

Closed Caption Log, Council Meeting, 02/05/04

Note: Since these log files are derived from the Closed Captions created during the Channel 6 live cablecasts, there are occasional spelling and grammatical errors. **These Closed Caption logs are not official records of Council Meetings and cannot be relied on for official purposes.** For official records, please contact the City Clerk at 974-2210.

GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, WE RECOMMEND TO REVEREND GREG RICKLE TO LEAD US IN OUR INVOCATION, WELCOME, REVEREND.

THANK YOU, MAYOR AND COUNCILCOUNCILMEMBERS, FOR THE CITY AND FOR YOUR WORK HERE I OFFER THIS PRAYER. GRACIOUS AND LOVING GOD, WE THANK YOU FOR THIS DAY AND FOR ADDING THIS DAY TO OUR LIVES, AS THIS BODY GOES ABOUT ITS WORK THIS DAY MAY IT REMEMBER IN ITS DEEDS THE GREAT GIFT OF THIS DAY, OF LIFE AND OF RELATIONSHIPS. MAY THEY BE GRATEFUL FOR HANDS TO WORK AND MINDS TO THINK AND HEARTS TO FEEL. MAY THE SPIRIT OF RECONCILIATION AND THE DESIRE TO SERVE BE THE GUIDING PRINCIPLE OF ITS DELIBERATIONS AND ITS ACTIONS. MAY THESE SERVANTS IN THIS PLACE FEEL AND KNOW THE APPRECIATION FELT FOR THEM AS THEY GO ABOUT DIFFICULT AND OFTEN FRUSTRATING WORK. WE PRAY FOR ALL OF THE CITIZENS OF THE CITY OF AUSTIN. MAY IT NEVER BE FORGOTTEN THAT THE WORK DONE HERE, AS SMALL AS IT MAY SEEM AT TIMES, AS PARTICULAR TO US AND TO OUR NEEDS AS IT MAY SEEM AT TIMES, IN FACT IS THINK OUR BEST, TO ACT OUR BEST, AND TO BE OUR BEST. THIS WE CAN DO AS WE KEEP OUR EYES ON YOU, THE ONE WHO CREATES, REDEEMS AND SUSTAINS US. FOR THIS TIME, OUR TIME, AND FOR THIS TREMENDOUS GIFT OF LIFE YOU HAVE GIVEN US, WE GIVE YOU THANKS. AMEN.

THANK YOU, REVEREND. THERE BEING A QUORUM PRESENT,

AT THIS TIME I WILL CALL TO ORDER THE MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, FEBRUARY 5th, 2004. WE ARE IN THE BOARD ROOM OF THE LOWER COLORADO RIVER AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD. IT IS 10 MINUTES AFTER 10:00 A.M. AT THIS TIME, I WILL READ THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. ITEM NO. 2, WE SHOULD STRIKE THE WORDS REVIEW WATER AND WASTEWATER COMMISSION 2-04-04 AROUND INSERT THIS IS IN FACT RECOMMENDED BY THE WATER AND WASTEWATER COMMISSION AS ITEM NO. 2. ON ITEM NO. 16, WRESHD STRIKE THE NAME "WHITE LODGING SERVICES, CORPORATION" AND INSERT IN ITS PLACE "HOTEL PROPERTIES AUSTIN, LP." THAT'S ITEM NO. 16, ITEM NO. 20 POSTPONED INDEFINITELY.

MAYOR?

Mayor Wynn: YES, COUNCILMEMBER MCCRACKEN?

McCracken: ACTUALLY, I PULLED THAT BUT I WOULD LIKE TO MAKE A COMMENT AFTER WE ADDRESS THE CONSENT ITEMS.

Mayor Wynn: OKAY. ITEM NO. 20 WILL BE CONSIDERED PULLED OFF THE CONSENT AGENDA. OUR TIME CERTAINS TODAY AT NOON, WE WILL HAVE OUR GENERAL CITIZENS COMMUNICATION. AT 2:00 WE WILL HAVE TWO BRIEFINGS THAT SHOW UP AS ITEMS 24 AND 25 ON THIS WEEK'S AGENDA. ONE RELATES TO WATER AND WASTEWATER INFRASTRUCTURE IN NORTHEAST AUSTIN, THE OTHER ONE RELATES TO OUR QUARTERLY ECONOMIC UPDATE. AT 3:00 P.M., WE WILL TAKE UP ITEM NO. 19, WHICH IS AN ITEM FROM COUNCIL REGARDING THE MUNICIPAL COURT JUDGE APPOINTMENTS. AT 4:00 P.M., WE WILL HAVE OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THOSE SHOW UP AS ITEMS Z-1 THROUGH Z-7. AND AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS AND THEN AT 6:00 P.M. WE WILL HAVE OUR PUBLIC HEARINGS AND POSSIBLE ACTION ON ITEMS 26 THROUGH 29. CURRENTLY, WE SHOW ON THE ITEMS PULLED OFF THE CONSENT AGENDA, ITEMS 14, 15, 16, AND 17 PULLED BY COUNCILMEMBER SLUSHER AND ITEM 20 PULLED BY

COUNCILMEMBER MCCRACKEN. ITEM NO. 18 ON THIS WEEK'S AGENDA IS OUR BOARDS AND COMMISSIONS APPOINTMENTS. AT THIS TIME I WILL READ THOSE INTO THE RECORD. TO OUR ANIMAL ADVISORY COMMISSION, STEPHEN KEYS IS COUNCILMEMBER DUNKERLY'S APPOINTMENT. TO THE AUSTIN TRAVIS COUNTY E.M.S. ADVISORY BOARD, DAVID DONNALLY IS A CONSENSUS REAPPOINTMENT. TO THE LIBRARY COMMISSION, GUY MAN ESTHER IS MY REAPPOINTMENT AND ROSANNA BARRIOS IS COUNCILMEMBER MCCRACKEN'S REAPPOINTMENT. TO THE PARKS AND RECREATION BOARD, LEONARD LYONS, MAYOR PRO TEM'S APPOINTMENT. TO THE URBAN TRANSPORTATION BOARD, DAN ROZIQUE, A CONSENSUS APPOINTMENT. AND TO THE WATER AND WASTEWATER COMMISSION, LESLIE POOLE IS COUNCILMEMBER DUNKERLY'S APPOINTMENT. THAT'S ITEM NO. 18. COUNCIL, ANY OTHER ITEMS THAT NEED TO BE PULLED OR PULLED ITEMS TO BE PUT BACK ON THE CONSENT AGENDA? IF NOT --

Slusher: MAYOR?

Mayor Wynn: COUNCILMEMBER SLUSHER?

Slusher: I DID WANT TO PUT ALL OF THE GREAT STREETS ITEMS BACK ON.

Mayor Wynn: OKAY. ALL OF THESE, 14, 15, 16, AND 17.

Slusher: THAT'S RIGHT. AND I UNDERSTAND THE OTHER ONE THAT I PULLED, I UNDERSTAND COUNCILMEMBER MCCRACKEN IS NOT GOING TO MOVE FORWARD WITH THAT BECAUSE HE HAS IT WORKED OUT, BUT I WAS READY TO PUT THAT ONE BACK ON, TOO.

Mayor Wynn: OKAY, LET'S SEE IF WE HAVE ANY CITIZENS SIGNED UP ON ANY OF THE POTENTIAL CONSENT AGENDAS - - ITEMS. NO CARDS HAVE SIGNED UP. COUNCILMEMBER MCCRACKEN, WOULD YOU LIKE TO DISCUSS ITEM 20 NOW OR ACTUALLY TAKE IT UP AS A DISCUSSION ITEM AFTER THE CONSENT AGENDA.

McCracken: I WOULD LIKE TO MAKE A BRIEF COMMENT.

Mayor Wynn: OKAY, LET'S TAKE THAT UP NOW.

McCracken: I HAD PUT ON THE AGENDA AND WAS A -- A PUBLIC COMMENT ESPECIALLY -- ESSENTIALLY ON THE ISSUE OF CONVERTING A PORTION OF U.S. 183 INTO A TOLL ROAD BETWEEN MCNEIL AND U.S. 620, WHICH IS OUT WHERE LAKELINE MALL IS. BUT IN THE LAST WEEK I'VE HAD SOME VERY POSITIVE DISCUSSIONS WITH THE REGIONAL MOBILITY AUTHORITY AND WITH THE DEPARTMENT OF TRANSPORTATION. THEY HAVE BEEN GREAT TO WORK WITH AND ARE -- THEY REAFFIRMED AND DEMONSTRATED ONCE AGAIN HOW WE ARE ALL COMMITTED TO WORKING TO SOLVE OUR TRANSPORTATION MOBILITY CRISIS IN THIS REGION. IN FACT, YESTERDAY I RECEIVED A WRITTEN ASSURANCE FROM ROBERT DAY, THE DEPARTMENT OF TRANSPORTATION, HE SAID "I'M WRITING TO ASSURE YOU THAT THE TEXAS DEPARTMENT OF TRANSPORTATION WILL NOT TOLL THE MAIN LEG SEGMENT OF U.S. 183 BETWEEN MCNEIL DRIVE AND RM 620. THAT REALLY SATISFIED THE CONCERNS THAT I HAD. THE APPRECIATE THE HARD WORK THAT THE DEPARTMENT OF TRANSPORTATION AND REGIONAL MOBILITY AUTHORITY GAVE IN WORKING WITH ALL OF US HERE IN AUSTIN ON THIS ISSUE. AND I THINK THIS DEMONSTRATES THAT WE ARE -- THE CITY OF AUSTIN AND THE REGIONAL MOBILITY AUTHORITY AND THE DEPARTMENT OF TRANSPORTATION ARE GOING TO BE GREAT PARTNERS IN WORKING TOGETHER ON OUR TRANSPORTATION ISSUES HERE IN THE FUTURE, TOO.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENT ON ITEM NO. 20? I WILL ALSO SAY THAT ITEMS NUMBER 3 AND 4 I WILL PULL THOSE OFF THE CONSENT AGENDA AS THEY NEED TO BE TAKEN UP AFTER OUR EXECUTIVE SESSION. POTENTIAL ACTION ITEMS AFTER AN EXECUTIVE SESSION DISCUSSION. OF COURSE ITEM NO. 19 HAS ALREADY BEEN IDENTIFIED AS BEING A TIME CERTAIN. AFTER 3:00 P.M. TODAY. WITH THAT, COUNCIL, I WILL READ WHAT I BELIEVE TO BE TOWED'S CONSENT AGENDA NUMERICALLY. ITEM NO. 1, 2 PER CHANGES AND CORRECTION, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 PER CHANGES AND CORRECTION, 17, 18, WITH THE BOARD AND COMMISSION APPOINTMENTS AS READ EARLIER INTO THE RECORD, I BELIEVE THAT IS IT. VERY SHORT CONSENT

AGENDA.

20 --

Mayor Wynn: CORRECT. THANK YOU, TECHNICALLY 20 WILL BE PUT ON ASKING INDEFINITE POSTPONEMENT ON THE CONSENT AGENDA, CORRECT. SO AGAIN THE CONSENT AGENDA NUMERICALLY WILL BE ITEMS 1, 2 PER CHANGES AND CORRECTION, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, PER CHANGES AND CORRECTION, 17, 18, WITH THE APPOINTMENTS AS READ, AND 20 FOR INDEFINITE POSTPONEMENT. I WILL ENTERTAIN A MOTION.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COMARK. SECONDED -- BY COUNCILMEMBER MCCracken, SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE THE CONSENT AGENDA AS READ. ANY COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? CONSENT AGENDA PASSES ON A VOTE OF 7 7-0. WITH THAT COUNCIL WE HAVE NO DISCUSSION ITEMS UNTIL OUR TIME CERTAIN. WE HAVE A COUPLE OF ITEMS THAT WENG D TAKE UP AFTER EXECUTIVE SESSION. SO WITHOUT OBJECTION, THE COUNCIL WILL GO INTO EXECUTIVE SESSION 551.071 TO DISCUSS POTENTIALLY AGENDA ITEMS 21 RELATED TO THE MEET AND CONFER CONTRACT WITH THE AUSTIN POLICE ASSOCIATION, 22 RELATING TO ETHEL SPILLER ET AL AND ITEM NO. 23 TEXAS GAS ASSOCIATION VERSUS THE CITY OF AUSTIN. WE MAY ALSO TAKE UP UNDER SECTION 55.074, OF THE OPEN MEETINGS ACT, PERSONNEL MATTERS THAT SHOW AS ITEM NO. 19 RELATED TO THE APPOINTMENTS OF OUR MUNICIPAL COURT JUDGES. WE ARE NOW IN EXECUTIVE SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF EXECUTIVE SESSION. IT IS 11:26. IN EXECUTIVE SESSION UNDER THE OPEN MEETINGS ACT WE DISCUSSED AGENDA ITEMS 21, 22, AND 23. NO DECISIONS WERE MADE. WE WILL NOW BE IN RECESS UNTIL

12 NOON, GENERAL CITIZEN COMMUNICATION. THANK YOU.

Mayor Wynn: AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS 12:05, TIME NOW FOR THE NOON GENERAL CITIZENS COMMUNICATION. OUR FIRST SPEAKER TODAY IS AMY HETTENHAUSEN. WELCOME. YOU WILL HAVE THREE MINUTES. WELCOME.

WELCOME. GOOD AFTERNOON. MY NAME'S AMY HETTENHAUSEN AND I'M HERE REPRESENTING JOHNSTON HIGH SCHOOL, NOT JOHNSON AS RECORDED ON THE AGENDA, A VOR COMMON MISTAKE. THAT WOULD BE L.B.J. WE'RE A SCHOOL OF 937 STUDENTS IN EAST AUSTIN, AND OUR ISSUE IS THAT OUR SCHOOL IS SURROUNDED BY FOUR STREETS, THE BUSIEST OF WHICH HAS AT EITHER END A SPEED LIMIT SIGN WITH NO LIGHTS ON IT. AND WE'RE ONE OF -- OUT OF 11 HIGH SCHOOLS, EIGHT OF THEM HAVE THE FLASHING LIGHTS, AND OUR CONCERN IS THAT WITHOUT THE LIGHTS, THE SIGNS LOOK MORE LIKE A SUGGESTION THAN A MANDATE. WE'VE HAD A FEW NEAR MISSES. THERE'S LOT OF CHILDREN IN THIS NEIGHBORHOOD. AND OF COURSE, THE ELEMENTARY STUDENTS GET OUT EARLIER THAN THE HIGH SCHOOL KIDS, SO THEY'RE OUT AND ABOUT WHEN THE HIGH SCHOOL STUDENTS GET OUT. OUR CONCERN IS THAT WE DON'T WANT THIS TO BE SOMETHING THAT IS TAKEN UP AFTER A TRAGEDY OCCURS. WE WANT TO DO SOMETHING PROACTIVE HERE. SO WE GOT IN TOUCH WITH THE CITY'S CHILD SAFETY SUPERVISION PROGRAM AND THE DIRECTORS OF THAT PROGRAM. AND WE WERE INFORMED THAT THE STROOT IN QUESTION, GARDENER, WAS NOT WIDE ENOUGH AND DIDN'T HAVE ENOUGH TRAFFIC VOLUME TO MERIT THE LIGHT. WE'RE CONCERNED BECAUSE THERE'S BLIND CORNERS ON THAT STREET, AND WE KNOW -- ALL OF US KNOW AS DRIVERS IN THIS CITY THAT AS YOU GO UP AND DOWN THE STREETS YOU'RE LOOKING FOR THAT LIGHT. IF THE LIGHT'S BLINKING YOU KNOW YOU BETTER SLOW DOWN. IF THE LIGHT'S NOT BLINKING YOU KNOW IT'S OKAY. WE DON'T EVEN HAVE THE LIGHTS IN PLACE AND WE'RE CONCERNED ABOUT THAT. WE KNOW THAT THIS IS A PROCESS AND WE STARTED THE PROCESS A COUPLE OF WEEKS AGO. MR. ALVAREZ CAME TO OUR SCHOOL AND MET WITH OUR PRINCIPAL AND ONE OF THE CAMPUS ADVISORY COUNCIL AND MYSELF, AND WE'RE JUST ASKING YOU GUYS

TO DO WHATEVER YOU CAN DO TO EXPEDITE THE PROCESS OF BRINGING US UP TO SPEED WITH THE EIGHT OTHER HIGH SCHOOLS IN AUSTIN THAT HAVE THESE LIGHTS. AN INEXPENSIVE ADDITION THAT WE THINK WOULD MAKE A HUGE DIFFERENCE. THANK YOU.

Mayor Wynn: THANK YOU, MS. HETTENHAUSEN. COUNCILMEMBER ALVAREZ?

Alvarez: MAYOR, THANK YOU. AND THANK YOU FOR BRINGING THAT ISSUE TO OUR ATTENTION, AND I BELIEVE THERE MAY BE A STAFF RESPONSE AT SOME POINT, BUT I DID WANT TO ECHO SOME OF THE ISSUES YOU RAISED ABOUT THE SITUATION THAT JOHNSTON'S IN BECAUSE AS YOU MENTIONED, THERE'S ONLY TWO OTHER HIGH SCHOOLS THAT HAVE THE SAME SIGNAGE AS JOHNSTON, WHICH IS SIGNS ALONE WITHOUT THE ELECTRONIC OR THE ACTUAL LIGHTS, THE FLASHING LIGHTS. BUT IF YOU COMPARE AKINS AND BOWIE TO JOHNSTON, YOU'LL SEE IT'S A MARKEDLY DIFFERENT ENVIRONMENT THAT THOSE SCHOOLS ARE IN. BECAUSE JOHNSTON IS RIGHT IN THE MIDDLE OF A NEIGHBORHOOD SURROUNDED ON ALL SIDES BY SINGLE-FAMILY HOMES, IT'S PROBABLY MORE REMINISCENT OF THE SITUATION AN ELEMENTARY SCHOOL MIGHT BE IN THAN A HIGH SCHOOL, BUT THAT'S JUST BECAUSE IT'S BEEN DEVELOPED FOR MANY YEARS. BUT I DO THINK IT WARRANTS SOME ADDITIONAL INVESTIGATION TO LOOK AT MAYBE THE UNIQUE CIRCUMSTANCES CALL FOR A DIFFERENT APPROACH THAT MAYBE OUR TRAFFIC MANUALS MAYBE DON'T ALLOW FOR. MAYBE THAT'S WHAT WE SHOULD HEAR FROM OUR STAFF IS WHAT ARE THE LIMITATIONS ON THE USE OF THESE KIND OF SIGNS. AND CERTAINLY WOULDN'T IT BE -- THIS MIGHT IMPROVE SAFETY. WOULDN'T IT BE SOMETHING THAT WE MIGHT WANT TO ERR ON THE SIDE OF MORE SAFETY OR MORE SAFETY PRECAUTIONS THAN LOOKING SIMPLY AT MAYBE SOME TRAFFIC FIGURES? BECAUSE I DO THINK AGAIN THAT THERE'S SOME SAFETY CONCERNS. I THINK WHEN WE MET LAST TIME Y'ALL NOTED THAT YOU'RE IN THE MIDDLE OF A NEIGHBORHOOD AND SO WHAT HAPPENS IS BY THE TIME THE HIGH SCHOOL LET'S OUT, THE ELEMENTARY SCHOOL HAS LET OUT AN HOUR -- COUPLE OF HOURS BEFOREHAND, SO THE ELEMENTARY SCHOOL KIDS ARE BACK IN THE NEIGHBORHOOD ALREADY

AND A LOT OF THE PARENTS ARE REALLY AFRAID OF LETTING THEIR KID OUT TO PLAY BECAUSE THEY GET OUT ON THE STREETS AND YOU HAVE A LOT OF TRAFFIC AND THEN ALSO, OF COURSE, A LOT OF STUDENT DRIVERS. SO I CERTAINLY APPRECIATE Y'ALL BRINGING THAT TO OUR ATTENTION, AND I THINK WE'RE GOING TO HAVE A RESPONSE HERE.

MAYOR, I THINK WE HAVE STAFF AVAILABLE TO ANSWER QUESTIONS AND TO LET US KNOW EXACTLY WHERE WE ARE AT THIS POINT AND WHAT WE PLAN ON DOING.

MAYOR AND COUNCIL, GOOD AFTERNOON, MY NAME'S ALLEN HUGHES, I'M WITH THE TRANSPORTATION DIVISION OF TPSD. WE'RE CURRENTLY LOOKING AT GARDENER STREET TO SEE ABOUT THE APPROPRIATENESS OF INSTALLING FLASHING LIGHTS ON THAT ROADWAY. WE'RE ALSO LOOKING AT ARTHUR STYLES ON THE OPPOSITE SIDE OF THE ROAD. WE'RE LOOKING AT ALL THE BOUNDARIES OF THE SCHOOL TO REDUCE THE SPEED ZONES. WE SHOULD BE DONE WITH THAT IN TWO OR THREE WEEKS, PENDING DATA COLLECTION RTION THEN WE'LL BE COMING BACK WITH A RECOMMENDATION ON ACTION TO BE TAKEN.

Mayor Wynn: THANK YOU, MR. HUGHES. OUR NEXT SPEAKER IS PAT VALLS-TRELLES. PAT VALLS-TRELLES. MR. LAWRENCE CRANBERG? LAWRENCE CRANBERG? MR. COLIN CLARK. WELCOME, SIR, YOU WILL HAVE THREE MINUTE.

Alvarez: I'M TRYING TO GET MY COMPUTER HERE GOING. MAYOR, I APOLOGIZE, MY COMPUTER SHUT DOWN. WOULD IT BE POSSIBLE TO MAYBE MOVE ALONG AND SEE IF I CAN GET IT BACK?

Mayor Wynn: SURE. WHY DON'T YOU JUST STAND ASIDE THERE. MARY LEHMAN? MARY, WELCOME, YOU WILL BE FOLLOWED BY ROBERT SINGLETON.

AS USUAL, KEEP THE LAND IS VERY CONCERNED WITH GETTING ACCESS TO INFORMATION, BUT WE OURSELVES HAVE NOT RECEIVED MUCH INPUT FROM THE PUBLIC WHICH IS IN FAVOR OF SELLING TO THE DEVELOPER ON THE THREE ISSUES THAT WE FIND THE PUBLIC IS CONCERNED ABOUT.

THE REVENUE, THE LAND CONTROL, THE LAND USE CONTROL, AND AFFORDABILITY. HOWEVER, WE DID RECEIVE FROM ONE COUNCILMEMBER, RAUL ALVAREZ, THE QUESTION WHICH IS OF CONCERN TO DECISION MAKERS, WHAT OTHER CITIES ARE USING THE SYSTEM OF LEASING LAND AND HAVING PEOPLE OWN WHAT THEY BUILD ON IT? AND SO I HAVE FOR DISTRIBUTION FOUR SAMPLE CITIES. TORONTO IS PROTECTING HISTORIC HOUSES AND IT IS KEEPING THEM AFFORDABLE. IT'S A MAJOR ACHIEVEMENT. THEN THE BATTERY PARK CITY IN NEW YORK IS USING HIGH INCOME GROUND RENT TO PAY FOR AFFORDABLE HOUSING PROJECTS. FURTHERMORE, IT FINANCES THE BONDS AND IT PAYS THE BONDS OUT FROM THAT AS WELL. SO IT'S REALLY SELF-SUPPORTING AND SUPPORTING AFFORDABLE HOUSING. HONG KONG AND SINGAPORE ARE NOTORIOUSLY SUCCESSFUL IN A BUSINESS SENSE, AND THEY HAVE A SITUATION WHERE HONG KONG CHARGES IN A PARTNERSHIP WITH REAL ESTATE PEOPLE. THAT'S THE MAIN SOURCE OF INCOME. AND THEY WANT TO RAISE THE HOME OWNERSHIP FROM 50 TO 70%. AND THEY ARE VERY PROUD, AS IS SINGAPORE, OF THE HIGH PERCENTAGE THAT IS PAID FOR OF THEIR AFFORDABLE HOUSING. THEY IN HONG KONG OWN ALL OF THE LAND. IN SINGAPORE THEY HAVE INCREASED IT GRADUALLY OVER THE YEARS TO ABOUT 80 PERCENT. AND HONG KONG, AS I SAID, IS HOME OWNERSHIP OF ABOUT 70 PERCENT AND SINGAPORE IS 90 PERCENT. AND THEY TOO HAVE AND POINT WITH GREAT PRIDE TO THE AFFORDABLE HOUSING THAT THIS INCOME PERMITS. AND BOTH OF THEM RELY FOR A PRINCIPAL PART OF THEIR INCOME FROM A ONE-TIME PAYMENT WITH THE LESSOR, WHO IS THE DEVELOPER. AT THE END OF WHAT I'M HANDING OUT IS A SORT OF GRID WHICH SHOWS YOU HORIZONTAL ACCESS, WHETHER IT'S TO THE DEVELOPER OR TO THE INDIVIDUAL THAT THE LEASING GOES, AND ON THE VERTICAL ACCESS -- [BUZZER SOUNDS] -- WHETHER IT'S A ONE-TIME SUM OR YEARLY PAYMENTS, IT SHOWS A GRADEIATION AND YOU'LL GET THEM RIGHT NOW. THANK YOU FOR YOUR ATTENTION.

Mayor Wynn: THANK YOU, MS. LEEMAN. MR. ROBERT SINGLETON. WELCOME, SIR.

JUST A COUPLE OF QUICK UPDATES ON LEASING MUELLER.

IT NOW LOOKS LIKE WITH A LITTLE PUSHING AND PRODDING IT APPEARS THAT THE MUELLER NAMING COMMITTEE IS UNDERSTANDING THAT THEY'RE GOING TO BE RECOMMENDING TO COUNCIL A NAME FOR THE PROJECT AND NOT SELECTING. THE NAME HAS BEEN INITIALLY REPORTED ON THE CITY'S WEBSITE AND ERRONEOUSLY REPORTED IN THE STATE MAN, BUT SEVERAL CITY SAVERS HAVE ASSURED US THAT THE COMMITTEE WILL RECOMMEND THE NAME TO COUNCIL AND SO LONG AS THE CITY OWNS THE LAND THE COUNCIL WILL HAVE THE FINAL SAY IN TERMS OF NAMING IT. A LARGER ISSUE OF CONCERN TO ME IS WHAT SEEMS TO BE HAPPENING NOW IS IT LOOKS LIKE THERE MAY BE AN ATTEMPT TO DO A LITTLE PIECEMEAL DECISION ON THIS. FIRST WE HAVE SOME ACRES FOR SETON THAT ARE SOLD OFF BEFORE THE MASTER DEVELOPMENT AGREEMENT OR PLAN CAN REALLY BE DEVISED. THEN THERE ARE RUMORS THAT DICK RATGABER WANTS A COUPLE OF ACRES FOR HIS CHILDREN'SVILLE L.B.J. FINALLY WHAT WE HEARD LAST NIGHT IS THAT AISD MAY HAVE AS PART OF ITS NOVEMBER BOND PACKAGE A NEW SCHOOL SITE IN THE AREA AND THAT THEY ARE VERY INTERESTED IN BUYING A LITTLE PIECE OF THIS. I KEEP THINKING ABOUT THE OLD MAN IN THE SEA, THE SHARKS ARE CIRCLING AND LITTLE BY LITTLE OR BIG FISH IS DISAPPEARING. I THINK THAT IT'S COUNCIL'S RESPONSIBILITY TO MAKE SURE THAT NO FURTHER PIECEMEAL DISPOSITION OF MUELLER GOES ON IN THE ABSENCE OF A MASTER DEVELOPMENT AGREEMENT. UNLESS THERE'S SOME OVERRIDING PUBLIC INTEREST THAT WE NEED TO MAKE SURE THAT THE DECISION IS MADE BEFORE THE LITTLE CHUNKS OF IT GET TAKEN AWAY. AND FINALLY, I WANTED TO MENTION SOMETHING THAT JUST OCCURRED TO ME THE OTHER DAY. WHEN THE CITY MANAGER WAS TALKING ABOUT BUDGET SOLUTIONS DURING THIS LAST BUDGET CYCLE, SHE WAS VERY MUCH EMPHASIZED THE FACT THAT WE WANTED LONG-TERM SOLUTIONS VERSUS ONE-TIME QUICK FIXES. WELL, I REALLY BELIEVE THAT CONSIDERING LEASING OF THE AIRPORT SITE VERY MUCH QUALIFIES AS A LONG-TERM ADDITION TO THE BUDGET SINCE REVENUE WILL BE COMING IN FOR YEARS AND YEARS AS YEARS AS OPPOSED TO THE ONE TIME QUICK FIX THAT WOULD COME FROM SELLING THE PROPERTY.

THANKS.

Mayor Wynn: THANK YOU, MR. SINGLETON. JENNIFER GALE?
JENNIFER GALE. MR. EDWARD SLEDGE? OKAY, SIR, YOU WILL
HAVE THREE MINUTES.

MAYOR WYNN AND CITY COUNCILMEMBERS, MY NAME IS
EDWARD SLEDGE. I AM HERE TO SPEAK TO YOU ABOUT
POLICE COMMUNITY RELATIONS, SPECIFICALLY THE
PROBLEMS WITH POLICE COMMUNITY RELATIONS THAT WE
HAVE EXPERIENCED IN THE PAST SEVERAL YEARS. YOU
MIGHT CALL THIS UNDERSTANDING -- APPRECIATING OR
CELEBRATING OUR DIFFERENCES IS OFTEN SAID, BUT WE
ALSO NEED TO UNDERSTAND OUR DIFFERENCES. WE MUST
BEGIN A DIALOGUE THAT WILL HOPEFULLY LEAD TO A
BETTER COMMUNITY -- POLICE-COMMUNITY RELATIONS IN
THE WAKE OF THE FATAL SHOOTINGS OF THREE BLACK
PERSONS BY WHITE LAW ENFORCEMENT OFFICERS AND THE
STUDIES AND STATISTICS WHICH INDICATE UNEQUAL
TREATMENT OF MINORITY PERSONS BY OUR LAW
ENFORCEMENT AUTHORITIES. EACH OF US WILL COME TO
THOSE DISCUSSIONS WITH VERY DIFFERING SETS OF
REALITIES. THESE REALITIES ARE GENERATED BY ONE'S
KNOWLEDGE, ATTITUDES, EXPERIENCE AND PERCEPTIONS.
A GOOD EXAMPLE OF ONE SET OF REALITIES IS
REPRESENTED BY THE LETTER IN THE STATESMAN
YESTERDAY. I DON'T KNOW HOW MANY OF Y'ALL SAW THIS,
BUT IT'S SORT OF EYE CATCHING. SOMEONE WHO THINKS
THAT MINORITY PERSONS COMMIT MORE CRIMES THAN
WHITES DO, THAT MINORITY PARENTS SHOULD TEACH THEIR
CHILDREN HONESTY AND RESPECT FOR THE LAW,
ASSUMING THAT OTHERWISE THEY DON'T, I SUPPOSE. WELL,
I WON'T BE TOO OVERLY CRITICAL OF THAT SET OF
REALITIES. BUT IT OBVIOUSLY STEMS FROM IGNORANCE
AND MISCONCEPTION. IT'S LIKE TAKING E EQUALS MC
SQUARED AND MAKING THE C REPRESENT THE SPEED OF
SOUND RATHER THAN THE SPEED OF LIGHT. THE PERSONS
OF COLOR IN OUR COMMUNITY WOULD HAVE A QUITE
DIFFERENT VIEW GENERATED BY THE KNOWLEDGE THAT
THEY DO TEACH THEIR CHILDREN HONESTY AND RESPECT
FOR THE LAW, ONLY WITH ONE SOLE CAVEAT, EVEN IF YOU
OBEY THE LAW, YOU STILL MAY BE STOPPED. YOU STILL MAY
BE HARASSED, YOU STILL MAY BE SEARCHED. AND WE

KNOW FROM OUR STUDIES THAT THAT DOES HAPPEN. ANOTHER VIEW WOULD BE SIMILAR TO THAT OF MY OWN. I THINK OF THE POLICE AS BEING PROTECTORS. I'LL SAY IT AGAIN, PROTECTORS. EVEN WHEN POLICE ARE DOING LAW ENFORCEMENT WHEN THEY'RE TRYING TO CHASE DOWN A CRIMINAL, THERE'S STILL A RESPONSIBILITY TO PROTECT THEMSELVES, TO PROTECT OTHERS IN THE VICINITY AND TO PROTECT EVEN THE SUSPECT. THESE PROBLEMS -- THESE KINDS OF PROBLEMS HAVE BEEN WITH US FOR A LONG TIME, PROBABLY AT LEAST SINCE MEXICO WAS INVADED. AND SINCE THE FIRST SLAVE SHIPS ARRIVED ON OUR SHORES. [BUZZER SOUNDS] SO THE DIALOGUE WILL BE LONG AND HARD. AND PROGRESS IS NOT GUARANTEED, BUT WE MUST BEGIN. THANK YOU.

Mayor Wynn: THANK YOU, MR. SLEDGE. GAVINO FERNANDEZ? WELCOME, SIR. YOU WILL BE FOLLOWED BY JOSE QUINN TEAR ROW.

GOOD AFTERNOON, COUNCIL, I AM WITH HE WILL CONCEALIO, I'D LIKE TO ONCE AGAIN REMIND OUR FOLKS THAT WE WILL BE HOLDING THE LAST DAY OF VOTER REGISTRATION TO VOTE IN THE MARCH NINTH PRIMARIES ON FEBRUARY THE NINTH AND WE'LL BE THERE UNTIL 11:30 P.M. WE STRONGLY WANT TO ENCOURAGE AND EMPHASIZE TO OUR PEOPLE THE IMPORTANCE OF PARTICIPATING AND VOTING IN THESE ELECTIONS, AND UNFORTUNATELY BEFORE THE LAST FIVE YEARS OUR VOTER TURNOUT IN THE MEXICAN-AMERICAN BOXES HAS DECLINED DRASTICALLY. AND WE WANT TO MAKE SURE AND EDUCATE OUR COMMUNITY THE IMPORTANCE OF VOTER TURNOUT, SPECIFICALLY IN OUR AREA BECAUSE THE LACK OF THAT PARTICIPATION TEND TO HAVE A FACTOR IN HOW GOVERNMENT IS RESPONSIBLE TO OUR COMMUNITY. I ALSO WANT TO ENCOURAGE AND MAKE RECOMMENDATIONS THAT THIS COUNCIL KEEP JUDGE CASTRO ON THE BENCH. HE HAS BEEN VERY INSTRUMENTAL IN COMMUNICATING EFFECTIVELY WHEN OUR COMMUNITY FIND THEMSELVES IN OUR COURTROOM, ESPECIALLY TO THOSE SINGLE PARENTS, MOMS THAT ARE NOT BILINGUAL AND HAVE DIFFICULTIES IN UNDERSTANDING THE JUDICIAL PROCESS. AND I THINK THAT MS. CASTRO HAS EARNED HER RESPECT AND INTEGRITY THROUGHOUT THE OPPORTUNITY, AND WE ARE STRONGLY

ENCOURAGED OF THAT THIS COUNCIL KEEP HER ON THE BENCH. I'D ALSO LIKE TO RECOMMEND THAT IT IS A CHARTER AMENDMENT YEAR AND MAYBE WE SHOULD ENTERTAIN THE POSITION OF CHIEF OF POLICE BE AN ELECTED POSITION, THAT WAY THERE'S MORE ACCOUNTABILITY. THIS COUNCIL HAS PREVIOUSLY LOOKED TO PART LOND FOR ALL THEIR -- HORT OWE PORTLAND. IN PORTLAND THEIR CHIEF OF POLICE IS AN ELECTED POSITION. MAYBE THAT'S SOMETHING THAT WE WILL BE EDUCATING THROUGHOUT THE COMMUNITY AS THIS TIME PERIOD APPROACHES US. THE HOLLY POWER PLANT ISSUE, AGAIN, LAST WEEK THERE WAS AN ARTICLE WHERE SAN MARCOS SHUT DOWN ITS PLANT BECAUSE THERE'S NO ONE BUYING THE ELECTRICITY. AND WHEN WE -- AS WE'VE GONE ALONG THROUGH ALL THESE DISCUSSIONS, THAT WAS ONE OF THE FACTORS THAT THEY MENTIONED TO US EARLIER, THAT THERE WASN'T ENOUGH ELECTRICITY, THAT THE GRID WAS DOWN, THERE WASN'T ENOUGH GRID TO. NOW WE HAVE IT, FOLKS, SO PLEASE ENTER THAT INTO YOUR MIND AS YOU ADDRESS THE BUDGETARY SEASON THAT'S COMING UP BEFORE YOU TO HELP RELIEVE OUR COMMUNITY FROM THIS IN JUSTICE THAT WE CONTINUE TO EXPERIENCE. I ALSO WANT TO CLOSE BY STRONGLY RECOMMENDING THAT WE NOT WASTE ANY MONIES AND TIME IN APPOINTING THE DIRECTOR FOR THE PARKS AND RECREATION DEPARTMENT. WE HAVE A VERY STRONG, INTELLIGENT AND CAPABLE PERSON IN ITS CURRENT POSITION AT THIS TIME. I AS A FORMER EMPLOYEE WORKED UNDER HIS ADMINISTRATION AND WE AS -- AS OUR NEIGHBORHOODS HAVE WORKED WITH MR. STEWART ON MANY OCCASIONS. [BUZZER SOUNDS] AND WE STRONGLY RECOMMEND HIS APPOINTMENT TO THE DIRECTORSHIP OF THE PARKS AND RECREATION. AND I HOPE IT'S NOT SOMETHING THAT IS USED AGAINST HIM, MAYOR, HE'S AN AGGIE. SO I'D LIKE TO ONCE AGAIN ECHO THAT AND MAKE SURE THAT PARKS AND RECREATION CONTINUES TO STAY IN GOOD HAND. THANK YOU.

Mayor Wynn: THANK YOU. JOSE QUINTERO. WELCOME, SIR. AND YOU WILL BE FOLLOWED BY COLIN CLARK, PERHAPS.

THE GREATER EAST AUSTIN NEIGHBORHOOD ASSOCIATION.
LET ME REMIND YOU THAT THIS IS OUR BAR YOS AND IT

OFFENDS ME THAT WE HAVE NOT ONE ISSUE REGARDING THE GENTRIFICATION FINDING THAT THE CITY COUNCIL APPOINTED ON -- BASED ON WHAT NEEDED TO BE RECOMMENDED FOR OUR NEIGHBORHOODS. WHAT I NOW BELIEVE IT TO BE NOTHING BUT HYSTERICAL ZONING THAT CREATES HIGH TAXES FOR OUR COMMUNITY. AND THE CITY OF AUSTIN IS GUILTY OF MASTERPLANNING AND MIGRATING OUR PEOPLE FURTHER EAST, PAST THE RIVER. ACCORDING TO THE CESAR CHAVEZ NEIGHBORHOOD PLAN AND THOSE PLANNERS, THEY SAID LET'S HAVE AN HISTORICAL WALK FROM SIXTH STREET WHERE WE HAVE BLACKS AND HISPANICS MIGRATING TO EAST AUSTIN. THAT'S VERY RACISM IN REGARDS TO US AS A PEOPLE THAT WERE DOWNTOWN. DECEMBER THE 31st, 2003, THERE WAS AN ARTICLE IN THE NEWSPAPER. YOU HAVE FIVE DAYS TO MOVE OUT. THE CITY OF AUSTIN, THE CITY OF AUSTIN TOLD RUTH ROBERTS, YOU HAVE FIVE DAYS TO MOVE OUT OF HER HOUSE. SHE LIVED ON EAST EIGHTH STREET FOR 35 YEARS. SHE RAISED HER CHILDREN AND NOW HAS TO LEAVE BECAUSE HER HOUSE IS GOING TO FALL DOWN ACCORDING TO CITY OFFICIALS. AND THIS CITY IS GUILTY FOR GOING OUT TO THOSE ELDERLY PEOPLE THAT ARE HAVING PROBLEMS PAYING THEIR TAXES, INSTEAD OF HELPING THEM OR INTRODUCING TO THEM THE SMART HOUSING PROGRAM THAT YOU'RE ALWAYS IMPLEMENTING AND THINKING YOU'RE HELPING POOR PEOPLE, YOU TOLD HER TO MOVE OUT. AND THERE'S A CASE HERE ON FIRST STREET AND OTHER STREETS IN OUR NEIGHBORHOOD WHERE THE CITY HAS GONE OUT AND THERE'S A -- THERE'S A CASE I'M INVESTIGATING THAT A PERSON LOST THREE HOUSES BECAUSE THE CITY OF AUSTIN SAID YOU DIDN'T MEET THE CRITERIA AND THE STANDARDS. THERE'S SOMETHING WRONG. I'M GOING TO ASK YOU TO SPEND AT LEAST -- SEND AT LEAST 80,000 BOOKS TO EAST AUSTIN, THE MAJORITY ARE EARNERS, AND THEY DON'T KNOW ABOUT THIS PLAN. THIS IS NOTHING BUT A MOTIVATION TO MAKE MONEY, TO GENERAL TRAFFIC OUR NEIGHBORHOODS. AND VERY FEW PEOPLE OR VERY FEW BLACKS HAVE HISTORIC HOUSING ON THEIR HOUSES. STOP AND THINK. WE HAVE A REAL PROBLEM HERE. AND THE CITY HAS INFLATED THESE HOUSES FOR AFFORDABLE HOUSING OVER \$100,000. THE MIDDLE MAN IS MAKING SOME MONEY, BELIEVE ME. AND

WE'RE GOING TO FIND OUT. THANK YOU, MAYOR.

Mayor Wynn: THANK YOU. JENNIFER GALE, WELCOME.

THANK YOU, MAYOR WYNN. HI, AUSTIN, CITY MANAGER JOE CANALES, COUNCILMEMBER SLUSHER, ALVAREZ, MAYOR PRO TEM JACKIE GOODMAN, DUNKERLEY, MCCracken AND THE HONORABLE DANNY THOMAS. I AM JENNIFER GALE, YOUR INDEPENDENT CANDIDATE FOR THE 10th CONGRESSIONAL DISTRICT REPRESENTING ALL PARTIES AND INDEPENDENTS FROM TRAVIS TO HARRIS COUNTIES. TODAY BEFORE I ANNOUNCE FOR DISTRICT DATE AT LARGE AND DISTRICT 5 AS A WRITE IN FOR THE AUSTIN SCHOOL BOARD OF TRUSTEES, I NEED TO REITERATE AFTER THE A.P.D. CHIEF'S ANGRY DIATRIBE LAST NIGHT, THE IRONY THAT THE COMPLAINTS HAVING SO GREAT AN EFFECT WHEN OUR OWN INTERNAL AFFAIRS DIVISION IS LOCATED NORTH OF CAPITAL PLAZA, MAKING IT IMPOSSIBLE FOR A PERSON TO MAKE A COMPLAINT. IT MAY COST YOU YOUR JOB BECAUSE YOU HAVE TO TAKE SOME BUSES, TAKING ALL DAY, LETTING YOUR BOSS NOW THAT YOU'RE MAKING THAT COMPLAINT BECAUSE IT'S ONLY OPEN DURING BUSINESS HOURS, MONDAY THROUGH FRIDAY. AND TOTALLY INCONVENIENT TO THE VERY PEOPLE AFFECTED BY AUSTIN'S POLICE BRUTALITY, CO-HERTION, RACISM AND CONTEMPT FOR BAD OFFICERS. ALSO OUR BUSES -- OUR CAPITAL METRO BUSES ARE DRIVING OUT OF CONTROL IN ORDER TO MEET A MID KEL TIME SO THAT THEY CAN -- OUR BUS OPERATORS CAN TAKE A MYTH KEL BREAK THURUR RECOVERY TIME. LET'S ALLOW OUR BUSES TO RUN TWO MINUTES DOWN TO CAPTURE ON TIME PATRONS OR CUSTOMERS AND THAT WOULD ALLOW YOU TO GET TO WORK, PLUS LET'S GIVE THEM A FEW HOURS -- A TIME A DAY TO ENJOY A BREAK, WHICH THEY'RE NOT ENJOYING NOW. LET'S GIVE OUR BUS OPERATORS A BREAK. I OFTEN SEE PEOPLE WALKING AWAY FROM THE DIAS IN ORDER TO TAKE A BREAK. I THINK WE SHOULD OFFER THAT TO OUR BUS OPERATORS AS WELL. I'M ANNOUNCING MY CANDIDACY FOR AT LARGE POSITION FOR THE AUSTIN SCHOOL DISTRICT BOARD OF TRUSTEES AS A WRITE-IN IN PLACE 8 IN CASE THERE ARE NO -- THERE AREN'T ANY PEOPLE RUNNING AS OF NOW. I'VE HEARD OF ONLY ONE, JOANN IN A EDWARDS, RUNNING FOR THE SCHOOL BOARD, WHICH IS VERY SAD

BECAUSE OF HOW IMPORTANT THE NEARLY 78,000 -- THE EDUCATION OF OUR 78,000 TIEWNTS IS HERE IN THE AUSTIN INDEPENDENT SCHOOL DISTRICT NEED MORE ATTENTION. I WANT TO ADDRESS ATTENTION TO MAKING SURE WE UNDERSTAND OUR INSTRUCTORS' BASIC NEEDS, THEIR OBJECTIVES, SO THAT WE CAN HELP THEM OPERATE MORE EFFECTIVELY. WE NEED TO MAKE ALL OUR CHILDREN HEALTHY ATHLETES. SLOT SKIS IS OFFERING A HEART CHECK WITH THE HEART HOSPITAL THIS WEEK. AND CONCENTRATE ON THE NUTRITION. WE NEED TO KNOW THAT GAYS AND LESBIANS HAVE ACCEPTANCE IN THE SCHOOL DISTRICT. THAT THE CLASSES WILL HELP MAKE THEM MORE PREPARED. LET'S REMEMBER THAT WE ARE ALL EDUCATORS AND THAT WE ALL PAY FOR THE NEARLY 78,000 QUALITY EDUCATION, LET'S MAKE IT FUN AND LET'S MAKE EVERY CHILD -- LET'S PUT EVERY CHILD INTO COLLEGE FOR THE FIRST YEAR SO THAT AUSTIN WILL BE MAKING SURE THAT WE DON'T LEAVE ANY OF OUR CHILDREN BEHIND. THANK YOU, MAYOR WYNN.

Mayor Wynn: THANK YOU, MS. GALE. NOW MR. CLARK. WELCOME. YOU HAVE THREE MINUTES.

GOOD AFTERNOON, MAYOR AND COUNCIL, COLIN CLARK WITH SAVE OUR SPRINGS ALLIANCE. I WANT TO THANK THE CITY'S TECHNICAL STAFF FOR HELPING ME THROUGH MY PROBLEM. WE HAVE SOME COMPUTER ANIMATION HERE. FOR A REFERENCE THIS PURPLE SWATH IS THE BARTON SPRINGS RECHARGE ZONE. THE ROAD UP THERE IS MOPAC. THAT'S WHERE MOPAC ENDS. THAT'S 45 SOUTH AND CAMP BEN MCCOLLOUGH ROAD. AND THIS PROPERTY OUTLINED RIGHT HERE IS OWNED BY A COMPANY CALLED CYPRESS REALTY. AND THEY'RE INTENDING TO DEVELOP IT WITH 2700 HOMES. AND IN ORDER TO DO THAT THEY NEED A ROAD. AND THERE HAVE BEEN DISCUSSIONS OF HAVING THIS YELLOW ROAD YOU SEE THAT WOULD CUT THROUGH THE HAYS RANCH, WHICH IS OWNED BY THE CITY OF AUSTIN, SO WE WANTED TO BRING THAT TO YOUR ATTENTION IN THE HOPES THAT THE CITY COULD LET CYPRESS KNOW THEY HAVE NO INTENTION OF GRANTING A ROAD EASEMENT THROUGH OUR WATERSHED PROTECTION LAND TO ENABLE THE DEVELOPMENT OF THIS PROPERTY. AND THE ANIMATION SHOULD GO ON, EVEN THOUGH IT'S FILTHY, TO

SEE WHAT CYPRESS' PROPERTY WOULD LIKE LIKE IF IT WERE BUILT OUT AT 2700 HOMES. THAT'S BASED ON A LAND PLAN THEY SUBMITTED WITH THE CITY OF DRIPPING SPRINGS. THAT'S WHAT IT WOULD LOOK LIKE. RIGHT NOW IT'S COMPLETELY UNDEVELOPED RANCH LAND. AND A GOOD COMPARISON IS THE CIRCLE C RANCH, WHICH 25 YEARS AGO WAS A COMPLETELY UNDEVELOPED RANCH AND NOW HAS ABOUT 2700 HOMES. SO WHAT THESE GUYS ARE PROPOSING TO DO IS GET THE INFRASTRUCTURE, LIKE GARY BRADLEY DID, EXTEND IT SOUTH, THEN OPEN IT UP TO BE SUBURBANIZED. AND ANOTHER THING WE WANTED TO SHOW YOU ALL IS WHAT IT WOULD LOOK LIKE IF HIGHWAY 45 SOUTH WERE EXTENDED OVER TO THE INTERSTATE, WHICH IS IN CAMPO'S LONG RANGE PLAN, AND PART OF THAT IS IN THE CITY'S PLAN. AND CAMPO IS COMING UP ON ITS 2030 REVISIONS, AND WE WOULD HOPE THAT THE CITY WOULD VIEW THIS CONNECTION, WHICH WOULD ADD THOUSANDS OF CAR TRIPS ON TO THE BARTON SPRINGS RECHARGE ZONE, SOMETHING THE CITY DOESN'T WANT, SO WE WOULD HOPE THAT YOU COULD REMOVE 45 SOUTHWEST FROM THE CITY'S TRANSPORTATION PLAN. THANK YOU.

Mayor Wynn: THANK YOU, MR. CLARK. THAT'S ALL THE CITIZENS FOR OUR GENERAL CITIZENS COMMUNICATION. OUR NEXT TIME CERTAIN IS AT 2:00 WHEN WE HAVE TWO BRIEFINGS THAT SHOW UP AS ITEMS 24 AND 25, I BELIEVE. SO AT THIS TIME WITHOUT OBJECTION, THE COUNCIL WILL GO BACK INTO EXECUTIVE SESSION FOR A CLOSED EXECUTIVE SESSION UNDER 551.074 OF THE OPEN MEETINGS ACT TO DISCUSS PERSONNEL MATTERS RELATING TO AGENDA ITEM 19 REGARDING THE APPOINTMENT OF MUNICIPAL COURT JUDGES. WE ARE NOW IN EXECUTIVE SESSION. THANK YOU. TEST TEST TEST THIS IS A TEST, TEST TEST TEST THIS IS A TEST,

LAID OUT SOME PLANNING FOR A VERY LARGE DESIRED DEVELOPMENT ZONE AREA IN THE NORTHEAST PART OF OUR COMMUNITY. SO WHAT THIS REALLY DOES, IT REPRESENTS COLLABORATION OF THE FINEST SORT, IT REPRESENTS GOOD PLANNING, AND IT REPRESENTS SIGNIFICANT COST SAVINGS BECAUSE WE'LL BE DOING THINGS RIGHT THE FIRST TIME AND BRINGING INFRASTRUCTURE TO A PORTION OF OUR COMMUNITY

WHERE IT'S LACKING AND VERY DEFINITELY NEEDED. SO I WANT TO THANK ALL OF YOU FOLKS FOR WORKING ON THIS AND FOR BRINGING FORWARD KIND OF THE REPORT ON YOUR WORK AND YOUR RECOMMENDATIONS ABOUT HOW TO GO FORWARD. SO THANK YOU.

THANK YOU, COUNCILMEMBER. COUNCIL, I'M THE DIRECTOR OF THE WATERSHED DEVELOPMENT AND REVIEW DEPARTMENT. AS REQUESTED BY COUNCIL IN DECEMBER, THE FOLLOWING PRESENTATION PROVIDES A RECOMMENDATION FOR ADMINISTRATIVE APPROVALS FOR WASTEWATER INFRASTRUCTURE AND THE WESTON STRUCTURE AREA IN NORTHEAST AUSTIN. OVER THE LAST TWO MONTHS, WATERSHED STAFF CONSULTED WITH THE WATERSHED PROTECTION ON HOW TO PROVIDE TWO GOALS. SECOND TO ASSURE PROTECTION AND ENHANCEMENT OF THE CRITICAL WATER QUALITY ZONES ALONG OUR CREEKS. THE ADMINISTRATIVE APPROVAL PROCESS PROPOSED TODAY ACHIEVES THESE GOALS. TO BETTER UNDERSTAND THE BASIS FOR THE RECOMMENDATION, CHRIS LIPPY WILL FIRST GIVE AN OVERVIEW OF THE WESTON STUDY RESULTS.

MAYOR AND COUNCIL, GOOD AFTERNOON. WHAT I'D LIKE TO DO IS TAKE A MINUTE TO GIVE YOU SOME BACKGROUND ON THE WESTON STUDY, THE SCOPE OF THIS MASTER PLANNING STUDY, THE ISSUES THAT WERE IDENTIFIED IN THE STUDY RELATED TO DEVELOPMENT OF A WASTEWATER SYSTEM IN THIS DESIRED DEVELOPMENT ZONE AREA. FIRST OF ALL, WHO IS WESTON? WESTON ENGINEERING IS A CONSULTING FIRM THAT WAS HIRED BY THE UTILITY TO DO AN OVERALL OBJECTIVE OF THE STUDY THAT WE SELECTED THEM TO DO, AND THAT IS TO DEVELOP A NORTHEAST SERVICE AREA WASTEWATER MASTER PLAN. AND THIS WAS A PLAN TO LOOK AT THE LONG-TERM FACILITIES NEEDED TO PROVIDE WASTEWATER SERVICE TO THIS AREA. THE WESTON STUDY PLANNING AREA STIFTS OF HARRIS BRANCH, GILL LAND CREEK WAWRD SHEDS AND PORTIONS OF THE WILBARGER AND DECKER CREEK WAWRDS. ALL OF THIS IS IN THE CITY'S TWO MILE AND FIVE MILE E.T.J.'S. IT'S IN THE DESIRED DEVELOPMENT ZONE AND IT'S IN THE AREA THAT WE HAVE REQUESTED A CCN FROM TCEQ FROM THE STATE. THE AREA ENCOMPASSES APPROXIMATELY 45,000 ACRES, SO IT'S A SIGNIFICANTLY SIZED BAY SON. IT'S 20

MILES LONG FROM THE COLORADO RIVER UP TO THE PFLUGERVILLE AREA. AGAIN, 45,000 ACRES. ANOTHER SIGNIFICANT FEATURE IS THAT HIGHWAY 130 WILL BE RUNNING THROUGH THIS BASIN. IT'S SOMEWHAT TO THE EAST SIDE OF IT. BUT THESE WATERSHEDS ARE WHERE AUSTIN'S NEXT GROWTH IS MOVING. SO AS AUSTIN GROWS TO THE NORTHEAST, HARRIS BRANCH AND GILL LAND CREEK ARE THE AREAS WHERE WE'LL SEE -- WE BELIEVE WE'LL BE SEEING SOME SIGNIFICANT DEVELOPMENT. THE SCOPE OF THE WESTON MASTER PLANNING STUDY WAS TO COLLECT DATA AND REVIEW THAT DATA TO DEVELOP POPULATION PROJECTIONS FOR THE YEARS 2005, 2010, 2020, 30 AND 40, SO THEY DID A SERIES OF PROJECTIONS. THE ULTIMATE POPULATION, JUST TO GIVE YOU AN IDEA OF THE SIZE OF THIS BASIN, THE ULTIMATE POPULATION PROJECTION FOR THIS AREA IS OVER 150,000 PEOPLE WITH AN ADDITIONAL 100,000 FOR EMPLOYMENT. AND THAT IS PROJECTED TO TAKE PLACE OVER THESE SEVERAL DECADES. ADDITIONALLY, THE SCOPE INCLUDED MODEL DEVELOPMENT AN ANALYSIS, INCLUDING PHASING AND COST ESTIMATES FOR THIS PLANNED COLLECTION SYSTEM. ADDITIONALLY THE SCOPE INCLUDED A LOOK AT THE WASTEWATER TREATMENT REQUIREMENTS. AND THEY LOOKED AT ALTERNATIVE SITE SELECTION, TREATMENT PROCESS OPTIONS AND PERMITTING REQUIREMENTS, PRELIMINARY SITE LAYOUTS, PLANT PHASING AND COST ESTIMATES. AND JUST A NOTE, NEXT WEEK WE'LL BE BRINGING SEVERAL OF THESE RELATED ITEMS FOR COUNCIL CONSIDERATION, INCLUDING THE IMPLEMENTATION OF THE MASTER PLAN IN THE SOUTHERN PORTION OF THE STUDY AREA, BASICALLY SOUTH OF 290 AND SOUTH OF MANOR. INCLUDING WATER AND WASTEWATER TREATMENT PLANT -- WASTEWATER TREATMENT PLANT AND SOME INTERCEPTORS IN THAT AREA. AND WE'LL BE BRINGING THESE FOR YOUR CONSIDERATION NEXT WEEK. SO WE HAVE BEGUN IMPLEMENTING THE PLAN IN THE SOUTHERN PORTION OF THE AREA. THERE ARE SOME ISSUES IN THE NORTHERN PORTION OF THE AREA, THOUGH, THAT BRING US HERE TODAY. WESTON RECOMMENDED IN THEIR STUDY OF NOVEMBER 2000, THEY RECOMMENDED A NEW NORTHEAST REGIONAL WASTEWATER TREATMENT PLANT AND A WASTEWATER TREATMENT SYSTEM BECAUSE OF THE

SIZE OF THE AREA, IT'S A SIGNIFICANT INVESTMENT AND THE NET PRESENT VALUE OF THE TOTAL SYSTEM IS ON THE ORDER OF \$100 MILLION. BUT AGAIN, THAT'S FOR THE FULL BUILDOUT OVER SEVERAL DECADE. THEY LOOKED AT TWO ALTERNATIVE COLLECTION ALIGNMENTS AS THEY WERE KIND OF DOING A PRELIMINARY LAYOUT. ONE OUTSIDE THE CRITICAL WATER QUALITY ZONE, BUT THEY RECOGNIZED THE USUALLY WIDE FLOODPLAIN AREAS AND ALSO TOOK A LOOK AT PLACING SOME OF THESE LINES INSIDE THE CRITICAL WATER QUALITY ZONE JUST FOR COMPARISON PURPOSES. AND THEY PROJECTED A SIGNIFICANT COST SAVINGS IF LINES COULD BE CONSTRUCTED IN THE CRITICAL WATER QUALITY ZONE. AND THE SAVINGS ARE ON THE ORDER OF EIGHT TO 10 PERCENT OF THE TOTAL SYSTEM COSTS. WE'VE BEEN WORKING WITH WATERSHED PROTECTION AND DEVELOPMENT AND REVIEW AND THE ENGINEERING AND DEVELOPMENT COMMUNITY TO IMPLEMENT -- IMPLEMENT THIS PLAN AND A NUMBER OF ISSUES HAVE COME UP. FIRST THE DEVELOPMENT IN THIS PORTION OF THE DESIRED DEVELOPMENT ZONE IS LIMITED BY LACK OF WASTEWATER INFRASTRUCTURE. SO THERE'S NOT A LOT OF FACILITIES IN THIS AREA YET. MANY AREAS ALONG THE WATERWAYS WITHIN THE NORTHEAST SERVICE AREA HAVE BEEN DISTURBED BY AGRICULTURAL USES. THAT'S ANOTHER OF THE SOMEWHAT UNUSUAL SITUATION OF THIS PARTICULAR AREA. THE WESTON STUDY PROJECTED A SIGNIFICANT COST SAVINGS SOME WASTEWATER LINES COULD BE CONSTRUCTED IN THE CRITICAL WATER QUALITY ZONE. 12 MILLION TOTAL, BUT THAT'S 8 MILLION IN NET PRESENT VALUE TERMS. FINALLY, AN ENVIRONMENTAL VARIANCE REQUEST REQUIRES A LARGE ENGINEERING INVESTMENT WITH AN UNCERTAIN RESULT, WHICH RAISES THE QUESTION OF HOW BEST TO CONSIDER THE UNUSUAL FLOODPLAIN SETTING OF THIS AREA IN THE DESIRED DEVELOPMENT ZONE. SO THAT LED TO THE RESOLUTION AND I'LL TURN IT OVER TO JOE PAN TALL ONTO DELIVER SOME OF THE FINDINGS OF THAT PART OF OUR STUDY.

THE RECOMMENDATIONS TODAY REFLECT THE SHARED COMMUNITY GOALS OF FACILITATING THE LEAST COST WASTEWATER INFRASTRUCTURE AND PREK OF THE

ENVIRONMENT. ADMINISTRATIVE APPROVAL PROCESS WILL REDUCE THE UNCERTAINTY ASSOCIATED WITH THE CURRENT VARIANCE PROJECT AND RIEWTS PROJECT TIME AND COST. THIS PROCESS SHOULD ALSO TAKE INTO CONSIDERATION CAPITAL AND LONG-TERM COST FOR BOTH THE INFRASTRUCTURE AND. AND PROMOTE FUTURE RECREATIONAL ACTIVITIES AND PUBLIC ACCESS. A MAJOR CONCERN ASSOCIATED WITH PLACEMENT OF WASTEWATER LINES WITHIN THE CRITICAL WATER QUALITY ZONE IS STREAM BANK EROSION. HISTORICALLY WASTEWATER LINES HAVE BEEN CONSTRUCTED IN THE BOTTOM CREEK CHANNELS OR RIGHT AT THE EDGE OF A EXTREME BANK. THIS WAS THE CONSIDERATION OF FUTURE CHANNEL WIDENING THAT WOULD DAMAGE THE LINE AND IN TURN IMPAIR THE WATER QUALITY AND INTEGRITY OF THE CREEK. THE MASTER PLAN INCLUDED NEW DATA FOR CHANNEL ENLARGEMENT FOR 17 WATERSHEDS FROM THESE STUDIES IT WAS DETERMINED THAT THE CREEKS THAT WERE MOST SUSCEPTIBLE TO WIDENING WERE THOSE WITH DEEP SOILS WITH A POTENTIAL FOR FUTURE DEVELOPMENT. FOR EXAMPLE, PARTS OF THE WALNUT CREEK CHANNEL ARE EXPECTED TO WIDEN BY WELL OVER 100% THEIR CURRENT SIZE. THAT'S THE AREA SHOWN IN THE RED IN THIS SLIDE. THE HARRIS BRANCH GILLY LAND, DECKER AND WILBARGER CREEK WATERSHEDS ARE EXPECTED TO HAVE THE SAME KIND OF WIDENING. THEREFORE IT IS IMPERATIVE THAT IT BE CLOSELY EVALUATED IN PROXIMITY TO THE ACTIVE STREAM CHANNEL. ARMED WITH THIS NEW INFORMATION, STAFF IS BETTER ABLE TO ASSESS THE APPROPRIATE LINE PLACEMENT FOR ADJACENT STREAM CHANNELS. WE MUST MAKE SURE THE CREEK IS PROTECTED FROM THE LINE AND THE LINE FROM THE CREEK. THIS WILL HELP WITH LINE BREAKS AND STREAM BANK EROSION. STAFF WILL ALSO IMPLEMENT A PROCESS THAT PROMOTES RESTORATION OF DAMAGED CREEK AREAS THAT WILL IMPROVE THE STREAM BANK INTEGRITY. THEREFORE THE STAFF HAS A TWO-PART RECOMMENDATION FOR AN ALTERNATIVE APPROVAL PROCESS FOR WASTEWATER LINES IN THE DESIRED DEVELOPMENT ZONES. AND WHILE IT IS COUNCIL'S DECISION WHETHER TO LIMIT THESE APPROVALS TO THE WESTON STUDY AREA, STAFF ACKNOWLEDGES THAT THE RESTRICTIONS TO BE APPLIED FOR THE WESTON STUDY

AREA CAN BE APPLICABLE THROUGHOUT THE DESIRED DEVELOPMENT ZONE. THE FIRST RECOMMENDATION IS TO IMPLEMENT AN APPROVAL PROCESS FOR LINES FROM EROSION AND IN DISTURBED AREAS OF THE WATER QUALITY ZONE. THE SECOND IS TO CENTER A STREAMLINE BOARD OF YEARS YANS FOR THESE STREAM LINES WITH EROSION AND THOSE NOT SO IMPACTED BY AGRICULTURAL ACTIVITIES AND TO PROVIDE A LITTLE BIT MORE DETAIL ON THAT TWO PART RECOMMENDATION, PAT MURPHY IS GOING TO GO OVER SOME BOARDS AND ADDITIONAL RECOMMENDATIONS.

THANK YOU. THIS AERIAL HERE IS A PRETTY GOOD DEPICTION OF THE LAND USES IN THIS AREA. MUCH OF THE AREA ALONG THE CREEKS HAS BEEN DISTURBED BY PAST AGRICULTURAL PRACTICES. SO THE INITIAL QUESTION THAT CAME TO US REGARDING THESE VARIANCE TYPE ISSUES IN THE CRITICAL ZONE WAS WHAT WERE WE PROTECTED? WHEN WE DO HAVE DISTURBED AGRICULTURAL AREAS, WE'RE CERTAINLY NOT TRYING -- WE'RE TRYING TO PROTECT THESE SIGNIFICANT, MATURE WOODLAND AREAS, INSTEAD WE ARE LOOKING MORE IN THIS SITUATION AT THE POTENTIAL THREAT OF EROSION AS IT RELATES TO THE LINE PLACEMENT AS WELL AS TRYING TO PROTECT THE CREEK FROM THE LINES ENCROACHING TOO CLOSE. WE BASICALLY HAD THREE SCENARIOS THAT WE LOOKED AT. AREAS THAT ARE AGRICULTURALLY DISTURBED, AREAS THAT MAY BE TRANSITIONING BACK TO A MORE NATIVE STATE. AND THEN WE DO HAVE AREAS CERTAINLY ALONG THE CREEK THAT HAVE THE WOODLANDS AND THOSE ARE THE THREE SCENARIOS THAT WE LOOKED AT. WHAT WE ENVISION IS A PROCESS WHEREBY THE COMPLEXITY OF THE SITUATION IN THE VARIANCE REQUEST WOULD BE FITTED TO A PROCESS. FOR LINES THAT ARE OBVIOUSLY WITH AN AGRICULTURALRY ILY DISTURBED AREAS, THAT ARE NOT IN EROSION DAMAGED AREAS, WE SHOULD BE ABLE TO MOVE THESE ADMINISTRATIVELY. FOR -- WE CAN PROVIDE A STREAMLINED VARIANCE PROCESS. THE IDEA BEING THAT WE SHOULD BE ABLE TO CONSIDER VARIANCES AND GET A DECISION MADE ON THOSE VARIANCES WITHOUT THE HUGE EXPENSE OF SUBMITTING COMPLETE CONSTRUCTION DRAWINGS THAT ARE READY TO GO TO CONSTRUCTION AND THEREFORE REDUCE THE COST GREATLY OF BEING ABLE TO

SUBMIT THE VARIANCE, BUT THE VARIANCE PROCESS WOULD REMAIN THE SAME AS IT CURRENTLY IS. AND THE THIRD SCENARIO THAT WE ENVISION IS THE CURRENT PROCESS. IF WE HAVE A LINE THAT IS CERTAINLY WITHIN CERTAIN AREAS AND IT IS ALSO IN POTENTIALLY EROSION HAZARD AREAS, THEN WE HAVE THE STANDARD VARIANCE PROCESS THAT WE CURRENTLY HAVE, WHICH REQUIRES FULL CONSTRUCTION PLANS AND APPROVAL BY THE LAND USE COMMISSION. MITIGATION EXPECT -- MITIGATION EXPECTATIONS. WE ARE CONSIDERING HAVING THESE LINES OUTSIDE OF THE EROSION PATHS OF THE CREEK. THIS IS MEANT TO SHOW HOW THAT OCCURS AND POTENTIAL PLACEMENT OF LINES. WHAT THIS SHOWS US HERE IS THE CURRENT -- ARE THE -- BASICALLY THE ORIGINAL CHANNEL OF LITTLE WALNUT CREEK. THIS LINE HERE SHOWS IN GREEN WHAT WE PREDICTED THAT CHANNEL WOULD LOOK LIKE BASED ON OUR MODELS. THIS BLACK DASHED LINE SHOWS WHAT ACTUALLY HAPPENED IN LITTLE WALNUT CREEK. AND THE RED RED LINE SHOWS WHAT WE WOULD BE RECOMMENDING AS AN EROSION HAZARD ZONE THAT WOULD ENSURE THAT IN THE FORESEEABLE LIFE-SPAN OF THESE LINES AT LEAST, 40 YEARS OUT, THAT ANYTHING WE PLACE WOULD NOT BE INSIDE OF THIS RED LINE. SO THESE TWO CIRCLES ARE MEANT ON TO SHOW POTENTIAL LOCATIONS OF LINES BELOW THE EROSION HAZARD ZONE, BUT ALSO WE COULD GO OUTSIDE OF THAT EROSION HAZARD ZONE. SO THE IDEA IS WE DO NOT WANT EXPOSED LINES IN THESE CREEKS IN AND ALL OF THE RAMIFICATIONS OF THAT. THE SECOND THING IS THE PROJECT SHOULD PROVIDE FOR NATIVE REVEGETATION AND REFORESTATION. WE ARE TRYING TO FIND THE BEST WAY TO BE ABLE TO ENSURE THAT THESE AREAS WILL BE REVEGETATE THE AS THEY ARE CONSTRUCTED OR PERHAPS WE COULD BANK THAT MONEY IN SOME WAY THAT WE COULD START REFORESTING THESE AREAS IN THE FUTURE. THIRD, WE WANT TO PROVIDE OPPORTUNITIES FOR UNDISTURBED STATE AND PUBLIC ACCESS. WE ARE LOOKING AT THAT RIGHT NOW RELATIVE TO FUTURE DEVELOPMENT SCENARIOS AND WORKING WITH PARD AND TRYING TO DETERMINE THE BEST WAY THAT WE CAN TURN THESE AREAS INTO PUBLIC ACCESS AND ALSO RESTORE THEIR NATURAL CHARACTER TO THESE CREEK. WHAT ARE

THE BENEFITS? DO YOU WANT TO COVER THIS? WHATEVER THE BENEFITS? NUMBER ONE, REDUCED DEVELOPMENT PERMITTING TIME AND COSTS, VARIANCES FOR WASTEWATER LINES IN AGRICULTURAL AREAS WILL HAVE A FASTER AND LESS ADMINISTRATIVE PROCESS. VARIANCES FOR WASTEWATER LINES IN TRANSITIONAL AREAS WILL HAVE REDUCED VARIANCE APPROVAL TIMES AND REDUCED UP FRONT ENGINEERING COSTS. BENEFITS ALSO INCLUDE REDUCING CONSTRUCTION AND MAINTENANCE COSTS. THE ABILITY TO LOCATE THE LINES CLOSER TO THE CREEKS WILL SIGNIFICANTLY REDUCE THE CONSTRUCTION COSTS AS MR. LIPPY POINTED OUT, AND ALSO EROSION SETBACKS WILL SIGNIFICANTLY REDUCE FUTURE INFRASTRUCTURE MAINTENANCE COSTS. OTHER BENEFITS INCLUDE PROMOTING CREEK REFORESTATION AND PUBLIC ACCESS. VARIANCE CONDITIONS WILL SERVE TO RESTORE PREVIOUSLY DISTURBED WOODLAND AREAS AND OPPORTUNITIES WILL BE PROVIDED FOR PUBLIC ACCESS TO CREEK CORRIDORS. THE LAST SLIDE THAT WE HAVE HERE IS A DRAFT CODE AMENDMENT SCHEDULE. IF THE COUNCIL DESIRES TO PROCEED FORWARD WITH THESE AMENDMENTS, THEN I PUT TOGETHER THIS SCHEDULE TRYING TO AT LEAST DRAFT WHAT I THINK WE COULD DO IN A REASONABLE AMOUNT OF TIME. THIS SCHEDULE WOULD END ON APRIL 1ST BEING IN FRONT OF COUNCIL FOR SECOND AND THIRD READING. SO THAT IS THE SCHEDULE THAT WE HAVE PUT TOGETHER. WE NEED SOME TIME TO DRAFT THE AMENDMENTS, WE NEED SOME TIME TO GO THROUGH THE BOARDS AND COMMISSIONS TO COME BACK TO YOU. SO IF YOU HAVE QUESTIONS, WE'RE ALL HERE TO ANSWER THOSE. THANK YOU VERY MUCH.

Dunkerley: MAYOR, I HAVE ONE.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: THANK YOU FOR THE PRESENTATION. I DO HAVE ONE CONCERN. IF YOU'LL SHOW THE MAP WITH THAT BIG AREA OVER THERE, -- CAN YOU KIND OF SHOW WHERE 130 GOES THROUGH? DO YOU SEE THAT ON THERE?

THE DOTTED LINE.

130 GOES THROUGH THAT PARTICULAR AREA. AND THERE IS TREMENDOUS DEVELOPMENT AND PRESSURE ON THAT AREA TO GET SOMETHING DONE DONE QUICKLY. SO AS DEVELOPMENTS COME IN, THERE ARE ALTERNATE THINGS THEY CAN DO THAT WILL NOT CONTRIBUTE TO THE OVERALL PLAN OF HAVING A WELL DESIGNED WATER AND WASTEWATER SYSTEM IN THAT AREA. SO IN ORDER TO GET FUTURE DEVELOPER'S COOPERATION TO BUILD OUR SYSTEM SO WE DON'T HAVE TO DO IT ALL UP FRONT, I HOPE AS THEY COME THROUGH, YOU GUYS WILL ALERT US AND DEVELOP SOME KIND OF PROCESS SO THAT WHATEVER YOUR MAJOR PLAN IS FOR THEM TO HELP CONTRIBUTE TO THE BUILDING OF THE WATER AND WASTEWATER SYSTEM CAN SOMEHOW KEEP THEM FROM DOING THINGS THAT WOULD BE NEGATIVE TO THAT AND ENCOURAGE THEM TO DO THE THINGS THAT WILL HAVE THEM PARTICIPATING IN THE DEVELOPMENT AND THE PAYMENT FOR THE SYSTEM. AND I DON'T KNOW EXACTLY HOW TO SAY IT, BUT MY CONCERN IS THAT THERE MAY BE SEVERAL DEVELOPMENTS IN THAT AREA WHERE THERE'S A TREMENDOUS AMOUNT OF PRESSURE TO GET IT GOING DOWN. SO I APPRECIATE THE ACCELERATED TIME LINE, BUT IF SOMETHING HAPPENS BETWEEN NOW AND APRIL, WHAT CAN YOU DO?

ONE OF THE THINGS WE'D LIKE TO DO AFTER SOME DIRECTION ON THE ADMINISTRATIVE PROCESSING QUESTIONS IS GET TOGETHER AGAIN WITH THE -- ALL OF THE DEVELOPERS IN THIS AREA. AND YOU'RE RIGHT, IF YOU TAKE EACH SUBDIVISION ONE AT A TIME, THERE ARE ALTERNATIVES THAT ARE MORE COST EFFECTIVE FOR THAT INDIVIDUAL THAN AS THE BASELINE AS A WHOLE. SO WHAT WE WANT TO DO IS GET TOGETHER AGAIN WITH A GROUP OF DEVELOPERS, AND THERE HAVE BEEN A NUMBER OF MEETING ALREADY, AND WE'VE BEEN WORKING VERY WELL ON THIS TYPE OF PLANNING. SO WHAT WE'D LIKE TO DO IS GET BACK TOGETHER AGAIN, PULL EVERYBODY TOGETHER AND FOLLOW UP ON WHERE WE GO FROM HERE TO BUILD IT RIGHT THE FIRST TIME RATHER THAN TAKING EACH SUBDIVISION ONE AT A TIME AND -- BECAUSE WHEN WE GET ONE REQUEST FOR SERVICE, IT MAY BE THAT THE MOST COST EFFECTIVE APPROACH FOR THAT ONE IS, FOR EXAMPLE, LIFT STATION TO PUMP OVER TO SOME OTHER

NEARBY FACILITIES AND THE NEXT BASIN OVER. BUT IF WE CAN START PULLING THINGS TOGETHER, WE CAN START GETTING THE INFRASTRUCTURE BUILT IN THIS -- THE PERMANENT INFRASTRUCTURE BUILT IN THE BASIN. SO THAT WILL BE OUR FOLLOW-UP.

Dunkerley: THANK YOU. THAT'S ALL, MAYOR, I HAVE.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE., THANK YOU ALL -- HEARING NONE, THANK YOU ALL VERY MUCH. COUNCILMEMBER SLUSHER.

Slusher: IS THIS AN APPROACH THAT AS DEPARTMENT HEADS, YOU WOULD RECOMMEND?

I THINK AS FAR AS THE RECOMMENDATION FOR THE ADMINISTRATIVE APPROVAL PROCESS. THE EROSION HAZARD ZONE THAT WE ARE RECOMMENDING BE USED, MAKE SURE THAT THE LINE IS PROTECTED FROM THE CREEK AND THE CREEK IS PROTECTED FROM THE LINE, WE'RE CONFIDENT THAT THERE'S A LEVEL OF CONSERVATISM BUILT INTO THAT SO THAT THE FUTURE EROSION HAS PREDICTED IN THAT AREA WILL NOT DAMAGE THE LINE AND THEREFORE THE CREEK WOULD NOT BE PROTECTED FROM THE LINE. SO I SUPPORT THE ESTABLISHMENT OF BOTH THE ADMINISTRATIVE PROCESS AND THE EROSION HAZARD ZONE WITH THE -- UNDER THE SCENARIO ONE WHERE WE HAVE ALSO A PROBABILITY -- NOT A PROBABILITY, BUT A REQUIREMENT TO ENHANCE THE REPAIR AND ERRORS AS WELL AS THE REPOWER STATION. SO DEFINITELY WITH THOSE TWO THAT WE'RE TALKING ABOUT, I DO SUPPORT THOSE.

Slusher: MR. LIPPY?

YES. WE HAVE A CONCERN ABOUT THE PROTECTION OF OUR LINES FROM EROSION, WHICH IS ANOTHER ISSUE THAT HAS COME UP IN THIS PART OF THE CITY, THE TYPES OF SOILS IS AN ISSUE THAT WE DO HAVE TO DEAL WITH. SO WE DON'T FIND OURSELVES FACING A CLEAN WATER TYPE OF A PROBLEM WHERE NOW WE HAVE LINES EXPOSED. SO NOW IT'S JUST ANOTHER PART OF A DESIGN THAT WE HAVE TO BE

CONCERNED ABOUT. AND WE BELIEVE THAT THE PROPOSED PROGRAM, THAT WE PRESENTED TODAY IS GOT TO BALANCE THOSE THINGS, THE CRITICAL WATER QUALITY OR THE CRITICAL ZONE AND THE EROSION ZONE. AND THEN HELPING US TO COME UP WITH AN IMPLEMENTATION OF THIS OVERALL MASTER PLAN. TO CONTRIBUTE TOWARD THE DEVELOPMENT IN THE AREA.

Slusher: OKAY. THANK YOU, SIR. THAT'S ALL I HAVE, MAYOR.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? THANK YOU ALL VERY MUCH. COUNCIL, AT THIS TIME WE'LL TAKE UP OUR ITEM NUMBER 25, WHICH IS OUR QUARTERLY ECONOMIC UPDATE. AND PERHAPS SINCE WE HAVE AS A COMPONENT TO THIS EACH QUARTER OF THE PLAN IS TO HAVE -- A PARTNER PRESENT AS A FOLLOW-UP TO MS. EDWARDS' PRESENTATION, WE'LL HEAR FROM THE IT SQUARED INSTITUTE AT THE UNIVERSITY OF TEXAS. BUT I'LL RAISE MS. SUE EDWARDS.

MAYOR, I BELIEVE RUDY GARZA WITH BUDGET OFFICE WILL BE GOING FIRST.

Mayor Wynn: THANK YOU.

Futrell: IF IT'S POSSIBLE, WOULD WE LIKE TO HAVE IC SQUARED. I KNOW YOU'VE WAITED HERE QUITE SOME TIME? WOULD YOU LIKE TO GO FIRST BEFORE OUR STAFF PREPARATION?

THANK YOU VERY MUCH. [INAUDIBLE - NO MIC].

Futrell: YOU'RE A BRAVE MAN. ALL RIGHT.

GOOD AFTERNOON, MAYOR AND COUNCIL. WE CAME TO YOU ON JANUARY 15TH AND WENT OVER OUR SERIES OF DATES THAT WE HAD COMING FORWARD IN OUR BUDGET PROCESS, AND TODAY REPRESENTS ONE OF THOSE DATES WHERE WE'RE GOING TO PROVIDE YOU WITH A REVIEW OF SOME OF THE KEY ECONOMIC INDICATORS. WE'RE GOING TO END OUR PART OF THE PRESENTATION WITH SOME PER ACCEPT -- PERSPECTIVES FROM SOME OF THE LOCAL ECONOMISTS AND WE'RE GOING TO TURN IT OVER TO SUE AND HER FOLKS

TO TALK ABOUT SMALL BUSINESS ACTIVITIES AND THE CITY'S EFFORTS THERE. AND AGAIN, FOLLOWED BY PRESENTATION BY IC SQUARED. MOVING ON TO THE ECONOMIC INDICATORS. WE'RE FOCUSING ON THREE OF THE KEY NATIONAL INDICATORS. THE FIRST ONE BEING THE GROSS DOMESTIC PRODUCT. WHAT YOU WILL SEE THERE IN -- IN A SECOND WE'LL GO OVER THE GRAPH, HOWEVER THE MAIN POINTS THERE ARE 2003 DID SHOW SOME INCREASED GROWTH OVER 2002, THE ANALYZED GROWTH IN 2003 WAS 3.1% COMPARED TO 2.2%, AND THAT'S BASICALLY A RESULT OF THREE CONSECUTIVE QUARTERS IN 2003 THAT WERE GREATER THAN THE GROWTH RATE IN 2002. SOME OF THE MAJOR CONTRIBUTORS TO THAT WERE PERSONAL CONSUMPTION EXPENDITURES, GOVERNMENT SPENDING, EQUIPMENT AND SOFTWARE AND RESIDENTIAL FIXED INVESTMENT. YOU'LL SEE THERE BASICALLY A SUMMARY ON A GRAPHIC FORMAT THE ACTIVITY OF GROSS DOMESTIC PRODUCT. THE NEXT INDICATOR THAT WE'RE GOING TO TALK ABOUT, WHICH IS MORE OF A LEADING INDICATOR, GIVES US A SENSE OF WHAT THE CONSUMERS ARE FEELING ABOUT OUR ECONOMY IN THE SHORT-TERM OVER THE NEXT SIX MONTHS. AND AGAIN, JUST TO REMIND US THAT CONSUMER SPENDING IS ABOUT -- MAKES UP ABOUT TWO-THIRDS OF OUR NATIONAL ECONOMY, SO CLEARLY THIS IS AN IMPORTANT INDEX. 2003 CONTINUED TO SHOW THAT THE CONSUMERS ARE STILL NOT EXACTLY CERTAIN OF WHAT'S GOING ON WITH THE ECONOMY, AND WE WENT FROM A LOW OF 61.4 IN MARCH, WE JUMPED UP TO 92.5 IN NOVEMBER. THE MOST RECENT INFORMATION WAS IN JANUARY THAT WE HAD A FURTHER INCREASE OF 96-POINT 8. HOWEVER, TO PUT ALL THAT IN PERSPECTIVE, AND AGAIN, THERE'S NO SET NUMBER, HOWEVER, CONSISTENT 110 TO 130 CAN BE A SIGN THAT CONSUMERS ARE FEELING BETTER, THAT THE ECONOMY IS TURNING AROUND, AND WE DON'T SEE THAT YET. TO GIVE YOU AN EXAMPLE OF WHAT THIS LOOK LIKE, BACK DURING THE TIME THE ECONOMY HERE WAS JUST GOING SKY HIGH WAS IN JANUARY OF 2000 WHEN THE CONSUMER CONFIDENCE INDEX WAS AT 144.7. PROBABLY SOMEWHAT UNREALISTIC EXPECTATIONS OF CONSUMERS AND I THINK WE ALL SAW THAT, THE RESULTS OF THOSE EXPECTATIONS, THE FALLOUT. YOU'LL SEE THERE THE GRAPHIC FORMAT OF CONSUMER CONFIDENCE, IN 2003

WE HAD FIVE MONTHS THAT WERE BELOW THE 90 MARK INDEX. SO IT JUST CONTINUES TO BE A LITTLE UNCERTAIN. I THINK ONE OF THE MOST TELLING STORIES OF CONSUMER CONFIDENCE IS FROM ONE OF THE DIRECTORS OF THE CONFERENCE BOARDS WHO PUBLISHES THE CONSUMER INDEX, BASICALLY THE KEY TERMS IN HER STATEMENT ARE THAT THERE DEFINITE WILL IS GROWING OPTIMISM AND WE SEE THAT IN THE LATEST NUMBERS, BUT A CONTINUED CAUTIOUS APPROACH FOR EVERYONE. ACTUALLY, THE WORDS THAT SHE USED IS, AS YOU SEE THERE, THAT THE CONSUMERS CONTINUE TO FEEL THAT THE CURRENT CONDITIONS ARE WEAK AND VOLATILE. THE FINAL NATIONAL INDICATOR THAT WE'LL REVIEW WITH YOU TODAY IS THE UNEMPLOYMENT RATE. 2003 WE DEFINITELY SAW HIGH LEVELS OF UNEMPLOYMENT OF A NATIONAL AVERAGE. IN 2003 IT WAS 6%. WE PEAKED IN JUNE AT 6.4%. IN AUSTIN IN THE AUSTIN MSA AREA, WE ALSO PEAKED AT A HIGH UNEMPLOYMENT RATE AT 6.3%, AND A LOW IN DECEMBER AT 4.5. WE'LL COME BACK TO THAT WHEN I TALK ABOUT THE LOW ECONOMIC INDICATOR FOR EMPLOYMENT. BASICALLY ALL OF THIS, IT'S HARD TO FIGURE OUT EXACTLY WHAT THE STORY IS BEHIND THESE NUMBERS. THERE DEFINITELY IS SOME MIXED SIGNALS. WE DO KNOW THERE IS SOME JOB GROWTH, HOWEVER, WE ALSO KNOW TWO THINGS. ONE, THAT SOME PEOPLE ARE JUST GIVING UP. THEY'RE NO LONGER ON THE UNEMPLOYMENT COUNSELING, THEY'VE JUST GIVEN UP LOOKING FOR JOBS. OTHERS HAVE ACCEPTED POSITIONS, LESSER POSITIONS THAN WHAT THEY WERE USED TO DURING THE STRONG TIMES OF THE ECONOMY. AND YOU'LL SEE THERE WHAT IT LOOKS LIKE ON AN ANNUAL BASIS ON THE UNEMPLOYMENT RATE STATISTICS. FOCUSING MORE ON THE LOCAL ECONOMY, I'D LIKE TO LOOK AT SEVERAL INDICATORS, SOME OF WHICH ARE MORE REPRESENTATIVE ACTIVE OF THE RESULTS OR SYMPTOMS OF THE ECONOMIC FALL DOWN. AND THEN SOME OF THE INDICATORS THAT WE'RE GOING TO TALK ABOUT ARE MORE REPRESENTATIVE OF CURRENT CONDITIONS. THE FIRST ONE, THE AUSTIN EMPLOYMENT. BASICALLY THIS MEASURE REPORTS TO YOU THE TOTAL NUMBER OF PEOPLE WORKING IN THE AREA, IN THE MSA AREA. 2003 WE DID SEE IN THE AUSTIN MSA AREA NEW JOB GROWTH. IN JANUARY WE SHOWED ALMOST 453,000 PEOPLE WORKING. IN

DECEMBER WE HAD 672,000 PEOPLE WORKING. ACTUALLY, 672 IS A DROP FROM NOVEMBER. AND THIS IS THE POINT THAT I WANTED TO GO BACK TO WHEN WE TALKED ABOUT THE UNEMPLOYMENT RATE IN AUSTIN MSA GOING DOWN IN DECEMBER, BUT IF YOU ALSO NOTICE, THE NUMBER OF PEOPLE WORKING ALSO WENT DOWN. AGAIN, THAT BEING A SIGN THAT SOME PEOPLE ARE JUST NO LONGER LOOKING FOR WORK. AND AGAIN, TO COMPARE TO HOW THINGS WERE DURING OUR BOOM TIME, IN NOVEMBER OF 2000, WE HAD 690,000 PEOPLE ACTUALLY WORKING IN THE AUSTIN MSA. AND YOU'LL SEE THERE GRAPHICALLY WHAT THAT MEANS ON A MONTH-TO-MONTH BASIS. THESE NEXT TWO MEASURES ARE SOME OF THE MEASURES THAT ARE MORE RESULTS OR SYMPTOMS OF THE ECONOMIC FALLOUT. AND THOSE BEING FORECLOSURES. IN 2003 IN THE AUSTIN AREA WE HAD 3906 FORECLOSURES. A VERY DISTURBING NUMBER, A 61% INCREASE OVER 2002. WHILE WE COULDN'T GET ALL THE INFORMATION EXACTLY, BUT I DID WANT TO GIVE YOU A POINT OF REFERENCE TO SHOW YOU THAT THIS IS A STATEWIDE PROBLEM. THIS IS NOT AN AUSTIN SPECIFIC NUMBER. THIS IS A COUNTY WIDE AREA NUMBER. PUTTING THAT IN COUNTY WIDE TERMS, THAT'S 4.6 PER THOUSAND POPULATION. THE NUMBER THAT WE COULD COME UP TO COMPARE TO IS THE DALLAS-FORT WORTH AREA. THEIR NUMBER WAS 5.8 FORECLOSURES PER THOUSAND. BANKRUPTCIES -- AGAIN, THIS IS FOR THE ENTIRE AUSTIN AREA BECAUSE BANKRUPTCIES ARE REPORTED BY DISTRICT. IN AUSTIN THAT'S 17 COUNTIES. WE'RE AT 6,501 BANKRUPTCIES REPORTED INCLUDING ALL CATEGORIES. A 24% INCREASE OVER 2002. COMPARATIVELY SPEAKING TO OUR NEIGHBORS THROUGHOUT THE STATE NRKS AUSTIN THAT EQUATES TO ABOUT 2.2% PER THOUSAND POPULATION. IN THE DALLAS AREA IT WAS ABOUT 4.7% PER THOUSAND. THE FORT WORTH AREA, 7.3 PER THOUSAND. AND IN THE SAN ANTONIO AREA, RIGHT UNDER 4 PER THOUSAND. SO CLEARLY WHAT YOU SEE IN THE AREA OF FORECLOSURES AND BANKRUPTCY IS AGAIN VERY REPRESENTATIVE OF WHAT'S HAPPENING THROUGHOUT THE ENTIRE STATE. AND AGAIN, THIS IS MORE OF A LAGGING INDICATOR BECAUSE THESE ARE THINGS THAT HAVE HAPPENED AND THE NUMBERS I REPORTED TO YOU WERE IN 2003. AND YOU CAN SEE HERE THE FORECLOSURES

GRAPHICALLY. YOU CAN SEE THE LAST QUARTER OF 2003 WAS THE HIGHEST QUARTER FOR FORECLOSURES. AND IN BANKRUPTCY, THE SECOND QUARTER OF THE YEAR REPRESENTED THE HIGHEST ACTIVITY FOR BANKRUPTCIES. ONE OF THE INDICATORS THAT WE TRACK MONTHLY AND REPORT TO YOU ON A MONTHLY BASIS ON THE ACTIVITY, THAT GIVES US A PRETTY GOOD SENSE OF WHAT'S HAPPENING CURRENTLY, AND THAT'S SALES TAX. AND THAT'S CLEARLY SIGNIFICANT AS IT MAKES UP ALMOST A QUARTER OF OUR ENTIRE GENERAL FUND RESOURCES. WE BUDGET THE CURRENT YEAR AT A TWO PERCENT GROWTH. AS I RECALL, WE ENDED THE YEAR 2003 AT SLIGHTLY HIGHER THAN EXPECTED. IF WE INDEED ACHIEVE 2 PERCENT GROWTH, WHICH I HAVE EVERY REASON AT THIS POINT TO BELIEVE THAT WE WILL, WE'LL END UP THE YEAR AHEAD OF BUDGET. FOR THE FISCAL YEAR, WE'VE RECEIVED ONLY TWO PAYMENTS, AND YEAR TO DAY WE HAVE EXPERIENCED ABOUT A THREE AND A HALF PERCENT GROWTH OVER THE PRIOR FISCAL YEAR. AND AT THIS POINT WE HAVE TO BELIEVE THAT IT IS EARLY SIGNS OF SOME FURNISHAROUND IN THE ECONOMY. AND AGAIN, 2003, WE ENDED UP THE YEAR BETTER THAN WE ANTICIPATED, BUT STILL DOWN FROM THE PRIOR YEAR AT FOUR AND A HALF PERCENT. HERE YOU CAN SEE GRAPHICALLY WHAT HAPPENS WITH SALES TAX OVER THE LAST FISCAL YEAR OF 2003. ONE OF THE THINGS THAT WE'VE TALKED ABOUT BEFORE THAT'S INTERESTING TO NOTE, IF YOU GO -- TAKING A 12 MONTH PERIOD, THE FIRST SIX MONTHS, THE LATEST SIX MONTHS, ALL THOSE SIX MONTHS WERE NEGATIVE. IF YOU LOOK AT THE MOST RECENT SIX MONTHS, THREE OF THOSE MONTHS WERE POSITIVE AND THREE WERE NEGATIVE. SO MAYBE WE'RE A LITTLE OPTIMISTIC, BUT THINGS ARE SEEMING TO TURN AROUND LOOKING AT SALES TAX. HOTEL-MOTEL BED TAX, TOTAL REVENUES IN 2003 WERE 25 AND A HALF MILLION DOLLARS. ALMOST A THREE PERCENT GROWTH OVER THE PRIOR YEAR. OCCUPANCY RATE FOR 2003 ABOUT 58%. AGAIN, TO GIVE YOU A COMPARISON OF WHAT THAT MEANS, DURING THE TIME THE ECONOMY WAS VERY STRONG, OUR OCCUPANCY RATE AVERAGE IN 2000, ALMOST 75%. SO CLEARLY WE'RE NOT BACK TO THOSE TIMES, BUT WE ARE GROWING, WE ARE ANTICIPATING THAT IN 2004 WE'LL HAVE ABOUT A FIVE PERCENT INCREASE. ONE OF THE NUMBERS

THAT -- AGAIN, JUST TO KEEP EVERYTHING IN PERSPECTIVE, WHY 2003 WAS -- WE DID EXPERIENCE SOME GROWTH AT 25 MILLION. YOU SEE THERE THE NUMBERS AT 31.1 MILLION. SO WE STILL HAVE SOME PROGRESS TO MAKE AND YOU CAN SEE WHAT THAT MEANS ON A QUARTERLY BASIS GRAPHICALLY. ANOTHER INDICATOR THAT WE'RE TRACKING FOR YOU IS JUST TO GIVE US A SENSE OF WHAT'S GOING ON IN THE ENVIRONMENT AND THE ECONOMY IS PEOPLE TRAVELLING, PASSENGER COUNTS. 2003 WE BASICALLY REMAINED FLAT AT ALMOST 6.7 MILLION TOTAL PASSENGERS, VERY CLOSE TO THE PASSENGER COUNT IN 2002. HOWEVER, PUTTING IT INTO PERSPECTIVE, DURING THE TIME OF THE ECONOMIC BOOM FOR THE 2001 FISCAL YEAR WE HAD SEVEN AND A HALF MILLION PASSENGERS. WE ARE PROJECTING A SLIGHT INCREASE IN 2004, ABOUT A 1.5% GROWTH. CAN YOU SEE GRAPHICALLY IN THE PRIOR FISCAL YEAR THE ENCOURAGING THING IS THAT IN DECEMBER PEOPLE WERE DEFINITELY TRAVELLING, DECEMBER 2002, THE SUMMER OF 2003, WE DID SEE SOME GROWTH. AND AGAIN, OVERALL THE YEAR ENDED UP ABOUT FLAT COMPARED TO THE PRIOR YEAR. THIS NEXT INDICATOR, RESIDENTIAL UNITS, IN 2003 WE PERMITTED APPROXIMATELY 5,314 TOTAL UNITS. AND I'M GOING TO SAY A LITTLE BIT MORE WHEN I GO BACK TO THAT NUMBER. COMPARING THAT NUMBER TO 2000, CLEARLY A BIG DIFFERENCE, 11,266 UNITS PERMITTED IN 2000. THE INTERESTING THING ABOUT THIS MEASURE IS THAT IN 2003 SINGLE-FAMILY UNITS ACCOUNTED FOR 63% OF TOTAL UNITS PERMITTED. IN 2000, SINGLE-FAMILY WAS 31%, WHILE MULTI-FAMILY WAS 69%. SO CLEARLY DURING THE TIME -- WE ALL KNOW THERE WAS A LOT OF MULTI-FAMILY DEVELOPMENT. AND IT'S DEFINITELY FLIP-FLOPPED. 63 PERCENT -- IN 2003 63% SINGLE-FAMILY, MULTI-FAMILY WAS 37%. AND THE NEXT SLIDE JUST SHOWS YOU THAT ACTIVITY ON A MONTHLY BASIS. THE LAST FEW INDICATORS THAT WE JUST WANT TO VERY QUICKLY GO OVER WITH YOU, SUBDIVISION AND SITE PLANS RECEIVED IN 2003, AS WE TALKED ABOUT IN JANUARY, THIS WAS -- AGAIN, THIS IS NOT AN EXACT SCIENCE. IT COULD BE AN INDICATION OF THINGS TO COME IN 2003. WE HAD 1539 SUBDIVISION SITE PLANS RECEIVED FOR REVIEW, DOWN FROM ABOUT FOUR PERCENT FROM 2002. WATER UTILITY CONNECTIONS. IN 2003

WE HAD SLIGHTLY MORE THAN IN 2002. WE HAD 2743 NEW WATER UTILITY CONNECTIONS, RESIDENTIAL. AND NONRESIDENTIAL, 958. AGAIN, JUST A SLIGHT INCREASE OVER 2002. WHAT DOES ALL THAT MEAN? I DON'T THINK ANYBODY ACTUALLY PROFESSES TO KNOW THE EXACT ANSWER, BUT I THINK FOR US, WE DEPEND A LOT ON THREE MAIN GROUPS. THE FIRST ONE, AND YOU'LL SEE HERE FROM THE REPORT, THE REPORT THAT WE RECEIVED IN THE FALL OF 2003, YOU CAN SEE THEIR QUOTE FROM HIS REPORT, POSITIVE ECONOMIC GROWTH, MOMENTUM LIKELY TO GROW OVER THE SHORT-TERM, AND OVERALL THE LONG-TERM PROSPECTS LOOK HIGHLY ENCOURAGING. AGAIN, THAT'S FROM THE PERIMAN GROUP. ANGELOU ECONOMICS, RECENTLY THEY PUBLISHED THEIR REPORT, AND FROM THEIR REPORT ALSO THAT THE ECONOMY IS RECOVERING. HE BELIEVES THAT WE CAN SUSTAIN THE LEVEL OF GROWTH THAT WE'RE SEEING, BUT AN INTERESTING NOTE ON HIS RESPONSE IS THAT HE BELIEVES THAT AUSTIN COULD LAG THE REST OF THE COUNTRY BECAUSE OF OUR HIGH-TECH BASE, BECAUSE OF THAT COMPARED TO SOME OF THE OTHER MAJOR METROPOLITAN AREAS. AND OUR OTHER ECONOMISTS, TEXAS PERSPECTIVES, IN 2003 APPEARS TO BE THE BOTTOM OF OUR ECONOMIC FALL DOWN IN AUSTIN, SO WE DO BELIEVE THAT 2004 IS OUR TRANSITION YEAR, BASICALLY WHAT COMES NEXT IN OUR AREA. TEXAS PERSPECTIVES ALSO FOCUSES ON AN ECONOMIC DEVELOPMENT PROGRAM, CORPORATE RECRUITMENT THAT WOULD ALL BE INSTRUMENTAL IN THE FUTURE OF OUR ECONOMY. SO THAT'S OUR PRESENTATION ON THE ECONOMIC UPDATE, MAYOR AND COUNCIL. I'LL TURN IT OVER TO SUE EDWARD.

THANK YOU, RUDY. MAYOR AND COUNCIL, AS YOU'RE AWARE, SEVERAL WEEKS AGO WE SAID THAT IN CONJUNCTION WITH THE QUARTERLY REPORT PROVIDED BY THE BUDGET OFFICE, THE ECONOMIC GROWTH AND REDEVELOPMENT SERVICES OFFICE WOULD PROVIDE YOU WITH A BRIEFING ON THE QUARTERLY ACTIVITY THAT RELATES TO THE CITY'S ECONOMIC DEVELOPMENT POLICY, INCLUDING RECRUITMENT AND RETENTION OF COMPANIES, SMALL BUSINESS AND ENTREPRENEURIAL DEVELOPMENT AND CULTURAL ACTIVITY. TODAY OUR FOCUS WILL BE ON

SMALL BUSINESS AND ENTREPRENEURSHIP. ANGELOS ANGELOU DURING HIS SPEECH AT THE 2004-2005 ECONOMIC AND TECHNOLOGY FORECAST, REINFORCED ONE OF THE OBSERVATIONS THAT THE SMALL BUSINESS TASKFORCE MADE LAST SUMMER WHEN HE SAID THAT AN ENTREPRENEURIAL MINDSET IS ESSENTIAL FOR A COMMUNITY TO SUCCESSFULLY GENERATE NEW JOBS AND REVENUE IN THE COMING YEAR. ECONOMIC DEVELOPMENT WILL RELY INCREASINGLY LESS ON THE RECRUITMENT OF COMPANIES. INSTEAD, FOCUS NEEDS TO BE PLACED ON ESTABLISHING AN ENVIRONMENT WHERE THE DEVELOPMENT OF NEW AND INNOVATIVE BUSINESSES WILL BE SUPPORTED. IN THE FUTURE, A LARGE MAJORITY OF ECONOMIC GROWTH WILL BE ENTREPRENEURIAL BASED. COMMUNITIES THAT ARE NOT ACTIVELY FOSTERING THE GROWTH OF AN ENTREPRENEURIAL BUSINESS ENVIRONMENT ARE GOING TO FALL BEHIND. AND WE THOUGHT THAT WAS VERY SIGNIFICANT STATEMENT. THERE ARE A NUMBER OF INDICATORS TO SUPPORT ANGELOU'S STATEMENT. LOCAL CAPITAL VENTURE FUNDING IS ON THE RISE. AT THE SAME TIME THE FILING OF D/B/A'S AND SALES TAX PERMITS AND SBA LOANS HAVE INCREASED IN RECENT MONTHS, SUGGESTING THAT OPTIMISM AND MARKET OPPORTUNITY ARE BRINGING ENTREPRENEURS INTO BUSINESS. ADDITIONAL EVIDENCE OF GROWING LOCAL ENTREPRENEURSHIP IS REFLECTED IN THE DATA THAT THE SMALL BUSINESS DEVELOPMENT DIVISION HAS BEEN COLLECTING. COMPARING THE FIRST QUARTER OF 2002 TO THE FIRST QUARTER OF 2004, WE SEE A 14% INCREASE IN D/B/A'S BEING FILED. NEW SALES TAX PERMITS INCREASED SIX PERCENT OVER 2002. SBA LENDING ACTIVITY IS RISING WITH AUSTIN BUSINESS RECEIVING 91% OF THE 275 LOANS MADE IN 2003. TOTALING OVER \$42 MILLION. FIRST QUARTER NUMBERS FOR 2004, ALTHOUGH NOT CONCLUSIVE, INDICATE THE TREND WILL CONTINUE WITH AUSTIN BUSINESSES RECEIVING 69 OF THE 84 LOANS IN TRAVIS COUNTY, TOTALING \$14 MILLION. THIS SLIDE REPRESENTS THE INCREASED INTERESTS THAT WE HAVE SEEN FROM ENTREPRENEURS AND SMALL BUSINESSES WHO ARE SEEKING RESOURCES AS WELL AS AN INDICATION THAT THERE IS AN INCREASED AWARENESS THAT THE SMALL BUSINESS DEVELOPMENT PROGRAM IS AVAILABLE AS A

RESOURCE FOR ASSISTANCE. IN LOOKING AT THE HITS TO THE SMALL BUSINESS WEB PAGE, WE FOUND THAT THE SITES GENERATING THE MOST VISITS INCLUDE SUBJECTS SUCH AS HOW TO START A RESTAURANT BUSINESS IN AUSTIN, HOW TO BID ON A CITY PURCHASE OF \$5,000 OR LESS, THE THREE STAGES OF SMALL BUSINESS SUCCESS, BASIC STEPS IN STARTING A BUSINESS, AND THE FREQUENTLY ASKED QUESTION SECTION. THE FIRST QUARTER OF THIS YEAR THE SMALL BUSINESS DEVELOPMENT DIVISION HAS REFERRED 857 INDIVIDUALS SEEKING ASSISTANCE ON A VARIETY OF TOPICS. EXAMPLES BEING HOW TO BETTER MANAGE MY BUSINESS, HOW TO WRITE A BUSINESS PLAN, HOW TO EXPAND MY BUSINESS, HOW TO GET A LOAN AND HOW TO REPAIR MY CREDIT. OTHER AREAS INCLUDE BUSINESS TRAINING OPPORTUNITIES, ASSISTANCE IN PREPARING COMMERCIAL LOAN PACKAGES, MARKETING, ASSISTANCE WITH INSURANCE NEEDS, LEGAL SERVICES FOR SMALL BUSINESSES, MBE CERTIFICATION AND BONDING. I HAVE ASKED ROSIE HELEFEE TO JOIN ME THIS AFTERNOON BECAUSE I WANT TO HIGHLIGHT THE ONLINE PLAN ROOM. AS IT DEMONSTRATES ONE OF THE CLEAREST MEASURES OF SMALL BUSINESS DEVELOPMENT PROGRAM SUCCESS WITH A DIRECT CORRELATION BETWEEN AVAILABLE INFORMATION AND TECHNOLOGY AND THE END PRODUCT. ROSIE AND HER STAFF, WITH THE SUPPORT OF THE TRADE ASSOCIATIONS, ARE DOING AN EXCEPTIONAL JOB AS THEY CONTINUE TO ENHANCE THE PROGRAM. THE ONLINE PLAN ROOM PROVIDES CONTRACTORS ACCESS TO INFORMATION ABOUT CONTRACTING OPPORTUNITIES IN BOTH THE PUBLIC AND THE PRIVATE SECTORS IN A 100-COUNTY AREA VIA THE INTERNET. CONTRACTORS ARE THEN ABLE TO PRINT PROJECT DOCUMENTS AND PLANS THAT ARE APPROPRIATE TO THEIR TRADE. PLAN ROOM INFORMATION IS AVAILABLE ON A SMALL BUSINESS DEVELOPMENT WEBSITE AND IS UPDATED TWICE WEEKLY, RESULTING IN CURRENT AND ACCURATE INFORMATION FOR CONTRACTORS IN EITHER THEIR HOME OR THEIR OFFICE. AS THE PLAN ROOM HAS EXPANDED ITS AREA OF SERVICE RECEIVING PLANS FROM 10, THEN 20 AND NOW 100 COUNTIES, THE ECONOMIC DEVELOPMENT IMPLICATIONS HAVE GROWN AS WELL. BY DEFINITION, IF ANY AUSTIN-BASED CONTRACTOR IS ABLE TO

SECURE WORK OUTSIDE THE COMMUNITY, THE REVENUE IS NEW MONEY TO AUSTIN AND IS A NET ADDITION TO THE LOCAL ECONOMY. THE SAME AS AN AUSTIN-BASED MANUFACTURER WHO SELLS ITS PRODUCT ON THE GLOBAL MARKET. IT IS ESTIMATED BY THE END OF 2004 THE ONLINE PLAN ROOM WILL HAVE ASSISTED CONTRACT AWARDS OF APPROXIMATELY \$30 MILLION. IN 2003, 168 COMPANIES AND 224 INDIVIDUALS ATTENDED THE PLAN ROOM ORIENTATION. ON AVERAGE, 62 COMPANIES A MONTH USE THE PLAN ROOM. OVER 1600 BIDS WERE SUBMITTED. THE PAST YEAR, THIS PAST YEAR, 307 CONTRACTS WERE AWARDED GENERATING MORE THAN \$26 MILLION IN CONTRACTS. THE PLAN ROOM HAS BEEN IN OPERATION FOR APPROXIMATELY TWO AND A HALF YEARS. A SUMMARY OF THE FIRST TWO YEARS OF OPERATION IS FAIRLY IMPRESSIVE. THE ALMOST \$60 MILLION IN CONTRACTS AWARDED TO INDIVIDUALS AND BUSINESSES USING THE PLAN ROOM HAVE A RIPPLE EFFECT THROUGH THE AUSTIN ECONOMY. USING A STANDARD ECONOMIC INPUT MODEL, IT IS ESTIMATED THAT 50 TO 59-POINT WILL MILLION IN CONTRACTS TRANSLATES INTO JUST OVER \$90 MILLION IN TOTAL ECONOMIC ACTIVITY, NEW LABOR INCOME OF 24.6 MILLION AND 858 TOTAL JOBS. THE CITY OF AUSTIN BENEFITS DIRECTLY FROM THIS ECONOMIC STIMULUS AS THE \$90 MILLION IN TOTAL ECONOMIC ACTIVITY TRANSLATES INTO JUST UNDER ONE MILLION DOLLARS IN CITY TAX REVENUE. THE PLAN ROOM BUDGET IS APPROXIMATELY \$160,000 A YEAR. IN BUSINESS TERMS THE CITY DURING THIS PERIOD INVESTED APPROXIMATELY \$320,000 IN THE PLAN ROOM AND RECEIVED A RETURN OF JUST UNDER A MILLION DOLLARS. THE SMALL BUSINESS DEVELOPMENT DIVISION HAS CONDUCTED TWO INDUSTRY SPECIFIC START-UP CONFERENCES FOR INDIVIDUALS INTERESTED IN GOING INTO THEIR OWN BUSINESS. THE TOPICS, OPENING A RESTAURANT IN AUSTIN AND BEAUTY BUSINESS BEGINNINGS. BOTH OF THESE CONFERENCES WERE WELL ATTENDED AND THE FEEDBACK WAS THAT THEY WERE VERY ACCEPTABLE CONFERENCES, THEY WOULD LOVE TO SEE THEM HAPPEN AGAIN. THE FINAL SLIDE DEPICTS SOME OF THE ORGANIZATIONS WITH WHICH WE WORK. EXAMPLES OF COLLABORATIVE EFFORTS INCLUDE PROVIDING A TEMPORARY OFFICE FOR THE SBA, WHICH COMES TO AUSTIN MONTHLY TO CONDUCT ONE ON ONE

COUNSELING AND BRIEFINGS ON SEVERAL SBA PROGRAMS. CO-SPONSORING TWO INTERMEDIATE LEAD COURSES IN CONJUNCTION WITH THE U.S. GREEN BUILDING COUNCIL, CO-SPONSORING BUSINESS LAW COURSES THAT ARE TAUGHT BY ATTORNEY MEMBERS OF THE CENTRAL TEXAS LAW REFERRAL SERVICE AND PARTICIPATING IN THE TEXAS ECONOMIC DEVELOPMENT FORUM. AND SPEAKING OF COLLABORATIVE EFFORTS, AS PART OF THE QUARTERLY UPDATE, WE WILL BE SHOWCASING ONE OF THE CITY'S ECONOMIC DEVELOPMENT PARTNERS, THOSE ENTITIES THAT ASSIST US IN PROMOTING ECONOMIC DEVELOPMENT. TODAY I WOULD LIKE TO INTRODUCE DR. ALEX SCAVALO, DEPUTY DIRECTOR OF THE IC SQUARED INSTITUTE. HE HAS BEEN IN THE AUSTIN HIGH-TECH COMMUNITY SINCE 1984. IN THE EARLY 90'S WHILE LEADING ARCHITECTURAL DESIGN AT MC CRAMENT'S ENTERPRISE INTEGRATION PROJECT, HE AND HIS STAFF CREATED THE FOUNDATION FOR MUCH OF WHAT IS NOW RECOGNIZED AS THE INTERNET. WORKING WITH LEADING UNIVERSITIES AND COOPERATIONS AND SUPPORTED BY THE U.S. GOVERNMENT FUNDING, THE PROJECT WAS DESIGNED TO DEMONSTRATE HOW ELECTRONIC COMMERCE WOULD WORK AND WHAT NETWORK INFRASTRUCTURE WAS NECESSARY TO SUPPORT IT. AMONG OTHER THINGS, HIS TEAM DEVELOPED THE FIRST POTENTIAL QUALITY WEB BROWSERS THAT INTRODUCED MANY OF THE FEATURES FOUND TODAY IN INTERNET SCAPE AND MICROSOFT BROWSERS. HE HAS CONTRIBUTED MUCH MORE, BUT IN THE ESSENCE I WILL STOP HERE SO HE HAS TIME TO SHARE WITH YOU IC SQUARED.

THANK YOU, SUE. I AM HOT.

Mayor Wynn: WELCOME, ALEX.

MR. MAYOR, COUNCILMEMBERS, THANK YOU FOR THE OPPORTUNITY TO COME AND SPEAK WITH YOU. I DON'T HAVE AN ASSISTANT, SO SHERRY HAS KINDLY AGREED TO FLIP SLIDES FOR ME. AND WE MAY GET A LITTLE DISCOMBOBULATED IN THIS, BUT WE'LL DO OUR BEST. I UNDERSTOOD FROM WORKING WITH YOUR STAFF IN PREPARING FOR THIS MEETING THAT THERE ARE ONLY TWO MEASURES OF TIME AT A CITY COUNCIL MEETING, ONE IS 20 MINUTES AND THE OTHER ONE IS INFINITY. IF IT'S LESS THAN

20 MINUTES IT'S GOOD, IF IT'S MORE THAN THAT, IT'S FOREVER. AND I UNDERSTOOD THAT I ASKED FOR FOREVER AND ACTUALLY GOT IT. SO SINCE I HAVE BEEN GIVEN THE EQUIVALENT -- TIME EQUIVALENT OF A LAND GRANT TO THE ENTIRE SOUTHWESTERN PART OF THE UNITED STATES, I UNDERSTAND I'M OBLIGATED TO BE IN NOT JUST INFORMATIVE, BUT ALSO ENTERTAINING. [LAUGHTER] SO I WILL TRY. AND I KNOW IT GETTING LATE IN THE AFTERNOON AND YOU HAVE BUSINESS AHEAD OF YOU, SO I'LL TRY TO KEEP YOU AWAKE AT THE SAME TIME. I THINK ALL OF YOU KNOW ABOUT THE IC SQUARED INSTITUTE. IT'S BEEN AROUND FOR ABOUT 25 YEARS. MY PURPOSE HERE TODAY REALLY IS NOT TO TALK ABOUT OUR ECONOMIC FUTURE, ALTHOUGH I WOULD LIKE TO HAVE THOSE CONVERSATIONS WITH ALL OF YOU AT SOME TIME OR ANOTHER AND HAVE HAD SOME WITH MAYOR WYNN. BUT REALLY TO PROVIDE AN EDUCATION ABOUT WHAT THE INSTITUTE IS ALL ABOUT, WHAT IT'S DONE AND HOW WE DO WHAT WE DO. BUT FIRST I THOUGHT I MIGHT SHOW YOU A PICTURE OF THE PLACE. IN CASE YOU DON'T KNOW WHERE IT IS, WE SIT AT BASICALLY SAN GABRIEL AND LAMAR IN A NICE BUILDING, QUITE A WAYS ACTUALLY FROM THE CENTER OF THE U.T. CAMPUS. AND THEN AS AN OUTLINE, HERE'S WHAT I'D LIKE TO DO TODAY AS QUICKLY AS WITH I CAN, AND PLEASE DON'T HESITATE TO STOP ME AND ASK ANYTHING YOU WOULD LIKE TO KNOW. WHAT IS IC SQUARED, WHAT DOES IT DO? I AM IMPACT HAS IT -- WHAT IMPACT HAS IT HAD ON THE CITY OF AUSTIN OR ON THE WORLD? AND IT HAS AN AN IMPACT ON THE WORLD. HOW DOES IT DO WHAT IT DOES? HOW DOES IT ACCOMPLISH ITS MISSION? AND LAST OF ALL, BRIEFLY, HOW WE ARE PARTNERING WITH THE CITY TODAY. SO FIRST OF ALL, WHAT IS IC SQUARED? IT'S ALSO IMPORTANT TO INDICATE WHAT WE'RE NOT. IC SQUARED IS NOT AN ECONOMIC CONSULTING FIRM, FOR EXAMPLE. WE ARE IN FACT A RESEARCH UNIT AT THE UNIVERSITY OF TEXAS AT AUSTIN. AND IT'S VERY IMPORTANT FOR PEOPLE TO REALIZE THAT. WHEN I WAS FIRST ASKED TO TAKE PART IN THE LEADERSHIP OF IC SQUARED AND BEGAN TO TALK TO PEOPLE IN THE CITY, INCLUDING REPRESENTATIVES OF THE CITY, I DISCOVERED FAIRLY QUICKLY THAT THERE WAS A CONSIDERABLE AMOUNT OF MISUNDERSTANDING AS TO WHO IC SQUARED WAS AND HOW IT WAS RELATED TO THE UNIVERSITY OR

WHETHER OR NOT IT WAS RELATED TO THE UNIVERSITY AT ALL. IN FACT, WE ARE A RESEARCH UNIT AT U.T. AUSTIN AND THE AUSTIN TECHNOLOGY INCUBATOR, WHICH INCLUDES THE CLEAN ENERGY INCUBATOR, IS A PART OF IC SQUARED AND HENCE A PART OF UT AUSTIN. WE REPORT UP TO THE VICE-PRESIDENT FOR RESEARCH. AND AS ALL OF YOU KNOW, THE MISSION AND THE GOALS OF THE INSTITUTE WERE FIRST SET FORTH BY OUR FOUNDER, THE LATE GEORGE KAZIMSKY. AND THEY REMAIN THE SAME TODAY. AND I BROUGHT THOSE WITH ME AND I THOUGHT THEY WERE WORTHY OF SOME OF YOUR ATTENTION BECAUSE THEY MIGHT BE SURPRISING TO SOME. ON THE MISSION STATEMENT YOU CAN SEE THE FIRST SENTENCE WOULD BE ANYTHING THAT A GOOD UNIVERSITY RESEARCH LAB WOULD LIKE TO DO REGARDING ITS TOPIC, BUT THE REST OF THAT SENTENCE DOES NOT SAY, YOU'LL NOTICE, TO INCREASE PROFITS, MAKE MORE IPO'S, INCREASE THE BOTTOM LINE AND SO FORTH. WHAT IT DOES SAY IS EXACTLY WHAT GEORGE MEANT FOR IT TO DO. TO ENABLE THE PRIVATE SECTOR -- AND HE DOESN'T SAY IN THIS MISSION STATEMENT THROUGH BETTER WAYS OF CREATING WEALTH TO EFFECTIVELY HELP SOCIETY'S PROBLEMS. IN A TIME -- REMEMBER, THIS WAS 1977 -- OF RAPID SOCIOECONOMIC AND CULTURAL CHANGES, AND THAT IS EVEN MORE APROPOS I THINK TODAY THAN IT WAS THEN. THAT'S WHAT WE'RE ALL ABOUT. THAT'S OUR MISSION. THAT'S WHAT WE DO AND LIVE AND BREATHE EVERYDAY. THE GOALS THAT WERE PRESENTED TO THE UNIVERSITY IN REQUEST TO CREATE THIS OWE THIS ORGANIZED RESEARCH UNIT ARE THOSE. AND NOTICE THAT IT CONFORMS CLOSELY TO THE MISSION. AND THESE -- THIS MISSION AND GOALS AND ON THE NEXT SLIDE YOU SEE THE PRIMARY AREAS OF FOCUS ARE WHY I CRIVMENT SQUARED IN MANY WAYS ARE DIFFERENT FROM OTHER CONVENTIONAL RESEARCH COMPONENTS OF A MAJOR UNIVERSITY LIKE U.T. AND I WILL GET INTO SOME OF THAT HERE AS I FLOW THROUGH THE PRESENTATION. INTERESTING TO NOTE, THE PRIMARY AREAS OF FOCUS, HOW HIGHLY RELEVANT THEY ARE, THE QUOTATION FROM ANGELOU ECONOMICS, WHICH BY THE WAY, I BELIEVE THAT MR. ANGELOU WAS CLOSELY ASSOCIATED WITH IC SQUARED FOR SOME PERIOD OF TIME. THAT QUOTATION THAT WAS

JUST READ ARE CLOSELY ALIGNED WITH THE MISSION OBJECTIVES AND ONE OF THE PRIMARY AREAS OF FOCUS, NAMELY THE DYNAMIC SMALL BUSINESSES AND ENTREPRENEURSHIP. HOW DO YOU DO THAT? BUT YOU CAN SEE THE OTHER ONES ARE ASSOCIATED WITH OTHER ISSUES, CULTURAL, ETHICAL, INSTITUTIONAL STUDIES, POLICY AND SO FORTH. YOU CAN READ THEM. ALL OF THESE THINGS FALL WITHIN THE PURVIEW OF IC SQUARED. SO WHAT DO WE DO? WHAT EXKTLY DOES -- WHAT EXACTLY DOES IC SQUARED DO AT THE EDGE OF AUSTIN? WELL, FIR OF ALL, WE DO RESEARCH. IN FACT, FROM THE UNIVERSITY OF TEXAS' POINT OF VIEW, THAT'S THE ONLY THING THAT WE DO THAT REALLY MATTERS. IF WE DON'T DO GOOD RESEARCH AND PUBLISH IN PEER REVIEWED ACADEMIC JOWRMZ, WE'RE NOT QUITE THAT RECOGNIZABLE ON THE UNIVERSITY'S RADAR SCREEN. WHAT DO WE RESEARCH? CAPITALISM, ENTREPRENEURSHIP, TECHNOLOGY, COMMERCIALIZATION, MANAGEMENT, TECHNOLOGIST'S IMPACT ON SOCIETY'S, SOCIETY'S ABILITY TO ABSORB TECHNOLOGICAL CHANGES. THESE THINGS ARE FIRST AND FOREMOST IN OUR MIND TODAY. THEY PROBABLY WERE NOT IN 1977 WHEN THE INSTITUTE WAS ACTUALLY CREATED OR EVEN FOR SOME PORTION OF THE 80 AS SOME OF THESE TECHNOLOGY REVOLUTIONS BEGAN TO BUILD. THE INSTITUTE HAS PUBLISHED THOUSANDS OF PAPERS, HUNDREDS OF BOOKS. WE'VE HELD HUNDREDS OF CONFERENCES OVER THE LAST 25 YEARS, LEADING EDGE CONFERENCES, MANY OF THEM STILL CONSIDERED TO BE SEMINAL IN THEIR WORKS AND EVENTS IN THEIR FIELD. AND I BROUGHT A COUPLE OF THEM WITH ME. I BROUGHT YOU A PAPER CALLED CREATING THE TECH NONRESPONSIVE LIST HIGH TECHNOLOGY DEVELOPMENT IN AUSTIN, TEXAS. THIS PAPER WAS WRITTEN A LONG TIME AGO, I BELIEVE IT WAS 1988, AND A BOOK CALLED CREATING THE TECH NOP LIST. AND REALLY FOR THE PURPOSES OF LETTING YOU KNOW THAT AUSTIN, AS YOU KNOW, IS STUDIED AND RECOGNIZED ALL AROUND THE WORLD AS A PLACE THAT MADE ITS SELF INTO A TECH NONRESPONSIVE LIS. AND SEVERAL OF THE PRINCIPAL REASONS FOR THAT ARE IN FACT THE FUNDAMENTAL WORK THAT IC SQUARED DID IN UNDERSTANDING HOW TO CREATE A TECH NOP LIS AND ITS RELATIONSHIP TO THE CHAMBER WHEN THE CHAMBER

BEGAN TO PICK THE THREAD OF A TECH NOPLIS UP IN THE LATE '80'S. WE HAVE VISITORS THAT COME FROM ALL OVER THE WORLD, CHINA AND JAPAN, LATIN AMERICA, INTO IC SQUARED INSTITUTE, WITH THIS VERY PAPER IN HAND WANTING TO TALK TO US ABOUT HOW ALL OF THIS HAPPENED. AND WE TELL THEM THAT WE SIMPLY HAD THE FINEST MAYORS AND THE BEST CITY COUNCILMEMBERS THAT ANY CITY HAS EVER HAD IN THE HISTORY OF THE WORLD. AND THEY LIKE IT AND THEY TAKE THAT BACK TO THEIR COUNTRIES AND THAT'S WHAT THEY DO. BUT WHAT ELSE DO WE DO? THE THING THAT MAKES IC SQUARED GENERALLY UNIQUE IS OUR RESEARCH IS NOT LIMITED TO PUBLICATION, BUT IS TESTED IN OUR LABORATORIES. AND AS A RESULT OF OUR MISSION STATEMENT, OUR LABORATORIES ARE NOT INSIDE THE WALLS OF THE UNIVERSITY. WE DON'T HAVE A CHEMICAL LAB OR A BIO LAB. FOR EXAMPLE, OUR LABORATORIES ARE OUT IN THE REAL WORLD WHERE REAL COMPANIES ARE BEING CREATED, WHERE NEW VENTURES ARE BEING FUNDED. AND OUR EXPERIMENTS, OUR REAL WORLD EXPERIMENTS, AND BECAUSE OF OUR MISSION TO HAVE AN IMPACT ON THE BETTERMENT OF SOCIETY THROUGH BETTER USES OF CAPITALISM, OUR EXPERIMENTS HAVE TO STICK. WHEN WE DO ONE, WE MEAN FOR IT TO STICK. AND HERE ARE THREE WELL-KNOWN EXPERIMENTS THAT HAVE HAD A HUGE IMPACT ON OUR CITY. MANY PEOPLE MAY NOT REALIZE THAT ALL OF THESE CAME FROM IC SQUARED. FIRST OF ALL THE TEXAS CAPITAL NETWORK WAS SOMETHING THAT GEORGE CREATED IN RESPONSE TO THE RESEARCH THAT HE WAS DOING THAT INDICATED NEW VENTURES NEEDED FRIENDLY MONEY AT AN EARLY STAGE THAT WOULD SUPPORT THEM AND NOT PUT THEM IN CHAINS. AND SO HE CREATED AN ANGEL NETWORK OF BRINGING TOGETHER THE WEALTHY INDIVIDUALS IN TOWN WHO ARE WILLING TO DO IT. AND TEXAS CAPITAL NETWORK IS HERE TODAY. IT FUND COMPANIES AND IT'S A PART OF OUR ECONOMIC FABRIC. AUSTIN SOFTWARE COUNCIL WAS ORIGINALLY A PART OF IC SQUARED AS A KNOWLEDGE NETWORK BRINGING TOGETHER ENTREPRENEURS TO TALK TO EACH OTHER ABOUT THEIR SUCCESSES AND FAILURES, EXCHANGE IDEAS AND SO FORTH. IT STILL LIVES TODAY AS A SEPARATE ORGANIZATION CALLED THE AUSTIN NECK NOLG COUNCIL

AND SITS IN THE MCC BUILDING. THE AUSTIN NECK NOLG -- TECHNOLOGY INCUBATOR WAS ANOTHER EXPERIMENT. WHEN IT WAS CREATED IN 1988 OR '89, IT WAS A UNIQUE FEATURE ON THE LANDSCAPE OF THE UNITED STATES OF AMERICA. PEOPLE FROM SILICON VALLEY ACTUALLY CAME TO AUSTIN, LEARNED HOW TO CREATE INCUBATOR AND THEN WENT BACK AND CREATED THE INCUBATORS THAT THEN CREATED COMPANIES THAT WE KNOW TODAY AS E-BAY AND HOT MAIL AND SOME OTHERS. SO AUSTIN HAD REALLY ONE OF THE FIRST INCUBATORS AND THAT CAME OUT OF THE FUNDAMENTAL RESEARCH THAT THE INSTITUTE DID ON HOW YOU PUT A HABITAT IN PLAYS THAT EN-- IN PLACE THAT ENHAIBLZ A REGION TO CREATE NEW VENTURES WITH MUCH LESS RISK AND HIGHER PROBABILITY OF SUCCESS MUCH. ALL OF THESE EXPERIMENTS THAT LITERALLY WERE UNIVERSITY EXPERIMENTS IN CONJUNCTION WITH BUSINESS LEADERS AND THE CITY AND THE CHAMBER OF COMMERCE, BECAME INSTITUTIONALLIZED. THEY LIVE NOW AS PART OF OUR ECONOMIC DEVELOPMENT COMPONENT AND NEW VENTURE CREATION PIECE OF AUSTIN. AROUND THE WORLD SOME OF OUR EXPERIMENTS THAT HAVE STUCK HAVE BEEN THE RUSSIA'S PREMIERE TECHNOLOGY INCUBATOR IN MOSCOW. THE PREMIERE TECHNOLOGY INCUBATOR IN SHANGHAI CAME FROM INTERACTION WITH IC SQUARED. CURRICULUM AND OTHER STUDIES AND LABS IN JAPAN, AND THE LIST GOES ON. I AM SUMMARIZING ROUGHLY FOR YOU AS QUICKLY AS POSSIBLE. WHAT HAS BEEN THE IMPACT OF IC SQUARED ON THE CITY OF AUSTIN? APPROXIMATELY LIKE THIS, AND THIS INCLUDES ONLY THE COMPANIES THAT WENT THROUGH ICI. THIS DOES NOT INCLUDE COMPANIES LIKE DELL COMPUTER. MICHAEL DELL SPENT MANY HOURS AT IC SQUARED WORKING WITH GEORGE TO DERIVE SOME OF THE EARLY PRINCIPLES ON WHICH HE BASED HIS BUSINESS. THERE ARE MANY OTHER BUSINESSES THAT NEVER BECAME PART OF THE INCUBATOR, BUT WERE CLOSELY ASSOCIATED WITH IC SQUARED AND DERIVED TREMENDOUS AMOUNT OF KNOW HOW FROM THE INSTITUTE. SO TAKING ONLY THE ONES THAT WENT THROUGH ITI, WE ESTIMATE ALMOST 3,000 JOBS, SOMETHING OVER A BILLION DOLLARS PUT INTO AUSTIN'S ECONOMY, \$600 MILLION IN VENTURE CAPITAL ACQUIRED BY THOSE COMPANIES, SIX OF THEM WENT

PUBLIC, MORE THAN ABOUT A DOZEN, I THINK, WERE ACQUIRED. AND SO THOSE PUBLIC OFFERINGS AND THOSE ACQUISITIONS ALSO GENERATED DOLLARS IN THE ECONOMY WHICH ARE NOT INCLUDED HERE. AND WE ESTIMATE ABOUT \$833 ANNUAL PER CAPITA CONTRIBUTION. AND THERE'S A NUMBER ON THE SALES TAX REVENUE WHICH I COULDN'T FIND, BUT IT WAS PROBABLY THE MOST RELEVANT NUMBER TO THE CITY, BUT IT A SIGNIFICANT CONTRIBUTION TO THE SALES TAX REVENUE OF THE CITY. IMPACT ON THE WORLD, I DON'T KNOW OF ANYPLACE THAT I'VE EVER SEEN WITH SO FEW PEOPLE THAT HAS SUCH A LARGE IMPACT LOCALLY AND GLOBALLY. BUT WITH RESPECT TO THE REST OF THE WORLD, WE HAVE IMPLEMENTED TESTS AND TECHNOLOGY POLICY INSTITUTIONS THAT HAVE SUPPORTED THE CONTINUE GROWTH AND EMERGENCE OF CAPITALISM. AND OVER THE PAST 10 YEARS CAPITALISM HAS BEEN EMERGING ALL OVER THE WORLD AND THE THINGS THE INSTITUTE DOES ARE COMING INTO HIGHER AND HIGHER DEMAND AND HOW AUSTIN BECAME A TECH HUB IS BECOMING A MORE AND MORE IMPORTANT STUDY FOR PEOPLE IN THESE NEWLY EMERGING CAPITALIST SOCIETIES. HOW DO WE DO IT? FIRST OF ALL, AND PRINCIPALLY BY BRIDGING THE GAP BETWEEN RESEARCH AND CAPITAL. WE HAVE AN ARRAY OF FUNDS, ALL THOSE PAPERS AND BOOKS THAT I MENTIONED TO YOU EARLIER, SOME OF THE ONES WE'RE LOOKING AT NOW, SOME ARE SERIAL ENTREPRENEURS, WE HAVE A BUNCH OF THOSE AT UT-AI, WE CAN STUDY THOSE CLOSELY. MODELLING NEW VENTURES. CAN WE CREATE MODELS FOR YOUNG ENTREPRENEURS TO USE THAT WILL HELP THEM GET THROUGH THE COMPANY CREATION PROCESS IN A BETTER WAY? STUDY OF CAPITALISM AND BUSINESS LEADERS AND OTHERS ATTITUDES TOWARDS CAPITALISM, AND WE DO REGIONAL RESEARCH REPORTS WHICH YOU MAY BE FAMILIAR WITH, INCLUDING THE MOST RECENT ONE ON AUSTIN'S WIRELESS FUTURE. WE ENGAGE WITH THE WORLD. AUSTIN TECHNOLOGY INCUBATOR IS ONE WAY THAT WE SIMPLY ENGAGE WITH THE WORLD AND UNDERSTAND WHAT THE WORLD DOES. FROM THE WORLD, AUSTIN'S INCUBATOR IS LABORATORY. IT'S A PLACE WHERE STUDENTS AND PROFESSORS CAN DO RESEARCH, BUT FROM THE INSTITUTE'S POINT OF VIEW IT'S NOT ONLY A LABORATORY,

BUT OUR MEANS OF CONNECTING WITH WHAT THE REST OF THE WORLD IS DOING TO CREATE NEW VENTURES. SO AS YOU KNOW, WE SUPPORT NEW VENTURES, BUT WE STUDY NEW VENTURE CREATION. WE MAKE THE LAST 25 YEARS OF KNOWLEDGE AVAILABLE TO OTHERS. WE PARTNER THROUGH ATI WITH BUSINESS AND GOVERNMENT LEADERS TO INNOVATE AND SOLVE CRITICAL PROBLEMS. AND WE DO PROVIDE OUR ACADEMIC FRIENDS WITHIN THE UNIVERSITY A LABORATORY FOR THEIR RESEARCH. EDUCATION. WE ACTUALLY DELIVER A MASTER'S DEGREE IN SCIENCE AND TECHNOLOGY COMMERCIALIZATION. AND THE WAY WE LIKE TO TALK ABOUT THIS IS AN MBA TEACHES YOU HOW TO MANAGE WEALTH THAT'S ALREADY BEEN CREATED. BUT THIS DEGREE TEACHES YOU HOW TO CREATE THE WEALTH IN THE FIRST PLACE. AND THERE'S QUITE A DISTINCTION THERE AND THERE'S QUITE A DIFFERENCE THERE. AND WE TAKE OUR IC SQUARED EXPERTISE AND REDUCE THAT TO A PRAK PRACTICUM THAT PEOPLE CAN LEARN AND GET DEGREED IN. WE HAVE AT THE OUTSIDE OF THIS PROGRAM WE HAVE ON THE BACK SIDE OF THIS, WE HAVE A TREMENDOUSLY TALENTED GROUP OF PEOPLE THAT FLOW INTO OUR COMMUNITY THAT UNDERSTAND THE PROCESS OF COMMERCIAL LIESING TECHNOLOGY AND STARTING NEW VENTURES. AND MANY OF THEM COME OUT OF CADRES OF PEOPLE THAT ARE BROUGHT TO US FROM COMPANIES LIKE IBM AND MOTOROLA AND APPLIED MATERIALS. SO WE'RE SUPPLYING THESE TECHNIQUES INTO MAJOR COMPANIES IN THE REGION TO HELP THEM COMMERCIALIZE LATE ENT INTELLECTUAL PROPERTY THAT IS SITTING AROUND METAPHOR RICKLY ON THEIR SHELVES. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

ACADEMIC RESEARCHERS AND BUSINESS LEADERS, GOVERNMENT OFFICIALS, THEY BRING THEIR EXPERTISE FROM AROUND THE WORLD TO THE INSTITUTE AND THEY PROVIDE A CHANNEL FOR US TO DISTRIBUTE OUR KNOWLEDGE AND INFORMATION OUT INTO THESE COUNTRIES. IN WHICH WE WORK AND SOME WHERE WE ARE CURRENTLY NOT WORKING. WHEN I SAY ALL OVER THE WORLD, I REALLY TRULY MEAN EVERY CONTINENT THAT I CAN THINK OF WE HAVE IC-2 FELLOWS WORKING IN THOSE PLACES. WE CREATE LEADING EDGE LABORATORIES, IT WAS

A LEADING AN LABORATORY IN 1998 OR 1989. WE ALSO CREATED A DIGITAL LABORATORY TO UNDERSTAND ITS EFFECTS AND WHAT THE ECONOMY LOOKS LIKE, BECAUSE WE THINK THAT HAPPENS TO BE VERY IMPORTANT TO AUSTIN. AND ESPECIALLY, IF YOU GO BACK TO THE MISSION STATEMENT, TO UNDERSTAND HOW MODERN MEDIA CAN BE USED TO NURTURE AND GENERATE HUMAN CAPITAL, WHICH IS SO MUCH A PART OF OUR DISCUSSIONS AND ONE OF THE REASONS THAT AUSTIN IS SEEN AS A HAVEN FOR SO MANY PEOPLE TO -- TO COME TO IS BECAUSE OF THE HUMAN CAPITAL THAT WE HAVE HERE. HOW DO WE USE MODERN MEDIA TO DO A BETTER JOB OF NURTURING HUMAN CAPITAL. WE CREATED THIS LAB, ALSO, TO HELP AUSTIN CREATE A DIGITAL MEDIA FUTURE, WHICH WE BELIEVE IN QUITE STRONGLY AND I HAVE TO TELL YOU, AS GOOD RESEARCHERS AT A UNIVERSITY, WE ARE GOING TO STUDY THAT WHOLE PROCESS AND HOPE TO DERIVE LESSONS AND A PRACTICUM FROM IT, WHICH IS WHAT WE MUST DO. NURTURING FUTURE LEADERS. WE HAVE A HAVE HAD OVER THE YEARS A VERY LARGE PROGRAM OF VISITING SCHOLARS FROM ALL OVER THE WORLD, OFTEN SENT BY THEIR UNIVERSITIES OR THEIR GOVERNMENTS. THEY STUDY CAPITALISM AND REGIONAL ECONOMIC DEVELOPMENT. THEY LEARN FROM THE INSTITUTE. THEY LEARN FROM AUSTIN. THEY LIVE HERE. THEY GET TO KNOW THE PEOPLE HERE. THEY GET TO KNOW THE ENTREPRENEURS HERE, THE VENTURE PLAYERS AND THEY TAKE THIS BACK TO THEIR -- TO THEIR COUNTRIES AND BRING THAT EXPERTISE TO BEAR ON THE ECONOMIC DEVELOPMENT OF THEIR COUNTRIES AND I DON'T HAVE STATISTICS ON THIS, BUT A VERY SIGNIFICANT NUMBER OF IC-2 VISITING SCHOLARS HAVE OVER TIME COME INTO VERY ADVANCED AND IMPORTANT POSITIONS IN THEIR COUNTRIES, IN ACADEMIC ACADEMIA, IN THE BUSINESS COMMUNITY, IT'S FOUND ITS WAY INTO THE HIGHEST LEVELS OF GOVERNMENT IN JAPAN, CHINA, BRAZIL, SO FORTH. CONFERENCES AND WORKSHOPS, WE DO ALL OF THIS AS A RESEARCH INSTITUTE AT U.T. I LISTED ONLY A COUPLE OF THESE, I THOUGHT THAT YOU MIGHT LIKE TO SEE THE DATES ON A COUPLE OF THESE CONFERENCES. FIRST SYMPOSIUM ON ECONOMIC THEORY AND HE COULD CON NO METRICS, 1994. THE SECOND ONE THE FIRST INTERNATIONAL CONFERENCE ON COMMERCIALIZING BIO

TECHNOLOGY IN 1986. HOW FAR AHEAD GEORGE WAS -- WITH RESPECT TO THE REST OF THE THINKING OF THE DAY. TECHNOLOGY TRANSFER, BUSINESS PLAN COMPETITION, THE FOURTH ONE DOWN IS NOW MOOT COURT WHICH I THINK EVERYONE KNOWS ABOUT, THE BUSINESS PLAN COMPETITION AT U.T. WAS ORIGINAL FUNDED AT IC-2, ONE OF THE LATEST ONES THAT WE DID WAS ARTIFICIAL INTELLIGENCE IN VIDEO GAMES. SO -- SO WHAT NOW? THAT'S -- THAT'S THE SUMMARY. THAT WAS THE VERY HIGH SPEED SUMMARY. THE INSTITUTE HAS MANY OTHER -- MANY FACETS WHICH WE CAN'T GO INTO. BUT WHAT NOW? WHAT ARE WE DOING TODAY? WELL, I THINK EVERYBODY UNDERSTANDS, BUT WE DON'T UNDERSTAND HOW, YET, COMPLETELY, THAT THIS 21ST CENTURY ECONOMY IS DIFFERENT FROM THE 20TH CENTURY ECONOMY. THERE ARE MANY INDICATORS THAT TELL US WHY THAT IS SO. INCLUDING MAYBE MOST IMPORTANTLY THE OVERARCHING IMPACT OF GLOBALIZATION, OVERARCHING IMPACT, WHETHER WE LIKE IT OR NOT. WE MAY NOT BE ABLE TO ESCAPE ITS EFFECTS. THERE ARE OTHER THINGS HAPPENING IN THE ECONOMY. MANUFACTURING JOBS ARE MOVING OVERSEAS AND PRODUCTIVITY IS -- IS REDUCING THE NUMBER OF MANUFACTURING JOBS THAT ARE AVAILABLE THAT ARE -- THERE ARE OTHER EFFECTS THAT WE CAN SEE. SO WE HAVE TO REALLY UNDERSTAND THE DYNAMICS OF THIS GLOBAL ECONOMY. IN ORDER TO SURVIVE AND PROSPER AS A CITY. AS A STATE, AS A NATION. AND IF WE DON'T, COUNTRIES LIKE CHINA AND INDIA WILL BE OUTCLASSING US IN A FAIRLY SHORT PERIOD OF TIME IN TERMS OF THE HISTORY OF THE WORLD. 30 YEARS PERHAPS. AND WE DON'T KNOW WHAT THE IMPACT WILL BE ON OUR STANDARD OF LIVING. WHAT THAT MEANS IS A LOT OF THE EXPERIMENTS THAT WERE RUN IN AUSTIN THAT BECAME A PART OF OUR ABILITY TO CREATE NEW COMPANIES WERE THE RESULT OF FUNDAMENTAL RESEARCH INTO NEW PRACTICES AND NEW THEORIES BEHIND ECONOMIC DEVELOPMENT. SO IN ORDER TO DEAL WITH THIS 21ST CENTURY WORLD, WE NEED NEW THEORIES, WE NEED THESE NEW PRACTICES, WE MUST WORK IN OUR LABORATORIES AND WITH OUR FACULTY MEMBERS AT U.T. AND ELSEWHERE TO DEVELOP THESE NEW THEORIES AND PRACTICES FOR ECONOMIC

DEVELOPMENT, NEW CONVENIENT TER CREATION, GETTING TURN -- VENTURE DECREE CREATION, OTHER THINGS THAT WE REALLY DON'T QUITE NOW HOW TO DO THESE DAYS. WE HAVE TO ENGAGE IN NEW EXPERIMENTS. WE JUST HAVE TO. WE CANNOT SIT, FOR EXAMPLE, WE AS IC-2 LOOKING AT AUSTIN, WE CANNOT SIT ON -- AUSTIN IS RICH WITH MANY ASPECTS, BUT WE CAN'T RELY JUST ON AUSTIN TECHNOLOGY COUNCIL AND THE TEXAS CAPITAL NETWORK AND THE AUSTIN TECHNOLOGY INCUBATOR. WE NEED MORE EXPERIMENTS. WE NEED TO UNDERSTAND BETTER HOW THIS VENTURE CREATION PROCESS WORKS. I HAVE GIVEN YOU A QUOTE HERE FROM GEORGE AND YOU CAN READ IT. I WON'T BOTHER TO READ ALL THROUGH IT TO YOU. HOW PER SPEND ACTIVE HE WAS -- PERCEPTIVE HE WAS ABOUT WHAT HE CALLED GLOBAL COMPETITION AND COLLABORATION, HOW ASK THAT HAPPEN AT THE SAME TIME AND IT WILL. I THINK THAT I'M JUST A COUPLE OF SLIDES AWAY FROM THE END. I WANTED TO GIVE YOU SOME EXAMPLES. THIS PROJECT I MENTIONED IN POLAND. CAN WE CREATE NOT JUST INCUBATORS BUT PARTNER INCUBATORS IN ANOTHER COUNTRY. THAT WORK CLOSELY WITH OUR INCUBATORS HERE IN AUSTIN? CAN WE JOIN SMALL COMPANIES INTO A GLOBAL ALLIANCE AT THE EARLY STAGES WHEN SMALL COMPANIES ARE NOT TYPICALLY PREPARED TO DO IT? WHY DO WE HAVE TO DO THAT? BECAUSE I THINK WE ALL UNDERSTAND THAT IN THIS GLOBAL ECONOMY, IT'S NO LONGER SUFFICIENT FOR A SMALL COMPANY IN MANY MARKET SECTORS TO SIMPLY ADDRESS THE U.S. MARKETPLACE FIRST AND THEN GO GLOBAL LATER. YOU CAN'T DO IT. A CLASSIC EXAMPLE TODAY IS WIRELESS, WHICH WE HAVE TALKED SO MUCH ABOUT. MOST OF THE WIRELESS BUSINESS IS NOT IN THE UNITED STATES OF AMERICA. IT'S SOMEWHERE ELSE. BY MOST I MEAN SOMETHING OVER 90%. SO IF YOU ARE A SMALL U.S. COMPANY AND YOU ARE LOOKING AT GOING INTO THE WIRELESS BUSINESS, YOU ARE VIRTUALLY REQUIRED TO CONSIDER GLOBALIZATION WHEN YOU START. HOW DO WE DO THAT? HOW DO WE GET A SMALL COMPANY WITH LITTLE RESOURCES, CAN'T FLY ALL OVER THE WORLD AND SO FORTH THAT ANY BIG COMPANY MIGHT BE ABLE TO DO TO BE ABLE TO ESTABLISH A GLOBAL PRESENCE FROM THE DAY THEY'RE BORN? THIS PROJECT IS HELPING US UNDERSTAND

HOW TO DO THAT AND IF WE CAN UNDERSTAND HOW TO DO THAT, THEN THE IMPACT ON AUSTIN SHOULD BE SIGNIFICANT BECAUSE THAT MAKES US AN ORIGINAL PLAYER IN THIS GLOBAL MARKETPLACE, KNOWING HOW TO DO THINGS THAT OTHER PEOPLE DON'T YET KNOW HOW TO DO. ANOTHER EXAMPLE IS SOMETHING WE ARE CALLING THE TEXAS ENTERPRISE NETWORK, WHICH IS LESS SPECIFICALLY RELATED TO AUSTIN. IS IT POSSIBLE TO INSTITUTIONLIZE NEW VENTURE CREATION AROUND THE STATE? IN EVERY COMMUNITY THAT WANTS TO IN THIS STATE, SUPPORT THEIR ENTREPRENEURS AND PROVIDE AN ECOSYSTEM FOR A NEW VENTURE CREATION, HOW DO WE DO THAT? CAN WE REALLY MAKE IT POSSIBLE FOR ALL COMMUNITIES AS THE STATE SHRINKS ITS AG ECONOMIES, AS RURAL COMMUNITIES HAVE THE POSSIBILITY OF DRYING UP, HOW DO WE ACTUALLY MAKE THAT WORK? WHY? BECAUSE AS SOMEBODY SAID EARLIER, PROSPERITY OR MAYBE I'M SAYING THIS, PROSPERITY SIMPLY CANNOT COME FROM IMPORTING COMPANIES. IT JUST CAN'T. IT'S A ZERO SUM GAIN. AND IT'S -- AND THESE DAYS, CURRENTLY, AND THIS COULD CHANGE, IT A LOT MORE DOLLARS CHASING EVER FEWER OPPORTUNITIES. PEOPLE LIKE TO -- REGIONS LIKE TO BRING IN MANUFACTURING COMPANIES BECAUSE OF THEIR ANCILLARY BENEFITS, BUT AS THE NUMBER OF MANUFACTURING OPPORTUNITIES DWINDLES AND MORE AND MORE STATES CRANK UP THEIR EFFORTS AND PUT MONEY BEHIND IT TO ATTRACT COMPANIES, IT'S AN EVER-ROUGHER COMPETITION TO MAKE THAT HAPPEN. BUT THE AND THE DOTE TO THAT IS OWE OPEN ANTIDOTES TO THAT IS THE ONE THAT'S ALWAYS WORKED, NAMELY HOW DO YOU CREATE COMPANIES? I ALWAYS ASK PEOPLE WHO -- YOU KNOW WHO RECRUITED DELL COMPUTERS TO AUSTIN? WHO --, YOU KNOW, WHO RECRUITED SOUTHWEST AIRLINES TO TEXAS? NOBODY. AND YET THOSE GUYS ARE THE ONES WHO HAVE THE INNOVATIVE IDEAS, CREATED NEW MARKET, BROKE NEW GROUND AND BROUGHT COMPANIES TO OUR CITY AND TO OUR STATE THAT LEAVE THE WEALTH BEHIND. THEY ARE HERE. THIRD EXAMPLE THAT I WANTED TO GIVE YOU IS THE DIGITAL MEDIA LAB. HOW CAN MODERN MEDIA BE USED TO TEACH VENTURE CREATION. HOW CAN IT BE USED TO SHORTEN TIME TO MARKET, REDUCE THE RISK AND ENSURE BETTER RETURN ON INVESTMENT. CAN WE CREATE

GAINS THAT YOUNG ENTREPRENEURS CAN USE TO LEARN HOW TO DO IT BETTER AND FASTER AND CHEAPER? HOW DO WE TRAIN OUR WORKFORCE BETTER, BECAUSE WE KNOW THAT WE NEED A GOOD WORKFORCE. CAN AUSTIN, I BELIEVE VERY STRONGLY IN THIS ONE, DEVELOP A COHERENT DIGITAL MEDIA ECONOMY. EVERYTHING THAT WE NEED TO DO THAT AND WE ARE ONE OF A SMALL HANDFUL OF CITIES IN THE ENTIRE COUNTRY THAT CAN, WE HAVE EVERYTHING THAT WE NEED TO CREATE A -- A 21st CENTURY MEDIA ECONOMY, WHICH INCLUDES WIRELESS, BROADBAND, SEMICONDUCTOR, NANO -- YOU NAME IT, IT INCLUDES ALMOST EVERYTHING THAT WE KNOW HOW TO DO SOFTWARE. FINALLY, I DON'T KNOW WHETHER I HAVE KEPT WITHIN A HALF HOUR OF MY LAND GRANT OR NOT, HOPEFULLY WE HAVE. THE PARTNERSHIP WITH THE CITY, THE PARTNERSHIP WITH USINGS BACK IN TECHNOLOGY TIME A FAIRLY LONG WAY. IN FACT, I THINK -- I THINK GUS GARCIA WAS ON THE COUNCIL AT THE TIME. I'M NOT SURE WHAT HIS POSITION WAS IN THE CITY. THE CITY ACTUALLY FUNDED IN PART THE CREATION OF THE AUSTIN TECHNOLOGY INCUBATOR IN COLLABORATION WITH THE CHAMBER OF COMMERCE, AND GUS APPARENTLY HAS BEEN HEARD TO SAY THAT THE \$50,000 INVESTED IN ATI WAS THE BEST \$50,000 THAT THE CITY EVER INVESTED. I THINK THAT I MAY HAVE ACTUALLY HEARD HIM SAY THAT ONCE. SO -- SO THERE'S A LONG STANDING RELATIONSHIP. WE HAVE WORKED TOGETHER ON MANY OTHER ISSUES OVER THE YEARS. WE HOPE TO CONTINUE THAT IN THE FUTURE IN THE AREA OF CLEAN ENERGY WHERE MAYOR WYNN HAS BEEN PRESENT WITH SEVERAL OF OUR EVENTS, WHERE WE WORK CLOSELY WITH AUSTIN ENERGY. WITH OUR ENERGY INCUBATOR IN THIS NEW WIRELESS AREA WHERE WE CAN THINK ABOUT HOW AUSTIN BECOMES A LEADING EDGE USER OF WIRELESS AND SHOWS THE REST OF THE WORLD HOW THIS WORKS. IN THIS LADDERER ARENA OF DIGITAL MEDIA AND CREATING COMPANIES HERE THAT CAN PARTICIPATE IN THE GLOBAL ECONOMY FROM THE DAY THEY START. SO -- SO WE JUST EXPECT TO WORK TOGETHER AS WE HAVE OVER THE LAST 15 OR SO YEARS IN OUR RESPECTIVE SPHERES TO BRING THIS BEAUTIFUL CITY INTO THE NEXT CENTURY OR INTO THE CURRENT CENTURY, THANK YOU

VERY MUCH. I HOPE THAT WAS AT LEAST ENTERTAINING.

Mayor Wynn: WELL DONE. A COUPLE OF QUESTIONS. COLLEAGUES MIGHT HAVE OTHERS, ALSO. I MEAN, YOUR LAST SLIDE HERE PARTNERSHIP WITH THE CITY OF AUSTIN TO TAKE IT TO THE NEXT LEVEL OR NEXT STEP. WHAT -- WHAT ROLE DO YOU SEE THE CITY AS AN ORGANIZATION PLAYING WITH IC-2 AND OTHER GROUPS?

WELL, THE PRINCIPAL THING THAT THE CITY CAN DO I THINK IS TO -- TO ARRAY ITSELF TO BE SUPPORTIVE OF THESE RESPECTIVE INDUSTRIES, WHICH IT HAS. TO BE FRIENDLY TO THEM AND ASSIST IN MARKETING AUSTIN AS A PLACE WHERE THIS -- WHERE THESE THINGS -- THESE GOOD THINGS CAN HAPPEN. THEN SPECIFICALLY, THERE ARE WAYS WE COULD CONSIDER, ALTHOUGH THIS WAS NOT MY PURPOSE HERE TODAY, CERTAINLY KINDS OF PARTNERSHIPS WHERE WE ENGAGE IN DEMONSTRATION OF PROJECTS IN THE AREAS OF DIGITAL MEDIA OR WIRELESS THAT PROVE OUT CERTAIN CONCEPTS THAT WE MIGHT FIND IMPORTANT. RUN SOME EXPERIMENTS THAT WE GET PRACTICAL AND INTELLIGENT RESULTS FROM THAT TELL US HOW TO GO FORWARD. THOSE KINDS OF THINGS COULD -- COULD PROBABLY BE DONE AT FAIRLY NOMINAL COSTS. PRESUMING THAT THERE ARE EXPERIMENTS AND I COULD GIVE YOU A -- YOU KNOW, ONE IDEA IS TO CONSIDER -- TO CONSIDER PUTTING IN A WIRELESS CANOPY. IN ALL OR SOME PART OF DOWNTOWN AUSTIN. AND USING THAT AND FINDING VARIOUS WAYS TO USE THAT AND SEE WHAT IT MEANS AND SEE WHAT PEOPLE DO WITH IT. WE DON'T KNOW. BUT WE NEED TO UNDERSTAND IT. AND WE NEED TO UNDERSTAND FROM, YOU KNOW, HOW IT CAN BE USED NOT ONLY FOR THE BENEFIT OF THE PEOPLE IN THE CITY, BUT ALSO HOW THE CITY ITSELF COULD DERIVE BENEFIT FROM IT. -- DERIVE BENEFIT FROM IT. I EVEN HAVE BIGGER EXPERIMENTS IN MIND. THE BIG EXPERIMENT THAT I I WANT TO RUN, I KNOW YOU ALL ARE GOING TO LOVE THIS ONE, IS TO CREATE VIRTUAL AUSTIN. THERE ARE -- THERE ARE VIRTUAL OTHER CITIES NOW THAT EXIST, LITERALLY, A MASSIVE MULTI-PLAYER GAME WHOSE LANDSCAPE IS AUSTIN. WHY WOULD WE DO THAT? IS IT POSSIBLE TO PROVIDE AN ARENA FOR THE CITIZENS OF OUR REGION TO GET TOGETHER AND ACTUALLY SOLVE PROBLEMS? AND

ENVISION THEIR FUTURE COLLECTIVELY WITH TOOLS THAT ENABLE THEM TO DO THAT? AND I -- I HARK CONTEND TO THE WONDERFUL -- HARKEN TO THE WONDERFUL PROJECT THAT NEIL KOCUREK IS DOING, ENVISION CENTRAL TEXAS, I ASK MYSELF, THAT'S A GREAT PROJECT, IT'S GOING TO HAVE FABULOUS RESULTS. BUT IT MAY ONLY LIKELY REACH SEVERAL THOUSAND DOLLARSS OF PEOPLE WHO CAN COME INTO THE ROOMS AND ENGAGE IN THE SESSIONS. WHAT HAPPENS IF WE COULD REACH 100,000 PEOPLE PLAYING A GAME WITH TOOLS THAT GIVE YOU ALL FEEDBACK ON WHAT THEY WANT TO DO? WHAT HAPPENS IF PEOPLE CAN GO INTO A PART OF AUSTIN IN THE GAME, SAY WHAT HAPPENS IF I PUT THIS HERE? AND THEY RUN A SCENARIO, IT GIVES REAL RESULTS. IT COMES BACK TO YOU ALL, LOOK AT WHAT THAT SCENARIO WAS AND GET SOME GENUINE ANSWERS, NOT GAME ANSWERS. THEN I HAVE EVEN CRAZIER THINGS THAT I WOULD LIKE TO DO. SO I THINK THERE ARE -- THAT WE MIGHT CONSIDER COLLABORATING ON.

Mayor Wynn: COMMENTS, COUNCIL? QUESTIONS FOR DR. KAVALE? IF NOT, THANK YOU, SIR.

THANK YOU.

Mayor Wynn: COUNCIL, EARLIER IN EXECUTIVE SESSION WE DISCUSSED THE BACKGROUND ITEMS BEHIND ITEMS NUMBER 3 AND 4 THAT WE HAD TAKEN OFFER THE CONSENT AGENDA PENDING THE -- OFF THE CONSENT AGENDA PENDING THE EXECUTIVE SESSION DISCUSSION. I WOULD ENTERTAIN A MOTION ON ITEM ITEM 3 AND THEN 4.
>>GOODMAN: I WILL MOVE APPROVAL ON ITEM 3.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 3 AS POSTED. I WILL SECOND THAT. FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 -
- 7-0. ALSO, ITEM NO. 4, RELATED TO REPEALING CHAPTER 4-
7 OF THE CITY CODE RELATING TO INSURANCE

REQUIREMENTS FOR HAZARDOUS PIPELINES.

Goodman: AND I WOULD MOVE APPROVAL THERE, MAYOR. NOTING THAT WE ARE RESCINDING ONLY THE PART THAT JUDGE SPARKS RULED UNCONSTITUTIONAL.

MOTION MADE BY MAYOR PRO TEM AND CLARIFIED FURTHER. I WILL SECOND THAT. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. ITEM NO. 4.

Mayor Wynn: COUNCIL THAT BRINGS US TO OUR 4:00 ZONING HEARING AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. YOU REMEMBER WE TAKE THESE IN TWO PARTS NOW. ALTHOUGH I DON'T BELIEVE MS. GLASGO THAT WE HAVE ANY SECOND AND THIRD READINGS ON THIS AGENDA?

Glasgo: NO, WE DON'T HAVE ANY THIS WEEK. WE CAN SKIP THAT PART.

STRAIGHT TO THE Z-CASES. GOOD AFTERNOON, ALICE GLASGO DIRECTOR OF ZONING TO PRESENT ZONING CASES THIS AFTERNOON. WE WILL START OFF WITH Z-1, C14-03-177 JACK BROWN SITE AT RANCH ROAD 222, CURRENTLY ZONED SINGLE FAMILY 2. THE APPLICANT IS SEEKING A CHANGE TO COMMUNITY COMMERCIAL AND THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT G.R.-C.O., THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-2, C 14 R-85-149.70, A RESTRICTIVE COVENANT AMENDMENT. FOR PROPERTY LOCATED AT 1605 WEST PARMER RAIN. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT THE RESTRICTIVE COVENANT AMENDMENT. AND THAT IS READY FOR YOUR APPROVAL. ITEM NO. Z-3, C14-03-174, THE 19th SEPTEMBER STREET CONDOS -- 19th STREET CONDOS LOCATED AT 803 TO 805 WEST MARTIN LUTHER KING, JR. BOULEVARD. THE CHANGE IN ZONING FROM MULTI-FAMILY 4 AND LIMITED OFFICE TO MULTI-FAMILY 6 WITH A CONDITIONAL OVERLAY. THE ZONING AND PLATTING

COMMISSION RECOMMENDATION IS TO GRANT MULTI-FAMILY 6 WITH A CONDITIONAL OVERLAY. THIS CASE IS READY FOR ALL THREE READINGS. MAYOR, I BELIEVE THAT REALLY CONCLUDES ALL OF THE CONSENT ITEMS, THE REMAINING STEMS Z-4 THROUGH Z-7 ARE ALL DISCUSSION.

Mayor Wynn: THANK YOU, SO, COUNCIL, THE CONSENT AGENDA ON THE ZONING CASES WILL BE ITEM Z-1 FOR ALL THREE READINGS, Z-2 APPROVING THE RESTRICTIVE COVENANT AMENDMENT, AND ITEM Z-3 ON THREE READINGS. I'LLN'T OBTAIN A MOTION.

MOTION MADE BY COUNCILMEMBER DUNKERLY. SECONDED BY COUNCILMEMBER THOMAS TO CLOSE THE PUBLIC HEARINGS ON Z-1 THROUGH Z-3 AND APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

MAYOR THAT TAKES US TO ITEM NO. Z-4, C14-03-120, NAMELY THE CENTRUM, 3413 NORTH HILLS DRIVE, 6415 HART LANE AND 6426 MOPAC EXPRESS WAY. CURRENTLY ZONED L.O. LIMITED WITH A CONDITIONAL OVERLAY AND A G.O.-C.O. WHICH STANDS FOR GENERAL OFFICE CONDITIONAL OVERLAY. THE APPLICANT IS SEEKING A CHANGE TO LR-MU-CO AND ALSO INDICATED THAT THERE IS A NEED TO -- TO -- TO SEEK G.R. ZONING ALSO, WHICH WE ARE NOT POSTED FOR. HOWEVER, THERE ARE PEOPLE HERE FROM THE NEIGHBORHOOD WHO WOULD LIKE TO SPEAK AND WHAT I WOULD RECOMMEND IS THAT YOU HEAR THE SPEAKERS AND CONTINUE THE PUBLIC HEARING TO NEXT WEEK WHERE WE CAN PROPERLY POST THE AGENDA TO REFLECT THE NEED FOR THE ADDITIONAL ZONING. AND THAT WOULD BE -- WOULD BE -- I BELIEVE APPROPRIATE AS WE -- AS WE DISCUSSED WITH OUR LEGAL STAFF EARLIER. SO THE ITEM IS A CASE WHERE THERE NEEDS TO BE A CHANGE IN HEIGHT. SARAH CROCKER HAS BEEN WORKING WITH THE NEIGHBORHOOD. I WILL LET HER EXPLAIN THE CURRENT AGREEMENT. REGARDING THE PROPOSE AND WHAT --

PROPOSAL AND WHAT THEY WOULD LIKE FOR US TO CONSIDER. THANK YOU, MAYOR.

WELCOME, MS. CROCKER.

THANK YOU, MAYOR, MEMBERS OF THE COUNCIL. I HAVE JUST COME IN FROM SPEAKING WITH DENISE MOSLEY WITH THE I AM PEERL CONDOMINIUMS. THE NEIGHBORHOOD HAS SOME CONCERNS ABOUT A RESTRICTIVE COVENANT AND SOME MECHANISMS. WE ARE BASICALLY ON THE -- ON THE SAME PAGE WITH REGARD TO THE CONDITIONS THAT WE ARE ALL IN AGREEMENT ON TO HAVE IMPOSED FOR THIS NEW PROJECT. WE HAVE AN ISSUE OF MY CLIENT HAS AN APPROVED SITE PLAN AND WE WANT TO SUBMIT A NEW PROJECT TO BE APPROVED. SO WE HAVE SORT OF A TIME LAG AS THERE OFTEN IS IN THESE PARTICULAR CASES TO WHERE MY CLIENT IS SORT OF SITTING THERE WITH AN ENTITLEMENT AND UNTIL THE PROPERTY CLOSES HIS ENTITLEMENT IS JUST SORT OF SITTING OUT THERE. THAT'S MY CLIENT'S CONCERN. WE DO HAVE AN AGREEMENT WITH THE NEIGHBORHOOD TO WORK TOWARD AND WE ARE ALL KIND OF ON THE SAME PAGE. WHAT WE WOULD LIKE TO BE ABLE TO DO IS TO HAVE THIS THING POSTED FOR FIRST READING NEXT WEEK FOR G.R. AND IN THE INTERIM TIME PERIOD WE HAVE BEEN TALKING TO MR. GUERNSEY ABOUT HAVING A MEETING BETWEEN STAFF AND IF WE COULD HAVE SOME MEMBER OF THE LEGAL DEPARTMENT THERE TO PERHAPS DISCUSS A WAY THAT WE COULD INCORPORATE THIS INTO THE ORDINANCE OR WHAT MECHANISM WE COULD USE TO ACCOMPLISH OUR GOALS. I WOULD REALLY APPRECIATE IT. I THINK THAT WOULD HELP US GET THINGS CLARIFIED AND WE COULD COME BACK NEXT WEEK, HOPEFULLY, WITH -- WITH THE AGREEMENT AND HAVING STAFF AND THE LEGAL DEPARTMENT ON THE SAME PAGE. THANK YOU. COUNCIL, I REQUEST THAT A REQUEST FROM THE APPLICANT FOR A ONE WEEK POSTPONEMENT.

Glasgo: YES, MAYOR, THE CONTINUATION OF THIS PUBLIC HEARING OR I GUESS A POSTPONEMENT IS THE SAME. YOU STILL NEED TO HEAR FROM THE CITIZENS.

Mayor Wynn: RIGHT.

Glasgo: I THINK THAT YOU CAN EITHER CONTINUE THE PUBLIC HEARING WHICH IS THE SAME AS POSTPONING IT TO NEXT WEEK.

Mayor Wynn: IN FACT WE JUST HAVE ONE CITIZEN SIGNED UP ON Z-4, DENISE MOSLEY. THEN APPARENTLY MS. MOSLEY IS REPRESENTING THE IMPERIAL CONDOMINIUMS AND ALSO IN FAVOR OF A ONE WEEK POSTPONEMENT. AND WE WILL FACILITATE AN AGREEMENT AS REQUESTED BY MS. CROCKER TO HELP THE PARTIES COME TO AN AGREEMENT. MOTION MADE BY MAYOR PRO TEM TO POSTPONE Z-4 FOR ONE WEEK UNTIL FEBRUARY 12th 2004. SECONDED BY COUNCILMEMBER MCCracken. FURTHER DISCUSSION? 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. THE NEXT ITEM IS Z-5, C14-03-165 RPG SHAID ZONING CASE, 3206 WEST SLAUGHTER LANE IN THE SLAUGHTER CREEK WATERSHED IN THE BARTON SPRINGS SPRINGS. THE PROPERTY IS CURRENTLY DESIRED DEVELOPMENT ZONED INTERIM RR, THE APPLICANT IS SEEKING A CHANGE TO SINGLE FAMILY 6 WHICH STANDS FOR TOWNHOUSE AND CONDOMINIUM RESIDENTS. THE PROPERTY HAS A PRIVATE APPROVAL OF ON SUBDIVISION, OVER THE BARTON SPRINGS ZONE. THE APPLICANT HAS AGREED TO -- TO IPM, INTEGRATED PEST MANAGEMENT REQUIREMENTS AND THE GROW GREEN STANDARDS. I KNOW COUNCILMEMBER SLUSHER HAD SOME QUESTIONS REGARDING THE PROJECT. BUT I'LL LET MS. CROCKER IS THE AGENT. SEEMS LIKE IT'S THE AFTERNOON FOR MS. CROCKER TODAY. SHE WILL GIVE AN OVERVIEW OF THE PROJECT AND GIVE COUNCIL A CHANCE TO ASK THE QUESTIONS THAT THEY HAD.

I'M HAVING FUN NOW. GOOD AFTERNOON, SARAH CROCKER AGAIN. I HAVE SPOKEN TO PAT MURPHY, SORT OF LOOKING AROUND FOR HIM. THIS PARTICULAR TRACT IS LOCATED ON SLAUGHTER LANE AND Y'ALL HAVE A COPY OF THE HANDOUT. WHEN I FIRST VISITED THIS TRACT WITH THE OWNER LAST SUMMER, IT WAS APPARENT TO ME THAT WE DEFINITELY HAD SOME DRAINAGE PROBLEMS. AND ONE OF

THE THINGS THAT WE DISCUSSED WOULD -- BEFORE INITIATING THE ZONING REQUESTS BECAUSE KNOWING THAT THIS WAS AN S.O.S., I WANTED TO KNOW EXACTLY WHAT WE HAD TO WORK WITH. SO MY CLIENT DID INITIATE AND HAS COMPLETED A CITY OF AUSTIN DRAINAGE STUDY. UPSTREAM DRAINAGE STUDY TO DETERMINE WHAT DID IMPACTS THE CURRENT DRAINAGE PATTERN HAD ON THE PROPERTY. AS YOU CAN SEE FROM THE HANDOUT THAT WE GAVE YOU, ALMOST THE ENTIRE PROPERTY IS COVERED IN EITHER A CRITICAL OR TRANSITION ZONE WHICH POSES SOME UNIQUE CHALLENGES IN THE S.O.S. WATERSHED. DUE TO THE FACT THAT YOU CAN'T GET ANY VARIANCES. AND WE DO HAVE A 1978 PLAT, WHICH WE BELIEVE ENTITLEMENTS US TO REQUEST A 1704 AT THE TIME THAT THE SITE PLAN IS SUBMITTED. AND BASICALLY I THINK WHAT WE ARE ASKING AT THIS POINT IS WE -- WE ARE REQUESTING S.F. 6 ZONING. WE ARE WILLING TO LIMIT THE DENSITY. WE HAVE A SITE PLAN HERE THAT WE HAVE SHOWN YOU THAT BASICALLY HAS 24 UNITS ON IT. WE HAVE AGREED TO DO THE GREGORY PLANT PROGRAM AND -- AND IPM. AND -- MR. MURPHY AND I HAVE BEEN DISCUSSING SOME OTHER THINGS THAT I COULD PERHAPS WORK WITH HIM ON TO OFFER, THAT IF WE IN FACT DID GET A 1704 AT THE TIME OF SITE PLAN, THERE'S SOME OTHER -- OTHER ITEMS THAT PERHAPS WE COULD DO THAT ARE MORE IN LINE WITH CURRENT ORDINANCES THAT I WOULD NOT BE REQUIRED TO DO WERE I GRANTED A 1978 1704. I GUESS IN SUMMARY WHAT HE AND I DISCUSSED WAS FOR US TO GET TOGETHER, GET THE ENGINEER IN THE ROOM. HE WANTS TO I KNOW VISIT WITH LEGAL STAFF. WE WILL BE HAPPY TO PROVIDE THEM WITH OUR DOCUMENTATION FOR THE 1704. PERHAPS MAKE A SITE VISIT AND COME BACK TO YOU ON SECOND AND THIRD READING WITH MORE INFORMATION. THANK YOU.

Mayor Wynn: QUESTIONS, COMMENTS, COUNCIL? I'LL ENTERTAIN A MOTION ON FIRST READING ONLY.

[INDISCERNIBLE]

SECOND.

Mayor Wynn: MOTION MADE TO CLOSE THE PUBLIC HEARING. AND APPROVE THE ZONING ON Z-5 FIRST READING ONLY BY

COUNCILMEMBER DUNKERLY, SECONDED BY
COUNCILMEMBER THOMAS. FURTHER QUESTIONS OR
COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE
SAY AYE.

AYE.

Mayor Wynn: OPPOSED?

Slusher: NO.

Mayor Wynn: MOTION PASSES ON A VOTE OF 6-1 WITH
COUNCILMEMBER SLUSHER VOTING NO. ON.

Glasgo: THAT TAKE US TO Z-6 --

Goodman: BEFORE WE GO TO Z-6, JUST BECAUSE
COUNCILMEMBER SLUSHER DID MAKE A POINT OF VOTING
NO, I WOULD POINT YOU ALL TO THE MAP AND SAY
PROBABLY EVENTUALLY THAT COULD BE MY VOTE, TOO.
ONLY BECAUSE IT'S FIRST READING.

Mayor Wynn: POINT TAKEN, MS. GLASS GLASGO.

Glasgo:.

Glasgo: Z-6, C14-03-171 LOCATED AT 5007 REGENCY DRIVE.
THE EXISTING ZONING IS LR-N.P. WHICH STANDS FOR
NEIGHBORHOOD COMMERCIAL NEIGHBORHOOD PLAN
COMBINING DISTRICT. THE APPLICANT IS SEEKING A CHANGE
TO LR-M.U.-N.P. WHICH STANDS FOR NEIGHBORHOOD
COMMERCIAL -- MIXED USE PLANNED USE NEIGHBORHOOD
PLAN COMBINING DISTRICT. THIS IS PART OF THE PLAN
AREA, THE AREA WAS DESIGNATED AS MIXED USE. THE
MIXED USE OR THE INTENT WAS MIXED USE BUILDINGS, BUT
THE LANGUAGE DID NOT GET INTO THE DOCUMENT TO
SPECIFY THAT WAS INTENDED FOR MIXED USE BUILDING.
HENCE THE OPEN NATURE OF THAT REQUEST SO THE
APPLICANT IS HERE TO ASK FOR LR-M.U. THE TRADITIONAL
MIXED USE ZONING TO ALLOW FOR THE POSSIBILITY OF
BUILDING RESIDENTIAL USES ON THE SIDE. SO THERE
COULD BE JUST -- JUST UNION 100% RESIDENTIAL VERSUS
HAVING YOUR MIXED USE WHICH WOULD BE HAND DATED

UNDER YOUR MIXED USE BUILDING. THIS COULD BE A STAND ALONE SINGLE FAMILY USE. AS OPPOSED TO -- TO A RETAIL AT THE BOTTOM AND RESIDENTIAL ABOVE. BUT SINCE THE PLAN REALLY DID NOT SPECIFY THAT THE INTENT WAS TO HAVE A MIXED USE BUILDING, WE ARE NOW REQUIRING A PLAN -- WE ARE NOT REQUIRE A PLAN AMENDMENT BUT SIMPLY A ZONING CHANGE TO ALLOW THE MIXED USE ASPECT ON THIS PARTICULAR PROPERTY. THERE ARE SEVERAL SPEAKERS SIGNED UP TO SPEAK, I'M STATING THAT FOR CLARITY IN CASE THAT IS THE ISSUE THAT IS RAISED FROM THE SPEAKERS. THE PLANNING COMMISSION RECOMMENDED THE ZONING CHANGE AND STAFF RECOMMENDS IT, TOO. AND SHOULD YOU APPROVE IT TODAY IT CASE WOULD BE READY FOR ALL THREE READINGS. I WILL BE GLAD TO RESPOND TO QUESTIONS THAT MIGHT ARISE AFTER THE SPEAKERS PRESENT THEIR CASE.

Mayor Wynn: GREAT. AT THIS TIME WE WILL HEAR FROM THE APPLICANT, MR. BEN TURNER. YOU WILL HAVE FIVE MINUTES TO PRESENT YOUR CASE, THEN WE WILL HEAR FROM CITIZENS IN FAVOR AND THEN CITIZENS OPPOSED. WELCOME, SIR.

THANK YOU. MAYOR, COUNCILMEMBERS, I'M BEN TURNER, HERE ON BEHALF OF THE OWNER. THIS PROPERTY IS UNDER CONTRACT FOR SALE. ONE OF THE REQUIREMENTS OF THE SALE IS THAT THE ZONING BE CHANGED TO REFLECT THAT WHICH IS SHOWN IN THE NEIGHBORHOOD PLAN. WHAT WE APPLIED FOR -- I LISTENED TO MS. GLASGO'S EXPLANATION. THAT SOUNDS VERY COMPLEX TO ME IN THAT ALL WE DID WAS APPLY FOR EXACTLY WHAT WAS IN THE NEIGHBORHOOD PLAN AYATOLLA KHOMEINI ADOPTED BY THIS -- AS WAS ADOPTED BY THE COUNCIL, THAT'S WHAT WE ARE HERE TODAY WITH. ALSO ONLY THAT IS A VERY SMALL LOT. IT FACES MANOR ROAD AND REGENCY, ABOUT 9500 SQUARE FEET THAT IS END COUPLE ABOUT HERED BY SEVERAL -- ENCUMBERED BY SEVERAL EASEMENTS, TELEPHONE, WATER AND WASTEWATER, ELECTRIC, IT HAS ABOUT 8,000 SQUARE FEET USABLE FOR BUILDING AREA. IN MY BUSINESS IF YOU DID THAT STRICTLY RETAIL, THAT WOULD GIVE YOU -- YOU CAN GET ABOUT 17 OR 18%, IT WOULD BE A 14 OR 1500 SQUARE FOOT RETAIL STORE

POSSIBLY. I DON'T KNOW WHAT THE -- WHAT THE BUYER HAS IN MIND FOR IT. I SIMPLY KNOW THAT IT'S A REQUIREMENT. SO THE -- SO WE ARE ONLY ASKING THAT THE COUNCIL ADOPT WHAT THE ADOPTED NEIGHBORHOOD PLAN CALLS FOR. I WOULD BE HAPPY TO ANSWER QUESTIONS.

Mayor Wynn: ANY QUESTIONS FROM THE APPLICANT? FOR THE APPLICANT? THANK YOU, MR. TURNER. WE HAVE NO CITIZENS SIGNED UP IN FAVOR. AND ONLY ONE CITIZEN SIGNED UP IN OPPOSITION. I WILL CALL NOW MR. JESSE ZEPEDA. WELCOME, SIR, YOU'LL HAVE THREE MINUTES.

GOOD AFTERNOON, MAYOR, COUNCIL. I LIVE IN THE NEIGHBORHOOD OF -- ON REGENCY DRIVE. BEING THAT THIS TRACT WAS DONATED FOR RESIDENTIAL COMMERCIAL AND ICE OF THAT PROPERTY -- USE OF THAT PROPERTY, I AM HOPING THAT THE COUNCIL IS AGAINST ZONING THIS CHANGE. THE ACTUAL ROAD THAT THIS PROPERTY SITS ON IS 969 NOT MANOR ROAD, F.M. 969 AND REGENCY DRIVE. F.M. 969 IS A HEAVILY TRAVELED ROAD. I HAVE HEARD FROM SEVERAL OTHER BUILDERS IN THAT NEIGHBORHOOD THAT THEY ARE WANTING TO BUY THAT PROPERTY, TO TRY TO BUILD A HOME. BUT I HAVE ALSO TALKED TO THEM ABOUT THE DANGEROUS INTERSECTION OR DANGEROUS CONDITIONS THAT COULD POSE -- YOU KNOW BE FOR THE RESIDENTS IF A RESIDENTIAL UNIT IS BUILT. BEING THAT THERE'S HEAVY TRAFFIC AND THERE'S NOT A GOOD INTERSECTION FOR US TO TURN INTO THE NEIGHBORHOOD, I THINK IT WOULD BE REAL WRONG AND DANGEROUS SITUATION. PUT ON THIS ZONE. AND ALSO WHEN I BOUGHT THIS PROPERTY IN THIS HOMELESS NEIGHBORHOOD, I WAS UNDERSTANDING THE UNDERSTANDING THAT THIS WAS FOR COMMERCIAL, INTENDED FOR NEIGHBORHOOD USE AND BY CHANGING THIS THIS WOULD NOT BE FOR MY NEIGHBORHOOD USE. AND I AM WORKING WITH THE NEIGHBORHOOD COMMITTEE AND TRYING TO FIGURE OUT WHAT WE ARE GOING TO PLAN TO DO WHERE THAT LOT. I DON'T THINK RESIDENTIAL IS VERY APPROPRIATE FOR THAT TRACT OF LAND.

Mayor Wynn: THANK YOU, SIR.

THAT'S IT.

Mayor Wynn: THANK YOU. ANY OTHER CITIZENS WISHING TO SPEAK ON ITEM Z-6? IF NOT, MR. TURNER, ACTUALLY YOU WILL HAVE A 3 MINUTE REBUTTAL IF YOU THINK THAT YOU NEED IT.

ONE THING THAT I WOULD LIKE TO SAY. THIS IS BEING ZONED COMMERCIAL. WITH A POSSIBILITY OF A RESIDENTIAL COMPONENT. IT IS NOT EXCLUDING COMMERCIAL AT ALL. BUT IN FACT IT'S ZONED SINGLE FAMILY TODAY. IT IS MOVING TO A MIXED USE SO IT HAS A RESIDENTIAL AND A COMMERCIAL COMPONENT. IT CAN BE EITHER/OR OR BOTH. SO THAT -- THANK YOU.

Mayor Wynn: THANK YOU.

Mayor Wynn: COUNCILMEMBER ALVAREZ?

Alvarez: MR. TURNER OR STAFF OR WHOEVER, COULD YOU POINT OUT WHERE THE TRACT IS THAT WE ARE TALKING ABOUT HERE? THIS IS MLK BOULEVARD, F.M. 969, THIS IS REGULAR AGAINST DRIVE, THE -- REGENCY DRIVE THE TRACT WITH THE RED ARROW POINTING TO IT. THIS THE AREA THAT POINT TO THE TRACT.

IT'S CURRENTLY ZONED FOR --

IT'S CURRENTLY LR ZONING. JUST STRAIGHT LR.

Alvarez: STRAIGHT LR?

CORRECT. IT DOES NOT HAVE THE M.U. YOU ARE ADDING MIXED USE TO IT.

WE DON'T HAVE TO CHANGE THE --

, IT'S BROWN.

IT'S THE MIXED USE LAND USE CATEGORY?

CORRECT.

AND THE CONTEMPLATED USE IS RESIDENTIAL OR -- OR MIXED? IMLS MY UNDERSTANDING WAS MR. TURNER WANTED TO BUILD A NEWSPAPER PLEX ON THE SITE, BUT -- TO BUILD A DUPLEX ON THE SITE.

THE PROPERTY IS GOING TO BE SOLD. THE REQUIREMENT IS THAT WE ZONE IT ACCORD WITH THE ADOPTED NEIGHBORHOOD LAND PLAN. I DON'T ACTUALLY KNOW TO BE HONEST.

Alvarez: BUT IT'S CURRENTLY LR. WHAT WE ARE DOING IS ADDING THE MIXED USE.

MU, CORRECT.

Alvarez: SUFFIX THERE.

Glasgo: CORRECT, THERE YOU, LR-M.U.

Alvarez: THANKS.

Glasgo: YOU'RE WELCOME.

Mayor Wynn: COUNCILMEMBER THOMAS?

Thomas: MS. GLASGO, HE'S NOT SURE WHAT HE WANTS TO DO AND YOU SAID THE ZONING THAT THEY ARE ASKING FOR WOULD BE ABLE TO DO --

Glasgo: YOU CAN DO EITHER.

Thomas: MIXED USE.

Glasgo: CURRENTLY THE L.R. JUST LIMITS YOU, TOUGH DO OFFICE OR RETAIL. WHAT HE'S ASKING FOR IS ALLOWING TO DO EITHER RETAIL, OFFICE OR RESIDENTIAL. IT JUST GIVES THEM ANOTHER ASPECT OF FLEXIBILITY TO BE ABLE TO MARKET IT FOR -- FOR EITHER POSSIBILITY.

Thomas: OKAY. THE REASON WHY I'M SAYING THAT'S THE ENTRANCE TO THE REGENCY CAVALIER PARK I GUESS WHICH WE CALL IT. I DON'T SEE A BUSINESS -- THOSE ARE RESIDENCE ALL THE WAY DOWN. WE HAVE THE NEW HOMES

BUILT ALL THE WAY IN. SO IF -- EVEN A DUPLEX WOULD NOT BE COMPATIBLE TO -- TO THAT GENERAL AREA, WHERE HE'S TALKING ABOUT ON THE CORNER.

Glasgo: ON THE CORNER? IT'S -- IT MIGHT NOT BE. HE DOESN'T KNOW FOR SURE EXACTLY. I THINK HIS INTENT IS TO SELL THE LOT TO SOMEONE WHO MIGHT BUILD SOMETHING DIFFERENT WITH IT. THE REMAINDER OF THE AREA IS OBVIOUSLY ZONED RETAIL. IT COULD ALL BE DEVELOPED AND COMBINED AS ONE PROJECT IN THE FUTURE. THE ADJOINING PROPERTY IF YOU LOOK AT THE ZONING MAP.

Thomas: OKAY. THE MIXED USE ZONING EXTENDS TO THE --

Glasgo: THE MIXED USE ZONING EXTENDS TO THE EAST THE SAME ... SHOULD THAT OCCUR.

Thomas: OKAY. OKAY. THANK YOU.

Glasgo: YOU'RE WELCOME.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? AND MS. GLASS GO, STAFF -- GLASGO, STAFF IS READY FOR ALL THREE READ, ON Z-6?

YES, WE ARE.

Slusher: I WOULD MOVE APPROVAL, MAYOR. I THINK THAT IT'S APPROPRIATE AND CONSISTENT WITH THE NEIGHBORHOOD PLAN.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER SLUSHER.

SECOND.

Mayor Wynn: COME SECOND BY COUNCILMEMBER MCCracken TO APPROVE ITEM Z-6 ON THREE READINGS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Glasgo: MAYOR, WE WILL NOW PROCEED TO ITEM NO. Z-7, C14-03-176-SH, STANDS FOR SMART HOUSING. PLEASANT VALLEY COURT YARDS. SOME OF YOU MAY REMEMBER THIS ONE FROM A YEAR OR SO AGO. [LAUGHTER] WE ARE BACK AGAIN. AND THIS TIME THE -- THE PROPERTY IS LOCATED ON EAST ST. ELMO ROAD. AND THE APPLICANT WOULD LIKE TO MODIFY THE PLAN TO ALLOW FOR LOCATION OF -- OF AN APARTMENT BUILDING CLOSER TO -- TO ST. ELMO ROAD. AND -- AND THAT, OF COURSE, TRIGGERS OTHER -- OTHER CONDITIONS OR REQUIREMENTS. I WILL LET MR. GUERNSEY GIVE YOU A MORE DETAILED ANALYSIS OF WHAT'S GOING ON SINCE HE'S BEEN WORKING VERY CLOSELY WITH THE -- WITH THE NEIGHBORHOOD AND THE APPLICANT. AND THERE ARE A FEW SPEAKERS ON THIS CASE. WE HAD HOPED THAT THEY WOULD REACH AN AGREEMENT, BUT THEY MIGHT HAVE A LITTLE TWEAKING TO DO. BUT IT SHOULDN'T TAKE TOO LONG.

GOOD AFTERNOON MAYOR AND COUNCIL, GREG GUERNSEY WITH NEIGHBORHOOD PLANNING AND ZONING. I THINK THERE IS AN AGREEMENT, JUST SO YOU KNOW BEFORE I START MY LITTLE TALK. AMONG THE PARTIES. BUT I THINK SOME OF THE NEIGHBORS THAT ARE HERE WOULD LIKE TO SPEAK TO SOME PARTICULAR ASPECTS REGARDING THE ZONING CASE AND THE AREA. IN IS A REQUEST FOR REZONING. THE ORIGINAL APPLICATION THERE WAS A RESTRICTION ON THE AREA THAT'S REQUEST REQUESTED -- THAT'S BEING REQUESTED TO BE REZONED. AFTER A CONSIDERABLE AMOUNT OF DISCUSSION AMONG ALL OF THE DIFFERENT PARTIES, NEIGHBORHOOD GROUPS, STAFF, THE APPLICANT, THERE HAS BEEN AN AGREEMENT TO ALLOW WITH A PLANNING COMMISSION RECOMMENDATION A RESIDENTIAL UNIT TO BE PLACED ADJACENT TO ST. ELMO ON WHAT IS KNOWN AS TRACT 1. IT WOULD BE LIMITED TO SEVEN UNITS, TWO STORIES IN HEIGHT, THERE ARE RESTRICTIONS THAT HAVE BEEN WORKED OUT THROUGH PRIVATE AGREEMENTS REGARDING THE ORIENTATION. SO IT WOULD BE ORIENTED ON A -- ON A DIAGONAL LINE THAT DOES NOT OVERSEE THE KENSINGTON PARK NEIGHBORHOOD IN THIS LOCATION. ALSO THERE WAS SOME LANDSCAPING REQUIREMENTS. THE PUBLIC RESTRICTIVE

COVENANT WOULD NOT BE AFFECTED BY THIS. AS PART OF THIS AGREEMENT, THERE WOULD BE INSTALLED TEMPORARILY, WHAT I MEAN BY TEMPORARILY, BETWEEN THE TIME THE APARTMENTS WOULD BE OPENED AND OCCUPIED, NOT DURING CONSTRUCTION, BUT WHEN -- ACTUALLY WHEN THEY WOULD BE OPENED AND OCCUPIED, THAT THERE WOULD BE A TEMPORARY TWO-WAY DRIVEWAY THAT WOULD COME FROM THE PROJECT, THAT'S BEING DEVELOPED IN THIS AREA, DOWN TO A POINT -- PARALLEL TO THE PROPOSED PLEASANT VALLEY ROAD, AND THEN A LICENSE AGREEMENT WOULD BE WORKED OUT WHEREBY THERE WOULD BE TWO-WAY TRAFFIC THAT WOULD COME FROM THE FRANKLIN PARK NEIGHBORHOOD TO THE PROJECT AND VICE VERSA. AT SUCH TIME AS PLEASANT VALLEY ROAD IS CONSTRUCTED, CONSTRUCTED MEANING THAT THE CITY STARTS CONSTRUCTION ON THE PROJECT, THIS ACCESS WOULD BE CLOSED. SO -- SO WHILE THE CONSTRUCTION IS OCCURRING, THE CITY IS DILIGENTLY BUILDING PLEASANT VALLEY ROAD, THERE WOULD BE NO ACCESS FROM THIS PROJECT DIRECTLY TO -- TO PLEASANT VALLEY ROAD. I WILL PROBABLY LET THE NEIGHBORS AND PERHAPS THE APPLICANT SPEAK TO THE DETAILS OF THE OTHER ARRANGEMENT BECAUSE IT AFFECTS SEVERAL -- I GUESS THERE ARE -- THEIR PRIVATE COVENANT. BUT AS I UNDERSTAND IT RIGHT NOW, THERE IS SUPPORT BY THE -- BOTH THE NEIGHBORHOOD ASSOCIATIONS, THE APPLICANT, THE COMMISSION HAS RECOMMENDED THIS, STAFF HAS RECOMMENDED THIS CHANGE.

Mayor Wynn: THANK YOU, MR. GUERNSEY. WITH THAT, LET'S HEAR FROM THE APPLICANT. I BELIEVE WHO IS REPRESENTED BY NIKELLE MEADE.

THANK YOU, WE HATE THAT THIS CASE IS BACK BEFORE YOU AGAIN, BUT WE RAN INTO SOME DIFFICULTIES WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS WITH RESPECT TO THE SITE PLAN THAT HAD BEEN NEGOTIATED WITH THE NEIGHBORHOOD. I THINK EVERYBODY DID EVERYTHING THAT COULD BE DONE TO -- TO TRY TO GET TEXAS DEPARTMENT OF HOUSING TO ALLOW US TO DO THAT SITE PLAN. THAT WASN'T THE RESULT. SO WE HAD TO MAKE SOME CHANGES TO THE SITE PLAN TO MAKE IT FIT WITHIN THE STATE RULES AND WHAT WE

ORIGINAL PROPOSED TO DO WAS TO PUT A SWIMMING POOL ON THE SUBJECT TRACT BEFORE YOU TODAY TO BE REZONED. WE GOT SERIOUS OBJECTION TO THAT FROM KENSINGTON PARK NEIGHBORHOOD ASSOCIATION AND WORKED, WE HAVE BEEN WORKING, I GUESS NOW, TWO MONTHS, MAYBE LONGER THAN THAT, AND THINK THAT WE HAVE REACHED AN AGREEMENT. SO -- WE ARE -- WE AMENDED OUR APPLICATION TO ADD A REQUEST TO -- TO AMEND THE CONDITIONAL OVERLAY, SO THAT AN APARTMENT BUILDING WOULD BE PUT THERE AND THAT'S ACTUALLY THE REQUEST THAT WE HAVE BEFORE YOU TODAY. THE COMMUNITY RECREATION, THE SWIMMING POOL IS -- WE ARE NOT -- WE ARE NOT REQUESTING THAT ANY LONGER. WHAT WE WOULD LIKE TO DO, WHAT WE HAVE AGREED TO DO WITH THE NEIGHBORHOOD, IF THE COUNCIL SO DESIRES IS TO PUT A RESIDENTIAL BUILDING ON THAT TRACT. AS GREG STATED, WE HAVE ENTERED INTO AN AGREEMENT THAT HAS MANY COMPONENTS TO IT TO FURTHER PROTECT THE NEIGHBORHOOD AND BOTH KENSINGTON PARK AROUND FRANKLIN PARK WHICH INCLUDES THINGS LIKE ORIENTING THE BUILDING, AS GREG SAID, SO THAT BALCONIES DON'T FACE INTO THEIR BACK YARDS OR LOOK OVER INTO THEIR BACK YARDS, PUTTING A VERY TALL VERGE TAKE IT ACTIVE BERM -- VEGETATIVE BERM BETWEEN THE STREET AND OUR BUILDING. LIMITING THE ABILITY FOR US TO PUT THE BIG MAIL KIOSK FOR THE WHOLE PROPERTY AND THINGS LIKE THAT ON THAT TRACT. I WILL LET THE NEIGHBORHOOD IF THEY WANT TO TO SPEAK TO THE SPECIFICS OF THIS AGREEMENT. I THINK THAT WE HAVE WORKED OUT SOMETHING THAT IS A WIN-WIN FOR ALL OF US. AND WE ASK THE COUNCIL TO APPROVE THE REZONING SO THAT WE CAN MOVE FORWARD WITH THE AGREEMENT. I DO WANT TO SAY THAT WE -- WE GREATLY APPRECIATE NOT ONLY LEE SLOAN AND JACK COWISON, HAND DRAW MALL LOW AND DIANE SANDERS FROM THE NEIGHBORHOOD ASSOCIATION, ALSO ALICE GLASGO, GREG GUERNSEY AND WENDY WALSH WHO HAVE SAT IN ALL DAY LONG MEETINGS TO TRY TO GET EVERYBODY TO COME UP WITH SOMETHING THAT WAS WORKABLE. SO A LOT OF WORK HAS COME INTO THIS AND I THINK THAT WE HAVE COME UP WITH A SOLUTION WITH THE HELP OF YOUR STAFF, ACTUALLY I THINK THIS SOLUTION MAY HAVE EVEN BEEN

GREG GUERNSEY'S, I CAN'T REMEMBER, BUT WE HAVE COME UP WITH SOMETHING THAT WE THINK WORKS FOR EVERYONE. SO THE REQUEST IS TO JUST AMEND THE CONDITIONAL OVERLAY TO ALLOW US TO PUT ONE RESIDENTIAL BUILDING ON THAT TRACT.

Mayor Wynn: THANK YOU, MS. MEADE. NORMALLY WE WOULD NOT HEAR FROM FOLKS WHO SIGNED UP IN FAVOR OF THE ZONING. WE HAVE A BUNCH OF FOLKS SIGNED UP SORT OF FOR OR AGAINST OR NEUTRAL OR PENDING OR WITH CONDITIONS. LET'S TAKE THEM IN ORDER AND WE WILL PROBABLY GIVE MS. MEADE A CHANCE TO CLEAN UP AT THE END. JACK HOWISON.

I DON'T NEED TO SPEAK. MANY HOURS THE NEIGHBORHOOD PUT INTO THIS, WE DO HAVE -- WE DO SUPPORT THE -- THE CHANGE PENDING THE [INDISCERNIBLE] [INAUDIBLE - NO MIC]

Mayor Wynn: OKAY, THANK YOU, SIR.

Mayor Wynn: MR. SLOAN?

DITTO.

Mayor Wynn: THANK YOU. DIANE SANDERS? PLEASE DO, YOU ARE ALWAYS WELCOME TO SPEAK. IF NEED BE YOU WILL BE FOLLOWED BY CHANDRA MALL LOW.

THANK YOU, COUNCILMEMBERS. THE REASON THAT WE ARE HERE TO SPEAK IS BECAUSE I'M THE PRESIDENT OF THE FRANKLIN PARK NEIGHBORHOOD ASSOCIATION. AND WE HAVE WORKED LONG AND HARD WITH CRAIG ALTER ON THIS PROJECT AND I THINK THAT WE HAVE DONE A LOT OF COMPROMISING. A LOT OF COMPROMISING. AND I DON'T KNOW -- I HOPE THAT YOU'VE HAD A CHANCE TO READ THE E-MAIL THAT I SENT OUT. ONCE AGAIN WE HAVE REALLY COMPROMISED. WE ARE WILLING TO TAKE OUT ANOTHER PORTION OF THE RESTRICTIVE COVENANT TO NOT -- TO NOT IMPEDE ANY OF THE TRAFFIC ON PLEASANT VALLEY ROAD BECAUSE WE DO NOT WANT TO ISOLATE THE TENANTS OR THE ADJACENT PROPERTY OWNERS. AND THESE PROPERTY OWNERS WILL BE THE ONES THAT YOU WILL BE PURCHASING THE LAND FROM TO BUILD THIS EXTENSION.

HOWEVER, BY DOING THIS, WE ARE HOPING THAT YOU WILL BE -- YOU WILL TAKE A LOOK AT THE ENTRANCE AND EXIT OFF OF EAST ST. ELMO BECAUSE WE REALLY FEEL THAT THERE NEEDS TO BE EQUAL ACCESS FROM PLEASANT VALLEY AND ST. ELMO. THE WAY THE RESTRICTIVE COVENANT READS RIGHT NOW IS THAT ONCE THAT ROAD IS COMPLETED, THEN THE ACCESS FROM ST. ELMO WILL BE ENTRANCE ONLY. AND NOW THAT WE HAVE AN APARTMENT COMPLEX SITTING UP THERE ALL BY ITSELF, IT'S GOING TO ISOLATE THAT UNIT. I REALLY FEEL TAKE THERE NEEDS TO BE EQUAL ACCESS BOTH WAYS. WE DON'T WANT TO ISOLATE THE TENANTS. WE WANT TO BE ABLE TO INTEGRATE THEM INTO THE COMMUNITY. MAKE THEM FEEL WELCOME AND WITH US PUTTING ALL OF THESE RESTRICTIONS ON HOW THEY CAN GET INTO THEIR RESIDENCES AND HOW THEY CAN LEAVE I THINK IS VERY UNFAIR. I'M HOPING THAT YOU WILL TAKE THAT INTO CONSIDERATION. IF THAT DOESN'T HAPPEN THEN WE HAVE ENTERED INTO A PRIVATE AGREEMENT WITH PLEASANT VALLEY COURT YARDS TO PUT IN THAT PORTION BACK INTO THE RESTRICTIVE COVENANT. WE HAVE A -- WE HAVE A SCHOOL IN OUR NEIGHBORHOOD, RODRIGUEZ ELEMENTARY, AND WE HAVE A LOT OF KIDS, LITTLE KIDS THAT WALK TO SCHOOL EVERY MORNING AND IT'S VERY, ☐ VERY HARD AS IT IS WITH PLEASANT VALLEY THERE AND ONCE THAT'S OPENED UP, THAT'S GOING TO BE A MAJOR THOROUGHFARE, WE ARE LOOKING AT THE SAFETY OF THE KIDS. I'M JUST HOPING THAT YOU GUYS WILL LOOK INTO THAT, HOPEFULLY WILL BE ABLE TO HAVE THE ACCESS COMING OFF OF ST. ELMO BEING AN ENTRANCE AND EXIT. THANK YOU.

THANK YOU, MS. SANDSERS. CHANDRA MALL LOW. -- MALLOY. WELCOME, YOU WILL HAVE THREE MINUTES, FOLLOWED BY JEANETTE BARKLEY BOUR, I BELIEVE. WELCOME.

GOOD EVENING, COUNCILMEMBERS. MAYOR. I, TOO, AM REQUESTING THAT YOU TAKE A LOOK AT THE ENTRANCE AND ACCESS FROM THE DEVELOPMENT THAT WILL BE GOING UP AT THE END OF PLEASANT VALLEY, ALSO ADJACENT TO THE ST. ELMO ROAD ALLOWING EQUAL ACCESS TO ALLOW THE RESIDENTS AND TENANTS OF THAT DEVELOPMENT TO HAVE A CHOICE AS TO WHICH WAY THEY

WANT TO EXIT THEIR RESIDENTS AND TO RESTRICT THEM ONE WAY IN AND ONE WAY OUT AND THAT'S THROUGH PLEASANT VALLEY WHERE A MAJORITY OF THE TRAFFIC WILL BE COMING OUT. I DON'T -- I DON'T THINK THAT'S GOING TO QUITE WORK OUT FOR THE RESIDENTS. THERE'S ACTUALLY THREE SCHOOLS WITHIN THAT REGION AND THERE'S THREE SCHOOL ZONES. AND I THINK THAT IT WILL BE DETRIMENTAL TO THE CHILDREN TO HAVE ALL OF THE TRAFFIC FLOW BACK TOWARDS PLEASANT VALLEY. I WANTED TO RESTRICT THAT DRIVING PRIVILEGE WILL SEND ALL OF OF THE TRAFFIC TO THE EAST -- EXCUSE ME, YES TO THE WEST AND RESTRICTING MORE TRAFFIC FROM GOING TO THE WEST WITH -- WHICH THE RESIDENTS WOULD HAVE TO TAKE A DETOUR AROUND THE NEIGHBORHOOD TO GET WHERE THEY WILL BE GOING, POSSIBLY IN THE FRANKLIN PARK NEIGHBORHOOD, POSSIBLY TO GO TO CHURCH, TO GO TO A NEIGHBORHOOD CONVENIENCE STORE. SO TO RESTRICT THEM ENTRANCE ONLY AND NOT ACCESS I DON'T THINK WOULD BE FEASIBLE FOR THE RESIDENTS OR THE TENANTS OF THIS DEVELOPMENT. THANK YOU.

THANK YOU, MS. MALLOY.

Goodman: BEFORE WE CALL ANYBODY ELSE, DO WE HAVE THAT SIGNS UP ABOUT TURNING YOUR PHONE OFF WHEN YOU COME IN? THERE ARE AN AWFUL LOT OF PHONES RINGING TODAY. I'M GLAD FOR THE FIRST ONE REMINDED ME TO TURN ANY OFF, BUT WE SHOULD ALL HAVE THEM OFF.

Mayor Wynn: THANK YOU, WELCOME, MA'AM, YOU WILL HAVE THREE MINUTES.

THANK YOU, COUNCILMEMBERS, I APPRECIATE THE OPPORTUNITY TO TALK. I'M JEANETTE BARKLEY BOUR, I REPRESENT -- THE BARKLEY FAMILY, WHICH IS THE ADJOINING PROPERTY OWNER TO THE EAST. THAT BIG BLACK RECTANGLE THAT YOU SEE ON THE MAP IS OUR PROPERTY. WE MET YESTERDAY WITH -- WITH CITY STAFF, CONCERNING THE EXTENSION OF PLEASANT VALLEY ROAD AND WE UNDERSTAND THAT THE CITY DOES WANT TO BUILD THAT ROAD ON OUR PROPERTY. THE PART THAT GOES BETWEEN TODD LANE AND BUTTON BEND. AND SO IN ADDITION TO TALKING ABOUT PLEASANT VALLEY ROAD,

THEY DID PROMISE US IN THAT MEETING THAT WE WOULD HAVE TWO-WAY ACCESS OFF OF PLEASANT VALLEY ROAD. SO THAT WE COULD GO NORTH OR SOUTH AND THAT WOULD INCLUDE A MEDIAN CUT THAT WOULD PERMIT TWO-WAY ACCESS. THEY ALSO DISCUSSED THEIR PROPOSAL IN THEIR OVERALL PLAN TO BUILD A VERY THERE REGIONAL WATER QUALITY POND, WET POND, ON OUR PROPERTY AS PART OF THE POLICE PLEASANT VALLEY ROAD PROJECT. AND THIS POND COULD POSSIBLY LIMIT OUR ACCESS TO EAST ST. ELMO ROAD. AND SO WHAT OUR CONCERN IS, ON THIS PLEASANT VALLEY ROAD, ISSUE, AS FAR AS THE APARTMENTS ARE CONCERNED, WE WANT TO BE SURE THAT WHATEVER AGREEMENTS ARE WORKED OUT, DO NOT -- DO NOT AFFECT ADVERSELY OUR ACCESS TO PLEASANT VALLEY ROAD. THANK YOU.

Mayor Wynn: THANK YOU, MS. BOUR. CAROLYN BARKLEY.

[INDISCERNIBLE]

Mayor Wynn: OKAY. SIGNED UP NEUTRAL, PROBABLY HAS THE SAME CONCERNS THAT JEANETTE HAD.

YES. DITTO. [LAUGHTER]

Mayor Wynn: ANY OTHER CITIZENS WISHING TO BE HEARD ON ITEM Z-7? IF NOT, MS. MEADE WOULD YOU CARE FOR A THREE MINUTE REBUTTAL OR RESPONSE.

MAYOR, I HAVE NOT HAD A CHANCE TO TALK WITH MS. BARKLEY. I WANTED TO MAKE THE STATEMENT THAT I DON'T BELIEVE ANY OF THE PRIVATE AGREEMENTS, ALTHOUGH I KNOW THAT'S NOT WHAT YOU GUYS ARE CONCERNED ABOUT REVIEWING, BUT I DON'T THINK ANY OF THE PRIVATE AGREEMENTS IN ANY WAY AFFECT THEIR ACCESS TO PLEASANT VALLEY. THERE'S ONE PRIVATE RESTRICTIVE COVENANT THAT SAYS THAT AT THE TIME PLEASANT VALLEY ROAD IS OPENED THE ACCESS TO ST. ELMO ROAD FROM OUR PROPERTY WILL BE ENTRANCE ONLY AND THEN WE HAVE ENTERED INTO AN AGREEMENT BY A RESTRICTIVE COVENANT TO BUILD A TEMPORARY DRIVE ON PLEASANT VALLEY, HOWEVER THAT WILL BE ONLY REALLY USED UNTIL THE TIME THAT PLEASANT VALLEY IS CONSTRUCTED AND

THEN WE HAVE AGREED WITH FRANKLIN PARK THAT IF -- IF AFTER A NUMBER OF YEARS, THE ACCESS TO ST. ELMO REMAINS LIMITED TO ENTRANCE ONLY, THAT WE WOULD LIMIT ACCESS OUT OF OUR PROPERTY ON TO PLEASANT VALLEY TO EXIT ONLY. SO -- SO I THINK THAT THAT'S PROBABLY -- THOSE ARE THE ONLY AGREEMENTS THAT WOULD REALLY AFFECT PLEASANT VALLEY. I DON'T THINK ANY OF THOSE WILL AFFECT THE BARKLEY PROPERTY. IF YOU HAVE ANY QUESTIONS --

Mayor Wynn: COUNCIL, ANY QUESTIONS FOR THE APPLICANT? IF NOT I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER MCCracken. I WILL SECOND THAT. FURTHER DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? -- MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF 7-0. SO MS. GLASGO CAN YOU REMIND US, I KNOW STAFF WAS INTIMATELY INVOLVED IN THIS, BUT STAFF RECOMMENDATION AND THAT OF THE -- OF THE PLANNING COMMISSION?

Glasgo: THE PLANNING COMMISSION IS TO GRANT THE CHANGE IN ZONING TO ALLOW FOR THE -- FOR THE MULTI-FAMILY BUILDING TO BE LOCATED UP CLOSER TO THE ST. ELMO LOCATION AS SCRIBED EARLIER. -- DESCRIBED EARLIER. THAT'S IT. THE CASE IS READY FOR ALL THREE READINGS.

Mayor Wynn: STAFF IS ALSO CONCURS WITH THAT RECOMMENDATION?

Glasgo: YES, WE DO.

Mayor Wynn: QUESTIONS, COMMENTS? COUNCIL? IF NOT I'LL ENTERTAIN A MOTION.

Dunkerly: I MOVE APPROVAL.

Mayor Wynn: MOTION MADE TO APPROVE ZONING CHANGE

AS -- POSTED AS ITEM Z-7.

I WILL SECOND THAT.

Mayor Wynn: SECONDED BY COUNCILMEMBER MCCRACKEN.
DISCUSSION? MAYOR PRO TEM?

Goodman: AND NOTING ALL OF THE NEIGHBORHOOD COMMENTS FOR SURE. I WOULD LIKE TO POINT OUT THAT THIS IS ONE OF THE -- ONE OF THE MOST HARD WORKING NEIGHBORHOOD GROUPS THAT THE CITY HAS. AND HAVE DONE A GREAT DEAL FOR THEIR PART OF TOWN AND SO I WANT TO THANK THEM. I SEE SOME OF THE SAME FACES AND SO -- SO I THINK MEDALS ARE IN ORDER SOMEWHERE. THEY HAVE STUCK WITH THIS A LONG TIME AND WE STILL BENEFIT BY THEIR TENACITY.

Mayor Wynn: SO THE MOTION AND SECOND DID INCLUDE ALL OF THE -- OF THE -- ADDITIONAL RECOMMENDATIONS MADE AND -- AND NOTED HERE. FURTHER COMMENTS, QUESTIONS, HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE. MOTION PASSES ON A VOTE OF 7-0.

THAT CONCLUDES THE ZONING CASES FOR TODAY. THANK YOU.

Mayor Wynn: THANK YOU, MS. GLASGO. COUNCIL, BEFORE WE POTENTIALLY TAKE UP ITEM 19, RELATED TO OUR MUNICIPAL COURT, I DO WANT TO ACKNOWLEDGE WE HAVE TWO BOY SCOUTS WITH US HERE TODAY. RYAN PARKS AND MICHAEL MASAD FROM BOY SCOUT TROOP 505 IN OAK HILL ARE HERE FOR A CITY COUNCIL MEETING AS PART OF THEIR REQUIREMENTS FOR THEIR CITIZEN MERIT BADGE. PLEASE GIVE THEM A ROUND OF APPLAUSE. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

Mayor Wynn: SO COUNCIL, WITHOUT OBJECTION, WE DO HAVE A NUMBER OF CITIZENS WHO HAVE SIGNED UP. I'M NOT SURE THAT EVERYBODY IS ABLE TO STAY FOR ITEM 19 RELATED TO OUR APPOINTMENT OF MUNICIPAL COURT JUDGES, SO WHY DON'T WE HEAR FROM SOME CITIZENS BEFORE WE BREAK FOR OUR LIVE MUSIC AND

PROCLAMATIONS AND TAKE UP MORE OF THIS EXECUTIVE SESSION. THE FIRST CITIZEN SIGNED UP WISHING TO SPEAK ON ITEM 19 IS DAVID FRANK. WELCOME, SIR. YOU WILL BE FOLLOWED BY DIANA CASS TA ANYWAY DA.

GOOD AFTERNOON. THANK YOU FOR HEARING FROM US. I KNOW THERE ARE A LOT OF PEOPLE WHO CAME TODAY AND WANTED TO SPEAK TO THE COUNCIL ON THIS ISSUE. MY NAME IS DAVID FRANK. I'M THE PRESIDENT OF THE AUSTIN CRIMINAL DEFENSE LAWYERS ASSOCIATION. I'M AN ATTORNEY HERE IN AUSTIN. I PRACTICE IN THE COUNTY COURTS, DISTRICT COURTS AND MUNICIPAL COURTS HERE IN TRAVIS COUNTY. I PERSONALLY KNOW MUNICIPAL COURT JUDGES WHO ARE BEING CONSIDERED FOR REAPPOINTMENT AND I AM SOMEWHAT FAMILIAR WITH THE PROCESS THAT WENT INTO EVALUATING THESE JUDGES. THIS PAST FALL I WAS ASKED TO SERVE ON THE TRAVIS COUNTY BAR ASSOCIATION'S MUNICIPAL COURT EVALUATION COMMITTEE. AND I SENT AN E-MAIL TO ALL OF THE COUNCILMEMBERS AND THE MAYOR TRYING TO CLEAR UP WHAT I THOUGHT MAY HAVE BEEN A MISCONCEPTION ABOUT WHAT THAT COMMITTEE WAS TRYING TO DO. AT NO TIME WAS THE COMMITTEE EVER INFORMED THAT WE WERE EVALUATING POTENTIAL REPLACEMENTS FOR SITTING MUNICIPAL COURT JUDGES. WE WERE ALWAYS UNDER THE I AM PRESSION THAT WHAT WE WERE DOING WAS EVALUATING CANDIDATES FOR VACANCIES ON THE COURT. AND HAD WE KNOWN THAT THEY WERE BEING CONSIDERED TO REPLACE SITTING JUDGES, WE WOULD HAVE USED AN ENTIRELY DIFFERENT SET OF CRITERIA. AND THAT CRITERIA WOULD HAVE EXAMINED WHETHER THE CANDIDATES WHO WERE BEING CONSIDERED HAD ANY JUDICIAL EXPERIENCE, AND NONE OF THEM DID, WITH THE EXCEPTION OF TERRY KEY. AND AT THE POINT WHERE THE COUNCIL WAS GIVEN RECOMMENDATIONS BY THEIR JUDICIAL SUBCOMMITTEE, THE DEFENSE BAR IN PARTICULAR FELT THAT PERHAPS THEIR WISHES WERE NOT BEING ADEQUATELY REFLECTED IN WHATEVER COMMUNICATIONS WERE GOING TO THE FULL COUNCIL. WE HAVE INFORMALLY POLLED OUR MEMBERSHIP, AND THE CONSENSUS IS THAT THE THREE SITTING JUDGES ARE EXPERIENCED, QUALIFIED, THEY SHOW UP, THEY DO THEIR JOBS AND THEY KNOW HOW TO DO THEIR JOBS. I

THINK WHAT IS MISSING FROM THE RECOMMENDATION THAT WENT TO THE COUNCIL IS MAYBE A FULL APPRECIATION OF WHAT THIS JOB ENTAILS. THIS IS NOT THE TYPE OF JOB THAT YOU CAN SIMPLY GET ON AND START DOING WITHOUT HAVING ANY EXPERIENCE. IT TAKES PROBABLY FOUR OR FIVE YEARS BEFORE YOU CAN BEGIN TO DO THIS JOB WELL. ONE ISSUE WHICH I BELIEVE HAD COME UP IS THAT THIS IS THE TYPE OF JOB THAT REQUIRES FRESH BLOOD, NEW BLOOD, NEW PEOPLE, NEW FACES. I JUST WANT TO ADDRESS THAT ONE POINT. IT IS NOT APPROPRIATE FOR YOU TO CONSIDER BRINGING FRESH BLOOD IN TO THE ROLE OF THE MUNICIPAL COURT. THIS IS NOT A CREATIVE ENDEAVOR, THIS IS NOT SOMETHING THAT REQUIRES -- [BUZZER SOUNDS] -- NEW BLOOD TO DO THE JOB WELL. IT REQUIRES EXPERIENCED PEOPLE WHO HAVE THE RIGHT TEMPERAMENT, PROFESSIONAL ATTITUDE AND A DEDICATION THAT THE SITTING JUDGES HAVE ALREADY DEMONSTRATED.

Mayor Wynn: YOUR TIME'S UP, MR. FRANK. THANK YOU VERY MUCH FOR YOUR COMMENTS.

[INAUDIBLE - NO MIC].

Mayor Wynn: WHAT IS YOUR NAME?

[INAUDIBLE - NO MIC].

Mayor Wynn: HAVE YOU SIGNED A CARD? FIRST, MR. FRANK, I DO WANT TO SAY THAT THE CITY OF AUSTIN CHARTER SPECIFICALLY REQUIRES US EACH TWO YEARS TO APPOINT JUDGES, SO IT IS EXACTLY IN OUR PURVIEW AND WE'RE DOING EXACTLY WHAT OUR CHARTER TELLS US TO DO EVERY TWO YEARS APPOINTING A SLATE OF JUDGES. -- A SLATE OF JUDGES. CONTINUE, SIR. YOU HAVE THREE MINUTES.

I DON'T HAVE ANY QUARREL WITH THAT, BUT WE HAVE JUDGES WHO HAVE BEEN SERVING EIGHT, NINE, 10 YEARS WHO GET REAPPOINTED EVERY TWO YEARS, AND I THINK IT SERVES THE CITY WELL, IT SERVES CENTRAL BOOKING WELL, IT SERVES THE JAIL, SHERIFF'S OFFICE, IT SERVES LAW ENFORCEMENT TO HAVE EXPERIENCED PEOPLE DOING

THAT JOB. ONE OTHER MATTER WHICH I WOULD LIKE TO ADDRESS IS THIS THE REVIEW OF THE CANDIDATES FOR THIS POSITION WAS DONE WHOLLY BEHIND CLOSED DOORS. WHEN ASKED, THE COUNCIL SAID THAT THESE ARE SENSITIVE PERSONNEL MATTERS AND THEY DON'T NEED TO BE RELEASED, THE CRITERIA FOR SELECTING NEW JUDGES DOES NOT NEED TO BE RELEASED. AND WE FEEL THAT'S INAPPROPRIATE. THESE ARE PUBLIC SERVANTS SITTING AT THE PLEASURE OF THE CITY COUNCIL, BUT SERVING THE CITY OF AUSTIN AND ITS RESIDENTS. THOSE PEOPLE HAVE A RIGHT TO KNOW HOW THIS COUNCIL IS MAKING ITS DECISION WHEN IT COMES TO REAPPOINTING AND TAKING ON NEW CANDIDATES TO SEVEN ONE OF THE MOST IMPORTANT COURTS IN THIS AREA. MUNICIPAL COURTS DEAL WITH MORE AUSTIN RESIDENTS THAN ANY OTHER COURTS IN THE TRAVIS COUNTY AREA. PEOPLE COME IN FOR LOW LEVEL MISDEMEANORS, TRAFFIC TICKETS, CITY CURFEW VIOLATIONS, CITY ORDINANCE VIOLATIONS AND OTHER MATTERS WHERE THEY BY AND LARGE ARE UNREPRESENTED BY COUNSEL. WE NEED JUDGES WHO KNOW HOW TO HANDLE THESE SITUATIONS, JUDGES WHO ARE EXPERIENCED WITH DEALING WITH STAFF AND LAW ENFORCEMENT. THANK YOU VERY MUCH.

Alvarez: MAYOR, I HAD A QUESTION.

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: MR. FRANK, YOU MENTIONED YOU SERVED ON THE COMMITTEE -- IS THAT THE TRAVIS COUNTY BAR CONVENED OR -- TO EVALUATE THE NEW APPLICANTS?

YES, SIR.

Alvarez: AND SO THESE WERE -- AGAIN, NEW APPLICANTS THAT WOULD BE NEW TO THE COURT, WERE THEY IN A RELIEF CAPACITY OR AS AN ASSOCIATE JUDGE? AND I THINK YOU ARTICULATED WELL, I GUESS, WHATEVER INFORMATION YOU ALL MAY HAVE BEEN GIVEN AT THAT TIME ABOUT WHAT THE CANDIDATES I GUESS WERE CONTEMPLATING OR APPLYING FOR. BUT ALSO THE TRAVIS COUNTY BAR DID A SURVEY ITSELF TO EVALUATE SITTING JUDGES BECAUSE ONE OF THE THINGS WE'RE DOING HERE IS EVALUATING A

NEW POOL OF CANDIDATES, BUT WE'RE ALSO EVALUATING SITTING JUDGES, AND THEN HAVING TO TRY TO COMPARE THE TWO LISTS, SO TO SPEAK. AND SO WHEN IT COMES TO EVALUATING THE SITTING JUDGES AND WHAT ROLE DID THAT COMMITTEE HAVE OR DID YOU HAVE A CHANCE TO DO THE SURVEY THAT THE TRAVIS COUNTY BAR UNDERTOOK? IF YOU COULD SPEAK TO THAT.

YES, SIR. IT IS TRUE THAT THE TRAVIS COUNTY BAR ATTEMPTED TO DO A SURVEY VIA E-MAIL, SENDING QUESTIONNAIRES TO ALL OF THE MEMBERS, ALL OF THE MEMBERS OF THE TRAVIS COUNTY BAR, TO ATTEMPT TO EVALUATE THE QUALIFICATIONS AND COMPETENCY OF SITTING JUDGES. THE FACT IS THAT VERY FEW PEOPLE WERE ABLE TO ACCESS THE SERVICE. MANY MORE OF THOSE PEOPLE WERE NOT PRACTICING CRIMINAL ATTORNEYS. THE ONES WHO WERE ABLE TO ACCESS THE SERVICE I BELIEVE DID RESPOND, BUT I THINK THERE WERE ONLY ABOUT 19 RESPONSES. IT WAS NOT AN ACCURATE REFLECTION OF WHAT THE TOTAL CONSENSUS IS IN TRAVIS COUNTY, AND WE ARE IN FACT ATTEMPTING TO GET A BETTER ESTIMATE FOR THE COUNCIL AND FOR FUTURE SELECTION PROCESSES AND EVALUATIONS.

Alvarez: THANK YOU.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: : AS A MEMBER OF THE COMMITTEE ALONG WITH THE MAYOR AND THE MAYOR PRO TEM, WE HAVE SOUGHT TO BE VERY RESPECTFUL OF THE EMPLOYEE RIGHTS NOT TO HAVE THEIR EMPLOYEE FILES PUT OUT IN PUBLIC. IT IS MY UNDERSTANDING THAT YOU WOULD LIKE FOR THAT TO BE DONE? I DON'T KNOW -- I THINK WE WOULD PROBABLY NEED TO GET GUIDANCE FROM THE ACTUAL THREE EMPLOYEES TO SEE IF THEY'D WANT THEIR EMPLOYEE FILES PUT OUT IN PUBLIC BECAUSE THAT WOULD, OF COURSE, BE WHAT WE CONSIDER IN THE PROCESS. SO I THINK WE'LL HAVE A OPPORTUNITY TO ASK THEM OF THAT, BUT THE DECISION TO MAKE THAT NOT PUBLIC, I WANT TO CLARIFY FOR EVERYONE, IS OUT OF RESPECT FOR THE EMPLOYEES AND THEIR RIGHTS TO PRIVACY, BUT IT MAY COME OUT THAT EITHER WE DON'T HAVE THAT RIGHT OR THAT THEY MAY

WANT US TO RELEASE THE FILES. WE'LL FIND THAT OUT AND LET YOU KNOW.

I THINK MORE IMPORTANTLY AND BY WAY OF CLARIFICATION, WE'RE NOT LOOKING FOR THOSE PERSONNEL MATTERS THAT YOU'RE SPEAKING OF, WE'RE LOOKING FOR FORMAL WRITTEN RECOMMENDATIONS THAT WERE MADE TO THE JUDICIAL SUBCOMMITTEE FOR OR AGAINST A SPECIFIC CANDIDATE FROM ANY PARTICULAR GROUPS. AND TO WHAT EXTENT THE COUNCIL RELIES ON THOSE RECOMMENDATIONS.

Mayor Wynn: THANK YOU, SIR. MS. DIANA CASTANEDA, TO BE FOLLOWED BY TONY DIAZ.

I THINK HE LEFT, AND HE WAS -- I DON'T KNOW. I THINK HE MAY HAVE LEFT A LETTER FOR YOU.

Mayor Wynn: OKAY. IT LOOKS LIKE IT. THANKS.

THANK YOU. COUNCILMEMBERS, MAYOR, MY NAME IS DIANA, VICE-PRESIDENT OF DIVERSITY FOR THE TEXAS NATIONAL ORGANIZATION FOR WOMEN. NOW NOT ONLY IS INVOLVED IN A WOMAN'S RIGHT TO CHOOSE, BUT ALSO A WOMAN'S RIGHT AND RESPONSIBILITY TO WORK AND TO SERVE ALSO AS A PUBLIC SERVANT. SUCH A WOMAN IS OFTEN A TRAIL BLAZER, A ROLE MODEL AND A MENTOR FOR OTHER WOMEN TO ASPIRE TO. JUDGE CASTRO IS SUCH A WOMAN. SHE RELIGIOUSLY MADE HERSELF AVAILABLE AS A RELIEF JUDGE IN THE BEGINNING OF THE YEARS THAT SHE STARTED OUT AS A RELIEF JUDGE. SHE HAS SERVED CONTINUOUSLY FOR MORE THAN 19 YEARS. AS A WOMAN OF COLOR, SHE HAS HAD TO ENDURE PROVING HERSELF AND SETTING A HIGHER STANDARD OF SERVICE. THAT IS WHY SHE'S BEEN APPOINTED OVER AND OVER AGAIN. AS YOU MAY KNOW, MEN AND WOMEN OF COLOR OFTEN -- NO, ALWAYS HAVE TO WORK HARDER AT TRYING TO ACHIEVE THE HIGH STANDARDS THAT THIS COMMUNITY AND MANY ANGLO COMMUNITIES SET. AS A WOMAN OF COLOR, SHE CONTINUES TO SERVE AND SHOULD BE REAPPOINTED AS LONG AS SHE REMAINS COMPETENT, ADHERES TO THE RULE OF LAW, SETS EXPECTATIONS FOR ALL OTHER OFFICERS OF THE COURT. SHE HAS KEPT THE CITY OF AUSTIN OUT OF

LITIGATION FOR VIOLATIONS OF RIGHTS OF INDIVIDUALS. SO I DON'T KNOW WHAT YOU CALL THAT IF NOT COMPETENCE. AND EXPERIENCE. AS A WOMAN OF COLOR MYSELF AND THE VICE-PRESIDENT OF DIVERSITY FOR TEXAS NOW, WE ENDORSE AND SUPPORT ANOTHER TWO-YEAR TERM FOR JUDGE CASTRO. AND I FURTHER WANT TO SAY AS A SEPARATE FROM NOW, BUT AS A WOMAN WHO HAS LIVED IN EAST AUSTIN ALL MY LIFE, A NATIVE, SOMEONE WHO HAS SEEN ALL THE POLITICS IN THIS TOWN AND THE COMINGS AND THE GOINGS OF COUNCIL, I THINK THAT MANY PEOPLE IN TOWN, IN EAST AUSTIN IN PARTICULAR, ARE VERY SFOINT DISAPPOINTED THAT CONSIDERATION IS NOT BEING MADE TO KEEP THE MOST EXPERIENCED MINORITY PEOPLE ON THIS MUNICIPAL COURT. AND I HAVE FRIEND IN WEST AUSTIN THAT ARE VERY, VERY MUCH CONCERNED WITH THE THREE PEOPLE THAT APPEAR TO BE TARGETED. AND JUST AS AN ASIDE, I WANT TO TELL YOU THAT I APPRECIATE THE WORK THAT YOU'RE DOING, BUT SOMETIMES THERE'S A CHANCE TO STEP BACK AND MAYBE LOOK AT SOME ALTERNATIVE WAYS OF DEALING WITH ISSUES THAT DEAL WITH THE RIGHT OF INDIVIDUALS AND IN KEEPING WITH A STRONG POLICY OF MAKING AUSTIN A SAFE CITY. AND NOT BEING WEAK WHEN IT COMES TO MAKING THE HARD DECISIONS REGARDING THE RULE OF LAW. THANK YOU.

Mayor Wynn: THANK YOU. TONY DIAZ WROTE A LITTLE LETTER. I GUESS HE HAD TO LEAVE. NUMBER ONE, THE PROCESS USED TO DETERMINE NOT TO REAPPOINT THE THREE JUDGES MENTIONED EARLIER IS FLAWED IF THE ONLY LATINOS SITTING AS MUNICIPAL COURT JUDGES ARE ELIMINATED FROM REAPPOINTMENT OPPORTUNITIES. TWO, IF NATURAL ATTRITION IS WANTED, REQUIRE ANY MUNICIPAL COURT JUDGE THAT ANNOUNCES FOR A DIFFERENT OFFICE TO RESIGN PRIOR TO ANNOUNCING FOR THE NEW POSITION. WE MADE A CHARTER CHANGE AND THAT INCLUDES THAT. ITEM NO. 3, FOR NATURAL ATTRITION, DO NOT REAPPOINT MUNICIPAL COURT JUDGES WITH MORE THAN 12 YEARS AS MUNICIPAL COURT JUDGE AND START REMOVING JUDGES FROM MOST TIME ON BENCH, INCLUDING PRESIDING JUDGE. MR. JUAN MESA, NOT WISHING TO SPEAK, IS FOR REAPPOINTMENT OF JUDGES CASTRO, SOLOMON AND VASQUEZ. RON ESTRADA, WELCOME, SIR, YOU WILL BE

FOLLOWED BY ALBERT TOW GARCIA.

THANK YOU, MAYOR, COUNCILMEMBERS. I'D FIRST LIKE TO INTRODUCE MYSELF, MY NAME IS RON HE IS STRAD DI, I'M MANAGING PARTNER OF ESTRADA COMMUNICATIONS GROUP. WE ARE A NATIONAL HISPANIC COMMUNICATIONS AGENCY BASED HERE IN AUSTIN AND I WOULD LIKE TO SHARE SOME INFORMATION FIRST WITH THE COUNCIL. THE YEAR 2000 AUSTIN POPULATION OF HISPANICS IS CURRENTLY 30.5%. IN THE SURROUNDING COUNTIES, BASTROP IS AT 24%, CALDWELL 40%, HAYS 29.6%, AND WILLIAMSON COUNTY 17.2%. IN 2010 THE PROJECTED HISPANIC POPULATION IN AUSTIN WILL BE 35%, WITH THE CAUCASIAN POPULATION ESTIMATED AT 45.9%. THE 2003 LANGUAGE ESTIMATES OF THIS HISPANIC POPULATION IS 34% SPANISH DOMINANT. 52% ENGLISH DOMINANT, AND 14% BOTH ENGLISH AND SPANISH. AUSTIN IS CURRENTLY RECOGNIZED AS ONE OF THE NATION'S FASTEST GROWING LATINO HUBS. WITH AN 88% INCREASE IN THE METRO AREA OF AUSTIN, WE TRAIL ONLY DALLAS AND PHOENIX IN THIS CATEGORY. IN THE CENTRAL CITY AREA OF AUSTIN, WE HAVE A 91% INCREASE OF THE HISPANIC POPULATION, AND THIS IS FROM 1990 TO 2000. RANKED ONLY BEHIND PHOENIX, BAKERSFIELD AND DALLAS. WE ALL KNOW THAT MANY OF US CONSIDER EAST AUSTIN THE HUB OF THE HISPANIC COMMUNITY WITH A 70% HISPANIC POPULATION. BUT THERE'S ANOTHER ZIP CODE, 78752 AT 55%. 78721 AT 50%. 78742 AT 60%. 44 AT 65%. AND MANY OTHERS. THOSE ARE JUST THE 50 AND HIGHER. WHAT DOES THIS INFORMATION ALL MEAN? IT'S TO THE ADVANTAGE OF OUR CITY TO MAINTAIN THE PROGRESS AND DEVELOPMENT OF TARGETING THIS HISPANIC POPULATION BY UTILIZING RESOURCES, IN THIS CASE PERSONNEL. THE CITY WOULD BE ABLE TO STAY ABOVE THE CURVE IN DIVERSITY AND CULTURAL ISSUES RELATING IN THE POSITIVE IMAGE WE ALL WANT FOR AUSTIN. QUALIFIED CANDIDATES WITH TIES TO THE COMMUNITY AND ITS LEADERSHIP REMAIN A NECESSITY FOR SMARTSDZ GROWTH. JUST THIS EVENING I SAW THE MAYOR AT THE HISPANIC CHAMBER OF COMMERCE AND COUNCILMEMBER ALVAREZ. IT'S THESE TYPES OF OUTREACH THAT WE NEED IN THE CANDIDATES. AND THE CANDIDATES NEED NOT JUST HAVE THE PROFESSIONAL

BACKGROUND FOR THE JOB RESPONSIBILITIES, BUT THEY NEED THE UNDERSTANDING AND CULTURAL SENSITIVITY TO TRULY BE EFFECTIVE. I'M HERE IN SUPPORT OF JOHN VASQUEZ AND CELIA CASTRO FOR REAPPOINTMENT FOR MUNICIPAL COURT. I HAVE PERSONALLY FOLLOWED THEIR SUPPORT AND COMMITMENT. THANK YOU.

Mayor Wynn: THANK YOU. ALBERTO GARCIA. WHO WILL BE FOLLOWED BY MARTHA COTERA. WELCOME. SIR. YOU WILL HAVE THREE MINUTES.

GOOD AFTERNOON, MAYBE, MEMBERS OF CITY COUNCIL. I COME HERE WITH SEVERAL ROLES, ONE OF THEM BEING A CITIZEN OF SOME COMMUNITY FOR NOW ABOUT 37 YEARS SINCE I CAME TO LAW SCHOOL AND STAYED HERE. I WAS ALSO FORTUNATE TO HAVE BEEN AN ASSOCIATE JUDGE AND A PRESIDING JUDGE, THE FIRST HISPANIC JUDGE IN TRAVIS COUNTY. SINCE THEN IN THE MID '70'S TO NOW THERE HAVEN'T BEEN TOO MANY MORE HISPANIC JUDGES UNFORTUNATELY IN THIS COUNTY. LAST ALSO I COME AS A PRACTICING LAWYER WHO IS DAILY AFFECTED BY THE PEOPLE WHO YOU APPOINT. I THINK IT IS VERY IMPORTANT THAT WE HAVE JUDGES THAT SPEAK SPANISH IN THIS COMMUNITY. AND YOUR ACTIONS RIGHT NOW ARE TELLING THE HISPANIC COMMUNITY THAT YOU WANT TO GET RID OF THE ONLY TWO HISPANICS WHO ARE FLUENT SPANISH SPEAKERS, PEOPLE WHO COMMUNICATE WITH THE PEOPLE THAT COME BEFORE THEM, WHETHER IT BE A TRAFFIC TICKET OR IT BE CHARGED WITH AN AGGRAVATED ASSAULT. THEY'RE ABLE TO COMMUNICATE, THEY'RE ABLE TO EXPLAIN WHAT MAY TO YOU AND I SEEM TO BE A VERY SIMPLE PROCEDURE FOR SOMEBODY WHO MAY BE FROM ANOTHER NATION OR FROM A FIRST TIME IN JAIL OR COMPLICATED AND VERY HARD ISSUES FOR THEM TO UNDERSTAND. THE TWO INDIVIDUALS THAT SPEAK PAN INITIAL THAT YOU ARE NOT WISHING TO REAPPOINT TO ME HAVE BEEN EXEMPLARY JUDGES, THEY'RE VERY FINE ATTORNEYS AND JUDGES, AND I SPEAK ON THEIR BEHALF. THE OTHER ISSUE BECOMES THAT JUDGES, ONE OF THE MAJOR ROLES THAT THEY DO IS BEING MAGISTRATES. THEY ACCEPT COMPLAINTS AND SET BONDS. THE MESSAGE THAT WE'RE HEARING FROM YOU ALL IN THE LEGAL COMMUNITY IS THAT YOU WANT JUDGES TO BE HARD ON LAW. THAT YOU DON'T WANT THEM SOFT ON

CRIME. WHAT THAT MEANS IS THAT YOU'RE GOING TO -- AND WE'RE SEEING IT ALREADY. IS THAT YOU'RE GOING TO HAVE MORE PEOPLE BE IN JAIL, MORE COMPLAINT THAT SHOULD NOT BE ACCEPTED BECAUSE THEY'RE AFRAID THAT THEY'RE GOING TO BE TURNED INTO SOME CRIME. YOU ARE SEEING VERY HIGH BONDS ON SIMPLE CRIMES. THOSE PEOPLE WILL STILL BE GETTING OUT OF JAIL BECAUSE THE FAMILIES ARE GOING TO HOCK EVERYTHING THEY OWN AND GO HIRE A BAIL BONDSMAN. AND ALL YOU HAVE TO DO NOW IS GO TO COUNTY COURT NOW AND SIT THERE IN THE COUNTY COURT LAWS AND SEE INDIVIDUAL AVID GOING UP TO THE JUDGE AND TELLING THEM THAT THEY WANT YOU AND I TO PAY THEIR LAWYER BECAUSE THEY HAVE NO MONEY TO HIRE AN ATTORNEY BECAUSE YOUR JUDGES ARE SETTING SUCH HIGH BOND BECAUSE YOU SCARE THEM BECAUSE YOU HAVE PUT THE LABEL THAT THEY'RE SOFT ON CRIME. I NEVER FELT BEFORE THAT THEY WERE SOFT ON CRIME. I THOUGHT THAT WE LIVED -- I THOUGHT THAT WE HAD A COMMUNITY, A LEGAL COMMUNITY THAT WAS PASSIONATE -- [BUZZER SOUNDS]. AND I GUESS THAT'S MY TIME.

Mayor Wynn: PLEASE CONCLUDE.

I THOUGHT THAT WE HAD A COMMUNITY THAT TOOK CARE OF ITS CITIZENS, THAT WAS RECEPTIVE TO THE LAW ENFORCEMENT NEEDS, TO THE JAIL NEED, TO THE NEEDS OF THE COMMUNITY, AND WE PROTECTED OUR COMMUNITY TO MAKE SURE THAT ALL OF US LIVE IN IT AND WE WANT TO MAKE SURE THAT IT IS A SAFE COMMUNITY. THE INDIVIDUAL THAT YOU'RE ASKING NOT TO REAPPOINT OR SOME OF YOU ARE NOT WANTING TO REAPPOINT TO ME HAVE BEEN NO MORE AND NO LESS SOFT ON CRIME THAN ANY OF THE OTHER JUDGES THAT I DEAL WITH ON A DAILY BASIS DOWN THERE. AND THERE ARE JUDGES THAT MANY TIMES TELL ME NO, I'M NOT GOING TO APPROVE A BOND OR YES, I'M GOING TO ACCEPT A PROBABLE COMPLAINT ON ONE OF MY CLIENT EVEN THOUGH I MAY DISAGREE WITH THEM.

Mayor Wynn: PLEASE CONCLUDE. YOUR TIME IS UP.

THANK YOU VERY MUCH AND WE LOOK FORWARD TO YOUR DECISION.

Mayor Wynn: OKAY. MARTHA COTERA, WHO WILL BE FOLLOWED BY JOHN LIMON.

GOOD AFTERNOON, MAYOR AND CITY COUNCILMEMBERS, MY NAME IS MARTHA COTERA. TODAY I REPRESENT MEXICAN-AMERICAN BUSINESS AND PROFESSIONAL WOMEN'S PRESIDENT'S COUNCIL. AND ALSO WE HAVE LIKE JILLIONSS OF NONPROFITS THAT ARE AFRAID TO PUT THEIR NAME DOWN THAT ARE VERY CONCERNED WITH THIS ISSUE. FIRST OF ALL, WE DO WANT TO THANK MEMBERS OF THE JUDICIARY COMMITTEE FOR THEIR EFFORTS ON DEALING WITH MUNICIPAL COURT APPOINTMENTS, AND OF COURSE, ALSO THE REST OF THE COUNCIL BECAUSE WE REALIZED HAVING BEEN RIGHT THERE ALONG WITH YOU HOW HARD YOU HAVE WORKED AND HOW HARD YOU HAVE TRIED TO COME UP WITH A REASONABLE SOLUTION TO THIS ISSUE. ALONG WITH OUR ORGANIZATION AND OTHERS, WE ARE SUPPORTING THE REAPPOINTMENT OF EXPERIENCED JUDGES CELIA CASTRO, JOHN VASQUEZ AND MITCHELL SOLOMON, THE CURRENT RECOMMENDATIONS OF THE SUBCOMMITTEE WE FEEL WILL RESULT IN A NET LOSS OF SOME HISPANIC JUDGES AND ONE FEMALE JUDGE, AND AS WE MENTIONED BEFORE, EVEN IF YOU SAY OKAY, WELL, WE'RE GOING TO GIVE YOU ANOTHER HISPANIC JUDGE, I KNOW THIS SOUND WEIRD, BUT HISPANICS ARE NOT INTERCHANGEABLE, JUST LIKE, YOU KNOW, ANGLOS ARE NOT INTERCHANGEABLE. THE REASON WE'RE SUPPORTING THESE PEOPLE ISN'T JUST BECAUSE THEY ARE HISPANIC, BUT BECAUSE THEY ARE EXPERIENCED, THEY ARE COMPETENT, YOU KNOW, THEY ARE -- THEY'VE PUT IN THEIR TIME. LAWYERS HAVE ATTESTED ALREADY TO THE COMPLEXITY OF THE TASKS AND THEY DO THEIR WORK WELL. I BELIEVE WE DO NOT SUPPORT -- OUR ORGANIZATION DOES NOT SUPPORT TERM LIMITS BECAUSE WE FEEL THAT NATURAL ATTRITION WILL, YOU KNOW, GET RID OF PEOPLE THAT DON'T LIKE THE JOB OR AREN'T VERY GOOD AT THE JOB, AND THAT THAT IS WHY WE DO HAVE PEOPLE REMAINING ON THE COURT WHO CONSISTENTLY GET GOOD EVALUATIONS. WE BELIEVE OUR CITY ADMINISTRATION CAN ACHIEVE THE MOST COST EFFICIENT ADMINISTRATION ON THE COURTS BY KEEPING THESE EXPERIENCED PUBLIC SERVANTS. BEING AN INTERPRETER ON CALL FOR OVER 30

YEARS AT MUNICIPAL COURT, IN FACT, I STARTED WHEN I WAS 27 YEARS OLD, AS YOU CAN SEE, I'M PRETTY OLD NOW, I CAN -- I HAVE SEEN THE GOOD, THE BAD AND THE UGLY, YOU KNOW, SITTING ON THAT BENCH, AND I CAN ATTEST THAT IN THESE THREE PEOPLE YOU HAVE THE GOOD, THE GOOD AND THE VERY, VERY GOOD. AND SO FOR THIS REASON I THINK I WOULD ENTREAT YOU TO DO THE RIGHT THING IN REAPPOINTING THESE INDIVIDUAL. IN AUSTIN RIGHT NOW I TOTALLY AGREE WITH ALBERTO. WE ARE AT A CRASS ROAD NOT ONLY WITH A.P.D., BUT IN MUNICIPAL COURT. YOU HAVE THE POWER RIGHT NOW TO PROTECT THE INTEGRITY OF OUR MOST IMPORTANT COURT. [BUZZER SOUNDS] AND THE GREAT AND GRAVE ISSUES AT STAKE ARE NOT LOST ON US JUST BECAUSE WE'RE MINORITIES. WE UNDERSTAND FULLY WHAT'S AT STAKE RIGHT HERE FOR OUR CITIZENS. THANK YOU.

Mayor Wynn: THANK YOU. JOHNNIE LIMON, WHO WILL BE FOLLOWED BY ANNE McAFEE. WELCOME, JOHN.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS. THANK YOU VERY MUCH FOR GIVING US THE TIME TO COME HERE AND EXPRESS OUR OPINIONS. AND, YOU KNOW, A COUPLE OF WEEKS AGO I RECEIVED AN "cc" @ W(LcSD) E-MAIL AND IT WAS LETTING MEMO THAT THREE JUDGES HAD BEEN TERMINATED OR WERE GOING TO BE TERMINATED, AND THIS WAS FROM MAY FAMILY MEMBERS. IT WAS LIKE THE VERY FIRST TIME THAT I RECEIVED E-MAILS LIKE THAT, AND THAT WAS JUST THE BEGINNING E-MAIL. AFTER THAT FOR THE NEXT TWO DAYS I RECEIVED SEVERAL OTHER E-MAILS FROM OTHER FAMILY MEMBERS THAT THEY WERE CONCERNED ABOUT WHAT WAS HAPPENING. AND PRETTY MUCH THEY WERE JUST KIND OF WORRIED THAT THEY DIDN'T KNOW WHAT WAS ACTUALLY HAPPENING. AND THEY WERE AFRAID THAT IT WAS GOING TO BE A TREND INTO OTHER THINGS THAT WERE GOING TO BE HAPPENING. BUT THAT BROUGHT ME TO BE HERE TODAY BASICALLY TO VOICE MY OPINION AND ALSO THE OTHER FAMILY MEMBERS THAT TOOK TIME TO E-MAIL ME. AND IN GETTING BACK WITH THEM AND TALKING WITH THEM, THEY REALLY DO SUPPORT THE THREE JUDGES THAT ARE HERE RIGHT NOW BEING TERMINATED. AND ALL WE ASK -- WE KNOW THAT THEY'RE APPOINTED OFFICES, BUT I THINK THAT THE EXPERIENCE,

THE TIME THAT THEY'VE ALREADY BEEN THERE -- YOU KNOW, I KNOW MANY OF MY 'CUZ SINS THAT E-MAILED ME, THEY HAVE GONE THROUGH THAT COURT SYSTEM ALREADY AND THEY FELT THAT THEY HAVE BEEN TREATED, YOU KNOW, WITH RESPECT. AND THEY WERE VERY PLEASED ABOUT THE WAY THEY HAD BEEN TREATED. SO BASICALLY THAT'S WHAT THEY WANTED ME TO COME HERE TODAY AND REPRESENT THEM AND LET YOU KNOW THAT EVEN THOUGH THEY KNOW THAT IT APPOINTED POSITION, THAT THEY HAVE BEEN VERY HAPPY WITH THE SERVICE AND THE REPRESENTATION THAT THEY HAVE GOTTEN THROUGH THIS COURT SYSTEM. BECAUSE MANY TIMES THAT IS THE ONLY TIME THAT THEY CAN ACTUALLY HAVE THEIR SIDES POLLED AND LISTENED TO. SO AGAIN, I AM HERE BASICALLY IN SUPPORT OF THE FAMILY MEMBERS THAT HAVE E-MAILED ME THAT SUPPORT THAT HOPEFULLY THAT Y'ALL WILL RECONSIDER OR LOOK BACK AND LOOK AT WHAT THE COMMUNITY IS SAYING AND HOPEFULLY THAT Y'ALL WILL MAYBE SUPPORT AND REAPPOINT THESE JUDGES INTO THEIR POSITIONS AGAIN. THANK YOU VERY MUCH FOR GIVING ME YOUR TIME.

Mayor Wynn: THANK YOU. ROSALIE CASTANED SIGNED UP IN FAVOR OF THE REAPPOINTMENTS. WELCOME, MA'AM. YOU WILL HAVE THREE MINUTES.

THANK YOU. MAYOR WYNN AND MEMBERS OF THE CITY COUNCIL, I AM ANNE McAFEE, A LIFELONG AUSTIN NIGHT AND ONE WHO CARES DEEPLY ABOUT THE WELFARE OF MY CITY. IT WOULD BE A TRAVESTY IF THESE THREE MUNICIPAL JUDGES WERE REPLACED. A LAWYER FRIEND OF MINE WHO HAS REGULAR DEALINGS WITH THE MUNICIPAL COURTS TELLS ME THAT THE ONLY REASON THAT THESE HEADS ARE ON THE CHOPPING BLOCK IS BECAUSE THEY HAD THE AT THE GUTS TO LOOK BEHIND THE PROBABLE CAUSE AFFIDAVITS TO MAKE SURE THAT THEY UP HOLD THE STANDARDS REQUIRED TO DEPENDENCE JUSTICE AND FAIRNESS AND RESPECT TO THOSE WHO APPEAR BEFORE THEM. IN SHORT, THESE THREE JUDGES ARE GUILTY OF BEING SOFT ON THE BILL OF RIGHTS AND FOR BEING STICKLERS FOR UP HOLDING WHAT THEY LEARNED IN LAW SCHOOL. WE ALREADY HAVE AN ATTORNEY GENERAL IN WASHINGTON WHO IGNORES THE BILL OF RIGHTS. LET'S NOT

ALLOW AUSTIN TO BE GUILTY OF DOING THE SAME THING. I URGE YOU TO VOTE DOWN THIS PROPOSAL. THANK YOU.

Mayor Wynn: THANK YOU, MS. McAFEE. LEON HERNANDEZ NOT WISHING TO SPEAK, IN FAVOR OF REAPPOINTMENT OF JUDGE. SKIP DAVIS. WELCOME, SIR, YOU WILL HAVE THREE MINUTES.

OKAY. MAYOR WYNN, COUNCIL, JUDGE AND ALL THE CITIZENS OUT HERE WHO HAVE SHOWN OH TO CARE ENOUGH TO SPEAK OUT ON AN ISSUE THAT'S OF GRAVE IMPORTANCE TO THE COMMUNITY ON A GRASSROOTS LEVEL WHERE I WOULD SAY THE RUBBER MEET THE ROAD, WHERE THE BRASS TAKZ HIT THE TIRES. I REPRESENT A GROUP CALLED BRUCE DAVIS PROJECT INTERNATIONAL, WHICH IS AN INTERNATIONAL CONSULTANT GROUP AND ALSO REPRESENT THE FEW DEFENSE ATTORNEYS AND OTHER SYSTEMS IN THIS COMMUNITY. THIS IS ONE OF THOSE WEIRD ISSUES THAT COMES UP ON YOU AND YOU NEVER EXPECT THAT YOU WILL HAVE TO ADDRESS IT IN THE FORUM AMONGST THE PEOPLE WHO HAVE SUCH A WIDE AND VARIED VIEW OF HOW OUR MUNICIPALITY JUSTICE SHOULD BE ADMINISTERED. AND I'LL START OFF WITH A QUICK JOKE FOR THE NEXT MINUTE, WHICH IS HOW DO YOU CATCH A UNIQUE RABBIT? WELL, YOU NEEK UP ON IT. AND WE HAVE TO BE CAREFUL HERE THAT WE DON'T GET NEEKED UP ON. AS A DEFENSE ATTORNEY I HAVE A REAL CONCERN ABOUT HOW PROBABLE CAUSE AFFIDAVITS ARE MOVED FORWARD THROUGH THE PROCESS. THESE JUDGES HERE TODAY WHO -- WHOSE JOBS ARE BEING SCRUTINIZED, REPRESENT THE FIRST DOOR INTO THE CRIMINAL JUSTICE SYSTEM. THAT'S THE MOST BASIC FOUNDATIONAL BLOCK ON WHICH OUR -- BLOCK ON WHICH OUR CRIMINAL JUSTICE SYSTEM ARE PREMISED AND WHERE THEY'RE HOUSED. WE HAVE TO HAVE PEOPLE WHO ARE SERIOUS ARBITORS SITTING IN THOSE CHAIRS. WE HAVE TO HAVE LAWYERS WHO ARE LONG IN TOOTH SITTING IN THOSE CHAIRS. WE HAVE TO HAVE PEOPLE WHO APPRECIATE THE CONSTITUTION AS WELL AS APPRECIATE THE SCOURGE THAT CRIME BRINGS UPON OUR CITIZENRY. I'M PARTICULARLY DISAPPOINTED OR AT LEAST CONCERNED WITH THE FACT THAT THE COUNCIL RELIED ON THE TRAVIS COUNTY BAR ASSOCIATION'S POLLING DEVICE, WHICH WAS A DISMAL AND MISERABLE FAILURE. AS A

PERSONAL ASIDE, IT TOOK ME THREE OR FOUR ATTEMPTS OVER FOUR OR FIVE DAYS TO GET REGISTERED TO MAKE A VOTE, AND THEN THE VOTE DIDN'T REGISTER I FOUND OUT LATER. THAT TCBA POLL DO NOT WORK, DO NOT RELY ON IT. IF YOU WANT A POLL, SEND IT BACK OUT AND WE'LL GET YOU ANOTHER POLL. TCBA DOES DOES NOT REPRESENT THE DEFENSE ATTORNEYS WHO ARE THE ULTIMATE CONSUMERS AT THIS LEVEL OF COMMERCE, IF YOU WILL. HISTORICALLY AND TRADITION ALLY THEY'VE ALWAYS REPRESENTED THE BAR, HOWEVER THERE IS ONLY ABOUT A HANDFUL OF DEFENSE ATTORNEYS BE CONSUMERS HERE ARE ACTUALLY ARE PARTICIPANTS IN THE TRAVIS COUNTY CRIMINAL BAR SECTION. THEY'RE JUST NOT THERE BECAUSE THEY DON'T FEEL THAT THEY'RE GETTING THE REPRESENTATION FROM THE TRAVIS COUNTY BAR. SO IF YOU WANT THE REPRESENTATION -- IF YOU WANT THE VOTE OF THE PEOPLE -- [BUZZER SOUNDS]. I'M SORRY. I'LL WIND UP. IF YOU WANT THE VOTE OF THE PEOPLE WHO ACTUALLY ARE THE CONSUMERS HERE, I THINK YOU NEED TO GO TO ACDLA AND MR. DAVID FRANK SPOKE. LAST THING I'LL SAY IS IF THERE'S AN APPEARANCE OF I I AM PROPRIETY, THEN THAT BOTHERS MY BUSINESS AND MY ABILITY TO BRING BUSINESSw3 TOc AUSTIN. I JUST"h <j-,LD&@;.D8OpB-X)! 12-MILLION-DOLLA B PROJECT GET SCUTTLED FOR THE BAD PRESS THAT WE'VE HAD IN THE RECENT PAST. I CERTAINLY DON'T WANT TO HAVE ANY FURTHER DISAPPOINTMENTS ALONG THOSE LINES NOT ONLY BECAUSE IT AFFECT MY POCKETBOOK DIRECTLY, BUT IT AFFECTS MY ABILITY TO PAY YOUR TAXES AND BRING JOBS TO AUSTIN. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

Mayor Wynn: PERFECT TIMING. THAT'S ALL THE PEOPLE WHO HAVE SIGNED UP FOR ISSUE NUMBER 19. WE WILL NOW BREAK FOR THE TIME CERTAIN LIVE MUSIC AND PROCLAMATIONS. I'LL TELL THE FOLKS WHO HAVE BEEN SO PATIENT ALL AFTERNOON ON THIS ISSUE, WE'LL PROBABLY TAKE HALF AN HOUR TO DO OUR LIVE MUSIC AND OUR PROCLAMATIONS WHILE THE COUNCIL IS GOING IN AND OUT OF EXECUTIVE SESSION HAVING DINNER, AND I THINK IF THE COUNCIL WILL WANT TO DISCUSS A LITTLE BIT MORE THE RECOMMENDATION IN EXECUTIVE SESSION, SO I APOLOGIZE, BUT IT MIGHT BE QUITE AWHILE LONGER

BEFORE WE'RE OUT HERE DISCUSSING THIS AGAIN. BUT
THANK YOU FOR YOUR COMMENTS. MA'AM?

[INAUDIBLE - NO MIC].

Mayor Wynn: YES, MA'AM. BUT IT'S HARD TO TELL. BUT THANK
YOU FOR YOUR PATIENCE. IN FACT, I PROBABLY SHOULD
ANNOUNCE NOW THAT AT SOME POINT OVER THE NEXT
HALF HOUR AS WE LEAVE THE DIAS WE WILL BE IN
EXECUTIVE SESSION UNDER SECTION 551.074 OF THE OPEN
MEETINGS ACT TO DISCUSS PERSONNEL ISSUES RELATED
TO ITEM 19, THE APPOINTMENT OF MUNICIPAL COURT
JUDGES. THANK YOU. [ONE MOMENT, PLEASE, FOR CHANGE
IN CAPTIONERS] TEST TEST TEST NOW FOR OUR WEEKLY
DOSE OF LIVE MUSIC. GOING US IS COLIN GILMORE, BASED
ON A VARIETY OF INFLUENCES AND STYLES, HIS LATEST CD
IS TITLED THE DAY THE WORLD STOPPED AND SPUN THE
OTHER OTHER WAY. WITH GREAT PLEASURE I INTRODUCED
THE TALENTED COLIN GILMORE. (music)(music) (music) LAST
NIGHT I LEARNED A RUMOR YOU HAD RETURNED FROM THE
COUNTY ROAD TO 105 AND SO YOU LONG AGO (music)(music)
(music) THEY SAID, YOU'D BEEN TO HELL AND BACK AGAIN,
SO I WAITED BY THE WILLOW TREE AND WONDERED IF YOU'D
SHOW. (music)(music) (music) WELL, I SAW YOUR EYES, IT
TOOK ME BY SURPRISE, WHEN YOU PRESSED YOUR LIPS
AGAINST MY OWN, YET TOOK MY BREATH AWAY (music)
(music) I LAUGHED, I CRIED, I DIED AND WENT TO HEAVEN.
(music) I WAS BROUGHT BACK BY AN ANGEL SINGING THAT
WILL BE THE DAY. (music) LOVE FOREVERMORE COME BACK
TO ME TONIGHT. (music) STAY WITH ME AND SEE THE
DARKNESS TURN TO LIGHT. (music) TAKE ME DOWN AND
HOLD ME TIGHT. (music) OUR DREAM, IT SEEMS, HAVE
COME RIGHT INTO BEING (music) IF YOU SEE IT, WHAT I'M
SEEING, LET THE BAND PLAY US A SONG (music) 2105 HAS
BROUGHT US BACK TOGETHER, IF WE THOUGHT WE'D WAIT
FOREVER LET THE MUSIC PROVE US WRONG. (music)(music)
(music) WELL, MY HEAD IS IN YOUR BED BUT MY HEART IS
STILL IN THE MIDDLE, WHERE I FIRST LAID IN YOUR SHADOW,
WHERE I NEIL BEFORE YOU NOW. (music) THE BRIGHT CITY
LIGHTS HAVE LEFT YOU SAD AND LONELY, BUT IF YOU'LL BE
MY ONE AND ONLY LET THE MUSIC SHOW YOU HOW.
(GUITAR) (music)(music) (music) WELL THE FLOWER IS IN
BLOOM, SOME DAY IT WILL BE ROTTEN, ALL ABANDONED

AND FORGOTTEN UNDERNEATH THE WILLOW TREE. (music)
THIS TIME AROUND I'LL SWEEP YOU OFF THE GROUND, I WILL
NEVER LET YOU DOWN UNTIL MY ANGEL CATCHES ME.
(music) WELL, SMILE AND FACES MAKE THE RAINFALL FROM
THE SKY. (music) LADY LOVE HAS SMILED UPON BOTH YOU
AND I. (music) KISS YOUR COUNTY ROAD GOODBYE. (music)
STAY WITH ME UNTIL I DIE. (music) OUR DREAMS, IT SEEMS,
HAVE COME RIGHT INTO BEING, IF YOU ARE SEEING WHAT I'M
SEEING, LET THE BAND PLAY US A SONG. (music) 2105 HAS
BROUGHT US BACK TOGETHER, IF WE THOUGHT WE WOULD
WAIT FOREVER LET THE MUSIC PROVE US WRONG. (music)
LET THE MUSIC PROVE US WRONG (music) LET THE MUSIC
PROVE US WRONG. [APPLAUSE]

Mayor Wynn: WHERE DOES ONE BUY THE CD.

CD'S AT WATERLOO AND OTHER STORES IN AUSTIN. AT MY
WEBSITE, COLIN GILMORE.COM. MOST OFTEN MISSPELLED
NAME. BUT -- AND THE NEXT SONG IS AT THE THE SAXSON
PUB AT TUESDAY NEXT MONTH, THREADGILLS SOUTH THE 19
OF THIS MONTH, THURSDAY.

Mayor Wynn: GREAT, BEFORE YOU GET AWAY, WE HAVE A
PROCLAMATION THAT READS BE IT KNOWN WHEREAS THE
LOCAL 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,
THEREFORE I WILL WYNN DO HERE BY PROCLAIM TODAY,
FEBRUARY 5th, 2004 AS COLIN GILMORE DAY IN AUSTIN AND
CONGRATULATE ANOTHER FINE TALENT IN THIS TOWN.

THANK YOU. [APPLAUSE]

Mayor Wynn: NEXT WE HAVE A COUPLE OF JOINT
PROCLAMATIONS, BOTH RELATED TO NATIONAL BLACK
FAMILY TECHNOLOGY AWARENESS DAY AND WEEK AND WE
WILL START WITH WEEK, TAKE THIS BACKWARDS AND
JOINING ME IS SANDY DOUGH COMMENT WITH I.B.M. DOCENT
WITH I.B.M. THE PROCLAMATION READS, PROBABLY VERY
SIMILAR. BE IT -- ALSO LEROY JONES, HOW ARE YOU?

FINE.

PROCLAMATION READS BE IT KNOWN WHEREAS TECHNOLOGY PLAYS AN INCREASINGLY IMPORTANT ROLE IN THE SUCCESS OF INDIVIDUALS IN THEIR EDUCATION, THEIR JOBS AND THEIR EVERYDAY LIVES AND WHEREAS I.B.M., AUSTIN ALPHA FOUNDATION, AUSTIN AREA URBAN LEAGUE AND AUSTIN FREE NET ARE PARTNERING TO HIGHLIGHT TECHNOLOGY ACCESS AND AWARENESS IN THE LIVES OF OUR AFRICAN AMERICAN CITIZENS. IN PARTICULAR AND WHEREAS WE ENCOURAGE BLACK FAMILIES TO TAKE ADVANTAGE OF THE WORKSHOP, FIELD TRIP, PRESENTATIONS AND OTHER LEARNING OPPORTUNITIES THIS WEEK. THEREFORE I WILL WYNN MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY CONGRATULATE I.B.M. FOR ITS LEADERSHIP AND DO PROCLAIM FEBRUARY 15th THROUGH 21st 2004 AS NATIONAL BLACK FAMILY TECHNOLOGY AWARENESS WEEK IN AUSTIN. I WOULD LIKE TO CONGRATULATE AND ASK AND ASK MR. SANDY DOUGH CHEN OF I.B.M. TO SAY A FEW WORDS. DOCHEN. [APPLAUSE]

WELL, THANK YOU, MAYOR. I.B.M. IS HOLDING EVENT OF THIS SORT ALL OVER THE CUP, NOT JUST IN AUSTIN. BUT WE SEE THE NEED TO BRIDGE THE DIGITAL DIVIDE AS A HUGE NEED FOR ALL OF THE SOCIETY OF THE WE ARE FOCUSING ON THE BLACK COMMUNITY EVERY FEBRUARY, TIDE IN, OF COURSE, TO BLACK HISTORY MAKE. AS THE MAYOR READ IN THE PROCLAMATION, WE WILL HAVE SEVERAL ORGANIZATIONS, ALPHA FOUNDATION, FREE NET, ALL WORKING TOGETHER ON SEVERAL EVENTS, SEVERAL TRAINING CLASSES, TO DO OUTREACH AND SHOW PEOPLE THAT, YOU KNOW, WITH SOME TECHNOLOGY KNOWLEDGE YOU, TOO, CAN SUCCEED, YOU, TOO, CAN CONNECT AND REALLY UNDERSTAND THE WORLD THAT WE ARE LIVING IN, BE BETTER PREPARED FROM A TRAINING, JUST GETTING ALONG IN SOCIETY POINT OF VIEW. WE ARE DELIGHTED AT I.B.M. TO BE A PART OF THIS AS WE HAVE FOR SEVERAL YEARS HERE IN AUSTIN. APPRECIATE THE CITY'S SUPPORT IN ALL OF THESE PARTNERS, THANK YOU, MAYOR. [APPLAUSE]

AND IN SIMILAR FASHION, WE WILL PROCLAIM FEBRUARY

15th 2004 WILL BE AUSTIN BLACK FAMILY TECHNOLOGY DAY, I WILL ASK LEROY JONES TO SAY A FEW WORDS ABOUT THAT, WELCOME, CONGRATULATIONS.

THANK YOU. [APPLAUSE]

FIRST GIVING HONOR TO GOD AND MY LORD SAVIOR JESUS CHRIST, ON BEHALF OF MY FELLOW BOARD MEMBERS, WE WOULD LIKE TO THANK THE MAYOR AND THE CITY COUNCIL FOR THIS OUTSTANDING HONOR AND PROCLAMATION. WE WOULD ALSO LIKE TO ACKNOWLEDGE ALL OF THE OTHER HELPFUL PEOPLE WHO HELP US PUT THIS PROGRAM OVER YEAR, INCLUDING OUR EVENT COORDINATORS, MS. HELENA FRASIER AND MY WIFE HARRIETT JONES AND ALSO DOZENS OF VOLUNTEERS THAT JOHNNY US EVERY YEAR FROM DELL COMMUTER CORPORATION TO HOST THE INTERNET CAFE. WE FEEL THAT IF WE CAN MAKE A DIFFERENCE IN THE LIFE OF ONE CHILD, THEN OUR EFFORTS HAVE BEEN -- HAVE NOT BEEN IN VAIN. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: YOU CAN DO THE TALKING FOR ME. OKAY. AS SANDY MENTIONED EARLIER, ON FEBRUARY, OF COURSE, IS BLACK HISTORY MONTH ACROSS THIS GREAT COUNTRY. THIS -- OUR SPECIFIC PROCLAMATION HERE IN AUSTIN READS: BE IT KNOWN WHEREAS AUSTIN'S 8th ANNUAL BLACK HISTORY MONTH OBSERVES -- OBSERVANCES HONOR AUSTIN'S WRITERS AND HISTORIANS THIS YEAR, JAY MOIST SON BREWER AND AID DID A SIMON, I'M JOINED BY MR. SIMON, WHEREAS THE UNVEIL OF THE BLACK AUTHOR'S BANNERS TO LINE CONGRESS AVENUE WILL BE HELD FEBRUARY 13th AT 11:00 A.M. AT THE L.B.J. LIBRARY, EMCEED BY TRAVIS COUNTY JUDGE SAM BISCOE AND FEATURING A PERFORMANCE BY THE HUSTON TILLOTSON CHOIR, WHEREAS WE ARE PLEASED TO RECOGNIZE THE AUSTIN CONVENTION AND VISITORS BUREAU, DOWNTOWN AUSTIN ALLIANCE, THE GEORGE WASHINGTON CARVER MUSEUM, THE HERITAGE SOCIETY OF AUSTIN, THE HISTORIC LANDMARKS COMMISSION AND THE L.B.J. LIBRARY AND MUSEUM FOR COORDINATING THESE SPECIAL EFFORTS. THEREFORE, I WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM FEBRUARY 2004 AS BLACK HISTORY MONTH IN AUSTIN IN RECOGNIZING THIS -- THIS YEAR IN PARTICULAR WE ARE -- WE ARE HONORING AND

ACKNOWLEDGING THESE WRITERS AND HISTORIANS, I
WOULD BE VERY HONORED TO HAVE MR. SIMON SAY A FEW
WORDS. [APPLAUSE]

I JUST WANTED TO THANK YOU AND THANK THE CITY OF
AUSTIN AND ALL OF THOSE WHO PARTICIPATE IN THIS
PROCLAMATION AND THESE TWO WRITERS, SPECIALLY MY
WIFE AND THE DOCTOR. MY FAMILY AND I WOULD LIKE TO
THANK YOU VERY, VERY MUCH FOR THE RECOGNITION OF
OUR FAMILY AND THANK YOU FOR THE CITY OF AUSTIN,
AGAIN, THANK YOU AND THANK YOU, MAYOR. [APPLAUSE]
OUR LAST PROCLAMATION IS REGARDING ST. DAVID'S
ANNUAL TOAST OF THE TOWN SERIES, A SPECTACULAR
SERIES OF EVENTS AND A GREAT FUNDRAISER FOR A GREAT
COMMUNITY PARTNER HERE IN AUSTIN. THE PROCLAMATION
READS -- BE IT KNOWN THAT WHEREAS TOAST OF THE TOWN
IS A SERIES OF PARTIES HELD EACH YEAR TO BENEFIT THE
ST. DAVID'S FOUNDATION AND ITS MISSION TO INCREASE
ACCESS TO HEALTH CARE AND TO ELIMINATE ADVERSE
CONDITIONS THAT LEAD TO HEALTH PROBLEMS FOR
CENTRAL TEXANS. WHEREAS OVER THE PAST 19 YEARS TOE
OF THE TOWN HAS RAISED MORE THAN -- TOAST OF THE
TOWN HAS RAISED MORE THAN TWO MILLION AND GIVEN
GRNTS TO LOCAL HEALTH ORGANIZATIONS TO BENEFIT THE
CITIZENS OF OUR AREA. WHEREAS WE RECOGNIZE THE
EVENT'S SUPPORTERS AND EXTEND OUR BEST WISHES
THAT THIS 20th ANNIVERSARY SEASON, STARTING WITH THE
PRELUDES AND ACCOLADES PARTY WILL BE THE
FOUNDATION'S MOST SUCCESSFUL YET. THEREFORE I, WILL
WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE
BYPROCLAIM FEBRUARY 19th, 2004 AS TOAST OF THE TOWN
DAY IN AUSTIN AND CALL ON LUKE TO PLEASE SAY A FEW
WORDS ABOUT THE EVENTS, THE SERIES, THE SUCCESS,
ALL OF THE BENEFIT THAT'S ACCRUE FROM IT. [APPLAUSE]

THANK YOU, MR. MAYOR, WE APPRECIATE THE
RECOGNITION. I'M HERE ON BEHALF OF THE MANY
HUNDREDS OF VOLUNTEERS OVER THE LAST 20 YEARS NOW
THAT HAVE PUT THIS EVENT ON. I'M REPRESENTING THEM.
THANK YOU FOR FOR THIS SUPPORT. THIS EVENT HAS
RAISED ACTUALLY A LITTLE OVER \$4 MILLION DURING ITS
TIME TO IMPROVE THE HEALTH OF OUR CITIZENS IN THE
COMMUNITY. AND AS I KNOW THAT YOU KNOW, MR. MAYOR,

THE ST. DAVID'S FOUNDATION, SINCE 1996, HAS BECOME A COMMUNITY HEALTH CARE FOUNDATION. WE ACTUALLY MAKE GRANTS TO THE COMMUNITY TO AREA ORGANIZATIONS IN OUR COMMUNITY THAT ARE SEEKING TO IMPROVE ACCESS TO HEALTH CARE AND WE HAVE GRANTED OVER \$12 MILLION SINCE 1996 FOR THAT END. THIS EVENT IS A VERY IMPORTANT PART OF THAT EFFORT, NOT ONLY BECAUSE IT RAISES MONEY, BUT IT INCREASES AWARENESS AND EDUCATION ABOUT THIS ISSUE. THE EVENT STARTS ON THE 19th AS THE PROCLAMATION SAYS. IT STARTS IN EARNEST ACTUALLY ON APRIL THE 15th 15th, WHICH IS A DAY I KNOW WE ALL WOULD LIKE TO GET OUT AND PARTY, RUNS THROUGH MAY THE 8th. A SERIES OF 20 PARTIES, DIFFERENT VENUES THROUGHOUT TOWN, BEAUTIFUL HOME, WONDERFUL CELEBRITY GUESTS AND ENTERTAINERS. WE MIGHT GET MR. GILMORE TO PLAY FOR US AT ONE OF THE PARTIES. GO TO OUR WEBSITE AT www.st.David'sfoundation.org. THANK YOU VERY MUCH. .

Mayor Wynn: WE HAVE A QUORUM PRESENT. I WILL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, WE WILL NOW TAKE UP OUR 6:00 TIME CERTAINS, WHICH PUBLIC HEARINGS AND POSSIBLE ACTION, ITEM NO. 26. SO WELCOME, MR. BEN LUKENS.

THANK YOU, SIR, THIS IS THE FIRST OF TWO PUBLIC HEARINGS. THIS IS BY THE NORTHTOWN TRIANGLE. IT'S APPROXIMATELY A 10th OF AN ACRE IN TRAVIS COUNTY NORTH OF HOWARD LANE, THAT'S HOWARD LANE. HALF MILE EAST OF THE INTERSECTION OF I-35 AND HOWARD LANE. AND MOST ACTUALLY A LOT OF THIS IS TAKEN UP BY DRIVEWAY. THIS IS A LITTLE PIECE THAT DUE TO A MAPPING ERROR WE DID NOT ANNEX LAST YEAR WHEN WE ANNEXED THE BALANCE OF THE PARKWAY PROJECT. SO THIS IS A FIRST OF TWO PUBLIC HEARINGS, THE SECOND HEARING WILL BE FEBRUARY 12th. AND THE ORDINANCE READING IS SCHEDULED FOR MARCH THE 4th. WE WILL BE SERVICED BY THE COPY OF THE SERVICE PLAN I PUT OUTLINE ON THE TABLE. ESSENTIALLY WE WILL BE TAKING OVER FOR THE COUNTY FOR THE SERVICES THEY PROVIDE AND WE WILL BE PROVIDABLE ADDITIONAL ENHANCED SERVICES OTHERWISE NOT AVAILABLE IN THE COUNTY. OF COURSE WE WILL PROVIDE THE SAME SERVICE WE PROVIDE TO SIMILARLY

SITUATED AREAS, IMMEDIATELY ADJACENT TO THIS TRACT.
THAT CONCLUDES MY PRESENTATION ON THE NORTHTOWN
TRIANGLE.

IF I QUESTIONS OF STAFF? COMMENTS IF NOT I WILL TENANT
AGE A MOTION TO CLOSE THE PUBLIC HEARING. MOTION
MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY THE
MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING. ALL
THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MOTION MONTHS 4-0 WITH -- MOTION PASSES ON A VOTE OF
4-0 WITH COUNCILMEMBER SLUSHER, MCCrackEN AND
THOMAS OFF THE DAIS.

YES, SIR. NEXT HEARING IS FOR THE PROSSER ESTATE, THIS
IS ABOUT 20 AND A HALF ACRES RIGHT HERE ON BRAD SHAW
ROAD. RIGHT UP IN THERE. IT'S ABOUT 3/10thS OF A MILE OF
THE INTERSECTION OF RIVER PLANTATION DRIVE AND
BRADSHAW ROAD. IT'S BETWEEN THE ZT SHAW TRACT OVER
HERE AND THE ONION CREEK DEVELOPMENT ANNEXED LAST
YEAR. WE ANNEXED THE ZT SCOTT TRACT, THIS PROSSER
PROPERTY WILL BE TOTALLY SURROUNDED BY THE FULL
PURPOSE CITY LIMITS, THAT'S THE SITUATION THAT WE
GENERALLY LIKE TO AVOID. SO WE ARE RECOMMENDING IT
BE ANNEXED NOW ALONG WITH THE ZT SCOTT PROPERTY.
AT THIS TIME THE TRACT IS VACANT. FOR DEVELOPMENT
APPLICATIONS HAVE BEEN FILED WITH THE CITY.
ESSENTIALLY IN THE CASE OF THIS PROJECT, WE WILL BE --
THIS PROPERTY WILL BE PROVIDING -- TAKING OVER FROM
THE COUNTY FOR THE SERVICES THEY PROVIDE AS WELL AS
PROVIDING ADDITIONAL AND ENHANCED SERVICES NOT
AVAILABLE FROM THE COUNTY AND PROVIDING SERVICES
COMPARABLE TO WHAT WE PROVIDE IN SIMILARLY SITUATED
PARTS OF THE CITY. AGAIN AS I SAID, THE SECOND HEARING
WILL BE FEBRUARY 12th, ORDINANCE READING IS
SCHEDULED FOR MARCH THE 4th. THAT CONCLUDES THIS
PROSSER ESTATE HEARING OR RATHER PRESENTATION.

Mayor Wynn: THANK YOU, MR. LUKENS, WE HAVE TWO
CITIZENS SIGNED CARDS. MR. JOHN MCNABB SIGNED
WISHING TO SPEAK ONLY IF COUNCIL HAS QUESTIONS IN

FAVOR OF THIS HEARING. AND MR. BRYAN BELL SIGNED UP NOT WISHING TO SPEAK, ALSO IN FAVOR. REPRESENTING THE ONION CREEK HOMEOWNERS ASSOCIATION. QUESTIONS OR COMMENTS? QUESTIONS OF STAFF, IF NOT I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING ON ITEM NO. 27. MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER ALVAREZ. FURTHER DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THE NEXT PRESENTATION, NEXT HEARING IS ON ZT SCOTT TRACT. THIS IS ABOUT 270 ACRES THAT EXTENDS ALONG BOTH SIDES OF BRAD SHAW ROAD. IT'S APPROXIMATELY A MILE -- A 10th OF A MILE SOUTH OF THE INTERSECTION OF BRADSHAW AND OLD LOCKHART HIGHWAY. THE OWNERS REQUESTED ANNEXATION TO THE SCR PROCESS. THE COUNCIL HAS ALREADY APPROVED A REIMBURSEMENT CONTRACT WITH THE DEVELOPER OF THE PROPERTY. AT THIS TIME THE TRACT IS VACANT AND NO [INDISCERNIBLE] HAVE BEEN FILED WITH THE CITY. AS IN THE OTHER CASES WE WILL BE TAKING OVER FROM THE COUNTY FOR THE SERVICES THEY PROVIDE AS WELL AS PROVIDING ADDITIONAL ENHANCED SERVICES NOT AVAILABLE TO THE COUNTY AND PROVIDING THE SAME LEVEL OF SERVICE THAT WE PROVIDE TO SIMILARLY SITUATED AREAS IN THE BALANCE OF THE CITY. THIS IS THE FIRST OF TWO PUBLIC HEARINGS, SECOND HEARING FEBRUARY 12th, ORDINANCE READING SCHEDULED FOR MARCH THE 4th. THAT CONCLUDES MY PRESENTATION ON ZT SCOTT. QUESTIONS OF MR. LUKENS, MR. MCNABB AND BELL SIGNED CARDS FOR 27 AND 28, BOTH NOT WISHING TO SPEAK IN FAVOR OF. HEARING NO QUESTION, I WILL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER DUNKERLY. FURTHER DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THANK YOU VERY MUCH,.

THANK YOU, MR. LUKENS.

Mayor Wynn: WE WILL NOW TAKE UP ITEM NO. 29 A PUBLIC HEARING RELATED TO SIGN ORDINANCES.

HI, MY NAMES IS DONNA SORKIN WITH WATERSHED DEVELOPMENT REVIEW. THIS PROPOSED AMENDMENT TO THE SIGN ORDINANCE WILL REGULATE ELECTRIC ALLY CONTROLLED -- ELECTRONICALLY ... IT PROHIBITS CHANGING TECHNOLOGIES: THIS WOULD PROHIBIT TRIMESSAGE, VIDEO MESSAGE AS WELL AS ANY TECHNOLOGICAL ADVANCEMENTS TO EXISTING BILLBOARDS. IN ORDER TO PROMOTE THE REDUCTION IN STRUCTURE SIZE, NOT ONLY ADVERTISING SIZE, THE AMENDMENT INCLUDES SIGN APRONS AND SIMILAR FEATURES IN CALCULATING THE SIGN AREA. THIS WILL HELP CLARIFY AND ENFORCE THE OBJECTIVES OF PREVIOUS SIGN ORDINANCE AMENDMENTS, ESPECIALLY THOSE CONCERNING REPLACEMENTS AND REDUCTIONS.

Mayor Wynn: QUESTIONS OF STAFF?

Slusher: I HAVE A QUESTION AFTER THIS ACTION. I WANT TO ASK FOR SOMETHING ELSE.

Mayor Wynn: COUNCILMEMBER MCCRACKEN? QUESTION?

McCracken: : YEAH, I THINK THAT WE HAD A SUGGESTION OF A POTENTIAL AMENDMENT FROM COUNCILMEMBER DUNKERLY BUT I WAS GETTING A SENSE OF WHAT -- WHETHER WE WOULD BRING THAT UP TONIGHT OR NOT. AND --

COUNCILMEMBER, I TALKED WITH COUNCILMEMBER DUNKERLY ABOUT THE PROPOSED AMENDMENT. AND WHAT WE ARE REQUESTING IS THAT WE GO ON AHEAD AND PASS

THIS AMENDMENT -- THIS ORDINANCE TONIGHT AND THAT WE ARE -- WE ARE SUGGESTING THAT THESE ADDITIONAL AMENDMENTS, THEY ARE NOT REALLY GERMANE TO THE ORDINANCE THAT YOU HAVE IN FRONT OF YOU. THESE ADDRESS GETTING RID OF NON-CONFORMING SIGNS. AS OPPOSED TO -- TO WHAT THE SIGN LOOKS LIKE. AS A RESULT OF THAT I RECOMMENDED TO COUNCILMEMBER DUNKERLY THAT SHE SUGGEST TO COUNCIL THAT WE INITIATE THOSE AMENDMENTS, THAT COUNCIL INITIATE THOSE AMENDMENTS AND THEY GO BACK TO THE PLANNING COMMISSION FOR ITS CONSIDERATION AND GO THROUGH THE PROCESS.

Dunkerly: IF I COULD, COULD I PERHAPS DISCUSS THIS RIGHT AFTER WE CONSIDER THIS ACTION?

Mayor Wynn: SURE. WELL, WE MIGHT WANT TO DO IT BEFORE WE TAKE ACTION WHILE IT'S STILL ON THE AGENDA.

Dunkerly: LET'S DO THAT THEN. I WOULD LIKE TO HAVE THE COUNCIL SUPPORT TO INITIATE ANOTHER AMENDMENT TO THIS SAME CHAPTER. I THINK WHAT OUR CURRENT ORDINANCE DOES, IT REALLY PROHIBITS AND DISCOURAGES THE MOVEMENT OF BILLBOARDS FROM ONE LOCATION TO ANOTHER. AND OUR CITY THAT GROWN IN SUCH A WAY THAT WE HAVE AREAS WHERE WE NOW HAVE BILLBOARDS WHERE THEY REALLY ARE INAPPROPRIATE. THEY MAY BE IN REDEVELOPMENT AREAS. THEY MAY BE IN THE URBAN RENEWAL AREAS OR ALONG RESIDENTIAL STREETS. SO I WANT TO -- TO READ SOMETHING AS TO THE CONCEPT THAT I'M TRYING TO GET ACROSS. I WOULD LIKE FOR STAFF TO HELP PUT THIS IN AN ORDINANCE FORM AND HELP BRING IT BACK FOR OUR CONSIDERATION. IN ORDER TO MANAGE THE URBAN LANDSCAPE AND ENCOURAGE RESIDENTIAL AND MIXED USE DEVELOPMENT, A NON-CONFORMING SIGN LOCATED IN THE DESIRED DEVELOPMENT ZONE MAY BE RELOCATED WITHOUT PENALTY TO ATTRACT -- TO A TRACT THAT IS ESPECIALLY ZONED, NOT IN AN URBAN RENEWAL OR REDEVELOPMENT AREA DESIGNATED BY COUNCIL, NOT ABUTTING RESIDENTIAL OR MIXED USE DEVELOPMENT, NOT WITHIN 500 FEET OF HISTORIC STRUCTURES OR DISTRICT AND NOT IN A SCENIC CORRIDOR. SO THE IDEA IS WE HAVE GOT THEM IN A PLACE WE REALLY WOULD LIKE TO SEE

THEM MOVED, IF THEY CAN FIND SUCH A LOCATION WITH THESE RESTRICTIONS TO HAVE THEM BE ABLE TO MOVE IT THERE WITHOUT A PENALTY. NOT ANY TALLER, NOT ANY BIGGER, BUT JUST MOVE IT SO THAT THAT AREA CAN -- CAN UNION CONTINUE TO RE-- CAN, YOU KNOW, CONTINUE TO REDEVELOP IN A WAY THAT THE CITY HAS GROWN NOW. THAT'S MY PURPOSE. IF YOU ALL COULD -- WOULD CONSIDER THAT AND BRING IT BACK, NEXT WEEK OR WHENEVER YOU CAN, AS SOON AS POSSIBLE, AND -- AND TAKE IT TO THE PLINGS OR WHEREVER -- PLANNING COMMISSION OR WHETHER YOU WOULD HAVE TO TAKE IT AND SEE WHAT KIND OF LANGUAGE YOU CAN COME UP WITH.

Mayor Wynn: COUNCILMEMBER MCCrackEN?

McCracken: : I SUPPORT WHAT COUNCILMEMBER DUNKERLY SUGGESTED. IN LARGE PART BECAUSE I BELIEVE AS THEY STATED IT'S AN OPPORTUNITY -- SHE STATED IT'S AN OPPORTUNITY TO MOVE SIGNS OUT OF NEIGHBORHOODS, PARTICULAR REDEVELOPMENT ZONES. CONSIDERING AUSTIN IS ENDAGED IN MAYBE THE NATION'S BIGGEST COMMERCIAL ROAD BUILDING PROGRAM RIGHT NOW FOR SOME NEW COMMERCIAL CORRIDORS, I THINK THAT IT'S AN OPPORTUNITY TO MOVE SIGNS OUTS OF NEIGHBORHOODS AND NOT INCREASE THE NUMBER OF SIGNS, BUT GET THEM OUT OF HISTORIC NEIGHBORHOODS AND REDEVELOPMENT ZONES. ALSO I THINK WHAT WE HAVE SEEN IS OUR CURRENT POLICY, THE CLEAR CHANNEL COMMUNICATIONS ENRICHMENT ACT, THAT HAS ALLOWED THESE BIG NATIONAL CHANGES, PARTICULARLY CHEER CHANNEL IS PROBABLY THE BIGGEST BILLBOARD COMPANY RIGHT NOW, I THINK THERE'S CONCERNS THAT THERE'S REALLY GOOD PEOPLE THAT WORK THERE, BUT YOU DON'T WANT TO INADVERTENTLY CREATE ECONOMIC INCENTIVES THAT SERVE, YOU KNOW, ONE TYPE OF COMPANY OVER ANOTHER.

Mayor Wynn: FURTHER COMMENTS OR QUESTIONS. I WILL NOW ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING ON ITEM 29 AND APPROVE THE ORDINANCE AS PRESENTED. MOTION MADE BY COUNCILMEMBER ALVAREZ. I WILL SECOND THAT. FURTHER COMMENT? HEARING NONE, ALL

THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0 TO CLOSE THE PUBLIC HEARING AND APPROVE THE ORDINANCE ON ITEM NO. 29.

AND THE STAFF WILL CONSIDER THE COUNCIL DESIRES TO HAVE THIS -- THESE AMENDMENTS INITIATED AND WE WILL TAKE THEM TO THE PLANNING COMMISSION AND BRING THEM BACK UP TO YOU.

Mayor Wynn: SO, COUNCIL, I GUESS WE STILL NEED TO GO BACK INTO EXECUTIVE SESSION TO -- TO FURTHER DISCUSSION OR PERSONNEL ISSUE RELATED TO ITEM NO. 19. SO AT THIS TIME WITHOUT OBJECTION, UNDER SECTION 551.074 OF THE OPEN MEETINGS ACT, WE WILL -- WE WILL DISCUSS PERSONNEL MATTERS IN CLOSED SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION, UNDER CLOSED SESSION WE TOOK UP MATTERS UNDER SECTION 551.574 UNDER THE OPEN MEETINGS ACT. WE DISCUSSED ITEM 19 ON THE AGENDA. NO DECISIONS WERE MADE. AND MS. BROWN, I BELIEVE ITEM NUMBER 19 IS THE LAST ITEM ON THE AGENDA. THANK YOU. WITH THAT I'LL SPRAIN A MOTION ON -- I'LL ENTERTAIN A MOTION ON ITEM 19. COUNCILMEMBER SLUSHER?

Slusher: THANK YOU, I GUESS, MAYOR. WE'VE LOOKED AT THIS FROM I THINK JUST ABOUT EVER POSSIBLE ANGLE, AND THAT WE CAN AND HAD A LOT OF DISCUSSION AMONG THE COUNCIL AND THE JUDGES AND THE PRESIDING JUDGE, AND AFTER ALL THAT DELIBERATION, HERE'S WHAT I WOULD -- THE MOTION I WOULD MAKE. TO REAPPOINT EVELYN MCKEE AS THE PRESIDING JUDGE. APPOINT AS ASSOCIATE JUDGES FERNANDO CLEVER, MICHAEL COFFEE, ALFRED GENERAL KINGS, JOHN VASQUEZ, RON MALL VIN, KEN KENNETH MATUCCI. AS SUBSTITUTE JUDGES, ALTURO ALVAREZ. ERIC CAREY, CATHERINE DANIELS, BEVERLY GARZA DELEON, LINDA HERRERA. KIRK CUE KENDALL. BEVERLY LANNERS,

DONNA MULCAHEY AND DONALD GARZA.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER SLUSHER. I'LL SECOND THAT. BEFORE I ASK FOR COMMENTS I WILL SAY THAT SEEMINGLY FOR YEARS THERE HASN'T BEEN MUCH OF A FORMAL EVALVE SITUATION PROCESS OR ORGANIZED PROCESS BY WHICH THE CITY COUNCIL APPOINTED ITS MUNICIPAL COURT JUDGES EVERY TWO YEARS. AND UNDER FORMER MAYOR GUS GARCIA'S LEADERSHIP, BEGINNING ABOUT TWO AND A HALF YEARS AGO, THE SUBCOMMITTEE TOOK ON THE BURDEN OF TRYING TO COME UP WITH A FORMAT BY WHICH WE COULD HAVE MORE OF AN OBJECTIVE FORMATS. PRIOR TO THAT IT SEEMS TO ME HAD BEEN FRANKLY A VERY RAW POLITICAL APPOINTMENT. UNDER GUS GARCIA'S LEADERSHIP, WE INTERVIEWED SEVERAL OTHER CITIES WHO HAD PROCESSES IN PLACE WHEREBY MUNICIPAL COURT JUDGES HAD DIFFERENT FORMS OF EVALUATION AND WE CAME UP WITH ONE, AND THE PREVIOUS COUNCIL PASSED AN ORDINANCE THAT INSTRUCTED HOW THAT WOULD OCCUR. SO BEGINNING ABOUT A YEAR AND A HALF OR TWO YEARS AGO, THAT PROCESS HAS BEGUN AND STARTED WITH OUR PRESIDING JUDGE PLAYING AN IMPORTANT ROLE FOR THAT. DURING THIS PAST FALL, AS THESE TERMS WERE EXPIRING, THE SUBCOMMITTEE WORKED LONG AND HARD TO CREATE EVEN ADDITIONAL INFORMATION FOR US AS A SUBCOMMITTEE THAN US AS A FULL COUNCIL HAVE TAKEN INTO CONSIDERATION. CERTAINLY NOT PERFECT, BUT FOR THE FIRST TIME A SIGNIFICANT OUTREACH TO FOLKS WHO HAVE SOME PERSPECTIVE ON OUR CITY OF AUSTIN MUNICIPAL COURT SYSTEM. AND WE'VE GOTTEN FAR MORE FEEDBACK, I BELIEVE, THAN ANY OTHER COUNCIL HAS EVER HAD BEFORE IN MAKING THESE TOUGH PERSONNEL DECISIONS. AND I APPRECIATE THE TIME THAT THE SUBCOMMITTEE PUT ON ALL OF THAT WORK, IT'S DIFFICULT AND IT ALSO DIFFICULT TO TRANSLATE THAT FRANKLY INTO THE FULL COUNCIL. AND I APPRECIATE THE TIME THAT THE COUNCIL HAS TAKEN OVER A COUPLE OF MONTHS REALLY TO UNDERSTAND WHAT HAS OCCURRED OVER THE LAST SIX MONTHS AND THEN TRY TO HELP US COME TO A MUTUAL AGREEMENT AS TO WHERE WE GO WITH THIS NEXT TERM OF MUNICIPAL COURT JUDGES. SO THE MOTION IS MADE AND SECONDED.

FURTHER COMMENT?

MAYOR, IF I MIGHT, COUNCILMEMBER SLUSHER, MIGHT I ASK IS PART OF YOUR MOTION TO CONTINUE THE BENEFITS AND COMPENSATION AS IN THE PREVIOUS TERM FOR THE JUDGES -- FOR THE PRESIDING JUDGE, ASSOCIATE JUDGE AND SUBSTITUTE JUDGES?

Slusher: YES.

AND IS IT ALSO THE INTENT OF YOUR MOTION THAT ANYONE NOT NAMED IN THE MOTION IS NOT APPOINTED FOR THE NEXT TERM?

Slusher: THAT'S CORRECT.

ALL RIGHT. THANK YOU.

Mayor Wynn: THANK YOU, MR. HOOD. FURTHER COMMENT? COUNCILMEMBER COUNCILMEMBER ALVAREZ?

Alvarez: THANK YOU, MAYOR AND THANK YOU TO EVERYONE HERE WHO PATIENTLY WAITED FOR THE END OF THE DELIBERATION. THIS WAS A VERY DIFFICULT ISSUE, AND I KNOW IT AN ISSUE THE CITY MANAGER HAS TO DEAL WITH ALL THE TIME BECAUSE SHE HAS A LOT MORE EMPLOYEES OR PERSONNEL THAT SHE HAS TO HIRE AND EVALUATE. AND THIS WAS AT LEAST THE FIRST TIME I'VE BEEN ON THE COUNCIL WHERE THERE'S BEEN A LOOK AT POTENTIAL CHANGES IN TERMS OF FROM CURRENT JUDGES OR SITTING JUDGES, AND THE LAST THREE WEEKS I THINK WE'VE ALL SPENT A LOT OF TIME LOOKING AT SOME OF THE EVALUATION THAT WAS DONE BECAUSE AS THE MAYOR POINTED OUT, I THINK BEFORE THIS PARTICULAR PROCESS, THERE REALLY WASN'T -- LAST COUPLE OF YEARS WE'VE SEEN AT LEAST THE BEGINNING OF AN EVALUATION PROCESS THAT CAN FORM THIS DECISION, MORE SO IN A MORE OBJECTIVE FASHION. BUT MYSELF, THAT'S PART OF THE REASON I'M NOT GOING TO BE ABLE TO SUPPORT THIS PARTICULAR MOTION IS BECAUSE ALTHOUGH I THINK IT'S GOOD THAT WE HAVE A PROCESS THAT WE WENT THROUGH TO EVALUATE NEW APPLICANT AND SITTING JUDGES, I THINK THAT THERE'S A LOT THAT NEEDS TO BE STRENGTHENED IN

THAT PROCESS IN ORDER FOR ME TO REALLY FEEL COMFORTABLE RELYING ON THE INFORMATION THAT'S CONTAINED THERE THAT WE'RE ASKED TO BASE OUR DECISION UPON. AND I THINK THAT'S SOMETHING WE NEED TO WORK THROUGH, HOWEVER THIS VOTE GOES DOWN, THAT WE NEED TO WORK DURING THIS NEXT CYCLE TO FURTHER STRENGTHEN, BUT REALLY I THINK WE'VE HEARD FROM A LOT OF FOLKS DURING THIS PROCESS. I THINK THE SURVEYS CAPTURED THE INPUT FROM VARIOUS STAKEHOLDERS THAT INTERACT WITH MUNICIPAL COURT, BUT I THINK FAIL TO CAPTURE VARIOUS PERSPECTIVES, SO I REALLY WANTED TO SPEAK TO SOMEONE WHO SPOKE HIGHLY OF ALL THE JUDGES, JUDGE SOLOMON AND JUDGE VASQUEZ AND JUDGE CASTRO. I THINK JUST TODAY WE RECEIVED A LETTER THAT'S FROM 11 OR SO FORMER PROSECUTORS THAT DO WORK WITH THE COURT THAT SAY THEY SUPPORT THESE JUDGES BECAUSE OF THEIR EXPERIENCE AND THEIR OBSERVATIONS OF THE JUDGES BECAUSE THEY'VE TRIED CASES BEFORE THEM. AND WE'VE HEARD FROM I THINK SOME OF THE ATTORNEYS WHO HAVE THE BIGGEST CASELOADS BEFORE MUNICIPAL COURT WHO ALSO SPOKE VERY HIGHLY ABOUT THE JUDGES, WHICH I THINK BEFORE WE'VE HEARD FROM THESE FOLKS -- THERE HAD BEEN A VERY MEANINGFUL OPPORTUNITY FOR THEM TO VOICE AN OPINION. WE'VE HEARD PROCESSWISE FROM A COUPLE OF THE COMMITTEE MEMBERS FROM THE TRAVIS COUNTY BAR WHO INTERVIEWED CANDIDATES AND REALLY WEREN'T ULTIMATELY WHEN THE RECOMMENDATION WAS MADE FROM THE SUBCOMMITTEE, DIDN'T REALLY KNOW WHAT IT WAS THEY WERE NECESSARILY INTERVIEWING ABOUT AND THAT'S CERTAINLY SOMETHING THAT WE NEED TO BE MORE FOR THE NEXT CYCLE MORE CLEAR ABOUT, I GUESS, WHAT ALL THE EXPECTATIONS ARE. AND FINALLY, I MEAN, I THINK WE'VE HEARD FROM THE COMMUNITY CERTAINLY ABOUT TRYING TO MAKE SURE THAT THE DIVERSITY ON THE COURT REFLECT REALITY, AND I THINK THAT WE DO TAKE A STEP BACKWARDS TO A CERTAIN DEGREE WITH THIS PARTICULAR ROUND OF APPOINTMENTS BECAUSE OF THE GROWTH OF THE LATINO COMMUNITY AND THE FACT THAT THEIR REPRESENTATION IS GOING TO BE LESSENED, BUT IT SOMETHING THAT I THINK IS REAL IMPORTANT AND THAT IS GOING TO HAVE AN IMPACT, AND

THAT -- AND THAT I THINK WE NEED TO WORK TO RECTIFY, BUT REALLY -- AGAIN, I JUST THINK THAT THIS HAS BEEN A DIFFICULT PROCESS, BUT I THINK THAT BECAUSE OF THE DEDICATION AND THE EXPERIENCE OF THE -- OF ALL THREE JUDGES, THAT THEY ALL DESERVE TO BE REAPPOINTED, AND THAT WE NEEDED TO REALLY KIND OF STRENGTHEN THIS PROCESS BEFORE WE TRIED TO USE IT TO MAKE OUR DECISIONS, ALTHOUGH, AGAIN, THIS IS A POLITICAL DECISION ESSENTIALLY, AND WE DON'T NECESSARILY NEED ANY INFORMATION. WE CAN BASE OUR DECISION ON ANY PARTICULAR SET OF INFORMATION, BUT MORE SO JUST TO BE FAIR FOR ANYBODY INVOLVED I THINK THAT WE COULD HAVE BEEN A LITTLE MORE CLEAR ABOUT WHAT THE PROCESS WOULD BE AND WHAT THE EXPECTATIONS WERE. BUT THANK YOU ALL FOR BEARING WITH US THROUGH THIS DIFFICULT PROCESS.

Mayor Wynn: THANK YOU, COUNCILMEMBERMENT FURTHER COMMENTS? MAYOR PRO TEM?

Goodman: I JUST WANT TO SAY BRIEFLY, MAYOR, THAT I SUPPORT EVERY SINGLE NAME THAT HAS BEEN PROPOSED, BUT I DO HAVE ISSUES THAT ARE NOT ADDRESSED WITH THIS PARTICULAR INCLUSION ON THE SLA IT. E. AND ALTHOUGH I WOULD NEVER VOTE AGAINST ANY OF THESE PEOPLE AT THIS TIME, I WILL ABSTAIN AND NOT VOTE FOR THIS MOTION.

Mayor Wynn: THANK YOU. FURTHER COMMENTS OR QUESTIONS? ANYTHING FROM STAFF? HEARING NONE -- COUNCILMEMBER THOMAS?

Thomas: I'M ALWAYS THE LAST SINCE I'M IN PLACE 6. I THINK I MADE IT VERY CLEAR TO THE THREE JUDGES ABOUT THE PROCESS. HOW IT WAS DONE. I COMMEND THE SUBCOMMITTEE FOR TRYING TO DO SOMETHING TO CHANGE THE PROCESS. BUT WHEN YOU'RE CHANGING THE PROCESS, I THINK IT SHOULD BE A TIME IN THE CHANGING OF THE PROCESS TO ALLOW THE JUDGES BEFORE WE GET TO THIS POINT OF THE SELECTION PROCESS. EVERYONE THAT'S NAME IS MENTIONED FOR THE NEW SLATE, I AGREE THEY'RE GOOD JUDGES, BUT I WON'T BE ABLE TO SUPPORT THAT. AND I DON'T HAVE ANYTHING AGAINST THE ONES THAT ARE

GOING TO BE ABLE TO COME BACK AND THE NEW JUDGES, BUT I THINK THE PROCESS, IF WE JUST WOULD HAVE BEEN IN DIFFERENT TERMS, ALLOWING THE JUDGES TO KNOW EXACTLY WHAT'S GOING ON. ALL WE DO KNOW IS THIS IS A TWO-YEAR TERM. EVERYBODY KNEW THAT COMING IN, EVERYBODY KNOWS THAT. BUT I THINK THERE WERE SOME ERRORS THAT WEBBED HAVE DONE A LITTLE BIT -- SOME AREAS THAT WE COULD HAVE DONE A LITTLE BIT BETTER AS FAR AS EVALUATING MAYBE, AS FAR AS LETTING JUDGES KNOW WHAT REALLY WAS COMING DOWN. APPRECIATE YOUR TIME AND THE EFFORT. I APPRECIATE YOU LONG-TERM, JUDGE CASTRO, FOR SERVING. AND I WILL SUPPORT THE JUDGES AT THIS VOTE THAT'S PASSED, BUT I WON'T BE ABLE TO VOTE FOR IT.

Mayor Wynn: FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED?

Thomas: NO.

Mayor Wynn: MOTION PASSES ON FIRST READING ONLY WITH A VOTE OF FOUR TO TWO TO ONE, WITH COUNCILMEMBERS ALVAREZ AND THOMAS VOTING NO AND THE MAYOR PRO TEM ABSTAINING. THERE BEING NO FURTHER BUSINESS BEFORE THE COUNCIL, I'LL ENTERTAIN A MOTION TO ADJOURN. MOTION BY COUNCILMEMBER SLUSHER. SECONDED BY THE MAYOR PRO TEM. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: WE ARE ADJOURNED. THANK YOU.

End of Council Session Closed Caption Log