

# City Council Regular Meeting Transcript – 05/20/2021

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[10:06:37 AM]

>> 2021 emergency medical services week. Every day ems workers serve on the front lines providing life saving care of Austin throughout the city whether on the ambulance or elsewhere. This year is no different. A few months ago ems professionals risked their lives to save others during the winter storm and we continued to grapple with the covid-19 pandemic which has asked so much of our medical services team. I invite you all to join me in celebrating our ems professionals and in thanking chief Rodriguez for his dedicated service to the city as he retires at the end of this month. Chief Rodriguez has served Austin well for 15 years and has been instrumental in making our ems team what it is today and I wish him all the best. Here's the proclamation. Be it known that whereas

[10:07:40 AM]

emergency medical services is a vital public service and provides life saving care to those in need 24 hours a day, seven days a week, 365 days a year and whereas the emergency medical services system consists of paramedics, emergency medical technicians, emergency physicians, emergency nurses, first responders and educators and others who have dedicated their lives to the service of others. And whereas ems workers have been on the front lines of the covid-19 global pandemic and were invaluable during the response to winter storm uri saving lives and providing care to austinites throughout the city and whereas it is appropriate to recognize the value and the accomplishments of emergency medical service providers in Austin and Travis county by designating emergency medical services week, now therefore I, councilmember Alison alter on behalf of Steve Adler, mayor of the

[10:08:41 AM]

city of Austin, Texas, do hereby proclaim the week may 16-22, 2021 as emergency emergency medical services week. >> If I could, mayor -- >> Mayor Adler: Thank you. >> Before we let chief Rodriguez say a few words, I wanted to echo not only the recognition of this significant week but the retirement of chief Rodriguez, as councilmember alter mentioned, this will be his last formal council meeting at this time because his return at the end of the month, but year dedication to the city of Austin, to Travis county and to really revolutionizing the ems profession over the time that you've been here. You have been a remarkable leader who have really leaned into innovation and commitments to serving our residents. Thank you so much for your service, chief Rodriguez, and we wish you best in future endeavors. >> Mayor Adler: Chief,

[10:09:41 AM]

councilmember alter spoke well on behalf of all of us. There's been just remarkable change made in ems during your tenure and I wanted to express my personal appreciation as well. Councilmembers, did you want to say anything? Councilmember kitchen. >> Kitchen: Yes, and thank you councilmember alter for that proclamation. Chief, I have really appreciated the chance to work with you over the years sense I first started on council and was proud to bring forward the expansion of the community paramedic program when I first started on council. You have been a very innovative in your use of community medicine and community paramedics and I've been proud to work with you over the years in continued expansion of that program. Thank you for your leadership and we're going to miss you.

[10:10:41 AM]

We're definitely going to miss you. >> Mayor Adler: Chief, you want a second? >> Thank you so much. I wasn't expecting that. I thought I was just here to get a proclamation. But thank you all for your recognition. I certainly appreciate that. You know, the men and women of austin-travis county are excellent clinicians and it has been one of my goals throughout my time here to move them as being recognized as just great responders to being great clinicians and we've achieved that. I hear more often they are referred to as ems clinicians and that's really what they are. The events of this last year, councilmember alter mentioned some of the things we've gone through, but they really have shown us even more about the skills and capabilities of our ems people. We've learned that not only can they assemble an isolation facility, they can

[10:11:42 AM]

help run it. Not only can they move patients to an alternative care facility but they can help assemble it and prepare it for occupancy. Not only do they understand population health, they can integrate with care systems from across our community to deliver care. And our host team is a perfect example of providing care for some of our most needy people in our community. Council, your EMS agency understands and operates within a complex health care system such as the triple aim, improvement science and social determinants of health. Those are important factors for health care systems and your EMS system is uniquely positioned to help with all of those things. The men and women of Austin-Travis County EMS are among leaders in the industry across the nation. They demonstrate flexibility and creativity every day. You are right, in a few days I'll retire, and it's kind of a sad thing but I'm happy

[10:12:43 AM]

too, excited to learn what it's not like to be on call every day, every hour, so that's going to be exciting for me. No public safety chief can care for their people without a strong backup system. Council, you certainly have provided that over the years and I wanted to personally thank you for all your support and everything that you've done to support the EMS system and to help grow it. You know, certainly you can have an innovative leader at the top of an agency, but without your support they can't do anything. Thank you for that. You recognized my success, but I turn that back at you and say thank you for all of your support. I can't think of a better way to wrap up my time with the city of Austin than to be here with you honoring the men and women of EMS. They earn our love and our respect every day. And I think that we can do things like this to show them once a year how important they are to us, and any time you see a medic, give them a hug. They've earned it.

[10:13:48 AM]

Thank you. >> Mayor Adler: Thank you, chief. And now councilmember Pool. >> Pool: Thanks so much. I wanted to take just a minute kind of right before we get to Memorial Day and to extend a real thank you and some words of gratitude to our friends at C3. They sent members of city council flags and these flags were flown in the field of flags in January for the inauguration of President Biden and Vice President Harris. And I just wanted to remark on that gracious gift to us on the council and wanted to

[10:14:49 AM]

read a wee bit from the chief operating officer from his letter that he sent to the council. And he writes, dear councilmember Pool, 2020 was an immensely challenging year for the music and live event industry in Austin and around the globe. After such a bruising year, C3 Presents was honored to be chosen to produce a significant piece of the Biden/Harris inauguration in January of 2021. Dozens of C3 employees traveled from Austin to oversee the field of flags installation which included nearly 200,000 flags from

every U.S. State and territory along the length of the national mall. Collectively the flags represented the thousands of Americans who were unable to gather safely to celebrate the inauguration. Our team worked for weeks to install the flags. Media broadcast infrastructure and iconic lighting display and numerous other production elements. For most of our employees, vendors and contractors, the inauguration was their only

[10:15:49 AM]

in-person event since the pandemic began. We present this U.S. Flag which flew on the national mall during the inauguration of Joseph Biden and kamala Harris in recognition of our continued partnership here in Austin. It is just one of 4,000 larger flags that were included in the record-setting display. We're filled with optimism as we work to safely restart our industry from local concerts to major music Philadelphia values. 2021 will be a year of renewal and hope for so many that have struggled in our city and beyond. We remain excited at the opportunities ahead and look forward to our continued partnership in Austin. Sincerely, Emmett bellaview. I think these wards are really a great expression of how all of us are feeling as we have moved into stage 2 of our pandemic response.

[10:16:49 AM]

There's a sense of hopefulness not only in Austin but across the land. And truly this flag here was quite a generous gift and it comes with much moment. So thank you for giving me this opportunity to thank our partners in the music community and here's to a terrific 20th anniversary celebration for acl, which is happening in zilker park this October. Thank you. >> Mayor Adler: Thank you. Colleagues, it is 10:17, here on may 20th, 2021. We are going to convene the city council meeting which is being held remotely by video conference. We have a quorum present. Let's take a look at the

[10:17:52 AM]

agenda for today. We have some changes and corrections which I will read into the record. Item number 1 has been withdrawn. Item number 9 is to approve an ordinance amending the housing and planning department fee schedule. Item number 10 is to approve a resolution authorizing the negotiation and execution of all documents. Item number 17, postponed to June 10th. Item 18 postponed to June 3rd, as is item 29. Item number 30 has been withdrawn and replaced by item 62. Item 25 has been withdrawn. Item 40 postponed to July July 29th, 2021. Item 55 is withdrawn. It's going to be reposted with changes on June 3rd, 2021. Item 57 is postponed to June 3rd, 2021.

[10:18:55 AM]

Item number 60 should add councilmember Paige Ellis as a co-sponsor. Item number 63 should add councilmember kitchen as a co-sponsor. Item number 67 is postponed to June 10th. Of 2021. I see three items being pulled thus far. One is item 56, one is item 63, both mention odd the changes and corrections. 56 pulled by councilmember Kelly, 63 pulled by councilmember Ellis. Councilmember alter is pulling item number 60. So that's 60, 62 -- I'm sorry, 56, 60, and 63. I think is right. Councilmember kitchen?

[10:19:56 AM]

>> Kitchen: I would like to pull item 13. >> Mayor Adler: Okay. Councilmember kitchen pulls item number 13. I have some questions for you, councilmember, on item number 62, but I'll ask them just before we take the vote. I think some of the questions I asked you you got, just to get legislative intent in before we pass those. I don't think I need to pull it. Councilmember kitchen. Okay, so the items -- I'm sorry, you are muted. >> Kitchen: I just have a question on 29. I don't need to pull it. >> Mayor Adler: Okay. Make sure you ask it. Okay. Item 29, as I recollect, is going to be pulled, but you said you had comments -- I mean postponed. Is that right? >> Kitchen: I just had a question whenever you ask it. >> Mayor Adler: We'll get there. So being pulled are 13, 56,

[10:21:00 AM]

60, and 63. Anything else being pulled? Colleagues, we have folks that have signed up to speak. We have 28 people this morning speaking at Lee minutes each. -- Three minutes each. Sit com five speakers which we'll get to close to no one but not before, five people, three minutes each. This afternoon we have 25 speakers, most are on on item number 52, zoning case. Item number 52 is going to have a discussion postponement so we'll probably take that up first. Let both sides make their case. Then we can decide the issue of -- let people speak that want to speak on the question of postponement, not the merits of the case, and then we'll decide whether or not to postpone. If we postpone, then it could be that some of the

[10:22:00 AM]

speakers will just want to come back. But that's our day, breaking for lunch right after sit com. One item to consider in executive session today. Councilmember alter. >> Alter: I just want to note during citizen communication I'm going to have my video off. I have a bit of a headache so I'm just not going to stare at the computer, but I will be listening. >> Mayor Adler: Okay. Clerk, how many people do we have signed up to speak on this morning's call? How many in the dock? >> We currently have 17 that have

connected. >> Mayor Adler: Okay. Some others connect once we initiate that. Mayor pro tem, if you would take over the helm, I'm going to need to go off and break here myself as the

[10:23:02 AM]

clerk calls the speakers. >> Harper-madison: Absolutely. >> Mayor Adler: Thank you. >> Okay. The first speaker is Ellen Jefferson. Ellen, please unmute. >> Yes, I'm here. Yes. >> Okay, please proceed with your comments. >> I'm sorry, I was speaking on an item, not general communication. >> That is correct, you are speaking on item number 11. >> Okay. Thank you. I wanted to just make sure that the council was aware of the need to extend our license agreement for 90 days. We've worked extensively with staff to - up until this point and because of

[10:24:03 AM]

covid restrictions and various other things we just need the extra time. So it sounds like it's on the consent agenda and I appreciate if you all will pass it. And then we'll be back in 90 days to actually bring substantial -- a substantial license agreement to your attention. >> Frank Rodriguez. >> Good morning. Can you hear me? >> Yes, we can. Go ahead. >> Okay. My name is Frank Rodriguez. I'm here to support resolution item 50. I'm a professional musician and represent [inaudible] As a nonprofit in focus diversity and inclusion. It helps bring about diverse talent and represent music genres to the stage to participate in Austin's rich music ecosystem.

[10:25:04 AM]

The council has been exceptional in support of the creative and music industry, businesses and individuals and creative sector so thank you for that. And thank you to councilmember Fuentes and the co-sponsor [inaudible] For item 60 resolution. We support the transformation in guiding allocation of the city's 108 million opera funding and we thank you all not just spending money but investing it instead. We think the music programs that the resolution supports all have the potential to be transformation in that they recognize and prioritize communities of color, they each face unique barriers to color and gender problematic in the music industry. We support the allocation of the \$10 million set aside in the resolution for music-related purposes, 5 million each year over two years for the live music fund that saves live music

[10:26:04 AM]

venue fund and creative relief fund. The last whereas on page 6 that relates to [inaudible] 2.2 million for the live music fund. Recommended replenishing the fund and we support this. We also support the last be it further resolved on page 7 that relates to the allocation of other funds in addition to backfilling the live music fund that replenishes the venue fund and creative worker funding that will benefit [inaudible]. Personnel and other professionals. Finally we support the last be it further resolved, city manager to report to council on status of the resolution and [inaudible] Live music funds. I'm a member of the working group and we have many recommendations to the music commission and staff. I understand that the music commission meeting staff will report back after considering our

[10:27:04 AM]

recommendations. After that occurs, we would like to see these funds utilized as soon as possible. Thank you for all you do. That concludes my remarks. >> Sara hall. >> Good morning. My name is Sara, I'm calling in support of item 60 for \$10 million of the federal American rescue plan yet to be allocated for Austin music industry release. I'm a student living in district 9 and my source of income is gigging. I'm a professional harpist and have been playing in Austin three years. [Inaudible] Due to covid. Multiple musicians I know have left Austin because they haven't been able to survive here once covid cut opportunities down. Prior to covid it was -- could see activities by the

[10:28:05 AM]

music scene [inaudible]. The pandemic was the -- but Austin alone is struggling so hard [inaudible] Left behind and abandoned. 14 months now and gigs are still not back. We need this money to sustain our industry. The majority of these funds allocated to [inaudible]. And we need the live music fund up and running as soon as possible now, not in a few months. Lastly, we need the city to select a qualified third-party administrator to [inaudible] And any other relief grants that will benefit musicians to ensure all the money is going to [inaudible]. Thank you all for listening. >> Clerk, I think maybe we should encourage the last

[10:29:07 AM]

speaker to submit her commentary in writing. I would venture to say we heard maybe half of what she said. >> Okay, we will send her an email. Requesting such. >> Harper-madison: Thank you. >> Next speaker is pat bukta. >> Good morning, councilmembers. Pass bukta here, executive director of Austin action Texas musicians and I'm here today with fellow members of our music community to stand in support of item 60 as introduced by councilmember Fuentes. We understand that arp funding are be crucial in addressing our city's needs and most working musicians still need assistance before gigs return

to 100% capacity. Given our state just opted out of extended unemployment benefits, meeting that need in a timely manner is

[10:30:09 AM]

crucial to the survival of our industry. So we ask that the resolution be supported as written and use a majority of the funds to backfill the live music fund deficit over two years. And with that we urge city staff to launch the live music fund as soon as possible, taking into consideration stakeholder input as how those funds will be used, and very importantly to choose a qualified third-party administrator that the music community supports so that funds may be distributed equitably and grown through public-private partnership. Years ago the visitor task force recommended a model of talent reimbursement in which venues are reimbursed for paying musicians a fair and living wage. The plan is a simple starting point to address our immediate needs and can be applied with an emphasis on equity as we set a new standard for business practices going forward. As well as funds are to go

[10:31:11 AM]

used to replenish the creative worker relief grant, let's please include parameters to ensure the 10 million goes directly to our music community and a qualified third party administer the process. And just thank you guys again for helping meet the needs of our musicians. I've been here 30 years this year and I've never seen a council really prioritize their music community so much, so we thank you for that and we are humbled to work with you in building a very equitable future for music in Austin's growing economy. Thank you very much. >> Rebecca Reynolds.

[10:32:11 AM]

Pat Valls Trelles. >> Thank you. Can you hear me? >> Yes, go ahead. >> Okay. Mayor Adler, mayor pro tem harper-madison and councilmembers, my name is pat Valls Trelles and I live in district 9. Thank you for the opportunity to speak. Thank you also for the work all of you do on behalf of Austin's residents, both people and animals. I appreciate very much that these are difficult times for all of us, including council. I am speaking today on behalf of the save open and take campaign. Open and take animal shelters are important and kill, of animal protection and to ensure spay-neuter of dogs and cats in order to end pet overpopulation. Just a little over a year ago Ellen Jefferson of Austin pets alive was interviewed on TV news and she said the covid pandemic still in its early stages

[10:33:12 AM]



had taught us that open and take animal shelters are no longer needed. That the community can take in and rehome homeless pets. I disagreed with her then and I disagree now. Open intake animal shelters are vital as a safety net for low-income people, for people who are about to lose their homes and people who have already lost their homes. Here's my request on item 11. Austin pets alive's license agreement with the city of Austin should not be changed until there has been a thorough and open discussion with our community about open intake animal shelter and whether the community agrees that open intake animal sheltering is necessary and vital for animal protection. Please do not allow the license agreement to be changed in a manner that allows Apa to reduce its commitment to homeless and unwanted pets. Please do not allow the

[10:34:12 AM]

license agreement to be changed without discussing the Lamar beach plan and whether Apa continues to be committed to raising the 18.5 million to 24.6 million needed to build a new shelter at Lamar beach or elsewhere in Austin. Thank you very much. >> Anna agirre. >> Good morning, mayor Adler, mayor pro tem harper-madison and councilmembers. My name is Anna agirre and I'm a long-term resident in district 2 and member of the project connect equity tool committee. I'm speaking on item 29 and only because of the concerns I have on this resolution intent regarding anti-displacement. I recognize that this item is postponed a few -- in preparation for the June 3rd meeting to consider the following. I spoken before the capital metro transportation authority board of directors meeting where the Austin city council on December 18.

[10:35:13 AM]

Because some of you were no there, there was a lack of public trust in stressed it was important they work on building that trust and truly engage the community. What happens with the contract to the voters? I'm concerned this is attempt to getting around the lawsuit. We worry about available, affordable housing and I ask that the council find out what the true current vacancy rate is. The public has a right to know. I appreciate the inclusion of neighborhood contact teams and the neighborhood base groups in the revisions because they are the ones that permanently live with the decision of council. We hope our input will be incorporated into the plans. We know what was done in the east Riverside corridor and the extreme displacement of past residents who were primarily lower income and people of color including the students from U.T. With this track record, how did this resolution not set ground work for repeat of the scenario. Do you intend to follow what

[10:36:14 AM]

we voted on which is anti-displacement? What is your definition of anti-displacement? I asked back in December, still noness a. Displacement is the moving of one place or position, therefore anti-displacement means all current residents will not be moved from their homes. I cannot stress to you how fragile the public is in this process. Your actions will let us know where the contract with the voters stands for you. Thank you for your consideration and service to our community. >> Piper Nelson. >> Hello. Good morning to everyone. Thank you so much for -- to so many of you members of this body for visiting our children's shelter yesterday at safe and taking the time to talk about the many intersections between

[10:37:14 AM]

violence and abuse and homelessness. My name is piper Nelson and I'm chief public strategies officer a the the safe alliance and today time going to be sharing remarks given yesterday by my colleagues but they couldn't join this morning. Thanks to the -- dedicated to stopping abuse and violence. As part of our work we operate a 105-bed shelter for survivors of violence and abuse that need to be behind a gate. We regularly have 30 to 50 people on our wait list for that shelter. And that doesn't even get to the people in danger and aren't even on the wait list. With this agreement you all will vote on, safe and the city of Austin are working together to create a solution that will serve people affected by violence and abuse and likely homelessness. I'd like to tell you about Bonnie, who is a former client at safe. Throughout her childhood, Bonnie experienced sexual violence, trafficking and homelessness. Lived with PTSD, panic attacks and chronic pain. When an assault sent her to

[10:38:14 AM]

the emergency room, she was connected with safe. We got her into shelter, connected her with medical and mental health and she enrolled in our transitional living program and now has a safe home of you are own. It's hard to imagine what could have happened if we haven't gotten her into shelter. People are making the impossible choice between an abusive house and homelessness. 80% of moms nationally with kids experiencing homelessness previously faced domestic violence. 27% of Texas former foster youth experience homelessness within three years of aging out of the system. In Travis county last year, 72% of people experiencing homelessness reported that their homelessness was caused by trauma and abuse. Unhoused survivors of violence and abuse face barriers to safety, housing and ongoing cycles of violence and abuse. And yet securing housing in this town has gotten harder.

[10:39:15 AM]

The average rent is more than \$1,400 a month. But an individual working full time minimum wage job gross only 1343 a month so it's impossible to work your way out of homelessness. We are so grateful for

the city of Austin for stepping up and helping the people living at the intersection of homelessness and family violence. We're going to work together as a community to ensure that anyone who experiences abuse has access to safe and safe housing and we're so grateful to you all for the work that you are doing. >> Ann Charlotte Patterson. >> Good morning. Can you hear me? >> Yes, go ahead. >> Okay. My name is Ann Charlotte Patterson, I'm vice chair of the music commission and speaking in support of item 60, the resolution to direct funding from arp who cultural arts and music. As a music commissioner,

[10:40:16 AM]

I'll focus on the music portion of the resolution. In 2019 prior to the pandemic, the live music fund was coming into being as a way to invest hotel occupancy tax revenue and live music and the growing unaffordability. Two years later H.O.T. Revenues are dramatically lower than appeared, our live music industry is reeling from a shutdown. We risk losing some of our most talented and dedicated citizens to other municipalities. But Austin's music story can take a different more visionary direction. By investing in music in the same way this city provides financial incentives to business sectors and other industries, our iconic music scene can survive, thrive and transform into more spaces, genres and technology, we can address historic inequities and hold our standing as a live music

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capital of the world. Live music is a major draw for tourism, other industries and audience dollars from throughout central Texas and beyond. \$5 million a year for two years directed by this resolution is not just an investment in quality of life for all of our residents, it's an investment that simply makes good business sense for Austin. So thank you very much for letting me speak this morning. Thank you to the councilmembers that worked on this resolution and I appreciate your support. >> Rita kres. >> Good morning. This is Rita cross. I'm calling in regard to item 11. Austin pets alive has a license agreement with Austin animal center relating to the intake of animals. The proposed reduction of the intake numbers is a

[10:42:18 AM]

critical concern and requires serious discussion and input before such a change should ever take place. This would also include Apa's plan to build a shelter in Austin. Thank you for your concern and humane actions for homeless animals in Austin. Our homeless animals deserve our protection and our caring hearts. Thank you so much. >> Cody colon. >> Good morning, mayor and council. This is Cody Cowan, executive director of the red river cultural district and president of music makes Austin. Item 60 has a direct impact on the music economy not only in terms of job growth and retention for creative workers, but also in the

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transformational change the live music fund will create our industry once deployed. It also has broader implications that includes hotels, restaurants, bars and other small businesses who depend on live music to bring destination consumers to areas and create foot traffic. For instance, the 2019 Chicago theater study suggests for every dollar spent in music and arts venue has a 12-dollar impact. Autopsy -- and reports job growth. Reemployment has been slow in the music industry due to a combination of low consumer confidence and larger opportunities are centered around large festivals which depend on state to state routing. Many states do not believe these should be retsunami. Also in Texas many unemployment benefits have been removed by state orders

[10:44:18 AM]

with extra \$300 benefits ending. The state has cut off other federal benefits to get gig workers, self-employed and others who aren't traditionally covered by unemployment insurance. Our workers stand to be left high and dry with this order and will need ongoing public support until we have achieved pre-pandemic employment levels. Our groups have already documented retention loss to musicians and create I have workers. Folks are not returning back to work. Many have left Austin. Over the pandemic many create I creatives that were allowed to operate during pandemic and membership supported 50% or fewer of previous workers will be returning and those are chiefly the veteran workers with over five years experience. Similarly data from hotel managers and restaurants support this general narrative. Support could help us retain previous music workers on the fence who are having to consider options as unemployment benefits wane

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or are pulled. There's a long road for jobs and revenues to return to sustainable and large scale profitable employment. We implore you to consider these gap measures, reinvest up to 10 million like the Austin creative relief workers and music preservation fund. To use these funds to back sell lost revenues for arts and musics, aen to deploy the live music fund now to bring our screwing he -- struggling musicians back. Thank you to councilmember Fuentes, mayor Adler, councilmember pool, councilmember kitchen and Ellis for sponsoring this resolution and thank you to everyone today for your hard work and leadership for our great city. Please support and pass item number 60. [Buzzer sounding] Thank you. >> Roy Whaley.

[10:46:19 AM]

>> Yes, hello. Howdy, y'all, my name is Roy Whaley. Hope you all are doing well this morning. Just as a side note, I miss seeing all of y'all. I miss being there in person and being able to watch all of you do your work. Hope you have a good day today. I'm wanting to talk about item 13, which is -- I'm opposed to. I'm speaking as an individual. I know you are getting comments from organizations, but I am opposed to using parkland at all. At a time that we need more parkland, we don't need to be putting buildings and parking structures, particularly right up against a hike and bike trail. People don't go there to walk by big buildings or we would have a the look of big buildings all over the south side.

[10:47:19 AM]

And we should be repurposing, we should be working with Austin independent school district to repurpose some of the vacant buildings to relocate the Dougherty arts center. I'm all for the arts center, but we need to repurpose buildings that we have, not use parkland to build buildings that we don't really need since we can repurpose these schools essentially set up for the arts classes that would fit very well there. So I know there are going to be people that are going to be taking different positions. And I'm a member of some of those organizations. My personal position is do not take away parkland. At a time that the city of Austin should be looking at ways to add parkland as we

[10:48:21 AM]

densify, as we grow, we don't need to take wave our parkland. There is a different solution, it is a good recycling, repurposing solution, and I would ask y'all to reconsider. And I will let you Goen a hope you all have a great meeting and have a great week. Adios, y'all. >> Sonya javette. >> Good afternoon. Can you hear me? >> Yes, go ahead. >> Excellent. Greetings, mayor and councilmembers. My name is Sonya javette. I'm a board member of the Austin Texas musicians here to speak in support of item 60. As a long resident of Austin, Texas, a guitar instructor, live music performer and college

[10:49:21 AM]

student, I'm speaking today to express my sincere hope that you will act in favor of councilmember Fuentes' resolution to request that 5 million for two years of federal American rescue plan funding be allocated for Austin music industry relief. Current under debate. Musicians have gone without stable earned income for 14 months now and gigs are not back yet. We need this money to sustain our industry until gigs are back at 100%. I and most of my fellow musicians have appreciated the integrity and conviction of your positions in the past. We are confident that you will act courageously and clearly

to represent the dominant perspective of your constituents at this important moment and in the future. I'm also urging council to select a qualified administrator to administer the live music

[10:50:22 AM]

fund and any other relief grants that will benefit musicians. Thank you for allowing me to speak today. >> Olivia Overturf. >> Good morning. Can you hear me? >> Yes, go ahead. >> Okay, hi. Good morning. My name is Olivia Overturf, district 2, but I've lived in district 5 a number of decades. I'm speaking on agenda item number 27. On May 12, 2021, I was a plaintiff at an ethics hearing. I'm hearing to discuss the behavior of two ethics commissioners. Besides a majority of commissioners not being prepared, I had to face one of the most grotesque police days -- I provided two screen shots.

[10:51:24 AM]

Commissioner Gamber made a series of obscene just terse while the -- it was recorded. Let me repeat that, during my -- ethics hearing, the commissioner simulated forced bulimia. Rolling eyes, clown faces and referred to the hearing as a cluster you know what. At no time did the chair stop the meeting. This behavior continued two hours. She's a clear representation of you, councilmember Kitchen. It is very apparent she knows of her race based privilege and that is the only explanation now she could get away with this. For the record, councilmember Kitchen and everyone else watching, a non-white commissioner behaved the way she did, I think we all know what would happen. Besides that, she also stepped away from the quorum of six members multiple

[10:52:24 AM]

times during the hearing, and again, the meeting was not stopped by the chair. Furthermore, the chair's own conduct is in question. The chair displayed a level of sexism that nearly went off the radar. Despite the fact I provided legal guidance about terminology, the chair took it upon himself to explain his personal interpretation repeatedly without consulting with outside counsel. The chair repeatedly answered phone texts from his work during the hearing. The chair also posted my confidential information on screen without my consent which is of no general use to the public. The information was not public prior to the hearing. As a woman to have my confidential information published in such an invasive manner with thousands to view is unacceptable. All six commissioners were on all fee male to vote the way he was voting. Councilmember Casar, I hope and I know this is not a

[10:53:25 AM]

direct representation of you, but these are your representatives on one of the most important commissions this city has. I'm a survivor of domestic violence and stalker violence, councilmember Casar so I'm sure you can imagine how I felt when this happened at an ethics hearing. A slap on these -- on the wrist for these offenses is not acceptable and does not equate holding these commissioners accountable. We need better commissioners who care about their positions and are actual representations of the city. [Buzzer sounding] I found out there was an assignment for a group of school children to watch that hearing and report about it. >> Her, your time has expired. -- Speaker, your time has expired. >> Bobby Levinsky. >> Boom, this is Bobby with

[10:54:27 AM]

the save our springs alliance. I would like to thank councilmembers tovo, kitchen and others for leadership in bringing forward the water forward resolutions. Item 63 and 65. As you know, Austin is facing a water crisis because of climate change. These resolutions will bring final action on code amendments that will have a monumental impact on stretching the reach of our available water resources. As a reminder, these water forward amendments are affordability amendments. They benefit the end users such as renters and small businesses who will spend less on water and benefit Austin's affordability goals. Water forward is premised on one major fact, it's cheaper to reuse the water we have instead of transporting the water we don't. On number 13, sos recommends against option 1b for relocation on butler's shore

[10:55:27 AM]

park. Sos continues to oppose the conversion of parkland which would will more buildings and parking within limited green space. Every you're however, of the options before you, option 1a is far superior to 1b. 1b was unanimously rejected by the parks board and environmental board. It's placed far too close to the lake and hike and bike trail and consumes too much green space. Within the last 24 hours, Austin city council has received approximately 300 emails which includes messages from each council district expressing concern about option 1b. It's clear within this limited community based outreach there are concerns about proposed design. The lady bird lake is something we all share, protecting its aesthetics is something we all care about. Option 1a does a better job by keeping the buildings back from the shoreline. I'd like to end by expressing a general concern about the continued push to put more and more parking

[10:56:28 AM]

spaces within our parks. It's backwards from the direction our city should be heading. We need to be eliminating parking, not building more of it. We would encourage you to keep off-site parking on the table and consider other nearby city-owned land is one is truly need 9. Green space within the central city is a finite resource. We need to be protecting that little we have. Thank you. >> Andrea Brower. >> Hello, my name 1 Andrea Brower and I'm a resident of district 8. I signed up to speak about item 16 and 17 which I know are postponed but I'm going to speak on the postponement and possibility of using this time for other solutions. I do support permanent supportive housing. I'm calling today as an advocate for people

[10:57:28 AM]

experiencing homelessness. I'm not here to criticize anyone. I understand that the homeless situation in Austin has been very challenging. And I know that all members of council care very much about this issue. But I'm very concerned about the failure to act and move forward in a variety of ways that will help people now. I understand that in 2018 there was a resolution for a shelter which never happened. In 2019 there was a proposal for a shelter on Ben white. In 2020, atx -- was formed to fund a shelter than that never materialized. We've focused on permanent supportive housing. Temporary shelter has not been the focus because it's not popular. But I will tell you that it is important, according to national best practice from the national alliances to end homelessness, that we have to focus on all ends of the homelessness spectrum in

[10:58:30 AM]

order to solve to problem. Froth interfered means and shelter and case management and permanent affordable housing. The solution seems to be only permanent supportive housing and that concerns me. I want to ask a rhetorical question. If someone experiencing homelessness comes to you where would you tell them to go? I heard this question and it was painful to turn people away with nowhere to go. Even the echo action plans and gap report said we would need 250 new shelter beds in 2020 to end homelessness. I understand you just approved funding for a domestic violence shelter, which is fantastic, but that -- the only investments I know of that the city has made for shelter in the last few years has been for women and children, which is important, but most people experiencing homelessness are men. There are not solutions for them. As we know, 2020 count,

[10:59:34 AM]

2,506 people are homeless. I understand there was a summit, I wasn't involved, but reading the report it's puzzling to me. The goal is to get people into housing, homelessness to housing in 30 days. People have been on wait lists for years. I don't understand how this can possibly be realistic and to house



everyone by 2024. What are they going to do in 2022 and 2023? I also understand there's a shortage of 293 million. The summit document doesn't say one word about developing shelter to address immediate need, even though Austin only has -- [buzzer sounding] -- To address the 2500 >> Again, it's not optimal. I'd love to house everybody, I think everybody would, but shelters are a lower cost to get people off the streets now. It's a pragmatic solution, it can work if it's run by the right people. >> Thank you. Your time has expired.

[11:00:36 AM]

>> Okay. >> Rebecca Reynolds. >> Hello. Can you hear me now? >> Yes. Go ahead. >> Okay, great. Good morning, mayor and council. I am Rebecca Reynolds, with the music venue alliance, speaking today in support of item 60. Thank you, council member Fuentes, mayor Adler, councilmembers pool, kitchen, and Ellis, four continued focus on Austin's arts and music. It is inspiring to see a resolution like this one that brings all of our creative community together. As restrictions are lifted and vaccinations take effect, Austin's music venues are ready to open the doors, dust off the --cobwebs, welcome friends to hug and see smiling faces they haven't seen in far too long.

[11:01:36 AM]

Most of our venues were quiet literally saved by your preservation fund late last year. The promise of the federal venue grant program has allowed them to continue paying 15 months of back rent to their landlords. However, we still have venues that, by no fault of their own, have fallen there you the cracks and have not received any disaster relief. For those and for the venues that will need help getting operational, item 60 provides essential report that will actually help us get back to work. We also would like to urge you to expedite the relief of all currently available money in the live music fund. The live music fund was created in September 2019 and initially funded with a \$2.2 million transfer from the convention center. The purpose of the fund was to allow professional musicians and venues to benefit from the tourism dollars they generate, which is the intent of chapter 351. Previously professional musicians and venues had been excluded, simply because they

[11:02:37 AM]

were businesses. I was on a music commission working group which had its last working meeting on June 18th of last year. We understand that projections for earnings were impacted by covid about U.T. Would like to see the relief of all existing funds. Musicians need to get paid and venues need to book shows. This is a tool to currently help with this. We understand there is a delay while EdD works to combine guidelines for historic preservation, nonprofit arts organizations, and commercial music. While the source of funding is the same, the needs of these three areas couldn't be more different. There

were, we ask you give clear direction today to launch the live music fund right away. Thank you for year ago time and please consider us at your service as you work through these important issues. >> Tovo: Mayor, I have a question for the last speaker, please. If she's still on the line. >> I'm here. >> Tovo: Thank you so much.

[11:03:37 AM]

>> I'm here. >> Tovo: Yeah. Thanks for your testimony. I want to be sure I just heard a couple of your points correctly. Did you say you were on the live music task force working group? >> Yes. Yes. >> Tovo: And when did you submit -- when did you say you submitted your recommendation? >> So our last working meeting was June 18th, and we abruptly stopped deliberating. There was a pause. We held a meeting in October to vote to just pass on to commission what we had produced so far. I believe that last meeting was in October. And then we were able to confirm that those recommendations, albeit incomplete, were submitted to the clerk sometime in December. >> Tovo: Okay. Thanks. You know, we did have a conversation, I actually brought forward a resolution just right after the pandemic started that asked -- that proposed some use of those live music funds, and I'm not sure if you're aware that we had

[11:04:39 AM]

quite a few musicians come to the meeting or write in advance, asking us not to use that funding at that point because -- because they meted to see it invested more infrastructure and wanted us to wait until the live music task force working group completed its work. So anyway, thank you for your testimony. I just want you to be aware that that's a conversation we had probably a year ago about using that fund. So it is -- I agree that it's important to get it circulating, if ever there were a rainy day when we needed it, it is now. So thank you for your work and your service. >> Yes. Thank you. >> James talon. >> Hi. Can you hear me? >> Yes. Go ahead. >> Hi.

[11:05:40 AM]

I'm James talon. I'm an artist. I really love Austin's parks and I love what you guys do. Thank you. I'm just speaking today because there's an agenda item 13 that inderal opposed to. I really love the art center, but I don't think that option 1b is a good use of parkland. And I'm asking if you could postpone this decision and seek out alternatives that don't smother our favorite parks. And if you won't postpone, please try to vote against 1b in particular. We already have a serious parkland deficiency in Austin. We're actually 37th in large U.S. Cities to meet our own parkland needs. And so I don't know why we would even consider converting areas of parkland to be buildings and driveways and a parking garage. And I don't think beauty needs an economic value to have inherent worth, but even so,

[11:06:41 AM]

park shores and Barton creek, lady bird lake, those are our most important parks, they're all beautiful so please don't destroy them to become urban sprawl just for an art center. Council member [inaudible] Once said Austin could worker with aid, and that would help everyone, so why can't we postpone and do that. Please also adopt a policy to stop putting parking lots or expanding them in parks. In 2018, proposition a showed that Austin voters like me want you to invest in transit be alternatives and stop relying on cars. So if we pave over parkland with a parking lot, that just sends the wrong message. We don't really have a parking problem, we have a mobility problem. So please seek out other places for parking if you must add it, especially since other places can handle the traffic flow better. One thing that sos alliance proposed with the Austin transportation department sign

[11:07:42 AM]

shop, so anyway, there's lots of other options. Please fully vet them before proceeding and definitely vote against option 1b. Thank you guys for all you do for the community and for considering what I have to say. Thank you. >> [Inaudible] >> Thank you, council. I'm [inaudible] Joseph. My contents are title VI of the civil rights act of 1964, which prohibits discrimination based on race, color, or national origin, in opposition to items 21 and 29. 21 is the \$150,000 full source no-bid contract by enjoys James consulting, which is to provide equity training for Austin transportation department.

[11:08:43 AM]

This is such hypocrisy. Caitlin delto near is now the transit manager. She is the former planner from capital metro who created the discriminatory laws that changed on June 3rd, 2018, cap remap. So the equity office should be able to provide this equity training to Austin transportation department. This is the second contract that we have as citizens given to Ms. James in eight weeks. That's \$229,000 for equity training. So why do we have an equity office as relates to equitable transit development, I just want to call your attention to specifically house bill 3983. I would urge anyone who's listening and has some concerns about the downtown tunnel to call the Republican Texas legislators. They have some concerns about the bill as well. I would also urge the people

[11:09:43 AM]

who are listening, because council has turned a blind eye, to contact nyria Fernandez at federal transit administration, she's the deputy administrator. Her assistant is learned.peacock at.gov. 4702.1b, dated October 2012, requires capital metro to reanalyze [inaudible] And implement an alternative. Last night there was a title VI update. The senior planner specified, we do not plan to reconduct that analysis at any time as it relates to the northeast Austin inequitable routes. Black people, as you are well aware, wait 60 minutes for the bus. It's six minutes southwest and central from metrorail station to the hispanics in dove springs. I would ask you to use the rusk

[11:10:44 AM]

plan planning to restore the palmer metro rapid between Samsung and apple and also the state's applied material zone. Lastly, as it relates to number 17, I am opposed to that postponement even though I recognize that's in council member -- council member pool's district. It's for permanent supportive housing, \$11 million. There's been a lack of transparency, and council, please be honest with the public and let them know as it relates to the homeless summit, March 3rd, 2021, during you are work session, you had no clue what was going to be discussed during the summit pgh [buzzer sounding] Pgh and it is pretty hypocritical for us to now embrace the summit findings. I would ask council member pool to disclose the two mile radius from Mcbee elementary, transit distance, also how many properties are west of mopac in her district, as well as Casar. >> Thank you, speaker. Your time has expired.

[11:11:46 AM]

>> Well, I thank you for the time. >> William bunch assist yes. Good morning, mayor and council. Bill bunch, district 5. I want to first urge your support for the water forward measures, and I really appreciate that those are on the agenda and look like they do have your support. Second, I want to just, on the peace park be conservancy agreement, I believe that's number 12, I don't see a recommendation in the backup from the parks board, and it doesn't seem like it even went to the parks board, and I would ask you to let the parks board review that matter first before y'all take action. And then the main thing I wanted to comment on is the

[11:12:51 AM]

Dougherty arts center and urge your support for option 1a clustered-up, where you specifically voted for it to be located in may of 2019, may 9th meeting. Both of the maps there very clearly showed that where it was to be located on butler shores, if it was going to go there, and if you did not find some other appropriate site. We need to be preserving every square foot of green space in the central city that we can. I think y'all know that Austin is actually quite short on accessible parkland on a per capita

basis overall, and then certainly as our central city population skyrockets, we need to be figuring out how to add green space rather than pave it

[11:13:52 AM]

over, and certainly the 1a option does a much better job of preserving butler shores for green space. To the extent there are some specific design problems that staff is pointing to, we're at a conceptual stage, and certainly those design challenges can readily be addressed when you get to the details, if the staff is told that they need to do that. It just seems like there's an unwillingness to problem-solve here, and the whole analysis has been unfortunately skewed towards placing the building not where you'll voted to place it and where it would directly impact greater amount of parkland, park views and trail

[11:14:52 AM]

views along the lake. We really need to be protecting, preserving our lake front parkland for that top priority use. Thank you for your consideration. >> Sarah black. >> Hi. [Inaudible] Green as people, on March 31st, 2017 I crashed a meeting of the Austin police host program. I'm against the city council giving them funding. I saw officer Trejo and [inaudible] The Salvation Army director Silverman. It's no surprise that when host officers walk by me, they walk by me, they didn't stop to provide me services.

[11:15:52 AM]

Surprisingly, four days later, after I went to that meeting, officer Barton created a fake, completely 100% fabricated report dated April 4th, 2017. I don't know if if you know, but 4/4 is the day martin Luther king was murdered but she created a fabricated report as if she interacted to me on that date, I guess, to pad, get money for that program. I complained but I never heard back from Austin police. The Austin police is the reason why I am without right now in this community, and lately, April the 1st in 2019, I was across the street from the FBI, I was living there, I had been living there for a while, talking to to the FBI about

[11:16:52 AM]

Austin police's pattern of practice of civil rights violation, and A.P.D. Showed up to -- an officer showed up to identify me because he had a copy of my complaint, and he only had my first name in the complaint. He only knew my first name. He needed to id me so he showed up as a host where I was

staying across from the FBI, and here's -- this is how I ended up with [inaudible] >> [Inaudible] I was in training last Friday. But the incident she's referring to was a week before that. >> It's already been [inaudible], already gone back to her? >> No, they couldn't find her info. They didn't even know who she was. [Inaudible] >> So I ended up with nothing

[11:17:55 AM]

again because I didn't like A.P.D. Hunching down because I filed the complaint. And I came to the governor's camp and guess what, when I went to your community court, it's like a mouse trap, you have to give your name, date of birth, and it turns out there's A.P.D. Behind a wall, you can't see them, and I don't have any services, still. I didn't have A.P.D. Services, I couldn't have equal protection and I don't have any case management or anything to get me off the street pgh [buzzer sounding] Because I didn't know they were part of this group. I didn't know they were part of the downtown -- >> Thank you, speaker, your time has expired. >> Mayor, that concludes all the speakers okay. I'd appreciate if that last speaker could reach out to my office, if I could finish hearing what you were saying, if you'd reach out to my

[11:18:56 AM]

office, I appreciate it. Thanks for taking the helm. Colleagues, we're back together. We're looking at a consent agenda, 1 through 38, and 55 through 63. The pulled items I have right now are 13 by kitchen, 56 by Kelly, 60 by alter, and 63 by Ellis. Any discussion on the consent agenda? Council member tovo. >> Tovo: Mayor, I need to pull 10 for a very quick question and 12 for the same. >> Mayor Adler: Okay. So we'll pull 10 and 12 12. Councilmember kitchen. >> Kitchen: I have a question and very quick comment on item 29.

[11:19:57 AM]

So I wanted to again thank the mayor pro tem, harper-madison, and her co-sponsors for this resolution and for recognizing the importance of the land use with project connect opportunities. I am comfortable with moving forward with a postponement, assuming that we will have the opportunity to really talk about it on June 1st, which is a work session, because, you know, we just haven't had the opportunity yet. And so I'm wanting to spend some time talking about it. I have posted on the message board for everyone, in case you haven't seen it, some proposed amendments, and I put my rationale with them also, to try to help us when we have the conversation and try to explain what my questions are. And just to say that I remain concerned about timing. I think we might need to

[11:20:58 AM]

move more quickly to planning for land use, planning for project connect, and I'm also concerned that our processes are not aligned, especially for areas at risk of gentrification, so I'm wanting to make sure that our project connect contract with the voters, which has some overlap, not a complete overlap, but some overlap, that those are aligned. So anyway, I think that -- I just wanted to alert everyone that I have my amendments posted on the message board with rationale, and then I'm supporting the postponement with the understanding that we have the opportunity on the 1st to have some conversation about it. I think we have a lot of shared gold for the tod's, and I think we need to have the conversation to get to shared language. Thank you, mayor pro tem for bringing this, and I support the

[11:21:58 AM]

postponement, with the understanding we'll have a conversation at the work session on June 1st. >> Mayor Adler: Further consent on these items? Councilmember Ellis, and alter after that. >> Ellis: Thanks. I want to be shown as abstaining on item number 9. I know we had this conversation together as a dais previously about the downtown density bonus fees. [Inaudible] Back in that earlier conversation about how the numbers were calibrated for the hdr rewrite. Since that hasn't happened, I know the numbers need to be updated. I look forward to having the conversation with [inaudible] -- I'm going to abstain for those reasons. And on item number 28, this is my air quality resolution, I wanted to thank my co-sponsors, mayor Adler and councilmembers alter and Fuentes for joining me

[11:23:01 AM]

on this. I have a brief comment, those are that our original plan is developed by [inaudible] With participating jurisdictions through the five-county msa, through the clean air coalition. I'm extremely proud to be representing the city of Austin on the clean air coalition of cap cog. The plan has included strategies on how to raise awareness on pollution, due to the danger it poses to public health, but the plan has never attempted to actually curb the production of the hazards illusion in the first place until now. To help the region make progress in reducing pollution, capcog is seeking help from the clean air jurisdictions, are for each strategy each jurisdiction can agree to pursue. This resolution documents those commitments, which came from our office of sustainability and a number of other city departments as well. Austin needs to be part of this regional

[11:24:01 AM]

conversation about minimizing particulate matter pollution from industrial operation such as construction, in some cases, quarries, and concrete batch plants. Austin is the only big city in Texas that still has [inaudible] Of EPA air quality standards, that's something we're all very proud of and working very hard to maintain that level of commitment to clean air. >> Mayor Adler: Councilmember alter. >> Thank you. I wanted to say a few words about item 61, a resolution I sponsored directing the city manager to create a pilot payment system for paramedic practitioners. The goal is first not to leave dollars on the table that can be covered through insurance and medicare/medicaid, and two, to help subsidize the expansion of the paramedic practitioner program. We currently have one pa, Travis baker, who's

[11:25:03 AM]

been quite successful in treating patients with low acuity in the field. The goal with this system is to set us up to be able to at four more paramedic practitioners to help us provide 24/7 coverage in the city. We already know that the paramedic practitioner model works and it is very well integrated into our current ems operations. During the trial of winter storm eerie, the pa we currently have on staff was able to assist on triaging and responding to calls as needed between emergencies in conjunction with the communications team. On a more typical day, Travis may treat a young child's ear infection to help a family avoid leaving their home or going to a hospital late at night, or help stitch a wound after a patient has fall own the sidewalk, or visit an encampment. This resolution lays the groundwork for what I believe will be an exciting and transformative shift in how we provide medical services to our

[11:26:03 AM]

residents. I want to thank my co-sponsors, councilmembers Ellis, Fuentes, and kitchen, and apparent harper-madison, and to all of my colleagues for your support of this innovative next step. >> Mayor Adler: Okay. Any comments on this? Yes, mayor pro tem? >> Yes. Like councilmember Ellis said, I believe we need to revise our bonus in lieu fees and I look forward to staff bringing recalibrated fees for our existing code in August. Some have serious concerns about implementing fees that were calibrated for a different code and different market conditions, so I'd also like the record to show me abstaining on item number 9.

[11:27:06 AM]

>> Mayor Adler: Councilmember Fuentes. >> Fuentes: Thank you, mayor. I have comments I want to share on item 28 and I want to thank councilmember Ellis foreadership in bringing this resolution forward and to reaffirm our commitment to Austin on this plan. We know particulate matter for air quality tends to disproportionately affect disadvantaged community and as someone who represents an



area that has several --several industrial sites and I-35, this is important to the district. We know low-income households are likely to live in areas with higher pollution levels, in turn, we have higher rates suffering from health care access, others go untreated. I want to thank councilmember Ellis for her leadership on this issue. >> Mayor Adler: Okay. Further comments?

[11:28:07 AM]

Councilmember Casar? >> Casar: Item to expand our family violence shelter is a really long time coming. I want to thank all the co-sponsors of the original resolution back in June, along with the budget items, and to reiterate my thanks in appreciation to the council for arguing this vote on the budget that was able to bring this item forward to us. It wasn't that long ago that I was at safe's campus, talking to case workers and nurses and staff, explaining who was in their shelter and what their situations were, and then who the next people were on the wait list, and really how dangerous some of those situations were of people that they have to still turn away. And so this item will provide immediate family violence prevention services, will immediately provide beds at scattered locations by engaging in this partnership with safe,

[11:29:07 AM]

which will certainly keep a lot of people -- get a lot of people out of dangerous situations and I believe save lives; and then also start that process of renovating a building for us to expand family violence shelter in a significant way, actually in such a significant way that it will be doubling safe's current shelter capacity in this city. This is the first time that the city is making a significant investment in family violence shelter in 20 years, and I just want to thank safe for the work that they do every day and for submitting to participate in this partnership, to thank our city staff at Austin public health. I know that director stirrup and assistant city manager hayden-howard and so many folks at aph have worked really hard at complimenting the substance care programs we've asked for, implementing the homeless solutions that we have been driving toward, but also being able to bring back so quickly such a significant partnership here with safe.

[11:30:08 AM]

We've talked a lot and there's been a lot of conversation about the city's budget process last year, and I think that this item can really clearly show how we can bring solutions to the table that were unable to be funded before, now that we can bring that forward and show real safety benefits to our community. And so I want to thank my colleagues, everyone on city staff, and in the community for pushing us forward on this item because sometimes things take far too long, and 20 year or so of not expanding family violence shelter is far too long, but really just here in the last year or two, the real push for us to

expand this is coming to fruition, and it's so badly needed so thank you to everyone. I'm just -- I'm really appreciative of the chance to be able to take this vote today. >> Mayor Adler: Okay. Councilmember kitchen? >> Kitchen: I just wanted to quickly -- I wanted to thank councilmember alter for bringing item number

[11:31:09 AM]

[inaudible], appreciate the chance to co-sponsor that. I don't think she could have said it better, you know, the continued, you know, work with paramedics and making it the best possible program we can be is so important, we can have is so important, and this work, as she said, to bill for the services that are being provided, are really important and critical to this program. So I appreciate the chance to support that, and thank you for bringing that, councilmember alter. I want to also comment on number 16, related to safe. It is just -- you know, doubling the capacity is so important for us to do now. We have not -- it's been way too long since we've been able to help expand access for -- technical for women and children -- particularly for women and children

[11:32:13 AM]

experiencing domestic violence, many of whom are on the streets. So I really appreciate, councilmember Casar, you pushing this forward, and I know there's been work of other councilmembers, like councilmember alter, who really worked on violence prevention. And so I just want to say that this is so important and I appreciate the chance to support it. >> Mayor Adler: Councilmember, I want to talk to you -- a couple of things. I want to talk to you about item number 62, a lot of activity in that area, and I think taking a good look at all the intersecting pieces is a good idea. And I'm fine leaving this on consent. I did have some questions about it, though, you know, just by way of almost legislative history, just to better understand. Right now, we have cultural parks as a defined term in the waterfront overlay, but

[11:33:13 AM]

this is not a cultural park designate area in the waterfront overlay because there wasn't a cultural aspect to it until we moved the Dougherty arts center there. My understanding is that now it's being -- part of your resolution initially was to identify it as a cultural park, which is that defined term in that district, but you've also added to it the cultural and climate part. And I'm aware that cultural parks, I think, are eligible for state funding, and I want to make sure that we're not going to do anything that, by designating this a cultural climate innovation area, that we're doing anything that's going to interfere with the ability to get state funding. And if I understand this next time, let me know. >> Kitchen: Yeah. Well, there's nothing that this would do that would interfere with state funding. The requirements around state funding for cultural districts are pretty broad, and they

[11:34:15 AM]

Speak specifically to designing cultural districts to fit the unique circumstances, including proximity to green space and open space. And that's recognized and written into cultural district requirements so I don't see this as creating any difficulties there. The second thing is, this resolution is all about initiating the conversation. You know, it doesn't create a cultural district, it brings the stakeholders together so they can discuss how they might want to pull it together. So there's nothing in this language that would cause any difficulties with -- if there was a desire down the road to apply for state designation. >> Mayor Adler: As a -- cultural park is a defined term. This has yet to be defined as a cultural park, defined term within the overlay. You recognize -- or does this actually designate

[11:35:15 AM]

it also in the south -- in the waterfront overlay? Does it designate this park as a cultural park area within the overlay? >> Kitchen: This does nothing different than we already have. I think there's some confusion between the terms cultural park and cultural district. They're two separate things. The cultural park, all this does is recognize what's already in the code with regard to cultural park, and that's only the Butler Shores area, not the whole area that's identified for the potential of a cultural district. And that's in code sections 25-2-671-2 and 25-2-675d, which talks in terms of Butler Shores area as a cultural park. So that's not new. That item number 4 is not new, it's just recognizing what's already in that code. Despite anything different. >> Mayor Adler: Is Butler already recognized as a cultural park within the

[11:36:16 AM]

waterfront overlay? >> Kitchen: Just the Butler Shores area. Just that area right there, not the whole area water talking about as a cultural district and by referring to the broader area, which obviously has a lot of cultural and climate part to the space, this isn't actually creating a formal designation that means anything at this point -- >> Kitchen: No, no, no, just to convene the conversation -- >> Kitchen: Yeah. This is -- yes, mayor, you're right, this is all about initiating the conversation so the stakeholders that can come together -- there's a lot of different ways in which stakeholders can decide that they may want to move forward with the cultural district. And -- but the very first step is for them to get together and talk this through and see what makes sense. >> Mayor Adler: Right. I would encourage that conversation, too, and I appreciate that you're -- that you're initiating that. There's nothing in this -- you say look at traffic, look at other issues. >> Kitchen: Yes. >> Mayor Adler: There's nothing in this that would slow down or --

[11:37:20 AM]

any projects, development projects that are already in progress at this point because of this resolution. >> Kitchen: Correct. >> Mayor Adler: Okay. You talk about it involving the parks department in this conversation, and I think that's real important. You also invite the manager to involve other departments, too. I would point out to the manager that since there's no limitation, I don't think there needs to be an amendment here, but EdD, which right now already oversees many of the cultural districts that we have in the city's six square, red river, many of the other ones I hope and trust -- this is kind of the manager's call -- would also be involved in those conversations. And since a lot of questions go to transportation, obviously, transportation would also be involved in those conversation as well. But by putting in the park department, you weren't limiting the departments that the manager could bring into play. >> Kitchen: Not limiting them, but recognizing

[11:38:20 AM]

that all of these cultural institutions that are in this area are currently -- currently pard is the department that works with all of these cultural entities that are in the area right now, and so it made sense to [inaudible] With pard but we recognize there are lots of other departments involved. This is not to exclude anybody but to recognize pard is the lead, pard is currently the lead with all of these particular cultural -- >> Mayor Adler: I appreciate that. And one last question because we're just getting -- our office received some texting for,," and I appreciate -- some texts woreclarification, and I help appreciate you helping me. There's nothing in your illusion to relocate functions that's listed, but these things have all been listed so they would be part of the

[11:39:21 AM]

broader conversation. >> Kitchen: Yes, they all need to be part of the broader conversation. >> Mayor Adler: Great. Thank you. And thank you for bringing 62. While we're together, I just want to also point out that on this agenda, we're passing item number 2, the advanced metering, and I want to concur with others that this is something that we started before the storm, but I'd say the storm sure highlighted the need for us to be able to move forward with this, so I think that's an important thing we're doing today. I see the host team. Additional money is on here. I want to thank councilmember tovo for her work in helping to establish this. I'm happy we're continuing to accelerate this and I think that given the scale of the challenge that we have, I appreciate the additional dollars that we're taking a look at and would anticipate that this is part of those services that we're going to have to really scale up for our community to to be able to deal with the

[11:40:22 AM]

homelessness challenge. And I know that the homelessness officer gray has also spoken to that end. So I think that's an important thing on the agenda. Item number 16, I -- my wife Diane is on the board of safe. I checked with legal to see if board membership was a reason for recusal. Legal came back to me and said no. I'm perfectly able to vote. Doesn't look like my vote is necessary so I'm going to abstain on this vote today, just because, but it's certainly something that I and my family support. And then I also wanted to know, item number 19, which is the appointment of Dr. Walks, coming in as the health officer authority for Travis county and Austin,

[11:41:25 AM]

again, thanking Dr. Escott, but also saying that we really look forward to being able to work with Dr. Walks. Councilmember tovo, then councilmember alter. >> Tovo: Thank you. I just wanted to make a couple comments about a couple items on this agenda. There's a lot of wonderful things on the agenda, including the contract with safe that you just referred to, and several of us had an opportunity yesterday to talk about it so I won't repeat those comments except to say how glad I am to see us moving forward with this and what an important resource this will be within our homelessness response system. Mayor, you just highlighted the host team and there are other really important additional investments that we are making in our homelessness response system on this council agenda, and, you know, these are existing programs, in some cases these are existing programs that we're continuing our investment in. I think that's a really important thing for the community to understand, as we're having a lot of conversations right now around the homelessness,

[11:42:25 AM]

to know that in some cases these are programs and strategies that we've invested in for years. One such is community first village. Community first village is primarily -- has primarily been built through private fundraising and in-kind support, and many folks have written to us over the last month or so talking about how beneficial community first village is. And I couldn't agree more. I've been out there multiple times. It's a terrific -- a terrific community. And variety of really wraparound resources, so my hats off to the amazing work that's been done and partners who created that safe space. The city has contributed in small ways until now. We've been -- in 2012 we waived fees total -- we

[11:43:28 AM]

waived development fees, \$413,000, I was really honored to bring the resolution that provided those fee waivers. In 2019 we waived a very, very small amount for the solar panel installation project. I

brought that forward, too, as well. And so I'm just so delighted, though, to see that our staff, having seen those positive actions on the part of the council, but also recognizing the importance of community first village's next phase, has brought us on today's agenda waiver of fees totaling a little over two million dollars for their next phase. That's exciting. I'm really glad to see us waiving those fees and I think this is a resource that I'm glad to see has so much priority support and that the city has been able to play a small role in helping waive some of those fees that would otherwise add to the costs of that project.

>> Mayor Adler: Councilmember Tovo, I think that the fee waivers for community first are being postponed until

[11:44:30 AM]

the next meeting. >> Tovo: My apologies. I'll just do a rerun of all of this next time. >> Mayor Adler: Not because there was any problem with it, it was a posting language issue so it's just being put back on the agenda, but worthy of being mentioned twice. So -- >> Tovo: Thanks. I like that. >> Mayor Adler: No problem. Councilmember Alter. >> Alter: Mayor, I appreciate your conversation with councilmember kitchen on item 62. I would like to be noted as abstaining. I'm more comfortable with the cultural park version, but since this is just initiating a process, I'll let the process go through, but I would like to be noted as abstaining on it. >> Mayor Adler: Okay. So noted. Any other conversation on the consent agenda? Which, for the record, again, is items 1 through 38 and 55 through 63. The pulled items are 9 -- no, no, are 10, 12,

[11:45:35 AM]

13 -- 10, 12, 13, 56, 60, and 63. Did I get them all right? There have been some conversations with respect to item number 9 that have arisen. I think that this is something that's been in the public domain here for probably over a month, in this conversation, about what we do. I think there was general agreement that the density bonuses were long overdue for calibration and that they were low, for the conversation we had a month and a half ago, it was about recalibrating them, and really, that's the big effort. And my understanding is that's going to happen and be part of the budget process we have in August. So what we're talking about here is just an interim thing until that

[11:46:36 AM]

happens. So it's only a matter of, like, a couple months before we get to the next one. But this was, as I understood it in the conversation when we discussed this same issue, about phasing in or rolling in or order or timing or any of those things, we reached some compromises and some agreements on how we would move forward with respect to that, and today I want to continue to honor them, but I'm very eager to see the work being done, and that comes back to us in August because that's going to be the

more long-term rule. All right. Is there a motion to approve the consent agenda? Councilmember kitchen makes the motion. Councilmember Kelly seconds the motion. There have been some be -- there have been some abstentions and other things noted. Let's take a vote. Those in favor of the

[11:47:36 AM]

consent agenda, please raise your hand. I think that's all of us. I just want to make sure everybody's picture was visible. And then that's the consent agenda. It is almost 10 minutes till noon. I think there are some items we could take care of here that might happen quickly. There are two public hearings that were scheduled for today that are being postponed, item number 40 is being postponed to June 10th and item number 67 is being postponed also to June 10th, because these were noticed public hearings. Let's take a vote on that. Is there a motion to postpone items 40 and 67 to June 10th? Councilmember pool makes the motion. Councilmember Ellis seconds the motion. Any objection to those postponements?

[11:48:36 AM]

Hearing no objection, those two items are postponed. Item number 39 is the housing and planning commission updating the housing goals. Councilmember Casar, you want to lay that out? >> Casar: Yeah. I'll move passage and lay it out afterwards. >> Mayor Adler: Second to passage of item 39? Councilmember kitchen seconds that, together with councilmember Renteria. Councilmember Casar, you want to lay it out? >> Casar: Mayor, our Austin strategic housing blueprint is where our housing goals live, and for far too long our goals for housing people experiencing homelessness have been far too low. And even some of those goals that were too low, we would sometimes not manage to even achieve those. But I think that all that is changing. I think that there's a real commitment across the local governments

[11:49:38 AM]

and in the private sector for us to raise the goals and to meet those goals. And so this item from the housing committee would incorporate the summit goal of housing 3,000 more people in three years and would move to put that directly into our Austin strategic housing blueprint. And if we're able to achieve this, which I think there's a really broad commitment to do, we would very quickly and very drastically reduce homelessness in our city, which is a really big high priority of everyone in this community, on this day, dating back to before our time as a council. >> Mayor Adler: Okay. It's been moved and seconded. Does anyone guess? -- Discussion? Councilmember Kelly? >> Kelly: Thank you. I wanted to thank councilmember Casar for his leadership on this and the entire committee. I think it's wonderful that we have a strategic blueprint for housing now and we're going to move forward and help so

[11:50:39 AM]

many people in our city. So thank you for that. >> Mayor Adler: Councilmember kitchen? Did you raise your hand? >> Kitchen: Yes. I just wanted to say I think it's important for us to recognize these goals. I know that we have additional work to do to think about how we might reach -- or how we might put in place the approach that -- the broader approach to bring to scale what we've been doing to connect people to housing, the broader approach to bring to scale that's been recognized as part of these goals, as part of the summit conversation, but at this point I think we absolutely need to move forward with challenging ourselves to meet these goals. And so I appreciated the chance to speak on this. >> Mayor Adler: I just want to concur with what everybody is saying real quickly on this item. It's really important

[11:51:40 AM]

that we really scale, and scale in a very deliberate and quick way. All you have to do is look and see how housing prices are continuing to rise. The biggest correlator between homelessness and factors is housing price. If we don't get in front of this now, in six to eight years, we're going to be in just a horrible, horrible, horrible place. Now is the time and I appreciate the committee, the summit, in moving this forward. And for discussion, councilmember Fuentes. >> Fuentes: Thank you. I just want to echo the at some times that have been shared, this next step we're taking in formalizing this plan that lays out deliverables and goals and communicates to our community that we have a vision in how we're addressing homelessness with the plan and deliverables, and also just reiterate my support for us to invest a sizable amount of the American rescue plan

[11:52:40 AM]

dollars to help with the implementation of this plan and the goals that we have with rehousing 3,000 individuals. I think that is exactly the type of meeting the moment need we have here, and we find ourselves in, and certainly just want to reaffirm my commitment to that effort. And thank you to the housing committee and councilmember Casar for bringing this forward. >> Mayor Adler: Okay. Let's go ahead and take a vote on this item. Those in favor of item 41, please raise your hand. Those opposed? It's unanimous on the dais, item number 41 passes. >> Kitchen: I think you meant 39? Oh -- >> Mayor Adler: I'm sorry? Yes, 39. You're correct. >> Kitchen: Yeah. Okay. Thank you. >> Mayor Adler: I apologize. The vote -- the last vote we took was on item number 39, and that passed unanimously. Any objection? Hearing none, we'll move forward. Councilmember tovo?

[11:53:40 AM]



>> Tovo: Mayor, my question on 10 is super, super quick, so perhaps we can knock that one out before the break. >> Mayor Adler: Okay. Why don't you go ahead, we'll call number 10. >> Tovo: So this is an Austin energy item to sell some land in another county that we had purchased for a purchase power agreement for solar farm, I believe. Excuse me. And so as I understand it, the surface rights, the oil and gas rights and some other things on have made development of that tract challenging, if not impossible. But I wanted to ask our real estate folks or ae staff whether you've considered the timing of the sale. Is no, you the best time to sell this property? I know it's appreciated in value since it was purchased, I think back in 2010, but is there a possibility that we would recognize more value if we held onto it for a year or two?

[11:54:41 AM]

So if you could just walk me through, super quickly, walk me through why now is the right timing for that sale, please. >> Thank you, councilmember. I know that timing was a consideration, but we do have ae staff available, and they are going to give you information, hold on one second. >> Great. Thank you, city manager. Was real estate staff involved in that analysis too or was this a decision that was primarily made by our Austin energy staff? >> No, if real estate was a partner and led the negotiations. >> Tovo: Great. Will they be part of the response here today? >> They are available, yes. >> Tovo: Great. Thank you. Because my question really is less about it from the Austin energy perspective and really more about the market value of that tract now and what it might be like in a year or two.

[11:55:42 AM]

>> You're on mute. >> Thank you. >> Mayor Adler: Councilmember tovo, are you suggesting we hold this I'm sure, number 10, so you can hear back from staff? >> Tovo: No, I think somebody is being bounced over to the meeting to provide a response as to why now is the right time. >> Mayor Adler: While we're waiting for that staff member to come over, I think I misspoke earlier about the postponement date of item 40. I think rather than being postponed to June 10th, which is what I said, I think it's being postponed to July 29th. Manager; is that correct? >> That's correct. >> Mayor Adler: Okay. So is there a motion to reconsider our earlier vote to postpone till June 10th, substitute it then with a motion to postpone till July 29th? Councilmember pool makes that motion. Councilmember tovo seconds it. Let's take a vote. Those in favor of the

[11:56:43 AM]

reconsideration and change of the postponement to July 29th, it's unanimous on the dais; the date has now been corrected. All right. We have staff here with us today, Mr. Gates, to answer councilmember tovo's question. >> Yes. Michael Gates, interim officer, state services. Yes, we expect the property to appreciate if we held it for a while longer. The request to sell now came from ae so we moved on that, but in the event we were holding it, we expect it to appreciate, yes. >> Tovo: Thank you, Mr. Gates. I appreciate that information. Or I'm glad for that information. I don't want to use appreciate since you just did in a different what -- I guess I would like to know from Austin energy, what's the impetus for selling it now and do you have any sense of what is going on in the area surrounding this tract that might be happening in a year or two or in five years that could make this an even more

[11:57:43 AM]

valuable asset if we held onto it? Any information about how the market in reeves county may be changing? >> Councilmember, this is assistant city manager Rodney Gonzales. Pam England and mark nebrosky are calling in and I don't think that they've quite made it yet. >> Tovo: So I don't have -- okay. Thank you so much. Mayor, I promised that it would be a short conversation and maybe it'll be a little longer one, so I would be happy to take it up later or to -- maybe we could take it up after citizens communications or perhaps if the staff would prefer just postponing it till the next session, it doesn't sound like there's a time sensitivity here, but maybe I'm wrong on that. >> Mayor Adler: Let's go ahead and pull it and bring it back after lunch when we convene. I think manager, the question is, real estate selling it because Austin energy asked it to, it may not have been

[11:58:43 AM]

someone -- I'm sure Austin energy is just dealing with its property, but I think councilmember tovo raises a good point, there should be somebody over all of the departments who's saying, I hear that, and yes, we should sell this, but is this the right time to sell it, and I'm not sure that -- from what we've heard, I'm not sure that that happened. So let's table this item till after lunch and then when we come back, you can tell us whether we should consider it today or not. Manager? >> I do have cfo mark nebrosky here so if he can quickly answer that question, maybe we can do it -- >> Mayor Adler: Can you answer the real estate question or timing question? >> The timing question. You're on mute. >> Mayor Adler: You're on mute. You're muted. Can you unmute? You're still muted. >> All right. We'll pull this and talk about it after lunch. >> Mayor Adler: Okay. All right. That gets us up till

[11:59:44 AM]

noon, anyhow. So we'll hold that. We're going to now do citizen communication. I would anticipate after citizen communication, we'll reconvene in executive session and then come back out to the council

meeting. Let's begin with citizen communication. I think we have five speakers. Each has three minutes. Are they all in the cue? >> Mire, we don't have any of them in the cue yet -- oh, it looks like one of them pulled back. -- one of them called back. One second. >> Mayor Adler: This is the first time in a long time that we've actually called this exactly at noon, so give people just a second. >> Okay. The next -- or the first speaker is Berenice

[12:00:50 PM]

Lara. >> Mayor Adler: Go ahead. >> Berenice Lara? Please unmute. Berenice? Go ahead. I'm not sure why we can't hear her, mayor. One second. >> Mayor, now that we're waiting, I have a quick question on the question for executive session. Will we take a break for lunch and then go to executive session?

[12:01:53 PM]

>> Mayor Adler: Yes. >> Pool: Okay. Good. Thanks. About an hour, you think, for the lunch break? Okay. Good. Thanks. >> Hi. Carlos León. First and forms, [speaking Spanish] For letting me speak. Evidence-based truth must commit the Biden comala big lie. Trump won the 2020 election in a landslide, counting each vote one time only. The criminal fraud must be fully exposed, undone, and overturned asap, returning trump to the white house to make America great again, to mic this matrix right side up again. This anti-reality is all wrong. May 3rd, [inaudible] Banned me from all its burger stands for rightly defending myself against abusive, satanic, verbal psychological attacks by employees, [inaudible] At Pete Terry's on 33rd and Lamar. Do not be fooled. The day of giving back and 15 an hour wage do

[12:02:54 PM]

not justify protecting guilty employees, punishing innocent customers. My eight-page letter to Pete Terry is in front of you online, documents the demonic behavior. Right, wrong, Pete Terry's out of business, from now on. Anyone who workers for or does business with Pete Terry's is part of the problem. Peacefully protest in person at Pete Terry's new corporate headquarters at 9208 Waterford center, suite 100 in Austin, 78758. May 7th, older blackmail capmetro [inaudible] 230, David R. Harris, admitted to being a criminal before making a death threat against me, in person, committing assault by threat, violating Texas penal code 22.0182. I reported the driver's crime to A.P.D., who quickly arrived to take my statement and id him, to defend myself and hold Harris accountable,

[12:03:54 PM]

I made public information requests to A.P.D. For the full report, the cad report and the officer's body cam footage. I did the same for capmetro video and audio, documenting the driver's admission and threat on camera, on that public transportation bus, all incriminating evidence to be part of a citizen complaint against him, filed with the Austin municipal court. Though the statute of limitations on misdemeanor C is two years, expect it filed much sooner. Expect public updates from me to transparently track and broadcast progress, to get those pir's filled out, to pressure capmetro to fire Harris and gorge an to prosecute him. His behavior has no place at tax appear's expense. Refund A.P.D. Now, in Jesus' name I pray, amen. Thank you, lord, god bless Texas, united

[12:04:55 PM]

States of America, constitutional law and truth, and above all, [speaking Spanish] God's word. Burn the masks and stop the covid-19 human kill shots now. Out. >> Mayor, we have -- we've tried to connect -- reconnect with Ms. Berenice, but she is disconnecting on her own, and we don't have any other callers that have called in. So that concludes cit com. >> Mayor Adler: Thank you. If she calls in in the next few seconds here, let me know. Colleagues, it is 12:05. I'm going to recommend that we recess the council meeting and that 1:15, we reconvene, but reconvene back in executive session. That will get us out to about 2:00 when we can do the zoning matters. The first thing we'll

[12:05:57 PM]

discuss is the postponement discussion item, on that one item, so we can decide that question so the speakers can decide whether they want to stay on to speak on the merits or not. So we're now going to go into closed session to take up one item, be and when I say now, I mean at 1:15. Pursuant to sections 551.072 of the government code, we'll discuss real estate matters and legal issues he related to item 66, which relates to the candlewood suites property. Without objection, we're in recess till 1:15. I'll see you all in executive session. [Executive session]

[3:00:10 PM]

>> Mayor Adler: Is in the Austin city council meeting on may 20, '21. While we were in executive session, we discussed real estate and legal matters related to item 66. We've recessed that with an intention to go back. I apologize for all the speakers that have been waiting. We've left that meeting early so as to come back out to give folks a chance to speak. I think a lot of people have signed up to speak on a matter that now has an agreed postponement, so it may be that a lot of the speakers that have signed up will be coming back to the postponement date. But we'll get there in just a second. Let's begin with the one speaker that we had trouble getting hold of before on the citizen communication. Let's call that speaker now. >> Okay. Berenice Lara.

[3:01:10 PM]

>> Oh, hi. Hi, mayor Adler and city council members. Thanks for allowing me to speak. I was having trouble earlier so I really appreciate you letting me speak. I wanted to talk about the safety issue of the city of Austin. I've been resident in district 4 since 2003. I met [inaudible] At my house in a '15, wanted to make park space for the kid. I have two underage 10-year-old boys, and I just -- visually and just looking at the news, I can tell that we're going in the wrong direction. We're not Houston, we're not a Dallas, but I feel like my neighborhood in Houston was probably safer than where I'm at right now, and it's bad that we're considering moving and a lot of other families doing the same thing. I just think Austin is at a pivot point where we really need to consider the safety of the majority of Austin,

[3:02:11 PM]

austinites, specifically families with small children, and we're at a pivotal moment where whatever decision is made, it should be based off of data, and specifically the data that I've seen from the wall Street journal and other credible sources is that if you defund the police, I don't know if it's an exact -- I'm not a statistician, but I do like data; specifically those cities have crime rate increasing, and that's what happened in 2019, based on the Wall Street journal. Austin had the highest murder rate increase 2019 to 2020. This is the same time August city council cut 20 million. August of 2020 they cut three cadet houses and expenses for housing, mental health, and violence prevention. But then covid hit and I don't really see a significant amount

[3:03:12 PM]

of housing, just because of the high cost option of hotels and how slow it is in litigation, getting them accessibly -- accessible. I have seen the population around the homeless in district 4. They're in walnut creek park, northern trail so they're already there. I was further dissatisfied because I voted for prop B to get them out of city park so my two sons to play safely. Now I notice walnut creek is on the list for regulated -- hopefully regulated with security rules in camping. But for kids and families, if we make them campsites, they're always going to be campsites. And the problem is, public parks are funded by working citizens through taxes, so as a minimum, we want parks to be safe, clean, family and pet friendly, and homeless have a right to use public parks as

[3:04:13 PM]

well, but if you allow them to sleep there, it takes over public land and makes it private. Walking by downtown, they have private property on their sites. One of my sons walked in the woods and found a campsite that's supposed to be not allowed, and the homeless guy got angry at him, and they find syringes and stuff. Now you take stuff way -- >> Speaker, thank you. Your time is up. >> Pool: Mayor, I think that councilmember Kelly has not been -- oh -- I think she's trying to get in, they've got her as an attendee instead of giving her panelist status. There she is.%-@okay.%-@p>> Mayor Adler: You're muted.%-@p>> Mayor Adler: Thank you.%-@thank you for the speaker.%-@we're now going to move to

[3:05:19 PM]

%-@zoning.%-@jerry, if you're with us, if%-@you could take us through the%-@consent agenda on joining, an d%-@lee Simmons, thank you for%-@joining us as counsel.%-@>> Jerry rusthoven.%-@we start with item 42, case%-@c14-2020-0112.%-@I can offer this case for%-@consent approval on second and%-@third readings. %-@Item 43, c14-2021-0, 024.%-@I can offer this for consent%-@approval on all three readings.%-@44, case c14-2021-002-sh, I can%-@offer this for consent approval%-@on all three readings. %-@45 is c14-2021-0029, I can%-@offer this for consent approval%-@on all three readings.%-@46 is c14-2021-0030, offer this%-@for consent approval on all%-@three readings.%-@item 47 is case

[3:06:23 PM]

c814-2020-0132.%-@and this case, mayor, I have a%-@couple of additional conditions%-@I've been working with the%-@applicant on that I would like%-@to add.%-@the first is that the language%-@from the interlocal agreement%-@between central health and the%-@city of Austin, the language%-@within that ioa, Rega rding the%-@hundred affordable units would%-@be reserved for affordable%-@housing will be replicated in%-@the pud ordinance, as well as%-@the ila.%-@addition, the pud ordinance%-@will include a reference to ila%-@so someone E won!!!!!!!!!!!!!! Would know about the%-@existence of Ila regarding the%-@realignment of red river%-@street.%-@third, we will add a%-@requirement for three star%-@green building.%-@four, that we will add a%-@requirement for pedestrian uses%-@along both the new red river%-@and the old red river, and the%-@applicant and the staff are%-@still working on the portion of%-@the environmental commission%-@recommendation regarding%-@functional greens, specifically%-@water conservation measures,%-@we'll

[3:07:24 PM]

be working on that%-@between second and third.%-@with those four additional%-@conditions, the planning%-@recommendation and%-@environmental recommendation%-@and some discussions we've had%-@with osha, as well as the other%-@staff, I can offer that for%-@consent approval on first

%-@reading only.%-@that's item 47.%-@item 48, case npa-2020-0016.04,%-@this is a postponement request%-@by the staff till July 29th.%-@item number 49 is CAS e%-@c14-2021-0011, this is a%-@postponement by the staff till%-@july 29th, likewise, 50,%-@c14-2021-0033, postponement%-@inpostponement request till%-@july 29th, 51, c14-2021-0037,%-@this is a postponement request%-@by the staff till July 29th.%-@52 is the one we were%-@previously going to have%-@discussion of postponement but%-@there's now an agreement,%-@postponement request by the%-@neighborhood till June 3rd.%-@the applicant is in agreement.%-

[3:08:28 PM]

@that's item 52.%-@item 52, c14-2021-0016, this is%-@a postponement request by the%-@staff till June 10th.%-@and that leaves the last item,%-@mayor, item 54, which will be a%-@discussion item .%-@ .%-@P>> Pool: Mayor, I have one%-@thing to ask Jerry for.%-@p>> Mayor Adler: Councilmember%-@pool, go ahead.%-@p>> Pool: Thank you.%-@mr. Rusthoven, could you please%-@read th E amendment for item 44%-@into the record for us, please?%-@>> Certainly.%-@oh, I'm sorry.%-@I'm sorry, councilmember.%-@I forgot --%-@P>> Pool: Thank you so much.%-@>> That was on my notes and I%-@skipped right over it.%-@on that item, the gr-mu zoning%- @will extend 630 feet off of%-@lamar, as opposed to the%-@originally proposed 500 feet.%-@thank you.%-@thank you for reminding mes%-@councilmembe

[3:09:30 PM]

R!!!!!!!!!!!!!!!!!!!! -- Forreminding me.%-@p>> Mayor Adler: Councilmember%-@reneria.%-@p>> Renteria: I just have a%-@question for jerry.%-@what is the base entitlement on%-@that Springdale farm right now? %-@60 feet, and can you give --%-@there's a lot of confusion in%-@the community right now on%-@what's -- they're entitled to%-@right now.%-@>> Right now the existing%-@zoning is gr-mu co-np.%-@councilmember, I' D have to check%-@to see what the co is regarding%-@the entitled height.%-@so I'd need a minute to look%-@that up .%-@P>> Renteria: Okay.%-@mayor, the reason I was asking,%-@I mean we can continue with the%-@consent item and postpone it,%-@but I just want Jerry to read%-@the record there so that people%-@are informed about exactly%-@what's their entitlement and%-@what ar

[3:10:35 PM]

E they giving to the%-@community for the extra height%-@that they need .%-@>> I'm trying to pull up a%-@number.%-@usually it would be 60 feet in%-@gr.%-@and they're requesting th e%-@93 feet,, >> Renteria: Does that come with any community benefit? >> Yes. The pud is proposing community benefit. >> Renteria: I know what they're proposing right now, because of all the negotiation they've been doing

with the community, but if it didn't work out, what kind of entitlement would they be doing? >> If they didn't work out, if the if you was not approved, it was a combination gr, mu, and

[3:11:38 PM]

co-np. >> Mayor Adler: Okay. Councilmember tovo. >> Tovo: Oh, sorry. Mayor, did I understand Mr. -- maybe this is a question for Mr. Rusthoven. Were you suggesting that central health, item 47, remind on consent? And if so -- I need to pull that one, please. . >> Mayor Adler: Okay. 47 has been pulled. 47 being pulled and 54 being pulled, the items on consent are the others, 42 through 54 with 47 and 54 being pulled. Is there a motion to approve the consent agenda? Councilmember pool makes the motion, seconded by councilmember Renteria. Any discussion on the consent agenda? Yes, councilmember tovo. >> Tovo: Mayor, I just want the record to reflect, on item 42, I am again recused. >> Mayor Adler: Okay. >> Mayor, we -- >> Mayor Adler: If the clerk would call the speakers that have signed up.

[3:12:40 PM]

I would point out to the speakers, many have signed up to speak on item 52, but item 52 is now postponed to June 3rd. That's when we'll consider the merits of that matter. Is anyone still wishing to speak on consent? >> Yes. >> Mayor Adler: Or not just on consent, but consent and also on 47 and 54. Go ahead and please call the speakers. >> Danielle Llanes. Danielle Llanes, please unmute. >> Mayor Adler: They may not be speaking if the matter has been postponed. >> Jeanette Daya.

[3:13:52 PM]

Dandra mirez. Michael Floyd. Jessica Ellie. Monica Allen. Eric stanridge. >> Hello, mayor, mayor pro tem and counsel. My name is Eric stanridge. East Austin has been my home for over 20 years. I'm great to be part of it. I hope we can agree to never go through this process again. 1968, the city decided to use a zoning tool to erase diversity

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community to build Brackenridge hospital and redevelop the entire area in the name of urban progress. Thankfully, they never realized the cross town freeway but screwed up red river. Every time this is discussed in public, it becomes less clear. We see less in the way of deliverables and commitments, less documentation, less public process. This may be the last public discussion of this site for generations,



and your decision will bestow hundreds of millions of dollars in additional entitlements on a linchpin downtown site to do something big. What exactly nobody knows for sure, everyone seems to medicare and everyone hopes it will be profitable. This meets the minimum requirements or asks for a waiver or answers not yet on most of the scoring criteria. No guarantees of open space, no required mixed uses, sidewalk and pedestrian requirements, tia, unlimited far, no timeline, no accountability. Let's hope the marketplace will demand a superior project. Despite the vague language in

[3:15:53 PM]

the backup, 100 on-site affordable housing units are still in the deal. Not only that, they are funded more or less in the interlocal agreement negotiated by the transportation department. I had never seen the document but yesterday parts of it were read to me over the phone. There is only one condition, and that is if residential is developed. The pud is a zoning tool, about land yea and planning, it is not a financial instrument or separate negotiation. Zoning is about the land and what happens there for the next hundred years. This site is a public asset and this body is the steward. The requirements and restrictions decided in this meeting determine outcomes and they should be clearly articulated in an ordinance tied to the land. Diverse, inclusive, better designed, sustainable projects make healthier places and better investments. Please don't accept "If" or not yet. Be explicit and unconditional. Ensure [inaudible] Shall deliver a public benefit on public land. Require at least 100 units of workforce housing on site as part of a well-planned and

[3:16:54 PM]

executed series of mixed use projects. Clarity in this moment will pay dividends for central health, the people they serve, the city, and the taxpayer for decades. Create generations of educational cultural and economic opportunities for the families that will power and reside in the innovation distributed. Invest in equity in the largest and most economically exclusive urban center of our city. Get these 100 homes on the books. Thank you for your time and space to consider my comments on this very important case. >> Karen Kinard. >> Mayor, councilmembers, my name is Karen Kinard. I represent [inaudible] Holdings. We're property owner, one of the signers of the petition in item anybody 54. We are opposed to item number 54 because we believe the current zoning on the property allows the property owner to undertake the project that he

[3:17:55 PM]

says he wants to undertake. My clients have demonstrated their commitment to the Glenn Glendale neighborhood and attempted to resolve this matter. They are still open to trying to resolve this matter. There are two items that they are still willing to work on. They would like for -- to have a restrictive

covenant in order to be able to privately enforce any restrictions on the property. Those two matters include a statement in the covenant that says that the covenant will run with the land, and they'd also like to have a covenant filed before third reading. My clients have joined the neighborhood association, as many of you advised them to do. They are looking forward to being very active in that association. And they have also been very active in their effort to get other property owners in the

[3:18:58 PM]

neighborhood engaged in the neighborhood. They are new to Austin. They look forward to making other investments in this community. They have been a bit frustrated by the process, but just today they said how fun this process has been. They look forward to continuing to work through the process and appreciate all of you and your staff time in helping them to work through it. >> David king. >> Hello. This is David king. I'm speaking on item 5 but it's been withdrawn so I'm going to not speak today. Thank you very much. . >> Mayor Adler: Thank you, Mr. King. >> James Stratton. >> Good afternoon, Mr. Mayor,

[3:19:59 PM]

mayor pro tem, councilmembers. My name is James Stratton, a resident of councilmember pool's district 7 and member to Austin's advisory council. I speak to encourage the council to approve item 42 proposed for 16 west 12th street. More over, I encourage the counsel to approve this without the 60 feet cap. It's time to unleash the creative to relieve the dire housing shortage in Austin. This is an arbitrary imposed regulation that prevents construction of more homes on this property. Austin's vibrant culture attract people to live here. That's good. But by following San Francisco's mistakes, imposing regulations that ban people from building more homes, this use of land will only harm austinites. Fewer homes closer to downtown will discourage a walkable city, and only worsen this grievous housing crisis we face. Thank you for this time and I

[3:21:00 PM]

yield. >> Christopher zetto. >> Mayor Adler and councilmembers, this is Christopher seeto speaking on behalf of item 54, the sunrise mini mart rezoning case. Our team is extremely grateful for having had the opportunity to learn the zoning petition processes. Since March we have continued to work with the other property owners, surrounding the sunrise mini mart, and we remain opposed to the rezoning. What we haven't heard from the agent since Monday, we are willing to continue to work with him to file a restrictive covenant prohibiting a liquor store and other uses. We look forward to finalizing with the agent in the near future. Just like how you all are committed to the city of Austin, we are committed to this property and the surrounding area and what it looks like now and what it will look like in the future. On a personal note, I want to thank Kate Clark and art

[3:22:01 PM]

zamarano and other property owners for their flexibility. Without everyone's efforts, valid petition for this case would not have been possible. Thank you for the opportunities to speak and to work with the city. >> Synovia Joseph. >> Thank you, mayor, councilmembers. I'm synovia Joseph. My comments are specifically related to item 44. June per creek, which is on consent for all three readings, I do want to call your attention to the address, it's 1160 north Lamar, which is by north Lamar and Braker. The Braker activity corridor, however, is near the CVS pharmacy, which is a 45-minute bus route, route 392, which was short lined, and councilmember kitchen has drawn a schematic of that so she knows the area. I want to call your attention as well to my question as it

[3:23:03 PM]

relates to the prohibition on food sales. I just wonder if there wouldn't be consideration of a food truck in that area. Chinatown is nearby, but it is an isolated area. I also wondered why there's a prohibition on research services and private secondary educational facilities. I do appreciate seeing that there's a restriction on pawn shops and also the service station because there are two near Braker and north Lamar. As it relates to this property, my opposition is because it is .8 miles from an elementary school and also walnut creek elementary. You may recall in councilmember Casar's area, on the adjacent side, 1104, 1108, and 1114 Cramer is where you are planning to put permanent supportive housing, less than two miles away from there is 1934 Rutland where you plan to put units that will be for area

[3:24:05 PM]

median income. I want you to recognize when this item was on the agenda initially, February 4th, 2021, it had 80% area median income, and now it's down to 30% to 60%. So as it relates to concentrated poverty in the fair housing act of 1968, I would ask you to recognize the need to have an overlay so you can see that you are creating areas in Austin that will segregate the city. I want you to recognize as well that project connect was advertised as a transit plan with more ways to move us all, and unfortunately, mayor, it is not doing that. And so I'm going to just say again, as I've said this morning to anyone who's listening that house bill 3893 is actually the downtown tunnel. And I would ask you, if you are frustrated like I am, to call the Republican senators and ask them to vote against this bill so that the project will be stalled. I would also call your attention to item 53, which is being postponed, north wind

[3:25:05 PM]

apartments, and ask that when staff brings it back, that they give you the data on schools. Decker middle school is a D rated school from 2019, and it relies on S.M.A.R.T. Housing, but this is really pretextual. The last time it was revised was June 2008. So I just want you to know that you keep going through the motions of transit oriented, but there is no access to transportation, according to the staff in these areas. It's substandard in that area. And so those are my comments, specifically. I just want you to recognize that more can be done in this area, and unfortunately councilmember pool, you continue to put these projects on the east side of loop 1. Please look at west of loop 1 in your district and put some of the low-income housing -- >> Thank you, speaker. Your time has expired. Mayor, that concludes all the speakers.

[3:26:08 PM]

>> Mayor Adler: Thank you. All right. If the consent agenda is items 42 through 54, the pulled items are 47 and 54. Is there a motion to approve the consent agenda? I may have asked for this before, but just in case. Councilmember Kelly reaffirms that if we haven't done that before. Is there a second? Councilmember Renteria seconds if we need it. Discussion on the consent agenda. Let's take a vote. Those in favor, please raise your hand. Those opposed? It's unanimous on the dais, on the consent agenda. >> Tovo: Mayor, just with the conditions discussed before. >> Mayor Adler: With the conditions -- yeah, with the conditions discussed and with the abstentions mentioned. Colleagues, do we want to go back into executive session and see if we can tie that up and then come back out to handle the zoning, two pulled zoning and the four pulled cases from

[3:27:09 PM]

this morning? Let's go ahead and do that. We're now -- >> Mayor, before you do that, I just want to confirm, did we still have 47 pulled or was that put back on consent? >> Mayor Adler: 47 is pulled and 52. Those two items are pulled. The items pulled are 10, 12, 13, 56, 60, and 63. That's what we have left to consider today. All right. Colleagues, we're going to move now to closed session to take up one item pursuant to 551.072 and 71 of the government code, we're going to continue our conversations on real estate matters and legal issues related to item 66. Councilmember Ellis? >> Ellis: I still have written down 64 and 65. I think those were referred from committees, so I just wanted to make sure my list was

[3:28:15 PM]

accurate. One thing was a community development corporation appointment and the other one was water oversight one. >> Mayor Adler: You're right, 64 and 65 also have to be -- also have to be approved. Thank you. All right. I'll see you guys in closed session. [Executive session]

[4:23:17 PM]

[Executive session]

[4:25:14 PM]

>> Mayor Adler: Turn the camera on. There's Pio. I think that's nine. We're out of closed session. We discussed real estate matters related to item 66. It is 4:25. Let's work our way through the rest of the agenda here. Let's do the two zoning cases. The ones people have been waiting to speak. Let's pull up 54, the sunrise mini mart. Is the milk applicant here? >> Yes. >> Mayor and council, Jim Wittliff. I'm going to give you a

[4:26:15 PM]

brief summary of this case, but when Ms. Cards spoke earlier, she is the attorney who has been representing the valid petitioners, she told you earlier how fun this process has been for her clients. I want to assure you it has been the opposite of that for me often for the property owner. I want to give you a very brief summary of what has occurred on this. In November 2020, we met with the Glendale elementary neighborhood association and asked for their support for rezoning that would allow a liquor store to be built next to the convenience store N December 2020, Gina gave us a support letter. We filed our rezoning request after that letter. On January 28th, city staff recommended approval of the rezoning. On March 9th it went to the planning commission and they unanimously recommended it. On March 24th, one day

[4:27:16 PM]

before our council hearing, a valid petition was submitted. I requested a postponement at the council hearing the next day and the petitioners opposed my postponement request, but it was granted. On April 8th, we verified to the council and to the petitioners that liquor store was off the table. Once the property owner learned that the neighbors didn't want it, he took it off the table. There was no fight about that. On April 16th, the petition's organizers Christopher zetto told me I would need to provide him with full architectural and site plan drawings before he would consider removing the petition. This is 40 to \$60,000 worth of drawing. It was a ridiculous request in my opinion. On April 28th he did agree to have a zoom meeting with me and the other neighbors, and they asked that I put the prohibited uses into a private restrictive covenant as well as a conditional overlay that I had already

[4:28:17 PM]

offered to city staff. So the next day, April 29th, I gave them the restrictive covenant. May 6th, they gave me a revised restrictive covenant draft that was prepared by their attorney Karen Kinard and it stated there were two different properties and three different owners who need to do sign the covenant. I told her that there's only one property and only one owner. She said that because they are owners of personal property listed on tcad they would all need to sign and because the property had two addresses it had to have two properties. We went back and forth on this issue, believe it or not, for the next 11 days. The city attorney, meanwhile, Ms. Cotton, verified that the original petition was no longer valid because it was opposing a liquor store and we took that off the zoning request. May 17th, the same neighbors filed a second valid petition. Oh, they wanted Gina to be

[4:29:18 PM]

involved in their restrictive covenant, and yesterday Gina sent you a letter 'em emphasizing they don't web to be listed on the petition. Where we're at right now is the property owner is fed up. He's to the point he's wasted many thousands of dollars, we've wasted six months of time, and this has been nothing but a frustration. What he wanted to do, if this zoning is approved, is he wanted to redevelop this site, he was going to spend up to \$2 million on it to redo a convenience store, a larger store, more modern and provide more services to the neighborhood with a deli in it. Then he wanted to do a sit-down restaurant next so it with outdoor dining. 500 square feet of outdoor dining. He needs this rezoning to do it. So his position is the neighborhood can either sign the restrictive covenant that we filed or they cannot sign it and he doesn't care.

[4:30:19 PM]

He also said if the council approves this zoning, he can improve this store. It's a 50-year-old dilapidated building. If you don't approve it, he will take that \$2 million, he owns 12 other scores and he will invest it in another store in another part of town. He's never seen anything like this, I've been doing this 38 years, I've never seen anything like it. Thank you. >> Mayor Adler: Thank you. Is there anyone else signed up to speak on this? I don't think so. Everyone has spoken before. Jerry, is that right? That takes it right to council discussion. Colleagues? Mayor pro tem? >> Harper-madison: Thank you, mayor. I have a series of questions. Are these Jerry questions I wonder about the specific case? >> Yes, councilmember, mayor pro tem, I'm here. >> Mayor Adler: Jerry is here. >> Harper-madison: It's my

[4:31:19 PM]

understanding this case simply align the zoning to match the existing designation on the adjoining site. Is that accurate? >> It is a single building that right now has a convenience store and laundromat. And the portion of the existing building is zoned cs and the parking lot and the remainder of the building is zoned lr. The requested zoning is for the entirety of the building area. But not the parking lot. >> Harper-madison: Okay. So, will that allow the property owner to remodel the existing business and add on the deli and a small outdoor seating area? >> Yes, councilmember, the applicant is requesting, what the applicant has stated they would like to do a general restaurant. The difference between a limited and general restaurant is a general restaurant can sell alcohol. Generally speaking, a

[4:32:21 PM]

general restaurant, sorry for using that word too many times, is allowed in gr zoning. There's also a provision that allows for for a general restaurant in lr. It be limited to no larger than 4,000 square feet, 7:00 A.M. To 11:00 P.M., outdoor seating cannot exceed 500 feet, and outdoor seating cannot be located within 50 feet of a prohibited use and prohibits outdoor sound and outdoor entertainment. A general restaurant would be permitted in lr, just limited to 4,000 square feet. I believe this would be less than that and it would be 7:00 to 11:00 P.M. And outdoor seating kept at 500 square feet. 50 feet of a house, but I don't think from looking at the zoning map, I don't

[4:33:21 PM]

believe the outdoor seating area would be within 50 feet of a house. >> Harper-madison: I'm sorry, I didn't hear the very last thing you said. >> I don't know what exactly plans are for where the outdoor seating would be, but in the front of the building, it looks like it would be 50 feet beyond a house. >> Harper-madison: Looks like by way of the letters included with the valid petition that the outstanding issue here is a matter of prohibiting uses, in which case we can do that with a conditional overlay. I would just like to ask the applicant some questions about whether or not they would be agreeable to the inclusion of some of the additional uses in the prohibition. Mayor, can you or the clerk confirm that the applicant is still on the line? >> I'm still on.

[4:34:21 PM]

>> Mayor Adler: Yes. Go ahead and repeat your question. >> Harper-madison: I hadn't asked it yet. I was going to say, you know, it seems to me that a part of -- a part of the issue here that's outstanding is the prohibited uses. And so I would like to run through a short list of items and see if you all are agreeable to

including the following uses within the C.O. Auto repair, auto washing, campground, convenience storage, dropoff recycling collection facility, service station, cocktail lounge,

[4:35:21 PM]

pawn shop, and with the liquor store already being prohibited, a prohibited use by way of the zoning designation, just confirm that that is also the case. >> Yes, mayor pro tem, we agree with that. In fact, I made that recommendation to the neighborhood and city staff. >> Harper-madison: Thank you. I appreciate that. So mayor, that addresses any outstanding questions or concerns that I have. I'm fine with approving the zoning with the updated C.O. I would support moving forward. >> Mayor Adler: Thank you. Councilmember kitchen? Then councilmember Renteria. >> Kitchen: Thank you, mayor pro tem. That was the same questions I had, but I want to hear what councilmember Renteria says because I'm interested, you know, it's his area, but it sounds like you are suggesting, mayor pro tem, if we could put those in he

[4:36:23 PM]

C.O.S that might take care of it, but I would like to hear councilmember Renteria's thinking. >> Renteria: Yes, Jerry, what else can they put there with the zoning they are requesting? What else is allowed? >> Just to be clear, the -- with the existing zoning, I believe they could do the restaurant that Mr. Wittliff spoke of. With the additional -- with the change to cs zoning, it adds quite a few uses above cs, it would take a long while to go through the uses. This conditional overlay prohibiting the uses the mayor just read. I would like to clarify that the valid petition that has been submitted is current right now at 47% is in opposition to any zoning change so it would require nine votes of council to approve the cs zoning on three readings. Cs generally allows quite a

[4:37:23 PM]

few more uses than lr. If you would like to go through the whole list, I probably could. >> Renteria: Would it allow them to go any higher, additional height? >> Yes, I believe that the height in cs is 60 feet and lr it's 40 feet. >> Renteria: And that's what my big concern is is the height because it's -- it's right abutting to all the neighborhood housing that's next to it. I'm really concerned about that, so -- >> We will cap the height at 30 feet. >> Renteria: Yeah, well, can we put that in there also, Jerry? >> Yes, councilmember, you can. >> Renteria: That's what I would propose then. >> Mayor Adler: Do you want to make that motion, councilmember Renteria? >> Renteria: Yeah, I'll make that motion that we approve the zoning change. >> Mayor Adler: Councilmember Renteria moves we approve the cs-co with



[4:38:25 PM]

the additional height limitation of -- did you say 30 or 40 feet? >> 30 feet. >> Mayor Adler: Of 30 feet. Is there a second to that motion? The mayor pro tem seconds that motion. Discussion? Councilmember pool. And then councilmember Kelly. >> Pool: Do we have the application can't was looking for a prior to [inaudible]. Has that been negotiated? I think there was a red line provided to us. I don't know, Jerry or Mr. Miller or the -- >> Yeah, I can address that. We've been back and forth with their attorney, and she is convinced that personal property is the same as real property and that there's two properties because there's two addresses and there's three owners because

[4:39:25 PM]

there's a different owner than the property owner who owns the laundromat equipment and, of course, a different owner who owns the inventory in the convenience store. And, of course, a restrictive covenant is only going to be signed by the owner of the real property. And that's person, one entity and one address. >> Pool: The list that the mayor pro tem read off that started with liquor store and ended with pawn shop, the eight items, those were all -- those were the eight enumerated restrictive covenant requests that we were getting from various -- various folks who live in this area. So the restrictive covenant that would prohibit those uses, does that -- are those -- are the neighbors satisfied with the assertions of the applicant with regard to restricting

[4:40:27 PM]

the uses of auto repair, auto washing, so forth? The reason I'm asking is because we've got a valid petition on here. And then we have residents who have indicated that they were fine with the use changes in a restrictive covenant. So where are we with regard to those two? >> Councilmember, this is Jerry rusthoven. The city has not been privy to the restrictive covenant discussions. >> Pool: I know we're not. That's why I'm asking if there is someone from the neighborhood here. I mean, okay. I think I will -- since it's myself, we have a number of letters signed by neighbors asking that those eight items be prohibited, and it sounds like from Mr. Wittliff that he is willing to assert those.

[4:41:29 PM]

And I guess do a private restrictive covenant? Is that correct? >> Yes, ma'am, we have issued them a restrictive covenant, but they have not signed it. >> Pool: Okay. All right. For the reasons that you are talking about, the confusion about the address, for example. >> Yeah, we've been back and forth since April 29th on the restrictive covenant. >> Pool: Does staff have any reading on which is the appropriate

address, Jerry? What's the address? The one on our paperwork? >> Yes, councilmember. We have the address correct that's on the staff report, but again I haven't been involved in discussions with -- >> Pool: Of course not. Thank you. >> Mayor Adler: Councilmember Kelly, then councilmember kitchen. >> Kelly: Thank you. I just wanted to thank councilmember Renteria for bringing forward this. I went and drove the site

[4:42:30 PM]

and share some of the same concerns. I will be supporting it. >> Mayor Adler: Councilmember kitchen. >> Kitchen: I just want to clarify. So councilmember Renteria, I think I was hearing that the motion you were making also included as a C.O. The listed items that the mayor pro tem had read out. So basically we've got a C.O. With eight items the mayor pro tem read out, plus the height restriction. Did I hear that right? >> Renteria: Yes. >> Kitchen: In my mind I'm thinking C.O. Is stronger than rc. It would be more protection for the neighbors because it's actually in the ordinance. So okay, I just wanted to clarify all of that was in the C.O. Thank you. >> Mayor Adler: Calm alter. >> Alter: Thank you. I'm really glad to see the applicant has removed the liquor store use as I understand it, however, the

[4:43:33 PM]

immediately adjacent neighbors still have outstanding issues with the applicant so I'm not going to support this case today and I don't think they are resolved by the C.O. So I won't be able to support this until we resolve those issues. And I do agree that many of the issues have been resolved, but I understand the two issues that appear [inaudible] And I would urge the applicant to work those out before final reading if they expect my support on this item. I can't speak for the neighbors per se, but I believe that it does extend beyond and perhaps they can speak to that. I would be supportive of this if anybody has a suggestion. [Lapse in audio] I won't be able to support it on final reading

[4:44:33 PM]

until those issues are resolved, because I think they're pretty reasonable to request. >> Mayor Adler: As it is right now the motion is to approve on all three readings. Cso with the limitations. Councilmember kitchen. >> Kitchen: I'm sorry, I'm just trying to understand. What are the other two issues? Can someone -- can Jerry help us with that? >> Councilmember, the petition against the zoning case, which is 47%, against any zoning change. It would require nine votes today on third reading, six to do it on first reading. So I'd like to say at this point there is still opposition, you know, to the zoning case. The applicant has proposed the eight uses to be prohibited with the C.O. Zoning. My understanding of the outstanding issue is, one, I have a petition against any zoning change, and two, there's

[4:45:37 PM]

still not a covenant worked out which you've heard before. >> Kitchen: So councilmember alter, what are the two issues you're seeing? I'm wanting to make sure I'm understanding that are not yet resolved? >> Alter: I appreciate you asking, councilmember kitchen, but I've been advised by legal that I cannot speak to a private restrictive covenant. >> Kitchen: Okay. So that would imply that there are two things that the neighbors are looking for that we're not putting in the C.O. So why can't we ask to put those in the C.O.? And what are they? >> Alter: Again, I've been advised that I should not discuss conditions being negotiated by private parties on the dais. >> Kitchen: Okay. I understand that. I'm asking our legal. >> Alter: I'm sorry, I thought you were asking me. >> Kitchen: That's okay. I mean, we always talk about the concerns that the neighbors have, that they're trying to resolve. So, you know, I'm not aware of

[4:46:38 PM]

any other, so I'm just asking somebody to help me understand that. >> Councilmember kitchen [lapse in audio]. >> Kitchen: I'm sorry, I can't hear you. >> [Lapse in audio]. >> Mayor Adler: Can you cancel your video feed so we can hear you better? >> I'm sorry. Can you hear me better, mayor? >> Mayor Adler: Yes. >> Okay. Thank you. My understanding, councilmember kitchen, is that because we are not a party to a private rc, we are not in a position on the dais to be able to discuss the conditions that they're negotiating. Because, you know, these are two third parties that are basically negotiating. And that has been our advice in the past. >> Kitchen: I certainly understand that. That's not my question. My question is, what are the remaining issues that the neighbors have? >> I'm not aware of the remaining issues.

[4:47:39 PM]

I would defer to staff in this case to possibly explain those. >> Councilmember, what I have is what you heard from the person who spoke earlier, and the petition I have that says the 46% -- the people who own 46% of the land within 200 feet are opposed to the cs zoning change. >> Mayor Adler: We have a motion in front of us. Any further discussion before we vote? Let's take a vote. Those in favor of the resolution, please raise your hand. Councilmember kitchen, Casar, the mayor pro tem, Kelly,

[4:48:39 PM]

Fuentes, Renteria, Ellis and me, that's eight votes. Those opposed, please raise your hand? Alter and tovo abstaining. Please raise your hand? Councilmember pool. 8-1, it passes, but only on first and

second reading, I guess. So it's going to have to come back for third reading approval, where we'll need nine votes in order for it to pass. Councilmember pool. >> Pool: I would just like to ask the -- whoever can come and talk to my staff and me, so I can understand what it is that the neighbors would like to get, or if it is just that they do not support any change to the zoning. And that will help me know how to move forward on our final decision. That's my hang-up. I can't quite figure out what it is that they would like us to -- like help with. Thanks. >> Mayor Adler: Understand.

[4:49:40 PM]

Thank you. >> Mayor pro tem? >> Thank you, mayor. I have a similar request for any additional clarity. The letter that I saw really only spoke to prohibited uses. So anything else is unfamiliar to me. You know, well, that's neither here nor there. That's all. Thank you. >> Mayor Adler: Councilmember Renteria? >> Renteria: Yes, mayor, I would also like to have the opportunity to meet with them to get the information. I did talk to them, and the big concern [lapse in audio] The liquor store which I agreed on, and it seemed like they were in agreement. But you know, this is -- you know, this added petition, I had

[4:50:44 PM]

no idea that's what they were heading towards. So I don't know either what the big concern is. >> Mayor Adler: The only thing I've heard is the question of whether restrictive covenant signed by the property owners or just the tenant or the property owner. I'm not sure the city is able to give legal advice on that question. Even if the answer is otherwise straightforward. All right. We're going to move past this one, and now go to the other pulled item here, which is item 47. Is the applicant here? >> Mayor, this is Jerry rusthoven. The city is actually the applicant. This is brought to you by a resolution passed in September of last year. >> Mayor Adler: Councilmember tovo, you pulled this. Do you want to go first? >> Tovo: Sure. Mayor, I'm not sure if we're having an applicant presentation on it, a staff presentation.

[4:51:45 PM]

>> Mayor Adler: I just asked that, and the applicant I was told is the city. It would be the city's presentation. In lieu of him going first, I thought you would bring your issue and then -- >> Tovo: Sure. >> We have (indiscernible) On the line representing central health. If council would like to hear her. >> Mayor Adler: Kathie, do you want her to go first? Or do you want her to respond to the issue, any issues you raise? >> Tovo: Given the time, I'm happy to jump into the questions. >> Mayor Adler: Why don't you go first and then we'll give the applicant a chance to respond. >> Tovo: Sure. So I would like -- Jerry, you read into the record some conditions. I'll tell you, I'll start with just saying, you know, as I have, and

would like, some more conversation around what the elements of superiority are on here, given that's the requirement of a pud, that it be superior to conventional zoning on multiple fronts.

[4:52:45 PM]

As I look through the tier 1 requirements and the tier 2 requirements, I see several things that are being waived that give me pause and concern. I'm not going to go into all of them right now since we're just hearing this today on first reading. But one of the main ones, as I understand, is participating in the city bonus program and requesting the entitlements of the density program without meeting the requirements of the density bonus program with regard to affordable housing. Today you said something about affordable housing that you read into the record. So could we just stop there and if you could tell me whether the increase is from 8-1 to a request of 25-1 which a developer can access only through the density bonus program, if that means they will be in compliance with the density bonus program. I've got some other questions, but I'll start with that, with that one. >> Sure, councilmember. The pud would allow the

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differences they would still be able to participate in the density bonus program. It would be triggered, and that number would change. Currently it's 8 to 1, which is where you start triggering the density bonus. This would raise that to 25 to 1. The information that I read in the record earlier comes from the recommendation from the planning commission on the record code amendment in response to a previous council resolution. We started this as a code amendment. Last September the city council asked us to convert it to a pud and bring it forward and that's why it's before you today. This recommendation came from the planning commission when it was a code amendment. And the requirement would be they provide 100 -- that they make available 100 units of available housing if they do any multi-family or condominium residential on the property. That requirement for making 100 units available would mean that

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they would have to make those units available to the city, and that the city would be responsible for whether the citywide use, or city dollars or house trust fund money to move forward with providing that affordable housing. So it's a requirement they reserve 100 spots of affordable housing for the city to participate in making affordable. That requirement would be both in the pud ordinance and in the interlocal agreement as well. >> Tovo: I just want to make sure I'm understanding. The 100 units would only -- >> Mayor Adler: Kathie, can you get your microphone closer? >> Tovo: Sure, I can talk a little louder, too. Is that better. >> Mayor Adler: Yes. >> Tovo: So in regard to this pud, they would -- if they

have residential, they would make those available for purchase. There is no affordable housing fee, units, or otherwise that

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they are doing as part of their participation in the downtown density bonus program. What I heard you say is that they are simply change the baseline. So instead of using the density bonus program to go to 8-1, to 25-1, this pud would start the baseline at 25-1? >> This is correct. And the additional 100 units would be available for the city to participate in if the city proposed to. >> Tovo: So today, earlier on our agenda, we changed the fees, at least temporarily, to require a fee of commercial development. Would they be required to pay any affordable housing fees from 8-1, to 25-1? No, because if we change the baseline, none are required, right? >> Right. They would be required to pay the new fees, and anything above 25-1. >> Tovo: We've had a lot of

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conversation around density bonus program with regard to the baseline. And I can't support that, at least not at the moment, without hearing more about the other superiority elements. But I'm not sure why we would set the baseline. What the rationale is for -- what is the rationale, Mr. Rusthoven, for setting the baseline for 25-1? >> The rationale, I'll speak to the pud in general, why the staff is supporting the pud is two main reasons. The first is that the intention of the original resolution that kicked off this process a few years ago, the intention was to create the innovation zone, and redevelopment of the Breckenridge hospital campus. And specifically to increase the density with the intention, I believe, of increasing the revenue opportunity for central health in providing their mission of providing indigent healthcare. So the intention was to allow

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central health to maximize the revenue from the redevelopment of the Breckenridge site to allow them to basically pull in as much revenue as they possibly can because of the mission that they perform. The second reason is the agreement that we have worked out with central health, the realignment of red river to make red river continuous again, and so I would say it's, one, the mission of central health, and revenue opportunity for them, and reason number two would be the central health realignment -- I mean the red river realignment. >> Tovo: Mr. Rusthoven, just looking over the Ila right now, I don't see anything in the Ila, and you have to remind me if it was in the original resolution, did it exempt them there affordable housing requirements that would be required of anyone else participating? >> No, the Ila did not address that. That is being addressed through the previous code of pud. >> Tovo: But did the code

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amendment and the resolution that triggered the code amendment indicated they would be exempt from -- >> No, specifically -- >> Tovo: Because the baseline would be increased to such an extent. >> The language, the portion of the language said to land use regulations to consider site density via maximum affordability, and maximum building heights, to negotiate as necessary to implement a code amendment to support the code density bonus of the property and the land uses for of the property. >> Tovo: Thank you, Mr. Rusthoven. I think I would just say that I think this is -- what I heard you read in the language, and I think I've got that in front of me and I'm going to find it here in a minute, but what I heard you read is that we would be setting the land use entitlements at a level to encourage as much density as possible. As much revenue as possible for the property owner.

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I'm not even sure we're legally allowed to consider how we would -- that -- I'm not sure we were allowed to consider it in those terms, right? That we increase entitlements to increase revenue for a particular property owner. Are we even allowed to do that? >> I guess what I was addressing from a superiority standpoint, one of the things we did consider as staff was, what central health does as a governmental agency, and their ability to maximize the potential, and allow them to perform their mission better. >> Tovo: Okay. I had some other questions. I don't know if my colleagues have questions or if I should continue with the other -- with the other topic. >> Mayor Adler: We can stay on this issue, and Kathie, come back to you on other issues. I also want to give the applicant to speak to this issue as well. I don't know if miss mead is

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here and wants to speak to that, or you want to hear from other members of the council. >> Sure, this is Michelle mead. I'm happy to speak -- I think Mr. Rusthoven covered it well. But I just wanted to point out a couple of additional things. The whole drive behind wanting density on this property is to offset the tax revenue to the tax paying citizens of Travis county, that central health would be collecting, if they didn't have this additional revenue source. And so it really -- I think from the inception of the discussion about the redevelopment of the Breckenridge track, the idea was not to tax central health which would take dollars away from indigent healthcare, it was to allow central health to have as much development on the property as reasonable so they would have that additional revenue source. And I also want to point out that the original resolution

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that Mr. Rusthoven referenced, and councilmember tovo was talking about, actually spoke to setting a minimum sar, not a maximum, but a minimum sar on this property in hopes that central health would utilize this property as an anchor in the innovation zone to attract high density development. And so, you know, we -- I also wanted to point out that in addition to the mission of central health in providing indigent healthcare, and whether or not that is seen by the councilmembers as a community benefit, remember that part council's own resolutions, this is a property that is zero tax based today. There's nothing on this property on the tax rolls. Once the property is developed, per your own resolutions, the tax dollars from that development go into the housing trust fund. And so that makes dollars

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available for the city, if it chooses to, to provide affordable housing on the property. And the planning commissioners who came up with the concept of the 100 reserved affordable housing units really were trying to come up with a solution that, sort of remembering their words, was not robbing Peter to pay Paul. So it was not asking central health to take indigent healthcare dollars and put those dollars into affordable housing, since both are critical affordability needs, right? One, not more important than the other. Both critical. So not asking central health to take its affordable healthcare dollars and put it into affordable housing, but also not wanting to lose the opportunity because this is in the innovation district, to have some affordable housing on the property. And so they found this to be a good compromise, or solution to not take those dollars away from

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healthcare, but create the opportunity for the housing to be created. I think it was a very creative and out-of-the-box solution that has been embraced by everyone, and I think really works well. So we are asking -- and I think Mike Geeslin's on the phone as well as part of the applicant presentation if you have questions for him, but we're asking for the city to not look at this as you would with a typical for-profit developer as an opportunity to get money into the coffers. This is an opportunity to increase that revenue, looking at it and thinking about it as the city and central health working in partnership. Because at the end of the day, all tax dollars are going into the same pot and coming from the same people. So we need to acknowledge that both of those are very critical needs. >> Mayor Adler: Anyone else on this issue? Councilmember Fuentes? >> Fuentes: I just wanted to share my thoughts on this

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proposal to do a zoning change through a pud. I think looking at this and knowing this is an opportunity not only to offset our -- offset tax revenue for austinities when it comes to central healthcare tax, but also that it would increase revenue for central health so they can deliver on their mission, which includes putting more healthcare clinics on the east side. So I see this as a win-win, and getting more affordable housing units downtown and getting the opportunity for central health to maximize on their revenues, so they can fulfill their mission in serving our indigent people. >> Mayor Adler: I think that councilmember tovo, I think you state the obvious general rule. And I think it's absolutely right. And probably never have strayed from the exigent circumstance.

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I appreciate you raising that. Because I hadn't really thought about how moving from where we were before from the overlay to the pud was an overlook. The last time it was here we decided we didn't want to handle it as an overlay, and we said basically do this as a pud than an overlay, but try to come back with the overlay would be -- I think this just executes that. I know that central health took a really big hit associated with the new hospital and loss of the tenant. I think what they do is a real considerable public mission. And when we have governmental entities dealing with governmental entities, it always gets a little bit tricky. But I support the arguments that are raised by councilmember Fuentes. Any other discussion? Councilmember alter, mayor pro

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tem, and councilmember tovo, I have not forgotten that you have other issues to raise as well. Councilmember alter and then mayor pro tem. >> Alter: Thank you. I wanted to just confirm, it's my understanding that for certain requirements, maybe this is a question really for miss mead, can you tell me what your interpretation is of your park land requirements? It's in the central business district so it's not land, but can you tell me what you're anticipating you'll need to do? >> So, we would be required to pay the normal park land dedication fee. And I agree with you, that considering where in the park, Waterloo park, I don't think we would be talking about a donation of land, but, you know, those fees are roughly \$2,000 per unit-ish. And we're not asking for any

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exemption, or waiver from those requirements. And so not knowing what our future development is, in terms of units, or commercial square footage, we don't know exactly what it is, without a calculation of those park land dedication dollars. But you roughly pay about 2,000 or so per unit, between the two types of park land dedication fees that have to be paid for in any new development. Again, we're not asking for any waiver of that by virtue of this pud, all we're trying to do in this pud is take everything

that was in the overlay and put it into the pud document, because I think the council decided that the overlay as a code amendment was not really the right tool, it needed to be a zoning tool. Not a waiver of those requirements. >> Alter: I was just trying to get clear that my interpretation of what I've read was correct. Jerry, just to confirm at this point we do not have a draft ordinance? >> No, councilmember, it's ready for first reading only.

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>> Alter: Okay. I'm going to be (indiscernible) I'm not comfortable moving forward at this point without an ordinance that I can look at. I may have some questions on the Ila. I remain a little bit uncomfortable with some of the promises that are in there with respect to the (indiscernible) And property that's over by the red river section, I forget what they're calling it in the Ila. So I have some reservations about that. Which I expressed before when we did the overlay, and I expressed when the Ila was signed. So I would have further questions on that. >> Mayor Adler: Councilmember tovo, we'll come back to you. >> Tovo: Right now? >> Mayor Adler: Yes. >> Tovo: All right. I have two quick questions,

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relatively quick questions. One is maybe not that quick. Mr. Rusthoven, can you talk about the use of reclaimed water? It's my understanding there is a reclaimed water that goes -- a line that goes right by this site? And that it's our practice to require puds to hook into it? >> Yes. The applicant is not proposing, that the city code requires the lee land water if it's within 250 feet of the pipe. There is a pipe extended to this area. The pud does not modify that requirement. So they would be required to hook up to that reclaimed water pipe, if it met those conditions, which I believe it will. The one possible exception to that would be if it were a property developed by the state, the state, of course, is not subject to city regulations. But any other development on this property would be required with complying with the standard

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rule to within 250 feet. >> Tovo: Is the pud crafted in such a way that all of the parcels otherwise that are developing or being poised for development within the innovation district will be hooking into the reclaimed line? >> It's not a reclaimed water issue at all. With regard to the easements that are proposed in the Ila. It doesn't exempt them from the requirement, it doesn't mandate it. >> Tovo: I would request that that be an item that gets worked into the ordinance. I think it's really important as we have one of the first projects out in the innovation district, that, you know, we have two items today, talking about water forward and the importance of making sure that we are doing everything we can with regard to demand management reduction, as well as

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conservation. And so I want to be sure that the expectation is set very clearly, that development in the innovation district on these tracts will use some of our most innovative water strategies at this point, which is hooking into the reclaimed water line. Miss mead, or Mr. Geeslin, I don't know if you have a response. And then that concludes my questions for today. >> Sure. This is Michelle mead again, councilmember tovo, in response to your question. We had a lot of discussion about reclaimed water in the context of the interlocal agreement because we weren't sure what was required, what wasn't required. It is part of your adopted code in 2012, 6-4-11e of the code which requires any commercial development to tap into the reclaimed water line. It actually became a non-issue. Austin water was able to

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identify that code provision for us really quickly, so it became a non-issue. That's why it's not addressed in the pud. >> Tovo: But it's your understanding that all of the properties that are part of this pud application will be tapping into that line? >> Correct. >> Tovo: Okay. And then my other question is about dual plumbing. I know that that's typically required -- we've required it, I believe, in the last four or so puds. Is that an expectation and a requirement with this pud? >> This is Michelle mead again. I didn't know if Mr. Renteria wanted to answer it. It's not something somebody has talked about. It's not - today is the first day I'm hearing anybody, in honestly three years of discussion, even bring it up. It's not something that's been talked about by us. I will say, though, that we do

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ask the council since thinks pud tool was not our choice, although we understand it's asking -- you know, it is a hefty ask, we ask that you not try to make us look like the typical pud, because this is not -- we're employing this tool because it's the only tool available to us. It was at the council's direction. So we are happy to look at it, but we also are asking the council to give us some consideration to not have to meet -- you know, check the box on all the things a typical pud would, because we're really not asking -- we did not come forward asking for this tool. So, yeah, we're happy, councilmember, to ask for that. I personally don't know anything about it. But we're happy to have that discussion and figure out what it is, and whether we can incorporate it. >> Tovo: Thank you very much. I appreciate it. And my last question relates to

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the uses, that may still be developing. But back in June 2019, we received a letter from multiple parties, and it was signed by CEO, Mike Geeslin from central health talking about the really much-needed support, for the much-needed resource, and need to expand our robust network of behavioral health services. At the time we received a note from judge Eckhardt and again signed by Mike Geeslin and others asking us to use healthsouth for that purpose. And there were several particular uses lined out from diversion opportunities out of the criminal justice system, and into the healthcare system, which I know tri-county has addressed and attempted to do in the last few weeks, as well as some other things. I wonder if Mr. Geeslin could

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Speak to what the intentions are with regard to providing an opportunity for that use, or for some of those other uses here on this site that they control? And the uses that were requested, or permanent supported housing, assistant treatment for people with substance use disorders, cog any ti -- I'm summarizing here, and again I mentioned the diversion, alcohol facilities. Are any of these intended, that you requested, that are going to be a part of the pud redevelopment of these tracts? I guess I should have asked if Mr. Geeslin was on -- >> I think he is on. Mike, you may need to unmute.

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>> Tovo: If not, maybe you have an answer to it. >> I don't -- I really would prefer for Mr. Geeslin to answer, because it really is about central health's operations. I'm sorry, there he is. >> Can you all hear me? >> Mayor Adler: Yes, go ahead. >> Yes, thank you all. And thank you for having us here today. And considering this item. Councilmember tovo, just to make sure I'm recollecting correctly, is this the letter that was signed by various members of the psychiatric stakeholders group? >> Tovo: You know, it didn't identify them as members of the psychiatric stakeholders group, though I believe most of the participants who did sign do serve on that body. >> Okay. I understand. I recall the letter now. Yes. >> Tovo: You had signed it, Dr. Sirkowski, and various

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others as well. >> I think as far as the uses on the campus, that's going to be in accordance as a delivery strategy, we've begun providing more behavioral health sources, predominantly through community care health centers. But also, continue to partner and work with integral care. And I think, you know, how behavioral health services are delivered, and other service line expansions that we are planning on for, actually working on now in this fiscal year, but also planning for future fiscal years, that's something

that I'm happy to come back and talk to council about. In fact, we should have all the partners at the table to explain and illustrate what the overall delivery strategy is in those areas. Now, ultimately what this -- what the campus development represents is additional

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funding, so that we're not overly relying on property tax revenues. We have additional non-property tax revenue sources to be able to fund various healthcare lines, whether it's specialty care access, access for persons experiencing homelessness, behavioral health, substance disorder, and the list goes on, just to name a few. >> Tovo: Yeah, I appreciate that. And certainly I very much support the work that central health does, and I'm appreciative of the additional information you've offered. Given that the letter did identify a need for these services in that very geographic area, that's really the substance of my question -- that's really the intent of asking that question of whether, as you move forward, and solicit developers for these tracts, whether that's going to be an abiding concern to get those behavioral health resources there in that location?

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>> I think where the resources are located -- now, I'll have to go back and first of all, re-read the letter. And circle back around with a couple members of the psychiatric stakeholders group to reacclimate myself to that. Having said that, in looking at what our strategies are, which are evolving, and have evolved since that 2019 letter, that we all signed, I think with respect to the developers, and what the healthcare delivery site locations are like, and the healthcare delivery strategies, that's going to be more in the context of our systems delivery strategies, work and discussions. And whether that's in that location, or in locations that are more centralized and out in areas where people live and reside and work, that still remains to be seen as we work through these strategies.

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>> Tovo: Okay. Thank you. >> We currently don't have active rfp for development of any of the tracts. We need to wait until we got realigned, the demolition completed, and of course, this rezoning, which is a critical first step, and I do appreciate you all considering it, before we took the next steps in the rfps. >> Tovo: Thank you, Mr. Geeslin. >> Mayor Adler: It's 5:20. I think we're going to see how much we can handle before 6:00 and then decide whether to take a dinner break, or to continue moving. Is there a motion to approve this item on first reading? Mayor pro tem? Makes that motion. Seconded -- >> Harper-madison: Sorry, mayor. I wanted to be sure to articulate that. The motion is to approve staff's recommendation with the additional conditions on first reading. >> Mayor Adler: Okay. Moved and seconded by

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councilmember Ellis. Any discussion? Those in favor, please raise your hand? Those opposed? It's unanimous on the dais. Councilmember alter is abstaining. Others voting aye. Councilmember tovo also abstaining. So 9-0-2. That item 9-0-2, that item passes. >> Thank you, mayor. >> Mayor Adler: Jerry, thank you. Councilmember Casar, do you want to make the motion, I think housing, item 64 comes from your committee? >> Kitchen: Mayor? >> Mayor Adler: Yes. >> Mayor Adler:. >> Kitchen: Could we take up 13 before the break? It will help with our staff. >> Mayor Adler: We'll try to get several things taken up before the break if we can. >> Kitchen: Can you include 13 in that? >> Mayor Adler: Yeah, I think so. Item number 64, councilmember

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Casar, do you want to make a motion? >> I move to pass it. >> Mayor Adler: Any discussion on item 64? Councilmember Renteria seconds. Councilmember Casar, do you want to lay it out. >> Casar: She currently sits on the CDC, but in a different seat, so this essentially keeps her on it. But in a different seat. >> Mayor Adler: Okay. Moved and seconded. We're going to take a vote. >> Casar: They've said good things about her committee, and I think we restate these here. >> Mayor Adler: Thank you. Item 64, those in favor, please raise your hand. Those opposed. Mayor pro tem, I didn't see your hand raised. Unanimous on the dais. >> Harper-madison: Mayor, I voted no. Thank you. >> Mayor Adler: I'm sorry. I have everyone voting yes,

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except for councilmember Kelly who votes no. That item passes. My sense is that item number 65 is going to be passed without much discussion. Councilmember kitchen, do you want to make that motion? >> Kitchen: I move passage. >> Mayor Adler: Councilmember pool seconds that. Is there any discussion? Those in favor of item 65, please raise your hand? Those opposed? I'm seeing everybody in favor. Passes 11-0. Okay. Now let's go to the items that we considered this morning. Item number 10, the 2152 acres. Did we answer the questions that councilmember tovo had asked this morning? I think we're looking for the manager on that one.

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Let's come back -- >> Tovo: We had various communications with staff throughout the day and I've gotten additional information. >> Mayor Adler: Are you comfortable with it now? >> Tovo: No, I can't say that I am. >> Mayor Adler: Let's hold that then until the manager is with us. >> Tovo: I'm not sure we're going to get to a different place. >> Mayor Adler: Okay. >> Tovo: How about we hold it for a couple of minutes and come back to it. I think we can dispense with it quickly. >> Mayor Adler: That was my sense. I just thought we could handle it with the manager off the dais. We'll come back to number 10. >> Mayor, I don't mind facilitating that, if you'd like. I know it was Austin energy at the ready to answer any questions. And we've got Michael Gates from real estate. And there was some initial correspondence to the councilmember regarding some of those questions. And I see that mark sa broski is on the line. And Michael Gates from real

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estate. >> Mayor Adler: That sounds good. We also have the manager with us as well. I think the question we had this morning was, did somebody take a look at not whether this was surplus land Austin energy, and ready to be sold, and then real estate facilitating the sale, but has anybody looked strategically from a city perspective, is this the right time to sell this asset. >> Absolutely. Some of that is a blend of the uniqueness to the property that Austin energy can elaborate on. To begin with, we do have an executive team called the strategic governance facilities team. They do take a wider look at different facilities and different property of the city. In this particular case, given the uniqueness, the challenges that Austin energy will elaborate on, we didn't run this by the streets facility team, but we do, however, have an enterprise approach. We may want to ask Austin energy to talk about the uniqueness of

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the property and get responses to the questions that councilmember tovo had. >> Mayor Adler: Councilmember tovo? >> Tovo: Unless my colleagues really want to dive into the details, I would say, one, manager, I would provide the direction here at this item that all such real estate sales do go before the strategic facilities group -- I'm sorry, I'm not getting the name right. >> Governance team. >> Tovo: Governance team, thank you. I had some questions about this particular sale. I think it gets into a conversation we would probably want to have an executive session about the difference between the prohibition on speculation for municipalities, versus investment. And so I don't know whether we want to try to sort that out today or not. But if my colleagues are generally inclined to let it go forward, I guess I can -- it's not my preferred path, but in

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light of the time that's going to be required to really sort through those, what is a legal issue -- >> Mayor Adler: Let me ask this question. Is Austin energy -- is there a time issue associated with this item? Or can it come back to us? >> This is the chief financial officer of Austin energy. At this time we do have a willing buyer that has a valid offer to the city. And that offer does recoup the full acquisition cost, plus deferred for our customers. I don't know how long that offer is valid for at this time. We would have to go back and find that out. >> Tovo: Mayor, may I ask a question? >> Mayor Adler: Yes. >> Tovo: Did the buyer approach Austin energy, or did Austin energy market the property?

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>> I think there's a history there. I'll try to be quick with this. Several buyers who operate infrastructure under the land there, approached Austin energy several years ago about buying the land. We did not entertain an offer at that time. When we determined that it would be impossible for us to utilize the land, we contacted those buyers to see if they were still interested in purchasing. And this buyer said that they were. And put forth an offer. >> Mayor Adler: Colleagues? >> Tovo: Mayor, I reluctantly move approval with the direction that all such future transactions get reviewed by the strategic management team. >> Mayor Adler: There's a motion. Is there a second to the motion? Councilmember pool seconds. Any discussion?

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Let's take a vote. Those in favor, please raise your hand. Those opposed. I'm seeing that as being unanimous on the dais. Okay. That moves forward with that direction. All right. That gets us to item number 13. Councilmember kitchen? >> Kitchen: I move approval, and if I get a second, then I'll lay it out. >> Mayor Adler: Councilmember kitchen makes the motion, seconded by councilmember Ellis. Councilmember kitchen, do you want to lay it out? >> Kitchen: Yes. I have a motion sheet. It's been sent around and put on the message board. It's a motion to approve the preferred redevelopment scenario 1a for the dac, with a number of points that are essentially goals for the final design. I think that this motion

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addresses some remaining concerns. I want to thank the staff and all the stakeholders for working together to get us closer on 1a. There are a few remaining questions that we have, and I think that these bullet points address those, and they address them as part of the next step in the process. For additional design. And then they speak to some issues primarily related to traffic and parent pickup and drop-off and those kinds of concerns that are very important concerns for us to continue to talk about and address. They can be addressed in the next stage. So moving with 1a, it clusters the footprint, it



addresses the concerns about making sure we don't have a long service drive, and more impervious cover on park land.

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So it gives us the best connection for open green space, and I think I can speak more if people have questions. But I'll just leave it at that for the moment. >> Mayor Adler: Okay. I would also like to hear from staff, just because I would like to know what staff's recommendation is. Councilmember Ellis? >> Ellis: Thank you, mayor. I appreciate councilmember kitchen's comments on the message board. They were very much in line with what I was thinking. I was more in favor of the 1a option because of clustering the buildings and keeping the new facility from being too close to the trail. I've got one word I might like to add into your direction if you would find that agreeable. It's about the Toomey road access, further evaluated in coordination, I'm just reading what you wrote here, Toomey road

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access should be evaluated in coordination with Austin transportation department and stakeholders with the goal to reach agreement on how fast to resume Toomey road. I would like to add vehicular access. There's a lot of conversation around traffic on Toomey road. I know it's also important for bike connectivity and strollers and things like that. So I was wondering if that was agreeable to kind of be looking at that as vehicular access to ADA accessibility, emergency services and facility support. >> Kitchen: Yes, that's fine. There's a later sentence that speaks to bicycle friendly approaches. That was the intent there. That's a friendly amendment and I'll take that. >> Mayor Adler: Is there any objection to the word vehicle? Is transportation staff with us? >> Yes, this is Curtis Beatty.

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>> Mayor Adler: As it relates to Toomey road, over Riverside, which is what that appears to be. >> Yes. Mayor, councilmembers, my name is Curtis Beatty, I'm with the Austin transportation department. We have had many communications with the city and their consultants. As some of you may know, there is a traffic analysis under way for the DAC. It has not been submitted at this time. We would like to reserve some of our opinions until we see that analysis. In general, having access to Riverside and Toomey does provide some opportunities, instead of limiting access to Riverside at this time. But again, until we see that analysis, we may be able to refine our opinion on that once we see the impact on the intersections at Riverside and at Toomey on South Lamar. >> Is there anything about this resolution that limits your ability to come back with

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whatever recommendations you think are best from a traffic standpoint? >> From what I read just a few minutes ago, as it was provided to me, I don't believe it completely eliminates all traffic from Toomey. Which I don't think was the intent. So there is some opportunities we can see, such as service entrants. I know there's been some discussion about parent drop-off, pickup and drop-off as an alternative to the main drive. Those will still be examined. There will also be part of the tia analysis on traffic during events. And those events will not just be for exact, but if the events occur at the zac and the dac simultaneously, what can be done to mitigate traffic along Toomey and other traffic as much as possible. >> Mayor Adler: As I read this, I think this is stating that we're especially concerned about

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Toomey road, because it's a small road, has traffic issues. But I don't see this as limiting the transportation department from coming back with whatever recommendations they think are best. And whatever they are, I'd like to hear what their best recommendations are. But I don't read this as to stop that. Am I reading it correctly? >> Kitchen: You're correct, it doesn't stop that. The goal is to have some conversations. So there's two aspects, the third bullet and the last bullet that speak to that. The last bullet, which Mr. Beatty is speaking to, it's a goal to reach agreement on how best to reserve Toomey road vehicular access for Ada accessibility, emergency purposes, and facility support services, as the design work moves forward. But the goal is to reach agreement. And so I think that with the help of the transportation staff, and to actually sit down and talk with the stakeholders that are involved, I trust that

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they can reach some design approach that will handle the potential difficulties on Toomey road. So I am -- you know, the main objective is to reduce the traffic impact, and to reserve those pedestrian and bicycle-friendly approaches along Toomey. But again, it's to the greatest degree possible. So I think this gives our staff the discretion to sit down, and I think it's important to sit down and continue to work with the stakeholders, and has been done up until this point and is very much appreciated. >> Mayor Adler: Okay. Mr. Beatty, can you address what the staff's recommendation is from a parks standpoint? >> This is Kimberly mcneily, the parks and recreation director.

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The department originally came out with 1b. I think you all remember that. However, after working with a number of stakeholders and having a number of feedback sessions with our council offices, that we are very amenable to 1a and believe we can work within the direction being given. >> Mayor Adler: Okay. Any further discussion on this item? Then let's take a vote. Councilmember pool? >> Pool: I just wanted to ask staff, as we move forward, the concept of having art school on the east side in one of the elementary schools that are being closed, aid closed, if you could just programmatically keep that in top of mind so that if those opportunities might present themselves, or we can make them present themselves, that we pursue those kind of --

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that kind of a partnership with aid and the arts school on the east side. >> Mayor Adler: Okay. Thank you. Those in favor of this item 13, please raise your hand. Those opposed. I'm seeing it as unanimous on the dais. Staff, thank you. I know you guys have worked hard on this one. Thank you, councilmember kitchen. I know you have as well. Let's move to the next item which is item number 56. Councilmember Kelly, you pulled this one. >> Kelly: Yes, I did. I was just hoping staff could answer some questions for me. They were gracious enough to e-mail the answers, so this should go pretty quickly. Is staff here? >> (Indiscernible). >> Mayor Adler: Why don't you go ahead and read your questions, councilmember Kelly, as staff is

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coming over, if they already answered in writing. >> Kelly: My first question was that I was having a hard time understanding a breakdown of how the money would be spent before approval. So I was just wondering if they could explain that in more detail to provide some clarity for us here today. My other question was about what type of performance and service data that this contract would utilize, and if they could share that with council as well. And then also, why there's no location listed for the contract. I would like to know where the execution of it would be utilized. I know it's in district 4, but knowing the location would be helpful as well. >> Mayor Adler: Okay. Does staff want to address these issues? >> Good evening, council. I'm the community based resources manager. Over at Austin public health. As it relates to question number 1, we would hire additional staff for case management, as

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one of the psh program that they currently have, it will allow them to house more individuals. Once the site is ready, those individuals can move to the new site. Additionally, the funds will support bringing in a program manager who will support the development of the program by communicating with funders, and internal staff, acting as a project manager, as the property is being built. Would you like more

specifics on that? >> Kelly: I think that's great, if you could just answer question 2 and 3, that would be great. >> Absolutely. >> Kelly: Thank you. >> Question number 2. So typically, the performance measures that we use to focus on housing stability, so we plan to file (indiscernible) Such as clients served, the number of individuals enrolled in the

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supportive housing program who receive primary healthcare services, the number of unduplicated individuals enrolled in supportive housing who receive peer support services, the number of individuals enrolled in the permanent supportive housing services who are approved for SSI, or ssdi. And households that maintain housing due to receiving central services. And lastly, percentage of individuals who experience increase in income through work or benefits. And last, but not least, the location will be at 1934 Rutland drive, Austin, Texas, 78758. This will entail a new construction of about 171 affordable housing units. At least 51 of those units will be permanent supportive housing, and the contract with case

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management, social services, for homeless individuals in those units, as well as furniture, equipment, and planning calls prior to occupancy. >> I think you got it all right except I think you might have accidentally said es pir anza. Similar words, but just to clear that up before somebody in the press gets confused. But I think you laid that out exactly right. >> Mayor Adler: Is there a motion to approve this item? Councilmember Kelly? >> Kelly: I was just going to thank you for the thoroughness in your report. I know there are a lot of questions out in the community how the money is being spent, and I appreciate the time and effort into letting us know about that and educating it about it. I can make the motion, mayor, if you would like to approve. >> Mayor Adler: Councilmember Kelly makes the motion. Is there a second to the motion? There is a second. Any discussion? Councilmember Casar?

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>> Casar: Mayor, I appreciate councilmember Kelly pulling this to ask the questions. In some of these other items, I pulled it, or asked about it so that we can highlight the work that gets done, because oftentimes these items get passed unanimously and we don't get to highlight what is happening. So in this case, it's 170 units primarily pulling almost entirely folks off the street, and then this will provide that intense case management and services to people. We often hear from folks, well, we understand housing first, but are there going to be the services. And I think this is an example, and a moment where the community can see we are providing those services. And I deeply appreciate them for bringing the

services and this housing to district 4 and appreciate all the neighbors who have embraced this and are ready to work together to really make this work in my district. And so I thank the council and

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for them to highlight here the many people that we'll be able to serve here off Rutland. >> Mayor Adler: Okay. Those in favor of this item 56, please raise your hand. Those opposed. I see it as being unanimous for approval. Let's go to the next item, item number 60. Councilmember alter pulled it. I don't know if it's better, councilmember alter, to have councilmember -- do you want to first raise your issue? What do you think? >> Alter: It's entirely fine for her to go first. My issue is clarifying intent. >> Mayor Adler: Councilmember Fuentes, do you want to make the -- move passage of item number 60, version 3? >> Fuentes: Sure, I move to pass item number 60, version number

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3. >> Mayor Adler: Is there a second to ma motion? Councilmember pool seconds that. Do you want to lay it out real fast? >> Sure. Thank you to my co-sponsors, councilmember kitchen and pool and Ellis for your support. And for standing with our art and music community. We are offering a resolution that clarifies -- this updated resolution version 3 clarifies the role of the resolution playing as we deliberate the process. Specifically provides direction to city staff as they develop an overall spending framework from the arpa fund specific to the creative sector. And so this provides for the city manager to -- actually, councilmember alter, you brought this up in our work session, and this also highlights the community navigators, and the role that they play making sure that in creating supplies for the grant programs we have

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available, and it also clarifies timing that the city manager will report this essential funding plan for the arts and music communities during the arpa conversation. So again, this resolution is about direction, offering clarity, it provides direction on the funding amount for the arts community and for the music community. It outlines possible destinations for the funding. And explicitly states the nonprofit and relief grant. It talks about smoothing over the hot deficit over the number of years, and also draws attention to the administration of the live music fund, and the need to get those funds out as quickly as possible. >> Mayor Adler: Councilmember alter? >> Alter: Thank you. And first let me just say, I really appreciate the additional clarity, in version 3. It helps to understand a lot more of what the broader goals

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are of what we're trying to accomplish, because we all want to meet the needs of our music community and our creative sector [lapse in audio] Incorporating my suggestion that we call out the need to make sure that the navigators are serving this sector. So I want to be really clear that I totally believe that we need to help and provide relief to our creative sector. I do have some questions, because I want to make sure that we are providing as much clarity as possible for our staff, so that we get solutions, and we get money out the door at the pace that the creative sector deserves. We've had a lot of fits and starts, most of which you were not there for last year, councilmember Fuentes, where we thought we were doing things quickly for this sector and for a variety of reasons that did not happen on the pace that we had laid out.

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And also, in light of our conversation on Tuesday, I'm a little bit uncertain of, you know, how staff is going to interpret certain pieces. So let me say the part that I do understand, and then clarify the part that I want to get some greater clarity on, particularly for the arpa. As I understand it, we are seeking funding to support, you know, relief and recovery for our art sector, up to 2 million -- sorry, I have the wrong -- for the art sector up to [lapse in audio] Over two years. And we want that funding to come arpa, but we want the staff to look for other funding to support the arts in our community. We want to recognize the fact that we are going to have a hot deficit with respect to those

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receipts, and that hot deficit -- those hot moneys normally go to support cultural arts. And so no matter what form that will take in the future, the money won't be there unless we address the gap where we address the hot receipts through supporting our hotels. The third part, support up to 10 million over two years for the music sector. And again, we want to have arpa funding, plus other things that might get us to those amounts. So that's why the amounts may or may not match within arpa, because there will be other funding that's part of our goal of what we're trying to achieve. And then we've added the community navigator piece and then there's a piece in here to ask the staff to report back, and the live music fund.

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The part that I'm, you know, I'm -- maybe this is just me, but I'm going in circles, when we talked on Tuesday about the arpa, we talked about, we were just doing buckets. And we didn't want any detail.

And what I'm concerned about is if we do the same thing here, if that's the direction we go, and that's the direction we've given, what this says to our staff is simply give buckets. And I don't think we just want to do bucket, we need to get the money off the door quickly. So when we pass it on June 3rd or June 10th, we don't want to say we have this bucket for the creative sector and, you know, we'll spend it when you come back to us with the next thing. We have musicians and artists and nonprofits and venues that need this now through this period.

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And I'm not sure this resolution is fully communicating what we want in terms of that clarity. What I've heard from, say, the arts commission members that I've spoken with, is that there's a desire to have relief -- quick relief, you know, and that we can't talk about transformation if we don't have that quick relief. But then there is a belief that there are some things that could help with relief, like workforce training, or some of the work, frankly, that we're doing with the conservation corps that could come soon thereafter that would be slightly different than immediate relief. And so I want to first of all understand if your intention is that when we pass the framework with arpa, that we are getting that money out the door, then I

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think there's another step here that we might need to take. >> Thank you, councilmember alter. First, just to address your first, what you brought up, absolutely the intent is to get the funds out immediately. These are relief funds. That is why in working with the arts community, we laid out here, you know, to provide direction, that they include these pandemic programs, that came about during the pandemic. Because they don't want to recreate the wheel, they don't want to establish a new program, it's all about getting the money out the door. So we paid particular attention to the programs that we specifically lined out in the resolution. However, this is a direction of staff to come back to us with a plan. So after they do their assessment and they have a recommendation, they can look at all the different relief programs that council pass, which I believe is 12 different relief programs in the last year and a half.

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And they can come back and provide us with additional information. But it's all in the intention of, how can we best get the money out quickly, and how can we as council make an informed decision as we have the arpa conversation, in how we should allocate the specific buckets. The four strategic priority areas and of course with the immediate relief needs. >> Alter: I don't want to rehash the conversation on Tuesday, but on Tuesday when we said we weren't allocating it to details, I'm just -- >> Yeah. That -- you acknowledged this in the first comment that there's a little mistrust with how the city has gone

about with the different relief programs that were set up during the pandemic. By council passing this resolution, we're giving voice to those concerns by saying, we hear you, we understand there's a need for immediate relief, and here's what we're going to provide explicit direction in how we would like to allocate

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these funds. >> Alter: So I think to do that -- we did do that, you know, all last year at various points in time, yet there was still really long delays, particularly for the -- delays for everything from the time to set up programs. But there were particularly long delays at times for this sector. We did get out funds to support them, but they're also asking for changes to these programs, et cetera. And again, we have to be clear on the level of detail we want to come back to us for the discussion. And so if the level of detail is such that we want to expedite and we want the relief payments, then we need to make that clear to staff. It's not just -- and that's what I think we have to make clear. And I don't know that you and I are disagreeing on what we're saying, but I don't believe that this direction does that. So I think it's important for us

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to establish what council's intention is. >> Mayor Adler: Councilmember kitchen? >> Kitchen: I hear what you're saying, councilmember alter. I'm thinking that the language, the tier gets to the point with the conversation that we're having right now also. Because it does ask for recommendations on the best use of arts funds, but then it's specific as to which ones to look at, which are the arts funds to look at. And each one of these funds has a process in place, and a timeline now. And I think the -- I think that corrects for being slow in terms of getting it out, because the slowdowns that we had in the past were because -- part of it at least was because they were creating programs.

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And I think that's why the effort here is to list existing programs. I also think that, you know, the amounts are discussed as up to -- from a number of different buckets, and so this resolution is not the arpa resolution, we're not voting on arpa with this. What we're voting on is that, you know, that there could be a number of different buckets that these funds come out of. So I think it's important for us not to -- you know, not to take the two conversations -- I'm not saying you're doing this, but for everyone else, it's not the same conversation. But if I'm understanding correctly from councilmember Fuentes, the effort -- the language here is specific as to, you know, which buckets to consider. And it also has staff coming



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back to us, and so I'm wondering if there's other language that you would like to see that, you know, you think might be more helpful. There is language in here about reporting, that includes the steps the staff will take to expedite the administration and release of funds with regard to the live music fund, for example. So I'm feeling like there's specificity here, but interested if there's more language that you're wanting to suggest. >> Mayor Adler: Councilmember alter, do you want to propose language, or do you think the discussion we've had here is sufficient? >> Alter: I will propose a little bit of language. But then I would like to hear from staff what they think they're coming back with. Because, you know, I just think that's -- so I would -- so I'm assuming that the language about the live music fund that

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expedites, might address this, is already in there. But it's not there under the arts section. So that it could be further resolved, the whole thing after I read the clause, to the -- under the second part, the first be it further resolved, but the second section of the resolved section, I would add a clause that says, including a plan to -- >> Mayor Adler: I'm not sure where you are. >> Alter: Page 7. Line 157. Of the version without the red line. >> Mayor Adler: How does your paragraph begin? >> Alter: The city manager is directed to provide a plan to council for up to 15 million over two years, up to 7.5 million per year, to be used for grants to Austin artists, art groups and nonprofits arts organizations, and then I would add, including a plan to expedite a portion of the arpa

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[lapse in audio] Immediate relief and recovery. >> Mayor Adler: Say that again, please. Including a plan to expedite -- >> Alter: To expedite a portion of arpa for immediate relief and recovery. What I'm trying to do is make sure that we don't have to delay until August to get money out the door, which if you -- again, if we take the way that we were talking about how we might want it with arpa, that's what we get. We get a creative sector bucket, and then they have to go and do things, and then we're not meeting until later in July, and they can't move things -- these other buckets. So I think it's really important that we have that kind of clarity. So I would move that as an amendment. >> Mayor Adler: Okay. >> Kitchen: Could you read the language one more time? >> Alter: Sure. Including a plan to expedite a portion of arpa arts allocation

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for immediate relief and recovery. And I'm assuming that sort of covered under the music one as well, because there's an expedite clause in that one. You could add the same thing. My goal is to clarify that, not to clutter up the resolution. >> Kitchen: Thank you. >> Mayor Adler: At this point we don't know how much that would be because there's an "Up to" number. So they would be coming back with a specific, hey, lets 'do this immediately. Recognizing that part of the recovery relief and support for this industry is going to come from other sources, and subsequent, but to look at, in the context of our arpa funding, which we've already passed a regs Louis on earlier which this resolution reaffirms, but allowed relief spending as well. Look at music, look at arts, expedite it with the arpa

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process coming back in June. >> Alter: I put it in the arts section because that's where I could fit it. But just to give you what I'm assuming this means, as we're getting our creative sector back, let's say these are just totally numbers, I have no idea what the right number is, but let's say 2 to 3 million is for immediate relief, and recovery, and staff would then be adding funding into the nonprofit relief grant program under the arts. And they might be doing the creative workers, or, you know, it would be that the projects that were cited in here are useful. I do want to underscore, you know, we can have this conversation as we go through the arpa. We have already had projects that are done through the (indiscernible) That deploy our artisans in our community to help beautify our community, the raisin in the sun mural comes from their funding.

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There were several projects where folks are out in the community working on, you know, what does covid mean to me type projects through an arts lens, that that's happening. I want to flag that, because that may be part of the discussion as we move forward. So I'll move the amendment. >> Mayor Adler: Okay. >> I accept that as a friendly amendment. >> Mayor Adler: You can, but you don't own the bill, so you don't own the resolution, so we still have to take a vote to see if there are objections. Is there any objection to that amendment being added? Hearing none, it's added. >> Can I just ask staff to -- I'd just like to hear from staff how they're taking this direction. >> Thank you, councilmember. Assistant Rodney Gonzales here, economic development here, to,

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of course, respond to your question as well as to get some clarification on the resolution and the amendment. We've got the director here from the community development. >> Good afternoon, council. Economic development department. I just want to make sure that I am understanding that you would like for us to go back and analyze all funding sources, including arpa, knowing that there are four

priorities that have yet to be addressed, we're to come back with a recommendation. >> Mayor Adler: Councilmember alter? >> Alter: So, as I understood it, when I was reading through it, that we want to plan to come back with an arpa, about the arpa funds. But what we're saying is, arpa is not the only source we want to use to fund support for the

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creative sector. And we're going into a budget process and we're providing direction that we want you to look at other funding sources. We want you to think about business solutions for the drop in the hot funds. In my view, what we're not doing on the hot funds, and this doesn't say this in the resolution, we're not saying we want you to figure out a way to fund it as business as usual as we did in the past years, we're just recognizing that the funding source that would otherwise go to arts, which we want to have that funding go to arts, isn't going to be there because of the drop in the hot receipts. And so we want you to be creative about filling a gap of general funding. I understand that you are in the process of reviewing and revamping in conjunction with the arts commission that whole process for equity, et cetera. I don't see this resolution putting a thumb on the scale for that process. But more to say, we want to find -- we're going to have this

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gap in funding for the arts, because of the hot -- we need to find other things above and beyond -- or from a range of other sources. >> Okay. Go ahead, Rodney. >> If I could, of course, I definitely understand that direction. Of course, the moneys in front of us are the arpa moneys. We're also months away from the budget process. I think I saw Carrie lane on the line as well. You know, if you can help us understand, are you talking about separate and apart from the budget process? Are you talking about us also being creative during the budget process as we come back? >> Alter: When we got this resolution, we took it in the mind that staff is currently going through the budget process. I'm not sure when the deadline is for staff to submit their --

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for the departments to submit their recommendations. Those are already taking place. So we want a funding plan presented to us as council has the conversation on how we allocate the arpa funds. We know that staff will also be considering what is the budget process look like and where we can pull funding from there. (Indiscernible). So we need to have that information so that we can inform how we allocate from arpa, what we approve from that, our validation. And so this resolution details both processes. But in a way that is to make sure that we're looking at it in a comprehensive way. And identifying all possible revenue sources. >> Thank you for that clarification. And just so everyone's clear,

the information on the staff proposal for the budget doesn't come out until summertime. And I don't know if the intention is for us to come earlier with this, or just to come with it as part of the budget proposal.

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>> Alter: The intention to come back as considering the arpa funding framework. If we're considering in the arpa fund at the June 3rd meeting, we would need to know what the funding plan is for the creative sector in conjunction with that conversation. >> Okay. I'll have to defer to Carrie. We're wading into her territory when we're talking about funds other than arpa. >> Mayor Adler: Councilmember alter, did you want to clarify that as we go? >> Alter: That was part of why I wanted to have a discussion so we could have clarity for staff. I'm not sure there's one right answer, but I just want to make sure we're all on the same page. As I understood it, we wanted a plan for arpa that was advancing, and then when you you get the budget, we want you to keep pushing the envelope on the creative sector in any way you can because the budget's not coming out until later. I'm not the author of the resolution, though, which is why I wanted to get clarity on what

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we were saying. But that was how I had understood how we could potentially have monetary requests for the relief and recovery that were higher than maybe we were able to do with arpa funds, is that we would be starting arpa funds, and then, you know, trying in other ways -- whichever way they could, that may not get us up to the 50 million, may not get us up to the 10 million, but we were going to aim for that in the budget. But again, I'm not the author of the resolution. So I think, you know, we have to get clarity from the dais on what the -- >> Councilmember alter, I want to draw your attention to the resolution, let's see, line 160, page 7. Or line 159. It says the city manager is trectd to develop and present recommendations to council as part of its deliberations on the American rescue plan act. After deliberations by council

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on arpa, the city manager should make recommendations as part of the budget process, and ongoing efforts to utilize, and it lists the different funding sources. But I think we're being very clear that we need a plan, a funding plan to inform the arpa process, and recommendations during the budget process to ensure we're doing everything we can to provide immediate relief to the creative sector. >> Mayor Adler: That's how I read it, too. And that was my understanding. There's a process we're about to go through. You have to set priorities. It also said there's some relief allowed as part of this, too. So take a look at where there might be needed critical relief, or someone, or some entity, you know, so there's

some flexibility within the framework that we've set out for arpa. And our resolution in arpa was reaffirmed by this resolution. But it does raise those voices into this conversation in that

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context. And then it goes beyond that, and it says, probably we're not going to be able to hit the "Up to" numbers, in arpa, what we've seen earlier. This is also saying, and then when you get into the budget process, we want this issue to be top of mind as well. Councilmember kitchen? >> Kitchen: Yes. I just want to confirm what I'm understanding, too, that councilmember Fuentes is saying, mayor. I would think of it in simplified terms, you know, that Rodney, you all may come back and say that we are recommending, you know, 10 million out of arpa, 10 million out of the budget, then we make our deliberations as part of arpa and arrive at whatever we arrive at, and then whatever's left you will then say, okay, I'm now going to look at the budget to address the rest of whatever we didn't do in arpa.

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And I was just throwing out numbers there, just for purposes of conversation. But going into the arpa conversation, we need to understand what you all are thinking. You know, and what you would recommend out of arpa and what you would recommend out of another bucket of funds. And then we'll vote as part of the arpa process. Because this is only one piece of arpa. And then take it from there for the budget, and then councilmember Fuentes, I think your language is clear, and that's how I'm understanding it. So if I said that right. >> Mayor Adler: Do you have any further direction, Rodney? >> Absolutely. The language is clear. I think what we're dealing with is a matter of understanding of timing, when we come back to council. Because obviously we're in the middle of developing arpa recommendations, that's going to take a bit longer than what we had anticipated. And the budget process as you know, it's linear.

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Culminating, of course, with the proposal that we provide to council. I don't know the exact time frame. So it's clear that, you know, you want us to work on this during the budget process. But what we wonder is just the expectations of, are you expecting us to come before the budget proposal, or just sometime during the budget process. >> Alter: So the first come before is during the arpa deliberation process. So I'm not 100% certain, but I'm assuming by the June 3rd meeting, or perhaps the first June 1st work session we'll have an update on the arpa fund. But if it's at a later point, that when we're learning more about it, we would want to have that information. >> Mayor Adler: Maybe not the full solution. Maybe that part of the solution that relates to arpa. And then a commitment that as part of the budget process, we'll be working out the balance

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of what it is that we can do now for an industry that's important to our city. Is that right, councilmember Fuentes? >> Fuentes: That's right. I imagine the departmental committee will be submitting their budget a few weeks before then. I see both processes are happening simultaneously almost. >> That's clear. We just wanted to level the expectations of timing to return. And then, of course, acknowledge that the arpa discussion is take ING a while, and we're strategizing on when best to come back to council with those recommendations. We certainly have that target in mind. We just want to be clear that it's a more robust conversation. >> Mayor Adler: Okay. Clear? All right. We have a motion that's been seconded, I think. Let's take a vote. Those in favor of this item 60,

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please raise your hand. Those opposed. I see that as being unanimous on the dais. We have one item left, colleagues. Let's see if we can handle this, and then we can go home. >> I think we have two. I don't know if we handled item 12. Or that got postponed and I missed it. >> Mayor Adler: Item 12 passed. >> No, mayor, I had asked you -- I'd actually sent you a text a while ago reminding you that I still had a few quick questions about 12. I pulled it from consent. I don't believe we passed it. >> Mayor Adler: That wasn't the one you reluctantly moved on? >> No, that was on the real estate transaction. Number 12 is the park conservancy agreement. >> Mayor Adler: I missed that one entirely. Sorry about that. Let's do 63. And let's see if we can double back to 12. Thank you, I just missed that.

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All right. So 63. Councilmember tovo, do you want to make a motion, then we'll go to councilmember Ellis who pulled it. Is there a second to the motion to approve 63? Councilmember Renteria makes the motion. I mean second. Councilmember Ellis, you pulled this. >> Ellis: I did. Thank you, mayor. And I have circulated an amendment, and I would like to read it, and if I need to make a motion and get a second before explaining it, I'm happy to do that. But the amendment would read, the city manager is directed to provide recommendations to mitigate the impacts to affordability of the forward strategies. The recommendations shall be developed with stakeholder input and brought back to council for consideration in conjunction with implementation of the above strategies. And be it resolved at the end. >> Mayor Adler: Is there a

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second to this amendment? Mayor pro tem seconds it. Now you can explain it, councilmember Ellis. >> Ellis: Thank you, mayor. I want to say thank you to councilmember Tovo for supplementing the work of Austin water oversight committee captured in item 65 resolution by bringing this one as well. And I appreciate the work that you've done on water forward throughout the years. At the most recent water oversight meeting, we discussed the importance of water forward given the pressing urgency. It's our best line of defense against the next hard drought and the one after that and the one after that. At the same time we confront this crisis, we also know our city is experiencing an affordability crisis. Housing costs have never been higher and are rising at a staggering rate. The Austin board of realtors shared this week with all of our offices that the median Austin single-family home price has risen by a third. 32% since this time last year.

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Now it exceeds \$550,000. And I'm sure many of you saw Kut's report that Austin rent prices which fell during the beginning of the pandemic are once again shooting up and are now the highest in years. The result will be displacement of our neighbors whose wages can't keep up with the rent hikes. Fewer young families who can afford to buy a first home, more of our seniors who struggle to age in place, and for some, those who may have been hanging on to the lowest rungs of our housing ladder, homelessness might be a result. It includes the water forward task force as already mentioned in the resolution, but also community and industry stakeholders as well who could offer firsthand knowledge of the likely affordability impacts, and provide input on strategies. I appreciate and agree with the comments made by Bobby earlier today, that the components of water forward will help with

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affordability in the long run. I would also like to add that evaluating options in the up-front costs to home builders, that they would pass on to the tenants, would add to the affordability of the policies and ensure we don't lose potential housing options. Councilmember Kitchen drafted that and we passed that earlier today. >> Mayor Adler: Discussion on the amendment. Councilmember Tovo. >> Tovo: Thank you. I have a variety of things I would like to say. Before I do, I would like to clarify, that I did do some cleanup of the resolution, and so when I made my motion to move approval of this item, it was version 2, which was distributed earlier today, and there's not any substantial -- substantive changes in it, just edits. We did have an opportunity to

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talk about this a little bit at the water committee. I guess councilmember Ellis, I want to start by just asking you how your process that you're describing differs from the one laid out in the water forward

implementation plan. >> Ellis: I just think it's important to be mentioned in the resolution to make sure our intent is clear. >> Thank you for that. I think if that's the intent, I hope that you will be okay with my amendments that I've made to your amendment. And these were distributed at 6:03, I think. I'll just look. Yes, 6:03 I distributed an amendment to your amendment. So the water forward plan, and I have been involved with it, thanks for acknowledging that, I actually did the resolution that

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created the group to develop the integrated water resource plan, and I'll talk a little bit about why that was necessary here in a minute, and then carry forward some of the other resolutions necessary to get water forward approved by council. And the water forward plan includes an implementation. Very detailed implementation process, all of which includes stakeholder participation. So in addition to the stakeholder participation that made up the original integrated water resource plan that became named water forward, there's also in the implementation plan listed out several processes, it starts on page 487 of the winter forward plan. And I think -- I believe it will address the concern that you raise. I want to also say that, you know, the reason it became necessary to have a -- I mean,

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there are multiple reasons why to have water forward. One of them is we were in a very significant drought, and the staff were -- well, there was discussion in the community about, and I think possibly some research on staff's part about looking to other resources, other water resources. And that was going to be pretty costly. And not only would it be costly, it would also mean potentially taking water away, entering into agreements with other communities to get water from their sources. And so I really want to be careful about the language we use regarding affordability which is why I have suggested amendments to yours. And frankly, I would have been more comfortable moving forward, the resolution from the water committee that we approved earlier with this additional language as well, because I think it is so clear that we send -- so important to send a clear message to the community when we're using terms like affordability. But I also want to say there's a

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pretty big difference between what we approved earlier and what we're doing here. My resolution is saying, take a look at some of the elements from the water forward plan, look at the timetable, and come back and let us know which of these should proceed on a faster timetable. We're not initiating any of these programs here today. That's different from what we approved earlier. There's just a fundamental difference in what we're sending forward. So I'm not even entirely sure that it's appropriate to say bring back affordability analysis, but if there is language to that effect, I would



suggest it read as I've described in my amendment to the amendment. Because the fact is that, you know, a lot of these strategies are going to be cost savers. They are going to save money in the long run for users of our water, whether they're tenants or property owners, and so while

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there are up-front costs to this infrastructure, it is going to benefit -- it will likely benefit, and part of the intent is that it benefit in terms of bringing down costs for users down the road. I tried to capture that in my language. My concern about your language is that it presupposes that all the impacts to affordability are bad impacts, that it makes it more expensive. And I don't believe that's the case. And I don't think that's consistent with water forward. The other real fact is the one that gave rise to the whole -- all of this work, which is that securing additional water rights for our city to go forward and secure the additional water rights could be quite costly for all of our customers. Again, I think the whole point of -- one of the main points was to mitigate against the higher costs to having to invest in additional water supply. I'll read it out for the public just because it -- I don't think it's posted on the message board

[6:26:45 PM]

quite yet. But it would just capture -- instead of saying have a stakeholder, it simply captures what is the case, which is that the water forward implementation plan details a process that includes piloting strategies, collecting information about costs and conducting stakeholder input that informs program development and the city manager is directed to follow this process. Rather than suggest we're now going to conduct a stakeholder process where one didn't exist, because that just isn't accurate. And then it asks the city manager, shall prepare a report analyzing the potential impacts for forward strategies, as well as recommendations to enhance affordability along with their implementation. Any recommendations related to affordability shall consider the long-term benefits of producing bills for water customers, costs associated with securing additional water supply and other relevant considerations. I think that's more descriptive

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of what we want to analyze. That is my amendment to yours. Thank you for the conversation. >> Mayor Adler: Councilmember kitchen. >> Kitchen: Yeah, I just want to say that I'm hearing this, and I'm hearing -- if I've got it correct, councilmember Ellis' intent and your intent, councilmember tovo, just to emphasize that the water forward implementation plan process has a stakeholder process as part of it, you know, as part of the strategies, collecting information about costs, and conducting stakeholder input. And that's part and parcel of several steps along the way for water forward. And that was part of

the conversation that I think we had at the committee that -- so this is helpful to emphasize it. I think I hear what councilmember Ellis is doing. So I wanted to emphasize

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that and I think that's in line with what the director Meszaros and the water staff let us know at the committee. So I can support your language that you have and appreciate councilmember Ellis emphasizing that aspect of the water forward plan. >> Mayor Adler: Can colleagues? Councilmember Ellis? >> Ellis: Thank you. I certainly do appreciate the conversation. I would be more comfortable with my language. It doesn't have the support to go in as is, then there might be some tweaks that I can recommend to councilmember tovo's amendment to my amendment to councilmember tovo's resolution. But I think it is important to have a conversation that includes stakeholders that are looking at both angles of it. So it is about making sure that we have enough water and water that we can access

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affordably throughout the years. It's also important to understand the upfront costs. We've talked about how it is more cost effective in the long run and better for the environment, but if you can't get to the starting line how do we accomplish these goals. I want to make sure that the upfront costs if there's anything that council needs to make decisions on to make sure that more people can be part of this without affecting the supply to our community, I think we should be looking at those angles. So I think it is going to stakeholders that care about water resources, but also stakeholders that know what it's like to build the infrastructure and that that part of the conversation is being had as well. >> Mayor Adler: Okay. So that we're moving forward in a good way, we have an amendment on the floor from councilmember Ellis. Councilmember tovo moves an amendment to the amendment. Is there a second to the

[6:30:50 PM]

tovo amendment to the amendment? Councilmember kitchen. Let's hear from some of the people who haven't had a chance to speak yet. Mayor pro tem. >> Harper-madison: Thank you, mayor. I appreciate being recognized. I was going to say I think what I'm hearing councilmember Ellis say is that her concern is not about the current residents, per se, it's about people moving in. So please forgive me if I'm not catching this accurately, but the cost savings is for new residents. And so -- then the other thing that I think I'm hearing is that we just want to make sure that the recommendations are done holistically and so if I'm understanding what's being presented correctly, then I think I'm happy to support councilmember Ellis' direction. I'm proud that as a city we led the way when it comes to environmental sustainability

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and green development, and water forward is another one of those examples of that commitment. I do often think about those trade-offs, though. Sometimes the additional measures come with additional costs. And those -- on those developments that gets passed on to the purchaser. And so that's one of those unintended affordability impacts that I do worry about. So I'm happy to support councilmember Ellis' amendment. >> Mayor Adler: Councilmember Casar and then councilmember pool. >> Casar: I am listening to the conversation and I'm having trouble getting a sense of what the actual impact is of one amendment versus the other. It would be really helpful for me in trying to land this to know what the key things are that that are in a difference and dispute and what will be the actual different outcome of one versus the other.

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I don't think that that necessarily causes a difference. It would be helpful for me to know what would happen with one version versus the other that's different. >> Mayor Adler: Councilmember tovo. Councilmember pool, I recognized you next. Do you want to let councilmember tovo reply? Councilmember tovo. >> Tovo: There are two parts to councilmember Ellis' amendment. One is that the recommendation shall be developed with stakeholder input and brought back to council for consideration in conjunction with implementation of the above strategies. So again, they have been developed with stakeholder input. All I'm doing is saying task force, take a look at the schedule and come back to us and let us know if we should change the schedule. And my other point is that the implementation plan includes stakeholder input and I think it's important to acknowledge this isn't a new direction. People have spent a lot of time making sure that if you look at page 487 you will see at every one of these

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recommendations there is a very detailed process that includes stakeholder input. Sometimes it's a pilot and then cost collection so that they're really collecting those costs. Several of the water forward strategies have moved forward in this way where we're piloting it, collecting costs, then come back and getting stakeholder input about those costs and then thinking about how to tweak the program going forward. All of this is very, very clear. I think here I can go on to the second point that she's making, but I would like to pause there and ask director Meszaros just to verify that I'm representing it accurately, that the intent of the implementation plan for water forward has stakeholder input built in throughout. >> Hello? >> Tovo: You're here. >> Yes, our water forward

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process includes significant stakeholder involvement as we're working on land development codes. And we often have recommended as on-site reuse for large developments that we start off with volunteer programs that -- with incentives that have voluntary approaches and can factor out cost. Affordability is a balance between sometimes upfront costs and long-term benefits. And I think we tried to fact easy those out and include that in the analysis and recommendations to the council. >> Tovo: [Inaudible]. So the reason that I suggested a change to the language councilmember Ellis put forward is because it sounds as if the recommendations are going to be developed with stakeholder input, and that's been an intent all along. So I'm comfortable saying

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what I said, the water forward implementation process deals with a variety steps including stakeholder input and the city manager is directed to follow this process. That I'm comfortable with and I can address the affordability piece here in a minute. >> Mayor Adler: Old on, councilmember Ellis, do you want to speak to that? >> Ellis: I did. And councilmember tovo, I like to see your puppy entering the screen from time to time. Always nice to see pets show up. I think if you want to have your amendment I might just offer a couple of tweaks so that it includes your language, but says shall consider both the long-term benefits of reducing bills from water customers, costs associated with securing additional water supply and other relevant consideration as well as the immediate costs of new requirements that can rise the price of residential and commercial spaces. So if you would be accepting -- I hope you can

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still hear me. If you would be accepting of kind of balancing out that to include your points, but also incorporate that added language about the upfront costs. >> Mayor Adler: Would you read your language again, councilmember Ellis, more slowly? >> Ellis: So her first statement would stay the same in her edit. Then the second one would say the city manager shall provide mitigations for the water forward strategies any recommendations related to affordability shall consider both as we change that word both the long-term benefits of reducing bills for water customers, costs associated with securing additional water smile and other relevant considerations as well as the immediate cost of new requirements that can raise the price of residential and commercial spaces in the near term. So if you would be accepting of me tacking that last part

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of a sentence on, I could be comfortable with the way you reworded things. >> Tovo: I'm sorry, I still haven't caught the exact language. I think what you're talking about is the upfront cost of the infrastructure. So if that's really the point I would suggest that we say just that, the cost with securing additional water supply, the upfront costs of such infrastructure and other relevant conversations. I think that captures it. And I wouldn't switch to both because we don't just have two, we have multiple here. >> Mayor Adler: The upfront costs of? >> Tovo: Such infrastructure or -- and other relevant -- >> It would add the words after water supply, the upfront costs of such infrastructure and then continuing on. >> Ellis: I think that would reach what I'm trying to get at. >> Does anybody have any

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objection to accepting the tovo amendment to the amendment with the change just stated? Hearing none, that amendment to the amendment with that change now has been approved. That gets us to the item 63 as amended. Any further discussions? We still have one more item after this, item 12. Councilmember pool. >> Pool: Just really quick, part of the conversation that we had last week at the water oversight committee with regard to costs of big infrastructure projects similar to our big vote last November on project connect, yes, when we make big changes, transformational changes, there are costs more immediate and then we all kind of relied on the long-term benefits of them. And that's just part of how these programs work and

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those projects work. So I appreciate everybody's concern about getting the wording right. I think we've got there. We weren't able to get there last week, but I'm glad we were able to get there today and I appreciate councilmember tovo ago continued long-term work on water forward and her awesome staff for the work that they have done, in particular and I look forward to the sign-ups. >> Mayor Adler: Ann Morgan, you've got that amendment okay? >> I think we have it. >> Mayor Adler: All right, good. Let's take a vote -- >> Tovo: Let me say thank you to councilmember pool for recognizing my staff and [inaudible]. ... Both with the water utility -- >> Mayor Adler: Let's take a vote on 63. Those in fair please raise your hand. -- Those in favor please raise your hand. Those opposed? I'm showing that as unanimous. All right, last item we have this time for real, item number 12.

[6:41:06 PM]

Item number 12 I think was pulled by councilmember tovo. Do you want to lay it out, councilmember tovo? >> Tovo: Sure. Yeah, I hope that I can make the motion for this. I'm excited about the project and I know that the Pease park conservancy has done some great work in part with a grant that I helped support in my individual capacity with a letter. But I do have some questions as I always have, would we

enter into these use agreements with a private partner? I want to be sure that we know exactly when and how much of the park space can be cordoned off at various times a year for private use. And so staff, I've been looking really carefully at the use agreement and want to just make sure is is that I'm understanding what some of the parameters are there. So the closures, as I understand it, and I think it's just really important to get this on the record. Gosh, somebody has a very, very bright yellow -- there

[6:42:09 PM]

you are director Mcneeley, it's you. You were transformed to a really bright yellow square. So as I understand it, there is not at this point any planned programming that would require end use or minimally opened designation other than viewers. >> That is correct. This is Kimberly Mcneeley, parks right hand and recreation director. That is my understanding at this point. The one thing I would say is the Pease park conservancy has committed to as they are working to develop their on annual program plan which would have to come before the director of the parks and recreation department, that they're also committed to community engagement with regards to that annual program plan. And so as we are developing a plan, I think it's their first year and just like you remember with our other partners it's hard to say what will happen in the future years when we're coming out of covid and it's

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the very first year of the programming piece, but they are committed to making sure that there's community engagement and it will have to be something that is approved on an annual basis. You are correct in your statement right now that the only thing -- the only thing that's really perceived to have some substantial closure is the closures. The trails will always be open and there will always be at least some access to the park at all times, the Pease park conservancy has committed to that. >> Tovo: I appreciate that. I had an opportunity along with councilmember alter and the mayor to see some of those wonderful elements and it's just going to be a tremendous resource in our city. So I'm glad that it will -- that it will never -- that with the exceptions we talked about, it will primarily remain open for use. And I understand the Tudor cottage is the primary thing that will be rented as a venue. One concern I have-- I want to talk about picnic tables

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super quickly, but one concern I have is some of the language here talks about in our pilot year. And I don't know how it will change after the pilot year. And there's not a mechanism for this coming back to council. I could not remember and maybe councilmember Casar or others can remind me. With republic square park when we request converted to this kind of shared use, I thought I remembered that it actually came back to council for a couple of check-ins before it became administratively approved. Can

either director Mcneeley or councilmember Casar remind me what that process was? >> I believe you are correct. At a particular point in time the council felt comfortable with allowing the parks and recreation director to make those decisions, to approve those programming plans, but you are correct it did come back for a couple of check-ins. I thought based upon that decision with the republic square that you had entrusted the parks and recreation department to be able to make the appropriate

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decisions that were in alignment with the council's philosophy that this would be something that would be similar and that with the added community engagement component that -- allowing the director to make those decisions on an annual basis, those annual approvals would be acceptable, but certainly we're willing to take some direction. >> Tovo: So it's not that I don't have a lot of confidence and trust in the parks director. I would like, though, to be consistent with that previous practice unless there are strong concerns from the conservancy or from my colleagues, that would be my preference that at least for a year -- for at least next year, probably one more year that we have that check-in on the use agreement so we're really very familiar and apprised with how that annual programming might differ from the pilot year. Is

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there any concern? I see Mr. Riddle is on the call. I'm sorry I didn't bring it up before. It was only in the details that I realized that we were not going to have that kind of check-in. I had anticipated that we would. >> Yeah. I don't anticipate any significant change in terms of certainly closures and anything that would want to or need to come to the council's attention, but I don't think we have a significant problem with coming back certainly the first year for another check-in. >> Mayor Adler: So councilmember tovo, because I agree, we did the same thing at republic square and it probably makes sense to do it here when we're talking about taking otherwise public spaces and allowing them to be cordoned off which makes sense when you valley this kind of support function. Is this direction sufficient as far as the discussion? Or do you want to incorporate something? >> Tovo: I'll make a motion to approve this with

[6:47:17 PM]

the direction that the annual programming plan come back to us one year in time for -- whatever the right words are, in time for the council to review next year. And then I do have is a quick question about picnic tables. >> Mayor Adler: Councilmember tovo makes the commotion. Councilmember alter seconds the motion. Discussion? Councilmember Casar. >> Casar: Thank you, councilmember tovo for making that motion and thank you, Mr. Riddle and everybody for your work on this. My question for

director Mcneeley to make sure this lines up with how I think republic square was is that this still leaves the authority with the parks department to approve that annual set -- approve or disapprove of that annual set of events and then we would just have one check-in with council. And if there were ever an issue it could be brought back here at whatever point in the future, is that right? Is that what we're basically doing here? >> Absolutely, absolutely. >> Okay, thank you.

[6:48:17 PM]

Just checking in. >> Mayor Adler: Okay. It's been moved and seconded. Are we ready to take a vote? >> Tovo: I had the question about the picnic tables. >> Mayor Adler: Go ahead with the picnic tables. >> Director Mcneeley I'm struggling to find it in the use and reservation and whatnot, but do we charge for use of our picnic tables for any reservation at all of our parks? And is it always \$60? >> Um, we charge for the use of pavilions that have multiple picnic tables within a space, and that's a pavilion fee. I would have to look under the fee schedule what that exact cost is. I don't know it off the top of my head. I cannot think of a specific picnic table rental in a specific location, but with 291 parks that would be a difficult thing for us to manage. >> Tovo: Okay. I'll just -- we can take

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this offline and review it. I think -- I have seen the pavilions and the shelter fees. I've not seen one for picnic tables, but was told that exists. I just wanted to -- wanted you to point me to where it is. We can take this offline. I want to be sure we're not doing anything differently in Pease park than we have elsewhere. >> I'll do my research and then be in touch with your office. >> Tovo: Thanks. Thank you very much to the Pease park conservancy. >> Mayor Adler: We have a motion and a second. We have a motion and a second. I'll just say, director Mcneeley, in the last two weeks I've had the opportunity to be out at this park with amenities with council members tovo and alter. And then follow that right up with going to see the amenities that have been opened in the park downtown just off auditorium shores

[6:50:19 PM]

near Daugherty. And they're both phenomenal places with amenities that are mind blowing for me, much less my grandchildren. So thank you. It's been moved and seconded. Those in favor of this item please raise your hand. Those opposed. I see that as also being unanimous on the dais. Colleagues, the staff and the city manager's office are continuing to reach out about a potential work session next week. Look at the message board to see where that stands. With that, it is 6:50 and we've covered everything we need to, so unless somebody has anything we're going to be adjourned. And so we are. Bye-bye.