

## City Council Regular Meeting Transcript – 09/17/2020

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[10:03:30 AM]

>> Mayor Adler: I'm going to go ahead and call to order today's city council meeting. Today is Thursday, September 17th, 2020. It is 10:03. Holding this meeting virtually. Mayor pro tem, do you want to say something about hispanic heritage month as we're getting ready to starting it?

>> Garza: Sure. Thank you, mayor. I just wanted to recognize that hispanic heritage month began this week and I wanted to take a moment to recognize the significance of the celebration this year in particular. 2020 has been so challenging for our entire country in so many ways. For the hispanic community we have always faced and will make it through. Though the weight of what we feel is especially heavy, the inequities in our health care system are being

[10:04:32 AM]

exacerbated by a pandemic that has left us disproportionately vulnerable. Racist and divisive positive ticks continue to make the Latinos the other rather than including us. Inhumane treatment by our government is threatening our humanity. It is in part those overwhelming challenges I have been looking forward to celebrating hispanic heritage month more than ever. I love our vibrant community, the sense of connectness we share as well as warmth, joy and a sense of purpose. The incredible contributions we have made and continue to make will not be forgotten or ignored because they are part of our city, our state and our country. So happy hispanic heritage

[10:05:33 AM]

month to everyone. I hope that we will each look for meaningful ways to celebrate this year. And then I just wanted to quickly thank some organizations, the law department and the

[inaudible], our colleagues who stood with us at the capitol when we announced we were going to have that legal fight. So many in our community have come together to help with ppe distribution of masks and sanitizer during this time. The del valle community coalition, the Latino coalition, our public health, obviously, councilmember kitchen, thank you for helping sponsor the one in our districts, and so many -- it's just taken a really big community effort to help address the disparities we're seeing in this pandemic, so thank you for everyone who continues to come together to support our latino/hispanic community and thank you for allowing me the time to make those comments, mayor.

[10:06:35 AM]

>> Mayor Adler: Absolutely. In so many ways you are speaking for our entire council so I would join all of our welcoming and recognition of hispanic heritage month, following one day after today, one day after Mexican Independence day celebrations yesterday. Thank you. Colleagues, we're going to begin this meeting, I want to read some changes in the record. 2, 7, 41, 45 and 50 were all unanimously recommended by the electric utility commission. Commissioner ray absent. Item number 2, the resource management committee recommended 7-0 with commissioners baby also Ack and Smith off the dais. Items 4 and 5 recommended by water and wastewater commission on a 7-0 vote with commissioners part ton, Williams and fisher absent.

[10:07:37 AM]

Item number 8 postponed to October 1, 2020. Items 11 and 30 are withdrawn. Item 31 postponed to October 1st, good. 2020. Item 38 withdrawn and replaced by 105 on to addendum. Item 53 withdrawn. Item number 62, in addition to councilmembers Flannigan, tovo, pool and myself, also joining as sponsors are councilmember alter, councilmember kitchen, councilmember Ellis, councilmember Renteria, councilmember Casar and councilmember harper-madison. By the way, on item number 62, the base motion is going to be the one that was discussed on Sunday with some changes incorporating amendments that were -- the gist of the amendments I

[10:08:37 AM]

think with respect to some of the colleagues that had posted being left off. That was councilmember pool's. They will be circulating that amendment to incorporate that also in that -- if it hasn't already gone out will go out momentarily.

>> Mayor?

>> Mayor Adler: That was sent out to everybody yesterday. Sent out this morning. And both posted on the message board and emailed out by Katy this morning. Yes, councilmember kitchen. Did you have something?

>> Kitchen: I can look on the message board.

>> Mayor Adler: Okay. Item number 69 withdrawn. Item number 70 withdrawn. Item number 72, it's the executive session private consultation with legal counsel section 51.071 of the government code. Item 89, a valid petition has been filed in opposition to this rezoning request.

[10:09:42 AM]

Items pulled, item 12 by Ellis, and item 17 by alter. 12 and 17. Today's consent agenda is items -- hang on, I see hands raised. Consent agenda items 1 through 64 and also 95 through 107. The late backup has been filed in 4, 8, 11, 13, 14, 17, 21, 31, 57, 58, 59, 61, 62. Also 68, 81, 83, 85, 89 "-excuse me -- and 94. And on the Austin housing finance corporation which we'll convene later, items 1

[10:10:45 AM]

and 2 and item 4. We have today, colleagues, 58 speakers that have signed up to speak on this morning's items. Other -- that would be the non-zoning items and the non-housing corporation items. 58 people signed up. I think there's 40-some-odd in queue. We're going to call those speakers and give each two minutes to be able to speak. Then we'll consider the consent resolution, the consent items. At noon we have citizen communication. Eight people to speak. Citizen communications will be three minutes per speaker. The other speakers over the course of the day are two minutes. But that would have us going from citizens communication to about 12:30 and then we would have lunch.

[10:11:48 AM]

We could, if council is interested, go into executive session to consider or to have further conversations about what we had discussed on -- on Thursday, if you are interested in going back to executive session on that item, let me know so I make sure we do that. The answer is yes so we'll go back into executive session probably about 1:30. And then we'll come out of executive session as close to 2:00 as we can at 2:00 or thereafter. We can take up the zoning matters. It looks like there may be five discussion matters in zoning. We have speakers that have signed up to speak, about 38 people have signed up to speak at a couple minutes each. And then we can consider

[10:12:49 AM]

those items. The Austin housing finance corporation speakers will be showing up at 3:30. I don't know how close to that we're going to actually be able to get, but that's the third tranche of speakers, 44 people at two minutes each. And then my hope is to be able to take a dinner break around 6:00 P.M. For an hour, and then we will be able to continue on. Obviously these time things are going to be a little bit loose as we see how long we're taking in the various items. We have a full day in front of us. Councilmember alter?

>> Alter: So I just wanted to clarify, so the central health overlay and the airport overlay have both been withdrawn, 69 and 70?

>> Mayor Adler: That is correct.

>> Alter: And since we still have to finish our

[10:13:52 AM]

executive session on 95, you said that was on consent?

>> Mayor Adler: We can pull 95 to take place after the executive session.

>> Alter: Thank you.

>> Mayor Adler: Okay. Continuing on, councilmember kitchen?

>> Kitchen: I'm going to need to pull 62 because it looks like, I can't tell, but it looks like the amendment I brought was not included in the base.

>> Mayor Adler: It was. We'll point that out to you.

>> Kitchen: I didn't see it on the message board.

>> Mayor Adler: I'll highlight that and send it to you. Councilmember tovo.

[10:14:53 AM]

[Indiscernible] Kathy, you have that chipmunk voice again. No.

>> Tovo: [Indiscernible]

>> Mayor Adler: Can't hear you.

>> Tovo: [Indiscernible]

>> Mayor Adler: I think Kathy -- I don't know if you need to go out and come back. We've been here before.

>> Tovo: [Indiscernible].

>> Mayor Adler: Leslie, while Kathy is figuring that out, councilmember pool.

>> Pool: Item 62 is pulled for speakers anyway, right? So I think you had that on the list of pulls. 62 is not on consent, right? I mean it's on consent but we've pulled it off for

[10:15:55 AM]

speakers --

>> Mayor Adler: Speakers will be speaking in the initial group.

>> Pool: I also wanted to draw everybody's attention to the emails we've been getting on ahfc items 1 and 2. I'm prepared to pull those and ask they be postponed for additional information being assembled on that, but we have either 58 or 44 speakers on ahfc in general. Can you address how many are on that? First I heard 58, then I thought I heard 44. At any rate there's a significant number of seeing on the ahfc agenda and believe they are focused on items 1 and 2. We probably should hear from folks, but I am prepared to suggest that be postponed.

>> Mayor Adler: On the zone cases we have 38 to speak, on Austin housing finance corporation we have 44.

[10:16:56 AM]

>> Pool: 38 on zoning and 44 on ahfc, and the bulk would be items 1 and 2.

>> Mayor Adler: Gentlemen.

>> Pool: What I would propose is listen to folks and see what the discussion sounds like, but I will be happy to postpone that item so additional input from our community can be heard and absorbed.

>> Mayor Adler: We'll get to there when we get to the Austin housing finance corporation meeting.

>> Pool: Thank you.

>> Mayor Adler: Councilmember -- yes. Councilmember Ellis first, then councilmember Renteria.

>> Ellis: Thank you, mayor. I know you mentioned item 12 would be pulled to go with 67, I believe it is. I just wanted to draw everyone's attention to there is an email from Katy and a post on the message board to incorporate some of the ideas we had on Tuesday. I wanted to highlight that

[10:17:56 AM]

so people had a chance to review before that item comes up.

>> Mayor Adler: Okay. Councilmember Renteria.

>> You are on mute, councilmember.

>> Mayor Adler: Pio, can't hear you. You are muted.

>> Renteria: Can you hear me now?

>> Mayor Adler: Yes, go ahead.

>> Renteria: On the housing, I really want us to have that -- make that presentation. You know, I think there was some misinformation out in the community. You know, this imagine art, it's not -- it's for people that have extreme

[10:18:56 AM]

disabilities and taking care of by their parents right now, but they have been working with them.

[Inaudible] Has been working with these people. And some of them are really creative people and we need to start servicing this population of people that when their parents die, they become award of the state. And we're just trying to figure out a way to keep these people in the community to be productive at the same time and have affordable housing. So I would like to have the staff make that presentation before we decide on anything.

>> And mayor, I absolutely agree with that. It's clear that there is a difference of opinion as to the -- those two items and I agree as much information as we can get out today including hearing from folks, but maybe that we won't need to postpone the -- any kind of action to allow that information to be

[10:19:57 AM]

absorbed and any additional hurdles that would be ironed out. We're going to get staff to speak and then we'll listen to the speakers and then we can decide what to do. That will be in the housing finance corporation meeting that we'll be convening a little bit later. And I'm now lost.

>> Tovo: Mayor, can I try again?

>> Mayor Adler: Yes, go ahead.

>> Tovo: Can you hear me in normal voice in.

>> Mayor Adler: Yes.

>> Tovo: I've lost track of a few things. I would like to request if they are not already pulled, it wasn't clear what the end result of some of these conversations were, I would like to pull 62, and I was starting to say I had circulated an amendment to my amendment and I will have to look at yours to see what changes might be necessary, but I do have questions for staff about some of their -- so I do need to talk about

[10:20:59 AM]

that issue. 18 I know, I think councilmember alter pulled 95 for after executive session. I have something I would like to offer to 18, 48 and 95, and if we could take those all three together unless that pulls staff into the conversation and makes them wait for hours who wouldn't otherwise have to -- we can knock out 18 and 48 probably, but if it doesn't cause some staff

[indiscernible] You know attending the meeting who wouldn't otherwise, I would like to take those three up together. I have a quick discussion I want to have about

[inaudible], I would like to pull that.

>> Mayor Adler: Sorry, what was the last one?

>> Tovo: 54. Sorry, 54.

>> Mayor Adler: Thank you.

>> Tovo: I'll be quick. 17, did that get pulled?

>> Mayor Adler: What pulled is 12, 17, 54 and 62.

[10:22:02 AM]

And 95. And then you also wanted to pull -- what did you say? 18 and 48?

>> Tovo: Yeah, 18 and 48.

>> Mayor Adler: Okay.

>> Tovo: Again, if staff would let me know if that pulls somebody in who would otherwise be able to go back to their regular workday, and then I can just read the direction about those and talk about it later. 54 I had said. Was 17 pulled, mayor?

>> Mayor Adler: Yes, 12, 17, 18 and 48, unless staff lets us know otherwise it would be better to handle them earlier. Also 54, 62, and 95.

>> Tovo: Right. And 67 we're taking up later as part of the public hearings.

>> Mayor Adler: Yes.

>> Tovo: I haven't had an opportunity, councilmember Ellis, thank you for calling our attention to information on the message board. I wasn't aware there was any

[10:23:02 AM]

so thank you, I'll take a look. I had intended to submit and I think I indicated this on Tuesday some questions related to 67 and did not get them into the question and answer in time. So we can certainly talk about them today, but I had some questions and then an amendment that built on those questions. So I would just ask my council colleagues if you would consider postponing 67 to -- at the appropriate time to 10-1. That might -- that might be the most expedient way to take care of it. There's just a lot going on on this agenda and I think that one requires just a little bit more time. Having urged speed for the year or so that we've been working on this and now I'm asking if we could take a couple more weeks on that one. 67, though, not 12.

>> Tovo: And I think that's it.

>> Mayor Adler: 67 is not part of the consent agenda.

[10:24:03 AM]

>> Tovo: Yeah, I was just mentioning it because 12 was and I know it's being taken up later, but I wanted people to think about whether that's something they could support.

>> Mayor Adler: I understand. Okay. Again, I can't see the screen, does somebody want to talk before we go to the speakers on the consent agenda?

>> Garza: I wanted to speak briefly on 34.

>> Mayor Adler: Do you want to wait until after the speakers speak?

>> Garza: Sure, I can do that. And councilmember kitchen has her hand up.

>> Mayor Adler: Councilmember kitchen?

>> Kitchen: I just have a brief comment on one of seven. I think it can stay on consent, so a heads up on that one.

>> Mayor Adler: I'll call you after we've had the public speakers. Let's to the speakers. Is the clerk here?

>> Garza: Councilmember Casar and harper-madison have their hands up.

>> Mayor Adler: I can't see the hands.



[10:25:05 AM]

Councilmember harper-madison, then councilmember Casar.

>> You are muted.

>> Harper-madison: I was saying I also would like to speak to the consent agenda but happy to wait until after speakers.

>> Mayor Adler: Okay. Thank you.

>> Casar: I wanted to note for people a small amendment on the legislative agenda that we posted the message board, yellow copies should get to you all, related to maintaining the system of plumbing and keeping people safe that way. Then -- probably here in five minutes we'll post up on making really clear what the city standards are for workers on kinds of projects like the -- like the proposed convention center expansion and

[indiscernible] Associated with it. Since in the past our conversation was about keepings, but now that there is office and hotel associated with it, just making sure that we are extending our worker

[10:26:06 AM]

protections and any anti-labor construction rules to the custodial and hotel staff associated with those developments if they occur. Now I think law and real estate are looking at that and hopefully we'll have that posted by 10:30 for that.

>> Mayor Adler: Sounds good. Councilmember pool.

>> Pool: And then after we hear from the speakers, I would like to make a comment on 17.

>> Mayor Adler: Everyone,

yeah, after the speakers are%-@open, we come back to us and%-@anybody can talk about%-@anything that's on the%-@consent agenda.%-@councilmember alter.%-@>> Alter: Thank you.%-@I just want to make sure my%-@amendments for 17, I have to%-@make them as amendments, bu

t%-@they were post to do the%-@message board.%-@I'm not anticipating any%-@problem related to school%-@finance and sexual assault,%-@so I would hate to have%-@staff stay forever for that.%-@might flag that.%-@>> Mayor Adler: We'll see%-@if we can take that up first%-@because I don't think%-@there's anything%-@controversial.%-@any discussion?%-@all right.%-@clerk, do we want to -%-@let's go ahead and call the%-@speakers, two minutes each.%-@these are speakers speaking%-@on anything on the

[10:27:17 AM]

council agenda today other than zoning cases and the austin housing finance corporation. those two things will be called later in the day. >> Okay, so mayor, -- I'm sorry, speakers in queue, if you have not pressed zero, please do so now. we also had a spanish speaker, but she ended up hanging up so she's listening. if she can call back. [Indiscernible] We're ready for you. the first speaker will be victoria Guerra. Victoria, please be sure to unmute. >> Sorry about that. can you hear me? >> Yes, go ahead. >> Good morning, councilmembers. my name is Victoria, I'm a

[10:28:19 AM]

resident of district 2 and calling to urge council to approve 26 and 62. I am in the privileged position to work from home with my son during the covid-19 pandemic. but too many families in austin are not as privileged. 50% of child care centers have closed leaving many families having to make the difficult choice between working and the safety of their children. I'm a recruiter in austin and three women were compelled to quit their jobs due to lack of child care. research shows access to quality child care development and learning can dramatically reduce in inequalities for 13. the failure to support economic stability of families and healthy development of children deprives us of their potential and a road of equal opportunity for all. quality child wear and

[10:29:21 AM]

early childhood education is one of the most effective investments our community can make. thank you for your consideration and I hope that you would vote to adopt item 26 and 62 and invest in our community's future. thank you. >> Michelle majia. michelle, be sure to unmute. >> I'm sorry, sorry. I'm unmuted now. good morning. my name is Michelle, early childhooding oner for go austin. ial you're am also a mother and person who has struggled to afford in the past to pay for quality child care. I ask you to vote yes to item 26 authorizing skies of a 12-month health and human services contract to administer the early head start child care program. also to express support of

[10:30:26 AM]

item 62 which directs city manager cronk to explore and identify funding options to support the multiple institutions in our community including and especially child care. I see this as a first step in supporting this essential sector of our community and hoping

that this is something that will be more part of the mainstream conversation at city council really prioritizing our families and our young children. thank you. >> Paul kaduro. >> Good morning, mayor, members of council. this is Paul kaduro speaking on behalf of the apartment association, their board of directors and the 1735 properties and over 1,000 rental housing providers who own, manage and operate 260,000 rental homes in the greater Austin area. please know before we begin we appreciate your continued public service and leadership during these times

[10:31:29 AM]

es and we also understand the reasons behind your desire to further extend the 60-day notice of proposed eviction, which is item 106. I know this item is on the consent agenda and I hate to bog down the meeting, but important that you know This ordinance has caused confusion, destabilized apartment operations and unfortunately has provided residents not impacted by covid to take advantage of the situation. that's why we would just let -- we request that this ordinance just expire at the end of the month as it's originally written or as it's written now. you know, it was originally put in place because before there was any federal C.A.R.E.S. Act and before any local emergency rental relief was available, then it was extended because the C.A.R.E.S. Act didn't cover all properties, but now there's \$13 million in direct rental assistance for austinites and the centers for disease control announcing eviction moratorium on

[10:32:31 AM]

September 4 to prevent the spread of covid that covers all properties through December 31st. although not perfect, the cdc moratorium allows residents impacted by covid-19 and this aspect allows property owners to effectively manage the property. the 60-day ordinance does not have the same aspects. just a few others, if you extend the 60-day notice, these notices will continue to be issued even to those who declare themselves impact by covid under the cdc rules because of the quirky legal reasons to do so which cause -- [buzzer sounding] -- which will cause additional confusion. so we appreciate your time and look forward to maybe a continuing discussion on this ordinance in the weeks ahead. thank you. >> Lindsay Haynes. >> Hello, good morning, my name is Lindsay Haynes

[10:33:31 AM]

, I'm the owner of metric property management. we manage 48 apartments in austin. I spend no less than 25% of time helping my residents with applications and gladly so. those who apply have mostly been accepted.

one of my residents told me she was too far behind and going to move. I said no, we're going to try to figure this out together and got to help helping her find rental assistance. the guidance from the apartment association to members was to waive late fees, offer payment plans and try to help residents however possible and we have. remember that rental housing providers come in many shapes and sizes. for instance, the veteran that I told my duplex to on northeast drive, he was a low offer out of four but his offer came with a heart-warming letter. he cannot cover mortgage because his tenant hasn't [indiscernible] Has no recourse but to keep waiting 60 days.

[10:34:31 AM]

When housing providers don't love the CDC order, it should have come with more federal aid but we respect there is finally accountability on the tenant. if you don't have food, you don't get to walk into heb and take what you need. you can go to the food bank, but you don't get to take. if you can't pay your rent, you have to ask for housing provider for help, demonstrate financial impact, apply for rental assistance. You don't get to expect no rent and no effort and no recourse. I'm concerned more and more will feel no obligation to pay rent if there is no recourse. 20% aren't paying a penny or won't talk to me or apply for assistance. How do I continue to temperate those doing their best when the property once out of O once out of money. Who is going to pay the maintenance people with rental housing providers --

[10:35:32 AM]

[buzzer sounding]

-- But there is no covid discount on the price tag which means when they sell they will stem cell sell for a higher -- sell for a higher price tag.

>> Ken riddle.

>> Good morning, council, Ken riddle with public consulting group and our item is number 49 and it was just going to be available for questions regarding that item. We're looking forward to conducting the dispatch equity and optimization efficiency study for the city and we appreciate the support.

>> Howard Moore.

>> Yes, my name is Howard Moore. I go by Denny Moore. Good morning, mayor and council. I just really have a question about the defunding

[10:36:33 AM]

of the police department. I've been running on the hike and bike trail for a long time. Moved to Austin in 1963. I was running this last Saturday. As I was running, a couple of policemen on bicycles passed me and I love that feeling. When I finished and I was at the stretching lot, I went over to thank them for being there. And they said, well, we're not going to be here after January, defunded. And I said that can't be true. I've heard on the media that the police department is not being defunded. So I guess -- that's my question. I'm confused now. Surely you all heard about the attempted rape foiled by armed jogger on the trail. You've heard about speeding bikes hitting joggers, hitting women with kids in strollers. We need bike policemen down

[10:37:35 AM]

there on that trail. So I guess my question right now, what is the truth? Will the police bike patrol still be guarding the safety of the tax paying citizens or not? And that's the end of my question. Hello?

>> You can go on to the mechanics speaker. We're not posted to talk about that today.

-- Next speaker.

>> Steven drunner.

>> I'll pass my opportunity today. Thank you.

>> Samuel Franco.

>> Good morning, Samuel Franco here. Thank you for your time and

[10:38:36 AM]

service to our community. I would first like to start off saying I appreciate all the hard work not only staff but consultants on the project. I have no opinion on whether the project moves forward and generally support -- particularly in economic downturns. I'm here to talk when the process. Today council is willing to authorizations execution of an agreement -- westward expansion of the space. While you all may know what's in the agreement, the public does not know and that's the crux of my issue with this process. I understand the real estate exception allows council to negotiate behind closed doors, however, a procurement such as this should be made public. The project scope and contractual terms before you execute an agreement of this magnitude. Furthermore, there's been no competition to secure the fees are -- which is say read in any public project. The council instead is trying to sole source what been a multi-billion dollar project to developers who have not had to meet minimum

[10:39:37 AM]

pre call if I indication requirements. You made this real estate agreement because you wanted to buy the land west of the convention center. However, all you had to do is -- this lack of transparency and total disregard is wrong. As a member of this community I'm here to say this is not right. What else do we not know about what the city expects or not get. Our requirements for every city project such as worker constructions, small business requirements included. Minority owned firms. Besides a partially complete convention center. Has the developer concern this westward expansion with the project connect -- \$6.3 million. Will the public know for certain if you.

[10:40:39 AM]

[Buzzer sounding] Strategic outcome to city of Austin economic opportunity and affordability. I ask you mayor and council --

>> Speaker, your time has expired. Next up is I believe we were able to connection -- reconnect with the Spanish speaker. If the interpreter can get ready.

>> Yes.

>> Okay. Gisellesonds. Okay, she hung up. We'll keep trying. Sorry.

>> No problem.

>> Next speaker Carlos león.

[10:41:39 AM]

>> Carlos león, [speaking in Spanish] Letting me speak to item 17. Per backup exhibit a, mayor and council claimed to support protecting Austin residents rights to work enforce ordinances addressing our safety and public welfare including investigations, transparency and public reporting of misconduct and complaints. Therefore September 14, 2020, with the city auditor I filed a new request to investigate cap metro security guard Lonny Hornsby, supervisor Robert Lewis, security head blare spikes and Jacob la borte for familiarerring with governmental regards to commit official -- to protect instead of punish Hornsby for trying to illegally deny entrance to the cap metro store July 20, 2020, to illegally stop and

[10:42:40 AM]

retaliate against legal whistle blowing of cap metro violating rules or constitutional law. The August 28 letter with finalized report by Hornsby are full of false, misleading or incomplete statements and information. To try creating a false, opposite, anti-reality to gas light attorney general paxton. There's Hornsby, Lewis and la borte allegedly are pathological liars and criminals who should be immediately fired and prosecuted threaten our public safety, violating constitutional law. Therefore punish capital metro my voting no on project connect, to not raise property taxes, to not give cap metro \$7 billion in November. Take money from cap metro and give it to law abiding programs making our neighborhoods safer. Because all lives matter.

[10:43:40 AM]

Trump 2020.

[Buzzer sounding]

>> Pool: Mayor, could I just interject I feel it is against our civil discourse and civic decorum for anyone to call anyone else a liar, even though this is citizens communication, I want to register my disapproval of that kind of language. From citizens toward other citizens. Thanks.

>> Jennifer hicks.

>> Mayor Adler: Councilmember tovo, I said thank you for that and please go to the next speaker.

>> Hi, this is Jennifer --

>> Mayor Adler: Sorry. Go ahead.

>> Great. This is Jennifer hicks with true casa consulting speaking on behalf of espiro Austin at Rutland on item 68. On behalf of caritas of

[10:44:41 AM]

Austin and the group we are excited to be partnering with the city of Austin and the Austin housing finance corporation to create 171 units of deeply supportive and affordable housing at a time when it's so critically needed in our city. Our team is already in design and development and the financing plan with 4% credit, tax credits and private activity bonds is underway. Just wanted to express how grateful we are for the city's support and we are so excited to build the capacity of affordable housing developers and get more units on the ground. I just wanted to make myself available to mayor and city councilmembers if they had any questions on this agenda item. Thank you.

>> Kate Howard.

[10:45:41 AM]

>> Hi, my name is Kate Howard and I'm a musician in favor of item 62 and against item 95. Austin provides a sound track for life, not just locally but the world over. If small independent music venues in Austin fell by the way side, musicians will no longer have work places. The silence that will rep he will the world over as a result will be deficienciening. Must be funding and that can come from the \$200 million expansion of the convention center through the grace and generosity of the mayor and city council to keep small music venues alive. Thank you.

>> Julia milanta.

>> Good morning, can you

[10:46:41 AM]

hear me?

>> Yes, go ahead.

>> I'm a musician and song writer. I live in district number 2. Good morning, mayor and good morning members of the council. I am here to support the approval of resolution 62 to help music venues and arts venues. I am Italian, from Florence, Italy, and I moved to Austin eight years ago and became a member of this community performing and playing and supporting-recording and making records and all of that. I want to testify in favor of resolution 62 and I want to say Austin is an amazing place in the world, someone like me left Florence, Italy, which is one of the most amazing cities in the world because of the vitality and creative energy of this city. When I see places like

[10:47:43 AM]

Threadgill's and shady grove disappear, this breaks my heart and Austin will never be the same again anymore and it's going to also impact, of course, tourism and revenue for the city. So I'm here to say I know that good work Austin has proposed creation of a \$75 million tranche of grants and loans for locally owned businesses. And so I'm here to please strongly request the council approves of the resolution 62 and support the Austin -- good work Austin's proposal for the creation of the \$75 million fund to increase the chance of the music community survival. Austin will never be the same unless -- unless the members of the council and you, mayor Adler, support the local small businesses and music venues. Thank you so much for your

[10:48:44 AM]



time.

[Buzzer sounding]

>> [Indiscernible].

>> Good morning. I'm a working musician and resident of district 1. I'm here to strongly urge council to - in item 62 that created a dedicated live music preservation fund. Our city's marketing department has not problem repeating Austin is the live music capital of the world, so why is it so hard for our city council to put in writing and creates a dedicated fund for the very bases that made that slogan possible and employs thousands of musicians, hospitality and production staff. Threadgill's, dare I say today, Shady Grove, I could spend my entire ten minutes listing the venues that have closed or musicians forced out of the city since the

[10:49:48 AM]

pandemic began. You have the data. You know what's coming. Yet time and time again when Austin music is given some promise of hope with an ordinance, a resolution, council waters it down and won't take decisive action to help save our stages. Instead venues and musicians are lumped in with other small businesses and forced to jump through hoops just for what, to take a chance on a lottery? It's wrong and it's shameful. Austin isn't a small business capital of the world. Other businesses aren't driving billions of tourism dollars to the city's bank account. It wasn't just any small businesses that made Austin a beacon to the world, it's the musicians in live music venues that sent that signal out. But that signal is dying. Our music venues are out of time. Please do the right thing. Create a dedicated live music venue preservation fund now to make sure those

[10:50:48 AM]

venues that have managed to hang on still have a chance. Musicians need places to play when the lights come back on and to send? Signal to the world. Austin's music community is watching and we will remember when it's time to vote. Thank you.

[Buzzer sounding]

>> Taylor Wall.

>> Good morning. My name is Taylor Wall, resident of district 9 and I'm speaking on item 62 as a private citizen and advocate for Austin's music scene. It's abhorrent that our city has responded to the music venues and people who perform, work. Venues are closing in droves and musicians, bookers, managers are struggling to pay bills, dealing with Fort Worth crisis and physical, emotional and mental health are suffering.

[10:51:48 AM]

Add live music on and the pick is abject desolation. Every day I see and hear these people are struggling to provide and have resources they need to stay healthy and not die. Due to lack of financial support, they are being forced to work in an environment where patrons don't wear masks. Exacerbating the issue and reinforcing the message sent by our city that we don't care if you die. I implore city council do support 62 and create a music preservation fund for black, latinx and venue funds, not for the better business bureau. There is no live music capital without the venues and the infrastructure within. Thank you.

>> Lamars Chapman.

[10:52:49 AM]

>> Good day, mayor Adler, mayor pro tem and councilmembers. My name is Lars Chapman, I live in councilmember harper-madison's district 1, an owner at snowballs near 51 street and councilmember tovo's district 9 and close to councilmember Casar's district. I'm here to support approval of a resolution that directs the city manager to support and increase the survivability of businesses in Austin's hardest hit sectors including child care, music and arts venues and specifically restaurants and bars. Casey's has been in business for 24 years. We are a local and independently owned business. We have operated in an online ordering only model since early may. Our sales are down 55% compared with 2019 due to a combination of reduced demand, closures and measures in our workplace to provide a safe and healthy place for all of our

[10:53:49 AM]

employees. We employed 14 people this year. Normally we would have employed identify 25. I'm proud most of our staff are high schoolers from McCallum and northeast Earth college high schools. I'm proud to be a first employer for Austin's youth. I routinely hear from customers they have been coming to us since they were kids and now they come with their own family. Earlier this year I asked a gentleman who was bedecked in lsu colors how their snowball was and they said this isn't a snowball. I came to Austin after Katrina and this is the cheapest ticket home and it takes my back to my childhood. Casey's is an awesome institution in a changing neighborhood and because of constraints of covid-19 we are in danger of disappearing. Good work Austin has proposed creation of a \$75 million fund for local businesses. Without this financial assistance for our hardest hit sectors, Austin's

[10:54:51 AM]

culture, brand of cool year famous for will evaporate.

[Buzzer sounding] I strongly request council approve resolution 62 and support good work Austin's proposal. Thank you.

>> To all the speakers in queue, if you have not pressed zero, do so now. Jack Cruz.

>> Good morning, city councilmembers. Thank you for the time to speak here and I hope this message hits out the heart a little bit. I know you all live in the community of district 1, I grew up in Austin, I'm an austinite born and raised and I've seen the city turn into what it was and to what it is now and seen a lot of businesses come and go. It's expected when you grow up in the city, but I'm here to talk about item 62 mainly

[10:55:52 AM]

because my wife and I are invested in small businesses but she's also a musician. We've been on the music scene and seen a lot of venues close down. A lot of other speakers have spoken about, that's something to be proud of, but can't be proud of that right now because we're seeing a lot of our venues close down. And it does hurt us. It hurts all the people that live there, it hurts the musicians, it hurts the community. And the dollars these venues bring in. That's why people love Austin. The live music capital of the world. I don't know how long we can keep that moniker without implementing the dedicated music preservation fund. If you guys can put in place

[indiscernible] That would be very beneficial to all these venues that are trying

[10:56:52 AM]

to help each other out. And they are. We're helping out musicians that aren't able to do it themselves because they don't have that regular income anymore. The businesses that are trying to stay up and running and people are helping each other and it's just --

[buzzer sounding]

-- Back and forth and help each other and asking for your help. Appreciate your consideration in this that you can make this happen. Thank you.

>> Zach Morgan.

>> Mayor, if I could interject here for the last couple of speakers. We also are hearing that the contracts that were intended to lure our music sectors, but the better business contract was involved with are not reaching the

[10:57:53 AM]

intended recipients and so I think my staff has put a question in to staff to find out who the recipients were of that funding that we authorized about two months ago. And to find out how it was that the intended recipients were directly -- didn't get any funds from that. Because this isn't the first time we've been trying to get money out to musicians that was [indiscernible]. City manager, I guess you have that noted. There are significant issues and concerns that distribution of funds.

>> Mayor Adler: Next speaker.

>> Zach Morgan.

>> I'm a full-time musician in Austin living in district 5. After agreeing from texas~a&m in 2010, I moved to Austin to pursue a career in music.

[10:58:53 AM]

I worked various jobs and startups in melt I million dollar tech companies building my personal brand in Austin music until I was able to take the planning playing music full time. Last year I worked more money by playing over 200 shows with 30 bands. I could not have done any of that without Austin's music venues. They are the reason I moved to Austin, was able to quit my 9:00 to 5:00 job. They are the meeting places for -- and the life blood of the city's culture. My life in 2020 as a result of my expenses in music venues all over Austin. If the city of Austin does not act now to save our venues, the worldwide appeal of Austin will be destroyed and the live music capital of the world will become the abandoned music venue capital of the world. I'm urging you to support item 62 to create a dedicated live music venue preservation fund and save

[10:59:53 AM]

the life music capital of the world. One to one bars, Threadgill's, shady grove, barracuda, who knows who will be next. If the city wants to market itself as music convenient youths, venues, it's time to step up to the plate and save our venues.

>> Jody mozika.

>> Thank you, mayor and councilmembers for allowing me time to speak. Business team manager of black star co-op pub and brewery. As black star celebrates its tent anniversary, we're here to voice support of resolution 62.

[11:00:55 AM]

Local sourcing and community involvement, we recognize that continuing to operate without assistance will have short and long-term consequences not just for black star but for the cultural integrity of our city. Just the last week alone, we've seen businesses like north door, cap city comedy, I love video and more make headlines because they have closed their doors. Local favorites like thread girls north, magnolia cafe, blue Dalia and et cetera have closed permanently during the shutdown. I mentioned so many specific businesses because I think all persons present on this call would be affected with the shuttering of at least one of these icons. For a community of local businesses that continue to support one another, are valued workers and industry as a whole. We have pledged to open businesses safely and with the utmost care and concern for staff, patrons, friends and neighbors. But we need assistance if we are to continue to operate

[11:01:56 AM]

in our businesses safely and long term. Our ask of \$75 million in assistance for restaurants, stores and venues will be used to keep industry members working, local businesses alive and the unique allure of the city of Austin relevant and thriving.

>> Joan [indiscernible].

>> Good morning, mayor Adler and councilmembers. My name is Dr. Joan and I'm the vice president of licensed child care at the ymca of Austin and board member for Texas licensed child care association. I'm speaking in favor of agenda item number 62. Child care is the backbone of the economy. It is a vital infrastructure to our economy in Austin, the state of Texas and national pandemic recovery. The unintended damage done by the necessity of shutting down the city and then allowing return of child

[11:02:57 AM]

care under strict, expensive precautionary practices continues to threaten existence of the entire child care industry. Meanwhile, the financial support to individual parents is backlogged with a waiting list at Texas workforce solutions. Nonprofits like ymca of Austin are doing what we can to provide what financial assistance we can to families in need, but our resources are now quickly dwindling. As the owners and providers of child care in our city continue to suffer significant monthly losses due to expense, we are unwilling to pass that cost on to parents and unable to bear the expense much longer. No one has provided more in-person child care in our community over the past six months than the extend a care ymca. We started shortly after the shutdown and now that school has resumed, we're providing full day care and support

[11:03:57 AM]

for virtual learning by the school district. We served our neighbors and families. We've heard their stories. We know the struggles they are facing just trying to go to work. We want to help them, but to survive we will need help too. That is why the ymca. Austin, Texas licensed child care association are in favor of the financial support being considered in city council agenda item number 62. If working parents are not able to find child care at all, not to mention high quality affordable care, there is no going back to work, no education or teaching or economic recovery. Thank you for your time.

>> Laura Olson.

>> Hi, Laura Olson and I live in district 8 and I'm here to speak in support of

[11:04:59 AM]

item 62. Thank you councilmembers, thank you to those who have spoken up in support of music venues and I echo those concerns. However, I'm here as a mom and early childhood and school health equity director for go Austin, vamos Austin to ask for your attention to the critical and vulnerable institution of child care. It demonstrates support of security of you go center the willing families and shows that you recognize the essential role that child care plays in keeping this city going every single day. Think about how many people, how many of you and people you work with and people who live in your neighborhoods rely on child care and what would it look like if child care were no longer available in this city. I am grateful as a working mom of five children that my children were able to have high quality, affordable child care. So I could work and provide for our family.

[11:06:00 AM]

And they could learn and thrive in a nurturing environment. But too many of the children in Austin are not as fortunate. Right now 50% of child care centers and homes are closed and potentially closing leaving families scrambling to find child care especially for communities of color in Austin of the eastern crescent. As a city and community, the more we can support families' ability to access affordable child care, the better we'll be at addressing the negative impacts of this pandemic. Working families and our city's economy depend on the availability and stability of child care. Item 62 demonstrates Austin's commitment to family stability by identifying funding opportunities to support child care. What a great example of a community that comes together in times of need. I also want to speak for items --

[buzzer sounding]

-- 26 which authorizes early head start child care. One of the very few anti-poverty programs that works towards elimination of

[11:07:02 AM]

poverty through early education. Thank you for voting yes for item 26 and 62.

>> Paula Kaufman.

>> Hi. My name is Paula Kaufman and I hope everyone had a great diez~y~seis in celebration of hispanic heritage month. But Austin city council, this is a time of belt tightening for you'll all of us. And I speak in opposition to expenditures that

[indiscernible] That you can put off to other times, for example, paying consultants several thousands dollars for a year's work when you know you are faced with laying off some of our very dedicated city officials who make \$40,000 a year.

[11:08:03 AM]

And so I -- I speak in opposition to

[indiscernible] Speaking in opposition of these cases is because their propensity for lawsuits. These lawsuits are throwing good money after bad. And so spending all this money, for example, to try to get around having to notify homeowners and the nearby neighbors of proposed zoning changes is not a good use of money. People have the right to protest changes to their property and their neighbors and overlay is the way that you may use to work around people's rights to protect

[11:09:03 AM]

their home. Which for many people that is their most essential asset. And also when you don't have the money in the budget, having us say so 25% increase in our property taxes, it's not even realistically --

[buzzer sounding]

-- Until 2022 so we can budget for it. Think about where you can cut back on some of those expenditures, please. Thank you.

>> Pat boukta.

>> Good morning, councilmembers. I'm pat boukta, executive director of Austin, Texas musicians non-profit and I'm here today on behalf of thousands of your musician constituents to encourage to you pass item 62 and to create a dedicated music venue preservation fund.

[11:10:03 AM]

As well we urge council to seek a qualified grant administrator to disburse these funds. After having been intimately involved with grant processes this summer and after witnessing the abject failure of clear fund to go meet the needs of our venues as outlined in the hobby school of public affairs report, we come here today to ask you to make this right and to finally offer the aid to the music venues that employ our musicians and keep our tourism economy afloat. With clear and anchor, city's development division partnered with an unqualified grant administrator in the better business bureau in direct conflict with the provision outlined in the contract ratified by council. As well throughout the process bbb could never answer questions concerning conflicts of interest as their entire revenue model is based on charging fees to provide favorable reviews to accredited business.

[11:11:04 AM]

Having received a fee of \$1.14 million for clearing anchor, almost three times the amount awarded to venues, bbb is about the only business who have benefited from this debacle. The result is when you feared as musicians did not receive the aid and forced to close their doors. We ask you please be transparent, please allow for stakeholder input going forward as we are here to help. Please take this final opportunity to give priority to the businesses that were first to close and will be the last to reopen. Please save our music venues --

[buzzer sounding]

-- Or say good-bye to the live music capital of the world. Thank you.

>> Joe abols.

>> Good morning, mayor Adler, councilmembers. I am speaking on behalf of

[11:12:04 AM]

item 62. My name is Joe abols. I have owned and separated the Saxon pub. We have live music seven nights a week and over the years I've experienced or at least seen everything that can happen to an Austin live music venue, but no one has ever seen anything like this. Like other venues, I've been closed six months and applied for all the grants the city is offering. Unfortunately I was turned down on all grants with an explanation there was not enough money to go around. I guess the better business bureau who administered grants didn't like me or didn't fit the profile or wasn't lucky enough. But I'm told many venues are left out and that seems to be a secret. I just assume all of the true music venues in this city were going to get some help but that didn't happen. There wasn't enough money to go around. There should have been



[11:13:04 AM]

enough money to go around. Hell, I read an article that had the mayor's office stating the city has plans in works to help venues establish more here in Austin and you were quoted as saying Austin will not be the live music capital of the world for much longer if we keep losing musicians and music venues. Mayor Adler, I know that you are not only sincere when you said that, but you were accurate. You see, that article was written four and a half years ago and little has been done. We have lost several venues. Many musicians have left the city, but we can do something about --

[indiscernible] And we need to act now. Week start by having council support item 62 as that will provide a dedicated music venue preservation fund that will not have the better business bureau --

[11:14:04 AM]

[buzzer sounding]

-- Mayor and council, you urge you to work quickly because many venues are on the brink of closing and many musicians are struggling. Whose even employment is running out. It's tough. Get it done now before San Diego or Nashville takes that title we all brag about, the live music capital of the world. That title still means something to you and I assure you holding on to it is in danger. Let's get real help on the way as quickly as possible. Establish that venue preservation fund. Thank you. God bless Austin.

>> Rebecca Reynolds.

>> Good morning, mayor and council. This is Rebecca Reynolds with the music venue alliance of Austin. We are supportive of item 62 so long as it does lead to creation of a dedicated live

[11:15:05 AM]

music venue preservation fund. Please see the letter sent to council and city manager in support of this proposal from the red river cultural district, music alliance and downtown Austin alliance. We've been here before. We've seen unanimous votes from council directing directing the formation of a venue fund. The independent venue industry needs lawmakers who are motivated, to understand and describe the cultural value of these small businesses without diluting it or coopting it venues need lawmakers who are committed to articulating how uniquely covid has impacted their industry above and beyond other industries. We have this kind of leadership on both sides of the aisle at the state legislature and congress. Unfortunately it's too late for Austin to be the leader on this issue, but it is

[11:16:05 AM]

critical that we get it right. Austinites are paying very close attention and we look forward to your discussion on item 62 today as a good faith effort to support the one thing that makes Austin different from anywhere else. Thank you for your time today. Steve aswame.

>> Good morning, mayor Adler, mayor pro tem Garza and councilmembers. My name is aswame and I'm the proud owner, a non-alcoholic beverage supplier for austinites in councilmember pool's district 7. I am here to support the approval of item 62, for

[11:17:07 AM]

about the manager to support and identify ways to increase viability of those most vulnerable within Austin's hardest hit sectors, include childcare, music venues, restaurant and food establishments and supporting businesses. I've been in Austin for over 25 years and been operating for over a decade. For the last five years we've been directly sourcing local, independent restaurants. We're the only minority woman owned and operated

[indiscernible] In Texas. With dining rooms closed only a few customers are ordering limited products and sales are 20% below what they were a year ago this time.

[Indiscernible] That has control and support would greatly increase the support of us to sustain and succeed and we are among many other local independent small businesses that supply our local restaurants in our community. We are all in this together and we all need your support. Good work Austin has identified an opportunity for council to use the hotel

[11:18:09 AM]

occupancy tax to create a minimum of \$75 million of funds, grants and loans to support local owned and operated businesses. The distinct culture of Austin, I hear that yes, music venues are vulnerable, the restaurants are vulnerable, the childcare centers are vulnerable. We're fall this together. This isn't just one specific industry. We're all a part of the fabric that makes Austin special.

>> A strongly request the council to approve this resolution. It is a perfect opportunity for the city to support the culture of our city. Thank you.

>> Kathie mccourse.

>> Mayor and councilmembers, thank you for your continued

[11:19:11 AM]

leadership. On behalf of the austin-travis county success by six coalition and early matters greater Austin, I thank you for recognizing childcare as one of the vital economic sectors in Austin dreamt Ali impacted by covid-19. I speak to you on item 62, specifically prioritizing childcare on a sector in which all businesses rely in order to have a productive and consistent workforce while also providing the critical educational foundation for the future workforce of Austin during their most critical period of brain development. We recognize you are faced with hard choices and competing community priorities. The atx childcare task force memo identifies immediate and long-term needs to sustain the industry and establish a more sustainable supply of childcare with more equitable access that is needed. We estimate needing 12 to \$15 million to sustain industry for over the next

[11:20:12 AM]

year. It is important to remind you that returning to the status quo results in an unstable and inequitable system of affordable high quality care. Covid has exacerbated the existing issues by exposing the fragility of the childcare sector that are on razor thin budgets. They only have half of the childcares open, with only half the enrollment with greater costs that cannot be absorbed and families that cannot afford to pay more. There are many open programs that could provide more accessible to children on the waiting list if there was sufficient funding to pay for their care. Instead we will continue to see high quality programs like open school can preschool east shutter their doors permanently. 40 or 50% of the childcare programs will close permanently without without financial relief.

[Buzzer]. Thank you for taking the

[11:21:13 AM]

opportunity to address the immediate needs of childcare providers and those who rely upon them.

>> Drew dunavan.

>> Hi there. My name is drew. Thank you, councilmembers and mayor for taking the time. I am the co-cone owner of a construction company here in town and I am calling in favor of item 62. We assist with healthy venues, concerts, festivals providing audio video, staging, lighting and such. And there's a big ecosystem that's affected by all this. And we understand that they can't go around everybody, but we have to save the venues. As a quick example, UT just had a 25,000 person event and the city didn't blink an

[11:22:13 AM]

eye. UT in 2018 grossed roughly \$144 million for football, for the entire season. In 2018, 16 days of events in Austin between ACL and South by Southwest generated over half a billion dollars and we cannot do anything right now. We are capped at 10 persons right now on our events, but UT can have 25,000 people at their events. So there's just a huge discrepancy in all this and a huge hypocrisy happening in all this. You have to provide funding for this ecosystem that is dying. Thank you.

>> Chuck Khan.

>> Thank you for the opportunity to express my strong support for item 62, specifically as it pertains to childcare services. My name is Chuck Council and

[11:23:15 AM]

I'm the owner of Angels Air Learning Center in District 2. We provide early, bilingual childcare development for our youngest Austinites. We participate in a partnership with AID and we're a Texas Rising Star four star childcare center which for those not familiar with the highest quality rating in the state of Texas. Our mission is to care for and educate the children in our city regardless of socioeconomic background in a safe, loving and nurturing environment, while enabling our families to have the time to accelerate their career path and become economically empowered. COVID-19 is ravaged the childcare industry. For example, half of my early education peers in Austin have closed their doors and 60% of open programs indicate that they may need to furlough staff within the next three to six weeks. While the effect of COVID-19 has certainly damaged our industry it is important to point out the childcare economic model wasn't working in Texas prior to COVID for lower and middle class families. Childcare centers already

[11:24:15 AM]

operated on thin margins and families were forced to pay tuition rates that represented a significant percentage of their take home pay. These high tuition rates were necessary just to pay childcare staff and paraprofessionals a wage which in many cases is well under \$15 an hour. Without existing federal government subsidies, quality childcare for middle and lower middle class families is impossible. Unfortunately Texas, unlike many other states, does not provide state revenue to supplement the federal childcare development block grant. In the last year we have seen that even the block grant is insufficient. In Travis County alone there are over 2,000 families on the waiting list to receive a federal childcare subsidy. Many families have been on the waiting list for over one year. This is simply unacceptable. So what does this mean? This means as many as 4,000 young parents are forced to stay at home rather than launch their careers through educational attainment, job experience or business experience. I will close with a short story about a young boy who attended our center.

[11:25:16 AM]

[Buzzer]. His family did not have the financial resources to pay for childcare. But were lucky enough to qualify for a subsidy with federal dollars. While this god attended his mother was able to attain her nursing degree, become a registered nurse and get a high paying job serving on the front lines with covid-19 patients. They were able to move off the subsidy and greatly contribute to our local economic ecosystem. Thank you for considering item 62, which will greatly help families like this and will economically empower all austinites regardless of socioeconomic background.

>> Mayor Adler: Thank you very much.

>> James a June ius.

>> Good morning, city councilmembers. I'm a musician living in district 9. I've been an official south by southwest artist, I've played at the moody theater and been a part of the Austin music foundation artist development program along with [naming names].

[11:26:17 AM]

I'm asking you to support item 62 and reevaluate item 95. Please create a dedicated music venue fund. Please don't have the bb administer the grants, they need to effectively serve needs through the creative worker relief grant. Take the recommendations to help the red river cultural district. Please help the music service industry relief fund that provides assistance to our hardest hit communities who are affected by the pandemic. I grew up watching asl late every Saturday night and would Google the red river district in high school checking out venues. What I found here in the city is not only a thriving music community, it's a home. Austin has been so, so good to me and so many others. I've been able to make memories here that I will be grateful for the rest of my life. As an example there's a direct line from Gary Clark playing at Antone's and other small local venues to him headlining the frank

[11:27:17 AM]

Erwin center and the local stage. It brings Austin billions of dollars every year through tourism, branding and festival. We're asking you to protect the community that brings vibrancy, richness and life to our community here in Austin. Yesterday at the save our stages rally I cried when I saw friends, colleagues and chosen family of mine that I hadn't seen in six months and I am scared that the spaces that foster that family would be gone in a matter of weeks. Last year was the four year San remembersry of me going to my first concert on red river shortly after moving here. Please don't let the family industry and ecosystem that made that memory happen die in vain. Thank you for your time.

>> Gwen seel.

>> I'm an entertainment lawyer that works with many small business venues in this city. I support the resolution as

[11:28:19 AM]

originally drafted. I notice that several councilmembers along with the mayor Adler have proposed amendments suggesting various avenues for the city manager to explore in connection with securing funding for our city's venues. This is imperative that each of you not only direct the city manager to not only explore the city avenues, but also work with the city manager and the party's representing venues to help develop the most effective course of action as quickly as possible. I'm happy to help you accomplish this goal. Mayor Adler said in 2016, we will not long be the live music capitol of the world if we lose musicians, if we lose music venues. Unfortunately we are losing music venues by the week now. Venues need assistance immediately. You must create a music venue fund. When partnered with the better business bureau accompanied with no grant administration experience, which earns its revenue by collecting business membership fees and whose business model rates businesses to be the

[11:29:19 AM]

gatekeeper to keep our funds for the city's most vulnerable businesses. We have seen the results of this partnership. Many venues along with many key non-profits were not give Ann dollar in grant funding. Meanwhile the bbb received millions for an admin fee to distribute funds. \$1.4 million for inputting city drafted application questions and city developed scoring formulas into the submittable platform. The music community simply does not trust the bbb. In the event there's additional funds made available for venues, the city can choose Austin community foundation or bcl of Texas to support these programs. I support 62 as initially drafted. Notwithstanding, if funds are not made readily available we will lose more musicians, we will lose more venues. We will no longer be the live music capitol of the world. Thank you.

[Buzzer].

[11:30:23 AM]

>> Brian stubs.

>> Thank you, mayor and council for the opportunity to speak today. I am the owner of genuine article bookkeeping and consulting who work with over 50 independent restaurants, bars and coffee shops all over Austin and I've worked in and supported the independent restaurant community since moving here in '03. I'm here to support the approval of resolution 62. My position is financial advisor to these businesses, allows me to share some meaningful examples of how dire the financial situation is for the

sector. It's important to note that Austin has an estimated 3,000 restaurants, bars and coffee shops. At the end of January, genuine article processed payroll for over 1300 employees across 45 entities. As of September that number has been reduced by 46% to 700 employees. This is in spite of the fact that all of our clients received ppp funding. Our clients received seven

[11:31:25 AM]

and a half million dollars in ppp relief, an average of \$750,000 per client. This funding was crucial to our clients surviving, but will be exhausted by the end of this month. Goldman Sachs 10,000 small business reports that 32% of ppp recipients since exhausting funding have had to lay off employees or cut wages. And that without additional relief by the end of September, 30% more about exhaust that by year's end. It's becoming increasingly clear that additional federal relief won't come until next year if it comes at all. As for our client's revenue picture, genuine article clients generated over \$20 million in sales in Q2 of 2019. Those sales were reduced by \$11 million or 55% in Q2 of 2020. Average lost quarterly sales per client was \$282,000. These entities average monthly rents around \$10,000

[11:32:25 AM]

each and under previous conditions genuine article clients would have spent over \$24 million annually on wages alone.

[Buzzer]. It's crucial that Austin leadership finds a way to offer relief to these independent businesses. We need at least a 75-million-dollar fund consisting of grants and loans to make it --

>> Speaker, your time has expired.

>> You have an opportunity to demonstrate why Austin has been and will continue to be a champion of independent entrepreneurs.

[Indiscernible].

>> Mayor Adler: Thank you very much [overlapping speakers].

>> Tovo: Mayor, may I? Mr. Stubs, thank you for being here today and for the conversation that you participated in earlier this week. With my office. I wanted to ask you if you would please send on a copy of your comments today? I know I would like them and I bet my colleagues would. I think some of the statistics you offered are really important to have as

[11:33:26 AM]

we continue this topic. If you feel comfortable sharing that via email, I would request that you head on. And again, thanks for being here to provide that information today.

>> Mayor Adler: Great. Thank you, Mr. Stubs. Next speaker.

>> Lauren gold.

>> Hi. Thank you for the opportunity to speak and thank you to all the other speakers who supported item 62. I echo your sentiments and I appreciate you. I'm a native austinite living in district 2 and I've been a full-time professional musician in this town for the last 16 years. Before the pandemic I was performing five to seven nights a week. It's an incredible shock when all that work evaporate understand a matter of days due to covid-19. I believe you all see the value of the creative sector in Austin, that ecosystem is priceless. It's the heart and soul of our city and beyond that the industry brings in millions

[11:34:26 AM]

of tourism dollars to bolster our industry. Keep the pressure on the city manager's office to follow through to secure and distribute these funds as swiftly and efficiently as possible. Mayor Adler, you're asking the city manager's office to be creative and find a solution to this problem. I've been informed that there's \$200 million in tourism dollars in city coffers end on the backs of the members of the

[indiscernible] That are reserved for convention center expansion. There's no reason we should be thinking about a convention center expansion at this time. If even a fraction of those funds was released to aid our ailing community you could establish a dedicated live music preservation fund as well as other vital resources for those creative sectors and innovative solutions to the recovery. My support for item 62 comes with a caveat. Yesterday a motion was brought forth by councilmember tovo, which mentions some funds will be used to provide relocation assistances to businesses as part of any future convention center expansion.

[11:35:28 AM]

In addition, there's no whatever reason to earmark funding to relocation due to convention center expansion that isn't happening now and may not happen at all. I urge you not to tax this part of the motion -- take this part of the motion to item 62. And item 95 this project connect should not be a priority. It means example funds would would be off the table.

[Buzzer].

[Indiscernible]. We need to find someone who is more qualified to do that. So please invest in our community, not a bigger building to host corporate business travelers. So if you value us as we value each other, don't just tell us, show us. We are essential. If we lose these things Austin will cease to be



the creative hub it's been for so many years. The title live music capitol of the word must be earned. Musicians are earning it. Are you?

[11:36:29 AM]

Many thanks for doing this work.

>> Mayor Adler: Thank you. Councilmember tovo you're muted.

>> Tovo: Thank you. Yeah, I just want to to slow this down with another comment, but I did want to just address the speaker's last point about the convention center relocation piece of my amendment and just to be clear the amendment I brought forward identified a new source of -- a new source of funding, possible funding. Right-of-way, vacation fees, alley vacation fees and others. Some of those funds had been contemplated and talked about in the past as possible sources of assistance for businesses around the convention center, if the convention center expanded. So part of my amendment was acknowledging that I am suggesting we tap into funds that had frankly been

[11:37:29 AM]

identified as potential assistance for businesses around the convention center. So I'm not sure if that's terribly clear right now, but I'm happy to answer questions about it. I agree, though, that the timing is not necessary -- that that is not necessarily an imperative and so I have made some revisions to my amendment that is circulating and that piece is removed from it, but I absolutely intend to continue to suggest that we use those alley vacation right-of-way fees and the other fees that I've identified as a source of funding for this initiative because they are a very valuable source and we need to identify very valuable sources. But thanks for the comments today.

>> Patsy Harnage.

>> Thank you, mayor Adler, for putting measures in place to keeping our city

[11:38:30 AM]

healthy. I want to take the opportunity to express my support for item 62, which directs city manager cronk to explore and identify funding options to support the most vulnerable institutions in our community, including childcare services. Thank you, councilmember Flannigan, tovo, pool, as well as mayor Adler for sponsoring this important resolution. My name is Patsy Harnage and I am the director-owner of bright beginnings childcare center in north Austin. It's a four star child development center and a

[indiscernible] By six and aid pre-k partner in north Austin. Bright beginnings care watches children each day while their parents work. Covid has changed the way I provide care, but will not compromise the children in my care. However, I am operating with

[11:39:30 AM]

less revenue and increased costs and it is not sustainable. I am not sure how long I will be able to remain open under these conditions. Right now I think I can remain open for another 12 weeks. Half of my early educator peers in Austin have already closed their doors. Austin is facing a waitlist of over 2,000 children who qualify for subsidized care so their children with return to work or look for work. I am grateful to be part of a city that comes together in parts of need. To instruct the city manager to help preserve Austin's core without the natural support in the short-term, childcare centers and homes will struggle to reopen and remain open. Every policy and funding decision should lead us in the future we want, a fair and just society where everyone can thrive, beginning with our youngest citizens. Thank you for your consideration. I hope you vote in favor of item 62.

[11:40:32 AM]

>> Marissa flores Gonzalez.

>> Good morning. My name is Marissa flores Gonzalez and I'm a parent of a two-year-old concerned about the lack of access to affordable childcare in Austin. I ask you to support item 26 related to the early head start program and item 62 directing the city manager to explore and identify funding options to support vulnerable economic sectors, including and especially childcare. I also ask council to further act upon the August 17th childcare task force memo recommendations outlining the immediate need for up to \$17 million to support the childcare sector and \$15 million to provide immediate direct support to families with children birth through age 11. You've heard that 50% of childcare centers may be closing permanently and that there are 2200 children in Travis county on a waiting list for childcare subsidies. There are also 15,000 children under age six in Travis county potentially

[11:41:33 AM]

eligible for childcare subsidies. 90% of whom are children of color. Families and primarily mothers cannot go back to work without affordable childcare. Putting them at greater risk of food insecurity. In the longer term students who live in poverty who did not receive quality childcare are 20% more likely to drop out of school. 50% more likely to be placed in special education and 50% less likely to attend college. I also want to reiterate the childcare teachers are often women of color who are not paid a

living wage and do not receive benefits for the important work they do. It's our responsibility as a community to support Austin's children and families, especially in this time of crisis.

[Crying]. And we will strengthen our would workforce and our economy by doing so. I want to say thank you to councilmembers Flannigan, tovo and pool as well as.

>> Mayor Adler: For sponsoring this important resolution. Thank you.

>> Mayor Adler: Thank you.

[11:42:34 AM]

>> William bunch. >>

>> Good morning, mayor, members of the city council. This is bill bunch. I'm a 35-year resident of Austin, mostly south Austin in district 5. Like so many others, I came to Austin because of the music here. Incredible music scene. And ceremony waters of Barton creek and Barton springs. I'm here to speak in favor of item 62 and vehemently against item 95 and also ask right now that you allow further speaking after executive session and after you actually release some real information on what is currently a secret deal on item 95. If you don't postpone it. And please postpone it so that people can have some real information and provide real input before you jump

[11:43:35 AM]

off that cliff. The world has changed since last fall when y'all pushed to go forward with the convention center expansion. We're now in the worst economic crisis and public health disaster in 90 or 100 years. And yet you're pretending like nothing's changed. You've heard the litany of music venues that have closed, the musicians who are starving and can't pay their rent with yet more lip service from our mayor and our city councilmembers. It's time for action and real action. I support item 62 specifically with the provision that you look in the convention center reserve fund and also with councilmember kitchen's amendment about designating venues as visitor information centers. I am hearing that the city attorney is telling you you

[11:44:35 AM]

don't have legal authority to fund venues and musicians out of the convention center reserve fund, and I'm here to tell you that's just completely false.

[Buzzer]. These funds could easily be labeled as a rainy day fund for our cultural community. Those excess funds were built up because of live music and live music --

>> Speaker, your time has expired.

>> ... All of those dollars that are absolutely not 100% committed to paying off the bonds.

>> Mayor Adler: Thank you.

>> That were approved back in 2000.

>> Mayor Adler: Thank you, Mr. Bunch. Thank you for being with us today.

>> Monica Guzman.

>> Good morning, I'm Monica Guzman, policy director for gave, go Austin, vamos items, speaking on items 62, 96 and 106. Thank you for the support to

[11:45:36 AM]

approve the 12 month health and human services with child inc. To fund an administrative early head start childcare program. Quality early childhood education is one of the most effective investments in our community that can be made. Regarding item 62, thank you for directing city manager chronic to explore and identify funding options, including convention center reserves to support the most vulnerable institutions in our community, including childcare. Thank you, councilmembers Flannigan, tovo, pool and mayor Adler for sponsoring this resolution. Instead of focusing on item 95, spending up to 6.3 million on convention center expansion, I urge you to direct your attention to childcare as one of the most critical and vulnerable institutions named in this resolution. Your support for childcare demonstrates your support to the security of struggling families and that you recognize the essential role childcare plays in keeping the city going every single day, especially now during the covid-19 pandemic. The more we can support families' ability to access affordable quality childcare

[11:46:37 AM]

the better we will be for the stress that impacted families and their children. Working families and the economy depend on the availability of childcare. Finally, thank you for your support of and attention to struggling families with your approval on extension of the eviction protection period. Thank you.

>> Adam Orman.

>> Hello.

>> Yes, go ahead.

>> Thank you, councilmembers for hearing me today. I am the owner of a restaurant in Mueller and founder of good work Austin. I'm here to speak for resolution 62 which would find necessary funding to support Austin's locally owned bars, restaurants and venues as we try to make safe and responsible

decisions about owning and operating our businesses during the pandemic. Good work Austin was founded

[11:47:37 AM]

by businesses that helped to craft the paid leave sick ordinance in 2017. I was grateful for the opportunity and continue to be as it took me to the Travis county courthouse where we were asked to testify for the city and then finally to the legislature where we spoke multiple times in what owe know defense of what is now obviously a common sense mandate. Do we not fight with the big business lobbies and spins I have heard from folks in this room that they were grateful to have a voice on the city's side and we still are. Even as pre-covid-19 development favored out of town developers when rent restaurant space to out of state groups, stacking the decks downtown and on the eastside especially against independently locally owned businesses. And since March 17th our decisions about health and safety have always had the welfare of the city in mind even if we haven't had the guidance and support we wanted. Our restaurant thanks to the creativity of our business

[indiscernible] More work for our restaurants and

[11:48:38 AM]

counsel restaurants on best practices. We are feeding Austin, buying from local farms, hiring back our employees and doing it safely thanks to this city contract. And all the money we make is staying in Austin. Gwa businesses as a whole have agreed on guidelines to open safely and stay open. We required masks in April months before the governor. We're looking out for businesses and our people for sure, but we're looking out for Austin as well because we can't exist without you and with we'd like to think that you can't exist without us. And that's where we are now.

[Buzzer]. We don't ask for handouts like big industries do but our stoicism has won us no favors at this time. The state has done and will do nothing. Congress' first round of ppp helped --

>> Speaker, your time has expired.

>> Mayor Adler: Thank you.

>> We need a 75-million-dollar --

[11:49:38 AM]

>> Mayor Adler: Thank you very much.

>> Diana Haggerty.

>> Hi. I'm Diana and I represent stronger together atx and I'm a member of equity and childcare in education. You've heard today from some of the brilliant women who meet weekly and sometimes daily in that group. I am also the mother of four daughters residing in district 5 with a shuttered business in district 9 that didn't qualify for any of the funding, but that's not why I'm here. I'm here to talk about items 26 and 62. It is not okay to treat childcare as an afterthought as it is the root of all industry, all business and all community. It is not okay to leave our most vulnerable families without safe, quality options for the waitlist for subsidies thousands of children long. It's not okay for teenagers to miss school to care for younger siblings because parents can afford to work and pay for childcare and it is not okay for half or more of a household budget to go to childcare for parents to

[11:50:40 AM]

work. It's not okay to consume that mothers will just take care of it all and make it work if that places yet another burden on us as we watch our safety nets dissolve below us, leaving be businesses and careers, myself included and going broke. We have been collecting mother stories and you have a report of your email in spoiler alert. We are devastated and defeated and we need your help. This is an opportunity to step up and show up as a community for childcare and early childhood education and I ask that you do more to ensure that Austin is a family friendly city. I think it's awesome that childcare shares a bill with our music scene and I have another report with creative ways that web collaborate. A lot of people are vying for funding right now and I know you have hard decisions to make and Austin can be a shining example of cross sector collaboration. In fact, I had two large eastside event venues Teed up for distance learning support as their industry shriveled up, but ultimately couldn't guarantee the funding. So in allocating funding I

[11:51:40 AM]

would also like to please consider how our babies are valued in comparison to bars and [indiscernible].

[Buzzer]. Our families matter and babies matter. Please, please follow the recommendations of our childcare task force. Mr. Cronk, please give us the opportunity to provide care for our babies the way you do for yours. And think about what would do if you were in the situation so many Austin families are. And my oldest baby is almost 17. She is also a child.

>> Mayor Adler: Thank you for participating today. Thank you.

>> Ben vordem. Ben, please unmute.

>> Can you hear me? Sorry.

>> Yes, go ahead.

>> Hello, good afternoon mayor Adler and councilmembers. My name is Ben and I'm the C -- of three Austin

[11:52:42 AM]

restaurants [naming restaurants]. I'm here to support the approval of resolution 62 that directs the city manager to explore and identify ways to support and increase the [indiscernible] And most hardest hit sectors, including childcare, music and venues, specifically restaurants and bars. I am -- I live in district 8 and I have a restaurant in districts nine and 10. I went to UT as an exchange student 20 years ago and started running successful rest flaunt the uk since then and returned six years ago. The dynamic social scene of Austin [indiscernible] Was one of the driving forces behind my vision to return here. I joined the community group that operates these restaurants. Before covid we employed over 150 people across three restaurants and the head office. We now employ barely 60 and almost none of those full-time. From the [indiscernible].

[11:53:47 AM]

That's extremely encouraging, but it is all very relative. The positive sales at Wu are still way below restaurant and the downtown rents

[indiscernible] But it's touch and go and now I believe one of the highest performing restaurants in the city.

[Indiscernible] Is a creative restaurant on congress that has remained closed between April and until very recently, the last week in August. We are not yet doing anywhere near the trade that is necessary to make it a sustainable business,. About 10% currently of 2019 levels. Swift arrived nine years ago completely unique in the dining community, a funky drive was leading the scene

[indiscernible].

[Buzzer]. Gray star is a neighborhood restaurant that is very cautious into the spectrum. Our clients [indiscernible]. Our clients all go down and vice versa. We're currently just getting

[11:54:47 AM]

by on 15 to 20% of sales and without the support of the 2,000 meals a week we are providing to the meal program to aid we have not have survived this long.

>> Speaker, your time has expired.

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

>> Valerie ward.

>> Good afternoon, mayor Adler and city council. My name is Valerie and I'm the co-owner of vegan ice cream in 2011 and in councilmember tovo's district 9 and now have production space in councilmember pool's district 7. I'm also a founding member of good work Austin and I'm here to support item 62, specifically to support the survival of childcare, restaurants, bars and arts venues in Austin. I live in Austin for over 20 years and my business partner and I started sweet ritual not just to provide delicious desserts with a variety of dietary needs, but to provide a supportive work paspies for our staff. We provide fair wages in a

[11:55:48 AM]

positive environment. Through mentoring other entrepreneurs and teaching business education I've been proud to pass those values on to other businesses across the country and around the world. In association with good work Austin I've devoted my time to give the same resources to other small businesses in Austin and promote those values through city and state legislation. In the wake of the current pandemic, our ability to care for our staff has been jeopardized. We closed our doors completely in March, temporarily laying off all of our staff and it was not until the ppp P funds that they were able to reopen in a safe environment for our 10 staff members and those funds are long since spent. This year we'll be quickly deleting our limited reserves monthly month. With the continuing uncertain we're unsure where to pivot, where to invest for the future and without a dedicated fund, our business and the growing community of businesses dedicated to creating sustainable jobs in Austin will not survive. The culture of Austin and our most valuable resource,

[11:56:48 AM]

which is our creative, industrious and community minded workforce will disappear. Please approve this plan and save childcare, restaurants, bars and arts venues in Austin. Thank you.

>> Less than any lozani.

>> Hi. I'm speaking in regards to the agenda item to extend the 60 day notice of proposed evictions, number 106. I'm speaking against it. I'm speaking on behalf of my company, atlantic and pacific managements. I have two communities with over 1,000 resident that live in councilmember kitchen and councilmember Garza's districts. I believe that extending the ordinance that requires a 60-day notice of proposed eviction is not the answer. What we need is more rental assistance for our residents who are affected and can show proof of being impacted by covid. As agents for our rental

[11:57:49 AM]



property owners, we have committed to helping our residents through this pandemic. Although for many months our economy has worried repeatedly and strategized on how to meet our obligations, taxes, our mortgage, utilities, employee salaries, while having high delinquencies due to covid, we are also people who care and we also understand our residents' struggles. We've been waiving late fees, helping our residents who have been struggling helping make payment arrangements over months, helping them file for assistance and issue renewals with a zero dollar increase in rent in order to help our residents remain in our homes and for us to be able to continue our businesses. The 60-day notice requirement has caused a lot of confusion among our residents. It has severely impacted our community's operations and has provided some residents that are not impacted by covid an excuse not to pay rent. As of yesterday I have outstanding rents of \$49,689

[11:58:52 AM]

between my two Austin area sites. \$16,664 of that is from prior months. I have residents who are flat out stating they will not pay rent because it is, quote, unquote, not illegal for me not to. While not understanding and realizing that their obligation to pay the rent has not gone away and that their balance -- [buzzer]. Making it harder for them to keep back on track. And they will be on their way to a future eviction and negative credit. Once evicted, they will be thousands of dollars of housing debt that will further prevent them from moving on and into their lives. It's a debt --

>> Speaker, your time has expired.

>> Mayor Adler: Thank you. Thank you. We appreciate you participating today. If you. Thank you.

>> Mayor and council, Ms. Sanza, the Spanish speaker from earlier, is too frightened of the speaker process so she asked if her comments could be read into

[11:59:53 AM]

the record. So I'll read them in Spanish and then in English.

[Speaking Spanish].

[12:01:20 PM]

>> My name is

[indiscernible] And I live in district 2. I'm speaking as a mother of a young child and as a member of the dove springs community. First, thank you for the opportunity to express my support for item 62, which directs the city manager to explore and identify financing options to support the most vulnerable institutions in our community. Including childcare. As a city and community, the more we can support a family's ability to access stable and enriching childcare, the better we will be to address the negative impacts and stress that this pandemic has imposed on families and their youngest children. As a person who was a babysitter before the pandemic, supporting a family with familiar and trustworthy care, they expressed the quality of care I provided to their child as if it were something scarce. Our children deserve better. Our community deserves better. Our city can do better for all families, children and the people, institutions that provide care as well. That concludes her message.

[12:02:22 PM]

>> Mayor Adler: Great. Thank you. Those are all the speakers we have?

>> We actually have one speaker calling in right now.

>> Mayor Adler: Okay.

>> The next speaker is Zenobia Joseph.

>> Thank you, mayor and councilmembers. I'm Ken Zenobia Joseph. I'm comments are specifically related to item 61, amendments to board and commission bylaws. I just wanted to say thank you to the clerk's office first and foremost because the clerk did proactively email me this morning at 9:30 to make the process a little bit easier. However my comments are specifically related to getting written testimony

[12:03:24 PM]

from the boards and commissions into the official record before council. As you're aware, this has happened four times where I've submitted a memorandum to the zoning and platting commission and planning and it didn't get into the backup materials. Most recently August 10th, 2020, the memorandum was for Rogers Washington holy cross designation and on August 27th, 2020 I actually sent and email and asked for it to be inserted in the official record. I just want you to recognize that there is a need for you to sponsor an item to amend the virtual meetings process for the boards and commissions and this could apply to the council meetings as well. I actually sent some recommendations to the senior commission on April 27th, followed by June 9th to the community, technology and telecommunications committee. I also sent comments to the ethics review commission on August 12th and zoning and platting. I also sent them comments on July 15th and sent you an email, mayor, on July 7th.

[12:04:24 PM]

I have some recommendations. You can post the information as it relates to the phone number and code like the housing authority of the city of Austin, it's on their agenda. You can post the phone number on the screen just like the Travis county commissioners' court and they allow same day sign-up. You can also post the information for speaker registration in red font on the homepage. You can also allow the boards and commissions, the commissioners to actually comply with Robert's rules of order. They actually have a rules and responsibilities document that's five pages and that's on page 3. Because it's the hispanic heritage month I think it's important to recognize that the African-American resource -- [buzzer] -- actually allowed Angelica from the quality of life to speak by allowing two of the members to put forward a motion to allow them to speak during their may fourth meeting. And lastly I think to thank councilmember tovo because she did email me and ask about these concerns previously. And to councilmember pool, house bill 2840 does allow

[12:05:26 PM]

public creditism of a governmental body so I would just ask you to revisit the law and recognize that it's basically saying first amendment prevails. If you have any questions, I'll gladly answer them at this time.

>> If there are -- sorry.

>> Mayor Adler: Go ahead, thank you.

>> If there are any speakers in the queue that have yet to press zero, please do so now. Mayor, we have someone trying to connect. One second. Next speaker is Albert Deandrea.

>> Hi, good morning, Mr. Mayor and city councilmembers. My name is Al Deandrea. I'm the owner of Mccollough

[12:06:27 PM]

heating and air conditioning. An air conditioning contractor here in the city of Austin. And I'd like to speak about item number 12, development services contractor registration program. And my concern is that there's an expired permit issue here in the city of Austin. In the last three years, over 4,000 changeout permits for ac systems and water heaters have been left to go expired. And expired permits are the result of a contractor doing a project, pulling a permit and then not having the inspection performed. And so it leaves the home or the business with a potentially dangerous situation. We're talking in most cases natural gas fuel. So it could be fire hazard, combustion gas, venting issues. Could be electrical hazards. And then the expired permits also causes a problem for

[12:07:29 PM]

the property owner often down the road. So they go to pull another permit five or six years later and it's an issue or when they go to sell the home it could be an issue. And it can end up costing them hundreds or thousands of dollars to get that rectified. Most contractors in the city close their permits. It's an expensive proposition, though. We estimate that it costs us about \$150,000 a year to take our permits all the way to be successfully closed. And to contractors, there's some large contractors that have made this a business practice where they don't close their permits and they're saving money, putting citizens in danger. I've talked with development services about that, and they said to wait for the contractor registration program.

[Buzzer]. But I don't have any confidence that the contractor registration program is going to resolve

[12:08:31 PM]

this issue. They don't seem to feel that they have the power to resolve the issue. So I'm in favor of the contractor registration program, but only if it resolves this expired permits situation. Thank you very much.

>> Mayor Adler: Thank you.

>> Mayor, that concludes all of the 10:00 A.M. Consent speakers. We also have all of the noon speakers connected.

>> Mayor Adler: Okay. Colleagues, it is 12:08. I don't know if we're in a place to approve the consent agenda. I don't know if there are a lot of comments to be made. I'm showing again the consent agenda is items 1 through 64 and 95-107. The items that I have pulled are 12, 17, 18, 48, 54, 62 and 95. Councilmember Casar?

[12:09:31 PM]

>> Casar: Mayor, I think there were a good handful of comments made and then also legislative agenda some friendly amendments to maybe included. My suggestion would be if we kept our break really tight then we could come back and get that done rather

[indiscernible]. But I'm open to suggestions.

>> Mayor Adler: What we have in front of us is the consent agenda so we have some things we need to make changes to. You are suggesting not -- which number is the legislative item?

>> Tovo: It's 17 and I think it was pulled for discussion.

>> Mayor Adler: It's pulled.

>> I pulled to simply add my amendments from the message board.

>> Mayor Adler: We'll handle the pulled items later. Is there a motion to approve the consent agenda? Councilmember pool makes the motion. The mayor pro tem seconds it. Any comments on the consent agenda? Councilmember kitchen.

[12:10:33 PM]

>> Kitchen: Yes. I have a comment on item number 107. And I think it's the nature of direction which I think is something that staff is planning to do anyway. This is the item that relates to the trail of lights, and thank you, councilmember Ellis, for bringing that item. I think it's important to allow for the trail of lights to use a drive-through mechanism. So my direction just relates to as the staff is considering how they set up the logistics for that, that they develop a way that will scourge cut-through traffic through the surrounding neighborhoods, particularly through the Barton hills traffic and through the neighborhood on ac more ton. And also I'd like to direct them to consider the extent -- to consider making more of a parkland remaining

[12:11:33 PM]

open for people. Because we're doing a drive-through we may not need as much of that for the trail of lights. So I want to say that so more of the park can be used.

>> Any objection to that being added by way of direction? Hearing none that's added and remains on on the consent agenda. Any further comments on the consent agenda? Councilmember harper-madison you're muted.

>> Harper-madison: The button seems to be stickier than it was before. Thank you for recognizing me. I'd like to speak to item number 34. I'd like to say that I'm pleased to see support for legislation allowed for our city to implement mandatory -- I'm sorry. Give me just a moment. In fact, could you defer to somebody else for just a second?

>> Mayor Adler: Yes, we'll come back to you. Councilmember Flannigan.

[12:12:34 PM]

>> Flannigan: Just to confirm 106 is on consent, is that right?

>> Mayor Adler: Correct.

>> Flannigan: Just to reiterate my comments from Tuesday and I'm definitely hearing and concerned about the issues that the apartment association and other folks have brought up. You know, I think we still need to move forward with this item, but I do want us to think about how we can better manage this eviction process in a way that might help connect folks better to services who are experiencing those issues. There may be folks who are relying upon this protection that might be eligible for rise or other programs that can help kind of the money continue to flow through the community. And so I'd love, manager, to hear at a later time how staff might contemplate that moving forward. If we're still doing this getting into 2021, we're going to need better systems I think in place to help folks get the help they need.

>> Mayor Adler: To that end since you raised that issue now, we've got that additional \$11 million in

[12:13:35 PM]

cdbg funding that seems to be directed towards rental relief. I hope that when staff is taking a look at this they're figuring out how to use this money perhaps in ways that will address the -- what's going to be happening on the back side of the rental relief when those kinds of protections start falling off. Maybe there's a way to incent that money in ways that will give long-term stability for tenants in their location. But there will be another block of money that's coming available. Councilmember tovo and then councilmember alter.

>> Tovo: Just very briefly, thank you again since the subject has come up. I also wanted to say that I appreciated hearing several stories throughout the week about property owners or property owner representatives who have really sat with tenants and helped them do the paperwork and apply for the funding that they were eligible for.

[12:14:38 PM]

We have heard from -- I think all of us got an email this week from a tenant who expressed her appreciation for the property owner on the site who helped her fill out the paperwork. So thank you to those property managers and property owners who are assisting our tenants. To the extent that we can continue to suggest to tenants to reach out to their landlords and their property managers for that kind of assistance or to communicate with them about payment. That is also of great value.

>> Mayor Adler: Okay. Councilmember harper-madison.

>> Harper-madison: Thank you. Actually, mayor pro tem made fun of me for this yesterday. I muted my cram for the same sneezing reasons so this is a great opportunity to say to folks really struggling with seasonal allergies right now I'm so sorry for you. It's new to me. Wow, this is impressive. Thank you for your patience. I'm actually going to be speaking on three items. Number 17, number 34 and number 95.

[12:15:38 PM]

I'm pleased to see support for the legislation that To im mandatory inclusionary zoning programs. I am happy to see it is included in the proposed legislative agenda. These programs are an important tool for the mitigation we so desperately need this city. Additionally, I'm excited to see we're passing item 34 and increasing the information we're providing to our young people around pregnancy prevention. I had the opportunity recently to speak to -- excuse me. I had the opportunity recently to speak to our youth council representative, and for those of you who aren't familiar, the youth council is via Austin city council but run by local youth, but they represent their district. Ahem, excuse me. And speaking to this young person, it literally reminded me that they are so brilliant and they are so smart and they

[12:16:40 PM]

are really ready to take up the torch, I'm super happy we're doing our part to equip them as best we can. She just made me really remember that an informed woman is an empowered woman. History has shown us time and time again that an empowered woman is unstoppable. So I'm happy to see this item go on concept as well. Lastly, I'm thrilled to see the council has come together on making necessary investments in our convention center that will help keep us competitive as a destination, increase economic development and job opportunities and benefit our city as a whole. Because this says to me that there is the political will on this dais to make large scale investments in east Austin. I understand that hot funds can only be used for very specific projects like the convention center. However, it is my sincere hope to put the same level of care

[12:17:42 PM]

and attention tow find other funding options to address neglected projected and assets like the millennium youth entertainment center, down field, the park plan that has languished for 9 years, 12th street property at 12th and Hargrave. Draupt updates to infrastructure. There are so many projects that need our love. We have made progress and there is still a lot of work to do. I look forward to digging in with the staff, community and organizations like the recently formed Travis county African-American commission. The city of Austin's prosperity depends on the opportunity for every resident. I intend to bring forward a resolution on October 15 to develop a strategic plan for northeast Austin to ensure

[12:18:42 PM]

this long neglected area gets the same prioritization and same investment we have given to other plans inside and outside of the downtown area. I hope my colleagues will join me in addressing inequities, and create a path forward to reverse the impact of generations of neglect. Thank you.

>> Mayor: I would like to work with you on those, councilmember harper-madison.

>> I didn't make fun of you, I thought it was fun you needed a sneeze recess. Only in Austin we have to take sneeze and cough recesses. I wanted to briefly comment on item 34, thank you for

[12:19:44 PM]

highlighting that councilmember, harper-madison. For brief statistics, 34 is for funding for teen pregnancy prevention, which is something public health has been funding for a while. It is a wonderful example how we address something, make it a priority and see the numbers change. Texas is ranked the fourth highest out of 50 states and the district of Columbia on 2016 birth rates among female ages 15 to 19. In Texas, 66% of all teen births were to hispanic females under the age of 20, compared to 36% nationally. That is the bad news. The good news is the Texas teen birth rate declined by half, between 2009 and 2018. Which is marrying a nationwide trend. Travis county's teen birth rates are lowest in the state and lowest of any major metro county.

[12:20:44 PM]

2% of Travis county teens gave birth, down from 2006. We pass a lot of these on consent and don't sometimes recognize our successes. It is great that we are having an impact and helping previvant teen pregnancy and getting those lower. Thank you.

>> Mayor: Further conversation on the consent agenda. Councilmember alter.

--Alder. >>Alder: I wanted to remind us that item 99 is providing support for child care for essential workers from the cbdd funding. When we did this, there was funds for child care, a million granted to our child care centers, to apply through child care support program.

[12:21:45 PM]

This is an additional -- this is the second part of that. As I understand it. And it is going for child care for essential workers being administered by workforce solutions capital area. And I think it is, you know, the child care piece was talked about by several of the speakers, I just wanted to flag a step that we were already taking on today's agenda in the right direction.

>> Mayor: Anything else on the consent agenda before we vote? Councilmember kitchen.



>> Kitchen: I wanted to comment briefly on the moratorium. I share the concerns that were expressed by I think council Muslim brotherhood -- councilmember Flannigan. I know we had a conversation previously when we extended the eviction moratorium,

[12:22:46 PM]

talked at that time about what we would do to help address the issues that were being raised. So I had asked earlier that we receive information about that. And so I'll just ask again, that I would really like our staff to send us the specifics of what has been done to address those concerns. I know there are a number of things all the way from allowing landlords to help in some ways with their lender's apply for assistance and we did talk about as part of our -- if I remember correctly, as part of our spending framework, considering how to assist landlords. So all that boils down to is I'm just saying that I continue to hear the concerns that our smaller landlords are raising. I know that we addressed them we talked about them before. And my understanding is staff has taken some actions to address them and I would like

[12:23:48 PM]

staff to send to all of us in writing what those actions are.

>> Mayor: The consent agenda is moved and seconded. Take a vote. Those in favor, raise your hand. Those opposed. I'm seeing everyone with their hand raised. Councilmember Casar? >>.

>> Casar: I haven't responded to some of this, I know folks in the media and community are watching. I appreciate us passing and protecting our tenants and trying to make sure that there is a stable -- try to stabilize another unstable industry, and property owners. To be clear, the eviction moratorium, you have signed mayor and this ordinance only applied to those folks that can't pay their represent because of covid-19. And so I want to make sure that that is really clear. And we should recognize as we

[12:24:51 PM]

did here on the dais, that there is a lot of people hurting right now and we have to do our best to take care of everyone with limited resources. That is what we are united to look at here on the dais for those watching the news, there are continued evictions and it is horrible. With the CDC moratorium. There are people that through no fault of their own lost their job and housing. While we have seen some especially informal evictions here, we compare to other parts of the state, we managed to not have as significant of that of people just being thrown out of their homes and some other places. We have to do our best also to make sure we take care of the property owners, but as the mayor pro tem mentioned, as we do pass things on consent, it is important to recognize the important work our staff and

[12:25:51 PM]

council and mayor have been able to do to reduce the amount of homelessness that is created by the evictions while fully acknowledging we need to do our best to recognize the maintenance and taxes and mortgages need to be paid by property owners and I'm continued to work.

>> Mayor: Colleagues we had postponed the Johnny Trevino park item until October 1. I think there was a desire to postpone until October 15 so all the east Austin stuff in the resolution councilmember harper-madison along the park. Anybody have an objection to postponing that to October 15 instead of October 1? Ok, to do that, is there any objection to us reconsidering the vote on item 31, proved on the consent agenda? Hearing none, we're going to reconsider that vote. Going to change 31 to be a postponement to October 15. Any objection to that being

[12:26:53 PM]

done? Hearing none, both the reconsideration and the new date pass unanimously. And that will be postponed until the 15th. Colleagues, that's the consent agenda being passed. Let's do now the citizen communication. I think there are six people on the line. And then we'll take a break for lunch, go into executive session and then come back out. We can talk timing. We may be taking a clump of speakers separate from the debate later this afternoon as we're backing up a little bit. Clerk, if you will take us through the citizen speakers, that would be great.

>> Speaker number one is gen viv -- Genevieve flores.

>> I'm the economic director for city of hondo. I'm here to talk to you about

[12:27:53 PM]

hondo. It is a hidden jewel here in Texas, a short drive from San Antonio, only about 40 miles west of San Antonio. I'm here to let you know hondo has 400 acres of land ready for development. I don't know if you have the presentation in front of you, there are shots on the presentation you were sent. We ask that you look at them, there are examples that shows you the acreage on that. You are asking how did hondo end up with so much land? Remember in the 40 says, there was an army base. It was the largest pilot training facility in the world, with 3600 acres of land. The war was over, the base was given to the city of hondo by our government, including runways, taxiways, hangars are barracks, anything to do with the base. You think hands hondo, they have access to rail, air and

[12:28:57 PM]

the highway. Hondo has access to railroad, union pacific and Burlington north Santa fe and actually on highway 90 west, ih-10. Fast forward again to the present, the hondo has elected to put some of the properties up for request for bid. That is why I would you that hondo has over 400 acres of land ready for development. You're probably asking why is she here and why is she telling us this? To my understanding, you're the movers and shakers in the big state of Texas, I'm hoping you will assist me in telling companies investors, developers about hondo and have them connect with me. All my contact information is on this presentation you have in front of you. If you have any question, please do not hesitate to reach out to me. Again I'm Genevieve flores, the economic director for the city of hondo. Thank you for having me. I know I went fast, but please don't hesitate to reach out to me. Thank you, again.

[12:29:57 PM]

>> Mayor: Thank you and welcome to our council meeting.

>> Ruben Rivera Clemente.

>> Yes. This is Ruben Clemente senior. Unfortunately I'm the same person that has came several times to the citizen communication. The reason why I'm having my voice be heard is because I'm still being Har assed by the police. I'm requesting an opportunity to talk to chief Manley, someone I had an opportunity to talk to, even though it was an introduction on February 22. I had a lengthy conversation about the harassment I'm having for 13 years and continuing even today with the director of the police oversight, which she said she would look into my situation, unfortunately, I don't have a complaint specialist, since my

[12:30:57 PM]

last complaint specialist told me she no longer wanted to represent me. I have been the one sending emails to everybody. The police chief, I have been sending emails to the city manager. Mr. Casar, my councilmember. I am so frustrated I have sent emails to our local and nation wide news. I'm referring to CNN and MSNBC because this is crazy. The police officers are beyond. June 15 I had a confrontation with one. On June 17, I had [?] Smashed. I will take pictures and send it to everyone of the councilmembers and mayor and city manager and hopefully I will have the opportunity to present it in person to chief Brian Manley. This is ridiculous. I'm being harassed because I'm complaining about them. This is the result of it. This is a unit -- I was told

[12:31:58 PM]

by a police officer that I shouldn't complain about the police. That I should be complaining about it is a unit of the police department. If that is the case, then this unit is doing nothing more than just criminal acts. It is terrible to have to say this. Because I'm pro police, but I'm antibad police officers. And Austin seems to have a substantial amount within this unit of the police, which I don't know what's the name of it, who they are. The last person I compacted about this was lieutenant Gonzales, and that is how long it has been because they're retired. What is so frustrating is all of the years of the assaults, thefts, no smashing my windshield, not once has any detective got in contact with me about my calls to 911 and 311, kept one occasion, where I called them, detective

[12:32:58 PM]

Bailey. This was back in 2004, 2005. That's how long I have been harassed. I'm not going to say anything more past then. I think 13 is my lucky number. It could be 13, 14 to 17 years of harassment.

[Beep] It has to stop. This is not the police that Austin deserves. We need better. If it you need to use me as a terms for confronting the governor and letting him know about how the police act here, I am willing.

>> Speaker your time has expired.

>> I will let them know how the police relate here.

>> Mayor: Thank you very much for participating with us today. Thank you.

>> Tony farmer.

>> January 14, two Austin water employees entered a property to perform water meter inspection number

[12:34:00 PM]

1856399 and accidentally turned the master water valve off of 56 units, when I made them aware of the mistake they turned it back on immediately in less than a minute. Any professional plumber knows turning water back on that rapidly to a complex that size and age can cause potential leaks. The employees were either careless or improperly trained. I want to be very clear today. It is absolutely indisputable that the actions I described were neglect. This water hammer effect is well known in the plumbing world. Shortly after the negligence, we had multiple leaks in our complex I filed damage claim 200361 with the city of Austin. Claims investigator denied the request citing the Texas tort claims act, simply put the city of Austin cannot be held responsible for the worker

[12:35:02 PM]

turning the valve. He can't say it took place. I have it on video. On March 11 email from Dan Cisneros, he said our staff is highly trained and are aware of the water hammer issue, sometimes plumbing situations are knowingly outside the norm. I asked what the outside the norm circumstances were on January 14. I never heard back. I emailed again in May. I never heard back. It has been six months. On June 4 I asked a follow-up question to his email, never heard back. It has been three months. On March 6 I sent this to city council rep Garza and former rep Tovo and copied Mr. Hennessy on the email. Never heard back. So to recap. City employees can come on to private property, cause property damage from a mistake they 100% admit to on video and hide behind a state law granting them immunity. When I ask questions to prevent it from happening to others, the city stops answering questions about

[12:36:03 PM]

the incident. Holy cow! I'm not here as a citizen asking for compensation. I'm here as an activist wondering how many other properties has this happened to? This deserves a full investigation to see what other Austin homeowners may have been negatively impacted by these employees or others that went through the same training. I'm disgusted they're trying to sweep this under the rug and not taking it seriously. How do I know they're not taking it seriously? Because it has been eight months and nobody has asked to see my video? How can the city correct the mistake if they're not gathering all the information about the mistake. Austin homeowners if you have had leaks recently I encourage you to contact Austin water and see if a water meter inspection around the time of your leak. If the city refuses to investigate itself, we can take matters into our own hands.

[Beep].

>> Paul Robbins.

>> Council, the vast majority

[12:37:05 PM]

of Austinites do not realize that Texas gas service the main utility that serves this part of the state with heating fuel has raised residential rates by an estimated \$51 million over a five-year period. What is alarming is that so far as I can tell, this broad group of uninformed people included most of the Austin city council. City staff in charge of this rate case came to a settlement with the gas company on June 2. While settlements frequently occur, they almost all require city council approval. Yet, conversations with four council offices leads me to infer that you were not informed let alone ask for approval. I have been involved in Austin's public affairs for over 14 years, I cannot recall a decision for this amount of money being made without

[12:38:05 PM]

council approval. This is one of the most insensitive abuses of managerial power by a local government that I have ever seen. In the last seven years, council approved seven city budgets, 23 legal settlements and electric and water rate cases. You approved budget items as small as hourly parking rates yet staff did not seek approval of a \$51 million rate increase? This is only part of the insult, may 7, there was a resolution passed that gas company consider adequate money for the poor. Full capital rover recovery fees and changing the repressive rate structure for the gas company. Most of this instruction was ignored.

[12:39:05 PM]

Indeed the company is using corporate privilege to dodge the city's draft climate plan. Part of the reason this is happening is because there is almost no commission oversight of the gas company, I urge you to expand the purview of the electric utility commission or resource management commission to review all matters with Texas gas service. I urge you to demand that all future rate increases by the gas company be brought before you for approval. Thank you.

>> Thank you.

>> Angelica bene-vez -- veddes Garza.

>> Mayor, city leaders, first off thank you for all you are doing. We have had three family members lost to covid. It is horrible, and the way you are trying to keep us safe, I want to commend y'all

[12:40:05 PM]

for what you are doing, thank you for staying focused on that. Trying to keep us safe. We're trying to stay strong but I want to bring positive ideas to you. Not just come and complain. Some positive ideas I wanted to think about and thank you for the daily updates with the covid numbers? But I like to lead an effort with the families that have lost -- we have been hurt, heart and souls everywhere, crushed everywhere. We would love to lead an entire memorial effort to put faces to that soon. A part of that team in collaboration with someone so we no longer see them as a but we see them as faces we know other areas of faces are doing that, doing drive-thrus to see all of the faces and put names to faces and numbers to faces as well. The other thing that I wanted to speak about is regarding

[12:41:07 PM]

our family land. Some of the families have extra land and speaking to affordability and lot, which is a great idea, we are willing to help, the biggest barrier for us that are willing to help is we're not willing to get in debt to help. I don't know if there is a solution for equity access to help the mayor and city leaders meet the affordable access numbers and possibly place adus in the property while we have the space to assist with this effort. If there is a bridging effort similar to habitat for humanity home or the Lee Johnson numbers, I spoke with commissioner Carmen I cranked out some ideas. And we hope each family beautify their properties but without them getting in debt so a solution we bring that is sustainable, helping the city leaders and mayor meet the numbers and also making sure the family doesn't get in debt. That is another idea and model that we came up with and the neighborhoods help each other in building that out.

[12:42:08 PM]

The other thing I want to speak to is the -- I have become a real estate professional and it takes time to get that off the ground I want to speak to the wholesalers taking advantage of families. I'm hearing stories where teams are being taken advantage of on the ground of wholesalers and don't have credentials. I think we should have some kind of information out there of people to go to and understand who to trust out here so they're not given the misinformation. We go to school, we pay a lot of money to go to school so we get credentialed correctly. I'm asking in all fairness we keep it a fair playing ground to make sure the families are getting the correct information before they release their properties

[beep] And think they're getting a great deal as well. Thank you.

>> Julian Reyes.

[12:43:09 PM]

>> Heed my words,

[indiscernible] City council, the state of the homelessness in Austin, a city of wealth, as I speak today, so we have some Corona hotels that are full, I hear, full of the homeless, but we don't hear when the housing is going to be here. So we're interested in hearing specifics on permanent assisted housing what the status is. Normal people's hotels are empty for the most part due to Corona. New hotels on Ben white now empty. Where are the hotel and housing vouchers? What is up with the permanent housing? The housing funds not used directly to the citizens that are affected. Echo is office in a bank, in a bank. So echo is one of the housing

[12:44:09 PM]

authorities, instead of giving money directly, the money is being misappropriated as we well know, that is needing to dealt with and reinvestigated. It is not making it to the people on the streets, we need the city to actually release funds to mutual aid groups that are assisting, Gavin -- giving supplies, including water, tents, and help these individuals get access to phones, technology, so they can keep up with the stimulus checks, get paid, get a house, do things we're not doing right now. Get the police off people's backs. Yes, as the previous speaker said, there are police units acting like gangs in the city of Austin. You guys are responsible for. I also have had my window busted out and shot with a nine millimeter bullet after an officer by the police department. The office of police oversight is refusing to take calls and

[12:45:12 PM]

complaints and refusing to investigate and also refusing to give any updates or give a list of complaints, they're saying they're overwhelmed. They were overwhelmed when it was slow, before the protests. So there is also the cleanups. You have city crews for the slashing tents, increment storm weather without masks in marginalized community while people are trying to shelter from a storm in place. That was last week. That is all illegal. You guys are responsible of that. Slashing of tents with knives, go after people that don't speak English, people of color, out on east Riverside. That is against the law. You said you weren't going to do that. The disability AIDS, walkers, wheelchairs, personal items, water storage, five-gallon jugs, chairs, et cetera, all be thrown away into the

[12:46:13 PM]

dumpster into the landfill. That is against the law. You guys said you weren't going to do that.

[Beep] What we see is

[indiscernible] We want to speak to us, the city council is yet to speak to myself.

>> Mayor: Thank you. Thank you. Thanks for being with us. I think those were all the speakers we have, is that correct.

>> Yes, that's correct.

>> Mary: Ok. Alec, it is 12:46 right now. We will break for lunch, I propose at 1:30 if that meets for you all, we meet in executive session to take up item 72. We would then come back and when we come back out, we will take the items that have -- we'll take -- after executive

[12:47:16 PM]



session when we come back out, we'll take the zoning speakers, and I'm not sure if we will actually handle the zoning cases at that point, but they're queuing up at 2:00. We have the polled items. A lot of them will be short and we have 62 and 95. Somewhere about 3:30 we'll go ahead and take the speakers on the Austin housing finance corporation. Again, because they're being queued up at that time. It could be we're moving around so we can get a block of speakers, in even if we are not dealing with the thing that the speakers speak about. Is everybody ok with us coming back -- going to executive seg at 1:30. Is that too soon for people? Councilmember alter?

>> Alter: I wanted to clarify. I thought we were getting additional briefing on 95 you mentioned 72.

>> Mayor: Same thing.

[12:48:16 PM]

The purchase utilities.

>> Thank you I was confused.

[Indiscernible].

>> Mayor: It was that topic listed in executive session. I'm sorry, councilmember kitchen.

>> Kitchen: I'm sorry. I didn't raise my hand. I was thinking that is less than 44 minutes, not enough time for lunch. I would appreciate at least 45 minutes, I would rather have an hour.

>> Mayor: Councilmember harper-madison would you think about timing.

>> For me to make food and get readjusted for the second half of the day. 🎵

mayor: We'll meet in executive session, we're going to discuss legal and real estate matters, related to item 72. Which concerns the purchase exchange, release and value or

[12:49:17 PM]

interest in real property, improvements to the Austin convention center. Without objection. We will go into executive session here at 12:49. I will see you all at a quarter to 2:00. Take care.

[Executive --

[break]

[1:31:36 PM]

[Recess]

[2:04:48 PM]

[Executive session]

[2:48:46 PM]

>> Mayor Adler: We're going to go ahead now and work through the speakers. That have signed up to speak on the zoning matters. They'll each get two minutes each. We have up to 38 speakers. If the clerk could start calling speakers I'm going to need to jump off here for probably about 20 minutes. The mayor pro tem, if anybody is needed to help along, mayor pro tem will do that. If the clerk would start calling the speakers.

>> Okay. Sean Abbott. Sean, be sure to unmute.

[2:50:07 PM]

Bill Neil. Bill Neil? Sorry. Mayor and council, give us a minute.

[2:51:35 PM]

Okay. Bill Neil? Bill, if you are muted, please unmute.

>> I don't have a speaker here, sorry. I can't.

>> We can hear you now, go ahead.

>> Okay. I just can't hear you, that's the problem. Actually, maybe I can. I've got one -- I've got headphones on, so please go ahead.

>> Go ahead. The timer has started.

>> Okay. The proposed pud violates the open space requirement. It does not [inaudible]. Okay. Am I speaking or am I answering questions?

>> You are speaking. To [indiscernible].

>> The proposed pud violates the open space requirement.

[2:52:35 PM]

It does not provide the minimum open space of 20% and it is separated from the parkland by a loading zone. Which impedes access. The building is largely glass, which fails to meet the natural -- the building is largely glass -- the proposed two-way bike lane along swarm is not a superior item because it is part of the south Lamar corridor improvements. Connecting the building to the city's reclaimed water system is not a superior item. Any building constructed six years from now zoned pud or otherwise will be required to connect to the city system. For many of the called

[2:53:36 PM]

superior items they're not really superior. Another example, underground parking available to the public and for Zach theater employees and patrons is not a superior item. The project is actually taking allowable parking reductions to reduce the amount of parking provided. This parking is on a paid pathway to park basis after hours to generate revenue and I think -- I don't know if I got across the point about the open space requirement is not met of 20%. So the proposed pud fails to satisfy many of the requirements of the ordinance and the pud ordinance is actually a statute and under the state and federal supreme court, U.S. Supreme court, the terms of that statute have to be followed if the city council doesn't agree with those terms you can always amend or repeal the ordinance and the waterfront overlay, but until you do, you must apply the terms of these status as they are written today. Thank you very much.

[2:54:42 PM]

>> Marshall Davis.

>> Hello?

>> Yes.

>> Can you hear me?

>> Yes. And your presentation is up.

>> Thank you. I am Marshall Davis, president of Galindo elementary neighborhood association. We are opposed to the rezoning of 3504 south first street. We do not feel the proposed project is compatible with the neighborhood properties or the neighborhood in general. This property has had a conditional overlay for the past 13 years and one of the slides in our presentation shows that history. It was opted out of the vmu 12 years ago. This shows the importance of preserving this small tract with its height

limitation. This is not some arbitrary zoning, but one that has been considered by staff and neighborhoods for the last 13 years. The applicant has said this is a simple case and wants to bring this property to

[2:55:42 PM]

match the zoning of the rest of the project. This is not a simple case. There is a major topographical difference between the two properties. 3404 is 59 feet higher than the corner of south first and cardinal lane. A 60-foot parking garage on that location would tower 119 feet above south first and cardinal. We met with the developers through the zoom process but have not been offered any variance or any changes to what they have proposed, a three-story and five-story luxury apartment building and a five-story parking garage. We welcome the chance to work with and negotiate with a builder who can work with the current zoning. We request that you vote against this curbed proposed rezoning.

-- Current proposed rezoning. Thank you.

>> Monica Guerrero.

>> Hi.

[2:56:42 PM]

This is Monica Guerrero. I've lived in 78704 for

[indiscernible] Years and zoning chair for the glint dough neighborhood. I'm an attorney by trade and realtor in the area and I also happen to live at 707 cardinal lane, which is next door to the current Mercury hall, adjacent to current zoning case that we're talking about. As Marshall said, this is not a simple zoning case. In fact, the only simplicity in this is that a dense, huge project that is being proposed to be put here is -- does not make sense. Ask anyone who lives near, anyone who drives by here, anyone who visits here. We think the zoning -- I think the zoning should stay the same because it's the way it is for a reason. There's a history to it. 13 years ago, prior to that

[garbled audio].

[2:57:44 PM]

I believe Mercury hall uses it for some commercial purposes to extend their wedding venue services. When Mercury property changed from sf-3 to cs-co, Mercury properties said the intent to change it would be for primarily parking, quote. Mercury property also agreed at that time that they would limit the intensity of the uses for this development, quote. Accordingly there was no traffic impact analysis.

At that time it was waived. Any change in the zoning at this juncture in 2020 for the change in that zoning we would request that there would be a traffic impact analysis before any zoning is -- any zoning change is done. Again, Mr. Suttle and the Mercury properties would

[2:58:45 PM]

have you believe this is a simple case, but as somebody who lives here, somebody who loves this neighborhood, somebody who knows it in and out, this is not a simple case. This is a much smaller case than they might normally deal with, but this is a case that is important to the Galindo neighborhood and the residents who live here. We ask that you guys really take into consideration the enormity that this could have, the impact that this zoning change would have on our neighborhood on south first corridor, which is not a big corridor like south Lamar and south congress. Respectfully we ask the council to vote against this proposed zoning change. Thank you.

>> Bruce nay.

>> Mayor Adler and members of the council, I appreciate

[2:59:46 PM]

opportunity to be here today. My name is Bruce nye. I'm appearing today on past of the cardinal lane condominium community association and it's board of directors and the 30 homeowners who live here as well as myself. Because I do live at 707 cardinal lane. My first request today of the council would be that you honor the valid petition that the property owners to the west of 3504 south first have presented to you. The cardinal lane association and the owns of the properties on Gamez cove are very concerned about our property rights that we believe are in jeopardy as a result of this zoning request. I would say that I agree with prior speakers that this is not a simple case. We have not been approached by the developer or their council with regard to any

[3:00:49 PM]

specific negotiations, and in fact as the person who carried the vp now before you, I can assure you that the owners on Gamez cove have not been approached by either the developer or its council. We are very concerned about three major issues regarding this property. One is the removal of the overlay because it will allow a building which will loom 80 to 90 feet above the properties to the west of 3504 south first. We find that to be unacceptable. And as Ms. Guerrero has pointed, there's been no traffic impact analysis done. We're also concerned about the runoff that we could see from this appearance of the overlay and then the combined project. If you'll look at your staff's -- what staff has had provided

you in your packet, you will see that there is no runoff proposed or to propose a fee in order to eliminate that

[3:01:51 PM]

requirement. Again, I think you'll find that the property owners are not opposed to development, but we would like to see development within the existing overlay that is on that property. We purchased our property rights subject to that being in existence and we would ask that you continue to consider our property rights in addition to those of the applicant because the applicant's request is based purely on speculative measures in an attempt to increase the value of their property as they market it, whereas our property values and our rights are fixed with where we're at and we would hate to see the council's action diminish our valid property rights. So I would ask that you uphold our valid petition and that you oppose the request to seron 3504 south first. Thank you very much. Rezone.

>> Sean Abbott.

[3:02:57 PM]

>> Hello, councilmembers and mayor Adler. Appreciate the chance to speak and I apologize if I missed my name earlier.

-- My time earlier. I am here on item 92 relating to the zoning of the pier. I will pass along that we have been working with representatives for the applicant and I believe we have an agreed upon postponement and request that -- hopefully we can move this item to the October 15th. With that said, I can express to you that some of our concerns relating to the property relate to environmental conditions, just health and safety concerns especially with the sale of gasoline at the property. Our district engineer, I represent Travis county water control and improvement district number 20, and our district engineer is currently undertaking a study that hope to have soon that will hopefully eliminate some of the concerns that we do have that will be specifically related to gasoline sales. So we do certainly appreciate your consideration of our request which I believe as I have referred to is specifically

[3:03:58 PM]

an agreed to request for postponement. Greatly appreciate it.

>> Malcolm Yates.

>> This is Malcolm Yates. I'm the chair of the roc contact team and speaking about item 94, the ali property on east Riverside. The E rock contact team had voted to oppose this zoning case that would

remove a requirement of for sale units. Amli proposed a private restrictive covenant offering five percent of the 70 new additional rental units would be affordable at 80% mfi. The roc contact team had considered this an inadequate community benefit with the enhanced entitlements they would receive. A revised private restrictive covenant that ali proposed at the planning commission of August 25th offered 10% of

[3:04:59 PM]

the 70 new additional rental units would be affordable at 60% mfi. At the planning commission meeting on August 25th I agreed to this revised proposal that would increase the number of affordable housing units in the expanded development. I received this private restrictive covenant at 11:30 A.M. This morning. Several points in this covenant should be clarified by council. First. Does this new private restrictive covenant replace the original public restrictive covenant with the city of Austin that was created in 2007? This public restrictive covenant of 2007 specified five percent of 450 rental units would be affordable and 80% mfi. Second, will this private

[3:06:01 PM]

restrictive covenant cover five percent of awful proposed 520 rental units at 60% mfi. Please have the applicant clarify these issues. Thank you very much. Impart of the roc contact team.

>> Nadia barbote.

>> Hi. Name Nadia, resident of pecan springs and secretary of the pecan springs, Springdale hills neighborhood association. Our neighbors wanted to update the full council on the progress we've made this summer regarding 3500 pecan springs, item 85 on the agenda. Thanks for the opportunity to speak briefly. Thank you to district 1, 7, 9 and 10 offices for the conversations in the last

[3:07:01 PM]

few days. We had a meeting this past Saturday, September 12th where the pssa unanimously agreed to support a zoning change to sf-6 on the property with the conditions that we have been discussing with the developer. Our group of five diverse neighbors have been working all summer during the pandemic to organize ourselves, understand the options and way them and to communicate to the developer and city council. Yesterday we had a big step in finding common ground and we are optimistic that we can hammer out the final details and continue to a third reading soon on this case. We do want to mention briefly that it is not only this property, but all of the developments in our area that we are concerned about. Specifically the impact to traffic and safety on the streets and sidewalks. And flooding. We hope

and would love to be in conversation with city departments about the aggregate impact of all of these developments which are at least three just on pecan

[3:08:02 PM]

springs in the last five years. Again, we are optimistic and pleased with the progress and we are committed to working toward an agreement that updates the zoning in this neighborhood in a way that mitigates the impact to the current and future neighbors. Thank you.

>> Rachel blockheim.

>> Hello?

[Echo on the line].

>> Yes, go ahead, but be sure to mute -- we're getting a lot of feedback from you. If you have a device -- another device that you're using.

>> Okay. Is that better?

>> You may be too close to the speaker. The microphone, I mean.

[3:09:02 PM]

Okay, now?

>> Go ahead, that's better.

>> Thank you. Hi, my name is Rachel. I live in district 3 and I'm a petition signer and share a property line with number 80 and 81 shady lane. The address on shady lane, but the majority of the property is in the interior neighborhood, mostly along boggy creek and into incident tear\_of the single-family neighborhood. Neighbors are in opposition to the zoning change. These priorities are clearly outlined in the neighborhood plan and still very much the feeling in govalle. The common concern in this particular case are the flood zone. We consistent 80% or more of the property is in a flood zone or water. Safety, the intersection at bohlm and traffic backups are already at unacceptable levels for the neighbors. We haven't even had the majority of developments move into all the developments we're getting

[3:10:02 PM]

hammered with on all sides. The [indiscernible] Sounds as an amplifier. Small conversations across the street sound like they're in your backyard or at your door. A high traffic business or high density with



change the interior neighborhood that surrounds it. Unknown development, neighbors who like to work with neighbors who know what might be happening. What is happening to the neighborhood and what it will bring to that. There is not any reasons about this property. There's many complications with the property, including a portion of the property includes the pedestrian bridge that goes across boggy creek. The property also includes the city access to boggy creek and many public utility easements. The property contains a natural creek bed that feeds into boggy creek and the usage business types or residential units have been a little unknown. Neighbors have been only supportive of getting affordable housing and serving -- and services that they have been starved from

[3:11:03 PM]

in the area. There is much concern this will bring inaccessible business and housing to an area already under severe gentrification. The neighbors do not want to set a precedent for upzoning single-family. We see density being added our the need for upzoning everywhere around us. We have worked tremendously hard to come to a compromise. Over the last 14 months, and especially in the last four months as of right now the conditions agreed upon by the owners, applicants and neighbors are still unclear if it has been filed on record since it has been happening up to 2:00 P.M. Still today. We are unable to gather or update all the petitioners on the activity that has taken place the last 12 to 24 hours. These conditions were a bear minute numb to get the neighbors to move on. While neighbors are okay with compromising they are not okay with the consideration to upzone. They hope the city of Austin will look at the case carefully and put govalle and east Austin neighbors and the environment at the

[3:12:04 PM]

forefront of their decision. Thank you.

>> Bruce Weiland.

>> I'm speaking on item number 83, 218 south Lamar rezoning. My name is Bruce Weiland. I'm lived in the zilker neighborhood for 40 years. The city staff and city council have been presented with a number of written comments why the proposed pud does not provide for a superior project over the existing -- over the existing zoning, and I won't repeat them. I just hope you have read them. Pud zoning was clearly intended for large and complex projects and this project is neither. The city staff and city council know this even though they may choose to ignore it. Pud zoning was never intended to allow spot zoning and to circumvent particular zoning regulations just because a developer finds them too restrictive. It is even more disheartening that the waterfront overlay is being used as the reason to

[3:13:05 PM]

undermine the waterfront overlay itself. The Austin I love is quickly disappearing and I know things can't remain the same forever. But couldn't we do a little bit to save some of it. I urge you to vote against this rezoning and protect the waterfront area and adjoining parks. Thank you.

>> Greg crumb.

>> Yes. My name is Greg. I'm with am burst and brown. I represent Travis county municipal utility district number four. This is regarding item 92. I'll preface by saying I think all the interested parties have been working with each other to try to resolve concern with regard to this rezoning. We've got a draft, set of restrictive covenants that we're trading back and forth. The utility's concern

[3:14:05 PM]

relates to their well water intake within 500 feet of the site. It relates to regulatory requirements with regard to an intake that close to a dock, and health and safety service. The parties have all agreed to a postponement of this matter to October 15th. We think we'll make good progress on working out the issues. And ask that you just approve the postponement. Thank you.

>> Gary Hamilton.

>> Yes, my name is Gary Hamilton. I'm a resident of Barton place condominiums just 200 yards from the project in question. I'm specifically calling to discuss the failure of the traffic plan to accurately predict traffic increases for the sterzing Toomey

[3:15:08 PM]

right to building. The study prepared by big red dog has zero cars going down sterzing and Toomey to the project. Sterzing, you may know, is the street next to Chuy's. If they were to turn on the sterzing street at that intersection, they would have no red lights between them and this project. The alternate route is to proceed down Barton springs to the east. There's a red light at Kinney road, there's a red light at the intersection of Lamar and Barton springs. If you make a left turn there, there's another red light. At the corner of the project which is Lamar and Toomey. The presentation by big red dog at the Barton place condominium showed zero trips for the sterzing-toomey road route. I pointed out to them that

[3:16:09 PM]

it was impossible to assume that zero people will not find the pathway to be faster than the pathway on Lamar and springs road. I ask the city council to vote in opposition to the rezoning.

>> Howard Curtis.

>> Yes. This is Howard Curtis. I'm speaking in opposition to the proposed rezoning of 3504 south first, which is agenda item 89. I'm an owner of one of the phase I units at cardinal condominiums, which are those that are immediately

[3:17:09 PM]

west of the proposed gigantic apartment complex that would be built where Mercury hall is located now with a parking garage in what is now the 3504 lot. To reiterate some concerns that other speakers have raised, I believe that traffic on south first, which is not a major arterial like south congress, or south Lamar, will become more congested. This area on south first immediately north of Ben white is hilly. There are blind spots. It's currently almost impossible to take a left turn from cardinal lane on to south first in a safe manner. I'm concerned with the impact on the character of the Galindo neighborhood to

[3:18:10 PM]

the west of the proposed construction site. It's quiet at this point. You can walk your dog along the street, you can push a baby carriage, have your children on bicycles and feel quite safe. I think this proposed project inevitably will increase the volume and speed of traffic on south fifth and south second, and change the ambiance, if you will, of the Galindo neighborhood. I'm concerned with drainage. It's been pointed out that the Mercury hall site is the highest point in the agent areas. It currently a big sponge and very little impervious cover there and it soaks up rainwater. With the introduction of

[3:19:12 PM]

large impervious cover areas, those of us downhill, and I'm immediately downhill of the site, I think are at risk for serious drainage issues. And as Mr. Nye pointed out, those of us who owned property in the cardinal condos for-- in ma'am goes over to the immediate south, I'm quite convinced will see a diminution of their property values both before the construction period and after.

[Buzz]. Thank you very much.

>> Robert Ferguson.

>> Good afternoon. This is Robert Ferguson. We're engaged as the district engineer for Travis county and Travis county

[3:20:13 PM]

municipal district number 4. The zoning request item number 92 is from the property owner of what has been previously known as the pier on lake Austin. The intake was approved in 1984. The pier restaurant was in operation at this time with both slips, docs and glean sales. The raw water intake is approximately 800 feet downstream on the same side of the lake. The state's regulatory oversight now resides with the Texas commission on environmental quality and the staff of tceq has more than once said they require the right to enforcement of the rules which requires 1,000 feet between surface water intake and boat docks, marinas that are accessible by the public. With the current rules and policies in place and exercised, the focus on protecting public water supplies beginning with the source of water and the location of the raw water intakes is pair mound. Around 2005 the pier restaurant ceased operations and the source of potential pollution was eliminated. Granting of this rezoning

[3:21:13 PM]

request to provide for the redevelopment of the site for a use that could include gasoline sales increasing the risk to the water supply, specifically the raw water supply of the water system. It would make sense to postpone this to allow time for the applicant to seek a mutually agreeable solution to this concern. Absent a postponement of action, it is my recommendation to deny the zoning request due to the potential of contamination of the water supply of district number 20. Thank you very much.

>> To all the speakers in queue, if you have not pressed zero, please do so now. Terry Barnes.

>> Hello. My name is Terry Barnes. I'm vice-president of the board of directors for Travis county water control and improvement district number 20. We've had our council speak on our behalf.

[3:22:14 PM]

We've had our engineers speak on our behalf. I worked extensively with nikelle on this pier property back in 2006 and 2007 on a pier pud rezoning application at this time. We've had considerable knowledge in a lot of the history of the pier. Considering the distance of our raw water intake and out of respect to our water district and the concerns we may have with the tceq, I would also like to ask for a postponement until the October 15th of 2020 until our counsel can work with the applicant and possibly resolve any of our concerns we may have with the water quality. In particular the aspect of the dispensing of gasoline both upstream and downstream of the water intakes for both the water utility, Barton creek number four and the Travis county water and control improvement district

[3:23:15 PM]

number 20. Thank you.

>> Jessica elay.

>> Yeah. Jessica. Hi. I'm the co-chair of the co-valley neighborhood association and I'm here to speak about items 80 and 81. As Rachel said earlier there's a restrictive covenant on this property and I'm here to echo her concerns from neighborhood. This is a weird piece of property. Councilmember Renteria, I remember you telling me about how the neighborhood govalle would flood back until they like cemented in boggy creek. And the piece of property on was regarding items 80 and 81 are a majority in the creek. The parts that aren't in the creek are full of easements in order to give neighbors access to the pedestrian bridge, in order to give

[3:24:16 PM]

utilities access to the boggy creek to maintain boggy creek. There's a lot of places to put housing. This is just a really weird place to put housing and there's a really big concern. Like all of the land is in the floodplain, but I want to just echo what the neighbors have -- they've been working over a year to hammer out a compromise, a compromise was reached and that's why it passed planning commission and now things have come down to the 11th hour. I don't know if the restrictive covenant has been filed or not. If you could speak to that for a minute because this issue has been changing like hour by hour. And I don't know where things stand. I know there's a valid petition. I know they've been working on a restrict, but it's a big old mess. So if you can't allow the restrictive covenant, if that's not filed, then you should very much so vote

[3:25:16 PM]

against items 80 and 81. Thank you.

>> Mayor?

>> Yeah, I think you should -- [indiscernible].

>> Harper-madison: Mayor pro tem, I think councilmember Renteria is wanting to be recognized.

>> Garza: Sorry about that. Pio.

>> Renteria: Just for the last caller there --

>> Garza: Pio, we can barely hear you.

>> Flannigan: Pull your mic down, Pio.

>> Renteria: I found that a restrictive covenant has been filed and it's in the document. It's just that it was so late and I got one from Danielle Yanez with the contact team saying they had reached an agreement. So I just wanted to let you know that if that turns out to be true, I'll support it.

[3:26:18 PM]

If not, I'll vote against it.

>> Garza: Okay. Thank you. Anyone else want to make a comment? In you do, I can't see everybody, but go ahead.

>> Meredith Gardner.

>> Hi, thank you. My name is Meredith Gardner. I'm speaking in in regard to items 80 and 81, shady lane. It is my understanding that a restrictive covenant was filed just this morning. However as a neighbor who shares a property line with boggy creek and the shady lane property across the creek, we as neighbors have worked really hard compromising because we understand that Austin is changing and that more housing needs to go into place, but as it was previously mentioned this property is really weird. A lot of it ends up in the

[3:27:20 PM]

floodplain. The tract that is across from my property is supposed to be late retail, and I'm just very -- still very concerned. We came to this restrictive covenant in this agreement basically just in fear of something worse. I don't think any of the neighbors are super thrilled about it, but we do understand that compromise is necessary but that doesn't remove any of my concerns about what will be eventually developed there and how it will potentially affect flooding going forward and how it will affect traffic and noise. As Rachel said, I can hear every conversation that happens across the creek because there's a cemented creek bed. So it is still a major concern and things have -- and information has been coming forward even this morning and trying to stay

[3:28:21 PM]

on top of thing has been challenging and really frustrating for myself as a neighbor. Thank you.

>> David malice. David, be sure to unmute.

>> Yes, this is David malice. Can you hear me? I'm with Murphy engineering. Can you hear me?

>> Okay. This is David malice with Murphy engineering here to speak on behalf of item 92. I represent the water district 20 as the district engineer. I have since 1983 when they

[3:29:23 PM]

were created. I'm here to also speak about the intake structure. I know -- and the location of the intake structure. I was personally responsible for the location of that back in 1983 and we look to several sites along the way to locate that. And its Texas health department, Mrs. Frances hidalgo and I decided that was probably the best location for it all things considered. A lot of different rules and regulations that prohibit or restrict it from certain sites. The -- those plans were approved in 1994 and since then over 40 years we've learned a whole lot more about drinking water and water quality. Primarily we've become now more concerned about chlorinated organics and so I'm here to support the postponement of this item so we could more fully address. The -- basically the applicants want to have a

[3:30:23 PM]

zoning that would allow them to reason stall a gas -- reininstall a gas station. And we're concerned about that as it -- as gasoline has several hydrocarbon components several benzene, xylene and others that we feel could get in our drinking water supply and contaminate -- and result in these formations which chlorinate organics that are cancer cogs. It's a real concern. I think it would jeopardize our water system. We have 450 customers out there. We are also tied to a city of Austin interconnect. We're tied to Travis county mud four interconnect as well as the west Travis county interpua interconnect. So that's a concern I have. And I do -- I'll just say I do support the postponement

[3:31:25 PM]

with the -- as the others. Thank you.

>> Rolando Pena.

>> Yes, go ahead.

>> Okay. Can you hear me? Yes, please proceed.

>> Good, good. It's news to me. How many, three minutes?

>> You have two minutes, sir.

>> Two minutes, okay. I'm here to speak on item 89 that will ask council to recognize and honor the valid petition with the homeowners, number one. Particularly I want to

[3:32:29 PM]

oppose the founding member of the Galindo neighborhood association opposed to the 3504 rezoning. It's a very small lot. There's no traffic impact analysis. That's about it. Oh, and you don't really need apartments. This development is pro development and is contingent on the rezoning passing. If not they won't buy the property. I'm sure there are other people, including the city of Austin, who can afford purchasing this property that's adjacent to ems. It would be a good investment for the city of Austin. And to reconsider this developer, we've worked with other developers

[indiscernible]. If you can't buy the property, then I'm sure other developers are able to purchase it. So once again, thank you, councilmembers Alison alter,

[3:33:30 PM]

I got a chance to -- your specialty is priority address willing transportation challenges and community connector. I hope you do that here. Kathie tovo, you're a neighbor from the Bouldin creek neighborhood association.

[Indiscernible]. Greg Casar, appreciate all your immigrant

[indiscernible]. And Delia Garza, and I ask Natasha harper-madison to consider all of you, including the mayor, to not the support the change to the zoning request. Thank you very much.

>> Greg gierson?

>> Yes, good afternoon. My name is Greg grieson. I live in between Westlake hills and the city of bee

[3:34:32 PM]

cave. I'm speaking on item 92, which is the application to rezone the pier property on lake Austin. I am president of the Travis county water district number 20. Our district has been providing drinking water since the mid 1980s to the neighborhoods surrounding our water treatment plant on Westin lane, which is just a stone's throw from the pier property being discussed this afternoon. Our district has 375 water connection cans to put an open element to that, we supply on the infrastructure to supply them with clean water. Our districts allow water intake on lake Austin operates within 1,000 feet downstream of the pier. As you've heard today the boards, the operators and the engineers of the affected districts have concerns about environmental and considerations to the



[3:35:32 PM]

reopening of the pier. In particular we're looking at gasoline sales occurring within 1,000 feet of our raw water intake. We've asked our water engineer to generate a support that provides additional detail relating to the health and safety risks and environmental considerations relating to operating a raw water intake next to gas pumps. We expect that report to be completed soon. As the previous speakers on item 92 had mentioned we greatly appreciate your consideration of our request for postponement of this item until October 15th and the district's concerns relating to gasoline sales at the pier. Thank you.

>> Michelle Amrille.

>> Hi. Am I coming through clear?

>> Yes, you are.

>> Great. Hello, Mayor Adler and councilmembers.

[3:36:32 PM]

Thank you for giving me and others this platform to share our thoughts and feelings for how this project of the rezoning of 3404 South First Street will affect our neighborhood and livelihoods. I am opposed to the rezoning. I'm Michelle, a concerned owner on Cardinal Lane with my son for six years and county. The safety for our walkers and bikers, compatibility and preserving our trees and greenery is the utmost importance to me and our neighborhood. So first I'd like to share that I'm open to new development. However, I would like to see that it's more compatible to our neighborhood. I was told that this area was initially zoned for a single-family home and then Mercury Hall got it rezoned for parking and then they got it rezoned for this five-story parking garage and apartment complex. I object to the placement

[3:37:33 PM]

and size of this project for many years. Here are my concerns. It's a high traffic area and has a big blind spot because of the hill and there's no turning lane or bike lane. They have seven other apartment complexes on South First, however the ground is flat and not at an -- and not in a major way. I the city to consider a traffic light and it was mentioned at the last meeting it wouldn't be approved because of how close the traffic lights are on Center Street. With the blind stop everyone will be using the light on

[indiscernible] Street and that already gets backed up in high commute times and with the elementary school a short distance away. And more importantly, attempting to take a left turn on to South First is very challenging and dangerous with this blind spot and being on a hill. And number two, the height of this development, the esthetics of this five-story parking garage and how it will look in our neighborhood -- [buzzer]

[3:38:44 PM]

And the unknowns as this underground retention pond and all the concrete to build out and all the erosion it may cause to the property and surrounding areas. I worked closely with our landscaping company and we're seeing quite a bit of erosion [indiscernible]. So I would like to see a smaller residential community similar to our community and/or some retail space go in that space and to keep --

>> Speaker, your time has expired.

>> Sarah vander be.

>> He low.

>> Go ahead, please.

>> I'm calling for the property on north Lamar. My name is Sarah vanderbeak, I'm part of a non-profit art

[3:39:48 PM]

organization that will be part of the gallery on south Lamar in partnership with the city of Austin. Austin is one of America's go to destinations for artists and art lovers, but our art communities are going through an unprecedented crisis, now pounded exponentially for covid-19. When councilmember Ann kitchen approached the developers and asked them for a free space for the arts, my partner and I had been operating Dorf, an experimental home gallery in district 5. We realized that we were growing too large for our home. We are excited to announce that at 218 south Lamar we will partner with the developers and the city of Austin to form a free gallery space offering exposure for local artists in a prominent location. I strongly hope that this type of radical philanthropy will serve as a model for future developments as a way to give back to our local

[3:40:48 PM]

arts communities that are currently being hit so hard by our city's rapid growth. This partnership directly addresses the crisis, provides opportunity for the underserved and promotes the artist community. It is close to art organizations and gives us many future partnership opportunities. All of this will build community goodwill, generate cross center interest and be a significant platform for promoting Austin artists and local tourists. I fully support the redevelopment of 218 south Lamar. Thank you for your time.

>> Tim Murphy.

>> Hello? Yes, my name is Tim Murphy and I am here to speak in opposition of item 80 and 81. The shady lane rezoning

[3:41:50 PM]

project. As past speakers Rachel and Meredith and Jessica all mentioned, we have been working very hard over the past year, year and a half with the applicants, our neighbors, to find a compromise that will work for everyone involved in the neighborhood. And although we have reached that compromise, a lot of this work has been done in the 11th hour which has been incredibly stressful. And we cannot support the rezoning of this project without knowing if this private restrict has actually been filed and attached to the land. So I would encourage all the city councilmembers to vote against this rezoning if the private restrictive covenant has in fact not been filed and we appreciate your time. Thank you.

[3:42:54 PM]

>> Soon young chunk.

>> Hello.

>> Yes, go ahead.

>> Hello, my name is sun young Chung and I am

[indiscernible] Otherwise known as shady lane. And I am speaking against item number 80 and 81. As you heard from previous speakers, we've been working on this request for over 14 months or longer. We have reached an agreement and spoke to that effect at the zoning hearing. About 24 hours ago we found out that the first hearing was held back in July and left 90% of our agreement was not even mentioned, it was null. The applicants have written an rc on items that was left out of our agreements but it is not filed, and I suppose

[3:43:55 PM]

that's due to having rushed this document until just about two hours ago. We have a valid petition and we can't possibly contact all the folks so quickly. I've been uncomfortable with all this and we're not even sure if this was filed yet, so we ask to -- yeah. So we are asking that you postpone so we can learn more about it. Or if you can't vote against it, I mean -- if you can't postpone it, we ask you to vote it down. For one thing, we really like to go contact our lawyer to look at the restrict rc that they have written. We didn't have a time. They hired the lawyer to do that, but we have not had a

[3:44:56 PM]

time to run it by our attorney, who that might be. So please, either postpone it -- [buzzer]. I appreciate your time. Thank you.

>> I would like to thank you all for your time. You've been listening to this meeting since 9:00 this morning. I'm impressed to your listening skills. All of you in this -- and you all heard them. We don't want a 275 or 350

[3:45:57 PM]

unit apartment complex. It would change the entire feel of the neighborhood. We also feel that there are obvious reasons that it wouldn't fit and proper research hasn't been done. There hasn't been a traffic study, there hasn't been a study by the removal of heritage trees, the water runoff issues caused by the increased impervious cover -- in the impervious cover surface. None of these issues have been changed or addressed. We are not against -- I am not against any development. Obviously there needs to be development. I'm not speaking the need to repurpose the land, which will be vacated by Mercury hall. I'm objecting to the rezoning of the area without proper traffic studies for the sole purpose of building a densely packed apartment

[3:46:58 PM]

complex. By limiting the building height and the traffic, we will still be able to build something on that site, whether it's by site developers or some other company. Thank you. >>

>> David piper.

>> Yes. Am I clear?

>> Yes, go ahead.

>> I'm Dave piper, president of the zilker neighborhood association to speak on item 83, the schlotsky's pud. Most of these stated superiority items would be on any development on the site. Some of the superiority items are pretty much the same as others only state understand a different way. Natural building materials are a requirement, but compared to city hall and the new library and Parmer city this project is garish. Austin -- garish. Austin needs development on

[3:48:01 PM]

[indiscernible]. 10 units might be worth more than the half of 1.5 million. Plus we'd have another additional 90 residences. If the recent legal interpretation from staff is acted upon, council can authorize pud zoning for any tract of land. With also allows any project to be declared a pud, therefore it gives council the authority to approve any project, anywhere if a pud is declared regardless of its size zoning or overlays. That's a slippery slope and opens the pud ordinance to even more abuse. There should be in codified limits on these puds. Just because it's legal arguably doesn't make it right. This interpretation is acted upon and gives the appearance that sufficiently funded parties have an advantage over smaller surprises in terms of manipulating zoning by declaring a pud. The only restrictions being these applied by council to

[3:49:03 PM]

push their products over the finish line that is not a good system. Thanks.

>> I'm here to speak on item 89. My name is Patti sprinkle and I thank you for the opportunity to speak to you today. As you will hear from the team, this will a simple case so they say. We contend the 2007co at 3405 south first street that limits the height to 40 feet and vehicle trips per day to 2007 even more necessary now than it was when it was put in place 14 years ago. The original staff notes from the 2000co rightly recommends a ti be done before any rezoning of this property. It is not acceptable that

[3:50:04 PM]

one has not been done. While south first street is a corridor, it is four lanes without a turn lane, a bike lane and has substandard walks. 3405 driveway is at the height of the hill and is a blind drive making right or left turns difficult or impossible, depending upon the time of day. The site's vehicle trips per day of 2000 is as this site has only been used for spillover parking for Mercury hall it's safe to say that the permitted trips of 2,000 have never been reached. It is yards from an ems station that serves our community. Where is the traffic analysis. We need more information. We know the pandemic has forever atered how we work and do business. Many resources are seeing that they are fleeing the cities and aisd's new enrollment figures show just that. A loss of over 3,000 children who are requested to enroll -- expected to enroll and did not. Without the festival, the restaurant and bar scene skeen and with the increased

[3:51:04 PM]

ability to now work from anywhere, will they find Austin such a great place to call home? I know the majority of us are still working on the premise that Austin will be back. I believe that too. But the economic destruction is just now being understood. It's boom or bust around here and it looks like a

bust cycle to me. Where are the metrics that justify this project, do the need for more apartments along south first corridor? Right now I can point to at least the projects -- three projects that have been permitted for mixed use and they haven't broken ground. I would say to you that this project is being rushed and we wonder why --

>> Speaker, your time has expired.

>> It's about entitlements. It's a spec deal. It's about the money. So we would respectfully request that somebody on the city council uphold the neighbors because essentially this co is here because of life and limb to protect life and limb. It was put in place by the --

>> Garza: Thank you,

[3:52:04 PM]

ma'am. Thank you. Thank you. Mayor, I see that you're back. I'm going to hand the chair back to you. I quickly wanted to comment on item 62 because apparently my office has gotten media requests and maybe yours too. I wasn't aware -- I was made aware earlier today that the entire council signed on to be co-sponsors and I had not publicly said that yet. So I wanted to publicly say, of course, I would like to join my colleagues as we all seem to have been signed on to join item 62. I also think my vote yes would have also affirmed my support as well as my consistent support on childcare and music and the restaurant and service industry. But let the record show I would like to be a co-sponsor on 62.

>> Mayor Adler: The record will show that and this work on 62 I think represents work that we have all done. Over a considerable period of time. Clerk, is that everybody?

>> We have one more speaker,

[3:53:06 PM]

mayor. Zenobia Joseph.

>> Thank you, mayor, councilmembers. I'm Zenobia Joseph. Mayor, I have a technical correction before I make my comments. I signed up yesterday at 11:59 A.M. For item 84. It's 3500 pecan springs road. But my actual written testimony is in item 85. And I inadvertently signed up for number 68 twice. So if the clerk could correct the record and show my neutral position for 85 and opposed to 68 twice. And I'll make my comments if that's okay.

>> Mayor Adler: Go ahead.

>> Thank you. I just wanted to speak to the affordable housing units specifically. It's the 25 condos is what's specified in the draft resolution but I want to call your attention to the fact that it says 18 units

[3:54:07 PM]

maximum. In the September 16th 2020 pecan springs neighborhood association email. I am concerned, however, because there were two units that would be affordable and my question is really just whether a restrictive covenant, a private restrictive covenant could actually specify 80% area area. And I would be curious to know what the ordinance is that determines the postponement. This is an ideal case that's been postponed five times and I appreciate Peter gray, the applicant for working with the community. I do want to say that my other concerns were historical and cultural relevance and the pedestrian hybrid bee can. There's a bus stop at Springdale and it's right across from touch stone. There's also a silver shelter there. And just so the record is accurate, if you look at ages 18-19 you will see where I annotated the shelter which indicates that this is undeveloped land. It's specified on page 3,

[3:55:08 PM]

religious assembly. That's the area for David's chapel future site. There's a prayer garden there, but it's just trees. It's undeveloped and it's specified in the packet.

[Buzzer]. Capital metro did not comply with their service guidelines and standards there. And if you have any questions, I'll gladly answer them at this time.

>> Mayor Adler: Thank you very much.

>> You're welcome.

>> Mayor, that concludes all of the speakers. We now have the ahfc speakers merged and ready to go when you're ready.

>> Mayor Adler: Okay, thank you. Jerry, how quickly can you take us through the consent on zoning?

>> Mayor, give him a minute to get moved over.

[3:56:21 PM]

>> Mayor Adler: We'll have a discussion that and then the ahfc items 1 and 2 and have items to speak on that and that's how we'll proceed here.

>> Mayor, can you remember?

>> Okay. I'll walk you through the consent agenda.

>> Please.

>> The first one is item 73, I can offer this for consent approval on first reading. This is the Cota pud. Item 74, I can offer this for consent approval on all three readings. Item 75, can offer for consent approval on all three readings. Item 76, consent approval on all three readings. Item number 77, this is a staff postponement request to October 1st. Item 78. I can offer this for consent approval on all three readings.

[3:57:22 PM]

Item 79. This is a postponement request by the staff to October 29th. Item number 80 and the related case is item 81. , These are the two shady lane cases that you heard several speakers speak about. I can say that on these cases we read into the record on first reading several conditions. The conditions that can be put into a conditional overlay, there are two conditional overlays in the ordinance. The other conditions were put into a private restrictive covenant that was signed this morning. I have seen that document, received a copy of it. However, it has not been recorded that the county court yet. And the case has a valid petition. So I'd like to know would the council like to approve this on second and three readings knowing that the restrictive covenant has

[3:58:22 PM]

been signed but it would take nine votes in order for it to pass on second and three readings? Could you like me to pull the case or leave it on consent?

>> Mayor Adler: Anybody object to pulling this?

>> Kitchen: I have a question.

>> Mayor Adler: Go ahead, Ms. Kitchen.

>> Kitchen: So Jerry, the conditions read into the record, is every one accounted for in one of these two places that you mentioned?

>> To my knowledge, yes. I just got the restrictive covenant a minute ago. The private one we're not a party too, but because they signed it it included all those other conditions and then there's two call C's that are in the ordinance. Co's.

>> Kitchen: Okay.

>> Pool: Mayor? Jerry, would you just circle back unless you already have done it, circle back around with the folks who are raising objections and just make that sure that they're aware and maybe we could come back and approve this if they are aware and they

[3:59:23 PM]



don't have objection.

>> I did send out an email earlier this afternoon. I did tell them I received the covenant because it was signed by [indiscernible] Yanez and we received it. They however told me that they do not have the time, which I understand, to go back to all the people who signed the petition to ask them to take their names off of it. So there's still a valid petition, but I can tell you the restrictive covenant and simply needs to be taken to Travis county and

>> Pool: And councilmember kitchen, addressed all the concerns the neighbors had and raised the valid petition?

>> To my knowledge, yes.

>> Pool: Okay. I'm going to ask staff to double-check on all of that. So for me I don't want to -- maybe we should pull 80 and

[4:00:27 PM]

81.

>> Next one is 82, c14-72- 032, postponement by staff to November 12th. Next we have item 83, which is the pud, that item pulled for discussion. Item 84, npa-2019-0015, .02 and related case. We did read in some agreed upon -- have been done so. The applicant is still working on a private restrictive covenant with the neighborhood and there is still a valid petition. I can offer for consent on second reading only.

>> Mayor Adler: Okay. Second only on 84 and 85. I would offer one other

[4:01:29 PM]

thing. In the ordinance it stated 25 units. The agreed upon number is 18. Approved on second reading with 18 units as opposed to

[indiscernible]. That was on the [inaudible] And we'll get back to that. Next is item 86, npa-2018- 00.001, indefinite postponement by the applicant. 87, c14-2019-0029. Indefinite postponement request by the applicant. Item number 88, c14-2019- 0108. Offered wore for consent on first reading. Item 89, discussion.

[4:02:30 PM]

91 has been withdrawn and will be back on October 1 agenda. So it's withdrawn. Item 92, c14-2020-0063, this is postponement request by applicant to October 15 by the neighborhood and the applicant is in agreement. That's the lake Austin peer. 93, I understand councilmember Flannigan would like to pull that item so that is pulled. Item 94, c14-05-0112, consent approval, but Malcolm Yates did have some questions and the speaker portion of this afternoon and I believe that Steve Brenner is on the line if council would like to have those answered, but otherwise I can offer for consent.

>> Mayor Adler:

[4:03:30 PM]

Councilmember pool.

>> Pool: I understand that has been postponed to 10-15. Stark? Is that correct?

>> Mayor Adler: 10-15.

>> 92 is October 15th.

>> Pool: Thanks.

>> Alter: If I could make sure the record has 92 is in my district as not district 9, as I understand it.

>> Yes.

>> Mayor Adler: So on the consent agenda, consent agenda is item 73 through 94. The items that I'm showing as pulled are 80, 81, 83, and 89. Is there a motion to approve the consent agenda?

>> Mayor, I believe that councilmember Flannigan wanted to pull number 93.

>> Mayor Adler: And 93, thank you. 80, 81, 83, 89, and 93. Those are the cases being

[4:04:31 PM]

pulled so far. Is there a motion to approve the consent agenda? Mayor pro tem makes a motion. Councilmember pool seconds. Discussion? Those in favor raise your hand.

>> Tovo: I have discussion, mayor.

>> Mayor Adler: Hold on. Yes, councilmember tovo.

>> Tovo: I would like to record to reflect my abstention on the parker road house. I'm sorry, I suddenly do not have that number in front of me.

>> It is number 88.

>> Tovo: Thank you.

>> Mayor Adler: Parker house. Okay. Any further discussion? Councilmember Flannigan.

>> Flannigan: I just wanted to make a comment and impact fees or mitigation fees we collect on projects on our site where dollars are being spent on roads just in the county. And it's -- I think there's

[4:05:32 PM]

some more analysis to be done there and I understand staff says it's normal for city projects to be using on Travis roads and that Travis county projects might be used on city roads, but I think not necessarily related to the pud itself, but a larger conversation about how that works on projects and how the math plays out because it's not entirely clear, the county is even able to accept the same fee that we are.

>> Mayor Adler: Okay. Let's take a vote on the consent agenda.

>> Mayor, this is Jeanette. We had three speakers for zoning that got dropped. Do you want us to try to call them back before you take the vote?

>> Mayor Adler: Yes.

>> Give us two minutes.

>> Mayor Adler: Colleagues, just take a look on what we have left.

[4:06:35 PM]

Pulled items, item 12, councilmember Ellis has an amendment. Item 17, councilmembers Casar and alter each have amendments to bring forward on 17. On items 18 --

>> Kitchen: Mayor, I have an amendment also on 17.

>> Mayor Adler: Okay. I don't know that I saw that. Is that posted or anything?

>> Kitchen: Yeah, it's in backup. It's posted on backup.

>> Mayor Adler: Great. Thank you.

>> Tovo: And mayor?

>> Mayor Adler: Yes.

>> Tovo: Sorry, when you were announcing this morning, I didn't chime in but I also have an amendment on 17 and I have a comment on 17. And at the appropriate time I would like to talk, as I mentioned this morning, I want to talk about postponing the demolition items 12 and 67, I think it is. With apologies, I'm going to have to ask a clarifying question about something we passed on consent that I need to pull for conversation before we passed it.

>> Mayor Adler: Which

[4:07:35 PM]

number is that?

>> Tovo: 53.

>> Mayor Adler: Okay. We withdrew it and it was my understanding it was postponed until 10-1. We may need to reconsider to put it back on and change course.

>> Mayor Adler: We'll pull it up to discuss. On 18, 48 and 95, we have direction from councilmember kitchen, an amendment from councilmember Casar, and I do want to state in the record with respect to that that there's a correction, the fiscal note funding is available in fiscal year 2019-2020 capital improvement budget. It was inaccurately listed as the fiscal year 21 operating budget. I just read that correction into the record. We also have after 12, 17,

[4:08:35 PM]

18, 48 and 95 and now 53, we also have 54 to take care of and then we have the saves resolution. I have the version 2 which is going to be the base motion together with Adler amendment 1 which picks up councilmember pool's that was inadvertently left out, and also I have five words on councilmember kitchen's that I inadvertently left out and I'll read those into the Recor on her amendment that was incorporated. I think councilmember tovo has an amendment as well. I've incorporated out of what I had seen earlier. 65, 66, 67 and 68. And then we'll have the zoning cases that have been pulled. Obviously we also have the

[4:09:38 PM]

Austin housing finance corporation meeting which we'll go into and hear the speakers as soon as we're done with zoning. Clerk, you interrupt me any time you have --

>> We're ready when you are, may.

>> Mayor Adler: Councilmember pool, did you want to say something before the speakers?

>> Pool: 80 and 81 the request I'm hearing from the -- concerned about just approved on second to give time for the papers to be filed with the court and come back for third reading once those are recorded. That's for 80 and 81. That's a valid petition. And that may help

[indiscernible]

>> Mayor Adler: Jerry, does that present any issues?

>> None at all, mayor. We can bring it back for third reading on October 1 and give them time to record the covenant and give the neighbors time to remove their names from the petition if that would work.

>> Mayor Adler: 80 and 81

[4:10:39 PM]

on the consent agenda, approval on second reading only.

>> With correction to come back October 1, the number 73, I would like to bring that case back October 1 also. Second and third reading.

>> Mayor Adler: That's item 73.

>> Correct.

>> Mayor Adler: Go ahead and call the speakers.

>> Steven coursens.

>> Hello, my name is Steven coursens, good morning, mayor, mayor pro tem and councilmembers. I have been a resident in Galindo neighborhood 27 years and strongly opposed to the Mercury of the zoning case in number 89. I have three images I provided. The first shows the two Mercury hall properties. The first few facing south at lightsy lane at the lower left and cardinal lane and

[4:11:40 PM]

Galindo to the property. The applicant and developers refer to the narrow parcel on the south side as the sliver and that presented this is a simple case of consolidating codes need to do create a profitable project. The logistics of the site are much more complex, this is a very challenging location due to topography and existing traffic and safety issues in the neighborhood. The south property is located on a ridge at one of the highest points in south Austin at an elevation of 687 feet. There's a steep drop in elevation in all directions from the highest point of the two properties. There's a drop in elevation of about 70 feet from the property on the crest of the hill on cardinal lane to nearby corner of south fifth and cardinal in the center of our neighborhood and the west Bouldin creek watershed. The next image.

-- Creek. The second is a composite sketch indicating potential

[4:12:41 PM]

scale and volume of the proposed project in relation to the surrounding areas based on the preliminary details provided to the neighborhood at our meetings with the developers. If the existing height restrictions are removed and the conditional overlay on the south lot at the highest altitude of the property, the proposed three and five-story structures and the five-story parking garage would likely be much higher due to topography will at a level compatible with surrounding areas. South first is identified as a traffic corridor but is an already seriously overburdened narrow four-line street with no center turn line.

[Buzzer sounding] 100 feet to the north. Complicating the addition of a second set of lights. I urge council to deny the rezoning on this agenda item and uphold the conditional overlay recommended in 2007.

>> Mayor Adler: Thank you.

>> Until a more manageable scaled project can be

[4:13:42 PM]

developed.

>> Mayor Adler: Thank you very much. Next speaker.

>> Phillip kleinfelter.

>> Yes, hello.

>> Go ahead.

>> Can you hear me?

>> We can hear you. Go ahead.

>> Oh, you can hear me? Hello?

>> Yes, go ahead, please. Speaker.

>> Excuse me. I'm Felipe kleinfelter talking about 80 and 81. I've been on this property across the street from this development 40 years. I live and work here so I'm here all the time. Know the neighbor extremely well. We are against the project, but when the city voted against us, we decided to come up with a compromise, not in place yet, so we're leery of anything that's continuing until we know the compromise is in place. But you need to know how brutal this process was for the neighbors. This took it out of people trying to have a say on how their neighborhood was developed. And I just have to reinstate

[4:14:44 PM]

the brutal process you caused these neighbors to go through. At any rate, we're against the project, we're willing to go with the compromise. Thank you.

>> That concludes the zoning speakers.

>> Mayor Adler: Thank you. Colleagues, consent agenda has been moved and seconded. What's being pulled is items 83, 89, and 93. It's been moved and seconded. Those in favor please raise your hand. Those opposed? I can't see councilmember Casar, councilmember tovo. Do you guys vote -- how do you -- on the consent agenda?

>> Tovo: Mayor, sorry, I seem to be frozen on screen but I am voting in favor with the exception I indicated earlier for the

[4:15:44 PM]

parker house, abstaining.

>> Mayor Adler: Councilmember Casar, are you with us? Consent agenda passes 10-0-1.

>> This is Jeanette, sorry, can you confirm if the public hearings are being closed on 73, 88, 80 and 81?

>> Mayor Adler: Yes, public hearings being closed.

>> Thank you.

>> Mayor Adler: Thank you. All right, colleagues, it is 4:15. We're going to take a recess in the city council meeting so that we can convene the -- and I hereby do convene the Austin housing finance corporation here on September 17, 2020. And convene the meeting -- councilmember Casar, were you present for that vote?

[4:16:45 PM]

>> Casar: No, sorry, I was off the dais.

>> Mayor Adler: Okay. The city council meeting here on September -- Austin housing finance corporation board meeting here at -- on September 17, 2020. The time 4:16. This is being held by video conference. We have some speakers here to speak almost all on items number 1 and 2. Before we go to speakers, I just want to give an opportunity to staff to lay out at least those two items, although speakers are going to be invited to speak on all items on the agenda. Then colleagues, anybody that wants to address it, I'm going to give you an opportunity to do that as well. Staff, do you want to lay out at least those first and

[4:17:45 PM]

second items.

>> As you mention there are six items on the agenda. I'm happy to run through any and all of them, but the first two items, of course, we have a variety of speakers.

[Indiscernible]

>> Pool: Can we tell Mandy her microphone is not the best? Hard to understand you, sorry.

>> Is this any better?

>> Pool: Maybe just talk into your screen instead of those.

>> Mayor Adler: Councilmember harper-madison son.

>> Is that any better?

>> Pool: Awesome.

>> I interrupted.

>> Harper-madison: My fifth grader's teacher says it's important after a couple of hours of hard week we all need to take a

[4:18:46 PM]

15-minute brain break. I thought Mandy might need more time to fix her speakers. It's not too late to listen to brilliant educators.

>> Mayor Adler: We'll take a minute in a report.

>> Mandy, Austin housing finance corporation, now that my microphone is working. There are six items on your agenda. I wanted to provide history and context on the two items that are generating a lot of interest today. Item number 1 authorization and execution of a distribution of a parcel at 900 Gardner, approximately six acres owned by ahfc since 2013. Item 2, authorize negotiation and execution of an agreement for the disposition of assemblage of properties at 1127 tillerry, and that in total is

[4:19:47 PM]

approximately 5.15 acres. Just as a reminder in October of 2019 based on a voter of council directions, we provided the ahfc board a memo that laid out the properties owned by ahfc and plans to develop them. We identified three properties that we planned to put out for solicitation. Two of those are here before you today. That memo is from October 4, 2019. Two of the properties we laid out the schedule for disposition which included stakeholder engagement in the spring of 2020, a request for proposals in



late spring, early summer, and here we are today. So just so you know, we engaged Shiranda Robinson to assist us with our community engagement stakeholder meeting early in 2020 and then, of course, with COVID-19 we had to quickly

[4:20:49 PM]

pivot from in-person meets to virtual stakeholder engagement. On April 21 we had our first public input session. We discussed a variety of things including the site details for both properties. The benefits of affordable housing such as helping long-standing neighbors remain in the neighborhood, and then our development objectives. We gathered, we initiated the gathering of public input. We did a survey of development objectives for each of those sites. And then we continued to gather public input via text, email, printed packets of materials that were available at the Walgreens on Airport Boulevard. We solicited input from Speak Up Austin and 311, and as I mentioned we also had an online survey. On May 14th, we conducted our second public meeting, then virtually for both

[4:21:49 PM]

parcels and there we unveiled the results of the public input that we had received thus far and we presented a variety of different development scenarios. Nothing that was required but just options that would be potential on the site. Throughout all of this engagement, we were very clear that our development objectives for these two parcels were four things. One was to maximize the number of affordable units. The second was to maximize the number of deeply affordable units. The third was to maximize the number of multi-bedroom units for families with children, and/or continuum of units for people experiencing homelessness and the fourth objective was to minimize the amount of city subsidy. Our RFP was released on June 15. We continued all of our stakeholder input through our online survey through the beginning of June. Then we released the RFP on

[4:22:52 PM]

June 15. The RFP, just so you know, included site description, backup material that are our survey, zoning information, phase ones for both properties, plus we provided demographic information about the neighborhood surrounding the site, and gentrification typology for the neighborhood as was identified in the report. We held three submittal meetings virtual on June 21 for both parcels where we laid out both the RFP requirements and the development of

[indiscernible]. One thing I want to really reiterate because this is something staff was excited about, one of the gatekeeper requirements for this RFP to respond to the solicitation and that was discussed at

the meetings and embedded in the actual rfp was a mandatory requirement that any proposer needed to meet our housing preference

[4:23:53 PM]

policy criteria. And just as a reminder, we provided a memo to city council on November 6th of 2019 that laid out what that housing preference policy would look like and how it would be [indiscernible]. So as a reminder, the housing preference policy has three components. One is ensuring that accessibility use go to people with disabilities, the other is ensuring that multiple bedroom units go to families with children or multiple generational housing, essentially right sizing our units, and the third, and this has been a long-standing community priority, was ensuring that we give preference of priority to people who have demonstrated generational ties to neighborhood or have experienced some form of displacement. So that was embedded in the rfp and is a requirement, I want to be clear. Regarding the scoring.

[4:24:54 PM]

After the rfp, the applications, we received six applications for the tillerry site and five for Gardner. Of the six for tillerry, five considered responsive so they all went through a scoring process by a staff panel. What the items that were scored were, of course, the development concept. We have the matrix in the backup. The development concept, time frame, development team and the organizational and financial [indiscernible] Of that development team. The top two or three, we had said we would move up to three applicants to a second phase of analysis, and we did for both sites. For Gardner two applicants were moved to the next phase and Tillery three went to the next phase where we conducted an interview so there was scoring based on the applicants'

[4:25:55 PM]

presentation, and we also conducted an analysis of financial feasibility of the project. Utilize a third-party consultant to dive into the financial feasibility of the project. That basically brings us to where we are today. We'll see with the matrix before you that we have two recommendations. These are the top scoring recommendations. The first one for the Gardner Travis county is dma development in partnership with big medium. They are proposing 219 units of affordable housing on that Gardner tract. It will all be 100% rental. And I'm happy to provide more details. We also have the applicant on the line should you have any questions. For the Tillery tract, the top scoring application was MRE capital in partnership with imagine art, and for that property they proposed

[4:26:55 PM]

62 units of affordable housing and, again, all of that is rental housing -- I'm sorry, 64 units of rental housing at various income levels. So we have the recommendations before you. We felt like scoring applicants met the development criteria, the objectives that we had laid out before the community. I understand there's a lot of interest in the community, we've had a voter of conversations over the last couple of days. And [indiscernible] Speaker input and any questions you all have.

>> Mayor Adler: Okay. Councilmember Renteria.

>> Renteria: Mandy, could you also describe what this nonprofit imagine art really -- what kind of

[4:27:55 PM]

clientele they work with?

>> Absolutely. If I'm not mistaken, Debbie Keiser, who is executive director of imagine art, is on the line. She might -- I think she signed up as a speaker and she is in a much better position to do that than I am. But they are a nonprofit organization that works with people with disabilities and they are focused on art and low-income people with disabilities particularly people with developmental disabilities. And so part of the vision that was put forth was affordable, accessible and integrate housing for people with and without disabilities. On the Tillery site, they did propose that 25% of the units, which is above and beyond our requirement, federal requirement or our requirements, would be accessible.

>> Renteria: Thank you.

>> Mayor Adler: Councilmember Casar.

>> Casar: Are you able to share with us today what the

[4:28:57 PM]

percentage of affordable units is and how deep the affordability is for the top scoring projects just so that when we look at the people scored a certain way, but it's unclear how many more affordable units one is providing and how much deeper the affordability is. Is that something you are able to share today?

>> Absolutely. Let's start with the Gardner tract. The recommended proposal, which is, again, Lemay development [indiscernible] Proposed 219 units for development, 219 units, and included a little over 26,000 square feet of commercial space, so studio art space. Of the 219 units, obviously that was our priority. We did not score folks on any of the commercial aspect. We were solely mentioned in

[4:29:58 PM]

the four development objectives which were related to increasing affordable housing. Out of the 219 units, they proposed 30 units at 30% median family, 60 units at 50% median family, 80 units at 60% median family, 35 units at 80% median family, and 14 units at market rate. The next -- the second high scoring applicant, again, these are the only two applicants that moved to that second phase, was a partnership between the Vecino group which is a national low-income housing tax developer and gndc, a local developer corporation. They proposed 134 units in total and of those 26 would

[4:30:59 PM]

be ownership units and the remaining would be rental units. So in terms of the income levels for that, 28 of the units at 30% median family, 52 units at 50% median family, 35 units at 60% median family, 14 units at 80% median family, and 5 at 120% median family. So I will say our -- our internal interest because this is what we would sub sickle cell disease are those units at or below median family. The rest of the units are important, but our focus is on 50% median family. The development had 90 units and the -- the veci no. O had 80 units. So that's Gardner. I should mention for both of these the next step is to go

[4:32:01 PM]

into excuse I have negotiation period which we anticipate will no take longer than two months and we plan to be one of our negotiating items is, of course, the number of units and the breakdown of those units. Our goal is always to maximize. Now going to Tillery, the top three applicants were interviewed and they each proposed something a little different. The top applicant was MRE and imagine art and they proposed a total of 64 units, all rental. 12 of those were at 30%, 24 were at 50% median family, and 23 were at 60% and then there were five that were market rate. What this applicant proposed was a 9% competitive lite project. The second highest scoring was htg, housing trust

[4:33:02 PM]

group, and they are, again, a national developer. They proposed 100% ownership. And they proposed a mix of 42 ownership units, a mix of half the 21 units at 80% or below, and then 21 units at market rate. So our affordable units there would have been 21 units or income restricted units. The third high scorer was gndc, Guadalupe neighborhood development corporation. They proposed in total 51. 30 of them

were rental and they proposed doing a small 9% litec deal, competitive litec deal and 21% were own ship. In that situation nine of the units were at 30% median

[4:34:05 PM]

family, 19 at 50% median family. 19 at 80% median family and four at market rate. Again, that was a mix of ownership and rental, but in that particular case it was at the 50% median family, we were getting zero from thg. They are doing ownership so it's a little different. We were getting 28 from gndc and those are the rental units. And then from MRE imagine art, have to do quick math, 36 units at or below 50%. Again all of this will be negotiated with the recommended -- whoever ends up being the successful developer.

>> Casar: That's useful. You gave us a lot of numbers. If there's a spread sheet that could be shared, I'm reading off of, that would be useful.

>> Yes.

>> Casar: A business

[4:35:07 PM]

asterisk next to my math, but seems like in unwith of the projects the top applicant in y'all's scoring was proposing about 37% more homes for low-income people and then in the other project the top scorer was providing about three times more than number 2, and then 20% more than number 3 as far as homes for low-income people, excluding the market rate ones. And so -- but I would love to see this spread sheet to make sure all the numbers match and make sense. The other thing that I wanted to clarify, and this is one thing I had asked the housing department beforehand was whether or not we are choosing between housing for low-income people or just housing for non-low-income people and all of them, every application that you describe is all housing for

[4:36:08 PM]

low-income people. And then another --

>> Correct.

>> Casar: Another is are some of these applications for housing for -- have a preference for housing artists and other ones have a preference for housing people from displaced and gentrifying census tracts and the answer is no, at least, and confirm this, no, the city policy for all of these would be the preference is for on every single one no matter which one we choose, the preference is for people that

have been displaced from census tracts that are gentrifying, people in gentrifying census tracts, families and people with disabilities, and that applies for everyone. Is that right?

>> That is correct.

[Indiscernible] Successful -- ends up being they are required, again, that was a gatekeeper requirement, they are required to conform to a -- our housing preference policy which was laid before

[4:37:09 PM]

you all in November of 2019. It includes those three categories you mentioned. Making sure we right size units, accessibility units for people with disabilities and the third and has generated the most community interest is ensuring people who have been impacted by the gentrification and displacement are given -- priority in our affordable housing.

>> Casar: So they all have to follow the displacement rules, the right to return rules you put out, and they all have to provide low-income housing and then we just have to deal with the number of units and who is building them and the depth of affordability.

>> Uh-huh.

>> Casar: Okay.

>> Mayor Adler: Councilmember harper-madison.

>> Harper-madison: Thank

[4:38:11 PM]

you. So -- thank you, councilmember Casar for asking literally all of my questions. The one about the matrix. I'm looking forward to seeing that spread sheet also because it sounds to me like the difference between the organizations and how they scored is large. The one last question I would have, Mandy, is was there any consideration around the organization sort of I guess financial capacity, their ability to actually complete the project?

>> So there were two different criteria where that would come into play. The first was in the first round of scoring, there is a category called organizational and financial

[indiscernible]. So we were interested in how robust your organization is and how ready you are to take on this type of development. That was a component.

[4:39:12 PM]

You can see that in the matrix and how the various parties scored. Then once applicants moved to the second phase, we looked at the financial feasibility of the project. So what we didn't want was somebody proposing I'm going to do 1,000 units and rent them all for zero. We needed to dig into what they were proposing to make sure that it was in fact realistic. That was about the project, not necessarily about the

[indiscernible]. So two different areas where that came into play.

>> Harper-madison: That's very helpful. Thank you.

>> Kitchen: Mayor, can you see I had my hand up?

>> Mayor Adler: I just can't see my mute button. Councilmember kitchen.

>> Renteria: So, manned eye, --

>> Kitchen: So Mandy, can you speak to the concerns that are being raised, if I'm understanding correctly,

[4:40:13 PM]

one aspect of that might have to do with the level or number or -- of units that are for ownership. Is that your sense of the -- what the concerns are that something else?

>> There are multiple concerns being raised and I would say the underlying, but obviously those in the community to speak for themselves. The underlying sentiment that I'm hearing is the concern that the process basically furthered institutional racism. That we did not take into consideration through our process a community preference for a local nonprofit developer. And again, you will hear from a lot of speakers who will have a variety of different perspectives, but we heard that. We heard concern about how

[4:41:16 PM]

the arts contribute to gentrification. And then we also heard some concern about ownership versus rental. And that was not -- these concerns were not necessarily raised during our stakeholder process. Some of them are new and some of them are, of course, the environment for landscaping which we live and certain things we want to address now and going forward.

>> Kitchen: Okay. And then could you just speak to what is the difference between -- or is there a difference -- I appreciate the request for a spread sheet, and thank you, councilmember Casar, for that because I was trying to follow in my head. But can you speak to -- is there -- to what extent are there differences between the projects in terms of

[4:42:16 PM]

ownership for lower income folks as opposed to rental?

>> Well, the model -- so the two different parcels --

>> Kitchen: Could you just give me the numbers? I mean, what I'm trying to get at, is there in the proposals that are being brought forward for selection, is there a lower number of units for the lower income people or lower number of units that are available for ownership? Than --

>> Yes. And I will say it's a tradeoff, right? And let's talk about Tillery. The recommended proposer, MRE, is envisioning 64 rental units, many of which are deeply affordable.

[4:43:17 PM]

The second highest scoring, htg, recommended 42 ownership units, only 21 of which would be affordable. And then the gnpc proposal offered recommended or envisioned a total of 51 units and 21 of those would be affordable ownership. So there is an affordable ownership component in the second and third high scoring application. There was no ownership component in the MRE imagine art. That's for Tillery. And then for Gardner, the envision development or dma development, the recommended proposer, was 219 units, ab they are envisioning a 4% lite tax credit and 100% was rental. A variety of income levels.

[4:44:19 PM]

The

>> The alternate proposal with the cno group was a total of 144 units. They're smaller and then he had 26 affordable ownership units embedded in it. So it's a different concept in both of those situations. There's different financing, different subsidiary required by ahfc. It's a different proposal in all cases.

>> Kitchen: Okay, thank you.

>> Renteria: Mayor?

>> Mayor Adler: Councilmember Renteria.

>> Renteria: Yes, on the home ownership, I'm really excited about home ownership because we do have a lot of apartments being built in the govalle area.



[4:45:20 PM]

And really what size of homes were they -- planning on building there?

>> I'm sorry, I don't know that. We do have Travis Roman with nhcv on the line who may know that, but we also have speakers from different groups who may be able to answer that.

>> Renteria: Now that I heard about ownership and I'm very interested since we didn't have a metric on how many bedrooms and what kind of a -- you know, just how the design was going to look like. Is it townhomes or condos or single-family type homes?

>> Sure. Based on the size and configuration of the site, I believe they were attached

[4:46:24 PM]

product, but I don't want to speak to the applicant. And I will say regarding size and configuration and all of those different things, these are items we would like to negotiate during our exclusive negotiation period, at which we anticipate will be the next two months.

>> Renteria: Yeah. The reason I was mentioning home ownership, because that lasts for almost -- it's generational and passed on and we've always owned the ownership so it would be deep affordable housing there. I was kind of -- I've been torn on these two because I know the Guadalupe neighborhood association, the work they do and it's very excellent. And people are very happy about it. So I want to listen to the speakers and then reserve the right to ask for a postponement maybe until we can really look at the metric part of it. But I really want to hear the speakers first.

[4:47:28 PM]

>> Mayor Adler: Councilmember tovo.

>> Tovo: I didn't want the moment to go by without just appreciating the fact that as I understand these are the first projects, the first city projects to require the housing preference policy. It was Heather way who put it in 2003 families -- children and families task force report and she put it in the context of the Ryan drive property that I may be conflating a few things, but anyway, it was in that report where she talked about -- she got some data from the housing department and looked at how some of our ahfc units were -- kind of what the results are and we talked about the housing preference policy and I believe it was expressed as a goal in that report. And so people like Heather way and her law clinic I know gndc has offered us helpful information and I want to especially appreciate Ashley Richardson

[4:48:29 PM]

on my staff and Trish in our legal department for really working on this issue for several years so that we could bring forward the policy and thank you, of course, to our housing staff for now implementing it. We wouldn't have done it without Heather way to get to where we are today. But regardless of who is selected to develop these properties that that's going to be a key component of it. We can ensure that our residents, our neighbors who are at risk of displacement as well as families with children are prioritized for housing. So thank you. Thanks again to all of those folks who have -- and others who have made it happen.

>> Mayor Adler: Okay. Anything else before we hear from the speakers?

[4:49:30 PM]

Yes, mayor pro tem and then councilmember harper-madison.

>> Garza: I just had additional questions about the home ownership. It seems like that's one of the big -- a big difference that I can see S I know when I've tried to work on developments in any district it's usually ownership affordable on the first sale and then it's been hard I know to figure out the continuous. And it's not like they're getting the regular equity that other homeowners would get, they get like a percentage of equity, so it's not the same kind of generational wealth building. That being said, I do like that idea that one of the projects did include ownership. I guess that goes to my question for Ms. De mayo. You said that there would be extensive negotiations just

[4:50:31 PM]

not knowing where this is headed. So whoever is awarded the project, could those -- could that next step negotiations include having an ownership option that wasn't there or was that something they could add because it wasn't in the initial rfp proposal?

>> So that could certainly be part of the negotiations. As I mentioned, I would want the two respondents who are here, one is MRE capital with imagine art and the other is VMA development. I would want to hear from them today about the feasibility of that before I commit to anything, but my mind -- in my mind everything is on the table for negotiation.

>> Okay. For the speakers that would be nice to hear the plans for specifics about the affordability portion of it T. And lastly, everything has been addressed about the concerns I heard. It's like there was a lot of

[4:51:31 PM]

unfortunately misinformation about the amount of affordability in the staff recommendation or that there was no affordability in the staff recommendation when in fact it sounds like there's more that has the most units. One thing -- I'm sorry if I missed this. I had a little interruption for a second. But one concern I did hear was about I guess the marketing of when they're looking at residents or how I could see where an organization that has been in the neighborhood does have the connection, so to speak. And so I just wanted to understand and for the public to understand what that process is -- could that be an advantage that one applicant has over the other? Is there -- their knowledge of the area or of the familiarity with the area in

[4:52:33 PM]

how they market the project?

>> There could -- councilmember, there certainly could be an advantage for a local community based [indiscernible] Corporation, without a doubt. I think that's one of the really exciting things, as councilmember tovo mentioned, about the housing preference policy is it is establishing an expectation for all of our partners. This is the first time we have launched this housing preference policy and so we'll be working closely with whoever the successful applicant is to launch that a really meaningful way.

>> Garza: Just real quick lastly. I think you answered this with councilmember Casar, but one concern I heard was somebody in another part of town that can no longer afford rent in that area now, but could possibly

[4:53:34 PM]

qualify for an affordable -- it has to be -- the criteria includes coming from a gentrifying census tract. Is that what I heard correctly?

>> It's from a gentrifying census tract and data goes back to the year 2000 is the year that was chosen, so you understood to have lived in a gentrifying census tract or have family ties to the area.

>> Garza: Okay, thank you.

>> Mayor Adler: Okay. Councilmember harper-madison.

>> Harper-madison: Mine was actually going to be a technical thing. I just got one of a couple of messages that I've received today that says we all look blurry on atxn. I don't know what that's about. Thought I would give you that feedback.

[4:54:37 PM]

>> Tovo: For some reason I keep freezing in all kinds of odd poses. I'm not sure what's going on.

>> Mayor Adler: It's been a long day. Sometimes I get

[indiscernible].

>> Tovo: My computer has had it.

>> Pool: We got an email from atxn saying that there were some issues early college high school and he thought he had resolved them.

>> Mayor Adler: Colleagues, it is 4:54 right now. We have speakers that have signed up. Do you want to take a five-minute break and then call speakers or do you want to go right into speakers? People want to take a five-minute break? People want to go right into speakers? Everybody is tired, right? Nobody is moving at all. Let's take a five-minute break. We'll go into speakers, but let's come back here at 5:00. Speakers, we're going to go and we will stay with you until everyone has had a chance to speak. Two minutes a speaker.

[4:55:37 PM]

[Five-minute break].

[5:03:23 PM]

>> Mayor Adler: I see directors pool, harper-madison, Garza, Flannigan, Renteria. So we can start. So back from break here at 5:03. If the clerk is us, we'll go ahead and hear from speakers. How many speakers do we have queued up?

>> 21 currently.

>> Mayor Adler: Okay. You can go ahead and start. Everybody has two minutes.

>> For all of the speakers in queue, if you haven't pressed 0, please do so now. Thank you. Mayor, for this first speaker, he is -- he requested an interpreter, he requested English and we have the interpreter to interpret his comments to Spanish, however I.T. Staff are still on break and I

[5:04:23 PM]

don't know how to bring in the interpreter. So I will begin with someone else. Ann dalilesh.

>> Hi. This is Ann. Can you all hear me? Hello?

>> Mayor Adler: Yes, please go ahead.

>> Okay, thank you so much. My name is Annie. I live in district 5. I'm a member of district 5 for black lives. I'm asking city council and specifically my council representative Ann kitchen to vote against agenda items ahfc 001 and 002. The process of granting contracts to white owned organizations without ties or relationships to the east Austin community furthers gentrification and displacement of long time residents. This decision has a disproportionate impact on black and brown families in east Austin. Councilmember kitchen, I ask that you please support the positions of communities of color united for racial

[5:05:23 PM]

justice and the govalle Johnston terrace nope contact team. Award both projects to the govalle neighborhood corps. Have future projects on public land to be equitable. Thank you.

>> Jacklyn, can you hear us?

>> Yes.

>> The next speaker is Mike hirschenfeld.

>> Hi, thank you. I'm Mike, a resident of district 5. Ann kitchen is my council person. I'm also a candidate for the at large seat on the Austin ISD board of directors --

>> Mike, I'm sorry to interpret but if you can go phrase by phrase so they can interpret, that would be great. Thank you.

>> Mayor Adler: Okay. And the way that we're going to do this because it's going from English into Spanish is that there's a total of two minutes for both what's being said and

[5:06:23 PM]

for the translation. Go ahead.

>> Great. I'm Mike, a resident of district 5. Ann kitchen is my council person. I'm also a candidate for the at-large seat on the Austin ISD board of trustees seeking to represent the whole city. My comments this evening are for both items one and two on our agenda regarding the winning proposals to develop affordable housing units.

>> Our school district is experiencing a severe enrollment decline with gentrification as the leading cause. Aisd enrollment has declined

[5:07:27 PM]

by almost 6,000 students over the past decade.

[Speaking Spanish].

>> I implore you to ensure that there is a priority placed on the number of accessible multi-bedroom units specifically for our families with students.

>> [Spanish interpretation].

>> If by affordable housing you mean relatively less expensive housing that still pushes long time residents out, then you are neglecting to acknowledge our city's long history of racial and economic segregation.

>> [Spanish interpretation].

[5:08:38 PM]

>> I recommend that you postpone your vote on both of these items until you can be more transparent with the community about what you plan to do to them. And to understand that affordable housing and public transportation are the two most important variables for breaking cycles of poverty.

[Spanish interpretation].

>> Thank you. Have a great evening.

>> Danielle Yanez.

>> Thank you for your service, council. I'm speaking today and asking you to award these contracts to gndc. I am Daniel Yanez, and I speak today in a racist society that tells me I am a

[5:09:40 PM]

person of color N a racist

[indiscernible], a system that everyone is --

[background noise]. In a system so used to white supremacy and racism that it thinks it's okay. A system that kills our children with the blue shield of impunity, a racist system that forced the birth of east Austin and now comes to take the land. Not with white supremacy of old genocide, lynchings, whippings and chains but with white supremacy of today with ordinance, regulation and matrix, intrinsically flawed

from the start, favoring white interests by default. The many tricks used for these projects did not -- I saw it. It did not include a home ownership scoring and it did not include a right to stay -- right to return part of the matrix. If it had, gndc would have won hands down. Gndc has a waiting list of 850 plus households of color

[5:10:41 PM]

placed from east Austin waiting to return. Imagine art and big medium and their partners do not. Their proposals would accelerate displacement. Gndc has the support of the neighborhoods here in govalle. Imagine art and big medium do not. Gndc has a 40 year track record of providing real affordable housing for people of color from east Austin. Imagine art and big medium do not. Gndc has substantial home ownership elements in their proposals. The other two do not. The Austin of old created a situation of white supremacy which still lives with us today. The Austin of today has the opportunity to take one more step towards a more just and moral Austin. This is not about real estate projects. This is about systemic racism and the system that has flaws and favors the interests of whites by default. Gndc is the best positioned

[5:11:42 PM]

to take us one step further away from our racist legacy. In the memory of Johnnie Limon, one of the founders of gndc and a member of the govalle Johnston neighborhood contact team, I ask you to award these contacts to the Guadalupe community development corporation. I'd be happy to answer any questions.

>> Mayor Adler: Thank you. Next speaker.

>> Carey Bickley.

>> Hi. My name is Carey and I'm an artist and homeowner in east Austin draft 3. I ask the council to move forward on items one and two if and only they do so with the Guadalupe neighborhood development corporation. To move forward with big medium and imagine arts is to continue the long history of black and brown communities being uprooted

[5:12:43 PM]

and displaced by white organizations and specifically artists. You have people who have had this line for 50 years which is before the land was hip enough to be spotted by the white organizations who historically didn't want anything to do with the eastside before it became profitable for them. You have communities of color who have been looking at this land for 15 years as a place to put real, real low

income housing, with pathways to ownership for the countless displaced families of color on the eastside. To hand this land over to white led organizations is to continue the crushing ways of gentrification that has washed over the eastside all but erasing the long-standing rich history of the black and brown folks who made the eastside what it is. To grant this plan to white led organizations is to continue Austin's tradition about really Progressive, but ultimately committed to upholding white supremacy in our city. The equity office was not brought in on this discussion and I cannot help but feel this was intentional. You know the right answer is not to turn this land over

[5:13:46 PM]

to white led organizations over long-standing communities of color. You know that's not the equitable action. As a white artist residing on the eastside it is my duty to this community to voice the urgency and importance of keeping organizations led by people of color at the helm of land and housing initiatives in their communities. No white saviors necessary. We need to trust black and brown organizations to know what is best for the land and people. Also, I've been on the line since 3:15. Council, I thank you for the amount of time obviously that you spend listening to your constituents, but it felt wild to be on the phone for two hours before we even started taking comments on item one and two. And I feel very grateful that I was able to have its time to be able to speak to you guys, but that's part of -- that wait time is part of what makes it so inaccessible for families, especially those who are tied newspaper working and

[5:14:47 PM]

stuff like that. So I have gratitude for being able to speak and to you guys for listening, but I really urge you to come up with a way to make this more accessible for all people. Thank you so much.

>> Angelica Garza.

>> Can you hear me?

>> Yes, go ahead.

>> Thank you for

[indiscernible]. Mayor, city leaders, councilmember Renteria,

[indiscernible].

[Background noise]. This would be such a celebration from our people to our people with bringing it back to our people and having that right to return. It would be such an honor. Plus sir we have a deadline that's going to be -- that needs to be met that we can't delay this decision too long so that they can get the full credit.



[5:15:48 PM]

I believe it's a tax credit that they are going to be getting. So we can't wait that long to continue to do this. Gndc has done such great work and according to the community, what the community wants and how hard they've been working on this, they already have a list of 800 people that have been secreted out to -- vetted out to come back and do this work, they've been doing this work for the community, with the community. For someone to come into community, this is the biggest thing that cuts us off from everybody else is we don't feel like we're a part of the solution and we have this group, gndc, that is doing it. They've been listening, they're working with people already. They have the list of 800 people ready to go. We've got a deadline to meet so they can get full credit for this. This has to go through, sir, and this would be such an honor if it came back to the Guadalupe neighborhood development corporation. And this is specifically for my city leader, honorable Pio Renteria because I know he understands where I'm

[5:16:49 PM]

coming from. Thank you, mayor and city leaders. Please honor what the community wants here, okay? Have a great day.

>> Calvin [indiscernible].

>> My name is salivin and I would like to ask the council so vote no on items one and two unless the contracts are given to the Guadalupe neighborhood development in line with the stance of the organization communities of color united. I would like to first of all thank the Austin city council for their work on furthering support for low income families and those that have been displaced by gentrification and I ask that they continue this work by awarding the contracts to those who have the best interest of the community at heart. Giving these housing development contracts to imagine art, big media and

[indiscernible] Mra capital is against the will of the community that you should be looking to protect. These lands are available for development only because of the systemic displacement of communities of color and by handing the right to develop them to white led companies with no connection to or history with the

[5:17:50 PM]

community that the land resides in would be further harming these marginalized groups. In addition, the selection that these companies have been done without the city of Austin's equity office and over the opposition of the community to seek to return low income housing in an effort to aid those originally displaced. If the contracts are not given to the gndc, then these items are nothing but gentrification in

action and the only way to stop this specific harm and attempt to fix some damage already done by systemic racism in Austin is to center the voices of the communities most affected. You do do this by giving the contracts to the Guadalupe neighborhood development. Thank you so much for your time.

>> I find it ridiculous that many of the details of these contracts were not given

[5:18:50 PM]

until this meeting had begun and it's hard for the public to properly give you our opinion when -- before we signed up to speak. Next I want to talk about how I've seen many councilmembers speak out either in social media or be it at rallies against the closures of schools in Austin ISD. So now you have a chance to act on that and not just speak on it. I personally have seen how many kids midyear have to leave because they can't afford where they live and seeing them in tears to tell their friends good by is one of the hardest things to do. So I'm specifically speaking to agenda items one and two because I want to make sure that we don't lose out on the chance of proper affordable housing. Affordable housing is

[indiscernible]. We don't know how many rooms these affordable units are going to have. Are they going to be fit for a family? Are they going to be a one brood apartment? We need to make sure that they're affordable to our families, not affordable of what the market rate is S those that have been

[5:19:52 PM]

recently forced out cannot afford them. We will not have a stable enrollment at the eastside enrollment vertical team schools. We cannot continue to have that. Please do not vote for anything unless you can assure that the development will have proper affordable housing, not the vague term of affordable housing that we continue to see in all the developments that continue to get taxed. We need to ensure that our families can afford to live in east Austin. I don't want to continue to lose the families that I serve at my school. Thank you.

>> Rachel manning.

>> Hi. My name is Rachel manning. I live in district 1. I am going to play testimony from someone who wasn't able to speak today due to the kind of onerous demands of providing testimony at these hearings.

[5:20:55 PM]

>> My name is Cindy

[indiscernible] And I am a resident born and raised in east Austin. I am also an artist. Arts organizations like six square that were actually created to preserve the history and the culture of east Austin to support the black arts no longer have physical spaces to work from due to spikes in rent. Pandemic or no pandemic, six square has no choice but to operate from the homes of the director and its employees. These are the organizations, the ones that exist to preserve and support the historical community members that should be given top priority over these organizations that have no vested interest or no ties to the black and brown community they are entering and taking up space in. This would just be another wrong in a long list of wrongs that had been inflicted upon the communities of east Austin by the city of Austin and

[5:21:55 PM]

its officials. It is assisting in our continued erasure.

>> Carmen Ilanes-pulido.

>> Hello, this is Carmen. Thank you so much. I know it's a long day. Let me quickly say I'm speaking today as part of undoing racism Austin and the eastern crescent right to stay coalition. We are very excited at the prospect of these two properties being developed, which I will remind you all that the community worked and pressured the city with Laura Morrison to identify and catalog these public owned pieces of land that we could develop for housing. There's 20 years of planning behind this. There was a lawsuit over the animal shelter moving to this site because we wanted affordable housing. We're absolutely in support of that, but you need to give these to gndc.

[5:22:56 PM]

[Indiscernible] Has admitted how much they're learning through this process. They've told us this result with this very dry and unobjective, very subjective scoring matrix is unintentionally getting us these results and that's the problem. We have to be intentional when we addressed systemic racism and doing the right thing. That's the problem. The equity office didn't see this until we got these problematic results. And they too have commented that this process was ahistorical, no community context. That matrix doesn't value home ownership and historical relationship. Thank you, mayor pro tem, for asking that question, that familiarity with the area does help to implement our preferred policy. Thank you councilmember tovo for everybody talked about it, but when the rubber meets the road, you are the one who has advanced this small piece of the people's plan. The public land and what happens to it is also part of the people's planned vision. Who is leading at the work? Is it the directly impacted people rooted with the board of directors from east

[5:23:57 PM]

Austin? With relationships that have also helped newcomers to east Austin who are marginallized? Who will set the standard for our right to return policy being rooted? You all are right about this, you hear what black and brown people are telling you. Please do the right thing. The last thing I want to say is that I know this process is very long, but this information is not new to you all. Our housing representatives have walked the areas. They know that home ownership is important.

[Buzzer]. All housing is not good housing and we can't just look at the number of units. Don't make us all renters. You have an opportunity to give some land back. Please do it today. Thank you so much.

>> Tammy alejobi.

>> Hello?

>> Yes, go ahead.

>> Hi, my name is Tammy. I'm a community member residing in councilmember

[5:24:58 PM]

pool's district 7 calling like so many voices about items one and two. I just want to reiterate that I believe the project should not go forward under the leadership of imagine art and big medium because developers focuses on making trendy and not affordable rental units and houses for gentrifiers should not be leading the development. We instead need local orgs like gndc who have a history of providing real affordable low income housing for people of ein to be given this project. The live and work arts spaces that imagine art and big medium are proposing will not provide that for black and brown community members. It will only amplify even more displacement. Moving forward the equity office needs to be involved in putting this process together and that process should be as transparent as possible. I really appreciate at the beginning of this meeting having a better understanding of a lot of

[5:26:00 PM]

the qualifications for these developers, but that information should be given to us way before the meeting and not only a minute before we get to speak. Lastly, equity in housing is one of the best ways to support person of color in the city of Austin and low income housing should be the priority for east Austin and those who want to return to east Austin. Thank you.

>> Renteria: Mayor? Mayor?

>> Mayor Adler: Yes.

>> Renteria: I'm hearing a lot of things, bad things said about imagine art. You know, when this proposal came to my office, mark Rogers and imagine art was working together to build this mixed use where

home ownership and low income rentals for the people with disability, and let me tell you, they're not all white. I've gone to that location, the African-Americans or brown, they're -- they're just really people that are

[5:27:01 PM]

going to be displaced one of these days and not have a place to go. You know, I support home ownership, the right to return, but please do not -- I mean, imagine art is a good organization. They do good work. And -- but I do support Guadalupe neighborhood corporation. But they -- I got a big printout. The only reason they couldn't make it work out is because of there on Tillery is because of the pecan grove, they didn't want to cut down any of the pecan trees. And they had planned to try to make it in between these two -- in between the trees and they weren't able to. So these are two good organizations. I love them both and I support gndc all the time. Any time I can locked any kind of funding, I -- I can

[5:28:01 PM]

locate any kind of funding I try to get it to gndc because I know they provide real deep affordable housing. So both of these groups are really good organizations. So I hope y'all realize that these -- they're doing good work.

>> Mayor Adler: Thank you, clerk?

>> Jessica Moreno?

>> Good afternoon, everyone. My name is Jessica and I'm a constituent of district 5. And was formerly a resident of east Austin until it became too difficult to find affordable housing for myself and house mates. But my experience is nothing compared to the indigenous east austinites, many of whom are austinites of color who have continued to be displaced from their community over the years. I'm calling in today with those folks in mind to express my cautious support for the ahfc's agenda items

[5:29:02 PM]

one and two regarding the land development in east Austin. Only if the Guadalupe neighborhood development corporation is appointed as the developer. The gndc has a historical context, the vision and the support of the community most historically impacted in east Austin and their proposal includes a mix sure of affordable rental and home ownership and guess what, some of us brown folks do actually aspire to own homes some day and not just rent. So I also want to point out that we have an equity office for a reason, friends. And we should include them in any development processes moving forward,

not just at the last minute. Especially given the historic equity issues in east Austin that so many of us are concerned about. And while I appreciate the outreach to community stakeholders in the spring and summer, it's a pandemic, y'all, and that makes engagement really hard. Some of us have a hard time being on this call right now and so I reiterate that we must -- this process must center indigenous east

[5:30:03 PM]

austinites, those who remain in east Austin and the ones who have been displaced because they have long expressed their vision for this community and it's time we listen. I support again items one and two as long as these key partnerships are in place and gndc is the appointed developer. There's a lot of distrust in our city right now, y'all, and if you push these projects forward with these partnerships, I trust this distrust will only grow. We have a real opportunity to begin healing a fraction of the historical harm that this community has experienced and I hope we do right by our east Austin neighbors. Thank you so much for your time and consideration. I know it's turning into a late evening for all of us.

[Buzzer].

>> Monica Guzman.

>> Yes, thank you. Good afternoon. I'm Monica Guzman. This afternoon I speak to you as a native austinite, district 4 resident, eastern crescent right to stay coalition member and housing advocate on items one and

[5:31:03 PM]

two. I originally registered in opposition to the items, but now thanks to updating recommendations for action by adding or other qualified respondents, I speak in support of them because Guadalupe neighborhood development corporation is the other qualified respondent. Gndc is the only applicant that I know of with home ownership as part of their plan. Building equity through home ownership is the path to financial stability. A path long denied to person of color because of red lining in the 1928 master plan. Red lining may now be illegal, but it was replaced with economic segregation, displacing residents and businesses of color alike. Big medium, Austin art, they're good people, good organizations, but long-standing systemic inequities allow them and organizations to flourish while the communities of color continue to struggle even now in the 21st century. For 10 plus years the community surrounding these public properties have been demanding affordable housing.

[5:32:03 PM]

The [indiscernible] Contact team are a great example of what communicate planning means. It's all about the community leading the plank. Gndc is their choice for a community development corporation because their work makes it possible for displaced residents to return. Being and saying you're okay with affordable housing comes off as sounding flippant as if the housing for the marginalized community is an afterthought. Instead start looking back at Austin's racist history. Learn from it. You must be intentional when deciding on how best to ensure housing affordability both rental and home ownership for low income residents at or below 80% mfi. I urge you to approve and execute an agreement with Guadalupe neighborhood development. Thank you.

>> I'm Maya pill graham, a member of district 4 and a

[5:33:03 PM]

member of communities of color united. I'm speaking against items bun and two unless you go forward with the Guadalupe neighborhood development which is the best option for home ownership. There's an obvious flaw in the process both publicly planned and black and brown neighborhoods that those communities fought to have allocated to affordable housing is there by awarded to white led organization in east Austin. And the families who have lost their homes to gentrification must now resign themselves to further vulnerability by being renters. There is an historical equity lens in the matrix. How is equity and historical context taken into consideration. Addressing racism in a public health crisis isn't just about defunding police and adding mental health counselors. It's housing and development decisions like item one and two that shape our city. In fact, [indiscernible] Art organizations are known to be [indiscernible] Of gentrification. They determine what signals

[5:34:04 PM]

to a neighborhood that the space is for them. Expectations doesn't equal efficacy and it does not carry the weight of built trust. What I heard described at the beginning of this meeting was a divert lens, not -- a diversity lens, not a racial equity lens. Giving land to white organizations with no track record in developing relationships or trust with the black and brown communities is gentrification. We were able to service

[indiscernible] With years and years, it's important that we get this done, but now it's being given to one of the organizations that's responsible for driving gentrification on the eastside. So I encourage everyone to go forward with gndc. Thank you for your time.

>> Jessica Ellie.

[5:35:04 PM]

>> Jessica, please unmute.

>> Got it, sorry. Can you hear me?

>> Yes, go ahead.

>> Hello? So my name is Jessica. I'm the co-chair of the govalle neighborhood association. I could talk for a very long time about both of these projects. But to get right to the point, we were only approached by two applicants for Tillery that was imagine art and gndc that proposed -- that told us what they were going to propose. And at our neighborhood meeting we could not come to a consensus. I mean, these projects are kind of very similar except for the home ownership component and so that's what we included in our letters of support was the qualifying paragraph that, you know, we have some reservations with imagine art because the developer MRE capital is from out of state and we're not sure they'll be able to successfully complete the project that they've proposed, and gndc works right across the street.

[5:36:05 PM]

Father Joe is right across the street. They have all the trust from the neighborhood in the world. You know, we ended up writing letters for both, but really you could pick either one. Personally I would like to see gndc there given that they're right across the street. We know they can get the job done. And there's a trust issue because this is also the site where the stone house was demolished right after neighborhoods got letters that it was considered for an historic site. It was a big mess-up in the process, but ahfc has kind of sewed some ill will in the neighborhood because of that and by choosing Guadalupe neighborhood development corporation you really can't go wrong and it sounds like a great opportunity. The other thing I wanted to add is talking with Pio who is -- with [indiscernible] Who is on the board of big medium. It will have on-site academic and I'm not sure that is an element of the gndc proposal for Gardner. And I think it's also

[5:37:08 PM]

something you should take into account. And remember this is so new in the process. You know, 64 units for imagine art versus 51 for gndc. They don't know what's going to happen?

[Buzzer].

>> To all the speakers in queue, if you have not pressed zero, please do so now. Thank you. Suwe archer.

>> Hi. Good afternoon, mayor Adler and the city councilmembers. I support affordable housing project by gndc and big medium for Gardner street and I support gndc for Tillery. Big medium and dma will create a unique community whose vision is to weave unity and foster community. They've gone out and over the years they've shown -- they started from this rag tag group and they have



[5:38:10 PM]

successfully opened up the arts and updated art and have classes that people can take. And they've put Austin on the map in terms of being an art -- creative arts and arts for -- oh my goodness, I'm off track. And arts for the community. And dma has a very strong record, track record, of making affordable housing and we all love mark Rogers. We all love Guadalupe neighborhood development. And Tillery I believe is very strong fit for them. And dma and big medium are planning after school programs, they're planning community. It's going to be more like

[5:39:11 PM]

the -- the place on fifth street with the embedded ymca where there will be programs for family and for people to come together and to do things and I really feel that people who are not doing gadc can come to the table and take -- let's sit down and talk together about what is planned and how we can all come together. And that list of 800 people I am from east Austin, my family has a long history in east Austin. And those 800 people are welcome at 900 Gardner. And to say that they're not is. Absolutely wrong. And to get people -- we want everybody --

>> Speaker, your time has expired.

>> There's misleading information saying it's for artists. It's for the community.

[5:40:16 PM]

And thank you.

>> Selena vee.

>> Hello. Can you hear me?

>> Yes, please proceed.

>> Thank you. So I am here to speak against agenda items one and two unless the land is going to be awarded to gndc. So hearing the pricing for the units and how it was going to be determined was one of the most illuminating things on this long call. It it seems -- the critical concern is that these are for quote unquote affordable housing and they should not be for quote unquote affordable housing, but for low income housing, housing that is made with the need of east austinites in mind.

[5:41:18 PM]

With this community effort in mind that have fought this for land for 50 must years. This they don't need a housing of affordable units, they need housing with them in mind. This is why the home ownership component is critical.

[Indiscernible] For the communities directly, not through the middle men of white led companies with profits on the land. If those three mandated concerns are your concerns for the land, regarding affordable housing and right of return, then you would award the land to gndc. And additionally, a city council, I believe Renteria, said that imagine arts and good medium are good people. You now have gndc making a proposal for this land to meet those needs and who already have an 800 plus waitlist of displaced people

[5:42:20 PM]

and families whose needs would be met by that concern. That's the concern. Not whether big media [indiscernible].

[Buzzer].

>> Tracy Smith.

-- Stacy Smith.

>> Greetings. My name is Stacy Smith. I'm a resident in Johnston terrace and I've also been an educator in east Austin for over 12 years. My kids go to govalle elementary and eastside memorial high school. Just know that the attendance zone in these zip codes is entirely 90% or more economically disadvantaged families. And we're just seeing inaudible displacement. Part of my job in the last five years is helping single moms find an affordable place to live. Helping -- driving kids from their new home, which is out of our attendance zone, so govalle everyday because the Hollywood myth that we drive

[5:43:20 PM]

kids to their private schools on the other side of town actually works in reverse sometimes. And we have kids that want to stay at our schools. But they can't afford to live in the neighborhood where they grew up. So I'm really upset that we haven't seen this proposal and the details of this proposal and I'm listening to numbers upon numbers as I've sat here for two hours. And over the years why wife had to dig into what affordable housing looks like in the city, gndc has been the group that has reached out to our govalle community hand has actually dug in these issues with us. And I-- this community has been dude so many times. It's hard to take a chance on dig medium and hard to say this because I think they're good people. But the east Austin studio tour has really -- our families decent feel apart of that

and that's what I've known big medium for. So when I see they're going to do housing, I don't know if our families are centered

[5:44:21 PM]

in this project, I just don't. It seems like it's studio space for big medium, but would it be studio space for [indiscernible], could it be for Raul Valdez, for these east Austin artists. I don't know if it's for them. I really feel strongly that you can't vote on this tonight and you really need to go back to the table and I would prioritize home ownership and I would prioritize our families that we're losing everyday. Thank you.

>> Janine sezak.

>> Mayor Adler: Hold on one second, please. Councilmember harper-madison.

>> Harper-madison: Thank you for recognizing me. I think we all recognize how difficult and complicated this conversation it and I'm blown away by the passion and the community to the community that our speakers have shown. But if I may take the opportunity to offer some support for my colleague,

[5:45:21 PM]

what he was attempting to say is that it is not necessary to villainize other organizations because you prefer one over the other. We're talking about a christian-led organization that prioritizes the needs of people with disabilities and puts their voices front and center. We're talking about another organization that is artist led and focuses on art. So I think all he was trying to say is we don't have to villainize the other organizations in order to say that your preference is for gndc. We all recognize that the love for gndc is entirely valid as well. The work that they do is incomparable. Nobody has said anything contrary to that. So I really don't appreciate people attacking my colleague for what he was attempting to say. When he was trying to say is we don't have to villainize the other organizations. That's not necessary. They still do good work in

[5:46:23 PM]

our community. On the eastside, by the way.

>> Renteria: Thank you, Natasha and they were in d1 too there, their art center.

>> Am I up? This is Janine. Can you hear me?

>> Yes, go ahead, please.

>> Great. Again, Janine from dma development company. As Mandy mentioned, we're the lead developer recommended by staff for the Gardner website. Dma is a real estate development company local to Austin since 1984 that specializes in high quality, infill affordable housing development and we have developed more than 1100 affordable homes in Austin over the past 11 years, most of which are in east Austin. And I think most of the people on the dais are very familiar with our work. Two of these properties have been developed in

[5:47:24 PM]

partnership with ahfc similar to how we proposed Gardner road. Before submitting our proposal in response to the rfp, we read the rules and the criteria carefully, making note of the clear major objective which was providing a large number of affordable housing units in a way that does not depend on a large amount of subsidies from the city of Austin -- subsidies from the city of Austin. We submitted a proposal for 219 deeply affordable apartments on the six acre site. As Mandy said we proposed 90 units for very low income households. We proposed a land lease structure on the city of Austin could retain control of the underlying real estate and it also provides a significant upfront lease payment, funds which the city can reinvest in more affordable housing in town. We also proposed affordable, creative studio space on a very small portion of the site. In an amount less than 25% of that the rfp required. As the lead developer we identified big medium as a

[5:48:25 PM]

program partner so that we could offer art space programming to residents of the site and the larger community, including after school programming. Our community spaces will be used for programming for all community residents. Artists will not have a preference for house,, but we have included a large number of family friendly units with more than 30% of all of our units being two and three bedroom units. So specifically 68 family friendly units. It should be noted when the city [indiscernible]

[Buzzer]. 50% of the respondents indicated they would like to see art and cultural offerings at this location. It was the number one most desired amenity even more desired than affordable housing. Of course, this rfp was for affordable housing and that is what dma is proposing first and foremost. The addition of art space programming and affordable creative space on-site is important though because it creates a more vibrant and

[5:49:28 PM]

sustainable mixed use environment with boundaries that are open to the neighborhood. We commit to working with --

>> Speaker, your time has expired.

>> We will develop and implement an affordable housing preference plan consistent with the tax credit rules so that we can reach people most susceptible to gentrification. Thank you.

>> Eliza Epstein.

>> My name is Eliza, I'm white woman. Councilmember kitchen represents the district in which I reside. However before either of us were here over 600 native and indigenous groups lived on the land in Texas and northeastern Mexico. We recognize the occupied unseeded territory of the Indian tribes of Texas [naming tribes].

[5:50:34 PM]

This is an expression of gratitude for the care that indigenous people have given this land for generations and continue to foster today. May we carry this work forward, particularly today when we make decisions about land use. My ask today in saillarity with communities of color united for those projects to the Guadalupe neighborhood development, do it now so they can meet the November deadline for tax credits. Gndc has a plan, a plan to prioritize housing for displaced families. They have a plan to interrupt gentrification to prioritize human life and environmental sustainability over capital accumulation. You, city council, get to make a decision today. Please listen to the community who is most performed about what they need. Understand, I ask council to work on the future process for public land that includes the process for institutional racism and the consideration of community preference. Thank you very much for your time.

[5:51:35 PM]

>> Victoria Guerrero.

>> Good afternoon, mayor, councilmembers. My name is Victoria, I'm a resident of district 2 and I'm calling to address items one and two. I originally signed up against these items, but I'm now in favor as long as the Guadalupe neighborhood development corporation is awarded these projects. I'm a former east Austin small business owner and resident that has been displaced due to the rampant gentrification in east Austin. I was born here in Austin and have never left. My husband and I would like to buy a home in Austin one day, but with the ever-increasing home prices I don't know if this dream will come to fruition. As a 13-year-old son who I would like to see one day raise his own family in this city that I love so much, but again I don't know if this will be an option for him in 10 more or years. On July 26th, this council declared racism a public health crisis. I'm urging council to walk the walk and to contact the Guadalupe neighborhood development corporation with both of these projects. Gndc is the only option that

[5:52:35 PM]

has -- that provides the opportunity of home ownership for low income residents. Gndc has a 40-year proven track record of providing low income housing and fighting displacement. They also have a robust list of displaced residents ready to return to east Austin if just given the opportunity. Big medium and imagine art do not have the experience in developing low income housing or fighting against gentrification in communities of color, specifically east Austin. Gndc was founded by original east austinites as has deep roots within the community. It's not just enough to create more low income housing with no consideration to who is building it. If racism is truly a public health crisis in Austin, the city must look at awarding these projects through a lens of anti-racism. Awarding these projects to groups that are predominantly white led and only providing rental options is racist. Black and brown residents will not have the opportunity to build multi-generational wealth through home ownership if these projects are awarded to anyone other than gndc. Council, let these projects

[5:53:36 PM]

be an example of development by the community, for the community. Please award both of these projects to the Guadalupe neighborhood development corporation. Thank you.

>> Montana Steele.

>> Hi, this is Montana and I've been an Austin resident for seven years, though I currently reside in district 9, even though I don't reside in a district on the eastside, I want to join those who have spoken before me and join in asking that the city council vote yes for items one and two and move forward with gndc for the developer. This land should be used as opportunity for right to stay and right to return policies that mitigate the harm of displacement, low income housing projects should be planned in collaboration with the community who is most informed about their own needs. This public land can and should be used to implement community driven right to return housing for ownership, not just leasing, but communities of colors have fought for for decades K big medium and Austin art

[5:54:37 PM]

are great orgs doing great things for the art communities and for people who live with disabilities, but we need a development that aligns with the needs of the long-standing community and gndc is most equipped to develop. Thank you and I yield my time.

>> Vincent govass.

>> Hello. My name is Vincent and I'm a parent of a resident as well. I live across the street from international high school in the Johnston terrace neighborhood and at eastside memorial and I'm a parent at eastside and at govalle elementary and I want you to make sure that I want you all to society

no on one and two -- vote no on one and two, vote no on imagine art and vote yes on these projects with gndc. Both of those lots are actually located in govalle elementary's attendant zone,

[5:55:37 PM]

both of them, but govalle elementary wasn't engaged at all with this decision, with these projects. Zero. Zero community engagement with govalle elementary. We have a campus advisory council which is a site based decision making group required by Texas education code, but zero invite, zero anybody coming to talk about this project over the last 10 years as a govalle parent. Every year I see a kid, a parent, a mom, a leader mom who is like I don't know where we're going to live next year because they're going to raise the rent where we live now. And it's just sad. It's the trail of tears. It is the trail of tears. Like Ms. Smith said, like Mr. Ramos said, seeing those tears, it is our current day

[indiscernible] And we either disrupt that or at the win that. So we either disrupt racism or we perpetuate racism. During these elections,

[5:56:40 PM]

district 2 trustee Jamie ma thigh as announced he's not running again and I found three candidates to -- that are wanting to run to replace his seat on the board, but guess what? All three of them can't afford to live in district 2 but they have their kids in district 2. We're talking about aid again. That's what this looks like. It looks like families leaving. It looks like metz closing because Oracle took over. We had a proposal in 2016 when aid put up about a dozen lots up for sale or lease, we put forth a proposal -- [buzzer] And that didn't happen. We don't -- we feel very powerless and that beeping -- I apologize for going over time, but that beeping symbolizes that time is up for our families that can't afford to live in this city. Thank you.

>> Mayor Adler: Thank you.

>> Celine Rendon.

>> Hello, thank you. My name is Celine. I do work for the city of

[5:57:41 PM]

Austin, but today during this council meeting and the time I've been waiting here today I'm strictly here in a personal capacity and not as an employee. I'm speaking on items one and two under the Austin housing finance corporation decision for city owned properties. And I just recently moved out far to district 8. As someone who has worked at various community based groups and people a part of the

govalle johnstonter vas neighborhood contact team, the eastern crescent right to state coalition and communities of color united coalition for racial justice I support the community members who are not able to speak during this time. Publicly owned land should be used for the people who are displaced from it. I am for the items one and two if the decision is to move forward with gndc as the developer. Communities of color have identified and advocated for over 15 years and have spot development by Guadalupe neighborhood development corporation to create home ownership for the long waiting list of waiting for low-income housing to return to the neighborhood ..

[5:58:42 PM]

This should be used to implement community driven housing for ownership, communities of colors have fought for for decades .. Gentrified and where communities have been displayed this should not ignore the longstanding community proposals for these sites test test as part of real solutions, not just affordable housing should be the priority, the land should be used as an opportunity for right to stay and right to return policies that mitigate the arm harm of displacement. Low income housing projects should be planned in collaboration with communities which is consistent with the recommendations from the uprooted report. Thank you and thank you all for the time today.

>> Cynthia Vasquez.

>> Hey, can you hear me?

>> Hello?

>> Yes. Go ahead.

>> All right.

[5:59:44 PM]

Cool. Hey my name is Cynthia Vasquez east Boston -- gentrified unicorn but I lost that title as well when I was displaced out the 7744, another historically underserved community facing the destruction of single-family homes. Today I am in the eastern crescent -- expand coalition speaking on items 1 and 2 -- affordable housing so long as the Guadalupe development corporation is awarded that contract -- four years with a true and tried rose that includes expensive community engagement and trust and let's not forget home ownership opportunities for low-income Austin families. Council you do not have to take the recommendations of NHPD you can stay loyal to the work and your constituents who have spent their lives developing that area for adequate living. I do not -- opposed to affordable housing. I stand here tired and just tired of our council continuing to ignore the decades of work, relationships and efforts of generations of our black and



[6:00:46 PM]

brown communities in east Austin.

[6:02:04 PM]

You were to award contracts to corporation whose have yet to

[6:07:25 PM]

mayor atalked about wanting to to reconsider item 53, I have gone back and forth with staff I am not sure if it got withdrawn. But I will put it to rest for the day and kind of hash it out between now and October 1st when I hope the item comes back to us.

>> Okay. All right. The things we still have in front of us when we come back, contract registration, 12, related item 67, we have legislative agenda, which I think will move pretty quickly. We have a convention center, three items, we have 62, assist resolution, we have nonconsent items, being the demo permit and affordable housing at -- 67, 68, we also have the Austin financing housing item back on that agenda, and we still have three pulled items on zoning. Yes councilmember tovo.

>> Mayor, I would like to talk

[6:08:25 PM]

about whether we can dispense with 17 pretty quickly. It sounded like that was kind of fast and that would let some staff go, potentially but also I was, as I mentioned I wanted to ask whether we could postpone 12 and 67 and so I am going to make that motion right now that we postpone 12 and 67. That's the demolition. And if I can get a second I will explain my rationale . Is there any problem with postponing those two items, staff?

>> Mayor this is rod dwi gonzalez:there is no issue with that.

[6:09:34 PM]

67, we were hoping that the utilities section of that ordinance could go through, not being disconnected. It is a safety concern, so we are hoping that portion of the ordinance could go forward.

You are to muted councilmember tovo. I am quocial that. But I do think the rest of it is going to require considerable discussion and would ask that we postpone that piece.

>> Okay. How would we identify the utility portion of item 67? I guess I would ask too, it is only two weeks, so if it came back to us on the first, but in any case I am trying to make the utility piecework as long as it means we don't have to have a lengthy conversation about the rest of it tonight.

>> Let's do this. Let's recognize that we are going to put off number 12 to October 1st when we come back we will do the utility portion of item 67, maybe that way staff doesn't have to come back, recognizing what we are about to do and then dinner how to figure out how to do that part and then Rodney you can take a look and see if it makes sense to do that or just all comes

[6:10:34 PM]

back on the first.

>> Okay. So any objection to putting that off to October 1st? Yes. Councilmember Ellis.

>> No objection. But moving the amendments I made on it so we can revisit those when we have a conversation, and I appreciate councilmember Flannigan, even though I don't see him right now, assisting on kind of helping me work through that thought process, so I wasn't here for the original conversation. So I look forward to revisiting that.

>> Okay. 12 is postponed, then to October 1st. Councilmember alter.

>> I just wanted to ask if the city manager or Mr. Gonzales, if you could make sure the auditor has a chance to look at the amendments zoo that we can just get that, since it came out of an audit which is one of the reasons we were doing it, that we have a chance to have that

[6:11:36 PM]

weighed into the discussion. >>

>> Certainly, there are potential changes, and, we can show so show that to the auditor

--

>> Great, sounds good.

>> Item 12 postponed to October 1st we will come back from the deposition exhibiter, dinner break and look at 67 and you will tell us whether the whole thing should be put off to October 1st or go forward with just the utility portion of that.

>> It is my understanding --

>> Colleagues --

>> The portion is part 2 --

>> Okay. So let's do that --

>> Okay. So councilmember tovo, passage of the utility portion of item number 67, holding back the rest of it, postponing that until October 1st. Is there a second to that Mo motion?

>> Ann, did you have an issue with that?

>> I just wanted to say you

[6:12:37 PM]

should probably leave the public hearing open if you going to consider the rest of it.

>> We will leave the public hearing open. It has been moved. Is there a second to that?

>> Councilmember pool seconds that. Any discussion?

>> Those in favor moving forward on part 2, leaving the public hearing open, the balance being postponed to October 1st, please raise your right hand.

>> Opposed?

>> It is unanimous on the dais, we are all here.

>> Mayor --

>> Yes. This is Janette. Councilmember Flannigan is off the dais for that vote.

>> Okay. Thank you. Councilmember Flannigan off the dais. On the legislative agenda, I think we all have seen councilmember Casar's amendment, councilmember alter's amendment, councilmember kitchen. Published an amendment -- councilmember tovo, did you publish yours in.

>> So I learned inbetween when I made that announcement and just

[6:13:38 PM]

then just a while ago that the revised draft -- sorry, my dog is not happy about being left in here, that the revised copy includes it, it was an amendment from -- it was an amendment recognizing, supporting legislation and funding to strengthen the restill yen situate of the live music and art venue, restaurants and bar industry and it is my understanding that has been appropriated in. I did want to just very quickly say we did receive -- you know, we have multiple times received communications from our ems association asking us to consider changes to their pension plan requirements, and so having thought

about that and whether that should be a piece of what goes forward today in our legislative agenda, I felt that we needed more time to consider that, the request is to consider an increase in the service year and age requirements for our E in. S employees, recognizing that it is going to need to be part of a

[6:14:39 PM]

longer conversation about potential plan changes and contribution changes. I would ask several of us are serving on a pension review work group and so I would ask my colleagues to go ahead and make -- let's make that a part of that group's work to give that consideration. I think it is an important request. I think, you know, it is necessary question to explore and I am supportive of doing that in that context in that work group.

>> Okay. Let's pick that up in that work group. Is there a motion to approve item number 17?

>> Councilmember pool makes the motion, seconded by councilmember alter.

>> Can I make a couple of comments?

>> Okay. I was just going to frame it up first but if you want to go first.

>> Councilmember Casar has an amendment with respect to the continuation of the stand-alone entity to regulate plumbers is there an objection to that amendment being included?

>> Hearing none, that is included. Councilmember alter

[6:15:40 PM]

had amendments to ensure the sustainable sources of revenue for hb 3. And also support for sexual assault victims. Any objection to those amendments being added? Hearing none, those amendments are added. Councilmember kitchen, what was your amendment? I am sorry on this.

>> Two amendments, the first one relates to supporting legislation funding to increase compensation, including medicaid reimbursement for home health community attendants, direct support for professionals and direct care workforce in institutional settings so that's one of them. The second one relates to emergency detentions and it is to support legislation and funding to allow qualified medical and mental health professionals to safely perform related duties currently restricted to law enforcement officers, including the authority to detain and transfer an individual believed to have a

[6:16:41 PM]

mental illness and who is a substantial risk of serious harm to themselves or others.

>> Thank you. Any objection to the inclusion of those amendments?

>> Hearing none, those are included. Now, any further discussion on this one? Councilmember pool?

>> Thanks, mayor. I just wanted to thank Ms. Franco for the work that she and her staff put on drafting up our 87th legislative agenda and point everybody to the page that has equity and affordability and the second bullet where it says support for legislation that allows cities to implement mandatory inclusionary zoning -- and just remind us all that we had -- this was legislation that Virginia Hinojosa was on the 86 legislative session which was house bill 3050 but added to the legislative agenda after Gina had filed that bill and then we of course supported it officially as part of our portfolio and I am really

[6:17:41 PM]

grateful that it is on there again, because it didn't get any farther than being assigned to the business and commerce committee so hopefully we will do better with that this year but I think it is really -- I just want to emphasize that this effort is out there. There have been -- I just want to -- this is an effort that those of us and myself especially have been pushing for for a number of years to overturn the back stir prohibition against inclusionary zoning which is one of the basic reasons why we are having such a hard time getting more low, lower cost rents and lower cost housing for sale, is because we can't require it of developers, we can only incentivize it that is inclusionary zoning, this was on our agenda at the last legislative session, at my request with Gina Hinojosa and it is back again and I really

[6:18:42 PM]

hope everybody will rally around this item and let's get this passed. Thank you.

>> Sounds good. Councilmember alter and councilmember kitchen.

>> I just wanted to also note that we have added requests for support for wildfire and given what is going on on the west coast I just want to explore how real of a threat that is in Austin and many parts of Texas and my hope that state legislature will assist us in our efforts to do that. To mitigate those risks. Thank you.

>> Okay. Councilmember kitchen.

>> I just wanted to clarify that the -- so that in case it is a little unclear, the wording but the first item was about funding, it is actually paying the workers what they deserve, the workers that work with our most vulnerable folks.

[6:19:44 PM]

The institutional settings refers to the direct care workforce. The home health aides, community attendants and direct support professional, some of them will work in institutional settings and some of them will work with, you know, with our seniors and our disability community in the home. So I just want to make sure it is interpreted that way. And then second thing I would say is, the effort to really take a look at and support the mental health professionals to weigh in on activities related to people with a mental illness, including emergency detentions is really important. It is something that our folks and our mental health professionals have asked for and it will help us as we continue to try to better connect the professionals who work, with people having a mental health

[6:20:46 PM]

emergency. Let's good, thank you. Those in favor of the legislative agenda, I think that was moved and seconded raise your hand, please. Those opposed. Unanimous on the dais, again councilmember Flannigan is not with us, and finally I think --

>> Councilmember council.

>> Thank you. I think that we can also take care of item number 68, affordable housing project is there a motion to approve this item.

>> Councilmember Casar makes that motion. Is there a second.

>> Mayor pro tem seconds that S there a second to that member?

>> Councilmember alter seconds

[6:21:46 PM]

that item. Seconded. Any objection to approve it and to close the public hearing. Councilmember Casar. This was.

>> Affordable housing for oaks experiencing homelessness and we had some trouble at tdha trying to get it approved, but I hope that as part of our work at the capitol we do our best to make it easy to build housing for people experiencing homelessness but glad that hopefully with this we will finally get that done in a district 4 house a lot more people, as we work to get people off the streets. Again we usually pass these things on consent and I think every once in a while it is good to acknowledge the work we are doing to get the homeless off the streets.

>> Thank you, mayor pro tem.

>> Want to say I wasn't opposed to second, I just didn't have my hand up. I didn't want to take it away from anybody else. Any further discussion? Those in favor of this item, 68, please raise your hand. Those opposed. Unanimous on the dais, and councilmember Flannigan is not with us. Councilmember tovo.

>> Tovo: Mayor, I just want to clarify item 85 that it was the intention to leave the public hearing open.

[6:22:49 PM]

With, it is the case that before we vote members of the public can testify regardless, but just to clarify to the public I wanted to clarify that that item 85 public hearing would remain open and they would have an opportunity to speak to it on the next hearing.

>> Mayor Adler: That is confirmed and number 85 people will have a chance to speak when we vote on the --

>> To.

>> Tovo: But if we need to reconsider to make that clear in the language on the agenda, I want to be sure it doesn't say public hearing is closed or something --

>> Mayor Adler: Clerk, do you need us to consider that right now. Right now -- do you need us to reconsider that at all? Ann?

>> Mayor, are we talking about 85? I had it marked town as being approved.

>> 85 was approved on the second reading only.

>> Right.

>> Which means with we could clarify we are keeping the public hearing open for --

>> That was so we could get the

[6:23:50 PM]

agreement piled, I think. Barrett not say that because it may be a different --

>> I understand. The public hearing is open and passed it on second reading.

>> Mayor Adler: Thank you. Councilmember harper-madison. >>

>> Harper-madison: Actually it was one of those times where I couldn't quite hear Jerry. I actually had remarks prepared, including some of what the community and the developer come to agreement with, in which case I can read that now or do it at the second reading, but that one glossed past me. The understanding is it is coming back on the 15th.

>> Mayor Adler: I think it comes back on -- 84 and 85, when are they coming back? I don't remember. Ann, do you have when it comes back?

-- sorry about --

>> The requesting to come back on the 15th, we can do that.

[6:24:51 PM]

>> Mayor Adler: Sounds good. Coming back on the 15th. Thank you. Why don't you hold off your statement until then. Does that work for you?

>> You bet. I think the only thing that is important I wanted to make certain that the residents understand they have worked long and hard with the developer to come to these agreements, I wanted to understand and read into the record but I can do that at that time. Thank you.

>> Mayor Adler: Thank you. All right, colleagues. . It is 6:25. Let's come back at 7:30. Straight up we will get started then. We will deal with the convention center items, the saves resolution, the aahc item and the three zoning cases. So we will work as quickly as we can. With that, at 625, the city council -- Ann kitchen?

>> Kitchen: I am sorry. I have a question. Is that 83, 89 -- the zoning cases.

>> Mayor Adler: Yes, 83 -- and

[6:25:52 PM]

93.

>> Kitchen: Didn't we also have 80 and 81?

>> Mayor Adler: Those were originally pulled but they went back on.

>> Kitchen: Okay. Right. Thank you.

>> Mayor Adler: Coming back to us on October 1st.

>> They were the ones to get the documents filed --

>> Mayor Adler: Right. Okay. So, 6:26 we are in recess. We will come back to the city council meeting at 7:30. See you all then.

[ Recess ]

[7:33:43 PM]



Wait.

[Music].

[7:42:26 PM]

>> Mayor Adler: It is 7:42. Today is still September 17th, 2020, we're continuing on in the city council meeting. We have a quorum present. I think we may be close on some of these items. Do you want to start on item 62, which is the saves isc. Let's do that one first. I think that's incorporated amendments. Saves isc is the revision 2 that's been handed out that incorporates the -- it's the initial deal that incorporates much of the comments that were made, in addition the base motion would include what's marked as Adler amendment 1.

[7:43:27 PM]

Which is basically the pool amendment that was brought forward that adds employees also benefiting from helps these industries, artists, studio organizations and -- organizations and studio spaces. Also in the base motion I had left out the language from councilmember kitchen. In the language that is in the -- it's in line like 163, not be limited to visitor information centers.

[7:44:30 PM]

As defined by Texas tax code 351.1 although 1, it adds in the words as eligible for hot tax funding, comma, adds in those words. So that is the kitchen amendment. And then councilmember tovo I think wanted to also add some language in the last resolved clause.

>> Tovo: Yeah. So mayor, I had circulated, as you know, an amendment and then I made some revisions to it circulated again today. You've incorporated some. We still need to work out how it gets incorporated into that last clause and I do not -- I do not have a solution to that at the moment. Can we.

>> Layton-burwell: This on the table and come back -- can we lay this on the table and come back to it?

[7:45:31 PM]

I will need some time to that.

>> Mayor Adler: Sure. Is there a motion to that as the base motion? Jimmy Flannigan seconds that motion. It has everything in it that people wanted other than the language that councilmember tovo is going to work on here. Let's lay this -- councilmember alter?

>> Yeah. I wanted to suggest a very tiny amendment that I didn't do a paper thing.

>> Mayor Adler: Okay.

>> Alter: On page 4 of the one that I have it says additional federal assistance. I'd like it to say existing and additional federal assistance because the cares money we have is much more flexible than a lot of other sources and we may find that the best path forward to do what we think we need to achieve involves using money for other things and deploying cares money to support the venues in ways that we know that we're allowed to do or childcare or whatever it is that we're trying to do. So I don't want to preclude using existing federal money that we have.

[7:46:32 PM]

>> Mayor Adler: It so instead of saying existing federal assistance, you say existing or additional federal assistance.

>> Alter: Yes. Or/and, I'm not sure whichever is appropriate. But existing or additional federal assistance is fine.

>> Mayor Adler: Anybody have any objection to that being added? Here none that's added to line 72. Councilmember kitchen.

>> Kitchen: I have a question. I just want to understand it might be confusing for the public and I'm not sure which one to look at. So I'm looking at the posted items for 62 and which one is the one that's our base motion because I'm not seeing it.

>> Mayor Adler: The base motion is rev 2. It was handed out by Kate this morning. And it's also posted on the message board.

>> Kitchen: It's not in backup. Let me make sure I'm in

[7:47:32 PM]

understanding. It's draft resolution version 2. Is that what it is?

>> Mayor Adler: Let me pull it up and see.

>> I think it's just revised.

>> Councilmember kitchen, this is Janet it might be labeled revised.

>> Kitchen: Revised draft resolution. So you think it's that one. It says version 2 on it. I wanted to make sure that for the public that they saw that. So thank you. >>

>> Mayor Adler: So with those changes made we'll lay that on the table. To come

[7:48:34 PM]

back. What about the resolutions with respect to the convention center? I think some people had the -- some amendments to bring to -- this is items 18, 48 and 95. Again, 48 the correct --

>> Tovo: Mayor, I was going to say I am still finalizing some direction. It's been evolving throughout the day as we've gotten more information and I'm not quite finished with that either. So if we could do some other things and then come back to this patch of stuff too, my staff and I are going to get this posted on the message board just as quickly as we can.

>> Mayor Adler: Okay. So let's hold off then on 18, 48 and 95. I think that gets us then to ahfc and to the three zoning cases.

[7:49:34 PM]

Let's take care of the three zoning cases that we have and then we'll go over to ahfc and then come back for the two city council items. Does that work, councilmember tovo?

>> Tovo:.

>> Mayor Adler: Let's begin with item 83, south Lamar.

>> Mayor, council, this is Jerry rusthoven with the planning and zoning department for the property located at 218 south Lamar, the site of a former schlotsky's restaurant adjacent to the Zach Scott theater south of the river. The property is a 1.26-acre tract that is currently owned csv. The current zoning is pud planning and development. The staff recommendation is for approval of the project. The environmental board also recommended the staff recommends and the planning commission recommends the staff recommendation with

[7:50:35 PM]

two changes, one that parking be 80% of the code required parking and the second one is that no office uses be allowed on the ground floor. The applicant is requesting a pud to modify several things. The F.A.R. Would go from two to one with 3.59 to one. The height would go for 60 feet to 96 feet and there would be no building setbacks on the property. In exchange for being allowed to modify the code is

applicant is suggesting several benefits. Several are environmental in nature such as green start green building program, rainwater collection and enhanced landscaping in connection with the purple pipe system. In addition, the applicant will be providing all the parking underground which is not a code requirement. Parking will be for Zach Scott theater employees next door and expanding the plaza that exists at the rear of Zach Scott.

[7:51:35 PM]

They're also proposing 280,000 dollars' worth of traffic improvements including ones on site. They have agreed to no driveway on to south Lamar, which is what the transportation department would like to see. And also doing some off site improvements to sidewalks along Toomey ride. Finally they're offering \$1.5 million in money for the affordable housing trust fund. Under the pud ordinance it is an office and therefore has no affordable housing component. The pud ordinance required them to pay \$300 billion for affordable housing and they're agreeing to pay about 1 point two million dollars on top of that. With that I'm available for any questions.

>> Mayor Adler: Does the applicant want to speak to this?

>> Kitchen: Mayor,.

>> Mayor Adler: Did you want to speak before the applicant speaks?

>> Kitchen: No. I wanted to say I had a lot

[7:52:36 PM]

of questions. How are you thinking to proceed? Let the applicant speak and then I can ask questions of both -- because I have questions for Jerry as well.

>> Mayor Adler: Yes, unless you want your questions first and then the applicant.

>> Kitchen: Okay.

>> Mayor Adler: Let me just check. Is the applicant here to speak to this item?

>> Mayor Adler: We should check and see if applicant wants to be here for this item. Can staff do that?

>> I know applicant intended to speak. I don't know if they're on the the line or not.

>> Mayor Adler: Okay.

>> Who the applicant? We need to know the names.

>> Kitchen: Okay, mayor. We're checking on that, so should I go ahead?

>> Mayor Adler: Okay.

>> Kitchen: Okay. So I have a lot of questions about this application. And a lot of concerns about

[7:53:37 PM]

it. To try to summarize it for folks and then get to the questions for Jerry, there's -- there's a couple of buckets that might questions fall under and my concerns. First off is one that we discussed previously and that relates to the eligibility and the applicability of even using the pud for this location. So I'll come back to that in a minute. But the others relate to what I consider to be a very serious lack of superiority. In drilling down from that is the housing issues and parking issues as well as other issues related to open space and lack of compliance with the waterfront overlay. So I say that so that people can understand the range of the questions and the key areas that I have concerns about. So I'd like to talk first

[7:54:41 PM]

about the use of the pud zoning for these small lots. So Jerry a couple of questions for you and then I'll speak to this more. So my understanding is that -- you provided us some information that there are -- my understanding is that the request here is that the current zoning is csv, right, and the request is to move that to pud zoning.

>> That's correct, councilmember.

>> And the csv is the affordable component.

>> If the complicate chooses to build what we call a vmu building they could receive certain benefits such as unlimited density in exchange for doing affordable housing and other kinds of things.

>> Kitchen: Okay. And their base zoning their height would be 60 feet, right?

>> That's correct.

>> Kitchen: Okay. So the sides of this one is

[7:55:45 PM]

under the 10 acres, right? That's the -- the size of this is under 10 acres. I think you said it's one.something.

>> 1.26.

>> Kitchen: Okay. So you provided us with a spreadsheet that showed us the number of times that this council -- not this council, but the city council had approved using a pud for under 10 acres. Right?

>> Yes.

>> Kitchen: Okay. So I think that that's available to everyone if anyone is interested in looking at that. So my point of all that is that the other thing I wanted to let people know is that I posted in backup a summary of the -- of the law and the concerns that I had about the use of pud zoning for small lots. We had a conversation about that so I'm not going to go through all the details, but

[7:56:46 PM]

I want to highlight a few things. So first off what we're being asked to do here is use pud zoning for an area that is under 10 acres. The land development code specifies that to use a pud for under 10 acres the properties should be -- the code says that a pud must be at least 10 acres unless the property is characterized by special circumstances, including unique topographic constraints. The special circumstances that are being requested in this case is the existence of the waterfront overlay. So what is being requested is the use of another ordinance as a special circumstance instead of a topographic feature or some kind of feature like was used for the taco pud where it was three sides was

[7:57:47 PM]

streets. So Jerry, can you speak to that special circumstance? Did the staff make a finding related to what a special circumstance would be in this case?

>> No, councilmember, the staff has not traditionally made a finding to a special circumstance in regards to a pud. I would say that I do not agree for the reason the applicant stated as for the special circumstance, the waterfront overlay issue is separate from the size of the property. But we have not and we did not in this pud make a finding of a special circumstance for the 10 acres. Rather we looked at the application as a whole.

>> Kitchen: I'm sorry, I didn't hear the last part of that, Jerry.

>> We looked at the applicants as a whole. We looked at the superiority and what they were asking for. We have not in the past

[7:58:49 PM]

focused specifically on what circumstances less than 10 acres.

>> Kitchen: So in this case the applicant is pointing to -- I'm not sure if I heard you right N this case the applicant is pointing to the waterfront overlay as their special but you all as staff did not.

>> I don't tie those two issues together. The fact is the property is in the water front overlay and it is less than ten acres. I would not agree that being in the water front overlay is a special circumstance for being in the 10-acre.

>> Kitchen: Okay. But you would agree that that's what the applicant is suggesting is a special circumstance, am I --

>> Yes, that was the reason they used.

>> Kitchen: Okay. So just to summarize for my colleagues, what's being suggested here is that a pud under 10 acres can be used with

[7:59:50 PM]

a special circumstance but it is another ordinance, the water front overlay in this case. So I am very concerned that that interpretation, the council -- previous council -- this council nor previous councils have ever used that to justify a special circumstance under the ordinance. And the ordinance is pretty clear. It says that a pud must be at least ten acres unless the property is characterized by special circumstances including unique topographic constraints. So from my perspective I'm concerned about this because I don't think that the threshold requirement for using a pud has been met. I also think -- now, we have had some discussion about this and my understanding from the

[8:00:52 PM]

interpretation was that council could approve a pud under 10 acres without finding special circumstance. I don't agree with that either. I'm concerned about that because that just ignores the language of the statute. So that's my primary concern and I think that what we would be doing as a council is unprecedented and I think what we would be doing as a council would have the effect of allowing us to use a pud in any circumstance because we would be ignoring the requirement that under 10 acres a property has to be at least 10 acres unless it's characterized by special circumstances. So I don't know -- I'm going to stop there to see if anybody else has any questions of Jerry related to that before I go on to my concerns about housing.

[8:01:58 PM]

>> Mayor?

>> Mayor Adler: Council member pool.

>> Pool: I just wanted to tell council member kitchen that her questions are really spot on and specific and I'm happy to have her continue with her questions. She's picking up a lot of issues that were dangling, and so thank you. I'm happy to have her continue.

>> Mayor Adler: Ann, go ahead.

>> Kitchen: I think Alison had her hand raised. I'll wait until after her.

>> Mayor Adler: Okay. I didn't see that. Alison.

>> I do have some questions but they're not necessarily on this question about whether we should be using a pud as the mechanism as much as the planning principles. And I'm not sure -- this is a fully commercial site and I have some questions about whether that's what we would want to do and I don't want to interrupt you line of questioning, council member kitchen, but I don't know if this is the time to ask that. It may be more for the applicant. I don't know if the applicant is

[8:02:59 PM]

on yet.

>> Kitchen: Okay. I'll ask another few questions because now I'm going to turn to what you were raising. So, like I said -- and I provided this in back up. I think we're not acting within the requirements of the pud ordinance if this is approved. But now I'd like to turn to the other thing that's in the pud ordinance this question of superiority and I don't think this proposal meets superiority. We're basically talking about taking a property that would have had the potential to do some vmu. It's an office property. It's in an area that is on a transit line, a bus rapid transit line and what is one of the things that's being suggested is superiority is

[8:04:00 PM]

parking and excess of what's required. So I'm going to talk first about the housing, though. Jerry, you mentioned that there was \$1.5 million for the trust fund. Is that right?

>> Yes, council member.

>> Kitchen: Okay. I would like to suggest to folks that that is not nearly sufficient because we are giving up a property that could be used for housing and allowing, you know, additional variances, et cetera for an office and only \$1.5 million in housing. I would like to remind folks that across the street at the taco pud, the taco pud put in approximately \$3 million or so -- I'm not remembering the exact amount. And part of that, \$2 million of that, was for affordable housing along south Lamar. So what we're doing here is we're not holding those the same and I'm not certain what the



[8:05:01 PM]

difference is, particularly in line with the fact that our priority as a council is housing and affordable housing. And particularly along our corridors, our transit corridors -- south Lamar is a major transit corridor, both for the current vrt line and under our project connect plan. I don't see the equivalence here and I don't see the reasoning for saying \$1.5 million is acceptable as a housing benefit right across the street from a location where we got about \$3 million in housing. So I'm very, very concerned about the housing aspect of this and I don't see it as superior at all. If anyone wants to ask about

[8:06:01 PM]

housing before I --

>> Mayor, I did, actually. Can you see me?

>> Mayor Adler: Council member tovo.

>> Tovo: Thank you. So I actually asked about that -- thanks, council member kitchen. I was just looking for that information. I did request that through the q&a process. It's under the q&a under 83 and asking for that total amount, which was, as she said, \$3.7 million, \$1.2 million was cash to neighborhood housing and then the other 2.5 was to a nonprofit providing affordable housing. So I concur. I think that's one of the elements of this proposal that I'm struggling with. The use is really appropriate in this area, that use of office when this is an area that is so close to -- is an area where we wanted to see more housing and

[8:07:02 PM]

more development that was oriented to the surrounding areas. The other issue for me is whether, you know, the basic threshold of the planned unit development is that it's a strategy, a tool that should be used to achieve a development that is superior to what can be achieved under conventional zoning. And I'm really struggling with how this project in its current conception meets that basic threshold of being a project that is superior to what can be designed under conventional zoning. Those are a couple of the things that I am really mulling over, having that precedent across the street and that, you know, what the package of community benefits is here compared to some of the other planned unit developments that have gone through recently.

[8:08:05 PM]

>> Mayor Adler: Council member alter.

>> Alter: I don't know. Is she on the line yet?

>> Yes, council member. She is.

>> Alter: As I alluded to earlier and as council member tovo and council member kitchen has raised, this project has no residential component and there's assertions that a residential development would not be viable. I'd love to hear from the applicant why residential wouldn't be an appropriate component on this site. We talk about a desperate need for additional housing but we're on the verge of making a discretionary choice that precludes residential development in a high-opportunity area with well-ranked schools on a corridor with transit. I really would like to understand why the market wouldn't support housing on this site and if the market would support housing at this site why

[8:09:07 PM]

would we advance an office building. Ms. Swor, can you speak to me why residential wouldn't be supported by the market here?

>> Council member alter, can you hear me all right?

>> Mayor Adler: Yes.

>> Wonderful. Thank you. Thank you, council. I was breaking up a little bit. If I understood your question it is why is this not an appropriate site for housing or why is office appropriate in this location? The way that this project has been approached is what makes it for the long term and for the corridor. And this is a part of the corridor that has housing but it doesn't have the complete set of uses that are needed to make a corridor and to have the uses that sustain what south Lamar is

[8:10:07 PM]

looking to be. So currently today you have housing but you have areas -- you have no feet on the streets during the day. You have no ability to keep any of the restaurants and the uses that are on the ground floor viable. They continue to turn over. The only things that are surviving on this corridor, which should be a thriving corridor, are uses that have a drive-through component to them. The restaurants that are there that don't have a drive-through are constantly turning over because there's no one there during the day to be able to support a complete corridor, which is what south Lamar is looking to be.

>> Alter: Thank you. I'm going to have to think about this some more. In my first months on the council I had a pud in my district where my colleagues insisted we had to create more development surrounded by multifamily zoning and where the

[8:11:07 PM]

original proposal had no residential component and no residential uses have materialized on that site even after the council majority approved that. I'm just not sure the site is appropriate for additional development entitlements but I'm going to think about this because I think it's an area that is close to job centers and well-ranked schools and transit and I just am having trouble not fitting any residential in it.

>> Mayor Adler: Okay. Council member Ellis.

>> Ellis: Yeah, normally when we go through big cases like this, I don't know if the applicants have a presentation. I feel like we kind of started with the q&a and it might be helpful to see a little bit more of the information about the project before getting into some of the nitty-gritty questions.

>> Mayor Adler: We had invited the applicant to speak but the applicant wasn't on the phone yet. Do you want to make a

[8:12:08 PM]

presentation? You're entitled to do that for the council.

>> Yes, sir.

>> Mayor Adler: Why don't you go ahead.

>> I could get the presentation that was submitted pulled up. That would be appreciated.

>> Mayor Adler: Do you have the presentation?

>> Yes, sir.

>> Mayor Adler: Okay. You're up.

>> I don't see it. We're item 83. Good evening, mayor and council. I'm Amanda Swor here to discuss the schlotsky's pud. I do want to let you know Steve Drenner is also on the line and we will both be available to answer questions after this presentation, as well as representatives from the different disciplines, including

[8:13:11 PM]

ownership, civil engineer, landscape architecture if there are questions regarding the project. Next slide, please. As staff mentioned, we're excited to bring a pud to you that as a positive staff recommendation as well as overall recommendations as well from the planning committee. They voted with a 5-1

recommendation. The environmental commission as well as the planning commission that voted with a 10-3 vote of support, as well as support from the condominium owners that are within 200 feet of this rezoning request. I do want to talk through the questions -- oh, next slide, please. That one. Thank you. Through the water front overlay questions and we -- I had not prepared in my presentation to talk through the special circumstances that the council member mentioned. We are happy to address those and address them more fully, and

[8:14:11 PM]

if it's the desire of the council, we can work with staff to do that if that is something that's talked about. But you did hear earlier today about concerns from height and the mechanisms for obtaining the 96 feet that is requested. There have been some questions, if 96 feet is the maximum feet allowed in the waterfront overlay and this is a snip of the current code that shows that 96-foot mechanism is there. But what this code unfortunately doesn't have is a mechanism of bonus to that 96 feet as part of the overlay. The 96 feet of height in this area is not a new concept. This is a snip from the waterfront overlay regulations that exist in the early '80s, and what you see is that 96 feet is the height that was actually envisioned in the Barton springs

[8:15:12 PM]

area with the inception of the waterway. I just talked about puds that have been approved south of the river that were under 10 acres that the pud mechanism was utilized to create the additional height under the waterfront overlay. There are others. These are the puds closest to this area that are under 10 acres that all use the pud mechanism to achieve additional height under the waterfront overlay once those height maximums are reinserted into the code. I'm going to go ahead and skip this one. It just shows the other projects in the area over 60 feet. As I mentioned, from a community benefits perspective, this project has been supported along the way from staff as well as all the boards and commissions. I'm going to hit the five areas that we broke our community benefit package into.

[8:16:13 PM]

The first theme, environmental benefits. As I mentioned before, this project received an overwhelmingly positive recommendation from the city's environmental commission and is providing many environmental benefits. In an interest of time I have listed the high-level benefits on this slide and I'm happy to talk through those after my presentation if the council desires but, again, this project is not requesting any variances but received a unanimous vote of support from the environmental commission for the environmental superiority items that go above and beyond current code that the project is providing. Next slide, please. This area south of Riverside and west of south Lamar is transforming into a

cultural district for the Austin community. The ground floor of this project has been designed to provide great enhancements to the cultural area that a standard new project would not provide. As you heard from Sarah, this

[8:17:15 PM]

project will provide a rent-free artist space that will front on the public plaza. This project is providing 40% of their ground floor to open space which, again, you would not see under a vertical mixed use building. By orienting that open space this project is more than doubling the size of the Zach Scott's people's plaza. That's a tongue twister, that is catty-corner to this site. It will provide parking for guests of the Zach Scott theater as well as parking for future patrons of the art center. The ground floor of this project will have restaurant space for patrons of the arts to utilize. Finally, this project is providing 30 on-site parking spaces for the Zach Scott employees. When we start talking about a community benefit package we need to look at the whole package, not just one component of it. The cultural benefit community package will provide a community

[8:18:16 PM]

value benefit of over \$1.1 million for the artist space alone and an additional \$1.6 million for the parking spaces that will be provided to Zach Scott. This is just to orient you on the items we've discussed. The bottom of this picture is Toomey road with the right side of the screen is south Lamar. As you can see in the green space, this is over 40% of the ground floor being left as open space and with a typical vertical mixed-use development you could have 95 impervious cover or no area of open space on the ground floor. What this project did is it put the open space and situated it both along Lamar and Toomey to provide that pedestrian experience but it also took that large plaza area and connected it to the Zach Scott's people's plaza, as you see on the top left side of the screen. The area in yellow is the artist gallery I mentioned that will spill out on to the plaza and really enhance the cultural

[8:19:16 PM]

district being created in this part of town. And the red areas are the restaurant space and retail space that will serve this area by having daytime patrons in an office building you will be able to have restaurants that survive versus restaurants that continue to close because everything is so auto oriented in this area right now. The parking benefit. Unlike most other billion buildings, all of the parking will be underground. No above parking, no surface parking. All parking will be underground. In addition, in line with the city's goals, the parking will be open to the public on a paid basis. Most office buildings and all residential buildings provide parking exclusively for their tenants. They do not allow other patrons to

park in their structures. Taking into account this project's location along a transit corridor and to meet the goals of the city, this parking garage will function like the city hall parking garage does

[8:20:18 PM]

and will provide parking for the project. It will provide cultural visitors' parking, parking for park visitors and all of this will be available to the public 24 hours a day. All of this parking will be provided while still utilizing parking reductions given the goals of this corridor and staying below the code-allowed maximum parking at the site. Transportation benefits. This project conducted a traffic impact analysis to address the community needs in the area. As staff mentioned, the project agreed to remove a driveway along south Lamar, which is envisioned in the corridor plan that exists today. The pud is paying over \$227,000 for off-site transportation that was directed by staff. We are also conducting off-site sidewalk improvements to fill a missing sidewalk gap along

[8:21:18 PM]

Toomey road that will be utilized as the cultural continues to grow. The pud is providing bus stop improvements to address a bus stop being relocated and is also funding cycle track improvements along south Lamar totaling \$280,000 in funding for off site improvements and over \$140,000 in constructed sidewalk improvements for the pedestrian both on site and off site. Finally, I want to touch on affordable housing. Per the pud ordinance, this non-residential project would require a fee in lieu of \$357,000. For the 51,134 feet. So 51,000 bonus feet for a fee of \$357,000. In addition to that fee that is required as part of the pud ordinance, we are proposing to add an additional \$1,150,000 payable also to the Austin

[8:22:19 PM]

housing trust fund for a total of over \$1.5 million. There were some questions about the difference between the affordable housing package that was provided for the pud across the street in this package. What I would point you to is the difference in the bonus work that is being achieved. This pud is asking for less than -- about half of the bonus square footage that was achieved in the other pud. And the other pud had a requirement for on-site housing, which this pud does not have today. And so, with that, I will pause and I'm happy to answer any questions. Again, myself and Steve Drenner are on the line from Drenner group as well as representatives from the [indiscernible].

>> Mayor Adler: Thank you.

>> Mayor, I have questions.

>> Mayor Adler: Okay. Hang on a second. Go ahead, Ann.

>> Kitchen: So I have a lot of

[8:23:22 PM]

questions and I'm going to focus on just a few. First off, if you could put up that presentation again. There's one aspect of it I wanted to look at again. If you could go back to slide no. 6. Yes. That is different than the slide that was handed -- no, slide no. 6 is what I want to see. The back up -- not this one. The next one. Yeah. This one shows -- this is the one that you passed over but the one that we had in back up that all of us received shows that all the other properties surrounding this one are less than the 96 feet.

[8:24:25 PM]

This 218 south Lamar at 96 feet will be the only one at 96 feet on that side of Lamar. Zach Scott theater, which is right next to it, 70 feet. You can see -- I thought that was important for folks to understand. Now, across the street of course, taco pud is 96 feet, but that's across the street. So everything on the other side of Lamar is -- to the west of Lamar. Next to Zach Scott theater is 70 feet and you have other projects around there that range from 70, 74 feet and things like that. So I want to focus in, Amanda, on the parking. So you can take the slide down if you would like. Can you take the slide down? Okay. So this is something that we tried to work with, and I really appreciate the time that you all

[8:25:26 PM]

spent with us and with the neighbors in trying to work through the parking. And I'm disappointed that we weren't able to reach an agreement on how the parking was handled. Because I think that the direction we were headed in perhaps could have really addressed a community benefit and perhaps could have been superior. But as it is what's happening right now is you've got an underground parking space that's about 154, give or take, parking spaces that are over and above what's needed for the office building. And while I appreciate that 30 of them are dedicated to Zach Scott, what we were trying to work out with you all was relieving -- to truly be a community benefit to this area we were trying to work out how these parking spaces could be

[8:26:29 PM]

used to relieve the parking requirements of the Doherty art center, which is right now having to look at a two-story parking garage just west of that area down Toomey road. So the process we were going through, as you know, was to try to dedicate some of those spaces and we were not able to reach agreement with your client on that. So what we've got here is parking spaces that quite a few additional parking spaces that are not needed for the office park and, yes, they're available to the public but they're available to the public at a charge and that's additional revenue for, you know, for this office. It's not a benefit for the public, it's additional revenue for this office.

[8:27:31 PM]

And so in talking with our parking folks -- I don't know if they're available. We can reach out to them if they're available to speak to us. And I would invite them to speak up if they're available to get on the line. My understanding from them is if we could reach an agreement where you could offer some additional spaces that are dedicated for par and that you could also work on an agreement that makes it possible for par to have validated parking for a certain period of time, that that could work to relieve the requirement for pard to put a two-story parking garage right down the street to the west. So I bring that up because I think for the parking in this location to truly be of public

[8:28:33 PM]

benefit and to truly be a public benefit to this cultural area, as you mentioned, we really need to take into account what the Doherty art center and pard needs. Otherwise, what you're talking about is about 154 extra spaces to be paid for by the public at a corner that's on Lamar, which is a transit corridor in a place that we're trying to reduce parking because of our goals around transit. So I'm wondering if you could speak to whether you all would be willing to consider the latest proposal from pard is 40 additional spaces plus validation of parking. I think what's important is to get to a point where pard would not need that extra space. Now I see that Kimberly is on

[8:29:36 PM]

and I don't know if Leona is on or someone else related to pard. I would like to ask our staff what they would need in order to be able to consider a reduction in that parking required for pard.

>> Council member kitchen, this is Kimberly and it is most appropriate for leeona and Kevin Johnson to be moved over to participate in this conversation because they have the most expertise and detail related to this particular pud. So if we could move them over, I think that would be most helpful to the conversation.

>> Kitchen: Okay. Thank you. If we could move them over, I would like to ask them a few questions.



>> This is Leona, I don't know if you can hear me.

>> Kitchen: Leona, I don't know if you heard the previous conversation, but if you could speak to the question of what

[8:30:38 PM]

pard would need for the Doherty arts center to be able to reduce the need for the two-story parking garage on that property which, by the way, if we reduced it, that would allow us to preserve more of the existing park space for green space instead of you having to build your own parking garage. So could you speak to that?

>> Yes, I would like to start by saying that we are still in very preliminary design and we are exploring different options, as we were instructed by council. We know we have several needs in terms of parking, and that has to do with employee parking and parking that is needed for patrons to attend events. We understand that a minimum of

[8:31:45 PM]

40 spaces for employees are dedicated in perpetuity would allow us most probably to eliminate one of the [inaudible] For parking. The second need that has to do with demand for performances, that's actually coming probably at a good time with the use of this project because it's primarily during the day. Performances are most often during the night. We know that we have probably a use for about 200 spaces, maybe even more for a few events during the year. If a validation process is in place so that patrons can attend events without having to pay for a certain number of hours, then

[8:32:46 PM]

that will, again, relieve the need for structured parking and we'll be able to reserve more parkland.

>> Kitchen: Thank you. And so this is something that I would like to provide direction that the -- and I know, Amanda, if you're still on the line, I know we have had conversations and you have been willing to come to the table, and I appreciate that. It's just that our previous conversations didn't get us to the point where we feel the need. And so I'm wanting to ask are you all willing to come back to the table and look at what I think the pard is telling us is the minimum they would need in order to be able to truly have a superior development and a community benefit related to the cultural area and the parking garage.

>> Council member, this is Steve

[8:33:49 PM]

Drenner. Can you hear me?

>> Mayor Adler: You're breaking up. Are you close to your mic?

>> Can you hear me better?

>> Mayor Adler: Yes.

>> Okay. Thank you for those comments since I was the one most directly involved in the parking discussion I thought I was probably the appropriate person to answer. Let me address a couple of issues and where I'm going to end up with this is of course, as we have been, we're willing to discuss anything and I hope that you will support the fact that that has been our attitude. In fact, we took a month postponement over the summer break to allow pard and the folks planning for the Doherty to try to come up with an ask. And we came back from summer break and since then there was no ask.

[8:34:50 PM]

It has been, hey, we just don't know. We have moved forward with a proposal because, frankly, we never got a request, a pard request. This is the first one we have seen and we will absolutely take it under advisement. But I do want to contest a couple of things that I don't believe are accurate. One is that you're identifying 154 extra spaces. By code we would be required to provide 675 spaces if we didn't use any of the available discounts. Our parking space is total 635 so I don't believe that we have 154 extra spaces. I'm puzzled with the idea that

[8:35:50 PM]

they are of benefit but only if they are free. We are asking office tenants to do something that no other office building has done, which is you don't have an assigned space. You don't have a garage that's held open just for you and to encourage people to use alternative forms of transportation to the public. And somehow that has become a negative because we charge for it. Like city hall, parking is not free and that's the point that I would make. City hall benefits the district downtown even though you have to pay for parking, and that would be the case I think in this area. I would also suggest that by doing that we're doing more in terms of asking our tenants to

[8:36:55 PM]

handle having parking in an open garage and paying and we're doing more than, to the best of my knowledge, than the city is doing. Because the city is saying to us, well, gee, we have to have guaranteed spaces and they have to be free. And there's not a single user in that garage that would have that situation unless we reserve for Zach Scott. So let me end with more than happy to consider. I would hope that we could do that, if this moves forward tonight on first reading, between first and second reading. And I assure you we will try to move mountains to accommodate the city's request, and I'm glad that the city has gotten to a place where they can make a specific request.

>> Kitchen: Mayor, could I follow up for a moment?

>> Mayor Adler: Yes.

[8:37:56 PM]

>> Kitchen: You know, first off, as I said before, I certainly do appreciate the opportunity to sit down and talk, and we have been talking about this for a while. But I have to take issue with your characterization that there was no request made before and it wasn't clear what was needed, because I don't think that's accurate. But I do appreciate your willingness to come and sit back down. There was a previous request that was not accepted. So the other thing I would just say, the point about the parking -- as I understand what you're suggesting about the parking is just the question really is, is this the location and is this the kind of benefit we want for this location? That many spaces for parking along the transit line under an office building? I seriously -- you know, I can see what you're saying in another location but I don't really consider that in a pud

[8:38:58 PM]

context to be a community benefit. The other thing is the reason I was characterizing that as extra parking spaces is because it is extra, just based on my understanding of what your request was under the pud. Because part of what you were requesting was a reduced parking space so you were requesting reduced parking spaces. What you were required and taking advantage of that ability to request reduced spaces. And that's been my understanding from my conversations, you know, with you for a while now and also what's written into the request. But be that as it may, the point here is I don't see it as a community benefit. I don't think this is the location where we need a parking garage along the major transit line. You know, even if we go ahead --

[8:40:00 PM]

you know, even if the thinking is that office makes sense there, a big parking garage to make parking available to the public right next to a bus rapid transit line on a street that heads into south Lamar just doesn't make sense. And I appreciate that we may just disagree on that. I appreciate the fact that you're suggesting that you will sit down and consider the specific request that's made that has been made related to parking. And so I appreciate that. I have other questions. Do you want to ask questions first?

>> Mayor Adler: Why don't you hang on a second and let's get some other council members who have had their hand raised and haven't had a chance to talk yet. We'll come back to you. Council member Ellis.

>> Ellis: This is on the same topic. I didn't want to cut in between your questions but I thought it

[8:41:01 PM]

might help our conversation as we are moving through these topics together. Can you tell me if the parks department building right now, are you lacking parking right now or is it a matter of combining the Doherty arts center there that's creating a certain for parking?

>> This is going to be a new site for the Doherty art center so it's going to be a new use and it will come with requirements for parking. Right now the parking that is there serves the main building and there's a little bit more parking, surface parking, but that is certainly not sufficient to cover the needs for the Doherty arts center.

>> Mayor, I think we lost --

>> Mayor Adler: We lost Paige.

[8:42:04 PM]

>> Ellis: I'm sorry. It cut out right when you were answering.

>> So this is a new building. The existing parking there is not sufficient to cover the needs for the new Doherty arts center. And because of the events this would probably be the big demand associated with the new center.

>> Ellis: I see. I can appreciate that. I'm kind of struggling, even though I appreciate a request to have everybody be community partners with situations like parking, when we go to the palmer event center I pay for parking. I think we pay for parking at the Dougherty now. I do think being on a transit line is helping so it can

[8:43:05 PM]

mitigate parking concerns, no matter which building people are going to. Whether it's the many residences nearby, whether it's an office building, whether it's going to town lake trail, I think having the right blend of parking and transportation is what a lot of us have been trying to work toward for a very long time. I can definitely appreciate that but I'm interested in seeing how the conversation around these particular spaces go moving forward. But I think it is kind of odd to have a private development commit to, in this parking, not knowing how the rest of this deal is going to work out. But I certainly appreciate the conversation.

>> And if I may add to this, we are trying to optimize the parking and actually minimize it as much as possible, so that will definitely be one of the goals. And the parking now for Dougherty is free. So every patron can come and

[8:44:06 PM]

enjoy the events and the classes without having to pay for parking.

>> Ellis: I see. I appreciate that clarification. I know there are a couple of other buildings that the city does have people pay for, but I do appreciate that.

>> Mayor Adler: Okay.

>> Ellis: That's good for now. I may have more questions later but I just wanted to get that clarification.

>> Mayor Adler: Sounds good. Anyone else have questions before we go back to Ann? Ann, you're up.

>> Kitchen: Okay. So thank you all. No more questions relate to the transportation and so these are related to the tia. So I don't know, I may need Austin transportation to respond to it. I'm not sure -- or Jerry.

[8:45:08 PM]

I'm not sure who can respond.

>> Council member, I believe

[indiscernible] Is on the line.

>> Yes, council member.

>> Kitchen: Okay. So these questions relate to one of the concerns that's been raised is about the flow of traffic. So I had a few questions related to the tia and the flow of traffic in that area since it will empty out on to Toomey road. So my questions were from reading the tia, there were a number of things that were not included in the analysis of traffic in that area. And one of the reasons I'm asking that is this is

an area that's problematic from a traffic standpoint, particularly along Toomey road, and it's one of the reasons that neighbors

[8:46:11 PM]

are concerned about it. So let me just ask those questions. It looked to me like the traffic analysis did not account for traffic from the hotel and restaurant, from the taco pud and then it also looked like there was an assumption of -- one of the folks that spoke to us earlier was concerned about an assumption about zero traffic on Toomey and stirsick. So I had a question about that also. Why don't you speak to those first and I'll ask my last question after that.

>> Thank you, council member. This is the city of Austin transportation department. This is the tia, the assumption

[8:47:11 PM]

is based on the existing traffic, basically traffic in the tia of both intersections. And it is extremely difficult to predict which way it is going to go but that is the best based on the background in the area.

>> Kitchen: But did the traffic flow take into account there's a couple of traffic generators in that area. Did it take into account the carpenter hotel restaurant?

>> I'm sorry, council member. All the proposed new development, those were included in the background in the traffic in the tia, and also on top of that the applicant had included the existing traffic comps for the tia. I believe all the traffic was included in the background for

[8:48:11 PM]

the traffic analysis.

>> I might be able to address that question, if I may.

>> Kitchen: That's all right, Amanda. I would like to talk to our staff.

>> Yes, ma'am.

>> Kitchen: So, okay. Well, I'll follow up with you afterwards. I may have misunderstood because I was thinking that the restaurant was not accounted for nor was the taco pud. So let me ask you another thing about the tia then. So just for basic -- just to understand. So is the thinking that most of the traffic would come from the north across the bridge and then into the office building. Is that part of the tia assumption?

>> Yes, council member. So that is based on the existing traffic background in that area.

>> Kitchen: So the thinking is that the use would be mostly -- I think it was 69% from the

[8:49:12 PM]

north and not from the south.

>> Yes, council member.

>> Kitchen: Okay. Then the final question there is -- and this one I really had a question about was the traffic flow, there's an assumption about how people would come out of the garage, which I think makes a difference to thinking about the impact on Toomey and on Lamar. So I think the assumption, am I right, in thinking the assumption was to turn left on Toomey, turn right on south Lamar, and right on Barton springs road.

>> Yes, council member. That is correct.

>> Kitchen: Okay. Did tia also model the impact, which makes more sense to me, is the impact of turning right on to Toomey then going down Toomey and turning left on to Jesse or stirring and then on to Barton springs?

[8:50:13 PM]

That way you could avoid two singles and avoid the south Lamar traffic. So was that approach modeled?

>> Council member, that was not modeled as a primary movement because based on that traffic pattern in the area, the majority of the traffic takes Toomey and then south Lamar. But, yes, that's a possibility but based on the traffic pattern was not the majority of the movement included in the tia.

>> Kitchen: Okay. So it wasn't modeled. Okay. All right. Well, that's my questions related to the tia. Does anyone else have tia questions before I move on to something else?

>> Mayor Adler: You can move on to something else.

>> Kitchen: Okay.

>> Mayor Adler: Thank you.

>> Kitchen: Pardon?

>> Mayor Adler: Thank you. Did the applicant wanted to say

[8:51:14 PM]

something about traffic? You had tried to.

>> I'm going to discuss it with the council member offline. Thank you, mayor.

>> Mayor Adler: Go ahead, Ann.

>> Kitchen: To summarize, at this point I have a lot of other concerns but I realize that I'm taking a lot of people's time. People are tired and we still have a lot more to go over. So I'll just point out what my other concerns are and deal with them offline. So first off I just want to say that as I mentioned earlier I've really been trying to work this out and so have the neighbors really been trying to work this out, and I'm hoping that there's still an opportunity to do so. I just don't think that we are -- I just don't think we have a superior development here. And that's why we have opposition from, you know, the Barton place neighborhood

[8:52:18 PM]

association, zilker neighborhood association, Bouldin creek neighborhood association, the south river city neighborhood coalition, as well as a&c. All of these neighbors are very concerned about the use of this property and their primary concerns are the fact that we're losing property for housing and we're using a pud without superiority and they're also very concerned about the use of the pud for under 10 acres without a finding of special circumstances that really relates in any way to topographic considerations. So I just wanted to sum up I don't think it's superior. I don't think the housing is -- I already talked about that. I don't think the parking is. I have concerns that I will ask questions about offline, but I

[8:53:19 PM]

have concerns about the open space. I have concerns about the assertion of superiority related to traffic and improvements along Lamar that would be improvements that we would have anyway because of the corridor program. But there's a list of items that I have questions about but I'm going to stop now because I know that we have a lot of other things to consider, but I'm not at the point that I can support this. I have a lot of concerns about it and I don't see it as superior at this point. And, as I said before, interpreting the pud ordinance is something that's available to use on under 10 acres without special circumstances is appropriate.

>> Mayor Adler: Okay. Thank you. Is there a motion to approve this item on first reading? Council member Flannigan makes the motion. Council member Ellis seconds the

[8:54:21 PM]



motion. Any discussion? Okay. Let's take a vote. Those in favor --

>> Tovo: Mayor, I'm sorry. I have a question. I mean, one quick comment. Yeah, I just want to underscore what council member kitchen said. I agree with the comments that you made and I just want to highlight one point that you said about the neighborhood opposition, and you mentioned the Bouldin creek neighborhood association, which falls within district 9, because this is a property that really borders both of our districts, district 5 and district 9. As I looked at the other plan unit developments, I'm reminded of the Hyatt down the street on Barton springs, which was one of the first planned unit developments to come through. After long negotiation that did enjoy the support of the Bouldin

[8:55:21 PM]

creek neighborhood association in part because the community benefits -- were such that the project really was superior to what could have been achieved through conventional zoning, and those consisted of affordable housing but also other things like bike paths and pedestrian ways at a time when those weren't completely standard. That was the kind of thing we had to negotiate for. So, again, you know, I stand with you. I will not be able to support this this evening, but I really hope that the developer will continue to take these comments seriously and look at ways to really make sure that this is a superior project worthy of the planned unit development threshold.

>> Mayor Adler: Okay. Been moved and seconded. Any further discussion? Those in favor?

>> Kitchen: Mayor, I have another point.

[8:56:21 PM]

>> Mayor Adler: Okay. And council member pool. Council member pool.

>> Pool: Yeah, I just wanted to say I think there's still some work to do on this item and I look forward to continuing that work.

>> Mayor Adler: Council member kitchen.

>> Kitchen: Yes, I just want to mention again my concern about the lack of superiority around the housing component. I think it's important to remember that with the current zoning, to get to this height there would be an affordable housing component. That combined with the fact that the precedent in this area is much higher than 1.5 million. I just don't see that as superior at this point.

>> Mayor Adler: Okay. Those in favor of this item, please raise your hand. Those opposed first reading

[8:57:21 PM]

approval. Kitchen, pool, alter. Kathie, is your hand raised?

>> Tovo: It is. I'm sorry my camera is frozen again, but I am voting in opposition this time.

>> Mayor Adler: I think that's four against. I think the balance of the council voting aye. On a 7-4 vote that moves to second reading. Okay. Next item is the 89 south first street.

[Indiscernible] Located at 3504 south first street. This is a .84-acre tract currently zoned cs-cl. The applicant is requesting to keep the existing cos on the property with the exception of removing the 40 feet, removing the 2000 trip cap. The other cos restrict uses

[8:58:22 PM]

that we generally speaking do not want to see on the corridor, which is automated uses and self-storage. Planning commission recommend approval, staff recommend approval. It is notify it would require nine votes advance on all three readings. The proposed budget is part of a properties that would be combined next door to make for a vertical mixed use -- with that I am available for any questions.

>> Mayor Adler: Okay. All right.

>> The applicant is Richard --

>> Mayor Adler: Mr. Subtle, do you want to make a presentation to the council? Have we moved Mr. Subtle?

>> Suttle in?

>> Am I muted or.

>> Mayor Adler: You are on now.

>> Mayor, members of the council, my name is Richard Suttle, I am here on behalf of

[8:59:24 PM]

Mark Stephenson and slate. We have this transit corridor for .85 acres of property that is next door to what we all know as Mercury Hall. What you see on the screen right now is the property that is subject to the zoning case, we are asking for it to be zoned as the same it is a Mercury Hall property next door, CSV. Next slide, please.

>> There is an aerial that shows the total project, the .8473 acres there, that is a parking lot that is next to the existing multifamily, is the property that is subject to the zoning case, the 2.93 acres is where

Mercury hall is now, and then across cardinal lane the nearly acre and a half acre search there is also going to be a part of this project. It is not part of the zoning

[9:00:25 PM]

case, but that is where we intend to do the pocket park as part of the B project here. Next slide, please. This is a concept plan, south first being at the bottom. This is not a site plan, a site plan hasn't been turned in and many of the issues that neighbors have raised will be dependent on a site plan. But what is important to notice here is this is a plan that is on a corridor, we have north and south transit opportunities along south first. We plan on complying with compatibility standards and most importantly if you look at the top of page there, that is a setback from the -- some of the homes that you heard about that

[9:01:27 PM]

meets compatibility and also saves a lot of the trees that have been talked about in some of the neighborhood presentations. We have been working with the former arborist for the city of Austin along with the arborist of the city of Austin on a tree preservation plan and we intend to -- we will meet all of the cities regs on tree preservation, I don't know if there is a next slide or not but we can try it. Yes. This just shows how the teleproject what is outlined in red is the piece of property that is subject to the zoning case tonight. Next slide. This just shows the step-up from corridor, cardinal lane, three story to five story to five story, along south first, but again on the backside of it as

[9:02:27 PM]

you saw on the original preliminary, we are setting back from the homes which is to the west. Next slide. This just is -- shows land that is looking east and this is the buffer from the neighbors in the back and the trees that will be saved and mitigated for. Next slide. That may be it. So what we are hoping to do tonight, and I know it is always difficult when there is a valid petition, but this is, this is a case this is a case kind of in the middle ground between what is current zoning, what was to be zoned if there were new code, and what appropriate zoning would be on this tract next door. It is currently a parking lot. It is currently next to multifamily and what we would like to do is zone it the same

[9:03:28 PM]

as the bigger tracts so that we can then spread the tract out and preserve the trees and do the park and be on the 0 core transit corridor, it is late and you all are tired. I will stop there and hope that we can garner nine votes to tonight.

>> Mayor Adler: All right. Thank you. Colleagues, we are here on item number 89. Any discussion? Is there a motion? Councilmember harper-madison?

>> Harper-madison: No, I am just going to say this is one of these that makes perfect sense to me in terms of proximity and location. It just makes sense to me. I also would like to encourage everybody to, as we move forward, consider it is 9:04 so

[9:04:29 PM]

if we are going go late, I don't

-- I want to make certain that encourage, I won't encourage us to end early but encourage on our items to go long so for mely keep it short. This makes sense to me.

>> Mayor Adler: Okay. Is there a motion to approve this? Councilmember Flannigan? Fran flan I move,.

>> Flannigan: I move.

>> Mayor Adler: Councilmember Flannigan moves approval. .. Of this item 89. Is this on for first reading or second reading?

>> Councilmember it is -- three meetings depending how many votes it gets.

>> Mayor Adler: Well -- votes to pass -- it is all three readings, councilmember Flannigan, councilmember harper-madison seconds, councilmember Flannigan, you want to address? It.

>> Yes, briefly and express the

[9:05:32 PM]

0, agree with the 0 comments of counsels harp, I really hope the larger community is paying attention, we have a very different conversation when we are talking about building more housing in east Austin and it is an important and valuable conversation, and here we are with a zoning case that builds more housing in west Austin, so this is the time, this is the time to say, yes, we are going to build, we are not just going to put housing in east Austin, we are really going to do it in an equitable way and this is part a of a very difficult challenge of building new housing in a city is that sometimes, some might argue more often than not you have to build up.

>> Mayor Adler: Okay. Further discussion? Moved and seconded. Councilmember pool and councilmember Renteria.

>> Well, when we have valid petitions I would like to respect the neighbors who have done the work to get a valid petition in place, so -- and also I do think there are some, some work to do on both sides to get closer to a consensus, so I will not be supporting this on

[9:06:33 PM]

first reading and I just wanted to ask Mr. Flannigan, where are you drawing the line for west Austin, I think this is more in south, south Austin.

>> Flannigan: Nobody calls this the eastern crescent so I think this is where it falls.

>> Mayor Adler: Councilmember Renteria.

>> Renteria: Yes, I will support, this even though I don't think we are going to get the, get it all done on three readings, I would hope so, but it also has given us ten percent of a unit, 60 percent fee, so it is providing also affordable housing, and now to me, I know how desperate we need housing, affordable units and I always look at trying to get as many units as possible, but they are offering ten percent of the units at 60 percent.

[9:07:35 PM]

>> Mayor Adler: Okay. Any further conversation on this item? Motion is to approve and I guess it could be -- pass on third reading. It doesn't -- the votes for petition on first reading.

>> I call for a public hearing

-- vote --

>> Mayor Adler: Councilmember Flannigan, your motion is to approve and close the public hearing?

>> Flannigan: Yes, I don't why we care so much about this, because the law requires it to be open anyway.

>> Mayor Adler: Yes, it will be open if it comes back. Close -- it is item number 89, moved and seconded, let's take a vote, all those in favor of 89 please raise your hand. Those opposed. The votes no are kitchen, pool, councilmember Tovo, how are you voting, I can't see you?

[9:08:35 PM]

>> Tovo: I voted aye, yes, I voted yeah.

>> Mayor Adler: You voted yes.

>> I voted yes as well.

>> Mayor Adler: Okay. So this item then passes 9-2. So that passes on all three readings. All right. That then gets us to the next item, which is item number 93. C 14-0 2015-0 a 41, the zoning is F -- sf 2, to refresh your memory quickly, this is piece of property, both 0 of them have a single family house that faces bluegrass drive. The back portion of both lots which is four acres, it was zoned Ir at one time, and something called arterial eight, arterial eight was abandoned quite a while ago because of the bbcp and therefore the arterial

[9:09:37 PM]

will no longer -- this property will no longer have frontage on that arterial, requesting the zoning to sf 2 to build family houses just like to houses that are on the plat. With that I am available for any questions.

>> Mayor Adler: Okay. This is the applicant here to discuss this?

>> Mayor I do not know if the applicant is on the line. I don't see him signed up.

>> Mayor Adler: Okay. Is there any discussion, council, on this item?

>> Mayor.

>> Mayor Adler: Yes. >>

>> Mayor Adler: Councilmember Flannigan.

>> We had a longer conversation in the last council meeting and so I will be voting no again and, you know, just this notion that we would be zoning more sf 2 when we had a lot of conversations in that area. So I will be voting no.

>> Mayor Adler: Okay. Is there a motion to approve

[9:10:39 PM]

this item 93? Councilmember alter makes a motion is there a second to this? Councilmember tovo seconds, any discussion? Let's take a vote, those in favor please raise your hand. Those opposed. Voting no is the mayor pro tem, Flannigan, Casar, Renteria, Ellis, and harper-madison, those were the no votes so 6-5, this item does not pass.

>> Hold on. I am sorry. Mayor --

>> Five-6.

>> Mayor Adler: Let me count the votes again.

>> How did you vote, mayor?

>> Mayor Adler: I voted in favor but I think there were six opposed.

>> So this person came in -- okay. And they came in, they asked for this -- not actually allowed to

[9:11:40 PM]

give them any stoning that is higher.

>> Mayor Adler: That is correct.

>> That's right.

>> So we are going to make that go through the whole rezoning process again?

>> Mayor Adler: In the, and the alternative is to the -- that was the --

>> Well, and just to be clear -- can we hear who the no votes are to make sure the count is correct?

>> Mayor Adler: Okay.

>> But if it is voted down --

>> Mayor Adler: The no votes I had on this were Flannigan, mayor pro tem, Casar, Ellis, harper-madison and ren rita Renteria, the others voting aye, 5-6, the item does not pass.

>> Mayor may I ask Mr. Westhoven a question, please?

>> Mayor Adler: Yes.

>> Mr. Westhoven I just wanted to clarify my understanding that if this gets voted down that the applicant cannot file a stoning

[9:12:40 PM]

request on this property for one year; is that correct?

>> No slow zoning request for more intensive for 18 months.

>> Okay. So in essence they couldn't come back and ask for same zoning they also couldn't increase, they couldn't come back and ask for more density, density, they basically have to go with the zoning that is currently on there or something of lower intensity?

>> That's right.

>> For 18 months?

>> Yes. >>

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Just to understand a little bit better what the concern is, so maybe you can help me with this.

>> Is that a motion to reconsider?

>> Mayor Adler: So we have taken a vote so I think that is correct. We have taken a vote at this point P in order to reconsider the vote we need somebody who

[9:13:40 PM]

voted in favor of it, or vote against it to make a motion. All right. Let's go on to the next item.

>> Mayor, I was asking a question. This is Ann.

>> Mayor Adler: Okay.

>> Like my question is of --

>> Mayor Adler: Go ahead and ask the question.

>> Pardon?

>> Mayor Adler: Go ahead.

>> The question of Jerry was, I want to understand the circumstances here better. I think I am understanding what people were saying, but can you tell us a little bit more about the applicant? The applicant here to talk to us?

>> I don't believe that the applicant is on the line.

>> Okay. And can you tell us a little bit more what the applicant was trying to accomplish here?

>> Sure. So as I said, there are two single-family houses, each single-family house is on a four-acre -- [indiscernible] -- tied to a street called bluegrass drive, okay? And years ago the --

[9:14:41 PM]

[indiscernible] -- Both properties rezoned cr because it was anticipated there would be a arterial street would punch there. And at the intersection --

[indiscernible] --

>> I am done here. Hold on.

>> -- [Indiscernible] --



>> We can't hear you.

>> I am sorry. Somebody is still on the line. >>

>> So the back half of both lots, while those are not subdivided but the back half of both lots, two backachers of both four acres properties Zones Ir because they thought it would be an intersection, that arterial went away when the plan came into effect so there is not going to be an arterial there anymore so the applicant is requesting a down zoning of the back half of both of these properties from Ir to sf 2, I presume to construct, you know, additional housing, because the

[9:15:43 PM]

retail there I would imagine in their mind doesn't work anymore because the arterial street will not be punching through.

>> Okay. From you all's perspective, Jerry, did you have a concern about sf 2?

>> No, we did not, we would if the arterial were still to go there because we don't put sf 2 on arterial streets but because the arterial went away or has gone away, it has gone away for quite some time how we thought the single family zoning was appropriate.

>> And so -- okay.

>> Mayor Adler: Okay.

>> I am not understanding, I would like to make one other comment. I am not understanding why we are -- as a council why we are putting -- those homeowners this situation. Because if I am understanding correctly they can't come back to us, right?

[9:16:44 PM]

>> You are, have to wait 18 months before you can file same case or something that is greater than you asked for the last time.

>> Mayor Adler: Councilmember Flannigan. >>

>> Flannigan: To be clear this area, this probably already has zoning, so it is not somebody's existing homestead. It is, it had that zoning for a long time and we have denied it, so mayor I really insist unless there is a motion to reconsider this conversation is out of order. We have a long agenda and we have to move on.

>> Mayor Adler: I wanted to give her a chance to ask that question. Ready? Let's move forward. Yes, councilmember alter.

>> Alter: This is, this this is any district I haven't talked to this person and they haven't come and talked to me. In the future, though if we have a six-five vote and? Smun sw sun going to change their vote at a meeting it would be helpful to know that because we might have had some of this conversation beforehand,

[9:17:44 PM]

mayor pro tem you seconded the motion last time as I understand it though I was not expecting you to change your vote. You know, I haven't heard from these people. I think we voted but I think in the future that would be something that would be appropriate to share in advance so that we can have the conversation that doesn't impose some big change on somebody without being able to have a full airing of, hearing of it.

>> Mayor Adler: I understand. Isn't it also possible, Jerry, for the council to initiate something sooner than 18 months if it wanted to do something?

>> Yes, mayor, because the applicant would be the city of applicant and not private property owner.

>> Okay. Thank you. All right. Let's move on.

>> Next item we are going to do now is the, back to the old items, we now have handled all of the zoning cases. The first one of those is the saves item. Councilmember -- which I am

[9:18:44 PM]

pulling off the table right now. This is item number 62. I think that got us to you, Kathie. Yes, thank you, mayor. So.

>> Let's see. I distributed a second, possibly a third amendment, this one works with your last section, and would insert the following after line 172. As it reads in that -- basically, it is very similar to what I distributed in versions 1 and 2, and that it identifies another funding source, temporary right-of-way fees, revenue from -- agreements for a period of two years. Mary you had taken tout time period, so I am agnostic on

[9:19:45 PM]

whether that stays or goes. It is currently in my language. I will say one change I have made and I sense since the version that circulated earlier this week is to -- right-of-way fees in 1 million in recognition of the memo we received from director spillar. And then I have added language, mayor, you have added language which I appreciate asking that our city staff bring back -- on October 1st that can be actionable,

with the intent, which I am 100 percent on board with, of really getting, getting those punning sources identified as soon as possible, taking action and getting out money to the venues and restaurants and the other businesses that need them, if we are able to identify. So what my next paragraph does here is just make it very clear that among the battery of things that we want them to consider bringing forward, that we do want to see ordinance or ordinances related to this

[9:20:50 PM]

section and budget amendments and. There may need to be budget amendments because I am asking that they take a look at existing funds that fall within these categories and see if those can be -- I think that kind of covers it. I do have a lot of questions, of staff, including about some things in the memo. And I will try to narrow them town to one or two. I will try to narrow them down to one or two, but that's where

-- anyway, I have leave it there for now.

>> Mayor Adler: Okay.

>> I.

>> Mayor Adler: Can I ask a question about this?

>> Sure. Yes, of course.

>> Mayor Adler: To begin with, I really appreciated the ideas that you brought forward in the amendment that you brought, because I think they were really good and really helpful and

[9:21:50 PM]

expanded on the ideas that were presented, and we are trying really hard in this to try and bring money and resources to bear as quickly as we can because we feel like we are in an emergency situation with civic infrastructure that we are going to lose and we are trying to be really creative to find things and to move on it qu quickly. And I think your amendments are real good, there was a whereas clause a in your original resolution, resolution that talked about some of the work we have done in the past and that got incorporated, as you wrote at line 29 and that is on the base motion, and you can see how that is tied back to your -- I think that was really good. Also, you talked about an additional place to find money and wile this says find money anywhere you can without

[9:22:51 PM]

limitation, if you take another specific 2015 look at, obviously there have been e-mails and memos on that. I haven't had a chance to read them because they were all coming here at the last minute, but at line 84, it is the description of the funding source that you added, it is the same description that you have

-- that you just described, so that has been incorporated into the saves base motion now as something that we will need to take a look at. The next thing you have that I thought was really official was this suggest that we really want staff to come back to us, not with just additional memos but when they compaq we want them to come back with things we can pass so we can move forward and avoid just having another half month go by when we look at that. So incorporated that into where we have line 169.

[9:23:55 PM]

We are asking them to come back

-- any ordinances, budget amendments, also chapter three

-- where initiatives, et cetera for council to consider, this might be necessary to facilitate and effectuate the goals of the resolution and speed the relief to be provided. I think we picked up everything that you had in terms of moving us forward with the exception of kind of the determination that I read your amendment to say that at this point we are ready to say that we are ready to go get a million dollars out of these funds and I am not ready to say that quite yet because I don't -- I don't know what the ramifications are about it. I don't know what we would be giving up if we did that. I don't know that that is the right amount. You have a million dollars in it, I don't know, it might be that 2 million is the better number or 500, and I just don't

[9:24:58 PM]

know. So I guess my question is, would it be acceptable to say, rather than say bring it back because we are ready to do this and we want -- there is the amount that we want to be able to use to put it in language that says that similar to the language that we already have in the resolution that says come back to focus on this one in particular, it says the city manager shall bring forward an ordinance or ordinances on October 1st that would allow the council should it decide to do so to place into a designated business preservation fund the following payments, temporary use of right-of-way, the -- sales, revenue from encroachn't from the downtown development projects. And if we put in that language then the staff would be bringing those things back to us, but we wouldn't necessarily be committing at this meeting, before we have had a chance to review in and the other ideas that I think people will be bringing it forward or --

[9:25:58 PM]

hopefully will be bringing forward together with like the sales tax item and the other things that have been mentioned. I would be much more comfortable reiterating the staff to come back to save us the time so we can execute and not, as I sit here, I am not comfortable saying I pick this one or this is definitely one of them or the amount yet, just because I don't

-- I don't know yet. I think we lost Kathie.

>> Mayor, can you hear me?

>> Mayor Adler: Yes.

>> So I am saying thank you, I understand the concern you are expressing, I know you and I have had an opportunity to talk about that concern several times and so I did actually add in some language that I hoped addressed it, toward the bottom

[9:26:58 PM]

of the second paragraph but let me just be sure I understand what you are suggesting. If what you are suggesting is adding into my language after 2020 the language that would allow the council, should it -- hang on a second.

>> Mayor Adler:.

>> That would allow should decide to do so the council to do something. If that is the language I am okay with inserting that somewhere in this. I would have to think about where exactly. I mean it is always -- you know, we initiate things, the manager bring it back and we vote on it and that's the determination of whether the council decides to do so, but if you want to add in language, if you want to add in some variety of that language that I just suggested I am reasonably comfortable with that and we will look to figure out how to make that work in the sentence. I don't want to lose the opportunity to actually make an ordinance or ordinances I did add in language, understanding

[9:27:59 PM]

based on my conversations with you that you had concerns about that added language that says to the extent that staff have concerns or identify -- these actions it is manager shall communicate those to council prior to the September 29th, 2020 city council work session. One of the things I want to clarify, by no means am I suggesting this should be limited to \$1 million. I was strictly limiting the -- or suggesting a limitation of about -- give me a minute -- I was suggesting that the temporary right-of-way fees be limited to 1 million based on the concerns that director stiller mentioned but it is my

understanding based on my research and my staff's research, great research and all of the work that we have done with our city staff that the vacations, the revenue and the other sources of funding could total as much as, you know, in

[9:28:59 PM]

the area of \$30 million. O let me see if I can get your language in there.

>> Mayor Adler: Does this work Kathie? What I have done is I have language here that I think incorporated your language in the first paragraph. It takes out to dollar amount and years and it would read the city manager shall bring forward an ordinance or ordinances on October 1st, 2020 that would allow the council, should it decide to do so, to place into a designated business preservation fund the following payments: Temporary use possess right-of-way fees, alley and street sales and encroachment agreements from down town development projects outside of the Rainey street historic district and subdistrict, as shown in the attached

[9:29:59 PM]

exhibit 1 ]

>> Tovo: Yes, that's fine, did you also take out in particular? Or just -- which is fine.

>> Mayor Adler: Yes because I am expecting the manager to do this on many -- on other things other than just this one with with the more general language that is in front of it but I have no problem with calling this one out as we just did.

>> Tovo: Yes.

>> Mayor Adler: Okay. Then on the second paragraph -- I wasn't sure exactly what that was, on October 1st -- city manager, shall also bring forward and ordinance or ordinances and associated budget amendments to effect the transfer of existing funds which fall in the above categories and reallocated so the staff can provide as much relief as possible to the extent the staff have -- I would say recommendations I would add that concerns or identify obstacles to these options, we want the staff to be looking at all of these funding sources and telling us what might work, with what might not work, things

[9:31:00 PM]

maybe we haven't thought of or ways to do things we haven't thought of. So I took the second paragraph and I just add recommendations, since we had recommendations and identify the city

manager shall communicate those to council and we have asked council to come back to us on the September 29th, you know, add prior to the September 29th work session, council work session, as with all of the other ideas that are in here.

>> That's fine. Concerns, or identify -- have concerns --

>> Concerns or recommendations on they identify -- yes. That works that language. Et cetera, et cetera.

>> Mayor Adler: Okay.

[9:32:02 PM]

Prior to the September 29 city council work session. So we are not saying, staff, these are things we decided we want to do. This is one of the kinds of things that we want considered and this is certainly one of them. And then I have -- I am sorry.

>> Tovo: Mayor, I just want to make sure I am understanding because now it sounds to me like you are asking the staff to just consider them among the other things. I want to be clear, to come back with actionable items so that we can vote them up or down but that we will be poised to make a decision on that.

>> Mayor Adler: Yes. And we have said this one in particular, as you have asked us to do, in the -- preceding clause we asked the manager and staff to do that on other things as well, the things that they think might work or are promising or so that we were able to move forward on as many things as we can in this emergency situation. But your amendment at the very

[9:33:03 PM]

least, it is going to include this one, that will be actionable and ready for us.

>> Tovo: Yes. That sounds good.

>> Mayor Adler: Okay. Then the last sentence that you had as feasible the funding identified shall be transferred

-- within the economic development organization, I think that is true with respect with to all of the to the funding sources. I had set it out in the original resolution .. With respect to the sales tax, but it wasn't just limited to the sales tax.

>> Tovo: That's what changed the language that says the funding identified from this resolution. So it captured all of it. Any of the ideas that come forward from this resolution be transferred --

>> Mayor Adler: Okay. So in the --

>> Tovo: In the original two versions ago I think it said this body of funding and now change the language so it reads as soon as feasible the funding

[9:34:04 PM]

identified from this resolution should be transferred and reside within the economic development organization, so any of these funding sources that yield --

>> Mayor Adler: Okay. So what I would propose here is, that right now, on page cash online 65, be it further resolved and that is our general statement with respect to make us ready to go, you have added another be it resolved which is the two paragraphs we just talked about that said in particular we want this, these funding sources to be ready to go and then the last be it resolved clause be it further resolved, I would propose begin with your sentence that says as soon as feasible the funding the identified from this resolution should be transferred and reside within that -- in fact we named it earlier so we can call it adc, the Austin economic

[9:35:06 PM]

development corporation. Gal would be lines 107 power through 183 of the base motion.

>> Tovo: So as I understand what you are suggesting my line about as soon as feasible would go to line 93?

>> Mayor Adler: It would go to line 174, but there would be -- it would be the first line in the last be it resolved clause.

>> Tovo: I see what you mean. Okay. Yes. Yes.

>> Mayor Adler: Okay?

>> Tovo: Yes.

>> Mayor Adler: So I will read this one last time to make sure I have. Councilmember tovo is suggesting an amendment to the base motion that adds a be it resolved clause, following line 1073 which says that city manager shall bring forward an ordinance, ordinances 2020 that would allow the council should

[9:36:08 PM]

decide to do so to place in a designated business fund, temporary right-of-way fees, sales, are ever knew there encroachment in downtown development projects out of the Rainey street historic district and -- exhibit 1.



>> Mayor, could you slow down just a tiny bit?

>> Mayor Adler: Well, I was going to e-mail it to you, but, yes. The city manager shall bring forward and order informant, ordinances --

>> This is my yellow copy that got mailed out. It got mailed out at -- the substance of it is the copy that the last copy got mailed out at 8:41 if it is easier I can tell you what was struck from it or changed to that yellow copy. O.

>> Mayor Adler: Okay. I think it begins the city manager shall bring forward an ordinance, ordinance on

[9:37:09 PM]

October 1st, 2020 -- I am sorry

-- that would allow the council, should it decide to do so, to place into a designated business preservation fund the following payments: And then it continues with Kathie's language, temporary use of right-of-way fees, alley and street vacation sales, and revenue from encroachment agreements from downtown development projects located outside of the Rainey street historic district and subdistrict.

[ As shown on the attached exhibit 1 ] That's the first paragraph in this new be it resolved clause. The second clause would be as Kathie's was, October 1st, 2020, city manager shall also bring forward an ordinance or ordinances an associate business budget amendments to effectuate the transfer of existing funds,

[9:38:12 PM]

which fall within the above categories and can be reallocated so that staff can provide as much immediate relief as possible. To the extent that staff have concerns, recommendations, or identify obstacles to these actions, the manager shall communicate those to council at or prior the September 29th, 2020 counsel work session. That's the second-to-last be it resolved clause. And then immediately following that, it would say be it further resolved and it would be then the balance of the base motion, except that that be it resolved clause would begin with Kathie's sentence that says, as soon as feasible, the funding identified from this resolution should be transferred and reside within the Austin economic development

[9:39:16 PM]

corporation. And then the balance of that talk about as it did in the base motion S there he objection to adding the tovo amendment? Hearing none, it is added. It has been moved and seconded and discussion on this item. Councilmember alter.

>> Alter: Just because we talked about it before I just want to confirm that the base motion has my amendment that says existing or additional federal steams on page 4.

>> Mayor Adler: Yes, it does. It does. It includes the language we read into for councilmember kitchen and I think the other amendments are actually incorporated it and moved and seconded. Any further discussion? Councilmember pool.

>> Pool: I just have my comments am a little bit of direction should I do that now or do it -- can I do it now? Are we ready to take the --

>> Mayor Adler: I am ready to take the vote unless you want to say something before we vote.

>> Pool: Yes.

[9:40:17 PM]

Let me go ahead and make a little bit of comment and direction for record, if that is okay.

>> Mayor Adler: Yes.

>> I know it is late, and but I need to say a few things. First of all I want to start off by saying how grateful I am for in this initiative, both on the dais and in the community when you do need to be innovative in our approach here and not pail to act, iconic businesses and save the critical services that childcare providers give to our families. We need to respond to what is clearly an economic emergency for our local small businesses. We have got to shore up these unique custom employers. Briefly I lo go into a little bit into the numbers. I heard urging from sum the need is about 10 million, others have put that number at about 75 million. My gut tells they need is more than 75 million. The exercise, here is where

[9:41:18 PM]

75 million comes from. So we can do a little calculation there. 1,500 entities, needing on average \$50,000 that is 75 million, that number could be lower if say half of that award were to be a low interest or no interest loan but that has a factor of time involved and I don't know what the timeline factor would be so think about this in the full equation. 1,500 at 50,000 equals 75 million, that is a legitimate assessment of the scope of the need. We haven't yet discovered the mechanism to help our music venues and I agree that this is an emergency and we need to act, so I am interested in exploring the live music's venue preservation fund, that so many of the stakeholders today have mentioned. As we move forward October 1st, I want to make sure we are considering that type of dedicated fund to ensure their

[9:42:19 PM]

survival. And I really want to thank good work Austin. It is a collective of Austin's homegrown small restaurants, good work Austin. You do good work in Austin. The leadership and advocacy I so appreciate, they have worked to address the challenges that their neighbors, their member space, and they have stepped up to support the music venues and the arts groups. They understand like we all do that all of these businesses together make up a robust economic ecosystem and we have encouraged everybody to work together to survive. So I want to thank our music venues too for organizing and expressing their support for this initiative, our live music venues are becoming Austin's version of the endangered species, and we need treat their sure civil as critical to our own. So thank you to everyone who

[9:43:19 PM]

reached out to us over the last couple of weeks who attended our meetings, told us their stories, as we have all recognized we are all in this together and we are stronger together. I look forward to continuing to meet and make progress toward real relief over the next several weeks as we approach October 1 and I encourage everybody to stay involved. Thanks.

>> Mayor Adler: It has been moved and seconded. Those in favor of this item please raise your hand. Those opposed. Kathie, I can't see you. Are you voting yes?

>> Tovo: I am voting yes, mayor. I am voting yes.

>> Mayor Adler: And it is unanimous on the face days. Real fast and I recognize we need to move forward, I just want to conclude with I appreciate everybody joining in this. This is all work that we have all been working on for a long time. It is cumulative of a lot of things that many of us have

[9:44:21 PM]

already done. You know, there are such incredible need in this city right now. We have addressed it most directly with individual direct payments, with rental assistance, with food and basic needs and that funding continues on, but this resolution is designed to go after the kind of are in danger of losing. I have been focusing on the childcare and the music venues. Just as the need is to great,, this is going to be hard, because there is not huff resources to help -- to help everybody, and we have patients that are losing their lives to covid-19. We know we are going to lose businesses. We already have lost businesses. But this is an attempt to get significant amount of resources, what resources are necessary/mess to actually save businesses but it is just not

[9:45:21 PM]

saving businesses, it is saving businesses that would otherwise fail. It is more than that. It is intended to address those that have the greatest multipublisher effect, more than that, those that would be the hardest to replace and would not be replaced within the market place if they were gone. It is more than that. It is those that -- whose loss would mean irreparable harm to the infrastructure and this resolution contains priority criteria set out in lines 131 to 151. It is a really important and focused effort to try to save irreplaceable civic infrastructure. We are not going to be able to do this job well unless we have federal assistance. I urge everybody to continue to push our federal delegation because we need the help. But we can't wait on them and this is what this resolution is designed to do. I fear that relative to the need, we will only be able to

[9:46:22 PM]

save a precious few, I don't want to create the expectation this is a magic bullet but we will have to figure out where the greatest value lies and then make sure that we come with sufficient funding in order to be able to preserve those. These are hard choices and the meeting we have coming up is not going to be an easy one.

>> Mayor -- into let's move on to the next item -- yes.

>> I just want to make a very quick comment. This is councilmember tovo.

>> Mayor Adler: Yes.

>> Tovo: Thank you for your leadership in bringing this forward. I think you said it very correctly as the resolutions that are cited in this show, you know, we have several of us have brought forward other -- other resolutions and they have been supported across the dais and we have tried several means of real dress addressing this issue but this is -- the really important that we do so now and I appreciate you accepting my amendments to look at those very

[9:47:23 PM]

specific resources throughout the last week or two as we try to find the program and identify sources for this. I felt a little bit like scrooge kind of going down the chimney taking things out of, you know, looking for the stockings we can take money out of, this is just a time whereas you said our resources really exceed the need, in every area, as the councilmember -- I appreciate the information that the staff provided about where our music venues are and it shows that they are across our city, but as the councilmember in the district that represents the largest number of those music venues, it is -- I see how

critically important it is we address this situation now. This is so critical and core to the way in which Austin has defined itself and it is part music, the music ecosystem and our creatives are so much a part of why people visit Austin, why they love Austin, and so really

[9:48:23 PM]

looking toward how deeply we can support some of those venues and I am looking forward to important support for our restaurants and childcare is very important, as you said our choices ahead are going to be challenging ones. But this is a good start and I am really glad to see us leaning on the side of action. I know many in the community have seen us introduce resolutions and ask for analysis and ask for consideration and exploration and I am glad that we are going to really be on the side of action. These listed on here are longer term ones, some of them are more viable than others so to the extent we can all continue to put our heads together and look for viable, ready sources of revenue the better.

>> Mayor Adler: Okay. 0 councilmember alter.

[9:49:26 PM]

>> Alter: The venues, the restaurants, to stay tuned this week. I mean this is two weeks away. We normally post tomorrow. It is not going to be posted tomorrow. You know, we may find out what the options are on the Monday before the council meeting on October 1st, and we are not going to have huge amounts of time to have everyone watching, so I just want to encourage you to be engaged and sort of watch, you know, the space so that you can engage, because if we are going to act we are going to have to act quickly and we are not going to have a lot of leeway from the time that we get the information from staff and can consider stuff and we are going need you, if there are concerns to be able to raise them very quickly or if you are in favor to be able to say that quickly. Speed is of the essence, but I just wanted to make sure everyone understands that there are some consequences of that for some of our normal processes moving forward.

[9:50:27 PM]

>> Mayor Adler: Okay. Thank you. All right, colleagues let's now move on.

>> Mayor, mayor, I have a hand raised.

>> I am sorry, councilmember kitchen. >>

>> Kitchen: Just very quickly I won't repeat what others have said, I want to say a special thank you to Adam with good works Austin, and the other folks that have been working on this for quite some time,

including the creative alliance and then I would just want to say for our after and city manager, what is really important here I think in addition to what everyone has said is we are creative and we think past the boxes that we may have created for us in the past in this time of really urgent immediate we think very broadly and very creatively about resources that we can put to this use.

>> Mayor Adler: Okay. Thank you. Anyone else want to speak? All right. We are going to move on then to the convention center items 18,

[9:51:29 PM]

48 and 95. I think we -- don't we already have a motion on this? And I think we accepted some amendments already. On this? I don't imagine we did, mayor.

>> Mayor Adler: Is there a motion to approve items 18, 48 a and 95? Councilmember Renteria makes a motion, is there a second to the motion? Councilmember Flannigan seconds. We have several ams that have been brought to this, suggested to this. Councilmember Casar, you had direction which was V 2? Do you want to lay that out, you are muted. You are actually not muted but I can't hear you. O why don't you go out and come back in.

[9:52:31 PM]

Just quickly, it is a backup for folks, it is posted in backup, but.

>> That they consider as they are looking at any agreements for property acquisition or improvement, that they consider opportunities to include spaces for local businesses that are affordable and accessible as part of convention center space and second they consider the opportunities to include in the financing model of funding for the acquisition and/or support for the culinary arts, music and businesses that we have been talking about, and this is just in recognition of the conversations we have had or that the trend in convention center planning is to focus on the destination as a primary component of competition for events, and people side to attend events in significant part of their opportunities to

[9:53:32 PM]

participate in and enjoy the location. So I really want us to be creative and I want us to think about as part and parcel of anything we do when we are acquiring property or making improvements after an integrity a gradual part of that is spaces for these local businesses and also our financing model should think about how we can leverage funding and use funding to support these businesses and that we do so in a way that is thinking broadly, and not just within the four corners of the bronx that are the convention center. So that is the gist of the direction. Into okay. Does anybody have any objection to the

kitchen amendment being included? Hearing none, it is included. Councilmember Casar, are you going to bring yours up.

>> Are you able to hear me now?

[9:54:33 PM]

>> Mayor Adler: Yes.

>> Kawakami amendment two on the message board, version 1 is just cleaned up by law after they took a second look at it. My understanding is, you know, when things like our mbe program are clear and are a part of this, our standards for worker and, usually pretty clear but I wanted to make it --

[indiscernible] -- Mayor kitchen I think we are getting feedback from both of you. It is okay. And the -- I am trying to make those standards extra clear, especially because when we first voted on this it was just a convention center and now that there is likely to be an office and hotel component I wanted to make it really clear that the living wage, it should

[9:55:34 PM]

apply to those hotel workers as well and to the wage or custodial contractors, you know, a major janitorial work on any office building, I think those are -- it is a value to the council to have our living wage apply, just like it applies to big janitorial contractors that would clean a city office building. And also extend our labor peace rules to those contracts because we are essentially a market participant, we have skin in the game and we want to make sure that any organizing that occurs there doesn't disrupt the important work happening and that we create, you know, good jobs and protect the city's interests in this case so that's what I am moving. I also notice that in the lot of

-- corrections there is one place that says custodial or contractor, just to be clear I think that is typo that should just say custodial contractor.

>> Mayor --

[9:56:34 PM]

>> Mayor -- mayor, you are muted.

>> Mayor Adler: Thank you. Councilmember Casar offers an amendment. Is in an objection to the amendment a? Councilmember -- no objection. To it being included hearing none the Casar amendment is included. Councilmember pool.

>> Pool: Yes, I just wanted to speak to the importance of the amendment that counsels Casar is bringing. As far as the workers are concerned, especially I am hoping that I can move off of this extension on this vote here today that I think may I still be on an abstention. Thanks.

>> Mayor Adler: Okay.

>> And that is because of the finances.

>> Mayor Adler:

>> Mayor Adler: Okay. Any other amendments? Councilmember tovo.

>> Tovo: Yes, mayor, as I indicated, I indicated a couple of times today I was

[9:57:35 PM]

sending out some direction that I would like to apply to all three of these items and you should now have it. Most of these are thanks I have talked about in one form or fashion either on Tuesday or today. But happy to answer questions about them. Just to recap, the first, make sure that one centers it within the palm district planning initiative. Two, expands the project team that we've talked about to include several people who are a part of the palm district planning initiative. They are overseeing that larger planning initiative and we want this to be centered within that. There's a request for the law that UT's sustainable development be part of it. We haven't had an

[9:58:36 PM]

opportunity to verify that they would like to be so there is language in there to cover that contingency. Number three talks about what happens on the westward part. I want to just dwell on this one a little bit. We talked about this or I talked about this on Tuesday and indicated what was giving me some pause about kind of approaching this with two different -- I think that in the question and answer if you look at the comments from Alan shearer of UT's center for sustainable development, he talked about the eastern portion and some of the direct [indiscernible] That we had done on that first council resolution, the palm district resolution. In the language we passed it was very clear asking of the scenarios presented. This is from our resolution that was unanimously

[9:59:36 PM]

supported. This one, this one being scenario five, best embodies the desired rejuvenation of what a can be, not only additional convention space, but also removing existing elements to create a place making space and activity within palm district especially along second street and palm park. If you look back at



the question and anxiety, the language about how and why there were two scenarios on that eastern side talks about the planning team having been tasked with developing plans that represented highest and best use of those tracts. So that's why we have two different scenarios for that eastern tract that represents highest and best use and includes -- even the

[10:00:43 PM]

open space includes the vision that we passed last spring. This number three that within the very short-term that our [inaudible] The doesn't elements that will be part of the rfp that will go out for the eastern portion. When I vetted with multiple people throughout the

[inaudible] On this western tracts to be responsible for number three I want to be very clear this is the intent at all. This is the intent for our manager that expresses our intent to take some action as a council to make sure that as our staff go forward and ask for -- and begin that process of securing a design team to start work on the eastern portion that they have a check back in with council to make sure that the elements that we want to see for that eastern portion are going to be

[10:01:44 PM]

involved in -- are going to be contained within the scope of work. I mentioned on Tuesday I think it is critical how we think about this project and its potential, the potential we have before us, the opportunity we have before us [inaudible] To the convention center to Waterloo greenway to the

[indiscernible] And the palm school and the important cultural projects and we have an opportunity to really reshape, reshape that part of downtown. It's an opportunity that will never come along again and those projects have to be able to work well together and they have to be in that comprehensive, cohesive vision and I think we set the right framework for that if we use the right language. So referring to it as the palm district really frames it again that we're not just building a city facility, we

[10:02:45 PM]

are planning for that whole district and in doing so really honoring the people who once lived in Rainey, who attended palm school, who went to palm park. It honors the cultural heritage and the history of those places and the people who once lived there. And five reflects something that we had an opportunity to talk about. Today we're taking two percent out of more general funds. Not general funding, out of more general hotel occupancy tax rather than out of the two percent that has been set aside for the convention center expansion. And I certainly don't have any interest in -- I social don't have any interest in slowing this down and switching the [inaudible], but we do have an opportunity to come back

and swap that out so that's the request in number five. Happy to answer questions. I think -- as I said sing it's an exciting opportunity but I do know of why people were excited about this

[10:03:46 PM]

vision had a lot to do with what they believed and are excited about on the eastern portion. We have got to really address how that eastern portion is going to interface with the street, how it's going to interface with palm park, how it will interface with waller creek. Right now it is a very block-y building that does not provide the kind of entrance to this facility that -- or to this area of town that we want to see.

>> Mayor Adler: Councilmember alter.

>> Alter: I just wanted to second her motion.

>> Mayor Adler: Okay. We'll let that go because it's late as a walking amendment and seconded by councilmember alter. Discussion on that? Councilmember kitchen?

>> Yeah. I have just a quick question

[10:04:46 PM]

for councilmember tovo. So my understanding is the intent that the dollars that we're talking about right now come from the two percent, correct? That is the intent?

>> Tovo: Yes, today we're set up to take them as I understand it from the convention center capital fund. My staff helped to write this. Today we're set to take from the convention center capital fund but what I'm asking for is we come back with a budget amendment that swaps that. So replaces that funding with the funding from the two percent.

>> Kitchen: So you've actually written into the amendment that you have that specifies that that -- that those dollars come out of two%, the staff will return with whatever document we need to make that happen, is that correct.

>> Tovo: That's correct. We will [indiscernible] Today and get that

[10:05:46 PM]

appropriation moving but it will be swapped out at the next feasible down meeting.

>> Kitchen: Okay. Thank you. I wanted to make that point because my agreement is based on fact that those dollars are intended to come out of the pot of dollars that's the two percent. So thank you.

>> Mayor Adler: Councilmember tovo, I appreciate you working on this and make sure it stays aligned. My sense of this is you're kind of following the blueprint of the resolution that you mentioned in that first paragraph. Are you still with me or did we lose you? We lost the picture.

>> Tovo: My picture keeps going off, but I'm here. It just freezes.

>> You began with number one talking about the palm district master plan and me saying that the work going forward needs to substantially align with that, is that correct?

[10:06:57 PM]

>> Flannigan: Mayor?

>> Mayor Adler: We may have lost Kathie.

>> Flannigan: While we're waiting for Kathie do we need a motion to extend the meeting past 10:00 P.M.?

>> Mayor Adler: Yes. Mr. Flannigan makes that motion. Do we have a second to that motion? Councilmember Casar. Those in favor of extending please raise your hand? Those opposed to extending? I see harper-madison and Renteria. Others not voting. We're extended. Kathie in your amendment you have led with the fact that we expressed our intent with respect to this design and what I think was your earlier motion the palm district master plan and you're saying we have to remain aligned with what we do there, is that correct?

[10:07:59 PM]

Kathie? I think we lost Kathie again.

>> Tovo: I have the resolution in front of me, it's pretty lengthy. I can read you some of the tenets of it like pedestrian connectivity, connectivity to park --

>> Mayor Adler: I don't need you to, but I want to know that we're aligned with that. I like the first paragraph and the first paragraph of your amendment which says we'll stay aligned with the palm district master plan. Your point number two I think is really good where you say let's have the design people and the palm people designed in that when we're doing designed work so I accept that paragraph as well. Item number 4 you say let's call it the palm district rather than convention center district. I think that's fine and that's appropriate. Given the fact that we called it the palm district master plan in the resolution that you brought that we passed. And the last one to point that councilmember kitchen just raised using the two percent for the down payment I think is the right way to go as well.

[10:09:00 PM]

My only concern, and I don't think it's necessarily a concern, is with respect to number three, you state again the intent and that we all share I think to really be able to maximize this as a place-saving function. And we covered that in this section of that resolution that you read with respect to affirming the desire that we all had for that convention center scenario number five. There were two other provisions that council passed as part of that. The very last paragraph contained language that the council directs this action that additional elms could and should be included. That any design would need to meet practical and financial considerations. That the city council, staff and public would need to be afforded ample opportunities for appropriate a

[indiscernible] For different aspects including financial rationale, estimated costs, potential funding optionings. So I want to make sure that

[10:10:02 PM]

in staying aligned with the resolution that we're still aligned with the other resolutions that we passed in that resolution as well. In other words, I want the council to come back to us and talk to us about how we can do all the place making that we want to be able to do, but I also wanted to bring back to us practical organizations to us in the community on so that everybody can make the decisions that we feel ultimately responsible, but I'm 100% in reaffirming that part of the resolution that spoke to the fact that we wanted to be the real place making option. But that was a section ever just read was in that very next paragraph on number one that was on page 19, you had read page 18.

>> Is that the section also

[10:11:03 PM]

that also talks about the importance of providing opportunities for public explorations was different aspects.

>> Mayor Adler: Yes.

>> Tovo: I think that's important because I know our public wants to be involved in this process and they will have an opportunity to, but certainly some of what we're hearing is that they also want an opportunity to talk about the investment and the rational especially in the context of covid. So I think that is an important section that talks about practicality of both the doesn't, but also the venture.

>> Mayor Adler: And I started thinking we should pull in those kind of sections too, but I feel it's covered by your number one, which refers people back to that document. This document it says stay aligned with it. There was also another section six, a few paragraphs further down that talks about how we really do need to make sure that the palm district planning

[10:12:04 PM]

effort and the convention center planning effort should inform one another. It said the beginning of the convention center planning process should have a process of the district just as the planning process of the district should inform the expansion process and the two processes should also operate independently. These projects obviously are key to one another. But one isn't being held up for the other, they just need to inform one another and work to one another. But I don't think we need to call that or any other section of this because I think it's covered by your first paragraph that says that's the document that contained a lot of the considerations that we made.

>> Tovo: If I could just make a comment there. While that is true I would say at the moment the palm district planning initiative is not underway. I know that some good work has begun and because of the pandemic some of that work

[10:13:08 PM]

had to cease for obvious reasons, but it is -- I think that if we have this area of town, if we are limiting options in terms of what can happen in this part of town because the convention center project has proceeded along a track that is not integrated with the goals of the palm district planning initiative, we will have missed a huge opportunity. I think conversely a project, a convention center that is really attuned to the things expressed in the palm district resolution will really be not just -- as we've talked about, not just create a reasonable, flexible, exciting to visit convention center that really functions well for our local community as well as for visitors, but it will also help transform some of the pieces that that area that do not work. If the convention center proceeds along its own track and if all of the choices are really made from the

[10:14:14 PM]

perspective of appraisal choices for one of our city departments I think we will have failed in our goal here. So yes, you're calling out a paragraph that talks about the two processes operating independently, but they really must -- they must be meshed or we will have missed that opportunity. And we could be left with -- let me just leave it as that.

>> Mayor Adler: I think that your sentiment there also is incorporated into that same paragraph and that's how we constructed it back when the original resolution was passed. Because what you're saying is also true as well.

>> Sure. I mean, there are many other paragraphs that we could land on that talk about kind of the broader goal for this area that I think are critically important.

>> Mayor Adler: Right. I want to make sure by pulling out one we weren't losing all the others. I guess that's all I was trying to do. The question I have on number three you have by December 1st they're

[10:15:14 PM]

supposed to come back with the design elements for the planned item. From a calendaring basis, I don't know that that actually happens by December 1st. I don't know -- because at this point when -- if and when we approve this and they continue with their negotiations they will be refining what the costs, the finance plans will be figuring out how they do the stuff with capital metro. I don't know that it's going to be necessarily by December 1st, but certainly before we make commitments to anything we're going to need to understand what the forward looking pieces -- as much as we can about the forward looking pieces.

>> Tovo: I think I left out a key piece of -- this has gone through many iterations and has had a fair amount of feedback through the day -- feedback through the day and I need to explain something appropriately in number

[10:16:15 PM]

three. This is really about the eastern tract and so, you know, part of what was exciting about the design as I said is that the expansion was westward, but there were some substantial improvements on the eastern tract. This has now been indicated into two projects. We're proceeding on the one and what I'm asking for is on three some general understandings about what our intents are with regard to the eastern tract. So the design elements are about the eastern tract, not the western. So what I think I need to do here is add in -- and let me explain what I mean by design elements so in considerations with staff it's clear that we won't have -- we haven't begun a design for the eastern portion. We don't have a designer or a firm for the eastern portion. We do not even have an rfp

[10:17:18 PM]

out yet by spring for that design firm. So what I am asking or what I'm directing the manager, what I'm suggesting we direct the manager to do is develop like a list of operating agreements that will become part of the scope of work for that design team for the eastern portion. And sod.

>> I think that sounds good. If we can do that, that's great. If staff can't do that by December 1st they can let us know that, but we need the decisions that will be dependent on that. I think you're welcome with the language that you have with respect to the eastern side because you talk about and lead that paragraph with the substantial portion of the existing facility would be removed and reconfigured and that's clearly what you're talking about.

>> Tovo: That's good, thank you. That saves me from editing. It was causing some concern that it was going to

[10:18:18 PM]

potentially set back the purchase and lease agreement and so that December 1st 2020 is just a date islanded on because it gives the staff some time to come back with some of those things. I think we gave very clear direction. The design elements that came back to us fell into that. We had two scenarios. One fell into that category, one was very different. So this gives us some certainty to what the design would look like or what the designer will be asked to respond to in their design elements. That's why we landed on that December 1st 2020. It's important that we be able to do that so it doesn't set back the purchase and lease agreement and I think I said this earlier, but I'm going to say it again because it was causing some concern again this is not -- these are not tasks for the western property owners, this is

[10:19:18 PM]

direction for our city manager. And this is not --

>> Mayor Adler: Is our staff okay with these amendments given the conversation we just had about what these terms mean and design elements being kind of the scope of the work and the other sections of that original palm district master plan also being germinating in the first paragraph? Are you okay with this amendment?

>> Yes, mayor, we believe so.

>> Mayor Adler: Does anybody have any objection to the inclusion of this amendment into the motion? Hearing none, it's included as well. Any further discussions on this item? Councilmember alter. And then councilmember Renteria.

>> Yeah, I wanted to thank councilmember tovo for pulling these amendments together that were thoughts that I think several of us had about where we're going with the process.

[10:20:21 PM]

I think it's -- there's a lot of things on the finances that we put into that resolution that we did for the palm district that are really, really key and so I want to make sure that before we're asked to go to a purchase and lease agreement that we have the clarity on all of that and I think number five that says that we're paying for this out of funds that can only be used for expansion allows us to make the investment that we need to make now so that we can be creative and take advantage of the p3 to move through the process of moving forward with the convention center and create the possibility for this place making. But I think it's very important as we just pass 62 and had a lot of things in there that we're able to say this is money that is just earmarked for expansion as part of this process to help us to move forward and take this step, which is

[10:21:22 PM]

important, but is also you know a different step for a city to be able to enter into this kind of purchase agreement. So thank you.

>> Mayor Adler: Councilmember pool. I'm sorry, councilmember Renteria.

>> Renteria: Yes. I'm having trouble pulling down all of your added amendments and that's the reason why I haven't been able to bring any of the changes down to my system. That's why I'm not going to be voting in support of any of this, Kathie, because I just can't load that document down. It's giving me problems right now. It's just hung up.

>> Tovo: Councilmember, Kathie powers sent it out at 8:19. And I think I can send it directly to you. I don't think that would be.

>> Renteria: Y'all can go ahead and continue the vote. I'm just going to be

[10:22:23 PM]

abstaining, but I do like all the ideas and what I've heard so far. It's just that I really feel that we have a lot of opportunities to save a lot of money by going through that western -- doing the western part. And I think there's a big opportunity. We have taken that concept before not as large as the convention center, but what we did over there at ACC at highland mall where we saved over \$30 million on that building and what we're doing over there at the Austin energy so I just really want to take advantage of everything that we can take advantage of so that will save us any kind of -- save us

[indiscernible]. That's the only concern I have. The rest of the idea, I like the palm school park and developing all that.



[10:23:24 PM]

That just really, you know, I think it was just very fitting and fit in very great. But that was just my concern.

>> Mayor Adler: Those amendments are incorporated. Councilmember Renteria abstains. Anything before we vote on these items? Councilmember pool, then councilmember Flannigan.

>> Pool: Is Ms. Rizer available? I see she's there, but I don't see her face. I had a quick question. And if not --

>> I am here, councilmember.

>> So earlier -- either you or [echo on the line].

>> What?

>> Pool: Ms. Rizer, can you mute? Thank you. There's feedback. And either you or Mr. Gale can answer. Earlier today when we were talking about this I asked about the earnest money terminology and the 6.3 million. Is that earnest money or is

[10:24:25 PM]

that money that the city is paying for the city's efforts in order to determine what the development might be for the city's benefit with the exclusive negotiating agreement? Can you just one more time explain the use of the term earnest money that's in the backup?

>> Councilmember, the reason we're calling it earnest money is because -- can you hear me, councilmember.

>> Pool: Yes.

>> Okay. Is because it is earnest money in that we're depositing it into an escrow account for dry work to be done on this building. And some other work to be done. And the money will be distributed as we move forward.

>> Pool: And who is it

[10:25:28 PM]

that would be paying for

[indiscernible]?

>> The money would be paid to the owner/developers.

>> Pool: The owner/developers?

>> Yes.

>> Pool: Okay. So that is different than what I understood about this earlier today.

>> Okay.

>> Pool: Thank you for that clarification. That's what I thought. That's the usual definition. And you can mute now. Thanks.

>> Pool: I just wanted to reiterate my strong support for compatibility of design with the palm district so I appreciate the adoption of tovo's amendments. I think it's really important. The only option I think is the one that would excite the imagination of austinites as option five. We have to be able to show a walkable community in this part of downtown. Workers protection as part

[10:26:28 PM]

of the Casar amendment seriously important going forward. I would ask for staff to look at professor Stanford's assessment. I think that we should be looking at all sides of the questions before we make a final determination about this. I did say that earlier that I would be abstaining on this. My reasons are different than my colleague, councilmember Renteria. I'm able to see the documents, but I am still abstaining because I need to see some more certainty around the numbers. I need some more certainty about the design and I need some assurances about the compatibility with the palm district. Thanks.

>> Flannigan: You're muted, but I could tell you're saying my name. Thank you, mayor. You know, this is so exciting and I'm really appreciative of my

[10:27:28 PM]

colleagues who have brought amendments because it is completely compatible and in line with all of the conversations that I've had with the staff and the consultants and the UT team. And even in large part with work that the convention center already does in prioritizing local businesses and if you've ever spent time in events there you know -- I know all of us have at times that there's always a prioritization for a local business and to have the worker protections and the living wage requirements and the labor piece and the connection with the palm school and the reopening of open space and redeveloping this corner of downtown, I feel like we're all in agreement. And it's far more agreement than I think the public has sometimes heard us have on this topic. So I'm really thankful for that. And I want to thank a few folks because to get to this point today, and it's by no means the last decision we'll make, but it is

[10:28:31 PM]

another step towards what I think is going to be a really amazing and imaginative public resource and asset for the public, for individual residents, for music and arts and for transportation in all of the collaboration they're doing with project connect and hopefully a new downtown station. There have been some really hard workers involved in this process. And I want to start by thinking Katie and Tricia who took over in the middle of a pandemic for Carlos and mark, who really did some great work at the convention center. Alex in the real estate department. The UT architecture and the mcmcombes school folks,

[listing names]. All the grad assistants, all the staff on the city side and my gosh coming out of retirement like babe Ruth coming to the plate, Lorraine rizer. And really someone who

[10:29:32 PM]

brings wisdom and institutional knowledge and history to this conversation that are so invaluable. I'm thankful for my colleagues for bringing these really thoughtful and important amendments to this because I think it's in line with what we're all excited about. What makes us excited about this project. And I'm really excited to see this take the next step of many future steps that we're doing today.

>> Mayor Adler: Councilmember alter.

>> Alter: So I wanted to just clarify something because I think that I'm not sure that I agree with the interpretation where councilmember pool landed and I apologize I have kids printing things in the background here. So Ms. Rizer, it's my understanding that that money it doesn't get like paid to the developer. They have to submit bills that they have paid towards the design work and we're putting in up to this

[10:30:33 PM]

6.3 million and we're anticipating that they will be putting in roughly 14 million of their own money to fulfill the various tasks that have to be done before we can move to a purchase and lease agreement. So this is not like we're handing this money over to them. It is paying for tasks that have to get done on the road to putting together what would be the final design and everything that goes into the purchase agreement. Is that a correct interpretation or is there anything to add either Alex or Lorraine?

>> Councilmember, that is Lorraine Rizer. You are correct about that and it's only going forward to detailed design of our building to get to a guaranteed maximum price and get through the site plan

process so that way when we come back to council we'll have all the loose ends admitted together and can bring you a final product.

>> Alter: And with

[10:31:34 PM]

councilmember tovo's amendment that funding is coming from the hotel occupancy tax extra two cents that we agreed to last year some time I think which can only be used for expansion. And I just wanted to clarify that because I don't want there to be confusion over what stage we're at in this process and where that funding is coming from and what that funding could otherwise be used for which I think is not necessary to bring in to saying we want to take a step forward to see if we can reimagine this area and create this place and allow for the expansion. So thank you.

>> Mayor Adler: Okay. Let's take a vote on this. It's been moved and seconded to pass items 18, 48 and 95. Those in favor please raise your hands? Those opposed? It's unanimous on the dais.

[10:32:34 PM]

Those items all pass. Yes.

>> Renteria: Do we have to take a vote on continuing this meeting?

>> Mayor Adler: We did that. We took a vote to go past 10:00.

>> Renteria: Okay, thank you.

>> Mayor Adler: Councilmember pool.

>> Pool: Mayor, I had said a couple of times that I was abstaining but you counted me as a yes.

>> Mayor Adler: Okay. Councilmember pool abstained on that vote. I apologize. You're correct. The vote was 10-0-1 passing those three items. I think those are all the city council items that we have to consider. I think the only thing left for us is the Austin housing finance corporation. We've been going for four hours. I need 10 minutes or so. I'm going to adjourn the city council meeting without objection and we will come back in 10 minutes and convene following the long recess that we've had on the

[10:33:34 PM]

Austin housing finance corporation meeting. Okay. We're at 10:33 the Austin city council meeting today on September 17th, 2020, is adjourned. I'm now going to convene the Austin -- reconvene after recess

the Austin housing finance corporation here at 10:33 on September 17th, 2020. We're going to take a short 10-minute recess and then we will consider the agenda. See you all here momentarily.

[10:48:09 PM]

>> Mayor Adler: All right. So I see councilmember alter, kitchen, Flannigan, pool, harper-madison, Ellis, Renteria, Kathie Kathie. And I had seen Greg Casar before and he's just gone. There he is. With that here at 10:48 I am reconvening the Austin housing finance corporation meeting. Today September 17th, 2020. 10:48. This is by video conference. We're going to pick this back up. Earlier in the day we had heard from everyone who signed up to speak on these items so now we're at a place where we can take action. Let's begin with items 1 and 2. Pio, I think these are both in your district. Do you want to make a motion on these two items?

[10:49:10 PM]

>> Renteria: Yes. Mayor, I move that on ahfc 1, I move to authorize the negotiation and execution of an agreement with Guadalupe neighborhood development corporation. On item 1 for the following reason, they're going to provide a mix of ownership and rental. They're proposed more multi-bedroom units. They have a lot of experience implementing preference policy and they're also will be 27 units deeply connected to the historic community. So I make that motion. And then I'll make a motion on number 2 on -- to approve the imagine art.

>> Alter: I'd like to second that, mayor.

>> Mayor Adler: So that would be the staff recommendation on -- on 1

[10:50:10 PM]

you're making a motion for the gndc and on two you're making a motion for the staff recommendation.

>> Renteria: Correct.

>> Mayor Adler: Okay. Is there a second to that? Councilmember Casar will second those. Any discussion on these items?

>> Alter: Are we taking them together or separately?

>> Mayor Adler: We'll take them together and see how it goes. If we need to split them we'll do that. People who wish to talk? Councilmember Casar.

>> Casar: I appreciate councilmember Renteria's motion. I appreciate everything that all of the affordable housing procedures we've talked about today and we work closely with all of them. This isn't easy, but I think that councilmember Renteria's motion is right. Between 1 and 2 and getting housing really accessible for people with disabilities, focusing on that, also focusing on multi-bedroom and family

[10:51:11 PM]

sized units. Making sure that we have a continuum of care units for people experiencing homelessness. So I really think it provides that strong mix and we had really good applications. It's not easy, but I think he's picked the two that rise to the top.

>> Mayor Adler: Okay. Councilmember Flannigan?

>> Flannigan: I didn't quite hear what the motion was.

>> Mayor Adler: The motion is to pick in essence the second place bidder, gnc on item number 1. And on item number 2, it's to take the staff recommendation.

>> Okay. I have a comment. It's in a bigger conversation that we've had multiple times about when we go for the seconded bier. This one felt a little different because it felt much more about the community really seeking a scenario where there seems to almost have a sole source bidder and that might be

[10:52:12 PM]

fine. That might be what we want to entertain and so I'd be interested in a conversation with nhcd. And it could be a one on one, about if the community really is demanding a certain type of vendor, then I want to help figure out how to structure a procurement process that gets us to a place where we're not finding the types of are challenges that councilmember Renteria so eloquently described earlier during the public testimony where bidders were coming in and then having very challenging situations presented with themselves. Not a typical procurement. Soiled like to entertain that conversation at a later time.

>> Mayor Adler: Okay. I'm going to go ahead and support the motion as well coming from councilmember Renteria. I do think that given the presentation that we had and trying to find the rate balances on this, everybody

[10:53:13 PM]

in this are great and the good thing is the city is putting a lot of resources against affordable housing so we will have lots of opportunities do this with an increasing degree, which we desperately need in the

community. I like the partnerships with caritas and that are going to carry forward, so I'm going to support this as well. Further discussion? Councilmember kitchen.

>> Kitchen: I'm going to support this as well and I want to cite that what I see is of importance to me is in addition to the concerns that were raised by the community, I can also see that we are taking some approach. We do get some more emphasis on the coc units for folks

[10:54:13 PM]

experiencing homelessness in both instances, so I appreciate that. We also get an emphasis on a bedroom count in both instances. And so I appreciate that. Then I would just comment that -- councilmember Flannigan, I share your comment and so I'm just wondering for future reference I think it would be having interesting to have more of a conversation about how the scoring mechanisms work. And the extent to which -- perhaps the ways in which they might reflect what community is thinking. So we don't need to have that right now, but it's important and I would like to have that conversation soon.

>> Mayor Adler: Okay. Councilmember alter, then councilmember pool.

>> Alter: I would like to be able to vote for the first one and abstain on the second, so if we could

[10:55:14 PM]

divide the question, I would appreciate it.

>> Mayor Adler: Okay. We'll do that. Councilmember pool.

>> Pool: I was just going to say thanks for that motion. I think it is a good resolution to these two choices.

>> Mayor Adler: Let's go ahead and take the vote. Those in favor of the motion on number 1, just gnc, please raise your hand. Those opposed? And then anybody abstaining? Councilmember Flannigan abstains. How are you voting, councilmember harper-madison?

>> Harper-madison: I'm asking for clarity. I -- did councilmember Renteria say gnc or the four letter acronym?

>> The applicant is actually the vizen group in collaboration with gndc. The Guadalupe neighborhood development corporation.

>> Gndc, not gnc, correct?

[10:56:14 PM]

>> Mayor Adler: My apologies. Thank you, councilmember harper-madison. That's the motion. It's been seconded. I have everyone voting in favor of except for councilmember Flannigan, who abstains. It passes. Let's now move to item number 2, which is the staff recommendation. Those in favor of that please raise your hands. Those opposed? Those abstaining? Councilmember alter abstains. And councilmember tovo abstains. And the others voting aye. It passes. 8-0-2. I think the remaining three items, four items on the agenda, items 3, 4, 5 and 6 can be taken up on consent together. Is there a motion to approve items 3, 4, 5 and 6 on the agenda by way of consent? I need a motion. Councilmember Renteria --

>> Renteria: I'll make the

[10:57:15 PM]

motion.

>> Mayor Adler: Councilmember alter makes the second. Those items are in front of us. Any discussion? Councilmember alter?

>> Alter: You said the vote was 8-0-2.

>> Mayor Adler: I called that wrong, it was 9-0-2. We have a motion on items 3, 4, 5, 6. Any discussion? Those in favor please raise your hand? Those opposed? Those abstaining? It's a unanimous vote in favor.

>> Mayor, this is jennetette, just to confirm, mayor pro tem Garza is not on the screen.

>> Mayor Adler: Sure enough. So the vote then on number one would have been 9-0-1. The vote on the second 1 would have been 8-0-2.

[10:58:18 PM]

With the mayor pro tem off on both of those, the vote on the consent items 3, 4, 5, 6 would have been 10 voting in favor with the mayor pro tem off the dais. With that, we have taken care of all the business before us this evening. So I am going to adjourn the meeting of the Austin housing finance corporation meeting at 10:58. We are done for our meetings this week. Everybody safe and take care.