

Closed Caption Log, Council Meeting, 1/15/04

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Mayor Wynn: GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, IT'S MY HONOR TO WELCOME REREND SHARON BRYANT FROM AUSTIN HOSPICE.

THANK YOU FOR THE PRIVILEGE OF BEING HERE THIS MORNING. I WANT TO SHARE WITH YOU BRIEFLY AN INCIDENT THAT HAPPENED ON THE WAY IN THAT IS KIND OF THOUGHT PROVOKING. A GENTLEMAN OUTSIDE ASKED ME IF I WAS HERE TO DO THE EULOGY FOR THE CITY COUNCIL [LAUGHTER] I WILL LEAVE THAT TO YOU TO THINK ABOUT. LET US PRAY ... ALMIGHTY GOD, CREATOR OF ALL, YOU HAVE SHAPED US AND FORMED US IN YOUR OWN IMAGE. YOU HAVE GIVEN US RESPONSIBILITY FOR THE EARTH IN WHICH WE LIVE. WE ARE YOURS. WE HAVE CALLED US BY NAME TO BE YOUR PEOPLE AND TO LIVE TOGETHER IN PEACE. LORD, WE PRAISE YOU FOR YOUR PROMISE TO BE WITH US ALWAYS AND FOR YOUR PROMISE TO PROVIDE WHATEVER WE ASK IN YOUR NAME. TODAY WE ASK THAT YOU BREAK DOWN THE BARRIERS THAT DIVIDE US AND GRANT US WISDOM SO THAT IN OUR LABOR AND IN OUR LEISURE WE MIGHT DO JUSTICE, LOVE MERCY AND WALK HUMBLY WITH YOU. GUIDE OUR TONGUES AND STEPS THAT ALL WE SAY AND DO MIGHT BE A REFLECTION OF YOU, RENEW OUR VISION FOR THIS CITY THAT WE MIGHT BUILD A COMMUNITY FILLED WITH LOVE, TRUST, AND RESPECT. ERASE THE PREJUDICES THAT OPPRESS AND FREE US FROM CRIME AND VIOLENCE, GRANT ALL OF OUR CITIZENS FREEDOM FROM FEAR AND HOPE FOR TOMORROW. BLESS ALL OF OUR MEN AND WOMEN IN ARMED FORCES, THAT THEY MIGHT BE

STRENGTHENED AND SUSTAINED, THAT THOSE WHO HAVE BEEN WOUNDED OR DISABLED MIGHT HAVE COURAGE TO FACE THE FUTURE. THAT FAMILY MEMBERS LEFT BEHIND MIGHT FEEL YOUR LOVING ARMS AROUND THEM AND THAT THOSE WHO HAVE DIED MIGHT REST IN YOUR ETERNAL GRACE. WE LIVE IN THE CHAOS OF THIS MOMENT, OH, LORD, PRAYING FOR YOUR HELP AND GUIDANCE AS WE LIVE EACH DAY. ANSWER OUR PRAYERS AND FULFILL OUR HOPES, FOR WE ASK ALL OF THESE THINGS IN THE NAME OF YOUR SON, OUR SAVIOR, JESUS CHRIST, AMEN.

Mayor Wynn: THANK YOU, DOCTOR BRYANT. THERE BEING A QUORUM PRESENT I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, WE ARE IN THE BOARD ROOM OF THE LOWER COLORADO RIVER AUTHORITY BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS, IT IS 10:15 A.M. ON THURSDAY, JANUARY 15th, 2004. AS MOST FOLKS RECOGNIZE, TODAY WOULD HAVE BEEN THE 75th BIRTHDAY OF REVEREND MARTIN LUTHER KING, JR., THIS MEETING WILL BE DEDICATED IN HIS HONOR. BEGINNING AT ABOUT 10:30 THIS MORNING, AT THE CONLEY-GUERRERO SENIOR CENTER, A NUMBER OF EVENTS WILL BEGIN TO OCCUR OVER THIS LONG WEEKEND. MANY SPONSOR OR CO-SPONSORED BY THE CITY OF AUSTIN, WHICH WE ARE VERY PROUD TO DO. I ENCOURAGE ALL CITIZENS TO TAKE ADVANTAGE OF THE NUMBER OF EVENTS OCCURRING THROUGHOUT THE WEEKEND, INCLUDING, OF COURSE, ON MONDAY, OUR HOLIDAY, WHEN WE HAVE OUR RENOWNED ANNUAL MARCH. THIS YEAR WE WILL MARCH FROM THE SOUTH STEPS OF THE STATE CAPITOL BUILDING TO HUSTON TILLOTSON COLLEGE WHERE THERE WILL BE AN ALL DAY, MOST OF THE DAY FESTIVAL SPONSORED BY THE CITY OF AUSTIN, HUSTON TILLOTSON AND NUMEROUS OTHER ORGANIZATIONS AROUND TOWN. SO TODAY'S MEETING IS DEDICATED IN THE HONOR OF DR. MARTIN LUTHER KING, JR. AT THIS TIME I WILL READ THE CHANGES AND CORRECTIONS TO TODAY'S AGENDA. POSTED AGENDA. ITEM NO. 21, WE SHOULD STRIKE THE M.B.E. REFERENCE SLASH FR AND CHANGE THAT TO W.B.E. ON ITEM NO. 24, WE SHOULD INCLUDE THE WORDS "NEGOTIATION AND" AND ALSO NOTE THAT THIS IS RECOMMENDED BY THE AUSTIN AIRPORT ADVISORY COMMISSION. SO THE SMEARL NOW READ ON

ITEM 24: AUTHORIZE NEGOTIATION AND EXECUTION OF A 48-MONTH INSTALLMENT PURCHASE AGREEMENT WITH AVNET COMPUTER MARKETING ENTERPRISE SOLUTIONS, AUSTIN, TEXAS THROUGH THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES FOR CISCO EQUIPMENT. AGAIN, RECOMMENDED BY THE AIRPORT ADVISORY COMMISSION. ITEM NO. 33 WILL BE POSTPONED UNTIL JANUARY 29th, 2004. IT SHOULD ALSO BE NOTED THAT COUNCILMEMBER DUNKERLY AND DANNY THOMAS HAVE CO-SPONSORED THIS ITEM AS WELL AS COUNCILMEMBER ALVAREZ. ITEM NO. 34, THE SUGGESTED DATE AND TIME FOR THE PUBLIC HEARING SHOULD BE MARCH 4th, 2004. AND THE TIME SHOULD BE 4:00 P.M., NOT 6:00 P.M. SO AGAIN THIS IS THE PROPOSED -- THIS IS THE SETTING OF THE PUBLIC HEARING OF THE PROPOSED CRESTVIEW WOOTEN COMBINED NEIGHBORHOOD PLAN, AGAIN THE SUGGESTED DATE IN TIME WILL BE MARCH 4th, 2004, AT 4:00 P.M. ITEM Z-10 IT SHOULD BE NOTED THAT THE PLANNING COMMISSION WILL CONSIDER THIS ITEM ON JANUARY 27th, 2004. NOT JANUARY 13th. AND I BELIEVE THAT'S ALL OF THE CHANGES AND CORRECTIONS. MS. BROWN?

Clerk Brown: ITEM 33 IS POSTPONED TO -- POSTPONED TO JANUARY 29th. YOU MAY HAVE READ THAT EARLIER, MAYOR, I'M SORRY.

Mayor Wynn: CORRECT, THANK YOU. COUNCIL, THE ITEMS SO FAR THAT HAVE BEEN PULLED FOR DISCUSSION INCLUDE ITEMS NUMBER 12, ITEM 30 AND 31, OUR TIME CERTAINS FOR TODAY, AT 12:00 WE WILL BREAK FOR OUR USUAL GENERAL CITIZEN COMMUNICATION, AT 2:00 WE WILL HAVE A BRIEFING THAT SHOWS AS ITEM NO. 41 ON TODAY'S AGENDA. AT 3:00 P.M., WE HAVE OUR BOARD OF DIRECTORS MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION. THAT SHOWS UP AS ITEMS AHFC 1 AND 2. AT 4:00, WE HAVE OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS, THOSE SHOW AS ITEMS 42 AND 43. AND ITEM Z-1 THROUGH Z-10. I WILL -- I WILL ANNOUNCE NOW THAT STAFF WILL BE REQUESTING POSTPONEMENT OF ITEM Z-2 TO JANUARY 29th, 2004. ITEM Z-4, TO FEBRUARY 5th, 2004. AND ITEM Z-10 TO JANUARY 29th, 2004. AND, PLEASE REMEMBER THAT THE ACTUAL VOTE ON THOSE POSTPONEMENTS WILL NOT OCCUR UNTIL 4:00 P.M.

HOWEVER, OUR -- OUR PRACTICE IS TO ALWAYS GRANT THESE POSTPONEMENT REQUESTS, CERTAINLY BY STAFF, AND SO IF FOLKS ARE LISTENING OR WAITING, PLEASE NOTE THAT Z-2, Z-4 AND Z-10 WILL VERY LIKELY BE POSTPONED AT 4:00 P.M. AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS AND AT 6:00 P.M. WE HAVE OUR PUBLIC HEARINGS AND POSSIBLE ACTION AND TODAY THEY SHOW AS ITEMS 44 AND 45. COUNCIL, ARE THERE ANY OTHER ITEMS THAT NEED TO BE PULLED FROM THE CONSENT AGENDA OR ADDED BACK TO?

Alvarez: MAYOR?

Mayor Wynn: YES, COUNCILMEMBER ALVAREZ.

Alvarez: I DID WANT TO GO AHEAD AND PUT 12 BACK ON FOR CONSENT. AND ON -- ON NUMBER 30, I BELIEVE WE WANT TO HAVE A -- AN EXECUTIVE SESSION DISCUSSION ON THAT?

Mayor Wynn: YES, I THINK IT'S APPROPRIATE FOR THE FULL COUNCIL TO HEAR THE SAME DISCUSSIONS THAT THE SUBCOMMITTEE HEARD AND SO ITEM 30 WILL BE ANNOUNCED WHEN WE GO INTO EXECUTIVE SESSION AT SOME POINT LATER THIS MORNING OR EARLY AFTERNOON.

Alvarez: BUT I STILL WAS -- YOU KNOW, FEEL THAT IT'S APPROPRIATE TO POSTPONE THAT, BUT -- BUT RECEIVE THE INFORMATION, BUT STILL HAVE TIME TO REVIEW AND DIGEST ALL OF THAT INFORMATION AND ESPECIALLY BECAUSE OF ALL OF THE ATTENTION THAT IT'S RECEIVED IN THE PUBLIC. SO I WAS GOING TO SEE IF -- IF THAT WAS THE INTENTION OR IF THE INTENTION IS TO GO AHEAD AND TRY TO VOTE TODAY AFTER OUR EXECUTIVE SESSION DISCUSSION.

Mayor Wynn: WELL, MY SUGGESTION WOULD BE THAT AS COUNCIL GETS THAT INFORMATION, WE WILL JUST -- THE FULL COUNCIL WILL HAVE MORE INFORMATION TO MAKE THAT DECISION AFTER EXECUTIVE SESSION. SO -- SO IT IS NOTED THAT THERE'S -- THAT THERE'S A REQUESTED POSTPONEMENT OF ITEM NO. 30. I THINK AFTER THE COUNCIL HEARS ALL THAT INFORMATION IN EXECUTIVE SESSION, THEN, YOU KNOW, THE FULL COUNCIL WILL EASILY

WILL ABLE TO MAKE THAT CALL.

Alvarez: I ALREADY KNOW THAT I'M GOING TO BE REQUESTING A POSTPONEMENT. I JUST RECEIVED THIS PACKET OF INFORMATION TO REVIEW YESTERDAY AT 15 MINUTES BEFORE 5:00. AND I'M SURE WE WILL RECEIVE MORE INFORMATION IN EXECUTIVE SESSION. AND SO I JUST -- I MEAN, I REALLY DON'T THINK THAT -- UNION I'M GOING TO BE ABLE TO SPEAK TO THE ISSUE INTELLIGENTLY NOT HAVING BEEN ABLE TO REVIEW ALL OF THIS INFORMATION. SO I REALLY THINK THAT A POSTPONEMENT IS IN ORDER AND REALLY FEEL THAT THAT'S NOT AN UNREASONABLE REQUEST. I THINK THAT THERE ARE A LOT OF FOLKS OUT THERE WHO ARE INTERESTED IN THIS ISSUE AND WHO PROBABLY WILL BE COMING DOWN FOR THIS ISSUE TODAY IF THERE'S GOING TO BE A VOTE TODAY. BUT I REALLY THINK THAT IT'S PREMATURE TO HAVE A VOTE TODAY BECAUSE OF THE AMOUNT OF INFORMATION THAT THERE IS TO BE REVIEWED AND WOULD JUST REQUEST THAT THE COUNCIL HONOR MY -- HONOR MY REQUEST FOR A POSTPONEMENT.

Mayor Wynn: WELL, AGAIN, I -- WE NEED TO KEEP THIS ON THE AGENDA IN ORDER FOR US TO HAVE THE EXECUTIVE SESSION, OTHERWISE WE ARE NOT ENTITLED TO GO INTO THE EXECUTIVE SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEY ON PERSONNEL ITEMS. SO I WOULD RECOMMEND THAT WE HAVE THAT EXECUTIVE SESSION TODAY IN ORDER TO DO SO -- IN ORDER TO DO SO IT NEEDS TO REMAIN ON OUR AGENDA. I THINK FRANKLY WE WILL HEAR IN EXECUTIVE SESSION RATIONALE FOR PERHAPS WHY WE SHOULD CONSIDER NOT POSTPONING TODAY. HOWEVER, AFTER COUNCIL HEARS ALL OF THAT -- ALL OF THAT LEGAL AND OTHER ADVICE THEN THAT DECISION CAN BE MADE AFTER WE HAVE THAT DISCUSSION. BUT I THINK MORE IMPORTANT -- IT'S MORE IMPORTANT THAT THE FULL COUNCIL HEAR ALL OF THE INFORMATION THAT THE SUBCOMMITTEE HEARD BEFORE ITS UNANIMOUS RECOMMENDATION IN ORDER TO DO SO IT HAS TO REMAIN ON THE AGENDA.

Alvarez: I UNDERSTAND. BUT I THINK THAT IT'S BEEN SORT OF A PRACTICE TO HONOR, JUST OUT OF COURTESY, ANY COUNCILMEMBER'S REQUEST FOR POSTPONEMENT. I

BELIEVE ALMOST EVERY COUNCILMEMBER, INCLUDING YOURSELF, HAS BENEFITED FROM SORT OF THE WAY THAT WE HAVE DONE THAT IN THE PAST AND AT LEAST SOME KIND OF INDICATION THAT -- THAT A VOTE IS NOT GOING TO BE FORCED FROM ANYBODY ON THE COUNCIL, AT LEAST WOULD BE -- I THINK WELCOME AND -- BUT,, YOU KNOW,, AGAIN I THINK THIS IS SOMETHING THAT I WOULD LIKE TO HAVE MORE TIME TO REVIEW AND HOPE MY COLLEAGUES HERE WOULD SUPPORT ME ON THAT.

Slusher: MAYOR, I DEFINITELY WANT TO HEAR THE PRESENTATION TODAY. I LEAN TOWARDS SUPPORTING COUNCILMEMBER ALVAREZ ON THE POSTPONEMENT REQUEST, BUT I WILL WAIT TO HEAR WHAT REASONS THERE MIGHT BE STATED TO NOT DO THAT. BUT THAT'S -- THAT'S THE WAY THAT I'M FEELING RIGHT NOW, WE SHOULDN'T ACT TOGETHER, BARRING HEARING SOMETHING THAT CONVINCES ME OTHERWISE.

Mayor Wynn: I WILL JUST SAY THAT THE POSTPONEMENT REQUEST IS CERTAINLY A REASONABLE REQUEST. BUT OBVIOUSLY LAST MONTH WE BROKE TRADITION BY ENDING THE TRADITION OF ALWAYS GRANTING A COUNCILMEMBER REQUEST FOR POSTPONEMENT WHEN SEVERAL COUNCILMEMBERS SUGGESTED THAT WE POSTPONE AN ITEM RELATED TO A BIG BOX MORATORIUM BUT THE MAJORITY OF COUNCIL DECIDED AGAINST THAT POSTPONEMENT. HAVING BROKEN THAT TRADITION, I CERTAINLY WILL RESPECT A REASONABLE REQUEST AND I THINK AFTER WE HAVE THAT LEGAL DISCUSSION IN EXECUTIVE SESSION COUNCIL CAN MAKE THAT DECISION.

Alvarez: OKAY. SO THEN YOU ARE SAYING THAT IT IS POSSIBLE THAT THERE WILL BE ACTION TAKEN. CAN WE AT LEAST SAY THAT THERE WILL BE NO ACTION TAKEN BEFORE 2:00? ON THIS ITEM?

Mayor Wynn: WE WON'T HAVE A FULL COUNCIL UNTIL SOMETIME AFTER 2:30, SO I WOULD STRONGLY SUSPECT THAT -- THAT ANY ACTION, INCLUDING THE POSTPONEMENT, WOULD BE TAKEN SOMETIME AFTER 2:30 TODAY. OKAY. JUST NOTED THAT WE ARE GOING TO NEED FIVE COUNCIL VOTES FOR SOME OF THE ORDINANCES THAT ARE ON THE

PROPOSED CONSENT AGENDA NOW. HOPEFULLY BY THE TIME WE FINISH READING THE CONSENT AGENDA WE WILL HAVE THE -- THE OTHER COUNCILMEMBER HERE. SO COUNCIL ANY OTHER ITEMS THAT NEED TO BE ADDED OR PULLED TO THE CONSENT AGENDA. SO FAR ONLY ITEMS 30 AND 31 HAVE BEEN PULLED?

Alvarez: MAYOR, I WILL BE ABSTAINING ON NUMBER 9, SO MAYBE THAT OUGHT TO BE PULLED OFF. IF WE DON'T HAVE THE FIVE VOTES.

Mayor Wynn: OKAY. THANK YOU. SO LET'S ALSO THEN SHOW ITEM NO. 9 BEING REMOVED FROM THE CONSENT AGENDA. SO WITH THAT, COUNCIL, I WILL READ WHAT I BELIEVE TO BE THE CONSENT AGENDA NUMERICALLY. ITEMS NUMBER 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, -- I'M SORRY -- ITEM NO. 9 HAS BEEN PULLED FROM THE CONSENT AGENDA -- LET ME BEGIN AGAIN, EXCUSE ME. CONSENT AGENDA WILL BE NUMERICALLY ITEMS NUMBER 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, PER CHANGES AND CORRECTION, 25, 26, 27, 28, 29, 32, 33 FOR POSTPONEMENT TO JANUARY 29th, 2004, 34 PER CHANGES AND CORRECTION, 35, AND 36.

Clerk Brown: MAYOR, AS AN OPTION FOR YOU, YOU COULD PULL THOSE TWO ORDINANCES OFF CONSENT AND GO AHEAD AND TAKE THE CONSENT VOTE.

Mayor Wynn: THE REMAINING ORDINANCES ARE -- COUNCIL, WITHOUT OBJECTION LET'S GO AHEAD AND SHOW THE THREE ORDINANCES, 8, 12, 28, ALSO BEING REMOVED FROM THE CONSENT AGENDA. I WILL ENTERTAIN A MOTION.

Clerk Brown: MAYOR WOULD YOU READ THE LIST OF BOARDS AND COMMISSIONS APPOINTMENTS, ALSO SOME.

Mayor Wynn: EXCUSE ME, THANK YOU VERY MUCH. ITEM NO. 29, ON TODAY'S CONSENT AGENDA, IS OUR BOARDS AND COMMISSIONS APPOINTMENTS FROM JANUARY 15th, 2004, THEY ARE: TO THE ARTS COMMISSION, MAXINE BARKHAM, A CONSENSUS REAPPOINTMENT. TO THE CONSTRUCTION ADVISORY COMMITTEE, BRUCE WILSON, COUNCILMEMBER ALVAREZ'S REAPPOINTMENT. ENVIRONMENTAL BOARD,

TIMOTHY RILEY, REPRESENTS THE BARTON SPRINGS EDWARD'S AQUIFER DISTRICT A CONSENSUS APPOINTMENT. TO THE LIBRARY COMMISSION, LAURA DULLY, COUNCILMEMBER DUNKERLY'S APPOINTMENT AND DAVID MINCE, COUNCILMEMBER SLUSHER'S REAPPOINTMENT. TO THE MEXICAN AMERICAN CULTURAL CENTER ADVISORY BOARD, STEPHEN PARKS A CONSENSUS REAPPOINTMENT AND DON RODRIGUEZ A CONSENSUS REAPPOINTMENT. TO THE MUSIC COMMISSION, THERESA JENKINS IS A CONSENSUS APPOINTMENT. AND TO THE PARKS AND RECREATION BOARD, HECTOR ORTIZ IS A CONSENSUS APPOINTMENT. THAT IS ITEM NO. 29. AND WITH THAT, I WILL ENTERTAIN A MOTION TO APPROVE THE CONSENT AGENDA AS READ. MOTION MADE BY COUNCILMEMBER DUNKERLY. I WILL SECOND THAT.

Clerk Brown: MAYOR, DO YOU HAVE A SPEAKER ON THE CONSENT AGENDA ITEM? I BELIEVE THERE IS AT LEAST ONE.

Mayor Wynn: ON ITEM NO. 30, WHICH HAS BEEN PULLED, A COUPLE OF SPEAKERS. ON ITEM NO. 32, WHICH IS ON THE CONSENT AGENDA, WE DO HAVE ONE SPEAKER, LAURIE PEVEY SIGNED UP WISHING TO SPEAK, IN FAVOR. WELCOME, WOULD YOU LIKE TO SPEAK? YOU WILL HAVE THREE MINUTES.

HI, MAYOR WYNN AND COUNCILMEMBER, MY NAME IS LAURIE PEVEY, I'M A TECH IN OUR STATE SHOP. I JUST WANTED TO SAY THANKS THAT YOU ARE BRINGING UP THE SKATE BOARD ITEM AGAIN, IT'S A VERY NEEDED ITEM IN OUR CITY. THERE'S TONS OF SKATEBOARDERS, PARENTS OF SKATEBOARDERS, REALLY LOOKING FORWARD TO THIS. WE HAVE RAISED AROUND \$8,000, I KNOW THERE'S ANOTHER GENTLEMAN THAT'S ALSO RAISED SOME MONEY THAT'S PUT TOGETHER FOR THIS PROJECT. I'M UNDERSTOOD THAT Y'ALL HAVE -- ARE LOOKING FOR A GRANT AND WE WOULD LIKE TO CONTINUE TO BE A PART OF THE FUNDRAISING EFFORT. WE DO WANT TO MAKE IT CLEAR THAT WE WOULD LIKE TO STICK WITH THE IN-GROUND CEMENT PARK. IT'S A MUCH BETTER FACILITY THAN BUILDING ABOVE GROUND WHICH IS WHAT WE HAVE AT THE AUSTIN REC CENTER RIGHT NOW. WE HOPE WHEN YOU ALL ARE READY TO START BUILDING THAT YOU WILL LOOK AT GETTING A CONTRACTOR THAT'S DONE

THIS BEFORE. I KNOW THAT THERE'S CONTRACTORS THAT WOULD BE INTERESTED IN DOING THIS, BUT I THINK THAT IT'S VERY IMPORTANT THAT WE GET A CONTRACTOR THAT'S ACTUALLY BUILT A SKATE BOARD PARK BEFORE VERSUS JUST HIRING A GUY THAT BUILDS SWIMMING POOLS. AND THEN, LASTLY, WE ORIGINALLY SOLD THESE BRICKS AND MAYOR WYNN I'M SURE THAT YOU REMEMBER THIS, AND WHEN WE FIRST RAISED THE MONEY, WE SOLD THESE BRICKS TO HELP FUND RAISE FOR THE PARK SO WHERE HE DO HAVE A LIST OF PEOPLE THAT ACTUALLY PURCHASED THESE, SO WHEN Y'ALL ARE READY TO GET ROLLING ON THIS, YOU SHOULD HAVE A LIST OF THE NAMES OF THE PEOPLE THAT BOUGHT THESE BRICKS. IF NOT I CAN PROVIDE THAT. BECAUSE I WANT THOSE PEOPLE TO GET THE BRICKS THAT THEY PAID FOR. AND IT'S JUST LIKE THE ALUMNI CENTER AT U.T. WHERE PEOPLE BUY TILES WITH THEIR NAMES ON IT. THIS WOULD BE THE SAME THING. AND WE WOULD BE WILLING TO STILL CONSIDER TO SELL THESE FOR THE CITY BUT WE WOULD LIKE IT TO BE WHERE -- WHERE Y'ALL SET UP A BANK ACCOUNT TO WHERE WHEN THE PEOPLE CAME IN AND GAVE US THE MONEY FOR IT, WE DIDN'T PERSONALLY HAVE TO HANDLE THE MONEY THAT WE COULD GIVE IT DIRECTLY TO THE CITY. WE SOLD THESE BRICKS FOR LIKE \$200, IT WOULD HAVE THE PEOPLE'S NAMES ON IT. SO ... DID Y'ALL HAVE ANY QUESTIONS FOR ME ABOUT HELPING WITH THE PARK OR ANYTHING LIKE THAT?

Mayor Wynn: NO. MS. PEVEY I'M SURE THAT OUR STAFF WILL BE INVOLVED, IN TOUCH WITH YOU AS WE TRY TO GO FORWARD AND GET MOMENTUM BUILT AGAIN ON THIS NEEDED FACILITY.

GREAT, THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU FOR ALL OF YOUR HELP. ALL RIGHT, THAT'S ALL OF THE ITEMS ON THE CONSENT AGENDA. WITH THAT, DO WE HAVE A MOTION -- WE HAVE A MOTION ON THE TABLE FROM COUNCILMEMBER DUNKERLY, I WILL SECOND THAT. ANY FURTHER DISCUSSION ON THE CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? CONSENT AGENDA PASSES ON A VOTE OF 4-0, COUNCILMEMBERS MCCracken, THOMAS AND THE MAYOR PRO TEM GOODMAN TEMPORARILY OFF THE DAIS. WITH THAT, I THINK WE -- I PULLED ITEM NO. 31 FROM THE CONSENT AGENDA. THIS WAS ONE OF -- THIS IS SOMETHING I ALONG WITH COUNCILMEMBER SLUSHER AND MAYOR PRO TEM SPONSORED RELATED TO -- TO DIRECTING THE CITY MANAGER TO INITIATE A PILOT PROGRAM TO IMPLEMENT AIR QUALITY MEASURES TO THE CITY OF AUSTIN CONTRACT AND BUSINESS SEPARATE OPERATIONS. I KNOW THERE'S A COUPLE OF QUESTIONS ABOUT THAT. I WILL SAY THIS IS PRIMARILY RELATED TO THE TURF OR TEXAS -- TERP, TEXAS EMISSIONS REDUCTIONS PROGRAM, THIS IS WHERE THE LEGISLATURE EVEN IN THESE DIFFICULT TIMES SET ASIDE A LOT OF MONEY WITH THE CONTRACTING COMMUNITY WITH OFF-ROAD VEHICLES TO APPLY FOR FUNDING SOURCES IN ORDER TO CLEAN UP SOME OF THOSE VEHICLES. -- IN THE CENTRAL TEXAS AREA, ABOUT 20% OF OUR OZONE IS CREATED BY OFF ROAD EQUIPMENT. SO IT'S A -- IT'S A -- IT'S A MAJOR SOURCE OF NOX, THIS PROGRAM WILL ENCOURAGE CONTRACTORS WHO HAVE OLDER OFF-ROAD EQUIPMENT TO UPGRADE THAT EQUIPMENT. IN THAT SAME LEGISLATION THAT CREATED THE TERP FUNDING AND SET ASIDE THESE FUNDS, STATE PURCHASING LAW WAS AMENDED SOMEWHAT, I'M TOLD, WHEREBY PUBLIC CONTRACTING AUTHORITIES, LIKE THE CITY OF AUSTIN, AS WE BUILD A PUBLIC PROJECT, REPAVE AND RECONSTRUCT ROADS, ET CETERA, WE HAD TO -- WE HAVE THE ABILITY THROUGH THIS LEGISLATION TO AWARD UP TO A 5% CREDIT TO CONTRACTORS WHO ARE APPROPRIATELY INVOLVED IN THE TERP PROGRAM. THAT IS AS AN EXAMPLE ON A \$10 MILLION CITY CONTRACT, WE COULD AWARD UNDER STATE CONTRACTING PROCEDURES, A CONTRACT TO SOMEONE WHO IS STILL \$500,000 NOT THE LOW BID IF IN FACT THAT CONTRACTOR IS APPROPRIATELY INVOLVED IN THIS PROGRAM AND PERHAPS THE OTHER LOWER BIDDERS AREN'T. OBVIOUSLY THAT IS A WAY FOR US AS PUBLIC CONTRACTING ENTITIES TO ENCOURAGE THE CONSTRUCTION COMMUNITY TO GET INVOLVED IN THIS PROGRAM SOONER THAN LATER AND IN A MUCH LARGER

SCALE. I WILL SAY, HOWEVER, THAT IT'S A VERY COMPLEX SET OF STATE REGULATIONS. IT'S A NEW AND COMPLEX STATE LAW AND SO I SUSPECT IT WILL TAKE OUR PURCHASING STAFF AND OTHERS A SIGNIFICANT AMOUNT OF TIME AND EFFORT TO UNDERSTAND THAT AND FULLY AND APPROPRIATELY UNDERSTAND HOW APPROPRIATELY THE CITY OF AUSTIN THROUGH ITS CONTRACTING CAN IN FACT ENCOURAGE MORE PARTICIPATION IN THE TERP PROGRAM. WHERE THAT -- WITH THAT, I WILL WELCOME MR. JOHNS STEPHENS TO PERHAPS DESCRIBE WHAT HE BELIEVES TO BE THE LIKELY PROCESS NOW FOR CITY STAFF.

MAYOR AS STATED IN THE RESOLUTION, WHAT WE WILL IMPLEMENT IS A PILOT PROGRAM AND COME BACK IN JULY OF THIS YEAR WITH A REPORT TO COUNCIL ON HOW WE IMPLEMENTED THAT PROGRAM. AND WHAT THE RESULTS AT LEAST TO THAT POINT WERE. WHAT WE EXPECT IS THAT -- THAT WE HAVE SEVERAL CONTRACTS COMING FORWARD THIS SPRING, MAINLY LANDSCAPING AND MAINTENANCE CONTRACTS, THINGS LIKE THAT, AND SO WE ARE GOING TO SELECT THREE TO FIVE OF THOSE PROJECTS AND IMPLEMENT AGAIN A PILOT FOR THE VENDOR WHO BID ON THOSE PROJECTS. SO WE ARE GOING TO MAKE SURE THAT THE CONTRACTING COMMUNITY, MAKING SURE THAT THE SMALL AND MINORITY CONTRACTORS UNDERSTAND WHAT THE SCOPE OF THIS PROGRAM IS. AND THEN AGAIN AS I SAID WE WILL REPORT BACK TO COUNCIL ON JULY -- IN JULY ON HOW THE PROGRAM IS GOING.

Mayor Wynn: THANK YOU, I KNOW THAT COUNCILMEMBER DUNKERLY SPECIFICALLY HAD SEARCH QUESTIONS ABOUT HOW -- IT'S NOT CLEAR TO ANYBODY, I THINK, ABOUT HOW THIS TERP PROGRAM WOULD -- WOULD INTERTWINE WITH, AS AN EXAMPLE OUR M.B.E. ORDINANCE.

Dunkerley: MAYOR, THAT WAS NOT EXACTLY MY CONCERN. I KNOW THAT IT WILL HAVE -- TAKE TIME TO EVALUATE IT AND IMPLEMENT IT. MY REAL CONCERN WAS THAT I THINK THIS IS A GREAT TOOL TO -- TO ENCOURAGE [INDISCERNIBLE] TO IMPROVE THE AIR QUALITY IN THE REGION. BUT MORE IMPORTANTLY THAT THIS WAS AN ARENA THAT TOUCHED SEVERAL OTHER FUNCTIONS AND I DID SPEAK WITH THE

STAFF AND I WANTED TO MAKE SURE THAT DMSNBR AS WELL AS PUBLIC WORKS AND PURCHASING, ONCE THEY DECIDED ON THE PILOT DID A REAL, STRONG EFFORT OF COMMUNICATION, BECAUSE I THINK THAT IN ITSELF IS GOING TO ENCOURAGE MORE COMPLIANCE S. BUT I WANTED TO TO MAKE SURE THAT PEOPLE WEREN'T CAUGHT UNAWARE OF US HAVING ADDED THIS PROCESS WITHOUT THEM KNOWING ABOUT IT. SO THAT WAS MY -- IT WAS MORE A COMMUNICATION ISSUE, VERY, VERY SUPPORTIVE OF THE PROGRAM.

Mayor Wynn: WITH THAT, MR. STEPHENS, I MAY HAVE MISSED THIS, WHAT'S YOUR ESTIMATE AS TO HOW LONG IT MIGHT TAKE, YOU KNOW, FOR AN ANALYSIS AND -- TO FULLY COMP HENT THE OPPORTUNITY HERE?

I BELIEVE WE WILL BE ABLE TO AGAIN COME BACK IN JULY BUT THE INFORMATION IS THAT WE WILL -- THAT WE WILL PROVIDE TO COUNCIL AT THAT POINT IS THE NUMBER OF CONTRACTS AND A SORT OF A FISCAL ASSESSMENT ON HOW MUCH ABOVE WHAT WE THINK THE NORMAL BID ON THAT WOULD HAVE BEEN. SO THAT WE CAN TRY TO GET A BETTER ESTIMATE OF THE DIFFERENTIAL IN COST AS WE MOVE FORWARD, IF COUNCIL DECIDES TO IMPLEMENT OR AUGMENT THAT PILOT PROGRAM.

ALL RIGHT. OKAY. THANK YOU. ANY FURTHER QUESTIONS FROM STAFF, COMMENTS? IF NOT I WILL ENTERTAIN A MOTION ON ITEM NO. 31. MOTION MADE BY COUNCILMEMBER SLUSHER. SECONDED BY COUNCILMEMBER THOMAS TO APPROVE ITE NO. 31. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? ITEM NO. 31 PASSES ON A VOTE OF 5-0 WHERE COUNCILMEMBER McCRACKEN AND THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS. COUNCIL, WE CAN NOW TAKE UP -- THE THREE ORDINANCES THAT WOULD REQUIRE FIVE AFFIRMATIVE VOTES. ALL THAT WERE GOING TO BE ON THE CONSENT AGENDA. SO I WILL ENTERTAIN A MOTION TO APPROVE YOU'LL THREE ORDINANCES, ITEMS 8,

12 AND 28. AS PRESENTED.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLY, I WILL SECOND THAT TO APPROVE THE THREE ORDINANCES, ITEMS NUMBER 8, NUMBER 12 AND NUMBER 28 ON ALL THREE READINGS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? THOSE THREE ITEMS PASS ON A VOTE OF 5-0, AGAIN WITH COUNCILMEMBER McCRACKEN AND THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS. COUNCIL -- COUNCILMEMBER ALVAREZ NEEDS TO RECUSE HIMSELF ON ITEM NO. 9, SO NOW THAT WE HAVE FIVE COUNCILMEMBERS, I WILL ENTERTAIN A MOTION ON ITEM NO. 9.

Dunkerley: MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLY. I WILL SECOND THAT TO APPROVE ITEM NO. 9 ON TODAY'S AGENDA AS POSTED. AND WE WILL NOTE THAT COUNCILMEMBER ALVAREZ WILL BE ABSTAINING. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 4-0 -
- WITH COUNCILMEMBER ALVAREZ ABSTAINING,
COUNCILMEMBER McCRACKEN AND THE MAYOR PRO TEM
TEMPORARILY OFF THE DAIS. I DON'T KNOW IF THAT'S 4-0, 1-2
OR 4-0-2-1. REGARDLESS. OKAY. COUNCIL, I BELIEVE THAT'S
ALL OF THE ITEMS THAT WE CAN TAKE UP AT THIS TIME. SO
WITH THAT, WITHOUT OBJECTION, COUNCIL WILL NOW GO
INTO EXECUTIVE SESSION FOR PRIVATE CONSULTATION
WITH OUR ATTORNEY UNDER SECTION 551.071 OF THE OPEN
MEETINGS ACT TO POTENTIALLY DISCUSS AGENDA ITEMS 37,
38, 39 AND 40, WE WILL NOW TAKE UP ITEM NO. 30 IN
EXECUTIVE SESSION UNTIL WE HAVE A FULL COUNCIL. WE

ARE NOW IN EXECUTIVE SESSION. THANK YOU.

IN CLOSED SESSIONS WITH YOU SIEWP PRIEWPD R. PRIVATE DISCUSSIONS WITH OUR ATTORNEY UNDER SECTION 551.071. WE DISCUSSED THE AUSTIN POLICE ASSOCIATION CONTRACT AND ITEM 38 RELATING TO THE MINORITY AND WOMEN OWN BUSINESS ENTERPRISE ORDINANCE. IT IS NOW TIME FOR OUR NOON GENERAL CITIZEN'S COMMUNICATION. WE HAVE FIVE CITIZENS SIGNED UP. THE FIRST IS JENNIFER GALE. JENNIFER GALE. WE'LL MOVE ON TO MARY LEHMAN. WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY ROBERT SINGLETON.

MEMBERS OF THE CITY COUNCIL, THERE HAVE BEEN SOME INTERESTING DEVELOPMENTS SINCE WE WERE LAST YEAR LAST WEEK. THE MUELLER ADVISORY COMMISSION HAS COME UP WITH TWO PLANS THAT WERE ANNOUNCED AT THE LAST MEETING. THE PLAN FOR A WORKSHOP. AND THIS NOW TO US IS GOOD NEWS BECAUSE WE'RE SURE THAT THE CITY COUNCIL IS GOING TO GET SEVERAL PLANS, BOTH ALL LEASING, ALL SALE AND A MIXTURE. AND THAT MAKES THE WORKSHOP OF THE CITIZENS MAKE SENSE. AND SO WE FEEL THAT THIS IS A VERY GOOD MOVE, BUT WE HAVE SOME QUESTIONS WHICH THE PERSON ORGANIZING THE WORKSHOP IS NOT SURE ABOUT. TO GET INFORMATION THEY WOULD NEED SOME EXPERT OPINION AND EXPERIENCE, AND THAT COSTS. AND WE WERE WONDERING IF MAYBE THE CITY MIGHT CONSIDER CONTRIBUTING SOME FUNDS SO THAT THE WORKSHOP COULD AFFORD THE BEST THAT CAN BE OBTAINED. AND I WANTED TO SAY THAT IF THAT IS SO THAT KEEP THE LAND AS AN EDUCATIONAL ORGANIZATION WOULD BE GLAD TO CONTRIBUTE TO THIS FUND. AND THE SECOND NEWS IS THE NAMING CONTEST THAT WILL I THINK BE CONCLUDED AND HAS ORIGINATED IN - - WITH THE DEVELOPER AND THE PUBLIC RELATIONS FIRM IS COLLECTING NAMES THAT WILL BE SUBMITTED TO THE CITY STAFF, AND THEY WILL COME UP WITH A RECOMMENDATION. I WAS JUST TALKING WITH SUE EDWARDS AND ASKED HER IF SHE WOULD FIND IT OKAY FOR INSTEAD OF JUST ONE NAME BEING SUBMITTED TO THE CITY COUNCIL, SINCE NO INSIGHT OR EXPERIENCE ACCOMPANIES JUST A NAME, IF THE CITY COUNCIL MIGHT RECEIVE MORE THAN ONE NAME, TWO, THREE OR FOUR, SO THAT AS THE REPRESENT --

REPRESENTING THE OWNERS OF THE MUELLER SITE, THEY WOULD BE ABLE TO EXERT SOME CHOICE JUST AS THEY ARE GOING TO BE ABLE TO WITH THIS BIGGEST REAL ESTATE DEAL IN THE HISTORY OF AUSTIN TO DECIDE ON THE TYPE OF DISPOSITION. SO WE'RE HOPING THAT IT WILL BE ALL RIGHT FOR THEM TO SUBMIT MORE THAN ONE NAME FOR THE COUNCIL'S APPROVAL FOR THE FORM OF THE THING. AND, WELL, I THINK ROBERT HAS SOME INTERESTED NAMES IN MIND. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. MR. ROBERT SINGLETON. THANK YOU, SIR.

I THOUGHT I WOULD SEE HOW THINGS WENT DOWN TO THE RIGHT END OF THE COUNCIL THIS TIME. I WANT TO TALK TO YOU ABOUT FALSE ALARMS. SOMETHING THE CITY SHOULD KNOW SOMETHING ABOUT. SEVERAL YEARS AGO THE STATESMAN PUBLISHED A LIST OF THE MOST FREQUENT FALSE ALARM LOCATIONS IN THE CITY. AND I DON'T REMEMBER IF THE MAYOR'S OFFICE CAME IN NUMBER ONE NUMBER TWO, BUT IT WAS BECAUSE SOMEONE NEW WAS HIRED ON THE NIGHT STAFF AND HE DIDN'T KNOW THE ACCESS CODE AND EVERY TIME HE WENT IN TO EMPTY THE MAYOR'S TRASH CAN, HE SENT SET IT OFF. I DON'T REMEMBER IF THE MAYOR'S OFFICE WAS NUMBER ONE OR IF IT LOST OUT TO THE CAT LIVING IN THE ATTIC ON BURNET ROAD. YOU WERE NUMBER ONE OR NUMBER TWO.

WE'VE MADE SIGNIFICANT IMPROVEMENTS IN THE MAYOR'S OFFICE. [LAUGHTER]

SOMETIMES YOU HAVE TO RESPOND TO A FALSE ALARM JUST LIKE IT WAS REAL, AND I THINK SOME OF THE CONCERNS WE HAD LAST WEEK WERE BASED ON FALSE ALARMS THAT WE JUST WENT WITH. AND WE FEEL A WHOLE LOT BETTER NOW ABOUT SOME THINGS. HAVING REVIEWED THE TRANSCRIPT AND THE VIDEOTAPE FROM LAST WEEK'S COUNCIL MEETING, WE HAVE REAL CONFIDENCE THAT AN ALL LEASE PLAN WILL BE PRESENTED TO COUNCIL IN EXECUTIVE SESSION. I DID ASK THE CITY CLERK WHETHER THE CLOSED CAPTIONED TRANSCRIPT ON THE WEBSITE WAS AN OFFICIAL CITY DOCUMENT OR NOT, AND WAS ASSURED IT WASN'T, BUT I WOULD STILL LIKE TO BE ABLE TO

SUBMIT SOME CORRECTIONS AND ADDITIONS TO THE TRANSCRIPT FOR THAT SECTION THAT DEALT WITH THIS LAST WEEK SO THAT WE ARE AS CLEAR AS POSSIBLE. WOULD IT BE POSSIBLE TO SUBMIT AND HAVE THAT TRANSCRIPT CHANGED MORE ACCURATELY TO REFLECT WHAT WAS SAID. PAIR REN THET TICKLY SOMETHING GOT TRANSLATED AS FOUR DIFFERENT WORDS, BUT I THINK THERE WERE SOME MORE SUBSTANTIVE THINGS WRONG WITH THE TRANSCRIPT, INCLUDING SOME SECTIONS THAT WERE LISTED AS INAUDIBLE. IS IT POSSIBLE TO SUBMIT A CORRECTION ON THAT?

Mayor Wynn: GOOD QUESTION. WE APPROVE THE MINUTES AS THE COUNCIL EACH WEEK. I PERSONALLY NEVER SEE AN ACTUAL -- RARELY SEE AN TRANSCRIPT OF THE MEETING.

THERE IS A TRANSCRIPT THAT'S ACTUALLY ONLINE. IT IS DONE THROUGH A COURT REPORTING KIND OF SITUATION, AND ACTUALLY GOES THROUGH CHANNEL 6, THE CONTRACT FOR THAT. I DON'T KNOW THE ANSWER. I'LL CERTAINLY BE GLAD TO LOOK IN AND ADVISE YOU, BUT TYPICALLY WE DON'T GO IN BECAUSE IT'S NOT AN OFFICIAL DOCUMENT. AND IT DOES CONTAIN NUMEROUS MISSPELLINGS. AND WHEN THEY CAN'T HEAR, THAT'S WHAT THEY PUT IS THAT IT'S INAUDIBLE. I'LL ASK THE QUESTION TO THAT AND WE'LL CERTAINLY ACCEPT ANY CHANGES THEY HAVE, BUT I THINK THAT WOULD BE KIND OF UNUSUAL FOR US TO BE ABLE TO DO THAT, BUT I'LL INQUIRE AND LET COUNCIL KNOW.

Mayor Wynn: OKAY. THANK YOU.

OKAY. I'LL SEND YOU THE SECTION THAT WE WOULD LIKE TO SEE CHANGED. REAL QUICKLY, ON THE NAMES. SOME SUGGESTIONS WERE THROWN AROUND THAT THE IMPLEMENTATION ADVISORY COMMITTEE THE OTHER NIGHT, INCLUDING WALKERVILLE AND WEAVER HEIGHTS. I THINK THOSE ARE BETTER THAN CALLING IT ALL LEASE VILLAGE. ABOUT THE CITY MANAGER'S CONCERN ABOUT THE RUNWAY BEING DEMOLISHED AND -- [BUZZER SOUNDS] DON'T EVER CALL IT AN AIRPORT PARK.

Mayor Wynn: PLEASE GIVE HIM AN EXTRA MINUTE. I WAS WATCHING THE CLOCK AS WE HAD OUR DISCUSSION WITH

MS. BROWN.

WE'RE ALSO GOING TO SUBMIT DON'T CALL IT AN AIRPORT PARK. FOR THOSE FEW PEOPLE WHO ARE STILL MAKING RESERVATIONS ONLINE AND SHOWING UP AT THE WRONG AIRPORT, HOW ABOUT WHAT HAPPENED TO ALL THE AIRPLANES' VILLAGE? BUT ON THE SERIOUS SIDE OF THIS QUESTION, THERE WAS ONE THING AT ONE OF THE ADVISORY MEETINGS ON THE SUBJECT OF WHETHER MUELLER COULD EVER BE USED AS AN AIRPORT AGAIN, AND APPARENTLY THE DEED RESTRICTIONS ON ALL THE NEIGHBORING PROPERTIES, THE HEIGHT RESTRICTIONS HAVE BEEN REMOVED, AND PAM HEFNER FROM CITY STAFF ASSURED US THAT THAT MEANT THAT THE SITE COULD NEVER EVER, EVER, EVER, EVER AGAIN BE USED AS AN AIRPORT. SO THE RUNWAY DEMOLITION IS IRRELEVANT IN THAT SENSE. WE WERE ALSO TOLD THAT AS SOON AS THE -- IT WAS EFFECTIVELY A CHILDREN'S HOSPITAL THAT RESTRICTIONS ON HOW CLOSE YOU CAN FLY TO A HOSPITAL ALSO COVERED IT. SO I THINK WE DON'T EVER HAVE TO WORRY ABOUT BEING AN AIRPORT. NOW WE CAN GET DOWN TO JUST ARGUING ABOUT WHETHER IT'S GOING TO BE SOLD OR LEASED. THANKS.

Mayor Wynn: THANK YOU, MR. SINGLETON. PAT VALLS-TRELLES. WELCOME, SIR, YOU WILL HAVE THREE MINUTES -- I'M SORRY, PAT JOHNSON. I JUMPED AHEAD.

THAT'S ALL RIGHT. YOU WILL GET USED TO ME. I WILL COME UP HERE EVERY MEETING. ALL RIGHT. I'M STILL GOING TO TALK ABOUT TOWING COMPANIES TODAY, BUT I HAD AN ISSUE COME UP -- ACTUALLY, IT HAPPENED ON THE 13TH. THIS IS A REFERENCE TO A BID THAT WAS OPENED ON JANUARY THE 11th THAT'S BID NUMBER RF-04300003 PHOTOING AND RELATED SERVICES. THE QUESTIONS ARE HOW CAN THE CITY AWARD A CONTRACT TO A COMPANY WITHOUT THE EQUIPMENT NOW? THIS IS A BID FOR THE CONTRACT PHOTOING OF THE CITY VEHICLES, THE FIRE TRUCKS, ALL THE CITY VEHICLES. WHAT HAPPENS TO THE CONTRACT IF THE BIDDER CANNOT PROVIDE THE SERVICES? IS IT REBID OR IS IT GIVEN TO THE NEXT LOWEST BIDDER? FOR A COMPANY THAT HAD BEEN IN BUSINESS ONLY FOR ONE YEAR AND NO PRIOR EXPERIENCE HAULING HEAVY

TRUCKS, HOW DOES -- HOW DOES THE CITY JUSTIFY IF THE BIDDER IS QUALIFIED? WHO MAKES THAT CALL? IN THE PAST THE CITY HAS NOT GONE WITH THE LOWEST BIDDER, BUT THE MOST QUALIFIED. WHY WAS THIS NOT TAKEN INTO CONSIDERATION? WHY GIVE A CONTRACT TO A COMPANY THAT HAS NO EXPERIENCE IN HAULING HEAVY EQUIPMENT LIKE OUR FIRE TRUCKS? YESTERDAY SERVICE CENTER 6 CALLED DENVER'S TOWING, THE LOW BIDDER ON THE CONTRACT, TO HAUL A FIRE TRUCK THAT REQUIRED A HEAVY DUTY WRECKER. BUT HE COULD NOT DO THIS BECAUSE HE DIDN'T HAVE THE NECESSARY EQUIPMENT TO GO GET IT. SO THEY TRIED TO CALL AROUND AND GET ANOTHER TOWING COMPANY TO SUBCONTRACT IT AND TO HAUL IT FOR HIM, BUT THEY REFUSED TO. BUT ACCORDING TO THE BID PACKAGE, IT SAYS A BIDDER CANNOT SUBCONTRACT OR SUBLEASE ANY PART OF A CONTRACT OUT UNLESS THEY HAVE WRITTEN PERMISSION FROM THE CITY. IN ADDITION IT SAID AFTER THE BID IS AWARDED THE BIDDER HAS 90 DAYS TO ACQUIRE THE REQUIRED EQUIPMENT TO FULFILL THIS BID. DOES THIS MEAN THAT DURING THE 90 DAYS AFTER THE CONTRACT'S AWARDED, THEY DO NOT HAVE OUR EQUIPMENT THAT THE CITY VEHICLES REMAIN ON THE SIDE OF THE ROAD WHEN THEY'RE BROKE DOWN? THAT'S MY QUESTION. CITY MANAGER? MS. FUTRELL, DO YOU HAVE ANY -- ANYTHING?

SIR, I HAVE ABSOLUTELY NO IDEA OF THE ISSUES THAT YOU ARE TALKING ABOUT. WHAT I'M GOING TO ASK YOU TO DO IS JASON, MY ASSISTANT, IS STANDING RIGHT THERE BY THE MONITOR BEHIND YOU. HE'S GOING TO GET YOUR INFORMATION AND WE'RE GOING TO TAKE A LOOK AT THE ISSUES YOU'VE RAISED.

I'LL JUST MAKE IT CLEAR WHY -- HOW CAN THE CITY JUSTIFY GIVING A CONTRACT TO HAUL ALL OUR CITY FLEET AND THEY DON'T HAVE ANY EXPERIENCE. THEY'VE ONLY BEEN IN BUSINESS FOR A YEAR AND THEY DO NOT HAVE THE EQUIPMENT. [BUZZER SOUNDS]

YOUR FACT TRAL INFORMATION, I HAVE NO IDEA ABOUT. BUT WE WILL LOOK INTO IT. THERE ARE A TEAM OF PEOPLE WHO EVALUATE ALL OUR CONTRACTS THAT COME UP. THERE ARE MANY THINGS WE LOOK AT. WE DO ENCOURAGE NEW

BUSINESSES TO DEVELOP. EXPERIENCE IS NOT THE -- I'M NOT TRYING TO ENGAGE IN A DIALOGUE WITH YOU ABOUT OUR BIDDING PROCESS AT THE PODIUM. WHAT I WOULD LIKE YOU TO DO IS GIVE YOUR INFORMATION TO JASON SE BACK MONITOR.

Mayor Wynn: THANK YOU. JENNIFER GALE HAS ARRIVED. WELCOME.

HI, AUSTIN. I HOPE YOU'RE ALL ENJOYING THE HOLIDAYS, CITY OF AUSTIN, MAYOR, COUNCILMEMBERS, CITY MANAGER FUTRELL, I'M GLAD TO SEE YOU BACK FROM YOUR VACATIONS ON THIS BEAUTIFUL RAINY DAY. I HOPE WE SEE MANY MORE LIKE THIS. I'M HERE TO TALK ON VOTER CHOICE. VOTER CHOICE AFFECTS THE CITY CHARTER HE. IT DOESN'T AFFECT THE REFERENDUM OR INITIATIVE. IT CHANGES OUR CONSTITUTION. I WANT PEOPLE TO BE ABLE TO MAKE CHANGES TO OUR CITY CHARTER THROUGH VOTER CHOICE. I WANT TO BE ABLE TO DO THIS THROUGH A PAPER BALLOT SO PEOPLE KNOW WHAT THE CHARTER IS SAYING, THAT THEY HAVE SOMETHING TANGIBLE AFTERWARDS THAT WE CAN REVIEW. TO MAKE SURE ALL THE BALLOTS ARE PROPERLY COUNTED. AND THAT WE DON'T LOSE THEM IN SOME ELECTRONIC PROBLEM. AND THE PROBLEM BETWEEN JUST SOME OF THE PROP PROPOSITIONS THAT ARE UNDER ONE AMENDMENT, IF TWO ARE SIMILAR, THEN -- AND ARE POPULAR, THEY'LL DRAW -- THEY'LL DIVIDE THEIR LARGER AMOUNT, WHEREAS ONE THAT'S BROUGHT UP BY THE BUSINESS COMMUNITY THAT IS WELL MARKETING CAN GARNER MORE VOTES TO OVERCOME THOSE OTHER TWO. SO I'M HAVING TO FIGURE OUT HOW TO DO THAT. ANOTHER PROBLEM I'M HAVING IS I STILL WANT TO RUN FOR CONGRESS IN DISTRICT 10. I'VE COLLECTED HUNDREDS OF SIGNATURES, BUT TOO MANY OF THEM ARE IN THE OLD DISTRICT. SO I'M ASKING FOR A LOAN. THEY'VE RAISED THE \$625 TO \$3,125. IF THERE ARE PEOPLE WILLING TO LOAN ME THAT MONEY -- SHOULD I NOT BE ABLE TO RAISE THE MONEY, I WILL IMMEDIATELY RETURN THAT TO YOU. I'LL BE AT THE BALLOT DRAWING TONIGHT AT THE TRAVIS COUNTY COMMISSIONERS COURT THIS EVENING BETWEEN FIVE AND SIX. AND THEN TONIGHT AT 8:00 AT CENTRAL MARKET OUTDOOR EATING AREA. AND THEN TOMORROW BETWEEN 4:00 AND 6:00 AT THE TEXAS DEMOCRATIC HEADQUARTERS.

SHOULD YOU HAVE ANY AMOUNT OF MONEY THAT COULD POSSIBLY BRING ME UP TO THE \$3,125 IT TAKES TO FILE, I THINK DEMOCRATS HAVE A CHANCE. IT'S A 34 PERCENT DEMOCRAT AREA, WHICH HAS A LOT OF INDEPENDENT MINDED PEOPLE, AND I THINK WE CAN BRING THAT VOTE OUT. I'VE ALREADY FILLED OUT THE APPLICATION. ALL I NEED IS THE MONEY. THE MONEY FOR THE LOAN. THIS AREA CONNECTS TWO VERY LARGE POPULATIONS OF VERY POTENTIALLY DISENFRANCHISED PEOPLE. AND I THINK WE CAN WIN THIS DISTRICT. IF NOT, I'LL BE RUNNING FOR SCHOOL BOARD DISTRICT 5, AND I'D LIKE TO SEE -- I'M SURE I WILL SEE THE MEMBERS OF THE CITY COUNCIL AT 9:00 O'CLOCK THIS COMING MONDAY FOR THE MARTIN LUTHER KING, JUNIOR MARCH. THANK YOU, AUSTIN.

Mayor Wynn: THANK YOU, MS. GALE. PAT VALLS-TRELLES.

MAYOR, WHEN SHE SIGNED UP SHE DIDN'T REALIZE THAT SHE WAS ALSO BEING INTERVIEWED ON UNIVISION AT THE SAME TIME. AND WHAT SHE WAS GOING TO DO IS JUST REMIND US OF THE PET FESTIVAL ON THE 31st THAT WE GAVE A PROCLAMATION FOR LAST WEEK AND REMIND PEOPLE OF THE SPAY/NEUTER OPPORTUNITIES AND HOPE THAT THEY COME OUT.

Mayor Wynn: GREAT. THANK YOU, MAYOR PRO TEM. THAT'S ALL THE CITIZENS SIGNED UP FOR THE GENERAL CITIZENS COMMUNICATION. AT THIS TIME, COUNCIL, THERE'S STILL A COUPLE MORE ITEMS FOR EXECUTIVE SESSION BEFORE WE THEN HAVE AN APPROXIMATE 2:00 O'CLOCK BUDGET PROCESS BRIEFING FROM THE CITY MANAGER. SO AT THIS TIME WITHOUT OBJECTION, WE'LL GO BACK INTO EXECUTIVE SESSION FOR PRIVATE CONSULTATION WITH OUR OTHER THAN UNDER SECTION 551.071 OF THE OPEN MEETINGS ACT. WE WILL LIKELY BE DISCUSSING ITEMS 39 RELATED TO THE REDISTRICTING LAWSUIT AND ITEM 40 RELATED TO HOUSE BILL 1445 AND OUR AGREEMENT WITH HAYS COUNTY. WE ARE NOW IN EXECUTIVE SESSION. THANK YOU. THAT WE WERE FACING, THE EVALUATIONS WERE DOWN ALMOST 4%, THE FIRST TIME THEY WERE NEGATIVE IN OVER 12 YEARS. OVER 12 CONSECUTIVE MONTHS OF PRIMARILY NEGATIVE NUMBERS. ALL OF THIS WITH INCREASED DEMAND OF CITY SERVICES. WHAT DID WE DO? WHAT WERE THE KEY BUDGET

ACTIONS IN THE GENERAL FUND. WELL, COUNCIL WOULD CUT OVER \$38 MILLION IN EXPENDITURES. PRIMARILY ALL PERMANENT EXPENDITURE REDUCTIONS. WE CUT 344 POSITIONS, IN FACT 519 POSITIONS CITY-WIDE. AND THERE'S A PRIMARY FOCUS ON THE REDUCTION OF POSITIONS IN EXECUTIVE MANAGEMENT AND ADMINISTRATIVE POSITIONS IN ORDER TO TRY TO PRESERVE WHEREVER WE COULD DIRECT SERVICE PROVIDERS. WE WENT INTO OUR SECOND YEAR, OF WAGE FREEZES, FOR ALL OF OUR NON-CIVIL SERVICE EMPLOYEES. WE DELAYED THE OPENING OF 10 PROPOSED NEW OR EXPANDED FACILITIES. BUT AFTER TWO AND A HALF YEARS OF CUT BACK, COST CONTAINMENT, WE REACHED STRUCTURAL BALANCE. WITHOUT BUDGET TRICKS, WITHOUT THE USE OF ONE-TIME MONEY, YOU ON CURRENT EXPENDITURES NOW MATCH ARE ONGOING REVENUE STREAM. SO, COUNCIL, WE HAVE COME THROUGH A DIFFICULT CYCLE. BUT LOOKING FORWARD OUR CHALLENGES BOIL DOWN TO HOLDING THE LINE. GOING TO BOIL DOWN APPLYING THE LESSONS THAT WE HAVE LEARNED OVER THIS LAST TWO AND A HALF YEARS. THOSE PRIMARILY LESSONS ARE MAINTAINING THAT STRUCTURAL BALANCE. NOT LETTING OUR EXPENDITURES OUTSTRIP OUR ONGOING REVENUE STREAM. TO FOCUS ON A MULTI-YEAR BUDGET, NOT JUST THE YEAR THAT YOU ARE IN, BUT LOOKING OUT OVER A MULTI-YEAR BUDGET HORIZON. AND MOST IMPORTANTLY, YOU ARE GOING TO HEAR THIS THEME IN -- AND MESSAGE A GREAT DEAL BEFORE THIS YEAR PREPARING FOR '05, CONTAIN AND MONITOR THE BUILT IN COST DRIVERS. REMEMBER, COUNCIL, THAT HAVING RESTRUCTURE RAL BALANCE IN '04, IT'S THE COST DRIVERS THAT ARE PROJECTED TO TAKE US \$29 MILLION OUT OF BALANCE AGAIN IN '05. WE ARE GOING TO TALK ABOUT THOSE COST DRIVERS A LITTLE BIT MORE. BUT FIRST LET'S TAKE A -- A REMINDER LOOK AT THE ASSUMPTIONS FOR THE FORECAST FOR '05. ON THE REVENUE SIDE, WE PLAN FOR ONE MORE YEAR OF REDUCED ASSESSED VALUATION IN '05. A LITTLE OVER 3%. REDUCTION, WE ASSUME THE EFFECTED TAX RATE AND REPROJECT MODERATE GROWTH, TWO PERCENT, IN SALES TAX REVENUE. WITH OUR CURRENT EXPENDITURES IN BALANCE, LET'S REVIEW THE COST DRIVERS THAT WERE PART OF OUR ASSUMPTIONS BECAUSE ONCE AGAIN, IT'S THE COST DRIVERS THAT WILL TAKE US

OUT OF BALANCE ONE MORE TIME AS WE HEAD INTO FISCAL YEAR '05. THERE ARE A NUMBER OF COST DRIVERS THAT I'M GOING TO FOCUS ON THE MAJOR OR KEY COST DRIVERS. THE FIRST ARE PUBLIC SAFETY EXPENDITURES. PUBLIC SAFETY REMAINS A TOP PRIORITY IN OUR COMMUNITY AND MOST ALL COMMUNITIES. BUT IT IS ALSO OUR LARGEST COST DRIVER. SO IN PLANNING FOR '05 AND THIS COST DRIVER, WE PLAN TO MAINTAIN THE CURRENT POLICY OF 2.0 OFFICERS PER THOUSAND, WE PLAN TO MAINTAIN TASK FORCE STAFFING IN THE FIRE DEPARTMENT, WE PLAN ON FUNDING ALL PUBLIC SAFETY STEP AND LONGEVITY PAY INCREASES, WE PLANNED ON FUNDING THE 2% PUBLIC SAFETY PREMIUM FOR POLICE AND FIRE MEET AND CONFER CONTRACTS AND WE EXPLAINED ON REPLACING THE EXPIRING PUBLIC SAFETY GRANTS. SO ONCE AGAIN, ONE OF YOUR MAJOR COST DRIVERS. THERE ARE OTHER MAJOR COST DRIVERS, THE SECOND ARE THE OPERATION AND MAINTENANCE COSTS FOR NEW AND EXPANDED FACILITIES TO OPEN. A THIRD ARE THE INCREASED COSTS TO PUBLIC HEALTH SERVICES. INDIGENT HEALTH CARE, HOMELESS SERVICES. FOURTH ARE WAGE ADJUSTMENTS. SO FOR THE FIRST TIME IN THREE YEARS, OUR '05 BUDGET INCLUDES A WAGE ADJUSTMENT FOR THE GENERAL WORKFORCE. FINALLY HEALTH INSURANCE COSTS. NOT NEW TO US, HEALTH INSURANCE COSTS ARE VERY DIFFICULT EXPENDITURES, ALL BUSINESSES AND ENTITIES ARE GRAB GRAPPLING WITH HOW TO -- LET'S RECAP AND TAKE A LOOK, MATCHING OUR EXPENDITURES TO OUR REVENUES. OUR VERY EARLY '05 FORECAST, WHERE WE LEFT YOU LAST YEAR, AND LOOKING AT '05, SHOWED A \$29 MILLION GAP AND THAT \$29 MILLION GAP IS A FUNCTION OF THE BUILT-IN COST DRIVERS IN OUR BUDGET. THOSE COST DRIVERS WE HAVE JUST GONE OVER. SO ALTHOUGH THINGS ARE LOOKING A LITTLE BETTER, WE FINALLY HAD A SOLID SALES TAX NUMBER. A POSITIVE NUMBER. THAT MONEY WILL ALL BE APPLIED TOWARDS TRYING TO FILL THAT WHOLE, THAT \$29 MILLION HOLE. IT'S A MATTER OF HOW DEEP THAT GAP IS GOING TO BE. THINGS ARE LOOKING BETTER. BUT OUR FOCUS NEEDS TO BE ON MONITORING AND CONTROLLING THOSE COST DRIVERS. NOW, WITH THAT, I WOULD LIKE TO TURN THIS OVER TO RUDY AND RUDY IS GOING TO COVER TWO THINGS FOR YOU. HE'S GOING TO GO OVER THE '05

BUDGET PROCESS AND THE '05 BUDGET CALENDAR. AND HE'S ALSO GOING TO WALK THROUGH THE FORMAT WE ARE PROPOSING FOR OUR QUARTERLY ECONOMIC UPDATES. THE FIRST OF WHICH IS GOING TO BE PRESENTED TO YOU ON FEBRUARY 5th. I WOULD LIKE TO LET YOU KNOW THAT WE INTEND AS PART OF THESE PERIODIC REPORTS TO INCLUDE REPORTS FROM ECONOMIC PARTNERS IN ONE OF THE THREE AREAS OF YOUR ECONOMIC DEVELOPMENT POLICY. FOR EXAMPLE, PARTNERS THAT MIGHT BE WORKING WITH US IN JOB CREATION AND -- IN THIS AREA, RETENTION OR RECRUITMENT. PARTNERS WHO MIGHT BE WORKING WITH US IN SMALL BUSINESS DEVELOPMENT. OR FINALLY, PARTNERS WHO MIGHT BE WORKING WITH US IN BRINGING ABOUT AND MAINTAINING CULTURAL VITALITY IN OUR COMMUNITY. AND WITH THAT, I WILL TURN IT OVER TO RUDY.

GOOD AFTERNOON, MAYOR AND COUNCIL. WITHOUT GETTING INTO TOO MUCH DETAIL, I DO WANT TO GO OVER VERY QUICKLY SOME OF THE KEY DATES AND THE -- AND AN OVERVIEW OF THE PROCESS THAT WE GO THROUGH IN THE BUDGET PROCESS. WHILE DURING AUGUST AND SEPTEMBER EVERYONE CAN CLEARLY SEE WHAT'S HAPPENING IN THE BUDGET PROCESS, DURING DISCUSSIONS AND PRESENTATIONS, THE BUDGET PROCESS ACTUALLY STARTS MUCH EARLIER THAN THAT. WE START NOVEMBER OF THIS PAST YEAR, 2003, WE ACTUALLY STARTED BUILDING FOR THE 2005 BUDGET. DURING NOVEMBER AND DECEMBER WHAT'S HAPPENING AT THAT TIME IS DEPARTMENTS ARE RE-EVALUATING, UPDATING BUSINESS PLANS, PERFORMANCE MEASURE, BASICALLY WHAT MEANS IS THAT THEY ARE UPDATING TO MAKE SURE THAT THEIR OPERATIONAL PLANS ARE IN SYNC WITH THE BUDGET THAT WAS JUST APPROVED. THEY ALSO PERFORM A VERY COMPREHENSIVE ENVIRONMENTAL SCAN TO IDENTIFY NEW CHALLENGES, LEGISLATIVE CHANGES, OPPORTUNITIES THAT MAY HAVE COME UP. CHANGES IN MAYBE ANTICIPATED REVENUES OR EXPENDITURES. ONCE ALL THAT IS COMPLETED WE ARE ABLE TO UPDATE OUR TEXAS PLAN AND PERFORMANCE MEASURES. IN ADDITION TO THAT, IN DECEMBER AND JANUARY, JUST LIKE EVERY OTHER BUSINESS, WE ARE CLOSING THE BOOKS. WE SPEND A LOT OF TIME GOING BACK AND DETERMINING WHERE DID

WE ACTUALLY END UP IN THIS CASE FISCAL YEAR 2004, WHERE DID WE END UP COMPARED TO OUR BUDGET, COMPARED TO OUR ESTIMATES. THIS IS IMPORTANT FOR US TO BE VERY MET CLOSE ABOUT IT, AS YOU -- METICULOUS ABOUT IT, AS YOU KNOW THAT'S THE ENDING PART FOR OUR STARTING YEAR. WE NEED TO ANTICIPATE WHETHER WE ARE ON TRACK, THAT INFORMATION CAN ALSO DETERMINE WHETHER WE MIGHT NEED TO TAKE ADDITIONAL ACTIONS. SO THAT HAPPENS DURING DECEMBER AND JANUARY WHERE WE ACTUALLY ENDED UP FOR THE PRIOR FISCAL YEAR WE JUST COMPLETED. IN JANUARY, BASICALLY WHERE WE ARE THIS MONTH, THE CITY MANAGER AS SHE NOTED SPENDS A LOT OF TIME GOING THROUGH ALL OF THE ASSUMPTIONS THAT WE HAD IN OUR PRIOR FORECAST THAT WE PUBLISHED. LOOKING AT REVENUE ASSUMPTIONS, EXPENDITURE ASSUMPTIONS, ALL OF THE OTHER KEY ISSUES TO MAKE SURE THOSE ASSUMPTIONS ARE STILL IN LINE WHERE -- WITH WHAT SHE BELIEVES IS THE STARTING POINT FOR THE UPCOMING FORECAST. AND WHERE WE FIND OURSELVES TODAY, BRIEFING THE CITY COUNCIL WITH -- WITH THE PROCESS, THE KEY DATES. BY THE END OF THIS MONTH, THE CITY MANAGER WILL DEVELOP THE FRAMEWORK AND THE DIRECTIVES THAT DEPARTMENTS NEED TO ACTUALLY BEGIN THE PREPARATION OF THE FINANCIAL FORECAST. SPECIFICALLY, ON DECEMBER -- ON JANUARY 31st, DEPARTMENTS WILL DO THE OFFICIAL KICKOFF AND BEGIN THE ACTUAL DEVELOPMENT OF THE FIVE-YEAR FORECAST. ALSO IN JANUARY, WE HAVE STARTED THESE INITIATIVES AS A CONTINUATION OF THE INNOVATIONS INITIATIVE. AS YOU RECALL DURING THIS LAST BUDGET PROCESS, THE WORKFORCE CAME THROUGH LIKE THEY ALWAYS DO. WE HAD NEARLY 4,000 IDEAS, 1999 VACATION IDEAS, EFFICIENCY IDEAS -- 4,000 INNOVATION IDEAS, THAT GENERATED FOR THE CITY BUDGET ABOUT \$10,000 WORTH OF REVENUE OPPORTUNITIES AND EXPENDITURE REDUCTIONS, EFFICIENCIES. WE ARE CONTINUING THAT PROCESS. YOU MAY ALSO RECALL TWO BUDGETS AGO THE CITY MANAGER DIRECTED A VERY COMPREHENSIVE REVIEW OF ALL OF OUR REVENUES, OUR REVENUE INITIATIVE. THIS MONTH WE HAVE KICKED THAT PROCESS OFF AGAIN. LOOKING AT ALL REVENUES, LOOKING AT OUR FEE STRUCTURES, CHECKING FOR OPPORTUNITIES

THAT WE MIGHT HAVE AND SO THAT PROCESS HAS BEGUN IN THIS MONTH. TWO YEARS AGO, WHEN WE DID THIS PROCESS, WE GENERATED 1.6 MILLION IN ONGOING REVENUES, SO IT'S SOMETHING THAT DEFINITELY IS VERY BENEFICIAL FOR US. IN FEBRUARY, SPECIFICALLY FEBRUARY 5th, THE REPORT ON THE ECONOMIC UPDATE THAT THE CITY MANAGER DISCUSSED, IN THE NEXT SESSION OF THIS PRESENTATION WE WILL GO TO MORE SPECIFICS OF THAT FORMAT. IN THE MONTH OF MARCH WE BEGAN TO WRAP UP THE INNOVATIONS AND INITIATIVES TO DEVELOP THE RECOMMENDATIONS TO PROVIDE, TO DETERMINE WHICH ONES WILL BE INCLUDED IN THE YUCH COMING FORECAST OR THE PROPOSED BUDGET. ALSO DURING THIS TIME FRAME, CITY MANAGER -- THE DEPARTMENTS ARE COMPLETING THEIR FINANCIAL FORECAST, THEIR FIVE-YEAR FINANCIAL FORECAST AND SUBMIT THAT TO THE BUDGET OFFICE FOR REVIEW AND THEN SUBMIT IT TO THE CITY MANAGER AND HER TEAM. DURING THIS TIME FRAME, CITY MANAGER, THE EXECUTIVE TEAM, IS SCRUTINIZING EVERY FORECAST, ALL OF THE ASSUMPTIONS, EVERYTHING INCLUDED TO DEVELOP WHAT WE BELIEVE IS THE BEST FINANCIAL PICTURE BASED ON THE CURRENT ENVIRONMENTAL CONDITIONS AND THE OPERATIONAL ISSUE THAT'S WE ARE AWARE OF. SPECIFICALLY ON APRIL 15th WE WILL PRESENT THAT FINANCIAL FORECAST TO THE CITY COUNCIL FOR THEIR REVIEW. AND WHAT YOU MIGHT NOTE THERE IS THAT THAT IS EARLIER THAN IN PRIOR YEARS. WE NORMALLY DO THIS IN EARLY -- IN EARLY MAY. BUT THERE'S A COUPLE OF REASONS FOR THAT. ONE, IT DOES PROVIDE THE COUNCIL MORE TIME TO ANALYZE THE FINANCIAL PICTURE THAT THE CITY MANAGER HAS PRESENTED, BUT ALSO IT WILL PROVIDE THE MANAGER AND THE DEPARTMENTS MORE TIME TO BEGIN THE DEVELOPMENT OF THE DRAFT POLICY BUDGET. WHICH ALSO IS A CHANGE FROM THE LAST COUPLE OF YEARS. WE HAVE BROUGHT BACK OR REINSTITUTED THE PRACTICE OF A DRAFT POLICY BUDGET. BASICALLY THE DRAFT POLICY BUDGET PROVIDES YOU A -- A MORE NARROW LOOK AT WHERE WE ARE ON THE UPCOMING BUDGET. GIVES YOU AN OPPORTUNITY TO SEE THE -- THE SIGNIFICANT POLICY ISSUES THAT THE CITY MANAGER HAS HIGHLIGHTED FOR YOU AND SOME OF THE ACTIONS THAT SHE IS PROPOSING OR CONSIDERING FOR

THE UPCOMING BUDGET. GIVES YOU THE OPPORTUNITY TO GIVE US SPECIFIC FEEDBACK FOR THE PROPOSED BUDGET. THAT DOCUMENT WILL BE PRESENTED TO THE CITY COUNCIL ON MAY 28th. ALSO IN MAY YOU WILL NOTICE THAT WE WILL DO THE SECOND ECONOMIC UPDATE ON MAY 6th. DURING THE MONTHS OF JUNE AND JULY, THE DEPARTMENTS ARE WORKING TO BUILD OFF OF THE DRAFT POLICY BUDGET THAT WE JUST SUBMITTED TO YOU. WORKING AGAIN OFF OF THAT DRAFT POLICY BUDGET AND INCORPORATING ANY FURTHER CHANGES THAT THE CITY MANAGER SEES THAT WE NEED TO INCORPORATE. BY JULY 29th THE CITY MANAGER WILL SUBMIT HER PROPOSED BUDGET AND ONE THING THAT I DID NOT NOTE ON THESE SLIDES, BECAUSE IT BASICALLY HAPPENS -- IT'S HAPPENING NOW AND IT HAPPENS THROUGHOUT THE ENTIRE PROCESS, ARE THE VARIOUS MEETINGS, THE TOWN HALL MEETINGS THAT THE CITY MANAGER HOLDS. NEIGHBORHOOD MEETINGS, MEETINGS WITH BOARDS AND COMMISSIONS, STAKEHOLDER MEETINGS, EMPLOYEE WORK GROUP MEETINGS. IN ADDITION TO THAT, DEPARTMENTS ALSO HAVE STAKEHOLDER MEETINGS. THOSE AREN'T LISTED HERE, BUT I DO WANT TO HIGHLIGHT THAT THAT HAPPENS THROUGHOUT THE ENTIRE PROCESS, TO [INDISCERNIBLE] FEEDBACK, KEEP THEM INFORMED. THEN WE GO BACK TO AUGUST AND SEPTEMBER. THAT'S THE TIME WHEN WE DO OUR BUDGET PRESENTATIONS, OUR DISCUSSIONS OF KEY ISSUES. PUBLIC HEARINGS. WE END THE PROCESS WITH AMENDMENTS BY THE CITY COUNCIL AND FINAL READINGS IN SEPTEMBER. ALSO IN AUGUST WE WILL PROVIDE THE CITY COUNCIL THE THIRD ECONOMIC UPDATE. THAT'S A VERY QUICK REVIEW OF THE PROCESS. I WOULD LIKE TO MOVE OVER TO THE FORMAT OF THE ECONOMIC REPORT THAT WE WILL BE PROVIDING YOU. I QUICKLY REVIEWED THROUGH THIS PRESENTATION, WE ARE SCHEDULED BEFORE THE APPROVAL OF THE 2005 BUDGET, WE ARE SCHEDULED TO PROVIDE YOU WITH THREE ECONOMIC UPDATES. AND AS YOU CAN IMAGINE, AND AS WE ALL HEAR, THERE'S JUST A LOT MORE INFORMATION THAT WE -- THAN WE COULD EVER REPORT ON, WHAT WE HAVE DONE IS DEVELOPED A FORM HAS THE THAT WE HOPE CAN BE INFORMATIVE AND BENEFICIAL FOR YOUR REVIEW AND DECISION MAKING. WE HAVE NARROWED THAT DOWN TO SOME OF THE KEY

NATIONAL INDICATORS THAT YOU SEE THERE, GROSS DOMESTIC PRODUCT, A NATIONAL NUMBER THAT ALSO CAN BE TRANSLATE INTO A STATE LEVEL. CONSUMER CONFIDENCE, WHICH IS VERY KEY TO THE ECONOMIC ENVIRONMENT THAT WE ALL LIVE IN. CONSUMER SPENDING IS ABOUT TWO-THIRDS OF THE NATIONAL ECONOMY, CONSUMER CONFIDENCE INDEX GIVES US [INDISCERNIBLE] OF WHERE CONSUMERS ARE. FINALLY UNEMPLOYMENT RATE BOTH ON A NATIONAL AND STATE LEVEL. HOWEVER THE FOCUS, THE PRIMARY FOCUS OF OUR ECONOMIC UPDATES WILL BE THE LOCAL INDICATORS THAT WE ARE ALL AWARE OF THAT MEAN A LOT MORE TO US. YOU SEE THERE A LISTING OF THOSE. THE FIRST ONE CLEARLY, WHEN EVERYONE TALKS ABOUT ECONOMIC DEVELOPMENT, ONE OF THE KEY THINGS JOB IS JOBS. WE WILL PROVIDE YOU WITH AN UPDATE OF THE LOCAL AREA EMPLOYMENT GROWTH. IN ADDITION TO THAT, SIMILAR TO CONSUMER CONFIDENCE INDEX, WE WILL PROVIDE YOU WITH THE ACTIVITY OF SALES TAX REVENUES. IT'S A LITTLE BROADER THAN JUST CONSUMERS, BECAUSE THAT WOULD INCLUDE EXPENDITURES BY THE COMMERCIAL AND PRIVATE SECTORS. THE -- THE NEXT TWO INDICATORS ARE MORE OF AN INDICATION OF WHERE WE ARE BUSINESS-WISE AND TOURISM-WISE, SO WE WILL PROVIDE YOU AN UPDATE ON BED TAX REVENUES AND AIRPORT PASSENGER COUNTS. FINALLY, WE WILL GIVE YOU THREE INDICATORS THAT WILL PROVIDE FOR YOU AN IDEA OF WHERE WE ARE ON A DEVELOPMENT AND GROWTH BY GIVING YOU AN UPDATE ON BUILDING PERMITS ISSUED, SITE PLANS THAT ARE BEING REVIEWED AND OUR UTILITY CUSTOMER ACCOUNTS. THE NEXT PART OF THE ECONOMIC DEVELOPMENT UPDATE WILL BE A FOCUS ON WHAT ALL THIS MEANS TO OUR ECONOMIC DEVELOPMENT POLICIES AND THE ACTIVITY THAT'S GOING ON THERE. FOR THAT SECTION I'M GOING TO TURN IT OVER TO SUE EDWARDS.

THANK YOU, RUDY. MAYOR AND COUNCIL, IN CONJUNCTION WITH THE QUARTERLY REPORT THAT THE BUDGET OFFICE WILL BE PROVIDED, THE ECONOMIC GROWTH AND REDEVELOPMENT SERVICES OFFICE WILL BRING YOU A BRIEFING ON THE QUARTERLY ACTIVITY THAT RELATES TO THE CITY'S ECONOMIC DEVELOPMENT POLICY. OUR FOCUS

EACH QUARTER, AS THE CITY MANAGER HAS MENTIONED, WILL BE ON ONE OF THE THREE POLICY AREAS. RECRUITMENT AND RETENTION OF COMPANIES AND JOB CREATION; SMALL BUSINESS AND ENTREPRENEURIAL DEVELOPMENT AND CULTURAL VITALITY. WE WILL ALSO INCLUDE WHEN APPROPRIATE A STATUS UPDATE ON PROJECTS THAT WE MAY BE WORKING WITH IN CONJUNCTION WITH ALL OF THE CHAMBER OF COMMERCE, EVENTS RELATED TO ECONOMIC DEVELOPMENT AND ANNOUNCEMENTS OF NEW COMPANIES OR BUSINESSES LOCATE IN THIS THE AUSTIN AREA. IN ADDITION, EACH QUARTER WE WILL BE SHOWCASING ONE OF OUR ECONOMIC DEVELOPMENT PARTNERS. WE VIEW ECONOMIC DEVELOPMENT PARTNERS AS THOSE ORGANIZATIONS AND ENTITIES IN THE COMMUNITY WHOSE ACTIVITIES SUPPORT OR AUGMENT THE CITY'S GOALS IN ONE OR MORE OF OUR THREE POLICY AREAS, TRADITIONAL RECRUITMENT AND RETENTION, SMALL BUSINESS AND ENTREPRENEURSHIP, CULTURAL VITALITY IN THE CREATIVE ECONOMY. WITH THAT IN MIND, I WOULD LIKE TO INTRODUCE OUR NEXT PRESENTATION. AUSTIN WAS SELECTED BY THE PERFORMING ARTS RESEARCH COALITION AS ONE OF TEN CITIES NATIONWIDE TO SERVE IN A PILOT STUDY ON THE ARTS. WE WILL HEAR TODAY SOME OF THE RESULTS OF THAT STUDY FROM REPRESENTATIVES OF THE PERFORMING ARTS RESEARCH COALITION IN WASHINGTON D.C. THE RESULTS OF THIS STUDY PROVIDE DATA THAT WILL HELP THE CITY SHAPE POLICY AND ENABLE US TO DESIGN BETTER PROGRAMS AND SERVICES. TO ASSIST IN ANALYZING THIS DATA, THE AUSTIN ARTS COALITION HAS ASKED JOHN HAUKENOSE WITH TEXAS PERSPECTIVES TO ANALYZE THE IMPACT OF THE PERFORMING ARTS ON THE AUSTIN ECONOMY. WE THINK THIS IS VERY IMPORTANT. IT IS ALSO IMPORTANT, I THINK, TO RECOGNIZE WITHOUT THE LEADERSHIP AND DEDICATION OF INDIVIDUALS LIKE COOKIE RUIZ, THE EXECUTIVE DIRECTOR OF BALLET AUSTIN AND OTHER MEMBERS OF THE ARTS COALITION, AUSTIN WOULD NOT HAVE RECEIVED THIS HONOR OF BEING SELECTED FOR THE PERFORMING ARTS RESEARCH PROJECT. THIS IS AN EXAMPLE OF A TRULY COLLABORATIVE UNDERTAKING BY MEMBERS OF AUSTIN'S PERFORMING ARTS COMMUNITY. I WOULD LIKE TO INTRODUCE TO YOU MARK SCORTHA

PRESIDENT AND C.E.O. OF OPERA AMERICA, THE LEAD AGENCY OF FIVE NATIONAL SERVICE ORGANIZATIONS WHO ARE RESPONSIBLE FOR THIS PROJECT. AND MARY KACHINSKI AND MARK HAGER FROM THE URBAN INSTITUTE, THE PROJECT'S RESEARCH PARTNER AND A LEADING NON-PROFIT RESEARCH ORGANIZATION LOCATED IN WASHINGTON D.C. AND MARK, WITH THIS I WILL PRESENT -- I WILL TURN THIS PRESENTATION OVER TO YOU.

THANK YOU VERY MUCH AND THANK YOU SO MUCH FOR WELCOMING US TODAY. THE PERFORMING ARTS RESEARCH COALITION IS INDEED A -- AN HISTORIC COLLABORATION AMONG FIVE NATIONAL ARTS SERVICES ORGANIZATIONS. THE ARTS TRADITIONALLY WORK IN THEIR OWN ARTISTIC AREAS, THE DANCE SERVICE ORGANIZATIONS, DANCE COMPANIES, THE OPERA AMERICA WHICH I REPRESENT WITH THE OPERA COMPANIES. BUT WE REALIZED THAT WE WOULD NOT BE ABLE TO TALK IN FRONT OF CITY COUNCILS LIKE THE ONE HERE IN AUSTIN TODAY ABOUT THE OVERALL IMPACT OF THE ARTS WITHOUT THE VALUE ITS CITIZEN ASCRIBE TO THE ARTS UNLESS WE WORK TOGETHER. SO WE SECURED A 2.7 BILLION DOLLAR GRANT FROM THE PUGH CHARITABLE TRUST BASED IN PHILADELPHIA TO CONDUCT RESEARCH ABOUT THE PATTERNS OF ARTS ATTENDANCE AND SPECIALLY THE VALUE THAT CITIZENS HAVE FOR ARTS IN THEIR COMMUNITY, THE AMERICAN SYMPHONY ORCHESTRA LEAGUE, THE PERFORMING ARTS ... THEATER COMMUNICATIONS GROUP. WE HOPE THROUGH ALL OF THIS TO REVEAL OUR CENTRALITY TO A VITAL COMMUNITY, OUR IMPORTANCE AS AN ECONOMIC STIMULUS, ESPECIALLY PERHAPS WITH SALES TAX AND OTHER KINDS OF REVENUE GENERATION AND ABOVE ALL TO HOPE TO PROVE THAT THE ARTS THEMSELVES ARE AN ESSENTIAL SERVICE IN YOUR SPECIFIC AGENDA. ON THE NEXT SLIDE, THE -- THE PURPOSE ONCE AGAIN TO LOOK AT THE WAY WE AS A SECOND SECTOR COMBINE IN AN AGGREGATE FASHION TO ENRICH THE LIFE OF COMMUNITY. THE PROJECT DID WORK IN AUSTIN TO PRODUCE USEFUL FINDINGS. MY COLLEAGUE MARK HAGER WILL REPORT ON THOSE FINDING. THE REAL PURPOSE WAS TO DEVELOP THE CAPACITY, TO DEVELOP A MODEL FOR DOING THIS KIND OF CROSS DISCIPLINARY RESEARCH IN OTHER CITIES AND IN THIS CITY IN THE

FUTURE. WE HAD NEVER DONE THIS BEFORE, WE WANTED TO CREATE A PATHWAY THAT OTHERS WOULD BE ABLE TO FOLLOW. WE HAD SEVERAL DIFFERENT KINDS OF SURVEYS, A REPORT ON ONE TODAY. THE FIRST SURVEY THAT WE DID WAS AUDIENCE SURVEYS, CLIP BOARDS AT HUNDREDS OF PERFORMANCES WHERE PEOPLE WHO WERE ATTENDING THE PERFORMANCE COULD TELL US WHAT THEY THOUGHT OF THE EXPERIENCE. WE MAILED SUBSCRIBER SURVEYS TO THOSE PEOPLE WHO A A DEEPER SUBSCRIBER RELATIONSHIP WITH PARTICIPATING ARTS ORGANIZATIONS. THE SURVEY REPORTING ON ON TODAY WAS A HOUSEHOLD SURVEY, IT WENT TO 800 SOME HOUSEHOLD, INCLUDING ATTENDERS AND NON-ATTENDERS CONDUCTED BY PRINCETON RESEARCH. YOU WILL HEAR ABOUT THOSE FINDINGS AS WE GO. OUR CONTRACTOR WAS THE REALLY FANTASTIC URBAN INSTITUTE IN WASHINGTON D.C. WHO DESIGNED NOT ONLY THE METHODOLOGY BUT ALSO THE SURVEY MECHANISM THAT'S WE USED AT ALL THREE LEVELS. THE FULL 10 CITY REPORT WILL BE UNVEILED IN JUNE AT THE NATIONAL PERFORMING ARTS CONVENTION. THE THIRD OF MY FOURTH SLIDES INDICATES THE CITIES THAT WE HAVE WORKED WITH IN THIS SECOND ROUND. THE RED ON THE MAP IS THE STATES WHERE THOSE CITIES ARE IN TEXAS, AUSTIN ITS CAPITOL. YOU WILL SEE ST. PAUL AND MINNEAPOLIS, MINNESOTA, BOSTON, MASSACHUSETTS, A TYPE KNEE RED DOT OVER WASHINGTON D.C. AND SARASOTA FLORIDA. I'M GOING TO TAKE 30 SECONDS TO TELL YOU ABOUT WHY AUSTIN. KEEP IN MIND THAT OUR ARTS ORGANIZATIONS ARE 1418 COMMUNITIES ACROSS THE UNITED STATES. WE CHOSE AUSTIN AS ONE OF THE 10 BECAUSE OF THE FACT THAT YOU HAVE ALL FIVE DISCIPLINES REPRESENTED IN THIS CITY. ON A NATIONAL LEVEL YOUR ARTS ORGANIZATIONS ARE PERCEIVED TO BE STRONG. TO HAVE A STRONG RELATIONSHIP WITH THEIR NATIONAL SERVICE ORGANIZATIONS. TO HAVE AN INHERENTLY GOOD RELATIONSHIP AMONG THEMSELVES. IN YOUR A CITY WITH A GOOD FILL THOP PICK COMMUNITY THAT MIGHT SUPPORT FURTHER RESEARCH AND THE ORGANIZATIONS THEMSELVES WERE WILLING TO ENGAGE IN THIS DEMANDING AND RIGOROUS STUDY THAT LASTED FOR THREE YEARS. THE FACT THAT AUSTIN WAS SELECTED AT ALL IS REALLY A VERY POSITIVE REFLECTION OF YOUR

STATURE IN THE NATIONAL ARTS COMMUNITY. THE ORGANIZATIONS THEMSELVES -- WE HAD TO START SOMEPLACE. WE BEGAN WITH THE PERFORMING ARTS COALITION, WE WORKED WITH THE MEMBERS OF THE NATIONAL SERVICE ORGANIZATIONS BASED HERE IN AUSTIN. SEVERAL OF THE MEMBERS OF THE NATIONAL SERVICE ORGANIZATIONS DID NOT FEEL THEY COULD HAVE PARTICIPATE UNDERSTAND THE PROJECT BECAUSE OF THE DEMAND ON -- PARTICIPATED IN THE PROJECT BECAUSE OF THE DEMAND ON STAFF AND JUST THE EFFORT TO MAKE IT ALL WORK. THESE ARE THE GROUPS THAT PARTICIPATED. THEY WERE A FANTASTIC TEAM, CONTINUE TO BE, I THINK THAT YOU WILL SEE A VERY IMPORTANT RESULTS FROM THE USE OF THE RESEARCH IN THE FUTURE. BUT TO TELL YOU ABOUT THE FINDINGS, MY COLLEAGUE FROM THE URBAN INSTITUTE, MARK HAGER.

THANK YOU, MARK, THANK YOU COUNCIL, I WANT TO REITERATE THAT I COME FROM AN INDEPENDENT NON-PROFIT RESEARCH ORGANIZATION IN WASHINGTON D.C. AND I'M NOT SELF INTERESTED IN THE FINDINGS THAT WE HAVE IN AUSTIN. THAT SAID, THE FINDINGS INDICATE A VERY -- VERY ENGAGED PUBLIC THAT HAS VERY POSITIVE ATTITUDES TOWARDS THE PERFORMING ARTS IN THE COMMUNITY. WE CONDUCTED RESEARCH IN AUSTIN BY -- BY TELEPHONING A LITTLE OVER 800 AUSTIN AREA RESIDENTS IN THE LAST QUARTER OF 2002. AND THIS INCLUDED AUTO BROAD CROSS-SECTION OF FOLKS THAT WERE PERFORMING ARTS ATTENDERS, A LARGE CHUNK OF FOLKS THAT HAVE NOT OR HAD NOT IN THE 12 MONTHS PRIOR TO THE POINT THAT WE CONTACTED THEM. THE RESULTS OF THIS WORK ARE WHAT WE WANT TO SHARE WITH YOU VERY BRIEFLY TODAY. MUCH MORE OF IT HAS BEEN RELEASED PUBLICLY IN A DOCUMENT THAT'S AVAILABLE AT SEVERAL WEBSITES THAT WE CAN ADVERTISE TO YOU. IT HAS ALSO BEEN THE SUBJECT OF SEVERAL DISCUSSIONS TODAY AND COVERED BY YOUR LOCAL NEWSPAPER AND SEVERAL OF YOUR TELEVISION STATIONS. WE WANT TO TALK WITH YOU ABOUT REAL BRIEFLY AN OVERVIEW OF THE RESEARCH. WHAT'S COMING UP HERE. WE TALKED WITH YOUR POPULATION ABOUT FOUR DIFFERENT KINDS OF AREAS. WE WANT TO KNOW ABOUT THEIR ATTENDANCE, PARTICIPATION

IN ARTS EVENT. WE WANTED TO KNOW ABOUT THEIR -- HOW THEY VALUE THE ROLE OF PERFORMING ARTS IN THEIR PERSONAL LIVES. THIRDLY, ABOUT HOW THEY FELT ABOUT THE ROLE OF THE PERFORMING ARTS IN THE BROADER COMMUNITY AND FOURTHLY WE ASKED THEM ABOUT CERTAIN THINGS THAT KEEP THEM FROM GETTING OUT TO THE PERFORMING ARTS MORE OFTEN THAN THEY DO. A COUPLE OF EXEMPLARY FINDINGS. FIRST REGARDING ATTENDANCE, WE FOUND THAT 73% OF THE PEOPLE IN THE AUSTIN AREA HAD BEEN TO A LIVE PERFORMING ARTS EVENT IN THE LAST 12 MONTHS. WE FOUND THAT THE AUDIENCE MEMBERS WERE EGALITARIAN. ONE COMMON ARGUMENT THAT WE HEAR IS THAT ONLY THE RICH PEOPLE GET OUT TO THE PERFORMING ARTS EVENTS. WE FOUND THIS NOT TO BE THE CASE IN AUSTIN. THIS SLIDE INDICATES LITTLE TO NO RELATIONSHIP BETWEEN ONE'S HOUSEHOLD INCOME LEVEL AND THE LIKELIHOOD THEY GOT OUT TO THE PERFORMING ARTS EVENTS. IN SHORT PEOPLE IN LOW INCOME HOUSEHOLDS ARE JUST AS LIKELY TO GET OUT AS PEOPLE FROM HIGHER HOUSEHOLD INCOMES. NEXT A SECOND POPULAR MYTH REGARDING THE AGE OF PEOPLE. WE FREQUENTLY HEAR FROM WHERE WE ARE AT THAT THERE'S A GRAYING OF THE PERFORMING ARTS POPULATION, ONLY OLDER PEOPLE GET OUT TO THE EVENTS. WE FIND THAT'S VERY CLEARLY NOT TO BE THE CASE IN AUSTIN. IT'S A VIBRANT GROUP OF PEOPLE, POPULATED MOSTLY BY YOUNGER PEOPLE. IN FACT WE FOUND THAT THE PEOPLE THAT ARE 25 YEARS AND UNDER REPRESENTED IN OUR STUDY WERE THE GROUP THAT WERE MOST LIKELY TO BE FREQUENT ATTENDERS OF THE PERFORMING ARTS. THE SECOND GROUP IN THE RESPONSE WERE THE VALUE THAT'S THEY PLACE ON THE PERFORMING ARTS, HOW MUCH THEY FELT THE PERFORMING ARTS PLAYED A VALUE IN THEIR LIVES. WE ASKED THEM THE EXTENT TO WHICH THEY FOUND IT ENJOYABLE, THOUGHT PROVOKING, WHETHER IT HELPED THEM TO UNDERSTAND OUR CULTURES, A GOOD SOCIAL INDICATION, EARN COUNSELED THEM TO BE CREATIVE OR MORE CONNECTED TO TO THE COMMUNITY. WE FIND ALL SIX ITEMS OVERWHELMING A POSITIVE -- POSITIVE ATTITUDES, AGREEMENT OR AT LEAST SOMEWHAT AGREEMENT ON THESE ITEMS. WE THINK IT'S IMPORTANT TO POINT OUT

THAT THERE WAS SOME VARIATION, THOUGH, IN TERMS OF WHO RESPONDED POSITIVELY TO THESE ITEMS. THE FIFTH ITEM THAT I REFERRED TO YOU HAD TO DO WITH THIS FEELING OF CREATIVITY THAT THE PERFORMING ARTS INVOKE IN PEOPLE. TO THAT EXTENT THE CONNECTION BETWEEN THE PERFORMING ARTS AND THE GREATER CREATIVE CULTURE OF THE AUSTIN AREA. WE FOUND PEOPLE FROM LOWER INCOME HOUSEHOLDS WERE MORE LIKELY TO ASSOCIATE THE PERFORMING ARTS WITH CREATIVENESS IN THEIR OWN LIVES. WE ALSO FOUND THAT YOUNGER AUSTINITES WERE MORE LIKELY TO ASSOCIATE THEIR PERFORMING ARTS WITH CREATIVITY IN THEIR LIVES. SO WE BELIEVE THAT THE PERFORMING ARTS FULFILL A UNIQUE NICHE IN THE CREATIVE CULTURE OF AUSTIN THAT CATERS PARTICULARLY WELL TO LOWER INCOME HOUSEHOLDS AND YOUNGER AUSTINITES AND -- IN INJECTING A SENSE OF CREATIVITY INTO THEIR LIVES. LASTLY WE ASKED RESPONSE ABOUT THE STEFNT TO WHICH THEY FELT THE PERFORMING ARTS WERE VALUABLE TO THEIR COMMUNITY. WE ASKED ABOUT A NUMBER OF ITEMS, FOUR OF WHICH ARE REPRESENTED HERE, THE EXTENT TO WHICH PEOPLE FELT THE PERFORMING ARTS IMPROVED THE QUALITY OF LIFE IN THE GREATER AREA, PROMOTED UNDERSTANDING OF OTHER PEOPLE, DEVELOPMENT OF CHILDREN OR CONTRIBUTES TO THE ECONOMY OF THE GREATER AUSTIN AREA. WHAT WE FIND HERE IS AGAIN OVERWHELMING SUPPORT, PEOPLE FEEL STRONGLY AGREEING OR SOMEWHAT AGREEING WITH THE STATEMENTS THAT THE PERFORMING ARTS, WHETHER THEY ARE ATTENDERS OR NOT, THAT THESE ARE VERY IMPORTANT THINGS FOR THEM. SO THREE QUICK TAKE AWAY POINTS WE WANTED TO SHARE WITH YOU TODAY. FIRST THE PERFORMING ARTS ATTENDANCE CUTS ACROSS DEMOGRAPHIC GROUPS IN AUSTIN, NOT JUST OLDER PEOPLE, IT'S NOT JUST HIGHER INCOME PEOPLE GOING OUT TO PERFORMING ARTS. IT'S SUPPORT FOR THE PERFORMING ARTS, IT'S SUPPORT FOR THE GREATER AUSTIN POPULATION. SECONDLY, AUSTIN AREA RESIDENTS HAVE STRONG, POSITIVE ATTITUDES TOWARDS THE PERFORMING ARTS, THE ROLE THAT THE ARTS AND THE PERSONALIZED IN A BROADER COMMUNITY. PARTICULARLY, THE VALUE OF CREATIVITY IS HELD PARTICULARLY STRONGLY BY YOUNG

PEOPLE AND BY PEOPLE FROM LOWER INCOME HOUSEHOLDS. THIRDLY, POSITIVE ATTITUDES, ESPECIALLY THE VALUE OF THE ARTS AND THE EDUCATION DEVELOPMENT OF CHILDREN CUT ACROSS ALL DEMOGRAPHIC GROUPS. AND IT DOESN'T MATTER WHETHER PEOPLE HAVE CHILDREN OF THEIR OWN. EVEN PEOPLE WHO DO NOT ATTEND, HOLD UNUSUALLY POSITIVE ATTITUDES TOWARDS THE ROLE OF PERFORMING ARTS IN THE COMMUNITY. TO END I JUST WANT TO REITERATE THAT LAST POINT. EVEN THOUGH PEOPLE THAT SAY WE HAVE NOT BEEN TO A PERFORMING ARTS EVENT, A LIVE EVENTS IN THE PAST 12 MONTHS ARE VERY LIKELY TO SAY THE PERFORMING ARTS ARE VALUABLE TO THEM AND THEY BELIEVE THAT THE PERFORMING ARTS ARE VALUABLE TO THE BROADING COMMUNITY, THANK YOU.

THAT CONCLUDES THE PRESENTATION UNLESS YOU HAVE MORE QUESTIONS WIN WIN I HAVE A COUPLE OF QUESTIONS. ON MR. GARZA PRESENTATION, ON THE QUARTERLY ECONOMIC UPDATES THAT WE WILL START RECEIVING ON FEBRUARY 5th, ONE OF THE STATS THAT I WOULD LIKE FOR US TO TRY TO TRACK IS I SEE NEWSPAPER ARTICLES ABOUT IT SPORADICALLY, IT IMPLIES THAT THE INFORMATION IS READILY ACCESSIBLE IS THE NUMBER OF HOME FORECLOSURES IN AUSTIN ON A MONTHLY BASIS. I THINK I READ RECENTLY IT'S ACTUALLY UP TO ON AVERAGE ABOUT 500 HOME FORECLOSURES A MONTH, NOW, WHICH IS ACTUALLY HIGHER THAN IT WAS SEEMINGLY AT THE WORST OF THE MOST RECENT ECONOMIC DOWNTURN. SO IF WE COULD TRY TO KEEP THAT STAT I THINK IT WOULD BE HELPFUL FOR US AS A PERSPECTIVE ON TRUE IMPACT OUT IN THE COMMUNITY.

THAT IS READILY AVAILABLE AND WE CAN PROVIDE THAT.

FURTHER COMMENTS OR QUESTIONS OF STAFF? OR OUR GUESTS? COUNCIL? IF NOT, I WOULD LIKE TO SAY, I COMMEND THE -- THE WORK AND EFFORT THAT WAS MADE ON -- ON BEHALF OF THIS STUDY AND WE -- WE HERE IN AUSTIN ARE FLATTERED TO HAVE BEEN CHOSEN AS PART OF THE STUDY CITIES. WE ARE PROUD OF THE INTUITIVELY WHAT WE KNEW ABOUT OUR LOCAL ARTS GROWN AND ABOUT THEIR RESPECTIVE PATRONS. IT'S ENCOURAGING TO

HAVE THIS OBJECTIVE SERIES OF MEASUREMENTS. I THINK THAT IT WILL SERVE AS A GOOD BENCHMARK FOR US, HOPEFULLY WE WILL HAVE THE ABILITY TO FIGURE OUT HOW TO TRACK AND MAINTAIN THESE SAME STATS AS WE HOPEFULLY GROW OURSELVES OUT OF A DOWNTURN THAT WE HAVE BEEN IN AND PERHAPS EVEN SEE MORE COLLABORATIVE, MORE SYNERGISTIC CULTURAL ARTS VENUES ACROSS OUR COMMUNITY. SO WELCOME TO AUSTIN, THANK YOU FOR THE HONOR, THANK YOU FOR THE WORK AND THE STATES AND I ASSURE YOU THAT WE WILL WORK HARD TO PUT THE NUMBERS TO GOOD USE. AGAIN, THANK YOU.

LET ME DO ONE LAST THING. WE MISSED AN OPPORTUNITY TO INTRODUCE TO THE COUNCIL A NEW STAFF MEMBER THAT'S GOING TO BE SERVING A VERY CRITICAL ROLE, VINCENT I'M GOING TO PUT YOU ON THE SPOT. WILL YOU STAND UP? VINCENT IS, FOR THOSE OF YOU WHO HAVE NOT HAD A CHANCE TO MEET HIM, OUR NEW CULTURAL ARTS MANAGER. HE'S GOING TO BE TAKING ONE OF THOSE THREE LEGS OF THE STOOL IN THE ECONOMIC DEVELOPMENT POLICY THAT WE HAVE BEEN TALKING ABOUT, TAKE THAT VERY DIFFICULT JOB OF TRYING TO BLEND AND COORDINATE ALL OF THE DIFFERENT CULTURAL VERY MUCH YEWES AND HELP US WORK ON THAT CULTURAL VITALITY, CREATIVE COMPONENT OF YOUR POLICY. WELCOME, VINCENT.

THANK YOU.

MAYOR, IF I MIGHT TAKE THE LIBERTY TO SAY, VINCENT IS AT THE OFFICE IN 5:30 IN THE MORNING, DOESN'T LEAVE UNTIL VERY LATE AT NIGHT.

Futrell: MY KIND OF GUY.

HE JUMPED IN WITH ALL TWO LEGS, TWO FEET, AND TWO HANDS AND ARMS AND HE HAS BEEN WORKING DILIGENTLY AS IF THIS WAS VERY NATURAL TO HIM. I AM VERY PLEASED THAT HE IS HERE. THANK YOU.

Mayor Wynn: THANK YOU, MS. EDWARDS. MAYOR PRO TEM?

Goodman: CAN I TAKE THIS OPPORTUNITY TO DO A LITTLE BIT OF REQUESTING FOR INFORMATION.

CERTAINLY.

Goodman: FOR MR. KITS, GOOD TO FINALLY MEET YOU. A LOT OF FOLKS OUT THERE IN THE ARTS COMMUNITIES RECEIVING COPIES OF SOMETHING THAT YOU WANT THEIR PIN PUT BACK -- THEIR INPUT BACK ON. I WOULD LIKE TO RECEIVE THAT AS WELL SINCE THAT INITIATIVE WAS MY GENERATED INITIATIVE AND I WOULD LIKE TO BE IN ON IT. MAKE SURE THAT THE GOALS AND INTEND THAT WE STARTED OFF WITH ARE RETAINED WITH WHAT I HOPE WE ARE MOVING TOWARD, BUT I WOULD LIKE TO CHECK ON IT JUST TO MAKE SURE AND TO INVITE YOU TO COME TALK, I WOULD LIKE TO GET YOUR FEEL ON HOW TO COORDINATE ALL OF THESE THINGS. AS TOBY LISTED THEM OUT, I THOUGHT OF A COUPLE THINGS THAT SHE DIDN'T PUT IN THE LIST THAT OCCURRED TO ME THAT IT'S A PRETTY INTENSE UNDERTAKING FOR ANYBODY. SO I WANTED TO GIVE YOU MORAL SUPPORT AND DO A LITTLE TALKING. BUT IF I COULD GET A COPY OF WHAT'S GOING OUT FOR INPUT, I DEFINITELY WANT YOU TO HAVE MY INPUT, TOO.

ALSO, MAYOR PRO TEM, WE WILL BE BRINGING YOU A BRIEFING PRIOR TO ANY OF THE INFORMATION BEING FINALIZED. SO THAT WE CAN RECEIVE INPUT FROM ALL OF YOU ON WHAT WE THINK IS A REALLY VERY IMPORTANT POLICY. FOR THE CULTURAL ARTS CONTRACTS.

Futrell: ON THE FRONT END, I THINK THAT'S A GOOD POINT. LET'S SET UP A MEETING IN THE MAYOR PRO TEM'S OFFICE AND GO OVER THE GAME PLAN, MAKE SURE THAT WE HAVE GOT THE RIGHT SCOPE OF WORK AND THE MAYOR PRO TEM HAS HAD A CHANCE TO GIVE US FEEDBACK INTO THAT ISSUE. THANKS.

Goodman: I DO APOLOGIZE FOR NOT MEETING EARLIER. THE OPPORTUNITY BEFORE WE SIGNED THEM ON WAS ON A THURSDAY. SO I MISSED THAT.

Futrell: VINCE SOLD ME WHEN I ASKED HIM WHY HE WANTED THIS JOB, HE SAID WHO WOULDN'T WANT TO COME TO

AUSTIN. I THOUGHT OKAY YOU'VE GOT JOB. THANKS AGAIN Y'ALL.

Mayor Wynn: YES, THANK YOU.

Futrell: THANK YOU GUYS.

Mayor Wynn: THERE BEING NO OTHER ITEMS FOR US TO TAKE UP BEFORE OUR 3:00 AHFC TIME CERTAIN, I WILL ANNOUNCE THAT THE COUNCIL WILL GO BACK INTO EXECUTIVE SESSION FOR CLOSED SESSION UNDER SECTION 551.074 OF THE OPEN MEETINGS ACT TO DISCUSS PERSONNEL MATTERS ON AGENDA ITEM 30 RELATED TO THE APPOINTING THE PRESIDING AND ASSOCIATE JUDGES AND ENTIRE SLATE OF JUDGES FOR OUR MUNICIPAL COURT 2004-2005 JUDICIAL TERM. WE ARE NOW IN EXECUTIVE SESSION. THANK YOU.

IS.

TEST TEST TEST TEST TEST AND HEAND HE WAS AND HE WAS EVER

WE RECEIVED PRIVATE CONSULTATION UNDER SECTION 551.074 PERSONNEL ISSUES OF THE OPEN MEETINGS ACT, NO DECISIONS WERE MADE. HOWEVER, I ENTERTAIN -- THE ITEM IN CLOSED SESSION WAS REGARDING ITEM NO. 30, WHICH IS THE PERSONNEL ISSUES RELATED TO OUR MUNICIPAL COURT JUDGES. WITH THAT, I WILL ENTERTAIN A MOTION ON ITEM NO. 30.

Goodman: MAYOR?

Mayor Wynn: MAYOR PRO TEM?

Goodman: I WILL MOVE THAT WE POSTPONE ACTION FOR THREE WEEK.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER ALVAREZ TO POSTPONE ITEM NO. 30 UNTIL THURSDAY, FEBRUARY 5th, 2004. FURTHER DISCUSSION? SEVERAL FOLKS HAVE SIGNED UP TO SPEAK ON ITEM NO. 30, WE WILL HOLD THESE CARDS AND

CARRY THEM OVER AND OF COURSE ALLOW MORE FOLKS TO SIGN UP IF THEY WANT TO ON FEBRUARY 5th. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. WE WILL TALK UP OUR 3:00 TIME CERTAIN, THE AUSTIN HOUSING FINANCE CORPORATION, I WILL RECESS THE MEETING OF THE AUSTIN CITY COUNCIL AND CALL TO ORDER THE MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION. WELCOME MR. PAUL HILGERS.

THANK YOU, MAYOR, I'M PAUL HILGERS EXECUTIVE DIRECTOR OF THE AUSTIN HOUSING FINANCE CORPORATION, TWO ITEMS BRIEFLY FOR YOU TODAY. FIRST IS AHFS 1 TO APPROVE THE MINUTES OF THE SEPTEMBER 8th AND SEPTEMBER 25th BOARD MEETINGS OF THE AUSTIN HOUSING FINANCE CORPORATION. FINANCE CORPORATION. MOTION MADE BY BOARD MEMBER DUNKERLY, I WILL SECOND THAT TO APPROVE AHFC ITEMS -- ITEM 1. WHICH IS APPROVAL OF THE COMMENTS. ANY COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0.

THANK YOU, MR. PRESIDENT. THE AHFC ITEM NO. 2 IS TO CONDUCT A PUBLIC HEARING FOR PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING THE ISSUANCE OF UP TO \$78 MILLION OF MULTI-FAMILY NON-RECOURSE REFUNDING BONDS TO REFINANCE THE STASSNEY WOODS APARTMENTS AT 1800 EAST STASSNEY LANE, AUSTIN, TEXAS TO BE OWNED AND OPERATED BY MID AMERICA APARTMENT, COMMUNITIES, INCORPORATED. THE PRIMARY PURPOSELY BE TO PRESERVE THE SUPPLY OF REASONABLY PRICED RENTAL HOUSING MEETING THE NEEDS OF FAMILIES WITH INCOMES BELOW 80% OF MFI, FOLLOWING THE PUBLIC HEARING REQUIRED TO MEET THE TAX EQUITY AND FINANCING ACT OF -- THE AHFC BOND TEAM WILL STRUCTURE THE TRANSACTION AND BRING IT BACK TO THE BOARD FOR CONSIDERATION AND APPROVAL FOR THE ISSUANCE OF UP TO \$7 MILLION OF REFUNDING MULTI-FAMILY NON-RECOURSE BONDS IN TIME TO CLOSE THE

TRANSACTION OF MARCH 1st, 2004. THERE IS NO ACTION SCHEDULED TODAY, WE DO NEED TO OPEN FOR PURPOSES TO RECEIVE ANY COMMENTS THAT MAY BE COMING FROM THE PUBLIC AS REQUIRED BY THE TEFA RULES.

Mayor Wynn: NO CITIZENS SIGNED UP FOR THAT. ANY CITIZENS THAT WOULD LIKE TO SPEAK ON THIS ITEM. THE AUSTIN HOUSING FINANCE CORPORATION AGENDA ITEM NO. 2 REGARDING THE \$7 MILLION MULTI-FAM THE \$7 MILLION MULTI-FAM ILY NON-RESOURCE REFUNDING BONDS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE., I WILL EMMITT OBTAINERMAIN A MOTION TO CLOSE. ALL IN FAVOR.

AYE. OPPOSED? MOTION TO CLOSE PASSES ON A VOTE OF 7-0.

THAT'S ALL OF THE BUSINESS BEFORE THE FINANCE CORPORATION TODAY. THANK YOU.

WITH THAT I WILL ENTERTAIN A MOTION TO ADD SCROWRP THIS MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION.

SO MOVE.

MOTION MADE BY BOARD MEMBER DUNKERLY, I WILL SECOND THAT. ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

THANK YOU. I WILL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE WILL NOW TAKE UP OUR 4:00 TIME CERTAIN ZONING CHEARTION AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS AND I WILL RECOGNIZE MS. ALICE GLASGO.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, ALICE GLASGO, DIRECTOR OF THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT, OUR ZONINGS CASES ARREST FOLLOWS. WE WILL START OFF WITH THE SECOND AND THIRD READING CASES WHERE THE PUBLIC HEARING HAS BEEN CLOSED. TWO OF THEM FOR TODAY STARTING OFF

WITH NUMBER 42, C14-03-152 TO APPROVE SECOND AND THIRD READINGS OF AN ORDINANCE THAT ZONES PROPERTY LOCATED AT THE INTERSECTION OF STATE HIGHWAY 71 EAST AND THE -- WITH SPIRIT OF TEXAS DRIVE. THE CHANGE IN ZONING IS FROM INTERIM RURAL RESIDENTIAL TO G.R.-C.O. WHICH STANDS FOR COMMUNITY COMMERCIAL CONDITIONAL OVERLAY, IT'S READY FOR YOUR APPROVAL. ITEM NO. 43, C14-03-153, IS TO APPROVE SECOND AND THIRD READINGS FOR -- OF AN ORDINANCE ZONING PROPERTY LOCATED AT 2031 STATE HIGHWAY 71 EAST. THE CHANGE IN ZONING IS FROM INTERIM RURAL RESIDENTIAL TO G.R.-C.O., WHICH STANDS FOR COMMERCIAL, COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. THIS CASE IS READY FOR YOUR APPROVAL AND THAT CONCLUDES THE ITEMS UNDER THE 4:00 NON-PUBLIC HEARING.

Mayor Wynn: THE FIRST CONSENT AGENDA WILL BE ITEMS NUMBER 42 ON SECOND AND THIRD READINGS AND ITEM NO. 43 ON SECOND AND THIRD READINGS. WE HAVE -- WE HAVE NO CITIZENS SIGNED UP WISHING TO SPEAK. I WILL ENTERTAIN A MOTION.

MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER THOMAS TO APPROVE ON SECOND AND THIRD READINGS, ITEM NO. 42 AND 43, TODAY'S FIRST CONSENT AGENDA. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0.

WELL, THAT TAKES US TO PUBLIC HEARING ITEMS. WHICH STARTS OFF WITH ITEM NO. Z-1, THIS IS A -- A REQUEST TO AMEND THE MONTOPOLIS NEIGHBORHOOD PLAN WHICH IS AN ELEMENT OF AUSTIN TOMORROW COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL TO MIXED USE, FOR PROPERTY LOCATED AT 805 EAST MONTOPOLIS DRIVE. THIS CASE IS ASSOCIATED WITH Z-9, WHICH IS THE REZONING CASE. THE PLANNING COMMISSION RECOMMENDS THE PLAN AMENDMENT APPROVAL TO YOU. ITEM NO. Z-2 IS A PLAN

AMENDMENT CASE, HOWEVER, STAFF IS REQUESTING POSTPONEMENT TO JANUARY THE 29th BECAUSE THE PLANNING COMMISSION HAS DELAYED ITS HEARING TO JANUARY THE 27th. ITEM NO. Z-3, C14-03-158 LOCATED AT 6509 SOUTH FIRST STREET, CHANGE IN ZONING FROM G.R., COMMUNITY COMMERCIAL AND WLO TO WLO, THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT WAREHOUSE LIMITED OFFICE ZONING ON ALL THREE READINGS. ITEM NO. Z-4 IS DISOOUT DISOOUT 165, THE APPLICANT -- EXECUTE DISOOUT THIS IS THE APPLICANT'S FIRST REQUEST. ITEM NO. Z-5 C14-03-166 SMART HOUSING, THE PROPERTY IS LOCATED AT 8422 THROUGH 8504 RED WILLOW DRIVE. THE CHANGE IN ZONING FROM INTERIM RURAL RESIDENTIAL SINGLE FAMILY TWO. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT SINGLE FAMILY 2 ZONING AND THIS CASE IS READY FOR FIRST READING. I WOULD LIKE TO ALSO ADD THAT THE APPLICANT HAS AGREED TO COMPLY WITH THE INTEGRATED PEST MANAGEMENT PLAN AND GROW GREEN. THAT WILL BE WRITTEN INTO A RESTRICTIVE COVENANT BY THE LAW DEPARTMENT AND WE WILL BRING THAT BACK TO YOU WITH YOUR APPROVAL ON SECOND AND THIRD READINGS ON Z-5. Z-6 C14-03-160, THE RESERVE AT NORTH WOOD, THIS PROPERTY IS LOCATED AT 3100 WEST PARMER LANE, THE CHANGE IN ZONING IS FROM DEVELOPMENT RESERVE TO SINGLE FAMILY 2. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT SINGLE FAMILY 2 ZONING WITH A CONDITIONAL OVERLAY AND THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-7, C14-03-169, LOCATED AT 12228 ROCKS SEE DRIVE, THE CHANGE IN ZONING IS FROM INTERIM SINGLE FAMILY 2 ZONING TO CS-CO WHICH STANDS FOR GENERAL SERVICES CONDITIONAL OVERLAY, THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT C.S.-C.O. READY FOR ALL THREE READINGS. ITEM NO. Z-8 C14-03-49, NAMELY THE HOUSE OF TUTOR, LOCATED AT 2400 PEARL STREET. IN THIS PARTICULAR CASE THE NEIGHBORHOOD ASSOCIATION THAT IS KNOWN AS THE WEST CAMPUS NEIGHBORHOOD ASSOCIATION HAS REQUESTED A POSTPONEMENT TO JANUARY THE 29th. THIS IS THE NEIGHBORHOOD'S FIRST REQUEST. HOWEVER, THERE ARE FIVE PEOPLE, MAYOR, SIGNED UP TO SPEAK EITHER AGAINST OR FOR, SO -- SO I

THINK UNDER YOUR RULES THAT MEANS THE CASE IS UP FOR DISCUSSION BASICALLY. AND NOT CONSENT POST UPONMENT, SUPERINTENDENT THAT CORRECT?

Mayor Wynn: THE REQUEST IS BY THE NEIGHBORHOOD ASSOCIATION TO POSTPONE.

TO POSTPONE TO JANUARY THE 29th. HOWEVER THERE ARE FIVE PEOPLE SIGNED UP TO SPEAK, ONE WAY OR THE OTHER REGARDING THE POSTPONEMENT.

Mayor Wynn: THIS IS THE FIRST REQUEST FOR POSTPONEMENT, CORRECT?

THE APPLICANT DOES NOT OPPOSE, THIS IS AN AREA WHERE WE ARE CURRENTLY CONDUCTING A NEIGHBORHOOD PLAN. YOU HAVE READ ABOUT IT IN THE STATESMAN THIS SUNDAY. AND I'M ASSUMING THAT THE DISCUSSION IS PROBABLY -- PROBABLY RELATE TO PLAN AS COM 10 PLATED. CONTEMPLATED.

Mayor Wynn: MY UNDERSTANDING OF OUR RULES IT'S FRANKLY INDEPENDENT OF HOW MANY PEOPLE SIGNED UP WISHING TO SPEAK, WE HAVE ALWAYS HONORED FIRST REQUESTS FOR ESSENTIALLY AN APPLICANT OR POTENTIAL OPPOSING SIDE. WE WILL PERHAPS HAVE THAT DISCUSSION AS WE APPROVE THIS CONSENT AGENDA.

THAT'S TRUE. OKAY. ITEM NO. Z-9, C14-03-117, THIS PROPERTY IS LOCATED AT 805 MONTOPOLIS DRIVE FROM SINGLE FAMILY 3 NEIGHBORHOOD PLAN COMBINING DISTRICT TO G.R.-M.U.-N.P. WHICH STANDS FOR COMMUNITY COMMERCIAL MIXED USE NEIGHBORHOOD PLAN. THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-10, C14-03-154, SMART HOUSING CASE, STAFF IS REQUESTING A POSTPONEMENT TO JANUARY THE 29th, AND AGAIN THIS CASE IS ASSOCIATED WITH ITEM NO. Z-2 THAT I MENTIONED EARLIER. AND, MAYOR, BEFORE YOU VOTE, JUST GOING BACK TO ITEM NO. Z-6, I JUST WANT TO CORRECT THAT THE EXISTING ZONING IS RR AND DR, WE DID NOT POST THAT ON THE AGENDA. I JUST WANTED TO READ THAT FOR THE RECORD. THAT CONCLUDES I MY PRESENTATION ON THE

CONSENT ITEM.

Mayor Wynn: SO, MS. GLASGO, THE -- THE ITEM Z-9 THAT YOU ARE RECOMMENDING FOR CONSENT ON ALL THREE READINGS IS IN RELATION TO THE NEIGHBORHOOD PLAN SHOWN AS ITEM Z-1. ESSENTIALLY SO Z-1 THEN REMAINS ON THE CONSENT AGENDA.

YES, THEY ARE BOTH ON THE CONSENT AGENDA. SO ONCE YOU VOTE FOR ALL OF THEM, THAT WILL TAKE CARE OF IT.

Mayor Wynn: ECONOMIC ME ON THIS, I BELIEVE THE CONSENT AGENDA WOULD BE Z-1 THREE READINGS, Z-2 POSTPONEMENT TO JANUARY 29th, 2004, Z-3 ALL THREE READINGS, Z-4 POSTPONEMENT TO FEBRUARY 5th, 2004, Z-5 ON FIRST READING ONLY, Z-6 AND Z-7, ON ALL THREE READINGS, Z-8 POSTPONEMENT TO JANUARY 29th, '04, NOTING THAT THERE ARE FIVE CITIZENS SIGNED UP WISHING TO SPEAK, Z-9 ALL THREE READINGS AND Z-10 POSTPONEMENT TO JANUARY [INDISCERNIBLE] 2004. DID I SAY JANUARY? JANUARY 29th, 2004, POSTPONEMENT OF ITEM Z-10.

Glasgo: THAT'S CORRECT.

I WILL ENTERTAIN A MOTION. MOTION MADE BY MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND APPROVE THE CONSENT AGENDA AS READ. SECONDED BY COUNCILMEMBER ALVAREZ. DISCUSSION? I WILL SAY FOR THE FOLKS ON ITEM Z-6 OR -- Z-8, WE -- WE WILL HOLD THESE CARDS. YOU ARE WELCOME TO SIGN UP AGAIN, BUT AGAIN OUR TRADITION IS TO HONOR THE REQUEST AND POSTPONEMENT. WE WILL TAKE THIS CASE UP JANUARY 29th, 2004. FURTHER COMMENTS, QUESTIONS ON THE CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER McCRACKEN TEMPORARILY OFF THE DAIS. SO, COUNCIL, THAT CONCLUDES THE ZONING AGENDA. SO WITH THAT, WITHOUT OBJECTION, WE WILL NOW BE IN

RECESS UNTIL OUR 5:30 LIVE MUSIC AND PROCLAMATIONS.

Mayor Wynn: OKAY, FOLKS. NOW IT'S TIME FOR OUR WEEKLY 5:30 LIVE MUSIC. JOINING US TODAY ARE THE SWAMP GIRLS, THREE RUGGEDLY GORGEOUS GALZ, TERRY. THEIR MUSIC IS A SWEET SOUND OF HARMONIES. I DON'T WRITE THIS STUFF. PLEASE JOIN ME IN WELCOMING THE SWAMP GIRLS.

SOMEONE TOLD ME IF YOU DON'T KNOW HOW TO TWO-STEP, YOU DON'T KNOW HOW TO LIVE. I WATCHED SOME OF THE GREATEST AT BROKEN SPOKE AND GRUENE. I DON'T KNOW HOW TO IT TWO-STEP. I HAVE NOT LIVED. BUT I HAVE WRITTEN A SONG ABOUT IT AND WE'RE GOING TO PLAY THAT NOW. AFTER WE PLAYED IT A FEW TIMES, A FRIEND OF MINE CAME UP AND SAID, TERRY, THAT'S A WALTZ. SO THAT'S HOW BAD IT GETS. [(music) MUSIC PLAYING (music)(music)] (music) PLEASE DON'T ASK ME TO TWO STEP. MY DANCING IS ESPECIALLY WEAK. (music) DON'T THINK THAT I DON'T LOVE YOU. (music) IF I DON'T TWO-STEP AT LEAST TWICE A WEEK. (music) YOU DON'T THINK THAT I LOVE YOU IF I DON'T SLIDE ACROSS THAT WOOD FLOOR. (music) JUST ME AND YOU AND A NEW PAIR OF BOOTS THAT I BOUGHT AT A ONE TICKET STORE. (music) WELL, I'M REALLY A GAL FROM THE COUNTRY. (music) I SNOW A -- I KNOW A SCENT FROM A FUR. AND I'VE CLEANED OUT MY SHARE OF STABLES, AND I KNOW HOW TO MAKE JOHN DEERE PURR. (music) DON'T TAKE IT IN A PERSONAL MANNER IF GEORGE STRAIT IS TOO STRAIGHT FOR ME. (music) CUZ I GREW UP SINGING SOME COUNTRY, BUT DANCING'S NOT MY CUP OF TEA. (music) I HATE IT WHEN YOU SAY LET'S GO DANCING. (music) I DON'T LIKE GOING OUT ON THAT FLOOR. (music) CUZ MY TWO TEP IS THREE, HERE'S LOOKING AT ME WATCHING YOU DANCE WOULD MEAN SO MUCH MORE. (music) PLEASE DON'T ASK ME TO TWO STEP. (music) I FEEL LIKE AN ALIEN FREAK. (music) AND DON'T THINK I DON'T LOVE YOU IF I JUST SIT AND WATCH YOU FROM THE SIDE LINES WITH A SMILE AND A DRINK (music). [APPLAUSE]

Mayor Wynn: PLEASE TELL US WHERE WE CAN HEAR MORE SWAMP GIRLS.

YOU CAN ACCESS THE SWAMP GIRLS.COM. WE MADE IT VERY EASY FOR US. AND WE HAVE A FEW -- WE SELL A FEW T-SHIRTS AND THINGS LIKE THAT. WE'RE IN THE RECORDING

STUDIO NOW. WE'RE LOOKING TO GO PLAY SOME GIGS WITH LADY FEST TEXAS, WHICH IS COMING UP AT THE END OF MAY, AND THIS IS THE SWAMP GIRLS. THANK YOU.

Mayor Wynn: LADIES AND GENTLEMEN, THE SWAMP GIRLS. BEFORE YOU GET AWAY, A PROCLAMATION FOR YOU. IT READS, WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S CULTURAL DIVERSITY AND WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AS THE LIVE MUSIC CAPITOL OF THE WORLD, THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM TODAY, JANUARY 15TH, 2004, AS THE SWAMP GIRLS DAY IN AUSTIN. AND YOU'VE GOT ABOUT SIX MORE HOURS TO ENJOY YOUR DAY. LADIES AND GENTLEMEN, THE SWAMP GIRLS. [APPLAUSE] IF I CAN BE JOINED UP HERE BY THE DIRECTOR OF THE WATER AND WASTEWATER DEPARTMENT, MR. CHRIS LIPPY. WE'RE HERE TO GIVE A SERVICE AWARD TO MR. DARWIN MCKEE WHO HAS BEEN CHAIRMAN OF THE WATER AND WASTEWATER COMMISSION FOR YEARS, AS LONG AS I CAN REMEMBER. THE DISTINGUISHED SERVICE AWARD READS: WE ARE PLEASED TO RECOGNIZE AND HONOR DARWIN MCKEE FOR HIS OUTSTANDING PUBLIC SERVICE AND EXEMPLARY LEADERSHIP, HIS CONTRIBUTIONS AS CHAIRMAN TO THE CITY OF AUSTIN'S WATER AND WASTEWATER COMMISSION. THIS CERTIFICATE IS PRESENTED IN ACKNOWLEDGMENT AND APPRECIATION THE 15TH DAY OF JANUARY, 2004, BY THE ENTIRE CITY COUNCIL OF AUSTIN, MAYOR WYNN, MAYOR PRO TEM GOODMAN, COUNCILMEMBER SLUSHER, ALVAREZ, DUNKERLEY, MCCracken AND THOMAS. AND BEFORE WE HAVE DARWIN SAY A FEW WORDS, I WOULD LIKE TO HAVE CHRIS LIPPY COME UP AND SAY A FEW WORDS. DARWIN, CONGRATULATIONS. [APPLAUSE]

THANK YOU, MAYOR. AND DARWIN, ON BEHALF OF THE WATER AND WASTEWATER UTILITY, I AM -- I WANT TO SAY THANK YOU FOR THE MANY YEARS OF SERVICE THAT YOU'VE GIVEN US. THANK YOU FOR THE GUIDANCE AND ESPECIALLY THANK YOU FOR YOUR FRIENDSHIP. LET ME READ THIS CERTIFICATE OF APPRECIATION. THE AUSTIN WATER UTILITY EXPRESSES ITS SPREETION TO DARWIN MCKEE FOR HIS DEDICATED SERVICE ON THE CITY OF AUSTIN WATER AND

WASTEWATER COMMISSION FROM AUGUST 1992 TO NOVEMBER 2003 AND FOR SERVING AS CHAIRMAN FROM OCTOBER 1994 TO NOVEMBER 2003. THAT'S A LOT OF YEARS OF DEDICATED SERVICE, AND THANK YOU VERY MUCH. [APPLAUSE]

NEVER GIVE A LAWYER OR A PREACHER A MICROPHONE AND AN AUDIENCE. WHAT I'D LIKE TO SAY IS THAT ANYBODY WHO HAS TALKED TO ME FOR MORE THAN TWO MINUTES KNOWS THAT I LOVE MY CITY, I LOVE MY STATE AND I LOVE MY COUNTRY. AND IT HAS BEEN A PLEASURE AND A HUMBLE PLEASURE TO SERVE. AND AS I GO FORWARD I'D JUST LIKE TO SAY SOMETHING ABOUT THE PEOPLE WHO DO SERVE ON THE BOARDS AND COMMISSIONS OF THE CITY OF AUSTIN. AND HOW BLESSED WE ARE. I KNOW SOMETIMES IT'S A JUMBLED MESS AND A COMPLEX SITUATION, BUT THINK OF THE TALENT, THE BREADTH AND THE DEPTH OF PEOPLE THAT YOU HAVE LOOKING AT ISSUES THAT CONFRONT THE CITY OF AUSTIN. I'M FIRMLY CONVINCED THAT THE SERVICE OF PEOPLE ON THE VOLUNTEER BOARDS AND COMMISSIONS HAVE KEPT BAD DEALS FROM GOING FORWARD AND HAVE ENHANCED GOOD DEALS. AND SO I HAVE BEEN FORTUNATE TO HAVE SERVED AND AT SOME POINT IN THE FUTURE I'D LIKE TO SERVE AGAIN. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: I'M JOINED HERE BY COUNCILMEMBER BETTY DUNKERLEY AND CHRIS YOUNG REGARDING AUSTIN WOMEN'S HOSPITAL DEDICATION DAY. BE IT KNOWN WHEREAS THE AUSTIN'S WOMEN'S HOSPITAL IS A STATE-OF- THE-ART FACILITY COMMITTED TO MEETING THE SPECIAL HEALTH CARE NEEDS OF WOMEN AND CHILDREN IN CENTRAL TEXAS AND WHEREAS WE ARE PLEASED TO RECOGNIZE THE SPIRIT OF COLLABORATION WITHIN THE WOMEN'S HEALTH CARE COMMUNITY IN THE GREATER AUSTIN AREA THAT LED TO THE CREATION OF THIS NEW HOSPITAL AND WHEREAS WE EXTEND OUR BEST WISHES TO THE HOSPITAL'S DEDICATION KICKS OFF YEARS OF EXCELLENT SERVICE AND POSITIVE CONTRIBUTION TO THE HEALTH OF AUSTIN'S CITIZENS. NOW THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS DO HERE BY PROCLAIM JANUARY 28TH, 2004 AS THE AUSTIN WOMEN'S HOSPITAL DEDICATION DAY. AND WITH THAT I'D LIKE TO ASK TRISH YOUNG TO COME SAY A FEW WORDS ABOUT THE

HOSPITAL, HOW IT GOT HERE, BUT MORE IMPORTANTLY, WHAT THE HOSPITAL'S FUTURE HOLDS FOR US IN THIS COMMUNITY. TRISH YOUNG.

THANK YOU, MAYOR WYNN. THE AUSTIN WOMEN'S HOSPITAL WAS BORN OF CONTROVERSY. AND IT WAS QUITE A PROJECT GETTING THROUGH THAT. BUT WE'RE VERY PROUD OF IT. IT'S A BEAUTIFUL FACILITY. IT'S STATE-OF-THE-ART, DESIGNED TO PROVIDE REPRODUCTIVE SERVICES TO WOMEN WHO DON'T HAVE ACCESS TO THESE SERVICES ANYWHERE ELSE. AND IT'S A VERY IMPORTANT THING TO US AS A COMMUNITY AND THE CITY OF AUSTIN TO ENSURE THAT THE SERVICES ARE AVAILABLE. I WOULD LIKE TO TAKE A MOMENT JUST TO RECOGNIZE OUR PARTNERS IN THIS PROJECT. WE WILL BE WORKING WITH UTMB AS THE OPERATOR OF THE HOSPITAL. WE THINK THAT UTMB WILL BRING GREAT SERVICE TO THIS COMMUNITY, BOTH TO THE PATIENTS OF THE HOSPITAL AS WELL AS WORKING WITH US IN A CLINIC AND PARTNERSHIP IN TAKING CARE OF OUR PATIENTS. I WOULD ALSO LIKE TO RECOGNIZE OUR VERY, VERY DEDICATED PROJECT DIRECTOR, MISSY LANGE CAROL, WHO THIS HOSPITAL WOULD NOT BE WITHOUT HER. AND IT CERTAINLY WOULDN'T BE AS BEAUTIFUL AS IT IS TODAY. SO I WOULD LIKE TO SPECIFICALLY RECOGNIZE HER. AND THANKS TO EVERYONE FOR THE SUPPORT IN BRINGING THIS HOSPITAL TO BE. IT'S BEEN A LONG YEAR AND A HALF, I THINK, AND IT WILL BE OPENING SOON, AND WE HOPE THAT EVERYONE WILL BE ABLE TO JOIN US ON JANUARY 28th WHEN WE DO THE RIBBON CUTTING AND THE DEDICATION. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: THERE BEING A QUORUM PRESENT, I'LL CALL BACK TO ORDER THE AUSTIN CITY COUNCIL, ITEMS 44 AND 45, OUR NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. I'LL RECOGNIZE PAUL HILGERS.

GOOD EVENING. WE HAVE TWO PUBLIC HEARINGS AND POSSIBLE ACTION TO BRING BEFORE YOU TONIGHT. ITEM NUMBER 44 AND ITEM NUMBER 45. IT WAS MY UNDERSTANDING WE WERE GOING TO TAKE UP ITEM NUMBER 45 FIRST. SO ITEM NUMBER 45 IS TO CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE TO AMEND CHAPTER 5-1 OF THE CITY CODE WITH RESPECT TO

VISITABILITY STANDARDS THAT CREATE A LEVEL OF ACCESSIBILITY FOR PERSONS WITH DISABILITIES WHO VISIT NEW SINGLE-FAMILY HOMES, DUPLEXES AND TRIPLEXES BUILT WITH CITY AND/OR FEDERAL ASSISTANCE. JUST A COUPLE OF COMMENTS ON THIS ORDINANCE. WE'VE WORKED HARD WITH A VARIETY OF STAKEHOLDERS, BUT THE KEY THING IS TO RECOGNIZE THAT THE GOAL OF THE VISITABILITY ORDINANCE, WHICH WAS ADOPTED IN 1998, WAS TO PROVIDE GREATER ACCESSIBILITY AND USEABILITY FOR PERSONS WITH DISABILITIES WHO LIVE IN OR VISIT NEW HOMES, DUPLEXES OR TRIPLEXES BUILT WITH WITH CITY AND/OR FEDERAL ASSISTANCE. WHILE THE NUMBER OF VISITABLE UNITS IN AUSTIN HAS EXPANDED FROM LESS THAN 100 HOUSING UNITS PER YEAR PRIOR TO THE ADOPTION OF SMART HOUSING TO MORE THAN 300 NEW VISITABLE HOMES IN 2002-2003, STAFF HAS IDENTIFIED MORE OPPORTUNITIES FOR INCREASING THE NUMBER OF VISITABLE HOMES IN AUSTIN. THE PURPOSE OF THESE PRIMARILY TECHNICAL AMENDMENTS IS TO EXPAND THE NUMBER -- IS TO CREATE MORE CONSISTENCY WITHIN THE BUILDING CODE, AND THERE BY ALLOW MORE CLARITY TO THE BUSINESS COMMUNITY, AND ULTIMATELY RESULT IN MORE -- AN INCREASE IN HOMES THAT ARE VISITABLE. WE BELIEVE THAT THIS IS A STRENGTHENING OF YOUR COMMITMENT TO SOMETHING THIS CITY HAS TAKEN A LEADERSHIP ROLE IN NATIONALLY, WHICH IS TO CREATE GREATER OPPORTUNITIES FOR ACCESSIBILITY IN THE CONSTRUCTION OF HOMES. AND WITH THAT WE HAVE THE TECHNICAL AMENDMENTS THAT HAVE BEEN LISTED BEFORE YOU, AND I KNOW THERE'S A FEW FOLKS HERE TO SPEAK TO THIS. IF THERE ARE ANY QUESTIONS, WE'LL BE GLAD TO TRY TO ANSWER THEM.

Mayor Wynn: QUESTIONS FOR STAFF, COUNCIL? I DON'T HAVE ANY SIGN-UP CARDS FOR EITHER ITEM, BUT I THINK SOME FOLKS ARE HERE TO SPEAK, SO I'LL WAIT FOR THE CITY CLERK TO BRING SOME CARDS. ITEM NUMBER 45 WE HAVE 12 CITIZENS SIGNED UP WISHING TO SPEAK. THE FIRST SPEAKER WILL BE CALINDA HOWELL. I'M SORRY, SIGNED UP NOT WISHING TO SPEAK, BUT IN FAVOR OF. LINDSEY MAHAGEKO, SIGNED UP NOT WISHING TO SPEAK, IN FAVOR OF. DALLAS KELLY NOT WISHING TO SPEAK, IN FAVOR.

LAUREN GREGORY NOT WISHING TO SPEAK, IN FAVOR. CHIP HOWL, NOT WISHING TO SPEAK, IN FAVOR. AND IS WISHING TO DONATE TIME TO THE AUSTIN'S MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES. ANGELA LELLO WISHING TO SPEAK. WELCOME. YOU WILL HAVE THREE MINUTES. AND YOU'LL BE FOLLOWED BY HARRY SAVYI.

I BELIEVE CHIP WANTED TO DONATE HIS TIME TO SPEAK. I'M HERE ON BEHALF OF THE PEOPLE WITH DISABILITIES. AND HOLLY IS PASSING OUT A MEMO FROM OUR CHAIR, RON LUCY, WHO IS PARENTING THIS EVENING AND WISHED HE COULD BE HERE. I'M GOING TO GO AHEAD AND READ THIS INTO THE RECORD FOR Y'ALL. FOLLOWING THE AUSTIN MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES UNANIMOUS VOTE OF SUPPORT ON JANUARY 12TH, 2004, WE ARE RECOMMENDING THE CITY COUNCIL'S ADOPTION OF THE PROPOSED CHANGES TO THE VISITABILITY ORDINANCE WITH THE ADDITION OF A FRIENDLY AMENDMENT. AMPCD RECOMMENDS AN AMENDMENT UNDER PART 5, SECTION B, NOTICE REQUIREMENTS STATING THE COMMUNITY DEVELOPMENT OFFICER SHALL SEND THE COMMUNITY DEVELOPMENT COMMISSION AND AMBCD THROUGH THE CITY'S A.D.A. NOTICE OF ANY DETERMINATIONS MADE BY THE BUILDING OFFICIAL UNDER SECTION 5173 WAIVER OF EXTERIOR ACCESSIBILITY REGULATIONS OR THE BUILDING AND FIRE CODE FOR IT UNDER SECTION 5-1-574 APPEALED DURING THE PRECEDING MONTH. WE WANTED THAT AMENDMENT TO JUST KEEP US ABREAST OF THE WAIVERS THAT HAVE BEEN FILED FOR THE MAYOR'S COMMITTEE IS COMPRISED OF STAKEHOLDERS IN THE DISABILITY COMMUNITY HERE IN AUSTIN AND WE THOUGHT THAT WOULD BE A GOOD WAY TO KEEP THE COMMUNITY AWARE OF ANY WAIVERS THAT MAY HAVE BEEN FILED. THE COMMITTEE SUPPORTS THE AMENDMENTS TO THE VISITABILITY ORDINANCE FOR THE FOLLOWING REASONS: ONE, THE PROPOSED AMENDMENTS CODIFY THE NATIONAL STANDARDS USED IN GRANTING A WAIVER OF EXTERIOR ACCESSIBILITY REGULATIONS. TWO, BUILDING PROVISIONS WILL NO LONGER CAUSE BUILDING CONSTRUCTIONS TO BE REJECTED BY NHCD FOR AN OTHERWISE VISITABILITY HOME. AND ALSO WE WISH TO ADDRESS AGENDA ITEM NUMBER 44, THE AMENDMENTS TO THE SMART HOUSING RESOLUTION.

WE ALSO SUPPORT THOSE AMENDMENTS FOR THE FOLLOWING TWO REASONS: ONE, THE REVISED RESOLUTION WOULD EXPAND THE NUMBER OF REASONABLY PRICED UNITS THAT MEET ALL OTHER REQUIREMENTS OF SMART HOUSING. AND TWO, AFFORDABLE HOUSING HAS A CRITICAL NEED FOR AUSTIN'S CITIZENS WITH DISABILITIES WHO ARE MORE OFTEN LOW INCOME AND CHALLENGED TO FIND HOUSING. THE COMMITTEE RECOGNIZES THAT THE ULTIMATE RESULT OF THESE PROPOSED CHANGES WOULD BE A GREATER NUMBER OF REASONABLY PRICED VISITABLE HOMES IN AUSTIN IN ADDITION TO THE AFOREMENTIONED JUSTIFICATIONS FOR OUR SUPPORT, WE ARE SATISFIED WITH THE PROCESS THAT NEIGHBORHOOD HOUSING USED TO OBTAIN STAKEHOLDER INPUT AND COMMUNITY CONSENSUS. WE UNDERSTAND THAT NEIGHBORHOOD HOUSING OBTAIN INPUT FROM VARIOUS GROUPS, INCLUDING ADAPT, AND THEY'RE HERE TODAY. OF COURSE, THE COMMITTEE, LOCAL BUILDERS, THE COMMUNITY DEVELOPMENT COMMISSION, THE HOME OF YOUR OWN, THIS COLLABORATION WITH STAKEHOLDERS RESULTED IN THE APPROVED ORDINANCE FOR COUNCIL ACTION TODAY. IF YOU HAVE ANY QUESTIONS -- [BUZZER SOUNDS]

Mayor Wynn: QUESTIONS FOR MS. LELLO, COUNCIL?

THANK YOU.

Mayor Wynn: THANK YOU, MA'AM. HARRY SAVIO. WELCOME, SIR. YOU WILL BE FOLLOWED BY STEPHANIE THOMAS.

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS HARRY SAVIO. I'M A REPRESENTATIVE OF THE GREATER HOME BUILDERS ASSOCIATION OF AUSTIN. WE REPRESENT APPROXIMATELY 700 BUILDING AND CONSTRUCTION AND ASSOCIATED BUSINESSES IN THE RESIDENTIAL HOME BUILDING INDUSTRY. 87% OF WHICH ARE SMALL BUSINESS. THE CITY OF AUSTIN HAS TACKLED THE PROBLEM OF HOUSING AFFORDABLE BY HAVING A MARKET BASED INCENTIVE APPROACH. YOUR OWN INCENTIVE HAS BEEN SUCCESSFUL NOT BECAUSE THE STAFF SAYS SO IN REPORTS TO YOU, BUT YOU CAN GO OUT AND LOOK AT THOSE TO ONE THOUSAND UNITS ON THE GROUND THAT MEET AUSTIN'S SMART HOUSING GOALS. AS A RESULT OF

YOUR PROGRAM THERE ARE MORE AFFORDABLE HOMES. THOSE HOMES ARE MORE GREEN AND MORE VISITABLE. THE PROPOSED AMENDMENTS ARE GOOD ONES. THE CHANGES TO MATCH FHA AND VHA FINANCING AFFORDABILITY ARE ONES THAT MAKE THE PROGRAM EASIER TO ADMINISTER WILL MAKE THE HOMES EASIER TO SELL AND MAKE THE LOANS EASIER TO UNDERWRITE. IT SOUNDS LIKE A WIN FOR THE CITY, THE MORTGAGE COMPANY, A BUILDER AND MOST IMPORTANTLY A WIN FOR THE NEW HOMEOWNER AND AUSTIN'S CITIZEN. WE SUPPORT THE CHANGES AS RECOMMENDED. OUR BOARD AND EXECUTIVE COMMITTEE VOTED UNANIMOUSLY TO DIRECT ME TO COME TONIGHT TO INDICATE OUR SUPPORT OF THE RECOMMENDATIONS BY THE COMMUNITY DEVELOPMENT COMMISSION AND STAFF. WHILE I'M HERE, IF IT'S ALL RIGHT, I'LL ALSO COMMENT ON THE VISITABILITY STANDARDS. THE STAFF MEMO STATES, THIS CHANGE WILL RESULT IN GREATER BUILDER ACCEPTANCE OF THE TECHNICAL STANDARDS. I WANT TO SAY THAT WE AGREE WITH THAT AND AGAIN SUPPORT THE RECOMMENDATION OF THE CDC STAFF. THE CDC AND STAFF. OUR ASSOCIATION WORKING WATER AND WASTEWATER A SUBSIDY OR AN -- SUBSIDIARY OR AN AFFILIATE OF THE TEXAS ASSOCIATION OF BUILDERS WORKED IN THE LEGISLATIVE SESSION TWO SESSIONS AGO TO RECOMMEND AND SUPPORT THE ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE AS THE STATE STANDARD. MR. HILGERS SPOKE TO THAT CONSISTENCY IN HIS RECOMMENDATION AGAIN TRACKS OUR TESTIMONY AT THE LEGISLATURE. AGAIN, WE SUPPORT THE STAFF RECOMMENDATION. THANK YOU.

Mayor Wynn: THANK YOU, MR. SAVIO. STEPHANIE THOMAS? WELCOME, MA'AM. YOU WILL BE FOLLOWED BY BOB KAFKA.

THANK YOU. MY NAME IS TESTIFY ANY THOMAS. I'M -- STEPHANIE THOMAS. I'M WITH ADAPT OF TEXAS. I WANT TO START OFF BY SAYING THAT I THINK THIS IS A VERY IMPORTANT ORDINANCE THAT THE CITY PASSED. THE CITY OF AUSTIN WAS THE SECOND CITY IN THE ENTIRE NATION TO PASS SUCH AN ORDINANCE, AND WE HAVE PROVED WITH A TRACK RECORD OF IT THE VERY BENEFICIAL EFFECT THAT IT CAN HAVE FOR THE COMMUNITY. WHEN WE FIRST HEARD OF THE CHANGES, WE HAD MANY CONCERNS AND WE REALLY

APPRECIATE THE TIME THAT EACH OF YOU AND YOUR STAFF TOOK WITH THE ADAPT FOLKS TO TALK ABOUT OUR CONCERNS AND TO TRY TO WORK OUT A SOLUTION. ALSO THE COMMUNITY DEVELOPMENT COMMISSION WORKED WITH US CLOSELY AND WE'RE VERY SUPPORTIVE AND WE ARE GRATEFUL FOR THAT. AND ALSO THE MAYOR'S COMMITTEE. AND WE WOULD SUPPORT THE AMENDMENTS THAT THEY SUGGEST. WHILE WE FEEL THAT WE HAVE COME TO A MUCH BETTER ORDINANCE THROUGH THIS PROCESS AND WE REALLY APPRECIATE YOUR SUPPORT ON IT, WE DO REMAIN SOMEWHAT CONCERNED ABOUT THE WAIVER PROCESS. THE CITY MANAGER HAS AGREED TO REVISIT THIS ISSUE WITH US IN SIX MONTHS AND TO SEE WHAT IS HAPPENING. AND WE THINK THAT'S A GOOD WAY TO DEAL WITH THE CONCERNS. WE FEEL THAT THE CITY STAFF HAS LISTENED TO US AND HOPEFULLY IS GOING TO DO A GOOD JOB OF ALLEVIATING SOME OF OUR CONCERNS IN TERMS OF DOING TRAINING AND THAT KIND OF THING. BUT CONSIDERING THAT IT IS A VERY IMPORTANT ORDINANCE AND THAT IT IS A BEGINNING AND REALLY KIND OF A MODEL FOR THE WHOLE COUNTRY, WE WOULD HOPE THAT YOU WOULD ALSO REMAIN CONCERNED AND THAT IF WE DO HAVE CONCERNS IN THE FUTURE, WE CAN BRING THEM TO YOU. SO THANK YOU.

Mayor Wynn: THANK YOU, MS. THOMAS. BOB KAFKA. TO BE FOLLOWED BIANA DIAZ. -- BY ANA DIAZ.

MY NAME IS BOB KAFKA. I'M AN ORGANIZERS OF ADAPT OF TEXAS ALSO. I WANT TO REINFORCE WHAT STEPHANIE JUST SAID AND ALSO MERIT'S COMMITMENT TO THE ORDINANCE. BUT ALSO TO BRING TO YOUR ATTENTION THAT THOUGH THIS IS GROUNDBREAKING IN TERMS OF PUBLICLY BUILT HOUSING FUNDED, WHAT REALLY NEEDS TO HAPPEN IS VISITABILITY IN ALL HOUSING. THIS IS A VERY GOOD STEP THAT LAYS THE GROUNDWORK, BUT REALLY WOULD APPRECIATE YOUR SUPPORT AND WORK WITH THE BUILDER COMMUNITY SO THAT POLITICALLY WE CAN ACTUALLY GET THIS IN TO THE BUILDING CODE WHERE ALL HOMES ARE VISITABLE BECAUSE TEAM WITH -- PEOPLE WITH DISABILITIES NORTH JUST IN PUBLIC HOUSING FINANCED, BUT IN ALL OUR COMMUNITIES. AS THE AGEING COMMUNITY AND PEOPLE WITH DISABILITIES GROW, IT'S GOING TO

BECOME MORE IMPORTANT. AND I THINK AS A POLICY WE DID SOME GROUNDBREAKING IN TERMS OF VISITABILITY IN PUBLIC HOUSING. I THINK AUSTIN CAN BE GROUNDBREAKING BY PUTTING IT INTO THE JUMP GENERAL BUILDING CODE SO THAT ALL PEOPLE, WHETHER IT'S PUBLICLY FUNDED OR NOT, CAN SAY THAT IN THE AUSTIN AREA I CAN VISIT YOU NO MATTER WHAT MY ABILITY OR DISABILITY. THANK YOU.

Mayor Wynn: THANK YOU, MR. KAFKA. ANNA DIAZ. YOU WILL BE FOLLOWED BY FELIX -- FELIX, I'M SORRY, NOT WISHING TO SPEAK. ONLY IF COUNCIL HAS QUESTIONS. AND WANTS TO DONATE TIME TO STEPHANIE THOMAS, WHO APPARENTLY DIDN'T NEED IT. JEREMY MARTIN, NOT WISHING TO SPEAK, IN FAVOR. AND SABINA SIGNED UP BOTH WISHING TO SPEAK AND ONLY IF COUNCIL HAS QUESTIONS. YOU'RE WELCOME TO ADDRESS US. LET ME KNOW. WELCOME, SIR. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR. MY NAME IS SABINO (INDISCERNIBLE). I'M THE CHAIR OF THE COMMUNITY DEVELOPMENT COMMISSION. THE CDC APPROVED THE SMART HOUSING AND VISITABILITY ORDINANCE. IT WENT WITH A LOT OF DEBATE BECAUSE WE BELIEVE THAT EVEN THOUGH SMART HOUSING DOES -- AND IS HELPING PEOPLE THAT EARN NEARLY 80, UP TO 1220%, THERE IS -- 120%, THERE IS A PROBLEM THAT WE HAVE IN THE IMMEDIATE AREA OF DOWNTOWN, ESPECIALLY IN EAST AUSTIN, WITH THE APPRAISED VALUE DOUBLING. THE WAY IT IS NOW, OUR PROPERTY VALUE INCREASED 100% IN EAST AUSTIN. IT WAS 20,000 AND NOW IT'S 40,000 PER LOT, WHICH IS REALLY PUTTING IN A SQUEEZE A LOT ON THE EXISTING HOMEOWNERS IN THAT AREA, WHICH A LOT OF THEM ARE OLDER PEOPLE. JUST FACING RIGHT NOW RETIREMENT, FACING WHAT WILL SOON BE A FIXED INCOME WHERE, YOU KNOW, WITH THE APPRAISED VALUE INCREASING AND INCREASING -- INCREASING THE VALUE OF THE PROPERTY THERE, WHICH IS BECOMING UNAFFORDABLE. THIS IS ONE OF THE ITEMS RIGHT NOW THAT WE'RE GOING TO START LOOKING INTO, ARE WE REALLY DOING A SERVICE BY INFILLING WITH SMART HOUSING WHEN IT REALLY IS RAISING THE VALUE NEXT TO THE OLDER HOUSES THERE IN THE NEIGHBORHOOD. AND THAT'S ONE OF THE MAIN ISSUES THAT WE'RE HAVING RIGHT NOW. NOW, ON ITEM 45, YOU

KNOW, WE ACCEPTED THIS AND APPROVED IT BECAUSE WE KNOW THAT THERE ARE HUGE AREAS OF LAND IN THE SOUTHEAST AREA THAT CAN COME IN, LIKE THE KB HOMES, WHICH DOES BENEFIT A LOT OF TWO INCOME a lot of two income I GUESS, LOWER AND MIDDLE INCOME CLASS FAMILIES. AND THAT'S BY GOING TO THE ONE YEAR, WITH THOSE MANY HOMES, WHICH IS PROJECTED TO HAVE SOMEWHERE BETWEEN 300,000, WE REALIZE THAT THE STAFF WOULD BE HAVING TO USE A LOT OF THE FUNDS FOR ADMINISTRATIVE COSTS, AND THAT'S ONE OF THE ISSUES THAT WE LOOKED INTO, AND WE DECIDED THAT WE WOULD REVISIT IT AFTER TO SEE HOW IT ACTUALLY IS BEING IMPLEMENTED AND HOW IT RUN BECAUSE WE DON'T WANT OUR HOUSING MONIES TO BE SPENT ON ADMINISTRATIVE STAFF HAVING TO DEAL WITH ALL THE LIENS ON ALL THESE HOMES. [BUZZER SOUNDS] SO THAT'S ONE OF THE ISSUES. AND I SUPPORT THE DISABILITY ORDINANCE. IT'S GREAT. AND I THINK THAT THIS COMMITTEE HAS DONE AN EXCELLENT JOB. THANK YOU.

Mayor Wynn: THANK YOU. THANK YOU FOR SERVING. THAT'S ALL THE CITIZENS SIGNED UP WISHING TO SPEAK ON ITEM NUMBER 45. ANYONE ELSE HERE WHO WOULD LIKE TO SPEAK ON ITEM NUMBER 45?

(INDISCERNIBLE). I JUST WANTED TO SAY THAT I HOPE THAT THE CITY COUNCIL WILL WORK EVEN MORE DILIGENTLY TOWARDS AN AFFORDABILITY FOR AN EVEN LOWER INCOME LEVEL. I FEEL LIKE THAT THAT IS A CRITICAL NEED IN OUR COMMUNITY AND THAT WHILE THE CHANGES MADE HERE MAY MAKE A LITTLE DENT TOWARDS THAT ISSUE, THERE IS JUST -- I MEAN, IF YOU'RE BELOW 30% MEDIAN FAMILY INCOME, YOU'RE JUST OUT OF LUCK. THERE ISN'T HOUSING. AND PEOPLE LITERALLY WAIT FOR OTHER PEOPLE TO DIE TO FIND PLACES TO LIVE. AND WE NEED TO REALLY TARGET WHAT TRULY AFFORDABLE HOUSING IS. AND SO WHILE I'M NOT AGAINST THIS, I THINK THAT THERE NEEDS TO BE MUCH MORE EFFORT MADE FOR MUCH LOWER INCOME, AND I JUST REALLY WANTED TO SUPPORT THAT PART IN TERPZ OF THIS ISSUE AND TO CALL YOUR ATTENTION TO IT AGAIN BECAUSE WE TALK ABOUT IT ALL THE TIME IN LITTLE SEEM TO MOVE IN THAT DIRECTION. THAT WAS MY ONLY POINT I MEANT. AND THE OTHER THING IS I WOULD JUST LIKE TO MAKE A

REQUEST. IT DOESN'T REALLY HAVE ANYTHING TO DO WITH HOUSING, BUT IT DOES HAVE TO DO WITH ACCESSIBILITY. I THINK YOU MIGHT NEED TO GET RID OF THE SPEED BUMPS THAT YOU HAVE HERE AND GET SOMETHING LESS DRAMATIC BECAUSE WHEN I WENT TO SIGN UP, IT TOOK 45 MINUTES BECAUSE I GOT STUCK ON THEM AND IT'S NOT REALLY ACCESSIBLE. SO AS LONG AS WE'RE ON THAT KIND OF SUBJECT, THANK YOU.

Mayor Wynn: THANK YOU. ANY OTHER CITIZENS WISHING TO BE HEARD ON ITEM NUMBER 45 RELATED TO THE VISITABILITY STANDARDS? HEARING NONE, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER DUNKERLEY. FURTHER DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION TO CLASSY THE PUBLIC HEARING -- TO CLOSE THE PUBLIC HEARING PASSES BY A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DIAS. MR. HILGERS, DO WE NEED AXE ON THIS? -- ACTION ON THIS?

YES, IT'S POSTED FOR ACTION.

Mayor Wynn: FURTHER QUESTIONS FOR STAFF OR COMMENTS?

JUST ONE MORE COMMENT, MAYOR, IS THAT THE STAFF IS ALSO VERY SUPPORTIVE OF THE ORDINANCE AMENDMENT AS REQUESTED BY THE MAYOR'S COMMITTEE. AND HAVE -- IN THE PASSAGE OF THIS WOULD RECOMMEND THAT THAT AMENDMENT ALSO BE INCLUDED IN THE ORDINANCE BY YOUR DIRECTION. THAT IS A NOTIFICATION TO THE MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES AS WELL AS THE COMMUNITY DEVELOPMENT COMMISSION.

Mayor Wynn: COUNCIL, WITHOUT ANY FURTHER QUESTIONS OR COMMENTS, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 45.

Goodman: MAYOR? I WOULD MOVE THEN THAT WE APPROVE THE ORDINANCE TO AMEND CHAPTER 51 WITH RESPECT TO VISITABILITY STANDARDS AND THAT WE FURTHER AMEND AS REQUESTED PART 5, SECTION B, WHICH IS IN ORDER TO ALLOW NOTICE OF WAIVER REQUESTS THAT ARE FILED.

Mayor Wynn: MOTION MADE BY MAYOR PRO TEM TO APPROVE THE ORDINANCE WITH THE -- TO AMEND 5-1 WITH THE ADDITIONAL AMENDMENT AS STATED.

Thomas: SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER THOMAS. FURTHER DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DIAS. MR. HILGERS?

THANK YOU, MAYOR. I HAVE BRIEF COMMENTS ON ITEM NUMBER 44, WHICH IS THE ITEM IS TO CONDUCT A PUBLIC HEARING AND APPROVE A RESOLUTION AMENDING THE CURRENT SMART HOUSING INITIATIVE POLICY TO CLARIFY EXISTING TECHNICAL STANDARDS AND CHANGE THE LENGTH OF TIME THAT HOUSING MUST REMAIN AFFORDABLE FOR LOW INCOME BUYERS IN ORDER TO EXPAND THE NUMBER OF REASONABLY PRICED SINGLE-FAMILY HOMES THAT MEET SMART HOUSING STANDARDS WHEN NO FEDERAL SUBSIDIES ARE INVOLVED. SMART STANDS FOR SAFE, MIXED INCOME, ACCESSIBLE, REASONABLY PRICED AND TRANSIT ORIENTED AND MEET GREEN BUILDING STANDARDS AS WELL. JUST BY BACKGROUND AS CLARIFICATION TO ADDRESS SOME OF THE ISSUES THAT HAVE COME UP AS SO WHY WE'RE DOING THIS, THE SMART HOUSING POLICY ADOPTED BY THE CITY COUNCIL IN APRIL OF 2000 REQUIRES THIS OFFICE TO IDENTIFY OPPORTUNITIES FOR IMPROVING THE ORDINANCE AND THE POLICY. IN THE STAKEHOLDER MEETINGS WE'VE HAD, THE SINGLE-FAMILY BUILDERS, WHO DO NOT CURRENTLY PARTICIPATE IN OUR SMART HOUSING PROGRAM, HAVE

IDENTIFIED THE FIVE-YEAR AFFORDABILITY PERIOD AS A -- AS THE KEY IMPEDIMENT TO THEIR PARTICIPATION IN SMART HOUSING. AND ONE OF THE PROVISIONS THAT WE'RE RECOMMENDING THAT HAS GOTTEN THE MOST ATTENTION IS THE REDUCTION OF A FIVE-YEAR AFFORDABILITY PERIOD TO A ONE-YEAR AFFORDABILITY PERIOD. AND SEVERAL SUBDIVISIONS TOTALING MORE THAN 2,000 SINGLE-FAMILY HOMES THAT MAY BECOME EXCLUSIVELY MARKET RATE HOUSING IF IN FACT SOME OF THESE CHANGES AREN'T ADOPTED THAT WE KNOW OF CURRENTLY. WHICH MEANS THEY ALSO WON'T MEET THE OTHER STANDARDS OF VISITABILITY, TRANSIT ORIENTED STANDARDS OR GREEN BUILDING STANDARDS. IT'S IMPORTANT TO NOTICE THE LIMITED FOCUS OF THIS PARTICULAR AMENDMENT. THERE ARE OTHER TECHNICAL AMENDMENTS THAT ARE OCCURRING THAT ARE CLARIFYING AMENDMENTS ON SMART HOUSING THAT ARE LISTED IN YOUR BACKUP, BUT MUCH OF THE ISSUES ARE THE -- THESE REASONABLY PRICED HOMES ARE FINANCED THROUGH THE VETERANS ADMINISTRATION OR FHA AND THEY REQUIRE HOMEOWNERS TO STAY IN THE HOME FOR AT LEAST ONE YEAR. SO ONE YEAR AFFORDABILITY PERIOD WE'VE DETERMINED IS NOT BURDENSOME TO THE HOMEOWNER OR THE BUILDER. IT'S IMPORTANT TO NOTE THAT THE 2000 CENSUS DATA FOR REASON REVEALS THAT THE HOMEOWNER TENURE IS SEVEN YEARS AND SMART HOUSING HOME BUYERS WOULD BE EXPECTED TO REMAIN IN THEIR HOMES FOR THIS LENGTH OF TIME WITHOUT CITY MONITORING OR ADDITIONAL BONDS OR LETTERS OF CREDIT PROVIDED BY THE HOME BUILDER OR THE DEVELOPER. IT'S IMPORTANT TO NOTE THAT OWNERS RECEIVING DOWN PAYMENT ASSISTANCE OR DEVELOPERS RECEIVING ANY FEDERAL ASSISTANCE WILL CONTINUE TO HAVE TO MEET AFFORDABILITY PERIOD AS DO ALL MULTI-FAMILY DEVELOPMENTS, SO IT'S ONLY FOCUSING ON REDUCING THE AFFORDABILITY PERIOD FROM FIVE YEARS TO ONE YEAR FOR SINGLE-FAMILY HOUSING THAT ONLY RECEIVES SMART HOUSING AS AN INCENTIVE. THE SMART HOUSING IS DESIGNED AS A MARKET INCENTIVE PROGRAM THAT'S BEEN SUCCESSFUL IN STIMULATING THE PRODUCTION OF MIXED INCOME NEIGHBORHOODS. IT REDUCES THE LIKELIHOOD THAT NEW SUBDIVISIONS ON

LARGE VACANT TRACTS WILL BE BUILT WITHOUT ANY UNITS THAT ARE AFFORDABLE OR MEET THE OTHER PUBLIC BENEFITS OF SMART HOUSING. THE INITIATIVE HAS INCREASED ELIGIBLE FAMILIES ABILITIES FOR OWNERSHIP WITHOUT USING FEDERAL DOWN PAYMENT ASSISTANCE, WHICH HAS ALLOWED MORE FEDERAL FUNDS TO BE AVAILABLE TO DO EXACTLY WHAT MS. THOMAS WAS REQUESTING, WHICH IS THAT WE FOCUS ON USING THOSE FUNDS FOR PEOPLE WHO ARE BELOW 50%, BELOW 30% OF MEDIAN FAMILY INCOME. SO SMART HOUSING IS JUST ONE OF THE MAJOR VEHICLES WE USE TO STIMULATE THE PRODUCTION. AND SO FOR THAT REASON THAT HOPEFULLY CLARIFIES THE ISSUE OF -- OF COURSE, I'LL BE GLAD TO ANSWER ANY OTHER QUESTIONS WITH REGARD TO THE CHANGES IN THE SMART HOUSING ORDINANCE. AND I KNOW THAT THERE ARE SOME FOLKS HERE TO SPEAK TO THIS.

CORRECT.

Mayor Wynn: CORRECT. WE HAVE 16 CARDS, NOT ALL OF THEM WISHING TO SPEAK. I'LL QUICKLY GO THROUGH THOSE, COUNCIL, WITHOUT OBJECTION. MR. LARRY WARSHAW, NOT WISHING TO SPEAK, WRITES, YOUR VOTE FOR THESE ITEMS WILL REDUCE THE OVERLAP IN MONITORING AND OVERSIGHT WITH FEDERAL AND STATE AGENCIES. THIS WILL ALLOW STAFF TO FOCUS MORE ENERGY ON CREATING MORE AFFORDABLE UNITS. THIS IS GOOD FOR AFFORDABLE HOUSING AND THE CITY BUDGET. SMART HOUSING IS A WONDERFUL CITY PROGRAM. THANK YOU. CALINDA HOWL, NOT WISH TO GO SPEAK, IN FAVOR. LIEN DI (INDISCERNIBLE), NOT WISHING TO SPEAK, IN FAVOR. DALLAS KELLY, NOT WISHING TO SPEAK, IN FAVOR. LAUREN GREGORY, NOT WISHING TO SPEAK, IN FAVOR. JOSE CONTRERO, NOT WISHING TO SPEAK, IN FAVOR. ERIKA GONZALES, NOT WISHING TO SPEAK, AGAINST. I'M SORRY, I CAN'T READ -- IT'S NOT SUSANA, BUT THE LAST NAME IS ALMANZA. NOT WISH TO GO SPEAK, AGAINST. OH, SUSANNA ALMANZA WISHING TO SPEAK, YES. I'M SORRY. THEY CHECKED NO, BUT GO AHEAD, MR. CONTERA. THAT'S FINE. PLEASE COMPLETE IT.

GOOD EVENING, COUNCIL. MY NAME IS JOSE. I'M WITH THE GREATER EAST AUSTIN NEIGHBORHOOD ASSOCIATION. THE

REASON THAT I'M AGAINST THIS TYPE OF A RESOLUTION IS BECAUSE IN ALL ACTUALITY, OUR NEIGHBORHOODS OR THE ACTIVISTS THAT HAVE BEEN IN HOUSING FOR MANY, MANY YEARS HAVE NOT BEEN INFORMED OR HAVE NOT INITIATED SOMETHING WHERE WE CAN HAVE A PUBLIC HEARING IN EAST AUSTIN AND THE INNER CITY REGARDING SMART HOUSING. AND THE PROBLEM THAT I HAVE NOW IS THAT IF GO AHEAD AND VOTE THIS TODAY AND IT APPROVES, IT HAS SOME BACK LAGGING REGARDING THE RESPONSIBILITIES OF THE PEOPLE WHO ARE IN CHARGE OF THE SMART HOUSING, THE QUALIFICATIONS OF THE LOANS. WE'VE HAD A LOT OF COMPLAINTS. I'VE KNOCKED DOORS ON SOME OF THESE PEOPLE THAT BOUGHT HOUSES. THEY HAVE NO LAWYERS TO REPRESENT THEM WHEN THERE'S A CLOSING. AND THAT'S UNETHICAL FROM THE SFIN WHEN YOU HAVE EVERY ATTORNEY THAT REPRESENTS YOU AND THE CITIZENS OF AUSTIN, YET THE PEOPLE THAT LACK THE INFORMATION AND KNOWLEDGE, THERE'S NO ATTORNEY THERE TO QUALIFY THEM, TO LET THEM KNOW WHAT THEY'RE REALLY SIGNING. WHAT'S AFFORDABLE HOUSING IN THE INNER CITY ON NAVASOTA AND THIRD STREET, A HOUSE FOR \$110,000 FOR A LADY MAKING \$11 AN HOUR. IS THAT AFFORDABLE? AND SHE'S AFRAID SHEETS GOING TO LOSE HER HOUSE. AND THIS IS WHAT'S HAPPENING. WE HAVE ADDRESSED THIS TO COUNCILMEMBER THOMAS IN REGARDS TO THIS ISSUE. AND WHETHER OR NOT HE GOT AHOLD OF PAUL HILGERS. WE'VE CONTACTED SOME OF THE CONTRACTORS. THE WARRANTIES ON THESE HOUSES, THEY'RE NOT BEING FULFILLED. ONE LADY CLAIMED FOR ONE YEAR SHE'S BEEN WRITING LETTER TO THESE CONTRACTORS THAT WE DON'T KNOW NOTHING ABOUT IT. AFTER ONE YEAR THESE HOUSES ARE LEAKING FROM THE ROOF AND I DON'T KNOW HOW THIS HAS BEEN INVOLVED, BUT IT'S VERY TRAGIC TO THINK THAT YOU CALL THIS AFFORDABLE HOUSING IN MY NEIGHBORHOOD IN THE INNER CITY. MY MOTHER LIVES AT 1018 SPENCE. AND THE LAND VALUE OF PROPERTY FROM 20,000 LAST YEAR WENT TO 40,000 LAST YEAR, AND SHE'S 76 YEARS OLD. AND THEN WE HAVE THE GENERAL GENTRIFICATION COMING INTO THE NEIGHBORHOOD. I WOULD LIKE TO HAVE A COUNCIL TOUR SOY CAN SHOW YOU ALL OF THESE HOUSES THAT ARE BEING BOUGHT CASH AND THEY'RE BEING FIXED AND APPRAISED AT A HIGH VALUE. IS

IT BECAUSE OF SMART HOUSING? HOW CAN YOU COMPARE AFFORDABLE HOUSING TO PEOPLE THAT ARE COMING IN AND GENTRIFYING OUR NEIGHBORHOOD? MY MOTHER HAS HAD TO SUFFER AND SHE'S PAID TAXES FOR MANY, MANY YEARS. IT'S AN INJUSTICE THAT THIS CITY CONTINUES TO DO THESE THINGS. [BUZZER SOUNDS] THANK YOU.

Mayor Wynn: THANK YOU.

Thomas: MAYOR, IF YOU DON'T MIND. I THINK I DID SEND MR. HILGERS -- MY ASSISTANT WAS SUPPOSED TO ABOUT THE COMPLAINT HE HAD. IT WAS A HOUSE ON THIRD STREET, I THINK.

YES, SIR. WE HAVE HAD INQUIRY ABOUT THAT HOUSE, AND IT'S MY UNDERSTANDING THAT THAT HOUSE WAS A HOUSE THAT WAS DEVELOPED BY THE GUADALUPE DEVELOPMENT DEVELOPMENT CORPORATION IN CONJUNCTION WITH ANOTHER CONTRACTOR AND THEY ARE WORKING TO RESOLVE THE ISSUES THAT HE SPOKE OF, BUT I'LL BE GLAD TO GIVE YOU FURTHER INFORMATION ABOUT THE INFORMATION THAT WE FOUND OUT ABOUT THAT. IT WAS A HOUSE THAT WAS DONE WITH OTHER FEDERAL ASSISTANCE, NOT JUST SMART HOUSING. ALL NEW -- NEW HOUSES ARE PRODUCED ARE SMART HOUSES, BUT THEY ALSO IN MANY CASES SUCH AS THESE RECEIVE ADDITIONAL SUBSIDIES THROUGH OUR HOME PROGRAM THROUGH THE SUPPORTS THAT WE GIVE OUR NONPROFITS IN WHICH THEY DETERMINE THE SUBSIDY LEVELS OF THE FAMILIES THAT ARE NEEDED TO MAKE THE HOUSING AFFORDABLE TO THEM.

Thomas: ONE OTHER QUESTION, ON THE CLOSING THAT HE WAS TALKING ABOUT...

I'VE NEVER HEARD THAT ISSUE BEFORE. I'LL BE GLAD TO ADDRESS THAT ISSUE WITH HIM OFF LINE.

Mayor Wynn: THANK YOU, MR. HILGERS. AGAIN, ERIKA GONZALES, I CHECKED NOT WISHING TO SPEAK, AGAINST. SUSANNA ALMANZA, WISHING TO SPEAK.

GOOD EVENING, MAYOR AND CITY COUNCILMEMBERS, IKE SUSANNA ALMANZA WITH PODER. I'M REALLY CONCERNED

BECAUSE I THINK THAT SMART HOUSING, ESPECIALLY THIS ONE THAT IS NON-HUD, THEY ARE GOING TO BE UNDER NON-HUD COMPLIANCE, IS ONLY GOING TO GENERAL TRA FI OUR COMMUNITY EVEN MORE. AND DISPLACE SO MANY PEOPLE. BECAUSE WHEN YOU LOOK AT THAT 80% MEDIAN FAMILY INCOME AND YOU LOOK AT IN THE MAJORITY OF RESIDENTS IN OUR COMMUNITIES HAVE ANYWHERE FROM A FAMILY SIZE OF FOUR TO SIX AND YOU LOOK UNDER THE 80% MEDIAN FAMILY INCOME, THAT MEANS THAT A FAMILY OF FOUR WOULD HAVE TO BE MAKING \$56,500. A FAMILY OF FIVE, \$61,000. AND WE KNOW THAT THE MAJORITY OF THE HOUSING UNITS ARE BEING AT 80% MEDIAN FAMILY INCOME AND THAT THE RENTAL PROPERTIES ARE GOING AT 60% MEDIAN FAMILY INCOME, WHICH IS STILL NOT AFFORDABLE, BECAUSE IF WE LOOK AT A FAMILY OF FOUR AT THE 60% MEDIAN INCOME, WE'RE TALKING ABOUT 42,660. AND A FAMILY OF FIVE, \$46,080. ALL HAVE YOU TO DO IS LOOK AT THE CENSUS DATA AND LOOK AT WHAT THE MEDIAN FAMILY INCOME IS FOR THOSE PARTICULAR CENSUS TRACKS IN OUR AREA. SO NOW WE'RE SAYING WE'RE GOING TO BE BUILDING THOSE HOMES THAT ARE NON-HUD AND THE BUILDERS COMING IN AND BUILDING AT THAT 80% MEDIAN FAMILY INCOME, SO SMART HOUSING DOES NOT CREATE ANY NEW HOUSING, NOR COULD IT SENSE THE VALUE OF THE FEE WAIVERS ARE LESS THAN ONE THOUSAND DOLLARS PER UNIT. INSTEAD IT JUST LOWERS THE COST TO THE DEVELOPER, AND THAT'S JUST A LITTLE BIT. SO IT'S NOT REALLY DOING ANYTHING FOR THE COMMUNITY. AND WE SEE IT AS A TOOL, A FURTHER DISPLACEMENT FROM OUR COMMUNITY. WE SEE THAT IF THESE UNITS COME IN UNDER NON-HUD STATUS, WHICH AT LEAST 15 IN -- HUD IN 15, 20, 25 YEARS, WE KNOW THAT THERE'S A LONGEVITY THAT'S GOING TO HAPPEN THERE AND THAT THOSE PLACES ARE GOING TO STAY AFFORDABLE FOR A LONG PERIOD OF TIME. BUT YET UNDER THIS PROGRAM THEY'RE ONLY GOING TO STAY AFFORDABLE FOR ONE YEAR. I THINK THAT THAT'S A REALLY BIG DIFFERENCE WHEN YOU LOOK AT HOW LONG THAT AFFORDABILITY IS GOING TO LAST AND WHERE THESE PARTICULAR HOUSINGS ARE GOING TO COME IN. BECAUSE THE LARGEST VACANT LOT BESIDES THE SUBURBS ARE IN EAST AUSTIN. AND WE'RE LOOKING AT A LOT OF NEW HOUSING DEVELOPMENTS THAT COULD COME INTO

MONTOPOLIS. AND I DON'T THINK IT'S FAIR TO SAY THAT THESE HOUSES WON'T BE BUILT BECAUSE THE AFFORDABLE HOUSES OF PEOPLE WHO ARE ALREADY LOOKING AT THE TAX BRAIRKSZ THOSE PEOPLE, THEY'RE ALREADY GOING TO GO THERE. ALL YOU HAVE TO DO IS LOOK AT WHERE THEY WENT, WHAT TYPE OF CREDITS THEY GOT, THE PERCENTAGE, THE LAND BASE AND EVERYTHING. AND THEY WERE GOING TO BE THERE ANYWAY, BUT IT'S JUST A WAY FOR THE CITY TO PROJECT THAT THEY'RE DOING SOMETHING FOR AFFORDABLE HOUSING. SO ONLY AFFORD - - IT'S ONLY AFFORDABLE IF YOU CAN AFFORD IT. THANK YOU.

Mayor Wynn: THANK YOU, MS. ALMANZA. IT LOOKS LIKELY ANOTHER ONE SIGNED UP NOT WISHING TO SPEAK, AGAINST. BILL FAUST, ONLY IN COUNCIL HAS QUESTIONS, IN FAVOR. BILL LEE? WELCOME, SIR. YOU WILL BE FOLLOWED BY ANGELA LELLO, IF SHE'S STILL HERE.

GOOD EVENING, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. COUNCILMEMBERS, CITY MANAGER. MY NAME IS BILL LEE. I'M MANAGING PARTNER FOR (INDISCERNIBLE) PARTNERS, AN AFFORDABLE HOUSING DEVELOPMENT COMPANY IN AUSTIN WORKING ON CREATING AFFORDABLE AND FOR SALE HOUSING FOR TEXANS. I'M AN THIEWZ ENTHUSIASTIC SUPPORTING ON THE POINT OF BEING OBSESSIVE TO THE SMART HOUSING PROGRAM. I WORK AS A REPRESENTATIVE TO THE CHAMBER OF COMMERCE DURING THE CREATION OF THAT PROGRAM AND THE WRITING OF THE CITY'S THROUGH THE ROOF REPORTS. I'M VERY FAMILIAR WITH THE PROGRAM. I CAME HERE TONIGHT TO GIVE YOU SOME STATISTICS AND SOME FACTS ON HOW THAT -- THIS PROGRAM HAS HELPED CREATE TRULY AFFORDABLE HOUSING IN AUSTIN. OUR FIRM IS THE DEVELOPER OF THE GROWTH PLACE APARTMENTS, WHICH IS BEING DEVELOPED IN AFFILIATION WITH SAFE PLACE TO PROVIDE A MIXED INCOME COMMUNITY OFF OF GROWTH BOULEVARD IN SOUTHEAST AUSTIN. MANY OF OUR RESIDENTS WILL BE THE SURVIVORS AND THE FAMILIES OF SURVIVORS OF VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT. AND I'M GLAD TO ANNOUNCE THAT WE ACTUALLY STARTED CONSTRUCTION ON MONDAY AFTER WHAT SEEMS LIKE AN ALMOST ENDLESS PROCESS. FOR ONCE I'M GLAD TO ANNOUNCE THAT THE DELAYS WERE NOT

RELATED TO THE CITY, THAT THE SMART HOUSING ASSISTANCE GETTING US THROUGH THE PROCESS HELPED SIGNIFICANTLY. OUR COMMUNITY WILL INCLUDE ONE, TWO AND THREE-BEDROOM UNITS, RECREATIONAL FACILITIES INCLUDING A POOL, CLUBHOUSE, THAT CLUBHOUSE WILL ALSO INCLUDE MEETING ROOMS AND COUNSELING ROOMS FOR RESIDENTS IN OUR COMMUNITY. AND OUR RENTS WILL BEGIN AS LOW AS ABOUT \$310 A MONTH. WE ALSO HAVE MARKET RATE UNITS. WE COULD NOT HAVE PROVIDED RATES THAT LOW WITHOUT A NUMBER OF IMPORTANT HOUSING PROGRAMS, INCLUDING THE LOW INCOME HOUSING TRUST FUND -- I'M SORRY, LOW INCOME HOUSING TAX CREDITS, THE STATE OF TEXAS HOUSING TRUST FUND, BUT MOST -- BUT VERY IMPORTANTLY, SMART HOUSING. SMART HOUSING FEE WAIVERS TOTAL \$137,000 FOR OUR PROJECT, SAVING US ANNUALLY OVER \$10,000 IN DEBT SERVICE, WHICH WILL HELP GO TO PROVIDE ADDITIONAL HIGHER MAINTENANCE AND RESIDENT SERVICES FOR RESIDENTS OF OUR COMMUNITY. BY PROACTIVELY HELPING US NAVIGATE THE CITY'S BUILDING AND DEVELOPMENT PROCESS WE SAVED IMPORTANT TIME, ESPECIALLY IN THE LAST COUPLE OF MONTHS IN THE PROCESS OF GETTING OUR BUILDING PERMITS. WE'RE TREMENDOUSLY GRATEFUL TO PAUL, STEWART HERSH, GENE IN A AND ALL THE MEMBERS OF THE COMMUNITY DEVELOPMENT STAFF FOR THE TREMENDOUS HELP THEY GAVE US AND TO THE COUNCIL FOR THEIR SUPPORT DURING OUR ZONING PROCESS. SMART HOUSING IS A TREMENDOUSLY IMPORTANT PROGRAM PROVIDING AFFORDABLE HOUSING THROUGHOUT THE CITY, AND WE ASK YOU TO SUPPORT THESE CHANGE. [BUZZER SOUNDS]

Mayor Wynn: THANK YOU, MR. LEE. ANGELA LELLO SPOKE EARLIER IN FAVOR. JOHN HARRIS? WELCOME, MR. HARRIS. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY HARRY SAVIO.

MAYOR AND COUNCILMEMBERS, THANK YOU FOR THE COMMUNITY TO SPEAK. MY NAME IS JOHN HARRIS AND I'M REPRESENTING 10 SEX HOMES. CENTEX HOMES IS ONE OF THE NATION'S LARGEST BUILDERS OF AFFORDABLE ENTRY LEVEL HOUSING IN THE UNITED STATES. AND IN THE AUSTIN AREA CENTEX HOMES BUILT APPROXIMATELY ONE

THOUSAND HOMES LAST YEAR. THE OVERWHELMING MAJORITY OF THOSE HOMES WERE PRICED BELOW \$150,000 AND A SIGNIFICANT PERCENTAGE ARE THE PRICED BELOW \$125,000. I'M HERE TONIGHT TO ENDORSE THE EFFORTS OF YOUR CITY STAFF AND OTHER INDIVIDUALS TRYING TO IMPROVE THE SMART HOUSING PROGRAM, AND I ENCOURAGE YOU TO APPROVE THE PROPOSED CHANGES. A NUMBER OF THE CHANGES ARE ITEMS RELATED TO WHAT GETS BUILT IN THE HOUSE OR UNIT. THE CHANGES ARE A REFLECTION OF WHAT HAS WORKED AND WHAT DID NOT WORK. THE ADJUSTMENTS IMPROVED THE SPECIFICATIONS AND MAKE IT MORE COST EFFECTIVE TO COMPLY WITH SMART HOUSING, A WIN-WIN ACTION. A SPECIFIC CHANGE WHICH WE DEEM VERY IMPORTANT IS THE MODIFICATION OF THE AFFORDABILITY PERIOD TO ONE YEAR. THIS ONE-YEAR PERIOD MATCHES THE COMMITMENT THAT HOME BUYERS MAKE WHEN USING PURCHASE MONEY FROM THE FHA OR V.A., WHICH IS ALMOST ALL, IF NOT ALL, OF THE TARGETED BUYERS. THE CURRENT POLICY UNINTENTIONALLY HAS THE AFFECT OF DISCRIMINATING AGAINST TARGETED BUYERS, THOSE MAKING 80% OR LESS THAN THE MEDIAN FAMILY INCOME. THESE BUYERS, SHOULD THE OPPORTUNITY OR NEED ARISE TO SELL THEIR HOME TO MOVE TO A LARGER HOME OR TO ACCEPT A JOB TRANSFER, ARE CURRENTLY INCUMBERED WITH A FIVE-YEAR RESTRICTION ON SELF THEIR HOMES TO ANYONE OTHER THAN ANOTHER TARGETED BUYER. OR A SMALL PORTION -- WHICH IS A SMALL PORTION OF THE OVERALL BUYER MARKET. IF THE HOUSE HAS APPRECIATED IN VALUE, THEN THE TARGETED BUYER -- THEN THE BUYER MAY NOT BE ABLE TO AFFORD THE HOUSE AT ALL. YET A BUYER OF THE EXACT HOUSE ACROSS THE STREET WHO MAKES 81% OF THE MEDIAN FAMILY INCOME IS NOT SUBJECT TO THIS RESTRICTION. HE MUST ONLY MEET THE ONE-YEAR REQUIREMENT IMPOSED BY FHA AND VA. THE FIVE-YEAR REQUIREMENT IS NOT SOMETHING WE CAN SELL. WE DON'T THINK IT IS A FAIR RESTRICTION TO THE TARGETED BUYER. THEREFORE WE HAVE BEEN UNABLE TO USE THE PROGRAM. ALMOST ALL OF THE HOUSING WE HAVE CONSTRUCTED BELOW \$125,000 IS IN THE COUNTY OR IN SURROUNDING MUNICIPALITIES. THE CHANGES PROPOSED TONIGHT SHOULD ALLOW CENTEX HOPE AND OTHER NATIONAL BUILDERS OF AFFORDABLE,

ENTRY LEVEL HOUSING TO UTILIZE THE BENEFITS OF THE PROGRAM TO PRODUCE HOUSING MEETING THE NEEDS OF THE TARGETED BUYER WITHIN THE CITY LIMITS. AGAIN, I ENCOURAGE YOUR APPROVAL OF THE AMENDMENTS PROPOSED. THANK YOU.

Mayor Wynn: THANK YOU, MR. HARRIS. HARRY SAVIO, WHO WILL BE FOLLOWED BY PETER FLYNN.

MAYOR AND COUNCIL, I TESTIFIED PREVIOUSLY AND I'M NOT GOING TO GO BACK INTO ANY TESTIMONY, BUT I DID WANT TO TAKE JUST A MINUTE IF I COULD TO TALK ABOUT THE GENTRIFICATION ISSUE, WHICH I UNDERSTAND IS A PRIMARY OR I GUESS AT THIS POINT THE SOLE OBJECTION TO THIS PROGRAM. I THINK IT IMPORTANT TO REMEMBER THAT GENTRIFICATION IS ALMOST ALWAYS OR AT LEAST TO MY KNOWLEDGE IS INVOLVED WITH TAKING EXISTING HOUSING, REFURBISHING THAT, REBUILDING IT, OR EXISTING INFILL LOTS AND PLACING HOUSING ON THAT. THAT IS NOT THE SMART HOUSING PROGRAM. THE GENTRIFICATION FOR GOOD OR BAD, AND THERE ARE OTHER SOCIAL POLICY RESPONSES TO THAT. THERE ARE HOMESTEAD EXEMPTIONS, FREEZES ON TAXES FOR SENIORS. THERE ARE A NUMBER OF POLICY OPTIONS THAT ARE OPEN AND AVAILABLE IF THAT BECOMES A POLICY ISSUE FOR THE COUNCIL IN THE FUTURE. BUT AGAIN, THE SMART HOUSING PROGRAM, AT LEAST THAT PORTION THAT WE'RE ADDRESSING, IS A NEW APARTMENT COMPLEX, A NEW HOUSING SUBDIVISION, AND REALLY SHOULD NOT AND DOES NOT RELATE TO GENTRIFICATION, AT LEAST NOT AS I KNOW IT. THANK YOU.

Mayor Wynn: THANK YOU, MR. SAVIO. JERRY MARTIN SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. PETER FLYNN. WELCOME. SIR, YOU WILL HAVE THREE MINUTES.

MAYOR, COUNCILMEMBERS. THANK YOU FOR THIS OPPORTUNITY TO SPEAK. MR. HARRIS WITH CENTEX QUITE APTLY SUMS UP A LOT OF THE GOOD POINTS THAT I'D LIKE TO ADDRESS. I'M HERE ON BEHALF OF MILBURN HOME. WE BUILD NEW HOMES AND HAVE BEEN A PART OF THE AUSTIN COMMUNITY FOR MANY YEARS. WE WOULD WELCOME THE OPPORTUNITY TO CONTINUE IN THAT CAPACITY AND LOOK

FOR AN OPPORTUNITY TO BE A PART OF THE SMART HOUSING INITIATIVE, ENDORSE ITS GOALS. THE PRIMARY OBSTACLE THAT WE HAVE SEEN IN IMPLEMENTING THIS PROGRAM HAS BEEN THE FIVE-YEAR AFFORDABILITY PROVISION, WHICH AMOUNTS TO A LOOK-BACK PROVISION THAT COMPLICATES IT FROM AN ACCOUNTING STANDPOINT. MAINLY BECAUSE THE HOUSEHOLD INCOME CANNOT INCREASE, AS THE MAN FROM CENTEX POINTED OUT, AND IT IS VARIABLES THAT ARE OUTSIDE OF THE BUILDER'S CONTROL, SO TO SPEAK. I DON'T THINK I'M DOING QUITE AS WELL AS THIS MANUAL, PARDON ME FOR THE PRESENTATION. I WILL SAY THAT IF WE CAN REDUCE THAT AFFORDABILITY PERIOD TO ONE YEAR, IT BECOMES A SITUATION WHERE WE CAN QUANTIFY THE AMOUNT OF THE INCENTIVE, WHICH IS DIFFICULT TO DO AT THIS TIME UNDER A FIVE-YEAR. I'LL LEAVE IT AT THAT. ON A PERSONAL NOTE, I GREW UP IN AUSTIN. RECENTLY BOUGHT A HOME. I LIVED IN DOWNTOWN AUSTIN FOR MANY YEARS. BOUGHT IN ROUND ROCK. AND THE REASON WHY, I LOOKED AROUND. THERE WASN'T THAT MUCH AFFORDABLE HOUSING. I'D LOVE TO MOVE BACK. I HOPE YOU ADOPT THE PROPOSAL. THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU, MR. FLYNN. THAT'S ALL THE CITIZENS WHO SIGNED UP FOR ITEM NUMBER 44. IS THERE ANY OTHER CITIZENS THAT WISH TO BE HEARD ON THIS PUBLIC HEARING? IF NOT, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING, COUNCIL. MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER DUNKERLEY TO CLOSE THE PUBLIC HEARING. ALL THOSE IN FAVOR, PLEASE SAY AYE. OPPOSED? THE MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DIAS. MR. HILGERS?

WELL, MAYOR, JUST A COUPLE OF POINTS THAT I WOULD MAKE. THESE ORDINANCES, OF COURSE THESE CLARIFICATIONS ARE IMPORTANT AND THAT'S WHY STAFF'S BRINGING FORWARD THESE RECOMMENDATIONS. THE ONE POINT THAT I WOULD, I GUESS, REBUT TO SOME DEGREE WITH REGARD TO THE EFFECTIVENESS OF THE SMART HOUSING PROGRAM ON THE INFILL IS TWO POINTS. ONE IS THE ISSUES OF GENTRIFICATION ARE EXTREMELY

IMPORTANT AND ONES THAT THIS DEPARTMENT AND THIS COUNCIL HAVE TAKEN A LONG LOOK AT AND MADE SOME RECOMMENDATIONS. THE KEY POINT IS THAT WHAT THE SMART HOUSING ORDINANCE ALLOWS AND BY INCREASING THE NUMBER OF BUILDERS WHO CAN PARTICIPATE, WE WILL ALLOW THEM -- WE WILL INCENTIVIZE THEM TO REDUCE THE SIZE OF THE HOUSES THAT THEY WILL BUILD IN THE SUBDIVISIONS, THERE BY REDUCING THE DEMAND FOR THE HOUSES THAT ARE IN THE INNER CITY BECAUSE THOSE ARE THE ONLY OPTIONS THAT FAMILIES HAVE AVAILABLE TO THEM. SO IT IS TRUE THAT MANY OF THE HOUSES THAT -- AND HOME OWNERSHIP IN THE CITY, IN THE INNER CITY ARE GOING TO REQUIRE GREATER SUBSIDIES TO ACHIEVE AFFORDABILITY, THEY WILL MEET THE SMART HOUSING STANDARDS BECAUSE EVERYTHING WE DO IN NEW CONSTRUCTION MEETS THE SMART HOUSING STANDARDS, BUT THEY WILL REQUIRE ADDITIONAL SUBSIDIES. SO WITH THAT I'LL BE GLAD TO TRY TO ANSWER ANY QUESTIONS THAT COUNCIL MIGHT HAVE OF STAFF ON THESE ISSUES.

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: THANKS, MAYOR. MR. HILGERS, YOU PROVIDED SOME INFORMATION TO ME EARLIER THIS WEEK.

YES, SIR.

Alvarez: TO KIND OF CLARIFY SOME OF THE ISSUES REALLY THAT WERE RAISED IN THE NEWSPAPER ARTICLES A COUPLE OF WEEKS BACK BECAUSE WHEN I THINK ABOUT SMART HOUSING I THINK ABOUT -- I DON'T THINK ABOUT THE SUBSIDIZED HOUSING WHERE WE'RE USING OUR FEDERAL AND STATE AND LOCAL CDBG BURGLARS, BUT I THINK OF -- CDBG DOLLARS, BUT I THINK OF THOSE SUBDIVISIONS THAT ARE BEING BUILT THROUGH SMART HOUSING THAT WOULD NOT HAVE OTHERWISE INCLUDED AN AFFORDABILITY ELEMENT. SO I ASK YOU TO PROVIDE A BREAKDOWN OF THE SMART HOUSING UNITS THAT HAD OTHER FINANCING ASSISTANCE THROUGH AHFC OR BOND FINANCING OR TAX CREDITS. AND THEN JUST -- AND THEN BREAK DOWN JUST SOME SMART HOUSING WITH NO OTHER SORT OF SMART HOUSING ASSISTANCE. FROM MY POINT OF VIEW, WHAT IS THE PROGRAM DOING THAT OTHERWISE MAY NOT HAVE

HAPPENED? BECAUSE BEFORE SMART HOUSING WE WERE ALREADY DOING THE AHFC. THE HOME HOMES AND THE ONES THAT THE CDC, THE COMMUNITY DEVELOPMENT CORPORATIONS AND THE TAX BIT PROJECTS. BUT I WANTED TO SEE WHAT ELSE HAS SMART HOUSING PROGRAM DONE THAT WOULDN'T HAVE HAPPENED OTHERWISE. SO I THINK IT'S IMPORTANT TO HIGHLIGHT THAT BECAUSE FOR FISCAL YEAR '02-'03, IN TERMS OF SMART HOUSING WITH OTHER FINANCIAL ASSISTANCE WE HAD, I THINK, SIX HOMES BUILT AT 80% OR ABOVE MEDIAN FAMILY INCOME. AND UNDER SMART HOUSING ALONE WITH NO OTHER SMART HOUSING ASSISTANCE IT WAS ABOUT 150 BUILT AT MEDIAN FAMILY INCOME OR ABOVE. IN THE RANGE OF 61 TO 80% MEDIAN FAMILY INCOME THERE WAS 42 HOME BUILT WITH OTHER SMART HOUSING AND OTHER FINANCING ASSISTANCE FROM THE CITY AND OTHER SOURCES. SO IN THAT RANGE, 61 TO 80%, THERE WERE 42 THAT WERE PRETTY HEAVILY SUBSIDIZED. AND UNDER SMART HOUSING JUST WITH OUR FEE WAIVERS ESSENTIALLY, WE'RE ABLE TO ACHIEVE ANOTHER 96. AND SO WE ALMOST TRIPLED THERE THE NUMBER. ACTUALLY, WE DID TRIPLE OR MORE THAN TRIPLED THE TOTAL NUMBER IN THAT CATEGORY. AND SO I THINK THAT'S PRETTY SIGNIFICANT REALLY BECAUSE I THINK THAT WHEN I THINK ABOUT THE SMART HOUSING PROGRAM, I THINK ABOUT THE FACT THAT WE'RE CREATING AFFORDABLE UNITS WHERE OTHERWISE THERE WOULD NOT HAVE BEEN AND THEY JUST MIGHT HAVE BEEN BUILT AT MARKET RATE.

YES, SIR.

Alvarez: SO I DO WANT TO HIGHLIGHT THAT AND SORT OF THANK YOU FOR PROVIDING THAT INFORMATION. I THINK THAT ONE POINT TO POINT OUT TOO IS IN TERMS OF THE CHANGE GOING FROM FIVE YEARS TO ONE YEAR IS THAT ONLY ON THE SINGLE-FAMILY SIDE OR WHAT ABOUT THE MULTI-FAMILY?

IT'S ABSOLUTELY ONLY ON THE SINGLE-FAMILY SIDE, WHICH RECEIVES NO FEDERAL ASSISTANCE. ONE OTHER POINT THAT I THINK IS IMPORTANT IS THAT THE FEDERAL ASSISTANCE AND THE FEDERAL AFFORDABILITY PERIOD IS A FIVE-YEAR PERIOD. WHERE YOU GET INTO LONGER

AFFORDABILITY PERIOD IS WHEN YOU'RE TALKING ABOUT TAX CREDITS AND MULTI-FAMILY PROJECTS. AND THOSE HAVE MUCH AND MANY CASES 20, 30-YEAR AFFORDABILITY PERIOD. BUT WE ARE LIMITING THIS RECOMMENDATION TO ONLY THOSE SINGLE-FAMILY UNITS THAT WOULD RECEIVE NO OTHER FEDERAL ASSISTANCE. SO THOSE WOULD BE THOSE UP TO 96 THAT YOU WERE LOOKING AT IN THAT CATEGORY. BETWEEN 60 AND 80.

Alvarez: ONE THING THAT I THINK WOULD BE HELPFUL FOR US TO MAYBE SEE BECAUSE OF THE ISSUE OF THE GENTRIFICATION. AND I KNOW A LOT OF THE SMART HOUSING UNITS THAT HAVE NO OTHER SORT OF SUBSIDY OR FINANCING ASSISTANCE ARE NOT THE ONES BEING BUILT IN THE CITY. AND THAT IS MY -- THAT IS MY ASSUMPTION, BUT MAYBE WE SHOULD TEST THAT.

ABSOLUTELY. GEOGRAPHICALLY WHERE ARE THEY?

Alvarez: THAT WE'VE BEEN ABLE TO PRODUCE IN CENTRAL EAST AUSTIN THAN HOW MANY OF THOSE THAT WERE DONE WITH JUST THE SMART HOUSING ASSISTANCE ALONE AND WHICH ONES WERE DONE WITH THE --

WE CAN GET YOU THAT INFORMATION AND CLARIFY IT.

Alvarez: THAT WOULD BE HELPFUL.

YOUR ASSUMPTION, I BELIEVE, IS THE SAME AS I WOULD HAVE. MOST OF THE 96 WOULD BE BUILT WITHOUT SUBSIDIES WOULD HAVE BEEN BUILT OUTSIDE OF THE CENTRAL EAST AUSTIN AREA.

Alvarez: OKAY. AND THEN FINALLY ON THE MULTI-FAMILY SIDE, BECAUSE I THINK YOU SAID THAT, WELL, THIS PARTICULAR CHANGE DOESN'T AFFECT MULTI-FAMILY.

THAT'S CORRECT.

Alvarez: NOW, IS THAT A FIVE-YEAR STANDARD AS WELL REQUIREMENT?

YES, SIR, TYPICALLY.

Alvarez: WHY WOULD IT BE THAT VERSUS SOMETHING THAT'S MORE LONG-TERM?

TYPICALLY HERE THE ISSUE IS THERE'S ONLY A VERY FEW UNITS THAT ARE ACTUALLY MULTI-FAMILY PROPERTIES THAT ARE -- THAT DON'T RECEIVE ADDITIONAL ASSISTANCE. MOST OF OUR MULTI-FAMILY THAT ACHIEVE SMART HOUSING, AND I DO THINK IT'S IMPORTANT TO NOTE THAT THERE WERE MANY TAX CREDIT PROJECTS THAT WERE NOT ABLE TO BE FUNDED IN AUSTIN BEFORE SMART HOUSING FOR A VARIETY OF REASONS. BUT THE ANSWER TO YOUR QUESTION IS THAT IN MOST OF OUR MULTI-FAMILY YOU HAVE A BOND ISSUE OR SOME OTHER FINANCIAL INSTRUMENT THAT'S GOING TO REQUIRE A MUCH LONGER THAN FIVE-YEAR AFFORDABILITY PERIOD. HOWEVER THE WAY THAT THIS ORDINANCE IS LISTED RIGHT NOW AND WE HAD NOT DISCUSSED MAKING A CHANGE TO LENGTHEN THE AFFORDABILITY PERIOD FOR MULTI-FAMILY DEVELOPMENTS THAT ARE IN THAT UNASSISTED CATEGORY ARE THAT IS NOT SOMETHING WE LOOKED AT AT THIS TIME. CERTAINLY THAT IS SOMETHING THAT WE COULD STUDY OR THAT IS NOT -- CHRISTMAS NOT SOMETHING THAT WE HAVE LOOKED AT OR ACTUALLY ANALYZED.

Alvarez: I THINK THAT WE'RE HEARING SOMEWHAT FROM THE PUBLIC IS THAT -- AT LEAST A SENSE THAT WE'RE TRYING TO SORT OF REMOVE SOME OF THE -- OR WEAKEN TO A CERTAIN DEGREE THE SMART HOUSING PROGRAM. I THINK THERE'S DIFFERENT WAYS THAT WE CAN FURTHER STRENGTHEN AND KIND OF PROVIDE ASSURANCES THAT SOME OF THIS HOUSING WILL REMAIN AFFORDABLE FOR AS LONG AS POSSIBLE. SO THAT WE STILL ENSURE THAT THERE'S INTEREST OR PARTICIPATION IN THE PROGRAM. SO I THINK WE CERTAINLY SHOULD CONTINUE THAT AND IDENTIFY THOSE OPTIONS. AND I THINK GOING BACK TO SORT OF THE SINGLE-FAMILY SCENARIO, ONE OF THE THINGS THAT I DISCUSSED WITH YOU IS BECAUSE WE'VE HEARD FROM SOME BUILDERS AND SOME OF THE BUILDERS ASSOCIATIONS OF ARTICULATING THE VIEW IF WE CAN MAKE THIS CHANGE THERE WOULD BE MORE PARTICIPATION IN

THE SMART HOUSING PROGRAM.

YES, SIR.

Alvarez: AND WHICH I THINK IS A GOOD THING, BUT I THINK LOOKING AT WHAT OUR RESOURCES ARE IN TERMS OF OUR SMART HOUSING REVIEW TEAM, WHICH IS REALLY I THINK ONE OF THE THINGS THAT REALLY HELPS US OUT BECAUSE IT GETS US TO TURN AROUND THESE PROJECTS REAL QUICKLY OR MUCH MORE QUICKLY THAN USUAL. SO LET'S SAY WE GET A LOT MORE PARTICIPATION FOR SORT OF THE BASIC LEVEL OF PARTICIPATION, WHICH IS 10 PERCENT OF UNITS. IF WE GET A GREATER AMOUNT OF PARTICIPATION, COULD THIS PROHIBIT SOME OF THESE OTHER PROJECTS OR WE'RE LOOKING AT MORE AFFORDABILITY OR MORE UNITS AND HIGHER LEVELS OF AFFORDABILITY THAN -- DO WE THINK THAT WILL HAVE AN IMPACT? HOW IS THE WORK LOAD IN TERMS OF OUR STAFF RESOURCES AND HOW MIGHT WE PRIORITIZE IF WITH THIS CHANGE WE GET INCREASED PARTICIPATION THAT WE WANT, THEN IT'S ACTUALLY WILL SLOWDOWN SOME OF THE AFFORDABLE UNITS --

TWO THINGS I'VE TRIED TO RESPOND. AND WHAT I'D LIKE TO DO IS ASK JAVIER DELGADO, WHO IS THE TEAM CAPTAIN OF THE SMART HOUSING REVIEW TEAM AND I WOULD TAKE THIS OPPORTUNITY TO CONGRATULATE HIM AND HIS TIM AND JOE AND LISA ON THEIR WORK ON THE WAY THAT THE SMART HOUSING TEAM HAS EMBRACED THIS MISSION THAT THEY HAVE. WE DID DO SOME INQUIRIES WITH THEM ON WHEN THESE CHANGE WERE. I'LL LET JAVIER SPEAK TO THAT. WE HAVE THE AUTHORITY FOR A THOUSAND UNITS LUE CAP, AND WE HAVE NOT YET ACHIEVED IN ANY GIVEN YEAR, AND WE HAVE NOT YET ACHIEVED THAT CAP. THAT WILL BE ONE OF OUR MECHANISMS WITH REGARD TO RESOURCES. NOW, WE HAVE ANSWERS AND WE HAVE INFORMATION THAT SHOWS HOW WE GET PAID BACK WITH THE INCREASED UNITS AND THE INCREASED PRODUCTION OF UNIT IN FEES AND HOW THOSE WAIVERS AND FEES GET PAID BACK TO THE CITY AND UTILITY BILLS AND THEN TAXES, BUT I DO THINK THAT IT'S IMPORTANT TO NOTE THAT WE MAY BE BUMPING AT SOME POINT WITH GREAT SUCCESS AGAINST THAT CAP. AND THEN WE WOULD BE WORKING

WITH WASTE AND -- WATER AND WASTEWATER UTILITY TO DETERMINE WHAT THE IMPACT OF THAT IS ON THEIR RESOURCES. BUT DECIDES THAT YOUR ISSUE, AND -- BESIDES THAT YOUR ISSUE, AND ANOTHER INTERESTING QUESTION WE NEED TO PAY VERY CAREFUL ATTENTION TO, WHICH IS THE PRIORITIZATION TO THE MORE AFFORDABLE UNITS AND WOULD THIS IMPACT THE ABILITY TO REVIEW THOSE UNITS. WITH THAT, I'D LIKE TO ASK JAVIER TO ANSWER THOSE QUESTIONS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] PANTALION,.

SURE. WITH THE AMENDMENTS WE WILL -- WE ARE ASSUMING THAT WE WILL GET MORE APPLICATIONS IN. ONE OF THE UNIQUE THINGS ABOUT THE REVIEW TEAM IS THAT WE PRETTY MUCH TOOK THE ONE-STOP SHOP CONCEPT THAT WE HAVE BEEN TALKING ABOUT, PUT THAT IN A -- PUT THAT ON THE GROUND VERY QUICKLY. THEREFORE, THE LAST 11 MONTHS, WE HAVE BEEN WORKING WITH IT, WE HAVE TRIED DIFFERENT THINGS. AND IT'S BEEN TRIAL AND ERROR. RIGHT NOW, WE HAVE SOME -- SOMETHING THAT'S VERY EFFECTIVE. THE -- THE DEVELOPERS ARE VERY RESPONSIVE TO OUR COMMENTS. WE ARE VERY PROACTIVE IN ADDRESSING COMMENTS AND SO FORTH. WITH THE INCREASED WORKLOAD, I BELIEVE THAT WE COULD APPLY OUR EXPERIENCES FROM THE PAST YEAR AND BE ABLE TO CONTINUE TO KEEP UP THE -- THE LEVEL OF -- THE QUALITY OF REVIEW AND THE SPEED OF REVIEW.

Alvarez: GOOD. AND JUST -- JUST KIND OF ADDING UP THESE NUMBERS ROLE QUICKLY HERE, IT DOES APPEAR THAT WE ARE GETTING PRETTY CLOSE TO THAT THOUSAND UNIT CAP THAT WE HAVE IN PLACE. SO I ASSUME THAT WE HAVE THE RESOURCES TO AT LEAST ACCOMMODATE SORT OF A -- THAT NUMBER OF UNITS AND THEN SOUNDS LIKE IT. THEN IF -- WHAT DOES HAPPEN IF WE REACH THAT --

THERE'S A COUPLE OF THINGS, ONE IS THAT WE ARE CONSTANTLY ANALYZING THE NUMBER OF UNITS THAT ARE COMING THROUGH. IT'S IMPORTANT TO NOTE THAT MULTI-FAMILY UNITS ARE ABOUT 3 TO 1 FOR AN LEU. THE NUMBER OF UNITS IN A MULTI-FAMILY DON'T EQUATE FOR AN LUE, BUT SINGLE FAMILY CERTAINLY DO. WE WILL BE PROJECTING, WORKING WITH THE SMART HOUSING REVIEW

TEAM AS THOSE PROPOSALS COME IN, SO THAT VERY EARLY ON, IF WE ARE BUMPING INTO THAT CAP, WE WILL BE DOING AN ANALYSIS WITH THE CITY -- WITH THE OTHER CITY DEPARTMENTS AND ANALYZING ONE OF THE KEY ISSUES IS WHERE IS THAT DEVELOPMENT AND WHAT IS THE INFRASTRUCTURE THAT'S OUT IN THAT DEVELOPMENT, HOW MUCH ADDITIONAL APPEAR TALL EXPENDITURE DOES -- ADDITIONAL CAPITAL EXPENDITURE DOES IT TAKE. WE GET A CHANCE TO WORK WITH THAT BY HAVING A CERTIFICATION PROCESS THAT CAN KEEP A PIPELINE IDENTIFIED TO US. SO THE ANSWER TO THE QUESTION IS WE WOULD ANALYZE THIS AND DETERMINE WHETHER OR NOT THE WATER AND WASTEWATER UTILITY, WATER AND WASTEWATER COMMISSION WOULD CONSIDER THIS A WORTHWHILE INVESTMENT TO INCREASE THE NUMBER OF UNITS IN THAT CAP. AND WE WOULD THEN HAVE TO COME BACK TO THE COUNCIL TO RECEIVE ADDITIONAL AUTHORIZATION TO ALLOW THOSE TO OCCUR.

Alvarez: OKAY. THANK YOU, MR. DEL GADO AND MR. HILGERS. I WANTED TO MAKE SURE WE ANTICIPATE WHAT HAPPENS IF WE GET WHAT WE WANT SO TO SPEAK AND WHAT KIND OF IMPACTS THAT MAY HAVE ON OUR PROGRAM. I DON'T HAVE ANY MORE QUESTIONS.

Mayor Wynn: OKAY. FURTHER QUESTIONS OF THE STAFF? COMMENTS? COUNCIL? IF NOT, I WILL ENTERTAIN A MOTION ON ITEM 44.

Alvarez: MAYOR, I WILL MOVE APPROVAL, MAYOR, OF ITEM 44.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ TO APPROVE THE RESOLUTION POSTED AS ITEM 44. SECONDED BY COUNCILMEMBER DUNKERLY. FURTHER DISCUSSION?

Slusher: I HAVE A QUESTION OF MR. HILGERS. MR. HILGERS OH, THE RESOLUTION UNDER -- ON THE RESOLUTION UNDER D 1 C, WATER AND WASTEWATER CAPITAL RECOVERY FEES, IT SAYS THAT THEY -- THAT THEY CAN ONLY THE BE WAIVED ADMINISTRATIVELY FOR EXISTING SINGLE FAMILY HOMES THAT ARE REASONABLY PRICED, CONNECT TO CITY SUER

SERVICES AND THAT THEY -- OKAY. SO THEY MAY ALSO ONLY BE WAIVED ADMINISTRATIVELY FOR EXISTING SINGLE FAMILY HOMES THAT ARE REASONABLY PRICED AND CONNECT TO CITY SEWER SERVICES IN ORDER TO COMPLY WITH ONSITE SEWAGE FACILITY REQUIREMENTS. THEN, TWO, SAYS CAPITAL RECOVERY FEES MAY NOT BE WAIVED ADMINISTRATIVELY, SO THAT -- I'M NOT FOLLOWING, I HAVE A COUPLE OF QUESTIONS HERE, BUT THEY -- I'M NOT FOLLOWING EXACTLY WHEN THEY CAN BE WAIVED ADMINISTRATIVELY AND WHEN IT REQUIRES A COUNCIL VOTE AND THEN I HAVE SOME QUESTIONS ABOUT THE REST OF NUMBER TWO. BUT MAYBE YOU CAN ADDRESS THAT ONE FIRST.

OKAY. COUNCILMEMBER, I MAY NEED A LITTLE HELP ON THIS, BUT MY UNDERSTANDING, IS I'M TRYING TO -- COULD YOU POINT ME AGAIN TO STATE ONE MORE TIME WHERE YOU WERE WORKING ON THE RESOLUTION.

IT'S PAGE 3 OF THE RESOLUTION.

YES, SIR.

D 1 C 1.

OH, GREAT. OKAY. YES, SIR. THE KEY ISSUE FOR US IS THAT WE CAN ONLY WAIVE CITY FEES, ADMINISTRATIVELY, IN WHICH THERE ARE NO WAIVERS FOR -- ANY EITHER ORDINANCES AS VARIANCES IN THE DRINKING WATER PROTECTION ZONE OR LIMITED PURPOSE ANNEXATION AREAS OR DEVELOPMENTS LOCATED WITHIN MUDDS WITHIN THE CITY'S LIMITED PURPOSE ANNEXATION AREA. ANYTHING THAT REQUESTS A WAIVER. STEWART, DO YOU WANT TO HELP ME, LET ME LET SUE WART --

OKAY. SO IF YOU GO DOWN UNDER 2 WHERE IT'S TALKING ABOUT IT HAS TO COME TO THE COUNCIL, IF THOSE INSTANCES, IF THEY ARE LOCATED IN ANY OF THOSE TYPE OF AREAS TO GET A WAIVER THEY WOULD HAVE TO COME TO THE COUNCIL. IF THEY ARE NOT LOCATED IN ONE OF THOSE, IT WOULD BE DONE ADMINISTRATIVELY.

COUNCILMEMBER SLUSHER, STEWART HIRSCH WITH

NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. THIS RESOLUTION DOESN'T CREATE THE AUTHORITY FOR FEE WAIVERS. WE HAVE A FEE WAIVER ORDINANCE THAT -- THAT IS ADOPTED BY COUNCIL SINCE APRIL 2000. THAT CREATES THE AUTHORITY TO WAIVE CAPITOL RECOVERY FEES THAT -- CAPITAL RECOVERY FEES THAT MEET SMART HOUSING STANDARDS. WHAT WE HAVE DONE IN THIS ORDINANCE IS REPEAT ONE POLICY AND CLARIFY ANOTHER. OUR -- OUR ORIGINAL SMART HOUSING FEE WAIVER ORDINANCE ALLOWS US TO WAIVE CAPITAL RECOVERY FEES WHEN A LOW INCOME PERSON GOES FROM SEPTIC TO SEWER. THAT'S IN THE ORIGINAL ORDINANCE THAT GETS RETAINED IN THIS ORDINANCE. SO THAT'S -- SUPPLEMENTAL TO THE -- TO THE FEE WAIVER ORDINANCE THAT'S ALREADY IN PLACE.

IS THAT WHAT NUMBER C 1 MEANS?

THAT'S WHAT THAT MEANS, THAT IS A CURRENT -- THAT'S CURRENTLY IN THE SMART HOUSING RESOLUTION AND WE RETAIN THAT HERE. WE THOUGHT THE ORIGINAL LANGUAGE WAS TOO BROAD. WE HAVE ONLY ALLOWED THOSE FEE WAIVERS FROM SEPTIC TO SEWER TO GO TO LOW INCOME FAMILIES BECAUSE WE UNDERSTOOD THAT WAS COUNCIL INTENT. SO WHAT WE ARE DOING HERE IS SLIGHTLY MODIFYING THE LANGUAGE IN THE EXISTING RESOLUTION THAT SPOKE TO THAT ISSUE.

OKAY.

THE SECOND THING THAT WE ARE DOING IS THAT WE ARE SAYING SOMETHING THAT HAS ALSO BEEN AN STRAIGHT ACTIVE POLICY FOR THE PAST FOUR YEARS UNDER SMART HOUSING WHICH IS THAT IF YOU ARE IN THE DRINKING WATER PROTECTION ZONE, AND YOU EITHER SEEK AN ENVIRONMENTAL VARIANCE OR YOU SEEK 1704 FULL EXEMPTION, THEN THE ONLY WAY THAT YOU CAN GET ANY FEE WAIVERS IS TO COME TO THE CITY COUNCIL. THAT HAS BEEN THE POLICY FOR THE PAST FOUR YEARS, WE'VE HAD ONE DEVELOPMENT IN THAT CIRCUMSTANCE, THEY HAD TO COME TO YOU FOR APPROVAL AND IN THAT INSTANCE YOU DID APPROVE IT, IT WAS THE SOUTHWEST TRAILS DEVELOPMENT. SO THIS POLICY FROM OUR PERSPECTIVE

ONLY REINFORCES WHAT OUR HAS BEEN FOR FOUR YEARS. WE THINK THAT IT'S BETTER LANGUAGE TO REFLECT THE COUNCIL INTENT THAN WHAT WAS IN THE ORIGINAL RESOLUTION, SO FROM OUR POINT OF VIEW IT DOESN'T CONSTITUTE A CHANGE AND AS MR. HILGERS MENTIONED IT DOESN'T MODIFY THE FEE WAIVER ORDINANCE THAT YOU APPROVED ON THE SAME DAY THAT YOU APPROVED THE ORIGINAL SMART HOUSING RESOLUTION.

Slusher: OKAY. I'M NOT -- THE LANGUAGE DOESN'T -- I'M NOT SURE THAT I AGREE THAT THE LANGUAGE MAKES IT MORE CLEAR. LET ME WORK ON THAT JUST A LITTLE BIT.

OKAY.

Slusher: I WANT TO GO HOME JUST LIKE EVERYBODY ELSE, BUT CAPITAL RECOVERY FEES MAY ALSO ONLY BE WAIVED ADMINISTRATIVELY. WHAT IS THE ALSO, DOES THAT REFER TO SOMETHING EARLIER?

YES. THAT -- OUR [INDISCERNIBLE] WAIVING CAPITAL RECOVERY FEES UNDER SMART HOUSING COMES UNDER THE LAND DEVELOPMENT CODE WAIVER THAT YOU ADOPTED ... NOT FROM A RESOLUTION. THE LAW HAS MADE IT VERY CLEAR TO US THAT THE COUNCIL CANNOT WAIVE FEES BY RESOLUTION, IT CAN ONLY WAIVE FEES BY ORDINANCE. WE ARE NOT PROPOSING TODAY TO CHANGE THAT ORDINANCE.

Slusher: WHY DID YOU LEAVE THE WORD ALSO IN THERE.

BECAUSE THERE ARE TWO LIMITS IN THIS RESOLUTION. ONE IS IT CLARIFIES THAT -- THAT EVEN THOUGH WE HAVE THE AUTHORITY TO WAIVE CAPITAL RECOVERY FEES FOR ALL SMART HOUSING RESOLUTION UNDER THAT ORIGINAL CODE AMENDMENT, THIS RESOLUTION LIMITS OUR ABILITY TO DO SO. BUT ALSO ALLOWS US TO -- TO WAIVE FEES FOR LOW INCOME PEOPLE, MOVING OVER FROM SEPTIC TO CITY SEWER.

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Slusher: OKAY. MAYBE -- ALSO ONLY. THAT --

MAYBE -- I'M NOT A LAWYER SO I'M -- WE TRIED TO --

COULD BE THE PROBLEM, TOO.

OKAY. I'M SORRY.

THE INTENT, THOUGH, IS TO LIMIT WHEN WE CAN, UNDER WHAT CIRCUMSTANCES WE CAN -- WE CAN WAIVE FEES TO JUST -- TO JUST THOSE INSTANCES IN WHICH MR. HIRSCH WAS TALKING ABOUT.

Slusher: WOULD THIS BE A CORRECT WAY TO SAY IT, CAPITAL RECOVERY FEES MAY BE WAIVED ADMINISTRATIVELY ONLY FOR EXISTING SINGLE FAMILY HOMES THAT ARE REASONABLY PRICED, DA-DA-DA, AS OPPOSED TO THAT DOESN'T WIPE OUT THE OTHER ONE?

YES.

Slusher: COULD WE CHANGE THEN, MOVE THE WORD ONLY TO "MAY BE WAIVED --" HOW DID I SAY IT? IT SOUNDED GOOD [LAUGHTER] TAKE OUT ALSO, TAKE OUT ALWAYS, THANK YOU COUNCILMEMBER ALVAREZ, MAY BE WAIVED ADMINISTRATIVELY ONLY, PUT -- MOVE -- DELETE ALSO AND MOVE ONLY TO AFTER ADMINISTRATIVELY. DOES THAT ACHIEVE THE SAME MEANS?

OUR LEGAL COUNSEL SAYS THAT'S JUST FINE, SIR.

Slusher: OKAY. I WANTED TO MAKE SURE THAT I DIDN'T CHANGE THE MEANING. ON THIS OTHER ONE, WHAT WE ARE SAYING HERE IS ON NUMBER TWO, WE ARE SAYING THAT IF YOU FALL UNDER ANY OF THESE DATE CATEGORIES, IT HAS TO COME TO THE CITY COUNCIL.

THAT'S CORRECT.

OKAY.

BEAR WITH ME WHILE I READ THIS ONE AGAIN. HOW ABOUT WE SAY CAPITAL RECOVERY FEES IN THE FOLLOWING

AREAS MAY BE WAIVED ONLY BY A VOTE OF THE CITY COUNCIL AND COLON --

EXCUSE ME, COUNCILMEMBER, I'M SORRY. IF YOU ARE LOOKING AT D 12, YOU ARE RIGHT, THOSE MUST COME BEFORE THE CITY COUNCIL.

Slusher: OKAY. I HAVE GOT AN IDEA FOR THAT IF YOU CAN --

NO, THESE -- THESE MAY NOT BE WAIVED ADMINISTRATIVELY --

Slusher: I'M WORRIED IT COULD BE MISINTERPRETED.

D -- 2 -- D-1-C-2.

OKAY.

Slusher: D-1-C-2.

OKAY. WE ARE IN THE SAME SPOT.

Slusher: OKAY. CAPITAL RECOVERY FEES FOR DEVELOPMENTS IN THE FOLLOWING CATEGORIES MAY ONLY BE -- CAPITAL RECOVERY FEES FOR DEVELOPMENTS IN THE FOLLOWING CATEGORIES MAY ONLY BE WAIVED BY A VOTE OF THE CITY COUNCIL. COLON. DEVELOPMENTS ... SEMI COLON.

THAT'S EVEN MORE CLEAR, SIR.

Slusher: OKAY. THANK YOU. DEVELOPMENTS WITH FULL H.B. 1704 EXEMPTIONS WITHIN THE CITY'S FULL PURPOSE -- ...

YES, SIR.

SEMI COLON, OR LIMITED PURPOSE ANNEXATION AREA AND/OR DEVELOPMENT LOCATED WITHIN MUNICIPAL UTILITY DISTRICTS LOCATED WITHIN THE CITY'S LIMITED PURPOSE AREA.

YES, SIR.

DID ANYBODY WRITE THAT DOWN BECAUSE I'M DOING IT OFF THE SCREEN, PAPERLESS.

OKAY.

THE LAWYER IS WRITING IT DOWN.

Slusher: HOW ARE YOU DOING? OKAY. SO WE GOT THAT? OKAY. I WOULD OFFER THAT AS A FRIENDLY AMENDMENT.

Mayor Wynn: SCMEARZ, MAKER OF THE MOTION?

Alvarez: YES.

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Mayor Wynn: CONSIDER IT FRIENDLY.

Goodman: MAYOR?

Mayor Wynn: THANK YOU, SIR. FURTHER COMMENTS, QUESTIONS?

Goodman: I HAVE A QUESTION.

GOODMAN: CAN I JUST ASK MR. HILGERS, CAN YOU GIVE ME A THUMBNAIL SKETCH OF THE ISSUES THAT WERE DISCUSSED AT CDC? YOU SAID THEY SUPPORTED THIS? CAN YOU TELL ME WHAT PEOPLE LIKE KAREN POPP SAID AND WHAT THE RESPONSES WERE TO ANY QUESTIONS THAT MADE HER SUPPORTIVE OF THIS?

I DON'T WANT TO SPEAK FOR THE COMMISSIONER DIRECTLY
--

Goodman: JUST ANY CONVERSATION.

ESSENTIALLY, THE CONVERSATIONS AT THE CDC, I WOULD ASK EITHER SCREEN OR STEWART TO SHARE WITH ME IF I MISSED THIS, I DON'T WANT TO IN ANY WAY OVERSTATE OUR -- UNDERSTATE HER SUPPORT FOR US, FOR COMMISSIONER POPP'S CONCERN FOR LOW TO MODERATE INCOME FAMILIES, TO CONTINUE TO TRY TO SERVE THOSE WITH

VERY LOW INCOMES BECAUSE THAT IS CERTAINLY HER PRIORITY AND HER PASSION THAT SOMETHING THAT SHE CONTINUALLY CHALLENGES US TO CONTINUE TO DO. IT'S HER UNDERSTANDING AFTER THE DIALOGUES AND THE -- AND THE DISCUSSIONS AND FRANKLY WRITTEN RESPONSES TO QUESTIONS THAT WERE ASKED AND POSED AND -- IN THE NOVEMBER AND DECEMBER TIME FRAME WITH CDC, IN ANSWERS TO THOSE QUESTIONS, THAT WE PROVIDED TO THEM THAT WHEN IT CAME TIME FOR THE COMMUNITY DEVELOPMENT COMMISSION TO VOTE, IN FACT THEY DID SUPPORT THEM, IT IS -- I THINK THE UNDERSTANDING THAT -- THAT THIS DOES FREE UP POTENTIALLY FREE UP MONEY THAT COULD BE USED FOR DOWN PAYMENT ASSISTANCE IF WE WERE GOING TO DO HOME OWNERSHIP FOR -- FOR THE MORE -- FOR GAP FINANCING TO SUPPORT RENTAL PROPERTIES AT A LOWER INCOME LEVEL, WHICH IS -- WHICH HAS ALWAYS BEEN COMMISSIONER POPP'S HIGHEST PRIORITY. DID I MISS ANYTHING WITH THAT, STEWART, SINCE YOU HAVE SPOKEN WITH HER AS WELL.

WHEN COMMISSIONER POPP AND THE OTHERS DISCUSSED THEIR AFFIRMATIVE VOTE FOR THIS IN DECEMBER, THEY SPECIFICALLY INFORMED STAFF THAT -- THAT TWO THINGS WERE CRITICAL FOR THEIR SUPPORT. ONE WAS THAT THEY RECOGNIZED THAT THE LIKELIHOOD WAS THAT -- THAT THE COMBINATION OF THE VISITABILITY AND THE SMART HOUSING RESOLUTION WOULD PRODUCE MORE REASONABLY PRICED VISITABLE HOMES. THE SECOND IS THAT THEY SAW THIS ACTION AS NOT BEING IN CONFLICT WITH THEIR GOAL OF CONTINUING TO VISIT THE ISSUE OF INCLUSIONARY ZONING. SO WHEN THEIR ACTION WAS TAKEN, IT WAS IN THE CONTEXT OF BOTH OF THOSE ASSUMPTIONS. WE'LL GET MORE VISITABLE AND REASONABLY PRICED HOMES AND WE CAN CONTINUE THE ONGOING DIALOGUE ABOUT THE -- ABOUT THE POTENTIAL VALUE OF AN INCLUSIONARY ZONING ORDINANCE.

I'M NOT SURE HOW I SEE THE EXCLUSION OF ONE THIS EXCLUDES INCLUSIONARY ZONING.

IT DOESN'T EXCLUDE IT. ONE OF THE AMENDMENTS, THE COMMISSIONER IS HERE, THE CHAIRMAN OF THE COMMISSION IS HERE, HE CAN CERTAINLY SPEAK TO --

COMMISSIONER POPP IS THE VOOES CHAIR OF THE -- VICE CHAIR OF THE COMMISSION -- THE COMMUNITY DEVELOPMENT COMMISSION WAS -- ONE OF THE AMENDMENTS THAT THEY PUT AND AMENDED, RECOMMENDATION THAT'S THEY MADE WAS THAT WE WERE CLEAR THAT IN -- IT'S IN THE BACKUP THAT WE WOULD NOT STOP OUR EFFORTS TO CONSIDER THE -- THE INCLUSIONARY ZONING POLICY AS AN OPTION FOR US IN THE FUTURE. THAT IS PART OF WHAT WE ARE LOOKING AT IN OUR FIVE YEAR CONSOLIDATED PLAN AND SO THEY WANTED THAT STATED CLEARLY IN THE BACKUP AND CLEARLY FOR THE RECOMMENDATIONS THAT THEY HAD AND THAT STAFF HAS SUPPORTED AS PART OF THIS RECOMMENDATION TO YOU THAT -- THAT UNEXCLUSIONARY ZONING WOULD BE AND INDEED CONTINUED AS ONE OF THE OPTIONS CONSIDERED FOR THE FUTURE BY THIS COUNCIL. MR. CHAIRMAN, I WANT TO MAKE SURE THAT --

Goodman: THE REASON THAT I'M ASKING THIS IS BECAUSE THE ONE YEAR THING, THE OPPORTUNITY, OPEN DOOR, THE PATH, POSSIBLE PRECEDENT OR TREND SETTING IS TOTALLY AGAINST MY PRINCIPALS AND -- IN THIS CONTEXT AND I'M HAVING A REAL HARD TIME.

MY NAME IS [INDISCERNIBLE] I'M ALSO ON THE SUBCOMMITTEE OF THE HOUSING AND EVERYTHING THAT I -- THAT HILGERS SAID AND STEWART HIRSCH IS CORRECT. WE DID HAVE THE OPTION TO COME BACK NEXT YEAR AT THE END OF THIS YEAR AND LOOK AT IT. WE REQUESTED THAT -- THAT WE WOULD -- THAT ONCE THIS PASSED THAT WE HAD THE OPTION OF COMING BACK NEXT YEAR AND LOOKING AT IT AND SEEING EXACTLY, YOU KNOW, THE -- THE PLUS AND THE MINUS AND WE ALSO HAVE THE OPTION TO GO BASEBALL AND COME BEFORE YOU AND TRY TO MAKE AN ADJUSTMENT TO THIS ORDINANCE IF NECESSARY.

AGAIN, IF THERE'S ANY QUESTIONS ABOUT THE ONE-YEAR AFFORDABILITY PERIOD, THE KEY ISSUE FOR US, IT'S A LIMITED APPLICATION, IT IS NOT WITH HOUSING THAT RECEIVES OTHER ASSISTANCE THAT THE STATISTICS SHOW THAT FAMILIES WHO ENTER INTO HOMES STAY IN THOSE HOMES FOR FIVE TO SEVEN YEARS, IT'S BEEN LISTED AS THE MAJOR IMPEDIMENT TO CREATE AN INCENTIVE FOR

SMALLER HOMES TO BE BUILT IN SUBDIVISIONS, THAT'S REALLY THE REASON THAT WE HAVE COME TO A CONCLUSION THAT A ONE-YEAR AFFORDABILITY PERIOD WOULD ONLY INCREASE THE NUMBER OF AFFORDABLE UNITS AND THAT THE IMPOSITION OF A FIVE YEAR AFFORDABILITY PERIOD IS AN IMPEDIMENT TO GETTING MODERATELY INCOME PRICED -- MODERATELY PRICED HOMES BUILT. WITHOUT THAT, THEY ARE GOING TO HAVE SUBDIVISIONS THAT WILL GO TOTALLY MARKET WITHOUT ADDRESSING THAT PRICE RANGE WHEN THIS INCENTIVE HAS ALLOWED US TO ACHIEVE SUCCESS IN THAT REGARD.

Goodman: OKAY. IF I UNDERSTAND THEN, THERE'S A COMMITMENT FOR ONE YEAR FROM NOW, SO I DON'T KNOW WHAT THURSDAY WILL BE NEXT YEAR OR A YEAR FROM NOW. BUT BEFORE THAT THURSDAY YOU ALL WILL HAVE BEEN TO THE CDC AND CDC MEMBERS WILL -- COMMISSIONERS WILL HAVE HAD OPPORTUNITY TO ANALYZE ANY PERIPHERAL IMPACTS --

AS I UNDERSTAND THAT'S NOT THE CONSIDERATION OF THE CDC. THE ANNUAL REVIEW OF THE SMART HOUSING ORDINANCE IS SOMETHING THAT WE ARE OBLIGATED TO DO UNDER THE REQUIREMENT OF THE ORDINANCE. I THINK WHAT -- WHAT THE CHAIRMAN WAS SPEAKING TO WAS THAT WHAT WE HAD COMMITTED WAS THAT ONE, WITH REGARD TO INCLUSIONARY ZONING, THAT IS SOMETHING THAT WE ARE CONSIDERING NOW AS PART OF OUR FIVE-YEAR CONSOLIDATED PLAN AND WITHIN THE NEXT YEAR WE WILL BE REPORTING TO THAT TO SEE WHETHER OR NOT THAT'S SOMETHING THAT WE WOULD RECOMMEND OR CONTINUE TO WORK TOWARDS. THERE IS -- THERE IS THE DISCUSSION OF WHAT THE IMPACT ON THE CAP OF A THOUSAND UNITS IS CERTAINLY THERE. AND WE ARE GOING TO BE CONSTANTLY EVALUATING THIS, BUT IT WASN'T LIKE WE ARE GOING TO IMPOSE THIS FOR ONE YEAR AND THEN SEE WHETHER OR NOT IT'S, YOU KNOW, -- WE DIDN'T PUT A LIMIT ON THE TIME FRAME FOR THIS ONE YEAR RULE. AT THIS POINT. AND I DON'T THINK THAT THAT'S WHAT THE CHAIRMAN WAS SAYING, BUT WE WILL BE REPORTING BACK TO THE CDC I DON'T KNOW IF IT'S THIS THURSDAY, ONE YEAR FROM TODAY, BUT --

OKAY, I'M NOT SURE THAT'S WHAT I WAS SAYING EITHER.
BUT I AM SAYING IN A YEAR IT WILL BE REALLY GOOD TO
KNOW WHAT THE OUTCOME WAS.

ABSOLUTELY.

AND THAT AT SUCH TIME IF AN AMENDMENT IS NECESSARY,
THAT THAT PREPARATION SHOULD GO ON SO THAT THE
NICE ROUND YEAR LONG FIGURE THAT WE HAVE ANYTHING
IN HAND THAT WE THINK THAT WE SHOULD HAVE. I COULD
VOTE FOR IT THAT WAY. I CAN'T VOTE FOR IT THE OTHER
WAY. WHICH IS SORT OF A BLANK CHECK, AN OPEN
CHECKBOOK OR WHATEVER.

WE WILL MAKE THAT COMMITMENT TO --

Goodman: LET ME ASK IF THAT'S -- IF THAT CAN -- THAT CAN'T
AMEND, BUT IT COULD BE NOTED AND ACKNOWLEDGED BY
THE MAKER AND THE SECOND MAYBE.

COUNCILMEMBER ALVAREZ, COUNCILMEMBER DUNKERLY?

I WAS RECOMMENDING ANOTHER AMENDMENT. THANKS,
MAYOR.

Slusher: MAYOR, I HAVE ONE MORE QUICK SUGGESTED EDIT.
THIS ONE WILL BE QUICKER THAN THE OTHER ONE. MR.
HILGERS, ON D-3-B, PAGE 5.

YES, SIR.

Slusher: IT SAYS FAILURE TO COMPLY WITH REASONABLY
PLACED REQUIREMENT FOR THE APPROPRIATE PERIOD OF
TIME WILL RESULT IN PAYMENT OF ALL FEES WAIVED FOR
THE PROPORTION OF NUMBER OF YEARS, I WOULD LIKE TO
ADD PAYMENT TO THE CITY TO MAKE THAT CLEAR.

YES, SIR.

Slusher: OKAY. THEN ONE MORE -- JUST A QUESTION, NOT AN
EDIT. ON -- BACK ON -- BACK ON THE -- ON NUMBER D-2, D-1,
WHAT -- WELL, D-1-C-2, ARE THERE -- DO WE HAVE CRITERIA
FOR HOW THOSE ARE DECIDED IF -- IF THEY ARE

RECOMMENDED BY THE STAFF OR FOR THE COUNCIL TO CONSIDER WHEN ONE OF THESE DOES COME FORWARD?

YES, SIR, WE DO. STEWART CAN TALK TO YOU ABOUT IT, WHAT THE SPECIFICS OF THE TECHNICAL REQUIREMENTS ARE.

COUNCILMEMBER, WE DO NOT PLACE ON THE AGENDA ANY WAIVERS RELATING TO ENVIRONMENTAL VARIANCES UNLESS THEY HAVE THE SUPPORT OF BOTH THE ENVIRONMENTAL OFFICER AND THE ENVIRONMENTAL BOARD. IF A SMART HOUSING DEVELOPMENT WANTS TO SEEK AN ENVIRONMENTAL VARIANCE IN THE DRINKING WATER PROTECTION ZONE AND IT LACKS EITHER THE SUPPORT OF THE ENVIRONMENTAL OFFICER OR THE ENVIRONMENTAL BOARD, THEN THEY HAVE TWO CHOICES. THEY CAN EITHER WITHDRAW THEIR WAIVER REQUEST OR THEY CAN WITHDRAW FROM SMART HOUSING. WE DON'T PLACE ANYTHING ON THE PLANNING COMMISSION AGENDA ON YOUR AGENDA THAT DOESN'T AT LEAST HAVE THE SUPPORT OF BOTH THE CITY ENVIRONMENTAL STAFF AND THE CITY'S ENVIRONMENTAL BOARD.

Slusher: THE ENVIRONMENTAL BOARD HAS A LOT OF AUTHORITY THERE. OKAY. THANK YOU, THAT'S ALL THAT I HAVE TONIGHT.

Mayor Wynn: THANK YOU COUNCILMEMBER. THERE'S A MOTION ON THE TABLE AND A SECOND WITH A FRIENDLY AMENDMENT AND A NOTATION TO APPROVE ITEM NO. 44. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER McCRACKEN OFF THE DAIS.

THANK YOU VERY MUCH, COUNCIL.

THANK YOU, MR. HILGERS.

Mayor Wynn: MS. BROWN, LET ME NOTE FOR THE RECORD

THAT ITEM NO. 39 WAS REMOVED FROM THE AGENDA, NOT DISCUSSED IN EXECUTIVE SESSION. WITH THAT I BELIEVE THAT'S ALL OF THE ITEMS THAT ARE ON OUR AGENDA. I WILL ENTERTAIN A MOTION TO ADJOURN. MOTION MADE BY COUNCILMEMBER SLUSHER. I WILL SECOND THAT. ALL IN FAVOR.

AYE. WE ARE ADJOURNED. THANK YOU. 7:28 P.M.

End of Council Session Closed Caption Log