

# City Council Regular Meeting Transcript – 12/02/2021

Title: ATXN-1 (24hr)

Channel: 6 - ATXN-1

Recorded On: 12/2/2021 6:00:00 AM

Original Air Date: 12/2/2021

Transcript Generated by SnapStream

=====

***Please note that the following transcript is for reference purposes and does not constitute the official record of actions taken during the meeting. For the official record of actions of the meeting, please refer to the Approved Minutes.***

[10:08:56 AM]

>> Mayor Adler: Good morning. We have a quorum here this morning. Let's call the meeting to order on Thursday, December 2nd, 2021. The time is 10:08. We have a quorum present, six members here on the dais. We have councilmember alter and the mayor pro tem with us remotely this morning. Colleagues, I think we have a meeting we ought to be able to move through today, relative -- is being postponed until 2021.

[10:09:57 AM]

Item number 39 is withdrawn. Item number 41 should be listed in the public health category and not the small and minority business resources category on our agenda. Item 69 is in district 7, not district 1. We have some items that are being pulled off the consent agenda so they can be considered after other things. Changes and corrections listed item number 49, which has to be heard after executive session. Item number 29 is not noted, but that has to be pulled to be heard at 2:00 P.M. Related to item number 68. We had talked earlier about items 12, 13, and 16 being postponed. Councilmember tovo isn't here. I know that that is something

[10:10:57 AM]

that she had indicated she would be doing. Items 12, 13, and 16, that's the municipal building issue, the dac issue. Also item number 48 we had talked earlier, mayor pro tem, that was your item, I think that you were moving until next week as well. Late backup -- eight, ten, 47, 62, 63, 65, 66, and 67. So, again, the consent agenda today is items 1-51. Councilmember tovo, you had indicated earlier you were going to postpone 12, 13, and 16, items. Do you want to -- >> Tovo: Yes, I do want to move on some of these. As I indicated on Tuesday,

[10:11:58 AM]

having urged speed and expediency on these issues I hate to delay them. However, we really need to provide some community outreach in advance of council action on this item, and unfortunately that really hasn't taken place in an extensive way, and so I would like to move postponement until beyond next week, no later than January 27th. And I say it that way because I would like to see this come back to us. Sorry, I'm looking at the date here. I would like to see this come back to us at our earliest opportunity. We may have a covid briefing in early January where this could be added as a special called meeting. I know we have one scheduled for December 14th which may be too soon. We are in the process of working with cpio to schedule that public meeting for stakeholders

[10:12:59 AM]

to come and learn more about the important work the downtown Austin community court does. And so pending that scheduling, what is best at this point in terms of postponing? >> Mayor Adler: No later than the 27th enables the manager to put it on the agenda, if there's an opportunity to do that. >> Tovo: As soon as we've had that meeting. Great. >> Mayor Adler: Without objection, that will be on our consent agenda that way for those items 12, 13, and 16. And manager, I would add to it councilmember tovo said, I think the community wants to see what the operational plan is, how it's going to be managed, what to expect, for those in the community when they drive by, or otherwise are living in proximity, or working in proximity to that facility. I also agree with councilmember tovo. We need to move forward. This is an important thing, but

[10:13:59 AM]

we have to do a little bit better job of involving the community in this decision. >> Tovo: Mayor, I want to encourage the manager to pull together information as you have with the 1 Texas center and other conversations around the downtown Austin community court. I believe some members of the public may not be aware that the downtown Austin community court has operated downtown for quite a long while. We're having a conversation right now because it's moving spots that it has operated really well and in harmony with its surroundings for many years. And I look forward to those community

conversations where we can talk with the public about what the operations look like on a regular basis, the important work they do, the concerns they have, and work on plans to address those moving forward.

[10:15:01 AM]

>> Mayor Adler: Okay. Councilmember Fuentes. >> Fuentes: I request to be added as a cosponsor for item 49, appointing the city clerk. >> Mayor Adler: Okay. So noted. All right. I'm going to go through this one last time, and we're going to go to speakers. We have a list of those in person first, and then we'll do the speakers by phone. We're going to do three minutes this morning, and then three minutes this afternoon. We're using the new speaker system that we have. People signed up to speak remotely as of yesterday noon-ish I think is the time. The kiosk was open until 9:15 this morning for people to sign up. Yes, councilmember Kelly. >> Kelly: Could I please be added as a cosponsor to item 48? >> Mayor Adler: Yes.

[10:16:03 AM]

>> Kelly: Thank you. >> Mayor Adler: The consent agenda is item 1-51, pulling item 29 and 49, also postponing item 48. Any comments before we go to speakers? Clerk, will I find my -- while I find my list, do you want to call the first in-person speaker? >> Sure, mayor. One second. >> Mayor Adler: Thank you. >> I was not ready. Sorry. >> Mayor Adler: No, no, no, that's okay. >> Okay. The first speaker is Chris Harshbarger for item 12.

[10:17:07 AM]

Lindsay sander. Hannen levy. Ena pezner. For item 30 we have elizio wiegle. >> Are we starting? Hi, I'm Alicia, human rights, district 4. I want to support item 30. As a member of the human rights commission, this is taking some

[10:18:08 AM]

power out of our hands, redistricting it to the civil rights office which I feel is really important because ultimately we do really great work, but ultimately we're a group of volunteers. And the one nondiscrimination hearing that I was part of as a commissioner I don't believe justice was served. At the beginning of the hearing they came in with a dossier of hundreds of pages of evidence about the

nondiscrimination case and we had no prior reading time. We had no time to review the evidence and information. And were expected to make a decision within an hour. I don't know how fast y'all read, I don't read that fast. So we couldn't adequately review the information before being able to deliver a verdict. I feel like a lot of us were confused about parliamentary process and procedures. The hearing ended by -- before I got to ask my questions. I was upset because I don't

[10:19:08 AM]

believe justice was served. While our boards and commissions are important to the city, it's important to affirm that we are there to advise y'all. We have been appointed, not elected. So I think focusing our role on that rather than asking us to adjudicate beyond our capabilities as a group of volunteers is super important. And I'm excited about welcoming Carol and establishing the civil rights office and these important powers, and part of serving justice is sometimes taking power out of your own hands. That's what I'm hoping y'all will do today. Thank you. >> Mayor Adler: Thank you. >> Next speaker is Sara Reyes. >> Hello, good morning. My name is Sara, a policy analyst at the Texas center for

[10:20:09 AM]

justice and equity, former the criminal justice coalition. We just re-branded, so getting the hang of it. I'm speaking in favor of item 30. So, in the summer of 2020, during the height of the black lives matter movement and covid-19 I was on the streets of Austin in front of this building demanding change for people of color, demanding accountability for those in power. People of color have had to fight day in and out to obtain civil rights that are granted to others without question. With that being said, the creation of the civil rights office is a step in the right direction to protect and ensure all austinites are treated fairly. And today I'm glad to be able to speak on this item that will uphold and enforce things like equal employment, disability, fair housing. These are things that many individuals, especially people of color, have a hard time with in their every day life. Individuals with a criminal record have a much more difficult time finding

[10:21:10 AM]

employment and housing than those without a criminal record. And every person with or without a criminal background deserves the opportunity to be a productive member of society. They should be able to have the opportunity to obtain a job or housing without fear of their past preventing them. There's a stigma around people who have a record and there's the idea that a past mistake defines the worth of an individual. I have to say that the society and the workforce are missing out on amazing individuals and it is my hope that the civil rights office can provide education to the community and help reshape this narrative. Barriers like this do not create a safer society. They never have and they never

will. The enforcement of fair hiring will create a better community for everyone, give individuals a chance to be independent and take charge of their life. I trust the responsibility this office will be given will help empower the people of Austin and make Austin safer for everyone, especially those who need it the

[10:22:11 AM]

most. Thank you. >> Fabiola Barreto. >> Good morning, good morning mayor, mayor pro tem, and councilmembers. My name is Ms. Barreto, workers defense project. We would like to applaud city council and city staff for all of their work since 2018 to create and formalize the duets and the office of civil rights. This office will enforce earned sick leave, fair chance hiring, sexual harassment and other labor violations. We are excited to see councilmember Casar's direction as it deals with protecting workers that report unsafe working conditions at their jobs and ensuring protection regardless of a worker --

[10:23:12 AM]

whether a worker is misclassified. This is a huge victory for working-class people within Austin. We look forward to seeing the office of civil rights take steps towards making sure that austinites can work without fear of discrimination, especially those that continue to build our city. Thank you all for your hard work and we urge you to vote yes on item 30. >> Quincy Dunlap. >> Good morning, esteemed colleagues and appointed colleagues, mayor Adler, mayor pro tem, Spencer, city manager, my colleagues on the city council, my name is quincy, president and CEO of the Austin area urban league and I'm here in support of the passage of item 30. The mission of the urban league movement is to help African American and other underserved communities achieve their

[10:24:13 AM]

highest true social parity, economic self-reliance, power, and civil rights. The league promotes economic empowerment through education, job training, housing, and community development, workforce development, entrepreneurship, health and quality of life. The vision of the Austin area urban league is a central Texas that provides an opportunity for all its residents in all aspects of life. The mission of the Austin area urban league is to provide -- to African Americans and other underserved -- tools -- to provide a foundation for social and economic equity and equality. The urban league is an American civil rights and human service agency founded for the purpose of eliminating discrimination, inequity, and inopportunity for African Americans and other minorities that participate in all phases of life. I don't think I need to lecture you about what civil rights is.

[10:25:13 AM]

I think I need to speak clearly and say that this is a step in the right direction. The establishment of the civil rights office was an excellent step for the city of Austin and I applaud you. We must do more. We must invest in and sustain the resources both from a human and in-kind -- not in-kind, financial perspective to sustain the services and supports that the office will provide to this city. The Austin area urban league is an ally to this office and to the city. We are also here to hold accountable any inequities that come about. We will fight for civil rights alongside this office and other civil rights organizations. I fully support and endorse the civil rights office of the city of Austin. Thank you. >> Mayor Adler: Thank you, Mr. Dunlap, as you're leaving, real appropriate that you're here. Thank you for these comments. I want to say the urban league seems to be showing up more

[10:26:15 AM]

visibly and in more places more actively here in the last few years. I want to thank you for that. Most recently with the work on the homelessness effort and the plan. And I just want you to know I'm real appreciative and this entire dais is. Thank you. >> Thank you, mayor Adler. We look forward to working with the city to solve problems. >> Mayor Adler: Thank you. >> Terry Mitchell. >> Ryan Pollock.

[10:27:16 AM]

>> Do I just go ahead? Cool. Good morning, y'all. I'm Ryan Pollock, ibw local 5120, electrical workers. Speaking on behalf of the local, we're looking forward to the establishment of this office. As workers and representatives, we know all too well that we can have all the ordinances that we want in order to protect workers, but without enforcement or accountability, such ordinances account for little more than good intentions. All of us are here right now because we love our city. We want a thriving Austin and every austinite needs a chance to thrive in their homes free from harassment, discrimination, hostility, physical harm, and desperation. I can personally attest to countless times I've worked on unsafe environmentally destructive job sites where workers were too scared to demand issues be addressed for fear of retaliation.

[10:28:18 AM]

We have counter-less formerly incarcerated members who have a have a second chance. We believe that such opportunities need to be guaranteed to all workners workers in Austin, through reducing the

desperation of people with no options. We applaud the city for taking this initiative and look forward to working with you all in the future. Thank you. >> Mayor Adler: Thank you. >> Seneca Savoy. The next speaker is for item 51, Rachel Scott. Mayor, that concludes the in-person speakers.

[10:29:18 AM]

>> Mayor Adler: Great. Anybody else here that we haven't called? The answer to that is no. Why don't you go ahead and call the folks on the phone. >> Monica Guzman. >> Can you hear me? >> Yes, go ahead, please. >> I just want to clarify before you start the clock, item 48 is postponed, are we still able to speak on it? >> Mayor Adler: Only on the postponement question. The merits we'll discuss next week when it comes back. >> Thank you, mayor. Then all I have to say regarding the postponement is thank you for doing that. That allows many of us on this side of the dais more time to read the resolution, read what your office -- mayor Adler posted in the spreadsheet. I appreciate that. When you can't tune into the special called meeting on

[10:30:19 AM]

Tuesday, it's hard to follow. Thank you. >> Mayor Adler: Thank you. >> Francis Acuna. >> Hi. My name is Francis Acuna, I am a resident of district 2. And I'm here to speak in favor of item 51. I want to thank councilmember Fuentes for the advocacy and the community inclusion. I also want to thank everybody else and all the other councilmembers for supporting us whenever we have issues that we care about. And for a few years, the city has taken action to upgrade the floodplain in east Austin and southeast Austin to the onion creek park we have today. We have the new -- valued the

[10:31:19 AM]

new green space and miles of trails and green belt. However, it is critical that the plot receives the additional resource and funding that are needed to fulfill the original master plan and ensure that it becomes a southeast guide. The resolution will help the city provide updated community engagement and information and opportunities regarding the status of the park project and dedicate upcoming bond dollars for the construction of new park amenities. This resolution will also help protect, promote, and advance the health and safety of district 2. I do, however, ask that the dove springs organizations and southeast contact team be aware of any development or impervious cover that would have an impact in our community, as well as be part of any decisions made when it comes to deciding or strategizing the amenities

[10:32:20 AM]

needed in the onion creek park. Thank you for your time. Bye-bye. >> Sara Lee. >> Hi. I'm just here to speak on behalf of any items that weren't needed for item number 58, but we are doing an rsmp and talking, and we're just converting a building and adding the parking and paving in the back -- on the back of the existing building, but nothing to the building itself is actually going to change.

[10:33:21 AM]

>> Mayor, that concludes the speakers. We are waiting on Ms. Joseph to call in. So if -- we can give her a couple of minutes. >> Mayor Adler: Okay. If she calls in, would you alert us so that we can give her a chance to speak. Colleagues, item number 35 is a settlement on the consent agenda. Legal tells me the number is \$99,000. So the record will reflect that. Yes. >> I'm sorry, could you repeat the amount? >> Mayor Adler: Is there other language you want to read into the record? >> Thank you, mayor, council. The law department recommends a settlement in the item number 35 in the amount of \$99,000. >> Mayor Adler: Okay. Without objection, that will be the consent motion. All right, colleagues. Again, consent agenda is items 1-51, postponed, 12, 13, 16, 48.

[10:34:22 AM]

Being pulled are items 29 and 49, the blank in 35 is \$99,000. Is there a motion to approve? Councilmember pool makes a motion to approve the consent agenda. Is there a second? Councilmember Ellis seconds that. Thank you. Motion moved and seconded. Any comments? Councilmember Fuentes. >> Fuentes: Thank you. I did want to briefly touch on item 51, which is the ic regarding the onion creek metro park. Colleagues, as you know, it's been bittersweet for us in southeast because hundreds of acres of the floodplain in southeast Austin that make up this park was once the area that was flooded as a result of the homes and families that were displaced. And so what we have is this opportunity to turn such a sad moment of our history into something beautiful. And we have -- the community has

[10:35:22 AM]

been engaged in creating a vision plan. The vision plan was finalized in 2019. And since then, we want to ensure that we dedicate resources, attention, and continue the updates to the community that ensures that we're able to fulfill this vision plan. It will -- once developed, this park will be the crown jewel of southeast and so I really appreciate my cosponsors on this item and also appreciate the dedication of our parks and recreation staff to ensuring us the opportunity to bring this forward and to make sure that it becomes a wonderful community benefit. Also, I wanted to touch on a couple of other items. Earlier

this summer during our budget deliberation, I brought forward a budget rider that directed resources to assess, identify, and explore and develop a viable, sustainable, longer-term solution to addressing the issue of digital equity in Austin. And today we have items 36, 37,

[10:36:24 AM]

and 38 that do just that. I'm happy to support these items and I want to thank our director, director weeks and his team for proactively seeking out these grant dollars that will assist impacted residents from the pandemic. And such incredible work and opportunities that knees these positions will provide, telehealth kiosks in libraries, digital navigators to help folks access the internet, and access information and programming online. And it's just incredible. And I do want to highlight for the community that the city has posted for these digital navigators and I encourage the community to go online and apply at [austincityjobs.org](http://austincityjobs.org). Thank you. >> Mayor Adler: Councilmember Fuentes, I really appreciate you bringing this item 51. I'd like to be listed also as a sponsor on that. I remember driving through this area, you know, the morning

[10:37:25 AM]

after the storms. And it was a horrific situation for people. And then in the weeks following that, as people were trying to figure out what to do, many people living in situations that -- it wasn't right. The great efforts from the city trying to deal with it quickly, which seemed to take way too long to do, and we had to work through a lot of policies and resolutions on how it is that you try to help people recover. Those were difficult times. And I hope that when people use this park and this area that we're constantly reminded of the people that were there, that used to live in those places. So, thank you for bringing that item forward. I'm real pleased to see agenda items 3 and 41, the continuation of contracts helping people experiencing homelessness in our

[10:38:25 AM]

community. And again, as we do these contract and funding, I hope and trust, manager, that we're being the example on the data collection and the standardization of that, that we're asking all funders to do in the city. Again, a shoutout to St. David's and Dell foundation for helping the city, the county, and others. I think that strata has made a contribution as well and they're coming in. I really appreciate that work. But all of those funders are being asked to do the same standardization in data, as well as the service providers. So, thank you for that. Excited to see the music funding in items 7 and 8 coming from the arpa dollars, helping both venues and individuals, kind of core to our values and who we are. The museum, item number 14, this

[10:39:26 AM]

makes this even more real. And it's been a long time in coming for that. I would point out to the community that as part of this, mexicarte has a raise that they're responsible for doing in the community, so people that love that opportunity, love that museum, love bringing that culture and maintaining it in our city, we just don't have an opportunity to see the kind of art that mexicarte brings to our community other than at mexicarte. But if people want to help with that effort, mexicarte is looking for support in the community in order to do that element. I think there will be conversations here in a second on item number 30, the civil rights item. I just want to say that I'm real proud to be part of a council that is doing that. By this action here, Austin continues to take the lead on these issues, which is what Austin has done on civil rights.

[10:40:28 AM]

The action today making what we do that much more enforceable and reach that many more people. I was saying this morning that I remember graduating from law school and beginning my career doing civil rights law in front of the Austin human rights commission at the time, which was just an arm of the federal government, and the eeoc, that's cumbersome. But it was wonderful. But the thought that we would actually have our own arm and our own tools, and that we could go beyond the protections of the federal government was a pipe dream back then and it is further and further being realized. Proud to be part of a council that's done the fair chance hiring and the workforce protections, and a way to enforce those. And then the dacc item that's moving forward, manager, as those items move forward, I'm sure that you're going to be talking to the dacc advisory

[10:41:28 AM]

commission, the downtown commission, it would be good to involve the arts and music commission, or their members in this conversation, because I know that with the resolution we passed in may 2020, we identified that as a site for that activity. This obviously impacts that, and has kind of a shared access. We need to involve them in this conversation as well. Okay. Councilmember Kelly, councilmember pool, then councilmember kitchen. >> Kelly: I would like to reflect a no vote on item 35. I'd like to abstain from item 30. And on item 48, thank you for the work that you did on this, colleagues. It's a really great item and it's necessary, especially now that we're in a housing crisis and we've identified that. With 48 there was discussion this morning that I had caught wind of in the community about concerns of the study coming

[10:42:28 AM]

back in a year, but I just wanted to update anyone who may be paying attention to this that there is an interim update that will be presented by may 1st, so we will get an interim update on that. So, thank you. >> Mayor Adler: Still time to work on 48, being postponed until next week. That's okay. It's good to highlight it. Councilmember pool. >> Pool: Thanks. I wanted to talk briefly about item 44, which was a reduction in the speed limit on north Lamar for the not your ordinary school charter school. We had many constituents in district 7 writing to my office back in the early fall asking for the city of Austin to work on requesting reduction in speed on north Lamar, and those of you who drive north Lamar know how fast cars can drive on there. And there are a number of religious institutions up there, and schools along that stretch. And so I was really pleased to

[10:43:32 AM]

see when my staff connected the operations manager of the nios charter school to txdot and our transportation department that this change was made. It has happened. And this just shows how responsive government can be to the needs of the community, even in smaller areas. This will have a big impact. Thank you so much for the support on item 44. >> Mayor Adler: Councilmember kitchen. >> Kitchen: Yes, a couple of things. I wanted to be shown as a cosponsor on 51 and wanted to say thank you and applaud councilmember Fuentes for bringing that forward. The onion creek metro park, I think you said, is a way to bring some beauty to what was a really, really horrible, tragic situation for that part -- you know, for our city. I represent the upper onion

[10:44:33 AM]

creek, which also had some very serious issues around flooding. And so I'm familiar with the whole area and what was experienced. And so I think this is excellent and I want to say thank you and ask you to include me as a cosponsor. And then on -- thank you, mayor. I couldn't agree more on items number 3 and 41 related to our homeless -- these contracts. The data -- I want to echo what you mentioned. Data is going to be -- or continues to be necessary for us to understand that we're making a difference. And so having the city contribute to the data that E.C.H.O. Collects and analyzes for us is necessary and critical for us to understand what we're doing -- what it is that we're doing that's making a

[10:45:34 AM]

difference. Then I would just say I know that councilmember Casar will be speaking on item number 30. The office of civil rights, I think that this is a great step forward for the city of Austin to have that office

devoted to this. And councilmember Casar, I really appreciate the amendment that you'll be speaking to and the items that you're bringing forward to make it clear that that's part of the work. So, yes. Okay. That's what I wanted to speak to right now. >> Mayor Adler: Thank you. Councilmember Casar, did you want to move -- okay. We'll go to councilmember alter and then councilmember tovo, and then councilmember Casar. >> Alter: I couldn't tell if you saw me. I thought we had a motion already. Good morning, everyone.

[10:46:35 AM]

I wanted to ask staff really quickly on item 10 whether that should be postponed to December 9th or to a time in January? >> Mayor Adler: At this point -- >> Councilmember, we'll postpone it until December 9th and if we need to, we'll postpone it again. >> Alter: That's fine. I wanted to flag for my colleagues that we may need a little bit more time on that, January from my understanding. Thank you. I wanted to speak really briefly to the items related to the arts. So, for item I think 5, 7, and 8, and to call attention to q&a for I think it's under item 7, where I asked staff to go through how our arpa arts funding had been spent. I think it's really instructive and I think we've made really good progress in getting that

[10:47:36 AM]

funding out the door. I wanted to call folks' attention to that. I'm not going to go through every bit of this. Item 5 does ratify the contract to get the additional funding into the nonprofit arts relief grant, very excited that we're going to the end of the day be able to fund every organization that applied that was qualified. And I thank my colleagues for helping to make that possible with our appropriations and to staff for that. I also wanted to thank councilmember Fuentes for her leadership on pushing forward additional enhancements to the onion creek park. I know this is a real opportunity for our community to have yet another gem of a park developed. And I was proud that the Austin conservation corps was able to work on some trail projects over the last year or so in that area. So, thank you for your leadership on that. >> Mayor Adler: Thank you. Colleagues, before we go back up

[10:48:36 AM]

to the dais, the person who called in is on the line, so let's give that person a chance to speak, and then we'll come right back. >> Zenobia Joseph. >> Thank you, mayor, councilmembers, I'm Zenobia Joseph, and thank you for taking my call. A relative called me -- the city clerk -- because she would always send me the code, and I appreciate that. As it relates to the agenda items, I just wanted to make a comment specifically as it relates to item 48, which is about reducing the cost of living in Austin. I just wanted the city manager to include a map of densities in the area median income in each of the districts. Assistance,

how many homeowners have been assisted, in addition to the 29 homes that you discussed during the work session -- session this week and also to bring back information

[10:49:38 AM]

on whether or not he would plan on updating the smart guide. And I would call to your attention the transit, and ask you to look at that item again, because the staff has delayed that. When you talk about incongruent zoning and planning and housing, as you talked about on Tuesday, I just want you to recognize that part of the problem is because transit can be waived. And so that's not an incentive for the developers to include transit in the housing development. As it relates to item 10, I don't have additional comments about the minority team allocation of funding. I ask you to include the public information act provision that I mentioned last week, so that they understand that part of the funding from the governing entity and they are a governmental body in that respect. As it relates to item 39, which is specifically the 5310 funds

[10:50:40 AM]

from the federal transit administration, it's \$155,482 partially funded through campo. I just wanted to say that I do appreciate that the seniors can get to the facility, but I want to call to your attention that it's not equitable because it's \$6 a trip compared to \$2.50 bus pass, and so as it relates to the 5310 funds, I just want to say that councilmember Renteria was biased when he got a special bus for his constituents while the seniors walk a mile, and those in district one walk half a mile to the bus stop. I would ask you to revisit the capital metro board members so that there's not bias and that you consider a transit-dependent rider. I just wanted to say, as it relates to item 44, councilmember pool mentioned,

[10:51:41 AM]

not your ordinary school, there needs to be a pedestrian hybrid beacon which is less than a quarter mile from the school. And Mr. Norton, 65 in a wheelchair, was killed in that vicinity. His service animal -- [ buzzer sounding ] >> And there's still a mid-block stoplight by the metropolitan court. If you want to help the students and their parents, there's an apartment complex right across the street and so transit-dependent riders are crossing at the intersection and I hope that another person doesn't have to die for you to -- >> Thank you, speaker. Your time has expired. >> Mayor Adler: Thank you very much. >> Thank you. >> Mayor Adler: Thanks for participating. >> That concludes all the speakers. >> Mayor Adler: We're continuing back up on the dais. Councilmember Tovo. >> Tovo: Mayor, can I ask a super quick question about number 3 of our staff? >> Mayor Adler: Yes. >> Tovo: Staff, can you help me understand, is this investing some of the first funding that we provided in this year's

[10:52:42 AM]

budget, or is this in addition to the fund that we allocated in this year's budget for the mental health resources delivered through the downtown Austin community court and integral care? And if we need to wait and get that answer to me later, that's fine. I'm supportive of it so I'm going to support it either way. We need the money that we allocated this summer in addition to other. So, it would be helpful to better understand what this one-month renewal is in the context of the larger investment. >> Mayor and councilmember tovo, Robert king is being moved over and he'll be able to respond to your question. >> Tovo: Super. Thank you. In the meantime, councilmember Fuentes, I would also like to be added to your item if that's acceptable to you. I very rarely do that, but I feel really strongly about this one. I thank you also for your leadership. I'm sorry, I think I said the wrong number, 51.

[10:53:42 AM]

For all the reasons that my colleagues have said. I know right after the floods I was one of the folks down there interacting with and volunteering and handing out food to those arriving after the devastation they had experienced in their homes, and it was horrific. And I just -- gosh. And then driving through and talking to residents who were trying to clean up in those weeks after, was just an experience I'll never forget. I appreciate all the bittersweet emotions that are going into the creation of this park where once houses were. And also appreciate the previous action that you brought to really commemorate and honor and recognize the losses and the tragedies that took place in that area. But also am excited about the park and the way in which new

[10:54:43 AM]

generations of families in that area will have an opportunity to celebrate and to be joyful in that space as well. Let's see. I see Mr. King. Thank you. Could you help me understand, back to number 3, and whether this is the investment of the dollars that we were able to allocate through this year's budget process, or if this is in addition -- funds in addition to those that we were able to do? I think we invested some additional money through our American rescue plan act dollars, I can't remember where we found the money, I think it was arpa funding but if not, it was through some other source. Can you help us understand, is this that funding, is this affecting the implementation of that funding or is it in addition to that funding? >> Thank you, councilmember tovo, Robert king with the Austin community court. This item is to extend the contract with the funding that was approved during the budget

[10:55:43 AM]

process and this funding did come from the arpa funding, so this additional funding, \$311,000, would come out of the arpa funding that was carved out for the homelessness response. >> Tovo: Super. Thank you. And just as a reminder, and Mr. King, I would invite you to provide additional information. This is to help those 300 individuals, I believe the wait list is now up to 300 individuals who are experiencing homelessness also in need of mental health resources and have expressed an interest in receiving them and they are on a waiting list for those services. Is that accurate? >> Yes. That is accurate. This is to help us decrease the number of individuals on our wait list at the community court in partnership with integral care, but also in collaboration with the downtown Austin alliance because they are partnering with this program and funding a comparable amount to the city's investment. So it's extending the reach

[10:56:45 AM]

through that partnership to serve individuals on the wait list and decrease the need at the community court. >> Tovo: Is it about 300 still? Is that wait list still at 300? >> Yes. >> Tovo: Thank you very much. And thanks for your work. You know, colleagues, I just regard this as an area that needs -- that is a high, high priority and so as we're able to identify additional funding to me, this is one of the first programs we should look to to provide that really important healthcare to individuals who are both in need of it and also have expressed an interest in receiving those mental health resources. And I and I think that's it. No, one more. Mayor, I just want to really -- I see some -- I see director Orosco here from mexicarte and board member Stewart heir issue, and this is an -- Hirsch and

[10:57:48 AM]

this is an exciting moment to see mexicarte at this point of their renovation. They're an important community resource downtownment I just want to amplify mayor Adler's call to the community to support this important community resource as they undertake that project and invite you to help make up that private -- that gap from -- in their funding to get that project complete so that they continue doing their good work. >> Mayor Adler: Councilmember tovo, I think you thanked everybody with respect to the integral care, downtown Austin alliance and downtown community court except for yourself. You were an integral part of the parties coming together so thank you for your leadership as well. Colleagues, we have a motion in front of us. Now councilmember Casar? >> Casar: Mayor, I would like for us to pass the civil rights office -- the civil rights ordinance if possible but I did have some

[10:58:49 AM]

additional direction. I did want to ask the civil rights officer three questions to sort of clarify this and lay out for the public what it is. Based on what you prefer, I am happy to have it on consent or happy to do it shortly after consent based on what the dais would like. >> Mayor Adler: Let's go ahead and have you do the direction so the direction can be part of the motion to approve. >> Casar: That sounds good. So the civil rights ordinance will give full power and authority to civil rights office, which we're so proud to have. To adjudicate issues, enforce our rules and something we've been working towards for a very long time. I'm really proud that we have Ms. Johnson here. Thank you for coming out of state to help us with this. Thank you, manager for all of your work setting this up and so the former manager for her work on this. We'll send her a note and tell her that we finally got this done. In addition to putting this

[10:59:52 AM]

forward, what's primarily in the ordinance is our best ability to better enforce our civil rights rules, but Ms. Johnson also in our ordinance we're passing today it seems to expand our ability to work on sexual harassment issues and I think that would be a good thing for you to lay out today. >> Thank you so much, councilmember Casar, for the questions. Mayor and council, and city manager cronk. So the expansions are coming as a result of what was passed by the Texas legislature this last session and that is to expand the protections for sexual harassment complaints. So what that will actually do is increase the number of days that you have to file a complaint if you have experienced sexual harassment in the workplace to 300 days. It will also reduce the number of employees that an

[11:00:53 AM]

employer has to have to be covered you should the law so it will now only be one employee that needs to be employed. And then lastly, it calls for an immediate and corrective action for employers if an employee has complained of sexual harassment in the workplace. >> Casar: Thank you. We continue to expand our ability to protect folks. I know this was proposed by several representatives. I think it goes to show that previously our ordinances only covered -- protected folks from sexual harassment when you were in a business of 15 or more. If you're abs of 14 you -- you're a business of 14 you didn't have that protection. So part of what this direction does is ask the manager, your office and the community to come together to look at other places where there are gaps. One of the gaps that was raised stand-ins for race. So for example, somebody

[11:01:53 AM]

applying to work for dac as opposed to a standard authorization form. Shun could be denied saying you didn't use this form. It's often times a stand in for race or coming from an immigrant family or around questions of hair or hair texture. That's something that's been brought up by measure. So for those sorts

of issues my general understanding is here at the city we have an understanding that those stand-ins for race is not acceptable to be discriminated against for those, right? >> Absolutely, absolutely. >> Casar: I think it would be really good because I've gotten those questions about here in the city if there are things we can do through hr or here in your office to let people know that there are stand ins for things like race which form you use to apply or your hair texture, that you shouldn't be able to be discriminated against as an employee here at the city and to explore whether here in the city or businesses that we can expand ordinances to do that. And the last thing that asks to you do is take a look at

[11:02:54 AM]

another potential gap. As was brought up by people who testified, it makes no sense -- it's illegal for you to be losing a job or denied a job because of your race. But if you're denied that job because of our race and you're a contractor you might not have those protections. It makes no sense stand be awful for you to be denied access to a childcare center because you're an lbgtq family if that childcare center has more than 15 employees you're covered. If the childcare center has less than 15 employees you may not be covered under any law. So this essentially doesn't say exactly how the ordinance should be written or which threshold things should make sense but it asks the community to come together and make recommendations to make sure that we stamp out discrimination in all its forms and maces and the ability of us having a local office has always given us that authority. We went out ahead and

[11:03:54 AM]

protected people with AIDS before that was -- people living with hiv/aids were protected at the federal level. We protected students. We passed fair chance hiring. I think us continuing to lied in that way then allows other places to follow just like we saw with sexual harassment and the representatives work. So I really appreciate this, appreciate the hard work that you have put in, the law department has put in to put this ordinance together. I know it's been no small task. Everybody working on it, I'm very happy about that. And also we know they have their back and they have a place to call if they face harassment or scrim fashion if they work in the city or in the private sector. Thank you. >> Absolutely. Thank you. >> Mayor Adler: Is there any objection to adding this direction on item 30? Hearing none that direction is included. >> Casar: Without piling on too much I also want to thank councilmember Fuentes for the work here on item 51

[11:04:58 AM]

and mention that we should not only publicly help out with mexicarte, but having an item that helps out with that the best we can. >> Mayor Adler: Always okay to pile on. It's been moved and seconded. Any further discussion before we take a vote? Those in favor please raise your hand. Those opposed? It is

unanimous on the dais that passes. Colleagues, let's work our way through some of the non-consent items I think we can do to clear our way here. We're going to begin with -- let's move through 52, the audit and finance audit, audit and finance plan. Councilmember alter, do you want to make that motion? >> Alter: Sure. I'll move approval of the calendar year '22 audit plan. >> Pool: I'll second.

[11:05:58 AM]

>> Mayor Adler: Councilmember pool seconds that. Colleagues, I have posted an amendment that the auditor is acceptable as a special audit. Is there any objection to including that amendment? >> Kitchen: Mayor, could you speak to what that is? I haven't seen it. >> Mayor Adler: It asks the auditor to take a look at the traffic mitigation efforts that the city calls for and it's effective in what other cities are doing. As there is more development it comes more and more into display as we ask the community to work [indiscernible] And the community transit incentives -- go ahead. >> Alter: I wanted to recommend that the auditor has recommended that be a special request which is something we can do that allows the auditor to do a certain number of hours getting information. It's not a special audit. It's not an audit, but information gathering that they do that they call a

[11:06:59 AM]

special request that I'm happy to cosign on with you to move forward. >> Mayor Adler: Sounds good. Without objection that gets included. Any further discussion? I'm sorry? >> Pool: Special request would not be part of the audit plan. >> Mayor Adler: Special request but voting as part. >> Pool: I think it's fine but it's not part of the audit plan. We all do special requests during the year. >> Mayor Adler: I wanted to be sure it's in the record that it's been requested. >> Alter: Mayor, I think it's fine for it to be part of the record. We just don't want an extra amendment on the plan. Normally a special request just takes two council members with a request to the audit R auditor and it doesn't require a vote of council, just for future --

[11:08:00 AM]

>> Mayor Adler: Got it. In the nature of a direction outside of an amendment to the audit plan as we just did the other deal I just want the record to reflect in the minutes that the special request has been requested by the appropriate number of people and the auditor is going to move forward with that. Anything else on this item? >> Alter: I want to thank the auditor and the audit R auditor's staff for all the great work they do helping us to improve the effectiveness and efficiency of the city. I think we have a very wide range of audits that we're looking at that build off of prior audits, but also allow us to look into the corners of the city that we haven't necessarily looked at before. I appreciate the extensive

process that the auditor goes through to speak to each city councilmember and get a sense wildfire the body is and working with city management to identify the perfect timing for

[11:09:01 AM]

audits so that they can be most effective. >> Mayor Adler: Councilmember Ellis. >> I know when I met with the auditor to make a special request I know it had [indiscernible]. So it might be a consideration that you take. >> Mayor Adler: We've done this with the auditor's office and it's because those kinds of things and I wanted my colleagues to know that this was happening and joined by councilmember alter and then working with the auditor in making this part of the work being done by that office. Outside of the audit plan and the nature and direction. Let's take a vote. Those in favor of item 52 please raise your hand. Those opposed? It's unanimous on the dais.

[11:10:03 AM]

We have some eminent domain matters with respect to items 53 and 54 being non-consent condemnation items. Is there a motion to the effect that the city council authorizes the use of the power of eminent domain for the action set forth in the current agenda for the public meeting for uses set there in. Councilmember tovo makes the motion. Councilmember Renteria seconds. Any discussion? Those in favor of items 53 and 54 please raise your hand. Those opposed? It looks like that is also unanimous a the dais. Let's go ahead and recess the Austin city council meeting so we can take up the Austin housing finance corporation. Here at 11:10 the city council is recessed. I'm going to go ahead and convene here on December 2nd, 2021 the

[11:11:04 AM]

meeting of the Austin housing finance corporation here at city hall. We have a quorum of the directors available with us. Director, do you want to take us through the consent agenda? >> I am with the Austin housing finance corporation. We have two items on today's agenda. The first is approving the November 4th, 2021 minutes and the second is approving the inducement resolution private activity bonds of up to \$50 million for a development that would be managed by a subsidiary of ask located at 3515. I offer those two items on consent and am happy to answer any questions. >> Mayor Adler: Thank you. Is there a motion to approve the consent agenda on this Austin housing finance corporation?

[11:12:04 AM]

Councilmember tovo makes the motion. Councilmember Renteria seconds the motion. Any discussions? Those in favor please raise your hand. Those opposed. I'm seeing it as being unanimous among the directors. The consent agenda passes. Thank you both for being here. >> Thank you. >> Mayor Adler: With that we'll go ahead and adjourn the Austin housing finance corporation meeting here at 11:12. I'm going to reconvene the Austin city council meeting. It continues to be December 2nd of 2021. The time is 11:12. We're working our way through the non-consent items. Mayor pro tem, did you want to postpone item number 57? To April 21st next year?

[11:13:05 AM]

>> Harper-madison: Thank you, I appreciate that. Yeah, our office has received multiple emails and calls from residents in the urban renewal plan area raising concerns about the proposed changes, including not having had the opportunity to participate in the process, in which case in order for my office to have the sufficient amount of time necessary to conduct a really comprehensive community engagement process I'm requesting that we postpone the item to April 21st, 2022. And you said the one number but you're combining them, right, 57, 61, 62? >> Mayor Adler: I can't take up the zoning matters until two P.M. So we can't take action on those yet. In fact, let's just hold off on 57 until 2:00 and we'll take it up with all those matters together. That's a good point, mayor pro tem. Thank you. So we'll take up those items later. We also have a cut and fill

[11:14:08 AM]

requirements item, public hearing on cut and fill requirements, item number 56. Is there a motion to approve those? Councilmember Ellis makes that motion. Is there a second? I need a second. Councilmember kitchen seconds. Any discussion on this item 56? Councilmember Ellis. >> Ellis: I would just like to make some brief comments of appreciation. This is an item that has come out of the urban trails stakeholder group that we started many, many months ago and I really appreciate those stakeholders, the public works, urban trails and water protection staff. These are some updates that smooth out the process of how urban trails are built within our public domain and in accordance with some of our development standards. So there were some conflicts that just needed to be smoothed out and everybody has been working very diligently and committed to making these things easier to build in our community. So I am very appreciative for all that hard work. >> Mayor Adler: Okay,

[11:15:09 AM]

thank you. It's been moved and seconded. Let's take a vote on this item 56. Those in favor please raise your hand? Those opposed? It's unanimous with councilmember Casar off the dais, the others voting aye. 56 passes. What about floodplain variance, item number 58? >> Yes, I'm here, Mr. Mayor, Kevin

Shunk. >> Mayor Adler: Yes, we can hear you. >> Mayor and council members, I am the city's floodplain administrator and the item before you today is a floodplain variance request at 1512 west Koenig lane. There is a presentation somewhere in there.

[11:16:19 AM]

Next slide, please. Next slide. Thank you very much. So this map in front of you might look a little familiar because two months ago we talked about a property at 1514 west Koenig. These two properties are adjacent to each other. So that's burnet road running north-south on the westside of the slide. That's Lamar running north-south on the left side of the slide with Koenig running east-west through the middle. The floodplain that you can see there are the 25 year floodplain in the darker blue and 100 year floodplain in the lighter blue. Hancock branch on the left side, grover branch on the right hand.

[11:17:20 AM]

So zooming into the property in question, 1512 Koenig lane, the 100 year floodplain departmentth at the proposed parking areas is about 1.5 feet deep. The 25 year floodplain is at 1.2 feet deep. Now, there is an existing building on this property and the building itself is a little more than a foot above the 100 year floodplain. Next slide, please. So the proposed development is to add three parking spaces to the property, no renovation to the building itself. So the three parking spaces would be at the rear of the property and the fact that they are encroach in the 25 year floodplain and the fact that the maximum depth is 1.5 feet means that staff cannot approve this administratively. That's why we are making the request for this to council. Like I said, the existing building on that property is not proposed to be altered

[11:18:22 AM]

with this application. The existing building is a residential use and if the site plan is approved the building will be converted to a commercial use. Now, we have had discussions with the applicant regarding their intentions with possible renovations to the building and they are telling us at this time there is no renovation desired for the building. So we did talk to them if future renovations are brought to the city then those renovations might have to -- might require the building to comply with the floodplain regulations. So again, at this time there's no need to have the building -- the building satisfy the floodplain regulation, but in future if there is a substantial improvement to the building, at that point in time there would need to be some requirements to the building like elevating the building and possibly talking about safe access out of the building.

[11:19:25 AM]

Next slide, please. So the three variance requests are to enlarge or change the use of the premises and the way that increases its nonconformity, and we put that in there, that's a variance request, because the parking does not comply with the land development code requirements. In addition, the drainage ease. Variance to exclude the existing building front from the easement as well as the encroachment on the parking area on the 25 and 100 year floodplains. Next slide, please. We have talked with the applicant and they have agreed to put in some flood warning signage on the property to alert people that are parking in those areas that it is within the flood area so that they're aware of the flooding potential that could be at that site. Next slide, please. So this development of these parking areas does not cause adverse flooding on other properties. The applicant has entered information to us that proves that and we agree

[11:20:25 AM]

with their information. However, if the parking doesn't meet the code requirements as far as the maximum depth within the 100 year floodplain so that's one of the findings that we have. And the hardship exemption for the property does not exist and reason we say that is because technically there could be a structural element that would elevate these parking areas out of the floodplain. That's exactly what happened nix door. However, this development that we're talking about here, 1512, is a very minor development. They're not proposing major changes to the building itself. That would be above and beyond the cost that they're wanting to do with this redevelopment. Since we're talking about parking spaces and the maximum depth is just 1.5 feet, just over the administrative approval, the flood risk is relatively

[11:21:27 AM]

low. As we spoke two months ago the velocities in this area are relatively low, so the flood risk being low and the development itself being the minimal necessary, staff is recommending approval of this floodplain variance. Next slide, please. So there is actually one condition on the draft ordinance and that's the condition about the drainage easement. There is not a condition about the flood warning signs. That has been removed. And I would also like to request, Mr. Mayor, if item 4b can be stricken from the draft ordinance that's in your packet because there is not a need for the elevation certificate since they are not proposing any changes to the building itself. So item part 4b from the draft ordinance can be stricken. >> Mayor Adler: Any objection to striking part B from the ordinance? >> Pardon? >> Mayor Adler: I'm asking my colleagues if there is any objection to striking that part of the ordinance

[11:22:28 AM]

as you just recommended. Hearing none, the requirement for -- because it's not happening, is removed. >> Tovo: Mayor, I don't think we have a motion yet. >> Mayor Adler: That's right, thank you. You're right. >> I'm done. If you have any questions I'm here to answer them and I believe the applicant, I think they have signed on as well. I know they spoke earlier this morning. >> Mayor Adler: Okay. If you. I'm going to give the applicant a chance to speak and then we'll have the motion and make that amendment. >> Kitchen: Mayor, I have a question. >> Mayor Adler: Do you want to do it before the applicant questions? >> Kitchen: Yes. I just have a question on the signage. Is it possible for the signage to be seen after dark? So I would just not want someone to end up parking in the space after dark and missing the signage. I don't know enough about how the signs are put together or the materials or anything, but is that part

[11:23:29 AM]

of the requirement? >> I think that the sign design does include a reflective material, but I can definitely confirm that and make sure that that's part of the site plan itself. >> Kitchen: I think that would be important just because someone may not notice that sign if they're pulling in there after dark. >> Thank you. >> Mayor Adler: Okay. Councilmember pool, do you want to speak before we have the applicant if there's someone that has something to say? >> Pool: Yeah. I first wanted to thank Kevin and his team for a really good presentation. It was pretty comprehensive. This is in my district and I'm supportive of the staff's recommendation, including removing section 4b. And I appreciated the collaboration with the applicant and happy to make the motion after we hear from the applicant.

[11:24:35 AM]

If he's here. >> Mayor Adler: The applicant. Is the applicant in the room or on the phone? The answer to that is no. They may have spoken earlier on the issue. >> Pool: So I make that motion and with dropping out the section 4b. >> Mayor Adler: Seconded -- councilmember pool makes the motion, seconded by councilmember Ellis. Any further discussion? Those in favor please raise your hand? Those opposed? It's unanimous on the dais. >> Thank you. >> Mayor Adler: Thank you. Colleagues -- >> Tovo: Mayor, I wanted to mention this before. I also wanted to thank Mr. Schunk because very rarely do we have a recommendation from our staff to pass -- to pass a variance on a flooding. And so explaining your

[11:25:36 AM]

rationale on this one. That was kind of my immediate question when I saw this in the backup. I would also be interested in kind of a 10-year look at a very high level at the passage of floodplain variances. It used to be that these did not pass very frequently and I was reflecting the other day when I saw this in our backup on the fact that we've had two homework and as we discussed earlier devastating floods in

this market. We've actually as a city and council passed various floodplain regulations. I know our city will be facing more extreme weather events. I would like to have a really brief overview of the numbers, kind of what those have looked like. And I don't know the best means for doing this, if this is an ifc or if this is such a relatively small

[11:26:37 AM]

information request. But maybe you can get back to me on that. But it does cause me pause every time we see these in our agenda but I agree and support the staff recommendation on this but I appreciate the additional context to help us understand what your rationale was, which I think was extremely reasonable. I know you have safety as your top most concern and I appreciate the perspective that you bring. >> Mayor Adler: Thank you. >> I will work with the city manager to come up with a forum, whether that be a presentation or a memo, to talk about maybe the history of floodplain variances, whether that be for the past 10 years, but maybe since the regulations existed. >> Mayor Adler: Manager, I saw you shaking your head. It doesn't appear you need an ifc to make that work. Thank you. All right. That item has been passed. Councilmember pool. >> Pool: Thanks. I just wanted to add in that

[11:27:40 AM]

I appreciate the additional request from Mr. Schunk and I also note the floods that we have in the south part of the city, on the south part of the river verses, for example, shoal creek, they seem to have different velocities and volume. And certainly different -- very different impacts. And I think -- because I was one of the reluct at that particular time, in fact, probably rarely would approve floodplain variances in the first years of my council tenure, primarily because a lot of the properties we were looking at were on, for example, on Williamson creek. Shoal creek, particularly in the areas around the grover and happen sock ranches in district 7 have a somewhat different topography. And that would be helpful to get a sense of the impacts from our experts on the staff. So thank you to councilmember tovo for

[11:28:42 AM]

making that request. I look forward to seeing the information that we get from Mr. Schunk and his team. >> Mayor Adler: Thank you. Colleagues, it is almost 11:30. Really the only item we can take up right now is to go to executive session either to at least begin, maybe complete, the conversation about the city clerk. We'll come back out at noon so that we can take citizen communication. We have seven speakers. We can finish item 49 in executive session before 2:00. Let's see how the next 30 minutes go. And then at 2:00 we have some speakers speaking to zoning matters. I'm not sure there's any discussion items, so we could finish relatively close to that 2:00 time. All right. So with that, the city council will

now go into closed session to take up one item, pursuant to 551.074 of the government code we'll discuss personnel matters related to item

[11:29:44 AM]

number 60, the employment compensation benefits of the city clerk. Without objection here at 11:29 we'll go ahead and convene in executive session. We will be doing that on all remotely so we can all sign in to that meeting. I'll see you all in just a few moments.

[11:31:29 AM]

[Music].

[12:22:10 PM]

I personal LI paged you and Spencer I reached out to you as well. And the result was that I talked too Eric and Alice and they acknowledged that we have a problem but at the same time what they proposed what we can do is really not helping our neighborhood. And I want to make sure what we're concerned about or what the issue is in our street. This is Alexandria drive. This long -- starts with a curve, this long yellow line. There's a curve on the beginning and then it goes very long and wide. It ends at Brodie lane. As you can imagine speeding occurs at the curves, but occurs pretty much on the straight. And this is the straight that I'm talking about. This is the long straight on Alexandria drive and cars are flying by. People are afraid to let their kids on the street. I personally witnessed an accident with a dog. A dog got run over with a

[12:23:14 PM]

car. A bicycle rider, that was two occasions on that street. Like I said, I talked to Eric and Alison and they wanted to do something. I don't know how they come up with this, but they proposed what they're going to do is do a stop sign here and a stop sign there. They don't have a record of the bicycle rider. I think it's real easy how you guys can help us. If we delete all of this, if we did a speed limit of 25 miles per hour would help us a little bit. And it's super easy and super cheap to do. If we did a stop sign here in the middle of Alexandria drive that would be better or a stop sign or both would help us a lot. Or which is right across from Brodie lane happening or what they did and it's super easy there. Speed hump there, there or just one. That would help us a lot. So I'm here to tell you please look at this again

[12:24:15 PM]

and it's your decision if it's traffic or people and our kids what's more important. I appreciate your time and you decide what you want. Thanks so much. >> Mayor Adler: Thank you. >> Thanks for coming and taking time out of your day to present this. We've been working on this a long time. We want this to happen quicker and safer for people but your neighborhood has too much cut-through traffic, big, wide lanes. We are committed to work with you to find a workable solution to this. Absolutely. >> I hope it's the right solutions. Eric said they were thinking about narrowing the street on Alexander, which won't help us. Cars are parked there and the speeding occurs. I have multiple videos on my cameras of cars flying by. It's not right.

[12:25:17 PM]

>> Completely agree and thank you for coming out >> Mayor Adler: Is Ryan Kegan here? While you're coming down, is Joel McNew here? >> Thanks for having me here. Children often suffer emotionally and psychologically after divorce and separation because one parent, usually fathers is forcefully disengaged and has substantially less time than the other parent. According to research this creates a fatherless child. Research shows children feel rejected and unwanted by the parent and the effects of this are disastrous. Society has historically placed women before men.

[12:26:19 PM]

New research shows fathers play an equally important role as mothers. This importance is shown in research. There are no laws in Texas that give parents 50/50 time. Noncustodial time gets less time in a school year. This directly affects the outcome of many child custody cases involving black fathers. A stepparent, relative or new partner has more time with the child than the noncustodial parent. The noncustodial parent can easily be erased from children's lives. According to the documentary "Erasing family," 22 million parents are erased from their children's lives and it is a result of custody laws.

[12:27:21 PM]

I, too, could have been if I didn't have money to hire an attorney and contribute to the \$50 million industry. We must repeal the penal code. Police often say it is a civil matter. It is not. The program continues the idea that both parents are not important and incentivize the time -- it states the presiding judges in the title 4d agency shall act are authorized to maximize the amount of federal funds under the

title 4d program. This industry is not in the best interest of your children. In the article titled "Father deficit, hunger" -- parents not supported by social institutions, divorced fathers

[12:28:21 PM]

in particular are devalued, disparaged and forcefully disengaged from children's lives. Researchers have found for children the results are nothing but disastrous. Children report feeling abandoned when fathers are not involved in their lives. They have social adjustment behavior problems. 71 per cent of high school drop-outs are fatherless. 85 per cent of youth in prison have an absent father >> Mayor Adler: Thank you. Ms. Mcnew? >> Good afternoon, city

[12:29:22 PM]

manager, mayor and council. I'll president of safe horns here to present our petition on behalf of memberings, support er -- members and supporters and request a time line on the lighting improvements in resolution 184 related to safety measures including improved lighting, emergency call boxes, halo systems and improved campus community safety system in regards to west campus and the UT Austin campus community. The last few pages of our petition we did provide the PDF of the petition but the last few pages include why people signed the petition. I live in west campus and it's way too dangerous. All students should feel safe walking to and from dorms walking to restaurants and buildings. No other campus in the state of Texas face this kind of crime. It's time to address the issue

[12:30:24 PM]

once and for all. I'm a parent of a UT sophomore living in west campus. She's our second daughter to live in the area. We've seen crime increase with no one in authority taking accountability for safety measures in the area. We want to know our students will be safe. My daughter is attending her dream school. I'm regretting the decision for her to attend UT as it has become dangerous. Students are witnessing people masturbating in their apartments, blocking entry, kids are being harassed for money. Gun violence puts the kids' lives at stake. We're trying to better our society by providing great education to our children but this is not worth it. We need law enforcement present in the area. It is sad what has happened to this area. Students and all who walk the streets deserve a safe

[12:31:24 PM]

environment. If only these measures had been in place, Horika might still be here. A stone's throw from the capitol and in the backyard of one of the top universities in the country we are having to sign a petition to bring attention to the alarming crime of escaping the notice of the city of Austin and state of Texas. All students and faculty have been waiting too long to feel safe near campus. My daughter is afraid at your campus. I want to feel safe in west campus. I don't want to die. I am scared as hell at school. Mr. Kronk and council, you know we have been coming here and having these conversations since the inception of safe horns. What do you say to long horns

[12:32:26 PM]

and how will you ensure prospective students and their parents should feel confident in their decision to attend the university of Texas at Austin? >> Mayor Adler: Thank you very much. I think the next speakers are remote speakers. >> That's correct. >> Mayor, I want to tell the speaker we came here that we have an update from Austin energy on the lighting. We, as you know, as others on the dais know, we had a pretty extensive conversation about it at the last Austin energy council meeting and asked them to come back to us with a time line. My staff touched base yesterday with Austin energy staff and it is my understanding that that design work they indicated -- that meeting they indicated was going to happen happened and the design and construction, if I'm understanding it correctly -- I don't know if we have them on the phone to verify -- that additional lighting that was budgeted for

[12:33:28 PM]

and that my budget direction asked our manager to expedite will be completed by February. So good news that I think it was 90 days from whatever the date of that meeting was -- those -- that additional lighting will be up. One of the things that I know from being in touch with UT is they have installed extensive call boxes on the UT campus. I'm less clear on how many boxes they've installed in west campus. I know that was their intention. That's something we're reaching out to UT to get information about, and as I know and maybe a couple of you know but maybe not everyone knows, UT has also allocated additional UT pd officers to the west campus area to assist our Austin police department in patrolling the area too. I want to assure our speaker and the community and people who have participated in the conversation that the safety of our students at the university

[12:34:29 PM]

of Texas as well as really austinites throughout the city is of paramount concern to me, and I know my colleagues share that same concern in assuring Austin is safe for everyone and the students who are here. >> May I respond to that >> Mayor Adler: No. But you can certainly reach out to council member Tovo's office and my office directly. We have two Mr. Speakers. Just because in citizen communication

we're not noticed from those types of conversations. >> First speaker is Nila sincoffa. >>  
Greetingsgreetings. I've lived in Austin since 1989. When I was coming into my 30s

[12:35:30 PM]

and my twin daughters were five and a half. It's now 2021. Do the math. I'm unfortunately still living and struggling in Austin as an interdisciplinary artist, cultural activist, designer and small business owner. I'm coming before city council with many questions that should have resolved in the 30-plus years I have lived and worked here. I'm imploring city council to stop ignoring the need, voices and demand to tangibly correct the inequity issues facing black artists, organizations and black art workers that we're navigating and being harmed by. Why aren't the reports and suggestions -- suggested measures of economic development departments provided to city council that convey and prove our needs and

[12:36:31 PM]

ideas being addressed or -- and not basically picking and choosing what feels good and right for us? Why aren't dedicated people like myself and others who have been here for decades being invited to conversations and committee tables to provide the benefit of our experiences, knowledge, and insight to meet the needs of and actually address and resolve the barriers in equity space in Austin? My other question and thorn in my side is why the box of our project breach of contract issues haven't been adequately and equitably addressed and resolved, not only by district one office where the project initiated and was physically situated. My e-mails and calls to

[12:37:31 PM]

district one over the past two-plus months have not been answered or returned. So now that I have the attention of city council, can anyone of you tell me who can we talk to to work with the city with the authority to get this breach of contract resolved? I also want to interject that as someone who is a ritual specialist in African DI as po and ceremonies. (Speaking language other than English). That means thank you. >> If the speaker could reach out to the city manager's office and we'll get you in touch with someone to answer

[12:38:32 PM]

your question >> Mayor Adler: Thank you. >> All right. >> Mayor Adler: Next speaker? >> Iris Iaya. >> I'm here. >> Please go ahead. Iris, please make your comments. >> Yes. I'm here.... >> Yes. Please make your comments. >> I don't -- I'm sorry. Hello? Can you hear me? >> Yes, we can. Please go ahead. >> Okay.

[12:39:33 PM]

Good afternoon, mayor and city council. My name is iris and I work at the Austin airport, and I'm a member and organizer of unite here. We asked for the right to organize for the airport concession workers while we were delayed we persevered. I'm excited to announce that -- I would like to recognize them for allowing the workers to make this decision without interference. I would also like to give a big thank you to city council for your support. Now we continue organizing. Thank you very much. >> Mayor Adler: Yes. Council member Fuentes? >> Fuentes: I wanted to thank you for joining us today and for your remarks this

[12:40:37 PM]

afternoon. It's exciting to hear about the unionizing >> Mayor Adler: Thank you. Those are all the speakers on public comment. It is 20 minutes to 1:00. We have to go back into executive session. The question is do you want to go back in now or go back at, say, 1:15? What's y'all's pleasure? >> I would say now. Some of us have been able to eat. Some of us may be able to eat while doing that meeting and we can keep the agenda flowing >> Mayor Adler: How much time do you think we'll need between this moment and when we'll have everybody ready for executive session? Do you think we can do it in -- quarter to 1:00 let's try to be there. The ones that are there have to wait until other people show up. When people don't show up -- so

[12:41:38 PM]

quarter until. Five minutes, we'll see you in executive session.

[1:56:45 PM]

[Music]

[3:00:20 PM]

>> Mayor Adler: I see Alison and the mayor pro tem, Natasha. I see their blocks. Alison, thank you. One, two, three, four, five, six. So, and we're ready, we'll go ahead and start. We are out of closed session. We discussed personnel matters related to item 60. That gets us back to the city council here on the 2nd of December, 2021. The time is 3:00. We're going to go ahead and postpone for action until next week item number 49, in part so as to let the hr office help and assist us. That means that the only thing that we have left, then, are the zoning cases and item number 29 that's associated with that. So, we have speakers that have signed up to speak, but as we've

[3:01:22 PM]

been doing, let's go through the consent agenda first so that people know where the postponements are, if any, I think. Good to have you back with us. >> Yes, joy with the housing and planning department. The non-contested postponements we have are items number 61, 62, 69, and 70. >> Mayor Adler: Okay. All of them not contested. >> Yes. Correct. >> Mayor Adler: Okay. Great. Thank you. Let's go ahead and then call the speakers that we have signed up. We're going to take the ones that are here in person first. And those would be the ones that I see on the speaker signup, is that right? So, on item number 63, we had

[3:02:35 PM]

Charlie Galvin here to speak. Does Mr. Galvin want to speak? Okay. Then the item number 64 is Eugene Sutton. Mr. Sutton, do you want to speak? Okay. Come on. >> I'm Eugene, president of the Matthews lane neighborhood association. We've been involved in 1105 Matthews lane for almost a year. We have a valid petition. And we are nearing completion. I am requesting and I've talked to Kim and Wendy, requesting a

[3:03:40 PM]

postponement because we have a private restrictive covenant that we'd like the owner, Bart, to sign. And we haven't been able to complete that task and would like to postpone until the next city council meeting. We've discussed a lot of the items in our restrictive covenant, a movement to restrict is to four, an acre and a half is in the floodplain, and that's why we're requesting so that we can achieve the signature of myself and Mr. Concord to effect the restrictive covenant. All right? >> Mayor Adler: Okay, thank you. The other case we have here is item number 70. We have four people that are signed up to speak on this.

[3:04:42 PM]

>> Kitchen: Mayor, that one is being postponed on consent. Number 70 is. >> Mayor Adler: Yes. 70 is being postponed. So mark, Daniel, David piper, Richard, does anybody want to speak, given the fact that this is being postponed? Okay. Thank you. We have folks on the phone that want to participate? >> Yes, mayor. The first speaker is Sandra Mueller. >> Mayor Adler: Which item number? >> 69. >> Mayor Adler: Thank you. >> Hi, city council. I understand this is up for postponement and I support the postponement. I would rather speak when the issue comes up. >> Mayor Adler: Sounds good. Thank you. >> Thank you. >> Mayor, I do have the next two speakers listed as item 70 as well. Would you like me to call them?

[3:05:43 PM]

>> Mayor Adler: If they want to speak. Those cases are being postponed, too. I want to make sure they don't want to speak on the postponement. Otherwise, we'll hear from them when the case gets postponed to. >> Charlie cox. [ Phone ringing ] >> Bobby Rigney. Would you like to speak to item 70's postponement? >> Mayor Adler: If they call back or check back with you, let us know. >> Yes, mayor. >> Mayor Adler: I think those are all our speakers. Do you want to take us through the consent agenda?

[3:06:49 PM]

>> Mayor, before I again, Nick says he's signed up to speak on 64. >> Mayor Adler: Okay. >> So -- >> Mayor Adler: Nick, are you here? So it looks like this is being postponed? >> No. >> Mayor Adler: 64. >> Kitchen: I'm going to make a motion. >> Mayor Adler: This was a person speaking. Not one of the -- >> Kitchen: Correct. >> Mayor Adler: Do you want to speak to 64? >> Sure, yeah. Good afternoon. I'm Nick Sandlin, land owner's agent for the zoning case. And I have been working with staff for over a year, and have met gene over the past seven months as we've reached out to the neighborhood and wanted to say that we had agreed to the limit of four units for the sf5 zoning on the 2 1/2 acres.

[3:07:52 PM]

I guess as a conditional overlay, excuse me. I'm glad to be here in front of you and I plan to ask that all three readings be heard today, but I just found out about the request for postponement, so. Thanks. >> Mayor Adler: Councilmember kitchen? >> Kitchen: At the appropriate time I'm going to suggest that we move forward on first reading only with the C.O. About the four units, which both parties have agreed to, and then give them a week to have a conversation about the rc and then bring it back for second and third reading next week. That's what I'm going to propose. >> Mayor Adler: Okay. Thank you. All right.

Take us through the consent agenda. >> Yes, mayor, mayor pro tem, and council, I'm joy with the housing and planning department. Your zoning items begin with number 61, c14-2021-003, this

[3:08:52 PM]

item is related to number 57 on your agenda and there is a postponement request of this item by the mayor pro tem to your April 21st, 2022 council meeting. Number 62, c14-0037, east 12th street, related to item 57 on this agenda, a postponement request by the mayor pro tem to April 21st, council meeting, 2022. And these items will be renotified prior to returning. 63, 0148, there are some additional conditions I have to read into the record for this item. Those conditions are F.A.R. Is .5:1, impervious cover is limited to 80%, and bed and breakfast groups one and two uses are prohibited. And with those additional conditions, I can offer this item for consent on all three

[3:09:56 PM]

readings. Item 64, that's the one that councilmember kitchen was just speaking to, that's c14-2020-0121. There is a valid petition for this case, however, the applicant has agreed to a conditional overlay that the maximum number of dwelling units will not exceed four. The neighborhood does not object to that condition, so staff can offer this for consent on first reading, returning this item back next week so the parties will have time for the private restrictive covenant as councilmember kitchen stated. Staff will be offering this for consent first reading only and bringing this item back next week. >> Kitchen: Just as a clarification, and the four maximum of four dwelling units will come back as a C.O. Which means it will be written into the ordinance, correct? >> Correct. >> Kitchen: Okay. >> Item number 65, c14-2021-0153, consent approval on all three readings.

[3:11:03 PM]

C14-2021-156, an additional condition, an eight-foot-wide vegetative buffer shall be maintained along the east property line. And with that additional condition, I can offer this item for consent approval on all three readings. >> Kitchen: And just to confirm, so, that condition will be written into the ordinance as a conditional overlay? >> That is correct, councilmember. >> Kitchen: Okay. >> Item 67, c14-2021-0147, I can offer this item for consent approval on all three readings. Item 68, c814-2012, the pilot knob P.U.D., I'd like to table this item and bring this up after the consent agenda is approved and take up with item number 29. Item number 69, c14-2021-0091,

[3:12:04 PM]

an indefinite postponement request by the applicant. Item 70, 0009, a postponement request to December 9th. The applicant does not oppose. And that concludes the reading of the consent docket. >> Mayor Adler: Let's pick up some of these items here. Appropriate for us to vote on items 57, 61, and 62 all at the same time, postponing them to April 21st? >> That's fine. >> Mayor Adler: Is there a motion to postponement all three of those items? That way, the mayor pro tem makes that motion, seconded by councilmember pool. Any discussion? Yes. >> I was just wondering why the postponement was until April if the mayor pro tem could maybe let us know why she's requested that date, that would be helpful. >> Mayor Adler: Mayor pro tem? >> Harper-madison: Absolutely. We were taking into consideration, my staff and I, what would be the most

[3:13:07 PM]

reasonable time to allow for additional conversations with the community and then take into consideration the upcoming holiday schedule. I think there were multiple things that really didn't make it sound like it was going to be reasonable to do it sooner than April. Hopefully that answers your question. >> Yes, it does. Thank you very much. >> Harper-madison: You're welcome. Chair, do you mind if I continue to speak to the item, or would you like to come back to me? >> Mayor Adler: Please go ahead. >> Harper-madison: Thank you. As I expressed earlier, office has received multiple emails and calls from residents in the urban renewal plan area raising concerns about the proposed changes, including not having had the opportunity to participate in the process. So, any changes to the nccd we approve -- I know will have significant long-term impact in this area. So it's important to me that we get this right and the changes will help move forward the vision that the community has for the area.

[3:14:08 PM]

So a postponement until April 21st will allow for our office to have sufficient time necessary to conduct a comprehensive and thorough -- and I think that's probably the most -- that's the operative word, thorough community engagement process. Thank you. >> Mayor Adler: Thank you. Any further discussion on these three items? Move that all three of these items be postponement. Those in favor, please raise your hand. Those opposed? Unanimous on the dais with councilmember Casar off. Is it possible for us to take up item number 29 and 68 at the same time to approve them? Is there a motion to approve items number 29 and -- >> There would be for consent second reading and we'd be bringing these items back next week on your December 9th. So it's for consent second reading only both items and they will be returning for your next week's council agenda. >> Mayor Adler: Is there a motion to approve items 29 and

[3:15:09 PM]

68 on second reading only with items coming back to us next week? Councilmember Fuentes makes that motion and councilmember Ellis seconds that motion for both of those items. Any discussion? All those in favor, please raise your hand. Those opposed? Unanimous on the dais, again with councilmember Casar off. >> Mayor. >> Mayor Adler: Yes. >> We have a speaker on the line for item 57. >> Mayor Adler: On 57? Okay. The question is on the postponement of item number 57 until April of '21. Does the speaker want to speak on the postponement? We took that action, but does the speaker want to address the council? >> Let me call Zenobia Joseph and see if she'd like to speak to that. Zenobia Joseph, would you like to speak to the postponements? >> Hello, thank you, mayor, council, I'm Zenobia Joseph. Mayor, I don't mind speaking to the postponement, but from a technical perspective, may I just ask you to be consistent?

[3:16:11 PM]

Last week you told us not to stay on the line and this week you're allowing people to speak. So I would ask you to be consistent. As it relates to the item -- the urban renewal plan area, I think that's a good idea. I just wanted to ask if it's possible for the staff since it is such a long delay to consider the black embassy in this area at the same time because that will come back to council in January, and you are tasking the city manager to look at the same area. So it would be appropriate, I believe. And I thought I signed up for number 70. Number 70 all I wanted to say was that I did go back to the October 26th, 2021 planning commission meeting in councilmember kitchen's area, and much of the discussion there was about a private restrictive covenant. I'm not speaking to the merits

[3:17:12 PM]

of the case, I just would ask if that is still going to be considered for the 80% area median income that it be part of the backup materials so it's something that you can discuss so it would be transparent for the public. There was robust discussion during the planning commission meeting, but there's nothing in the backup material. >> Mayor Adler: I see. >> As I can tell. >> Kitchen: Can I just -- >> Would be helpful. >> Mayor Adler: Councilmember kitchen. >> Kitchen: Thank you, Ms. Joseph and I will help make sure it is transparent. There isn't one at the moment that's agreed to, that's why you're not seeing it. >> Mayor Adler: With respect to -- >> Thank you, councilmember. >> Mayor Adler: With respect to recognizing people, if we're taking the action to postpone, the public has the opportunity to speak on the question of postponement. We'll let people do that, but not discuss the merits of cases that are postponed. That gets us to the balance of the consent agenda, which is

[3:18:12 PM]

items 63, 64, 65, 66, 67, 69, and 70. Is there a motion to pass the consent agenda on those items? Councilmember Fuentes makes the motion, councilmember Ellis seconds it. Discussion on the consent agenda? Councilmember tovo. >> Tovo: Mayor, I have a couple questions about item 67. Can we leave it on consent M.A.P. ?>> Mayor Adler: Go ahead. >> Tovo: I wondered if we could get information from the staff about this. I have looked through the staff report and I think we reached out and spoke briefly with the district 6 office as well, but given the conversations we're having about the importance of supporting residential zoning, I wondered if our staff could comment on the shift here from residential zoning to a cs zoning which would prohibit

[3:19:14 PM]

resident and would actually expand a storage use in this area. It's my understanding at least a portion of the site is currently being used as a storage, and so perhaps that was the reason for the recommendation. But if you could just speak to -- apologies that I didn't give anybody a heads-up that I was asking this question. We can come back to it if that makes better sense. >> Mayor Adler: Let's pull item 67 and take a vote on the balance. The consent motion are just the remaining items -- 63, 64, 65, 66, 69, and 70. All those in favor of the consent agenda, it's unanimous on the dais with councilmember Casar off. We have taken care of everything today except for item 67. Can we have someone respond to

[3:20:14 PM]

councilmember tovo's question? >> Yes, councilmember, thank you for the question. We had to look at the map one more time. It is a very heavy industrial commercial area and I know some of the area is zoned sf3 but it's still commercial and industrial. That's not appropriate use for residential units. >> Tovo: Thank you. I appreciate that. It is an area identified as a potential neighborhood center, so I'm trying to square the current uses there with the neighborhood center, which are pretty locally focused versus the kind of industrial uses that are there, but that was probably the question -- >> Annexation, those uses were there. And they were annexed and those are pretty heavily commercial and industrial. >> Tovo: It's interesting. I wonder if as we're having these conversations, we'll find out -- certainly this is an area where that conversation needed to be asked during imagine Austin, why identify an area

[3:21:15 PM]

that is already so industrial as a potential neighborhood center. The work that it would take to transform it into that is going to be substantial, potentially. Thank you for that explanation. I appreciate understanding better the staff rationale. >> Mayor Adler: A motion to approve 67? >> Knowing that location and having grown up in that area, I was aware of the issue of it being light industrial. If you

drive through that area, there are some homes that have been converted into businesses. I saw no problems with that rezoning, especially with the car dealership nearby. They park the vehicles up and down those roads, which make them heavily congested. It makes sense for that part of district 6. >> Tovo: Thank you. >> Mayor Adler: Is there a motion to approve this item number 67? Councilmember Kelly, do you want to make that motion, 67? Councilmember Kelly makes that motion, seconded by councilmember Ellis.

[3:22:15 PM]

Any discussion? Those in favor, please raise your hand. Those opposed? With councilmember Casar off the dais, the others voting aye, it passes. I think that's everything on our agenda, so we get an early break this evening. Council meeting next week on Thursday, work session on Tuesday. And then a little bit of a break from council meetings. This meeting is now adjourned.