

# City Council Special Called Meeting Transcript – 02/09/2021

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[9:04:18 AM]

>> Mayor Adler: I'm going to go ahead and call to order today's meeting here on February 9th, 2021. This is Tuesday. This is the city council special called meeting. It is 9:04. Colleagues, we're going to begin today with the covid briefing and then let Dr. Escott and director Hayden go over to the county. The reason we're not doing it together today is they had some business to take care of this morning and also it would have delayed the start of the meeting to closer to 10:00. But we have other business we need to take care of today so we're going to start here at 9:00. My hope is we get back to the joint briefings because I think that worked well. We have a hard stop at 11, if we're not done by then.

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If not we'll let them. When we get to the q&a part we'll try to do what we did with the county K let everyone have a chance ask questions and we'll do that until they need to leave. At 11:00 we have some speakers that are signed up to speak on our action items today, which the matters concern the election. We'll let each of those speakers speak for up to three minutes. That would be about an hour and a half of speakers. And then it's anticipated we can break for lunch. After lunch we'll reconvene back in executive session to talk about any matters to deal with and then we will come out to the dais to finish off the meeting today. If we can take action today with a vote of seven votes then we could be done today. If our approvals today have

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six votes, we have meetings scheduled for tomorrow and the next day. Does that make sense? With that, manager, I'll turn it over to you. The community has gotten into a routine now as does the media to see these slides and data as it comes out on Tuesday. And again, thank you to Dr. Escott and to Dr. Hayden-howard. The numbers seem to keep going down in community. We have to maintain that vigilance. It looks like we may be pointed in the right next, although I'm nervous about the vair why not and we'll talk about that too. Manager.

>> Cronk: Thank you, mayor and council. Just a clarification from Dr. Escott and Dr. Hayden Howard. Did you need to leave at

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10:00 or 11?

>> Dr. Escott: 10.

>> Cronk: So to manage expectations, we have an hour with this presentation and briefing. As you noted this is one of our regular beatings and we'll begin with Dr. Escott and then begin that and then turn it over to Dr. Hayden Howard. Dr. Escott.

>> Dr. Escott: Thank you, Spencer. If I could have av pull up the slides. Next slide, please. So mayor and council, yesterday we reported 4 survey new cases of covid-19 in Travis county, which brings us to a moving average of 410. That puts our peak 24 days ago and we've seen a 42% decline in the moving average of new cases .

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Since January the 17th. So as the mayor said, we are certainly moving in a much better direction now. Next slide, please. This is an update of our graph of our new admissions to the hospital. Again, the new admissions has been our key indicator for our staging of community risk. Yesterday we reported 44 admissions to the hospital with a moving average which is down to 55. That puts our peak a month ago on January the 9th. Since then we've experienced a 41% decrease in the moving average of new admissions. So again more good news in terms of our covid-19 transmission here in Austin and Travis county. Next slide, please. The good news continues. This is an update of our hospitalizations, our icu utilization and ventilator use. Our hospitalizations yesterday were at 446 with a

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moving average of 473. That puts our peak for hospitalizations 21 days ago in and is a 22% decrease since the 19th of January. Our ICU's 133 yesterday with a moving average of 140. Peak was 24 days ago and a 24% decrease since January the 16th. So again, all those numbers are moving in the right direction and certainly this is a testament to what our community has done together to decrease transmission and put ourselves in a better situation. Next slide, please. Some updates on other things which have contributed to that. One is the regional infusion center. This is a partnership with the Texas division of emergency management and we're grateful for the state's support of this facility. They opened on January 6th

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and since then have treated almost 550 individuals free of charge with the monoclonal antibiotic therapy those that have a high risk of severe disease. They continue to have a capacity of about 90 individuals a day. There's been a regional call center set up and we have sent out multiple reminders to our clinical community to refer folks in here who meet the criteria. This is where a physician does need to refer you or a clinician. So please monitor that situation if you have a patient that is available or that needs this infusion. It is available free of charge. Again, we have more capacity than people right now so we're happy to fit folks in where we can. Next slide, please. One of the other things that's helped decrease the

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issue with our hospitals and surge in the hospitals is the launch of our alternate care site at the Austin convention center. Again, a partnership between us and the Texas division of emergency management. Currently there are 39 individuals in the alternate care site. There are an additional 64 individuals who have been treated and released from that facility. So more than 100 so far treated through this facility. The capacity currently is up to 50, so there's still room to utilize this for other folks. And again, these are folks who were referred from the hospital after they've stabilized and the determination has been made by the clinical staff that they're suitable for transfer to this facility. Looking after primarily low and moderate acuity patients. So this has also helped to decompress the hospitals and put us in a better situation in terms of our hospital capacity. Next slide, please.

[9:12:36 AM]

So an update on what's going on in the other metro jurisdictions around the state of Texas. Tarrant, the north area, is down to 6.7% as of yesterday in terms of the percentage of hospital beds utilized for COVID-19 patients. The situation continues to improve in other areas. Houston's occupancy is down to 15.4%. El Paso's is stagnating a little bit, around 18%. Dallas-Fort Worth down to a little under 17%. And San

Antonio's tap is down to 15.76%. So again, generally speaking we're seeing lots of jurisdictions which are moving in the right direction in terms of the hospital situation. We've seen lots of other non-metropolitan jurisdictions fall off that list of areas that are surging. So again, the situation

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around the state is certainly improving. Next slide, please. These are the updates from the UT consortium. We are grateful to the team over there who provide these regular updated projections not only for Austin, but for the entire state. This projection is related to the admissions to the hospital in the msa. You can see that we continue in a downward direction. If the disease activity stays about where it is now. So if we continue those projections -- we continue those protected behaviors, the projections indicate to us right now that when they drop under 30 on the moving average of new admissions to the hospital by March the 7th. So again we have to continue the vigilance, continue the masking, distancing, the

[9:14:39 AM]

protective behaviors that have gotten us here. If we can do that, then certainly by the time spring break rolls around we'll be in a much better position. Next slide, please. This is an update of the hospital beds utilization. Again, the projection continues to look favorable. The median projection indicates that we will be under 300 individuals hospitalized on March the first. So again, moving in the right direction. Next slide, please. This is an update on the icu utilization. Again, same projections as the other two looking favorable with the indication that we would move under 100 icu admissions on February the 22nd. So again, we're seeing rapid improvements and all the metrics and certainly the icu, the area that we've been most concerned about, indicates that as soon as

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the next couple of weeks we may be under that 100 mark. So again, all positive news there. Next slide, please. This is an update of the hospitalizations week over week by age group. Again, the 80 plus age group, the dark Orange toward the top, we see a significant decrease in the percentage of individuals in that age group hospitalized last week. We see a decrease in the 70 to 79 age group. Relative flattening of the 50 to 59 and 60 to 69 age groups. We do see in the green and the yellow, increases in the 40 to 49 age group and the 20 to 29 age group. We're also seeing a slight increase in the percentage of the 10 to 19 age group hospitalized. And I'll talk more about that as we look at the positive activity numbers. Next slide, please.

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So what we're seeing here is the numbers of individuals in each category hospitalized week over week. We can see overall we dropped from 400 admissions to the hospital the previous week to 344 last week. So ongoing improvements in the numbers of individuals hospitalized week over week. We see a decrease in the number of individuals in the age group 73 to 84. Last week 70 to 79. 83 to 70. 60 to 87, 50 to 69. We see an increase in that 40 to 49 age group from 27 admissions to 43 there. Big jump there. We're also seeing ongoing high numbers in that 20 to 29 and 10 to 19 age group with week over week. So again, the younger individuals are the lower the risk of hospitalization.

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So when we see higher numbers, when we see increases in those age groups in particular, it indicates that's the -- those are the age groups where we're seeing significant disease spread. So again, as a reminder, people in all age groups need to be aware of the dangers of covid-19. We've been focusing for quite some time on the individuals over the age of 65, but we see people week after week after week in their teens and their 20s and their 30s and their 40s hospitalized for covid-19. So again, we all must be vigilant, protect ourselves so we can protect our household and protect the community. Next slide, please. This is an update of the hospitalizations by race and ethnicity. We see an increase in our latinx community since the previous week to 42.4% of hospitalizations. A decrease in our white

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non-hispanic hospitalizations to 40.8%. Relatively flat 10.7 to 11.5 in our African-American community. So again, we continue to see disproportionate impacts, particularly at our latinx community and our African-American community in terms of both the spread of disease and in the individuals who are hospitalized for covid-19. Next slide, please. This is showing the race and ethnicities by numbers of individuals hospitalized. Again, you see decreases in all of these categories. 142 for our latinx community the previous week to 133 last week. 175 in our white non-hispanic community previous week to 128 last week. So again, the magnitude of decrease in our white non-hispanic population was more substantial than the decrease in the latinx community, which is why we

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saw the percentages flip in terms of if the graphs that I showed on the previous slide. Next slide, please. So some more good news here. This is an update of our positivity by week. Last week with more than 20,000 test results in, our positivity is 9.4%, so significant drop from 12.7 the previous week and 13.4 the

week prior to that. Again, the numbers may change a little bit because there's still data coming in for last week, but it appears fairly consistent that we will be under 10% for last week when we tally all the results in. So again, more good news in terms of the outlook for this week in terms of hospitalizations. Next slide, please. I think we went back. Here we go. This is an update of the

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positivity by race and ethnicity. So our latinx positivity moved from 20% the previous week to 17.1% last week. Our American Indian and Alaska native 18% to 11.4% last week. African-American positivity 12.7% to 9.9%. Asian-american community, 13.3% to 7.3% last week. And our white non-hispanic members of our community, 10.2% the previous week to 7.4% last week. So again, decreases across the board in terms of positivity. They're Stillwell above that -- the three and five percent marks that you see there in the green and red dotted lines. So we have more work to do. We can't let up our guard just yet particularly with the variance that we have confirmed in our community, but what we're doing is working. We need to continue.

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Next slide, please. This is a breakdown of the positivity by age group. Last week we saw our 10 to 19 age group leading in positivity, 12.3%. Our 50 to 59 age group, well above the average positivity at 12%. And our 40 to 49 age group, 11.6%. Again, we are generally seeing decreases across the board in terms of positivity, but the disease is still spreading. It's still out there. There's still -- still significant spread in our community. So we all regardless of age group need to continue those protective actions. Next slide, please. When we look at the positivity in our school age group, these are the numbers for last week. High school and middle school again are significantly above the community average positivity at 13.9% and 12.8%.

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Our elementary and preschools are below that average positivity, 8.1% and 7.3%. We are seeing disease spread in all of these age groups. We are seeing clusters associated particularly with elementary school classrooms with the masking and the distancing and is not as easy as it is in older children. So it is important that as parents we are protecting our children outside of the classrooms. We're continuing the distancing and masking where we can to decrease the risk of spread in the school setting. Next slide, please. Look at the break down of cases reported to Austin public health over the week of the first through the 7th. A total of 254 cases were identified and reported to Austin public health.

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178 students, 72 staff and four in the other category. So visitors to the campus. So a slight decrease from the previous week, but still significant activity associated with students and faculty. Next slide, please. Again, when we look at the impact of covid-19 in the school community, it's not just related to cases, but also those who were exposed. So a total of 1618 close contacts that were identified that are now quarantined. So in particular there is -- has been a significant impact on the schools related to the staff members who either have had covid or who have been exposed to covid. We've had some schools that have had to close downgrade levels because of the impact on faculty. We've had some administrative groups auto schools that have been impacted. So again, we have to

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continue those protective actions in the school setting and outside the school setting to ensure that we can have and maintain the continuity of education. Next slide, please. I do want to mention on the schools, we are continuing to see clusters associated with athletics. We're seeing it move to the spring sports. So now we're seeing it in tennis, we're seeing it in soccer, we're seeing it in basketball. We've seen cases in wrestling. So again, our recommendations to the schools have been if student athletes are participating in those activities that ideally those individuals do remote learning to decrease the risk of spreading to other classmates in the classroom setting. Additionally we have recommended proactive testing for student athletes which includes cheerleading, band and dance to help decrease the spread in schools, particularly in

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circumstances where masking and distancing are not possible. This slide is an update of our dashboard for long-term care facilities, nursing homes and assisted living facilities. In the past 14 days we've seen a significant decrease in cases associated with these facilities. So 123 in the past 14 days. 543 in the previous 28 days. As we've been saying for weeks the the best way to protect these facilities are to decrease community transmission, as we see that we see decreases in cases associated with these facilities. So again, good news for those who are in facilities that are the most vulnerable members of our community. Next slide, please. Again, a quick update on our influenza cases in Travis county. Last week positivity of

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1.22%. Overall positivity 1.08%. So significantly low numbers than we've seen in a long time, perhaps ever in terms of flu. This is a testament to the benefit of that combined strategy of the masking, the distancing, the hand hygiene and vaccinations. So that combination of things for flu has worked very well and we believe that as we have vaccine rollout for covid-19, we can see similar impacts in the long-term for covid-19. Next slide, please. Again, this slide graphs the -- this year's in blue compared to previous years influence activities, influenzalike activity and we can see that it's still hugging the bottom of the curve. One of the challenges that we faced heading into winter was the concern about this twindemic, but it looks like

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we are starting to get through the time period where we face the most significant threat from flu and we're doing very well. So again, this decreases the outside risk of having significant impact from flu, which certainly puts us in a better position overall in terms of the public health and the health care infrastructure. Next slide, please. So mayor and council, due to the data across the board, which is indicating improvement, hospital admissions, positivity, hospitalizations, icu, all of it's improving. The projections continue to look promising. Because of this data we have made the transition effective today to stage 4 of our community based risk guidance. Again, there are some concerns out there. We're concerned about the

[9:28:54 AM]

impact of the super bowl over the past weekend. We're concerned about Valentine's day. We're concerned about the new variants and this means we have to continue the precautions. It's not time to burn the masks yet, but it is time for us to reduce the risk as we have worked together to decrease transmission in this community. Next slide, please. So as a reminder, stage 4 guidelines are that high risk individuals should stay home except for essential trips. Again, for them stage 4 is very similar to stage 5. So these are individuals at risk for disease or individuals who live in a household with somebody who has a high risk for severe disease. Everyone should limit travel to only essential travel, nonessential travel should be delayed. Interactions outside of the

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household should be with masking and distancing in place. Recommending businesses operate at 25 to 50% to again further protect and decrease transmission. And our recommendations for schools, I discussed earlier about proactive testing of student athletes. We're also recommending they limit attendance at sporting events to the minimum number necessary for the event. So players, coaches, staff and parents. So again, if we can hold off on the large gatherings, if we can maintain these



protections, we can continue to push down the positivity rate, our admissions to the hospital and certainly put us at a better position for spring break and Easter. Next slide, please. Mary and council, one other thing I want to mention quickly is the second dose,

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particularly of the modern, which is the one provided to us through Austin public health. There's some lack of clarity on some of these issues so I want to provide some clarity. The CDC did update its guidance on January 21st which extended the window for the modern and pfizer vaccine out to 40 days. It was previously 28 days for the modern shot. So this creates some flexibility in getting that dosage for the second shot. But we still intend to provide that second shot. The other thing I want to mention is that there's a perception out there that the efficacy of the vaccine stops at the 50% mark, which is the efficacy at seven days after the first dose. But that's not really true based upon the data that was submitted to the fda for the eua.

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So that 50.8% efficacy, vaccine efficacy, is after the first dose up to 14 days following the first dose. So that's a brief time period. When we look at the efficacy of the first dose after -- greater than 14 days after the first shot of the modern, it's 92.1%. So the total efficacy from one shot of modern, at least in the data presented so far, is 80.2%. So for folks who are waiting past the 28 days to get their second shot, their immunity is still building based upon this data. Now, there are some limitations to this. This was not an intended arm of the trial. So this group wasn't randomized specifically to be studied for a single dose. It's folks who just ended up only getting one dose. It also is limited in the number of participants to

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2,000, which means the competence rules are wider for this than was done in the study. But this continues reassurance that immunity continues to build after the first dose, which may be as high as 92% after 14 days. With that we'll transition over to the next slide and over to director hayden-howard.

>> Good morning. Stephanie hayden-howard, Austin director of public health. The first slide here, this is a slide that we have changed since our meeting on last week. We know that as things change we want to make sure to provide you the most recent data that we have. And as we move along in the process, we know that this eligibility slide will change. There are several reasons why it will change. One has to do with the availability of the vaccines. And when there

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are more convenience that are available, we will be able to move folks off of the weight list and add them -- and schedule them to our clinics. As you all know, we have over 500,000 people that are registered in our system that are waiting for vaccines, and so we will continue to work through the ones right now that are eligible. We implemented our dashboard on Sunday. This is one of our dashboards that we added and I really want to just remind folks that this is only the vaccine that Austin public health provides in our community. Like several of the other dashboards, it is kind of a week delayed with the data.

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And so as you can see, the week ending of January the 29th of this year. So basically as we look at our focus, we wanted to make sure that we shared that for people that are 65 years of age and older, it's 129,438 people. And as you can see, the breakdown of the demographics. Now, what we have realized is that we are meeting the target to be able to in several of the populations and so we are providing those vaccines that is similar to what the demographic data shows. However, I am concerned because only four percent of the African-American population over the age of 65 has received the vaccine.

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It is really going to be important for us to make sure as we are changing our strategies, meeting with more partners from grassroots organizations as well, we established a faith-based team at the beginning of the pandemic. So our goal is to meet with leaders from the African-American community and talk with them about the importance for them to be able to provide more vaccines to the African-American community. The other concern that I have is that we also must increase the number of vaccines that we are providing to the hispanic population. And one of the reasons that we must focus on these two areas, as you can see with the data that Dr. Escott shared, is that this is where we encountered the high levels of transmission

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of disease. So it's going to be important for us to make sure that we are addressing those populations so one of the things, next slide, please, that as a strategy, we had talked about our call center partnerships so currently Travis county clerk's office is providing some outbound calls for us. We're proactively calling individuals that are 80 years of age and older. And so also we are wanting to really make sure we are targeting individuals that don't have internet access. And so our goal is to register them, to set up that

account and to also schedule those appointments. In addition to that, our Austin public health staff is doing that proactive work as well.

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We've reassigned some folks so they are able to help with those outbound calls. One of the things that we are working on, it is not in place right now, but we are working with 311 to also assist us with incoming calls. So we will provide more information about what that would look like once we meet a little bit more with 311. But we know that what is very important at this time is that we must free up that you nurse line. Right now that nurse line, our medical hotline, is really consumed with calls from individuals that are calling -- whether they're calling about their second dose or whether they're calling about creating their account, we are not able to answer the questions that we need to answer about the vaccine, about testing and about any of the concerns

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that individuals that don't have access to the internet. So we must be able to put other systems in place to free up those lines. Next slide, please. With our update typically as you all know when we receive vaccine coming in and we know we have a vaccine on hand, we like to make sure that it has been physically delivered before we set up appointments. So I understand that some other areas are scheduling folks significantly further out, but as a strategy we have decided that it is best for us to make sure that we physically have the vaccine in hand. As I shared before we will

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be releasing appointments on Tuesdays and Thursdays. These times are definitely going to vary. And we're focusing in on 1a and 1b. In addition to that, we've made a change to when the proactive emails will go out. Last week I received feedback from the public that it would be easier for folks that we are targeting to receive an email the day before. So for example, with this week, on yesterday communication was sent out yesterday to folks to let them know that Tuesday the platform is open for appointment. We will do the same thing going forward that. Gives them T ability to receive the email, read the email and have that awareness about the Tuesday and Thursday appointment. In addition to that, what we

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have been seeing is once those appointments are open is it taken about two hours for all of those slots to be filled. We have received another 12,000 vaccines. We received those yesterday. And so hence that's why we've put out the appointments for this week. Next slide. With the second dose, as Dr. Escott shared earlier, we are definitely going to make sure that individuals that receive their first dose from us, we will schedule their second dose. I understand there is a lot of folks that are very concerned. There is a significant amount of anxiety, but I must -- I can give folks the comfort in knowing that you will definitely receive your

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second dose from us. If you receive your first dose, we are committed to making sure that you receive the second dose from us. Now, if you receive your first dose from a different provider, we have to order the vaccine based upon how we provided the vaccine. So we are asking you to reach back out to that provider and schedule your second dose. And we do ask that you're being patient kind of all the way around. So whether you received it from us or from another provider, we are all definitely going to provide the vaccine to you in the second dose. Next slide. From an operational update, as you all know, we are continuing to work on our registration. We've made some improvements to our design and layout.

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Some of the folks have reached out and said oh, I was excited. I received text message notifications. We've started that process. We'll improve and make some additional modifications. So every week or so we will definitely be providing more enhancements. In addition to that, I talked with you about the mobile vaccines. We have held several meetings with partners. The partners have definitely committed they would be working with us to identify homebound residents. We also know that there's also folks that are not working with an organization. So we will be using our grassroots organization again as well as using media efforts to get the word out

[9:44:11 AM]

to individuals that need the vaccine at home. One of the other things we also would like to share is that we are continuing to complete the assisted living facilities. We have provided vaccines for five of those. We have three more to go. Because during this time we identified an additional of eight of those that need those, and so that is actually a process that is done by our mobile team. They are going to those assisted living facilities and providing these vaccines there. Next slide. So the question most folks ask is what do I do while I'm waiting? We want to make sure that your registration is up to

[9:45:12 AM]

date. You know, we have the correct phone number in the system for you. What staff will do is we have been alerted that vaccines are scheduled to come today, which are going to be our second doses. And so what we are really asking folks to do is to not show up to any of the sites until you have been contacted by Austin public health to schedule your appointment. And so we're asking folks to look out for emails and texts or phone calls from us. We have some folks that have gone through early on that don't have email accounts and so those will be phone calls that we must make for them. And so we are just asking you to be patient T as most of the folks have gone through they received a card

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from us. This is not an appointment card. That is a card for you to remember that you receive your vaccine and the type of vaccine you receive and the time frame of when you are to return. So if your card says February the 11th, do not just show up at Delco. Staff will be calling you to be able to bring you in according to an appointment. Next slide. That completes our presentation and now we're available for questions. Thank you.

>> Mayor Adler: Director, thank you. Colleagues, let's give everybody a chance to ask a quick question and we'll keep moving around. Ann, do you want to start us off?

>> Kitchen: Sure. I didn't know if you wanted

[9:47:12 AM]

to go in council order again or shall I go ahead?

>> Mayor Adler: I've started at the beginning, I've started at the end.

>> Kitchen: Now we're in the middle. I'm smack dab in the middle.

>> Mayor Adler: I'm going to start with you and work my way out towards both ends.

>> Kitchen: Okay. So my question is for -- has to do with the functionality again. And thank you very much for the update and the improvements that have been made and the functionality. I want to make sure -- make sure I'm understanding correctly. We're -- the situation is if you are in 1b, in other words, you're eligible and you're in 1b, you will get a call that will schedule an appointment for you, but only if you're over age 80. If you're under age 80 you register online, and on Tuesdays and Thursdays

[9:48:15 AM]

generally you can attempt to sign up for an appointment. You will get a text notification, but only if you are over age 80 to remind you about the Tuesday and Thursday sign-up. If you're in 1a, there's a separate system for 1a if I'm understanding correctly. Did I get that wrong or did I understand that correctly? >>

>> You got some of it correct. So let's take a step back. So the goal is we are definitely targeting folks that are 80 years of age and older. And so what we have put in place is that instead of contacting them the day of that the appointments will be released, we will be sending them an email -- so not an email, a text message. So for those who set up and

[9:49:16 AM]

have registered accounts.

>> Kitchen: If they're over 80, right?

>> Yes, yes. And our hope is that they'll see the email, they are alerted that appointments will be open on the following day and they will be able to go into the system. However, we know that just because that's a plan that we've laid out, we know that that may not happen. So what we will also do is that whether they send us an email or reach out to one of the lines, our folks are going to be connecting them to the county. The county is going to be calling them and not all of them at one time because there's too many, but they will be calling a percentage of them. And they will be making sure that they're registered in the system and then offering them an appointment.

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And that would be the process that we will continue to do until we're able to get that list down. There is 11,000 of them in the system right now that are eligible. So we'll take a little bit, you know, off of that list and for the county to be able to call them.

>> Kitchen: 11,000 over 80?

>> Yes.

>> Kitchen: On the list.

>> Mayor Adler: Should we move to the next person here?

>> Kitchen: One quick question. I won't follow up with it, but I would like some more demographic information about the people that are signed up. I'll ask that offline.

>> Mayor Adler: Councilmember Kelly, do you want to ask a question?

>> Yes, but I thought Kathie had a question --

>> Tovo: Could we ask questions about topic since we all may have more than one question --

[9:51:16 AM]

>> Mayor Adler: We could do that, but I'm concerned, Kathie, that we could be losing these folks here in the next 10 or 15 minutes. I'm trying to get through as quickly as I can. I'm starting in the middle and working my way out. Councilmember Kelly, did you have a question?

>> Kelly: I did. I've been hearing from Dr. Escott and I've been hearing from constituents in community about catching covid a second time. If you could maybe speak to that a little bit, that would be helpful.

>> Dr. Escott: So councilmember, we do know that you can be reinfected with covid. You know, when we get an

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and there are more significant variations in the covid virus, it raises the possibility that the previous infection can covid and perhaps vaccination with covid may have waning protection for these new variants. That's why we have concern that regardless of the vaccine is around now, we have to lower transmission and lower the risk of variants continue to emerge.

>> I'm hearing that atxn is out.

>> I heard that also, councilmember.

>> Should you maybe reexplain that, Dr. Escott, since it went out.

>> Kelly: It looks like it might be back.

>> Mayor Adler: Hang on one second. Can you confirm that we're

[9:53:55 AM]

okay with atx? >>

>> Dr. Escott: Sure, I'm happy to explain. So when somebody is exposed to a disease of any kind, there's going to be some variations in that immune response. For some people they will have a significant immune response that will provide significant immunity for future illness. There are some that are going

to have a more moderate response. So they may have some antibodies, for instance, but if they're exposed again they may get a mild course of the illness. And there are others who will have a mild immune response or no immune response and they're not going to have significant protection against future infections. So they may get it and have a full course of that illness. The same is true for vaccinations. As we encounter variants it does increase the concern that new variants as they

[9:55:00 AM]

evolve may evade the protections of either a previous infection or a previous vaccination, particularly since it is -- it's a global pandemic. It certainly increases likelihood that we'll see future variations. Because of this, despite the fact that we have a vaccine right now, it's important for us to continue to engage in those protective actions because if we can reduce the transmission of disease, it reduces the opportunity for new mutations to happen and ultimately can protect all of us. I think there's a strong likelihood because this is a global pandemic that we will see variations continue to appear which may require a booster shot annually similar to what we do for flu. My hope is that's not the case, but I think that's a good likelihood that that will be the future of covid-19 for us.

>> Thank you.

>> Mayor Adler: Councilmember Casar. Councilmember pool is on deck.

[9:56:06 AM]

>> Casar: We've heard that some shunts have received large shipments of the vaccine and the question is when is that headed our way especially when you see the news of Denton county seeing the drive-through sites with close to 10,000 vaccines going out a day when we are getting 12,000 a week. Can you speak to how those decisions are made and if and when we can expect to get some of the vaccines sent to us? When we had a meeting with dhsh, one of the things they shared with us is Denton county is one of the counties that had not been receiving vaccine. So once they shifted from the model of needing to provide the vaccines to long-term care facilities, they directed those vaccines to them. So I just wanted to let folks know that ultimately the state does make the

[9:57:08 AM]

decision about where the vaccines go, but we did all have that question because the rest of us -- other cities were like wondering how they were able to get as many vaccines, but they had not been leaving the level that any of the large cities had been receiving.



>> Dr. Escott: Councilmember, I want to add I know I saw an article in the statesman about Austin compared to Amarillo and how easy it is to schedule in Amarillo. Amarillo has really been the outlier in terms of allocations. Amarillo has received more than 85,000 doses of vaccine for potter county, which is enough to vaccinate around 60% of its population. So most of the other jurisdictions are closer to 13 to 15% of its population. So there has been some variation, not certain why Amarillo is such a substantial outlier, but

[9:58:09 AM]

we're certainly hopeful that those allocations will even out over time to allow us to provide larger numbers of convenience to our community.

>> Casar: So right now most people are at 13 to 15% and then you have some outliers you can't explain and then do we have a sense about when we might get an allocation that allows us when we might be doing things like 10,000 a day? Okay. Thank you. We'll keep pushing for that.

>> Mayor Adler: Thank you. Councilmember pool, are you with us. We'll come back to you when you come on. Councilmember Renteria has a personal matter this morning. Should be joining us after lunch. Councilmember Ellis, do you have a question?

>> Ellis: I do. Can you talk more about the regional infusion center and why it's not being utilized more? Are there any factors that are causing physicians not to refer back there?

[9:59:15 AM]

>> Dr. Escott: Councilmember, we're not aware of any particular issues other than awareness. Obviously we've seen decreasing numbers of cases. There are going to be decreasing numbers of individuals who will qualify. But certainly we have more people who need it than are getting there to get it. So we have been working with the Travis county medical society to continue messaging out. We've been working with our hospital systems to ensure that they're staff is notified of its availability and the indications for its use. We also have processes through community care in Austin public health. So we have the ability to refer directly for folks who may not even have a physician. If they test through us and they screen positive as a candidate, we can refer directly to the infusion center. So we're hopeful that by discussing it at places like this that it will improve the community's awareness that it's available and it's free and start that

[10:00:17 AM]

conversation with their health care provider for referral.

>> Ellis: Completely agree. Hopefully the message will get spread a little bit more now that we're daylighting it. And a quick one for director hayden-howard. I know that flow F flow chart has been updated period fly, but if there's a way for it to be on the website, even if it needs a date or disclaimer that it will be changing and people need to look for the most up to date information, it might be helpful to know for people to know where they are in line as more a and more vaccines become available.

>> Mayor Adler: Councilmember Fuentes.

>> Fuentes: Thank you for the dashboard. It's something that the community has been asking for for quite awhile and I was happy to see that it finally posted and everyone can see the information that who has been vaccinated. The zip code that I live in

[10:01:17 AM]

that is the 78744, the 44 as we like to call it, and we've had over 5,000 cases of covid in my home zip code alone and yet only 300 vaccines have been administered to the 44. So I know that as you've -- when you do your presentation you've acknowledged the disparity that we have in our vaccination rates and a large part of it is that we don't have a supply just yet. So as we look forward and plan for a time when we do have an increase in supplying, I was wondering if you could give us a sense of the demographics of those that we have on the list, of those who are registered and waiting to get -- to receive a vaccine so that we can proactively plan and create benchmark to make sure that our communities that have been disproportionately affected by covid and bearing the brunt of covid are on the list and in line, in the queue waiting ready

[10:02:18 AM]

to get the vaccine once a supply becomes available.

>> Yes, we can get that information for you. I can tell you that I am concerned beyond making sure that everyone is in that system and registered. I think we're going to have to have some different types of strategies, strategies where our folks or volunteers would be able to help people to register and be able to have some additional small either closed pod distribution locations, but we will have to change up our strategy. So we are having conversations now about what that can look like because we are going to need to

[10:03:21 AM]

modify our strategy and be able to adhere to folks that, you know, are -- they're going to work everyday. They really are not going to have the opportunity, they don't have the internet at home. So we need to

make sure that we are meeting them where they are to make sure that this system is accessible and that we are having volunteers or others to assist them. So we'll definitely provide that to you, but I wanted to let you know that we are going to be changing our strategy up somewhat because we need to be able to reach people who are not -- who are not accessing the internet and have the ability to enroll. So we will share more information with you soon.

>> You're on mute.

>> Mayor Adler: Sorry. Councilmember tovo and then mayor pro tem is on deck.

[10:04:22 AM]

>> Tovo: Thank you. So I think it might be helpful to have -- I apologize if I missed it. An online -- some kind of online resources for people who are concerned about second dose. I think -- I'm continuing to get lots of emails, but I think the most email at the moment are from individuals who have had a first dose and are awaiting a second dose and have a lot of anxiety around when that second dose will happen and are also coming -- having glitches in the system when they go back to the system to register. So I would -- I have gotten a few emails with asking for additional information online about what that process looks like and so I would offer as a suggestion to have some additional information online. And I can be specific with some emails that we can

[10:05:23 AM]

forward with you around the kinds of questions that people are asking that they want -- to which they want to see answers online. But thank you, Dr. Escott, for addressing the time frame. I know that is absolutely one of the concerns that we're hearing. One -- I think what I'd like you to do with my one question is address some of the concerns that we're receiving that in some way Austin public health has control over when those second doses arrive. As I understand it, it is the state that determines -- that is responsible for sending those and there's been some conversation in some of the emails about the process having changed to one that is proactive where aph has to reach out and request those second doses. So can you please address how those second doses are allocated and assure the public that those -- I know you've said you're committed to making sure people get

[10:06:24 AM]

their second doses. If you could address that a little bit more. I also wanted to say we've gotten several emails this week praising the efficiency and really the flow at Delco center for those who have been able to get vaccines. So thank you for that. I think that it sounds like the people who are there getting

vaccines that we've heard from have had very good experiences and have found it to be a really well run process.

>> So councilmember tovo, we do have information on the web, on our website about second doses. So we can definitely send that link to you. But as with -- as times do change, it would be great to see what you have that you could share with us because we can modify that message that it's there. The second question is that we typically will make a

[10:07:29 AM]

request into dhsh is that we need our second doses for the week starting the 8th. So we put that in and from there we wait for it to arrive. So we put it in and we wait and we're alerted this morning that they are on the way. So for us one of the things that dshs asked us not to do is that if vaccines are -- may be coming on a Monday, they're asking us not to schedule clinics on that day if you're going to be using the vaccines coming in on that day because they were concerned about the number of appointments that people had to reschedule. So we're going to really try to shy away from Monday, especially if we're going to be using, you know, doses that are coming in on that day. So that is a change that we've made.

>> Tovo: Thank you,

[10:08:30 AM]

director hayden-howard. To get back to the first question and clarify. If individuals are having really individualized questions or concerns about that second dose, is there -- are you able at this point yet to segment that nurse line into like questions for second dose for people about second dose, questions about technical issues, questions about the vaccine generally? I know you said your nurse line is really overwhelmed with questions about lots of -- that maybe could be answered by those other than the nurses.

>> Well, to be honest with you, right now we're in the same place that we have been in. Our folks are trying to get to folks as soon as we can to answer any questions that they have. You know, if folks email me or even my executive assistants, we're providing that information or we're sending it over to the nurse line proactively so they can answer them directly.

[10:09:30 AM]

But our goal is that as we start to set up these other call centers, we'll be able to move those calls over and use the nurse line as it was intended.

>> Tovo: Thank you so much.

>> Thank you.

>> Mayor Adler: Mayor pro tem? Harper-madison thank you, mayor, appreciate it. Thank you, director hayden-howard and Dr. Escott for y'all's updates. I do have a question about logistics. So generally speaking, I know that we are sort of at the mercy of supply at this point, but when we do get that inflection we're waiting for, that consistent and in greater numbers than 12,000 supply, I'd like to know what the plan is about logistics operations. I appreciate that councilmember tovo mentioned the compliments about efficacy of the flow at Delco.

[10:10:30 AM]

I've received the same compliments. I've also received some frustration around not human logistics, but more in the lines of auto logistics. So just curious about the relationship between our future phased in programming and atd or private organizations, festival planners. Do we have a series of strategies in the queue for crowd management, so to speak?

>> Yes, mayor pro tem. We are working on several strategies in that space and so as we have more information, we will definitely bring that back and share that with the team, but we have had several conversations at my level and as well as at the emergency operation command center level to plan out and to look at various

[10:11:33 AM]

strategies including drive-through and mass vaccination efforts.

>> Mayor pro tem, I'll also add that, you know, we don't really have an indication right now that the federal government intends to do

[indiscernible] To places like Austin public health. In fact, the shift that we saw from the Biden administration has been focused on pharmacies. So with the initial allocation of 6500 pharmacies in the U.S. With a plan to build up to 70,000 in the U.S. I think that -- we look forward to March in the likelihood that Johnson and Johnson will be approved as another vaccine candidate, but it appears right now that the strategy may be shifting to decentralizing the vaccine allocation with larger numbers going to the private sector. Again, we're not sure. As director Hayden Howard said, we're planning for

[10:12:34 AM]

different potential futures. We just don't know what that future looks like at this stage.

>> Harper-madison: I appreciate that. Thank you, Dr. Escott. But with all due respect we've already established that the national pharmacy strategy doesn't work for certain parts of our city. And as we get this new dashboard information and new data that indicates sort of that digital divide that's the barrier for folks, I have to tell you that -- well, I don't have to tell you which districts and which zip codes don't have enough pharmacies for that strategy to be effective, in which case I certainly hope that when we do get that large influx and as that is able to be applied in other parts of the city that we have a separate and apart strategy for areas of the city where that won't work. And I'd like for them to be considered simultaneously. Certainly not as an aside.

>> Dr. Escott: We completely agree. And I have the same concern about the pharmacy strategy.

>> Mayor Adler: Councilmember alter and then councilmember pool.

[10:13:36 AM]

>> Pool: Good morning. Can you hear me? I'm having some technical difficulties. Thank you. I appreciate mayor pro tem's comments and Dr. Escott's agreement on that. I think that's really important lesson that I think we have definitely learned. I wanted to -- call your attention to something we've been hearing about the folks who are 80 plus who are being sent to the portal with the emails. Right now they're being sent to the portal and the appointment times are there and they pick an appointment time and by the time they do the next steps that appointment time is gone. But it seems like they're picking appointments that are not available to begin with. So if there's a way to if there's a way to set that up so that appointments that are gone are not available for choice, that would be helpful because they're spending one to three hours, even when they get to the portal, trying to get through because the appointments are just all there,

[10:14:37 AM]

whether they have been taken or not. So I wanted to share that information and then I wanted to ask about getting vaccines to our schools. If you could speak to what the current plan is for getting the vaccines to the schools and which teachers and school staff are eligible at this point in time. And how that information is being shared with schools as well.

>> Council member alter, we meet weekly with school superintendents on Mondays and have shared that information with them. Right now the school staff that are eligible are 1b school staff. We have vaccinated thousands of individuals, teachers, cafeteria workers, bus drivers, custodians in the school setting. We are fairly close to

[10:15:40 AM]

completely vaccinating those who want a vaccine in that 1b group. As we await dshs's, you know, publication, hopefully in the next few weeks regarding the 1c group, we will start the planning process for providing allocations to them. Now, there are a number of groups in the 1c category that we are thinking through now, working with partners to plan in advance, but we don't expect that really -- probably until the first week of March.

>> Alter: So just to make sure that I'm clear, then. Teachers and school staff that fall under the general conditions for 1a or 1b are eligible. We believe that we have almost reached all of those folks who want it by the school districts that are in our service area for

[10:16:40 AM]

Austin Travis county and that we don't yet know who the state will make eligible in 1c. There's a possibility that there will be a category for teachers or school staff but there will, again, be efforts made to reach teachers and school staff who fit the criteria for 1c, if it's not all encompassing. Is that correct?

>> That's correct.

>> Alter: Great. Thank you.

>> Mayor Adler: Council member pool. >>.

>> Pool: Thanks, I had some technical problems. I think the briefing has covered the ground really well and I appreciate y'all continuing to keep us up to speed and the continued improvements to the various communication portals and our procedures. I think it's really important. Just a general thank you to everybody.

>> Mayor Adler: Okay. Thank you. I want to just reemphasize some of the points that were made by colleagues here on the dais.

[10:17:41 AM]

I think there are some tech issues I know you're working through that even though they don't impact our ability to get out 12,000 every week, that seems to be where a lot of the frustration is or anxiety. I think it's important, with so many things going right about administering the vaccine that we don't lose those over the technical glitches. The things I'm hearing mostly are the need to still type in aph. People that are sitting for 45 minutes to an hour and a half when confirming the appointment time, sometimes it sticks and sometimes it doesn't. People sitting for a long time at the nurse's hotline, which you have identified is a challenge area, so I want to emphasize that as well, to figure out how to triage that or something. People wanting an ability to check the status that gives them the next step. I don't know if that could be

[10:18:42 AM]

automated, if there's a way to get people away from the nurse's line. If there was a more automate way to do that. The second dose question is recurrence of something that helps people check their status or enables them to get a response with an explanation of the second dose I think would be important. And then the second thing I want to emphasize is the vulnerable groups. Vaccines gone out hitting the 65 and older population, which is good, but as you point out that doesn't hit the need to focus on the populations that are most at risk. The dashboard, I think, is good. I join with council member kitchen in wanting to see the demographics of people who have signed up and registered, not just having received the vaccination. But my sense from looking at what's happening nationally and happening at the state is that my sense is that over time we're going to get less and less vaccine at aph and that more and

[10:19:43 AM]

more the federal government is going to direct towards grocery stores and pharmacies. If you look at what the governor announced yesterday with two big mega centers in Dallas and in Houston with the promise to try and pilot it there and then move to other cities. I don't know if that's us administering that but I really do think, director hayden-howard, that our niche is going to be getting it out to people who won't get it at the pharmacy or grocery store. I appreciate you're going through the different strategies, I just think that's key. And then ultimately a month from now and a year from now we're going to get evaluated with

[10:20:44 AM]

respect to vaccine distribution on how well we did at that task. Colleagues, it's 10:20. I don't know if you guys have time for a lightning round or if we need to let you go.

>> We're about 20 minutes past the hard stop, mayor.

>> Mayor Adler: All right. Just thought I would try. Thank you both for everything that you're doing. And, again, thank your staff. I watched this enough to know that we have a lot of people who aren't getting a lot of sleep doing this stuff and it's noticed and appreciated. So we'll let you guys go. Manager, anything else on the covid briefing?

>> No. Thank you, mayor.

>> Mayor Adler: We have speakers that are coming to us but they're not coming until 11:00, so we have a gap now of time before 11:00 and I would suggest that we maybe go into



[10:21:47 AM]

executive session now while we have this time and if your staff is ready for us to do that, we might be able to make good use of this time.

>> Mayor, we are ready to do that. I'm just checking to see if we have somebody in the executive session room, so it might just be a five-minute delay.

>> Mayor Adler: We'll take a five-minute break before we get there. And I don't have the --

>> Shall I help you there, mayor?

>> Mayor Adler: Do you want to take us through that announcement?

>> You're going to go into executive session pursuant to 551.071 to discuss legal issues related to items 1 through 5. Item 1 is the proposed citizen-initiated charter amendments changing from a council-manager form of government, creating a mayoral

[10:22:48 AM]

veto, creating single-member council district, changing the date of the mayoral election, and also regarding the voluntary public campaign finance program. The second item is a proposed citizen-initiated charter regarding the city's participation in binding arbitration with the Austin's firefighters association. The third item is a proposed citizen initiated ordinance regarding a criminal offense and a penalty for camping in public areas without a permit. Certain types of solicitation and sitting, lying, or sleeping outdoors in certain public areas. The fourth item is an ordinance supported by a petition certified sufficient to amend the city code regarding the criminal offense and penalty for camping in public areas without a permit, certain types of solicitation, and sitting, lying, or sleeping outdoors in public areas. And the fifth is a proposed charter amendment to allow city

[10:23:49 AM]

council to provide for a director of police oversight who shall be appointed and removed as provided by future ordinance.

>> Mayor Adler: Great. Without objection then it is 10:24. We'll go over to the executive session with a five-minute kind of quick little break here. So at 10:30 we'll try to convene that executive session. We'll come back at 11:00 hard stop to start taking the speakers that have signed up to speak. All right. See you guys there.

[Executive session]

[11:24:02 AM]

>> Mayor Adler: We were in executive session and in executive session we discussed legal matters related to items one two three four five. We have yet to finish that conversation, but we have recessed that executive session in order to be able to come out and listen to the speakers that have signed up to speak. So we're going to continue on in this special called meeting of the council here on February 9th, 2021, being handled remotely. We have a quorum present. So clerk, if you want to take us through the speakers, we'll listen to speakers speaking three minutes each. It looks like it would take us to about 1:00. Then a lunch break and reconvene back in executive session.

>> Okay. The first speaker is Liz cofel.

>> Good morning, everyone and thank you for having me. Can everybody hear me?

>> Mayor Adler: Yes.

[11:25:05 AM]

>> Well, my name is Liz and I live in district 3. I would first like to say thank you for taking the time to listen to us today. I care deeply about more free, fair and accessible elections. For that reason I'd like to take the time to share why I ranked choice voting as important to me. For one this system allows voters to choose not one candidate based on a number of factors, but instead choose their second, third and so on choice allowing their vote to be extended along more than a single person. And it eliminates the need for runoff elections which is expensive and [indiscernible] Folks with children, limited access to transportation, non-flexible working hours, disabilities, among other reasons, are often unable to vote a second time in a runoff and it leads the results to be determined by a small group of Hively motivated people.

[11:26:05 AM]

I believe our democracy works best when it's inclusive of all Americans. In our case austinites and ranked choice voting allows for us to be closer to that than ever before. So I give up my time. That's what I have to say and thank you for listening.

>> Next speaker is Monica Guzman.

>> Good morning. I'm Monica Guzman. I am addressing council today solely as a district 4 resident. I whole heartedly support item five as a measure to improve transparency and accountability as well as community trust with regards to policing. As for items three and four, I oppose the idea of reinstating the camping ban. Lifting the ban made it evident how serious a problem Austin has. Reinstating the ban in part or whole does not address the issue. Audits from the Austin city auditor have shown APD issuing citations is a waste of time and manpower. What does it do to give a ticket to someone who has

[11:27:05 AM]

no way to get to court. Instead of helping it drives them further into a spiral with a criminal record. Austin's echo 2020 point in time count had people experiencing homelessness. 174 were unsheltered. The pandemic has only served to amplify existing problems, as well as increase the number of persons experiencing homelessness. It has led to job loss, increasing the level of poverty and housing instability. Homelessness is not a choice. While some of the people experiencing homelessness are gainfully employed, their wages cannot and do not keep up with the rising cost of living expenses. Homelessness is caused by lack of truly affordable housing. Lack of access to affordable housing, health care, abuse and trauma, racial inequities and more. Save Austin now and the people leading it have misled and miscommunicated. Instead of investing in much needed services and the people experiencing homelessness, they invested in people to get petition signatures. I've read the news and seen

[11:28:06 AM]

social media posts that people hired to give signatures were not always aware of Save Austin Now's intent. And people who signed the petition have been scrambling to get their signatures removed because they were not correctly informed and do not support Save Austin Now. I expect and demand city council, city manager and other decision makers to center the residents experiencing homelessness, continue working with social service organizations, investing in needed services, including community paramedics. Do not be another Save Austin Now. Don't be like our governor with his out of sight, out of mind plans. Thank you.

>> Jessica Johnson.

>> Good morning. My name is Jessica Johnson and I'm an attorney at Texas Fair Defense Project and a resident of district 9.

[11:29:06 AM]

I'm testifying in favor of agenda item five and dependence item one. Agenda item five is a common sense measure that gives city council the option, time and ability to think through the current reporting

structure of the office of police oversight. Given the horrifying brutality and violence from APD that have been on display in the last year, police oversight is more important than ever. If the if the of police oversight reported directly to council, this would allow information gathered to be shared with the public instead of being synthesized and disseminated through the city manager. Further it would cause the office of police oversight to be accountable to elected officials and therefore to their constituents. This measure also allows council to visit other options such as a civilian oversight or to be individually appointed similar to a city auditor. As we've seen through the reimagine process it's important to reevaluate how things work to ensure that

[11:30:07 AM]

current practices meet the needs of the community and foster accountability and transparency. Item 5 is necessary to give council the freedom to assess the best way forward for the office of police oversight to truly serve the community. In regard to agenda item 1, allowing the mayor to have a veto power over any legislation that council approves concentrates entirely too much power in one individual. And essentially cancels out the vote of each councilmember's constituents who has expressed support for each vetoed item. This threatens democracy in Austin. Thank you.

>> John spears.

>> Thank you so much for your time. I appreciate it. I wanted to call and let you know we want our city to be safe and clean again for all residents and for our

[11:31:08 AM]

homeless population. We implore you to not play politics with the wording of the language. You've directly heard from over 20,000 citizens. That includes all sides of the political spectrum and it's clear what they're asking. It's not limited to only downtown or only UT. Don't abuse your privilege by trying to override the 20,000 plus voices with confusing language and limited scope. Let the people be heard and let them vote. Don't take their voice today. The city council decided to ignore reason and the will of the citizens by allowing camping with virtually no bounds and plans for the homeless explosion. Shame on you. Placing political ideology over the health and safety of our homeless population, local small businesses, our frontline responders and our wives and children. It's time for the citizens to be heard. They will say what the council already knows, that this experiment in chaos has made it a difficult problem worse. The council should immediately rescind the camping ban and begin cleaning up the mess.

[11:32:09 AM]

It will help the homeless get the services they need and residents should be able to walk to a park or to their school or car without being accosted and feel unsafe. We demand a safe city and safe neighborhood. I urge the council to listen to the voice of the city, rescind the camping ban and begin cleaning up the mess. Thank you so much.

>> Stacy sass.

>> Hi. Thank you for being there. My name is Stacy sass. I'm in district 7. And I appreciate the opportunity given by our petition process to address some of these concerns on a public ballot. So this is about the actual ballot language to be used. And regarding the options for addressing item 3, the city code amendment as

[11:33:10 AM]

petitioned by save Austin now. I didn't love either of the options proposed. My objection to option one is the inclusion of this idea even if not obstructing the right-of-way. It seems to me to imply that no harm is being done by sleeping outdoors in quote, unquote, certain public areas. Anyway, that makes it sound like I can't sleep in my backyard. I want the intent to be clear that when the citizens are being asked to decide on is if we are going to return to pre-18 months ago when we didn't have encampments in the Windsor park area, we didn't have the underneath of all of our overpass and bridges. I have a convertible. I now that may make me sound

[11:34:18 AM]

a little bougie, but I stop at stoplights and people approach me. I like the use of the word aggressive because that is what I experience trying to get around my city, and having to stop somewhere. So I prefer option 2 although a previous testifier indicated it may sound like it's limited to the downtown and UT campus area, but I think it's important to mention the university of Texas. The art market that used to be at 24th street has essentially closed down and I've asked some of those artisans and their objection is that their primary shoppers, which would be the young female UT students don't feel safe there. And I've tried to coordinate with them maybe doing a Thursday night if we had

[11:35:18 AM]

additional public presence that they could be -- go back to giving that access to something that I feel makes Austin, you know, so awesome and unique would be a place for people to sell their creations right there in an open market. So I'm obviously in favor of reinstating the camping ban in terms of the short word acknowledge, but in terms of the language, I think it needs to be made very clear what we're asking.

>> Carla George. I'm sorry. Veronica barker.

>> Hello, can you hear me?

>> Yes, go ahead. My name is Veronica barker

[11:36:18 AM]

and I'm calling in because I am in support of agenda item number four and I'm requesting that it contain specific language that reinstate enforcement November panhandling, specifically between the hours of seven P.M. And seven A.M. And that no panhandling occur within 25 feet of an atm, a bus stop, schools and buses, places where alcohol is served. This action really focuses on more behavior and not enforcement on any type of people. And many people who are panhandling are not necessarily homeless. And I understand that. So what I'm calling about is that the behavior is threatening to many people.

[11:37:19 AM]

On behalf of my daughter and myself, even walking our dog between those hours in district 9 feels extremely dangerous and I think that the proposed action is not going to outlaw solicitation, but it would limit the time and place which is permitted and would improve public safety. Many social services providers refer to this type of behavior as enabling them to sustain life on the streets and avoid assessing accessing services and the treatment that they need. So while the state statute dictated that panhandling is a non-jailable offense, the proposed language would make

[11:38:20 AM]

the ordinance clearer for APD to enforce and to request and receive voluntary compliance. I'm also concerned about the way that the proposed ballot before is presented for this city to vote on. I don't think either option is really a great idea because of the way that it's worded. So I'd like to see sort of a combination where it applies to all of the city areas and not just the downtown area, necessarily the UT area, because it really applies to all of austinites.

[Buzzer]. Thank you very much for your time.

>> Carla George.

[11:39:21 AM]

>> Hello?

>> Yes, go ahead.

>> Can you hear me? Hi. Regarding item number four, I'm a resident of district 6 and my son lives in Kathie Tovo's district 9 and attends the University of Texas. I support the proposed ordinance regarding camping across the city of Austin and request language that reinstate enforcement of no panhandling between seven P.M. to seven A.M. or near ATM's, bus stops or schools, including UT. Last week my son and two other students were assaulted when leaving the food trucks at 26th and Rio. They ran to my son's vehicle as the assailant shoved and chased them yelling you and all UT students are going to die. When he couldn't get inside the -- when the assailant couldn't get inside the vehicle he began kicking the car door and punching the windows. They were able to get away but the attacker then assaulted another UT

[11:40:21 AM]

student, this time causing physical injury. Please also include language about no camping, sitting or lying on sidewalks so students can safely navigate to and from campus. I prefer the language in option number two, but it should apply to all areas across Austin. Regarding item number five, I'd like to express my opposition to a last minute charter amendment that would allow city council to provide for director of police oversight. I believe the office of police oversight should remain an appointee of the city manager's office. Thank you.

>> Ana Gonzalez.

>> Good morning, mayor, mayor pro tem and councilmembers. My name is Ana Gonzalez, I am the policy director at Workers Defense. Today we are testifying against mayor one. A strong mayor system is undemocratic and weakens our

[11:41:23 AM]

community's voices. At Workers Defense we believe that families should be at the helm of the decision that are made at city hall. This amendment would shift a balance and create an overwhelming concentration of power with one individual. And it would grant power over the elected council. Under our current 10-1 system we have made significant gains for immigrants and Austin's underserved commitment. Our ability to succeed is in part because power lies with councilmembers and not one individual who would veto a proposal that we know could be beneficial to working families in Austin. Look at the moment we find ourselves now. We've seen the devastation COVID-19 has had in our communities, especially immigrants and communities of color, directly because of leaders in top

positions of power at the federal and state level making bad decisions. More than ever we know just how much suffering can be indicated in our communities when the wrong person with

[11:42:24 AM]

significant influence leads and can't allow that to happen in our city. If we really want to continue to win for working families in Texas we need to invite the community's input and community organization at workers defense to be part of the position of how we get there. If we want Progressive reforms we must always approach the conversation through the lens of electing leaders that value people over profits. Instead this amendment and those behind it are attempting to make the case that transforming our government will lead to a more Progressive Austin when it would ultimately lead to one person with the power to overturn gains for our people. We believe do there needs to be accountability for department heads but this proposal is asking austinites to amass power to a known individual in 2022. Thank you for your time and thank you for all the work you do for our community.

>> Deanna verig.

[11:43:27 AM]

>> Thank you. My name is Deanna in district 9. I'm in support of items three and four, although I request the language is specific in reinstating enforcement of no panhandling from seven P.M. To seven A.M. No panhandling within 25 feet of atm's, bus stops, schools and businesses where alcohol is sold or served for the entire city. Panhandling has been referred to as an enabling behavior that allows people to sustain life on the streets and avoid accessing the services and treatment that you all are spending millions to provide. This action focuses on behavior. It does not enforce against any type or class of people as many who panhandle are not necessarily homeless. As I am in support of solutions for our homeless community. While Texas state statute dictates that panhandling is a non-jail service, the proposed language will make the ordinance clear in order to enforce, request and

[11:44:31 AM]

receive voluntary compliance. However, aggressive panhandling solicitation can often lead to disorderly conduct, prostitution, indecent exposure, public lewdness and assaults by contact, which are against the law. My daughter and I have experienced this aggressive solicitation and I ask that you please stop the street harassment of our visitors and residents. This proposed action would not outlaw solicitation, but would limit the time, place and manner in which it is permitted while improving public safety for all of Austin. The memory of Leslie Cochran and what he stood for are tarnished and gone. Shame on you for inviting criminals from around the country whoa can hide under the umbrella of homelessness, giving



free rein to criminalize Austin's homeless community, our visitors and residents. Councilmember tovo, your constituents expect for you to do the work in representing and protecting

[11:45:32 AM]

all, all of the residents of your district. District 9 needs cleanup and lighting improvements of which you do not speak to when addressed. Finally, I would ask that you all keep the memory of haraku wiser alive as the anniversary of her death in April nears. She was a young guest in our city trusting the community in which we lived, in which she lived and we failed her, may she rest in peace. Thank you all for your service.

>> Rose Howell.

>> My name is rose Howell and I live in district 7 and my daughter attends UT and lives in district 9. I am in favor of reinstating the camping ban due to safety for my daughter who I worry about any time I send back to UT to go back to her apartment there.

[11:46:33 AM]

For the people who are camping on the street I'm concerned of their safety as I see them so close to the roads and not in a safe condition at all. I also believe that panhandling should be limited and not allowed from the seven P.M. To seven A.M. As this is a time when it's a little bit uncomfortable to be in your car and having proposal approach you after dark. Thank you for your time.

>> Mary gray.

>> Hi. My name is Mary gray. I am in support of agenda item 4 and I request it contain specific language for enforcement of no panhandling within 25 feet of an atm, bus stop, parking garages, schools and businesses. My son who is at UT, has been solicited for money by several very aggressive people. Due to coronavirus he has been by himself following UT's strict policies on covid and this aggressive solicitation of my son for

[11:47:33 AM]

his money has been quite intimidating. We heard the mother of the woman speak whose son was assaulted. This is .3 miles from my son's west campus apartment. This is totally unacceptable and it must be stopped. Students are not prepared to handle the large amount of panhandling that occurs around the UT campus as many come from areas where this behavior is not tolerated. So while they are learning how to navigate life on eir own, students do not need this additional stressor. UT is considered

the top university in our state. My son worked countless hours to get there by being in the top six percent of his class. People all over the state, country and world come to UT. This diverse group of students deserves better than being confronted and threatened by aggressive people who panhandle and live on the streets around campus and it has to be cleaned up. I am against item 5. I do not want the council to have police oversight. I want the city manager to continue to serve in this

[11:48:35 AM]

role. The crime rate in Austin is out of control and the effort to defund the police supported by many councilmembers has exacerbated it. I want a safe environment for my child in west campus. There have been far too many assaults, home invasions and thefts in the area. We need more policing without hindering the ability to get the job done to keep the community safe for our college students. It is ridiculous that students have to buy tasers and mace and take self-defense classes in order to have some feeling of control over the situation in which Austin government has placed them. I expect much more from those who lead in the Austin area. What good is an education in which students supposedly change the world if they cannot focus and learn due to safety concerns. The police need the full ability to act on behalf of UT students without the oversight of councilmembers who want to defund the police. Thank you for your time.

>> Kathleen Mitchell.

[11:49:40 AM]

>> Hi. Can you hear me?

>> Yes, go ahead.

>> This is Kathie Mitchell. I want to quickly support Monica Guzman's statements about three and four and Jessica's statements about one and five particularly. I am in support of five, against three and four, and on one I just want to say that for me regardless of all the pieces that may be okay or good that giving veto authority to the mayor and requiring a super majority to overcome that veto is simply a non-starter. It does undermine 10-1 and for that reason I will be personally opposed to that

[11:50:42 AM]

petition and will be speaking out against it over the coming months. Thank you.

>> Lulu flores?

>> Hi, good morning. Good afternoon. This is lulu flores and I live in district 9. I'm an attorney and I've lived in Austin for over 40 years. And I'm part of a broad and diverse coalition of austinites coming together to make our local government more representative, diverse, responsive and accountable. I'm here in support of fair and neutral ballot language for the democracy reform. I'd like to say a few words about our democracy. Voter suppression is on the rise and anti-democratic movements are gaining influence. We must do everything in our power to expand our democracy. It must be our highest priority. These reforms would make Austin the most pro democracy city in the country. Austin has always been a

[11:51:42 AM]

leader and we should be one on this front. These reforms will make our government more representative, diverse and accountable. I hope everyone who cares about vote egg turnout and democracy will support these amendments. I know that there's some misunderstandings out there about them, but I hope that we can have a broader conversation about them and that people will come to understand their purpose. I want to thank you all for your service and your time and for listening to me. Thank you.

>> Ryan Pollock.

>> Hello, council. My name is Ryan Pollock. I'm speaking to you today for the international brotherhood of electric workers. The Austin central labor council, central Texas building trades council and a resident of district 8 in opposition to item one. I recognize that 10-1 while an improvement on the previous structure isn't perfect and has plenty of room for improvement.

[11:52:43 AM]

However, the changes proposed by the strong mayor plan are a step in the wrong direction. Rather than be an expansion of democratic equality and equity, this structure would be a consolidation of power, much like the office of the U.S. President. This may end up being fine as long as you like the mayor, but if the mayor ends up being someone that you strongly disagree with it will be like the sky is falling every single day for years. I think that no matter what any of our individual politics are that we're all very familiar with that scenario. I imagine not only having to deal with that on a national level, but on the municipal level as well. Proponents of this plan claim this would increase accountability. But if you look at cities with similar structures, la, Chicago, New York City, Portland, you see the reality of such a structure is anything but accountable. This plan is a Trojan horse pushed by the wealthy silicon power industrialists to take power away from Austin's long time working class residents and give that power to a wealthy few.

[11:53:46 AM]

I urge you all to consider all this in your wording and in as you move forward in supporting or not supporting this plan. Thank you very much.

>> My name is beau Delp representing the hospitality workers who have been mostly laid off during the covid pandemic. I'm here to speak on item 1. The power that this group wants to give the mayor, including the veto over any council action even if it's supported by the community really does create more barriers for people's voices to be heard at city hall.

[11:54:46 AM]

I'm going to be honest. I really don't know what to make of this pac. 75% of its funding comes from less than 10 people. On the one hand there are people associated with it whose work in Austin I do respect. On the other this group has made some really poor and I think very unfortunate decisions. First, recently in the statesman the pac's spokesperson accused people who oppose these measures, which include frontline essential workers and criminal justice reformative visits and environmental activists as, quote, entrenched interests trying to hold on to their power. Just yesterday ton any Cantu reported that this pac intentionally excluded non-registered voters from participating in their new public campaign finance system. That means immigrants with green cards and people who have been incarcerated or are on protocol. Someone on their leadership committee wrote that they,

[11:55:46 AM]

quote, intentionally designed the Austin program to maximize its chances of passage, unquote, and that the pac believed, quote, that a requirement that voters be already registered would be most palatable to Austin voters. No, sir pal atable. I want you to think about that. Palatable to whom? Progressives, Republicans? Who are they speaking about. Look, I want to say any time that anyone sets about the task of expanding democracy and you go around town telling everyone that you are the most pro democracy person anyone has ever met, and the very first thing you do is propose to give one person all the power, then you deride low wage workers who disagree with you as, quote, entrenched interests? And then you exclude thousands and thousands of our neighbors, many black

[11:56:47 AM]

and brown, people like many of our members at the airport from being equal participants in the new system? I just think you need to pause and take a long hard look in the mirror. And frankly, I want somebody from this pac to look at our members who immigrated here in the eye who have green cards

and explain to them why are they so damn unpalatable to voters? And so undeserving of equal participation?

[Buzzer]. This proposal allows the potential for a handful of people to make radical changes to this city. We cannot let that happen.

>> Cynthia Vasquez.

>> Hi. Can you hear me?

>> Yes, go ahead.

>> Hi. I'm here to talk about the criminalization of our homeless population. And y'all, I'm learning.

[11:57:48 AM]

I'm learning. I was gentrified out of 78702 and I'm currently in 78744. And just in the last week I've had to learn very quickly about the definitions of housing stability and homeless in Austin. My evolution as an austinite, homegrown mind you, eastsider, I've gone from a homeowner to a renter to now wondering where the heck I'm going to be in 10 years. And right now I support strategies to permanently house people. Criminal and civil punishment serves no constructive purpose. Local governments across the U.S. Are punishing people for being poor! Have any of y'all sitting up there on that dais been in jail? Have you taken the time to walk through downtown as it is now and step over people who are sleeping?

[11:58:49 AM]

And you be the only one stopping to see if they're okay? I'm talking about moral clarity here, y'all. Simple. Moral clarity. Be that's all I have to say to the dais today about criminalizing our homeless population. There's no humanity in that. None.

>> Cleo petrcek.

>> I'm a lifelong democratic, co-founder of save Austin now pac. Councilmembers, this is public comment time, not check your emails, multi-task time. Give us the respect and stop checking your emails and listened to us. I'm talking to you, Ann kitchen. You have yet to look at and listen to us. In 2019 the council embarked on what has become a spectacle in our city and against any common sense and

[11:59:50 AM]

the public will the council allowed a free for all on our streets. Us citizens of inferior intellect should stand by and observe the marbles of decency that should magically appear. Well, if humanity and decency is leaving homeless people languishing in Texas heat and frozen winters, then this was a success. If humanity and decency is having families unable to use parks, nice work F humanity and decency is allowing a filthy takeover of parts of our city, then all hail the city council. Alas the inferior intellect are unconvinced. The commoners have decided to insist that they be allowed to vote on this matter on may 1st and the commoners have taken the opportunity to install a member on this council that is not cut on the leftest cloth. As someone who has sheltered homeless and refugees in my own home, it pains me to see the Progressive stance being taken as license ultra

[12:00:52 PM]

leftist nonsense. For camping anywhere you please for suggesting we should defund the police. Utter assumedty that citizens have rejected. Check president Biden's stance on defunding the hence the opposite of our city council. Again, Biden and most Americans do not support ultra left or right wing movements. I support Progressive programs that lift people from poverty but I am not stupid enough to believe that all people are willing to meet such programs with their own initiative. I did not grow up with privilege, but on food stamps and attended one of the poorest schools in Dallas. I have seen firsthand the reality of life. Some people need a helping hand to struggle up the ladder and some people need a firm hand to keep them from trying to knock the ladder down and hurt all those trying to climb. Life is more complicated than wing nut platitudes about initiative or oppression. It is about individuals and families. It is about meeting people where they are and not where we might want them or imagine them to be.

[12:01:52 PM]

Sadly this chaos doesn't really hurt the fortunate so much. We can drive on by and just be irritated. That's why so many can be silent. It does hurt the people at the bottom of the ladder who need to feel safe walking with their kids. Who count on city parks and playgrounds to offer a backyard they may not have. And this is what angers me so much. This council should not wait for a vote to end this insanity. It should have the decency and humanity to start cleaning up this mess immediately. Austin residents, please check -- [buzzer]. Offaustinnowpac.com to save the city from the hell that our city council has created.

>> Joel Mcnew. >>

>> Hello, can you hear me.

>> Yes, go ahead.

>> Yes. I am, as many of you know,

[12:02:54 PM]

the president of

[indiscernible] And also part of the save Austin now petition. In looking at the language, it is important to us that option one and two have further work to include all of Austin. The language included is not specific enough in terms of using the term certain and permitted areas when we really aren't clear on what the plan actually is. We are grateful for every austinite who has been on this journey to get this on the ballot and it is time for their voice to be heard. As you know our main platform has been improving safety on and around the university of Texas at Austin. We have been at this for coming on five years. April is the fifth anniversary of the brutal rape and murder of harakk Weiser. And even though your very

[12:03:54 PM]

close friend and ally, part of your non-profit public safety commission, part of the reimagine public safety task force, even though he sat on the university of Texas at Austin campus, interrupted mayor Adler to chime in to give his little two cents' worth that her death, brutal rape and senseless murder, was basically a oneoff. That there were other crimes that have impacted people. That is -- we've had enough of that conversation. We need this ballot language to be clear. We need it to include all of Austin and we ask that you look at the language to make sure that every austinite has a voice and gets this on the ballot. On item number 5, tull number 5 again goes back to the same conversation we had.

[12:04:55 PM]

When save horns was on this in 2019 we went to Kidd row and went to the la pd homeless commission because we wanted to learn firsthand to everyone involved. We are yet to hear from

[indiscernible]. No one from council has responded to us to navigate what options we have to improve public safety in west campus. But in terms of item five, like you said, the office of police oversight should remain under the city manager. This is just another way when councilmember Casar posted that language on Friday, it was clear work with the community, that means the anti-police, these are the groups you will give a seat at the table to. That does not express all views of the community. It is obvious that --

[12:05:56 PM]

[buzzer]. Councilmember Casar has the

[indiscernible] For chief Manley and wants him fire. You need to bring the city together on public safety.

>> Speaker, your time has expired. Fred Lewis.

>> Good afternoon. I'm Fred Lewis for district 10. I'm here on behalf of myself. I'm speaking on behalf of item 1 in support of the democracy dollars provision. I wanted to say that it is important that there be chair language. Option 1 I believe is fair. And there will be litigation

[12:06:57 PM]

over the convention center that the city lost and had to pay taken fees for. I think it would be best to pickfair language and have a robust debate. As for democracy Lars, it is a complicate -- dollars, it is a complicated subject, but this is a well researched, well lawyered, reasonable, fiscally responsible public financing system. I've worked on campaign finance in Texas and in Austin for 24 years as an attorney and this is a fine proposal. It was based 90% on what your charter review commission recommended in 2018. It involved expert advice from the number one expert on local public financing, Ms. Ryan of common cause nationally and well as people came from Seattle, councilmembers and election administrators to help us.

[12:07:57 PM]

It is well vetted and well thought out. It's important to note that in 1994, Bridget Shea spearheaded the effort for our very limited public financing. It was much less than she wanted, but she got it. It's what we have today. And it was considered very innovative 27 years ago. Today it is antiquated and on grossly inadequate. The whole point of democracy dollars is that 10-1, which I was general counsel for and helped write. That 10-1 brought the reality of geographic representation and political equality to all areas of Austin. But we have donor and financial inequality. If you look on the districts on the eastside, 90% of their money comes from outside the district. If you look at the areas north, south districts, southwest and northwest,

[12:08:58 PM]

it's 70% of the money comes from outside the district. If you look at districts nine and 10, it's about 10 or 20 percent comes outside the district. And the reason that happens is because of the gross income inequality in our country. Only 1.3% in the united States of people --

[buzzer]. And so I recommend that you put it on the ballot, fair language, and that we have a robust --



>> Speaker, your time has expired. Brian Thomas.

>> Hello, can y'all hear me?

>> Yes, go ahead.

>> Can y'all hear me? Okay. So there are a few things that I wanted to talk about as regards to option one. I'm I do trust our current

[12:10:00 PM]

mayor and his decision making, I still think that Ms. [Indiscernible] To city council is critically important. During the protests last summer I was very impressed by my district representative, Mr. Flannigan's responsiveness to my requests. As someone who would be responsible for responding to an entire city with that kind of power, I don't think that the mayor and the mayor's office would be able to handle that kind of input. So that would kind of defeat the purpose of doing elections for a representative of the overall interest of the city. I do, however, support adding ranked choice voting to the city of Austin. I have been participated in every voting thing that I

[12:11:01 PM]

can, but a lot of times with the runoffs I don't know when they're coming until the next day or I don't even notice. I don't even know that they're there. And it's just incredibly difficult and I have the time to be able to do this. What about the other people who don't have the time to be able to do that, can't go to the runoff elections? So then rank choice would circumvent having to do these runoffs. It may not cover all the need, but it would cover a lot of the issue. The main reason that I had called in was regarding option 3. While I think it was a commendable idea to give it a shot with allowing camping in public spaces, I just don't think that it's worked out the way it was intended and I don't think that it works. I have a friend who lives not far off 183 and because of the ability of people that can't just camp right

[12:12:03 PM]

by -- that has people that camp right by where he lives his house was broken into and they stole a bunch of his stuff. You can argue that if he hadn't been there there might not have been the homeless people there, thank you it's probable. Now, I don't know if criminalization is the answer. I would tend towards saying -- having a concentrated area where people can camp. So I came here from Hawaii. We have something called tent city which is where the people who can't afford to place to live have this place

that they can camp and have a community and then go about their business in the city, whether that's panhandling or not. And just have a place to live and with electricity, bathrooms and so forth.

[Buzzer]. So much trash in so many places. I'm seeing little living rooms popping up under the

[12:13:04 PM]

highway.

>> Speaker, your time has expired.

>> Alik [indiscernible].

>> Can you hear me? Good afternoon, mayor, mayor pro tem and councilmembers. I am co-chair of the leadership committee for austinians for a Progressive reform. I am here in support of fair and neutral ballot language for these democracy reforms, item number one on your agenda. I would also like to say a few words about adding an 11th council district. Adding a new council -- adding a new district will keep our districts from getting too big as we grow. It will also give us the capacity to strengthen our existing opportunity districts and draw Austin's first asian-american opportunity district. Our asian-american community is our city's fastest

[12:14:05 PM]

growing, almost 10% of the population now. Representation of our community on the council should be a top priority for all of us. I sincerely appreciate your consideration in these matters, thank you ..

>> Patricia Hubbard. . .

>> Hello, can you hear me?

>> Yes, go ahead.

>> Mayor Adler: Test test.

>> My name is Patricia Hubbard in support of item number 4, I request that the language is specific and reinstating enforcement of no panhandling from 7:00 P.M. To 7:00 A.M. This means no panhandling within 25 feet of an atm, bus stops, businesses where alcohol is sold or served and schools, including the university of Texas and other colleges in the city of Austin.

[12:15:05 PM]

This action would focus on behavior and not enforcement against any type or class of people as many people who panhandle are not necessarily homeless. This is threatening to visitors and students. This proposed action would not outlaw solicitation but would limit the time, place and manner in which it is permitted while improving public safety. Incidents like this described by Mr. Gorge are occurring with alarming frequency, particularly around the UT campus. Official service providers refer to panhandling as enabling behavior that allows people to sustain life on the street rather than access services and treatment that they may need. While the Texas state statute dictates that panhandling is a nonjail offense, the proposed language will make the ordinance clearer in order to enforce, request and receive voluntary compliance. Councilmembers, your

[12:16:06 PM]

constituents are counting on you to protect them and other citizens in the community, please support their safety and well-being. You were voted into this role to represent and protect all of the residents of your district. This 00, disorderly conduct, prostitution and indecent exposure are against the law. We really must stop the street harassment of our students and all of our people in Austin. We are counting on you. Please protect our students and other citizens in the community. Thank you.

>> Shay peterchek.

>> Can you hear me?

>> Yes.

>> Go ahead.

>> Okay. Give me one second. So I want to say I am in favor of reinstating the candy ban, so

-- [indiscernible] Simple

[12:17:08 PM]

profound thing. The lifetime of trying and you will still fall short, if your neighborhood is less safe and -- less accessible because the council has been on still litigate crusade to allow certain people do as they please could you see how this meets the golden test? If your daughter was harassed walking to school or work would you understand how necessary this all is and how it meets the golden test? If running on town lake trail means dodging -- do you see the necessity of this all of this? These are easy questions I think we know how most citizens would answer, but they are the, aren't the fundamental intellectually bankrupt path, I have been at Codow Jones meetings and listened to support others the catch you please crowd the more fundamental questions to what accommodations should make within the borders and not have a home? Should -- allow them wide latitude even if it means hurting citizens? No? What if the damage is done mostly to those at the bottom of the economic ladder is that

[12:18:09 PM]

better? What about opportunist making their ways from other cities to enjoy the freedom Austin granted? Or the homeless people who have mental illness should the city allow young nonconformist to increase their struggle snl the golden test works, and mentally ill and I am a student, would be in a city where people of good will vaccines and comfort, suppose a lot of tragedy --

[indiscernible] And turned to substance for relief I would hope to be in a city where people of good will recognize what I can be and still be a place of restoration and not allow me to take there others what they hold dear. Suppose I decide to simply want to wander and hope to be in a city where people of good will would stand up and prevent me harming the others and in circumstance I want to be in a city that can't recognize the complexity of life and expect so little of me that it suggests chaos is suitable for me. The thought process that has resulted in this chaos is not new or Progressive.

[12:19:09 PM]

It is as ancient as the golden rule it is lazy excuse making that deprives people of agency and those of ability to have a lifeless good if offered if we decided to stop this insanity, Austin is a generous city of good people, nothing will put a damper on generosity like a continuation of failed policy under the guise of some sort of virtual signaling let's clean up this mess and get off, get back on track. Thank you.

>> Chazz Moore.

>> Good morning, everybody. Happy new year. This is the first time I am am talking to you all this this capacity, 0 that is that. As always, I have, you know, this planned thing to say and get out to you all but I am hearing some things that are just very interesting to me. So I will still try to be brief and quick. Trawl I do want to say I support item number 5 to make sure that,

[12:20:10 PM]

you know, we can increase transparency and buy-in from the community by having the Austin police officer society be as independent as we can and also reporting to city council I think would be a little bit better because now, you know,, you know, you all would have to, or you all can listen to the needs and wants of the constituent and that can go directionally to the office of police oversight. And also I have really been dealing with this issue over the last couple of weeks I am somebody who is listed as a supporter and a committee member for the Austin for Progressive reform, but I can not in good conscience continue to support this effort because while it is a lot of people on this task force, on this group I admire, I agree, I mean, I completely disagree with Fred Lewis this process was vetted very carefully because it was not. And the main concern and the main reason I am stepping away

[12:21:11 PM]

is because of the veto power that many people in the community and my communities just can't support, so I am fiscally withdrawing my name from the initiative and hopefully we can get to something like the strong mayor system so everybody can get behind in the future. Last but not least, this issue is again something that is really showing the city, a different side of the city, and I just want all of these people that are talking about protecting everybody in the city, preskting all of the residents and citizens of the city, the people that are unhoused in, are our community members as well so for the lady that is driving her corvette that is scared of somebody who is just asking them for money to do whatever they need to do, that's also your community member. These students at unfortunate. The I feel so sorry for them because instead of us allowing them to come up with their own narrative and their own solutions to this issue, we are telling and showing them how you deal with people that you are

[12:22:12 PM]

afraid of and people that do not look like you and ppe that cannot relate to you. I really hope you all do not do anything that is going to regress the camping ban, with he know there are things coming up in the city where we have this large community the all of folk that are going to aggressively tackle the housing issue, we have in the city, but camping ban unlike the motto at UT in which anything that can start to change the world, camping ban does not change anything. It reinstate it is status quo, it reinorganization it is status quo and we are better than that. And I hope city council will give us, the city a little bit more time to come up with a valuable solution. Thank you.

>> Zenobia Joseph.

>> Thank you, mayor, councilmembers, the I am Zenobia Joseph. I just wanted to ask mayor specifically as it relates to local government code chapter 9,

[12:23:12 PM]

homeroom municipality if you could also include the fiscal note. It is specified in subparagraph C 2 which says include and estimate of the anticipated fiscal impact to the municipality if proposed amendment is approved. I do support changing the election to the mayoral -- not mayoral election, yes, that is Rhett specific, actually, it is option 1 in your backup material. However, I oppose the strong mayor as it relates to the veto power which you heard from many individuals, as it relates specifically to three and 4, I oppose that as well, but I do recommend that you use option 2, because it is specific, the it specifies downtown in university of Texas cam us, I would also ask you to include language however as it relates

to napping. I also would ask if it is at all possible for you to include demographic data with the fiscal impact to specify the black population makes up about

[12:24:13 PM]

eight percent of the total Travis county population, but 30 if percent of the homeless population, and that comes from the community advancement network, 2019 document. I would just elaborate by saying to the individuals who are so concerned about the university of Texas area, that is nambialism at Mcbee elementary I want you to remember Matt councilmember Casar got council approved 250, 215 units times two, 430 permanent supportive housing units directly add Wray sent to Mcbee elementary and then last week council approved 137 more units at juniper, so to the council I want you to know remember that there is a two-mile radius for these low income housing tax credit units I will continue to go to the Texas department of housing and community appears to make them understand that what you are doing is creating pockets of poverty. It does not further affirmatively further fair housing and so I just want you to keep that in mind.

[12:25:13 PM]

I don't know where you think the homeless people are going, at highland, rent lease, they don't want lower income there. So you have to be 80 percent area median in, the same with properties west of mopac, and so you are condensing these individuals to areas that are zero .6 miles to three miles away from a bus stop and that is specifically that bungalow hotel you purchased which is also adjacent to section eight housing, so I am just really disturbed by this trend of the people who want to change where the homeless people can rest. These are black people and unfortunately, I just don't think they get it. It is an eyesore downtown but just shifting the burden to another part of town. 10-1 could work if we had representatives that actually took our concerns into consideration. Thank you for your time. If you have any questions, I

[12:26:14 PM]

will be glad to answer them.

>> Is that correct ran da Robinson.

>> Is that correct ran da Robinson. ... Hello and good afternoon, council. I am sharand Robinson and I am here on item 1. As a plaque woman who has lived for the last 30 years, I currently live in district one, I have been a part of the austinites for Progressive reform steering committee and I want to talk to you on the issue to ensure that language we are using is, that we are talking about is fair and neutral. I want to talk a little bit about how we got here and in the black community we have the term Progressive,

Austin has negative connotations, because oftentimes progressivism is a way to look forward without looking backwards to see how we got here. I am proud to say that the work of the committee, the steering committee that looked at the

[12:27:15 PM]

amendments and came up with the language was predominantly black and brown and we looked at the history, we looked at how we arrived here today. So I want to share with you, I have -- I have done some research as we have been evaluating the amendment, and learned about the rise of Jim crow after reconstruction, and white citizens at the time in Austin were primarily male, white males in power who held positions of power, influence how the direction of our government through businesses, such as business Progressives, the Austin chamber, to establish the Austin city plan commission, which created as we all know our city plans, the 1928 plan called the Negro plan, but in order for that plan to be implemented, you have to have a system in place and so the way that I look at the work of these chart parties to do, is to do the work to to

[12:28:17 PM]

undo the system and structure of racism that perpetuate what we have today. And so when we talk about status quo, if we are not addressing the system that are underneath the policy, then it is all for naught. So there had to be a system, a group of people that were empowered by our charter to put the Negro plan in place. And then to step-by-step day by day, moment by moment ensure that that happens, and we see what is happening there today. So in my mind, and from my view, I believe that these amendments are really focused on undoing those systems of power. We are often excited about undoing, tearing down monuments, the confederacy and tearing down, taking away names of city streets and property that is named after those folks that we

[12:29:18 PM]

know were white supremacists but also need to look at our structures of government as well and how they too in particular, in the city manager position was put in place to implement the Negro plan, how those systems that are this place are still -- are those monuments to benefiting a certain group of people.

>> So I appreciate your time and I appreciate your listening to me today and thank you so much for your service.

>> Chris Harris. >>

>> This is Chris Harris. I am in district 9, first I would just like to say I am bleed because unlike many if not most Americans I am not in danger of being unhoused because I apparently live rent free in a lot of these people's heads. I am obviously opposed to item 4 and look forward to helping

[12:30:20 PM]

defeat item 3 at the polls and once again show the humanity and good will of austinites. Decriminalizing homelessness has been a success. People experiencing homelessness are safer and subjected to less police harassment than before, faceless barriers to escaping homelessness. The city and its citizens are more focused on addressing the root causes of homelessness than ever before. To see these benefits requires seeing people experiencing homelessness as citizens, just the same as those with housing, as people, in measuring their safety and their well-being on equal terms as those housed. None of these stereotyped are -- the same things were happening before and will continue with homelessness as we criminalize, if we don't get people housed. And if we hide the unhoused back into the deep woods or move people around or put them in

[12:31:22 PM]

jail, then what are the chances of that? To address the too fraught interactions between some folks who are affluent and some folks who are desperate interactions that are often worse for those that are desperate ultimately we need the affluence to be less after prudent and the desperate to be less desperate. Regarding item 1 I support democracy dollars, yet I cannot support a proposal that excludes immigrants and those unable to vote due to justice involvement, I support -- voting but state law currently disallows it, I believe in 11th district would be beneficial to promoting diversity and leadership with a more diverse council couldn't do anything without the approval of the mayor then that diversity is purely symbolic, like too much change, just made to make the already comfortable feel better about a fundamentally unchanged status quo. So while I support a stronger mayor, I cannot support a mayor that will control both the

[12:32:23 PM]

executive and the legislative branch that could still be elected in a low turnout runoff again because of the absence of rank choice voting.

>> And finally I support item 5, this I remind you doesn't actually make the change as far as where the -- resides, it simply allows you to make that change in the future and I think it is important to do now because especially if the strong mayor proposal passes, a strong mayor could veto future attempts to make a charter change of this type. And I think it is just fundamental to the nature of police oversight in



that it has to be independent, this is one of the central tenets and right now you have the police oversight direction director and police chief reporting to the same person.

>> Speaker, your time has expired.

>> Matt McColley Ack.

[12:33:28 PM]

>> Hello, council, hello mayor. Thank you for the opportunity to speak to you today. I have listened with interest to everyone that has spoken. I am representing the -- and I am here today to speak in favor of the ordinance that we successfully secured more than 26,100 signed petitions over a 50 day period. To put on the ballot. We are asking today that you consider one of two very reasonable things. One, admit that the camping ordinance you put in place in June of 2019 has failed and that it is destroying our city minute-by-minute, hour by hour and day by day. At this point it is not even really a debatable point. We have probably 5,000 homeless people in our city today, does anyone think that is a good thing our homeless population doubled in a year and a half? Does anyone think that solving the problem of homelessness is easier than it was a year and a half ago? The answer is no.

[12:34:29 PM]

Does anyone who think the homeless people living in tents under the seventh street bridge on the median on river side drive in our parks which should be -- which is supposedly illegal, down on town lake does anyone believe those people are receiving my services from the city? The answer is no. So it is hard to take lectures from comrade czar and Harris and so many others who just say they want the city to provide services to the homeless when the system that they support does not provide services. You are not receiving mental health treatment and you are not receiving drug and alcohol abuse treatment when you are living in a tent under the seventh street bridge. The homeless are far worse off today than they were when the camping ordinance passed originally that's the sad tragedy of this present circumstance. So first we are asking you to strongly consider adopting this ordinance, the mayor on the 569th day since the ordinance passed finally admitted that the camping ordinance has failed. We appreciate his statement after we return our petitions

[12:35:29 PM]

but that is not enough. It is now time for the city council to provide housing for our homeless. We have asked for an independent audit of \$163 million spent over the last three fiscal years which has produced almost zero available new housing for the homeless. Where did the money go? Why has it not been more efficiently spent and why not more effective? A tent is not a house. A tent is a tell rare structure

that take a public space to a private use and it has any number of second and third world negative consequences including human waste, physical waste, affects of public safety, public health, tourism, the image of Austin, the list goes on and on and on. Now I don't expect you to adopt this. Even though I believe at least four of you if you were able to do it privately would adopt it. What I am asking you to do is not play games with the ballot language and I think anyone that watched this city council over the last few years knows you have done that, you did that with the independent audit and independent Austin and you do it time and time again and from the language situation seen you are doing it again so I can promise

[12:36:30 PM]

you we will be filing a lawsuit within one hour if you approve language that is unfair and misstates the original intent and the language in the petition itself. You have an opportunity --

>> Speaker your time expired. >>

>> Mike Segal.

>> Hello, this is Michael Segal, a resident of Crest View here in Austin. Councilmember Leslie Pool's drink and calling in to speak in support of item number 5, which I believe would encourage oversight of the police and other step toward restoring public trust in our public safety policies. As you know we are still in this national movement for racial justice and I have been proud to be a resident of Austin as most of our city if not all of our city council has taken strong steps towards racial justice and had a chance to work with many of you and proud for the stands you have taken to restore trust in our police and also provide for accountability, that's

[12:37:31 PM]

something that is extremely important for our community and important to me as a water raising two black children here in Austin. I want to know that our police are going to be looked over and they are going to have serious oversight. And I think an important context for item number 5 is this proposal for a strong mayor which I am concerned about, frankly. I have lived in places that have strong mayors and I have seen that power really run amuck and, you know, Farris Lewis mentioned how important the reform was to provide representation for this whole city and if you think about it, a strong mayor creates a severe risk of what we call in law a moral hazard. Imagine you have a future mayor who decides that instead of providing for accountability for police misconduct they decide to sweep something under the rug in order to protect their own political standing. By having an independent oversight of the police through item number 5, that can provide an important check on this strong mayor promise Al, which by the way I would be joined by

[12:38:33 PM]

chazz Moore in opposing because I think we need to protect this democracy. I have been very proud of the work of the city council to provide permanent supportive housing, I mean the recent votes you have taken the investments you have made are extremely important and a showing national leadership and proud to see Austin stand up and in support of the moment for black lives to oppose that is bill 4 and I hope you will continue to stand up for human rights and dignity, don't fall for the fear mongering of the Republican chair of paragraphs county trying to throw around all of these words, trying use the word human excrement as many times as he can in the statement, let's keep standing up for human dignity don't fall for the fear mongering and really honoring to be a mean in ebb of this city and working with so many of you for justice and to support human rights and I hope you continue to move down that path so thank you for all of your service and please cope fighting the good fight. >>

>> Mayor, that concludes all of the speakers.

>> Mayor Adler: Great. Thank you.

[12:39:35 PM]

Colleagues, it is 1240 -- 12:40 I would propose that we recess the council meeting. We get a lunch break and we reconvene back in executive session at 1:30. That sound good to people? All right. City council will recess and meet in closed session at 12:40 pursuant to 557 -- city council will discuss legal matter related to items 1, 2, 3, 4, and 5. Which are ordinances related to the municipal election. Except for number 4, which is adoption of -- without objection, we will go into executive session at 1:30. I will see you guys there. Did I leave something out?

>> No. I was saying goodbye.

>> See you guys at 1:30.

[12:40:36 PM]

Bye bye. [INTO RECESS, THEN EXECUTIVE SESSION AT 1:30 PM]

[3:25:20 PM]

>> MAYOR ADLER: 3:25, IT IS FEBRUARY 9TH, 2021. WE'RE OUT OF CLOSED SESSION. IN CLOSED SESSION WE DISCUSSED LEGAL MATTERS RELATED TO 1, 2, 3, 4 AND 5. WE'RE NOW BACK AND I

SUGGEST THAT THE WAY THAT WE HANDLE THIS IS WE'RE GOING TO GO THROUGH THESE EACH, ONE AFTER THE OTHER, TO GET THE BALLOT LANGUAGE IN THE FORM THAT WE WOULD WANT.

AND THEN HAVING GONE THROUGH AND DONE THAT, WE'LL DECIDE THE DATE QUESTION FOR THE ELECTION, AND ONCE WE KNOW ALL THE THINGS THAT ARE GOING TO BE ON THE BALLOT, THEN WE'LL GO BACK AND DECIDE THE ORDER AND THE LETTERING AND SEE HOW CLOSE HOW CLOSE WE ARE.

[3:26:15 PM]

WITH RESPECT TO THE FIRST ONE WE'LL CONSIDER, WHICH IS THE ITEM NUMBER 1 ON OUR AGENDA, I WANT TO TALK FIRST ABOUT THE LANGUAGE CHANGE ON THE DATE OF THE MAYORAL ELECTION. >> KITCHEN: I'M SORRY. I WAS JUMPING AHEAD TO A LATER ITEM. BUT GO AHEAD, FIRST.

>> MAYOR ADLER: OKAY THE LANGUAGE DATE OF THE MAYORAL ELECTION. IS THERE A MOTION THAT WE ADOPT THE I'M SORRY. ALLISON, YOU WANTED TO PROPOSE EITHER OPTION 1 OR OPTION 2.

[3:27:20 PM]

>> I WOULD LIKE TO PROPOSE OPTION 2, WHICH WOULD BE THE BALLOT LANGUAGE WOULD BE SHALL THE CITY CHARTER BE AMENDED TO TRANSITION THE ELECTION FROM GUBERNATORIAL ELECTION YEARS TO PRESIDENTIAL ELECTION YEARS PROVIDED THAT THE MAYOR ELECTED IN 2022 WILL SERVE A TWO YEAR TERM. >> MAYOR ADLER: OKAY. THANK YOU. ANY OBJECTION TO THAT? OKAY.

THAT'S HOW WE'RE GOING TO PROCEED ON THAT ONE. THE NEXT ONE IS RANK CHOICE. IS THERE ANY OBJECTION TO THE LANGUAGE TO THE CITY CHARTER BE AMENDED TO PROVIDE FOR THE USE OF RANK CHOICE VOTING IN CITY ELECTIONS, IF SUCH VOTING IS PERMITTED BY STATE LAW?

[3:28:15 PM]

HEARING NO OBJECTION, THAT'S THE ONE THAT'S GOING TO BE CONSIDERED HERE. WE'RE NOW TO THE COUNCIL AND MAYOR COUNCIL MANAGER FORM OF GOVERNMENT ISSUE. I'M GOING TO TAKE THESE UP IN THIS ORDER.

FIRST IS THE LANGUAGE ABOUT THE VETO OVERRIDE. THE SECOND IS GOING TO BE THE SPLITTING THE 11 MONTH QUESTION. THE THIRD ONE WE'RE GOING TO TAKE UP ARE THE. >> MAKE MY MOTION.

[3:29:20 PM]

>> KITCHEN: I MOVE THIS IS LANGUAGE IN BACKUP, I MOVE THAT WE USE THIS BALLOT LANGUAGE AS A SEPARATE BALLOT ITEM, SHALL THE CITY CHARTER BE AMENDED TO PROVIDE FOR AN ADDITIONAL GEOGRAPHIC COUNCIL DISTRICT WHICH WILL RESULT IN 11 COUNCILMEMBERS ELECTED FROM SINGLE MEMBER DISTRICTS.

I BELIEVE IT IS OUR RESPONSIBILITY TO I THINK THIS ONE STANDS ALONE. IT IS NOT CONTINGENT UPON THE REST OF THESE ITEMS, AND JUST LIKE THOSE OTHER ONES, WE'VE BROKEN OUT A NUMBER OF OTHER THINGS THAT WERE IN THIS PETITION

[3:30:18 PM]

>> We've broken out a number of other things in this petition. It is appropriate break this out, also. It is a single and separate subject. It is about Graf I can represent, it is

a separate article and distinct issue and subject. >> Okay. Discussion on this issue? council member Kelly.

>> Kelly: Thank you, mayor and thank you, council member kitchen for bringing Thi S up. I, too, believe because it is different subject, it should be surprised in the language we should be as open and easy to understand as possible. by separating it out we are able to accomplish that. thank

you. >> Mayor Adler: Anyone else want to address this issue? council member alter? >> Alte

[3:31:18 PM]

R: There is a lot of things with this charter election that I wish had been different, including that we weren't operating under a pandemic. while I think there is a strong argument for additional representatives on council, I think it is our job to represent what was in the petition on the ballot, and I'm not going to be able to support the separating out. >> Mayor Adler: Council member casar. >> Casar: Mayor, I think I'm getting feedback from some unmuted microphones. I also believe there could be reason to have more and smaller council districts as our population grows. hours, risk I can is, if is, if this passes, the strong mayor proposal does not pass than does than creates 12 votes on

[3:32:19 PM]

the city council, which is an even number, which makes it harder to get something done. you would still have a 7-vote majority and to raise the threshold for the number you need get something done, while only adding one seat. you could go to 13 seats. that is all to say that I

[3:33:25 PM]

>>> >>>

>> Casar: So ultimately while I do agree and have -- I'm in -- and would like to have conversations on how to get to more city council districts, I think that this doesn't necessarily get us there in the of what's in the petition or makes it easy for voters.

>> Mayor Adler: I support councilmember alter and I guess councilmember Casar on this for two reasons. The first is that I would just say that I also support increasing the number of districts on the council. And I think that would be a smart thing for the council to do. I don't think this is the way to do that and I don't

[3:34:27 PM]

think it's proper for two reasons. The first one is, as councilmember Casar mentioned T easily ends up with an even number of people on the council. If there are people on the council and require seven votes to pass, then everything that passes has to have a two-thirds vote, like 64%, which would be seven of and you will have the situation where you have votes. Even if it takes 10 to do it, we're supposed to try affect the intent of the petitioners and it seems to me the intent of the petitioners was to make sure there was a council with an odd number of votes.

[3:35:36 PM]

Further discussion, councilmember Ellis?

>> Ellis: Thank you, mayor. I too support making sure that there is ample representation in government, and think the conversation is interesting around adding more districts potentially, but I think in this particular situation the added. So I think if the mayor is no longer a voting member there would still be an odd number of councilmembers. So I wouldn't want to be in a situation where people left the ballot box not knowing how many councilmembers there would be or how many district there would be. So that's my initial thought process on this one.

>> Mayor Adler: Thank you. Councilmember Fuentes.

>> Fuentes: On the flip side of that, of councilmember Ellis's comment, is that people could also go to the ballot box thinking I am just that closer to having more direct representation. The group brought forward this proposal is austinites

[3:36:36 PM]

for Progressive inform and I can't think of anything more Progressive than having another council seat and allowing a government that is closest to its people. And that is the democracy when it's functioning at its best. And we have an opportunity that I think is in the intent of the group that brought this forward, the petition that's been brought forward, to ensure that austinites have an opportunity to vote for the creation of another council district. And as we know our community is growing. We're projected to double by 2040 and there is also a way for us to assure good governance. So I strongly support this -- the creation -- having the opportunity to let austinites decide in the creation of additional council districts.

>> Mayor Adler: Councilmember tovo.

>> Tovo: I agree with my colleagues, councilmember Fuentes, who have argued for keeping it separate both for the reasons that have been

[3:37:36 PM]

identified that it is an item that stands on its own and there are benefits attendant to it that the campaign has called out, including addressing the fact that the council districts will be larger, but also that this is adding a new district, enables city hall to remain more accessible to grassroots voices and grassroots concerns and also that it gives the 2021 redistricting commission the capacity to strengthen our black and Latino opportunity latinx opportunity districts and to potentially draw Austin's first asian-american opportunity district. So to me those are additional good reasons for keeping the district measure separate.

>> Mayor Adler: Councilmember pool.

>> Pool: Yes. And I.

>> Adkins: My voice to the separating out of a new 11th

[3:38:37 PM]

council district.

>> Mayor Adler: Any further discussion? Then let's take a vote. Those in favor of the separating out the 11 members as a separate item please raise your hand. Pool, tovo, Fuentes P kitchen, Renteria and Kelly. Those opposed please raise your hand? It's the other five on the dais, so that passes 6-5. Next amendment in this item is the language that I would propose that says that the veto power of legislation can be overwritten with a two-thirds majority vote of council. Is there any objection to that being included?

[3:39:37 PM]

Councilmember kitchen?

>> Kitchen: I have a question. You're just -- let's be clear on where you're adding it. You're adding it to -- in the backup -- I think I see where you're adding it. You're adding it to the language owe. .>>  
Councilmember kitchen, may I help?

>> Kitchen: Yes, thank you.

>> If you're in the memo you're under the option in the council form of government so there's only one option in the base backup.

>> Kitchen: But we just voted to separate out the last part of that --

>> Mayor Adler: It would come at the end where it says officer with veto power over all legislation that can be overridden a two-thirds or three-fourths majority vote of council.

[3:40:39 PM]

Okay. Councilmember tovo.

>> Tovo: Procedurally I'm thinking we'll probably move forward because councilmember kitchen's brought forward an amendment --

>> It's hard to hear. I'm very sorry.

>> Tovo: Thank you, councilmember Ellis, I appreciate the reminder. I'm trying to figure out how procedurally we move forward because this is an alternative that has additional language.

>> Mayor Adler: We'll ghetto that in a second. I think it fits. We'll get to the kitchen amendment in just a moment. Is there any objection --

>> Just rewrites the second half of the sentence. A little challenging.

>> Mayor Adler: Right. As frequently happens, I guess when you're doing all kinds of things -- is there any objection to this amendment? Councilmember kitchen?

>> Kitchen: Yes. I object to this amendment. I don't think it's --

>> Mayor Adler: Let me address it then. Is there a second to the amendment that I raised?

[3:41:43 PM]



Councilmember Casar seconds it. I just think that when we're explaining this to the voters and we say that the mayor has veto power over all legislation, that's like an incomplete

[indiscernible]. It's not an absolute power and can be overridden, otherwise it creates the impression that the strong mayor would have that absolute power and that does not happen so I think that should go on and it's

[indiscernible] And should be stopped. Any further discussion?

>> Kitchen: Yes. I'm trying to look at the language again and I apologize. Can you read that clause, mayor Adler?

>> Mayor Adler: Sure. It's also in backup as posted, it's on the message board as well. It just says-- existing language says with veto

[3:42:43 PM]

power over all legislation and this would.

>> Adkins: What can be overwritten with a two-thirds or three-fourths majority of council.

>> Kitchen: So I don't support this language, but I would suggest that only can be overridden with so I would ask for that to make it clear.

>> Mayor Adler: Councilmember kitchen moves to change the amendment to add the word only. Is there a second to that? Councilmember alter seconds that. Councilmember kitchen, do you want to address your amendment to the amendment?

>> Kitchen: Well, I'm not in favor of this, but it at least makes it a little clearer.

>> Mayor Adler: Any further discussion on the addition of the word "Only"? Let's take a vote, those in favor of adding the word

[3:43:44 PM]

"Only" please raise your hand. It's kitchen, Fuentes. I think that's a majority of the council. Raise your hands again, please. Let me call it out. Councilmember kitchen, tovo, Ellis, Kelly, Casar, Fuentes, alter, pool and mayor pro tem. Those opposed? That would be me and

[indiscernible]. The amendment is now in front of us that can only be overridden with a two-thirds or three-fourths majority vote. Let's take a vote. Those in favor of that amendment please raise your hand. Councilmembers Ellis, Casar, me and Renteria and mayor pro tem. Those opposed to this amendment? It is --

[3:44:45 PM]

>> Alter: I'm abstaining if you're trying to count.

>> Mayor Adler: I was. Councilmember alter abstains. Therefore on a five-five vote it fails. Continuing on, councilmember kitchen, you have amendments to bring?

>> Kitchen: Yes. It's been passed out and on the meage board. So I'll read it for folks. So it says shall the city charter be amended to change the form of city government from council manager to strong mayor council, which will eliminate the position of professional city manager and designate an elected mayor as the chief administrative and executive officer of the city with veto -- well, veto power over all legislation which includes the budget, and with sole authority to hire and fire most department

[3:45:46 PM]

heads and direct staff, and with no articulated or stated charter authority to require the mayor to implement council decisions.

>> Mayor Adler: Is there a second to this group of amendments? Councilmember tovo seconds that. Councilmember kitchen, did you want to address anything?

>> Kitchen: This is in the interest of being more complete for voters. There's a number of things that are really important to highlight and one of those being that there's veto power over all legislation, which includes the budget. It's an important point to bring out so all of these are about bringing out additional things that this position does including the sole authority with the mayor to hire and fire most department heads and direct staff and including the fact that there is no charter authority. There's nothing articulated or stated in the charter authority that requires the mayor to implement the

[3:46:46 PM]

council's decisions. So these are important points for the voters to understand and be clear on.

>> Mayor Adler: It's been moved and seconded. Councilmember alter?

>> Alter: I just wanted to clarify that the version that you're putting forward does not include the worded document, before a decision, that's how you read it. I just wanted to make sure that was the intention.

>> Mayor Adler: I didn't hear what you just said, councilmember alter.

>> Alter: So the written version has with no articulated or stated charter authority to require the mayor to implement council adopted decisions, but it was read as to require the mayor to implement council

decisions. And I just wanted to confirm first that that was the language was without the word "Adopted."

>> Kitchen: Yes, thank you for catching that. My apologies.

>> Alter: Thank you.

>> Mayor Adler: Is adopted intended to be in the amendment or not in the amendment?

>> Kitchen: Not in the

[3:47:46 PM]

amendment.

>> Mayor Adler: Okay.

>> Alter: And I wanted to say that I think that's a really important clause for explaining what is in this proposal. There are no charter based authorities that require the mayor to implement council decisions, and I think that's really important as we put it before the voters so that they understand the package we're getting with this particular set of amendments as opposed to what it could be under some other package, but that this particular package leaves out a lot of things that we might need to make this function that really belong in the charter and are not there.

>> Mayor Adler: Council, city attorney, is there an

[3:48:48 PM]

articulated in city charter to require the manager to implement council decisions?

>> The manager of course implements the council decisions because he's your employee and the charter indicates that he would do what is required. I don't have the language in front of me that would say that.

>> Mayor Adler: As I read the amendment, it just substitutes the mayor for the manager, so any executive authority or responsibilities that the manager has then would fall to the mayor. So I'm having trouble finding an articulated or standard charter authority requiring a manager to implement council decisions. And I do know if I was overlooking something.

>> Lee, have you got it.

>> Good afternoon, mayor and council, Lee Crawford here from the city law department. I think the provision Ann is

[3:49:49 PM]

looking for is in article 5, section 2, current part 5 of the charter which says that the duties of the city manager would include -- perform other duties as may be prescribed by this charter rained of him or her by the council, not inconsistent with provisions of this charter. So that's the very end of article 5, section 2.

>> Mayor, if I might explain.

>> Mayor Adler: And that in your mind is an express or articulated or express charter authority requiring that?

>> Yes, mayor, I'll say if I were the city manager I would take that as a responsibility of mine to

[3:50:49 PM]

perform such duties as may be prescribed by the charter or directed of me by you the city council.

>> Mayor Adler: So in the charter amendment that's been proposed, the language that would be coming before the voters maintains that language, right? So it says that the mayor shall perform such other duties as may be prescribed or required of him by the council not inconsistent with the charter. So if that is an express directive, express or articulated charter authority to require a manager to implement council decisions, I think it is obviously exactly the same as respect to the mayor. So I disagree with most of -- I disagreed with all of the additions that councilmember kitchen has offered because I think that

[3:51:49 PM]

they're advocacy as opposed to explaining. And if others want to move to amend to take the others out, I would join in that. And I have an opportunity -- when I have an opportunity I will make an amendment to this amendment to take out at the very least the last section that says would articulate state or charter authority to require the mayor to implement council decisions because I don't think it's accurate or right or inherent in legislative government structure.

>> Kitchen: Mayor, could I please explain --

>> Mayor Adler: Hang on a second.

>> Kitchen: It's my amendment, I'd like to --

>> Mayor Adler: But once you make it, Ann, it belongs to everybody. I promise to get back to you, but there are other people who haven't had a chance yet to talk at all.

[3:52:52 PM]

Leslie.

>> Pool: So one of the potentials that this -- of the petition who got this to city council and wanting us to change the charter, one of their assertions is that we cannot require the city manager to carry out our directions. Of course, I disagree with that. I think that our city manager is really clear on the concept of that direction and initiatives, be they in the form of resolutions or in ordinances and legislation. It's very clear to me that the professional staff of the city of Austin carries out the will expressed in our legislation on the dais. So if in fact the petitioners claim that isn't the case, which is why they want to remove the city manager, the professional city manager and supplant him with an elected political operative to do the executive work that the

[3:53:55 PM]

current city manager is doing, then I would say that they must also feel like there isn't any requirement of the city to make the mayor act on whatever legislation. It has to be a parallel construction because they're removing the city manager and putting in an elected mayor in order to force any actions to happen, but if the mayor doesn't like whatever legislation the city council passes, he can veto it or not take it up and the city council is powerless, frankly, to do anything to force the matter. So I am left very confused over the fundamentals of the position and what you are saying about councilmember kitchen's language where she very explicitly states that we wouldn't have any power over the mayor to force him to make our changes because that's what the petitioners are saying is the case now,

[3:54:56 PM]

which I disagree with. I think we have all kinds of authorities over the city manager at this point. And I think that was inherent in the roles that we all play. We are the legislative body. The city manager is the executive oversight. He gets his marching orders from the work that we accomplish through our votes and just the fundamental change in governments here has left me really confused.

>> Mayor Adler: Further discussion on this item? Councilmember Casar.

>> Casar: Mayor, I support this amendment that you've proposed and in my view it is not to be interpreted nor should any votes be interpreted as our opinion on any of these matters, just trying to call the objective balls and strikes. And if the language that --

[3:55:56 PM]

if there isn't actually a substantive change in the language here, if in the end the provision that applies to how council interacts with the manager stays the same with how council would interact with a new strong mayor, then I think that it's most accurate to leave the -- to strike the line that you have suggested, to strike if in fact it is the -- if in fact it's the same, you're just changing the word manager to the word mayor, regardless of how I may feel about any of this, I think that I don't want my vote to be interpreted one way or the other. It's just my view is it seems like that provision in the charter stays the same, just transfers from one official to the other.

>> Mayor Adler: Councilmember tovo.

>> Tovo: Well, I think we have a really strong mechanism. Can everyone hear me?

>> Mayor Adler: Yes.

>> Tovo: I think we have a strong mechanism right now for holding the city manager enforceable and that is that we as a council hold the

[3:56:56 PM]

ability to fire him or her. That mechanism doesn't exist in this proposed charter amendment. But council has no mechanism to hold the mayor accountable K. And so I think it's extremely important to articulate that point in the language because voters need to be -- need to really understand what that change would look like functionally. And so we've discussed that the charter language is clear on what happens with ordinances, that the mayor does have an opportunity to veto those. Each week we do take action on other items and the language that we have before us is silent on what the mechanism would be for holding the mayor accountable if those council votes are taken.

[3:58:02 PM]

So in case I'm wrong I'll ask the attorney to verify that. We asked health south to initiate an rfp to come back with development proposals on a city owned tract called health south. Is there a mechanism that you see in this proposed charter amendment that would say what happens and what actions the council can take if the mayor does not bring that -- does not initiate the rfp and bring it back to the council for a decision?

>> Councilmember, the charter is silent as to that. I think that the difference of course in the language that you are all discussing is that the mayor is hired and fired by you all and if you have a strong mayor plugged into that same place, then the council doesn't have the authority to fire the mayor. So you're limited in that relationship balance. I think that's the difference in the change.

[3:59:03 PM]

>> Tovo: So likewise if we passed a resolution, which we do, to identify funding for increasing -- increasing -- if we want to pass a resolution asking the manager to go forward and identify funding for, as we did once, for childcare -- a childcare program at the women and children's shelter downtown. And the mayor did not come back to us with a preferred provider in the form of a contract, does the charter language we're considering provide any mechanism for holding the mayor accountable for making sure that comes back to council with a proposed vendor?

>> The charter language does not. I mean, as I think you all can discern, it would be something that you might -- if this were to pass and the council insists, you might create ordinances about how the council and the mayor would work together going

[4:00:05 PM]

forward in the new setup.

>> Tovo: So I conflated two things there. One was the past decision about childcare and one was a procurement issue, but I think the point remains the same that if the council passes direction in the form of resolutions,, to initiate an rfp, to identify a vendor for a particular kind of service, to allocate funding or to allocate funding for really pressing needs for affordable housing to really any other area, the council is losing its main mechanism for ensuring that there will be action and that mechanism is that ability to fire and hire the city manager. So I think this language is accurate. I think this is -- I think it is incumbent on us and it is our responsibility to make sure that the ballot language clearly explains what the impact of -- what the impact of the change would be and I think this provides voters with the

[4:01:07 PM]

information they need to make an educated decision, an informed decision.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Yes. And thank you, councilmember tovo. This language I believe as she said is accurate. There is no articulated or stated charter authority to require the mayor to implement council decisions. There is no recourse for council. It is not the same. It is not simply plugging in the mayor for the city manager. You know, that's not what's going on here. The council has lost their authority to hold the executive -- under this, the council would lose their authority and they would be eliminating their ability to hold accountable the executive branch because there's nothing in here that provides that. And that's why this language is here. So I don't think it's accurate to say that this is

[4:02:09 PM]

wrong. If there's concerns about exactly how it's worded I'm happy to listen to some other wording, but this is accurate.

>> Mayor Adler: I move to amend -- I'm sorry, councilmember alter, did you want to say something?

>> Alter: Yeah. I wanted to actually figure out -- I wasn't finding the reference that Lee mentioned in the charter because I end up in the planning commission when I go to article 5, section 2, which is what I wrote down.

>> Mayor Adler: It's on page 27 of 59 and 26 of 59 that begins at line 937. And the section that Ms. Crawford took us to was 957.

>> Alter: So I have the original -- I didn't print it out again. So can you tell me which section of the charter, like which article?

>> Mayor Adler: It's article 5, section 2.

[4:03:15 PM]

>> Councilmember, if you're looking at the petition itself, it's on page 37.

>> Alter: Okay. I was looking at section 10 instead of five with the Roman. Thank you.

>> Mayor Adler: I move to amend the kitchen amendment so as to strike the language at the -- the last language that says end with no articulated or stated charter authority require the mayor to implement council decisions. If there's a second I'll address it. Is there a second to the amendment? Councilmember Casar seconds it. I think it's -- it's just not accurate to say this. And when we asked our attorneys to tell us where in the charter was the requirement for the manager right now to do what the city council said, it was

[4:04:18 PM]

this section. This section stays enforce, which implies to that strong mayor. I haven't taken a position on this. There are a lot of reasons to support or to oppose strong mayor system. And the discussion we're having today, but the charter would specifically say that the mayor shall be required to perform such other duties as may be required of him or her by the council. That's a charter provision. And to suggest otherwise isn't accurate and it's misleading to voters. Further discussion on my amendment to the amendment.



[4:05:20 PM]

>> Kitchen: I'd like to talk more about this language. First [off mic] On line 37 -- first off it strikes out for the council. So it says the city councilmember shall be responsible to the council, now the language is taken out so it does not say that the mayor shall be responsible to the council. The other thing I'd like to point out on that line 957, it says perform such other duties. Our language doesn't speak to duties. Our language speaks -- duties is scope of activity, scope of authority. That's not what we're speaking to. What we have in my amendment is to require decisions. That is not the same as duties. Again, I'm open to some suggestion from law on language, but I think the language as I have stated, and certainly the intent of what we all have talked

[4:06:20 PM]

about this language to mean is accurate.

>> Mayor Adler: Okay. Any further discussion on this amendment to the amendment? Then let's take a vote. Those in favor of the amendment that strikes that last line please raise your hand? Councilmember Casar, mayor pro tem, me. Those opposed? Kitchen, alter, tovo. It's the balance of the dais, so that amendment fails 4-76789 the kitchen amendment is in front of us. Further discussion on the kitchen amendment? Councilmember alter.

>> Alter: So for the record I wanted to clarify why the draft says with sole authority to hire and fire most department heads and direct staff. So that alludes to the fact that we have certain

[4:07:20 PM]

appointees that are made by the council, so our city clerk or municipal clerk and our auditor and then that there are some state requirements with respect to hiring and firing such that we've been talking about with respect to the police chief that constrain the ability of the executive whether it's the mayor or and I imagine there are some other civil service provisions as well, but I think that language is designed to capture that so there's some clarity why it's in the mix.

>> Mayor Adler: Okay. Any further discussion on the kitchen amendments? Those in favor of the kitchen amendments to this strong mayor provision please raise your hand? Those opposed? I'm voting no. Casar voting no. I think the others voted aye. That passes.

[4:08:24 PM]

So in this section then I think we have approved at this point the ballot language that speaks to the timing of the mayor election, the language that speaks to rank choice voting, and then the two sections - first section on the city manager, council-mayor, mayor-council, and the other one about creating an 11th council district. All right. Continuing on, we have the volunteer public campaign finance program. Does someone want to -- we had an option 1 and option 2 in front of us. Councilmember pool, but want to make a motion on that?

>> Pool: Right. To adopt option 1.

>> Mayor Adler: Is there

[4:09:25 PM]

any objection to adopting option 1? Hearing none, that's the section that will be adopted there. That gets us to the firefighters issue. Is there a motion that someone wants to make on the firefighters? No? Councilmember pool?

>> Pool: I think we had a question about the use of the word unilateral that was in the language, if we could just pull that up and I think everything else about it was --

>> Mayor Adler: So councilmember pool moves the ballot language as presented, striking the word unilateral. Is there a second to the pool motion? Councilmember -- yes.

>> I think when you strike unilateral just insert the word "The."

[4:10:25 PM]

>> Pool: Right. Sorry. Insert the word "The."

>> Mayor Adler: Okay. Any objection to that amendment? That ballot language on that issue? Hearing none, that's -- Ann, yes?

>> Kitchen: I just had a question. I wanted to point out that the -- the wording still says that only the firefighters can ask for binding arbitration. And I didn't think that aligned with the actual petition. So could I ask legal to speak to that?

>> Afternoon, mayor and council. Let me address that point for you, councilmember. Our feeling is that the thrust of this and the principal purpose of the petition is to give the

[4:11:27 PM]

firefighters union the ability to have

[indiscernible]. So the feeling is that the language that's been proposed captures the features of the petition itself is appropriate. If you wanted to say something about requiring binding arbitration that's in the petition but really may be a difficult proposition legally, if you wanted to say something about that, you could simply insert the phrase either the firefighters association or the city would have the authority to require binding arbitration. So if you wanted to address it, you could insert the city there, so our belief is that the current language before you adequately describes the petition.

[4:12:33 PM]

>> Mayor Adler: Mr. Crawford, can we require the firefighters to submit to arbitration if we change the charter?

>> I believe as a -- I believe as a legal proposition it would be problematic for our city charter to require a private person or a private entity such as the firefighters union to agree to a contract they didn't want to enter into. So while the petition does purport to give the city the ability to require binding arbitration as a practical matter I'm not sure that we in our city charter can require the firefighters union or anybody else to make a contract that they don't want to make. Our charter imposes limitations on the city and gives the city authority, but it doesn't impose limitations or give authority to third parties so it doesn't really give us the ability to require the firefighters union to enter

[4:13:34 PM]

into binding arbitration.

>> Mayor Adler: Okay. Thank you. Further discussion on the motion in front of us, which is as written with unilateral stricken and "The" put in itself.

-- In its place. Yes, councilmember Kelly.

>> Kelly: Thank you. Could law read to us the language that was suggested in the petition from the firefighters, please? Just so that we can let everybody else know what it was? Thank you.

>> Yes, councilmember --

>> To be clear, I don't think that there was language in the petition itself that was suggested as a ballot language. I may be wrong, but I know they have sent language to the councilmembers. You can read it Lee, if you have it.

>> I do have the firefighter union's ballot language if that's what you were asking about, councilmember?

[4:14:34 PM]

>> Kelly: Yes, thank you.

>> So the boot language that was proposed by the Austin firefighters association

reads as follows: Shall the city charter be amended to allow the city and the Austin firefighter association to have the ability to resolve a potential labor management negotiations impasse by using dispute resolution procedures known as binding arbitration.

>> Mayor Adler: Okay, thank you. Ready to take a vote on the pool motion? Councilmember Kitchen?

>> Kitchen: Just one more question. So I was trying to align the ballot language with the ordinance in the backup and the way the ordinance is written in the backup goes with the other language that you had suggested. So I think I want to suggest that language. Would you tell us again,

[4:15:34 PM]

Lee?

>> I think if you were referring to the oblique reference to it and just a minute ago, councilmember, saying that you could amend the ballot language that is under consideration then and to read shall the city charter be amended to -- of the national association of firefighters and the city authority to perform binding arbitration of all issues the dispute with the association if the city and the association reach impasse in collective bargaining associations. So simply adding in for the city. City.

>> Kitchen: Thank you, at the appropriate time, mayor Adler, I would like to make that proposed change, because I think it aligns better with the way the ordinance in the backup is written. The ordinance in the backup is written as -- as --

>> Mayor Adler: Okay.

[4:16:35 PM]

[Indiscernible] Anybody want to say anything before we let Anne, councilmember Kitchen make that amendment? Yes, councilmember Alter?

>> Alter: Sorry, I'm not following the issue. Can you --

>> Mayor Adler: Let's let councilmember Kitchen make her amendment, then she can explain it. The language that I understand, I'm not sure that I followed it Anne, it was the language originally proposed from legal, with unilateral stricken and the put in its place per councilmember pool. The firefighters or the city authority to require the

-- the what? Mr. Crawford?

>> You would like me to read what I think I had said earlier in response to councilmember kitchen, it would read shall the city

[4:17:35 PM]

charter be amended to give the Austin firefighters association local 975 ... Or the city authority to require binding arbitration of all issues in dispute, if the city and the association reach impasse in collective bargaining negotiations. Sorry that's a long sentence.

>> Mayor Adler: I'm not sure that I follow it. What you are saying is to give the Austin firefighters association local and international firefighters or the city.

>> Or the city authority to -- [multiple voices]

>> Authority to.

>> Require, binding arbitration of all issues in dispute. Then delete the phrase with the association and [overlapping speakers]

>> Mayor Adler: The city to participate; is that right? Hang on.

>> I'm sorry, I missed the last part of your statement, sir.

>> Mayor Adler: You are deleting the words "The city

[4:18:36 PM]

to participate in."

>> Yes, sir. Deleting that phrase and then further on that same line, deleting the phrase with the association. Authority to require binding arbitration of all issues in dispute if the city and the association reach impasse.

>> Mayor Adler: Okay, is that your amendment, councilmember kitchen?

>> Kitchen: I think that is kind of hard to understand. I would like to just make the amendment that was proposed to us by the firefighters. I think it's clearer. So I'll just read that. If I could go ahead and make that amendment.

>> Mayor Adler: Okay. What amendment would you like to make.

>> Kitchen: Shall the city charter be amended to allow the city and the Austin firefighters association to have the ability to resolve a potential labor management negotiations impasse, by using dispute resolution procedures known as binding arbitration. I'll make that motion.

[4:19:39 PM]

>> Mayor Adler: Okay. That's the kitchen amendment. Is there a second to the kitchen amendment? Councilmember Kelly seconds it. Discussion? Councilmember alter?

>> Alter: So -- so I think when we go back to this we have to be able to talk about the -- you know, the key features of what we're doing. And can legal speak to what they see are the chief features? Because that seemed like it seems yes it's more simple but I don't know if it politicians what we have to accomplish, which is what I'm trying to -- to -- trying to understand with all of the arguments that we've heard.

>> In our analysis, councilmember, the chief feature of the firefighters' petition is that it requires the city to engage in

[4:20:42 PM]

binding arbitration. Will our current state law allows the city and the association to engage in arbitration, but only if both parties wish to do so. The chief feature of this petition is that it would give the firefighters union the unilateral ability to force the city into binding arbitration, that's the chief feature of the petition.

>> Alter: It doesn't force the city? Doesn't allow the city to force the firefighters?

>> In our analysis, it says it does, but I -- I'm really concerned that the city would actually have the legal ability to force a private entity like a labor association to make a contract that they didn't want to make.

>> Mayor Adler: Continuing is councilmember kitchen's motion to use the

[indiscernible] Firefighters

[4:21:43 PM]

association's language. I support the firefighters in most all things. On this one, again, for the reasons that our council has given us, I think the more accurate description of what's happening is what our legal department proposed, I support the amendment that councilmember pool paid because I don't think that the word unilateral is necessary. Which I read to be the chief objection of the association in the

language. So I'm not going to be able to support the kitchen amendment and would prefer us to go back to -- to the language as suggested by council with the

[indiscernible]. Further discussion on the kitchen amendment. Councilmember kitchen?

>> Kitchen: Sorry. Just one last question. One of the things that has me confused, Mr. Crawford, is when I look at the

[4:22:43 PM]

proposed firefighter ordinance, in backup, it doesn't -- it says either the city or the association may request arbitration. So the language in the ordinance that would be part of this ballot item just seems very different than the way we're characterizing the ballot item. That's what's causing me -- the explanation, that's what's causing me difficult. That's why I'm proposing the language that I am.

>> By way of response, I would simply offer if you continue reading through the proposed charter amendment language itself, it makes it clear that if either party requests arbitration, there's going to be an arbitration. It's not a voluntary process. It's mandatory. It's a required process if either party would request it. That to me is sort of, you know, the gravement of the

[4:23:43 PM]

petition, it requires

[indiscernible] Binding arbitration which doesn't exist under current law. Our concern is that being the chief feature of the petition and of the proposed charter amendment, it would be good to say that in the proposed ballot language.

>> Kitchen: Thank you for that explanation.

>> Mayor Adler: Ready to take on vote on the kitchen amendment? Let's take a vote, those in favor of the kitchen amendment using the association language. Would you raise your hand. Those opposed please raise your hand. I think it's the balance of the dais. So we are back then to the motion that's made by councilmember pool.

>> Just so the record is clear, I think councilmember Casar is off the dais.

>> Mayor Adler: You are correct, councilmember Casar is off the dais. That gets us back to the language that's proposed by councilmember pool which was from -- from legal counsel with the word unilateral

[4:24:45 PM]

replaced by the word "The." Any further discussion on this? Those in favor of that language please raise your hand. Opposed? I think that's everybody on the dais this time. Okay. That gets us past that one. The next one is the -- the save Austin now petition. Anyone want to make that --

>> Casar: I would move option 2 in the backup.

>> Mayor Adler: Is there a second to that? Mayor pro tem seconds that. Any discussion? Any objection to using option 2? Hearing no objection, option number 2 is the one that we're going to use there. Does that get us to -- to

[4:25:46 PM]

the last one, I guess, which is item G. Is there a motion on item G? Councilmember Casar?

>> Casar: I move that we move forward on item G and include the ballot language that was distributed most recently by -- by me and I think in consultation with councilmember alter.

>> Mayor Adler: Okay. Is there a second to this item? Councilmember alter seconds this. And any discussion on the language as -- as laid out?

>> Would you mind just reading the language into the record. Thank you.

>> Okay. Councilmember Casar, would you do that please?

>> Casar: Yes, hold up one second.

[4:26:48 PM]

All right. Proposition G, shall the city charter be amended to allow for a director of police oversight to be appointed or removed in a manner established by city council ordinance with duties that include the responsibility to ensure transparency and accountability as it relates to policing.

>> Mayor Adler: Okay. Councilmember alter?

>> I just want to point out that, you know, what this charter amendment does is it preserves the opportunity for us to -- to have the conversation over the appropriate structure for the office of police oversight. And provides that authority to council, which I think is valuable, whether we move to strong mayor or not. It does require a lot of conversation which given the process that -- that these amendments were brought forward and the conditions under which they were brought forward with the

[4:27:48 PM]



pandemic, et cetera, we did not have, but under our charter and under state law we cannot bring charter amendments again for another -- another two years. And so I appreciate working with councilmember Casar to bring this option forward so we can have those discussions in full daylight. And really think about what makes sense for improving oversight in our city. In terms of the governance for this very important role. Which our city manager was instrumental in helping us to create in the first place.

>> Mayor Adler: Okay. Councilmember Kelly.

>> Kelly: I think this is a great idea in theory, I'm glad it was brought forth by other members of the council, but I have a very strong opposition to doing it so quickly without more insight and collaboration in the community and feedback and so I will -- I will be voting on no for this, thank

[4:28:50 PM]

you.

>> Mayor Adler: Okay. Anything more on this item G language? Let's take a vote. Those in favor please raise your hand. Those opposed? Councilmember Kelly voting no, the others voting aye. It passes. All right. There was a request for a recess, a quick break. It's 4:30,. Can we take a 10, 15 minute break? Okay. I'm going to call us back here at 4:45.

>> Kitchen: Mayor, I have a question. So can you help us understand the remaining -- votes that we need to take. If we do it quickly, I'm not sure why we are breaking, but if you can help us out --

>> Mayor Adler: Wanted to take a look at some of the language that we voted on. Two things that are left, one is the date, the election, and the other is the order of the

[indiscernible].

>> Mayor, with all due respect, those are -- those should be fairly -- easy

[4:29:51 PM]

issues. To resolve. No?

>> Mayor Adler: Could be. We have just taken a lot of votes on language and I think people are trying to process it. We can come back at 4:45, we're going to take a recess. Councilmember Ellis councilmember Ellis just to be clear there was an additional item on our agenda about adopting one of the petitions, that's been tabled or withdrawn since we took action on the ballot language.

>> Mayor Adler: We haven't yet. But when we do, then it will be withdrawn because we will have taken alternate action.

>> Kitchen: Mayor, I would really just like to proceed. I think we're talking about another 10 minutes. At most.

>> Mayor Adler: Okay. Mayor pro tem?

>> Harper-madison: Much like councilmember kitchen, I would also like very much to proceed if it's at all possible.

>> Mayor Adler: Okay.

[4:30:52 PM]

Does everybody else want to proceed or take a 15 minute break. Those wanting to proceed, mayor pro tem, tovo, alter. That's five. We'll come back in 15 minutes, at 4:45. See you guys then.

>>>>>>[Break].

[4:51:58 PM]

, It's possible that vote could change. If that vote changed, the impact -- that could impact what we're doing. In other words, if we passed -- the other one, you know, that we -- that we -- if we pass that by seven votes and then later this one goes away, we would have to undo that thing that didn't pass by seven votes. I don't know that we -- we could.

>> By the way, it is 4:52, I'm calling us back from recess.

>> That was my concern, area, you hadn't yet called us back from recess and we needed to have that conversation publicly, thank you.

>> Mayor Adler: Yeah, yeah. Councilmember kitchen? You are muted.

>> Kitchen: We have two more items that we haven't addressed yet.

>> Mayor Adler: Yeah, yeah.

>> Kitchen: The order and the date, perhaps we should take that up first before

[4:52:58 PM]

we, you know, speculate about --

>> Mayor Adler: We can. I was just trying to raise that issue for Anne to think about procedurally, how we might be able to get from here to there given that issue.

>> Kitchen: I would also suggest, mayor, that we could certainly proceed. It would not require us to undo. Just we'll have to take a second and third vote, it's at 6-5 right now, just means that we will have to take additional votes.

>> Mayor Adler: Right. But if it shifted and the vote was different, not to say that it will, if it did and it doesn't pass, ultimately, then we're left in a position where because it may not be part of the other proposition, we won't have -- that -- have met our -- our statutory responsibilities.

>> Kitchen: All we would have to do at that point, mayor, is then put them back together. That's all.

>> Mayor Adler: That was my question.

[4:53:58 PM]

How do you put that back together if we were to approve it with seven votes today? If we approve it with seven votes today, I don't know that we could put it back on Tuesday or Wednesday. That's --

>> Mayor, with all due respect, I think you maybe started in the middle of the conversation, maybe we need to bring everybody up to speed. I --

>> Mayor Adler: I wasn't trying to resolve it here. While we were waiting for people to come back, I just wanted to highlight that issue. I'm now going to go to the two items that we have yet to decide, which is the date of the election, and I guess potentially the order of the resolutions.

>> [Multiple voices].

>> You also have to actually vote on the ordinances, which you voted on -- what you have voted on so far is the ballot language.

>> Mayor Adler: Correct.

>> So you have votes to take on items 1 through 5 and so with that being communicated you need to amend for the date on the ordinances, item

[4:54:59 PM]

1, 2 and 5. Obviously you've now split up in the -- in the first ordinance under item 1 on your agenda, you had -- you had four propositions, a, B, C, D, now you have five, so we have to reorder the a through

the proposition lettering, but you are going to vote on the order anyway. So I would suggest that you start with amending the ordinances without the date and then do the order.

>> Mayor Adler: We can. We can do those two things. The issue that I have for you is that if we approve the -- the ordinance, you are saying because it's all part of the same ordinance, it wouldn't be the issue? All right. All right. Let's talk about a date. What are people's preferences with respect to the date of the election? Councilmember alter?

[4:56:04 PM]

>> Alter: I would motion for may. I don't actually think given the way that the -- that Austin Progressive austinites and Progressive reforms ballot initiatives are written, that there's room to -- to move it to November, even though we are statutorily allowed to do that. The redistricting commission is working this year.

>> Mayor Adler: Any objection to holding this election in may? Hearing none, we are going to hold the election in may. Okay. Now we have the order question to -- to decide. Councilmember pool?

>> Pool: I would like to ask that we start with the firefighters proposition as the first one on the ballot. And then I guess continue with -- and end with the save Austin now.

[4:57:05 PM]

So that the -- so that the firefighters [indiscernible]

>> Mayor Adler: Is there any objection to having the firefighters ordinance go first, the election, prop --proposition a?

>> Casar: I don't have an objection to that. But I think that -- that if we're going to pull that petition out because the others might be in a set that we might pull up homelessness into B. I am also interested on the 11th council district, whether that sits alongside the other four or sits at the end.

>> Mayor Adler: Okay. I didn't hear an objection to having the firefighters be the first one that we have. So we're going to start there. Your suggestion, councilmember Casar, was to have which one second?

[4:58:07 PM]

>> Well, one question before we -- before we get to that would be the -- would the intent of what councilmember pool or councilmember kitchen suggested, is it to have the 11 council district item sit at the end as proposition H or would it have it be in the middle alongside the other -- alongside the others?

Potentially because it's new it could sit at the end or because it's related to the others it could be in the middle -- just interested in the intent there.

>> Mayor Adler: Councilmember kitchen?

>> Kitchen: Well, I think councilmember tovo had a thought. I will let her go first. No? When I proposed that councilmember Casar, I was going to put it in -- I don't care what order it's in. But was thinking it would go with the other ones. So it would be -- it's now five, I think.

[4:59:08 PM]

>> Casar: If that's the case, then I would suggest that we pull the ordinances -- the save Austin now ordinances into slot B. Just given that firefighters is one because it's kind of we want to standalone, then one standalone and the others would sit together.

>> Mayor Adler: Any objection to making the save Austin item B? Okay. Yes, councilmember alter?

>> Alter: I don't know that I have a strong feeling, but there is a difference between an ordinance -- like a -- an ordinance thing and a charter change and it just seems to me that all of the charter amendments should be together, and -- and the ordinance change should I don't know what order that makes it, but logically, I would think you would cluster all of the charter amendments together, and have the ordinance change at

[5:00:12 PM]

the end. But I haven't -- this was a new change to me, so I don't know.

>> Mayor Adler: Councilmember Kelly?

>> Kelly: I would like to echo councilmember alter's suggestion there, because of the differences in the amendments.

>> I just have a quick clarifying question.

>> Mayor Adler: Yes?

>> Do the ordinances -- the ordinance and charter provisions, do those show up differently, like is one a number and one a letter? Or do they go on as proposition a through, whatever letter it ends on?

>> They will all go on as a letter. So it will be a through G, I believe.

>> Okay. Thank you.

>> Mm-hmm.

>> Mayor Adler: I don't know that we can separate the charter

[5:01:13 PM]

and amendment, because I think that the last one we need to do would be the governance ones. Because those were the ones that had the 6-5 vote potentially. And that number could change. Councilmember kitchen?

>> Kitchen: I don't think that -- I wouldn't agree with that, mayor. But I do agree with councilmember alter and councilmember Kelly, that it does make sense to separate out those charters and ordinance. Really it doesn't matter what order we put it in, and we have voted.

>> Our election folks are suggesting it would be better to have the charter stuff together and the code separate. Since we're amending different things.

>> Mayor Adler: Okay.

[5:02:13 PM]

Councilmember Kelly?

>> Kelly: Could I suggest that we put the homeless ordinance first? And then we go into the charter amendments?

>> Mayor Adler: At this point we have the fire first. Does anybody want to change that? Okay. Let's continue on. What would be the second one then? If we were going to separate them, then the homeless initiative would be the last one

>> I believe you're talking about the camping and solicitation ordinance?

>> Mayor Adler: That would be last. So what would be second, it's

[5:03:14 PM]

either the governance one, or it's the one -- the G one, oversight, or the governance one, one of those two would be second. Yes, Ann, did you have something?

>> Kitchen: No, I'm just -- I can tell you what they all are, to help people sort of think about it. If you start with the fire, then you have remaining the oversight piece, the election date, rank choice voting, democracy dollars, strong mayor, and the 11-member -- adding the 11th member district. Then if you have the camping ordinance last.

>> Mayor Adler: Okay. Does anyone have any preference as to which one is second?

[5:04:15 PM]

It's either the good governance ones, or the oversight. Yes, councilmember pool?

>> Pool: To get the ball rolling, I would suggest we order that our city attorney just, as they just read them to us, which puts the petition -- the second petition up next. And that groups them. And then what do we have -- and then the order that was offered, I think democracy dollars was one on the list from the petition. And the final item was the proposition that councilmember Casar brought on the personnel oversight, police oversight. Do I have that right, city

[5:05:16 PM]

attorney?

>> Mayor Adler: So, B then would be the election date, C would be the ranked choice, D would be the council manager, E would be the democracy dollars -- no, no, D -- a, B, C, D, E would be the additional council district, F would be the --

>> I guess it doesn't matter which order those are in, right? In terms of the grouping, where the 11 district one is?

>> Yes, I had offered in the order that the city attorney had read them to us. Maybe she could read them to us again.

>> Mayor Adler: That would be --

[5:06:20 PM]

B would be the elections, C would be ranked choice, D would be manager, E would be the district, F would be the democracy dollars.

>> Okay.

>> And she would be -- and G would be oversight.

>> Mayor Adler: And G would be oversight.

>> And H would be camping.

>> Mayor Adler: And H would be camping.

>> Mayor?

>> Mayor Adler: Yes?

>> I would like to move that we adopt all of these ballot items in this order that was just read to us.

>> Mayor Adler: Okay. We're going to go through each of these items separately.

>> Mayor, we've already considered each one of them

[5:07:20 PM]

separately. I would like us to vote on all of them together at this point. There's no reason to go through each one of them separately.

>> Mayor Adler: The reason would be if one of them only had six votes, that it would require us to come back Wednesday.

>> Kitchen: I think we should leave it to the body to decide whether to separate them all out. If they're all going to vote for us, I think we should just do it.

>> Mayor Adler: As a practical matter, there's been a request to divide the question, usually preempt those, but certainly -- I think -- I mean, you can overrule me if you want to. To divide the questions. That people should be allowed to --

>> Kitchen: I wasn't aware that that was a request. Who requested it be divided?

[5:08:20 PM]

>> Mayor Adler: I did. Councilmember Kelly?

>> Kelly: I respect and appreciate your request, mayor, but may I step in on councilmember kitchen's motion to vote on everything? And I apologize if that's not the proper way to do this.

>> Mayor Adler: I think -- we took this vote. On the question of whether or not the decision for districts should be separated was decided 6-5. When something that important gets decided by 6-5, the rules say that it should be heard on more than one day. And my suggestion would be that we do that. And that we think real hard about that. Because I think it's a huge governance issue for the city. If the strong mayor does not pass, and the 11 districts passes, we'll be putting it to our charter, a filibuster rule, that requires 64% of the council

[5:09:22 PM]

vote in order to pass.



>> Mayor?

>> Mayor Adler: I'm talking.

>> Kitchen: We voted on this item. We voted on this item. I think you're out of order to revote.

>> Mayor Adler: We have five separate items on our calendar. Each one is a separate ordinance. We're going to consider each of those votes in turn. The first item on our agenda is item number 1. Item number 1 is the --

>> Kitchen: Mayor, I have a motion on the table -- I mean, I made a motion and it was seconded.

>> Mayor Adler: Okay.

>> I just have a question. Since I'm new to this, does my second count or not?

>> Mayor Adler: Hang on a second.

[5:10:26 PM]

Ann, do you know what the motion to divide the question is?

>> Mayor, if I remember right, it's decided by majority vote.

>> Mayor Adler: Okay. So let's treat it that way. There's a motion to divide -- well, there's a motion to consolidate the questions that we have, from councilmember kitchen. A motion to consolidate all of the items in front of us. It's been seconded. Is there any discussion on this issue? Councilmember Ellis?

>> Ellis: Procedurally, is voting on these ordinances different than voting on the language? I'm trying to understand exactly what we're voting on and what it

[5:11:29 PM]

means.

>> Mayor Adler: So far we have voted on elements of each of items 1, 2, 3, and 5. We don't have a vote yet on 1, with all elements, 2 with all the elements, 3 with all the elements and 5 with all the elements. Either separately, or together, we actually have to have a vote that either approves or disapproves the -- each of the items. Councilmember tovo?

>> Tovo: Thank you, mayor. As I see it, we've had different votes, we've had a lot of discussion, we've had different votes through the day on the language, and not all of those votes were unanimous. But as I see our role now, we're taking votes on approving the ordinance, ordering the elections for each of these items. And we might have independently just preferred not having these items on the ballot.

[5:12:29 PM]

But we're at the stage now -- I mean, this is where I see we are procedurally, where we're now taking the vote to put this on the ballot. But I thought I saw our city attorney who might have had an answer to that question, too, about what stage we're at procedurally, in terms of where we are with the agenda. I mean, we've made decisions, we've taken votes about what that decision looks like, now we're ordering the individual -- that these individual things be on the ballot. Am I correct?

>> That's correct. At this juncture you had to add the date, amend the ordinances to add the date for elections for items 1, 2, and 5, and figure out the order, then you're going to vote on your items 1, 2, 3, and 5, which ordinances calling an election on various things, and then deal with item 4 after you've completed that task.

[5:13:31 PM]

>> Mayor Adler: And in this case, we've adopted all the elements. So now there needs to be a motion, and a vote to put 1 on the ballot, put 2 on the ballot, 3 automatically goes -- a motion to put it on the ballot as well, and 5, we have to have a motion to put it on the ballot. Councilmember kitchen has asked for a single vote on all of those items. As opposed to considering them as we normally do on our agenda.

>> Kitchen: Mayor, the reason I asked for is that we've already voted on each one individually.

>> Mayor Adler: We voted on the elements, voted in essence for amendments on each one. Like when we approve an amendment to something, then we have to vote on the overall thing, once it's been amended. That's the place that we're at right now. Each one of those changes was an addition, but now we need to vote on each one to approve it with the changes that have been

[5:14:32 PM]

made.

>> Kitchen: I'm not understanding. I thought we voted on the ballot for each one of these items as a whole.

>> Mayor Adler: We did. But that was in the nature of an amendment. We have five items in front of us. And just like amendments, we were changing sections, so we put in a date, and we put in the order --

>> Kitchen: Mayor, that's not what we did. We voted on each item. And we voted on each item.

>> That's right.

>> Mayor Adler: Ann, do we have to vote on each of the ordinances?

>> You need to vote on the ordinances to actually call the election. So you need to vote on them. I mean, you could vote on them together if you want to, but you could vote on them separately. But you need to vote on the ordinances to actually get this election called.

>> Mayor Adler: Right.

>> Kitchen: May I ask a

[5:15:32 PM]

question?

>> Mayor Adler: Hang on a second. Councilmember Ellis.

>> Ellis: Thank you. I don't see the harm in voting on them individually. It just seems like this is a process we've done before. It shouldn't be that complicated. Let's just vote on them individually so it's very clear who is willing to put what on the ballot, and to move on with it.

>> Mayor Adler: Councilmember tovo?

>> Tovo: I think I just want to underscore the point councilmember Ellis just said, to clarify again we're not voting on the language, the language has been determined for each of these measures. We're now voting on the election.

>> Mayor Adler: That's correct. All the amendments have happened now we're voting to put them on the ballot or not. I wasn't suggesting amending any of the votes taken. All right. So what I propose is we take a vote on item 1, 2, and 3, and a

[5:16:34 PM]

vote on item 5. Ann has asked that we consolidate them all and take a vote to put them all on at the same time. I would like the opportunity to vote for each of them, because I'm going to vote probably yes for some, and no for others. I would like the ability to be able to do that. But Ann has made the motion in essence to consolidate all of the votes.

>> Kitchen: I have a question.

>> Mayor Adler: Yes?

>> Kitchen: Okay. As I just heard it, you said our motions are to vote on item 1, item 2, item 3, item 4, and item 5, right? So that means --

>> Mayor Adler: Not 4.

>> Kitchen: Pardon?

>> Mayor Adler: Not 4. 1, 2, 3 and 5.

>> Kitchen: Okay. So I'm hearing what people are saying. So a motion on item 1 means all the components of item 1, with the language that we already voted on.

>> Mayor Adler: Correct.

[5:17:34 PM]

>> Kitchen: Okay.

>> Mayor Adler: All right. So can we take a vote on each of them that way? Okay. The first one in front of us then is item 1. Councilmember Casar?

>> Casar: I've been trying to interject with a question for a while, in the middle of this. Sorry councilmember kitchen, I don't know what it is about your computer and mine that talk to each other. I'd like to interject, maybe ten minutes ago when we were determining ballot order, I would want to hear from city law whether there is an issue with having the ordinance in between charter amendments, and the reason is that if there are essentially five that are closely related to each other, and there are three that stand more alone, then I would -- I think it is clear to have fire,

[5:18:34 PM]

police oversight, save Austin petition that are really each their own, and then the five that, of course, although they can stand independently, are brought in one petition ordinance. That's just my preference. And I heard that kind of what decided this a little bit was the legal question, but I wanted to see how much that holds pause I think it's easier for people to say I'm deciding on 1, 2, 3, and all of these are kind of --

>> I'll let Ashley or Caroline weigh in on the election standpoint.

>> Sure. There's not a requirement in the election code that describes this. It just says that the propositions have to be ordered by letter. Our recommendation has always been, I believe the secretary of state's recommendation is they be grouped by the type of elections they are. Two of them are ordinances, so we have recommended that those be separate just because they are different elections in a sense. But there's not a legal

[5:19:35 PM]

requirement that they be separated. So I don't think that it's illegal to have the campaign one be mixed in. It might be confusing to voters because the ballot will say shall the charter be amended, shall there be an ordinance, but I think that's to the council.

>> Casar: I think it's just better to just have that list of the five apr ones at the end. Is my preference. And so if someone would support that, I would -- my preference would be to do fire, then save Austin now, then opl, and then the five apr amendments.

>> I could support that one. That order that Greg spelled out.

>> Casar: Then I make a motion to amend to be that way.

[5:20:35 PM]

>> I'll second that. Alison, you're on mute.

>> Alter: Can you repeat the order? I didn't fully digest that.

>> Casar: Fire, then save Austin now, opo, and then apr. Really, just with the goal of having the first three in whichever order. Because they were brought individually.

>> Mayor Adler: Does anybody object to that? Okay. Yes, councilmember alter?

>> Alter: I'm not going to fight over this, if there's a strong feeling, but to me it seems to make more sense to have the ordinance one at the end. Either at the beginning or at the end. It just makes a lot more logical sense to me. But if nobody else cares, that's not something that I feel strongly about.

[5:21:36 PM]

>> Mayor Adler: Is everybody else okay with the order that was suggested? Okay. So we'll go with that. Fire is a, the save Austin now is B, the opo is C --

>> Kitchen: Mayor? I think councilmember Kelly has her hand up.

>> Mayor Adler: Oh, I'm sorry. Councilmember Kelly?

>> Kelly: Should we do an official vote on the amendment councilmember Casar made? So we can vote it into the record, please?

>> Mayor Adler: Okay. So the motion seconded by councilmember Ellis was fire first, save Austin now second, opo, C, and the government ones following that, the last five. Moved and seconded. Those in favor, please raise your hand. Those opposed, raise your hand. So the four voting against are pool, alter, kitchen, and Kelly.

[5:22:38 PM]

The others voting aye. That's the order that we'll proceed in. And now let's take a vote on each one of the ordinances as amended, and as stated in the election vote. Councilmember Kitchen?

>> Kitchen: I move placing item 1 on the ballot.

>> Mayor Adler: Okay.

>> Kitchen: Let me just ask legal --

>> Mayor Adler: Is there a second to putting number 1 on the ballot? Councilmember Kelly seconds that. Go ahead, Ann.

>> Kitchen: I wanted to ask legal if that's the correct way to frame that motion.

>> I think you're passing the ordinance under item 1, with the amendments that you have already voted on and including the date of the election to be May 2021.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: Discussion on item number 1? Which, by the way, is the

[5:23:39 PM]

governance item.

>> The firefighters arbitration.

>> No.

>> Mayor Adler: That's not the -- item number 1 is the good governance.

>> Mayor, can we not call it good governance? That is really not what a lot of us think it is.

>> Mayor Adler: The other one save Austin now, I'm not sure that we agreed what that was either. But whatever the --

>> We're not using those terms from the dais. Nobody's calling it save Austin now from the dais.

>> Mayor Adler: Okay.

>> Let me clarify --

>> Mayor Adler: The first --

>> It's not ballot measure a. That's my mistake. I was thinking we were voting them in the order that they were to appear on the ballot. But we've now reverted back to the item numbers on the agenda, which is why the strong mayor

[5:24:40 PM]

petition item is the first one. Okay. Thank you.

>> Mayor Adler: Okay. Councilmember kitchen moves the adoption of item number 1. Which is the five-part initiated petition. Moved and seconded. Any discussion? Councilmember Casar?

>> Casar: Mayor, I appreciate having the chance to vote on each of these. The reason I'll vote no on this one today is just because I would -- I think the chance is to continue to discuss tomorrow, the extra council district would be good. I believe and actually think would support likely a 13-member council so we could add more opportunity districts and maintain the odd number of votes. But I just would like -- so I'll vote no in case tomorrow other folks want to discuss what the

[5:25:41 PM]

options might be here.

>> Mayor Adler: Further discussion on this item number 1? Okay. Let's take a vote. In favor of number 1, please raise your hand. Councilmember tovo, councilmember kitchen, alter, Kelly, pool, harper-madison, Fuentes. Those opposed, please raise your hand? Councilmember Casar, me, and Ellis. I'm missing somebody that must have voted aye.

>> Renteria voted yes and you didn't name him.

>> Mayor Adler: Okay. So that passes 8-3. Okay? Item number 2 on the agenda.

[5:26:47 PM]

Is there a motion to put the Austin firefighters item on the agenda?

>> I'll move it.

>> Mayor Adler: Councilmember pool. Is there a second? Councilmember mayor pro tem. Those in favor, please raise your hand. Those opposed? It's on the ballot. Item number 3 is the camping -- citizen initiated camping measure. Those in favor of putting it on the ballot, please raise your hand. Those opposed. It's on the ballot unanimously. And then the last one is the oversight measure.

>> Mayor, for the record you said unanimously, but my hand didn't go up. I wasn't voting up, it was delayed reaction. In fact anybody was to question it later.

>> Mayor Adler: Anybody else voteding no that I missed?

[5:27:48 PM]

>> Mayor, I wasn't voting no, but did we make a motion before we put that to vote?

>> Mayor Adler: I just called it for the vote.

>> Okay.

>> Mayor Adler: The last one we have then is the police oversight issue. Opo. Those in favor of putting it on the ballot, please raise your hand. Those opposed. Councilmember Kelly voting no. The others voting aye. That's put on the ballot as well. I think those are all the actions that we need. And I think everything was voted by seven votes. We don't need a meeting tomorrow or Wednesday -- Wednesday or Thursday. Ann, am I missing anything that has to be done?

>> That's correct, except I want to say normally unless there's some kind of unanimous thing you do, have a second to take a vote. I think that's in answer to Kelly's question. On the -- so that's how you would typically move forward, mayor.

>> Mayor Adler: Right. But there was no objection to

[5:28:49 PM]

it, so sometimes you can just say if there's no objection to something, it's adopted as well.

>> Can I say something to clarify that? Were there some in which we did not have a motion?

>> On the camping ordinance, there was no motion, and police oversight, no motion.

>> Could I suggest we do that? So there's never any question of whether or not these --

>> Mayor Adler: Not a problem. Motion on the camping initiative. Councilmember Kelly makes a motion. Is there a second? Councilmember alter seconds it. Those in favor, raise your hand. Those opposed. Councilmember Renteria votes no. Councilmember harper-madison, how are you voting on this? Mayor pro tem, how are you voting on this?

>> Harper-madison: I think you might be mischaracterized my first one. I'm a aye.

>> Mayor Adler: Got it. 10-1 vote. Councilmember rent Rita vote

[5:29:51 PM]



councilmember rentria voting no. Mayor pro tem seconds. Those in favor, please raise your hand. Those opposed. Councilmember Kelly voting no. The others voting aye. It passes. Anything else for us to do? Ann?

>> Mayor, item number 4, I think you want to withdraw that since you called the election.

>> Mayor Adler: It's put up there. I think we've got to recognize -- I don't know that we withdraw that as much as we say we're affirmatively not taking any action. We have a choice at this point to either put it on the ballot or adopt it. Since we've put it on the ballot, there's no action for us to take.

>> I think that's okay.

>> Mayor Adler: Okay. Anything else?

>> That's it.

>> Mayor Adler: All right, guys. We're done.

[5:31:04 PM]