the bail bond services, pawn shop services, and residential treatment, which are conditions set by the zoning commission. We would have to add service station to the prohibited use based on what we were just told. 45 is for the same property, separated by a right-of-way, a request of to the same zoning, sf4a with the same conditional overlays I just read. We would have to add service station as a prohibited use. >> Mayor Adler: Okay. Is the applicant here? >> No. I don't know if the applicant is here. >> Mayor Adler: The applicant is there? >> He's okay with that additional condition, second and third readings. >> Mayor Adler: So, councilmember harper-madison moves proval of the item as posted and approved on first reading, except adding the additional conditional overlay against service stations. Is there a second to that motion? Councilmember Renteria seconds that. Discussion on the dais?

[3:53:07 PM]

Do you want to discuss it first, before I recognize councilmember Flannigan? Do you want to talk first? >> Harper-madison: I'm all but certain that I've already expressed what my concern was. It's pretty clear as far as I'm concerned. Thank you, though. >> Mayor Adler: Okay. Councilmember Flannigan. >> Flannigan: Yeah, I was going to vote yes on consent just to say that another example of where the code we have now forces us to do this site by site use restriction when really, the whole community is saying where should we be having these types of uses and what is the policy around where they should be going, not just waiting for zoning cases in order to apply restrictions, which is no to build trust with the city on where these types of things go. And councilmember, I really appreciate your comments about prohibiting residential treatment stigmatizing those services. I completely agree. >> Mayor Adler: We have a motion and a second. Any discussion? Those in favor please raise your hand. Those opposed? Unanimous on the dais. Thank you. >> The only case we have left is 53 and 54. This is the rezoning request for the property at Alamo. We have a postponement request to March 28th. The applicant is in disagreement with that. >> Mayor Adler: What? >> Items number 53 and 54, a postponement request

from the adjacent property owner to postpone. The applicant is opposed to that request. >> Mayor Adler: Okay. So, let's have a discussion about the postponement issue. Does anyone on the dais want to address the postponement issue before I go to the applicant, the community, and then the cap cant to close -- applicant to close? >> Harper-madison: There's a couple items that have been brought to my attention as it pertains to this item number 53. So the property owner has had to significantly modify their travel schedule to be here today. I think it's fair for us to take that into consideration when considering whether or not to

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postpone this again. And it was already postponed once by the planning commission, so we need to take that into consideration as well. And then, I just don't know that another postponement will produce anything that will be different in terms of a compromise for the parties at play here. So that's my opinion on the postponement. I'd rather not postpone it again. >> Mayor Adler: Okay. Anything else on the dais before we go to the public? Okay. Yes. Councilmember tovo. >> Tovo: Mayor, I had a question for the zoning staff. I have temporarily misplaced my materials. This is our first time hearing this case. >> Yes. >> Tovo: Okay. And who made the request for postponement on the planning commission? >> My understanding is there was a request for postponement by the applicant. However, the applicant agreed to extend the type of that postponement request at the request of the adjacent property owners. The applicant was already asking, he agreed to a little longer to accommodate them. >> Tovo: But this is our first -- >> First time at city council, yes. >> Tovo: Thank you. >> Mayor Adler: Okay. Yes. >> Pool: Is this the neighborhood association asking for the postponement? >> The property owner next-door. >> Pool: Okay. Thank you. >> Mayor Adler: Yes. >> Garza: I'm trying to get clarification. Before we hear from the speakers, has somebody moved a postponement? Are they speaking on the postponement? What are we doing right now? >> Mayor Adler: They were -- I was going to ask the public who signed up to speak to speak just on the postponement question. >> Garza: But who moved the postponement? >> Mayor Adler: No one moved the postponement. Is there any interest on the dais in having a postponement? Yes, councilmember tovo. >> Tovo: I would suggest in accordance with our usual practice that we hear the speakers about the postponement.

[3:57:11 PM]

We occasionally have motions before speakers, but often we have speakers before the decision. I would like to hear a speaker on each side with regard to the postponement. >> Mayor Adler: I will take that as an expression of interest of considering the postponement. And I'm going to ask the speakers who have come here -- give them a chance to speak. Is the applicant here first on this? Do you want to address the postponement question? >> Thank you, council, thank you for your service, Glen for the applicant. I'll be brief. I've had to fly the developer in from Boston. I would like you to recognize he's worked hard to be here. The neighborhood association has written a letter supporting the case. They're ready. The planning team is here and ready. The CDC is here and ready. We'd like to move forward on this. The crux

of the case, which I'm not going to go into, is the setback. That's not going to change. That factor is not going to change in our current zoning code unless the city manager has a surprise for us in the next two weeks and I don't think that's going to happen. Councilmember tovo, we're welcome to leave the hearing open if we want to have first hearing and leave it open for second and third. We would not object in case new information arises. It would not be a problem for us. And we did work with the adjacent neighbor at planning commission to give them an extra two weeks. Last point, I want to stress for the hearing coming up, we have recognized the adjacent neighbor as a stakeholder and negotiated and made concessions, but they're not the negotiating party. We look to the CD or the planning team, or the neighborhood association. There have been many parties here. I would be hesitant to let one party extend the case without a good outcome. So we ask you to forego postponing the case today. We're ready to go and looking forward to it. Thank you. >> Mayor Adler: Thank you. We have some people that signed up as speakers on this.

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Now we would only be asking for testimony with respect to the postponement. Does Catherine want to speak on the issue of the postponement? [Off mic] >> Mayor Adler: Catherine, no? [Off mic] >> Mayor Adler: But you can if you want -- we're having a discussion on the postponement. Do you want to speak on the postponement? Okay. What about Jada garrison, do you want to speak on the postponement? Come on up. >> Thank you. My name is Jada garrison, I live on 22nd street, next-door to the site of this proposed zoning change. I apologize if I seem a bit nervous. But my husband and I are very invested in what happens with this case. As stakeholders and members of the neighborhood association, we participated in all the discussions, including those that identified what aspects of this project were compelling reasons to support. The applicant and his representative provided the commission and the public a survey of the property that now looks to be inaccurate. The applicant's survey company told me several things, but the most recent today they are saying that the survey that they provided was wrong. And we have that in writing from them. So, that survey -- we would like time to get a second assessment -- an independent assessment, since this may impact where the front and back of the development will reach, legally and logistically possible. This uncertainty about lot lines compound confusion over news we received yesterday from staff that there will not be a 25-foot setback between our home and the development, contrary to statements that the applicant and his representative have made

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in writing to us and our neighbors. And as recorded in the neighborhood association minutes. This departure is a big deal as the 25-foot setback was a compatibility issue that our neighborhood took into account. You have heard -- I'd also like to emphasize that the postponement request of the planning commission was made on behalf of the applicant, who was not able to attend the first meeting. We did need to ask for a different date after that based on our schedules. My understanding is that council traditionally honors a first request for postponement by the applicant. This is our first request for

postponement here at city council. And we would very much appreciate the opportunity to sort a very basic, critical fact that will directly impact our property. Thank you. >> Mayor Adler: Thank you. Is Michael garrison here? Michael garrison? No? What about beau? Austin Dennis? Brandon? No? And then Lottie Daly, do you want to speak on the postponement? >> Yes, sir. >> Mayor Adler: Okay. This is the last speaker. I'm sorry, what? On this item. >> Good evening, mayor, councilmembers, our new councilperson, district one. I'm one of your commissioners, the past president of the blackland neighborhood association. I am against this postponement because I did have to go through a lot to get here. And I must say that we are ready to go forward, because this is not a fly-by-night decision that this community has made. We have fought over the decision

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that we have made on this property. And like I say, on the way here, I was thinking we all love blackland, we just love it in a different way. Some people want affordable housing. Some people do not. So happen, like you, Mr. Renteria, I want more affordable housing in blackland. I feel that 19% is not too much like some of my neighbors feel like we have enough but we don't have enough, because there are people sleeping in our parks. I see this every Sunday, because I provide a meal for the homeless. And there are people sleeping in Alamo park. So we do need some more affordable housing. All I can say, we are for this particular proposal. We are for this project. We have worked months upon months. When I didn't feel like coming to meetings, I was sick out of the hospital and so forth, I came to meetings in support of this. So to postpone this would be -- it would be egregious to me, if I might use that word, because I have fought traffic to get here. I had to leave my home to get down here and see that the postponement was put in at the last minute. It could have been put in last week sometime. So I'm against the postponement. Thank you. >> Mayor Adler: Okay. That brings up back up to the dais. Any comments on the dais? >> I have a comment and/or question. I'm not sure who can speak to this. But it is my understanding that the neighborhood association voted for this project, correct? [Off mic] >> Harper-madison: Yes, ma'am, Ms. Lottie. >> Yes, we did. It was a heated vote. It was a heated issue.

[4:05:14 PM]

We hammered it out. And yes, we voted for this project, yes. >> Harper-madison: Thank you very much. I appreciate that. >> Any other questions? Because I was the president during this time period. >> Mayor Adler: I think we're all set. Thank you. >> Thank you, sir. >> Mayor Adler: Further discussion on the dais? Yes, mayor pro tem and then councilmember pool. Councilmember pool. >> I'm just confused. Is somebody going to make a motion? >> Mayor Adler: Is there a motion to postpone? >> There doesn't seem to be a will to postpone, so I'm not going to make a motion, but it's my practice of supporting postponements when people request them. So if there's support for it, I certainly would join. >> I have a followup question to that. I'm assuming councilmember harper-madison is making a motion to pass this if it's just on first reading, I feel more comfortable that there's still opportunity to talk about this, which would effectively possibly work the same as a postponement. >> Mayor Adler: So there's not a motion

to postpone. Councilmember harper-madison, do you want to make a motion to approve on first reading only, and keep the public hearing open? >> Harper-madison: I'd like to make a motion to keep it first reading, and public hearing only. >> Mayor Adler: Open. >> Harper-madison: Open, sorry. >> Mayor Adler: There's a motion. Is there a second to that motion? Councilmember Renteria seconds that motion. Discussion on the dais? You made the motion, you have the first chance to talk. >> Harper-madison: I'd like that very much. So the first thing I'd like to recognize is that I grew up in this neighborhood. It's very special and important

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to me. I'd like very much to see it grow in a way that accommodates the needs of the community. And in looking at the specifics of this particular project, I see it offering us the missing middle housing that we need in this community. I also see it in alignment with imagine Austin tenants about people having access to transportation, about people have proximity to a walkable neighborhood, having access to amenities that they can walk to. Where this project is located, I've made a point to go multiple times now. You can literally see the bus stops from this project. It is really, truly accessible public transit, high-frequency public transit. It's compact, it's connected, it's a complete community, which is our aim, or so I thought. It's that 50/50 mode split. You don't have a car to live in this community, which I really appreciate. The neighborhood association voted for this project. The fact that somebody I really respect in a project that I really respect like blackland community development corporation and beau mccarveer would be responsible for helping this project along might have been all I really needed to hear, to be honest with you. This is an organization and a person who has spent the better part of 30 years ensure that people in this community, in this blackland community, have access to seems up to 99 years of truly, deeply affordable housing, which is very important to me. The contact team unanimously approved this. I'd like for us to all take the opportunity to consider that not everybody will be happy when neighborhoods change. But what we want to make certain of is that the most people benefit positively from future developments. I'd also like to see an

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additional effort for us to maintain no more than five units on -- for this project. Thank you very much. >> Mayor Adler: Let's go ahead and hear from the public and the applicant, then we can come back up to the dais in case there are any amendments or discussion. Anything before we go to the public? >> Yeah, I just wanted to clarify the base motion if I might with councilmember Madison. My understanding is the neighborhood association negotiated a unit cap of five units. Does your motion include the unit cap in the conditional overlay? >> Harper-madison: My motion is in support of the unit cap, correct. >> Okay. >> Harper-madison: I don't understand what you're asking me. >> Well, because -- I'm just trying to understand what the base motion is. I know that you want to pass something on first reading, but -- because the staff didn't recommend it. I'm missing -- >> Mayor Adler: We have a motion. It's been seconded. We're going to hear from the public. We'll come back up. And that's when she has a chance

to amend that. >> There's a difference between amending it and just saying what the base is, though. >> Mayor Adler: I'm just -- the process -- we'll let this -- is your intent to put in a five-unit cap as an amendment to what it was before? >> I get the impression that an amendment is not what I'm asking for. I get the impression what I'm asking for is to make a motion. >> Mayor Adler: They both function exactly the same. So I'm going to let you -- under normal circumstances, motion, second. Once that happens it's no individual's motion, it belongs to the dais. It's not like somebody can move to change that. Because it's no one person's deal. Now, we've gone past that when everybody collectively is okay with adding an amendment, when Leslie asked a second ago I said

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we'll hear from the public. We'll come back up and we can fix it. But in this case, if you want to make your main motion that says we'll approve it as recommended and put in the five-unit cap, I'm going to let that happen. >> I think we're still struggling to understand councilmember alter's hesitation and/or question. I want to be certain that I'm adhering to the standard practices here. This is a great opportunity for you to help me along. >> Alter: So the base motion from the planning commission I do not believe included the unit cap. But it was my understanding from the neighborhood that that was what you wanted. And since this was the first time you were making one of these motions, I wanted to clarify what the base motion was so that I would know what we were voting on. And so as the mayor has suggested, you can either clarify that that was your base motion, or we can take it up as an amendment. I thought it would be helpful for me and the speakers if we knew what your intention was. If your intention is that there's a unit cap, I would think that the speakers want to know that beforehand. >> Harper-madison: To be clear, the motion is to add that there is a cap of five units within the course of this project. >> Mayor Adler: Okay. Is there a second to that motion? Councilmember Renteria seconds that. Now let's go to the public comment. Is -- first the applicant. Why don't you open it up, if you'd like. >> Thank you, I'll be brief and save time for questions later so we can get out of here early.

[4:13:21 PM]

I think we all know where this, one of my favorite places in Austin, a cross from a community garden and Alamo park. This also fields camel elementary here. We'll zoom in a little bit. That's us, the red dot, a dilapidated building at the end of its lifespan. That's the adjacent neighbor, the long house along the eastern side there. You can see the recreationner across from -- recreation center across from it. This is where we have to use our somewhat fudgy land use code to achieve something that should be simple. We thought this would be the new r2 or r3, townhouse zoning. There's been a delay. We're going to have to go with a roundabout method. We think it would be a tragedy to put one giant duplex house across from a community garden and a park for children. We have to go mf4co. The key to the 4 -- I would have done this with something else if I could have achieved it -- is the 15-foot setback along Alamo. I need that setback -- my architect needs that setback reduced considerably to make the project

work. On the other side to the adjacent neighbor, if that is ten or five or 12.5 feet, whatever we decide, I heard about this survey thing this morning. I haven't seen the paperwork. I can't comment except to say I'm not worried about that side. In any scenario the neighbors are going to gain setback. If you go to mf4co, seven feet, I'm not sure. There's ambiguity there. But it's definitely an increase in the setback that they have now. There is a conditional overlay, but there's also a restrictive covenant with the blackland community that limits this to 30 feet in height, limits the number of homes to five.

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If I vanish tomorrow and they go out of business and they're not there, this has been accepted into your program. You have a piece of the rock here. Even if blackland couldn't afford it and mark Rogers couldn't afford it, and foundation communities couldn't afford to buy it, this would go into your inventory of prequalified buyers. Somebody that your program has already qualified would then pick up the house at 60% mfi. It would be a simple transaction. You're covered in all ways here even if the deal falls through. This has been accepted in your smart housing program. I want to make that clear. Objects and rendering are smaller than they appear. These are two bedrooms. This is a kitchen and living space downstairs, bathroom, two bedrooms upstairs. We are trying to market these more to families. We think that the stairs is more appropriate for double income first kid, second child, one income second child. That's what we're going for here. One thing that the neighborhood asked us for very specifically was could we articulate each unit with a different color. The architect wasn't happy but she loves it now. We hope this will be a prototype to keep that single-family character moving forward in neighborhoods like this. Also in the restrictive covenant, the single-family character of the unit will be maintained. You will never see a long wall across Alamo street. Okay. We have every thing we can think of. The planning commission supported it. Smart housing, close to schools, got transit, everything we want families to have in the central city. And 20% affordability is consistent with what we're seeing in this neighborhood. The neighborhood plan calls for 20% affordability. Blackland neighborhood has endorsed it. I'll let the neighbors speak for themselves. The neighborhood has endorsed it

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unanimously. It's in your smart housing program. The CDC is our preferred partner, but if beau can't afford it it stays in your inventory no matter what happens. We need that mf4 for the setback along Alamo. If I could do it any other way I would have. I'm not going into that unless there are questions. If there are questions I'll stop talking. Thank you for your support, I hope. >> Mayor Adler: Yes, councilmember Flannigan. >> Flannigan: To be clear, the unit restriction is in the restrictive covenant? >> Private restrictive covenant. >> Flannigan: If that wasn't there -- I may ask staff to get a nod on this. If there wasn't a restrictive on the number of units, how many could you build? >> Probably five, I don't know. Maybe six, but not seven. >> Flannigan: It's in that space. That's what I thought. That's mostly why I bristle, the economics and the scale of the zoning already limit it to that number of units. On top of it, the restrictive covenant. That's all I have. >> Mayor Adler: Okay. Next speaker. Sorry? Do you want to

wait? I'm going to alternate back and forth. Is Catherine here? Do you want to speak? The next speaker is going to be Lottie Daly on the property. >> Good evening, I'm Katherine. I'm here as someone that lives in blackland neighborhood, for almost 23 years. I am part of the neighborhood association. I want to make clear, first of all, that the vote that we did have was very close that night. It was 18 for, 14 against, and then 1 who abstained. As you know, the creek is where our information goes. In other words, we don't

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actually have the stamp that comes to you all. We're six neighborhoods that are part of upper boggy creek. I want to make clear when you talk about the contact team at upper boggy creek approving this, the biggest deal there is there's a gentleman's agreement that they will approve whatever the neighborhood wants. It's never done anything other than a rubber stamp on what the neighborhood wants. When you look at this, look not at upper boggy creek. That's what I expect them to do, is rubber stamp it. But there was a split in the neighborhood. The reason there was a split in the neighborhood is not because we're opposed to affordable housing. I personally have voted for beau Mccarver to get the units that they have at the Stuart conservatory, which is mf2, which is outside of what the neighborhood plan shows, which is transit corridor buildup. We're also looking at -- besides the units that he has there which will be affordability, affordable, which will be owned by a nonprofit, all the units there, I believe that's eight units. We have just voted for one on 1800 east mlk because there will be an affordable unit there on a transit corridor. We're in favor of the transit corridors. I see this setting a precedent where the only free streets we have are east 22nd, 21st and 20th between two transit corridors. What this does is starts to bring in multifamily next to single family homes. Part of my question to you is are single family homes a sin now? Is it wrong to want to have a yard, and to have some neighbors where it is just single family, when we're building up the transit corridors as it is? So please look at those different things and know that the precedent that gets set here will actually change when city planners come back to look. They'll go they already have five units, it's not a big deal

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to do it next to these other single family neighborhoods, too. I live across the street from something not affordable, but they didn't go beyond single family and built four homes in the place of one by subdividing a larger lot. I didn't complain and I didn't complain because that was with the zoning. My complaint here is this is not within the zoning. It's not within the neighborhood plan. So please take a look at that and consider it. Also consider the neighborhood was heavily divided, 18-14 on that. And you'll do what you do. Consider this is happening in this neighborhood, which does have an amazing corporation there and community development, they've got 49 units. They're doing great things, just got the grant for three more adus. We're in favor. I can't think of a time in my years I've been there we've voted against affordable housing. Please don't see us as people that are opposed to affordable housing. We opposed to mf4 in this area. Thank you so much for listening. >> Mayor Adler: Thank you.

Lottie Daly. The speaker after Ms. Daly will be Jada garrison. >> Good evening, again. As you well know, I'm Lottie Daly. At the time this proposal was passed, or the plan for this unit was passed, I was the president. I've been the president for two terms. I must say that yes, it was a close vote and yes, we did hammer this out over nine long months, and it wasn't one meeting a month. Sometimes there were called meetings. Sometimes there was so many emails, I said if I see Glen Coleman's name again I am going to have a heart attack. [Laughing] >> However, we worked on it. And we worked on it. And we worked on this proposal.

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It wasn't a fly by night. And I must admit, yes, I'm a part of the upper boggy creek contact team. No, we did not rubber stamp this. Yes, I was there the night that they passed this in favor of the neighborhood. And it was not a rubber stamp, believe me. You needed to have been there. We stayed there longer that night than I think any night, because we did hammer this out. They wanted to know what was the vote, who voted, what was the opposition, why am I here.ing herepresenting this letter. It was not a rubber stamp. There are people -- all of us here, we love blackland because anyone that know me know I love blackland. I've been there for 12 years and I have given my time. And we just love blackland in a different way. However, when it comes to affordable housing, I don't see anything wrong with one family being one affordable -- additional family being in the core of our neighborhood. I just don't see anything wrong with that. There might be some homeowners that feel -- and I'm just going to break it down to you. That if an affordable unit is put there, there property value might go down, simple as that. That is not the case. And yes, we do need affordable units. And yes, we have been approved for others. But this developer is ready to develop this unit. The other units are proposed. I don't know when the money is coming. But this unit is ready to go to make some family that is financially challenged, happy. And I think that's the goal of imagine Austin. I think that's the goal of Austin city, you know, to get as many people in affordable housing as possible. And this is affordable housing.

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All I can say is yes, the vote was tight. But the neighborhood turned out. And a vote is a vote. Thank you. >> Mayor Adler: Thank you. >> Oh, I'm sorry. Are there any questions? >> Mayor Adler: I think we're set. >> Okay. Thank you. >> Mayor Adler: Thank you. Jada garrison? On deck after Ms. Garrison will be Austin Dennis. >> Hello again. >> Mayor Adler: You have three minutes. >> Jada garrison, I live at 2103 east 22nd street next to the property. I'm here to express my opposition to the rezoning request. My husband and I moved to the blackland neighborhood in 2004 and we have enjoyed being members of such a diverse and vibrant community. We care about our community. We have been active participants in the neighborhood. I'm a former president of the b&a, so you have here in this room alone five past presidents of the neighborhood association. It's obviously an important issue for us. There are a number of reasons why I oppose this zoning request. I would like to be clear that I would be opposed to it anywhere in our neighborhood, not just because it's been proposed next-door to my home. Two days

ago, city manager cronk told you, the members of the city council, that he wants your guidance on key issues including parking compatibility and density, all of which are in play with this proposal new change. Councilmember pool was quoted as saying that codenext did not succeed because of a failure to communicate effectively to the public what you were doing and what the nuance was. I'm here as a member of the public to say that I'm confused again. I am not sure why council might support the zoning change that if approved will set a press didn't for transforming

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neighborhoods in a way that codenext proposed to do. The blackland neighborhood, situated between two activity corridors on the north and the south, martin Luther king, Jr. Boulevard and manor road, our neighborhood is already doing more than many others in addressing the city's housing pressures. We have increased density coming in the form of a UT housing project that will have 450 units or 750 beds. And we have a 68-unit condo project that offers affordability under construction on manor road. Both manor road and martin Luther king are zoned for dense residential and we support that. As well, adus are mushrooming throughout the blackland neighborhood further adding to density. Blackland offers a high percentage of affordable housing. The bcdc maintains 20% of the housing stock, reserved for families at or below 60% of the median family income. It has additional projects in the works that will grow its total housing from 47 to 56 units in the near future. Setting an affordability precedent by approving the zoning project with one additional unit in exchange for the creation of four market rate units does not seem to be a good bargain for the neighborhood in terms of dnsty or affordability. Experimenting with a neighborhood that has already done its share is not fair. The applicant entered into a restrictive venant and we ask that with this being a small site, you would please vote to support a stronger conditional overlay that would hold the city accountable. Thank you. >> Mayor Adler: Thank you. Austin Dennis, come on down. The next speaker after Mr. Dennis will be Michael garrison. >> Good afternoon. I'm Austin Dennis. I am also a resident of the neighborhood. I live on 22nd street just on the opposite corner of where this development is taking

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place. As everyone has said here, most people who live in blackland love the neighborhood. So I've been involved in the nine months of meetings that happened over the course of this development. And we've seen a lot of development in blackland, as everywhere on the east side. But this developer came to the neighborhood proactively, presented his plan, took great concern with listening to requests, incorporated many of those restricting height, dropping square footage in a way I've never seen in the time I've lived there any other developer do as earnestly and as proactively. After that nine months we had the meeting where the neighborhood approved this. It was the largest meeting attendance I've ever seen. Our meetings average ten people, eleven. We sometimes struggle to make quorum. This meeting had 32, 33 attendees. So clearly a passionate issue in the neighborhood, but one that ultimately ended with the neighborhood supporting this development. On another note, I have a family and I love this

neighborhood from the family perspective. My husband and I have a 2-year-old son. We absolutely love the park, the community garden, and are so thankful that we are able to live in this neighborhood. There are many in Austin who don't have that luxury. With the development that so frequently happens in this part of town, two units on a lot such as this, there's no way those can be affordable. One block away in 2015, a similar lot with two units sold each unit for -- one for \$800,000 and the other for nearly 500,000 in 2015. Few families can afford that in Austin. So while there is one designated affordable unit in here, this

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reasonable density on this lot will actually provide four other affordable units. They may not be termed "Affordable," they may not be in the smart housing program, but the density done appropriately and with the consideration of the neighborhood will provide four additional affordable units and will allow people who need that ability to live close to where their children want to go do school, where they work and where they want to live, that opportunity instead of being forced into the outskirts of town. So, I humbly request that you support the will of the neighborhood and what's best for the neighborhood and Austin, which I believe is developments like this one. Thank you. >> Mayor Adler: Thank you. Michael garrison. After Mr. Garrison, Brendan is on deck. You have three minutes, sir. >> Thank you very much. I want to start off by just correcting a few things. First of all, you don't need to do mf4 to get the 15-foot setback on Alamo. You think use setback averaging. So you could actually do it with a smaller zoning. I'm here also to, sort of, counteract some of the things that have been said that this is about affordability. And I would point out a number of issues about why it's not. First of all, two minority families were displaced to do this project. We've lived next to those people for 15 years. They were great neighbors. So we're used to the diversity of our neighborhood. That's why we live there. So we really appreciate that. But we're getting one affordable house, we lost two, we're getting a net loss of affordability. In addition to that, we're being told that this is going to make the neighborhood more affordable. It's not. The four units that are coming

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in are being priced at market price, which there's two examples a block away, 1100 square feet, two bedrooms, not three bedrooms for families, two bedrooms that are going to be priced at over \$420,000. It's going to raise prices in the neighborhood, not lower them. So it's not going to promote affordability. The third myth about this is that there's this notion that this is a pathway to increase more affordability, more affordable houses. But planners use prior cases as a way of deciding new zoning cases. So once mf4 has been established in the neighborhood, the next developer that comes along can use that precedent without having to add affordability. So we're going to get one affordable house and we're going to raise prices within the neighborhood. This is going to raise property values within the neighborhood. I'd like to also counteract another myth that's been made that is if they don't get mf4, the only thing that's going to be built on this site is a very, very expensive house. Whereas staff pointed

out that they could have subdivided this lot, put two houses on the lot and then taken the other subdivided small lot under sf4a and put a third unit. They could have made a very decent profit. But we're trying to in this case see that the developer wants to make a large profit. We're for affordability. We -- I did help transfer a house to the blackland neighborhood CDC. I helped volunteer on weekends to get the house bill. We looked at the bcdc proposal and we see that there's a 59 ads that are going to be

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built in this neighborhood. We have 44 miles of core transit corridors more than any other district. We could build more affordable housing. So I think this is not about affordable housing. >> Mayor Adler: Thank you. Is Branson here? Mr. Woodstruck is done. >> Thank you, I'm Brandon, secretary of the upper body creek contact team. I want to confirm that we did vote unanimously with one abstention to support this project. I want to confirm what Lottie said about that meeting is accurate to my recollection. We listened to a diversity of parties with a range of opinions. The contact team, while being very contextually linked to the neighborhood associations, is an independent body that is entrusted by those neighborhood associations to work with and to operate in the best interest of our planning area. That's a responsibility we take very seriously. I personally take very seriously. I would be remiss in not acknowledging that we also feel somewhat hamstrung that we have to go through a larger zoning with a conditional overlay to get to that sort of, as councilmember harper-madison mentioned earlier, missing middle housing. This is not the process we'd like to go through. It is the objective, however, we would like to see achieved. So I look forward to a continued community conversation to that regard. I also want to speak toward staff's decision-making on this case. Personally, I will step aside from my role in the contact team and advocate for myself here to say that it is my feeling that

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several really key things were left out of the assessment that came in the staff report, notably the imagine Austin items that were included in staff report don't acknowledge one of the complete communities indicators of number of households within a quarter mile of a park. This parcel is next to a neighborhood park. And this proposal would actually take the existing duplex and turn the units to face the park for the first time, which I think is a tremendously exciting way of the neighborhood to start to have a better interaction with that park. The staff assessment also does not mention, to my knowledge, the strategic housing blueprint or the implementation plan thereof, which are really setting some key goals for the number of units and the number of affordable units we are seeking to achieve in the next ten years. And finally, to the case of the neighborhood plan, I think this does support a lot of the neighborhood plans goals and initiatives, including but not limited to the smart housing. In terms of the question of maintaining and enhancing the single-family character of the neighborhood, I think this does exactly that. It's not the tools I would like to see used to get there, but we are talking about units that are the same scale, actually slightly smaller than what mcmansion would allow to be built there anyway with the overlay for the height restriction. So I don't see a conflict with the neighborhood plan, either.

And I urge y'all to support this proposal. Thank you. >> Mayor Adler: Thank you. Mr. Mccarver. >> Mayor and councilmembers, I'm beau, I chair the blackland CDC and I'm a resident of the neighborhood for 41 years. We got ourselves started in 1980 against our will in the university of Texas, deciding to

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annex the neighborhood. We fought them for 12 years. They were bulldozing affordable housing. We started a nonprofit after three years to try to replace some of that affordable housing. We fought them for 12 years. Ann Richards got on our side and brought it to a stop. The western boundary is on the street and we have developed housing, nonprofit, to the east of that for the last 36 years. It's been an interesting 36 years. We really work hard to develop houses. It's not easy. If you look at the math, 47 units, 1.5 units per year. We've had a lot of help from federal funding but we've also done it with bake sales and volunteers. And one of our houses has the imprints of councilmember tovo and former councilmember Laura Morrison. And the drywall is holding very well. We're not going to paint that section ever. We appreciate the help. Many councilmembers here have helped us through the years. After the fight with UT was over, we knew we were going to deal with gentrification. We got into developing housing as best we could. Of our 47 units, only six are to the east of chican street, the area where this project is. Most of our units are over to the west, UT, 12 properties, lots to us, we developed those. We appreciate -- I don't want to take time. But we appreciate the three units that you have funded, thank you very much. Councilmember Flannigan, you mentioned something very good. We work with Bowlin creek neighborhood. They will be called Bowlin creek cottages. Councilmember tovo started that about four years ago. You brought up a point earlier. You're trying to boot to her. I won't let you. Yeah, we're building it here in blackland, but Bowlin creek

[4:41:38 PM]

wants affordable housing too. I was pleased to go with mark and several other affordable housing developers three weeks ago and discuss it with this group, no longer Bowlin creek CDC, it's south Riverside CDC or something like that. But they're trying to put it in their area and we're trying to help them with what knowledge we have. And I love to see these neighborhoods come in that want to do inclusive housing in their area. And I'm glad that Bowlin creek has gone that way. Other neighborhoods have done the same. Obviously you have the blackland, Clarksville, Guadeloupe, etc. We'd like to see this all over the city. And if you read about smart housing, that's the voluntary inclusionary zoning, part of O neighborhood plan since 2002. We've exercised it ten times. This is one of five times we made it work, the one that's in front of you today. What we'd like to see is Austin be an inclusive city made up of a rich mosaic of inclusive cities. Blackland is proud to be one. Help us continue to do that. Thank you very much. >> Mayor Adler: Thank you. Colleagues, that brings us back up to the dais. Does the applicant want to close? [Off mic] >> Mayor Adler: Okay. We're back up to the dais. Councilmember tovo. >> Tovo: I have some questions for staff, also for the applicant. But I'll start with the applicant. I've heard different language used with regard to the relationship with blackland CDC. On page ten in the

staff report, it talks about the unit being conveyed to the CDC. So who will actual have ownership over the unit? >> So this will be a condo regiment. The structure itself will be owned by whoever buys it. They would own 20% of the dirt. They would own 1/5 of the dirt.

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I don't want to use the term fee simple because in a term of art that implies a subdivision. The transaction would look like a fee simple transaction where the buyer would own the property. >> Tovo: So when you say they would be buying it -- so is blkland being conveyed if they purchase it? >> Absolutely, yes. Our intention is to get the price point low enough that blackland can then turn around and offer that at a minimum of 60%. We know they'll get it down to 20 or 30%. But there is a price point which is going to resemble our construction cost. We hope we can meet our construction cost at that point where we can also sell it to them at terms that are favorable to them. We don't know what those are yet. But the value will probably be in excess of \$100,000 conveyed to whoever buys that site. >> Tovo: Are you talking about the difference between what you sell it to them for and the market rate? >> Yes. >> Tovo: Okay. But they still need to purchase this for this to be maintained as affordable housing. >> Yes, but if they cannot, then we would also -- and if other entities don't want it, we'd be willing to discuss some sort of lease purchase. We're going to try and get creative with them if the bond money doesn't pan out and they absolutely don't get the funding they need for 2020, we're going to work with them to look at other strategies. But it would be our first preference to sell it to them at a heavily discounted price. >> Tovo: Is this codified somewhere? >> Is it codified? >> Tovo: Your arrangements, is that codified that they'll be offered that blackland CDC would be offered the first right of purchase at a rate that is

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covering your construction costs, but not a markup? >> Do you mean like a first right of refusal? No, it's not. >> Tovo: Codified somewhere. So much of this discussion has hinged on the fact that one of the five units is going to be, as I understood it, though there was confusion, owned and managed by blackland CDC. I'm looking for how you have codified that. It would -- >> We codified the affordability. >> Tovo: Some way we would have that assurance. >> We haven't codified the buyer, because after all, there's some skin in the game for them. However, I would be amenable to returning with a first right of refusal letter if you needed one. We can sit down with them and craft a first right of refusal. There's no detriment to us doing that. >> Tovo: At this point the codification part -- >> Let me read -- thank you. Let me read that to you. There is some language that says blackland community development corporation will be given priority in the purchase or management of those units, so pretty close to codifying in the restrictive covenant. If you need a formal term, we could do that as well. >> Tovo: I may have more questions for you about that. Have you set a bedroom count for the five units? >> Yes, ma'am. These will be two bedroom, two bath, living space and kitchen downstairs one bath, two bedrooms upstairs one bath. >> Tovo: But no three-bedroom units. And is it codified within -- I guess it's not within the co. But

have you -- within your restrictive covenant with blackland neighborhood association, codified that the affordable unit would match in terms of bedroom count, the other units, in terms of square

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footage and bedroom count? >> Sort of. >> Tovo: The same square footage and bedroom count. >> Yes. It says approximately 20% of the project. That addresses the square footage. We don't have something that addresses a bedroom count. >> Tovo: I meant the affordable unit would match the market rate units. >> For square footage? I don't have something that says they will all be two bedrooms. I can do that if you wish. We hadn't really thought about it. >> Tovo: Three bedrooms would be better. >> It's going -- these are -- I think there's going to be very small bedrooms if that's the case. It would be difficult to do three bedrooms. I would love to. You voted for a four-bedroom project that I'm going to talk about later, but I don't think we can do three bedrooms for any of these units and have them all be the same. It's tight. >> Tovo: Let's see, what other questions do I have for you. It's my understanding as this is a smart -- this is really a question for the staff. But you're bringing this in under the smart housing ordinance so I want to ask the staff about fee waivers and whether those apply to all -- they apply to all of the units, but what happens if they can't achieve five units. But a question for you is, if -- as the planning moves forward, you're not able to get five units on this site or the plans change, what is your commitment to that affordable unit on this tract? >> It would be gone. If we weren't able to achieve it -- if we're not able to achieve five, then we would develop under sf3. So it would be the status quo. >> Tovo: Okay. And then there's a comment that you made. This is my last question for the moment. Let me see where I can find it. It may take me a minute. Mayor, if others have questions, you can come back to me.

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>> Mayor Adler: Mayor pro tem. >> Garza: I just wanted to express my support for this project. And I know it was a rhetorical question, but I just feel like I have to address it about whether single family -- do we consider single family a sin. I would say no. I would say that I would consider a sin that we not change what we consider family friendly, or not consider that we need to adjust as we face tremendous challenges to keep minorities and low-income families. I would also say it's a sin to not understand that some families can afford yards and some families can't afford yards. And I hope we can get away from the idea of what family friendly means in terms of bedroom count. I was having a conversation with my dad about this issue, because I asked him what's the square footage of the house we grew up in, the house they still live in. He said 1100-square feet. He had a family of ten and he said that when they purchased -- him and my mom purchased that home, he looked down the hallway and thought that it was a runway, because his family of ten grew up in two bedrooms or less. My husband, when him and his family moved to this country, they lived in a two-bedroom one-bath, seven of them. And so there are families that can afford larger square feet and there are families that make do with what they have and are grateful for, and especially grateful to be able to live close to parks when they live in apartment

complexes, and close to public transit. >> Mayor Adler: Thank you. Further comments on the dais? Did I understand correctly, Jerry, that under the existing

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zoning this property could have three homes on it? >> The existing zoning has a duplex. If the property were to be subdivided, rezoning sf4a, they could get more units on the property. >> Mayor Adler: Okay. So we're going from three to five units with one of the five units being affordable. >> From two to five. >> Mayor Adler: Thank you. Further comments on the dais? Councilmember Flannigan. >> Flannigan: Thank you. This is a great project. I want to thank everybody for coming out to speak about it. These are always very contentious cases for folks. Change is not an easy thing to face. But one comment that was made about the developer conceding to height restrictions and unit restrictions, the existing zoning essentially limits this to 30 feet anyway because by the time you lay compatibility and setbacks, there's a very narrow strip you can go over and you couldn't put a room in it. And the unit count is a function of 30 feet tall and setbacks. You couldn't get more than five, maybe six. In terms of how we think about stuff moving forward, the geometry dictates a lot of these things. I'm excited to move this forward. I'm going to support it, acknowledging that the base zoning would allow the same thing. >> Mayor Adler: Yes. Councilmember tovo. >> Tovo: I do have some questions for staff. >> Mayor Adler: Okay. Mr. Rusthoven. >> Tovo: I want to go back to the question the mayor asked you. Currently there's a duplex on this site. And then there's some undeveloped land that's part of that lot. So if they did subdivide it as one of the speakers suggested, what would be -- would you say

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would be the maximum number of units they could have? Is it just one additional on that lot? >> It would require sitting down to lay it out, but I think they could get one more unit. They have the two on the existing lot, they could subdivide the back and get a single additional unit. It wouldn't be big enough for a duplex. >> Tovo: And then -- unless they got variance from the board of adjustment? >> Correct. >> Tovo: What would be the minimum -- maybe we can have this conversation between first and second reading. If they got a variance from the board of adjustment they would be able to construct a duplex on that other. >> Yes. >> Tovo: So then you're at four. Okay. And so with regard to the smart housing fees, as long as you have one unit, the smart housing fees -- I've forgotten what it is. 10%. So the fees are waived for the entire project. >> Correct. >> Tovo: How does that work if, at some point in the future, that additional affordable unit is not constructed? >> The only thing I can think of, it's not provided for in the ordinance, if they got a smart housing fee waiver right now, in the future they pull a building permit or site plan with no affordable units, I'd have to check with our law department. I believe we'd try to recapture the zoning fee, because if they came up with a site plan, we would try to recoup that cost. It's not provided for in the code. >> Tovo: So theoretically an applicant could come forward with a smart housing application, get their fees waived, decide not to or they can't do that affordable piece, and we don't necessary have an easy mechanism -- >> I don't have a defined mechanism to say you got a free

zoning case, we want our money back. There's not a defined mechanism for that. The only thing I can think of to

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do, if they came in with a site plan that did not have any affordable housing as a part of it, one the fee wouldn't be waived for the site plan and two we could try to hold up the site plan until they pay the zoning fee that got waived in the first place. >> Tovo: Aren't there other fees waived for smart housing? >> Yes, if they did carry forward with doing the affordable housing, they would have to -- they would get a fee waiver for the site plan and the building permits. >> Tovo: By then those fees would not be waived in advance. >> Correct. We would say the free zoning case, but there's technically not a mechanism. We'd have to cross that bridge when we got there. >> Tovo: Okay. Great. Thank you. >> Mayor Adler: There's been a motion and a second. Any further discussion before we vote? Councilmember pool. >> Pool: I'm still thinking through this item. I don't know if I've unpacked every aspect. I want to lay out my thoughts before we get to the vote and to explain it all. On the one hand, we have a very real need for these human-scale-type developments to provide a more managed, incremental growth in our neighborhoods. On the other hand I think this conversation here, and maybe my colleague Mr. Flannigan might agree with this, we really should come to this discussion in a more comprehensive, deliberative fashion where we're able to set broader policy rather than doing a piecemeal and designing each site as a one-off. But I think there's a broad consensus across the dais today that we need to provide options for families throughout the city and that changes will be needed if we're going to successfully break the cycle of market affordable, modestly sized homes being torn down and replaced by mansions that only the very wealthy can afford. The way I see it where we are today right now, we need better tools that will allow us to achieve incremental growth and housing options that are attractive and attainable for

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less affluent families. We'll be looking at these improved tools to be returning to us during our land development code discussion later this year, tools that consider things like what the appropriate impervious cover limit might be, how we're going to ensure attainable homes. But in the meantime we still have a responsibility to deal with what we have. Retrofitting an mf4 zoning district with a conditional overlay to turn it into a specialized zoning district that allows us to provide managed incremental growth isn't ideal and I don't think this is the way any of us would like to handle these cases. But until we have better tools, it is the reality of how we must handle these cases. So, with that in mind, I wanted to acknowledge the work that councilmember harper-madison has done to craft a conditional overlay that recognizes the site's needs and ensures a more managed, incremental growth with the unit cap. I recognize it would also be in place with smart housing, but this further nails that cap down. So I thank you for your work on this, to my colleague, councilmember harper-madison, and for getting us to what I think is a better outcome. And so if these are our options for this site, either seeing

one mansion that only the very wealthiest among us could afford -- it's a big lot. It's a quarter acre. Versus seeing incremental growth with several more modestly-sized homes that could be more in reach for middle-income families including homes available at an affordable income restricted level -- and I thank Mr. Mccarver for his longtime work on the blackland and find it compelling to support this case on first reading even though I have the need to approach these items in a more comprehensive fashion, but I'm willing to support this here today. >> Mayor Adler: Motion is

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to approve on first reading, keeping the public hearing open. Any further discussion? Yes, councilmember tovo. >> Tovo: Yeah, I appreciate the applicant's willingness to talk about some of those issues that I raised and I hope we can continue that conversation between the first and second reading. I think it's important that of those issues and potentially some others have the benefit of that conversation. For example, I'm interested to know whether a community land trust is an option on this piece for that affordable unit. You know, I really have struggled with this case and will continue to do so until its final decision at council, but -- and I particularly struggle because I appreciate the benefits that this will bring if it's codified for the blackland community development corporation, which I am a huge fan of and it's, as you heard in the course of today, has provided leadership for other neighborhoods, including one that I represent. And I just think the world of Mr. Mccarver and others who have worked for decades in that effort. But ultimately, you know, this is a neighborhood that is very small. It has been under such tremendous development pressures for a long time and Bo talked about some of those from the university of Texas. So I look at this tract and see it is not on a corridor. It is currently zoned single-family. There is a potential for -- for an increased number of units on that tract and the reality is one of our speakers said it has been providing a cents for two family units in the existing units. So as we talk about displacement in this community, I think for me that is the troubling element of this. When you are not on a corridor, but we're now moving into the interior of a very small neighborhood and a neighborhood that

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is -- has nearby and is surrounded by transit oriented development zoning, by vertical mixed use and some other projects coming online, you have an opportunity here I think with this rezoning of making it - I just can't agree with the speaker today who said those other four units are going to be affordable, even though you said not with a capital a, I think the resulting cost of the housing on this land is going to be much more costly to the residents who will eventually inhabit it than the housing that's currently there on this site. So I cannot -- I can't support the motion today. I look forward to the continued conversation. >> Renteria: Mayor? >> Mayor Adler: Yes, councilmember Renteria. >> Renteria: I recognize the discussion that's going on, especially because I'm a homeowner in the inner city on Haskell and comal. We've been fighting that to save the neighborhood. But what ends up happening is we save the house, but these are aging -- these are a community there that the owners are getting to that

retirement age or they're passing away and the kids end up with these affordable units that we call affordable, but all of a sudden the single houses are now appraised at 520, \$600,000, and the kids think, well, I don't think -- I can't pay taxes at that rate. And there's no way we're going to be able to save that family there or them going to be able to move in because unless they're making a huge amount of wealth, they're not going to be able to afford the taxes there. And yes, we'll save the houses, we'll save the community, you know, it will be there maybe 100 years from now, but I tell you what, you will not be able to afford that old house. It will cost you way too much. And the repairs that are

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associated with that it will be a huge amount. I don't know if you've ever bothered going through a repair. I know there might be some here, but it's going to cost you 50,000 plus. You pull one permit and the inspector come in there and the old house has been built in the 1930 or the 1920s. It's not up to code. Not you're going to have to go out and borrow money to repair that whole home. I have a lot of seniors that come out here and say Pio, what am I doing with this old three bed house here that's creepy and everything he else and air comes through there, no central air, no central heating. We have to replace all the wiring through there, and we're too old to be going out there and getting a loan. Even if it was an interest free loan. They cannot afford that on their social security and here they have an opportunity to sell a home for \$500,000 that they only paid 20,000 years back and they're taking advantage of that. There is no law here in Texas to protect the family from not moving out of there once their parents pass away and that's what we're facing here. And especially the renters. You're not going to have these renters here in our city. And I just read an article this morning in the New York time where our Latinas, second and third generations, are not having kids. They're like the American women now. They're waiting for their career. They put off having children until they're in their 30s now. And if they do, they're going to have one child or maybe two the max. They're not going to go out there and have 10 kids like my mother did. And we lived in a 400 square foot house, just one bedroom and one living room and all

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the -- all the boys lived in one@n bedroom and then all the girls in the other one in the living room. And there was 10 of us in that house. But we were grateful that we may a house, we had a roof and by the time I was 15 years old, we ended up having a restroom inside the house where we didn't have to go to an out house and we only lived a mile away from the capitol. That's how I grew up here in Austin. You know, that -- we've got to make sure that we build enough housing and that's what people want. They want shelter. And that's why -- I don't have friends anymore living in my neighborhood that I grew up with. And their parents passed away. They couldn't afford the house. They paid it off. And the poor ones that didn't plan for it, you know, there's a few out there on the streets right now that we're trying to get them housing. And that's what we're facing. I'm now 68 years old. When I pass away and my wife, none of my kids are probably going to end up moving back into that home because they won't able to afford

it. And that's what we're facing. We're facing reality. And if we don't build enough units to bring people back in and these families are not having that many kids, you have to build more units out there that will accommodate the two bedrooms and maybe three-bedrooms, but they're not having that kind of children's out there there. And so I'm going to support this. >> Mayor Adler: Okay. Ready to take a vote? Those in favor of the -- yes, councilmember alter. >> Alter: Thank you. This was a difficult case for me particularly because it did not come with a positive recommendation from our staff. However, it did have a

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favorable vote from the neighborhood association, the neighborhood plan contact team and the blackland community development corporation. Because it is my derstanding that the motion is on -- to grant mf-4-co-mp on first reading with a height cap of 30 and a unit cap of five, I'm going to support this on friending. >> Mayor Adler: And to keep the public hearing open. >> Alter: To keep the public hearing open. >> Mayor Adler: Any further discussion? Those in favor of the item, raise your hand. Those opposed? Councilmember tovo voting no, others voting aye, this motion passes. Those are all the items we have on our agenda, so at 5:08 we're going to adjourn subject to recognition this evening for Joe pantalion and other proclamations and music. 5:30.

[5:35:27 PM]

>> Mayor Adler: This is music in city council chambers is a finally tuned -- finely machine. Some people aspire some day to be able to play in Carnegie hall. Around here it's being able to actually play city council chambers. And you know that is kind of special because music is kind of core to who we are, kind of core to our values and our brand. It says a lot about our community and what we think is important. And in this city creatives, our diversity, the things that kept me here when I was passing through town in the '70s are still here today and 2015 hold on to them. And one way we do that is I think we're the only city council in the country that that stops every city council meeting in order to bring in live music into their meetings. We try to press it into the walls so that at 2:00 in the morning when we're beating each other up on the dais we can pull out a little of that music. So we are honored here tonight with yet another local star. Councilmember. >> Casar: And hi, y'all, I'm proud to get this kicked off with Cecelia and the broken hearts. That are an afro chicano band here in Austin. Their musical focus is on traditional Latin rhythms that are layered underneath melodic three part harmonies with different instruments. From rum bow to [speaking foreign language], Cecelia and the broken hearts is pushing the boundaries of Latin music and creating an amazing amalgam of music here. They played my first ever campaign kickoff and then they played my recent reelection party at the

[5:37:28 PM]

cactus cafe recently. They actually have a cactus cafe showed she will tell you about, but at the cactus cafe recently they were playing a friend of mine and a and his recently proposed partner asked me to officiate their wedding. They took me to a show asking me to be an owe fish shall not. And so many of us have awesome memories of seeing them play so I think that today will be an awesome memory for all of us and all of us watching. Please join me in welcoming Cecelia and the broken hearts to city hall. [Applause]. [Music].

[5:43:48 PM]

[Cheers and applause] >> Thank you. >> Gracias. [Applause]. >> Mayor Adler: So thank you. That was great. If somebody was watching on TV now or back or here later and they wanted to find you, do you have like a website or a Facebook? >> Ceceliaand ceceliaandthebrokenhearts.co M. >> And the best way to find you. >> You can stream us online at all the major websites, Spotify, band camp, et cetera. >> Mayor Adler: And last, and you alluded to this a second ago, if people want to come see you play, where's the next gig you have in town? >> We are lucky to perform tomorrow for international women's day at cactus cafe. [Applause]. With Lexie Garza and also with tiara girls. >> Casar: Now I'm proud to give you this proclamation on behalf of me and the mayor and the whole city council. Thanks, Pio for being here with us and we have our councilmembers here and also thanks to many of y'all that dedicate a lot of your time beyond music also to social change work and so thanks to y'all and your families for doing that and for your families for joining us here today. So be it known that whereas the city of Austin, Texas, is blessed with many creative musicians whose talents extends to virtually every musical genre and new ones made up by some bands and whereas our music scene thrives just Austin audiences support good music produced by legends, our local favorites and newcomers alike. And whereas we are pleased to showcase and support our local artists. Now therefore I, Greg Casar, councilmember from city council district 4 and Steve Adler, our mayor of the live music capitol of the world, do hereby proclaim March 7th, 2019, as Cecelia and the broken hearts day in Austin, Texas.

[5:45:49 PM]

[Cheers and applause] Clears.

[5:54:28 PM]

>> Pool: All right. Well, thanks for the musicians who came here this afternoon. It's always fun to hear a different -- different music every council meeting. And now we're moving into proclamations. I have the hon to present a proclamation to liane shenefiel who was the acting director of the Austin animal

center. As you can see, a whole lot of people came here today to thank her for her service. [Applause]. And I'll read this to you, Leeann, and do you have some comments you would like to make afterwards? Great. So I'm Leslie pool and I'm the councilmember for district 7. Proclamation, be it known that whereas Leeann shenefiel as acting director of the Austin animal center increased live release to a sustained 97% making Austin the largest no kill community in the country. [Applause]. And whereas Leeann maintained positive and productive working relationships with stakeholder groups including Austin pets alive, Austin humane society, Maddie's fund and the animal advisory council. And whereas Leeann achieved service enterprise certification for Austin animal center's volunteer program which ensures that the program is aligned with nationally recognized best practices in volunteer management. And whereas Leeann was an instructor for the life saving leadership component of Maddie's life saving academy, which is a partnership between the city of Austin and Austin pets alive to help increase leadership capacity with a no-kill animal sheltering with a focus on increasing life saving in other Texas cities. Now therefore I, Leslie pool, councilmember for district 7, on behalf of mayor Steve Adler and the

[5:56:28 PM]

entire Austin city council do hereby proclaim March 7, 2019 2019, as Leeann shenefiel day. [Applause]. Congratulations. >> Mayor and councilmembers, thank you very much for this recognition. It has been a great privilege to have been part of Austin's no kill story for the past three years. In fact, I've been fond of arguing with all due respect to the mayor and to the central library that it is Austin's animal shelters that are Austin's cathedrals and represent the values that Austin aspires to. Valuing all life, offering second and third and sometimes fourth chances, recognizing that everyone has a story and a role to play regardless of jayhawks or position -- education or position or neighborhood. And while I'm immensely proud of the accomplishments, some of which councilmember pool shared, those are not mine alone so I've asked my leadership team to join me today. I would like to take the opportunity once again to thank the Austin community and our many partners in the rescue community and other stakeholder groups, our volunteers and our staff who have all contributed in some way to those accomplishments. Since 2011 Austin has been the largest no-kill community in the country and has helped create a model for other communities to follow to achieve the highest levels of life saving. A model which relies on an integrated engagement based animal control program, which protects and promotes the human-animal bond and increases the capacity for our communities to care for animals. A shelter that prioritizes life saving and embraces a diversity of pet lovers through open adoptions and other support programs and a robust corps of volunteers and those who provide services. For the past two years we've stretched the original

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mandate to save 90% of the animals entering the animal shelter, which is over 16,000 animals annually. We've stretched that to sustain a 97% live outcome rate. Because we recognize that no kill isn't a box to check, but it's a way of making decisions and it's a journey that and that we need to continue to evolve

our programs and our services to meet the changing needs of our animals and of the community. In this country today, 900,000 animals at least still die unnecessarily in our nation's shelters. More animals in Texas than any state alone, over 125,000. And so as we continue to work to achieve no kill in all of these communities, the country will continue to look to Austin to be a leader in no-kill sheltering. Thank you. [Applause].

[6:00:38 PM]

>> Many the chief if the chiefs and anyone else who has worked in depth with Ms. Flores. >> That is a big crowd. >> You have been here a long time and touch add lot of people. Good evening, I alallison alter. Tonight I would like to honor Sylvia flores. I'm going to be brief because I think that's what Sylvia would most like but I didn't want to let this milestone pass without recognizing her tremendous service to the city for so many years. Beginning in 1989 as a compensation specialist, Sylvia worked her way as an assistant director in hr before moving to assistant director of the police department in 2008. L I got to know Sylvia and I know she stayed on and extra year to see that police agreement to a successful conclusion. It is my honor to present Sylvia flores with a distinguished service award for her untiring

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service and commitment to the residents of Austin during her 30 year tenure to the residents of the city. Thank you, Sylvia. [Applause] >> I want to thank you all. I want to acknowledge my son. My friend and family and coworkers who took time out to celebrate with me, I will miss you greatly. Working here was easy when you love who you work with and the what you do. It was not a job. In closing, I'm going to quote condoleezza rise. Rice. There is no greater challenge and there is no greater honor than to have served in public service. Thank you. [Applause] >> On three. One, two, three. [Applause]

[6:04:47 PM]

>> Can we have the council members back up? [Applause] >> We have a phone up here in case somebody left a phone and didn't mean to. So we have another distinguished service award this to someone that has been with the the city for over 20 years and was an institution here already before I became mayor. There are those people in the city that seem to be just utility players that seem to be placed in the situations that are driving the most attention or have the most difficult challenges or are most key to the city being able to progress, and Jo tan Joe pantalion is one of those pe in the people in the city of Austin.

[6:06:48 PM]

It is sad for us here to be losing such an institution and a big part of what helps make our city grow. I am real excited for you and the career move and I will let the city of Richardson know absolutely the true value of the, of what they are getting only because we are on the phone constantly here in the last few days over stuff happening at the legislature, so I am with them, but we have a city of Austin distinguished service award for his untiring service and commitment to the residents of Austin during his 21-year tenure as a dedicated employee of the city, Joe pantaloni is deserving of public acclaim and recognition, and this certificate is presented from the entire city council of Austin, Texas today Joe. Thank you so much for your service. [Cheers and applause] >> Thank you. Well, thank you. Let me start by saying it has been an honor and a privilege to work at the city of Austin. I feel extremely fortunate to have spent a career in Austin in public service and I have truly enjoyed working with council or city staff in this community to keep Austin a special space, and it really is. We shared a common mission and vision to ensure prosperity and health for all in a healthy and safe environment, but there is still plenty of work to be done.

[6:08:49 PM]

As I retire I have faith in this council, this staff, and in this community to continue to rally around that common mission and boldly push forward in the statement strategic direction. I want to thank my colleagues and friends for being here. It's been an honor being among you. I especially want to thank my wife Dee and our children holly and race. You know, I first moved to Austin in 1983, I met my wife here. She was working for pard at the time and we raised our kids here and made Austin our home. It's going to be very, very difficult to leave this city, all of you, and all of this special connections and relationships we have here, but I can tell you that we are very, very excited about our future and our next step in this wonderful journey, again, thank so much, and it's again something that is hard for me to look at all of these faces and think I won't be seeing you as often as I have been, but you will be remembered and you will be missed, farewell, thank so much. [Applause]

[6:12:00 PM]

Those things don't happen by accident, we have 14,000 city employees, and we all all know in this community that one of the principle reasons why things are going so well as they are because of the staff running this city for us. We have a distinguished service award to give to Michael Maddux for his contributions and commitment to the residents of Austin during a 19-year tenure as a dedicated employee of the city of Austin, and Michael mad Dus is deserving of this award. Michael thank you so much. [Cheers and applause] >> Mayor Adler, councilmembers, city manager, thank you so much. It's plan a pleasure to serve the city of residents over the past 20 years. There is a lot more to do and I'm leaving the city in good hands, thank very much. [Applause]

[6:14:07 PM]

So here we have a proclamation. Be it known that whereas in Travis county and nationwide the estimated rate of HIV infection for black African American women is 16 times that of white women and almost five times that of hispanic women, and whereas the United States center for disease control reports that although 12% of the United States population is black, African American, that portion accounted for 61% of new HIV diagnoses in the year 2015. Black women have always had the highest rate among women, 59% of women living with HIV are black women. There is a wealth of research that reflects the importance of the national week of prayer for the healing of AIDS, the end of the AIDS epidemic is in sight with prayer, education, testing, and greet treatment and through the national week of prayer for the healing of AIDS, planning collaboration group, our partners have been working with churches, to inform, educate, and empower the community with respect to hiv/aids//aids help and through the aware awareness of churching and workshops on prevention, HIV testing and referrals will be made available to citizens and residents to help solve this major health challenge. Now therefore, I Steve Adler, mayor of the city of Austin, Texas, together my colleagues do here by proclaim March 3, 2019

[6:16:09 PM]

as national week of prayer for the healing of AIDS in Austin, Texas. [Applause] I want to introduce Stephanie Hayden who is the director of Austin public health to deliver some words. >> Thank you, mayor, thank you all for being here this afternoon and evening. We cannot emphasize the importance of education and prayer is Een sensual. This is a national effort we are not just doing this in Austin but joining all the other states to pray this week. We have had a really full week where we have had a prayer every day at noon at one of our churches here in Austin, and we are going to culminate a program the evening at 7:00 P.M. At freedom home Baptist church. Because this is such an urgent situation, we have to come together and work with all of our partners and we could not do it without all of our partners, and I thank all of the stuff that staff that are here present this evening as well. Thank you very much. [Applause]

[6:18:34 PM]

Now we have a proclamation for women's day. Be it known that whereas the global sister hood organization has provided meaningful community, self-, growth empower men support to thousands of women in over 85 countries and over 10,000 women's circles have gathered globally with a central hub being located here in Austin. As global sisterhood celebrates annual women's day in Austin by hosting a women's event and medication broadcast globally to uplift and unite women from around the world and provide transformational content through tot year. This celebration has touched the lives of hundreds of thousands of women. I there, Steve Adler, the mayor of city of Austin Texas and my colleagues on

council proclaim may 8, 2019 as Austin global sisterhood women's day in Austin , Texas. [Applause] We should applause that and then to accept the award will be Shayna Connors. >> Hi, thank you mayor, Steve Adler and city councilmembers. >> We are so grateful to the city of Austin for supporting women-owned businesses and help ING us thrive here. We want to say that one of our core beliefs is to transform the world we must truly transform ourselves which means at times taking the conversation from the outer to the inner, and that is what we specialize in and we support women as we are rising all over the world, we support women on their emotional journey through that rising but

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cultivating sacred, safe space for women. In 2017 we had meditation like we are doing again tomorrow here in Austin that is being broadcast globally and we had 16,000 women join us. This is an invitation to all women of Austin to join us and be a part of this movement here with us and tune in tomorrow as we unite across borders, across religious beliefs and across political beliefs to unite as women of one heart. Thank you very much. [Applause]

[6:22:56 PM]