

## Closed Caption Log, Council Meeting, 1/29/04

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GOOD MORNING, I'M AUSTIN MAYOR WILL WIN, IT'S MY HONOR TO WELCOME BISHOP LEONARD WHO WILL LEAD US THIS MORNING. WELCOME. HE IS VISITING US FROM HOUSTON, WE ARE PROUD TO HAVE YOU HERE, SIR.

LET US PRAY. FATHER, WITH HUMBLE HEARTS AND THANKSGIVING WE COME TO YOU IN PRAYER. YOU WILL BLESS PRESIDENT BUSH, THE CABINET A WASHINGTON D.C., OUR FELLOW GOVERNMENT. BLESS GOVERNOR PERRY, AND STAFF, OUR STATE GOVERNMENT, AND MAY YOUR FAVOR AND HAND REST UPON MAYOR WYNN AND MAYOR PRO TEM GOODMAN AND GIVE GUIDANCE AND WISDOM TO CITY ATTORNEY SMITH, COUNCILPERSON ALVAREZ, SLUSHER, DUNKERLY, MCCracken, THOMAS AND CITY MANAGER FUTRELL. BLESS THE CITIZENS OF AUSTIN, THE LEGAL SYSTEM, LAW ENFORCEMENT, BUSINESSES AND SCHOOL SYSTEM. WE PRAY FOR THEIR GENDER AND THE AFFAIRS OF THIS CITY, LET FAIRNESS AND JUSTICE REIGN, ALLOW GOODNESS AND PEACE TO BE AMONG ALL PEOPLES. IN YOUR SON'S NAME WE PRAY, AMEN.

THANK YOU, BISHOP. WELCOME TO AUSTIN. THERE BEING A QUORUM PRESENT, AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, JANUARY 29th, 2004. 10:20 A.M. WE ARE IN THE LOWER COLORADO RIVER AUTHORITY HANCOCK BUILDING BOARD ROOM. AT THIS TIME, I WILL READ THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. ITEM NO. 7 HAS BEEN POSTPONED INDEFINITELY. ON OUR ITEM ZE 2,

THE -- Z-2 THE PLANNING COMMISSION HEARING WAS POSTPONED TO FEBRUARY 10th, 2004. NOT JANUARY 27th. ON ITEM Z-9, THE PLANKS RECOMMENDATION -- THE PLANNING COMMISSION RECOMMENDATION IS TO GRANT MULTI-FAMILY RESIDENT MEDIUM DENSITY CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR MF-3-CO-NP COMBINING DISTRICT ZONING WITH CONDITIONS. ON ITEM Z-10, THE PLANNING COMMISSION WILL CONSIDER THE CASE ON FEBRUARY 10th, 2004. ON ITEM Z-13, THIS ITEM WILL BE -- IS FORWARDED -- EXCUSE ME. WE SHOULD STRIKE UNDER THE ZONING AND PLATTING RECOMMENDATION, STRIKE THE WORDS TO GRANT DMUCO CURE AND REPLACE IT WITH TO FORWARD THIS REZONING REQUEST WITHOUT A RECOMMENDATION. 7 OUR TIME CERTAINS FOR TODAY AT 12 NOON WE WILL BREAK FOR THE GENERAL CITIZEN COMMUNICATIONS. AT 2:00 WE WILL HAVE TWO BRIEFINGS THAT SHOW ON TODAY'S AGENDA AS ITEMS NUMBER 41 AND 42. ONE RELATES TO THE ENVISION CENTRAL TEXAS PLANNING PROJECT, THE OTHER TWO LIGHT SYNCHRONIZATION WORK IN THE CITY OF AUSTIN. AND ITEM -- AT 4:00 WE WILL HAVE OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THOSE SHOW UP ON TODAY'S AGENDA AS ITEMS 43 THROUGH 45 AND Z-1 THROUGH Z-13. I WILL ANNOUNCE NOW THAT CITY STAFF WILL BE REQUESTING POSTPONEMENT OF FOUR OF THE ZONING CASES. AS YOU KNOW WE -- WE GENERALLY TAKE THE STAFF'S RECOMMENDATION ON POSTPONEMENTS, BUT WE WON'T HAVE THAT ACTUAL VOTE TO POSTPONE IT UNTIL 4:00 P.M. BUT IF YOU ARE LISTENING NOW OR IN THE AUDIENCE, Z-2, SHOULD BE POSTPONED TO FEBRUARY 2, 26th, 2004. -- FEBRUARY 26th, 2004. Z-5 POSTPONED TO FEBRUARY 12th, 2004. Z-10, POSTPONED TO FEBRUARY 26th, 2004. AND Z-12, POSTPONED TO MARCH 11th, 2004. AGAIN, THOSE ACTUAL POSTPONEMENT VOTES WILL OCCUR AT 4:00 P.M. TODAY. AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. THEN AT 6:00 WE'VE OUR PUBLIC HEARINGS AND POSSIBLE ACTIONS THAT SHOW UP ON TODAY'S AGENDA AS ITEMS 46 AND 47. SO FAR THE ITEMS PULLED FROM THE CONSENT AGENDA ARE ITEMS NUMBER 21 AND 28, BOTH PULLED BY COUNCILMEMBER SLUSHER AND I WILL BE PULLING ITEM NO. 36. WHICH IS ONE

OF MY ITEMS FROM THE COUNCIL.

MAYOR, COULD WE ADD 20 TO THAT? I DON'T NECESSARILY WANT TO PULL IT, BUT I'M CURIOUS ABOUT SOME THINGS.

**Mayor Wynn:** IF YOU WOULD LIKE, MAYOR PRO TEM, WE CAN CERTAINLY HAVE DISCUSSION ON 20. SO FOR THE TIME BEING, 20 WILL BE OFF THE CONSENT AGENDA WHILE WE CLEAN THIS UP. SINCE ITEM NO. 35 IS NOT BEING PULLED, IS REMAINING ON THE CONSENT AGENDA, WHICH RELATES TO A REQUIREMENT FOR A BOARD AND COMMISSION, AT THIS TIME I WILL GO AHEAD AND READ THE APPOINTMENTS TO THE BOARDS AND COMMISSIONS THAT SHOW UP AS ITEM NO. 34 ON TODAY'S AGENDA. TO OUR COMMISSION ON IMMIGRANT AFFAIRS, OTILIA SANCHEZ ACE CONSENSUS APPOINTMENT. TO THE DOWNTOWN COMMISSION, ANDREW CLEMENTS IS A CONSENSUS APPOINTMENT. TO THE LIBRARY COMMISSION, BENITO ORNEILAS IS COUNCILMEMBER ALVAREZ'S REAPPOINTMENT. TO OUR M.B.E./W.B.E. ADVISORY COMMITTEE, JOEL STONE IS A CONSENSUS APPOINTMENT. TO THE RESOURCE MANAGEMENT COMMISSION, ANDREW DONOHO IS COUNCILMEMBER THOMAS' APPOINTMENT. TO THE SIGN REVIEW BOARD, KATHY FRENCH AND BRUCE SHELTON ARE CONSENSUS REAPPOINTMENTS. THAT'S ITEM NO. 34 ON TODAY'S AGENDA. AND WE HAVE -- A COUPLE OF CITIZENS SIGNED UP FOR ONE OF THE ITEMS THAT'S BEEN PULLED. NO CITIZENS HAVE SIGNED UP FOR ITEMS THAT REMAIN ON THE CONSENT AGENDA. SO AT THIS TIME, UNLESS COUNCIL IF THERE'S ANOTHER ITEM TO BE PULLED OR ADDED BACK? COUNCILMEMBER SLUSHER?

**Slusher:** YES, MAYOR, NUMBER 28 MY QUESTIONS HAVE BEEN ANSWERED, I WOULD LIKE TO ADD THAT BACK IN.

**Mayor Wynn:** OKAY. ITEM 28 WILL BE BACK ON THE CONSENT AGENDA.

**Slusher:** THEN IS 35 ON CONSENT? I DIDN'T UNDERSTAND WHAT YOU SAID?

**Mayor Wynn:** IT IS CURRENTLY ON THE CONSENT AGENDA.

**Slusher:** OKAY, WOULD YOU SHOW ME VOTING NO ON THAT. I'M SURE THE INDIVIDUAL IS FINE -- IS A FINE INDIVIDUAL, BUT TO ME THERE'S TOO MANY PEOPLE THAT LIVE OUTSIDE THE CITY ON THAT COMMISSION ALREADY.

**Mayor Wynn:** OKAY. SO WE WILL NOTE A NAY VOTE FROM COUNCILMEMBER SLUSHER ON ITEM NO. 35, BUT WILL REMAIN ON THE CONSENT AGENDA. FURTHER COMMENTS? ON ANY ITEMS? COUNCILMEMBERS? IF NOT, LET ME READ THE CONSENT AGENDA. NUMERICALLY. ITEMS 1, 2, 3, 4, 5, 6, 7, FOR AN INDEFINITE POSTPONEMENT, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, AND 37. IS THE CONSENT AGENDA. I WILL ENTERTAIN A MOTION. MOTION MADE BY THE MAYOR PRO TEM. SECONDED BY COUNCILMEMBER DUNKERLY. TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER SLUSHER?

**Slusher:** WELL, I THOUGHT THIS ONE, NUMBER 6 WAS GOING TO BE PULLED BY ANOTHER COUNCILMEMBER IS WHAT THE WORD WAS YESTERDAY. BUT THEY DIDN'T. SO I WANTED TO ASK, THIS ONE HAD -- SEEMS TO HAVE A LOT OF SMALL ADDITIONS UNDERNEATH THE MANAGER'S FUNDING AUTHORITY AND NOW -- IT'S COMING TO US. I WAS JUST WONDERING WHAT THE RATIONALE FOR THAT WAS.

MARTHA TERRY, ASSISTANT CITY ATTORNEY. THAT WORK HAS INCREASED AS THERE HAVE BEEN ADDITIONAL DOCKETS BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. AND THAT HAS BEEN THE REASON FOR THOSE INCREASES. THE DOCKETS HAVE BEEN CHANGING AND FLUCTUATING AS WE ARE ABLE TO SETTLE SOME, SOME ADDITIONAL ONES HAVE COME ON. THAT'S THE REASON WHY THIS CONTRACT IS COMING BACK TO YOU AND HAS COME BACK TO YOU ON SEVERAL OCCASIONS.

**Slusher:** OKAY. THAT'S FINE. I WILL LEAVE IT ON, MAYOR.

**Mayor Wynn:** THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? ALL THOSE IN FAVOR PLEASE SAY AYE?

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER THOMAS OFF THE DAIS AND SHOW COUNCILMEMBER SLUSHER AS VOTING NO ON ITEM NO. 35, PLEASE. MAYOR PRO TEM, YOU HAD PULLED ITEM NO. 20. ARE YOU PREPARED TO -- THAT DISCUSSION?

**Goodman:** YEAH. I WAS JUST CURIOUS TO GET A LITTLE INFORMATION. \$2,000 A MEETING SEEMS A LITTLE HIGH. SO I WANTED TO FIND OUT IF WE HAD A BREAKOUT OF ANY KIND, IF THAT'S SORT OF THE COMPETITIVE RATE? IS THAT A FLAT RATE, DO WE GET A DISCOUNT FOR BEING SORT OF A BULK USER, AS IT WERE?

MAYOR PRO TEM, THE LCRA HAS BEEN GRACIOUS ENOUGH TO LEASE THE FACILITY AT THEIR COST. BASICALLY THE ADDITIONAL COST THAT YOU SEE BEFORE YOU REFLECTS ADDITIONAL COSTS FOR INCREASING SOME OF THEIR STAFFING AND SOME OF THE COSTS ASSOCIATED WITH JUST MAINTAINING THE AREA. SO IT -- THEY ARE JUST PASSING THOSE COSTS ON TO US.

**Goodman:** SO IT'S A COMPETITIVE RATE?

IT'S -- YES, MA'AM. I MEAN, I THINK THIS IS THE BEST DEAL THAT WE COULD GET COMPARED TO SOME OF THE OTHERS THAT WE WERE EXPLORING WHEN WE FIRST CONSIDERED MOVING OVER HERE.

**Goodman:** OKAY. WELL, COUNCILMEMBER SLUSHER REMINDED ME OF SOMETHING. MAYBE OUR COSTS COULD GO DOWN IF WE DIDN'T HAVE THE AIR CONDITIONER UP SO HIGH.

WE CAN WORK ON THAT. [LAUGHTER] BUT WOULD YOU LIKE MORE INFORMATION THAN THAT, MAYOR PRO TEM? MS. GRANGER COULD PROBABLY --

**Goodman:** JUST OUT OF YOUR I DON'T SAY COMMUNITY BUT NOT NECESSARILY FOR TODAY. I WOULD LIKE TO KNOW WHAT IT IS --

YES, MA'AM, WE CAN PROVIDE YOU WITH THAT.

**Goodman:** SO I WILL PUT THAT BACK ON CONSENT.

ALL RIGHT.

THIS IS ITEM 20? 20 -- ITEM 20. DEANNA GRANGER,  
PURCHASING OFFICER.

**Mayor Wynn:** THE THINK THE MAYOR PRO TEM WILL --

**Goodman:** YEAH, JUST LATER LET'S TALK ABOUT -- ABOUT  
COMPETITIVE RATES. I JUST WANTED TO KIND OF GET A  
BREAKOUT IF THERE IS SUCH A THING ON EXACTLY WHAT  
EVERYTHING THAT WE PAY THEM PAYS FOR, WHAT THEIR  
EXPENSES ARE, WHAT THE IMPACT IS, IF WE ARE GETTING  
KIND OF A DISCOUNT AT ALL OR --

I'M GETTING A SPREAD SHEET THAT HAS ALL OF THAT SET  
OUT, I CAN SHOW IT TO YOU.

**Goodman:** THANKS.

**Mayor Wynn:** THANK YOU. I WILL ENTERTAIN A MOTION ON  
ITEM NO. 20. MOTION MADE BY THE MAYOR PRO TEM, I'LL  
SECOND TO APPROVE ITEM NO. 20. FURTHER COMMENTS,  
QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE  
SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF 6-0  
WITH COUNCILMEMBER THOMAS OFF THE DAIS.  
COUNCILMEMBER SLUSHER, YOU HAD PULLED ITEM NO. 21.

**Slusher:** YES, MAYOR. JUST HAD SOME -- THIS IS THE  
VEHICLE PURCHASE. WE HAD ONE COME BEFORE US  
BEFORE THAT WAS WITHDRAWN, THIS ONE ACTUALLY  
LOOKS BETTER. ONE THING THAT I WAS PARTICULARLY  
CONCERNED ABOUT IS JUST THE GAS USAGE, AND THE  
POLLUTION RESULTING FROM THAT. WE HAVE THREE  
HYBRID VEHICLES HERE. I NOTICE THAT SEVERAL ARE V-6'S  
THAT I THINK MIGHT HAVE BEEN V-8'S IN THE PAST. NOT

SURE ABOUT THAT. BUT I WANTED TO NOTE, TAKE THROUGH SOME OF THE THOUGHT PROCESS, WHAT SOME OF THESE ARE FOR. LET'S SEE. THE EXPEDITIONS, A.P.D., WHAT ARE THEY -- WHAT DO THEY USE THOSE FOR, WE HAVE SIX OF THOSE?

COUNCILMEMBER, LET ME CHIEF COY FROM A.P.D. ADDRESS THAT.

**Slusher:** THANK YOU, MR. STEVENS.

COUNCILMEMBER, I'M RICK ROY ASSISTANT CHIEF AT THE POLICE DEPARTMENT. THE EXPEDITIONS ON HERE ALL DEAL WITH THE EQUIPMENT ISSUES BASICALLY AND THEY ARE CRITICAL FOR THOSE NEEDS. ONE EXPEDITION IS FOR OUR CRIME SCENE UNIT, WHICH RESPONDS TO PROCESS CRIME SCENES AND THEY TRANSPORT EQUIPMENT FOR PROCESSING CRIME SCENES AND TRANSPORTING EVIDENCE, WHICH CAN BE BULKY, LARGE PIECES OF EVIDENCE. TWO ECONOMY DECISIONS ARE FOR TRAFFIC -- AND EXPEDITIONS ARE FOR TRAFFIC INVESTIGATION, CARRY LARGE EQUIPMENT, TRAFFIC FATALITY AND SERIOUS INJURY COLLISIONS THAT CARRY LARGE BULKY, HEAVY EQUIPMENT. FOR PROCESSING TRAFFIC FATALITY SCENES. ONE IS OUR E.O.D. BOMB SQUAD UNIT WHICH CARRIES OUR ROBOT AND DIFFERENT BOMB EQUIPMENT. ONE IS ANIMAL CRUELTY INVESTIGATOR. WHICH TRANSPORT ANIMALS SOMETIMES AND EQUIPMENT FOR THE ANIMAL INVESTIGATIONS. AND ONE EXPEDITION IS FOR PATROL SERGEANTS WHICH CARRIES EQUIPMENT FOR SAFETY ISSUES, FLARES, SQUAD SAFETY EQUIPMENT. THERE'S ONE EXPEDITION FOR EACH SQUAD IN THE PART OF TOWN. THE REST OF THE SERGEANTS ALL HAVE PATROL CARS.

**Slusher:** OKAY. I WOULD -- ANOTHER THING THAT I -- I THINK THAT I'M GOING TO VOTE FOR IT TO GO AHEAD WITH THIS, BUT I WOULD ENCOURAGE YOU TO LOOK AT THE -- I READ SOME ARTICLES ABOUT SAFETY OF THESE TYPE OF -- NOT THIS PARTICULAR TYPE OF VEHICLE, BUT THE WHOLE S.U.V. TYPE OF VEHICLE. IN PARTICULAR ON THE STEERING AND WHEN GOING FAST.

YES, SIR.

NOT AS GOOD AS SOME OTHER VEHICLES. SO I WOULD ENCOURAGE YOU TO -- TO STUDY THAT BEFORE , YOU KNOW, THE NEXT VEHICLE PURCHASE. IF THERE MIGHT BE SOMETHING THAT'S SAFER AND STILL DOES THE JOB. AND I WOULD BE HAPPY TO SHARE SOME OF THAT WITH YOU.

YES, SIR. APPRECIATE THAT.

**Slusher:** OKAY. LET ME CHECK OUT ON -- ON THIS ONE IS NOT A.P.D. THE 16 VA-F-150'S. HAVE WE LOOKED TO SEE IF MAYBE A SMALLER VEHICLE WOULD SUFFICE IN THESE CASES?

COUNCILMEMBER, IN -- MY UNDERSTANDING IS, I'M GOING TO HAVE TOM LAZORICK OUR FLEET OFFICER CORRECT ME IF I'M WRONG. BUT WHEN WE -- IN THE CASES WHEN WE HAVE GONE TO F-150'S WE HAVE GUN TO BI-FUEL VEHICLES, AND ALL OF THE BI-FUEL VEHICLES ARE V 8 AS AS OPPOSED TO V 6'S OR SOMETHING.

**Slusher:** OKAY, THESE ARE GASOLINE AND PROPANE. OKAY. THAT'S ON THE NEXT ONE, TOO. LET ME GO UP ONE MORE ON THE LIST. ON THE V-6, FORD EXPLORERS, IS THAT THE ONE FOR THE WATER QUALITY MONITORING THAT --

YES, SIR.

**Slusher:** OKAY.

IT IS.

**Slusher:** WAS THAT EARLIER GOING TO BE A V-8? WHEN IT CAME UP BEFORE, WAS THAT AN 8 CYLINDER BEFORE? OKAY. I APPRECIATE THAT. THAT WE HAVE DONE THAT. SO THERE'S ONE WHERE WE GOT A SMALLER ENGINE AND IT'S STILL GOING TO BE ABLE TO DO THE JOB.

COUNCILMEMBER, IF I COULD JUST ADD AT THIS POINT, THIS -- WE HAVE REALLY SCRUBBED THIS PURCHASE DOWN AS HARD AS WE COULD WHEN THE DEPARTMENTS BROUGHT IT FORWARD TO US, WE HAVE DELETED SEVEN VEHICLES AND - FROM THE ORIGINAL REQUEST. IN ADDITION WE HAVE



CHANGED DOWN SIZED 11 F-250'S FOR EXAMPLE THAT WERE REQUEST AND DOWN SIZED THOSE TO F-150'S, THE BIFUEL PICKUPS.

**Slusher:** I APPRECIATE THAT. I'M GLAD THAT YOU GOT THAT ON THE RECORD. I COULD TELL JUST FROM WHAT'S ON HERE IT HAD BEEN SCRUBBED SOME, SOME OF THEM HAD BEEN TAKEN DOWN. I WANTED TO MAKE SURE THAT WAS THE CASE WITH THIS OTHER ONE, GET THAT ON THE RECORD. ASSUMING THESE F 350'S, THE 12 450'S, THEY ALL HAVE SOME SORT OF FUNCTION MOUNTED ON THE BACK THAT THAT'S -- YOU NEED ONE THAT BIG IN ORDER TO HAVE IT CARRY THAT AROUND?

YES, SIR. WE ALSO ANALYZED THOSE AND DETERMINED WHAT THEY WERE GOING TO HAVE TO TOW, WHAT KIND OF LOAD THEY WERE GOING TO TOW. IN SOME CASES WE ACTUALLY PHYSICALLY WEIGHED THE VEHICLES. WE LOOKED AT THE MAINTENANCE RECORDS, WHERE THEY HAD REQUESTED AN UPDATE, FOR EXAMPLE, AND DETERMINED THAT IN FACT THEY DID HAVE EXCESSIVE SUSPENSION AND BRAKE PROBLEMS WITH THE LIGHTER WEIGHT VEHICLES.

OKAY. THAT'S ALL THAT I HAVE, MAYOR. I MOVE APPROVAL.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER SLUSHER TO APPROVE ITEM NO. 21. SECONDED BY COUNCILMEMBER ALVAREZ. FURTHER DISCUSSION? I WILL SAY THAT I WILL JUST POINT OUT -- APPRECIATE THE EFFORT THAT STAFF PUT FORWARD ON THIS. OBVIOUSLY THESE ARE TOUGH ECONOMIC TIMES FOR THE CITY. AND WE ARE TRYING TO BE AS FRUGAL AS WE CAN, AT THE SAME TIME OBVIOUSLY BALANCE THE NEED OF MAIN OBTAINING THE APPROPRIATE FLEET FOR ALL OF OUR DEPARTMENTS. AND I THINK THIS -- THIS -- THIS HELPS THAT. ALL IN FAVOR.

AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER THOMAS OFF THE DAIS. COUNCIL, I HAD PULLED ITEM NO. 36. BECAUSE IT SEEMED TO SEE ME IN THE BACKUP THAT PERHAPS THE AUSTIN ENERGY PERSON THAT WAS SUPPOSED TO BE PART OF THIS INTERNAL TEAM HAD BEEN LEFT OFF. I DON'T KNOW WHETHER THAT'S BEEN CORRECTED OR NOT, I'M LOOKING AT MY STAFF TO SEE

WHERE IT MIGHT BE. MEANWHILE WE HAVE A COUPLE OF CITIZENS SIGNED UP FOR NUMBER 36.

WE CAN VERIFY WHO IS ON THAT TEAM, THE LIST, I WILL COME BACK UP.

RIGHT. PERHAPS WHILE STAFF VERIFIES THAT, LET'S CALL UP A COUPLE OF CITIZENS WHO WOULD LIKE TO SPEAK ON ITEM NO. 36. ACTUALLY I SAY THAT -- AMANDA BEULER SIGNED UP NOT WISHING TO SPEAK IN FAVOR OF. SUSAN WILLIAMS SIGNED UP WISHING TO SPEAK, IN FAVOR. WELCOME, MS. WILLIAMS, WE WILL HAVE THREE MINUTES.

HI, THANK YOU. AGAIN, MY NAME IS SUSAN WILLIAMS. I'M WITH MERC ENERGY RESOURCE ASSOCIATES, ALSO BEEN INVOLVED IN THE SOLAR AUSTIN EFFORT. OVER THE PAST YEAR, I WANTED TO JUST -- I WANTED TO START BY SAYING I THINK THIS IS A REALLY IMPORTANT STEP FORWARD. I'M VERY GLAD TO SEE YOU ALL DOING THIS. CLEAN ENERGY IS A GROWING INDUSTRY. SOLAR GROWTH IS UP UPWARDS OF 30%, MORE THAN 30% PER YEAR, IT'S A GOOD INDUSTRY TO LOOK AT. AS THE MANUFACTURING FOR SOLAR GROWS, THE DEMAND GROW, SOLAR COMPANY grow, solar company LOOKING FOR NEW PLACES TO START THOSE MANUFACTURING PLANTS. IN THE PAST SIX MONTHS WE'VE HAD A NUMBER OF SOLAR COMPANIES SERIOUSLY CONSIDER OR THEY HAD SHOWN SERIOUS INTEREST IN AUSTIN AS A PLACE TO START MANUFACTURING PLANTS. THESE ARE COMPANIES THAT CAN BRING JOBS AND THESE ARE COMPANIES THAT CAN BEGIN A CLEAN ENERGY CLUSTER THAT WE HAVE ALL TALKED ABOUT AND SORT OF LOOKED AT IN THE VISION FOR AUSTIN. TO REALLY BE IN THE GAME, THE CITY HAS TO HAVE AN ONGOING DIALOGUE, A SUBSTANTIAL DIALOGUE WITH THESE COMPANIES, WITH THE -- WITH THE CLEAN ENERGY, WITH VARIOUS ASPECTS OF THE CLEAN ENERGY, I HOPE THIS IS A -- I HOPE THIS IS A START TO A REALLY CONSTRUCTIVE DIALOGUE TO MAKE THAT HAPPEN. I GRADUATE YOU ON PUTTING THIS TOGETHER. I THANK YOU AND I LOOK FORWARD TO WORKING WITH YOU AS THIS DEVELOPS.

**Mayor Wynn:** THANK YOU, MS. WILLIAMS. MS. GORDON, IF

YOU COULD JUST CONFIRM FOR US THE ACTUAL MAKEUP --

I DON'T HAVE THE RESOLUTION IN FRONT OF ME, THE CORRECTED RESOLUTION IN YOUR BACKUP REFLECTS AUSTIN ENERGY. ALSO INCLUDES A STATEMENT THAT SAYS ANY ADDITIONAL DEPARTMENT -- HERE IT IS -- CAN BE ADDED AS NECESSARY. AND LET'S SEE, IT SAYS HERE THAT - - THAT THE TEAM INCLUDES BUT IS NOT LIMITED TO REPRESENTATIVES OF ECONOMIC GROWTH AND REDEVELOPMENT SERVICES, AUSTIN ENERGY, THE CITY OF AUSTIN WATER UTILITY AND THE CITY OF AUSTIN IN GENERAL. SO THAT WOULD INCLUDE THAT INTERNAL TEAM TO WORK ON THIS ISSUE. I THINK IN A PREVIOUS DRAFT IT WAS JUST A [INDISCERNIBLE]

**Mayor Wynn:** OKAY, THANK YOU.

YOU'RE WELCOME.

SO WITH THAT CORRECTED INCLUSION OF AUSTIN ENERGY IN THE RESOLUTION FOR THE MAKEUP OF THE AUSTIN CLEAN ECONOMY TEAM, I WILL ENTERTAIN A MOTION TO APPROVE.

**Slusher:** ALVAREZ: SO MOVE.

MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER MCCracken. FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER THOMAS OFF THE DAIS. COUNCIL, I BELIEVE THAT GETS US THROUGH OUR DISCUSSION ITEMS IN THIS MORNING'S SESSION. SO WITH THAT, WE WILL -- THE COUNCIL WILL NOW GO INTO EXECUTIVE SESSION. FOR PRIVATE CONSULTATION WITH OUR ATTORNEY UNDER SECTION 551.071 OF THE OPEN MEETINGS ACT TO DISCUSS AGENDA ITEMS 38, MEET AND CONFER WITH THE AUSTIN POLICE ASSOCIATION, 39 RELATING TO WALTER SESSION ET AL VERSUS RICK PERRY AT AL AND 40 RELATING TO

NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER 1  
ET AL VERSUS THE CITY OF AUSTIN. WE ARE NOW IN  
EXECUTIVE SESSION. LEHMANN,.

MIRK MIRK

IS THIS OPEN FOR Q AND A? SPEAKS SPEAKS [INAUDIBLE -  
NO MIC]

**Mayor Wynn:** THERE BEING A QUORUM PRESENT I WILL CALL  
BACK TO ORDER THIS MEETING OF THE AUSTIN CITY  
COUNCIL. IT IS TIME FOR OUR 12:00 NOON GENERAL  
CITIZENS COMMUNICATIONS. OUR FIRST SPEAKER THIS  
AFTERNOON IS MR. RICHARD BURATTI. RICHARD BURATTI?  
TO BE FOLLOWED BY LAWRENCE CRANBERT. DR. LAWRENCE  
CRANBERT? TO BE FOLLOWED BY GAVINO FERNANDEZ.  
GAVINO FERNANDEZ? WELCOME, SIR YOU'LL HAVE THREE  
MINUTES.

IF YOU DON'T MIND, MAYOR, IF WE COULD ALLOW MS.  
GALVAN TO GO BEFORE ME, I'LL FOLLOW HER, SHE'S ALSO  
SIGNED IN.

[SPEAKING IN SPANISH]

SI.

WELL, I CAME OVER HERE JUST TO TALK ABOUT MY -- MY  
TEXAS -- MY NAME IS RAMONA GALVAN, I LIVE IN 2615  
NECIAL[INDISCERNIBLE] AND I HAVE BEEN LIVING THERE 50  
YEARS. I WANT TO FIND OUT WHY THEY SENDING ME SO  
HIGH MY CITY, IT'S 800 SOMETHING ON MY BILLS, THAT'S  
WHAT I WANT TO FIND OUT. SO ... IT'S ALL.

**Mayor Wynn:** I'M SORRY, MA'AM, YOU WANT AN EXPLANATION  
AS TO THE -- THE AMOUNT OF THE BILL?

[SPEAKING IN SPANISH]

YEAH. I WANTED TO KNOW WHY THAT'S WHAT IT IS.

OKAY. WITHIN WIN WELL, MS. GALVAN OBVIOUSLY YOUR  
PROPERTY TAX BILL IS A COMBINATION OF BOTH ASSESSED

VALUE AND THE PROPERTY TAX RATES BY THE INDIVIDUAL JURISDICTIONS. I MEAN --

**Alvarez:** --

MAYOR, IF YOU WOULD LIKE AND THE COUNCIL WOULD LIKE, I CAN ASK STAFF TO VISIT WITH MS. GALVAN TO WALK HER THROUGH THE TAX BILL MR. GARZA FROM THE BUDGET OFFICE IS HERE. ACKNOWLEDGING THAT HE'S AVAILABLE IN CASE YOU WOULD LIKE FOR HIM TO VISIT WITH MS. GALVAN.

**Mayor Wynn:** GREAT. THANK YOU, MR. CANALES.

**Goodman:** MAYOR? I THINK WHAT ELSE I WOULD LIKE TO ASK US TO DO IS SORT OF FUNCTION AS AN AGENT AND GET WITH SOMEONE FROM THE COUNTY TAX APPRAISAL DISTRICT BECAUSE I THINK THAT'S THE REAL ISSUE. WE CAN TELL HER WHAT THE NUMBERS MEAN, BUT I THINK SHE KNOWS WHAT THE NUMBERS MEAN. WHAT I'M THINKING SHE WANTS TO KNOW IS WHY THESE NUMBERS, WHICH CAN ONLY COME FROM THE TAX APPRAISAL DISTRICT.

[SPEAKING IN SPANISH]

MAYOR PRO TEM, WE CAN FACILITATE A MEETING WITH THE COUNTY -- WITH THE TAX APPRAISER IF YOU WOULD LIKE SO THAT BOTH MR. GARZA AND THE TAX APPRAISER CAN WALK HER THROUGH HER PERSONAL BILL.

**Goodman:** I THINK THAT MIGHT BE MORE HELPFUL BECAUSE THE VALUE -- WHY THE VALUE HAS BEEN RAISED IS WHY THE DOLLAR HAS BEEN RAISED.

WE CAN DO THAT.

**Mayor Wynn:** ALL RIGHT. WELCOME, MR. FERNANDEZ.

GOOD AFTERNOON, MAYOR, MY NAME IS GAVINO FERNANDEZ WITH EL CONCILIO, A COALITION OF MEXICAN AMERICAN NEIGHBORHOOD ASSOCIATIONS. BEFORE I FORGET, I JUST WANTED TO ANNOUNCE TO THE PUBLIC THAT WE WILL BE HOLDING VOTER REGISTRATION DRIVE AT CRISTO REY CHURCH SATURDAY AND SUNDAY TO

STRONGLY ENCOURAGE ELIGIBLE VOTERS TO TAKE PART IN THE VOTING REGISTRATION AND THE MARCH 9th PRIMARIES. IT IS VERY IMPORTANT AND WE WOULD LIKE TO STRONGLY ENCOURAGE MEMBERS OF OUR COMMUNITY TO TURN OUT AND VOTE. BECAUSE THAT -- THAT UNFORTUNATE APATHY THAT CONTINUES TO EXIST IN EAST AUSTIN IS A NET RESULT OF WHY MANY OF THE -- OF THE INCREASES AND CHANGES THAT HAVE AFFECTED OUR COMMUNITY. MS. GALVAN IS ONE OF HUNDREDS OF SENIOR CITIZENS THAT HAVE COME AND CALLED OUR HOMES AS NEIGHBORHOOD REPRESENTATIVES TO LEARN WHY IS IT THAT THERE'S THIS BIG, HUGE TAX INCREASE INTO THEIR PROPERTIES. AND MORE BASICALLY, WHY IS IT THAT THEY ARE HAVING TO PAY THIS? SHE HAS SEEN -- SHE HAS SENIOR CITIZEN EXEMPTIONS, SHE HAS HOMESTEAD. AS I LISTED IN MY COMMUNICATION HEADING THIS IS BEFORE SMART GROWTH. NOW YOU HAVE THE TAXES AFTER SMART GROWTH. THIS IS ONE OF THE THINGS THAT WE ECHOED AS A NEIGHBORHOOD TO Y'ALL, AS A WARNING, AS A FLAG, THAT THIS WAS GOING TO OCCUR. WHILE SMART GROWTH IN ITSELF IN CONCEPT IS FINE, ONE OF THE THINGS THAT THIS PAST ADMINISTRATION FAILED TO DO IS TO INSERT A SAFETY NET THAT WOULD ADDRESS THESE TYPE OF SITUATIONS THAT MS. GALVAN IS NOW FACING. LIKE I SAID, MS. GALVAN IS ONLY ONE OF 100 OF SENIOR CITIZENS IN OUR COMMUNITY THAT HAVE RAISED THIS ISSUE. SO I STRONGLY ENCOURAGE THIS COUNCIL, WE ALSO TIME AFTER TIME, SUGGESTED TO YOU THAT WHILE YOU ARE HIRING YOUR LOBBYIST TO GO TO THE STATE, TO CREATE A DISTRICT FOR OUR NEIGHBORHOOD SO THAT THESE PEOPLE WILL NOT BE GENTRIFIED, NOT MOVED OUT OF OUR NEIGHBORHOOD. WE HAVE A TOOL IN PLACE, PROPOSITION 13 THAT MAY ADDRESS SOME OF THESE ISSUES AND I HOPE THAT THIS COUNCIL WILL EXPEDITE VISITING THAT STATE LAW THAT WAS PASSED BY PROPOSITION 13, THAT ADDRESSES TAX [INDISCERNIBLE] FOR 65 AND OVER AND THE DISABLED. WE ALSO HOPE THAT IN THE NEAR FUTURE YOU WILL LISTEN TO US AND CREATE AN AFFORDABLE DISTRICT SO THAT AS AUSTIN GROWS, WE CAN MAINTAIN AND PRESERVE FAMILIES, 50-YEAR-OLD FAMILY THAT'S HAVE LIVED IN EAST AUSTIN AND HAVE MADE AND CREATED TO THE DEVELOPMENT OF EAST AUSTIN AND THAT IS WHY IN -- IN TRYING TO ANSWER SOME OF THE

QUESTIONS FROM MS. GALVAN AND SHE COULD NOT UNDERSTAND WHY. IT'S A VERY LENGTHY PROCESS AND UNFORTUNATELY SHE PROBABLY WILL NEVER UNDERSTAND WHY THERE HAS BEEN THIS TYPE OF INCREASE AND AGAIN, LIKE I SAID, GROUP, THROUGH THE WHOLE PROCESS OF SMART GROWTH --, YOU KNOW, THROUGH THE WHOLE PROCESS OF SMART GROWTH THIS IS THE NET RESULT. I HOPE THAT YOU AS LEADERS WILL TAKE THE COURAGE AND STEP TO -- INSERT SOME PROTECTIONS FOR THESE TYPE OF FAMILIES THAT ARE HAVING TO FACE THIS ECONOMIC SITUATION. THANK YOU, MAYOR.

**Mayor Wynn:** THANK YOU, MR. FERNANDEZ. JENNIFER -- SORRY, COMARK -- COUNCILMEMBER DUNKERLY?

**Dunkerley:** CAN I MAKE ONE RESPONSE FOR THE BUDGET OFFICE TO LOOK AT. I DO THINK THAT IT'S A PROBLEM IN EAST AUSTIN, IN MANY AREAS OF OUR CITY WITH SOME OF THE APPRAISALS. BUT IF YOU WILL LOOK AT THE TWO SHEETS THAT THEY GAVE US, THE CITY COUNCIL IS ONLY RESPONSIBLE FOR THE RATE. AND OUR CITY'S RATE DROPPED FROM THE OLDER SHEET TO THIS SHEET. ALL OF THE OTHER JURISDICTIONS RATES WENT UP. AND THE APPRAISALS WENT UP. SO IT IS A COMBINATION OF FACTORS. BUT -- BUT DISTINCT MEAN THAT THERE'S NOT A PROBLEM. BUT I DO -- IT DOESN'T MEAN THAT THERE'S NOT A PROBLEM BUT I WOULD LIKE TO TAKE NOTICE THAT ON THE '99 -- '99 TAX STATEMENT SHOWS THE CITY'S RATE AT 50.34 CENTS. PER 100. AND ON THE 2003 IT'S DROPPED DOWN TO 49.28. SO AGAIN IT IS A VERY COMPLEX, MANY JURISDICTIONS AND THE APPRAISAL IS ACTUALLY DONE BY A STATE APPOINTED BOARD OR STATE MANDATED BOARD. SO IT'S GOING TO REQUIRE SOME COMPLEX ANSWERS TO THIS.

**Goodman:** MAYOR, IF I COULD ADD ON?

**Mayor Wynn:** MAYOR PRO TEM.

**Goodman:** ADDED ON TO WHAT I JUST ASKED CITY STAFF TO DO, I THINK IT WOULD BE GOOD FOR US TO KNOW THAT -- NOW THAT WE HAVE AN EXAMPLE HERE, GET REALLY SPECIFIC WITH INFORMATION FOR OUR OWN EDUCATION

ABOUT WHAT -- EDIFICATION ABOUT WHAT PARTICULAR SMART GROWTH IMPLEMENTATION HAS HAPPENED IN THAT PARTICULAR AREA AND ANY OTHER SURROUNDING IMPACT, IF THERE IS IN FACT A SMART GROWTH ADDITION TO THAT AREA. AND I KNOW THAT WE HAVE LOOKED AT THE GENTRIFICATION ISSUES AND SO THIS WOULD BE REALLY GOOD BECAUSE MANY ASSUMPTIONS ARE MADE OFTEN BECAUSE OF WHAT IS PERCEIVED TO BE HAPPENING AND SO IT WOULD BE REALLY GOOD FOR US TO -- TO NAIL DOWN EXACTLY WHAT IS HAPPENING TOGETHER WITH WHAT IS PERCEIVED TO BE HAPPENING SO THAT WE HAVE A TRUE ASSESSMENT OF TAX APPRAISAL IMPACT ON FOLKS WITH VERY FIXED INCOMES.

THANK YOU ALL. OUR NEXT SPEAKER IS JENNIFER GALE. JENNIFER GALE? TO BE FOLLOWED BY SHERYL PERIER. SORRY IF I AM MISPRONOUNCING THAT. SHERYL PERIER. TO BE FOLLOWED BY AKWASI EVANS. AKWASI EVANS? TO BE FOLLOWED BY NELSON LINDER. MR. NELSON LINDER. MR. RICHARD TROXELL. RICHARD TROXELL. TO BE FOLLOWED BY MARY LEHMANN. WELCOME.

ALL THESE FOLKS THAT AREN'T HERE THEY COULDN'T GIVE YOU THREE MINUTES, MARY, SO YOU WILL HAVE THREE MINUTES. WELCOME.

THANK YOU. KEEP THE LAND CERTAINLY DOES APPRECIATE THIS SYSTEM OF THREE MINUTE COMMENTARIES. WE HAVE TAKEN FULL ADVANTAGE OF IT AS YOU NOTICED. WE WOULD LIKE TO KEEP YOU INFORMED OF WHAT OUR PROGRAM AND ACTIVITIES HAVE BEEN IN RELATION TO THE MUELLER AIRPORT INFORMATION. WE HAVE SENT A LETTER TO THE ATTORNEY GENERAL, IN IT WE STATE THE POSITION THAT SINCE THERE'S ONLY TWO PEOPLE NEGOTIATING, NAMELY THE -- THE CITY, ONE SIDE, AND THE DEVELOPER ON THE OTHER, WHY IS IT -- KEPT FROM THE PUBLIC? THERE'S NOBODY THAT IS GOING TO FIEND OUT SOMETHING AND TAKE ADVANTAGE OF IT. FOR EXAMP, IN THE SETON THING, THE -- THERE WAS NO QUESTION. THE LAND WAS TO BE SOLD, SINCE THAT WAS THE DECISION TO SELL IT, TO CATELLUS. SO THERE'S NO OCCASION FOR ANY OF THE LAND TO BE -- THE SALE INFORMATION TO GET OUT TO SOME COMPETITOR. BECAUSE THERE IS NO COMPETITOR.



THERE'S -- THERE'S CATELLUS, THAT IS THE -- WHAT IS IT CALLED? THE EXCLUSIVE NEGOTIATED AGREEMENT, ENA, THAT MEANS JUST THE TWO. SO OUR POSITION, WHICH WE SENT TO THE ATTORNEY GENERAL WAS THAT UNDER THESE CIRCUMSTANCES, IS THERE ANY NEED FOR SECRECY BECAUSE THERE'S NO ONE TO KEEP THE FIGURES FROM. BECAUSE WE FEEL THAT THE PUBLIC AS BEING ON ONE SIDE, THE CITY, SHOULD BE IN ON WHAT'S GOING ON. THAT'S OUR LATEST MOVE TO OPEN INFORMATION TO THE PUBLIC TO WHICH IT MIGHT BE ENTITLED. WE WANTED TO LOOK INTO THIS BECAUSE WE THINK THAT IT'S IMPORTANT THAT THE CITY COUNCIL HAVE THE MAXIMUM INPUT OF AN INFORMED CITIZENRY BECAUSE THIS IS THE BIGGEST REAL ESTATE DEAL IN THIS CITY'S HISTORY. SO THAT'S WHAT WE ARE DOING NOW AND THANK YOU FOR YOUR ATTENTION.

**Mayor Wynn:** THANK YOU, MS. LEHMANN, THAT'S ALL OF THE CITIZENS WHO SIGNED UP FOR GENERAL CITIZENS COMMUNICATION. AT THIS TIME, WE HAVE NO MORE ITEMS ON OUR AGENDA BEFORE OUR 2:00 TIME CERTAIN BRIEFINGS. THAT ARE SHOWN AS ITEM 41 AND 42, WITHOUT OBJECTION WE WILL RECESS THE AUSTIN CITY COUNCIL MEETING. THANK YOU.

**Mayor Wynn:** THERE BEING A QUORUM PRESENT I WILL CALL BACK TO ORDER IS THIS MEETING OF THE AUSTIN CITY COUNCIL. AND EARLIER IN OUR CITIZENS COMMUNICATION, JENNIFER GALE MISSED APPEAR OPPORTUNITY TO ADDRESS THE COUNCIL, SO MS. GALE YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR WYNN, HI AUSTIN, CITY MANAGER, TOBY FUTRELL, MAYOR PRO TEM GOODMAN, COUNCILMEMBERS DUNKERLY, MCCracken THE HONABLE DANNY THOMAS WILL BE NEXT WEEK. I'M A FULL-TIME CANDIDATE FOR CONGRESS, JENNIFER GALE, I'LL BE ANNOUNCING MY RUNNING FOR DISTRICT 8 TRUSTEES FOR THE AUSTIN SCHOOL BOARD AT LARGE POSITION. OUR BUSES ARE RUNNING DANGEROUSLY, OVER CORNERS, THEY ARE RUNNING PEDESTRIANS, TRYING TO CROSS THE CROSS WALKS, IN A HURRY TO MEET A WINDOW OF OPPORTUNITY THAT'S LIKE ONE SECOND. IF IT'S 12:00, A BUS ON TIME PERFORMANCE MEANS THAT THAT BUS NEEDS TO BE THERE

AT 12:00. I'M SUGGESTING THAT A BUS RUN DOWN A MINUTE BECAUSE IT'S STILL 12:00 EVEN THOUGH IT'S NOT 12:01, IF IT'S 12 AND 55 SECONDS. IF SOMEONE SETS THEIR TIME TO A DIGITAL CLOCK AND IT'S 12 AND 55 SECONDS, THEN IF THEY THINK THEY HAVE ANOTHER MINUTE TO GET THERE, THAT'S TWO MINUTES DOWN, SO I'M ASKING THAT BUSES RUN BETWEEN ONE AND TWO MINUTES DOWN AND THEY WILL BE ABLE TO MEET THEIR TRANSFER POINTS BECAUSE THEY WILL KNOW THAT THE BUSES THERE, OUR BUS OPERATORS WON BE ON EDGE, NERVOUS, ANNOYED, FRUSTRATED OR ABRUPT AND DEMANDING WITH OUR CUSTOMERS. THEY WILL BE HAPPIER. I ASKED A SUPERVISOR WHAT THE PROBLEM WAS. WITH THIS COMING WITH OUR NEW MANAGER IS THAT ON TIME PERFORMANCE IS MAKING OUR BUS OPERATORS VERY UNHAPPY. THE OTHER ITEM IS ON THE INTERNAL AFFAIRS DIVISION. I THINK WE CAN SMOOTH OVER A LOT OF PROBLEMS WITH PEOPLE THROUGHOUT AUSTIN THAT HAVE COMPLAINTS WITH THE POLICE DEPARTMENT BECAUSE THEY WANT TO BE ABLE TO COMMUNICATE FRUSTRATIONS THAT THEY ARE HAVING, BUT THEY ARE NOT ABLE TO DO IT BECAUSE THE ACTUAL INTERNAL AFFAIRS IS NORTH OF CAPITAL PLAZA RATHER THAN DOWNTOWN WHERE YOU WOULD RATHER HAVE A CHANCE TO -- TO SAY WHAT PROBLEMS THAT YOU ARE HAVING WITH A POLICE OFFICER. THE -- THE POLICE MONITOR AND THE CITIZEN REVIEW BOARD ARE ACTUALLY A BENEFIT TO POLICE OFFICERS. SO POLICE OFFICER -- SOME POLICE OFFICERS ARE AFRAID THAT IT'S A DETRIMENT THAT THEY ARE IN JEOPARDY, BUT THESE ENTITIES ACTUALLY HELP A POLICE OFFICER IN THAT THEY EXPLAIN HOW PROCEDURE IS DONE WITH THE THE PUBLIC. HOWEVER, IF WE -- IF WE CREATE THE INTERNAL AFFAIRS DIVISION DOWNTOWN THEN A PERSON WON'T HAVE ALL OF THIS ANGER BOTTLED UP INSIDE THEM. THEY WILL BE ABLE TO RELEASE IT BY GIVING THAT INFORMATION TO THE POLICE DEPARTMENT, THAT THERE'S A PROBLEM THAT THEY ARE HAVING WITH THE OFFICER. AND THEN THE INTERNAL AFFAIRS DEPARTMENT CAN LET THEM KNOW THAT -- THAT -- LOOK INTO THE PROBLEM, TAKE CARE OF IT AND THEY KNOW THAT JUSTICE WILL BE DONE. THERE WON'T BE THESE PROBLEMS WITH NO JUSTICE, NO PEACE. AND I THINK THAT'S VERY CRITICAL THAT WE MOVE IT DOWNTOWN, WE

PUT IN THE LOCATION WHERE PEOPLE FEEL COMFORTABLE, IT DOESN'T HAVE TO BE AT THE POLICE DEPARTMENT, IT COULD BE RIGHT THERE AT 6th AND CONGRESS. THEY GO IN, FILL OUT A COMPLAINT AND BE DONE. AND I THINK THAT WILL SOLVE ALL OF OUR PROBLEMS. THANK YOU VERY MUCH. [BUZZER SOUNDING]

**Mayor Wynn:** THANK YOU, MS. GALE. AT THIS TIME WE WILL NOW TAKE UP OUR 2:00 TIME CERTAINS. WE HAVE TWO BRIEFINGS, THE FIRST IS A PRESENTATION OF THE RESULTS OF THE OCTOBER 2003 REGIONAL VISION SURVEY BY ENVISION CENTRAL TEXAS. AND I WILL RECOGNIZE MR. NEIL COCUREK. WELCOME, SIR.

THANK YOU, MAYOR, COUNCILMEMBERS. MANAGER FUTRELL. I APPRECIATE VERY MUCH THE OPPORTUNITY TO PRESENT TO YOU HERE TODAY AND THE WAY WE ARE GOING TO DO THAT IS I'LL GIVE YOU JUST A FEW PRELIMINARY COMMENTS AND THEN MRS. BEVERLY SILAS, OUR EXECUTIVE DIRECTOR WILL PRESENT THE RESULTS OF THE SURVEY TO YOU. THEN I'LL SUM UP A LITTLE BIT. WE WILL WELCOME QUESTIONS ANYWHERE ALONG THE WAY. LET ME SAY AS I HAVE SAID BEFORE, WHEN WE HAVE PRESENTED PROGRESS REPORTS TO YOU, WE HAVE A VERY PARTICIPATIVE BOARD OF DIRECTORS OF 73 PEOPLE FROM THE FIVE-COUNTY REGION. THAT BOARD IS SELECTED VERY DIVERSELY, CONSISTENT WITH THE POPULATION OF THOSE COUNTIES. WE ALSO HAVE A 23 PERSON EXECUTIVE COMMITTEE MEETING, A COMMITTEE WHICH MEETS EVERY TUESDAY MORNING AT 7:30 A.M. EVERY WEEK. AND IT IS -- IT IS VERY WELL ATTENDED. AGAIN BY A VERY DIVERSE CORE OF OUR COMMUNITY. AND A VERY, VERY HARD WORKING EXECUTIVE COMMITTEE AND HARD WORKING BOARD. WE HAVE PUT TOGETHER WITH THE HELP OF OUR CONTRACTORS A SURVEY INSTRUMENT. YOU ALL ARE FAMILIAR WITH IT. I THINK THAT YOU HAVE ANOTHER COPY THERE. BUT I'M SURE THAT EACH OF YOU PARTICIPATED IN THE POLLING EVENT. BUT THAT SURVEY ITSELF, JUST THE EDITING OF IT, THE -- THE COMMITTEES THAT WORKED ON IT VERY LARGE COMMITTEES SPENT OVER 80 HOURS OF FACE TIME ALONE. AND -- IN THE EDITING OF THAT DOCUMENT. SO THAT ALL OF THE PERSPECTIVES OF OUR DIVERSE REGION COULD BE INCORPORATED IN IT. WE HAVE INVITED AND

SOLICITED PARTICIPATION, COMPLETELY ALONG THE WAY, AND FEEL VERY GOOD ABOUT THAT. NOW THEN, THE RESULTS OF THE SURVEY SHOW THAT WE HAD 12,541 PEOPLE WHO FILLED OUT OUR 8-PAGE SURVEY. WE ARE VERY, VERY PLEASED WITH THAT AND IT ALSO COMES FROM ALL ACROSS THE REGION. AGAIN THE RESULTS CAME CONSISTENT WITH THE POPULATION OF THE COUNTIES THAT -- THAT WERE PARTICIPATING. NOW, THEN, TO GIVE YOU A FEEL FOR WHY WE THINK THAT IS VERY GOOD, WE GO TO NEW YORK CITY WHO HAD A -- A QUESTIONNAIRE OF LESS THAN HALF THE LENGTH OF OURS AND THEY SPENT \$2.2 MILLION TO PUBLICIZE THAT TO GET CITIZENS OF NEW YORK CITY TO FILL OUT THE QUESTIONNAIRE. THEY GOT 4400 QUESTIONNAIRES AS A RESULT OF THAT. OUR 12,541 WE FEEL REALLY GOOD ABOUT. SO WITHOUT ANY OTHER DISCUSSION, I WOULD LIKE TO TURN IT OVER TO MRS. SILAS WHO WILL PRESENT TO YOU THE RESULTS AND THEN I'LL GIVE YOU KIND OF SOME SUMMARY THOUGHTS AND WHERE WE GO FROM HERE. THANK YOU.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS AND CITY MANAGER. I WOULD LIKE TO START WITH GIVING YOU A BRIEF OVERVIEW OF -- OF ENVISION CENTRAL TEXAS. FIRST OF ALL, I WOULD LIKE FOR YOU TO KEEP IN MIND DURING THE PRESENTATION THAT WE ARE TALKING ABOUT VISIONING AND NOT PLANNING. I THINK THAT'S BEEN A -- QUITE AN ADJUSTMENT FOR CITIZENS IN THE FIVE-COUNTY REGION TO MAKE IS TO TRANSITION FROM A PLANNING THOUGHT TO ACTUALLY VISIONING. PLANNING IS -- EXHIBITED HERE IN THIS APPROACH WHICH IS TRADITIONALLY YOU HAVE WHAT YOU HAVE NOW AND THEN YOU PUT DOWN ON PAPER WHERE YOU ARE GOING TO GO, WHAT YOU ARE GOING TO DO WHEN YOU GET THERE. THE VISIONING APPROACH IS ONE OF SCENARIOS. AND THAT MEANS THAT YOU ARE LOOKING AT WHAT ARE THE DIFFERENT POSSIBILITIES OR WHAT ARE THE VARIOUS OPTIONS THAT MIGHT BE AVAILABLE AS WE LOOK FORWARD TO THE FUTURE. ONE OF THE QUESTIONS THAT WAS ASKED IN THE SECOND OPPORTUNITY TO INVOLVE THE CITIZENS WAS WHETHER OR NOT WE NEEDED AS A REGION TO LOOK AT PLANNING FOR THE FUTURE. AND OVERWHELMINGLY, 86% OF THOSE SURVEYED SAID THAT

WE SHOULD BE LOOKING AT THE FUTURE IN SOME SHAPE, FORM OR FASHION. THE FOURTH OPPORTUNITY FOR CITIZENS TO BE INVOLVED IN THIS PROCESS HAPPENED WITH SIX COMMUNITY TEST SITE WORKSHOPS. KNOWING THAT IT WOULD BE A YEAR BETWEEN THE TIME OF THE REGIONAL AND SUBREGIONAL WORKSHOPS IN FALL OF 2002 AND COMING BACK TO THE PUBLIC WITH THE RESULTS OF THOSE IN FALL OF 2003. THE CONSULTANTS THREW IN FOR FREE SIX COMMUNITY SMALL TEST SITE WORKSHOPS TO GIVE CITIZENS AN OPPORTUNITY TO PARTICIPATE ENVISIONING ON A SMALLER SCALE, SOMETHING THAT WOULD BE MORE LOCALIZED. WE ISSUED THE R.F.P. NOVEMBER 2nd OF 2002 AND WE GOT 17 APPLICATIONS BACK. OF THE 17 APPLICATIONS RECEIVED, SIX OF THOSE SITES WERE SELECTED. AND THOSE SIX SITES ARE ... MCNEIL, WE HAD 400 ACRES NORTHWEST OF HERE IN ROBINSON RANCH WHICH IS THE AUSTIN WHITE LIME QUARRY. WHAT MADE THAT SITE SO SPRG IS IT'S IN THE AUSTIN E.T.J., IN WILLIAMSON COUNTY, ON THE CUSP OF CEDAR PARK, ROUND ROCK SCHOOL DISTRICT. WE HAD 47 ACRES ON HIGHWAY 290 WEST THE NEW WHIT HANKS DEVELOPMENT NAMED FOR HIS FATHER ROGER HANKS AUSTIN. 67-ACRES IN EAST AUSTIN. OLD FEATHER LIGHT MATTRESS TRACTS. SPANS FOUR DIFFERENT NEIGHBORHOODS WHOSE PLANS HAVE ALREADY BEEN SANCTIONED AND APPROVED BY BOTH THE AUSTIN PLANNING COMMISSION AND ZONING AND PLATTING COMMISSION. WE HAD 200 ACRES OF DOWNTOWN PFLUGERVILLE, INCLUDING THE DOWNTOWN DISTRICT WHICH BUSHED DOWN ABOUT -- BURNED DOWN ABOUT 10 OR 12 YEARS AGO. WE HAD ALSO 800 ACRES WEST OF BASTROP PRIMARILY AGRICULTURAL AND RANCH LAND AND 200 ACRES IN CALDWELL COUNTY OF DOWNTOWN LOCKHART, INCLUDING THE HISTORIC LOCKHART SQUARE. THOSE WERE THE SIX SMALL COMMUNITY TEST SITE WORKSHOPS. WE BROUGHT THOSE PLANS BACK TO THE CITIZENS SEPTEMBER OF 2003 AND THEY ARE THEIRS TO DO WITH AS THEY WISH. AND THESE WERE SOME OF THE OPPORTUNITIES THAT CITIZENS HAD TO VISION HOW THEY WOULD LIKE THOSE AREAS TO GO FORWARD IN THE FUTURE. THESE WERE SOME OF THE ELEMENTS AT WHICH THEY LOOKED. SLIDES OF THE WORKSHOP, KEEP GOING.

OKAY. AND THIS WAS A COPY OF THE FINISHED PRODUCT FOR BASTROP. THESE ARE SLIDES OF THE PUBLIC WORKSHOPS THAT WE HAD LAST SEPTEMBER AND I THINK QUITE A FEW OF YOU WERE THERE AT THE AUSTIN CONVENTION CENTER ON SEPTEMBER 13th OF 2002. PART OF THE PROCESS WAS TAKING THE MAPS THAT CAME OUT OF THE WORKSHOPS, THE REGIONAL AND SUBREGIONAL WORKSHOPS, THE SIX FOOT BY EIGHT FOOT MAPS AND THEN REMOVING ELECTRONICALLY THE CHIPS FROM THE MAPS TO SEE WHAT PARTICULAR PATTERNS CAME OUT OF THAT. AND THEN WE DID -- WE DID THE TRANSPORTATION MODELING. THERE WERE THREE DIFFERENT ITERATIONS OF TRANSPORTATION MODELING THAT HAPPENED FROM THE LAND USE MAPS OR THE TOPO MAPS. TAKING YOU THROUGH, THE SCENARIOS THAT CAME OUT OF THAT EXERCISE, THIS IS THE FIVE COUNTY REGION AS IT EXISTS TODAY. THE COLORS OF RED AND PINK INDICATE DIFFERENT DENSITY LEVELS. THIS MAP IS ON ITS SIDE, SO -- SO THIS WAY IS NORTH, UP IS EAST, DOWN IS WEST, AND TO THE RIGHT IS SOUTH. IF WE COLOR ALL OF THAT ON THE EXISTING MAP GRAY, THE RED AND PINK IN THIS WOULD BE NEW GROWTH. POTENTIAL NEW GROWTH. WHAT WOULD HAPPEN IF WE TOOK THE GROWTH THAT HAPPENED BETWEEN 1990 AND 2,000 AND PROJECTED IT OUT OVER THE NEXT 20 TO 30 TO 40 YEARS. THEN THIS IS A POSSIBILITY OF WHAT WE MIGHT SEE. SCENARIO B IS ONE OF THE SCENARIOS THAT CAME OUT OF THE WORKSHOPS AND GROWTH ISN'T -- GROWTH HAPPENS ALONG EXISTING AND PROPOSED TRANSPORTATION CORRIDORS. MEANING THE GROWTH WOULD BE ALONG I-35, S.H. 130, 290, 183, 29, 79, 21, 20. SCENARIO C IS ONE OF THE OTHER -- SCENARIOS THAT CAME OUT OF THE WORKSHOP. AND THIS ONE WE CALL NEW TOWNS. GROWTH DOESN'T NECESSARILY HAPPEN ALONG TRANSPORTATION CORRIDORS. BUT -- TRANSPORTATION CORRIDORS, BUT IN ADDITION TO WHAT'S HAPPENING NEW TOWNS ARE FORMED. OUT WHERE THERE ARE MAYBE JUST VILLAGES OR SMALL CITIES NOW. SCENARIO D ALWAYS CAME OUT OF THE WORKSHOPS. IF YOU WILL NOTICE GROWTH ISN'T NECESSARILY ALONG TRANSPORTATION CORRIDORS AND THERE ARE NO NEW CITIES, HOWEVER GROWTH HAPPENS IN EXISTING CITIES, MEANING THE GROWTH IS DENSER IN AUSTIN AND

GEORGETOWN AND SAN MARCOS AND LOCKHART AND BASTROP, DRIPPING SPRINGS. THERE WERE SEVERAL INDICATORS THAT CAME OUT OF THIS EXERCISE. TRANSPORTATION WAS JUST ONE OF THEM. THIS WAS ONE OF THE WAYS THAT WE USE TO LOOK AT THE DIFFERENCES IN THE SCENARIOS IS TO TAKE A PARTICULAR INDICATOR AND SEE WHAT THE CHANGES ARE OR WHAT THE DIFFERENCES ARE IN THE VARIOUS SCENARIOS. ACROSS ALL FOUR. THIS IS A COPY OF THE SURVEY. AND YOU SHOULD EACH HAVE A COPY OF THAT IN FRONT OF YOU. THIS WAS WHAT WE ASKED CITIZENS TO RESPOND TO LAST FALL. WE DISTRIBUTED 650,000 OF THESE. THEY WERE IN ALL 31 LOCATIONS -- PUBLICATIONS ACROSS THE FIVE COUNTY REGION. WE HAD THEM IN STARBUCK, SEATTLE'S BEST, VOTES SCHLOTSKII'S, EVEN IN THE DAILY TEXAS AND UNIVERSITY STAR. WE HAD ALSO THE SURVEY ON THE WEBSITE. OVER 50% OF THAT 12,541 THAT MR. KOCUREK TOLD YOU ABOUT RESPONDED VIA THE WEB. SURVEY RESULTS WE WANT TO SHARE WITH YOU. APPROXIMATELY 12,500 OF THEM -- RESPONDED.

**Futrell:** BEVERLY, IT LOOKS LIKE WE HAVE SOME HIGH TECH HELP COMING HERE.

**Mayor Wynn:** NOBODY IS MORE NERVOUS THAN AUSTAN LIBRACH RIGHT NOW. [LAUGHTER]

I'M SORRY, I WAS UNAWARE THAT YOU DID NOT HAVE THIS PRESENTATION THERE. I'M CALLING MY OFFICE TO HAVE THEM E-MAIL IT TO YOU SO THAT YOU WILL HAVE IT OR MR. KOCUREK IS CALLING THE OFFICE SO THAT WE CAN E-MAIL IT TO YOU. IN GOING THROUGH THE -- THE RESULTS, WE DID FIND WHERE WE HAVE THE COOKIES SET UP FROM THE WEBSITE, TO TRACK ANYONE THAT ATTEMPTED TO VOTE TWICE OR MORE THAN ONCE. AND WE DID HAVE SOME PEOPLE BECAUSE EVERYONE KEPT SAYING, HOW ARE YOU GOING TO MAKE SURE THAT SOMEONE DOESN'T JUST STUFF THE BALLOT BOX. WELL, WE MADE PROVISIONS FOR THAT. WE FOUND THE PEOPLE WHO WERE VOTING IN EXCESS OF ONCE. [INDISCERNIBLE] AND OUT OF 60 -- OUT OF 6,060 PEOPLE, WE HAD SIX OF THEM THAT VOTED MORE THAN ONCE. AND ONE OF THEM EVEN TRIED TO VOTE 7 TIMES. BUT MOST OF THEM JUST TWO. AND WE FOUND THEM AND

DISCREDITED THOSE VOTES. THIS IS A BREAKDOWN BY COUNTY. AND WHAT WE DID WAS WE COMPARED THE RESPONDENTS TO THE POPULATION IN THOSE COUNTIES. AND THEY PRETTY WELL CAME OUT EVEN. IF YOU WILL NOTICE THE BLUE ARE THE RESPONDENTS AND THE RED IS THE POPULATION BY COUNTY ACCORDING TO THE CENSUS DATA. THEY PRETTY WELL TRACKED THOSE WHO -- WHO RESPONDED TO THE SURVEY. ALSO, WE TRACKED THE VOTES ACCORDING TO ETHNICITY. AND THE RACE AND ETHNICITY PRETTY WELL TRACKED WITH THE CENSUS DATA OF THOSE RESPONDING TO THE SURVEY. AND, ALSO, IT PRETTY WELL TRACKED BY COUNTY. AGE, WE CAPTURED THE 25 TO 64-YEAR-OLD VOTE VERY WELL. WE ALSO HAD SOME UNDER 18 WHO PARTICIPATED IN THE PROCESS. THERE WERE TWO HIGH SCHOOLS THAT TOOK ADVANTAGE OF THE OPPORTUNITY TO BE INVOLVED IN THE PROCESS. ONE OF THEM WAS DRIPPING SPRINGS HIGH SCHOOL AND ANOTHER ONE WAS IN -- IN FLORENCE, IN WILLIAMSON COUNTY. AND THIS IS THE AGE SURVEY BY COUNTY. MOST OF THE PEOPLE THAT PARTICIPATED IN THE PROCESS -- IN THE SURVEY PROCESS WERE -- HAD LIVED IN THE FIVE COUNTY REGION IN EXCESS OF 20 YEARS. THE NEXT HIGHEST LEVEL PARTICIPATION WAS LESS THAN FIVE YEARS OR FIVE YEARS OR LESS. AND THAT PRETTY WELL TRACKED ACROSS ALL FIVE COUNTIES. MALE AND FEMALE PARTICIPATION WAS ABOUT EVEN, EQUALLY NUMBER OF FEMALES PARTICIPATED IN THE SURVEY AS DID MALES. WE HAD A FEW MORE MEN IN WILLIAMSON COUNTY AND A FEW MORE WOMEN IN BASTROP COUNTY. BUT BASICALLY OVERALL IT KIND OF EVENED OUT. WE HAD MORE PEOPLE PARTICIPATING WHO DID NOT HAVE CHILDREN AT HOME UNDER 18. ALMOST TWICE AS MANY. AND THAT PRETTY WELL TRACKED THROUGHOUT THE FIVE COUNTY REGION. OKAY. RESPONSES BY ZIP CODE. THE -- THE RED AND PINK INDICATE THE PARTICIPATION RATE AND IN HAYS COUNTY, AS YOU WILL SEE, WE HAD ALMOST THREE TIMES AS MANY PEOPLE RESPOND TO THE SURVEY FROM HAYS COUNTY THAN IN OTHER PARTS OF THE REGION WITH THE EXCEPTION OF -- OF NORTH TRAVIS COUNTY AND CENTRAL AUSTIN. GETTING INTO THE 18 QUESTIONS THAT WERE ASKED ON THE SURVEY, THERE WERE TWO THINGS THAT WE ASKED PARTICIPANTS TO GIVE US FEEDBACK ON. ONE WAS



ON THE ACTUAL ISSUE ITSELF. AND THEN IF YOU NOTICE ON THE SURVEY FORM ON PAGE 7 OF IT, TWO THE FOR RIGHT, WE ASKED -- TO THE FAR RIGHT, WE ASKED HOW IMPORTANT IS THIS TO YOU, HOW IMPORTANT IS THIS PARTICULAR ISSUE TO YOU? THE PIE CHART HERE WILL INDICATE THE DEGREE OF IMPORTANCE THAT PEOPLE PLACED ON THAT PARTICULAR ISSUE. SO YOU ARE LOOKING IN THE GRAPH AT HOW THEY RESPONDED TO THE QUESTION AND THEN THE PIE CHART SAYS HOW IMPORTANT IT WAS TO THEM. WHICH SCENARIO DO YOU THINK WOULD PROVIDE THE BEST POTENTIAL USE OF LAND FOR CENTRAL TEXAS' FUTURE? SCENARIO D CAME OUT OVERWHELMINGLY. AND 50% OF THE PEOPLE SAID THAT IT WAS OF GREAT IMPORTANCE TO THEM AND ANOTHER 31% OF THEM SAID IT WAS OF MEDIUM IMPORTANCE. AND LOOKING AT THE SCENARIOS BY COUNTY, IT'S BASICALLY THE SAME THING. WHICH SCENARIO WOULD BE THE BEST FOR THE FUTURE USE OF AGRICULTURAL AND RANCH [SIC] LAND? AGAIN, D CAME OUT VERY FAVORABLY. IT'S REALLY CLOSE, 50% SAID IT WAS OF HIGH IMPORTANCE, ANOTHER 42 SAID IT WAS OF MEDIUM IMPORTANCE TO THEM. THAT PRETTY WELL TRACKED ACROSS ALL FIVE COUNTIES. WHAT WAS SO INTERESTING ABOUT THIS IS THAT THERE WAS NOT A PARTICULAR COUNTY OR A PART OF THE REGION THAT THOUGHT DRASTICALLY FROM ANY OTHER PART. BASICALLY, IT WAS INTERESTING TO SEE THAT THE SAME ISSUES WERE OF IMPORTANCE ACROSS ALL FIVE COUNTIES. WE FOUND THAT VERY -- AH-HA. YOU KNOW, YOU WOULD THINK THAT PEOPLE IN -- IN CALDWELL COUNTY OR BASTROP COUNTY WOULD NOT BE CONCERNED ABOUT THE AQUIFER SINCE THERE'S NOT AN AQUIFER THERE. BUT THEY WERE EQUALLY AS CONCERNED ABOUT IT AS THOSE IN WILLIAMSON AND TRAVIS AND HAYS. SO AS WE GO THROUGH THIS, YOU'LL SEE THERE WAS A LOT OF SIMILAR THINKING NO MATTER WHERE ACROSS THIS FIVE-COUNTY REGION PEOPLE WERE. WHICH SCENARIO DO YOU LIKE BEST REGARDING FUTURE DEVELOPMENT OVER THE AQUIFER? HERE, C KIND OF EDGED UP A LITTLE BIT OVER D. THAT'S BECAUSE IN PRESENTING THE RAW MATERIAL, THE FACTS, LOOKING AT THE INDICATORS, SCENARIO C SHOWED THAT THERE WOULD BE 38-ACRES OF LAND DEVELOPED OVER THE AQUIFER AND D INDICATED THAT THERE WOULD BE 53-

ACRES DEVELOPED OVER THE AQUIFER. SO FOR THAT REASON, C KIND OF EDGED OUT A LITTLE BIT OVER D. AS YOU CAN SEE, CAN WE BACK UP TO THAT? 67% OF THOSE THAT TOOK THE SURVEY INDICATED THAT IT WAS OF VERY HIGH IMPORTANCE TO THEM, THIS ISSUE. AND AS YOU CAN SEE BY COUNTY, BASICALLY THE SAME THING -- CALDWELL COUNTY, D KIND OF EDGED OUT JUST SLIGHTLY ABOVE C. FUTURE TRANSPORTATION NEEDS. 67% OF PEOPLE SAID IT WAS OF HIGH IMPORTANCE TO THEM AND D WAS THE SCENARIO THAT WAS VERY FAVORABLE HERE. AND LOOKING AT IT ACROSS ALL FIVE COUNTIES, IT'S PRETTY MUCH THE SAME. WHICH SCENARIO WOULD BE BEST FOR -- FOR FUTURE HOUSING OPTIONS? C KIND OF EDGED OUT A LITTLE BIT OVER D. BUT THERE'S NOT REALLY TOO MUCH DIFFERENCE THERE. AND 30% THOUGHT THAT THIS WAS OF HIGH IMPORTANCE, 47% OF THOSE TAKING IT SAID IT WAS OF MEDIUM IMPORTANCE TO THEM. AND THAT'S PRETTY WELL IT ACROSS ALL FIVE COUNTIES. WHAT LEVEL OF INVESTMENT WOULD YOU PREFER FOR NEW DEVELOPMENT? D. PRETTY MUCH EDGED OUT AND LIKE THAT ACROSS ALL FIVE COUNTIES. WHICH SCENARIO DO YOU THINK WOULD PROVIDE OVERALL QUALITY OF LIFE? IN CENTRAL TEXAS? FOR THE FUTURE? D EDGED OUT PRETTY MUCH OVER C AND THEN NEXT WOULD BE C AND IT'S KIND OF LIKE THAT ACROSS ALL FIVE COUNTIES. DO YOU THINK THE QUALITY OF LIFE IN CENTRAL TEXAS WOULD BE AFFECTED IF THE POPULATION DOUBLES TO 2.5 MILLION IN THE NEXT 20 TO 40 YEARS? RANGES WENT FROM MUCH BETTER TO MUCH WORSE AND MUCH WORSE OVERWHELMINGLY GOT THE MOST VOTES HERE. OKAY. AND THAT'S IT ACROSS ALL FIVE COUNTIES, PARTICULARLY IN BASTROP AND HAYS COUNTIES. WHAT DO YOU THINK SHOULD BE THE FOCUS OF FUTURE TRANSPORTATION INVESTMENT, MEANING ROADS OR TRANSIT OR A MIXTURE OF BOTH? A MIXTURE OF BOTH WAS THE -- WAS THE WINNER HERE, IF WE COULD SAY WINNER. WHAT I WOULD LIKE TO CALL YOUR ATTENTION TO IS BACK IN -- BETWEEN JULY 15th AND JULY 27th OF 2002, THE SECOND OPPORTUNITY FOR CITIZENS TO BE INVOLVED IN THIS PROCESS CONSISTED OF TELEPHONE SURVEYS OF 23 QUESTIONS EACH. ONE OF THE QUESTIONS THAT WAS ASKED BY THE CONSULTANTS WAS ASKING PEOPLE IF THEY -- IF THEY FAVORED ROADS OR IF

THEY FAVORED TRANSIT. AND THE PERCENTAGES WERE 51% FAVORED TRANSIT OVER 49% THAT FAVORED ROADS. WHAT THE CONSULTANTS TOLD US FROM THAT IS WHEN THE PERCENTAGES ARE THAT CLOSE, PEOPLE DON'T WANT TO CHOOSE BETWEEN ONE OR THE OTHER. THEY WANT A COMBINATION OF BOTH. AND THAT WAS JULY OF 2002. HERE WE ARE OCTOBER OF 2003 WITH A SELF SELECTED GROUP OF PEOPLE WHO VOLUNTARILY PARTICIPATED IN THE SURVEY AND THEY SAID THE SAME THING. THAT THEIR PREFERENCE WAS A MIXTURE OF ROADS AND TRANSIT. AND IT WAS PRETTY MUCH THAT FOCUS ACROSS ALL FIVE COUNTIES. WHAT WOULD BE THE BEST WAY TO FIT ANOTHER 1.25 MILLION MORE PEOPLE INTO CENTRAL TEXAS? THOSE RANGES WERE FROM DEVELOPING GREEN FILL TO REDEVELOPMENT AND REDEVELOPMENT WAS THE PREFERENCE HERE. I THINK THE CHART PRETTY WELL SPEAKS FOR ITSELF WITH THE EXCEPTION OF CALDWELL COUNTY. CALDWELL COUNTY IS -- THEY ARE INTERESTED IN JOBS. IN WHAT AREA DO YOU THINK NEW JOBS SHOULD BE LOCATED IN THE FUTURE? SHOULD THEY ALL BE CONCENTRATED IN THE AREAS THAT ARE EXISTING NOW OR SHOULD THEY BE SPREAD OUT THROUGHOUT THE FIVE-COUNTY REGION? AND PEOPLE SAID THEY WOULD LIKE TO SEE THEM SPREAD OUT. THROUGHOUT THE FIVE COUNTY REGION. AND THAT WAS PRETTY MUCH IT ACROSS ALL FIVE COUNTIES. HOW IMPORTANT IS IT TO CONSIDER SOCIAL EQUITY ISSUES ON AN EQUAL BASIS WITH OTHER GROWTH ISSUES? RANGING FROM VERY IMPORTANT TO NOT IMPORTANT AT ALL, VERY IMPORTANT. AND THAT'S PRETTY MUCH ACROSS ALL FIVE COUNTIES. HOW CONCERNED ARE YOU WITH MAINTAINING AFFORDABILITY? IN CENTRAL TEXAS? VERY CONCERNED OR NOT CONCERNED AT ALL, VERY CONCERNED WAS THE TOP WINNER HERE. PEOPLE ARE VERY INTERESTED IN BEING ABLE TO AFFORD TO REMAIN IN CENTRAL TEXAS. AND THAT'S IT PRETTY MUCH ACROSS ALL FIVE COUNTIES. HOW CONCERNED ARE YOU ABOUT THE WATER SUPPLY? KEEPING PACE WITH DEVELOPMENT. VERY CONCERNED, OR NOT AT ALL, VERY CONCERNED OVERWHELMING. AND VERY CONCERNED OVERWHELMING ACROSS ALL FIVE COUNTIES. HOW IMPORTANT IS RETAINING THE CHARACTER OF RURAL COMMUNITIES FROM VERY CONCERNED TO NOT AT ALL,

VERY CONCERNED HERE, COLLECTIVELY, AND INDIVIDUALLY BY COUNTY, PARTICULARLY IN BASTROP. BUT VERY CONCERNED ACROSS ALL FIVE COUNTIES. THE CHARACTER OF NEIGHBORHOODS. WHILE PEOPLE ARE CONCERNED ABOUT IT, VERY CONCERNED AND -- WHICH IS ONE AND JUST SLIGHTLY BELOW THAT AREA OF CONCERN, NUMBER TWO, KIND OF LIKE EQUALED OUT. AND IT'S PRETTY MUCH THAT ACROSS ALL FIVE COUNTIES. IF YOU -- IF YOU CAN COMPARE IT TO THE TWO SLIDES BEFORE, YOU SAW VERY HIGH SPIKES OF CONCERN ABOUT CHARACTER IN RURAL COUNTIES. I'M SORRY, IN -- YEAH, IN RURAL COUNTIES. HERE WE ARE TALKING ABOUT URBAN CHARACTER. AND PEOPLE ARE CONCERNED BUT IT'S NOT AS SPIKED AS IT WAS IN THE RURAL CONCERN. HOW IMPORTANT IS IT THAT JOBS AND SHOPPING ARE SAFELY ACCESSIBLE BY WALKING OR BY BIKING. IT'S VERY IMPORTANT DOWN TO NOT AT ALL, PEOPLE WOULD LIKE TO BE ABLE TO WALK OR BIKE TO SHOPPING, RETAIL, RESTAURANTS, WHEREVER. AND IT'S PRETTY MUCH THAT ACROSS ALL FIVE COUNTIES, PARTICULARLY IN TRAVIS. THERE'S A SPIKE THERE HIGHER THAN IT IS IN THE OTHER FOUR. WE ASKED, OF THE ISSUES HERE, WE ASKED PEOPLE TO NAME THE TOP THREE ISSUES THAT THEY WERE CONCERNED ABOUT THE MOST. THOSE THAT WERE MOST IMPORTANT TO THEM. LOOKING AT THE TOP FIVE, THEY ARE TRANSPORTATION AND CONGESTION, AIR QUALITY, COST OF LIVING, JOBS AND WATER QUALITY. THOSE ARE THE TOP FIVE THAT WERE MORE -- MORE SELECTED BY PEOPLE OF THE TOP THREE THAT THEY HAD TO SELECT. RIGHT AFTER WATER QUALITY IS WATER AVAILABILITY. I WOULD LIKE -- CAN WE GO BACK? ONE OF THE THINGS THAT I WOULD LIKE FOR YOU TO LOOK AT -- YEAH, THAT ONE. LAND USAGE. AND HEALTH CARE ARE PRETTY FAR DOWN. AND AS IS SOCIAL EQUITY, AND PUBLIC SAFETY. PUBLIC EDUCATION WAS NUMBER 7. THANK YOU. AND HERE ARE THE TOP FIVE ISSUES BY COUNTY. OKAY. JOBS IS VERY -- CAME OUTNUMBER 1 IN CALDWELL COUNTY. TRANSPORTATION AND CONGESTION, VERY HIGH IN WILLIAMSON COUNTY. AND TRAVIS COUNTY. WATER AVAILABILITY HAYS COUNTY. OKAY. WE WEIGHTED THE RESULTS TO SEE ON THREE DIFFERENT QUESTIONS, 7, 10 AND 12, TO SEE IF WEIGHTED WE WOULD GET A DIFFERENT RESPONSE. SO LET ME TAKE YOU THROUGH THOSE. LOOKING AT QUESTION 7, WHICH

SCENARIO DO YOU THINK WOULD PROVIDE THE BEST OVERALL QUALITY OF LIFE FOR THE FUTURE. THIS IS WEIGHTED BY COUNTY. WE COMPARED IT TO -- TO THE ACTUAL RESULTS AND AS YOU CAN SEE IT'S ALMOST THE SAME. WE ALSO WEIGHTED THEM BY ETHNICITY, AS YOU CAN SEE IT'S PRACTICALLY THE SAME. AND WE ALSO WEIGHTED THEM BY AGE. BASICALLY NO DIFFERENCE. LET'S LOOK AT NUMBER 10. WHAT WOULD BE THE BEST WAY TO FIT 1.25 MILLION MORE PEOPLE? AGAIN WEIGHTED BY COUNTY, BY RACE AND ETHNICITY, AND BY AGE. 12, HOW IMPORTANT IS IT TO CONSIDER SOCIAL EQUITY? THIS IS WEIGHTED BY COUNTY. BY RACE OR ETHNICITY. AND BY AGE. FROM THIS THE CONSULTANTS HAVE TOLD US WHEN YOU WEIGHT THE QUESTIONS AND BASICALLY THERE'S NOT ANY DIFFERENCE, THAT MEANS THAT THE SAME MESSAGE WAS COMMUNICATED NOT ONLY ACROSS ALL OF THE COUNTIES IN A UNIFORM MANNER, BUT THE SAME MESSAGE WAS COMMUNICATED BY ETHNICITY AND BY AGE ACROSS THE ENTIRE REGION. EVERYBODY GOT THE SAME MESSAGE AND THEY GOT IT IN THE SAME MANNER AND THEY UNDERSTOOD WHAT YOU ARE ASKING FOR. SO THERE WAS NO MISCOMMUNICATION ANYWHERE. WHAT I WOULD LIKE TO DO NOW IS ASK MR. KOCUREK TO COME UP AND TELL YOU WHAT OUR NEXT STEPS ARE TAKING THIS INFORMATION AND COMING FORWARD.

**Goodman:** MAYOR, COULD I ASK BEVERLY SOMETHING REAL QUICK BEFORE NEIL SPEAKS. IS THERE INFORMATION ANYWHERE ABOUT -- I'M NOT QUITE SURE HOW TO CHARACTERIZE THIS. YOU KNOW THAT IF YOU HAVE SOME SORT OF PLANNING INITIATIVE OR -- OR ACTIVITY IN AUSTIN YOU KNOW THE FOLKS WHO ARE GOING TO COME OUT. THE MAJORITY OF THEM ARE -- ARE ALREADY OF PROVE CONVENIENT INTEREST AND POSSIBLY EVEN PARTICIPATION THROUGH I DON'T KNOW NEIGHBORHOOD ASSOCIATIONS OR HAVING COME TO PLANNING COMMISSION OR ZONING AND PLATTING OR COUNCIL OR WHATEVER. THEY ARE FOLKS WHO ARE INVOLVED IN A LITTLE MORE ROUTINE FASHION THAN OTHERS. SO -- SO CAN -- CAN WE PINPOINT IN ANY WAY THE PARTICIPANTS IN THAT CONTEXT, ESPECIALLY IN -- IN OTHER COUNTIES? BECAUSE THERE ARE -- THEY ARE A CORE, SO TO SPEAK, THERE'S ALWAYS A POSSIBILITY THAT

THE INCLUSION OF THOSE FOLKS DID NOT HAVE THOSE WHO TYPICALLY DON'T PARTICIPATE IN THAT SORT OF THING.

THERE'S NO WAY THAT WE CAN TRACK BACK WHO ACTUALLY PARTICIPATED IN THE PROCESS. WHAT I CAN TELL YOU IS THAT WHAT THE CONSULTANTS HAVE TOLD US IS THAT WE DID REACH SOME OF THE PEOPLE WHO WOULD NOT NORMALLY BE INVOLVED WITH THIS. WHAT I CAN ALSO DO IS GIVE YOU THE LIST OF ALL OF THE GROUPS THAT WERE ADDRESSED, EITHER BEFORE OR DURING THE FEEDBACK PERIOD. THERE WERE TIMES WHEN I PERSONALLY MYSELF WAS DOING PRESENTATIONS ABOUT THREE TO FIVE A DAY. BEGINNING WITH -- WITH SERTOMA AT 6:00 IN THE MORNING WILLIAMSON COUNTY AND ENDING WITH THE LEAGUE OF WOMEN VOTERS AT 9:00 AT NIGHT IN HAYS COUNTY. WE COVERED THE BREADTH OF -- OF ALL FIVE COUNTIES. AND THERE WERE -- THERE WERE PRESENTATIONS MADE TO GROUPS AS LARGE AS 75 AND AS SMALL AS 3. WE COVERED ALL ETHNICITIES. I SPOKE WITH THE PEOPLE FROM THE ASIAN COMMUNITY, AFRICAN AMERICAN COMMUNITY, HISPANIC COMMUNITY, WEST AUSTIN, WEST TRAVIS COUNTY, SOUTHERN CALDWELL COUNTY, WESTERN HAYS COUNTY, NORTHEASTERN WILLIAMSON COUNTY. I'M STILL -- IN FACT WE'RE STILL GETTING SURVEYS. WE GOT A SURVEY IN THE MAIL MONDAY I THINK IT WAS. THAT DIANE -- IT WAS SOMEBODY A LITTLE BIT, BUT THEY AT LEAST GOT THE SURVEY IN. PEOPLE STOP ME ALL THE TIME TO SAY OH, I PARTICIPATED IN THE PROCESS AND I HAVE NEVER SEEN THOSE PEOPLE BEFORE. SO I DO DEAL THAT WE REACHED A LARGE NUMBER OF PEOPLE WHO JUST OUTSIDE OF THE NEIGHBORHOOD ASSOCIATIONS AND THOSE PEOPLE WHO WOULD NORMALLY BE INVOLVED IN THE PROCESS.

**Goodman:** WELL, I THINK EVERY TIME WE HAVE SOME OPPORTUNITY LIKE THIS AND Y'ALL HAVE BEEN VERY COMPREHENSIVE OPPORTUNITY, WE ADD A FEW MORE PEOPLE WHO ARE UNDERSTANDING BY IMPACT OR OBSERVANCE AND THEY PARTICIPATE WHERE THEY MAY NOT HAVE BEFORE. BUT WHAT I WANTED TO TRY TO FIND OUT WHETHER THIS TIME WAS DIFFERENT FROM PAST ATTEMPTS IN THAT WHAT HAS HAPPENED IN THE PAST IS THAT SOME FOLKS RARELY CLOSE -- FAIRLY CLOSE

RELATIVELY TO IMPACT AND GROWTH WERE GIVING THEIR PREFERENCES AND THOSE WHO ACTUALLY OWNED THE LAND THAT WAS GOING TO BE MORE DEVELOPMENTAL PRESSURES HAPPENED WERE NOT PART OF THE GROUP AND SO I'M -- I'M WONDERING IF YOU KNOW WHETHER WE EXPANDED AND INCLUDED A LITTLE MORE IN THAT DIRECTION THIS TIME?

YES, WE DID. ONE OF THE THINGS THAT -- I GUESS WOULD MAKE THIS DIFFERENT IS WE ACTUALLY HAVE DEVELOPERS ON THE BOARD OF DIRECTORS. WHO ARE ACTIVELY INVOLVED IN THE PROCESS WITH THE PROJECT.

I THINK IT'S ALSO IMPORTANT TO POINT OUT THAT HAVING WORKSHOPS IN ALL FIVE COUNTIES AND HAVING TEST SITE WORKSHOPS IN NEIGHBORHOODS SCATTERED THROUGHOUT THE AREA, WE ATTRACTED MANY PEOPLE, ADVERTISING ON THE STREET AND THIS KIND OF THING, WE ATTRACTED MANY PEOPLE AND AT EACH OF THOSE FUNCTIONS WE SAID, OKAY, PLEASE AS BROADLY AS YOU CAN, GET YOUR FRIENDS, YOUR NEIGHBORS, SO FORTH TO RESPOND. AND WHEN YOU THINK ABOUT 12,541 RESPONDENTS, THAT'S A LOT OF FOLKS. AND I DON'T KNOW THAT WE SEE THAT GROUP REGULARLY BEFORE OUR COUNCILS AND COMMISSIONS AND SO FORTH. ANY OTHER QUESTIONS BEFORE I SUM UP?

**McCracken:** YEAH, MAYOR --

**Mayor Wynn:** COUNCILMEMBER MCCRACKEN?

**McCracken:** ONE THING THAT JUMPED OUT AT ME FAMILIES WITH CHILDREN WERE A VERY SMALL CHILDREN WITH THE DEMOGRAPHICS, I GUESS THIS IS ABOUT TO HIT HOME FOR ME. I WAS WONDERING IF THERE WAS SOME -- SOME EFFORT TO DO A CONTROLLED RESPONSE TO COMPARE FAMILIES IN THE WHOLE REGION VERSUS PERCENTAGE MUCH FOLKS WITH FAMILIES WHO RESPONDED? BECAUSE LIKE FOR INSTANCE I CAN SEE THAT PEOPLE WITH CHILDREN MIGHT BE MORE INTERESTED IN SINGLE FAMILY HOMES RATHER THAN DOWNTOWN CONDOS. SO IS THERE SOME -- IS THERE ANY DATA THAT COMPARED THE ACTUAL NUMBER OF RESPONDENTS WITH FAMILIES VERSUS THE ACTUAL

DEMOGRAPHIC DATA FOR THE REGION?

THAT'S A GOOD QUESTION. WE DON'T HAVE THAT DATA COMMPILED. BUT WE HAVE CERTAINLY SAVED ALL OF THE DATA, THAT IS SOMETHING THAT WE CAN DO.

ONE OF THE PRESENTATIONS, COMARK, THAT I GAVE -- COUNCILMEMBER MCCracken THAT I GAVE LAST WEEK WHEN I SHOWED THAT SLIDE, IN FACT IT WAS THE MOPAC NEIGHBORHOOD ASSOCIATION WHEN I SHOWED IT TO THEM, THEY SAID OH, LOOK AT THAT. YOU HAD MORE PEOPLE WITH CHILDREN -- WITHOUT CHILDREN AT HOME UNDER 18 PARTICIPATE THAN YOU HAD WITH CHILDREN UNDER 18 AT HOME. THEN ANOTHER MEMBER SAID WELL THAT'S BECAUSE ONLY PEOPLE THAT DON'T HAVE CHILDREN AT HOME HAVE TIME TO FILL OUT THE SURVEY. [LAUGHTER] I THOUGHT THAT WAS VERY INTERESTING.

ANY OTHER QUESTIONS BEFORE I SUM UP?

FURTHER QUESTIONS OR COMMENTS? COUNCILMEMBER ALVAREZ?

**Alvarez:** IN TERMS OF HOW MANY RESPONDENTS THERE WERE FROM THE VARIOUS COUNTIES, IS THAT SOMETHING THAT WAS PART OF, YOU KNOW, -- YES THERE IS A SLIDE ON THERE. IT WAS ONE OF THE EARLIER SLIDE, IT SHOWED THE -- THE PERCENTAGE OF RESPONDENTS BY WITH THE AND A PERCENTAGE OF POPULATION BY COUNTY AND IT TRACKED VERY WELL.

**Alvarez:** OF THE 12,000 DO WE KNOW ROUGHLY THE PERCENTAGES FROM THE VARIOUS COUNTIES?

WELL, WE CAN GIVE YOU THAT EXACT NUMBER. BUT IF YOU LOOK AT THOSE PERCENTAGES, YOU SEE THAT SINCE IT TRACKS VERY WELL, YOU ARE VERY COMFORTABLE WITH THAT, BUT WE CAN GIVE YOU THE EXACT NUMBER.

**Alvarez:** WHAT YOU WERE SAYING IS THAT WE KNOW THAT THE PERCENTAGE OF -- OF POPULATION IN THE COUNTY AND HOW THEY -- HOW THEY COMPARED.



IN OTHER WORDS IF THE PERCENTAGE OF THE POPULATION IN CALDWELL COUNTY IS X% OF THE TOTAL IN THE REGION, THEN THE PERCENTAGE OF RESPONDENT WAS VERY CLOSE TO THAT SAME X PERCENT IN TERMS OF BODY OF RESPONDENTS. AND THERE WERE SUFFICIENT RESPONDENTS FROM EACH COUNTY THAT THE DATA FROM EACH COUNTY IS STATISTICALLY SIGNIFICANT ITSELF.

THANK YOU, JUST CURIOUS ABOUT THAT.

WE ARE SENDING A COPY OF THIS ENTIRE PRESENTATION TO YOU. AND WHAT WE WILL ALSO DO IS SEND TO YOU THE RAW DATA OF THE SURVEYS. WHERE THEY WERE ACTUALLY INPUT. WE CAN SEND YOU THAT SPREAD SHEET SO THAT WE CAN SORT IT HOWEVER YOU WISH, ALL 12,541 OF THEM. WE WILL BE MORE THAN HAPPY TO SHARE THAT WITH YOU.

NOW, WHERE DO WE GO FROM HERE? WHAT ABOUT A FINAL VISION? WELL, THE BOARD OF DIRECTORS FELT VERY STRONGLY THAT THIS INFORMATION SHOULD BE AVAILABLE TO EVERYONE. AND THAT -- THAT WE SHOULDN'T TAKE JUST THE BOARD OR JUST THE EXECUTIVE COMMITTEE OR JUST THE CONTRACTORS AND TRY TO -- TO DRAW CONCLUSIONS FOR EVERYONE FROM THAT DATA. AND SO THAT DATA IS GOING TO BE MADE AVAILABLE ON -- ON THE WEB TO -- TO ANYONE WHO WISHES TO ACCESS IT. AND THERE WILL BE A WRITTEN VISION THAT IS THE WORK OF THE BOARD AND -- AND FINAL POLISHING BY THE EXECUTIVE COMMITTEE, WHICH WILL BE UTILIZED IN THE MEETING ON -- ON FEBRUARY THE 11th. WHERE WE HAVE INVITED ALL OF THE ELECTED OFFICIALS IN THE FIVE-COUNTY REGION AND WE HAVENVITED THE LEADERSHIP OF EVERY GROUP, I THINK, THAT WE COULD COME UP WITH TO THAT SESSION TO ASK FOR THEIR INPUT IN THAT SESSION BEFORE THAT IS FINALIZED. NOW, THERE IS A DRAFT OF THAT AT THE PRESENT TIME, WHICH HAS BEEN WORKED ON VERY HARD BY -- BY THE BOARD OF DIRECTORS, BY THE EXECUTIVE COMMITTEE, AND BY SOME CONSULTANTS WHO HAVE TRIED TO TAKE ALL OF THAT AND PUT IT IN SOME NICE FLOWING LANGUAGE. SO WE HAVE THAT DOCUMENT WHICH WILL BE PROVIDED ON THE 11th. NOW THEN WE DO NOT AT THIS TIME ENVISION PUTTING A MAP, IF YOU WILL, WITH THAT. REMEMBER THIS IS A VISION, IT'S NOT A PLAN. SO WE WANT

CITIZENS TO HAVE IN MIND A VISION, THEIR VISION, BEFORE THEM. WHAT KEY THINGS CAME OUT OF HERE? I'M JUST TALKING FROM MY OWN PERSPECTIVE AT THE MOMENT. BUT WE SAW COUNTY BY COUNTY THE SAME CONCERNS, THE SAME DESIRES THAT WE SAW IN THE OVERALL COMPENDIUM. SO IT SURPRISED I THINK MANY PEOPLE AT HOW MUCH IN AGREEMENT ALL FIVE OF OUR COUNTIES WERE ABOUT WHAT WE NEEDED. WE HEARD THAT PROTECTION OF THE AQUIFER WAS VERY IMPORTANT WE HEARD THAT OPEN SPACES AND CONTINUING TO HAVE OPEN SPACES WAS VERY IMPORTANT. WE HEARD THAT MIXED TRANSPORTATION MECHANISM -- MEDIA WAS VERY IMPORTANT, BOTH ROADS AND TRANSIT WAS VERY IMPORTANT. WE HEARD THAT JOBS SPREAD THROUGHOUT THE COMMUNITY WAS VERY IMPORTANT. IN OTHER WORDS, IF THEY ARE GOING TO BE A NUMBER OF -- IF THERE ARE GOING TO BE A NUMBER OF SUPPLIERS TO -- TO THE -- TO THE FACILITY IN SAN ANTONIO LOCATED IN OUR AREA, WELL, WHY NOT HAVE SUPPLIER LOCATED IN GEORGETOWN, ONE IN SAN MARCOS, SO FORTH. THAT KIND OF THING. THOSE ARE THE KINDS OF THINGS THAT WE SAW CONSISTENTLY. WE SAW THAT PEOPLE WANTED THE POPULATION TO GROW IN EXISTING LOCATIONS. AND THEY WANTED IT TO BE MORE DENSE. NOW, NOT TOTALLY ULTIMATELY DENSE, BUT THEY WANTED IT TO BE MORE DENSE WHERE THERE'S AN OPPORTUNITY TO DO SO. THEN THEY WANTED A MIX OF TRANSPORTATION THAT PROVIDED TRANSPORTATION BETWEEN THOSE CENTERS AND COMING INTO DOWNTOWN AUSTIN. THAT'S THE KIND OF THING WE SAW. WE SAW SUPPORT FOR CERTAIN CORRIDOR, NOT NECESSARILY WHERE THEY WERE, BUT WE NEEDED A MASS TRANSIT CORRIDOR RUNNING THROUGH THE COMMUNITY, HOOKUPS WITH SOME VARIOUS OUTLYING COMMUNITIES. THAT KIND OF THING. THAT'S THE TYPE OF THING THAT WE SAW. NOW, WITH THAT KIND OF VISION IN YOUR MIND, PEOPLE CAN SAY, ALL RIGHT, THIS IS WHAT CITIZENS WANT. NOW AS WE DO PROJECTS, AS JURISDICTIONS LOOK AT DECISIONS THEY HAVE TO MAKE, WE CAN ASK OURSELVES ARE THESE PROJECTS, ARE THESE DECISIONS ALIGNED WITH THE VISION? AND IF THEY ARE, GREAT. IF THEY ARE NOT, WOULD IT BE APPROPRIATE TO -- TO TWEAK THEM SO THAT THEY ARE MORE ALIGNED WITH THE VISION? IF NOT, THAT'S OKAY,

TOO. ENVISION CENTRAL TEXAS IS GOING TO ASK, I BELIEVE, AND THIS IS NOT FIRM YET, BUT I BELIEVE THAT THEY ARE GOING TO ASK JURISDICTIONS TO KEEP THE VISION IN FRONT OF YOURSELF, KEEP THE VISION IN FRONT OF THE PEOPLE, AND ENVISION CENTRAL TEXAS WILL STAY IN EXISTENCE AS AN HONEST BROKER TO ASSIST ALL JURISDICTIONS, ALL GROUPS, DEVELOPERS, SO FORTH, NEIGHBORHOODS,ED TO UNDERSTAND THAT. WE HAVE OUTSTANDING MOD DELTS, AN OUTSTANDING TRANSPORTATION MODEL, AN OUTSTANDING LAND USE MODEL WHICH ARE AVAILABLE TO ALL JURISDICTIONS AND IN FACT WE WILL BE TRAINING MANY JURISDICTIONS IN THE USE OF THESE MODELS WITHIN THE NEXT FEW WEEKS, IS THAT RIGHT? AND THESE ARE WORLD CLASS MODELS THAT ARE AVAILABLE TO US THAT HAVE COME THROUGH THIS PROCESS. AND SO THE IDEA IS KEEP THE VISION IN FRONT OF US AND WORK WITH ALL OF THE COMMUNITIES, ALL OF THE JURISDICTIONS, DEVELOPERS, WHAT HAVE YOU, HELPING THEM UNDERSTAND THE VISION AND IT IS OUR BELIEF THAT YEARS FROM NOW WE WILL BE A WHOLE LOT CLOSER TO THE VISION OF THE CITIZENRY THAN WE WOULD BE IF WE HAD NOT GONE THROUGH THIS PROCESS. ANY QUESTIONS?

**Mayor Wynn:** VERY WELL PUT, MR. KOCUREK.

THANK YOU VERY MUCH.

COUNCILMEMBER SLUSHER.

**Slusher:** I WANT TO CONGRATULATE YOU AND BEVERLY BOTH, MS. SILAS BOTH ON DOING AN EXCEL LEAPT JOB, STICKING WITH THIS. I WANT TO ASK YOU A FEW QUESTIONS. THE RESULTS HERE SEEM VERY SIMILAR, ALMOST IDENTICAL TO -- TO PRETTY MUCH EVERY PLANNING EFFORT THAT'S TAKEN PLACE IN THIS CITY FOR NOW WE ARE IN THE FOUR DECADES. THE AUSTIN TOMORROW PLAN, IT'S ALMOST THE SAME THING LOOKS LIKE TO ME EXCEPT IT STRECHES OVER A FIVE COUNTY REGION. AND YOU HAVE -- WHAT YOU ALL REPORTED TO PEOPLE ALL OVER THE FIVE COUNTIES FEEL ALMOST EXACTLY THE SAME. AT LEAST THE ONES THAT VOTE UNDERSTAND SURVEY, I AGREE WITH YOU, 12,000 PEOPLE VOTING ON SOMETHING LIKE THIS IS PRETTY GOOD.

I THINK. WHAT DID YOU SAY, HOW MANY IN NEW YORK CITY?

4400.

**Slusher:** 4400 IN NEW YORK CITY. 12,000 IN AUSTIN. I THINK THAT BACKS UP WHAT WE SAY ABOUT THIS BEING A VERY ACTIVE POPULUS, EVEN THOUGH SURE THAT -- RELATIVE TO HOW MANY PEOPLE LIVE HERE THAT'S A PRETTY SMALL NUMBER, BUT IT DOES SEEM PRETTY LARGE IN THAT CONTEXT, ALMOST THREE TIMES AS MUCH AS NEW YORK CITY. IT IS ABOUT THE SAME AS AUSTIN TOMORROW PLAN PUT TOGETHER DURING THE 70s, PASSED IN 1979, IT'S THE SAME -- SIMILAR TO THE SENTIMENTS OF THE SAVE OUR SPRINGS ORDINANCE, TO THE DESIRED DEVELOPMENT ZONE, DRINKING WATER PROTECTION ZONE THAT THE COUNCIL PASSED WHICH WAS BASED ON THE AUSTIN TOMORROW. BUT WE HAVE SEEN THESE THINGS CONTINUALLY NOT HONORED. EVEN RIGHT NOW, I'M SORRY I'M GETTING TO A QUESTION. BUT EVEN -- [LAUGHTER] -- EVEN RIGHT NOW, JUST IN THE LAST FEW DAYS, AND MONTHS, WE HEAR LEADERS OF THE BUSINESS COMMUNITY SAY THAT IF WE DON'T BUILD OVER THE AQUIFER, IF WE DON'T -- FOR INSTANCE, IF WE DON'T BUILD BIG BOX STORES OVER THE AQUIFER, IF WE DON'T EXPAND BUSINESSES OVER THE AQUIFER IN VIOLATION OF THE S.O.S. ORDINANCE, WE DON'T DO THOSE THINGS WE ARE SENDING A MESSAGE TO THE WORLD THAT WE DON'T WANT JOBS, WE DON'T WANT ECONOMIC DEVELOPMENT IN AUSTIN. IT SEEMS TO ME THAT CITIZENS HAVE BEEN SENDING A VERY CLEAR MESSAGE, WE HAD THE -- WE -- DURING THE 1990'S, ONE OF THE BIGGEST BOOMS IN CITY HISTORY, REGIONAL HISTORY, COMPANIES WERE ABLE TO FIGURE THAT OUT. SO I'M JUST WONDERING HOW -- HOW CAN YOU HELP US GET THIS MESSAGE TO JUST SOME OF THE BUSINESS LEADERSHIP AND BUSINESS FOLKS THAT CONTINUE TO INSIST VERY LOUDLY THAT IF WE -- WHAT THEY ARE REALLY SAYING IF WE FOLLOW THIS PLAN WE ARE SENDING A MESSAGE TO THE WORLD DON'T BRING JOBS, WE ARE NOT OPEN FOR BUSINESS. I HEAR IT ALL THE TIME. I READ IT IN THE PAPER ALL THE TIME. HOW CAN WE DEAL WITH THAT?

I UNDERSTAND WHAT YOU ARE SAYING. LET ME SAY THAT ALL SECTORS OF THE COMMUNITY PARTICIPATED IN THIS.

THERE ARE PEOPLE WHO ARE VERY SUPPORTIVE FROM ALL SECTORS OF THE COMMUNITY. NOW, LET ME GO BACK TO ENVISION UTAH. WHICH WAS A SIMILAR PROCESS DONE IN UTAH IN THE MID TO LATER 90s. AND SO SOME TIME HAS PROGRESSED SINCE THEN. AND I CAN TELL YOU THAT THE RESULTS THERE SHOW THAT DURING THAT PROCESS, THE LARGEST DEVELOPER IN THAT AREA WAS NOT SUPPORTIVE OF THE PROJECT, OPENLY NOT SUPPORTIVE. THERE WERE -- ALL OF THE REST DEVELOPERS FOR ALL PRACTICAL PURPOSES THOUGHT THAT IT MADE SENSE AND WERE SUPPORTIVE OF IT. NOW THEN, THE JURISDICTIONS, MANY OF THEM ADOPTED CONCEPTS THAT FACILITATED MOVING TOWARDS THE VISION, NOT ANYTHING THAT OF COURSE MANDATORY OR ANYTHING LIKE THAT. BUT USEFUL THINGS. SOME OF THEM DIDN'T ADOPT ANYTHING. NOW, WHAT'S HAPPENED IN THE SIX OR SEVEN YEARS SINCE THEN IS THE FOLLOWING. ALL JURISDICTIONS HAVE ADOPTED SOME THINGS NOW. OTHERS WHO DIDN'T ADOPT THINGS HAVE ADOPTED MORE THAN THEY DID BEFORE. THOSE DEVELOPERS WHO LIKED THE PROCESS HAVE COME FORWARD WITH PROJECTS THAT ARE ALIGNED WITH THE VISION. THAT DEVELOPER, THE LARGEST DEVELOPER THAT DIDN'T LIKE THE PROCESS STILL DOESN'T LIKE THE PROCESS HAS COME FORWARD WITH A NUMBER OF PROJECTS ALL OF WHICH ARE ALIGNED WITH THE PROCESS. SALT LAKE CONTINUED TO DO VERY WELL. AND I WOULD EXPECT THERE TO BE A LOT OF COMMENT AND FRUSTRATION WITH ANY KIND OF VISION. GOODNESS ONLY KNOWS THE PEOPLE ON THE BOARD, THE PEOPLE ON THE EXECUTIVE COMMITTEE WORK VERY HARD, THEY HAVE VERY DIFFERING OPINIONS. BUT THEY HAVE COME TO UNDERSTAND THAT THE OTHER SIDE OF THE ISSUE HAS A POINT, TOO. AND THAT'S HAPPENED ON ALL THREE SIDES OF THE -- OF THE ALTAR, IF YOU WILL. COMMUNICATION THAT WE HAVE NOT SEEN TAKE PLACE BEFORE HAS TAKEN PLACE. AND I WAS STRUCK AS WE TRIED TO STRUCTURE THE FINAL DOCUMENT AND WORKING ON THE WORDS, I WAS -- HE WAS STRUCK BY A TEAM OF PEOPLE WORKING TOGETHER TRYING TO HELP EACH OTHER BE COMFORTABLE WITH SOME PART OF THE WORDING IN THE WHOLE THING. AND SO I THINK ONE THING THAT IS DIFFERENT HERE, IN THE OTHER TIME THAT'S WE HAVE TRIED DO THIS, IS FIRST OF

ALL, IT INCLUDES THE WHOLE REGION. AND I DON'T KNOW WHETHER YOU -- HOW FAMILIAR YOU ARE, BUT A LOT OF THE PROBLEMS THAT WE'VE HAD IN AUSTIN IN OUR -- IN THE LEGISLATURE HAVE BEEN BROUGHT ABOUT BY OUR FRIENDS AROUND US BEING FROM FRUSTRATED WITH THINGS HERE. WE HAVE WORKED HARD TO LOOK AT THINGS REGIONALLY AND WE HAVE SEEN A GREAT FALL OFF IN THAT KIND OF ACTIVITY IN THE LEGISLATURE. THERE IS GREAT PARTICIPATION AMONG ALL FIVE COUNTIES. AND THEY HAVE PARTICIPATED. I MEAN WE HAVE COUNTY JUDGES FROM -- FROM COUNTIES OUTSIDE TRAVIS COUNTY WHO HAVE WORKED VERY HARD ON THIS PROCESS AND ARE VERY SUPPORTIVE. PEOPLE FROM THE BUSINESS COMMUNITY AND ALL THOSE COUNTIES, AS WELL AS THE NEIGHBORHOOD AND ENVIRONMENTAL COMMUNITIES. AND SO THERE ARE CONTACTS AND PEOPLE WE CAN TALK TO AND WORK WITH AS ISSUES ARISE, I THINK THAT'S REALLY IMPORTANT. THEN ENVISION CENTRAL TEXAS WILL STAY IN EXISTENCE. WE HAVE TO SCRAMBLE ABOUT HOW WE HAVE TO FUND IT, TO BE AN HONEST BRACKENRIDGEER, TO WORK WITH ALL, TO MAINTAIN AWARENESS AND THAT KIND OF THING, THAT'S ALSO SOMETHING THAT WE DIDN'T HAVE IN THE OTHER ISSUES, I FEEL VERY POSITIVE ABOUT WHAT WE CAN DO, I THINK YOU'RE RIGHT. I THINK THIS TIME WE HAVE - - WE HAVE SOME VERY FINE DATA THAT WE HAVE NOT HAD BEFORE. WE HAVE PARTICIPATION. WE HAVE VERIFIED PARTICIPATION. FROM MANY MORE PEOPLE THAN WE'VE HAD BEFORE. IT IS MULTI-COUNTY. AND WE WILL STAY IN EXISTENCE AND KEEP GOING. SO -- [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

**Slusher:** I'M REALLY WORRIED THAT WE'RE GETTING THAT SET RIGHT BACK UP AGAIN. SO I'M HOPING YOU'RE GOING TO BE AROUND TO HELP DRIVE THAT MESSAGE HOME.

WELL, NOT ONLY WILL I BE AROUND, BUT MANY, MANY PEOPLE WHO HAVE WORKED VERY HARD AT THIS FROM THE BUSINESS COMMUNITY, FROM THE NEIGHBORHOOD COMMUNITY, FROM THE ENVIRONMENTAL COMMUNITY, WE'LL BE AROUND TO WORK ON THAT. AND YOU'RE RIGHT, THERE ARE PEOPLE WHO HAVE CONCERNS, AND THEY'RE BORNE OF CONCERNS OF WHAT ABOUT THIS AND WHAT ABOUT THIS? AND I HAVE JUST IN THE LAST COUPLE OF

WEEKS VISITED AT LENGTH WITH SOME OF THOSE FOLKS. AND WHEN YOU SIT DOWN AND TALK ABOUT THE KIND OF THINGS I JUST TALKED ABOUT AT THE END OF THIS PRESENTATION, THEY SAY WELL, YOU KNOW, THAT MAKES SENSE. I FEEL BETTER. AND WE GET SOME LETTERS FROM PEOPLE IN THE COMMUNITY THAT WANT TO INTERPRET THESE RESULTS BEING VERY SUPPORTIVE OF SOME THINGS THAT THEY WANT TO DO. AND WHEN ECT RESPOND THAT WE'RE HONEST BROKERS, WE'RE PROVIDING INFORMATION FOR EVERYONE, WE'RE NOT SIDING WITH YOU ON YOUR POSITION OR YOU ON YOUR POSITION, OTHER PEOPLE FEEL COMFORTABLE ABOUT THAT. SO WE HAVE TO REMAIN AN HONEST BROKER PROVIDING INFORMATION TO EVERYONE.

**Slusher:** SO I CAN SEE RIGHT NOW THAT TRYING TO FOLLOW THIS PLAN WE'RE GOING TO GET CHARGES FROM BUSINESS LEADERSHIP IN THIS TOWN, LEADERS OF ORGANIZATIONS, OF BUSINESS ORGANIZATIONS SAYING THAT WE'RE TRYING TO DRIVE JOBS AWAY. DON'T WANT JOBS. WE'RE TRYING TO ABAY A PLAN PUT TOGETHER BY THE AMOUNT OF PEOPLE YOU DESCRIBED AND VERY CONSISTENT WITH THE PLAN PUT TOGETHER IN THE 1970'S.

I UNDERSTAND THOSE ISSUES AND THERE WILL BE PEOPLE WHO CAN'T BE COMFORTABLE WITH A VISION OR A MAJORITY OF PEOPLE WILL BE. AND WE ARE MAKING PROGRESS AND WE'LL CONTINUE TO MAKE PROGRESS.

**Slusher:** I'M GOING TO CALL ON YOU TO HELP US.

PLEASE FEEL FREE TO DO SO. WE'LL BE HAPPY TO. THERE ARE MANY PEOPLE ON THE BOARD AND EXECUTIVE PEOPLE THAT WILL BE HAPPY TO. MANY ARE IN THE BUSINESS COMMUNITY.

**Slusher:** THANK YOU, AND THANK YOU MS. SILAS.

**Mayor Wynn:** FURTHER COMMENTS, QUESTIONS?  
COUNCILMEMBER MCCRACKEN.

**McCracken:** I LOOK AT LEAST WHAT WE'VE SEEN COME OUT OF THE RAW DATA AND IT LOOKS LIKE THERE'S A LOT OF CONSENSUS FOR AUSTIN BECOMING A MAJOR

METROPOLITAN CITY LIKE A LOT OF ALREADY ESTABLISHED MAJOR URBAN CENTERS AROUND THE COUNTRY. SO IN A WAY I DON'T SEE THIS AS THAT RADICAL. WHAT I'M INTERESTED IN IS WHAT OTHER COMMUNITIES HAVE GONE THROUGH THE ENVISION PROCESS HAVE -- AT LEAST THEIR GOVERNMENTS HAVE DONE TO IMPLEMENT SOME OF THESE RECOMMENDATIONS WITH AN INCENTIVE APPROACH, WHERE THERE'S NOTHING AT ALL. WHAT HAS BEEN THE EXPERIENCE IN OTHER COMMUNITIES AND HOW THEY DO THIS?

THIS PROCESS HAS BEEN FOLLOWED IN U.T., IN PORTLAND, IN NORTHERN CALIFORNIA, IN BIRMINGHAM, THE CUMBERLAND REGION OF TENNESSEE AND A COUPLE OF LOCATIONS IN ITALY. IT'S UNDERWAY IN AUSTRALIA. AND A NUMBER OF OTHER PLACES. AND THE CONCEPT HAS NOT BEEN TO FORCE ANYBODY TO DO ANYTHING, BUT THE CONCEPT HAS BEEN TO KEEP IT IN PUBLIC VIEW. THERE HAVE BEEN MEASURES LIKE ASK PEOPLE WHEN THEY PERMIT A PROJECT, ASK THEM TO LOOK AT THE VISION AND THINK ABOUT THAT, THAT KIND OF THING. NOTHING FORCING PEOPLE, YET KEEPING IT ALWAYS IN FRONT OF THEM. YOU KNOW, WE HAVE RAISED A LOT OF MONEY, AND THE CITY HAS BEEN A GENEROUS FUNDER OF THIS PROJECT, AS HAVE OTHER ENTITIES. AND WE HAVE DONE A VERY GOOD JOB OF GETTING COMMUNITY INPUT AND SO FORTH. AND WHAT IT REALLY BOILS DOWN TO IS IT'S AN EXCELLENT MARKET RESEARCH VEHICLE ABOUT WHAT THE CITIZENS WANT. AND THIS IS VERY USEFUL TO BUSINESS, TO NEIGHBORHOOD GROUPS, TO DEVELOPERS, ALL OF THE ABOVE. AND SO WE HAVE A TREMENDOUS STORY HOUSE OF DATA, AND THAT'S WHAT THE ENVISION UTAH PEOPLE CONTINUE TO TELL US. OUR DATA IS VERY VALUABLE, AND PEOPLE ARE VERY SOLICITOUS OF THAT DATA AND OF THE MODEL.

**McCracken:** ARE THERE ANY SPECIFIC MECHANISMS THAT COMMUNITIES HAVE USED -- GOVERNMENTS AND COMMUNITIES HAVE USED BECAUSE THAT HAD SUCCESS IN HELPING REALIZE THE RESULTS OF THOSE COMMUNITY ENVISION PROJECTS?

THERE ARE. AND WE DON'T UNDERSTAND THEM REAL WELL



AS YET. THAT IS YET TO COME IN OUR PROCESS. BUT WE WILL BE REVIEWING WHAT HAS HAPPENED IN EACH LOCATION WHERE THIS HAS BEEN IN PLACE. AND WHAT WE HAVE FOUND IS CENTRAL TEXAS IS PRETTY MUCH HAS A MIND OF ITS OWN. AND OUR CONTRACTORS HAVE SAID WE HAVE NEVER SEEN A COMMUNITY AS INVOLVED AS THIS ONE. AND SO I WOULD THINK THERE WOULD BE SOME UNIQUE APPROACHES WHICH WILL EVOLVE FROM THIS COMMUNITY THAT PERHAPS HAVEN'T BEEN USED ELSEWHERE. I CAN SAY THAT A LOT OF COMMUNITIES HAVE BEEN SOLICITOUS OF WHAT WE'RE DOING, AND ENVISION CENTRAL TEXAS PERSONNEL HAVE BEEN INVITED TO A NUMBER OF LOCATIONS TO DESCRIBE OUR PROCESS. THERE'S A LOT OF INTEREST IN WHAT WE'VE BEEN DOING. AND WE HAVE BEEN INVITED TO VISIT THOSE LOCATIONS WHO HAVE -- HAVE PARTICIPATED IN A PROCESS SIMILAR TO THIS PRIOR TO US, AND WE'VE DONE SOME OF THAT, WE'LL BE DOING SOME MORE.

**McCracken:** I THINK THE ONE THING THAT COULD BE PRETTY HELPFUL FOR ALL OF US, I KNOW THAT I'M A VERY VISUAL PERSON MYSELF, AND THEY TELL YOU THAT ABOUT 65% OF ALL PEOPLE LEARN VISUALLY AND THE REST IT'S A MIXTURE OF HEARING IT OR DOING IT. SO THAT A LOT OF TIMES WHEN WE'RE LOOKING AT PROJECTED PROJECTS, THEY'LL HAVE A VISUALIZATION OF WHAT THE VISION WILL LOOK LIKE WHEN IT'S COMPLETED. WELL, DOES ENVISION CENTRAL TEXAS PERCEIVE THAT YOU WILL GO THROUGH ANY PROCESS WHERE YOU'LL SAY -- YOU'LL PRODUCE BASICALLY, SAY, DRAWINGS, FOR INSTANCE, THAT WOULD SHOW WHAT THE COMMUNITY WOULD LOOK LIKE AND WHICH PORTIONS OF IT THE REGION WOULD LOOK LIKE UNDER THE PREFERRED DEVELOPMENT SCENARIO VERSUS WHERE WE ARE NOW.

THAT IS AN ISSUE THAT'S BEEN A HOT TOPIC IN DISCUSSION AMONG THE BOARD OF DIRECTORS. AND THERE ARE SOME PEOPLE THAT WANTED KIND OF NOT A MAP BECAUSE IT NOT A PLAN, BUT A GRAPHIC THAT LAYS THINGS OUT THERE, SOMETHING PERHAPS NOT AS DETAILED AS THE SCENARIOS, BUT SOMETHING LIKE THAT. BUT THEN THE ARGUMENT HAS ALWAYS BEEN, WELL, HOW TO YOU GET ONE THAT EVERYBODY'S COMFORTABLE WITH. AND SO WHAT FOLKS WANTED TO DO IS INCLUDE THE DATA THAT

YOU SAW PRESENTED HERE IN THE REPORT, NOT NECESSARILY THERE AVAILABLE IN HARD COPY, ALTHOUGH WE WILL MAKE IT AVAILABLE IN HARD COPY, BUT HAVE IT AVAILABLE ON THE WEB FOR PEOPLE TO LOOK AT AND MAKE THEIR OWN ASSUMPTION. AND SO THE -- AFTER MUCH, MUCH DELIBERATION, THE MOVE HAS BEEN AWAY FROM HAVING A GRAPHIC THAT LOOKED LIKE THAT AND TO INCLUDE PICTURES OF THINGS THAT SHOWED THE KIND OF CONCEPTS THAT WE'RE TALKING ABOUT, BUT NOT THAT ONE PARTICULAR THING THAT YOU SPOKE OF. AND SO MY FEELING IS WE WILL PROBABLY END UP WITHOUT THAT, BUT WITH THE INCLUSION OF THIS DATA AND THIS NICE SUMMARY FORM FOR EVERYONE TO PURR REDUCE AND DRAW THEIR OWN CONCLUSIONS FROM THAT PARTICULAR PERSPECTIVE.

**McCracken:** TO THE EXTENT THAT WE CAN HAVE SOME VISUAL REPRESENTATIONS OF HOW THINGS WOULD LOOK UNDER THE VISION, THE FINAL VISION, FIRST WHAT THEY LOOK LIKE NOW, I THINK THAT WOULD BE A HELPFUL TOOL FOR ALL OF US TO UNDERSTAND WHERE THE COMMUNITY, THE REGION WANTS US TO GO. HOW WOULD DOWNTOWN LOOK DIFFERENTLY IN AUSTIN, FOR INSTANCE, AND HOW WOULD CERTAIN NEIGHBORHOODS LOOK DIFFERENTLY NOW FROM WHAT THEY -- NOW AND IN THE FUTURE UNDER THE VISION, SHOULD WE ALL CHOOSE TO ADOPT IT. I THINK IT WOULD BE A HELPFUL THING FOR ALL OF US. AND I DON'T KNOW HOW LONG THE ENVISION PROGRAM HAS BEEN GOING ON. I REMEMBER WHEN YOU ALL GAVE THE PRESENTATION -- I GUESS WAS IT LAST FALL? AND SAID THAT CHICAGO HAD UNDERTAKEN THIS PROCESS AT THE TURN OF THE 20TH CENTURY.

YES.

**McCracken:** ONE THING THAT I THINK WOULD BE HELPFUL FOR US IS TO SEE IF THERE WAS A COMMUNITY, FOR INSTANCE, THAT WENT THROUGH THIS PROCESS 20 YEARS AGO. IS THERE ONE IN THAT ROUGH TIME FRAME OR IS THIS A VERY RECENT PHENOMENON?

THIS HAS REALLY COME ABOUT SINCE THE ADVENT OF GEO INFORMATION SYSTEMS, AND SO IT DOESN'T REALLY GO

BACK 20 YEARS. PROBABLY 10 YEARS, SOMETHING LIKE THAT, I THINK IS ABOUT AS FAR AS IT GOES BACK.

**McCracken:** THAT'S PRETTY GOOD. IT WOULD BE HELPFUL I KNOW AT LEAST FOR ME, IF YOU COULD -- IF WE WOULD HAVE SOME INFORMATION OF HERE'S A COMMUNITY AND HERE'S WHAT IT WILL LOOK LIKE -- HERE'S WHAT IT LOOKED LIKE 10 YEARS AGO. AND IN THEIR ENVISION PROCESS, THIS IS WHERE THE COMMUNITY SAID THEY WANTED TO GO, AND HERE'S WHAT THEY LOOK LIKE NOW, AND HERE ARE THE STEPS THAT THAT REGION TOOK TO GET THERE. I THINK IT WOULD BE VERY HELPFUL FOR US TO KNOW AND TO BE ABLE TO COMPARE AND LEARN FROM OTHER COMMUNITY'S EXPERIENCES.

THROUGH THE GENEROSITY OF THE URBAN LAND INSTITUTE, LAST SPRING WE BROUGHT IN THE FOLKS FROM ENVISION UTAH. AND THEY PAWT ALONG SOME GRAPHICS THAT DESCRIBED THE BEFORE AND AFTER AND DID SOME OF THAT CONVERSATION. AND I'M SURE WE COULD GET THEM BACK AND PERHAPS OTHERS FROM OTHER COMMUNITY THAT HAVE DONE THIS THAT KIND OF CAN GIVE US THAT PERSPECTIVE. AND SO WE WILL LOOK TO DOING THAT AT THE FIRST OPPORTUNITY AND MAKE SURE THAT WE PUBLICIZE IT WELL SO THAT WE CAN GET FIRSTHAND FEEDBACK AND Q AND A, ETCETERA.

ONE OTHER THING I WOULD LIKE TO ADD TO THAT IS THAT I THINK WE ARE FARTHER ALONG IN THIS PROCESS THAN A COUPLE OTHER COMMUNITIES THAT HAVE UNDERTAKEN VISIONING. SPEAKING WITH MY COUNTERPART WITH THE CUMBERLAND REGION TOMORROW PROJECT, WHICH IS A 10-COUNTY AREA SURROUNDING NASHVILLE, THEY'RE ABOUT -- THEY STARTED ABOUT A YEAR BEFORE WE DID AND THEY'RE ABOUT HALFWAY WHERE WE ARE, HALFWAY BEHIND US. SIMPLY BECAUSE TRYING TO MANAGE 10 COUNTIES TAKES A LITTLE BIT MORE -- IS A LOT BIT MORE LABOR INTENSIVE THAN WHAT WE'VE BEEN ABLE TO DO WITH FIVE COUNTIES. SO THEY'VE NOT YET GOTTEN TO THAT PART. IN SPEAKING WITH OUR FRIENDS IN PERTSDZ, AUSTRALIA, THEY'VE BEEN VISIONING FOR THE PAST 50 YEARS, WHICH IS WHAT THEY TOLD US WHEN THEY CAME IN SEPTEMBER. HOWEVER, THEIR OBSTACLE SEEMS TO BE THAT THEY CAN'T SEEM TO

TRANSITION FROM VISIONING TO IMPLEMENTATION, SO TO SPEAK. SO THEY HAVE HIRED THE SAME CONSULTANT THAT WE WERE USING ON THIS PROJECT TO HELP THEM GET OVER THAT HURDLE WHERE THEY CAN MAKE THAT TRANSITION. BUT WE DO HAVE, AS MR. COULD CERTIFY REC SAID, WE HAVE SOME DATA FROM BOTH THE CHICAGO METROPOLIS PLAN AND ALSO FROM ENVISION UTAH THAT WE'LL BE MORE THAN HAPPY TO SHARE WITH YOU. AND WE'LL SEE IF WE CAN MAKE THOSE AVAILABLE FOR THE LEADERSHIP WORKSHOP ON THE EVENING OF FEBRUARY 11TH.

**Mayor Wynn:** FURTHER COMMENTS, QUESTIONS? THANK YOU, MS. SILAS AND DR. KOCUREK.

**Mayor Wynn:** AT THIS TIME, COUNCIL, WE'LL TAKE UP STAFF'S BRIEFING ON TRAFFIC LIGHT SYNCHRONIZATION. WELCOME, MR. AUSTAN LIBRACH.

THANK YOU VERY MUCH, MAYOR, MEMBERS OF COUNCIL. MY NAME IS AUSTAN LIBRACH, I'M THE DIRECTOR OF TRANSPORTATION, PLANNING AND SUSTAINABILITY DEPARTMENT WITH THE CITY. BEFORE WE GET INTO THE PRESENTATION ITSELF, I WT TO MAKE A LITTLE SORT OF TRUTH IN ADVERTISING DISCLOSURE. WE WILL BE SHOWING SEVERAL VIDEOS IN THIS PRESENTATION IN WHICH A CAR WITH THE WINDSHIELD MOUNTED CAMERAS DRAFLING DOWN A STREET FOR AS MUCH AS THREE OR FOUR MILES. THE VIDEOS ARE NOT X-RATED, BUT THEY ARE FOUR TO SIX, WHICH MEANS THAT THEY ARE BEING PLAYED AT FOUR TO SIX TIMES FASTER THAN NORMAL TO SHOW THE ENTIRE TRIP IN ABOUT 60 SECONDS. WE WANTED THE COUNCIL AND A.P.D. TO KNOW THAT WE WEREN'T SPEEDING. COUNCIL, THIS DRIVER, AS WE'VE ALL EXPERIENCED, HAS CONGESTION. MOST OF THE TIME THE TRAFFIC MANAGEMENT SYSTEM WORKS, BUT SOMETIMES IT'S BAD, MORE OFTEN OVER THE LAST 20 YEARS IT'S GOTTEN UGLY. THE TRUTH IS THAT ACCORDING TO THE TEXAS TRANSPORTATION INSTITUTE, AND I WILL REFER TO THEM AS TTI, HAVE BEEN MEASURING CONGESTION IN 75 CITIES IN THE UNITED STATES SINCE 1982. AUSTIN'S CONGESTION IS THE WORST IN THE U.S. AMONG METROPOLITAN AREAS ITS SIZE WHEN MEASURED AGAINST TOTAL ANNUAL HOURS OF

DELAY. ANOTHER WAY TO STATE THIS IS IF YOU WANT THE TO HAVE AN AVERAGE OF GOOD LEVEL OF TRAFFIC MOVEMENT ON ALL THE STREETS, ALL THE INTERSECTIONS IN THE AUSTIN REGION TODAY WOULD BE TO RETURN TO THE VOLUME OF TRAFFIC WE EXPERIENCED IN THE LATE '70'S AND EARLY '80'S. BUT OUR POPULATION HAS DOUBLED SINCE THAT TIME. SO WHEN IT'S BAD, WHICH HAPPENS MORE AND MORE, AND CERTAINLY WHEN IT'S UGLY, WE TEND TO GET ANNOYED AND WE TEND TO WANT TO BLAME SOMEONE OR SOMETHING FOR THE PROBLEM. OVER THE PAST FEW YEARS, ONE OF THE THINGS DRIVERS HAVE FREQUENTLY BLAMED WAS SOMETHING WE CALL SYNCHRONIZATION. WHAT I'D LIKE TO DO TODAY OVER THE NEXT 20 OR 30 MINUTE IS EXPLAIN NOT ONLY WHAT SYNCHRONIZATION IS AND HOW IT CONTRIBUTES TO THE SOLUTION TO TRAFFIC CONGESTION, BUT ALSO TO DESCRIBE FOR YOU THE KEY MISCONCEPTIONS, THE MYTHS, IF YOU WILL, ABOUT SYNCHRONIZATION AND THEN WHAT THE TRUTH REALLY IS. SO WHAT IS SYNCHRONIZATION? LET'S DEFINE IT. WHAT YOU SEE IN THE VIDEO IS A VIEW FROM THE WINDSHIELD IN A VEHICLE TRAVELLING NORTH ON LAVACA FROM SECOND TO 15TH. AND IT SHOWS THAT VEHICLE IS ABLE TO MOVE THROUGH ALL THE INTERSECTIONS WITHOUT STOPPING. THAT IS SYNCHRONIZATION. TO SAY IT ANOTHER WAY, SYNCHRONIZATION IS THE TRAFFIC MANAGEMENT TOOL THAT ALLOWS VEHICLES TO MOVE THROUGH A SERIES OF INTERSECTIONS AT THE SPEED LIMIT WITHOUT STOPPING. IT IS ACCOMPLISHED BY HAVING LIGHTS TURN GREEN IN SEQUENCE FROM ONE INTERSECTION TO THE NEXT IN LINE AT A RATE THAT ALLOWS SUFFICIENT TIME FOR VEHICLES TO MAINTAIN THEIR SPEED OF TRAVEL. SO WHAT YOU SEE IN THIS IMAGE OF LAVACA IS THAT ABOUT EVERY SEVEN OR EIGHT SECONDS IN SEQUENCE, IN SUCCESSION, THE GREEN LIGHT AT THE NEXT INTERSECTION TURNS GREEN. WHAT THAT MEANS IS YOU HAVE WHAT WE CALL A TIME WINDOW OF ABOUT 25 SECONDS WHERE YOU'VE GOT A GROUP OF CARS, THIS ONE IN THE VEHICLE PLUS ALL OF THE CARS IN THAT 25 SECONDS, THAT ARE ABLE TO PROCEED THROUGH THE INTERSECTION ONE AT A TIME, ONE AFTER THE OTHER, AND I ACHIEVE OR EXPERIENCE, IF YOU WILL, SYNCHRONIZATION. SO THAT'S WHAT IT'S ALL ABOUT. YOU

MAY HAVE -- I THINK MOST OF YOU HAVE SEEN THE NEWSPAPER ARTICLES THAT HAVE BEEN CIRCULATED RECENTLY ABOUT THE SINGLE UPGRADE EFFORTS IN HOUSTON. THE SYSTEM IN HOUSTON IS THE MODEL -- IN AUSTIN IS THE MODEL FOR THE HOUSTON-HARRIS COUNTY UPGRADE. THERE ARE TWO SYNCHRONIZATION METES USED IN HOUSTON. THE FIRST IS ONE THEY HAVE USED FOR YEARS WHERE ALL LIGHTS IN A SERIES TURN GREEN ALL AT THE SAME TIME. HOUSTON IS MOVING AWAY FROM THIS FIRST METHOD BECAUSE IT IS INEFFICIENT COMPARED TO THE SECOND METHOD, WHICH IS LIGHTS TURNING GREEN IN SUCCESSION, WHICH THEY CALL SEQUENCING. THE SECOND METHOD IS WHAT WE HAVE IN AUSTIN AND WHAT HOUSTON IS ATTEMPTING TO ACHIEVE. LET ME SHOW YOU HOW THESE TWO METHODS WORK. WHAT I WANT TO SHOW YOU HERE IS AN EXAMPLE OF SYNCHRONIZATION. LET'S ASSUME THAT THIS IS A STREET, PERHAPS LIKE LAVACA AND THE IMAGE THAT YOU'VE SEEN, THE VIDEO YOU'VE SEEN, STARTING AT THE BOTTOM WITH A ONE-WAY STREET MOVING UP THE PAGE. AND WHAT WE'LL DO IS FOR EASE OF THE NUMBERS, WE'LL SAY THAT WE'RE GOING TO HAVE A 60 SECOND CYCLE, THAT MEANS 30 SECONDS OF GREEN AND 30 SECONDS OF RED. AND THEN THAT CYCLE REPEATS OVER AND OVER AGAIN AT EACH INTERSECTION. AND THEN LET'S ASSUME WE'RE DOWNTOWN ON A GRID SYSTEM AND IT TAKES ABOUT 10 SECONDS AT THE SPEED LIMIT TO GO FROM ONE INTERSECTION TO THE NEXT. SO WE'LL SET THE GREEN HERE AT ZERO, SET IT FOR ZERO TO 30 SECONDS. THEN AT THE NEXT INTERSECTION IN ORDER TO SYNCHRONIZE IT WITH THE FIRST, IT TAKES 10 SECONDS TO GET TO THE NEXT INTERSECTION. SO WE'LL SET THAT GREEN TIME STARTING AT 10, GOING FROM 10 TO 40. IT TAKES ANOTHER 10 SECONDS TO GO TO THE NEXT INTERSECTION. SO WE'LL SET THAT ONE 20 TO 50. AND THEN IT TAKES ANOTHER 10 SECONDS TO GO TO THE NEXT. AND THAT'S ESSENTIALLY HOW YOU SET SYNCHRONIZATION ON A ONE-WAY STREET. LET'S PRETEND FOR A MINUTE THAT THIS IS A TWO-WAY STREET AND THERE'S TRAFFIC GOING IN BOTH DIRECTIONS. WE'LL LEAVE THE CYCLE TIME THE SAME AND THE DISTANCE TIME THE SAME, BUT THEN LET'S START A CAR AT THE TOP THAT'S GOING IN THE OTHER DIRECTION. IT'S A TWO-WAY STREET, THERE'S TRAFFIC IN BOTH

DIRECTIONS, WE'VE SET THE FIRST ONE AS THE PREDOMINANT ONE, WHICH YOU'VE GOT TRAFFIC COMING THE OTHER WAY. SO THE GREEN LIGHT FOR THIS VEHICLE AT THE TOP STARTS AT 3030 SECONDS. AND IN 30 SECONDS THAT VEHICLE BEGINS TO MOVE AND TAKES 10 SECONDS TO GET TO THE NEXT INTERSECTION. AND IT GETS TO THE NEXT INTERSECTION, THE SIGNAL IS GREEN FROM 20 TO 50. AND IT HAS ARRIVED AT TIME 40. SO IT GOT GREEN TIME. FROM 20 TO 50 IS THE GREEN TIME AND IT'S ARRIVED AT TIME 40. BUT THEN IT TAKES ANOTHER 10 SECONDS TO GO TO THE NEXT INTERSECTION. SO IT ARRIVES AT 50. BUT THIS GREEN LIGHT HAS BEEN SET FROM 10 TO 40. SO WHEN IT GETS TO THIS INTERSECTION, IT GETS TO A RED LIGHT. AND AT THAT POINT THE SYNCHRONIZATION DOESN'T WORK. SO FOR OUR ENGINEERS, WE CAN MODIFY THOSE SINGLE TIMINGS SO THAT WE CAN ACHIEVE SOME OPTIMUM FOR BOTH SYNCHRONIZATION IN BOTH DIRECTIONS. NOW, LET'S LOOK AT THE HOUSTON EXAMPLE. LET'S ASSUME THAT ALL THE STREETS AND ALL THE SIGNALS ARE SET AT GREEN AT THE SAME TIME FROM ZERO TO 30. WHAT HAPPENS STILL TAKES 10 SECONDS FOR THAT TIME WINDOW OF CARS TO GO TO THE NEXT INTERSECTION. 10 MORE SECONDS AND 10 MORE SECONDS. SO AT TIME 30 THEY'VE ARRIVED HERE, AND AT THAT POINT THEY'VE GOT TO A RED LIGHT. THE SYNCHRONIZATION STOPS AND THEY'RE ONLY ABLE TO PROCEED THROUGH THREE INTERSECTIONS. NOW, IF THERE WAS ANOTHER ONE AFTER THIS, THERE WOULD BE ALSO A FIFTH GREEN LIGHT, BUT THEN THE ENTIRE TIME WINDOW OF CARS WOULD NEVER HAVE GOTTEN TO THAT POINT. AND SO IT'S INCREDIBLY INEFFICIENT COMPARED TO THE SEQUENCING TYPE OF SYNCHRONIZATION THAT WE DO HERE IN AUSTIN. SO WHAT ARE THE MISCONCEPTIONS ABOUT TRAFFIC LIGHTS IN AUSTIN? THE FIRST IS SYNCHRONIZATION FIXES CONGESTION. NOT TRUE. IT'S NOT THE SILVER BULLET. THE SECOND, ALL STREETS CAN BE SYNCHRONIZED IN DIRECTIONS. UNFORTUNATELY, ALSO NOT TRUE. SOME STREETS, PARTICULARLY DOWNTOWN, SIMPLY CANNOT BE SYNCHRONIZED. THREE, NONE OF THE STREETS IN AUSTIN ARE SYNCHRONIZED. DEFINITELY NOT TRUE. MOST OF THE MAJOR STREETS IN AUSTIN ARE IN FACT SYNCHRONIZED. FOURTH, AUSTIN IS STILL A SMALL TOWN. WOULDN'T IT BE WONDERFUL IF THIS WERE TRUE? BUT

ALAS, WE ARE A MAJOR CITY WITH MAJOR CONGESTION, AND THIS IS JUST NOT TRUE. FIVE, THE CITY IS NOT TRYING TO SOLVE THE CONGESTION PROBLEM. PERHAPS MORE IMPORTANT FOR THE COUNCIL THAN THE OTHER ITEMS, THIS IS EMPHATICALLY NOT TRUE. NOW, LET'S GO THROUGH EACH ONE AND TALK ABOUT THEM IN SOME DETAIL. THE FIRST MISCONCEPTION IS THAT SYNCHRONIZATION FIXES CONGESTION. UNFORTUNATELY, THERE IS MUCH MORE TO CONGESTION THAN ONE TRAFFIC MANAGEMENT TOOL CAN SOLVE. THE TRUTH IS SYNCHRONIZATION IS NOT THE SILVER BULLET TO SOLVE CONGESTION. AND HERE'S WHY. THE FIRST REASON IS FAILING INTERSECTIONS. WE HAVE 95 FAILED INTERSECTIONS THAT ARE OPERATING AT LEVEL D OR F IN AUSTIN. 30 IN THE DOWNTOWN AND 65 AROUND THE CITY. HERE YOU SEE BOTTLENECKED TRAFFIC DURING THE P.M. RUSH HOUR AT SIXTH AND LAMAR. THE AMOUNT OF TRAFFIC OVERWHELMS THE ABILITY OF THE SIGNALS TO MOVE TRAFFIC THROUGH SO THAT TRAFFIC HAS NOWHERE TO GO, EVEN WHEN THE LIGHTS TURN GREEN. THIS HAPPENS AT MANY OF OUR DOWNTOWN INTERSECTIONS, PARTICULARLY DURING THE EVENING RUSH HOUR. THE TRUTH IS SYNCHRONIZATION IS NOT THE SILVER BULLET AND HERE'S WHY THE SECOND REASON, LIMITED LANE CAPACITY. JUST TO DEMONSTRATE TO YOU THE ISSUE OF LANE CAPACITY, WE ARE SHOWING A VIDEO HERE OF I-35 AT RIVERSIDE, EVEN THOUGH IT HAS NO SIGNALS. NONETHELESS, THE LACK OF LANE CAPACITY OVERWHELMS THE SYSTEM. ON EVEN WITHOUT LIGHTS WE'VE ALL EXPERIENCED TRAFFIC COMING TO A HALT ON I-35 OR MOPAC. LACK OF LANE CAPACITY LIMITS THE ABILITY OF SYNCHRONIZATION TO BE EFFECTIVE ON STREETS WITH TRAFFIC LIGHTS. WHAT HAS HAPPENED TO TRAFFIC AT MAJOR CHOKE POINTS OVER THE PAST 10 YEARS? I-35 AT TOWN LAKE HAS INCREASED BY 53%. ENFIELD EAST OF LOOP 1 HAS INCREASED BY 48%. FIFTH EAST OF LAMAR HAS INCREASED BY 51 PERCENT. SIX THE EAST OF LAMAR HAS INCREASED BY 36%. AND CONGRESS AT TOWN LAKE THE TRAFFIC VOLUME HAS INCREASED 63%. LET'S LOOK AT THE NEXT REASON WHY SYNCHRONIZATION IS NOT THE SILVER BULLET TO SOLVE CONGESTION. THIS IMAGE AT LAMAR AND 24TH SHOWS THE LEFT TURN TRAFFIC LINING UP SO DEEP THAT IT'S BLOCKING THROUGH TRAFFIC MOVEMENT. THERE



ARE MANY EXAMPLES OF LEFT TURN QUOOUS SPILLING OUT INTO THROUGH LANES PLOKING TRAFFIC THROUGHOUT AUSTIN DURING PEAK PERIODS. THE FOURTH, CONFLICTS WITH HIGH VOLUME CROSS STREET. OUR SIGNAL ENGINEERS ATTEMPT TO PROVIDE THE BEST PROGRESSION FOR THE PREDOMINANT FLOW OF TRAFFIC, BUT THERE'S ONLY SO MUCH GREEN TIME IN A CYCLE. AND WHERE THE CROSS STREETS RUSH HOUR TRAFFIC IS VERY HIGH BOTH DIRECTIONS OF FLOW ARE THEN BOTTLENECKED. FINALLY, THE FIFTH REASON, SYNCHRONIZATION IS NOT THE SILVER BULLET FOR REASON FIVE, WHICH IS PERHAPS THE MOST IMPORTANT, IS DOWNTOWN GRID COMPLEXITY. DOWNTOWN HAS TO CONTEND WITH EACH OF THE PREVIOUS FOUR AND IS THE ONE PLACE IN THE ENTIRE CITY WHERE YOU HAVE SHORT BLOCKS, MANY HIGH VOLUME ARTERIALS COMING TOGETHER FROM MULTIPLE DIRECTIONS, BRIDGES OVER TOWN LAKE NECKING DOWN THE FLOW, AND AN UNUSUAL COMBINATION OF ONE WAY AND TWO-WAY STREETS FOR TRAFFIC MOVEMENT. ALL ESSENTIALLY AT THE SAME TIME AND ALL IN THE SAME PLACE. THERE'S SEVERAL OTHER REASONS WHY SYNCHRONIZATION IS NOT THE SILVER BULLET. LEFT TURN ARROWS DECREASE CAPACITY. WHEN YOU GIVE DEDICATED TIME IN THE SIGNAL CYCLE TO LEFT TURN MOVEMENTS, IT REDUCES THROUGH GREEN TIME AND OBVIOUSLY SLOWS DOWN PROGRESSION. VERY SIMPLY, THE SECOND ONE, THE SEVENTH ONE, I GUESS, MORE GREEN TIME FOR STREET A MEANS MORE RED TIME FOR STREET B. IT'S A ZERO SUM GAIN. THIRD, NOT ALL VEHICLES THAT ENTER DURING THE GREEN PHASE WILL EXPERIENCE PROGRESSION. IF YOU ENTER A SYNCHRONIZED STREET FROM A SIDE STREET, YOU MAY BE SLIGHTLY AHEAD OR SLIGHTLY BEHIND THE TIME WINDOW I TALKED ABOUT EARLIER. MOVING ALONG THE STREET NOT ABLE TO GET INTO THE WINDOW OF CARS, EXPERIENCING SYNCHRONIZATION FOR PERHAPS ONE OR TWO INTERSECTIONS. ALL STREETS CAN BE SYNCHRONIZED IN ALL DIRECTIONS IS THE SECOND MISCONCEPTION. IT WOULD BE A WHOLE LOT EASIER AND IT WOULD BE -- AND IT WOULD CERTAINLY IMPROVE CONGESTION IN DOWNTOWN DURING PEAK PERIODS IF WE COULD SYNCHRONIZE ALL THE STREETS IN ALL DIRECTIONS, BUT THE TRUTH IS NOT ALL STREETS CAN BE SYNCHRONIZED IN ALL DIRECTIONS.

THERE IS A SYNCHRONIZATION HIERARCHY BASED ON STREET TYPES AND CONDITIONS. , ONE WAY -- SINGLE ONE WAY STREETS IS THE EASIEST. WE'VE ONLY CONCERNED ABOUT PROVIDING PROGRESSION IN ONE DIRECTION. WE CAN MAKE THE SIGNALS CHANGE TO GREEN AS THE VEHICLES ARRIVE AT EACH INTERSECTION, AND THAT'S SIMILAR TO WHAT I SHOWED ON THE CHART. TWO-WAY PROGRESSION IN ONE DIRECTION, SUCH AS HEAVY INBOUND TRAFFIC IN MORNING RUSH HOUR. THIS IS ESSENTIALLY THE SAME AS TIMING IN A ONE-WAY STREET WHERE YOU'RE ONLY CONCERNED ABOUT THE DIRECTION OF FLOW DURING RUSH HOUR. THE NEXT, THOUGH, TWO-WAY WITH TWO-WAY PROGRESSION, THE IDEAL PROGRESSION THAT COULD BE PROVIDED IS COMPROMISED IN ORDER TO PROVIDE LESS THAN IDEAL PROGRESSION IN BOTH DIRECTIONS. THEN YOU GO TO THE NEXT ONE, MAIN STREET AND CROSS STREET PROGRESSION ON THE MAIN STREET ESTABLISHES WHEN THE CROSS STREET SIGNAL CHANGES. THIS MAY OR MAY NOT PROVIDE PROGRESSION ON THE CROSS STREET, SO WHEN YOU HAVE SITUATIONS WHERE YOU'RE LOOKING FOR SYNCHRONIZATION NOT ONLY ON THE MAIN STREET, BUT ON THE CROSS STREETS AS WELL, YOU BEGIN TO GET FAIRLY COMPLICATED. AND FINALLY THE MOST COMPLICATED OF ALL IS THE CBD GRID, THE CENTRAL BUSINESS DISTRICT. SIGNAL TIMING BECOMES VERY DIFFICULT WHEN TRYING TO PROVIDE PROGRESSION IN BOTH DIRECTIONS ON ALL STREET IN A GRID NETWORK. IT IS NOT POSSIBLE TO DO ALL STREETS IN THE DOWNTOWN GRID. AS A RESULT, OUR SIGNAL ENGINEERS PROVIDE THE BEST PROGRESSION ON THE HIGHEST VOLUME STREETS FIRST. THE LAWS OF PHYSICS PRESENT EYE SEAL SYNCHRONIZATION ON ALL STREETS AS I'VE INDICATED, THEREFORE OUR STRATEGY IS THAT THE STREETS THAT RECEIVE THE BEST SYNCHRONIZATION ARE THOSE THAT ACCOMMODATE THE HIGHEST TRAFFIC VOLUME. THE PRIORITY LISTING ON THE STREETS BEHIND ME SHOWS YOU WHAT THOSE ARE. WE HAVE IN DOWNTOWN LAMAR, LAVACA, GUADALUPE, CESAR CHAVEZ, FIFTH, SIXTH, SEVENTH AND 11TH. THOSE ARE THE HIGH PRIORITY BASED ON VOLUME. THE SECOND PRIORITY DOWNTOWN IS SAN JACINTO, SECOND, EIGHTH, NINTH AND 10 THE. FINALLY, THE LOWEST PRIORITY, AGAIN BECAUSE OF VOLUME, AND BECAUSE OF THE WEB ITSELF AND THE

INTRICACIES OF THE DOWNTOWN GRID, CONGRESS, RED RIVER, THIRD, FOURTH, BRAZOS, COLORADO AND TRINITY. WHAT YOU HAVE IN THE DOWNTOWN GRID IS A TIGHTLY KNIT WEB OF STREETS AND INTERSECTIONS WHERE A CHANGE AT ONE INTERSECTION CREATES A CASCADING EFFECT ON ALL THE OTHERS. IF WE CHANGE THE CYCLE LENGTH AT ONE INTERSECTION, THEY ALL HAVE TO CHANGE. IT'S LIKE HAVING A LARGE AIR BUBBLE UNDER THE MAP OF DOWNTOWN. WHEN, FOR EXAMPLE, THE BUBBLE IS UNDER CONGRESS, YOU PUSH IT AWAY SO THAT YOU CAN THEN SYNCHRONIZE CONGRESS. SO THE BUBBLE IS MOVED AND IS NEXT UNDER, LET'S SAY, FIFTH AND SIXTH. AGAIN, IT IS PUSHED ASIDE. NEXT IT'S GETTING HARDER TO MOVE THE BUBBLE AND IT'S UNDER GUADALUPE AND LAVACA. FINALLY YOU GET TO THE POINT WHERE THE BUBBLE IS LOCKED IN. YOU CAN'T MOVE IS ANY MORE AND IT CAN'T BE MOVED, BUT IT'S STILL UNDER MULTIPLE DOWNTOWN STREETS. SO YOU HAVE A SITUATION IN THAT ANALOGY WHERE THE BUBBLE HAVING TO BE MOVED TO ACHIEVE SYNCHRONIZATION CAN ONLY BE MOVED SO MUCH. THE THIRD MISCONCEPTION IS THAT NONE OF THE SIGNALS IN AUSTIN ARE SYNCHRONIZED. SOMETIMES IN OUR FRUSTRATION ABOUT HAVING TO WAIT SEVERAL CYCLES TO GET THROUGH A SIGNAL DURING RUSH HOUR OR ANY TIME OF THE DAY FOR THAT MATTER, WE BEGIN TO BELIEVE THAT NONE OF THE SIGNALS IN AUSTIN ARE SYNCHRONIZED, BUT THE REALITY IS THAT MOST OF THE LIGHTS ARE IN FACT SYNCHRONIZED. HERE YOU SEE A MAP THAT ILLUSTRATES THAT ALMOST ALL OF THE CITY'S MAJOR ROADS ARE SYNCHRONIZED. THE CITY HAS 786 SIGNALS, THE STATE WITH US IN THE CITY HAS 47 SIGNALS, AND ABOUT 90% OF THE SIGNALS IN THE CITY'S MAJOR ROADS ARE SYNCHRONIZED. THE VIDEO NOW IS OF A VEHICLE TRAVELLING ON LAMAR SOUTHBOUND SOUTHBOUND FROM FIFTH TO BEN WHITE. IT'S A DISTANCE OF ABOUT THREE AND A HALF MILES, AND AS YOU'LL SEE, THE VEHICLE NEVER STOPS. IT'S ABLE TO MOVE BECAUSE LAMAR IS SYNCHRONIZED. WHAT YOU SEE IN THE VIDEO IS THAT WE ARE ABLE TO MOVE THREE AND A HALF MILES DOWN LAMAR AT THE SPEED LIMIT WITHOUT STOPPING THROUGH NUMEROUS INTERSECTIONS. THAT AGAIN IS AN EXAMPLE, ONE OF MANY OF VERY GOOD SYNCHRONIZATION IN AUSTIN. THE SYNCHRONIZATION IS EASIER OUTSIDE OF

THE DOWNTOWN, AND THE REASON IT IS -- THERE ARE TWO BASIC REASONS. THE FIRST IS THAT THE BLOCKS ARE MUCH LONGER THAN THEY ARE IN DOWNTOWN. AND SECOND, WHERE YOU DO HIT A CROSS STREET, THERE ARE FEWER OF THOSE THAT ARE HIGH VOLUME ALSO NEEDING CROSS SYNCHRONIZATION. AGAIN, THE NEXT VIDEO IS VERY SIMILAR. IT LOOKS LIKE THE PREVIOUS SLIDE. IT SHOWS A SIMILAR SITUATION. THIS ONE IS CONGRESS NORTHBOUND FROM BEN WHITE TO RIVERSIDE, AGAIN, ABOUT THREE AND A HALF OR FOUR MILES, AND THERE ARE NO STOPS. THERE ARE A NUMBER OF STREETS, MAJOR STREETS IN AUSTIN LIKE THE TWO THAT WE'RE SHOWING YOU HERE THAT ARE SYNCHRONIZED, RIVERSIDE, SOUTH CONGRESS, LAMAR, 15TH, PARMER, WILLIAM CANNON, SLAUGHTER, BARTON SPRINGS ROAD, SOUTH FIRST, MLK, RIVERSIDE, BURNET, ANDERSON AND AIRPORT, AND MANY OTHERS. AUSTIN IS STILL A SMALL TOWN IS THE FOURTH MISCONCEPTION. I GUESS IF AUSTIN WERE STILL A SMALL TOWN, WE WOULD ONLY HAVE SMALL TOWN CONGESTION. WE PROBABLY WOULDN'T NEED A SOPHISTICATED TRAFFIC MANAGEMENT CONTROL SYSTEM, MAYBE NOT NEARLY AS MANY TRAFFIC LIGHTS TO CONTROL TRAFFIC FLOW. BUT FOR BETTER OR FOR WORSE, THAT'S NOT WHAT WE HAVE. THE TRUTH IS AUSTIN IS A MAJOR CITY WITH MAJOR CITY CONGESTION. SINCE 1980 THE METROPOLITAN STATISTICAL AREA OF POPULATION HAS INCREASED IN AUSTIN ABOUT 130%. THE AUSTIN MSA, THE METROPOLITAN STATISTICAL AREA, WAS THE SECOND FASTEST LARGEST GROWING METROPOLITAN AREA IN THE COUNTRY IN THE 1990'S, BELOW ONLY LAS VEGAS. WE HAD A 50% INCREASE OVER THE 1990 POPULATION. THE INTERESTING THING IS THAT CONGESTION GROWS EVEN FASTER THAN THE CITY GROWS. IN THE SAME TIME PERIOD THE VEHICLE MILES TRAVELED IN AUSTIN HAS INCREASED 168%. THE FACT THAT VEHICLE MILES TRAVELED IS GROWING FASTER THAN POPULATION IS REALLY NOT UNIQUE IN AUSTIN -- TO AUSTIN. IT'S A COMMON PHENOMENON ALL OVER THE COUNTRY. WHEN YOU THINK ABOUT IT, THERE ARE SOME PRETTY CLEAR SOCIOECONOMIC REASONS THAT EXPLAIN THE CHANGE. CHIEFLY, THE NUMBERS OF TWO WORKER HOUSEHOLDS HAS RISEN DRAMATICALLY DURING THAT PERIOD SO THAT EVEN AT THE SAME POPULATION, THE NUMBER OF HOME TO

WORK TRIPS HAS INCREASED SUBSTANTIALLY. AND SECOND, WITH THE PREDOMINANT SUBURBAN DEVELOPMENT PATTERNS IN EVERY METROPOLITAN AREA, THE LENGTH OF THE NON-WORK TRIP WHICH REPRESENTS ABOUT 80% OF ALL DAILY TRIPS, IS ALSO INCREASING DRAMATICALLY. AUSTIN IS A MAJOR CITY, BUT THERE IS NOT ENOUGH LAND AND NOT ENOUGH MONEY TO EXPAND ROADWAYS. MIKE HILGENSTEIN, THE NEW GENERAL MANAGE OF THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY, TALKS A LITTLE BIT ABOUT THIS ISSUE IN TERMS OF THE LOSS OF STATE GAS TAX REVENUE OVER THE NEXT FEW YEARS. AND HE POINTS OUT THAT TXDOT HAS ONLY ALLOCATED ABOUT 40 MILLION A YEAR TO THE CENTRAL TEXAS AREA, AND THAT AS AN EXAMPLE, THE BEN WHITE-I-35 INTERCHANGE WILL COST 183 MILLION WHEN IT'S DONE, SO CLEARLY THERE IS NOT ENOUGH MONEY BY CONVENTIONAL MEANS TO ACCOMMODATE OUR NEED FOR MORE LANE MILES. BUT HE ALSO POINTS OUT SOMEWHAT IRONICALLY THAT JUST ABOUT EVERYONE WILL BE BUYING HIGH DRID ELECTRIC VEHICLES BY THE YEAR 2007. THE FIRST HYBRID SUV'S WILL BE AVAILABLE THIS YEAR. AND THAT WITH GREATER FUEL ECONOMY HE PREDICTS THAT IN SEVEN YEARS THE GAS TAX REVENUE WILL BE REDUCED BY ONE-THIRD FROM TODAY'S LEVEL. SO WE WILL HAVE EVEN LESS MONEY TO BUILD ROADS IN THE FUTURE THAN WE DO TODAY. THIS IMAGE BEHIND ME OF LAMAR AT FIFTH AND SIXTH IS DRAWN TO SHOW HOW MUCH LAND WOULD BE NEEDED TO CONSTRUCT THE TRAVEL LANES NECESSARY TO ACCOMMODATE PEAK RUSH HOUR TRAFFIC AT AN ACCEPTABLE LEVEL OF SERVICE. IT SHOWS THAT EXISTING BUILDINGS, PARKING LOTS AND SIDEWALKS WOULD NEED TO BE TAKEN TO ACCOMMODATE TRAFFIC. THE SAME SCENARIO DEPICTED HERE COULD PLAY OUT FOR MANY OTHER CONGESTED DOWNTOWN STREET SEGMENTS IF THE MONEY AND LAND AND COMMUNITY WILL WERE AVAILABLE. BUT GENERALLY THE PRICE IS TOO STEEP AND THE DIMINISHED COMMUNITY IMAGE IS TOO GREAT TO AFFORD THESE CHANGES. THE TRUTH IS AUSTIN IS STILL -- IS A MAJOR CITY. MOBILITY IS IMPACTED BY EXISTING NEIGHBORHOOD CONCERNS. THERE'S NOT PUBLIC SUPPORT TO BUILD OUR WAY OUT OF CONGESTION. OUR FREEWAY AND ARTERIAL NETWORK HAS SORT OF EVOLVED AROUND

US. THE EAST-WEST STREETS THAT INTERCHANGE WITH LOOP 1, ALTHOUGH FUNCTIONING AS ARTERIALS, ARE HEAVILY RESIDENTIAL IN NATURE. RIGHT-OF-WAY ACQUISITION AND ROADWAY WIDENING ALONG SUCH STREETS IS DIFFICULT IF NOT IMPOSSIBLE. SOLVING OUR LONG-TERM CONGESTION PROBLEMS REQUIRES MORE OF A MULTIDIMENSIONAL APPROACH THAN HAS BEEN ACHIEVED TO DATE. THIS INCLUDES A REDUCTION IN SINGLE OCCUPANT VEHICLES, HIGH OCCUPANCY VEHICLE, RAPID BUS, BICYCLES AND PEDESTRIAN OPTIONS, AS WELL AS DEMAND REDUCTION TECHNIQUES, INCLUDING MIXED USE, TRANSIT ORIENTED DEVELOPMENT. ON THIS LAST POINT, REPRESENTATIVE MIKE KRUSEE, THE CHAIR OF THE HOUSE TRANSPORTATION COMMITTEE, HAS SPENT A LOT OF TIME THINKING THROUGH THIS ISSUE, AND PARTICULARLY THE POSITIVE ECONOMIC GROWTH POTENTIAL FOR THIS REASON. IN ADDITION, THE COUNCIL HAS DEVELOPED A PERFORMANCE BASED ECONOMIC INCENTIVE PROGRAM THAT HAS AS ONE FOCUS THE COMMUNITY BENEFITS OF MIXED USE DEVELOPMENT. BY ANY MEASURE ONE MAY CHOOSE TO USE, AUSTIN IS DEFINITELY NOT A SMALL TOWN ANY MORE. AUSTIN'S POPULATION HAS GROWN SO MUCH DURING THE PAST 20 YEARS THAT IT NOW RANKS AS THE COUNTRY'S 16 THE LARGEST CITY AND IS A MEDIUM SIZE METROPOLITAN AREA RANKING 38TH IN THE NATION, SURGING FROM THE 53rd POSITION IN 1990. AUSTIN'S 1.37 MILLION REGIONAL POPULATION PUTS IT AT ABOUT THE HALFWAY MARK FOR REGIONS IN THE COUNTRY WITH POPULATIONS GREATER THAN 500,000. NOW, LET'S LOOK AT SOME OF THE STATISTICS. THE AVERAGE PER CAPITA COST OF CONGESTION IN AUSTIN IN 2001 WAS ABOUT 15% GREATER THAN THE NATIONAL AVERAGE. ACCORDING TO TTI, TOTAL PERSON HOURS OF DELAY WAS OVER TWICE THAT FOR AUSTIN'S PEER CITY, A SURPRISING AND VERY SERIOUS STATISTIC. TTI ALSO SAYS THAT IN ORDER FOR CONGESTION NOT TO GET ANY WORSE, THE AUSTIN REGION WOULD HAVE TO BUILD 70 STREET LANE MILES ANNUALLY. AND THE NATIONAL AVERAGE OF TRANSIT AND CAR POOL RIDERS NEEDED TO MAINTAIN CONGESTION AT A CONSTANT LEVEL THROUGHOUT THE UNITED STATES IS 82,000, BUT IN AUSTIN TTI SAYS IT'S 108,000. OUR ESTIMATE IS THAT WE'RE BUILDING IN AUSTIN -- IN THE AUSTIN AREA ABOUT 20 LANE

MILES A YEAR IN THE 1980'S, ABOUT 35 LANE MILES A YEAR IN THE '90'S, AND OVER 80 PER YEAR THIS DECADE. AGAIN, OUR ESTIMATE FROM THE 2000 CENSUS IS THAT TRAVIS COUNTY HAS ABOUT 49,000 CAR POOL RIDERS. AND IF YOU ADD THE SIGNIFICANT AMOUNT OF TRANSIT RIDERS FROM BASICALLY FROM U.T., THE TOTAL WILL EXCEED THE TTI ESTIMATES OF WHAT WE NEED HERE IN AUSTIN. AS I SAID, TTI HAS BEEN TRACKING THIS PROBLEM SINCE 1982. THEY HAVE KEPT ANNUAL CONGESTION DATA ON 75 CITIES AND METROPOLITAN AREAS, INCLUDING AUSTIN. EVEN FOR THOSE CITIES THAT TTI SAYS HAVE BUILT ENOUGH ROAD MILES FAST ENOUGH TO KEEP UP WITH POPULATION GROWTH, THE AVERAGE TIME OF TRAVEL FOR THE HOME TO WORK COMMUTE TRIP HAS MORE THAN DOUBLED OVER THE PERIOD FROM 19.

> TO 2001. AUSTIN IS IN THE GROUP OF 45 CITIES WHERE THE COMMUTE TRIP HAS OVER THREE TIMES GREATER THAN IT WAS IN 1982. THE FIFTH AND FINAL MISCONCEPTION, THE CITY IS NOT TRYING TO SOLVE THE CONGESTION PROBLEM. THIS IS THE MOST FRUSTRATING OF THE FIVE MISCONCEPTIONS SINCE THE MISCONCEPTION IS SO FAR FROM THE TRUTH. THERE IS SO MUCH LITERALLY AN ENORMOUS AMOUNT OF ACTIVITY AND ACCOMPLISHMENT IN THIS AREA ON THE PART OF THE CITY. THE TRUTH IS AS EMPHATICALLY AS I CAN STATE IT THAT THE CITY IS WORKING DILIGENTLY AND AS A MATTER OF TOP PRIORITY YEAR AFTER YEAR AFTER YEAR TO SOLVE THE CONGESTION PROBLEM. LET'S LOOK AT THE NUMBERS. 124 MILLION FROM THE 1984 BONDS HAVE BEEN SPENT ON TRANSPORTATION IMPROVEMENTS. 76 MILLION FROM THE 1998 BONDS ON TRANSPORTATION IMPROVEMENTS, INCLUDING 21 MILLION FOR THE TRAFFIC MANAGEMENT CENTER WITH 16.5 MILLION WAS FROM THE '98 BONDS. 15 MILLION A YEAR FROM THE 2000 BONDS ON REGIONAL MOBILITY FOR A TOTAL OF 150 MILLION OVER A 10 YEAR PERIOD. AND FINALLY, 93 MILLION SINCE 2001 FROM THE CAP METRO BUILD GREATER AUSTIN AND THE QUARTER-QUENT FUND, 50 MILLION FOR ROADWAY IMPROVEMENTS, 30 MILLION FOR RIGHT-OF-WAY AND 13 MILLION FOR BICYCLE AND PEDESTRIAN IMPROVEMENTS. THIS EXPENDITURE TOTALING AT LEAST 344 MILLION REPRESENTS THE CONSTRUCTION OF OVER 375 NEW LANE

MILES, BUT THE CITY OF AUSTIN HAS PARTICIPATED EITHER ON THE OWN OR WITH TXDOT IN PURCHASING AND BUILDING NEW ROADS. INCLUDING IN YOUR BACKUP IS A MEMO LISTING THE ADDED CAPACITY PROJECTS FROM EACH FUNDING SOURCE. ONE OF THE COUNCIL'S TRAFFIC MANAGEMENT INVESTMENTS HAS BEEN THE TRAFFIC MANAGEMENT CITY AT TOOMEY ROAD. THE INITIAL 21 MILLION INVESTMENT HAS ACCOMPLISHED THE FOLLOWING: WE'VE BEEN ABLE TO CONSTRUCT THE TRAFFIC MANAGEMENT CENTER ITSELF, WE'VE BEEN ABLE TO IMPLEMENT THE COMMUNICATIONS BACKGROUND -- BACKBONE, EXCUSE ME. WE HAVE INSTALLED 423 OF THE 786 TRAFFIC SIGNALS OR HAVE CONNECTED THEM TO THE TRAFFIC MANAGEMENT CENTER. 54% INITIALLY. 85 CLOSED-CIRCUIT TELEVISION CAMERAS WERE CONNECTED TO THE TRAFFIC MANAGEMENT CENTER. 120 MILES OF FIBER-OPTIC COMMUNICATIONS NETWORK. AND 700 ADVANCED TRAFFIC CONTROLLERS, COMPUTERS HAVE BEEN PURCHASED AND INSTALLED AT EACH INTERSECTION. QUITE SIMPLY, THIS ENABLES THE TECHNICIANS IN THE CENTER TO PROVIDE REALTIME CONTROL OF THE CONNECTED INTERSECTIONS. THEY CAN DO JUST ABOUT EVERYTHING EXCEPT CHANGE A LIGHT BULB FROM THAT CENTER. SINCE THE OPENING IN OCTOBER OF 2001, WE'VE CONTINUED TO EXPAND THE TMC SO THAT AS OF TODAY THERE ARE 60%, 473 OF THE TRAFFIC SIGNALS CONNECTED TO THE TMC, 105 CLOSED-CIRCUIT CAMERAS, 160 MILES OF FIBER-OPTIC CABLE, AND 786 ADVANCED TRAFFIC CONTROLLERS. THE 16.5 MILLION OF BOND FUNDS FOR THE TMC CAME FROM PROPOSITION 1 OF THE 1998 BOND PROGRAM. PROPOSITION ONE SAID, AND THERE ARE COPIES OF THE WORDING IN YOUR BACKUP, THAT THE ITEM WAS FOR 152 MILLION IN TAX SUPPORTED GENERAL OBLIGATION BONDS FOR TRAFFIC SIGNAL SYNCHRONIZATION AND CONTROL SYSTEMS, ACQUIRING AND INSTALLING TRAFFIC SIGNALS, ETCETERA. THE BOND LANGUAGE BACKUP DESCRIPTION SAID THAT THE FUNDS WERE FOR TRAFFIC SIGNAL SYSTEM ENHANCEMENT AND THE INSTALLATION OF NEW SIGNALS. AND THAT IS HOW THE BOND FUND HAVE BEEN SPENT. AGAIN, LET'S LOOK AT HOW IT WORKS. FOR THOSE SIGNALS TIED TO THE TMC, WE CAN REMOTELY MONITOR THE SIGNAL OPERATION TO ENSURE THE APPROPRIATE SIGNAL TIMING IS IN PLACE. WE CAN



VISUALLY CONFIRM THAT AN INCIDENT HAS OCCURRED SUCH AS AN ACCIDENT, STALLED VEHICLE OR CONSTRUCTION BLOCKAGE AND MAKE THE NECESSARY SIGNAL TIMING CHANGES TO ACCOMMODATE THE INCREASED CONGESTION. DURING PEAK PERIOD AN A.P.D. OFFICER IS LOCATED AT THE TMC TO DISPATCH EMERGENCY ASSISTANCE AS NEEDED. AND IN MANY CASES WE ARE ACTUALLY ABLE TO CORRECT SIGNAL MALFUNCTIONS AT THE TMC. ONE OF THE LONG-TERM GOALS IS TO DEVELOP A SYSTEM THAT WILL AUTOMATICALLY DETECT WHEN UNUSUAL TRAFFIC VOLUMES ARE OCCURRING, AND THEN AUTOMATICALLY IMPLEMENT THE NECESSARY SIGNAL TIMING CHANGES. ONE OF THE ADDITIONAL TRAFFIC MANAGEMENT EFFORTS OF THE TMC STAFF IS THE ANNUAL RETIMING OF ONE-THIRD OF OUR SIGNALS. TYPICALLY WE'RE ABLE TO ACHIEVE UP TO A 17 PERCENT IMPROVEMENT IN TRAVEL TIME FOR THE ROAD SEGMENTS ASSOCIATED WITH THOSE SIGNALS THAT ARE RETIMED. HOUSTON HAS REPORTED THAT THEY HAVE INITIATED AN AGGRESSIVE PROGRAM TO RETIME 1500 SIGNALS THIS YEAR AT A COST OF ABOUT \$3 MILLION OR ABOUT \$525 PER SIGNAL. DUE TO THE EXISTENCE OF THE TMC, THE ANNUAL CITY OF AUSTIN PROGRAM COSTS FOR ITS SIGNAL RETIMING IS ABOUT \$700 PER SIGNAL. SINCE IT OPENED IN OCTOBER OF 2001, THE TRAFFIC MANAGEMENT CENTER HAS BEEN AT THE LEADING EDGE OF TECHNOLOGY IN THE UNITED STATES AND CONTINUES TO UTILIZE THE STATE-OF-THE-ART TECHNOLOGY. WE HAVE PROFESSIONALS FROM ALL OVER THE UNITED STATES VISIT US TO LEARN ABOUT THE TMC AND THE DESIGN AND THE SIGNAL SYSTEM COMMUNICATION NETWORK. IN RECENT MONTHS THE TMC HAS BEEN A GUIDE FOR TRANSPORTATION PROFESSIONALS, INCLUDING THOSE FROM DALLAS, HOUSTON, HARRIS COUNTY, CORPUS CHRISTI, GARLAND, GEORGIA DOT, STOCKTON, CALIFORNIA AND BROWARD COUNTY, FLORIDA. WE'VE ALSO MENTIONED ABOUT THE HOUSTON PROGRAM CHANGES. THE SYSTEM IN AUSTIN IS THE MODEL FOR THE HOUSTON-HARRIS COUNTY UPGRADE. IN MARCH OF 2000 WE CONDUCTED A PEER REVIEW OF THE TRAFFIC SIGNAL OPERATIONS. NOW I WANT TO READ YOU SEVERAL QUOTES FROM THAT REVIEW FOR YOU. THE APPROACH USED BY THE CITY STAFF TO MAXIMIZE

COORDINATION OPPORTUNITIES SHOULD BE APPLAUDED. YOUR STAFF DEPLOYS INNOVATIVE TECHNOLOGIES TO DEAL WITH TIME OF DAY FRUK TWAITIONS IN TRAFFIC DEMAND. THE LAST ONE, THE CITY OF AUSTIN'S TRAFFIC SIGNAL ENGINEERING STAFF DEMONSTRATES AN IMPRESSIVE TRACK RECORD FOR DEALING WITH SIGNAL OPERATIONS ISSUES. THE PEER REVIEW WAS CONDUCTED BY THE MANAGER OF THE LAS VEGAS COMPUTER TRAFFIC SYSTEM AND THE MANAGER OF THE SIGNAL ENGINEERING FOR THE CITY OF HOUSTON. COPIES OF THE PEER REVIEW ARE AVAILABLE IN YOUR BACKUP AND ARE AVAILABLE AS WELL FOR THE PUBLIC. ININ ADDITION TO THE NOVEMBER 2001 -- IN ADDITION, THERE WAS A NOVEMBER 2001 AUDIT OF THE TRAFFIC MANAGEMENT TRAM THAT WAS CONDUCTED BY THE COUNCIL'S AUDIT DEPARTMENT. THIS IS WHAT THEY SAID: ALTHOUGH MUCH WORK REMAINS, THE TRANSPORTATION PLANNING AND SUSTAINABILITY DEPARTMENT HAS SUCCESSFULLY INSTALLED THE BACKGROUND OF A MODERN MANAGEMENT SYSTEM. TO ENSURE AND ON TIME, ON BUDGET AND FUNCTIONAL SIGNAL SYSTEM, WE TESTED SEVERAL AREAS. BASED ON THE RESULTS OF OUR TESTING, THE UPGRADED SIGNAL SYSTEM APPEARS TO BE FUNCTIONING EFFECTIVELY AS PART OF THE AUTOMATED TRAFFIC MANAGEMENT SYSTEM. IN ADDITION, AS PART OF THE AUDIT, AN INDEPENDENT ENGINEER WAS HIRED TO REVIEW THE TRAFFIC PROGRAM AND THE SYNCHRONIZATION EFFORT. COPIES OF THAT AUDIT APPRAISING THE WHOLE PROGRAM ARE ALSO AVAILABLE. WHERE DOES AUSTIN GO FROM HERE? AUSTIN IS WORKING WITH ITS REGIONAL PARTNERS. IT IS SIGNIFICANT THAT NEW REGIONALLY IMPORTANT INSTITUTIONS HAVE RECENTLY BEEN CREATED, AND THEY ARE ALREADY PROVIDING INNOVATIVE SOLUTIONS TO THE CONGESTION PROBLEM. THE CITY IS A MEMBER OF THE COMMUTER RAIL DISTRICT AND IT IS ALREADY WORKING WITH UNION PACIFIC ON REROUTING FREIGHT TO CORRIDORS WELL EAST OF AUSTIN. THE REGIONAL MOBILITY AUTHORITY COVERING TRAVIS AND WILLIAMSON COUNTIES IS CONSIDERING A NEW TOLL ROAD PROGRAM THAT COULD INCLUDE MANY OF THE ROADS ON THE MAPS SHOWN HERE. TXDOT AND THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY EXPECT TO ADD 67 AND A HALF MILES

OF NEW TOLL ROADS IN THE NEXT FIVE YEARS, WHICH TRANSLATES INTO APPROXIMATELY 405 LANE MILES OR 80 LANE MILES PER YEAR. THE FIRST GROUP OF TOLL ROADS, INCLUDING STATE HIGHWAY 130, MOPAC NORTH, 183 A AND 45 NORTH WILL BE THE LARGEST ROAD CONSTRUCTION PROJECT IN THE UNITED STATES AT A COST OF 3 BILLION. IN THE NEAR FUTURE WE INTEND TO INVITE A NUMBER OF BOTH PRACTICING AND ACADEMIC TRAFFIC SIGNAL ENGINEERING PROFESSIONALS TO AUSTIN IN ORDER TO CONDUCT A NEW PUBLIC PEER REVIEW. WE WILL USE THIS REVIEW TO IDENTIFY AREAS FOR POTENTIAL IMPROVEMENT AND BY SHARING KNOWLEDGE AND EXPERIENCE, EVALUATE FOR IMPLEMENTATION THE NEWEST TECHNIQUES IN SYNCHRONIZATION TECHNOLOGY. IN ADDITION, THE CITY MANAGER HAS ASKED THAT THE PEER REVIEW BE COMPLETED AND REPORTED BACK TO THE COUNCIL IN THIS FORUM. AS FUNDING BECOMES AVAILABLE WE WILL CONTINUE TO EXTEND OUR COMMUNICATIONS NETWORK SO THAT ADDITIONAL SIGNALS ARE TIED TO THE TMC. LASTLY, WE INTEND TO CONTINUE OUR PROGRAM OF FINE TUNING AND RETIMING SIGNALS THROUGHOUT AUSTIN. TO RECAP, THERE ARE FIVE TRUTHS ABOUT SYNCHRONIZATION IN AUSTIN. ONE, SYNCHRONIZATION IS NOT THE SILVER BULLET TO SOLVE CONGESTION. WE HAVE DESCRIBED EIGHT REASONS WHY IT IS NOT. TWO, NOT ALL STREETS CAN BE SYNCHRONIZED IN ALL DIRECTIONS. WE HAVE EXPLAINED THE PHYSICAL LIMITATIONS TO UNIVERSAL SYNCHRONIZATION. THREE, MOST OF AUSTIN'S LIGHTS ARE SYNCHRONIZED. WE HAVE PROVIDED VIDEOS AND MAP OF THE MAJOR STREETS IN AUSTIN THAT ARE SYNCHRONIZED REPRESENTING PERHAPS 90% OF AUSTIN'S MAJOR STREETS. FOUR, AUSTIN IS A MAJOR CITY WITH MAJOR CITY CONGESTION. THE STATISTICS OF GROWTH AS WE HAVE LISTED THEM ARE STARTLING, BUT CLEAR. AND FINALLY, THE CITY IS WORKING TO SOLVE THE CONGESTION PROBLEM. THE NUMEROUS EFFORTS AND SUBSTANTIAL PUBLIC DOLLARS INVESTED IN SOLVING THE PROBLEM HAVE BEEN FULLY DESCRIBED. THAT CONCLUDES MY PRESENTATION. I'LL BE GLAD TO ANSWER ANY QUESTIONS YOU HAVE.

**Mayor Wynn:** THANK YOU, MR. LA BROCK. QUESTIONS FOR

STAFF, COUNCIL? COUNCILMEMBER MCCRACKEN.

**McCracken:** MR. LIBRACH, I WANT TO CONGRATULATE YOU ON AN EXTREMELY THOROUGH PRESENTATION. IT WAS VERY HELPFUL. I THINK THAT -- I GUESS ONE OF THE THINGS THAT IS SURPRISE TION TO ME IS I DIDN'T KNOW ANY OF THIS BEFORE TODAY AND I THINK THAT REFLECTS THE FACT THAT THE CITY TO DATE HAS NOT DONE AN ADEQUATE JOB OF EDUCATING OR CONVEYING THE SERIOUSNESS WITH WHICH WE TAKE THIS ISSUE. I THINK THE CITY OF AUSTIN UNFORTUNATELY HAS CONVEYED AN ATTITUDE TOO LONG THAT WE DON'T CARE ABOUT TRAFFIC OR EVEN THAT WE HOPE TRAFFIC WILL GET WORSE. IT IS VERY HELPFUL TO SEE THAT THAT IS NOT TRUE. AND I THINK THAT ALSO THAT THE MORE PUBLICLY WE MAKE THIS CASE -- ALSO NOT ONLY WILL WE LET PEOPLE KNOW THAT WE DO CARE ABOUT IT, IT'S A BIG DEAL, BUT ALSO WE'LL GET INFORMATION FROM FOLKS ABOUT THINGS WE CAN DO BETTER AND IT'S MORE OF A PUBLIC DIALOGUE ON THIS ISSUE THAT -- FOR A LOT OF FOLKS THAT IS THE MAIN ISSUE THAT AFFECTS OUR QUALITY OF LIFE ON A DAILY BASIS. SO -- IN FACT, IF WE COULD PUT THIS INFORMATION ON THE WEBSITE AND KEEP IT UPDATED REGULARLY, I THINK THAT WOULD BE A GREAT HELP.

**Futrell:** IN FACT, LET ME OFFER A COUPLE OF THINGS. WE'RE WORKING TO SEE IF WE CAN GET THIS UP ON THE WEB. ALONG WITH THAT WE ARE GOING TO BE PUTTING UP -- BECAUSE THERE ARE MANY NUANCES OF THE SYSTEM. AS YOU CAN SEE HOW LONG JUST THIS WAS IN GIVING YOU THE FOUNDATION OF IT, BUT THERE ARE THINGS THAT CAN THROW YOUR LIGHTS OUT OF SINK. EVERYTHING FROM AN EMERGENCY VEHICLE GOING THROUGH THEM TO OTHER MALFUNCTIONS. SO THERE ARE NUMBERS THAT WE WOULD LIKE PEOPLE TO CALL US WHEN THEY SEE THAT A SECTION IS OUT OF SYNC. SO WE'LL PUT AN AMOUNT OF INFORMATION UP ON THE WEB PAGE, INCLUDING THIS PRESENTATION. WE'RE ALSO GOING TO PURN THIS PRESENTATION ON A CD AND MAKE THESE CD'S AVAILABLE TO NEIGHBORHOOD ASSOCIIONS OR BUSINESS GROUPS OR ANYONE ELSE WHO WANTS TO GET A BETTER UNDERSTANDING OF OUR SYSTEM. AND THEN WE'RE GOING TO WORK ON A FEW OTHER THINGS TO TRY TO GET THIS

INFORMATION OUT IN A MORE TIMELY FASHION TO PEOPLE.

**McCracken:** AND I ALSO -- ONE OF THE THINGS THAT THE NEW AUDIT AND FINANCE COMMITTEE IN PARTICULAR, WE RECEIVED SOME BRIEFINGS ON AND THAT COUNCILMEMBER DUNKERLEY HAS BEEN INSTRUMENTAL IN HELPING GET STARTED HERE IN THE CITY IS GOING TO BE A MAJOR, MAJOR UPGRADE IN THE CITY'S TECHNOLOGICAL CAPACITY TO PROVIDE STATE-OF-THE-ART CUSTOMER SERVICE. THAT'S GOING TO GO ON SOMETIME HERE IN THE NEXT FEW MONTHS. I THINK THAT IT WOULD BE VERY HELPFUL AS PART OF THIS NEW SYSTEM THAT PEOPLE ACCESS EITHER THROUGH THE INTERNET OR THROUGH 311 THAT WE HAVE -- TRAFFIC IMPROVEMENTS IN GENERAL AND TRAFFIC LIGHT SYNCHRONIZATION IN PARTICULAR IS PART OF THIS SYSTEM SO THAT THE GOVERNMENT CAN HAVE EVEN -- THE CITY GOVERNMENT CAN HAVE EVEN MORE UPGRADED, RAPID RESPONSE ON THE ISSUE OF TRAFFIC LIGHT SYNCHRONIZATION. AND FINALLY, MR. LIBRACH, ONE THING THAT I THINK WOULD BE HELPFUL FOR FOLKS TO KNOW IS WHAT SPECIFICALLY TODAY IN TERMS OF AREAS THAT WE'RE WORKING ON RIGHT NOW THAT PEOPLE COULD LOOK OUT ON THE STREET, WHAT ARE WE WORKING ON RIGHT NOW HERE IN THE CITY IN TERMS OF WHICH INTERSECTIONS, WHICH SPECIFIC IMPROVEMENTS?

I'M AFRAID I CAN'T GIVE YOU THAT LIST. I DON'T HE THAT OFF THE TOP OF MY HEAD. MAYBE I COULD ASK A MEMBER OF THE ENGINEERING STAFF TO TALK A LITTLE BIT ABOUT THAT.

HERE IS OUR SECRET WEAPON ACTUALLY. THAT WAS A NICE SEGUE TO BRING UP ALI MOZART, THE MAN BEHIND THE SCENES. THIS IS THE GUY WHO WORKS TIRELESSLY. I REMEMBER ONE PARTICULAR INCIDENT WHEN WE HAD COMPLAINTS ON A TRAFFIC SIGNAL WHEN ALI WENT OVE MORNING AND EVERY EVENING IN HIS OWN VEHICLE AND DROVE IT HIMSELF TO BE ABLE TO REPORT BACK TO THE NEIGHBORHOOD ON ISSUES. THIS IS A GUY WHO DOES THE WORK FOR US VERY QUIETLY AND BEHIND THE SCENES.

OKAY. THE SYSTEMS THAT WE'RE ADDING -- HAVE BEEN WORKING ON RIGHT NOW AND HOPING TO HAVE TWO OTHER SYSTEMS ON LINE WITHIN TWO OR THREE WEEKS ARE

STASSNEY LANE FROM ALL THE SNALSSES FROM MOPAC ALL THE WAY TO I-35, AND ALSO SLAUGHTER LANE. WE'VE DONE SOME OF THEM, BUT IT'S NOT COMPLETE AND IT'S GOING TO BE ALL THE WAY FROM ALSO I-35 TO MOPAC. THE OTHER ONE AT WILLIAM CANNON, WE HAVE MOST OF THE INTERSECTIONS, THERE'S A FEW LEFT. ALSO ALL THE WAY FROM I-35 TO MOPAC.

**Futrell:** AND THAT'S WILLIAM CANNON?

THAT'S CORRECT. AND ALSO ON -- ON THE EAST SIDE WE'RE WORKING ON GUADALUPE. WE'RE WORKING ALSO ON RED RIVER. RED RIVER NORTH OF DEAN KEATON ALL THE WAY TO 42nd. THAT'S ALL I CAN THINK OF. ALSO THE ONE THAT YOU ACTUALLY -- THAT WE HAVEN'T -- WE HAVEN'T STARTED THE PROCESS, BUT WE -- WE HAVEN'T STARTED DESIGN YET TRYING TO GET THE PERMITS AND ALL THAT IS 360, WHICH IS ONE OF OUR MAJOR TRAFFIC GENERATOR ARTERIALS. IT'S 360 ALL THE WAY FROM 183 TO TOWN LAKE, THAT'S ONE. THEN 2222 FROM 360 TO 620 AND ALSO 620 FROM 2222 TO A NEW SIGNAL THAT'S GOING TO GO IN AT FOUR POINTS. THAT'S THE MAJOR ONE THAT WE'RE WORKING AT THIS TIME.

**McCracken:** AND THESE ARE SYNCHRONIZATION PROJECTS THAT ARE ONGOING?

NO. THESE ARE ALL THE SIGNALS -- AS AUSTAN INDICATED, ALL THESE SIGNALS ARE SYNCHRONIZED, BUT SINCE THEY'RE NOT ON THE SYSTEM, THE INTERNAL CLOCK IN THE COMPUTER AT THE DUVAL INTERSECTION, THEY COULD DRIFT OVER TIME. BUT ONCE WE PUT THEM UNDER THE SYSTEM, THEN WHAT WOULD HAPPEN, NOT ONLY WOULD WE HAVE CAPABILITY TO MONITOR AND MAKE TIMING CHANGES FROM TRAFFIC MANAGEMENT CENTER, BUT ALSO GUARANTEES THAT THE TIMING WOULD NOT CHANGE ON ITS OWN. BASICALLY THERE'S A COMPUTER THAT'S MONITORING IT 24 HOURS A DAY.

**McCracken:** NOW, PART OF THIS PROCESS USING THE COMPUTER MONITORING AND THE CAMERAS, ON THE INTERSECTIONS WHERE WE DO NOT CURRENTLY HAVE THAT CAPABILITY, DO WE HAVE DIFFERENT SYNCHRONIZATION PATTERNS FOR RUSH HOUR, NON-RUSH HOUR, OR IS IT JUST

FOR THE INTERSECTION WHERE WE HAVE THE CAMERAS?

EVERY INTERSECTION THAT NEED TRAFFIC SYNCHRONIZATION, WE DO IT. IT'S EITHER MANUALLY, WHICH BASICALLY TRAFFIC SIGNAL THE STAFF WOULD GO ACTUALLY TO THE FIELD TO MANUALLY PROGRAM THEM OR WE DO IT FROM THE CENTER. WE WOULD NOT COMPROMISE THE NEED OF SYNCHRONIZATION. IF THERE'S TWO SIGNALS SITTING NEXT TO EACH OTHER AND THEY NEED TO HAVE SYNCHRONIZATION, WE WILL HAVE IT.

**McCracken:** YEAH, I GUESS I WAS TALKING ABOUT IS CLEARLY RUSH HOUR, FOR INSTANCE, CREATES DIFFERENT SYNCHRONIZATION NEEDS AS MR. LIBRACH DISCUSSED, THAN NON-RUSH HOUR. IN THE INTERSECTIONS THAT DO NOT HAVE THE CAMERA SYSTEMS AND THE COMPUTER UPGRADES, DO WE HAVE THE CAPABILITY AT THOSE INTERSECTIONS CURRENTLY TO HAVE DIFFERENT SYNCHRONIZATION PATTERNS FOR RUSH HOUR AND NON-RUSH HOUR.

YES, WE DO. THOSE ADVANCED TRAFFIC CONTROLLER, THEY'RE VERY SMART AND THEY CAN -- IT A VERY POWERFUL COMPUTER THAT THEY HAVE ALL THE PROGRAMS THAT BASICALLY RESPOND TO TRAFFIC FLUK FLUCTUATION ANY TIME OF DAY. THEY DON'T HAVE TO BE ON COMPUTER AND UNDER COMPUTER CONTROL. COMPUTER CONTROL BASICALLY GAVE US THE EXAIBT TO CONTROL THEM FROM REMOTE, BUT LOCALLY THEY DO HAVE THAT CAPABILITY AND WE DO CHANGE THE PLAN AS TRAFFIC FLUCTUATES.

**McCracken:** CAN YOU TELL US -- OBVIOUSLY THE TAXPAYERS OF AUSTIN HAVE INVEED A CONSIDERABLE SUM OF MONEY TO HAVE A VERY MODERN TRAFFIC CONTROL SYSTEM. 'I'M VERY HEART ENED TO HEAR OF THESE EFFORTS TO DATE. CAN YOU TILL US OF OTHER PRACTICES THAT YOU'RE AWARE OF THAT OTHER CITIES CURRENTLY EMPLOY OR OTHER TRANSPORTATION AUTHORITIES THAT THE CITY OF AUSTIN HAS NOT CURRENTLY EMPLOYED?

AS FAR AS I KNOW, THE CITIES THAT ARE DOING SYSTEMS, THEY'RE PRETTY MUCH -- SOMEHOW THEY'RE COPYING

PART OF OUR SYSTEM, IF NOT THE WHOLE THING. I THINK AUSTIN MENTIONED THERE ARE THREE CITIES THAT ACTUALLY ARE PRETTY MUCH COPYING WHAT WE HAVE, BUT EVEN LARGER CITIES IN FLORIDA, WHICH, AS A MATTER OF FACT, I WAS TALKING TO A CONSULTANT FIRM LAST WEEK, THEY'RE ASKING ME FOR SPECIFICATION OF SOME OF THE THINGS THAT WE HAVE DONE HERE, WHICH THE REASON THEY CALLED ME AND ASKED FOR THAT INFORMATION, I THINK THEY'RE PLANNING IT FOR THEIR SYSTEM.

**Futrell:** ALI, I THINK THE COUNCILMEMBER IS ASKING IS THERE -- THIS IS YOUR -- IF YOU WERE KING FOR A DAY AND WE WERE GOING TO HAND YOU A BLANK CHECK OR CITY ENGINEER, IS THERE A BEST PRACTICE OR SOMETHING OUT THERE THAT WE DON'T HAVE THAT'S AVAILABLE? IS THERE SOME OTHER TOOL?

I DON'T THINK SO. I THINK WHAT WE HAVE IS THE BEST IN THE MARKET TODAY. FIVE YEARS DOWN THE ROAD IT COULD CHANGE, BUT TODAY IT'S THE STATE-OF-THE-ART.

**Futrell:** AND I DON'T OFFER THAT TO EMPLOYEES VERY OFTEN, COUNCILMEMBERS, SO I'M ASSUMING THAT ALI WOULD HAVE JUMPED ON THAT.

**McCracken:** I THINK THE MAYOR IS PROBABLY VERY CONCERNED ABOUT THE TALK OF A BLANK CHECK BEING OFFERED.

**Futrell:** AS AM I, BY THE WAY. ALL RIGHT. AND JUST ONE OTHER THING, ALI, BECAUSE I DIDN'T SAY IT UP FRONT. IN OUR FRUSTRATION OVER THE LEVEL OF CONGESTION IN OUR COMMUNITY, I MEAN, MANY TIMES I DON'T THINK PEOPLE REALIZE THE LEVEL OF SKILL OR EXPERTISE THAT THIS CITY HAS IN ITS TRAFFIC SYSTEM. ALI, FOR EXAMPLE, WAS THE ENGINEER OF THE YEAR IN THIS STATE BY THE STATE TRAFFIC ENGINEER ASSOCIATION. THE CITY OF AUSTIN HAS HIM RUNNING OUR SYSTEM. [ APPLAUSE ]

**Dunkerley:** MAYOR PRO TEM, CAN I?



**Goodman:** COUNCILMEMBER DUNKERLEY.

**Dunkerley:** I WANT TO THANK YOU ALSO FOR MAKING THIS PRESENTATION. IT HELPED ME UNDERSTAND MY DRIVE IN TO WORK EACH DAY. I COME ON STREETS THAT ARE SYNCHRONIZED, SO I CAN ZIP RIGHT IN MOST OF THE TIME. AND THE HORROR STORIES ARE NOT THINGS THAT I EXPERIENCE AS OFTEN. BUT I WAS SITTING HERE AND I USED TO DO NUMBERS, BUT I WAS SITTING HERE JUST TRYING TO FIGURE OUT -- BUT I UNDERSTAND BETTER HOW YOU CAN SYNCHRONIZE ONE WAY, BUT YOU CAN'T ALWAYS SYNCHRONIZE FOUR OR FIVE DIFFERENT WAYS AT THE SAME TIME. AND I WAS JUST PLAYING WITH THAT, AND I HAD MY TRAFFIC SHEET UP HERE ALL BALLED UP IN ABOUT 30 SECONDS BECAUSE IT IS VERY, VERY COMPLEX. AND I THINK THE ONE THING THAT WE HAVE -- THAT I GATHERED FROM THIS, WE REALLY HAVE THREE OR FOUR THINGS TO DEAL WITH THE HUGE AMOUNT OF TRAFFIC THAT WE HAVE. ONE IS SYNCHRONIZATION, TRYING TO GET THE REST OF OUR SIGNALS IN THE SYSTEM THAT ALLOWS US TO DO THE SYNCHRONIZATION FROM A CENTRAL LOCATION RATHER THAN HAVING TO GO OUT TO THE INDIVIDUAL LIGHT WHEN THINGS GO WRONG. SO THAT'S A VERY INEFFICIENT WAY OF DOING THAT. SO WE'VE GOT TO GET THE REST OF THOSE SIGNALS IN THAT SYSTEM. AND THEN YOU MENTIONED, AND I UNDERSTOOD FOR THE FIRST TIME, THE LANE MILES NEEDED AND GETTING SOME OF THOSE CARS OFF THE ROAD WITH A VARIETY OF DIFFERENT METHODOLOGIES, EVERYTHING FROM GETTING PEOPLE TO STAGGER THEIR WORK HOURS TO TAKING A BUS OR DOING SOMETHING ELSE. SO THERE REALLY IS -- AS I LISTENED TO YOU, THERE ARE THREE MAIN EFFORTS THAT WE'RE TRYING TO DO, INCREASE CAPACITY, GET MORE OF THE CARS OFF AND GET THE REST OF OUR SIGNALS THAT ARE SYNCHRONIZED, BUT GET THEM ON THE MAIN SYSTEM SO IT'S EASIER FOR OUR ENGINEERS TO HANDLE IT. AND THAT'S WHAT I HEARD. SO NEXT TIME WHEN I'M DRIVING IN SO MOOTHLY, I'M GOING TO GO OVER ON ONE OF THE STREETS THAT CAN'T BE SYNCHRONIZED BECAUSE THERE'S A CROSS STREET APPEARED THEN I'LL GET A BETTER PICTURE OF WHAT IT'S LIKE. DO YOU THINK I HAVE THAT ONE DOWN?

I THINK THAT'S VERY GOOD. I THINK YOU COULD EVEN

SIMPLIFY IT FURTHER FOR AN ECONOMIST AND SAY THE DEMAND SIDE AS WELL AS THE SUPPLY SIDE. ON THE SUPPLY SIDE WE'RE BUILDING STREETS AND ON THE DEMAND SIDE WE'RE TRYING TO REDUCE THE NAND. AND THOSE ARE THE TWO FUNDAMENTAL WAYS IN WHICH WE'RE WORKING TO IMPROVE THIS CONGESTION PROBLEM.

**Dunkerley:** THANK YOU. I'M GLAD I'M ON ONE OF THE STREETS THAT'S SYNCHRONIZED.

**Goodman:** THANK YOU VERY MUCH, UNLESS THERE ARE MORE QUESTIONS. THANK YOU, MR. LIBRACH.

**Goodman:** MAYBE WE SHOULD HOLD FOR FOR JUST A SECOND UNTIL SOME OF THE MOVEMENT IS SETTLED.

ALICE ARE YOU COMFORTABLE WITH THIS LEVEL OF NOISE.

AS LONG AS YOU CAN HEAR ME.

**Goodman:** I WAS DIFFICULT. IF WE COULD AT THE DAIS SPEAK A LITTLE BIT QUIETER. THANK YOU. ZONING CASES ARE AS FOLLOWS, I WILL START OFF WITH THOSE CASES ON FOR SECOND AND THIRD READINGS WHERE THE PUBLIC HEARING A HA BEEN CLOSED. ITEM NO. 43, COMANCHE CANYON RANCH PLANNED UNIT DEVELOPMENT, THE APPLICANT IS SEEKING A CHANGE FROM SINGLE FAMILY 9 TO PLANNED UNIT DEVELOPMENT, WHICH COUNCIL HAS RECOMMENDED ON FIRST READING, IS READY FOR SECOND AND THIRD READINGS. ITEM NO. 44, CASE C14-03-166, R-SH, RED WILLOW DRIVE, THIS PROPERTY IS LOCATED AT 8422 THROUGH 8504 RED WILLOW DRIVE. THE CHANGE IN ZONING IS FROM RURAL RESIDENTIAL TO SINGLE FAMILY 2. RED FOR THIRD READING. ITEM NO. 45, C14-03-414 -- 141 BOULDIN REZONING. 1050 BOULDIN AVENUE, FROM SINGLE FAMILY 3-NP, TO SINGLE FAMILY 4 A THE NEIGHBORHOOD PLAN COMBINING DISTRICT. THIS CASE IS READY FOR SECOND AND THIRD READINGS, BUT I UNDERSTAND, COUNCIL, THAT THERE MIGHT BE SOME -- SOME ITEMS TO BE ADDED.

SO WE NEED TO PULL THAT ONE OUT OF CONSENSUS.

YOU WANT TO HOLD OFF ON THIS ONE?

YEAH.

OKAY.

THAT CONCLUDES SECOND AND THIRD READINGS.

**Goodman:** DO YOU NEED A MOTION SPECIFICALLY FOR THOSE TO ITEMS?

YES.

WE NEED A MOTION FOR ITEMS NUMBER 43 AND 44, READY FOR SECOND AND THIRD READINGS. IS THERE A MOTION? THERE'S A MOTION AND A SECOND BY COUNCILMEMBER DUNKERLY FOR AGAIN NUMBER 43 AND 44 ON SECOND AND THIRD READINGS. ALL IN FAVOR PLEASE SAY AYE?

AYE.

OPPOSED ? ABSTAINING WITH THE MAYOR AND COUNCILMEMBER THOMAS TEMPORARILY ABSENT.

Glasgo: NOW TO THE 4:00 PUBLIC HEARINGS. ITEM NO. Z-1 IS A REQUEST --

**Goodman:** BEFORE WE DO THAT, DO YOU WANT TO GO AHEAD AND DO 45?

YES, WE CAN CERTAINLY GO AHEAD AND DO THAT.

IS THAT -- I HAD A COUPLE OF QUESTIONS. MS. GLASGO. I THINK -- I THINK --

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I THINK ONE OF THE ISSUES FOR THIS PARTICULAR CASE HAS TO DO WITH WHAT S.F. 4-A ALLOWS VERSUS WHAT S.F. 3 ALLOWS IN TERMS OF DEVELOPMENT RESTRICTIONS. I THINK YOU ALL HAVE COMMUNICATED TO US THE IMPERVIOUS COVER DIFFERENCES WHICH I THINK IS AT 45%

FOR S.F. 3 AND 65% FOR S.F. 4. IS THAT -- IS THAT --

THAT IS CORRECT.

**Alvarez:** THE ONLY QUESTION THAT I THINK I FAILED TO ASK HAD TO DO WITH HEIGHT LIMITATIONS AND WHETHER THAT'S THE SAME UNDER BOTH --

Glasgo: YES. THE HEIGHT LIMITATIONS ARE THE SAME AT 35 FEET FOR BOTH OF THEM. THE -- THE SETBACKS ARE SLIGHTLY DIFFERENT. YOUR STREETS -- YOUR FRONT STREET YARD ON S.F. 4 A IS 20 FEET WHEREAS S.F. 3 IS 25. SO YOU HAVE --

**Alvarez:** I KNOW THERE'S SOME CHANGES IN SETBACKS AND -- BUT THE ONES THAT -- THAT I WAS MORE INTERESTED IN HAD TO DO WITH THE -- WITH THE IMPERVIOUS COVER AND THE HEIGHT LIMITATIONS. THAT --

Glasgo: THAT ANSWER THAT'S QUESTION THEN.

**Alvarez:** MAPS OUT THE DENSITY TO A CERTAIN DEGREE. BUT -- I ALSO, I THINK, MAYBE THERE'S A NEIGHBORHOOD REPRESENTATIVE HERE WHO CAN SPEAK TO THAT. TO THE ISSUE OF THE VALID PETITION AND WHETHER THAT IS -- WHETHER THAT IS -- IS, YOU KNOW, STILL IN EFFECT OR NOT.

Glasgo: WE HAVE BEEN GIVEN LETTERS, MR. GURNSEY IS -- IS VALIDATING AND SUBTRACTING FROM THE PETITION TO GIVE YOU A PERCENTAGE TO MAKE SURE THAT IT'S BELOW THE 20%. YES, WE HAVE THE LETTERS AND -- AND THERE ARE TWO CONDITIONS IN THE LETTER THAT THAT WILL ALLOW THE WITHDRAWAL OF THE PETITION. ONE IS TO COMPLY WITH THE SINGLE FAMILY 3 IMPERVIOUS COVER WHICH IS AT 45% AND ALSO TO -- TO COMPLY WITH THE SINGLE FAMILY 3 SETBACKS. I'M NOT SURE IF THE APPLICANT IS IN -- IS AGREEABLE.

MS. GLASGO, I -- I HAVE A RELATED QUESTION --

I'M SORRY.

**McCracken:** DID THE TWO HOMES CURRENTLY ON THIS S.F. 3 LOT, IF WE WERE TO DIVIDE THE -- THE S.F. -- THE LOTS INTO TWO S.F. 4 LOTS, WOULD -- WOULD THE IMPERVIOUS COVER ON THESE LOTS AS -- THE LOT AS IT CURRENTLY STANDS COMPLY WITH S.F. 4 FOR EACH LOT? DOES THAT MAKE SENSE?

THE S.F. 4 IG IS HIGHER, IT'S 65%, SO THEY WILL BE OKAY. THE S.F. 3 IS AT 45%, WHICH THEY HAVE TODAY. IF WE DO -- DID ISSUE LOTS INTO S.F. 4 LOTS KEPT IT AT THE IMPERVIOUS COVER CAP, WITH THE -- WOULD THE EXISTING STRUCTURES COMPLY WITH THE S.F. IMPERVIOUS CAP?

Glasgo: I WOULD LIKE FOR THE AGENT TO RESPOND TO THAT BECAUSE HE HOPEFULLY HAS THE ACTUAL CALCULATIONS ON EXISTING IMPERVIOUS COVER.

COUNCILMEMBER ALVAREZ, DID YOU WANT YOUR QUESTIONS HANDED OUT SINCE YOU HAD THE FLOOR?

**Alvarez:** I WILL FOLLOW UP AFTER THE RESPONSE TO THIS QUESTION.

THANK YOU. THE EXISTING IMPERVIOUS COVER ON EACH INDIVIDUAL LOT IS S.F. -- AS S.F. IS 50% ON ONE SIDE AND 40 -- 41% ON THE OTHER SIDE, THE THIRD STREET BEING THE LAST. SO THEY BOTH WOULD COMPLY WITH THE S.F. 4 ZONING. WE HAVE HAD DISCUSSIONS ABOUT -- ABOUT AGREEING TO THE IMPERVIOUS COVER LIMIT OF S.F. 3, WE ARE IN AGREEMENT TO THAT. BUT WHAT I UNDERSTAND THERE'S SOME -- THERE'S SOME ADDITIONAL SETBACK ITEMS THAT WERE IN THE LETTER? FOR THE -- FOR THE -- FOR THE NEIGHBORHOOD? AND WE ARE CONCERNED WITH THE -- WITH THE GOING UP TWO STORIES, SAY, FOR INSTANCE IF WE ARE MAKING IMPROVEMENTS WITH THOSE CURRENT SETBACKS.

**Goodman:** DID THAT ANSWER YOUR QUESTION?

**McCracken:** I'M NOT SURE. MS. GLASGO WHO WOULD BE -- WHAT WOULD THE CAP FOR S.F. 3.

THE IMPERVIOUS COVER, 45% OFF -- OFF THE SITE AREA.

**McCracken:** YEAH, I'M -- I'M GOING TO APOLOGIZE FOR JUMPING ON COUNCILMEMBER ALVAREZ, BUT I WAS JUST -- I APOLOGIZE, JUMPING IN THINKING IS IT EVEN POSSIBLE IF WE WERE TO DIVIDE, THAT IT COULD BE -- I UNDERSTAND THE SPIRIT OF WHAT'S -- OF WHAT'S BEING SUGGESTED, WHICH IS -- WHICH IS IF WE WERE TO DIVIDE THESE TWO LOTS, WE WOULD NOT WANT TO UPSET THE -- THE -- ALL OF THE HARD WORK THAT THE -- THAT THE BOULDIN CREEK NEIGHBORHOOD ASSOCIATION PUT INTO THIS. IF WE DID DIVIDE THIS IT WOULD -- WOULD IT BE POSSIBLE TO KEEP THE TWO HOMES ON THESE LOTS BUT STILL COMPLY WITH S.F. 3 OR WOULD WE NEED TO ADD IN A NON-CONFORMING USE OVERLAY ON THAT ONE? THE APPLICANT INDICATES TO ME THAT HIS ONLY CONCERN IS THE SETBACK RESTRICTION, BUT HE WOULD BE OKAY WITH THE S.F. -- --

IF THERE'S 50% IMPERVIOUS COVER ON ONE OF THE TWO LOTS, YOU WOULD NOT BE IN COMPLIANCE WITH S.F. 3.

CORRECT, YOU WOULD NOT BE, YES, THAT'S CORRECT.

**McCracken:** MY CONCERN IS THEN THAT WELL, IF WE'RE TALKING ABOUT DIVIDING THESE TWO, YOU HEAR WHAT I'M SAYING, IF THE CAP IS 45%, WE CREATE TWO LOTS, EACH WITH A 45% CAP, WELL, ONE OF THESE LOTS WITH THE EXISTING STRUCTURE WILL HAVE A 50% IMPERVIOUS COVER ON IT, WOULD THEREFORE BE IN VIOLATION UNLESS WE PERMITTED A NON-CONFORMING USE.

Glasgo: IF USE CONTINUES AFTER YOU CHANGE THE ZONING, IT -- IT WILL REMAIN NON-CONFORMING. BUT THAT'S SOMETHING THAT WE HAVE TO EXPLAIN TO LENDERS WHEN THEY LOOK INTO THAT, THAT'S ONE OF THE THINGS THAT WE TYPICALLY GET INQUIRIES ON, LOOKING AT THE EXISTING ZONING AND WHAT IT ALLOWS OR DOES NOT ALLOW. THAT'S TYPICALLY WHAT WE ARE RESPONDING TO, IF IT'S NON-CONFORMING THEN -- THEN IT'S ACCEPTABLE.

LEGAL NON-CONFORMING.

THAT'S CORRECT. THE INTENT OF THE PROPOSAL TO LIMIT

THE IMPERVIOUS COVER AND THE SETBACKS IS TO PROHIBIT FUTURE REDEVELOPMENT SO -- SO MY UNDERSTANDING IS THAT BY LIMITING THE IMPERVIOUS COVER, TO SINGLE FAMILY 3, IS TO ENSURE THAT WHATEVER IS BUILT, IF THE TWO BUILDINGS ARE DEMOLISHED AND NEW BUILDINGS CONSTRUCTED, THAT THEY WOULD BE -- THE SIZE OF A SINGLE FAMILY 3 AS FAR AS IMPERVIOUS COVER SO THEY WILL BE PRETTY SMALL. SO REALLY IT ADDRESSES REDEVELOPMENT AND NOT EXISTING DEVELOPMENT.

COUNCILMEMBER ALVAREZ?

**Alvarez:.**

I THINK WHAT WE MIGHT END UP HAVING TO DO, THERE'S SOME CONFUSION ABOUT WHETHER -- WHETHER THE VALID PETITION STANDS OR NOT DEPENDING ON -- ON THE SETBACKS. AND SO -- BUT I THINK ULTIMATELY I THINK THAT -- THAT WHAT THE OWNERS WERE TRYING TO ACCOMPLISH IS TO -- IS TO HAVE TWO LEGAL LOTS. FOR TWO THE HOMES THAT CURRENTLY EXIST. WHAT WE ARE TRYING TO DO IS -- IS SORT OF ALLOW THEM TO CREATE THOSE TWO LEGAL LOTS. AND BUT STILL TRY TO MAINTAIN SORT OF THE RESTRICTIONS AS MUCH AS -- AS MUCH AS POSSIBLE THAT THE NEIGHBORHOOD KIND OF HAD ENVISIONED. WHEN THEY WENT THROUGH THAT PROCESS. AND I THINK WE -- I MEAN, WE GET PRETTY CLOSE, IF WE CAN DO S.F. 4, THEY ARE ABLE TO DO WHAT THEY -- WHAT THEY WOULD LIKE TO DO IN TERMS OF ACTUALLY SUBDIVIDING, BUT -- AND GETTING PRETTY CLOSE TO THE IMPERVIOUS COVER. AND -- WHICH I THINK, YOU KNOW, IF WE CAN PUT THE S.F. 3 IMPERVIOUS COVER RESTRICTIONS, THEN -- THEN REALLY ADDRESSES TO A GREAT DEGREE, I BELIEVE, THE CONCERNS FROM THE NEIGHBORHOOD THAT -- THAT, YOU KNOW, THESE LOTS COULD BE SOLD AND THEN REDEVELOPED. AND POSSIBLY AT -- AT GREATER IMPERVIOUS COVER, GREATER -- DEVELOPMENT INTENSITY. SO I THINK THAT WE -- WE CAN STRIKE A BALANCE HERE, BUT MAYBE IF YOU CAN EXPLAIN THAT -- THE PETITION TO ME A LITTLE MORE BECAUSE YOU SAID THERE'S A COUPLE OF LETTERS CONDITIONED ON NOT JUST THE IMPERVIOUS COVER, BUT ALSO THE -- THE

SETBACKS.

WELL, I ANSWERED THIS SINCE MARTY IS SITTING THERE, FROM A LEGAL PERSPECTIVE, THE LOTS HAVE NOT BEEN CREATED JUST TO EXPAND A LITTLE BIT FURTHER ON -- ON THE ANSWER I GAVE YOU EARLIER REGARDING THE EXISTING IMPERVIOUS COVER. TYPICALLY, THAT -- THAT IMPERVIOUS COVER IS LOOKED AT AT THE TIME -- ONE SEEKS A BUILDING PERMIT, IF YOU WANT TO EXPAND OR WHAT HAVE YOU. BUT AT THE TIME OF SUBDIVISION, WHEN THEY WERE CREATING THE THE TWO LOTS, MS. ATTORNEY, WHEN THEY COME TO CREATE THE LOTS, ALTHOUGH THEY ARE NOT GETTING A BUILDING PERM, BUT ADDING THE CONDITION OF S.F. 3, WOULD THAT CREATE A LEGAL PROBLEM IN PLATTING TO SMALLER LOTS? WITH IMPERVIOUS COVER?

IT SHOULD NOT. IT -- YOU ARE GOING TO HAVE TWO SEPARATE LOTS. IT'S JUST THAT WHEN THEY GO TO PULL THE BUILDING PERMIT, THEY WILL LOOK AT THE LOTS AND THEN THEY WILL LOOK AT THE IMPERVIOUS COVER CONDITIONAL OVERLAY. AND THE TWO OF THEM WILL HAVE TO BE RECONCILED TOGETHER. IN OTHER WORDS, IF YOU -- IF THIS IS ZONED SUCH THAT IT'S S.F. 3 IMPERVIOUS COVER, THAT'S CONDITIONAL OVERLAY, THAT CONDITIONAL OVERLAY WILL BE APPLIED TO EACH OF THOSE LOTS.

Glasgo: CORRECT. JUST THE BUILDING PERMIT STAGE OR THE PLATTING STAGE?

I WOULD THINK THE PROBLEM WOULD ONLY ARISE AT THE -- MR. GURNSEY SAYS I'M WRONG, HE'S PROBABLY THE BETTER LAWYER ON THIS THAN I AM, BUT IT SEEMS TO ME THAT -- I'LL DEFER TO HIM AND LET HIM INDICATE WHAT THE PROBLEMS ARE. THERE SHOULD BE NO LEGAL PROBLEM, BUT I'LL DEFER TO HIM.

Glasgo: LET'S SEE WHAT MR. HIM.

Glasgo: LET'S SEE WHAT MR. GURNSEY HAS TO ADD.

Gurensy:: GREG GURNSEY, I'M CONFERRING ALSO WITH GEORGE ZAPALAC. AT THE TIME THAT YOU CREATE THE



LOTS, IF YOU ARE CREATING A NON-CONFORMITY BY CREATING THE NEW LOT, YOU WOULD HAVE TO REMEDY THAT BEFORE YOU COULD GET THE PLAT APPROVED. FOR INSTANCE, IF I HAD BUILDINGS THAT WERE TOO CLOSE TO EACH OTHER AND THEY WOULDN'T COMPLY WITH THE SETBACK REQUIREMENTS BETWEEN THE TWO STRUCTURES BECAUSE THE SETBACKS WOULD BE 10 FEET LET'S SAY INSTEAD OF FIVE, I WOULD HAVE TO GO SEEK A VARIANCE FROM THE BOARD OF ADJUSTMENT TO REDUCE THE SETBACK IN ORDER TO GET THE SUBDIVISION APPROVED. OTHERWISE, THE PLANNING COMMISSION WOULD BE APPROVING A PLAT THAT WOULD CREATE A NON-CONFORMITY. AND THEY WOULD NOT BE ABLE TO -- TO PROCEED. NOW, THEY COULD CERTAINLY REMEDY THAT BY MOVING STRUCTURES OR REDUCING IMPERVIOUS COVER. BUT -- BUT IN THIS CASE, I THINK THAT YOU HAVE GOT -- YOU WOULD HAVE A NON-CONFORM KNOWLEDGE THAT WOULD EXIST.

I WAS SPEAKING ONLY TO THE IMPERVIOUS COVER CONDITIONAL OVERLAY. I WAS NOT SPEAKING TO THE SETBACK ISSUES.

I WAS SPEAKING TO BOTH. I THINK BY APPROVING THE PLAT, YOU INSTANTLY CREATE A SITUATION WHERE A VARIANCE MAY BE NECESSARY BECAUSE OF THE CREATION OF THE LOT AND A CONDITION THAT DID NOT EXIST BEFORE.

I AGREE WITH THAT AS FAR AS SETBACKS ARE CONCERNED. BUT ONE CAN IMPOSE A CONDITIONAL OVERLAY THAT LIMITS THE IMPERVIOUS COVER.

YES. I'M NOT SPEAKING SO MUCH OF IMPOSING A CONDITION, I GUESS I'M SAYING CREATING A NON-CONFORMITY BY CREATING THE NEW LOT.

**Slusher:** WHAT WOULD CREATE THE NON-CONFORMITY THE SETBACK OR CONDITIONAL OVERLAY.

THE CONDITIONAL OVERLAY FOR IMPERVIOUS COVER -- FOR INSTANCE THE TRACT IS GRANDFATHERED AS ONE, WHATEVER THE IMPERVIOUS COVER IS I ASSUME RIGHT NOW WOULD BE LEGAL. BY CREATING THE TWO NEW LOTS,

YOU MAY -- ONE MAY BE CONFORMING, THEN THE OTHER NEW LOT MAY BE EXCEEDING THE IMPERVIOUS COVER ALLOWED UNDER S.F. 4 A, THAT WOULD PLACE THE OWNER IN VIOLATION OF OUR ZONING REGULATIONS, FOR THIS NEW LOT WHICH DID NOT EXIST LET'S SAY YESTERDAY AND THEN WOULD TRIGGER A REQUIREMENT FOR A BOARD OF ADJUSTMENT VARIANCE. IN THE CASE OF A SETBACK, IF THERE WAS A CONDITIONAL OVERLAY THAT YOU HAD TO COMPLY WITH SETBACKS, LET'S SAY THAT REQUIRED A 10-FOOT SETBACK FROM BOTH PROPERTIES, LET'S SAY BOTH BUILDINGS WERE ONLY 10 FEET APART, THEY COULD NOT APPLY. BY APPROVING THIS IT WOULD TRIGGER A VARIANCE REQUIREMENT ON BOTH OF THESE NEW LOTS TO HAVE ONLY A FIVE-FOOT SETBACK BECAUSE PRIOR TO THAT THERE WAS NOT A REQUIREMENT FOR THAT SETBACK AND THEY WERE IN COMPLIANCE WITH THE CODE.

**Slusher:** LET ME TRY TO GET -- SO IF -- IF COUNCILMEMBER ALVAREZ MADE A MOTION TO HAVE THE S.F. 4 A BUT WITH S.F. 3 IMPERVIOUS COVER, WOULD THAT CREATE THE SITUATION WHERE THE OWNER WOULD HAVE TO GO TO THE BOARD OF ADJUSTMENT?

I THINK ONLY IN THE CASE THAT ONE OF THE LOTS DIDN'T COMPLY WITH S.F. 3 --

**Slusher:** DO WE KNOW IF THAT'S THE CURRENT SITUATION? I THOUGHT HE SAID ONE HIGHER A MINUTE AGO. AS I UNDERSTAND IT, ONE OF THE LOTS WOULD COMPLY AT 41%, BUT THE OTHER LOT WHICH HAS APPROXIMATELY 50% IMPERVIOUS COVER. IF THE COUNCIL GRANTED I GUESS A CONDITIONAL OVERLAY THAT WOULD LIMIT THE 50% IMPERVIOUS COVER, INSTEAD OF 45, THEN THE -- THAT DOESN'T SOUND LIKE THERE WOULD BE A PROBLEM. IT WOULD NOT PLACE THE OWNER IN A SITUATION OF SEEKING A VARIANCE, IT WOULD BE LESS IMPERVIOUS COVER THAN WHAT WOULD BE ALLOWED IN S.F. 4 A THAN SLIGHTLY MORE OF WHAT WOULD BE ALLOWED IN S.F. 3.

**Slusher:** DID I BREAK IN ON YOUR LINE OF QUESTIONING? I HAVE ANOTHER ONE.

I WILL CONCUR BECAUSE I WAS NOT THINKING IN TERMS OF

THE EXISTING STRUCTURES THAT ARE ON THERE. GREG IS RIGHT BECAUSE YOU HAVE EXISTING STRUCTURES, THAT'S WHAT THROWS A HICKEY ON IT. IT'S NOT THAT YOU NECESSARILY -- AS YOU WILL RECALL THE ORDER OF PROCESS IS ZONING FIRST AND THEN SUBDIVISION. AND THAT NORMALLY DOES NOT CREATE A NON-CONFORMITY, BUT IN THIS PARTICULAR SITUATION I THINK GREG IS RIGHT, BECAUSE THE STRUCTURES ACTUALLY EXIST. HE IS RIGHT.

OKAY. COUNCILMEMBER SLUSHER STILL HAS THE FLOOR.

ANY APPLICANT REPRESENTATIVE OR --

YES, SIR. GO AHEAD. I WANTED TO ASK YOU A QUESTION.

I WAS JUST GOING TO BRING UP AN AMOUNT ACTIVE. TO THE -- POSSIBLY ON THE THIRD STREET LOT TO LIMIT THAT TO S.F. 3 IMPERVIOUS COVER AND THEN FREEZE THE IMPERVIOUS COVER AT 50%, THE EXISTING IMPERVIOUS COVER ON THE BOULDIN SIDE WHERE WE DON'T GAIN ANYTHING AND WE ARE NOT IN NON-COMPLIANCE. SO THAT'S -- THAT'S A POSSIBILITY.

**Slusher:** THAT SEEMS LIKE A GOOD FAITH OFFER TO ME BECAUSE WHAT YOU WOULD BE DOING IS GETTING LESS AND IF WE JUST SAID 50 ON BOTH OF THEM, YOU WOULD BE GETTING -- WHAT IS IT? I HAVE TO LOOK HERE. 40 ON THE OTHER ONE. THERE'S 40 ON THIRD STREET ALREADY. S.F. 3, IT COULD BE 45.

RIGHT. OKAY.

THEN THE SETBACK ISSUE WOULDN'T BE TRIGGERED NON-COMPLYING AS WELL.

**Slusher:** OKAY. LET ME ASK YOU ANOTHER QUESTION. HOW -- JUST BRIEFLY AS YOU CAN, REMIND ME THE SITUATION, THE OWNERS ARE IN HERE AS FAR AS THEY NEED TO -- TO SUBDIVIDE THESE LOTS BECAUSE THEY WANT TO GET FINANCING, HELP ME REMEMBER THAT.

ORIGINALLY THEY WERE TALKING TO THEIR LENDER TO TRY TO GET FINANCING FOR THE -- FOR THE THIRD STREET

PROPERTY. THEY REQUESTED THE LENDING INSTITUTION REQUESTED THAT BE SUBDIVIDED FREE AND SIMPLE. THEN SHANNON'S, ONE OF THE OWNER'S PERSONAL REQUESTS WAS TO ALSO -- THEY DIDN'T WANT TO LOSE BOULDIN CREEK, THAT WAS THEIR GRANDMOTHER'S HOUSE. IF THEY WERE GOING TO LIEN ANYTHING, THEY WOULD AS SOON LIEN THE PROPERTY THAT WAS GOING TO BE MADE THE IMPROVEMENTS. THAT'S HOW THIS WHOLE SITUATION CAME ABOUT.

**Slusher:** I'M SORRY, WHERE IS THE GRANDMOTHER'S HOUSE COMING IN.

THE ONE ON BOULDIN.

**Slusher:** THE OTHER IS ON --

THE OTHER ONE IS ON THIRD STREET, YES, SIR.

**Slusher:** JUST OUT OF CURIOSITY, DID OTHER FAMILY MEMBERS LIVE THERE, DOESN'T REALLY MATTER, I'M JOUST CURIOUS.

THAT'S WHERE ACTUALLY MARK AND SHANNON WERE BORN IN THE THIRD STREET HOUSE, THEIR MOTHER LIVED IN THE FRONT ONE.

**Slusher:** BOTH PROPERTIES WERE FAMILY OCCUPIED. OKAY. THAT'S ALL OF MY QUESTIONS MAYOR PRO TEM.

**Goodman:** COUNCILMEMBER ALVAREZ, DID YOU WANT TO CONTINUE?

WELL, I HAVE -- -- I WAS THINKING ALONG THE SAME LINES AS COMMERCIAL, BUT DIDN'T WANT TO GET THE QUESTION ABOUT THE PETITION ANSWERED. AND IF THERE'S STILL A VALID PETITION I THINK WE MIGHT JUST -- IT SEEMS LIKE IT MIGHT BE MORE COMPLICATED RECOMMENDATION HERE. THAT WE MIGHT JUST MOVE FORWARD ON SECOND READING. BASED ON WHAT THE LETTERS SAID IN TERMS OF DRAWING THEIR NAMES ON THE PETITION, WOULD THAT -- WOULD THAT MAINTAIN THE VALID PETITION?

Glasgo: THE LETTERS ARE PRETTY SPECIFIC SO I'M NOT SURE THAT THAT WOULD MAINTAIN THE PETITION. THEY READ IF THE CITY COUNCIL APPROVES THE REQUESTED ZONING CHANGE FROM SINGLE FAMILY 3 TO S.F. 4 A ON THE LOTS COMPRISING THE PRESENT 1505 BOULDIN AVENUE THESE RESULTING LOTS BE RESTRICTED TO S.F. 3 ZONING CLASSIFICATIONS LIMITS ON IMPERVIOUS COVER COVER AND SETBACK. TWO, BOTH PROPERTIES SUBMIT TO COUNCIL AND BOULDIN CREEK NEIGHBORHOOD ASSOCIATION A WRITTEN LETTER OF COMMITMENT TO FOLLOW THE CONDITIONS OF THE S.F. 4 B OVERLAY ON ANY MODIFICATIONS TO OR REPLACEMENT OF THE STRUCTURES ON THE S.F. 4 A LOTS. THEY AGREED TO WITHDRAW THEIR NAMES FROM THE PETITION BASED ON THOSE AGREEMENTS. BUT YOU -- WE NEED A FULL COUNCIL.

LET'S TRY TO -- TRY TO SEE IF WE CAN PROCEED THEN ON SECOND READING. I WAS GOING TO ASK YOU, WHEN IT COMES BACK, WOULD IT BE POSSIBLE FOR US TO -- TO DIVIDE IT INTO -- INTO SORT OF -- OF THE BOULDIN LOT, AND THIS -- THE THIRD STREET LOT?

THIRD STREET?

WITH --

SO THAT WE MIGHT SPECIFY ON THE THIRD STREET LOT S.F. 3, IMPERVIOUS COVER, AND THEN ON THE BOULDIN LOT.

I THINK THAT WE CAN DO THAT WITH SORT OF A FOOTPRINT LEGAL DESCRIPTION. I THINK THAT WE SHOULD BE ABLE TO DO THAT.

**Alvarez:** BECAUSE I DON'T KNOW IF THEY HAVE FILED ANYTHING THAT ACTUALLY DELINEATES THE -- WHERE THE LINE WOULD BE DRAWN.

WE WOULD HAVE TO GET THAT INFORMATION FROM THE APPLICANT AND I THINK WE CAN DO THAT.

**Alvarez:** OKAY. I GUESS THAT I'LL MAKE A MOTION THAT WE ON SECOND READING THAT WE -- THAT WE APPROVE THIS --

THIS PROPERTY FOR S.F. 4. IS IT S.F. 4 OR 4 A.

Glasgo: S.F. 4 A.

**Alvarez:** SOME 4 A -- S.F. 4 A WITH -- DIVIDING THIS PROPERTY INTO TWO TRACTS.

Glasgo: 50% IMPERVIOUS COVER.

**Alvarez:** AND THE TRACT ON BROWLD CONTINUE HAVING AN IMPERVIOUS COVER COVER LIMIT OF 50% INSTEAD OF THE 65 UNDER S.F. 4 A AND THE LOT ON THIRD STREET HAVING AN IMPERVIOUS COVER OF -- OF S.F. 3 A, WHICH WOULD BE 45% STHED OF 65 -- INSTEAD OF 65. THAT WOULD BE MY MOTION.

**Goodman:** THERE'S A MOTION ON THE FLOOR, IS THERE A SECOND.

**Dunkerley:** SECOND.

**Slusher:** I JUST --

**Goodman:** SECONDED BY COUNCILMEMBER DUNKERLY. COUNCILMEMBER SLUSHER?

**Slusher:** MS. GLASGO OR MR. GURNSEY, SO THAT MEETS THE -- THOSE ARE THE CURRENT IMPERVIOUS COVER COVERS THAT THEY HAVE INCLUDING THE 45? I WANT TO MAKE SURE I DON'T GET THIS PROPERTY IN A SITUATION WHERE THEY HAVE TO GO TO THE BOARD OF ADJUSTMENT BECAUSE OF SOME KIND OF OVERSIGHT, SO YOU HAVE GOT -- IS THAT YOUR IMPERVIOUS COVER ON THE OTHER ONE, 45%?

Glasgo: MY UNDERSTANDING IS THAT ACCORDING TO THE AGENT, HE'S THE ONE WHO SHOULD HAVE THE NUMBERS, IS THAT THE THIRD STREET LOT IS CURRENTLY AT 41%. GLSH 41, OKAY.

**Slusher:** 41 OKAY, I WAS WORRIED IT MIGHT BE RIGHT ON IT AND LATER ON YOU FIND OUT YOU'RE REALLY 41 AND A HALF OR SOMETHING. OKAY.

**Goodman:** LET ME INTERJECT HERE A QUESTION THAT I WOULD LIKE TO HAVE ANSWERS FOR, MAYBE NOT TODAY, PROBABLY. WE HAVE A LITTLE TIME IF WE ARE GOING FOR SECOND READING. ONE OF -- I THINK THE PRIME GOALS FOR THE NEIGHBORHOOD PLAN WAS TO RETAIN THE CHARACTER, TO BE ABLE TO PRESERVE THE CHARACTER. AND IT WAS MY UNDERSTANDING THAT A MAJORITY OF THE LOTS, ESPECIALLY IN THIS PARTICULAR BLOCK, ARE CONFIGURED IN ABOUT THE SAME SIZE AS AN IMPERVIOUS COVER LIMITATION AS THE ONE THAT WE ARE TALKING ABOUT TODAY. BUT THEY HAD THE ZONING. THE APPROPRIATE ZONING. EVEN THOUGH TECHNICALLY THEY DON'T COMPLY EITHER WERE THEY TO START ALL OVER. SO WHAT I AM LOOKING FOR IS KIND OF A -- A DOUBLE CHECK ON WHAT I THINK THE FACTS ARE. AND -- AND A QUESTION THAT IS IMPORTANT TO ME IN THAT CONTEXT IS IF -- IF EACH OF THOSE LOTS OWNER'S WAS TO BEGIN REBUILDING ON THE SAME LOT, WOULD THEY MEET THE SETBACK REQUIREMENTS FOR S.F. 3? OR IS THIS THE ONLY ONE THAT -- THAT WOULDN'T? OR COULDN'T?

Glasgo: ARE YOU ASKING THAT WE LOOK AT -- THAT WE LOOK AT THE LOTS IN THE ENTIRE NEIGHBORHOOD PLANNING AREA OR JUST WITHIN --

**Goodman:** OBVIOUSLY NOT.

Glasgo: JUST WITHIN THE -- PROXIMITY TO THE SUBJECT TRACT, WHICH -- WHICH.

**Goodman:** THE WAY IT LOOKS AS YOU DRIVE ON THE STREET AND THE WAY IT LOOKS WHEN YOU GET THE BIRD'S EYE VIEW OF THE ZONING MAP IS THAT EVERYTHING IS VERY SIMILAR. AND -- IN SIZE, IN SETBACK,, YOU KNOW, IT HAS THIS FLAVOR THERE. IT HAS A CHARACTER THERE. BUT THIS ONE LOT DIDN'T GO GET ZONING AT SOME POINT IN TIME. SO THE OTHERS, IT'S MY UNDERSTANDING, ARE ZONED S.F. 3, BUT IN FACT ARE NOT TECHNICALLY COMPLIANT WITH S.F. 3 WERE THEY BEGINNING TO BUILD TODAY THOSE EXISTING HOMES DON'T COMPLY WITH S.F. 3. THAT'S MY UNDERSTANDING, I WANT TO DOUBLE CHECK ON THAT. THEN RELATIVE TO THE ISSUE THAT WAS BROUGHT UP TODAY, I WANT TO KNOW IF THOSE EXISTING STRUCTURES

COMPLY WITH S.F. 3 SETBACKS. AS THEY EXIST RIGHT NOW.

Glasgo: OKAY, MR. GURP SEE WOULD LIKE TO ADD SOMETHING TO THAT. GURNSEY.

Gurnsey:: MAYOR PRO TEM, NONE OF THE LOTS ON THIS BLOCK COMPLY WITH S.F. 3 STANDARDS. THEY ARE ALL TOO SMALL. FROM THE DUPLEX THAT'S KIND OF ON ONE END OF THE BLOCK THAT'S LESS THAN 7,000 SQUARE FEET. TO EACH INDIVIDUAL LOT THAT EXISTS WITHIN THE BLOCK, WITH A SINGLE FAMILY DWELLING ON IT. NONE OF THEM WOULD COMPLY TODAY. ON THE OTHER LOT. WHEN I TOOK A LOOK AT THE SURVEY JUST NOW THAT THE APPLICANT HAS, THEY DON'T COMPLY WITH THE SIDE YARDS, I WOULD ASSUME THAT THE OTHER LOTS PROBABLY DO NOT COMPLY WITH SIDE YARDS. BUT WE WOULD ALSO NEED -- ALMOST NEED AN ACTUAL SURVEY DONE ON EACH OF THE LOTS TO REALLY GET AN IDEA EXACTLY WHERE THE BUILDINGS ARE BUILT AND IN PROXIMITY TO THE PROPERTY BOUNDARY. WE CAN GET AN ESTIMATE BY LOOKING AT AERIAL PHOTOGRAPHY, BUT TO ACTUALLY GET A PRECISE COUNT OF WHICH LOT IS IN COMPLIANCE WITH SETBACKS FRONT, REAR, SIDE, IT MAY BE RATHER DIFFICULT. BUT I KNOW RIGHT NOW IF YOU ARE BILLED TODAY ON SOME -- IF YOU BUILD TODAY ON SOME OF THESE LOTS YOU WOULD HAVE TO SEEK A VARIANCE BECAUSE THEY CAN'T MEET THE MINIMUM LOT SIZE. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

THE SETBACK WE WOULD ASSUME WOULD BE GRANDFATHERED ON THE EXISTING STRUCTURES, APPARENTLY THAT'S WRONG BECAUSE OF THE CREATION OF SEPARATE LOTS. THEY NEED ADJUSTMENT. IF COUNCIL IS ABLE TO INCLUDE THOSE ADJUSTMENTS TO THE EXISTING STRUCTURES, WE HAVE NO PROBLEM, HOWEVER THAT BRINGS UP THE QUESTION ARE WE THEN APPROVING OF THAT SAME -- THOSE SAME VARIANCES ON SCRAPED AND REBUILT NEW STRUCTURES? IN WHICH CASE, NO, WE WOULD WANT TO SEE THOSE BUILT UNDER S.F. 3. SET BACK AND IMPERVIOUS. DOES THAT MAKE SENSE?

**Slusher:** I UNDERSTAND WHAT YOU ARE -- WHAT YOU ARE SAYING. YOU WANT THEM TO -- YOU ARE OKAY WITH -- WITH



KEEPING THE PRESENT USE, BUT IF THEY WERE TO -- TO BUILD SOMETHING NEW THERE AT ANY POINT YOU WOULD WANT IT TO BE SET BACK THE EXTRA 10 FEET. THAT WOULD TAKE THEM INTO THE BOARD OF ADJUSTMENT AT THAT POINT.

I DON'T KNOW HOW MANY FEET.

I THINK THAT IT'S THE DIFFERENCE BETWEEN -- BETWEEN LET'S SEE. SETBACKS, I THINK IT'S BETWEEN 15 AND 25. -- THE FRONT WAS 25 S.F. 315 FOR S.F. 4 A. THE SIDE IS 15, 10 -- AND INTERIOR IS 5 AND NOTHING, I SUPPOSE. BUT -- BUT YOU HAVE IT ON THE OTHER HOUSE. YOU HAVE IT ON THE OTHER HOUSE, NOT NEXT DOOR --

I BELIEVE YOU.

**Slusher:** IF IT HELPS YOU TO LOOK AT IT.

I ANY THAT I UNDERSTAND THE QUESTION. I DO BELIEVE, YES, OUR THOUGHT WAS -- AT THE S.F. 3 OVERLAY WOULD -- WOULD, YOU KNOW, BY ITS NATURE RESTRICT THE -- THE SIZE FOOTPRINT, SETBACK OF ANY FUTURE BUILDING AND RESIDENCES TO BE MORE IN CHARACTER WITH ALL OF THE - - OF THE OTHER S.F. 3 RESIDENTS THAT PREDOMINATE THE NEIGHBORHOOD.

MS. GLASGO, WHAT'S THE SIZE OF THE LOT? I BELIEVE IT WAS -- LET ME GET BACK UP HERE.

**Slusher:** LET ME JUST SAY, IS IT SMALLER THAN AN S.F. 3 LOT SIZE?

I BELIEVE THAT IT'S --

**Slusher:** WE ARE TALKING ABOUT THE OTHER ONES ON THIS BLOCK ARE, TOO.

THIS ONE IS -- GIVE ME A SECOND.

JUST NEED TO DIVERT IT TO SQUARE FIGURE HERE. IT'S 7,707 SQUARE FEET APPROXIMATELY.

**Slusher:** BUT THAT'S --

**Slusher:** TWO LOTS OR ONE LOT NOW? [MULTIPLE VOICES]

Glasgo: CORRECT. TO BE DIVIDED INTO TWO EACH WILL BE APPROXIMATELY 3800 SQUARE FEET.

**Slusher:** SO THEN HAVING THE SETBACK OF -- OF S.F. 3, THE ADDITIONAL SETBACK, THAT WOULD MAKE IT MORE DIFFICULT TO -- TO BUILD SOMETHING ON -- I WOULD THINK THAT'S WHY THEY HAVE IT UP CLOSER NOW, WHY IT ORIGINALLY WAS CLOSER. MAYBE YOU ARE NOT THE ONE -- I GUESS THAT I CAN DIRECT THAT TO BOTH THE APPLICANT AND MR. WALTER.

COUNCILMAN, WE ARE -- WE ARE -- WITH THE CURRENT SUBDIVISION WE ARE ALREADY HAVING TO REMOVE TWO FEET OF THE BACK GARAGE ON BOULDIN, ONE. OWNER'S HUSBAND IS A -- IS A CONSTRUCTION PERSON AND THEY ARE ALREADY TANG THAT OUT FOR S.F. 4 A SETBACKS, SO WE COULDN'T -- I THINK IT WOULD BE ANOTHER FIVE FEET --

**Slusher:** YOU ARE TAKING OUT TWO FEET OF THE GARAGE?

WE ARE DOING THAT NOW, WE ARE PROPOSING TO DO THAT TO MAKE THAT IN COMPLIANCE, WILLING THE ZONING GOES THROUGH HOW DO YOU COULD THAT, TAKE OUT TWO FEET OF THE GARAGE IN THE BACK [MULTIPLE VOICES]

HE'S JUST GOING TO TAKE THAT SECTION OF TWO FEET OFF AND THEN REFRAME IT BACK IN.

**Slusher:** THE CAR STILL FITS IN THERE, I SUPPOSE? OKAY. SO IS THAT -- SO THEN THE REASON THAT YOU DON'T WANT TO AGREE TO THE SETBACK THEN IS BECAUSE THAT YOU ARE WORRIED AT SOME POINT IN THE FUTURE WAS IT RAZED THE HOUSE TOO OLD OR WHATEVER, IT WOULD BE DIFFICULT ON THAT SIZE OF LOT WITH THAT KIND OF A SETBACK.

TWO FEET OFF THE GARAGE IS STILL WORKABLE. NOT A WORKING GARAGE, KIND OF LIKE A SHOP STORAGE AREA. AN ADDITIONAL PHILOSOPHY ON THAT -- AN ADDITIONAL FIVE ON THAT YOU MIGHT AS WELL TAKE THE WHOLE THING

DOWN. WE WANT TO AT LEAST MAINTAIN THE INTEGRITY OF THE STRUCTURES THERE ON BOULDIN.

HE IS SAYING HE IS OKAY WITH THE WAY THAT IT IS NOW. I DIDN'T REALIZE ABOUT THIS TAKING TWO FOOT OFF THE GARAGE. BUT IF YOU HAVE -- IF YOU HAVE IT REBUILT AGAIN. THAT'S WHAT I AM ASKING ABOUT. IF YOU HAVE CONCERNED, IF YOU HAVE THAT ADDITIONAL SETBACK REQUIREMENT THAT YOU WOULD HAVE DIFFICULTY GETTING THAT USABLE STRUCTURE ON THE LOT? IS THAT WHY YOU DON'T WANT TO AGREE TO THAT SETBACK.

NO. IF THEIR INTENTIONS NOWHERE WERE TO -- WERE TO KNOCK DOWN AND REBUILD, WHICH THEY ARE NOT, WE COULD LIVE WITH THE CURRENT SETBACKS ON THERE. IT'S WHAT WE ARE DOING FOR S.F. 4 A, WHAT THEIR INTENTIONS WERE TO BRING IT INTO COMPLIANCE WITH S.F. 4 A SETBACKS AND CONDITIONS WOULD BRING ALL OF IT INTO COMPLIANCE.

**Slusher:** SO YOU ARE NOT -- OKAY. WE JUST -- JUST HARD TO DIVIDE THE TWO OFF --

RIGHT. WE ARE JUST TAKING TWO FEET OFF JUST TO MAKE IT WORK.

**Slusher:** OKAY. I GOT YA.

**Goodman:** THERE WAS A MOTION AND A SECOND ON THE FLOOR. OUR CITY ATTORNEY WAS GOING TO CHECK INTO RESTRICTIVE COVENANT MECHANISMS.

GREG AND I TALKED ABOUT THE DIFFICULT TEES ASSOCIATE -- DIFFICULTIES ASSOCIATED WITH THIS PARTICULAR CASE IN THE SENSE THAT MY UNDERSTANDING IS THAT THE NEIGHBORHOOD IS JUST FINE WITH THE EXISTING STRUCTURES. BUT IN THE -- IN THE EVENT THAT THE STRUCTURES COME DOWN, THEY WANT SOMETHING DIFFERENT. REPLACING THAT. AND THAT MAKES IT PARTICULARLY DIFFICULT IN DRAFTING A RESTRICTIVE COVENANT. BECAUSE YOU ARE DRAFTING A RESTRICTIVE COVENANT THAT YOU ARE TRYING TO COVER TWO SETS OF CONDITIONS AND WHAT GREG AND I DISCUSSED WAS IT MAY

VERY WELL BE THAT THERE'S A COMBINATION OF C.O.'S AND RESTRICTIVE COVENANTS THAT WE MIGHT BE ABLE TO DO. WE REALLY NEED TO LOOK AT IT. THE OTHER CONSIDERATION IS THIS MAY VERY WELL NEED TO BE, IF WE CAN COME UP WITH A SOLUTION, IT MAY VERY WELL NEED TO BE A PRIVATE RESTRICTIVE COVENANT AND NOT A CITY RESTRICTIVE COVENANT. HOWEVER, WE ARE COMMITTED TO TRYING TO THINK OUTSIDE OF THE BOX AND TO SEE IF WE CAN'T SOLVE, GET THESE FOLKS TOGETHER AND SOLVE THE PROBLEM BOTH FOR RIGHT NOW AND IN THE FUTURE AND WE ARE WILLING TO LOOK AT IT AND BEFORE THIRD READING SEE WHAT WE CAN COME UP WITH.

**Goodman:** OKAY. SO THE MOTION I'M NOT SURE THAT I CAN READ MY WRITING. IS TO -- IS TO DO S.F. 4 A, BUT WITH THE TWO TRACTS, THE ONE MAKING TWO TRACTS OUT OF THIS ONE LOT, THE ONE ON BOULDIN WITH 50% IMPERVIOUS COVER AND THE ONE ON THIRD WITH A 45% IMPERVIOUS COVER, AND ANY FURTHER NUANCES THROUGH RESTRICTIVE COVENANTS OR WHATEVER WOULD HAVE TO -- TO BE SOMETHING THAT WE DISCUSS ON THIRD READING. WAS THAT THE MOTION? I MEAN I ADDED IN THE RESTRICTIVE COVENANT THING, BUT YOUR MOTION WAS AS I SAID IT WITH THE TRACTS? 50 AND 45?

**Alvarez:** YES. AND TREATING THE TWO TRACTS DIFFERENTLY.

**Goodman:** RIGHT.

**Slusher:** MAYOR PRO TEM, ONE MORE REAL QUICK QUESTION. IN ORDER TO PASS THIS ON THIRD READING, I KNOW WE ARE JUST DOING SECOND READING TONIGHT, BUT WHEN IT COMES BACK TO PASS WHAT'S ON THE TABLE NOW AS IT CURRENTLY STANDS, IT WOULD TAKE SIX VOTES BECAUSE THE VALID PETITION IS STILL IN PLACE; IS THAT CORRECT?

Glasgo: RIGHT. BECAUSE THE WAY THE LETTER IS WORDED THEY NEED TO MODIFY THEIR LETTER TO EITHER CONFORM WITH WHAT YOU ARE RECOMMENDING TODAY --

**Slusher:** IF THEY SO DESIRE.

Glasgo: CORRECT. OTHERWISE IF THEY DON'T YOU ARE CORRECT. YOU WILL NEED SIX VOTES.

**Slusher:** THANK YOU, MS. GLASGO.

**Goodman:** ALL RIGHT. WHEN WE DO GET TO THIRD READING AND DISCUSS THAT, I WANT TO DO A LITTLE BIT OF REVISITING TO A TERM THAT WE USED TO USE FOR TRYING TO FIGURE OUT A FAIRNESS ISSUE AND THAT'S SIMILARLY TIMED AND SITUATED WHICH WE DON'T TALK ABOUT VERY MUCH ANYMORE, AND THERE ARE NUANCES HERE BUT RELATIVE TO THE GOALS OF THE NEIGHBORHOOD PLAN I THINK THAT IT'S RELEVANT HERE. DO WE STILL HAVE THAT IN THE CODE FROM PLACE TO PLACE? SIMILARLY TIMED AND SITUATED? RELATIVE TO CRITERIA FOR GRANTING SOMETHING?

WE -- NO, IT'S NOT IN THE CODE WE USE. IT'S A PLANNING PRINCIPLE WE USE FOR SIMILARLY SITUATED LOTS. I THINK THAT IT'S JUST BEEN USED IN THE LEGAL SYSTEM. WHICH CASES HAVE BEEN TAKEN UP ALL THE WAY TO THE SUPREME COURT, THEY SAY THAT YOU SHOULD TREAT PROPERTIES THAT ARE SIMILARLY SITUATED IN A SIMILAR MANNER, I THINK THAT'S WHAT YOU ARE SPEAKING TO.

**Goodman:** WE USED TO USE IT FOR VARIANCES WHICH DEFINITELY I THINK COMES UNDER THE CATEGORY OF NOT OFFICIALLY, THANKS. OKAY. FURTHER DISCUSSION? COUNCILMEMBER?

> MCCracken: I THINK COUNCILMEMBER SLUSHER RAISED AN IMPORTANT PROCEDURAL QUESTION WHICH IS DO WE EVEN HAVE ENOUGH PEOPLE ON THE DAIS RIGHT NOW TO PASS COUNCILMEMBER ALVAREZ'S MOTION? [MULTIPLE VOICES]

ALL THAT IS REQUIRED IS FOUR VOTES ON SECOND READING.

**Goodman:** THAT'S OKAY. ANY ORDINANCE, THIS IS ONE THAT TAKES THREE READINGS AND WHEN THERE'S A VALID

PETITION YOU NEED SIX VOTES, SO OF THE SEVEN AT LEAST TO PASS ON IT A FINAL AND THIRD READING. BUT ON FIRST AND SECOND IT'S A TYPICAL MAJORITY. IF THERE'S NO FURTHER -- COUNCILMEMBER ALVAREZ?

**Alvarez:** YES. I THINK WHAT THE NEIGHBORHOOD ASSOCIATION PRESIDENT WAS TRYING TO ARTICULATE IS -- IS I GUESS TRYING TO APPLY AS MANY OF THE SETBACK REQUIREMENTS AS POSSIBLE, THAT'S NOT IN THIS MOTION. I THINK WHEN IT COMES BACK, WHEN WE KNOW WHAT THE LOTS LOOK LIKE, WE MIGHT -- WE WILL BE ABLE TO TELL WHICH OF THE S.F. 3 SET BACKS CAN APPLY AND NOT APPLY AND STILL ALLOW THEM TO DO WHAT THEY INTEND. WHEN IT COMES BACK, IF YOU CAN ANALYZE THE LOTS FROM THAT CONTEXT, IN TERMS OF DO THEY STILL COMPLY WITH THE FRONT, SIDE OR WHATEVER SETBACKS WOULD OTHERWISE APPLY AND AGAIN IT JUST HELPS TO BETTER DEFINE THE ENVELOPE THAT WE ARE TALKING ABOUT AND REALLY TAYLORING IT TO THIS -- TAILORING IT TO THIS SITE BECAUSE ONE OF THE MAIN THINGS THAT WE WANT TO MAKE SURE THAT WE ARE NOT SENDING A MESSAGE OR PRECEDENT THAT IT'S OPEN SEASON ON S.F. 4 ZONING IN THIS NEIGHBORHOOD. I THINK IT'S VERY CLEAR THAT THE INTENT IS TO TRY TO CERTAINLY HELP THE OPENERS WORK THROUGH SOME -- OWNERS WORK THROUGH SOME ISSUES, BUT I THINK VERY DILIGENTLY WE ARE TRYING TO FIGURE OUT HOW DO WE SAY THE GOAL IS STILL THE S.F. 3 DEVELOPMENT RESTRICTIONS, TRYING TO MAKE SURE THAT WE APPLY AS MANY OF THOSE AS POSSIBLE. REALLY I THINK BETWEEN NOW AND THEN IF WE CAN EITHER FIGURE THIS OUT THROUGH RESTRICTIVE COVENANT OR THROUGH MAYBE SOME ADDITIONAL SETBACK REQUIREMENTS, THEN I THINK THAT WOULD HELP US GET US AS CLOSE AS POSSIBLE TO I THINK WHAT THE NEIGHBORHOOD WOULD LIKE TO ACHIEVE AND STILL ALLOW THE OPENERS TO PROCEED. OWNERS TO PROCEDURE. UNTIL WE REALLY KNOW WHAT THE DIMENSIONS OF THE LOTS ARE, IT'S KIND OF HARD TO REALLY TACKLE THE SETBACK ISSUE. CERTAINLY IF YOU COULD TRY TO DO THAT ANALYSIS FOR US, WHICH OF THE S.F. 3 SETBACKS COULD BE PLACED UPON THE PROPERTIES AND STILL ALLOW THEM TO MOVE FORWARD IN TERMS OF --

WE'LL DO THAT, WE COULD HAVE DONE THAT --

**Alvarez:** ACTUALLY WHAT'S ON THE LOT CURRENTLY RIGHT NOW --

Glasgo: CORRECT. WE DID NOT FIND OUT ABOUT THE RESTRICTIONS UNTIL ABOUT 10 MINUTES BEFORE WE CONVENED THE MEETING. SO -- SO HAD WE GOTTEN INFORMATION EARLIER IT WOULD HAVE BEEN EASIER TO AT LEAST THINK ABOUT IT AHEAD OF TIME. BUT WE WILL GET THAT INFORMATION FOR YOU FOR NEXT TIME.

**Alvarez:** THANK YOU.

**Goodman:** THE MOTION AS PREVIOUSLY STATED IS FOR SECOND READING ONLY. THERE WAS A MOTION BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER DUNKERLY. FURTHER DISCUSSION? ALL THOSE IF FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? WITH THE MAYOR TEMPORARILY ABSENT BUT RETURNING SOON. THE Z'S PLEASE.

Glasgo: TIME FOR THE Z'S. MAYOR AND COUNCILMEMBERS, THE Z ITEMS ARE AS FOLLOWS. Z-1 IS TO CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE TO AMEND THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AN ELEMENT OF THE AUSTIN TOMORROW COMPREHENSIVE PLAN TO ESTABLISH THE AREAS IN WHICH CERTAIN SPECIAL USES ARE PERMITTED. THIS IS RELATED TO Z-2 WHICH IS THE ZONING ORDINANCE WHICH IS GOING TO IMPLEMENT THE PLAN AMENDMENT. THE EAST -- THE CENTRAL EAST AUSTIN PLAN WAS APPROVED AT A TIME WHEN WE DID NOT HAVE THE ORDINANCE CAPABILITY TO ALLOW SUBDISTRICTING BY CARVING OUT AREAS WITHIN THE NEIGHBORHOOD PLAN AREA TO DESIGNATE WHERE CERTAIN USES CAN OR CANNOT OCCUR. REGARDING THE INFILL OPTIONS. THEY HAD TO BE APPLIED THROUGHOUT THE ENTIRE AREA OR NOT APPLIED AT ALL. SINCE THE PLAN WAS ADOPTED, THE -- THAT TOOL NOW EXISTS. THE ORDINANCE ALLOWS NEIGHBORHOOD PLANNING AREAS TO BE -- TO BE

SUBDIVIDED INTO AREAS WHERE YOU CAN ALLOW CERTAIN INFILL OPTIONS. THE PLANNING TEAM INDICATED A SPECIFIC AREA WHERE THEY WANTED TO ALLOW SECONDARY APARTMENTS AND URBAN HOME INFILL SPECIAL, THAT'S WHAT WE ARE DOING TODAY BY AMENDING THE -- THE FUTURE LAND USE MAP AND IMPLEMENTING IT BY ORDINANCE, IT WOULD ALLOW FOR DEVELOPMENT TO OCCUR UNDER THOSE SPECIAL TWO USES, SECONDARY APARTMENTS AND URBAN HOMES IN THIS AREA. THE -- THE PLANNING COMMISSION RECOMMENDS THIS TO -- THESE TWO ITEMS TO YOU, THEY WILL BE READY FOR APPROVAL ON SECOND -- ON ALL THREE READINGS ON Z-1 AND I WILL READ Z-7 WHEN I GET TO IT IN ITS ORDER. ITEM NO. Z-2 IS A REQUEST TO AMEND THE MONTOPOLIS NEIGHBORHOOD PLAN. STAFF IS REQUESTING A POSTPONEMENT TO FEBRUARY THE 26th BECAUSE THE COMMISSION HAS NOT HEARD THE CASE. ITEM NO. Z-3, C14-03-170, THIS CASE IS LOCATED AT 7008 RANCH ROAD 620 NORTH, THE EXISTING ZONING IS INTERIM SINGLE FAMILY 2. THE APPLICANT IS SEEKING A CHANGE TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT G.R.-C.O., THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-4, C14-03-164, LOCATED AT 4810 SPICEWOOD SPRINGS ROAD. THE PROPERTY IS CURRENTLY ZONED SINGLE FAMILY 3. THE APPLICANT IS SEEKING CHANGE TO LIMITED OFFICE TO WHICH THE PLANNING COMMISSION RECOMMENDS OR ZONING AND PLATTING COMMISSION RECOMMENDS AND THAT CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-5, C14-03-163 LOCATED AT 713 WEST 26th STREET. THE NEIGHBORHOOD ASSOCIATION IS REQUESTING ITS FIRST POSTPONEMENT TO FEBRUARY THE 10th. ITEM NO. Z-6, C14-03-162, LOCATED AT 11,800 NORTH LAMAR BOULEVARD, THE CHANGE IN ZONING IS FROM LIMENTD OBVIOUS TO GR-C.O. WHICH STANDS FOR COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT G.R.-C.O., THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-7 RELATED TO ITEM NO. Z-1, C14-03-175 FOR THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AREA SUBDISTRICT REZONING. AGAIN AS I EXPLAINED EARLIER IN IS TO -- THIS IS TO IMPLEMENT Z-1 TO CREATE A SUBDISTRICT TO ALLOW



THE TWO INFILL OPTIONS THAT I READ EARLIER. THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-8, C14-03-144, WE HAVE A REQUEST TO POSTPONE THIS CASE TO FEBRUARY THE 12th, THIS IS THE APPLICANT'S FIRST REQUEST. ITEM NO. Z-9, C14-03-176 PLEASANT VALLEY COURT YARDS. THE NEIGHBORHOOD ASSOCIATION IS REQUESTING A POSTPONEMENT TO FEBRUARY THE 5th. THIS IS THE NEIGHBORHOOD'S FIRST REQUEST. ITEM NO. Z-10, C14-03-154. SH, STEINER TRACT WE ARE REQUESTING A POSTPONEMENT TO FEBRUARY 26th, IT'S RELATED TO ITEM Z-2 THE COMMISSION HAS NOT HEARD THOSE TWO CASES. THAT DOES NOT CONCLUDE THE CASES, Z-11 IS GOING TO BE A DISCUSSION ITEM. Z-12 C14-03-49 HOUSE OF TUTOR, WE HAVE A REQUEST FROM THE APPLICANT TO POSTPONE THE CASE TO MARCH THE 11th. THIS IS THE APPLICANT'S FIRST REQUEST. WE ARE GOING TO DISCUSS Z-13. THEREFORE THAT CONCLUDES THE CONSENT ITEMS. MAYOR, MAYOR PRO TEM.

LET ME CLARIFY ONE THING THAT YOU SAID. I THOUGHT ON Z-5 YOU SAID POSTPONE TO FEBRUARY 10th. BUT THAT'S 12th. RIGHT?

Glasgo: SHOULD BE THE 12th, YES.

**Goodman:** ZONING IS Z-1 READY FOR ALL THREE READINGS, Z-2 POSTPONED TO FEBRUARY THE 12th.

Glasgo: 26th.

**Goodman:** 26th. OKAY. OKAY. Z-1 ALL THREE, Z-2 POSTPONED TO FEBRUARY 26th. Z-3 IS READY FOR ALL THREE READINGS. Z-4 IS READY FOR ALL THREE READINGS. Z-5 AT THE NEIGHBORHOOD ASSOCIATION'S REQUEST IS POSTPONED TO FEBRUARY THE 12th. Z-6 IS RED READY FOR ALL THREE READINGS. Z-7 READY FOR ALL THREE READINGS. Z-8 AT THE APPLICANT'S REQUEST IS POSTPONED TO FEBRUARY THE 12th. Z-9 AT THE NEIGHBORHOOD ASSOCIATION'S REQUEST IS POSTPONED TO FEBRUARY THE 5th. Z-10 AT STAFF'S REQUEST IS POST POPEED TO FEBRUARY THE 26th. AND IS RELATED TO 22. Z-11, IS A DISCUSSION ITEM. IT'S NOT PART OF -- PART OF THE CONSENT MOTION. Z-12 AT THE APPLICANT'S REQUEST IS POSTPONED TO MARCH 11th. AND

THAT'S IT. Z-13 ALSO DISCUSSION. IS THERE A MOTION?

MOVE APPROVAL.

THERE'S A MOTION AND I'LL SECOND. DISCUSSION,  
QUESTIONS? ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? ABSTAINED? MAYOR WILL BE BACK SOON. OKAY.  
SO JUST AS A FOREWARNING, I DON'T KNOW HOW LONG IT  
WILL TAKE FOR ANY OF -- EITHER OF THE DISCUSSION  
ITEMS, BUT AT 5:30, WE WILL BREAK FOR PROCLAMATIONS  
AND MUSIC. SO IF WE START THIS -- IF FOLKS COULD WAIT  
AND TALK ONCE THEY GET THROUGH THE DOORS. THANK  
YOU. JUST AS A FOREWARNING FOR EVERYBODY ON Z-11, IF  
WE ARE NOT FINISHED UP BY 5:30, WE WILL BRING BRA FOR  
THOSE THINGS. -- WE WILL BREAK FOR THOSE THINGS. I  
GUESS WE NEED A FLASHING NEON LIGHT THAT SAYS  
"SHHH". MS. GLASGO?

Glasgo: Z-11 IS A CASE THAT YOU ASKED US NEAR THE  
CHRISTMAS HOLIDAYS TO VISIT WITH THE NEIGHBORHOOD  
ASSOCIATION AND THE APPLICANT TO FIND OUT IF THERE  
WAS A POSSIBILITY OF REACHING AN AGREEMENT. WE HAVE  
DONE THAT. THERE WAS NOT AN AGREEMENT AND MR.  
GURNSEY, WHO FACILITATED THAT MEETING IS GOING TO  
GIVE YOU A REPORT ON HOW THAT WENT.

Gurnsey: MAYOR AND COUNCIL, GREG GURNSEY WITH THE  
NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT.  
EARLIER THIS MONTH, CITY STAFF MET WITH  
REPRESENTATIVES OF THE NEIGHBORHOOD AND THE  
APPLICANT AND DISCUSSED POSSIBLE COMPROMISES THAT  
COULD OCCUR RELATING TO THIS PARTICULAR CASE.  
NEITHER SIDE REALLY HAD ANYTHING TO OFFER. IN THE  
WAY OF A COMPROMISE AT THIS TIME. ALTHOUGH THE  
MEETING WAS -- VERY PRETTY CORDIAL AND AFTER ABOUT  
TWO HOURS WE -- WE ACTUALLY I GUESS REACHED OUR  
IMPASSE AND THERE WERE SOME OTHER DISCUSSIONS  
ABOUT IMPROVEMENTS IN THE NEIGHBORHOOD, WATER  
AND WASTEWATER IMPROVEMENTS, STREET  
IMPROVEMENTS AND VARIOUS THINGS, BUT THERE WAS NO

AGREEMENT THAT WAS REACHED. SO AS IT STAND RIGHT NOW, THIS IS BEING PRESENTED TO YOU IS NOT RECOMMENDED BY THE COMMISSION. THE APPLICANT HAS AMENDED THEIR REQUEST TO G.R. THE NEIGHBORHOOD IS STILL OPPOSED. THE PUBLIC HEARING HAS BEEN CLOSED ON THIS ITEM. SO AT THIS TIME I THINK THERE MAY BE A REPRESENTATIVE FROM THE NEIGHBORHOOD HERE, SUPPOSEDLY A REPRESENTATIVE FROM THE APPLICANT -- THAT MAY BE HERE AND IF YOU HAVE ANY QUESTIONS I WILL BE MORE THAN HAPPY TO TRY TO ANSWER THEM FOR YOU AT THIS TIME.

**Goodman:** OKAY. ARE THERE -- DO WE EVEN HAVE A QUORUM? OKAY. I SEE ONE, TWO -- OKAY. ARE THERE ANY QUESTIONS OR COMMENTS OR MOTIONS? TRYING TO FILL UP SOME SPACE, GREG.

Gurnsey: COUNCILMEMBER MCCRACKEN WILL BE BACK IN A MOMENT.

**Goodman:** DO YOU KNOW IF HE HAD QUESTIONS ON THIS?

Gurnsey: NO, I DO NOT.

**Goodman:** WELL, DO WE WANT TO HEAR FROM ANYBODY INVOLVED, A COUPLE OF SPOKESPERSONS OR TWO TO REFRESH OUR MEMORIES OR ARE YOU ALL COMFORTABLE? GURP GURN I BELIEVE THERE'S --

Gurnsey: I BELIEVE THERE'S AN INDIVIDUAL HERE ON BEHALF OF THE APPLICANT. AT LEAST TWO INDIVIDUALS HERE ON BEHALF OF THE NEIGHBORHOOD IF YOU WOULD LIKE TO HEAR FROM THEM.

**Goodman:** ANYBODY WENT TO ASK QUESTIONS OF ANYBODY? ANYBODY WANT TO ASK QUESTIONS OF ANYBODY?

**Goodman:** WELL, MAYBE SOMEBODY FROM STAFF NEEDS TO -- SINCE THE APPLICANT HAS NOTIFIED THEIR REQUEST, WOULD YOU STILL HAVE RECOMMENDED AGAINST IT, G.R. INSTEAD OF C.S.?

Gurnsey: STAFF WOULD STILL HAVE AN OBJECTION, YES.

**Goodman:** I GUESS WE COULD PUT A TIME LIMIT ON, IF NOTHING HAPPENS IT'S AUTOMATICALLY NOT ACTED UPON AND -- ERGO DENIED.

IT WOULD GIVE SOME FINALITY IF COUNCIL COULD MAKE A MOTION.

**Goodman:** CLOSURE.

Gurnsey:: YES.

**Slusher:** LET ME ASK THE NEIGHBORHOOD FOLKS SOME QUESTIONS. IF ONE OR BOTH OF YOU WANT TO COME UP.

**Slusher:** THIS IS WHERE THE GENTLEMAN BOTH LIVES THERE AND HE'S I THINK REDOING, WORKING ON CARS AND THEN SELLING THEM; IS THAT CORRECT?

YEAH, THAT'S BASICALLY CORRECT.

**Slusher:** OKAY. THEN SO -- SO HE WOULD HAVE TO SHUT DOWN THAT OPERATION IF THIS DOESN'T PASS. SO TELL US WHY YOU DON'T WANT THAT TO HAPPEN? WHY YOU -- WHY YOU WOULD PREFER HIM TO SHUT DOWN RATHER THAN TO BE ABLE TO CONTINUE TO OPERATE WHAT HE'S DOING.

**Goodman:** LET ME JUMP IN BEFORE YOU DO, SAY COULD YOU GIVE US YOUR NAME FOR THE RECORD.

I'M LISA GARNER, THE VICE-PRESIDENT OF THE NEIGHBORHOOD. MOSTLY WE ARE TRYING TO KEEP THE RESIDENTIAL NEIGHBORHOOD RESIDENTIAL. IT'S ZONED RESIDENTIAL. IT'S A NON-COMPLIANT BUSINESS AT THIS TIME. WE'VE BEEN TRYING TO, YOU KNOW, TAKE CARE OF -- THERE WERE A LOT OF BUSINESSES THAT WAY IN OUR AREA THAT HAVE BEEN TURNED OVER TO ZONING CODE COMPLIANCE AND IT'S AT THE FRONT OF THE END PRETTY MUCH. IT'S -- IT'S NOT ONE OR TWO OR THREE CARS. YOU ARE TALKING ANYWHERE FROM PROBABLY TWO DOZEN OR MORE CARS. AND WE ALSO HAVE VERY NARROW STREETS AND THEY ARE PARKED ALONG THE STREET, INSIDE HIS

FENCE, OUTSIDE THE FENCE, IT'S JUST -- IT'S A BAD EYESORE TO BEGIN WITH. WITH THE COMMERCIAL GOING IN THERE, WE FEEL LIKE OUR PROPERTY VALUES ARE GOING TO DROP. JUST AN OVERALL I GUESS VIEW -- WE JUST WANT TO STAY ZONED AS A RESIDENTIAL AREA. WE HAVE BEEN WORKING ON CLEANING UP OUR NEIGHBORHOOD. IT'S A CONSTANT BATTLE BUT WE WANT TO STAY THAT WAY.

**Slusher:** OKAY. ARE YOU SURE THE -- THE CAR -- I KNOW THERE'S ANOTHER BUSINESS. I DROVE THROUGH THE NEIGHBORHOOD WENT THROUGH SEVERAL TIMES.

UH-HUH.

**Slusher:** LOOKED AT IT. THERE'S ANOTHER RADIOACTIVE REPAIR ON LAMAR.

ON THE CORNER.

**Slusher:** RIGHT, YOU COME IN OFF LAMAR THERE'S THAT SORT OF SHORT BLOCK, I'M TALKING ABOUT THAT BUSINESS THERE, IT DOES, IT CROSSES OVER INTO THE RESIDENTIAL AREA AND THEN HE'S SITTING THERE, [MULTIPLE VOICES] CORNER, RIGHT. ARE YOU SURE THOSE ARE ALL COMING FROM HIM, NONE OF THEM --

NO, SOME OF THOSE PROBABLY ARE COMING FROM THERE BECAUSE OF THE FACT THAT -- FROM WHAT I UNDERSTAND THEY WERE GRANDFATHERED IN ON THEIR PARKING BECAUSE THEY HAVE NO PARKING. THERE'S NONE, THEIR PARKING LOT DOES THIS. THEY ARE PARKED ON THE STREET WHICH IS GRADEY ON BOTH SIDES, AROUND THE CORNER. BUT AT NIGHT YOU GO BY HIS PROPERTY, TWO GREAT BIG GATES TWO OR THREE VEHICLES IN FRONT OF THOSE GATES, PEOPLE OUT THERE WORKING ON THEM AT ALL HOURS OF THE NIGHT. INSIDE NUMEROUS VEHICLES IN ANY KIND OF STAGE.

**Slusher:** YOU ARE TALKING NOT THE PROPERTY NEAR LAMAR BUT THE ONE -- THE SUBJECT PROPERTY.

YES. THE SUBJECT PROPERTY. THE ONE RIGHT THERE OFF LAMAR IS ALSO A PROBLEM BUT FROM WHAT WE

UNDERSTAND THERE'S REALLY NOTHING THAT CAN BE DONE BECAUSE OF THE FACT THAT IT'S BEEN THERE SO LONG.

**Slusher:** YOU SAID THEY WORK ON THEM AT NIGHT IS THAT NOISY.

SOMEWHAT. I'M NOT RIGHT NEXT DOOR TO HIM, BUT AS FAR AS PROBABLY THE POLLUTION AND THE NOISE AND THE -- YOU KNOW THE TRAFFIC ON THAT LITTLE BITTY STREET YOU CAN BARELY GET TWO CARS DOWN THERE TO BEGIN WITH. THE RIGHT-OF-WAY IS COMPLETELY BLOCKED AT ALL TIMES. YOU KNOW, UP AND DOWN THERE. THERE'S BUSINESSES ACROSS THE STREET FROM HIM, ALSO, THAT HAVE CARS ON THE RIGHT-OF-WAY ALSO. SO YOU ARE LOOKING AT JUST MAYBE 10 OR 12 CARS, I'M NOT TALKING TWO OR THREE OUTSIDE THE FENCE. THERE WILL BE ANYWHERE FROM 8 TO 12 DOWN JUST PARKED. AND THAT'S JUST ON HIS SIDE. ON THE OTHER SIDE THERE'S ALSO VEHICLES. SO -- IT COULD BE ANY HOUR OF THE DAY OR NIGHT THAT THIS IS GOING ON. IT'S NOT LIKE AN 8:00 TO 5:00 BUSINESS AND IT SHUTS DOWN, EVERYTHING CLEANS IT. IT DOESN'T HAPPEN. IT'S BEEN GOING ON FOR A COUPLE OF YEARS. WHEN WE ACTUALLY TURNED THIS INTO ZONING CODE COMPLIANCE IT WAS I THINK IN 2002. IF I'M NOT CORRECT. NOVEMBER. IT'S TAKEN QUITE A BIT OF TIME TO ACTUALLY I GUESS GET ALL OF THEIR INFORMATION TOGETHER AND THEN CITE HIM WITH NOT BEING A -- BEING IN NON-COMPLIANCE.

**Slusher:** OKAY, THANK YOU, THANK YOU FOR BEING FORTHRIGHT. MR. GURNSEY, LET ME ASK YOU A QUESTION. HAVE THERE BEEN ANY OTHER CODE VIOLATIONS ON THIS PROPERTY?

ON THIS PARTICULAR PROPERTY I THINK THERE HAVE BEEN SOME IN THE PAST. I THINK THEY HAVE BEEN REMEDIED. PREVIOUSLY THERE WAS AN ISSUE ABOUT PEOPLE LIVING IN SOME R.V.'S ON THE PROPERTY. AS FAR AS I KNOW THAT'S BEEN RESOLVED. THEY -- MOST OF THE CODE VIOLATIONS OTHER THAN THE AUTO REPAIR, THERE ARE SEVERAL THAT EXIST ON THE PROPERTY TO THE WEST AND ALSO ON THE NORTH THAT THE CITY IS WORKING WITH THOSE PROPERTIES TO BRING THEM INTO COMPLIANCE.

**Slusher:** THERE'S A LOT WHERE THEY BRING TOWED CARS, IS THAT RIGHT, BEHIND THEM?

Gurnsey: YES DIRECTLY TO THE NORTH OF THIS TRACT, THE PROPERTY BEHIND THIS THERE'S A TOWING LOT THAT HAS BEEN CITED BY THE CITY FOR ILLEGAL USE OF THAT PROPERTY AND ACTUALLY --

**Slusher:** ILLEGAL USE OF IT FOR A TOW LOT.

Gurnsey:: FOR A TOW LOT. BASICALLY BRINGING IN DISABLED CARS, CARS THAT HAVE BEEN TOWED FROM ILLEGALLY PARKING I GUESS TO THAT PROPERTY. THAT OWNER HAS BEEN CITED AND IS RIGHT NOW WORKING WITH THE ENFORCEMENT FOLKS TO TRY TO BRING THAT INTO COMPLIANCE, POSSIBLY TO REMOVE THE CARS AND SEEK A ZONING CHANGE THEMSELVES. IT'S MY UNDERSTANDING FROM THE CODE ENFORCEMENT OFFICER THAT THE PROPERTIES ACROSS THE STREET ALSO HAVE DONE SOME USE CHANGES WITHOUT THE PROPER PERMITS EVEN THOUGH THEY ARE ZONED COMMERCIAL. THE CITY IS WORKING WITH THE PROPERTY OWNERS TO BRING THOSE PROPERTIES INTO COMPLIANCE AS WELL. THAT'S ACROSS THE STREET.

CAN YOU DETERMINE FROM THE -- FROM YOUR FAMILIARITY WITH THIS CASE THAT THE CARS THAT ARE ALONG THE STREET THERE ARE -- ARE SUBSTANTIAL AMOUNT OF THOSE FROM THE SUBJECT PROPERTY?

Gurnsey: IT'S MY UNDERSTANDING, TALKING TO MR. GILLELAND AND THE CODE ENFORCEMENT OFFICER, I DON'T THINK THOSE ARE ALL MR. GILLELAND'S CARS. I THINK A LOT HAS TO DO WITH THE WEST SIDE OF THE STREET AND THEIR EMPLOYEES AND SOME OF THE CARS THAT ARE BEING REPAIRED MAY ACTUALLY END UP ALONG THERE AND GOING DOWNGRADEDY DRIVE. -- DOWN GRADEY DRIVE. I THINK THOSE ARE ACTUALLY THE ADJACENT BUSINESSES.

**Slusher:** THAT'S CONSISTENT WITH WHAT YOU ALL SAID, TOO. I WOULD -- THE NEIGHBORHOOD REPS GOT TO SPEAK, IF THE APPLICANT REPRESENTATIVE WANTS TO SAY A FEW

THINGS, THAT'S FINE WITH ME.

I THINK MR. GILLELAND DAUGHTER'S HERE TO SPEAK ON HIS BEHALF.

I'M MR. GILLELAND'S DAUGHTER. I JUST WANTED TO SAY THAT ABOUT THE NOISE PART, YOU KNOW AT NIGHTTIME, THE NEXT DOOR NEIGHBORS SIGNED A RELEASE SAYING THAT IT'S NOT NOISY, ALL OF THIS STUFF. SO I DON'T KNOW WHETHER -- SHE'S DOWN THE ROAD, CAN SHE HEAR IT --

**Slusher:** SHE SAID SHE WASN'T SURE. SHE SAID SHE COULDN'T HEAR IT FROM HER HOUSE.

I WAS TRYING TO SAY --

**Slusher:** I UNDERSTAND.

THE NEXT DOOR NEIGHBORS DON'T HEAR NOTHING.

**Slusher:** I UNDERSTAND YOUR POINT. AS FAR AS THE CARS PARKED, ACROSS THE STREET THERE IS A CAR PLACE THAT THEY PARK ALL OVER THERE. ON OUR SIDE, THEIR SIDE, ALL OVER. EVEN ON GRADY, SO, YOU KNOW, THAT -- NOT ALL OF THOSE CARS ARE MY DAD'S.

**Slusher:** UH-HUH.

AT ALL. SO THAT'S ALL THAT I HAD TO SAY.

**Slusher:** THANK YOU, MA'AM.

**Slusher:** THANK YOU. THAT'S ALL THAT I HAVE MAYOR PRO TEM.

**Mayor Wynn:** THANK YOU MAYOR PRO TEM.

**Goodman:** MAYOR? CAN I ASK ONE THING?

**Mayor Wynn:** PLEASE.

**Goodman:** HAS THERE BEEN ANY REAL IN DEPTH DISCUSSION ABOUT POSSIBLE BUFFERING OR SCREENING



THAT WOULD MAKE A REAL DIFFERENCE FOR FOLKS? THIS REMINDS ME A LITTLE BIT OF YEARS AGO FAR, FAR NORTH THERE WAS AN EXISTING SORT OF JUNKYARD. IT WAS MUCH, MUCH MORE INTENSE AND LARGER CASE THAN THIS ONE. BUT THERE WERE DEFINITE ISSUES FOR THE NEIGHBORHOOD SURROUNDING AND WHAT THEY FINALLY CAME UP WITH WAS SORT OF A LEGAL NON-CONFORMING ACCEPTANCE, BUT THEY HAD SOME REALLY EFFECTIVE AND COMMITTED MOVES TOWARDS SCREENING. DO YOU REMEMBER, GREG? IT WAS MARY HOUSEMAN. I'M NOT SURE HOW THEY WORKED THAT, BUT DID THAT EVER COME UP IN THIS SITUATION, WAYS TO BE ABLE TO BLOCK IT OFF, ATTRACT ACTIVELY? -- ATTRACTIVELY?

Gurnsey: I THINK THE PROBLEM IS THAT YOU HAVE ALL OF THE COMMERCIAL BUSINESSES ON THE WEST SIDE OF MOTORALL, IT'S VERY DIFFERENTLY TO -- DIFFICULT TO SCREEN BECAUSE OF THAT RIGHT-OF-WAY. THE NEIGHBORHOOD MUST DRIVE PAST ALL OF THE COMMERCIAL USES THAT EXIST, ALL AUTO RELATED AS YOU COME INTO THE NEIGHBORHOOD. AND THIS PROPERTY ISN'T BIG ENOUGH TO PROVIDE A BUFFER, EVEN THOUGH THEY HAVE A BOARD FENCE THAT ALMOST ENCIRCLES THE ENTIRE PROPERTY, YOU CAN STILL SEE, YOU KNOW, ABOVE THE FENCE AND SEE THE TOPS OF SOME OF THE R.V.'S AND WHEN THE GATES ARE OPEN YOU STILL SEE THE VEHICLES BEING WORKED ON. THAT WAS BRIEFLY DISCUSSED AT THE BEGINNING OF OUR MEETING WITH THE NEIGHBORHOOD ABOUT THE POSSIBILITY OF OFFERING SOME SCREENING, LIMITING HOURS OF OPERATION. I THINK FROM -- FROM -- AND THE NEIGHBORHOOD AND APPLICANT'S REPRESENTATIVE CAN CERTAINLY CORRECT ME, BUT I THINK FROM A NEIGHBORHOOD STANDPOINT THEY ARE GOING ON A LOT BY LOT BASIS TRYING TO BRING PROPERTIES INTO COMPLIANCE AND CITING THE PROPERTIES WITH THE CITY AND ASKING THE CITY TO ENFORCE ITS REGULATIONS. FROM THE OWNER'S ASPECT, THEY HAVE KIND OF OWNED THE ROT FOR MANY, MANY YEARS OVER THREE DECADES. ALTHOUGH THERE WILL BE SOME CHANGES IN USES THROUGH TIME, THAT'S WHY THEY THINK THEY ARE GRANDFATHERED, EVEN THOUGH FROM OUR RULES, OUR STANDPOINT. ONCE THESE CHANGES

THEY HAVE LOST SOME NON-CONFORMITY, OPEN SITE USES, THEY LOSE THEIR GRANDFATHER STATUS AFTER 10 YEARS. SO WITH THE DEVELOPMENT PRESSURE, I THINK HAVING THESE LOTS IN THE AREA THAT'S CENTRALLY LOCATED, THERE ARE SOME NEW HOMES THAT ARE BEING PLACED ON LOTS, MANUFACTURED HOMES, AS YOU DRIVE THROUGH THE NEIGHBORHOOD YOU WILL SEE HOUSES THAT ARE STARTING TO BE PAINTED AND FIXED UP. YOU WILL SEE STILL PROPERTIES THAT ARE MORE IN DISREPAIR. I THINK THERE'S JUST SOME NEW PEOPLE THAT HAVE MOVED INTO THE NEIGHBORHOOD OVER THE LAST FOUR OR FIVE YEARS THAT ARE TRYING TO MAKE A CHANGE AND ARE LOOKING ON PROPERTY TO PROPERTY TO CLEAN UP THAT AREA.

**Goodman:** SO THE FENCE IS SIX FOOT?

Gurnsey: THERE'S A SIX-FOOT WOOD PRIVACY FENCE THAT SURROUNDS THE PROPERTY NOW.

HOW WOULD 8-FOOT DO? I'M NOT SURE --

SIX FOOT WOULD BE BY CODE. 8-FOOT WE WOULD END UP GOING BEFORE THE BOARD OF ADJUSTMENT TO GET A VARIANCE. SO ...

**Goodman:** JUST AS AN ASIDE, I HAVE HEARD TWO DIFFERENT ANSWERS FOR THAT IN THE LAST YEAR ABOUT THE 8-FOOT THING. ANYWAY, THANKS, MAYOR.

**Goodman:** THANK YOU. FURTHER QUESTIONS OF STAFF? WE HAVE NO CITIZENS SIGNED UP WISHING TO SPEAK OR FURTHER CITIZENS THAT IS. SO FURTHER COMMENTS, QUESTIONS, COUNCIL? IF NOT, I'LL ENTERTAIN A MOTION. OR NOT.

**Goodman:** LET ME ASK CITY LEGAL --

**Mayor Wynn:** GER TO GO TO BREAK IN FIVE MINUTES FOR A HALF AN HOUR.

**Goodman:** WHAT WOULD BE THE CONSEQUENCE WHAT WOULD BE THE RESULT OF NO ACTION.

THE MATTER IS LEFT PENDING AND THERE IS A TIME FRAME, I WILL HAVE TO DEFER TO GREG AND ALICE ABOUT THAT TIME FRAME AND WHAT THE CONSEQUENCES ARE IF THERE IS NO MOTION.

Gurnsey: IF THE COUNCIL DOES NOT TAKE AN ACTION, THE APPLICATION WILL DIE AFTER A CERTAIN AMOUNT OF TIME. I BELIEVE THAT IT'S PROBABLY ONE YEAR FROM -- FROM THIS DATE. THE DATE OF THE CLOSING OF THE PUBLIC HEARING. I WOULD HAVE TO GO BACK AND CHECK THE ACTUAL CODE LANGUAGE, BUT -- THAT WOULD BE THE RESULT. THEY COULD COME BACK AND FILE ANOTHER APPLICATION TOMORROW FOR A LESSER ZONING CASE BUT IT WOULD HAVE TO WAIT AT LEAST 12 MONTHS BEFORE FILING THE SAME OR SUBSTANTIALLY -- OR 18 MONTHS FOR THE SAME OR SUBSTANTIALLY THE SAME ZONING IF THEY WANTED TO ASK FOR G.R.-C.S. IN THE FUTURE, THEY WOULD HAVE TO WAIT 18 MONTHS BECAUSE THE COMMISSION RECOMMENDED DENIAL. AND HAVE HELD A PUBLIC HEARING BEFORE THE COUNCIL.

**Goodman:** AS A FOLLOW-UP, L.R. IS NOT ADEQUATE TO THE CURRENT USE?

Gurnsey: NO, L.R. WOULD NOT PERMIT THE AUTO-RELATED USES THAT THEY HAVE.

**Goodman:** SEEMS LIKE THERE OUGHT TO BE AN ANSWER, BUT I DON'T HAVE IT.

**Mayor Wynn:** WE ARE ABOUT TO BREAK FOR OUR 5:30 LIVE MUSIC AND PROCLAMATIONS, WITHOUT OBJECTION WE COULD RECESS 3 MINUTES EARLY AND PREPARE FOR THAT AND THEN TAKE THIS UP IMMEDIATELY AFTER OUR PROCLAMATIONS.

**Goodman:** SO MOVED.

**Mayor Wynn:** WITHOUT OBJECTION, WE WILL NOW RECESS FOR OUR 5:30 TIME CERTAIN LIVE MUSIC AND PROCLAMATIONS, I ANTICIPATE US BEING BACK ON THE DAIS SHORTLY AFTER 6:00 P.M. THANK YOU.

[ (music) MUSIC PLAYING (music)(music) ]. CLEAR CLEAR  
((music) SINGING (music)) ((music) SINGING (music)) ((music)  
SINGING(music)(music) \$ (music)) [ APPLAUSE ]

**Mayor Wynn:** WELL, FOSCOE, TELL US WHERE WE CAN GET  
COPIES OF CD'S AND WHERE WE CAN HEAR YOU NEXT.

THE CD IS A SONG LIKE THIS AND IT'S AT FOSCOE JONES  
INTERNET. JONES.NET. AND WE'RE TOURING IN CALIFORNIA  
IN FEBRUARY. SO THERE'S NOT A LOT UNTIL MARCH, BUT  
YOU CAN PICK UP THE CD AT WATERLOO AS WELL. AND AS  
WELL AS ONLINE.

**Mayor Wynn:** GREAT. BEFORE YOU GET AWAY WE HAVE A  
SPECIAL PROCLAMATION. IT READS: BE IT KNOWN THAT  
WHEREAS THE LIVE MUSIC COMMUNITY MAKES MANY  
CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S  
SOCIAL, ECONOMIC AND CULTURAL DIVERSITY AND  
WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER  
AUSTIN'S STATUS AS THE LIVE MUSIC CAPITOL OF THE  
WORLD, NOW THEREFORE I, WILL WYNN, MAYOR OF THE  
CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM TODAY,  
JANUARY 29TH, 2004, AS FOSCOE JONES DAY IN AUSTIN AND  
CALL ON ALL FOLKS TO RECOGNIZE THIS GREAT DAY. [  
APPLAUSE ]

**Mayor Wynn:** YOU'VE GOT SIX HOURS LEFT TO ENJOY YOUR  
DAY RKSDAY, FOSCOE.

**Mayor Wynn:** NEXT WE'RE WELCOMING THE XERISCAPE  
ADVISORY BOARD WILL COME UP AND RECEIVE  
RECOGNITION. COME UP, FOLK. JUST STAND HERE BEHIND  
US. HOW ARE Y'ALL? WELCOME. HOW ARE YOU?

SINCE ALL THESE FOLKS ARE RECEIVING CERTIFICATES OF  
APPRECIATION FOR SERVING ON THE XERISCAPE ADVISORY  
BOARD. I'LL READ ONE PROCLAMATION, THEY'RE ALL THE  
SAME EXCEPT FOR THE NAMES OF COURSE. AND THEN I'LL  
READ THE LIST OF THE PEOPLE WHO ARE HERE. AND WE'LL  
MAKE SURE WE RECOGNIZE THE ONES THAT AREN'T HERE  
AS WELL. THE CERTIFICATE OF APPRECIATION READS: FOR  
THE SUPPORT OF THE CITY OF AUSTIN'S WATER  
CONSERVATION PROGRAMS THROUGH THE SERVICE ON THE

XERISCAPE ADVISORY BOARD, THE NAME OF THE PERSON, IN THIS CASE KATHY NORDSTROM, IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. THEY HAVE DEVOTED MANY HOURS TO THE PROMOTION OF ENVIRONMENTALLY FRIENDLY AND WATER CONSERVING TECHNIQUES. THE GARDEN ROAD SHOW, A PROGRAM DESIGNED SPECIFICALLY FOR AUSTIN NEIGHBORHOOD GROUPS HAS BEEN HELPFUL IN EDUCATING AUSTIN CITIZENS ABOUT WATER CONSERVATION. WE ARE PLEASED TO RECOGNIZE THE CONTRIBUTIONS TO THE XAB PRESENTED THIS 29TH DAY OF JANUARY, ON 2004, BY THE ENTIRE CITY COUNCIL OF AUSTIN, TEXAS, MAYOR WYNN, MAYOR PRO TEM GOODMAN, COUNCILMEMBERS SLUSHER, ALVAREZ, DUNKERLEY, MCCracken AND THOMAS. AND THESE ARE PRESENTED TO -- I THINK I HAVE A LIST OF FOLKS WHO ARE HERE. KATHY NORDSTROM, PRESIDENT, MARK GIBBS, VICE-PRESIDENT, JAMES TILLMAN, VICE-PRESIDENT, JAMES McGLAMRY, TREASURER, GLEN COOPER, TOM NEAL, YVONNE WILLIAMS, AND THEN ALSO BEING RECOGNIZED IS JANINE TINSLEY, SECRETARY, AND KELLY BENDER. DID I LEAVE ANYBODY OFF? AND PAT -- ACTUALLY, WE HAVE A SPECIAL CERTIFICATE FOR PAT AND DALE BIEWLER, BUT FOLKS, LET'S GIVE ALL OF THESE BOARD MEMBERS OF THE XERISCAPE ADVISORY BOARD A BIG HAND. [ APPLAUSE ] HANG ON. SO WE HAVE A SPECIAL ONE FOR THE BULERS. OKAY. THIS IS A CERTIFICATE OF APPRECIATION THE CITY OF AUSTIN AND THE XERISCAPE ADVISORY BOARD ARE PLEASED TO RECOGNIZE DALE AND PAT BULA FOR THEIR PARTICIPATION IN THE 2002 EARTH DAY HOME TOUR AND THE 2003 GARDEN ROAD SHOW. THEIR CONSCIENTIOUS EFFORTS TO MINIMIZE THE IMPACT TO THE ENVIRONMENT WHEN BUILDING THEIR HOME AND THEIR CONTINUED WORK TO CONSERVE WATER AND USE SUSTAINABLE LANDSCAPING TECHNIQUES HAVE MADE THEM A MODEL FOR AUSTIN CITIZENS. WE EXTEND OUR APPRECIATION FOR THEIR OUTSTANDING COMMITMENT TO PROTECTING AUSTIN'S ENVIRONMENT WITH THIS CERTIFICATE PRESENTED JANUARY 29TH, 2004 AGAIN BY THE ENTIRE AUSTIN CITY COUNCIL, CONGRATULATIONS AND THANK YOU TO DALE AND PAT BULA. THANK YOU VERY MUCH. [ APPLAUSE ]

WELL, FOR THOSE OF YOU THAT ARE TIRED OF HIGH WATER

BILLS, MY WATER BILL AVERAGES ABOUT FOUR DOLLARS A MONTH. WE USE LESS THAN 2,000 GALLONS A MONTH. AND THE AVERAGE AUSTINITE USES ABOUT 10,000 GALLONS A MONTH. SO BY USING NATIVE PLANTS AND LOW WATER OPTIONS, YOU CAN NOT ONLY SAVE MONEY, BUT YOU CAN BE KIND TO THE ENVIRONMENT, REDUCE YOUR PESTICIDES AND HERBICIDES AND MAKE A GREAT HABITAT FOR WILDLIFE. SO GROW GREEN IN AUSTIN CAN GIVE YOU TONS OF INFORMATION ABOUT THAT. THANK YOU. [ APPLAUSE ]

**Mayor Wynn:** I'D ALSO LIKE TO ASK KATHY, THE PRESIDENT OF THE BOARD, TO SAY A FEW WORDS.

WELL, I HAVE TO SAY THAT THIS IS A FANTASTIC GROUP THAT I'VE WORKED WITH FOR THE PAST YEAR. AND WE HAVE GREAT PLANS FOR THE FUTURE. WE WILL BE MOVING TO DIFFERENT NEIGHBORHOODS AROUND THE CITY BRINGING THE WORD ABOUT GREEN GARDENING TO ONE NEIGHBORHOOD AT A TIME. AND WE'RE VERY EXCITED ABOUT IT. SO FAR WE'VE HAD TWO SUCCESSES IN TRAVIS COUNTRY AND LAKEWOOD AND JESTER ESTATES, AND LOOK OUT AUSTIN, HERE WE COME. WE'RE GOING TO COME TO YOUR NEIGHBORHOOD. SO THANK YOU VERY MUCH FOR THIS HONOR. [ APPLAUSE ]

**Mayor Wynn:** OKAY. I'D LIKE TO STEAF AND KAY YOU TO COME UP AND JOIN ME. STEVE AND KAY YAO. AS WE ARE GOING TO GIVE HONORARY CITIZEN CERTIFICATES TO A CHINESE YOUTH FOLK SPORTS TROUPE, AND TRAPSES PERHAPS BEFORE I ACTUALLY HAND OUT THE HONORARY CITIZEN CERTIFICATES, I'LL ASK STEVE AND/OR KAY TO SAY A FEW WORDS ABOUT THE TROUPE, WHY THEY'RE IN TOWN, HOW FAR THEY'VE TRAVELED, HOW LONG THEY'RE HERE AND BRIEFLY EXPLAIN THE KIDS. THANK YOU.

MAYOR, HONORABLE MAYOR AND -- HONORABLE COUNCILMEMBERS, WE ARE VERY HAPPY TO BE HERE TODAY. AND THE REASON IS ABOUT A MONTH AGO THE CHINESE SOCIETY OF (INDISCERNIBLE) HAS INITIATED A PROJECT. WE INVITE THIS WHOLE GROUP TO COME HERE TO PERRM, INCLUDING LIKE JUMPING LOOP, LOOP JUMPING AND MANY OTHER CHINESE FOLK SPORTS. AND WE ARE GLAD TO MENTION THIS GROUP WERE NATIONAL CHAMPIONS IN

TAIWAN. THEY PERFORMED TODAY IN A JUNIOR HIGH SCHOOL, MURCHISON JUNIOR HIGH SCHOOL. AND SATURDAY THEY ARE GOING TO PERFORM FOR THE PUBLIC. AND FIRST WE WANT TO THANK MAYOR WILL WYNN FOR HIS VERY AGGRESSIVE INTERNATIONAL PROGRAM. ONE MONTH AGO HE SENT A LETTER TO THE MAYOR OF A CITY IN TAIWAN TO INDICATE THE WELCOME AND SUPPORT OF THE CITY OF AUSTIN. NOW THEY ARE HERE. SO THE CHINESE SOCIETY OF AUSTIN IS GOING TO HOST THEM -- ACTUALLY, WE HOST THEM SINCE YESTERDAY, GOING TO HOST THEM FOR FOUR DAYS AND THEY'RE GOING TO LEAVE ON FEBRUARY THE 1st. AND WITH THIS KIND OF INTERNATIONAL PROGRAM AND AUSTIN REALLY BECOMING AN INTERNATIONAL CITY, AND I AM PRETTY SURE THIS GROUP HAS SEEN THE BEAUTIFUL CITY AND UNDERSTAND THIS IS A VERY ENVIRONMENTALLY SENSITIVE CITY AND ALSO UNDERSTAND THIS IS A HIGH-TECH CITY. SO I WOULD LIKE TO INTRODUCE THE PRINCIPAL OF THIS GROUP. THEY HAVE GONE TO DIFFERENT COUNTRIES TO PERFORM DIFFERENT SHOWS, AND THEY ARE HERE, THEY FEEL HONOR, THEY WANT TO THANK THE CITY OF AUSTIN, THEY WANT TO INVITE OUR MAYOR, OUR COUNCILMEMBERS TO VISIT THEIR CITY, KELOM, TAIWAN. SO LET ME INTRODUCE MR. WONG. AND HE CAN SPEAK MAYBE BETTER ENGLISH THAN I DO. [ LAUGHTER ] [ APPLAUSE ]

(SPEAKING FOREIGN LANGUAGE).

I'M SORRY. HE ACTUALLY WROTE IN ENGLISH SOME PART OF TT, AND I DIDN'T KNOW I WOULD HAVE TO TRANSLATE THIS. BUT HE IS VERY IMPRESSED BY THE CITY'S NEATNESS, BEAUTIFUL STREETS AND BEAUTIFUL SCHOOLS, ESPECIALLY HE SAW THE SCHOOLS, SAW THE BUILDINGS, HE WENT TO SEE THE MUSEUM. EVERYWHERE IT'S CLEAN AND EVERYWHERE IT'S ENVIRONMENTALLY VERY, VERY GOOD SENSITIVITY. SO HE WANT TO CONTINUE. [ LAUGHTER ]

(SPEAKING FOREIGN LANGUAGE).

WELL, THEY ARE VERY HONORED TO BE HERE. THEY'RE VERY HAPPY TO BE HERE. THEY WANT TO INTRODUCE THEMSELVES. THEY COME FROM A CITY NEAR TAIPAI, THE CAPITAL OF TAIWAN. AND THOSE STUDENTS ARE VERY GOOD IN STUDY AND VERY GOOD IN SPORTS, AND THEIR

SHOWS, THEIR PERFORMANCE HAS BEEN SHOWN IN MANY PARTS OF THE WORLD. AND TODAY -- HOWEVER, THEY ARE VERY HONORED TO BE HERE TO RECEIVE THIS PROCLAMATION. AND CONTINUE. [ LAUGHTER ]

OKAY. LADIES AND GENTLEMEN, I'M SO GLAD TO HAVE THE OPPORTUNITY TO HAVE THE GUTS TO SPEAK A FEW WORDS TO YOU. REALLY I HAVE TO SAY A LOT OF THINGS FOR YOUR HOSPITALITY. AND ALL OF YOU, ESPECIALLY MAYOR AND DEPUTY MAYOR AND ALL OF THE COUNCILMEMBERS, YOU ARE WELCOME TO COME TO OUR NATIVE TAIWAN, A BEAUTIFUL ISLAND. THANK YOU VERY MUCH. [ APPLAUSE ]

THIS PAINTING IS A CHINESE CHARACTER THAT WAS ACTUALLY WRITTEN BY PRINCIPAL WONG, AND HE'S ACTUALLY AN ARTIST.

**Mayor Wynn:** DON'T LEAVE. BEFORE PRINCIPAL CONGRESS GETS AWAY WE'LL BE STOW THE HONORARY CITIZENSHIP ON PRINCIPAL WONG AND WE ALSO HAVE THE HONORARY CITIZEN CERTIFICATES FOR THE INDIVIDUAL STUDENTS. BUT THIS SIMPLY READS: THE CITY COUNCIL OF AUSTIN, TEXAS PROUDLY CONFERS THE TITLE OF HONORARY CITIZEN ON WONG CHAN CHUNK ON THIS 29 THE DAY OF JANUARY, 2004 BY THE ENTIRE AUSTIN CITY COUNCIL. CONGRATULATIONS. [ APPLAUSE ]

IF YOU WANT TO SEE THIS GROUP IN ACTION SATURDAY AT HENDRICKSON HIGH SCHOOL IN PFLUGERVILLE, THEY'RE PERFORMING AT 7:00 O'CLOCK AND IT'S OPEN TO THE PUBLIC.

**Mayor Wynn:** WE'RE NOW BEING JOINED BY DR. PAGE GRAVES. AND WE HAVE A COUPLE OF DISTINGUISHED SERVICE AWARDS WE'RE GIVING TO FOLKS WHO ARE LEAVING THE CITY OF AUSTIN AFTER A LOT OF YEARS OF SERVICE. AND IT SEEMS TO ME WE'VE BEEN DOING THIS A LOT LATELY, BUT I ALSO REMINDED MYSELF THAT WE'RE A VERY LARGE ORGANIZATION. WE HAVE ALMOST 10,000 PEOPLE. SO IT SEEMS INEVITABLE THAT YOU HAVE SO MANY, YOU KNOW, LONG-TERM EMPLOYEES CYCLING OFF, BUT IT JUST STUNS ME AT HOW MUCH SENIORITY AND EXPERTISE AND DEDICATION WE'VE BEEN LOSING IN THE LAST FEW



MONTHS WITH SOME RETIRING EMPLOYEES. BUT THIS DISTINGUISHED SERVICE AWARD READS: FOR 12 YEARS OF DEDICATED AUDIT SERVICE TO THE CITIZENS OF AUSTIN AND THE CITY OF AUSTIN ELECTED OFFICIALS, MANAGER AND EMPLOYEES, PAGE GRAVES IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. DR. GRAVES IS FIRST ASSISTANT CITY AUDITOR AND IN OTHER ROLES ACCOMPLISHED MANY SUCCESSFUL AUDIT PROJECTS WHICH POSITIVELY IMPACTED THE CITY'S MANAGEMENT AND DELIVERY OF SERVICES. MAJOR AUDITS INCLUDED RECREATION CENTERS, COMMUNITY ACTION NETWORK, NEW AIRPORT CONSTRUCTION, PUBLIC WORKS STREET CUTS, Y2 K, CONSUMER RELATION SYSTEM, AUDIT FOLLOW-UP RESOLUTION, CULTURAL ARTS, SMART HOUSING, PARKS MAINTENANCE AND AUSTIN ENERGY DEBT MANAGEMENT. WE ARE PLEASED TO PRESENT THIS CERTIFICATE AND ACKNOWLEDGMENT AND APPRECIATION OF HER FINE EFFORTS THIS 29TH DAY OF JANUARY, 2004, BY THE ENTIRE CITY COUNCIL OF AUSTIN, MAYOR WYNN, MAYOR PRO TEM GOODMAN, COUNCILMEMBERS SLUSHER, ALVAREZ, DUNKERLEY, MCCrackEN AND THOMAS. THANK YOU, CONGRATULATIONS. WE'LL MISS YOU DR. PAGE GRAVES. [ APPLAUSE ]

**Futrell:** AND STEVE, YOU WOULD LIKE TO ALSO SAY A FEW THINGS HERE? PAGE WAS IN THE AUDITING DEPARTMENT WHEN I WAS IN THE AUDITING DEPARTMENT. SO I KNOW FROM PERSONAL EXPERIENCE THAT AUDITORS RARELY SEE THE FRONT LIMELIGHT LIKE THIS. THIS IS A LADY WHO LABORED LONG AND HARD WITH OUR CITY, HELPING US MAKE THINGS BETTER AND MORE PRODUCTIVE, AND THEY RARELY ARE THE PEOPLE YOU SEE ON THE FRONT LINES, BUT THEY DO A LOT OF WORK BEHIND THE SCENES TO MAKE THINGS BETTER. AND WE'RE REALLY GOING TO MISS PAGE. SHE WAS A HUGE ASSET TO THE AUDIT DEPARTMENT. AND HER DIRECTOR, STEVE MORGAN, PROBABLY HAS A FEW THINGS TO SAY ABOUT PAGE.

I THINK I'VE SAID PLENTY ABOUT PAGE IN SOME OF OUR PREVIOUS PARTIES. THE ONE THING I WILL SAY ABOUT HER TODAY IS THAT SHE HAS NOT ONLY ONE OF THE KINDEST HEARTS OF ANY AUDITOR THAT I'VE WORKED WITH, BUT ALSO A VERY BRAVE HEART. WE'RE REALLY GOING TO MISS

HER. [ APPLAUSE ]

THANK YOU, MAYOR WYNN AND MAYOR PRO TEM AND COUNCILMEMBERS, CITY MANAGER, STEVE. I APPRECIATE THE HONOR BEING HERE TODAY. AND I GUESS IN MY PARTING WORDS THE ONE THING I WOULD LIKE TO SAY IS I THINK THIS CITY IS A GREAT CITY. I THINK IT'S RUN BY GREAT PEOPLE. THEY DESERVE A LOT OF CREDIT THAT SOMETIMES THEY GET. AND -- THEY DON'T GET. AND I THINK PARTICULARLY OVER THE YEARS AS I'VE WORKED IN DIFFERENT CITY DEPARTMENTS DOING AUDIT, WHAT I HAVE FOUND IS THAT THE CITY EMPLOYEES ARE VERY DEDICATED PEOPLE WHO ARE TRYING TO DO THE VERY BEST FOR THIS CITY. AND I AM THANKFUL FOR THE OPPORTUNITY I HAD AT SUCH A LATE AGE TO FIND A NICE HOME TO COMPLETE MY WORKING YEARS. THANK YOU VERY MUCH. [ APPLAUSE ]

**Mayor Wynn:** BEFORE I READ THIS NEXT DISTINGUISHED SERVICE AWARD TO JESUS OLIVERAS, OUR RETIRING DIRECTOR OF OUR PARKS DEPARTMENT, THIS PAST FRIDAY I WAS STUCK IN DALLAS-FORT WORTH AIRPORT FLYING BACK HOME FROM WASHINGTON, D.C., AND IT WAS GUS GARCIA'S 70TH BIRTHDAY. SO I GOT ON MY CELL PHONE TO CALL GUS GARCIA TO WISH HIM HAPPY 70TH BIRTHDAY. HE ANSWERED AND THERE WAS A PARTY GOING ON. I THOUGHT THAT'S GREAT, SOMEBODY'S THROWING A BIG 70TH BIRTHDAY PARTY FOR GUS GARCIA. I SAID GUS, WHERE ARE YOU? WHERE'S THE PARTY? AND HE SAID IT'S NOT FOR ME, THIS IS JESUS OLIVARES' GOING AWAY PARTY. SO GUS CHOSE TO SPEND HIS EXTENTTH WITH JESUS. IT PROBABLY SAYS A LOT. THIS READ: FOR RETURNING THE AUSTIN PARKS AND RECREATION DEPARTMENT TO NATIONAL PROMINENCE, FOR ESTABLISHING NEW AND INNOVATIVE PROGRAMS LIKE THE ROVING LEADER PROGRAM AND TOTALLY COOL, TOTALLY ART, FOR INCREASING CORPORATE SPONSORS AND COMMUNITY SUPPORT AS WELL AS FOR FORMING PARTNERSHIPS BENEFITTING THE COMMUNITY LIKE THE AUSTIN MUSIC FESTIVAL AND FOR MAINTAINING HIGH STANDARDS OF QUALITY EVEN DURING VERY LEAN BUDGET YEARS. JESUS OLIVARES IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. THERE IS NO GREATER CALLING THAN PUBLIC SERVICE. IT IS AN HONOR TO RECOGNIZE SOMEONE WHO HAS SO ABLELY SERVED OUR CITIZENS AND OUR

GREAT CITY OF AUSTIN. PRESENTED JANUARY 29TH, 2004  
AGAIN BY THE ENTIRE AUSTIN CITY COUNCIL TO MR. JESUS  
OLIVARES. [ APPLAUSE ]

**Futrell:** DON'T LOOK FOR ME TO SAVE YOU. THIS ONE IS  
REALLY VERY SPECIAL TO MY HEART. THE CITY HAS VERY  
TENURED MANAGEMENT, AND THAT'S A GOOD THING. YOU  
RARELY FIND THAT IN A CITY. BUT BECAUSE OF THAT, WE'RE  
ALSO GOING THROUGH A PERIOD WHERE A VERY TEEN  
YOU'RED MANAGEMENT TEAM IS BEGINNING TO LEAVE THE  
CITY. AND IN THIS CASE ALTHOUGH IT'S NOT A RETIREMENT,  
JESUS IS GOING TO BE THE CITY MANAGER OF ANOTHER  
CITY. AND IN HIS YEARS HERE IN AUSTIN, HE HAS REALLY  
SERVED AS THE RIGHT HAND GUY FOR MANY CITY  
MANAGERS. HE IS A MAN WHO HAS DONE A TREMENDOUS  
JOB WITH OUR PARKS SYSTEM, AND I THINK PROBABLY, AND  
I'M GOING TO STEAL YOUR THUNDER ON THIS, JESUS,  
PROBABLY THE MOST TELLING TALE OF THAT IS THAT  
DESPITE TWO AND A HALF VERY, VERY TOUGH BUDGET  
YEARS OF NO INVESTMENT THAT WE COULD MAKE BACK  
INTO OUR PARKS DEPARTMENT, JUST TRYING TO STRUGGLE  
TO STAY WHOLE, HE'S GOING TO LEAVE THIS CITY WITH A  
PARKS SYSTEM THAT WAS NAMED THE BEST IN THE STATE  
OF TEXAS. AND I GIVE YOU JESUS OLIVARES. [ APPLAUSE ]

THANK YOU, TOBY. IT'S CERTAINLY BEEN 12 GREAT YEARS.  
AND A TREMENDOUS AMOUNT OF OPPORTUNITIES. AND  
DURING THESE GREAT YEARS THAT THE PARK SYSTEM WAS  
BEING RETURNED TO ITS PROMINENCE THROUGHOUT THE  
NATION, IT COULDN'T HAVE BEEN DONE WITHOUT THE  
GREAT INGENIOUS WORK THAT THE STAFF AT THE PARKS  
AND RECREATION DEPARTMENT HAS HAD. HE HAVE IT BEEN  
AN HONOR -- IT BEEN AN HONOR TO WORK WITH SUCH  
TALENTED EMPLOYEES. I THINK THAT'S WHAT MAKES  
AUSTIN, TEXAS THE CITY THAT EVERYBODY WOULD LIKE TO  
BE LIKE. BUT ALSO WE WOULD LIKE TO THANK THE MAYOR  
AND MEMBERS OF THE COUNCIL FOR ALL THE SUPPORT  
THAT THEY HAVE GIVEN THE PARKS AND RECREATION  
DEPARTMENT THROUGHOUT THE YEARS. WE WOULDN'T BE  
WHERE WE ARE TODAY WITHOUT THEIR SUPPORT. THE CITY  
MANAGER HAS BEEN VERY SUPPORTIVE THROUGHOUT THE  
YEARS. IT'S ALWAYS GREAT TO BE ABLE TO GO TO THE CITY  
MANAGER'S OFFICE WITH IDEAS AND REQUESTS AND

SUPPORT IS ALWAYS THERE. THAT'S VERY IMPORTANT IN ORDER TO BE ABLE TO HAVE A DEPARTMENT AS EFFICIENT AS THE PARKS AND RECREATION DEPARTMENT. THERE'S MANY PARTNERS THAT WE HAVE OUT IN THE COMMUNITY. WE CERTAINLY WANT TO THANK ALL THE BOARDS AND COMMISSIONS. I STILL SAY THAT WE COULD SHARE SOME OF OUR BOARDS WITH SOME OF THE OTHER DEPARTMENTS, TOBY. [ LAUGHTER ] BUT THEY'RE THE BACKBONE TO THE PARK SYSTEM. THEY'RE OUT THERE HELPING ALL OF OUR PROGRAMS AND OUR STAFF THROUGHOUT THE YEARS. AND ESPECIALLY DURING THESE HARD, LEAN TIMES. WE ALSO WANT TO THANK ALL THE NEIGHBORHOOD ASSOCIATIONS AND CIVIC GROUPS THAT HAVE COME TOGETHER WITH THE PARKS AND RECREATION DEPARTMENT TO PARTNER WITH US IN ADOPTING NEIGHBORHOOD PARKS AND JOINING US IN PROJECTS IN THE COMMUNITY AND MAKING SURE THE WORK GETS DONE. THAT'S A TRUE BEAUTY OF THIS GREAT CITY THAT YOU HAVE A LOT OF CITIZENS OUT THERE THAT CARE ABOUT THEIR PARK SYSTEM. AND OF COURSE, YOU KNOW, ONE OF OUR MAJOR PARTNERS, THE AUSTIN PARKS FOUNDATION, WHO HAS BEEN AN INTEGRAL PART IN MAKING SURE THAT ALL THE MONEY THAT WE'RE ABLE TO GARNER OUT IN THE COMMUNITY IS LEVERAGED TOGETHER WITH THE PARKS DEPARTMENT AND CIVIC GROUPS AND NEIGHBORHOOD ASSOCIATIONS. THE ADOPT A PARK PROGRAM THAT WAS DEVELOPED HERE, RE-ENGINEERED ABOUT SIX YEARS AGO, HAS PRODUCED CLOSE TO \$29 MILLION OF LEVERAGING OPPORTUNITIES FOR THIS CITY. AND THAT'S WHAT KEEPS THIS DEPARTMENT GOING AND THE EMPLOYEES THAT ARE SO CREATIVE IN COMING UP WITH ALL THESE GREAT IDEAS ON HOW TO KEEP THIS PARK SYSTEM GOING. IT VERY IMPORTANT, ESPECIALLY DURING THESE CHALLENGING ECONOMIC TIMES. THAT'S VERY IMPORTANT. THIS PAST YEAR WE CELEBRATED THE 75TH ANNIVERSARY OF THE AUSTIN PARKS AND RECREATION DEPARTMENT. AND IT WAS A TREMENDOUS SUCCESS. WE HAD AN OPPORTUNITY TO PROPERLY DOCUMENT 75 YEARS OF ENHANCING THE QUALITY OF LIFE IN THIS CITY. ENHANCING THE LIFE OF MANY, MANY PEOPLE THROUGH YOUR PARKS AND RECREATION DEPARTMENT. THAT WAS REALLY A LOT OF FUN TO BE ABLE TO DOCUMENT AND BE A PART OF HISTORY. 75 YEARS HAVE BEEN RECORDED,

READY, SET ASIDE IN THE HISTORY CENTER FOR THE NEXT 25 YEARS THAT WILL BE COMING UP, AND HOPEFULLY WHEN THE 100TH ANNIVERSARY OF THIS GREAT PARK SYSTEM COMES UP, ALL THEY HAVE TO DO IS JUST GO BACK AND PULL OUT THAT CD AND ALL OF THAT HISTORY WILL BE THERE AND THEY'LL JUST BE ABLE TO CONTINUE, PICK IT UP FROM THERE. BUT THE BEAUTY OF THIS WHOLE PROCESS WAS JUST BEING ABLE TO GO BACK AND SEE HOW IMPORTANT THIS PARK SYSTEM HAS BEEN TO THIS CITY. THIS IS WHY, YOU KNOW, WE CALL AUSTIN, TEXAS A CITY WITHIN A PARK. IT'S VERY IMPORTANT THAT WE MAINTAIN THAT SIMPLY BECAUSE THIS IS PART OF THE AUSTIN QUALITY OF LIFE AND THIS IS WHY PEOPLE WANT TO COME AND LIVE HERE AND THEY GO TO SCHOOL HERE, THEY GET A JOB HERE, BUT THEN, YOU KNOW, THEY DON'T WANT TO LEAVE, THEY STAY HERE BECAUSE OF THE BEAUTY THAT THIS CITY HAS. TOBY MENTIONED A LITTLE BIT ABOUT OUR PARK SYSTEM AND OUR PROGRAMS AS THE MAYOR DID. TOBY, WE LEAVE YOU, MAYOR, MEMBERS OF THE COUNCIL, WE LEAVE YOU WITH NATIONALLY RECOGNIZED PROGRAMS, AWARD WINNING PROGRAMS. AND AS TOBY MENTIONED, THE BEST PARK SYSTEM IN THE STATE OF TEXAS. AND THAT'S SOMETHING TO BE VERY PROUD OF. AND MAYOR, CONGRATULATIONS. AND TOBY AND TO ALL THE STAFF THAT IS HERE, IF Y'ALL COULD STAND UP AND TAKE A BOW. [ APPLAUSE ] WE WANT TO WISH WARREN, RICK AND JAY ALL THE BEST OF LUCK. I THINK YOU HAVE A TREMENDOUS AMOUNT OF OPPORTUNITIES AHEAD OF YOU. AND AS THEY ALWAYS SAY, CAN YOU LEAVE THE LIGHT ON FOR ME? [ LAUGHTER ] HOPEFULLY WE'LL HAVE AN OPPORTUNITY AND HOPEFULLY WE'LL COME BACK AND VISIT AND MAYBE COME BACK AND SPEND SOME TIME AT THE GREAT AUSTIN CITY LIMITS FESTIVAL AND GET TO PARTY A LITTLE BIT ABOUT SOME OF YOU AGAIN. THANK YOU VERY MUCH FOR ALL THE SUPPORT, THANK YOU VERY MUCH FOR ALL THE HARD WORK THAT PARKS AND RECREATION EMPLOYEES HAVE DONE THROUGHOUT THE YEARS. NONE OF THIS WOULD HAVE BEEN POSSIBLE WITHOUT ALL THEIR EFFORTS. AND I WANT TO TAKE THE OPPORTUNITY TO THANK THEM PUBLICLY. THANK YOU VERY MUCH. [ APPLAUSE ]

**Mayor Wynn:** THERE BEING A QUORUM PRESENT, I'LL CALL

BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE ARE STILL ON ZONING CASE Z-11. MR. GUERNSEY, HAVE WE ACTUALLY CLOSED THE PUBLIC HEARING?

YES, MAYOR, THE PUBLIC HEARING WAS CLOSED LAST MONTH. AND I THINK THERE WAS A QUESTION ABOUT IF THE COUNCIL DECIDES NOT TO TAKE AN ACTION TONIGHT, WHAT WOULD HAPPEN TO THE APPLICATION. AND THERE'S A PROVISION UNDER THE CODE UNDER SECTION 25-2-246 THAT WOULD SPEAK TO THAT AN APPLICATION FOR A ZONING/REZONING EXPIRES IF COUNCIL DOES NOT ADOPT AN ORDINANCE FROM THE 30 DAYS DAY AFTER THE CITY COUNCIL CLOSED ITS PUBLIC HEARING. 30th DAY. SO THIS COULD BE A DEFACTO DENIAL FROM THE 30 DAYS FROM THE CLOSING OF THE PUBLIC HEARING.

**Slusher:** MAYOR, I THINK WE COULD MAKE A DECISION. I DON'T THINK WE SHOULD LEAVE IT HANGING. THIS IS A VERY TOUGH CASE, IT'S JUST ONE LOT, BUT IT AFFECT PEOPLE'S LIVES. AND SO YOU COULD TELL FROM BEFORE THAT NOBODY WANTED TO MAKE A MOTION IN THIS CASE, BUT I'M GOING TO GO AHEAD AND DO IT. WHAT WE HAVE IS A SITUATION WHERE THE STAFF RECOMMENDED AGAINST THIS, THE ZONING AND PLATTING COMMISSION RECOMMENDED UNANIMOUSLY AGAINST IT, AND THEN THE COUNCIL ASKED THAT THERE BE FURTHER NEGOTIATION AND DISCUSSIONS, BUT NOTHING CAME OUT OF THOSE. AND MY UNDERSTANDING IS THAT THE STAFF OFFERED UP SOME POTENTIAL ALTERNATIVES AND THERE WASN'T ANY INTEREST IN THOSE BY THE APPLICANT, SO I WOULD THINK IN THIS KIND OF SITUATION WE SHOULD GO WITH THE STAFF AND THE ZAP RECOMMENDATION, SO I WOULD MOVE TO DO THAT.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER SLUSER TO DENY THE ZONING CASE Z-11, SECONDED BY COUNCILMEMBER DUNKERLEY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION TO DENY PASSES ON A

VOTE OF FOUR TO ZERO WITH THE MAYOR PRO TEM AND COUNCILMEMBERS THOMAS AND MCCrackEN OFF THE DIAS. COUNCIL, THAT LEAVES US WITH ONE ZONING CASE, BUT IF FOLKS WILL BEAR WITH ME FOR A COUPLE OF MINUTES, WE HAVE TWO QUICK ITEMS, TWO PUBLIC HEARINGS WITH NO SPEAKERS, ITEMS 46 AND 47. AT THIS TIME I'LL RECOGNIZE MR. JUNEY PLUMBER FOR ITEM NUMBER 46.

MAYOR AND COUNCIL, FIRST ON ITEM NUMBER 46, THE CORRECT ACREAGE FOR THE RIGHT-OF-WAY IS 1.023. AND AS PART OF THE FACT FINDING THERE IS NO OTHER ALTERNATIVE TO THE TAKING OF THE PRESERVE LAND, WHICH INCLUDES ALL PLANNING TO MINIMIZE HARM TO THE PARK AND ALSO TO SORT OF ADD THAT WE'RE STILL WORKING ON AN ENVIRONMENTAL ISSUE AND WE ALL HAVE AGREED THAT THIS TAKING OF RIGHT-OF-WAY IS SUBJECT TO A CLEARED ENVIRONMENTAL.

**Mayor Wynn:** THANK YOU. I WILL JUST NOTE THAT MY ROLE ON THE BCP COORDINATING COMMITTEE, THIS ISSUE HAS BEEN HASHED OUT AT GREAT LENGTH AND WITH THE GOOD HELP OF OUR CITIZEN ADVISORY COMMITTEE AND A SCIENTIFIC ADVISORY COMMITTEE, HELPING US UNDERSTAND THE POTENTIAL TRADE-OFF HERE OF THE VERY MUCH NEEDED ROADWAY IMPROVEMENT AND THEN TRYING TO BALANCE OUT SOME ENVIRONMENTAL FEATURES BOTH TO THE EAST AND TO THE WEST FROM THIS TRACT. AND THIS CAME OUT OF THE BCP COMMITTEE UNANIMOUSLY AND IT STILL HAS MY STRONG SUPPORT. WITH THAT -- ANY QUESTIONS OF STAFF, COUNCIL? IF NOT, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING AND APPROVE ITEM NUMBER 46. MOTION MADE BY COUNCILMEMBER ALVAREZ. I'LL SECOND THAT. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF FOUR TO ZERO WITH THE MAYOR PRO TEM, COUNCILMEMBERS THOMAS AND MCCrackEN OFF THE DIAS.

THANK YOU.

**Mayor Wynn:** THANK YOU, MS. PLUMBER. ITEM NUMBER 47.

GOOD EVENING, I'M LUCY CALLAHAN WITH THE WATERSHED DIRECTION AND DEVELOPMENT REVIEW DEPARTMENT. CASE NUMBER AF-02-0151-AW IS A REQUEST TO WAIVE THE 300-FOOT MINIMUM DISTANCE REQUIREMENT OF SECTION 4-9-4 OF THE CITY CODE FOR THE PURPOSE OF SELLING ALCOHOLIC BEVERAGES. THE APPLICANT, TRUMAN'S BAR, IS LOCATED AT 121 EAST FIFTH STREET, AND IS 120 FEET FROM AN EXISTING PUBLIC SCHOOL, AMERICAN YOUTH WORKS, LOCATED AT 216 EAST FOURTH STREET. SECTION 4-9-4 OF THE CITY CODE ALLOWS THE CITY COUNCIL TO CONSIDER A WRITTEN CONSENT TO THE WAIVER PROVIDED BY THE PUBLIC SCHOOL TO BE SUFFICIENT JUSTIFICATION FOR THE WAIVER. MR. RICHARD HALLPIN, FOUNDER AND CEO OF AMERICAN YOUTH WORKS HAS PROVIDED WRITTEN CONSENT FOR THE WAIVER. THE OWNERS ARE PRESENT IF YOU HAVE ANY QUESTIONS. THAT CONCLUDES MY PRECINCT.

**Mayor Wynn:** THANK YOU. ANY QUESTIONS OF STAFF? OR OF THE APPLICANT?

**Slusher:** MOVE APPROVAL.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER SLUSHER TO CLOSE THE PUBLIC HEARING AND APPROVE THE WAIVER REQUEST TO ITEM NUMBER 47. I'LL SECOND THAT. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF FOUR TO ZERO -- FIVE TO ZERO WITH COUNCILMEMBERS THOMAS AND MCCracken OFF THE DIAS. THANK YOU. COUNCIL, THAT BRINGS US BACK TO ITEM -- ZONING CASE Z-13. MR. GUERNSEY, CAN YOU INTRODUCE THE CASE AND THEN WE'LL HEAR FROM THE APPLICANT.

EVENING, MAYOR AND COUNCIL, MY NAME IS GREG GUERNSEY WITH NEIGHBORHOOD PLANNING AND ZONING. OUR NEXT CASE IS CASE C-14-03-0168. THIS PROJECT IS KNOWN AS THE NOKONAH PROJECT. AND THIS IS A REZONING APPLICATION FROM DMU-CURE TO DM-CO-CURE.



THE GIFT OR THE MAIN -- THE GIST OR THE MAIN THRUST OF THE ACTUAL AMENDMENT IS TO ALLOW FOR OFFICE USES TO BE LOCATED ON THE GROUND FLOOR ELEVATIONS ALONG NORTH LAMAR BOULEVARD AND NINTH AND THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS FOR THIS WITHOUT A FORMAL RECOMMENDATION. THERE WERE SEVERAL MOTIONS MADE. NONE OF THOSE MOTIONS PASSED, SO THIS IS FORWARDED TO YOU AS NOTED ON CHANGES AND CORRECTIONS I BELIEVE EARLIER TODAY AS FORWARDED WITHOUT A RECOMMENDATION. THERE'S A CONSIDERABLE AMOUNT OF OPPOSITION TO THIS REQUEST AND I THINK THE SPEAKERS HERE WILL PROBABLY BE ABLE TO ADDRESS THOSE ISSUES ON THE DIAS. STAFF HAD RECEIVED SOME ADDITIONAL LETTERS, IN PARTICULAR FROM AWANA AND SOME OF THE OTHER RESIDENTS THAT LIVE ON THE OTHER SIDE OF LAMAR BOULEVARD, AND THEY ARE HERE TO PROBABLY SPEAK TO THOSE SPECIFIC CONCERNS. STAFF DID RECOMMEND THIS REQUEST. IF YOU HAVE ANY QUESTIONS, I'LL BE MORE THAN HAPPY TO ANSWER THEM. THIS IS AN EXISTING BUILDING RIGHT AT NINTH AND LAMAR.

**Mayor Wynn:** QUESTIONS FOR STAFF, COUNCIL? IF NOT, WE'LL HEAR FROM THE APPLICANT.

HE'S REPRESENTED BY MICHAEL WAYLAND.

**Mayor Wynn:** YOU WILL HAVE FIVE MINUTE, MR. WAYLAND AND THEN YOU WILL BE FOLLOWED BY THE CITIZENS WHO SIGNED UP IN FAVOR OF THIS REQUEST, THEN WE'LL TAKE THOSE CARDS IN OPPOSITION, THEN YOU'LL HAVE A THREE-MINUTE REBUTTAL. WELCOME, SIR.

THANK YOU, MAYOR AND COUNCILMEMBERS. MY NAME IS MICHAEL WAY LAND. I'M HERE ON BEHALF OF NOKONAH PARTNERS LIMITED. AS YOU KNOW, NOAK IS A MIXED USING BUILDING. IT'S THE FIRST DOWNTOWN OWNER OCCUPIED PROJECT BUILD IN THE CBD IN THE PAST 20 YEARS. AND AS MOST OF YOU KNOW, THE GROUND FLOOR SPACE AT NOKONAH HAS REMAINED EMPTY AND DARK, NOTWITHSTANDING THE FACT THAT THE BUILDING IS 85% OCCUPIED AND THAT FOR THE LAST TWO YEARS THEY HAVE TRIED TO FILL THAT SPACE. YOU ALSO KNOW THAT LAMAR

BOULEVARD IS ABOUT TO BE RECONSTRUCTED OVER AN 18 MONTH TO TWO-YEAR PERIOD AND WHOLE FOODS, WHICH IS NEXT DOOR, IS ABOUT TO MOVE AND THAT WHOLE BLOCK WILL BE REDEVELOPED, CAUSING A LOT MORE CONSTRUCTION IN THE AREA AND A LOT MORE RETAIL THAT WILL COME ONLINE. WE HAVE WORKED HARD WITH DESIGNATED NEIGHBORHOOD ASSOCIATIONS AND COMMISSIONS THROUGHOUT THE YEARS AND MOST OF THEM ARE SUPPORTED. I WOULD ASK YOU TO CONSIDER THE CONSIDERABLE SUPPORT FOR THIS PROJECT IN YOUR PACKET. YOU HAVE LETTERS FROM THE OLD AUSTIN NEIGHBORHOOD ASSOCIATION, WHOSE NEIGHBORHOOD THE NOKONAH ACTUALLY LIES IN. I BELIEVE SOMEONE IS HERE TO ADDRESS QUESTIONS IN THE POSITION OF THE OLD AUSTIN NEIGHBORHOOD ASSOCIATION. THE DOWNTOWN AUSTIN NEIGHBORHOOD ASSOCIATION, WHICH REPRESENTS ALL OF DOWNTOWN RESIDENTS. THE WEST END AUSTIN ALLIANCE, AN ORGANIZATION REPRESENTING BUSINESS, REAL ESTATE AND NEIGHBORHOOD INTERESTS. AND THE DOWNTOWN COMMISSION, WHICH HAS REPRESENTATION FROM EVERY MAJOR BOARD AND COMMISSION. ALL OF THESE GROUPS HAVE VOTED UNANIMOUSLY, UNANIMOUSLY TO SUPPORT THIS MODIFICATION TO THE ORDINANCE TO ALLOW THE NOKONAH FLEXIBLE THAT WOULD ULTIMATELY ALLOW NOKONAH TO FILL THE SPACE WHICH REMAINS EMPTY AND HAS DONE SO FOR THE LAST TWO YEARS. SMARTH GROWTH SMART GROWTH. YOU'RE GOING TO HEAR A LOT OF DISCUSSION ABOUT THIS TONIGHT. THE ZONING THAT NOKONAHED HAS WRITTEN WAS TO GO WITH THE SMART GROWTH GOALS OF THE CITY. THE CHANGE WE'RE SEEKING IS CONSISTENT WITH THIS GOAL. THE CITY AND NOKONAH DID NOT WANT A LONG, CONTINUOUS WALL WITH NO ACTIVITY. OR TO HAVE A STREET SCENE THAT AMOUNTED TO LOOKING IN ON A PARKING GARAGE. THE CITY HAS ALWAYS EXPECTED PEDESTRIAN-ORIENTED USES AND OFFICE TO CREATE AN ACTIVE SPACE. AND I WOULD NOT ASK YOU TO BELIEVE ME. I HAVE WITH ME A LETTER THAT WAS WRITTEN BY GEORGE ADAMS WHEN THIS ISSUE CAME UP AFTER THE ZAP HEARING DATED JANUARY 1, 2004, IN WHICH IN RESPONSE TO A LETTER WRITTEN BY THE APPLICANT, MR. ADAMS WROTE, QUOTE, IT APPEARS THAT

THE PROPOSED USE BY A RESIDENTIAL REAL ESTATE COMPANY WOULD COMPLY WITH THE DEFINITION OF STREET USES DESCRIBED ABOVE. MORE IMPORTANTLY, THE GROUND FLOOR OF THE BUILDING IS DESIGNED IN SUCH A WAY AS TO READILY ACCOMMODATE PEDESTRIAN-ORIENTED USES IN THE FUTURE BY ITS LOCATION CLOSE TO THE STREET AND BY PROVIDING WINDOWS AND DOORWAYS ALONG THE PEDESTRIAN CORRIDOR, THERE BY ACHIEVING THE CITY'S GOALS WITH REGARD TO THE NOW DISCONTINUED SMART GROWTH MATRIX PROGRAM. AS MR. ADAM NOTES, JUST BECAUSE THE MARKET DEMAND IS NOT THERE FOR RETAIL USE TODAY, IS SURELY WILL EVOLVE, ESPECIALLY SINCE WE KNOW THAT RETAIL USE COMMANDS MORE RENTS AND IS THEREFORE MORE DESIRABLE FOR A BUILDING OWNER. MOST IMPORTANTLY, REGARDLESS OF WHAT ANYONE SAYS TONIGHT, MR. ADAMS HAS AFFIRMED THAT THE REQUESTED CHANGE IN THE ORDINANCE TO ALLOW PEDESTRIAN-ORIENTED USE AND OFFICE COMPLIES WITH THE SMART GROWTH MATRIX AS IT EXISTED AT THE TIME THE NOKONAH APPLIED. THAT IS VERY IMPORTANT. I KNOW YOU'VE GOTTEN A PACK OF LETTERS FROM FOLKS IN AWANA AND I THINK THIS DIRECTLY REBUTTS THAT, NOT FROM ME, BUT FROM THE PERSON WHO WAS RESPONSIBLE FOR THAT PROGRAM AT THE TIME. YOU WILL HEAR AS I MENTIONED FROM A FEW REPRESENTATIVES OF ONE GROUP, AWANA. THEY APPEARED AT ZAP AND WILL BE SPEAKING TO YOU TONIGHT IN OPPOSITION. I EXPECT YOU WILL HEAR THEM SAY THAT THERE WAS SOME AGREEMENT THAT THE GROUND FLOOR MUST BE LIMITED TO RETAIL BECAUSE OF SMART GROWTH INITIATIVES. YOU WILL ALSO HEAR THEM SAY IF CONSISTENT WITH THEIR TESTIMONY AT ZAP, THAT THEY WOULD PREFER THE SPACE TO REMAIN EMPTY AS A PUNITIVE MEASURE RATHER THAN ALLOW THE NEW OWNERS OF THE NOKONAH THE FLEXIBILITY NECESSARY TO FILL THIS SPACE IN AN ACTIVE AND APPROPRIATE MANNER. IN A MANNER, I MIGHT ADD, THAT IS CONSISTENT WITH THE SMART GROWTH MATRIX AND THE CITY'S OWN INITIATIVES. THERE'S NO AGREEMENT WITH THE NEIGHBORHOODS THAT THE GROUND FLOOR WOULD BE LIMITED TO RETAIL ONLY. AND I CHALLENGE ANYONE TO SHOW ME -- I KNOW THIS ISN'T MISSOURI, BUT SHOW ME A DOCUMENT THAT REFLECT SUCH AN AGREEMENT. THE FACT

IS THAT OUR OBLIGATION AND COMIMIS ARE WITH THE CITY AND MR. ADAMS HAS ADDRESSED WHETHER WE HAVE MET OUR OBLIGATIONS AND THE ANSWER IS YES WE HAVE, AND WHAT WE'RE TALKING ABOUT DOING IS CONSISTENT WITH THOSE OBLIGATIONS. MOREOVER, THE GROUND FLOOR IS DESIGNED TO CM DATE RETAIL WHEN THE MARKET CHANGES. AND MR. ADAMS REMIND US OF THAT WHEN HE TALKS ABOUT THE DESIGN. WE WOULD REQUEST THAT THE COUNCIL ADOPT THE STAFF RECOMMENDATIONS AND MODIFY ITEM 8 OF THE ORIGINAL ORDINANCE TO ALLOW PEDESTRIAN ORIENTED USES AND OFFICE ON THE GROUND FLOOR OF NOKONAH. I'M GOING TO HAND OUT A SUPPLEMENTAL PACKAGE OF INFORMATION THAT INCLUDES THE JANUARY 21 LETTER FROM MR. GEORGE ADAMS -- [ BUZZER SOUNDS ] A PORTION OF THE SMARTH GROWTH MATRIX APPLICATION, AN E-MAIL FROM PHIL FRIDAY, A PAST PRESIDENT OF AWANA AND A LETTER OF POART SUPPORT FROM THE NOKONAH HOMEOWNERS ASSOCIATION. THANK YOU VERY MUCH FOR YOUR TIME.

**Mayor Wynn:** THANK YOU, MR. WAYLAND.

MAY I APPROACH WITH THIS LETTER?

**Mayor Wynn:** YOU MAY. AT THIS TIME WE'LL HEAR FROM THOSE FOLKS WHO HAVE SIGNED CARDS IN FAVOR AND WISHING TO SPEAK. WE'LL START WITH MELISSA GONZALES, WHO WILL BE FOLLOWED BY FOLLOWED BY TED CYST. YOU WILL HAVE THREE MINUTES.

MY NAME IS MELISSA GONZALES AND I CURRENTLY SERVE AS PRESIDENT OF THE WEST END AUSTIN ALLIANCE. AND WE HAVE WRITTEN A LETTER IN UNANIMOUS SUPPORT OF THIS PROJECT. AND I THINK TO ME THE THING THAT'S MOST IMPORTANT HERE IS THE NATURE OF THE CONSTRUCTION THAT'S GOING TO BE TEARING UP LAMAR FOR TWO YEARS AND MAKING THIS EVEN MORE LIKELY TO BE AN EMPTY BLACK HOLE. THAT'S MY CONCERN -- OUR NEIGHBORHOOD'S CONCERN, THAT WE HAVE A LIVE STREET SCAPE HERE. AND THE HAS GOT SPACE TO MAKE RETAIL THERE, BUT THEN THERE'S GOING TO BE A WHOLE LOT OF RETAIL COMPETITION THAT'S PROBABLY MORE FAVORABLE. I WOULD SAY THE NEW RETAIL COMING IN TO MY EYE IS

GOING TO BE A LOT MORE LIKELY TO BE ABLE TO RENT FASTER THAN THE NOKONAH. SO WE COULD HAVE A POTENTIAL BLACK HOLE THERE FOR A REALLY LONG TIME. AND WE ALWAYS GET KIND OF FRIGHTENED WITH A WHOLE BUNCH MORE RETAIL GETS DUMPED BECAUSE IT MAKES EVEN LESS LIKELY MORE RETAIL THERE. SO I'M REALLY HOPING THAT THE COUNCIL WILL FAVORABLY SUPPORT THIS. COMMUNITY GROUP THAT DOES THAT -- THE NEIGHBORHOOD THAT IS IN OUR COMMUNITY GROUP THAT THE NOKONAH IS IN SUPPORTS IT, SO I WOULD LIKE YOU GUYS TO PLEASE ALLOW US TO HAVE THIS ALIVE AS OPPOSED TO A BLACK HOLE THAT HAS NOTHING AND WE HAVE THIS BIRD IN HAND OF A REAL ESTATE OFFICE THAT WOULD LIKE TO BE THERE. AND MORE PEDESTRIAN USES, MORE OPTIONS, MORE FLEXIBILITIES. THE IDEA IS TO HAVE A LIVE STREET SCAPES. THAT'S WHAT WE WANT AND HOPE TO HAVE THERE AND WE THINK THAT THIS ISN'T IN THE SPIRIT OF WHAT WE WOULD LIKE TO HAVE. THANK YOU SO MUCH.

**Mayor Wynn:** THANK YOU. AS MR. SIFF APPROACHES THE PODIUM, I'LL READ THAT LANCE MORRIS NOT WISH TO GO SPEAK, IN FAVOR. PETER MONTGOMERY, NOT WISHING TO SPEAK, IN FAVOR. RYAN DILL LADDER, IN FAVOR. JEFF PACE IN FAVOR. AS A RESIDENT OF WEST AUSTIN AND A PARTICIPANT IN THE SMARTH GROWTH PROCESS, I SUPPORT THE NOKONAH. RAYMOND CANFIELD IN FAVOR. I AM IN FAVOR OF ZONING CHANGE, RETAIL DOES NOT WORK. DANIEL REASONABLE DAN RORK IN FAVOR. STACY (INDISCERNIBLE) IN FAVOR. CHARLOTTE HEARSEEL IN FAVOR. AS FORMER CO-CHAIR OF AWANA AND CURRENT HOMEOWNER IN NEIGHBORHOOD. PATRICIA BOWERER-SLATE, IN FAVOR. AND WELCOME, MR. SIFF. YOU WILL CENTER THREE MINUTES.

THANK YOU, MAYOR AND MEMBERS OF THE COUNCIL. MY NAME IS TED SIFF AND I'M HERE AS THE REGISTERED REPRESENTATIVE OF THE OLD AUSTIN NEIGHBORHOOD. THE BOUNDARIES OF WHICH ARE TOWN LAKE TO 15TH STREET AND LAMAR TO GUADALUPE. THE OLD AUSTIN NEIGHBORHOOD HAS EXISTED SINCE 1978. AND I HAVE FOLLOWED THIS -- THE PUBLIC PROCESS OF THE NOKONAH SINCE IT STARTED. THE OLD AUSTIN NEIGHBORHOOD ALONG WITH OUR UMBRELLA GROUP, THE NEWER DOWNTOWN

AUSTIN NEIGHBORHOOD ASSOCIATION, STRONGLY SUPPORTS THIS PROPOSED CHANGE IN THE NOKONAH ZONING ORDINANCE TO ALLOW FOR PEDESTRIAN ORIENTED AND OFFICE USES BECAUSE IT BENEFITS OUR NEIGHBORHOOD. WE THINK THAT 100 OR MORE TENANTS IN THE GROUND LEVEL OF THE NOKONAH WILL USE DUNCAN PARK ACROSS THE STREET, WILL WALK DOWN THE SHOAL CREEK HIKE AND BIKE TRAIL TO WHOLE FOODS AND THE OTHER RETAIL USES WITHIN A BLOCK OR TWO. WE THINK THAT BECAUSE NOKONAH EXISTS AND HAS EXISTED NOW AT LEAST IN PROPOSAL AND NOW DEVELOPED FORM FOR SIX YEARS, IT SPURRED THE RESIDENTIAL RENAISSANCE IN DOWNTOWN. I MENTIONED I'VE LIVED THERE FOR ACTUALLY 31 YEARS TOTAL AS A RENTER AND AN OWNER, AND I KNOW THAT NEW RESIDENTIAL OF ANY SIGNIFICANCE HADN'T BEEN BUILT UNTIL THE NOKONAH STARTED FIVE YEARS AGO FOR THE PRIOR 20 YEARS. NOW WE'VE GOT ALMOST 2,000 UNITS AND MORE IN THE PLANNING STAGES. HAVING GROUND FLOOR OCCUPIED WITH A RESIDENTIAL REAL ESTATE FIRM WE STRONGLY BELIEVE IS TOTALLY CONSISTENT NOT ONLY WITH THE SMART GROWTH MATRIX, BUT CONSISTENT WITH BEING A NEIGHBORHOOD FRIENDLY USE. YOU WILL HEAR THAT THERE WERE FROM AWANA BROKEN PROMISES OF HEIGHTS OF EIGHT STORIES. THIS WAS A PROPOSED DMU ZONING. DMU IS 120 FEET. THE BUILDING IS WITHIN THAT HEIGHT LIMIT, AND IT WAS NEVER ANYTHING BUT THAT. AS PROPOSED. AND BUILT. YOU WILL HEAR THAT THERE WERE VIEWS PROPOSED TO BE PROTECTED THAT WEREN'T. ALL VIEWS THAT WERE PROPOSED TO BE PROTECTED ARE PROTECTED EXCEPT ONE, AND THAT WAS RESOLVED AMICABLY AS YOUR BACKUP SHOWS. YOU WILL HEAR THAT THE PROPOSED ORDINANCE REQUIRED RETAIL AND YOU'VE HEARD FROM MR. WAYLAND THAT IN FACT IT DID NOT. IT REQUIRED USES CONSISTENT WITH THE SMARTH GROWTH MATRIX, WHICH WE STRONGLY BELIEVE THIS IS, AND THAT'S SUPPORTED BY YOUR STAFF BACKUP TOO. THANK YOU VERY MUCH FOR YOUR ATTENTION.

**Mayor Wynn:** THANK YOU. ROBERT BARNSTONE? WELCOME, SIR, YOU WILL BE FOLLOWED BY CHARLES BETS.

THANK YOU VERY MUCH, MAYOR AND COUNCIL. I AM ROBERT BARNSTONE. I WAS ONE OF THE INITIAL

DEVELOPERS OF THE PROJECT, BUT I NO LONGER HAVE A FINANCIAL INTEREST, SO I'M SPEAKING TO YOU TODAY JUST SIMPLY AS CITIZEN. AND IN ANTICIPATION BECAUSE I HAD HEARD THAT SOME PEOPLE HAD TALKED ABOUT BROKEN PROMISES ABOUT RETAIL AND SO FORTH, AND I HAD TO SAY IT EVEN THOUGH NO ONE HAS SAID IT YET, I WAS THERE. AND IN OUR EXTENSIVE DISCUSSIONS WITH THE NEIGHBORHOOD IN WHICH WE BENT OVER BACKWARD AND DID TO THEIR SATISFACTION BUILD A BUILDING THAT THEY FULLY SUPPORTED BECAUSE IT PASSED ON CONSENT WHEN IT DID COME TO THE COUNCIL. THERE WAS NO DISCUSSION ABOUT THE RETAIL. ALL OF THE ISSUES THAT WE ADDRESSED WITH THE NEIGHBORHOOD WAS WHAT THEY WERE CONCERNED ABOUT, WAS THE HEIGHT ISSUE. NOW LET'S TALK ABOUT THE RETAIL. YOU KNOW, THERE ARE MANY NOXIOUS USES OF RETAIL. IN FACT, AWANA ITSELF HAS OPPOSED RETAIL, FOR EXAMPLE, WHEN A POOL HALL WANTED TO COME TO LAMAR JUST DOWN THE STREET FROM WHERE THE NOKONAH IS. NOW, EVERYTHING IN A BROAD CATEGORY MIGHT BE ACCEPTABLE. WOULDN'T IT BE SWEET IF LIFE IS SO GREAT THAT WE COULD PICK AND CHOOSE WHICH WINDOW DISPLAY IS GOING TO BE IN FRONT. BUT ALAS IT ISN'T. WE'RE UP AGAINST THE MARKET. NO ONE CAN DENY THAT WE HAVE NOT TRIED VERY HARD. IT'S NOT JUST THE TWO YEARS OF MARKETING, IT'S SPENDING THE MILLIONS OF DOLLARS TO BUILD IT. AND AS GEORGE ADAMS SAYS AS OUR GOOD ATTORNEY, MR. WAYLAND REITERATED, THAT IT IS DESIGNED AS A RETAIL SPACE. IN THE LONG COURSE OF HISTORY, THESE BUILDINGS WILL REVOLVE, IT IS THERE, NOT A BLACK BLANK WALL, NOT LIKE ONE OF THESE PARKING GARAGES DOWNTOWN WHERE IT CAN NEVER BE. WHEN THE MARKET IS THERE IT WILL BE THERE AND IT'S READY. THE QUESTION IS IS IT A MATTER OF PUBLIC POLICY IS THE CITY GOING TO BE PUNITIVE BECAUSE I THINK THAT'S WHAT THE NEIGHBORHOOD IS ASKING OR SOME OF THE PEOPLE THAT WE ANTICIPATE WILL BE SPEAKING, TO TEACH US A LESSON, BUT THEIR ARGUMENT IS NOT WITH US, IT'S WITH THE MARKET. WE'VE SPENT THE MONEY. WE'VE DONE IT. AND SO WE WOULD BE LEFT WITH NO OTHER ALTERNATIVE THAN TO DO WHAT THE CITY OF FORT WORTH DOES WITH ITS VACANT SPACE DOWNTOWN WHICH I HAD TO LAUGH WHEN I SAW IT

IS THEY PAINT QUAIN'T LITTLE COUNTRY STORES ON THE WINDOWS SO PEOPLE WON'T LOOK AT EMPTY HOLES. OBVIOUSLY THAT'S NOT A VERY GOOD SOLUTION. IT'S NOT VERY COOL FOR THE CITY OF AUSTIN. IT'S AN EMBARRASSMENT FOR THE CITY THAT THE FACE OF THE CITY SHOULD BE FULL AND THIS IS A LIVELY USE AND I HOPE THAT YOU WILL PERMIT IT IN GOOD FAITH I KNOW THE NEIGHBORHOOD IS EARNEST, THEY WANT SOMETHING GROOVY THERE. I WANT SOMETHING GROOVY THERE. AS I SAID, IF LIFE WERE THAT SWEET, IT REMIND ME OF THE TIME I WENT TO ITALY AND I CAME BACK, I WAS IN ROME AND I SAID THEY HAVE SOME WONDERFUL STREET LIFE, IT'S FULL OF LIFE AND ALL THAT. I LOOKED AROUND AND A FRIEND FER MINE SAID TO ME, HE SAID RELAX, ROBERT, ROME WASN'T BUILT IN A DAY. I THANK YOU.

**Mayor Wynn:** THANK YOU, MR. BARNSTONE. CHARLES BETS. WHILE MR. BETTS APPROACHES THE PODIUM, TIFFANY TIP PIT IN FAVOR. I HAVE 10 RESIDENTIAL UNITS CLOSE BY. PLEASE SUPPORT FLEXIBLE TO REMOVE DARK, VACANT STREET LEVEL. WELCOME, SIR. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR, MEMBERS OF THE COUNCIL. I SIMPLY -- I'M THE EXECUTIVE DIRECTOR OF THE DOWNTOWN AUSTIN ALLIANCE. AND I SIMPLY WANT TO RELAY TO YOU THE FULL SUPPORT OF THE DOWNTOWN AUSTIN ALLIANCE. THE DOWNTOWN PROPERTY OWNERS. TO MAKE THIS EXCEPTION OR TO APPROVE OR THE STAFF RELIGIOUS. THE DOWNTOWN AUSTIN ALLIANCE IS VERY ENCOURAGING OF RETAIL AT STREET LEVEL. WE THINK THIS MEETS A BROAD DEFINITION OF RETAIL AND WE THINK IT'S AN IMPROVEMENT OVER THE SPACE REMAINING VACANT. WE THINK IT'S A VIABLE SOLUTION. IT MAY NOT BE THE ULTIMATE BEST SOLUTION, BUT IT'S STILL A VERY GOOD ONE AND WE VERY MUCH SUPPORT IT AND HOPE YOU WILL. THANK YOU.

**Mayor Wynn:** THANK YOU, MR. BETTS. LET'S SEE. PATRICIA BOWERS SLATE SIGNED UP WISHING TO DONATE TIME FOR MR. LORENZ. I DON'T HAVE A CARD FOR HIM. SHE IS IN FAVOR OF THE ZONING. COUNCIL, THAT'S ALL THE CITIZENS SIGNED UP IN FAVOR. UNLESS I MISSED ANYBODY. WE'LL NOW TAKE THE CITIZENS WHO SIGNED UP IN OPPOSITION TO



THE ZONING REQUEST. WE'LL START WITH LAURA MORRISON. WELCOME. AND APPARENTLY, IT LOOKS LIKE SOMEONE HAS OFFERED -- SCOTT FREEZE -- IS MR. FREEZE HERE? MR. FREEZE HAS OFFERED TO DONATE -- HIS THREE MINUTES TO YOU, MS. MORRISON, SO YOU WILL HAVE SIX MINUTES.

HELLO MAYOR AND MAYOR PRO TEM AND COUNCILMEMBERS. WHAT WE'RE PASSING OUT IS SORT OF A SUMMARY OF WHAT I HAVE ON THIS BOARD BECAUSE I'M NOT SURE HOW WELL YOU'RE GOING TO BE ABLE TO READ MY WRITING THERE ON THE POSTER BOARD. IN ADDITION, THERE'S A LETTER, I'M NOT SURE IF YOU ACTUALLY RECEIVED IT. IT WAS E-MAILED TO YOU TODAY. I'M A RESIDENT AND PROPERTY OWNER IN OLD WEST AUSTIN. I'M AN ACTIVE MEMBER OF AWANA AND I'M CURRENTLY SERVING ON THE AWANA ZONING COMMITTEE. THERE'S STRONG OPPOSITION TO THIS ZONING REQUEST. THE AWANA GENERAL MEMBERSHIP VOTED UNANIMOUSLY TO APOSE THE REZONING AT THEIR DECEMBER GENERAL MEETING? YOU HAVE IN YOUR PACKETS ALSO LETTERS OF OPPOSITION FROM NEIGHBORHOODS BOTH EAST AND WEST OF LAMAR ADDRESSING SEVERAL ELEMENTS OF THE OPPOSITION. THERE IS ONE THAT SHOULD BE IN YOUR -- I THINK IT'S THE YELLOW PAPERS THAT WOULD HAVE GOTTEN TO YOU TODAY OR YESTERDAY. ACTUALLY, EAST OF LAMAR. I'VE CAPTURED HERE SOME OF THE POINTS WHICH YOU WILL BE HEARING ABOUT IN MORE DETAIL FROM THE SPEAKERS TODAY. FIRST THE SIMPLEST ELEMENT OF THIS OPPOSITION HAS TO DO WITH THE FACT THAT RETAIL BRINGS VITALITY TO THE AREA THAT A REAL ESTATE IF OFFICE WOULD NOT. AND REAL ESTATE OFFICE IS WHAT WE UNDERSTAND IS WHAT IS INTENDED FOR THAT SPACE? RETAIL IS VIABLE ON LAMAR. REZONING WOULD BE A PERMANENT AND NEGATIVE SOLUTION TO A SHORT-TERM SITUATION. AND YOU WILL HEAR A 34-YEAR RESIDENT PUT THIS POSSIBLE REZONING IN THE CONTEXT OF ZONING FAILURES WE'VE HAD IN THE PAST. LASTLY, THERE'S THE ISSUE OF A SMART GROWTH FEE WAIVERS THAT WERE AWARDED TO THE NOKONAH PROJECT THAT LOSE THEIR FOUNDATION IF THIS ZONING IS APPROVED. I'M GOING TO SPEAK IN A LITTLE BIT OF DETAIL ABOUT THAT. THE PROJECT HAD A TOTAL OF \$375,000 IN

FEES WAIVED BASED ON THE JULY 102000 SMART GROWTH CRITERIA MATRIX EVALUATION WHICH YOU SHOULD HAVE IN YOUR PACKET BECAUSE I ATTACHED IT IN MY LETTER TO YOU. THEY EARN 304 POINTS IN THAT EVALUATION. NARROWLY MISSING THE 300 POINT THRESHOLD THAT ALLOWS A MUCH LARGER WAIVER. 10 OF THE POINTS WERE EARNED FOR STREET LEVEL PEDESTRIAN USES. THEY GOT 10 OUT OF 15 THAT WERE ALLOWABLE. WHILE MENTION OF OFFICE IS MADE IN THE MATRIX AS A STREET LEVEL PEDESTRIAN USE, IF YOU ACTUALLY GO TO THE PACKET THAT DEFINES USES, I HAVE A COPY HERE, BUT I DON'T HAVE COPIES FOR EVERYBODY, IT SAYS SPECIFICALLY -- FIRST IT SAYS PEDESTRIAN USES ARE DEFINED AS THOSE THAT REQUIRE DAILY PUBLIC ACCESS, IE RETAIL RESTAURANTS, SERVICES SUCH AS IS A LOUNGE, TRAVEL SERVICES. PEDESTRIAN USES SHOULD BE LOCATED AS CLOSE TO THE STREET AS SETBACKS PERMIT. AND THEN PROBABLY IT SAYS OFFICES MUST HAVE A SIGNIFICANTLY AMOUNT OF DAILY TRAFFIC OTHER THAN EMPLOYEES. A REAL ESTATE OFFICE IS NOT GOING TO HAVE A SIGNIFICANT AMOUNT OF DAILY TRAFFIC OTHER THAN EMPLOYEES. IN FACT, WHEN SPEAKING WITH SOME OF OUR -- OF THE SUPPORTERS OF THIS WHEN I ASKED WHAT KIND OF PEDESTRIAN ACTIVITY WOULD THERE BE WITH A REAL ESTATE OFFICE, AN EXAMPLE I GOT WAS WELL, THEY'LL BE OUT ON THE STREET GOING TO LUNCH. SO IN FACT IT'S A MATTER OF -- THE THOUGHT IS THAT IT WOULD JUST BE THE EMPLOYEES THAT ARE ACTUALLY DOING THAT. BEING A PEDESTRIAN. AND 75 POINTS WERE EARNED BECAUSE OF, AND I QUOTE, ADJACENT NEIGHBORHOODS. OWANA IS A NEIGHBORHOOD THAT'S ADJACENT TO THIS PROPERTY BECAUSE WE BORDER IT. IT APPEARS THAT NO POINTS ARE VIABLE ON A MAY MATRIX. IT'S ZERO OR 75. IT'S NOT MOST NEIGHBORS THAT -- NEIGHBORHOODS THAT THEY NEED SUPPORT OF, IT'S ALL. IT'S SUPPORT FROM ADJACENT NEIGHBORHOODS. OWANA VOTED IN 1996 TO NOT OPPOSE -- THEY DIDN'T VOTE TO SUPPORT, IT WAS TO NOT OPPOSE THE ZONING CASE FROM THE CS TO DMU-CURE, BASED ON THE PROPOSAL THAT IS IN THE OWANA MINUTES THAT WAS MADE TO THEM WHEN IT WAS -- THE OWANA MINUTES SAY THAT THE FIRST FLOOR WILL BE RETAIL. SO THE REZONING TO ALLOW A REAL ESTATE OFFICE WOULD CHANGE THE BASIS OF THAT VOTE

FOR NON-OPPOSITION. AND OWANA HAS SPOKEN QUITE CLEARLY THAT IT OPPOSES THIS CHANGE. IN ADDITION, THE OWANA MINUTES FROM THAT TIME SHOW THAT THE VOTE WAS BASED ON OTHER COMPONENTS OF THE PROPOSED PROJECT THAT HAVE NOT COME TO PASS AS BUILT, THAT IT WOULD BE EIGHT STORIES, IT SAYS IT VERY EX-COMPLIS SITLY MORE THAN ONCE IN THE MINUTES, THAT THAT'S WHAT WAS BEING PROPOSED, AND THAT PARTICULAR CAPITOL VIEWS WOULD BE PRESERVED. IT WAS WELL OVER EIGHT STORIES AND THE VIEWS WERE NOT PRESERVED AS PLANNED. IF THE VOTE WERE HELD TODAY WITH REGARD TO WHAT WAS AS BUILT, WITH OFFICE ON THE GROUND I HAVE A STRONG SUSPICION THAT THEY WOULD NOT VOTE TO NOT OPPOSE, BUT OWANA MIGHT OPPOSE TO -- MIGHT VOTE TO OPPOSE SPECIFICALLY. THUS THE REZONING IF IT REMOVES 85 POINTS, THIS WOULD BRING THEIR TOTAL TO 219 POINTS, WHICH ACTUALLY BRINGS THEM BELOW THE THRESHOLD OF 285 POINTS AND THEY WOULD RECEIVE NO FEE WAIVER AT ALL. IN THIS DAY OF SERIOUS BUDGET CUTS AND CHALLENGES TO THE CITY'S FINANCES, WHEN WE HAVE TO LOOK AT CUTTING, WE'RE LIMITING SERVICES SUCH AS PARKS AND THE FIRE DEPARTMENT, \$375 IS A SIGNIFICANT AMOUNT OF MONEY TO REST IN PLACE INAPPROPRIATELY. THIS WOULD BE THE CONSEQUENCE OF APPROVING THE REZONING REQUEST, AND I AS A TAXPAYER WOULD ASK THAT YOU REJECT THE REQUEST OR ALTERNATIVELY ASK TO RECOUP THAT \$375,000 TO THE CITY'S COFFERS. [ BUZZER SOUNDS ] OKAY. I GUESS I'M DONE. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

THEY WERE NOT OR SHOOT NOT BE GUARANTEE ADD PROFIT ON THIS VENTURE. BUSINESS IS A COMPETITIVE GAME AND THEY HAVE TO LIVE WITHIN WHAT THE MARKET WILL BEAR. NO BUSINESS SHOULD COME RUNNING TO YOU TO CHANGE GOOD RULES WHEN THEY MAKE BAD BUSINESS DECISIONS. THESE DEVELOPERS BUILT AN UGLY, INACCESSIBLE BUILDING, APPRISING WHAT THE MARKET CAN BEAR AND NOW THEY ARE ASKING YOU TO COME TO THEIR RESCUE AND CHANGE GOOD AND WELL-THOUGHT OUT ZONING REGULATIONS TO COMPENSATE FOR THEIR MISTAKES. IT IS BAD POLICY TO CHANGE GOOD ZONING IN ORDER TO COMPENSATE FOR BAD BUSINESS DECISIONS.

PLEASE DO NOT LET THESE MAN GO BACK TO THE PROMISES THAT THEY MADE TO A PREVIOUS CITY COUNCIL AND ME AND OWANA AND THE WHOLE CITY OF AUSTIN. GROUND FLOOR RETAIL IS THE BEST USE FOR THIS LOCATION AND THESE BUSINESSMEN SHOULD BE HELD ACCOUNTABLE FOR THEIR PROMISES AND ACTIONS. THAT'S - - THAT'S WHAT I HAVE TO SAY BEFORE THE ISSUE AND I'M GOING TO -- ABOUT THE ISSUE AND I'M GOING TO READ A LITTLE BIT FOR SOME OTHER NEIGHBORS, ROBERT T. RENFRO, AN ARCHITECT AND SENIOR LECTURER RETIRED FROM THE SCHOOL OF ARCHITECTURE AT THE UNIVERSITY OF TEXAS WHO IS A LONG-TIME RESIDENT OF AUSTIN FOR THE PAST 26 YEARS HAS LIVED AT 1915 WEST 9th 9th. SAYS THAT WHEN I FIRST HEARD THE PLANS FOR THE NOKONAH SOME YEARS AGO, I WAS OVERJOYED THAT PROPER DEVELOPMENT WAS BEING PLANNED FOR LAMAR. THAT IS RESIDENTIAL USE ON UPPER FLOORS AND RETAIL ON THE GROUND. RETAIL USE WOULD MAINTAIN AND ENHANCE PEDESTRIAN DYNAMICS ALREADY HAPPENING BETWEEN FIFTH AND 12th STREET. I'M RUNNING OUT OF TIME, YOU HAVE A COUPLE MORE LETTERS FROM MY NEIGHBORS, BUT I WANT TO SAY THAT THIS -- SPACE, THEY KEEP REFERRING TO IT AS A BLACK HOLE. IT'S A BLACK HOLE BECAUSE OF THEIR INS TAKE AND THEY HAVE THE ABILITY TO CHANGE -- TO CORRECT THOSE MISTAKES. AND YOU SHOULD NOT CHANGE GOOD ZONING, GOOD WELL-THOUGHT OUT ZONING REGULATIONS TO SUPPORT THEM. WE ARE NOT TRYING TO BE PUNITIVE AND DAMAGE THEM. WE ARE WANTING WHAT IS BEST FOR OUR NEIGHBORHOOD. A REAL ESTATE OFFICE WILL OF NO USE TO US. BUT THERE WAS A JUICE BAR OR EVEN A COCKTAIL LOUNGE OR A RETAIL STORE, THAT'S SOMETHING THAT WE COULD USE. AND THAT'S ANOTHER THING THAT I HAVE AGAINST THEIR RESOLUTION IS THAT THEY EXCLUDE COCKTAIL LOUNGES, I THINK THAT WILL MAKE IT HARDER FOR THEM TO GET A RESTAURANT INTO THAT BUSINESS, WHICH WOULD WOULD BE A WONDERFUL USE FOR THAT SPACE AND A GREAT SERVICE FOR OUR NEIGHBORHOOD. THANK YOU VERY MUCH FOR YOUR CONSIDERATION.

**Mayor Wynn:** THANK YOU. SHAUN LA BREZA? WELCOME, SIR, YOU WILL HAVE THREE MINUTES, YOU WILL BE FOLLOWED

BY LINDA MCNEILAGE.

HI, MY NAME IS JOHN LA BRUZA, A SECOND GENERATION AUSTINITE WHO EMBRACING STRIVES FOR THE PRESERVATION OF OUR CULTURE. AS A STUDENTS OF LIFE I AM EXCITED TO BE HERE IN THIS MOMENT WITH YOU ALL. I AM READING THIS LETTER ON BEHALF OF MATTHEW AND KATHRYN COMO OWNERS OF BY GEORGE ON 524 NORTH LAMAR WHO CANNOT BE HERE. HELLO, MY WHO I HAVE KATHY AND I ARE OWNERS OF BY GEORGE, A SPECIALTY RETAIL STORE AT 542 NORTH LAMAR. WE SPECIALIZE IN MEN'S AND WOMEN'S CLOTHING, AND ACCESSORIES. WE MOVED TO THIS LOCATION FOUR YEARS AGO BECAUSE WE KNEW THE WEST AUSTIN DOWNTOWN AREA WAS A GROWING, HIGHLY VISIBLE AND LUCRATIVE AREA FOR OUR STORE TORE LOCATED. SINCE OUR MOVE TO SIXTH AND LAMAR BUSINESS HAS INCREASED TREMENDOUSLY. I'M WRITING TO YOU TODAY AS A CONCERN NEIGHBORHOOD LIVING AT 9th AND BAYLOR STREET AS WELL AS A SUCCESSFUL MERCHANT DOING BUSINESS AT THE CORNER OF SIXTH LAMAR. OUR IS THE REZONING OF THE NOKONAH RETAIL SPACE FOR OFFICE USE. AS A STORE OWNER AND NEIGHBORHOOD, I KNOW THAT GROUND FLOOR RETAIL AT THE NOKONAH WILL ONLY ADD TO THE VITALITY AND LIVABILITY OF OUR NEIGHBORHOOD AND OUR CITY. MOST RETAIL OWNERS KNOW THAT BUSINESS BREEDS BUSINESS. THE MORE SHOPS AND SERVICES THERE ARE IN A DISTRICT ONLY ENHANCES OUR BUSINESS, DUE TO THE VOLUME OF TRAFFIC INCREASED BY THE SYNERGISTIC NATURE OF THE AREA. IT IS IN ALL LIKELIHOOD RETAIL IN THE NOKONAH WILL BRING MORE VITALITY TO THE STREETS AND IMPROVE BUSINESS FOR EVERYONE IN THE AREA AS WELL AS PROVIDE NEEDED SERVICES AND AMENITIES FOR NEIGHBORING RESIDENTS, ESPECIALLY THOSE WHO INVESTED IN NOKONAH PROPERTY. IT IS MY UNDERSTANDING THAT THE PRINCIPALS OR REAL ESTATE GROUPS FOR THE NOKONAH ARE ASKING THE CITY OF AUSTIN TO REZONE THEIR GROUND FLOOR RETAIL FOR OFFICE USE. I HAVE BEEN INFORMED THAT POSSIBLE REASONS GIVEN ARE THAT THIS AREA OF AUSTIN IS OVERRETAILED AND THAT THEY HAVE EXHAUSTIVELY MARKETING THEIR PROPERTY WITH NO TAKERS. I FEEL

THERE ARE SOME VERY IMPORTANT FACTS THAT NEED TO BE CONSIDERED BEFORE MAKING THE DECISION TO CHANGE THEIR ZONING. THERE'S POOR VISIBILITY FOR THE SPACE. THE CEILINGS ARE VERY LOW IN THE SPACE THEY ARE MARKETING. 8 FEET OR SO FROM WHAT I'VE BEEN TOLD. THE SPACE IS SPLIT LEVEL, STEPS DOWN DUE TO THE ELEVATION SHIFT OF THE STRUCTURE. PARKING IS A HINDRANCE DUE TO CUSTOMERS HAVING TO PARK IN THE PARKING GARAGE. THE SPACE IS MARKETING AS AN INVESTMENT PROPERTY. IT IS FOR SALE, NOT FOR LEASE. TO KATY AND I AS RETAILERS AS WELL AS OTHERS WE HAVE DISCUSSED THIS ISSUE WITH, THIS IS NOT JUST A GOOD PRODUCT. IT SEEMS THAT THEIR OBJECTIVE OF INCORPORATING RETAIL IN THIS PROJECT WAS NOT FOLLOWED THROUGH. IF IT WAS A PRIORITY, IT SEEMS THAT THEY HAVE GOTTEN LOST IN THE EXECUTION. BUT THEREIN LIES THE ISSUE. THE DEVELOPERS RECEIVE SMART GROWTH MONEY FROM THE CITY BECAUSE THEY PROMISED GROUND FLOOR RETAIL. THEY SHOULD NOT BE ABLE TO BACK OUT OF THAT PROMISE NOW. THE DEVELOPERS ALSO RENEGED ON SEVERAL OTHER KEY ITEMS WHEN BUILDING THIS COMPLEX [BUZZER SOUNDING] NOT QUITE THE END OF THE LETTER.

**Mayor Wynn:** PLEASE CONCLUDE.

YOU ARE ALL WELL AWARE OF THE HEIGHT FIASCO THAT WAS ADDRESSED AND PASSED THROUGH WITH VARIANCES WHICH LED TO THE DESTRUCTION OF KEY VIEW CORRIDORS OF THE CAPITAL AREA RESIDENTS. THEY ALSO PROMISED A NICE ROOF TOP FOR THE RESIDENTS TO VIEW. ALL THAT I SEE NOW IS BROWN PAINTED CONDENSINGS UNITS FOR THE FRONT PORCH. MY DIRECT VIEW OF DOWNTOWN HAS BEEN DESTROYED. IF THIS AREA OF AUSTIN IS OVERRAILED WHY IS SCHLOSSER DEVELOPMENT ADDING A NEW SPACE. I KNOW OF TWO NEW CLOTHING STORES OPENING IN OUR AREA IN THE NEXT FEW MONTHS. WHEN THE SPACE NEXT TO MINE IN 524 BECAME AVAILABLE IN OCTOBER THERE WAS NO SHORTAGE OF VIABLE TENANTS.

PLEASE CONCLUDE.

THE SPACE IS ONCE AGAIN OCCUPIED. WE URGE YOU AS

CONCERNED NEIGHBORS AND CITIZENS OF THE CITY TO TRULY CONSIDER THE MESSAGE THAT YOU ARE GIVING TO DEVELOPERS AND ACQUIESCING TO THEIR REQUESTS. ESPECIALLY THOSE DEVELOPERS WHO DON'T WANT TO WORK WITHIN THE PARAMETERS THAT THEY SET FOR THEMSELVES. YEARS TRULY, MATTHEW CUOMO AND KATHRYN FROM BY GEORGE.

LINDA MCNEILAGE, SORRY IF I -- YOU WILL BE FOLLOWED BY -- ACTUALLY YOU WON'T BE FOLLOWED BY. I WILL READ SOME CARDS. WHILE YOU'RE APPROACHING THE PODIUM I WILL SAY STEVE COBURN SIGNED UP -- SORRY WISHING TO SPEAK. [INDISCERNIBLE] DOSS NOT WISHING TO SPEAK, AGAINST. AND SUSAN DOSS, NOT WANTING TO SPEAK, AGAINST. YOUR CLOSEST NEIGHBORHOOD RESIDENT TO PROJECT. WELCOME, MA'AM, YOU WILL HAVE THREE MINUTES.

YES. GOOD EVENING, MAYOR WYNN AND MAYOR PRO TEM GOODMAN AND COUNCIL MEMBERS. I'M LINDA MCNEILAGE, I'M CHAIR OF THE OLD WEST AUSTIN NEIGHBORHOOD ASSOCIATION. OWANA. PERHAPS YOU'VE HEARD OF US. MY HUSBAND AND I BOUGHT OUR HOUSE IN 1970 AND I HAVE BEEN INVOLVED IN COMMUNITY ACTION INITIATIVES DESIGNED TO PLAN THOUGHTFUL GROWTH OFF AND ON THROUGHOUT THE INTREERING 34 YEARS. I AND MANY OTHER PEOPLE LIKE ME HAVE DEVOTED A GREAT MANY HOURS IN MEETINGS ABOUT GOOD URBAN PLANNING AND DESIGN FOR AUSTIN. FOR EXAMPLE, SOME OF YOU MAY HAVE HEARD OF THE AUSTIN TOMORROW PROJECT. A VERY EXTENSIVE EFFORT WHICH ADDRESSED A WIDE SPECTRUM OF ISSUES, AMONG THEM THE CHALLENGE OF HOW TO MAKE THE DOWNTOWN AREA OF THE CITY A PLACE WHERE PEOPLE WOULD WANT TO BE AFTER 5:00 OR 6:00 WHEN THE DOWNTOWN OFFICES EMPTIED OUT. THE AUSTIN TOMORROW PROJECT ALSO LOOKED AT THE CHALLENGE OF HOW TO PROMOTE RETAIL IN THE DOWNTOWN AREA. A CONCERN THAT FOLLOWED THE DEVELOPMENT OF SOME OF AUSTIN'S FIRST MALLS. AND INTENSIFIED AFTER THE CLOSING OF THE SCARBOROUGH DEPARTMENT STORE AT 6th AND CONGRESS. THE AUSTIN TOMORROW PROJECT AND SUBSEQUENT PLANNING INITIATIVES HAVE ENCOURAGE NEIGHBORHOOD REPRESENTATIVES TO COLLABORATE WITH

CITY STAFF AND DEVELOPERS TO COME UP WITH PROJECTS THAT CONTRIBUTE TO THE VITALITY AND LIVABILITY OF THEIR NEIGHBORHOODS. DESPITE GOOD FAITH EFFORTS TO WORK WITH DEVELOPERS IN OUR NEIGHBORHOOD, I WOULD HAVE TO SAY THAT A NUMBER OF PLACES DO NOT REFLECT THE BENEFIT OF THESE EFFORTS. WHY? BECAUSE AFTER ALL THE PLANNING, COMPROMISES AND ALL OF THE AGREEMENTS IN THE END THE ZONING AND ORDINANCES ASSOCIATED WITH THE PROJECT HAVE BEEN CHANGED, UNDERMINED AND NOT ENFORCED. LET'S LOOK AT A MOMENT FOR A PHOTO OF A DEVELOPMENT OF A NEIGHBORHOOD PROJECT THAT WAS A P.U.D. A PROJECT THAT WAS DESIGNED TO BRING MIXED USE INTO OUR NEIGHBORHOOD. THE CITY WAS ENAMORED ENOUGH OF THIS PROJECT THAT A CITY STREET CALLED JOHN OF ARC CIRCLE WAS GIVEN OVER TO THIS DEVELOPMENT. IT WAS PLANNED WITH RESIDENTIAL USE ABOVE WITH RETAIL ON THE GROUND FLOOR. DO YOU RECOGNIZE IT? IS IT A MIXED USE PROJECT? NO, IT IS NOT. THIS IS NOW AN OFFICE COMPLEX, NOT MIXED USE. IT'S OCCUPIED BY AISD ADMINISTRATION, WHEN THE EMPLOYEES LEAVE AT THE END OF THEIR WORK DAY IT IS A DEAD SPACE. EXACTLY THE KIND OF SITUATION THAT PART OF THE AUSTIN TOMORROW PLAN WAS FOCUSSED ON AVOIDING. HOW DID IT HAPPEN? IT HAPPENED BECAUSE THE AGREEMENT IN TERMS OF THE ZONING ORDINANCE WAS NOT UPHOLD AND ENFORCED. DOES IT LOOK INVITING FOR PEDESTRIAN FRIENDLY TRAFFIC? IT'S ABOUT AS INVITING AS A CLOSED GARAGE DOOR IN A SUBURBAN NEIGHBORHOOD. [BUZZER SOUNDING] MEANWHILE ON THE NORTH SIDE OF THE SAME STREET THERE'S A VIBRANT RETAIL DEVELOPMENT OF SHOPS NESTLED IN THE NOOKS AND CRANNIES OF A RETAIL AREA THAT'S BEEN THERE SINCE THE BEGINNING OF THE CENTURY.

**Mayor Wynn:** PLEASE CONCLUDE.

OKAY. ONE FINAL THING, PLEASE NOTE THAT BECKY BAKER, BETTY BAKER, CHAIR OF THE ZONING AND PLANNING COMMISSION, REMARKED AT THE DECEMBER HEARING ABOUT THIS ISSUE, THAT OFFICE SPACE IS "A DESTINATION" AND AS SUCH IS NOT CONDUCIVE TO PED SPREAD FRIENDLY REVITALIZATION OF THE NEIGHBORHOOD. I HOPE THAT YOU



PAY ATTENTION TO HER PERSPECTIVE. I ALSO HOPE SHE WON'T MIND MY SAYING SHE'S BEEN AROUND ABOUT AS LONG AS I HAVE BEEN. I BELIEVE THAT THE PERSPECTIVE THAT SHE BRINGS TO HER POSITION IS INFORMED BY A GREAT DEAL OF EXPERIENCE WHICH TRANSLATES TO A GOOD DEAL OF WISDOM. PLEASE THINK VERY CAREFULLY ABOUT THE LONGER TERM CONSEQUENCES OF THE ZONING DECISION THAT HAS THE APPEAL OF BEING A SHORT-TERM SOLUTION. AND RECOGNIZE THAT WE WILL LEAVE WITH THE CONSEQUENCES OF THIS DECISION FOR A VERY LONG TIME, THANK YOU.

THANK YOU, MA'AM. STEVE COBURN, WELCOME, SIR, YOU WILL HAVE THREE MINUTES. YOU CAN SPEAK FROM DOWN THERE IF YOU WANT.

RON HANDLE MAYOR, CITY COUNCIL, MY NAME IS STEVE COBURN A 20 YEAR WERE THE OF OLD WEST AUSTIN NEIGHBORHOOD, CURRENTLY THE CHAIR OF THE ZONING AND LAND USE COMMITTEE. AS MUCH MY CONCERN IS FOR THE LONG-TERM LIVABILITY OF OUR NEIGHBORHOOD. AS I'M SURE YOU ARE AS WELL. FOR THE CITY AND THE NEIGHBORHOOD. AND WHAT -- WHAT THEY ARE ASKING YOU TO DO IS TO TAKE A SHORT-TERM SITUATION, SHORT-TERM FROM MY PERSPECTIVE IS TWO OR THREE YEARS AND -- AND THEY ARE CLAIMING THAT THERE WILL BE HARDSHIPS BECAUSE OF THE -- BECAUSE OF THE WORK TO BE DONE ON THE STREETS. THE FACT THAT THERE WILL BE WORK DONE CREATING THE -- THE REDEVELOPMENT IN THE CURRENT WHOLE FOODS AREA, RIGHT NEXT TO THEM. AND THEN OF COURSE THE -- WHAT WE HOPE WILL BE A SHORT-TERM SITUATION WITH THE CURRENT ECONOMY. AND SO THEY ARE ASKING FOR A ZONING CHANGE THAT I HAVEN'T HEARD ANYONE AGREE IS THE BEST USE. EVERYONE THAT I HAVE HEARD, INCLUDING THE FOLKS IN FAVOR OF THIS ORDINANCE, AGREE THAT RETAIL IS THE BEST USE. AND YET WHAT THEY ARE ASKING FOR IS FOR YOU TO -- TO CHANGE FROM THAT BEST USE TO SOMETHING THAT IS OBVIOUSLY NOT. AND THAT IS OFFICE. OFFICE IS FINE IN CERTAIN LOCATIONS, BUT THE LOCATION THAT WE ARE TALKING ABOUT HERE, RIGHT ON LAMAR, WILL BASICALLY STOP THE PEDESTRIAN TRAFFIC RIGHT THERE. THAT -- THE PEDESTRIAN TRAFFIC THAT WILL BE COMING TO LAMAR TO --

TO WORK, TO EAT, TO BUY. AND SO -- SO THEY HAVE -- THEY HAVE ATTEMPTED TO MARKET THIS OBVIOUSLY UNSUCCESSFULLY. AND, YOU KNOW, I'M -- I'M A BUSINESSMAN MYSELF. I'VE STARTED AND SOLD TWO BUSINESSES. SO I CAN SYMPATHIZE WITH THEM THE FACT THAT THEY HAVEN'T BEEN ABLE TO SUCCESSFULLY MARKET THE SALE OR LEASE OF THE PROPERTY. BUT AT THE SAME TIME, AS A BUSINESSMAN, I RECOGNIZE THAT IT'S NOT IN THE CITY'S LONG-TERM BEST INTERESTS FOR YOU TO COME UP WITH A -- WITH A BAILOUT SOLUTION FOR THEM. THEY CAN -- THEY CAN SELL OR MARKET THE PROPERTY IF THEY PRICE IT RIGHT. THAT MUCH IS OBVIOUS. AND SO CONSTANTLY, HE -- CON QUENTLY, CONSEQUENTLY WE SHOULDN'T BE ASKED TO ACCEPT A LESS THAN BEST SOLUTION. WHAT I WOULD LIKE TO MENTION IS THAT THE -- IT WAS MENTIONED EARLIER THAT THE ORDINANCE DID NOT REQUIRE RETAIL. I HAVE A COPY OF THE ORDINANCE, THE ORIGINAL ORDINANCE FROM DECEMBER OF 1996 AND NUMBER 8 IS THE GROUND FLOOR ELEVATIONS ALONG NORTH LAMAR BOULEVARD [BUZZER SOUNDING] AND WEST 9th STREET SHALL BE NO RETAIL USES -- SHALL BE FOR RETAIL USES PERIOD.

**Mayor Wynn:** LEASE CONCLUDE, SIR.

SURE. FINALLY, AGAIN, THE ISSUE IS LONG-TERM VERSUS SHORT TERM. ZONING LIKE DIAMONDS IS FOREVER. THANK YOU.

**Mayor Wynn:** THANK YOU, MR. COBUSH. I BELIEVE THAT'S ALL OF THE CITIZENS WHO SIGNED UP IN OPPOSITION TO THIS ZONING CASE, IS THAT TRUE? OKAY. SEEING NO MORE, THEN MR. WAYLON YOU WILL HAVE A 3 MINUTE REBUTTAL.

THANK YOU MAYOR AND COUNCILMEMBERS, MICHAEL WAYLON ON BEHALF OF NOKONAH LIMITED PARTNERS. I WANT TO JUST ADDRESS A FEW POINT QUICKLY. FIRST, I THINK MR. [INDISCERNIBLE] MADE A GOOD POINT ABOUT A REAL ESTATE OFFICE CREATING ACTIVITY. IF YOU LOOK AT MR. ADAMS LETTER IN THE FIRST PAGE, I THINK THAT HE'S HIGHLIGHTED IT, AND I BELIEVE MR. MORRISON READ IT TO YOU, THE PART THAT MR. ADAMS INDENTED I THINK REFERS TO A TRAVEL AGENCY. IT'S GOING TO BE SIMILAR, DOZENS

OF PEOPLE COMING AND GOING FROM THIS LOCATION, AN ACTIVE SITE AND IT WILL CREATE MORE ACTIVITY UP AND DOWN THE AREA. ALSO I THINK AGAIN MR. ADAMS LETTERMENT THE DESIGN ELEMENT, THE FACT THAT IT'S BEEN DESIGNED WITH WINDOWS AND DOORS IN COMPLIANCE WITH A.D.A. AND OTHER REGULATIONS MAKES IT A PLACE WHERE ULTIMATELY AND HOPEFULLY THEY ARE RIGHT THAT RETAIL WILL BE THERE. I SAY HOPEFULLY BECAUSE RETAIL COMMANDS MORE RENT. WE HAVEN'T BEEN ABLE TO GET RETAIL. AS EVERYBODY HAS ALLUDED HUNDREDS OF THOUSANDS OF SQUARE FEET ARE ABOUT TO COME ONLINE WITH THE WHOLE FOODS, THE FEW SCHLOSSER DEVELOPMENT AND AGAIN THE REDEVELOPMENT OF THE CURRENT WHOLE FOODS LOCATION. THE -- I THINK ALSO THE SIGN ISSUE THAT WE HAVE BEEN TALKING ABOUT, -- IT NEVER -- IT WAS FOR SALE ORIGINALLY. IT WAS THEN MARKETING FOR LEASE, WE DIDN'T SPEND THE MONEY TO CHANGE THE SIGN. WE APOLOGIZED TO EVERYBODY, BUT WE DO -- IT WAS KEPT UP BECAUSE THERE WAS A PHONE NUMBER AND EVERYBODY IN TOWN KNEW IT WAS BEING MARKETING WITH A LEASE, WE DO HAVE A LEASE WITH THE REAL ESTATE COMPANY. BY THE SAY A SIMILAR RENT IS CHICO'S. WELL, AS PREDICTED, WE TALKED ABOUT PROMISES TONIGHT. AND THE FIRST ONE IS THE ONE WITH SMART GROWTH. AND GEORGE ADAMS' LETTER ADDRESSES THAT DIRECTLY. DIRECTLY BEHIND MR. ADAMS' LETTER I WOULD POINT OUT THAT AS PART OF THE PROCESS THE RULES REQUIRED WE GET NEIGHBORHOOD ORGANIZATIONS WHOSE BOUNDARY INCLUDE THE PROPOSED PROJECT WHICH IN FACT NOKONAH TO TO GET THE APPROPRIATE POINTS. WE FOLLOWED THE SMART GROWTH INITIATIVE TO GET THE POINTS. AS MR. ADAMS POINTS OUT THE DESIGN IS DRIVING US. WE ARE MEETING THE SMART GROWTH INITIATIVE AS IT EXISTED AT THE TIME. BUT I WANT TO TALK ABOUT GRAPA'S AGREEMENTS. I TOLD YOU THIS WAS NOT THE SHOW-ME STATE. I HAVE GOT IT. I HAVE A WRITTEN AGREEMENT WITH HIS SIGNATURE. YOU WILL NOT FIND THE WORD RETAIL ANYWHERE ON IT. IT WASN'T PART OF THE DISCUSSION. IT WAS SMART GROWTH INITIATIVE THAT WAS DRIVING THE ISSUE. IN FACT, WHAT IT DOES SAY IS "DEVELOPER WILL A HEIGHT VARIANCE TO THE LIMITS OF THE ZONING SOUGHT." OKAY." WITHOUT

APPLICATION OF THE COMPATIBILITY STANDARDS FOR THE REMAINDER OF THE TRACT." MR. GRAPA AND OTHER KNEW THAT, IT WAS SIGNED BY EVERYTHING. THEY HAVEN'T SHOWN YOU ANY AGREEMENT TO THE CONTRARY. EVERYBODY KNEW UP FRONT IT WAS GOING TO BE 120 FEET AND THAT A VARIANCE MIGHT BE NECESSARY IN THAT REGARD. AGAIN, A SUGGESTION ABOUT A JUICE BAR WHICH WOULD NOT BE REQUIRED UNDER THE CURRENT RETAIL USE OR COCKTAIL LOUNGE [BUZZER SOUNDING] I WOULD JUST END BY SAYING WE DID OFFER TO TAKE, TO LET ME COCKTAIL LOUNGE FROM THE LIST BECAUSE THAT HAD BEEN SOMETHING RAISED BY ONE NEIGHBOR. IF THE FOLKS WOULD LIKE COCKTAIL LOUNGES, WE WOULD BE HAPPY TO INCLUDE THAT. I DON'T -- I DON'T KNOW WHETHER THAT WOULD BE SOMETHING, SOUNDS LIKE WE DID HEAR THAT COCKTAIL LOUNGE SHOULD BE INCLUDED. I WOULD TURN TO THE COUNCIL FOR GUIDANCE ON COCKTAIL LOUNGES, WHETHER TO KEEP IT IN OR NOT BASED ON THE INPUT FROM THE OWANA RESIDENTS. THANK YOU VERY MUCH.

THANK YOU, MR. WAYLON. ANY QUESTIONS FOR THE APPLICANT, COUNCIL OR STAFF? COMMENTS? MR. GUERNSEY, IS STAFF PREPARED FIRST READING ONLY?

YES. THIS IS READY FOR FIRST READING ONLY. WE WILL PREPARE AN ORDINANCE AND BRING IT BACK. THE ORDINANCE IF AS RECOMMENDED BY STAFF AND REQUESTED BY THE APPLICANT WOULD BE FOR PEDESTRIAN ORIENTED USES AND OFFICE AND LET ME JUST CLARIFY WHEN I SPOKE TO OFFICE THAT WOULD BE FOR ALL THREE TYPES OF LAW OFFICE -- OF OFFICES CURRENTLY FOUND IN OUR CODE, THAT WOULD BE MEDICAL, ADMINISTRATIVE -- [INDISCERNIBLE] -- THEY HAVE PROPOSED A PROPER ON THE COCKTAIL LOUNGE. STAFF WOULD LOOK TO COUNCIL IF YOU MAKE A POSITION TO EITHER INCLUDE OR EXCLUDE THAT AS ONE OF THE PEDESTRIAN USES SO WE NOW HAVE TO DRAFT THE CONDITIONAL OVERLAY.

I'M SORRY. WHO LA HAS PROPOSED --

THE APPLICANT OFFERED I BELIEVE AT THE REQUEST OF AN INDIVIDUAL, ONE OF THE NEIGHBORS, NEIGHBORHOOD

ASSOCIATIONS, TO PROHIBIT COCKTAIL LOUNGE AS ONE OF THE BREAD PEDESTRIAN ORIENTED USES.

**Mayor Wynn:** THANK YOU. FURTHER QUESTIONS? FURTHER COMMENTS? MAYOR PRO TEM?

**Goodman:** I HAVE ONE. I DON'T EXPECT THE ANSWER TONIGHT. I DIDN'T REALLY FOLLOW THE QUOTE FROM BETTY BAKER. NOT BEING A DESTINATION. I MEAN IT'S A DESTINATION. BUT FOR -- DO YOU HAVE HER EXACT WORDS?

I DON'T HAVE THE EXACT WORDS. BUT THE DISCUSSION WAS COMING UP BETWEEN THE ZONING AND PLATTING COMMISSION MEMBERS. AND BETTY BAKER RAISED THE ISSUE THAT OFFICE IS A DESTINATION. NAMELY --

**Mayor Wynn:** SPEAK OF THE DEVIL. THE PERSON THERE, MS. BAKER.

THERE SHE IS.

OKAY, WELL, I'LL LET HER SPEAK.

**Mayor Wynn:** POOR CHOICE OF, MS. BAKER I APOLOGIZE.

THAT'S QUITE ALL RIGHT, SIR, I'VE BEEN CALLED WORSE. I'M BETTY BAKER, HERE AS AN INDIVIDUAL, BUT I'M HERE TO ANSWER QUESTIONS RELATIVE TO THE ZONING AND PLATTING MEETING IF YOU HAVE ANY.

**Goodman:** WELL, YOU WERE REFERRED TO AND PARAPHRASED I THINK RELATIVE TO DESTINATIONS AND OFFICE USE VERSUS RETAIL. I THINK IN THE CONTEXT OF PEDESTRIAN FRIENDLY OR PEDESTRIAN ORIENTATION. DO YOU REMEMBER WHAT YOU SAID?

VAGUELY I REMEMBER THAT I COMMENTED AN OFFICE USE IS USUALLY A DESTINATION. YOU KNOW WHERE YOU ARE GOING. IT'S NOT SOMETHING THAT YOU WOULD WALK BY AS A BREAD STRENGTH AND WALK IN AND BUY SOMETHING. THAT WAS THE -- THE CONTEXT OF WHICH I MADE THAT STATEMENT, YES. YES.

**Goodman:** OH, OKAY.

DOES THAT HELP?

**Goodman:** OKAY.

THANK YOU.

**Mayor Wynn:** THANK YOU, MS. BAKER. FURTHER, QUESTIONS? I WILL ENTERTAIN A MOTION ON Z-13.

I DID HAVE A QUESTION, MAYOR?

COUNCILMEMBER ALVAREZ, YES.

**Alvarez:** I THINK THAT WE HAVE RESEARCHED THIS LETTER FROM GEORGE ADAMS DEALING WITH THE RETAIL ISSUE OR AS PERTAINS TO I GUESS THE SMART GROWTH MATRIX. THEN A GENTLEMAN THAT WAS HERE KIND OF REFERENCED THE ORDINANCE THAT'S -- REFERENCES SOME KIND OF TAIL USE. IT WOULD TO BE VERY SPECIFIC TO ELEVATIONS OR I GUESS VERY PARTICULAR IN THAT REGARD, SO I DON'T KNOW IF YOU COULD SPEAK TO THAT, ANYONE FROM SATISFY.

COUNCILMEMBER, I'M NOT EXACTLY PREPARED TO SPEAK IN DEPTH OF THE SMART GROWTH MATRIX, BUT WHAT WE CAN DO IS WHEN WE BRING THIS BACK FOR SECOND AND THIRD READINGS WE CAN GET WITH MR. ADAMS AND GET THE CLARIFICATION OF THOSE PROVISIONS, THAT WAS IN THE -- THAT WAS IN THE PREVIOUS SMART GROWTH MATRIX. PROVIDE THAT ANSWER FOR YOU.

**Alvarez:** OKAY.

**Dunkerley:** HAIR?

**Mayor Wynn:** COUNCILMEMBER DUNKERLY?

**Dunkerley:** OKAY, I'M PREPARED TO MAKE A MOTION JUST ON FIRST READING. I SPOKE WITH THE OWANA NEIGHBORS YESTERDAY BEFORE I SPOKE WITH ANYONE ELSE. I REALLY HAD MANY OF THE SAME ARGUMENTS JUST COMING FROM

THIS PERSPECTIVE OF FINANCE PERSON. I KNOW HOW MUCH UNRENTED, UNUSED RETAIL SPACE THERE IS IN AUSTIN. CITY OF AUSTIN IS TRYING TO SPACE UP AND DOWN SECOND STREET. SO I WAS CONCERNED THAT IF WE DIDN'T ALLOW AT LEAST A SHORT-TERM BASIS SOME KIND OF -- OF OFFICE USE, WHICH IS CERTAINLY NOT A REAL ESTATE OFFICE, I THINK DOES INVITE MORE -- PROBABLY MORE ACTIVITY THAN SOME TYPES OF OFFICES, THAT YOU REALLY WOULD BE STUCK WITH A LOT OF INDEPENDENT SPACE FOR A LONG TIME. AND I THINK THAT REDEVELOPMENT OF THE WHOLE FOODS IS SIMPLY GOING TO COMPOUND THAT. SO ON FIRST READING, WHILE WE GET THE ANSWER TO SOME OF THESE QUESTIONS, I WOULD MOVE APPROVAL OF THE STAFF RECOMMENDATION.

**Slusher:** I WOULD SECOND.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER DUNKERLY, SECONDED BY COUNCILMEMBER SLUSHER TO APPROVE STAFF RECOMMENDATION FIRST READING ONLY, Z-13.

**Slusher:** MAYOR, I JUST WANT TO ADJUST A FEW COMMENTS. SEEMS TO ME, MR. ADAMS HIT ON THIS IN THE LETTER, BUT THE IDEA IS TO GET SOME HUMAN ACTIVITY DOWN THERE AT STREET LEVEL, ACTIVITY THERE. REAL ESTATE OFFICE LIKE COUNCILMEMBER DUNKERLY SAID WILL HAVE MORE THAN JUST -- JUST A NORMAL OFFICE I THINK. LIKE -- WELL, I THINK THAT IT WILL. BUT I THINK THAT IT'S A LOT BETTER THAN JUST HAVING THE SPACE SIT THERE EMPTY. AND YOU ARE GOING TO HAVE THE NEW WHOLE FOODS, YOU ARE GOING TO HAVE SOMETHING OPEN AND IN PLACES OF IT. YOU HAVE GOT THE BOOK PEOPLE -- IN PLACE OF IT, BOOK PEOPLE ACROSS THE STREET. THESE PEOPLE WILL BE ABLE TO WALK TO THOSE STORES AND RESTAURANTS AND THAT WILL BRING MORE ACTIVITY TO THE AREA AND THEY -- DURING THE DAY MOST LIKELY WON'T BE USING THEIR CARS. OF COURSE A LOT OF THEM WILL BE DRIVING THERE DURING THE DAY. BUT -- BUT THEY WILL BE ABLE TO WALK TO HAVE LUNCH AND TO SHOP AND THAT'S -- THAT'S VERY CONSISTENT WITH THE SMART GROWTH GOALS THAT WE HAVE AND OUR GOALS TO GET AS MANY CARS AS -- TO DO AS WELL AS CAN WITH THE TRAFFIC. SO -- SO THAT'S WHY I

WILL BE SUPPORTING THIS.

MR. GUERNSEY?

GUERNSEY: MAYOR, I JUST WANTED TO GET CLARIFICATION. IF THERE WAS A DESIRE TO PROHIBIT THE COCKTAIL LOUNGE, WHICH IS A BAR, OR NOT? THAT WAS NOT PART OF THE STAFF RECOMMENDATION. WE JUST RECOMMENDED THE REQUEST FOR PEDESTRIAN ORIENTED USES. AND THE OFFICE USES --

**Dunkerley:** FOR THE FIFTH TIME, MAYOR, I WOULD LIKE TO EXCLUDE IT. BUT I WOULD LIKE TO ASK YOU TO MEET WITH THEM ON IT OR CONTACT THEM TO SEE IF THEY WOULD LIKE TO HAVE THIS ADDED. I THINK -- I THINK SINCE THIS IS BEING LEASED OR IS UP FOR LEASE, THAT IF YOU HAD MORE OPPORTUNITIES FOR MORE DIFFERENT THINGS YOU WOULD HAVE A BETTER CHANCE OF GETTING THOSE MORE -- YOU KNOW MORE PEDESTRIAN ORIENTED ACTIVITIES THERE LIKE THE NEIGHBORHOOD AND LIKE WE WANT. SO WHY DON'T YOU ASK AND BEFORE WE COME BACK FOR SECOND READING SEE IF YOU CAN GET SOME CLARIFICATION THERE. RIGHT NOW WE WILL LEAVE IT AS IT IS.

**Mayor Wynn:** SO THE CLARIFICATION ON THE MOTION INCLUDES THE PROHIBITION OF COCKTAIL LOUNGE ON FIRST READING ONLY. DOES --

**Slusher:** INCLUDES LEAVING IT LIKE IT IS NOW?

**Dunkerley:** WITH IT OUT?

**Slusher:** THEY ARE NOT -- DIDN'T COME DOWN HERE ASKING FOR COCKTAIL LOUNGE. ARE WE -- ARE WE CHANGING HOW THAT IS CURRENTLY?

**Dunkerley:** NO, WE ARE LEAVING IT LIKE IT IS. WITH COCKTAIL LOUNGES EXCLUDED BUT ONE OF THE NEIGHBORS MENTIONED THAT THAT MIGHT BE SOMETHING THAT THEY WANT. AND I WAS ASKING THE STAFF TO ACTUALLY CHECK WITH THEM TO SEE IF IT WAS THE CONSENSUS OF THE GROUP THAT THEY WOULD LIKE US TO ADD IT LATER.



**Slusher:** I AGREE WITH THAT.

**Mayor Wynn:** THE MOTION IS TO INCLUDE THE PROHIBITION FOR COCKTAIL LOUNGES AS OFFERED BY THE APPLICANT. FURTHER COMMENTS?

**Slusher:** IF WE ARE IT THE SAME WHY DOES IT HAVE TO BE IN THE MOTION? IF -- I THOUGHT ALL A THAT -- [MULTIPLE VOICES]

**Mayor Wynn:** MOTION WAS STAFF RECOMMENDATION, STAFF RECOMMENDATION DID NOT INCLUDE --

**Dunkerley:** GREG CONFUSED US, THAT'S WHY.

**Slusher:** IT DOESN'T REALLY NEED TO BE STATED AS PART OF THE MOTION, I DON'T THINK.

STAFF DID NOT RECOMMEND A PROHIBITION AGAINST COCKTAIL LOUNGE. MY UNDERSTANDING IS THAT THE MOTION IS TO PROHIBIT IS WITH THIS MOTION BUT IT CAN BE EASILY ADDED AT A LATER DATE AT SECOND AND THIRD READING BECAUSE I THINK IT WOULD BE CLEAR ENOUGH IF COUNCIL SAID WE ARE GOING TO APPROVE THIS ORDINANCE AND -- [INDISCERNIBLE] I THINK OUR ATTORNEY WOULD SAY THAT COULD BE EASILY ADDED --

**Slusher:** I WAS REALLY READY TO GO HOME.

**Dunkerley:** WHATEVER YOU WANT TO DO.

**Slusher:** I HAVE TO GET THIS STRAIGHTENED OUT. MR. WAYLON COME UP REAL QUICKLY.

**Mayor Wynn:** WE MIGHT NEED THAT COCKTAIL LOUNGE IN A FEW MINUTES.

**Dunkerley:** RIGHT NOW.

**Slusher:** REALLY. SO RIGHT NOW, IS THERE A PROHIBITION ON COCKTAIL LOUNGE?

THE APPLICANT -- YES. THE APPLICANT HAD AGREED TO

EXCLUDE COCKTAIL LOUNGES FROM THE LIST OF PEDESTRIAN ORIENTED USES BUT IN RESPONSE TO MR. GRAPE'S COMMENT ABOUT AN APPROPRIATE USING A COCKTAIL LOUNGE, I SAID TO COUNCIL IF THAT WOULD BE WHAT THE COUNCIL SEES AS A BETTER WAY TO PROVIDE MORE FLEXIBILITY WE CERTAINLY WOULD GO AHEAD AND INCLUDE THAT. SO I -- I'M SAYING WE'RE OPEN TO WHATEVER THE COUNCIL DECIDES IN THAT REGARD. I WAS SIMPLY TAKING MY LEAD FROM THE OWANA NEIGHBOR.

**Slusher:** OKAY. DOES -- DOES HAVING THAT PROHIBITION IN THERE AS IT EXISTS RIGHT NOW, DOES THAT PREVENT YOU FROM HAVING A RESTAURANT THAT SELLS COCKTAILS. OKAY, I DIDN'T THINK SO. WELL THAT WAS HIS POINT WHY NOT HAVE A RESTAURANT. WHY DON'T WE HAVE THEM TALK ABOUT IT IN BETWEEN THE NEXT TIME JUST TO APPROVE THE STAFF RECOMMENDATION.

**Dunkerley:** THERE MAY BE SOME ACTUALLY HOPEFULLY THEY WILL TALK TOGETHER AND SEE IF THEY CAN'T -- IF YOU ALL CAN'T COME UP CLOSER WITH SOME THINGS THAT COULD BE INCLUDED THAT WOULD BENEFIT THE NEIGHBORHOOD.

**Mayor Wynn:** YES, MA'AM, I WOULD INVITE YOU TO SPEAK TO THAT.

SORRY. I HAVE IT ON PERSONAL COMMUNICATION FROM THE DOSSES WHO LIVE CLOSEST TO THIS PROJECT ON THE WEST SIDE OF LAMAR THAT THEY WOULD NOT LIKE TO HAVE A COCKTAIL OR A BAR BECAUSE OF CONCERNS ABOUT NOISE. I DON'T KNOW WHETHER THEY -- I DON'T BELIEVE THAT THEY WOULD BE AGAINST ANY KIND OF RESTAURANT THAT WOULD SERVE WINE AND BEER. BUT I THINK THEY WOULD BE IN OPPOSITION TO A COCKTAIL LOUNGE. SO I CAN CHECK WITH THEM.

**Dunkerley:** LET THEM JUST GET TOGETHER.

**Mayor Wynn:** SO INSTRUCTION OBVIOUSLY IS TO CONTINUE THOSE DISCUSSIONS BETWEEN FIRST AND SECOND READING. FURTHER COMMENTS? QUESTIONS? HEARING

NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF 5-0 WITH COUNCILMEMBERS THOMAS AND MCCracken OFF THE DAIS. FOR THE RECORD EARLIER I READ INTO THE RECORD THAT WE DISCUSSED ITEMS 39 AND 40 IN EXECUTIVE SESSION. EARLIER IN THE DAY. WE DID NOT TAKE UP ITEM NO. 38.

**Slusher:** MAYOR, DO YOU NEED A MOTION TO ADJOURN.

**Mayor Wynn:** I DO.

**Slusher:** SO MOVE.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER SLUSHER, SECONDED BY COUNCILMEMBER ALVAREZ TO ADJOURN, ALL IN FAVOR?

AYE.?

**Mayor Wynn:** OPPOSED? PASSES ON A VOTE OF 5-0. WE ARE ADJOURNED. 7:35 P.M.

**End of Council Session Closed Caption Log**