

City Council Regula Meeting Transcript – 10/01/2020

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[10:04:54 AM]

>> Mayor Adler: I'm going to go ahead and convene today's city council meeting. Here at 10:04 on Thursday, October 1, 2020. We are doing this virtually. Colleagues, I'm going to read in the changes and corrections that we have. On item number 14, it's outreach services in amount not to exceed \$75,000. Stricken was language about the total agreement amount. We have some items that have been pulled on our agenda. As shown on the changes and corrections you have, it's items 11 pulled by councilmembers tovo and

[10:05:57 AM]

Ellis, 12 by councilmember tovo, 55 pulled by councilmember kitchen, also we have item number 23 pulled by councilmember alter. Those are the four items I'm showing as being pulled. On late backup we have 10, 11, 38, 39, 40, 42, 43, 45, 54, and 55. Colleagues, the consent agenda items are 1 through 37 and also 51 to 62. With respect to item number 52, as I indicated on the message board yesterday, an

[10:06:57 AM]

amendment is going to be brought forward to strike from item number 52 the funding that comes from the pay for success model and the funding that comes from the Austin transportation department mobility fund. In its place is going to be proposed direction to the city manager to come back with ordinances and instruments necessary to make up that \$8.5 million available from sales tax. So that -- and will include direction for the city manager to proceed immediately with the programmatic work for

the full \$15 million as proposed in the memo from staff. And then I understand that next week other people or hereafter other people can propose different ways to fund those programs or more. But this at least would give the assurance to staff that they are going to get the

[10:08:01 AM]

\$15 million and proceed programmatically with the three funds. If we opted to do that, then we would not need to consider item number 53 because that was to enable the Austin transportation department mobility

[inaudible]. Councilmember tovo.

>> Tovo: Mayor, thank you very much. So a couple --

>> [Inaudible]

>> Tovo: Sorry. Multiple things going on. Thank you very much for proposing those changes. Those respond to several of the concerns that I raised on Tuesday about pay for success as well as the transportation user fee, so I think that's a good solution and I support it. I did want to point out and I apologize that not all of this information got to you, so thank you who pulled 11 and I would like to pull the companion 40 as well. I'm also pulling 12, which I

[10:09:03 AM]

think you noted. 57, 55, as I understand it councilmember kitchen pulled, and 23 councilmember alter pulled, and I would also like to pull 52, I have some questions about -- sorry. 52, I have some questions about the memo we got and I want to talk through and vote on some additional direction. And then I have a quick question on 14. And I would just mention to our av folks, I notice I continue to freeze. I was not freezing before anybody else got here. When I signed on at 9:30 was fine. I think it's just when other people join the group that I suddenly start to freeze. That's a good segue to kind of freeze looking right at the camera because we sometimes get comments from the public that we're not looking at the meeting or that we're looking down, and mayor, sometimes you comment on this at the beginning of the meeting so I'll use that

[10:10:04 AM]

as a segue. For those of you watching, it's extremely hard to look at that dot all day long because if we do so we're not looking at the people who are talking, colleagues and staff, because they are in a different place on the screen. I hope members of the public will understand if we don't appear to be

looking straight at you it's because we have a lot of different faces on our screen. Mayor, did you need me to say those things again I'm pulling?

>> Mayor Adler: 12, 55, in addition to item pulled 11, 12, 55 and 23. You are also pulling 40, which is the companion to 11. You are also pulling 14, 52 and 57.

>> Tovo: Yes. I would leave 14 on consent, it's just a super quick

[10:11:04 AM]

question. I don't need to talk about it, I just wanted to verify I was understanding the salaries correctly.

>> Mayor Adler: Okay.

>> Tovo: Thank you very much.

>> Mayor Adler: Thank you. Let me make note on my page here. Okay, so item number 40, I don't see as -- that's not a consent item, so 11 will be handled at the same time 40 is handled. That's not on consent. 57, got it. And 52, got it, and 14 you are going to have a question. For the record, I'm going to recuse on item number 14, the county judge and I are statutorily the chairs of that effort so since I chair that effort with the county

[10:12:05 AM]

judge, I don't want to be voting for the funding item. All right. This morning I'm going to come back, I see other people have their hand raised, but just before we do that, we have a little over 60 people that have signed up to speak this morning. We're going to call the speakers when we're done this part here. Each are going to get two minutes to be able to speak. And then after all the speakers then we're going to try to handle the consent agenda, if we can. We'll handle pulled items. We also conceivably could handle non-consent items 38, 39, 40 and 64. Noon we have three sitcom speakers at three minutes each. I would have us continuing to work until 1:00 and then

[10:13:05 AM]

take a lunch break today from 1:00 to 2:00. And then at 2:00 we would take zoning speakers and then our zoning cases. I don't know if anyone want to have an additional executive session today. This assumes not. That would be the schedule today. Hopefully we would be able handle everything today before dinner, but if we don't dinner break planning on about 6:00 to be able to do dinner. And if there's a way at some point to sneak in music by playing walk with me Austin YouTube, I'm going to try and find a chance to do that. Councilmember kitchen.

>> Kitchen: I don't need to pull it, but I'll have a quick question about number

[10:14:05 AM]

62. And then I wasn't clear on what was happening with 53.

>> Mayor Adler: The goal is being pulled indefinite or that could be on consent. While we're having the speakers, I'm going to circulate as I said yesterday a motion sheet. If we could just do that, we don't have to pull any of those things.

>> Tovo: Any of which things were you saying?

>> Mayor Adler: 52, 53 would not need to be pulled.

>> Tovo: I have questions on 52 and an additional question. Sorry to interrupt.

>> Mayor Adler: Let's pull 52 and 53. Pulling 52 and 53.

[10:15:11 AM]

1 through 37 and 51 through 62 consent. We have pulled items 11 and 12. 52, 53, 55, and 57. Are we ready to hear from speakers? Councilmember pool.

>> Pool: Mayor, I had some remarks that I wanted to make, October starts domestic violence awareness month, and I have some comments from our friends and colleagues at Travis county that I would like to read. Would now be a good time for that?

>> Mayor Adler: Go ahead.

>> Pool: Okay, great. Beginning of domestic violence awareness month. As our county has been -- and our country have been spinning because of covid-19 and we urged everyone to stay at home to stay safe,

[10:16:11 AM]

domestic violence victims did not have a safe home. We know locally incidents of domestic violence increased and yet options were limited. The city of Austin has worked with our local non-profits to find alternative housing for domestic violence victims and those who have become homeless because they have fled domestic violence. During this month of October we are urging the residents of Austin to light up their homes with purple lights. You can find them at some of the big box stores in Austin. And we encourage local businesses to do so as well to make them aware of domestic violence, to remind them

of hope and to be the voice when their own voice has been silenced. If you want to talk to someone, you can call or text the safe alliance, the 24-hour safe line, that's 512-267, safe, which is 7233, or text to

[10:17:16 AM]

(737)888-7233. If you are in immediate danger, please call 911. There are advocates working to help you make a safety plan for you and your children. And for mother information about events in Austin and Travis county this month go to the Facebook page for atcfv task force. That's facebook.com/atcfvt -- fv task force. Thanks so much.

>> Mayor Adler: I'm seeing screens freeze up. I don't know if you can hear me now.

>> We can hear you but we can't see you. Mayor, my hand is raised up. This is councilmember harper-madison.

>> Mayor Adler: I can see everybody. My screen is shown as being frozen.

>> Harper-madison: It is.

>> Mayor Adler: Councilmember harper-madison, go ahead.

>> Harper-madison: There are two things I would like to raise. October also is breast cancer awareness month, and

[10:18:18 AM]

as a thriving survivor I would like to remind folks to take care of themselves this month. I was able to be sitting here today because I was able to tap into resources that were available. So I want to encourage people to visit places like the breast cancer resource center with questions and remind everybody to get mammograms. The other thing I would like to raise is 1:00 is tricky for people with school-aged children. For me that would really be sort of disruptive at my home. I wonder if you would consider adjusting lunch to 12:30.

>> Mayor Adler: Let's go ahead and do that.

>> Harper-madison: Thank you. I appreciate it.

>> Mayor Adler: All right. Colleagues, laid backup is in items 10, 11, 39, 40, 42, 43, 45, 54 and 57 -- late backup. We're going to go ahead now and call speakers that have

[10:19:19 AM]

signed up to speak on the -- on every issue other than the zoning issues. A little over 60, two minutes each. Councilmember Ellis?

>> Ellis: Just quickly for the record, I think you may have said I had pulled 12, and I wanted to make sure that I pulled 11. Seems like we're going to talk about 12 anyway, but I wanted it to be reflected in the record that it was 11 and not 12 I was interested in pulling.

>> Mayor Adler: If I said otherwise, I misspoke. Tovo and Ellis pulling 11 and tovo pulling 12. Thank you. All right. Is the clerk with us?

>> We're ready.

>> Mayor Adler: All right. Two minutes each. Let's call the speakers on everything other than zoning.

>> The first speaker is Valerie ward.

>> Hello, councilmembers. My name is Valerie ward and

[10:20:19 AM]

I have a shop in district 9 and office in district 7 and here to speak on item 52. In September you passed a resolution that acknowledged child care and music and restaurants are the most vulnerable in the pandemic and directed city staff to every possible funding to help. Item 52 fails to meet that mandate. I applaud the offer to music convenient crews and child care, the amounts will go a long way to help these vital sectors, but you have left out restaurants almost completely. The \$5 million portion allocated to be shared among bars and restaurants and performance places is a pittance compared to needs. There are over 3,000 bars and restaurants including over 85,000 people. \$5 million does not go far enough. Without substantial and immediate support one-third to one-half of these businesses are projected to close permanently by the end of the year leaving 25 to 40,000 people out of work. You must do better for restaurants.

[10:21:20 AM]

There are millions of dollars sitting unused earmarked for convention center expansion. There are viable options to use this money outlined in a September 24 legal memo to the city. City council needs to take a stand and fight the legal battle to temporarily reallocate that money to those in immediate danger. This is your chance to stand up to the culture of Austin for if creative entrepreneurs and hard working restaurant employees for the future of a city that comes together over food and drink. There is more than enough money in this fund to help music venues, child care providers, art spaces and bars and restaurants. Please fight the good fight. If this resolution passes as is and you consider your work to help the restaurant industry done, then you will have failed one of the largest and immediate sectors of our economy. Thank you.

>> Steven Howard.

>> Thank you for the opportunity, mayor Adler and

[10:22:22 AM]

councilmembers. I want to thank you for considering items 52 and 55 to save Austin's most vulnerable institutions including and especially child care. Child care is important to me because my wife and I are both aisd educators and without proper child care, we would not be able to have the support system for our family so we may continue to teach and support the thousands of families that rely on our public schools. As teachers it's important to us we prioritize Austin fames so we may be able to perform best at our jobs to educate our Austin youth. We recognize you are making hard decisions, however, child care providers the foundation and infrastructure needed by all sectors to get back on track. The combination of strategic investments in the short-term through the saves initiative and innovative solutions for the creation of the edc in item 55 will result in resilient child

[10:23:23 AM]

care sector ready to support the workforce of today and tomorrow including taking care of children of those who own and serve in convenient crews and restaurants and play incredible music this city is so proud of. Please consider your support for items 52 and 55. Thank you so much.

>> Glenn Osgood.

>> Thank you, hello. I'm Lynn Osgood, resident in Austin, Texas, and a -- the executive director of civic arts. I want to thank you for finding ways to support the creative community in Austin with item 52. Strong response to the deep impact the pandemic is create, but like others of you, I want to also acknowledge these efforts alone unfortunately do not and cannot fully address the problem at hand. So as the council moves forward to find new

[10:24:23 AM]

solutions, I urge you to keep three things in mind. One, a vital arts culture and creative sector includes more than music. We have an unfortunate tradition in Austin of dividing our conversations on the creative sector between music and other creative mediums like dance, theater and visual arts. Supporting these other forms of expression is just as important for achieving a thriving cultural sector. Number 2, explicit subpoena fort for artists and arts organizations is absolutely essential at this time. Not only is the art sector deeply impacted by the pandemic, but the effects of the pandemic are disproportionately impacting communities of color in Austin. Relief programs for the, a and culture

sector need to be explicit about their intention and offer additional support for artists. And number 3, the arts can do more than we're asking of

[10:25:23 AM]

them. Broadly speaking, the arts need to be thought of as more than just engines for economic development and more than simple beautification projects. These roles are important, but miss the vital role that arts can play. Cities across the United States are integrating artists into the very fabric of local government projects, bringing in artists to work in partnership with city staff, to envision new solutions and solve tough issues in transportation, public safety, affordable housing, and all the dimensions of city building that this council tends to. We need to start having an expanded conversation about the role that the arts can play in helping us to envision, build and bring life to our next normal. Thank you.

>> Patsy Harnage.

>> Hi, can you hear me?

[10:26:24 AM]

>> Yes, go ahead.

>> Hello. Hello. Good morning, Mayor Adler and Garza and esteemed councilmembers and city manager. I'm owner of [inaudible] Beginnings in Austin. As your constituent, I want to thank you for recognizing child care as one of the vital economic sectors in Austin that's been detrimentally affected by the pandemic. This will support the child care industry in the short term and build a more resilient, sustainable industry for the long term. This is important to me because I want to continue to stay in business to give the children and families of Austin the tools they need to be successful for the citizens of Austin, Texas. Please support the safe initiative. Thank you for considering

[10:27:24 AM]

both actions to support our children, families and the economy. On Thursday, October 1, I urge you to vote in favor of items 52 and 55. Item 52 aims to save Austin's most vulnerable and at-risk institutions including child care. Item 55 creates an economic development corporation. Taken together these two will support the child care providers in the short term and build a more sustainable industry for the long term. Access to affordable quality child care is essential not only to parents for work or receive education and training, it is also the most effective way to grow the next generation collective human potential. I ask you to support the healthy development of our children and the -- especially in

communities of color. Most highly impacted by covid-19. Failure to do so deprives us of potential and equal opportunity for all.

[10:28:26 AM]

Most of your workforce is made up of brilliant dedicated women of color, many parents of young children. Currently in Travis county 116 child care centers are lowed. 30% of the total capacity. 16 programs are currently closed. Our community cannot afford for these numbers to increase. We recognize you are making hard decisions, however, child care provides the foundation and infrastructure to get back on track. The combination of strategic investments, safe initiative and innovative solution --

[buzzer sounding]

-- Of today and tomorrow. Including care for the children of those who own and serve and use restaurants and play incredible music the city is so proud of.

>> Mayor Adler: Thank you very much.

>> I will be grateful to be part of a community that --.

[10:29:28 AM]

>> Next speaker Monica Guzman.

>> Can you hear me?

>> Yes, go ahead.

>> Good morning, I'm Monica Guzman, director for gave. Speaking on items 52 and 55. Thank you for considering bold actions to support our children, our families and the Austin economy. Excuse me. I urge you to vote in favor of items 52 and 55. Approving 52 will save Austin's most vulnerable and at-risk institutions including child care. 55 creates an economic development corporation. Together the resolution to support child care providers and build a more sustainable industry. Access to affordable child care is essential not only for parents to work or receive education and training, it is also the most effective way to grow the next generations' potential. I ask for support to healthy

[10:30:30 AM]

development and stability of Austin families, mostly families of color. Erodes our ideal of equal opportunity for all. Most of the child care workforce is made up of brilliant, dedicated women of color. Many the parents of young children. 116 child care centers are temporarily closed and have

permanently closed. Our community cannot afford for these numbers to increase. We recognize you are making hard decisions, however, child care provides the foundation and infrastructure needed by all to get back on track. Innovative solutions for the creation of the ten E DC will result in a resilient sector including care for children who own and serve in venues and restaurants and play the music the city is well known for. Support Austin babies and bars. A community takes care of each other in times of need. Take care of those who show

[10:31:31 AM]

up to take care of youngest citizens who are leaders, bus drivers, athletes, farmers, entrepreneurs, organizers and teachers and child care providers. Please approve 52 and 55 to save Austin child care. Thank you.

[Buzzer sounding]

>> Jeanette Gregor.

>> Good morning, mayor Adler, city manager cronk and city council. Jeanette Gregor, district 1. I'm the co-founder of the amplified sound coalition dedicated to the labor force behind the live music event industry in Austin. And I'm here to speak on item 52. Speaking on behalf of thousands of workers and performers in our workforce, but also speaking for me. I'm one of those furloughed from a live music venue and I want to make something clear to everyone here, I want to work. I'm not asking for a rush to

[10:32:34 AM]

open -- to reopen venues, but what I am asking y'all for is the chance to go back to work when it's safe and for some faith that I'll be able to keep doing the job that I've been doing for over a decade. When y'all discussed the saves resolution and the money you are providing to music venues, please think about me. I'm a skilled professional and I'm watching my friends and family within this industry suffer. We're asking for clear and fair eligibility, transparency with allocations of grants and loans and fast track funding. I can't stress enough how badly our venues need this bottle needed it three months ago. Our labor force needs some promise of sustainability. We need a future, not just a band-aid. When you talk about this money, please talk about it like we are. Venues equal our jobs. We have an opportunity here to set an example for the rest of the country and say our music industry is worthy of investing in. That our workforce of over

[10:33:36 AM]

28,000 professionals has value. Thank you for your time.

>> Adam Orman.

>> Hello, councilmembers and mayor Adler. This is Adam Orman, co-owner of good work Austin. It is with difficulty I speak yet I must speak against 52 which provides much needed assistance for child care and music venues but not nearly enough to make a meaningful difference to Austin's locally owned bars and restaurants. We are the nation's and the city's biggest employer, have been damaged in complex ways by the pandemic and no level of government seems capable of taking a risk and finding funds to help the independent portion of our sector open and stay open safely. Public health must be the first priority and business owners should be receiving help from our leaders so that the places where transmission is most likely

[10:34:39 AM]

do not feel financial pressure to pack people in and make our community sicker. Eating and dining rooms are the activity most people who have tested positive for covid-19 have in chon. We must recognize that and decide no amount of illness is acceptable. Which is to say this resolution is incomplete. There is no mention of the potential to include money from 380 agreements or money from convention center operating revenue. There is no mention of contracts that can be awarded to local businesses, utilities relief, property tax relief, exemption of personal guarantees on rental basis or many of the other items that are part of EdD's recommendation based on this summer's food services recovery group. This resolution needs to be needs based. Establishments that have not been able to open need tore to be prioritized. Come back with a fund that will touch the thousands of bars and restaurants that most need to get on the other side of this. You need only look at the amount of applicants to the

[10:35:39 AM]

small business relief grant to determine the size of the need and to congress to see what inaction looks like. Please don't follow their lead. Take the chance you took by passing the paid leave ordinance and declaring the sanctuary city against the will of the state. Please take that risk.

[Buzzer sounding] Thank you.

>> Tovo: Mayor?

>> Mayor Adler: Yes.

>> Tovo: Mr. Orman's comments which are very much appreciated reminded me of something I wanted to mention. I did pull this item from the council agenda in part to offer some direction that I hope the council will consider and vote on today, but it is absolutely my intention and the intention of at least one other colleague to bring forward some additional measures on our next meeting that would result in

more money for this area. And I just also want to mention that if my intention in pulling 57 to offer some

[10:36:39 AM]

direction to [inaudible] That's the caregiver meals contract. So thank you, Mr. Orman, and I know others may comment on this as well. I see today's action as a start in that direction, but please know that several of us are working on other measures to come back at our next meeting that would increase the amount of funding that's available, including some of the ideas that you mentioned just now today.

>> Mayor Adler: Councilmember Tovo, I'm going to support you in those efforts to bring additional dollars to the caregiver meal program, as you indicated. And I appreciate your leadership in moving that forward. It was good to see and I spoke with the -- our consultant in Washington, D.C., but also looks at if the federal government may be moving forward, maybe there's some agreement now to -- getting closer. It's like reading smoke signals or tea leaves, but it looks as if there is

[10:37:40 AM]

movement toward agreement to bringing relief to restaurants, which is just an enormous task and challenge given the scale, and hopefully that's going to bring dollars and it could be there's dollars also for music venues as well. So I think everybody it's critically important now, I know that it's indicated that senator Cornyn is supporting this work in Washington right now. Have not heard from senator Cruz, so I would urge everybody to reach out to our congressional delegation to see if we can get money that would either augment or even replace some of the dollars that we're looking at today. But specially with respect to relief for restaurants. Yes, councilmember Kitchen.

>> Kitchen: I'll speak to this more later, but I just want to ask Mr. Orman to send us, I think you have sent it before, but I think it would be helpful to send

[10:38:42 AM]

the recommendations from the committee that you referenced. You spoke to some of them, but if you could send that, that would be helpful. I'll be speaking later, it's my intention to bring back on the 15th some additional source of funding related to the 380 agreements and supporting my -- not 380, I'll be bringing back amendments related to H.O.T. Taxes, the visitor information centers. I'll be supporting my colleagues as we continue to look at 380 agreements, utility relief, other aspects of H.O.T. Taxes. So I'll speak to it more later.

>> Mayor Adler: Sounds good. Before we go back to speakers, councilmember Pool.

>> Pool: I appreciate -- appreciate good work Austin and Adam Orman's comments and we continue to work really hard lining up the

[10:39:43 AM]

additional sources of revenue that we may be able to distribute specifically for restaurants. I've talked about the iconic nature of our restaurants and the importance of the food culture in Austin. We are not turning our backs, so I'll be bringing some direction to staff later today and then ten my efforts with my colleagues to find additional sources of funding. I'm going to be looking at 380 agreements, some balancing of the funds to address a concern that you raised, Adam, about needs based and making sure that we target those entities that have not yet received any relief from these awards. And then looking at H.O.T. Revenue at the convention center.

>> Mayor Adler: Sounds good. Colleagues, motion sheet with relationship to 52 has been post odd the message board and sent out to

[10:40:43 AM]

everyone. Clerk, if you will help us continue on with speakers.

>> Nakia reynosa.

>> Good morning, mayor, mayor pro tem and council. I am the president of Austin, Texas musicians. Monday afternoon there were 200 musicians, venue operators, production and events staff gathered in front of city hall to demand city council create a dedicated live music venue preservation clause. We are asking that this happen with ex median sickle cell. Musicians must have a seat at any table where the economy and music is being discussed. We're running out of time. Texas has more venues that have permanently closed since March than any other state in the country and Austin, Texas has the most closures in all of Texas. That's because the ecosystem

[10:41:43 AM]

we've helped to create was built out of match sticks. All it took was sxsw being canceled and everything else caught fire. Even the beloved nonprofits created by loving members of our community to care for its musicians depend on live music venues and events to raise money to pay for that care. We urge city council to find new ways for its musicians to be cared for. Find ways to use some of the money these festivals pay for permits to go into a fund for Austin's musicians and venues. Create new programs to demand developers and new industry moving to stain pay into a fund for our music community, especially our black and brown musicians who have had enough of being displayed and ignored. We

stand with you because black lives do matter. We don't need wristbands, we need investment and support. Please, please quit dragging music, musicians, music venues into the fight over

[10:42:44 AM]

funding sources. You don't ask your children where you get the school supplies from, which bank account to choose from. Stop making it so dramatic.

[Buzzer sounding] Do your jobs and give us the money that we need. Thank you.

>> Katie com.

>> Hi, I'm Katie cam and here to speak on item 52. I'm currently a restaurant

[inaudible] In favor of the fund and against expansion of the Austin convention center. The hotel tax that would go to the expansion [inaudible] Which as you have heard needs much more money than currently planned to support all the sectors that need assistance during this pandemic. Tax code 351 indicates those already possible to support

[10:43:44 AM]

the music and creative arts economy with the convention center funds. Any venue city managers

[inaudible] Local venues can be contracted qualifying information centers. There's already been precedents to use hotel tax funds to support musicians and artists through funding -- long-term encourage use of local establishments as place for meetings and conferences. Zone comedy music and other festivals use local establishments. For years I attended a conference of over 10,000 in D.C. And it was not held in a convention center. Current state and local law already allows for this approach. I got my master's on convention center issue with specific analysis of the proposed 1998 expansion of the convention center. It's not a good investment considering how little the convention center

[10:44:44 AM]

contributes to Austin's tourism industry. Finally, I'm a dancer that thoroughly enjoys and misses going to live music venues to hear and dance to the phenomenal local talent in the city. Already the place I used to go for salsa dance is closed and gone as a result of the pandemic. Use the hotel tax fund -- to live and visit. Thank you.

>> Michael bahan.

>> Hello. Thank you for your time. My name is Michael bahan, owner-operator of -- a back line supply house for near ten years. I'm also a working musician

[10:45:45 AM]

at numerous venues in the Austin area. It is critical that you come up with a plan and action on that plan which will give a dedicated music preservation fund to the music venues. This plan needs to be overseen by a competent entity, not the better business bureau. You sit idly by the marker you -- Austin being the live music capital of the world will disappear. To be clear, we are, my brothers and sisters who are music venues owners and operators, musicians, sound engineers, lighting engineers, our staff and every other -- make a show go off are what make the live music capital of the world. If you lose us, you lose the very thing that draws the millions of tourist dollars to this city. Thank you for your time.

>> Brian stubbs.

[10:46:48 AM]

>> Thank you, mayor, city manager and councilmembers again to speak. I don't have too many prepared remarks because I work without a -- he says it a lot better than I do. We're facing -- 52 is a start and it does some stuff for venues and child care that are desperately needed, but the restaurant needs are so much greater. We've lined those out and I know you guys are hearing us on that front. So I would just encourage you to continue to find the political will to do more. We are relying on city leadership to be more nimble than our state and federal leaders. It is going to take us longer but we want to -- to recover, but we are going to be crucial in the recovery of Austin. And this is a beginning. Go after the stuff that you

[10:47:52 AM]

can, the convention center expansion funds, you know, we can -- we can figure out ways to do what we need to do and relying on you guys to take bold action and remain creative and we're here to help and we're anxious to be part of the recovery. So thanks for your time and keep working.

>> Carolyn Bradford.

>> Hello, thank you very much city council and mayor. I perform in town under the name Carolyn wonderland and want to thank you for considering the money you have allotted for the venue preservation fund in particular. I would like to encourage you to please go about this in the quickest manner

[10:48:54 AM]

possible. We have already lost so many venues and looking at changing the entire landscape of Austin and its soul. The music is not just an economic driver, there's almost 30,000 people who are employed by the venues that we're talking about. But it's also the soul of the city. When people want to come visit Austin or think about moving here, they are not moving here for the condos and convenience stores, they are moving for the cultural value of the music. There's a great diversity in that music and we need to address that. I hear people speaking about the convention center and agree perhaps that money could be put to better use for venues being lost right now instead of projects we could put off down the line. In so far as distributing the funds, with all due respect to the fine folks at the better business bureau, we need someone with experience distributing grants and someone with a true music knowledge of the Austin scene. This is our garden to tend and I hope you all will tend it.

[10:49:54 AM]

If you didn't hear what folks said at the rally on Monday, I highly encourage you to will listen to the words of Kevin Russell. We pride ourselves on being the live music capital of the world but we are going to lose that if we don't take action right now. Usually musicians in times like this, we would gather in these venues so we could throw on benefit, raise money for people in need. Without these venues, which are just our cultural centers, that's our community, that's our church. Without those we're going to miss out. I really encourage you to do this quickly and I thank you so much for your time.

>> Katherine Howard.

>> Hi, good morning mayor Adler, city councilmembers. I vote in district 5. Kate Howard and I'm a musician. Thank you for the opportunity to speak. I'm hear to address item 52. The alarming rate at which

[10:50:54 AM]

music venues in Austin are closing is -- it's horrifying to me. The city sound track is undergoing an ex an excruciatingly painful. Without adequate funding we'll have no place to play. It's a heartbreaking development and every singer and song writer and musician I know, every bartender, cocktail waitress, sound engineer, we're all going through this and it's not just monetary for us. It's our soul. Like Carolyn Bradford was just saying. And if you would handle the financial aspect of this, we'll take care of the rest. And as soon as we are able to get back to work safely, we will. I'm asking that you create a dedicated music venue preservation fund of at least \$10 million, and I greatly appreciate the funds that you have raised so far and have experienced arts grants admin who work for a

[10:51:55 AM]

nominal fee. Thank you for the funds you've raised so far and please do what I and my colleagues ask and do it soon. Thank you very much. Be careful and be well.

>> Awiny Steve aswami.

>> Hello, councilmembers. Member of the -- owner of

[inaudible]. Austin's independent restaurants which sits on the edge of district 7 and 4. I am 52. We hear the conversation this morning that there will be changes to consider where the funding will come from and this item is under further review. Funds proposed was nowhere close to what was needed. There are supporting businesses also directly affected that you can support. The item did not address any of our other asks, property tax, health inspection fees assistance to name a few.

[10:52:56 AM]

There are various areas you have the ability to help and we need you to ten these efforts to be sure that those in need are clearly supported. We also need to work together. It is not just about restaurants in one bubble and child care and venues and bars and music venues, we're all in this together. Please consider all of the service industry that needs your support. Failing to support the service Friday and support small local lists is equivalent to each of you stating you want to support and continue to increase economic divide in the city. That's something already been going on far too long. Let's please work together to build the businesses and the families and individuals most affected in need higher and up and stronger. We really need and want you to make those hard choices of considering the funds earmarked for the convention center expansion which is a moot point where the city is clearly not needing that right now. There are other issues that

[10:53:56 AM]

are much more important that the city needs attention. We are here to support you, to make the changes. We are here on the ground working day to day to keep businesses up, teams together. Thank you for your time.

>> Nancy Copland.

>> Good morning, mayor and council and city manager. Thank you so much for letting me speak. I'm Nancy Copland. I was the first chair of the Austin music commission and just finished out this year being inducted into the Austin music hall of fame and in between produced over 7,000 performances at ten's

airport. So I'm really proud to be part of Austin's music community which needs your help. There's been a lot of commentary about help for the community, help for child care, which is, of course, valid in restaurants as well. Fortunately for the restaurants, they've been able to serve food and are

[10:54:59 AM]

now starting to bring in inside seating as well as food to go. So I'm going to talk to you about music. As you know, music is a huge driver for tourism and also relocation of companies here. The landlords have to pay their bills, the venues have to pay the landlords, and they need help because clubs are going to be getting evicted. That is one issue that I would suggest that you use as a feature too on this money to get out quickly. I would like to recommend that you create and continue a fund to expand the services to the music industry through the venues and other areas, not just venues, but equipment rental companies and other valid and vital music industry businesses.

[10:56:00 AM]

That will go down for the musicians as well. Persons with expertise. Let's talk about that. In giving up this money, I would like to recommend that you involve someone, bring someone in who knows the music structure in Austin.

[Buzzer sounding] My time is up. Thank you for your time.

>> Aline Bristol.

>> Good morning. I'm a local musician. I play electric bass and I also operate Sahara lounge, which is an east side live music venue. I see the situation from both sides, as a performer and person who books bands. We've been in business nine years and before we opened the lounge operated in the building for 33 years. So there's a lot of music and we're doing all we can

[10:57:01 AM]

to preserve that legacy. We were honored to receive the 2020 Austin music award for best residency. I appreciate that the council is aware of the importance of the live music scene, and I'm asking you to approve the measure establishing a dedicated music venue preservation fund. It's a challenging business, as you know, even in normal times, and this year we've lost our busiest months. We feel tremendous gratitude from the grant we received from the city, that together with the federal loans have been a tremendous help. I want to share an idea that has capacity to support musicians as well as venues during the coming time of rebuilding. That idea is to use a portion of the music venue fund or establish a separate fund to provide guaranteed live performance income to bands performing in local

venues. That would put money directly into the pockets of musicians and would also support the venues because when you have good bands,

[10:58:02 AM]

customers come out to have a beer and that all helps to rebuild the scene. As we all know, it may be some time before things normalize. In June when we were open a few weeks, business was really slow and the bands paid through a cover charge collected at the door were earning a portion of what was normal before covid. I expect when bars reopen this will be the case for a while. If we were able to access a fund to provide guarantees to live bands when we booked them, it would be a big help in restarting the economy and bring back some joy to our wonderful city. Thank you so much.

[Buzzer sounding]

>> Ryan greenbelts.

>> Hi. My name is Ryan greenblat, and I'm a full-time musician in sin, here to address item 52 and ask city council to

[10:59:02 AM]

approve a dedicated music preservation fund for Austin's struggling music venues. Thank you for your time, by the way. The spirit and culture of Austin is and has been based around its live music scene since the broken spoke was considered the edge of town if we don't help save the existing venues, what is Austin. We'll continue to grow and progress, of course, but at what cost if we don't ensure our beloved music scene and its venues survive the pandemic. Excuse me. So far the allocation of funds point more toward expanding the convention center and less for the relief to venues and industry which make up the soul and character of our town to keep them alive for the future. We need to make these venues and the art community a bigger priority. A dedicated relief fund would show the artists and

[11:00:03 AM]

community that the city has not abandoned its soul, not to mention its moniker as the live music capital of the world. If and when live music is safe again and artists, event staff, production staff, workers are able to go back to work. It will be absolutely paramount to the revival of the industry in Austin for its venues to be able to house the shows and productions the city's artists are dying to put back on. Live music is not only the bedrock of Austin's character but a big part of the healing going forward once it is safe for shows to come back. It will heal us spiritually as a community and kick start the economic

engine of Austin which we all know stands to lose a large portion of revenues, fails to keep alive the arts and community center.

[Buzzer sounding] Please create a dedicated fund for the relief of music venues and appoint a team of knowledgeable people to

[11:01:03 AM]

allocate those funds quickly. Because many of them are on the Virginia of permanent close -- verge of permanent closure, nearly 28,000 people that are going to be without a job. Thank you.

>> Pat Gupta.

>> Good morning, councilmembers. Pat Gupta here, executive director of Austin Texas musicians. I'll be direct today. I urge you to create a dedicated music venue preservation fund and I implore you to engage a qualified grant administrator that understands the needs of our music community. But you've heard that part. You've heard our music stakeholders express concerns over failure of clear and anchor funds to address the music industry's needs. You've heard our venue owners share their sorrow as we watch their long-time businesses close, and you certainly heard over 200 musician show up and speak

[11:02:06 AM]

up with us at city hall on Monday. What you may not have heard is we believe you will do the right thing today because we know your hearts are in the right place. I've lived in Austin as a working musician for 30 years and never have I seen a council that prioritizes music as we do. As I enter new music organizations in new Orleans, I'm in awe they do not have the same the city programs or commissions dedicated to music that we enjoy here. Although the road has been rocky during covid, I have confidence that as long as we work together, we can rebuild a music industry that drives our economy, that prioritizes equity, and sets the standard for music cities all across the world. I have confidence that you will take that crucial first step today by saving Austin's music venues. May we all find unity and

[11:03:06 AM]

healing in today's decision. Thank you.

>> Jody mozaka,.

>> Mayor and councilmembers, thank you for allowing me the time to speak today in response to item 52. I represent both black star co-op pub and brewery of district 7 as well as local nonprofit organization good work Austin. While the business owners and members of good work Austin appreciate the efforts

and considerations taken to identify funding sources that would be funneled into the bar and restaurant and child care industries in the form of loans and grants, I'm personally disappointed by the results of those efforts and especially the sources by which the funds would be diverted. Ignoring the fact the money comes in wildly blow our

[11:04:07 AM]

calculated ask, this proposal diverted millions from homeless support fund. I don't understand how -- I respectfully recognize that councilmembers are charged with many incredibly challenging and unprecedented problems this year. But placing the paper's success on the back burn was a shocking solution. Not mentioned were the millions of dollars tied up in convention center expansion and I urge you to consider this as a main source of funding as a way to help our industries now and before we see any more closures. I know this proposal was presented you have considered sources for funding, but I thought it pertinent to include this as part of my testimony and reiterate the importance of convention center funds consideration. Please reconsider and reevaluate what these industries need in order to withstand the pandemic. Our small businesses, restaurants, bars and venues remain an incredibly large part of what makes the city of Austin a unique and desirable place to live. As well as for its destination. Please do not overlook our

[11:05:08 AM]

cultural importance, significant economic impact we continue to provide or ongoing role in support of the local supply chain. Thank you again councilmembers and mayor for your time and dedication to the people of Austin and all you have offered to us today.

>> Christen --

[buzzer sounding]

-- Kristen Haney.

>> Good morning. My name is Kristen Hain key, chair of the east Cesar Chavez neighborhood association and owner of yard bar, a restaurant and bar in councilmember pool's district 7 and a member of good work Austin. I support the city's intention to keep going on resolution 52. \$15 million is a good start and falls very short of the 100 million-dollar need. The city stated that the analysis of numerous other funding sources were considered and that being the analysis of each of these funning sources

[11:06:09 AM]

present a myriad challenges and or they could not be fully resolved or vetted in the time period allowed by the resolution. Running out of time is not an acceptable outcome. Our small businesses, musicians, venues are asked every single day to pivot, to figure it out to find a way and we do. But our time will truly run out if our city doesn't join us in putting everything we've got into finding the resources and taking the risks that support our ability to quickly recover and sustain our cultural and civic infrastructure. I urge you, take the time, do what it takes to fully resolve or vet the solutions that can be created when we fully consider the millions of dollars of additional funding sources and especially the hotel occupancy taxes and other source of convention center resources.

[11:07:10 AM]

I urge the city to -- how the funds are implemented amilwaukee stakeholders and create an implementation plan that allows more flexibility to ensure the impact to businesses in need. Austin is a hi, how are you doing city, connectors and innovators. Let's use to opportunity show the world how we take care of each other. Thank you.

>> Chuck Kahn.

>> Thank you, mayor, city councilmembers and city manager. I own a operate angels care and learning center, a bilingual Texas star early childhood development center in district 2. I strongly support items 52 and 5 5, the proposed \$5 million child care initiative and having the inclusion of an early

[11:08:13 AM]

childhood representative on the board. As you are aware, in the city of Austin and throughout the state the early childhood industry is struggling. All early childhood education centers represent the spark that ignites economic growth across all socioeconomic groups in our city. To exemplify our consideration, our exterior as many others have done the following in the last six months. Partnered with aid to provide free pre-k in conjunction with full-day child care for low-income families, deliver top notch early childhood curriculum. Conducted voter registration drives encouraging many members to vote, provide quality safe care for children allowing families to achieve college degrees and skills based certificates, reenter the workforce after dug drug rehab or incarceration.

[11:09:13 AM]

Provide free meals to families with food insecurity. Provide a safe place for foster kids and victims of domestic violence. Austin has an opportunity to do what the state is unwilling to do. There are currently over 2,000 families on the waiting list that have been on that waiting list over one year due to lack of funding. This is to get the Texas workforce commission child care subsidy. They can't even send their

kids, they can't even work. What Austin can do is Austin can do what the state is unwilling to do. Supplement the federal funds to ensure sustainability and quality of early childhood education --

[buzzer sounding]

-- I would like to thank you for setting the example in Austin and for the entire state. Thank you.

>> Leslie martin.

>> Hello, councilmembers. My name is Leslie martin. And I own golden creek cafe in district 9 and a good

[11:10:13 AM]

work Austin member and here to speak against item 52 because it doesn't do enough. I have been in business 20 years and due to the pandemic, my staff of 80 has been reduced to 25. I can make it another quarter or six months, but after that I need to take a real look at the reality of staying open N September you passed a resolution acknowledging restaurants, bars and child care providers were the most sectors of the community. City staff was directed to find every source of funding possible to help these industries. In this creative idea city that claims to love local business, I know this is not the best you can come up with. 52 is insufficient and we can do better. There are 3,000 restaurants in Austin and 85,000 employees. This money will not make a dent. I urge you to fight for Austin, its culture and the tens of thousands of restaurant, bar and venue workers and keep trying to give us access to the

[11:11:14 AM]

millions of dollars earmarked for convention center expansion. Because it would go further to offer real financial help for more restaurants, more businesses. You have taken on legal battles before when it was the right thing to do. If item 52 is the best you can do, then you have failed Austin. The money offered is just not enough to provide significant help for the restaurant industry. The fate of Austin as a thriving city, as a destination city and fate of thousands of jobs lies in the survival of local bars and restaurants.

>> Gregory curry.

>> Good morning, mayor, city manager and councilmembers. My name is Greg curry, founder and co-owner of Manuel's restaurants in Austin, Texas. Thousands of Austin restaurants are on the verge of closing permanently due to the economic devastation

[11:12:15 AM]

created by covid-19. Please take immediate action to create and support the dedicated restaurant fund. Item 52, the saves fund, is a step in the right direction, but the proposed funds are critically inadequate. In the case of Manuel's, we closed both our locations completely when the layer closed off dining rooms. We were not willing to risk the safety of our staff by asking them to prepare food together in an open kitchen for carryout until more information was known, and we knew that carryout business would not be enough to sustain our overhead. Without revenue production, my wife and co-owner Jennifer Mcnevin and I personally funded the final three payrolls for each location, which totaled over

[11:13:18 AM]

\$200,000. Restaurants are expensive to operate. We reopened Manuel's great hills on may 2nd, however, Manuel's congress avenue has remained closed. We want to reopen it, but with the current climate downtown there is no point. The [inaudible] Are losing money [inaudible]. No one is making money. We know this because we are in close contact with many of our fellow restaurateurs. Several congress avenue restaurant neighbors next to Manuel's reopened for a short period of time and then closed. After incurring even more losses. The covid-19 --

[buzzer sounding]

-- Fear factor plus the marching on congress avenue, the few tourists and office workers, lack of special events, sporting events, conferences, the lack of

[11:14:19 AM]

hotel business and the homeless panhandling and harassing pedestrians is death for restaurants right now. Carryout accounts for less than 10% of our business. In spite of promoting it more during the last six months, it is not enough to sustain us. Manuel's overall sales are now less than half of pre-covid levels which equates to losses for us each and every

>> The ppp dollars we received have been spent and our personal finances almost drained.

>> Mayor Adler: Thank you. Thanks for talking to us today.

>> Gwendolyn seal.

>> I am an entertainment lawyer here in Austin. I had an impacted wisdom tooth extracted less than 48

[11:15:19 AM]

hours ago so please forgive me if I sound muffled and unclear today. I want to talk about establishing a music preservation fund. One thing that makes Austin unlike any other music capitol or entertainment city is the grassroots infrastructure we have to make sure that industry survives and lives. I implore you and the economic development department to work hand in hand with these organizations like the red river cultural district because these organizations are closest to the issues. Have spent a significant amount of time developing the revenue data and developing strategies in connection with this proposed fund and most importantly have already earned the trust of the music business owners. Further the city must engage a qualified grant administrator with the community trusts. I also appreciate the answers the economic development provided in connection with choosing bbb to declare the anchor funds beginning on page 17 of the q&a. I drafted the letter which all of you received on

[11:16:21 AM]

June 13th which expressed music stakeholder concerns. I ask that moving forward the city and the economic development department exercise transparency with the public when implementing programs. It should not have to take three and a half months to get some answers to some truly simple questions. As I mentioned before, there's considerable grassroots infrastructure in this city filled with a lot of intelligent city who want to build successful programs. We are here to help. This music venue preservation fund if done expediently can serve as a blueprint to other music capitals and cities that are facing similar struggles. And I believe that this can happen if the city exercises transparency and involves music industry stakeholders from this program's inception. Thank you very much for your time.

>> Laura Olson.

[11:17:21 AM]

>> I'm Laura Olson, a mother of five children and in school healthy equity director with go Austin, vamos Austin. Thank you for opportunity to speak with you today for considering bold actions to support our children, families and Austin economy. I want to echo those who have already spoken today to ask you to do more for childcare, music and restaurants. Today I'm here to urge you to vote in favor of item 52 and 55, in particular to pay attention to the essential childcare sector. Mr. Rogers, the beloved pbs show host and childhood champion once said the most important people in the child's life are that child's parents and teachers. That means parents and teachers are the most important people in the world. I hope we can all agree with that and recognize that parents and childcare providers, our children's first teachers, are in deep distress. These most important people. Who took care of you who you

[11:18:21 AM]

were little, when your parents could not? What was the impact? I guarantee it was important to who you grew up to be. The pandemic has caused enormous stress and strain for parents working to provide for their children at a time of great uncertainty, especially in communities of color most highly impacted by covid-19. Two thousand families currently await childcare subsidies. Please act so affordable quality childcare will be available for them. They have lost so much already. Underpaid childcare providers have been there throughout, but they can't hold on much longer. They have seen enrollment and staffing drop while adapting to ever changing health and safety measures. This year many are taking school age children into their fold as they are trusted and capable guides as parents face uncertainty with schools. The combination of strategic investments through the saves initiative and the Austin adc and continuing conversation to find

[11:19:21 AM]

additional equitable funding -- [buzzer] Thank you.

>> Sam Aker. >>

>> My name is mark nera with

[indiscernible]. While we all support the industries in his trying sometimes I am here to speak on item too. We as restaurant owners are one of the most essential industries in our great city of Austin. Please think of the memories in your lives that happened in the restaurant industry. Think of the favorite food you craved. Many of these memories and favorite food spots may not be there or are gone forever. We coast the restaurant because the love of serving is food and creating happiness for others and help our restaurant family provide for their families.

[11:20:22 AM]

In restaurant industry we are there at 6:00, 7:00 in 7:00 in the morning until late at night. We have personally invested into our love for this for all of our patrons and employees. We have taken many safety precautions during this difficult time and many financial innovations to try to better stay open during this time. Many don't have the funds. Many can't open. Many will never open again. I'm sure you all personally know of these restaurants. We need you to invest in restaurants so we can rebuild what we lost and come become stronger than before covid. We need you to help restaurant that are the places that all of you and all of us have made some of the biggest memories to possibly disappear. Please help us with the restaurant funding so we can make new memories in the safest conditions for all of our future.

[11:21:24 AM]

This funding is for the people who work in the restaurant industry, the people who support about the restaurant industry and everyone else. We thank you, Mr. Mayor and the council and have a good day.

>> Janie Ramirez.

>> Hi, I'm Janie, a multi-disciplinary artist in Austin, singing is lady banana bread. I've listened to everyone and pretty much I agree and, you know, reiterate everything that was said. I do think this council and the mayor for wanting to allocate this money and finding money across the board and I do want equitable funding. I got chills just now when I heard the owner of Manuel's. You know, it's been seven

[11:22:26 AM]

months since we got shut down in March and we can all sit here and say thank you, thank you, thank you. This isn't enough! I want to know if you guys, the council and the mayor, have gone to successful business owners like John Mackey, owner of whole foods. You know, Michael Dell. We have Elon Musk breaking ground right now. And you know, I just have to wonder with all these great minds in Austin and the abundance we have why are we here? Why -- I feel like there has just not been progress. All I hear is, you know, this venue has gone down, this restaurant. It's heartbreaking. You know, I just don't think -- it's not enough. And you know, I'm against any funding for the Austin convention center. And I want to say something

[11:23:26 AM]

to governor Abbott in case he's listening. I just found out like a lot of people that he's sitting on money that nobody was going to find out about. It took a [indiscernible] From the media to find this information and now he's saying well, I have the end of December to disburse this money. I had no idea that there were 2,000 people waiting on a waiting list for their subsidy for childcare. Heartbreaking.

[Buzzer]. You know, I just want to say we need to do better. Why can't we get a meeting of the some brilliant minds here and ask for help. Elon Musk gets some kind of subsidy? He's a billionaire. Please, think way out of the box.

>> Mayor Adler: Thank you.

[11:24:29 AM]

>> I am with the hospitality group on [indiscernible] On fourth and Colorado. Thank you for the opportunity to speak. From the dishwasher to director of hospitality. I think I have a nuanced voice here.

I'm a husband, a father and I was fortunate enough to have my family move here in 1983. A part of this restaurant group since 2005 and a big member of our teams in downtown Austin in the arboretum. You heard it, it's 85,000 people, 3,000 venues. Our people and industry need real help and we're asking for you to step up. This industry is deeply woven into the fabric of Austin, especially downtown. It's what keeps it weird. Are we a marketing tool? Or do we care about tax paying members of the community? Many are here like many at this table we're sleeping at and we were a sleepy little college town. We patiently waited as our business has grown by the

[11:25:29 AM]

tremendous growth in uni. From streets projects in 2013 to cranes operating in and around our businesses since we've pated patiently to grow our businesses and once the future of Austin became the present, unfortunately we won't make it to the finish line. We still have 100 austinities in our company that we can't employ. There are 85,000 people in this industry. Our federal government is helping. Can we rely on our local government, our officials, our citizens. There are pressures beyond covid. We've had loss of life on our street corners, loss of life everyday. Who is our customers these days? Our neighbors, fellow citizens. Austinities are avoiding the crown jewel of our city, the downtown area. We have no office workers, no live music fans, no convention and very few residents coming to up. Downtown Austin is a dangerous place to be. We once fought the pandemic, but now we're getting hit from all sides. You can change this, you can

[11:26:30 AM]

help. If you love what makes this city different, a premier city in America, a city of the future, you understand what important role the hospitality and -- [buzzer]. I ask you to please act to provide the relief so many need. I'm here to ask for your support and adjust item 52 the saves fund. In its current state it's independent. >>

>> Speaker, your time has expired. Kelsey strofer.

>> Hello. My name is Kelsey, I'm the vice-president of government relations and advocacy for the Texas restaurant association. I'm here today representing thousands of Austin restaurants that are on the verge of closing permanently. We're here to ask for your support for item 52, but also to raise serious concerns about staff's

[11:27:31 AM]

recommendation for this funding which we believe is insufficient and inequitable. We can't afford to lose our restaurants. They're one of our largest employers. They generate significant tax revenue and

tourism for our city. They're a critical part of our live music and arts infrastructure and maybe most importantly they quite literally feed our citizens as part of the Texas

[indiscernible] Dollars. We know so many industries need assistance and I want to be very clear that we fully support funding for childcare, live music venues, the arts and others who are representing on this call. At the same time, as mayor Adler said earlier, we have to recognize the scale of the restaurant industry. The restaurant industry lost more revenue and more jobs as a result of covid than any other industry. Respectfully this scale is not reflected in staff's recommendations which dedicate money to music venues and childcare specifically, but not to restaurants. As others mentioned, five

[11:28:31 AM]

million dollars is not nearly enough to make the difference we need to save the iconic restaurants we love and help those 85,000 families who spend on this industry. Local restaurants are quite literally running out of time particularly with distancing requirements that keep most at about 50% capacity, a lack of public confidence and and colder weather on the horizon. Item 52 is the start, but we know it can be much better. Please especially help us by fully and equitably including restaurant relief and restaurant [buzzer] About how the stand will be allocated. Thank you.

[11:29:47 AM]

>> They have already proven themselves not capable of the task at hand. Choose a grants administrator that knows the music community and can administer funds with complete transparency. None of this will save the title of the live music capitol of the world. The opportunity to save that reputation is long past and that moniker is dead and gone. Frankly this resolution doesn't come close to providing adequate relief and its entirely tootle too late, but people need this money right now so it's the very least you can do. When this pandemic began musicians canceled gigs, venues closed their doors and people did so because they cared for the well-being of others in their community and they were willing to make that sacrifice as difficult as it was. Unfortunately that wasn't reciprocated and the music industry hung out to dry. A problem has existed long before covid with black and

[11:30:47 AM]

brown musicians. I have seen the impact this is having on people's mental health. People are anxious. They're losing hope and feel like city leaders don't care. You would be heartbroken if you spent a day listening to phone calls from people in crisis like we get everybody at Simms. This is for the well-being of our music community and didn't need to get to this point. Austin's reputation was built on the backs of our musicians and as stated this past Monday it's time to put up our shut up. Please pass item 52, create

a live music preservation fund and don't consider that anything more than a first step in that direction. There is much more to be done if we want the creative communities and service industries to not only survive bothria. But thrive.thank you for your time.

[Buzzer].

>> Allen Eckhardt.

>> Good morning. My name is Allen and I have been playing music in Austin professionally for 10 years.

[11:31:48 AM]

Music venues all over the city have already been closing and even more could close at an alarming rate. We need a dedicated music venue relief fund of at least \$10 million. Item 52, the saves resolution, is a great start to help music venues, but we need more transparent and more urgent action to solve this financial problem. Experienced professionals in the music industry need to be a part of this conversation and to ultimately show how to best administer these funds. The better business bureau has not been right for the job. Before this pandemic you could find myself and my colleagues most nights performing all over the city providing the musical environment that so many around the world are drawn to visit. That culture is now in danger of disappearing. The very culture that brought me and most of my friends here, the culture that brings in millions upon millions of dollars of revenue for the city every year. Without this music and arts

[11:32:50 AM]

economy, Austin cannot call itself the live music keep of the world. Without dedicated financial aid for Austin venues, we will lose one of the very things that make Austin such a very special place to live or visit. This is the life blood of our city, the history of our city and it's what brings millions of people here. City council, mayor Adler, you must create the lifeline for your city's culture. Thank you.

>> Michelle mejea.

>> Hello. Can y'all hear me?

>> Yes, go ahead.

>> My name is Michelle and I am the organizer for go Austin, vamos Austin. I am speaking on item 52 to save Austin's most vulnerable institutions including and especially

[11:33:50 AM]

childcare. The reality is childcare is and has been an issue for a lot of our hard working families in this city. This is not new and to question the family friendliness of this city is fair and valid because many working parents struggle to find and afford high quality childcare. This pandemic has also exacerbated the issues around childcare as centers in our neighborhoods close, as families lose their jobs somewhere on the brink of eviction and are now slowly returning to the workforce only to have their places on waiting lists or find out that their centers are no longer there. I am here on behalf of the hard working parents, hard working childcare providers that cannot be here because of work, who as we speak are cleaning the halls of our schools and prepping meals for our children, those who are teaching our children in our communities. Families who now find themselves in debt and are trying to fill in childcare gaps. Council, this is a start, but I want to tell you you have to do more on behalf of

[11:34:50 AM]

our families,

[indiscernible] And childcare providers and including those in services in venues and restaurants and the artists the city is so proud of. Our children are our future. This is a mutual dependency and it is not exclusive. Parents need to work and there needs to be care for them to work. Please look for working class families and poc families. I look forward to the city looking to elevate the childcare and families to bring to the forefront as a critical issue, an issue of city infrastructure and directly related to the city economy. Remember that children are our future. Let's work to making Austin a real family friendly city for all families. Thank you.

>> Alex maroro.

>> Good morning. My name is Alex, I am a full-time musician who has lived in Austin for 26 years. I'm the singer of the band brownout and I live in district 2.

[11:35:51 AM]

What brought me to Austin was the music scene, period. My intention today is not to undermine the massive challenges and important community battles we are facing all across the board in this city but the live music scene is fundamental and our venues need to exist. That allowed me to become the musician I am today. Future generations need them and frankly the soul of the city needs them. If you want Austin to continue to have the diverse, homegrown music culture we export to the world with our catchy little slogan, now is the time to prove it. We need to save our scene. The amazing music piece that moved you so much, mayor Adler. It shows the importance and value of inclusion. It reflects the best of us. That's what's at stake here, our music culture. None of us want to LIV in some homogenized version of Austin. I support the dedicated live music fund, it must include live music professionals helping to oversee it. We need a knowledgeable

[11:36:52 AM]

entity to be in charge of disbursement of the funds. We need to act quickly with transparency and equity. Don't let covid kill the music venues and the soul of our city. Thank you for your time.

>> Ashley Hamilton. Ashley, please unmute. Lars Chapman.

>> Good day, Mayor Adler, Mayor Pro Tem Garza, councilmembers and city manager. My name is Mars Chapman. I live in councilmember

[11:37:54 AM]

Harper-Madison district 1 and also a manager at

[indiscernible] In councilmember Tovo's district 9. I had remarks after the vote on item 52 are no longer appropriate and others have really spoken on it much more eloquently than I'm able to and I'm heartened by the discussion around item 52 and that it's going to receive further consideration. I just wanted to voice my concern on the size/scale of any relief that's provided for Austin's music venues, restaurants and bars and particularly that it be awarded on a needs-based basis. I hope that's what further consideration brings about is both an increase in scale and a more equitable way of awarding any grants that are made available. Thank you all very much for your time and for your

[11:38:57 AM]

service right now.

>> Ethan Smith.

>> Yes, good morning. I'm calling to talk about item 12. I applaud the council's commitment to equity to what I'm going to say is going to be a little awkward, but I believe that the equity matrix in item 12 is also illegal under the Civil Rights Act of 1966 and I would refer you to the case Fisher versus UT Austin. I believe that it has to be precisely tailored to preserve the prevailing governmental interests. And while you can make the case that equity under this is the same as diversity, I don't think it's precisely tailored. And to cite who was awarded the grants, 45% of those who applied were awarded grants.

[11:39:58 AM]

10% were African-American and 10% of the recipients were African-American. So that's all flush. However, if you're an LGBTQ, 58% of the applicants received the grant, and if you were trans, identified as

trans, 76% awarded. So in other words, if you're conflating all these protected groups into a matrix, it's not narrowly tailored. So I think the answer is actually for council to be more explicit about equity issues. So like you're talking about equity with venues, you could very intentionally say we're going to set aside enough money to put a venue in the African-American cultural and historical district out of creative bond money, but you can't fund off to a third-party like a better business bureau a formula and say we've done a better job on equity. So thank you.

>> William bunch.

[11:41:04 AM]

>> Hello, this is bill bunch. 30-year resident of district 5, zilker. I'm a long time live music fan. I want to support this initial \$15 million in item 52 for live music, but also point out that it's a tiny fraction of what it should be. I want to encourage the council to allocate at least \$100 million of what's been marked as convention center reserves, but really is hotel occupancy tax that has accumulated in excess of immediate needs over the last 15 years by virtue of large numbers of tourists coming to Austin for live music, for our amazing food and bench scene and for Barton springs and for our beautiful environment.

[11:42:06 AM]

I'm calling like many of you, I know lots of people that come to Austin specifically to hear bands play in our venues, to eat the amazing food here, to visit friends and to attend sports events. I know virtually no none and can't think of a single person who comes to Austin for conventions at the convention center. The actual data bear out my anecdotal experience. As you know, less than three percent of our hotel visitors are coming for the convention center events, and yet the convention center has been hoarding at all's actions by budgeting it over 75% of the hotel occupancy tax revenues. That's a gross mismatch. It's simply wrong and

[11:43:08 AM]

especially at this time where there's absolute vital need to reallocate these funds to save Austin's music and culture.

[Buzzer]. You have the legal wherewithal to do that. You have a legal memo from me and three other lawyers laying out very clearly not only how you can reallocate that money to save live music and Austin culture, but pointing out how you've already been doing it in small steps that can easily be expanded.

>> Speaker, your time has expired.

>> ... Not venues downtown, but venues all over town.

>> James Junius.

[11:44:08 AM]

James Junius. Be sure to unmute. Yes, go ahead.

>> Hello? Okay. Good morning, city council. I am a musician and resident of district 9 and am here today to speak on behalf of my personal mentor and friend long time executive producer and voice of Austin city limits, Terry lacona. He could not be here today due to the fact that they are prepping for a taping with Jackie Larson today. His comment is as follows. Hello, city council, I moved to Austin over 40 years ago after hearing about Willie Nelson and the incredible music exploding out of Austin. Since then I've had the privilege of helping showcase a fraction of the world class artists we have in our city and central Texas region. From Willie Nelson, asleep at the well, towns van zandt, Lyle Lovett, the black angels and countless others, what happens in our venues here in Austin directly feeds into what we are able to showcase with

[11:45:10 AM]

acl. They are a cornerstone of our mission at acl to showcase the best in Austin music and preserve its rich history. When I say the tagline live from the live music capitol of the world, it's Austin city limits. It's born out of this ecosystem. So I implore you please have local stakeholders administer the grants who have knowledge of who needs it the most. Rethink the saves fund and create a live music venue preservation fund.

[Indiscernible] To all our amazing festival, we need these faces to keep Austin true to its heart. These venues, people who staff them and showcase them are what drew me and countless others to Austin. Let's make sure that this ecosystem can not only survive, but thrive for many years to come. Thank you for your time and I look forward to your action on this, thank you.

>> Claude Mccann.

[11:46:12 AM]

>> Hello, mayor and city councilmembers. My name is Claude Mccann. I have been playing professionally in Austin since the late '70s. And the music community here when we've needed help, we have never asked for public money. It has always been our fans and private money and non-profit organizations. To saver the music venues, we are going to needs money and it's going to have to happen

faster so we can't use private money. That seems to be the consensus of everybody speaking today that tunnel number 52 is a good idea, but is totally insufficient to take care of this problem.

[11:47:13 AM]

Frankly, we don't need to expand the convention center if all the music venues are closed and all the restaurants and everything else. So I urge you into looking to use some of that money. I agree with Mr. Bunch that it needs to be probably at least \$100 million. Thank you for your time and have a good day.

>> Yvette.

>> Good morning, I'm Yvette, a resident of district 5. My business is in district 9. Thank you for the opportunity to speak with you today. I'm here to express my opposition to item 52 as it stands. The resolution you passed in September sought to identify any possible funding source to help Austin's restaurants, bars, venues, and childcare industries recover from the precarious position this pandemic has placed them in. Resolution 52 is woefully

[11:48:14 AM]

insufficient in that aim. This pandemic has required restaurants to adjust. Being the entrepreneurial bunch that we are we've adapted, offering takeout, selling merchandise, offering pop-ups that operate under vastly different business models than the ones we've had happening. A lack of leadership has obligated us to be the stewards of public health. We know that opening the full capacity is detrimental to the health and safety of our community. By failing to give us the tools we need to persevere while we fight the spread of this pandemic you are forcing us to decide between the solvency of our businesses and the health of the people who work in and patronize them. The city deserves more than chains and drive-throughs. Five million dollars split among the thousands of Independence restaurants and bars in need of support cannot survive. To say the only option for aid is the ones offered when hundreds of millions sit untouched designated for a convention center that may

[11:49:14 AM]

well have no place in the city's future is misleading and myopic. I'm here to ask you to reject item 52 to adapt as we have to meet the needs of these times. We need substantially more than five million dollars to hire back our furloughed employees and enact meaning of the recovery. The funds with the new resolution, one that makes sense, needs to be this council's priority. You have an opportunity to be enterprising in your vision of how to restore and rebuild this city. I implore you not to squander it.

>> Michael fostetic.

>> Good morning, mayor and councilmembers. Thank you for the opportunity to speak. I'm the chef and owner of Olmay in district 9 and our dining room is closed to protect the community and our staff. Mr. Mayor, I've heard you say that we must take care

[11:50:14 AM]

of the Austin restaurants because we're such a huge part of the pr for this city. Well, now is the time. We've been failed by the federal and state in both guidelines and financial support. We were given eight weeks for an eight month problem. Let's not see how it fails again. I want to be clear that we as restaurants are not looking for a handout, we're looking for a bridge to the other side and we want to keep our people employed until we get there. Without help we'll lose many unique businesses from all parts of the city owned by all kinds of folks. Please move quickly to find a dollar amount commensurate to the need. Thank you for your time.

>> Francesca abruzzo.

>> Actually, this is her mother. I don't know how my daughter's name got on there. My name is Diana Haggerty and I help stronger together

[11:51:17 AM]

atx and the childcare collective. I'm a mother of four residing in district 5, a dancer and performer, a 14 year fitness owner in Austin but I had to close my business to care for my children as I cannot afford childcare for my family. I know you're being asked to go back to the drawing board today on 52 and 55, but please push it forward. With a guarantee to make more support for these sectors. You can hear how much we're all hurting and childcare needs this funding and the ongoing support of our city. I think it's telling that previous speakers are saying that five million dollars for childcare is good enough and the surprise that 2,000 children are on a waiting list for childcare subsidies. I think that speaks to the fact that childcare is overlooked as the critical and specialized industry that it is. I know you understand the gravity of the situation and thank you. And this is initial funding for some especially hard hit sectors. I implore you to pass item 52 today to release funding immediately and continue the search for more. The bitterness of these threats of closing is felt

[11:52:17 AM]

across the sector being discussed today. Five childcare centers in my district have close and they have been mourned. When a childcare announces their closing not only does it leave workers displaced to Austin working parents, mostly mothers, who must scramble to find care sometimes within days. We all agree restaurants and iconic Austin landmarks are worth saving and they are a part of the rich fabric and

history of our community. So let's talk about iconic checking and preschools that while they may not serve hordes of tourists they will be missed. Places like bb's huts. They have served 40 years and lovingly co-raised three of my children and child craft school that opened in 1957. She told me they have helped raise over 10,000 children. I want you to look at childcare needs and not isolate it from other sectors.

[Buzzer].

[11:53:17 AM]

... Founded in 2000 to provide childcare for employees for the congress avenue cafe. The lunches and snacks were prepared there and they learned about the --

>> Speaker, your time has expired.

>> Thank you so much. Thank you.

>> Kerry browning.

>> Good morning, mayor, councilmembers, city manager. Thank you for letting me sleep.

-- Sleep, I wish I was sleeping. To speak. And to speak on item 52 and 55 to save Austin's most vulnerable institutions, especially childcare. I need to disclose that I work for the Texas state of state health services and oversee ole Texas which Austin participants to improve the quality of outdoor spaces and early childcare environments and I am not representing this was or ole Texas. I represent myself as a parents of a three and a

[11:54:17 AM]

half-year-old and public health professional that works full-time. So my son is three and a half and he's been enrolled in six different ece operations since five months old. This is not by my choice, rather forced hand. It's a systemic issue to which covid is amplifying. So I want to share my experience to shed light on what parents in Austin are going through. And the first location was a childcare home that closed after seven months. The reason she closed is because she had to move to a more affordable city. It was simply out of her reach to stay here as it is for most middle class. At that time I was forced to send my son to a new location as I sat on a waitlist for one to three years in four locations. He was sent home within the second week of his attendance with 46 mosquito bites and a strained arm. And this is an example of staff and ec environments that are stressed and struggling. The third and fourth cares were friends because I was waiting on waitlists. And then in August 2019 I finally got my dream

[11:55:20 AM]

location that had been in operation for over 20 years and they had had to close in April because the director in her 70s needed to retire for health reasons. I want you to know that she tried for years to sell this business and this location to keep it alive, however the cost of the location and operation would have made it impossible for a academic to purchase it -- day care to purchase it and sustain itself. This is an issue because we need quality care in central Austin to be sustainable and a profitable business. I refuse to send my child right now -- [buzzer]. So this is what I'm asking you to consider, systemic issue. This is a real estate issue. And most importantly, the number of operations does not equal quality care or quality spaces. Is my time up or do I have one more time.

>> You're out of time, speaker. Thank you.

>> Okay. Thank you so much. >>

>> Kevin Remy.

[11:56:21 AM]

>> Yes, hi. Thank you. Good morning, everyone. I guess I should say good afternoon at this point. It's four minutes until. Steve Adler, members of the council, thanks for your time. I'm here to speak in support of item 52 and helping to create an Austin music venue preservation fund. I'm a 57-year-old Austin native growing up in and living most of my life at 78704 and a 36 member of the Austin music community. I perform under the professional named Kevin Lance and I've worked, recorded tours, percussionist, vocalist, played with a lot of acts in the 80s. Played with even Willie Nelson in recent years, countless of other artists. I performed at the first acl festival, I performed at the first south by southwest in 1987. My 2020 schedule should have been my most profitable year to date with nonstop touring, nonstop local shows, two new records slated for release on hold.

[11:57:25 AM]

So that's my personal story but today is not about me, but about the severely struggling music venues. These are the places that keep me and thousands of others working and to help to sustain the Austin music culture that the city loves to brag about by calling it the live music capitol of the world. Austin local music industry helps to bring millions of dollars of revenue to this city every year. Revenue brought in on the backs of musicians, venues, and all those that work and serve in the Austin music community. These are not just

[indiscernible], these are in the church, these are life and for thousands of venue owners --

[indiscernible]. There is a dire need for you to approve item 52, the saves fund resolution. And [garbled audio]. Some are still struggling after not being allowed to open since March and are literally on the chopping

[11:58:25 AM]

block as we speak.

[Buzzer].

[Garbled audio]. It will be nothing but a sad memory of the city next year.

>> Speaker, your time has expired.

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

>> Thank you.

>> Edwin cabins.

>> Morning Mr. Mayor, councilmembers. Thank you for your time today. My name is Edwin and I am the owner of Cassler represents Austin. It is part of a bigger group called Cassler presents. In 2019 we were one of the largest promoters in the state doing over 500 events. Today I am wearing the hat as the chairman of the music venue alliance of Texas and I wanted to speak to not only the cultural impact, but the economic impact that our state has. Texas is a music economy like none other in the

[11:59:26 AM]

world. We have over 800 small to midsize music venues from texarkana to. El Paso and downto Brownsville. Last year we employed over 2,000 people and did over 6.3 numbers and put over \$90 million on the tax rolls. Right now the best way to describe it for lack of a better description is Austin is the hub and the spokes of fort worth-dallas, Houston, San Antonio, east Texas, west Texas and south Texas, all look back to the live music capitol of the world for leadership. I will say this, our economy is down, revenues are down and as an industry over 85%, we're seven months in with no end in sight when we can open. Nobody can survive that. We know that we're on the verge of collapse, but there is hope and the hope is

specifically this: Is patrons both anecdotally and through their surveys, the demand for live music is as

[12:00:26 PM]

strong now if not stronger than it was pre-pandemic. We know we have the greatest supply chain in the world in our great artists that are creating new product and they're ready to get back out there and work when we can safely do that. I would encourage everybody to watch the video walk with me that shows our fine artists at work. Finally, I will say this: The distribution channel for those artists to get back

to work are our live music venues. It's not a matter of if, it's a matter of when we can get back and we need our small to midsize music venues to be standing.

[Buzzer]. The eyes of Texas are looking back to Austin for leadership right now, specifically with their live music economy and I would strongly recommend you support item 52. Thank you for your time.

>> Michael mordachi.

>> Okay. Thank you. I'm speaking in support of item saves.

[12:01:27 PM]

I've been playing trombone in Austin for 50 years. And playing trombone in Austin is a uniquely weird opportunity, playing with bands like [listing musicians]. Recording with Willie Nelson and asleep at the wheel, Jerry Jeff walker. Also playing with the Austin symphony and this year we're currently nominated for a grammy with Ruthie foster for playing at the paramount. I also concentrate on pit orchestras for bass orchestra, long center, moody and river bend search and some other churches. Have a small label and have a booking agency. We had a musician booked somewhere 365 days since 1980 until March of this year when covid hit. I appreciate what you guys do, really I do. I've been on the Austin music commission twice. The second time with Nancy Coplan was there to pass the live music capitol of the world.

[12:02:27 PM]

I feel like I served two sentences on the commission. And I think the city and the council -- sitting on a council oracying on a commission is like volunteering to sit in a dunking booth. Today I'm here to speak on behalf of the elephant room, a jazz bar downtown at congress. Down beat lists the elephant room in the top 100 jazz clubs of the world. Win ton marshal less named it one of the top clubs in the United States. And January would work the 30th anniversary and created as the longest running jazz club in the state of Texas. Bars were closed by state mandate, which is the right thing to do, no argument there, but I don't know of any sustainable business model that is designed to pay expenses without the ability to generate any income.

[Buzzer]. Rent is the highest fixed

[12:03:28 PM]

expensive line item so rent relief is really what we need. I don't know what the city can do about that, property tax, city licenses, health permit [indiscernible].

>> Speaker, your time has expired.

>> Mayor Adler: Thank you for your participation.

>> Kathie mccourse.

>> Thank you, mayor, city councilmembers and city manager. I'm speaking today on behalf of the austin-travis county success by six coalition and urge support for both item 52 and item 55 on Thursday's agenda we thank you for your continued efforts to find resources for stabilizing childcare and other vital economic sectors that are so essential to Austin's economic recovery. We want you to know that our advocacy efforts are not relying unaturally on the city of Austin, but also Travis county, the state of Texas and federal governments and we appreciate the leadership you have demonstrated for others to follow, making difficult but strategic choices when the needs are

[12:04:29 PM]

so vast. At least five million dollars in funding relief is needed as a start toward protecting and preserving access to high quality childcare in Austin. While there is no guarantee that five million will be add Kuwait to stabilize the sector this is an impactful starting point. The investment of relief funding aligns with the city of Austin's strategic 202003. Childcare is essential for moving individuals out of poverty with a living wage. Accessing affordable strategic is moving to a significant direction. There is significant personal business costs due to the lack of affordable childcare documented at the national level that are frequently overlooked. Insufficient childcare negatively impacts parents, companies and communities alike. When there's no childcare, productivity falls, with cost to parents, companies and ultimately taxpayers. We appreciate the inclusion of an early childhood sector representative and the creation of the Austin

[12:05:30 PM]

economic development corporation. And we sincerely thank the economic development and public health departments for their work in looking for funds for these investments. Thank you again for your time.

>> Joan altebbi.

>> Good afternoon, city council. My name is Dr. Joan altebbi. I'm the vice-president of licensed childcare at the ymca of Austin and also a board member for Texas licensed childcare association. I'm speaking in favor of agenda items 52 and 55 and its further development for finding more funding. Childcare is the backbone of the economy here in Austin. It is a vital infrastructure to our economy here in Austin, the state of Texas and the national pandemic recovery. The the unintended damage done by the necessity of shutting down the city and then allowing the return of childcare under strict and

[12:06:31 PM]

expensive precautionary practices continues to threaten the existence of the entire childcare industry. We started providing care to children of essential workers shortly after the shut down and we adapted our summer camps for safe, enriching and fun experiences for the children. And now that school has resumed we're beginning to piece back our signature after school programs which now cost us more to provide than we can charge on the parent. We've served our neighbors and families. We've heard their stories, we know their struggles, we experience them ourselves. We're facing just trying to get back to work. We want to help them, but to survive we need help too. And that's why the ymca of Austin and Texas licensed childcare association are in favor of financial support being considered by the city council and we ask that you discover more funding sources and more dollars. If working parents are not able to find high quality affordable licensed care as you've heard today, there is no going back to work.

[12:07:32 PM]

Mostly women are affected by this issue. There is no returning to education or teaching in public schools and women are mostly affected by this as well. There is no economic recovery without childcare. In short, there's no path to fully opening Austin without safe and affordable care options. Please vote for agenda item 52 and 55 and develop more funding sources and dollars for childcare -- [buzzer]. Thank you for your time.

>> Cody covin.

>> Yes, good morning, mayor and council. This is Cody from the red river cultural district, music makes Austin and the national independent venue alliance. I work and live in districts 1, 4 and 9. Our city needs this dedicated music venue preservation fund. Music venues were the first to close during pandemic and will be amongst the last to be allowed to safely reopen.

[12:08:35 PM]

These independent, local small businesses have now been closed by order for almost seven months without income, while still carrying the burden of commercial leases and other fixed costs. But we have been nimble and attempt is. We can't currently turn on the lights and provide live music in person experiences which is our essential business plan and how we employ musicians and staff at scale. Item 52 will provide desperately needed lead time for a federal package. We are still in economic triage and must retain our music venues, who will later be able to provide much needed industry jobs and help Austin's cultural tourism economy quickly recover. We built this city on rock-n-roll and the music sector was still showing growth pre-covid in spite of our city's well documented affordability challenges. So this is putting good money after good. Investing in our city brand, saving our city's soul. I'd like to give special recognition to staff at the

[12:09:35 PM]

economic development department, especially Veronica, Erica and Nicole, all who have been excellent and trusted partners during the pandemic and have assertively engaged with our music industry experts. These are the heroes behind the curtain. Thank you all. Additionally, a sincere thank you to mayor Adler who has been regularly and ongoing engaging our expertise around music sectors needs and recovery planning, as well as councilmember Casar who has been deeply engaged with our industry's workers' needs now and into future recovery. Thank you everyone on the dais for your solidarity in supporting stimulus --

[buzzer]. As well as your continued leadership during these hard times. We are all in this together. Be safe and be well.

>> Graham Wilkinson. >>

>> Hey there, everybody.

[12:10:35 PM]

My name is graham Wilkinson and I've been in Austin since 24 with the observation as a professional musician. I live in district 8 and I thank you for the opportunity to talk. I feel like so many people who have already spoken like Nikia and Alex, friends of mine, people in support of 52, we've said there have been many things explained about why. And it seems like some of the people opposed is because it's not enough money. And I can't look at any of my notes right now because this is so emotional and I've been on the call for over two hours today, and this is a desperate situation. There are already venues that have been closed. We haven't had a job in seven months and city council has met. Y'all still have your jobs. And there's no way that this is lost on y'all. Y'all have listened to us all morning long and you've -- but it's desperate. You can hear people about to

[12:11:36 PM]

cry. We've already listened to restaurants that have closed. And I'm appealing to your emotions right now because I was on the call this morning before it started and I heard city councilmembers chatting with bandera counter, talking -- with banter, talking about the debate on Tuesday night and I am sitting here trying to get my kids ready for online schooling, getting breakfast. They're at home and I haven't had a job in seven months. And with this opportunity -- the fact that I know what a hotel occupancy tax is or the fact that I know about how much money is going towards the convention center is crazy. I'm a folk singer. I'm supposed to sing to people, sing songs to people and help them out with this and this is y'all's opportunity. Not just realize that we are in this together, that music venues are connected to

restaurants, restaurants are connected to childcare. We're all sitting here talking about this. Everything has been explained to you. You know. But I just -- I feel like the desperation in everybody needs to come across to your hearts to understand that

[12:12:36 PM]

the music -- [buzzer]. The music needs to keep going. We need to have this --

>> Chevis Watson.

>> Hey, can you hear me?

>> Yes, go ahead.

>> All right. Hey, I'm Chevis, you know me. I do live in district 1 and district 3 now, so Natasha, I got you, Pio, hear me. I am forever indebted to the service industry. Greg and Jennifer in 2012 when I was homeless on the street gave me a job at Manuel's and we became very good friends. I am here to tell you vote in favor of items 52 and 55. Like right now. We don't need to waste anymore time. But I'll tell you, we have been part of the budget talks for months now. It is quite ironic that there's an intersectionality

[12:13:37 PM]

where childcare, live venues and service industry employees meet. That is indicative of the pandemic that we're in. It should cause you all to come back to the drawing table and increase the amount of funding. When you have restaurant ours and service industry folks talking about 15, five million dollars, asking for \$100 million, Greg, Leslie, Jimmy, it should return you back to our budget talks when we ask for a 213-million-dollar deduction from the Austin police department. Please do not fund live venues and restaurants without forgetting all those people have to pay rent. \$10 million was given to the rise 2.0 fund and guess what, that wasn't enough. Ask somebody that enjoys live music, has been going to south-by archbishop since it was

[12:14:40 PM]

true and somebody who has worked at many restaurants and has managed other restaurants, I also say that the babies need help. Everywhere. You all must increase the amount of funding. Why? Because you have it. We demand more money for real solutions. That is it, that is all. Don't need to say thank you.

[Buzzer]. Have a good day.

>> Cynthia Vasquez.

>> Hello. Everybody there? Can you hear me?

>> Yes. Go ahead.

>> Hi. My name is Cynthia Vasquez. I'm an east Austin native and today I'm here as the school health equity organizer, within I'm addressing equity and education in child care collective here at the

[12:15:40 PM]

small working group here in Austin, focused on equity during the pandemic. I'm here today to urge you all to keep investing and dedicating funding to solutions like the combinations of items 52 and 55. And I'm going to take my time here today. I'm going to slow it down so we can talk about affordable child care. And this is going to extend to home-based -- home-based and center-based. And I'm going to start by telling you a short story about two residents. Steven is a public school teacher. He and his wife had a child at the beginning of the pandemic. They've been struggling this whole time, trying to keep their family safe and also trying to determine how they're going to participate in returning back to schools while trying to manage child care for their baby who was born during the pandemic. They're forced to decide between one of them quitting their job to care for their child and one of them maintaining employment. I have another mom who

[12:16:41 PM]

was actually displaced from 78745, moved out to Georgetown because that was the only person that she could connect with, and actually took her neighbor's child with her because her neighbor's child was also forced into homelessness during the pandemic and cannot afford child care. Currently in Travis county, 116 child care centers are temporarily closed. This equates approximately to the capacity or serving 9,438 children. 16 programs are permanently closed and our community cannot afford for these numbers to increase. Please, I've been an Austin native for 40 years and it's just a continuation of the inequities --

[buzzer]

-- And the decisions that we're forced to make in our most vulnerable communities. I urge you to please, please keep investing and dedicating money to support and uphold our child care system.

[12:17:43 PM]

>> Mayor Adler: Thank you. Thanks forking participating.

>> Cody Tidwell.

>> Yes. My name is Cody Tidwell. I do support item 52 and 55. But please remember us out here in the county. We pay all the same taxes, hold the same permits as everybody in the city as well, but I think out here in the county we're really forgot about. And that's all I have to say. Thank you.

>> Mayor Adler: Thank you.

>> Mayor, that concludes all of the speakers. Those that had disconnected, we tried to reach back to them, but they continue to hang up on us. So I'm guessing they don't want to speak.

>> Mayor Adler: Thank you. You have the sitcom speakers, I think, also Teed up?

>> Yes, we do.

>> Mayor Adler: There are three of those. Why don't we go to the

[12:18:44 PM]

sitcom speakers and hear from them. They have three minutes.

>> The first speaker is may berry Kelly.

>> There we go. Sorry, I was having an issue with my phone. Hi. Thank you for your time. I also support items 52 and 55. However, the reason that I'm coming for today is, it has come to my knowledge that there is at least one major property management group out of Dallas that has ten properties here in Austin that have are started to tag on late fines for their residents without any prior knowledge. Last week -- or I'm sorry, last month it was \$75 flat rate. This month it has gone up to 10%. And, again, these were for people that were on payment plans. They, without any, you know, contract or anything like that, any notification, made that change, implemented the late fine, and there's no

[12:19:45 PM]

saying where it's going to stop. The reason I'm bringing it up is because I don't know how to approach it or if the city has been aware of this problem. At the very least, this is an abuse of power, but it definitely looks like potential price gouging during the pandemic, and I'm sure you can see this becoming a larger issue, if it's not addressed. So I just wanted to bring it to your attention. And I do appreciate your time.

>> Mayor Adler: Thank you.

>> Ellen -- elan savitt.

>> Hello, councilmen and women. I have been a resident of district 10 for just one year. Thank you very much for giving me the chance to speak here today. Given short time I have, I'll get right to the point. Austin is currently in the early stages of a

[12:20:45 PM]

full blown crisis. Recovery will not be possible in a few short years. Recently my wife and I lived in San Francisco when we saw what such liberal policies can do to a once great city. San Francisco has dissolved into a city with rampant drug use, feces on the street and sidewalks. Now locals can't travel to parts of the city which once housed families and small businesses, much like sixth street today. In and around Austin, this has dramatically increased. To be clear, I have empathy for the homeless and indigent, but I'm telling you the changes you've made cannot stand without proper plan and enforcement procedures in place. It is the duty of this council's members to ensure the safety of their constituents and through policy making that results in this city being greater in the future than it is today. Based on 9 of the 11 councilmembers, this is not happening. My wife and I relocated

[12:21:47 PM]

to Austin because of the core values closely routed in my midwest upbringing and a Steyer to be part of this economy. Both are being challenged because of this council's actions. While I'm sure your vote was well intentioned, you need to understand the ramifications and know they will not be easily undone. I implore you to discuss this with your constituents and assure this is the desire of the people you represent. I can assure you as this becomes more pervasive, public support for you will not last. For the last three weeks I've had homeless person camping less than a mile from my house. I've seen it grow from a simple tent to an eye sore, shopping carts, strollers, bicycles, this is on no peculiar and the frontage road. This is unacceptable and I will not tolerate as a tax paying citizen of the state. I want to bring this to the council floor,

[12:22:48 PM]

signature we have the proper representation in place from various districts to overturn it. These actions will be limited to our legislation and the governor himself. The situation has been deteriorating every day without any plan to correct or adjust. I'm not suggesting any cruel action be taken, but I'm not going to accept the current state. Thank you very much for your time. I look forward to getting to know each of you and your districts a lot better over the coming weeks.

>> Paula kothmann.

>> [Indiscernible] Just like so many people in Austin today, his income dropped through no fault of his own. He had to tell us no. Mayor and city councilman, consider this a drought year. We taxpayers are telling you no.

[12:23:48 PM]

That you consider money for non-essential items, then ask property owners to pay 25% more in taxes, it's time that you say no to on your Siders and put family first. If not, you will be responsible for mommies and daddies telling their children that they have to live in their car. Why? You expand your more to remember on evictions without a plan to reimburse landlords. But I have a plan for that. Waive city and county property taxes. That way music venue landlords keep their tenants. The federal government

[indiscernible]. An ordinance that you can't charge a penalty or put a lien on property owners who can't pay their taxes because of loss of income due to the pandemic. It's only fair. Just because I agree with so many property owners that now isn't the time to increase our tax to 25%, that doesn't mean that I don't want project connect.

[12:24:48 PM]

There must be 50 ways to fund your transit. Number one, stop spending money on misleading ads which I've been told are an illegal use of taxpayer money. Number two. Pay it out of sales tax like the city of Houston. Number three. Stop giving tax credits for affordable housing in neighborhoods where the market rate is already affordable. Number four. Collect a contribution toward project connect every time that you grant extra capacity over what the code allows. This is not a mandate, but developers have a choice. This extra capacity yields an extra ten million dollars of profit. Ask for five million dollars towards transit that the new residents will use. I beg of you, stop robbing people of their dreams to buy a home or

[12:25:49 PM]

leave their home to their children to help them get a leg up. Listen to these petitioners. A \$35 a month tax increase places home ownership out of reach for many people. A learned will require an extra \$70 a month in income. For retirees from the urban core, the extra \$75 a month that they'd have to pay with a 25% increase could force them to sell. Is that your real goal? If you waive property tax of 25% --

[buzzer]

-- The homeless can't,

-- thehomeless camp under 183 will continue to grow.

>> Mayor Adler: Thank you very much. Thanks for being with us today. Colleagues, I think those are the three citcom speaker items we have. The pulled items, agenda items 1-37 and 51-62. Pulled items are 11, 12,

[12:26:52 PM]

23, 52, 53, 55, and 57. We also have short questions, I understand, on 14 through 62. I'm going to go ahead and pull those and we'll hit those first right after this and see if we can do that before lunch. But for right now, for the purposes of being able to move quickly this close to 12:30, I'm going to pull 14 and 62. We'll see if we can handle those real quickly with questions. Mayor pro tem?

>> If it hadn't been done, I was going to move the consent agenda.

>> Mayor Adler: Consent agenda has been moved. Is there a second? Council member Ellis seconds it. I will point out on item number 33, which is boards and commission, there's a downtown commission, the music commissioner, from music commission, zoning and planning commission is Cesar Costa, council

[12:27:53 PM]

member Casar making a motion. There's a waiver for the appointment of Cesar Costa, allowing simultaneous service in the community on the zoning and platting commission. It's been moved and seconded, the consent agenda. Council member alter?

>> Alter: I wanted to pull item 8.

>> Mayor Adler: Okay. Item 8 is pulled. Any further comment on this before we go? Council member Casar.

>> Casar: Just briefly, you know, we really radio try not to spend too much time on the consent agenda but sometimes there are things that are so important that all of us have worked on, it's important to mark them before they pass. And this is something I know all of us have worked on for quite a bit, but item 10 expands our mental health first response program so that we can have 24/7 mental health first responders in the city.

[12:28:53 PM]

And the really important goal here is that we'll be able to respond to well over 5,000 calls, away from the traditional 911 response, and to trained mental health first responders. The goal written into the contract, I also understand, it is that -- which trying to go for over 90%, 85 to 90% of these cases not even needing a police officer to be there in the response. You know, a lot of us -- you know, all of us were here in the community and a lot of us were on council when David Joseph was in need of a mental health response, and when so many other people, were in need of a mental health response, and we didn't have this program that we needed so badly up and running so that they could get the care that

they needed, rather than winding up in an immigrant detention center in David's case, so horrifically being killed. This is a program that

[12:29:54 PM]

can save lives and serve the community that will really reduce the calls that police officers have to go to and make sure people get the response they need. So I really want to thank integral care, the city staff, and everyone on council and the community that's worked on this for such a long time, and I didn't want the moment to pass without us mentioning that this really important vote on the consent agenda.

>> Mayor Adler: Okay. Thank you. Council member harper-madison.

>> Harper-madison: I was going to make a motion for item number 8. So I wonder if I could go ahead and make that motion now to see if it's possible that her concerns will be addressed, or should we go ahead and continue now that it's been pulled?

>> Mayor Adler: Let's just pick it up when we get -- let's pull it since we're at 12:30 right now, and then we'll bring that one up early as well.

>> Harper-madison: Okay.

>> Mayor Adler: Okay? Council member tovo?

>> Tovo: Mayor, we can put 14 back on the consent agenda.

[12:30:57 PM]

I got my questions answered.

>> Mayor Adler: Okay. 14 is back on the consent agenda. Mayor pro tem?

>> Garza: I just want to do thank staff for item 13. My district carried forward to economic development contract with United Way for relief funds for child care support. I've ended my budgets, I believe, every year with money left in it, and we were able -- this is the biggest amount because of the pandemic and being at the office less, and less city travel, \$148,000 we were able to give to the child care fund, and a lot of speakers today talked about that. And I've talked about the quiet crisis of affordable child care. And I'm just grateful for staff. I asked them to prioritize facilities in districts 1 through 5 because those districts contain the most minority children, and also child care facilities that

[12:31:58 PM]

emphasize duly language and Spanish immersion. So thank you to our staff and United Way.

>> Mayor Adler: Thank you. Council member alter?

>> Alter: Thank you. I wanted to just make note of item 61, which addresses concerns that we were hearing about arr services being stopped because of the pandemic. So due to health and safety and staffing concerns over the past few months, arr has limited and altered certain services. Most people are at home, families are generating more household waste than before the pandemic, and so my staff and I engage with city staff to identify a path toward the safe resumption of these services. And in the process, we discovered that our arr operators were making \$16 an hour as a starting wage, doing one of the most dangerous jobs in the nation, whereas people with the skill and training typically make higher wages in private sector jobs. So item 61 is really and

[12:32:59 PM]

-- really aimed at accomplishing two things, rooming the safe resumption of arr services, and some of these are going back online already this month. The second is to direct the city manager to review compensation and training practices and explore opportunities to improve operator retention, compensation, and satisfaction. I really look forward to seeing some positive movement in these areas and I want to thank my co-sponsors, Casar, Ellis, and tovo, for joining me on these efforts. And then I just want to add for council member harper-madison, I imagine that we are in the same direction for item 8, but we'll just take it up when the appropriate time comes. S.

>> Mayor Adler: Okay. Council member kitchen.

>> Kitchen: I think I can put 62 back on. I think it's more my misunderstanding. I just want to confirm that it initiates the process for pud zoning, and that means it still comes back to the council

[12:34:00 PM]

for approval. If that can be verified, then we can put it back on consent.

>> Mayor Adler: Okay. Manager, if you can check on that while I go to other speakers.

>> Tovo: I had a question about that as well so I'll throw my question in on number 62, and that is, I did see a version 2 that appears to exclude -- excuse me -- healthsouth property from the central health overlay district, but I did want to confirm that that was the version that we were set to consider here today and I do want to be sure that we have staff conversation that the [indiscernible] is not included within the geographic area that's being initiated for central health planned unit development rezoning.

>> Mayor Adler: Okay. Those two questions, when staff is ready, if we can do it before we take a vote, if staff is here to answer those questions, otherwise we'll pull it.

>> Tovo: I think council member harper-madison who

[12:35:01 PM]

had brought up -- she may have it.

>> Mayor Adler: She does. Council member harper-madison. You're muted, Natasha.

>> Harper-madison: I said that's not what I wanted to speak to but I'm certainly happy to speak to what it was that I did want to address with my hand up, now that I've been called on.

>> Mayor Adler: You can. Yes.

>> Harper-madison: So I wanted to talk about consent agenda number 18, consent agenda item number 18. I'd like to take this opportunity to thank the city manager, city staff, and the district 1 team for their efforts to end a double standard that worked against east side residents who haven't had access to the same rights as their neighbors on the other side of the highway. Item number 18 is yet another step towards erasing inequities that have existed in our city for generations. This is also an example of how some of these inequities can be hidden in policies and practices that most of us don't even know exist. That is exactly why I sit in this seat, to uproot

[12:36:02 PM]

outdated practice and to speak out for those without the platform to speak for themselves. In the end, the things that separate us, the barriers that perpetrate disparate and keep us from experiencing life in the same way, oftentimes those things are written into policy and ordinance. Those barriers are literally paper thin. The key to a Progressive community are ordinances that provide equity across the board, and with the passage of item number 18, no matter what side of the highway you live on, you will now be able to responsibly enjoy a beer while taking a neighborhood stroll. So, again, thank you to everybody who helped us bring forward the resolution and ultimately the passage of this ordinance.

>> Mayor Adler: Thank you. The consent agenda has been moved and seconded. Again for the record, I'm going to recuse myself on item number 14 because I share a chair role with the county judge, with the organization that is the recipient of funding. Council member kitchen?

>> Kitchen: Just a quick comment on item number

[12:37:04 PM]

10, and thank you to council member Casar. I second those words. I'm very excited about that item, which advances the intent of the entire council in making significant, significant progress on how we address mental health crises. So I'm excited to see that move forward.

>> Mayor Adler: Okay.

>> These Jerry rusthoven. I can question on 62 if you would like.

>> Mayor Adler: Go ahead, Jerry.

>> Okay. The question, for council member tovo's question about the new revised version, yes, that is correct. The new revised version clarifies that we're not

[indiscernible] Healthsouth property in the in addition of the pud. In response to council member kitchen's question, yes, this is just the initiation. The case will be going back to the planning commission and coming back to the city council.

>> Mayor Adler: With that said, 62 will stay on the consent agenda, as will item number 14. It's been moved and seconded. Ready to take a vote? Those in favor of the

[12:38:05 PM]

consent agenda, please raise your hand. Those opposed? I'm seeing it as being unanimous with everybody appearing on the calendar, the consent agenda passes. It's 12:38. Colleagues, I suggest that we come back here at 1:40. That would be 20 minutes to 2:00. And then maybe we can start taking care of some of the pulled items. The pulled items are 8, 11, 12, 23, 52, 53, 55, 57, are the pulled items. Okay? At 20 minutes to 2:00, that's an hour from now, we'll reconvene. It is 12:38, and with that, this city council meeting will be in recess.

[Recess]

[1:44:14 PM]

[Music].

[1:47:22 PM]

>> Mayor Adler: Let's get started. It is still October 1st, 2020. We're doing this remotely. This is the continuation of the city council meeting. We pulled some items off the consent agenda. We also have 2:00 speakers so let see what we can take care of here hopefully relatively quickly to be able to get to the -- to be able to get to the zoning speakers so they can get on their way. Item number 8 is the first one

up. Councilmember harper-madison, councilmember alter, are you guys ready to move forward on this? Okay. Councilmember harper-madison.

[1:48:25 PM]

>> Harper-madison: This mute button is not my friend today. I wanted to make a motion on this item. I would like to move to postpone this item until the facilities governance team can come back with their recommendations for consolidation as directed in resolution number 2081-919-046.

>> Mayor Adler: That would be postponing this until the Ruther Ford park can catch up.

>> Correct.

>> Mayor Adler: Is there a second to that motion? Councilmember alter seconds that motion.

>> Tovo: Mayor, I have a motion for staff.

>> Mayor Adler: Let me give councilmember harper-madison the first chance to speak if she wants to. Do you want to speak first, councilmember harper-madison?

>> Harper-madison: Sure. I think it's pretty self-explanatory. This is very similar to what we're working on for our decker lake, Walter E long sort of project. It just makes sense in my

[1:49:26 PM]

mind's eye that assets that are so adjacent to one another should be considered at the same time whenever possible. And I think the process would be more comprehensive and the community would be happier if we were to take the opportunity to consider all of these assets simultaneously and have a comprehensive planning process. I've heard some concerns from the community along those lines and I can't say that I disagree with them. This isn't the only project of its kind in district 1 that really needs to have more of a comprehensive approach.

>> Mayor Adler: Okay, thank you. Councilmember alter?

>> Alter: Thank you. I have the same concerns that councilmember harper-madison has mentioned. I really want to make sure that we are integrating this planning with the Rutherford campus so that we move forward with a coherent project that maximizes the possibilities to advance the

[1:50:32 PM]

arc plan.

>> Mayor Adler: Okay. Councilmember tovo?

>> Tovo: I just wanted to ask staff what the time frame was in terms of coming forward with their planning, if they have any update on where they were with some of that work.

>> Councilmember tovo, I believe we were planning to come back on November with the larger strategic planning effort from the facilities group.

>> Tovo: Okay, thank you.

>> Mayor Adler: Okay. Any further discussion? It's been moved and seconded the motion to postpone. All right. Those in favor please raise your hand? Your hand? Those opposed? I think everybody voting aye. The motion to postpone passes.

>> Tovo: I voted aye as well.

>> Mayor Adler: I didn't see your hand.

>> Tovo: My camera is not functioning properly. Sorry.

>> Mayor Adler: I'll try to remember to ask.

[1:51:32 PM]

All right. Let's go to -- I'm trying to think if there's something here that may not have an amendment. Item number 11, is that going to be awhile on this one?

>> I would hope not. I have an amendment that's been sent out by Katie. I'm happy to walk through it. I think it's in line with the mission of what this particular amendment is going to do, and I'm happy to lay it out, but I can't really tell if that would take awhile or not.

>> Mayor Adler: I think your amendment would be kind of quick. You also pulled this, councilmember tovo. Do you anticipate this taking awhile?

>> Tovo: I actually have -- yeah. It's not going to be super fast. I do have questions for our staff about the impact of some of the changes and an amendment to suggest on item 40, which is a linked one. I would say this is probably 15 minutesish.

>> Alter: I think item 23 will be quick.

[1:52:33 PM]

>> Mayor Adler: Item 23.

>> Alter: I pulled this and I want to say I support this item, but I do have some questions about the broader questions that we have for HIV and testing and I think these are questions for the public health

department. So we had a meeting last week which included some service providers to do HIV and sti testing. And they communicated to me that at one point we paused our delivery of these types of tests, we the city, due to covid, and it had an I am pocket on their services. So these supplies were used in the lbj unit and the mobile testing unit. And I wanted staff to confirm for me if that's the case and give an overview of whether or how this type of testing has been paused and what, if anything, we know about whether our existing service deliveries is working well during covid for this type of sti/hiv testing.

[1:53:36 PM]

>> We do have public health staff on standby but they're just being moved over.

>> Alter: While they're moving over, I also would like to know if aph has had to shift personnel to covid contact trace or others that worked in testing services to covid response and are we operating at any reduced capacity for this testing?

>> Okay. Good afternoon. Stephanie Hayden, director of Austin public health.

[1:54:36 PM]

And for the sexually transmitted infection clinic at rbj, those services are essential services to the department, and those services have always been in very high demand. And so from an overall perspective, those services have continued to -- we've continued to operate there, but by appointment only. And so that has -- that has a smaller impact on the community because we have not been able to provide the level of services because of covid and working off of appointment only. In the past when we just have a regular clinic, it is kind of first come, first serve with some appointments in it for folks that are symptomatic. So right now we've moved to

[1:55:37 PM]

a -- initially in March we moved to a process where if people have -- are symptomatic, they would come in and take the testing, to take the HIV testing. So it's a whole series of sexually transmitted infections that they were able to take. In June and July because there was -- we were very busy in June and July, some of those folks were shifted over to the -- to the covid response. We have shifted some of them back in August and have started using an outreach method for the rbj center. So we are a couple of

[1:56:37 PM]

evenings awake, we are providing -- taking calls and scheduling an appointment whether you're symptomatic or not. And we're providing those services a few evens a week.

>> Alter: Thank you. I don't want to take too much more time on the dais right now, but maybe we can have an offline conversation about how we are addressing the need because I'm hearing reports of jumps of 500 tests a month at some of the clinics that are in my district. I've got a couple in my district and there seems to be some knockoff effects of the policies that we've put in place for covid or there's a huge increase in the need for testing. And either way it seems like we need to be addressing that demand and making sure that those that are providing that service have access to the materials that they need and the support that they need so that we can provide this service because obviously we don't

[1:57:37 PM]

want any of those to be spreading. And this is a challenge we have with all health care right now, but this is a case where we have evidence that they are going to get tested elsewhere, which is good that they're getting tested, but hopefully we can have a conversation offline to make sure that this information is getting to you and that we can adjust accordingly. As I said, I'm for this particular item, but I do think it was an appropriate time to pause for us to have this conversation given that this had just come to my attention. So if we can set that up in the next week or so, that would be great, hays Hayden. Thank you.

-- Ms. Hayden. And I'll move passage on item 23.

>> Mayor Adler: Okay. Councilmember alter moves passage of item 23. Is there a second to this item? Councilmember pool seconds. Any discussion? Those in favor of 23 please raise your hand? Those opposed? I think I can see everybody this time. That passes unanimously.

[1:58:40 PM]

So that is item number 23. Does anybody think any of these other items would be handled in a second. 52 we will need time on, 53 we will need time on. 55 we have an amendment. 57...

>> Tovo: Mayor, we had some appointments for the sobering center. I don't remember if we've done those already. That would be pretty quick.

>> Mayor Adler: We have three items that are not consent that could be brought up now. One is the health and human services committee appointments on sobering center. We also have the whisper valley pid and the demo permits, 40. Let's see if we can handle those. Is there a motion to pass item 38? I'll make a motion. The mayor pro tem seconds any discussion?

>> Mayor, will somebody lay it out from the council

[1:59:41 PM]

committee?

>> Mayor Adler: That's good. Can someone from the health and human services committee just lay out the nominations that are being proposed?

>> Councilmember harper-madison, do you want me to do that?

>> Harper-madison: You'll have to forgive me, I was distract at the news satellite for completed ballots just happened and I was distracted. Yes, that would be great. Thank you, mayor pro tem.

>> Garza: The health and human services -- public health committee met and we always have such great people to interview and we are recommending that councilmember tovo continue her service, grateful for the years of service she's done for our council there, and then also Elizabeth Boston to the board of

[2:00:41 PM]

directors. Yeah, again, great candidates and we're looking forward to the work that our newest appointment is able to do. I don't know if I can make the motion. So that's it. I guess somebody else can make the motion.

>> Mayor Adler: It's from the county -- I mean from the county. It's been laid out. It comes from the committee. Is there any further discussion on this?

>> Harper-madison: Thank you, mayor pro tem. I would like to second your -- your comments about councilmember tovo's service. We all have a hard enough job with doing what it is that we do as councilmembers, so to take on more responsibility for a very important organization, we applaud your service. And I think we made a good choice with our selection and look forward to seeing how that all works out. And thank you for laying that out for me, mayor pro tem.

>> Mayor Adler: Okay. Those in favor of this item,

[2:01:45 PM]

number, please raise year hand. Kathy, I think you are trying to speak but you are muted. You are muted still.

>> Tovo: I wanted to say thank you, colleagues, for your kind comments. I wanted to point out we have another position that just became available with the election of -- or nomination of Andy brown so he has resigned from the board. So there is currently a joint city-county appointment open. I just wanted to

make sure the public knew that. We did, as my colleague said, have very strong candidates who applied for the position. We just made the recommendation for and they will also be considered, but there is an opportunity to apply to to county as well for that position.

>> Mayor Adler: Those in favor of item 38, raise your hand. Those opposed? It's unanimous on the dais, 38 passes. Colleagues, we need to reconsider the vote on 29.

[2:02:46 PM]

It was franchise to pec, the ordinance was not in backup when we passed it. It's in backup now. Is there a motion to reconsider item number 29? Councilmember tovo makes the motion, seconded by councilmember Ellis. Those in favor of reconsidering, please raise your hand. It's unanimous on the dais. Is there a motion to pass item 29 now that the ordinance is in backup? Councilmember Ellis makes it, seconded. Those in favor please raise your hand. Those opposed? It's unanimous on the dais. Colleagues, thanks, we were able to get a little bit of work done. Is there someone who wants to move passage of item 39, which is the whisper valley pid? We had opportunity for speakers, no one signed up.

[2:03:46 PM]

Councilmember Ellis makes the motion, councilmember Casar seconds. Any discussion? Those in favor raise your hand. Those opposed? Unanimous on the dais. Let's do number 40, demo permits. Is there a motion to adopt item number 40? Councilmember tovo makes the motion. Councilmember pool seconds. Any discussion? Councilmember tovo?

>> Tovo: Having moved approval of this, I would like to make a quick amendment. And that is to replace the discussion -- the description of notification under D, 1 and 2, with the following. Require public notification for all properties in a manner consistent with the notification with zoning arrest land use changes. I think that would be far easier than the pretty complex notification contained within the ordinance, and I saw some of the responses to my

[2:04:48 PM]

questions in the Q and a, but it -- we can go into that and I can sort of talk about some of the points back that I didn't completely understand, but I think it's accomplished. I think I can accomplish -- accomplish it faster just by replacing the notification.

>> Mayor Adler: Let's hold that item. Let's do the three speakers. Put that on the table. That way everybody can take a look at it potential or or check back with their offices and we'll do the zoning speakers. Yes, councilmember Flannigan.

>> Flannigan: Is the language you read posted somewhere where we can see it?

>> Tovo: If not, I certainly can, but it's just that one line. Just to basically replace the notification requirements that are listed out. It's like -- it talks about adjacency from side to side and a different lot number

[2:05:49 PM]

this way and that way and I'm just suggesting we replace it with standard notification process in terms of diameter of the affected.

>> Flannigan: Are we talking about item 40? The backup is really brief. Is there another document you are referring to?

>> Tovo: It is -- hopefully I'm not amending the pieces that we've already passed. Let me double-check while we're taking the other speakers. Thank you.

>> Mayor Adler: Okay. So we're going to lay aside item number 40 which goes with item number 11. We're going to table that for just a moment. And if the clerk, are you with us? Why don't we call the

[2:06:52 PM]

speakers for planning and zoning. How many speakers do we have on the line? Three. Go ahead.

>> Hello.

>> Hi. We've done that. Thank you. Is that better? Okay. Hi, my name is ray chem, I live in district 3 and I am adjacent to items number 65 and 66, 914 shady lane. I am one of the neighbors who has filed a valid petition and been working for about a year and a half

[2:07:52 PM]

on a compromise with the neighborhood and the applicant. At the last meeting we were all down to the wire deciding the city had not added the agreement into the ordinance. And we were trying to

[indiscernible] Did not add the items into the ordinance. And the city told us to enter into a private restrictive covenant. This was all happening at the very last seconds, literally during the meeting, so we have now understood what the private restrictive covenant means and we have entered into that, but we do have -- the city told us that the main reason they did not enter those items into the ordinance was that the property was too complex. And a lot of the frustration and worry from the neighbors about the development of this property

[2:08:53 PM]

is that approximately 85% of the property is in a creek or a flood zone. There's about 15% maybe of the property that is not. The property also contains many complicated public easements like a bridge that crosses the creek as well as the city access to foggy creek and utility easements. Because that was the main concern from the neighbors and then the city basically agreed with us by saying we're not going to grant you putting a fence on this property because it's too complicated, makes us very nervous to -- if the city won't guarantee you can build a fence on it, why would you grant development for this property? So we would like to ask the city to reconsider adding the items and the agreement that the neighbors and applicants have spent nearly

[2:09:54 PM]

300 hours working towards into the ordinance for the zoning request. We are asking that you make a careful decision for govalle and east Austin on the residents of this area. This will include protection from potential environmental fallout from the development on this complicated piece of property. Please consider adding the agreement from the applicants and the neighbors into the city ordinance. Thank you.

>> Yes? Hello? This is about

[indiscernible] Right now?

[2:11:02 PM]

Right, 508 Kemp.

>> Mayor Adler: Yes, the city council is here. You are in front of us. You are here to hear comments.

>> Thank you for taking my comment. I'm curious if you have access to the images I sent in to be added to the backup.

>> Mayor Adler: Have they been posted in backup?

>> To Kate Clark I believe is her name. We do. Okay. So I just want to point out a letter the images for you all. So I heard the developer of this possible ff-3 to fs-6 upzoning, I hear a common theme which is this green washing of the fs-6, the more environmentally

[2:12:04 PM]

friendly designation. When I look at the plan what I see is more impervious cover and more runoff from these developments. 508 Kemp is the first of, like, eight different properties that want to do the same zoning, upzoning in this neighborhood. So I provided images of my own property and what happened to it, the back of it. If you are unfamiliar with this part of east Austin, the ground does not have

[inaudible] Like it does in most of Austin. It's all fanned. And so this property is built on a hill that is all sand. The proposal here is to stack a road through the center of it and have 36, I believe, or 32 units on this hill. Now, what happens when water runs over that land is that the soil erodes very quickly. And you can see the creek that flows behind the

[2:13:04 PM]

property that goes over the city, the municipal landfill that was there, the groves landfill that's now capped. All that runoff is going to go right over that landfill. And it goes into country club creek behind. And you can see what happens when the water on country club creek rises. When I bought this property, the person that I bought it from cleared the trees on that hill. And you can see that where he cleared the trees and when we have one of those, you know, those more common delugees of rain that are, you know, we get every year or two in Austin now where you get like a foot of rain, what happened is the whole hill turned into a mudslide. The only thing that's holding this hill together back here is the trees. And the plants. There is nothing else to hold. So when this development right here, it's built on a hill. If you look at the survey

[2:14:05 PM]

that's provided, it's quite a steep hill. And there is all that, you know, is going to essentially erode with all that runoff. Next door to it is another property that the owner wants to upzone to fs-6. That will probably come on the docket soon. If you can imagine 100 houses there and all that runoff going right into the grove landfill full of toxic poisons that are going to be possibly leaching out of there and then into the creek and then causing landslides Annie roses downstream from it. And if we continue to have the dense development, then who is accountable for that? If we subdivide all of these properties and allow this massive density of development in a very, very ecologically precious and sensitive area, who is responsible for the damage that that causes? Thank you. And thank you so much for

[2:15:05 PM]

listening. Appreciate your time.

>> [Indiscernible] Hello? Okay. This is [indiscernible] Will not be speaking so can I just be the next speaker? Hello? Okay. My name is [indiscernible] Adjacent to the applicant property also. We have been working on this request for a year and a half.

[Indiscernible] We have a

[2:16:06 PM]

valid petition, but our contact team chair has assigned the compromise and I will honor it though with much unhappiness and

[indiscernible] Of the compromise ended up in the rc at the last

[indiscernible] Developers.

[Garbled audio] Regular citizens is no match for paid consultants and ones who worked for this very city government. I learned [indiscernible]. Developers fall victim of -- quality of life.

[2:17:09 PM]

[Indiscernible] Council chamber. A few days before the meeting. Mayor and council, please, change notification policy so that-posing citizens are informed of important council meeting regarding their -- [inaudible].

[Garbled audio] Now I ask you to make your own judgment. And I would like to thank the govalle neighborhood chairs Jessica and -- members in particular Marie

[2:18:11 PM]

for subcommittee.

[Indiscernible] For initiating the valid petition. Consider the necessity of in east Austin in flood zone. Please respect the work put in following your process and decide if you must up-zone and if you do, due diligence to respect the agreement. Thank you for your time.

>> Mayor Adler: Great. Thank you. Jerry, just before we get to you for the consent planning and zoning, item number 64, Austin energy, a public hearing on the addendum. We have no speakers signed up to speak on that. Is there a motion to approve item 64?

[2:19:18 PM]

Mayor pro tem, councilmember pool. Those in favor of item 64 raise your hands. Those opposed? Everybody on the dais except for Greg Casar I can't see. Greg, I don't know if you are here or not. He votes yes too. Unanimous on the die I can't say, item 64. Jerry, do you want to take us through consent on zoning?

>> Sure, mayor, this is Jerry rusthoven with the planning department. I'll read through the consent zoning. Item 42, c814-2018-0122. Offered for consent approval on second and third readings. Item 43, c14-2020-0038, a postponement by neighborhood to October 15. This is the item on Kemp that the gentlemen just spoke on. Item 44, discussion case.

[2:20:22 PM]

45, offer for consent on second and third reading. A private restrictive covenant has been signed and upon passage by council the restrictive covenant will be recorded. Item 46npa2020-0019.01. Consent approval on first reading only. Item 47 is a related case, I can also offer this for consent on first reading only item 48, consent on all three readings. Item 49, I can offer this for consent approval on first reading only. Item 50, c14-20-0055, I can offer this case for consent approval on first reading only. And finally, two related items, addendum items, case 65, I can offer this for

[2:21:23 PM]

consent on all three readings. Related case 65, c14-2019-0098, I can offer for consent approval on third reading. I would like to note these are the items that the -- we had two speakers on earlier. There is a signed restrictive covenant signed by the neighborhood plan contact team that incorporates the conditions. The reason we had to do some things in restrictive covenant and others in ordinance is because there are eliminations what we can put in the ordinance, thus the restrictive covenant. The case does still have a value it petition and passed on second reading with councilmember Casar off the dais. I would like to offer both for consent approval, 65 and 66 on third reading only.

>> Mayor Adler: On which reading only? Third?

>> Yes.

>> Mayor Adler: Okay. So the consent agenda is items 42 through 50 and also 65 and 66.

>> Yes, but item 44 is pulled.

>> Mayor Adler: Item 44, but that's the only item

[2:22:24 PM]

pulled. Is that correct?

>> That's correct, mayor.

>> Mayor Adler: Is there a motion to approve the consent agenda? Councilmember Renteria makes the motion, councilmember harper-madison seconds. Any discussion? Councilmember Flannigan.

>> Flannigan: On item 50, I'm fine with this moving forward, but I want to point out that the staff has determined that csmu is considered less intense than ch zoning, it doesn't make a lot of sense and what we were told by staff it's just the order in which the zoning classifications appear in the list. You go into the details in many ways, cs is more intense because it has much smaller setbacks. Much more impervious cover. Much more building coverage. But yet this is where we get to that legal conflict about what can you do based on what is noticed and what the applicant provides versus what we then amend to later. To me this reads like we're doing a more intense zoning

[2:23:25 PM]

than ch by splitting it, but the staff is apparently decided that's not true. I'm fine with this moving forward because I prefer staff recommendation, I just wish we had this opportunity more frequently.

>> Mayor Adler: Okay.

>> Flannigan: And mayor, is 65 and 66 staying on consent?

>> Mayor Adler: Yes.

>> Flannigan: Show I'm voting no on those.

>> Mayor Adler: Further discussion on the consent agenda? Councilmember harper-madison.

>> Harper-madison: You are muted.

>> Harper-madison: Got it. I know, it's sticky today. So on item 45, I wanted to just say I applaud and thank Ms. Petite for the stonegate neighborhood and blare woods preserve as well as Mr. Thrower's willingness to

[2:24:25 PM]

work with the naked neighborhood and I know these conversations aren't easy so I truly appreciate the effort put forward by all parties involved. Thank you.

>> Mayor Adler: Thank you. Councilmember alter.

>> Alter: Jerry, can you provide clarification on 45 and wherever that one --

>> Sure. Item 45, it's for consent approval on second and third readings. There is a signed restrictive covenant. The parties have come to an agreement so we're ready to go. The only thing I read into the record the fact the restrictive covenant has been signed and it will be recorded as -- providing the case passes city council.

>> Alter: Thank you.

>> Mayor Adler: Thank you. Anyone else on this? Let's take a vote. Those in favor of the consent agenda for zoning please raise your hand. Those opposed? It's unanimous. I think we could see everybody. Thank you. Colleagues, we posted on to

[2:25:28 PM]

the message board where I thought we were as we came back from lunch. Also with links to amendments that we had been able to find, that was put on the message board at about ten till 2:00. I'm proposing an amendment to pull number 2 on -- pull number 1 on item 52 and that was posted about 2:00. Those things have been circulated as well. As we move through the day and handle things, I've asked my office to update that message board posting so that you can see at least what I'm showing we've taken care of and what's still outstanding. Colleagues, let's continue then with the pulled items that we have. We have pulled 8 and passed it. I think that gets us to item

[2:26:29 PM]

number 11 which I think relates to item number 40. Are we ready or should I skip that and come back zip

>> Flannigan: Just to be clear, we pulled 8 and postponed it.

>> Mayor Adler: That's correct. Let's hold off on 11 and 40. Item number 12? Councilmember tovo?

>> Tovo: We could take that up. I want to note I did circulate or Katie just circulated my amendment which is direction for item 57. If you would like, we could take that up first.

>> Mayor Adler: Item 12, you are okay with that moving forward?

>> Tovo: No, I have questions. That's a little lengthier.

>> Mayor Adler: Okay. Let's go ahead and -- we're now at the place where we're just taking things we've time. Let's take things up as we go. 8 has been postponed.

[2:27:30 PM]

Have you circulated the amendment language in item number 40? You said that's been sent around?

>> Tovo: So 57, which is the caregiver item, has been sent around, and likely is also on the mental board by now. Item 40 will be there soon. And I am working toward item 52. My amendments will soon be circulating.

>> Mayor Adler: Okay. The amendments for 40 are not quite ready yet. That's item number 11. So I'm going to hold off on 11 and 40 is the amendments get a chance to be circulated.

>> Tovo: If people would like to see it, it will hit your box soon.

>> Mayor Adler: That gets us to item number 12, better business bureau. Is that one ready for us to consider?

>> Tovo: Sure. I have some information from

[2:28:33 PM]

staff I was hoping to find under 400 emails in my box because it came in during the course of this meeting. Apologies, staff, if you are -- I'm asking you to answer some questions that you already provided information to my staff about.

>> Mayor Adler: That's okay. We'll all just hear the answers.

>> Tovo: Okay. So first of all, I wanted to appreciate councilmember pool for asking for staff to provide more information about the processes that reviews to -- that were used to evaluate applications and the actual list of applicants. And what I would like to understand, you know, in looking at that list last night, I just have to express my surprise at a couple things, and some of the likely require an executive session about it. So I -- what I think I want to start with is asking our economic development staff about who set the criteria.

[2:29:34 PM]

I assume our staff did and not the better business bureau, but there are a couple -- there are a range of things I have questions about. One is it's not -- in looking through the list of grant recipients, I'm noticing -- I'm noticing that within certain industries there's a wide difference among what people are receiving. For example, nail salons. One received \$55. One received 9,000. Another one received 40,000. And that happened within all kinds of industries. And I assume some of -- you know, some of it had to do with what expenses a particular business are facing but others are more puzzling. I saw that happen across industries. There are two wonderful

[2:30:39 PM]

Chinese studios in Austin, and in the nature of full disclosure my children have attended one and continue to do so. One received \$35 in an award, the other received 8,500. So again, I saw that happening in multiple industries and I -- I don't understand why some of those differences happened so I wonder if we could get some feedback on that. I guess I was also pretty surprised at the number of awards under \$100, under \$1,000. I'm not sure what the requirements, what the accounting requirements are for those businesses or for our better business bureau. Whether it's even cost and time effective for either party to be receiving or granting upwards of -- or under \$100.

[2:31:40 PM]

Another question. And then there are a few that I just need to really get clarification on whether our city adopted policy had any role in helping shape some of the eligibility requirement. There's at least, for example, one crisis pregnancy center who received an award of I think about \$31,000. We gave a pretty large award to a dog breeder at a time where we're trying hard and putting lots of city investment into our animal center and our animal center partners. So those are some of the questions I have. If we could please get a sense of real clarity on who set the eligibility criteria, why some awards within certain industries are just really despair rate in terms of scale, ranging from 40,000 and then others under \$100. And then if you could help

[2:32:42 PM]

us understand I think what we'll need to do is -- and then I probably have some legal questions that are not ones I'm going to ask here today. In open session.

>> Councilmembers, chief economic recovery officer. Happy to answer these questions, councilmember tovo. So first of all, in terms of the expenses and the variation of amounts, wrote dependent on the receipts and expenses that the applicant provided as a part of their application. So it was a reimbursement process and it depends on the amount of ask they had for eligible reimbursements. There were some that were smaller amounts and the reason behind most of those is because if you recall this also included a ppe program, so some businesses

[2:33:43 PM]

opted to ask for reimbursement of smaller ppe expense so those were reimbursements there.

>> Tovo: Could we pause there? I want to make sure I'm understanding your answer. I wondered if they were reimbursements, but I wonder how many businesses would take time to submit applications with

reimbursements under 100. There were a fair number of super small grant awards. And I'm considering some of those under 1,000 as pretty super small grant awards too just because those usually fall into a mini grant kind of solution. But there were multiple under \$100 and a larger group under 1,000. Were those organizations that may have submitted receipts that were not eligible, and if so did they have an opportunity to come back and submit additional expenses?

>> Sure.

[2:34:43 PM]

So the -- the ppe was a different -- was a separate program. If you recall, we had a fund allocated for business relief grants, and then a fund allocated for ppe. So it could have been that a business applied for both; however, as you know, the business relief grant, small business relief grant was oversubscribed quickly. They may not have received fund that that application process, but ppe were able to be reimbursed those. But certainly can understand the concern and the question is one we had as well.

>> Tovo: That's helpful. I'm sorry, I have some additional ones.

>> We actually -- along those lines, of note we had some ppe funds remaining. That particular fund wasn't as heavily subscribed as the business relief grant program. So the B about.

[2:35:44 PM]

B worked -- is bbb worked hard to reimburse businesses as they submitted items considered for ppe. And the other questions that you had were in regards to the eligibility criteria. We did establish the eligibility criteria, the city established that criteria. We worked with both council panels, I believe for those particular programs was take council economic recovery panel. At that time we were meeting weekly and we were updating the panel on what -- how we were going to approach that eligibility criteria. But we really tried to keep it within the resolution that council passed in regards to these relief programs.

>> Tovo: Thank you. How did -- I think I have just two remaining questions. So far some -- I think the other thing in looking at the list is that there were some pretty large size award

[2:36:45 PM]

for businesses that, you know, just without knowing some of them really closely would seem to be more easily able to convert to work from home solutions. A good number of law firms, for example. And they seem to be getting, you know, some of the larger grants, and then some businesses that I know had to

be shut down for long periods of time got smaller grants. So can you help us -- help me understand what some of the factors were in

[inaudible] To those impacts? Leading to those impacts.

>> Sure. We have also looked into that concern as well. And I can certainly understand the thought that a law firm is a type of business that could work from home. Interestingly a lot of law firms, though, are taking a big hit during the pandemic and during a recession in general because often law services of a business or individual is looking at legal services, that is

[2:37:48 PM]

something they may not prioritize if they were hurting. One firm that received funding from us is an immigration law firm, and when working with their clientele, it's usually on a face-to-face basis and that's something they haven't been able to do in a pandemic. They actually furloughed several employees and were seeking this assistance to assist with the employees that they've had to temporarily lay off.

>> Tovo: Thank you. That's also very helpful. And then I did see some grants to organizations that are actually helping to raise money for city facilities. So I assume that that was -- that some of our friends group or partner organizations directly involved in some of our city facilities were also declared to be eligible.

>> So we looked at -- we looked very closely at the nonprofit guidelines in

[2:38:48 PM]

particular, and we saw many ways to look at what nonprofits that would be eligible or not eligible. I don't believe they had restrictions on that in the resolution that was passed by council. We looked at the entity that was applying and whether or not they were a nonprofit and where those services were provided, where they were located, where their employees were located and so forth. And I should add, that particular bucket, that particular fund, if you recall, we also had the different areas of focus based on different areas, arts, environment and so forth. And as a reminder, we currently have round 2 of the nonprofit fund opened. If anybody is -- a nonprofit listening to this, we would love you to look at atxrecovers.com because we have the remains of the fund on the stream.

>> Tovo: Thank you for

[2:39:49 PM]

mentioning the nonprofit funds remaining. If an organization applied in the last round and did receive a smaller award, are they eligible to reapply?

>> I believe as long as the expenses -- again, we're expense based so as long as the expenses were not duplicated.

>> Tovo: I know I have additional information from you so thank you for the time you spent with staff and the time here today.

>> Absolutely.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I just have a question just so I can clarify. And that relates to we're ratifying a contract and I have a question related to the amount that was paid out for the services that were provided under this contract. So two questions. So I understand that this was -- it was a percentage. Am I correct with that?

[2:40:51 PM]

>> That is correct.

>> Kitchen: Okay. And so that amount -- what was the amount? And the amount and percentage, just so I understand.

>> No problem. Economic development department. For the Austin small business relief grant it was \$869,250, which is 5%. The nonprofit relief grant was 317,500, which was 5%.

[Indiscernible] Grant was 157,500. Or .5%.

-- 4.5%.

>> Kitchen: Those all to the better business bureau?

>> That is correct.

>> You received a Q and a that talked about process for -- as the administrator. I wanted to point out that everybody we interviewed, that was the lowest administrative fee. The other third parties that

[2:41:52 PM]

we talked to had a fee of 10%.

>> Kitchen: Okay. I understand that and appreciate that. With the percentage given the need and I don't have a clear understanding of how the level of work that was required that would make that level of pay appropriate. So -- were these last -- last question. So these funds are all for

[indiscernible], right? Were they administered separately or synergy among how they were administered?

>> The small business grant and the nonprofit grant was administered around the same time, and then we came back and later administered the creative relief grant.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: All right. Is there a motion to approve this item 12?

[2:42:56 PM]

>> Mayor, if I could clarify something I said earlier. I've been noticed by staff that if you are a nonprofit that received a grant the first round, you are not eligible to receive a grant in the second round. Trying to make sure that we ply funds to as many nonprofits as possible. My apology for the confusion.

>> Mayor Adler: I need a motion to approve item 12. Councilmember Flannigan makes the motion. Councilmember Renteria seconds. Any discussion? Those in favor please raise your hand. Those opposed? Anybody abstaining? Kip even abstains. The others voting aye. Kitchen own abstains. Councilmember pool, were you --

>> Pool: I'm abstaining.

>> Mayor Adler: Kitchen and pool abstaining. The others voting aye. Item 12 passes.

>> Mayor Adler, I voted I.e. But I didn't raise my hand. Just to make sure that -- for the record in case there were any discussion.

>> Mayor Adler: Thank you

[2:43:56 PM]

very much. Councilmember tovo? You are muted.

>> Tovo: Thank you. I think in light of the conversation that we had here today and some of the additional information, I would like to talk maybe within our economic development committee about potential changes to the criteria. I think there are some things that I would propose we consider including, you know, if a nonprofit applied and got \$50, that they maybe should be allowed to reapply and there are potentially some other criteria I might introduce after my conversations with law to make sure that -- that the businesses we're supporting are reflective of some of the policy values we've incorporated.

>> Mayor Adler: Sound good. The vote on that 9-0-2. It passed. Councilmember pool.

>> Pool: I just wanted to reiterate a couple of things I said on Tuesday with regard to having local

[2:44:57 PM]

entities be up and running to administer these kind of funds. It would be great if we had more effective opportunities for folks like C.A.N. And some of the other groups. And so in fact I was talking with reeny, we had a long conversation yesterday and I promised her I would work with her and public health to see if there are ways the city of Austin can boost the work they are doing with their health insurance program for musicians. She does feel like they have the potential and scalability to I'm looking forward to working with city staff, Veronica and bbd and also with ham to see if we can't move the ball in that direction. Thanks very much.

>> Mayor Adler: Thank you. Colleagues, next item is

[2:45:58 PM]

zoning matter 44. It's my intent after that call 11 and 40. After that we just have the savessen relief items and we'll take them in order, 52, 53, 55 and 57. Taking care of 44 and 11 and 40 and then 52, 53, 55, 57. Let's talk about 44. Jerry?

>> Mayor, item 44, c14-2020-0057. One way out. The existing zone is gr -- sorry, zoning to gr-mu. The property is 4.7-acre piece of property at Nixon lane and 969. The staff recommendation grant gr-mu, however, zoning

[2:46:58 PM]

and platting recommended gr-mu, co. I believe the applicant is on the line to state opposition prohibiting service station. With that I'm available for any questions.

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

>> Harper-madison: Thank you. So just a moment. Okay. So on this item my questions include, service stations are currently an allowed use on the site, and the neighboring light industrial sites. Correct?

>> That is correct. Instagram and if I'm not --

>> Harper-madison: The proposed new land development code would have permitted service stations as well.

>> Service stations are permitted in gr and the equivalent in the new code, yes.

>> Harper-madison: Okay. In which case I have to

[2:48:00 PM]

admit permitting a service station on properties located in the floodplain does give me pause. But wouldn't those potential issues be addressed through our environmental and site plan review process?

>> Yes, there would be an environmental review including a review by the underground storage protection under watershed protection.

>> Harper-madison: We don't need another service station and the applicant has said he has no intention of building a service station, but zoning is really about the big picture. So often in these cases we get wrapped up in what an applicant intends to do with a particular property, but I think what we should be looking at is whether the zoning is applicable to that property from the perspective of the code as a whole. And we have other processes in place, as you just confirmed, to ensure the development adheres to the strict environmental standards. And if all the surrounding

[2:49:00 PM]

properties have service stations as a permitted use, even properties that are currently in the floodplain are really -- I fail to see why we should single out 5601 Nixon and prohibit that use. I would like to make a motion to approve staff's recommendation on first reading.

>> Mayor Adler: Okay. That was a walking motion on that one. Does anyone want to address this before I recognize councilmember harper-madison for her motion?

>> Casar: I agree with council member harper-madison.

>> Mayor Adler: Okay. Councilmember kitchen?

>> Kitchen: I just have a question for staff. I know you said this before, but this limitation was suggested -- who suggested

[2:50:01 PM]

it? It came from the commission, right?

>> The request was from gr-co and the staff recommended grmu with addition of service station.

>> Kitchen: Were there -- were there -- was that something that they initiated themselves or was there a request made to them to consider that?

>> Commissioner, I don't know. I would have to -- councilmember, I would have to go back and watch the Z.A.P. Tape. I just know it was their recommendation.

>> Kitchen: I know there are neighborhoods

[indiscernible] Councilmember harper-madison could speak to that I'm sure. I'm wondering what the reason was for the initiation of that kind of limitation.

>> Mayor Adler: I'm going to let the applicant if the applicant is on the line speak and then come back to us. Is the applicant with us?

[2:51:05 PM]

Is the clerk with us?

>> Mayor, this is Jeanette. We're looking to see if the applicant is on.

>> Mayor, I have an answer to councilmember kitchen's question. It was actually councilmember kitchen it was at the request of citizens who spoke, Zenobia Joseph.

>> Mayor Adler: Councilmember harper-madison, do you want to make your motion and we'll go back to the -- while we're waiting? Councilmember harper-madison.

>> Harper-madison: Yes, please.

[2:52:06 PM]

It's my mute button. So I would like to make a motion to approve staff's recommendation on first reading.

>> Mayor Adler: Okay. Staff's recommendation which takes out the [inaudible]. There is a second to that? Councilmember Casar seconds that. How are we doing with the applicant?

>> Mayor, we don't have the applicant on line.

>> Mayor Adler: Okay. It's been moved and seconded to approve this item without the C.O., staff recommendation. Discussion? Councilmember alter.

>>>> Alter: Jerry, can you speak to the neighbors and how they have weighed in on this case?

>> Councilmember, I would have to -- obviously nobody signed up to speak today. I would have to if it's okay

[2:53:06 PM]

with you if it does pass on first reading, I will rewatch the zoning and platting tape. I just have in front of me what the commission vote was.

>> Alter: Besides the one person who contacted staff or went to PC, have any neighbors registered concerns?

>> Not that I'm aware of. There is no any other letters -- well, yes, we do have letters from Zenobia Joseph in the backup. But she is the only person I see.

>> Alter: We have a lot of cases in similar areas and I'm just trying to keep them straight so I wanted to clarify. Thank you.

>> Mayor Adler: There's been a motion and second on this item. Any further discussion? Councilmember kitchen?

>> Kitchen: I think this may be for councilmember harper-madison. I think I'm understanding that you are feeling like there are enough other controls in place that would

[2:54:08 PM]

address any concerns related to the plotting? Is that what I heard you say?

>> Harper-madison: Correct. And for what it's worth, this C.O. Doesn't address flooding necessarily. In my mind sort of arbitrary given the adjacent properties don't have the same C.O.

>> Kitchen: Okay. I can support this on first reading. I may want to do a little more -- I may want to understand better the reasoning behind the C.O. Request in the first place, but I can support this on first reading.

>> Mayor Adler: Okay. Any further discussion on this item? Seeing none, let's take a vote. Those in favor of the harper-madison motion,

[2:55:10 PM]

please raise your hands. Those opposed? Unanimous on the dais.

>> Mayor, that concludes zoning.

>> Mayor Adler: Good job. Thank you. I think that gets us to item number 11 and item number 40. This is a contractor registration. Item number 11 councilmember Ellis, you want to make that motion with included amendment?

>> Ellis: Yes, I will move passage of 11 with the amendment I have offered.

>> Mayor Adler: Is there a second to that motion? Councilmember Flannigan seconds. Discussion on item 11.

>> Would you like me to lay it out?

>> Mayor Adler: Let's see if anybody objects to it. Okay, yes, you need to lay

[2:56:12 PM]

it out.

>> Mayor, if I could, I wasn't necessarily object, but I think it's helpful to the public to know what the amendment is. So I appreciate councilmember Ellis' offer to do that.

>> Mayor Adler: Councilmember Ellis?

>> Ellis: I'm happy to do that. This amendment to item 11 is intended to ensure as the city develops a contractor registration program we're thoughtful about how that program works to make sure it does not work against the affordability equity rights and pro equity thing neighbor health and safety. We want to be con see ensures that raise the cost of development which means higher rents and higher home prices. With this larger context in mind, we seek to make a potential contractor registration program as targeted as possible to address the original health and safety concerns, minimize impact on ain order jacket and equity. And to walk through the

[2:57:12 PM]

provisions that are in it, it asks the city manager to ensure the registration program does not disproportionately affect small and women owned businesses and suggests staff consider process advantages for contractors who remain in good standing with the registration program overnight in subpoint D. It asks the city manager to consider who or what kinds of work might be appropriate to be exempted from registration, again with a focus on equity and ain affordability standards. The amendment formally calls for continued stakeholder engagement community community and neighborhood groups on all aspects of the registration program. And lastly adds direction for staff to bring the proposed program to the housing and planning committee for a check and discussion of about bringing final amounts to council next year, provides greater transparency in development of the program and more

[2:58:13 PM]

opportunity for public input.

>> Pool: Very good. Thank you.

>> Mayor Adler: Further discussion on the motion? Councilmember

>> Alter: Thank you. I just wanted to hear if staff has any concerns about the proposed amendment that they think we should know about before we vote.

>> Mayor Adler: Manager, do you have any staff.

>> We do have Denise Lucas and

[2:59:14 PM]

Beth Tovar on the line.

>> We do have some discussion questions they'd like to ask

[indiscernible] Some of the concerns that we identified in her -- in the proposed resolution.

>> Mayor Adler: I'm sorry. Would you say that again?

>> Yes, I have Beth cover, assistant director of development services on the line with us who will speak on behalf of tsd.

>> Mayor Adler: Okay.

>> Mayor and council, so our goal with the resolution was to make sure that customers understand and comply with our code. The program that we are proposing was requested by a stakeholder, including our citizens community groups, contractors to create a contractor registration as a way that we could hold these groups accountable for creating violations that are greater than the normal deficiencies occurring during the course of construction. So we understand, though, that through stakeholder engagement, there may be ideas for incentives and exemptions that we want to be cautious

[3:00:15 PM]

about what incentives and exec come shuns

[lapse in audio] We can't move someone up in the cue, we can't relax our requirements, so we're not sure at this point what incentives and exemptions we can legally proposed. Our stakeholders can propose things that ke want do. So we we don't know if we'll be able to be fully responsive.

>> So the -- as I read the direction, though, it says you're supposed to consider that. And if the things that come back are things that you legally cannot do, then you wouldn't be able to propose them. It's also possible that they come up with an incentive that you haven't thought of that could be incorporated, is that...

>> Yes.

>> That's correct. We just don't want to have the impression that we can change our processes or eliminate a

[3:01:15 PM]

step in a process that there's not necessarily a step to be eliminated.

>> Okay. Do you feel like this amendment -- I mean, the purpose of moving forward with this process was to protect health and safety. Do you feel like this amendment is in that direction, or is it raising issues for that?

>> I think it does allow us some flexibility to come back and make sure that the proposals do reflect health and safety. But we want to make sure that we're not exempting anyone that would exempt them from being held accountable for safety violations.

>> Alter: I just want to be very clear that the whole point of this is the health and safety and that -- I'm comfortable with us considering these things, but the whole point of the demolition process and the reason this was asked for in the first place was for health and safety. Does staff have any concerns

[3:02:17 PM]

about your bandwidth with these added directions to be able to move forward?

>> Denise Lucas, department of director, and we do have some concerns because with the added features that are being considered, we would need to have an increase in staff to manage it because it does have a level of complexity in the process.

>> Alter: You mean once it's created or to create it?

>> Well, it adds more steps than what we envisioned. Our original envision was having contractors register so that when we receive complaints, we have a way to contact them to get them in compliance. Today we have a situation where anyone could come and get a demolition permit, and there's no requirement that they register with the city. And they are not necessarily held accountable for performing the work in the proper way. And that was really what we heard a lot of in our stakeholder engagement with both the contractors and our

[3:03:19 PM]

residents, that there was a few individuals or companies that really were causing a lot of the problem, and they weren't our local contractors that were causing these kinds of issues. This gives us a way to hold contractors accountable in the city and also ensure that the health and safety requirements are being met.

>> Alter: So would this amendment make it more or -- more difficult or time-intensive for you to move forward?

>> We believe so, Beth, kind of talk about some of the additional steps that we would have to incorporate with the amendment?

>> We have gathered some feedback already during the demolition process on what they would like to see for registration program, because it expanded during that time to include building contractors, we did not fully develop what that program would look like. So right now our next steps as

[3:04:20 PM]

written, without the amendment, we would only have to engage the stakeholders to see how to expand it to the building contractors and to finalize some of the discussions that we had in 2018 and see if there were any changes. So by expanding the scope of the resolution, we'll have to make sure that each point is addressed, we'll need to look into how we're going to administer and how we're going to implement the changes, if there are incentives that are identified, as well as how do we identify exemptions, so there's just a lot of -- a lot more involvement with determining and designing the solution. And it may require a couple of check-ins with the housing and planning commission, although I am supportive of us checking in before we come back to council. I'm not opposed to that.

>> Alter: Thank you. So this answer gives me some pause, but I'm just going to step back and let my other colleagues weigh in.

[3:05:23 PM]

>> Mayor Adler: Okay. We have a motion and a second on this item. Councilmember Flannigan?

>> Flannigan: Thanks, mayor. Like we talked about before this was postponed in the last council meeting, the original intent was focused on demolitions alone, and then through the stakeholder process, it was identified that all building contractors are now going to be required or have this registration process on them. And so that was really the thinking, and thank you, councilmember Ellis, for doing the work on pulling this language together. You know, I think we really do kind of face this difficult situation where a bad actors know that they're bad actors, and so my hope is that we can move forward with the registration process in short order, but that we can continue to work on both the carrot and the stick for our contractors to ensure that there's some economic incentive to being a good

[3:06:23 PM]

actor. Because being a bad actor alone and without really any substantial penalty that's enforceable, it becomes very difficult to -- difficult to ensure that it's going to work. So I don't -- I don't see any of this as slowing down any of the first phase of the work, but I think allowing us to continue working through it on additional options in kind of a phase 2.

>> Mayor Adler: Further discussion? There's been a motion. Councilmember tovo?

>> Tovo: So I would ask that we take these up the different amendments. Some of these I support, some I can't. As councilmember alter said this arose about a conversation about better health and safety, but as we engaged that conversation it became clear -- and we heard from industry professionals. In fact, one of the e-mails, I think maybe all of us got over the last couple weeks came from somebody in the building

[3:07:24 PM]

industry who was talking about the frequency with which contractors forget to close out permits, they go onto another job and the homeowner is left with sometimes unbeknownst to them permits that never got closed. And it causes problems down the road. So I do think contractor registration is something that people have asked us to do for quite a while now. I remember doing a media interview about it probably five years ago when again some industry professionals suggested that it would be helpful to them. So I am comfortable with some of the additions, you know, if you look back to what the staff have proposed, they suggested one exemption, an exemption for the owner of a one- or two-family residential struck Stor with an active homestead exemption, this seems to suggest that our staff look to multiple exemptions, and I can't support that at this point without knowing -- without really -- without giving this

[3:08:24 PM]

a try. And so I guess I would ask our staff to address that point in particular. You came forward -- I mean, let me say the stakeholder meetings, which have been going on a very long time, seem to be to be really weighted toward our industry professionals, so the fact that out of those stakeholder meetings came what is before us today with really limited exemptions is very interesting to me. And I wonder fd you could address maybe Mrs. Colver, why the exemption was limited to what you had proposed and what would be the impact of expanding it in the way that has been suggested, or at least asking you to consider expanding it in the way that you suggested? I mean, I -- example on five, we're always going to get business professionals who say if I do this, it's going to raise the cost and I'm going to pass those on to my entities or -- very rarely, though, do we get the opposite commitment where people will say, you know, if I don't have to do this, I'm going to commit to a lower price.

[3:09:25 PM]

It just doesn't happen. The market is the market, so... Anyway, sorry, Mrs. Colver, I asked you a question and then editorialized.

>> I'm assuming you still want me to answer the question? Okay. So during the stakeholder engagement, we did -- I -- I was equally surprised that we did hear from not just residents and community groups, but our contractor stakeholders were also interested in registration. We found similar stakeholder engagement for the recently adopted 2020 natural electric code. We had taken out the contractor registration in 2015 and we got an earful requesting it to be put back. So at the request of stakeholders, we did put back the electrical contractor registration and we could look at that as an examples for this. The contractors for them, and

[3:10:26 PM]

I'm speaking, you know, third-party, but there is information in our report, the contractors implied that people who are violating the code repeatedly and able to get a permit the next day, it didn't reflect well on other contractors. That if you were not -- if you're not violating the code regularly or doing anything egregious and you generally know what you're doing and just have a normal deficiencies during the course of construction, then they wouldn't be facing any repercussions. So they didn't necessarily feel like they would be negatively impacted by what was under discussion. So the concern from all the stakeholders was just about occurrences that we heard about from citizens such as, you know, contractors stealing utilities from neighboring properties, contractors demolishing buildings with live utilities on the site.

[3:11:27 PM]

And that extended into -- they wondered why we were just doing this for demolition. We already register our mechanical, electrical and plumbing contractors. We already have requirements for right of way contractors, so there's a gap with demolition. And building contractors. So the effect that this could have if we exempted more than just homeowners, which homeowners are maybe performing repeat work on their own home, but not necessarily on other people's were considered to be okay to exempt that. We did not discuss exempting any other groups at that point. And incentives or process advantages, we -- that didn't come up in the course of conversation, so we'll have to have that conversation again.

[Lapse in audio] Majority of our contractors already are following city code -- [lapse in audio] -- Area or just

[3:12:32 PM]

[indiscernible] It's a way for us to keep track of what's going on and make sure that we are reaching out to the right people when we need to. And then just preventing things from going too far down the line into having to deal with Austin code later, be a bit more proactive in the process. So, again, exempting or incentives. You know, we can look into what those incentives might be, but if we're going to improve our process in some manner or reduce fees, it's not likely that we'd be able to do that for that large quantity of customers. That would just be the new normal. It may increase costs, but we'd have to look at that. Hopefully that was responsive.

>> Tovo: That was. I wanted to ask you in particular about the addition, so, again, you had the one exemption in the staff proposal. This would add language that says exemptions for mandatory registration for individuals in a manner that considers

[3:13:33 PM]

equity and acknowledges the affordability pressures on both homeowners and tenants and on -- sorry, what I meant to sort of adjust that one. The previous one exemptions for mandatory registration requirements based on the type of level or working proposed taking into consideration the likelihood of the health and safety concerns. I assume that -- I assume that that conversation has already more or less been had, at least by staff, in relationship to what the stakeholders had raised. And that's kind of where you landed in terms of the balance between the health and safety concerns and that's how we ended up with the exemption for property -- for homestead, those with homestead exemptions. I mean, I'm not sure what else we would come up with or what else -- in some ways, this is language that looks kind of like the original resolution.

[3:14:33 PM]

I mean, it asks you to go forward and consider developing a program and we were talking about just demolition. But keeping in mind these various things, like what types of projects should -- we're basically just asking you what types of projects should get exemptions and you've already kind of told us the answer to that. One or two family residential structures with the homestead exemptions. I just -- I'm not sure if we're asking the same question, I'm not sure why we would get a different answer there -- or a different recommendation from staff.

>> I do not know if we would have a different recommendation -- [lapse in audio] --

>> Tovo: Okay. Thank you. So mayor, as I said, and than councilmember Ellis for her addition of several of these. I can support C, some of the language toward the end, I think, is helpful. I would suggest that we have

[3:15:36 PM]

in addition to the stakeholder she suggested also some health professionals, since a lot of this came from a public health interest, but the two that I -- that I at this point cannot support is E, because I think it's really just asking staff to go back and answer a question they've already given us their response to and E, I prefer what the staff have provided, which is an exemption for the owner of a one- or two-family residential structure with a homestead exemption which I think does consider the affordability element for those homeowners who are working on their own houses.

>> Mayor, you're on mute.

>> Mayor Adler: So that I

[3:16:37 PM]

understand, Kathy, you're saying that you're okay with the amendments with the exception of E and what was the other one?

>> Tovo: And F and then under the list of stakeholders, I would add -- it says building and demolition contractors as well as community and neighborhood groups and health professionals, if we had any who wanted to participate to provide their input. But let me just say, I have some concerns about ongoing stakeholder processes, even before we brought forward the demolition ordinance that we're talking about today that gave rise to some of this work, there had been an ongoing stakeholder process. I think there have been stakeholder processes around this issue for maybe two years. At some point we have to kind of take action and go along with the best information we

[3:17:38 PM]

have and adjust down the road.

>> Mayor Adler: Okay.

>> Tovo: But 2018 is when the stakeholder meeting started, and so --

>> Mayor Adler: So do you want to call.

>> Tovo: That's a lot of stakeholder feedback.

>> Mayor Adler: Okay. So I understand that you want to consider E separately, you want to consider F separately. And you want to consider that first paragraph under F separately? Right?

>> Mayor Adler: Yes, thank you.

>> Mayor Adler: So with respect to the paragraph under F, whether or not that paragraph stays in, does anybody have objection to adding health professionals? Hearing none, health professionals is added to that paragraph. Now, let's go ahead -- does anybody have any objection shun to any of the amendments other than E, F, or the paragraph under F? Hearing none, they're all okay for right now. So councilmember tovo

[3:18:39 PM]

brings --

>> Mayor, can I just add on D, I'm fine with D being in there, as long as, you know, it's obviously it has to be something that they're legally able to consider. They said in response to my questions that there were a lot of things that they couldn't do that the stakeholders might want, but they legally cannot do them. I'm just taking that as given. I just want to have clarity for staff that we're not asking them to go back and reconsider all the things that they legally know that they cannot do, but there may, of course, be ideas that they haven't thought of.

>> Mayor Adler: Okay. I think that's understood. Make that express. Councilmember Flannigan?

>> Flannigan: Yeah, and I think that's a fair point councilmember altar in so much I don't think any decisions we try to move forward are intended to violate state law, even if those things are desired by close and there doesn't seem to be anyone who cares if it violates state law, I know we all agree that

[3:19:39 PM]

we wouldn't move things forward that would violate law in any way.

>> Mayor Adler: Okay. All right. So let's consider, then, each of these three things in turn. First is E, councilmember tovo wants to take E out of the amendment. Is there a second to that amendment to the amendment? Councilmember alter seconds it. Any discussion on whether or not to take out E? Yes, councilmember Ellis?

>> Ellis: I would prefer to keep it in, simply because it is consideration. I think the information could be helpful as this council considers what moves forward, but that's where we are on the amendment of the amendment.

>> Mayor Adler: Any further discussion on the amendment to the amendment. Let's take a vote. Those in favor of the amendment to the amendment please raise your hand? I have alter and tovo, kitchen

[3:20:39 PM]

and pool. Those apposed, please raise your hand. The balance of the dais. That does not pass. The next amendment is to strike F.

>> Tovo: Yeah, here, actually mayor, I would replace it with the staff's language, which was C, an exemption for the owner of a one- or two-family residential structure with an active homestead exemption. I just revert back to the staff's language. My amendment is to subin in the original C.

>> Mayor Adler: The amendment to the amendment is to substitute the original C for the new F. Is there a second to that amendment? Councilmember pool seconds that. Discussion? Councilmember tovo, I think you've already addressed it. Councilmember Ellis, do you want to address it?

>> Ellis: Thank you, mayor. I certainly appreciate councilmember tovo trying to look out for people with homestead exemptions. It's an important thing in my district, too, that helps people stay in their homes over the long haul, but I

[3:21:40 PM]

think it's a bit narrow considering all of the different types of housing that people have and the types of ownership and rental structures that people may have moving forward, and I would like for this type of affordability and assistance to be available for as many people as possible.

>> Mayor Adler: Okay. Any further discussion on this amendment.

>> Well, I have a question about that. So -- but that's -- so -- but it would -- I mean, the people who do not have a homestead exemption, and you can have a homestead exemption if you're in a condominium, if you're in any kind of ownership opportunity, this would seem to apply to then almost any kind of developer, potentially. And so then I'm not sure to whom this registration would apply? I mean, the intentd of having that exception was so that individuals who are living in their house and working on their house can do that and do that work. I suppose they might be working on a rental house, but you're also potentially opening it up to almost any kind of construction and then

[3:22:41 PM]

I guess I wonder what we're achieving here.

>> Ellis: It's not intended to be that broad, but the point that you made about someone who may be fixing up a home that they are renting to someone else should still have that leeway, I think has been left out of C, and I think it's important to make sure that they are able to utilize this type of ability if

they're leasing their property out and not necessarily using that as a homestead, and a one- or two-family property may not encompass something that has additional units. So I don't know that condo fits into that. I think the language I have still accommodates for the type of thing that you're addressing. And, again, it's just a consideration.

>> Tovo: Sure. And I guess I would just ask our staff as they consider these to really think back and be very mindful about what the original intent was, because the original intent is to protect the health and safety

[3:23:42 PM]

of whoever comes to reside in those properties, whether they own the properties or whether they're tenants. And there's extraordinary risk if there are open permits and things haven't been inspected. I'll give an example. A couple of weeks ago, we had -- I smelled gas. I called Texas gas, had some work done, had to replace a hot water heater. We happened to get that letter from one of the industry professionals talking about unclosed permits and I suddenly thought, gosh, I don't know if I ever got the closed permit. And sure enough, that hadn't happened yet. It happens probably with great frequency that whoever is living in the property, whether it be a property owner or a tenant, may not be aware that permits were not closed. And, you know, it is -- it is, again, a health and safety issue that we're trying to address here, and so I would -- I would really urge that we -- again, it's fine for the staff to consider it.

[3:24:42 PM]

I would say, though, I hope they'll be guided by those same health and safety concerns that prompted this to make sure that no matter where you live, the housing you're living in, we have some kind of accountability for those people who are doing the work on those properties.

>> Mayor Adler: Okay. Further discussion on this amendment to the amendment to substitute old C for new F? Councilmember alter?

>> Alter: I think part of what I'm struggling is sort of the combination of the demolition permit and the building permit and sort of all in the same sort of clauses. So I just want to clarify, you know, it's -- your intention, councilmember Ellis, you know, we may end up with different rules for demolitions where we're very -- we have very particular health and safety rules. We also have those for builder/contractors, but it

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seems to me that the registration processes might look different. I don't think there's anything in what you're saying that precludes those from coming out and looking different or -- you know, and it looks like to me that they are -- they're moving forward with these as a registration for building permit -- building and a registration for demolition. Am I correct in understanding that? Because that may be part of where I'm getting slipped up here. Councilmember Ellis?

>> Ellis: I may let Beth answer that because I know that when it came out, it was a discussion in previous years about demolition and then there was a look at building permits as well. I think really looking at all of these aspects, whether they're demolition or construction permits is a helpful thing to do. So I'll let Mrs. Colver respond to exactly the scope of this particular program.

>> So it is intended to be able to look at them

[3:26:43 PM]

separately. We had discussed during stakeholder engagement that the insurance and bonding may be appropriate for demolitions. It may not be necessarily appropriate for building permits, but it's open to that discussion with stakeholders to see if there's particular projects where it would be. So we would come back potentially with different requirements.

>> So you could take councilmember Ellis' amendments and it may only apply to the building permit when you get done with the stakeholder process or the building -- contractor registration versus the demolition? There's nothing in here that precludes you from separating these out as you had intended, given the differences of the goals that you're trying to achieve with the program?

>> No, I don't see anything that would preclude us from doing that.

>> Okay. Thank you.

>> Mayor Adler: Any further discussion on this amendment to the amendment by tovo? Then let's take a vote.

[3:27:44 PM]

Those in favor of the amendment to the amendment please raise your hand. Tovo, alter, kitchen and pool. Those opposed, please raise your hand. That's the balance of the dais, not including councilmember Casar, who I cannot see. In any event, still passes with the vote of 4 to 6. It does not pass. That gets us to the last amendment to the amendment, which is to delete the paragraph under F.

>> Tovo: That one's not -- did somebody else propose that, mayor.

>> Mayor Adler: I'm sorry, did someone else propose that.

>> Tovo: No, I was proposing to add health professionals.

>> Mayor Adler: And we've already added health professionals. Any further amendments?

[3:28:45 PM]

Then let's take a vote. On the Ellis motion as amended, those in favor, please raise your hand.

>> Tovo: I'm sorry, can we clarify how much longer the process -- I mean, could we come to an agreement on when this might come back, on how much longer the stakeholder process should go on before we vote, councilmember Ellis, could you add some language in that would -- in acknowledgment of it going on two years and almost a half at this point, could we agree on the proposed stakeholder process ending a bit before December 31st? Is that doable?

>> Ellis: I would like for staff to at least provide that comment on reasonable. I also would like to have deadlines so we know what our expectations are in committees and as a council what our schedule -- we don't want to necessarily put in arbitrary day on something for staff that they haven't had input

[3:29:47 PM]

on.

>> Tovo: So you have them right now coming back on or before December 31st. Staff, is that something that is achievable and do you think that you could work toward getting it back to us even sooner, if possible, so that we have a more -- a much more truncated stakeholder process than we've engaged insofar?

>> The December 31st date was based on the resolution we had proposed, so I would ask that you not change that for the proposed amendments part. It does require us to go to other commissions and boards before bringing this back to you, depending on where it -- what section of the code it lands in, so that can take several months. I -- if you wanted to set a date for the housing and planning committee for us to come back after stakeholder engagement, that may be more reasonable, but I would like some flexibility in being able

[3:30:47 PM]

to return to the housing and planning committee if we find that you do not think we're being responsive in the way you expected due to the difficulties we've expressed earlier with some of these items, but I think that we would -- our internal goal would be to go to the housing and planning committee no later than probably June, if that's too late, we would just need to know that.

>> Tovo: Okay. Thank you. I'll leave it at that.

>> Mayor Adler: Okay. Taking a vote now on item 11 as amended. Those in favor, please raise your hand. Those opposed? Those abstaining? I have it with all of us in favor. So councilmember Tovo?

[3:31:49 PM]

>> Tovo: So I had -- I think we had -- I think I had made a motion -- I'm sorry, were you recognizing me to move on to 40?

>> Mayor Adler: I was just about to call -- I couldn't tell if you were raising your hand on number 11.

>> Tovo: I was voting for it.

>> Mayor Adler: 11 passes unanimously. So that gets us now to item number 40. Okay.

>> Tovo: I think I made a motion earlier.

>> Mayor Adler: Sorry?

>> Tovo: I think I actually had made a motion for it earlier, but in any case, I'll move approval, please. Councilmember R moves approval of item number 40. But you also have an amendment that you want to bring to item number 40. Is that correct.

>> Tovo: Correct. And councilmember Flannigan, you had asked a question, it is an amendment on what was posted in backup. It is very short. And this would make it even shorter. It would simply replace D -- and this should be up on the message board and also has circulated. It would simply replace D --

[3:32:57 PM]

d1, 2 and 3 with my amendment, which is to require public notification for all properties of a demolition in a manner consistent with the notification process as associated with so named or land use changes. And that just simply puts it back -- that puts it back into what we usually do. And actually, law has suggested an even simpler change, which is the director shall give notice of the filing of an application for demolition under section 251133. Either is fine with me. What I'm trying to do is just make sure the same properties would be notified with any other kind of zoning change or notified in this case so that -- I think it makes it more consistent and more easier to follow for those who are developing property and may be engaging in the demolition, it's just what they're accustomed to doing.

>> Mayor Adler: Mayor pro tem?

>> I just had a question if

[3:33:58 PM]

that somehow unintentionally omits renters? Because I thought for zoning it's just to owners.

>> Tovo: That's certainly not the intent.

>> I know, I didn't thank for --

>> Tovo: Thanks for mentioning it. I'm just looking back at the language. It has to be posted on site. And that may be the response that came back in the Q & a. There was -- the staff had responded to one of my questions and had said something about multifamily, and maybe that's what they -- maybe that was the point they were getting at, that they wouldn't have the ability to notify renters if we shifted. Thanks for raising that. And maybe our staff can help us understand that piece.

>> Yeah, because it says you provide notice to adjacent structures, so I would assume

[3:34:59 PM]

that could be renters and then -- the language that's stricken is mailed or placed on properties adjacent to the property. And that could be renters, too. And I just thought zoning notices only went to owners.

>> Tovo: So is there a way to combine -- thanks for raising that, because I think that would be a gap. What I'm trying to do is achieve a different geographical range. So Mrs. Colver is there a way you can help with the language so that it is -- it uses your language for two-family structures and all the adjacent properties, but within the -- within the same range that would be notified with our regular zoning or land use changes?

>> If you don't mind, can I speak to what our stakeholder engagement was on that item

[3:36:06 PM]

briefly? The -- so we looked into -- we had a different -- a variety of ranges for distances, and so this particular ordinance is responsive to the request from citizens that were more closely adjacent to the demolition that was occurring. They wanted to know when it was happening, and so when we looked into our -- we did look at the zoning land use, notification as an option. And that was not a process that we felt could give them the information that they were requesting. However, we did have a request for an expanded radius, so we have launched an online tool that stakeholders have been notified and they've started using. We sent this to council in a memo in July with a link to that -- or the location on our website, but from that tool, you can already sign up for notifications very similar to the zoning and land use notifications. You get notified when the

[3:37:08 PM]

application is both filed and when the application is approved. You can select a radius of 500 feet, which is in line with the other notification ranges, but you can also select zip code, council district, community registry area. And so this was an addition to that notification tool that we've already launched to ensure that we're meeting the needs of the stakeholders to find out exactly when the demolition will occur. And since the demolition permit lives for up to two years, we wouldn't be able to necessarily provide an accurate date with a notification like the zoning one. So during stakeholder engagement, we found out the people more closely located to the property were interested in knowing what the date was, knowing who they could contact, which, again, the contract or may or may not be selected at the time of application, and it may change during the course of the permit. That is allowable. So if we change the range to

[3:38:09 PM]

meet the 500 feet instead of using the diagram that we're proposing to publish in the rules, we wouldn't necessarily be responsive to the requests that we received. So if you wanted to change that, we're proposing to put that diagram in the rules. We weren't going to put it in the code.

>> Tovo: Mayor, may I ask a follow-up question.

>> Mayor Adler: Go ahead.

>> Tovo: So in the question and answer, I had asked how -- how did staff determine that limiting active notification to just adjacent lots was adequate and appropriate. And the response came back, research from 2013 found high levels of lead in dust far from the demolition site and recommended that notification be widened to a minimum of 400 feet. And so what I was proposing

[3:39:11 PM]

would widen it to 500 feet. I'm happy with 400 feet. I just think that -- I think the 150 is really -- is not capturing the area impacted when there's a demolition and what we have heard again and again is an interest in really making sure people are notified within the area that they would be impacted. I know staff went on to talk about Portland, that one of the reasons Portland -- Portland's measure of 150 feet - - or one of the reasons that you're using 150 is because Portland does it. But one of our constituents has pointed out that Portland has -- I think he's actually a constituents possibly in your district, councilmember Ellis, but Portland has a host of other provisions, including lots of really detailed mitigations for mitigating lead and asbestos hazards, including supplemental dust suppression and other kinds of really explicit measures for

[3:40:11 PM]

cutting down on those hazards at the job site itself. So while they're using that 150, they also have these layers and layers of other dust suppression and lead and asbestos mitigation that provides an additional level of protection for those neighbors who are around it. So I am not terribly comfortable with 150. I'd really like to see us at 400 or 500. I do want to make sure, though, that it's not just the property owners around there, that it's actually the residents. So can you help us, Mrs. Colver know how best -- how better to achieve that change in what the staff has brought forward.

>> Make a correction, the question included the 400 feet or response? That information, I believe, came from -- the 400 feet that was -- it's shown, I believe, incorrectly in the Q & a. That was actually part of --

>> Tovo: Oh, I got you. That was part of my question. Oh, I got you.

[3:41:12 PM]

Yeah, thank you for that clarification. I do think, though, that it's pretty solid research that we were listing. So how can --

>> We did receive various information from different stakeholders about the research. Our recommendation for asbestos and lead was actually that if council wishes us to pursue something further with that, that we would like to hire a consultant who's a subject matter expert to advise on how that program should work. This item was responsive to the request from stakeholders to know when the demolition was occurring [echo]they understood when the comment would be there and when the demolition itself would occur that was not responsive to the in audio] --

[3:42:15 PM]

>> Mayor Adler: Okay. We've lost Kathy. Kathy, are you with us? Kathy's trying to call in.

>> Tovo: I'm on. That's okay. All done.

>> Mayor Adler: Okay. Kathy has brought an amendment to this item number 40 to change the notice area. Is there a second? Have we already gotten a second to the amendment?

>> Tovo: [Indiscernible]

>> Mayor Adler: Is there a second -- was there a second to the tovo amendment to broaden --

>> You know, I think mayor, at the moment I'm just going to withdraw it. I think it's -- I couldn't completely hear what Mrs. Colver had to say about how we would -- how we would blend these two thing, so let's just let it go through as it is and I can always bring in an isc if it needs to be changed. I'm going to handle it that way.

>> Mayor Adler: Sounds good. And the motion then is to approve item number 40 as it

[3:43:16 PM]

appeared without amendment. Those in favor, please raise your hand.

>> And close the public hearing.

>> Mayor Adler: And close the public hearing. Those in favor, please raise your hand. Those opposed? That passes with everybody participating. Okay. I think the -- I think that -- so we've handled 11, 40, that gets us back to the last four things we have, 52, 53, 55 and 57. Let's begin with item number 52. I would -- you know, for the purposes as I put it on the message board yesterday would move passage of 52 with the amendment that has been

[3:44:17 PM]

circulated, which basically strikes the pay for success money, strikes the Austin transportation department mobility fund, it asks the staff to bring back so that we can get that \$8.5 million out of the sales tax reserve, and it also directs the city manager to begin with the programmatic work on the refunds as described in the memo so that staff's not waiting for us to take that action next week. Is there a second to that is there a second? Councilmember Flannigan seconds that motion. Any discussion or any amendments? Think think that -- I think that councilmember -- let me look here -- councilmember pool filed some amendments.

>> Pool: Actually it was direction to staff. They weren't amendments.

[3:45:18 PM]

>> Mayor Adler: Yeah. Number 1. Let's recognize number 1.

>> Pool: Okay. The first direction to staff talks about the 380 agreements and what I tried to do here was capture our conversation on the dais and also to build on what the mayor had talked about looking everywhere that we can and explores as broadly as we can an inclusively as we possibly can to find some additional funding. We do know that and as part of our presentation at work session there is some funding available for 380 agreements and potentially a way that could be handled in the short term and potentially and it wouldn't even necessarily have to change the amount of money that the 380 -- the parties to the 380 agreements would actually receive. This would maybe delay one or two years, then receiving the funds from us. And considering the groups that are getting the incentive payments from the

[3:46:18 PM]

city, I think if we were to ask them, they would probably be inclined to help us in this regard. So mayor, I saw that you had made a couple of changes to the direction that I had offered, and basically they are okay. The only concern I have is the three words next to the last line of any excess funds. If -- is Ed van eenoo on the line? Maybe he could jump in and answer a question.

>> Mayor Adler: Before we do that, let's see if we get a second to your direction first. Is there a second to the direction from councilmember pool? Councilmember kitchen seconds that.

>> Pool: Mayor, what I was saying was your amendments to my direction I consider friendly with the exception -- the only piece I want to talk about are the three words.

>> Mayor Adler: So I would

[3:47:20 PM]

offer the amendment that I have to pool direction number 1. I think it's really important that we not do anything that would have us abrogate our commitments and our agreements, whether or not we want to enter into these kinds of things in the future can be a discussion, but I just think from a bond rating standpoint, just from a reputational standpoint, when the city makes an agreement like this, it needs to abide by that. So the only part of the -- the money that I -- that I think we should put in play would be any excess funds. Excess funds -- then it wouldn't have us do this. If there are excess funds that would have us able to perform as we had committed to inform then

[indiscernible] That's what the amendment was intended

[3:48:20 PM]

to do. It certainly doesn't stop us from outside this contacting M and C and see if they want to volunteer. Is there a second to the amendment that I offered? Councilmember Ellis seconds that amendment. Any further discussion on my amendment?

>> Pool: Mayor, I would like to respond.

>> Mayor Adler: Councilmember pool.

>> Pool: Yeah. Again, extracting from the dialogue that's been on the dais on a number of occasions, and in particular the commentary that you offered, mayor, you said we need to look everywhere, you even talked about couch cushions to find as much coinage as we possibly can. The three words offering on

here actually render this 380 agreement's funding piece fairly febrile. I don't think that it does what we're looking for.

[3:49:21 PM]

And we are simply looking, we're not making any commitments. I see Mr. Van eenoo is here. I did ask if he could come answer a couple of questions for me on this piece.

>> Mayor Adler: Go ahead.

>> Pool: Thanks. Mr. Van eenoo, in looking at the amendment and the phrasing of the excess funds to my direction to staff on 380 agreements, and understanding how the city does budget for the 380 payments, my understanding is we pay one year and budget ahead for the second year. Can you -- and so we essentially encumber funds for two years, and it's a rolling -- it's a rolling income. Can you comment on that? Do I understand how we work the 380 agreement payments properly?

>> You do. That is correct. So what we're budgeting this year is the amount we need to pay based upon incentives

[3:50:21 PM]

that were earned through 2019, and then the reserve balance that we reflect is an estimate of taxes that will be paid by the entities during fiscal year 21. To the extent there was any kind of variance, it would be in regards to how much we are projecting to collect this year that will be due in fiscal year 22.

>> Pool: What kind of excess funds do we -- just historically?

>> I would not expect very much there. We used to give ourselves a little more cushion, but several years ago during a budget process, council asked us to try to tighten up those estimates so we've been doing that. And so to the extent we end up with taxes being paid and incentives being less than what we budgeted, that's likely we're going to be very close.

>> Pool: Thanks.

[3:51:22 PM]

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I'd like to take this in two parts. Just like we've done with the previous amendments, as we go through them. Councilmember pool said that most of what you are suggesting was a friendly amendment. So I think that we should go ahead and deal with what is her amendment and your

amendment as friendly. And then the question really is the term of any excess funds, so I want to vote on that separately.

>> Mayor Adler: Is there any objection to any of the Adler amendment to pool 1 without the considering at this point the addition of the words of -- hearing none, the amendment is accepted. Let's continue then on the three words.

>> Kitchen: Here's my question really. I wasn't finished. Here's my question. I think what we are -- I don't think that the term

[3:52:22 PM]

excess applies in this circumstance, as councilmember pool used add Ed van eenoo. Whether or not we would decide to use any reserve funds, we're not making that decision with this direction. And I think the addition, mayor, of your language to ask the city to return with recommendations will allow us to have a full conversation about the use of those reserves and whether there is a way to use those reserves in a way that does maintain our current contracts and commitments. I don't think the purpose of this amendment is make a statement in a we don't want to meet our current obligations. I think the purpose of this is simply to recognize that we need some more conversation about that reserve fund. And so I think -- I just don't think excess works. I think that -- and also

[3:53:22 PM]

don't think it's necessary here because we've established the intent with your amendment to maintain current contracts and commitments, so this is not an attempt to change current commitments. And we've also asked staff for their recommendation. So I think given what we're trying to do with, you know, we all understand and we all believe in the importance of trying to explore whatever we can. So I just don't think it's time to say whether or not we might want to consider some way to use those reserves that wouldn't put at risk our commitments. So that's why I just don't think the word -- I think -- I feel like the other language establishes the intent that you are trying to capture. Without the use of the word "Excess."

>> Mayor Adler: Well, I had understood that we had put aside for the dollar amount we had committed to pay for this fiscal year, and I wanted to make sure we

[3:54:23 PM]

weren't doing anything to send any semblance of a message that we weren't going to abide by the full commitment, the full -- as to timing and amount and all of those things. And I had thought that in the past we had already

[inaudible] That amount of money down to what would be the minimal amount. But certainly if there was anything extra there, then I was certainly okay with trying to identify that. But I didn't want to tie us to anything that would seem to suggest we were in any way going to not abide by what we had put in reserve to pay this year because we had committed to do that, put that money aside. I'm not sure there is anything that you are describing that would be germane other than any excess.

>> Kitchen: Well, mayor, my understanding is we're also reserving for the next year. Because this is a rolling

[3:55:25 PM]

two-year reserve. So that's my understanding. And I do think your language protects us in terms of keeping with the current contracts and commitments. You know, it just allows you to explore some more potential.

>> Mayor Adler: Ed, does the reserve we have when this year's budget mean that we anticipate paying out in this year's fiscal year?

>> The reserve we show, the ending balance we show in the economic incentive reserve fund reflects property taxes that will be paid this tax year that will -- assuming the companies meet their performance incentive will be paid out in 2022. The performance incentives get paid out next physical year.

>> Mayor Adler: Okay. I think that's what we said we would do. So I would still like to keep the words of any excess on that.

>> Pool: So could you more

[3:56:26 PM]

tightly define excess and let's see if we can come to some reasonable understanding of that? Because my reading of this would come up with no funds. And if you think there are funds, then we could delay paying out to I think it's Samsung and its endeavor at the domain. I think we have a list of the -- is it ten -

>> Mayor Adler: To be clear, I don't think there are any funds here. I think we've already stripped it down to

[inaudible]

>> Pool: That was what I was -- that was my read of it too. And I wanted to -- so if you think there are no funds, let's go ahead and ask staff to look for them and leave that one last pass through on the incentives that we're giving to corporations. We've talked many times in the last two to three years that we wanted to revisit how much money we are giving

[3:57:27 PM]

to the large corporations. These are kind of legacy contracts. Each one has a claw-back. The city is not required to pay these sums. It's in the contracts. So we make a decision every year on whether we're going to fund these, and I think in this instance, considering the crisis circumstances and the financial situation we're in, this is one time when I would even ask those corporations voluntarily to stand up and say yes, we won't take it this year, add those years on to the back end and we can recoup them when times are better because we recognize the need is really great for our music venues and our restaurants in Austin. So that's all I'm asking is that we look at the 380 agreements, because we talked about doing that, and bring a fresh bottom line so we can have that conversation with the dollar figures in front of us.

>> Mayor Adler: Mayor pro tem?

[3:58:28 PM]

>> Garza: Yeah, I guess I don't -- I'm curious if it's in fact true that we don't have to pay, because I thought that was the contractual part that the mayor is referring to that they -- and I think Ed referred to it too. If they meet certain contract you'll obligations, which I think in many cases are jobs, the number of jobs that they are offering, then as a part of that, so I guess clarification on that. So we could -- is it in fact true, and this may be a law question, that if they meet their end of it, providing the number of jobs to -- some of these include providing jobs to people that have face barriers to employment, providing certain kinds of jobs for those as well. We still don't have to meet our end of the agreement?

>> This is Ann. We've always said this is a

[3:59:29 PM]

reimbursement agreement. If they meet the goals, then the city pays for those -- for that money we promised to pay. Every year you decide whether or not you want to continue with the program. But it's - there are long-term programs, but there are reimbursements. If they don't meet the mark, we don't pay the funds. We have kept good records on that in the past, the economic development has done a good job of that.

>> Garza: But if they do meet their goals such as providing a certain number of jobs to people who are more difficult to employ, it is our contractual obligation.

>> The city has always paid that.

>> Garza: On one handed we all know there's tremendous need in every industry, but I don't want to be in a situation where an industry has provided jobs as part of an agreement and now we're not going to do our end of the bargain, the deal. So maybe I could suggest councilmember pool that this is information you can get

[4:00:32 PM]

from, you know, our staff and then you will have the opportunity if and when the program comes back to add that as an amendment when you find out what that is. But I'm concerned about having made promises about when industries provide jobs and then now saying we're not going to hold up our part of the deal.

>> Pool: I actually think that's a great suggestion, mayor pro tem, for this particular thing. I think that councilmember tovo may have some additional language and an amendment that she's working on. I will say that I have dug into the incentive agreement at the domain. We've talked about it in the past years a couple, three times about the concerns that were raised over whether and how completely the contracts were fulfilled. There were for housing, affordable housing, for some small businesses who felt like they -- things didn't work out the way they

[4:01:32 PM]

thought it would and so I have done a lot of research on that particular situation. That contract has shifted along with the ownership of the domain, so it's actually been held by a different entities than it was originally. Happy to -- you know, whatever continues to move the conversation forward is my goal here. I do think that this category of funding when we made these agreements were not in the same sort of economic circumstances that we were when these agreements were made. And I think that -- and they do have, I think all of these contracts have the ability not to pay. That's a decision that the city can make, it doesn't have to be a agreed upon decision. Both parties don't have to agree. Just one can agree to it. So we have the ability to do this. I'll be happy to pull this -- I will pull this down. I will work with Mr. Van eenoo and staff to get an

[4:02:33 PM]

update on all of the different 380 agreements that we've got and get a complete accounting and where we're at and how the promises have been met and will bring that back, hopefully we can have that ready to go by October 15. I'll do that. Mayor, I'm going to pull this down and I think that effects the [indiscernible]

>> Mayor Adler: I'm not sure you can pull it down because it's been seconded and it's before the body. No, you don't own the amendment anymore. It belongs to the body. The motion and the amendment belong to the body. It can be pulled down if there is no objection to it. My only concern with not objecting to pulling it down is I don't want to create an impression a majority of the council is [indiscernible] Abiding by the agreements that we've made. But I'll go ahead and not object to this pulling down

[4:03:34 PM]

because I don't think the votes are there to pass it, but just real strong bye for the message we need to send very clearly is that we're not going to abrogate agreements that we have made and for that reason I'm okay with it being pulled down. Does anybody object to it being pulled down? Then we'll go ahead and pull down the amendment and the amendment to the amendment.

>> Pool: Thank you so much.

>> Mayor Adler: That gets us to pool item number 2. Do you want to move pool 2?

>> Pool: Again, this is direction to staff to rebalance the funds. This is in response to some of the comments from the community earlier today. We want to rebalance the fund into the industry sectors to provide -- that

[4:04:34 PM]

provide a similar service to the community so the criteria for awarding the grants can be established and more tearly considered across the -- fairly considered across the applications. The comments went to -- I don't want to make a --

>> Mayor Adler: Is there a second to pool number 2? Councilmember kitchen seconds it. Councilmember pool.

>> Pool: The only point I would make in addition to that is that some folks have -- some entities have already received funds so I wanted to clue at criteria to make sure those who haven't received any funds had a crack at the new funds. And then also if we are changing the buckets the money is going into that we subdivide and evenly distribute across the buckets since we pulled some of the money out.

>> Mayor Adler: Okay. Is there a second to pool amendment number 2? We did that already.

[4:05:34 PM]

I apologize, councilmember. Mayor pro tem?

>> Garza: Do you mind muting, councilmember pool? There's a background noise. I'm not clear exactly what the language does and I just want to make sure it's not -- because earn thinks it's five and five right now and I want to make sure, for example, the childcare bucket is not getting decreased by this direction.

>> Pool: And there wasn't any intent to change that.

>> Garza: Okay. Is it okay if we add something like the -- you know, that the allocations will remain at the minimum? I don't understand the reallocation. Can you explain it again?

>> Pool: Well, we have three buckets, and if any of the sectors are qualified in two of the buckets and have two tries at \$10 million instead of one try at

[4:06:36 PM]

\$5 million. If people have two options in two buckets, then that means that fewer people will be able to get the relief. So it was just simply a matter of distributing over the three buckets.

>> Garza: Go ahead.

>> Mayor Adler: I was going to debate, I didn't know -- I hear the concern you have. Why don't you finish.

>> Garza: Yeah, I just -- so your response, are you saying if they apply for bucket 2, they can't apply for bucket 3?

>> Pool: We seem to have separated arachic to get funding -- out childcare to get one specific allocation. That's great. We separated out music, music venues to get funding from its category. The group that wasn't included were the restaurants and then there were probably some other

[4:07:37 PM]

entities that weren't either music or or childcare. I wanted to preserve that group that wasn't named in the childcare or music venue bucket to have access to awards and relief that they haven't had access to so far.

>> Garza: Maybe somebody else can help me with this. I want to make sure we're thought reducing childcare. That it will stay at 5 million. This is not changing that.

>> Pool: Assuming we have at least 15 million, there should be equal funds for each of those award buckets. That's my expectation, at least.

>> Mayor Adler: My sense on this, colleagues, is that we gave really specific direction to the staff when we passed the resolution two weeks ago. We recognize that there's such incredible scale of

[4:08:39 PM]

need in the city that we're not going to be able to address. The restaurant folks said that it was going to cost 50 to \$100 million if we were to go to try to address the concern just in that one industry. We need the federal help and I'm really encouraged by hearing the reports today that maybe congress is coming through especially with programs for restaurants because the scale of that challenge is just so much greater than we can do. So when we pass the saves resolution, we really narrowed down on what it would cover and we put in really specific criteria in the resolve clause that had the bullet points on pages 7 through 8 of ten. And it was really just those businesses that were facing imminent closer and if they got funding, they would be able to sustain. But also those businesses that if they went out of business would not be able to be replaced with a

[4:09:41 PM]

similar business reopening in the same or nearby location due to rent or other market factors. So really it really -- and there were other factors about really tying into in a really specific way that particular business or that particular location with the branding of the city and the like. It's a near impossible task whenever you are trying to bring resources to bear in ways that could make a critical difference, and I recognize a desire to be able to spread it lots of places so that we cover a lot of people, but I think that the saves resolution was really more targeted than that, recognizing we just really couldn't in this motion at this time help everybody. So that went to the staff and I think the staff came back with a really eloquent solution. It was to say music and

[4:10:45 PM]

venues in category 1. Because a lot of what we recognize as being irreplaceable. And if it went away and the economy came back, not likely that a similar use the going to go in a lot of these same locations just because the market value of the property is just too high. Restaurants need assistance, but at the end of the pandemic we're still going to have restaurants downtown. But the -- so that bucket was just for that. And then the second bucket recognized that we might have some businesses in addition to music

venues that might also qualify because something really specific or unique about that particular location or that particular operator that met the kinds of criteria that we laid out as a group in the meeting two weeks ago. And then opened up that second bucket of the additional five for that

[4:11:46 PM]

wider group recognizing it still has to meet the criteria that we laid out in the resolution from two weeks ago. And then the third bucket separately was childcare. And it's just childcare. So I don't support the direction coming from councilmember pool. I would leave the buckets as they are. I wouldn't rebalance them because I think that it is a really eloquent solution to the challenge we gave to staff and the resolution we passed two weeks ago. Further discussion? Councilmember alter.

>> Alter: I have a question I guess for legal first. It doesn't seem to me that the motion that we have before us actually puts this into anything other than this saves sector fund. It doesn't specify how it's

[4:12:46 PM]

divide, as far as I can tell. Am I correct on that? It's in the memo but not actually in the ordinance.

>> The ordinance talks about the different buckets, just moving the money in and I think staff was going to put them in three different places. That's in the memo, you are correct.

>> Alter: But it just puts it into the saves bucket. It doesn't say there are three buck et cetera or what et cetera going for.

>> I think it divides it up -- the memo --

>> Alter: The memo does but not the ordinance. Because we are not governed by a memo, we are governed by an ordinance.

>> Mayor Adler: The direction we gave that included a few moments ago was part of the direction says the city manager is to proceed using the \$15 million to memo and council dated September 28, 2020.

>> Alter: Thank you.

[4:13:47 PM]

That's what I was trying to clarify on that. I just want to say I share the mayor pro tem's concern to clarify with the childcare. If I'm understanding the issue raised by councilmember pool and that it appears there are some groups that are allowed to apply to two buckets and some that are only able to apply to one and it's not clear if iconic modifies everything in that legacy business relief grant. We have a

lot of restaurants and hospitality sector that we are trying to address that may not be legacy. So that's what I think we're struggling with. And so mayor, can you help me understand why we don't want to separate that given the numbers

[4:14:48 PM]

that we're trying to do? I mean, yes, we need to take care of our venues. There is a \$5 million -- I'm just trying to understand -- I don't know what the solution is. But I think I understand the problem that councilmember pool was trying to address.

>> Mayor Adler: I think the problem is real, and in our face. We have restaurants all over the city that are having extreme difficulty. You know, the market now has opened up 75%, but we have a community that doesn't feel comfortable, or many don't, going inside a restaurant. I think we should be doing everything we can to bring as much assistance as we can to the restaurants, and we passed a resolution that increased the opportunities to be able to eat outside, and remove barriers. It hasn't been allowed pickup on that, but maybe it's because of the weather, but I'd like to see us moving forward with the chapter 380, reevaluation to see

[4:15:51 PM]

if we can provide property tax relief for restaurant spaces all over town. I'd like to see us doing everything we can to help restaurants. The scale of that challenge is enormous. And dwarfs the kind of dollars that we're talking about here. The saves resolution was not one that was intended to -- because it couldn't provide relief to restaurants across the city. If there's a way for us to do that, I would love to be part of that. And to help try to figure that out. But that's not what this is. The saves resolution, as we adopted two weeks ago, recognize that there were limited funding with this effort, and this effort only spoke to businesses, restaurants, or venues, music venues, other things that met the criteria laid out on pages 7 and 8 of that resolution. So it's really narrowed down.

[4:16:54 PM]

It includes the likelihood of closing permanently, absent assistance, and there's a likelihood of the closing of nearby locations due to increased rents. The music industry faces unique difficulty. It was specific. So I recognize, and believe that there is huge need among restaurants in our city. And hopefully the federal government will give us something approximating the kind of the scale of the challenge that we have. And I want to be part of doing everything we can to bring as much relief to restaurants, as we possibly can. But in the saves resolution, in order for a restaurant to be able to qualify for funding, they

would have to show more. And they were just a restaurant and facing, you know, the extreme conditions.

[4:17:56 PM]

That's what the saves resolution was.

>> Alter: But mayor, in that group -- so even if we limit it to the universe you're talking about, we have some groups that can apply to two buckets. And I'm just -- I don't know that I have a strong feeling one way or another what the answer is, but I think we need to have some clarity on that. Because they get to -- I think that's -- even for those that are eligible in certain sectors, they are disadvantaged. And I just don't know if that's what we want to set up or not. I'm trying to understand the direction that we're giving.

>> Mayor Adler: I think the way that -- the reason this worked this way because as you look at it, there's going to be a lot more music venues that are going to be able to qualify for this money than restaurants. And I think that the way that the staff dealt with it, I think is actually kind of clever. It said that there's \$10 million -- there's \$5 million

[4:18:57 PM]

for childcare, there's \$10 million for the balance. Of that balance, we know that at least \$5 million we want to go to music venues, because of their unique standing, their unique harm, their unique risk, their unique value. But the other \$5 million we're going to make that available to both music and restaurants, and bars, our arts venue, that can also meet that criteria. And I think that the staff, when they're applying this criteria, will be able to do that. I think it just recognizes the reality of that, when you look at the criteria. More music venues are going to be able to qualify.

>> Kitchen: Mayor, can I speak?

>> Mayor Adler: Yes, councilmember kitchen.

>> Kitchen: Okay. So I hear what everyone is saying, but I don't think we should presuppose the outcome. Which is what we're doing. If we are saying that

[4:20:00 PM]

restaurants that, you know, fit the criteria we're talking about can only apply in bucket two, then venues can apply in bucket one and two, then the effect of that is simply not fair. And we don't know yet how many restaurants might qualify. So before we set up a situation where we've got -- where we're

necessarily creating a level of, you know, imbalance with restaurants, I think we should go further. If our staff has information to tell us that that's the case, I just don't think there are that many that will qualify, then I'd like to hear it right now. And you may be right in the long run, but at this point, we're just kind of -- you know, we haven't really done that analysis unless there's some information out there that I missed. So I'd rather -- I'd rather, you

[4:21:03 PM]

know, let's give it a shot and see how many restaurants fall into that category that we're talking about. We do know that there are a lot, a lot of restaurants, and I hear what you're saying, you know, in terms of, the order of magnitude of need for restaurants is huge. And we've got to have help from the federal government. But at the same time I think we're all saying the same thing, we want to do what we can here. So I just think that -- to me, it feels like it's presupposing an outcome, and I don't know, I mean, director Briceno, did you do some analysis that makes you believe there won't be that many restaurants that would qualify so you wouldn't be able to use the 5 million for those restaurants? Is that what we're hearing?

>> Councilmember, we haven't had time to do a complete analysis, because we've been working very

[4:22:03 PM]

fast on this the past couple of weeks. We designed what we proposed. We really looked to the resolution and aligned it

(indiscernible). We're talking about, I guess live music venue, restaurant, bar, art space. We tried to incorporate as much of that language as we could from the resolution, so that we could -- on this council's wishes, in terms of administering these programs.

>> Kitchen:. But at this point -- okay. At this point the analysis hasn't been done. So we've got one bucket for music venues, one bucket for iconic, or whatever the right term is, and one bucket for childcare. I share the concerns that councilmember pool has raised and councilmember alter has raised. I hear what you're saying, mayor, and I just don't want to presuppose the outcome and I think we may be setting up a circumstance that we have restaurants that don't have

[4:23:04 PM]

access to the full possibilities for them. I would rather not do that at this point. I would rather let our -- I'd rather have the opportunity to try to address that in the way that councilmember pool has

suggested. Or in some other way. You know, when our staff has more information, and they could come back to us. I'm just afraid that we're going to end up with a result that's not what we intended.

>> Mayor Adler: I think if staff sees a problem with it, they could certainly come back to us. But at this point I'm really comfortable saying that the music venues that can't open, even as restaurants can, and I recognize it's an imperfect situation for restaurants, and given the unique position that that has in our community, I think that the way that the staff has done it really meets that. It doesn't presuppose the restaurants, as much as it recognizes the special place

[4:24:05 PM]

that music venues have right now, as concerns this aspect. I would certainly like to join with you, or anyone else, generally with a restaurant relief measure, that looks at that in a different context than what we had two weeks ago. Is there any further discussion other than councilmember kitchen before I go back to her? Councilmember kitchen?

>> Kitchen: Well, I'd just like to say, I think we have other avenues for music venues. I mean, one of the amendments that I intend to bring relates to visitor information center, which, you know, I'm going to make -- I want to make sure that it applies appropriately. But I just -- this just doesn't feel right to me. It doesn't feel fair. I'm going to support councilmember pool's amendment.

>> Mayor Adler: Any further discussion before we vote? Foes in favor of pool amendment number 2, please raise your

[4:25:06 PM]

happened? Pool and kitchen. And alter. Those opposed, please raise your hand? A balance of the dais. Number 2 does not pass. That gets us to item number 3. This is pool direction number 3.

>> Pool: Just so the record is clear, councilmember Casar is off the dais.

>> Mayor Adler: Okay. Thank you.

>> Pool: The third one I brought are the convention center that are not associated with the hotel occupancy tax. But we haven't gotten a report to understand what that looks like. And so this is a direction to staff to request identifying convention center earned income from interest rentals, fees and contractors that is not generated from hotel occupancy taxes. Returned to council on October 15, with the option to use the

[4:26:06 PM]

taxes for relief program as identified in the saves resolution.

>> Mayor Adler: Okay. Councilmember pool moves direction number 3. Is there a second to this direction? Is there a second? Councilmember kitchen seconds it. Discussion? Councilmember pool, can I ask you a question?

>> Pool: Sure.

>> Mayor Adler: Do I understand that it's the intent here to get the staff to take a look at it and come back and

(indiscernible) What that is, or what that might be

(indiscernible) To be able to act, but council is not expressing today

(indiscernible).

>> Pool: That's the case with all of the direction that I was offering today.

>> Mayor Adler: Okay. So I could vote to support this

[4:27:07 PM]

direction, even if it's something that I'm not sure that I would be willing to support in actual passing?

>> Pool: Of course. That's always the case, yes. That's what we're exploring here.

>> Mayor Adler: With that understanding, I'm going to support councilmember pool's direction number 3. Is there any further discussion on this? Those in favor of pool direction number 3, please raise your hand. Those opposed. That passes.

>> Pool: Thank you.

>> Mayor Adler: Okay. Thank you. Next amendments. We're on 55.

[4:28:08 PM]

I'm sorry, 52, continuing on 52. Councilmember tovo?

>> Tovo: Yes. Thank you. And these have been posted on the message board and also distributed. And some of them are similar to conversations we've just had, but we would approach them a little bit differently. So I guess I would just step back and say, I think one of the -- number one, I just want to recognize that this is extraordinarily hard, because we have such limited resources, and are trying to extend them, you know, as broadly as we can. And I am thinking back on one of the comments that someone mentioned this morning about feeling, as a board or commissioner, like they were sitting in the dunking chair. And sometimes I sort of feel

[4:29:08 PM]

like that as a councilmember. And there are just really no great choices on some of the questions that are before us, because of the extreme need we have from individuals, as well as businesses. So many of the businesses that spoke to me this morning, or in previous council sessions, businesses frequented and loved for decades in other districts, it's extraordinarily hard. And I know that in the course of today, we've talked about various things we're going to continue to look toward in future meetings. So as we have this conversation about how that should be distributed in the resources, I just want to express my commitment to all of those industries that we're talking about, from childcare to restaurants to music and arts venues, and other arts venues. We're going to continue to look toward solutions, toward additional funding. And as we hopefully get some other funding opportunities, I

[4:30:09 PM]

think we can always come back and look at these. So I had introduced some amendments that were included within the saves resolution at our last meeting. And one of the challenges is that, you know, by the time we saw what the staff was proposing, there wasn't enough opportunity to get something on the agenda to consider more broadly. So mayor, you have proposed some good solutions, as I mentioned this morning, to address the pay for success to remove our use of pay for success, which I greatly appreciate, and to not use the transportation user fee as a method of replacing the right-of-way fees. What I've done with this, it kind of falls into two parts. Some of the early ones on here, it's all direction. But I have also offered direction, not just for some of the exploratory work that I would like our staff to do, but

[4:31:09 PM]

also asking them to proactively place these things on the agenda so that we have an opportunity to consider them. So that we are not left in a -- if that information comes back to us, we have an opportunity to act. And I think it's important to signal to the community that if these pass today, it's not that the council has agreed to do it, but it is that the council has agreed to deliberate on it on the 10-15 meeting. So I'll just lay them out. The direction of analysis, most of these are accompanied by later direction that would actually put those items on our agenda for next meeting. And the two dates that I've gone back to are 10-8, which gets that information back to us in time to put things on the addendum for that 10-15 meeting. I understand this is extraordinarily limited amount of time for staff. And I really appreciate all the work that you've done throughout

[4:32:10 PM]

this pandemic, especially over the last week to get this stuff on the agenda so we could move forward as quickly as possible. The first one asks for information about our economic incentives payments. If we were to reduce them by 50 or 75%. Mayor pro tem Garza raised an important point that sometimes our incentive programs have to do with workers and jobs, and of course, I would not support moving forward with reductions to our incentives payments for this next year without really understanding what the impact of those would be. So this is asking our manager to look at the agreements that we have, still that are current, and see what those performance metrics are, what exactly we are incentivizing, is it workforce training, is it jobs, is it a combination. And what would be the impact if we talked with those companies, and let them know up-front, this is the beginning of this fiscal

[4:33:11 PM]

year and we'll have to verify that, as I understand it, we are -- we have not just the money in that fund for -- to provide that incentive that they have earned by their performance metrics over the past year, we have set aside the money for the incentives we expect they will earn over the next year. Is that correct, Ed?

>> Yes.

>> Pool: So this is the beginning of the fiscal year. We had this conversation come up multiple times before. And there's a concern. And I understand it. About, you know, suddenly agreeing in the budget to pull funding that is providing an incentive that has already been earned by the companies meeting those thresholds in the previous year. I get that. I understand it. And respect it. And that is why I phrased it in this way. I'm not looking at 50 or 70% of

[4:34:13 PM]

those earnings in that -- I think it's a \$10 million -- I'm suggesting at this point in the beginning of the fiscal year, we asked our staff, again, to look at those 380 agreements and see what would be the impact of reducing those payments for this next year by 50 or 75%. And then you'll see below that I've asked our council to put that on the agenda so that we're prepared to act, depending on what that information looks like, and if it's something we can support doing. The second bullet asks a similar question. We have --

>> Mayor Adler: Councilmember tovo, let's take them one at a time, okay? So we have the first one up. Is there a second to the first one to look at reducing the fee by 50 to 70%? By 50 or 70%.

>> Tovo: To be clear, the first bullet is asking to have the information provided.

>> Mayor Adler: To provide information. Okay. Is there a second to that?

[4:35:18 PM]

Councilmember pool seconds it. Councilmember tovo, this is something that I can't support for the similar reason as before. I don't think that with these agreements, and I know that has come up for the last four or five years, I just think that it's really important that we not unilaterally renegotiate or redefine performance or terms on these things. I think that our reputation as a city and our word as a city are bonded as city. It says we agree to something like this, we're going to abide by those agreements. And I am real concerned about the message that would be set from saying that as a body we're ready to consider not doing that. I think that sends absolutely the wrong message. And not a place where we can go. There are other places and other

[4:36:19 PM]

things that we should be trying to do, perhaps, than that. So I'm going to vote no to this amendment. To this direction, proposed direction.

>> Tovo: And I appreciate that perspective. To be very clear, this is asking our manager to provide information about [lapse in audio].

>> Mayor Adler: You froze, Kathy.

>> Tovo: It's not affecting that change. It's doing that analysis. Can you hear me?

>> Mayor Adler: You kind of ducked out in the middle.

>> Tovo: I was just saying, to be extremely clear, this is asking the manager to provide information -- I understand that you may not want to support it and others may not either because it sends the wrong signal, but to be very clear about the action that I'm asking to be taken, it is to provide information about what the impact would be on those 380 businesses, if they were reduced by 75 or 50% for this next year.

[4:37:20 PM]

This would not just give us the information, and it may be as mayor pro tem Garza suggested, it might -- those performance incentives might be for jobs. And I certainly wouldn't support removing them, if we're then going to result in job loss of those companies. It may be for other things. So at this point, I don't have that information, and this would be asking our staff to get that information, and in doing so, to engage in a conversation with the companies.

>> Mayor Adler: Further discussion? Councilmember alter, and then mayor pro tem.

>> Alter: I have a question for the city manager's office. I'm not sure if this would be for Mr. Bris Eno or Mr. Cronk. On the memo cites numerous other funding sources considered in staff's review, including the prioritization of the housing

[4:38:21 PM]

trust fund, the block grants and economic incentives reserve fund, and hotel occupancy taxes and other revenues. It then goes on to say, however, the analysis of each of these funding sources presented a myriad of challenges for the application of the purposes outlined or could not be vetted in the period of time allowed. That seems to imply that some of those have some more information forthcoming. Can you tell me where the economic incentives reserve fund landed, in that sort of analysis?

>> Certainly within the limited time period that we had, we were trying to take the ones that were the easiest to put forward as options, knowing that there were some other variables in exploring other sources. Do you want to add anything to that, Ed?

[4:39:22 PM]

>> We've had a lot of discussions today about the economic incentive reserve fund. And some of the things that are being discussed would be some of the additional work we would have to do and look into. You know, we're kind of simplifying this due to the property tax 380 agreements, but there are other agreements involving sales taxes. There's part of the agreement for the Mueller corporation. It's a little more complicated than just the property tax discussion we've been having today. So those are the types of things that we would have to continue looking into. If council wanted us to pursue this particular option further.

>> Pool: When I read the memo, I understood that those analyses were ongoing, that this was kind of the -- this 15 million that you put before us was the first tranche of what we were looking at, because you did respond in a very quick time period. So are there other things, then, including this, that are still

[4:40:23 PM]

being analyzed and looked at so that you can come back to us with information so that we can make our choices?

>> There are other options that we're exploring. And so, you know, we could provide additional information. I don't know that there's anything else that I would put like in an easy choice, but there are other things that we are exploring. That weren't ready for today.

>> Alter: All right. Did you eliminate the economic incentives reserve fund by this process?

>> No, we did not eliminate anything today by this process. We're still going through legal limitations, financial limitations, operational, and of course, what we hear from council.

>> Alter: Okay. I'm anticipating that there are other things that are coming

[4:41:23 PM]

forward and there's other analysis. In my view, this was included among that already.

>> Mayor Adler: Okay. Further discussion? Let's take a vote on the amendment. Tovo number 1, those in favor, please raise your right hand. Pool, tovo, alter. Those opposed, please raise your hand. The balance of the dais. Councilmember Casar's off. Does not pass. That gets us to item -- your second direction, councilmember tovo.

>> Tovo: Thank you.

>> Mayor?

>> Mayor Adler: Yes?

>> Kitchen: May I make a quick comment?

>> Mayor Adler: Yes.

>> Kitchen: I would encourage councilmember tovo to ask for that information. I simply didn't want to -- I'm

[4:42:24 PM]

open to considering, I just don't want to send a message that that would be something that we could do, and that's why I did not feel I could support it.

>> Mayor Adler: Okay. Thank you.

>> Mayor, I apologize, just for the record, councilmember harper-madison is not on the dais right now.

>> Mayor Adler: Okay. And her box is gone. Continuing on. Councilmember tovo?

>> I want to clarify that to say that we want to have the information and to understand it is not to say that we want to do something. I think there are some nuances here where, you know, you are both --

both you and councilmember pool or councilmember tovo are correct. So no, we don't want to go back on our word on contracts that we've made, but yes, the contracts allow us under extreme circumstances to make choices. And I think both of those are true, and the information is useful for us to make that

[4:43:25 PM]

decision, even if ultimately we lean towards your side of the issue where we don't want to undermine a contract. I think those things can be both true at the same time.

>> Mayor Adler: Okay. Let's continue on. Councilmember tovo? Do you want to bring up your second item?

>> Tovo: Sure, I do. This is sort of 2, and I would ask we take them up separately, but kind of talk about them together. This second bullet asks our manager to do a similar thing, to provide information about what the impact would be of temporarily, underscore temporarily, using at least \$10 million from convention center reserves to assist with the promotion and preservation of venues and businesses that serve Austin visitors. We know that most of that reserves, all of it, is earmarked for a convention center expansion, but that will take time. And it is not imminent.

[4:44:25 PM]

So while we need some of that reserve money right now to begin the design work and some of the other things we've initiated already, this would allow our manager to assess what the impact would be of borrowing \$10 million right now to do the kind of promotion work that is allowed under the statute, to preserve and promote our Austin venues that are particularly frequented by Austin visitors. So the first part is asking for the information, down below you'll see I'm also asking -- I'm providing direction to the manager to put an item like that on our council agenda so we have an opportunity to consider it.

>> Mayor Adler: Okay. Second amendment is to provide information about the temporary use of convention center reserves. Is there a second to this one? Councilmember kitchen seconds it.

[4:45:29 PM]

My concern with this is that there's a debate going on in the community right now for the ability to use convention center dollars. And there's a lot of misinformation about it. And there are people, even though as they came to speak with us tonight, it would be our expectation and hope that we could take the money that the legislature says we can get for convention expansion and somehow or another deploy that money to be used for artists or for venues. And while we're allowed to do that, in really limited kind of ways, which have been identified, you can't do it -- or our legal advice is that you cannot

do that in the ways that are being discussed broadly in the community. And I am concerned about feeding into that kind of false

[4:46:30 PM]

narrative and false hope and expectation, because I think that builds -- it creates false expectations. This one that says, can we temporarily use \$10 million for the promotion and preservation, I'm not going to stand in the way of, and would support this one, because it is so limited, because it is temporary. And with the same caveat, Kathy, that I'm not -- by supporting it at this point, it's just asking for the information, but in should no way should the staff or public consider this to be a vote on the merits of this. Is that your understanding as well?

>> Tovo: Yes. I mean, the other one that I'm bringing is more directive about putting it actually on the agenda, but this one is about getting information. And every time we talk about hotel occupancy taxes, we do get a range of commentary on it from

[4:47:31 PM]

people who think we can use it very flexibly on all kinds of things, and that simply isn't the case. I also agree with one of the points you made that we can't use the 2% that is only allowed under statute for convention center expansion. I also agree that we can't use it more flexibly for promotion in the way I've described. I do think the other hotel occupancy taxes that are allowed to be used for promotion are ranging from providing advertising and marketing for some downtown events to taking musicians to other parts of the country. I see that very in line with the kind of thing that I'm introducing that it falls under. We can have a discussion of that under the agenda, but I do believe this is allowable within the portion that is not designated for expansion, but

[4:48:33 PM]

did originate with hotel occupancy taxes, and is now in the reserves. And again, the intent would be to replenish it far in advance of the time that it's necessary for that expansion.

>> Mayor Adler: Okay. And I'm concerned that it's a reserve, that it's probably already pledged, associated with the agreements we have outside of the 2%. But for the purpose, and without expressing any suggestions of support for it, I'll support this, because it is just asking for information. And doesn't send a stronger signal than that. Is there any further discussion on this?

>> Mayor?

>> Mayor Adler: Yes?

>> I'm not going to be able to support this. I know you will, but I just don't see it's going to go anywhere except giving false expectation, and I just can't support that.

>> Mayor Adler: Okay. Further discussion?

[4:49:34 PM]

Those in favor of this direction number 2, please raise your hand. I have pool, tovo, kitchen, and me. Alter. Those opposed, please raise your hand. Renteria, Ellis, Flannigan, I don't have six votes.

>> I was in abstention.

>> Mayor Adler: Let me ask again. Those in favor of this number 2, please raise your hand. I have pool, kitchen, tovo, alter, me is five. Those opposed to this. Flannigan, Ellis, Renteria, Garza abstaining. That makes the vote 5-3-1, with councilmembers Casar and harper-madison off the dais.

[4:50:44 PM]

>> So it does not pass?

>> Mayor Adler: It does not pass. It does not have six votes. Item number 3.

>> Tovo: Okay, thank you. The reality is, I'm simply going to try to get some sponsors to bring it back. I think it's an important consideration. I think we should be looking at all available resources to try to fund the needs that are in our community. I think we can have a conversation around it, but I do think this is a body of funding that's available to us. And we ought to consider it. Mayor, you have some amendments that you did not ex application itly have amendments in your sheet. My apologies if I missed it, because I have a lot of files open on my computer. But I did not see an explicit direction for our manager to come back and replenish the reserve fund.

[Lapse in audio]. I don't know whether this is

[4:51:44 PM]

necessary or not. But --

>> Mayor --

>> Mayor Adler: By the way, councilmember harper-madison has told me that she was a no-vote on the last item, but we just couldn't hear her. But it was not passed, even with that. But I want to make that part of the record. And then on this --

>> Mayor? Is she joining by phone? I don't actually see her.

>> Mayor Adler: Her comment was, you guys can't see me, but I can hear you. So she's not formally part of the vote, I'm just telling you that she would have voted no had she been part of what we were doing. And we've counted her vote. In any event, it did not pass. With respect to number 3, I don't think it's necessary, Kathy, because we're not taking any money, so there's no money to replenish.

>> Tovo: In essence we're just requesting that our manager move forward with funding to \$15

[4:52:47 PM]

million, identifying a source of funds?

>> Mayor Adler: No, the 15 says, use the 6 1/2, that is neither pay for success nor transportation, come back to us with a way for us to do the budget on the sales tax, which, of course, we can cover in other ways. But at the very least we know it's got to be done with a sales tax, so the staff can start its work now and doesn't need to wait with respect to doing the programmatic stuff. But at this point the only dollars in play are not these two and the sales tax.

>> Tovo: Since we weren't taking action on -- since we're not in a position today to take action on a sales tax, I didn't know if this was going to be necessary.

>> Mayor Adler: Right. And I specifically took out the pay for success element of the -- what had been provided to staff.

>> Tovo: Right. Okay. So then next would be -- so back

[4:53:49 PM]

to the amendments that were made on our last -- so we were asking for the right-of-way fees. It was contemplated today. What I would like to do is have a conversation again on -- at our next meeting about using those right-of-way fees. Not replenishing them as the staff had suggested through the temporary transportation user fee. But seeing what is left, once we take out salaries and fees. So we did -- we've now gotten two memos on this subject. And I can take you through my questions. I'm sure nobody really wants to do that right now. But we did get a memo yesterday with some additional information about the right-of-way fees. The question I had asked in the session was what the program impact would be. The first thing I did is get the information, it does suggest that there is not a great impact on some of these programs, but I

[4:54:50 PM]

can't attach dollars to them. It didn't attach particular dollars to each of these programs. It's hard for me to measure the impact at this point, so I don't know whether we can do what I had suggested in the amendment last time of taking 1.5 out of right-of-way. Without having a substantial program impact. I'm suggesting that this be back on our agenda for 10-15, so we can consider the use of right-of-way fees once we take out salaries and the fees. As I made the point when we were talking about it the first time, it's kind of a legacy decision, but the right-of-way fees go automatically to the transportation department. They could have gone to economic development, they could have gone to housing, they could have gone to a lot of places. It's being used for some projects that are clearly important, but this is in recognition that those funds through the years could have been used more flexibly. And at this time I'm trying to

[4:55:50 PM]

identify targeted funding especially for venues. Many of those venues, if they're in high construction areas, downtown, south Lamar, or south converse, are areas where the fees likely will be generated in the future, and the businesses are impacted as well as other things. So this would set it prospectively. I think one of the things that the staff had raised in their memos, the money is already committed to this year's budget, I get that. I'm asking about projects beginning October 15th, for which those funds haven't yet been -- those funds aren't yet sitting in our account.

>> Mayor Adler: Okay. Is there a second to this tovo fourth direction? Councilmember pool gives the second to it. Kathy, I have a question. There are two elements to this.

[4:56:51 PM]

One is getting the information, which a decision can be made, and the other is coming back with all the documents to actually put it in place. I'm not sure there's a need for having all the documents to put it into place, because by virtue of what we're doing with the sales tax, it can be initiated, and it can get started. The actual saves resolution. And from a timing standpoint, I want them more focused on trying to make that work. Is it possible to turn this just into coming back with the information, because again, I'm not sure this is something that I can support. But if they came back with the information, and before the staff spent a lot of time trying to figure out how to actually accomplish it and effect it into the draft associated with that, we would know that there was at least six people that were

[4:57:51 PM]

interested in doing it. And I have the same comment with respect to the next two. So your direction 5 and your direction 6. Is it okay, since there's not a time element to it, to just ask staff to come back with, really, the full analysis of your directions 4, 5 and 6?

>> Tovo: So, mayor, I think it gets back to the use of sales tax. You know, our staff were recommending funding other than -- two issues I have. One is that the staff were recommending not using sales tax, that we use some of these other sources. So I'm trying to respond to that recommendation. And look for sources outside of sales tax. I joined you in supporting that solution for today, providing that suggestion, because we haven't -- because I didn't want -- really, because I didn't want to take it out of on our last agenda we passed

[4:58:52 PM]

these items. We told staff to go forward and -- we had unanimous support across the dais for using or at least asking our staff to look to using encroachment, alley vacation, right-of-way funds, right-of-way fees. So just asking them to look at it again doesn't get us to the point where we're poised to take action on it. Tote we're poised to take action on the right-of-way fees but we were going to fund it through the transportation user fee. I think we've got just about all the information we need on the right-of-way revenue. What we don't have is what I just mentioned, the dollar amounts on the back of this memo, so that we know how much is the transportation demand management program, which the staff seemed to suggest would be okay, if I'm reading it right, since they're reassessing it, developing a fresh direction it would seem to me that we could use that funding this year. You know, anyway, the responses that I thought I

[4:59:52 PM]

was getting through the memos suggested that it wasn't going to have a major program impact to use those fees. I just think we don't want to use the portion that is allocated for

[indiscernible]. But we have to get to the point where if we want to include and consider resources outside of sales tax we need to drill down into it. We told them to go look at them and they brought us back not these. They didn't bring us back information about encroachment agreements, or about street and alley vacations. It's likely not to come back again. These as I see are potentially viable. We know we have a lot of large downtown projects, the convention center, the the downtown station, some other projects coming forward that's not funded because those projects don't currently exist. It's not funding that's been allocated for anything at this point. So while I understand the

[5:00:53 PM]

staff's point about these sources of funding right now have already been allocated for 21, I'm not asking them to allocate the stuff that's allocated unless it won't have a programmatic impact. What I'm saying is going forward for the next two years let's look to these two sources of funds. So there's one issue that I'd like to stay away from in funding all of this through sales tax for a lot of it through sales tax. The other is that I think we need more funding. So what I'm trying to do is also increase the pool of funding that we have available to us. I'm sorry, that was a very long answer. That's two of the reasons I would like to go forward. One is so that we have some options other than just sales tax and two so that we we can increase the pool. As we've talked about.

>> Mayor Adler: At this point I'm comfortable letting sales tax be there. If it turns out the sales tax doesn't meet the projections we run into problems and I think they are other things we can do

[5:01:54 PM]

and make those hard decisions at that point. If you were just asking for more information I would ask that. If you're asking the staff to do the work to actually ready T I'm not ready to go that way on this one or the next two. Any further discussion? Mayor pro tem?

>> Tovo: It's not wildly different from what was on our agenda, though. It's just basically the same language in terms of staff.

>> Mayor Adler: Mayor pro tem.

>> Garza: I'm sorry, I kind of lost track. Are we on 1 -- four.

>> Mayor Adler: The fourth bullet.

>> Garza: Okay. I guess I had a question about how it except is the Rainey street district. I didn't want to miss things inadvertently because we've talked so much about Rainey street. Are there any other funds that maybe this money goes into that is like for

[5:03:01 PM]

preservation along the 12th street corridor or anything like that? I want to make sure we're not making an exception for one and there's one equally or equitably as sensitive, I guess? Do we know?

>> So we've gotten now two memos about the use of the right-of-way funds and as far as I know, the only carveout is for the Rainey street funds. And so that's why -- because those have been allocated for a particular purpose, that's why I was saying like the other areas. But as far as I know from the two memos, those stay within transportation and like for great streets or other transportation projects. But staff may have other thoughts about it.

>> Garza: Did you say for lighting stuff?

>> Tovo: I did not say lighting.

>> Garza: Okay, sorry.

[5:04:07 PM]

>> Mayor Adler: Okay. Further discussion on tovo bullet point 4. Let's take a vote. Those in favor of tovo bullet point 4 raise your hand. I have kitchen, tovo, Garza -- I'm sorry, I have the mayor pro tem, tovo, kitchen, alter, Flannigan and pool. Those opposed please raise your hand. Me and Ellis. That passes 6-2. The others are off the dais. Councilmember harper-madison, you can't vote -- in order to be able to vote you have to either be seen or be heard. And I don't know if you want to call in to staff or have staff call in to you so that you can be seen or heard. This bullet point number 4 passes with six votes.

[5:05:11 PM]

This gets us to point 5.

>> Tovo: This is again just the other piece of the amendment that we had already initiated last time but we got back the staff response. I have to say I now cannot remember whether encroachment agreements in the Rainey area -- I'm suddenly now forgetting whether encroachment agreements, whether there is a carveout for Rainey street in this, but as I mentioned, our largest portion of funding when I mentioned that this could generate up to \$30 million in the next couple of years, it's my understanding that most of those were encroachment, like when people are building in the air rights or encroaching on the sidewalks, things of that sort. So this is funding that we don't currently have budgeted or allocated for

[5:06:14 PM]

the purposes of projects. So allocating that to this I think would be appropriate.

>> Mayor Adler: Okay. Any further discussion on this bullet point five? I'm going to vote the same way for the same reason I expressed before. Let's take a vote on this one. Those in favor of bullet point five please raise your hand. Mayor pro tem, kitchen, Ellis, tovo, alter, Flannigan, Casar. It passes. That gets us to bullet point number seven.

>> Pool: Mayor, did you count my vote?

>> Mayor Adler: Yes. Councilmember pool is in favor. Bullet point number seven, this is tovo's about the

[5:07:15 PM]

street and alley vacation fee. Is there a second to this bullet point?

>> I think it's actually six.

>> Mayor Adler: You're right, it's six. Thank you.

>> Tovo: Sorry, I really should have numbered them.

>> Mayor Adler: That's okay. I imagine the discussion is the same as the last one. Are we ready to take a vote in those in favor of bullet point number six raise your hand. Pool, alter, tovo, Ellis, Flannigan, Casar. That passes. That gets us to pullet point number 7.

-- Bullet point seven.

>> Tovo: It's the same argument I made with regard to getting the information

[inaudible].

>> Mayor Adler: Right.

[5:08:29 PM]

Councilmember tovo do you want to urge point number seven or eight.

>> Tovo: I'm sorry, I said I moved approval of seven.

>> Mayor Adler: Is there a second? Councilmember pool seconds it? I oppose this for the same reasons that we voted against for for the direction, but even so because it actually is the direction.

>> Tovo: Mayor, if I may clarify it should have set temporary allocation in the same way the instruction above it did. So if you would consider my motion temporarily allocate.

>> Mayor Adler: I'm sorry?

>> Tovo: The language should have mirrored the language above. It should say temporarily allocate.

[Background noise]. So to temporarily allocate. You.

>> Mayor Adler: Okay. Ready to take a vote in those in favor of this item please raise your hand? Pool, kitchen, tovo, alter. Those opposed please raise your hand? The balance of the dais with

[5:09:30 PM]

councilmember harper-madison who we can't hear or see.

>> Garza: I'm abstaining. I abstained on the similar one.

>> Mayor Adler: Okay. Mayor pro tem abstains. Does not pass. That gets us to item number eight. Bullet point eight.

>> Tovo: Mayor, this is my last one on this topic. We have the live music working group that have been working I think since last fall, but in earnest certainly through the spring and have done some really good work. I had an opportunity to listen to a lot of the music commission meeting yesterday and they discussed this work as well. I would really like to urge them to get those recommendations to us so that at slightly under \$2.5 million might be invested in the recovery, which is obviously a source of funding that can be used because it is designated to support live music and to make infrastructure investments in our live music ecosystem and whenever we can get those investments

[5:10:31 PM]

it's right now. I do want to encourage them to wrap up their work so that we can use that guidance and frankly use those funds at a time where we really need them. I know there was concern in the spring about using some of that funding and I had brought forward a proposal to use a bit of that funding for the music disaster relief and instead we funded it through the general fund because there was interest in allowing that money to stay there and fund more long-term sustainable change, and that was certainly useful feedback, but again I think if ever we're at a time that we need money for those -- for the live music ecosystem it's right now. So the this should be a source of funding that we're considering and I would like to have avail ourselves of the live music working group recommendations.

>> Mayor Adler: Councilmember tovo urges her bullet point number eight. Is there a second to that?

[5:11:32 PM]

Councilmember pool seconds that. I don't know if staff is here or if you know, Kathie, those advocacy have been working on this project for some time. The way you described it was so encourage them to get back. This says to direct them to come back. I just don't know where they are in that process and I'd like to try to honor that process because I know they have spent so much time on it. I don't know if they're in a place to be able to come back to us. Obviously I want them to come back to us soon. I don't want to up end the work they've been doing over a long period of time. Do you know if they're ready to report back to the council by the 15th? Does staff know?

>> Tovo: I would defer to Ms. Holt-rabb.

>> Good afternoon. Sylvania holt-rabb. The working group will meet again in the next couple of

[5:12:33 PM]

weeks is so I can encourage them to try to be back. They're almost done.

>> Mayor Adler: So are you comfortable directing them to come back to us on October 15th? Are we that close or is there something else we should use other than direct?

>> I would encourage them because they're made up of volunteers as well as committee members. If you could give us through the first of November. I don't want to overcommit because I don't know their schedules, but again it's not just music commissioners, it's volunteers outside of the commission. Hoved how about if we said by November 1st if at all possible.

>> That sounds great.

>> Tovo: Understanding they might come back and say we can finish it in time. But I want to impose some sense of urgency. I want to give a sense of urgency and deadline here.

[5:13:34 PM]

We of course always have the discretion to go ahead and allocate that funding absent those recommendations, but I would like to honor that long, long time work that they're doing but I also want to [inaudible].

>> Mayor Adler: Councilmember Ellis.

>> Ellis: I can appreciate that. I know that group is working very hard and I know the clerk's office has been working hard to make sure all the boards and commissions can do the work they need to do and have the time to do their due diligence. I appreciate that flexibility. I know a lot of our volunteers and commission members are also struggling with school, remote school and trying to navigate all that. I certainly want to appreciate the work that's going into it and encourage their opinions to be in this matter. I hate to put so much pressure on them that they feel like they're rushing and it's -- that they're

[5:14:34 PM]

hurting with it.

>> Mayor Adler: Councilmember tovo has suggested changing the language to say November first if at all possible. Does anybody have any objection to that change being made? Hearing none that change is made. With that change is there any further discussion on this bullet point eight? Let's take a vote.

Those in favor of bullet point eight please raise your hand. Those opposed? It's unanimous with all the people that I could see. I can't see the mayor pro tem, I can't see councilmember harper-madison.

>> Garza: Can you hear me?

>> Mayor Adler: Yes.

>> Garza: Y'all are all blank, but I can see a bunch of initials.

>> Mayor Adler: That's okay. We can hear you. You're voting aye?

>> Garza: Yes.

>> Mayor Adler: Okay. So the record will reflect that as well. All ayes, can't see councilmember harper-madison. So I think councilmember tovo that takes care of your amendments. Further amendments on this

[5:15:37 PM]

item 52. Are there any further items on item 52? Councilmember kitchen?

>> Kitchen: I just want to mentioned it before, but I wanted to let people know that with my -- with my co-sponsors I'll be filing a resolution for October 15th for people's consideration to see how we might approach visitor information centers as they relate to some of our iconic -- iconic music venues who attract tourists from really all over the world. So that's just a head's up. I will get it posted by next Friday and so everyone will have a chance to take a look at it and then we can talk about it at the work session too.

>> Mayor Adler: Okay. All right. Let's take a vote then on item number 52.

[5:16:37 PM]

Those in favor of 52 please raise your hand?

>> Casar: Mayor? I know you're trying to wrap up the item, but --

>> Mayor Adler: That's okay.

>> Casar: Sorry that I had to hop on and off. I've been dealing with a pretty mean headache today. It's hard to look at the screen. I had a couple of questions that I just wanted to confirm with director Briseno really briefly just about some of the equity stuff and worker stuff that had been raised to us. I think pretty easy for us to deal with, but I wanted to confirm a few things with her.

>> Mayor Adler: Okay. You're there? Hi. So obviously the main goal here is to save venues and restaurants and to support our childcare centers, and that is the core goal we've had apart from the

testimony of a decent number of people reach out about making sure that a recovery when places are saved are as fair and

[5:17:37 PM]

inclusive as possible. And so just -- I think that you, director, are working hard on that, but I think it's important just to make that transparent here. So my quick questions for you are that I understand that the music commission is working on a process around equity for musicians and music workers. Musicians for marginalized communities, in particular black and immigrant musicians have reached out pretty consistently about disparate treatment in the industry pre-pandemic, and so my understanding is if you could confirm for us that you will ensure venues that do get saved dollars and then when they do recover that those venues commit to a process of meeting with groups of musicians and music workers so that the post-pandemic music economy here is more inclusive, more fair, has improved working conditions and some common sense professional standards for everyone regardless of background. That makes a lot of sense to me, but I wanted to make sure that's something that's

[5:18:38 PM]

out there and you can confirm that or correct anything I've said that's off.

>> Councilmember, that is the priority of ours. We are working closely as a department and all our programming to make sure that equity is at the forefront. And we're working closely with the equity office and closely with both the music and arts commission in that regard. Our consultant that is working with us on our cultural contracts is also engaged with the music commission so this is an ongoing discussion and priority and we will be bringing forward a program that applies equity as a top priority.

>> Casar: Part of that, across all of the categories, be it childcare, restaurants, bars, venues, are y'all going to be making sure that those businesses that are showing a real commitment to equity and fair pay are given extra support or some sort of preference or incentivized as part of saves?

[5:19:43 PM]

We have a framework to apply. We also applied an equity matrix on the programs -- on some of the programs that we've already put out and I'm sure we will utilize some of those same things too with the saves programs.

>> Casar: And when we got a lot of folks reaching out for us to apply some of the protections that we have applied at places like the Zach Scott theater, temp employees, but that usually applies when we own a building. So I anticipate that if we're buying anyone out that you would come back and talk to us

about that? But if in the case where it's like smaller grants and not us owning a property, my understanding is we usually have rules that say you can't be breaking the law or hurting anybody? You could lose city money for that. And I don't know of any -- any of the -- and I actually know many business owners that came and testified that have really high worker standards, but on the issue

[5:20:43 PM]

of workers' rights, if somebody is violating safety rules for workers or other basic workplace laws and protections, that's something that we often times say is like a breach of our agreements. Is that something that we would expect here?

>> Casar: Thank you for all of that and I'm looking forward to not just passing this, but the continued work in the coming meetings to add more money and to provide more help because it is really important for us to save these iconic places and then I'm glad that we're thinking about how it is that we make -- we have as equitable of a recovery and don't forget that things weren't perfect before this and that we want to make things better on the other

[5:21:44 PM]

side. Thank you. Six mailbox you're muted.

>> Mayor Adler: That's a same. I was halfway through the agenda. Those in favor of 52 please raise your hand? Those opposed? I think it's unanimous and I think we can see everybody. Congratulations. This is a really important thing for us to do for the city. I really appreciate staff's work in getting so much accomplished in this regard so fast and recognizing that the individualized approach, which saves calls for with respect to these is also going to be a significant time commitment in bringing in other folks and expertise because to actually do this and do this well and to leverage the dollars is going to be a lot of work.

[5:22:45 PM]

So thank you. All right. That gets us up to item number 53. Is there a motion to indefinitely postpone item number 53? Councilmember alter makes the motion. Seconded by the mayor pro tem. Any discussion? Those in favor please raise your hand? Those opposed? It's unanimous on the dais.

>> Mayor Adler: That takes us to item number 54. Councilmember tovo?

>> Tovo: I have a quick

[5:23:47 PM]

and easy amendment. I wanted to say something I said before, but it bears repeating. It's been a long time in progress and I so often we're working on issues that have started long before we came to the dais in this case mayor pro tem and our state representative start it had and put it into light today. I wanted to recognize my staff who I recognized before, but I think too it's important to recognize their contribution in seeing this in seeing this to fruition. John and holly on my staff worked really closely over a period of a couple of years with our city staff, went to New York on a delegation of city staff to see their edc in action. Ashley Richardson is the reason that we have childcare embedded within this. This was her idea of the economic development corporation could maybe affect some change with

[5:24:48 PM]

regard to childcare in the city and the two of them and their work on this really effectively and well over the last couple of years. So I appreciate them very much as well as our city staff. This is going to be a terrific -- a terrific entity to have and I think that what -- what we free the economic development corporation is going to be important for all of the projects that within it. So thank you for the economic development and the finance staff for all their good work. >>

>> Mayor Adler: Okay. We have some amendments on this to call up. First let's begin with the staff amendment. Does staff want to go first?

>> We should clarify this was not a staff amendment, this was information that staff received in response to a conversation on Tuesday. But I'll let our legal --

>> Mayor Adler: Should we ask -- let's ask councilmembers to bring them and let's see what gets

[5:25:50 PM]

missed, if there's anything that's missed. Councilmember kitchen.

>> Kitchen: Yes. I have an amendment that's -- I think it's two of the ones that you're referring to. And I have a total of three amendments and they're on two different pieces of paper. So the first one I'll take up is the one that -- that takes two of the items off of what the staff had circled for us. And so let me speak to that one. And I think it's titled additional kitchen amendments to 56 -- 55 it should be, sorry. Okay. So the first one has to do with appointment of the board. So this is appointment of the interim and the initial board. And what -- I'll say what the motion is and then I'll explain it. So I move that the interim

[5:26:50 PM]

board be appointed immediately to serve until the board is appointed following the process detailed in article 2, section 1. The interim board shall be places 1 through 6 as

follows: Places 1 through 4 are various staff members. Place one is director of the economic development department. Place two is director of city neighborhood housing and community development. Place three is the chief equity officer. Place four is the chief financial officer. Place five is the city of Austin arts commission chair. And place six is the city of Austin music commission chair. And then the second part of that is I further move that the process detailed in article 2, section 1 for appointment of the board of directors be completed no later than January 1st, 2021.

>> Mayor Adler: Hang on. Is there a is second to this amendment?

[5:27:55 PM]

Councilmember pool seconds it. Is there any objection to this amendment?

>> Kitchen: I was going to explain it.

>> Mayor Adler: If everybody was okay with it then you wouldn't need to, but I do see some hands that are raised. So councilmember kitchen, you made the motion. You can discuss it.

>> Kitchen: Yeah. It's just -- it might be helpful because it's a little confusing. So I think most people understand that you have your incorporators and so the incorporators are listed in the articles of incorporation. And they're the folks that just sign on to get it signed off on as a legal document. In the bylaws itself in the bylaws, article 2, section 1, there's a statement that the council may appoint an interim board, and the interim board will serve

[5:28:55 PM]

until such time as the complete board can be put in place. It's going to take a little bit longer for the complete board to be put in place because the list of places, I think there's 18 places there or something like that that the staff has put into the bylaws and is recommending will take some time to identify who those people are. The first six of those places are pretty straightforward to identify so what my amendment does is say okay, we'll have an interim board and the interim board is place one through six and the appointment of the full board will occur by the first of next year, by January 1st. We need an interim board because the incorporators don't act as a board. Their function is simply to sign the legal documents and get the thing going. That's why I was bringing this forward. And the -- the places 1 through 6 that I'm proposing to be the interim board,

[5:29:57 PM]

that's following the -- I worked with staff on that and it was following who they were recommending to be the interim board because those places are hard to fill.

>> Mayor Adler: It's been moved and seconded. Discussion? Mayor pro tem.

>> Garza: My only question or suggestion would be for place five and six. As you have in all the other ones, or their nominee. If you're a chair and you can't have the time commitment maybe you could give that to somebody else and we didn't want to have -- sometimes we have quorum issues with this kind of thing so that was just my thought.

>> Kitchen: Yeah, I agree. Thank you for pointing that out.

>> Mayor Adler: Do you have objection to that change being made? Okay.

>> Flannigan: Mayor, I wanted to be clear are we saying it's the commission's nominee or the chair's nominee?

>> Garza: I was going to suggest the commission, but

[5:30:57 PM]

I'm agnostic.

>> Flannigan: It was just unclear.

>> So it would say the commission chair or as otherwise designated by the commission. Any objection to that language being added, commission chair or as otherwise designated by the commission? Then that's added for both of those spots. Further discussion? Councilmember alter?

>> Alter:

>> I wanted to ask staff if it could be completed by February per 21st. So if it doesn't get created we have a problem. I'm fine with that being the goal. I'm not sure how realistic it is if we also want this body to be doing a lot of stuff on the cultural trust and hiring the person and I just don't know if that's a reasonable time frame or not. I'm sure it's a great goal,

[5:31:59 PM]

but I wanted to get input from staff.

>> I think director Briseno was trying to unmute.

>> I was trying to unmute. We are going to work diligently towards that goal. I do believe that if we run into hiccups we can bring the bylaws back or there's alternatives that we can put in place if necessary. We would like the board as a whole in place because we would like the president and CEO to be chosen -- to be voted on by the entire board and not the interim board.

>> Thank you. That clarifies for me then. As long as we have a -- does legal agree that there are ways around this if we don't make that deadline?

>> We'll make it work out.

[5:32:59 PM]

>> Mayor Adler: Further discussion? Okay. Let's take a vote. Those in favor of this kitchen amendment please raise your hand? Those opposed? It's unanimous and I think we can see everybody. I don't see councilmember Casar. Oh, okay, we have everybody. Okay, another amendment.

>> Kitchen: Okay. This one I actually picked it up because I wasn't -- it was actually suggested by other councilmembers, councilmember Flannigan and Casar. So I just picked it up because I wasn't sure if they were going to bring it. So --

>> Mayor Adler: Any objection to that being

[5:34:00 PM]

included? Hearing none that's included. And councilmember kitchen, you have one more amendment?

>> I do. And this one relates to the creation of the cultural advisory committee --

>> Mayor Adler: Is there a second to the amendment to create the cultural advisory committee. Councilmember pool brings -- is there any objection to that amendment. That amendment is included.

>> Flannigan: I had an amendment. I had one amendment that I want to urge. It is the first amendment on the staff's document that would change the act of the majority of directors present at a meeting to the act of majority of total directors appointed by the council.

[5:35:07 PM]

>> Mayor Adler: Is there any objection to this amendment?

>> Tovo: Mayor, I don't have an objection, but could I ask a question, please?

>> Mayor Adler: Go ahead.

>> Tovo: Councilmember Flannigan, I know you talked about this on Tuesday. Could you walk me through again the rationale for this?

>> This is like I think that I'm sure we have all experienced serving on different non-profit boards. If it you have 10 board members and six show up to the meeting, then can you take an action with four votes. But four is less than half of 10. So it doesn't work the way the city council works where it's a majority of those appointed. On so I'm making that change to ensure that this body operates the same way that we do in that respect. To be clear with law, it's not the -- the total of 21. It is the total of those appointed. So if we've appointed 19 of the 21 then it's 19 is the denominator, I guess is the question.

>> Tovo: Okay, thank you.

[5:36:27 PM]

>> Mayor Adler: Any objection to the Flannigan amendment? Hearing none that's included. Do we have an amendment from councilmember Flannigan?

-- councilmember alter.

>> Alter: I have an amendment that I would like to include which is exhibit B of the bylaws, article 2, to require that all board members shall be required to submit financial statements in the same manner as city appointees to the boards and commissions as listed in 727-c. And if I have a second I'll

[indiscernible].

>> Mayor Adler: Is there a second to this? Thank you. Is there an objection to this amendment? Hearing none it's amend as added.

>> I wanted to clarify this is supposed to be written so they have the same requirements for financial disclosure as the sovereign boards do.

[5:37:27 PM]

>> Councilmember tovo, did you have an amendment?

>> Tovo: I do. And he has done a terrific job and just helped our city I think through this conversation over the last couple of years. It's my understanding he's also involved in the cultural assets mapping, which is a component of this conversation about the economic development corporation. And I know it is very much a part of the way that the edc has been conceived that homework preservation would be an element. But I'm putting forward a couple of quick changes. One would call out historic preservation in a list of representative -- in a list of representatives, but it also creates a place for a local historic preservationist. And then just remembers 19 to 20. So it it still keeps an odd

[5:38:28 PM]

be number of board members because the 20th is the ex-officio president. It does -- as I look at edc's that have been successful around the country because of great presentations that Austin has sponsored and other groups here have sponsored, very often as they look for the assets, that can really be anchors for economic development around them, very often they are historic properties if we look at red river cultural district or sixth square area along east 11th and 12th. Very often those are historic structures at the center of this. So having that perspective on the board that --

[inaudible].

>> Mayor Adler: Tovo amendment, is there a second? Councilmember harper-madison seconds that. Is there any objection to that amendment being included? Hearing none, that's included. Mayor pro tem?

[5:39:33 PM]

>> What were we just talking about? What's the amendment? Is it the description of the different places one through 20?

>> It is.

>> Yes.

>> Is the top --

>> Is that all it's doing. So my question was when I saw this -- sorry. The part that says the composition of the board shall consist, is that already in there? It's already in the amendment as well?

>> Tovo: Thanks for the question. The only thing that's changing is the blue section and I apologize for the lightness of it. So the composition, all that, the only thing I'm doing is adding historic preservation to that description. That description already exists in it and having the place and then renumbering.

>> I guess I'll just voice a concern and I don't want

[5:40:34 PM]

to -- I don't want to make this conversation go much longer, but when I read this, you know, the second sentence says further each representative shall possess, demonstratable skills or experience and then it lists all those things. I feel like I could maybe qualify only because I've been a councilmember, but I'm just curious how, let's say -- maybe reading it wrong so it's saying the childcare representative would have to demonstrate skill in public-private partnerships, infrastructure of transportation, real estate

development, construction, urban regional planning, historic preservation, finance creative -- is that saying that every single place would have to demonstrate skill in that area?

>> In all the areas, is that what you're asking?

>> Is that what that

[5:41:35 PM]

sentence isization?

>> Mayor Adler: I can't imagine it would. Ann, does that require that interpretation?

>> I think we can perhaps fix that by an or in there. And your point is well taken.

>> And what would you change? >>

>> Garza: I was confused about -- I had a long discussion about who can and can't be on the planning commission and then if there's some kind of political shift and then, you know, place seven, eight and 24, whatever, you shouldn't be on there because you haven't -- you don't have demonstratable skills. And then we get into a discussion about what that means so that sentence was a concern of mine if it's in there.

>> Mayor Adler: So I guess

[5:42:35 PM]

the issue is it's not each representative. It's the board shall. Contain these areas of expertise. Councilmember Flannigan.

>> Flannigan: Mayor, I think if I heard our city attorney, I think if you just changed the end of that sentence to say or workforce, it then becomes one instead of all.

>> Mayor Adler: Good job. Does anybody have any objection to changing the in in that sentence to or.

>> Flannigan: Good job and.

>> Mayor Adler: Hearing no objection that change is made. Thank you, mayor pro tem. Any further discussion on the tovo amendment? Any objection to the tovo amendment? Hearing none, the tovo amendment is in. Let's now take a vote of item 55. Those in favor of 55 as amended --

>> Kitchen: Mayor? I want to ask some staff

[5:43:37 PM]

some things, but it's actually for what happens next. So we could go ahead and vote if I can talk after that.

>> Mayor Adler: Okay. Let's go ahead and vote. Those in favor of item 55 please change your hand? Those opposed? It's unanimous on the dais. 55 passes. Ann, you wanted to ask a question? Wait. Before we do that, sorry, director Briseno, did you want to identify certain names?

>> Yes, mayor. As part of the motion if you could include the appointment of the interim board. We gave you a list of the positions they would hold, but I want to specify names so we know who that board is.

>> Mayor Adler: So the kitchen amendment had some names in it. It had you or your nominee, Ms. Truelove or her nominee. Oaks or his nominee.

[5:44:40 PM]

Dombroski or his nominee. And then it has the city art commission chair and I think we added the language, or otherwise as designated by the commission. We did that for both places five and six.

>> Correct. >>

>> Mayor Adler: And what additions would you like to make to that motion?

>> We want to specify whereas the individual director or their nominee. So it will be myself as economic development director. It will be Rosie Truelove as the director of housing and planning. It will be Kelly Coleman in the equity office that is Brian Oaks' designee. Mark Dombroski, our interim financial officer will be appointed. And then Rick Karney, our music commission chair and Jaime Castillo or arts commission chair. And I would like to add that we checked with both of those individuals and they are comfortable serving on we're good with that as well.

>> Mayor Adler: So we'll change Brian Oaks' name to Kelly's name.

[5:45:40 PM]

We'll put in the name of the commission chair for both five and six, but our earlier amendment still stands is there a motion to reconsider?

>> Mayor Adler: So it passes with the three name changes those in favor please raise your hand? Those opposed? It's the same unanimous vote. Thank you. Councilmember Kitchen, you had some questions you wanted to ask?

>> Kitchen: Yes, quickly I wanted to talk about next steps. And particularly about staffing moving forward or actually support I guess is

[5:46:41 PM]

a better word because we now have a great organization as soon as these are filed that's in a start-up mode and as a start-up that requires a lot of time and expertise. So I've had some conversations with acm Rodney Gonzalez as well as with director Briseno. I would just ask you all or one of you, I'm not sure who should speak, maybe Rodney, employ what the thinking is. I had suggested, for example, that there be continued -- continued contracting with owe the consultant because he could be of assistance in the start-up phase as well as he might have -- that he would have access to people with particular expertise to get this up and running.

[5:47:44 PM]

So director Briseno, I don't know if you should speak to that or acm Gonzalez.

>> It's acm Gonzalez. I apologize my camera hasn't been working since the lunch break and I haven't had a chance to reboot it. My apologies. We are completely behind getting this corporation up and running as quickly as possible. As you've seen, director Briseno will be our interim president for the corporation. We do intend and we've checked with him to utilize our consultant to help support staff and help support the great work that Veronica and her staff will be doing. So Matt is on board. And to the degree we need to bring council a modified contract in that regard we will certainly do so. We are eager to get to work on the corporation and getting it underway. And director Briseno, if

[5:48:45 PM]

there's anything else that you would like to add. >>

>> We're good.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: One last question, but while we're here in case we need to do something to fix it, I better ask because director Briseno, we just put you into place one so I don't know if you can serve as a board member in place one and also serve as the interim president and CEO because that's place 19, which is ex-officio. So I don't know if we're creating some kind of conflict. I just pose that for legal. We can fix it later if it's a problem. I don't know if it's even a problem, but I thought I should point it out in case you need us to do something about that. So I guess that's a question for legal.

>> This is Lela fireside for

[5:49:52 PM]

the legal department. Outside counsel sell has been working on it and as long as you're okay with us making any conforming changes on this in order to make sure that the documents are consistent with the appointments that you've made I'm sure that we can make that work.

>> Kitchen: I'm not sure what a conforming amendment is because we just talked in terms of the whole council needing to approve amendments. So if you're talking about something temporary, you know, I --

>> I'm talking about since you have appointed Veronica to place one and you have also made her president that it would be making that president position to place one.

>> Mayor Adler: My sense is that in this case there are two positions. One could be the director or her designee. And one is the president and

[5:50:52 PM]

company. It seems as if director Briseno just appointed a designee then that person would serve in place one and she would serve in place 20 so long as she was doing that. And at some point in the future if there was a different CEO then she would then or could move to her position in number one. And it doesn't bother me to have her designee part of it as one as well as her ex-officio in '20. Does that seem okay to you, Ann?

>> I just didn't want us to set up something internal that was -- set up something that was not in compliance with the bylaws and I don't want to change it for the future because -- you know, this is just a unique circumstance so I wouldn't want our president on an ongoing basis to be able to fill one of the board positions. So I think it's better

[5:51:52 PM]

perhaps the way you suggested it unless y'all need to conform it as a temporary measure.

>> Mayor Adler: I think it will just be an interim, temporary deal and it works and the wording allows for that. Okay. All right. So let's move. We have one item left. I hope it won't take that long. We are queued up to play walk with me Austin as we end our council meeting here today so we have something to look forward to. Let's handle the last item. It's item number 57. Is there a motion to approve item number 57? Is councilmember tovo.

>> Tovo: Mayor, I'll move approval and then I have an amendment.

>> Mayor Adler: Okay. Is there a second to this motion? Councilmember alter will second it. Councilmember tovo, you have an amendment.

>> Tovo: Yes, I do. And it's posted on the agenda -- I mean on the message board and I -- gosh,

[5:52:55 PM]

I'm so tired -- circulated it. Thank you, Katie powers for circulating those amendments today. This would ask our manager to negotiate an extension of a contract to provide an additional \$1.5 million in funding, which would extend this contract through the end of this calendar year. I am asking the manager to consider different sources of funding, including the sales tax that's also being tapped for the saves resolution, but also to look toward other unallocated or unexpended funds. We've had a conversation over the last couple of weeks about that one contract that had come to council that could be a source of funding, at least some of that probably is within the departmental budgets [indiscernible]. And it's also asking that if the manager would intend to proposal alternative sources of funding if he could provide those to us by 10-8 so we could put something different on the council agenda for the 15th.

[5:53:59 PM]

I've spoken about this program in the past and it's particularly important that we continue it. It's providing not just a really important basic need during a time when so many in our community are facing food insecurity, but it also has been a very important economic development program. And given the conversation we've had throughout the day about our restaurants and the businesses, the real challenges they're facing, this is supporting multiple

[indiscernible]. Aisd and I believe del valle have fully used the funding they have gotten from the city of Austin to local restaurants to supply that food. I think it's del valle. This is kind of connecting those two things and making it clear that that's our expectation for that additional money.

>> Mayor Adler: Okay. There's been an amendment

[5:55:00 PM]

offered. Any objection to this amendment?

>> Tovo: [Indiscernible].

>> Mayor Adler: Manager?

>> Councilmember, I know this has been put forward as a ratification of this contract. I want to say we can move forward with this direction or something we would have to have as a separate item. I don't know if we have legal or aph. We're just seeing this for the first time so I apologize.

>> This is Ann. I do think it would be more appropriate to have this come back as an actual item next time to ask for this expenditure of funds because the posting we have is to ratify an amendment number two which is for \$369,000 for a total contract of 2,689,000. And you're asking us to go ahead and spend money and ask you to ratify it next time. So I think an amendment

[5:56:02 PM]

would be better served if this asks the manager to explore this extension of the contract and maybe bring it back next time. Rather than spend the money right now.

>> Tovo: So -- thank you, Ann. I did get some very useful real late night information from your staff which I appreciate which said I could not amend the amount. So I was trying to stay within that, but I'm not amending because I don't have an ability today on this posting language to

[indiscernible]. One of my directions similar to what the mayor did with the sales tax item that we took up earlier, we don't have the ability today to act on that allocation from sales tax, but yet we provided direction and voted on it to effect that -- to basically make that funding available immediately for

[5:57:03 PM]

that. Can somebody help me understand how I would tweak this to do the same thing? Basically we're not -- we weren't posted to expend sales tax in that way today either, but we provided direction that allows the staff to get to work in getting that funding with the understanding that I guess next time we'll vote on that budget amendment that would effect the change of the sales tax. What I'm trying to do is exactly the same thing, provide direction to the manager that allows him to go forward and negotiate a contract, an extension of that contract because the caregiver meals are about to end. Possibly next week.

>> Mayor Adler: So Kathie, in this case the 375 that we can approve now will stop it from ending. The manager knows that we're giving direction -- if we want to do this the way we did the other one, then it really -- the actual money

[5:58:05 PM]

doesn't get appropriated until two weeks from now. But the manager knows that it's going to be appropriated by the vote of the council now. They couldn't actually spend that amount of money until then. I guess you could renegotiate a contract, but that makes it subject to passage on the 15th of the budget amendment associated with that. But the direction is to proceed assuming that we're going to pass a budget amendment so as to allocate.

>> Tovo: To be clear, today is a ratification, so the money that we're ratifying is what allowed them to extend the program to now. So it's not providing funding beyond this week. So I appreciate the challenges, the legal challenges here. I was trying to craft it in such a way that it allowed that -- it allowed that work -- it allowed the

[5:59:08 PM]

manager to negotiate that and potentially allocate some funding to it for the next couple of weeks before the vote on the 10-15 since it seems like that's what we're doing with the saves resolution.

>> I do want to be clear on the saves resolution, the employees will not be spending any money that has not been allocated, until it comes back for a vote to go forward with it, but I'm not sure. On this particular item, you know, it would be appropriate to -- because the middle of the night conversations about you can't go above the amount that was in the posting, it would have been, I think, appropriate to give direction that we want the manager to make every effort to make this program, and present something on the 15th with the ability to continue the program.

>> So I think -- so one problem

[6:00:10 PM]

it seems like with my direction is that it talks about ratification. Though that would be an option open to the manager. He could continue it. He could continue it and then come back for ratification on 10-15. But perhaps in the direction, would it help the situation if I changed from ratification to deliberation? Bring this item to council for deliberation? Or for consideration? On 10-15?

>> I think what you're asking the manager to do is to look at every option to continue the contract as it exists. And I think I see director Hayden is on there, that perhaps that's what they're willing to absolutely want to do.

>> Tovo: I was trying to be a bit more descriptive about it, and go ahead and consider it.

>> Mayor Adler: I think what

[6:01:11 PM]

you're hearing is that you're all but prescriptive, because I can't be prescriptive. But you can be all but prescriptive, you've accomplished that.

>> Tovo: Okay. So I will continue with my motion, having swapped out ratification for deliberation.

>> Mayor Adler: Say that again, Kathy?

>> Tovo: You have concerns about that, Ann?

>> I think it's the same concern. You're directing today for the manager to spend 1 million \$500. I think you're asking the manager to -- negotiate a

[6:02:12 PM]

contract and bring it back on the 15th of October.

>> Mayor Adler: You're saying strike the words "For ratification." But then we add the words "Uninterrupted extension of this contract." City manager shall negotiate an uninterrupted extension of this contract? And bring it to council at its 10-15-20 meeting. I think that's as close to being nondescriptive as you can, because it will be difficult for the manager to have to resolve. We're just asking him to negotiate an uninterrupted contract

>> Right. I don't know, director Hayden, if you're trying to jump in there.

>> Yes. Bethany Hayden, director, Austin public health. Because we are in the middle of the pandemic, you all have granted us the authority to have

[6:03:14 PM]

these conversations. If we're able to locate the funding, we can go ahead and move forward and do the ratification, or additional funding which would be the 1.5, for example, and then we could bring it back on the 15th. Because you've already given us the authorization to do that. And that's why we did this one this way, because we knew we needed to go ahead and keep the meals going. And so staff, you know, are continuing to look for those funds. You know, we'll connect with the budget office as well. But this -- we already have that approval from the full council to do that.

>> Mayor Adler: Ann, does this solve your issue?

>> I think that's fine. I might suggest the language the city manager is directed to

[6:04:16 PM]

explore options to include negotiation, an additional amendment. Of this contract. And leave it the same after that. That would help, I think, on the legal aspect.

>> Mayor Adler: Say that again?

>> The city manager is directed to explore options to include negotiation of an additional amendment to this contract to provide 1,500,000.

>> Mayor Adler: And keep the word ratification.

>> Because you will be ratifying.

>> Mayor Adler: If the manager acts, we could ratify it, based on the pandemic issues that we have.

>> Right.

>> Mayor Adler: Kathy, does that work for you?

>> Tovo: I couldn't follow of the additional language, but I believe so, yeah. I mean, I think -- it doesn't work as well as what I put

[6:05:17 PM]

forward, but obviously it's going to work for -- I mean, I think what I want to be sure of is that, if this passes as direction, that we all leave this with the understanding that there's a strong support for using our sales tax, or some other available means to do it. And that there's -- again, that there's support for doing that, not just to kind of explore whether it's possible. And I want to just really say thank you to our staff. I don't want to belabor this, but I know we come back again and again and ask you to identify funding for it. So thank you. It's been a tremendous program, and it wouldn't have happened without the staff. We've asked you to continue to look for funding, and you've found the additional 300-plus. But at this point,

(indiscernible) Spend the sales tax.

[6:06:17 PM]

So hopefully --

>> Mayor Adler: Okay. Any objection to including the language that was recited by Ann? Hearing none, that language is added. Now let's take a vote on 57 as amended. Those in favor of the -- well, actual liane's was -- that's right, Ann's language was adopted, now we're going to vote on the tovo amendment as amended with this direction. Any objection to the tovo amendment as amended? Hearing none. It's included. Vote on 57, those in favor, please raise your hand. Those opposed? 57 passes. All right.

Colleagues, those are all the items on our agenda. We're going to close out this meeting by playing "Walk with me Austin." I think staff has set that up.

[6:07:17 PM]

This is a song that was created by Austin musicians, producers. The mayor of Louisville just post-pandemic starting and everything that was happening in Louisville happened, challenged other cities to come up with a music video that might express the will and culture, or sentiment of the cities. He did one in Louisville. Had his community do one. It was pretty good. A bunch of cities have taken on that challenge. Ours is the best. We brought the concept here. There was a group of folks in the city that put the money toward this. I live here, I give here, but also, just a score of

[6:08:17 PM]

individuals put money together. It provided real employment for artists that in a period of time there was none. But Adrian has acted as the producer/director. You'll see many of the artists that you would see in our city. A lot of people worked on this. There's ability to go online and download this song, for like \$2, if somebody wants to do that. The money all goes to hamm. You can actually get merchandising for this. The money all goes to hamm. And if this gets legs, and ends up somewhere, all the money will go to hamm. So I'm going to adjourn the meeting, let the song play us out. I urge everybody to enjoy it. But I urge everybody to actually

[6:09:19 PM]

buy some of the merchandise, or buy the song, or otherwise go and support hamm. So what do you think, staff, can we do this? After that buildup? 🎵

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>> Mayor Adler: Don't anybody leave yet while we're playing credits, because there's actually more to this video. That did not do this justice. So we're going to post it onto the message board. And actually pull it up. And I suggest that you go ahead -- and this is just kind of a teaser taste of the song. And with that, colleagues, it's 6:15 P.M. This meeting is adjourned. .

[6:16:54 PM]

>> The video puts in relief of what's at stake, and what we worked on so much these past few weeks, and what people were advocating for. You know, it's an inspirational video, but also it feels really hard to watch, knowing what it is that we're all here fighting for. I just want to congratulate those two musicians for their big week this week.

>> Mayor Adler: Thank you. The post is up. Good work today, guys. This meeting is adjourned. Take care.