

Closed Caption Log, Council Meeting, 3/4/04

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CHAPLAIN DONALD BREWINGTON WILL LEAD US IN OUR INVOCATION FROM HUSTON TILLOTSON COLLEGE.

GOOD MORNING. WE ASK THAT WE WOULD BOW FOR THE PRAYER. GRACIOUS AND EAT ETERNAL GOD WE COME BEFORE YOU THIS MORNING, ACKNOWLEDGING YOUR AWESOME POWER. YOU ARE THE SOURCE OF OUR BEING. FROM DUST YOU CREATED MAN IN YOUR IMAGINE AND IT IS OURS TO WORSHIP AND HONOR YOU IN ALL WE DO. THEREFORE WE ASK THAT THE MANIFESTATION OF YOUR PRESENCE BE WITH THE COUNCIL. OPEN THE MINDS AND HEARTS OF EACH COUNCILMEMBER THAT THEY MIGHT BE RECEPTIVE TO YOUR GUIDANCE. MAY YOUR HAND GUIDE EVERY ASPECT OF ALL MEETINGS THIS DAY. FOR THE BENEFIT OF THE CITIZENS OF THIS COMMUNITY. AND WHEN WE FALL SHORT, GRACIOUS GOD, MAY YOUR GRACE AND MERCY ABOUND THAT ALL THINGS MAY BE DONE ACCORDING TO YOUR WILL. THIS REPRAY IN THE NAME OF JESUS, AMEN. WE PRAY IN THE NAME OF JESUS, AMEN.

Mayor Wynn: THANK YOU, CHAPLAIN.

Mayor Wynn: AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, MARCH 4th 4th, 2004, WE ARE IN THE BOARD ROOM OF THE LCRA HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS. IT'S AROUND 12 MINUTES AFTER 10:00 10:00 A.M. ITEM NO. 13 RELATED TO AN ADVANCED FUNDING AGREEMENT WITH TEXDOT IS POSTPONED TO MARCH 25th,

2004. OUR TIME CERTAIN ITEMS TODAY: AT 11:00 A.M., I HAVE AN ITEM FROM COUNCIL TIME CERTAIN, ITEM NO. 20 RELATED TO THE AUSTIN MUSIC NETWORK. AT 12:00 NOON OUR GENERAL CITIZENS COMMUNICATION. AT 2:00 P.M. WE WILL HAVE TWO BRIEFINGS, THE FIRST SHOWS AS ITEM 26, WHICH IS OUR SUBDIVISION REVIEW PROCESS AND OUR E.T.J. AND ITEM 27 RELATES TO THE MEET AND CONFER CONTRACT NEGOTIATIONS WITH THE AUSTIN POLICE ASSOCIATION. AT 4:00 ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THEY SHOW ON THIS WEEK'S AGENDA AS ITEM NO. 28. ITEM Z-1 THROUGH Z-16. I WILL STATE NOW THAT CITY STAFF IS REQUESTING POSTPONEMENT OF THE FOLLOWING CASES, ITEM 28, Z-2, Z-4 AND Z-14. TECHNICALLY, WE WON'T TAKE UP VOTING ON WHETHER OR NOT THOSE ITEMS WILL BE POSTPONED UNTIL THE 4:00 TIME CERTAIN, BUT THIS GIVES CITIZENS A CHANCE TO UNDERSTAND THAT IT'S NOT LIKELY THAT THESE CASES WILL BE TAKEN UP AS WE GENERALLY FOLLOW THE RECOMMENDATION OF STAFF ON REQUESTED POSTPONEMENT. AT 5:30 WE WILL BREAK FOR LIVE MUSIC AND PROCLAMATIONS. COUNCIL, AT THIS TIME I WILL READ THE ITEMS PULLED FOR DISCUSSION, AS A LATE PULL I WILL BE TAKING UP ITEMS NUMBER 8 AND 9 RELATED TO TWO REAL ESTATE LEASES FOR WAREHOUSE SPACE. FOR BRIEFING FROM STAFF. ITEMS 8:00 AND 9:00. ALSO PULLED ITEM NO. 19, AN -- AN ITEM FROM COUNCIL, FROM ME AND COUNCILMEMBER MCCRACKEN THAT I WILL PULL AND ITEM NO. 20 IS SHOWN AS PULLED BECAUSE WE WILL TAKE IT UP SOMETIME AFTER 11:00 A.M. AS A TIME CERTAIN ITEM. ANY OTHER ITEMS TO BE PULLED OR ADDED TO THE AGENDA.

Goodman: NOT TO PULL, BUT TO FOLLOW UP ON YOUR ANNOUNCEMENT OF WHO WAS GOING TO BE THE MUSIC TODAY. I WANTED PEOPLE TO KNOW IN CASE THEY ARE WATCHING IT'S JUDY ARNOLD WHO HAS SUCH A GREAT VOICE, IF SO MANY MUSICALS, A LOT OF PEOPLE MIGHT LIKE TO TUNE IN OR COME DOWN AND HEAR HER.

Mayor Wynn: THANK YOU. ANY ITEMS TO BE -- ADDITIONAL ITEMS TO BE PULLED, COUNCIL, OR ITEMS TO BE PUT BACK ON? OKAY. THANK YOU. AT THIS TIME, I WILL READ THE BOARD AND COMMISSION APPOINTMENTS, WHICH SHOW UP AS ITEM NO. 17 ON THIS WEEK'S AGENDA. TO OUR CHILD

CARE COUNCIL, SUSAN BRIGHT, IS A CONSENSUS APPOINTMENT. CRYSTELLA PEREZ A CONSENSUS APPOINTMENT. TO THE COMMUNITY DEVELOPMENT COMMISSION, CAMILLE POWA IS A CONSENSUS REAPPOINTMENT. TO THE ENVIRONMENTAL BOARD, TIM JONES IS COUNCILMEMBER SLUSHER'S REAPPOINTMENT. JOSE DELAFUENTA IS COUNCILMEMBER MCCrackEN'S APPOINTMENT. TO THE MUSIC COMMISSION, NATALIE ZOEY IS COUNCILMEMBER SLUSHER'S REAPPOINTMENT. AND LEWIS ZAPATA IS COUNCILMEMBER ALVAREZ'S REAPPOINTMENT. THOSE ARE OUR BOARD AND COMMISSION APPOINTMENTS THAT SHOW UP AS ITEM NO. 17 ON THIS WEEK'S AGENDA. CONFIRMING THAT WE DON'T HAVE ANY ITEMS WHERE MORE THAN FIVE CITIZENS HAVE SIGNED UP, SO NO ADDITIONAL ITEMS WILL BE PULLED FROM THE CONSENT AGENDA. SO WITH THAT, I WILL READ TODAY'S CONSENT AGENDA NUMERICALLY. ITEM 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13 FOR POSTPONEMENT TO MARCH 25th, 2004, 14, 15, 16, 17, AS READ INTO THE RECORD EARLIER, THESE ARE THE APPOINTMENTS TO OUR BOARDS AND COMMISSIONS, 21, 22, I'LL JUST NOTE ON ITEMS -- ITEM 18 IS AN ORDINANCE THAT CANNOT BE DONE UNTIL WE HAVE EXECUTIVE SESSION COMPLETED LATER, SO ITEM 18 WILL NOT BE ON THE CONSENT AGENDA. SO ONE MORE TIME. THE CONSENT AGENDA IS: ITEM NO. 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, FOR POSTPONEMENT TO MARCH 25th, 2004, 14, 15, 16, 17, 21, AND 22. I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER DUNKERLY. SECONDED BY COUNCILMEMBER THOMAS TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? CONSENT AGENDA PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER MCCrackEN OFF THE DAIS. I WILL SAY THAT WE DON'T EXPECT TO SEE COUNCILMEMBER MCCrackEN TODAY AT THIS MEETING. MOST PEOPLE PROBABLY KNOW THAT HE AND HIS WIFE MINDDY ARE CELEBRATING THE BIRTH OF THEIR FIRST CHILD, A SON, WHO WAS BORN OH, 36 HOURS OR SO AGO. I'M TOLD THAT MOM AND BABY AND DADDY ARE DOING QUITE WELL. SO OUR BEST WISHES TO THE MCCrackEN FAMILY. SO STAFF,

IF WE COULD TAKE UP -- I DON'T HAVE MANY QUESTION, BUT I WOULD LIKE A QUICK BRIEFING ON ITEMS NUMBER 8 AND 9, WHICH ARE TWO -- TWO RELATIVELY SHORT TERM REAL ESTATE LEASES FOR WAREHOUSE SPACE.

I THINK WE WILL HAVE LORRAINE, ARE YOU GOING TO TAKE THE LEAD ON THIS BRIEFING?

YES, SIR. LORRAINE RISER, MANAGER OF REAL ESTATE SERVICES DIVISION. MOST OF THESE -- BOTH OF THESE RELEASES ARE RELATED TO THE SPACE AT ROBERT MUELLER AIRPORT. WE ARE TRYING TO VEAQ INDICATE THE HOUSES IN ORDER TO START PRODUCT. OUR TARGET DATE IS APRIL. SO WE HAVE BEEN SEARCHING FOR SOME SPACE FOR PROBABLY THE LAST YEAR. WE'VE LOOKED AT ANY AVAILABLE CITY SPACE AND HAVE NOT BEEN ABLE TO FIND ANY AVAILABLE CITY SPACE TO MEET THE NEEDS. SO THEN WE WENT OUT AND LOOKED INTO THE MARKET AND WE DID A MARKET ANALYSIS ON RENT RATES AND DIFFERENT SPACES AVAILABLE. WIN WIN I GUESS THE OBVIOUS QUESTION IS WHY WEREN'T THESE TWO LEASES COMBINED IN TRYING TO GET PERHAPS A BETTER RATE?

BECAUSE OF THE SPACE AVAILABLE AT THE LOCATION. THESE ARE FROM TWO DIFFERENT FACILITIES.

Mayor Wynn: SO ESSENTIALLY THERE WAS -- DID WE ACTUALLY PUT OUT AN R.F.P. FOR -- FOR 40,000 SQUARE FEET OR ARE WE ACTUALLY -- WE INITIALLY BROKE IT UP INTO TWO DIFFERENT LEASE SPACES.

WHAT WE DID IS THERE'S A WEBSITE THAT WHEN YOU NEED LEASE SPACE, OR YOU HAVE LEASE SPACE, THAT YOU CAN PUT THIS ON THERE. AND WE HAVE ACTUALLY DONE BOTH. PUT IT ON TOGETHER. WE HAVE LOOKED AT BIGGER BUILDINGS AND WE HAVE LOOKED AT INDIVIDUAL SPACE, BOTH.

SO JUST BAWFD ON -- JUST BASED ON THE RESPONSE TO THAT EITHER AND/OR PROPOSAL, WE ENDED UP GETTING THE BEST ARRANGEMENT BY SPLITTING THE TWO.

RIGHT, YES, SIR.

Mayor Wynn: JUST THE RATIONALE FOR ONE OF THESE LEASES APPARENTLY IS TWO YEARS, ONE IS THREE. IS THERE A RATIONALE FOR THAT?

PART OF IT IS WHAT WE CAN NEGOTIATE AND -- AND IN PART TO SEE IF ANY OTHER SPACE CAN BECOME AVAILABLE WITH THE CITY IN THE FUTURE.

Futrell: LET ME ADD TO THAT A LITTLE BIT. MAYOR, YOU REALLY ARE LEADING TO WHAT THE LARGER ISSUE IS. AS WE GET READY TO REDEVELOP MUELLER, WE HAVE A MASSIVE AMOUNT OF CITY OFFICE AND WAREHOUSE SPACE THAT HAVE BEEN USING THESE HANGARS AND EMPTY BUILDINGS AT MUELLER FOR THE LAST NUMBER OF YEARS. PART OF THE REASON OF DOING THE SHORT-TERM LEASE IS BECAUSE WE KNOW IN THE LONG RUN IT WILL BE BETTER TO CONSOLIDATE THIS SPACE, IF WE CAN FIND A PLACE TO CONSOLIDATE ALL OF IT. SO ONE OF THE IDEAS WAS IF WE COULD DO SHORT-TERM LEASES FOR THESE IMMEDIATE LEASE NEEDS, WE MAY BE ABLE TO FIND OUR BEST VALUE IN ONE CONSOLIDATED SPACE. AND THERE ARE SOME THINGS THAT WE ARE WORKING ON RIGHT NOW THAT THEY WILL BE BRINGING YOU HOPEFULLY SHORTLY THAT MAY LET US HAVE A LONGER TERM CONSOLIDATED LEASE SOLUTION.

Mayor Wynn: THAT ESSENTIALLY ANSWERED MY QUESTION.

THANK YOU.

Thomas: MAYOR, CAN I --

Mayor Wynn: COUNCILMEMBER THOMAS? MS. RISER?

Thomas: NO, NOW, SHE'S OKAY. TO THE CITY MANAGER, I KNOW WHAT YOU'RE SAYING AND POSSIBILITY OF TRYING TO FIND A LONG LEASE. BUT IN THE NEAR FUTURE, NEAR PRESENT, HAVE WE LOOKED AT MAYBE BUYING SOME PROPERTY THAT WE COULD JUST CONSOLIDATE MOST OF OUR LOCATIONS OF OUR DIFFERENT DEPARTMENT HEAD SO WE INVEST MORE, BUYING PROPERTY AS OPPOSED TO

LEASING ALL THE TIME?

Futrell: ACTUALLY THAT IS OUR TOP OPTION RIGHT NOW. WE HAVE SEVERAL THINGS THAT WE ARE LOOKING AT. BUT ONE OF OUR TOP OPTIONS IS A PURCHASE. THE INITIAL LOOK AT IT RIGHT NOW SHOWS THAT THE AVOIDED LEASE PAYMENTS WOULD MORE THAN COVER THE DEBT SERVICE. AND WE MIGHT ACTUALLY COME OUT AHEAD. NOT ONLY THAT, WE WOULD ALL BE IN ONE PLACE. AND INSTEAD OF SCATTERED ALL OVER TOWN AND SMALLER LEASE SPACES. SO, YES, IF IT WORKS, OUR TOP OPTION WILL -- WILL LEAD US EXACTLY IN THAT DIRECTION, COUNCILMEMBER.

Thomas: THANK YOU VERY MUCH. THAT'S ALL, MAYOR.

Mayor Wynn: FURTHER COMMENTS OR QUESTIONS? IF NOT I'LL ENTERTAIN A MOTION ON ITEMS 8 AND 9.

Thomas: MOVE APPROVAL.

Slusher: SECOND.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER THOMAS, SECONDED BY COUNCILMEMBER SLUSHER TO APPROVE ITEMS 8 AND 9. FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Mayor Wynn: COUNCIL, THERE BEING NO MORE DISCUSSION ITEMS PRIOR TO -- OUR NEED TO GO INTO EXECUTIVE SESSION, AT THIS TIME WITHOUT OBJECTION, COUNCIL WILL GO INTO EXECUTIVE SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEY UNDER SECTION 551.071 OF THE OPEN MEETINGS ACT TO DISCUSS POTENTIALLY ITEMS NUMBER 23 AND 24, BOTH RELATED TO LABOR NEGOTIATIONS, WITH MEET AND CONFER CONTRACT FROM BOTH THE AUSTIN POLICE ASSOCIATION AND THE AUSTIN FIRE DEPARTMENT. WE MAY ALSO TAKE UP IN EXECUTIVE SESSION UNDER SECTION 551.074, OF THE OPEN MEETINGS ACT, PERSONNEL

MATTERS RELATED TO ITEM NO. 25, OUR MUNICIPAL COURT CLERK. WE ARE NOW IN EXECUTIVE SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF EXECUTIVE SESSION. IN EXECUTIVE SESSION WE RECEIVED PRIVATE CONSULTATION FROM OUR ATTORNEY UNDER SECTION 551.071 OF THE OPEN MEETINGS ACT TO DISCUSS AGENDA ITEM 23 AND 24 RELATED TO MEET AND CONFER NEGOTIATIONS WITH THE AUSTIN POLICE ASSOCIATION AND THE AUSTIN FIRE DEPARTMENT. NO DECISIONS WERE MADE. WE DID NOT TAKE UP ITEM NUMBER 25 RELATED TO OUR MUNICIPAL COURT CLERK. AT THIS TIME I'LL CALL UP OUR NOONTIME CERTAIN GENERAL CITIZEN COMMUNICATION. FIRST SPEAKER IS JENNIFER GALE. WELCOME, MA'AM, YOU WILL SO THREE MINUTES.

THANK YOU, MAYOR WYNN, COUNCILMEMBERS. THERE'S NO CITY MANAGER. OKAY. I'M JENNIFER GALE. I'M A 10th CONGRESSIONAL CANDIDATE FOR CONGRESS AND I'M ALSO A CANDIDATE ON THE MAY 15TH LAL LOT FOR THE AUSTIN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES. I AND ONE OTHER CANDIDATE ARE THE ONLY ONES RUNNING SO FAR, JOHN EDWARDS. THE PRIMARY IS ON MARCH NINTH. THE LEAGUE OF WOMEN WOMEN'S VOTERS GUIDE IS OUT. PLEASE READ IT. THE CHRONICLE HAS NOT DONE ANYTHING OR VERY LITTLE AS THE DAILY TEXAN OR THE "AUSTIN AMERICAN-STATESMAN" ABOUT COVERING THE REPUBLICAN CANDIDATES, INCLUDING OUR OWN THERESA DOGGETT TAYLOR. SO YOU'RE NOT GETTING THE STORY ABOUT OUR OWN CANDIDATES HERE. AND WE'RE NOT HEARING ABOUTLY TEE SHA HIN O'IS A. WE HAVE A CHANCE TO HAVE TWO CANDIDATES HERE FROM TRAVIS COUNTY. SO WE WANT TO KEEP THOSE TWO IN MIND DESPITE THE FACT THAT COUNCILMEMBER SLUSHER HAS ENDORSED LLOYD DOGGETT, LLOYD DOGGETT NEVER ANSWERED ONE REQUEST. AND I ASKED DOZENS OF TIMES FROM CONGRESSMAN DOGGETT TO GET IN A DEBATE. NOT ONE WORD. I ASKED HIM FOR A CONTRIBUTION. HE SAID HE'D CONSIDER IT. NOTHING. I THINK WE SHOULD LOOKING AT LETICIA HINOJOSA AS OUR LEADER FOR THIS COUNTY. I DON'T THINK SHE'LL DISENFRANCHISE THE REPUBLICANS IN CONGRESS AND IEWN OUR PAP POUR WITH BAD TAX SO THAT WE DON'T HAVE A VOLATILE COMMUNICATION WITH

THE OTHER REPUBLICAN MEMBERS ACTUALLY RUNNING CONGRESS. AND I'M ASKING PEOPLE TO VOTE FOR DENNIS J. KUCINICH FOR PRESIDENT. OUR CHANT MUST BE, DEMOCRATS, REPUBLICANS, INDEPENDENTS, GET ON THE PHONES. RALPH A. NADER AND THE OTHERS ARE NOT THE SKULLS AND BONES. BUSH AND JOHN KERRY SHOULD GATHER THEY'RE BOTH VERY SCARED. SO WE TEXANS CAN MAKE A BETTER CONGRESS. THE DAILY TEXAN SPOKE ABOUT ARNOLD GARCIA, ABOUT HOW HE WAS ASKING FOR OTHER PEOPLE ABOUT THEIR OPINION. THIS MAN HAD HIS ARMS AROUND MY OPPONENT SIX YEARS AGO WHEN I RAN FOR SCHOOL BOARD AND THEN ENDORSED HIM. I'VE NOT BEEN BACK TO ANOTHER EDITORIAL BOARD MEETING WITH EITHER THE STATESMAN OR THE CHRONICLE. NONE. EVERY YEAR I WAS THERE AT THE DALLAS MORNING NEWS WHEN I RAN FOR MAYOR AND CITY COUNCIL AND SCHOOL BOARD. WE DON'T HAVE THAT HERE. THIS ISN'T THIS BIG OPEN CITY THAT EVERYONE THINKS IT IS. CONGRATULATIONS TO BREWSTER MCCracken ON HIS CHILD JOHN, BEAUTIFUL TO HAVE A NEW LIFE IN THIS WORLD. AUSTIN MUSIC NETWORK, I ASK WE PUT IT INTO DORMANT SI SO WE DON'T LOSE IT, SO WE CAN STILL RUN IT ON CABLE. AGAIN, THANK YOU, MAYOR WYNN AND AUSTIN CITY COUNCIL.

Mayor Wynn: THANK YOU. NEXT SPEAKER, GAVINO FERNANDEZ, JUNIOR. MARY LEHMANN. WELCOME. YOU WILL BE FOLLOWED BY ROBERT SINGLETON. YOU WILL HAVE THREE MINUTES.

[INAUDIBLE - NO MIC].

Mayor Wynn: OKAY, GOOD.

Mayor Wynn: .

YOU NEED TO BE ON THE MIC.

CONGRATULATIONS TO BREWSTER, WHEREVER YOU ARE. THIS IS MY IDEA OF DEMOCRACY AT WORK. WE HAVE A TOWN MEETING, A TOWN HALL, ON A CURRENT ISSUE THAT GIVES A CHANCE FOR INPUT FROM THE CITIZENS OF AUSTIN. THAT TOWN HALL IS IT. AND IT'S GOING TO BE AT THE PROMISED LAND CHURCH TUESDAY, 7:00 TO 9:00 P.M.,

MARCH 16TH. AND HERE IS THE PICTURE OF MUELLER. HERE IS THAT NORTH SIDE OF MUELLER, 51st STREET. AND THE LOCATION OF THE PROMISE LAND CHURCH WHERE THIS TOWN HALL IS GOING TO BE, WHICH DANNY THOMAS HAS CONVENED. I THINK THE QUESTION, THE ISSUE, WHETHER WE SELL MUELLER, THE CITY OWNS MUELLER OR WHETHER WE KEEP IT AND LEASE IT. IT'S VERY IMPORTANT FOR CITIZENS TO CONSIDER. THAT WAS THE ONLY THING I WAS GOING TO SAY. BUT THIS MORNING I GOT AN E-MAIL AS FOLLOWS: CA CATELLUS DEVELOPMENT CORPORATION AND THE CITY OF AUSTIN ARE CLOSE TO FINALIZING A MASTER DEVELOPMENT AGREEMENT. WHAT!!?? DID YOU KNOW THIS, MEMBERS OF THE CITY COUNCIL? HOW CAN YOU HAVE A MASTER DEVELOPMENT BEFORE YOU EVEN KNOW WHO'S GOING TO END UP OWNING MUELLER. AH. THE CITY MANAGER IS ARRIVING.

THE CITY MANAGER WAS LISTENING TO YOU IN THE BACK.

DID YOU KNOW THIS? AND IS THIS TRUE? CATELLUS DEVELOPMENT CORPORATION AND THE CITY OF AUSTIN ARE CLOSE TO FINALIZING A MASTER DEVELOPMENT AGREEMENT?

GO AHEAD AND FINISH YOUR COMMENTS AND THEN I'LL RESPOND.

THAT IS MY QUESTION. BECAUSE IF THAT IS TRUE, IT MEANS THAT THE DECISION HAS ALREADY BEEN MADE, THE RECOMMENDATION OF THE CITY STAFF HAS ALREADY BEEN MADE. AND IT TURNS THIS TOWN HALL INTO A JOKE. WE SHOULD BE HAVING AND THE CONCERN AS WE KEEP THE LAND IS TO HAVE THE CITIZENS KNOW THERE IS A CHOICE. AND AS OUR REPRESENTATIVES TO HAVE YOU MAKE THAT CHOICE AND TO DO THAT, YOU HAVE TO GET THE INFORMATION THAT SHOWS THE BENEFIT TO THE CITY, THE BENEFIT TO THE DEVELOPER, EITHER SIDE, AND LEASING OR SELLING. [BUZZER SOUNDS] BUT IF THE AGREEMENT WITH THE DEVELOPER IS A JOKE. YES, I WOULD LIKE AN ANSWER.

Futrell: MARY, I THINK THE THING YOU'RE SPEAKING TO IS VERY SIMPLE. FROM THE VERY BEGINNING THE GUIDELINES AND DEADLINES ON WHEN WE WERE TRYING TO HAVE AN

AGREEMENT DONE IS SOMEWHERE BETWEEN APRIL AND JUNE. WE'RE NOW IN MARCH. SO ANYONE WHO WOULD SAY YOU'RE CLOSE TO AN AGREEMENT IS BECAUSE WE'RE SOMEWHERE BETWEEN ONE TO THREE MONTH AWAY FROM WHEN WE HELP TO HAVE AN AGREEMENT FINISHED. SO IT'S A GUIDELINE FOR WHEN WE HOPE TO HAVE -- AND I'M NOT ASKING FOR A RESPONSE, MARY, I'M JUST ANSWERING YOUR QUESTION, WHICH IS IN ORDER TO MOVE FORWARD, WE ARE GOING TO BE BRINGING TO EXECUTIVE SESSION TO COUNCIL ALL THE INFORMATION AS WE MOVE THROUGH NEGOTIATION, HOPING TO BE THROUGH WITH THE CONTRACT ON AGREEMENT BEFORE JUNE. AND WE'RE IN MARCH. SO IT'S JUST PART OF A PROCESS TO GETTING TO CLOSE, AND WE'RE GETTING CLOSE.

Mayor Wynn: A GREAT SEGUE FOR MR. ROBERT SINGLETON. WELCOME, SIR.

OKAY. IF WE'RE THAT CLOSE TO GETTING A MASTER DEVELOPMENT AGREEMENT, THEN I HAVE SOME QUESTIONS. WE'VE HAD A PROBLEM LATELY IN COMMUNICATING WITH CITY STAFF. AND THERE'S BEEN A LOT OF LETTERS AND AT THE END OF THEM SOME QUESTIONS REMAIN. I'M GOING TO RESTATE THOSE QUESTIONS TODAY. AND WE HAVE SUBMITTED THESE TO CITY STAFF. THEY ALL HAVE TO DO WITH PROJECTED REVENUE FROM LEASING ALL OF MUELLER, FROM SELLING SOME OR MOST OF IT. AND THE QUESTIONS THAT STILL REMAIN UNANSWERED ARE DOES THE CITY HAVE A CONTRACT WITH CPS OR MORE IMPORTANTLY WITH ANY OTHER COUNTRY TO ESTIMATE THESE NUMBERS? IF NOT, WHY NOT? IF SO, TWO, WHAT METHODS ARE BEING USED TO GET THEM? THE ONLY THING I'VE SEEN SO FAR IS AN E-MAIL FROM EPS GOING, DOES ANYBODY KNOW ANYTHING ABOUT LEASING? THAT SEEMS TO BE THE METHOD OF DATA GATHERING THAT'S GOING ON NOW. AND THE THIRD QUESTION IS IS WHAT STAGE IS EPS OR ANOTHER COMPANY IN ESTIMATING THESE GROSS REVENUES. UNTIL WE REALLY GET ANSWERS ON DISPOSITION, I DON'T THINK WE CAN BE CLOSE TO A MASTER DEVELOPMENT AGREEMENT AND JUST THE FACT THAT THE TIME LINE WAS TO HAVE IT SOMEWHERE BETWEEN MAY AND JUNE MEANS WE'RE CLOSE TO THE DEADLINE, BUT IT DOESN'T MEAN WE'RE

CLOSE TO A MASTER DEVELOPMENT AGREEMENT BECAUSE IF WE'RE NOT CLOSE TO ANSWERS TO THOSE QUESTIONS ABOUT DISPOSITION, HOW CAN WE HAVE A MASTER AGREEMENT AGREEMENT? I WANT TO TALK TO YOU FOR JUST ONE BRIEF SECOND ABOUT A SEEMINGLY UNRELATED ISSUE, AND THAT'S BLOCK 21, WHICH I WISH YOU WOULD CHANGE THE NAME OF BECAUSE IT SOUNDS LIKE A PRISON MOVIE. BUT I SAW THE ARTICLE THE OTHER DAY IN THE STATESMAN AND WAS UNCLEAR WHETHER THAT WOULD BE A SALE OR LEASE. AND I THINK YOU SHOULD LOOK AT LEASING IT. AND I EVEN HAVE A SUGGESTION FOR SOMETHING BROADER THAN EITHER MUELLER OR BLOCK 21. AND THAT IS IF YOU WOULD SET UP AUSTIN ENTERPRISE FUND IN THE CITY BUDGET TO HANDLE CITY LEASES AND TO IN FACT BE THE MANAGER OF THE FUNDS THAT COME FROM THIS, YOU WOULD HAVE A STEADY INCOME TO THE CITY THAT WOULD MEET WHAT THE CITY MANAGER SAID ABOUT LONG-TERM SOLUTIONS INSTEAD OF ONE-TIME QUICK FIXES AS FAR AS THE BUNDLE GOES. AND FINALLY -- THE BUDGET GOES. AND FINALLY, I CAN'T LEAVE WELL ENOUGH ALONE. I WANT TO SAY SOMETHING ABOUT THE AUSTIN MUSIC NETWORK. COUNCILMEMBER MCCrackEN HAS HEARD THIS SEVERAL TIMES FROM ME, BUT I CANNOT UNDERSTAND THE MINDSET THAT SAYS, LET'S KEEP AUSTIN WEIRD, I REALLY LOVE AUSTIN'S CULTURE, IT'S A QUIRKY PLACE AND BOY, DO I HATE THAT AUSTIN MUSIC NETWORK. YOU KNOW, THE AUSTIN MUSIC NETWORK IS WEIRD AUSTIN. IT IS WHAT WE ALL SAY WE WANT. AND YET THERE ARE PEOPLE THAT WANT TO SHUT IT DOWN.

Mayor Wynn: THANK YOU, MR. SINGLETON. NEXT SPEAKER IS --

Thomas: MAYOR, IF YOU DON'T MIND. BEFORE THE TOWN HALL MEETING GOT HERE, IT WASN'T PUBLICIZED YET BECAUSE I HADN'T HAD AN OPPORTUNITY TO TALK TO THE MAYOR OR THE COUNCIL AND LET THEM KNOW AND THE CITY MANAGER WHAT WE'RE AIMING TO DO IN THIS TOWN HALL MEETING. IT'S TO BRING THE COMMUNITY AND THE AREA UP TO WHAT IS GOING ON AND HOPEFULLY THAT WE CAN ANSWER THE QUESTIONS OF MS. LAYMAN AND MR. SINGLETON AND WHAT THEY WANTED TO KNOW. AND I JUST WANTED TO KNOW -- I DIDN'T KNOW YOU WERE GOING TO

COME AND TELL THEM THE MEETING WAS ON THE 16TH. THAT IS GOING TO OCCUR, BUT I HAVEN'T HAD AN OPPORTUNITY TO SIT DOWN WITH MY COLLEAGUES AND LET THEM KNOW EXACTLY WHAT WE CAN DO AND WHAT WE'RE GOING TO COME FORWARD THAT PARTICULAR NIGHT. IT'S TO LET THE COMMUNITY KNOW WHERE WE ARE AND LET THEM KNOW THAT WE ARE LISTENING TO THEIR CONCERNS ABOUT MUELLER.

Mayor Wynn: THANK YOU, COUNCILMEMBER. NEXT SPEAKER IS MR. LARRY MALONE. LARRY MALONE. HE WAS TO BE FOLLOWED BY AKWASI EVANS. OKAY. COUNCIL, THAT'S ALL THE CITIZENS SIGNED UP FOR GENERAL CITIZEN COMMUNICATION. COUNCILMEMBER ALVAREZ? I'M SORRY, MR. FERNANDEZ, WELCOME. I CALLED YOU EARLIER, GAVINO, FERNANDEZ, JUNIOR. WELCOME.

AFTERNOON. MY NAME IS GAVINO FERNANDEZ WITH HE WILL HE WILL CON SEEIO. WE ARE TAKING THE OPPORTUNITY AT EVERY PUBLIC SITUATION TO STRONGLY ENCOURAGE MEMBERS OF OUR NEIGHBORHOOD ASSOCIATION, COMMUNITY, OUR REGISTERED VOTERS TO VOTE EARLY AND ALSO VOTE ON MARCH THE NINTH IN THE PRIMARIES. I THINK THAT THIS IS A BEGINNING WHERE WE BEGIN ARE GOING TO BEGIN EDUCATING THE IMPORTANCE OF PARTICIPATING IN THE ELECTORAL SYSTEM. AND THE ISSUES THAT ARE BEFORE OUR COMMUNITY, BECAUSE ITS HISTORY OF A PATH THINK AND THE HISTORY OF POLITICAL DISENFRANCHISEMENT, WE NEED TO ENL INDICATE OUR PEOPLE IN THE COMMUNITIES THE VALUE AND IMPORTANCE OF PARTICIPATING IN THE ELECTORAL SYSTEM. MANY OF US AT MANY TIMES HAVE TAKEN OTHER OCCURS TO VOICE OUR DISAGREEMENTS, EITHER THROUGH PROTESTS OR MARCHES OR E-MAIL WRITING, I THINK THAT THIS IS -- THIS IS THAT WINDOW. EVERY ELECTION CYCLE THAT ALLOWS US TO BE MORE EFFECTIVE IN CREATING CHANGE THAT WILL HELP ADDRESS SOME OF THE NEEDS THAT ARE CURRENTLY AT TIMES POLITICALLY IGNORED. FOR EXAMPLE, HAD OUR VOTING NUMBERS BEEN STRONG, HOLLY WOULDN'T BE OPEN TODAY. HAD OUR NUMBERS BEEN STRONG IN VOTING IN PREVIOUS ELECTIONS, SMART GROWTH MAY HAVE BEEN SUPPLIED WITH A MORE -- APPLIED WITH A MORE PROTECTIVE IMPLEMENTATION AS OPPOSED TO JUST AN

OPEN SPACE, SPECULATIVE APPROACH. SO AGAIN, WE HAD A VERY SUCCESSFUL EARLY VOTE RALLY LAST WEEKEND, OVER 100 MUSEUM DID SHOW UP TO VOTE EARLY. AS WE CONTINUE TO EDUCATE OUR PEOPLE, AND I AGAIN MENTION THE IMPORTANCE OF THIS WINDOW TO GO OUT AND CONVEY OUR FIDUCIARY INTERESTS IN THE POLITICAL SYSTEM BY CREATING THAT CHANGE AND THAT WE GALVANIZE IN OUR COMMUNITIES TO GO OUT AND DELIVER THAT -- THAT NUMBER OF VOTES OR PARTICIPATION IN VOTING BECAUSE BEING INVOLVED IN THE POLITICAL ARENA, WHEN YOU LOOK AT THE CITY FROM A CITYWIDE PERSPECTIVE, YOU KNOW, AS AN ELECTED OFFICIAL THE RISKS OF TAKING A CERTAIN DECISION BASED ON THE ELECTORAL RESPONSE KIND OF MOUTHS THE SITUATION A LITTLE BIT. SO THAT'S WHY MANY ISSUES THAT WE HAVE CONFRONTING OUR COMMUNITY -- [BUZZER SOUNDS] -- YOU KNOW, TAKE A BACK STEP. BUT AGAIN, I WANT TO ENCOURAGE STRONGLY EVERYONE THAT IS REGISTERED TO VOTE TO PLEASE REGISTER -- I MEAN VOTE AND UTILIZE THIS OPPORTUNITY TO CONVEY OUR WISHES IN GOVERNMENT THAT WE EXPECT TO BE SERVED WITH. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. FERNANDEZ. AGAIN, MR. LARRY MALONE? OR MR. AKWASI EVANS. COUNCIL, THAT'S ALL THE CITIZENS WHO HAVE SIGNED UP FOR GENERAL CITIZEN COMMUNICATION. RECOGNIZING THAT WE HAVE A VERY IMPORTANT PUBLIC BRIEFING THAT WE WANT TO ACCOMPLISH AT 2:00... COUNCIL, THE QUESTION IS WE HAVE A 2:00 O'CLOCK IMPORTANT BRIEFING THAT WE WANT TO TAKE UP REGARDING THE CONTRACT WITH AUSTIN POLICE ASSOCIATION. WE HAVE ITEM NUMBER 20 THAT WE COULD TAKE UP. WE HAVE A LOT OF SPEAKERS WHO SIGNED UP FOR ITEM NUMBER 19. NO ONE SIGNED UP-- A FEW PEOPLE SIGNED UP FOR ITEM NUMBER 20. AND THE QUESTION IS WHETHER YOU WANT TO BREAK FOR LUNCH WITH THE REST OF THE EXECUTIVE SESSION ITEM WE HAVE TO HAVE DONE OR TRY TO START ITEM NUMBER 20 AND BREAK AT SOME POINT. COUNCILMEMBER?

Thomas: HOW MANY PEOPLE DO WE HAVE SIGNED UP FOR 19?

Mayor Wynn: 19 HAS 40 SOME-ODD. 20 IS THREE. AND COUNCILMEMBER MCCracken, WHO IS NOT HERE, AND I, WERE GOING TO PULL DOWN ITEM NUMBER 19, BECAUSE ITEM 20 IS A VERY SIMILAR DISCUSSION. BUT I'LL DEFER TO COUNCIL'S WISHES IN REGARDS TO WE STILL HAVE ANOTHER EXECUTIVE ITEM -- EXECUTIVE SESSION ITEM TO TAKE UP, WHICH WOULD ALLOW US TO GRAB A BITE TO EAT FOR LUNCH BUT WE HAVE A LOT OF FOLKS WAITING AND A LOT WANT TO TALK.

Alvarez: MAYOR, I RECOMMEND THAT WE BRING UP BOTH 19 AND 20 TOGETHER --

Mayor Wynn: I JUST TOLD YOU I PULLED OUT ITEM NUMBER 19. IT'S MY ITEM.

Alvarez: WELL, I THINK THAT'S WHAT MAKES SENSE. WE KNOW THAT'S WHAT ALL THESE PEOPLE ARE HERE TO TALK ABOUT IS AMN AND ANYTHING -- IF YOU WANT THEM TO GO AND SIGN UP FOR 20 NOW, I GUESS WE CAN DO THAT, BUT WE SET OUR ITEM FOR TIME CERTAIN OF 11:00 O'CLOCK SO THESE FOLKS HAVE ALREADY BEEN WAITING AN HOUR AND A HALF, SO THAT IS ITEM 20, AND I SUPPOSE IF THAT'S WHAT THE MAYOR WANTS, PEOPLE WILL HAVE TO GO AND SIGN UP FOR ITEM NUMBER 20 NOW, BUT I THINK THAT'S -- I THINK BECAUSE WE SET THIS FOR 11:00 O'CLOCK, WE SHOULD TAKE IT UP NOW AND NOT GO INTO EXECUTIVE SESSION AGAIN.

Mayor Wynn: DON'T GET ME WRONG. I'M GOING TO RECOGNIZE EVERYBODY WHO SIGNED UP FOR 19 AND ITEM NUMBER 20. TECHNICALLY WE'RE NOT GOING TO TAKE IT UP. THE QUESTION IS I THINK IT'S VERY IMPORTANT, KNOWING SOME OTHER ISSUES THAT ARE OCCURRING AROUND TOWN THIS AFTERNOON AND THAT WE HAVE OUR 2:00 O'CLOCK BRIEFING ON THE POLICE CONTRACT AT 2:00 O'CLOCK, BECAUSE THAT'S GOING TO BE A SIGNIFICANT NUMBER OF FOLKS AROUND TOWN WILL BE WATCHING THAT SPECIFICALLY FOR THAT PURPOSE, IT WOULD BE -- I'M JUST SUGGESTING THAT WE MIGHT HAVE TO THEN BREAK AT 2:00 O'CLOCK FOR THAT PRETTY IMPORTANT TIME CERTAIN BRIEFING, SO WE COULD GET STARTED NOW WITH SOME CITIZEN INPUT ON ESSENTIALLY THE COMBINED ISSUES,

WHICH 19 AND 20 -- WE'VE AGREED TO PUT THE POSTING FOR ITEM NUMBER 19 IS PERFECTLY CONSISTENT WITH WHAT IS POSTED FOR ITEM NUMBER 20. MY QUESTION OF COUNCIL IS DO YOU WANT TO GO AHEAD AND START. I'M TRYING TO BE COGNIZANT OF OUR NEED TO PROBABLY GRAB A BITE FOR LUNCH, EAT LUNCH AT SOME POINT HERE BEFORE WE TAKE UP THE 2:00 O'CLOCK BRIEFING.

Thomas: MAYOR, I BELIEVE TO ME I WOULD FEEL COMFORTABLE IF WE ALLOW THE PEOPLE TO SPEAK, AS MUCH AS WE CAN. MAYBE THEY CAN GET TOGETHER AND FORM WHO WANTS TO SPEAK. WE CAN -- I'LL PASS ON LUNCH, BUT I'M THE ONLY ONE SPEAKING. BUT I FEEL THEY'VE BEEN HERE SINCE 11, I FEEL WE NEED TO HEAR FROM THEM. AND ALTHOUGH THEY DIDN'T SIGN UP FOR 19, IF WE GIVE THEM THE OPPORTUNITY TO SIGN UP FOR 20 OR WHATEVER, MAYBE WE CAN GET -- SO MANY CAN SPEAK FOR THE GROUP OR WHATEVER. THAT'S JUST MY OPINION.

Mayor Wynn: THAT'S FINE. FOLKS WON'T HAVE TO SIGN UP A NEW CARD. WE'LL RECOGNIZE NUMBER 19 AS ITEM NUMBER 20. SO WITH THAT, I'LL RECOGNIZE THE MAYOR PRO TEM GOODMAN AND/OR COUNCILMEMBER ALVAREZ AND WE'LL TAKE UP ITEM INCOME 20 AND RECOGNIZE THAT WE HAVE A LOT OF FOLKS WHO I THINK WANT TO SPEAK.

Goodman: COUNCILMEMBER ALVAREZ WILL READ THE LANGUAGE OF OUR RESOLUTION AND I THINK I NEED TO MAKE ONE BRIEF COMMENT ABOUT CERTAIN OF THE LANGUAGE, BUT OTHER THAN THAT WE CAN GO TO HEAR PEOPLE SPEAK.

Alvarez: THANK YOU, MAYOR PRO TEM. I THINK IT'S A VERY STRAIGHTFORWARD ITEM, BASICALLY DIRECTS THE CITY MANAGER TO LOOK FOR OPPORTUNITIES TO FURTHER SUPPORT THE NETWORK, IDENTIFYING RESOURCES BETWEEN NOW AND THE TIME WE HAVE TO VOTE ON THE NEXT YEAR'S BUDGET, BUT WITHOUT HAVING TO PULL FROM THE GENERAL FUND. AND I THINK THAT THAT'S SOMETHING WE ACCOMPLISHED LAST BUDGET CYCLE WHERE THERE ARE NO GENERAL FUND DOLLARS GOING INTO THE MUSIC NETWORK, BUT I THINK WHAT WE WANT TO DO IS MAKE SURE THAT WE IDENTIFY ANY OPPORTUNITY IN THE NEXT

SIX MONTHS WE CAN TO SUPPORT THE OPERATIONS WITH THE NETWORK. BUT REALLY I'LL JUST READ THE RESOLUTION. IT KIND OF SPEAKS FOR ITSELF. AND LET THE MEMBERS OF THE PUBLIC BE HEARD ON THIS ITEM. IT SAYS WHEREAS THE CITY OF AUSTIN OFFICIAL SLOGAN SINCE 1991 HAS BEEN THE LIVE MUSIC CAPITOL OF THE WORLD, WHEREAS IN SEPTEMBER 2001 THE CITY COUNCIL WAS PRESENTED A REPORT PREPARED BY TEXAS PERSPECTIVES ON THE ROLE OF LIVE MUSIC IN THE AUSTIN ECONOMY AND THEREFORE THE STUDY FOUND THE MEASURABLE ECONOMIC AND FISCAL IMPACT OF MUSIC IN AUSTIN IS SIGNIFICANTLY -- WHEREAS THE CITY FOUND THAT ALMOST \$11 MILLION IN CITY TAX REVENUE CAN BE ATTRIBUTED TO INFLUENCE ON THE LOCAL ECONOMY AND WHEREAS THE CITY IS HOST TO THE SOUTH BY SOUTHWEST FILM, INTERACTIVE AND MUSIC FESTIVALS WITH OVER 12,000 PARTICIPANTS FROM ALL OVER THE WORLD, GENERATING AN ESTIMATED LOCAL ECONOMIC IMPACT OF \$25 MILLION. WHEREAS THE CITY IS THE HOST OF THE AUSTIN SPEED LIMITS FESTIVAL WITH AN ESTIMATED IMPACT OF SEVEN MILLION DOLLARS, WHEREAS THE AUSTIN CONVENTION AND VISITORS BUREAU PROMOTES THE LIVE MUSIC INDUSTRY THROUGH THE MUSIC MARKETING OFFICE. WHEREAS THE CITY OF AUSTIN SUPPORTS THE LIVE MUSIC INDUSTRY BY SPONSORING LIVE MUSIC AT AUSTIN-BERGSTROM INTERNATIONAL AIRPORT AND CITY COUNCIL MEETINGS AND THROUGH THE ADMINISTRATION OF THE MUSIC LOAN PROGRAM. WHEREAS THE CITY COUNCIL APPOINTS MEMBERS TO THE CITY'S MUSIC COMMISSION, WHICH REVIEWS ISSUES RELATING TO THE MUSIC COMMUNITY. WHEREAS THE AUSTIN MUSIC NETWORK IS A VITAL TOOL IN PROMOTING AUSTIN MUSIC AND FILM. WHEREAS SEVERAL STUDIES SUGGEST THAT THERE'S A SIGNIFICANT RELATIONSHIP BETWEEN THE BREATH AND SCOPE OF CULTURAL OFFERINGS IN TERMS OF MUSIC, ARTS, ETCETERA, AND THE GROWTH OF A TECHNOLOGY BASED ECONOMY. WHEREAS THE TASKFORCE FOR THE CURRENT CITY COUNCIL INITIATED ECONOMIC DEVELOPMENT EFFORTS INCLUDES A COMPONENT FOR ENHANCING MUSIC, ARTS AND CREATIVE INDUSTRY IN THAT CONTEXT. WHEREAS THE PROMOTION OF CREATIVE INDUSTRY IS INCLUDING ARTS, MUSIC AND FILM ARE IMPORTANT

COMPONENTS IN THE CITY'S ECONOMIC GROWTH STRATEGY, WHEREAS THE AUSTIN MUSIC NETWORK IS BECOMING INCREASINGLY MORE EFFECTIVE AT LEVERAGING THE LIMITED PUBLIC DOLLARS INVESTED INTO ITS OPERATIONS AS ORIGINALLY ENVISIONED AND WHEREAS IN THE LAST YEAR THE AUSTIN MUSIC NETWORK HAS ADDED POPULAR PROGRAMS SUCH AS IN AUSTIN, FRANKIE GOES TO HIGH SCHOOL, AMN KIDS HOUR, PRIME TIME TEJANO, THE FILM SHOWCASE, EXPANDING THE DIVERSITY OF PROGRAMMING AND VIEWERSHIP. NOW THEREFORE LET IT BE RESOLVED THAT THE COUNCIL DIRECT THE CITY MANAGER IN PREPARATION FOR NEXT YEAR'S BUDGET TO FACILITATE THROUGH THE FORM PROVIDED BY THE COUNCIL'S TELECOMMUNICATIONS INFRASTRUCTURE SUBCOMMITTEE THE DEVELOPMENT OF A NEW MECHANISM FOR THE OPERATION OF THE ACCESS CHANNEL CURRENTLY KNOWN AS THE AUSTIN MUSIC NETWORK THAT WOULD ASSURE THAT THE CABLE CHANNEL IS AN EFFECTIVE ECONOMIC TOOL THAT FUNCTIONS AS A REGIONAL SHOWCASE FOR AUSTIN AREA ARTS AND MUSIC WITHOUT ANY CONTRIBUTIONS FROM THE CITY'S GENERAL FUND. THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. MAYOR PRO TEM?

Goodman: THE CLARIFICATION I WANTED TO MAKE IN THE DIRECTION WE'RE OFFERING THE CITY MANAGER AND THE FORM THAT WE'RE OFFERING THROUGH TELECOMMUNICATIONS IS REALLY THE STAFF SUPPORT THAT WE ALREADY HAVE IN PLACE IN THAT FORUM. AND THAT WAY TOO WE CAN MOVE AWAY FROM PERCEPTIONS THAT COME WHEN PEOPLE DON'T KNOW WHAT'S GOING ON THAT ANYBODY IS BEHIND CLOSED DOORS NEGOTIATING A FUTURE WITHOUT OPEN DISCUSSIONS, SO ON AND SO FORTH. WE'RE UNIQUELY SITUATED SINCE WE DO HAVE AMN ITEMS ON OUR AGENDA, AND THAT STAFF, CONTACT MANAGEMENT IS PART OF THE STAFF SUPPORT WE HAVE THERE. SO I THINK SINCE THERE HAVE BEEN A NUMBER OF VISIONS AND OPTIONS THAT HAVE BEEN BRAINSTORMED OVER THE YEARS AND SOME WERE ACTIVELY WORKED ON, WE'LL SEE HOW TO LOOK AT THOSE IN LIGHT OF ANY NEW ACTIVITIES AND REALLY WORK HARD ON GETTING THIS

COMPONENT OF THE ECONOMIC DEVELOPMENT INITIATIVE ON THE GROUND AND WORKING FOR AUSTIN AND WORKING FOR THE ARTISTS AND INDUSTRIES THAT ARE PART OF THE FOCUS.

Slusher: MAYOR?

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: I'M GLAD TO HAVE THE CLARIFICATION FROM THE MAYOR PRO TEM BECAUSE I VOTED SEVERAL TIMES FOR THE FUNDING FOR THE NETWORK, INCLUDING IN THIS YEAR'S BUDGET AND I WAS GOING TO VOTE AGAINST DEFUNDING THE NETWORK TODAY ON NUMBER 19, BUT I'M CONCERNED ABOUT WHY WE HAVE TO GO ON RECORD IN THE MIDDLE OF THE -- MIDDLE OF THE BUDGET YEAR ABOUT SUPPORTING THE NETWORK BECAUSE WE HAVEN'T TAKEN ANY ACTION CONTRARY TO THAT. THE LAST PART OF WHAT THE MAYOR PRO TEM SAID IS THAT IF THERE ARE ANY NEGOTIATIONS GOING ON WITH TIME WARNER OR ANYONE ELSE, THAT THOSE SHOULD GO THROUGH THE COUNCIL SUBCOMMITTEE. AND I CERTAINLY AGREE WITH THAT. I DON'T THINK THAT ANY COUNCILMEMBERS SHOULD BE NEGOTIATING ON THEIR OWN ON SOMETHING THAT'S NOT JUST THE MUSIC NETWORK. FROM WHAT I'VE HEARD OF IT, AND I WASN'T BRIEFED ON IT DIRECTLY, BUT WHAT I'VE HEARD AND READ IN THE PAPER WAS NOT JUST ABOUT THE MUSIC NETWORK, BUT IF YOU GO GIVING BACK CHANNELS OR TRADING BACK CHANNELS TO TIME WARNER, THEN THAT WOULD BE RENEGOTIATING THE CONTRACT, THE CABLE CONTRACT, NOT JUST THE MUSIC NETWORK CONTRACT. SO I DON'T THINK ANYTHING LIKE THAT SHOULD GO THROUGH THE COUNCIL SUBCOMMITTEE, BUT I DON'T REALLY SEE THE NEED TO -- BOTH ABOUT LOOKING FOR MONEY FOR NEXT YEAR BECAUSE I'M WORRIED WHAT THAT SAYS ABOUT OTHER ITEMS IN THE BUDGET. BECAUSE I THINK WE'RE ALL -- WE'RE TRYING TO KEEP OUR BUDGET FUNDING AND WE'RE TRYING TO FUND SOCIAL PROGRAMS. THE WAY THIS IS STRUCTURED, WE CERTAINLY WOULDN'T COMPETE WITH SOCIAL PROGRAMS BECAUSE IT WOULDN'T BE OUT OF THE GENERAL FUND, BUT I WANT THAT OUT THERE BECAUSE IT WAS PUT TO ME THAT THIS WOULD BE MORE AIMED AT MAKING SURE ANY NEGOTIATIONS THAT TAKE PLACE TAKE

PLACE THROUGH A PUBLIC FORUM OF THE COUNCIL SUBCOMMITTEE, NOT JUST SAYING OKAY, CITY MANAGER, FIND SOME FUNDS. IT'S ALSO VERY IMPORTANT WHAT THE MAYOR PRO TEM SAID THAT IT WOULD BE WITHIN THE EXISTING STAFF FOR THE SUBCOMMITTEE BECAUSE I DON'T WANT THE CITY MANAGER TO HAVE TO DIVERT OFF OF ANYTHING THAT SHE'S DOING FOR THIS RIGHT NOW. I THINK WE WOULD BE SENDING THE WRONG MESSAGE IN THIS BUDGET CLIMATE IF WE DID THAT.

Mayor Wynn: MAYOR PRO TEM?

> GOODMAN: LET ME REASSURE COUNCILMEMBER SLUSHER THAT THIS IS NOT A NEW INITIATIVE. AND THE REASON THAT THE ISSUE OF FUNDING IS IN THERE IS BECAUSE EVENTS OF THE RECENT PAST SORT OF MADE THAT AN ISSUE THAT NEEDED TO BE SPOKEN TO IN SOME PEOPLE'S MIND. THE OPTIONS FOR THE FUTURE OF AMN'S PLACE WHERE THE VISION AND INTEGRITY IS ASSURED FROM WHEN WE FIRST NEGOTIATED THEIR EXISTENCE FROM TIME WARNER -- OR I GUESS IT WAS AUSTIN CABLEVISION BACK THEN, HAS BEEN ONGOING. AND IN LIGHT OF THE PERCEPTION ALSO IN RECENT DAYS THAT OTHER UNKNOWN NEGOTIATIONS WERE A PART OF DECIDING THAT FUTURE, IT'S THE -- A LITTLE BIT REACTIONNARY. THIS IS A LITTLE BIT REACTIONNARY SINCE THINGS WERE GOING ON ALREADY. BUT WE WANTED TO MAKE SURE THAT EVERYBODY WAS REASSURED IN THE PUBLIC THAT THE WAY TO DO ANY DISCUSSING OF FUTURES OF AMN OR ACAC FOR THAT MATTER OR ANY OF THE OTHER FRANCHISE PROVISIONS WE HAVE WITH TIME PARTNERER IS TO DO IT THROUGH THE COUNCIL SUBCOMMITTEE WHO CAN DO THE GRUNT WORK, SO TO SPEAK FOR COUNCIL AND BRING THE INFORMATION HERE AND IT CAN ALSO BE A VERY OPEN PROCESS AND THAT WAY THERE'S NO PERCEPTION OF ANYTHING GOING ON BEHIND CLOSED DOORS. AND THERE IS THEN THE SUPPORT FROM THE CITY MANAGER AND STAFF TO GO AHEAD AND NOT BE INTIMIDATED IN ANY WAY BY WHAT MAY SEEM TO BE POLITICAL PRESSURES, BUT TO ACTUALLY LOOK AT OPTIONS THAT WE'VE ALL BEEN, I THINK, SUPPORTIVE OF FOR SEVERAL YEARS NOW AND TRYING TO FIND THE BEST WAY TO ASSURE AMN'S FUTURE AND THE BENEFIT AND INVESTMENT RETURN THAT IT WILL GIVE TO THE CITY. RIGHT NOW TOO WE'RE -- WE DON'T

REALLY SEE THE OUTCOMES, BUT WE ARE IN THE MIDDLE OF AN ECONOMIC DEVELOPMENT INITIATIVE THAT IS FINALLY ACKNOWLEDGED AND SAID TO BE SOMEWHAT FOCUSED ON, AMONG OTHER LONG UNDERUTILIZED FOCUS FOR THE CITY AND ECONOMIC DEVELOPMENT. THE CULTURAL ARTS AND CREATIVE INDUSTRY THAT WE HAVE SO MANY HOMEGROWN ASSETS TO ASPIRE TO A GREATER FUTURE WITH. SO IT'S JUST SORT OF IN A NUTSHELL -- I MEAN, I KNOW IT A LONG RESOLUTION, BUT IT'S IN A NUTSHELL FOR THE DIFFERENT GOALS AND THE DIFFERENT PATHS THAT WE'VE BEEN TALKING ABOUT FOR SOME TIME. SO ALTHOUGH CERTAIN OF THE WHEREAS MAY SEEM REACTIONNARY IN THAT SENSE AND THE RESOLVE MAY SEEM TO BE REDUNDANT RELATIVE TO POSITIONS WE'VE ALREADY TAKEN, I THINK IT'S ALSO PARTLY DESIGNED TO BE A REASSURANCE FOR EVERYBODY.

Slusher: OKAY.

Goodman: THESE ARE THINGS THAT MAY NOT HAVE ORDINARILY NEEDED TO BE MENTIONED.

Slusher: SO IT WOULD BE THE ACCURATE SUMMARY -- CORRECT ME IF I GET THIS WRONG. ONE, FUNDS FOR THE MUSIC NETWORK WILL NOT COME OUT OF THE GENERAL FUND, WHICH IS THE FUND THAT IS FUNDED BY PROPERTY TAXES, SALES TAXES, FUND POLICE, FIRE, E.M.S., PARKS, LIBRARIES, THE BASIC SERVICES OF THE CITY BASICALLY, SO IT WOULDN'T COME OUT OF THERE AND IT DOESN'T ALREADY. IT DOESN'T CURRENTLY EITHER, BUT -- SO IT ENSURES THAT IT'S NOT GOING TO COME OUT OF THERE FOR ANY FUNDING FOR NEXT YEAR. ANY NEGOTIATIONS THAT GO ON OVER THE MUSIC NETWORK ARE ANYTHING TO DO -- OR ANYTHING TO DO WITH THE CABLE CONTRACT, EITHER ONE OF THOSE THINGS, THOSE WOULD BE DONE THROUGH THE COUNCIL SUBCOMMITTEE. AND THIS DOESN'T INSTRUCT THE CITY MANAGER TO UNDERTAKE -- TO TAKE PEOPLE OFF OF ANY EFFORT THAT'S GOING ON NOW AND PUT THEM ON TO THIS.

LUSH.

ACCURATE?

Goodman: AS WE MENTIONED THE STAFF SUPPORT IS ALREADY THE STAFF THAT WORKS ON THESE ISSUES?

Slusher: SO THAT WAS AN ACCURATE SUMMARY?

Goodman: YES.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I'D LIKE TO PERHAPS ADD A LITTLE BIT THERE. IT'S VERY, VERY DIFFICULT FOR STAFF TO GO NEGOTIATE ANYTHING UNLESS THEY KNOW KIND OF IN GENERAL WHAT DIFFERENT MEMBERS OF THE COUNCIL CAN AND CANNOT LIVE WITH. SO I THINK PART OF THIS REVIEW IS TO DETERMINE WITH ALL OF THE ASSETS THAT WE HAVE, TELECOMMUNICATION ASSETS, YOU KNOW, WHICH COUNCILMEMBERS MIGHT OR MIGHT NOT BE WILLING TO DO X IN ORDER TO GET A STREAM OF REVENUE TO EITHER SUPPORT THE MUSIC NETWORK WITH OR CHANNEL 6 OR SOME OTHER EFFORT IN THAT ARENA. FOR EXAMPLE, I MIGHT BE WILLING TO MOVE CHANNEL 6 TO A HIGHER TIER IN ORDER TO GET A STREAM OF REVENUE TO SUPPORT THE MUSIC NETWORK. SOMEBODY ELSE MIGHT NOT BE WILLING TO DO THAT. SO THERE'S A WHOLE MATRIX OF OPTIONS THAT WE HAVE AVAILABLE IN HOW TO MAKE SOME OF THESE ASSETS MORE PRODUCTIVE FOR US, EITHER TO USE FOR ECONOMIC DEVELOPMENT USES FOR THE MUSIC CHANNEL, USED TO ENHANCE CHANNEL 6, WHATEVER THEY MAY BE, SO AS PART OF THIS DISCUSSION WE HAVE STAFF RIGHT NOW THAT HAVE BEEN THINKING ABOUT THIS, BUT THAT MIGHT BE A GOOD STARTING POINT JUST TRYING TO FIGURE OUT WHAT THE RANGE OF OPTIONS ARE AND THEN WHAT WE'RE WILLING TO DO IN ORDER TO PRODUCE MORE REVENUE TO SUPPORT THE THINGS WE WANT, WHETHER THAT'S THE MUSIC NETWORK OR WHETHER IT'S WHAT HAVE YOU. SO I WOULD LIKE TO HOPE THAT THAT DISCUSSION THAT YOU'RE TALKING ABOUT WOULD INCLUDE THINGS LIKE THAT. I'M SORRY, WHAT?

Mayor Wynn: SHE AGREES. I WILL SAY, MAYOR PRO TEM, ON THE NO GENERAL FUND ISSUE, I MEAN, WE'VE -- WE HAVEN'T

BEEN DIPPING INTO THE GENERAL FUND NOW FOR A COUPLE OF YEARS, BUT LAST YEAR, IF YOU REMEMBER, OF COURSE, THERE WAS HUNDREDS OF THOUSANDS OF DOLLARS FROM THE AIRPORT, FROM THE CONVENTION CENTER FUND AND FROM AUSTIN ENERGY. AND -- LET ME BACK UP A LITTLE BIT MORE. MY ISSUES AND HEART BURN HAVE BEEN ABOUT THE FISCAL PERFORMANCE OF THIS MANAGER OF THE MUSIC NETWORK. YOU KNOW, \$4.8 MILLION LATER AFTER THIS INVESTMENT, THERE IN MY OPINION SHOULD HAVE BEEN MORE TO SHOW FOR IT. AND IT'S THE MUSICIANS IN MY OPINION WHO HAVEN'T GOTTEN THE BANG FOR THAT BUCK. AND I RECOGNIZE THE INITIAL VISION TO CREATE THE NETWORK AND TRY TO FIGURE OUT FROM AN ECONOMIC DEVELOPMENT AND INITIATIVE HOW CAN WE HAVE A BETTER, MORE POSITIVE, ALSO MORE DEMONSTRABLE IMPACT ON THE LOCAL MUSIC SCENE. IT'S NOT A SECRET THAT I'M -- I HAVE BEEN DISAPPOINTED ABOUT THAT LACK OF THE DEMONSTRABLE RETURN. OBVIOUSLY A LOT OF PRESS IN THE LAST WEEK OR SO ABOUT THE CHANNEL, AND I WILL SAY THAT THE CONTENT ISSUE THAT CAME UP IS JUST SYMBOLIC OF, I THINK, THE FAILED MANAGEMENT THAT WE HAVE AT THE MUSIC NETWORK NOW. AND SO AUSTIN MUSICIANS DESERVE A LOT MORE THAN THEY'VE GOTTEN FOR \$4.8 MILLION OF PUBLIC MONEY. AND THE IDEA THAT IN RELATIVELY SHORT ORDER, AUSTIN MUSICIANS -- THE AUSTIN MUSIC NETWORK CAN BE BROADCAST ON A MORE SIGNIFICANT REGIONAL OR EVEN NATIONAL BASIS WOULD BE A GREAT THING FOR OUR MUSICIANS. WHEN WE HAVE PUBLIC DOLLARS INVOLVED, WHETHER IT'S GENERAL FUND OR WHETHER IT'S AUSTIN ENERGY OR THE CONVENTION CENTER FUND OR THE AIRPORT OR CULTURAL ARTS, I BELIEVE THAT OUR CITIZENS DEMAND THAT THERE BE -- THE ACCURATE TRILLION OBLIGATIONS ARE FOLLOWED, THE PERFORMANCE MEASURES ARE ADHERED TO, CERTAINLY THAT ETHICS ARE ADHERED TO, AND WE HAVEN'T SEEN THAT. AND, YOU KNOW, IN HAVING TO DELVE INTO THE PERFORMANCE OF THE CURRENT MANAGE, THERE'S A BUNCH OF QUESTIONS THAT NEED TO BE ANSWERED BECAUSE CITIZENS ARE ANGRY AND THEY -- LIKE IT OR NOT, THE AUSTIN MUSIC NETWORK HAS BECOME SYMBOLIC OF PUBLIC SPENDING WITH NO DEMONSTRABLE RETURNS WITH SOME DISREGARD TO A CONTRACTUAL OBLIGATION AND

PERFORMANCE MEASURES. AND WE HAVE TO FIGURE OUT HOW TO TAKE THE GOOD IDEA AND THE POSITIVE POTENTIAL ECONOMIC IMPACT OF A TRUE AUSTIN MUSIC NETWORK THAT'S BROADCAST ACROSS THE COUNTRY AND BRINGS FOLKS IN FROM OTHER PART OF THE COUNTRY BECAUSE THEY'RE WATCHING THEIR CABLE SYSTEM. WE HAVE TO SOMEHOW BIFURCATE ALL OF THE BAD THINGS THAT HAVE OCCURRED, THE LACK OF CREDIBILITY THAT NOT ONLY THE NETWORK'S MANAGEMENT HAS, BUT SADLY I BELIEVE OUR CITY'S BUDGET HAS. AS BIG AND COMPLEX AS OUR CITY'S BUDGET IS, WHEN THE THREE WORD AUSTIN MUSIC NETWORK ARE IN THAT BUDGET, YOU KNOW, IT RAISES A LOT OF CONCERN. AND I THINK IT ACTUALLY HURTS THE CREDIBILITY OF THE OVERALL BROAD AMOUNT OF EFFORTS THAT ARE OCCURRING ACROSS THIS COMMUNITY. SO BEFORE WE PERHAPS OPEN UP TO PUBLIC DISCUSSION, I HAVE SOME QUESTIONS ABOUT THE PERFORMANCE, SPECIFICALLY THE FISCAL PERFORMANCE OF THIS MANAGEMENT TEAM THAT I THINK NEED TO BE ADDRESSED. AND I THINK CITY STAFF HAS SPENT A BUNCH OF TIME IN THE LAST TWO OR THREE DAYS TRYING TO UNDERSTAND THE FINANCES OF THIS MANAGER, BUT IN THE MEMOS AND SOME E-MAILS THAT I'VE SEEN FLOATING AROUND IT'S NOT CLEAR TO ME THAT OUR CITY STAFF HAS THEIR ARMS COMPLETELY AROUND THE FISCAL ISSUES HERE. AND WITH THAT I'D LIKE TO ASK THE CITY MANAGER TO HELP ME FIND ANSWERS TO A FEW JUST BASIC FUNDAMENTAL FISCAL ISSUES.

Goodman: MAYOR? YOU MADE EIGHT OF POINTS -- A LOT OF POINTS PREVIOUS TO ASKING FOR STAFF AND ABOUT THE CONTRACT AND SO ON. AND I WOULD I WOULD LIKE TO BE ABLE TO COMMENT AT ANOTHER TIME DURING TODAY ON THOSE BECAUSE THERE IS CLARIFICATION I THINK THERE AS WELL.

Mayor Wynn: GREAT. WE'LL GIVE YOU WHATEVER TIME YOU NEED. COUNCILMEMBER THOMAS?

Thomas: IF YOU DON'T MIND, MAYOR. I HEAR WHAT YOU'RE SAYING AND RESPECT WHAT YOU'RE SAYING, BUT I'VE LOOKED AT THIS AND -- EVER SINCE FOR THE LAST TWO WEEKS IT'S BEEN GOING ON. FROM '94 UP TO 2004, AND

EVER SINCE I'VE BEEN ON THE COUNCIL SINCE 2000, AUSTIN MUSIC NETWORK HAS -- AND I'M GOING TO SAY THIS -- HAS BEEN PUT UNDER PRESSURE. WE HAVE A NEW MANAGE MANAGER THAT'S THERE. AND I KNOW YOU HAVE THE RIGHT TO ASK THE QUESTIONS, BUT I ALSO FEEL THAT WE NEED TO MAKE SURE THAT WHEN YOU HAVE A NEW MANAGER COME IN AND TRYING TO DO THE BEST TO BRING THE NETWORK BACK WHERE THE CITIZENS AND THIS COUNCIL WANT AND SOMETIMES WE ARE PUT UNDER SITUATIONS THAT -- NOT TO SAY WE DID IT INTENTIONALLY, BUT IT HAPPENS. AND I THINK WE OUGHT TO BE VERY SENSITIVE IF HE'S JUST BEEN MANAGER FOR FOUR OR FIVE MONTHS. A LOT OF PRESSURE HAS BEEN PUT ON AUSTIN MUSIC NETWORK SOME THINGS I'M NOT VERY PLEASED WITH, BUT I'VE SEEN SOME DRASTIC IMPROVEMENTS SINCE THE CHANGE IN MANAGEMENT. AND I THINK WE NEED TO BE VERY SENSITIVE TO WHAT THEY'RE TRYING TO DO. AND YOU HAVE THE RIGHT TO ASK THOSE QUESTIONS, BUT I FEEL THAT ALL THE PRESSURE THAT HAS BEEN PUT ON THEM SINCE I'VE BEEN ON COUNCIL, IT -- WE HAVE TO BE SENSITIVE TO WHAT THEY'RE TRYING TO DO. THEY'VE HAD SOME GOOD PROGRAMS, GIVES MUSICIANS THE OPPORTUNITY TO BE EXPOSED. YOU SAID SOMETHING ABOUT INVESTMENT. WE DID INVEST 4.8. THAT'S A LOT OF MONEY. THAT'S WHY I HAVE -- WHEN WE INVEST THAT TYPE OF MONEY, PUBLIC MONEY, TAX MONEY, WE OUGHT TO MAKE SURE THAT WE CAN STILL CONTINUE INVESTING, BUT MAKE SURE THERE ARE SOME BREAKDOWNS OF SOME THINGS THAT WE'RE NOT SATISFIED AND GIVE THAT PERSON THE OPPORTUNITY TO CORRECT THAT SO WE CAN MOVE ON. BECAUSE WE'RE KNOWN FOR THE CAPITOL CITY OF LIVE MUSIC, AND I THINK WE JUST NEED TO COME TOGETHER AND FIGURE OUT AND GET YOUR QUESTIONS ANSWERED AND WE'LL MOVE ON. THANK YOU.

Mayor Wynn: FAIR ENOUGH. I'LL SAY THE PRESSURE COMES FROM THE FACT THAT THERE'S 4-POINT WILL MILLION DOLLARS OF PUBLIC MONEY, AND TO THE EXTENT THAT THERE'S NO PUBLIC MONEY INVOLVED, THAT PRESSURE IS REMOVED. AND IT'S OUR FIDUCIARY -- FISCAL RESPONSIBILITY TO OUR CITIZENS THAT WHEN WE FUND PROJECTS, WHEN WE FUND SO FARVICES, WE HAVE TO OVERLOOK THAT. WE HAVE TO BE THE OVERSIGHT AND WE

HAVE TO, FRANKLY, PUT PRESSURE THAT PRODUCT IS DELIVERED. I DON'T THINK THE AUSTIN MUSICIANS HAVE GOTTEN A RETURN ON THAT \$4.8 MILLION, AND I THINK WE HAVE TO FIGURE OUT WHETHER IF THIS MANAGEMENT TEAM CAN IN FACT DELIVER FOR THE AUSTIN MUSICIANS, KNOWING THAT HOW MUCH MONEY HAS BEEN INVESTED. WITH THAT, MR. STEPHENS --

Futrell: JOHN STEPHENS, JUST TRYING TO ANSWER THE COUNCIL QUESTIONS OVER THE LAST COUPLE OF DAYS AND JOHN HAS BEEN OUR LEAD TEAM MEMBER. HE'S OUR CHIEF FINANCIAL OFFICER, HE'S OUR ACTING ASSISTANT CITY MANAGER RIGHT NOW, AND HE HAS WORKED WITH BOTH OUR INTERNAL AUDITORS, OUR CONTRACT MANAGER AND A NUMBER OF OTHER STAFF IN TRYING TO GET THESE QUESTIONS ANSWERED. SO I WILL CHIME IN WHERE NECESSARY, BUT JOHN WILL BE OUR PRIMARY RESPONDER.

Mayor Wynn: AND I WILL SAY BEFORE WE START THIS THAT FRANKLY IT SHOULDN'T TAKE THE CITY'S CHIEF FINANCIAL OFFICER TO HAVE TO SPEND ALL OF HIS TIME FOR SEVERAL DAYS TO TRY TO GET TO THE BOTTOM OF SOME FUNDAMENTAL FISCAL QUESTIONS. AND I APPRECIATE AND APPLAUD THE EFFORT THAT MR. STEPHENS HAS MADE OVER THE LAST 72 HOURS TO TRY TO COME UP WITH THESE ANSWERS, BUT WHEN YOU HAVE PERFORMANCE MEASURES AND CONTRACTUAL OBLIGATIONS WITHIN A CONTRACT, IT SHOULD BE AT THE TOP OF THE LIST. WE SHOULD BE ABLE TO FIND OUT WHETHER OR NOT SOMEBODY -- A MANAGER OF A CITY CONTRACT IS IN FISCAL COMPLIANCE OR NOT.

Futrell: I WOULD LIKE TO RESPOND TO THAT, MAYOR. I WOULD LIKE TO BE VERY CLEAR THAT IN THE CONTRACT WHAT WE GET IS A MONTHLY REPORT WHERE THE MANAGER OF THE NETWORK CERTIFIES FOR US THAT THE PERFORMANCE MEASUREMENTS ARE MET. AND IN THE CONTRACT THERE'S THE ABILITY FOR THE CITY TO THEN DELVE DEEPER BEHIND THAT CERTIFICATION. AND SO WHAT WE'VE BEEN DOING -- AND I KNOW IT'S ALL THAT JOHN WISHES TO HAVE DONE OVER THE LAST FEW DAYS, BUT WHAT WE HAVE DONE OVER THE LAST FEW DAYS IS BECAUSE OF THE LEVEL OF ATTENTION THAT THIS ISSUE HAS RECEIVED IS WE'VE GONE BACK AND DONE SOME OF

THAT DELVING.

Slusher: I AM GOING TO BE MOMENTARILY OFF THE DIAS, BUT I WANT THE FOLKS TO KNOW I'M GOING TO BE WATCHING THE PROCEEDINGS ON TV.

Mayor Wynn: SO MR. STEPHENS, IS THERE A SPENDING LIMIT OR WHAT'S THE SPENDING REQUIREMENT CONTRACTUALLY IN THE CONTRACT? ARE THERE LIMITATIONS ON THE AMOUNT THAT CAN BE SPENT EACH MONTH?

MAYOR, I DON'T THINK THE CONTRACT -- LET ME SEE IF I CAN -- LET ME FIND THE RIGHT SECTION OF THE CONTRACT FIRST.

Futrell: I THINK, JOHN, IF YOU GO ON THE PERFORMANCE MEASUREMENTS UNDER EXHIBIT A, NUMBER 12, IF YOU FOUND IT, IT'S PROBABLY WHAT THE MAYOR IS REFERRING TO. YOU HAVE THAT LANGUAGE. IF NOT, I'LL READ IT.

I HAVE THE LANGUAGE. IT READS: THERE IS A REQUIREMENT THAT MONTHLY EXPENDITURES BE REPRESENTATIVE WITHIN EACH MONTH'S PRO RATA SHARE OF THE ANNUAL BUDGET.

Mayor Wynn: AND HAS THAT OCCURRED?

IT HAS NOT OCCURRED. OVER THE FIRST THREE MONTH PERIOD, DEPENDING ON HOW YOU WANT TO LOOK AT IT, THE EXPENDITURES HAVE EXCEEDED THE ALLOCATION, AND THAT'S AGAIN NOT ON A MONTHLY BASIS, BUT OVER THAT ENTIRE THREE-MONTH PERIOD ABOUT 10.810.8 PERCENT. AND I ARRIVED AT THAT NUMBER BY FACTORING OUT AN EXTRA PAYROLL THAT OCCURRED IN JANUARY BECAUSE THEY'RE ON THE -- THE MUSIC NETWORK IS ON THE SAME CYCLE THAT THE CITY IS WHERE WE GET PAID BI-WEEKLY, WHICH MEANS THAT EVERY TWO MONTHS OUT OF THE FISCAL YEAR, THERE ARE GOING TO BE PAY PERIOD OR MONTH IN WHICH THREE PAY PERIODS OCCUR INSTEAD OF TWO, SO YOU WILL HAVE A SPIKE.

Mayor Wynn: RIGHT, I UNDERSTAND THAT. AND SO THAT MONTHLY PRO RATA SHARE WOULD BE ABOUT -- IN MY

FIGURES IN LOOKING AT THIS REPORT, ABOUT \$12,400 A MONTH, YET THE TOTAL EXPENDITURES LATELY HAVE BEEN 35, 36, 40,000 BUCKS A MONTH.

THE BUDGET THAT THE MUSIC NETWORK SUBMITTED SHOWS EXPENDITURES OF ABOUT \$35,000 A MONTH. BECAUSE THEY ARE INCLUDING IN THAT BUDGET SOME REVENUE THAT THEY EXPECT TO RECEIVE FROM OUTSIDE SOURCES. IN OTHER WORDS, THAT BUDGET IS NOT BUILT SOLELY AROUND THE PAYMENT THAT THEY RECEIVE FROM THE CITY.

Mayor Wynn: WAS THAT BUDGET APPROVED AND BY WHOM?

YOU MEAN AS A PART OF THE CONTRACT?

Mayor Wynn: WAS THERE -- SURELY THE CONTRACT ALLOWS FOR THE BUDGET TO EITHER BE APPROVED OR NOT. AND WAS IT APPROVED? AND WHO HAS THE APPROVAL?

MAYOR, I ZOOM THAT IT WAS APPROVED THROUGH -- I ASSUME THAT IT WAS APPROVED THROUGH RECEIPT OF THE PROPOSAL. THAT'S SORT OF THE STANDARD CITY PROCESS, SOMEONE SUBMITS A PROPOSAL AND WE GO INTO THE CONTRACT WITH THEM, BUT THAT'S NOT ADDRESSED. THAT BUDGET ITSELF IS NOT SPECIFICALLY ADDRESSED IN THE CONTRACT.

Futrell: AND MAYOR, THE REASON IS THIS WAS DONE A LITTLE DIFFERENTLY THAN MOST CONTRACTS. IF YOU REMEMBER WHAT WAS UNUSUAL ABOUT THIS IS IT WAS DONE AS A CULTURAL CONTRACT. SO REALLY IT BECOMES A PROPOSAL THAT IS THEN ADOPTED IN THE BUDGET AS A PART.

Mayor Wynn: IT SEEMS TO ME THE FUNDING WAS PART OF THE CONTRACT, BUT OBVIOUSLY THE CONTRACT WITH THE KENNETH THREADGILL MUSIC PROJECT GOES FARTHER BACK THAN ANY CULTURAL DOLLARS GOING INTO IT. SO WE'VE HAD A CONTRACT THAT HAD BUDGET AND BUDGET APPROVAL IN THERE. MY QUESTION IS WHO HAS APPROVED THE BUDGET?

I BELIEVE WHAT JOHN IS TRYING TO SAY, AND JOHN, DOUBLE-CHECK ME, IS IF THEY SUBMITTED LIKE THEY WOULD FOR THE CULTURAL CONTRACT, IF WE DID IT IN THAT PROCESS, THEY HAD A PROPOSAL THAT LISTED BOTH REVENUES THEY WERE GOING TO RAISE AND REVENUES FROM THE CITY, WHICH WOULD THEN GIVE YOU WHAT THEIR TOAJT BUDGET AND EXPENDITURES WERE. WHEN YOU FACTOR IN AND PRO RATA OUT THE EXTRA PAYROLL PERIOD, IT ADDS UP TO ABOUT \$2,000 A MONTH THAT THEY HAVE EXPENDED IN THE FIRST THREE MONTHS, PER MONTH, THAT THEY WOULD SPEND IT IN THE FIRST THREE MONTHS.

Mayor Wynn: WHAT WE'RE LEARNING IS THERE IS NO BUDGET APPROVAL PROCESS. THEY JUST SUBMIT A BUDGET AND BY DE FACTO IT AUTOMATICALLY APPROVES.

Futrell: JOHN, AM I WRONG, WAS IT JUST PART OF THE ACCEPTED APPROVAL?

THAT'S CORRECT, CITY MANAGER.

Mayor Wynn: EVEN THOUGH THE CONTRACT WITH THE KENNETH THREADGILL PROJECT GOES FARTHER BACK. SMAW THAT CONTRACT GOT AMENDED TO CHANGE HOW THE ANNUAL BUDGET IS RECEIVED AND/OR APPROVED?

WELL, RELATIVE TO THE MONTHLY BUDGETED EXPENDITURE, I DON'T THINK THAT REQUIREMENT WAS PUT IN THE CONTRACT UNTIL, I BELIEVE, FIRST THE 1st -- FEBRUARY OF 2003, LAST YEAR. THAT'S WHEN THE PERFORMANCE MEASURES AND THE REPORTING REQUIREMENTS WERE IMPLEMENTED IN THE CURRENT CONTRACT.

Mayor Wynn: SO OF THE \$4.8 MILLION, THE PUBLIC DOLLARS THAT'S BEEN SPENT SO FAR, HOW MANY OF THOSE DOLLARS WERE SPENT IN ACCORDANCE WITH AN OVERSEEN AND APPROVED BUDGET?

WELL, I'M NOT SURE I CAN ANSWER THAT QUESTION RIGHT NOW, MAYOR. I HAVEN'T GONE BACK AND LOOKED AT ALL THE PREVIOUS CONTRACTS THAT WERE IN PLACE FROM

HERE TO YEAR.

Alvarez: FOLLOW-UP, MAYOR?

Mayor Wynn: SURE.

Alvarez: I'M TRYING TO UNDERSTAND THE POINT YOU'RE ASKING. WHAT THE PROVISION IN THE CONTRACT IS THAT THE MAYOR IS REFERRING TO. WHAT IS THE LANGUAGE EXACTLY?

THE LANGUAGE IS IN EXHIBIT A OF THE CONTRACT, ON THE FIRST PAGE OF EXHIBIT A, NUMBER 12. AND I CAN READ IT AGAIN IF YOU WOULD LIKE ME TO.

IT'S JUST A SINGLE SENTENCE.

THERE IS A REQUIREMENT THAT MONTHLY EXPENDITURES BE KEPT WITHIN EACH MONTH'S PRO RATA SHARE OF THE ANNUAL BUDGET.

Futrell: AND THIS IS A NEW SET OF MEASURES THAT WERE ADDED ABOUT A YEAR AGO. I THINK WORKS THROUGH THE MUSIC COMMISSION, THROUGH A PUBLIC PROCESS. IT WAS NOT THE WAY THE LANGUAGE WAS WRITTEN IN PRIOR CONTRACTS. PRIOR CONTRACTS THERE WAS VERY LITTLE FUND-RAISING THAT OCCURRED, SO BASICALLY THE BUDGET WAS WHAT THE CITY GAVE AND THEY DID NOT OVERSPEND IN THOSE YEARS WHAT THE CITY APPROPRIATED. THIS WAS A LITTLE DIFFERENT IN THAT IN THIS ONE BEING CUT SO DRAMATICALLY, FROM 7 SOMETHING THOUSAND DOLLARS TO WHAT, JOHN, 150, 160, \$160,000, THERE WAS A PROPOSAL THAT INCLUDED SIGNIFICANT FUND-RAISING. SO FOR THE FIRST TIME THEIR BUDGET WOULD BE DIFFERENT THAN WHAT THE CITY APPROPRIATED BECAUSE IT RELIED ON A SIGNIFICANT AMOUNT OF FUND-RAISING. SO THIS LINE ITEM, WHICH SAYS THEY'LL SPEND THE PRO RATA SHARE OF THEIR BUDGET INCLUDED NOT JUST THE CITY COMPONENT, BUT WHAT THEY HAD ANTICIPATED FUND-RAISING. AND WHEN YOU PRO RATA OUT THE EXTRA PAYROLL PERIOD AND YOU ADD IN THAT FUND-RAISING, AND I'M JUST -- I'M ROUNDING THE NUMBERS, SO JOHN, CORRECT ME, EACH MONTH FOR THE

FIRST THREE MONTHS ON AVERAGE, THEY SPENT ABOUT 2,000 MORE THAN WHAT THEIR PROPOSAL SAID THEY HAD FOR BUDGETED EXPENDITURES. SO OH CAN YOU SPEND MORE MONEY THAN YOU HAVE.

Mayor Wynn: SO OBVIOUSLY WE'RE LEARNING NOW THAT THERE'S A LINE ITEM THAT SAYS THIRD PARTY FUND-RAISING. HOW MUCH IS THAT LINE ITEM FOR THE THREE MONTHS OF THE CONTRACT SO FAR?

IT IS 23,571.

PER MONTH?

NO, TOTAL FOR THE THREE MONTH PERIOD.

Mayor Wynn: SO HOW MUCH OF THAT WAS RAISED?

I'M SORRY, THAT'S NOT THE BUDGET AMOUNT, THAT'S THE ACTUAL AMOUNT.

Mayor Wynn: RIGHT. WHAT WAS THE BUDGET?

BUDGET AMOUNT WOULD BE ABOUT \$60,000, 61,000.

Mayor Wynn: SO THEY'VE RAISED -- SO THEY'VE BUDGETED TO RAISE TO RAISES \$60,000 IN THREE MONTHS AND THEY'VE RAISED 23,000. OBVIOUSLY THEY'RE SPENDING EVE OF THE 12,000-DOLLAR INCREMENTS THE CITY GIVES THEM EACH MONTH. WHERE IS THE DIFFERENCE COMING FROM? WHERE'S THE 40, 50,000 BUCKS?

THEY HAVE MANAGED TO AVOID HAVING A NEGATIVE BANK BALANCE BY SPENDING DOWN A BEGINNING BALANCE THAT THEY HAVE, 77,000.

Mayor Wynn: WHO'S MONEY THAT -- WHOSE MONEY IS THAT?

THAT WAS MONEY THAT WAS APPROPRIATED IN THE PRIOR -
- UNDER THE PRIOR CONTRACT.

Mayor Wynn: SO THEY IN-- THIS MANAGER INHERITED A RESERVE, A FUND BALANCE OF OUR CITY DOLLARS

BECAUSE UP UNTIL RECENTLY THERE WAS NO FUND-RAISING, SO THEY'VE BEEN SPENDING DOWN CASH RESERVES. HOW BIG WAS THAT CASH RESERVE?

77,000.

Mayor Wynn: SO HOW MUCH HAVE THEY SPENT IN ONLY THE LAST, SAY, THREE MONTHS?

LET ME FIND THAT NUMBER, MAYOR.

WHILE JOHN IS FINDING IT I'LL RUN THROUGH THE NUMBERS. THE BUDGETED AMOUNT FOR THE THREE MONTH PERIOD WAS INTENDED TO BE \$60,528 FOR THE AUSTIN MUSIC NETWORK. THE OUTSIDE REVENUES TO DATE THAT WAS RAISED IS \$23,571 FOR THE THREE-MONTH PERIOD.

WHICH I APPLAUD. I'VE GOT TO BELIEVE IN PREVIOUS YEARS THERE WAS VIRTUALLY NO MONEY RAISED, SO THAT 23,000 IS BETTER THAN PREVIOUS YEARS, I'VE GOT TO BELIEVE.

SIGNIFICANTLY MORE.

Mayor Wynn: IF WE WERE WORKING ON THIS DE FACTO APPROVED BUDGET BECAUSE THEY SUBMITTED IT THAT SHOWS 60,000 AND THEY'RE NOT GETTING THERE AND NOW WE'VE LEARNED THAT THEY'RE SPENDING CITY CASH RESERVES TO THE TUNE OF WHAT, MR. STE FENZ?

55,000.

SO THEY INHERITED A 77,000-DOLLAR CASH RESERVE AND IN THREE MONTHS THEY SPENT 55,000 OF IT. OBVIOUSLY THAT'S NOT SUSTAINABLE, THAT CASH RESERVE IS GOING TO RUN OUT IN THE NEXT 45 DAYS. WHAT HAPPENS THEN? AND SHOULD THERE BE -- WHAT'S THE OVERSIGHT FOR THE CITY STAFF OR THE CITIZENS PROTECTING THEIR CASH RESERVE? I MEAN, WHAT'S THE PROCESS BY WHICH THE MUSIC NETWORK MANAGER IS ALLOWED TO SPEND CITY CASH RESERVES? WHAT'S THE APPROVAL AND OVERSIGHT ON THAT PART?

THE OVERSIGHT GOING FORWARD, MAYOR, WILL BE FOR US

TO VERY CLOSELY MONITOR THOSE FINANCIAL EXPENDITURES.

Mayor Wynn: THERE HAS BEEN NONE TO DATE. THERE'S BEEN NO OVERSIGHT OF HOW CITY CASH RESERVE DOLLARS ARE BEING SPENT BY THIS MANAGER UNTIL, I GUESS I STARTED ASKING THESE QUESTIONS?

WELL, THEY HAVE REPORTED THAT TO US, AND I THINK THEY SAID FROM THE BEGINNING THAT THEY WERE GOING TO HAVE TO USE SOME OF THAT. BECAUSE THEY WERE IN FACT HAMPERED CERTAINLY DURING THE FIRST MONTH AND ARGUABLY DURING THE FIRST TWO MONTHS OF THE CONTRACT BY THE FACT THAT THEY WERE NOT ALLOWED TO RECEIVE ADVERTISING REVENUE. THEY WERE NOT ALLOWED TO ESSENTIALLY RUN COMMERCIALS ON THE CHANNEL. THAT WAS A DISPUTE THAT WE WERE HAVING WITH TIME WARNER IN THE FRANCHISE AGREEMENT. AND IN DECEMBER WE SENT A LETTER TO TIME WARNER SAYING THAT IN FACT WE WERE GOING TO ALLOW THE MUSIC NETWORK TO DO THIS. WE HAD TRIED TO NEGOTIATE THAT AGREEMENT WITH THEM, WHICH WE HAD IN PLACE AT ONE POINT. AND GAVE THE MUSIC NETWORK IN DECEMBER THE RIGHT TO DO ADVERTISING. THEY BEGAN TO DO THAT, I ASSUME, AT THAT POINT, OR IN JANUARY THE FOLLOWING MONTH, AND THAT'S IN FACT THE FIRST MONTH WHEN THEIR REVENUE INCREASED SIGNIFICANTLY.

Futrell: BUT JOHN, BECAUSE IT'S A VERY STRONG STATEMENT THAT THE MAYOR JUST MADE, THE ENDING BALANCE WAS REPORTED IN THEIR FINANCIAL REPORT, IT WAS REPORTED IN THEIR FINANCIAL REPORTS BOTH TO THE CONTRACT MONITOR, THEIR USE OF IT. IT WAS NOT PROHIBITED. THERE WERE NO RESTRICTIONS TO THOSE DOLLARS IN THE CONTRACT. AND IT WAS ALSO DISCUSSED OR PART OF A REPORT TO THE TELECOMMUNICATIONS SUBCOMMITTEE. AM I CORRECT?

YES, CITY MANAGER, THAT'S CORRECT.

Mayor Wynn: BUT THE FACT THAT THEY START WITH \$77,000 IN CASH RESERVE AND NOW THEY'VE BLOWN THROUGH 55,000 OF THAT AND WE DON'T EVEN HAVE THE FEBRUARY

NUMBERS IN YET, I'VE GOT TO BELIEVE THEY SPENT ANOTHER -- LOOKS LIKE THEY'RE SPENDING 10 TO 12, \$15,000 A MONTH OUT OF THAT RESERVE. THAT DIDN'T CAUSE ANY CONCERN? THAT DOESN'T?

MAYOR, I WASN'T INVOLVED IN THE ADMINISTRATION OF THE CONTRACT UNTIL JUST WITHIN THE LAST WEEK OR SO. NOW, I DO HAVE AN UPDATE THIS MORNING, I HAVE NOT SEEN THE NUMBERS MYSELF, BUT I HAVE A VERBAL UPDATE BECAUSE IT'S VERY SOON AFTER THE END OF THE MONTH OF FEBRUARY. I HAVE A VERBAL UPDATE THAT THEY RECEIVED APPROXIMATELY 19,000 IN REVENUE, WHICH IS ABOUT 95% OF THE BUDGETED REVENUE. AND THAT THEY ESSENTIALLY ARE WITHIN BUDGET AS SHOWN IN THE BUDGET THAT THEY SUBMITTED TO US, BUT WE'LL HAVE TO LOOK AT THOSE NUMBERS TO CONFIRM THAT.

Futrell: PART OF WHAT THE DISCUSSION WAS WITH THE CONTRACT MANAGER WAS THAT KNOWING THAT THEY HAD NOT BEEN ABLE TO DO THEIR FUND-RAISING IN THE FIRST TWO MONTHS, WE KNEW THAT THEY WERE DRAWING DOWN ON THAT ENDING BALANCE, BUT ONCE THEY STARTED THEIR ADVERTISING, THEIR REVENUE BEGAN TO COME IN, SO THE GAME PLAN WAS THAT THEY WOULD NOT CONTINUE NEEDING OR DRAWING DOWN OBVIOUSLY ON A VERY DIMINISHED ENDING BALANCE BECAUSE NOW THEY ARE ABLE TO ADVERTISE AND THEIR REVENUE IS COMING IN FAIRLY CLOSE TO WHAT THEY HAVE BUDGETED. WHAT THEY RAISED JUST REALLY IN ALMOST ONE MONTH THROUGH ADVERTISING AND FUND-RAISING EXCEEDED EVERYTHING THE MUSIC NETWORK COLLECTED IN ALL OF 2002. AND IN 2003 IT ALMOST EXCEEDED EVERYTHING THAT WAS COLLECTED IN 12 MONTH OF 2003. SO IT WAS A HEAVY DRAW DOWN THE FIRST TWO MONTHS AM WE WERE AWARE OF IT. IT WAS REPORTED. IT WAS REPORTED IN THEIR MONTHLY REPORTS, THEIR FINANCIAL REPORTS. THEY HAD A SIGNIFICANT MONTH THEIR THIRD MONTH. THEIR FOURTH MONTH VERBALLY LOOKS LIKE THEY'RE ON TRACK. IT WAS THEIR TRANSITION DRAW DOWN ON AN APPROPRIATED FUND BALANCE FOR THE MUSIC NETWORK.

Mayor Wynn: WELL, LIKE WITH SO MANY ELEMENTS, SADLY THEY'RE HAVING TO USE PAST FAILURES, PAST FINANCIAL

FAILURES OF THE NETWORK MANAGER AS THE BENCHMARK FOR HOW ARE WE DOING THIS YEAR ISN'T PARTICULARLY CONSOLING TO TAXPAYER AND CITIZENS WHO ARE ANGRY ABOUT THE LACK OF OVERSIGHT. AND NOW EVEN THOUGH THAT THERE'S NOT -- WE KNOW THAT THERE'S NOT A BUDGET APPROVAL PROCESS. WE LEARN NOW THAT APPARENTLY CITY STAFF IS GOING TO PUT TOGETHER SOME SOME MEASURES SO WE DON'T SEE OUR CASH RESERVES BEING SPENT WITHOUT WITHOUT SOMETHING TO SHOW FOR IT. THE POINT HERE -- I'VE GOT A BUNCH OF QUESTIONS. I HAVE GREAT ADMIRATION FOR YOUR STAFF, PARTICULARLY MR. STE FENZ AND THE WORK THAT HE CAN DO FOR US FINANCIALLY. DROP ALL THESE FINANCIAL QUESTIONS BECAUSE THERE'S A BUNCH OF THEM. THERE'S A LITANY OF APPROPRIATE QUESTIONS THAT CITIZENS SHOULD ASK WHEN PUBLIC DOLLARS ARE BEING SPENT, PARTICULARLY IN LIGHT OF NO DEMONSTRABLE RETURN ON A SIGNIFICANT SERIES OF INVESTMENTS OVER YEARS. I'LL DROP ALL THE -- ALL THESE FINANCIAL QUESTIONS BECAUSE THEY TELL THE STORY. AND THE STORY IS WE HAVE TO WE HAVE TO FIGURE OUT HOW TO BYBIFURCATE OF THE IDEA OF THE AUSTIN MUSIC NETWORK AND PROMOTING AUSTIN MUSIC NATIONALLY AND INTERNATIONALLY FROM FAILED FINANCIAL MANAGEMENT, FROM POOR TRACKING AND PERFORMANCE MEASURES, FROM I THINK VERY BAD JUDGMENT ETHICALLY AND OTHERWISE. AND SO THE ISSUE HERE IS WE HAVE. THE MANAGEMENT TEAM HAS A GOOD IDEA AND MANAGEMENT ASSET, AND BECAUSE THE TEAM IS IN PLACE AND BECAUSE WE HAVE THIS TRACK RECORD OF PERFORMANCE, DPES WHAT, THE AVERAGE CITIZEN OUT THERE WHO FRANKLY DOESN'T WATCH THE MUSIC NETWORK, CONSIDERS THEMSELF A FAN OF AUSTIN MUSIC AND LIKES THE FACT THAT WE'RE CONSIDERED THE MUSIC CAPITOL OF THE WORLD APPEARED WANTS US TO BE SUCCESSFUL AND BE THE LIVE MUSIC CAPITOL OF THE WORLD. AND BEING THE AVERAGE TAX PAYING CITIZEN OUT THERE WHO IS ANGRY ABOUT A NUMBER OF ISSUES FROM TRAFFIC TO THEIR TAX BILL, TO OTHER PERFORMANCES AROUND TOWN, THE AUSTIN MUSIC NETWORK TAKES IT ON THE CHIN. PUBLICLY AND BECAUSE OF THE POOR PERFORMANCE OF THIS MEASURE. THAT'S MY OPINION. I'LL DROP THE CROSS-EXAMINATION OF FISCAL

IRRESPONSIBILITY, I'LL DROP THE ISSUE OF PERFORMANCE MEASURES BEING DISREGARDED, I'LL DROP THE ISSUE OF NOT EVEN HAVING A BUDGET THAT'S APPROVED WHEN PUBLIC DOLLARS ARE BEING SPENT. FOR JUST THE RECOGNITION THAT THIS HAS BECOME SO SYMBOLIC AND SUCH A LIGHTNING ROD SADLY THAT WE HAVE TO FIGURE OUT HOW TO HAVE A RESPONSIBLE MANAGEMENT, WE HAVE TO FIGURE OUT HOW TO HAVE NO PUBLIC DOLLARS INVOLVED. AND THE CITY OF AUSTIN SHOULDN'T BE INVOLVED. AND THEN THE WHOLE ISSUE ABOUT CONTENT IS IRRELEVANT BECAUSE IT WILL BE WHAT IT WILL BE. AND WE'LL ALSO SEEK THE OPPORTUNITY TO HAVE DEMONSTRATED RETURN ON THE INVESTMENT. THE ISSUE I BROUGHT UP LAST YEAR WHEN I VOTED NO FOR THE 500,000-DOLLAR INFUSEMENT ABOUT A YEAR AGO, WE SPEND ABOUT \$100,000 A YEAR AT THE AUSTIN CONVENTION AND VISITOR BUREAU PROMOTING AUSTIN MUSIC. WE HAVE AN F.T.E. AND A AND AOR SO THAT WHEN CONVENTIONS COME TO TOWN THEY TRY TO BOOK LIVE MUSIC GIGS FOR THE CON VEENGSGING PEOPLE. THESE ARE LIVE MUSIC BEING BROUGHT TO TOWN AND FIGURES THAT DON'T OCCUR OTHERWISE. WE KNOW EXACTLY HOW MANY GIGS WE BOOK THROUGH THAT AND IT'S GREAT. IT'S HUNDREDS OF LIVE MUSIC, PAID LIVE MUSIC PERFORMANCE BY AUSTIN MUSICIANS. WE SPEND ABOUT \$100,000 DOING THAT. WE KNOW EXACTLY HOW MUCH OUTSIDE DOLLARS COMES IN TO THE POCKETS OF LOCAL MUSICIANS. IT'S DEMONSTRABLE. IT'S IMPRESSIVE. FOR US NOT TO HAVE THE ABILITY TO DO ANY OF THAT AFTER \$4.8 MILLION IS WRONG. AND THE PERFORMANCE FISCALLY AND OTHERWISE OF THIS MANAGER HAS SO TAINTED THE IDEA OF AUSTIN MUSIC NETWORK FOR THE AVERAGE CITIZEN OUT THERE AS BEING A DISSERVICE TO AUSTIN MUSICIANS, AND IF. AND IF THEY CAN FIX THAT, I'M GOING TO BE THE BIGGEST SUPPORTER OF THAT. I THINK ONE WAY WE FIGURE OUT HOW TO DO THAT IS FIGURE OUT, LIKE COUNCILMEMBER DUNKERLEY BROUGHT UP, HOW DO WE BRING SOME INCENTIVES TO THE TABLE TO HAVE THE PRIVATE SECTOR DO WITH THIS NETWORK WHAT COULD BE DONE? SO I'LL LET MR. STEPHENS SIT DOWN AND I APPRECIATE YOUR TRYING TO HELP ME UNDERSTAND THE CURRENT ISSUES ON THE MANAGEMENT OF THE NETWORK. AND I'LL YIELD THE FLOOR

TO ANY COLLEAGUES AND/OR WE CAN START CALLING
UPSET SENZ TO SPEAK. CITIZENS TO SPEAK. COUNCIL, I
GUESS I WANT YOUR THOUGHTS ON THIS. THE 2:00 O'CLOCK
PUBLIC TELEVISED BRIEFING IS OF THE UPCOMING
CONTRACT WITH THE AUSTIN POLICE ASSOCIATION. AND MY
PREFERENCE, BUT OBVIOUSLY I'LL YIELD TO THE MAJORITY
PREFERENCE, IS AT 2:00 O'CLOCK WE SHOULD TAKE UP
THAT TELEDVISED PUBLIC BRIEFING. SO IT NOT
UNCOMMON FOR US TO GET AS MANY SPEAKERS AS WE CAN
BEFORE WE TAKE A BREAK TO TAKE UP SOMETHING ELSE
AND THEN COME BACK TO TAKE UP AS MANY SPEAKERS
WHO WANT TO CONTINUE TO EXPRESS THEIR OPINIONS.

Goodman: MAYOR, IF I COULD RESPOND TO THAT.
HOPEFULLY AS MANY PEOPLE AS CAN BE FITTED IN THAT
TIME WILL BE ABLE TO MAKE THEIR FEELINGS KNOWN TO US
OR THEIR THOUGHTS. I JUST DO WANT TO SAY THAT THERE
ARE ISSUES IN A NEED TO BE ADDRESSED BECAUSE THERE
ARE CONNOTATIONS, ASSUMPTIONS MADE BY THE TERMS
WE USE, PUBLIC MONEY, TAXPAYER, ETCETERA, ETCETERA.
AND IN SOME SENSE ARE MADE THAT CITIZENS, RESIDENT
PROPERTY TAXPROPERTY TAXPAYERS AND SALES
TAXPAYERS ARE THE SOURCES OF THESE FUNDS. AND IN
THE BEGINNING, YES, IT WAS GENERAL FUND. IN FACT, THIS
\$4.8 MILLION HAS BEEN OVER A SPACE OF 10 YEARS. IT
WASN'T JUST ONE YEAR OR EVEN TWO. THAT'S 10 YEARS
WRORTSDZ OF SUPPORT O. 10 YEARS WORTH OF SUPPORT.
SO I WANT TO MAKE THAT CLEAR SO THAT PEOPLE DON'T
THINK THAT THAT \$4.8 MILLION A YEAR HAS BEEN PUT INTO
THE OPERATION. THE PUBLIC MONEY THAT GOES INTO AMN
THIS PAST YEAR IS THE CULTURAL ARTS FUNDING
EXPANSION THAT CITIES USE, THE BED TAX FOR. VISITORS
TO AUSTIN PROVIDE THOSE FUNDS, NOT THOSE WHO LIVE
HERE, UNLESS YOU LIVE IN A HOTEL. SO IT'S NOT QUITE THE
SAME CONNOTATION AS PROPERTY TAXPAYERS FROM
AUSTIN OR EVEN CITIZENS WHO BUY AND CONTRIBUTE TO
SALES TACK. SO I WANTED TO MAKE THAT FINE LINE
DISTINCTION AS WELL. IT IS PUBLIC DOLLARS, BUT THE
STATE ALLOWS CITIES TO USE THOSE DOLLARS IN FUNDING
PROJECTS THAT SHOULD BE RELATED TO ENHANCING
TOURISM, ENHANCING YOUR CITY AS A DESTINATION FOR
VISITORS AND/OR ECONOMIC DEVELOPMENT. AND SO I

THINK THAT WE SHOULD CONSIDER WHAT IS AND IS NOT APPROPRIATE FOR THOSE SORT OF FUNDS. AND I DON'T WANT TO QUESTION OR CHALLENGE THE MAYOR BECAUSE I DO UNDERSTAND YOUR ISSUES AND YOUR PERSPECTIVE. I DON'T AGREE WITH THEM, BUT I THINK THEY ARE LEGITIMATE POINT THAT NEED TO BE BROUGHT OUT, AND THAT'S WHY THE COUNCILMEMBERS ON THE TELECOMMUNICATIONS SUBCOMMITTEE OFFERED OUR RESULTS SINCE WE ALREADY DISCUSSED THOSE ISSUES. WE CAN RAMP THAT UP AND WE CAN MAKE SURE THAT INFORMATION IS OUT THERE SO THAT FOLKS DON'T NEED TO MAKE ASSUMPTIONS, THEY WILL HAVE A SOURCE OF INFORMATION AND WE'LL MAKE SURE IT'S FACTUAL.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. FURTHER COMMENTS? IF NOT, LET'S START TAKING UP SOME CARDS. FIRST SPEAKER WILL BE RANDALL KERCHOFF. SORRY IF I'M MISPRONOUNCING THAT. RANDALL?

[INAUDIBLE - NO MIC].

Mayor Wynn: OKAY. THEN I'LL HOLD THE CARD UNTIL SHE COMES UP. ADAM DON MORE. YOU'LL BE FOLLOWED BY LEWIS MEYERS. WELCOME, SIR, YOU WILL HAVE THREE MINUTES.

THANK YOU. THANKS, MAYOR WYNN AND CONGRESS PEOPLE -- COUNCIL PEOPLE. SORRY. LITTLE NERVOUS. IT'S NICE TO TALK TO YOU ALL. I KNOW YOU HAVE THIS BIG THING AT 2:00 O'CLOCK AND I WAS SITTING NEXT TO SUSAN GIBSON. SHE SAID SHE WOULD BE HAPPY TO ORDER A PIZZA IF THAT HELPS YOU MISS YOUR LUNCH. I WANTED TO TELL YOU THAT I REPRESENT THE AUSTIN SONG WRITER GROUP. WE'RE A NONPROFIT ORGANIZATION HERE IN AUSTIN. WE DON'T PAY FOR OUR ORGANIZATION FOR CITY MONEY. WE'RE AT AUSTIN SONG WRITER.ORG. WE HAVE ABOUT 300 PAID MEMBERS IN THE AREA. I ALSO HOST A SHOW ON THE AUSTIN MUSIC NETWORK CALLED IN THE ROUND. WE HAD OUR FIRST SEASON SINCE LEWIS MEYERS HAS TAKEN ON THE POSITION OF MANAGER AT THE AUSTIN MUSIC NETWORK. HE SAT DOWN WITH A COUPLE OF US AND HE LISTENED TO US. HE GAVE US TIME. AND HE HELPED US BRING THE SHOW ON THE AIR. AND SINCE HAVING IT ON THE

AIR WE'VE HAD SOME GREAT PERFORMERS. I DON'T KNOW IF ANY OF YOU HAVE CAUGHT THE SHOW. THE MAYOR MENTIONED THAT THE AVERAGE CITIZEN DOESN'T WATCH THE AUSTIN MUSIC NETWORK. I DO CONSIDER MYSELF AN AVERAGE CITIZEN. I DO WATCH THE NETWORK. I'VE BEEN GETTING E-MAILS FROM PEOPLE THAT SEE IT, -- HE'S 70 PLUS YEARS OLD. HE IS A CHARACTER AND HE'S A GENIUS. WE'VE HAD ON. WE'VE HAD ON DANA COOPER, SHAKE RUSSELL. WE'VE ALSO HAD A LOT OF UNKNOWN PEOPLE. PEOPLE LIKE MYSELF WHO ARE SONG WRITERS, WHO DON'T HAVE A NAME YET? YOU KNOW. I CAN'T DROP MY NAME, HI, I'M ADAM DONMEYER YOU DON'T KNOW MY STUFF, BUT THE IDEA BEING THAT IT GIVES UP AND COMING WRITERS EXPOSURE, AND IT GIVES HIT WRITERS EXPOSURE AND IT'S A JOB FOR EVERYBODY. I SEE THE NETWORK GOING IN A POSITIVE DIRECTION. I DO APPRECIATE THE DEBATE AND I DO APPRECIATE YOU, MAYOR, I DO. I DON'T THINK IT'S AN EASY JOB TO RUN A CITY. AND THIS IS A CITY I LOVE. I MOVED TO AUSTIN BECAUSE I'M A SONG WRITER, A MUSICIAN. WHERE I COME FROM DOESN'T HAVE MUCH OF A MUSIC SCENE. I DIDN'T WANT TO GO TO NEW YORK OR LA OR NASHVILLE. I WANTED TO GO TO A PLACE WHERE YOU WEREN'T SUCH A LITTLE FISH IN A BIG POND. A PLACE THAT EMBRACED MUSIC. KATY BELL FROM MADISON BELL, THEY PLAYED THE SALT LICK AND THEY PLAY ANTONES, THEY WON BEST POP ARTIST AT THE AUSTIN MUSIC AWARDS I BELIEVE LAST YEAR OR THE YEAR BEFORE. BEST NEW ARTIST. SHE WROTE A SONG AND I'LL SHARE IT TO YOU. HERE IS MY STATEMENT IF YOU WOULD LIKE TO POOS THIS ALONG. [BUZZER SOUNDS] I'VE LIVED IN LOS ANGELES FOR SIX YEARS, WELL -- I'LL SUM IT UP. SHE MOVED FROM LA TO AUSTIN TO WRITE MUSIC? SHE WAS A HIT IN LA. SHE'S GOT A MANAGEMENT COMPANY, A RECORD DEAL. AND SHE MOVED HERE BECAUSE OF IT. AND SHE SAYS BECAUSE OF HER EXPOSURE ON THE NETWORK PEOPLE ARE COMING TO HER SHOWS AND WITHOUT IT SHE'D LEAVE. SO THANK YOU VERY MUCH FOR YOUR TIME.

Mayor Wynn: NEXT IS LEWIS MAYORS. WE HAVE FOLKS WHO WOULD LIKE TO DONATE TIME TO MR. MEYERS. IS KELLY MULLINS HERE? HOW ARE YOU? MR. SHOEFORD. MR. MEYERS, YOU WILL HAVE NINE MINUTES.

GOOD AFTERNOON, MAYOR, COUNCIL, MAYOR PRO TEM, CITY MANAGER, CITY STAFF, FRIEND OF THE NETWORK, EVERYBODY THAT'S HERE. THANK YOU SO MUCH FOR THE SUPPORT. FIRST OFF I WANT TO ISSUE A PUBLIC APOLOGY TO THE COUNCIL, TO THE CITIZENS OF AUSTIN, TO ANYONE WHO MIGHT HAVE BEEN THE SLIGHTEST BIT OFFENDED, HURT, ALIENATED, ANY NEGATIVE FEELING YOU HAD FOR ANY VULGAR VIDEOS, VIDEO THAT I PERSONALLY CALLED SMUT, I APOLOGIZE PROFUSELY FOR THAT VIDEO GETTING ON THE AIR. IT'S NOT OUR POLICY. AND HONE FLY THAT WILL -- IT WILL NEVER HAPPEN AGAIN. ANY POLITICAL PSA'S DURING OUR REGISTER TO VOTE CAMPAIGN THAT HAVE OFFENDED ANYONE, OUR APOLOGIES FOR THAT TOO. I THINK NOW IS THE TIME FOR MOVE FORWARD. SIX MONTHS AGO I INHERITED PROBABLY THE MOST DYSFUNCTIONAL BUSINESS SITUATION I'VE EVER SEEN IN MY ENTIRE LIFE. YOU'RE AWARE OF IT. EVERYBODY ON THE COUNCIL IS AWARE OF WHAT THE AUSTIN MUSIC NETWORK HAD BEEN FROM A BUSINESS STANDPOINT. THE MAYOR SAID A YEAR AGO YOU WOULDN'T PUT MORE MONEY INTO A BUSINESS WITH THIS KIND OF TRACK RECORD. MR. MCCRACKEN SAID JUST A FEW WEEKS AGO IT'S A BROKEN MACHINE. HE ALSO SAID IT COULDN'T BE FIXED. I REALLY FEEL THAT WASN'T TRUE. I AGREED WITH THE MAYOR'S COMMENT A YEAR AGO AND HALF OF MR. MCCRACKEN'S COMMENTS A FEW MONTHS AGO. IT WAS A BROKEN MACHINE. IT WAS OBVIOUSLY A BROKEN MACHINE. MILLIONS OF DOLLARS HAVE BEEN POWERED INTO IT. THE CONTENT WAS NOT ADEQUATE FOR THE MONEY THAT HAD BEEN PUT INTO IT. IT WASN'T JUST A CONTENT. THE IMAGE, THE WHOLE VIB OF THE NETWORK, THE WAY IT RELATED WITH THE CITY, THE WAY IT RELATED TO THE COMMUNITY, THE WAY IT RELATED TO THE MUSICIANS, THE FILM COMMUNITY, ALL THAT WAS IN SHAM BELLS, NOT FROM ONE PERSON, FROM A WHOLE SERIES OF MANAGERS WHO DIDN'T DO THE RIGHT JOB POSSIBLE AND FOR ALMOST 10 YEARS OF COUNCIL THAT DIDN'T DO ANY ACCOUNTABILITY TO THOSE MANAGERS IN DUE DILIGENCE. SO I THINK EVERYONE INVOLVED CAN SHARE THE BLAME FOR WHAT IT WAS A FEW MONTHS AGO. I THINK AT THE SAME TIME WE CAN SHARE WHAT IT IS, THE FACT THAT WE'RE THE ONLY CITY IN THE ENTIRE WORLD THAT HAS A REGIONAL MUSIC CHANNEL THAT SUPPORTS ITS LOCAL

ARTISTS, ITS LOCAL FILM MAKER, ITS LOCAL CLUB, ITS LOCAL PUBLISHERS ITS LOCAL MEDIA, EVERYTHING ABOUT THE LOCAL COMMUNITY THAT INVOLVES CULTURE AND ARTS FROM THE BALLET TO A PUNK ROCK BAND PLAYING ON RED RIVER? HOPEFULLY THAT'S WHAT IT IS ABOUT NOW. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

... WHETHER IT'S TO PROMOTE A CANCER FUNDRAISER OR AGAIN PROMOTE THAT SAME PUNK ROCK BAND ON RED RIVER. WE HAVE A CHANCE NOW TO OPEN A DIALOGUE WITH THE CITY MANAGER, WITH THE MAYOR, WITH THE STAFF, WITH TELECOMMUNICATIONS, WITH TIME WARNER, WITH ANYONE. WE'VE NEVER SHIED AWAY FROM ANY MEETINGS OR ATTEMPTED MEETINGS. WE HAVE A LOT OF PLANS FOR FUNDRAISING ACTIVITIES. OUR GOAL IS CERTAINLY TO MAKE THIS SELF-SUFFICIENT. MY MISSION STATEMENT ON DAY ONE WAS TO MAKE THIS A SELF-SUFFICIENT ORGANIZATION. CAN I DO IT IN FOUR MONTHS? ABSOLUTELY NOT. I CANNOT GO FROM \$700,000 TO \$150,000 AND CREATE SELF-SUFFICIENCY IN FOUR MONTHS. THE FACT THAT WE'RE 95% THERE ON MONTH FOUR IS BEYOND MY WILDEST EXPECTATIONS. I ORIGINAL SAID IT WOULD TAKE SIX MONTHS TO GET OUR REVENUE TO MATCH OUR INCOME. WE DID IT IN FOUR. WITHIN A FEW HUNDRED DOLLARS, I BELIEVE, OF DOING IT IN FOUR MONTHS. I THINK THAT'S PRETTY IMPRESSIVE. THE COUNCIL WILL KEEP US ALIVE AND KEEP US MOVING FORWARD. THOSE NUMBERS WILL GROW EVERY MONTH. WE KNOW THEY WILL. WE'VE PROVEN THAT THEY WILL. THE SUPPORT OF THE LOCAL COMMUNITY, THE MUSICIANS, THE CLUBS, THE FILMMAKERS, THE MEDIA IS IN FAVOR OF THIS HAPPENING PROBABLY FOR THE FIRST TIME IN THE TEN YEARS IT SEEMS LIKE A MASS AMOUNT OF PEOPLE IN AUSTIN ON BOTH SIDES OF THE FENCE WANT TO SEE THE MUSIC NETWORK SURVIVE. I THINK THAT'S FANTASTIC. WE'VE RECEIVED NOTHING BUT RAVE -Z AND KUDOS ON EVERYTHING WE'VE DONE FOR THE LAST FOUR MONTHS AND I HAVE NO REASON TO BELIEVE THE NEXT SIX MONTHS AS WE FINISH OFF THIS CONTRACT WILL BE AMAZING. THAT'S REALLY ALL HAVE I TO SAY. JUST THANK YOU FOR YOUR CONTINUED SUPPORT. I WOULD ALSO LIKE TO SAY, IN TERMS OF THE NELLIE VIDEO THAT AIRED, WHICH, AGAIN, TOTALLY INAPPROPRIATE, WE DETERMINED THERE'S

PROBABLY TEN PEOPLE INVOLVED IN THE ACTUAL AIRING OF THAT VIDEO FROM MUSIC DIRECTORS TO INTERN, BEHIND THE BOARDS. WHAT THOSE PEOPLE HAVE COME TO ME IN THE LAST TWO DAYS AND SUGGESTED IS THEY FEEL HORRIBLE, OF COURSE. THEY WANT TO MAKE IT UP TO THE CITY, TO THE COUNCIL, TO THE PEOPLE OF AUSTIN. THIS SUNDAY AT 12:00 WE'RE ASKING ALL OF OUR STAFF AND ANYONE WHO WOULD LIKE TO JOIN US, WE'RE MEETING AT FLAMINGO CANTEENA, GOING TO TRY TO GET DOWNTOWN CLEANED UP BEFORE EVERYONE COMES IN FOR SOUTH BY SOUTHWEST. I DON'T KNOW IF YOU HAVE WALKED THROUGH AN ALLEY DOWN THERE, BUT IT'S A DREADFUL SIGHT. WE'RE PROUD OF OUR CITY. 18 YEARS AGO I CAME IN FRONT OF THE COUNCIL AND SAID, HEY, I'VE GOT AN IDEA FOR A MUSIC CONFERENCE SIMILAR TO ONE GOING ON IN NEW YORK. THE COUNCIL WANTED NOTHING TO DO WITH IT. THEY THOUGHT WE WERE A BUNCH OF HIPPIES THAT WOULD NEVER SUCCEED. PROBABLY CLOSE TO \$250 MILLION LATER IN ECONOMIC IMPACT, SOUTH BY SOUTHWEST IS STILL HERE, STILL THE STRONGEST, LARGEST CON INVESTIGATION IN THE COUNTRY, IN THE WORLD FOR LIVE MUSIC AND INDEPENDENT MUSIC. WE HAVE THE VISION NOW WITH THE MUSIC NETWORK TO BE A COME PAN YAWN TO THAT, TO MOVE FORWARD, TO GROW YEAR AFTER YEAR. WITH THE HELP OF THE CITY, WITH THE HELP OF TIME WARNER, WITH THE HELP OF PEOPLE THAT CAN DO SOMETHING TO HELP GET THE SIGNAL OUT, OUTSIDE OF AUSTIN, OUTSIDE OF TEXAS. INTO AREAS WHERE IT CAN DO SOME GOOD FOR TOURISM AND ECONOMIC DEVELOPMENT. JUST GETTING THE SIGNAL TO ROUND ROCK WOULD MAKE A HUGE, HUGE DIFFERENCE FOR THE CLUBS AND THEATERS AND RESTAURANTS IN DOWNTOWN AUSTIN. THE FACT THAT WE'RE NOT ON OUTSIDE THE CITY LIMITS OF AUSTIN IS AN INJUSTICE TO THE CITY. THE ECONOMIC IMPACT ON TOURISM, THE REST OF THE TIME WARNER METRO AREA WOULD BRING US WOULD BE PHENOMINAL GROWTH FOR EVERY PERSON IN THIS ROOM AND EVERY PERSON ON THE DAIS TODAY. LAST THING I HAVE TO SAY, IF YOU LIKE BLUEGRASS, I PLAY WITH THE BLUEGRASS NIBBLERS. WE'LL BE THERE 7:00 TO 10:30 TONIGHT. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: A COUPLE OF QUESTIONS, PLEASE, SIR, IF YOU COULD GET BACK TO THE PODIUM. WOULD YOU EXPLAIN TO THE COUNCIL WHAT YOU CONSIDER TO BE THE BUDGET APPROVAL PROCESS FOR THESE PUBLIC DOLLARS?

ALL I KNOW IS WE TURNED IN BUDGETS AND PROPOSALS, EVERYTHING IN A SINGULAR PACKAGE TO THE CITY THROUGH OUR CITY LIAISON. I DON'T KNOW THE LEGAL A LITTLE BEYOND THAT POINT, SIR.

Mayor Wynn: WHAT DO YOU CONSIDER TO BE YOUR APPROVAL PROCESS ALLOWING YOU TO SPEND CASH RESERVES?

WE MADE IT CLEAR ON OCTOBER -- IN OCTOBER IN OUR REPORTS TO THE CITY THAT WE WERE -- WE WOULD LIKE TO USE THOSE CASH RESERVES IN ORDER TO BE ABLE TO EXIST ON THE RADICALLY REDUCED BUDGET THAT WE STARTED ON NOVEMBER 1ST. AT THAT POINT AND TO THIS DAY NO ONE HAS TOLD ME THERE WAS A PROBLEM WITH THAT. EVERY MULTIPLE CITY STAFF, MULTIPLE COUNCILMEMBERS, MULTIPLE FINANCIAL OFFICERS WITHIN THE CITY RECEIVED THAT REPORT AND MADE NO NEGATIVE COMMENTS BACK TO ME.

Mayor Wynn: AND, I MEAN, THE ISSUE AND THE CONCERN OF, YOU KNOW, SPENDING EACH MONTH 1/12 OR PRORATA SHARE OF BOTH THOSE CASH RESERVES AND THE CITY DOLLARS, OBVIOUSLY THAT'S NOT OCCURRING RIGHT NOW. THAT IS YOUR --

AGAIN, WHEN I MADE THE PROPOSALS, I SAID VERY CLEARLY IT WOULD TAKE US SIX MONTHS PROBABLY TO GET OUR INCOME LEVEL AND TO MATCH UP WITH THE OTHER 50% WHICH IS CITY SUPPLIES FOR US TO MAKE OUR MONTHLY BUDGET.

Mayor Wynn: SO DID YOUR BUDGET SHOW OVER SIX MONTHS YOU SPENDING DOWN THAT RESERVE?

I DON'T HAVE THE BUDGET IN FRONT OF ME. I CAN'T GIVE YOU AN EXACT ANSWER ON THAT. I KNOW THAT MY NOTES IN MY PROPOSAL TO COUNCIL INDICATED THAT. WHETHER

THE BUDGET DID, I CAN'T TELL YOU FOR SURE.

Mayor Wynn: SO YOUR PROPOSALS TO COUNCIL --

PROPOSALS TO WHOEVER TOOK THE PROPOSALS. I GUESS THEY WERE TURNED IN THROUGH THE CITY MANAGER'S OFFICE. AT THAT POINT I'M TPH-PLT TPHO LT SURE. THE E-MAIL I WAS SHOWN FROM OCTOBER 15th THAT DID CLEARLY MENTION THE MONEY FROM THE PREVIOUS CONTRACT WAS SENT TO AT LEAST SIX TO EIGHT CITY STAFF OR COUNCIL PEOPLE, TO MY KNOWLEDGE, THEY WERE CC 'D. WE TURNED IT INTO THE PEOPLE WE THOUGHT WE WOULD PURPB IT INTO. THE REASON RE W E GOT TO THE MONEY WAS BECAUSE WHEN I CAME IN, I STARTED JULY THE FIRST AND WAS TOLD PRETTY QUICKLY AFTER THAT THAT I WOULD HAVE BEST CASE SCENARIO IF THE NETWORK WAS GOING TO SURVIVE AT ALL, 150,000 WOULD BE THE MAXIMUM THAT I WOULD EXPECT TO SEE. EVEN THAT AT THAT POINT WAS IF IT'S AVAILABLE. I BUILT A BUDGET BASED ON THAT. WE STARTED ENACTING THAT BUDGET ACTUALLY EARLY IN ORDER TO SEE TWO THINGS. ONE, COULD WE WORK ON LESS MONEY, HOW THAT WOULD AFFECT US FROM A PROGRAMMING STANDPOINT. AND TWO, TO BE ABLE TO HAVE SOME CASH RESERVE IN ORDER TO GET US THROUGH WHILE WE BUILT UP REVENUE. THE STATION WHEN I INHERITED IT WITH 25 PEOPLE HAD NOT ONE SALES, MARKETING OR PROMOTION PERSON. EVERYTHING WAS BUILT FROM SCRATCH AFTER JULY 1ST. OUR PERMISSION TO GET SALES THANKS TO THE CITY MANAGER CAME ON DECEMBER 20th, WHICH MEANS IT DID NOT DO US ANY GOOD FOR THE CHRISTMAS SEASON, WHICH MEANS OUR FIRST SALES WINDOW OF OPPORTUNITY WAS POST-JANUARY 1 WHEN BUSINESS CAME BACK TO NORMAL AND PEOPLE WERE READY TO THINK ABOUT THAT. AT THIS POINT WE'VE ONLY BEEN SELLING ADVERTISING FOR SIX WEEKS. SO I FEEL STRONG THAT WE ARE ABSOLUTELY MOVING IN THE FORWARD DIRECTION AND THAT WE SHOULD -- WE SHOULD NEVER BE BELOW OUR NUMBERS FROM THIS POINT ON.

Mayor Wynn: I'M NOT SURE IF YOU ARE AWARE, BUT WE RECEIVED A LETTER FROM THE AUSTIN HOTEL, USUALLY -- UDZ TO BE CALLED THE MOTEL ASSOCIATION, NOW IT'S LODGING ASSOCIATION, THEY ARE A VERY CRITICAL

PARTNER TO US IN MANY WAYS ON MANY FRONTS. ULTIMATELY IT'S THEIR BED TAX DOLLARS THAT FUND ALL OF OUR CULTURAL ARTS PROGRAMS. AND WE RECEIVED A LETTER FROM THEM SPECIFICALLY SAYING THAT THEY OPPOSED TO SALES -- BED TAX DOLLARS GOING TO THE AUSTIN MUSIC NETWORK. THAT'S PRETTY ALARMING WHEN THEY ARE THE FUNDING PARTNER FOR ALL THESE PROGRAMS, ALL THE CULTURAL ARTS PROGRAMS WE'VE HAD NOW FOR YEARS, I DON'T RECALL THEM AS OUR SIGNIFICANT COMMUNITY PARTNER SAYING PLEASE DON'T FUND THIS ONE PROJECT. AND THEY, FOR WHATEVER REASON --

CAN YOU TELL ME HOW MANY OF THE HOTELS HAVE TIME WARNER?

Mayor Wynn: WELL, YOU TELL ME.

I DON'T KNOW EXACTLY. WE GET DIFFERENT NUMBERS EVERY TIME WE CHECK. OBVIOUSLY IF -- THE ONLY WAY A HOTEL CAN GET OUR SIGNAL IN AUSTIN IS THROUGH TIME WARNER. UNFORTUNATELY THE HOTELS HAVE CHOSEN MORE AND MORE TO GO WITH PRIVATE SATELLITE COMPANIES AND SHY AWAY FROM TIME WARNER. I THINK AT THIS POINT IT'S PROBABLY MORE CRITICAL TO LOOK AT WAYS TO TRY TO GET THE STATION ON IN THOSE HOTELS SO IT CAN SERVE A TOURIST PURPOSE AND HOPEFULLY AS A RESULT OF THAT THE FEELING FROM THE HOTEL ASSOCIATION, WHICH UNFORTUNATELY SO MANY CAN'T EVEN SEE OR GET THE SIGNAL, MAYBE THAT WOULD CHANGE. I DON'T SEE THAT PLACE CHANGING IF THEY THEY CAN'T GET THE SIGNAL.

Mayor Wynn: THIS ISN'T FROM THEIR CUSTOMERS, THIS IS FROM THEM AS THE PROPERTY OWNERS. THEY MAKE THE DECISION AS TO WHETHER THEY HAVE CABLE OR WHETHER THEY HAVE SATELLITE. SO IT SEEMS TO ME IT WOULD BEHOOVE YOU, THEY CLEARLY HAVE AN ISSUE WITH YOUR PRODUCT AND IT WOULD BEHOOVE -- I THINK IT WOULD BEHOOVE TO YOU PERHAPS TRY TO ENCOURAGE THEM TO ACCEPT YOUR PRODUCT. FOR THE TIME BEING, THEY HAVE SPECIFICALLY ASKED US NOT TO USE THOSE BED TAX DOLLARS FOR YOUR OPERATION OF THE AUSTIN MUSIC

NETWORK.

THE RESPONSE I HAVE RECEIVED FROM THE NUMEROUS HOTELS I'VE TALKED TO ABOUT THIS WAS THEY ARE MORE UNHAPPY WITH TIME WARNER. THAT'S WHY THEY'VE MOVED FROM TIME WARNER TO INDEPENDENT SATELLITE IS TO REDUCE THEIR COST OF DOING BUSINESS TREFL. UNFORTUNATELY IT REDUCES THE AMOUNT OF REVENUE GENERATED IN THE CITY. EVERY TIME A HOTEL GOES TO A PRIVATE SATELLITE AND GETS RID OF THEIR TIME WARNER SIGNAL, THAT'S A LOSS FOR EVERY SINGLE PERSON IN THIS ROOM.

Mayor Wynn: THANK YOU, MR. MEYERS. MAYOR PRO TEM, EXCUSE ME.

Goodman: LET ME OFFER THE [INDISCERNIBLE] I HAD TALKED TO SOME FOLKS IN THE HOTEL-MOTEL INDUSTRY SOME TIME AGO AND I'M DISAPPOINTED TO HEAR AN OFFICIAL POSITION HAS BEEN TAKEN BECAUSE IT DIDN'T SEEM LIKE THAT WOULD BE THE CASE BACK WHILE, ADMITTEDLY, I HAVE NOT TALKED TO EVERY SINGLE PERSON IN THE ASSOCIATION. ON THE EVE OF SOUTH BY SOUTHWEST, IT SEEMS TO ODD TO ME HOTELS DON'T SEE THE CONNECTION BETWEEN VISITORS AND THE BASE THAT WE HAVE AND A CONTINUING AND GROWING REVENUE FOR THE HOSPITALITY INDUSTRY. SO OBVIOUSLY THERE IS SOME BRIDGES TO BE BUILT, WHICH WE'RE MORE THAN HAPPY TO ADD TO OUR GOALS AND CHARGE FOR THE COMING YEAR RELATIVE TO LOOKING INTO ECONOMIC DEVELOPMENT AND THE A.M.N. FUTURE AND THE WHOLE CREATIVE INDUSTRY REVIEW THAT WE ARE SO BLESSED WITH. SO WE'RE READY TO GO, BUT THE ISSUE COULD BE VERY EASILY ABOUT HAVING TIME WARNER IN THE ROOMS. IF THEY DON'T HAVE TIME WARNER, THEN THEY MAY NOT KNOW THAT A.M.N. IS ANY GOOD.

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: I HAVE A COUPLE FOLLOW-UP QUESTIONS FOR MR. MEYERS, IF HE COULD STEP UP TO THE MIKE. THE DISTINCTION OF BEING ON THE JEFF WARD SHOW YESTERDAY AND NOT SURPRISINGLY I DIDN'T WIN HIM OVER ON THIS ISSUE, BUT -- AND APPARENTLY WASN'T THE BEST

SPOKESPERSON FOR THIS CAUSE, BUT I THINK THE SURPRISING THING IS ACTUALLY THE MAJORITY OF PEOPLE WHO CALLED SUBSEQUENTLY IN SUPPORT OF THE NETWORK WITH, YOU KNOW,, REASONS FOR WHY THEY THOUGHT IT WAS A GOOD THING. THE ISSUE I WANTED TO TALK ABOUT IS SORT OF THE ECONOMIC ISSUES, AND WE'VE DISCUSSED THEM IN THE PAST ABOUT -- AND YOU MENTION THEM IN YOUR INTRODUCTION ABOUT HOW THE NETWORK IS MOVING TOWARDS PROMOTING MORE TOURISM. THE INTERNET, VIA THE BROADCAST NOW IN -- I THINK IT'S SAN MARCOS AND SAN ANTONIO. IS THAT CORRECT? AND ALSO -- BUT ONE THING YOU MENTIONED AT THE LAST TELECOMMUNICATIONS COMMISSION HEARING WAS ABOUT SOUTH BY SOUTHWEST AND HOW, YOU KNOW, WE'RE USING THE NETWORK AS A VEHICLE TO PROMOTE SOUTH BY SOUTHWEST, BUT IT'S ALSO OBVIOUSLY GENERATING REVENUE FOR THE NETWORK AS A RESULT BECAUSE I THINK THAT WAS ONE OF THE ISSUES THAT WAS RAISED IN THAT CALL-IN SHOW YESTERDAY, THE JEFF WARD SHOW, WHERE SOMEBODY SAID, WELL, WHY AREN'T THEY DOING SOMETHING RELATING TO SOUTH BY SOUTHWEST. AND SO BECAUSE WE ARE ON THE EVE OF THAT, IF YOU COULD TALK A LITTLE ABOUT THAT AND HOW OTHER COUNTRIES REALLY HAVE EXPRESSED AN INTEREST IN A.M.N. AND THEIR ABILITY TO USE THAT AS -- TO PROMOTE BANDS AND SUPPORT THE NETWORK AND SOUTH BY SOUTHWEST.

AS WITH SO MANY OTHER RELATIONSHIPS THAT I INHERITED THERE WAS NOTHING ON THE NETWORK FROM SOUTH BY SOUTHWEST FROM PREVIOUS YEARS. FROM WHAT I UNDERSTAND, THE MUSIC NETWORK WAS NOT EVEN CONGRATULATE CREDENTIALS LAST YEAR AND HAD ZERO REPRESENTATION. I'VE WORKED VERY HARD TO TRY TO FIND A COMMON BOND WITH THEM. AT THIS POINT WE ARE REGISTERED, WE HAVE FIVE REGISTRATIONS, WE HAVE AN EXHIBIT HALL BOOTH WHERE WE'LL BE BROADCASTING LIVE FROM, DOING INTERVIEWS WITH MUSICIANS AND MEDIA PEOPLE. WE ARE BROADCASTING PARTS OF THE MUSIC AWARDS SHOW ON WEDNESDAY NIGHT. WE HAVE AN ALL-DAY SHOW ON SATURDAY AFTERNOON THAT'S A FUNDRAISER AND A CLOSING PARTY ON SUNDAY NIGHT THAT'S A FUNDRAISER. ACTUALLY WE HAVE SEVERAL

EVENTS ON FRIDAY AFTERNOON. OUR STAFF IS INVOLVED PRETTY MUCH 24 HOURS A DAY DURING SOUTH BY. WE'LL BE LIVE FROM SIXTH STREET BROADCASTING, AGAIN, INTERVIEWS, CLIPS. WE DON'T HAVE PERMISSION, NO MEDIA HAS PERMISSION TO ACTUALLY FILM THE SHOWCASES AT NIGHT. WE WILL HAVE BANDS IN OUR STUDIO AND INTERVIEWS GOING IN THE STUDIO STARTING ON THE TUESDAY ALL THE WAY THROUGH THE SUNDAY. WE HAVE QUITE A FEW ACTS THAT HAVE BOUGHT ADVERTISING PACKAGES WITH US FOR SOUTH BY SOUTHWEST FROM BELGIUM, FROM DENMARK. QUITE A FEW FROM AMERICA. WE HAVE PACKAGES THAT RANGE FROM \$250 TO \$5,000, DEPENDING ON WHAT THEY WANT TO SPEND. SO BEING THE FIRST YEAR THAT THE NETWORK IN QUITE SOME TIME HAS EVEN BEEN VISIBLE AT SOUTH BY SOUTHWEST, WE HOPE TO UTILIZE IT AS MUCH FOR WHAT WE CAN DO WITH IT FROM A MARKETING STANDPOINT AS FOR BUILDING POTENTIAL CLIENTS AND LONG-TERM COMMERCIAL RELATIONSHIPS.

Alvarez: THANK YOU. I THOUGHT THAT WAS IMPORTANT TO MENTION.

Mayor Wynn: THANK YOU, COUNCILMEMBER. WE'LL WAIT UNTIL YOU SIT DOWN FIRST, LEWIS, THEN WE'LL CALL YOU BACK UP. I'M SORRY, I CAN'T READ THE CARD. JERRY -- STARTS WITH AN A. AVIA. AVILLA. OKAY. SORRY. YOU GOT JERRY AND THE THIRD CORRECT.

YOU GOES GOT TO ROLL THAT L. OFREUFPLTLA. I WOULD LIKE TO HANG THE COUNCILMEMBERS FOR HAVING ME HERE. I APPRECIATE YOU TAKING THE TIME TO LISTEN TO WHAT I'VE GOT TO SAY. I'M A PRODUCER OVER AT THE AUSTIN MUSIC NETWORK. FIRST I WOULD LIKE TO ADD IS THAT I'M A PRODUCT OF AUSTIN PUBLIC ACCESS. I STARTED MY SHOW BACK IN 1992 WITH A VISION AND A MISSION TO BRING LATINO MUSIC AND TEJANO MUSIC TO THE FOREFRONT OF THE HISPANIC COMMUNITY. AND I'VE HAD THE PRIVILEGE TO WORK WITH PREVIOUS MAYORS, MAYOR GUS GARCIA, WHICH HE WAS A BIG ADVOCATE OF WHAT WE'RE DOING WITH THE HISPANIC COMMUNITY. AND SO THE REASON WHY I'M HERE TODAY IS BECAUSE ALSO I WAS PART OF THE MUSIC COMMISSION FOR TWO YEARS. I WAS APPOINTED TO THE AUSTIN MUSIC TASK FORCE AS WELL. SO

I'M VERY FAMILIAR IN WHAT IS TRANSPIRING HERE TODAY. ALSO -- YOU KNOW, I WOULD ALSO LIKE TO SAY, YEAH, WE DID WASTE \$4.8 MILLION, BUT I DON'T THINK THAT THERE'S VEHICLES THERE FOR MANAGEMENT TO GO BY AND STRUCTURE TO SEE HOW THE NETWORK WAS DOING IN THE PAST. BUT I CAN SAY NOW THAT WE'VE HAD THE OPPORTUNITY TO SHOW PRIME TIME TEJANO TO THE HISPANIC COMMUNITY, AND I WOULD LIKE TO INVITE TO YOU COME TO THE SHOW ONE DAY SO YOU CAN SEE THE RESPONSE THAT WE GET FROM THE AVERAGE CITIZEN WHO WATCHES THE PROGRAM. AND WHAT I WOULD ALSO LIKE TO SAY IS IN THE PAST THAT THE HISPANIC COMMUNITY WAS NOT GIVEN THE OPPORTUNITY TO SHOWCASE THEIR ARTISTS AS WELL. AND SO WE MET WITH MR. LOUIS MEYERS WHO GAVE US THE OPPORTUNITY TO DO THAT. AND HIS STATEMENT WAS WHATEVER YOU NEED TO DO FOR THE HISPANIC COMMUNITY, WE HAVE CONFIDENCE IN YOU, GO FOR IT. BECAUSE WE FELT THERE WAS NOT ANYTHING THERE FOR THE HISPANIC COMMUNITY TO WATCH. NOT ONLY DO WE TALK ABOUT MUSIC, BUT WE TALK ABOUT DIFFERENT ISSUES THAT PERTAIN TO THE COMMUNITY. SO WE'RE A VARIETY PROGRAM AS WELL. WE'RE BRINGING POLITICAL PEOPLE IN, WE'RE BRINGING PEOPLE IN THE ENTERTAINMENT BUSINESS. PEOPLE FROM, LET'S JUST SAY, FROM DIFFERENT MAGAZINES AND NEWSPAPERS TO TALK ABOUT ISSUES THAT PERTAIN TO THE HISPANIC COMMUNITY. SO WITH THAT NOTE, I WOULD JUST LIKE TO ADD THAT TO KEEP THE NETWORK GOING, I KNOW THERE IS A LOT OF ISSUES THAT PERTAIN TO IT, BUT THE AUSTIN MUSIC NETWORK IS SOMETHING THAT IS UNIQUE TO AUSTIN, THAT DESCRIBES WHAT AUSTIN IS ALL ABOUT, WHAT OUR MUSICIANS ARE ALL ABOUT, WHAT OUR PRODUCERS DO IN THE BACKGROUND THAT YOU DON'T KNOW THEY ARE OUT THERE SPENDING THEIR OWN HARD-EARNED MONEY TO BRING A GOOD PRODUCT TO THE AUSTIN MUSIC NETWORK. I WOULD ALSO LIKE TO ADD THAT WE'VE HAD GRAMMY AWARD WINNERS ON THE PROGRAM. WE HAVE DIFFERENT ARTISTS THAT COME IN EVERY THURSDAY TO TALK ABOUT THEIR MUSIC AND WHAT THEY ARE ABOUT. SO ALL I WOULD ASK IS TO RECONSIDER AND TO KEEP THE AUSTIN MUSIC NETWORK ALIVE. I'VE JUST GOT TO ASK YOU FOLKS OUT

THERE, WHAT TIME IS IT? PRIME TIME.

IT'S PRIME TIME.

IT'S LUNCHTIME. [LAUGHTER]

Mayor Wynn: THANK YOU, JERRY. JOHN VILLARREAL. YOU HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY CHARLES WOOD.

THANK YOU. I BRING THIS MESSAGE BASICALLY FROM THE BOARD OF DIRECTORS OF AUSTIN COMMUNITY ACCESS CENTER. WE'VE LONG SUPPORTED THE VALLEYS OF THE AUSTIN MUSIC HERITAGE HERE IN AUSTIN AS WE DID ABOUT 30 YEARS AGO. AS WE ARE IN FACT SHOWCASING MUSICAL TALENT AND COMMUNITY ACCESS TO THE CULTURAL DIVERSITY OF MUSIC HERE IN THE AUSTIN COMMUNITY. AND WE CONTINUE TO BELIEVE IN THE NEED FOR A CHANNEL DEDICATED TO PROMOTE LOCAL MUSIC THAT DISPLAYS THE CITY'S DEDICATION TO OFFERING AUSTIN'S CULTURAL VITALITY. IT IS OUR BELIEF THAT AN AUSTIN MUSIC CHANNEL IS DESIRABLE AND A VIABLE PRODUCT, BUT REQUIRES A STRONG MANAGEMENT TEAM FAMILIAR WITH THE STEWARDSHIP OF THE PUBLIC INTEREST, INCLUDING THE SUPPORTING GUIDANCE OF AN ACTIVE AND CAPABLE BOARD OF DIRECTORS COMPOSED OF A VARIETY OF PROFESSIONAL INDIVIDUALS PROVEN TO BE FULLY CAPABLE OF AND DEDICATED TO THE STEWARDSHIP OF PUBLIC INTEREST. AND WE HAVE THAT AT A.C.A.C. WE BELIEVE THE CELEBRATION AND PROMOTION OF AUSTIN'S CULTURAL DIVERSITY OF MUSIC SHOULD REMAIN WITH THE STAR WAORDZ, NOT IN THE CORPORATE DOMAIN. PLACE HE GO IT IN THE CORPORATE DOMAIN -- INFLUENCING MANAGEMENT DECISIONS. OTHERWISE THE MUSIC CHANNEL COULD BECOME A PROFIT-DRIVEN, WHO PHAUPBLG NEWS PORE TRAILER OF MAGICAL MUSICAL ACTS. IT COULD BECOME AN ECONOMIC TOOL TKREUF TPWAOEUPB ENTRANCE OF SHAREHOLDERS NOT THE INTEROF THE AUSTIN -- INTEREST OF THE AUSTIN COMMUNITY. A GOOD EXAMPLE OF WHAT WE FEAR IS TIME WARNER CABLE HAS BEEN MENTIONED AS AN ORGANIZATION THAT MIGHT MANAGE THIS PROJECT. THIS HUGE COMPANY OPERATING IN EVERY STATE IN THE NATION, TIME WARNER HAS STATED THAT THEY HAD THE

CITY'S BEST INTEREST AT HEART. YET AT THE VERY MOMENT, TIME WARNER IS DENYING THE CITIZENS OF AUSTIN ACCESS TO EQUIPMENT BECAUSE TIME WARNER IS CONTESTING THE CITY'S FRANCHISE AGREEMENT IN REGARDS TO ITS COMMITMENT TO REPAIR EQUIPMENT. THE NINE REPAIRS OF THIS EQUIPMENT IS NOT SERVING THE BEST INTEREST OF THE CITIZENS OF AUSTIN. AND AN EXAMPLE OF THE CORPORATE BOTTOM LINE DECISIONS TO WHICH REFERRED TO THAT INTERFERES WITH THE INTEREST OF THE COMMUNITY. MANY OF THE CORPORATE DECISIONS THAT TIME WARNER CABLE MIGHT MAKE ARE MADE BY INDIVIDUALS WHO DON'T EVEN RESIDE IN THE AUSTIN AREA AND WHO ARE RESPONSIBLE TO THE STOCKHOLDERS AT A.O.L.-TIME WARNER NOT THE PEOPLE OF AUSTIN. AUSTIN -- AN AUSTIN MUSIC CHANNEL SHOULD ENHANCE THE QUALITY OF LIFE FOR ALL CITIZENS OF AUSTIN. IT SHOULD REINFORCE ONE OF HIS ORIGINAL PRECEPTS AND THAT IS TO ASSIST THE PROMOTION OF LOCAL MUSICIANS THROUGH TELEVISION EXPOSURE AS WELL AS OTHER MEDIA. THIS EXPOSURE SHOULD REACH THE INTERNATIONAL AUDIENCE. THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU, MR. VILLARREAL. CHARLES WOOD. [APPLAUSE] CHARLES, YOU WILL BE FOLLOWED BY NAOMI BUMGUARD. YOU WILL HAVE THREE MINUTES.

I WOULD JUST LIKE TO SAY I REPRESENT AN ORGANIZATION CALLED AUSTIN ANTI-POP.COM. WE ARE 16 DIFFERENT BANDS THAT PLAY HERE IN AUSTIN ON SIXTH STREET, SOUTH CONGRESS AND SO ON AND SO FORTH. MY ISSUES WITH AUSTIN MUSIC NETWORK, WE -- WE AS BANDS, THE HARDEST THING TO BE ABLE TO ESTABLISH OURSELVES WITH IS WITH VIDEO. I WOULD LIKE TO SEE AUSTIN MUSIC NETWORK WORK MORE TO CREATE REMOTE FILM AND RECORDING VIDEOS SO THAT THESE BANDS THAT CAN'T AFFORD, YOU KNOW, \$2,500 TO GO OUT AND SPEND ON A VIDEO TO GET ON AUSTIN MUSIC NETWORK CAN ACTUALLY, YOU KNOW, GO TO AUSTIN MUSIC NETWORK AND SAY, HEY, WE NEED, YOU KNOW, THIS LITTLE BIT. IF WE CAN TAKE SIX BANDS AND PUT THEM TOGETHER TO DO ONE SHOW AND HAVE AUSTIN MUSIC NETWORK COME OUT AND FILM EACH ONE -- YOU KNOW, ALL SIX OF THESE BANDS AT ONE TIME, IT

GIVES US THE ABILITY TO PITCH IN AND GET ALL OF THESE BANDS TO, YOU KNOW, TO COVER THE SUM OF WHAT IT MAY COST, YOU KNOW, FOR US TO GET FILMED AND IN TURN GIVE EACH ONE OF THESE BANDS THEIR OWN VIDEO THAT CAN BE PLAYED BACK ON THE NETWORK AT A LATER TIME. COMPLAINING COMPLAINING [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

SINCE IT IS RUNNING CLOSE TO 2:00 O'CLOCK, I'LL READ A COUPLE OF E-MAILS FROM YOU, ONE I GOT FROM NOR WAY ABOUT THE AUSTIN MUSIC NETWORK. SHE SAYS HER NAME IS KATRINE. , WE DIDN'T WATCH A LOT OF TV IN AUSTIN, BUT WE WATCHED A LOT OF T CHANNEL 15 A LOT. THIS SHOWS THAT THEY'RE WATCHING LOCAL MUSIC OUT THERE ACROSS THE WORLD. I THOUGHT AFS A FUN CHANNEL. NOW I SEARCH THE WEB. I DON'T KNOW IF YOU GUYS KNOW THIS, BUT YOU CAN SURF THE WEB AND WATCH A CHANNEL ANYWHERE. THE SECOND ONE IS FROM SOMEONE HERE IN AUSTIN. ARTIST, I WANT TO THANK YOU FOR LETTING ME BE A GUEST VJ ON THE AIR. THE EXPERIENCE WILL BE ONE I WILL NEVER FORGET. TAKE CARE. THAT'S ALL I HAVE TO SAY.

Mayor Wynn: THANK YOU. COUNCIL, WITHOUT OBJECTION, AND I APOLOGIZE -- I WILL SAY THAT A LOT OF FOLKS WERE KIND ENOUGH TO CHECK THE BOX SAYING THEY DON'T WANT TO SPEAK, BUT ARE HERE IN SUPPORT OF THE AUSTIN MUSIC NETWORK. PROBABLY BEGINNING NOW AND AS WE TAKE IT UP AGAIN, I'LL READ ALL THESE CARDS INTO THE RECORD SO FOLKS WILL KNOW THAT THEY'RE HERE SHOWING SUPPORT FOR THE NETWORK. BUT AT THIS TIME, COUNCIL, WITHOUT OBJECTION, I WOULD LIKE TO CALL UP THE 2:00 O'CLOCK BRIEFING THAT WE SHOW AS ITEM NUMBER 27, THE MEET AND CONFER AGREEMENT WITH THE AUSTIN POLICE ASSOCIATION.

MR. MAYOR, WHEN DO YOU EXPECT TO RECONVENE ON? APPROXIMATELY AN HOUR? [INAUDIBLE - NO MIC]

Futrell: ALL RIGHT, COUNCIL, I BELIEVE WE'LL START THE MEET AND CONFER DISCUSSION. MAURA, HUFFMAN, OUR PUBLIC OFFICER FOR PUBLIC SAFETY WILL START THE

PRESENTATION.

WE COME TO YOU TODAY WITH A MEET AND CONFER AGREEMENT. IT IS UP ON THE CITY'S WEBSITE AVAILABLE FOR PUBLIC REVIEW. WHAT WE'D LIKE TO DO TODAY IS TAKE A FEW MINUTES TO WALK YOU THROUGH THE HIGHLIGHTS OF THE MEET AND CONFER CONTRACT NEGOTIATION. THIS IS A RELATIVELY LONG PROCESS. WE'VE BEEN IN NEGOTIATION FOR NEARLY A YEAR NOW. SO WE WANT TO PROVIDE THE COMMUNITY WITH AN OVERVIEW OF WHAT THAT NEGOTIATION HAS PRODUCED. I'D LIKE TO START BY TALKING ABOUT WHAT PERSONNEL POLICIES OUR POLICE AND FIRE DEPARTMENTS OPERATE UNDER. WHEN WE TALK ABOUT CIVIL SERVICE LAW, THIS IS A SET OF STATE LAWS THAT WERE PASSED IN 1947 AT THE LEGISLATURE AND THEN APPROVED IN AUSTIN IN 1948. THEY'RE ESSENTIALLY PERSONNEL POLICIES FOR POLICE AND FIRE DEPARTMENTS. ANY CHANGES THAT HAVE BEEN MADE SINCE THAT TIME HAVE BEEN THE SUBJECT OF A LEGISLATIVE FIGHT, FRANKLY, AND MOST CITIES THINK THAT THE PROVISIONS THAT HAVE CHANGED OVER THOSE LAST 56 YEARS HAVE NOT FAVORED CITIES, THEY HAVE ADDED DETAILS IN THOSE PERSONNEL POLICIES THAT MOST CITIES PREFER TO MANAGE ON THEIR OWN. THE MOST COMMON THING YOU HEAR ABOUT CIVIL SERVICE IS THAT IT RESTRICTS YOU TO A MULTIPLE CHOICE TEST FOR HIRING AND PROMOTING YOUR WORKFORCE. THIS IS PROBABLY THE MOST DIFFICULT PROVISION FOR MANAGERS TO WORK WITH BECAUSE REALLY IT'S PROBABLY NOT -- THERE'S PROBABLY NO A COMPANY IN THE COUNTRY NOW THAT WOULD HIRE OR PROMOTE A STAFF MEMBER ON THIS BASIS. SO IN 1995 WHEN THE CITY GOT MEET AND CONFER, WE HAD THE OPPORTUNITY TO ALTER THIS STATE CIVIL SERVICE LAW, THIS 56-YEAR-OLD LAW, WE FINALLY HAD THE OPPORTUNITY TO MAKE KEY AND STRATEGIC CHANGES TO IT THAT WOULD ALLOW US TO BETTER MANAGE OUR POLICE AND FIRE DEPARTMENT. AND WE HAVE CONCLUDED TWO CONTRACTS IN THE FIRE DEPARTMENT AND TWO CONTRACTS IN THE POLICE DEPARTMENT. WHAT'S BEFORE YOU TODAY IS THE PROPOSED THIRD CONTRACT FOR THE AUSTIN POLICE DEPARTMENT. I WANT TO TALK FIRST ABOUT WHAT OUR NEGOTIATING OBJECTIVES WERE. WHEN WE BEGAN THE

PROCESS, WE WERE FACED WITH THE MOST DIFFICULT BUDGET YEAR THE CITY HAD SEEN IN OVER A DECADE. SO MOST OF WHAT WE WERE TRYING TO DO IN THIS THIRD ROUND OF NEGOTIATIONS WAS TO PRESERVE EVERYTHING WE HAD NEGOTIATED IN THE PREVIOUS TWO CONTRACTS, ALL OF THE HIRING, PROMOTIONS, DISCIPLINE AND OVERSIGHT PROVISIONS. WE WANTED TO CONTINUE EMPHASIZING EDUCATION AND TENURE IN THE DEPARTMENT, AND WE WERE INTERESTED IN MANAGING THE COST DRIVER THAT WAS ASSOCIATED WITH MEET AND CONFER. YOU'LL RECALL AT THAT TIME WE CALCULATED WE HAD SPEND OVER \$110 MILLION ON MEET AND CONFER CONTRACTS. AND WHEN BEGAN THIS NEGOTIATION, WE WERE INTERESTED IN PURSUING A TOOL THAT WOULD ALLOW US TO CONTROL OR TO MANAGE THAT COST DRIVER. AND THE TOOL WE USED WAS SOMETHING CALLED THE PUBLIC SAFETY PREMIUM. THIS IS THE PAY PACKAGE THAT'S IN THE CONTRACT, AND THE WAY IT WORKS IS POLICE OFFICERS GET TWO PERCENT ABOVE WHAT THE AVERAGE NEEDS EXPECTATION CITY OF AUSTIN EMPLOYEE GETS. WHAT THIS ALLOWS US TO DO IS TO MAINTAIN A TOP MARKET POSITION BECAUSE OUR POLICE OFFICERS ARE AT THE TOP OF THE MARKET, BUT IT ALSO ALLOWS US TO MANAGE THIS COST DRIVER IN A DOWN ECONOMIC CYCLE. FOR EXAMPLE, TWO YEARS AGO WE WERE IN THE THIRD YEAR OF OUR CONTRACT REQUIREMENT AND WE WERE REQUIRED TO GIVE POLICE OFFICERS A SIX PERCENT RAISE. THAT SAME YEAR, CITY EMPLOYEES WENT WITHOUT A PAY RAISE. THE WAY THE PUBLIC SAFETY PREMIUM WORKS IS THE TWO PERCENT IS INDEXED TO CITY EMPLOYEES, SO IF CITY EMPLOYEES ARE NOT RECEIVING RAISES, OFFICERS GET TWO PERCENT. IF CITY EMPLOYEES RECEIVE A THREE PERCENT RAISE, THE AVERAGE RAISE, THEN OFFICERS WOULD GET A FIVE PERCENT RAISE. THE LAST THING WE WERE INTERESTED IN WAS LIMITING THE SCOPE OF NEGOTIATIONS. AND ONE OF THE THINGS THAT YOU WILL SEE IN THIS CONTRACT IS INSTEAD OF A THREE-YEAR TERM WE HAVE A FIVE-YEAR TERM. THE CITY HAS ACHIEVED ALL OF WHAT IT WANTED TO ACHIEVE FROM A MANAGEMENT PERSPECTIVE. WE HAVE PRESERVED OVERSIGHT AND SO WHAT WE'RE INTERESTED IN NOW ARE LONGER TERM CONTRACTS SO THAT WE'RE NOT ALWAYS FIENT FOOINDING

OURSELVES IN A NEGOTIATION CYCLE. ALONG THE WAY AND DURING THESE NEGOTIATIONS BASED ON COMMUNITY CONCERNS THAT WERE RAISED AND BASED ON EXPERIENCES THAT WE HAD WITH OVERSIGHT, WE REVISED OUR OBJECTIVES AND WE ADDED FOUR NEW ONES. THE FIRST WAS TO CREATE THE ABILITY FOR THE CITY TO RELEASE THE INDEPENDENT INVESTIGATION REPORT SHOULD A FUTURE PANEL CALL FOR ONE. THE SECOND WAS TO REMOVE ANY ACCESS LIMITATIONS THAT THE PANEL HAD TO DISCIPLINARY FILES. AND ONE OF THE KEY ACCESS RESTRAINTS THAT WE HAD WAS THAT THE PANEL COULD NOT ACCESS DISCIPLINARY FILES THAT WERE MORE THAN THREE YEARS OLD WHEN THEY WERE REVIEWING A CASE. THE THIRD WAS TO PROTECT THE 180-DAYTIME LINE THAT WE HAVE TO CONDUCT AN INVESTIGATION AND COMPLETE THE OVERSIGHT PROCESS. AND THE LAST ONE WAS TO FIND WAYS TO PRESERVE TENURE IN OUR PATROL DIVISION. PATROL IS WHERE OFFICERS BEGIN THEIR CAREER, AND BECAUSE WE GREW -- WE GREW SO MUCH IN SUCH A SHORT PERIOD OF TIME, WE NEEDED TO FIND WAYS TO PRESERVE AND TO ENHANCE TENURE IN OUR PATROL DIVISIONS. I CAN TELL YOU THAT WE HAVE REACHED ALL OF THESE OBJECTIVES IN THIS CONTRACT. WE BELIEVE THAT WE HAVE USED THIS TOOL AS A JOINT TEAM TO HELP CREATE ONE OF THE BEST DEPARTMENTS IN THE COUNTRY AND WE'VE ALSO USED THIS TOOL TO CREATE AN OVERSIGHT FUNCTION THAT IS AS ROBUST AS MOST OTHER FUNCTIONS IN THE COUNTRY. YOU WILL FIND VERY FEW OVERSIGHTS -- OVERSIGHT STRUCTURES THAT HAVE A PANEL THAT HAS DIRECT ACCESS TO DISCIPLINARY FILES. WE HAVE A UNIQUE SYSTEM HERE IN AUSTIN. I THINK YOU'LL SEE THAT WE'VE PRESERVED THAT. WHAT YOU WILL ALSO SEE IN THIS CONTRACT IS THAT LIKE ALL NEGOTIATIONS, THERE IS GIVE AND TAKE. AND LIKE ALL LABOR NEGOTIATIONS, THERE IS A DELICATE BALANCE. SO WHILE WE THINK THERE ARE SIGNIFICANT WINS FOR THIS CITY, WE WERE ALSO IN A POSITION TO MEET THE NEEDS OF THE ASSOCIATION. AND WHAT YOU WILL SEE IN THIS CONTRACT ARE PROVISIONS THAT WERE IMPORTANT TO THE NEGOTIATION AND WANT YOU TO KNOW ABOUT THOSE AS WELL. FROM THE CITY'S PERSPECTIVE OUR KEY WINS WERE THAT WE ENHANCE THE HIRING AND PROMOTIONS PROCESS TO GET QUALITY. WE'VE

DONE THAT EVERY STEP OF THE WAY RATHER THAN LIMIT OURSELVES TO A MULTIPLE CHOICE TEST, WE'VE GONE WAY BEYOND THAT, BOTH IN TERMS OF THE COMPONENTS OF TESTING, BUT ALSO IN TERMS OF THE OF ADDITIONAL POINTS THAT OFFICERS GET. WE ARE PRESERVING TENURE IN PATROL, AND I'LL TALK TO YOU ABOUT SOME OF THE SPECIFIC STRATEGIES THERE. WE ARE REWARDING EVERY CHANCE WE GET EDUCATION, TENURE AND BILINGUAL SKILLS AND WE HAVE ENHANCED IN SEVERAL SIGNIFICANT WAYS POLICE OVERSIGHT. I'LL START WITH THE HIRING PROCESS. WHEN SOMEONE WALKS THROUGH THE DOOR, RATHER THAN JUST A WRITTEN TEST WHERE THE TOP SCORE GETTER IS HIRED, WE HAVE AUGMENTED THAT PROCESS WHERE NOW THERE IS AN ORAL INTERVIEW BOARD THAT COUNTS FOR 55% OF SOMEONE'S SCORE. A CANDIDATE GETS STRAIGHT POINTS FOR EDUCATION, EXPERIENCE AND BILINGUAL SKILLS. AND PROBABLY THE MOST SIGNIFICANT PROVISION IN THE HIRING PROCESS IS THAT WE HAVE EXTENDED THE PROBATIONARY PERIOD OF AN OFFICER. WE'VE DONE THIS IN TWO WAYS. CIVIL SERVICE LAW SAYS THERE'S 12 MONTHS OF PROBATION AND IT GIVES WHEN AN OFFICER IS HIRED. THE PROBLEM FOR US IS THAT AN OFFICER SPENDS SEVEN MONTHS AT THE ACADEMY, THREE MONTHS IN FIELD TRAINING AND THEN TWO MONTHS ON THE STREET BEFORE UNDER CIVIL SERVICE RULES THAT OFFICER IS OFF PROBATION. WHAT WE'VE DONE IN THE CONTRACT IS WE'VE BEGUN PROBATION WHEN THE OFFICER GRADUATES FROM THE ACADEMY AND WE'VE EXTENDED IT FROM 12 TO 15 MONTHS. THIS IS A MAJOR ACCOMPLISHMENT FOR THE CITY. IT ALLOWS US TO EVALUATE AN OFFICER WHILE HE'S IN THE FIELD FUNCTIONING IN HIS ROLE AS AN OFFICER FOR 15 MONTHS BEFORE WE ARE BOUND BY THE RESTRICTIONS OF CIVIL SERVICE LAW. IN IMPROVING TENURE IN DEPARTMENT WE THINK WE'VE CAPTURED A KEY CONTRACT PROVISION. YOU'LL RECALL LAST CONTRACT WE CREATED A NEW RANK. IT'S A PARALLEL RANK AND IT'S THE FIRST PROMOTABLE RANK IN THE DEPARTMENT. IT'S CORPORAL. AND IT'S PARALLEL -- ITS PARALLEL IS DETECTIVE. THE REASON WE CREATED THE CORPORAL RANK IS BECAUSE WE WANTED A PROMOTABLE RANK IN THE DEPARTMENT THAT KEPT AN OFFICER ON THE STREET. IN THIS CONTRACT WE'VE PUT AT

THE MINIMUM THAT AN OFFICER IS NOT ELIGIBLE TO SIT FOR EITHER THE DETECTIVE OR THE CORPORAL EXAM UNTIL HE HAS SERVED ON THE FORCE FOR FIVE YEARS. SO AT A BARE MINIMUM AN OFFICER WILL SERVE FOR FIVE YEARS AS AN OFFICER ON THE STREETS OF AUSTIN. WHAT THAT MEANS FOR PROMOTABLE RANKS BEYOND CORPORAL AND DETECTIVE IS THAT THERE WILL NEVER BE A SUPERVISOR, AND THAT NEXT RANK IS SERGEANT, THAT'S THE FIRST SUPERVISORY ROLE IN THE DEPARTMENT, WITH LESS THAN SEVEN YEARS TENURE IN THE DEPARTMENT. SO BY THE TIME SOMEONE IS TESTING FOR THEIR FIRST SUPERVISORY ROLE IN THE DEPARTMENT, THEY HAVE AT LEAST SEVEN YEARS OF TENURE WITH -- SEVEN YEARS OF 17 YOU'RE WITH THE DEPARTMENT. -- 10 TENURE WITH THE DEPARTMENT.

> WHAT WE'RE LOOKING AT HERE ARE TOOLS THAT ALLOW THE POLICE CHIEF TO MANAGE THE WAY ALL MODERN ORGANIZATIONS MANAGE AND TO PROMOTE THE VALUES OF THE ORGANIZATIONS THROUGH THE PROMOTIONS PROCESS. WE ARE WELL PAST THE MULTIPLE CHOICE TEST HERE. ALL PROMOTIONS INCLUDE EXTRA POINTS FOR EDUCATION AND BILINGUAL SKILLS. THEY ALSO INCLUDE POINTS FOR TENURE WITH THE DEPARTMENT. AND FOR ALL RANKS THAT ARE SUPERVISORY OR MANAGERIAL, WE'VE INCLUDED ASSESSMENT CENTERS. NOW, FOR PEOPLE THAT AREN'T FAMILIAR WITH ASSESSMENT CENTERS, THAT IS A MULTIPART TEST THAT IS DESIGNED TO SIMULATE THE JOB THE PERSON IS GOING FOR. IT MIGHT INCLUDE A PROBLEM SOLVING EXERCISE, A IN BASKET, A CRITICAL SKILLS THINKING TEST. IT IS DESIGNED TO CAPTURE THE ELEMENT OF THE JOB THE PERSON IS APPLYING FOR. AND FINALLY, DISCIPLINE. AND. DISCIPLINE WE DESIGNED A VERY KEY PROVISION FOR THE CHIEF LAST CONTRACT NEGOTIATION. IT GIVES HIM THE ABILITY TO GIVE AN SFR A THREE-DAY SUSPENSION. IF THE OFFICER WANTS TO USE VACATION TIME, HE IS NOT ALLOWED TO APPEAL THE DECISION. IF HE CHOOSES NOT TO USE VACATION, HE CAN APPEAL, BUT THE LOSER PAYS. FOR THE COMMUNITY THE BENEFIT OF THIS CONTRACT PROVISION IS THAT FEWER AND FEWER AND FEWER OF OUR THREE-DAY SUSPENSIONS HAVE BEEN APPEALED. AND THIS GIVES THE CHIEF THE NEXTIBILITY TO USE A DISCIPLINARY MEASURE WITHOUT

FACING THE CHALLENGE OF AN APPEAL. WHAT I'D LIKE TO DO NOW IS QUICKLY GO THROUGH OFFICERS' RIGHTS AND THEN HAVE THE CHIEF COME UP AND TALK TO YOU ABOUT HOW THESE PROVISIONS HAVE HELPED HIM OVER THE COURSE OF HIS TENURE WITH THE CITY OF AUSTIN AND IMPROVED HIS ABILITY TO MANAGE THIS DEPARTMENT. OFFICERS' RIGHTS IS PROBABLY THE ONE SET OF PROVISIONS THAT IS THE MOST IMPORTANT TO THE POLICE OFFICERS OF AUSTIN. THERE ARE TWO KEY PROVISIONS HERE. THE FIRST IS THAT OFFICERS HAVE ACCESS TO THEIR DISCIPLINARY FILES BEFORE THEY GO INTO THE DISCIPLINARY MEETING WITH THE CHIEF OF POLICE AND THE CHAIN OF COMMAND. THE SECOND PROVISION IS REALLY A DUE PROCESS PROVISION, AND IT'S THERE TO PROTECT OFFICERS. AND WHAT THAT PROVISION SAYS IS THAT WHEN WE GIVE YOU THE FILE BEFORE YOU GO INTO YOUR CONFERENCE WITH THE CHIEF, IT MUST BE COMPLETE. AND IF IT NOT COMPLETE, WE CAN'T USE SOMETHING THAT ISN'T IN THE FILE TO MAKE A DISCIPLINARY DECISION. THOSE ARE TWO KEY PROVISIONS IN OFFICERS' RIGHT. WE'RE GOING TO MOVE AFTER THIS TO OVERSIGHT, BUT I'D LIKE TO PAUSE AND HAVE THE CHIEF TALK TO YOU ABOUT HOW THESE TOOLS HAVE HELPED HIM MANAGE IN THE POLICE DEPARTMENT.

GOOD AFTERNOON. THE CIVIL SERVICE ACT THAT WAS PASSED IN THE LATE 40'S WAS AN ACT THAT WAS TO REMOVE CORRUPTION AND POLITICAL INTERFERENCE IN POLICE DEPARTMENTS. IT IS A LAW I BELIEVE TAKEN ON FACE VALUE, MANY PARTS OF WHICH ACTUALLY HINDER A POLICE DEPARTMENT FROM MOVING FORWARD INTO THE 21st CENTURY AND OPERATING EFFECTIVELY. THIS CONTRACT AND THE MEET AND CONFER PROCESS HAS GIVEN US TREMENDOUS TOOLS IN WHICH TO IMPROVE THE OPERATIONS OF THE POLICE DEPARTMENT. I WOULD LIKE TO JUST TOUCH ON THREE OF THOSE. REEMPHASIZING THREE OF THEM. AT THE POINT OF HIRING, WE ARE NOW ALLOWED ADDED POINTS FOR BILINGUAL, COLLEGE EDUCATION, MILITARY EXPERIENCE AND PRIOR POLICE EXPERIENCE. UNDER CIVIL SERVICE, FOR INSTANCE, ONLY MILITARY GETS EXPERIENCE -- EXPERIENCE GETS ADDED POINTS. SO OUR EFFORTS TO INCREASE THE NUMBER OF

BILINGUAL POLICE OFFICERS IS ENHANCED THROUGH THE MEET AND CONFER PROCESS. THE SECOND VERY IMPORTANT ISSUE WITH US THAT ASSISTANT CITY MANAGER LAURA HALF MAN SPOKE ABOUT -- HUFF MAN SPOKE ABOUT WAS PROBATION. A PROBATIONARY PERIOD OF TIME IS A TIME WHEN WE WATCH A NEW EMPLOYEE TO ENSURE THAT HE HAS THE SKILLS THAT HE LEARNED IN THE ACADEMY AND CAN APPLY THOSE SKILLS TO THE STREET. PRIOR TO MEET AND CONFER WE HAD IN ESSENCE TWO MONTHS IN ORDER TO ACHIEVE THAT GOAL. IN ORDER, COULD HE ACTUALLY MEET THE HIGH STANDARDS OF THE AUSTIN POLICE DEPARTMENT, AND IN FACT IT WAS NOT ENOUGH TIME. THIS NEW CONTRACT GIVES US 15 MONTHS IN WHICH TO OBSERVE A YOUNG OFFICER IN THE PERFORMANCE OF HIS DUTIES TO SEE IF HE MEETS OUR STANDARDS. IT IS AN EXCEPTIONAL OPPORTUNITY FOR US TO ENSURE THAT WE HAVE ONLY THE HIGHEST QUALITY OF OFFICER ON THIS DEPARTMENT. AND THE THIRD AREA IS A PROMOTIONAL PROCESS WHICH RECOGNIZES THE VALUE OF SENIORITY, EDUCATION, AND WHICH REQUIRES CANDIDATES FOR NEW POSITIONS TO DEMONSTRATE IN THE ASSESSMENT CENTER PROCESS THAT THEY HAVE THE SKILLS AND THE KNOWLEDGE TO SUPERVISE AND MANAGE SUBORDINATES. IT IS CRITICALLY IMPORTANT FOR US TO BE ABLE TO TEST INDIVIDUALS WHO WANT TO BE PROMOTED IN THIS MANNER AND NOT JUST RELY SOLELY ON A CIVIL SERVICE TEST OF 100 MULTIPLE QUESTIONS. OVERALL THIS CONTRACT WILL HELP HIRE THE RIGHT PERSON TO WORK AT A.P.D. IT REWARDS OFFICERS WHO ACHIEVE SUCCESS IN EDUCATION, DEVELOPING SKILLS IN SECOND LANGUAGES AND WHO TAKE ON ADDITIONAL RESPONSIBILITY, AND IT PROVIDES A PROMOTIONAL PROCESS THAT IS THE CORNERSTONE OF OUR MANAGEMENT DEVELOPMENT PROGRAM. THANK YOU ALL.

NOW WE'D LIKE TO MOVE INTO OVERSIGHT. THIS IS PROBABLY WITHOUT A DOUBT THE MOST CONTROVERSIAL ELEMENT OF THE MEET AND CONFER PROCESS, AND HAS BEEN FOR THIS CYCLE AND ALSO THE LAST CYCLE. OVERSIGHT IS MG THAT REQUIRES A -- SOMETHING THAT REQUIRES A STRONG PARTNERSHIP. IT REQUIRES A PARTNERSHIP BETWEEN THE ASSOCIATION, THE

COMMUNITY AND THE ORGANIZATION. AND ONE OF THE THINGS THAT WE WERE LOOKING FOR WAS TO IMPROVE THE ABILITY TO FORGE THOSE RELATIONSHIPS. I WANT TO TALK ABOUT THE ENHANCEMENTS BECAUSE THERE ARE SOME VERY KEY ENHANCEMENTS THAT WE'VE MADE TO OVERSIGHT. FIRST AND FOREMOST THE PANEL HAS UNRESTRICTED FILE ACCESS NOW. NO LONGER IS THE PANEL RESTRICTED BY THREE YEARS OF A DISCIPLINARY HISTORY OF AN OFFICER WHEN THEY'RE REVIEWING A CASE. THEY HAVE FULL ACCESS TO THAT FILE. SO AS THEY MOVE FORWARD IN A VERY IMPORTANT ROLE, THEY HAVE INFORMATION THAT GIVES THEM HOLISTIC INFORMATION ABOUT THAT INDIVIDUAL. WE HAVE PRESERVED THE ENTIRE 180 DAYS THAT STATE LAW GIVES US NOT ONLY TO INVESTIGATE AN ISSUE, BUT ALSO TO TAKE ACTION, AND NOW FOR US TO HAVE OUR ENTIRE OVERSIGHT PROCESS TAKE PLACE. THIS IS A TOLLING PROVISION AND BASICALLY WHAT IT SAYS IS IF SOMETHING STOPS OUR ABILITY TO CONDUCT OVERSIGHT, THEN THE CLOCK STOPS ALSO. THIS PROTECTS THE CITY AGAINST ANY POSSIBILITY THAT THE 180 DAY CLOCK HAS RUN DOWN BEFORE OVERSIGHT CAN CONCLUDE. WE ARE NOW GOING TO BE ABLE TO RELEASE THE PANEL INDEPENDENT INVESTIGATION REPORTS. THERE WILL BE PEOPLE THAT YOU'LL RECALL LAST YEAR WHEN WE HAD AN INDEPENDENT INVESTIGATION CALLED, WE HAD THE REPORT AND WE WERE UNABLE TO RELEASE THAT REPORT. THIS CONTRACT GIVES US THE ABILITY TO MAKE THOSE RELEASES. WE'VE ALSO IMPROVED THE PANEL'S ABILITY TO COMMUNICATE ABOUT KEY PIECES OF THE PROCESS, SO AS THE PANEL MAKES THE DECISION TO CALL FOR INDEPENDENT INVESTIGATION, WE HAVE A PROVISION WHERE THE CONTRACT ARTICULATES TO THE COMMUNITY WHAT IT'S LOOKING FOR IN THAT INVESTIGATION. WE THINK THAT WILL HELP ENHANCE THE COMMUNITY'S UNDERSTANDING ABOUT WHAT THE QUESTIONS ARE, WHETHER OR NOT THEY'VE GOT QUESTIONS ABOUT THE OFFICER OR TRAINING QUESTIONS. WE WANT TO CREATE THE ABILITY TO SEND THAT FIRST SIGNAL TO THE COMMUNITY FROM THE PANEL. I THINK IT'S IMPORTANT TO REMEMBER THIS IS A CITIZEN'S PANEL THAT HAS ACCESS TO CONFIDENTIAL FILES THAT NO OTHER CITIZEN OF AUSTIN HAS. AND SO WHAT THEY SAY AND WHEN THEY SAY IT IS

SERVING AS A PROXY FOR THE CITIZENS OF AUSTIN. WHEN THE INDEPENDENT INVESTIGATION IS CONCLUDED, WE ALSO HAVE A PROVISION THAT THE PANEL WILL COMMENT ON THAT AND TELL THE COMMUNITY WHETHER OR NOT IT ANSWERED THEIR QUESTIONS AND SATISFIED THEIR NEEDS AS A PANEL. OTHER ENHANCEMENTS INCLUDE WE'VE EXPANDED THE PRIVATE SESSION OF THE PANEL SO THAT THEY CAN CALL ON THE RESOURCES THEY NEED WHEN THEY ARE DELIBERATING ON A CASE. IF THEY NEED SOMEONE FROM THE CHIEF'S OFFICE, THEY CAN CALL THAT PERSON IN. IF THEY NEED SOMEONE FROM INTERNAL AFFAIRS, THEY CAN CALL INTERNAL AFFAIRS IN. WE HAVE EXPEDITED ARBITRATION IN THE CONTRACT. ARBITRATION IS THE DISPUTE RESOLUTION THAT'S IN OUR MEET AND CONFER CONTRACTS. IT IS THE WAY THAT EITHER THE CITY OR THE ASSOCIATION CAN SAY TO THE OTHER PARTY, YOU'RE NOT FOLLOWING THE PROVISIONS OF THIS CONTRACT. BUT IT CAN ALSO BE A VERY LONG PROCESS. IN THIS CONTRACT WE'VE INCLUDED EXPEDITED ARBITRATION, WHICH MEANS IF THERE'S A CONFLICT OVER THE CONTRACT, IT WILL BE RESOLVED INSIDE OF 30 DAYS. PROBABLY MOST IMPORTANTLY WE HAVE TAKEN ALL OF THE DETAIL OUT OF THE CONTRACT THAT BOUND THE POLICE MONITOR'S ABILITY TO MANAGE THE FUNCTION. IN THE LAST CONTRACT WE NAMED THE TITLES OF THE POSITIONS THAT THE MONITOR WOULD HIRE AND WE SAID HOW MANY STAFF MEMBERS THE MONITOR WOULD HAVE. WE'VE REMOVED THOSE ADMINISTRATIVE DETAILS SO THAT THE MONITOR CAN MANAGE THE FUNCTION. AND ALL ALONG THE WAY IF WE HAD AN EXPERIENCE IN THE LAST THREE YEARS THAT TOLD US WHAT WE NEEDED TO IMPROVE OR CHANGE WITH OVERSIGHT, WE DID IN IN THIS CONTRACT. BUT AS I SAID EARLIER, CONTRACTS ARE A BALANCING ACT AND THEY REQUIRE THAT EACH SIDE GIVE. AND IN THE NEXT AREA I WANT TO POINT OUT THAT THESE WERE IMPORTANT AREAS FOR THE ASSOCIATION AND THEY ARE CONFLICT OF INTEREST PROVISIONS, AND THERE ARE THREE OF THEM. THE FIRST IS THAT A PANEL MEMBER WHO FILES FOR AN ELECTIVE OFFICE IS UNDER A RESIGN TO RUN PROVISION. IF A PANEL MEMBER THEN CHOOSES TO RUN FOR ELECTED OFFICE, THEY MUST RESIGN TO RUN. THE SECOND CONFLICT OF INTEREST PROVISION HAS TO DO WITH PANEL

MEMBERS WHO ARE ACTING ON A PARTICULAR CASE. AND WHAT THIS PROVISION SAYS IS THAT IF A PANEL MEMBER SPEAKS OUT ON A CASE IN A WAY THAT INDICATES PREJUDGMENT OR BIAS ON THAT CASE BEFORE THEY'VE PLAYED THEIR ROLE AS A PNL MEMBER ON THAT CASE, THEN THEY'RE SUBJECT TO REMOVAL. THIS DOES NOT LIMIT THE PANEL'S ABILITY TO TALK ABOUT THE POLICE DEPARTMENT, TO TALK ABOUT POLICY CHANGES OR EVEN TO DISCUSS THE CASE IN TERMS OF THE BASIC PROCESS, THAT THE CASE IS UNDER REVIEW AT THE POLICE DEPARTMENT AND THAT IT WILL BE PROPERLY BEFORE THE PANEL IN A MONTH, THOSE KIND OF THINGS ARE CERTAINLY PERMISSIBLE, BUT WHAT IS NOT PERMISSIBLE ARE COMMENTS THAT INDICATE PREJUDGMENT OR BIAS ON THE CASE BEFORE THE PANEL HAS PLAYED ITS REEL. THE SECOND CONFLICT OF INTEREST PROVISION IS ABOUT A PIECE OF BUSINESS THAT THE MONITORS WILL SEE FAR LESS FREQUENTLY. AND THESE ARE CRITICAL INCIDENTS. THESE ARE INCIDENTS THAT, FOR EXAMPLE, INCLUDE AN OFFICER INVOLVED SHOOTING OR A USE OF FORCE THAT RESULTED IN A CRITICAL INJURY. THESE ARE THE KIND OF CASES THAT THEY SEE FAR LESS FREQUENTLY. THEY'RE CALLED CRITICAL INCIDENTS. AND ON THESE CASES IT IS NOW EXPLICIT IN THE CONTRACT THAT PANEL MEMBERS HAVE THE ABILITY TO MAKE A DISCIPLINARY RECOMMENDATION TO THE CHIEF OF POLICE; HOWEVER, ONCE THAT RECOMMENDATION IS MADE AND ONCE THAT RECOMMENDATION IS MADE PUBLICLY, THEY ARE BOUND BY A PROVISION IN THE CONTRACT THAT ALLOWS THEM TO SPEAK OUT AND STEP BEYOND THAT RECOMMENDATION. AND I WANT TO TAKE A MINUTE TO REALLY WALK YOU VERY CAREFULLY THROUGH THIS PROVISION. AND WHAT IT DOES RESTRICT AND WHAT IT DOESN'T RESTRICT. WHAT THESE CONFLICT OF INTEREST PROVISIONS DON'T RESTRICT ARE THE PANEL'S ABILITY TO MAKE RECOMMENDATIONS ON INVESTIGATION, POLICY OR DISCIPLINE. THEIR CHOICES ARE NOT LIMITED. IT DOES NOT LIMIT THEIR ABILITY TO COMMENT PUBLICLY IN ANY WAY THEY CHOOSE ON ANY NON-DISCIPLINARY DECISION THEY MAKE OR RECOMMENDATION. SO IF THEY HAVE STRONG FEELINGS ABOUT A TRAINING ISSUE, ANYTHING THAT DOESN'T INVOLVE A RECOMMENDATION ON DISCIPLINE, WHICH WOULD BE A

CRITICAL INCIDENT, THERE IS NO LIMITATION ON WHAT THE PANEL CAN SAY AND HOW IT SAYS IT. IT DOES NOT IN ANY WAY LIMIT THE PANEL'S ABILITY TO CRAFT A DISCIPLINARY RECOMMENDATION THAT FULLY CAPTURES THEIR INTENT. AND THIS IS VERY IMPORTANT BECAUSE AFTER THAT RECOMMENDATION IS MADE, THE PANEL'S ABILITY TO COMMENT ON A DISCIPLINARY DECISION DOES HAVE SOME LIMITATIONS. AND WE'VE PUT THE ACTUAL LANGUAGE IN THE PRESENTATION SO THAT EVERYONE CAN SEE THAT WHAT THE LANGUAGE DOES RESTRICT IS THE PANEL'S ABILITY TO PUBLICLY AGREEMENT OR DISAGREEMENT WITH A FINAL DISCIPLINARY DECISION OF THE CHIEF OTHER THAN AS SET FORTH IN THE WRITTEN RECOMMENDATIONS. IF IT'S IN THE WRITTEN RECOMMENDATIONS, THEY CAN CERTAINLY COMMENT ON IT, BUT THEY CANNOT GO BEYOND THAT WRITTEN RECOMMENDATION. AS A SUMMARY TO OVERSIGHT, WHAT I'D LIKE TO CONVEY IS THAT I THINK THAT WE EFFECTIVELY BALANCED THE INTEREST OF THE COMMUNITY, THE CITY AND THE ASSOCIATION, AND IT WAS A BALANCING ACT. THERE WERE KEY PROVISIONS FOR BOTH THE ASSOCIATION AND THE CITY. THE CONTRACT MEETS THE CRITICAL NEEDS OF BOTH GROUPS AND I THINK IT'S FAIR TO SAY THAT THE CONFLICT OF INTEREST REPRESENTS A CRITICAL NEED OF THE ASSOCIATION. AND IT -- AND I THINK WE ACHIEVED STRATEGIC EXPANSION OF OVERSIGHT, HOLDING THE 180 DAYS, CREATING THE ABILITY TO RELEASE THE INDEPENDENT INVESTIGATION, REMOVING ALL OF THE RESTRICTIONS ON THE PANEL'S ACCESS TO FILE. THOSE WERE THE KEY THINGS THAT THE CITY WAS LOOKING FOR AS IT MOVED THROUGH THE CONTRACT PROCESS. AND ULTIMATELY CREATING A FUNCTION THAT A MANAGER COULD MANAGE WITHOUT HAVING A CONTRACT THAT BOUND YOU EVERY STEP OF THE WAY AS A MANAGER. THE TERM OF THE CONTRACT IS FIVE YEARS. THIS IS A NEW TERM. IN PAST CONTRACTS WE'VE HAD THREE-YEAR TERMS. THIS CONTRACT IS FIVE YEARS. THIS IS PART OF OUR EFFORT TO CONTROL THE SCOPE OF NEGOTIATIONS. MAYOR AND COUNCIL, IT PROBABLY FEELS TO YOU AS IF WE'RE ALWAYS IN ONE FORM OF MEET AND CONFER NEGOTIATION OR ANOTHER, AND THAT'S BECAUSE BETWEEN POLICE AND FIRE, THE NEGOTIATIONS HAPPEN EVERY THREE YEARS AND THEY TAKE ABOUT A YEAR TO

NEGOTIATE. SO FROM THE CITY'S PERSPECTIVE, WE SPEND TWO OUT OF EVERY THREE YEARS IN A CONTRACT NEGOTIATION. THIS FIVE-YEAR TERM ALLOWS US TO SEE THE CONTRACT IN PLACE FOR A LONGER PERIOD OF TIME. AND IT ALSO RECOGNIZES THAT WE'VE ACHIEVED MOST OF WHAT WE WANTED TO ACHIEVE AS A MANAGEMENT TEAM IN THIS CONTRACT. THERE IS A SINGLE ISSUE REOPENER IN EITHER YEAR FOUR, YEAR FIVE. YOU'RE LIMITED TO JUST ONE YEAR. AND THIS ALLOWS EITHER PARTY TO RAISE AN ISSUE TO THE OTHER PARTY THAT IT WANTS TO ADDRESS. WE CAN IMAGINE THAT THIS KIND OF PROVISION WOULD HAVE BEEN USED IN ORDER TO GET THE RELEASE THE INDEPENDENT INVESTIGATION REPORT LAST YEAR. I DO NOT ANTICIPATE THAT THIS WILL BE USED FOR A MAJOR CONTRACT NEGOTIATION; HOWEVER, I SEE THIS AS AN OPPORTUNITY TO FIX THINGS IN THE FOURTH AND FIFTH YEARS OF THE CONTRACT. THE TOTAL COST OF THE CONTRACT IS THE VALUE OF THE TWO PERCENT PUBLIC SAFETY PREMIUM THAT YOU ASKED US TO NEGOTIATE FOR. IT'S \$33.4 MILLION. AND IN THE INTEREST OF OPTIMISM, I'LL MENTION THAT THERE ARE ONE-YEAR ROLLOVERS ON THAT TERM, SO IF AFTER FIVE YEARS BOTH PARTIES ARE SATISFIED WITH THE CONTRACT, IT CAN ROLL OVER ONE YEAR AT A TIME WITH JUST A VOTE OF THE BOARD OF DIRECTORS AND CITY COUNCIL. I'LL WALK YOU THROUGH THE FINANCIAL PACKAGE THAT YOU CAN SEE WHERE THE \$33 MILLION ARE IN THE YEARS OF THE CONTRACT. THE FIRST YEAR HAS NO MONEY LOADED. NOW, REMEMBER WE'RE HALFWAY THROUGH THE FIRST YEAR BECAUSE WE'VE BEEN NEGOTIATING FROM THE BEGINNING OF WHAT WOULD BE THE TERM OF THIS CONTRACT. THIS YEAR INCLUDES NO BASE WAGE INCREASES AND NO INCREASES TO SPECIALTY PAY. IN YEARS TWO, THREE, FOUR AND FIVE, WE'VE INCLUDED A TWO PERCENT PUBLIC SAFETY PREMIUM AND WE HAVE ADDED THE VALUE OF YEAR ONE BASE PAY AND SPECIALTY PAY INCREASES. WE HAVE TRIED VERY HARD TO PROVIDE THESE INCREASES IN AREAS WHERE WE'RE TRYING TO PROMOTE VALUE, LIKE EDUCATION, BILINGUAL, FIELD TRAINING SKILLS, EVERYWHERE THAT WE WERE TRYING TO PROMOTE A VALUE, WE MADE SMALL INCREASES TO SPECIALTY PAY. OVERALL I THINK OUR NOITION OBJECT -- NEGOTIATION OBJECTIVES WERE

ACHIEVED. WE WERE ABLE TO EMPHASIZE THE A.P.D. VALUES BOTH THROUGH THE HIRING AND PROMOTIONS PROCESS, BUT ALSO THROUGH THE PAY PACKAGE. WE STAYED WITHIN BUDGET. WE LIMITED THE SCOPE OF FUTURE NEGOTIATIONS BY EXTENDING THE TERM OF THE CONTRACT. AND WE MET ALL THREE OF THE REVISED OVERSIGHT OBJECTIVES. AGAIN, I'LL JUST END WITH THIS. I THINK THAT FROM OUR PERSPECTIVE, THE MEET AND CONFER TOOL REALLY HAS GIVEN US THE ABILITY TO CREATE THE FINEST POLICE DEPARTMENT IN THE COUNTRY. WE NOW HAVE TOOLS THAT OTHER CORPORATIONS HAVE AT THEIR FINGERTIPS SO THAT WHEN WE HIRE PEOPLE AND PROMOTE PEOPLE WE ARE LOOKING FOR QUALITY AND WE ARE PROMOTING FOR EXCELLENCE. I THINK WE'VE ACHIEVED THAT. I ALSO THINK THAT AS ONE OF THE FEW CITIES THAT HAS AN OVERSIGHT FUNCTION, WE'VE BEEN ABLE TO CREATE AND TO PRESERVE AN OVERSIGHT FUNCTION THAT REALLY IS RO BUST, THAT ISN'T JUST A POLICE MONITOR, BUT INCLUDES A GROUP OF CITIZENS WHO HAVE ACCESS TO CONFIDENTIAL FILES AND HAVE THE ABILITY TO WEIGH IN ON WHETHER OR NOT THEY THINK THAT AN ADMINISTRATIVE REVIEW, AN ADMINISTRATIVE INVESTIGATION OF THE POLICE DEPARTMENT ARE APPROPRIATE. AND WITH THAT, I WILL PAUSE AND WILL ANSWER ANY QUESTIONS THAT YOU HAVE.

Mayor Wynn: COMMENTS? QUESTIONS? COUNCIL?
COUNCILMEMBER THOMAS.

Thomas: THANK YOU, MAYOR. I WANT EVERYBODY TO HEAR ME SO I'LL GET QUOTED THE RIGHT WAY THIS TIME IN THE PAPER. THIS HAS BEEN A REALLY CHALLENGING YEAR, YEAR AND A HALF FOR ME AS A COUNCILMEMBER ON THIS CITY COUNCIL. ONE REASON IS THAT A LOT OF INCIDENTS HAVE HAPPENED IN THE AFRICAN-AMERICAN COMMUNITY. ANOTHER IS THAT I SERVED 21 YEARS WITH THE AUSTIN POLICE DEPARTMENT AND TOOK A LOT HEAT FROM MY FORMER COHORTS. SHOOTINGS HAVE OCCURRED, TWO SHOOTINGS HAVE OCCURRED DEALING WITH THE AUSTIN POLICE DEPARTMENT. FINGER POINTING HAS HAPPENED, OCCURRED. MAYOR AND COUNCILMEMBERS HAVE EXAMINED POLITICAL CAREERS. OUR CHIEF HAS BEEN CHALLENGED. THE COMMUNITY AND THE DEPARTMENT

ASSOCIATION HAVE CHALLENGED THE POLICE OVERSIGHT ENHANCEMENT. I'M VERY PLEASED WITH -- WHEN IT COMES DOWN TO THE CONFLICT OF INTEREST IS WHAT DRAWS THE LINE FOR ME. OVERALL I THINK THIS CONTRACT -- AND THE ASSOCIATION HAS THE OPPORTUNITY TO VOTE ON IT -- IS A GOOD CONTRACT. IN THE CONFLICT INTEREST WHAT BOTHERS ME IS THAT FOR A HEALING PROCESS TO START, EVERYBODY HAS TO BE IN THE PROCESS OF THE HEALING, THE ASSOCIATION, I THINK I'VE CHALLENGED THEM TWO OR THREE TIMES IN THE PRESS CONFERENCES THAT WE HAVE HAD, APA, TPOA, AND THE WOMEN'S OFFICERS ORGANIZATION. ON THE COMMUNITY SIDE I THINK IT'S TIME FOR ALL OF US TO COME TOGETHER. AND I THINK WHEN I DECIDED TO RUN FOR OFFICE IN 2000, I HAD THE OPPORTUNITY, WAS INVITED TO BE INTERVIEWED BY THE PAC OF APA. I TOLD THEM THERE WAS GOING TO BE TIMES WHEN THERE'S GOING TO BE DIFFERENT OPINIONS WHEN IT COMES TO THE COMMUNITY AND THE ASSOCIATION. ONE THING I'VE ALWAYS SAID TO THEM, I WANTED THEM TO STAND BEHIND THIS COUNCILMEMBER AND THE REST OF THE COUNCIL WHEN THERE'S A DECISION THAT HAS TO BE MADE WHEN IT COMES TO MEET AND CONFER AND WHEN IT COMES TO ANSWERING TO THE CALL OF THE COMMUNITY. WHEN IT SAYS PROTECT AND SERVE, THAT MEANS THAT WE AS POLICE OFFICERS HAVE TO REALIZE THAT WE ARE HERE TO SERVE THE COMMUNITY. WHEN IT COMES TO THE MAYOR AND COUNCIL, WE'RE HERE TO SERVE THE COMMUNITY, THE CITIZENS OF THIS GREAT CITY. WHEN IT COMES TO THE CITY MANAGER, SHE HAS THE AUTHORITY OVER THE PERSONNEL ISSUES OF THIS GREAT CITY STAFF. WHEN IT COMES TO THE CHIEF OF POLICE OF THIS GREAT CITY, HE HAS AUTHORITY TO MAKE JUDGMENT CALLS AND MAKE DECISIONS, AND HE SHOULD BE ALLOWED THE AUTHORITY TO BE THE CHIEF OF POLICE. THAT'S INCLUDED THE CITY MANAGER AND THE COUNCIL, LET THE CHIEF BE THE CHIEF. IN THE HEALING PROCESS -- AND THERE WERE TWO SHOOTINGS, I DIDN'T COME OUT AND SAY ANYTHING PUBLIC ABOUT EITHER ONE OF THEM. JOHN COFFEE'S SHOOTING, OFFICER GLASGOW'S SHOOTING, I SCRINT SAID ANYTHING NEGATIVE OR POSITIVE. I KNOW FOR A FACT THAT A POLICE OFFICER IS A JOB THAT IS REWARDING, BUT IT'S CHALLENGING EVERY TIME YOU PUT THAT UNIFORM ON. WHEN YOU HAVE TO DRIVE ON PATROL,

YOUR LIFE IS ON THE LINE FROM THE TIME YOU GET INTO THAT CAR UNTIL THE TIME YOU GET OUT OF THAT CAR. AND I KNOW THAT THERE ARE CIRCUMSTANCES SOMETIMES THAT HAPPEN THAT CAUSE TRAGEDY, WHAT DID HAPPEN IN BOTH THESE SHOOTINGS. THE SHOOTINGS OCCURRED, ONE CASE HAS BEEN PRETTY WELL CLEARED, THE OTHER CASE IS STILL IN THE PROCESS TO A CERTAIN EXTENT, BUT I THINK WHAT WE NEED HERE IN THIS CITY, I'VE BEEN HERE ALL MY LIFE. THE CRY OF THE AFRICAN-AMERICAN COMMUNITY, MINORITY COMMUNITY HAS CRIED FOR MANY, MANY YEARS. I SAT IN THE FIRST CONTRACT WHEN WE BROUGHT THE MEET AND CONFER WHEN WE WERE DEALING WITH THE OVERSIGHT. OUR ULTIMATE GOAL AS A COUNCIL WAS TO ENHANCE IT EACH YEAR, EACH TIME WE NEGOTIATE A CONTRACT. THE ENHANCEMENTS THAT OCCURRED WERE VERY GOOD. THEY GAVE US THE OPPORTUNITY THIS TIME AROUND, IF THE ASSOCIATION VOTES ON IT, TO BE ABLE TO LOOK AT THE FILES, BE ABLE TO LET THE MONITOR BE THE MONITOR, BE ABLE TO LET THE CHIEF BE THE CHIEF. BUT WHEN IT COMES DOWN TO THE OVERSIGHT, THE COMMITTEE, THE CITIZEN REVIEW PANEL, I THINK EVERY PERSON THAT SERVES ON THAT PANEL REALIZES THAT THEY HAVE SOME RULES AND REGULATIONS THAT THEY HAVE TO GO BY. BUT I BELIEVE THAT WE AS A POLICE ASSOCIATION HAVE TO UNDERSTAND THERE ARE RULES AND REGULATIONS THAT THEY HAVE TO GO BY. THERE ARE POLICIES AS A POLICE OFFICER AND YOU HAVE TO GO BY THEM. I KNOW THAT THE ASSOCIATION IS AN ADVOCATE FOR THE OFFICERS AND THAT THAT'S THEIR PURPOSE, BUT I BELIEVE IN THIS TIME -- WHATEVER WAS SAID, WHATEVER HAS BEEN GOING ON FROM THE TIME THESE SHOOTINGS HAVE WENT ON, LET'S PUT IT BEHIND US AND LET'S REACH TO WHAT WE CAN DO TO MEND THE GAP THAT IS BETWEEN THE COMMUNITY, THE ASSOCIATION, THE NAACP, THE BAPTIST MINISTERS ASSOCIATION. EACH ONE OF THEM HAVE AN OPINION AND THEY HAVE A RIGHT TO THAT OPINION. THE INDIVIDUALS THAT ARE APPOINTED TO THE CITIZENS REVIEW PANEL ARE AWARE OF THE POLICIES AND PROCEDURES AND REQUIREMENTS FOR BEING ON SUCH A SENSITIVE AND IMPORTANT PANEL AS WELL AS WITH THE UNDERSTANDING THAT THE CONTENT OF EACH CASE WILL BE DISCUSSED WITH THE GENERAL PUBLIC UNLESS IT IS

DIRECTED BY THE CITY MANAGER. THERE ARE PROCESSES THAT ARE GOING TO BE IN PLACE IN THIS NEW CONTRACT. I DON'T KNOW IF ANY VIOLATIONS IN THE PREVIOUS CONTRACT ABOUT ANY PANELISTS, BUT I FEEL THAT EACH PANELIST SHOULD BE ABLE TO VOICE THEIR OWN OPINION AS LONG AS THEY DON'T VIOLATE WHAT IS SAID IN THIS CONTRACT THAT'S COMING FORWARD. BUT I DON'T THINK WE SHOULD PUT A -- LET THE PANEL BE ABLE TO SPEAK BECAUSE THE FREEDOM OF THE SPEECH, THAT IS SOMETHING THAT EVERYBODY HAS, MAKE SURE THAT EACH PANELIST KNOW THAT THEY CAN VIOLATE THAT PARTICULAR CONFLICT OF INTEREST IN THIS NEW CONTRACT. OVERALL I'M PLEASED, BUT I'M STILL TROUBLED ABOUT THE PART ABOUT THE CONFLICT OF INTEREST, BUT IF THE ASSOCIATION PASSES ON THIS CONTRACT AND WE AS A COUNCIL DECIDE TO PASS THE CONTRACT, WHAT I'M LOOKING FOR AND WHAT I'M LOOKING FOR RIGHT NOW IS THE DIALOGUE BETWEEN THE ASSOCIATION -- THE COMMUNITY ASSOCIATIONS THAT I NAMED, COME TOGETHER. LET'S QUIT POINTING FINGERS AT EACH OTHER. WE ALL HAVE TO LIVE IN THIS GREAT CITY, AND THE WAY WE LIVE IN THIS GREAT CITY IS COME TO THE TABLE, HAVE A DIALOGUE. BUT WHEN WE COME TO THE TABLE AND WE TALK, LET'S MEAN WHAT WE SAY AND LET'S DO WHAT WE SAY WE'RE GOING TO DO. THIS CITY IS ONE OF THE GREATEST CITIES IN THE UNITED STATES. THE REASON I CAN SAY THAT, I'VE BEEN HERE ALL MY LIFE. THIS DEPARTMENT IS A GOOD DEPARTMENT. I'LL SAY IT AGAIN. AND I WANT THIS SAID BECAUSE I'VE BEEN QUOTED SAYING THAT -- CALLING MY COHORTS RACIST POLICE OFFICERS. I NEVER SAID THAT. IF YOU KNOW ME, YOU KNOW I WOULD NEVER SAY ANYTHING LIKE THAT. WE HAVE GOOD OFFICERS AND THE BLESSED PART IS WE HAVE MORE GOOD OFFICERS THAN WE HAVE OFFICERS THAT HAVE ISSUES. THOSE ISSUES ARE OFFICERS THAT WE NEED TO WORK WITH. I THINK IF WE ALL COME TOGETHER AND BRING TO THE LIGHT THE ONES THAT HAVE THE ISSUES AND THE PROBLEMS AND THE COMMUNICATION WITH PEOPLE OF DIFFERENT CULTURES, WE'RE GOING TO BE OKAY. BUT WE CAN'T CONTINUE TO POINT FINGERS AT DIFFERENT PEOPLE IF WE DON'T KNOW THAT -- WE NEED TO GO ON THROUGH THOSE AREAS AND MOVE ON. I LOVE EVERYBODY IN THIS

GREAT CITY. MY HEART HAS NEVER LEFT THE POLICE DEPARTMENT. IT ALWAYS WILL BE THERE. BUT I TOLD THEM THAT I SERVE THE CITIZENS OF THIS GREAT CITY. NOT JUST POLICE OFFICERS. BUT ANY POLICE OFFICER THAT WORKS IN THE AUSTIN POLICE DEPARTMENT IS PART OF THE CITY BECAUSE WHEN YOU PUT THAT UNIFORM IS, YOU REPRESENT THE CITY OF AUSTIN. I'M HERE FOR THE ASSOCIATION. MY DOOR HAS ALWAYS BEEN OPEN TO NAACP, TO THE BAPTIST MINISTERS ASSOCIATION OR ANY CITY ORGANIZATION THAT WANTS TO TALK ABOUT HOW DO WE HEEL WHAT HAS HAPPENED IN THE LAST YEAR AND A HALF. THERE ARE FAMILY MEMBERS THAT HAVE LOST SONS. THERE ARE FAMILY MEMBERS THAT HAVE LOST A DAUGHTER. IT A TRAGEDY THAT COULD HAPPEN TO ANY ONE OF OUR FAMILIES, SO WE HAVE TO REALIZE THAT THERE'S A HEALING PROCESS THROUGH THE WHOLE THING. AND LET THE PROCESS BE THE PROCESS. THE JUDICIAL SYSTEM, THE CIVIL SYSTEM, THE JUSTICE SYSTEM, THE DISTRICT COURT AND OUR POLICE SYSTEM. MY PRAYERS ARE WITH EVERYBODY THAT WE COME TOGETHER AND WORK WITH EACH OTHER. APPRECIATE IT, MAYOR. I KNOW I WENT OVER MY THREE MINUTES.

Mayor Wynn: GOOD JOB. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER DUNKERLEY?

Dunkerley: LET ME MAKE SURE MY MIC IS ON. I THINK IN THIS CONTRACT IT HAS BEEN A LONG PROCESS, AND AS THE ASSISTANT CITY MANAGER MENTIONED, IT'S REALLY A BALANCE OF THE CHIEF AND THE ORGANIZATION, THE POLICE OFFICERS AND THE COMMUNITY, AND IN ANY KIND OF NEGOTIATION, IF IT'S A GOOD NEGOTIATION AND A GOOD CONTRACT PROPOSAL, THERE IS GIVING AND TAKING ON EACH SIDE. NOT ANY GROUP GOT EVERYTHING THEY WANTED, BUT EVERY GROUP GOT SOMETHING THAT THEY WANTED. AND THAT'S WHAT I THINK IS GOOD ABOUT THE CONTRACT. THE ADDITIONAL THINGS I LIKE IS THAT THIS MAINTAINS OUR POLICE OFFICERS AT A PAY LEVEL THAT IS AT THE TOP OF THE SCALE ACROSS THE STATE. I THINK THAT'S EXTREMELY IMPORTANT. I THINK IT ENCOURAGES THE HIRING OF MORE EXPERIENCED OFFICERS, THAT ARE EDUCATED OFFICERS AND OFFICERS THAT HAVE GOALS AND BILINGUAL SKILLS. AND IN ADDITION TO THAT. I THINK

THIS GIVES US MORE TENURED OFFICERS ACTUALLY ON THE BEAT, ON THE STREET? AND I THINK THAT'S TREMENDOUSLY IMPORTANT. I KNOW IT MAINTAINS AND I THINK ENHANCES THE POLICE OVERSIGHT PROVISION, AND I BELIEVE THAT IT ENHANCES THE JURY-LIKE QUALITIES OF THIS GROUP. WHERE THEY ARE, THERE NOT ONLY ARE FAIR AND UNBIASED, BUT THAT THE APPEARANCE IS THAT THEY ARE. SO THAT JURY-LIKE FUNCTION I FEEL IS ENHANCED IN THIS CONTRACT. SO AGAIN, NOT EVERYBODY GOT EVERYTHING, BUT EVERYBODY GOT SOMETHING. AND I THINK THAT'S THE SIGN OF A GOOD NEGOTIATION.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? I'M SORRY IF I MISSED IT EARLIER. I WAS TRYING TO LISTEN BACK IN THE BACK. HAVE YOU OUTLINED THE TIMING WITH WHICH THIS RATIFICATION --

I'LL WALK YOU THROUGH IT. TODAY THE POLICE ASSOCIATION IS BRIEFING THE MEMBERSHIP OF THE POLICE DEPARTMENT WHILE WE'RE BRIEFING YOU ALL. WE WILL POST FOR ACTION ON MARCH 11th. OUR HOPE IS THAT THE ASSOCIATION HAS COMPLETED ITS VOTE BY THAT TIME. AND THAT GIVES YOU MARCH 11th TO TAKE ACTION. AND IF YOU NEED IT, YOU WILL ALSO HAVE MARCH 25TH BEFORE THE CONTRACT EXPIRES, BUT WE WILL POST FOR ACTION ON THE 11th. AND IN THE MEANTIME, MAYOR, WE'LL MAKE SURE, AND IT ALREADY IS, UP ON THE WEBSITE. WE'RE AVAILABLE TO ANSWER QUESTIONS TO PEOPLE WHO HAVE QUESTIONS ABOUT THE CONTRACT. IT'S A PRETTY DENSE DOCUMENT. WE'VE TRIED TO MAKE IT EASY TO UNDERSTAND BY PUTTING UP ON THE WEBSITE A COMPARISON OF CIVIL SERVICE TO THE FIRST CONTRACT, THE SECOND CONTRACT AND THIS CONTRACT SO THAT PEOPLE CAN SEE WHAT WE WERE UP AGAINST AND HOW WE MADE THE GAINS ALONG THE WAY.

LAURA I THINK ALSO IF WE HAVEN'T ALREADY, WE MIGHT PUT THE PRESENTATION UP ALSO MUCH.

YES, THAT IS ALSO UP.

Futrell: BECAUSE IT A NICE SUMMARY OF THE KEY POINTS FOR PEOPLE.

Mayor Wynn: AGREED. MAYOR PRO TEM?

Goodman: ALTHOUGH THERE SOMETIMES SEEMS TO BE VERY CON STRAINED PROCESSES THAT ARE REQUIRED OF US IN LOOKING AT WAYS TO REVIEW, IF NOT REVISE ISSUES IN THE CONTRACT, I HOPE THAT WE CAN TALK ABOUT SOME OF THEM IN THE TIME FRAME THAT'S PROVIDED FOR AMENDMENT OR REDISCUSSION, IF THAT'S A WORD. JUST BECAUSE OF THE PRACTICALITIES OF SORT OF BOARD ENVIRONMENT AND ROBERT'S RULES OF ORDERS KIND OF THINGS. I THINK IN SOME INSTANCES WE HAVE REQUIRED MORE THAN WAS NECESSARY TO GAIN A TRUST -- GUARANTEE A TRUSTWORTHY PROCESS. BUT THAT MAY BE SOMETHING WE HAVE TO PROVE THROUGH EXPERIENCE. WHEN THE TIME COMES, THOUGH, I WOULD LIKE TO KNOW THAT THE AVENUES ARE OPEN TO TALK ABOUT SOME OF THE ISSUES, JUST RELATIVE TO PROCESS, AND IN THE MONITOR'S OFFICE, PROCEDURES, RESTRICTIONS AND SO ON AND SO FORTH. I THINK THERE MAY BE AN UNDERSTANDING, A BETTER UNDERSTANDING AND THE UNDERSTANDING OF APPROPRIATE MECHANISMS THAT IN FACT LEAD TO THE TRUST FROM EVERYONE FOR THE PROCESS WITHOUT NECESSARILY A SLEDGEHAMMER APPROACH. AS OPPOSED TO A BALL PEEN. I KNOW THAT'S A TERRIBLE ANALOGY AND NOBODY HELPED ME COME UP WITH A NEW ONE. BUT I JUST WOULD LIKE THE WORD OUT THERE, AND SINCE YOU'RE TALKING TO FOLKS, MAYBE YOU CAN PASS THAT BY. I WOULD NOT JEOPARDIZE THE SIGNING OF THE CONTRACT ON THAT ISSUE BECAUSE, LIKE I SAID, IT HAS TO BE A PROCESS THAT IS DEEMED TRUSTWORTHY BY EVERYBODY. AND AT THIS POINT THERE'S MAYBE A LITTLE MORE EXTREME NECESSARY FOR EVERYONE THAN WE MAY IN YEARS TO COME NEED. BUT I DID WANT TO MAKE THAT POINT FOR YOU TO PASS ON TO WHOMEVER IT IS THAT THEY MIGHT LISTEN TO THAT.

AND WE WILL DO THAT, MAYOR PRO TEM. I THINK THAT'S A POINT WELL TAKEN. IT'S A MUTUAL TRUST THAT REQUIRES A STRONG COLLABORATION AND WE WILL MAKE SURE THAT ALL PARTIES UNDERSTAND THAT IT IS TIME TO MOVE FORWARD IN THAT SPIRIT.

Goodman: THANK YOU.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. FURTHER QUESTIONS, COMMENTS? HEARING NONE, WE LOOK FORWARD TO AS MUCH EFFECTIVE PUBLIC INPUT AS PRACTICAL, AND WE'LL TAKE UP THIS VERY IMPORTANT ISSUE AS IT CONTINUES TO EVOLVE TOWARDS POTENTIAL RATIFICATION.

THANK YOU, MAYOR.

Mayor Wynn: THANK YOU, MS. HUFFMAN. COUNCIL, WITHOUT OBJECTION, I'LL CALL BACK UP ITEM NUMBER 20 RELATED TO THE AUSTIN MUSIC NETWORK. A NUMBER OF FOLKS HAD SIGNED UP NOT WISHING TO SPEAK, AND SOME CHECKED AGAINST, ALTHOUGH IT'S NOT MY -- MY INSTINCT IS THAT THESE ARE ACTUALLY SUPPORTERS, GENERALLY SPEAKING, OF THE AUSTIN MUSIC NETWORK, I'LL JUST READ NAMES INTO THE RECORD. MATT TORRES, TIM HOOD, RACHEL ROSENDAHL. JACQUELINE (INDISCERNIBLE). ALEXANDER VEE. MEAGAN MURPHY. MR. DAVE STANBAUGH. HE CHECKED WISHING TO SPEAK. RYAN WILLIAMS. I'LL SKIP AHEAD TO FOLKS WHO HAVE SIGNED UP NOT WISHING TO SPEAK AND PERHAPS THE FOLKS ARE OUTSIDE WAITING AND THEY CAN COME BACK IN. JERRY HOLE AMS NOT WISHING TO SPEAK. STEPHANIE GROVES NOT WISHING TO SPEAK, AGAINST ITEM 19. BRETT HOLLOWAY REEVES. SHARON McINNIS, NOT WISHING TO SPEAK. BRAD MEYER. GAVIN LANCE. ANNE KELLY, NOT WISHING TO SPEAK, ONLY IF COUNCIL HAS QUESTIONS. THOSE ARE FOLKS WHO HAVE SIGNED UP NOT WISHING TO SPEAK ON ITEMS 19 AND 20. I'LL START CALLING NAMES OF THE FOLKS WHO SIGNED UP WISHING TO SPEAK AND SEE IF YOU'RE AVAILABLE. KERRY MOSIER?

SHE SIGNED UP WISHING TO SPEAK, AGAINST. AGAIN, IT'S NOT CLEAR FROM THESE CARDS WHETHER THAT MEANS WHETHER IT'S ON THE ITEMS OR NOT.

Mayor Wynn: SARAH WEIMAR. ADAM DONMEYER, WHO WE HEARD FROM EARLIER. MR. WOODY ROBERT. WOULD YOU LIKE TO SPEAK, MR. ROBERTS? PLEASE APPROACH THE PODIUM. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR. IT'S A PLEASURE TO BE HERE, COUNCIL. WHEN I FIRST BECAME INVOLVED IN AUSTIN MANY, MANY YEARS AGO, IT WAS -- IT WAS PART OF A GROUP MEETING TO FORM THE TEXAS FILM COMMISSION. AND THEN LATER IT WAS PART OF A GROUP MEETING TO FORM AUSTIN COMMUNITY ACCESS TELEVISION. IN FACT, I WAS ON THE FIRST BOARD OF DIRECTORS FOR ACAC. AND THEN I WROTE THE FIRST AD CAMPAIGN PROMOTING AUSTIN AS A MUSIC CENTER AND IT WAS PLACED AROUND THE STATE OF TEXAS AND NEW ORLEANS AND NASHVILLE. AND THEN I -- OUR COMPANY PRODUCED THE FIRST MARKETING KIT DESIGNED TO SELL AUSTIN AS A MUSIC CENTER. WE CALLED ON THIS AS A COMMUNITY PROJECT BECAUSE IT HAD SO MUCH SUPPORT IN THE MUSIC COMMUNITY AND IT WAS THE PERFECT AUSTIN PROJECT FOR ME BECAUSE IT INVOLVED FILM. YOU CAN'T HAVE A TELEVISION STATION WITHOUT FILM AND CAMERAMEN AND EDITORS. AND IT INVOLVED MUSIC. AND THERE HAVE BEEN A GREAT DEAL OF EFFORT PUT INTO CREATING FILM COMMUNITY IN AUSTIN AND A GREAT DEAL OF EFFORT BUILDING OUR REPUTATION AS A MUSIC CENTER. AND THROUGH THE YEARS I'VE WATCHED SEVERAL TIMES WHEN IT WAS HAVING PROBLEMS IN TERMS OF POPULAR SUPPORT IN THE LOCAL MEDIA, NOT NECESSARILY WITH THE MUSIC COMMUNITY. I HAVE WATCHED MUSICIANS IN 1995 WRAP AROUND THE OLD ANNEX TO COME TO THE DEFENSE OF THIS NETWORK. AND I THINK PROBABLY IF THIS MEETING HAD BEEN AT 6:00 O'CLOCK IN THE AFTERNOON WE MIGHT HAVE WRAPPED A BUNCH OF MUSICIANS AROUND THE BUILDING TODAY. I KNOW WHEN I TOOK OVER THE NETWORK IT WAS IN A TOOL SHED AND WE WERE RENTING ALL OF OUR EQUIPMENT. AND A LOT HAS BEEN SAID ABOUT HOW FINE THE MUSIC NETWORK LOOKS THESE DAYS, BUT YOU REALIZE THAT THIS IS THE FIRST TIME A MANAGER HAS COME IN TO THE NETWORK AND ACTUALLY HAD EQUIPMENT, ACTUALLY HAD A BUILDING WITH A LITTLE STUDIO IN IT. NEVER BEFORE HAS ANYONE HAD THAT. AND RIGHT AWAY YOU CAN SEE THE CHANGE IN PROGRAMMING AND HOW MUCH BETTER IT LOOKS WHEN YOU'RE GIVEN THE TOOLS. SO WHEN I TOOK OVER, MY GOAL WAS TO BUILD EQUITY FOR THE CITY OF AUSTIN. AND I'VE HEARD SOME PEOPLE SAY THERE'S NO EQUITY IN THE NETWORK, PERHAPS. IF YOU WOULD CHECK IN IN THE ARCHIVE AT THE AUSTIN HISTORY

CENTER, YOU WOULD FIND HOURS AND HOURS OF REELS THAT AUSTIN MUSICIANS RECORDED LIVE HERE IN AUSTIN AT FESTIVALS AND CLUBS. AND THERE'S EQUITY IN THAT. I LEFT THE LARGEST BODY OF WORK IN THAT LIBRARY OF ANY MANAGER, IN FACT MORE THAN ALL THE OTHER MANAGERS TOGETHER. [BUZZER SOUNDS] SO I SUPPORT THE FUTURE OF THIS AUSTIN MUSIC NETWORK FOR THE FILM AND MUSIC COMMUNITY. THANK YOU.

Mayor Wynn: THANK YOU, MR. ROBERTS. AGAIN, THESE ARE FOLKS WISHING TO SPEAK, BUT MAY HAVE LEFT. SARAH WEIMAR. SARAH LUNA? JIM VON WOLKSHAR? WELCOME, SIR. YOU WILL HAVE THREE MINUTES.

TO ME THIS IS A CLASSIC EXAMPLE OF SOMETHING THAT STARTED OUT AS A NICETY AND TURNED INTO A NECESSITY AND THEN BECAME A MANDATE AND NOW IT'S AN ENTITLEMENT. AND I DON'T THINK THAT IT'S REALLY AN ISSUE OF A BUSINESS MANAGEMENT PROBLEM. AND DESPITE WHAT THE PROCLAMATION WRITERS PROCLAIM AND SPIN DOCTORS AND THE BUDGET PEOPLE PONDER OVER, I THINK THAT IT'S SOMETHING THAT CAN'T SUSTAIN ITSELF UNDER THE CURRENT CIRCUMSTANCES AND IT NEEDS TO BE TAKEN OUT OF THE PUBLIC COFFERS. THE BUGGY WHIP BUSINESS, THERE'S NO NEED. IT'S NOT THAT THERE'S NO NEED FOR MUSIC, BUT WHEN YOU WATCH THIS CHANNEL, REALLY YOU HAVE A BUNCH OF GARAGE BANDS TRYING TO START UP AND THERE'S NO FIDELITY EITHER IN THE VISUAL OR AUDIO, AND SO IT'S NOT SOMETHING THAT YOU'D WATCH, CERTAINLY WHEN YOU WATCH BIG NAME STARS LIKE ROLLING STONES ON TV BECAUSE YOU JUST -- YOU DON'T GET THE FIDELITY OUT OF IT. MOST NEW BANDS IF THEY ARE ANY GOODWILL AUDITION AT THE GROVE. I DON'T AGREE THAT THEY SHOULD NOT BE ALLOWED TO DO ANYTHING ON THE POLITICAL SOAPBOX LIKE THE DIXIE TWITS DID AND EXPOUNDING ON HOW THEY THINK THE WORLD SHOULD BE RUN. THE OLD BANDS THAT DIE OFF, AND IF YOU HAVE A FLAGGING CAREER, THEY SHOULD JUST READ THAT -- PAUL SIMON WROTE A BOOK ON HOW TO SUSTAIN A MUSICAL CAREER. IT'S A REAL SHORT READ. ANYWAY, I THINK THE THREE BIG PROBLEMS PRESSING THIS CITY IS ROADS, ROADS, RODS. THIS AFTERNOON THERE'S GOING TO BE A DISCUSSION ABOUT SOLVING I-35 PROBLEMS

BY MOVING THE TRUCK TRAFFIC TO THE OTHER LANE. AND IT'S TOO BAD THAT WE'RE SPENDING SO MUCH COUNCIL TIME TAKING CARE OF THE LITTLE THINGS WHEN THE MOST STRATEGIC, PRESSING PROBLEM IN THE CITY IS THE ROADS. SO I AGREE WITH PULLING OUT THE FUNDING ON THIS, AND I'M NOT JUST A GRINCH. IT'S JUST THE REALITIES THAT IT'S A TOUGH LIFE. A MUSICIAN'S LOT IS NOT ALL THEY MAKE IT AND WE DON'T HAVE AN OBLIGATION TO TRY AND SUSTAIN THAT.

Mayor Wynn: THANK YOU. FOR THE RECORD, HOW DO YOU SPELL THE LAST NAME?

[INAUDIBLE - NO MIC].

Mayor Wynn: THANK YOU. I'M SORRY. MR. RAYMOND SLAUGEL? BETH PURVO? CAMEO (INDISCERNIBLE)? SUSAN GIBSON? JEFFREY MILLER. BRAD MEYER. BRETT REEVES. THERESA FERGUSON. MS. FERGUSON, SEVERAL FOLKS WANTED TO DOUGH NATE TIME FOR YOU. I DON'T KNOW THAT THEY'RE HERE. ANGELA GILLAN.

THEY HAD JUST GONE OUT TO LUNCH AND THEY'RE COMING BACK.

Mayor Wynn: WELCOME. WILL STANTON. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] I URGE YOU TO CONTINUE THAT SUPPORT. JUST AS AUSTIN'S MUSIC INDUSTRY HAS MATURED AND DIVERSIFIED IN ITS EARLY DAYS, SO HAS THE AUSTIN MUSIC NETWORK, IN RECENT MONTHS THE AUSTIN MUSIC NETWORK HAS EXPANDED ITS PROGRAMMING TO APPEAL TO MORE AGE GROUPS AND ART ENTHUSIASTS. THIS IS A GOOD THING. THIS WELL PLANNED PROGRAMMING IS VERY MUCH IN TUNE WITH THE INTEREST OF AUSTINITES. I'M HAPPY TO REPORT INCREASINGLY IMPORTANT TO ADVERTISERS AND FINANCIAL SUPPORTERS, AS WE HEARD EARLIER TODAY. BUT WITHOUT EXPOSURE, THE NETWORK IS DOOMED. IN RECENT MONTHS THE MUSIC NETWORK HAS RECEIVED LESS SUPPORT FROM TIME WARNER IN TERMS OF EXPANDED COVERAGE AREA. IF VIEWERS DON'T HAVE ACCESS, HOW CAN THE NETWORK DEMONSTRATE AUDIO QUAT AUDIENCE RATEINGS TO ATTRACT ADVERTISERS, WE HAVE OTHER ATTORNEYED ON

THE MUSIC COMMISSION. CONTENT. IF THE CITY TRANSFERS THE NETWORK TO A PRIVATE ENTITY, WE ARE CONCERNED ABOUT LOSING ACCESS TO THE AUSTIN MUSIC NETWORK'S EXTENSIVE LIBRARY AND HISTORICAL VIDEO ARCHIVES. EXCLUSIVITY. IF THE CITY TRANSFERS THE NETWORK TO ONE CABLE PROVIDER AND THE -- THE MUSIC NETWORK IS NO LONGER CONSIDERED A PUBLIC ACCESS CHANNEL, WE NEED MORE CLARIFICATION ABOUT WHAT THIS WOULD MEAN TO THE CLIENTS OF AUSTIN'S OTHER CABLE FRANCHISEE. GRAND DAY COMMUNICATION. [AUDIO PROBLEMS, PLEASE STAND BY] IF A NON-CITY ENTITY TAKES CONTROL OF THE MUSIC NETWORK'S ARTS PROGRAMMING, WE ARE CONCERNED THAT THESE CONSTITUENTS WON'T BE GIVEN A VOICE. AND THEN THE FINAL POINT IS PUBLIC RELATIONS. THIS IS OUR FINAL CONCERN. LETTING THE NETWORKING DARK OR JEOPARDIZING THE NETWORK IN ANY WAY TWO WEEKS BEFORE SOUTH-BY-SOUTHWEST DOESN'T SEND A FRIENDLY MESSAGE TO THE THOUSANDS OF MUSIC INDUSTRY VISITORS WHO WILL SOON DESCEND UPON OUR CITY. THE AUSTIN MUSIC NETWORK, AS ITS NAME COMPLIES, REPRESENTS A VIBRANT NETWORK OF ART FORMS IN AUSTIN. THE DECISIONS THAT WILL BE MADE TOMORROW AND OVER THE NEXT FEW DAYS ARE CRUCIAL. THEY SHOULD BE MADE IN THE PUBLIC INTERESTS AND IN FULL VIEW OF THE PUBLIC EYE. WE HOPE AND TRUST THAT OUR CITY LEADERS WILL ACT WITH THE FUTURE OF AUSTIN IN MIND, THE FUTURE IN WHICH ARTS AND CULTURE DRIVE ECONOMIC SUCCESS. WE ENCOURAGE YOU TO WORK WITH STAPH TO BUILD A MODEL FORUM THAT PROMOTES AUSTIN'S ARTS, THAT IS A PROFITABLE, VALUABLE, WELL EQUIPPED, WELL MARKETING NETWORK THAT ENCOURAGES TOURISM AND BUILDS LOCAL PRIDE. THE AUSTIN MUSIC COMMISSION STANDS BY READY TO HELP. THANK YOU. THANK YOU, MS. FERGUSON. EVAN CASTILLO. EVAN CASTILLO. CHRISTOPHER GRADY. WELCOME, SIR, YOU'LL HAVE THREE MINUTES TO BE FOLLOWED BY DAVID STANBAM.

GOOD AFTERNOON. AS THE TOWN FLIER FOR THE FLAMINGO CANTINA, I WANTED TO SPEAK DIRECTLY AS TO HOW I HAVE SEEN A DEMONSTRABLE RETURN AND DIRECT BENEFIT WITH REFERENCE TO AMN AND WHAT I DO FOR THE CLUB. FIRST

OF ALL, THE HIGH SCHOOL BATTLE OF THE BANDS WAS -- WAS SOMETHING THAT LEWIS PUT TOGETHER WITH REFERENCE TO AMN ON BOTH THE 14th AND 21st OF FEBRUARY, A DAY EVENT, WHICH ATTRACTED OVER 20 AREA BANDS, PARENTS AND KIDS, SO I'M GUESSING AN AGE GROUP FROM AGE 13 OR 14 TO ROUGHLY 45 TO 50. OVER 600 PEOPLE WERE PAID, WE RAISED SEVERAL THOUSAND DOLLARS FOR THE AUSTIN MUSIC NETWORK FOR THAT FUNCTION ALONE. IT WAS THE FIRST OF ITS KIND, WHICH MEANS LORD KNOWS THERE CAN BE MANY MORE. SO IN THAT RESPECT, I THINK THAT -- I THINK THAT AMN PROVIDED AN AVENUE FOR A LOT OF POTENTIAL PATRONS FOR THE LIVE MUSIC BUSINESSES DOWNTOWN THAT WOULD HAVE NEVER OTHERWISE COME TO MY CLUB. PEOPLE OVER 40, FROM GEORGETOWN, ROUND ROCK, NOW KNOW ABOUT THE FLAMINGO CANTINA, THEY NOW KNOW ABOUT ALL OF THE LIVE MOVING VENUES SIMPLY BECAUSE AMN CAME TO ME AND SAID LET'S DO THIS, LET'S INCREASE THE PROFILE OF NOT ONLY LIVE MUSIC BUSINESSES BUT THE NETWORK IN GENERAL. SO -- SO THAT IS DEFINITELY BENEFICIAL. ALSO WEDNESDAY IS THE WORLD GROOVE PROGRAM THAT AMN ALSO CAME TO THE FLAMINGO CANTINA WITH REFERENCE TO, IS ABOUT CREATING A GENRE SPECIFIC PROMOTIONAL VEHICLE FOR REGGAE WORLD MUSIC AND JAM BANDS, WHICH -- WHICH TEND TO BE YOUNGER BANDS THAT -- THAT COMBINE A LOT OF DIFFERENT INFLUENCES TO CREATE THIS ONE PARTICULAR SOUND. WELL, WITH THE STREAMING VIDEO, OF AMN, I CAN NOW CREATE RELATIONSHIPS WITH EXISTING BANDS THAT ARE REGGAE AND WORLD RELATED AND JAM BANDS, WELL, THROUGH THE STREAMING VIDEO, I CAN GET BANDS FROM COLORADO THAT KNOW ABOUT THE WORLD GROOVE PROGRAM THAT'S BEEN CREATED BY AMN AND SUDDENLY THERE'S A CORRIDOR BETWEEN REGIONAL BANDS IN COLORADO, MISSISSIPPI, OUT TO GEORGIA, FLORIDA, THAT ARE SUDDENLY RECOGNIZING WHAT WE ARE DOING MUSICALLY IN AUSTIN. WHAT WE HAVE TO OFFER PROMOTIONALLY IN TERMS OF MARKETING. SO WE GET THIS GREAT REVENUE STREAM BETWEEN BANDS COMING FROM OTHER PARTS OF THE COUNTRY, COMING TO AUSTIN, SEEING WHAT WE HAVE TO OFFER. IN TURN THESE BANDS THAT MAKE RELATIONSHIPS WITH THE TRAVELLING BANDS FROM AUSTIN CAN INCREASE OUR VISIBILITY IN TERMS OF

OUR MUSIC SCENE BY TRAVELLING ELSEWHERE. AND ONLY INCREASES THE PROFILE OF AMN AND INCREASES THE PROFILE OF THE MUSIC SCENE IN GENERAL IN TOWN. AND LASTLY, I WOULD LIKE TO SAY THAT THERE ARE MANY LOCAL BANDS THAT HAVE MADE VIDEOS. MAKING VIDEOS, ALL IT TAKES IS, A LITTLE BIT OF MONEY. THAT DOES NOT MATTER TO SOMEBODY LIKE ME AS A TALENT BUYER. WHAT MATTERS TO ME IS, IS THAT VIDEO GETTING INTO ROTATION? WELL, WITH THE AUSTIN MUSIC NETWORK THE ONLY NETWORK OF ITS KIND, BANDS FROM THIS TOWN CAN MAKE VIDEOS THAT ARE STREAMED ON THE NET AND SEEN BY PEOPLE ALL OVER THE WORLD. THAT ONLY MEAN WONDERFUL THINGS FOR GENERATING REVENUE FOR AUSTIN BANDS [BUZZER SOUNDING] THAT'S THE DEMONSTRABLE RETURN FOR THE AUSTIN MUSIC NETWORK, THANKS FOR YOUR TIME.

THANK YOU, DAVE STANBALM.

THANK YOU, COUNCIL, MY NAME IS RYAN WILLIAMS, THE HOST OF THE AUSTIN MUSIC NETWORK KIDS HOURS. IF YOU ARE ANYTHING LIKE ME, IT'S REALLY HARD FOR YOU TO GET UP IN THE MORNINGS. ONE OF THE MAJOR OBJECTIVES OF THIS SHOW TOYS WAKE KIDS UP, EXCITE -- IS TO WAKE KIDS UP, EXCITE THEM, MOTIVATE THEM ABOUT THEIR DAY AND TEACH THEM THE IMPORTANCE OF EDUCATION. THE CURRENT LAYOUT OF THE SHOW INCLUDES CLASSIC CARTOONS, MUSIC VIDEOS, LIVE MUSIC, ALL BY REQUEST. SOME, OF COURSE, I PICK. NOW, THERE ARE MANY PEOPLE AT THIS SHOW THAT I THINK BENEFIT. FIRST OF ALL MOST OBVIOUSLY THERE ARE THE CHILDREN THEMSELVES. THE ONLY THING THAT SETS THIS SHOW APART FROM ANY OTHER CHILDREN'S PROGRAMMING AT THE SAME TIME IS THAT THE SHOW IS INTERACTIVE AND BY THAT I MEAN THEY CAN CALL IN AT ANY TIME, REQUEST VIDEOS AND THINGS LIKE THAT. THEY WANT THEIR BIRTHDAY ANNOUNCED ON THE AIR, SOME BIG EVENT. THEY GET THAT. I DON'T KNOW WHO HERE FORGOT WHAT IT WAS LIKE TO BE A KID, BUT I CERTAINLY DID NOT. I KNOW IF I WERE A KID AND COULD CALL UP SOMEBODY WHO I LOOKED UP TO AND ASKED FOR SOMETHING AND GET IT PLAYED AND ACTUALLY HEAR HI NAME ON AIR, THAT WOULD JUST TICKLE ME PINK, YOU KNOW. AND THE FACT THAT THERE'S BEEN TONS AND TONS

OF CALLS ALREADY, TONS AND TONS OF CALL YOU FROM NEW VIEWERS EVERY SINGLE DAY PROVES THAT THERE IS AN EFFECT, WE ARE IMPROVING, THAT THIS SMALL SEGMENT AT LEAST IS -- IS IMPROVING AND I THINK THAT IT IS EXEMPLARY OF THE ENTIRE NETWORK RIGHT NOW. NOW, SECOND -- SECOND IT BENEFITS THE PARENTS. I'VE GOT NUMEROUS CALLS FROM PARENTS THAT CALL ME UP IN THE MORNING AND THANK ME DEARLY. BECAUSE ALL IT TAKES FOR THEM NOW, THEY WAKE THEIR CHILDREN UP, THROW THEM IN FRONT OF THE TELEVISION, TURN IT ON CHANNEL 15, THAT'S IT. BY THE TIME THEY LEAVE FOR SCHOOL, I'VE BEEN TOLD THEY ARE EXTREMELY EXCITED AND EXTREMELY HAPPY AND THAT MAKES THEIR JOB IN THE MORNING A LOT EASIER. JUST YESTERDAY, A FATHER FROM ONE OF MY REGULAR VIEWERS CAME TO ME, HE WORKS FOR RM MARK UNIFORM SERVICES, GAVE ME A BUSINESS CARD, SAID IF I EVER WANT HELP DEVELOPING T-SHIRTS, A LOGO, POSTER, STICKERS, HE WOULD BE THERE TO HELP ME DO ANYTHING THAT I NEEDED FOR THE SHOW. THAT'S JUST ONE PARENT. OIMENTS-- OUTLETS FOR PEOPLE TO DO THIS. I'M WORKING WHERE JONATHAN CLARK, FORMER PRESIDENT OF MOTOWN RECORDS, INTERMEDIATE SCHOOLS, TALKING TO CHILDREN AND TELLING THEM ABOUT THE IMPORTANCE OF EDUCATION. I HAVE RECENTLY HOOKED UP WITH THEM AND GOING TO START MOTIVATING CHILDREN TO LEARN AS WELL. THE FUTURE OF THIS SHOW IS ENDLESS, REALLY BOUNDLESS, THERE ARE NO LIMITS. I AM -- I AM DEDICATED TO THIS SHOW. I'M GOING TO TAKE IT AS FAR AS POSSIBLE. LIKE I SAID THIS SHOW IS JUST EXEMPLARY OF EVERY SINGLE SHOW, WHAT'S GOING ON AT THE NETWORK RIGHT NOW. I WILL CONCLUDE BY SAYING JOIN THE COMIEWPT TEE. THANK YOU COMMUNITY.

THANK YOU. ALEX GONZALEZ. PATRICIAMORAN, I THINK THAT I HAVE ALREADY CALLED DAVE STANBALM. CITIZENS WISH TO SPEAK REGARDING THE AUSTIN MUSIC NETWORK? ITEMS 19 OR 20? HAVE YOU SIGNED A CARD SIR? STATE YOUR NAME AND YOU HAVE THREE MINUTES.

I'M KERRY MOSIER. I CAN'T REPRESENT MY VENUE BECAUSE WE ARE -- MY OWNER IS IN SUPPORT OF YOU AS MAYOR. BUT I AM A MUSICIAN. FOR THE LAST 10 YEARS IN THIS CITY. AND WHAT I SEE IS A PUSH TO SUPPORT THE CORPORATE

LOCAL ARTISTS THAT ARE NO LONGER IN THIS TOWN. I SEE SUPPORT FOR THEM. I DON'T SEE SUPPORT FOR ME. I DON'T -- I MEAN, WC CLARK IS THAT WHAT YOU SAY IS LOCAL AUSTIN MUSIC? LYLE LOVETTE? ARE YOU LOOKING AT THE PEOPLE THAT WORK DOWNTOWN, THAT WORK IN BARS THAT ARE MUSICIANS THAT MOVE HERE TO BE A MUSICIAN? I HAVE DEALT WITH NOTHING BUT POSITIVITY AND HAD NOTHING BUT GREAT THINGS HAPPEN WHEN WE HAVE DEALT WITH AUSTIN MUSIC NETWORK. IT'S THE ONLY STATION -- YOU WILL NEVER SEE A VALLEJOS OR A KISSINGER VIDEO UNLESS THEY GET UP TO THE CORPORATE LEVEL. IF YOU ARE GOING TO PUSH US THAT WAY, TAKE THE WORD OF MARRIOTT, HILTON, HOLIDAY INN, HO HAD NOTHING TO DO WITH OUR LOCAL MUSIC SCENE TO WHAT WE SHOULD BE DOING WITH OUR LOCAL MUSIC SCENE, I DON'T SEE THAT YOU REALLY -- I HOPE THAT'S NOT THE PATH THAT YOU WANT TO TAKE. I FEEL THE BENEFIT OF IT AS A MUSICIAN. I SEE WHAT IT DOES TO MY FRIENDS THAT HAVE BANDS THAT ARE AFFILIATED WITH THE AUSTIN MUSIC NETWORK. SO I HOPE THAT YOU ALL START LOOKING AT THE PEOPLE THAT ARE AVERAGE CITIZENS. MUSICIANS THAT ARE HERE THAT WOULDN'T GET THE AVAILABILITY OF PROMOTION. I DON'T WANT TO LIVE IN HOUSTON, THAT'S WHY I DIDN'T MOVE THERE. DALLAS HAS NOTHING LIKE THIS. THE BANDS THERE ARE STRUGGLING JUST TO GET PUBLICITY BECAUSE THERE'S NO OUTLET FOR IT. I'VE HEARD NOTHING BUT GREAT THINGS ABOUT WHAT THE AUSTIN MUSIC NETWORK IS DOING. I'VE HEARD NOTHING BUT GREAT PROGRAMMING. I HEAR NOTHING BUT GOOD PLANS. I SEE NOTHING BUT GOOD THINGS THAT HAVE CHANGED SINCE LEWIS HAS TAKEN THIS JOB ON. PEOPLE LIKE ME WILL SUFFER, IT'S THE MUSICIANS THAT ARE TRYING TO GET TO THAT LEVEL THAT I CAN BE A MUSICIAN, THAT I DON'T HAVE TO GO TO WORK 8:00 TO 5:00 SO I CAN DO WHAT I HAVE PLANNED TO DO TO BE AN ARTIST, THAT'S WHAT YOU ARE GOING TO HURT IF THIS GETS TAKEN AWAY FROM US. I HOPE THAT YOU ALL RECONSIDER WHAT YOU ALL HAVE GOT PLANNED. THANK YOU.

THANK YOU, SIR. COUNCILMEMBER SLUSHER?

Slusher: ONE THING. THAT -- THAT JUST FOR THE RECORD, THE MAYOR'S PULLED DOWN HIS ITEM THAT WAS GOING TO

DEFUND THE NETWORK. SO HE WITHDRAW THAT. SO THAT'S NO LONGER ON THE TABLE. AND IT'S FINE TO SPEAK TO THAT AS FAR AS I'M CONCERNED, BUT JUST WANTED TO MAKE SHOULD CLEAR THAT'S NO LONGER ON THE TABLE. THE ITEM ON THE TABLE NOW IS FROM THE MAYOR PRO TEM AND COUNCILMEMBER ALVAREZ, TALKED ABOUT LOOKING FORWARD TO THE FUNDING, ABOUT HOW ANY KIND OF NEGOTIATIONS ABOUT THE FUTURE OF THE NETWORK SHOULD PROCEED.

COUNCIL, THAT'S ALL OF THE SPEAKERS WHO SIGNED UP FOR ITEMS 19 OR 20. COMMENTS? QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION. COUNCILMEMBER ALVAREZ?

Alvarez: MOVE APPROVAL, MAYOR. ITEM 20.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY THE MAYOR PRO TEM TO APPROVE ITEM 20.

Goodman: I HAD A FEW CLEANUP ITEMS WHEN PEOPLE SPOKE I WANTED TO CLARIFY AND MAKE SURE PEOPLE KNEW EXACTLY WHAT IT WAS THAT WE ARE DOING.

Mayor Wynn: WHY DON'T YOU DO THAT NOW IF YOU DON'T MIND.

Goodman: OKAY. SOME FOLKS CONTINUE TO BELIEVE THAT THE WAY WE NOW CONTRIBUTE TO AMN IS THROUGH -- THROUGH THE CITY OF AUSTIN RESIDENT TAXPAYER FUNDS. SALES TAXPAYER FUNDS OR -- OR WHAT HAVE YOU. I WANTED TO MAKE IT CLEAR AGAIN THAT -- THAT THE 4.8 MILLION THAT'S REFERRED TO AS TO THE AMOUNT OF MONEY WE GIVE TO AMN HAS BEEN OVER THE COURSE OF 10 YEARS. YOU WILL FIND THAT TO RUN A NETWORK OR STATION TO DO IT IN A WAY THAT WILL OFFER YOU THE KIND OF CONTENT AND CONTINUITY THAT A GOOD NETWORK CAN ASPIRE TO, THAT'S MORE LIKE A MILLION AND THAT'S PROBABLY IN -- IN DOLLARS A COUPLE OF YEARS OLD. WE HAVE NEVER GIVEN AMN THAT FROM THE CITY OR ANYWHERE ELSE. WE ARE FINALLY MAKING A MOVE TO -- TO REACH OUT AND BECOME THE POTENTIAL THAT THE VISION AND GOALS AND INTEGRITY FOR AMN ALWAYS -- ALWAYS ASPIRE TO. AND THAT WILL REQUIRE FUNDING THAT COMES

FROM BEYOND OUR WALLS, SO TO SPEAK. THAT'S WHAT THIS RESOLUTION IS ABOUT. THE FUND WERE NOT DOLLARS BY CITY RESIDENTS, THEY ARE PAID FOR BY A STATE LEVIED TAX ON VISITORS WHO COME AND GET A MOTEL, HOTEL ROOM. THOSE DOLLARS CANNOT BE USED BY THE CITY ON ANY OTHER THING LIKE POTHOLES, LIBRARIES, POLICE OFFICERS, CLINICS. IF WE DON'T USE THAT MONEY, WHICH IS FOR ENHANCEMENT FOR THE -- FOR YOUR DESTINATION OR IMAGE OR PROJECTS THAT DIRECTLY DEAL WITH -- WITH -- WITH INCREASING TOURISM AND VISITORS AND ECONOMIC DEVELOPMENT, YOU DON'T GET THE MONEY. THE MONEY WILL GO BACK TO THE STATE AND THE STATE WOULD USE IT IN THEIR OWN TOURISM EFFORTS. THIS IS NOT MONEY THAT COULD HAVE BOUGHT US ANOTHER -- ANOTHER LET ME SEE 150,000, IS IT THAT -- DOES THAT -- THAT DOESN'T FINANCE A LOT THESE DAYS, BUT -- BUT MAYBE ANOTHER -- ANOTHER TWO POLICE OFFICERS? I THINK. THAT'S AN ASSUMPTION THAT PEOPLE MAKE. I WANT TO MAKE IT VERY CLEAR, REITERATE AGAIN THAT THE MOPE THAT WE WERE ABLE TO -- THE MONEY THAT WE WERE ABLE TO CHANNEL IN WITH MANY, MANY OTHER PROJECTS THAT GO THROUGH THE CULTURAL ARTS FUNDING PROCESS DO NOT COME FROM PROPERTY TAX OR EVEN OUR SALES TAX. THE RESOLUTION TALKS ABOUT THE EASILY IDENTIFIABLE IMPACT AND RETURN ON INVESTMENT THAT WE CAN LOOK AT RELATIVE TO OUR MUSICAL ASSETS, WHICH MEANS OUR FOLKS WHO LIVE HERE WITH CREATIVE TALENTS, THAT'S NOT ALL IN MUSIC ACTUALLY. WE STILL ARE ONE OF THE HIGHEST RESIDENT POPULATION OF ARTISTS IN THE COUNTRY AND THAT'S PERFORMING IN THE RANKS OF THE LITTLE -- THEY ARE A LITTLE FUZZY BECAUSE CREATIVITY IS NO LONGER CONFINED TO PAINTING AND PERFORMING ARTS ANYMORE. IT HAS TO DO NOW WITH TECHNOLOGY AS WELL -- NOW WITH TECHNOLOGY AS WELL. SO WE PROBABLY HAVE A MUCH HIGHER CONCENTRATION OF RESIDENT ARTISTS IN THAT CREATIVE CONTEXT. THAN WE DID BEFORE. BUT MUSIC ITSELF CAN IDENTIFY ABOUT 11,200 JOBS TO BE AS PRECISE AS POSSIBLE. THAT IT PROVIDES FOR WITHIN THE CITY AND THE OPPORTUNITY FOR FUTURE THEN IS VERY ENTREPRENEURIAL, VERY OPEN TO -- TO EXPANDING GOALS AND CREATIVE INDUSTRY THAT MIGHT ARRIVE IN TOWN, TOO. THAT HAS TO DO WITH DIVERSITY OF ECONOMIC BASE

FOR US AND IS ALWAYS SOMETHING THAT A COMMUNITY NEEDS TO LOOK AT. ESPECIALLY WHEN THEY ARE -- WHEN THEIR DRAW IS IN IN-HOUSE OR HOME GROWN BASE OF ASSETS IN CREATIVITY, TALENT, ENTREPRENEURIAL SPIRIT. 11 MILLION OF CITY REVENUES, TAX REVENUES, CAN BE IDENTIFIED CLEARLY WITH MUSIC. AND 616 MILLION IN ECONOMIC ACTIVITY CAN BE PEN POINTED -- PINPOINTED FOR MUSIC. IT'S PROBABLY MUCH BEYOND THAT, BUT IT'S VERY DIFFICULT. TO BE MORE PRECISE. BUT EVERY DOLLAR THERE, THOUGH, CANNOT BE DIVORCED FROM THE POSSIBILITY THAT AMN WAS EITHER A PART OF ENHANCING OR ACTUAL IMPACT. THERE'S NO WAY TO -- TO FIGURE THAT OUT WITHOUT A LOT OF MONEY SPENT ON -- ON TRACKING EVERY CENT, EVERY DOLLAR. AND I DON'T KNOW THAT WE WANT TO SPEND THAT KIND OF MONEY AND TIME FOR ANYBODY TO TRY TO PINPOINT THAT CLOSELY, BUT I THINK IT WILL BE BECOME MORE AND MORE IDENTIFIABLE AS TIME GOES ON. AS OUR ECONOMIC DEVELOPMENT INITIATIVE OFFERS US A WAY TO ENHANCE AND GROW, THE CREATIVE INDUSTRIES THAT WE SHOULD BE AN HEIR TO, CERTAINLY WE HAVE THE POTENTIAL TO DRAW IT HERE. SO WHEN PEOPLE TALK ABOUT THOSE IN OPPOSITION, BY THAT I MEAN WHO HAVE NEVER SEEN THE VALUE IN AMN, I'M NOT IN ANY WAY, MAYOR, DISMISSING THE POOR JUDGMENT THAT DID HAPPEN. THERE WERE QUESTIONABLE CALLS THAT I THINK SHOULD HAVE SET OFF ALARM BELLS IN SOMEBODY'S HEAD. AND I AM TRUSTING, ESPECIALLY WITH OVERSIGHT FROM THE TELECOMMUNICATIONS IF YOU ARE SUBCOMMITTEE, THAT -- INFRASTRUCTURE SUBCOMMITTEE, THAT WE WILL BE ABLE TO TRUST THE PROCESSES THERE AND THAT THERE WILL BE A SYSTEM OF CHECKS AND BALANCES AND THAT COMMON SENSE WILL COME INTO PLAY. THE POLITICAL AD WAS OUT OF LINE. AND SINCE IN ESSENCE BY POLICY DECISION THIS COUNCIL KIND OF OWNS THE CHANNEL AND THAT OUR POLICY VOTES DECIDE WHETHER IT'S SURVIVES OR NOT, GIVEN THAT OBVIOUSLY MORE THAN ONE COUNCILMEMBER HAS SUPPORTED THE SURVIVAL OF AMN BECAUSE OF ITS POTENTIAL, NOT ONLY FOR ACKNOWLEDGING AND CELEBRATING OUR TALENT AND ARTIST HERE, BUT BECAUSE OF THE POTENTIAL FOR ABSOLUTE AND DIRECT PAY-BACK OF INVESTMENT FAR BEYOND WHAT WE PUT IN ECONOMICALLY AS A CITY, AS A

COMMUNITY, AS A WHOLE. BECAUSE OF THAT, THE DECISION TO DO SOMETHING THAT WAS SEEN TO BE PERSONAL AND HURTFUL WAS NOT A GOOD IDEA. AND I EXPECTED A MEA CULPA FOR THAT BECAUSE IT'S A FAIR AND LEGITIMATE ISSUE AND I'M SORRY THAT IT HAPPENED. WE DON'T NEED ANY MORE HANDLES FOR THOSE WHO DON'T BOTHER TO LOOK FOR THE VALUE OF THE NETWORK AS IT IS. I DIDN'T WANT TO ADD THAT TO IT. NONETHELESS, I THINK THAT THE MEA CULPA IS GOING TO BE -- WHAT'S THE WORD I WANT? A WHOLE LOT OF PEOPLE WILL BE LOOKING CAREFULLY, EXPLAIN NAPTIONS WILL BE IN PLACE FOR THE POTENTIAL AND HOW TO REACH IT FOR AMN. SO THAT IN THE MIDST OF OUR ECONOMIC DEVELOPMENT INITIATIVE, AMN DOES IN FACT DO FOR ART, FOR ARTISTS, FOR MUSICIANS, FOR MUSIC, FOR CREATIVE INDUSTRY, FOR THE CITY AS A WHOLE WHAT IT WAS ALWAYS BOUND TO DO WITH A LITTLE BIT OF SUPPORT. SO MAYOR AND COUNCILMEMBERS, I HOPE THAT IN MOVING TOWARD A POSITIVE GOAL, THAT I THINK DOES ANSWER THE PREFERENCES OF EACH OF THE COUNCILMEMBERS AS EXPRESSED OVER TIME, THAT YOU'LL BE ABLE TO SUPPORT THE RESOLUTION AND TRULY LET US GET ON AS IN SO MANY ISSUES LATELY, TO THE POSITIVE AND TO THE RESOLUTION. AND -- AND IF WE ARE BIG ENOUGH, WE WILL ALL STRUGGLE TO DO THAT, I KNOW.

COUNCILMEMBER

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Dunkerley: I THINK ALL OF US ARE REALLY SORRY ABOUT THE LAPSE IN JUDGMENT ON THE ADS AND THE VIDEOS. BUT I WOULD LIKE TO MAKE A REAL SPECIFIC REQUEST OF THE MANAGER THAT -- THAT HE WORK WITH THE CITY STAFF TO COME UP WITH A FAIL-SAFE PROCESS. SO THAT THIS DOESN'T HAPPEN AGAIN AND THAT THAT BE A SPECIFIC ITEM ON THE TELECOMMUNICATIONS SUBCOMMITTEE AT THE NEXT MEETING. IT'S REALLY PART OF A -- OF A CURE NOTICE AND -- AND WE JUST NEED TO GET IT VERY CLEARLY DELINEATED, IDENTIFIED AND REPORTED AT THE NEXT MEETING. I DO ESPECIALLY APPRECIATE THE NEW CHILDREN'S PROGRAM AND THE ACCESS THAT THE YOUNG PEOPLE HAVE TO SHOW THEIR -- THEIR VIDEOS AND THEIR FILM. I'VE HEARD FROM A LOT OF YOUNG PEOPLE AND A LOT OF PARENTS. I THINK THAT'S A ROLE THAT WE HAVE ALWAYS

HOPED FOR FOR THE NETWORK, BUT NEVER HAVE BEEN ABLE TO ACHIEVE. SO POLICIES AND REPORTERS IN PLACE TO MAKE SURE THAT IT DOESN'T HAPPEN AGAIN. CONTINUE RAISING LOTS OF MONEY PRIVATELY. AND CONTINUE THE -- THE TREND AND THE GOOD PROGRAMMING WE HAVE SEEN IN THE LAST SIX MONTHS.

COUNCILMEMBER, COUNCILMEMBER ALVAREZ?

Alvarez: REALLY, I THINK THE RESOLUTION SPELLS OUT A LOT OF IMPORTANT REASONS TO SUPPORT I GUESS THE ASSESSMENT OF HOW WE CAN FURTHER STRENGTHEN THE NETWORK AND THAT MEANS OF COURSE AS ISSUES COME UP, WHERE WE ARE UNHAPPY WITH WHAT'S HAPPENING, THAT YOU TAKE CARE OF THEM AND IT'S GOOD TO SEE THE MANAGEMENT STEPPING UP TO SAY THAT THEY ARE GOING TO PUT THE MEASURES IN PLACE, QUALITY CONTROL SIDE. I THINK THAT'S HAVING BEEN INVOLVED WITH CO-OP RADIO AS A PROGRAMMER, BOARD MEMBERS, SO THAT WAS DONE WAS DONE BY VOLUNTEERS, THAT WAS VOLUNTEERS WOULD LISTEN TO THE CD'S. HAS THE WORDS THAT SHOULDN'T BE PLAYED DURING CERTAIN HOURS, SO I THINK THAT'S SOMETHING OBVIOUSLY THAT WE NEED TO HAVE HERE AT AMN AS WELL. THE BOTTOM LINE IN THAT PARTICULAR EXAMPLE IS THE NEED FOR VOLUNTEERS AND PEOPLE TO COME IN TO SUPPORT. THERE'S MANY WAYS TO SUPPORT, BUT AGAIN LENDING YOUR SUPPORT AND COMING TO HELP IN THE NETWORK IS ONE WAY TO DO THAT, BECOMING A MEMBER, OF COURSE, IS ANOTHER WAY TO DO THAT. THAT'S SINCE LEWIS CAME OUT. I GOT TO SEE THE FIRST PLEDGE DRIVE EVER ON THE AUSTIN MUSIC NETWORK, WHICH AGAIN HAVING BEEN INVOLVED WITH ACCESS RADIO, WAS -- WAS WHAT REALLY KEEPS THE CO-OP ON THE AIR. KEPT IT THEN ON THE AIR, KEEPS IT NOW ON THE AIR. YOU LISTEN TO KUT, KEZI, KLRU, OTHERS, THEY GO THROUGH THAT PROCESS AS WELL. IT'S GOOD TO SEE THAT THAT INFRASTRUCTURE THAT'S BEING PUT INTO PLACE AND REALLY JUST TO SEE ALL OF THIS HAPPENING IN THE FACE OF A LOT OF ADVERSITY. A LOT OF CHALLENGES AND OBSTACLES THAT ARE -- THAT THEY -- THAT THE AMN IS CONFRONTED WITH, OF COURSE THIS LAST YEAR THE BIG -- ONE OF THE BIG CHALLENGES IS THE CITY -- THE LEVEL OF CITY FUNDING WENT FROM THE LAST COUPLE OF YEARS, I

GUESS, FROM \$750,000 TO 150,000. SO TALK ABOUT -- MAKING A REALLY HUGE ADJUSTMENT. BUT THEY HAVE TAKEN IT ON. THEY ARE -- THEY ARE SERIOUS I THINK ABOUT MEETING THEIR OBLIGATIONS, THEIR COUPLE THOUSAND SHY PER MONTH OF MEETING THEIR OBLIGATIONS. WANT TO MAKE SURE THAT WE CAN MEET THAT OBLIGATION. WE HAD THE UNDERWRITING DISPUTE WITH TIME WARNER. KIND OF SLOWED DOWN THE PROCESS OF SECURING SOME UNDERWRITING THAT I THINK IS BEHIND US AND WILL HOPEFULLY LEAD TO GOOD THINGS FOR THE NETWORK. SOUTH-BY-SOUTHWEST COMING UP WILL HELP AS WELL. REALLY NEED EVERYBODY'S SUPPORT. I THINK JUST LIKE SOME OF THESE OTHER PUBLIC OR COMMUNITY MEDIA ARE ABLE TO STAY AFLOAT, IT'S BECAUSE THE COMMUNITY STEPS UP TO HELP TO MAKE SURE THEY ARE ABLE TO STAY ON THE AIR AND I THINK THAT -- I THINK THAT I HAVE TRIED HELPING IN VARIOUS DIFFERENT WAYS AND WANTED TO CONTINUE DOING SO. AMN DOING A LOT OF THINGS THAT WE HAVE ASKED. I THINK THAT IT'S INCREDIBLE PROCESS, STAY THE COURSE AND CONTINUE TO HELP THEM TO CONTINUE TO IMPROVE. I THINK THAT IT'S HEADED IN THE RIGHT DIRECTION AND MOVING VERY, VERY SWIFTLY IN TERMS OF TRYING TO ACHIEVE SOME LEVEL OF SELF SUFFICIENCY AND REALLY -- REALLY HIGH LEVEL OF QUALITY. SO -- SO I REALLY -- I REALLY SUPPORT THE NETWORK AND WANT TO MAKE SURE THAT I'M PART OF THE SOLUTION AND RIGHT THERE TO HELP MAKE SURE THOSE THINGS ARE REALIZED. THANK YOU.

Mayor Wynn: FURTHER COMMENTS? I WOULD LIKE TO MAKE A COUPLE. ONE TO CLARIFY THAT THE MAYOR PRO TEM TALKED ABOUT THE \$50,000 ACTUALLY COMING -- \$150,000 ACTUALLY COMING FROM BED TAX. THE STATEMENT THAT IF WE DIDN'T SPEND IT, IT WOULD GO BACK TO THE STATE. OF COURSE OUR CULTURAL ARTS FUNDING PROCESS IS VERY COMPETITIVE AND A NUMBER OF ARTS ORGANIZATIONS ACROSS TOWN NEED MORE MONEY. AND THIS \$150,000 WOULDN'T BE SEND BACK TO THE -- SENT BACK TO THE STATE IF IT WASN'T GIVEN TO THE AUSTIN MUSIC NETWORK.

Goodman: THAT'S THE --

Mayor Wynn: THE DECISION AT THE 11th HOUR TO DO THAT

DURING THE BUDGET CYCLE LAST YEAR, IN FACT, WE ALL KNOW UPSET A NUMBER OF CULTURAL ARTS GROUPS AROUND TOWN AND THEY DIDN'T HAVE THE CHANCE TO SINCE COMPETE FOR THAT \$150,000 IN -- IN BED TAX. I'M FULLY SUPPORTIVE OF THE RESOLUTION. THE LAST -- JUST WANT TO CLARIFY, AT THE END, HOW IT TALKS ABOUT -- ABOUT THE MUSIC NETWORK COULD BE THIS ECONOMIC DEVELOPMENT TOOL, REGIONAL SHOWCASE FOR AUSTIN AREA ARTS AND MUSIC. THEN IT SAYS WITHOUT ANY CONTRIBUTIONS FROM THE CITY'S GENERAL FUND. WELL, THERE'S BEEN UP YARDS OF A MILLION FROM THE CITY GIVEN TO THE NETWORK, NOT FROM THE GENERAL FUND IN THE LAST YEAR AND A HALF. SO I DON'T SEE THAT AS BEING ANY -- ANY DIRECTIVE WHATSOEVER. IN ANY -- IN ANY, YOU KNOW, STATEMENT OF A DIFFERENT APPROACH TO HOW WE TRY TO FUND THIS AND THE PUBLIC'S CONCERNS WITH THE LACK OF FISCAL RESPONSIBILITY. IF YOU ALL WOULD CONSIDER A FRIENDLY AMENDMENT JUST TO CHANGE, STRIKE CONTRIBUTIONS FROM THE CITY'S GENERAL FUNDS AND REINSERT THE WORDS PUBLIC DOLLARS. SO THEREFORE IT WOULD BE COMMA, WITHOUT ANY PUBLIC DOLLARS, PERIOD.

[INDISCERNIBLE]

Alvarez: I DO NOT CONSIDER THAT FRIENDLY, NO.

Mayor Wynn: OKAY.

Goodman: NO, MAYOR, THAT IS A VERY BROAD BASED STATEMENT THAT PRECLUDES EVEN STATE FUNDING THAT WE WOULD HAVE CONTROL OVER.

Mayor Wynn: I RECOGNIZE THAT NOT BEING FRIENDLY. FAIR ENOUGH. FURTHER COMMENTS?

Slusher: MAYOR?

Mayor Wynn: COUNCILMEMBER SLUSHER?

Slusher: I THINK MY -- HOW I MAKE EVERYBODY ON ALL SIDES MAD SOMETIMES, THAT MAY BE WHAT HAPPENS RIGHT NOW. FIRST OF ALL, I WANT TO THANK THE MUSIC COMMISSION

FOR THEIR WORK ON, THERE GETTING TOGETHER A QUICK MEETING TO DEAL WITH IT. I WANT TO EMPHASIZE THAT THE PREVIOUS ITEM, THAT THE MAYOR PULLED DOWN, I WAS GOING TO VOTE AGAINST. I WOULD HAVE VOTED AGAINST IT IF IT CAME UP. I THINK THAT HE MAKES SOME LEGITIMATE POINTS. ABOUT THE NETWORK. CERTAINLY HAS -- CERTAINLY HAS LEGITIMATE POSITION THAT HE IS -- THAT HE IS WELCOME TO HAVE. BUT I DO THINK IN THIS CASE THE -- THE PROPOSED CRIME FAR EXCEEDED THE PUNISHMENT. ALSO, I THINK THAT ANY CONTRACT WAS PUT UNDER THE KIND OF WITHERING ASSAULT THAT THIS ONE WAS THIS WEEK WOULD HAVE A LOT OF DIFFICULTY COMING OUT AS SHINY CLEAN. THERE'S SOME THINGS THAT THEY NEED TO TIGHTEN UP, BUT I WOULD HAVE VOTED AGAINST DEFUNDING OR CANCELING THE NETWORK CONTRACT. ON THE OTHER HAND, AS -- AS THE QUESTION I WAS DOING AT THE FIRST OF THIS -- OF THIS MIGHT HAVE -- SOMEBODY MIGHT HAVE FIGURED OUT, I DON'T REALLY THINK THIS ITEM THAT WE HAVE BEFORE US RIGHT NOW IS NECESSARY. BECAUSE THE NETWORK IS ALREADY FUNDED FOR THIS YEAR. AND IT WOULDN'T BE BEFORE US NOW IF THE POOR JUDGMENT HADN'T HAVE TAKEN PLACE THAT -- WHICH LIKE I SAID I THINK THE MAYOR AND HIS PROPOSAL FOR THE PUNISHMENT EXCEEDED THE CRIME, BUT THERE WAS SOME VERY POOR JUDGMENT THERE THAT TOOK PLACE. I'M GLAD THAT IT'S BEEN APOLOGIZED FOR. BUT I DON'T THINK THIS ITEM IS NECESSARY FOR US TO VOTE IN THE MIDDLE OF THE YEAR ON WHAT WE ARE GOING TO FUND NEXT YEAR. I CONSISTENTLY OPPOSED SUCH ITEMS AND ONE THING THAT COULD HAPPEN IS THAT WE -- THEN OTHER FOLKS, THIS ONE IS NOT OUT OF THE GENERAL FUND, BUT OTHER FOLKS WANT THINGS OUT OF THE GENERAL FUND TO COME IN AND SAY YOU ARE GOING TO FUND THIS IN NEXT YEAR'S BUDGET, THIS NEXT YEAR, WE END UP COMMITTED TO THINGS BEFORE WE GO THROUGH THE BUDGET PROCESS AND SEE HOW MUCH MONEY WE ARE GOING TO HAVE AND WHAT ALL THE NEEDS ARE TOGETHER. THAT'S -- ONE OF THE THINGS THAT I HAVE LEARNED IN THE SEVEN YEARS THAT I HAVE BEEN HERE, IS YOU DON'T GO OUT AND PROMISE THINGS BEFORE THE BUDGET. I HAVE SAID THAT TO LIKE CHURCHES FULL OF PEOPLE THAT WANTED ME TO COMMIT TO TWO THINGS AT PUBLIC MEETINGS. SO -- THIS HAPPENED TO BE

AT A CHURCH. THAT'S ANOTHER REASON THAT I HAVE A PROBLEM WITH THIS. ALSO I HEARD MR. MYERS SAY THAT -- THAT THE RESPONSIBILITY FOR THE NETWORK LAYS WITH THE COUNCILS OF PREVIOUS 10 YEARS. AS FAR AS BEING A MESS WHEN HE GOT THERE. I THINK THERE'S SOME -- THERE'S SOME TRUTH TO THAT. I'M GOING TO TAKE THAT TO HEART. ANOTHER SPEAKER SAID THAT EVERY BIT OF MONEY THAT'S PU INTO THERE HAS BEEN WASTED. WELL, I DON'T THINK THAT'S TRUE. I DID VOTE FOR IT SINCE I HAVE BEEN HERE EVERY SINGLE TIME. YOU HAVE NOT SEEN HERE TODAY A STRONG ENOUGH COMMITMENT AND UNDERSTANDING OF THE RESPONSIBILITY THAT PEOPLE TAKE ON AND THE TRUST THAT THEY TAKE ON WHEN -- WHEN THEY ARE ENTRUSTED WITH SPENDING PUBLIC FUNDS. WHEN IT COMES TO BUDGET TIME, I WILL LOOK AT THE PERFORMANCE OF THE NETWORK, DECIDE THEN WHETHER I'M GOING TO VOTE IN FAVOR OF IT OR NOT. I HOPE THAT IT CONTINUES TO PROVE THAT I CAN IN SOME WAY, THAT WE CAN FIND A WAY TO SUPPORT IT. OF COURSE ALSO -- OF COURSE ALSO TOTALLY SUPPORT THAT ANY NEGOTIATIONS BE OUT IN THE OPEN AND DONE BUT THE SUBCOMMITTEE. BUT WHEN YOU READ THIS RESOLUTION, IT SPEAKS MORE TO THE FUTURE FUNDING THAN TO -- -- I WON'T BE ABLE TO SUPPORT THIS. I COULD ABSTAIN BECAUSE -- BECAUSE -- THIS -- BECAUSE I'M NOT GOING TO VOTE IN FAVOR OF THIS.

YOU HARDLY -- HARDLY ANGERED ANYBODY COUNCILMEMBER.

YOU KNOW, I DON'T WANT ANYBODY TO THINK THAT -- THAT BY LOOKING INTO WAYS TO FUND IT THAT I'M GUARANTEEING SUPPORT FOR THIS NEXT YEAR. IT ALL DEPENDS ON WHAT OUR REVENUE PICTURE LOOKS LIKE AND HOW MUCH WE HAVE TO CUT OUR GENERAL FUND STAFF AND THINGS LIKE THAT. I DO THINK THAT IF YOU ARE GOING TO FIND ANY ALTERNATE FUNDING YOU REALLY DO HAVE TO START BEFORE THE BUDGET TO FIND IT. BUT -- BUT JUST BECAUSE I'M SUPPORTING THIS DOESN'T MEAN THAT I WILL NECESSARY GROUP SUPPORT A FUTURE BUDGET IF IT IMPACTS GENERAL OPERATIONS.

Mayor Wynn: COMURT COMMENTS, QUESTIONS, MOTIONS?

MAYOR PRO TEM?

Goodman: I APPRECIATE COUNCILMEMBER DUNKERLY'S COMMENT AND I THOUGHT THAT WAS EXACTLY WHAT THIS RESOLUTION WAS CRAFTED TO DO. WE HAVE A MOTION ON THE TABLE BY COUNCILMEMBER ALVAREZ, SECONDED BY THE MAYOR PRO TEM ON ITEM NO. 20. ALL IN FAVOR?

AYE.

Wynn:OPPOSED? NO.

MOTION PASSES ON A VOTE OF 4-2 WITH COUNCILMEMBER MCCracken OFF THE DAIS. COUNCIL, IF WE CAN, WE HAVE A FEW MORE MINUTES, BACK TO ITEM NO. 26. WHICH WAS A STAFF BRIEFING ON OUR SUBDIVISION REVIEW PROCESS AND THE CITY'S EXTRA TERRITORIAL JURISDICTION.

Futrell: WHO IS LEADING OFF?

I AM. YOU ARE RECEIVING TWO SEPARATE HANDOUTS. OKAY. GOOD AFTERNOON, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS AND CITY MANAGER. I AM CARLA STEFAN THE CITY'S CORPORATE INTERNAL AUDIT MANAGER. TODAY WE ARE PRESENTING A BRIEFING OF THE RESULTS OF THE REPORT DRAFTED BY DELOITTE CONSULTING CONCERNING THE SUBDIVISION REVIEW ROSE IN THE CITY'S -- PROCESS IN THE CITY'S E.T.J. I WOULD LIKE TO THANK THE DEVELOPMENT, REVIEW AND INSPECTION STAFF AS WELL AS THE COUNTY'S STAFF FOR THEIR HARD WORK AND ASSISTANCE FOR THIS PROJECT. AT THIS TIME I'M GOING TO TURN THE PRESENTATION OVER TO PAT MURPHY FROM THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW TO PROVIDE A BRIEF OVERVIEW OF PRIOR ACTIONS.

GOOD AFTERNOON, COUNCIL. STEP 1 INVOLVED THE 2001 LEGISLATURE, WHICH PASSED HOUSE BILL 1445. IN RESPONSE TO THAT, THE CITY ENTERED INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY, THE TRAVIS COUNTY AND IN APRIL 2002. STEP 2 WAS THE 2003 LEGISLATURE ADOPTED HOUSE BILL 12046789 AS A RESULT OF THAT -- 1204. AS A RESULT OF THAT IN 2004 THE CITY AND COUNTY ADOPTED TITLE 30, A JOINT CITY-COUNTY CODE

THAT APPLIED TO E.T.J. SUBDIVISIONS. THE -- THE CITY AND THE COUNTY NOW HAVE THE SAME REGULATIONS, FOR SUBDIVISIONS IN THE E.T.J. AND THIS CULMINATED IN THE CITY AND COUNTY CERTIFYING LAST YEAR COMPLIANCE WITH STATE LAW. THE THIRD STEP IS DUPLICATION OF REVIEW AND ASSOCIATED FEES, WHICH WAS THE RESULT OF OUR INTERLOCAL AGREEMENT WHICH IS THE FIRST AMENDMENT. THAT WAS ADOPTED IN JUNE 2003.

NEXT. TO COMPLY WITH THE INTERLOCAL AGREEMENT, THE COUNTY HIRED DELOITTE CONSULTING TO REVIEW THE PROCESS ESTABLISHED BY THE CITY AND COUNTY SINGLE OFFICE. THE CITY AGREED TO COMMIT IN KIND RESOURCES TO ACCOMPLISH ITS END OF THAT INTERLOCAL AGREEMENT. CITY STAFF HAD ALREADY DONE A SUBSTANTIAL AMOUNT OF WORK ON THE CITY'S SIDE TO FACILITATE IN ANALYSIS. THE CORPORATE INTERNAL AUDIT OFFICE HAS BEEN COORDINATED KNOWLEDGE THE EFFORT BETWEEN THE CITY STAFF, THE COUNTY STAFF AND THE DELOITTE CONSULTING. DELOITTE'S PROCESS OF REVIEW AND SCOPE OF WORK WITH THE COUNTY HAS SEVERAL PHASES. THE FIRST PHASE IS COMPLETE AND DELOITTE AND COUNTY PERSONNEL PRESENTED THE RESULTS TO THE COMMISSIONERS COURT THIS MAST TUESDAY. DELOITTE ALSO BRIEFED A GROUP OF STAKEHOLDERS ON THE RESULTS OF THIS PHASE. AS DISCUSSED IN DELOITTE'S REPORT ON PAGE 3, THE OBJECTIVES OF THIS -- OF THIS PHASE WERE TWOFOLD. ONE WAS TO DETERMINE WHETHER THE SINGLE OFFICE APPEARS TO SATISFY THE REQUIREMENTS OF THE LOCAL GOVERNMENT CODE AS AMENDED BY HOUSE BILLS 1445 AND 1204. THE SECOND OBJECTIVE WAS TO IDENTIFY AREAS WITHIN THE SINGLE OFFICE THAT ARE FUNCTIONALLY DUPLICATIVE WITHIN THE E.T.J. SUBDIVISION REVIEW, APPROVAL AND INSPECTION AND ADMINISTRATION PROCESS. TO ACCOMPLISH THESE OBJECTIVES, DELOITTE PERFORMED THE FOLLOWING STEPS. THEY INTERVIEWED BOTH STAFF FROM CITY AND COUNTY AND DOCUMENTED THE PROCESS. THEY OBTAINED THE FLOW CHARTS AND PROCESS DOCUMENTATION THAT HAD ALREADY BEEN PREPARED BY CITY STAFF. THEY ALSO INTERVIEWED A GROUP OF STAKEHOLDERS AND FOCUS GROUPS TO GAIN A MORE COMPLETE UNDERSTANDING OF

THE PROCESS. THEY THEN ANALYZED ALL OF THIS INFORMATION GATHERED FROM THE VARIOUS PARTIES, IDENTIFIED ACTIVITIES WITHIN THE SINGLE OFFICE THAT ARE DUPLICATIVE, AND THEN DEVELOPED FINDINGS AND CONCLUSIONS AS THEY RELATED TO THESE OBJECTIVES. PAGE 18 OF DELOITTE'S REPORT BEGINS THE DISCUSSION OF THOSE FINDINGS AND CONCLUSIONS. OBJECTIVE 1 OF THIS PHASE FOCUSED ON THE LEGISLATION AND ANSWERED THE QUESTION: DOES THE SINGLE OFFICE ESTABLISHED BY CITY AND COUNTY MEET THE REQUIREMENTS OF THE LEGISLATION? BOTH CITY AND COUNTY STAFF FEEL THAT THE SINGLE OFFICE DOES MEET THE REQUIREMENTS OF THE LEGISLATION AND AS NOTED ON PAGE 20 OF DELOITTE'S REPORT THEY CAME TO THAT SAME CONCLUSION. THE SECOND OBJECTIVE WAS TO REVIEW THE PROCESS FOR DUPLICATION OF FUNCTIONS. DELOITTE DIVIDED THE PROCESS INTO FOUR SEPARATE AREAS. THEY ARE APPLICATION INTAKE, COMPLETENESS CHECK, SUBSTANDARD REVIEW AND INSPECTION. THEY THEN CREATED CATEGORIES THAT THEY PUT THESE ACTIVITIES IN WITH EACH -- WITH -- WITHIN EACH MAJOR AREA. THOSE ACTIVITIES INCLUDED THOSE DONE BY CITY ONLY, THOSE DONE BY THE COUNTY ONLY, THOSE ACTIVITIES THAT ARE CONSIDERED DUAL AND THOSE THAT ARE DUPLICATIVE. DELOITTE DEFINED DUAL ACTIVITIES AS THOSE THAT ARE REVIEWED BY BOTH ENTITIES BUT ARE FOCUSING ON DIFFERENT ELEMENTS. THEY REVIEWED DUPLICATIVE ACTIVITIES AS THOSE DONE BY BOTH ENTITIES THAT USED THE SAME CRITERIA AND ARE FOCUSING ON THE EXACT SAME ELEMENTS. PAT IS NOW GOING TO GO OVER THE RESULTS OF THIS PART OF THE REPORT.

THANK YOU. ON PAGE 23 OF THE DELOITTE REPORT, IS THE -
- STARTS THE ADMINISTRATIVE PROCESSES OF APPLICATION INTAKE AND COMPLETENESS CHECKS. DELOITTE DETERMINED THAT THERE WAS NO DUPLICATION IN THE APPLICATION INTAKE AND -- BECAUSE THE CITY OF AUSTIN HANDLES THAT RESPONSIBILITY. ON THE COMPLETENESS CHECK, WHICH IS ON PAGE 23 AS WELL, THEY DETERMINED THAT THERE WAS SOME DUPLICATION. AND AN EXAMPLE OF THIS IS THE CITY LOOKS FOR COMPLETENESS CHECK ELEMENTS THAT ARE RELATED TO

ENVIRONMENTAL REVIEW. ON PAGE 24 STARTS THE SUBSTANTIVE REVIEW ELEMENTS. AND ON PAGE 25 IS THE FIRST OF THOSE WHICH IS THE GENERAL PLATTING REQUIREMENTS. DELOITTE DETERMINED ONE OF TWO OF THE COMPONENTS OF THAT REVIEW WERE DUPLICATIVE. ON PAGE 26 OF THE REPORT, DEALT WITH UTILITIES. AND DELOITTE DETERMINED THAT THERE WAS SOME DUPLICATION AND THAT ONE OF FOUR OF THE ELEMENTS WERE DONE BY BOTH THE CITY AND THE COUNTY. ON PAGE 27 OF THE REPORT, IS THE TRANSPORTATION REVIEW COMPONENT. AND THEY DETERMINED THAT ALL OF THOSE ELEMENTS WERE DUPLICATIVE BETWEEN THE CITY AND TRAVIS COUNTY. ON PAGE 28 OF THE REPORT, WAS THE FLOODPLAIN AND STORM WATER MANAGEMENT AND DELOITTE DETERMINED THAT THREE OF SIX OF THE ELEMENTS WERE DUPLICATIVE BETWEEN THE CITY AND THE COUNTY. PAGE 29 IS THE ENVIRONMENTAL COMPONENT, DELOITTE DETERMINED THAT THERE WAS NO DUPLICATION OF THOSE EFFORTS. AND THAT IS BECAUSE OF COURSE THE CITY IS DOING THE ENVIRONMENTAL REVIEW. AND LASTLY, ON PAGE 30 OF THE REPORT, UNDER THE INSPECTIONS, DELOITTE DETERMINED THAT THERE WAS SOME DUPLICATION AND THAT TWO OF FOUR OF THE ELEMENTS WERE DONE BY BOTH THE CITY AND THE COUNTY.

THE NEXT PHASE FOR WHICH THE COUNTY ENGAGED DELOITTE IS TO DEVELOP RECOMMENDATIONS TO ADDRESS DUPLICATIVE FUNCTIONS WITH THE FOCUS ON REDUCING OR ELIMINATING DUPLICATION WHILE STILL SUPPORTING THE UNIQUE INTERESTS OF BOTH THE CITY AND THE COUNTY. AS WELL AS IMPROVING THE COORDINATION OF JOINT ACTIVITIES BY THE SINGLE OFFICE. THE CITY IS ALSO GOING TO ADDRESS THE ERRORS OF DUPLICATION NOTED IN THE REPORT AND CONTINUE TO WORK WITH THE COUNTY TO RESOLVE THE REPRESENTED ISSUES -- RELATED ISSUES. THE CITY WILL ALSO BE REVIEWING ITS BUDGETED COSTS FOR THESE ACTIVITIES TO DETERMINE THAT ALL SUCH COSTS ARE EXPENDED FOR SUBDIVISION REVIEW, APPROVAL, INSPECTION AND RELATED ADMINISTRATION. THIS CONCLUDES THE BRIEFING OF THIS PHASE IN THIS REPORT.

Mayor Wynn: QUESTIONS OF STAFF, COUNCIL? COMMENTS?

OUR NEXT STEPS ARE WHAT EXACTLY.

REVIEWING THE RESULTS. NOW THAT THEY HAVE DETERMINED WHERE THE DUPLICATION IS. THEY ARE GOING TO GO A STEP FURTHER TO ACTUALLY FIND OUT HOW MUCH DUPLICATION THERE IS BECAUSE THIS REPORT DIDN'T ADDRESS IS IT 20%, 100%, WHAT LEVEL. THEN IT'S GOING TO BE THE CITY AND COUNTY WORKING TOGETHER TO DETERMINE WHETHER IT'S JUST REDUCING DUPLICATION OR ELIMINATING IT. FROM THERE WE WILL THEN SEE WHERE WE NEED TO GO FROM THERE.

Futrell: IN MANY WAYS PHASE 2 IS GOING TO BE TO DRILL DOWN AND TAKE A LOOK AT THE DUPLICATION IN A DIFFERENT WAY. ARE WE LOOKING AT IS IT A DUAL RESPONSIBILITY ISSUE OR IS IT TRUE DUPLICATION, TO WHAT LEVEL, WHAT PERCENT WHOOPS IS BETTER EQUIPPED TO HANDLE IT AND THEN LOOK FOR RESOLUTION WHERE WE CAN.

Mayor Wynn: THE TECHNICAL IMPACT THIS HAS ON THE LEGISLATIVE EFFORT THAT WE HAVE TAKEN IN THE LAST COUPLE OF YEARS AND THE AGREEMENTS THAT WE HAVE NOW WITH OUR INDIVIDUAL SURROUNDING COUNTIES?

WELL, THAT'S A BROADER ISSUE. LISA, DO YOU WANT TO TAKE A STAB AT THAT?

BASICALLY AT THE END OF JANUARY WE HAVE AGREEMENTS WITH ALL OF OUR COUNTIES. WE HAVE FOUR COUNTIES, AGREEMENTS WITH ALL OF THAT. WITH TRAVIS COUNTY THE OUTSTANDING ISSUE THAT WE HAD WAS LOOKING AT THIS, COMBINING THIS SINGLE OFFICE AND DUPLICATION, KIND OF LIKE OPTIMIZING, IF WE ARE A SINGLE ENTITY, HOW ARE WE PROVIDING THAT REVIEW. WE FEEL THAT WE ARE IN COMPLIANCE WITH OUR AGREEMENTS. IN TERMS OF ALL OF THE OTHER ISSUES AND AREAS AND THAT WAS THE ONLY OUTSTANDING ISSUE WITH TRAVIS COUNTY. WITH THE OTHER THREE COUNTIES WE DON'T HAVE ANY OUTSTANDING ISSUES. WIN WRITTEN FURTHER COMMENTS, QUESTIONS? OKAY. THANK YOU VERY MUCH.

THANK YOU. COUPLE, WE HAVE A FEW MINUTES HERE

BEFORE OUR 4:00 ZONING CASES. WE STILL HAVE TO GO BACK INTO CLOSED SESSION REGARDING OUR MUNICIPAL COURT CLERK. SO AT THIS TIME WITHOUT OBJECTION, WE WILL GO INTO CLOSED SESSION UNDER SECTION 551.074 OF THE OPEN MEETINGS ACT TO DISCUSS PERSONNEL MATTERS ON -- AS AGENDA ITEM NO. 25 RELATING TO OUR MUNICIPAL COURT CLERK. WE ARE IN EXECUTIVE SESSION.

TEST TEST TEST TEST TEST TEST TEST

Mayor Wynn: THERE BEING A QUORUM PRESENT, I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE HAVE ACTUALLY BEEN IN RECESS FOR ABOUT 25 MINUTES. WE DID NOT GO INTO CLOSED SESSION UNDER SECTION 551.074 OF THE OPEN MEETINGS ACT. WE PROBABLY WILL DO THAT AFTER OUR ZONING CASES. AT THIS TIME I'LL CALL UP OUR 4:00 O'CLOCK ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. AND WELCOME MS. ALICE GLASGO.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, ALICE GLASGO, DIRECTOR OF THE NEIGHBORHOOD PLANNING DEPARTMENT. OUR ZONING CASES FOR TODAY ARE AS FOLLOWS: STARTING OFF WITH ITEM 28, WHICH IS A CASE FOR SECOND AND THIRD READINGS WHERE A PUBLIC HEARING HAS BEEN CLOSED, CASE C-14-03-165, THE SHAIID ZONING CASE. THE APPLICANT HAS REQUESTED A POSTPONEMENT TO MARCH THE 25TH. THIS IS THE APPLICANT'S SECOND REQUEST. SHE NEEDS TO CONTINUE WORKING WITH STAFF ON ENVIRONMENTAL-RELATED CONCERNS. AND STAFF RECOMMENDS THAT POSTPONEMENT REQUEST.

Mayor Wynn: COUNCIL, THERE'S NO CITIZENS WHO ARE HERE APPARENTLY IN OPPOSITION, SO IT'S NOT LIKE WE ARE PUTTING FOLKS OUT WHO ARE HER OTHERWISE TO DISCUSS THIS ITEM. SO I'LL ENTERTAIN A MOTION TO GRANT THE POSTPONEMENT REQUEST TO MARCH 25TH, 2004 ON ITEM NUMBER 28. MOTION MADE BY COUNCILMEMBER ALVAREZ. I'LL SECOND THAT FOR A MOMENT TO ITEM NUMBER 28 TO MARCH THE 25TH, 2004. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF FIVE TO ZERO WITH THE MAYOR PRO TEM AND COUNCILMEMBER MCCracken OFF THE DIAS.

MAYOR, OUR NEXT ITEM STARTS OFF WITH THE 4:00 O'CLOCK PUBLIC HEARING ITEMS WITH Z-1 WILL BE A DISCUSSION ITEM AND THAT CASE WILL BE HEARD WITH Z-15, THE CAMPAIGN ONZONING CASE FOR THE CRESTVIEW/WOOTEN AREA PLANNING PLAN. ITEM Z-2 IS A PLAN AMENDMENT FOR CENTRAL EAST AUSTIN NEIGHBORHOOD PLANNING AREA. THE APPLICANT IS REQUESTING A POSTPONEMENT TO MAY THE 13TH. THIS IS THE APPLICANT'S FIRST REQUEST. SHE NEEDS ADDITIONAL TIME TO CONTINUE WORKING WITH THE NEIGHBORHOOD AND ALSO CONTINUE TO EXPLORE OPTIONS ON DESIGNING THE PROJECT. ITEM NUMBER Z-3, CASE C-14-03-186, THE TOBIN TRACT, LOCATED AT 9212 SOUTH IH-35 SOUTH. THE PROPERTY IS CURRENTLY ZONED SF-2 AND THE APPLICANT IS SEEKING A CHANGE TO GR -CO WHICH STANDS FOR COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT GR-CO, THIS CASE IS READY FOR ALL THREE READS. ITEM NUMBER Z-4, C-14-03-149. THIS IS LOCATED ON DESSAU ROAD. THE NEIGHBORHOOD ASSOCIATION IS REQUESTING A POSTPONEMENT TO APRIL THE 1st. THIS IS THE NEIGHBORHOOD'S FIRST REQUEST. ITEM NUMBER Z-5, CASE C-14-03-181. THIS PROPERTY IS LOCATED AT 2401 WEST HOWARD LANE. THE CHANGE IN ZONING IS FROM GR, WHICH STANDS FOR COMMUNITY COMMERCIAL, TO CS-1, WHICH STANDS FOR COMMERCIAL LIQUOR SALES. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT CS-1-CO, THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-6, C-14-03-184, LOCATED AT 10104 DIAMOND BACK TRAIL. AND ALSO IN THIS PARTICULAR CASE THE PROPERTY HAS SINGLE-FAMILY 2 ZONING AND THE APPLICANT IS CEEK ZEKEING A CHANGE TO LO FOR LIMITED OFFICE ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT LO ZONING AND THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-7, C-14-03-188, LOCATED AT 13201 THROUGH 13205 BURNET ROAD. THE CHANGE IN ZONING IS FROM GO,

GENERAL OFFICE, TO GR, WHICH STANDS FOR COMMUNITY COMMERCIAL ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT GR ZONING. THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-8, CASE C-14-R-86-68, IS A REQUEST TO AMEND A RESTRICTIVE COVENANT AT 13205 BURNET ROAD. THE AMENDMENT TO THE COVENANT IS RECOMMENDED BY THE COMMISSION. ITEM NUMBER Z-9, C-14-04-0002, CANYON CREEK WEST, LOCATED AT BAR BROOK DRIVE AND BAR BROOK COVE. THE EXISTING ZONING IS INTERIM RR AND INTERIM SINGLE-FAMILY 2. THE APPLICANT IS SEEKING A CHANGE OF SINGLE-FAMILY 2 ZONING. THAT REQUEST HAS BEEN RECOMMENDED BY THE ZONING AND PLATTING COMMISSION. AND THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-10, C-14-04-0003, CANYON CREEK WEST, LOCATED ON SAVANNAH RIDGE. THAT'S THE ONLY STREET -- INTERSECTING STREET. THE EXISTING ZONING IS INTERIM RURAL RESIDENTIAL AND INTERIM SINGLE 2. THE LIKT IS SEEKING A CHANGE TO SINGLE-FAMILY 2. THE REQUEST HAS BEEN RECOMMENDED BY THE ZONING AND PLATTING COMMISSION AND IT'S READY FOR ALL THREE READINGS. ITEM NUMBER Z-11, CASE C-14-03-137, LOCATED AT 500 EAST BEN WHITE BEN WHITE BOULEVARD. THE CHANGE IS FROM SINGLE-FAMILY 3 TO CSCO, WHICH STANDS FOR COMMERCIAL SERVICES CONDITIONAL OVERLAY. THE APPLICANT'S REQUEST HAS BEEN RECOMMENDED TO YOU BY THE ZONING AND PLATTING COMMISSION. AND THIS CASE IS READY FOR FIRST READING ONLY. ITEM NUMBER Z-12, C-14-03-182, KNOWN AS THE ASIAN MARKET, LOCATED AT 901 WEST BRAKER LANE. THE CHANGE IN ZONING IS FROM GO, GENERAL OFFICE, TO CS, GENERAL COMMERCIAL SERVICES. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT GR-CO, WHICH STANDS FOR COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. AND THIS CASE IS READY FOR FIRST READING ONLY. ITEM NUMBER Z-13, CASE C-14-03-183. THIS PROPERTY IS LOCATED AT 1204112041 BITTERN HOLLOW. THE ZONING AND PLATTING COMMISSION RECOMMENDS THE ZONING REQUEST TO YOU AND THIS CASE IS READY FOR ALL THREE READINGS. ITEM NUMBER Z-14, WHICH IS RELATED TO ITEM NUMBER Z-2, IS THE CENTRAL EAST AUSTIN PLANNING AREA REZONING AND THE

APPLICANT IS REQUESTING A POSTPONEMENT TO MAY THE 13TH. ITEM Z-15 WILL BE DISCUSSION. IN CONJUNCTION WITH Z-1. ON Z-16, C-14-03-0154. SH, THE STEINER TRACT. LOCATE THEED AT 73,000 TO 7320 RIVERSIDE DRIVE AND ALSO AT 900 BASTROP HIGHWAY. THE CHANGE IN ZONING IS FOR TRACTS 1, 2, 4 AND 5 FROM TOWNHOUSE CONDOMINIUM ZONING TO COMBINING DISTRICT AND CFCO AS RECOMMENDED BY THE PLANNING COMMISSION. THE PLANNING COMMISSION DID NOT RECOMMEND TO CHANGE ONE OF THE TRACTS, WHICH IS TRACT 5. THE APPLICANT AGREES WITH THE COMMISSION'S RECOMMENDATION AND THIS CASE IS READY FOR ALL THREE READINGS. AND MAYOR, THAT CONCLUDES MY PRESENTATION ON THE CONSENT ITEMS.

Mayor Wynn: THANK YOU, MS. GLASGO. SO COUNCIL, AND MS. GLASGOW WILL FOLLOW ME ON THIS, THE CONSENT AGENDA WILL BE ITEM Z-2 FOR POSTPONEMENT TO MAY 13TH. ITEM Z-3 APPROVAL ON ALL THREE READINGS. Z-4, POSTPONEMENT TO APRIL 1ST. Z-5, 6 AND 7 APPROVED ON ALL THREE READINGS. Z-8 APPROVAL OF THE AMENDMENT. Z-9 AND Z-10, APPROVAL ON ALL THREE READINGS. Z-11 AND 12, APPROVAL ON FIRST READING ONLY. Z-13, APPROVAL ON ALL THREE READINGS. Z-14, POSTPONEMENT TO MAY 13TH. AND Z-16, APPROVAL ON ALL THREE READINGS. I'LL ENTERTAIN A MOTION, COUNCIL? MOTION BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER DUNKERLEY TO CLOSE THE PUBLIC HEARING AND APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DIAS. URKS MAYOR.

MAYOR, WE WILL NOW PROCEED TO ITEM Z-1 AND Z-15. THIS IS THE CRESTVIEW/WOOTEN COMBINED NEIGHBORHOOD PLANNING AREA AND SCOTT WHITEMAN IS THE LEAD PLANNING AND CEASE GOING TO -- HE'S GOING TO PRESENT THOSE TWO ITEMS.

I'M SCOTT WHITEMAN FROM THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. FIRST IS ITEM Z-1 THE CRESTVIEW/WOOTEN COMBINED NEIGHBORHOOD PLAN. THE NEIGHBORHOOD PLAN IS AN AMENDMENT TO THE AUSTIN TOMORROW COMPREHENSIVE PLAN AND COVERS THE AREA

BOUNDED BY RESEARCH BOULEVARD ON THE NORTH, LAMAR BOULEVARD ON THE EAST, JUSTIN LANE ON THE SOUTH AND BURNET ROAD ON THE WEST. THE PLANNING PROCESS FOR THE CRESTVIEW/WOOTEN NEIGHBORHOOD PLAN BEGAN BACK IN JANUARY OF 2003 AND HAS INCLUDED TWO NEIGHBORHOOD WIDE SURVEYS, TWO WORKSHOPS AND 14 OTHER PUBLIC MEETINGS. THE PLAN INCLUDES GOALS, OBJECTIVES AND RECOMMENDATIONS THAT ADDRESS LAND USE, TRANSPORTATION AND QUALITY OF LIFE ISSUES IN THE TWO NEIGHBORHOODS AS WELL AS VOLUNTARY DESIGN GUIDELINES. SOME OF THE PRIORITY RECOMMENDATIONS IN THE PLAN INCLUDE RESERVING THE EXISTING NEIGHBORHOODS, TARGETING DLAP DATED STRUCTURES AND IMPROVING THE PEDESTRIAN NETWORK IN BOTH NEIGHBORHOODS. ITEM Z-15 IS ZONING CASE NUMBER C-14-04-0004. THE REZONINGS TO IMPLEMENT THE LAND USE RECOMMENDATIONS IN THE CRESTVIEW/WOOTEN COMBINED NEIGHBORHOOD PLAN. THE PROPOSED ZONING CHANGE WILL CREATE TWO NEIGHBORHOOD PLAN COMBINING DISTRICTS THAT WOULD COVER THE ENTIRE AREA. THE CRESTVIEW WOOTEN NPCD WILL ALLOW SMALL LOT AMNESTY AND THE FRONT PORCH IMPERVIOUS COVER AND THE DESIGN TOOLS THROUGHOUT THE ENTIRE AREA. THE COTTAGE SECONDARY APARTMENT AND URBAN HOME SPECIAL USES ARE PERMITTED IN THE FIRE SIDE LOOP SUB DISTRICT AND THE NEIGHBORHOOD MIXED USE BUILDING AND NEIGHBORHOOD EXECIAL SPECIAL USES WILL BE ALLOWED ON SEVERAL TRACTS. IT ALSO CHANGES THE BASE DISTRICT ON 59 TRACTS OF LAND. THE PROPOSED CRESTVIEW NPCD WILL ALLOW SMALL LOT AMNESTY AND THE FRONT SET BACK GARAGE PLACEMENT RESTRICTIONS AND IMPERVIOUS COVER AND PARKING PLACEMENT, SPECIAL DESIGN TOOLS THROUGHOUT THE ENTIRE AREA. IT WOULD THROUGHOUT LOU THE NEIGHBORHOOD MIXED USE BUILDING AND NEIGHBORHOOD URBAN CENTER SPECIAL USES ON SEVERAL TRACTS AND THE RESIDENTIAL INFILL SPECIAL USE ON TRACT 168. THE CRESTVIEW NPCD WILL ALSO CHANGE THE BASE ZONING DISTRICTS ON 47 TRACTS OF LAND. THIS ZONING CASE HAS TWO VALID PETITIONS AND IS READY FOR FIRST READING ONLY. ON THE DIAS YOU SHOULD HAVE RECEIVED A PACKET OF SUPPLEMENTAL BACKUP MATERIAL. THE PINK SHEET OUTLINES SOME OF

THE MAJOR ISSUES INVOLVING THESE TWO ITEMS. FIRST THE VALID PETITIONS. ON TRACT 146, WHICH IS THE CREST CREW SHOPPING CENTER ON WOODROW AVENUE, THE STAFF AND PLANNING COMMISSION RECOMMENDATION IS TO REZONE THE TRACT FROM CS TO CS-CO-NP WITH A CONDITIONAL OVERLAY THAT ALLOWS ALL CS USES EXCEPT FOR GR AND LIMITING THE FLOOR TO AREA RATIO FROM .5 TO ONE. THE PROOWNER IS OPPOSED TO ANY CONDITIONAL OVERLAY ON THE PRO PROPERTY. CURRENTLY IT IS USED AS A SMALL SHOPPING CENTER. THE OTHER VALID PETITION IS TRACT 149, WHICH IS 808 AND 809 JUSTIN LANE. THE PLAN IS TO CHANGE IT TO CS-NP. THE PROPERTY OWNER OPPOSES ANY ZONING OTHER THAN LI. CURRENTLY THE PROPERTY IS USED FOR AUTO SALES AND AUTO REPAIR, WHICH ARE BOTH PERMITTED IN CS ZONING. THE HUNTSMAN PETROCHEMICAL TRACT, WHICH IS SCAKTS 160 A, B AND C, WHICH WILL PROBABLY HAVE MOST OF THE DISCUSSION THIS AFTERNOON. THE STAFF RECOMMENDATION IS TO REZONE THE ENTIRE PROPERTY TO LI-PDA-NP, PERMITTING COMMERCIAL RESIDENTIAL AND LIGHT INDUSTRIAL USES ON TRACT 160-A. PERMITTING SF-6, TOWNHOUSE AND CONDOMINIUM USES AND RECREATION AL USES ON 160 B AND C, REQUIRING 17.4 ACRES OF THE SITE BE DEDICATE DEDICATED AS OPEN SPACE OR RECREATION. REQUIRING A 2200-FOOT BUFFER BETWEEN INDUSTRIAL AND RESIDENTIAL USES. AND LIMITING THE STORAGE OF HAZARDOUS MATERIALS TO 10 PERCENT OF THE SITE AREA OR 12.8 MILLION CUBIC FEET. THE CRESTVIEW NEIGHBORHOOD IS ALSO REQUESTING SOME ADDITIONAL CONDITIONS FOR THE HUNTSMAN TRACT. THEY WOULD LIKE TO LIMIT VEHICULAR ACCESS TO MORROW STREET, WHICH IS THE RESIDENTIAL STREET ON THE NORTH, TO 500 TRIPS PER DAY. LIMIT ANY RESIDENTIAL DEVELOPMENT ON THE SITE TO MULTI-FAMILY FOUR STANDARDS. PROHIBIT ANY BIG BOX RETAIL AND REQUIRE URBAN STYLE PARKING STANDARDS. THE PROPERTY OWNER SUPPORTS THE PLANNING COMMISSION RECOMMENDATION, BUT DOES NOT SUPPORT THE ADDITIONAL NEIGHBORHOOD REQUESTS. SOME OTHER PROPERTIES WHICH DON'T HAVE VALID PETITIONS, BUT DO HAVE SOME ISSUES REMAINING, TRACT 3, WHICH IS AT 8990 RESEARCH BOULEVARD, JUST BEFORE THE MEETING WE DID RECEIVE A PETITION FROM THE PROPERTY OWNER WHICH

WE HAVEN'T VALIDATED YET, BUT WE CAN PROBABLY ASSUME IT IS VALID. WE CAN VALIDATE BEFORE SECOND AND THIRD READING. THE PLANNING COMMISSION RECOMMENDATION WAS TO REZONE THIS PROPERTY FROM LI TO CS-NP. THE PROPERTY OWNER IS OPPOSED TO THE REZONING, BUT WILL AGREE TO A CONDITIONAL OVERLAY THAT LIMITS THE INDUSTRIAL USES ON TO RECYCLING CENTER AND LIGHT MANUFACTURING. CURRENTLY THE PROPERTY IS USED AS A WAREHOUSE, WHICH IS PERMITTED IN CS. TRACT 12 IS A PORTION OF THE CHARLES MAUND ADVOCACY WAG AGAIN. -- ADVOCACY WAG VOLKSWAGEN. THE PLANNING COMMISSION RECOMMENDATION TO REZONE IS PROHIBITING RECYCLING CENTER, RESOURCE EXTRACTION AND SCRAP AND SALVAGE. THE OWNER HAS NOT FILED A PETITION, BUT HAS INDICATED HE WILL DO SO IF ANYTHING MORE RESTRICTIVE THAN THE PLANNING COMMISSION RECOMMENDATION IS ADOPTED. THE WOOTEN NEIGHBORHOOD HAS INDICATED THAT THEY SUPPORT THE STAFF RECOMMENDATION FOR THIS TRACT. TRACT 123, WHICH IS ON LAMAR BOULEVARD, IT'S CONTINENTAL COLLISION. THE PROPERTY OWNER WAS OPPOSED TO THE PROPOSED CONDITIONAL OVERLAY, WHICH WOULD HAVE LIMITED VEHICLE STORAGE AND LIMITED WAREHOUSING AND REQUIRED A 50-FOOT BUFFER ON THE REAR PROPERTY LINE. THE PLANNING COMMISSION RECOMMENDED ADDING THOSE USES BACK, PERMITTING THOSE USES ON THE PROPERTY, PROVIDED THAT THE OWNER AND THE ADJACENT CONDOMINIUMS WORKED OUT THEIR DISAGREEMENTS REGARDING EXISTING CONDITIONS WITH EXHAUST FUMES, RAZOR WIRE AND ON STREET PARKING. I HEAR FROM THE PROPERTY OWNER'S REPRESENTATIVE THAT THEY DO HAVE A LETTER OF AGREEMENT, SO SHE CAN SPEAK TO THAT MORE IF THERE ARE ANY QUESTIONS ON THAT. TWO OTHER ITEMS INVOLVING THE CRESTVIEW NEIGHBORHOOD, THE NEIGHBORHOOD IS REQUESTING THAT CONDITIONAL OVERLAYS THAT WERE MORE RESTRICTIVE THAN WHAT WAS RECOMMENDED BY THE PLANNING COMMISSION BE ADDED TO THE COMMERCIAL TRACT IN THEIR NEIGHBORHOOD. THE DIFFERENCES BETWEEN THE TWO CONDITIONAL OVERLAYS ARE LISTED ON PAGES FIVE THROUGH EIGHT OF THE SUPPLEMENTAL BACKUP. ADDITIONALLY THERE'S A PORTION

OF THE CRESTVIEW NEIGHBORHOOD IN THE NORTH CENTRAL PART OF THE AREA WHERE EXISTING DEED RESTRICTIONS PROHIBIT DUPLEXES AND GARAGE APARTMENTS ON ABOUT 150 DIFFERENT PROPERTIES. THE NEIGHBORHOOD IS REQUESTING THAT THESE BE REZONED TO SF-2 SO THAT THE ZONING WILL MATCH THE EXISTING DEED RESTRICTIONS. BECAUSE THIS WAS NOT INCLUDED IN THE ZONING NOTICE, THE COUNCIL CAN'T TAKE ACTION ON THIS TODAY, BUT COUNCIL CAN INITIATE STAFF TO MAKE A REZONING IN THE FUTURE. THE PLANNING COMMISSION DID NOT RECOMMEND THIS REQUEST. THE YELLOW GOLD SHEET THAT WAS IN THE SUPPLEMENTAL PACKET IS A LIST OF MOTIONS. THESE TWO ITEMS WILL REQUIRE THREE -- ACTUALLY, SIX SEPARATE MOTIONS. MOTION ONE IS TO ADOPT THE PLAN AND THE REZONINGS AS APPROVED BY THE PLANNING COMMISSION. AND MOTIONS 2-A AND 3-A WOULD BE TO MOVE TO ADOPT THE PLAN AND ZONING FOR THE TWO TRACTS WITH CONDITIONAL OVERLAYS AS RECOMMENDED BY THE PLANNING COMMISSION. MOTIONS 2-B AND 3-B WOULD BE TO ADOPT THE ZONING REQUESTED BY THE PROPERTY OWNER FOR THOSE TWO PROPERTIES. THAT CONCLUDES THE STAFF PRESENTATION. I'D BE HAPPY TO ANSWER ANY QUESTIONS IF THERE ARE ANY FROM COUNCIL.

Mayor Wynn: QUESTIONS OF STAFF, COUNCIL? COMMENTS? HEARING NONE, WHY DON'T WE GO TO THE CITIZENS WHO SIGNED UP WISHING TO SPEAK. MOST FOLKS HAVE SIGNED UP FOR Z-1 AND Z-15, WHICH IS FINE. OKAY. OUR FIRST SPEAKER, MR. TOM TARVIN. WELCOME, SIR. EITHER SIDE. YOU HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY AMELIA LOPEZ PHELPS.

WELCOME.

MY NAME IS TOM TARVIN. I WANT TO THANK YOU FOR ALLOWING US TO SPEAK. I'M HERE TODAY ON BEHALF OF THE OPTIMIST CLUB OF NORTH AUSTIN. WE LEASE PROPERTY AT THE HUNTSMAN TRACT. THE EMOTIONAL ROLLERCOASTER THAT WE'VE BEEN GOING THROUGH THE LAST TWO MONTHS HAS BEEN EXTREME. HUNTSMAN AND THEIR EMPLOYEES HAVE REALLY BEEN HELPFUL WORKING WITH US TO HELP EASE THOSE -- THE CONCERNS THAT WE

HAD AT THE OPTIMIST CLUB. THE HUNTSMAN CORPORATION ALSO ENSURED US FOR ANOTHER 20 YEARS AT A TOTAL COST OF 20 BUCKS. THE NORTH AUSTIN OPTIMIST CLUB HAS BEEN PLAYING BALL OUT THERE SINCE 1954. WE REALLY WANT TO CONTINUE PLAY OUT THERE. WE SUPPORT THE STAFF RECOMMENDATIONS AND WE HOPE THAT Y'ALL TAKE THAT INTO CONSIDERATION AND PASS IT TODAY. THANK YOU.

Mayor Wynn: THANK YOU, MR. TARVIN. GLENDA HOWELL SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. DALLAS KELLY, NOT WISHING TO SPEAK, IN FAVOR. STEVEN ROGERS, NOT WISHING TO SPEAK, IN FAVOR. CANDY HINKLE, NOT WISHING TO SPEAK, IN FAVOR. MS. AMELIA LOPEZ PHELPS. AND I BELIEVE SHAW HAMILTON IS WILLING TO GIVE UP HIS THREE MINUTE. YOU WILL HAVE SIX MONTHS.

OKAY. I'M ACTUALLY GOING TO KEEP THIS VERY SHORT. I'VE SPOKEN TO THE NEIGHBORHOOD ASSOCIATION. I'M PRIMARILY HERE TO ANSWER ANY QUESTIONS. I HAVE SOME FOLDER BEINGS DISTRIBUTED TO YOU PRIMARILY TO SPEAK TO WHAT WE'RE REQUESTING AND THEN A SECOND PAGE ON YOUR RIGHT IS THE ITEMS THAT WE'RE WORKING OUT THE DETAILS OF AN AGREEMENT WITH THE NEIGHBORHOOD ASSOCIATION. WHICH WE BELIEVE WE'LL HAVE A FORMAL ONE ADOPTED BY THE TIME WE COME BACK FOR SECOND AND THIRD READING.

Mayor Wynn: THANK YOU. ANY QUESTIONS FOR MS. LOPEZ PHELPS, COUNCIL? THANK YOU. LEWIS -- I'M SORRY, (INDISCERNIBLE) SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. DENISE SUNIGA, NOT WISHING TO PE, IN FAVOR. LA NEAT ALLY, NOT WISHING TO SPEAK, IN FAVOR OF THE CRESTVIEW/WOOTEN NEIGHBORHOOD PLAN. STEVE COONER, I'M PROBABLY MISPRONOUNCING THAT. WELCOME, SIR, YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY PAMELA MATHESON.

MAYOR AND COUNCILMEMBERS, MY NAME IS STEVE COONER. I'M A LIFELONG RESIDENT OF AUSTIN AND I'M -- I'VE OWNED A HOME IN CRESTVIEW NEIGHBORHOOD FOR 20 YEARS. I'VE BEEN A PARTICIPANT IN THE NEIGHBORHOOD PLANNING PROCESS SINCE ITS BEGINNING BACK IN

JANUARY OF 2003. I COME TO YOU TO ADDRESS A SPECIFIC ISSUE THAT IF NOT HANDLED CORRECTLY WILL HAVE DIRE CONSEQUENCES ON THE CRESTVIEW NEIGHBORHOOD. I'M REFERRING TO THE IMPACT OF THE DEVELOPMENT ON THE 73-ACRE HUNTSMAN TRACT ON THE TRAFFIC IN THE NEIGHBORHOOD. ESPECIALLY ON MORROW STREET. THE STREET THAT FORMS THE TRACT'S NORTHERN BOUNDARY. TWO THINGS ARE CERTAIN AND ONE THING IS A POSSIBILITY. THE TWO CERTAINTIES ARE THE TRACT WILL BE DEVELOPED. WITH THIS DEVELOPMENT WILL COME AN INCREASE IN TRAFFIC ON NEARBY STREETS. THE POSSIBILITY BEING A PLAN TO DEAL WITH THE INCREASED TRAFFIC IN A MANNER THAT LIMITS ITS IMPACT. DURING THE NEIGHBORHOOD PLANNING PROCESS, WE HAVE THE OPPORTUNITY TO DO GOOD PLANNING THAT WILL RESULT IN POSITIVE OUTCOME FOR BOTH THE TRACT'S OWNERS AND THE NEIGHBORHOOD RESIDENTS. IN THIS CASE GOOD PLANNING LIKE GOOD FENCES MAKES FOR GOOD NEIGHBORS. THE HUNTSMAN CORPORATION, LIKE THE TEXACO AND THE CHEMICAL COMPANIES BEFORE IT, PRIDES ITSELF IN BEING A GOOD NEIGHBOR. GOOD PLANNING WILL GO A LONG WAY TO MAINTAINING THIS RELATIONSHIP. THIS RELATIONSHIP, ALONG WITH THE QUALITY OF LIFE AND PROPERTY VALUES OF THOSE RESIDING ON MORROW AND NEARBY STREETS, ARE AT RISK. IT IS MY UNDERSTANDING THAT THE HUNTSMAN CORPORATION WISHES TO DEAL WITH TRAFFIC GENERATED BY THE DEVELOPMENT OF THE 73-ACRE TRACT DURING THE SITE PLANNING PROCESS. THIS PIECE MEAL APPROACH IS EXACTLY WHAT THE NEIGHBORHOOD PLANNING PROCESS WAS ESTABLISHED TO AVOID. THE NEIGHBORHOOD PLANNING PROCESS IS THE OPPORTUNITY TO PLAN FOR THE CUMULATIVE EFFECT OF THE HUNTSMAN TRACT'S DEVELOPMENT. FOR NEARLY TWO DECADES THE CRESTVIEW NEIGHBORHOOD HAS BEEN DEALING WITH AN INCREASING AMOUNT OF TRAFFIC, MOST OF THE -- MOTION BEING NON-NEIGHBORHOOD CUT THROUGH VARIETY. THROUGH CONSIDERABLE EFFORT BY RESIDENTS AND WITH THE ASSISTANCE FROM THE CITY, THIS PROBLEM HAS BEEN MITIGATED TO SOME EXTENT. WITH THE PENDING DEVELOPMENT OF THE HUNTSMAN TRACT COMES THE POTENTIAL TO INCREASE THE TRAFFIC ON NEIGHBORHOOD STREETS TO AN UNBEARABLE LEVEL.

POOR PLANNING WILL GUARANTEE THIS RESULT. ON THE OTHER HAND, THROUGH GOOD PLANNING THIS THREAT CAN BE MANAGED. IF A POEM HAS BEEN PUT FORTH TO DO JUST THAT, THE FOLLOWING IS THAT PROPOSAL TO DEAL WITH THE ACCESS TO MORROW STREET FROM THE HUNTSMAN TRABLGH. FOR TRACT 160-A A SITE PLAN OR BUILDING PERMIT FOR THE PROPERTY MAY NOT BE APPROVED, RELEASED OR ISSUED IF THE COMPLETED DEVELOPMENT OR USES OF THE PROPERTY CONSIDERED CUMULATIVELY -- [BUZZER SOUNDS] WILL ALL EXISTING OR DEVELOPMENT GENERATE TRAFFIC THAT EXCEED 500 TRIPS ON MORROW STREET. WRAPPING UP. AS A RESIDENT OF THE NEIGHBORHOOD AND ON BEHALF OF THE SAFETY AND WELL-BEING OF THOSE WHO ATTEND THE SCHOOLS AND CHURCHES ALONG THE STREET AND THOSE THAT ENJOY THE ACTIVITIES THAT THE OPTIMIST BALL FIELDS LOCATED ON THE PROPERTY, I URGE YOU TO SUPPORT THE NEIGHBOR'S PROPOSAL THAT DEALS WITH THE TRAFFIC GENERATED FROM THE HUNTSMAN TRACT. THANK YOU FOR YOUR ATTENTION AND THE CONSIDERATION OF THESE CONCERNS. MARY MAYOR THANK YOU. --

Mayor Wynn: THANK YOU. PAMELA MATHESON SIGNED UP FOR PARTS AND AGAINST PARTS. WELCOME, MA'AM. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOW BID DEREK LEACH.

GOOD AFTERNOON. SINCE THE BEGINNING OF THE NEIGHBORHOOD PLANNING PROCESS MORE THAN A YEAR AGO, A SIGNIFICANT AMOUNT OF LEARNING HAS TAKEN PLACE. THE CRESTVIEW RESIDENTS HAVE LEARNED A LOT ABOUT THE CITY'S PLANNING AND DEVELOPMENT CODES AND RULES AND REGULATIONS AND THE CITY STAFF HAS LEARNED A LOT ABOUT OUR NEIGHBORHOOD'S DREAMS AND CONCERNS. CONFLICTING INTERESTS WERE IDENTIFIED AND DISCUSSED AND OLD IDEAS WERE BLENDED WITH NEW IDEAS. THE RESULT HAS BEEN A NEIGHBORHOOD PLAN THAT HAS BEEN MODIFIED MANY TIMES, ESPECIALLY IN THE AREA ADDRESSING LAND USE. THE CURRENT VERSION OF THE NEIGHBORHOOD PLAN REFLECTS RECENT CHANGES PROPOSED BY CRESTVIEW RESIDENTS AND APPROVED BY CITY STAFF. WE WANT TO ACKNOWLEDGE AND THANK CITY STAFF FOR THE TIME AND ENERGY THEY DEVOTED TO

LISTENING TO OUR CONCERNS, EXAMINING SPECIFIC PROPERTIES MORE CLOSELY AND ADOPTING RECOMMENDATIONS THAT MORE CLEARLY REFLECT THE POTENTIAL FOR GROWTH WITHIN THE NEIGHBORHOOD WHILE ADDRESSING COMPATIBILITY BETWEEN BUSINESSES AND RESIDENTS. ONE AREA THAT DEMANDS A SPECIAL ATTENTION IS THE HUNTSMAN TRACT. THIS IS A SIZEABLE PROPERTY WITHIN THE CRESTVIEW NEIGHBORHOOD AREA. IT'S FAIRLY UNIQUE AS A LARGE TRACT HAVING AN INDUSTRIAL USE WITHIN THE INNER URBAN CORE, WITH A SIGNIFICANT AMOUNT OF OPEN SPACE CURRENTLY. BECAUSE OF ITS SIZE, LOCATION AND THE LIKELIHOOD OF CHANGES IN ITS USE IN THE FUTURE, CRESTVIEW RESIDENTS HAVE A VESTED INTEREST IN THE CHANGES THAT MIGHT BE MADE AND THE IMPACT THAT THESE CHANGES COULD HAVE ON THE NEIGHBORHOOD AS A WHOLE. CONSEQUENTLY WE HAVE SEVERAL REQUESTS FOR INCLUSION IN THE NEIGHBORHOOD PLAN RELATED TO THIS PROPERTY. THE 73 ACRES OF THE HUNTMAN TRACT HAVE A MASTER PLAN AND NOT BE DEVELOPED PIECEMEAL. THAT THE MOST INTENSE DEVELOPMENT OCCUR WITHIN 300 FEET OF LAMAR BOULEVARD AND AWAY FROM EXISTING RESIDENTIAL DEVELOPMENT ALONG THE NORTHERN AND WESTERN BORDERS OF THE PROPERTY. THAT IN ORDER TO BE CONSISTENT WITH OTHER NEIGHBORHOOD PLANS, ANY AREAS IN THE HUNTSMAN TRACT NOT CURRENTLY ZONED AS LI BE DOWN ZONED. MITIGATION OF THE EFFECTS OF LIGHT AND NOISE ASSOCIATED WITH ANY FUTURE RECREATION ACTIVITIES BE ADDRESSED. AND MOST IMPORTANTLY, AS STEVE MENTIONED, THAT VEHICULAR ACCESS FROM THE HUNTSMAN TRACT ON TO MORROW BE LIMITED WITH MOST OF THE TRAFFIC DIRECTED ON TO LAMAR BOULEVARD. AS A NEIGHBORHOOD, WE'VE WORKED MORE THAN 10 YEARS TO INSTITUTE MEASURES TO REDUCE THE EXCESS TRAFFIC THAT CURRENTLY EXISTS ON MORROW. IT IS A RESIDENTIAL STREET AND IT'S CARRIED FAR TOO MANY VEHICULAR ROUTES AS IT IS. DUE TO DEVELOPMENT ON THE HUNTSMAN TRACT SHOULD NOT BE ALLOWED TO MAKE THE PROBLEM THAT EXISTS EVEN WORSE THAN IT IS. THE TRAFFIC WE FEEL SHOULD BE DIRECTED ON TO A MAJOR ARTERIAL LIKE LAMAR RATHER THAN TO THE OVERLOADED RESIDENTIAL STREET. A LITTLE

BIT LATER CHIP HARRIS WILL PRESENT SOME DATA BY A SURVEY DONE BY THE CRESTVIEW NEIGHBORHOOD ASSOCIATION. TWO MAJOR THEMES CAME OUT OF THIS SURVEY. THE RESIDENTS THE WANT ADDITIONAL RESIDENTIAL PROPERTIES TO PROCEED SLOWLY AND THEY WANT THROUGH THE NOTIFICATION PROCESS ASSOCIATED WITH CONDITIONAL OVERLAYS TO BE KEPT INFORMED ABOUT PROPOSED DEVELOPMENTS WITHIN OUR NEIGHBORHOOD. SO WE REQUEST THAT THE CITY COUNCIL ADOPT THE STAFF'S REVISED LAND USE CODE MAP, ADOPT THE ADDITIONAL RECOMMENDATIONS FOR THE HUNTSMAN TRACT THAT I MENTIONED EARLY -- [BUZZER SOUNDS] AND ADOPT ADDITIONAL CONDITIONAL OVERLAYS THAT REFLECT THE RESULTS OF THE CRESTVIEW NEIGHBORHOOD ASSOCIATION SURVEYS. AS A NEIGHBORHOOD, WE ARE PEOPLE WHO WANT -- HAVE BEEN AND WANT TO CONTINUE TO BE ACTIVELY INVOLVED IN DEVELOPING AND MAINTAINING AN AREA OF THE CITY THAT IS IS SEEMS A WONDERFUL PLACE FOR PEOPLE TO LIVE. ADOPTION OF THESE RECOMMENDATIONS WILL HELP US ALL ACHIEVE THIS GOAL. THANK YOU.

Mayor Wynn: THANK YOU. DEREK LEACH. WELCOME, SIR. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY MIKE BOIL.

THANK YOU. I AM A RESIDENT OF THE CRESTVIEW NEIGHBORHOOD FOR ABOUT SEVEN YEARS NOW. AND I REPRESENT THE FUTURE OF IT AS WELL. WHAT I'D LIKE TO SPEAK TO YOU TODAY ABOUT IS SOMETHING THAT SCOTT HAS ALREADY BROUGHT UP, SO YOUR STAFF MEMBER HAS ALREADY BROUGHT UP IN TERMS OF I'D LIKE YOU TO RECONSIDER THE DEED RESTRICTIONS THAT MANY OF THE HOUSES ALREADY HAVE BECAUSE MY LOT ON BARBARA STREET IS ONE OF THEM AS WELL. AND I WOULD LIKE YOU TO RECOMMEND THAT YOU GO -- YOU RECOMMEND STAFF GO LOOK INTO IT AND ADJUST THE ZONING ACCORDINGLY. THAT'S ALL. THANK YOU.

Mayor Wynn: THANK YOU. JULIE NANS SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. FOLLOWING MIKE BOIL WILL BE JIM WHITMAN. WELCOME, MR. BOIL. YOU WILL HAVE

THREE MINUTES.

GOOD AFTERNOON. MY NAME IS MIKE BOIL AND I'M THE VICE-PRESIDENT FOR THE WOOTEN NEIGHBORHOOD ASSOCIATION. I'D LIKE TO COMMENT THAT FIRST OF ALL I'M PERSONALLY IN FAVOR OF THE STAFF RECOMMENDATIONS AND ALSO TO INDICATE THAT THE WOOTEN NEIGHBORHOOD ASSOCIATION TOOK NO FORMAL ACTION ON THE PLAN, BUT GENERALLY THE MEMBERSHIP WAS IN FAVOR OF THE STAFF RECOMMENDATIONS. NOTE OF CLARIFICATION ON THE TWO ZONING PETITIONS. ONE -- I GUESS THERE'S ONE THAT HASN'T FORMALLY BEEN FILED. CHARLES MAUND PROPERTY, THE LI ZONING AND THEN LI ZONING AT 8990 RESEARCH. AT THE PLANNING COMMISSION HEARING, REPRESENTATIVES FOR BOTH PROPERTY OWNERS EXPRESSED CONCERNS AND OPPOSITION TO REZONING. AT THAT TIME THEY BOTH SAID THAT THEY WOULD BE WILLING TO CONSIDER CONDITIONAL OVERLAYS. IN AN ATTEMPT TO FOLLOW UP WITH THAT, I MADE CONTACT WITH BOTH REPRESENTATIVES TRYING TO FIND OUT WHAT THOSE CONDITIONAL OVERLAYS MIGHT BE. I WAS NOT QUITE SUCCESSFUL IN OPENING A LINE OF COMMUNICATION WITH THEM. IN PARTICULAR IN GETTING A TIMELY RESPONSE IN TERMS OF GETTING A WRITTEN VERIFICATION OF WHAT THOSE CONDITIONAL OVERLAYS MIGHT BE SO THE NEIGHBORHOOD WAS NOT ABLE TO CONSIDER THEIR REQUESTS. THANK YOU.

Mayor Wynn: THANK YOU. JOHN JOSEPH JUNIOR SIGNED UP WISHING TO SPEAK ONLY IF COUNCIL HAS QUESTIONS, IN FAVOR OF THE PLANNING COMMISSION RECOMMENDATION. ROY HENSON NOT WISHING TO SPEAK, IN FAVOR. OLGA HENSON, SPEAKING ONLY IF COUNCIL HAS QUESTIONS. IN FAVOR. MR. JIM WHITMAN, WELCOME, SIR.

THANK YOU, MAYOR, GOOD EVENING, COUNCILMEMBERS. MY NAME IS JIM WHITLIVE AND I'M HERE ON BEHALF OF THE PROPERTY OWNER AT 8990 RESEARCH BOULEVARD. IT'S OR YES OR ORIENTAL MARKET THAT OWNS THAT PROPERTY. VERY BRIEFLY, IT'S 1.6 ACRES. IT'S A PORTION OF TRACT 3. AND THE SIMPLE REASON THAT THE PROPERTY OWNER IS REQUESTING THE RETENTION OF SOME OF THE LI LAND USES IS THE PROPERTY IS A TWO THOUSAND 600 SQUARE

FOOT WAREHOUSE. IT HAS DOCK HIGH LOADING ON IT. IT'S ADJACENT TO THE SOUTHERN PACIFIC RAILROAD CORRIDOR. IT'S COMPLETELY SURROUNDED BY OTHER WAREHOUSE BUILDINGS. IT'S MORE THAN 400 FEET FROM THE NEIGHBORHOOD AND ITS SOLE ACCESS IS FROM U.S. HIGHWAY 183. THEY USE IT AS A GROCERY WAREHOUSE FOR THEIR GROCERY BUSINESSES IN TOWN, BUT FOR THE PAST THREE YEARS WE'VE BEEN WORKING ON A SITE PLAN FOR A NEW GROCERY STORE AND WAREHOUSE SITE FOR THEM ON NORTH LAMAR BOULEVARD. WE ARE SUCCESSFUL IN GETTING A BUILDING PERMIT JUST TWO MONTHS AGO. AND THEY'RE GETTING READY TO BREAK GROUND. ONCE THEY BREAK GROUND THIS WAREHOUSE IS EITHER GOING TO BE SOLD OR LEASED OUT. AND BECAUSE OF ITS PROXIMITY, WE WANT TO ELIMINATE THE LESS FAVORABLE USES, CERTAINLY BASIC INDUSTRY IS NOT APPROPRIATE THERE, NOR IS GENERAL WAREHOUSING AND DISTRIBUTION AND RESOURCE EXTRACTION IS REALLY NOT AN ISSUE. BUT THE OTHER LI USES, PARTICULARLY LIGHT MANUFACTURING, WE THINK IS APPROPRIATE FOR THIS SITE. FRANKLY, RECYCLING CENTER, WE WOULD USE IT AS A TRANSFER STATION, BUT I'M GOING TO LEAVE THAT UP TO THE COUNCIL IF YOU WANT TO INCLUDE THAT OR NOT. WE WOULD NOT BE OPPOSED TO REMOVING THAT CONDITION IF THAT WAS THE COUNCIL'S WILL. WE DO WANT TO WORK WITH THE NEIGHBORHOOD AS MR. BOIL SAID. I WILL ADMIT THAT HE WAS VERY CORDIAL. HE AND I DISCUSSED ON THE PHONE AND WE ARE WILLING TO DO A CONDITIONAL OVERLAY AS I HAD DISCUSSED WITH HIM AND ELIMINATE THE USES THAT WOULD NOT BE COMPATIBLE WITH THE NEIGHBORHOOD. AND I DID DROP THE BALL TO FORMALLY GIVE THAT TO HIM IN WRITING BY HIS DEADLINE AND I APOLOGIZE FOR THAT. BUT IF YOU HAVE QUESTIONS, I'LL BE GLAD TO ANSWER THEM. THANK YOU.

Mayor Wynn: QUESTIONS, COUNCIL? THANK YOU, SIR. TESSA HARING NOT WISHING TO SPEAK, IN FAVOR. PAT LEE NOT WISHING TO SPEAK, IN FAVOR. GLADYS GRESER. WELCOME, MA'AM, YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY GREG STRMISKA. WELCOME, MA'AM, YOU WILL IS THREE MINUTES.

GOOD AFTERNOON, MR. MAYOR AND THE CITY COUNCIL. I'M

GLADYS GRESER. MY HUSBAND DON AND I HAVE BEEN RESIDENTS OF CRESTVIEW FOR 56 YEARS. WE HAVE RAISED TWO CHILDREN THERE AND WE OBVIOUSLY ENJOY THE NEIGHBORHOOD. NOW, SEVEN YEARS AGO, I'M SPEAKING MOSTLY ON BEHALF OF HUNTSMAN AND ALSO FOR OUR NEIGHBORHOOD. SEVEN YEARS AGO HUNTSMAN STARTED A COMMUNITY ADVISORY PANEL. NOW, I WAS CHOSEN TO BE ON THAT ALONG WITH OTHER NEIGHBORS TAPPED AS A LIAISON BETWEEN HUNTSMAN AND OUR NEIGHBORHOODS, WHICH WAS A VERY WONDERFUL AND A GOOD EXPERIENCE FOR US AND FOR THE REST OF THE NEIGHBORHOOD. AND I SUPPORT THE NEIGHBORHOOD BALL FIELDS THAT ARE USED BY THE OPTIMISTS AND HUNTSMAN, WHO HAS MADE A SOLID COMMITMENT TO YOUTH SPORTS AND RECREATION. AND IT DOESN'T MATTER WHAT HUNTSMAN'S PROPERTY IS GOING TO BE. THAT HAS BEEN TAKEN CARE OF FOR THE FUTURE. THIS NEIGHBORHOOD PLAN IS GOOD FOR OUR COMMUNITY. CITY STAFF HAS WORKED WITH ALL PARTIES INVOLVED IN BRINGING YOU THIS PLAN. AND IT IS MUCH -- AND IT WAS UNANIMOUSLY APPROVED BY THE PLANNING COMMISSION. I FIRMLY BELIEVE IT WILL WORK FOR THE RESIDENTS OF CRESTVIEW. THANK YOU FOR YOUR CONSIDERATION OF THIS.

Mayor Wynn: THANK YOU. GREG STRMISKA, WHO WILL BE FOLLOWED BY DANA LOCKLER.

THANK YOU, MAYOR AND COUNCILMEMBERS. I'M HERE TODAY ON BEHALF OF THE HUNTSMAN CORPORATION. I WANTED TO TELL YOU A FEW THINGS ABOUT WHAT THEY'VE DONE OVER THE PAST 10 YEARS THAT THEY'VE OCCUPIED THAT SITE. THEY ACQUIRED THE SITE FROM TEXACO, AS SOME OF YOU MAY BE AWARE, ABOUT 10 YEARS AGO, AND DURING THAT TIME FRAME THEY HAVE CONTINUED WITH THE OPERATIONS THERE, BUT SIGNIFICANTLY DOWN SKILLED THOSE -- DOWN SCALED THOSE OVER THE LAST YEARS TO PRESENT DAY, PRIMARILY RESEARCH AND DEVELOPMENT WITH SOME BASIC INDUSTRY. AND THAT IS PRESENT BASICALLY ONLY BY PRESENCE OF THE MATERIALS THAT THEY HAVE STORED ON SITE. DURING THAT 10-YEAR TIME FRAME THEY HAVE WORKED CLOSELY WITH THE OPTIMIST CLUB, THE COMMUNITY ADVISORY PANEL THAT WAS JUST MENTIONED, WHICH I MIGHT ADD IS

PRIMARILY MADE UP OF NEIGHBORS IN THAT COMMUNITY, AND HUNTSMAN HAS DONE A GOOD JOB OF STAYING IN TOUCH WITH THEM ABOUT THEIR OPERATION AND WHAT THEY'RE DOING. HUNTSMAN WORKING WITH THE OPTIMIST CLUB, THE GROUP THAT CONTINUED DISCUSSIONS AFTER THE CRESTVIEW PLAN CAME TO SURFACE AND CONTINUES AGAIN TAKING INTO ACCOUNT THE NEIGHBORHOOD'S CONCERNS, INTERESTS, LISTENED TO THE STAFF'S CONCERNS, LISTENED TO CRESTVIEW NEIGHBORHOOD ISSUES AS WELL. I THINK WE'VE GOT A PLAN ON THE TABLE THAT'S A VERY GOOD FIT OF ALL THOSE INTERESTS. WE'VE STRIDE TRIED TO GRASSY AS MANY THINGS AS WE CAN AND WE FEEL VERY CONFIDENT ABOUT THAT. WE LIKE THE PLAN THAT STAFF HAS COME UP WITH AND WE'RE HERE TO SUPPORT THAT. I WOULD LIKE TO POINT OUT A COUPLE OF OTHER THINGS WE'RE VERY PROUD TO STAND BEHIND, AND THAT'S THE SUPPORT OF THE OPTIMIST CLUB OVER THE YEARS. THEY'VE BEEN THERE SINCE THE 1950'S. AND I THINK THAT SPEAKS WELL FOR HUNTSMAN AS WELL AS THEIR PREDECESSORS. AND THEY'RE CONTINUING THAT COMMITMENT. I THINK THAT'S A WIN-WIN SITUATION FOR THE OPTIMIST CLUB AND REALLY WITH THAT I'LL STOP AND ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

Mayor Wynn: ANY QUESTIONS? THANK YOU, SIR. DANA LOCKLER? WELCOME. YOU WILL BE FOLLOWED BY MICHAEL WAY LAND.

HAS ANYONE DONATED TIME? YOU HAVE?

Mayor Wynn: WHAT'S YOUR NAME, SIR? MICHAEL KEENAN? DID YOU SIGN A CARD.

[INAUDIBLE - NO MIC].

Mayor Wynn: YOU WILL HAVE SIX MINUTES, MR. LOCKLER. WELCOME.

MAYOR WYNN, MEMBERS OF THE COUNCIL, TONIGHT WE'RE HERE TO RATIFY THE PRODUCT OF A NEIGHBORHOOD PLANNING PROCESS THAT HAS BEEN AT TIMES BAFFLING AND FRUSTRATING TO THE RESIDENTS OF CRESTVIEW. FROM THE SURVEY TO THE FINAL MEETING IT'S BEEN A

CHALLENGE FOR US TO MATCH OUR VIEWS AS A NEIGHBORHOOD AND OUR AMBITIONS FOR IT WITH THE CHOICES OFFERED BY AUSTIN CITY GOVERNMENT. CLEARLY THERE'S A DISCONNECT BETWEEN GOVERNMENT'S PLANNING GOALS AND OUR OWN. GOVERNMENT IS LOOKING FOR PLACES TO DEPOSIT A PROJECTED POPULATION AND A COMMERCE THAT ACCOMPANIES IT. WE ON THE OTHER HAND ARE TRYING TO PRESERVE WHAT'S BEST ABOUT OUR NEIGHBORHOOD, CORRECT ITS PROBLEMS AND MAKE IT AN EVEN BETTER PLACE TO LIVE. WE'VE DONE OUR BEST WITH THIS PROCESS TO MEET OUR GOALS, THE NEIGHBORS GOALS FOR THE NEIGHBORHOOD. BY NEIGHBORS I MEAN PEOPLE WHO LIVE IN THE NEIGHBORHOOD, LITERALLY THOSE WHO DWELL NEARBY. WE ALSO WISH TO BE FAIR TO THOSE WHO COME TO OUR NEIGHBORHOOD, USE IT FOR A TIME AND THEN RETURN HOME TO THEIR OWN. WE UNDERSTAND THOSE ISSUES AND WE WELCOME IT. WE BENEFIT FROM SOME OF IT. THE PLANNING PROCESS HAS BEEN A TROUBLING ONE FOR US AND WE'D LIKE TO SEE IT IMPROVED IF NOT FOR US, THEN FOR THOSE THAT COME LATER. SO IN KEEPING WITH THE ADAGE THAT THE BEST CRITICISM IS AN ALTERNATIVE, LET ME OFFER YOU MY VISION FOR A JUST AND WORKABLE NEIGHBORHOOD PLANNING PROCESS. WHAT I SEE IS NOT A PROCESS DRIVEN CONCEIVED, FRAMED, ORCHESTRATED AND COREIOGRAPHED BY CITY STAFF, BUT ONE CONSTRUCTED BY AND FOR NEIGHBORS PREDICATED ON OUR SENSE OF PURPOSE, OUR DEFINITION OF IMPROVEMENT. DRAWING ON CITY STAFF AS A RESOURCE AND RESPECTING THE INTERESTS OF VISITORS BUT GOVERN AND GUIDED BY THE NEIGHBORHOOD THAT'S ORGANIZED AND RUN BY THOSE LIVING WITHIN THE PRECINCT, IN SHORT, A DEMOCRATIC PROCESS. I'D LIKE A PROCESS THAT EMPLOYS STRAIGHTFORWARD LANGUAGE, THAT MAKE A CLEAR AND HONEST ADMISSION OF WHAT A NEIGHBOR IS AND ISN'T, BUT NEVER USES WORDS IN A WAY THAT BLURS THE DISTINCT BETWEEN THOSE WHO HAVE TO RETURN TO THE NEIGHBORHOOD AT THE END OF THE DAY AND LIVE WITH THE CHANGES THAT HAVE BEEN MADE TO IT AND THOSE THAT GO HOME TO SOME OTHER PLACE AND ESCAPE THE CONSEQUENCE OF THE CHANGE. I'D LIKE A PROCESS WHOSE RULES ARE CLEAR AND STABLE AND NOT BEING

CONSTANTLY REVISED IN SUCH A WAY THAT
NEIGHBORHOOD PLANS CAN BE FILLED WITH EXEMPTIONS
THE WAY THE ZONING IS WITH VARIANCES. WHILE I'M
SPINNING VISIONS, LET ME SPIN YOU A COUPLE OF OTHERS.
I'D LIKE A NEIGHBORHOOD WHERE PEOPLE WHO BUY THEIR
HOMES SHOULDER A BEARABLE TAX BURDEN, NOT ONE
SWOLLEN BY BOOM TOWN GROWTH AND ITS LAND
SPECULATION. I'D LIKE A NEIGHBORHOOD WHERE PEOPLE
CAN RETIRE TO THEIR BACKYARDS AT THE END OF THE DAY
INSTEAD OF HAVING TO JOSTLE WITH OTHERS FOR THE
GREEN SPACE. AND WHERE EACH OF YOU CAN GO TO BED
AT NIGHT WITHOUT HEARING A NEIGHBOR COUGH ON THE
OTHER SIDE OF A WALL OR WONDERING IF THE SMOKER
THREE DOORS DOWN IS GOING TO FALL ASLEEP WITH A
CIGARETTE AND TAKE US INTO A BLAZE. I'D LIKE A
NEIGHBORHOOD WITH DISTINCT PUBLIC PLACES, PUBLIC
SPACES, A LIBRARY, A PARK, MEETING PLACE. I'D LIKE A
NEIGHBORHOOD THAT GETS DARK AND QUIET LONG
ENOUGH EVERYDAY SO THAT PEOPLE WHO WORK CAN GET
THEIR REST. AND PEOPLE WHO DON'T CAN HAVE SOME
PEACE OF MIND. I'D LIKE TO SEE A CITY GOVERNMENT THAT
HOLDS PUBLIC GOOD ABOVE PRIVATE GAIN, CONSISTENTLY
PRAISES THE PEACE AND SAFETY OF RESIDENTS ABOVE
THE PRICE OF PROPERTY. I'D LIKE A GOVERNMENT WITH THE
COURAGE TO FACE THE FACT THAT NOTHING SHORT OF A
LEGAL PROHIBITION AGAINST EXPANSION WILL STOP
SPRAWL. AND THE DENSIFICATION WITHOUT THAT
PROHIBITION WILL SIMPLY ADD CROWDED LIVING
CONDITIONS TO THE LIST OF ILLS OF AN EVER SPRAWLING
CITY. I'D LIKE A GOVERNMENT THAT RESPECTS THE HISTORY
AND AMBIANCE OF AUSTIN, THE TREASURE OF THIS STATE,
MY HOME FOR 40 YEARS OR MORE. THE GOVERNMENT THAT
WILL DO WHAT IS NEEDED TO PRESERVE THE QUALITIES
THAT STILL BRING PEOPLE TO AUSTIN. THAT'S MY VISION OF
THE PLANNING PROCESS, FOR MY NEIGHBORHOOD, FOR MY
GOVERNMENT, FOR MY CITY. I'M SURE IT ALL SOUNDS
IMPOSSIBLE AND IDEAL LIST ITEM AND NOBODY WOULD
EVER TRY TO BRING IT UP. NOBODY BUT PUBLIC OFFICIALS
WHO WANT TO BE TRUE TO THOSE THEY ARE CHARGED OR
REPRESENTATIVES TO A NEIGHBORHOOD WHO WISH TO DO
RIGHT BY THEIR HOSTS OR CITIZENS WHO CARE ABOUT THE

PLACE WHERE THEY LIVE.

Slusher: MAYOR, I HAVE A QUESTION. MR. LOCKLER, ARE YOU IN SUPPORT OF THE PLAN THAT'S ON THE TABLE?

I'M IN SUPPORT OF THE PLAN WITH THE RECOMMENDATIONS OF THE NEIGHBORHOOD ASSOCIATION.

Mayor Wynn: THANK YOU, MR. LOCKLER. MICHAEL WAYLAND, WHO WILL BE FOLLOWED BY CHIP HARRIS. WELCOME, SIR. YOU WILL HAVE THREE MINUTE.

MICHAEL WAY LAND ON BEHALF OF HUNTSMAN. I JUST WANT TO POINT OUT ONE THING. CHIP HARRIS AND FRIEND ARE GOING TO BE TALKING AFTER ME AND I WANT TO EMPHASIZE THAT WE'VE GOT A LOT OF RESOURCES HERE PREPARED TO ANSWER ANY QUESTIONS THAT MIGHT BE RAISED BY ANYTHING THAT HE RAISES WITH REGARD TO THE ISSUES THAT I THINK STAFF PRESENTED AND I WOULD ENCOURAGE YOU SINCE WE'VE GOT THE RESOURCES HERE TO HAVE THEM ANSWERED TONIGHT. SO WITH THAT I KNOW A LOT OF TIME AND EFFORT HAS BEEN PUT INTO THIS BY THE NEIGHBORHOOD, BY STAFF AND BY DIFFERENT PROPERTY OWNERS. HUNTSMAN HAS BEEN PART OF THIS NEIGHBORHOOD FOR A VERY LONG TIME AND I THINK THEY HAVE DONE A VERY GOOD JOB OF MEETING INTERESTS, NOT NECESSARILY THE POSITIONAL BAR INC., BUT INTERESTS THAT HAVE BEEN SET FORTH BY THE NEIGHBORHOOD. THANK YOU ALL.

Mayor Wynn: THANK YOU. TREY SALINAS SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. CHIP HARRIS, WHO WILL BE FOLLOWED BY EDDIE GARY. MR. HARRIS, SOME FOLKS HAVE OFFERED TO DOUGH NIGHTTIME TO YOU. IS MARY JOE TANNER HAYS HERE. WELCOME, MA'AM. AND TIM RAMIREZ. THANK YOU, SIR. WE ASK THE RULES ARE THAT FOLKS WHO DONATE TIME NEED TO BE PRESENT IN THE COUNCIL CHAMBERS TO DONATE TIME.

THANK YOU, MAYOR, COUNCILMEMBERS. MY NAME IS CHIP HARRIS. I SERVE AS PRESIDENT OF THE CRESTVIEW NEIGHBORHOOD ASSOCIATION. I'D LIKE TO THANK STAFF FOR THEIR PATIENCE IN WORKING WITH US AND FOR

GRANTING US A TIME EXTENSION TO BETTER ENGAGE THE RESIDENTS IN THIS PROCESS. THE EXTRA TIME WAS VERY PRODUCTIVE BOTH IN GETTING PEOPLE INVOLVED AND DETERMINING JUST WHAT THEY WANTED THEIR COMMUNITY TO LOOK LIKE. IN ORDER TO ACCOMPLISH BOTH GOALS, TO ENGAGE THE NEIGHBORHOOD RESIDENTS AND TO ASCERTAIN WHAT THEY WANTED IN THEIR NEIGHBORHOOD, THE ASSOCIATION PUT TOGETHER A SURVEY IN JANUARY OF THIS YEAR AND MAILED IT OUT TO ALL THE 1600 RESIDENTS LIVING IN CRESTVIEW. AND, OF COURSE, YOU HAVE THE RESULTS OF THAT SURVEY IN A HANDOUT IN FRONT OF YOU, PAGES ONE AND TWO AND ALSO UP HERE ON THE BOARD. WE HAVE RECEIVED 400 RESPONSES FROM THOSE 1600 SURVEYS THAT WERE SENT OUT. THAT'S A 25 PERCENT RETURN RATE. AND JUST FOR PERSPECTIVE, THE CITY SENT OUT 3,000 FINAL SURVEY FORMS AND RECEIVED 150 BACK. THE SIGNIFICANT NUMBER OF CRESTVIEW RESIDENTS TOOK A LOT OF TIME TO COMPLETE THE SURVEY, THE ASSOCIATION SURVEY, SIGNED THEIR NAMES AND PAID POSTAGE TO RETURN THE SURVEY. THE GENERAL MESSAGE WE RECEIVED WAS THIS, AND AGAIN, THE CHART IS HERE IN YOUR HANDOUTS TO HELP ILLUSTRATE THE RESULTS. ON PAGE 3 OF YOUR HANDOUTS, YOU'LL NOTE THE NEIGHBORHOOD RESIDENTS WOULD ACCEPT GROWTH OVER THE NEXT 20 YEARS, TOTALING A 30% INCREASE IN DENSITY. GROWTH CONSISTENT WITH THE RECOMMENDATIONS FROM ENVISION CENTRAL TEXAS RESULTING IN ANOTHER 700 APARTMENTS IN CRESTVIEW. FOLLOWING THAT ON PAGE 4 THE NEIGHBORHOOD RESIDENTS WANT GROWTH TO BE MEASURED, THAT IS, GROWTH ON AN ANNUAL BASIS THAT COULD BE ASSIMILATED, THAT INFRASTRUCTURE COULD BE BUILT FOR IT. 87% OF THE RESPONDENT'S SAID NO MORE THAN 100 NEW APARTMENTS PER YEAR. PAGE 5, THE NEIGHBORHOOD RESIDENTS, 74%. WANTED TO KEEP THE MOST INTENSE DEVELOPMENT ON LAMAR PLFERD AND AWAY FROM BURNET ROAD AND ANDERSON LANE. THE NEIGHBORHOOD RESIDENTS WANTED TO REMAIN A PLAYER IN THE DEVELOPMENT PROCESS. THEY DIDN'T WANT EVERY PROPERTY PREZONED WITH THE ONLY DECISIONS LEFT TO MAKE BEING MADE ADMINISTRATIVELY. AS A RESULT, THEY SUGGESTED LIMITED MU ZONING AND ADDING CONDITIONAL

OVERLAYS. THEN PAGE 6 OF YOUR HANDOUT, THE NEIGHBORHOOD RESIDENTS, 95%, WANTED PARKLAND IN THE NEIGHBORHOOD, AND FOR IT TO BE LOCATED ON THE HUNTSMAN TRACT. EVERY NEIGHBORHOOD SURROUNDING CRESTVIEW HAS PARKLAND, WOOTEN, HIGHLAND, BRENTWOOD, ALLENDALE, NORTH SHOAL CREEK, BUT CRESTVIEW HAS NONE. KEEP THIS IN MIND. WHEN THE CITY SENT OUT ITS FINAL SURVEY, THE CITY'S PLAN INCLUDED A POTENTIAL FOR 30 ACRES OF PARKLAND. SINCE THAT TIME HUNTSMAN HAS STRIPPED THE PLAN OF THE PARKLAND POTENTIAL. THIS PLAN INCLUDES NOT ONE SQUARE FOOT OF PUBLIC OPEN SPACE, AND WE'RE LOOKING TO THE COUNCIL TO REMEDY THAT DEFICIENCY. STAFF HAS RESPONDED FAVORABLY TO THE RESULTS OF THE ASSOCIATION'S SURVEY BY REDUCING THE PROPOSED DENSITY AND REACTING FAVORABLY TO THE CONDITIONAL OVERLAYS REQUESTED BY RESIDENTS. BASED ON THE RESULTS OF THE SURVEY, THE ASSOCIATION IS RECOMMENDING THE FOLLOWING FIVE USES BE ADDED AS CONDITIONAL USES ON COMMERCIAL PROPERTY IN CRESTVIEW, AUTO REPAIR, AUTO WASHING, MAINTENANCE AND SERVICE FACILITIES, OFF SITE ACCESSORY PARKING AND OUTDOOR SPORTS AND RECREATION. AND THIS IS IMPORTANT. WE ARE RECOMMENDING THAT ALL EXISTING PROPERTIES THAT HAVE BUSINESS USES INCLUDED IN OUR PROPOSED CONDITIONAL OVERLAY BE EXEMPT FROM THE PROPOSED OVERLAY SO THAT NO EXISTING BUSINESS WOULD BE AFFECTED. PAGE 7 OF YOUR HANDOUT DEALS WITH THE HUNTSMAN TRACT. THE 74-ACRE HUNTSMAN TRACT IS THE LARGEST ISSUE FACING US TODAY. REDEVELOPMENT OF THIS TRACT IF DONE REASONABLY CAN GREATLY ENHANCE THE COMMUNITY. IF DONE POORLY CAN DEVASTATE IT. THE MAIN ISSUES INCLUDE HAZARDOUS CHEMICAL STORAGE. THE CURRENT PLAN ALLOWS FOR 12.8 MILLION CUBIC FEET OF HAZARDOUS CHEMICAL STORAGE. GIVEN THE RESIDENTIAL COMMUNITY THAT SURROUND THIS SITE, THAT'S A CATASTROPHE WAITING TO HAPPEN. SECOND, VEHICULAR ACCESS TO MORROW STREET. AS AN EXAMPLE, TRACT 120 IN THIS PLAN HAS A LONG-STANDING OVERLAY THAT HAS CONTINUED UNDER THIS PLAN THAT PROHIBITS ACCESS FROM THE COMMERCIAL CENTER TO THE ADJACENT RESIDENTIAL STREET, WHICH IS

(INDISCERNIBLE). IN THE CASE OF THE HUNTSMAN TRACT A SIMILAR SCENARIO WOULD INCLUDE AN OVERLAY PROHIBITING VEHICULAR ACCESS TO THE ADJACENT STREET MORROW. HUNTSMAN REJECTED THAT, SO THE NEIGHBORHOOD COMPROMISED, AGREEING TO ALLOW ACCESS TO MORROW FOR DEVELOPMENT, NOT GENERATING MORE THAN 500 TRIPS A DAY. THIS WAS ALSO REJECTED BY HUNTSMAN. WE'RE ASKING THE COUNCIL'S HELP ON THIS ISSUE. NUMBER 3 OVER DEVELOPMENT WITH AN FAR OF 20 TO 1, JUST DEVELOPING 50 ACRES OF THIS 74-ACRE TRACT WOULD RESULT IN OVER FOUR MILLION SQUARE FEET OF DEVELOPMENT. THE SIZE OF THIS LOT DICTATES A LOWER FAR. RESIDENTIAL DENSITY, THE PLAN CALLS FOR NEARLY 1500 APARTMENTS ON THE TRACT. WE'RE ASKING THAT THEY COMPLY WITH THE RESIDENTIAL DENSITY RIRMS OF THE MF-4 DISTRICT. FIVE BIG BOX RETAIL. THIS FEZ SPEZ FOR ITSELF. IF WE'RE SERIOUS ABOUT PRESERVING THIS NEIGHBORHOOD, WE NEED TO PROHIBIT BIG BOX STORES EXCEEDING 50,000 SQUARE FEET. IT GOES WITHOUT SAYING THAT WE WANT TO HAVE THIS TRACT DEVELOPED WITH A MASTER PLAN, NOT PIECEMEAL. TRIANGLE MIGHT BE A GOOD EXAMPLE TO GO BY. WE UNDERSTAND THAT IT WILL BE EXPENSIVE TO REDEVELOP HUNTSMAN DUE TO THE LARGE QUANTITY OF CHEMICAL WASTE THAT ARE BURIED THERE. THERE ARE SOME OTHER ISSUES, OF COURSE, COVERED ON PAGES 8 THROUGH 16 OF YOUR HANDOUTS. WE ARE REQUESTING A ZONING CORRECTION FOR CRFT VIEW ADDITION SECTION 9, 10 AND 12, AND THERE'S A MAP THERE THAT HIGHLIGHTS THOSE FEW STREETS. TO COMPLY WITH THE DEED RESTRICTIONS, WHICH ALLOW ONLY ONE SINGLE-FAMILY HOME PER LOT. IN THE PLAN IN YOUR HANDOUT AND IN THE PLAN ITSELF, UNDER RECOMMENDATION 6, THE PLAN USE OBJECTIVE 1 IT READS, QUOTE, LAND USE AND ZONING SHOULD COMPLY WITH EXISTING DEED RESTRICTION, END QUOTE. WE ARE SUBMITTING PETITIONS THAT YOU HAVE IN FRONT OF YOU SHOWING SUPPORT FOR THIS CHANGE AND ASK THAT YOU DIRECT STAFF TO INITIATE THESE ZONING CHANGES FROM SF-3 TO SF-2 SO THAT THEY MAY BE CONSIDERED SECOND AND THIRD READING. CONTINENTAL COLLISION CENTER WAS MENTIONED EARLIER, AND THAT'S AN ONGOING ISSUE. THERE'S ANOTHER PROPOSED ZONING

CHANGE AT 7808 WATSON. THAT'S IN YOUR PACKET ON PAGE 17. THERE'S A PETITION THERE OPPOSING THE CHANGE FROM SINGLE-FAMILY HOME TO N.O. BASICALLY BECAUSE IT'S A RESIDENTIAL STREET AND STAFF HAS CONCURRED IN THIS RECOMMENDATION AND ALSO SUGGEST THAT IT REMAIN SF-3. AND TO CONCLUDE, THERE'S A COPY -- A SUMMARY OF MY COMMENTS REALLY THERE ON PAGE 18 AND 19. WE'D LIKE TO THANK YOU FOR LISTENING TO OUR CONCERNS, SOME OF OUR CONCERNS. IT'S HARD TO COVER EVERYTHING. WE'RE MAKING THE FOLLOWING REQUESTS OF THE COUNCIL FOR ACTIONS TO BE TAKEN BETWEEN THIS FIRST READING AND FINAL READING. AND THESE REQUESTS APPEAR ON THE LAST PAGE, PAGE 20 OF YOUR HANDOUT. TO HAVE STAFF CONTINUE TO WORK WITH THE NEIGHBORHOOD AND PROPERTY OWNERS TO ENHANCE THE CONDITIONAL OVERLAYS SO THAT THIS AREA REMAINS AN ATTRACTIVE COMMUNITY. SECOND, TO ASK STAFF TO CONTINUE TO WORK WITH THE NEIGHBORHOOD AND THE HUNTSMAN CHEMICAL CORPORATION TO FURTHER REFINE THE PDA FOR THE HUNTSMAN TRACT TO ENSURE THAT CERTAIN CONCERNS ARE ADDRESSED NOW IN THE PLANNING STAGE. AND THREE, TO HAVE STAFF INITIATE THE PROCESS TO REZONE CRESTVIEW ADDITION SECTIONS 9, 10, 11 AND 12 AS MENTIONED EARLIER TO CORRECT THE EXISTING ZONING SO THAT IT COMPLIES WITH CURRENT DEED RESTRICTIONS AS REQUIRED IN THE NEIGHBORHOOD PLAN. AND AS A BONUS, TO HAVE STAFF RESEARCH OPTIONS FOR PUBLIC PARKLAND IN CRESTVIEW, PARTIALLY TO COMPENSATE FOR THE 30 ACRES THAT WAS DROPPED FROM THE PLAN, BUT MORE IMPORTANTLY TO MAKE THIS AN AREA WHERE PEOPLE WANT TO LIVE AND RAISE THEIR FAMILIES, BECAUSE THAT'S REALLY THE CITY'S GOAL. THANK YOU FOR YOUR CONSIDERATION.

Mayor Wynn: THANK YOU, MR. HARRIS. MAYOR PRO TEM?

Goodman: COULD I ASK A QUESTION OF OURSELVES MAYBE? DO WE HAVE A COPY OF THE WHOLE DOCUMENT OF DEED RESTRICTIONS? WHAT CHIP JUST GAVE US HAS ONE PAGE OF IT. IT DOESN'T HAVE THE DATE ON IT. DO WE HAVE THE WHOLE DOCUMENT SOMEWHERE?

MR. HARRIS DID GIVE ME A COPY OF THE DEED RESTRICTION, ALTHOUGH I DON'T HAVE THEM HERE, BUT WE HAVE LOOKED AT THEM.

Goodman: I WOULD LIKE TO LOOK AT THEM.

SURE. WE CAN GIVE THOSE TO YOU.

Goodman: THANKS. BUT NOT TODAY?

NOT TODAY, SORRY.

Mayor Wynn: COUNCILMEMBER DUNKERLEY?

Dunkerley: I'D LIKE TO -- I DON'T KNOW IF SOMEONE WITH THE HUNTSMAN TRACT, COULD I -- OKAY, MR. WAYLAND. NO, NOT MR. --

YES, MA'AM.

Dunkerley: OF THE WHOLE AREA, THE PORTION THAT YOU'RE PROPOSING RIGHT NOW TO KEEP GREEN SPACE FOR THE OPTIMISTS, IS THAT -- HOW MANY ACRES OR WHAT PORTION OF YOUR --

THAT'S APPROXIMATELY 17 AND A HALF ACRES PRESENTLY. THERE'S FIVE BASEBALL FIELDS, AND IT'S ABOUT 25 PERCENT OF THE TOTAL SITE, WHICH IS COINCIDENTALLY ABOUT THE NUMBER THAT STAFF WAS TRYING TO ACHIEVE AND WE JUST SAW AN OPPORTUNITY TO DO TWO GOOD THINGS THERE, ADDRESS OPEN SPACE AND THEN CONTINUE SUPPORTING THE OPTIMIST CLUB.

Dunkerley: I WAS TRYING TO FOLLOW ALL OF THIS, BUT WITH THAT MUCH OPEN SPACE, THEN YOU'RE GOING TO TRY TO MOVE YOUR INTENSE DEVELOPMENT WEST?

THAT WOULD ACCOMPLISH -- SEVERAL OTHER THINGS AS WELL. IT WOULD HELP ADDRESS SOME OF THE ISSUES ABOUT ACCESS ALONG MORROW STREET. AGAIN, WE'VE ASKED THAT THAT BE DEFERRED TO SITE PLAN WHEN WE'VE GOT A TRAFFIC IMPACT STUDY THERE TO MORE APPROPRIATELY LOOK AT ALL THE CONDITIONS. WE'VE GOT

A SITE PLAN THAT TELLS US WHAT THE USES ARE. AND THAT COMBINED WITH COMPATIBILITY STANDARDS THAT ARE IN PLACE WILL ALL PUSH DEVELOPMENT BACK TOWARDS LAMAR.

SO YOU REALLY AT THIS TIME DON'T HAVE YOUR MASTER PLAN AND DON'T QUITE KNOW WHERE EVERYTHING IS.

NO, WE'RE AGAIN JUST A PARTICIPANT IN THE ZONING CASE. HUNTSMAN IS OPERATING UNDER THEIR CURRENT OPERATIONS, OF COURSE, AND PLAN TO CONTINUE THAT. AND PART OF WHAT THIS PDA DOES IS ALLOW THEM THE FLEXIBILITY TO CONTINUE WHAT THEY HAVE AND THEN ALSO PLAN FOR THE FUTURE. THANK YOU.

Mayor Wynn: THANK YOU. MIKAL MOOED, NOT WISHING TO SPERKS ONLY IF COUNCIL HAS QUESTIONS. IN FAVOR OF THE STAFF RECOMMENDATION. EDDIE GARY? WELCOME, SIR, YOU WILL HAVE THREE MINUTE.

THANK YOU. THANK YOU FOR LISTENING TO ME. I BELIEVE WE ALL HAVE INTERESTS HERE. I BELIEVE HUNTSMAN HAS INTERESTS. I KNOW NAO HAS INTERESTS. I KNOW THE NEIGHBORHOOD ASSOCIATION HAS INTERESTS. AND I MYSELF HAVE INTERESTS. I LIVE ON MORROW. I HAVE RENTAL PROPERTY ON MORROW. I HAVE GREAT INTEREST ABOUT WHAT GOES ON ON MORROW. I'M HERE TO SPEAK ON MY BEHALF AND ON MY NEIGHBOR'S BEHALF. WE HAVE A SITUATION TO WHERE RIGHT NOW THE POSSIBILITY -- WHAT IS GOING TO BE DONE ADMINISTRATIVELY ON A SITE PLAN ONLY IS WHAT THE GENTLEMAN JUST TALKED ABOUT IS MY UNDERSTANDING IS, AND I CAN BE CORRECTED, IS I WILL HAVE NO SAY AS A CITIZEN THAT HAS A LIVE AND DRIVE ON MORROW. THE PROBLEM WE HAVE AT THIS POINT ON MORROW IS THE TRAFFIC. OH, FIVE, 10 YEARS AGO THE STRAIGHT DIVERTED -- THE TRAFFIC ON MORROW THE EQUAL AND EQUIVALENT TO THAT ON ANDERSON LANE. WHAT THE STATE DID WAS TO DIVERT SOME OF THE CROSSOVER TRAFFIC BETWEEN LAMAR AND BURNET, CHOSE TO TAKE AWAY THE LEFT-HAND TURN AND PUT A BRIDGE OVER FROM LAMAR TO ANDERSON LANE. THAT SIGNIFICANTLY -- IT CUT TRAFFIC BY ABOUT 40%. I DID AN INFORMAL SURVEY THIS AFTERNOON, BETWEEN 1:00 AND

2:00 IN FRONT OF MY HOUSE I HAD 157 CARS PASS.
ANYTHING THAT IS GOING TO INCREASE THAT AMOUNT --
NOW, THIS IS AN OFF PEAK HOUR THAT I GOT 157 CARS
PASSING IN FRONT OF MY HOUSE TODAY. IN THE MORNINGS
AND THE AFTERNOONS IT'S AT LEAST DOUBLE. I DON'T THINK
ANYBODY AT LOOKED AT THIS SITUATION AND ADDRESSED
THIS. I'M CURIOUS ABOUT WHAT SITUATION HAS CHANGED
FROM WHEN THE STATE DID THEIR TRAFFIC IMPACT THAT
WE WOULD WANT TO BE NOW DISCUSSING INCREASING THE
TRAFFIC ON MORROW? MORROW MOSTLY HAS ELDERLY IS
CITIZENS AND CHILDREN THAT LIVE ON IT. MY NEIGHBOR
TWO YEARS AGO BACKING OUT OF HER DRIVEWAY WAS
ALMOST KILLED. THIS IS A VERY DANGEROUS SITUATION AS -
- EVEN WITH THE FIX THAT WE HAVE IN PLACE. ANYTHING
THAT WOULD ALLOW MORE TRAFFIC IS I THINK IN THE LEAST
IRRESPONSIBLE AND AT SOME POINT ALMOST NEGLIGENT. I
THINK WE NEED TO BE CAREFUL ABOUT WHAT WE'RE
DISCUSSING HERE. I SUPPORT MOST OF THE PLAN. I
SUPPORT ASPECTS OF THE CITY STAFF'S PLAN. I SUPPORT
ASPECTS OF THE NEIGHBORHOOD ASSOCIATION PLAN.
NEITHER OF THEM ARE PERFECT. WHAT I BELIEVE WE NEED
TO DO IS COME TOGETHER AND MAKE WHAT'S BEST, A BEST
POSSIBLE SOLUTION FOR EVERYONE. WHICH INCLUDES
SITTING DOWN AND SAYING WHAT IS GOING TO BE IN
EVERYBODY'S INTEREST. ANY ACCESS TO MORROW I THINK
IS DETRIMENTAL TO THE NEIGHBORHOOD, BUT ALSO FOR
INDIVIDUALS WHO LIVE AND HAVE TO TRAVEL THAT ROAD.
NAO AND HUNTSMAN HAVE BEEN VERY GOOD NEIGHBORS
AS LONG AS I HAVE BEEN IN THIS AREA. I HAVE NO QUALMS
WITH THEM. I EXPECT THAT THAT WILL CONTINUE. I EXPECT
THAT WE'LL BE ABLE TO FIND WORKABLE SOLUTIONS. I
APPRECIATE THE SUPPORT OF THE NEIGHBORHOOD
ASSOCIATION ALSO. THE SECOND CONCERN I HAVE A
MORROW IS THE BUFFER ZONE THAT -- [BUZZER SOUNDS]
IF YOU GIVE ME ONE MORE SECOND. I WOULD LIKE TO SEE
SINGLE-FAMILY RESIDENCES. ANY DEVELOPMENT ALONG --
MY UNDERSTANDING IS HUNTSMAN SAID THEY'RE 17 AND A
HALF ACRES, AGAIN TO ADDRESS, MS. DUNKERLEY, YOUR
QUESTION, THERE ARE 17 AND A HALF ACRES THAT ARE SET
ALIED FOR PARKLAND OR THE OPTIMISTS. THEY CAN MOVE
THAT. THAT'S AT THEIR DISCRETION. THAT CAN BE MOVED
IT'S MY UNDERSTANDING AND THEY CAN CORRECT THAT IF

THAT'S RONG. SO DEVELOPMENT CAN BE -- NOT NECESSARILY WILL BE, BUT CAN BE MOVED, PUSHED WESTWARD. SO THAT WOULD HAVE A DIRECT IMPACT ON ME. IF THAT HAPPENS, WHAT I WOULD LIKE TO SEE IS A BUFFER ZONE SET UP OF SINGLE-FAMILY RESIDENT HOMES, WHICH WOULD BE FINE. IT'S WHAT'S ON THE OTHER SIDE OF THE STREET.

Mayor Wynn: PLEASE CONCLUDE.

SO IF WE COULD AVOID DUPLEXES OR TOWNHOMES, THAT WOULD BE THE BEST. THEN WE COULD DEVELOP ON THE LAMAR SIDE TO A MORE CONCENTRATED LEVEL IN ORDER TO ABSORB THE GROWTH THAT WE ALL KNOW IS ENDING UP THERE. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, SIR. GARY RICHARDSON, NOT WISHING TO SPEAK, IN FAVOR. HARMONY RICHARDSON, NOT WISHING TO SPEAK, IN FAVOR. NOEL RICHARDSON, NOT WISHING TO SPEAK, IN FAVOR. GOOD FAMILY TREND THERE. DIANA MEL CERTIFY, NOT WISHING TO SPEAK, IN FAVOR. JIM BROWN, NOT WISHING TO SPEAK, IN FAVOR. BEVERLY BROWN, NOT WISHING TO SPEAK, IN FAVOR. STEPHANIE PHILLIPS. WELCOME, MA'AM, YOU WILL HAVE THREE MINUTES.

GOOD AFTERNOON. MY NAME IS STEPHANIE PHILLIPS AND I'M A CRESTVIEW NEIGHBORHOOD RESIDENT AND I WOULD LIKE TO TAKE THIS TIME TO SHARE SOME OF THE COMMENTS THAT WERE TURNED IN ON THE APPROXIMATELY 400 SURVEYS THAT WERE RETURNED TO THE ASSOCIATION. WHILE THERE WERE A HANDFUL OF INDIVIDUALS WHO VOICED FEELINGS SUCH AS WE SHOULD LEAVE THESE DECISIONS TO PROFESSIONAL PLANNERS, THE AVERAGE PERSON DOES NOT HAVE THE KNOWLEDGE OR SKILLS TO MAKE THESE DISCUSSIONS, MOST OF THE COMMENT SOUNDED LIKE THIS: FOR OVER 50 YEARS WE HAVE ENJOYED LIVING IN CRESTVIEW. IT'S EASY FOR SENIORS TO GET AROUND TO WHAT THEY NEED. SO FAR WE HAVE HAD LITTLE SERIOUS CRIME. I THINK IT'S IMPORTANT FOR THE NEIGHBORHOOD TO HAVE INPUT INTO CHANGES WHICH MIGHT DESTROY WHAT WE NOW ENJOY. ANOTHER ONE, MY HUSBAND AND I ARE IN OUR 50'S AND HOPE TO STAY IN OUR

HOME FOR THE DURATION. WE ENJOY THE ECLECTIC NATURE OF THE NEIGHBORHOOD AND THE OLD TREES, THE QUIETTEST SAFE ATMOSPHERE. WE REALIZE THAT GROWTH IS INEVITABLE, BUT NEEDS TO BE LIMITED AND CONTROLLED. THANKS FOR THE OPPORTUNITY TO EXPRESS OUR DESIRE TO MAINTAIN THE BEAUTY AND SAFETY OF OUR NEIGHBORHOOD. THIS IS MY CHILDHOOD HOME. MY FATHER BUILT MOST OF THE STREETS AND CREATED THE (INDISCERNIBLE). CRESTVIEW IS A UNIQUE NEIGHBORHOOD OF FRIENDS AND FAMILY, YOUNG AND OLD WITH A FRIENDLY, INVITING FEELING. WE WOULD ALL LIKE TO PRESERVE THAT FEELING OF SANCTUARY AS BEST WE CAN. WE NEED TO MAINTAIN THE CHARACTER AND INTEGRITY OF OUR NEIGHBORHOOD. NO PROPERTY OWNER SHOULD HAVE THE FLEXIBILITY TO DRASTICALLY RESHAPE THE ZONING OF A PROPERTY WITHOUT A FORMAL PROCESS TO DO SO. IF ANY KIND OF BUSINESS IS PUT IN, I FEEL THAT THE PEOPLE WHOSE LAND BACKS UP TO WHERE THE BUSINESS IS LOCATED SHOULD BE ABLE TO VOTE ON WHAT THEY WANT NEXT TO THEM. THE REZONING IS TO INCREASE VALUATIONS, TO INCREASE TAXES, TO ULTIMATELY TAX ALL THE SMALL SINGLE STORY HOUSES AND BUSINESSES OUT OF THE AREA. WE REALLY APPRECIATE THE INNER CITY JEWEL THAT WE HAVE IN CRESTVIEW AND DON'T WANT IT RUINED BY PLANNERS WHO WANT TO STUFF IT WITH MUCH MORE PEOPLE PER SQUARE MILE. THE STREETS ARE NARROW, TRAFFIC IS HEAVY. I DO NOT SEE THE STREETS SAFELY ACCOMMODATING TRAFFIC. MIXED USE ALONG ANDERSON, BURNET AND LAMAR WOULD NOT PROVIDE NEW PARKING FOR THE CARS. USED CAR DEALERS ARE OUT OF CONTROL AROUND OUR NEIGHBORHOOD. CRIME HAS BEEN RATHER LOW AND TRAFFIC HAS NOT BEEN TERRIBLE EXCEPT FOR THE TIMES IT HAS TAKEN ME TWO OR THREE MINUTES TO BACK OUT OF MY DRIVEWAY. MORE APARTMENTS CAUSE MORE NOISE AND MORE CRIME. I HAVE LIVED FOR 43 YEARS IN THE CRESTVIEW NEIGHBORHOOD. I LIKE IT THE WAY IT IS. WE HAVE PLENTY OF SHOPS IN THE AREA. I BOUGHT A HOME IN THIS NEIGHBORHOOD BECAUSE I LIKE THE QUIETNESS OF IT. ADDING BUSINESSES WOULD CAUSE THE NEIGHBORHOOD TO DETERIORATE INTO A PLACE I WOULD NO LONGER WANT TO LIVE. I'M OPPOSED TO ALL OF THE PROPOSED APARTMENT BUILDINGS. THESE

WOULD SUBSTANTIALLY -- [BUZZER SOUNDS] ALTER THE CULTURE AND ENVIRONMENT OF CRESTVIEW, WHICH ARE THE REASONS I PURCHASED A HOME IN THIS LOCATION TO BEGIN WITH. IN CLOSING, WHATEVER IRRITATIONS AND CONCERNS PEOPLE HAD, WHETHER IT BE BARKING DOGS, TRAFFIC, STOP SIGNS, ETCETERA, WHAT CAME THROUGH LOUD AND CLEAR WAS THAT CRESTVIEW RESIDENTS ARE PROUD OF THEIR COMMUNITY AND LOVE IT FOR WHAT IT IS. 45% OF THE RESPONDENTS SAID THEY HAD LIVED THERE FOR 15 YEARS OR MORE AND MANY OF THEM WROTE WITH HONOR ON THEIR SURVEY, I HAVE LIVED HERE 43 YEARS, 49 YEARS, 52 YEARS, 56 YEARS. PLEASE LET THESE PEOPLE KNOW THAT YOU RESPECT THEIR FEELINGS AND OPINIONS AND CONSIDER THE WISHES THEY HAVE VOICED IN THEIR SURVEY. THANK YOU.

Mayor Wynn: THANK YOU. COUNCIL, THAT'S ALL THE CARDS WE HAVE SIGNED UP FOR Z-1 OR Z-15. ARE THERE ANY OTHER CITIZENS THAT WISH TO SPEAK ABOUT THIS ITEM? IF NOT, I'LL ENTERTAIN A MOTION TO CHOOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER DUNKERLEY. I'LL SECOND THAT TO CLOSE THE PUBLIC HEARING. ALL THOSE IN FAVOR, PLEASE, SIR SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DIAS. COMMENTS, QUESTIONS OF STAFF OR PROPERTY OWNERS? COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, MAYOR. IT'S A QUESTION, SINCE WE HAVE THE HUNTSMAN FOLKS HERE AND THAT'S ONE OF THE AREAS OF INTEREST. IF ONE OF Y'ALL COULD COME TO THE MAP AND JUST SHOW UNCONSCIOUS THE TRACT THAT WE'RE TALKING ABOUT. I THINK I KNOW WHERE IT IS, BUT IT APPEARS THAT THERE IS SOME PIECES THERE THAT HUNTS MAN MAY NOT OWN. SO IF YOU COULD POINT OUT THAT JUST TO MAKE SURE I'M SPEAKING TO RIGHT ISSUE.

[INAUDIBLE - NO MIC].

Alvarez: YOU DON'T OWN OR CONTROL THOSE?

NO, SIR. THOSE ARE -- HOIM [INAUDIBLE].

Alvarez: BECAUSE IT APPEARS THAT THE MAIN CONCERN VOICED HAD TO DO WITH, I GUESS, TRAFFIC WAS ONE OF THE ISSUES ON MORROW FROM ANY POTENTIAL DEVELOPMENT ON THE HUNTSMAN PROPERTY, BUT THEN IT APPEARS ESPECIALLY GIVEN THE WAY THAT ONE TRACT INTO THE HUNTSMAN PROPERTY THAT THEY ARE PLACING SOME LIMITATIONS ON THAT LITTLE ISLAND THAT COULD ALSO HELP ADDRESS SOME THE CONCERNS OF THE NEIGHBORHOOD. IS THAT SOMETHING THAT'S BEEN CONTEMPTED?

LET ME ADDRESS A COUPLE OF THINGS TO THAT POINT. FIRST OF ALL, THE AREA OUTLINED IN GREEN HERE IS THE AREA THAT THE OPTIMIST CLUB WILL OCCUPY, THE 17 AND A HALF ACRES. IMMEDIATELY ADJACENT TO THAT IS AGGIE LANE, WHICH IS A PUBLIC STREET. AND WHAT -- SO YOU'VE GOT THAT AREA OCCUPIED BY THE BASEBALL FIELDS AND FOOTBALL FIELDS. ANOTHER IMPORTANT POINT THAT DIDN'T GET TOUCHED ON A LOT PREVIOUSLY IS WE HAVE GREAT DILEMMAS THIS AREA TO SINGLE-FAMILY USES. STAFF IS IN AGREEMENT WITH THAT, SO WE FEEL LIKE THAT'S ANOTHER BUFFERING OPPORTUNITY IN THAT AREA. AGAIN, WE UNDERSTAND THE CONCERNS ABOUT ACCESS. WE UNDERSTAND ALL THE UNPLEASANT TRIES THAT COME WITH THAT. WE FEEL LIKE THE APPROPRIATE TIME TO DEAL WITH THAT, HOWEVER, IS THE SITE PLAN STAGE WHERE WE'VE GOT ALL THE FACTS, WE'VE GOT A TRAFFIC IMPACT STUDY AND WE'VE GOT ALL THE INFORMATION THERE TO APPROPRIATELY ADDRESS THAT AND TO MAKE SURE WE DON'T LEAVE THINGS OUT LIKE EMERGENCY ACCESS AND THOSE TYPES OF THINGS.

Alvarez: SO THEN IN THAT AREA NEAR -- WHAT DID YOU CALL THAT LITTLE ROAD THAT COMES OUT?

AGGIE LANE.

Mayor Wynn: DON'T GO MESSING WITH AGGIE LANE. [

LAUGHTER]

WOULDN'T DARE.

> WE CAN GET THAT CHANGED [LAUGHTER]

NOT TODAY.

Alvarez: SO BASICALLY IT WOULD BE THAT LITTLE ISLAND THERE WHERE YOU'RE GOING TO TRY TO MAKE A SINGLE-FAMILY DEVELOPMENT?

YES, SIR. THAT WOULD BE RESTRICTED TO SINGLE-FAMILY TYPE USES.

Alvarez: OKAY.

AND AGAIN THAT FOCUSES EVERYTHING BACK THIS WAY AND TOWARDS LAMAR.

Alvarez: THANK YOU.

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: I'VE GOT A QUESTION FOR YOU OR JUST A COMMENT, MAYBE A QUESTION. I CAN SEE WHAT SOME OF THE NEIGHBORHOOD CONCERNS. I KNOW HUNTSMAN IS CONSIDERED A REAL GOOD NEIGHBOR AND EVERY INDICATION I SEE IS THAT THAT'S TRUE. ONE THING I WOULD BE CONCERNED ABOUT JUST FOR FUTURE YEARS IS IF HUNTSMAN DECIDED TO MOVE, THEN YOU'VE GOT A REALLY HUGE CHUNK OF PROPERTY RIGHT HERE THAT COULD REALLY DRAMATICALLY ALTER THE NEIGHBORHOOD, DEPENDING UPON WHAT HAPPENS. I WOULDN'T WANT TO SEE A SITUATION WHERE WE GOT SOMETHING PROPOSED LIKE WHAT'S ORIGINALLY PROPOSED FOR THE TRIANGLE AND WE HAD A LOT OF HEARTACHE OVER THAT AND FINALLY AFTER A YEAR OR SO CAME TO A GOOD CONCLUSION. MAYBE BETWEEN FIRST AND SECOND READING WE CAN TALK ABOUT THAT AND I'VE INVITED SOME MEMBERS OF THE NEIGHBORHOOD TO TALK ABOUT IT TOO. IF YOU HAVE ANY SUGGESTIONS ON HOW WE MIGHT WORK SOMETHING OUT ABOUT THAT? LET ME JUST SAY I CAN SEE -- I THINK THAT

SOMETHING -- THERE COULD BE SOME DENSITY THERE AND THERE COULD BE SOME USES OTHER THAN THAT, BUT I JUST WOULDN'T WANT TO --

IN WHICH PARTICULAR AREA?

Slusher: WHERE YOU WOULD HAVE LIKE A MAJOR SUBURBAN DEVELOPMENT GRAFTED ON TO THAT NEIGHBORHOOD.

COUNCILMEMBER, ARE YOU TALKING ABOUT THE SITE ON THE WHOLE?

Slusher: JUST THE WHOLE SITE.

I'D BE HAPPY TO VISIT WITH YOU OFF LINE BETWEEN NOW AND --

Slusher: WHY DON'T WE DO THAT NOW. BUT ANYTHING YOU WANT TO COMMENT HERE WOULD BE FINE.

WE FEEL LIKE WE LOOKED AT A LOT OF THOSE ISSUES AND IT'S TO THE POINT AS FAR AS ADDRESSING THE SETBACKS. WE'VE GOT THE OPEN SPACE, WHICH I THINK SOMEONE SAID EARLIER WAS ONE SQUARE FOOT OF THE SITE WAS DEDICATED -- NOT ONE SQUARE FOOT. THAT IS BEING USED BY THE OPTIMIST CLUB, WHICH PROVIDES A GREAT OPPORTUNITY TO THE GENERAL PUBLIC.

Slusher: RIGHT. I UNDERSTAND THAT.

WHEN YOU LOOK AT AGAIN RESTRICTING USES ALONG MORROW TO SINGLE-FAMILY, YOU ALSO HAVE COMPATIBILITY STANDARDS, COUNCILMEMBER, FROM BOTH DIRECTIONS HERE. AND ALONG MORROW STREET, 540 540 FEET INTO THE SITE. FOR EXAMPLE, THAT WOULD PUSH 60-FOOT HEIGHT LIMIT SOME 300 FEET AWAY FROM THE PROPERTY LINE.

Slusher: OKAY. I'M SURE A LOT HAS BEEN DONE ALREADY. I'M NOT DENYING THAT. I JUST WANT TO GET BETTER ACQUAINTED WITH IT BEFORE THE FINAL VOTE.

BE GHAD TO.

Slusher: THANKS.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

Alvarez: ONE MORE QUESTION. AND I DON'T KNOW IF STAFF -
- IT NOT ABOUT THE HUNTSMAN TRACT. THANK YOU FOR
CLARIFYING THAT FOR ME. BUT IT HAD TO DO WITH THE
ISSUE RELATING TO THAT THE DEED RESTRICTION,
SECTIONS NINE, 10 AND 12, AND HOW LARGE ARE THOSE
AREAS AND IS THAT SOMETHING YOU CAN ADDRESS
THROUGH ZONING OR THROUGH THIS PROCESS OR WHAT
DO YOU RECOMMEND ON THAT? HOW INCONSISTENT IS IT
WITH THE PLAN?

THE SECTIONS NINE, 10 AND 12 ARE THESE RIGHT HERE
OUTLINED IN ORANGE. IT'S ABOUT 150, 160 PROPERTIES,
WHICH MOST OF THEM UNDER ZONING WOULD BE LARGE
ENOUGH TO BUILD A DUPLEX OR GARAGE APARTMENT ON.
IT'S SOMETHING THAT WE'VE NEVER DONE BEFORE IS ZONE
SOMETHING SPECIFICALLY BECAUSE THERE'S A DEED
RESTRICTION ON IT. AND IT WASN'T SOMETHING THAT THE
DETAILS CAME OUT UNTIL TOO LATE FOR UNCONSCIOUS TO
ACTUALLY -- FOR US TO ACTUALLY DEAL WITH IT THROUGH
THIS REZONING PROCESS. THE PLANNING COMMISSION FELT
THAT IT SHOULDN'T REALLY BE A PRIORITY SINCE IT'S
ALREADY RESTRICTED BY DEED RESTRICTION.

Alvarez: IT'S IN THE DEED RESTRICTION NOW, SO THE EXIST
WILLING ZONING IS -- EXISTING ZONING IS SF-3.

YES. SO IT WOULD REQUIRE SF-2 ZONING FOR THE -- TO
REQUIRE -- TO BE THE SAME FOR WHAT USES ARE
ALLOWED.

Alvarez: AND THEN THE DEED RESTRICTIONS -- I MEAN, AS
LONG AS THOSE ARE THERE, THE PROHIBITION IS IN EFFECT.

THE ENFORCEMENT WOULD BE ON THE RESIDENTS OF THE
SUBDIVISION WITH THE DEED RESTRICTIONS, AND THEN
WITH THE ZONING THE ENFORCEMENT WOULD HAVE TO BE

DONE BY THE CITY.

Alvarez: BUT HOW WOULD YOU CHANGE THE DEED RESTRICTIONS? YOU WOULD EITHER HAVE TO BE AN AGREEMENT OF ALL THE PROPERTY OWNERS IN THOSE -- IT'S NOT SOMETHING THAT'S EASY.

AS HARD TZ IT IS TO CHANGE ZONING, IT'S USUALLY EASIER TO DO THAT THAN CHANGE DEED RESTRICTIONS.

Alvarez: OKAY. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? COUNCIL? IF NOT, I GUESS WE NEED STAFF TO WALK US THROUGH THIS MOTION SHEET?

MOTION ONE AS ITS WRITTEN ON THE SHEET WOULD BE TO ADOPT THE PLAN AND THE ZONING CHANGES AS RECOMMEND BY THE PLANNING COMMISSION. IF COUNCIL WOULD LIKE TO ADD ANYTHING THAT IS HIGHLIGHTED ON THE ISSUE SHEET, THEN THAT CAN BE ADDED TO THIS MOTION.

Mayor Wynn: AGAIN, WE'LL TAKE UP THE ACTUAL NEIGHBORHOOD PLAN BEFORE WE TAKE UP THE ZONING.

RIGHT, TWO SEPARATE VOTES.

Mayor Wynn: COUNCIL, I'LL ENTERTAIN A MOTION ON ITEM Z-1, WHICH IS THE APPROVAL OF THE NEIGHBORHOOD PLAN.

Dunkerley: OKAY, MAYOR, I WOULD MOVE THAT WE -- ON FIRST READING THAT WE APPROVE THE NEIGHBORHOOD PLAN AS RECOMMENDED BY THE PLANNING COMMISSION WITH THE EXCEPTION OF THOSE ITEMS THAT ARE LISTED BELOW ON OUR YELLOW SHEET. AND ON FIRST READING THIS WILL GIVE US AN OPPORTUNITY TO DO SOME FURTHER STUDY ON THIS PLAN AND GET EVERYTHING CLEAR BEFORE WE COME BACK FOR SECOND AND THIRD READING.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLEY TO APPROVE THE NEIGHBORHOOD PLAN AS RECOMMENDED BY THE PLANNING COMMISSION ACCEPTING

THE TRACTS LISTED BELOW ON OUR MOTION STREET.

Slusher: I'LL WAIT UNTIL THERE'S A SECOND. I HAVE A QUESTION ABOUT THAT.

Mayor Wynn: I'LL SECOND THAT FOR DISCUSSION. COUNCILMEMBER SLUSHER?

Slusher: THANK YOU, MAYOR. COUNCILMEMBER DUNKERLEY, I'M NOT SURE WHAT -- YOU'RE REFERRING TO THIS YELLOW SHEET.

Dunkerley: YEAH, THERE ARE TWO VALID PETITIONS DOWN THERE. I I UNDERSTAND WE HAVE TO TAKE THOSE SEPARATELY.

Slusher: WHAT DOES YOURS DO ABOUT THE -- ABOUT THE 183 AND RESEARCH CONTRACT WITH THE QUESTION OF LI OR CS?

Dunkerley: WELL, RIGHT NOW I'M JUST MOVING RIGHT NOW ON FIRST READING THE PLANNING COMMISSION RECOMMENDATION AND THAT WILL GIVE US SOME TIME TO LOOK AT THESE INDIVIDUAL ONES BEFORE WE COME BACK.

Slusher: OKAY.

THAT TRACT, IF YOU'RE REFERRING TO THE ONE AT HE ON OWE.

Slusher: WHERE THE STAFF HAD A DIFFERENT RECOMMENDATION THAN THE PLANNING COMMISSION.

THE ONLY ONE WHERE THERE WAS A DIFFERENCE BETWEEN THE STAFF AND PLANNING COMMISSION WAS TRACT 12 ON RESEARCH BOULEVARD. AND THEN TRACT 3, WE'VE RECEIVED A PETITION AT THE MEETING FROM THE PROPERTY OWNER, SO IT'S LIKELY BY SECOND AND THIRD READING IT WILL BE -- WE CAN DETERMINE THAT IT'S VALID, BUT IT'S NOT VALID AT THIS POINT, SO IT DOESN'T HAVE TO BE TAKEN SEPARATELY.

Slusher: OKAY. SO WHAT DOES -- TRACT 12 IS THE ONE

THAT'S 183 AND RESEARCH.

SO BY --

Slusher: RESEARCH AND --

IT'S ON RESEARCH BOULEVARD.

Slusher: SO THAT WOULD GO IN AT LI RATHER THAN THE CS UNDER COUNCILMEMBER DUNKERLEY'S MOTION.

YEAH, BY ADOPTING PLANNING COMMISSION RECOMMENDATION THAT WOULD BE ADOPTING LI-CO INSTEAD OF CS.

Slusher: WOULD YOU GO FOR THE STAFF RECOMMENDATION INSTEAD ON THAT TRACT, COUNCILMEMBER?

Dunkerley: WELL, AT THAT POINT I WOULD LIKE TO DO PLANNING COMMISSION ALL THE WAY DOWN UNTIL I FIGURE OUT IF -- DURING THIS TIME THAT THERE COULD BE SOME WORKING OUT OF AN AGREEMENT ON THAT. I THINK THAT IT MAY BE THAT THE LANDOWNER WOULD AGREE TO ADDITIONAL-- RESTRICTING ADDITIONAL USES OR SOMETHING. I THOUGHT WE WOULD GIVE THEM A WEEK TO TRY TO WORK OUT SOME COMPROMISE?

Slusher: WELL, UNLESS I HEAR OTHERS PIPE UP ABOUT THAT, I'LL JUST GO WITH THAT AND WE CAN TALK ABOUT IT IN THE MEANTIME.

Dunkerley: YEAH. I DON'T KNOW A LOT ABOUT THE DETAILS EITHER, BUT GENERALLY IF YOU HAVE A WEEK, WE CAN CLARIFY WHERE THE REAL DIFFERENCES ARE. AND IF THERE'S SOME MUTUALLY AGREED DECISION, WE CAN COME TO.

Slusher: SOMETIMES IT'S HARDER TO GET THINGS OUT THAN IT IS TO GET THEM IN. ONCE IT'S PASSED ONE TIME.

Dunkerley: WELL, I'LL WORK WITH YOU ON THAT.

Dunkerley: THERE MAY BE SOME WAYS THAT WE CAN GET

ADDITIONAL USES RESTRICTED SO THAT THE TWO RECOMMENDATIONS CAN BE A LITTLE CLOSER TOGETHER.

Slusher: OKAY. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? AGAIN, THE MOTION ON THE TABLE IS TO APPROVE THE NEIGHBORHOOD PLAN AS RECOMMENDED BY THE PLANNING COMMISSION ON FIRST READING ONLY EXCEPTING TRACTS OF LAND LISTED BELOW. ALL THOSE IN FAVOR SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF OF TO ZERO ON FIRST READING ONLY MUCH COUNCILMEMBER MCCracken OFF THE DIAS.

Mayor Wynn: SO NOW WE CAN TAKE UP THE Z-15, THE REZONING AS SHOWN ON OUR MOTION SHEET. AGAIN, ON FIRST READING ONLY. STAFF HAS OUTLINED A MOTION THAT APPROVES THE MPCD REZONING AS RECOMMENDED BY THE PLANNING COMMISSION WITH THE EXCEPTION OF TRACTS 146, 808 AND 906, JUSTIN LANE, FIRST READING.

Alvarez: I'LL APPROVE THE STAFF RECOMMENDATION.

Mayor Wynn: MOTION BY COUNCILMEMBER ALVAREZ. I'LL SECOND THAT FOR THE STAFF OUTLINE, FIRST READING ONLY ZONING ITEM Z-15. FURTHER COMMENTS? QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DIAS. COUNCIL, THAT TAKES US THEN ON TO THE SECOND POTENTIAL MOTION WHERE I UNDERSTAND THIS CORRECTLY WE'LL HAVE A CHOICE BETWEEN SECTION 2-A AND 2-B AS OUTLINED BY STAFF.

2-A WOULD BE TO ADOPT THE PLANNING COMMISSION RECOMMENDATION AND 2-B WOULD BE TO ADOPT THE PROPERTY OWNER'S REQUEST.

Mayor Wynn: AGAIN, THIS IS TRACT -- WE'RE TALKING ABOUT TRACT 146, WHICH IS THE CRESTVIEW SHOPPING CENTER.

[ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

COUNCIL, I WILL EPBT INTRAIN A MOTION FOR THE CRESTVIEW SHOPPING CENTER ON 2 A OR 2 B. FIRST READING ONLY.

I MOVE PLANNING COMMISSION RECOMMENDATIONS, TRACT SEEMS TO BE SURROUNDED BY --

IT IS BASICALLY IN THE MIDDLE OF THE NEIGHBORHOOD ON THREE RESIDENTIAL STREETS. NOT TRADITIONALLY WHERE YOU WOULD FIND THE ZONING.

MOTION MADE BY COUNCIL MEMBER ALVAREZ TO APPROVE MOTION 2 A, TRACT 146, I WILL SECOND THAT. FURTHER COMMENTS? QUESTIONS? ALL THOSE IN FAVOR, PLEASE SAY AYE, OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER CRACKEN OFF THE DIAS.

> WE WILL TAKE THIS TO SCHEDULE MOTION NUMBER THREE -- I'M SORRY, THAT WAS THE NEIGHBORHOOD PLAN FOR TRACT 146. NOW FOR THE ACTUAL ZONING MOTION, WHICH SHOWS UP UNDER STKPWHRFPLT 15, I WILL ENTERTAIN A MOTION TO ALIGN THE ZONING WITH THE PREVIOUS MOTION.

I WILL CREATE THE MOTION THAT THE ZONING TRACK 142 TO APPROVE PLANNING COMMISSION RECOMMENDATION ON FIRST READING AS STATED.

MOTION BY COUNCIL MEMBER ALVAREZ, THAT I WILL SECOND, IS FOR THE 2 A ZONING MOTION ON TRACT 146, APPROVING THE PLANNING COMMISSION RECOMMENDATION, TRACT 146 FROM CS TO CSCONP, FIRST READING ONLY. OTHER COMMENTS? QUESTIONS? ALL THOSE IN FAVOR PLEASE SAY AYE, OPPOSED? MOTION PASSES ON A VOTE OF 6-0. FIRST READING ONLY.

> COUNCIL TAKES THIS ITEM TO ESSENTIAL MOTION THREE, 3 A OR 3 B THIS IS TRACT 149, ALSO KNOWN AS 808 AND 906 DESTIN LANE.

ACTUALLY A PORTION OF 808 AND 96.

RIGHT. I WILL ENTERTAIN A MOTION. THIS SAME GENERAL SCENARIO, WHEREBY 3 A IS THE PLANNING COMMISSION RECOMMENDATION AND IT INCLUDES THE NEW DESIGNATION. AND --

PROPERTY OWNER'S REQUEST IS TO MAINTAIN THE ZONING AS LI.

COUNCIL MEMBERS?

THE USES THAT ARE THERE NOW, CAN THEY BE DONE --

AUTO SALES AND AUTO REPAIR.

SO YOU CAN DO THAT?

RIGHT.

COUNCIL MEMBER ALVAREZ?

YES, MAKE A MOTION TO APPROVE PLANNING COMMISSION RECOMMENDATION ONLY NEIGHBORHOOD PLAN LAND USE RECOMMENDATIONS FOR TRACT -- FOR 808 AND 90 --
MOTION --

THANK YOU, MOTION MADE BY COUNCIL MEMBER ALVAREZ, EXCUSE ME, MOTION 3 A, WHICH IS A PORTION OF TRACT 149, 808 AND 906 DESTIN LANE TO APPROVE THE PLANNING COMMISSION RECOMMENDATIONS, FIXED USE DESIGNATION UNDER STKPWHRFPLT 1, NEIGHBORHOOD PLAN.
DISCUSSION? ALL IN FAVOR PLEASE SAY AYE? OPPOSED,
MOTION PASSES BY A VOTE OF 6-0, COUNCIL MEMBER McCracken OFF THE DIAS. TAKE THIS TO OUR ZONING CASE. Z 15 FOR A PORTION OF TRACT 149, 808 AND 906 DESTIN LANE. I WILL ENTERTAIN A MOTION.

APPROVAL AGAIN, Z AS THE PLANNING COMMISSION RECOMMENDATION FOR 808 AND 906 DESTIN LANE ON FIRST READING, AS STATED USE 3 A.

MOTION MADE BY COUNCIL MEMBER ALVAREZ, SECONDED BY MAYOR PRO-TEM TO APPROVE THE ZONING ON 808 AND 906 DESTIN LANE, Z 15, FIRST READING ONLY, FROM LI TO

CSNP, FOR THE PLANNING COMMISSION RECOMMENDATION.
ANY COMMENT? HEARING NONE, ALL THOSE IN FAVOR
PLEASE SAY AYE? OPPOSED? MOTION PASSES ON A VOTE
OF 6-0, COUNCIL MEMBER CRACKEN OFF THE DIAS.

> THANK YOU. COUNCIL WITH THAT, WE WILL NOW BREAK
FOR OUR 5:30 LIVE MUSIC AND PROCLAMATIONS. AND AFTER
LIVE MUSIC AND PROCLAMATIONS, THE COUNCIL WILL GO
INTO EXECUTIVE SECTION, FIRST SECTION 551.074, THE
OPENING MEETING ACT TO DISCUSS PERSONNEL RELATED
MEMBERS RELATED TO ITEM NUMBER 25, OUR MUNICIPAL
COURT CLERK. WE ARE SET FOR LIVE MUSIC AND
PROCLAMATIONS THEN EXECUTIVE SESSION. THANK YOU.

AFTERNOON, FOLKS, A LITTLE BEHIND SCHEDULE, BUT TIME
FOR OUR 5:30 BOUT OF MUSIC AND CITY COUNCIL MEETING.
JOINING US TODAY JUDY ARNOLD. YOU HAVE SEEN HER AT
BEEHIVE, SOUL SISTERS, ROCKING WRIST MASS PARTY,
PRECIOUS LORD AND DREAM GIRLS. CRITICS SAY SHE IS THE
NEXT BEST THING TO ARETHA HERSELF AND AN AWE-
INSPIRING PERFORMER. AT THIS TIME, SHE IS PUT ALL HER
TIME AND ENERGY INTO A SHOW CALLED "I AM SOMEBODY."
SO AT THIS TIME, I AM PROUD TO INTRODUCE MS. JUDY
ARNOLD.

THANK YOU VERY MUCH. THANK YOU. (EACH DAY I LIVE I
WANT TO BE (music) (music) A DAY TO GIVE THE BEST OF ME
(music) (music) I'M ONLY ONE BUT NOT ALONE (music) (music)
MY FINALEST GIFT IS YET UNKNOWN (music) (music) I BROKE
MY HEART FOR EVERY PAIN (music) (music) TO TASTE THE
SWEET I FACE THE PAIN (music) (music) I RISE AND FALL, BUT
THROUGH IT ALL (music) (music) THIS MUCH REMAINS (music)
(music) I WANT ONE MOMENT IN TIME (music) (music) WHEN I'M
MORE THAN I THOUGHT I COULD BE (music) (music) WHEN ALL
OF MY DREAMS ARE A HEART BEAT AWAY (music) (music) AND
THE ANSWERS ARE ALL UP TO ME (music) (music) GIVE ME
ONE MOMENT IN TIME (music) (music) WHEN I'M RACING WITH
DESTINY (music) (music) THEN IN THAT ONE MOMENT OF TIME
I WILL FEEL, I WILL FEEL EONCERN ETERNITY (music) (music)
(music) (music) I LEARNED TO BE THE VERY BEST (music)
(music) I WANT IT ALL, NO TIME FOR LESS (music) (music) I'VE
LAID THE PLANS, NOW LAY THE CHANCE (music) (music) HERE
IN MY HAND (music) (music) GIVE ME ONE MOMENT IN TIME

(music) (music) WHEN I'M MORE THAN I THOUGHT I COULD BE
(music) (music) WHEN ALL OF MY DREAMS ARE A HEARTBEAT
AWAY AND THE ANSWERS ARE ALL UP TO ME (music) (music)
GIVE ME ONE MOMENT IN TIME (music) (music) WHEN I'M
RACING WITH DESTINY (music) (music) THEN IN THAT ONE
MOMENT OF TIME I WILL FEEL, I WILL FEEL ETERNITY (music)
(music) OH, YOU'RE A WINNER FOR A LIFETIME (music) (music)
IF YOU SEIZE THAT ONE MOMENT IN TIME (music) (music)
MAKE IT TIME (music) (music) GIVE ME ONE MOMENT IN TIME
(music) (music) WHEN I'M MORE THAN I THOUGHT I COULD BE
(music) (music) WHEN ALL OF MY DREAMS ARE A HEARTBEAT
AWAY (music) (music) AND THE ANSWERS ARE ALL UP TO ME
(music) (music) GIVE ME ONE MOMENT IN TIME WHEN I'M
RACING WITH DESTINY (music) (music) IN THAT ONE MOMENT
OF TIME I WILL BE (music) (music) I WILL BE (music) (music) I
WILL BE FREE (music) (music) OH, I WILL BE, I WILL BE FREE
(music)(music) [CHEERS AND APPLAUSE]

THANK YOU SO MUCH. THANK YOU. THANK YOU.

JUDY, YOU CAN SAVE US A FORTUNE ON A PA SYSTEM.
WELL, TELL US, WHERE CAN FOLKS SEE THE PERFORMANCE,
"I AM SOMEBODY?"

I AM DOING A SHOW AT SCOTT THEATERS, PROJECT
INTERACT, TOUGH CALL IN AND COME TO THE SCHOOL IT IS
CALLED I AM SOMEBODY. LET THE STUDENTS KNOW THAT
THEY ARE SOMEBODY. SO, INVITE ME TO YOUR SCHOOL AND
CALL ZACHARY SCOTT. THANK YOU.

WILL DO. THANK YOU. BEFORE WE GET AWAY, WE HAVE AN
OFFICIAL CITY OF AUSTIN PROCLAMATION, BE IT KNOWN
THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES
MANY CONTRIBUTIONS TO THE DEVELOPMENT OF SOCIAL,
ECONOMIC AND CULTURAL DIVERSITY AND WHEREAS THE
DEDICATED EFFORTS OF AN ARTIST AS AUSTIN THE LIVE
MUSIC CAPITAL OF THE WORLD, THEREFORE I, WILL WYNN,
THE MAYOR OF THE CITY OF AUSTIN TEXAS PROCLAIM
TODAY, MARCH 4, 2004, PROCLAIM TODAY JUDY ARNOLD
DAY. CONGRATULATIONS.

THANK YOU SO MUCH. [APPLAUSE]

THANK YOU.

SIX MORE HOURS TO ENJOY YOUR DAY, SO -- [LAUGHTER]
WE DO IT LATE IN THE DAY SO IT DOESN'T GET ABUSED TOO
MUCH. THIS IS THE CITY OF AUSTIN COMMUNITY SERVICE
AWARD AND GOES TO LIEUTENANT ERNIE PEDESTRIAN
TKRAZ ZA, DOING SO MANY THINGS THROUGHOUT THIS
COMMUNITY, JUST ONE WE CAN RECOGNIZING HIM FOR
TODAY. THE COMMUNITY SERVICE AWARD READS FOR HIS
EFFORTS ON BEHALF OF THE CUB SCOUTS OF PACK 203 DEN
3, LIEUTENANT ERNIE PEDRAZA IS DESERVING OF PUBLIC
ACCLAIM AND RECOGNITION. LIEUTENANT PEDESTRIAN
TKRAZ ZA TOOK HIS PERSONAL TIME TO HELP ENTIRE DEN
ACCOMPLISH THEIR CRIME PREVENTION TASK,
ACHIEVEMENT AND ADVANCE TONIGHT RECEIVE THEIR BEAR
BADGES. LIEUTENANT PEDESTRIAN TKRAZ ZA'S GUIDANCE
AND COMMITMENT TO THE LAW ENFORCEMENT WAS
EVIDENCE IN THIS PRESENTATION TO SCOUTS AND GAVE
THE BOYS A VERY POSITIVE IMPRESSION OF THE AUSTIN
POLICE DEPARTMENT. THIS CERTIFICATE IS ISSUED IN OUR
APPRECIATION FOR HIS SERVICE AS A REL MODEL AND
TEACH TO THE FUTURE LEADERS OF OUR COMMUNITY THIS
FOURTH DAY OF MARCH, 2004, SIGNED BY ME AND THE
ENTIRE AUSTIN CITY COUNCIL, MAYOR PRO-TEM GOODMAN,
COUNCIL MEMBERS FLUSHER, AUBERLY McCRACKEN AND
THOMAS AND THANK YOU TO LIEUTENANT ERNIE
PEDESTRIAN TKRAZ ZA.

THANK YOU, MAYOR AND THANK YOU CITY COUNCIL. IT IS AN
HONOR, I WANT TO ALSO THANK MICHAEL VON OLIN, WHO
ASKED ME TO PARTICIPATE WITH THE DEN IN THE CRIME
PREVENTION PORTION OF THEIR ENDEAVORS AND I WAS
MORE THAN PLEASED TO DO THAT, 'CAUSE WHEN I WAS
THEIR AGE, THERE WAS A POLICE OFFICER THAT TOUCH
HIDE LIFE AND WAS ONE MOMENT -- TOUCHED MY LIFE AND
ONE MOMENT IN TIME, LIKE THE SONG SAYS. THAT WAS ALL
THAT IT TOOK. AND IT ENCOURAGED ME TO BE A POLICE
OFFICER AND TO HELP THE COMMUNITY AND -- BUT I WANT
TO THANK ESPECIALLY MICHAEL VON OLIN FOR HIS EFFORTS
THROUGHOUT THE YEARS IN HELPING THE CUB SCOUTS DO
WHAT THEY DO EVERY DAY. THANK YOU, MAYOR AND CITY
COUNCIL AND THANK YOU, MICHAEL VON OLIN. [APPLAUSE]

> OUR LAST SPECIAL RECOGNITION TODAY WILL BE FOR MS. SARAH HARTLY, WHOSE BIRTHDAY IT IS SARAH WILL PLEASE COME FORWARD AND I WOULD LIKE TO ASK THE CITY MANAGER TO LEAD THE RECOGNITION. TOBY?

DRAGGING SARAH HERE TO THE FRONT. COME ON, SARAH. THE AGENDA THAT WE DO EVERY THURSDAY IS A MASSIVE UNDERTAKING. IT IS A MAJOR AMOUNT OF PAPERWORK AND ORDEAL AND HASSLE AND I DON'T THINK THIS COMMUNITY SEES THE FACE THAT'S BEHIND THIS AGENDA, BUT SINCE SHE IS HAVING A BIRTHDAY, I THOUGHT THIS WOULD BE GOOD TIME TO SAY HAPPY BIRTHDAY TO SARAH AND FOR A SMALL AWARD FOR HER TODAY. THESE FLOWERS, TO THANK SARAH FOR HELPING THIS COMMUNITY PUT THIS AGENDA TOGETHER EVERY WEEK. [APPLAUSE]

I WILL SAY ONE QUICK WORD, I'M NOT GOOD AT THIS AT ALL. I THINK MY FACE IS THE SAME COLOR AS MY SHOES.

THE FIRST THING FOR SARAH IS TO GET THE MICROPHONE CLOSE. THERE YOU GO. NOW YOU ARE GOING TO SING?

I'M NOT SINGING ANYTHING. AND YOU WILL BE GLAD I'M NOT BUT I DO WANT TO SAY THANK YOU AND I WORK WITH AN INCREDIBLE GROUP OF PEOPLE. AND THANK YOU SO MUCH FOR THE RECOGNITION. IT MEANS A LOT, 'CAUSE IT IS -- IT'S A BIG JOB BUT ITS A HE IS A LOT OF FUN AND I'VE LEARNED SO MUCH ABOUT THE CITY, BEING ABLE TO WORK WITH ALL THE DIFFERENT DEPARTMENTS AND THE COUNCIL OFFICES. SO, ANYWAY, I'M NOT GOD IN FRONT OF THE MIKE, SO THANK YOU VERY MUCH. I APPRECIATE IT.

HAPPY BIRTHDAY. [APPLAUSE]

COUNCIL WILL NOW BE NEXT HE CANTIVE SECTION UNDER 551.074 TO DISCUSS PERSONNEL MAT REARS LATED TO ITEM NUMBER 5. WE ARE IN CLOSED SESSION.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION WHERE WE DISCUSSED PERSONNEL MATTERS UNDER SECTION 551.074 OF THE OPEN MEETINGS ACT. NO DECISIONS WERE MADE AND I'LL ENTERTAIN A MOTION ON ITEM NUMBER 25 AND

RECOGNIZE THE MAYOR PRO TEM.

MAYOR, MOVE THAT --

Goodman: MAYOR, MOVE THAT WE POSTPONE OUR CONSIDERATION OF COMPENSATION AND EVALUATION OF MUNICIPAL COURT CLERK UNTIL MARCH 25TH. WE'RE WAITING ON SOME INFORMATION. THAT WE'VE NOW ASKED THE RIGHT PERSON FOR.

Mayor Wynn: MOTION MADE BY MAYOR PRO TEM TO POSTPONE ACTION ON ITEM 25 UNTIL MARCH 25TH, 2004. I'LL SECOND THAT. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MOTION PASSES ON A VOTE OF SIX TO ZERO. THERE BEING NO MORE ITEMS BEFORE THE CITY COUNCIL, I'LL ENTERTAIN A MOTION TO ADJOURN. MOTION MADE BY COUNCILMEMBER THOMAS, SECONDED BY COUNCILMEMBER SLUSHER. FURTHER DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: WE ARE ADJOURNED. THANK YOU.

End of Council Session Closed Caption Log