

Closed Caption Log, Council Meeting, 6/10/04

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Mayor Wynn: GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, IT'S MY PRIVILEGE TO WELCOME PASTOR PAT AN BOTD FROM THE RIVERBEND BAPTIST CHURCH WHO WILL LEAD US IN OUR INVOCATION, PAT ABBOTT.

OUR MOST GRACIOUS FATHER, AS THESE ESTEEMED LEADERS, OFFICIALS AND STATESMEN OF THE COMMUNITY MEET THIS MORNING, WE ASK YOUR GUIDANCE AND BLESSINGS ON THE DECISIONS THAT ARE FORTHCOMING. TO BE STEADFAST. I PRAY THAT YOU OPEN THE EYES -- OUR EYES AND HEART, THAT WE ONLY SEE ONE AGENDA IN FRONT OF US. HELP US TO KNOWLEDGE AND LEADERSHIP INTO WISDOM, TURN INDIVIDUAL PICTURES INTO THE LARGE PICTURE, POLITICAL VIEWS INTO PEOPLE VIEWS AND PROVIDE CONVICTION AND COURAGE TO ALL HERE TODAY. WE ARE SO VERY GRATEFUL AND HUMBLLED BY YOUR PRESENCE IN OUR LIVES. WE PRAY THAT YOU ACCEPT THE COURAGE AND STRENGTH THAT YOU GIVE US EACH DAY. IN HIS HOLY NAME WE PRAY, AMEN.

THERE BEING A QUORUM PRESENT, AT THIS TIME I WILL CALL TO MEETING THE AUSTIN CITY COUNCIL, IT IS THURSDAY JUNE 10th, 2004. 10:20 IN THE MORNING. WE ARE AT THE LCRA HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD. BOULEVARD. BEFORE WE GET STARTED WITH OUR CHANGES AND CORRECTIONS, I WOULD LIKE TO THANK THE MAYOR PRO TEM AND REALLY EVERYBODY WHO HELPED ME OUT BY HANDLING THE LAST COUNCIL MEETING TWO WEEKS AGO, I WAS OUT OF TOWN AND I APPRECIATE

THE ABILITY FOR EVERYBODY TO SHOW THE FLEXIBILITY THAT YOU ALL DID. ALSO WE HAVE BEEN ASKED WHAT ACTUALLY WE WILL TAKE AS A CITY IN REGARDS TO THE FUNERAL TOMORROW FOR FORMER PRESIDENT RONALD REAGAN. BEGINNING TOMORROW AT SUNRISE, THE OFFICIAL DAY OF THE FUNERAL, ALL FLAGS AT ALL CITY FACILITIES WILL BE FLOWN AT HALF STAFF FOR THE 30 DAYS FROM THE DEATH OF RONALD REAGAN THROUGH JULY 5th, 2004. THAT WILL MIRROR THE ACTION BY THE FEDERAL GOVERNMENT AND STATE GOVERNMENT. CITY OFFICES WILL REMAIN OPEN, HOWEVER. WE WILL ALLOW SUPERVISORS AND INDIVIDUAL EMPLOYEES IF THEY WANT TO TO TAKE THE TIME TO WATCH THE TELEVISED FUNERAL. OUR EMPLOYEES WILL CERTAINLY BE ALLOWED TO DO SO, BUT CITY GOVERNMENT SERVICES WILL BE FULLY OPERATIONAL THIS FRIDAY. THANK YOU VERY MUCH. I WOULD LIKE TO READ THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. ON ITEM NO. 10, WE SHOULD INCLUDE THE WORD EXCEED \$93,181, SO THE SUMMARY STATEMENT WILL READ FOR RELOCATION OF CITY WATER FACILITIES AS PART OF CAMERON ROAD AT HARRIS BRANCH PARKWAY PROJECT, IN AN AMOUNT NOT TO EXCEED \$93,181. WE SHOULD NOTE THAT ITEM NO. 16 IS RELATED TO ITEM NO. [INDISCERNIBLE] ITEM NUMBER 26 IS TO BE POSTPONED TO JUNE 17th, 2004. ITEM NO. 27 ALSO POSTPONED TO JUNE 17th, 2004. ON ITEM NO. 39, MAYOR WILL WYNN WILL BE ADDED TO THE LIST OF SPONSORING COUNCILMEMBERS, JOINING COUNCILMEMBER DUNKERLY AND COUNCILMEMBER THOMAS. ON ITEM 40, COUNCILMEMBER THOMAS WILL BE ADDED TO THE SPONSORING COUNCILMEMBER DUNKERLY ITEM. ITEM NO. 44 SHOULD NOTE THAT IT'S RELATED TO ITEM NO. 55. ITEM NO. 48 RELATES TO BOTH ITEMS 41 AND 42. OUR TIME CERTAINS FOR TODAY'S MEETING, AT 12:00 NOON WE BREAK FOR OUR GENERAL CITIZEN COMMUNICATIONS. AT 2:00, WE WILL HAVE BRIEFINGS THAT SHOW UP AS ITEM NOS. 51 AND 52, INCLUDING, OF COURSE, THE CITY MANAGER'S POLICY BUDGET PRESENTATION. AT 4:00 P.M. WE BREAK FOR OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RRKS, THOSE SHOW -- RESTRICTIVE COVENANTS, THOSE SHOW ON TODAY'S AGENDA AS ITEMS NUMBER 53 AND ZONING ITEMS Z-1 THROUGH 12. I WILL NOTE NOW THAT STAFF WILL BE REQUESTING A POSTMENT OF ITEM NO. Z-11,

THE ROBINSON RANCH P.U.D. TO JUNE 17th, 2004. HOWEVER, THAT POSTPONEMENT ACTION WON'T OCCUR UNTIL THAT 4:00 TIME CERTAIN POSTING. AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS, AT 6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTIONS, ONLY ONE ITEM THIS EVENING, ITEM NO. 54. NOW FOR THE CONSENT AGENDA, SEVERAL ITEMS HAVE BEEN PULLED OFF THE CONSENT AGENDA. ITEM NO. 9 PULLED BY COUNCILMEMBER SLUSHER, ITEM 11 I HAVE PULLED, ITEM NO. 16 WILL BE OFF THE CONSENT AGENDA BECAUSE IT RELATES TO AN EXECUTIVE SESSION ITEM, 44. ITEM NO. 30 HAS BEEN PULLED BY COUNCILMEMBER ALVAREZ. ITEM 35 HAS BEEN PULLED BY COUNCILMEMBER SLUSHER. ITEMS 41 AND 42 WON'T BE ON THE CONSENT AGENDA BECAUSE THEY RELATE TO AN EXECUTIVE SESSION ITEM 48. AND ITEM 55 WILL NOT BE ON THE CONSENT AGENDA BECAUSE IT RELATES TO EXECUTIVE SESSION ITEM NO. 44. COUNCIL, FOR THE RECORD I WANT TO MAKE SURE THAT WE ARE AWARE, ITEM NO. 50 IS A -- IS A SETTLEMENT AGREEMENT, ESSENTIALLY APPROVING A CHANGE ORDER FOR \$120,000. WE HAVE POSTED A POTENTIAL EXECUTIVE SESSION ITEM IF ANY COUNCILMEMBER WANTS TO DISCUSS THAT SETTLEMENT, BUT SEVERAL OF US HAVE HAD INDIVIDUAL BRIEFINGS AND UNDERSTAND THAT THAT -- THAT CHANGE ORDER IS -- HAS BEEN WELL DISCUSSED BY STAFF. SO UNLESS A COUNCILMEMBER NEEDS TO HAVE ITEM NO. 47, WHICH IS A POSTED EXECUTIVE SESSION DISCUSSION, ITEM NO. 50 WILL REMAIN ON THE CONSENT AGENDA. ANY OTHER ITEMS THAT NEED TO BE PULLED FROM THE CONSENT AGENDA OR ADDED BACK? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE., WITH THAT I WILL READ THROUGH WHAT I BELIEVE TO BE THE CONSENT AGENDA NUMERICALLY. ITEM 1, 2, 3, 4, 5, 6, 7, 8, 10 PER CHANGES AND CORRECTION, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 AND 27 TO BE POSTPONED TO JUNE 17th, 2004, 28, 29, 31, 32, 33, 34, 36, 37, 38, WHICH IS OUR BOARD AND COMMISSION APPOINTMENTS, AT THIS TIME I WILL READ THOSE INTO THE RECORD. TO THE COMMISSION ON IMMIGRANT AFFAIRS, ANDREA BALINO, A CONSENSUS APPOINTMENT. TO THE COMMUNITY DEVELOPMENT COMMISSION, YOLANDA ALEMAN LIMON, A CONSENSUS REAPPOINTMENT. SHE REPRESENTS THE ROSEWOOD ZARAGOSA BLACK LAND NEIGHBORHOOD. [INDISCERNIBLE] ARTS COMMISSION

REPRESENTATIVE A CONSENSUS REAPPOINTMENT. TO OUR ETHICS REVIEW COMMISSION, JAMES REED IS COUNCILMEMBER DUNKERLY'S REAPPOINTMENT. ART CENTER STAGE BOARD OF TRUSTEES, NORA COMSTOCK, LATIVA HERMINEZ, AIR RECENT WILLIAMS, ALL CONSENSUS APPOINTMENTS. TO THE MEXICAN AMERICAN CULTURAL CENTER ADVISORY BOARD, ROSITA BRADHAM IS A CONSENSUS APPOINTMENT. AND TO THE RENAISSANCE MARKET COMMISSION, ROBERT EDGE CO, JANICE MORGAN AND LAURA WISDOM ARE CONSENSUS REAPPOINTMENTS. THOSE ARE OUR BOARD AND COMMISSION APPOINTMENTS THAT SHOW AS ITEM NO. 38 ON THE CONSENT AGENDA. CONTINUING THE CONSENT AGENDA, ITEM 39, PER CHANGES AND CORRECTION; ITEM 40 WE ARE CHANGES AND CORRECTION; SORRY? COUNCILMEMBER DUNKERLY?

Dunkerly: ITEM 40 SHOULD BE PULLED FOR DISCUSSION.

Mayor Wynn: THANK YOU. ITEM 40 WILL ALSO BE PULLED. BY COUNCILMEMBER DUNKERLY. SO BACKING UP A LITTLE BIT. 38 IS OUR APPOINTMENTS TO THE BOARDS AND COMMISSIONS ON THE CONSENT AGENDA. 39 PER CHANGES AND CORRECTIONS. 43. THAT -- SORRY MS. BROWN?

Clerk Brown: 50 [INDISCERNIBLE]

Mayor Wynn: CORRECT. EXACTLY, 50 IS OUR CHANGE ORDER TO THE CONTRACT OF CASH CONSTRUCTION WILL REMAIN ON THE CONSENT AGENDA. IF YOU DON'T MIND, I'M SORRY TO DO THIS TO YOU, I'M GOING TO READ AGAIN NUMERICALLY THE CONSENT AGENDA. ITEM 1, 2, 3, 4, 5, 6, 7, 8, 10 PER CHANGES AND CORRECTION, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 AND 27 TO BE POSTPONED TO JUNE 17th, 2004, 28, 29, 31, 32, 33, 34, 36, 37, 38, AS READ INTO THE RECORD, 39, PER CHANGES AND CORRECTION, 43, AND 50. I WILL ENTERTAIN A MOTION ON THE CONSENT AGENDA.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS?

COUNCILMEMBER ALVAREZ?

Alvarez: A COUPLE OF QUESTIONS. WELL, ON 30 THAT WAS PULLED, STAFF WILL BE MAKING A PRESENTATION I ASSUME ON PHARMACY ITEMS?

Mayor Wynn: YES. COUNCILMEMBER DUNKERLY --

Dunkerly: SOME MEMBERS OF THE FQHC BOARD ALSO REQUESTED TO SPEAK ON THAT ITEM. BUT I'M NOT SURE THEY'RE HERE, SO IF WE COULD AT LEAST DELAY THAT UNTIL ABOUT 11:00. AND PROBABLY -- THEY WILL PROBABLY BE HERE.

Mayor Wynn: GLADLY.

Alvarez: THEN ON -- OR LAST -- AT OUR LAST MEETING WE HAD A SPIRITED DISCUSSION ABOUT FEE WAIVERS, SO I NOTICE THERE'S ANOTHER ITEM ON THERE THAT INCLUDES NON-STREET FEE WAIVERS AND I THINK LAST TIME WE WENT THROUGH THE PROCESS OF THE SPONSORS, SORT OF -- SORT OF COMMITTING TO GIVE UP THEIR -- THEIR ALLOCATION FOR THESE KINDS OF ITEMS, AND JUST WONDERING IF THAT WAS WHAT THE INTENT WAS FOR 39 AS WELL.

Thomas: I'LL SPEAK TO THAT.

Mayor Wynn: COUNCILMEMBER THOMAS?

Thomas: YES, IT WAS, I THINK THAT I GAVE \$4,500, ALL OF MY MONEY, AND THEN SOLID WASTE COMMITTED TO THE OTHER PART OF THAT.

Futrell: COUNCILMEMBER, IF LIEU AT THE REVISED FISCAL NOTE, FROM REVISED BACKUP ON 39, IT GIVES THE FULL FISCAL NOTE THAT TALKS, SPELLS OUT EXACTLY HOW THE DOLLARS ARE GOING TO BE ALLOCATED FROM THE OFFICES.

Alvarez: OKAY, I WAS JUST WONDERING SINCE WE WERE TRYING TO BE CONSISTENT.

Futrell: YES. IT'S A VERY -- VERY DETAILED NOW, PROBABLY

MORE DETAILED THAN EVERYONE WOULD LIKE TO SEE. BUT, YES, IN THAT SPIRIT, THAT'S WHAT WE DID.

Alvarez: THANK YOU.

Mayor Wynn: FURTHER COMMENTS ON THE CONSENT AGENDA? I WOULD LIKE TO SAY ITEM NO. 5 THAT WILL REMAIN ON THE CONSENT AGENDA, WE ARE APPROVING THE ACCEPTANCE OF A GRANT FROM CH 2 M HILL INCORPORATED I WANT TO COMMEND THEM, THE REPRESENTATIVES I THOUGHT THAT I SAW EARLIER, ALSO JUST OUR WATER UTILITY FOR PRETTY DRAMATIC SHIFT IN HOW WE -- HOW WE ATTEMPT TO DO BUSINESS AND MORE IMPORTANTLY ATTEMPT TO FINANCE OUR BUSINESS HERE WITH OUR UTILITY. I WANT TO COMMEND CH 2 M HILL FOR THIS EFFORT, A WAY TO BRING MORE DOLLARS INTO OUR UTILITY AT A TIME WHEN WE DESPERATELY NEED TO SIGNIFICANT UPGRADE MANY OF THE SERVICES. THANK YOU TO OUR FRIENDS AT CH 2 M HILL.

I'M HERE REPRESENTING [INAUDIBLE - NO MIC]

Mayor Wynn: YOU ARE WELCOME TO APPROACH THE PODIUM, SIR.

I JUST WANTED TO SAY THANK FOR YOU THE RECOGNITION, WE ARE REALLY, REALLY PLEASED TO BE ABLE TO SUPPORT THIS PROGRAM, THE CLEAN WATER PROGRAM HAS MADE A BIG DIFFERENCE IN THE QUALITY OF LIFE IN AUSTIN AND THE ENVIRONMENT. WE THINK IT'S A GREAT PLACE TO PUT OUR ENERGY AND OUR MONEY AND WE HOPE THEY CONTINUE TO DO GOOD THINGS. THANK YOU.

Mayor Wynn: THANK YOU, SIR. FURTHER COMMENTS ON THE CONSENT AGENDA? COUNCILMEMBER SLUSHER?

Slusher: LET'S SEE. ON NUMBER 37, IS THAT ON THE CONSENT AGENDA?

Mayor Wynn: 37 IS ON THE CONSENT AGENDA, YES.

Slusher: I WANTED TO GET A COUPLE OF THINGS ON THE RECORD, DID THIS GO ON THE -- TO THE ENVIRONMENTAL

BOARD. IF SOMEONE CAN SPEAK TO THAT? LOOKS LIKE WE ARE HAVING TO GET A STAFFER.

GOOD MORNING, JOE PANTALION. ALLISON TRACKED THIS THROUGH THE PROCESS, I'M GOING TO ALLOW HER TO ANSWER THAT.

YES, THIS WENT TO THE ENVIRONMENTAL BOARD AND THEY GAVE IT UNANIMOUS CONSENT VOTE FOR IT.

Slusher: WHAT OTHER COMMISSIONS DID IT GO TO?

Z.A.P.

Slusher: WHAT WAS THE RESULT THERE?

THE ZONING WAS APPROVED ON CONSENT AGENDA, AND THEY DID NOT TAKE ACTION ON THE AMENDMENTS TO THE DEVELOPMENT AGREEMENT.

Slusher: WHY WAS THAT?

BECAUSE THERE WAS NO NEED FOR THEM TO TAKE ACTION ON IT. IT WAS AN INFORMATIONAL ITEM TO LET THEM UNDERSTAND HOW THE WHOLE PICTURE FIT TOGETHER.

Slusher: SO THE ZONING WAS THE EFFECTIVE ITEM FOR THEM, ONCE AGAIN THAT WAS A UNANIMOUS VOTE.

YES, SIR.

Slusher: DID PEOPLE FROM THE SURROUNDING NEIGHBORHOODS CAME.

THEY WERE THERE IN FAVOR OF THIS.

Slusher: OKAY. THANK YOU, THAT'S ALL THAT I HAVE. THANK YOU, MS. GALLOWAY.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY

AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, LET'S TAKE UP ITEM NO. 40, WHICH RELATES TO OUR HISTORIC -- HISTORIC PRESERVATION TASK FORCE. I BELIEVE THE CHAIR, MS. BETTY BAKER IS HERE. MS. BAKER, YOU MIGHT WANT TO COME HAVE A SEAT NEAR A MICROPHONE, SO I SUSPECT THERE MAY BE SOME ANSWERS, BUT I WILL RECOGNIZE COUNCILMEMBER DUNKERLY.

Dunkerly: THANK YOU VERY MUCH, MAYOR. THIS -- THIS IS JUST A DISCUSSION TODAY. PRIMARILY GIVING THE STAFF AN OPPORTUNITY TO HELP US UNDERSTAND THE PROPOSED CHANGES THAT ARE IN THE ORDINANCE. SO I'VE ASKED THEM TO -- TO MAKE A PRESENTATION THAT -- THAT DETAILS THE KEY ASPECTS OF THE CHANGES, WHAT THE CURRENT ORDINANCE SAYS, WHAT THE TASK FORCE SAYS, THEN FINALLY IF THE STAFF -- IF THE STAFF HAS ANY COMMENTS OR SUGGESTIONS THEY WOULD DO THAT. IF YOU WOULD -- IF YOU WOULD RECALL, THE -- AT LEAST SOME OF THE COUNCILMEMBERS FELT LIKE THE CITY HAD A VERY GENEROUS HISTORIC TAX ABATEMENT FOR MANY, MANY YEARS. ESSENTIALLY, 100% ABATEMENT ON HISTORIC STRUCTURES FOREVER. THE -- SO SEVERAL MONTHS AGO, WE APPOINTED THE TASK FORCE AND CHARGED THEM WITH THE TASK OF LOOKING AT THIS ISSUE AND MAKING SOME RECOMMENDATIONS THAT WOULD BRING OUR PROGRAM MORE IN LINE WITH OTHER PROGRAMS IN THE STATE AND ACROSS THE COUNTRY. IN THEIR RECOMMENDATION, THEY ADDRESSED THIS CHARGE IN TWO WAYS: THEY SAID EVEN THOUGH THE HISTORIC DESIGNATION COULD COME AFTER 50 YEARS, THAT THE TAX ABATEMENT ACTUALLY BEGAN AT 70 YEARS, THAT DELAYS AT LEAST FOR A WHILE THE ONSET OF THE ABATEMENT. AS FAR AS THE PERCENTAGE OF THE TAX ABATEMENT, THEY LEFT THOSE PERCENTAGES THE SAME AS THE CURRENT ORDINANCE, 100% FOR STRUCTURES AND 50% FOR LAND. HOWEVER, THEY PUT A CAP ON THE ABATEMENT OF \$2,000, OR 50% OF THE TOTAL

CITY TAX, WHICHEVER IS GREATER. IN ESSENCE WHAT THAT DOES IS THAT IT GIVES AN EXEMPTION FOR PROPERTY VALUED AT ZERO UP TO \$400,000. SO REALLY THE POLICY ISSUE THERE, IF YOU DECIDE TO GO THAT ROUTE, IS AT WHAT LEVEL DO WE WANT TO GIVE 100% EXEMPTION. IS IT 400,000, IS IT 300,000 OR IS IT 200,000 AND WE CAN ADJUST THAT CAP TO COMPLY WITH THAT. THERE ARE SOME OTHER DIFFERENCES THAT PERHAPS AS WE GO THROUGH THE PRESENTATION, WE CAN TAKE SOME TIME TO DISCUSS. THERE WILL NOT BE -- WE ARE NOT BEING ASKED TO -- TO VOTE ON ANYTHING TODAY. WE WILL JUST BE GETTING AN IDEA OF WHERE THE DIFFERENCES LIE AND WHERE OUR POLICY DECISIONS LIE. AND AT WHAT POINT DO WE WANT TO -- TO KIND OF PUT THE LEVEL WHERE WE GIVE THE 100% ABATEMENT VERSUS SOME GRADUATED ABATEMENT. AT THIS TIME, ALSO, I'M GOING TO BE PASSING OUT TO YOU SOME FIVE OR SIX LETTERS THAT WE HAVE RECEIVED FROM VARIOUS HISTORIC GROUPS IN THE CITY. THAT YOU MAY WANT TO READ BEFORE NEXT WEEK. MANY OF THEM AGREE WITH WITH THE TASK FORCE RECOMMENDATION, MANY OF THEM RELATE TO PROCESS ISSUES THAT I WILL ASK THE CITY MANAGER, HER STAFF TO TAKE A LOOK AT, A FEW OF THEM RELATE TO BUDGET ISSUES THAT I'M SURE THEY WILL BE CONSIDERING. THIS SHOULD AT LEAST GIVE US AN OPPORTUNITY TO -- TO HEAR WHAT THE DISCUSSION IS. NOW, JUST A MOMENT, CITY MANAGER. IS THE HISTORIC OFFICER NOT HERE?

THAT'S CORRECT. I'M SORRY, COUNCIL, HE DIDN'T EXPECT THE CONSENT AGENDA TO GO SO FAST. WE ARE NOT EXPECTING HIM UNTIL AROUND 11:00, AUSTAN, IS THAT CORRECT? HE IS EN ROUTE.

Dunkerly: WELL, PERHAPS WE NEED TO DELAY IT UNTIL 11:00 BECAUSE I THINK IT IS IMPORTANT THAT HE BE HERE, ALSO. IF WE COULD DO THAT. BUT I HOPE THAT I HAVE SET THE STAGE FOR THE TYPE OF CRITICAL EYE THAT WE NEED TO LOOK -- USE WHEN WE LOOK AT THIS TO SEE WHAT WOULD MAKE A GOOD PROGRAM. FOR THE CITY. THANK YOU.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, I APPEAR GUYS, OLOGIZE MS. BAKER. LET'S TABLE ITEM NO. 40. WE WILL BRING IT UP IN A FEW MINUTES LATER ON THIS

MORNING WHEN WE HAVE A FULL CONTINGENT OF STAFF. COUNCIL, I'M TOLD THAT THERE WAS A CITIZEN WHO WANTED TO SPEAK ON ITEM NO. 7, WHICH -- WHICH RELATED TO OUR HUMAN RIGHTS COMMISSION THAT -- THAT WAS APPROVED ON THE CONSENT AGENDA. BUT I DON'T HAVE A - - I DON'T HAVE A CARD SIGNED UP FOR -- FOR THAT PERSON. IS THERE SOMEBODY WHO WOULD LIKE TO ADDRESS THE COUNCIL REGARDING ITEM NO. 7 RELATED TO OUR -- TO OUR CITY CODE, RELATING TO THE HUMAN RIGHTS COMMISSION? KNOWING THAT -- THAT THE RECOMMENDED ACTION DID IN FACT PASS A FEW MINUTES AGO. SO THANK YOU. COUNCIL, LET'S TAKE UP, IF YOU DON'T MIND, ITEM NO. 9, RELATES TO THE VACATION OF MOFFETT DRIVE BETWEEN GILBERT STREET AND WINDSOR ROAD. WE HAVE A COUPLE OF CITIZENS WHO SIGNED UP WISHING TO SPEAK. THIS ITEM HAS BEEN PULLED BY COUNCILMEMBER SLUSHER. WOULD YOU LIKE TO INTRODUCE THAT ITEM OR GO STRAIGHT TO OUR CARDS.

Slusher: MAYOR, MY MAIN QUESTIONS OR CONCERN IS THAT THIS IS A LITTLE BIT LOW OF AN AMOUNT FOR PROPERTY IN THIS AREA. SO I WOULD LIKE TO -- AN EXPLANATION BY THE STAFF ON HOW WE CAME TO THIS AMOUNT. I CAN DO THAT EITHER BEFORE OR AFTER THE SPEAKERS.

Mayor Wynn: WHY DON'T WE GO AHEAD AND HAVE A PRESENTATION FROM STAFF.

Slusher: IF YOU COULD ALSO JUST CAPSULELIZE WHAT THE ITEM IS BEFORE WE GET TO THE PRICE. SO FOLKS WATCHING AT HOME WILL UNDERSTAND WHAT WE'RE TALKING ABOUT.

YES, SIR. MAYOR AND COUNCILMEMBERS, MY NAME IS LORRAINE RISER, THE MANAGER OF THE REAL ESTATE SERVICES DIVISION. THIS ITEM RELATES TO THE VACATION OF A PORTION OF MOFFETT STREET. IT'S ABOUT 19,000 -- 19,102 SQUARE FEET. THE PROCESS, WHEN A PERSON WANTS TO COMBINE PIECES OF PROPERTY, THAT THEY OWN IN THE CITY -- AND THE CITY OWNS A PIECE OF THE RIGHT-OF-WAY, THEY COME IN AND GO THROUGH A PROCESS CALLED STREET VACATION OR ALLEYWAY VACATION. AND AS PART OF THAT VACATION, WE -- WE ROUTE THE -- THE

REQUEST TO EVERY DEPARTMENT AND -- AND FIND OUT IF THERE'S ANY UTILITIES OUT THERE OR IF THERE'S ANY REASON WHY THE CITY WOULD NOT WANT TO SELL THE PROPERTY. AND WE DID THAT IN THIS CASE. WE VALUED THE PROPERTY WHEN WE GOT THE REQUEST BACK FROM THE DIFFERENT ENTITIES IN THE CITY, THE DEPARTMENTS, THE -- WE FOUND THAT THERE WERE UTILITIES LOCATED IN MOFFETT DRIVE AND THAT WE WERE GOING TO NEED TO KEEP THE RIGHTS TO THE SUBSURFACE, THE SURFACE AND THE AIR RIGHTS ABOVE THE LAND. SO WE NEEDED TO RETAIN WHAT WE CALL A PUBLIC UTILITY EASEMENT. SO -- SO WHAT -- WHAT WE TYPICALLY DO IS WE VALUE THESE PIECES OF PROPERTY BY LOOKING AT THE TRAVIS COUNTY APPRAISAL DISTRICT VALUES OF THE LANDS THAT ARE ADJACENT TO THE AREA TO BE VACATED. AND THAT'S WHAT WE DID IN THIS CASE, THIS IS TYPICALLY HOW WE DO THAT. THEN WE LOOK AT WHAT RIGHTS ARE THE CITY RETAINING, WHAT RIGHTS ARE THE CITY SELLING. WHAT -- USUALLY WHAT DETERMINES THIS IS WE LOOK AT -- LOOK AT WHAT WE ARE DOING OUT THERE, THE CITY IS BUYING EASEMENTS EVERY DAY. AND WE GO THROUGH CONDEMNATION, WE GO THROUGH COURT CASES, WE -- AND WE ALSO NEGOTIATE. AND FOR -- FOR PUBLIC UTILITY EASEMENTS, TYPICALLY THE CITY WOULD BUY 90% OF THOSE RIGHTS. SO WHAT WE TRY TO DO IS TO -- TO SELL THESE RIGHTS FOR THE SAME PRICE WE WOULD PAY FOR THEM SHOULD WE GO OUT IN THE MARKET AND HAVE TO BUY THIS. SO IF I WOULD GO OUT THERE AND TRY TO BUY THIS RIGHT FROM SOMEBODY, THAT'S WHAT I WOULD -- THAT'S HOW MUCH I WOULD PAY FOR IT. OR THAT'S HOW IT WOULD WORK.

Slusher: BUT WE ARE TALKING ABOUT A WHOLE STREET HERE, A WHOLE BLOCK OF MOFFETT STREET, RIGHT?

YES, UH-HUH. >>> SLUSHER: SEEMS TO ME, WHEN WE ARE BUYING AN EASEMENT FROM SOMEBODY, WE ARE TALKING ABOUT 10 FEET, USUALLY, AREN'T WE? 10 FEET ON THE FRONT OF THE LOT?

SOMETIMES WE'RE TALKING ABOUT 30 FEET. IT'S -- IT DEPENDS ON WHAT TYPES OF UTILITIES ARE IN THE AREA. BUT WE ARE ACTUALLY RETAINING A PUE OVER THE ENTIRE THING, SO WHEN WE VALUE IT, WE HAVE TO CONSIDER IT.

SO WHAT THAT MEANS IS IF THE PROPERTY OWNER WANTS TO DO ANYTHING TO THAT PROPERTY, THEY NEED TO COME IN AND -- THEY WOULD HAVE TO COME IN AND FILE AN APPLICATION WITH US AND GET OUR PERMISSION TO DO -- TO BUILD ON IT. THEY COULDN'T BUILD ON IT. BUT TO LANDSCAPE IT OR DO ANYTHING. THEY WOULD HAVE TO COME IN AND GO THROUGH ANOTHER PROCESS.

Slusher: BUT -- OKAY, SAY THAT'S 10 OR 30, IS THERE ANY DIFFERENCE IN THE CALCULATION BETWEEN WHEN YOU ARE, SAY, CUTTING THROUGH A YARD OR SOME BUSINESS PROPERTY AS OPPOSED TO GIVING UP ENTIRE CITY STREET?

WELL, WHEN YOU ARE BUYING THE RIGHTS, YOU LOOK AT WHAT RIGHTS YOU ARE TAKING AND WHERE -- IF YOU GO THROUGH A MIDDLE PROPERTY OR SIDELINE OF PROPERTY, THE MONEY THAT YOU WOULD PAY FOR THAT WOULD BE MADE IN DAMAGES TO THE REMAINDER. WE DON'T CALCULATE THAT IN THE SALE OF PROPERTY. SO, FOR INSTANCE, IF I WAS GOING TO BUY AN EASEMENT THROUGH THE MIDDLE OF SOMEBODY'S PROPERTY, AND HE COULDN'T BUILD ON THE REST OF THE PROPERTY, WE WOULD PAY ONE PRICE FOR THE EASEMENT AND THEN WE WOULD PAY ANOTHER SUM FOR THE DAMAGES TO THE PROPERTY THAT HE STILL HAS.

Slusher: OKAY. BUT I GUESS WHAT IT'S COMING DOWN TO WITH ME, WE ARE PAYING 54,000, A LITTLE BIT MORE THAN 54,000. THIS IS A WHOLE BLOCK OF -- OF STREET IN TARRYTOWN. WHAT -- OKAY, WHAT IS IT A -- WHAT DOES A LOT COST ON THAT STREET, WHAT'S THE LOT VALUE THERE?

THE LOTS, I BELIEVE, I KNOW THAT IT'S ROUGHLY \$28 A SQUARE FOOT. AND I THINK THAT'S 250,000 A LOT.

Slusher: SO A QUARTER OF A MILLION FOR A LOT. AND BUT WE ARE BUYING A STREET THAT CUTS THROUGH WHAT MAY BE 8 HOUSES, 8 LOTS OR -- ON THAT BLOCK, OR 8 ON EACH SIDE.

YES, SIR. WHAT WE LOOK AT ON THAT, ALSO, IS IF YOU TAKE THIS RESIDENTIAL AND WE DID LOOK AT THAT. IF TAKE YOU

THIS RESIDENTIAL LOT AND YOU -- AND IT'S SAY SELLING FOR \$250,000 A LOT. WOULD SOMEBODY PAY 270 A LOT BECAUSE IT HAD 10 MORE FEET ON THE SIDE OF THAT LOT?

Slusher: WELL, OKAY. 10 OR IN THIS CASE IT'S --

WELL, YOU WOULD --

Slusher: IT MEANS LIKE THOUSAND THERE'S NOT A STREET. WE ARE GIVING UP A PUBLIC STREET, IT'S GOING TO BECOME A PRIVATE DRIVE, RIGHT?

RIGHT. ON THE VACATIONS OF THE STREET, THE STREET IS SPLIT IN THE MIDDLE, EACH SIDE OF THE STREET GOES TO THE PROPERTY OWNERS ON BOTH SIDES. SINCE THE CHURCH OWNS BOTH SIDES, THEY COULD VACATE THE WHOLE STREET. TYPICALLY THAT DOESN'T HAPPEN. YOU USUALLY HAVE ONE MORE THAN PROPERTY OWNER INVOLVED IN THESE. OKAY, WE WILL GO ON TO THE SPEAKERS NOW, THANK YOU.

THANKS, COUNCILMEMBER. WE HAVE TWO CARDS SIGNED UP, MR. RON MAGNUSON, WISHING TO SPEAK, WELCOME, YOU WILL HAVE THREE MINUTES. RICHARD SUTTLE SIGNED A CARD TO SPEAK IF COUNCIL HAS QUESTIONS.

I'M OPPOSED FOR THE VERY REASON COUNCILMEMBER SLUSHER JUST DISCUSSED. THE PRICE BEING PAID FOR THIS LAND IS FAR TOO LOW. HERE'S A SITE PLAN THAT THE CHURCH HAS RIGHT NOW IN THE PERMIT PROCESS. I TALKED TO PEOPLE IN PERMITTING. THEY SAID THIS PERMIT IS GOING TO GO THROUGH AS SOON AS THIS STREET IS VACATED. THIS IS THEIR PLAN. HERE'S MOFFETT DRIVE. YOU IF CAN SEE THAT SOLID -- IF YOU CAN SEE THAT SOLID DARK LINE. IT'S THE ENTIRE STREET. THE STREET IS ONLY ONE BLOCK LINE. THEY ARE BUYING THE ENTIRE STREET OF MOFFETT DRIVE. ONE OF THEIR MAIN BUILDINGS, WHICH THEY CALL ADMINISTRATION WHICH IS REALLY A GYM FACE YUM. I DON'T SEE HOW -- GAME NCAA OWE GYM NAIZ -- GYMNASIUM, I DON'T SEE HOW THEY ARE GOING TO DO THIS UNLESS THEY TUNNEL UNDER THIS BUILDING. WHAT I THINK IS HAPPENING HERE, THIS WAS EVEN DISCUSSED, WE HAD NEGOTIATIONS WITH THE CHURCH, I THOUGHT THOSE CAME

UP PRETTY GOOD UNTIL WE SAW THE PRICE OF THIS LAND HERE. IN OUR EARLY DISCUSSIONS, THEY WERE TALKING ABOUT MOVING THESE SERVICES FROM WHERE THEY ARE. SO I THINK WHAT'S GOING TO HAPPEN, THEY ARE GOING TO BUY THIS FOR \$54,000, SHORTLY DOWN THE ROAD THEY ARE GOING TO SAY WE WANT THIS EASEMENT VACATED OR MOVED OR WHATEVER. ALSO THE VALUE OF THE LAND IN THIS AREA IS NOT \$28 A SQUARE FOOT. IT'S 30 WHICH IS WHAT I'M PAYING A SQUARE FOOT. I LIVE RIGHT HERE IS MY HOUSE. SO IT'S ON THE SAME BLOCK AS THIS LAND HERE. SO MY MAIN OBJECTION, SINCE WE WORKED OUT THE SITE PLAN, ALSO, I GUESS THAT I WOULD LIKE TO POINT OUT FOR THIS ISSUE HERE, THE SITE PLAN WE AGREED MANY NEIGHBORS AGREED NOT TO OPPOSE THIS BASED ON THIS SITE PLAN, THAT THEY WOULD STICK TO THIS SITE PLAN, WE HAVE A WRITTEN AGREEMENT WITH THE CHURCH ON THE SITE PLAN. SO FOR SOME REASON, LATER THEY GET THE -- GET TO THE DRIVE, THE CITY SAYS THEY CAN'T BUILD ON THIS DRIVE, THAT MEANS THIS BUILDING WOULD BE MOVED CLOSER TO THE HOUSES WHICH IS ONE OF THE TWO MAIN OBJECTIONS WE HAD TO THE ORIGINAL SITE PLAN WAS THAT THE BUILDINGS WERE TOO CLOSE TO THE EXISTING NEIGHBORS. SO ONE THING THAT I'M WORRIED ABOUT, BY THE STREET, IF THEY CAN'T VACATE THE PUBLIC EASEMENT WHICH I THINK THEY WILL TRY AND PROBABLY GET. IS THEY WILL WANT, THE CITY WILL ASK THEM TO MOVE THIS BUILDING, IN WHICH CASE IT WILL BE CLOSER TO THE HOUSES THEN WE HAVE I GUESS A LAWSUIT WITH THE CHURCH ON OUR HANDS. SO WE WANT TO AVOID THAT. AND I WOULD LIKE YOU TO ADDRESS FOR US THE PRICE AND THE EASEMENT ISSUE SO THAT DOESN'T BECOME A REAL PROBLEM. IF THE CHURCH CAN'T DO WHAT THEY ASKED TO DO. WHAT THEY PROMISED US TO DO. ALSO, I WOULD LIKE TO POINT OUT A FEW THINGS. THERE'S ERROR IN THIS DOCUMENTATION THAT WAS SENT OUT BY THE REAL ESTATE SERVICES DIVISION. SOME PEOPLE OBJECTED, INCLUDING ME THAT ARE NOT ON THIS LIST. THE PUBLIC NOTICE WAS SENT OUT ON MAY 25th, NOT SEPTEMBER 24th. [BUZZER SOUNDING] THAT'S ALL I HAVE. THANK YOU. >>

MAYOR WYNN: THANK YOU. MR. SUTTLE YOU SIGNED UP WISHING TO SPEAK IF THERE'S QUESTIONS. I THINK THERE

SORT OF HAVE BEEN SOME ISSUES RAISED.

MAYOR, YES, I WOULD LIKE TO SPEAK. MY NAME IS RICHARD SUTTLE. I'M HERE TODAY TO SPEAK FOR THE CHURCH, THE GOOD SHEPHERD. THIS IS A CHURCH THAT I ATTEND. IT'S WHERE I GO TO CHURCH. THE -- THE PROCESS THAT THIS HAS GONE THROUGH HAS BEEN A LONG PROCESS, THE WAY IT'S SUPPOSED TO GO. A LONG IMMOBILIZATION WITH TWO NEIGHBORHOOD GROUPS -- LONG NEGOTIATION WITH TWO NEIGHBORHOOD GROUPS. ONE ISSUED A LETTER BASICALLY TO LORRAINE, I WILL READ IT INTO THE RECORD. THE PURPOSE OF THIS LETTER IS TO EXPRESS THE SUPPORT OF THE WINDSOR EXPOSITION NEIGHBORHOOD GROUP FOR THE VACATION AND ABANDONMENT OF MOFFETT DRIVE AS A PUBLIC STREET. OUR NEIGHBORHOOD ASSOCIATION CONSISTS OF THE OWNERS OF SEVERAL PROPERTIES IN DIRECT PROXIMITY TO THE SUBJECT PROPERTY AND OUR MEMBERS ARE DIRECT USERS -- OUR MEMBERS ARE DIRECT USERS OF MOFFETT DRIVE. WE BELIEVE THAT THE CHURCH'S PLAN TO PURCHASE AND REALIGN MOFFETT WILL ULTIMATELY RESULT IN A BETTER TRAFFIC AND PARKING SITUATION, THAN CURRENTLY EXISTS AT THE DEVELOPMENT PLAN ATTACHED HERE TO IS DEVELOPED AND IMPLEMENTED, THANK YOU FOR YOUR CONSIDERATION OF THIS LETTER OF SUPPORT. ALSO A SIGNED DOCUMENT BY WEST AUSTIN NEIGHBORHOOD GROUP SAYS THAT WEST AUSTIN NEIGHBORHOOD GROUP DOES NOT OPPOSE THIS VACATION. THIS CAME AS A RESULT OF A NEGOTIATION OF THE SITE PLAN THAT MR. MAGNUSON SHOWED YOU, IN FACT THAT IS THE SITE PLAN THAT WILL BE BUILT. THERE'S NOT GOING TO BE A LAWSUIT WITH THE CHURCH BECAUSE EVERYTHING THAT IS AGREED TO IS GOING TO BE COMPLIED WITH. ON THE VALUATION OF THE STREET, WE -- WE CAME IN AND THERE'S MANY WAYS TO VALUE PROPERTY, BUT THE WAY THE CITY DOES IT IS THE WAY THAT WE WENT WITH. THAT IS IF IT'S ENCUMBERED BY AN EASEMENT, DISVALUED BY THE VALUE OF THAT EASEMENT. WE AGREE WITH THAT. WE WILL NEED TO COME BACK IN AND PROBABLY REROUTE THAT EASEMENT. RIGHT NOW THERE'S UTILITIES IN IT THAT SERVE THE -- THE HOUSES THAT ARE ON THERE. BUT IT'S A CHICKEN AND EGG THING. WE ARE GOING TO LEAVE THE EASEMENT IN PLACE TO -- IF AND

WHEN WE REMOVE THOSE UTILITIES WE WILL REROUTE THAT EASEMENT OF COURSE WE WILL BE DEALING WITH THE REAL ESTATE DEPARTMENT TO DO THAT. IT'S ALL IN AN EFFORT TO IMPLEMENT THE SITE PLAN THAT WAS AGREED TO BOTH BY NEIGHBORHOOD GROUPS AND THE CHURCH. THIS WAS BEFORE YOU A FEW WEEKS AGO, GOT BOUNCED OFF BECAUSE THERE WAS A NOTICE ERROR. SO WE RENOTICED IT'S ABOUT A BEING TO YOU NOW. WE ARE TRYING TO GET THIS DONE BECAUSE WE ARE GOING FOR GET CONSTRUCTION GOING, PARKING ALLEVIATED FOR THE NEIGHBORHOOD BEFORE THE SCHOOL YEAR STARTS, AGAIN SEPTEMBER, AT LEAST GET STARTED BEFORE THE SCHOOL YEAR STARTS, IT WILL BE HELPFUL TO THE NEIGHBORHOOD. SO -- SO ON BEHALF OF THE CHURCH, WE -- WE HOPE THAT YOU WILL APPROVE THIS TODAY AND -- AND SUPPORT BOTH NEIGHBORHOOD GROUPS AND THE CHURCH ON THIS ONE. BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

Mayor Wynn: SO MR. SUTTLE THE ISSUE OF SHOWING A FUTURE STRUCTURE ON WHAT CURRENTLY WILL BE THIS VACATED BUT EXISTING UTILITY EASEMENT. THAT SITE PLAN WILL BE COMPLIED WITH, THAT STRUCTURE WILL BE BUILT WHERE IT'S SHOWN.

YES. ONCE WE HAVE CONFIRMATION THAT THE RIGHT-OF-WAY HAS BEEN VACATED, AT LEAST SUBJECT TO THE PUBLIC UTILITY EASEMENT, THE UTILITIES WILL STILL BE IN THERE. WHAT WE WILL DO IS COME BACK THROUGH THE SITE PLAN PROCESS AND WORK WITH THE CITY UTILITIES AND THE REAL ESTATE [BUZZER SOUNDING] DEPARTMENT ON REROUTING UTILITIES OR GETTING A LICENSE AGREEMENT FOR DOING WHAT WE NEED TO DO TO IMPLEMENT THAT SITE PLAN.

Mayor Wynn: OKAY, THANK YOU, MR. SUTTLE. I WILL SAY THAT I -- THAT I DON'T NEED TO DECLARE FROM A LEGAL STANDPOINT, I HAPPEN TO LIVE JUST A FEW HOUSES WEST OF THE CHURCH. ACTUALLY ON WINDSOR ROAD, WHICH IS ONE OF THE CONNECTING STREETS HERE. AND I REALLY APPLAUD THE NEIGHBORHOOD ASSOCIATION AND THE CHURCH FOR ULTIMATELY WORKING THROUGH AND DEVELOPING A SITE PLAN. I THINK PROBABLY AT MUCH

GREATER EXPENSE OF THE CHURCH THAN WHAT WAS
ORIGINALLY PROPOSED. BUT ALLOWING MORE BUFFERING
AND MORE -- MORE APPROPRIATE CONFORMITY WITH THE
EXISTING NEIGHBORHOOD. SO I -- SO I'M VERY PLEASED TO
SEE HOW THE DYNAMIC OF THE SITE PLAN HAS WORKED
OUT BETWEEN NEIGHBORS AND THE CHURCH. AND I
RECOGNIZE CLEARLY THE ENCUMBRANCE NATURE OF THIS
VACATED RIGHT-OF-WAY. FULLY SUPPORT IT. FURTHER
COMMENTS, QUESTIONS OF STAFF? COUNCILMEMBER
SLUSHER?

Slusher: WELL, SEEMS LIKE -- I'M GLAD TO THAT THERE'S A --
THAT NEGOTIATIONS HAVE IMPROVED THE SITUATION
EVIDENTLY, WENT ON BETWEEN THE CHURCH AND THE
NEIGHBORHOOD. I'M GOING TO GET, THERE'S GOING TO BE A
BUILDING BUILT OVER THE EASEMENT, THEN -- THEN AREN'T
WE REALLY SELLING PROPERTY RATHER THAN AN
EASEMENT? THAN THE PROPERTY WITH AN EASEMENT ON
IT?

HE CAN -- HE CANNOT BUILD A -- A BUILDING RIGHT NOW. HE
WOULD HAVE TO COME BACK THROUGH A DIFFERENT
PROCESS. AND WHAT HE WOULD HAVE TO DO IS DEDICATE
WHEN THEY GO TO MOVE THE UTILITIES, HE WILL HAVE TO
GIVE US ANOTHER PUE SOMEWHERE ELSE AT NO CHARGE
TO US. HE CANNOT BUILD A BUILDING OVER OUR UTILITIES.
WE WOULD NOT ALLOW THAT.

Slusher: SO YOU WOULD MOVE THE UTILITY OVER TO A --

THEY WILL, THE CHURCH WILL AT THEIR OWN EXPENSE.

Slusher: HUM. SO THAT -- THAT WON'T BE AS MUCH LAND, WE
WILL MAINTAIN SOME OF THIS EASEMENT, THAT WILL
PROBABLY LOOP AROUND THAT BUILDING, IS THAT THE
IDEA?

THE -- THE -- WILL THE EASEMENT LOOP AROUND IT? UNTIL
THEY BRING IN THE REQUEST, I DON'T KNOW EXACTLY WHAT
IT WILL LOOK LIKE.

Slusher: THAT WOULD HAVE TO BE WORKED OUT AT THAT

TIME.

YES, SIR.

Slusher: IS THERE A PRECEDENT FOR THAT SORT OF A THING HAPPENING? I MEAN IS THAT -- IS THAT ROUTINE THAT THIS KIND OF THING HAPPENS?

NO, SIR.

Slusher: IT'S NOT?

WHEN SOMEBODY COMES INTO VACATE A STREET AND WE NEED TO RETAIN THE UTILITIES, WE TYPICALLY DON'T TRY TO -- TRY TO GUESS WHAT THEY MAY DO WITH THE LAND AT SOME POINT IN THE FUTURE. I MEAN, BECAUSE -- WHAT WE TRY TO DO IS ACT ON THE APPLICATION AS ITS PRESENTED TO US.

Slusher: IS IT FAIRLY ROUTINE FOR THEN SOMEBODY TO COME BACK AND WANT TO REROUTE THE --

THE UTILITIES.

REROUTE AROUND IT, YES.

PEOPLE REROUTE UTILITIES ALL THE TIME. AND WE GO THROUGH, WE HAVE A SEPARATE PROCESS FOR THAT. LIKE WHEN IT'S ORIGINALLY PLATTED, THEY MAY -- THEY MAY HAVE A UTILITY EASEMENT IN PLACE BY PLAT. AND THEN WHEN THE DEVELOPER COMES IN, HE WANTS THE UTILITY SOMEWHERE ELSE. SO WHAT THEY COME IN AND THEY -- THEY COME IN AND THEY ACTUALLY GIVE US BY WARRANTY DEED CLEAR TITLE, AN EASEMENT AREA, THAT -- THAT OUR UTILITIES WILL THEN GO INTO AND THEN AT THAT POINT WE RELEASE THEIR EASEMENT. SO IT'S LIKE A TRADE.

Slusher: IT'S ALWAYS LIKE THAT, LIKE A TRADE?

HOS HOW IT CURRENTLY -- THAT'S HOW IT CURRENTLY IS, YES, SIR.

Slusher: OKAY. LIKE I SAY, I'M GLAD THE NEIGHBORHOOD AND

THE DEVELOPER WORKED SOMETHING OUT. I STILL THINK THAT PRICE IS A LITTLE LOW. IF YOU DO IT AT YOURS OF -- I KNOW YOU ARE SAYING WE CALCULATE ON EASEMENT. BUT IF YOU WENT BY SQUARE FOOTAGE, THE PRICE QUOTED WOULD BE 737,608 ACCORDING TO MY MATH. THAT'S WHAT THE PROPERTY IN THE AREA IS WORTH. THE NEIGHBORHOOD -- THE NEIGHBOR SAID IT'S 30, SO THAT WOULD TAKE TO 876, BUT AROUND THREE QUARTER OF A MILLION AND WE ARE GETTING 54. SO I WILL SEE WHAT THE REST OF THE COUNCIL THINKS, BUT THAT'S TOO WIDE OF A GAP THERE FOR ME. SEEMS TOO SMALL.

Dunkerly: MAYOR?

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Dunkerly: COUNCILMEMBER SLUSHER, DID YOU TAKE INTO ACCOUNT THE DISCOUNT FOR THE EASEMENT? OR IS THAT JUST THE GROSS NUMBER?

Slusher: THE DISCOUNT FOR THE EASEMENT GETS IT DOWN TO 54. I'M SAYING WE ARE PAYING 54 WITH THE DISCOUNT FOR THE EASEMENT. THAT LOOKS LIKE TO ME THAT DISCOUNT IS ABOUT -- SHOULD BE ABOUT 600 AND -- \$683,000. DUJ DID YOU

Dunkerly: I THINK THAT'S WHAT THE PUBLIC WORKS DEPARTMENT NORMALLY ADVERTISE COUNTS THESE TYPE OF EASEMENTS.

Slusher: I UNDERSTAND THAT'S WHAT WE HAVE HEARD HERE TODAY. SEEMS -- ANOTHER THING THAT WE HAVE -- THAT WE TALK ABOUT A LOT IS CONNECTIVITY. AND WE ARE CLOSING THAT WHOLE CITY BLOCK THERE.

COUNCILMEMBER MCCRACKEN?

McCracken: TO MAKE SURE I UNDERSTAND THE STRUCTURE OF HOW THE PRICE WAS DETERMINED, THE -- ESSENTIALLY EACH OF THESE PROPERTIES IS PURCHASING A 10-FOOT PIECE OF PROPERTY THAT IS SUBJECT TO THE UTILITY EASEMENT; IS THAT CORRECT?

THAT'S CORRECT.

SO IF YOU ARE GOING TO SELL A -- SELL A 10-FOOT PARCEL OF LAND IN TARRYTOWN AND ONLY A 10-FOOT PARCEL THAT WAS SUBJECT TO THE UTILITY EASEMENT, IT WOULD BE WORTH A WHOLE LOT LESS, IN FACT IT WOULD BE VIRTUALLY WORTHLESS WHEN HE COMPARED -- WHEN YOU COMPARED IT TO AN EMPTY LOT THAT COULD HOLD A HOUSE IN TARRYTOWN; IS THAT RIGHT?

THAT'S CORRECT.

McCracken: I CAN SEE IF YOU WERE GOING TO OFFER A 10-FOOT PARCEL OF LAND REGARDLESS OF THE NEIGHBORHOOD AND THAT YOU COULDN'T DO ANYTHING WITH BECAUSE IT WAS SUBJECT TO A UTILITY EASEMENT ON THE OPEN MARKET, YOU ADD ALL OF THAT TOGETHER, THAT'S HOW YOU GOT 54,000, RIGHT?

YES, SIR.

McCracken: OKAY.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? MAYOR PROTEM GOODMAN?

I DON'T HAVE IF I QUESTIONS. I DON'T HAVE ANY QUESTIONS.

Goodman: JUST TO BE CLEAR, IT'S TYPICAL THAT WE DO IT THIS WAY?

YES, MA'AM. AND JUST TO -- THIS IS SET BY ALSO WITH THE COMMISSIONERS WHEN WE GO TO A HEARING WHEN WE ARE BUYING AN EASEMENT, THE -- THE COURT APPOINTS THREE COMMISSIONERS FROM THE PUBLIC TO HEAR OUR CASES. AND -- AND WHAT WE DO IS WHAT THEY -- WHAT RIGHTS THEY TYPICALLY THINK THAT WE ARE TAKING WHEN WE BUY A PUE. THAT IS THE BASIS OF WHERE WE GOT THE 90% FROM IS BASED ON THOSE CASES. THAT WAY WHAT WE ARE BUYING AN EASEMENT FOR, WHAT WE ARE SELLING IT FOR IS BASED ON THE SAME BASIS OR SYSTEM.

Goodman: ALL RIGHT. SO IN ORDER TO CHANGE THE

FORMULA, WE WOULD NEED TO GO THROUGH A LITTLE PROCESS HERE BECAUSE -- BECAUSE WE SHOULDN'T TREAT ONE DIFFERENTLY FROM ANOTHER.

YES, MA'AM.

Goodman: SO HOW WOULD YOU GO ABOUT THE PROCESS OF -- OF -- OF BEING ABLE TO FINE TUNE AN INDIVIDUAL CASE? OR CAN YOU?

IT GETS DIFFICULT BECAUSE WHEN -- WHEN -- I WEAR BOTH HATS. WHEN YOU GO OUT TO BUY AN EASEMENT FROM SOMEBODY, AND YOU THINK THAT YOU ARE GOING TO COME BACK AND SELL IT FOR A PROFIT IF IT'S EVER RELEASED, THEN YOU GET PEOPLE, YOU KNOW, THEN WE ARE ON THAT SIDE OF IT WE'RE -- AND WHAT MAKES IT EASIER FOR US IS BECAUSE I CAN SAY NO, IF WE EVER NEED TO -- TO VACATE THIS OR NOT USE IT, THEN -- THEN WE WOULD USE THE SAME PROCESS AS WHEN WE ARE BUYING IT.

Goodman: OKAY. THAT MAKES IT CLEARER, I THINK.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT I'LL ENTERTAIN A MOTION ON ITEM NO. NINE.

MOVE APPROVAL.

SECOND. MOTION MADE BY COUNCILMEMBER MCCrackEN, SECONDED BY COUNCILMEMBER THOMAS TO APPROVE ITEM NO. 9 AS POSTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE. OPPOSED?

NO.

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

LET'S JUMP BACK TO ITEM NO. 40, OUR DISCUSSION ON HISTORIC TASK FORCE THAT WAS -- THAT WAS INTRODUCED EARLIER BY COUNCILMEMBER DUNKERLY. I WILL ENTERTAIN,

WELCOME MR. STEVE SADOWSKY.

THANK YOU, MR. MAYOR, MEMBERS OF COUNCIL, STEVE SADOWSKY HISTORIC PRESERVATION OFFICE. I WANT TO START OFF BY SAYING I WORKED VERY CLOSELY WITH THE HISTORIC PRESERVATION TASK FORCE, THEY REALLY DID A REMARKABLE JOB ON PRODUCING A VERY COMPREHENSIVE REPORT. I ALSO HAD THE GREAT BENEFIT OF -- OF RESEARCHING A LOT OF THE MATERIAL FOR THEM IN PROVIDING THEM IN BACKUP. AND I'M HERE TODAY TO SAY THAT -- THAT THE TASK FORCE RECOMMENDATIONS GENERALLY ARE -- ARE SOMETHING THAT -- THAT STAFF AGREES WITH. WE DO HAVE A COUPLE OF ALTERNATE RECOMMENDATIONS FOR -- FOR COUNCIL TO CONSIDER. IN DETERMINING THE FUTURE COURSE OF OUR HISTORIC PRESERVATION PROGRAM. I'LL START OFF -- I'LL START OFF I GUESS BY BREAKING IT DOWN. WE CAN TALK ABOUT -- ABOUT HISTORIC LANDMARKS FIRST FOR THE SAKE OF SIMPLICITY. AND STAFF AGREES WITH THE TASK FORCE THAT THERE NEEDS TO BE AN AGE CRITERION FOR DESIGNATING A PROPERTY AS A HISTORIC LANDMARK. IT SETS A 50 YEAR AGE CRITERION FOR CONSIDERING A PROPERTY AS HISTORIC. AND STAFF AGREES WITH THE TASK FORCE RECOMMENDATION THAT -- THAT THE CITY NEEDS TO HAVE THAT AGE CRITERION OR LANDMARK DESIGNATION ORDINANCE AS WELL FOR 50 YEARS. FOR -- FOR TAX INCENTIVES FOR HISTORIC LANDMARKS, CURRENTLY THE CITY OFFERS FOR RESIDENTIAL OWNER OCCUPIED PROPERTIES THE CITY OFFERS A TAX INCENTIVE OF 100% OF THE VALUE OF THE STRUCTURE AND 50% OF THE VALUE OF THE LAND. AND FOR INCOME PRODUCING PROPERTIES, THE CITY OFFERS A TAX INCENTIVE OF -- OF -- A TAX EXEMPTION OF 50% OF VALUE OF THE STRUCTURE AND 25% OF THE VALUE OF THE LAND. THE OWNERS OF LANDMARKS APPLY FOR A TAX EXEMPTION EVERY YEAR. AND THEY HAVE TO PASS AN ANNUAL INSPECTION, WHICH IS CONDUCTED BY MY OFFICE TO QUALIFY FOR THAT INCENTIVE. WE HAVE LOOKED AT THE -- AT THE PROGRAMS, THAT OTHER CITIES ADMINISTER. AND IT APPEARS THAT AUSTIN'S PROGRAM IS A LITTLE ON THE GENEROUS SIDE. SO STAFF IS RECOMMENDING A REDUCTION IN THE PERCENTAGE OF THE LAND VALUES. THAT -- THAT ARE USED

TO CALCULATE THE -- THE HISTORIC LANDMARK PROPERTY TAX EXEMPTION. FOR OWNER OCCUPIED RESIDENTIAL STRUCTURES, STAFF IS RECOMMENDING A REDUCTION SO THAT THE CALCULATION WOULD BE 100% OF THE VALUE OF THE STRUCTURE AND 25% OF -- OF THE VALUE OF THE LAND. SO THAT WOULD BE DOWN FROM 100 FOR THE STRUCTURE AND 50 FOR THE LAND. FOR INCOME PRODUCING PROPERTIES, STAFF IS RECOMMENDING A REDUCTION TO 50% OF THE VALUE OF THE STRUCTURE AND 0 FOR THE VALUE OF THE LAND. RIGHT NOW THE CITY FOREGOES APPROXIMATELY \$700,000 IN PROPERTY TAX REVENUES. EVERY YEAR TO OWNERS OF HISTORIC LANDMARKS. THE REDUCTION IN THE PERCENTAGES OF THE LAND VALUE IN THE CALCULATION OF THE EXEMPTION WOULD REDUCE THAT FIGURE TO JUST OVER \$500,000 A YEAR. WITH AN ESTIMATED ANNUAL INCREASE OF ABOUT 33 TO \$35,000 EVERY YEAR WITH NEW LANDMARK DESIGNATIONS. THE REDUX IN THE VALUE OF THE -- REDUCTION IN THE VALUE OF THE LAND FOCUSES ON THE MAINTENANCE OF THE HISTORIC STRUCTURE. ALTHOUGH IT -- ALTHOUGH IT -- IT BRINGS DOWN THE VALUE OF THE LAND, WE WENT THROUGH AND CALCULATED FOR EVERY EXISTING LANDMARK WHAT THIS REDUCTION WOULD MEAN. AND THE AVERAGE REDUCTION IS ABOUT \$300. THAT THE CITY WOULD -- WOULD RECEIVE IN -- IN INCREASED PROPERTY TAXES FROM EACH LANDMARK OWNER. SO IN OUR VIEW IT'S A FAIRLY MINOR REDUCTION IN THE AMOUNT OF THE EXEMPTION, BUT OVERALL IT ADDS A GREAT DEAL TO THE CITY'S PROGRAM. STAFF RECOMMENDS FURTHER THAT ALL LANDMARKS REGARDLESS OF AGE OR DATE OF DEPOSITION - AGE OR DATE OF DESIGNATION SHOULD BE ELIGIBLE FOR THE TAX INCENTIVE. THIS APPLIES WITH THE PRINCIPLES OF UNIFORM AND EQUAL TAXATION AND PROVIDES THAT LANDMARK PROPERTY OWNERS WHO HAVE THE RESPONSIBILITY OF MAINTAINING THEIR PROPERTIES FOR THE PUBLIC GOOD ALSO RECEIVE A BENEFIT. FOR THEIR RESPONSIBILITIES OF MAINTAINING THAT PROPERTY.

LET'S GO TO LOCAL HISTORIC DISTRICTS. THIS IS A TOOL THAT MANY CITIES USE THROUGHOUT THE COUNTRY TO CONSERVE AND PRESERVE NEIGHBORHOOD CHARACTER, ESPECIALLY IN HISTORIC NEIGHBORHOODS. STAFF

CERTAINLY SUPPORTS THE IDEA OF ESTABLISHING LOCAL HISTORIC DISTRICTS. THIS IS A TOOL THAT AUSTIN SEVERELY NEED. I THINK THE NUMBER OF CASES THAT HAVE COME BEFORE COUNCIL WHERE THE NEIGHBORHOOD HAS ASKED COUNCIL TO CONSIDER HISTORIC DESIGNATION FOR A PROPERTY BECAUSE IT MEANS A LOT TO THE NEIGHBORHOOD, IS INDICATIVE OF HOW IMPORTANT THIS TOOL WILL BE TO PRESERVING OUR HISTORIC NEIGHBORHOODS. LOCAL HISTORIC DISTRICT ORDINANCES WOULD APPLY DESIGN STANDARDS, THAT WOULD APPLY TO CONTRIBUTE BUILDINGS IN THE DISTRICT. NON-CONTRIBUTING BUILDINGS WOULD NOT BE REQUIRED TO ADHERE THESE DESIGN STANDARDS BUT THEY WOULD BE REQUIRED FOR DISTRICT SPECIFIC SITE REGULATIONS AND COMPATIBILITY STANDARDS BUT NOT THE DESIGN STANDARDS. IF YOU JUST TAKE FOR AN EXAMPLE, IF WE LOOKED AT HYDE PARK, IF THAT WERE TO BECOME A LOCAL HISTORIC DISTRICT, THERE'S A LOT OF MODERN INFILL, ANY CHANGES TO THOSE BUILDINGS WOULD NOT BE REQUIRED TO COMPLY WITH THE DESIGN STANDARDS WHICH WOULD BE DESIGNED FOR BUILDINGS THAT CONTRIBUTE TO THE HISTORIC CHARACTER OF THAT NEIGHBORHOOD. BUT THEY WOULD BE REQUIRED TO -- TO ADHERE THE SITE DEVELOPMENT AND COMPATIBILITY STANDARDS. FOR THE DISTRICT. STAFF IS ALSO RECOMMENDING FINANCIAL INCENTIVES FOR CONTRIBUTING BUILDINGS IN LOCAL HISTORIC DISTRICT. THIS IS A PERK FOR A NEIGHBORHOOD ESTABLISHING A LOCAL HISTORIC DISTRICT. IT WOULD BE REHABILITATION INCENTIVE. RIGHT NOW OUR CURRENT INCENTIVE SYSTEM IS WHAT I CALL MAINTENANCE BASED INCENTIVE. THE PROPERTY OWNER OF A LANDMARK AGREES TO PRESERVE THE PROPERTY, MAINTAIN IT TO MINIMUM CITY STANDARDS, AND IN RETURN FOR THAT THE CITY GRANTS THEM A -- A PROPERTY TAX EXEMPTION. MANY OTHER CITIES, INCLUDING DALLAS AND FORT WORTH, OFFER WHAT I CALL A REHABILITATION BASED PROPERTY TAX INCENTIVE. AND THAT'S WHAT WE ARE PROPOSING FOR LOCAL HISTORIC DISTRICTS. WITH A REHABILITATION TYPE OF INCENTIVE, -- PEOPLE WHO OWN PROPERTY IN THE HISTORIC DISTRICTS WOULD HAVE TO INVEST A CERTAIN AMOUNT OF THE PREIMPROVEMENT VALUE OF THE STRUCTURE INTO THE STRUCTURE TO PRESERVE IT. A

CERTAIN PERCENTAGE OF THAT WOULD HAVE TO GO TOWARD EXTERIOR REHABILITATIONS, OF THE -- OF THE PROPERTY, AND OUR THOUGHTS RIGHT NOW ARE THAT A -- NEW ADDITIONS TO THOSE BUILDINGS WOULD BE EXCLUDED FROM THOSE QUALIFIED REHABILITATION EXPENDITURES. THE IDEA IS TO PRESERVE THE BUILDINGS THAT CONTRIBUTE TO THE HISTORIC DISTRICT, WITHOUT MAKING - - WITHOUT REWARDING ADDITIONS AND MODIFICATIONS TO THEM. SO IT'S -- IT'S AN ATTEMPT TO TRY TO RESTORE THE HISTORIC CHARACTER OF THE BUILDINGS THAT ARE MOST IMPORTANT TO THE DISTRICT. STAFF IS IN AGREEMENT WITH THE TASK FORCE RECOMMENDATION OF THE TAX FREEZE AT THE PREIMPROVEMENT VALUE FOR A PERIOD OF SEVEN YEARS. AND THAT WOULD ALLOW THE PROPERTY OWNERS TO -- TO MAKE THE REINVESTMENT IN THEIR PROPERTY, NOT BE TAXED AT THE INCREASED VALUE, AND HAVE SEVEN YEARS TO -- TO ACCRUE THAT BENEFIT. AFTER THE SEVEN YEARS, THE PROPERTY WOULD THEN BE -- WOULD BE REAPPRAISED WITH THE IMPROVEMENTS MADE TO IT AND THE NEW TAX VALUE WOULD BE THAT -- WOULD BE THAT ADJUSTED BASIS FOR THAT PROPERTY. FOR A COMMERCIAL PROPERTY -- FOR COMMERCIAL PROPERTIES, IT WOULD BE FOR 10 YEARS. SAME STANDARDS WOULD APPLY. AND WE HAVE PROJECTED THAT -- THAT THERE WOULD PROBABLY BE ABOUT 7 RESIDENTIAL AND THREE COMMERCIAL REHAB PROJECTS EVERY YEAR. THAT'S JUST LOOKING AT THE -- AT THE PROJECTS THAT WE'VE HAD SO FAR. WITHOUT THE REHAB. SO SEVEN AND THREE WOULD BE A GOOD AVERAGE. AND THE ESTIMATED FISCAL IMPACT WOULD BE ABOUT \$35,000 A YEAR. THIS HOWEVER WOULD NOT BE FOREGONE PROPERTY TAXES BECAUSE THE CITY WOULD RECOUP THAT PROPERTY TAX MONEY WHEN THE PROPERTY IS REASSESSED AFTER THE IMPROVEMENTS AND AFTER THE TAX FREEZE PERIOD. STAFF IS ALSO RECOMMENDING SPECIAL INCENTIVES FOR LOW INCOME PROPERTY OWNERS IN LOCAL HISTORIC DISTRICTS. THIS WOULD ALSO PROVIDE A REHABILITATION INCENTIVE. THIS ADDS SOME OF THE ISSUES BROUGHT UP BY THE GENTRIFICATION TASK FORCE AND BY CITY DEPARTMENTS TO ENABLE OWNERS, LONG-TIME OWNERS OF HISTORIC PROPERTIES IN OLDER SECTIONS OF THE CITY THAT ARE LOW INCOME AND MAY BE ON FIXED INCOME TO REHAB THEIR PROPERTIES AND STILL

QUALIFY FOR PROPERTY TAX INCENTIVE. STAFF IS RECOMMENDING THAT THE AMOUNT OF REINVESTMENT THAT -- THAT LOW INCOME PROPERTY OWNERS WOULD HAVE TO MAKE IN THEIR PROPERTY TO QUALIFY FOR THE INCENTIVE WOULD BE LOWER. SO IT WOULD BE 15% RATHER THAN 25% OF THE PREIMPROVEMENT VALUE. STAFF IS ALSO RECOMMENDING A TAX EXEMPTION. FOR 10 YEARS. REALIZING THAT WE ARE DEALING WITH LOW INCOME PROPERTY OWNERS, PROPERTIES ARE GENERALLY WORTH A LITTLE LESS THAN THEY WOULD -- THAN THEY ARE IN OTHER SECTIONS OF THE CITY. AND -- AND THE EXEMPTION SEEMS TO MAKE MORE SENSE THAN A PROPERTY TAX FREEZE. SO THIS WOULD BE A -- THIS WOULD BE A 100% PROPERTY TAX EXEMPTION FOR 10 YEARS. BUT YET AGAIN, AT THE END OF THIS -- AT THE END OF THIS TAX EXEMPTION PERIOD, THE PROPERTY WOULD BE REASSESSED AND PROPERTY TAXES WOULD COME WITH THE ADJUSTED BASES, WITH THE IMPROVEMENTS MADE. ALSO WITH THIS, STAFF IS RECOMMENDING THAT -- THAT IF THE PROPERTY IS SOLD DURING THIS EXEMPTION PERIOD, TO A PERSON THAT WOULD NOT QUALIFY FOR THE LOW INCOME PROPERTY TAX EXEMPTION, THEN THE EXEMPTION WOULD CEASE AT THAT POINT. THIS IS TRYING TO ADDRESS THE GENTRIFICATION ISSUES WHERE A LOW INCOME PROPERTY OWNER MAKES IMPROVEMENTS TO THE PROPERTY, TURNS AROUND AND SELLS IT TO SOMEBODY WHO WOULD BE MOVING IN DISPLACING A LONG-TIME RESIDENT OF THE NEIGHBORHOOD. AND -- AND WITH THEM BEING ENTITLED TO THE FREEZE. WE THINK THAT THAT IS OPEN TO A LITTLE BIT TOO MUCH ABUSE, WE WOULD LIKE TO SEE IT ONLY IF THAT PROPERTY IS BEING SOLD TO ANOTHER PERSON THAT QUALIFIES FOR THE INCENTIVE. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

WE'D LIKE TO ALLOW THE LANDMARK COMMISSION THE FLEXIBILITY OF ALLOWING THE DEMOLITION BE DELAYED IF THEY NEED FURTHER INFORMATION TO MAKE A FULLY INFORMED DECISION ABOUT WHETHER OR NOT TO RECOMMEND HISTORIC ZONING, THE LANDMARK SHOULD HAVE THE OPTION OF ORDERING THAT DEMOLITION DELAYED TO RECEIVE THAT INFORMATION. THE TYPES OF INFORMATION THAT I'M THINKING ABOUT HERE ARE

INFORMATION ABOUT THE STRUCTURAL SOUNDNESS OF THE BUILDING, FEASIBILITY FOR PRESERVATION, THINGS LIKE THAT, THAT MAY NOT COME UP IN THE FIRST HEARING AND THERE MAY NOT BE ENOUGH TIME TO GET THAT EVIDENCE TOGETHER IN THE FIRST HEARING. FINALLY, THE LAST POINT THAT I'LL LIKE TO MAKE IS THAT WE ARE RECOMMENDING THE ESTABLISHMENT OF APPLICATION FEES FOR HISTORIC ZONING APPLICATIONS AND APPLICATIONS FOR DEMOLITION AND RELOCATION PERMITS, BUILDING PERMITS IN HISTORIC DISTRICTS AND CERTIFICATES OF APPROPRIATENESS FOR CHANGES TO HISTORIC LANDMARKS. MANY OTHER CITIES CHARGE FEES FOR THESE SORTS OF APPLICATIONS. AUSTIN DOES NOT. THE ONLY FEES THAT WE HAVE RIGHT NOW ARE THE REGULAR APPLICATION FEES FOR A ZONING APPLICATION OR A DEMOLITION OR RELOCATION PERMIT. THESE APPLICATIONS GENERALLY REQUIRE ABOUT AN HOUR'S WORTH OF REVIEW OF STAFF TIME, AND MANY TIME IT REQUIRES A SITE VISIT. THE APPLICATION FEES THAT WE'RE OPPOSING WOULD HELP -- THAT OTHER PROPOSING WOULD HELP COVER THE COSTS OF THAT AND REDUCE OUR OPERATING EXPENSES SO WE COULD DO THIS MORE EFFECTIVELY AND MORE COST EFFECTIVELY, I SHOULD SAY. THERE ARE A COUPLE OF THINGS THAT WE HAVE A WISH LIST FOR. ONE IS A PROFESSIONAL SERVICES FUND TO HELP OUT IN THE STRUCTURAL ANALYSIS OF PROPERTIES THAT ARE SUBJECT TO DEMOLITION THAT THE LANDMARK COMMISSION FEELS OR HAS MADE A DETERMINATION THAT THEY ARE HISTORICALLY SIGNIFICANT. WE'D LIKE TO BE ABLE TO HAVE CITY FUNDS AVAILABLE TO HIRE A PRIVATE INDEPENDENT CONSULTANT TO MAKE A STRUCTURAL ANALYSIS OR A FEASIBILITY STUDY FOR PRESERVATION OF THAT BUILDING. WE ALSO HAVE ONGOING EFFORTS TO UPDATE THE CITY'S HISTORIC STRUCTURE SURVEYS AND TO COME UP WITH A NEW CITY HISTORIC PRESERVATION PLAN. THAT CONCLUDES MY PRESENTATION. ACTUALLY, BEFORE I CONCLUDE, I'M SORRY, MAYOR PRO TEM GOODMAN, I BROUGHT YOUR MAP HERE, LARGE MAP. [LAUGHTER]

Futrell: MAYOR PRO TEM, WE ARE NOW CALLING THIS THE MAYOR PRO TEM MAP. [LAUGHTER]

THIS IS A MAP REALLY THE CENTRAL PART OF THE CITY. IT'S

GOT ALL THE GREEN DOTS ON THERE ARE EXISTING HISTORIC LANDMARKS. THE PEACH SHADED AREAS ARE THE AREAS THAT I BELIEVE THE LARGEST NUMBER OF POTENTIAL NEW LANDMARKS ARE GOING TO COME OUT OF. IN RESEARCHING THIS, I LOOKED AT OUR EXISTING SURVEYS, OUR EXISTING NATIONAL REGISTER NOMINATIONS, OUR EXISTING INVENTORIES TO SHOW WHERE OUR PRIORITY 1 BUILDINGS ARE FOR THE MOST PART. AND WHERE I'VE ALSO GOTTEN INQUIRIES FROM THE PUBLIC ABOUT AS FAR AS ZONING APPLICATIONS AND SENDING MATERIALS OUT TO PEOPLE. THESE ARE THE OLDER AREAS OF THE CITY, OBVIOUSLY, AND SOME AS YOU CAN SEE, ARE VERY UNREPRESENTED. THE AREA ESPECIALLY AROUND BOUND INCREEK, THE BOULDIN NEIGHBORHOOD, WAS NOT INCLUDED IN OUR 1984 SURVEY. AND WE KNOW JUST FROM LOOKING AT THE AREA THAT THERE ARE A NUMBER OF BUILDINGS DOWN THERE WITH HISTORICAL SIGNIFICANCE THAT WE FEEL WOULD MAKE GOOD LANDMARK NOMINATIONS AND GOOD DESIGNATIONS. WE ESTIMATE THAT THERE ARE PROBABLY BETWEEN 150 AND 200 MORE LANDMARKS OUT THERE IN THE CITY. AND ACCORDING TO PAST TRENDS, WE ESTIMATE THAT THERE WILL BE BETWEEN 15 AND 20 NEW LANDMARK DESIGNATIONS EVERY YEAR. SO THAT SHOULD KEEP ME BUSY FOR THE REST OF MY CAREER.

Mayor Wynn: THANK YOU. COUNCILMEMBER DUNKERLEY.

Dunkerley: I KNOW A MAID A COMMENT JUST AS WE STARTED, BUT I WANTED TO FOLLOW-UP ON SOMETHING THAT I DON'T THINK I HEARD, IS THAT ALL OF THE DESIGNATIONS THAT WE HAVE CURRENTLY FOR HISTORIC, THOSE EXEMPTIONS WOULD STAY IN PLACE UNTIL THOSE PROPERTIES ARE SOLD. AND WHEN THOSE PROPERTIES ARE SOLD THEY WOULD COME UNDER WHATEVER GUIDELINES -- THIS WOULD BE THE PROPOSAL, WHATEVER GUIDELINES THE COUNCIL FINALLY ADOPTS. SO IF SOMEONE HAS AN HISTORIC EXEMPTION RIGHT NOW, THE PROPOSAL IS THAT THEY WILL KEEP THAT. AND IF WHEN THE PROPERTY IS SOLD, WHATEVER EXEMPTIONS WE HAVE, WE'LL LOOK AT THAT. I THINK THE OTHER COMMENT I WOULD MAKE IS TO STAFF AND ASK THEM IF THEY COULD COME BACK AND -- MAYBE YOU KNOW THIS, TOM. IF YOU TOOK THE TASKFORCE

PROPOSAL AND STAFF PROPOSAL FOR THE VALUE OF THE TAX INCENTIVES, THE 100%, 15% AS THE CAP VERSUS THE 125, WHAT'S THE DIFFERENCE IN THOSE VALUES IF YOU ESTIMATE THAT EVERYBODY WOULD BE -- DO WE NEED THAT IN AN E-MAIL?

I DO HAVE THAT.

Dunkerley: I THOUGHT YOU MIGHT.

UNDER THE TASKFORCE RECOMMENDATION -- THERE WOULD BE AN INCREASE IN PROPERTY TAXES OF \$32 UNDER THE TASKFORCE RECOMMENDATION.

Dunkerley: AND UNDER OUR RECOMMENDATION, OUR RECOMMENDATION ENVISIONS THAT ALL OF THE EXEMPTIONS ALL OF THE EXEMPTIONS WOULD CHANGE AND WE ASKED THE BUDGET OFFICE TO LOOK AT AN ANALYSIS ON THAT. THEY CAME UP WITH A FIGURE OF \$107,000 THAT THE CITY WOULD RECEIVE BACK.

Dunkerley: WOULD THAT BE INCREASED IN THE EXEMPTION, THE LAND?

THAT IS BECAUSE OF THE DECREASE IN THE EXEMPTION ON THE LAND.

Dunkerley: ON THE OTHER HAND, THOUGH, IT WOULD SEEM TO ME THAT YOU WOULD GET SOME SAVINGS ON THE TASKFORCE SIDE BECAUSE YOU'RE CAPPING AT 50% THE TAX INCENTIVE ON A PERCENTAGE OF HOMES.

THAT WOULD SEEM TO BE TRUE. I READ THE CALCULATIONS ON THAT MYSELF. AND \$2,000 \$2,000 ACTUALLY COMES FROM LOOKING AT THE EXISTING EXEMPTIONS FOR EVERY PROPERTY, AND THE AVERAGE MEAN WAS RIGHT AT \$2,000.

Dunkerley: SO THAT WOULD MEAN THE AVERAGE MEAN OF THE HOMES IS \$400,000 IS THE VALUE OF THE PROPERTIES TO GET A 2,000-DOLLAR CITY TAX EXEMPTION.

YES, MA'AM. THAT WOULD BE WITH THE 50% -- THE GREATER OF THE \$2,000 OR 50%. SOME PROPERTIES OR SOME

PROPERTY OWNERS WOULD ACTUALLY GET A GREATER EXEMPTION. THAN THEY GET RIGHT NOW.

Dunkerley: ALL RIGHT. BECAUSE OF THE \$2,000 FOR EXEMPT HOUSES FOR 400,000-DOLLAR HOUSES AND BELOW... (INDISCERNIBLE). NOW, THE ONLY OTHER COMMENT I HAVE IS DEALING WITH THE LOW INCOME ISSUE, THE MINORITY REPORT TRIED TO ADDRESS LOW INCOME OWNERS AND RESIDENTS OF HISTORIC HOUSES IN A WAY THAT VERY PROBABLY MIGHT RUN INTO SOME TROUBLE WITH OUR LEGAL DEPARTMENT AND A CONSTITUTIONAL ISSUE AND REBATING A TAX WHEN YOU HAVE NOTHING THAT'S RECEIVED FOR IT. I DO THINK YOUR RECOMMENDATION OF USING THE REHAB INCENTIVE FOR OWNERS WOULD REALLY FILL THAT GAP BECAUSE THAT IN ESSENCE, IF THEY WOULD DO A 15% REHAB, THEY WOULD GET AN ABATEMENT FOR A PERIOD OF TIME. SO I THINK THAT IN A POSITIVE WAY WOULD ADDRESS THE LOW INCOME NEEDS FOR FOLKS THAT ARE IN THOSE HOUSES AND THEY WANT TO STAY IN THOSE HOUSES. AND PROBABLY WOULD GIVE THEM A BIGGER INCENTIVE THAN THE 200-DOLLAR REBATE THAT'S ANTICIPATED NOW. SO I DO LIKE THAT ONE. AND FINALLY, APPLYING THAT REHAB TO JUST THOSE CONTRIBUTING STRUCTURES, I AGREE WITH STAFF ON IT. I THINK MANY OF THE LETTERS I RECEIVED FROM THE VARIOUS ORGANIZATIONS, WHETHER IT WAS PRESERVE AUSTIN OR THE HERITAGE SOCIETY AND WHAT HAVE YOU, I THINK THEY AGREE WITH THAT TOO. AND I DON'T KNOW THAT INDIVIDUALLY THEY WOULD DISAGREE WITH THAT. I DON'T WANT TO PUT HER ON THE SPOT, BUT SHE DOESN'T WANT TO REPRESENT THE WHOLE TASKFORCE.

THE TASKFORCE JUST FELT IT WAS ANY REDEVELOPMENT WITHIN A DISTRICT WOULD BE ADVANTAGEOUS TO THE CITY AND DO NOT FEEL IT NECESSARILY SHOULD BE LIMITED TO CONTRIBUTING, BUT I THINK THE TASKFORCE JUST FELT IT WAS MORE EQUITABLE TO IMPROVE THE ENTIRE DISTRICT. PERSONALLY IT'S NOT AN ISSUE.

Dunkerley: WELL, AND AS I POINTED OUT, THERE'S A WONDERFUL HOUSE ON RAINY STREET THAT IS VERY DIFFERENT.

WHAT WAS THE ADJECTIVE? WONDERFUL?

Dunkerley: ONE THAT I THINK OF. AND IT'S REALLY UNIQUE AND VERY INTERESTING, BUT I'M NOT SURE IT CONTRIBUTE TO THE HISTORIC CHARACTER OF THE AREA. OR EVEN A SERVICE STATION IN AN AREA. SO THAT WAS WHY I THOUGHT THAT I WOULD AGREE IN THAT INSTANCE IN ONLY HAVING THOSE AVAILABLE FOR CONTRIBUTING HOUSES. SO THOSE WERE MY COMMENTS. AND I'D LIKE TO TURN IT OVER TO SOMEBODY ELSE IF THEY HAVE SOME ADDITIONAL COMMENTS. BEFORE I SAY WHAT ARE WE GOING TO DO NEXT?

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER ALVAREZ.

Alvarez: CURRENTLY 50% AND 25% FOR STRUCTURE AND LAND WILL BE 50% AND ZERO PERCENT. SO IT'S NOT TOO MUCH OF A DIFFERENCE, AND I THINK A LITTLE BIT OF -- THERE IS A DIFFERENCE WITH THE TASKFORCE RECOMMENDATION, BUT IS THERE A LIMIT TO THE NUMBER OF YEARS THEY CAN GET THAT EXEMPTION IN EITHER SCENARIO OR RECOMMENDATION?

CURRENTLY THERE IS NO LIMITATION.

Alvarez: AND THAT IS NOT A RECOMMENDATION OF THE TASKFORCE OR STAFF?

NO, SIR.

Alvarez: SO WHY ARE WE -- SO WE TALK ABOUT GIVING SOMEBODY THE EXEMPTION FOR HISTORIC PRESERVATION, AND THEN WHEN WE TALK ABOUT REHABILITATION, THEN WE TALK ABOUT THEM HAVING TO GIVE SOMETHING BACK IN RETURN FOR THAT EXEMPTION, BUT WITH THESE PARTICULAR -- BASIC OVERALL EXEMPTIONS FOR HISTORIC PRESERVATION, THEN WHAT IS THE REQUIREMENT THAT THEY TO THEIR PROPERTY IN RETURN FOR 100% OF VALUE, 50% OR 25% OF LAND COST FOR TAXES?

COUNCILMEMBER, AS MR. SADOWSKY SAID, THEY HAVE TO APPLY ANNUALLY AND THEY ARE SUBJECT TO AN

INSPECTION TO SEE THAT THE PROPERTY IS MAINTAINED AND MEETS CERTAIN BUILDING CODES.

Alvarez: OKAY. BUT IF THEY DO NOT INVEST ANY MONEY IN THE PROPERTY ON A YEAR, BUT IT'S WELL MAINTAINED, THEY CAN STILL GET THAT?

YES, SIR.

Alvarez: SO IN THAT CASE IT'S NOT NECESSARILY, DO YOU KNOW WHAT I MEAN, IT'S SORT OF LIKE A TRANSACTION --

I CAN ADDRESS THIS ONE PERSONALLY. IT'S LIKE APPLYING FOR THE OVER 65 EXEMPTION. YOU'RE NOT GOING TO LOSE IT. YOU'RE NOT GOING TO GET ANY YOUNGER. THAT STRUCTURE'S NOT GOING TO BECOME UNHISTORIC. THE COST AND MAINTENANCE OF THAT STRUCTURE IS EVER INCREASING, PARTICULARLY IF IT'S -- BECAUSE IT'S AN OLDER STRUCTURE.

Alvarez: I IN THAT. I JUST DIDN'T KNOW IN THESE OTHER INSTANCES THAT I'M GOING TO TALK ABOUT YOU LOOK AT AND THEY'RE INVESTING X AMOUNT OF THE VALUE TO REHAB AND THEY'RE ELIGIBLE FOR A CERTAIN AMOUNT OF EXEMPTION. NOW, ON THE LOW INCOME PROVISION OR DISTRICT PROPOSAL, I DO BELIEVE THERE ARE OTHER CITIES THAT HAVE THAT KIND OF A DISTRICT OR BENEFIT IN A LOCAL HISTORIC DISTRICT.

THEY DO. SAN ANTONIO DOES.

Alvarez: SO IN TERMS OF LEGAL THEORIES OR PROBLEMS, I THINK THERE ARE DIFFERENT WAYS LEGALLY OF INTERPRETING WHETHER THAT'S POSSIBLE OR NOT POSSIBLE. SECOND OF ALL, I -- I WASN'T QUITE SURE, LOOKING AT PAGE 3, WHAT THE NUMBERS REFERRED TO, PARTICULARLY THE 10%. THE KNOW INCOME PROVISIONS WILL BE GIVEN TO LOW INCOME PERSONS AND TO PROPERTIES LEASED TO LOW INCOME TENANTS AND IT SAYS 10%. WHAT DOES THAT MEAN EXACTLY?

I'M SORRY, I'M NOT FOLLOWING WHERE YOU'RE AT EXACTLY.

Alvarez: 3, LOW INCOME PROVISIONS UNDER STAFF RECOMMENDATION, AND IT'S THE FIRST BULLET OR HIGHLIGHTED LINE. LOW INCOME PROVISIONS WILL BE GIVEN TO PROPERTIES OWNED BY...

WE HAVE MORE THAN ONE PAGE 3, COUNCILMEMBER. >>

I THINK IT'S ON PAGE 5.

THERE IT IS. FOUND IT. I'M SORRY, THAT IS A TYPO IN THERE, SIR. THAT SHOULD BE 15%. THE LOW INCOME PROVISION, WHAT THAT IS REFERRING TO IS THE AMOUNT OF THE PREIMPROVEMENT VALUE OF THE STRUCTURE THAT THE PROPERTY OWNER WOULD HAVE TO REINVEST TO QUALIFY FOR THE EXEMPTION TO OCCUR.

SO YOU'RE SAYING IT WOULDN'T BE 10, IT WOULD BE 15?

IT WOULD BE 15. AND IF YOU LOOK AT WHAT STAFF AND THE TASKFORCE IS LOOKING AT OR IS PROPOSING FOR NON-LOW INCOME, IT'S 25%, SO IT'S A HIGHER FRESH HOLD FOR REINVESTMENT.

Alvarez: AND THEN THE SEVEN-YEAR PART OF THIS MEANS WHAT, THAT THE EXEMPTION -- THE 15% EXEMPTION OR WHATEVER THAT NUMBER ENDEND UP BEING WOULD BE IN EFFECT FOR SEVEN YEARS?

YES. THAT WOULD BE THE EXEMPTION FOR LOW INCOME.

Alvarez: RATHER THAN THE FREEZE. AND THAT'S WHAT WE DO ON THE 25%?

THE FREEZE WOULD BE FOR THE NON-LOW INCOME AND INCOME-PRODUCING. THE EXEMPTION WOULD BE FOR LOW INCOME RESIDENTIAL PROPERTY OWNERS.

Alvarez: OKAY. SO ON THE 25% YOU GET ON FREEZE ON YOUR TAXES FOR SEVEN YEARS, IS THAT RIGHT? SO WHY WOULDN'T WE USE THAT SAME APPROACH HERE?

WELL, IT WAS AN ATTEMPT ON OUR PART TO TRY TO MAKE THE INCENTIVE MORE AVAILABLE AND MORE ATTRACTIVE TO

LOW INCOME PROPERTY OWNERS TO MAKE THAT REEN INVESTMENT IN THEIR PROPERTIES, TO GIVE THEM THE TAX EXEMPTION RATHER THAN JUST A TAX FREEZE.

Alvarez: OKAY. I'M JUST TRYING TO UNDERSTAND THE PROPOSAL. APPRECIATE YOU ALL.

ACTUALLY, IF I CAN ADDRESS YOUR FIRST COMMENT THERE WHERE YOU'RE ASKING ABOUT THE DIFFERENCES BETWEEN MAINTENANCE BASE FOR LANDMARKS AND REHAB FOR CONTRIBUTING. I THINK THE EASIEST WAY TO LOOK AT THIS IS LANDMARKS ARE A SEPARATE PILE OF PROPERTIES. AND THEY HAVE TO MEET VERY STRINGENT CRITERIA FOR LANDMARK DESIGNATION, AS YOU ALL KNOW. SO THEY HAVE EXTRAORDINARY SIGNIFICANCE TO THE HISTORY OF A CITY, AND IT'S REALLY IN THE PUBLIC GOOD TO PRESERVE THOSE INDIVIDUALLY. FOR THE LOCAL HISTORIC DISTRICTS, THE REHAB INCENTIVES ARE FOR CONTRIBUTING BUILDINGS BECAUSE REALLY THE HISTORIC DISTRICT, WE'RE NOT LOOKING AT BUILDINGS SO MUCH INDIVIDUALLY AS THE COLLECTION OF BUILDINGS THAT MAKE UP THAT DISTRICT. DOES THAT HELP ILLUSTRATE IT A LITTLE BETTER?

Alvarez: IT HELPS. I KNOW THAT THERE ARE SOME VERY SMALL STRUCTURES THAT ARE HISTORIC LANDMARKS, BUT THAT ARE IN NEIGHBORHOODS WHERE VALUES ARE VERY HIGH. SO THE EXEMPTION THEY'RE GETTING MAY BE NOT -- WHAT THEY'RE NOT PAYING IN TERMS OF TAXES BECAUSE OF THE EXEMPTION MAY BE MORE THAN WHAT THEY'RE ACTUALLY INVESTING IN. THAT'S THEORETICAL, OF COURSE. I THINK YOU ALL PROBABLY KNOW MORE THAN I WHAT THE REALITY IS TO MAINTAIN. I WAS JUST TRYING TO FIGURE OUT WHY IS IT THAT WE TREAT THOSE TWO AREAS -- THOSE TWO TYPES OF PROPERTIES DIFFERENTLY. AND I THINK YOU ARTICULATED THAT WELL.

Mayor Wynn: FURTHER COMMENTS? WE DO HAVE A FEW FOLKS WHO HAVE SIGNED CARDS, COUNCIL. SO PERHAPS WE CAN LET THE CITIZENS SPEAK AND THEN WE --

Dunkerley: I THOUGHT THIS WAS A DISCUSSION.

Mayor Wynn: THERE'S JUST A HANDFUL OF FOLKS. SHERRY

O'CONNELL SIGNED UP A CARD WISHING TO SPEAK, I BELIEVE. TERRY, WELCOME. YOU'LL HAVE THREE MINUTES. AND LORI LIMBBALKER SIGNED UP ONLY IF COUNCIL HAD QUESTIONS. YOU WILL BE FOLLOWED BY MOLLY ALEXANDER. WELCOME, TERRY.

THANK YOU. MY NAME IS TERRY O'CONNELL, I'M WITH PRESERVE AUSTIN, WHICH IS A GROUP OF PRESERVATION PROFESSIONALS AND ADVOCATES IN AUSTIN. WE HAVE STUDIED THE WORK OF THE LANDMARK COMMISSION AND THE TASKFORCE FOR MANY MONTHS, AND WE HAVE COME TO SOME RECOMMENDATIONS WHICH WE HAVE PROVIDED TO COUNCILMEMBER DUNKERLEY THAT WE MAY WANT TO DISCUSS IN GREATER DETAIL. BUT I JUST WANTED TO GIVE YOU A BRIEF INTRODUCTION TO OUR ORGANIZATION AND LET YOU KNOW THAT OUR GOALS ARE -- I KNOW THAT COUNCIL IS VERY CONCERNED WITH DEVELOPING AN EQUITABLE TAX STRUCTURE FOR HISTORIC LANDMARKS. WE IN PRESERVE AUSTIN WOULD LIKE TO LOOK AT THE BIG PICTURE OF WHAT ARE THE OVERAFTERNOONING GOALS FOR THE HISTORIC PRESERVATION PROGRAM IN AUSTIN AND HOW CAN WE BEST ACCOMPLISH THOSE GOALS. TAX ABATEMENTS AND TAX INCENTIVES ARE ONE COMPONENT OF THAT. WE STRONGLY ADVOCATE THAT YOU CONSIDER MAKING PERHAPS SOME MINIMAL REDUCTIONS TO THE AUSTIN LANDMARK PROGRAM RIGHT NOW FOR TAX ABATEMENTS AND DO AN ECONOMIC DEVELOPMENT STUDY, AN ECONOMIC IMPACT STUDY. WHAT DOES HISTORIC PRESERVATION MEAN PHYSICALLY AND COMMUNALLY TO THE CITY OF AUSTIN? AND WE HAVE TALKED WITH THE NATIONAL TRUST FOR HISTORIC PRESERVATION ABOUT A POTENTIAL FUNDING SOURCE FOR THIS STUDY. WE REALLY FEEL THAT BECAUSE THE AUSTIN TAX ABATEMENT STRUCTURE IS SO UNIQUE, IT DESERVES A SPECIAL STUDY TO DETERMINE IS THE CITY GETTING THE BENEFIT THAT IT NEEDS FROM OFFERING THIS PROGRAM AND THEN COME BACK IN A FEW YEARS AFTER THE STUDY IS DONE AND DECIDE IF FURTHER REDUCTIONS OR FURTHER CHANGES TO THE STRUCTURE NEED TO BE MADE TO BETTER SUPPORT THE PROGRAM. WE ALSO ARE IN STRONG SUPPORT OF ADDITIONAL STAFF TO REINFORCE AND IMPLEMENT LOCAL HISTORIC DISTRICTS. AUSTIN IS THE

ONLY CITY OF ITS SIZE THAT I CAN FIND THAT DOESN'T HAVE LOCAL HISTORIC DISTRICTS. IT WOULD GREATLY BENEFIT THE CITY AT LARGE. IT WOULD REDUCE THE NUMBER OF PROBLEMS THAT COME TO COUNCIL. IF WE HAVE LOCAL HISTORIC DISTRICTS TO PROTECT NEIGHBORHOOD CHARACTER AND NEIGHBORHOOD INTEGRITY AND HELP DEVELOPERS UNDERSTAND WHAT SORT OF DEVELOPMENT DO WE WANT IN THESE HISTORIC CENTRAL AUSTIN NEIGHBORHOODS, IT WOULD BENEFIT THE WHOLE PROGRAM OVERALL. BUT IT DOES REQUIRE STAFF TO ADMINISTER THE PROGRAM, AND OUR CITY STAFF, THE CITY PRESERVATION OFFICER, IS SUCH AN OUTSTANDING PERSON AND HAS DONE AN OUTSTANDING JOB FOR THE CITY, BUT HE NEEDS ASSISTANCE. AND THIS IS OUR INDEPENDENT OPINION. WE DON'T EVEN TALK TO HIM ABOUT THIS, WHAT WE SEE. WE ALSO THINK AN APPROPRIATE LEVEL OF DESIGN REVIEW IS APPROPRIATE TO CONFORM TO THE SECRETARY OF INTERIOR STANDARDS AND HAVE DISTRICT PRESERVATION PLANS FOR HISTORIC DISTRICT SO THAT NEIGHBORHOODS CAN DECIDE WHAT'S APPROPRIATE FOR THEIR AREA. [BUZZER SOUNDS] THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. COUNCILMEMBER DUNKERLEY.

Dunkerley: MAYBE NOT ONLY THE PRESERVE AUSTIN LETTER, BUT SEVERAL OTHER LETTERS THAT I RECEIVED.

Mayor Wynn: THANK YOU. MOLLY ALEXANDER, WELCOME.

THANK YOU. WE KNOW IT'S A DISCUSSION AND WE APPRECIATE THE TIME YOU'VE AFFORDED US. MY NAME IS MOLLY ALEXANDER. I'M THE ASSOCIATE DIRECTOR OF THE DOWNTOWN AUSTIN ALLIANCE. WHEN THIS ALL BEGAN WE UNDERSTOOD THAT COMMERCIAL TAXES WOULD NOT BE IMPACTED BY THE TASKFORCE. WE MONITORED IT. WE ATTENDED ALL THE MEETINGS. IN THE TASKFORCE MEETINGS WE HAD BETTY BAKER ATTEND OUR ECONOMIC DEVELOPMENT MEETING AND WE FULLY SUPPORTED THE TASKFORCE RECOMMENDATION AND WE'RE SURPRISED TO FIND THAT THE STAFF RECOMMENDED A CHANGE IN COMMERCIAL INCOME-PRODUCING PROPERTIES OVER AND ABOVE THE TASKFORCE RECOMMENDATION. AS YOU ALL

CAN WELL APPRECIATE, WE HAVE PROPERTY OWNERS WHO HAVE LONG-TERM LEASES AND HAVE STRUCTURED THOSE LEASES BASED UPON THE CURRENT ECONOMIC SITUATION OF THAT PROPERTY. SO WE WOULD -- AS THE DISCUSSION WE FORWARD AND WHERE YOU TAKE THIS, WE WOULD HIGHLY RECOMMEND THAT YOU CONSIDER THAT IN THOSE DISCUSSIONS. OUR BOARD DID TAKE ACTION YESTERDAY AND DID APPROVE -- DID SUPPORT THE TASKFORCE RECOMMENDATION AS PRESENTED TO YOU TODAY AND AS PRESENTED TO US LAST WEEK. SO THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. AND TERRY MEYERS ALSO SIGNED UP AVAILABLE TO ANSWER QUESTIONS IF COUNCIL HAS THEM. PETER KETER? WOULD YOU LIKE TO SPEAK? AND LIKEWISE WITH PETTER KETTER. COUNCIL, THAT'S ALL THE CITIZENS SIGNED UP WISHING TO SPEAK ON ITEM 40. FURTHER COMMENTS? COUNCILMEMBER DUNKERLEY. >>

DUNKERLEY: WITH THE COUNCIL'S PERMISSION, I WOULD LIKE FOR THE CITY MANAGER TO BRING AN ORDINANCE BACK AS EARLY AS NEXT WEEK IF YOU CAN DO IT, IF IT'S DRAFTED OR CAN BE DRAFTED. IF NOT, PERHAPS LAST WEEK IN JULY. SO ONE OF THOSE TWO TIMES. I THINK THAT WOULD BE HELPFUL. AND IF YOU COULD GO THROUGH THE ONE AREA THAT I WOULD LIKE TO HAVE SOME HELP WITH IS THAT AREA ON THE VALUE OF THE TAX INCENTIVES. WE HAVE REALLY TWO PROPOSALS HERE AND I'D LIKE FOR THE STAFF TO TAKE ANOTHER LOOK AT THIS OR THE CITY MANAGER TO SEE IF THEY CAN AT LEAST MERGE THOSE IN SOME WAY SO THAT WE GET AT LEAST SOME OF WHAT WE STARTED OUT WITH, SOME GENERAL OVERALL DECREASE IN THE DOLLARS THAT WOULD BE EFFECTIVE. SO THAT WOULD BE MY RECOMMENDATION. AND LEAVE US SOME BLANKS SO THAT WE COULD -- WE COULD FILL IN OUR CHANGES IF WE CHOOSE TO.

LEAVE YOU SOME BLANKS!!?? HEAVENS!

COUNCIL, MARTHA TERRY, ASSISTANT CITY ATTORNEY. WHAT WE WOULD LIKE TO DO IS WE WOULD LIKE TO HAVE SOME DIRECTION AS TO WHICH RELIGIOUS TO BRING FORWARD. AND THEN WHAT WE CAN DO IS PROPOSE SOME ALTERNATIVE LANGUAGE THAT WOULD BE AVAILABLE TO

THE COUNCILMEMBERS TO OFFER UP, IF THAT IS HELPFUL TO YOU.

Dunkerley: I DON'T WANT TO SPEAK FOR THE WHOLE COUNCIL. THAT'S WHY I WANT TO HAVE SOME BLANKS THERE SO THEY CAN HAVE THEIR OBJECTION. BUT IF YOU WERE JUST GOING TO ASK ME, I WOULD GO WITH THE 75-YEAR TAX ABATEMENT LEVEL. I WOULD GO WITH SOME COMBINATION OF THE VALUE OF THE TAX INCENTIVE BECAUSE THAT'S WHAT I WAS TALKING ABOUT.

WE'LL TRY TO WORK THROUGH SOME ALTERNATIVE LANGUAGE.

Dunkerley: AND THEN I WOULD GO WITH THE STAFF RECOMMENDATION ON IT APPLYING ONLY TO THE CONTRIBUTING BUILDING. I THINK THAT'S A PRETTY GOOD CONSENSUS. THE STAFF RECOMMENDATION ON THE REHAB OF THE PROPERTY AND FEES. AND THE LOW INCOME EXEMPTION FOR YOUR TAX ABATEMENTS. SO IF ANY OTHER COUNCILMEMBER WANTS TO ADD SOMETHING, THEY CAN DO IT. WE CAN HAVE AN ALTERNATE OR IF ANY OTHER THING COMES ALONG.

THAT GIVES US SOME DIRECTION AND THEN WE CAN PROVIDE ALTERNATIVE LANGUAGE FOR VARIOUS COUNCILMEMBERS.

Dunkerley: THE COUNCIL HAS TO THINK THROUGH THIS BECAUSE THERE ARE SEVERAL REALLY KEY POLICY ISSUES, AND THAT'S WHY I SAID WE NEED SOME -- ESPECIALLY ON THE LEVEL NEED SOME TIME TO THINK ABOUT IT WITH THOSE ALTERNATIVES. LET'S HEAR FROM THE OTHER COUNCILMEMBERS AND SEE.

Futrell: WE'LL TAKE THE MATRIX AND OFFER ALTERNATIVE LANGUAGE FOR THE DIFFERENT OPTIONS THAT ARE AVAILABLE ON THE MATRIX. AND AFTER LOOKING AT THE PANICKED LOOK AT SOME OF THE FACES IN THE CROWD WHEN YOU MENTIONED NEXT WEEK WITH THE ORDINANCE --

Dunkerley: END OF JULY.

Futrell: WE WILL PICK JULY SINCE YOU GAVE US THAT OPTION.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: I HAD A QUESTION ON THE ISSUE OF THE CONTRIBUTING AND NON-CONTRIBUTING HISTORIC DISTRICT ABOUT A POTENTIAL MIDDLE GROUND FROM THE FOLKS WHO THOUGHT THROUGH THIS A LOT MORE. AND I WANT TO FIRST COMPLIMENT COUNCILMEMBER DUNKERLEY AND CHERYL BAKER AND MR. SADOWSKY AND ALL THE OTHER FOLKS WHO HAVE VOLUNTEERED THEIR TIME TO MAKE THIS A BETTER PLACE. THERE WAS A TREMENDOUS AMOUNT OF VOLUNTEER TIME DONE AND IT MAKES HAD THIS CITY SO GREAT. YOU KNOW A LOT MORE APPROXIMATE ABOUT IT THAN I DO. I WANT TO FIND OUT WHAT THE IMPLICATION MIGHT BE OF THIS. IF WE WERE TO DO ON THE HISTORIC DISTRICT -- NOT DO CONTRIBUTING STRUCTURES GETTING THE CREDIT UNLESS THEY REHABED THEIR STRUCTURES TO BRING IT IN TO SYNCHRONIZATION WITH THE HISTORIC CHARACTER OF THE NEIGHBORHOOD. I THINK SPECIFICALLY SOME OF THESE NEIGHBORHOODS HAVE HAD WHAT ARE CALLED DING BATS, WHICH ARE APARTMENTS WHERE THEY'RE UP ON STILTS WITH PARKING UNDERNEATH AND THEY REPLACED OLD HOMES. IF WE POSSIBLY PROVIDED SOME TAX INCENTIVE TO KIND OF RESTORE THE CHARACTER OF THE NEIGHBORHOOD. BUT I DON'T KNOW WHAT YOUR THOUGHTS ARE ON THAT.

COUNCILMEMBER MCCRACKEN, THAT IS ONE OF THE PROVISIONS THAT WE INCLUDED IN THE STAFF RECOMMENDATION, TO ALLOW THE OWNER OF A NON-CONTRIBUTING PROPERTY THE REHAB INCENTIVE IF THE REHABILITATION WOULD BRING THAT PROPERTY BACK TOO CONTRIBUTING AT THAT STATUS. THIS WOULD STILL ELIMINATE PROPERTIES THAT WOULD NEVER CONTRIBUTE ANYWAY, SUCH AS AN APARTMENT BUILDING BUILT FIVE YEARS AGO. BUT AN OLDER HOUSE --

Dunkerley: BUT IT WOULD THEN BECOME CONTRIBUTING?

McCracken: AND I AGREE THAT WE SHOULD NOT BE GIVING ANY KIND OF TAX BREAK TO SOMEONE WHO IS BUILDING --

REHABING A NON-CONTRIBUTING STRUCTURE.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS.
COUNCILMEMBER SLUSHER.

Slusher: SO WE'RE BRINGING THIS BACK AT THE END OF JULY NOW? OKAY. I WOULD LIKE TO HAVE THE STAFF ABLE TO DISCUSS AT THAT TIME AN HISTORIC DISTRICT. I MEAN, I DON'T WANT TO HAVE -- I'M NOT SAYING GO OUT AND DO A HUGE AMOUNT OF STAFF WORK AND INCUR EXPENSE, BUT I WOULD LIKE TO AT LEAST BE ABLE TO HAVE AN INTELLIGENT DISCUSSION ON THOSE AT THAT TIME.

WE'LL DO THAT, COUNCILMEMBER.

Mayor Wynn: FURTHER COMMENTS, QUESTION? AGAIN, TECHNICALLY NO ACTION OTHER THAN THE CITY MANAGER HAS UNDERSTOOD DIRECTION TO BRING THIS BACK IN LATE JULY. THANK YOU ALL VERY MUCH.

THANK YOU.

Mayor Wynn: COUNCIL, WE HAVE A FEW MINUTES BEFORE OUR NOON GENERAL CITIZEN COMMUNICATION. I THINK WE CAN TAKE UP ITEM NUMBER 30 IN RELATIVELY SHORT ORDER RELATING TO OUR PHARMACY CONTRACTS. AND WE HAVE A COUPLE OF CITIZENS WHO SIGNED UP AND TECHNICALLY COUNCILMEMBER ALVAREZ HAS PULLED THE ITEM. COUNCILMEMBER, WOULD YOU LIKE TO INTRODUCE THIS TOPIC?

Alvarez: IT WOULD PROBABLY BE GOOD JUST TO HAVE THE OVERVIEW FIRST. I HAVE QUESTIONS.

Mayor Wynn: WITH THAT I WILL ENTERTAIN A BRIEF STAFF PRESENTATION AND WELCOME MS. TRISH YOUNG.

THANK YOU, MAYOR. I HAVE WITH ME JOHN GILVAR, WHO IS A SENIOR CARE ANALYST IN THE COMMUNICATIONS DEPARTMENT, AND I ALSO WANTED TO LET YOU KNOW THAT WE HAVE SEVERAL MEMBERS OF OUR FEDERALLY QUALIFIED HEALTH CENTER BOARD WHICH GOVERNS THE COMMUNITY HEALTH CENTERS IN THE AUDIENCE TODAY

AND THEY ARE ALSO HERE TO ANSWER QUESTIONS IF ANYBODY SHOULD HAVE THEM AFTER THE PRESENTATION. WE HAVE OUR BOARD CHAIR, MR. HAL KATZ AND MS. ROSE LANCASTER WITH US AS WELL AS ON TWO OF OUR CONSUMER USERS, MS. JULIA MITCHELL AND MR. HENRY (INDISCERNIBLE). I DO HAVE A POWERPOINT PRESENTATION FOR YOU. I'LL TRY TO -- IT'S HOPEFULLY NOT TOO LONG. I'LL TRY TO GO THROUGH THIS IN A SUCCINCT MANNER SO YOU CAN UNDERSTAND THE ISSUE BEFORE YOU. ITEM 30 IS A PROPOSAL -- A REQUEST FOR AUTHORIZATION TO NEGOTIATE A 12-MONTH SERVICE AGREEMENT WITH WALGREEN'S HEALTH INITIATIVES FOR PHARMACY MANAGEMENT AND DISPENSING SERVICES FOR BOTH THE COMMUNITY HEALTH CENTERS AS WELL AS THE MEDICAL ASSISTANCE PROGRAM. TO GIVE YOU A LITTLE BIT OF BACKGROUND ON WHY THIS ITEM IS BEFORE YOU, IN OUR COMMUNITY HEALTH CENTER PHARMACIES, WE CURRENTLY OPERATE FOUR CLASS A PHARMACIES AND 10 CLASS D PHARMACIES. THE CLASS A ARE WHAT YOU MIGHT NORMALLY SEE, SIMILAR PHARMACY TO WALGREEN'S OR ECKERD'S, WHAT YOU SEE IN YOUR GROCERY STORE IN TERMS OF DISPENSING. THE CLASS D'S REPRESENT MEDICATIONS THAT CAN BE DISPENSED UPON PHYSICIAN ORDER AND ARE TYPICALLY GIVEN TO THE PATIENT RIGHT THERE IN THE CLINIC. WE FILL PRESCRIPTIONS THAT ARE WRITTEN BY THE COMMUNITY HEALTH CENTER PROVIDERS AND WE PURCHASE THOSE PHARMACEUTICALS THROUGH WHAT'S CALLED A 340 B DRUG PRICING PROGRAM, WHICH BECAUSE OF OUR FEDERALLY QUALIFIED HEALTH CENTER STATUS ENTITLES US TO ACCESS PHARMACEUTICALS AT SIGNIFICANTLY DISCOUNTED PRICES. IN ADDITION, OUR MEDICAL ASSISTANCE PROGRAM HAS A PHARMACY BENEFIT WHERE THEY HAVE IN PLACE CURRENTLY AN OUTSIDE PHARMACY NETWORK WHICH DISPENSES MEDICATIONS SOLELY TO MAP ENROLL REEZ FOR PRESCRIPTIONS THAT ARE WRITTEN BY NON-COMMUNITY HEALTH CENTER PROVIDERS. THOSE PRESCRIPTIONS OR THOSE PHARMACEUTICALS ARE CURRENTLY PURCHASED AT RETAIL PRICES, AND THAT CONTRACT IS SET TO EXPIRE IN SEPTEMBER OF THIS YEAR. WHAT WE HAVE SEEN IN THE COMMUNITY HEALTH CENTERS IN TERMS OF INCREASES IN DEMAND FOR PHARMACY SERVICES IS INTERPRET SITY

ASTOUNDING. WE'VE HAD DRAMATIC INCREASES AND THAT INCREASE IN VOLUME HAS REALLY RESULTED IN A DEGRADATION OF SERVICE LEVELS FROM OUR STANDPOINT. OUR FOUR CLASS A PHARMACIES EMPLOY FACILITIES AND SYSTEMS THAT WERE ORIGINALLY DESIGNED TO DISPENSE ABOUT 100,000 PRESCRIPTIONS A YEAR. OUR CURRENT VOLUME IS WELL OVER 250,000 PER YEAR. OUR NORTHEAST AUSTIN PHARMACY ALONE HAS RISEN FROM DISPENSING ABOUT 100 PRESCRIPTIONS TODAY TO OVER 400. THE NEXT SLIDE SHOWS THE EQUAL VOLUME THAT WE'VE ENCOUNTERED. IN FISCAL YEAR 2000, WE DISPENSED ABOUT 194,000 PRESCRIPTIONS, AND WE ARE ON TARGET TO DISPENSE ABOUT 276,000 PRESCRIPTIONS THROUGH THIS YEAR. SO OVER THAT FOUR-YEAR PERIOD, WE'RE NOW DISPENSING 43% MORE PRESCRIPTIONS WITH THE SAME LEVEL OF FACILITIES AND THE SAME LEVEL OF STAFF. BECAUSE OF THE INCREASE IN VOLUME AND THE DEMANDS PLACED ON OUR CURRENT SYSTEM, OUR REFILL WAIT TIMES FOR PRESCRIPTION TYPICALLY EXCEEDS FIVE DAYS. IN OTHER WORDS, IT TAKES FIVE DAYS AFTER A PRESCRIPTION IS CALLED IN FOR A REFILL FOR IT TO BE FILLED AND AVAILABLE FOR PICKUP. A WAIT TIME FOR A NEW PRESCRIPTION EXCEEDS FOUR HOURS, AND THAT MEANS THE PRESCRIPTION IS GIVEN ON TO A PATIENT, THEY'RE WAITING IN THE PHARMACY FOR THAT PRESCRIPTION TO BE FILLED. TYPICAL WAIT TIME IS EXCEEDING FOUR HOURS. OFTEN THE PATIENTS, THEY DO NOT HAVE FOUR HOURS TO WAIT, THEY'RE LEAVING THE PRESCRIPTION, THEY'RE COMING BACK EITHER LATER IN THE DAY OR THE NEXT DAY TO PICK IT UP. OUR PATIENT COMPLAINT VOLUME IS HIGH AND IT'S GROWING BECAUSE OF THE SERVICE ACCESS ISSUES. KEEPING UP WITH THE DISPENSING RESPONSIBILITIES PREVENTS OUR PHARMACISTS FROM SERVING A SIGNIFICANT CLINICAL CONSULTING ROLE. THEY'RE NOT ABLE TO ASSIST THE PHYSICIANS AND OTHER PROVIDERS IN THE ACTUAL MEDICATION MANAGEMENT AND THERAPEUTIC ADHERENCE MANNERS BECAUSE THEY'RE REALLY JUST FOCUSING ON TRYING TO GET THE MEDICATIONS IN THE BOTTLE AND ACROSS THE COUNTER TO THE PATIENT. I WILL MENTION THAT OUR PHARMACIES ARE OPEN MONDAY THROUGH FRIDAY 8:30 TO 11:30. THEY'RE CLOSED DURING THE LUNCH HOUR AND THEY

REOPEN FROM 1:30 TO 5:30, SO ACCESS CURRENTLY IS A FAIRLY SIGNIFICANT ISSUE FOR A PATIENT. IN RESPONSE TO OUR CURRENT SITUATION, WE ESTABLISHED A PHARMACY REVIEW TEAM OVER A YEAR AGO, AND THE FIRST STEP IN ESTABLISHING THAT TEAM WAS ASK OUR FQHC BOARD TO APPOINT AN AD HOC COMMITTEE TO STUDY THIS PHARMACY ISSUE WITH US. THAT SUBCOMMITTEE HAS MET WITH US OVER THE LAST YEAR, AND BASED UPON THE EVALUATIONS THAT WE'VE CONDUCTED AND THE ALTERNATIVES THAT WE'VE BROUGHT FORWARD, BOTH THE STAFF AND THE BOARD AGREE THAT GIVEN THE CURRENT LEVELS OF VOLUME AND THE EXPECTED INCREASES IN THE FUTURE THAT THE STATUS OF OUR CURRENT SERVICE IS NOT ACCEPTABLE FROM A PATIENT CARE AND SERVICE PERSPECTIVE. IN RESPONSE TO THAT, THE ALTERNATIVES THAT WE RESEARCHED WERE HOW COULD WE IMPROVE PATIENT CARE, HOW COULD WE IMPROVE CUSTOMER CARE AND CONVENIENCE AND THEN HOW COULD WE MAINTAIN A COST EFFECTIVE STRUCTURE. IN OTHER WORDS, HOW COULD WE TAKE THE DOLLARS THAT WE ARE CURRENTLY SPENDING TODAY AND MAKE THEM SERVE AS MANY PATIENTS AS POSSIBLE. RECENTLY -- IN RECENT YEARS THE FEDERAL GOVERNMENT IMPLEMENTED SOME PROGRAM CHANGES THAT ENHANCE FQHC'S ABILITY TO SUBCONTRACT WITH COMMUNITY PHARMACIES FOR THE DEPENDENCING OF THEIR MEDICATION TO THEIR PATIENTS. THOSE CHANGES HAVE MADE IT EASIER FOR FQHC TO ACCOMPLISH THAT. ONE POINT I WANTED TO MAKE IS IT IS -- MOST FQHC'S ACROSS THE COUNTRY DO NOT ACTUALLY HAVE IN-HOUSE PHARMACIES. WE ARE A BIT OF AN ANOMALY IN THAT REGARD IN THAT OUR PROGRAM IS MUCH OLDER AND MUCH MORE WELL ESTABLISHED WITH REGARD TO PHARMACY BENEFITS. THE TEAM THAT MET WITH THE STAFF TEAM AS WELL AS THE PHARMACY SUBCOMMITTEE OF OUR BOARD HAS COME UP WITH A RECOMMENDATION FOR -- THAT WE CONTRACT WITH AN OUTSIDE VENDOR AND PURSUANT TO AN R.F.P. THAT WAS ISSUED, WALGREEN'S WAS SELECTED. THAT WE RECOMMEND WALGREEN'S PROVIDE THE CLASS A PHARMACY DISPENSING ACTIVITIES FOR BOTH OUR COMMUNITY HEALTH CENTER PATIENTS AND M.A.P. ENROLLEES. WE WOULD PROPOSE THAT WE MAINTAIN THE CLASS D PHARMACIES IN HOUSE AND THAT WE MAINTAIN

AND SIGNIFICANTLY EXPAND OUR FREE DRUG AND PATIENT ASSISTANCE PROGRAMS IN-HOUSE. THE FREE DRUG AND PATIENT ASSISTANCE PROGRAMS ALLOW US TO OBTAIN FREE PHARMACEUTICALS FOR OUR PATIENTS WHO QUALIFY FOR THE VARIOUS PROGRAMS, AND THOSE ARE CURRENTLY WORTH TO US ANYWHERE FROM A MILLION AND A HALF TO TWO MILLION DOLLARS A YEAR. WHAT WE EXPECT OUT OF THIS PROPOSAL, SHOULD IT BE ACCEPTED, IS THAT PATIENT ACCESS WILL IMPROVE. EACH OF THE PHARMACIES THAT ARE INCLUDED IN THIS PROPOSAL HAVE SEVEN-DAY A WEEK SERVICE, 365 DAYS OF THE YEAR. FOUR OF THE SITES HAVE 24 HOUR A DAY SERVICE. THE WAY WE EXPECT THE WAIT TIMES FOR NEW PRESCRIPTIONS WILL DECREASE FROM FOUR HOURS TO PROBABLY LESS THAN ONE HOUR AND WAIT TIME FOR REFILLS WILL DECREASE FROM FIVE DAYS TO LESS THAN ONE DAY. WALGREEN'S WILL BE ABLE TO PROVIDE AN IMPROVED TELEPHONE REFILL SYSTEM AND A PROMPT TELEPHONE NOTIFICATION SYSTEM IN THE EVENT THAT THERE ARE DELAYS. WE ARE STRUGGLING WITH SOMEWHAT OLD SYSTEMS IN TERMS OF THIS TYPE OF TECH TECHNOLOGY IN OUR CURRENT PHARMACY AND THE SYSTEM DOESN'T ALWAYS WORK TO ITS BEST CAPABILITY. AN ADDITIONAL ITEM THAT WE WOULD BE ABLE TO NEGOTIATE WITH WALGREEN'S IS THE OPPORTUNITY TO PROVIDE A MAIL ORDER SERVICE TO OUR PATIENTS WHICH COULD PROVIDE A SIGNIFICANT BENEFIT FOR THOSE THAT ARE HOMEBOUND AND HAVE DIFFICULTY ACCESSING PHARMACEUTICALS NOW. I WANTED TO SHOW YOU ON THE NEXT SLIDE THE ACTUAL LOCATIONS OF THE WALGREEN'S PHARMACY AS THEY RELATE TO THE CITY CLINICS TO WHICH THIS PROPOSAL APPLIES. AS YOU CAN SEE WE'VE SHOWN YOU THE SOUTH AUSTIN CLINIC, EAST AUSTIN, ROSEWOOD ZARAGOZA AND NORTH AUSTIN. AND YOU CAN SEE THE RELATION OF THE PHARMACIES TO THOSE CLINICS. THE NEXT SLIDE SHOWS YOU JUST A REPRESENTATIVE EXAMPLE. WE PICKED THE ROSEWOOD AND ZARAGOZA NEIGHBORHOOD CENTER. AND ON THIS MAP YOU WOULD SEE THE TRIANGLE REPRESENTS THE ACTUAL COMMUNITY HEALTH CENTER AND THE SQUARE REPRESENTS THE WALGREEN'S LOCATION. AND THE DOT, SO TO SPEAK, THE STARS, REPRESENT WHERE OUR PATIENTS RESIDE AND WHERE -- AND WHICH DEMONSTRATES THAT FOR -- THIS IS

TRUE FOR THE OTHER CLINICS AS WELL. OUR PATIENTS DERIVE FROM A VERY LARGE CATCHMENT AREA. EVEN THOUGH WE SERVE MANY OF THE PATIENTS THAT LIVE IN THE NEIGHBORHOOD OF RZ, WE ALSO SERVE A NUMBER OF PATIENTS THAT ARE WELL OUTSIDE THAT NEIGHBORHOOD. AND THIS IS TRUE FOR OUR OTHER CLINICS AS WELL. THE PATIENTS ARE ACCESSING BOTH OUR COMMUNITY HEALTH CENTERS AS WELL AS OUR PHARMACIES FROM MANY AREAS IN THE AUSTIN AREA. ONE OF THE OTHER SIGNIFICANT FOCUSES OF OUR EVALUATION ON THIS PROPOSAL IS HOW CAN WE APPROVE PATIENT CARE. WHAT THE WALGREEN'S PROPOSAL WILL BRING TO US IS ACCESS FOR THE CLINICAL STAFF, THE PROVIDERS AND NURSES, ETCETERA, ELECTRONIC ACCESS TO OUR COMMUNITY HEALTH CENTER PATIENT DATA AND DRUG THERAPY HISTORY. WE DO NOT -- EVEN THOUGH OUR PHARMACIES RESIDE WITHIN OUR COMMUNITY HEALTH CENTERS, THE SYSTEMS DON'T TALK TO EACH OTHER, SO TO SPEAK. THEY'RE SEPARATE PHARMACY SYSTEMS FROM THE SYSTEMS THAT WE USE TO MANAGE THE PATIENTS, AND THEY DON'T SPEAK AND WE DO NOT HAVE REAL-TIME ACCESS TO PHARMACY INFORMATION. THIS PROPOSAL WILL ALLOW REAL-TIME ACCESS TO THAT INFORMATION AND WILL ASSIST BOTH THE PROVIDERS AND THE PHARMACISTS IN BETTER MANAGING THE PATIENT CARE FROM BOTH THE STANDPOINT OF MEDICATION ADHERENCE, EFFECTIVENESS OF THERAPIES AND ALSO HELP US MANAGE THE ACTUAL CARE CONDITIONS OF OUR PATIENTS, HELP US MONITOR AND TRACK WHETHER PATIENTS ARE BENEFITTING FROM THE MEDICATIONS WE'RE PROVIDING TO THEM. THE WALGREEN'S SYSTEM WILL IN FACT BE ABLE TO INTERFACE WITH THE NEW PRACTICE MANAGEMENT SYSTEM AND THE ELECTRONIC MEDICAL RECORDS SYSTEM THAT WE ARE IN PROCESS OF IMPLEMENTING IN THE COMMUNITY HEALTH CENTERS. GOING FORWARD, SHOULD THE CLASS A DISPENSING SERVICES BE PROVIDED BY WALGREEN'S AS RECOMMENDED, THE CLASS D MEDICATIONS THAT WILL STILL REMAIN AVAILABLE IN OUR COMMUNITY HEALTH CENTERS ARE LISTED ON THE NEXT SLIDE. AND AS YOU CAN SEE, THESE INCLUDE A NUMBER OF ANTIBIOTICS, ETCETERA, ORAL AND NON-ORAL CONTRACEPTIVES, WHICH WE CURRENTLY ADMINISTER AT THE TIME OF VISIT, DIABETIC

MEDICATIONS, RESPIRATORY MEDICATIONS AND CENTRAL NERVOUS SYSTEM MEDICATIONS. ALL THESE WILL REMAIN AVAILABLE IN A CLASS D. AND IN FACT, THE NUMBER OF MEDICATIONS CURRENTLY UNDER A CLASS D FORMULARY WILL BE EXPANDED. THIS REPRESENTS MORE OF THE EXPANDED LIST IF THE CLASS A SERVICES ARE PROVIDED BY WALGREEN'S. WHAT THAT MEANS IS OUR PROVIDER -- IF OUR PROVIDERS FEEL THE NEED FOR MEDICATION TO BE ADMINISTERED AT THE TIME OF THE VISIT, IT CAN TAKE PLACE. IF WE BELIEVE THAT THERE ARE ANY ISSUES -- VERY SIGNIFICANT ISSUES OF ACCESS TO THE PATIENT, NEEDS AND ANTIBIOTICS THAT ARE GOING TO ENCOUNTER DIFFICULTY GOING TO THE PHARMACY TO GET THAT IN THE TIMES THAT THE PHYSICIAN REQUIRES, THEN WE HAVE THE ABILITY TO GIVE THAT PATIENT THE MEDICATION AT THAT TIME. A LITTLE BIT IN CONTEXT IN TERMS OF OUR COMMUNITY HEALTH CENTERS. WE WANTED TO PROVIDE YOU SOME COMPARATIVE INFORMATION ABOUT THE R.F.P.'S TO THE NATIONAL AVERAGES FOR THE FQHC. OUR COMMUNITY CENTER PRODUCTIVITY IS HIGH AND THAT INCLUDES THE INCREASING ENROLLMENT OF PATIENTS INTO OUR HEALTH SYSTEM AND HOW BUSY OUR PROVIDERS ARE. OUR AVERAGE -- OUR PROVIDERS AVERAGE 4,529 VISITS A YEAR. AND OTHER FQHC AVERAGES ARE LOOKING AT SOMETHING LIKE 4100 VISITS A YEAR. SO WE'RE EXCEEDING THAT. OUR ADMINISTRATIVE COSTS ARE LOW AS WELL. OUR -- 22% OF OUR TOTAL COSTS GO TO ADMINISTRATIVE COSTS, AND URBAN FQHC AVERAGES SHOW 25% AS THEIR -- AS THE AMOUNTS ON ADMINISTRATIVE COST. ONE AREA WHERE WE DO VARY SIGNIFICANTLY IS IN THE AREA OF PHARMACY COSTS. WE AVERAGE \$40 PER MEDICAL VISIT IN PHARMACY COSTS, WHEREAS OTHER URBAN FQHC'S AVERAGE \$12 PER MEDICAL COST. SO ONE OF OUR OBJECTIVES IS OBVIOUSLY TO CONTINUE TO MAINTAIN A LEVEL OF BENEFITS THAT WE'RE PROVIDING TO PATIENTS NOW AND BE ABLE TO AFFORD THAT IN THE FUTURE. COST CONSIDERATIONS ON THIS PROPOSAL ARE CONTRACTING WITH THE RECOMMENDED VENDOR, WE CAN MAKE THE DESIRED IMPROVEMENTS TO THE PHARMACY SERVICES AS WELL AS SUSTAIN OUR CURRENT BENEFIT LEVELS FOR PATIENTS. THE KEY FACTOR IN THIS PROPOSAL IS THE ABILITY OF M.A.P. ENROLLEES THAT WE ARE CURRENTLY PAYING

RETAIL PRICES FOR PHARMACY, WE CAN NOW ACCESS THE 340-B PRICING FOR THOSE PATIENTS, WHICH REPRESENTS OVER A MILLION DOLLARS IN SAVINGS PER YEAR. THE ALTERNATIVE FOR NOT AWARDING THE CLASS A DISPENSING ACTIVITIES FOR WALGREEN'S INCLUDES UPGRADING OUR CURRENT PHARMACY INSTRUCT TO ENABLE US TO HANDLE THE CURRENT VOLUME AND TO IMPROVE THE SERVICE LEVELS. IT IS OUR PROJECTION THAT THE INVESTMENTS NECESSARY INTO THAT CURRENT INFRASTRUCTURE WOULD EXCEED \$1.4 MILLION TO -- INVOLVING NOT ONLY ACQUISITION OF NEW SYSTEMS, BUT INVESTMENTS IN STAFF AND OTHER PROCESSES TO BRING US TO THE LEVEL OF PATIENT SERVICE AND ACCESS THAT WE BELIEVE WE SHOULD BE PROVIDING. OTHER ISSUES INVOLVE UPGRADING OUR CURRENT PHARMACY INFRASTRUCTURE. AS I MENTIONED, OUR SYSTEMS WOULD HAVE TO BE REPLACED. OUR CURRENT PHARMACY DATA REPORTING SYSTEMS WILL NOT INTERFACE WITH OUR NEW SYSTEMS AND THEY DO NOT HAVE THE FUNCTIONALITY THAT'S REQUIRED, AND THE FUNCTIONALITY THAT IS CURRENTLY AVAILABLE BASED ON NEW TECHNOLOGY. WE WOULD NEED ADDITIONAL STAFF. WE HAVE TO PROVIDE A THERAPEUTIC MANAGEMENT COMPONENT TO OUR SERVICES THAT WE ARE NOT DOING NOW. OUR PHARMACISTS ARE NOT WORKING WITH OUR DOCTORS IN ADDRESSING PATIENT CARE. WE ARE PHYSICALLY LIMITED BY SPACE, EVEN IF WE WANTED TO EXPAND OUR PHARMACY OPERATIONS, WE'RE CON STRAINED WITHIN THE WALLS OF THE CURRENT PHYSICAL LOCATION. AND THE UPGRADE THAT I MENTIONED IN TERMS OF AN INVESTMENT OF 1.4 MILLION WOULD NOT ALLOW FOR ANY ADDITIONAL EXPANDED HOURS, WOULD STILL MEAN OPERATIONS WOULD BE 8:30 TO 5:30 MONDAY THROUGH FRIDAY. IN SUMMARY, WE BELIEVE THAT THIS RECOMMENDATION WILL OFFER IMMEDIATE ENHANCEMENTS TO PATIENT CARE AND CUSTOMER SERVICE AND WE BELIEVE THAT IT PROVIDES A CRITICAL BOOST TO OUR ABILITY TO MANAGE THE ONGOING CARE OF OUR PATIENTS, PARTICULARLY OUR CHRONIC PATIENTS, OUR DIABETICS, ASTHMATICS, HYPER TENTATIVE, PEOPLE WHO ARE ON CHRONIC MEDICATIONS AND PHARMACY MANAGEMENT IS A CRITICAL PART OF MAINTAINING THEIR HEALTH AND IMPROVING THEIR HEALTH

OUTCOMES. WE BELIEVE THAT THE PROPOSAL WILL OFFER GOOD ACCESS FOR OUR PATIENTS, AND WE BELIEVE THAT THE INFRASTRUCTURE UPGRADES THAT WALL GREEN'S OFFERS TO US IS FAR SUPERIOR TO WHAT WE COULD BUILD OURSELVES. ONE IS CLEAR FROM BOTH THE STAFF PERSPECTIVE AS WELL AS THE BOARD PERSPECTIVE IS CONTINUING WITH THE CURRENT TECHNOLOGY AND SYSTEMS IS JUST NOT ACCEPTABLE FROM A PATIENT CARE AND SERVICE PERSPECTIVE. AND THAT WE REALLY -- WE REALLY WANT TO IMPROVE THAT AS WELL AS MAKE THE PROGRAM SUSTAINABLE INTO THE FUTURE. WE BELIEVE THAT THIS PROPOSAL IS THE BEST LONG-TERM STRATEGY FOR PRESERVING BOTH THE COMMUNITY HEALTH CENTER BENEFITS AS WELL AS THE M.A.P. PHARMACY BENEFITS THAT ARE CURRENTLY AVAILABLE TO OUR CITIZENS. THANK YOU.

Mayor Wynn: THANK YOU. COUNCIL, WE HAVE A COUPLE OF PEOPLE SIGNED UP WITH CARDS. SO PERHAPS WE COULD HEAR FROM THEM AND THEN FURTHER OUR DISCUSSION. ACTUALLY, ROSE LANCASTER SIGNED UP NOT WISHING TO SPEAK, BUT IN FAVOR. HAL KA ST. Z SIGNED UP WISHING TO SPEAK IF COUNCIL HAS QUESTIONS, ALSO IN FAVOR. AND THE SAME WITH HENRY NARVAIAS, WISHING TO SPEAK IF COUNCIL HAS QUESTIONS. DONATE MY TIME TO FQHC OUTSOURCING PHARMACY. THOSE ARE CITIZENS SIGNED UP FOR ITEM NUMBER 30. FURTHER COMMENTS, QUESTIONS, COUNCIL? COUNCILMEMBER ALVAREZ.

Alvarez: THANKS, MAYOR. AND I DID HAVE JUST SOME FOLLOW-UP QUESTIONS. Y'ALL PROVIDED A LOT OF INFORMATION TO US AND I APPRECIATE THAT BASED ON OUR DISCUSSIONS AT THE HEALTH CARE SUBCOMMITTEE MEETING. AND WANTED TO JUST KIND OF DO A LITTLE BIT OF FOLLOW-UP ON THIS. FIRST JUST GENERALLY, I THINK WE EXPLAINED AT THE OUTSET ABOUT THE FEDERAL LAW THAT ALLOWS US TO LINK UP OUR -- THE FQHC CLINICS WITH OUTSIDE PHARMACIES. AND IT MENTIONS IN THE RESPONSE HERE THAT SAYS THE REGULATIONS REQUIRE TO LINK NO MORE THAN ONE OUTSIDE PHARMACY SITE WITH EACH CHC SITE. DOES THAT MEAN EACH CLINIC COULD HAVE ITS OWN PHARMACY? I KNOW IN THIS CASE WE'RE TREATING IT THAT WE HAVE ONE PHARMACY CHANGE THAT'S SERVICING OUR

WHOLE SYSTEM, BUT AT LEAST FROM THIS WRITE-UP IT SEEMS TO SUGGEST THAT EACH CLINIC COULD HAVE ITS OWN PHARMACY. SO I'M WONDERING IF YOU COULD ELABORATE ON IT.

THE REGULATIONS PROVIDE THAT A SINGLE -- A CLINIC HAS TO HAVE A RELATIONSHIP WITH A SINGLE PHARMACY IN TERMS OF THE ACTUAL DISPENSING. THE REGULATIONS DO ALLOW THAT A PHARMACY CHAIN, SO TO SPEAK, CAN BE THAT SINGLE VENDOR, BUT YOU MUST HAVE THE LINKAGE BETWEEN THE CLINIC AND A PHARMACY. SO THEORETICALLY IT COULD BE ONE PHARMACY FOR ALL CLINICS, OR IT COULD BE A SINGLE PHARMACY FOR AN INDIVIDUAL CLINIC. IT COULD BE INTERPRETED THAT YOU COULD HAVE A DIFFERENT PHARMACY FOR EACH CLINIC, BUT THEN THAT WOULD REQUIRE A SEPARATE CONTRACT FOR EACH DIFFERENT PHARMACY BECAUSE IT'S NOT WITHIN THE SAME ORGANIZATION. AND THAT WOULD REQUIRE MULTIPLE CONTRACTS, WHICH FROM AN ADMINISTRATIVE STANDPOINT, WOULD ADD TO THE COST OF THAT ARRANGEMENT. SO THE PREFERRED MODEL WE'RE SEEING AROUND THE COUNTRY IS TO UTILIZE A SINGLE SYSTEM OF PHARMACIES THAT CAN PROVIDE MULTIPLE ACCESS POINTS.

Alvarez: CERTAINLY I SEE THE EFFICIENCIES OF DOING IT THAT WAY, AND I'M REALLY NOT SO MUCH QUESTIONING WHETHER THIS IS A GOOD APPROACH, TO GO OUT AND OUT SOURCE THESE FUNCTIONS, BUT MORE SO HOW WE WENT ABOUT PICKING THE PROVIDER AND WHAT THE OTHER PROPOSALS -- HOW IT WAS DIFFERENT OR MAYBE NOT AS STRONG OR LESS STRONG THAN THE PROPOSAL THAT'S RECOMMENDED BY STAFF. SO IN LOOKING AT THE MATRIX THAT YOU PROVIDED, IT APPEARS THAT THE -- THERE'S TWO SPECIFIC AREAS WHERE THE SECOND PROPOSAL WAS NOT SCORED AS HIGH, AND THAT'S IN PHARMACY NETWORK MANAGEMENT AND INVENTORY LOGISTICS, TWO DIFFERENT ONES, PHARMACY NETWORK MANAGEMENT BEING ONE, INVENTORY LOGISTICS BEING THE OTHER. AND THEN THERE WAS AN INTERVIEW ALSO THAT WAS KIND OF -- THAT CREATED THE SPREAD. BUT I WAS JUST WONDERING IF YOU COULD EXPLAIN TO US WHAT -- WHY IN THOSE PARTICULAR CATEGORIES THERE WAS SUCH A GREAT RANGE IN TERMS

OF THE (INDISCERNIBLE). >

IT WAS REGARDING ACCESS TO PATIENTS, HOURS OF OPERATION, LOCATIONS, ETCETERA. AND ALL OF THESE -- AS I'M SURE THAT YOU'RE AWARE, THE EVALUATION MATRIX WAS BASED ON VERY SPECIFIC CRITERIA THAT WAS ISSUED IN THE REQUEST FOR PROPOSAL, AND THEN THE SCORING WAS BASED ON THE RESPONSE TO THOSE CRITERIA. SO THE CATEGORY OF PHARMACY MANAGEMENT DID FOCUS ON PATIENT ACCESS, HOURS OF OPERATION AND CAPACITY AND ABILITY IN THE FUTURE TO HANDLE INCREASING DEMANDS. AND THAT EVALUATION RESULTED IN A HIGHER SCORE FOR THE PROPOSED VENDOR THAN THE OTHER. IN OTHER WORDS, THE ACCESS THAT WE REQUESTED WAS GREATER, THE ACCESS DEMAND THAT WE REQUESTED WAS GREATER IN THE WALGREEN'S PROPOSAL. WITH THE INVENTORY LOGISTICS THAT HAS TO DO WITH THE ACTUAL -- MEETING THE REQUIREMENTS OF THE FEDERAL LEGISLATION IN TERMS OF HOW WE HAVE TO MANAGE AND TRACK INVENTORY, AND AGAIN, WALGREEN'S WAS THEIR SYSTEM TO SUPPORT THOSE REQUIREMENTS WERE MUCH -- WERE FAR GREATER THAN H.E.B.

Alvarez: WELL, DEPENDING ON WHAT HAPPENS TODAY, I MAY WANT MORE INFORMATION ON THOSE TWO ITEMS IN TERMS OF WHAT THE -- WHAT'S PROPOSED BY THE APPLICANT. AND ONE THING I THINK THAT WAS STATED WAS -- AT LEAST IN RESPONSE TO QUESTIONS WAS THAT THEY DON'T HAVE A DELIVERY SERVICE AT THIS POINT.

WE DO NOT HAVE A DELIVERY SERVICE NOW, AND WE DID NOT ASK AS PART OF THE R.F.P. THAT A DELIVERY SERVICE BE OFFERED. WE DID CHECK TO SEE IF A DELIVERY SERVICE WAS AVAILABLE, AND WALGREEN'S DOES NOT CURRENTLY HAVE ONE.

Alvarez: AND THESE ARE ISSUES THAT WERE BROUGHT UP, AS WE'VE BEEN TALKING ABOUT THE ISSUES THAT HAVE BEEN BROUGHT UP OVER AND OVER AGAIN ABOUT FOLKS CAN'T GET THEIR MEDICATIONS ON-SITE AT THE CLINIC, THEN HOW ARE WE GOING TO FACILITATE THE PROCESS OF THEM GETTING THEIR PRESCRIPTIONS FILLED, SO WE TALKED ABOUT DELIVERY OR MAIL SERVICE. AND I THINK

YOU MENTIONED SOMETHING ABOUT MAIL SERVICE.

YES. WE HAVE THE OPTION FOR MAIL -- FOR MAIL ORDER TO NEGOTIATE AN ARRANGEMENT FOR MAIL ORDER. ALSO, ONE OF THE REQUIREMENTS OF THE R.F.P. WAS THAT THEY HAD TO MEET OUR GEOGRAPHIC REQUIREMENTS AS WELL AS BE ON A CAPITAL METRO BUS ROUTE. WE CURRENTLY HAVE AVAILABLE IN OUR CHC'S TODAY THE AVAILABILITY FOR FREE BUS PASSES, AND IN SOME CASES WE PROVIDE TAXI VOUCHER FOR TRANSPORTATION WHEN THERE ARE ISSUES. SO I BELIEVE THAT BETWEEN THE LOCATIONS OF THE PHARMACY AND THE AVAILABILITY OF BUS PASSES IF THEY'RE NEEDED, I THINK THAT WE CAN ADDRESS THE ACCESS ISSUES.

Alvarez: AND THEN FINALLY, IN TERMS OF PRICING, THE PROPOSALS WERE SIMILAR OR EQUAL? I GUESS THEY GOT SCORED THE SAME, BUT THAT'S CERTAINLY ANOTHER IMPORTANT ISSUE.

YES, IN TERMS OF EVALUATION CRITERIA, THEY SCORED THE SAME.

Alvarez: WHICH MEANS WHAT, THAT THEY PROPOSE THE SAME FEES FOR DISPENSING?

WELL, THAT THE OVERALL PRICING STRUCTURE FOR THE ARRANGEMENT WAS SIMILAR TO WALGREEN'S. THAT THE AREAS OF DISTINCTION WERE THE ONES THAT YOU MENTIONED BEFORE IN TERMS OF THE SCOPE OF WORK AND CERTAIN OTHER SERVICES BE PROVIDED.

Mayor Wynn: MAYOR PRO TEM.

Goodman: THIS IS CONCERNING THE LOW JISLOGISTICS AND THE PRACTICAL MATTER OF GETTING TO THE PHARMACY NOW, BUT IT'S DIFFERENT FROM THE CLINIC. BUT I NOTICED WHEN YOU MEASURED HOW FAR AWAY -- NOT ALL THE STREETS ARE ON THIS MAP, SO I COULD BE WRONG, BUT IT LOOKS LIKE AS THE CROW FLIES AS OPPOSED TO OH YOU MIGHT WALK OR TRAVEL THERE, IS THAT TRUE?

IT'S THE RADIUS. THE ACTUAL RANGE OF THE -- THE CHC

LOCATIONS, THE DISTANCE OF THE PHARMACIES TO THE CLINIC RANGES FROM .8 OF A MILE TO TWO AND A HALF MILES.

Goodman: WELL, THE PROXIMITY IS FINE, BUT ACTUALLY GETTING FROM POINT A TO POINT B DOESN'T ALWAYS HAPPEN, 2.8 MILES OR WHATEVER.

ALL OF OUR CLINICS ARE ON BUS LIEPZ AND ALL OF THE PHARMACIES ARE ON BUS LINES.

Goodman: I UNDERSTAND THAT, BUT IT'S NOT GOING TO TAKE YOU AS MUCH TIME IF YOU WERE ABLE TO GO AS THE CROW FLIES OR EVEN -- THERE MAY EVEN BE TRANSFERS NECESSARY IF YOU TOOK CAPITAL METRO FROM SOME OF THESE, BUT I'LL BET. IS THAT PART OF WHAT WAS RESEARCHED?

PART OF THE CONSIDERATION, MAYOR PRO TEM, WAS THAT THE MAJORITY OF THE PRESCRIPTIONS THAT WE FILL ARE REFILL PRESCRIPTIONS, SO THAT BECAUSE THE PHARMACY LOCATIONS WERE CENTRAL TO THE CATCHMENT AREAS THAT THAT ONE SLIDE SHOD, THERE REALLY ISN'T ANY REASON TO BELIEVE THAT IT WOULDN'T ACTUALLY BE EASIER FOR SOME PATIENTS TO GET TO WALGREEN'S THAN THE CHC. IN TERMS OF NEW PRESCRIPTION, IF THERE'S A HARDSHIP IN TERMS OF GETTING -- YOU'RE SEEING THE DOCTOR AND THE DOCTOR GIVES YOU A NEW PRESCRIPTION, IF THERE'S A HARDSHIP IN GETTING TO THAT WALGREEN'S THAT DAY, IN MANY INSTANCES THE PROVIDER CAN USE THE CLASS D PHARMACY BECAUSE OF THAT LIST THAT WE SHOWED EARLIER. A LOT OF THOSE, LIKE FOR INSTANCE ANTIBIOTICS, IS AVAILABLE ON-SITE AND IT CAN BE PROVIDED ON-SITE. AND THEN OUR FALL BACK IS TAXI VOUCHERS, BUS PASSES, AND WE'RE GOING TO INVESTIGATE THE OPTION OF THE MAIL ORDER IN THE NEGOTIATION.

Goodman: AND DELIVERY TOO, I HOPE, FROM THE VENDOR TO THE CLINIC IF NOTHING ELSE.

WELL, THE DELIVERY -- WE DID NOT REQUEST A DELIVERY

SERVICE IN THE R.F.P.

Goodman: I KNOW, AND I ASKED YOU ABOUT DELIVERY SERVICE, AND WHAT I GOT WAS AN ANSWER SAYING NO, THEY DON'T DELIVER. THAT DOESN'T MEAN THAT WE CAN NEVER TALK ABOUT IT AGAIN.

WE CAN DISCUSS A DELIVERY SERVICE WITH THEM AND ASSOCIATED COSTS OF THAT.

THEY DIDN'T PROVIDE A COST ESTIMATE, SO THAT'S WHY WE DON'T -- WE DON'T KNOW WHAT THE REPURR CUSHIONS OF THAT WILL BE.

Goodman: RIGHT. THAT'S WHY WE WOULD ASK, TO FIND OUT. AND THE OTHER THING IS IF WE GO TO VOUCHERS FOR TAXIS OR WHAT HAVE YOU, WHO'S GOING TO PROVIDE FUNDING FOR THAT KIND OF THING? WHAT KIND OF COSTS ARE WE ESTIMATING THAT WOULD BE?

WE DON'T HAVE A COST FOR A TAXI VOUCHER PROGRAM. WE CURRENTLY PROVIDE BUS PASSES WITHIN OUR CURRENT BUDGET. WE PROVIDE FREE BUS PASSES. WE HAVE A LIMITED BUDGET FOR TAXI VOUCHER AS WELL IN OUR CURRENT BUDGET. IF WE WERE TO EXPAND THAT SIGNIFICANTLY, IT WOULD REQUIRE ADDITIONAL FUNDING BEYOND WHAT WE HAVE IN THE BUDGET RIGHT NOW.

Goodman: THE REASON THAT I'M ASKING ABOUT THIS, ESPECIALLY FOR FIRST TIME OR -- FIRST TIME PRESCRIPTIONS, IF NOT FIRST TIME VISITS, IS BECAUSE PEOPLE ARE STRESSED WHEN THEY'RE ILL OR WHEN THEIR CHILDREN OR ILL OR WHATEVER. AND TO BE TOLD AT THAT POINT IN TIME THAT YOU NEED TO -- NOT WHERE YOU ARE, BUT YOU NEED TO GO TO SOME PHARMACY THAT MAYBE THEY'VE NEVER BEEN TO OR THEY'RE NOT CLEAR ON WHERE IT IS, I THINK IT IS ASKING A LITTLE BIT OF PEOPLE, AND SO I'M TRYING TO FIND OUT HOW WE'VE MADE THAT AS SIMPLE AS POSSIBLE OR PLANNING TO MAKE IT AS SIMPLE AS POSSIBLE BOTH IN TERMS OF TIME TAKEN TO GET THERE, MODE OF GETTING THERE AND AND CLEAR UNDERSTANDING OF THE FOLKS THAT CAN USE THE

SERVICES ABOUT WHAT IT IS THAT THEY'RE DOING NOW.

OF COURSE, THAT'S PART OF OUR RESPONSIBILITY IN TERMS OF EDUCATING THEM IN TERMS OF WHAT OUR SYSTEM IS. IT IS NOT NECESSARILY CONVENIENT FOR THEM NOW TO GET THOSE MEDICATION FZ THEY'RE WAITING FOUR TO SIX HOURS IN A CLINIC TO GET THAT PRESCRIPTION FILLED. SO WE'RE VERY CONCERNED ABOUT THE AMOUNT OF TIME THAT THAT TAKES AND ARE HOPING THAT BY HAVING A SERVICE THAT'S AVAILABLE AND IN CLOSE PROXIMITY THAT THEY CAN SPEND LESS THAN FOUR TO SIX HOURS GETTING THAT PRESCRIPTION THAT WE'RE HOPING THAT WE'RE IMPROVING ACCESS FOR THEM. IF WE CAN ACCOMMODATE THE PHYSICAL TRANSPORT, AS YOU'VE INDICATED.

Goodman: I UNDERSTAND THE GOAL. WE ALL HAVE THAT GOAL. I'M TRYING TO FIND OUT IF WE REALLY DID IMPROVE ANYTHING BUT ADDING THE VENDOR, ESPECIALLY BECAUSE OF THE TRANSPORTATION ISSUE AND THE TIME THAT IT TAKES. IF YOU WERE ABLE TO FLY FROM POINT A TO POINT B, IT WOULD TAKE YOU A COUPLE OF MINUTE THAN IF YOU'RE TAKING A BUS OR WALKING, YOU HAVE TO FOLLOW RIGHTS OF WAY, SIDEWALKS AND ROADS. IT DOESN'T NECESSARILY TRANSLATE INTO AS EASY A TIME AS IT LOOKS LIKE ON THE MAP.

AND I AGREE WITH YOU AND I THINK THAT THE OVERALL -- THE MAP THAT WE SHOWED YOU THAT SHOWED WHERE PATIENTS COME FROM IN TERMS OF ACCESSING RZ, I THINK IT HIGHLIGHTS WHAT A WIDE AREA PEOPLE ARE COMING IN TERMS OF ACCESSING OUR SERVICES. SO I AGREE WE WANT TO ACCOMMODATE THEIR TRAVELS ALONG -- WITH THOSE TRIPS, THAT THE PHARMACY TRIP CAN BE PART OF THAT.

Goodman: HOPEFULLY ALONG THE WAY WE CAN GET SOME DATA BACK, SOME INPUT FROM PEOPLE, BECAUSE THAT'S REALLY WHAT I WOULD LIKE TO HAVE KNOWN BEFORE WE DID THIS, WHETHER WE HAD LOOKED AT THE PRACTICALITIES AND KIND OF ESTIMATED HOW THE BULK OF PATIENTS OR CLIENT IN ONE AREA WERE GOING TO TRAVEL

TO THAT VENDOR SITE.

MAYOR PRO TEM, ONE OF THE ISSUES THAT'S DIFFICULT IS THAT YOU CAN -- WE CAN MAP USING THE ICC DATABASE WHERE OUR PATIENTS RESIDE, BUT UNTIL WE ACTUALLY GET MOVING WITH THE PROGRAM, IT'S DIFFICULT TO KNOW WHAT'S MORE CONVENIENT FOR THEM. IT MAY BE MORE CONVENIENT TO GO TO WALGREEN'S THAN IT IS TO COME TO OUR SITE. IT'S DIFFICULT TO DETERMINE FOR ANY STATISTICALLY SIGNIFICANT NUMBER HOW THEY'RE GOING TO TRAVEL FROM THE CHC TO WALGREEN'S WHEN THAT'S REQUIRED. SO WHAT WE'RE HEAVING TO DO IS A LOT OF EDUCATION IN AUGUST AND WORK WITH PATIENTS AND DURING THE EDUCATION PROCESS GET SOME FEEDBACK ABOUT WHAT THE ISSUES MIGHT BE.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I THINK ONE OR TWO THINGS THAT I'D LIKE FOR US NOT TO LOSE SIGHT OF IS IF BY DOING THIS PARTICULAR CONTRACT WITH WALGREEN'S WE DO LOWER OUR OVERALL COSTS BY OVER A MILLION DOLLARS. IN ADDITION TO THAT, WE'LL BE ABLE TO PROVIDE PATIENTS THAT ARE CURRENTLY LIMITED TO THREE PRESCRIPTIONS UNDER OUR CURRENT SYSTEM TO MORE PRESCRIPTIONS, AND STILL HAVE A NET SAVINGS FOR THE PROGRAM. SO THAT'S JUST TWO OF THE REALLY GOOD BENEFITS I THINK THAT COME UP AND I KNOW WE'LL BE WORKING THROUGH SOME OF THESE LOW JIS TA KEL ISSUES. I WOULD LIKE TO TAKE ONE MOMENT. I KNOW WE ASKED THE FQHC BOARD MEMBERS THAT ARE HERE IF THEY WANTED TO SPEAK EARLIER, AND BEFORE THEY LEAVE I'D LIKE TO SEE IF ANYBODY WOULD LIKE TO MAKE A COMMENT?

Mayor Wynn: WELCOME, MA'AM. WORK YOUR WAY UP TO THE PODIUM.

THIS IS ONE OF OUR CONSUMER MEMBERS OF OUR FQHC BOARD.

THIS IS MS. JULIA MITCHELL.

THANK YOU. TO REALLY UNDERSTAND WHAT'S GOING ON,

YOU WOULD HAVE TO GO TO THE CLINIC AND SEE.

IT'S AWFUL LIKE IT IS. I'VE GONE AND I GO THERE AND I TALK TO PEOPLE. I'VE GONE AND I'VE WAITED ON PRESCRIPTIONS, LIKE TWO AND THREE HOURS. THEN I GO BACK. I CALLED IN PRESCRIPTIONS AND GONE AND THEY WEREN'T READY. AND I WOULD LIKE TO SAY THE TIME THAT THE PEOPLE SPEND, THEY COULD USE THAT TIME BY GOING -- CATCHING THE BUS -- I RIDE THE BUS AND I WALK. AND A LOT OF PEOPLE I TALK TO -- I WISH I COULD SPEAK SPANISH, BUT I CAN'T. BUT I GET IT OVER TO PEOPLE THAT THEY COULD WALK-- IF THE BUS IS CLOSED AND THE BUS OVER THERE RUNS EVERY 20 OR 25 MINUTES. THEY COULD CATCH THAT BUS AND GO TO WALGREEN'S AND BE HOME TAKING THEIR MEDICINE AND RELAXING OR DOING SOMETHING WITH THE TIME THAT THEY SPEND.

Slusher: MA'AM, THE BUS ROUTE FROM THE CLINIC TO WALGREEN'S, IS THAT A DIRECT ROUTE OR DO YOU HAVE TO TRANSFER?

WELL, THERE IS ONE THAT GOES TO WALGREEN'S, YES -- THAT GOES TO WALGREEN'S. AND THEN THEY CAN CATCH ONE, IF YOU GO TO THE WALL GREEN ON AIRPORT, THEY'LL HAVE TO TRANSFER. BUT THAT BUS RUNS EVERY 15 OR 20 MINUTES.

Slusher: WHEN YOU SAY THEY WOULD HAVE TO TRANSFER, WOULD THEY HAVE TO GO DOWNTOWN AND THEN --

NO, NO, THEY WOULDN'T HAVE TO GO DOWNTOWN, NO, THEY WOULDN'T.

Slusher: OKAY. SO HOW LONG WOULD YOU THINK IT WOULD TAKE TO GET THERE ON THE BUS?

MAYBE 30 MINUTES IF THEY HADN'T MISSED THE BUS.

Slusher: OKAY. THANK YOU.

I DO THIS AND THIS IS WHY I KNOW. AND THEN A LOT OF TIMES -- A LOT OF PEOPLE CAN WALK. I WALK A LOT. AND A LOT OF TIMES THEY COULD WALK AND BE AT HOME IN LESS

THAN THE FOUR HOURS THAT THEY TAKE STOPPING AND TALKING TO PEOPLE, LESS THAN THE FOUR HOURS THAT THEY TAKE TO WAIT TO GET A PRESCRIPTION.

Slusher: BECAUSE ONE THING IT SEEMS TO ME, WHETHER YOU'RE GOING TO A CLINIC IN THE CITY OF AUSTIN OR -- IF THIS PROPOSAL PASSES, OR JUST A PRIVATE DOCTOR'S OFFICE, YOU'RE NORMALLY NOT GOING TO BE ABLE TO GET YOUR PRESCRIPTION FILLED AT THE DOCTOR'S OFFICE, YOU'RE GOING TO HAVE TO GO TO A PHARMACY TO GET IT FILLED. I MEAN, I THINK THAT'S PRETTY MUCH EVERY MEDICAL PATIENT'S EXPERIENCE.

THAT'S TRUE. BUT I DON'T THINK THEY'LL HAVE TO WAIT AS LONG AS WE WAITED IN EAST AUSTIN.

Slusher: OKAY. THAT WOULD JUST ADD TO THE POINT I'M MAKING. BECAUSE IT WAS BROUGHT UP THAT PEOPLE WON'T BE ABLE TO GET THEM ON -- AT THE CLINICS ANY MORE, AND I WAS JUST THINKING THAT THAT JUST MAKES IT MORE LIKE OTHER MEDICAL VISITS. THAT'S WHY I WAS ASKING ABOUT THE TRANSPORTATION BECAUSE I WANTED TO MAKE SURE THAT WE WEREN'T PUTTING AN UNDUE BURDEN ON FOLKS BY HAVING TO GO TO A DIFFERENT LOCATION.

NO. AND LIKE THEY SAID, SOME PEOPLE HAVE PEOPLE TO COME BETWEEN -- ON LUNCH BREAKS WHEN THEY GET OFF FROM WORK, SO THEY MIGHT HAVE A FRIEND THAT THEY CAN ASK TO GO BY AND PICK UP THEIR MEDICINE. AND WHEN THEY GET THERE THEY'LL HAVE TO WAIT AND THEY'LL HAVE TO LEAVE. SO I THINK IF WE GO ABOUT THIS OTHER METHOD, THE MEDICINE WILL BE READY WHEN THEY GET THERE.

Slusher: THANK YOU. YOUR COMMENTS HAVE BEEN VERY HELPFUL TO ME. I APPRECIATE IT.

Mayor Wynn: THANK YOU, MA'AM.

Goodman: I WASN'T TRYING TO GET ANYBODY TO VOTE AGAINST THIS, IF THAT WAS THE IMPRESSION. I REALLY DON'T NEED ALL THE STATEMENTS TALKING ABOUT HOW

GOOD THIS IS TO WIN ME OVER OR QUIT SAYING SOMETHING THAT MAY SOUND LESS POSITIVE. IT'S A VERY POSITIVE MOVE. , AND THE ISSUES, THOUGH, ABOUT TRANSPORTATION AND CONVENIENCE, UNDERSTANDING HOW TO GET FROM POINT A TO POINT B I THINK ARE CRITICAL IN THIS INSTANCE BECAUSE IT'S NOT NORMAL, IT'S NOT LIKE ANY OF US WHO KNOW THAT WE NEED TO DRIVE OR TAKE THE BUS TO OUR DOCTOR OR THE TAXI OR WHATEVER. AND THAT THEN WE WILL GO SOMEWHERE ELSE. THE CLINIC SYSTEM IS SUPPOSED TO BE FOR THOSE WHO MAY HAVE MORE DIFFICULTY IN UNDERSTANDING THAT OR EVEN ACCOMPLISHING THAT, SO MY POINT WAS THAT WE NOT MAKE IT MORE DIFFICULT, THAT WE MAKE SURE WE'RE MAKING IT EASIER AND PRACTICAL, AND THAT WAS MY SOLE REASON FOR DOING THAT. SO JUST IN CASE THERE'S BEEN SOME ASSUMPTION THAT I'M TRYING TO SAY SOMETHING NEGATIVE ABOUT THIS MOVE, I WANT TO REASSURE THAW I'M NOT. I DO WANT IT TO BE PRACTICAL IN ALL INSTANCES.

Thomas: IN OUR SUBCOMMITTEE MEETING, THE THINGS WE DISCUSSED AND WERE CONCERNED ABOUT, NOT TO KNOCK WALGREEN'S, BUT SOME OF THE THINGS, BUT THE H.E.B. IS LIKE WALKING ACROSS. ONE OF THEM IN NORTHEAST IS RIGHT ACROSS THE PARKING LOT. THE OTHER WAS ON SEVENTH STREET IN ROSEWOOD SARE ROSE GA IT'S ONLY ABOUT FOUR OR FIVE BLOCKS. BUT I UNDERSTAND ABOUT THE CONTRACT AND HOW YOU DID THE MATRIX AND ALL THAT. BUT MY CONCERN IS ARE WE STILL GOING TO HAVE AN OPPORTUNITY TO DISCUSS THE PLANNING INCREASE ON THE CHC? THIS IS NOT PART OF THE --

CERTAINLY. WOULD YOU LIKE TO GO OVER THAT NOW?

Thomas: YEAH. BECAUSE WE RECEIVE A LOT OF COMPLAINTS FROM CERTAIN PEOPLE ABOUT YOU'RE GOING TO INCREASE FROM FIVE TO SEVEN FOR THE M.A.P. AND THEN YOU'RE GOING FROM FIVE TO 8.50.

YOU ARE CORRECT IN THAT. THE CURRENT CONTRACT PRICE FOR WALGREEN'S ENCOMPASSES THIS -- THE PROPOSED CO-PAY STRUCTURE THAT YOU MENTIONED.

Thomas: OKAY. AND I'M NOT COMFORTABLE WITH WITH

INCREASING THE (INDISCERNIBLE). SO IS THERE ANY WAY THAT -- I THINK I TALKED TO THE CITY MANAGER MONDAY, BECAUSE, I DON'T THINK TWO DOLLARS IS GOING TO -- BECAUSE IF WE'RE GOING TO DO THE PRESCRIPTIONS, SOME OF THEM OUT, THAT WOULD HELP US ON THE DISPENSING, RIGHT? IF YOU'RE GOING TO DO THE CONTRACT WITH SOME OF THE DRUGS?

THE DISPENSING WOULD APPLY TO PRESCRIPTIONS WE WOULD DISPENSE IN THE CHC'S AS WELL AS PRESCRIPTIONS THAT WOULD BE DISPENSED WITHIN WALGREEN'S. YOU DID ASK THE QUESTION OF WHAT WOULD IT TAKE TO NOT INCREASE -- WHAT WOULD BE THE COST OF NOT INCREASING THAT CO-PAY. AND WE HAVE CALCULATED THAT IF WE WERE -- LET ME TAKE ONE STEP BACK AND JUST MENTION THAT -- LANE, IF YOU COULD GO TO SLIDE 22, PLEASE. -- IF YOU ARE A PATIENT IN THE CLINIC, YOU PAY A FIVE DOLLAR DISPENSING FEE. IF YOU ARE A M.A.P. ENROLLEE THAT'S OBTAINING YOUR MEDICATION IN ONE OF THE NETWORK PHARMACIES TODAY, YOU PAY A 10-DOLLAR DISPENSING FEE. OUR PROPOSAL RELATED TO THIS RECOMMENDATION BEFORE YOU ANTICIPATES THAT -- WE WOULD INCREASE THE FEE FOR THOSE INDIVIDUALS WHO ARE BASICALLY BELOW 133% OF POVERTY. THAT THOSE THAT ARE ABOVE 133% OF POVERTY AND, OR A M.A.P. MEDICARE RECIPIENT THAT GOES UP TO 200% OF POVERTY, THAT THAT GOES UP TO \$8.50. SO WE'RE PROPOSING TO SUBSIDIZE THE DIFFERENCE -- FOR THOSE THAT ARE PAYING SEVEN DOLLARS, WE'RE PROPOSING TO SUBSIDIZE THE DIFFERENCE BETWEEN 7 AND 8.50. 8.50 IS THE STANDARD DISPENSING FEE. SO WE'RE PROPOSING TO SUBSIDIZE THOSE THAT ARE BELOW 133% OF POVERTY AND ONLY CHARGE A TWO DOLLAR INCREASE. IF WE WERE TO KEEP ALL OF THE -- IF WE WERE TO KEEP THE CO-PAYS AT FIVE DOLLARS, IT WOULD REQUIRE US TO EXPEND ANOTHER 656 -- WE ESTIMATE ABOUT 6 \$656,000. WHICH WOULD REQUIRE EITHER THAT WE HAVE ADDITIONAL FUNDING TO PAY THAT OR THAT WE REDUCE BENEFITS ACCORDINGLY TO OFFSET THAT INCREASED COST. BASICALLY THE PROPOSAL THAT YOU HAVE BEFORE YOU IS COST NEUTRAL TO US TODAY. IN OTHER WORDS, WHAT WE EXPECT TO SPEND UNDER THE PROPOSED WALGREEN'S CONTRACT, THE TOTAL

COST OF OUR PHARMACY PROGRAM, INCLUDING THE WALGREEN'S CONTRACT, WOULD BE ESSENTIALLY THE SAME AS WHAT WE'RE SPENDING TODAY. SO IT A COST AVOIDANCE MECHANISM. IS ALLOWS US TO CONTINUE TO PROVIDE THE BENEFITS, CONTINUE TO PROVIDE THE SERVICE, BUT AT THE SAME COST THAT WE HAVE TODAY. SO IF WE WERE TO NOT RAISE THAT DISPENSING FEE, IT WOULD REQUIRE ADDITIONAL FUNDING.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

Alvarez: YES, MAYOR.

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: WHEN WE SPEAK ABOUT THE-MILLION-DOLLAR SAVINGS, THEN WHERE IS THAT HAPPENING? IF YOU'RE SAYING IT'S COSTING YOU --

IT'S COST AVOIDANCE. THE MILLION DOLLARS IS COST AVOIDANCE. IN OTHER WORDS, IF WE WERE TO CONTINUE TO BUY THE PHARMACEUTICALS AT RETAIL COSTS BASED ON THE DEMAND THAT WE EXPECT, IT WOULD COST US A MILLION DOLLARS MORE.

Alvarez: FOR THIS COMING YEAR?

FOR THIS COMING YEAR, CORRECT.

Alvarez: REALLY JUST TO EXPLAIN MY LINE OF QUESTIONING MORE, BECAUSE THIS GOES THROUGH AND IF IT'S PASSED, THEN I'M GOING TO HAVE TO EXPLAIN TO MY CONSTITUENTS IN EAST AUSTIN ABOUT WHY INSTEAD OF WHEN YOU GO TO THE NORTHEAST CLINIC WE'RE NOT TELLING THEM YOU CAN GO TO THE H.E.B., WHICH IS RIGHT THERE IN THE SAME STRIP CENTER, IF YOU'RE GOING TO ROSEWOOD, YOU CAN'T GO TO H.E.B. FOR THE SECOND STREET CLINIC, EAST AUSTIN HEALTH CLINIC, WHICH IS CLOSER TO THE H.E.B. PHARMACIES. SO I'M TRYING TO LOOK FOR -- SO I CAN EXPLAIN TO THEM WHY IT IMPORTANT FOR US TO OUTSOURCE THIS. WHAT I'M HAVING DIFFICULTY EXPLAINING IS WHY IS THIS WALGREEN'S PROPOSAL BETTER THAN THE H.E.B. PROPOSAL? BECAUSE IF YOU LOOK AT LOCATION, I

WOULD SAY PRETTY CLEARLY THE LOCATION OF THE H.E.B. PHARMACIES, AT LEAST IN THOSE THREE CLINIC LOCATIONS, WOULD BE FAR SUPERIOR. AND SO THAT'S WHY I WOULD LIKE TO SEE MORE IN TERMS OF THESE AREAS IN TERMS OF THE MATRIX THAT WALGREEN'S SCORED HIGHER ON SO THAT I WOULD BE ABLE TO EXPLAIN TO MY CONSTITUENTS WHO HAVE TO GO MAYBE ALL THE WAY TO AIRPORT INSTEAD OF TO SEVENTH STREET TO GET THEIR MEDS, WHY THAT HAD TO BE DONE THAT WAY.

I THINK I CAN EXPLAIN TO YOU IN GENERAL THE MAJOR DIFFERENCES BETWEEN THE TWO. H.E.B. WAS NOT ABLE TO GUARANTEE THE SAME ACCESS TIME FRAMES AS WALL WALGREEN'S. THEY COULD NOT -- WHERE ARE OUR PURCHASING FOLKS?

Alvarez: REALLY MY DESIRE IS NOT SO MUCH --

TERRY, COULD YOU SEE IF WE HAVE ANYONE FROM PURCHASING IN THE BACK? OR URSHA, IS THERE ANYTHING THAT YOU COULD -- GOOD.

Alvarez: WHAT I WOULD LIKE, AND I THINK WE DISCUSSED IT AT THE HEALTH CARE COMMITTEE MEETING, IS TO HAVE AN OPPORTUNITY TO LOOK AT THESE PARTICULAR ASPECTS OF THE PROPOSALS AND NOT HAVE A VOTE FOR A COUPLE OF WEEKS SO THAT I CAN FAMILIARIZE MYSELF WITH THE DIFFERENCES BECAUSE OBVIOUSLY THERE IS SOME ADVANTAGES THAT THE STAFF IDENTIFIED, BUT I WOULD LIKE TO MAKE SURE THAT I KNOW WHAT THOSE ARE SO THAT IF I GET QUESTIONED ABOUT WELL, WHY IS THIS PROVIDER VERSUS ANOTHER PROVIDER THAT I'M ABLE TOO EXPLAIN THAT INTELLIGENTLY.

IF YOU COULD GIVE ME ONE MOMENT. I WANT TO PROVIDE THE INFORMATION TO YOU. I THINK I CAN ANSWER YOUR QUESTION, BUT I'M ALSO CONCERNED ABOUT GUIDANCE I'VE BEEN GIVEN IN TERMS OF WHAT I DISCUSS ABOUT THE VARIOUS PROPOSALS. BUT I CAN TELL YOU VERY GENERALLY THERE WAS A SIGNIFICANT DIFFERENCE IN ACCESS, IN TERMS OF ACCESS TIMES AND AVAILABILITY. H.E.B. COULD NOT GUARANTEE A PRESCRIPTION WITHIN AN

HOUR OR A REFILL WITHIN A DAY. AND --

THAT'S CORRECT.

THEIR PROPOSAL TO US WAS A TWO-DAY TURNAROUND ON ALL PRESCRIPTIONS.

AND URSHA, IF THERE'S A CONCERN AND YOU THINK WE NEED TO BE IN EXECUTIVE SESSION TO DISCUSS THE PROPOSALS, PLEASE GUIDE US HERE.

I THINK, CITY MANAGER, IF COUNCILMEMBER ALVAREZ IS INTERESTED IN THE SPECIFICS REGARDING THE EVALUATION PROCESS, THAT NEEDS TO BE ADDRESSED IN EXECUTIVE SESSION.

Alvarez: THOOND AS ALL I WAS ASKING IS IN THESE ITEMS THAT I TALKED ABOUT WHERE THERE SEEMS TO BE THE WIDEST MARGIN IN TERMS OF THE EVALUATION THAT I HAVE AN OPPORTUNITY TO REVIEW THE SUBMITTALS OR THE ANALYSIS.

WE'D BE HAPPY TO DO THAT.

Dunkerley: ONE OTHER THING THAT I THINK IS DIFFICULT FOR US TO EVEN EVALUATE THE LOCATION IS THAT WE DON'T REALLY KNOW WHERE THE PATIENTS ARE GOING TO BE COMING FROM. SO IF THEY'RE COMING WITH A NEW PRESCRIPTION DIRECTLY FROM THE CLINIC, THAT PHARMACY MAY BE CLOSEST TO THE CLINIC WOULD BE BETTER IN THOSE INSTANCES. BUT SINCE MOST OF OUR WORK IS REFILLS, IT'S GOING TO DEPEND WHERE THAT INDIVIDUAL PATIENT LIVES WHETHER EACH PARTICULAR PHARMACY IS CLOSER TO THEIR HOME. AND THAT'S WHAT'S DIFFICULT TO SEE. I KNOW YOU'VE DONE SOME MATRICES THAT SHOW WHERE PEOPLE COME FROM TO GO TO SPECIFIC CLINICS, AND THEY COME FROM ALL OVER. SO I KNOW THAT'S GOING TO BE HARD TO ANALYZE. SO THAT JUST THROWS ANOTHER CRINKLE INTO IT.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 30.

Alvarez: MAYOR.

Thomas: MAYOR, I THINK COUNCILMEMBER ALVAREZ HAS A VALID POINT, IF WE CAN JUST DISCUSS IT IN EXECUTIVE, I WOULD LIKE TO DO THAT AS FAR AS THE EVALUATION PART, IF YOU DON'T MIND.

Alvarez: WHAT I'D PREFER IT TO BRING IT BACK IN TWO WEEKS AND THEN JUST REQUEST THAT THAT INFORMATION RELATING TO THE PHARMACY NETWORK MANAGEMENT ITEM AND THE INVENTORY LOGISTICS AND THEN THE INTERVIEW PRESENTATION, THAT THOSE THREE ITEMS ON THE MATRIX, THAT THAT INFORMATION BE PROVIDED AND WE REVIEW IT BETWEEN NOW AND THEN.

Mayor Wynn: SORRY, FIRST I THINK --

WE'RE PREPARED TO DISCUSS THAT TODAY IF THAT'S THE WILL OF THE COUNCIL.

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: MAYOR, I WOULD PREFER TO DISCUSS IT TODAY. WE'VE ALREADY HEARD THAT WE HAVE PEOPLE WHO ARE WAITING THREE AND FOUR HOURS ON PRESCRIPTIONS. I'D SAY THE SOONER WE CAN DEAL DEAL WITH THAT SITUATION AND STOP THAT PARTICULAR SITUATION, THE BETTER. SO EVEN IF IT CAME OUT OF THIS DISCUSSION THAT WE DIDN'T WANT TO ACCEPT THIS AND DO ANOTHER ONE, WHICH HOPEFULLY WE DON'T END UP WITH A DELAY LIKE THAT, BUT IF THAT WERE TO HAPPEN, EVEN THAT WE OUGHT TO DO TODAY SO THAT WE CAN MOVE AS FAST AS WE CAN TO ELIMINATE THE SITUATION OR TO IMPROVE THE SITUATION, WHICH I THINK WE ALL WANT TO DO.

Alvarez: MAYOR, THAT'S UNDERSTOOD, BUT HOW QUICKLY ARE YOU SAYING WE'RE GOING TO MOVE FORWARD TO IMPLEMENT THIS, BETWEEN NOW AND OCTOBER?

YES. OUR ORIGINAL HOPE WAS THAT WE COULD HAVE A CONTRACT THAT WAS EXECUTED BY, SAY, THE END OF JUNE, BEGINNING OF JULY, BECAUSE IT WILL TAKE US SEVERAL MONTHS TO GET EVERYTHING SET UP TO BEGIN

THIS CHANGE IN OCTOBER.

Alvarez: SO YOU'RE SAYING TWO WEEKS THEN ALL OF A SUDDEN YOU'RE NOT ABLE TO GET IT SET UP?

NO, I'M SAYING IF I UNDERSTOOD WHAT YOU WERE SAYING EARLIER, THAT YOU WOULD REQUEST THAT WE COME BACK IN TWO WEEKS AND --

Slusher: ALL I'M SAYING IS IF WE WAIT TWO WEEKS TO MAKE THE DECISION, THEN WHATEVER HAPPENS IS GOING TO TAKE TWO WEEKS LONGER TO PUT INTO PLACE AND IT WILL BE TWO WEEKS LONGER THAT PEOPLE ARE WAITING FOR A PRESCRIPTION. THAT'S MY POINT.

Alvarez: I UNDERSTAND. BUT WHAT I'M SAYING IS IF SHE'S SAYING THAT BY WAITING TWO WEEKS WE CAN'T BE READY BY OCTOBER 1, IN RESPONSE TO YOUR COMMENT.

Thomas: MAYOR, IF YOU DON'T MIND, I DO WANT TO GO INTO EXECUTIVE SESSION BECAUSE THERE ARE A COUPLE OF THINGS I WANT TO ASK ABOUT. SO IF THE COUNCIL WILL ALLOW THAT PRIVILEGE, I DO WANT TO DO THAT.

Mayor Wynn: COUNCIL, ACTUALLY, WITHOUT OBJECTION, THAT'S A STRONG REQUEST AND I WOULD SUPPORT HAVING THIS DISCUSSION IN -- PART OF THIS DISCUSSION, THE APPROPRIATE PART OF THIS DISCUSSION IN EXECUTIVE SESSION AND THEN COME BACK AND POTENTIALLY TAKE ACTION. SO FURTHER COMMENTS? WITH THAT, WE WILL I GUESS TECHNICALLY TABLE ITEM NUMBER 30 AND INCLUDE IT IN OUR DISCUSSION OF EXECUTIVE SESSIONS HERE IN A FEW MINUTE. THANK YOU ALL VERY MUCH. AND ALSO THANKS TO THE FOLKS WHO HAVE BEEN WAITING FOR GENERAL CITIZEN COMMUNICATION. I THOUGHT WE COULD HAVE THIS DISCUSSION A LITTLE QUICKER THAN WE DID, BUT IT WAS OBVIOUSLY VERY IMPORTANT AND WE NEED TO WORK THROUGH IT. SO AT THIS TIME, COUNCIL, WE'LL CALL UP OUR 12:00 O'CLOCK GENERAL CITIZEN COMMUNICATION. WE HAVE A NUMBER OF FOLKS SIGNED UP WISHING TO SPEAK. THE FIRST IS MAR MARGARET READER. WELCOME, MARGARET. YOU WILL BE FOLLOWED BY JULIA DWORSCHACK AND LYNN MCCONNELL. YOU ALL CAN USE

EITHER PODIUM. WELCOME. YOU HAVE THREE MINUTES.

I'M MARGARET READER OF THE AUSTIN COALITION TRAVIS RESCUE GROUPS. I'M HERE TO READ A LETTER EXPRESSING THE DISMAY IN AUSTIN'S RESCUE COMMUNITY WITH THE -- THE TOWN LAKE ANIMAL CENTER IS IN THE PROCESS OF IMPOSING. YOU MAY WONDER WHY WE'RE SPEAKING NOW WHEN THERE HAS BEEN SPEAKS SPOSEDLY A PREVIOUS FWEARG OF STAKEHOLDER INPUT. RESCUERS WHO PARTICIPATED IN THE FOCUS GROUP FOUND THAT IT WAS NOT TRULY INTERACTIVE. THEIR INPUTS WERE LARGELY IGNORED, DELIBERATIONS AND DECISIONS APPEARED TO FOLLOW A COURSE PREDETERMINED BY CITY STAFF MUCH MOST RESCUERS DROPPED OUT BECAUSE THEY FOUND IT TO BE AN EXERCISE IN FUTILITY. BECAUSE OF THIS ATTRITION, WHEN THE FINAL DRAFT WAS PROGRAM WAS PRESENTED TO THE GROUP, IT WAS NOT REPRESENTATIVE OF THE RESCUE COMMUNITY. THIS PROGRAM WOULD BE SO COMPLEX AND CUMBERSOME TO ADMINISTER FOR THE RESCUERS THAT THEY WOULD NEEDLESSLY CONSUME A GREAT MANY VOLUNTEER AND STAFF HOURS THAT COULD YIELD GREATER ANIMAL WELFARE BENEFIT OTHERWISE. THE WORDING OF THE DOCUMENT IS PERVADED WITH INSTANCES OF NON-CLARITY, GENERALITIES AND VAGUENESS. THE POOR WORDING AND PERVASIVE FAILURE TO DEFINE REQUIREMENTS AND ENFORCEMENT PROCEDURES COMBINED TO PRODUCE A REGULATORY ENTERPRISE BETTER DESIGNED TO SET RESCUERS UP FORGOT YOUS THAN A SYSTEM TO MONITOR THE RESCUE COMMUNITY. SEVERAL REQUIREMENTS WOULD MAKE SERIOUS UNNECESSARY INTRUSIONS INTO THE PRIVACY OF RESCUERS AND THEIR CLIENTS. THE PROGRAM LACKS THE FLEXIBILITY NEEDED TO ACCOMMODATE THE WIDE VARIETY OF RESCUE GROUPS. SOME REQUIREMENTS ARE NOT WE WILL FOUNDED IN AN ANIMAL WELFARE NEED AND APPEAR TO BE BASED ON SUBJECTIVE OPINIONS. THIS PROGRAM WILL CONTRIBUTE TO 46 BETWEEN THE SECTORS -- FRICTION OF THE SECTORS OF THE ANIMAL ACCESS COMMUNITY AND THEIR DISTRUST OF TLAG. SOME GROUPS WILL BE FORCED TO STOP RESCUING. THE GROUPS THAT CONTINUE WILL HAVE ATTRITION AND THUS HAVE LESS CAPACITY TO SAVE ANIMALS. THE BOTTOM LINE, OVERALL

RESULTS WILL BE A FEWER ANIMALS ARE RESCUED AND MORE ARE KILLED. PLEASE DELAY IMPLEMENTATION OF THE PROGRAM UNTIL THE PROCESS IS COMPLETED. PLEASE READVICE THE THE PROGRAM FROM DISWAIR ONE WITH A GROUP OF RESCUERS AND REPRESENTING A TRUE CROSS-SECTION OF THE COMMUNITY. PLEASE TAKE PAINS THAT THE PROGRAM TAKES DUE LOY WANS FOR THE COMMUNITY AND THE RESCUERS. THE GOALS FOR THE REVISIONS WOULD BE TO ENHANCE CLARITY, STREAMLINING FLEXIBILITY, RESPONSE AND OVERALL USER FRIENDLINESS AND TO ADDRESS SPEAKING POINTS. MANY OF THESE THINGS -- MANY OF THESE ACTIVITIES CAN BE TURNED OVER TO THE RESCUE COMMUNITY AS SELF REGULAR LAYING. THANK YOU FOR YOUR ATTENTION. PLEASE HELP PUT THE IMPLEMENTATION OF THIS BROAD PROGRAM ON HOLD UNTIL IT IS REVISED BY A GROUP THAT REPRESENTS THE TAKE HOLDERS.

Mayor Wynn: THANK YOU. MAYOR PRO TEM?

Goodman: I MEANT TO SAY SOMETHING BEFORE SHE CAME UP BECAUSE THERE ARE SEVERAL FOLKS HERE WHO WANT TO SPEAK ON THIS ISSUE. AND I HAVE BEEN TALKING TO DAVID LURIE AND MIKE MCDONALD, WHICH I THINK JUST GOT TAGGED FOR SOMETHING ELSE, BUT I THOUGHT FOR THE FOLKS WHO WANTED TO SPEAK ON THIS ISSUE TODAY THAT THE CHIEF COULD GIVE A QUICK INTRODUCTION ABOUT THE POSTPONEMENT OF IMPLEMENTATION OF THIS PARTICULAR ITEM UNTIL AT LEAST IT'S BEEN BEFORE THE SHELTER ADVISORY COMMISSION AND ON THEIR AGENDA FOR ACTION, RECOMMENDATIONS OR WHATEVER.

ASSISTANT CHIEF MICHAEL MCDONALD, ACTING CITY MANAGER.

YOU HAVE TO GUESS, MIKE, WHAT THE TOPIC IS. WE SPENT A LOT OF TIME ON IT, BUT I THINK PRODUCTIVE TIME. WE'VE POSTPONED ANY ACTION IMPLEMENTING ANY POLICY. IT'S POSTED NEXT -- THE ITEM IS POSTED NEXT WEEK FOR THE ANIMAL ADVISORY COMMISSION FOR THEM TO TAKE UP -- TAKE UP THE ITEM. WHAT I SUSPECT WILL HAPPEN AFTER THEN IS WE'RE WANTING TO FORM A SUBCOMMITTEE TO TAKE A LOOK AT THE RECOMMENDATIONS. SO NO FORMAL

ACTION IS GOING TO BE TAKEN AT THIS POINT UNTIL AFTER WE MEET WITH THE ANIMAL ADVISORY COMMISSION.

Mayor Wynn: THANK YOU. AND MAYOR PRO TEM, I PRESUME YOU STILL WANT FOLKS TO GIVE US THEIR THOUGHTS ABOUT THIS.

Goodman: I THOUGHT THEY WOULD WANT TO TALK ABOUT THIS.

Mayor Wynn: OUR NEXT SPEAKER IS JULIA. YOU WILL BE FOLLOWED BY LYNN MCCONNELL.

MAYOR, MAYOR PRO TEM, COUNCILMEMBERS AND CITY MANAGER, GOOD AFTERNOON. MY NAME IS JULIA. I AM THE MANAGER OF OAK HILL RESCUE AND A MEMBER OF THE LOCAL AND NATIONAL SIAMESE RESCUE. I AM HERE TODAY TO EXPRESS MY ALARM OVER THE PROPOSED PLACEMENT PARTNERS POLICY. ONE, TOWN LAKE ANIMAL CENTER OR TLAC CLAIMS THERE IS A CONSENSUS AMONG RESCUE GROUPS REGARDING THE ACCESSIBILITY OF THIS POLICY. NOTHING COULD BE FURTHER FROM THE TRUTH. THE RESCUE COMMUNITY IS AGHAST OVER THIS PIECE OF WORK. TOWN LAKE TOLD THE CITY COUNCIL THAT THERE WERE PLENTY OF OPPORTUNITIES FOR INPUT, BUT THE FIRST TIME MANY OF US SAW THIS WRITTEN POLICY WAS WHEN IT ARRIVED IN THE MAIL WITH SUBMISSION DEADLINE, A DONE DEAL. IF THE REBUTTAL IS WE HAD MEETINGS TO DRAFT THE POLICY, WELL, I WILL SAVE THAT ACCOUNT FOR ANOTHER DAY. BECAUSE I HAVE ATTENDED MANY RECENT EMERGENCY MEETINGS OVER THIS CRISIS, I WOULD VENTURE TO SAY THAT I SPEAK FOR MANY THAT CANNOT BE HERE AND FOR THOSE WHO FEAR RETRIBUTION FROM TLAC IN THE FORM OF SURPRISE ADVICE IT'S FROM -- VISITS FROM ANIMAL CONTROL UNIT FOR MERELY SPEAKING ABOUT THE POLICY. A WIDELY RECOGNIZED FEELING THAT BEING DISLIKED BY SOME TLAC EMPLOYEES MAY BRING ON POTENTIALLY HARMFUL AND EVEN THREATENING CONSEQUENCES FOR ONE'S RESCUED AND PERSONAL ANIMALS IS CAUSING MANY RESCUERS TO TOTALLY SEVER THEIR RELATIONSHIP FROM AUSTIN ANIMAL CENTER. THIS IS A SAD DEVELOPMENT. NUMBER TWO, PRIVACY IS A MAJOR ISSUE WITH MUCH OF THE RESCUE COMMUNITY. A NEW

POLICY REQUIRES THAT A RESCUER SUBMIT CONFIDENTIAL\$ PERSONAL FINANCIAL INFORMATION TO A CITY AGENCY MAKING IT SUBJECT TO OPEN RECORDS ACT. ANOTHER PRIVACY ISSUE IS THAT OF HOME INSPECTION BY A CITY AGENCY. INSPECTIONS WOULD BEST BE CONDUCTED BY PEER REVIEW AND DRAW ON THE EXPERTISE AND COMMITMENT OF THE RESCUE COMMUNITY. I PERSONALLY DON'T WANT AN AGENT FOR THE CITY IN MY BEDROOM WHERE MY RESCUED, BLIND, 18-YEAR-OLD KITTY MAKES HER HOME. I AM NOT A PUBLIC SHELTER, I VALUE MY PRIVACY. PEER REVIEW WOULD ALSO SAVE MONEY FOR THE TAXPAYER. WITH RARE EXCEPTIONS, RESCUERS ARE IN, I CAN'T EMPHASIZE THIS ENOUGH, CONSTANT CONTACT ABOUT THIR ANIMALS, SHARING RESOURCES, IDEAS, ADOPTION DAYS, MEDICAL INFORMATION, WORK DAYS, ETCETERA. PEER REVIEW CAN BE MADE TO INCLUDE ANY RESCUE THAT DOES NOT PRESENTLY ENJOY THIS RELATIONSHIP, AND IT WILL SAVE THE TAXPAYERS MONEY. TO RECAP, THERE IS NO CONSEQUENCE RECORD REGARDING THIS POLICY. I IMPLORE CITY COUNCIL TO RETHINK THIS NEW PROGRAM BECAUSE IT WILL BE THE ANIMALS WHO SUFFER AND DIE WHEN THE RESCUE COMMUNITY IS HAMMERED OUT OF THE SHELTER. THANK YOU.

Mayor Wynn: THANK YOU.

JULIA, JUST AS AN ASIDE, I TAKE VERY SERIOUSLY ALLEGATIONS THAT THERE IS RETRIBUTION OR RETALIATION BY ANY CITY EMPLOYEE. SO IF YOU HAVE ANY SPECIFIC KNOWLEDGE OR ALLEGATION OF THAT, I WOULD APPRECIATE THAT BEING SENT TO MY OFFICE AND I WILL FOLLOW-UP WITH YOU ON THAT.

WE'RE WORKING ON OPEN RECORDS ACT FOR THIS TOO ON THIS. THANK YOU, I WILL.

Mayor Wynn: NEXT SPEAKER IS LYNN MCCONNELL, EXCUSE ME, TO BE FOLLOWED BY MARY LEHMANN. WELCOME.

WELL, AS YOU KNOW, WE HAVE THIS PARTNER PLACEMENT POLICY IN THE APPLICATION. AND REALLY I FEEL LIKE THE ANIMAL RESCUE GROUPS AND THE TOWN LAKE SHELTER

SHOULD BE WORKING FOR THE SAME KIND OF GOALS. WE WANT TO SAVE THE LIVES OF ANIMALS. THIS SHOULD BE A WIN-WIN SITUATION ON BOTH SIDES. IF THE RESCUE ORGANIZERS ARE PREVENTED FROM ADOPTING THE ANIMALS, MORE ANIMALS WILL BE KILLED AND ONCE THE MEDIA GETS HOLD OF THIS IT WILL BE A BACKLASH FOR AUSTIN. AUSTIN IS CURRENTLY KNOWN AS AN ANIMAL FRIENDLY CITY, AND PERSONALLY I'D LIKE TO HELP KEEP IT THAT WAY. SEVERAL RESCUE ORGANIZATIONS HAVE BEEN ADVISED BY THEIR ATTORNEYS AND/OR BOARD OF DIRECTORS TO NOT RELEASE THE INFORMATION THAT IS REQUESTED BY THE PARTNER PLACEMENT APPLICATION BECAUSE OF THE CONFIDENTIAL STATEMENTS IN THEIR APPLICATION. TEXAS ANIMAL RELAY AND PLACEMENT ALLIANCE IS A RESCUE APPROVAL GROUP IN HOUSTON. THIS ORGANIZATION WAS ESTABLISHED FOR TWO PRIMARY OBJECTIVES, TO ADDRESS THE NEED OF RELEASING AGENCIES TO FEEL CONFIDENCE AT THE RESCUE AND ADOPTION GROUPS THAT THEY'RE RELEASING DOGS AND CATS ARE REPUTABLE AND PROVIDING CARE FOR THE ANIMALS IN THEIR PROGRAM AND TO ADDRESS THE NEED TO PROVIDE TO THE GENERAL PUBLIC WITH THE KNOWLEDGE THAT THE GROUPS FROM WHICH THEY COULD ADOPT WERE REPUTABLE AND PROVIDED ADEQUATE CARE TO THE ANIMALS. THE CODE OF ETHICS AND THE OPERATIONAL GUIDELINES WERE HAMMERED OUT BETWEEN BOTH RESCUE GROUPS AND SHELTERS FOR OVER THE LAST THREE-PLUS YEARS. THE STANDARDS WE CONSIDERED WAS MINIMAL TO A ACCEPTABLE GROUP. IT IS ALSO OVERBEARING TO EXCLUDE GOOD RESCUE ORGANIZATIONS AND THEY WILL WORK WITH RESCUES TO BRING THEM UP TO CODE. THE MEMBERSHIP CURRENTLY INCLUDES THREE OF THE FOUR LARGEST SHELTERS IN THE HOUSTON AREA. IT IS A SINGLE PAGE APPLICATION. THE PARTNER PLACEMENT APPLICATION THAT TOWN LAKE HAS REQUESTED THAT WE FILL OUT IS FIVE PAGES, PLUS IT REQUESTS NUMEROUS ATTACHMENTS. WHY CAN'T TOWN LAKE HAVE THE SAME AS TARPA, A CLEAR SET OF GUIDELINES A A CLEARLY SET CODE OF ETH KNICKS IN AN APPLICATION THAT IS NOT INTRIEWS ACTIVE TO RESCUE ORGANIZATIONS OR THEIR ADOPTERS. RESCUE GROUPS WOULD SINCERELY LIKE TO CONTINUE TO SAVE AND PLACE

AS MANY ANIMALS AS POSSIBLE, BUT WE CANNOT DO TO WITH THE CURRENT TLAC PARTNER PLACEMENT APPLICATION. SO PLEASE, HELP US ON SO THAT WE CAN CONTINUE OUR MISSION OF SAVING ANIMALS FROM DEATH AND GIVE THEM A FOREVER HOME.

Mayor Wynn: THANK YOU. MARY LEHMAN, WHO WILL BE FOLLOWEDLY ROBERT SINGLETON.

WELL, CITY COUNCILMEMBERS, HERE IS THAT CHART AGAIN. IT IS ON OUR WEBSITE NOW, KEEP THE LAND.ORG, EXPLAINING HOW WE GOT THOSE FIGURES. AS WE KNOW, THERE'S NO WAY OF JUDGING WHAT THE REAL SITUATION IS BECAUSE WE DON'T HAVE MADE AVAILABLE AN APPRAISAL. WE KNOW ONE WAS MADE SEVERAL YEARS AGO. WE SHOULD HAVE AN UP TO DATE ONE. THERE IS NOTHING THAT TELLS US WHAT THE REAL VALUE OF THAT LAND IS AND WHAT THAT DEAL AMOUNTS TO. BUT WE DO KNOW ONE THING, THE LAND SIDE AS IS HAS VALUE. IT IS NOT ZERO OR NEGATIVE VALUE AS CITY STAFF CLAIM. REMEMBER, THE STATE OF TEXAS CONSIDERED OFFERING WHAT THE RMMA DESIGN GROUP ESTIMATED AMOUNTED TO A THREE DOLLAR PER SQUARE FOOT BACK IN 1997. AND THIS FIGURE UPDATES IT AND SUBTRACTS SOME FOR SITE IMPROVEMENTS. WE NOTICE THAT THE STATE OF TEXAS LEASES GENERALLY WHERE LAND HAS A HIGH VALUE IN AUSTIN, FOR INSTANCE. WE CONGRATULATED AND WE SAID, REMEMBER, WE HAVE TO FOLLOW VERY STRICT RULES. WHETHER THE STATE LEASES OR SELLS, THEY ARE OWE BLIEJED TO OFFER AT FAIR MARKET VALUE. THIS IS SUCH A DEPARTURE. ADMITTEDLY YOU COULD REDUCE THESE FIGURES. THESE ARE ALL APPROXIMATE, INCLUDING THE ESTIMATE FOR INFRASTRUCTURE. BUT IT'S SUCH A DEPARTURE. THIS ASSUMES THAT THE CITY HAS LANDOWNERS' RIGHTS. WELL, WE'VE BEEN INSPIRED TO OFFER A SYMPOSIUM. IT WILL BE JUNE 22nd AT THE AFL/CIO ON 1108 LAVACA. TOPIC: THE CITY GOVERNMENT. SUBTITLE: AN OWNER'S MANUAL. AND WE ARE GOING TO EXPLORE WHAT IT IS THAT IS NOT WORKING OUT IN THE INTEREST OF CITIZENS AND WHAT WE MIGHT BE ABLE TO DO ABOUT IT. THANK YOU. >>

Mayor Wynn: THANK YOU. ROBERT SINGLETON, WHEN WILL

BE FOLLOWED BY LEON HERNANDEZ.

FIRST I'D LIKE TO SLIP IN AN ANNOUNCEMENT FOR AN ITEM UPCOMING. KEEP THE LAND IS GOING TO ON JUNE 22nd AT THE AFL/CIO HALL AT 11th AND LAVACA HOLD A SEMINAR OR A SYMPOSIUM CALLED LOCAL GOVERNMENT, AN OWNER'S MANUAL. AND WE'RE PUTTING TOGETHER A PANEL NOW OF PEOPLE WITH EXPERIENCE WORKING WITH THE CITY PROCESS TO TALK TO NEIGHBORHOOD GROUPS ABOUT HOW THE PROCESS WORKS. AGAIN, THOUGH, THAT'S GOING TO BE JUNE 22nd AT THE AFL/CIO HALL. I THINK IT'S 6:30 TO 8:30. IF ANYBODY NEEDS MORE INFORMATION ON THAT, THEY CAN CALL KEEP THE LAND AT 407-8220. I WANTED TO GIVE YOU A BRIEF REPORT ON WHAT HAPPENED AT THE RMMA THIS WEEK BECAUSE I KNOW YOU PROBABLY DON'T GET REAL DETAILED REPORTS OF WHAT HAPPENED AT BOARDS AND COMMISSIONS. ONE OF THE ANNOUNCEMENTS AT THIS WEEK'S WAS THAT THE ZONING FOR THE MUELLER SITE WILL BE AT COUNCIL JUNE 17TH. MY QUESTION FOR YOU IS ARE THE CODES, COVENANTS AND RESTRICTIONS AND THE ARCHITECTURAL FWIED LINES READY, AND IF THEY'RE NOT READY NOW, WILL THEY BE READY NEXT WEEK. IT'S CRUCIAL BEFORE YOU MAKE A DECISION ON ZONING THAT YOU HAVE THE CODES, COVENANT AND RESTRICTIONS AND THE GUIDE OOOH LINES BECAUSE THOSE ARE THE ONLY CONTROLS WE WILL HAVE OVER WHAT HAPPENS AT MUELLER WHEN IT'S HOLD. PAUL HILLERS TALKED AND SUE EDWARDS MENTIONED WE'VE BEEN WORKING WITH PAUL FOR ABOUT 18 MONTHS. I'M KIND OF INTERESTED IN THAT BECAUSE I'M ON THE MUELLER NEIGHBORHOOD COALITION AFFORDABLE HOUSING SUBCOMMITTEE, WHO HAS BEEN WORKING ON AFFORDABLE HOUSING ISSUES AT MUELLER FOR SIX MONTHS AND WE HAD NO IDEA THAT THE STILL WAS WORKING WITH PAUL HILGERS ON THIS AND THAT THERE WERE DISCUSSIONS GOING ON THAT LARGELY SUPERCEDED THE WORK THAT WE WERE DOING. AS ONE HAND, I WOULD LIKE TO KNOW WHAT THE OTHER IS DOING. PAUL HILGERS SAID SOMETHING INTERESTED ABOUT INCLUSIONARY ZONING THAT I THOUGHT I WOULD REPEAT. IT SAID TEXAS LAW MAKES IT INCLUSIONARY FOR ZONING, BUT HE WENT ON TO SAY WE CAN'T DO INCLUSIONARY ZONING UNLESS WE OWN

THE LAND. I FOUND THAT VERY SIGNIFICANT BECAUSE THAT'S THE POINT WE'VE BEEN MAKING FOR A WHILE. UNLESS YOU SELL THE LAND YOU'RE LOSING CONTROL. SUE EDWARDS POINTED OUT THAT THE INFORMATION ON AFFORDABLE HOUSING THAT PAUL HILGERS PRESENTED HAD BEEN EXTRACTED FROM THE MASTER DEVELOPMENT AGREEMENT IN ORDER TO BE ABLE TO TALK ABOUT IT PUBLICLY. JIM WALKER ASKED AN INTERESTING QUESTION. HE SAID WILL THE DESIGN GUIDELINES AND THE CCR'S BE EXTRACTIBLE. I THINK THAT'S A FASCINATING QUESTION. IF YOU CAN PULL SOMETHING OUT OF THIS DISCUSSION ON AFFORDABLE HOUSING, CAN YOU PULL PART. CCNR AND ARCHITECTURAL GUIDELINES OUT SO THAT IT CAN BE DISCUSSED PUBLICLY? NOT GOING TO HAVE TIME TO TALK ABOUT THE DOMAIN DECISION. WE'LL TALK MORE ABOUT THAT AT BUDGE TIME BECAUSE NOW IT LOOKS LIKE YOU DON'T HAVE TO GIVE AWAY THE MONEY THAT YOU HAD AGREED TO GIVE TO THE DOMAIN. AND FINALLY, I WOULD JUST LIKE TO ASK WHAT'S PROBABLY A RHETORICAL QUESTION. IS IT POSSIBLE TO CONSIDER A MORATORIUM ON CITY LAND SALES UNTIL YOU CAN HIRE NEGOTIATORS WHO CAN BREAK EVEN WHEN THEY SELL PROPERTY? I DON'T KNOW HOW WE CAN AFFORD TO BORROW MONEY TO SELL LAND. AND FINALLY IN TERMS OF TAX ABATEMENTS, IF WE DON'T GIVE ONE TO NEIMAN MARCUS, AND THEY'LL BE ONE OF THE ANCHOR TENANTS IN THE DOMAIN, I SHUDDER TO THINK WHAT THE STUFF WILL COST WITHOUT A TAX ABATEMENT.

Mayor Wynn: WELCOME, MR. HERNANDEZ. YOU WILL BE FOLLOWED BY AMY HETTENHOUSE.

THANK YOU, MAYOR AND COUNCIL. THE REASON I'M HERE TODAY, I WANT TO BRING UP TO YOUR ATTENTION SOME OF THE PROBLEMS THAT WE'RE LOOKING AT AT THE -- AT SOME OF THE ORGANIZATIONS IN AUSTIN THAT HAVE DEPENDED A LOT ON THE FUND-RAISERS FOR THE KIDS THAT WE HAVE. WE HAVE ORGANIZATIONS LIKE THE LION'S CLUB, OPTIMIST CLUB AND ALL OF THESE DIFFERENT ORGANIZATIONS, BOY SCOUTS AND GIRL SCOUTS THAT ARE OUT HERE RAISING MONIES FOR THE KIDS. AND WE ARE A GROUP THAT THE ADVISORY BOARD OVER AT PARK ZARAGOZA AND WE WERE THERE TRYING TO RAISE MONIES FOR THE EASTER EGG

HUNT FOR OUR KIDS IN EAST AUSTIN AT THE PARK ZARAGOZA. AND ALL OF A SUDDEN WE WERE CITED FOR NOT HAVING A FOOD PERMIT. WELL, WHAT HAPPENED WAS THAT THE INSPECTOR THAT CAME BY NEVER BOTHERED TO ASK ANY QUESTIONS. HE JUST CITED US FOR NOT HAVING ANY FOOD PERMIT OR AN ADEQUATE FOOD CONDITIONS THERE. BUT WE DID HAVE, AND WE HAD THE PERMIT AND WE HAD THE KITCHEN AND THE STOVE AND ALL THE FACILITIES THAT WERE AVAILABLE THERE AT THIS LOCATION. AND THE INSPECTOR JUST WALKED UP, STARTED TAKING PICTURES OF THE LOCATION THERE WHERE WE WERE AT WITHOUT ASKING ANY QUESTIONS. SO HE WENT ON AHEAD AND CHECKED THE AREA OUT. I DON'T FEEL THAT IT'S RIGHT FOR ANYBODY TO WALK OFF THE STREET AND CHECK ANY FOOD -- ANYBODY THAT'S SERVING FOOD, EVEN IN A RESTAURANT, WITHOUT WASHING THEIR HANDS OR WEARING SOME SORT OF A CAP. AND THIS IS WHAT THIS INSPECTOR DID. AND I WAS IN THE RESTAURANT BUSINESS FOR 42 YEARS, AND I CONSTANTLY SAW THAT, SNT INSPECTOR NEVER WORE GLOVES, NEVER PUT GLOFZ ON, NEVER WORE CAPS OR ANYTHING TO PROTECT THEM. AND I DON'T THINK THESE PEOPLE ARE EXEMPT FROM GERMS. SO I THINK IT'S VERY IMPORTANT THAT THE CITY HAVE SOMEBODY TO OVERSEE THESE INSPECTORS. INSTEAD OF HAVING SOMEONE TO DEFEND THEM WHEN THEY DO WRONG. AND I THINK IT WAS WROJ IN WHAT THIS INSPECTOR DID. SO THESE ARE THE THINGS THAT I SAW. LATER AFTER CITING ME FOR THIS, HE WENT AHEAD AND UPDATED HIS REPORT AND MADE A FALSE STATEMENT ON THERE THAT I HAD SAID OR NOT REALLY THAT I HAD SAID, BUT ACCORDING TO ME THAT I HAD I DIDN'T HAVE -- THAT THE LOCATION DIDN'T HAVE ANYTHING TO DO WITH THE FUND-RAISER, BUT IT DID. WE DID HAVE PERMISSION FROM THE MAN THAT OWNED THE LOCATION TO DO THIS FUND-RAISER THERE, AND WE HAD ACCESS TO ALL THE FACILITIES THERE. AND I THINK THAT SOMETHING HAS TO BE DONE ABOUT THE CITY INSPECTORS AND WHAT THEY DO. [BUZZER SOUNDS] AND HOW THEY DO IT. AND I HOPE YOU DO. THANK YOU.

Mayor Wynn: THANK YOU, MR. HERNANDEZ. AMY HETTENHAUSEN, WHO WILL BE FOLLOWED BY JOSE QUINTERO.

HI. I VERY DEFINITELY HAVE THE EASIEST AND MOST PLEASANT TASK OF ANYONE HERE TODAY. I JUST CAME TO SAY THANK YOU. I WORK AT JOHNSTON HIGH SCHOOL AND AISD, AND ABOUT THREE MONTHS AGO I STOOD UP HERE REPRESENTING A SCHOOL AND THE COMMUNITY AND ASKING THAT YOU GUYS APPROVE A MOTION THAT WOULD ALLOW THE SCHOOL ZONES AROUND JOHNSTON TO BE IMPROVED BEYOND WHAT THEY WERE. PREVIOUSLY THEY WERE JUST SIGNS THAT KIND OF SUGGESTED MAYBE YOU WERE IN A SCHOOL ZONE. AND NOW THEY'RE IN THE PROCESS -- THE WORK HAS BEGUN, THEY'RE PUTTING UP FLASHING LIGHTS, AND WE HAVE THAT MORE OFFICIAL MANDATED SCHOOL ZONE LOOK NOW. I WANT TO THANK ESPECIALLY MR. ALVAREZ FOR COMING OUT TO THE SCHOOL AND ASSESSING THE SITUATION AND THEN TO ALL OF YOU FOR APPROVING THAT MEASURE. YOU'VE MADE THAT NEIGHBORHOOD A SAFER PLACE, NOT JUST ABOUT THE STUDENT, STAFF AND PARENTS, IT'S ABOUT THE PEOPLE WHO LIVE THERE. AND WE JUST THANK YOU SO MUCH AND WE APPRECIATE YOU.

Mayor Wynn: YOU'RE WELCOME. THANK YOU FOR THE COMMENT. I WILL SAY THAT THERE IS A JOINT CITY OF AUSTIN, AISD COMMITTEE THAT BOTH MYSELF AND THE SCHOOL BOARD PRESIDENT AND A COUPLE OF COUNCILMEMBERS, INCLUDING COUNCILMEMBER ALVAREZ AND A COUPLE OF BOARD OF TRUSTEES SERVE ON, AND A STANDING ITEM NOW ON THAT JOINT COMMITTEE MEETING IS THE SAFETY AROUND THE SCHOOLS. MUCH OF THAT RESOLVING AROUND TRAFFIC. SO THANK YOU FOR THAT LAST COMMENT. JOSE QUINTERO. THANK YOU, SIR. YOU WILL BE FOLLOWED BY RAMON MALDONADO.

MAYOR, JOE IS NOT GOING TO BE ABLE TO BE HERE BECAUSE HE HAD TO WORK, BUT ONCE THE COMMUNICATION IS OVER, I WOULD LIKE TO REQUEST TO SPEAK SINCE HE WAS NOT ABLE TO SHOW UP. AT YOUR DISCRETION.

Mayor Wynn: THANK YOU, MR. HERNANDEZ.

I'D JUST LIKE TO TALK TO YOU ABOUT THE HOLLY POWER PLANT MAP AREAS WHERE -- I'M THINKING I'VE GOT A MAP

HERE THAT I HAVE TO LOOK UP WHERE THEY SAY WE'RE GOING TO HELP THE PEOPLE AROUND THIS AREA. EVIDENTLY THE AREA HAS EXPANDED OR BUBBLING IS WHAT I HEARD A COUPLE OF CITY COUNCIL MEETINGS AGO. I WANTED KNOW IS IT -- IS IT BEN WHITE TO AIRPORT, IS IT NORTH LAMAR TO MONTOPOLIS? I'D LIKE TO FIND OUT HOW - - WHAT AREAS ARE. BECAUSE YOU'RE FIXES HOUSES IN A SMALL AREA HERE AND THEN SENDING MONIES TO OTHER AREAS, AND I JUST WANT TO FIND -- HAVE SOME CLARIFICATION OF WHERE THE BOUNDARIES ARE. AND THEN I WOULD LIKE TO GET A RESPONSE FROM SOMEBODY HERE ON THE TV SO THAT PEOPLE CAN AND I'M ALSO GOING TO BRING IT UP IN SPANISH. (SPEAKING SPANISH) AND ALSO, I WENT TO A MEETING AWHILE BACK WITH CITY STAFF AND WE GOT SOME ADDRESSES AND STUFF, BUT I ALSO ASKED FOR A MATRIX OF HOW THEY DO THIS. AND YET I HAVEN'T RECEIVED ANYTHING YET. BUT WE'RE STILL WAITING FOR THAT. WE'D LIKE TO KNOW WHAT THE BOUNDARIES ARE AND HOW YOU ALLOCATE MONIES TO GO TO OTHER PROJECTS THAT ARE NOT IN -- MAYBE IT IS IN A TARGET AREA, I DON'T KNOW. I'D LIKE TO FIND THAT OUT. AND I'VE GOT 42 SECONDS. OKAY. THAT'S ABOUT IT. THANK YOU.

Mayor Wynn: THANK YOU.

Alvarez: MAYOR, DO WE HAVE SOMEONE WHO CAN SPEAK TO THE BOUNDARIES FOR REHAB MONEY?

CAN YOU HELP ME CLARIFY, ARE YOU TALKING ABOUT THE BOUNDARY AREAS FOR THE HOLLY MITIGATION MONEY? >>

ALVAREZ: I THINK HE'S TALKING ABOUT THE HOME IMPROVEMENT PROGRAM. I DON'T KNOW. IS THAT A -- ARE YOU SUGGESTING THAT YOU HAVE A LIST OF FOLKS WHO BENEFITTED FROM HOLLY'S PROGRAM THAT DON'T LIVE IN THAT NEIGHBORHOOD?

NO, I'M SUGGESTING THAT IF THIS IS A LIST THEY PROVIDED YEARS AGO THAT THEY WERE GOING TO HELP THE PEOPLE IN THIS AREA AND THIS IS ONE OF THE MAPS THAT WE GOT FROM THE CITY. AND I WANT TO FIND OUT HOW -- NOW YOU'RE WORKING ON THIS AREA HERE, AND I WANT TO FIND

OUT WHERE YOU SEND YOUR MONEY.

SIR, JUST A STRAIGHT UP QUESTION. ARE YOU ASKING ARE THERE DEFINED BOUNDARIES FOR HOLLY MITIGATION MONEY? RAILROAD OUT ASKING WHERE WE HAVE MONEY THAT'S APPLIED WITHIN THAT PROGRAM?

THE HOLLY MITIGATION MONEY?

YES. AND WHERE THEY'RE GOING.

ALL RIGHT. JUAN, DO YOU WANT TO TAKE A A STAB AT THAT? THERE'S A BROADER QUESTION, WHICH IS THE COUNCIL AS A POLICY QUESTION CAN DEFINE THE BOUNDARIES OF WHERE THEY WOULD LIKE TO SPEND THAT MONEY. BUT IN A MORE SPECIFIC WAY, JUAN, DO YOU WANT TORY?

LET ME GO -- JUAN GARZA. THE ACTUAL BOUNDARIES ARE SOMEWHAT AMBIGUOUS. FOR EXAMPLE, WE HAVE PROGRAMS THAT SERVE PEOPLE GENERALLY THROUGHOUT THAT AREA, BUT COULD ALSO BE ENROLLED IN PROGRAMS IN THAT AREA THAT MAY BE FROM OUTSIDE OF THAT SPECIFIC NEIGHBORHOOD. SO THERE'S A LITTLE BIT OF AMBIGUITY. WITH RESPECT TO THE HOUSING REHAB MONIES THAT WE HAVE SET ASIDE, \$250,000 LAST YEAR, 450,000 THIS YEAR. AND WE'RE PROPOSING SOME MONIES FOR THE FUTURE. BUT WE WOULD PROPOSE SPENDING THOSE MONIES ESSENTIALLY STARTING WITH THE PROPERTIES CLOSEST TO HOLLY, AND THEN RADIATING OUTWARD FROM HOLLY. AND AT SOME POINT WE WILL HAVE TO SET SOME BOUNDARIES AS TO HOW FAR FROM HOLLY WE ARE WILLING TO EXPAND THAT PROGRAM. BUT THOSE ARE NOT REALLY PRECISELY SET AT THIS TIME.

AND YOU PROVIDE A LIST OF ALL THE PROGRAMS THAT ARE FUNDED, AND WE COULD PROVIDE A MAP OF EVERY HOUSEHOLD THAT HAS BENEFITTED IN THE AREA FROM THE REHAB MONEY?

INCLUDING PROPERTIES THAT WILL BENEFIT IN THE FUTURE. IT WILL BE ESSENTIALLY ON A FIRST COME, FIRST SERVE BASIS. THEY HAVE TO APPLY AND IT WILL BE RADIATE WILLING OUTWARD AWAY FROM THE HOLLY PLANT INTO THE

NEIGHBORHOOD. THERE'S A LIMITED AMOUNT OF MONEY. WE TRIED TO LEVERAGE IT WITH OTHER FUNDS THAT ARE AVAILABLE TO THE CITY THROUGH OUR GRANT PROGRAMS AND SUCH, BUT THAT'S WHEN WE HAD TO START ESSENTIALLY FROM THE CENTER POINT AND MOVE OUT.

SO MAYBE ONE THING WE CAN DO IS FOLLOW UP AND PROVIDE AN UPDATED MAP OF WHERE TO DATE THOSE FUNDS HAVE GONE FOR REHAB, AND THEN REPEAT WITH A LIST OF ALL THE PROGRAMS THAT HAVE BEEN FUNDED IN THE AREA.

YOU BET.

Mayor Wynn: THANK YOU, MR. GARZA AND THE CITY MANAGER. MS. SUSAN SPIGARELL. SORRY FOR MISPRONOUNCING THAT. AND WITHOUT OBJECTION, COUNCIL, YOU WILL BE FOLLOWED BY GAVINO FERNS. WELCOME, YOU WILL HAVE THREE MINUTES.

AGAIN, THIS IS ANOTHER ANIMAL ISSUE. TOWN LAKE FACES AN OVERWHELMING PROBLEM WITH PET OVERPOPULATION. THE RESCUE COMMUNITY HAS FORMED THEM TO HELP WITH THIS PROBLEM. IT'S A NECESSARY PART OF THE SOLUTION. LIMITING THE NUMBER OF RESCUE DPROWPZ THAT ARE ALLOWED TO PULL ANIMALS FROM THE SHELTER BY REQUIRING THEM TO SIGN THE CERTIFICATION PROGRAMS WILL ONLY LEAVE ADDITIONAL PETS TO BE EUTHANIZED. PETS THAT COULD HAVE BEEN SAVED. HELPING HANDS BASS SET RESCUE HAS REVIEWED THIS CERTIFICATION PROGRAM AND WE HAVE SERIOUS CONCERNS ABOUT WHETHER RESCUE GROUPS WILL BE ABLE TO PARTICIPATE. THE PROPOSED PROGRAM IMPOSES REGULATIONS ON RESCUES THAT HAVE NEVER BEEN REQUIRED OF ANY RESCUE GROUP IN AUSTIN OR ANY OTHER CITY THAT WE KNOW OF. IN FACT, IT REQUIRES MORE INFORMATION THAT IS REQUIRED OF A PERTINENT ADOPTER WHO ADOPT DETECTIVELY FROM DOWNL. -- DIRECTLY FROM TOWN LAKE. FOR EXAMPLE, THE APPLICATION MUST CONTAIN PERSONAL INFORMATION OF THE VOLUNTEERS, INCLUDING FOSTER HOMES, VETERINARIANS AND POARMS. IT ALSO REQUIRES GROUPS TO RELEASE THE NAMES AND ADDRESSES OF VOLUNTEERS AND EVEN PEOPLE WHO ADOPT FROM THAT

GROUP. IT EVEN REQUIRES FOSTERS AND ADOPTERS TO SUBMIT TO TOWN LAKE'S INSPECTION OF THEIR HOMES, SOMETHING ALSO NOT REQUIRED OF ADOPTERS FROM TOWN LAKE. ONCE THE CITY COLLECTS ALL OF THIS INFORMATION, IT'S SUBJECT TO OPEN RECORDS REQUEST. THIS KIND OF ORWELLIAN CONTROL OVER BUSINESS HAS NOT ONLY ALIENATED CURRENT RESCUE GROUPS, BUT WILL SURELY DETER NEW VOLUNTEER TEARS AND EVEN ADOPTERS FROM PARTICIPATING IN RESCUE GROUPS. LIMITING THE NUMBER OF RESCUE GROUPS THAT CAN PULL ANIMALS FROM THE SHELTER BY REQUIRING THEM TO SIGN THIS CERTIFICATION PROGRAM WILL LEAVE ADDITIONAL PETS TO BE EUTHANIZED THAT COULD OTHERWISE BE SAVED. IN CONCLUSION, I HOPE THAT WE MADE IT CLEAR WITH ALL OF US TALKING TODAY THAT WE DON'T BELIEVE THAT THIS PET PARTNER CERTIFICATION PROGRAM WILL HELP THE SITUATION IN ANY -- AND IN FACT MAY HINDER THE PROCESS OF SAVING UNWANTED PETS BY DRIVING OUT RESCUE GROUPS. THE PET PARTNER CERTIFICATION PROGRAM IS A DISASTER WAITING TO HAPPEN IN ITS CURRENT FORM. THANK YOU FOR YOUR TIME.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, MR. QUINN MR. QUINTERO COULDN'T JOIN US TODAY, SO I WOULD LIKE TO GIVE HIS THREE MINUTES TO GAVINO FERNS. WELCOME. SIR.

THANK YOU, MAYOR. WELCOME BACK. MY NAME IS GAVINO FERNANDEZ WITH EL CONCILIO. AND BASICALLY I JUST WANT TO SHARE WITH YOU THAT IN WORKING WITH THE BIG RED SUN THEY HAVE WITHDRAWN THEIR PERMIT FOR A BEER/WINE LICENSE AND WE'RE CONTINUING TO WORK WITH THEM BECAUSE WE STILL HAVE CONCERNS WITH THE OUTDOOR CONCERTS THAT ARE BEING HELD THERE AND THE OVERFLOW OF PARKING AND THE IMPACT THAT IT'S HAVING IN THE NEIGHBORHOOD. SO I JUST WANTED TO SHARE THAT WITH YOU THAT WE ARE AGGRESSIVELY WORKING WITH THEM TO TRY TO COME TO SOME RESULT ON THE ISSUE AND THE IMPACT THAT IT'S IMMEDIATELY HAVING. I'D ALSO LIKE TO ECHO MR. HERNANDEZ'S CONCERN BECAUSE THOSE PROCEEDS DID GO BACK TO PARK ZARAGOZA ADVISORY BOARD. ALSO SPEAKING AS A FORMER EMPLOYEE, IT'S VERY DIFFICULT TO GET VOLUNTEERS TO PARTICIPATE AND RAISE FUNDS FOR OUR

RECREATION CENTERS. AND I FEEL THAT THE CITY ATTORNEY SHOULD ASSIST MR. HERNANDEZ IN THE SITUATION THAT HE'S NOW HAVING TO GO THROUGH THROUGH MUNICIPAL COURT, THE FACT THAT HE IS SUBJECT TO A 1500 THRAR FINE FOR HAVING A FUND-RAISER FOR PARK ZARAGOZA BOARD. SO IT'S MY HOPE THAT THE CITY WILL LOOK INTO SEEING WHAT WAYS ARE AVAILABLE TO ASSIST AND BRING A RESOLUTION TO THIS ISSUE SO THAT IT WILL NOT DISCOURAGE PEOPLE IN THE COMMUNITY FROM HOLDING FUND-RAISERS, AND THAT THOSE THAT DO HOLD FUND-RAISERS, THAT THEY BE ADEQUATELY EDUCATED AS TO WHAT IS NEEDED IN ORDER TO CONDUCT SAID FUND-RAISERS. AND ALSO, JUST A LITTLE BIT OF CLARIFICATION ON THIS MAP. THIS IS BASICALLY A MAP WHERE WEATHERIZATION WAS DONE IN THE FIRST YEAR OF 1996 FOR THE HOLLY SOUND ABATEMENT PROGRAM. AND WHAT WE HAVE LEARNED IS THAT THE REHAB MONIES THAT ARE BEING MADE AVAILABLE, WE'VE ENTERED -- AUSTIN ENERGY HAS ENTERED INTO A TOTALLY DIFFERENT CRITERIA AND BOUNDARIES, AND THAT IS THE POINT THAT WE'RE TRYING TO BRING AND HAVE QUESTIONS ANSWERED BECAUSE RIGHT NOW IT'S NOW BASED ON A DECIBEL, A NOISE DECIBEL POINT IMPACT. AND -- WHICH IS BASICALLY ELIMINATING A LOT OF THE HOMES IN THIS AREA FOR THIS TYPE OF ASSISTANCE. BUT LIKE ALWAYS, WE ARE CONTINUOUSLY AND AGGRESSIVELY WORKING WITH AUSTIN ENERGY TO BRING RESOLUTION TO SOME OF THESE CONCERNS THAT OUR COMMUNITY CONTINUES TO HAVE, AND WE STRONGLY ENCOURAGE THIS COUNCIL TO INVEST AGAIN THIS COMING BUDGET YEAR. WE HAD A MEETING TUESDAY AT METZ REC CENTER AND IT WAS NOTICED THAT IT WAS PRETTY OBVIOUS THAT THE INFRASTRUCTURE FOR HOMES AND SENIOR CITIZENS IS VERY MUCH NEEDED. THANK YOU, MAYOR.

Mayor Wynn: THANK YOU. MR. HERNANDEZ. COUNCIL, THAT'S ALL OF OUR CITIZENS FOR OUR GENERAL CITIZEN COMMUNICATION TODAY. WE HAVE A COUPLE OF OUTSTANDING DISCUSSION ITEMS. WITHOUT OBJECTION, I THINK WE NEED TO GO INTO CLOSED SESSION NOT ONLY TO FWRAB A BITE TO EAT, BUT FOR PRIVATE CONSULTATION WITH OUR ATTORNEY UNDER SECTION 551.071 OF THE OPEN

MEETINGS ACT TO DISCUSS POTENTIALLY ITEM 30 REGARDING THE FORMER SETON MANAGEMENT SERVICE AGREEMENT. 44 RELATED TO OUR MBWE PROGRAM. 45 RELATED TO NORTHEAST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE ET AL VERSUS THE CITY OF AUSTIN. 46 RELATED TO A PROPOSED AMENDMENT TO REGULATIONS APPLICABLE TO MISSION BETHANY SUBDIVISION. 48 RELATING TO IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT AND POTENTIALLY ITEM NUMBER 49 RELATING TO THE SALE OF THE ROBERT MUELLER MUNICIPAL AIRPORT SITE TO CATELLUS AUSTIN, LLC.

Slusher: MAYOR? I HAD PULLED THE ONE. I DON'T HAVE THE NUMBER IN FRONT OF ME RIGHT NOW, BUT ABOUT THE HOV LANES MUCH AND I JUST WANTED A SHORT PRESENTATION ON THAT, BUT I DON'T WANT TO KEEP MR. LIBRACH HERE ALL DAY TO DO THAT. SO I WOULD BE WILLING JUST TO GO AHEAD AND ROLL THAT ONE THROUGH.

Mayor Wynn: HE ALSO HAS TO DO ITEM NUMBER 11 FOR ME. I'VE ALREADY WARNED HIM.

Slusher: SO KEEP HIM HERE ANYWAY? THEN LET'S HAVE THAT SHORT PRESENTATION THEN AT THAT TIME. NOT RIGHT NOW.

Mayor Wynn: OKAY.

Thomas: JUST TO THE CITY MANAGER ON THIS. WHAT WAS HIS NAME, HERNANDEZ?

Mayor Wynn: THE LAST SPEAKER WAS GAVINO FERNANDEZ.

Thomas: HAVE THE CITY MANAGER CHECK INTO THAT COMPLAINT.

Mayor Wynn: THANK YOU, COUNCILMENT WE ARE NOW IN CLOSED EXECUTIVE SESSION. SESSION.

WE TOOK UP PRIVATE CONSULTATION WITH OUR ATTORNEY UNDER SECTION 551.072 OF THE OPEN MEETINGS ACT AND DISCUSSED ITEM 49 RELATED TO THE ROASHT MUELLER MUNICIPAL AIRPORT SITE SALE. NO OTHER ITEMS WERE

DISCUSSED, NO DECISIONS WERE MADE. COUNCIL, BEFORE WE -- I THINK OUR CITY MANAGER PROBABLY IS GOING TO NEED A FULL HOUR OR SO TO PRESENT HER -- HER HER POLICY BUDGET. PERHAPS WE COULD KNOCK OFF A COUPLE OF OUR -- OF OUR DISCUSSION ITEMS PRIOR TO THAT. WE HAVE TWO RELATED TRANSPORTATION ITEMS. WITHOUT OBJECTION, I WOULD LIKE TO CALL UP, LOOKS LIKE MR. LIBRACH IS READY FOR ITEM NO. 11, WITH REGARDS TO A CONTRACT WITH THE RECONSTRUCTION -- FOR THE RECONSTRUCTION OF SECOND STREET. I PULLED IT, I WILL INTRODUCE THE TOPIC BY SAYING I HAVE NO QUALM WITH THE CONSTRUCTION CONTRACT ITSELF, IT APPEARS TO BE HANDLED VERY WELL, THIS IS THE LOW BID OF SEVERAL RECEIVED. WHAT I WOULD LIKE FOR MR. LIBRACH TO PERHAPS JUST BRIEFLY DESCRIBE THAT CONTRACT AND THAT PROJECT AND WHAT ACTUALLY OCCURS BECAUSE OF THAT. ONE OF THE CONCERNS THAT I HAVE THAT I WOULD LIKE FOR -- FOR THERE TO BE MORE AWARENESS OF AND ULTIMATELY PUBLIC DISCUSSION ABOUT WILL BE ONE -- WHAT I CALL THE INTERIM OR THE SHORT-TERM TRAFFIC FLOW ISSUES IN AND AROUND THAT IMMEDIATE AREA. AND THEN SECONDLY THE LONG-TERM SOLUTION. WITH THAT I WILL RECOGNIZE MR. AUSTAN LIBRACH.

THANK YOU VERY MUCH, MAYOR, MEMBERS OF COUNCIL, I'M DIRECTOR OF TRANSPORTATION PLANE AND SUSTAINABILITY. THIS ITEM NO. 11 IS A CONTRACT FOR THE FIRST PART OF WHAT WILL BE SEVERAL PARTS OF A -- OF A RECONSTRUCTION OF SECOND STREET, THIS IS FOR THE FIRST THREE BLOCKS. IF YOU APPROVE IT, THIS CONTRACT WOULD START TOWARDS THE ENDS OF -- TOWARDS THE END OF THIS MONTH, WOULD BE FINISHED ROUGHLY IN TIME FOR THE OPENING OF THE NEW CITY HALL IN NOVEMBER. AS YOU CAN SEE ON THE SLIDE BEHIND ME, HOPEFULLY, THERE -- THERE IS -- THOSE THREE BLOCKS, THAT WE ARE -- THIS IS TO -- TO DO IN THIS CONTRACT AND THEN THERE ARE AN ADDITIONAL FOUR BLOCKS THAT WOULD BE COMING BACK TO COUNCIL IN ABOUT FOUR OR FIVE OR SIX MONTHS, WHERE WE WOULD HAVE ANOTHER CONTRACT TO CONSIDER THE REMAINDER OF THE SEVEN BLOCKS THAT ARE FROM TRINITY TO SAN ANTONIO. THAT IS THE OF BLOCKS OF SECOND STREET THAT WOULD BE

RECONSTRUCTED. WHAT WOULD HAPPEN IN THIS RECONSTRUCTION, VERY BRIEFLY, IS THAT -- IS THAT WE WOULD CHANGE THE CONFIGURATION OF THE ROAD TO A TWO-LANE, ONE LANE IN EACH DIRECTION, ROADWAY, WITH A 32-FOOT WIDE SIDEWALK ON THE NORTH SIDE, AN 18-FOOT WIDE SIDEWALK ON THE SOUTH SIDE. ONE LANE OF PARKING ON THE NORTH SIDE. IN ADDITION THERE WOULD BE TWO ROWS OF TREES, GENERALLY SPEAKING ALL ALONG THOSE SEVEN BLOCKS ON THE NORTH AND ONE ROW OF TREES GENERALLY SPEAKING ON THE SOUTH. THERE ARE -- AS WE GO THROUGH THIS, I HAVE MADE PRESENTATIONS TO EACH OF YOU BEFORE THIS, THERE ARE SEVERAL BLOCKS WHERE THERE ARE CONFLICTS WITH WATER, SEWER, OTHER INFRASTRUCTURE SO IN SOME CASES WE LITERALLY WON'T BE ABLE TO PUT IN THE TREES EXACTLY AS THE INITIAL GREAT STREETS PLAN HAD CONFIGURED. IN ADDITION, WE WOULD RECONSTRUCT THE STREET, THE OLD STREET WOULD BE -- NEED TO BE THE CROWN OF THE STREET NEEDS TO BE MOVED SO WE WILL HAVE TO TOTALLY REDO THE STREET AND WHEN WE DO THAT, WE WILL BE REDOING THE STORM WATER INLETS AND THE STORM SEWER SYSTEM FOR THIS AREA. WE WILL ALSO, AS I SAID NOW, PUTTING IN TREES, STREET FURNITURE AS WELL ALONG HERE, NEW STREET LIGHTS, AS PART OF THE ENTIRE PACKAGE OF -- OF CHANGES TO SECOND STREET. WHAT YOU SEE THEN IN THIS FIRST SLIDE IS WHAT WE WOULD EXPECT TO BE UNDER CONSTRUCTION IN THE ORANGE COLOR FROM THIS TIME, JUNE THROUGH NOVEMBER. IN NOVEMBER OF 2004 WHEN THE NEW CITY HALL WOULD OPEN, THE NEXT SLIDE, THAT SECTION WOULD BE COMPLETED. I MIGHT SAY IN ANSWER TO YOUR QUESTION, MAYOR, DURING THE CONSTRUCTION PERIOD, WE WOULD REDUCE SECOND STREET AT THREE LANES, EXCUSE ME, THREE BLOCKS TO -- TO ONE LANE IN THE WESTERN DIRECTION. THERE THEIR WOULD BE NO EASTERN MOVEMENT ON SECOND STREET FOR THOSE THREE BLOCKS. IT WOULD BE A TWO-WAY STREET FOR THE REMAINING FOUR BLOCKS. THERE WOULD BE THIS THOSE FOUR BLOCKS OPPORTUNITIES FOR LEFT TURNS ON TO CONGRESS AND LEFT TURNS ON ALL OF THE OTHER STREETS. SO THAT THE MOVEMENT WE THINK WOULD BE ACCOMMODATED. HERETOFORE BEEN ASSOCIATED WITH

BOTH CESAR CHAVEZ AND SECOND STREETS IN THE MOVEMENT OF THE MORNING AND AFTERNOONS, THE SO-CALLED SECOND STREET SHUFFLE WOULD BECOME A THIRD STREET SHUFFLE. WE WOULD MOVE THE WESTWARD MOVEMENT OF TRAFFIC TO THIRD STREET AND THAT -- MOST OF THAT IS ALREADY STARTING TO OCCUR. AND THERE WOULD BE THEN FREE MOVEMENT OF TRAFFIC ALONG THIRD TO SAN ANTONIO AND THEN OUT TO CESAR CHAVEZ AS IT IS NOW. WITH -- WITH VERY FEW STOP LIGHTS TO ACCOMMODATE THAT TRAFFIC MOVING IN THE WESTERN DIRECTION, POSTLY TO MOPAC. -- AND THEN IN NOVEMBER, WE WILL HAVE COMPLETED THAT FIRST PHASE FOR THIS CONTRACT. AND YOU SEE THAT ON THE SLIDE THAT SHOULD BE SHOWING NOW. THEN AFTER THAT IN MARCH OF '05, ROUGHLY SPEAKING, FROM MARCH TO NOVEMBER OF '05, WE WOULD THEN START THE REMAINING FOUR BLOCKS OF SECOND STREET. WE WOULD START ON THE SOUTH SIDE OF SECOND STREET, LEAVING SOME -- SOME OPEN LANES ON SECOND STREET ON THOSE FOUR BLOCKS. AND THEN MOVE TO THE NORTH SIDE. BUT WE WOULD START ON THE SOUTH, THAT WOULD TAKE US ABOUT SIX MONTHS. AT THE SAME TIME, WE WOULD BEGIN TO RECONSTRUCT TWO BLOCKS OF COLORADO AND BRAZOS, THE -- THE CESAR CHAVEZ TO THIRD STREET BLOCKS WOULD BE UNDER RECONSTRUCTION AS WELL. THAT IS OUR PLAN IN THE NEXT -- I THINK THE SLIDE SHOWS THAT. THEN FROM NOVEMBER OF 2005 TO SEPTEMBER OF 2006, AGAIN THESE ARE -- ARE ESTIMATED TIMES BASED ON WHAT WE THINK THESE -- THIS PROJECT WILL TAKE TO BE COMPLETED, WE WOULD THEN WITH CITY FORCES COMPLETE THE RECONSTRUCTION OF COLORADO TO 11th STREET AS WELL AS BRAZOS AND AT SOME POINT DURING THAT ALSO SHIFT TO THE NORTH SIDE OF THOSE FOUR BLOCKS OF SECOND STREET FOR RECONSTRUCTION. AND -- AND BE IN A POSITION WHERE WE WOULD BE EITHER PUTTING IN THE LANCE ARMSTRONG BIKEWAY ON FOURTH AND/OR WORKING WITH CAPITAL METRO ON COMMUTER RAIL COMING ACROSS ON -- ON FOURTH. AT LEAST THAT'S THE PRESENT UNDERSTANDING OF HOW THAT WOULD WORK. FINALLY THEN IN SEPTEMBER OF 2006, THE SECOND STREET PROJECT WOULD BE COMPLETE. WE WOULD STILL HAVE SOME OF THE RECONSTRUCTION OF COLORADO AND BRAZOS. SO THIS IS

ESSENTIALLY SEVERAL YEARS OF RECONSTRUCTION THAT WE HAVE LAID OUT HERE THAT'S ASSOCIATED WITH SECOND STREET. AND THE RECONSTRUCTION OF SEVERAL DOWNTOWN STREETS. THE DETAILS ON THE MAPS, I'LL -- I'LL GO INTO THAT OR HAVE STAFF TAKE YOU THROUGH IT -- ALSO SHOW THAT -- THE CHANGES FROM ONE WAY TO TWO WAY OR HOW WE PROJECT TO ACCOMMODATE TRAFFIC AS THE RECONSTRUCTION GOES FORWARD. SO THAT'S THE INTRODUCTION. IF I DIDN'T COVER YOUR QUESTION, I WILL BE GLAD TO TRY FURTHER, MAYOR.

Mayor Wynn: THANK YOU, MR. LIBRACH. ACTUALLY I HAVE SEVERAL THAT I'M SORT OF DEVELOPING. WE HAVE A COUPLE OF FOLKS WHO HAD -- WHO EARLIER WERE WAITING TO SPEAK ABOUT THIS PROJECT. PERHAPS IF THEY ARE HERE, WE WILL JUST BRIEFLY HEAR FROM THE CITIZENS REGARDING THIS PROJECT AND THEN OPEN IT UP TO A LITTLE MORE DETAIL. BY CHANCE IS -- IS GREG -- LOOKS LIKE BARNES, I'M SORRY TO MAKE YOU WAIT, GREG. WE HAVE BEEN TRYING -- YOU ARE WELCOME TO APPROACH EITHER PODIUM UP TO THREE MINUTES. YOU WILL BE FOLLOWED BY MONTHLILY ALEXANDER, IF -- BY MOLLY ALEXANDER.

I'M GREG BARNES, CHIEF ENGINEER AT 100 CONGRESS. AND SECOND STREET PROJECT IS OF GREAT INTEREST TO ME. I'M ALL FOR IT. BUT I'M A LITTLE BIT CONCERNED ABOUT THE DELAY IN GETTING UP TO THE CORNER OF -- OF SECOND STREET AND CONGRESS. WE'VE HAD A LONG HISTORY OF PROBLEMS WITH THE STORM DRAIN THERE AT THAT INTERSECTION AND CONTINUE TO HAVE THOSE PROBLEMS. WE'VE -- I'VE GOT A PICTURE HERE THAT I BROUGHT. THIS, YOU KNOW, IS VERY TYPICAL DURING A HEAVY RAIN PERIOD WHERE WE ARE ACTUALLY BACKED UP AND OVERFLOWING INTO THE TREE WELLS AROUND OUR BUILDING. AND IT'S CREATING A LOT OF DAMAGE TO -- TO UNION THE SUBSURFACE -- TO, YOU KNOW, THE SUBSURFACE UTILITIES, WASHING OUT UNDERNEATH THERE. WE ARE GETTING A LOT OF SUBSIDENCE IN OUR SIDEWALK. THAT WATER ALSO PERCOLATES DOWN NEAR OUR GARAGE AND DUE TO THE OLD COAL CAR GASIFICATION PLANT WE ARE REQUIRED TO FILTER IT THROUGH A SYSTEM. THIS OVERFLOW FROM THE STREET PERCOLATES DOWN, IT'S BEING PUMPED THROUGH OUR FILTRATION SYSTEM AND WE JUST CAN'T KEEP UP WITH

THAT AMOUNT OF WATER. SO WHAT HE WOULD LIKE TO ASK IS THAT THE CITY COUNCIL PLEASE CONSIDER EXPEDITING AT LEAST A REPAIR OF THAT -- OF THAT STORM DRAIN THERE AT THE CORNER OF 2nd AND CONGRESS. RECENTLY, THEY -- I THINK THEY TRIED TO DO A TEMPORARY REPAIR ON IT AND -- AND WHAT THEY RAN INTO, IT'S -- I GUESS IT WAS AN OLD BRICK TYPE OF -- OF CONVEYING SYSTEM FOR THE WATER. BUT THE CREW THAT CAME OUT TO REPAIR IT LAID IN A -- A PIECE OF CONCRETE, YOU KNOW, A PIPE, AND ACTUALLY WE FOUND THAT I THINK THAT'S A GAS LINE RUNNING PERPENDICULAR TO IT. SO I -- YOU KNOW,, IT'S -- IT'S KIND OF FUTILE. SO I AGAIN ASK YOU ALL TO TAKE THAT UNDER CONSIDERATION AND HELP US THERE AT SECOND AND CONGRESS BECAUSE THAT -- THAT WATER IS REALLY CAUSING A LOT OF DAMAGE IN THE BUILDING AND AROUND THE SIDEWALK AREA. IN ADDITION, I NOTICED UP THERE, ONE OTHER AREA OF CONCERN IS THE CORNER OF CONGRESS AND CESAR CHAVEZ. WE'VE GOT A HANDICAPPED RAMP THERE AND THE CROWN OF THE STREET IS JUST CONSIDERABLY HIGHER. WE ARE NOT ABLE TO DRAIN THAT WATER AWAY. SO -- SO I WOULD SURE APPRECIATE IT IF SOMEBODY WOULD CALL US DOWN THERE AT 100 CONGRESS AND LET US KNOW WHAT WE CAN DO.

Mayor Wynn: THANK YOU, MR. BARNES.

BE GLAD TO PROVIDE SOME INFORMATION ON THAT, MAYOR. WE'RE AWARE OF THIS PROBLEM. I DON'T THINK THAT I WAS AWARE OF THE SEVERITY OF IT, BUT IT'S CERTAINLY PART OF THE STORM WATER IMPROVEMENTS THAT WE'LL BE PROVIDING AS WE MOVE ALONG SECOND STREET AS WE ARE CHANGING THE STREET, WE WILL BE PUTTING IN NEW INLETS AND BIGGER INLETS. IN THIS CASE AT LEAST PART OF THE PROBLEM IS A -- AN INLET THAT'S TOO SMALL TO CAPTURE THE WATER. THERE MAY BE SOME ELEVATION ISSUES AS WELL THAT -- THAT I THINK WE WILL FIX AS WE MOVE ALONG HERE. IT'S NOT IN THE FIRST THREE BLOCKS, HOWEVER. IT WOULD BE IN THE NEXT CONTRACT. SO WE WOULD GET -- I THINK THE BEST THAT WE COULD DO IS TO GET TO IT IN A MARCH TIME FRAME, MARCH OF NEXT YEAR. BUT WE CERTAINLY ARE AWARE OF IT. THERE MAY BE SOME MORE OF A TEMPORARY FIX THAT WE CAN DO. WE HAVE TALKED ABOUT THAT AND WE'LL -- I WASN'T AWARE THAT WE

HAD ALREADY ONCE GONE OUT THERE. BUT WE CAN GO ON OUT THERE AGAIN, TAKE ANOTHER LOOK, SEE WHAT WE CAN DO. WE WERE HOPING TO GET CLOSER TO THE CONTRACT FOR THE FINAL FIX BEFORE WE TRIED SOMETHING ON A TEMPORARY BASIS, WE CERTAINLY WILL LOOK AT IT. WITH REGARD TO THE OTHER ELEVATION PROBLEMS ON CESAR CHAVEZ, I THINK WE'LL JUST NEED TO TAKE A LOOK AT IT AND GET BACK TO THIS ENGINEER AND THIS GENTLEMAN AND WITH -- WITH SOME IDEAS.

Mayor Wynn: THANK YOU, MR. LIBRACH. I DON'T BELIEVE -- I BELIEVE MOLLY ALEXANDER, EXCUSE ME, HAS LEFT. THOSE ARE OUR ONLY TWO CITIZENS SIGNED UP WISHING TO SPEAK ON THIS ITEM. MY QUESTION, MR. LIBRACH, MY UNDERSTANDING IS IN SPECIFIC TERMS, SPECIFIC ELEMENTS OF THE PROFILE OF THE STREETS SCAPE REALLY HAVE BEEN VOTED WITH ANY NUMBER OF -- VETTED WITH ANY NUMBER OF STAKEHOLDER FOR A LONG TIME, ACTUALLY A COUPLE OR THREE YEARS, THIS PROJECT HAS BEEN CONTEMPLATED, INsofar AS THE FACT THAT IT WILL BE TWO LANES, NOT THREE OR FOUR, THE FACT THAT IT WILL BE TWO-WAY LONG TERM. THE FACT THAT WE HAVE AN OFF CENTER CROWN. WE WOULD HAVE MORE SIDEWALK SPACE ON ONE SIDE VERSUS THE OTHER. I THINK THAT'S BEEN FULLY VETTED, I THINK IT'S A SOUND PLAN, I LOOK FORWARD TO SEEING IT BUILT. MY REAL CONCERN WASN'T WITH THE DESIGN OR THIS CONTRACT SPECIFICALLY. IT'S TWOFOLD. IT'S, YOU KNOW, OUR INTERIM TRAFFIC PLAN OF HOW WE HELP THOSE FOLKS GET AROUND THE IMMEDIATE SORT OF SIX BLOCK AREA WHERE WE HAVE BEEN SO MUCH WORK NOW FOR YEARS AND REALLY HAVE A FEW MORE YEARS TO GO AND THEN THE LONG-TERM SITUATION. IF I REMEMBER CORRECTLY, IT'S BEEN I THINK A COUPLE OF YEARS, BUT WHEN WE HAD THE LARGER DOWNTOWN MOBILITY PLAN DISCUSSION, WHERE WE HAD 10 OR 15 DIFFERENT ELEMENTS OF PIECES OF TRANSPORTATION DOWNTOWN, AND A LOT OF PUBLIC DISCUSSION ABOUT THOSE, YOU KNOW, A LOT OF DISCUSSION WAS ABOUT THE CONCEPT OF ONE WAY VERSUS TWO WAY STREETS IN AND THROUGHOUT OUR URBAN CORE. BUT ALSO SOME VERY CONTENTIOUS INDIVIDUAL PIECES THAT WERE DISCUSSED. BUT IF I REMEMBER CORRECTLY, THE VAST MAJORITY, IF

NOT THE -- IF NOT A COMPLETE SCUBSCONSENSUS OF THE MAJOR STAKEHOLDER, THAT INCLUDED THE DOWNTOWN AUSTIN ALLIANCE, THE DOWNTOWN NEIGHBORHOOD ASSOCIATION, THE CHAMBER OF COMMERCE, RECA, SOME INDIVIDUAL PROPERTY OWNERS, WAREHOUSE DISTRICT ASSOCIATION, THAT -- THAT LONG-TERM EVERYBODY RECOGNIZED OR SEEMED TO HAVE TROUBLE WITH WHAT WE GENERALLY REFER TO AS THE SECOND AND NOW THIRD STREET SHUFFLE. THAT IS THE WESTBOUND TRAFFIC ON CESAR CHAVEZ. YOU KNOW, RECOGNIZING THAT CESAR CHAVEZ IS -- I SHOULD KNOW THIS, MAYBE FIVE MILES LONG FROM MOPAC TO ED BLUESTEIN. YOU KNOW, 4.75 MILES OF THAT ROADWAY IS TWO-WAY, THEN WE HAVE THE, YOU KNOW, FIVE OR SIX BLOCK SEGMENT DOWNTOWN, SAN ANTONIO TO BRAZOS, THAT IS ONE WAY THAT CREATES THIS NEED FOR A SECOND OR THIRD STREET SHUFFLE. SEEMS THAT I REMEMBER THAT -- THAT ALL OF THE STAKEHOLDERS, CERTAINLY THE VAST MAJORITY OF THEM, ALL AGREED THAT LONG-TERM, CESAR CHAVEZ SHOULD BE TWO WAY. WE SHOULD JUST FIGURE OUT HOW TO HAVE TWO-WAY TRAFFIC IN THAT RIGHT-OF-WAY PROFILE THAT WE HAVE ON THE VAST MAJORITY OF THE REST OF THE STREET, EAST AND WEST. SO IT SEEMED TO ME IF THAT'S THE CASE, IF LONG-TERM, SEEMINGLY THERE'S A CONSENSUS THAT THAT SHOULD BE THE GOAL, I HAVE ALWAYS THOUGHT THAT -- YOU KNOW, IT'S ALWAYS GOING TO BE DIFFICULT TO MAKE THAT CHANGE. BUT IT'S NOT -- NOT GOING TO BE ANY EASIER AS WE START TO POPULATE, PARTICULARLY THIS IMMEDIATE PART OF THE DOWNTOWN CORE THAT WOULD BE MOST AFFECTED BY A CHANGE FROM THIS ONE-WAY SEGMENT TO THE TWO-WAY. YOU KNOW, THAT IS CITY HALL ISN'T OCCUPIED WITH 300 PEOPLE YET. THE AMLI PROJECT HAS JUST NOW BEGUN OCCUPANCY, BUT ONLY ONE OF THEIR TWO, PERHAPS THREE MAJOR PROJECTS THERE. THE CSC BUILDINGS, I BELIEVE, ARE STILL ONLY APPROXIMATELY 50% OCCUPIED. SO HOPEFULLY OVER TIME THAT OCCUPANCY COMES BACK AND I -- I WOULD ENVISION THAT WITHIN SAY FIVE YEARS THERE MAY BE SEVERAL THOUSAND MORE PEOPLE, MORE COMMUTERS, ON THESE VERY, YOU KNOW, SIX OR EIGHT BLOCKS THAT -- THAT WOULD HAVE -- WOULD HAVE -- WOULD BE IMPACTED POSITIVELY OR NEGATIVELY BY A CONVERSION ON CESAR

CHAVEZ. SO IT SEEMS TO ME AS WE -- APPROPRIATELY WE ARE ADDRESSING SECOND STREET NOW WITH THIS MAJOR RECONSTRUCTION PROJECT AND WE ARE GOING TO HAVE TO GO THROUGH SEVERAL -- SOMEWHAT INTERIM TRAFFIC FLOW PATTERNS FOR THIS WHOLE AREA. I THINK WHAT I HAVE HEARD IS THEY WILL BE -- OF COURSE THERE'S ONE PATTERN FLOW CURRENTLY. THERE'S ONE THAT I GUESS CHANGES AS SOON AS WE BREAK GROUND ON THIS CONSTRUCTION PROJECT. THEN THAT ONE CHANGES AS WE HAVE A DIFFERENT SEGMENT OF THE CONSTRUCTION PROJECT IN MARTHA ULTIMATELY WE ARE GOING TO HAVE EVEN A DIFFERENT TRAFFIC FLOW SOLUTION AFTER A -- AFTER SECOND STREET IS COMPLETELY RECONSTRUCTED. SO I THINK IT BEGS THE QUESTION OF, AS OPPOSED TO GOING THROUGH THESE FOUR OR FIVE DIFFERENT TRAFFIC FLOW DIAGRAMS OVER THIS, YOU KNOW, SIX OR EIGHT BLOCK AREA OVER THE NEXT TWO YEARS, DOES IT MAKE SENSE TO ATTEMPT TO TRY TO ENGINEER AND EVEN IF IT'S ON THE SAME SORT OF TEMPORARY BARRICADED FORMAT, YOU KNOW, THE IDEA OF TRYING TO ACHIEVE WHAT SEEMS TO BE THE CONSENSUS OF ULTIMATELY CONVERTING CESAR CHAVEZ TO TWO WAY TO FRANKLY ELIMINATE THE NEED FOR THAT SORT OF DRAMATIC YOU KNOW WESTBOUND SHUFFLE. THAT WAS A LONG QUESTION, WASN'T IT?

I HAVE HEARD IT BEFORE. >>

Mayor Wynn: WELL, I GUESS WHAT I WOULD LIKE TO DO IF WE COULD, RELATIVELY QUICKLY WALK THROUGH, WHAT'S THE TRAFFIC -- I CAN'T QUITE SEE THE DIAGRAM FROM HERE. I'LL CHECK MY SCREEN HERE IN A SECOND. BUT WHAT WILL BE THESE DIFFERENT STEPS, INTERIM TRAFFIC FLOW PATTERNS? THAT IS WHAT'S ON THE GROUND TODAY, WHAT HAPPENS ONCE WE BREAK GROUND ON THIS THREE BLOCK PROJECT, WHAT WILL PROMOTE TRAFFIC FLOW IN MARCH WHEN WE FINISH OR I GUESS NOVEMBER WHEN WE FINISH THIS ONE, THEN MARCH WHEN WE START THE NEXT ONE AND THEN WHAT'S THE WHAT I CALL THE MID-TERM SOLUTION I THINK, IF I REMEMBER CORRECTLY, THE LONG-TERM CONSENSUS WAS TO HAVE CESAR CHAVEZ TWO-WAY IN THIS SEGMENT OF DOWNTOWN. SO HELP ME THINK THROUGH, DOES IT MAKE SENSE TO MAKE US ALL GO

THROUGH, INCLUDING OUR STAFF, OUR COMMUTERS, GO THROUGH SORT OF THE PAIN AND CONFUSION OF HAVING SEVERAL DIFFERENT TRAFFIC FLOW PATTERNS, ALL IN A -- STILL IN A MAJOR CONSTRUCTION MODE ULTIMATELY -- THEN STILL NOT GETTING TO THE -- WHAT SEEMS TO BE THE ULTIMATE SOLUTION FOR SO MANY STAKEHOLDERS. SHOULD WE ATTEMPT TO DO THAT AS PART OF THIS SERIES OF CONSTRUCTION PHASES.

MAYOR, THANK YOU. THE CHANGES THAT WE ARE RECOMMENDING, ANY SERIES OF CHARTS, MAPS, BY AND LARGE ARE CHANGES TO SECOND STREET. AS CONSTRUCTION ON SECOND STREET OCCURS. WHEN THERE'S ANY RECONSTRUCTION, OF COURSE, YOU ARE LIMITING ANY NUMBER OF LANES, SO THE NORTH-SOUTH RECONSTRUCTION WOULD LIMIT SOME LANES AS WELL. BUT THE TRAFFIC PATTERN WOULDN'T CHANGE. THE APPARENTLY CHANGE JUST ON SECOND STREET. WE ARE STARTING OFF RIGHT FROM THE BEGINNING HERE WITH A THIRD STREET SHUFFLE. MOVING THE TRAFFIC TO THIRD AND -- AND LEAVING IT ON CESAR CHAVEZ AS IT IS NOW. EXCEPT THAT BY NOVEMBER, THE -- THE CITY HALL WILL BE COMPLETED AND THE LANES -- THERE ARE I THINK TWO LANES THAT ARE BLOCKED CURRENTLY ON CESAR CHAVEZ, FROM THE -- FROM THE WEST TO THE EAST. SO TWO MORE LANES WOULD OPEN UP ON CESAR CHAVEZ ALLOWING THAT FLOW AS IT USED TO BE. SEVERAL YEARS AGO, BEFORE CITY HALL CONSTRUCTION.

I'M SORRY TO INTERRUPT, BUT TWO LANE THAT'S CURRENTLY AREN'T BEING USED WILL BE REOPENED FOR TWO ADDITIONAL SOUTHEAST BOUND LANES ON -- EASTBOUND LANES ON CESAR CHAVEZ. MY QUESTION IS WE HAVEN'T BEEN USING THOSE LANES FOR A LONG TIME. IF THE LONG-TERM GOAL, I GUESS MAYBE WE NEED TO HAVE THIS DEBATE AGAIN. A LONG-TERM GOAL, IF IT IS TO HAVE CESAR CHAVEZ TWO-WAY RIGHT THERE, MY QUESTION IS AS WE REOPEN THOSE TWO LANES THAT HAVEN'T BEEN USED FOR A LONG TIME NOW, IS THIS THE OPPORTUNITY TO OPEN THEM UP, EVEN IN SOME TYPE OF BARRICADED CONSTRUCTION FORMAT WHICH THIS WHOLE AREA IS GOING TO BE UNDER FOR A COUPLE OF YEARS TO COME, IS THIS THE OPPORTUNITY TO PERHAPS OPEN THEM UP

WESTBOUND?

WELL --

Mayor Wynn: IT'S MORE THAN JUST THAT BLOCK OBVIOUSLY. I KNOW THE DOMINO EFFECT AND THE -- HOW COMPLICATED THAT WOULD BE. IT JUST BEGS THE QUESTION THAT -- I THINK THAT WE SHOULD HAVE THIS --

YEAH.

-- SPECIALLY NOW.

COUNCILMEMBER, FIRST THE CHANGES TO THE TRAFFIC FLOW THAT WE ARE TALKING ABOUT OVER THESE TWO-YEAR PERIODS IS AS I DESCRIBED WITH SECOND STREET BEING THE MAJOR CHANGE AND THEN THIS ADDITION. THIS CREATES A -- A DILEMMA FOR THE STAFF, A MAJOR DILEMMA FOR THE STAFF. WE HAVE ASKED OURSELVES OVER AND OVER AGAIN THE SAME QUESTION THAT YOU ARE POSING. BECAUSE WE DID HAVE A STUDY DONE FOR US, FOR THIS SAME DEPARTMENT THAT'S PROPOSING WHAT YOU SEE BEFORE YOU, THE GREAT STREETS PLAN. THE GREAT STREETS PLAN RECOMMENDED THAT WE TURN CESAR CHAVEZ INTO A -- INTO AN ESPLANADE, TREE-LINED STREET, TWO WAY, TREE-LINED. WITH -- ALONG WITH ALL OF THE OTHER RECOMMENDATIONS, INCLUDING SECOND STREET OR GREAT STREETS, WE ARE VERY INTERESTED IN TRYING TO -- TO SEE THAT ULTIMATELY THAT THAT HAPPENS. THE OTHER SIDE OF THAT COIN, THE OTHER SIDE OF THAT PROBLEM IS THAT -- IS THAT THE REASON FOR THE SHUFFLE THE REASON THAT WE ARE RECOMMENDING AT THIS TIME THAT WE CONTINUE AS WE HAVE SHOWN IT IN THESE CHARTS, AT LEAST UNTIL 2006, IS -- IS THAT WE HAVE -- WE HAVE A FAIRLY UNUSUAL SITUATION IN DOWNTOWN AUSTIN. THAT -- IN THAT WE ARE -- A WE ARE A RIVER CITY, SO THERE'S ONLY TWO OR THREE CROSSINGS FROM THE SOUTH, THEY ENTER ON TO CESAR CHAVEZ, WE HAVE VERY LIMITED ACCESS FROM EAST AND THE WEST, BASICALLY CESAR CHAVEZ, FIFTH, SIXTH, AND THEN A COUPLE OF STREETS THAT ENTER GOES ALSO CESAR CHAVEZ FROM -- ALSO CESAR CHAVEZ FROM THE EAST OFF OF I-35. SO THAT IT IS -- IT IS IN A SENSE LAND LOCKED OR WATER LOCKED IN

THAT THERE AREN'T THAT MANY WAYS IN WHICH YOU CAN GET TRAFFIC IN AND OUT. SO ... WHAT WE HAVE FOUND FROM OUR OTHER CONSULTANTS AND OUR OWN ANALYSIS, IF YOU WERE TO MAKE CESAR CHAVEZ TWO-WAY, THAT YOU WOULD INCREASE THE CONGESTION. YOU WOULD MAKE IT FAR WORSE. THAT -- THAT WE WOULD HAVE TO INSTALL TRAFFIC LIGHTS AT -- AT PLACES WHERE YOU WERE TO MAKE THIS -- WERE YOU TO MAKE THIS TWO-WAY, WHICH WOULD SLOW DOWN THE TRAFFIC DURING RUSH HOUR. IF YOU THINK OF THE THIRD STREET MOVING TO SAN ANTONIO AND THEN MOVING TO CESAR CHAVEZ, THAT IS A -- THAT IS A RELATIVELY FREE MOVEMENT IN THE AFTERNOON RUSH HOUR. WE WOULD HAVE TO INSTALL A TRAFFIC LIGHT AT CESAR CHAVEZ IN SAN ANTONIO SO THAT LEFT TURN MOVEMENTS AND THE MOVEMENT COMING WESTWARD ON CESAR CHAVEZ WOULD HAVE AN OPPORTUNITY TO ENTER THAT FLOW. AND YOU WOULD PROBABLY HAVE TO -- TO INSTALL SEVERAL OTHER TRAFFIC LIGHTS TO MAKE THE TWO-WAY SYSTEM WORK. WE DON'T THINK AT THIS -- EACH OF THOSE CHANGES WOULD SLOW DOWN THE RUSH HOUR TRAFFIC. WOULD BACK IT UP. THAT IS WHAT -- WHAT CREATES FOR THE MOST PART THE TRAFFIC CONGESTION THAT WE TALKED ABOUT, SYNCHRONIZATION A MONTH OR TWO AGO. BEYOND THAT IT'S SIMPLY HAVING THE INTERSECTIONS WITH LIGHTS. THAT -- AND ALLOWING CROSS-FLOW, WHICH IS RUFL EQUAL FROM EACH DIRECTION TO HAVE ITS OPPORTUNITY TO MOVE. SO WE -- SO WE SERIOUSLY HAVE LOOKED AT THIS AND SO FAR HAVE CONCLUDED THAT -- THAT -- THAT THIS WOULD MAKE THE SITUATION WORSE. BUT WE ARE RECOMMENDING -- WHAT WE ARE RECOMMENDING HERE WITH REGARD TO YOUR QUESTION IS THAT WE GET THROUGH THIS CONSTRUCTION, THESE CHANGES, AND SEE WHERE WE ARE. ANALYZE IT THEN AS OPPOSED TO THE OTHER OPTION, WHICH IS TO -- AS YOU CHARACTERIZED IT, TAKE ON THE PAIN NOW AND MAKE THAT CHANGE. WE ARE NOT SURE AND ARE NOT CONVINCED THAT THAT'S A GOOD THING FOR THE CITY AT THIS TIME. ARE YOU ALSO IN AGREEMENT, ARE YOU IN AGREEMENT WITH ALL OF THE STAKEHOLDERS WHO BELIEVE THAT CESAR CHAVEZ SHOULD BE TWO WAY, SHOULD BE TWO WAYS FOR ALL 100% OF THIS LENGTH NOT

THE 98% OF THIS LENGTH THAT IT IS NOW.

CERTAINLY LONG-TERM, THAT'S THE IDEAL ARRANGEMENT. WE EMBRACE IF THAT'S THE WORD THE GREAT STREETS PLAN, WE THINK THAT'S WHERE WE OUGHT TO GO, WHAT WE OUGHT TO STRIVE FOR. WE ARE NOT QUITE SURE HOW TO GET IT ALL IN. GET THAT TRAFFIC INTO THE SYSTEM THAT'S THERE. PLUS THE ADDITION OF LANCE ARMSTRONG, THE ADDITION OF COMMUTER RAIL, OTHER THINGS THAT WANT TO COME THROUGH DOWNTOWN AUSTIN. SO WE -- WE -- I HOPE THAT'S NOT A COP OUT, BUT OUR RECOMMENDATION IS TO GO SLOWLY, TRY SOME OF THESE THINGS THAT WE ALREADY HAVE PLANNED, SEE WHERE WE ARE, SEE WHAT HAPPENS, AND MOVE ON FROM THERE.

SEEMS TO ME THAT AFTER -- [INDISCERNIBLE] A COUPLE OF THOUSAND BODIES ON IT, WHICH IS, YOU KNOW, JUST BE A MODERATE DOWNTOWN DENSITY FOR A FULL CITY BLOCK, AFTER -- AFTER BLOCK 22 HAS THOUSANDS OF PEOPLE ON IT IN DAYTIME USERS, CITY HALL HAS THE 300 PEOPLE MOVING IN, CSC FILLS UP, I THINK IT'S GOING TO BE PAR FAR MORE DIFFICULT IN THE FUTURE TO ACHIEVE THIS UNANIMOUS CONSENSUS FOR THE TRAFFIC FLOW ON CESAR CHAVEZ, AFTER -- AFTER ALL -- ALL OF THIS DRAMATIC REDEVELOPMENT OF THIS PART OF DOWNTOWN OCCURS THAN -- THAN NOW WHILE IT'S -- WHILE IT'S VIRTUALLY EMPTY AND UNDER CONSTRUCTION. THAT'S MORE OF A STATEMENT. THIS -- AGAIN, I'M -- I'M IN SUPPORT OF THIS -- OF THIS ITEM WHICH IS THE CONSTRUCTION CONTRACT AND THE RECONSTRUCTION OF SECOND STREET PER THE DESIGN. I JUST -- I JUST HAVE -- I JUST THINK IT BEGS THE QUESTION TO HAVE THE ANALYSIS OF CESAR CHAVEZ NOW BEFORE WE GET TOO FAR DOWN THE ROAD OF REDEVELOPING THIS WHOLE PART OF TOWN. I DON'T WANT TO TAKE UP TOO MUCH TIME OF THIS, BECAUSE AGAIN I'M SUPPORTIVE OF THIS ITEM. PERHAPS COUNCIL -- INDIVIDUAL DISCUSSIONS AND MORE ANALYSIS --

WORKSHOP OR A WORK SESSION ON THIS?

Mayor Wynn: WE WOULD CONSIDER ENTERTAINING SOME TYPE OF DIRECTION TO THE CITY MANAGER OVER SOME PERIOD OF TIME AS WE TRY TO ADDRESS WHAT I THINK, IF I

REMEMBER CORRECTLY, MR. LIBRACH, WAS THIS UNANIMOUS CONSENSUS ON THE FUTURE OF CESAR CHAVEZ.

I DON'T REMEMBER WHETHER IT WAS UNANIMOUS, I KNOW THERE WAS OPPOSITION TO TWO WAY STREETS IN GENERAL FROM A VARIETY OF SOURCES --

Mayor Wynn: YOU HAD A SEPARATE LINE ITEM FOR THESE SIX BLOCKS OF CESAR CHAVEZ, YOU HAVE SMILEY FACES AND FROWNY FACES BASED ON THE ITEMS. MANY, MANY PEOPLE WERE OPPOSED TO THE CONCEPT OF TWO WAY STREETS ON COLORADO, BRAZOS, 7th, SEVERAL OF THE -- OF THE STREETS THAT HAVE BEEN IDENTIFIED, BUT WHEN WE CARVE OUT JUST CESAR CHAVEZ, I BELIEVE THAT EVERY SINGLE STAKEHOLDER GROUP WAS IN SUPPORT -- WAS SPURTIVE OF HAVING CESAR CHAVEZ -- SUPPORTIVE OF HAVING CESAR CHAVEZ TWO WAY FROM ED BLUESTEIN TO MOPAC.

Futrell: WE ARE GOING TO GO BACK AND COUNT THE SMILEY FACES. I THINK THAT YOU ARE FRAMING A QUESTION THAT WE HAVE A TIMING ISSUE OF HOW WE WANT TO APPROACH THIS. I THINK IT'S WORTHY OF A DEBATE AND DISCUSSION, OBVIOUSLY WE NEED TO BEGIN TO FIND A FORUM TO FRAME THIS BEFORE WE ARE TOO FAR DOWN THE ROAD TO MAKE A TIMING DECISION ON IT. SO LET ME WORK ON HOW WE COULD DO THAT. WHAT FORUM WE COULD DO THAT. AND -- AND MAKE SURE THAT WE HAVE THIS KIND OF A DIALOGUE.

Mayor Wynn: AGAIN BECAUSE NOT ONLY IS IT THE TWO THAT -
- THE NORTHERN HALF OF THE RIGHT-OF-WAY ESSENTIALLY RIGHT IN FRONT OF CITY HALL, THAT -- TAKE CURRENTLY AREN'T BEING USED BECAUSE OF THE MAKEUP AND DESIGN OF THE WHOLE TRAFFIC FLOW, THE NORTHERN HALF OF THE RIGHT-OF-WAY IN FRONT OF THE WESTERN CSC BLOCK ALSO ISN'T BEING USED. BECAUSE WE HAVE CESAR CHAVEZ CONVERTING TO ONE WAY AT SAN ANTONIO STREET, WHAT YOU HAVE IS -- ON THE SCARCITY -- THE SCARCE RESOURCE THAT WE HAVE IN OUR DOWNTOWN ARE LANE MILES. I THINK PROBABLY WHAT, YOU KNOW, 15 MILES OF STREETS IN DOWNTOWN, KIND OF FOUR LANES, IT'S ABOUT 60 LANE MILES OF ASPHALT NEAR DOWNTOWN. WE HAVE TO MOVE

TENSE AND TENS OF THOUSANDS OF CARS A DAY -- TENS AND TENS OF THOUSANDS OF CARS A DAY. HERE IN CESAR CHAVEZ, CLEARLY OUR MOST IMPORTANT CORRIDOR DOWNTOWN, RIVER CITY, THE FACT THAT IT SERVES AS A CONNECTION LIKE IT OR NOT FROM MOPAC TO AND THREW I-35 ALL THE WAY TO ED BLUESTEIN, HERE'S OUR MOST IMPORTANT ABSOLUTELY MOST IMPORTANT CORRIDOR IN AMONGST OUR DOWNTOWN, AND HALF OF THE RIGHT-OF-WAY, HALF OF THAT PRECIOUS RESOURCE AND THE NORTHERN TWO LANES ESSENTIALLY IN FRONT OF BOTH THE WESTERN CSC BUILDINGS AND PARTLY BECAUSE OF CONSTRUCTION THE NORTHERN TWO LANES OF THE RIGHT-OF-WAY IN FRONT OF OUR CITY HALL AREN'T BEING USED TODAY BY ANYBODY IN ANY DIRECTION ANY TIME OF DAY. MY QUESTION IS AS WE START TO OPEN BACK UP, AT LEAST THE TWO LANES IN FRONT OF CITY HALL, WHY NOT ALSO TRY TO USE THAT UNUSED RESOURCE, THAT BEING THE NORTHERN HALF OF THE RIGHT-OF-WAY, IN FRONT OF THE WESTERN CSC BLOCK AND SEE IF THAT -- IF THAT HAS A POSITIVE IMPACT ON THE TRAFFIC FLOW IN -- IN OUR DOWNTOWN HERE ON THIS CRITICAL CORRIDOR. OBVIOUSLY WE HAVE TO THEN GO THROUGH A LOT OF GUY GYRATIONS TO MAKE THIS WORK EAST OF GUADALUPE TO BRAZOS STREET FOR THE THREE REMAINING LOTS OF ONE WAY ARE, BUT I'M JUST HESITANT TO SEE US -- TO SEE US, YOU KNOW, MISS OPPORTUNITY FRANKLY OF WHILE THIS PART OF DOWNTOWN IS DRAMATICALLY UNDERPOPULATED AND WHILE WE ARE STARTING TO PLAN SOME SIGNIFICANT APPROPRIATE INFRASTRUCTURE WEST OF TOWN THERE, WE DON'T TAKE THE OPPORTUNITY TO FIGURE OUT HOW WE HAD BETTER UTILIZE THAT VERY SCARCE RESOURCE OF LANE MILES IN OUR DOWNTOWN. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

Mayor Wynn: WHICH IS SIMPLE LLANO RIVER PHASE ONE OF THIS RECONSTRUCTION PROJECT FOR SECOND STREET. MOTION MADE BY THE MAYOR PRO TEM. I'LL SECOND THAT TO APPROVE ITEM NUMBER 11. FURTHER COMMENT, MAYOR PRO TEM?

YOU DON'T KNOW HOW IT HURTS ME TO SAY LET'S START TEARING UP ANOTHER STREET. I'LL BE WATCHING. AND

SEND ALL CALLS TO YOU.

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

AYE.

Mayor Wynn: OPPOSED? THANK YOU. MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU, MR. LIBRACH. WHILE YOU'RE UP THERE -- REMIND ME, COUNCILMEMBER SLUSHER HAD PULLED AN ITEM RELATED TO AN HOV THING.

Slusher: THAT'S CORRECT. MR. LIBRACH, WHAT HAPPENED TO YOUR MAP YOU HAD UP THERE EARLIER? I'VE GOT TO UTILIZE THAT.

NOT FOR THIS ONE, COUNCILMEMBER, I DON'T BELIEVE.

Slusher: I THOUGHT THAT'S WHY YOU PUT IT UP THERE, BUT I GUESS THAT WAS A MISTAKE. GO AHEAD. WELL, TELL US A LITTLE BIT -- GIVE US A SHORT SUMMARY OF WHAT THIS ITEM IS.

THIS IS AN ITEM TO ACCEPT A GRANT FROM -- THROUGH CAMPO OF STPMM, THAT'S FEDERAL DOLLARS, WITH A MATCH, TO TAKE A LOOK AT ANALYZING HOW WE COULD POSSIBLY BRING HOV TRAFFIC, THAT'S HIGH OCCUPANCY VEHICLE TRAFFIC, FROM MOPAC, PARTICULARLY MOPAC SOUTH AS IT CROSSES TOWN LAKE EITHER AT THIRD OR CESAR CHAVEZ OR FIFTH OR SIXTH. JUST HOW WOULD YOU BRING IT INTO TOWN? IS IT FEASIBLE? WOULD IT WORK. WHAT WOULD YOU HAVE TO DO TO GET THAT HOV TRAFFIC INTO TOWN. TXDOT AND THE REGIONAL MOBILITY AUTHORITY AND CAMPO ARE ALL INTERESTED IN PROVIDING MANAGED LANES OR REVERSIBLE LANES OR HOV LANES ON MOPAC. WE ARE WANTING TO LOOK AT THIS TO SEE IF IT'S FEASIBLE TO GET IT INTO TOWN. SO WE'RE NOT SAYING BY DOING THIS STUDY THAT WE KNOW THAT IT WILL WORK OR THAT YOU CAN ACHIEVE AN ACCEPTABLE WAY TO THE COMMUNITY AND THE NEIGHBORHOODS TO BRING THAT TRAFFIC INTO TOWN IN A WAY THAT WOULD JUSTIFY ANY CHANGES TO THE ROAD SYSTEM TO ACCOMMODATE IT. SO THAT'S WHAT THIS IS ABOUT. IT'S TO TAKE A LOOK AT THAT

AND WE WOULD DO IT AS PART OF A LARGER MANAGED AND REVERSIBLE LANE STUDY THAT COUNCIL APPROVED IN JANUARY. IF THIS IS APPROVED, WE WOULD THEN PUT THIS INTO THIS STUDY AND SEND OUT THE RFQ IN THE NEXT FEW WEEKS.

Slusher: AND YOU SAID THAT FUNDING -- THIS IS GRANT FUNDING?

YEAH. I THINK EITHER ITEM 35 OR 36 IS THE -- IS THE RESOLUTION TO NEGOTIATE -- ITEM 35 IS THE ADVANCED FUNDING AGREEMENT WITH TXDOT FOR THESE FUNDS.

Slusher: 160,000-DOLLAR GRANT, CORRECT?

THE PROJECT IS 151. I THINK THE GRANT IS ABOUT 120. AND THEN I BELIEVE, IF I'M NOT MISTAKEN, THE MATCH IS ANOTHER 30 OR 40.

Slusher: THE BACKUP SAYS IT'S A 160,000-DOLLAR GRANT FROM TXDOT. SO IS THIS POSSIBLY -- LET'S LOOK AT THE PROPOSALS WE HAD A NUMBER OF YEARS AGO ABOUT IT HAD TAKEN FIFTH OR SIXTH UNDER LAMAR OR HAVING LAMAR COME UNDER THEM?

YES. IT IS ONE OF THE KINDS OF THINGS THAT WE WOULD WANT TO LOOK AT IS THE FEASIBILITY OF DOING THAT, TO GET THE TRAFFIC FROM MOPAC ACROSS LAMAR.

Slusher: OKAY. THIS IS ONE WHERE I WAS A LITTLE BIT LIKE THE MAYOR IS ON THE TWO-WAY CESAR CHAVEZ.

Futrell: I COULD SEE IT IT COMING, COUNCILMEMBER. I REALLY COULD.

Slusher: BUT I REMEMBER THIS IS IN 1996 OR '97, AND THOSE TWO PLANS HAD ALREADY BEEN PRESENTED TO THE COUNCIL, AND THEY'VE JUST BEEN SITTING THERE. SO I THOUGHT LET'S TRY TO BREAK THROUGH THIS AND PUT IT ON THE AGENDA AND INSTRUCT STAFF TO TAKE THEM OUT TO ALL THE STAKEHOLDERS INVOLVED, THE NEIGHBORHOOD PEOPLE AND ANY DRIVERS THAT WANTED TO COMMENT ON IT AND CAME BACK WITH THE RESULTS A

FEW MONTHS LATER, AND EVERYBODY HATED BOTH OF THEM. THAT WAS THE RESULT OF IT. SO I'M A LITTLE CONCERNED THAT WE'RE JUST GOING TO DO THE SAME THING HERE. BECAUSE I THINK -- I WANTED TO DO SOMETHING ALONG THESE LINES OR DO THIS BECAUSE I THINK THIS ABSOLUTELY NEEDS TO HAPPEN SOONER RATHER THAN LATER. WE NEED TO HAVE THE FUNDS TO DO IT. BUT THE MORE THAT'S GOING IN THERE ON LAMAR, I THINK THE STUFF IS GOING TO NEED TO HAPPEN. I DON'T LOOK AROUND THE COUNTRY LIKE I'M GOING TO SURE IT MAKES PEOPLE MAD RIGHT NOW JUST WHILE I'M EVEN MENTIONING THIS, BUT, FOR INSTANCE, IN WASHINGTON, D.C., DUPONT CIRCLE, THAT'S WHERE CONNECTICUT AVENUE GOES UNDERGROUND. THERE'S A PARK ON TOP OF IT. THERE'S ONE OF THE MOST VIBRANT SECTIONS OF WASHINGTON, D.C. RIGHT THERE ON TOP OF IT. I COULD SEE SOMETHING LIKE THAT HAPPENING HERE AT SIXTH AND LAMAR. AND ALSO, WE'RE JUST GOING TO HAVE TO GET THAT TRAFFIC OVER THERE FROM MOPAC INTO DOWNTOWN. IT DOESN'T MAKE ANY SENSE TO DO AN HOV LANE IF THEY'RE GOING TO GET BACKED UP THERE. I'M NOT NECESSARILY SAYING ALL THAT FOR YOU, JUST FOR FOLKS' BENEFIT BECAUSE I REALLY THINK THAT THIS IS SOMETHING THAT REALLY NEEDS TO HAPPEN, AND I'M HOPING THAT THIS IS NOT JUST GOING TO BE A STUDY GRANT FUNDED OR NOT WHERE WE SPEND \$151,000 AND THEN MOST EVERYBODY HATES THE RESULTS AND SO WE DON'T DO ANYTHING. I GUESS I'D BE SAYING THAT TO THE REST OF THE COUNCIL AND ANYONE IN THE COMMUNITY WHO MIGHT BE LISTENING.

WELL, WE WOULD HOPE THAT WE WOULD BE LOOKING AT OTHER ALTERNATIVES AS WELL AS THOSE. AS I MENTIONED, POSSIBLY BRINGING THAT TRAFFIC IN ON CESAR CHAVEZ OR MAYBE A PIECE OF THIRD STREET POTENTIALLY OR PERHAPS ON SEVERAL DIFFERENT ROADS RATHER THAN TRYING IT BRING IT IN ON ONE. AND IT MAY TURN OUT THAT IT'S NOT TECHNICALLY FEASIBLE. APART FROM THE NEIGHBORHOOD OPPOSITION OR FEELINGS ABOUT IT, IT MAY TURN OUT NOT TO BE TECHNICALLY FEASIBLE. SO WE DON'T REALLY KNOW. THE LITTLE STUDY THAT WAS DONE BACK IN '96 AN '97 WAS VERY CONCEPTUAL. DIDN'T REALLY LOOK AT THIS, HOW YOU WOULD DO IT AND HOW IT WOULD

WORK. OBVIOUSLY FIFTH AND SIXTH AND LAMAR ARE CRITICAL AS WE KNOW JUST FROM THE REPAVING KIND OF PROBLEMS THAT RESULTED FROM THAT OVER THE LAST COUPLE OF MONTHS. SO THERE'S NO DOUBT THAT IT WOULD CAUSE DISRUPTION.

Slusher: I DO WANT TO GET THE REPAVING DONE BEFORE WE START. ANYTHING ELSE -- OPEN IT UP FOR A LITTLE WHILE. BUT I'M GLAD TO HEAR YOU'RE GOING TO LOOK AT OTHER OPTIONS. I THINK THAT THE CESAR CHAVEZ, SOMETHING ALONG THOSE LINES WENT TO THE VOTERS BACK IN 1985 AND WAS REJECTED BY A TWO TO ONE MARGIN. SO LET'S TRY TO AVOID DOING THE SAME -- BRINGING THE SAME THING FORWARD. IT WOULD PROBABLY HAVE A SIMILAR RESULT. BUT THERE IS SOME LAND IN BETWEEN FIFTH AND CESAR CHAVEZ, SO MAYBE THERE IS A POSSIBILITY IN THERE. SO I WOULD BE WILLING TO LOOK AT ALL THOSE, BUT I REALLY DO THINK WE'RE GOING TO HAVE TO DO SOMETHING ABOUT THAT INTERSECTION.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: IN FACT, I USED TO LIVE A COUPLE OF BLOCKS FROM DUPONT CIRCLE. THAT'S THE METRO STOP IN WASHINGTON, D.C. AND WHAT COUNCILMEMBER SLUSHER HAS DISCUSSED IS TWO THINGS. IT MADE THE TRAFFIC WORK A WHOLE LOT BETTER, AND IT ALSO DRAMATICALLY IMPROVED THE QUALITY OF LIFE AND IMPROVED REALLY THE TAX BASE. IT'S A COMPLETE WINNER IN EVERY RESPECT. SO I'M GLAD TO SEE WE WILL CONSIDER THAT. IT IS REALLY WORKED EXTREMELY WELL IN WASHINGTON, D.C., AND THERE'S A REAL POTENTIAL IN THAT PARTICULAR AREA WITH ALL THE RENOVATIONS GOING ON. MR. LIBRACH, I HAVE ONE QUESTION. I KNOW THAT AT CAMPO WE'RE CONSIDERING THE ISSUE OF TOLL ROADS AND ESSENTIALLY HIGH OCCUPANCY TOLL ROADS. IS THERE GOING TO BE SOME ALLOWANCE IN THIS PLANNING ON HOW WE CAN HANDLE ISSUES SUCH AS PERHAPS A TOLL BOOTH OR IF THESE THINGS WERE HIGH OCCUPANCY TOLL ROADS RATHER THAN HIGH OCCUPANCY VEHICLE ROADS?

YES, I THINK WE WILL LOOK AT THAT AS WELL. THE CURRENT THINKING AT TXDOT AND THE RMA AND OTHERS WHO HAVE

BEEN LOOKING AT TOLL ROADS IS THAT YOU WOULD NOT ESTABLISH TOLL POOTHES IN THE CLASSIC WAY THAT WE'VE BEEN ABLE TO HAVE DRIVEN ON TOLL ROADS BEFORE WHERE YOU WOULD STOP AND PUT A QUARTER INTO A SLOT, INSTEAD THE TOLL WOULD BE READ ELECTRONICALLY FROM SOME SORT OF DEVICE ON YOUR WINDSHIELD AND YOUR ACCOUNT WOULD BE DOCKED THE 25 CENTS, SO THAT YOU WOULD BE ABLE TO MOVE THROUGH THE NEW STYLE OF TOLL BOOTH AT FULL SPEED AND IT WOULD NOT REQUIRE ANY EXTRA WIDTH OR ANY EXTRA RIGHT-OF-WAY TO DO THAT.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

Slusher: MOVE APPROVAL.

Mayor Wynn: MOTION BY COUNCILMEMBER SLUSHER TO APPROVE ITEM NUMBER --

Slusher: I'VE GOT IT RIGHT HERE ON THE SCREEN.

35.

Mayor Wynn: ITEM 35. SECONDED BY COUNCILMEMBER DUNKERLEY.

I BELIEVE 36 IS THE PAIR TO IT WAS ALREADY APPROVED ON CONSENT THIS MORNING.

Mayor Wynn: ITEM ITEM NUMBER 36, MOTION --

35.

Mayor Wynn: 35?

I'M SORRY TO CONFUSE IT. I THINK 36, WHICH WAS PART OF IT, WAS ALREADY APPROVED.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER SLUSHER, SECONDED BY COUNCILMEMBER DUNKERLEY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU, MR. LIBRACH. WE HAVE JUST LOST OUR CITY MANAGER. AT THIS TIME LET'S TAKE UP OUR 2:00 O'CLOCK BRIEFINGS. I THINK THE CITY MANAGER WANTED TO GO -- I DON'T HAVE AN AGENDA WITH ME. AT THIS TIME I'LL RECOGNIZE THE CITY MANAGER, TOBY FUTRELL.

Futrell: ALL RIGHT. WE'RE GOING TO -- COUNCIL, TODAY WE'RE GOING TO PRESENT TO YOU THE POLICY BUDGETS. WE'RE GOING TO BREAK THIS UP INTO A NUMBER OF SECTIONS, BUT LET ME GIVE YOU AN OVERVIEW OF HOW THOSE SECTIONS ARE GOING TO GO TODAY. RUDY IS GOING TO START AND GIVE YOU JUST A QUICK RECAP OF THE GENERAL FUND THREE-YEAR FORECAST. I'M GOING TO TAKE THE NEXT FOUR SECTIONS AND WALK YOU THROUGH SOME OF THE RECOMMENDED KEY BUDGET POLICIES BOTH ON THE REVENUE SIDE AND ON THE EXPENDITURE SIDE. IN ORDER, THE ASSUMPTIONS, THE POLICY ASSUMPTIONS WE'RE MAKING AS WE HEAD INTO TRYING TO PREPARE THE 2005 BUDGET. WE'RE DOING A NEW SECTION THIS YEAR FOR THE POLICY BUDGET WHICH WE CALL THE OPERATIONAL ASSESSMENT. AND THIS IS THE WAY FOR US AFTER THREE YEARS OF SUBSTANTIAL REDUCTIONS IN THE BUDGET TO GIVE YOU A BASELINE IN SOME KEY SERVICE AREAS. WHERE ARE WE IN THE BUDGET BEFORE WE HEAD INTO ADDITIONAL BUDGET REDUCTIONS FOR 2005. 2005? I'M GOING TO HIGHLIGHT SOME KEY SERVICE DELIVERY IMPROVEMENTS, WAYS THAT THE STAFF IS WORKING CREATIVELY TO CONSOLIDATE, REORGANIZE, CREATE DIFFERENT SERVICE DELIVERY MODELS, AND I'M GOING TO GIVE YOU A SUMMARY OF THE RATE -- UTILITY RATE INCREASES THAT WE ANTICIPATE FOR THE BUDGET IN 2005. JOHN WILL COVER THE HOSPITAL DISTRICT, WHICH IS ALSO GOING TO BE NEW FOR US THIS YEAR IN THE BUDGET FOR 2005. HE'S GOING TO TALK ABOUT TRANSITION ISSUES, THE TAX ISSUE, ALL THE DIFFERENT COMPONENTS WE THINK WE NEED TO WALK THROUGH WITH YOU. AND THEN RUDY WILL CLOSE BY GIVING YOU A PROPOSED BUDGET CALENDAR. SO I'LL TURN IT OVER TO RUDY GARZA, OUR MAN WEARING MANY HATS TODAY, BOTH OUR ACTING ASSISTANT MANAGER OVER

PUBLIC SAFETY AS WELL AS OUR BUDGET OFFICER. RUDY?

GOOD AFTERNOON, MAYOR AND COUNCIL. A COUPLE OF THINGS THAT I'D LIKE TO DO BEFORE WE GET STARTED IS TO FIRST INFORM THE PUBLIC WATCHING AT HOME THAT THE PRESENTATION THAT WE ARE DELIVERING TO YOU TODAY WILL BE ON OUR WEBSITE. WE ACTUALLY DRAFT THE -- THE DRAFT POLICY DOCUMENT WILL ALSO BE ON THE WEBSITE AND FURTHER THE PRESENTATION WE'LL BE TALKING ABOUT A REVENUE INITIATIVE THAT WE'VE COMPLETED THAT ALSO WILL BE ON THE WEBSITE. SO IF SOME OF THE GENERAL PUBLIC THAT HAS SOME INTEREST AND IS NOT ABLE TO BE HERE TODAY OR WANTS A COPY OF THIS INFORMATION, IT WILL BE ON THE WEBSITE. THE FIRST SECTION, AS THE CITY MANAGER TALKED ABOUT, IS A RECAP. SO AT THIS POINT WE'RE REVIEWING WITH YOU THE EXACT SAME INFORMATION THAT WE PRESENTED TO YOU IN APRIL 15TH. THE PURPOSE OF THAT IS TO JUST GIVE A SETTING TO THE FOLKS AT HOME AND TO SEE PEOPLE FOLLOWING THIS PROCESS. SO AGAIN, THIS IS NOT NEW INFORMATION WHEN WE TALK ABOUT THE REVENUE AND THE EXPENDITURE ASSUMPTIONS AND ALSO WHEN WE GET TO THE FINANCIAL FORECAST. SO JUST TO RECAP THE MAJOR REVENUE ASSUMPTIONS FOR THE FINANCIAL FORECAST THAT WE PRESENTED TO YOU A COUPLE OF MONTHS AGO, THE FORECAST FOR 2005 DID ASSUME THE EFFECTIVE TAX RATE, WHICH AT THIS POINT IS ESTIMATED AT 50 CENTS -- 50.13 CENTS, VIEWABSOLUTELY -- BY EIGHT-TENTHS OF A PENNY ABOVE THE CURRENT TAX RATE. WE WERE ASSUMING A GROWTH OF APPROXIMATELY 1.3% AND THAT WAS BASED ON THE MOST CURRENT INFORMATION THAT WE HAVE RECEIVED FROM THE TAX APPRAISAL DISTRICT. OUR SALES TAX, AND I'M GOING TO SPEND A LITTLE MORE TIME ON SALES TAX IN LIGHT OF THE NMPL THAT CAME OUT TODAY, AND PROBABLY THE CONFUSION THAT I ADD TO ALL THE MIX. BUT THE FORECAST THAT WE PRESENTED TO YOU WAS BASED FOR 2005 -- FOR 2005 WAS BASED ON A FOUR PERCENT GROWTH IN SALES TAX REVENUE. SO THIS IS WHAT'S HAPPENED SINCE THEN. FIRST OF ALL, IN 2004, THE CURRENT YEAR WE APPROVED THE BUDGET AT TWO PERCENT GROWTH. AS REVENUE STARTED -- WE STARTED SEEING AN UP TAKE ON REVENUES, WE

INCREASED THAT UP TO FIVE PERCENT IN 2005. THE FORECAST NUMBERS THAT WE PRESENTED YOU FOR 2005 ALREADY ASSUMED THAT SALES TAX WOULD BE AT FIVE PERCENT. WHERE THE CONFUSION HAPPENS IS IN THE FORECAST NUMBER, THE 2005 NUMBER, WE HAD ASSUMED FOUR PERCENT. WE FEEL PRETTY COMFORTABLE AT THIS POINT IN CHANGING THAT AS WE GO FORWARD TO FIVE PERCENT. SO THE ARTICLE TODAY TALKED ABOUT SALES TAX REVENUE BEING FIVE MILLION DOLLARS GREATER. AND I WANT TO CLARIFY THAT BECAUSE THAT IS TALKING ABOUT THE CURRENT YEAR BUDGET, NOT THE FORECAST. THE CURRENT YEAR BUDGET WE HAD ESTIMATED SALES TAX REVENUES OF APPROXIMATELY \$111 MILLION. WE ARE NOW UP -- INCREASED THAT NUMBER IN THE CURRENT YEAR TO APPROXIMATELY \$116 MILLION. THAT'S -- THAT'S THE FIVE-MILLION-DOLLAR INCREASE. FOR THE FORECAST WE HAD ALREADY ASSUMED ABOUT FOUR MILLION OF THAT FIVE-MILLION-DOLLAR INCREASE. SO YOU'VE REALLY -- JUST TALKING ABOUT THAT REVENUE ITEM ALONE, SALES TAX AT THIS POINT YOU COULD SAFELY SAY WOULD BE ESTIMATED TO BE ABOUT A MILLION DOLLARS GREATER IN THE FORECAST. WE HAVE NOT UPDATED IN A NUMBER. WE'LL UPDATE THAT AT THE TIME OF THE PROPOSED BUDGET. NOW, TO KEEP THINGS IN PERSPECTIVE, WE AREN'T PREPARED TO UPDATE REVENUES FOR 2005 BECAUSE THERE'S OTHER AREAS THAT WE NEED TO LOOK AT, OTHER AREAS THAT WE'RE CONCERNED ABOUT THAT AREN'T SEEING AN INCREASE.

Futrell: RUDY, JUST FOR A BREAK FOR A SECOND, REMEMBERING THAT SALES TAX IS JUST ONE COMPONENT OF MULTIPLE REVENUE SOURCES THAT MAKE UP OUR TOTAL REVENUE. YOU HAVE STARTED PART OF YOUR PRESENTATION WITH TALKING ABOUT JUST THAT SALES TAX COMPONENT. SO WHAT YOU ARE GOING TO TALK ABOUT NOW IS ALTHOUGH WE HAVE SEEN THIS SMALL UPTICK FROM WHERE WE HAVE ADJUSTED OUR NUMBER ON SALES TAX, NOW YOU'RE TALKING ABOUT THE OVERALL REVENUE PICTURE, CORRECT?

SO BOTTOM LINE AT THIS POINT, WE'RE STILL HOLDING TO OUR FORECAST REVENUE. WE'LL DEFINITELY GIVE YOU MORE UPDATED INFORMATION AS WE GET A BETTER HOLD

OF THE REST OF THE REVENUE PICTURE AS THE MANAGER IS DISCUSSING. BUT I DID WANT TO CLARIFY THAT BECAUSE I KNOW THAT CREATED SOME CONFUSION AND I DO BELIEVE THAT I ADDED TO THAT CONFUSION WITH SOME OF MY COMENDZ IN THE -- COMMENTS IN THE ARTICLE TODAY.

Futrell: WAS THAT BECAUSE YOU WERE DANCING IN THE STREET? JUST CHECKING.

IN ADDITION TO SALES TAX PROJECTIONS, THE FORECAST DID ASSUME THAT WE WOULD MAINTAIN THE CURRENT TRANSFER RATES FOR OUR UTILITY, THE ELECTRIC UTILITY TRANSFER RATE, AT 9.1%, AND OUR WATER UTILITY TRANSFER RATE AT 8.2%. IN ADDITION TO THOSE ASSUMPTIONS, THE FORECAST ALSO INCLUDED THE IMPACT, THE PROJECTED REVENUE INCREASE FOR RECOMMENDED FEE INCREASES AND ALSO SOME NEW FEES THAT WERE ALSO BEING RECOMMENDED. AND YOU HAVE BEFORE YOU A PRETTY BIG DOCUMENT THAT DETAILS FOR YOU BY DEPARTMENT EVERY FEE THAT WE ARE RECOMMENDING FOR AN INCREASE AND ALSO IDENTIFIES FOR YOU THE NEW FEES WITH A SMALL DESCRIPTION OF WHAT THAT FEE COVERS. A RECAP OF OUR MAJOR EXPENDITURE ASSUMPTIONS FOR 2005: THERE'S SIX OF THOSE MAIN ONES. FIRST, WE DID ASSUME THAT WE WOULD MAINTAIN THE 2.0 OFFICERS PER THOUSAND POPULATION. THE FORECAST INCLUDED THE FINANCIAL IMPACT FOR A TWO PERCENT PUBLIC SAFETY PREMIUM FOR OUR PUBLIC SAFETY DEPARTMENT. IT ASSUMED THAT WE WOULD MAINTAIN THE CURRENT FUNDING LEVEL FOR THE PUBLIC HEALTH AND SOCIAL SERVICES. IT WOULD ALSO ASSUME THAT WE WOULD PROVIDE THE OPERATIONS AND MAINTENANCE FUNDING FOR THE NEW AND EXPANDED FACILITIES BASED ON THE NEW REVISED SCHEDULE THAT WAS APPROVED LAST FISCAL YEAR. IT ALSO INCLUDED THE FUNDING FOR A PAY FOR PERFORMANCE FOR ALL EMPLOYEES AND IT ALSO INCLUDED A PROJECTED INCREASE OF APPROXIMATELY 15% FOR OUR HEALTH BENEFITS -- FOR OUR HEALTH BENEFITS FOR OUR EMPLOYEES. PUTTING THOSE EXPENDITURES TOGETHER, THE MAJOR COST DRIVERS THAT WE SAW IN THE FORECAST YOU SEE IN THIS NEXT SLIDE, PUBLIC SAFETY LEADING THAT AT \$18.3 MILLION, THAT COVERS THEIR PREMIUM COST, SALARY COST, OVERTIME COST.

THEIR NEW FACILITIES THAT ARE COMING ON BOARD, THE 50% INCREASE IN HEALTH BENEFITS EQUATED TO ABOUT FOUR MILLION DOLLARS. THE PAY FOR PERFORMANCE FOR OUR NON-SWORN PERSONNEL IS APPROXIMATELY \$2 MILLION. AND THE O AND M FOR THE NEW FACILITY, NON-PUBLIC SAFETY FACILITIES IS JUST UNDER A MILLION DOLLARS. TOTAL MAJOR COST DRIVERS IN '05 ARE APPROXIMATELY 28 AND A HALF MILLION DOLLARS. THE FORECAST ALSO INCLUDED SEVERAL ITEMS THAT WE WERE PROJECTING WE WOULD USE FOR ONE-TIME CRITICAL COSTS, KEEPING IN LINE WITH OUR CURRENT POLICY THAT USES FUND BALANCE AND ONE-TIME REVENUES FOR ONE-TIME EXPENDITURES. AND WHEN WHAT YOU SEE BEFORE YOU IS JUST A SUMMARY OF SOME OF THOSE ONE-TIME COSTS THAT WE INCLUDED IN THE FORECAST. VEHICLE REPLACEMENTS, WHICH AS YOU KNOW IN THE LAST FEW YEARS, I BELIEVE COUNCILMEMBER THOMAS ASKED VERY POINT-BLANK LAST YEAR, WHAT ARE WE DOING WITH ALL THE OTHER DEPARTMENTS BECAUSE CLEARLY WE'VE NOT HAD THE OPPORTUNITY TO REPLACE VEHICLES AS WE SHOULD HAVE. AND THE FORECAST ASSUMED THAT WE WOULD GET BACK TO SOMEWHAT OF A MORE NORMAL REPLACEMENT SCHEDULE IN VEHICLE REPLACEMENTS. ALSO TECHNOLOGY REPLACEMENTS AND UPGRADES AT 1.5 MILLION. AND THEN SEVERAL DEPARTMENTS THAT HAD SOME CRITICAL NEEDS FOR EQUIPMENT OR FACILITY EQUIPMENT, AND YOU SEE THAT LIST THERE, FOR A TOTAL OF APPROXIMATELY \$8 MILLION IN ONE-TIME CRITICAL COSTS. SO PUTTING ALL THOSE FACTORS TOGETHER, AGAIN, THIS IS THE RECAP, THE FORECAST THAT WE PRESENTED TO YOU IN APRIL, WE WOULD SHOW TOTAL REVENUES OF \$471 MILLION. TOTAL EXPENDITURES OF JUST UNDER \$491 MILLION. WITH A FUNDING GAP OF \$19 MILLION. THAT WOULD REQUIRE AN ACROSS THE BOARD REDUCTION FOR EVERY DEPARTMENT OF FIVE PERCENT. IN YOUR POLICY DOCUMENT YOU'LL SEE WHAT THAT MEANS ON A DEPARTMENT BY DEPARTMENT BASIS. AND YOU'LL SEE THE REST OF THE YEARS THERE FOR THE FINANCIAL FORECAST. THAT'S A QUICK RECAP OF THE INFORMATION THAT WE PRESENTED TO YOU ON APRIL 15TH.

Futrell: ALL RIGHT. SO COUNCIL, I'LL MOVE IN NOW INTO

TAKING A LOOK AT THE RECOMMENDED BUDGET POLICIES FIRST ON THE -- FIRST ON THE REVENUE SIDE AND THEN ON THE EXPENDITURE SIDE. JUST A LITTLE BIT OF A BACKDROP, REMEMBERING THAT IN THIS CURRENT YEAR, 2005, WE STRUCTURALLY BALANCED OUR BUDGET. REVENUE MATCHED ONGOING SPENDEXPENDITURES. SO WHAT'S OUR TASK? AS WE LOOK FORWARD TO THE BUDGET IN 2005, WE'RE FACED WITH A LITTLE UNDER A 19 AND A HALF-MILLION-DOLLAR FUNDING GAP. THAT'S BECAUSE ALTHOUGH WE ARE STRUCTURALLY BALANCED IN 2004, THE REVENUE INCREASES WE ARE EXPECTING ARE NOT QUITE ENOUGH TO COVER THE COST DRIVERS THAT WE JUST DISCUSSED, LEAVING ABOUT A 19 AND A HALF-MILLION-DOLLAR GAP. AS OUR ECONOMY BEGINS TO RECOVER AND THE NATIONAL REVENUE GROWTH BEGINS TO HAPPEN, WE SHOULD BE MATCHING UP BY THE TIME WE REACH 2006. SO BY ALL OF OUR PROJECTIONS, WE ARE LOOKING AT ONE MORE YEAR WHERE WE'RE GOING TO HAVE TO CUT AGAIN TO MAINTAIN STRUCTURAL BALANCE. SO I'M GOING TO BE TALK WALKING YOU THROUGH SOME OF THE POLICY RECOMMENDATIONS THAT ARE GOING TO GUIDE HOW WE GO ABOUT THAT TASK OF CLOSING THAT 19 AND A HALF MILLION DOLLARS. SO LET'S START WITH FOUR KEY REVENUE POLICIES. THE FIRST IS TO CONTINUE WITH THE EFFECTIVE PROPERTY TAX RATE. REMEMBER THE EFFECTIVE TAX RATE IS THE RATE THAT BRINGS IN THE SAME AMOUNT OF REVENUE THAT YOU BROUGHT IN THE YEAR BEFORE. IN A TIME OF DECLINING VALUATIONS, THE RATE CAN BE HIGHER THAN THE CURRENT RATE. IN THIS CASE WE EXPECT THE EFFECTIVE TAX RATE TO BE ABOUT EIGHT-TENTHS OF ONE CENT HIGHER. BUT IT IS LONG-TERM FINANCIAL STABILITY FOR A CITY TO ALWAYS LOOK TO THE EFFECTIVE TAX RATE, THE RATE THAT KEEPS THE COMMUNITY-WIDE TAX BURDEN THE SAME, BRINGS IN THE SAME AMOUNT OF MONEY YOU BROUGHT IN THE YEAR BEFORE. TO DO ANYTHING LESS THAN THAT IS TO BRING IN LESS REVENUE THAN YOU BROUGHT IN THE YEAR BEFORE. IT IS A CITY IN DECLINE. NUMBER TWO IS THE MAINTENANCE OF OUR UTILITY TRANSFER RATES, AND THIS IS CRITICAL BECAUSE OUR ENTERPRISE DEPARTMENTS, OUR UTILITIES, ARE FACING THE SAME KIND OF BURDEN, THE SAME KIND OF BALANCES THAT OUR GENERAL FUND DEPARTMENTS ARE FACING. SO WE WILL BE PROPOSING TO MAINTAIN THE SAME

RATES, 9.1% FOR ENERGY, AND 8.2% FOR THE WATER UTILITY IN THE TRANSFER RATE FOR THE PROPOSED BUDGET. NUMBER THREE IS A JUDICIOUS AND CAREFUL USE OF THE UNRESERVED FUND BALANCE FOR ONE-TIME CAPITAL PURCHASES. WE BUILT UP AN UNRESERVED BALANCE, A CONTINGENCY FUND DESIGNED TO HELP US COME BACK AFTER YEARS OF CUTTING. AND AS WE'RE BEGINNING TO SEE SIGNS OF AUSTIN UPTICK, I THINK IT'S APPROPRIATE TO US TO BEGIN TO DRAW ON THIS BALANCE, BUT I THINK WE NEED TO DO IT VERY CAREFULLY, TO BE JUDICIOUS WITH IT AND TO STAY AND FOLLOW THE COUNCIL'S FINANCIAL POLICY, TO USE ONE-TIME MONEY FOR ONE-TIME EXPENDITURES. AND YOU WILL SEE ABOUT EIGHT MILLION DOLLARS DRAWING DOWN ON THIS BALANCE FOR THOSE CRITICAL ONE-TIME EXPENSES. AND FINALLY, AS RUDY TALKED ABOUT, IN YOUR REVENUE INITIATIVE FOLLOWEDFOLDER, I THINK EACH ONE OF YOU HAVE IT, WE'VE LOOKED AT ALL OUR REVENUE STREAMS AND FEES, AND WE ARE GOING TO TRY TO CAPTURE AN ADDITIONAL REVENUE SOURCE OF ABOUT 11 MILLION OF RAISING SOME FEES AND ADDING SOME ADDITIONAL FEES IN THE BUDGET. NOW WE'LL MOVE OVER TO THE EXPENDITURE SIDE, RECOMMENDED POLICY ON THE EXPENDITURE SIDE. AND THESE FALL INTO THREE MAJOR AREAS. FIRST IS PUBLIC SAFETY. SECOND IS INVESTING IN OUR WORKFORCE. AND THE THIRD IS FACILITY COMMITMENT. THE FIRST THREE BULLETS THAT YOU SEE IN YOUR PRESENTATION INVOLVE THE COMMITMENT, THE EXPENDITURE POLICIES RELATED TO PUBLIC SAFETY. IN GUIDING OUR DECISIONS ON HOW WE'RE GOING TO CLOSE THAT 19 AND A HALF-MILLION-DOLLAR GAP, WE ARE RECOMMENDING THAT WE MAINTAIN THE COUNCIL'S POLICY ON 2.0 OFFICERS PER THOUSAND. THAT WE PRESERVE THE COUNCIL'S RESOLUTION ON TASKFORCE STAFFING IN THE FIRE DEPARTMENT. AND JUST AS A BRIEF EXPLANATION OF THAT, A LITTLE OVER HALF OF OUR STATIONS, OUR FIRE STATIONS IN THE CITY ARE WHAT ARE CALLED SINGLE ENGINE STATIONS. THIS IS WHERE WE WILL GUARANTEE FOUR FIREFIGHTERS AT EACH OF THOSE STATIONS. FOR THE REMAINING STATIONS, WE WOULD GUARANTEE SIX. THE THIRD AND FINAL BULLET IN THE PUBLIC SAFETY CATEGORY IS TO CONTINUE TO BUDGET AND IMPLEMENT THE TWO PERCENT PUBLIC SAFETY

PREMIUM TO AUTHORIZE CONTRACT NEGOTIATIONS. SO THIS BUDGET WILL HAVE A TWO PERCENT BUDGETED FOR THE PUBLIC SAFETY PREMIUM TO HONOR THE POLICE CONTRACT THAT ALREADY HAS THAT TWO PERCENT PREMIUM AND TO ALLOW FOR THE TWO PERCENT PREMIUM CONTINUED ON WITH THE SUCCESSFUL CONTRACT NEGOTIATIONS WITH THE FIRE DEPARTMENT. THE NEXT TWO BULLETS INVOLVE INVESTING IN THE WORKFORCE. WE ARE STRONGLY RECOMMENDING REINSTATING PAY FOR PERFORMANCE. OUR GENERAL WORKFORCE HAS GONE TWO YEARS WITH NO PAY INCREASE. IN FACT, THEY HAVE TAKEN PAY DECREASES BY ABSORBING FAIRLY SIGNIFICANT DECREASES IN HEALTH BENEFIT COSTS. STATEMENT, ALL OF OUR WORKFORCE HAS BEEN WORKING WITH SIGNIFICANTLY LESS RESOURCES. I DO NOT WANT TO GO THREE YEARS WITHOUT PAYING FOR OUR GENERAL WORKFORCE. AND THIS 19 AND A HALF-MILLION-DOLLAR FUNDING GAP INCLUDES TRYING TO REINSTATE PAY FOR PERFORMANCE. WHAT WILL BE IN OUR PROPOSED BUDGET IS A THREE AND A HALF PERCENT PAY FOR PERFORMANCE FOR EMPLOYEES WHO MEET EXPECTATIONS AND A ONE AND A HALF PERCENT LUMP SUM AMOUNT FOR THE 20% WHO ARE ELIGIBLE FOR WHAT EXCEEDS EXPECTATIONS ON TOP OF THAT THREE AND A HALF PERCENT IN THEIR BASE. THE FINAL BULLET HERE IS OUR CONTINUED EFFORT TO MITIGATE HEALTH CARE BENEFIT INCREASES. MANY OF YOU WILL REMEMBER THAT IN THE CURRENT YEAR BUDGET WE HAD TO FIGHT OUR WAY DOWN FROM A 27% INCREASE IN HEALTH BENEFIT INCREASES, AND WE WERE ABLE TO GET IT DOWN TO A 9.9% INCREASE FOR OUR EMPLOYEES. AND WE WILL CONTINUE TO DO THAT AS A COMMITMENT AND A POLICY AS WE HEAD INTO THE 2005 BUDGET. THE FINAL BULLET ON THIS SLIDE INVOLVES THE COMMITMENT FOR FACILITIES. AND SO WE ARE PROPOSING TO MAINTAIN THE REVISED SCHEDULE FOR OPENING NEW AND EXPANDED FACILITIES. THESE ARE THE REMAINING 10 FACILITIES FROM THE '98 BOND PACKAGE THAT WE PUT ON A TWO-YEAR DELAYED SCHEDULE. FOR 2005 THERE ARE FIRE AND E.M.S. STATIONS, THE PARKER LIBRARY EXPANSION, ANOTHER LIBRARY EXPANSION AND THE CARVER MUSEUM. THE NEXT SECTION IS A NEW SECTION. WE'RE CALLING THIS A MAJOR OPERATIONAL ASSESSMENT. I'D LIKE TO EXPLAIN A LITTLE BIT ABOUT WHAT

WE'RE TRYING TO ACCOMPLISH IN THIS SECTION. WE HAD PASSED THE 2002 BUDGET WHEN OUR REVENUES CRASHED. SALES TAX, AS AN EXAMPLE, WENT NEGATIVE FOR 24 MONTHS IN A ROW. SO WE BEGAN EXTENSIVE COST CONTAINMENT, CUTTING AND REDUCTION IN 2002. IN 23 WE WERE FACED WITH A 52-MILLION-DOLLAR FUNDING GAP. AND IN 2004 WE WERE FACED WITH CLOSING A 38 AND A HALF-MILLION-DOLLAR FUNDING GAP. SO WHERE WE ARE TODAY IS AT THE END OF THREE YEARS OF SIGNIFICANT COST CONTAINMENT AND COST CUTTING. ON THE GENERAL FUND SIDE, WE HAVE CUT IN EXPENDITURES \$70 MILLION, AND WE HAVE CUT FROM THE BUDGET 664 POSITIONS. THIS REPRESENTS A LITTLE UNDER A QUARTER OF OUR GENERAL FUNDS. SO HOW HAVE WE DONE THAT? WHAT A HUGE CHALLENGE IN THREE YEARS TO HAVE MADE THAT LEVEL OF PRODUCTION. WHAT GUIDED THAT CHALLENGE. WE HAD THREE GUIDING PRINCIPLES TO GO IN TO THOSE REDUCTIONS. THE FIRST WAS THAT WE FOCUSED ON REDUCING EXPENDITURES BEFORE WE RETURNED TO RAISING REVENUES. THE SECOND WAS THAT WE WOULD FOCUS ON MANAGEMENT, ADMINISTRATIVE AND SUPPORT REDUCTIONS BEFORE WE WOULD CUT DIRECT SERVICE. AND THE THIRD WAS WE WOULD INNOVATE. WE WOULD LOOK FOR AND FIND NEW SERVICE DELIVERY MODELS BEFORE WE WOULD CUT DIRECT SERVICE DELIVERY. NOW, IT'S A BIG CHALLENGE. IT WASN'T EASY. IT WASN'T POPULAR. AND IT WAS NOT WITHOUT ORGANIZATIONAL IMPACT. SO WHEN WE APPROACH THIS BUDGET IT IS VERY IMPORTANT THAT WE NOT ONLY LOOK TO WHERE WE WERE, BUT WE REMIND OURSELVES WHERE WE ARE BEFORE WE LOOK TO CUTTING ANOTHER 19 AND A HALF MILLION DOLLARS FROM THIS BUDGET. BECAUSE YOUR CITY GOVERNMENT IS MUCH LEANER TODAY THAN IT WAS THREE YEARS AGO. AND OUR BUDGET, WHILE IT IS STRUCTURALLY BALANCED, IS ONE OF NEEDS. IN SOME CASES CRITICAL NEEDS. IT IS NOT A BUDGET OF WANTS. AND I WANT TO FRAME THAT BASELINE FOR YOU BEFORE WE MOVE AT THE END OF JULY INTO A PROPOSED BUDGET THAT CLOSES ANOTHER 19 AND A HALF MILLION DOLLARS FROM THAT BASELINE SERVICE DELIVERY. SO WHAT I'M GOING TO HIGHLIGHT IS JUST IN A FEW KEY AREAS A BASELINE OF CONCERN. I COULD HAVE CHOSEN ANY AREA. I COULD WALK INTO ANY DEPARTMENT IN ANY

AREA, AND WHAT YOU WILL SEE IS WE'RE DOING A LITTLE LESS OF SOMETHING. SOME SERVICES WE'RE PROVIDING IS TAKING A LITTLE LONGER. THE WAIT IS A LITTLE LONGER, THE SERVICE TAKES A LITTLE LONGER. THERE'S A LITTLE LESS OF IT IN EVERY PLACE YOU GO IN THE CITY. BUT WHAT I'M GOING TO HIGHLIGHT FOR YOU ARE SOME AREAS OF CONCERN, AND I'M GOING TO HIGHLIGHT IN FOUR AREAS, COMMUNITY SERVICES -- AND WE'LL PICK PARKS AND LIBRARIES AS JUST AN EXAMPLE. INFRASTRUCTURE, STREETS, STORM DRAINAGE, WATER WASTEWATER, SIGNALIZATION, CODE ENFORCEMENT. THIRD, PUBLIC SAFETY. AND FOURTH, WHAT WE'RE CALLING CITY-WIDE SUPPORT SERVICES. THIS IS CRITICAL BECAUSE IF YOU'LL REMEMBER, WE WENT FIRST TO CUTTING MANAGEMENT, ADMINISTRATIVE AND SUPPORT BEFORE WE CUT DIRECT SERVICE. AND WE REACHED A CRITICAL LEVEL OF SUPPORT SERVICES IN THE CITY. AND IT'S HAVING AN OPERATIONAL IMPACT. NOW, YOUR STAFF IS LOOKING HARD AND CREATIVE CREATIVELY, AND THEY'VE DONE AIO MAN'S JOB OF KEEPING THE CITY RUNNING AND RUNNING WELL WITH LIMITED AND REDUCED RESOURCES. BUT WE'VE HAD OPERATIONAL IMPACTS. SO LET'S LOOK AT COMMUNITY SERVICES. ONE THAT'S VERY VISIBLE, PEOPLE WILL SEE THIS, PARKS AND MOWING. LAST YEAR WE MOWED OUR PARKS EVERY WEEK, EVERY SEVEN DAYS. THREE YEARS AGO WE WERE MOWING EVERY 14 DAYS. TODAY WE'RE MOWING EVERY 17 DAYS, AND OUR RESOURCES ARE STRETCHED TO DO THAT. MEDIANS WERE MOWED THREE YEARS AGO EVERY 30 DAYS. TODAY THEY'RE MOWED EVERY 60 DAYS. NOW, REMEMBER, THESE ARE THE SERVICE LEVELS WE HAVE RIGHT NOW BEFORE WE HEAD INTO CUTTING ANOTHER 19 AND A HALF MILLION DOLLARS ON THIS BUDGET. PARK FACILITY MAINTENANCE. THE BOTTOM LINE HERE IS THAT WE ARE NO LONGER DOING PREVENTIVE MAINTENANCE. WE ARE DOING REACT ACTIVE MAINTENANCE, AND THAT REACT ACTIVE MAINTENANCE IS REACT ACTIVE MAINTENANCE THAT IS SCHEDULED ON SEVERITY OF NEED. STRUCTURED USE PROGRAMMING. IN JUST '05 WE CUT 17% OF YOUTH PARTICIPANT HOURS IN STRUCTURED YOUTH PROGRAMMING. ANYWHERE YOU WOULD GO WHERE THERE ARE SCHEDULED PROGRAM HOURS FOR YOUTH, 17% IN ONE YEAR. AND REMEMBER, THAT'S THE THIRD YEAR OF CUTTING

IN THIS AREA. LET'S TAKE OUR LIBRARIES? ALL OF OUR BRANCH LIBRARIES ARE CLOSED TWO DAYS A WEEK NOW. THE FIVE DAYS THEY'RE OPEN, THEY'RE OPEN WITH LIMITED STAFF AND LIMITED SECURITY. AND LET'S TAKE A LOOK AT THE MATERIALS THAT ARE IN OUR BRANCH LIBRARY. TODAY WE'RE SPENDING ONE \$1.62 PER CAPITA FOR LIBRARY MATERIAL. IF YOU COMPARE THAT ON A NATIONAL AVERAGE PER CAPITA FOR A LIBRARY OF OUR SIZE, THE NATIONAL AVERAGE THAT'S BEING SPENT IS \$5.23 PER CAPITA. WE'RE NOW SPENDING \$1.62. JUST LAST YEAR WE CUT 32% OF THE LIBRARY MATERIAL BUDGET IN ORDER TO CLOSE THE GAP LAST YEAR. LET'S MOVE TO INFRASTRUCTURE. WE'VE HAD TO REDUCE STREET MAINTENANCE. OUR STREET SYSTEM IS MADE UP OF ABOUT 7,000 LANE MILES. IF WE WANT TO MAINTAIN 70% OF OUR STREETS IN EXCELLENT TO FAIR CONDITION, WE NEED TO MAINTAIN IN PREVENTIVE MAINTENANCE 10% OF THOSE STREETS EVERY YEAR. TODAY WE'RE MAINTAINING EIGHT PERCENT. STORM SEWER SYSTEMS, AND I CAN'T THINK OF A MORE RELEVANT TIME TO TALK ABOUT THAT. WE'VE ALL SEEN IN THE LAST COUPLE OF DAYS OF RAIN WHAT HAPPENS TO OUR STORM SEWER SYSTEM. IT IS DETERIORATING AND INADEQUATE AND IT'S CITYWIDE. IN OUR DRAINAGE MASTER PLAN, WHICH ONLY COVERS 58% OF OUR WATERSHED, WE'VE IDENTIFIED OVER \$800 MILLION OF CRITICAL NEEDS. AND THE FIVE-YEAR PLAN TO RAISE OUR DRAINAGE UTILITY FEE WAS DESIGNED TO TRY TO GET US A 20-MILLION-DOLLAR A YEAR FOR 40-YEAR INVESTMENT TO FIX THAT PROBLEM. WE'RE ABOUT TO HEAD INTO OUR FOURTH YEAR OF THAT FIVE-YEAR PLAN, AND WE'VE ONLY BEEN ABLE TO COME UP WITH \$11 MILLION A YEAR. ABOUT 50% OF WHAT WE NEED TO TRY TO CLOSE THAT GAP. DEFERRED WATER AND WASTEWATER SYSTEM UPGRADES AND IMPROVEMENTS. WE HAVE ALMOST A BILLION DOLLARS OF CAPITAL IMPROVEMENTS THAT NEED TO HAPPEN IN OUR WATER AND WASTEWATER SYSTEM. IN ORDER TO REDUCE THE IMPACT OF UTILITY RATE INCREASES FOR OUR CITIZENS, WE'RE GOING TO DEFER OVER 220 MILLION OF THOSE CIP -- I'M SCARING PEOPLE RIGHT NOW. OF THOSE CIP PROJECTS, AND WE'LL BE DOING ABOUT 816 MILLION OF PROJECTS OVER THE NEXT FIVE YEARS. NOW, I'M COMFORTABLE WITH THOSE DEFERRALS. IT'S A MANAGED RISK STRATEGY, BUT THERE IS A RISK IN

DEFERRING THOSE PROJECTS. CODE ENFORCEMENT. THE MORE PEOPLE MOVING INTO OUR CITY IN DENSER AND DENSER POPULATIONS, THE MORE CODE ENFORCEMENT ISSUES ARE COMING UP, AND WE HAVE VERY LIMITED STAFF TO DEAL WITH THEM. WE HAVE GREATLY FAILED EXPECTATIONS WITH OUR CITIZENS ON OUR ABILITY TO DEAL WITH CODE ENFORCEMENT PROBLEMS. RIGHT NOW WE HAVE .1 FTE PER SQUARE MILE TO DEAL WITH CODE ENFORCEMENT. THE RECOMMENDED NATIONAL AVERAGE IS .6 F.T.E.'S. AND LET'S TAKE A LOOK AT OUR SIGNALIZATION SYSTEM JUST BECAUSE SIGNALS AND SINSYNCHRONIZATION ALWAYS GETS EVERYBODY INTO A HEATED DISCUSSION. WE WERE ABLE TO MAKE A GOOD SOLID CAPITAL INVESTMENT IN SIGNALIZATION. BUT WHAT WE FOUND IS THAT THE SENSORS IMBEDDED IN THE PAVEMENT IN OUR INTERSECTION WITH FAILING PAVEMENT HAVE CAUSED THE SENSORS TO FAIL. AND WHAT WE HAVEN'T BEEN ABLE TO PRODUCE IS THE MAINTENANCE MONEY TO MAINTAIN AND REPLACE THOSE SENSORS IN THE INTERSECTIONS. WE SHOULD BE REPLACING THOSE SENSORS OUT OF THE PAVEMENT AND INTO A CAMERA-BASED TECHNOLOGY. AND WEWE HAVEN'T HAD THE FUNDS TO BE ABLE TO DO THAT. SO WE HAVE A BIG CAPITAL INVESTMENT. WE HAVEN'T COMPLETELY MAXIMIZED BECAUSE WE DON'T HAVE THAT KIND OF MAINTENANCE MONEY TO MAKE THAT INVESTMENT. PUBLIC SAFETY IS THE THIRD AREA FOR THE OPERATIONAL ASSESSMENT. IN THE RECORDS AND EVIDENCE OFFICE, WE CUT 19 SUPPORT STAFF OVER THE LAST TWO YEARS. THIS IS CALLED -- THIS HAS CAUSED US TO BE ABLE TO REDUCE OUR CASE PROCESSING. OUR CASE PROCESSING CAPACITY IS REDUCED BY 23 PERCENT BECAUSE OF THAT. WHAT THAT MEANS IS IT DELAYS OUR ARRESTS AND EVIDENCE PROCESSING, IT DELAYS OUR ABILITY TO COMPILE CRIME STATISTICS. WE HAVE A THREE TO FOUR MONTH BACKLOG ON ENTERING LATENT FINGERPRINTS INTO THE SYSTEM. ALL THESE THINGS DELAY OUR INVESTIGATORY PROCESS. IN OUR INVENTORY AND EQUIPMENT CONTROL AREA, WE HAVE REDUCED THAT SUPPORT STAFF BY EIGHT, AND THAT'S AN INTERNAL CONTROL ISSUE ON OUR ABILITY TO QUICKLY REPAIR AND TO MAINTAIN CONTROL OVER OUR EQUIPMENT. IN MUNICIPAL COURT WE'VE GONE FROM A 60-DAY TO 105-

DAYTIME FRAME TO ISSUE A WARRANT. THE LONGER IT TAKES US TO ISSUE A WARRANT IMPACTS OUR ABILITY TO COLLECT FINES AND CLOSE OUT CASES. WE HAVE GONE FROM ONE DAY TO FIVE DAYS IN UPDATING CASES ON THE MUNICIPAL COURT SYSTEM. NOW, THAT DOESN'T SOUND LIKE A BIG GAP, BUT IF IT TAKES YOU FIVE DAYS TO UPDATE A CLOSED SYSTEM, THAT CAN IMPACT THE INTEGRITY OF ARRESTS AND WARRANT ACTION. IT'S A VERY IMPORTANT ISSUE. SO EVERYWHERE WE'RE LOOKING EVERYTHING IS TAKING A LITTLE LONGER, A LITTLE LESS SERVICE. THE LAST AREA I WANT TO FOCUS ON IS THAT IN CUTTING SO HARD IN ADMINISTRATIVE AND SUPPORT, WE REALLY HAVE REACHED AN EDGE IN OUR ABILITY TO SUPPORT OUR OPERATIONAL FUNCTIONS. WE'RE NOW AT A RATIO OF FOUR AND A HALF PERCENT ADMINISTRATION AND SUPPORT OPERATION. THAT'S A VERY, VERY LEAN OPERATION. I'D ARGUE THERE ARE FEW PRIVATE ORGANIZATIONS THAT HAVE AN OPERATION THAT LEAN. BUT WHAT THAT MEANS IS THAT IN INTERNAL CONTROL AREAS WHERE YOU NEED A SEPARATION OF DUTY OR OTHER KEY INTERNAL CONTROLS, WE'RE RIGHT ON THE EDGE. THERE ARE VERY LITTLE REDUNDANCIES AND VERY LITTLE CHECKS AND BALANCES LEFT IN OUR SYSTEM, WHICH INCREASE OUR RISKS AND VULNERABILITY. AND THERE'S A LACK OF DEPTH IN EVERY CRITICAL FUNCTION IN THE CITY WHERE YOU'RE ONE DEPOSIT. ONE PERSON GOES, THERE'S NO BACKUP IN THAT FUNCTION. AND THIS COMES AT A TIME IN A VERY TENURED ORGANIZATION WHERE WE NEED TO BE DOING SOME SERIOUS SUCCESSION PLANNING. AT THE END OF THIS FISCAL YEAR, WHICH IS JUST FOUR MONTHS AWAY, 25% OF THE CITY'S EXECUTIVE TEAM CAN RETIRE. AND YOU WILL FIND THOSE NUMBERS CITYWIDE AND GROWING. SO THE CUTTING THAT WE'VE DONE IN MANAGEMENT, ADMINISTRATION AND SUPPORT HAS US ON A VERY FINE LINE. NOW, THE GOOD NEWS, AS WE MOVE TO THE NEXT SECTION, IS THAT YOU HAVE A STAFF THAT'S WORKING VERY, VERY HARD TO INNOVATE AND CREATE NEW SERVICE DELIVERY MODELS, AND I'M GOING TO HIGHLIGHT THREE AS A WAY TO MAXIMIZE LIMITED RESOURCES. THE THREE I WANT TO HIGHLIGHT FOR YOU IS FIRST THE 24/7 CUSTOMER SERVICE CALL CENTER. WE HAVE BEEN IMPLEMENTING THIS ALL THROUGH '04, AND WE WILL GO LIVE IN '05. IT CREATES A

SINGLE POINT OF CONTACT FOR CITIZENS WHO NEED TO GET SOME KIND OF SERVICE REQUEST IN TO OUR SYSTEM. IT MANAGES INTAKE, ROUTING AND RESOLUTION OF ANY CITIZEN SERVICE REQUEST. IT COORDINATES MULTIPLE DEPARTMENT REQUESTS AND IT WILL BE ABLE TO PRODUCE PERFORMANCE MEASUREMENT TREND AND MANAGEMENT INFORMATION FOR US IN A WAY WE'VE NEVER HAD BEFORE. BUT MOSTLY IT'S A CUSTOMER SERVICE COMPONENT. CITIZENS DON'T HAVE TO TRY TO FIGURE OUT HOW TO NAVIGATE A VERY COMPLEX SYSTEM. THEY'VE GOT ONE NUMBER, ONE POINT OF ACCESS. AND A WAY TO BE SURE THAT THE COMPLAINT IS FOLLOWED UP ON. THE SECOND IS THE ONE STOP DEVELOPMENT SHOP AND THE THE AMOUNT OF TECHNOLOGY. THIS BASICALLY TAKES YOU FROM ZONING, REVIEW, PERMIT AND INSPECTION. IT SIMPLIFIES, STREAM LINES, CONSOLIDATES AND CO-LOCATES AS A WAY ONCE AGAIN TO GIVE A SINGLE POINT OF ACCESS AND CREATE BETTER CUSTOMER SERVICE FOR PEOPLE IN THE DEVELOPMENT PROCESS. SO FAR IN '04 WE HAVE REDUCED THE NUMBER OF DEVELOPMENT PROCESSES FROM 57 TO 21. AND IN '05 WE WILL BEGIN THE CO-LOCATION PHASE OF THIS PROCESS. AND THE FINAL IS TO CONSOLIDATE CODE ENFORCEMENT. BY CONSOLIDATING CODE ENFORCEMENT, ALTHOUGH IT IS NOT ADDING TO OUR RESOURCES, IT'S GOING TO HELP US CROSS TRAIN AND MAKE THE MOST OF THE RESOURCES WE HAVE. WE WILL TAKE LIMITED RESOURCES, WE WILL CO-LOCATE, CONSOLIDATE AND CROSS TRAIN AND ONCE AGAIN PROVIDE A SINGLE POINT OF ACCESS FOR CITIZENS WHO ARE TRYING TO RECEIVE HELP WITH THE CODE ENFORCEMENT ISSUE. THE FINAL SECTION I'M GOING TO HANDLE IS THE FELT RATE INCREASES. FROM THE WATER UTILITY WE TALKED ABOUT THE FACT THAT THERE ARE OVER \$800 MILLION OF CAPITAL IMPROVEMENT PROJECTS THAT HAVE TO OCCUR OVER THE NEXT FIVE YEARS. WE'RE LOOKING AT AGING INFRASTRUCTURE, INCREASED TREATMENT VOLUME, SERVICE EXTENSIONS AND SYSTEM GROWTH. THE RATE INCREASES ARE SIGNIFICANT FOR '05. IT IS A COMBINED RATE INCREASE OF 11.8%. FOR THE AVERAGE RESIDENTIAL BILL THIS IS PROJECTED TO BE \$5.16 A MONTH. THIS IS SOMETHING WE HAVE BEEN SIGNALING FOR SOME TIME NOW BOTH IN FORECASTS AND IN LAST YEAR'S BUDGET. BUT

THIS WILL BE IN OUR PROPOSED BUDGET. THE NEXT UTILITY RATE INCREASE IS THE DRAINAGE UTILITY. AND AS WE SPOKE ABOUT, THIS IS THE FOURTH YEAR OF A FIVE-YEAR PLAN TO TRY TO INCREASE OUR INVESTMENT AND TRY TO SOLVE THE VERY SERIOUS DRAINAGE AND EROSION CONTROL PROBLEM WE HAVE IN OUR COMMUNITY. WE HAVE DETERIORATED AND FAILING DRAINAGE INFRASTRUCTURE, OVER \$18 MILLION OF CRITICAL NEEDS. FOR RESIDENTIAL, THIS IS A 6.98% OR LITTLE UNDER A SEVEN PERCENT RATE INCREASE AND FOR COMMERCIAL IT'S A LITTLE UNDER 23% OR 22.85% INCREASE. AND ONCE AGAIN THE FOURTH YEAR OF A FIVE-YEAR PLAN OF RATE INCREASES. NOW, COUNCIL, WITH THAT I'M GOING TO TURN IT OVER TO JOHN STEPHENS AND HE'S GOING TO TAKE ON THE HOSPITAL DISTRICT TRANSITION ISSUES SINCE THE SUCCESSFUL PASSAGE OF THE HOSPITAL DISTRICT.

THANK YOU, CITY MANAGER. COUNCIL, ON MAY 15TH, TRAVIS COUNTY VOTERS ESSENTIALLY CREATED A COUNTY WIDE HOSPITAL DISTRICT BY THEIR MAJORITY VOTE IN FAVOR OF THAT DISTRICT. THE IMMEDIATE EFFECT OF THE CREATION OF THE DISTRICT IS THAT NEITHER THE CITY OF AUSTIN NOR TRAVIS COUNTY CAN LEVY TAXES FOR HOSPITAL PURPOSES OR FOR INDIGENT MEDICAL CARE IN FISCAL YEAR 2005. SO THE NEW DISTRICT MUST BE ORGANIZED PROMPTLY IN ORDER TO LEVY TAXES FOR THAT -- FOR THE UPCOMING FISCAL YEAR. FAILURE TO DO SO WOULD MEAN DISRUPTION IN MANAGEMENT AND FUNDING OF THE MAJOR COMPONENTS OF OUR LOCAL HEALTH CARE SYSTEM WHICH YOU SEE HERE AND WHICH YOU'RE WELL FAMILIAR WITH. THIS EVENING UTMB LEASES AT BRACKENRIDGE, THE CITY AND COUNTY COMMUNITY HEALTH CENTERS, THE FQHC SYSTEM AND THE CITY MEDICAL ASSISTANCE OR MAP PROGRAM. I WANT TO REVIEW QUICKLY FOR YOU AND FOR THE PUBLIC THE CITY OF AUSTIN'S HISTORY AND COMMITMENT TO OUR HEALTH CARE SYSTEM HERE LOCALLY. IN THE 1880'S, THE CITY AND COUNTY FUNDED WHAT BECAME KNOWN THEN AS THE CITY-COUNTY HOSPITAL, BUT BY 1907 THE COUNTY HAD SOLD ITS INTEREST IN THE HOSPITAL TO THE CITY. THE CITY OPENED IN 1915 WHAT WAS THEN KNOWN AS THE CITY HOSPITAL AND IT WAS SHORTLY AFTER THAT RENAMED BRACKENRIDGE

HOSPITAL. AND THEN MORE RECENTLY, BASED ON THE DEMAND FOR PEDIATRIC SERVICES AND BASED ON THE VAST SUPPORT THAT WE HAVE IN THE PHYSICIAN COMMUNITY, THE CITY ESTABLISHED AND BUILT CHILDREN'S HOSPITAL ON THE BRACKENRIDGE CAMPUS IN 1988. THERE IS MORE AND MORE A COMPLEX LINK BETWEEN HOSPITAL AND CLINIC CARE, AND RECOGNIZING THE NEED FOR MORE CLINIC CARE FOR THE UNINSURED, THE CITY AND THE COUNTY ESTABLISHED THE CLINICS AND THE MEDICAL ASSISTANCE PROGRAMS IN THE 1970'S AND 1980'S. THE CLINICS WERE INITIALLY LIMITED TO M.A.P. AND TO MEDICAID PATIENTS, BUT IN 1991 THE CITY SOUGHT AND RECEIVED FEDERALLY QUALIFIED LOOK ALIKE STATUS WHICH ALLOWED THE CLINICS TO RECEIVE A HIGHER COST BASED MEDICAID AND MEDICARE REIMBURSEMENT AND THEREFORE TO EXPAND THEIR CLIENTELE SOMEWHAT. AND IN 2001 THE CITY RECEIVED FULL STATUS AS A FEDERALLY QUALIFIED HEALTH CENTER WHICH HAS ALLOWED US TO RECEIVE BETTER PRICING PERFORMANCE THROUGH THOSE AND THE ADDITION OF CERTAIN PROGRAMS AND GRANTS THAT WE DID NOT HAVE AVAILABILITY TO BEFORE. AND IT ALSO ALLOWED US TO DO GROUP PURCHASING THROUGH THE TEXAS AND NATIONAL HEALTH CARE ASSOCIATIONS. THE CURRENT STATUS OF OUR COUNTY WIDE CLINIC SYSTEM THAT WILL MOVE OVER TO THE DISTRICT IS WE HAVE 11 MEDICAL AND THREE DENTAL CENTERS WITH APPROXIMATELY 50,000 PATIENTS, AND WE PROVIDE MEDICAL SERVICES TO INCLUDE PRIMARY CARE, MATERNITY, PEDIATRICS, INTERNAL MEDICINE AND WOMEN'S HEALTH SERVICES. WE ALSO HAVE APPROXIMATELY 320 EMPLOYEES IN OUR PRIMARY CARE OR OUR COMMUNITY CARE DEPARTMENT. REVIEWING THE HISTORY OF -- A LITTLE BIT MORE THE HISTORY OF OUR HOSPITAL, BECAUSE OF INCREASING COMPLEXITY IN THE HEALTH CARE MARKET THAT WE SAW IN THE 1980'S AND THE 1990'S, THE CITY COUNCIL AND CITY MANAGEMENT BECAME MORE AND MORE AWARE THAT IT WAS GOING TO BE FINANCIALLY RISKY FOR THE CITY TO CONTINUE TO OPERATE BRACKENRIDGE. BECAUSE WE WERE NOT ABLE TO OPERATE WITH THE NETWORK, WE WERE ESSENTIALLY A STAND ALONE OPERATION. WE ALSO AT THAT TIME EXPECTED FEDERAL AID, WHICH ON YOU'VE HEARD REFERRED TO AS DISPRO. WE

EXPECTED THAT TO DECREASE. IN FACT, IT DID DECREASE SIGNIFICANTLY FROM WHAT WE RECEIVED IN THE VERY EARLY YEARS, BUT IT HAS FORTUNATELY CONTINUED AND WILL REMAIN AS A VALUABLE SOURCE OF REVENUE TO THE DISTRICT. WE ALSO SUFFERED FROM GOVERNMENTAL CONSTRAINTS THAT RESULT IN OUR LACK OF FLEXIBILITY. FOR EXAMPLE, WE WERE NOT ABLE TO MOVE NEARLY AS ANYMOREBLY AS THE PRIVATE SECTOR IN OBTAINING COMPLEX MEDICAL EQUIPMENT AND PUTTING THAT INTO USE. AND THEN WE SAW INCREASED COMPETITION FROM TWO SYSTEMS THAT WERE ESSENTIALLY EMERGING IN AUSTIN THAT WOULD CUT BRACKENRIDGE OUT. WE THEREFORE ENTERED INTO THE LEASE WITH SETON WHICH PROVIDED FOR THE RENTAL OF THE TWO FACILITIES ON THE BRACKENRIDGE CAMPUS TO SETON BASED ON APPRAISALS THAT WE RECEIVED AT THAT TIME. THE SETON LEASE PASSED THEN THE RESPONSIBILITY FOR OPERATING THOSE TWO FACILITIES AS A PART OF THE SETON NETWORK, AND IT REQUIRED THEM TO PROVIDE INDIGENT HOSPITAL AND RELATED PHYSICIAN CARE TO ALL PATIENTS AT ALL LOCATIONS IN THE SETON NETWORK. IT ALSO PROVIDED FOR THE PROVISION OF SPECIFIED SERVICES TO M.A.P. PATIENTS, AND MOST IMPORTANTLY, IT CAPPED THE CITY'S RISK FOR PAYING FOR THOSE SERVICES. THE IMPORTANCE OF THE SETON LEASE TO THE DISTRICT IS THAT SETON WILL REMAIN OBLIGATED TO OPERATE BRACKENRIDGE AND CHILDREN'S AND TO PROVIDE SPECIFIED LEVELS OF TRAUMA AND OTHER CARE AT SETON FACILITIES FOR 50 YEARS, FOR 50 MORE YEARS, PLUS ANOTHER 30 IF THE LEASE IS EXTENDED AT THAT POINT. SETON HAS THE ECONOMIC RISK FOR PROVIDING THE INDIGENT CARE TO CITY RESIDENTS. THE NEW DISTRICT WILL NOT HAVE, AS THE CITY DOES NOT NOW HAVE, THE BURDEN OR THE RISK OF OPERATING THE HOSPITAL. AND ALTHOUGH NOT REQUIRED TO DO SO UNDER THE LEASE, SETON HAS PROVIDED THE SAME LEVEL OF CARE FOR NON-CITY TRAVIS COUNTY RESIDENTS THAT IT HAS TO CITY OF AUSTIN RESIDENTS. AND BECAUSE OF THIS, SETON MAY THEREFORE SEEK TO NEGOTIATE WITH THE DISTRICT FOR ADDITIONAL PAYMENTS FOR THOSE NON-CITY INDIGENT RESIDENTS OF TRAVIS COUNTY. ONE QUESTION THAT CERTAINLY COMES UP IS WITH THE CREATION OF THE DISTRICT WHAT TRANSFERS TO

IT? AND THOSE THINGS THAT TRANSFER ARE, AS YOU SEE HERE, TITLE TO LAND AND IMPROVEMENTS ON THE BRACKENRIDGE CAMPUS. THOSE TWO HOSPITALS. THE RIGHTS AND OBLIGATIONS TO FUND THE SETON AND THE UTMB LEASES. THE RIGHT TO LEASED SPACE IN THE CITY'S CLINIC FACILITIES AND TO THE EQUIPMENT THAT'S USED BY THE STAFF AND THE PHYSICIANS THAT ARE THERE IN THOSE COMMUNITY HEALTH CENTERS. THE RIGHTS AND OBLIGATIONS OF OPERATING THOSE CENTERS AND ADMINISTERING THE M.A.P. AND THE CHARITY CARE PROGRAMS. ALSO WHAT TRANSFERS TO THE DISTRICT IS THE CASH THAT IS -- THAT HAS BEEN APPROPRIATED BY THE CITY FOR THE REMAINDER OF THIS FISCAL YEAR, FISCAL YEAR 2004, RELATED TO ALL OF THE ASSETS AND THE SERVICES LISTED ABOVE. AND THEN FINALLY, THE OBLIGATION TO CONTRIBUTE TAX MONEY TO THE STATE FOR THE DISPRO PROGRAM AS THE CITY CURRENTLY DOES THROUGH ITS OWNERSHIP OF BRACKENRIDGE HOSPITAL. THIS IS TO MATCH THE FEDERAL FUNDS THAT THEN COME BACK AND WHICH WE RECEIVE BY WAY OF DISPRO FUNDS. WHAT DOES NOT TRANSFER TO THE HOSPITAL DISTRICT ARE PUBLIC FUNCTIONS THAT WE HAVE THAT ARE RELATED TO DISEASE AND PEST CONTROL AND CERTAIN IMMUNEIZATIONS. ALL THE RIGHTS AND OBLIGATIONS RELATED TO E.M.S. AND TO STARSTARFLIGHT. NONE OF THESE PASSED IN THE DISTRICT. OUR PUBLIC SAFETY FUNCTIONS OF COURSE DO NOT TRANSFER NOR OTHER RELATED HEALTH CARE. AND WHAT DOES ALSO NOT PASS TO THE DISTRICT ARE THE GENERAL FUND RESERVES. ANY GENERAL FUND RESERVES THAT WE HAVE, INCLUDING THOSE GENERAL FUND RESERVES THAT MAY HAVE BEEN ESTABLISHED FROM EXCESS HOSPITAL FUND SOURCES. THERE ARE A NUMBER OF TRANSITION STEPS THAT WILL BE TAKEN BY A NUMBER OF DIFFERENT PARTIES. FIRST OF ALL, THE APPOINTMENT AND QUALIFICATION OF THE DISTRICT BOARD BY THE CITY AND THE COUNTY, AND I KNOW THE MAYOR PRO TEM AND COUNCILMEMBER DUNKERLEY ARE GOING TO TALK A LITTLE MORE ABOUT THIS SHORTLY. ANOTHER TRANSITION STEP IS THE ESTABLISHMENT OF AN INITIAL DISTRICT INFRASTRUCTURE THAT REALLY WILL ALLOW THE DISTRICT TO CONDUCT BUSINESS BECAUSE IT WILL ASSUME THE RESPONSIBILITY, FOR EXAMPLE, FOR

ADMINISTERING THE SETON LEASES. IT WILL HAVE TO HAVE AT LEAST A MINIMAL ADMINISTRATIVE STAFF IN PLACE. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] AND WHAT THE EFFECT OF THAT TRANSFER WILL BE ON -- ON THOSE RELATED EMPLOYEES. AGAIN, IN -- IN FISCAL YEAR 2005, THE CITY WILL NO LONGER BE ABLE TO TAX FOR OUR HEALTH CARE SYSTEM AND FOR THE RELATED SERVICES THAT ARE TO TRANSFER TO THE DISTRICT. AND THEN ALSO IT'S REQUIRED UNDER STATE LAW THE CITY MUST TAKE INTO ACCOUNT THE DECREASE IN THE AMOUNT IT WILL SPEND FOR HEALTH CARE PURPOSES IN FISCAL YEAR 2005 AND MUST REDUCE ITS PROPERTY TAX RATE IN ACCORDANCE WITH THE AMOUNT OF THE DECREASE. THE CITY MANAGER HAS STATED EARLIER -- AS STATED EARLIER EXPECTS TO PROPOSE HER '05 BUDGET AT THE EFFECTIVE TAX RATE, WHICH WOULD THEN HAVE THE ADDED ADJUSTMENT TO IT, THAT THAT EFFECTIVE TAX RATE WILL BE LESS, THE PROPERTY TAX REDUCTION THAT'S RELATED TO THE COST TRANSFERRED TO THE DISTRICT. I WANT TO STRESS VERY HEAVILY THAT THE NEXT SLIDE THAT I SHOW YOU HAS A LOT OF VARIABLES IN IT, ALL OF WHICH ARE ESTIMATES AT THIS POINT. NONE OF THESE NUMBERS ARE YET KNOWN. W/LO I DON'T EXPECT ANY OF THEM TO CHANGE ALL THAT SIGNIFICANTLY, NEVERTHELESS THEY ARE ESTIMATE. I WANT TO SHOW YOU SORT OF AN ILLUSTRATION OF HOW THE CITY WILL CALCULATE THE REDUCTION IN ITS TAX RATE THAT WILL THEN BE CERTIFIED BY AN INDEPENDENT AUDITOR. RIGHT NOW THE ESTIMATE THAT WE HAVE FROM T CAD IS THAT OTHER OVERALL ASSESSED VALUE IS ABOUT 49.8 BILLION, WHICH THEREFORE WITH OUR REVENUE REQUIREMENTS FROM 2004 MEANS THAT AS -- AS SAID EARLIER, OUR -- OUR EFFECTIVE TAX RATE IS EXPECTED RIGHT NOW TO BE 50.13 CENTS.

I'M SORRY, MR. STEVENS, WHAT IS IT CURRENTLY TODAY? THE OVERALL ASSESSED VALUE.

THIS IS THE ASSESSED VALUE FOR THE NEW FISCAL YEAR COMING UP.

WHAT IS IT 49.8 BILLION.

Mayor Wynn: HOW MUCH OF A REDUCTION OVER THE

PREVIOUS --

HE'S ASKING FOR THE CURRENT YEAR.

I'M SORRY, THE CURRENT YEAR. 49.2.

THANK YOU.

ALL RIGHT.

THIS MEANS THAT THE EFFECTIVE TAX RATE, WHICH AGAIN IS ESSENTIALLY THAT TAX RATE THAT ALLOWS US TO PRODUCE THE SAME AMOUNT OF REVENUE LAST YEAR, AND RECEIVE THAT AMOUNT OF REVENUE IN '05, PLUS ANY NEW CONSTRUCTION THAT'S ON THE TAX ROLLS. THE EFFECTIVE TAX RATE ESTIMATED RIGHT NOW IS 50.13. THAT WOULD PRODUCE TOTAL TAX REVENUE IN '05, INCLUDING GENERAL FUND AND DEBT SERVICE TAX REVENUE OF 244 OR 245 MILLION. THEN SIMPLY DIVIDING THAT TOTAL TAX REVENUE NUMBER BY 50.13 CENTS, GIVES YOU THE AMOUNT OF REVENUE THAT YOU RECEIVE PER ONE CENT OF TAX, WHICH IS THE 4,884,222 THAT YOU RECEIVE THERE. THE BUDGET THAT WE HAVE RIGHT NOW, THAT IF THE DISTRICT HAD NOT BEEN CREATED, THE BUDGET THAT WE HAD PREPARED AT THIS POINT IN THE BUDGET PROCESS IS THE \$29.6 MILLION NUMBER THAT YOU SEE. THIS RELATES TO -- TO -- TO JUST BY WAY OF COMPARISON IN FISCAL YEAR '04 AND THE CURRENT FISCAL YEAR, OUR GENERAL FUND CONTRIBUTION WAS -- WAS TO BE 28.6, 28.7 MILLION. SO WE HAVE INCREASED THAT BUDGET BY ABOUT A MILLION. RIGHT NOW IN THE BUDGET PROCESS. THEN DIVIDING THAT AMOUNT THAT WE WOULD HAVE SPENT ON HEALTH CARE SERVICES THIS YEAR, BY THE AMOUNT OF REVENUE THAT ONE CENT ON THE PROPERTY TAX RATE WILL RAISE, GIVES YOU OUR PROPOSED REDUCTION TO THE TAX RATE WHICH WE CURRENTLY ESTIMATE AT 6.07 CENTS. THEN SIMPLY SUBTRACTING THAT FROM THE 50.13 THAT'S OUR CURRENT EFFECTIVE TAX RATE GIVES YOU THE REDUCED TAX RATE THAT AT THIS POINT THE CITY MANAGER WOULD PROPOSE FOR ADOPTION. I WOULD JUST POINT OUT TO YOU, AS ONE LAST OBSERVATION, COUNCIL, THAT -- THAT ONE OF THE THINGS THAT THE CITY DID IN PREPARATION FOR -- FOR THE ELECTION WAS TO PUT TOGETHER A FINANCIAL MODEL THAT

WOULD PREDICT WHAT THE TAX RATE REDUCTION WOULD BE. THEN WE TOOK THE FURTHER STEP OF HAVING A CONSULTANT COME IN AND REVIEW THE WORK THAT WE HAD DONE. THAT -- OUR FINANCIAL MODEL AND THE CONSULTANT'S REVIEW OF THAT RESULTED IN AN ESTIMATED 5.97 CENTS REDUCTION TO THE CITY'S TAX RATE AND NOW THE REDUCTION THAT WE ARE SEEING IS SLIGHTLY HIGHER THAN THAT. SO ... THAT CONCLUDES MY PART OF THE PRESENTATION, COUNCIL.

Mayor Wynn: THANK YOU, MR. STEVENS. SO CAN WE TALK ABOUT THE CALENDAR NOW?

Futrell: I THINK -- RUDY WILL CLOSE WITH NEXT STEPS AND -- WE WILL MOVE ON.

WE WILL CLOSE OUT HERE WITH JUST A QUICK RECAP OF THE REMAINING SCHEDULE IN OUR BUDGET PROCESS. THE CITY MANAGER WILL SUBMIT TO THE CITY COUNCIL HER RECOMMENDED BUDGET ON JULY 29th. ALSO ON JULY 29th, PER THE CITY CHARTER, THE CITY COUNCIL WILL AT THAT TIME ADOPT A SCHEDULE FOR FOR PUBLIC HEARINGS ON THE PROPOSED BUDGET. THE DATES THAT WE ARE CURRENTLY PROJECTING WILL HAVE DATES FOR BUDGET PRESENTATIONS AND PUBLIC HEARINGS ARE AUGUST 5th, AUGUST 12th, THE 26th OF AUGUST, AND SEPTEMBER 2nd WE WILL CLOSE OUT OUR BUDGET PRESENTATIONS AND PUBLIC HEARINGS. AND THE COUNCIL WOULD BE CURRENTLY SCHEDULED TO -- TO VOTE ON THE PROPOSED BUDGET BETWEEN SEPTEMBER 13th THROUGH THE 15th. ALL THREE READINGS DURING THAT TIME FRAME. THAT CONCLUDES OUR PRESENTATION FOR TODAY.

THANK YOU, MR. GARZA. COUNCILMEMBER DUNKERLY? I THINK, MAYOR PRO TEM, IS GOING TO LEAD OFF A DISCUSSION ON -- ON -- I DON'T THINK I'M ON. WAS GOING TO LEAD THE DISCUSSION ON WHAT WE HAVE TO DO NEXT. IF I CAN JUST JUMP IN, I WILL SAY THIS IS A OBVIOUSLY A LOT OF INFORMATION TO ABSORB. WE HAVE A LOT OF OTHER BUSINESS TO HANDLE THIS EVENING. SO -- SO MY PREFERENCE, COUNCIL, WOULD BE FOR US NOT TO DELVE INTO QUESTIONS RIGHT NOW FOR THE CITY MANAGER ON THE POLICY OF THE BUDGET. RATHER ABSORB IT AND HAVE

A CHANCE TO GET SOME FEEDBACK INDIVIDUALLY AND FROM OUR CONSTITUENTS. BUT COUNCILMEMBERS DUNKERLY AND THE MAYOR PRO TEM DO HAVE NOW SOME DIRECTION THAT WE NEED TO START ATTEMPTING TO -- TO HANDLE AS WE RELATE TO -- SPECIFICALLY TO THE HOSPITAL DISTRICT TRANSITION. I WILL RECOGNIZE THE MAYOR PRO TEM.

Goodman: THANKS, MAYOR, WE HAVE ITEMS NUMBER 41 AND 42 ON THE AGENDA FOR TODAY. YOU SHOULD HAVE THE LANGUAGE IN TWO SEPARATE RESOLUTIONS BEFORE YOU. 41 IS TO ESTABLISH A RESOLUTION FOR A PROCESS -- I MEAN TO APPROVE, SORRY, A RESOLUTION ESTABLISHING A PROCESS FOR SELECTION AND ESTABLISHING STANDARDS OF INDEPENDENCE FROM CONFLICT OF INTEREST FOR THE CITY'S REPRESENTATIVES OF THE TRAVIS COUNTY HOSPITAL DISTRICT BOARD. 42 THEM IS ADOPTING A CHARGE. AS WE DO THIS THE COUNTY ALSO IS OR HAS DONE MUCH THE SAME. IN THE END, COUNCILMEMBERS, WHAT COUNCILMEMBER DUNKERLY AND I WOULD LIKE TO ASK IF YOU IS IN APPROVING THESE TWO ITEMS YOU ALSO GIVE US THE LEEWAY AS YOUR APPOINTED REPRESENTATIVES ON THE TRANSITIONAL TEAMWORKING ON -- WORKING ALL OF THESE OUT FOR MINOR ADJUSTMENTS TO MATCH UP WITH WHAT THE COUNTY IS DOING. SO THAT WE DON'T HAVE TO TRY TO COME BACK FOR -- UNLESS THERE'S SOMETHING MAJOR. BUT FOR MINOR ADJUSTMENTS TO MATCH OURSELVES UP WITH WHAT THE COUNTY COMMISSIONERS COURT DOES AS WELL. IF THEY ARE NOT SUBSTANTIVE CHANGES, WE WOULD LIKE TO BE ABLE TO -- TO SORT OF MASSAGE EDGES AND SO ON. AND OF COURSE WE WANT YOU TO TRUST US TO DO THAT. SO THAT'S PART OF WHAT WE ARE ASKING AS WELL. WHAT JOHN TOLD YOU EARLIER, ABOUT THE HOSPITAL, IS A GOOD HISTORY LESSON FOR ALL OF US. FOR NEARLY 100 YEARS NOW, THE CITY RATHER THAN THE COUNTY IN TRAVIS COUNTY HAS TAKEN RESPONSIBILITY FOR HEALTH CARE AND HOSPITAL CARE. AND HAS DONE OUR BEST TO KEEP THAT COMMITMENT FOR A SAFETY NET SERVICE PROVISION. TO LET YOU KNOW A LITTLE BIT ABOUT WHAT THE DIFFERENCE MAY BE, WE ARE CONTEMPLATING ADDITIONAL -- TO THE HOSPITAL DISTRICT, IS THAT THE ASSETS THAT WE

ARE TURNING OVER TO THE NEW DISTRICT BOARD, WHICH WILL BE UNDER THE AUSPICES OF THE COUNTY, ARE -- ARE CONSIDERABLE. JUST FOR BRACKENRIDGE, THE PHYSICAL PLANT, FOR INSTANCE, 10 YEARS AGO, THAT WAS WORTH \$38 MILLION. AND SO WHAT WE ARE TURNING OVER IS 10 YEARS LATER, THAT AND OTHER THINGS THAT ARE ASSETS PAID FOR BY CITY TAXPAYERS. THAT'S A BIG DIFFERENCE. WE ARE MAKING A BIG CHANGE. THE COMPARISON OF SERVICES RELATIVE TO CLIENTS AND PATIENTS BETWEEN THE CITY AND THE COUNTY AT THIS MOMENT IS THAT THE CITY PROVIDES FOR 90% OF THOSE PATIENTS. THE COUNTY 10%. SO THIS IS A HUGE CARTHASIS FOR US EVEN THOUGH IT IS IN PURSUIT OF MORE EQUITABLE AND SHARING OF THE LOAD FOR THE SAFETY NET SERVICE, BOTH IN PREVENTIVE AND EMERGENCY CARE. AND THE LAST COMPARISON TO LET YOU KNOW HOW DIFFERENT LIFE IS GOING TO BE IS THAT FOR THE CITY TO HELP FUND EXPENDITURES IN THIS EFFORT, IT'S SOMETHING LIKE 28 MILLION. WHEREAS FOR THE COUNTY IT'S SIX. SO WE ARE IN THE PROCESS OF TURNING OVER THE COMMITMENT AND RESPONSIBILITY THAT WE'VE HAD FOR ABOUT 100 YEARS TO A NEW ENTITY. WE ARE ALL TRYING TO BE VERY CAREFUL IN THIS, KNOWING ALSO THAT WE HAVE TO MOVE QUICKLY BECAUSE THE END OF THE BUDGET YEAR IS THE END OF THE TIME WHEN WE CAN CONTINUE FUNDING WHAT WE FUND. THEREFORE, THE NEW ENTITY HAS TO BE READY TO BEGIN FUNDING WHAT IT WILL NOW TAKE RESPONSIBILITY FOR. SO IN THE TIME BEING, PART OF THE ESSENCE HERE, THAT'S ALSO THE REASON THAT WE ARE ASKING YOU TO TRUST US TO MAKE MINOR ADJUSTMENTS AND TO BRING BACK ANYTHING MAJOR IF WE HAVE TO, BUT HOPEFULLY WE CAN MOVE QUICKLY. ITEM NO. 41, IS THE PROCESS FOR APPOINTMENT AND QUALIFICATIONS FOR INDEPENDENCE FROM -- FROM CONFLICTS OF INTEREST AND IF YOU WILL NOTICE ON PAGE 2, IT'S FAIRLY SELF EXPLANATORY. THE TRANSITION TEAM IS -- IS COUNCILMEMBER DUNKERLY, MYSELF, CITY STAFF, THAT'S HELPED TO GET THIS FAR AND TWO REPRESENTATIVES OF THE TRAVIS COUNTY HOSPITAL DISTRICT ADVISORY COMMITTEE, WHICH WAS PREVIOUSLY THE STEERING COMMITTEE AND THE FOLKS THAT HELPED US GET THROUGH THE -- THE CAMPAIGN AND ELECTION. SO IN ORDER TO MAKE SURE THAT WHAT WE DO HERE

MATCHES AND MEASURES WITH HOW THE PUBLIC WAS TOLD IT WOULD BE, IT'S IMPERATIVE THAT THOSE FOLKS BE A PART OF THIS. THE CITY APPOINTMENT COMMITTEE FOR THOSE FOLKS WHO ARE NOMINATED AND WILL BRING US INFORMATION AND WILL SCREEN AND INTERVIEW AND OFFER OUR TWO AND A HALF APPOINTMENTS TO THE BOARD, WOULD INCLUDE THE HEALTH CARE SUBCOMMITTEE, THE CITY COUNCIL HEALTH CARE SUBCOMMITTEE, WHICH IS COUNCILMEMBER DUNKERLY WHO CHAIRS THAT COMMITTEE AND COUNCILMEMBER ALVAREZ, THOMAS AND MYSELF. THE CITY STAFF TEAM THAT'S BEEN WITH US ALL THIS TIME AND AGAIN THE REPRESENTATIVES FROM THE TRAVIS COUNTY HOSPITAL DISTRICT ADVISORY COMMITTEE. YOU CAN SEE THAT THE REQUIREMENTS FOR FOLKS ARE FAIRLY SELF EXPLANATORY, SO FAIRLY UP FRONT AND EASY TO UNDERSTAND. MUST BE A RESIDENT OF THE TRAVIS COUNTY HOSPITAL DISTRICT SERVICE AREA; THEY WILL HAVE A FORM TO COMPLETE -- THEY WILL HAVE A FORM TO COMPLETE I THINK BY MONDAY IF THEY WOULD LIKE TO BE NOMINATED OR BE A CANDIDATE FOR ONE OF THE SLOTS. SHALL COMPLETE AND SUBMIT A TRAVIS COUNTY HOSPITAL DISTRICT FINANCIAL DISCLOSURE FORM AND THE GOAL IS TO HAVE AT LEAST 75% OF THE BOARD MEMBERS AS INDIVIDUAL WHO HAVE DEMONSTRATED EXPERTISE AND QUALIFICATIONS INVOLVING FINANCE, ACCOUNTING, BANKING, LEGAL AFFAIRS, GOVERNMENT, HEALTH AND/OR SOCIAL SERVICE MANAGEMENT AND HEALTH CARE PROVIDERS. ONLY 50% OF THE BOARD'S APPOINTEES MAY DERIVE MORE THAN 25% OF THEIR INCOME FROM THE PROVISION OF HEALTH CARE -- PROVISION OF HEALTH CARE SERVICES OR HEALTH CARE INDUSTRY AND THE DISTRICT BOARD MAY INCLUDE A MEMBER OF A QUALIFIED HEALTH CENTER BOARD. RESTRICTIONS WOULD BE: NO EMPLOYEE, OFFICER OR BOARD MEMBER OF ANY ENTITY THAT RECEIVES FUNDS DIRECTLY FROM THE TRAVIS COUNTY HOSPITAL DISTRICT SHALL BE A MEMBER OF THE BOARD. NO EMPLOYEE, OFFICER OR BOARD MEMBER OF ANY HOSPITAL CAN BE A MEMBER OF THE BOARD. NO EMPLOYEE OF THE TRAVIS COUNTY HOSPITAL DISTRICT ITSELF CAN BE A MEMBER OF THE BOARD. AND NO ATTORNEYS, CPA OR OTHER PERSON WHO RECEIVES OR

WHOSE EMPLOYEE RECEIVES IN EXCESS OF 10% FROM ITS INCOME FROM AN ENTITY THAT RECEIVES PAYMENT DIRECTLY FROM TRAVIS COUNTY HOSPITAL DISTRICT SHALL BE A MEMBER OF THE BOARD. AGAIN, IF YOU WOULD -- IF YOU WOULD GIVE US THE FLEXIBILITY TO MAKE MINOR ADJUSTMENTS AS WE TRANSITION WITH THE COUNTY TO THE BOARD AND OPERATIONS, WE WOULD APPRECIATE IT. AND WITH THAT, I WILL TURN IT OVER TO COUNCILMEMBER DUNKERLY.

Dunkerly: I THINK THAT YOU HAVE DONE JUST A FINE JOB. I WANTED TO REITERATE THAT WE REALLY MUST HAVE OUR BOARD APPOINTED THE LAST SESSION IN JULY. SO THAT PARTICULAR TIME LINE IS CRITICAL BECAUSE THEY HAVE TO PUT A BUDGET ON THE -- ON THE COUNTY'S DESK BY SEPTEMBER THE 1st AND THEN THE COUNTY HAS TO SET A TAX RATE BY SEPTEMBER THE 30th. SO WITH THAT JULY DATE IN MIND FOR US, THAT REALLY FORCES US TO EXPEDITE THIS PROCESS WHEREBY WE GET OUR APPLICATION FORMS TOGETHER, GET IT PUBLICIZED, GET IN APPLICATIONS, REVIEW THEM, MEET, MAKE -- MAKE -- YOU KNOW, COORDINATE WITH THE COUNTY AND THEN GET A RECOMMENDATION TO YOU BEFORE THAT JULY DATE. SO I THINK WITH THAT IN MIND, IF -- IF THERE AREN'T ANY QUESTIONS, PERHAPS I COULD JUST PUT A MOTION ON THE BOARD FOR YOU ALL TO -- TO APPROVE THESE TWO RESOLUTIONS.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLY TO APPROVE ITEMS NUMBER 41 AND 42 AS DRAFTED. SECONDED BY THE MAYOR PRO TEM. COMMENTS? COUNCILMEMBER ALVAREZ?

Alvarez: SO LOOKING AT THE TIME LINE FOR -- THIS IS 41, IS THAT RIGHT? ARE OR WE DOING BOTH?

Mayor Wynn: JOINT MOTION.

Alvarez: WELL, ON 41, THE APPLICATION PROCESS AND TIME LINE FOR THE -- IDENTIFYING THE BOARD MEMBERS, SO WHEN WE SAY PUBLISHED CRITERIA, THAT'S -- THAT'S WHAT THE MAYOR PRO TEM READ OUT TO THE RECORD. SO OKAY. AND THEN IN TERMS OF THE TRANSITION TEAM, OR

TRANSITION COMMITTEE, HOW MANY -- I GUESS WE'RE TALKING ABOUT TWO -- TWO APPOINTEES FROM THE CITY PLUS ONE THAT'S A JOINT APPOINTEE WITH THE COUNTY, CITY AND COUNTY, SO WE WOULD BE -- WE WOULD BE AT LEAST -- AT LEAST THE CITY WOULD BE HAVING A SAY IN AT LEAST THREE OF THE APPOINTMENTS OUT OF THE FIVE. SO - - SO HOW MANY FROM THE COMMITTEE GOING TO THIS APPOINTMENT COMMITTEE WOULD WE -- WOULD WE SEE? WOULD WE SEE A SHORT LIST OR AS BIG OF A LIST AS -- YOU KNOW, I MEAN, SO THAT -- I WOULD THINK THERE WERE A LOT OF ISSUES IN TERMS WHAT WAS WE MIGHT TO CONSIDER IN SELECTING, SO AGAIN IT WAS GOING TO BE A VERY NARROW TAILORED LIST OR IF IT WAS GOING TO BE --

Dunkerly: RIGHT NOW THE PROBLEM WITH TRYING TO -- WE ARE TRYING TO COORDINATE WITH THE COUNTY AND THE -- THE TIME ELEMENT HAS BEEN REALLY, REALLY DIFFICULT. WE'VE BEEN EXCHANGING DRAFTS OF CRITERION, EQUAL INDICATIONS, WE STARTED WORKING FROM THE SAME DOCUMENT. SO WE THINK THAT WE'VE ENDED UP PRETTY CLOSE TO THE SAME SPOT. WHAT THIS PROCESS REALLY ENTAILS, IF YOU WILL LOOK, WHEN THE APPLICATIONS COME IN, WE'RE PROPOSING THAT OUR INTERNAL TRANSITION TEAM REVIEW THOSE APPLICATIONS TO SEE IF THEY MEET MINIMUM QUALIFICATIONS. THEN IF THEY DO, THEY ARE GOING TO GO TO OUR BROADER, THE CITY'S BROADER TEAM, THAT WILL INCLUDE THE ENTIRE HEALTH CARE SUBCOMMITTEE. PLUS TWO PEOPLE FROM THE OUTSIDE AND AGAIN THERE WE WILL BE RANKING THE APPLICATIONS, INTERVIEWING IF WE NEED TO. THEN BEFORE WE COME TO THE COUNCIL WITH THOSE RANKINGS, WE ANTICIPATE HAVING A MEETING WITH THE COUNTY TO MAKE SURE THAT WE HAVE NOT ONLY DIVERSITY IN OUR -- IN OUR ETHNICITY AND -- BUT ALSO DIVERSITY IN SKILL SETS SO WE ARE NOT ALL APPOINTING NINE ACCOUNTANTS. SO WE -- WE REALLY ANTICIPATE THAT LINK WITH THE COUNTY AFTER THE -- AFTER THE HEALTH CARE SUBCOMMITTEE AND STAFF HAVE -- AND ADVISORY COMMITTEE MEMBERS HAVE LOOKED AT THOSE ELIGIBLE APPLICANTS AND SORT OF RANKED THEM AND THEN WE WOULD GO MEET WITH THE COUNTY AND THEN COME BACK TO THE COUNCIL WITH RECOMMENDATION. THAT WAS OUR BEST ATTEMPT AT THE

PROCESS. THE MAYOR PRO TEM MAY WANT TO CLARIFY IF THAT WAS HER UNDERSTANDING.

Goodman: I NEED TO CLARIFY SOMETHING ELSE THAT CHIEF McDONALD JUST POINTED OUT. I MAY HAVE SAID TWO INSTEAD OF FOUR. I WAS THINKING HALF, SO I FOCUSED ON THE 12. FOUR FROM THE CITY, FOUR FROM THE COUNTY AND THEN ONE CONSENSUS. SO I'M -- I DON'T KNOW WHERE I GOT TWO. MUST HAVE BEEN THE HALF. WE DON'T KNOW HOW MANY PEOPLE WILL APPLY. WE DON'T KNOW HOW MANY CANDIDATES THERE WILL BE TO TRY TO INTERVIEW AND -- AND GET SOME INSIGHT FROM AND VERY QUICKLY GET A FEEL FOR THE BEST THAT WE CAN DO. WHICH IS WHY WE'LL HAVE KIND OF A SHORT LIST. BUT I THINK THAT WITH THE TIME FRAME BEING WHAT IT IS, WE DON'T EVEN HAVE THE FORM FILLED OUT, THAT -- THAT WE PROBABLY WON'T HAVE TIME FOR PEOPLE TO INUNDATE ANY OF US WITH APPLICATIONS. WHAT WE ARE HOPING FOR IS A GOOD, SOLID REPRESENTATION, THOUGH. WHEN WE HAVE THOSE INTERVIEWS, THAT WOULD BE THE TRANSITION TEAM AND TO -- TWO MEMBERS FROM THE ADVISORY COMMITTEE AND, AS COUNCILMEMBER DUNKERLY SAID, COUNCILMEMBERS ALVAREZ AND THOMAS, ALONG WITH US AS THE CITIES, HEALTH CARE SUBCOMMITTEES, SO THAT WE HAVE A -- A -- A WIDER RANGE OF FOLKS TO LOOK AT ISSUES AND GET COMFORTABLE WITH -- WITH WHOMEVER COMES AN WANTS THIS JOB, WHICH IS A TREMENDOUS RESPONSIBILITY AND WE WILL HAVE TO INVEST A GREAT DEAL OF TRUST INTO THE PEOPLE WHO TAKE OVER HERE. SO WE WANTED TO HAVE A GOOD REPRESENTATION FROM COUNCIL INITIALLY BEFORE WE EVEN SEND RECOMMENDATIONS ON WHO BEST TO REPRESENT THE CITY. AND IT'S PURSUIT OF THE SAME COMMITMENT THAT WE'VE ALWAYS HAD. I'M NOT QUITE SURE IF WE ANSWERED COUNCILMEMBER ALVAREZ'S QUESTION. IT'S KIND OF HARD AT THIS JUNCTTURE TO KNOW.

I THINK THAT WAS ALSO SEEING A MUCH SMALLER NUMBER THAN WE WERE APPOINTING FOR SOME REASON. MAYBE FROM OUR EARLIER DISCUSSIONS BEFORE THE LEGISLATION WAS PASSED. BUT -- BUT THE MAIN THING IS OBVIOUSLY HAVING ACAL PHIED AND -- A QUALIFIED AND DIVERSE POOL FROM WHICH TO CHOOSE FROM. OBVIOUSLY

TRYING TO MAKE SURE THAT WE -- THAT WE MAKE SURE THAT WE KIND OF LEAVE IT -- HAVE AS MUCH OPPORTUNITY FOR DIVERSITY AND QUALIFICATIONS AND ETHNICITY AND MANY -- ANY OTHER CATEGORY THAT WE FEEL IS IMPORTANT. AND SO HOPEFULLY WE WILL HAVE A -- WE WILL HAVE A LOT OF INTEREST AND A LOT OF PARTICIPATION. BUT -- BUT THANK YOU FOR -- FOR CLARIFYING.

Goodman: THE OTHER THING MAYOR THAT WE CAN SEND COUNCILMEMBERS THAT I DON'T HAVE A CLEAN COPY OF RIGHT NOW IS ROUGHLY THE QUALIFICATIONS THAT HAVE BEEN FAIRLY SIMILAR TO EVERYBODY'S WHO HAS LOOKED AT THIS, BOTH COUNTY, CITY AND THE STEERING COMMITTEE, WHICH IS NOW THE ADVISORY COMMITTEE. YOU KNOW MORE SPECIFICS ABOUT QUALIFICATIONS FOR FOCUS, EXPERTISE, AND A LITTLE BIT MORE DETAIL ABOUT HEALTH CARE AND INVOLVEMENT IN LEADERSHIP ROLES, SO ON, SO FORTH. SO AS SOON AS I GET A CLEAN COPY, I CAN SEND THAT ON.

Mayor Wynn: YES, THANK YOU MAYOR PRO TEM. FURTHER COMMENTS? THERE'S A MOTION AND A SECOND ON THE TABLE TO APPROVE JOINTLY ITEMS 41 AND 42. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. AND STAFF. OKAY. RUNNING BEHIND, COUNCIL. WE ARE QUICKLY CATCHING UP. I APPRECIATE EVERYBODY'S PATIENCE OUT THERE. WE WILL NOW GO TO OUR 4:00 TIME CERTAIN ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. I WILL RECOGNIZE MS. ALICE GLASGO.

Glasgo: HERE GOES THE CHANGING OF THE GUARDS, THAT WAS FAST.

Mayor Wynn: ACTUALLY, IN FACT MAYBE WE SHOULD WAIT ONE MINUTE AND LET FOLKS COME BACK INTO THE ROOM AND LET CITY STAFF DO THEIR SHUFFLE. THANK YOU FOR EVERYBODY'S PATIENCE. WHILE WE ARE HERE, TO AVOID TRYING TO HAVE A DISCUSSION IN EXECUTIVE SESSION, WE

COULD QUICKLY TAKE UP ITEM NO. 30 PURSUANT TO OUR CONVERSATION THIS MORNING ABOUT OUR PHARMACY MANAGEMENT SERVICES AGREEMENT. NOTING THAT THE ACTION ITEM POSTED ON ITEM NO. 30 IS NEGOTIATE ONLY, NOT NEGOTIATE AND EXECUTE. WITH THAT I'LL EITHER ENTERTAIN A MOTION OR COMMENTS. MAYOR PRO TEM?

Goodman: I WOULD MOVE APPROVAL. NOTING THAT IT ONLY SAYS NEGOTIATE AND NOT EXECUTE.

Mayor Wynn: RIGHT. MOTION MADE BY THE MAYOR PRO TEM. SECONDED BY COUNCILMEMBER SLUSHER TO AUTHORIZE NEGOTIATION AS POSTED ON ITEM NO. 30. FURTHER COMMENTS? COUNCILMEMBER ALVAREZ?

Alvarez:.

Alvarez: BECAUSE WE ARE APPROVING NEGOTIATION AND NOT EXECUTION, IT GIVES US TIME BEFORE THE ACTUAL VOTE TO APPROVE THE CONTRACT TO LOOK AT SOME OF THE ISSUES THAT WERE RAISED EARLIER. THANK YOU.

Slusher: MAYOR, I'M IN -- MY SECOND IS IN THE SPIRIT OF THAT IT WON'T DELAY THINGS. SEEMED LIKE MAYBE THERE WERE SOME DISCUSSION THAT'S WENT ON IN THE MEANTIME THAT I WASN'T INVOLVED IN. BUT I WANT TO MAKE SURE BY SECONDED IT, IT'S TO KEEP IT MOVING AT THE PACE WE ANTICIPATED WHEN WE CAME IN HERE TODAY THAT WAS ANTICIPATED THIS MORNING.

Mayor Wynn: AGREED, THANK YOU. MOTION TO --

Slusher: CITY MANAGER?

Futrell: YES.

Mayor Wynn: MOTION AND SECOND ON THE TABLE TO APPROVE ITEM NO. 30. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

YOU ALL VERY MUCH. FOR YOUR PATIENCE. NOW, MS. GLASGO. OUR ZONING CASES?

Glasgo: GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, ALICE GLASGO DIRECTOR OF THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. OUR ZONING CASES FOR TODAY ARE FOLLOWS, WE START OFF WITH ONE CASE THAT HAS HAD A PUBLIC HEARING, THE SECOND AND THIRD READINGS, ITEM NO. 53, C14-04-38, THIS CASE IS LOCATED AT 6001 MOUNTAIN SHADOWS DRIVE, READY FOR SECOND AND THIRD READINGS AND THE ORDINANCE REFLECTS WHAT YOU APPROVED UNDER FIRST READING. IT'S READY FOR YOUR APPROVAL. MAYOR THAT CONCLUDES THE ITEMS UNDER THIS SECTION.

Mayor Wynn: COUNCIL, AS YOU HEARD, ITEM NO. 53 READY FOR SECOND AND THIRD READING. I WILL ENTERTAIN A MOTION.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLY, I WILL SECOND THAT TO APPROVE ITEM NO. 53 ON SECOND AND THIRD READING. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Glasgo: MAYOR, THE FOLLOWING ITEMS ARE THOSE UNDER THE 4:00 PUBLIC HEARINGS. WE HAVE SEVERAL ITEMS UNDER THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN, Z-1, Z-2 WILL BE HEARD TOGETHER. Z-3 WILL BE PRESENTED BEFORE Z-1 AND Z-3 BECAUSE THERE'S A STAND ALONE ZONING CASE, BUT IT'S WITHIN THE WEST UNIVERSITY AREA. Z-4, 5, AND 7 AND THEN OUR FIRST CONSENT ITEM I WILL START OFF WITH ITEM NO. Z-6. OUR FIRST CONSENT. Z-6 IS SO YOU C14-04-64 THE EPISCOPAL THESE LOGICAL SEMINARY ZONING CASE LOCATED AT 500 AND 606 RATHERVUE PLACE AND 3105 AND 3113 DUVAL STREET. THIS FALLS WITHIN THE HANCOCK PLANNING AREA

AND IS PROCEEDING WITH THE ZONING CHANGE TO CHANGE THE ZONING TO ALLOW THE USES THAT ARE BEING PROPOSED. THE PROPOSED ZONING IS CONSISTENT WITH THE FUTURE LAND USE MAP THAT YOU WILL BE CONSIDERING SHORTLY. THE REQUEST IS TO CHANGE THE EXISTING ZONING FROM MULTI-FAMILY TO THE CONDITIONAL OVERLAY TO G.O.-M.U.-C.O. WHICH STANDS FOR GENERAL OFFICE MIXED USE CONDITIONAL OVERLAY COMBINING DISTRICT. FOR TRACT 1 AND G.O.-M.U.-C.O. FOR ANOTHER TRACT. THIS REQUEST WAS RECOMMENDED BY THE PLANNING COMMISSION. AS REQUESTED BY THE APPLICANT AND IS READY FOR FIRST READING. WE WOULD LIKE TO ADD TWO OTHER USES, AS CONDITIONAL USES, PRIVATE, PRIMARY AND SECONDARY SCHOOLS AS A CONDITIONAL USE. THAT IS AGREEABLE TO BOTH THE APPLICANT AND THE NEIGHBORHOOD ASSOCIATION. MR. SUTTLE WOULD LIKE TO ASK COUNCIL TO DIRECT STAFF TO BRING THIS CASE BACK NEXT WEEK, JUNE 17th, FOR SECOND AND THIRD READINGS DUE TO SOME SITE PLAN APPROVALS THAT ARE PENDING APPROVAL. WE WOULD HAVE NORMALLY BROUGHT IT BACK TO YOU TWO WEEKS LATER AND NOT THAT SOON. THE NEXT CONSENT ITEM IS ITEM NO. Z--- WELL, DISCUSSION FOR REQUEST ITEM NO. Z-8 ON MANCHACA ROAD, YOU HEARD TWO WEEKS AGO THERE WAS -- WE RECEIVED A LETTER JUST BEFORE THE PUBLIC HEARING FROM A RESIDENT IN THE AREA WHO REQUESTED A TWO-WEEK POSTPONEMENT IN ORDER TO DISCUSS TRAFFIC ISSUES AND ENGINEERING ISSUES. WELL, TODAY WE RECEIVED A LETTER FROM ANOTHER RESIDENT WITHIN THE SAME NEIGHBORHOOD ASKING FOR ANOTHER POSTPONEMENT FOR TWO WEEKS TO PURSUE THE SAME ISSUES. THE APPLICANT DID VISIT WITH THE NEIGHBORHOOD AND HE CAN SPEAK TO THAT. BUT THE SECOND REQUEST FROM -- FROM DIFFERENT -- DIFFERENT CITIZENS BUT WITHIN THE SAME AREA IS FOR ANOTHER POSTPONEMENT TO -- TO THE 24th OF JUNE. I KNOW THE APPLICANT WAS INTENDING TO GET THE ZONING APPROVED SO THAT HE COULD PROCEED WITH FILING HIS PRELIMINARY SUBDIVISION PLAN AND IS NOT AGREEABLE TO A POSTPONEMENT. THAT'S ONE FOR COUNCIL TO CONSIDER WHETHER YOU WANT TO CONSIDER ANOTHER POSTPONEMENT OR HEAR THE CASE. OUR NEXT CONSENT ITEM IS Z-10, ESCARPMENT VILLAGE, C14-04-156 LOCATED AT

5800 THROUGH 5948 WEST SLAUGHTER LANE. THE QUESTIONS FROM -- FROM L.R.-M.U.-C.O. TO G.R.-C.O. THIS CASE IS READY FOR ALL THREE READINGS AS RECOMMENDED BY THE ZONING AND PLATTING COMMISSION. THE PLANNING COMMISSION RECOMMENDATION IS TO GRANT G.R.-C.O. FOR TRACT 1 AND L.R.-C.O. FOR TRACT 2. OUR NEXT ITEM IS Z-11 THE ROBINSON RANCH P.U.D., STAFF IS REQUESTING A POSTPONEMENT TO JUNE THE 17th. ITEM NO. Z-12, C 14-H-04-1 YOU ASKED STAFF TO GET A MEDIATOR. WE DID, THE TRANSPORTATION AND SUSTAINABILITY DEPARTMENT OBTAINED A MEDIATOR. MR. WATSON MEDIATED THE CASE AND IT WAS SUCCESSFUL MEDIATION. WHAT -- WHAT I TELL YOU IS THAT BOTH PARTIES AGREE NOT TO PURSUE HISTORIC ZONING. THERE WILL BE -- THEY WILL BE PURSUING AN AGREEMENT BETWEEN THE TWO, THE NEIGHBORHOOD AND THE APPLICANT, AND WHICH MEANS THAT YOU CAN CONSIDER DENYING HISTORIC ZONING PURSUANT TO THE AGREEMENT. SO THAT WOULD BE THE PROPOSAL. UNLESS YOU WANT TO HEAR A BRIEF PRESENTATION FROM BOTH PARTIES. BUT WHAT I'M OFFERING IS -- IS TO LET YOU CONSIDER IT, CONSIDER DENYING THE HISTORIC ZONING DUE TO THE AGREEMENT THAT HAS BEEN REACHED BY BOTH PARTIES. MAYOR THAT CONCLUDES MY PRESENTATION ON THE CONSENT ZONINGS AND POSTPONEMENTS.

THANK YOU, MS. GLASGO. COUNCIL, A COUPLE OF DECISIONS PRIOR TO READING THE CONSENT ZONING CASES WOULD BE, A COUPLE OF DIFFERENT POSTPONEMENT REQUESTS. I HAD THIS CORRECT, MS. GLASGO, ON Z-6, THE REQUEST IS FOR A ONE-WEEK POSTPONEMENT TO JUNE 17th.

NO. Z-6 IS CONSENT TO APPROVE THE ZONING CHANGE. BUT -- ON FIRST READING AND DIRECT THE CASE TO BE BROUGHT BACK TO YOU FOR SECOND AND THIRD READINGS ON JUNE THE 17th.

Mayor Wynn: OKAY. THANK YOU. AND THEN OUR OTHER DECISION WAS Z-8 HAD A SECOND, ESSENTIALLY A SECOND NEIGHBOR REQUEST FOR POSTPONEMENT.

Glasgo: CORRECT.

Mayor Wynn: AND TODAY WOULD -- IT'S ALREADY BEEN POSTPONED ONCE FOR TWO WEEKS.

Glasgo: THAT'S CORRECT.

Mayor Wynn: COUNCIL? AS YOU KNOW OUR POLICY IS TO -- IS -- HAS BEEN AUTOMATIC POSTPONEMENT GENERALLY BY EITHER SOMEBODY IN FAVOR OR IN OPPOSITION. WE HAVE ALREADY GRANTED ONE IN OPPOSITION. SEEMINGLY. THE APPLICANT WANTS TO -- TO HAVE THE CASE HEARD, I BELIEVE, MS. GLASGO.

Glasgo: YES.

Goodman: MAYOR? WOULD IT BE POSSIBLE TO ASK THE APPLICANT A QUESTION?

Mayor Wynn: I THINK SO.

Glasgo: THIS IS ON ITEM NO. Z-8, WHETHER BLACK BURN IF YOU ARE IN THE AUDIENCE.

HE IS.

THANK YOU, SIR.

HELLO, I'M CHRIS BLACK BURN.

WE DO TRY TO MAKE SURE THAT EVERYBODY WHO BRINGS AN APPLICATION THROUGH THE PROCESS HAS THE LIST OF NEIGHBORHOOD FOLKS OR ANY OTHER GROUPS THAT WE KNOW OF. SO -- SO YOU MET WITH -- WITH THE ASSOCIATION AT ALL OR IS THERE -- IS THERE AN ORGANIZED GROUP THERE THAT YOU WERE ABLE TO MEET WITH AND TALK TO.

NO, MA'AM. FROM WHAT I FOUND OUT THIS NEIGHBORHOOD DOESN'T HAVE AN HOA, A HOMEOWNERS ASSOCIATION. I HAVE BEEN CONTACTED SINCE THE INITIAL ZONING NOTICE WAS SENT OUT BACK IN APRIL, WITH INITIAL CONVERSATIONS IN FAVOR, THERE WAS NO DISCUSSION AT THE ZONING MEETING, THE NEXT CONVERSATION THAT I

HAD WAS AFTER THE LETTER THAT WAS DELIVERED JUST PRIOR TO THE COUNCIL MEETING ON THE 27th. I RESPONDED TO THAT -- TO THAT LETTER AND SPOKE WITH THE PERSON THAT SENT IT. HAD ANOTHER HOME OWNER CALL ME, HAD CONVERSATIONS WITH THEM. AND ANSWERED THE QUESTIONS THAT I -- THAT I -- THAT I THOUGHT THAT THEY HAD. UNTIL TODAY WHEN THESE NEW LETTERS HAVE COME IN FROM THE SAME TWO PEOPLE THAT I HAVE BEEN SPEAKING WITH.

Goodman: OH, OKAY. SO THE REQUEST FOR POSTPONEMENT IS FROM SOMEONE THAT YOU HAVE SPOKEN TO?

YES. YES, MA'AM. I'VE BEEN SPEAKING WITH THEM, OFFERED TO MEET WITH THEM. I WOULD SAY THAT -- THAT IF YOU REVIEW THE LETTERS, ALL OF THEIR CONCERNS ARE DEVELOPMENT RELATED, I BELIEVE, WHICH -- WHICH AS I UNDERSTAND SHOULD BE TAKEN CARE OF OR DISCUSSED DURING THE PLATTING PROCESS AS OPPOSED TO MAJOR CONCERNS OVER THE ZONING ITSELF.

Goodman: SO YOU ARE TALKING ABOUT SITE PLAN ISSUES OR DRIVEWAY PLACEMENT?

THE MAIN CONTEXT HAS BEEN RANGING FROM TRAFFIC DUE TO THE POTENTIAL NUMBER OF LOTS, ISSUES REGARDING THE -- WHAT'S GOING TO HAPPEN WITH TREES THAT ARE ALONG A PROPERTY LINE, AND MENTIONED BOTH LETTERS IS A CONCERN OVER PROPERTY VALUES.

Goodman: THANK YOU. THANKS, MAYOR, LET ME JUST ASK ALICE TO FOLLOW UP ON THAT. WE DID, AS ALWAYS, SEND OUT NOTIFICATION TO ALL PROPERTY OWNERS WITHIN THE RADIUS, RIGHT?

Glasgo: CORRECT, YES WE DID.

Goodman: WERE THERE ANY GROUPS --

Glasgo: THE FIRST TIME WE'VE HEARD OF ANY OPPOSITION WAS TWO WEEKS AGO WHEN WE RECEIVED THE LETTER THAT WAS FAXED TO US LATE THAT HOUR. TODAY THE SAME THING HAPPENED. WE RECEIVED A FAX JUST ABOUT --

ABOUT 1:00 TODAY REQUESTING -- ONE WAS A PETITION WE TOLD THEM THAT STATE LAW DOES NOT RECOGNIZE PETITIONING PROPERTY THAT IS -- HAS INTERIM ZONING BECAUSE THEY ARE ATTEMPTING TO GET INITIAL ZONING, THEN THEY FOLLOWED WITH A LETTER REQUESTING A POSTPONEMENT THEREAFTER.

Mayor Wynn: COUNCIL, I PROPOSE OUR CONSENT AGENDA THEN TO BE ITEMS Z-6 ON FIRST READING, ITEM Z--- AGAIN Z-6 HAS THREE CARDS SIGNED UP ALL IN FAVOR. Z-10 ON ALL THREE READINGS. Z-10 HAS FOUR CARDS SIGNED UP, ALL IN FAVOR. ITEM Z-11 POSTPONEMENT TO JUNE 17th. ITEM Z-12 TO DENY HISTORIC ZONING.

I MOVE APPROVAL.

Mayor Wynn: MOTION TO APPROVE -- CLOSE THE PUBLIC HEARINGS AND APPROVE THE CONSENT AGENDA AS READ BY COUNCILMEMBER MCCRACKEN, SECONDED BY COUNCILMEMBER THOMAS.

McCracken: I WANTED TO MAKE SURE ALSO TO CLARIFY THAT MY MOTION INCLUDES FOR Z-6 THAT SECOND AND THIRD READINGS TAKE PLACE NEXT WEEK.

Mayor Wynn: THAT A FRIENDLY AMENDMENT?

Thomas: I AGREE WITH THAT.

Slusher: Z-8 WHAT ARE WE DOING --

Mayor Wynn: IT'S NOT ON THE CONSENT AGENDA, SO WE WILL HAVE A PUBLIC HEARING ON THAT.

Slusher: OKAY, I WANTED TO MAKE SURE WE WEREN'T POSTPONING IT --

Glasgo: DO YOU HAVE ANY CARDS FOR ANYBODY SIGNED UP AGAINST Z-8?

Mayor Wynn: IN FACT WE DON'T, TWO CARDS SIGNED UP BOTH IN FAVOR, THE BLACKBURN.

Glasgo: WE DID ASK THE CITIZEN TO BE PRESENT TODAY, BUT IF YOU DON'T HAVE A CARD, THEN WE DON'T HAVE ANYONE HERE. THERE ISN'T ANYBODY HERE TO SPEAK IN OPPOSITION, YOU JUST HAVE THE APPLICANT SO YOU COULD CONSIDER JUST THE CASE FOR JUST CONSENT TO FIRST READING. I BELIEVE THAT'S --

ALL THREE.

IS THAT A FRIENDLY AMENDMENT? OUR MAKERS CONSIDER ADDING Z-8 FIRST READING ONLY AS A FRIENDLY AMENDMENT.

Glasgo: WE HAVE AN ORDINANCE. I MISSPOKE. WE HAVE AN ORDINANCE THAT CAN GO ON ALL THREE READINGS.

McCracken: Z-8 ALL THREE.

Glasgo: YES, WE HAVE AN ORDINANCE IT CAN GO ON ALL THREE READINGS.

McCracken: IF NO ONE IS HERE AGAINST IT, I'M INCLINED TO OFFER IT FOR ALL THIRD READINGS THEN, I'LL DO THAT.

Thomas: I'LL GO ALONG, NOBODY IS HERE.

Mayor Wynn: THE CONSENT AGENDA WILL BE TO CLOSE THE PUBLIC HEARINGS APPROVE ITEM Z-6 ON FIRST READING, TO BE BROUGHT BACK NEXT WEEK FOR SECOND AND THIRD READING, APPROVING ALL Z-8 ALL THIRD READINGS, Z-10 ALL 3 READING, POSTPONING Z-11 TO JUNE 17th AND DENYING THE HISTORIC ZONING CASE Z-12.

McCracken: MAYOR, DENY Z-12 PURSUANT TO THE MEDIATION RESULT.

Mayor Wynn: OKAY, CONSIDER THAT A FRIENDLY NOTATION.

Slusher: I WOULD LIKE TO GET A SHORT PRESENTATION ON WHAT THAT IS. I'VE JUST SEEN THIS SHORT EITHER NOW OR PULL IT AND TAKE IT IN A MINUTE ON Z-12.

Glasgo: YOU COULD PROBABLY GET A QUICK OVERVIEW AND

KEEP IT ON CONSENT. THERE'S A REPRESENTATIVE FROM THE NEIGHBORHOOD. THEY CAN GIVE YOU A BRIEF MINUTE OR TWO OVERVIEW.

Mayor Wynn: WITHOUT OBJECTION, COUNCIL.

Thomas: NO PROBLEM.

Mayor Wynn: OKAY, ITEM Z-12 HISTORIC CASE ON TRAVIS HEIGHTS BOULEVARD.

MAYOR AND COUNCILMEMBERS, I AM KENNY HILLBIG PRESIDENT OF THE SOUTH RIVER CITY NEIGHBORHOOD RESIDENTS ASSOCIATION. WE DID IN FACT SIT DOWN AND MEDIATE. WE TRIED TO TAKE THE COMMON SENSE APOACH TO THIS, WE DID REACH AN AGREEMENT WITH HIM. IT IS AN AGREEMENT IN PRINCIPLE. AND IT SATISFIES THE NEED OF THE NEIGHBORHOOD AT THIS POINT.

Slusher: IS THE APPLICANT HERE? ARE YOU IN AGREEMENT WITH THAT? OKAY. ALL RIGHT.

Goodman: MAYOR, DO YOU MIND IF I TAKE ONE SECOND TO FIND THAT PIECE OF PAPER AND READ WHAT IT IS THEY AGREED TO?

Mayor Wynn: PLEASE DO. MR. GUERNSEY IS ON THE SPRINT. IMLS

Glasgo: SPRINTING GUERNSEY. MARES MS. GLASGO, A QUICK QUESTION FOR ME. ITEM Z-9 WE JUST HAVE FOUR CARDS SIGNED UP, THREE IN FAVOR, ONE NEUTRAL. IS IT YOUR RECOMMENDATION THAT NEEDS TO BE A DISCUSSION ITEM?

Glasgo: YES, THERE'S A BRIEF PRESENTATION. THERE IS ONE POINT OF DISAGREEMENT BETWEEN THE APPLICANT AND STAFF.

Mayor Wynn: OKAY. THANK YOU. MAYOR PRO TEM?

Goodman: IF WE PUT THIS BACK ON CONSENT OR IT IS BACK ON CONSENT ACCORDING TO THE MOTION, I WOULD LIKE TO STILL BE SHOWN VOTING NO. IF -- IF THE POSITIVE MOTION

HERE IS TO DENY THE -- THEN I WANT TO BE SHOWN VOTING NO.

Mayor Wynn: OKAY. FAIR ENOUGH. AGAIN, COUNCIL, THE CONSENT AGENDA IS TO CLOSE THE PUBLIC HEARINGS AND APPROVE ITEM Z-6 ON FIRST READING, Z-83 READINGS, Z-10 THREE READING, ZY 11 POSTPONED TO JUNE 17th, Z-12 TO END NICE HISTORIC ZONING -- Z-12 TO DENY HISTORIC ZONING, WE WILL NOTE A NAY VOTE BY MAYOR PRO TEM. COUNCILMEMBER MCCRACKEN?

McCracken: I WANTED TOSY ON Z-12 I WANT TO CONGRATULATE THE PROPERTY OWNER AND NEIGHBORHOOD ASSOCIATION. IT TOOK SOME HARD WORK BUT I THINK WE GOT A POSITIVE RESULT OUT OF THIS. I REALLY DO CONGRATULATE YOU ALL. YOU DID A GREAT JOB, THANK YOU VERY MUCH.

Mayor Wynn: COUNCILMEMBER THOMAS?

Thomas: THAT'S THE SAME THING THAT I WANTED TO SAY. I KNEW IF WE SIT DOWN AT THE TABLE TOGETHER, TALK AGAIN WE WOULD COME TO SOME KIND OF RESOLUTION THAT WOULD HELP BOTH SIDE. APPRECIATE BOTH OF YOU ALL, THANK YOU.

Mayor Wynn: MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0 WITH THE EXCEPTION OF ITEM Z-12 THAT WE WILL SHOW THE MAYOR PRO TEM VOTING NO. THANK YOU, COUNCIL. AND STAFF. MS. GLASGO, I'M THINKING THROUGH NOW THE ORDER WITH WHICH WE SHOULD TAKE UP THE REST OF THE DISCUSSION CASES, KNOWING THAT WE ARE GOING TO BREAK AT 5:30. MY INSTINCT IS THAT Z-9 IS GOING TO BE A QUICKER PUBLIC HEARING AND SET OF DISCUSSIONS THAN Z-3?

Glasgo: I THINK SO. WE COULD DO Z-9 -- [LAUGHTER] --

Mayor Wynn: COUNCIL, WITHOUT OBJECTION LET'S TAKE UP ITEM NO. Z-9.

Glasgo: WE PROMISE TO JUST GIVE YOU VERY BRIEF BULLETS ON THAT ONE. Z-9 IS CASE C 814-04-61, RIBELIN RANCH LOCATED ON F.M. 2222, THE PROPERTY IS CURRENTLY OUTSIDE OF OUR CITY LIMITS. WE ARE ANNEXING THE PROPERTY. AND WITH THAT THERE IS THE NEED FOR REZONING. THE DEVELOPMENT CONSISTS OF MIXED LAND USES, WHICH INCLUDE ONE MILLION SQUARE FEET OF GENERAL OFFICE, 3500 SQUARE FEET OF CONVENIENCE USES WITH GAS PUMPS, 50,000 SQUARE FEET OF RETAIL USE, MULTI-FAMILY RESIDENTIAL IS CONTEMPLATED AT 950 UNITS, RESIDENTIAL CONDOMINIUM UNITS AT 300, THERE WILL BE A PARK AND DRIVE FACILITY WITH 350 PARKING SPACES PROPOSED SHOULD CAPITAL METRO NEED IT. THE -- THE PROPERTY COMPRISES 747-ACRES. OUT OF THAT 188 ARE PROPOSED FOR DEVELOPMENT. THIS -- THIS REQUEST CAME TO US AT THE REQUEST OF THE APPLICANT. NOT AT THE REQUEST OF THE CITY AND I STATE THAT BECAUSE THERE'S -- THERE'S GOING TO BE A REQUEST FROM THE APPLICANT THAT RELATES TO THAT REGARDING A FEE REIMBURSEMENT. THE OWNERS ARE NEGOTIATING WITH TRAVIS COUNTY, TRAVIS COUNTY WANTED TO PURCHASE PROPERTY FROM -- FROM THE OWNER FOR THE -- FOR THE BALCONES CANYON LAND PRESERVE LAND AND WITH THEIR CONTRACT, BETWEEN THE TWO OF THEM, THE PROPERTY OWNER INDICATED THAT THEY NEEDED TO BE ZONED AND ANNEXED INTO THE CITY OF AUSTIN. THE -- THE CONTRACTUAL AGREEMENT TO SELL AND PURCHASE THE PROPERTY DOES NOT REQUIRE ANNEXATION, DOES NOT REQUIRE REZONING. THEY COULD HAVE HANDLED THAT WITHOUT EITHER OF THOSE TWO. THE PLANNED UNIT DEVELOPMENT OBVIOUSLY HAS A MIXED USE DEVELOPMENT, AND WE HAVE A TRAFFIC IMPACT ANALYSIS THAT HAS BEEN REVIEWED BY STAFF. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT THE PLANNED UNIT DEVELOPMENT AS RECOMMENDED BY STAFF, INCLUDING THE VARIANCE -- THE VARIANCES THAT HAVE BEEN SOUGHT EXCEPT FOR ONE, WHICH HAS TO DO WITH THE REQUESTING THAT -- THAT COUNCIL REIMBURSE

ALL OF THE ZONING FEES THEY PAID FOR THIS ZONING CASE. FIRST OF ALL THE P.U.D. IS NOT THE INSTRUMENT BY WHICH YOU CAN REIMBURSE A FEE. SO THAT CANNOT BE -- HANDLED IN THAT MANNER. SECONDLY THE ARGUMENTS HERE ON THIS PARTICULAR CASE IS THAT THE APPLICANT'S DESIRE TO SEEK THE ZONING THAT IT WAS NOT AT THE CITY'S BEHEST OR REQUEST THAT THE REZONING ANNEXATION BE PURSUED. OTHER THAN THAT, THE PLANNED UNIT DEVELOPMENT IS RECOMMENDED BY STAFF. I WOULD PAUSE THERE AND RESPOND TO QUESTIONS AFTER YOU HEAR FROM THE APPLICANT.

THANK YOU, MS. GLASGO. AT THIS TIME WE WILL HAVE A -- UP TO A FIVE-MINUTE PRESENTATION BY THE APPLICANT, WHICH WILL BE FOLLOWED BY FOLKS IN FAVOR OF THE ZONING CASE AND ANYBODY THAT MIGHT BE IN OPPOSITION FOLLOWED BY A THREE-MINUTE REBUTTAL BY THE APPLICANT. SO WELCOME MR. ROBERT KLEMAN FOR A FIVE-MINUTE PRESENTATION.

THANK YOU, MAYOR. GOOD AFTERNOON, MY NAME IS ROBERT KLEMAN HERE ON BEHALF OF TOM AND LUCIA FRANCES AND THEIR FAMILY, FRANK RIBELIN AND HIS FAMILY. THE RANCH HAS BEEN IN THEIR FAMILY FOR OVER 50 YEARS. MY CLIENT WOULD BE ANGRY WITH ME IF DWRI AT LEAST MAKE REFERENCE TO THE 12 YEARS IT'S TAKEN THEM TO REACH THIS POINT. BUT ALSO I WANT TO SAY THAT THROUGH THE COOPERATION OF A LOT OF PEOPLE, PARTICULARLY IN THE CITY AND THE COUNTY, WE HAVE REALLY MADE A TREMENDOUS AMOUNT OF PROGRESS. I WANT TO ACKNOWLEDGE AND THANK EVERYBODY WHO HAS WORKED SO HARD TO BRING THIS HERE TODAY. AS ALICE TALKED ABOUT, THE P.U.D. ACTUALLY IS 428 ACRES OUT OF THE 470-ACRE RANCH. 319 ACRES ARE UNDER CONTRACT FOR TRAVIS COUNTY FOR ACQUISITION AS BCCP PRESERVE LAND. THE FAMILY OBTAINED A 10-A PERMIT IN FEBRUARY OF 2002 FOR DEVELOPMENT SOUTH OF THE LCRA AND CITY OF AUSTIN POWER LINES. AND EAST OF BULL CREEK. OF THE 428 ACRES, 240 ARE FURTHER MITIGATION UNAS REQUIRED UNDER THE FEDERAL PERMIT. AS A RESULT BOTH THE COUNTY ACQUISITION AND THE 10-A PERM, MORE THAN 75% OF THE RIBLEIN RANCH WILL BE SET ASIDE AND MANAGED AS PRESERVE TO BE CONSISTENT WITH THE BCCP. THE

DISCUSSIONS WITH THE CITY STAFF BEGAN REALLY ON THIS MORE THAN THREE YEARS AGO. WE HAVE ATTEMPTED TO USE INNOVATIVE MEANS AND CONCEPTS IN PLANNING THE P.U.D. THE INITIAL CONCEPT OF THE MIXED USE P.U.D. CAME FROM THE 2222 CORRIDOR STUDY THAT WAS PREPARED FOR THE CITY OF AUSTIN BY LAND DESIGN STUDIO IN 2002. WE LISTENED TO NEIGHBORHOOD CONCERNS REGARDING TRAFFIC. THE LACK OF GOODS AND SERVICES IN THE IMMEDIATE AREA. AND THE DESIRE OF THE PEOPLE IN THE AREA TO OBTAIN AN UPGRADE TO A PORTION OF 2222 AS A SIX-LANE ROADWAY. WE BELIEVE THAT THE P.U.D. PRESENTED TO YOU TODAY FAIRLY ADDRESSES THESE CONCERNS. WE ARE PROBABLY 97% IN AGREEMENT WITH STAFF RECOMMENDATION. WE DO HAVE A COUPLE OF ISSUES. MS. GLASGO SPOKE TO ONE THAT I WILL GET TO IN A SECOND. THE OTHER ONE IS THE RECOMMENDATION FROM THE PARKS AND RECREATION DEPARTMENT IS THAT PARKLAND DESIGNATION COULD ONLY BE MET BY THE PAYMENT OF FEES AS OPPOSED TO DEFERRING THAT DECISION AS WOULD NORMALLY BE DONE UNDER THE PARKLAND DEDICATION ORDINANCE, THAT MAY ALLOW FOR A PARK TO BE SET ASIDE AND BUILT IN THE PROPERTY OR THE PAYMENT OF FEES. WE WOULD PREFER TO DEFER THAT DECISION TO THE TIME THAT A DEVELOPER BUYS THE PROPERTY RATHER THAN LOCKING THEM IN TO PAYING FEES ONLY AT THIS TIME. THAT'S THE ONE RECOMMENDATION THAT WE DO DISAGREE AND OUR REQUEST IS JUST TO DROP THAT, THAT STAFF COMMENT AND JUST LET THE PARKLAND DEDICATION ORDINANCE WORK AS IT NORMALLY DOES. WE ARE NOT ASKING FOR ANY CHANGE OR WAIVER FROM THAT. ON THE FILING FEES AS NOTED IN STAFF COMMENTS, THIS IS -- WE ARE HERE TODAY, THE NUMBER OF YEARS, THERE'S A DEFERRAL FOR ANNEXATION A COUPLE OF YEARS AGO, TO WAIT FOR THE COUNTY ACQUISITION AND COME FORWARD AND TO WORK AND NEGOTIATE A P.U.D. IN CONCURRENT -- IN CONNECTION WITH THE ANNEXATION OF THE PROPERTY. YOU FEEL A LITTLE BIT THAT IT'S A MATTER OF TIMING, WE HAVE NOTICED THAT THE ROBINSON RANCH WAS A COUNCIL INITIATED CASE AND THE FEES WERE WAIVED. AT THE TIME WE DISCOVERED THAT IT WAS TOO LATE FOR US TO COME BACK AND ASK YOU ALL TO DO THAT FOR THE FAMILY AND

STILL MEET OUR, THE FAMILY'S CONTRACTUAL OBLIGATIONS OF TRAVIS COUNTY. SO WE ARE NOT ASKING FOR PERMISSION. WE ARE ASKING FOR FORGIVENESS TONIGHT ON THAT POINT. THERE ARE SOME -- SOME -- THERE'S ONE OTHER ISSUE THAT'S BEEN RAISED BY THE NEIGHBORHOOD ON THE TIA. MR. FARMER, CHARLIE FARMER IS HERE TO ADDRESS THAT. WE ARE CERTAINLY OPEN AND WELCOME THE OPPORTUNITY NEXT WEEK TO ADDRESS HIS CONCERNS, PERHAPS THEY CAN BE ADDRESSED ON SECOND AND THIRD READING NEXT WEEK. ALSO THREE CONDITIONS IN YOUR BACK UP MATERIALS NOT IN STAFF COMMENTS, BUT THESE REFLECT AGREEMENTS THAT WE REACHED WITH THE RIVER PLACE NEIGHBORHOOD ASSOCIATION THAT IS PROHIBITION OF ANY RESIDENTIAL USE WITHIN THE G.R.-M.U. AREA. PROHIBITION OF THE BIG BOX RETAIL, CONSISTENT WITH THE CITY'S CURRENT STANDARDS IN SOUTHWEST AUSTIN. AND THERE'S ALSO AN ENVIRONMENTAL STATEMENT IN THERE, I BELIEVE THOSE THREE ITEMS ARE IN YOUR BACKUP MATERIAL. WE WANT THOSE ADDED TO THE ORDINANCE TO REFLECT OUR AGREEMENT WITH THE NEIGHBORHOOD AND THE ENVIRONMENTAL STAFF. ONE LAST HOUSE CLEANING. I HAVE MADE COMMITMENTS TO SEVERAL COUNCIL MEMBERS THAT THE IMPERVIOUS COVER WITHIN THE DEVELOPMENT AREA WOULD NOT EXCEED 40% OF THE ENTIRE P.U.D. AREA. ON MONDAY NIGHT, WE REALIZE THAT -- THAT WHEN WE WERE ASKING FOR SETTING 5%, THAT WAS MORE THAN 40% -- [BUZZER SOUNDING] -- IN ORDER TO ACHIEVE THE COMMITMENT OF 40% IMPERVIOUS COVER, WE ARE ASKING TO REDUCE THE ALLOWABLE IMPERVIOUS COVER FROM 75% TO 67%. TO COMPLY WITH THAT REQUEST. AND -- AND I APPRECIATE YOUR CONSIDERATION. ON THE -- ON THE WAIVER -- WHAT WE HAVE ASKED FOR INSTEAD OF A REFUND ON THE FEE IS TO SEE IF THE COUNCIL WOULD CONSIDER A CREDIT ON FUTURE APPLICATION FEES. ON THIS PROJECT. I WILL BE HAPPY TO ANSWER ANY QUESTIONS.

THANK YOU, MR. KLEMAN, WE WILL NOW HEAR FROM FOLKS WHO SIGNED UP WISHING TO SPEAK IN FAVOR OF THIS ZONING CASE. FIRST IS CHARLES FARMER. I DID HAVE ONE PERSON DONATE THIS TIME TO ME.

MR. FARMER, YOU WILL HAVE SIX MINUTES. WELCOME. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] >

AS A PART OF THIS, A NEW TRAFFIC IMPACT ANALYSIS WAS DONE, AND IT RECONFIRMED WHAT THE PREVIOUS STUDY SHOWED, WHICH WAS EACH OF THE ANALYZED INTERSECTIONS DID FAIL. FAILS CURRENTLY, AND 20 YEARS FROM NOW THEY WILL FAIL MS. ABLELY. SO THIS POINTS OUT THAT SOMETHING DEFINITELY NEEDS TO BE DONE TO THE TRAFFIC INFRASTRUCTURE ON WESTERN 2222. BECAUSE OF THAT WE FEEL THE PHASING PIECE OF THE TIA MEMO IS ESSENTIAL, ALTHOUGH WE DO FEEL THAT ON ITEM NUMBER 4 A LITTLE BIT OF WORD SMITHING NEEDS TO BE DONE AS IT IS DEPENDENT ON 2222 BECOMING OR BEING NOTED IN THE LONG-TERM PLAN AS A SIX-LANE ROAD. AND OF COURSE, THAT'S DEPENDING ON WHAT TXDOT INTENDS TO DO WITH THAT. SO PROBABLY STAFF NEEDS TO WORDSMITH THAT A LITTLE BIT. WE WOULD ASK THE FOUR COUNCILMEMBERS THAT ARE SITTING ON THE CAMPO BOARD IN THE JULY MEETING TO PROPOSE THIS AMENDMENT, TO MAKE WESTERN 2222 A SIX-LANE ROAD IN THE LONG-TERM PLAN. TWO YEARS AGO WE STARTED THE PROCESS WITH THE CITY PLANNING DEPARTMENT TO GET THAT INTO THE CITY PLAN, AND AT THAT TIME WE WERE TOLD BY CAMPO IT HAD TO BE IN THE CITY PLAN BEFORE IT WAS IN THE CAMPO PLAN. WHEN IT WAS COMING UP FOR CONSIDERATION BY THE CITY, WE WERE THEN TOLD THAT STAFF WOULD NOT SUPPORT IT BECAUSE IT WAS NOT IN THE CAMPO PLAN. SO WE TOLD THEM THAT WITHDRAW THAT AND NOW WE'RE GOING BACK TO CAMPO AND TRYING IT GET IT IN THE CAMPO PLAN FIRST. SO WE WOULD APPRECIATE IT IF THE CITY COUNCILMEMBERS WHO SIT ON THE CAMPO BOARD MIGHT MAKE THAT AMENDMENT IN EITHER THE UPCOMING JUNE OR JULY CAMPO BOARD MEETING. ONE MORE CONCERN WE HAD WAS THE ADJACENT JAMAIL TRACT. THERE'S GOING TO BE AN COLLECTOR BUILT NEAR THERE. WHEN THE COUNCIL CONSIDERS THE JAMAIL TRACT, WE WOULD ASK THAT COUNCIL ASK STAFF TO GET AN EASEMENT FOR THE TRACT NEXT TO IT, WHICH IS THE TUMBLEWEED HILL. SO WE WOULD ASK STAFF TO LOOK AT THAT. AND FINALLY, WE WOULD LIKE TO CONTRAST THE PROCESS THAT WE'VE GONE THROUGH HERE WITH THE

PROCESS THAT HAS BEEN GONE THROUGH WITH OTHER DEVELOPERS. NOTABLY THE CHAMPION. AND CONTRAST THIS PROCESS WITH WHAT THE CHAMPIONS HAVE DONE, WHICH IS THEY'VE COME TO YOU AND SAID WE'VE BEEN HERE 100 YEARS, YOU NEED TO GIVE US WHAT WE WANT OR WE'RE GOING TO SUE YOU. OBVIOUSLY THIS IS A BETTER WAY TO GO AND WE THINK YOU SHOULD AWARD HE -- REWARD THIS TYPE OF APPROACH AND NOT GIVE IN TO THE OTHER PROCESS. WE THINK IT'S NOTABLE THAT THE RIBELINS HAVE AGREED TO FEWER VEHICLE TRIPS PER DAY THAN EXISTS UNDER THE 6500 VEHICLE TRIP PER DAY LIMIT CURRENTLY FOR THE CHAMPIONS. SO WE ASK WHEN THEY COME BACK AND ASK YOU TO RAISE THAT THAT YOU TAKE A THAT INTO ACCOUNT. THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU, MR. PALMER. AND JOHN HICKMAN SIGNED UP SPEAKING ONLY IF COUNCIL HAS QUESTIONS. HE I THINK IS A TRANSPORTATION PLANNING CONSULTANT FOR THE APPLICANT. WELCOME, JOHN. SO COUNCIL, THAT'S ALL THE CITIZENS SIGNED UP IN FAVOR. THERE ARE NO CITIZENS SIGNED UP IN OPPOSITION. MR. CLEEMAN, YOU TIPTYPICALLY HAVE A REBUTTAL PERIOD NOW, BUT IF YOU COME UP, WE WILL PROBABLY HAVE SOME QUESTIONS FOR YOU.

LET'S GO TO Q AND A.

I WOULD LIKE TO GO TO THE OPENING STATEMENT THAT ALTHOUGH MS. GLASGO CORRECTLY POINTS OUT THAT TECHNICALLY THIS ISN'T A CITY OF AUSTIN APPLICATION AS FOR EXAMPLE, THE LARGER ROBINSON RANCH ISSUE IS, SIR, I FOLLOWED UP THE MAYOR PRO TEM AND NOW SERVE ON THE JOINT CITY-COUNTY BCCP COORDINATING COMMITTEE. IN FACT, I SERVE AS CHAIR OF THAT. AND UNFORTUNATELY, I DON'T SEE IT, BUT I HOPE WE WOULD HAVE OUR BCCP MAP, THAT IS THE BALCONES CANYON LAND CONSERVATION PLAN AND PRESERVE MAP BECAUSE THIS RIBELIN RANCH, THIS INDIVIDUAL PROPERTY, MOST FOLKS WOULD PROBABLY AGREE IS THE MOST IMPORTANT POTENTIAL ACQUISITION TO THIS OVERALL PRESERVE SYSTEM. THIS ACTUALLY IS A LINK PIECE BETWEEN -- TO MULTIPLE THOUSANDS OF ACRES PARTIAL PIECE OF THE BULL CREEK MACRO SITE. IN FACT, THE HEAD WATERS OF BULL CREEK ARE ON THIS RANCH.

IT'S A CRITICAL, CRITICAL PIECE AS AN ACQUISITION TO THE PRESERVE SYSTEM. I WOULD CHARACTERIZE THIS AS A BCCP APPLICATION, THAT IS THAT THROUGH THE EFFORTS OF A LOT OF PEOPLE TRYING TO FULFILL THE REQUIREMENTS OF OUR BALCONES CANYON LAND CONSERVATION PLAN AGREEMENT WITH THE U.S. FISH AND WILDLIFE SERVICE, THAT THIS IS THAT APPLICATION IN FACT. SO I JUST WANTED TO STATE THAT BECAUSE AS IMPRESSIVE AS THE DIALOGUE HAS BEEN WITH THE NEIGHBORS ON THIS PROPERTY, AS IMPRESSIVE OTHERWISE INDIVIDUALLY THIS LAND USE PLAN IS, VIS-A-VIS TRAFFIC IMPACT AND OTHER THINGS, IT'S CRITICAL FOR THE LONG-TERM SUCCESS AND ONGOING MAINTENANCE FOR OUR PRESERVE SYSTEM. SO WITH THAT I'LL ENTERTAIN MY QUESTIONS FOR MR. CLEEMAN. COMMENTS? COUNCILMEMBER SLUSHER. LET ME GO THROUGH THE AREAS. WE'RE GETTING THESE 188 ACRES DEVELOPABLE PROPERTY. WHAT'S THE IMPERVIOUS COVER ON THAT PART.

67%.

Slusher: YOU'RE GETTING DOWN TO 40 BY INCLUDING THE OTHER AREAS THAT ARE GOING IN THE BCCP?

YES. BY TREATING THE ENTIRE 428 ACRES PUD AS A SITE, THEN FOR THIS WHOLE AREA, IT WOULD BE 40%. STATED DIFFERENTLY, 60% OF THE 428 ACRES WOULD BE LEFT AS AN OPEN SPACE.

Slusher: AND THEN ON THE WESTERN SIDE THERE, THAT'S THE TEXAN-A PERMIT LINE?

THAT'S CORRECT.

AND HOW MANY ACRES IS THAT?

IN TOTAL IT'S -- THE REQUIREMENT OF THE 10-A PERMIT IS 240 ACRES, WHICH WOULD BE THE BLUE, THE GREEN, AND THE MAJORITY OF THESE TWO CANYON HEADS ON THE EAST SIDE OF THE PROPERTY. THERE'S SOME ADDITIONAL LAND ADJACENT THAT ARE SET BACKS FOR SPRINGS AND RIM ROCKS THAT WE GRAD TO WITH -- THAT WE AGREED TO WITH STAFF THAT COMPRISES ABOUT ANOTHER SIX ACRES -

- THREE ACRES. AND THAT LEAVES UP THE POSSIBILITY OF ADDING THAT ADDITIONAL THREE ACRES TO THE BCCP IF WE CAN WORK OUT SOME DETAILS ON THAT. SO THAT'S WHY IT'S DOWN TO ABOUT 181 ACTUALLY, WHEN YOU WORK THAT OUT.

Slusher: AND THEN THIS ONE TO THE EAST IS HOW MANY ACRES?

319 ACRES.

Slusher: SO HOW MANY ARE WE GETTING INTO OPEN SPACE HERE AT THIS TIME?

A TOTAL OF 566 ACRES. A.

Slusher: 180 DEVELOPED IS ABOUT TWO- THIRDS OF THAT HAVING IMPERVIOUS COVER ON IT.

YES, SIR.

Slusher: AND THEN THE MAYOR WAS TALKING ABOUT HOW THIS FITS IN THE MACRO SITE. SINCE WE DO NOT HAVE THAT MAP, COULD YOU SORT OF SHOW US, I THINK IT'S UP TOWARDS THE NORTHERN END THAT IT CONNECTS, IS THAT RIGHT?

THE PROPERTY IMMEDIATELY TO THE EAST IS THE OLD IVANHOE RANCH OR BEARD RANCH, DEPENDING ON HOW LONG YOU'VE BEEN IN AUSTIN. IT'S MANY HUNDREDS OF ACRES IN SIZE. ON THE WEST YOU HAVE THE CITY-OWNED WATER TREATMENT PLANT SITE. THIS IS -- UP TO THE NORTHWEST IS ALSO PRESERVE LAND. SO WHAT THIS DOES IS BRIDGES AND CONNECTS THESE TWO PRRCHS. PRESERVES.

Slusher: OKAY. A COUPLE OF QUESTIONS FOR OUR ENVIRONMENTAL STAFF. THANK YOU, MR. CLEEMAN. WE'VE GOT SOME SPRINGS AND I THINK IS THIS HEADWATERS? WHAT DO WE HAVE EXACTLY ON THIS TRACT?

WE HAVE BASICALLY AN UPLANDS AREA THAT IS BETWEEN TWO CANYONS. AND THEY'RE A LITTLE SMALL DRAIJZ THAT

RUN INTO THESE CANYONS. WE DID FIND SOME SIGNIFICANT UPLAND CRITICAL ENVIRONMENTAL FEATURE, RECHARGE TYPE FEATURES THAT ARE ON THE TRACT CLOSEST TO THE 2222, AND THOSE ARE GOING TO BE PRESERVED. WE EVALUATED A GREAT NUMBER. IN THE CANYONS THEMSELVES THERE ARE SPRINGS, THERE ARE RIM ROCKS, THERE ARE STEEP SLOPES. AND CERTAINLY OUR MAIN FOCUS IN DEALING WITH THIS WAS TRYING TO MAKE SURE THAT THOSE CANYONS WERE GOING TO BE ADEQUATELY PROTECTED. OUR STAFF FROM ERM WENT OUT TO THE SITE AND DID A GREAT DEAL OF WORK TO ESTABLISH THESE SETBACKS FROM THESE CANYONS THEMSELVES. SO THE WHOLE POINT THAT WE'RE TRYING TO ACCOMPLISH IS TO KEEP THE DEVELOPMENT AWAY FROM THOSE AREAS, TO PROTECT THOSE FEATURES, BUT WE ALSO HAVE FOCUSED ON TRYING TO GET SOME PARAMETERS IN THE AGREEMENT THAT WOULD ENSURE THAT WATER THAT RUNS OFF OF THE SITE DOES NOT GET CONCENTRATED INTO THESE CANYONS. THAT WE'RE TRYING TO SPREAD IT OUT ACROSS THE LAND. AND STAFF IS VERY HAPPY WITH WHAT WE'VE BEEN ABLE TO NEGOTIATE HERE AND FEEL VERY GOOD ABOUT THE PROTECTIONS OF THESE CANYONS AND THOSE UPLANDS THAT WE FOUND.

Slusher: OKAY. THANK YOU, MR. MURPHY. APPRECIATE THAT.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS?
COUNCILMEMBER MCCrackEN.

McCracken: YEAH. I HAD A QUESTION FIRST. I GUESS IT'S FOR CITY STAFF ABOUT THE QUESTION OF PARKLAND VERSUS REQUIRING PAYMENT OF A FEE FOR PARKLAND DEDICATION. CAN YOU EXPLAIN TO ME WHAT EXACTLY IS -- AT LEAST HAS BEEN PRESENTED TO US TODAY AS BEING REQUIRED TO THE ISSUE OF PARKS?

I BELIEVE THAT THE APPLICANT WITHDREW THAT REQUEST FOR PARKLAND. I'D LIKE TO CLARIFY WHAT HE SAID EARLIER.

THE ISSUE IS THAT PARD IS RESTRICTING COMPLIANCE WITH THE PARKLAND DEDICATION ORDINANCE TO PAYMENT OF FEES ONLY. WE JUST WANT TO PRESERVE THE OPTION UNDER THE ORDINANCE TO EITHER DO IT BY FEES OR BY

DEDICATION OF LAND AND BUILDING PARK FACILITIES IN THERE. WE JUST WANT TO DEFER THAT DECISION AND LET IT HAPPEN AT THE PRELIMINARY PLAN STAGE.

McCracken: AND I GUESS THE QUESTION FOR STAFF IS WHERE IS PARD REQUIRING PAYMENT OF FEES AS OPPOSED TO ACTUALLY ALLOWING PEOPLE TO BUILD A PARK?

I DON'T HAVE AN ANSWER TO THAT. I'LL NEED TO CHECK WITH -- I KNOW THE ORDINANCE HAS -- EITHER YOU CAN DEDICATE LAND OR PAY A FEE IN LIEU OF. AND SOMETIMES IT DEPENDS ON EITHER THE LAND THAT'S BEING OFFERED IS NOT SUITABLE TO MEET THE PARKS NEEDS FOR A PARTICULAR PARK TO SERVE THE AREA. I KNOW HE HAVE THEY HAVE A BIG NEED TO SERVE THAT AREA. SO MY EXPERIENCE HAS BEEN THAT TYPICALLY WHEN THEY WANT THE MONEY IS THAT THE LAND THAT IS BEING OFFERED DOES NOT MEET THAT CRITERIA FOR SURVEYING THAT PARTICULAR AREA.

McCracken: I ASK THAT AS SOMEONE WHO IS ONE OF THOSE UNFORTUNATE AUSTINITES WHO LIVES IN A NEIGHBORHOOD WITHOUT A PARK. AND I GUESS I WOULD LIKE SOME EXPLANATION OF WHY WE'RE NOT ALLOWING THESE FOLKS TO HAVE A PARK IN THIS NEIGHBORHOOD TO GO RUN OR TAKE THEIR KIDS OUT. BECAUSE I THINK THAT'S IMPORTANT PART OF A DEVELOPMENT AS LARGE AS THIS, PARTICULARLY WHEN YOU THINK THAT MUELLER WILL HAVE EVERYBODY LIVING IN MUELLER WILL BE NO FURTHER THAN 600 FEET FROM A PARK. AND I THINK AN IMPORTANT PART TO A GOOD QUALITY OF LIFE. SO I GUESS IF THERE'S SOMEONE FROM PARD AVAILABLE, MAYBE IT WILL COME UP IN SECOND OR THIRD READING.

HE'S RIGHT HERE TO ANSWER YOUR QUESTION.

COUNCILMEMBER, GENERALLY WE LOOK AT IT VERY CLOSELY ABOUT THE SURROUNDING AREAS THAT ARE IN THE AREA AND HOW MUCH PARKLAND WE DO HAVE SURROUNDING THAT SPECIFIC AREA. AND SPECIFICALLY HOW MANY PARKS THAT WE HAVE. SO WE LOOK AT WHERE THE PARKS ARE STRATEGICALLY LOCATED AND IF DOLLARS ARE MORE SUITED TO GO INTO THE IMPROVEMENTS TO THE

ASSOCIATED ADJACENT PARKS. SO THAT'S WHAT WE GENERALLY LOOK AT. I'LL BE HAPPY TO GO BACK AND VISIT WITH THE APPLICANT AND SEE IF THERE ARE OTHER SUITABLE WAYS TO LOOK AT PARKLAND.

McCracken: I'M PRETTY FAMILIAR WITH THE AREA, AND IT'S NOT GOING TO ALLOW THE FOLKS IN THIS NEW NEIGHBORHOOD TO HAVE A PARK, WHAT'S GOING TO RESULT IS THEY'LL HAVE TO GET ON TO 2222 IN THEY'RE CAR TO GET TO A PARK. AND THAT DOESN'T SERVE THEIR BEST INTEREST. AND IT'S A REAL NICE AREA. I THINK THEY COULD PROBABLY DO A PARK PRETTY WELL. I MEAN, IT'S RIGHT ACROSS THE HIGHWAY FROM RIVER PLACE, WHICH HAS GOLF COURSES, FOR INSTANCE. SO THERE'S AN ABILITY TO DO SOME NICE GREEN SPACES FOR THE PUBLIC. I THINK THAT IS A REAL IMPORTANT PART OF ANY KIND OF PLANNED UNIT DEVELOPMENT, THAT YOU LET THEM HAVE A PARK.

YES, SIR. IF I UNDERSTAND THE APPLICANT CORRECTLY, THEY'RE JUST TRYING TO LEAVE THAT OPTION OPEN TO THEM. I'LL BE HAPPY TO VISIT WITH THEM AND SEE WHAT OPTIONS ARE AVAILABLE.

McCracken: I APPRECIATE THAT. AND THEN I HAD ANOTHER QUESTION, AND THAT IS I GUESS, MR. FARMER, YOU MAY BE ABLE TO GIVE US THE BACKGROUND. AS I UNDERSTAND, MR. CLEEMAN STATED THAT -- OR MAYBE MS. GLASGO DID THAT ONE OF THE CONDITIONS IS THAT RESIDENTIAL AND -- THAT THE NEIGHBORHOOD OPPOSED RESIDENTIAL BEING MIXED IN WITH ANY KIND OF RETAIL.

THAT WAS MAINLY TO GUARANTEE -- MAKE SURE TYPES OF DEVELOPMENT. AND ALSO TO -- IF YOU SAY THE FRONT PART IS GOING TO BE MOSTLY COMMERCIAL AND THEN THE HIGHER DENSITY RESIDENTIAL, THEN IT GAIN TEESES THAT THE ENTIRE PLOT COULD THEN NOT BE MADE RESIDENTIAL SINGLE-FAMILY, WHICH WOULD BE BAD FOR TRAFFIC. AND SINCE THERE ARE REALLY NO RESTRICTIONS OTHER THAN THAT OVER WHAT'S GOING TO BE PUT IN THERE AND WE DIDN'T FEEL IT WAS PROBABLY APPROPRIATE TO RESTRICT THE DEVELOPER THAT WAY BECAUSE WHO KNOWS WHAT'S GOING TO BE THE BEST THING TO BUILD THERE. WE FELT IT WAS BEST TO SAY FORWARD OF THAT LINE WE WANTED TO

RESTRICT IT ONLY TO THE HIGH DENSITY RESIDENTIAL DEVELOPMENT.

MY UNDERSTANDING IS THAT IT WOULD BE MIXED USE, THAT THERE WOULD BE RETAIL AND OFFICES. IT COULDN'T GO ALL RESIDENTIAL BECAUSE THAT'S ONE OF THE CONCERNS THEY EXPRESSED TO US. SO THE 40-ACRE TRACT 1-B IS WHERE TRANSPORTATION GR-MU, IS ONE THAT ALSO IS YOU CANNOT HAVE A STAND ALONE RESIDENTIAL STRUCTURE. YOU COULD HAVE A MIXED USE NEIGHBORHOOD BUILDING BY THE CODE.

AND THEN THE PROPOSAL BEFORE US IS YOU COULD HAVE A STRUCTURE THAT IS PART RESIDENTIAL, PART OFFICE, PART RETAIL.

AS LONG AS IT MET THE DEFINITION UNDER THE CITY'S CODE OF A MIXED USE STRUCTURE, YES.

McCracken: IS THAT YOUR UNDERSTANDING?

YES.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

MAYOR, WE FOUND THE MAP YOU'RE REFERRING TO. YOU WANTED TO SEE THE BCCP OVERALL MAP. IT'S TINY, BUT IF THE CAMERAS CAN ZOOM INTO IT.

Mayor Wynn: IF YOU COULD ZOOM IN, AND MR. CLEEMAN, IF YOU COULD SIMPLY POINT OUT -- CERTAINLY WHAT THIS MAP IS EITHER DARK GREEN OR LIGHT GREEN IS LAND THAT EITHER THE CITY OR ALREADY PURCHASED AS PART OF OUR 26,000 CURRENT BCCP RESERVE SYSTEM. PER THE FISH AND WILDLIFE AGREEMENT WE HAVE TO REACH 30,428 ACRES, SO WE'RE DESPERATELY TRYING TO SEEK THOSE OTHER 4,000 ACRES. BUT JUST AS IMPORTANTLY TO THE NUMBER OF ACREAGE IN THE PLAN IS IN FACT BY WHICH ACRES THEY ARE AND HOW CONSISTENTLY MACRO SITES LIKE THE MOST IMPORTANT ONE OF ALL THE BCCP MACRO SITES, THE UPPER BULL CREEK MACRO SITE, HOW GOOD A JOB WE CAN DO FOR NOT HAVING A FRAGMENTED PRESERVE SYSTEM. AND WHAT'S IN YELLOW ON THIS MAP,

I'M VERY FRUSTRATED THAT WE DON'T HAVE THE APPROPRIATE SIZE MAP HERE, BUT WHAT'S IN YELLOW ON THIS MAP ARE LAND THAT IS STILL AVAILABLE FOR ACQUISITION THAT WE HAVE FOR 10 YEARS NOW BEEN IN YELLOW, AND WE'VE NEVER HAD THE OPPORTUNITY TO HAVE THAT ACQUISITION BEEN LINKED TOGETHER AND BRIDGES THE -- SO MR. CLEEMAN COULD SIMPLY POINT OUT THAT THE YELLOW PIECE THAT REPRESENTS THE RIBELIN RANCH, YOU WILL SEE HOW IMPORTANT IT IS TO THE LINKAGE OF THAT UPPER BULL CREEK MACRO SITE. AND SO IN ADDITION TO WHAT I THINK OTHERWISE IS A VERY SOUND LAND USE PLAN AND A VERY COMPATIBLE LAND USE PLAN FROM A NEIGHBORHOOD STANDPOINT, THIS IS ABSOLUTELY CRITICAL TO THE ONGOING SUCCESS OF THE BCCP PRESERVE SYSTEM AND BETTER YET THE FUNDS THAT ARE BEING USED BY TRAVIS COUNTY TO PURCHASE THE MAJORITY OF THIS RANCH FOR THE BCCP ACTUALLY COMES THROUGH A GRANT THAT WE RECEIVE FROM THE FISH AND WILDLIFE. AND WITH THAT COME CERTAIN RESTRICTIONS ON HOW WE PURCHASE THE PROPERTY. SO THIS IS A COMBINATION OF -- COMBINATION OF FEDERAL MONEY BEING GIVEN TO THE COUNTY GOVERNMENT WHICH THEN USES THE PARAMETERS WHICH CONTRACTED FOR 10 OR 12 LONG YEARS WITH THIS PROPERTY OWNER, A CRITICAL PIECE OF OUR FUTURE PRESERVE SYSTEM, IN SUCH A WAY, HOWEVER, THAT THE CITY CAN MAKE IT HAPPEN BY HAVING THE APPROPRIATE AMOUNT OF VALUE GIVEN TO THE REMAINING DEVELOPABLE PARTS OF THIS RANCH FOR THE PROPERTY OWNERS TO MAKE THIS WHOLE THING WORK ECONOMICALLY FOR THEM. SO IN ADDITION TO HAVING JUST GOOD LAND USE PLAN, THIS IS A PRETTY REMARKABLE FINANCIAL COMBINATION FOR THE LONG-TERM WELL-BEING OF WHAT I THINK MAKES NORTHWEST TRAVIS COUNTY FAR MORE LIVEABLE AS THESE 30,000 ACRES THAT WE ARE SETTING ASIDE PERPETUALLY FOR OPEN SPACE AND ENVIRONMENTAL PROTECTION AND HABITAT. SO THANK YOU VERY MUCH FOR FINDING ME A MAP.

WE'LL HAVE A LARGER MAP FOR YOU WHEN WE COME BACK FOR SECOND AND THIRD READING.

Mayor Wynn: THANK YOU. THAT WAS THE QUESTION. IS STAFF

PREPARED ONLY FOR FIRST READING ON THIS CASE?

YES. WE'LL BE BACK FOR SECOND AND THIRD.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS OR A MOTION? MAYOR PRO TEM.

Goodman: SINCE I THINK THIS WILL BE MUCH MORE UNDERSTANDABLE ABOUT HOW CRITICAL AND HOW MARVELOUS AN ACHIEVEMENT IT IS AFTER ALL THESE MANY, MANY, MANY YEARS, I LOOK FORWARD TO THE LARGER MAP NEXT TIME. AND I THINK WE'LL ALL BE ABLE TO TELL REALLY WHAT AN INTEGRAL PART IT IS OF FINISHING UP THE BCP. SO IN THE SPIRIT OF GIVING CREDIT WHERE CREDIT IS DUE, MAYOR, WOULD YOU LIKE ME TO TAKE OVER THE MEETING FOR A SECOND SO THAT YOU COULD MAKE THAT MOTION AND WE COULD TRADE BACK AND I COULD SECOND?

Mayor Wynn: I WOULD BE HONORED TO DO THAT. THANK YOU, SO I'LL GIVE THE GAVEL TO MAYOR PRO TEM GOODMAN.

Goodman: I'LL ASK FOR A MOTION ON THE RIBELIN RANCH.

Mayor Wynn: I MOVE TO CLOSE THE PUBLIC HEARING AND APPROVE ITEM Z-9, THE RIBELIN RANCH ON FIRST READING ONLY. I'LL TAKE BACK THE GAVEL, MAYOR PRO TEM.

Goodman: I'LL SECOND, MAYOR.

MAYOR, WE HAD -- THERE WERE OTHER CONDITIONS TO BE INCLUDED ON THIS.

Mayor Wynn: OKAY. WE'LL ENTERTAIN AMENDMENTS.

Goodman: MY SECOND INCLUDED ALL THESE THINGS THAT WE JUST GOT HANDED. [LAUGHTER]

Mayor Wynn: LIKE A BAIT AND SWITCH THING.

THAT WOULD BE THE CONDITIONS. I'LL HELP YOU OUT.

Mayor Wynn: COULD YOU WALK US THROUGH THESE QUICKLY

SO THEY COULD BE IN THE RECORD.

THEY HAVE ABOUT FOUR CONDITIONS. ONE IS THAT NO DEVELOPMENT IS ALLOWED WITHIN THE APPROXIMATELY 30-FOOT WIDE BASE CHANNEL OF THE TWO DRAWS WITHIN TRACT 1-A AS SHOWN ON THE PUD CONCEPTUAL SITE PLAN EXCEPT FOR VEGETATION MANAGEMENT LIMITED TO HAND CLEARING TO ALLOW MORE SUNLIGHT FOR GROUND COVER TO GROW. OUR LAWYERS WILL WORD SMITH ALL THAT. WITHIN TRACT 1-B, RESIDENTIAL USE STRUCTURES ARE PROHIBITED PROVIDED, HOWEVER, NEIGHBORHOOD MIXED USE BUILDINGS ARE ALLOWED, AND THAT'S WHAT MM WAS SPEAKING TO. NUMBER 3, BIG BOX RETAIL BUILDINGS AS DEFINED IN THE BIG BOX ORDINANCE ARE PROHIBITED ON TRACT 1-B. AND I BELIEVE IMPERVIOUS COVER WILL NOT EXCEED SEVEN PERCENT AS OFFERED BY THE APPLICANT EARLIER. THOSE WERE THE FOUR ITEMS. ON THE TRAFFIC IMPACT ANALYSIS, MAYOR PRO TEM, YOU'RE POINTING TO, I THINK THAT THE CITIZEN WHO SPOKE, MR. FARMER, JUST WANTED US TO REFINE OR FINE TUNE THE LANGUAGE IN CONDITION NUMBER 4 IN THE MEMO. WE'LL WORK ON THAT. THAT INCLUDES ALL THE ADDITIONAL CONDITIONS IN ADDITION TO ALL THE OTHERS THAT WERE IN YOUR BACKUP.

Mayor Wynn: THANK YOU, MS. GLASGO. BOTH THE MAYOR PRO TEM AND I ACCEPT THOSE AS APPROPRIATE AMENDMENTS TO THE MOTION. COUNCILMEMBER SLUSHER?

Slusher: I WANTED TO NOTE, MS. GLASGO, YOU SAID THAT THE AMENDMENT IS NO BIG BOX ON TRACT 1-B.

THAT'S CORRECT.

Slusher: BUT UNDER THE ZONING THAT'S BEING APPROVED, THERE WOULDN'T BE A BIG BOX USE ON THE OTHER TRACTS EITHER. SO THERE WON'T BE A BIG BOX STORE ON THIS DEVELOPMENT, IS THAT CORRECT?

CORRECT. THEY'RE JUST THERE FOR TRACT 1-B AND --

Slusher: LET MR. CLEEMAN SPEAK TO THAT ISSUE.

TRACT 1-B IS THE ONLY TRACT THAT HAS RETAIL ZONING. 1-

A IS GO-MU, SO THERE COULDN'T BE ANY RETAIL.

Slusher: SO I JUST WANTED TO CLEAR THAT UP BECAUSE THE WAY IT'S STATED IS JUST 1-B, IT SOUNDS LIKE THAT MIGHT BE THE ONLY ONE WHERE THAT COULDN'T HAPPEN.

THAT'S BECAUSE OF THE DISTINCTION IN THE ZONING THAT WE HAD ON THE TRACT.

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

Mayor Wynn: THANK YOU, COUNCILMEMBER SLUSHER. COMK?

McCracken: I WOULD LIKE TO OFFER A FRIENDLY AMENDMENT ALONG THIS VEIN. THE FAMILY WOULD PREFER TO HAVE THE OPTION OF EITHER HAVING A PARK THEMSELVES BUILT OR HAVING A PARKLAND DEDICATION FEE. AND BECAUSE THERE ARE A LARGE PLANNED UNIT DEVELOPMENT AND THEY WOULD HAVE TO DRIVE ACROSS OR ON TO THE HIGHWAY TO GET TO THE NEAREST PARK, WHAT I WOULD LIKE TO OFFER IS THAT WE GO WITH THE OPTION OF THE DEVELOPER CAN EITHER BUILD THE PARKLAND OR PAY THE PARKLAND DEDICATION FEE, AND THAT IF HE PAYS -- IF THE DEVELOPER PAYS THE PARKLAND DEDICATION FEE, THAT THOSE FEES ARE DEDICATED TO BUILDING THE PARK WITHIN THAT VERY LARGE PLANNED UNIT DEVELOPMENT.

Slusher: I HAVE A QUESTION. I'M NOT SURE IF THAT -- THOSE FUNDS WOULD BE ENOUGH TO BUILD IT. I DON'T WANT TO PUT THE CITY ON THE HOOK FOR HAVING TO EXPEND FUNDS TO BUILD A PARK WITHIN ONE PARTICULAR DEVELOPMENT BECAUSE THE FUNDS WOULD GO INTO A REGION THAT WOULD SERVE MORE THAN THIS PARTICULAR DEVELOPMENT.

McCracken: IF I COULD EXPLAIN. THIS IS A PRETTY SIGNIFICANT PLANNED UNIT DEVELOPMENT, AND IT WOULD BE UNUSUAL FOR A DEVELOPMENT OF THIS SIZE NOT TO HAVE A PARK IN IT. AND SO THE DEVELOPER HAS EXPRESSED INTEREST IN BUILDING A PARK THERE, AND THEN SO THE GOAL IS JUST TO GET A PARK IN THIS

DEVELOPMENT SO THAT FAMILIES OR THEIR CHILDREN DON'T HAVE TO GET ON THE HIGHWAY TO GO TO A PARK.

Slusher: I WOULD AGREE WITH YOU ON THAT. EVEN THOUGH THEY CERTAINLY HAVE A LOT OF OPEN SPACE AROUND THERE. BUT I'M WORRIED IF THE IDEA OF THE FUNDS IS FOR DIFFERENT DEVELOPMENTS TO PUT MONEY IN THE CITY AND BUILD A PARK IN THAT REGION OF THAT FUND, WHEREVER IS MOST ECONOMICAL TO THE CITY AND WHERE THE CITY JUDGES THAT IT MAKES THE MOST SENSE FOR THE CITIZENS OF THAT AREA, WHERE IF WE GIVE THEM THE OPTIONS OF JUST PAYING MONEY INTO THE FUND, BUT THEN THE CITY IS GOING TO COME IN AND BUILD A PARK IN THEIR DEVELOPMENT, THAT SEEMS LIKE IT COULD BE THE CITY SUBSIDIZING A DEVELOPMENT FOR -- A PARK IN THIS PARTICULAR DEVELOPMENT. >>

McCracken: MY WHOLE DEBATE WAS LIMITED TO THE MONEY PROVIDED BY THE DEVELOPER WOULD GO FOR A PARK. IN OTHER WORDS, THE CITY WOULD NOT BE OBLIGATED TO EXPEND OTHER FUNDS BEYOND WHAT WAS PROVIDED BY THE PARKLAND DEDICATION IS THE IDEA BEHIND THIS.

Mayor Wynn: AS THE MAKER OF THE MOTION, I CERTAINLY WOULD ACCEPT AS FRIENDLY THE CONCEPT OF TRYING TO HAVE OPTIONS WORKED INTO THIS LAND USE PLAN, CERTAINLY BETWEEN NOW AND SECOND AND THIRD READING AS WE FURTHER WORK WITH MR. STRIEWS AND OTHERS TO FIGURE OUT HOW APPROPRIATELY TO DELIVER AS MUCH PARKS AS POSSIBLE. MAYOR PRO TEM, IS THIS FRIENDLY?

Goodman: I WOULD AGREE WITH WHAT THE MAYOR JUST SAID. I WOULD RATHER NOT GO BEYOND THAT AND TRY NOT TO NAIL DOWN ANYTHING BECAUSE IT IS VERY PRESIDENTIAL AND I'M NOT SURE I SUPPORT THAT.

McCracken: I'M WILLING TO LIMIT IT THEN TO SAY RESTORE THE OPTION THE DEVELOPERS SORT, THAT THEY PAY PARKLAND DEDICATION OR BUILD A PARK, NOTING THAT THIS IS A VERY LARGE DEVELOPMENT AND AS SOMEONE WHO LIVES IN A NEIGHBORHOOD WITHOUT A PARK, I THINK IT WOULD BE A REAL LOSS TO THE FAMILIES IN THAT

NEIGHBORHOOD NOT TO HAVE A PARK.

Mayor Wynn: THE MOTION HAS BEEN ACCEPTED AS AMENDMENT AS FRIENDLY. AND I THINK STAFF HAS SOME DIRECTION NOW BETWEEN SECOND AND THIRD READING TO HELP US AS A COUNCIL FIGURE OUT HOW TO FURTHER DEFINE WHAT EVERYBODY WANTS, I BELIEVE, WHICH IS TO HAVE THE APPROPRIATE AMOUNT OF PARKLAND AND PARK FACILITIES IN THIS VERY LARGE DEVELOPMENT. MOTION AND A SECOND IS ON THE TABLE. FURTHER COMMENTS? DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? ITEM Z-9 PASSES ON FIRST READING ON A VOTE OF SEVEN TO ZERO. THANK YOU VERY MUCH. AND COUNCIL, THAT TAKES US TO OUR 5:30 BREAK FOR LIVE MUSIC AND PROCLAMATIONS. LET'S -- LET'S GIVE SOME FOLKS SOME IDEA TO PLAN THEIR EVENING. WE STILL HAVE TO TAKE UP I'M TOLD ITEM NUMBER -- SUGGESTED ITEM NUMBER Z-3 SEPARATELY. I THINK IT'S THE HOUSE OF TUTORS ZONING CASE. BUT THEN WE HAVE THE LARGER SERIES OF CENTRAL AUSTIN NEIGHBORHOOD PLAN AMOUNTS FOR REZONING. SO WE WOULD ANTICIPATE COMING BACK IMMEDIATELY AFTER LIVE MUSIC AND PROCLAMATIONS TO TAKE UP ITEM NUMBER Z-3 AND THEN GO THROUGH THE NEIGHBORHOOD PLAN.

THAT'S CORRECT.

Mayor Wynn: OKAY. THANK YOU VERY MUCH. TEST TEST TEST THIS IS TEST,

Mayor Wynn: OKAY, THANKS FOR YOUR PATIENCE, TIME FOR OUR LIVE MUSIC SEGMENT. JOINING US FOR OUR JUNE 10th MEETING IS JASMINE REIGN. THE GROUP WAS FORMED IN THE FALL OF 2000 AND FEATURES ROCKY MOUNTAIN TRANSPLANTS, IAKENO ON VOCALS AND FLUTE, LISA ON CELLO, LYNN ROUNDS OUT THE BAND ON DRUMS, PERCUSSION AND VOCALS. THE GROUP'S USE OF CLASSICAL INSTRUMENTS IS QUITE DECEIVING AND THEIR ORIGINAL SOULFUL BALLADS AND ROCK TUNES. PLEASE JOIN ME IN

WELCOMING JASMINE REIGN. [APPLAUSE] [(music) MUSIC
PLAYING (music)(music)] [(music) MUSIC PLAYING
(music)(music)] [(music) SINGING (music)(music)] [(music)
MUSIC PLAYING (music)(music)] [APPLAUSE]

TELL US WHERE DOES ONE LISTEN TO OR GET TO SEE
JASMINE REIGN IN THE NEAR FUTURE?

[INAUDIBLE - NO MIC] DRAFT HOUSE, PLAYING AT THE RED-
EYE FLY IN AUGUST. SO JUST -- JUST LISTEN TO THE RADIO
AND CHECK THE PAPER.

Mayor Wynn: GREAT. BEFORE YOU GET AWAY, THIS IS OUR
OFFICIAL PROCLAMATION THAT READS BE IT KNOWN
WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY
CONTRIBUTIONS TOWARD THE DEVELOPMENT OF AUSTIN'S
SOCIAL, ECONOMIC, CONSULTCULTURAL DIVERSITY, I, WILL
WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HEREBY
PROCLAIM TODAY, JUNE 10th, 2004 AS JASMINE REIGN IN
AUSTIN, TEXAS, CALL ON ALL CITIZENS TO JOIN ME IN
CONGRATULATING THIS GREAT TALENT AMONGST US. [
APPLAUSE]

Mayor Wynn: OUR FIRST OFFICIAL DUTY NOW IS A
DISTINGUISHED SERVICE AWARD FOR TRULLIS ROLLINS, I'M
GOING TO HAVE AUSTAN LIBRACH INTRODUCE HIM IN A
SECOND, BUT I WOULD LIKE THE HONOR OF READING. FOR
UNTIRING SERVICE AND COMMITMENT TO THE CHILDREN OF
AUSTIN, TRULLIS ROLLINS IS DESERVING OF PUBLIC
ACCLAIM AND RESIDING, DURING HER 29 YEARS AS A
TEMPORARY CROSSING GUARD SUPERVISOR, SHE HELPED
TO PROTECT THE SAFETY OF THOUSANDS OF CHILDREN
AND OTHER CITIZENS IN AUSTIN. THIS CERTIFICATE IS IN
ACKNOWLEDGMENT AND APPRECIATION THIS 10th DAY OF
JUNE, BY THE ENTIRE AUSTIN CITY COUNCIL, MAYOR WYNN,
MAYOR PRO TEM GOODMAN, COUNCILMEMBERS SLUSHER,
ALVAREZ, DUNKERLY, MCCracken AND THOMAS. BEFORE
YOU APPLAUD, I WOULD LIKE FOR AUSTAN TO SAY A FEW
WORDS ABOUT TRULLUS.

THANK YOU VERY MUCH, MAYOR. TRULLUS I DO HAVE A FEW
WORDS THAT I WOULD LIKE TO SAY, I'M GLAD TO SEE YOUR
FAMILY AND FRIENDS ARE HERE. TRULLUS WAS HIRED WHEN

SHE WAS A MERE CHILD. [LAUGHTER] ON MAY 2nd, 1975. IN A TEMPORARY MOMENT OF INSANITY SHE DECIDED TO TAKE A TEMPORARY JOB WITH THE CITY OF AUSTIN WITH THE CITY OF AUSTIN AS A SCHOOL CROSSING GUARD. THAT TEMPORARY JOB LASTED ONLY 29 YEARS UNTIL MAY 26th, 2004 WHEN SHE DECIDED SHE NEEDED TO RELAX. AND SIT IN HER BEAUTIFUL BACK YARD. SHE WAS HIRED AS A CROSSING GUARD IN 1977, WAS PROMOTED AS ONE OF THE FIRST FEMALE AREA SUPERVISORS IN THE CROSSING GUARD PROGRAM. SHE MOVED UP TO LEAD SUPERVISOR AND WAS HELPED -- HAS HELPED TO TRAIN TWO OTHER PROGRAM COORDINATORS. NUMEROUS ADMINISTRATIVE STAFF, DOZENS OF SUPERVISORS, AND SUBSTITUTES. HUNDREDS OF CROSSING GUARDS AND THOUSANDS UPON THOUSANDS OF CHILDREN AND IS AFFECTIONATELY KNOWN AS MAMMA T BY HER CO-WORKERS AND THE COMMUNITY. AS A TEMPORARY EMPLOYEE SHE STARTED WORKING BACK WHEN YOU, MR. MAYOR, WERE PROBABLY IN THE SCHOOL SAFETY PROGRAM. [LAUGHTER] SHE HAS OUTLASTED NUMEROUS MAYORS, CITY COUNCIL MEMBERS, CITY MANAGERS AND DEPARTMENT DIRECTORS. HER CONTRIBUTIONS TO THE CITY OF AUSTIN EXEMPLIFIES THE EXPECTATIONS OF WHAT ALL CITY EMPLOYEES SHOULD BE MUCH ONE WHO QUIETLY MAKES A PROFOUND IMPACT ON HER COMMUNITY. WHILE EFFICIENTLY AND EFFECTIVELY DOING HER JOB AND ANY OTHER JOBS THAT NEED TO BE DONE. HUNDREDS AND THOUSANDS OF SCHOOL CHILDREN HAVE BENEFITED FROM HER CONTRIBUTION. THANK FOR YOU A JOB WELL DONE. [APPLAUSE]

I HAVE ENJOYED WHAT I HAVE DONE OVER 29 YEARS. LEARNED TO MEET ALL KIND OF KID, ALL FACES, ALL COLOR, ALL SIZES, MOMS, DADS, GRANDMAS, GRANDPAS. I'M GOING TO MISS IT, BUT IT WAS TIME FOR ME TO STAY ON WITH DAD WHO RETIRED TWO TIMES WAITING ON ME TO RETIRE [LAUGHTER] SO THE NEXT PERSON HAS A CHANCE TO HAVE FUN LIKE I DID. THANK YOU SO MUCH. [APPLAUSE]

OUR NEXT DISTINGUISHED SERVICE AWARD IS PRESENTED TO DR. GEORGE CHANG, AGAIN I'M VERY HONORED TO RUIZED AWARD. WE ARE PLEASED TO HIM DR. GRORJ CHANG AS AN OUTSTANDING MEMBER OF THE REVIEW PANEL FOR POLICE OVERSIGHT. WE APPRECIATE HIS

DIGNITY AND BUILD MUTUAL RESPECT, RELATIONSHIPS, BETWEEN PUBLIC AND LAW ENFORCEMENT COMMUNITY HERE IN AUSTIN. WE ALSO RECOGNIZE MR. CHANG'S ASSISTANT AND -- ASSISTANCE IN INTRODUCING THE SERVICES OF POLICE MONITOR ON TO THE ASIAN COMMUNITY. THIS CERTIFICATE ALSO PRESENTED WITH GRATITUDE FOR HIS SERVICE, TO THE CITY OF AUSTIN, AND THIS 10th DAY OF JUNE, THE ENTIRE CITY COUNCIL, AUSTIN, TEXAS, DR. GEORGE CHANG, I BELIEVE CELIA ISRAEL ONE OF HIS FELLOW PAN PANELISTS WOULD LIKE TO SAY A FEW WORDS ABOUT GEORGE.

I SERVE WITH GEORGE AS A VOLUNTEER AS WELL ON THE POLICE MONITOR BOARD. FOR THOSE OF YOU IN THIS ROOM, YOU PROBABLY KNOW JUST HOW DIFFICULT AN ASSIGNMENT THAT IS. I WANTED TO ON BEHALF OF THE STAFF AND OUR OTHER FELLOW MEMBERS ON THE POLICE MONITOR BOARD THANK GEORGE FOR HIS SERVICE, HE'S ALWAYS BEEN VERY INSIGHTFUL, VERY PATIENT AND CALMLY QUESTIONING IN VERY DIFFICULT SITUATION. IF YOU WOULD PLEASE JOIN ME IN THANKING GEORGE FOR HIS SERVICE TO THE CITY OF AUSTIN. [APPLAUSE]

THANK YOU, MAYOR, THANK YOU COUNCILMEMBERS, AND THANK YOU CITY MANAGER. AS ONE OF THE CITIZENS REVIEW PANEL MEMBERS, I HAVE EXPERIENCED THE VERY DIFFICULT JOBS OF THE POLICE MONITOR, ASSISTANT, THE CITIZEN REVIEW PANEL, OF COURSE, THE POLICE FORCE. ON THE OTHER HAND, THIS JOB -- THESE JOBS ARE VERY NECESSARY FOR THE COMMUNITY. IT IS MY GREAT HONOR TO BE HERE TO RECEIVE THIS AWARD. AND I THANK THE CITY MANAGER AGAIN TO GIVE ME THIS HONOR TO LET ME SERVE FOR TWO YEARS AS ONE OF THE CITIZEN REVIEW PANEL. AND I DO ENJOY THAT AND I THINK IT'S MY GREAT HONOR TO SERVE THE AUSTIN COMMUNITY, THANK YOU. [APPLAUSE]

Mayor Wynn: TILT I WOULD LIKE TO INTRODUCE COUNCILMEMBER MCCRACKEN. AT THIS TIME I WOULD LIKE TO INTRODUCE COUNCILMEMBER MCCRACKEN.

McCracken: AS WE HAVE A GREAT PRIVILEGE TO DO ONCE A MONTH, THIS MONTH WE ARE INTRODUCING THIS MONTH'S

UNITED WAY VOLUNTEERS OF THE MONTH. SO FIRST WE ARE GOING TO CALL UP -- IT WILL BE SCOTT ANDREWARTHA. AND WE HAVE ANN STAFFORD WHO HELPS DO THE VOLUNTEER OF THE MONTH PROGRAM. WITH UNITED WAY. AND SO FIRST I ACTUALLY WHAT I WOULD LIKE TO DO, ANN, DO YOU WANT TO TELL US A LITTLE BIT ABOUT SCOTT AND SCOTT CAN TELL US SOMETHING ABOUT HIMSELF, TOO.

WELL, I WILL, THANKS, RICHARD.

SCOTT IS A DELL EMPLOYEE AND PUTS HIS TECH SKILLS TO WORK ON BEHALF OF FAMILY CONNECTIONS. HE STARTED OUT DOING LITTLE ODD JOBS FOR THEM HERE AND THERE. AND HAS MOVED INTO DOING A WHOLE LOT MORE THAN JUST COMPUTER WORK. HE UNDERTOOK AN -- AN ESPECIALLY CHALLENGING PROBLEM IN THAT HE NETWORKED TWO DISPARITY -- NOT DESPERATE, DISPARATE SYSTEMS AND MADE THEM WORK WHICH FOR A NON-PROFIT ORGANIZATION IS A GREAT GIFT BECAUSE VERY OFTEN THEY DON'T HAVE THE FUNDING TO HIRE THE KIND OF TECH CAPITOL EXPERTISE THAT SCOTT HAS BEEN ABLE TO OFFER. I KNOW THAT THEY VALUE HIS SERVICE GREATLY AND HOPE THAT THIS IS JUST THE FIRST THREE YEARS OF HIS SERVICE WITH THAT ORGANIZATION.

WELCOME, EVERYBODY. COUNCILMEMBER BREWSTER AND THE REST OF THE CITY COUNCIL AND AMD AND GOODWILL. I -- I DIDN'T REALLY -- UNION UNITED WAY. OKAY. [LAUGHTER]

GO ON.

YEAH. [LAUGHTER] I DON'T KNOW I REALLY WASN'T EXPECTING THIS. THEY KIND OF CALL ME KING SCOTT AROUND THERE AND GIVE ME A CHOCOLATE CAKE ONCE A YEAR OR SOMETHING. [LAUGHTER] BUT -- IT'S -- IT'S BEEN AN HONOR WORKING WITH THEM. I REALLY ENJOY THE WORK THEY DO WITH CHILDREN. HELPING OUR YOUTH. I THINK THAT'S WHEN -- THAT'S THE WAY OF THE FUTURE. I HAVE A LOT OF GRANDKIDS. I ENJOY CHILDREN. I LOOK FORWARD TO GROWTH IN THE PROJECT NOW THAT CONNECTIONS IS COMBINED WITH AUSTIN FAMILIES. THEY GET A LOT OF SUPPORT FROM THE -- FROM THE INDIVIDUALS AND BUSINESSES IN OUR COMMUNITY AND -- AND I JUST ENJOY

THE WORK THEY DO AND I LIKE HELPING THEM DOWN THERE. AND I APPRECIATE THIS HONOR TO BE HERE TONIGHT. THANK EVERYONE. [APPLAUSE]

McCracken: SO SCOTT NOW WE ARE GOING TO READ A OPERATION IN YOUR HONOR. THIS IS YOUR CERTIFICATE OF CONGRATULATIONS FOR HAVING BEEN SELECTED BY THE UNITED WAY CAPITAL AREA AS THE JUNE 2004 VOLUNTEER OF THE MONTH. SCOTT ANDREWARTHA IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION, FOR THREE YEARS HE HAS BEEN DONATING HIS TIME AND COMPUTER SKILLS TO FAMILY CONNECTIONS DOING EVERYTHING FROM INSTALLING SOFTWARE TO INSTALLING NEW COMPUTERS AND NETWORKING SYSTEMS. HE'S ALSO HELPED PICK UP AND DELIVER REDDELIVER EDUCATIONAL MATERIALS TO FAMILY DAYCARES, PROVIDED PLUMBING AND ELECTRICAL SERVICES TO -- YOU MIGHT BE GETTING A LOT OF CALLS AFTER TODAY. WE ARE PLEASED TO RECOGNIZE SCOTT ANDREWARTHA AND HIS LEGACY OF VOLUNTEERISM THAT BEGAN IN LOCKHART WITH THE VFW AND THE YOUTH CENTER, CONTINUES HERE IN AUSTIN WITH FAMILY CONNECTIONS. THIS CERTIFICATE IS PRESENTED IN RECOGNITION THEREOF. THIS 10th DAY OF JUNE, IN THE YEAR 2004 -- 10th DAY OF JUNE IN THE YEAR 2004, WILL WYNN AND THE CITY COUNCIL OF AUSTIN, TEXAS. SCOTT, THANK YOU VERY MUCH. [APPLAUSE]

McCracken: THE GREAT THING THAT YOU'RE SEEING HERE TODAY WHEN YOU GET THE TIME FOR YOURSELF TO VOLUNTEER IS WHAT A DIFFERENCE YOU MAKE IN EVERYBODY'S LIFE. SCOTT IS THE KIND OF PERSON THAT A LOT OF PEOPLE THEY KNOW AND TALK ABOUT BECAUSE HE MAKES A BIG IMPACT ON THEIR LIFE. THAT'S WHAT VOLUNTEERISM DOES. WE ARE REALLY LUCKY. SCOTT, THANK YOU. WE ARE NOT DONE WE HAVE TWO OTHER SUPER STARS ABOUT TO COME UP HERE. PETE AND FAY JONES. [APPLAUSE] WE NEED TO BE PARTICULARLY NICE TO PETE AND FAY BECAUSE THEY WORK FOR THE LCRA WHO IS OUR LANDLORD HERE AT CITY HALL CHAMBERS. [LAUGHTER] WE ARE SO EXCITED TO HAVE YOU HERE. SO BEFORE I READ THE OPERATION, I WOULD LIKE FOR YOU TO START OFF AGAIN AND TELL YOU A LITTLE BIT ABOUT OUR

VOLUNTEERS, CO-VOLUNTEERS.

PETE AND FAY JONES HAVE BEEN VOLUNTEERING WITH PARK HOST PROGRAMS SINCE THEY RETIRED IN 2000, BUT WE HAVE BEEN VERY LUCKY IN AUSTIN TO HAVE THEM AT THE MCKINNEY ROUGHS PARK AS HOSTS, AS CHARTER HOSTS SINCE 2003. THEY ARE ASKED TO GIVE ABOUT 25 HOURS A WEEK, THE TRUTH OF THE MATTER IS THEY GIVE EASILY DOUBLE THAT. IF YOU NEED TO KNOW ANYTHING ABOUT REPTILES AND AMPHIBIANS IN THE PARK, THERE'S THE FOLKS TO SEE. THANK YOU.

THANK YOU.

I CAN SAY A FEW WORDS. A MAN WAS WALKING ON A BEACH ONE DAY AND SAW A YOUNG BOY PITCHING STARFISH BACK INTO THE OCEAN. THE MAN WATCHED NOIM AHIM, SAID WHY ARE DO YOUING THIS, WHAT DIFFERENCE CAN YOU POSSIBLY MAKE, THERE ARE THOUSANDS OF STARFISH OUT HERE. THE BOY PICKED ONE MORE UP, PITCHED IT OUT IN THE OCEAN, SAID MADE A DIFFERENCE FOR THAT ONE. THAT'S BEEN OUR GUIDING LIGHT SINCE WE HAVE BEEN AT MCKINNEY ROUGHS WORKING WITH THE CHILDREN, WORKING WITH THE PARK, AND IT'S -- IT'S WORTH IT. WHEN WE SEE THE FACE OF A CHILD LIGHT UP, WHEN HE OR SHE GETS IT. OR WHEN -- WHEN HE OR SHE TOUCHES AN ALLIGATOR. OR DOES SOMETHING THAT THEY JUST REALLY DIDN'T THINK THAT THEY WOULD EVER DO, LIKE I NEVER THOUGHT THAT I WOULD DO THAT, EITHER. [LAUGHTER] BUT IT'S BEEN A WONDERFUL THING. LCRA AND MCKINNEY ROUGHS HAVE PROVIDED US WITH JUST AN AMAZING OPPORTUNITY FOR PERSONAL GROWTH AND ALSO AN OPPORTUNITY TO RETURN TO OUR COMMUNITY SO MUCH OF WHAT WE HAVE BEEN GIVEN AND WE IN ACCEPTING THIS THANK YOU FROM ALL OF YOU, WANT TO SAY THANK YOU TO THE LCRA, MCKINNEY ROUGHS, UNITED WAY, AND THE CITY COUNCIL OF AUSTIN. THANK YOU VERY MUCH. [APPLAUSE] AND EVERYBODY THAT WORKS WITH US KNOWS THAT I GOT MY WORDS IN FIRST. [LAUGHTER]

AND I'LL BE BRIEF. YOU SHOULD NEVER GIVE A PREACHER AN OPEN MIC AND A PULPIT. THE REALITY IS THAT WE APPRECIATE THIS AWARD, WE THANK YOU VERY MUCH. BUT

IF YOU HAVE NEVER BEEN TO McKINNEY ROUGHS, IT'S NINE MILES EAST OF THE AIRPORT ON THE NORTH SIDE OF HIGHWAY 71. COME AND SEE US. 8:00 TO 5:00 MONDAY THROUGH SATURDAY, NOON TO 5:00 ON SUNDAYS. THANK YOU. CHAP CLAP[APPLAUSE]

McCracken: THIS CERTIFICATE OF CONGRATULATIONS FOR HAVING BEEN SELECTED BY THE UNITED WAY CAPITAL AREA AS THE MAY 2004 VOLUNTEERS OF THE MONTH, FAY AND PETE JONES ARE DESERVING OF PUBLIC ACCLAIM AND RECOGNITION, RETIRED AND LIVELY AND -- LIVING AND TRAVELLING IN THEIR RV HOME, THEY ALSO VOLUNTEER THEIR HOME IN STATE PARKS. WE HAVE BEENED FROM THEIR SERVICES IN MANY WAYS. THE JONSES MAINTAIN THE PONDS, WORK THE FRONT DESK AND SERVE MEALS IN THE DINING HALLS. THEY HAVE ALSO LEARNED TO TEACH EDUCATIONAL PROGRAMS LIKE GPS AND ORIENTEERING, INSTEAD OF GIVING THE 25 VOLUNTEER HOURS PER WEEK THAT THE LCRA ASKS, THEY GIVE TWICE THAT, 50 HOURS A WEEK EACH, THEY CONSIDER IT FUN. WE ARE PLEASED TO RECOGNIZE THEIR GENEROUS VOLUNTEER SPIRIT WITH THIS CERTIFICATE. PRESENTED THIS 10th DAY OF JUNE IN THE YEAR 2004, THE CITY COUNCIL OF AUSTIN, TEXAS, WILL WYNN, MAYOR. CONGRATULATIONS.

THANK YOU. [APPLAUSE]

McCracken: AS YOU SEE FOR BOTH OF THESE FOLKS, VOLUNTEERISM CAN MAKE AN ENORMOUS DIFFERENCE. NOT JUST IN OTHER FOLKS' LIVES, BUT ENRICHING YOUR OWN LIFE. THE UNITED WAY MAINTAINS A VOLUNTEER CENTER WHERE YOU CAN CONTACT UNITED WAY, THEY CAN HOOK YOU UP WITH ALL SORTS OF DIFFERENT VOLUNTEER OPPORTUNITIES. IT IS -- I'M GOING TO -- KIND OF WING THIS [www.unionunitedwaycapitalarea](http://www.unionunitedwaycapitalarea.org) . [www.unionunitedwaycapitalarea](http://www.unionunitedwaycapitalarea.org) . org. AND THEY WILL HOOK YOU UP WITH SOMETHING REALLY WE WARDING AND CAN YOU MAKE A BIG DIFFERENCE IN THE CITY OF AUSTIN. THANKS.

I'M GOING TO HOG THE MIC FOR HALF A SECOND, SAY WE ARE VERY PRIVILEGED TO LIVE IN A CITY WHERE OUR CITY COUNCIL RECOGNIZES THAT NO COMMUNITY CAN SOLVE ITS PROBLEMS WITHOUT THE LEADERSHIP, COMMITMENT AND

DEDICATION OF ITS VOLUNTEERS. WE WANT TO THANK PETE AND FAY AND SCOTT TODAY AND THANK YOU ESPECIALLY FOR GIVING THE MOST PRECIOUS GIFT THAT YOU HAVE TO GIVE, WHICH IS THE GIFT OF YOURSELVES. NO ONE CAN REPLACE THAT, NO ONE CAN BUY IT, NO ONE CAN PAY YOU ENOUGH FOR THE SERVICE THAT YOU ARE DOING. WE ARE ALL VERY GRATEFUL. THANK YOU. [APPLAUSE]

ARE YOU GOING TO SIT IN THE MAYOR'S CHAIR? [INAUDIBLE - NO MIC] I'M BACK ON ORDER WITH THE AUSTIN CITY COUNCIL, I APPRECIATE EVERYBODY'S PATIENCE, I BELIEVE IT IS STAFF'S RECOMMENDATION THAT WE TAKE UP ITEM Z-3 FIRST. SO I'LL WELCOME MS. ALICE GLASGO BACK TO THE MIC.

Glasgo: THANK YOU MAYOR AND COUNCILMEMBERS, ALICE GLASGO, NEIGHBORHOOD PLANNING AND ZONING, I'M BACK AFTER A BRIEF RECESS TO PRESENT ITEM NO. Z-3, C14-03-39, HOUSE OF TUTORS LOCATED AT 2400 PEARL STREET. THE EXISTING ZONING IS GENERAL OFFICE WITH A MIXED USE COMBINING DISTRICT. THE APPLICANT IS SEEKING A CHANGE TO C.S.-M.U.-C.O. FOR PART OF THE BUILDING. WHICH STAND FOR COMMERCIAL SERVICES MIXED USE CONDITIONAL OVERLAY AND MULTI-FAMILY 6 WITH A CONDITIONAL OVERLAY FOR THE REMAINDER OF THE BUILDING. IT WILL BE A TWO TIERED BUILDING, COMMERCIAL AT THE BOTTOM, FOR A CERTAIN AMOUNT OF HEIGHT THEN FROM THERE ON THE BUILDING GOES UP TO ANOTHER SET OF HEIGHT, APPROXIMATELY, AS THE APPLICANT IS REQUESTING A 90-FOOT BUILDING. THIS IS TO ALLOW MIXED USE DEVELOPMENT, COMMERCIAL OFFICE RETAIL AND SOME RESIDENTIAL USES ABOVE THE STRUCTURE. THE -- SUBJECT TRACT FALLS WITHIN THE WEST UNIVERSITY PLANNING AREA. AND I WILL STEP TO THE OTHER MAP AND SHOW YOU WHERE IT IS IN RELATIONSHIP TO THE -- TO THE PLANNING AREA. THE CASE BEFORE YOU IS TO CHALLENGE ZONING AND TO ALLOW ADDITIONAL HEIGHT. THE SUBJECT TRACT IS RIGHT HERE. THIS IS THE WEST UNIVERSITY PLANNING AREA. AND WHEN WE GET TO ITEM NO. 2, WHICH IS THE -- THE UNIVERSITY OVERLAY THAT WILL EXPLAIN THE DIFFERENT HEIGHTS. THE APPLICANT IS SEEKING A ZONING CHANGE TO ALLOW A MAXIMUM HEIGHT OF 90 FEET, THAT'S REALLY THE ONLY DIFFERING PART OF THE CASE THAT WILL

BE DIFFERENT FROM THE PLAN. THE LAND USE PLAN OBVIOUSLY ALLOWS FOR MIXED USE, THAT IS CONSISTENT WITH THE FUTURE LAND USE MAP. THE ONLY DIFFERENCE IS THE HEIGHT. THE ZONING AND PLATTING COMMISSION -- RATHER THE PLANNING COMMISSION AND STAFF RECOMMEND A MAXIMUM HEIGHT OF 75 FEET. ALSO STAFF RECOMMENDS A CONDITIONAL OVERLAY THAT LIMITS THE HEIGHT TO 2,000 VEHICLE TRIPS PER DAY. THE PLANNING COMMISSION ADDED THREE OTHER CONDITIONS, THEY ARE A MAXIMUM IMPERVIOUS COVER OF 80%, A 15-FOOT FRONT YARD SETBACK BEING REQUIRED BY THE PLANNING COMMISSION, AND ALSO THAT -- THE HEIGHT LIMITED TO 40 FEET FROM THE -- FIRST 75 FEET NORTH OF 24th STREET. SO -- SO THE APPLICANT IS -- IS REALLY SEEKING ADDITIONAL HEIGHT BEYOND WHAT STAFF IS RECOMMENDING AND THAT OF THE PLANNING COMMISSION. THE HEIGHT IS DERIVED FROM WHAT THE UNIVERSITY OVERLAY IS PROPOSING. THE UNA ORDINANCE. THE HEIGHT FOR THIS AREA IS 75 FEET FROM THIS POINT ON AND THAT'S WHY WE WERE RECOMMENDING THAT, BUT YOU CAN CONSIDER THE CASE ON ITS OWN MERITS AS -- AS IT'S BEEN REQUESTED BY THE APPLICANT, BUT ALSO REALIZING THAT IT IS ALSO CONSISTENT, THE FUTURE LAND USE MAP ALLOWS FOR MIXED USE, WHICH IS CONSISTENT WITH WHAT THE APPLICANT IS REQUESTING, HOWEVER THE DIFFERENCE IS JUST THE HEIGHT, WHERE THE PLAN IS PROPOSING 75 FEET UNDER THE UNIVERSITY OVERLAY ORDINANCE, WHEREAS UNDER THE ZONING IT WOULD BE 90 FEET. LET ME ELABORATE A LITTLE BIT OF THE DIFFERENCE WITH A NEW OVERLAY ORDINANCE. IT'S AN OPTIONAL ORDINANCE. IT ASSUMES THAT YOU ALREADY HAVE AN APPROVED HEIGHT. YOU MAY HAVE EXISTING ZONING WHICH ALLOWS YOU A MAXIMUM HEIGHT. CURRENTLY UNDER GO ZONING YOUR MAXIMUM HEIGHT IS 60 FEET. CS IT IS 60 FEET. THE OONA OVERLAY WOULD ALLOW PROPERTIES WITHIN CERTAIN BOUNDARIES TO EXCEED HEIGHT OPTIONALLY, IT'S NOT MANDATORY, IF THEY CHOOSE TO OPT INTO THAT SET OF PERFORMANCE REQUIREMENTS, THEN THEY HAVE -- PERFORMANCE STANDARDS THEY HAVE TO MEET IN ORDER TO INCREASE HEIGHT, THE HEIGHT FOR THIS AREA HAS BEEN MAXIMIZED AT 75 FEET BUT THE APPLICANT WOULD LIKE 90 FEET. SO IT'S NOT THE -- THE OVERLAY ORDINANCE

WHICH IS UNDER ITEM NO. Z-2 IS OPTIONAL. WITH ZONING YOU SET THE STANDARD THAT IS THE BASE, WHATEVER YOU ALLOW THEM TO DO HERE UNDER THE ZONING, THEY CAN ALSO IF THEY WANT TO TAP INTO THE ONA ORDINANCE WHICH WOULD THEN REQUIRE THEM TO DO CERTAIN THINGS, BUT THEY ARE -- THEIR HEIGHT WOULD ALREADY BE LIMITED BY WHATEVER THEIR ZONING ALLOWS THEM, WE PRESENTING ZONING CASE FIRST SO YOU CAN CONSIDER THE MERITS OF THE PROPOSED ZONING CHANGE AND THE HEIGHT IS INCLUDED IN THAT. THEN DISPENSE WITH THAT, WHATEVER THE OUTCOME IS WILL DICTATE HOW YOU HANDLE THE UNO ORDINANCE. I WILL BE GLAD TO ANSWER QUESTIONS AFTER YOU HEAR FROM THE APPLICANT.

WITHOUT OBJECTION LET'S HEAR FROM THE APPLICANT.

WE WILL TAKE CARDS FOR FOLK WHO'S SIGNED UP IN FAVOR OF THE ZONING CASE, TAKE UP CARDS FROM FOLKS IN OPPOSITION. THEN THE APPLICANT WILL HAVE A ONE TIME REBUTTAL. THREE MINUTE REBUTTAL.

YOU DID A GREAT JOB OF PRESENTING. I'M JIMMY HOLLAND THE ARCHITECT REPRESENTING THE OWNER. AS WAS DISCUSSED WE SUBMITTED FOR THE ZONING CHANGE ABOUT A YEAR AGO OR STARTED THE POSSESS ABOUT A YEAR AGO. AT THE SAME TIME THAT -- THAT -- THAT THE NEIGHBORHOOD PLANNING AREAS WERE MAKING THEIR DECISIONS, WHAT WE HAVE DONE IN THE UNO. NUMBER ONE WE HAVE OBVIOUSLY WORKED WITH GLEN ROADS. HE'S BEEN OUR SPEARHEAD AND MARK WALTERS. THE -- THE -- THE LAYER CAKE DESIGN WAS -- WAS RECOMMENDED BY GLEN RHODES AND THE STAFF. THE IDEA THAT YOU WOULD TAKE THE COMMERCIAL REQUIREMENTS AND PUT THEM ON THE FIRST FLOOR. AND IN THIS CASE THE -- THE OWNER, THE HOUSE OF TUTOR HAS BEEN THERE SINCE 1993 AND IT'S -- IN ITS EXISTING LOCATION. AS A MIXED USE BUILDING. WHERE THEY -- TUTOR AND ALSO APARTMENTS. SO WHAT WE WOULD DO, IN THIS SCHEME, WE WOULD HAVE THE FIRST 40 FEET OF ZONING WOULD BE COMMERCIAL IN THIS CASE IT WOULD BE TUTORING, COFFEE SHOP, ADMINISTRATIVE OFFICES FOR THE CONDOMINIUMS. THEN FROM THAT 40 FEET ON UP WOULD BE THE HOUSING UNITS. THE STAFF ALSO RECOMMENDED THAT WE CONSIDER ALL

OF THE UNO REQUIREMENTS, IN GENERAL THE UNO'S 1, 2, 3 PROVISIONS ARE HIGH QUALITY, REDEVELOPMENT, AND NUMBER 2 BREAD STRENGTH FRIENDLY -- PEDESTRIAN FRIENDLY ENVIRONMENT, NUMBER 3 TO PROTECT THE CHARACTER OF THE NEIGHBORHOOD. WE HAVE ATTEMPTED TO DO THAT IN OUR PRESENTATION. THE -- WE HAVE DESIGNED A BUILDING AS YOU CAN SEE ON THE RENDERING THAT'S TO BE COMPATIBLE WITH THE UNIVERSITY AREA ARCHITECTURE, THE UNIVERSITY AREA USES, OBVIOUSLY STUDENT HOUSING AND UNO. THE PROGRAM IS TO DO TWO LEVELS OF PARKING UNDERGROUND, FIRST TWO LEVELS. ABOVE GROUND PARKING AT THE -- AT THE FRONT OF THE BUILDING OR FRONTING ON TO WINDSOR, 24th STREET IS THE COMMERCIAL. SO AS YOU SEE HERE, THE LOWER BUILDING IN FRONT IS THE COMMERCIAL HOUSE OF TUTOR. THE -- IT'S -- THE SCHEME THAT WE HAVE IS PARKING FOR 120 CARS, IT'S -- ACTUALLY IT'S 134 CARS REQUIRED WITH A 20% REDUCTION. THE FOUR LEVELS OF CONDOMINIUMS ABOVE THE PARKING, 48 UNITS OR 64 BEDS. THE UNO RECOMMENDATION IS THAT A MINIMUM OF 80% STUDENT HOUSING -- EXCUSE ME, A MINIMUM OF 80% STUDENT HOUSING, 20% COMMERCIAL, WE HAVE 85/15. SO WE HAVE EXCEEDED THE UNO REQUIREMENTS. THE -- THE PLANNING COMMISSION POINTED OUT THAT THE -- THAT THE MIXED USE TYPE OF BUILDINGS WHICH THIS IS AN EXAMPLE OF, THEY CITED EXAMPLES THAT -- THAT THEY WOULD -- THEY WERE GETTING MIXED USE PLANNING AND THEN THE APPLICANT WOULD COME BACK AND HAVE TO CHANGE THE ZONING AGAIN BECAUSE IT WAS HARD TO GET THE MIXED USE. THAT WHAT WE ARE -- THE THING THAT WE HAVE GOT GOING FOR US HERE IS THAT IT'S BEEN A MIXED USE PROJECT SINCE 1993. THE STAFF RECOMMENDED THAT WE ALSO NOT PUT THE ENTRANCE TO THE PROJECT ON 24th STREET. THE MAIN CORRIDOR. BUT TO PUT THE ENTRANCE ON TO PEARL STREET, WHICH WE DID. THE STAFF RECOMMENDED THAT WE CONSIDER THE STREET LANDSCAPING DESIGN THAT UNO WAS SUGGESTING. WITH THE PEDESTRIAN SCALE LIGHTING. AND ENCLOSING THE TRASH RECEPTACLES, WE HAVE COMPLIED WITH ALL OF THOSE REQUIREMENTS. THE SET BACK THAT WE ARE SHOWING, IT'S A LITTLE BIT DIFFERENT THAN THE PROPOSAL FROM UNO. WE SET THE TOWER BACK OFF THE STREETS, 75

FEET. WHICH IS A BIG CHUNK OF -- OF SETBACK. UNO'S REQUIREMENTS ARE SET BACK OF BASICALLY NO SETBACK. THE PLANNING COMMISSION, WE HAD A 25-FOOT SETBACK ON THE PROPOSAL FOR THE COMMERCIAL ON THE CORNER. THE PLANNING COMMISSION SUGGESTED THAT WE GO TO 15 FEET, WHICH WAS CONSISTENT WITH THE OTHER BUILDINGS ALONG 24th STREET. UNO'S PROVISIONS I GUESS WERE FOR SMALLER PROJECTS THAT NEED THAT COMMERCIAL UP CLOSE. [BUZZER SOUNDING]

Mayor Wynn: THANK YOU, MR. HOLLAND. I'M SURE THAT YOU WILL HAVE MANY QUESTIONS TO ANSWER HERE SHORTLY.

SURE.

Mayor Wynn: IN FACT YOU WILL HAVE A ONE-TIME CHANCE FOR REBUTTAL AFTER A FEW MINUTES. AT THIS TIME WE HEAR FROM FOLKS IN FAVOR OF THE ZONING CASE. THEN WE WILL TAKE UP CARDS IN OPPOSITION. WILL BOZEMAN NOT WISHING TO SPEAK, IN FAVOR. I'M SORRY, ABER MERRICK IF COUNCIL HAS QUESTIONS IN FAVOR. ACTUALLY OFFERING TO DONATE TIME TO JOHN JOSEPH. ZECHEN MAYRICK, WISHING TO SPEAK IN COUNCIL HAS QUESTIONS, IN FAVOR. JOHN JOSEPH, IN FAVOR. BUT NOT WISHING TO SPEAK. IF ANYBODY WANTS TO SPEAK, JUST STEP FORWARD. HASSAIN MALLICK, ONLY IF COUNCIL HAS QUESTIONS, IN FAVOR. ANGEL, I'M SORRY, I CAN'T READ ANY OF THIS, IN FAVOR. AMERON MERICK IN FAVOR. THOSE ARE THE CARDS SIGNED UP IN FAVOR. WE WILL TAKE UP FOLKS WHO WANT TO SPEAK IN OPPOSITION. LAURIE LINDHACKER, NOT WISHING TO SPEAK, AGAINST. PETER KETER, NOT WISHING TO SPEAK AGAINST, TIRE MYERS, AGAINST NOT WISHING TO SPEAK, MS. MARY AROUND, WHOM I BELIEVE -- ARNOLD, WELCOME, MARY. A NUMBER OF FOLKS OFFERED TO GIVE YOU TIME. MS. ARNOLD, LET'S SEE, PAMELA CLARK, WELCOME PAMELA, HOW ARE YOU? MIKE MCGINNIS. HELLO, MIKE. SUZANNE WEBBER? SUSAN, MARY PITS.

SHOULD I BE ON THE OTHER SIDE? [LAUGHTER]

YOU CAN SIT WHENEVER YOU WANT TO, MARY.

MAYOR AND COUNCIL, GOOD EVENING. THANK YOU VERY MUCH. THIS EVENING I'M REPRESENTING THE CAPITA ALPHA THETA HOUSE WHICH IS DIRECTLY ACROSS THE STREET FROM TOOT TOOT AND WAS THE HOUSE OF TUTORS, IT HAS BEEN IN OPERATION FOR 50 YEARS, I LIVED THERE FOR THREE YEARS WHEN IT WAS A VERY NEW HOUSE AND NOT EVEN A -- NOT EVEN THE DORMITORY ROOMS WERE AIR CONDITIONED AT THAT TIME. THAT SHOWS MY AGE. I THINK IN GOING TO THE PLANNING COMMISSION WHEN THE NEIGHBORHOOD PLAN WAS HEARD, AND LISTENING TO THE PRESENTATIONS THAT WERE MADE TO THIS COUNCIL ABOUT THE PROPOSED NEIGHBORHOOD PLAN, IT WAS VERY GRATIFYING FOR ME TO HEAR THE WAYS IN WHICH THE NEIGHBORHOOD PEOPLE AND THE UNIVERSITY AREA PARTNERS BEGAN TO OVERCOME SOME OF THEIR TRUST ISSUES BETWEEN THE TWO GROUPS. WHAT THEY HAVE COME UP WITH, IN TERMS OF A PLAN, IS REALLY A WIN-WIN SITUATION. BECAUSE THE PROPERTY OWNERS CAN GET MORE DENSITY AND HEIGHT UNDER THE PROPOSED UNIVERSITY NEIGHBORHOOD OVERLAY; AND THE NEIGHBORHOODS CAN GET PROTECTION FOR SOME OF THE MORE RESIDENTIAL AREAS THROUGH THE PLAN AND THE ZONING AND IN THAT UNIVERSITY NEIGHBORHOOD OVERLAY AREA, THERE ARE PUBLIC BENEFITS IN EXCHANGE FOR THE DENSITY AND THE HEIGHT. AND I THINK THAT'S WHAT -- THAT'S WHAT -- WHAT WOULD NOT BE POSSIBLE UNDER JUST THE ZONING CHANGE. THOUGH SOME OF THOSE PUBLIC BENEFITS WE WOULD LOSE IF THIS PROPERTY WERE GIVEN THE EXTRA HEIGHT AND THE ZONING CHANGE THAT THEY ARE REQUESTING. THE POINT IS THAT -- THAT THEY COULD GET THE EXTRA USES THAT ARE LISTED IN TERMS OF ALL OF THOSE LOCAL USES. AS WELL AS THEIR -- THEIR BASE ZONING OF G.O. AND MULTI-FAMILY. TO GET TO THEIR BASE ZONING -- IT'S REALLY OUR FEELING BEING ACROSS THE STREET THAT WE COULD LIVE WITH THE 75 FEET, WE ARE IN SUPPORT OF THE NEIGHBORHOOD OVERLAY. BUT IT'S THE 90 FEET THAT REALLY GOES TOO HIGH. AS FAR AS WE ARE CONCERNED AS -- AS A NEIGHBORHOOD ACROSS THE STREET WITH THE TWO-STORY HOUSE. AND, ALSO, I GUESS I WOULD HAVE TO SAY THAT THOSE PUBLIC USES THAT ARE AVAILABLE, PUBLIC BENEFITS THROUGH THE OVERLAY, THAT YOU WOULDN'T BE GETTING WOULD BE THE

DEFINITIONS OF THE LOCAL USES THAT THEY COULD USE, UNDER THEIR ZONING CASE THERE ARE NO RESTRICTIONS ON THEIR C.S. USE. AS ALL OF YOU KNOW, WHAT YOU SEE IN THE PRETTY DRAWINGS IS NOT NECESSARILY GUARANTEED IN THE CONFINES OF A ZONING CASE. AND C.S. ZONING IS -- IS WIDE OPEN IN TERMS OF THE DIFFERENT KINDS OF USES. I WOULD RATHER SEE THE LIMITATIONS OF THE LOCAL USES AS PROPOSED IN THE NEIGHBORHOOD OVERLAY. SEVERAL MONTHS AGO, YOU ALL PROPOSED OR APPROVED A ZONING CASE ON 26th STREET, WHICH IS PRETTY CLOSE TO THIS AREA. AND THAT ZONING CASE WAS AT 713 WEST 26th, MAESM ZONING, LIMITED TO 75 FEET IN HEIGHT. AND IN ADDITION THAT PROPERTY OWNER SIGNED -- SIGNED SEPARATE RESTRICTIVE COVENANTS WITH THE UNIVERSITY AREA PARTNERS. THE -- THE PROPONENTS OF THIS OWE OVER THE HOUSE OF TUTOR'S ZONING CASE HAVE NOT BEEN WILLING TO ENTER INTO SEPARATE RESTRICTIVE COVENANTS WITH -- WITH UNIVERSITY AREA PARTNERS. WELL, SOMETHING THAT ALICE GLASGO DID NOT MENTION IS THAT THERE IS A VALID PETITION OF 44%. THEIR NEIGHBORS TO THE NORTH, THE -- IS ALSO -- ALSO A FRATERNITY FACILITY AND THEY ARE OPPOSED TO THIS. WE ARE ACROSS THE STREET AND WE ARE OPPOSED TO THE 90 FEET. AND THEN SOME OTHER SMALLER PROPERTIES ACROSS ON 24th STREET SIGNED THE PETITION. WHAT WE ARE HOPING IS THAT THE COUNCIL WILL SUPPORT THE NEIGHBORHOOD PLAN AND THE OVERLAY AND ENCOURAGE THIS PROPERTY OWNER TO -- TO TAKE ADVANTAGE OF THE INCENTIVES OFFERED IN THE OVERLAY. ONE OF THE -- ONE OF THE THINGS THAT I'VE -- THAT I HOPE YOU ALL CAN VISUALIZE IS IF -- IF THE CORNER OF 24th STREET AND RIO GRANDE IS LOOKED AT AS KIND OF THE CENTER OF THIS OVERLAY AREA, THEN WHAT -- WHAT THE PROPOSED OVERLAY IS TRYING TO DO IS TO SAY IN THAT NORTHWEST QUADRANT ON THE SOUTH 24th STREET AND ON THE EAST, RIO GRANDE, THAT -- THAT THE HEIGHTS IN THAT AREA SHOULD BE SCALED BACK FROM THE 175 FEET ON THE OTHER SIDE OF RIO GRANDE AND BEGIN TO SCALE BACK DOWN. AND I LOVED READING THE HISTORY AND -- IN THE NEIGHBORHOOD PLAN OF THIS PARTICULAR AREA, INTERESTED TO READ ABOUT WHEATSVILLE, AND THE SAN GABRIEL AREA JUST A COUPLE OF BLOCKS FROM THE 24th

AND PEARL LOCATION TO READ THAT 24th AND PEARL WAS PART OF MR. WHEAT'S CORN FIELD IN THE LATE 1860'S AND SO -- SO THERE ARE A LOT -- THERE'S A LOT OF HISTORY IN THAT AREA. THAT -- THAT WE DO -- WE DO WANT TO PRESERVE AS WELL AS RECOGNIZING THE CHANGES THAT HAVE TAKEN PLACE IN THAT UNIVERSITY AREA OVER THE LAST 100 YEARS AS FAR AS WE'RE CONCERNED. OUR GROUP WAS FOUNDED ON THIS CAMPUS IN 1904. WHEN THERE WERE 1500 STUDENTS AT THE UNIVERSITY OF TEXAS. AND SO -- SO OUR THETA HOUSE HAS MOVED AROUND OVER THE YEARS, WAS EVEN AT ONE POINT LOCATED WHERE THE LITTLEFIELD DORMITORY IS NOW BUILT, BUT WHEN THE DORMITORY GOT BUILT, THEN OUR GROUP HAD TO MOVE. AND FINALLY WE FOUND A MORE PERMANENT HOME AT 24th AND PEARL AND I HOPE THAT YOU WILL HELP US TO KEEP IT AS A LIVABLE PLACE AND PART OF A -- OF A -- OF A VIABLE AND VIBRANT PEDESTRIAN COMMUNITY. THANK YOU.

Mayor Wynn: THANK YOU, MS. ARNOLD AND FOR LEAVING US 7 MINUTES AND 30 SECOND OF OUR TIME. JOHN BENNETT WATERS NOT WISHING TO SPEAK AGAINST. HOWARD LINET NOT WISHING TO SPEAK, AGAINST. STEVE WHITE AGAINST NOT WISHING TO SPEAK, KATHY NORMAN IF THE COUNCIL HAS QUESTIONS, AGAINST. MIKE McHONE. WELCOME, MIKE. YOU LOOK LIKE YOU MIGHT HAVE SIX MINUTES. RICHARD HARDIN, MIKE, YOU HAVE UP TO SIX MINUTES.

THANK YOU, MAYOR, I HOPE TO GIVE YOU BACK SOME TIME. IT'S FALLEN TO ME AS THE VICE-PRESIDENT OF THE UNIVERSITY AREA PARTNERS AND THE CITY COUNCIL LIAISON TO TRY TO EXPLAIN A LITTLE BIT ABOUT HOW WE GOT INTO THIS SITUATION. WHAT WE ARE HERE TODAY TO -- TO DISCUSS IS 15 FEET. IS THE BUILDING 15 FEET TOO TALL? IF YOU GO BACK AND LOOK THROUGH THE PROCESS THAT WE HAVE GONE THROUGH IN THE NEIGHBORHOOD PLANNING OVER THE PAST TWO AND A HALF YEARS, YOU WILL FIND MANY INSTANCES OF MAPS THAT COME OUT THAT ARE PROPOSED. NEGOTIATED, EXCRUCIATINGLY WITH THE OF SEVEN EXISTING NEIGHBORHOODS THAT WERE PUT TOGETHER WHEN THIS COUNCIL DECIDED TO BRING THESE NEIGHBORHOODS INTO COMPLIANCE WITH THE NEIGHBORHOOD PLANNING PROCESS. THE MAP OF -- IF I CAN READ THIS, APRIL 17th, 2003, SHOWS THIS PARTICULAR

TRACT TO BE AT 40 FEET. THAT WAS THE CITY'S DRAFT ORIGINAL NEIGHBORHOOD PLANNING MAP. BACK IN -- BACK IN MARCH OF 2002, WE WERE PRESENTED A PLAN AT UNIVERSITY AREA PARTNERS FROM MR. HOLLAND REPRESENTING THE HOUSE OF TUTOR'S FOR A ZONING CHANGE FROM G.O.-M.U. TO C.S.-M.U., 60 FEET OF HEIGHT. LATER AS WE WENT THROUGH THE PROCESS, WE WORKED HARD TO GET THIS 40 FEET DISCREPANCY CHANGED. WE AT ONE TIME WERE UP TO 90 FEET AS A SUGGESTION. A ZONING CASE WAS FILED BECAUSE THE LINE BETWEEN THE 175 AND THE 90-FOOT AREA WAS PEARL STREET. WHEN THE ZONING CASE WAS FILED, THERE WAS SUDDENLY AN OUTPOURING OF NEW PARTIES AND SOMETIMES NEIGHBORHOOD ASSOCIATIONS GET A LITTLE BIT AHEAD OF THEIR CONSTITUENCIES. IN THIS PARTICULAR CASE WE HAD -- WE HAD 44% OF THE PROPERTY OWNERS WITHIN 300 -- WITHIN 200 FEET OF THIS PARTICULAR CASE SAY WE CAN'T SUPPORT 90 FEET. BUT WE CAN SUPPORT 75. GIVEN THAT, ON APRIL 19th THE UNIVERSITY AREA PARTNERS SENT TO YOU A LETTER OUTLINING WHY WE FELT THAT IT WAS INCUMBENT UPON US TO REEXAMINE OUR ORIGINAL SUPPORT OF THE 90-FOOT ZONING CASE HERE. BASED UPON THE FACTS THAT HAVE BEEN PRESENTED, WE FELT THAT IT WAS IMPORTANT TO REACH SOME SORT OF CONSENSUS. THAT CONSENSUS THAT WE COULD GET TO, WE HOPED, WAS 75 FEET. THE 75-FOOT HEIGHT THAT WAS PRESENTED AND WILL BE DISCUSSED, MOMENTARILY IN THE Z-2, WOULD ALLOW FOR A BUILDING THAT WOULD ALLOW MORE BUILDING AREA THAN IS THE RECOMMENDATION FROM THE PLANNING COMMISSION. BECAUSE THE SET BACKS, ESPECIALLY ALONG 24th, WOULD BE REDUCED FROM THE 75 FEET TO JUST TWO FEET. SO A BUILDING THAT WAS SHORTER UNDER UNO WOULD ACTUALLY RESIDE FOR MORE BUILDING AND MORE UNITS, MORE PARKING, ALL OF THE -- BECAUSE IT'S A HIGHER UTILIZATION OF THE AVAILABLE SURFACE LAND AREA. WE WOULD HOPE THAT THE COUNCIL WOULD SEE THE VALUE OF UNO. ONE OF THE THINGS THAT THE PROPOSED ZONING CASE DOESN'T DO THAT UNO DOES IS IMPOSE AN AFFORDABLE HOUSING COMPONENT WHICH WE THINK IS ABSOLUTELY ESSENTIAL FOR THE OPT-IN BENEFITS OF THE PERFORMANCE ZONING THAT THIS COUNCIL IS GETTING READY TO ADOPT. BY PROVIDING

AFFORDABLE HOUSING THAT WOULD GIVE EVERYONE IN THE UNIVERSITY COMMUNITY AN OPPORTUNITY TO BE ABLE TO GO TO THE UNIVERSITY. SO WE WOULD HOPE THAT YOU WOULD -- THAT YOU WOULD DENY THIS ZONING CASE, AND GO AHEAD AND APPROVE THE UNO OVERLAY AT 75 FEET, WHICH WOULD ALLOW THIS PARTICULAR APPLICANT EVEN MORE BENEFIT THAN THEY WOULD IF THE ZONING CASE WAS APPROVED. IF YOU HAVE ANY QUESTIONS, I WILL BE HAPPY TO TRY TO ANSWER THEM. I APPRECIATE YOUR TIME.

Dunkerly: MAYOR, DO I HAVE A QUESTION. MR. MCHONE, I THINK YOU KNOW THAT I THINK THIS PLAN IS A MIRACLE.

I BELIEVE THAT MYSELF. [LAUGHTER] KUNG DID YOU THINK I'M VERY, VERY SUPPORTIVE OF IT. IT'S MY SUPPORT OF IT THAT'S SORT OF GOTTEN ME IN TROUBLE RIGHT NOW. ORIGINALLY THIS APPLICANT CAME IN TO SEE ME WITHOUT AN AGENT, JUST CAME IN. AT THAT TIME, I WENT BACK AND LOOKED AT MY FILES AND -- AND LIKE YOU, THERE IS EVIDENTLY A LONG HISTORY HERE. IT WAS 110-FOOT HEIGHT THAT THEY WERE REQUESTING. SO I SAID AT THAT TIME, I DON'T THINK THAT'S APPROPRIATE FOR THIS AREA AND LET ME SEE WHAT THE UNO PLAN LOOKS LIKE. SO I CALLED THE STAFF, THEY SAID 10 FEET. THEY CHECKED THE PLAN AT THAT TIME -- THEY SAID 90 FEET. I CHECKED THE PLAN AT THAT TIME. THEY CHECKED IT I THOUGHT THAT WAS PERMANENT 90 FEET. I TOLD THE GENTLEMAN I CAN'T SUPPORT 110 BUT I COULD SUPPORT 90 IF YOU WOULD COME IN AND COMPLY WITH THE UNO OVERLAY. SUBSEQUENT TO THAT IT CHANGED AGAIN. SO FOR THE CROWD, THAT'S HOW I GOT HERE. I WAS TRYING TO SUPPORT THE PLAN AND SUDDENLY FIND THAT THE PLAN HAS CHANGED. NOW, LATER ON YOU KNOW I'M NOT -- I KNOW THERE'S A VALID PETITION, BUT PROBABLY WHAT I WOULD AT LEAST PROPOSE IS TO GET THE 90 FEET, BUT WITH ALL OF THE RESTRICTIONS OF UNO, INCLUDING THE LIMITATIONS ON THE C.S. USES AND EVERYTHING ELSE. I WOULD BE ASKING THEM TO TRY TO WORK WITH UNO TO COME UP WITH A RESTRICTIVE OVERLAY THAT INCLUDES EVERYTHING EXCEPT THE HEIGHT. AGAIN A VALID PETITION THAT TAKES SIX VOTES, I MAY NOT HAVE THEM. I JUST WANTED EVERYBODY TO KNOW THAT I WAS REALLY TRYING

TO BE SUPPORTIVE. SO THAT'S WHAT HAPPENED.

I UNDERSTAND COMPLETELY. AS SOMEONE WHO WORKED VERY CLOSELY WITH THE APPLICANT TRYING TO GET THEIR 90-FOOT, I WAS -- BUILDING -- I WAS SOMEWHAT SURPRISED TO FIND OUT THAT WE HAD MISCOMMUNICATED AND NOT INVOLVED THE PROPERTY OWNERS IN THE AREA TO THE DEGREE THAT THEY FELT COMFORTABLE WITH WHAT WAS HAPPENING. SO WE'VE HAD A LITTLE BIT OF A SITUATION WHERE WE'VE HAD TO BE IN A -- IT'S ALWAYS -- THIS PLAN IS A GREAT DEAL OF COMPROMISE. AND INVOLVED ON LOTS OF PEOPLE'S PARTS.

Dunkerly: LIKE I SAID, I UNDERSTAND THAT -- THAT A ZONING CHANGE DOESN'T GET ALL OF THESE THINGS. BUT IF I WERE LUCKY ENOUGH TO GET AT LEAST ON FIRST READING PART OF THE RESTRICTIONS WOULD BE PART OF THE DIRECTIONS WOULD BE TO SEE IF -- IF THE OWNER WOULD NOT WORK WITH UNO TO TRY TO GET A RESTRICTIVE COVENANT THAT COVERS EVERYTHING BUT THE HEIGHT. BUT LIKE I SAID, I'M NOT SURE AT THIS POINT WHAT THE OUTCOME WILL BE.

I WOULD HOPE THAT YOU WOULD ALSO CONSIDER THE AFFORDABLE HOUSING COMPONENT AS WELL.

Dunkerly: WELL, ISN'T THAT PART OF THE UNO?

IT WOULD BE IF -- YES, IF YOU DIRECTED IT TO BE SO.

Dunkerly: ALL RIGHT.

THANK YOU.

Slusher: MAYOR. SO MR. MCHONE WHAT IS THE REASON FOR ONE SIDE OF 24th STREET BEING 175-FOOT AND THE OTHER SIDE BEING 75, EXCEPT FOR BETWEEN LET'S SEE THE NEXT STREET BACK FROM PEARL RIO GRANDE YOU HEADING WEST, ON ONE SIDE IT'S 175 FEET, AND 90 ON THE OTHER, THEN YOU GET BACK HERE, ABOUT HALFWAY THROUGH THE BLOCK AND IT'S 175 ON ONE AND 75 ON THE OTHER. WHAT WAS THE LOGIC THAT WENT INTO THAT.

I BELIEVE WHAT WE ARE TRYING TO DO THERE IS CREATE AS

LARGE OF AN AREA FOR REDEVELOPMENT AS POSSIBLE BEING IN A SITUATION WHERE WE DON'T CREATE DIFFICULTIES WITH THE ADJACENT PROPERTY OWNERS. AND THAT IS -- THAT IS WHERE WE WERE ABLE TO NEGOTIATE AND THE ADJACENT PROPERTY OWNERS AND THE NEIGHBORHOODS ALL AROUND US THAT ARE THE SINGLE FAMILY, THE IDEA WAS TO BUILD THE UNIVERSITY DIDN'T WANT A REAL TALL CANYON. SO WE HAVE THE HISTORIC GUADALUPE STREET DISTRICT LIMITED TO 60 FEET. THEN YOU START UP, THEN YOU GOT TO THE HEIGHT, YOU START GOING DOWN TOWARD THE RESIDENTIAL NEIGHBORHOODS AND SHOAL CREST AND WEST UNIVERSITY. THESE NEGOTIATIONS INVOLVE NOT ONLY THOSE THREE NEIGHBORHOOD ASSOCIATIONS, BUT ALSO THE ORE NEIGHBORHOOD ASSOCIATIONS AND THE REST OF CAN PACK TO TRY TO DEVELOP A HEIGHT MAP. WHEN WE STARTED THIS PROCESS, WE STARTED OUT AND SAID LET'S DEVELOP A HEIGHT MAP. BECAUSE THAT SEEMED TO BE THE ISSUE THAT WAS THE MOST CONTENTIOUS.

Slusher: THE REASON IS BASICALLY THAT THE SORORITY HOUSE AND SOME OF THE FRATERNITY HOUSES HERE ON PEARL DIDN'T WANT THAT MUCH HEIGHT ON THAT SIDE OF THE STREET.

YES, SIR. IT'S JUST LIKE IT WOULD BE WITH ANY OTHER PROPERTY OWNER. IT WAS CAREFULLY NEGOTIATED, HOPEFULLY THAT -- THAT THEY WOULD GIVE SOME POINT 60 FEET IS WHAT THEY HAVE ALWAYS HAD, SO GOING HALFWAY WAS SORT OF A COMPROMISE.

Slusher: ANOTHER 15 FEET. BEYOND WHAT THEY HAD ALREADY.

RIGHT, 15 FEET LESS THAN 10 FEET WHICH WE HAD ORIGINALLY SUPPORTED.

Slusher: ALL RIGHT. OKAY, THAT'S ALL THAT I HAVE RIGHT NOW FOR YOU.

Mayor Wynn: THANK YOU, MR. MCHONE. RECYCLE IVERSON NOT WISHING TO SPEAK AGAINST. NANCY IVERSON NOT WISHING TO SPEAK AGAINST. BARBARA BRIDGES, NOT

WISHING TO SPEAK, AGAINST. RAYMOND TUCKER, AGAINST.
EITHER WILSON NOLA OR -- WILSON NOLA. I'M SORRY.

[INAUDIBLE - NO MIC] OKAY. ALSO AGAINST. MARY GAY
MAXWELL, NOT WISHING TO SPEAK, AGAINST. JOHN I'M
SORRY I CAN'T READ THE LAST NAME, STARTS WITH A CH,
NOT WISHING TO SPEAK, AGAINST. MARY INGLE AGAINST,
NOT WISHING TO SPEAK. COLLEEN DALY, CHECKED NOT
WISHING TO SPEAK, BUT SEVERAL PEOPLE THEN OFFERED
TO GIVE HER TIME. MS. DALY? [LAUGHTER] NOT WISHING TO
SPEAK? OKAY. IN OPPOSITION. DENNIS COLE IN OPPOSITION.
JUDY TOWNSEND AGAINST, ALFRED GODFRY AGAINST.
BARBARA DINATO, SORRY I'M MISPRONOUNCING THAT,
AGAINST, CHARLES LARKY AGAINST, LINDA STEWART
AGAINST, CLOMA PRINCE NOT WISHING TO SPEAK AGAINST.
BONETTA PRINCE AGAINST, LINDA GUERRERO, AGAINST,
TRACY [INDISCERNIBLE] AGAINST. TIM DAMRUN AGAINST.
[INDISCERNIBLE] LAVERY AGAINST, CAROL BUTLER AGAINST,
ALL NOT WISHING TO SPEAK. THANK YOU VERY MUCH. NOW,
LET'S SEE, MR. HOLLAND YOU HAVE A 3 MINUTE REBUTTAL.
AND THEN YOU ALSO WILL OF COURSE BE AVAILABLE TO
ANSWER QUESTIONS OF COUNCIL.

SURE. I APOLOGIZE FOR NOT FINISHING MY PRESENTATION.
THE OWNER HOUSE OF TUTOR HAS PROPOSED THAT THEY
WILL -- THEY WILL FULFILL OUTLINE OF UNO'S
REQUIREMENTS. SO RRK RESTRICTIVE COVENANTS,
ANYTHING IN UNO THEY SAID THEY WILL GO WITH. THEY
DON'T HAVE ANY PROBLEM WITH UNO. I APOLOGIZE, I WAS
TRYING TO SHOW YOU THE DIFFERENCE BETWEEN OUR
PLAN AND UNO, IT'S MY FAULT, I APOLOGIZE. THE THINGS
THAT MARY AROUND REQUIRED -- ARNOLD, REQUIRED,
RESTRICTIVE USES, ANYTHING IN UNO IS NOT A PROBLEM. I
DO NOT FIND ANYTHING IN UNO THAT WE DO NOT COMPLY
WITH OTHER THAN THE HEIGHT RESTRICTION. MIKE MCHONE
IS ABSOLUTELY CORRECT. IF WE USED UNO WE COULD
HAVE MORE SQUARE FOOTAGE IT WOULD BE A BIGGER
BUILDING, BUT IT WOULDN'T BE SET BACK FROM WINDSOR.
THE THETA HOUSE WOULD NOT HAVE AS MUCH SUNLIGHT
AS IT HAS RIGHT NOW. OUR SCHEME IS REALLY FAVOR
FAVORABLE TO THE THETA HOUSE. PART OF THE 75-FOOT
SETBACK WAS -- IT REQUIRED US TO GO HIGHER FOR THE
CONOCO UNITS TO GET THE NUMBER THAT'S REQUIRED TO

DO THE PROJECT. ALSO, KIND OF MADE IT AN UNUSUAL THING BECAUSE WE WERE HIGHLIGHTING THE HOUSE OF TUTORS. THE YESTERDAY IS THEY WANTED THE MIXED USE, IDENTITY FOR HOUSE OF TUTORS AND IDENTITY FOR THE MULTI-FAMILY. SO I APOLOGIZE FOR NOT MAKING ALL THAT CLEAR TO YOU. LET'S SEE. I GUESS THE ONLY PROVISION, THE PROVISIONS IF WE DO THIS WITH FAMILY 6, WE ARE 80% IMPERVIOUS COVER. UNO, ACCORDING TO THEIR REFRESH MY MEMORIES, WOULD GO UP TO -- TO THEIR REQUIREMENTS WOULD GO UP TO 90% IMPERVIOUS COVER. ACTUALLY OUR PROJECT IS LESS IMPERVIOUS COVER THAN UNO WOULD REQUIRE ACCORDING TO WHAT I READ IN THE ORDINANCE. THEIR SETBACKS ARE UP TO ALMOST FOG, LIKE FIVE FEET. THAT WOULD PROBABLY BE A REASONABLE PROPOSAL FOR A SMALLER SITE. WE HAVE A BIG ENOUGH SITE THAT WE CAN PULL BACK FROM THE STREET. WE HAVE A 15-FOOT SIDE YARD ON PEARL AND A 150-FOOT SIDE YARD ON OUR FRONT YARD ON 24th STREET.

Dunkerly: I HAVE A QUESTION.

Mayor Wynn: THANK YOU, COUNCILMEMBER DUNKERLY?

Dunkerly: WHAT I'M HEARING, I THINK THIS IS WHY I LIKED THE PLAN THE FIRST TIME I HEARD IT, IF YOU GO TO THE 75-FOOT UNO YOU WILL LOSE ALL OF THOSE SETBACKS, IT WILL NOT BE AS ATTRACTIVE AS A BUILDING.

IT WILL BE A BIGGER BOX. WE DIDN'T WANT TO DO A BOX, WE WANTED TO DO A TWO-STORY BUILDING IN FRONT AND A HIGHER STORY BUILDING IN THE BACK. THAT'S WHAT WE PROPOSED. PRETTY MUCH WORKED ALONG, WE HAVEN'T REALLY CHANGED THAT IDEA OR CONCEPT ALONG.

Dunkerly: BUT IF WE LIMIT YOU TO 75 THEN THAT PRECLUDES YOU FROM DOING THAT DESIGN?

THAT'S CORRECT. WE WOULD GO BACK TO WHAT YOU SEE IN THE UNO PROPOSAL, WHICH IS A TIERED BUILDING, I THINK THAT YOU GO UP 50 FEET, SETBACK 12, THERE'S A FORMULA, IT WOULD OBVIOUSLY WE ARE JUST GOING 40 FEET. SO RIGHT OFF THE BAT IT WOULD BE 10 FEET HIGHER IN FRONT. SO WE THINK THAT OUR PROPOSAL IS A BETTER

PROPOSAL BECAUSE WE HAVE AGREED TO DO ALL OF UNO'S REQUIREMENTS PLUS THE RESTRICTIVE COVENANTS ON ANY USES.

HAVE YOU HAD AN OPPORTUNITY TO MEET WITH -- WITH THE THETA FOLKS AND MARY ARNOLD.

I HAVE NOT, NO, PERSONALLY MET WITH MARY. WE HAVE TALKED TO THE THETAS. I THINK THERE'S -- I THINK WE ARE ALL LEARNING TODAY ABOUT ALL OF THESE DIFFERENT REGULATIONS. IT JUST SO HAPPENS THAT THE THETAS, IT TURNS OUT TO BE A BETTER PROJECT FOR THEM. I REPRESENT THE FRATERNITY HOUSE SAE'S TO THE NORTH, WE HAVE A BUILDING PERMIT TO DO A DORM THAT GOES 60 FEET. SO THE SAE'S ARE GOING TO MAINTAIN THEIR PROPERTY THEIR AND THEIR FRATERNITY THERE. THEY HAVE CO-EXISTED WITH THE HOUSE OF TUTORS FOR ALL OF THESE YEARS. SINCE ABOUT 1950. AND THEY SEEM TO FEEL LIKE THE -- THE JOSE MALIK AND HIS FAMILY WE WILL NOT HAVE ANY PROBLEMS CO-EXISTING WITH THE ASE'S.

THANK YOU.

THANK YOU.

COUNCILMEMBER MCCRACKEN?

McCracken: SO AS I UNDERSTAND IT THEN, THE PROPOSAL BEFORE US WOULD HAVE A 75-FOOT SETBACK?

YES, SIR.

McCracken: ON PEARL STREET. AND THEN WHAT IS -- EXCUSE ME, 75 FEET ABOVE 40 FEET FOR THE TOWER. IT'S ACTUALLY 15 FEET FOR THE 40-FOOT COMMERCIAL. THE TIER. THE FIRST LAYER IS 15 FEET OFF PEARL, 15 FEET OFF OF 24th STREET. THEN YOU GO UP 40 FEET, THAT'S THE FIRST LAYER. THEN THE SECOND LAYER IS 75 FEET OFF OF 24th STREET, 15 FEET OFF OF PEARL UP TO 90.

SO THE STREET FRONTAGE WILL BE 15 FEET ON BOTH SIDES.

YES, SIR.

McCracken: THEN WHAT IS -- WHAT ARE PROJECTED TO BE THE STREET FRONT USES ON BOTH 24th AND ON PEARL STREET.

THE FIRST 75 FEET WOULD ALL BE COMMERCIAL. SO -- SO THAT'S WHAT I WAS SAYING IN THE PLANNING COMMISSION, THEY WERE CONCERNED THAT YOU WOULD TURN THE CORNER THERE ON PEARL STREET AND SEE PARKING, TWO FLOORS OF PARKING. YOU ACTUALLY WOULD, BUT YOU WOULD ONLY -- IT WOULD START 75 FEET BACK. WE HAVE 15 FEET OF SIDE YARD TO PUT MORE LANDSCAPING IN, THAT'S WHAT THE PICTURE SHOWS.

McCracken: I'M CONFUSED THEN. SO IS IT -- IS IT A [INDISCERNIBLE] ENVIRONMENT, LIKE RETAIL OR OFFICE TO 15 FEET.

YES, SIR.

SO WHERE IS THE PARKING GOING TO BE LOCATED?

EXCUSE ME, HERE'S THIS FIRST -- THIS DIAGRAM SHOWS THE SETBACK OFF OF 24th STREET. THIS IS THE -- THIS IS THE -- ACTUALLY THIS DRAWING IS 25 FEET OFF 24th, 50 FEET, FOR THE TWO STORY, 40, THEN THERE'S THE 90 FEET FOR THE REST. THIS ACTUALLY IS -- IS PARKING RIGHT HERE. FROM 75 FEET BACK. IT'S TWO FLOORS OF PARKING, TWO FLOORS UNDERGROUND, TWO FLOORS ABOVE.

MR. HOLLAND, SO ON THE LEFT SIDE THERE, ON THE 24th, IS THAT -- IS THAT COMMERCIAL FRONTAGE LIKE --

YEAH, THAT'S THE HOUSE OF TUTORS. RIGHT HERE.

IS IT CONSTRUCTED IN SUCH A WAY THAT IT'S -- THAT I THINK THE POINT OF THE IDEA IS THAT THE [INDISCERNIBLE] HAVE A FORM BASED APPROACH SO IT CAN BE USED FOR DIFFERENT PURPOSES DOWN THE LINE. IS THIS -- OPENING UP THE STREET AND FULFILLING THOSE AIMS OF THE UNO PLAN.

YES, SIR.

THEY ARE VERY LUCKY THAT THEY HAVE AN EXISTING COMMERCIAL USE IN THIS AREA, WHICH IS REALLY HARD TO FIND. I MEAN IT'S MOSTLY HOUSING. SO THE HOUSE OF TUTORS, THE CONCEPT IS TO MAINTAIN THAT HOUSE OF TUTORS SO THAT THE LOBBY OR THE ENTRY THEY WOULD HAVE AREAS TO STUDY, A COFFEE BAR, ALL OF THOSE THINGS.

McCracken: ON THE PEARL STREET SIDE, IS THAT ALSO -- DOES THE BUILDING ALSO GO TO 15 FEET THERE?

YOU HAVE A 15-FOOT SETBACK FROM THE STREET, THAT'S IT IS THE LANDSCAPING, 15 FEET OF LANDSCAPING.

SO -- SO I MAY BE WRONG, IT'S MY UNDERSTANDING THAT THE UNO ALSO WAS TO CREATE A PEDESTRIAN ENVIRONMENT.

THAT'S CORRECT. WE DO NOT HAVE THE BUILDING UP TO THE PROPERTY LINE, NO, SIR. BUT IT IS A PEDESTRIAN AREA. JUST LANDSCAPED.

BUT --

TREES, SIDEWALKED, PATIOS.

MY UNDERSTANDING OF THE PURPOSE OF THE UNO PLAN IN HAVING THE BUILDINGS COME UP, YOU GET THAT PEDESTRIAN SCENE PEOPLE COMING OUT OF DOORS, SHOP, THINGS LIKE THAT. MY CONCERN IS THAT YOU ARE NOT FULFILLING AT LEAST AS I UNDERSTAND IT THAT PARTICULAR PURPOSE OF UNO.

NOT BEYOND 75 FEET NO, SIR. THE REASON WE DON'T HAVE THAT AND THE REASON THAT THE PLANNING COMMISSION APPROVED IT AS IT IS THEY FELT LIKE THAT COMMERCIAL WAY BACK, 75 FEET OFF OF 24th STREET BACK IN THE RESIDENTIAL AREA WAS NOT AN APPROPRIATE USE. THEY FELT LIKE THE LANDSCAPING IN FRONT OF THE BUILDING OF THE PARKING WAS A BETTER USE THAN TO TURN THE

CORNER WITH COMMERCIAL.

McCracken: IF YOU WERE BUILDING -- [MULTIPLE VOICES] -- IF YOU WERE BUILDING A PURELY UNO COMPLIANT STRUCTURE, WOULD YOU THEN --

YES, SIR. YOU WOULD HAVE TO.

McCracken: WOULD THAT BE AN OPTION THEN TO BUILD THIS UNDER UNO COMING UP TO THE STREET TO FULFILL THE PURPOSES OF UNO?

YOU WOULD COME OUT HERE, DO LIKE THIS. BIG BOX. SO WE FEEL LIKE THE SETBACK IS A BETTER SCHEME.

McCracken: WELL, DEPENDING ON WHAT GOAL IT SEEKS TO ACCOMPLISH, RIGHT.

THAT'S CORRECT. SO OUR GOAL IS TO NOT HAVE THE CANYON EFFECT ON 24th STREET, MORE SUNLIGHT FOR THE THETAS, COURTYARD IN FRONT, LANDSCAPED COURTYARD ON THE SIDE. YES, SIR OUR CONCEPT IS A LITTLE DIFFERENT THAN UNO. THAT'S CORRECT.

McCracken: ALL RIGHT. THEN I HAD IN MY NOTES THAT THERE WAS SOME THAT -- THAT THE PLANNING COMMISSION DID -- HAD NOT ALLOWED YOU TO HAVE ACCESS -- ALLOW PEOPLE TO HAVE ACCESS FROM BOTH 24th AND FROM PEARL.

THERE IS AN ACCESS RIGHT NOW. THERE'S A CURB CUT ON 24th STREET. WE AGREED TO CLOSE THAT CURB CUT. MAKE IT GO AWAY. COME INTO THE SIDE. CROSS STREET -- PEARL STREET ACCESS FOR THE PARKING.

SO YOU ARE TALKING CURB CUTS AS OPPOSED TO ACTUAL STREET FRONT WHERE PEOPLE ARE COMING IN AND OUT OF DOORS.

OH, YEAH. OKAY.

WE TOOK THE STREET CURB CUT AWAY. YES, SIR.

McCracken: I THINK -- MAYBE A COUPLE OF QUESTIONS FOR

MR. MCHONE. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] >

THE REQUIREMENT OF UNKNOWN IS NOT ONLY THAT -- UNO IS THAT THE PARKING GARAGE BE SCREENED AND BE AT A FLAT LEVEL, BUT AT THE GROUND LEVEL, 80% -- NO, 75% OF THE NET SITE AREA OF THE LINEAR FOOTAGE OF THE SITE HAS GOT TO BE OCCUPIED SPACE. THE PARTICULAR PLAN HERE BACK OF 75 FEET YOU HAVE THE COMPLETE DISTANCE THAT'S THE PARKING GARAGE. AND THAT WOULD BE THE PRIMARY DESIGN, I BELIEVE. HE IS HERE IF YOU WOULD LIKE TO TALK TO HIM. THE DESIGN GUYS COULD SPEAK TO IT BETTER THAN I CAN. BUT THAT WAS THE IDEA BEHIND IT WAS TO CREATE GROUND LEVEL OCCUPIED SPACE RATHER THAN SPACE THAT IS UNOCCUPIED, AND WE DEFINED PEDESTRIAN USES AS BEING THE USE OF TUTORIALS WOULD QUALIFY, BUT DWELLING UNITS WOULD QUALIFY SO THAT PARKING -- YOU HAVE EYES ON THE STREET, AND THAT'S THE IDEA.

McCracken: WHEN THE UNIVERSITY -- I GUESS WHEN THE NEIGHBORHOOD PLAN WAS ORIGINALLY CONTEMPLATING THIS PARTICULAR SITE BEING A 90-FOOT SITE, IT DID INCLUDE THE SET SETBACKS AND THE REQUIREMENT OF THE GROUND LEVELS.

YES, ALL OF THOSE ARE IN THE GUIDE GUIDELINES THAT ARE PART OF THE UNO PLAN.

McCracken: I GUESS I WOULD LIKE TO ASK MR. COTTEAR TO GIVE US MORE DETAILS OF THE FUNCTIONAL REASON FOR HAVING THIS REQUIREMENT. COTTER. I THINK> I THINK THE BIG SPACE IS TO NOT HAVE THE DEAD SPACE ALONG THE PEDESTRIAN WALKWAY SUCH AS A GARAGE, FLOW HAVE RETAIL OR RESIDENTIAL -- BUT TO HAVE RETAIL OR RESIDENTIAL, THOSE KIND OF USES, SO THAT YOU HAVE -- AS MIKE JUST EXPLAINED, SO THAT YOU DO HAVE A VERY ACTIVE STREET AND YOU HAVE EYES ON THE STREET, WHICH MAKES IT A SAFER STREET. THAT WAS THE PRIMARY REASON FOR THAT.

McCracken: AND THE REASON BEING NOT ALLOWED IN THE

FRONT IF IT WAS PARKING GARAGES.

IT WAS TOTALLY PARKING GARAGE. IT ALLOWED 70%. YEAH, 30% COULD BE ENTRANCE TO GARAGES OR GARAGES, BUT THE REST HAS TO BE AN OCCUPIED SPACE, EITHER RESIDENTIAL OR RETAIL.

McCracken: AS I UNDERSTAND THE PLAN CURRENTLY, IT CONTEMPLATES BUILDING ACROSS THE STREET FROM THIS SITE?

I'M NOT SURE.

McCracken: NOT ACROSS PEARL, BUT ON 24TH?

ON THE 24TH STREET SIDE, THE PLAN DOES CALL FOR MAKING THE EXISTING UNIVERSITY TOWERS COMPLIANT FOR HEIGHT, BUT WHAT WE HAVE IN THE UNO AREA IS THERE ARE LARGE PROJECTS THAT HAVE ALREADY BEEN BUILT, SO THE LINE ACTUALLY -- 175-FOOT LINE WOULD FOLLOW THE RIGHT-OF-WAY, PEARL STREET, IF PEARL STREET WERE EXTENDED THROUGH THE NEW 900 WEST 23rd PROJECT, WHICH NOW IS THE NEWER PROJECT THAT WAS BUILT THERE. SO ACROSS THE STREET FOR A LITTLE WAYS, AND THEN IT GOES -- STRAIGHTENS OUT, THE 175-FOOT LINE, FOLLOWS PEARL STREET DOWN TO 22nd STREET AND THEN IT TURNS IN.

McCracken: WHAT WAS THE NEIGHBORHOOD'S ORIGINAL THINKING IN HAVING THIS PARTICULAR SITE BEING AT THE 90-FOOT LEVEL?

AT THE 90-FOOT LEVEL WHAT WE WERE TRYING TO DO WAS INCREASE THE OPPORTUNITIES FOR DEVELOPMENT IN THE AREA. AND WE FELT THAT THAT WAS NOT UN-- WE FELT THAT A 90-FOOT -- AND THE LINE WAS AT PEARL STREET FOR THE 175-FOOT. AFTER RECEIVING THE INPUT FROM THE PROPERTY OWNERS, WE DECIDED THAT IT WOULD BE -- AND NEGOTIATING WITH THEM THAT 75 FEET WAS WHAT THEY WOULD SUPPORT, SO WE AGREED TO MOVING IT TO 75 FEET. ONE OF THE THINGS THAT EVERYONE NEEDS TO UNDERSTAND -- AND I KNOW THAT THIS IS NOT NECESSARILY FORM TO GET INTO THAT IS THAT THE

BUILDING CODE REQUIREMENTS WILL IN ALL PROBABILITY DICTATE MORE OF THESE FACILITIES THAN WE ANTICIPATE. SO THE LAND DEVELOPMENT CODE, WHICH YOU ARE AMENDING NOW THROUGH THE NEIGHBORHOOD PLANS, WOULD ENTITLE PROPERTIES IF THEY CHOOSE TO PARTICIPATE AND TO GO TO THESE HIGHER HEIGHTS. THE BUILDING CODES AND THE BUILDING THINGS THAT HAD TO BE UTILIZED DRIVES COSTS SO MUCH HIGHER IF YOU GO TO CONSTRUCTION THAT THE LIKELIHOOD OF REALLY TALL BUILDINGS BEING BUILT HAS BEEN DIMINISHED SUBSTANTIALLY BY THE BUILDING COAT CODE REQUIREMENTS.

McCracken: THANK YOU.

Mayor Wynn: FURTHER COMMENTS?

EXCUSE ME, CAN I SAY -- THE OWNER SAYS HE'LL BASICALLY DO EXACTLY WHAT MR. COTERA ASKS. WE WOULD ALLOW THE COMMERCIAL CONSTITUTORS TO TURN THE CORNER. IT ALLOWS FOR 30% TO BE PARKING GARAGE. THAT'S VERY WORKABLE DEAL. SO AGAIN, WE'RE AGREEING TO ANY COMPONENT OF UNO. THE HEIGHT WE'RE TRYING FOR, THE 90 FEET, IS -- IT'S LIKE I EXPLAINED BEFORE. THE GOAL IS TO GET THE BUILDING LOW IN FRONT. UNFORTUNATELY, THERE'S A LOT OF FRONTAGE TO PUT COMMERCIAL ON. WE'RE TALKING A BIG CHUNK OF SQUARE FOOTAGE. SO YOU'VE GOT A HARDER TASK TO GET THAT DONE IN ANY PROJECT. AS FAR AS THE 175 FEET, WHEN WE WENT TO 90 FEET, IT REALLY WAS 175 FEET ACROSS THE STREET. THAT'S WHAT EVERYBODY WAS TALKING. NOW THAT 175-FOOT LINE HAS MOVED. WE DON'T KNOW WHY IT'S MOVED, BUT IT'S MOVED TO A DIFFERENT LOCATION, SO IT SEEMS LIKE WE'RE ASKING FOR MORE THAN WE REALLY NEED, BUT WE'RE ASKING FOR WHAT WE NEED.

McCracken: AND I UNDERSTAND THAT BECAUSE I ACTUALLY THINK THAT THE ORIGINAL RULES THAT YOU ALL I UNDERSTAND WERE WILLING TO COMPLY WITH WOULD PRODUCE A BUDGET OF A PROJECT WITH A 75-FOOT SET BACK IN THE FRONT OF THE PARKING GRAND JURY GARAGE. SO --

UNO IS REALLY MULTI-FAMILY 6. IT'S PRETTY MUCH MF-6, WHICH WE WENT THROUGH. THAT'S WHAT HE RECOMMENDED. IT HAS ALL THE REQUIREMENTS OF THAT, ALMOST. IT HAS MR. CO-TERRA'S THING IT DOES NOT HAVE, BUT IT DOES HAVE THE FLOOR AREA RATIO. IT HAS A 90-FOOT LIMIT. IT HAS THE PARKING REQUIREMENTS. IT'S PRETTY MUCH UNO. SO WE'RE CLOSE.

THANK YOU.

Mayor Wynn: FURTHER QUESTIONS OF STAFF OR THE APPLICANT, COUNCIL? COMMENTS? IF NOT, I'LL AT LEAST ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING, PERHAPS A LARGER MOTION.

Dunkerley: I MOVE TO CLOSE THE PUBLIC HEARING.

Mayor Wynn: THAT'S THE EASY ONE. MOTION MADE BY COUNCILMEMBER DUNKERLEY, SECONDED BY COMK COUNCILMEMBER MCCracken TO CLOSE THE PUBLIC HEARING. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

Dunkerley: I'LL MAKE A MOTION. LET'S SEE, I WOULD MOVE THAT WE GO WITH THE CS-MU-CO, WITH THE HIGHEST DENSITY -- WITH MS-6 CO FOR THE RESIDENTIAL ON FIRST READING. I THINK THAT WAS ONE USE THAT THEY HAVE THERE NOW THAT NEEDS TO BE INCLUDED, AND THAT'S THE SCHOOL OR WHATEVER THAT IS. SO IF YOU COULD ADD THAT. AND THEN WITH DIRECTION TO THE APPLICANT TO GET WITH UNO AND COME UP WITH A RESTRICTIVE COVENANT THAT WOULD INCLUDE ALL OF THE UNO RESTRICTIONS, EXCEPT THE 90-FOOT HEIGHT. I REALLY THINK THAT SET BACK WILL GIVE A BETTER BUILDING AND A BETTER LOOK TO THAT AREA THAN THE SHORT SQUATTY BUILDING THAT WE WOULD DO UNDER UNO. SO THAT WOULD BE MY MOTION AT THIS TIME.

COUNCILMEMBER, THE USE YOU WERE LOOKING FOR WAS

BUSINESS AND TRADE SCHOOL.

Dunkerley: OKAY. I THINK THAT'S THE USE THAT'S THERE NOW, SO GREAT.

Mayor Wynn: MISS GLASGO, FOR OUR BENEFIT, COULD YOU -- COULD YOU JUST RESTATE WHAT YOU THINK COUNCILMEMBER DUNKERLEY'S MOTION NEEDS TO BE? [LAUGHTER]

Dunkerley: I THINK MY MOTION WAS JUST FINE.

I THINK YOU'RE TESTING ME.

Dunkerley: SEE IF YOU CAN SAY IT AGAIN.

YOUR MOTION WAS FINE. YOU'RE RECOMMENDING -- YOUR MOTION IS TO GRANT CS-MU-CO, AND MS-6-CO, AND THAT WILL BE -- IT GOING TO BE -- THE BUILDING WILL HAVE CS AND THEN GO TO MS 6 AS YOU'RE PROPOSING. AND YOU WANTED TO INCLUDE THE PLANNING COMMISSION RECOMMENDATION. WHY NOT?

Dunkerley: I WANTED TO INCLUDE -- I'M NOT SURE WHAT THE PLANNING COMMISSION WAS. I WANTED TO INCLUDE A REQUEST TO THE APPLICANT TO GO GET A CONDITIONAL OVERLAY WITH UNO TO COVER ALL OF THE UNO REQUIREMENTS.

CORRECT. SO TO AVOID ANY CON FLICK THEN, YOU JUST WANT TO APPLY THE UNO OVERLAY. AND IT IS -- THERE'S A CERTAIN ELEMENT PRIOR TO A RESTRICTIVE COVENANT, AND I UNDERSTAND THAT THE OWNER IS WILLING TO DO THAT.

Dunkerley: THIS IS ON FIRST READING.

CORRECT.

Dunkerley: OKAY.

AND BUSINESS TRADE SCHOOL WAS THE OTHER USE THAT NEEDS TO BE ADDED TO THE UNIVERSITY NEIGHBORHOOD

OVERLAY BECAUSE THE OVERLAY HAS A LIST OF PERMITTED USES, AND -- BUT THAT LIST DOES NOT INCLUDE --

Dunkerley: I WANTED TO MAKE SURE THAT ALL OF THE ISSUES THAT ARE EXCLUDED UNDER UNO ARE EXCLUDED UNDER THIS EXCEPT THE SCHOOL.

CORRECT. AND THAT'S BUSINESS AND TRADE SCHOOL IS WHAT THIS USE FALLS UNDER, UNDER OUR DEFINITION OF THE CODE. THAT'S MY UNDERSTANDING OF THE MOTION.

McCracken: I'LL SECOND THAT. MAYOR, THAT WOULD INCLUDE THE SIDEWALK SETBACKS AND THE GARAGE 75 FEET BACK, RIGHT, AS PROPOSED?

ALL THE ELEMENTS IN THE OVERLAY, YES. WE'LL CRAFT THE APPROPRIATE INSTRUMENTS TO REFLECT THAT.

Goodman: MAYOR --

Mayor Wynn: THERE'S A MOTION ON THE TABLE AND A SECOND. MOTION BY COUNCILMEMBER DUNKERLEY, SECONDED BY COUNCILMEMBER MCCRACKEN.

Slusher: I WANT TO MAKE SURE I UNDERSTAND THE MOTION.

Mayor Wynn: THANK YOU. HALF LAUGH.

Slusher: IT'S FOR 90 FEET, HAS ALL THE UNO REQUIREMENTS.

CORRECT.

Slusher: THAT KEEP THEIR USE THAT THEY HAVE NOW.

CORRECT. THE BUSINESS TRADE SCHOOL. THIS FALLS UNDER OUR BROAD DEFINITION OF BUSINESS AND TRADE SCHOOL.

Slusher: (INDISCERNIBLE).

Mayor Wynn: HELP ME, MISS GLASGO. SO IF WE'RE SAYING 90 FEET HEIGHT AND MEETING ALL THE UNO REQUIREMENTS, IF I UNDERSTAND UNO CORRECTLY, TO MEET THE LETTER OF

THOSE REQUIREMENTS, YOU WOULD ACTUALLY BE -- IT WOULD BE MORE SITE COVERED AS AN EXAMPLE OR A MORE CORRECT RATIO. IT WOULD BE A BIGGER DEVELOPMENT AND A TALLER DEVELOPMENT. AM I READING THIS WRONG? IF WE'RE REQUIRING THEM TO MEET THE REQUIREMENT -- THE WHOLE IDEA OF UNO WAS THERE WOULD BE THE OPT-IN MAXIMIZING PARAMETERS FOR THE HEIGHT.

Dunkerley: CAN I ASK A QUESTION, MAYOR? HOW DO WE MAKE SURE THAT THE SETBACKS THAT THE ARCHITECT DESCRIBED ARE INCLUDED BECAUSE THE UNO WOULD LET IT GO OUT FURTHER?

THIS IS FIRST READING. AND AS I WAS WATCHING THE ARCHITECT MAKE HIS PRESENTATION, I COULD SEE THE OTHER ARCHITECT NODDING A DIFFERENT WAY. SO I WAS HOPING THAT ONCE YOU MAKE YOUR MOTION, WE COULD GET WITH MR. COULD TARA WHO CRAFTED THE UNO AND MR. HOLLAND AND THE DESIGN THEY'RE PROPOSING AND HOW THAT FIT IN.

Dunkerley: COULD I MAYBE ADD SOMETHING TO IT MAYBE?

YES.

Dunkerley: MAYBE THINK OF SOMETHING. BETWEEN FIRST AND SECOND READING IF THIS WERE TO PASS FOR THE DEVELOPER TO GET WITH -- TO COME BACK WITH WHATEVER WE NEED TO MAKE SURE THAT WE HAVE THE ADDITIONAL SETBACKS THAT HE'S REQUIRING, BECAUSE I DON'T WANT TO APPROVE SOMETHING WHERE I'M LOOKING AT A DESIGN THAT HAS ALL THESE NICE SETBACKS AND THEN BY ADDING THE UNO HE CAN SPREAD OUT AGAIN. SO I WANT THE RESTRICTIONS OF UNO IN THAT YOU HAVE THE BIG SETBACKS THAT THEY'RE REQUIRING. YOU'VE GOT ALL THE CS USES EXCEPT THAT ONE ELIMINATED.

CORRECT.

Dunkerley: WHATEVER ELSE, I DON'T WANT THEM TO TAKE ADVANTAGE OF THE SETBACKS, IF YOU KNOW -- DO YOU

KNOW WHAT I'M TRYING TO GET TO?

I UNDERSTAND. THE SETBACKS THAT THE COMMISSION APPLIED WERE REFLECTIVE OF BIGGER DEVELOPMENT.

Dunkerley: THAT'S RIGHT. SO I WANT THAT SOMEHOW CRAFTED TO BRING BACK THAT THEY'RE RESTRICTED TO THOSE SETBACKS, BUT HAVE THE OTHER ELEMENT OF THE YOU UNO OVER LAY.

THEN YOUR MOTION SHOULD BE TO INCLUDE THE PLANNING COMMISSION RECOMMENDATION.

Dunkerley: SO DO I NEED TO INCLUDE THAT? CAN I MAKE A MOTION ALL THE WAY OVER AGAIN? OKAY. I WILL MOVE APPROVAL OF -- LET ME PUT MY GLASSES ON, CS-MU-CO AND MS-6-CO WITH THE PLANNING COMMISSION RECOMMENDATION, AND THEN DIRECT THE STAFF TO DIRECT THE OWNER TO GET WITH UNO TO TRY TO CRAFT A RESTRICTIVE COVENANT THAT WOULD COVER ALL THE CS USES OTHER THAN THE TRADE SCHOOL, WOULD INCLUDE THE SIDEWALKS THAT UNO REQUIRES, AND THEN BRING THAT BACK TO US ON SECOND READING.

AND THEN YOU ARE ALSO INCREASING THE HEIGHT TO 90 FEET.

Dunkerley: THAT'S RIGHT.

Mayor Wynn: BECAUSE THE PLANNING COMMISSION RECOMMENDATION -- THE OVERALL PLANNING COMMISSION RECOMMENDATION DID NOT INCLUDE THE 90 FEET.

CORRECT.

Mayor Wynn: SO WHAT THIS MOTION IS IS ALL THE PLANNING COMMISSION RECOMMENDATIONS, BUT AN ADDITIONAL PERHAPS 15 FEET?

75 FEET YOU'RE GOING TO 90 FEET. THAT'S THE DIFFERENCE.

Mayor Wynn: AND COUNCILMEMBER MCCRACKEN, IS THAT

STILL YOUR SECOND? >>

MCCRACKEN: NO, MAYOR. I FAVOR -- I THINK IT'S IMPORTANT THAT THE FUNCTIONAL GOAL OF UNO IS TO STREET A STREET PEDESTRIAN SCENE, WHICH INCLUDES BRINGING THE BUILDINGS UP TO THE SIDEWALK WITH RETAIL, OFFICE USE. SO THAT WAS MY ATTRACTION TO THIS IS THAT -- WHAT I DID IS THAT I DON'T WANT TO SEE A 75-FOOT SET BACK FOR THE PARKING GARAGE BE THE GROUND LEVEL OF THIS STRUCTURE. I THINK THAT WOULD DETRACT FROM THE POLICY GOALS OF UNO AND THE FUNCTIONAL GOALS.

Slusher: MAYOR.

Mayor Wynn: COUNCILMEMBER SLUSHER. LUSH SLUSH LET ME ASK A QUESTION THAT I THINK GETS TO THE GIST OF -- MAYBE A DIFFERENT WAY OF WHAT YOU WERE ASKING. MS. GLASGO, LET'S TRY THE FIRST MOTION PURPOSES, WHAT IF ANY, IS THE DIFFERENCE BETWEEN THE FIRST MOTION AND WHAT WOULD BE ALLOWED HERE IF IT WAS JUST 90 FEET UNDER THE UNO PLAN INSTEAD OF 75? IS THERE ANY DIFFERENCE BETWEEN THE TWO, AND IF SO, WHAT?

THE DIFFERENCE BETWEEN --

Slusher: SO WHAT WE HAVE IS WE HAVE THE UNO PLAN SAYS THE -- THE PROPOSED PLAN SAYS 75 FEET. AND SO COUNCILMEMBER DUNKERLEY MADE A MOTION TO INSTEAD TO GIVE A 90 WITH THE UNO STANDARDS.

CORRECT.

Slusher: OKAY. SO I'M WONDERING IS THAT EXACTLY THE SAME AS IF THE UNO PLAN JUST CALLED FOR 90 FEET AND THEY WENT OUT AND BUILT WHAT THEY COULD UNDER THAT?

YES.

Slusher: SO THEN THE SECOND MOTION, WHAT'S CHANGED?

WHAT DO YOU MEAN THE SECOND MOTION?

Slusher: THE ONE THAT COUNCILMEMBER DUNKERLEY JUST MADE? WITH THE PLANNING COMMISSION STIPULATIONS ADDED ON TO IT.

Dunkerley: I WOULD WITHDRAW THAT MOTION.

THAT'S CORRECT. THE DIFFERENCE BETWEEN THE FIRST MOTION WOULD HAVE NEGATED THE SETBACK TO THA THE COMMISSION REQUIRED. THE COMMISSION REQUIRED THAT FROM THE STREET ON 24TH STREET THEY WOULD SET BACK 75 FEET AND THEN GO UP 40 FEET IN HEIGHT. UNO DOES NOT SAY THAT. IT WANTS YOUR BUILDING TO HUG THE STREET. THAT WAS THE DIFNS BETWEEN THE TWO MOTIONS SHE MADE. THE UNO ORDINANCE WOULD BRING THE BUILDING CLOSE TO THE STREET SO THAT YOU JUST WALK RIGHT IN. THE PLANNING COMMISSION REQUIREMENT HAS YOUR BUILDINGS SET WAY BACK THERE AND YOU HAVE THE SIDEWALKS THERE. THAT'S THE DIFFERENCE.

Slusher: AND THEY WERE AT 75, RIGHT?

THE REPORT YOU HAVE IN YOUR BACKUP SAYS 75 FEET, SO I DON'T SEE ANY MINUTES HERE INDICATING OTHERWISE. THE AGENT TELLS ME THAT THE COMMISSION APPROVED 90 FEET. IT MAY HAVE BEEN AN ORIGINAL REPORT. BUT I'LL VIR FI THAT AND -- VERIFY THAT AND -- SHUSH SLUSH SINCE THAT MOTION ISN'T ON THE TABLE ANY MORE, WE'LL JUST GO WITH -- AS FAR AS I'M CONCERNED, I'M READY TO VOTE ON THE FIRST.

SO THAT THE PLANNING COMMISSION RECOMMENDATION, IS THAT WHAT'S STILL ON THE TABLE? >>

SLUSHER: NO.

THE FIRST ONE?

Dunkerley: I WITHDRAW THE SECOND ONE.

Alvarez: MAYOR, I THINK THAT BRINGS US BACK TO THE ISSUE OF WITH MORE HEIGHT AND THE UNO RESTRICTIONS, THEY CAN DO A LOT MORE THAN WHAT THEY'RE PLANNING TO DO HERE, BUT I HAD KIND OF A MORE FUNDAMENTAL,

KIND OF BASIC QUESTION ABOUT UNDER CS-MU ZONING, WITH CS BEING THE BASE ZONING AT 60 FEET, HOW IS IT THAT THEY'RE ABLE TO GO UP HIGHER THAN THAT WITH THE MU ONLY? THAT'S NOT THE CS-MU OR ANY GR-MU, CO, THAT KIND OF MIXED USE DESIGNATION. THEN YOU HAD TO COMPLY WITH THE RESTRICTIONS IN THE BASE ZONING. SO I DON'T UNDERSTAND HOW WE CAN BRING IN THE MS-6 AND THEN GO UP HIGHER WITH YOUR BASE ZONING -- WHICH YOUR BASE ZONING SAYS YOU CAN DO. IKS BECAUSE THE ZONING SAYS YOU CAN GO UP TO 90 FEET.

Alvarez: SO IT'S NOT ONE TRACT ZONED CS-MU, PART OF THE TRACT IS ZONED CS-MU AND PART TF --

RIGHT. YOU'RE ZONING ACTUALLY THE BUILDING. WE USUALLY THINK OF JUST THE LAND. HERE IT'S ACTUALLY GOING TO BE THE BUILDING. FROM THE GROUND LEVEL TO A CERTAIN POINT I THINK INITIALLY YOU'RE THINKING OF 30 FEET, THAT WOULD BE -- AND THEN FROM 30 FEET ON YOU WOULD GO UP TO 90 FEET. SO YOU WERE THINKING DIMENSION ALLY.

Alvarez: SO THE ONE TRACT IS BROKEN UP INTO TWO PARTS?

CORRECT.

Alvarez: OKAY. SO IN TERMS OF WHAT'S ON THE TABLE, I THINK IT'S NOT REALLY WHAT THE APPLICANT WAS REQUESTING FIRST OF ALL, BUT I THINK IT DISALLOW MUCH MORE DENSITY THAN WHAT'S HERE AND I THINK YOU HAVE TO NARROW IT DOWN A LOT MORE. IF THIS IS WHAT THE COUNCIL WANTS TO APPROVE, THEN THERE WILL BE MORE RESTRICTIONS. PERSONALLY I WOULD LIKE TO SUPPORT THE UNKNOWN AND WHAT THE UNO SAYS AND SUPPORT THE HEIGHT RESTRICTIONS [APPLAUSE] BECAUSE I THINK THE FOLKS THAT ARE MOST AFFECTED HERE ARE THE SORORITY HOUSE, AND THEY'VE ALREADY SAID THEY WOULD RATHER HAVE SOMETHING THAT COMPLIES WITH THE UNO ORDINANCE THE WAY IT'S CRAFTED, SO I THINK IT'S -- I THINK IT'S IMPORTANT TO BE CONSISTENT WITH WHAT THE NEIGHBORHOOD PLAN SAYS. IF IT SAYS WE'RE GOING TO MAKE AN EXEMPTION FOR THIS PROJECT, IF THEY SAY THEY'LL SET BACK A CERTAIN

AMOUNT, YOU CAN GO UP TO 90 FEET, THAT INCLUDES SOMEONE ELSE IN ANOTHER PART OF THE UNIVERSITY AREA WOULDN'T DO THE SAME, SO HOW WOULD WE JUSTIFY ALLOWING THESE FOLKS TO DO THIS, BUT NOT SOMEBODY ELSE THAT COMES IN LATER AND TRIES TO DO SOMETHING OR GO HIGHER THAN WHAT THE NEIGHBORHOOD PLAN HAS SETTING FORWARD. SO I'M NOT GOING TO BE ABLE TO SUPPORT IT. I THINK THE 75 ON THE UNO RESTRICTIONS, I THINK MR. MCHONE SAID, THEY'RE ACTUALLY ABLE TO ACHIEVE THE SAME NUMBER OF UNITS THAT MAKES THIS A COMMERCIAL AND RESIDENTIAL. SO I THINK IT MAKES SENSE TO DO SOMETHING THAT'S CONSISTENT WITH WHAT WE PROPOSED IN THE PLAN. IT'S NOT FINALLY APPROVED, BUT AT LEAST THAT'S WHAT I'M SUPPORTING. THANK YOU.

Mayor Wynn: WE'RE BACK TO OUR ORIGINAL MOTION AND SECOND. FURTHER COMMENTS, QUESTIONS? MAYOR PRO TEM.

Goodman: OKAY. I HAVE NO IDEA WHAT THIS VOTE IS ABOUT TO BE, AND I'M UNCLEAR ABOUT HOW WE EVEN GOT HERE AND HOW THE NEIGHBORHOOD AND THE APPLICANT GOT HERE. EVEN IF IT WAS 90 FEET, I SUPPOSE I COULD VOTE FOR THAT ON FIRST READING. BEFORE THIRD, THOUGH, I REALLY FOR MYSELF, WHICHEVER WAY THIS GOES, I NEED TO HAVE A CLEAR PATH SHOWN TO ME ABOUT HOW THE APPLICANT AND THE NEIGHBORHOOD FIRST GOT TOGETHER, AT LEAST I THOUGHT THEY FIRST GOT TOGETHER, ON THE 90. WHAT I WANT TO MAKE SURE IS THAT I UNDERSTAND ALL THE FAIRNESS ISSUES THAT ARE PART OF THIS, WHICH WOULD INCLUDE ALL THE COMPLIANCE WITH THE UNO OVERLAY BECAUSE THAT WAS, AS I UNDERSTOOD IT, PART OF WHAT WAS BEING AGREED TO, AND IT DIDN'T SOUND LIKE IT TODAY. THERE ARE JUST NUANCES HERE THAT I DON'T UNDERSTAND. AND I DO THINK ACTUALLY 75 FEET IS A BETTER HEIGHT. BUT I WANT TO MAKE SURE THAT I KNOW WHY 90 EVER CAME UP AND WHAT THE NUANCES ARE ABOUT THAT. SO IF THAT'S THE MOTION, I'M NOT SURE OF THAT EITHER. IF THAT'S THE MOTION ON THE 90-FOOT, TO GET THIS MOVING SOMEWHERE SO THAT I CAN GET SOME INFORMATION, I WOULD SUPPORT IT ON FIRST READING ONLY. SO THAT I COULD TALK TO SOMEBODY

ABOUT HOW WE GOT HERE.

Mayor Wynn: MY UNDERSTANDING, MAYOR PRO TEM, IS THAT THE MOTION IS ESSENTIALLY 90-FOOT HEIGHT WITH UNO REQUIREMENTS. FIRST READING ONLY. FURTHER COMMENTS? QUESTIONS? I JOIN THE MAYOR PRO TEM IN BEING VERY CONFUSED. IT SEEMS TO ME IF WE'RE ABOUT TO TAKE UP UNO OR THE LARGER NEIGHBORHOOD PLAN, I DON'T UNDERSTAND WHY NOW IN -- IN HINDSIGHT I DON'T SEE WHY WE'RE TAKING THIS CASE SEPARATELY THAN THE REST OF THE OVERALL PLAN THAT WE'RE ATTEMPTING TO VOTE ON.

ONE REASON IT WAS OFFERED IS BECAUSE THE CASE IS SEPARATE -- THE OVERRULE CASE FOR THE PLANNING AREA IS -- THE OVERALL RACE CASE FOR THE PLANNING AREA IS THE DIFFERENCE IN HEIGHT FROM WHAT UNO IS RECOMMENDING, THAT YOU WOULD MAKE A DECISION ON THE ZONING CASE ONE WAY OR THE OTHER, AND THEN THE HEIGHT ISSUE CAN ALSO BE ADDRESSED IN THE UNO ORDINANCE. AND IF YOU WANTED TO ENTERTAIN THE 75 VERSE 90, YOU CAN ALSO DO IT THERE. SO WHATEVER DECISION YOU MADE HERE WOULD THEN ALSO GIVE YOU THE ABILITY OR THE OPTION OR FLEXIBILITY TO CONSIDER THE HEIGHT ISSUE IN THE OVERALL CONTEXT OF THE UNO ORDINANCE.

Slusher: MAYOR, SO IN OTHER WORDS, WE COULD CHANGE THE HEIGHT IN THE PLAN -- IN THE PLAN.

THE OVERLAY.

Slusher: THE OVERLAY.

Mayor Wynn: CHANGE THE HEIGHT OF THIS TRACT.

Slusher: WELL --

NO, THE UNO OVERLAY. THE UNIVERSITY NEIGHBORHOOD OVERLAY IS THE ORDINANCE THAT ESTABLISHES THE HEIGHT INCREASES PER THE DIFFERENT --

Mayor Wynn: MY QUESTION, COUNCILMEMBER SLUSHER, IS

HE PROPOSING THAT HE CHANGE THE HEIGHT IN THE --

Slusher: I'M SAYING THAT WOULD BE ONE OF THE OPTIONS.

Mayor Wynn: -- OR DO WE CHANGE THE HEIGHT OF THIS TRACT WHEN WE APPROVE HOPEFULLY THE UNO PLAN?

Slusher: WHAT IS SAYING IS WE COULD. PROCEDURALLY WE COULD JUST SAY WE WANTED THE HEIGHT HERE TO BE 90 FEET INSTEAD OF WHAT'S ON THE PROPOSED MAP AT 75. THAT'S THE WAY IT WAS ON HERE AT ONE TIME, AND THEN IT WAS SWITCHED BACK THROUGH NEGOTIATIONS AMONG THE NEIGHBORHOOD AND THE FOLKS PROPOSING AND WORKING ON THE PLAN. WE HAD THE ULTIMATE SAY.

Mayor Wynn: I UNDERSTAND THAT. I GUESS THE QUESTION PERHAPS THEN, MS. GLASGO, IF COUNCIL WERE TO APPROVED 90 FEET ON THIS TRACT, EVEN ON THREE READINGS, EVEN ON FIRST READING, BUT THEN WE GO AND APPROVE UNO AND THE UNO HAS 75 FEET OVER THIS, WHICH ONE IS THE CONTROLLING HEIGHT?

THE CASE THAT IS ON RIGHT NOW, IF YOU PERMIT 90 FEET, WOULD BE THE CONTROLLING HEIGHT BECAUSE UNO IS OPTIONAL, YOU OPT INTO IT.

Slusher: MAYOR, ANOTHER REASON -- ANOTHER THING I HEARD PROPOSED CONCERN WAS THAT IF THE NEIGHBORHOOD PLAN WAS PASSED FIRST, THEN IF THEY WANTED TO GET 90 FEET, THEY'RE INTO THIS THING I THINK TWICE A YEAR. AND THAT'S FINE. THAT'S THE WAY WE APPROVED IT, BUT SINCE THEY HAD A LITTLE BIT OF A CIRCUMSTANCE THAT IT WAS ONE TIME THEY HAD 90 ON THERE AND IT WAS CHANGED ON NEGOTIATION.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I THINK THAT'S ONE OF THE REASONS I WANTED TO DO THIS SEPARATELY IS BECAUSE I DON'T WANT TO TOUCH THE REST OF THAT PLAN. AND I WOULDN'T WANT TO CHANGE THIS EXCEPT THAT IT CHANGED SO MUCH IN THE COURSE OF THE WORK THAT IT WAS CONFUSING FOR THIS PARTICULAR OWNER. SO BY DOING THIS INDIVIDUALLY, WE

CAN STILL APPROVE THE UNO OVERLAY, WHICH GIVES THEM THE OPTION OF OPTING IN. SO THAT WAS WHY I WAS DOING THIS RATHER THAN TRYING TO CHANGE THE OVERLAY DISTRICT, WHICH I DIDN'T WANT TO DO.

Mayor Wynn: MOTION AND A SECOND ON THE TABLE TO APPROVE WHAT IN EFFECT IS 90-FOOT HEIGHT WITH UNO REQUIREMENTS ON THIS TRACT ON FIRST READING ONLY. FURTHER COMMENTS?

Goodman: JUST ONE, MAYOR. TO FURTHER JUSTIFY WHY I THINK WE'RE CONFUSED ABOUT THE PROCESS HERE IS BECAUSE NORMALLY WHEN WE HAVE A NEIGHBORHOOD PLAN THERE ARE A LOT OF ZONING CASES OR AT LEAST SOME ZONING CASES THAT COME THROUGH WITH THE PLAN. AND WE TAKE THEM TRACT NUMBER BY TRACT NUMBER. AND I'M STILL NOT UNDERSTANDING WHY WE'RE TREATING THIS ONE LIKE THIS OTHER THAN TO GUARANTEE GRANDFATHERING IN THE 90 FEET, WHICH I DON'T THINK IS NECESSARY, AND I'M UNCOMFORTABLE WITH HAVING DONE IT THIS WAY. AND I UNDERSTAND IT PERFECTLY LEGAL AND IN FACT THE APPLICANT PUT THEIR APPLICATION IN, BUT I THINK IT COULD HAVE BEEN DONE A DIFFERENT WAY AS WELL, AND I THINK THAT THE CONFRONTATION AND THE INABILITY FOR ME, SPEAKING ONLY FOR ME. TO BE ABLE TO FOLLOW THE ILONA TOROKTORTOROUS PATH THAT WE FOLLOWED WAS NOT NECESSARY IN THIS CONTEXT. AND STILL I'D LIKE INFORMATION FOR SECOND READING, JUST ANECDOTAL FROM ANYBODY WHO CARES TO DO IT TO TALK ABOUT HOW WE GOT FROM WHAT SEEMS TO BE NEIGHBORHOOD AND APPLICANT AGREEMENT ON 90 FEET WITH THE UNO OVERLAY TO NOW OPPOSITION AND OTHER THAN THE SORORITY HOUSE. I UNDERSTAND THAT THEY DO. BUT THE REST OF THE DISAGREEMENT NOW IS UNCLEAR TO ME RELATIVE TO THE FAIRNESS ISSUE. THAT'S WHAT I WANT TO FIND OUT, THE FAIRNESS ISSUE. WHAT WAS THE AGREEMENT?

Mayor Wynn: UNDERSTOOD. A MOTION AND A SECOND ON THE TABLE. AND AGAIN, MS. GLASGO, IF THERE'S A VALID PETITION, IF THIS WERE TO GO FOR THREE READINGS -- IF AND WHEN THIS WERE TO HAVE A THIRD READING, IT WOULD

REQUIRE SIX VOTES.

THAT'S CORRECT.

Mayor Wynn: BY A SUBSTANTIAL MARGIN THERE'S A VALID PETITION.

CORRECT. 44%.

Mayor Wynn: TWICE THE TYPICAL.

THAT'S CORRECT.

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

AYE.

Mayor Wynn: OPPOSED.

Alvarez: NO.

Mayor Wynn: MOTION PASSES ON FIRST READING ONLY WITH A VOTE OF FIVE TO TWO WITH COUNCILMEMBER ALVAREZ VOTING NO. OKAY. SO THAT WAS Z-3 -- [LAUGHTER] MS. GLASGO, STAFF SUGGESTION ON --

EACH TIME THIS COMES UP, THE SOLUTION TO THIS IS TO REALLY -- SHOULD REQUIRE THAT WE CANNOT HAVE SEPARATE CASES WHEN A NEIGHBORHOOD PLANNING PROCESS IS GOING THROUGH, BUT AGAIN, THAT CREATES OTHER HARDSHIPS.

Mayor Wynn: CAN YOU HELP US THINK THIS THING THROUGH SO THAT WE HAVE THE ORDER OF WHICH WE TAKE THE REST OF THE CASES OR AND/OR HOW DO WE FRANKLY COMBINE CASES OR WHAT'S YOUR PLANNING HERE?

FIRST WE HAVE THE NEIGHBORHOOD PLAN AROUND Z-1, WHICH IS THE PLAN ITSELF, WHICH YOU ALREADY HAVE THE PUBLIC HEARING AND IT'S JUST A MATTER OF APPROVING IT. YOU DID NOT CLOSE THE PUBLIC HEARING BECAUSE YOU

WANTED TO -- AS YOU INDICATED A MONTH WHEN YOU -- Z-1 IS THE NEIGHBORHOOD PLAN, THE COMBINED PLAN. WE HAD A PUBLIC HEARING, YOU DIDN'T CLOSE IT BECAUSE THERE WAS A REQUEST TO POSTPONE DUE TO THE FACT THAT WE HAD TO GO BACK TO THE COMMISSION FOR THE REZONING. SO WHAT WE HAVE DONE FOR YOU -- YOU HAVE A MOTION SHEET THAT HAS THE PLAN AND THEN ALSO THE REZONING FOR THE THREE AREAS. AND WE'LL WALK YOU THROUGH THAT. AND THEN YOU HAVE Z-2, WHICH IS THE UNIVERSITY NEIGHBORHOOD OVERLAY, WHICH IS A SEPARATE ITEM.

Goodman: BEFORE WE GO ON, MAYOR, ON THE PREVIOUS ONE I VOTED NO, PLEASE SHOW ME VOTING NO.

Mayor Wynn: THE PREVIOUS VOTE WAS 4 TO 3, SHOWING THE MAYOR PRO TEM AS A NO VOTE. MS. GLASGO --

Slusher: MAYOR, I WAS JUST WONDERING IF PERHAPS YOU MIGHT WANT TO TAKE UP THAT 6:00 O'CLOCK PUBLIC HEARING. I THINK THAT WOULD BE FAIRLY QUICK. I BELIEVE THERE'S AGREEMENT ON IT. IT'S IN THE UNIVERSITY AREA. [LAUGHTER]

Mayor Wynn: OKAY. SORRY, FOLKS. THE COUNCIL WILL TAKE UP OUR 6:00 O'CLOCK TIME CERTAIN ITEM NUMBER 54, WHICH IS TO CONDUCT A PUBLIC HEARING AND APPROVE A RESOLUTION AUTHORIZING THE WAIVER OF A 300-FOOT MINIMUM DISTANCE REQUIREMENT. WE HAVE NO CITIZENS CURRENTLY SIGNED UP TO SPEAK. I'LL ENTERTAIN A STAFF PRESENTATION.

GOOD EVENING, MAYOR AND COUNCIL. I'M LUCY GALLON HAN WITH WATERSHED PROTECTION, DEVELOPMENT AND REVIEW DEPARTMENT, CASE NUMBER 01304 IS A REQUEST TO WAIVE THE MINIMUM DISTANCE REQUIREMENT OF SECTION 4-9-4-A OF THE CITY CODE, WHICH STATES THAT A PERSON MAY NOT SELL ALCOHOL AT A BUSINESS THAT IS LOCATED WITHIN 300 FEET OF A CHURCH, PUBLIC SCHOOL OR PUBLIC HOSPITAL. THE APPLICANT, BAJA FRESH RESTAURANT, IS REQUESTING A WAIVER FROM THIS REQUIREMENT, IN ORDER TO OPEN A RESTAURANT WHICH WOULD SERVE CLOL LICK BEVERAGES AS 2100 GUADALUPE STREET. THIS LOCATION IS 213 FEET FROM SAINT AUSTIN'S

CATHOLIC PARISH AT 2026 GUADALUPE STREET. SECTION 4-9-5-B ALLOWS THE CITY COUNCIL TO GRANT THE WAIVER IF THE CHURCH PROVIDES WRITTEN CONSENT TO THE WAIVER. THE APPLICANT HAS PROVIDED A LETTER FROM THE CHURCH WHICH STATES THERE'S NO OBJECTION TO THE WAIVER. THAT CONCLUDES MY PRESENTATION.

Mayor Wynn: THANK YOU. ARE THERE ANY CITIZENS WISHING TO BE HEARD ON ITEM NUMBER 54, THIS PUBLIC HEARING REGARDING THE MINIMUM DISTANCE REQUIREMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

MAYOR, I'M JIM BENNETT. I AM HERE. I AM HERE ON BEHALF OF BAJA FRESH. I DON'T HAVE ANY ADDITIONAL INFORMATION OTHER THAN WHAT SHE JUST GAVE YOU.

Mayor Wynn: THANK YOU, MR. BENNETT. MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER DUNKERLEY TO CLOSE THE PUBLIC HEARING. I'LL SECOND THAT. ACTUALLY, I'LL ENTERTAIN A MOTION TO EITHER APPROVE OR DENY THIS WAIVER.

Dunkerley: I MOVE APPROVAL OF THE I'LL MOVE TO APPROVE THE WAIVER.

Mayor Wynn: COUNCILMEMBER DUNKERLEY HAS MADE A MOTION TO CLOSE THE PUBLIC HEARING AND APPROVE THE WAIVER. SECONDED BY COUNCILMEMBER SLUSHER. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED?

Thomas: NO.

Mayor Wynn: MOTION PASSES ON A VOTE OF FIVE TO -- FIVE TO ONE WITH COUNCILMEMBER THOMAS VOTING NO AND THE MAYOR PRO TEM OFF THE DAIS. THANK YOU VERY MUCH.

GOOD EVENING, MAYOR AND COUNCILMEMBERS. I

APOLOGIZE IF MY ET VOTE GOES NEW -- VOICE GOES OUT ANY TIME DURING WHAT I'M ABOUT TO SAY. OUR INTENTION TONIGHT IS TO TRY TO WALK YOU THROUGH THIS AS EXPEDITIOUSLY AS WE CAN. Z-1 HAS TO DO WITH THE NEIGHBORHOOD PLAN WHICH THE PUBLIC HEARING IS STILL OPEN. I HAD WANTED TO TAKE THIS OPPORTUNITY TO REMIND YOU THAT PLANNING COMMISSION AND STAFF HAVE BOTH RECOMMENDED APPROVAL OF THE PLAN. THE SECOND THING THAT WE NEED TO TALK ABOUT TONIGHT IS THE PUBLIC HEARING ON THE UNIVERSITY NEIGHBORHOOD OVERLAY IS STILL OPEN. AGAIN, STAFF AND PLANNING COMMISSION HAS RECOMMENDED APPROVAL. WE HAVE ENCLOSED IN YOUR PACKET A LETTER INDICATING CITY DEPARTMENT RESOLUTION TO THE CITIES THAT WERE OUTLINED IN THE UNO PRESENTATION OF A FEW WEEKS AGO. AND THIRDLY, WITH REGARD TO THE UNO, THERE IS OR YOU SHOULD HAVE IN FRONT OF YOU A LETTER REQUESTING POSTPONEMENT FROM AMELIA LOPEZ PHELPS. THE REASONS FOR REQUESTING THE POSTPONEMENT TONIGHT IS THAT IT'S HER 15TH WEDDING ANNIVERSARY AND SHE COULD NOT AVOID HER ANNIVERSARY DINNER. [LAUGHTER] SO YOU WILL NEED TO MAKE A DECISION ON THAT. WHAT WE HAD HOPED TO DO WAS CLOSE THE PUBLIC HEARING FOR THE PLANNING OR THE PLAN PORTION, THEN CLOSE THE PUBLIC HEARING AND VOTE FOR APPROVAL OR WHICHEVER DIRECTION YOU WANT TO GO IN. AND WE WOULD NEED FOUR VOTES FOR THAT. SECONDLY, TO CLOSE THE PUBLIC HEARING FOR THE UNO AND VOTE TO EITHER RECOMMEND OR NOT RECOMMEND, YOU WOULD NEED FOUR VOTES FOR THAT. AND THEN OPEN UP THE INDIVIDUAL ZONING CASES AND COMPARTMENTWISE FOR THE UNIVERSITY CASES, THE NORTH UNIVERSITY CASES AND THE HANCOCK CASES SO WE DON'T HAVE A LOT OF CONFUSION WITH THE POSSIBILITY OF LOOKING AT THE MOTION SHEET WITH THE MOTION SHEET THAT WE PREPARED.

Mayor Wynn: OF COURSE, OUR GOAL HERE IS SINCE SO MANY PEOPLE HERE ARE HERE TO SPEAK ON Z-1, Z-2, Z-4, Z-5 AND Z-7, SO I DON'T THINK ANYBODY WANTS US TO MAKE THE MISTAKE OF NOT CALLING UP THE CASES IN AN APPROPRIATE WAY SO AS TO HAVE FOLKS FRANKLY SPEAK

ONCE AND HAVE US BE VERY EFFICIENT WITH EVERYBODY'S TIME TONIGHT.

IT'S JUST A SUGGESTION.

Mayor Wynn: FOR ALL I KNOW, YOUR SUGGESTION MAY BE RIGHT, BUT I DON'T WANT US TO TAKE THESE SEVEN CASES ONE AT A TIME WHEN EVERYBODY'S COMMENTS ARE VERY JERMAINE TO ALL FIVE OF THESE PUBLIC HEARINGS, SOME OF WHICH HAVE BEEN OPEN, SOME OF WHICH HAVEN'T. LET'S BACK UP. CANZ-1, THE PUBLIC HEARING HAS BEEN OPENED, BUT NOT CLOSED. AND ALSO Z-2.

HAS NOT BEEN CLOSED.

Mayor Wynn: HOW ABOUT Z-4, 5 AND 7?

WE HAVE NOT OPENED PUBLIC HEARING ON EACH OF THE ZONING CASES.

Mayor Wynn: OKAY.

Mayor Wynn: I'M SORRY, YOU WERE PROBABLY DOING THIS EARLIER. SO THE RECOMMENDATION IS THAT AS WE -- 100 PEOPLE WANT TO SPEAK. MOST OF WHICH ARE ALL INTERDEPENDENT AND INTERRELATED TO EACH OTHER'S CASES. --

IT'S YOUR PLEASURE. WE HAD NO IDEA HOW THE CARDS WOULD BE FILLED OUT.

Mayor Wynn: I THINK MOST FOLKS -- SOME FOLKS BOTHERED TO WRITE DOWN ALL OF THE Z CASES AND SOME ARE INDIVIDUALLY ONE OR TWO. I THINK FOLKS WILL UNDERSTAND OUR LOW JIS TA KEL CHALLENGE HERE OF IF WE CALL THEM ALTOGETHER POTENTIALLY AS ONE BIG ATTEMPT FOR MAKING IT -- SATISFYING A VERY BIG PART OF TOWN. BUT WE WANT TO MAKE SURE THAT WE PROCEDURALLY OPEN AND CLOSE THE PUBLIC HEARINGS AND ALL THAT. SO IS IT PRACTICAL TO GO AHEAD AND OPEN THE PUBLIC HEARING ON 4, 5 AND 7?

IT MAY NEED TO HAPPEN THAT WAY, YES.

Mayor Wynn: OKAY. AND REMIND US, WHEN WE HAVE A NEIGHBORHOOD PLAN AND THEN WE HAVE THE CORRESPONDING ZONING CASES, WE AT TIMES HAVE HAD JOINT MOTIONS FOR BOTH THE NEIGHBORHOOD PLAN AND THE ZONING OR ARE YOU SUGGESTING THAT WE NEED TO WALK THROUGH -- HAVE A DISCUSSION ON THE PLAN FIRST, EITHER NEIGHBORHOOD AND UNO, AND THEN --

WE HAD NOT ANTICIPATED PRESENTING BOTH THE PLAN AND THE UNO AGAIN THIS EVENING. FOR TIME SAKE. WHAT WE HAD PLANNED ON DOING WAS TAKING A FEW MINUTES WHEN WE GET TO THE INDIVIDUAL ZONING, THE AREA FOR NORTH UNIVERSITY, WEST UNIVERSITY AND HANCOCK, TO GIVE YOU A BRIEF OVERVIEW OF THE CONSIDERATIONS AND THE ZONING FOR EACH OF THOSE NEIGHBORHOOD PLANS, AND THEN SPEAK TO THE SPECIFIC ISSUES OF ZONING, IF THEY ARISE.

McCracken: MAYOR, AS I RECALL WHEN WE TOOK THIS UP THE FIRST TIME, THAT IN LIEU OF HAVING EVERYBODY INDIVIDUALLY TESTIFY ON Z-1 AND Z-2 THAT WE ALLOWED PEOPLE TO CON GLOM RATE THEY'RE TIME SO THAT WE COULD HANDLE IT BY NEIGHBORHOOD ASSOCIATION, SO IT WOULD BE KIND OF DIFFICULT STRUCTURALLY TO REPEAT THAT WHOLE THING BECAUSE IT WOULD LARGELY RUN THE COURSE ON OUR PUBLIC HEARING FOR Z-1 AND Z-2 LAST TIME. AND WE ALSO HAD THE PRESENTATION LAST TIME TOO.

Mayor Wynn: THANK YOU, COUNCILMEMBER. I AGREE. SO PERHAPS IF WE JUST PRESENT THEN THE ZONING CASES, ESSENTIALLY ZONING CASE 4, 5 AND 7, AND IF NEED BE WE'LL HAVE AN OVERVIEW OF A COMBINED NATURE OF THEM.

CERTAINLY. WHAT WE'D LIKE TO DO, IF YOU'RE READY TO MOVE FORWARD WITH THE INDIVIDUAL ZONING AGENDA ITEMS IS BEGIN WITH THE HANCOCK NEIGHBORHOOD AREA. IT'S THE FIRST THING ON YOUR PACKAGE SHEET THAT WE'VE PREPARED FOR YOU. AND STAFF MAB JACKIE

SHOOTER WILL BE PRESENTING THAT INFORMATION.

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS JACKIE SHOOTER WITH THE NEIGHBORHOOD ZONING AND PLANNING DEPARTMENT. WE'RE HERE TO TALK TO YOU TODAY ABOUT THE PROPOSED REZONINGS IF THE HANCOCK NEIGHBORHOOD PLAN COMBINING DISTRICT. WE'VE BEEN WORKING FOR ABOUT A YEAR WITH NEIGHBORHOOD REPRESENTATIVES, PROPERTY OWNERS, INSTITUTIONS IN BOTH THE HANCOCK AND EASTWOOD NEIGHBORHOODS TO DEVELOP THESE RECOMMENDATIONS. AND I'M HAPPY TO REPORT WE'VE ACHIEVED CONSENSUS ON ALL BUT ONE PROPERTY AT THIS POINT. SO NOW I'LL GIVE YOU A BRIEF OVERVIEW OF THE GENERAL STRATEGIC OF OUR RE-- STRATEGY OF OUR REZONING. I'LL START WITH THE RESIDENTIAL. AS YOU CAN SEE, THIS PLANNING AREA INCLUDES QUITE A BIT OF SINGLE-FAMILY, AND WE WANTED TO PRESERVE THAT AS ONE OF THE MAIN GOALS OF THE NEIGHBORHOOD PLAN. SO YOU CAN SEE ALL OF THIS YELLOW IS SINGLE-FAMILY. WE'RE PROPOSING A CONDITIONAL OVERLAY TO RESTRICT THE HEIGHT TO 30 FEET ON ALL THE SINGLE-FAMILY. WITH THE EXCEPTION OF THE BOAT SIDE NEIGHBORHOOD, THIS AREA HAS LARGE LET'S HISTORICALLY, LARGER HOME, SO IN THIS AREA WE'RE PROPOSING REZONING TO SF-2, BUT WITH A CONDITIONAL OVERLAY THAT WOULD ALLOW ADDITIONAL HEIGHT ON SOME OF THOSE LARGER LOTS. WE'RE ALSO USING TWO OF THE NEW DESIGN TOOLS AVAILABLE IN NEIGHBORHOOD PLANS. IMPERVIOUS COVER AND PARKING PLACEMENT AND THE GARAGE PLACEMENT DESIGN TOOLS, AND THOSE ARE DESIGNED TO MAKE SURE THAT NEW CONSTRUCTION HAS PARKING AND GARAGES SET BACK FROM THE STREET RATHER THAN STICKING OUT IN THE FRONT AS YOU SEE IN THE MORE SUBURBAN STYLE DEVELOPMENT. AS FAR AS COMMERCIAL GOES, WE PROPOSE A LOT OF MIXED USE COMBINING DISTRICT AND MIXED USE BUILDINGS IN THE COMMERCIAL CORRIDORS, WHICH INCLUDE RED RIVER HERE, I-35, 41st STREET HERE WHERE THE HANCOCK CENTER IS LOCATED. THEN WE HAVE A FEW COMMERCIAL NOTES ON DUVAL, WHICH IS PRIMARILY A RESIDENTIAL STREET, BUT HERE AT SAN JACINTO AND 30TH STREET THERE'S ONE STORE HERE AT 40TH STREET. 43rd AND DREW

VALUE AND 45TH AND DUVAL. AND SOME OF THESE COMMERCIAL AREAS, PARTICULARLY WHERE IT'S NEAR RESIDENTIAL, WE HAVE PROPOSED CONDITIONAL OVERLAYS TO RESTRICT THE USES AND ENCOURAGE MORE COMPATIBLE DEVELOPMENT, PARTICULARLY ALONG DUVAL. THAT'S WHERE THEY'VE BEEN ESPECIALLY CAREFUL TO MAKE SURE THAT WE ALLOW COMPATIBLE DEVELOPMENT. ALSO IN THE MEDICAL ARTS AND RED RIVER HERE JUST NORTH OF THE UNIVERSITY, ALONG I-35 WE'VE DECIDED NOT TO USE A CONDITIONAL OVERLAY THERE. THAT'S A PLACE WHERE WE FEEL LIKE WE WANT TO ALLOW MORE FLEXIBLE DEVELOPMENT. 41st STREET, AGAIN, WE HAVE SOME CONDITIONAL OVERLAYS, NOT AS RESTRICTIVE AS ALONG DUVAL. AND WE'RE ALLOWING THE NEIGHBORHOOD URBAN CENTER SPECIAL USE OF THE HANCOCK CENTER AND THAT WOULD ALLOW A MIXED USE DEVELOPMENT. IN THE FUTURE. WE'VE ALSO WORKED VERY HARD. THE SEMINARY IS LOCATED IN THIS PLANNING AREA. THEY PLAN TO EXPAND IN THE NEAR FUTURE, SO WE'VE WORKED WITH THEM TO DEVELOP ZONING RECOMMENDATIONS FOR PROPERTIES THEY OWN TO ALLOW FOR FUTURE EXPANSION. ANOTHER GOAL WAS TO UNIFY THE ZONE IN SOME PARTS OF THIS AREA, PARTICULARLY HERE SOUTH OF ST.DAVID'S HOSPITAL, SOUTH OF 3030TH STREET. THERE'S A WIDE VARIETY OF ZONINGS, MULTI-FAMILY, OFFICE, COMMERCIAL, SO WE'RE RECOMMENDING THAT BE MORE UNIFORM. AND LASTLY, ALL THE PUBLIC USES HERE, EASTWOOD PARK, LEE ELEMENTARY AND HANCOCK GOLF COURSE WE'RE PROPOSING THAT THOSE BE REZONED TO P PUBLIC. AND THAT CONCLUDES MY PRESENTATION, AND I'LL BE AVAILABLE FOR QUESTIONS.

Mayor Wynn: THANK YOU. PERHAPS ALSO AS WE DO THESE OVERVIEWS OF THE INDIVIDUAL AREA NEIGHBORHOOD PLANS, DO WE KNOW SOMEWHERE ON OUR MOTION SHEET WE HAVE THIS, I GUESS, BUT HOW MANY OF THE PROPOSED ZONING CHANGES HAVE VALID PETITIONS?

IN THE HONOR COCK AREA WE HAVE -- HANCOCK AREA WE HAVE NOT RECEIVED ANY PETITIONS. THERE IS ONE PROPERTY WHERE THE NEIGHBORHOOD AND THE PROPERTY OWNER ARE STILL WORKING ON AGREEMENT. THE PROPERTY OWNER HAS NOT FILED A PETITION BUT

THEY'RE LOOKING FORWARD TO FINDING AN AGREEMENT WITH THE NEIGHBORHOOD.

Mayor Wynn: THANK YOU.

MARK WALTERS WILL NOW PRESENT THE WEST UNIVERSITY NEIGHBORHOOD REZONING.

GOOD EVENING, MAYOR AND COUNCIL, I'M MARK WALTER, NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT AND I'LL NOW PRESENT TO YOU THE ZONING RECOMMENDATIONS AND IMPLEMENT THE LAND USE MAP FOR THE WEST UNIVERSITY NEIGHBORHOOD PLANNING AREA, STARTING NORTH AND GOING SOUTH. ON THE NORTH ALONG 38TH STREET, THIS WOULD ALLOW FOR MIXED USE DEVELOPMENT, RECOGNIZING THAT THAT AREA IS BECOMING MORE OF A MEDICAL AREA DUE TO ITS PROXIMITY TO THE HOSPITAL, SETON AND THE HEART HOSPITAL OF AUSTIN. ALONG 34TH STREET BETWEEN GUADALUPE AND LAMAR TO ALLOW OFFICE MIXED USE, TO ALLOW FOR GREATER HOUSING OPTIONS, BUT ALSO RECOGNIZING THE OFFICE NATURE OF THAT TRADITIONAL OFFICE NATURE OF THAT. AND THE NEIGHBORS FELT THAT WAS MORE COMPATIBLE WITH THE NEIGHBORHOOD THAN COMMERCIAL. GOING ALONG THE MAJOR OTHER CORRIDORS, LAMAR, GUADALUPE AND 29TH STREET, ONE GOAL OF THE NEIGHBORHOOD WAS TO CREATE A HARD EDGE ALONG THESE AREAS TO DELINEATE THE COMMERCIAL AREAS ON LAMAR, GUADALUPE AND 29TH AND SEPARATE THOSE QUITE ABRUPTLY BETWEEN THAT AND THE SINGLE-FAMILY HOMES THAT CURRENTLY DOMINATE THE AREA. ANOTHER GOAL FOR THIS AREA IS THE HERITAGE NEIGHBORHOOD AND WAS TO REZONE PROPERTY THAT HAD LONG SINCE BEEN ZONED MULTI-FAMILY, BUT AT LEAST IN THE LAST 40, 45 YEARS HAVE NOT BEEN USED AS MULTI-FAMILY, HAS REMAINED SINGLE-FAMILY USE. AND THIS IS TO PRESERVE THE HISTORIC CHARACTER OF THIS PART OF THE PLANNING AREA. ALONG LAMAR BOULEVARD WE'RE ALLOWING THE NEIGHBORHOOD MIXED USE BUILDING, AND LIMITING THE MORE AUTOMOTIVE USES INHERENT IN CS ZONING. AND THE SAME THING ALONG GUADALUPE. ALLOWING NEIGHBORHOOD MIXED USE BUILDINGS, BUT REDUCING SOME OF THE USES. IN

ADDITION, THEY'RE ALSO LIMITING THE HEIGHT ALONG GUADALUPE STREET TO 40 FEET OR APPROXIMATELY THREE STORIES. THE NARROW RIGHT-OF-WAY OF GUADALUPE, IT WAS FELT THAT BUILDINGS TALLER THAN THAT WOULD CREATE MORE OF A CANYON EFFECT THAN THE NEIGHBORHOOD WOULD LIKE TO SEE THERE IN THE FUTURE. ALONG LAMAR THE BUILDINGS ARE ALLOWED TO BE A LITTLE TALLER. LAMAR IS A WIDER STREET, A WIDER RIGHT-OF-WAY, SO YOU WON'T GET THE CANYON EFFECT ALONG LAMAR. ALONG 29TH STREET THEY'RE RECOMMENDING MIXED USE BUILDING. AND MOST OF THAT IS ZONING ALONG HERE TO ABOUT WEST STREET OR ABOUT HALFWAY IS CS. AND AGAIN, CS ALLOWS A WIDE VARIETY OF USES THAT ARE MANY TIME NOT COMPATIBLE WITH THE SURROUNDING RESIDENTIAL, SO THERE IS A FAIRLY RESTRICTIVE CONDITIONAL OVERLAY FOR 29TH STREET TO REFLECT THAT -- TO LIMIT THOSE USES THAT MAY NOT BE COMPATIBLE. ALSO ON -- ALONG GUADALUPE THERE'S A BAR THERE, NASTY'S, AND WE'RE RECOMMENDING THAT THAT BE ZONED TO CS-1 CURRENTLY, CS. AND ALLOWING TO GO TO CS WOULD MAKE IT A COMPATIBLE, LEGAL PERFORMING USE IN THE ZONING. AND THE SAME THING FOR THE 1710CENTENNIAL LIRKZ ALONG GUADALUPE STREET. AGAIN LIKE IN THE HANCOCK AREA WE'RE RECOMMENDING A CONDITIONAL OVERLAY FOR ALL THE IN THE HERITAGE, HILLCREST AND UNIVERSITY NEIGHBORHOODS TO LIMIT THE HEIGHT TO 30 FEET SO NEW CONSTRUCTION WOULD BE MORE COMPATIBLE WITH WHAT'S ALREADY THERE. ALONG 29TH STREET WEST OF WEST, WE'RE RECOMMENDING OFFICE MIXED USE ALONG THOSE LOTS, ALONG 29TH STREET, TO PROMOTE KIND OF A MIXED USE AREA. AS WE GO DOWN SOUTH INTO THE WEST CAMPUS AREA, THE NUMBER OF REZONINGS ARE NOT THAT SIGNIFICANT, PARTICULARLY IN THE CENTRAL SECTION OF THE PLANNING AREA. MOSTLY MAKING USES THAT ARE -- HAVE A COMMERCIAL ZONING, MULTI-FAMILY USES RECOMMENDING GOING TO MULTI-FAMILY TO MAKE THEM COMPATIBLE, MAKE THEM PERFORMING USES. ALSO THE PROPERTIES THAT DIRECTLY ABOUT THE SINGLE-FAMILY BOTH IN HILLCREST AND AT WEST UNIVERSITY HERE, WE'RE RECOMMENDING THAT THE HEIGHT FOR FUTURE DEVELOPMENT ON THIS MULTI-FAMILY BE LIMITED TO CREATE MORE OF A BUFFER

BETWEEN THE SINGLE-FAMILY, THE BUFFER ZONE AND THOSE AREAS THAT COULD BE AFFECTED BY THE UNIVERSITY NEIGHBORHOOD OVERLAY. AND WE DID THAT BOTH HERE IN THE SHOAL CREST AREA AND HERE IN THE WEST UNIVERSITY AREA. AND THE SAME THING FOR THIS -- FOR MOST OF THE MULTI-FAMILY WHERE THERE ARE CONDITIONS PLACED ON IT, IT DOES JUST LIMIT THE HEIGHT OF FUTURE DEVELOPMENT. OKAY. AS WE'RE GOING SOUTH ALONG LAMAR AND SHOAL CREST NEAR THE CASWELL TENNIS CENTER THERE HAVE BEEN SOME TRACTS UNDER DISCUSSION, BUT CURRENTLY THE NEIGHBORHOOD IS WORKING WITH THE PROPERTY OWNERS AND THEIR AGENTS TO COME TO RESOLUTION THAT EVERYONE CAN AGREE TO. ALONG MARTIN LUTHER KING, ALLOW -- PARTICULARLY WEST OF ROBIN'S PLACE, MORE CLOSER AS YOU APPROACH THE DRAG, TO ALLOW FOR MIXED USE BUILDINGS. OTHER THAN THAT THE MAJORITY OF THE TRACTS, COMMERCIAL IN THE WEST CAMPUS AREA, ARE NOT CHANGING THE ZONING, BUT ALLOWING FOR THE NEIGHBORHOOD MIXED USE BUILDING ON CURRENTLY COMMERCIAL ZONED AREAS. AND THAT PRETTY MUCH CONCLUDES MY PRESENTATION FOR THE ZONING RECOMMENDATIONS FOR THE WEST CAMPUS AREA. TOM BOLT WILL NOW PRESENT THE NORTH UNIVERSITY NEIGHBORHOOD CONSERVATION COMBINING DISTRICT.

Mayor Wynn: I'M SORRY, MR. WALTERS, DO YOU KNOW OFF THE TOP OF YOUR HEAD HOW MANY ZONING RECOMMENDATIONS HAVE VALID PETITIONS?

RIGHT NOW PROBABLY ABOUT 10. THAT'S JUST AN PROJECTION APPROXIMATION. IT'S IN THE 10 RANGE.

Mayor Wynn: THANK YOU.

MY NAME IS TOM BOLT WITH NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. THE NORTH UNIVERSITY NCCD IS SET UP A LITTLE BIT DIFFERENT THAN THE OTHER PLANNING AREAS, BUT NOT SUBSTANTIALLY DIFFERENT WITH REGARD TO ZONING. WHAT THE NORTH UNIVERSITY NEIGHBORHOOD PLAN DOES IS ESTABLISHES DISTRICTS WITHIN THEIR BOUNDARIES. THERE ARE SEVEN OF THEM TOTAL, AND I'D JUST LIKE TO WALK YOU THROUGH THOSE. THE FIRST

WOULD BE THE GUADALUPE DISTRICT. YOU'LL SEE THESE AREAS IDENTIFIED IN RED AS THEY FOLLOW AMONG GUADALUPE. AND THESE -- IN THESE AREAS WE ARE PROPOSING TO KEEP THE CS ZONING THAT IS CURRENTLY THERE, BUT ALSO HAS THE ABILITY TO DO MIXED USE DEVELOPMENT. NEXT WE MOVE INTO A TRANSITION ZONE THAT IS APPROXIMATELY THREE LOTS WIDE AS YOU MOVE DOWN THESE RESIDENTIAL STREETS TO CREATE AN AREA WHERE YOU CAN HAVE BOTH COMMERCIAL AND RESIDENTIAL DEVELOPMENT, BUT ON A MUCH SMALLER SCALE. THE HOPE THERE IS TO PRESERVE THE SINGLE-FAMILY HOMES THAT HAVE BEEN CONVERTED INTO SMALL OFFICES. BUT STILL ALLOW FOR THE GARAGE APARTMENTS TO BE USED FOR RESIDENTIAL PURPOSES. WE THEN MOVE INTO THE RESIDENTIAL AREA, WHICH IS THE BULK OF THE PLANNING AREA. WE ACTUALLY HAVE TWO AREAS, ONE TO THE EAST OF SPEEDWAY AND ONE TO THE WEST. THE ZONING THERE WHERE POSSIBLE, WE'VE MAINTAINED THE SINGLE-FAMILY. THE MULTI-FAMILY WE'VE ZONED USE, THERE'S A LOT OF -- THERE WERE SEVERAL MF-4 PROPERTIES THAT WERE REALLY DEVELOPED MORE TO MF SCALE IN SOME CASES WHERE THE MULTI-FAMILY WOULD HAVE BEEN INAPPROPRIATE BECAUSE OF COMPATIBILITY. WE'VE MOVED THAT ZONING BACK DOWN TO MF-1 OR TWO. IN ALL LIKELIHOOD THAT'S PROBABLY THE BEST KAYWAY TO DEVELOP IT ANYWAY. AND THERE'S A 30-FOOT HEIGHT LIMIT WITHIN THE RESIDENTIAL AREA. WE ALSO HAVE A SPEEDWAY DISTRICT WHICH RIGHT NOW IS PREDOMINANTLY MULTI-FAMILY. NOT MUCH HAS CHANGED THERE. A HEIGHT LIMIT OF 35 FEET. THE SAN JACINTO DISTRICT RIGHT NOW IS PREDOMINANTLY COMMERCIAL. WE HAVE ADDED THE ABILITY TO DO MIXED USE DEVELOPMENT THERE AND ALSO INCREASE THE HEIGHT IN SOME OF THAT AREA UP TO 50 FEET. THE WALLER CREEK SEMINARY PROPERTY. THE SEMINARY HAS UNIQUE ISSUES THAT THEY WANTED TO ADDRESS THROUGH THE PLAN, SO WE CREATED A DISTRICT FOR THEM AND ARE WORKING THROUGH ALL THOSE DEVELOPMENT ISSUES THAT THEY HAVE TO COVER THEIR PROPOSED DEVELOPMENT PLANS. WE ALSO HAVE A PARK DISTRICT. THE FOCUS BEHIND THE PARK DISTRICT IS TO TRY AND SCALE BACK SOME OF THE DEVELOPMENT THAT WOULD POTENTIALLY SURROUND THAT PARK BY LIMITING

THE COMMERCIAL USES TO A 40-FOOT BUILDING HEIGHT. AGAIN, TRYING NOT TO CREATE THE CANYON EFFECT OF THE PARK. SOME OF THOSE CASES WHERE THERE'S 40-FOOT THAT'S MEASURED BACK A DISTANCE ON THE -- ON THE PROPERTY, BUT BEHIND THAT, IN SOME CASES THEY GO UP TO 70 FEET. AGAIN, IT'S JUST AN AREA THAT WE'VE CREATED TO PROVIDE AMENITIES TOWARDS THE PARK AREA. AREAS ALONG GUADALUPE DOWN HERE WHERE WE'RE STARTING TO BUMP UP AGAINST THE UNO, WE ARE LOOKING AT ALLOWING 70-FOOT BUILDING HEIGHTS. AND THAT ABOUT COVERS IT. I'D BE GLAD TO ANSWER ANY QUESTIONS.

Mayor Wynn: THANK YOU. HOW MANY VALID PE PETITIONS?

THERE'S SEVEN PROPERTIES THAT WE KNOW ARE AT ISSUE. I HAVE VALID PETITIONS MAYBE ON FIVE. TWO OF THEM ARE FUNDAMENTAL ISSUES WITH BOTH NEIGHBORHOOD PLANNING AND/OR NCCD'S. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] WE ARE PREPARED TO STAY HERE ALL NIGHT TO GET THIS DONE.

McCracken: I REMEMBER OUR LAST NEIGHBORHOOD PLAN IT WAS REALLY CONFUSING, IF PEOPLE HAD A SPECIFIC PROPERTY THEY WANTED TO TALK ABOUT THAT WE FORGOT WHAT THE ISSUE WAS THEN ABOUT BY THE TIME IT CAME TO ACTUALLY CONSIDER THAT SPECIFIC PROPERTY ISSUE. SO I DON'T KNOW IF IT WOULD BE POSSIBLE, FOR INSTANCE, IF SOMEONE HAD A COMMENT ONLY A SPECIFIC PROPERTY TO HANDLE THAT, WE ADDRESS THOSE , I'LL JUST THROW OUT THE SUGGESTION, SOMETHING THAT CAME UP AT OUR LAST HEARING NEIGHBORHOOD PLAN.

Mayor Wynn: OKAY, LET'S GO TO THE CARDS. WE WILL START WITH LAURIE LYNNBACKER. LAURIE, HOW ARE YOU? FOR ANY OF THESE? WE'VE ACTUALLY -- ESSENTIALLY THIS IS A CONTINUATION OF THE PUBLIC HEARING ON Z-1 AND Z-2, NOW WE HAVE OPENED THE ADDITIONAL PUBLIC HEARING FOR Z-4, 5 AND 7. WELCOME.

OKAY. I THINK THAT I WOULD LIKE TO SPEAK BRIEFLY ON Z-4. I WANT TO EXPLAIN TO YOU ALL THE PROCESS THAT WENT THROUGH IN WORKING WITH PROPERTY OWNERS WHO

CAME AND EXPRESSED CONCERN ABOUT WHAT WAS PROPOSED FOR THEIR PROPERTIES IN THE PLAN. IS THAT APPROPRIATE TO DO NOW?

Mayor Wynn: YES, MA'AM, THANK U.

ALL RIGHT. MY NAME IS LAURIE LINBACKER WITH THE HERITAGE NEIGHBORHOOD ASSOCIATION. IN HERITAGE WE HAVE WORKED VERY HARD TO PROMOTE DISCUSSION OF THE PLAN AND MAKE INFORMATION AVAILABLE TO ALL OF THE MEMBERS OF OUR GROUP AND THE NEIGHBORS WHO LIVE IN OUR GROUP, IT'S BEEN A DISCUSSION ITEM ON OUR AGENDA FOR YEARS, EVEN BEFORE WE STARTED THE ACTUAL PLANNING PROCESS. ONCE THE PROCESS WAS UNDERWAY WE ALSO INVITED STAFF TO ATTEND A NUMBER OF OUR MEETINGS AND GIVE US UPDATES ON PROGRESS. WE ALSO ENCOURAGE PARTICIPATION IN THE WORKSHOPS AND SURVEYS. REGARDING THE ZONING, AS A GROUP, WE WORK TO UNDERSTAND WHAT STAFF WAS RECOMMENDING FOR BASE ZONING AND CONDITIONAL OVERLAYS AND WHEN CONCERNS WERE RAISED BY PROPERTY OWNERS, STAFF ASKED US TO MEET WITH THOSE PROPERTY OWNERS AND DISCUSS THE CONCERNS. WE USUALLY -- WE MET WITH A RANGE OF PROPERTY TYPES, SINGLE FAMILY, MULTI-FAMILY, COMMERCIAL. AND FOR EACH MEETING WHAT WE DID TO PREPARE WAS WE RMPLGD THE EXISTING ZONING IN USE FOR THE PROPERTY AND PREPARED SITE DIAGRAMS ILLUSTRATING THE SETBACKS, HEIGHTS ALLOWED, ONSITE PARKING REQUIRED FOR MULTI-FAMILY AND COMMERCIAL PROPERTIES WE ALSO DIAGRAMED THE EFFECTS OF APPLICABLE COMPATIBILITY STANDARD REQUIREMENTS. IF A CHANGE IN BASE ZONING OR CONDITIONAL OVERLAY WAS RECOMMENDED WE ALSO PREPARED A DIAGRAM SHOWING THE IMPACT OF THAT CHANGE. THE REASON WHY WE DID ALL OF THIS WORK IS SO THAT WE OURSELVES WOULD UNDERSTAND THE IMPACT, KIND OF GIVE US THE SNIFF TEST, WHAT WAS PROPOSED. ALSO BECAUSE IT WOULD BE EASIER TO EXPLAIN OUR UNDERSTANDING OF THINGS IN MEETINGS WITH THE PROPERTY OWNERS. USUALLY THE PROPERTY OWNERS WERE CONCERNED THAT THEY WOULD NOT BE ABLE TO REALIZE THE FULL REDEVELOPMENT POTENTIAL OF THE PROPERTY. HOWEVER OUR RESEARCH SHOWED THAT THE PROPERTY OWNER'S EXPECTATIONS

AND PRACTICAL REALITY WERE OFTEN FAR APART. AND THAT'S BECAUSE THE LOTS IN OUR NEIGHBORHOOD ARE OFTEN SMALL AND THE COMPATIBILITY STANDARDS ALREADY BEFORE THE NEIGHBORHOOD PLAN EVEN TAKES EFFECT, ALREADY REDUCE ALLOWABLE HEIGHTS AND INCREASE ALLOWABLE SETBACKS DUE TO THE PROXIMITY OF SINGLE FAMILY USES OR ZONING. USUALLY THE CHANGES PROPOSED -- I'M SORRY, USUALLY THE CHANGES PROPOSED UNDER THE NEIGHBORHOOD PLAN ARE ACTUALLY CONSISTENT WITH WHAT CURRENT DEVELOPMENT REQUIREMENTS ACTUALLY ALLOW RIGHT NOW. SO SINCE JANUARY, WE'VE MET WITH ABOUT 15 PROPERTY OWNERS. IN MOST CASES WE UNDERSTAND THAT WE HAVE HELPED THE OWNERS AND ASSISTED IN THE RESOLUTION OF THEIR CONCERNS. WE ARE STILL WORKING ACTIVELY WITH ONE PROPERTY OWNER AND HOPE TO RESOLVE THINGS WITH THAT OWNER BEFORE WE RETURN TO YOU ALL FOR SECOND AND THIRD READINGS. I BELIEVE THERE ARE A FEW WHO HAVE FILED VALID PETITIONS, WE ARE HAPPY TO CONTINUE WORKING WITH THOSE PEOPLE, BUT I THINK BASICALLY WE HAVE AGREED TO DISAGREE. BECAUSE OF THE PERCEPTION VERSUS REALITY ISSUE. THERE ARE OTHER PEOPLE WHO HAVE FILED VALID PETITIONS BUT THEY HAVE NOT ASKED TO MEET WITH US. [BUZZER SOUNDING] WE STAND READY TO WORK WITH ANY CONCERNED PROPERTY OWNER WHO WOULD LIKE TO AND --

THANK YOU,. PETER KETTER NOT WISHING TO SPEAK IN FAVOR OF ALL OF THE ZONING CASES. TERRY MYERS NOT WISHING TO SPEAK, IN FAVOR. WILL BOZEMAN, NOT WISHING TO SPEAK, IN FAVOR. JOHN STUMP, JOHN STOMP? HE DIDN'T CHECK WHETHER HE WANTS TO SPEAK OR NOT. JOHN STUMP? SIGNED UP AGAINST Z-5. AND AGAINST Z-1 APPARENTLY. MARY ARNOLD? WELCOME, MARY. YOU WILL BE FOLLOWED BY MATTHEW ROSS.

THANK YOU VERY MUCH, MAYOR WYNN AND MEMBERS OF THE COUNCIL. I DIDN'T FIND OUT WHAT WAS GOING ON ABOUT THE WEST UNIVERSITY PLANNING EFFORT UNTIL THE ARTICLE IN THE NEWSPAPER, WHICH WAS PROBABLY ABOUT IN JANUARY. AND THEN A LITTLE BIT LATER THERE WAS A LITTLE SQUIB IN THE PAPER ABOUT A ZONING CASE COMING UP AT 24th AND PEARL. I THOUGHT, THAT'S RIGHT ACROSS

THE STREET FROM THE THETA HOUSE. SO FROM JUST READING THE NEWSPAPER, I BEGAN TO THEN CALL AROUND AND I CALLED MIKE McHONE, MET WITH HIM, MET WITH MARY GAY MAXWELL, MR. MCGINNIS, MR. HARDIN, BEGAN TO READ THE MATERIALS ON THE WEBSITE. TO BECOME MORE FAMILIAR WITH WHAT WAS BEING PROPOSED. AND I CAN REMEMBER MR. MCGINNIS SAYING, MY DEAREST HOPE IS THAT WHEN WE COME TO THE CITY COUNCIL, YOU WILL GET UP AND SPEAK IN FAVOR OF THE WEST CAMPUS PLAN AND THE OVERLAY. AND SO THAT'S WHAT I'M DOING RIGHT NOW. AS PROPOSED, WITH THE 75-FOOT HEIGHT IN OUR AREA, [LAUGHTER], WHAT THE PLAN IS TRYING TO DO IN THE UNIVERSITY AREA AND THE SURROUNDING AREA IS GOING TO BE A REAL BENEFIT TO THIS COMMUNITY. AND I HOPE THAT YOU ALL WILL SUPPORT IT AS IT IS. JUST A NOTE THAT -- THAT I'M SORRY THAT MR. HOLLAND NEGLECTED TO MENTION THAT INDEED THE SAE'S ARE NOT HAPPY WITH 90 FEET. THEY MAY NOT EVEN BE HAPPY WITH 75 FEET. BUT THEY ARE CERTAINLY NOT HAPPY WITH 90 FEET AND THEY ARE THE MAJORITY PETITIONER AGAINST THAT ZONING CASE. AND THERE ARE, I KNOW, SOME TWEAKINGS THAT ARE BEING DISCUSSED ABOUT THE OVERLAY ORDINANCE IN TERMS OF SOME OF THE SETBACKS. I HEARD SOMEONE TALKING ABOUT SOME CONCERNS ALONG 24th STREET. SO, YES INDEED THERE ARE TWEAKINGS. BUT IN GENERAL IT'S BEEN WONDERFUL TO SEE THE NEIGHBORS AND HOW THEY HAVE WORKED TOGETHER VERY HARD AND I -- I'M SORRY TO SAY THAT WE'LL CONTINUE TO WORK ON PORTIONS OF THIS. AND THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MS. ARNOLD. MATTHEW ROSS? WELCOME, MATTHEW, YOU WILL HAVE THREE MINUTES, FOLLOWED BY MATT KATERSANO.

GOOD EVENING MEMBERS OF THE CITY COUNCIL, MAYOR, THANKS FOR LETTING US SPOKE TONIGHT, MY NAME IS MATTHEW ROSS, I'M A TWO YEAR AT LARGE REPRESENTATIVE IN THE STUDENT GOLFER AT THE UNIVERSITY OF TEXAS AT AUSTIN. WE ARE HERE TO SPEAK ON THIS Z-4, I BELIEVE. ON THE CARD WE CHECKED NEUTRAL. IN GENERAL WE DID THAT BECAUSE WE ARE NOT REALLY SURE WHERE WE STAND ON THE PLAN RIGHT NOW. THE OVERALL SPIRIT THE IDEA OF THE PLAN, HIGH DENSITY

LIVING, PEDESTRIAN ORIENTED WE ALL THINK THOSE ARE WONDERFUL IDEAS. WE ARE IN SUPPORT OF THAT. HOWEVER WE ALSO DO HAVE SOME MAJOR CONCERNS AND THAT'S WHAT WE ARE HERE TO ADDRESS TONIGHT. STARTING OFF, ON STUDENT INPUT. OVER THE TWO YEARS - - APPROXIMATELY TWO-YEAR PERIOD THAT THIS HAS BEEN DEVELOPED BY UNIVERSITY AREA PARTNERS AND THE CITY AND THE STAFF, THE STUDENT INPUT HAS BEEN SEVERELY LACKING AT BEST. THERE HAVE BEEN -- ACCORDING TO LAW, THE UNIVERSITY AREA PARTNERS ARE REQUIRED TO NOTIFY ALL PROPERTY OWNERS OF ANY ZONING CHANGES THAT ARE PROPOSED. THEY DID THIS. HOWEVER, THE LARGE MAJORITY OF WEST CAMPUS, APPROXIMATELY 6,000 STUDENTS, RENT HOUSING AND ARE NOT PROPERTY OWNERS AND THEY WERE NOT NOTIFIED IN ANY WAY. AND 6,000 PEOPLE IS A PRETTY LARGE POPULATION TO NOT KNOW THE ZONING IS GOING TO BE CHANGED, IT'S GOING TO AFFECT THEM THE GREATEST. SO THAT'S OUR FIRST CONCERN. WE HOPE IN THE FUTURE WE HAVE ALREADY TAKEN SOME STEPS, WE ARE GOING TO SET UP A NEIGHBORHOOD ASSOCIATION THAT'S PRIMARILY BASED ON STUDENT LIFE IN WEST CAMPUS, WE ARE GOING TO TAKE SOME OTHER STEPS, BUT WE HOPE THE CITY COUNCIL WILL WORK WITH US IN MAKING SURE THAT THE STUDENT VOICE IS HEARD IN ALL DECISIONS THAT ARE MADE, ESPECIALLY IN THE IMPLEMENTATION OF THE UNO PLAN. THE SECOND IS THE AFFORDABLE HOUSING CONCERN. RIGHT NOW UNDER THE CITY'S SMART PLAN, AS BEST AS I CAN UNDERSTAND IT, YOU QUALIFY FOR LOW INCOME HOUSING IF YOU EARN LESS THAN 80% OF THE MEDIAN FAMILY INCOME, WHICH IS THINK THINK \$66,900. THE PROBLEM FOR THAT WITH STUDENTS IS THAT WE ARE IN A UNIQUE SET OF CIRCUMSTANCES WHERE WE ALMOST ALL OF US, IF WE WORK, ONLY HAVE THE TIME TO WORK PART-TIME JOBS, THE REST OF THE TIME WE SPEND GOING TO SCHOOL, BEING INVOLVED IN EXTRACURRICULAR ACTIVITIES THAT SORT OF THING. ALMOST ALL OF US, AS A MATTER OF FACT, I'VE NEVER MET A STUDENT WHO MAKES MORE THAN \$66,900 OR 80% OF THAT. SO ALMOST ALL OF US QUALIFY FOR LOW INCOME HOUSING. THIS CUTS OUT THOSE STUDENTS THAT REALLY NEED IT BECAUSE IN THOSE CONSIDERATIONS OTHER THINGS SUCH AS INCOME THAT THE STUDENT MAY BE

GETTING FROM HOME ARE NOT CONSIDERED AND INCOME FROM HOME MAKES UP A LARGE PART OF I KNOW MY AND I'M SURE MOST STUDENTS' INCOME. SO WE WANT, OUR DESIRE IS TO SEE SOME KIND OF SYSTEM SET UP TO WHERE STUDENTS ARE HELD TO A DIFFERENT STANDARD WHERE THERE'S A DIFFERENT SET OF CIRCUMSTANCES SINCE WE ARE IN A UNIQUE SITUATION, WHERE OUR CIRCUMSTANCES AND OUR FINANCIAL NEEDS ARE CONSIDERED, WE DON'T HAVE A PLAN, WE DON'T HAVE A PLAN TO OFFER, BUT WE ARE WORKING WITH THE FINANCIAL AID DEPARTMENT AT THE UNIVERSITY OF TEXAS AND [BUZZER SOUNDING] THANK YOU VERY MUCH. APPRECIATE IT.

Mayor Wynn: THANK YOU, MR. ROSS. MATT KATER SONON. SORRY IF I MISPRONOUNCED THAT. FOLLOWED BY SUSAN WEIGE.

THANK YOU, MAYOR. MY NAME IS MATT, YOU GOT IT PRETTY CLOSE. I'M THE LOCAL AFFAIRS CHAIR FOR STUDENT GOVERNMENT AT THE UNIVERSITY OF TEXAS. I WOULD ALSO LIKE TO THANK YOU FOR LETTING US COME TONIGHT AND SPEAK. ONCE AGAIN TO REITERATE WHAT MATT ROSS SAID WE DO SUPPORT THE HIGH DENSITY AFFORDABLE STUDENT ORIENTED HOUSING CLOSE TO CAMPUS. ONE OF OUR CONCERNS IS THAT THE 25-601 OF THE PLANNING COMMISSION'S PROPOSAL, WHICH CONCERNS PARKING REQUIREMENTS DOESN'T NOT ADDRESS STUDENT CONCERNS. SPECIFICALLY, SECTION C ALLOWS MULTI-FAMILY FRNT SHALL USE TO PROVIDE A SUBSTANTIAL DECREASE IN OFF STREET PARKING IF THEY PARTICIPATE IN A CAR SHARE PROGRAM. WHILE A SHARE PROGRAM MIGHT BE BENEFICIAL TO WEST CAMPUS, STUDENT GOVERNMENT REQUESTS THAT THE STUDENT THEMSELVES BE ASKED IF THIS IS VIABLE. SOME PROBLEMS ARE SHOULD SHOULD FUND SUCH A PROGRAM, WILL STUDENTS OF ALL AGES BE ABLE TO PARTICIPATE. RENTAL CAR COMPANIES REQUIRE DRIVERS TO USUALLY BEEN AROUND 21 OR OLDER. IF A CAR SHARE PROGRAM IS SIMILAR, WILL YOUNGER STUDENTS WHICH OCCUPY WEST CAMPUS NOW AND WILL CONTINUE TO IN THE FUTURE TAKE ADVANTAGE OF SUCH A SYSTEM. THE OTHER THING IS THE ABILITY TO GO HOME FOR DIFFERENT PERIODS OF TIME. IF YOU REMEMBER BACK TO COLLEGE, THERE ARE OFTEN TIMES YOU WANT TO GO BACK

FOR THE WEEKEND. THE CURRENT PROGRAM THAT BUSES STUDENTS TO DALLAS AND HOUSTON THAT IS PROVIDED AT U.T. IS POPULAR AND IN MY OPINION IS WELL DESIGNED. IT'S A GOOD PROGRAM. BUT WHAT ABOUT STUDENTS FROM OTHER AREAS WITHIN THE STATE, FOR EXAMPLE, EL PASO, NEIGHBORING STATES, HOW WILL WE REDUCE THE PARKING AS THE PLAN SUGGESTS? WE WOULD LIKE TO RE-- [INDISCERNIBLE] STUDENTS STOP BRINGING CARS TO AUSTIN MUCH CURRENTLY IN WEST CAMPUS, NO GROCERY STORES, NO MOVIE THEATERS, MEDICAL OFFICES. WE ARE CONCERNED THAT FORCED REDUCTION IN PARKING BEFOREHAND WILL FURTHER CONGEST THIS AREA. JUST ONE POINT OF THIS CAN BE SEEN AT THE VILLAS OF GUADALUPE WHICH HOUSES ABOUT 500 STUDENTS WHILE PROVIDING 395 PARKING SPACES. THIS PARKING GARBAGE GARAGE IS AT FULL CAPACITY NOW, MANY RESIDENTS THERE PARK ON THE STREET. IF ANYBODY HAS EVER BEEN THERE THEY KNOW WHAT I MEAN. IN SHORT WE BELIEVE THAT'S A STRONG INDICATOR OF WHAT IS GOING TO HAPPEN IN WEST CAMPUS IF PARKING IS SUBSTANTIALLY REDUCED. THANK FOR YOU THE OPPORTUNITY TO VOICE OUR CONCERNS ON BEHALF OF THE STUDENTS WHICH CURRENTLY AND WILL CONTINUE TO OVERWHELMINGLY OCCUPY THE PROPOSED ZONING. THANKS.

Mayor Wynn: THANK YOU, SIR. DENNIS COLE NOT WISHING TO SPEAK AGAINST ALL OF THESE. ALLEN ROBINSON, WISHING TO SPEAK, ONLY IF COUNCIL HAS QUESTIONS. IN FAVOR. HOWARD LINNETT IN FAVOR. SUSAN [INDISCERNIBLE] I'M SORRY -- I CAN'T QUITE READ THIS, BUT -- WELCOME, SIR, YOU WILL HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY RICHARD HARDIN.

OKAY. HELLO COUNCIL MEMBERS, MY NAME IS RON VEJAY, I AM TAKING A CLASS THIS SUMMER, THE CLASS IS CALLED ECOLOGY CONSERVATION AND RESTORATION AND PRACTICE AND FOR THAT PROJECT IN THAT CLASS AT U.T., I AM GOING TO MAP OUT WEST CAMPUS AND ITS DEVELOPMENT FROM 1900 TO THE PRESENT OR AS CLOSE TO THE PRESENT AS POSSIBLE BASED ON THE DATA THAT I HAVE FROM THE HISTORY MUSEUM AND MY -- MY GOAL WILL BE TO -- JUST TO IDENTIFY SOME ENVIRONMENTAL CONCERNS THAT WILL NOT REALLY HINDER BUSINESSES AT

ALL, BUT WILL PERHAPS MAKE WEST CAMPUS AN ENVIRONMENTALLY FRIENDLY OR BRIGHT SPOT IN TERMS OF E.P.A. RECOGNITION AND SUGGEST SOME -- SOME ENVIRONMENTALLY FRIENDLY CONCERNS, SUCH AS RAIN WATER HARVESTING, GRAY WATER RECYCLING, UM, AND MAYBE GREEN SPACE RELATED ISSUES. THOSE -- THE RESEARCH WILL BE PUBLISHED ONLINE AND I HOPE THAT THE COUNCILMEMBERS WILL SPEND SHH TIMESOME TIME TO LOOK AT THE ENVIRONMENTAL ASPECTS THAT WOULD ALLOW FOR GREEN BUILDING AND THAT WOULD ALLOW THE DEVELOPERS TO ATTRACT STUDENTS BECAUSE THEY ARE GREEN BUILDERS OR HAVE -- AT LEAST TAKEN EFFORT TO -- TO IMPLEMENT SOME TYPE OF GREEN SOLUTIONS, BE IT ENERGY EFFICIENT LIGHTING OR, FOR EXAMPLE, THERE ARE SOME -- SOME MULTI FAMILY AND APARTMENT DEVELOPMENTS THAT ACTUALLY RECYCLE THEIR GRAY WATER, RUN IT THROUGH A FILTER AND THEN USE THAT FOR THEIR BLACK WATER SYSTEM. AND FOR EVERY GALLON YOU ARE GETTING ANOTHER GALLON FOR FREE. ISSUES LIKE THAT. BECAUSE SUCH HIGH DENSITY DEVELOPMENT IS GOING TO BE A HUGE STRAIN ON LOCAL MUNICIPAL WATER SYSTEMS AND THE AQUIFER. I -- I AM HOPING THAT THOSE TYPES OF ISSUES WILL ALSO BE EXAMINED. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, SIR. RICHARD HARDIN. THANK YOU FOR YOUR PATIENCE, RICHARD. YOU WILL BE FOLLOWED BY BARBARA BRIDGES.

[INAUDIBLE - NO MIC]

Mayor Wynn: PARDON?

[INAUDIBLE - NO MIC]

Mayor Wynn: OKAY.

MAYOR, MEMBERS OF COUNCIL, I'M RICHARD HARDIN. I WILL BE VERY BRIEF. I WAS E-MAILED A FLIER BY AN INDIVIDUAL WHO WANTS TO SELL A PIECE OF REAL ESTATE THEY JUST BUILT AN APARTMENT HOUSE, ON 24th STREET. IT'S CALLED THE BOARD WALK. I THINK IT'S MR. GILL'S PROPERTY, I BELIEVE THAT HE'S A MEMBER OF THE WCNA. I THOUGHT IT

WAS VERY INTERESTING TO SEE SOME OF THE QUOTES HERE FROM THE STRAWBACH COMPANY'S FLIER. THEY TALK ABOUT A VERY STABLE PREDICTABLE CASH FLOW, HIGH POTENTIAL OF RENT INCREASES. THEY SAY THAT INVESTMENT OPPORTUNITIES IN THE NEIGHBORHOOD ARE VERY RARE AND BARRIERS TO ENTRY ARE VERY HIGH FOR NEW DEVELOPERS. SO I HAVE GOT TO TELL YA, THIS IS THE PROBLEM THAT WE ARE TRYING TO HELP CURE FOR THESE U.T. STUDENTS. IT'S VERY DIFFICULT TO BUILD MULTI-FAMILY, QUALITY MULTI-FAMILY LIVABLE PRODUCT IN THIS NEIGHBORHOOD AND I THINK UNO IS GOING TO GO A LONG WAY TO HELPING THAT. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. HARDIN. JOHN ZAMORA. JOHN, WELCOME, YOU'LL HAVE 3 MINUTES, YOU WILL BE FOLLOWED BY JOHN JOSEPH.

THANK YOU FOR YOUR TIME, MY NAME IS JOHN ZAMORA. I OWN 2029 SALADO STREET AND 705 WEST 29th STREET, THE HOME OF JUNIORS BEER AND WINE. IT BEEN -- JUNIORS HAS BEEN THERE LIKE 22 YEARS AND PRIOR TO THAT IT WAS A NURSERY FOR 10 OR 15 YEARS. IT'S APPROPRIATED ZONED TODAY AT C.S., THE PLAN CALLS FOR A DOWN SCALE OF THE ZONING TO LIKE OFFICE AND STUFF. AND I JUST WANT TO CONTEST THAT. DON'T WANT THAT TO HAPPEN.

Mayor Wynn: I'M CURIOUS, DO YOU KNOW THE PETITION PROCESS AND DO YOU HAVE A VALID PETITION --

I FILED A PETITION.

Mayor Wynn: OKAY. THANK YOU, THEN THAT WILL BE DUAL NOTED -- DULY NOTED.

THANK YOU.

Mayor Wynn: KATHY NORMAN IF COUNCIL HAS QUESTIONS, IN FAVOR. YES, MA'AM. YOU WILL HAVE THREE MINUTES FOLLOWED BY JOHN JOSEPH, JUNIOR.

I DON'T INTEND TO TAKE THREE WHOLE MINUTES. I'M PRESIDENT OF THE UNIVERSITY AREA PARTNERS. I JUST WANTED TO BRIEFLY ADDRESS THE CONCERNS THAT I --

SOME OF THE CONCERNS THAT I HEARD FROM STUDENTS. UNIVERSITY AREA PARTNERS HAS BEEN AROUND A LONG TIME, FOR MANY YEARS WE HAVE HELD A POSITION OPEN ON OUR BOARD FOR THE STUDENT BODY PRESIDENT, SOMETIMES THERE'S MORE OR LESS PARTICIPATION AND WE WELCOME THE PARTICIPATION OF STUDENTS IN ALL OF OUR MEETINGS, STUDENTS HAVE A PARTICULARLY DIFFICULT TIME SOMETIMES CONNECTING WITH PEOPLE LIKE US WHO ARE HERE ALL THE TIME AND THEN BY THE VERY NATURE OF WHAT THEY ARE DOING IN AUSTIN, THEY COME AND GO. SO I JUST WANTED TO LET ANY STUDENTS KNOW THAT -- THAT WE WANT YOU TO PARTICIPATE IN OUR GROUP, YOU CAN FIND US MOST EASILY THROUGH THE WEBSITE, [www.universityareapartners .o](http://www.universityareapartners.org) [www.universityareapartners.o rg](http://www.universityareapartners.org). AND I WANTED TO LET YOU KNOW THAT THE IMMEDIATE PAST PRESIDENT BRIAN HALEY PARTICIPATED IN THIS -- IN THE NEIGHBORHOOD PLANNING PROCESS FOR THE LAST COUPLE OF YEARS. AND DID PROBABLY I THINK THE BEST HE COULD TO ENSURE THAT STUDENTS WERE INFORMED AND INVOLVED. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MS. NORMAN. JOHN JOSEPH, JR. I SAW EARLIER. JOHN JOSEPH. SIGNED UP AGAINST Z-2. A NUMBER OF FOLKS I THINK WERE GOING TO DONATE TIME TO JOHN. ALSO THE MALIKS ALL AGAINST Z-2. MIKE MCHONE IF COUNCIL HAS QUESTIONS, IN FAVOR. JOHN BENNETT IN FAVOR. JOHN BENNETT WATERS IN FAVOR, THANK YOU. RAY PINE, NOT WISHING TO SPEAK, IN FAVOR. STEVE WHITE, NOT WISHING TO SPEAK, DOES NOT SAY FOR OR AGAINST. MIKE MCGINNIS, IF COUNCIL HAS QUESTIONS, IN FAVOR. MARY SANCHEZ, I GUESS THIS IS.

[INDISCERNIBLE]

Mayor Wynn: UM ... [LAUGHTER] ALL RIGHT. WHAT ARE YOU WAITING FOR? [LAUGHTER] I'LL PUT YOU AT THE BACK OF THE LIST.

MARK WALTERS, I'M MARY SANCHEZ, FROM THE WEST UNIVERSITY. THE VERY SMALL THREE BLOCK WIDE WEST UNIVERSITY AREA. DOWN AT THE END BY LAMAR. MARK WALTERS MENTIONED THERE WERE 10 VALID PETITIONS IN

THE WEST UNIVERSITY AREA. I WOULD FIRST OF ALL LIKE TO KNOW WHICH OF THOSE 10 PETITIONS RELATE TO OUR AREA. AND I WOULD LIKE TO BE ABLE TO ADDRESS THOSE PROPERTIES AND WHY OUR NEIGHBORHOOD WOULD LIKE TO HAVE THOSE PROPERTIES CONFORMED TO THE OTHER REQUIREMENTS OF THE WHOLE AREA.

WELL THEN I GUESS WHAT I SUGGEST THAT YOU DO, THEN, MS. SANCHEZ IS -- YOU KNOW SIT AND WAIT. TYPICALLY WHAT WILL HAPPEN IS WE WILL GO THROUGH ALL OF THESE CARDS, GENERALLY CLOSE THE PUBLIC HEARINGS BECAUSE THEN THE -- THE MOTION SHEET FOR US TO GO THROUGH THESE THOUSANDS OF PROPERTIES WILL TAKE A LONG TIME.

RIGHT. BECAUSE THESE PEOPLE HAVE NOT TALKED TO US, WE HAVE TRIED TO TALK TO EVERYBODY IN THE NEIGHBORHOOD AND REACH A CONSENSUS AS THE OTHER NEIGHBORHOODS HAVE. AND THE PEOPLE WHO HAVE FILED THESE PETITIONS SIMPLY HAVE NOT BEEN WILLING TO TALK TO US.

Mayor Wynn: WHAT WILL HAPPEN IS GENERALLY, FRANKLY WE WILL SPEND MOST OF OUR TIME FOCUSING ON THOSE TRACTS THAT HAVE VALID PETITIONS, OFTENTIMES WE WILL SOLICIT SOME INPUT FROM AFFECTED FOLKS IN THE AUDIENCE THEN. SO -- SO THANK YOU. DON LARSON. PAUL MICHELLE NOT WISHING TO SPEAK IN FAVOR. RAYMOND TUCKER IN FAVOR. LYNN TEAM. WELCOME, LYNN, YOU'LL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY LAWRENCE FOSTER.

I'M LYNN TEAM, I'M REPRESENTING TONIGHT THE EAST WOODS NEIGHBORHOOD ASSOCIATION. WE HAVE WORKED VERY HARD AS WE MENTIONED IN THE HEARING BEFORE ON OUR AGREEMENT WITH THE EPISCOPAL SEMINARY, WE ARE STILL WORKING ON THE COVENANTS, RESTRICTIVE COVENANTS, WE WILL GET THAT ALTOGETHER WE HOPE IN TIME FOR IT TO BE IN A TIMELY WAY IN THE FLOW OF THINGS. BUT THERE'S ONE OTHER PROPERTY THAT WE HAVE HAD SOME -- WE HAVE SOME CONCERNS ABOUT. A COUPLE OF MONTHS AGO, A PROPERTY OWNER ON THE CORNER OF DEEP KEETON AND RED RIVER -- DEAN KEETON

AND RED RIVER CAME TO AND YOU ARE NEIGHBORHOOD ASSOCIATION AND ASKED FOR A 90-FOOT HEIGHT, M.F. 6 90-FOOT HEIGHT ZONING. WE HAVE WORKED FROM THE BEGINNING AS WE SAID ESPECIALLY IT'S PARENTS IN THE WEST CAMPUS AREA -- IT'S APPARENT WHERE WE BUILT FIRST THE VISION OF THE PLAN, THEN THE SHAPE OF THE PLAN, THE TOPOGRAPHY, IF YOU WILL. WE HAD ALL OF THESE HEIGHT MAPS. AND AS WE CAME DOWN TO THE DETAILS, EACH THING WAS THOUGHT THROUGH VERY CAREFULLY. OUR -- THE WEST -- THE EAST EARN SIDE A-- EASTERN SIDE ALONG INTERSTATE 35 IS WHERE WE -- OUR NEIGHBORHOOD AND HANCOCK NEIGHBORHOOD ALL THE WAY DOWN WE SAID THIS IS A GOOD PLACE FOR DENSITY, WE ARE HAPPY WITH DENSITY THERE. BUT WE HAD A HEIGHT LIMITATION OF 60 FEET. SO WE SAID NO WE ARE NOT GOING TO RECOMMEND 90 FEET. SO THEY WENT AWAY. THEN THIS PAST WEEK THEY CAME BACK TO CITY STAFF, SAID OKAY WE WANT TO ASK FOR M.F. 6 WITH A 60-FOOT HEIGHT. WHICH IS WHAT WE HAD IN OUR PLAN. AND THE SHAPE OF THINGS. SO WE TOOK THAT A PROPOSAL -- THAT PROPOSAL, WE HAD A GOOD MEETING, A GOOD DISCUSSION. WE SAID WE REALLY DO BELIEVE IN DENSITY, WE WANT TO SAY WHERE THE DENSITY SHOULD BE, WE THAT I THAT'S AN APPROPRIATE PLACE FOR IT. SO WE SAID OKAY ABOUT THE M.F. 6 AT THAT LOCATION AS LONG AS THE HEIGHT WAS 60 FEET. AND THAT I THINK IS IN PART OF THE PAPERWORK THAT YOU HAVE IN FRONT OF YOU. HOWEVER, SINCE THAT TIME THE LEGAL -- THE CHAIR OF OUR LEGAL COMMITTEE WAS IN CONVERSATION WITH THE REPRESENTATIVE OF THE PROPERTY OWNER AND THAT REPRESENTATIVE OF THE PROPERTY OWNER SAID, WELL, WHAT WE REALLY WANT IS THIS M.F. 6 AND THEY WILL COME BACK LATER AND GET A VARIANCE TO GO TO 90 FEET. THAT MADE THE NEIGHBORHOOD FEEL VERY UNCOMFORTABLE. IN THE FACT THAT WE THOUGHT WE WERE BEING GENEROUS AND BEING GOOD CITIZENS TO SUPPORT DENSITY IN THAT AREA. BUT WE DON'T SUPPORT 90 FEET. SO WE WERE -- WE WERE ASSURED TODAY BY CITY STAFF THAT THE ONLY WAY THEY COULD GO TO 90 FEET FROM WHAT THEY HAVE NOW IS FOR THE NAIBTD PLAN TO BE AMEND -- NEIGHBORHOOD PLAN TO BE AMENDED AND THE ZONING CHANGE TO BE INSTITUTED. IF THAT'S THE CASE WE ARE PROBABLY OKAY. IF IT'S NOT,

WE ARE VERY NERVOUS ABOUT THE -- BOTH THE MANNER IN WHICH THEY HAVE SOUGHT THIS CHANGE AND OUR -- OUR VULNERABILITY THAT WE HAVE PLACED OURSELVES IN SUPPORTING IT [BUZZER SOUNDING] WE JUST WANTED THAT ON THE RECORD, THANK YOU.

Mayor Wynn: THANK YOU, MS. TEAM. LAWRENCE FOSTER. YOU WILL HAVE THREE MINUTES FOLLOWED BY JOHN FOXWORTH.

THANK YOU, MR. MAYOR, COUNCILMEMBERS, I'M VICE-PRESIDENT OF FINANCE AT THE AUSTIN PRESBYTERIAN THEOLOGICAL SEMINARY. A FEW REMARKS IF YOU WILL. THE SEMINARY IS PROBABLY THE OLDEST CONTINUOUS RESIDENT OF THE NORTH UNIVERSITY AREA. WE HAVE OWNED ABOUT 15 ACRES OF LAND ON THE CORNER OF 27th AND SPEEDWAY. MY REMARKS I THINK ARE REPRESENTATIVE IN THAT OUR NEED, AS MR. [INDISCERNIBLE] MENTIONED EARLIER IN PRESENTATION ARE NOT EXACTLY LIKE THOSE OTHER MEMBERS WHO HAVE COMMERCIAL INTERESTS IN THE AREA. THOSE MEMBERS WHO HAVE RESIDENTIAL PROPERTIES IN THE AREA. AND YET THEY THREW MR. BOLT AND HIS GROUP AND THROUGH RICK IVERSON AND HIS GROUP OVER THE PAST YEAR, PARTICULARLY IN THE LAST SIX MONTHS, WE'VE HAD A WONDERFUL EXPERIENCE IN WORKING THROUGH THE ISSUES. I THINK THAT WE HAVE ALL KISSED AND MADE UP AND WE SIMPLY WANTED TO GO ON RECORD, BOTH IN SUPPORTING THE PLAN, BUT ALSO SUPPORTING THE WORK THAT TOMMY BOLT AND HIS STAFF HAVE DONE, THE WORK THAT LEON BARBER HAS DONE AND -- IN PUBLIC UTILITIES IN THE CITY OF AUSTIN BASICALLY TO THANK BOTH OF THESE MEN PARTICULARLY. NEITHER OF WHOM LIVE IN THE AREA FOR DOING A -- A SPECTACULAR JOB FOR THE OVERALL CITY. THANK YOU.

THANK YOU, MR. FOSTER. JOHN FOXWORTH.

I'M NOT SURE -- I WANT TO TALK ABOUT THREE ITEMS SPECIFICALLY IN MY NEIGHBORHOOD. IS THIS THE TIME THAT I SHOULD TALK ABOUT THEM.

Mayor Wynn: THIS WOULD BE THE BEST CHANCE, IF IT'S

CONTENTIOUS AT ALL DURING THE ACTUALLY ZONING VOTES, WE WILL LIKELY ASK QUESTIONS OF YOU. GO AHEAD AND SET THE STAGE NOW IF YOU WOULD LIKE.

I HAVE VISUAL AIDS, WOULD YOU LIKE THOSE?

Mayor Wynn: SURE.

MY NAME IS JOHN FOX WORTH, PRESIDENT OF THE SHOAL CREST NEIGHBORHOOD ASSOCIATION, HERE TO TALK BRIEFLY ABOUT THREE DIFFERENT TRACTS PROPOSED FOR REZONING. JUST VERY QUICKLY, BECAUSE I THINK A NEIGHBOR WILL BE TALKING ABOUT TRACT 148. WHICH IS THE JUNIORS ICE HOUSE AREA. WE AS A NEIGHBORHOOD DEFINITELY, I JUST FOUND OUT ABOUT THIS PETITION TODAY, I DON'T THINK IT'S A VALID PETITION. I THINK THAT IT'S JUST A PETITION. WE ARE VERY, VERY STRONGLY WANTING TO HAVE THE CONDITIONAL OVERLAYS THAT EVERYONE AROUND HIM WILL HAVE AS WELL. I DON'T THINK THERE'S ANYTHING IN THOSE CONDITIONAL OVERLAYS THAT IS -- THAT -- THAT SHOULD NOT BE IN THAT NEIGHBORHOOD LIKE OURS. A SINGLE FAMILY NEIGHBORHOOD. MOVING RIGHT ALONG, WITH THE MATERIALS THAT I HANDED OUT, I FORGOT TO GRAB THEM. IT'S A QUICK THING OF THE TRACTS 133 AND 133 A. IT'S A BRIEF VIEW OF -- OF SAN PEDRO IS A ONE-WAY STREET THAT GOES DOWN AND END INTO THE SINGLE FAMILY NEIGHBORHOOD OF SHOAL CREST. WITHIN THE SHOAL CREST BORDERS. SO YOU START OFF, THERE YOU ARE GOING ON A HILL. THERE'S THE APARTMENTS, SAN PEDRO SQUARE APARTMENTS, A LITTLE VACANT LOT WHERE THEY ARE DOING SEWER WORK, I DON'T KNOW WHAT YOU CAN BUILD THERE, A HOUSE USED AS A DUPLEX, I HEARD TONIGHT THERE MIGHT BE PLANS TO BUILD SOMETHING ELSE THERE. AND THEN NEXT TO THAT THERE ARE TWO DUPLEXES WHICH ARE RECENTLY BUILT AND -- AND I THINK ARE CURRENTLY ZONED S.F. 3 AND THAT'S WHERE WE START WITH THE -- WITH A TRACT 133 WITH THOSE TWO PROPERTIES. THE NEXT PROPERTY IS A TWO STORY OLDER HOUSE AT 2800, THAT'S ALSO IN TRACT 133. THEN MOVING RIGHT ALONG, WE HAVE 2802, 2804, WHICH ARE -- WHICH ARE -- ONE IS A FAMILY, ONE IS A DUPLEX. ANOTHER IS SINGLE FAMILY, 2806, 2808. THOSE ARE TRACT 133 A FROM 2802 TO 2808. I JUST WANT YOU TO FLIP ON DOWN THE

STREET. NEXT HOUSE AT 2810 ACTUALLY TWO OTHER HOUSES BEHIND THAT, SINGLE FAMILY HOUSES. I DON'T EVEN KNOW WHAT THEIR ADDRESSES ARE, CAN'T FIND THEM ON T CAD, ANOTHER SINGLE FAMILY 2814, I THINK THAT I SKIPPED ONE. 2808. I GOT THAT. 2816 AND ANOTHER HOUSE ON THE EAST SIDE. 2833, AND SOME MORE MULTI-FAMILY. ANYWAY THERE'S LOTS OF DENSITY THERE. YOU SEE THE GARAGE APARTMENTS, AND MORE GARAGE APARTMENTS. AND -- AND THEN AT THE VERY LAST PICTURE, IS WHERE SAN PEDRO DEAD ENDS INTO WEST 28th AND A HALF STREET AND I MUST POINT OUT ONE OF THE REASONS THAT WE WANT TO RESTRICT SEVERE INCREASED -- INCREASE IN DENSITY IS -- IS WE ARE GOING TO BE COMING, HAVING A LOT OF TRAFFIC [BUZZER SOUNDING] FROM THE DENSITY ON WEST CAMPUS DOWN THIS ONE WAY STREET TO ADD MORE IS GOING TO MAKE MORE PROBLEMS AND THAT'S JUST A LITTLE ALLEY ON THAT LAST PAGE. BOTH OF THOSE HOUSES HAVE BEEN STRUCK BY VEHICLES. IF YOU WILL NOTICE, ALSO, THE STUDENTS LIKE TO STEAL THE STOP SIGNS, THERE'S NOT EVEN A STOP SIGN AT THAT INTERSECTION RIGHT NOW. SO WE ARE DEFINITELY AGAINST THE PROPOSED M.F. 2 AND THE M.F. 3, WE WOULD LIKE TO SEE S.F. -- S.F. C.O. N.P. FOR TRACTS 133 AND 133 A. THANK YOU.

Mayor Wynn: THANK YOU. THAT -- WE WILL HAVE THAT DETAILED DISCUSSION LATER. KATHRYN [INDISCERNIBLE] NOT WISHING TO SPEAK, IN FAVOR. MICHAEL WILSON, IN FAVOR. ALISON MAYRANCOR FAVOR, WALTER [INDISCERNIBLE] IN FAVOR. MR. JIM BENNETT. WHO WILL BE FOLLOWED BY MALCOLM FOX FOLLOWED BY MARY GAY MAXWELL. MAYOR AND COUNCIL, I HAVE BEEN RETAINED BY GARY GILL, THE OWNER OF SEVERAL PIECES OF PROPERTY. ONE PIECE OF PROPERTY IN NORTH UNIVERSITY NEIGHBORHOOD PLANNING AREA, TRACT NUMBER SD 874 AT 3410 AND 3412 SPEEDWAY. AS PROPOSING FROM M.F. 4 TO MF 1. ADDITIONALLY IN WEST UNIVERSITY, TRACT NUMBER 33 AT 1903, 1905 AND 1909 ROBBINS PLACE AS CHANGED FROM M.F. 4 TO M.F. 3 N.P. PROPOSED. TRACT 52, WHICH IS 1006 WEST 22nd STREET, PROPOSED CHANGE FROM M.F. 4 TO S.F. 3 CO N.P., LASTLY TRACT NUMBER 10, 19, LOCATED AT 2833 AND 2841 SAN GABRIEL AND THE CHANGE IS FROM

S.F. 3 TO S.F. 3 C.O. N.P. MY CLIENT HAS FILED A VALID PETITION ON REZONING OF THESE PROPERTIES. AND IS NOT DESIROUS TO HAVE HIS PROPERTY REZONED. THANK YOU.

Mayor Wynn: I'M SORRY, SO A VALID PETITION IS ON THE CONTENTIOUS PROPERTIES HERE? YES, SIR, MAYOR, ON FILE FOR EACH ONE OF THESE PIECES THAT I ADDRESSED. I WOULD POINT OUT SOMEONE LEFT THEIR RING ON THE PODIUM.

Mayor Wynn: OKAY, THANK YOU.

IF IT'S AN AGGIE RING, DON'T TOUCH IT.

EXCUSE ME. [LAUGHTER] DON WUCASH IN FAVOR. MALCOLM FOX, FOLLOWED BY MARY GAY MAXWELL. WHILE MR. FOX IS MAKING HIS WAY UP, DON WUCASH NOT WISHING TO SPEAK, IN FAVOR. JERRY HARRIS IF COUNCIL HAS QUESTIONS, DOESN'T SAY FOR OR AGAINST.

MY NAME IS MALCOLM J. FOX, GREETINGS TO MR. MAYOR AND THE MEMBERS OF THE COUNCIL. I'M THE OWNER OF TRACT APD 843, 3004 FRUTH STREET, ALSO KNOWN AS 500 WEST 30th STREET. IT'S A CORNER LOT. BASICALLY, I'M IN FAVOR OF THE NEIGHBORHOOD PLAN. BUT I OBJECT TO THE USE OF THE NEIGHBORHOOD PLAN TO DOWN ZONE THIS PROPERTY. AND CHANGE ITS CURRENT USE. ALL OF THE OTHER C.S. ZONINGS ON FRUTH STREET ARE BEING ALLOWED TO CONTINUE THEIR C.S. ZONINGS AND CURRENT USES. IN 1969, AN APPLICATION WAS MADE TO THE CITY TO CHANGE THE ZONING FOR THIS PROPERTY FROM G.R. TO C.S. AT THAT TIME I GUESS STAFF ACTUALLY ASKED FOR A FIVE FOOT EASEMENT ALONG 30th STREET FOR POSSIBLE FUTURE STREET WIDENING. AND A GRANT LETTER WAS PROVIDED, GRANTING THAT EASEMENT AND THE ZONING WAS CHANGED FROM G.R. TO C.S. NOW THE NEIGHBORHOOD PLAN IS BEING USED TO TAKE THIS BACK TO G.R. AND I THINK IT ONLY APPROPRIATE, IF YOU -- IF THIS IS DONE, THAT THAT EASEMENT BE RESCINDED AND THAT GRANT LETTER BE RETURNED. IF YOU HAVE ANY QUESTIONS, I WILL BE HAPPY TO -- TO ADDRESS THEM AT THIS TIME.

Mayor Wynn: MR. FOX, AGAIN, DO YOU HAVE A VALID PETITION ON THIS PROPERTY? ARE YOU AWARE OF THAT PROCESS? I'M NOT AWARE OF THAT PROCESS.

Mayor Wynn: OKAY. ESSENTIALLY IT'S AN ABILITY FOR A PROPERTY OWNER TO FORMALLY PROTEST. SENDS A VERY STRONG SIGNAL BECAUSE IT REQUIRES THEN A SUPER MAJORITY VOTE OF THE COUNCIL ON THAT SPECIFIC PROPERTY TO CHANGE THAT ZONING. SO AS WE GO THROUGH THESE VERY, YOU KNOW, LARGE COMPLICATED NEIGHBORHOOD PLANS, WHAT INEVIDENTABLY HAPPENS IS WELCOME SPEND THE MAJORITY OF OUR TIME FOCUSING ON THOSE VALID PETITION CASES BECAUSE IT REALLY CHANGES THE FINE MICK OF HOW -- DYNAMIC OF HOW WE APPRECIATE THAT ZONING VOTE. SO STAFF CAN MAKE YOU AWARE OF THAT. SOMETIMES THINGS CAN BE WORKED OUT WITHOUT A VALID PETITION NEEDING TO BE FILED. BUT IT ENSHOWERS A SIGNIFICANT AMOUNT OF ADDITIONAL SCRUTINY UP HERE ON THE DAIS WHEN WE KNOW THAT THERE'S A -- AN OWNER WHO IS THAT OPPOSED TO THE ZONING.

I THANK YOU FOR THAT.

MARY GAY MAXWELL, WELCOME, MARY GAY, YOU WILL BE FOLLOWED BY KATHLEEN FISH.

I THINK THAT A COUPLE OF PEOPLE GAVE ME TIME.

Mayor Wynn: THEY DID. YOU'RE RIGHT. RICK IVERSON STILL HERE, NANCY IVERSON. COLLEEN DALY. HELLO, WELCOME, MARY INGLE. HI, MARY, UP TO 15 MINUTES IF YOU NEED IT, MARY GAY.

I PROMISE I WON'T TAKE THAT. I'M MARY GAY MAXWELL. I'M CO-PRESIDENT OF THE NORTH UNIVERSITY NEIGHBORHOOD ASSOCIATION. AND I'M HERE TO TALK ABOUT Z-5. I'VE REGISTERED THAT I WAS IN FAVOR OF ALL OF THE OTHERS, BUT I WANT TO SPEAK ABOUT Z-5, WHICH IS A ZONING FOR NORTH UNIVERSITY NEIGHBORHOOD ASSOCIATION -- FOR NORTH UNIVERSITY NEIGHBORHOOD. I HAVE BEEN INVOLVED SINCE JACKIE GOODMAN PRESENTED THE PLANNING AREA AT THE MEETING OF THE CONLEY-

GUERRERO CENTER TWO YEARS AGO. I WAS HANDED THE MAP OF THE PLANNING AREA AT THAT MEETING. I THEN CONVENED A GROUP OF NEIGHBORS FROM PRECISELY THAT AREA TO DISCUSS STRENGTHS AND I BECAME -- TO DISCUSS STRATEGIES AND I BECAME THE FACILITATOR OF CANPAC, THAT'S WHAT I GET TO DOING THAT. I HAVE BEEN INVOLVED EVERY STEP OF THE WAY SINCE THEN, TWO YEARS. I WOULD LIKE TO SAY THAT IT'S TIME TO FINISH SO I CAN TAKE A BREAK. [APPLAUSE] OTHERS HAVE ALSO BEEN INVOLVED THAT LONG AND I'M SURE THAT THEY AGREE THAT IT IS TIME FOR THEM TO GO ON VACATION, TOO. I AM HERE TO PRESENT THE NUNA NEIGHBOR'S RECOMMENDATION FOR THE ZONING IN OUR AREA. FIRST I WOULD LIKE TO TALK ABOUT THE FLEXIBILITY OF THE PLANNING TOOL WE CHOSE TO USE FOR NUNA. IN NUNA, IT'S A COMPLEX MIXED LAND USE AND ZONING ALREADY PRESENT WITHIN THE NEIGHBORHOOD. AND IT RANKS AMONG THE HIGHEST IN BOTH DENSITY AND HISTORIC RESIDENCES, SO IT'S A COMPLEX AREA. THE NCCD, THE NEIGHBORHOOD COMBINING CONSERVATION DISTRICT UNIQUELY PROVIDES FLEXIBILITY TO BOTH TIGHTEN AND RELAX REGULATIONS. ALSO, ALLOWING US TO ADDRESS ISSUES NOT CURRENTLY COVERED IN THE CODE. THE RESULT OF THAT IS THAT WE CAN GET AGREEMENT AND DO BETTER AT CONSERVING TRADITIONAL PATTERNS WHILE ALLOWING NEW DEVELOPMENT. WE HIRED CONSULTANT KAREN MCGRAW WHO KNOWS THE NCCD TOOL VERY WELL, AS YOU ALL KNOW. SINCE SHE WAS INSTRUMENTAL IN CRAFTING THE HYDE PARK NCCD. MY NUNA NEIGHBORS SURVEYED EVERY PIECE OF GROUND FOR CURRENT LAND USES. RICARDO SOLIZ AFTER AFFIRMED THAT THAT SURVEY PROVIDED CITY STAFF HELPFUL DATA FOR PLAN DESIGN. THE CITY STAFF, TOM BOLT, MARK WALTERS, JACKIE SCHUTER FURTHER WALKED MANY A MILE IN NUNA TO CONFIRM AND AMPLIFY OUR SURVEY DATA. WE DID TAKE WALK WAS MARK AND TOM AND RICARDO, BY THE WAY. SECOND THERE HAS BEEN EXTENSIVE BROAD INVOLVEMENT FROM OUR NEIGHBORS. WE HELD NUMEROUS MEETINGS TO INFORM NEIGHBORS AND TO SOLICIT INPUT. THE NUNA NEIGHBORS ATTENDED MANY MEETINGS WITH OTHER CANPAC NEIGHBORHOOD AND HELPED THEM AS THEY TRIED TO RESOLVE ISSUES ON SEVERAL IMPORTANT TRACTS IN EASTWOOD, WEST

UNIVERSITY, HERITAGE AND HANCOCK. MOST IMPORTANT, SINCE THE OCTOBER 16th PROPERTY OWNERS' MEETING, NUNA CO-PRESIDENTS RICK IVERSON AND I, KAREN McGRAW AND TOM BOLT MET WITH AT LEAST 33 ADDITIONAL PROPERTY OWNERS TO ANSWER QUESTIONS, RESOLVE ISSUES, AND WE OFFERED TO MEET WITH OTHERS WHO DIDN'T CHOOSE TO MEET WITH THE NEIGHBORS. WE ALSO COMMUNICATED BY PHONE, E-MAIL AND IN WRITING WITH EVEN MORE PROPERTY OWNERS OR THEIR AGENTS. THE RESULTS OF HUNDREDS OF HOURS OF WORK BY THE NEIGHBORS AND THE CITY PLANNING STAFF RESULTED IN A NUMBER OF THINGS. IN MOST CASES WHEN NUMBER ONE WHEN WE PROVIDED ADDITIONAL INFORMATION, IT WAS DETERMINED BY ALL OF US TOGETHER THAT NO ISSUE EXISTS. NUMBER TWO, IN SOME CASES WE MADE MINOR REVISIONS TO THE NCCD AND ACHIEVED THE OWNER'S SUPPORT. NUMBER 3, WE MET WITH SOME OWNERS MANY TIMES, TO SENSE ACTIVELY CRAFT NEW ZONING FOR NEW DENSITY OPPORTUNITIES AND TO REDUCE THE NEED FOR VARIANCES. THAT'S A BENEFIT OF THE NCCD TOOL. THE ABILITY TO RELAX RULES WHEN IT'S APPROPRIATE. NUMBER 4, IN TWO CASES WE DID NOT COME TO RESOLUTION. WE ARE STILL OPEN TO NEW IDEAS AND FURTHER DISCUSSION. YET KEEP IN MIND IN EVERY CASE WE TRY TO IMPROVE COMPATIBILITY OF ADJACENT AND NEARBY USES TO THE BENEFIT OF RESIDENTS AND PROPERTY OWNERS AND WE RELIED HEAVILY ON STAFF INPUT WITH NCCD BECOMING A JOINT PRODUCT OF THE RESIDENTS, PROPERTY OWNERS AND THE PLANNING STAFF. WE ARE PLEASED WITH THE RESULTS OF PLANNING PROCESS. MANY THINGS WERE RESOLVED AND IMPROVED UPON. BUT I HAVE TO GIVE YOU ONE MAJOR PROBLEM THAT'S LEFT FOR US. THAT HAS YET TO BE RESOLVED. WE ASK THAT YOU DIRECT THE STAFF TO RESOLVE IT AND THAT -- THAT ISSUE IS THE TWO-FAMILY OCCUPANCY LIMIT. I KNOW THAT YOU HAVE HEARD OF THIS. EVEN THOUGH THERE IS A SUPER DUPLEX ORDINANCE, THIS IS A LOOPHOLE THAT CAN BE UTILIZED IN PLACE OF THE SUPER DUPLEXES AND IT STILL THREATENS OUR NEIGHBORHOOD. NOT JUST NUNA, I'M SPEAKING FOR THE WHOLE AREA. WE REALLY APPRECIATE YOUR ADDRESSING AND SOLVING THIS ISSUE. AS QUICKLY AS POSSIBLE. THANK

YOU VERY MUCH FOR YOUR TIME.

Mayor Wynn: THANK YOU, MS. MAXWELL. LET'S SEE, KATHLEEN FISH. HI, KATHLEEN, WELCOME, YOU WILL HAVE THREE MINUTES, FOLLOWED BY KAREN McGRAW.

THANK YOU. MY NAME IS KATHLEEN FISH, THIS IS MY NEPHEW, GLEN POW WE WILL, I WILL DO MY -- POWELL, I WILL DO MY BEST TO EXPLAIN THIS SITUATION TO YOU. MY PARENTS ARE ELDERLY AND EACH IS HAVING HEALTH ISSUES, THEY'VE HAD THESE TWO HOUSES FOR 30 YEARS, AT THIS POINT IN THEIR LIVES THEY NEED THE INVESTMENT TO FALL BACK ON, IT'S TRACTS 133 A ON YOUR PAPERS. MY SISTER AND I HAVE SPOKEN TO YOU AND THE PLANNING COMMISSION AND OUR PROPERTY WAS MOST RECENTLY LISTED AS M.F. 2 ON THE CITY'S PLAN. AND LAST PLANNING COMMISSION MEETING IT WAS CHANGED BACK TO S.F. 3 AND THE HEIGHT WAS LOWERED. WE ARE ASKING THAT THIS NEWEST CHANGE FROM M.F. 2 TO S.F. 3 NOT BE APPROVED. AND THAT THE PROPERTY BE ZONEED M.F. 2. FOR MANY YEARS BEFORE WE BOUGHT THE HOUSE AND CURRENTLY, 2804 SAN PEDRO HAS HAD TWO SEPARATE SECTIONS OF THE HOUSE AND THEN THERE'S ANOTHER COTTAGE BEHIND IT. IN OUR CURRENT ZONING, IT HAS NOT BEEN CONSISTENT WITH THE USAGE OF THIS PROPERTY EVER OR FOR AS FAR BACK AS THE FORMER OWNER, MRS. BILES COULD REMEMBER. SAN PEDRO IS A THREE BLOCK STREET WITH THREE FRATERNITY HOUSES, SEVEN APARTMENT COMPLEXES AND THREE CONDOMINIUM COMPLEXES IN THE THREE BLOCKS. THE PROPERTY TO THE SOUTH IS M.F. 3. AND THERE'S A MASSIVE CAMINO REAL APARTMENT COMPLEX ACROSS THE STREET WHICH IS M.F. 4. CATER-CORNERED M.F. 4 APARTMENTS AS THE -- AT THE VERY EDGE OF THE SHOAL CREST NEIGHBORHOOD. IF YOU LOOK AT YOUR MAP YOU CAN SEE OUR LAND IS SURROUNDED BY M.F. 3, 4, MIXED USE WITH PRIMARILY RENTALS TO THE NORTH. WE ARE ASKING THAT THE NEWEST CHANGE FROM M.F. 2 TO S.F. 3 NOT BE APPROVED AND THAT OUR PROPERTY BE ZONED M.F. 2, THANK YOU.

Mayor Wynn: THANK YOU, MS. FISH. KAREN McGRAW, WELCOME, KAREN. JUDY TOWNSEND WANTED TO GIVE YOU SOME MINUTE. JUDY, STILL HERE? KAREN YOU HAVE THREE

MINUTES.

OKAY. I'M KAREN McGRAW. AND I'M REPRESENTING NORTH UNIVERSITY NEIGHBORHOOD ASSOCIATION. YOU ARE BEING HANDED A DOCUMENT THAT WE CREATED THAT RELATES TO THE NORTH UNIVERSITY NCCD, NEIGHBORHOOD CONSERVATION COMBINING DISTRICT. I WILL NOT GO THROUGH THAT PART BY PART WITH YOU, BUT I WANTED TO HAND THIS OUT TO SHOW YOU THAT WHAT WE LOOKED AT WAS THE UNIQUE AND BEAUTIFUL CHARACTER THAT REALLY ESTABLISHES WHY PEOPLE ARE ATTRACTED TO THIS NEIGHBORHOOD AND WHY IT HAS A GREAT VALUE. WE HAVE IDENTIFIED THROUGH THE SURVEY SOME OF THE PATTERNS THAT ARE PREDOMINANT IN THIS NEIGHBORHOOD AND THERE ARE PHOTOGRAPHERS IN HERE OF MANY OF THE HOMES. I WANT YOU TO NOTICE, THOUGH, ON THE SECOND PAGE THERE ARE THREE PHOTOS AT THE TOP. THE CENTER PHOTO IS A MULL MULTI FAMILY BUILDING. ON THE BOTTOM ROW TO THE LEFT IS ALSO A MULTI-FAMILY BUILDING. WE WANT YOU TO NOTE IN THIS NEIGHBORHOOD THERE ARE A NUMBER OF OLDER MULTI-FAMILY BUILDINGS THAT ACTUALLY REFLECT THE SAME PATTERNS AT THE SINGLE FAMILY DEVELOPMENT WITH FRONT LAWNS, FRONT DOORS AND THE PARKING TO THE REAR. SO -- SO WHAT WE ARE TRYING TO DO IS TO ACHIEVE AN OVERALL MORE COMPATIBLE SITUATION WHERE WE HAVE THOSE TYPES OF ZONINGS RIGHT NEAR THE SINGLE FAMILY HOMES. SO WE WANTED TO LEAVE THAT WITH YOU FOR YOUR INFORMATION. THE OTHER THING THAT I WANT TO DO IS JUST ADDRESS TWO OF THE PREVIOUS SPEAKERS IF I COULD. BECAUSE WE HAVE TRIED TO HARD TO RESOLVE THINGS HERE. MR. BENNETT SPOKE FOR MR. GARY GILL AT 3410, AND 12 SPEEDWAY. I WANT TO POINT THAT OUT ON THE MAP. DOES THIS MIC WORK? OKAY. I'VE GOT SOME PHOTOGRAPHS THAT I WANT TO SHOW OF YOU MR. GILL'S PROPERTY. I THINK THAT MAY HAVE SEEN IT BEFORE. THIS IS THE POSTER CHILD FOR SUPER DUPLEX DEVELOPMENT IN AUSTIN. IT WAS CONSTRUCTED RIGHT HERE IN THE HEART OF NORTH UNIVERSITY NEIGHBORHOOD. IT IS TECHNICALLY A SINGLE FAMILY DEVELOPMENT. AS WE LOOKED AT THIS AREA, THE PROPERTY TO THE NORTH IS A SMALL 3 UNIT BUILDING AND ACROSS THE STREET IS THE FRUTH HOUSE

THAT WILL BE POSSIBLY ZONED HISTORIC IN THIS PROCESS AND THREE COMPANION COTTAGES. SO THAT IS WHY THE RECOMMENDATION FOR M.F. 1 ZONING HERE. THIS IS TECHNICALLY A SINGLE FAMILY DEVELOPMENT. THE OTHER PROPERTY THAT I WANT TO ADDRESS IS MR. FOX'S PROPERTY, A.P.D. 843. AND I WANTED TO LET YOU KNOW THAT HE MENTIONED ALL OF THIS PROPERTY BEING ZONED C.S. THE ONLY PROPERTY THAT WILL STILL BE ZONED C.S. IS THE SPIDER HOUSE THAT REQUIRES C.S. 1 ZONING FOR ALCOHOL. [BUZZER SOUNDING]

Mayor Wynn: GO AHEAD AND CONCLUDE.

OKAY. THIS WILL BE A MIXED USE ZONING. THE ONLY USE ON HIS PROPERTY THAT WE FIND RECORDED ANYWHERE IN HIS HOMESTEAD AND WE BELIEVE THAT IT IS A RESIDENTIAL USE AND BY ADDING MIXED USE WE WILL ACTUALLY MAKE HIS HOMESTEAD LEGAL WHICH UNDER C.S. IT IS NON-CONFORMING TODAY. WE DON'T REALLY BELIEVE THAT WE ARE NEGATIVELY AFFECTING HIS PROPERTY, BUT ENHANCING IT WITH THE MIXED USE AND ONLY TAKING OUT USES THAT ARE REALLY NOT APPROPRIATE AT THAT LOCATION.

Mayor Wynn: THANK YOU.

I WILL BE HAPPY TO ANSWER ANY QUESTIONS.

Mayor Wynn: IF YOU DON'T MIND WAITING I BET THIS WILL COME UP AGAIN AS WE GO THROUGH THE ZONING CASES. JEFF WEBSTER IN FAVOR. GLEN POWELL? I THINK IT GLEN POWELL, JR. WANTING TO SPEAK AGAINST. OKAY, CINDY POWELL. IS CINDY HERE? CINDY SIGNED UP WISHING TO SPEAK, AGAINST. ROYCE GORLEY, WELCOME, SIR, 3 MINUTES. YOU WILL BE FOLLOWED BY JIM DAMERON. COUNCILMEMBER, MAYOR, MY NAME IS ROYCE GORELY. AS YOU ALL KNOW I HAVE BEEN WORKING ON THE AFFORDABLE HOUSING ISSUE. WE ARE COMING UP WITH A PLAN, I BELIEVE THAT I SAW STUART, THERE HE WAS. I WAS WONDERING AND HOPING IF WE CAN KEEP THE PUBLIC DISCUSSION OPEN ON THE SECOND AND THIRD READINGS IN REFERENCE TO ONLY THE AFFORDABLE HOUSING PLAN UNDER THE UNO WEST CAMPUS REDEVELOPMENT IS MY FIRST THING THAT I

WOULD LIKE TO TALK TO YOU ABOUT. THE SECOND THING THAT I WOULD LIKE TO TALK TO YOU ABOUT IS MORE OF A GENERAL HEIGHT THING. WE HAVE GOT INTO THE HEIGHTS SOME EARLIER. AND I OWN A PROPERTY AT -- I BELIEVE IT'S NUMBER -- TRACT 30. AT 2102 THROUGH 2108 SAN GABRIEL. I HAVE OWNED THIS PROPERTY FOR 12 YEARS. AND THE NEIGHBORHOOD I PUTTING A CONDITIONAL HEIGHT ON MY PROPERTY FROM 60 FEET DOWN TO 45. WHICH I BELIEVE IS APPROPRIATE. OKAY. SO HOW ABOUT THAT? [APPLAUSE] SO THE OTHER ISSUE IS IN FAIRNESS, THOUGH, AS YOU ALL KNOW I HAVE BEEN WORKING REAL HARD WITH BOTH GROUPS, IF YOU GO ONE BLOCK OVER, TO THE PEARL STREET, AND I OWN PROPERTY ON PEARL, TOO. AND I HAVE A SINGLE FAMILY HOUSE AND A 10 UNIT APARTMENT BUILDING ON THE CORNER OF 22nd AND A HALF AND PEARL. AND I'M NOT SURE WHAT THE HEIGHT RESTRICTION IS, IT'S GONE FROM 60, TO 90, I GUESS THAT I COULD ASK MARK TO VERIFY IT. UNDER THE UNO PLAN WE WERE SUPPOSED TO STAIR STEP THE HEIGHT LEVELS UP. WHAT MY PROBLEM IS ON THE PROPERTY AT 22nd AND A HALF AND PEARL, IT'S A SINGLE FAMILY HOUSE, AND ACROSS THE STREET I HAVE 175-FOOT HEIGHT. SO -- SO I'M JUST POINTING OUT SOME THINGS THAT IF WE ARE GOING TO MAKE ON MY PROPERTY ON SAN GAIG GAIN I'M SAYING -- SAN GABRIEL AS A CITIZEN OF THE NEIGHBORHOOD I'M GOING TO MAKE A CONCESSION, I UNDERSTAND I'M GOING FROM 60 TO 45 FEET BECAUSE I WANT TO PROTECT THE PEOPLE IN THE NEIGHBORHOOD. THE OTHER ISSUE IS MY PROPERTY ON 22nd AND A HALF BECAUSE OF THE WAY THE SUN COMES UP IN THE MORNING, IF YOU GO UP 175 FEET, I'M NOT GOING TO GET ANY SUN ON MY PROPERTY UNTIL ABOUT 11:30 IN THE AFTERNOON. SO I WAS TOLD BY UNIVERSITY AREA PARTNERS, WHICH I HAVE BEEN WORKING WITH AT THE VERY BEGINNING THAT THEY HAD INCORPORATED THIS UNDER THE UNO PLAN. NOW I UNDERSTAND THAT I GUESS YOU CALL THE CELESTE OR EQUINOX ONLY PERTAINS TO THE SIDEWALK, NOT YOUR NEIGHBORS PROPERTY. ONE ISSUE THAT I WOULD LIKE FOR YOU TO CONSIDER IS WHAT I PROPOSE IS MAYBE GOING 120 FEET ON -- ON FROM -- FROM PEARL TO RIO GRANDE AND THEN 175 FEET TO -- WHICH IS PROPOSED AND KIND OF STAIR STEP IT LIKE THE PROGRAM WE HAD ALL DISCUSSED. SO THAT'S ONE SUGGESTION THAT I HAVE. [BUZZER]

SOUNDING] THAT'S ALL THAT I HAVE TO SAY, SO ...

GOOD TIMING, THANK YOU. JIM DAMERON.

YOU WILL BE FOLLOWED BY BARBARA BRIDGES. SEVERAL FOLKS WANTED TO DONATE TIME TO YOU. IS TRESSEY HERE. HELLO. LYMAN AVERY.

I THINK ABOUT SIX MINUTES IS ALL THAT I'LL NEED, MAYOR.

THANK YOU.

MAYOR AND COUNCIL, MY NAME IS JIM DAMERON, HERE FROM THE WEST UNIVERSITY NEIGHBORHOOD ASSOCIATION. TO TALK TO YOU ABOUT THE PLAN AS IT AFFECTS OUR AREA. FIRST OF ALL WE TRIED IN WORKING THROUGH THIS PLAN TO DO THINGS THAT WOULD PROTECT US AS A NEIGHBORHOOD, AS A FAMILY NEIGHBORHOOD IT DOES HAVE MULTI-FAMILY USES IN IT AS WELL FROM NOISE AND TRAFFIC, WHICH ARE THE TWO THINGS THAT TYPICALLY DO A GREAT HARM TO NEIGHBORHOOD AREAS. I HAVE TO TELL YOU THAT THE PLAN FOR OUR AREA, AS IT HAS GONE THROUGH THE PLANNING COMMISSION AND IS NOW SUPPORTED BY STAFF AS WELL, IS -- IS ABOUT 99% WHAT WE WOULD LIKE TO SEE. THERE ARE TWO TRACTS THAT ARE REMAINING AT ISSUE. TRACT 44 WHICH IS ON LAMAR BOULEVARD AT THE VERY END OF OUR NEIGHBORHOOD, WE HAD RECOGNIZED LONG AGO NEEDS TO GO FROM SOMETHING OTHER THAN A SINGLE FAMILY 3, NEEDS TO BE LIGHT OFFICE OR SOME VERY LIGHT MULTI-FAMILY AND WE ARE WORKING WITH A DEVELOPER ON THAT TRACT RIGHT NOW TO SEE IF WE CAN'T COME TO AN AGREEMENT AND I'M HOPEFUL THAT WE WILL BEFORE THE FINAL READING ON THIS ORDINANCE. WE HAVE ENTERED INTO A -- A SIMILAR TYPE OF AGREEMENT WITH RESPECT TO TRACT 43. WITH ANOTHER DEVELOPER. AND THAT AGREEMENT IS I THINK VERY PROTECTIVE OF THE NEIGHBORHOOD AND ALSO PROVIDES A -- A GOOD WAY FOR THE PROPERTY ON LAMAR TO BE UPGRADED IN ITS ZONING STATUS. THERE ARE SOME -- SOME -- THE OTHER SPECIFIC ISSUE THAT WE HAVE IS WITH RESPECT TO TRACT 39 A, WHICH IS AN M.F. 2 TRACT, AND AS I UNDERSTAND IT, ONE OF THE NEIGHBORS HAS BEEN TALKING WITH STAFF ABOUT -- ABOUT THAT

PARTICULAR PROPERTY. AND IF THERE IS A -- IF THERE IS A RESOLUTION TENTATIVELY THAT STAFF CAN SUPPORT, 39 A IS AN M.F. 2 TRACT WITH FIVE UNITS ON IT NOW, BUT THEY ARE ALL VERY SMALL UNITS, THEY ARE KIND OF BACK IN THE TREES, YOU WOULD NEVER REALLY KNOW THAT THERE WERE FIVE UNITS THERE FROM THE STREET. THE NEIGHBORS IN THAT AREA ARE CONCERNED THAT SOMEBODY MIGHT WANT TO ALONG AT SOME POINT AND BUILD A BIG, TALL VERY DENSE STRUCTURE ON M.F. 2. I THINK THE SOLUTION THEY ARE PROPOSING IS SIMPLY A 30-FOOT HEIGHT LIMITATION ON THAT PROPERTY AND A LIMITATION OF FIVE UNITS BY MEANS OF A CONDITIONAL OVERLAY. AGAIN I THINK THERE HAVE BEEN CONVERSATIONS WITH STAFF AND IN WHICH STAFF HAS AGREED THAT THAT'S PROBABLY APPROPRIATE. WITH RESPECT TO THE OTHER ISSUES IN THE NEIGHBORHOOD, I DON'T REALLY KNOW WHAT THOSE ARE GOING TO BE. I DON'T KNOW WHAT ALL THE PETITIONS ARE THAT HAVE BEEN FILED. I SUSPECT THAT MOST RELATE TO A RELUCTANCE ON THE PART OF SOME PROPERTY OWNERS TO BE DOWN ZONED OR TO HAVE THEIR HEIGHT LIMITED MORE THAN IT HAS BEEN IN THE PAST. I CAN ONLY TELL YOU THAT WE HAVE SOUGHT TO -- TO NOT PUT ANYBODY IN A NON-CONFORMING STATUS IN THIS PLAN. AND ONLY TO DOWN ZONE WHERE IT APPEARED THAT THE PROPERTY IS NOT BEING USED FOR THE ZONING THAT IT HAS. THERE ARE SEVERAL PROPERTIES THAT HAVE M.F. 4 ZONING ON THEM, HAVE SINGLE FAMILY RESIDENCES THAT HAVE BEEN SITTING THERE FROM TIME IMMEMORIAL. IT'S THAT KIND OF USE THAT WE ARE TRYING TO DOWN ZONE. WE THINK THAT ADDS A GREAT DEAL OF STRENGTH TO THE SINGLE FAMILY CHARACTER, ALLOWS PEOPLE TO COME IN, RENOVATE THOSE PROPERTIES, MOVE FAMILIES IN. IF THEY ARE TURNED INTO MULTI-FAMILY LATER ON, IT PUTS A PRETTY HARD BURDEN ON A NEIGHBORHOOD THAT ALREADY HAS A LOT OF MULTI-FAMILY IN IT. SECOND ASPECT OF THE PLAN BEYOND HEIGHT IS THAT OUR PERIMETER WE HAVE SOUGHT TO KEEP AS MUCH LIGHT SMALL OFFICE SPACE AROUND US AS WE POSSIBLY CAN. BECAUSE WE KNOW THAT RESULTS IN ZERO NOISE AT NIGHT, WHICH IS GENERALLY WHEN WE HAVE NOISE PROBLEMS IN THE NEIGHBORHOOD IF WE ARE GOING TO. THE PLAN RECOGNIZED THAT. THE MOST RECENT

PLAN APPROVED BY THE PLANNING COMMISSION FOR OUR AREA DELETED FROM MIXED USE ASPECTS THAT WERE ADDED ON TO OFFICE BUILDINGS ALONG LAMAR AND ALONG WEST 4th STREET. 24th STREET. IF THAT STAYS THAT WAY THAT ELIMINATES THE PROBLEM OF VERY HIGHLY DENSE MULTI-FAMILY PROJECTS SURROUNDING THE NEIGHBORHOOD AND INDEED LOOKING DOWN ON THE NEIGHBORHOOD. OUR NEIGHBORHOOD IS VERY SMALL, ABOUT A THREE TO FOUR BLOCK IN EITHER DIRECTION. AND IT OCCURRED TO US A LONG TIME AGO IT DOESN'T TAKE MANY MISTAKES ON A NEIGHBORHOOD LIKE THAT UNTIL YOU HAVE DONE SOME SERIOUS DAMAGE TO IT. WE HAVE BEEN VERY MET CLOSE IN TRYING TO MAKE -- METICULOUS IN TRYING TO MAKE SURE THAT WE ARE NOT INUNDATED WITH PROPERTIES THAT ARE TOO DENSE OR PROPERTIES THAT ARE LIKELY TO GENERATE A LOT OF TRAFFIC AND A LOT OF NOISE. WE THINK THE PLAN DOES THAT. FOR MOST PURPOSES. I MIGHT MENTION IN -- IN PASSING HERE, I'M NOT SURE IF THIS IS EXACTLY THE TIME TO ADDRESS THE ISSUE AT ALL, BUT SINCE MARY GAY MAXWELL DID, I WILL ADD MY TWO CENTS TO IT. I THINK THE PROBLEM OF THE TWO FAMILY RESIDENTS SITUATION IS GOING TO DWARF OR AT LEAST BE EQUAL TO THE PROBLEM OF THE SUPER DUPLEX ISSUE. BECAUSE YOU CAN -- AS A PRACTICAL MATTER YOU CAN DO ABOUT THE SAME THING WITH THE TWO FAMILY SITUATION AS YOU CAN WITH THE DUPLEX. IT JUST THAT YOU DON'T CONNECT THEM. I WOULD URGE THE COUNCIL TO -- TO BE AMENABLE TO TALKING ABOUT THAT ISSUE WITH SOME OF US AS TIME GOES ON. IF IT'S NOT SOMETHING THAT NEEDS TO BE HANDLED IN THE PLAN, I THINK IT COULD BE ADDRESSED AFTER THE PLAN IS OVER WITH. AND I'LL BE AVAILABLE, I GUESS ON AN INDIVIDUAL BASIS, IF THERE ARE PETITION ISSUES TO ANSWER QUESTIONS ABOUT THOSE ISSUES AS WE GO ON. THANK YOU VERY MUCH. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

WEMENTED TO KEEP THE -- WE WANTED TO KEEP THE FABRIC OF THE NEIGHBORHOOD. IF YOU SEE THIS PICTURE THAT I'M SENDING AROUND, YOU WILL NOTICE THE VERY GREEN PART BY THE TENNIS COURT, THAT'S OUR NEIGHBORHOOD. THERE'S A GREAT CONTRAST I THINK YOU'LL FIND BETWEEN OUR NEIGHBORHOOD AND THE AREA

IMMEDIATELY TO THE EAST OF IT AND TO THE NORTHEAST OF IT. WE WOULD LIKE TO KEEP OUR NEIGHBORHOOD BASICALLY HAS IT HAS BEEN FOR MANY, MANY YEARS. A 1984 HISTORICAL SURVEY POINTED OUT PROPERTIES THAT THEY THOUGHT SHOULD BE LOOKED AT FOR HISTORICAL STATUS IN THE CITY AT THAT TIME. AND KEEP IN MIND THIS IS QUITE A BIT LATER THAN 1984. WE STILL HAVE BETWEEN SAN GABRIEL AND LAMAR 83 OF THOSE PROPERTIES AND WE WOULD LIKE TO MAKE SURE THAT THEY STAY. WE ARE LOOKING AT PERHAPS DOING AN HISTORICAL DISTRICT WHEN THAT IS APPROPRIATE. WE ALSO, AS JIM SAID, WANTED TO DOWN ZONE THE MF TO THE USE THEY HAVE SO THEY DON'T END UP TOWERING OVER WHAT IS ONE AND TWO-STORY HOMES IN OUR NEIGHBORHOOD. SO THE HEIGHTS WERE VERY IMPORTANT TO US. IT IS ALSO IMPORTANT TO NOTE THAT WEST UNIVERSITY GOES DOWNHILL FROM SAN GABRIEL DOWN TO LAMAR. SO ANYTHING THAT IS BUILT TALLER IS GOING TO LOOK TO US TO BE MUCH TALLER BECAUSE IT'S MUCH ABOVE US ON THE HILL. SO I DO HOPE THAT YOU WILL CONSIDER THESE THINGS WHEN LISTENING TO THE INDIVIDUAL CASES AND I WILL SPEAK TO THEM AS REQUIRED LATER. THANK YOU.

Mayor Wynn: THANK YOU, MS. BRIDGES. MICHAEL MEAD. AND IT LOOKS LIKE DAVID ANDERSON IN FAVOR, (INDISCERNIBLE) IN FAVOR AND JOHN JALLEY IN FAVOR. WELCOME. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR AND COUNCILMEMBERS. MY NAME IS MICHAEL MEAD AND I'M REPRESENTING TWO PROPERTY OWNERS. ONE CASE IS AFFILIATED WITH Z-4 AND IT'S TRACT 2236. THE OTHER IS WITH RESPECT TO Z-7 AND IT'S TRACT 563-A. BOTH OF THOSE CASES ARE ON YOUR LIST OF UNRESOLVED MATTERS, AND I WANTED TO POINT OUT REALLY NOT TO GET INTO THE DETAILS OF WHERE WE ARE WITH RESPECT TO WHY WE ARE IN OBJECTION, BUT TO SAY THAT WE ARE ON BOTH OF THOSE CASES WORKING PRETTY ACTIVELY WITH BOTH NEIGHBORHOOD ASSOCIATIONS, AND I THINK ARE REALLY CLOSE TO REACHING AN AGREEMENT. WE WANTED TO MAKE SURE -- THERE WASN'T A DESIRE TO STOP THE COUNCIL'S MOVEMENT ON THE PLAN TONIGHT, BUT WANTED TO MAKE SURE THAT WE POINTED OUT THAT WE DO ANTICIPATE WE'LL BE BRINGING SOMETHING

DIFFERENT TO YOU THAN STAFF RECOMMENDATION
BEFORE SECOND READING ON BOTH OF THOSE TRACTS.

Mayor Wynn: THANK YOU. IT LOOKS LIKE RANNI ALLY. I DON'T
KNOW IF I'M MISPRONOUNCING THAT. WHO WILL BE
FOLLOWED BY MIKE ALEXANDER.

HONORABLE MAYOR, MAYOR PRO TEM, MEMBERS OF CITY
COUNCIL, MY NAME IS RONNIE ALLY AND I'M THE PRESIDENT
OF WEST CAMPUS NEIGHBORHOOD ASSOCIATION. I HAVE A
VERY SHORT WRITTEN STATEMENT, BUT I'D LIKE TO PASS
THESE LITTLE SLIDE TO YOU. WE ARE HERE TODAY IN
SUPPORT OF CENTRAL TEXAS COMBINED NEIGHBORHOOD
PLAN, WITH THE EXCEPTION OF UNO, WHICH WE FEEL
NEEDS SOME MORE EFFORT FROM ALL THE PARTIES
INVOLVED BEFORE IT'S GOING TO BE VOTED BY YOU. IN
FRONT OF YOU ARE OUR COMMENTS FOR THE PROPOSED
UNIVERSITY OVERLAY, ISSUES WE FEEL CITY STAFF, WHO IN
GENERAL WORKED HARD AND LONG ON THIS PLAN, FAILED
TO CAPTURE. THESE ARE ISSUES THAT MEMBERS OF
PLANNING COMMISSION WERE CONCERNED ABOUT WHEN
UNO PLAN WENT IN FRONT OF THEM IN APRIL THIS YEAR,
BUT THEY TOO FAILED TO STOP THE DRASTIC CHANGES TO
THE LANDSCAPE OF WEST CAMPUS. WE ALL AGREE THAT
THERE'S A GREAT NEED FOR HIGHER DENSITY IN WEST
CAMPUS, BUT THIS DEMAND SHOULD NOT DESTROY ONE
NEIGHBORHOOD TO PROTECT ANOTHER. THIS DEMAND
SHOULD NOT PROTECT THE FEW WHO CREATED UNO AND
LEAVE BEHIND THE SMALL PROPERTY OWNERS WHO GET
AFFECTED BY THE NEW OVERLAY, BUT CANNOT BENEFIT --
FINANCIALLY BENEFIT FROM IT. WE ARE QUITE CONCERNED
THAT THIS PLAN WILL CREATE ANOTHER SIXTH AND LAMAR
NIGHTMARE IN THE MIDDLE OF OUR NEIGHBORHOOD. WE
STRONGLY URGE YOU TO HAVE A TRAFFIC STUDY DONE FOR
OUR NEIGHBORHOOD. WE FEEL YOU SHOULD LOOK VERY
CAREFULLY INTO THE AFFORDABLE HOUSING ISSUE
BECAUSE THE FORMULA THAT THE CITY OF AUSTIN USES
DOES NOT WORK FOR STUDENTS COMING FROM LOWER
INCOME AREAS IN OTHER STATES. AND OTHER ISSUE IS
HEIGHT. THE DESIGN OF THE NEW CITY HALL REFLECTS
AUSTIN. OUR NEW CITY HALL IS LESS THAN 60-FOOT HIGH.
HOW COME WE DO NOT MODEL ALL CITY ALL AFTER LOS
ANGELES? THEY HAD THE HI-RISE. HIGH RISES IN WEST

CAMPUS WILL DESTROY THE CHARACTER OF THE NEIGHBORHOOD. WE DO NOT NEED TO COPY OTHER CITY'S DESIGN. TO CREATE A GREAT TOWN, AUSTIN IS A VERY UNIQUE PLACE AND THAT IS EXACTLY WHAT WE'RE TRYING TO PRESERVE. THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU, SIR. MIKE ALEXANDER. WELCOME. YOU WILL BE FOLLOWED BY ALFRED GODFREY, WHO WILL BE FOLLOWED BY RON THROWER.

SPEAKING IN RESPONSE TO TWO OTHER SPEAKERS ABOUT THE SHOAL CREST AREA AND ALSO IN FAVOR OF JOHN FOXWORTH. AS YOU KNOW THE SITUATION NEXT TO MY HOUSE IS A VERY ODD SITUATION. 282829 SLADE DOUGH STREET WAS SPOKEN ABOUT JUST AWHILE BEFORE. A VERY UNUSUAL PROPERTY. I THINK IT'S TRACT 148 ON YOUR LISTING, 147 AND 148. JUST TO DESCRIBE IT REAL QUICKLY, IT'S A SINGLE-FAMILY TYPE LOT, 50 FEET WIDE, 133 FEET LONG. FRONT HALF OF THE LOT HAS A SMALL ONE THOUSAND SQUARE FOOT LOT ON IT. THE BACK HALF OF THE LOT LITERALLY IS JUST A PAVED OVER BACKYARD OF THE HOUSE WITH A BUNCH OF WOODEN SHEDS ON IT AND THAT'S THE STORE THAT WAS BEING DISCUSSED. THE FRONT STORE IS ACTUALLY BY AN ALLEY AND IT HAS NO STREET ACCESS. IT'S LAUGHABLE TODAY THAT IT COULD EVEN BE DEVELOPED AS COMMERCIAL PROPERTY. THE BUILDINGS THAT ARE ON THE PROPERTY LITERALLY ARE OLD WOODEN SHEDS BUILT RIGHT ON OUR PROPERTY LINE SPENDING ABOUT 60 FEET OR SO SO IT'S THE POSTER CHILD OF COMPATIBILITY, NONCONFORMING AND NON-COMPLYING. IT IS ACTUALLY NON-COMPLYING TO TODAY AS A MATTER OF FACT. IT'S GRANDFATHERED TODAY -- GRANDFATHERED TODAY, SO I BELIEVE THIS IS AN EXCELLENT CANDIDATE THAT SHOULD RETAIN GRANDFATHERING IN THE FUTURE, SO I THINK THE PLAN IS JUST RIGHT. THE PROPOSAL RIGHT NOW IS IT'S JUST RIGHT. THAT THE GRANDFATHER CLAUSE DOES HAVE -- DOES HAVE CASES THAT LEGITIMATELY APPLY TO. I'M TAKING THE BIGGEST DOWN ZONING OF ANYONE IN THE PLAN, AS A MATTER OF FACT. I'M GOING FROM CS TO SF-3 FOR MY PROPERTY. I ACTUALLY DON'T MIND ADDS ALL. I HAVE A NICE OLD CREST AND I'M OPTIMISTIC ABOUT THE SHOAL CREST NEIGHBORHOOD AND I'M ANXIOUS TO SEE HOW THIS PLAN DEVELOPS OVER THE NEXT 20 YEARS. ON

THE OTHER SPEAKER ABOUT THE SAN PEDRO PROPERTIES, THE SAN PEDRO IS BARELY CLASSIFIED AS A STREET, I THINK. IF THAT GETS REDEVELOPED AGAIN SHOAL CREST BECOMES A THOROUGHFARE. IT'S ESSENTIALLY A DOMINO PROPERTY JUST LIKE MY PROPERTY IS A DOMINO PROPERTY ON THE OTHER SIDE OF SHOAL CREST. SUE I THINK THE PLAN THE WAY IT IS NOW, WHICH IS ACTUALLY PERFECT FOR THE SHOAL CREST NEIGHBORHOOD AND I'D LIKE TO SEE IT STAY AS IS. THANK YOU.

Mayor Wynn: THANK YOU. ALFRED GOD FREEP FRIDAY. FRIDAY. -- GODFRY.

Slusher: I THINK HE UNDERSTATED THE PROBLEMS OR THE LENGTH HE'S HAD OF HIM WITH THE NEIGHBOR AND THE ICE MACHINE NEXT DOOR. I WOULD LIKE TO ASK THE CITY MANAGER TO TAKE A LOOK AT THAT BECAUSE HE WON A COURT CASE OVER IT, BUT THERE SEEMS TO BE OTHER WAYS OF GETTING AROUND THAT. SO I WOULD REALLY APPRECIATE IT BECAUSE I THINK ALL OUR CITIZENS DESERVE TO BE ABLE TO SLEEP WELL AT NIGHT AND EVIDENTLY THAT'S NOT THE CASE FOR MR. ALEXANDER.

WE'LL BE GLAD TO DO THAT. AND YOU'RE RIGHT, THE SAGA WOULD TAKE AN HOUR FOR US TO GO THROUGH. I'LL CHECK IN AND SEE WHERE WE ARE ON THAT AND WHAT ELSE WE CAN TRY TO DO TO HELP.

Mayor Wynn: IT'S ONLY 9:00 O'CLOCK. [LAUGHTER] JUST KIDDING! ALFRED GODFRY. IN FAVOR OF THESE PLANS AND ZONING CASES. THANK YOU, SIR. RON THROWER.

RIGHT HERE.

Mayor Wynn: HELLO. WELCOME. YOU WILL BE FOLLOWED BY JAMES HOLLAND.

MAYOR, MEMBERS OF COUNCIL, MY NAME IS RON FLOWER. I'M REPRESENTING ROBIN'S PLACE PROPERTIES, WHICH OWNS PROPERTIES AT 1919 ROBIN'S PLACE AS WELL AS 1007 WEST 22nd STREET. THEY'RE LISTED AS TRACKS 35 AND A PORTION OF TRACT 34 OF THE WEST UNIVERSITY NEIGHBORHOOD PLAN. THE FAMILY HAS OWNED THIS

PROPERTY FOR MANY, MANY YEARS AND THIS PROPERTY IS CURRENTLY ZONED MF-4 AND IT ALLOWS THE 60 FEET IN HEIGHT. THE NEIGHBORHOOD PLAN AS IT'S PROPOSED RIGHT NOW IS TO RETAIN THE MF-4 ZONING, BUT PROVIDE A 30 OR 45-FOOT LIMITATION ON THE HEIGHT OF THE PROPERTY. THE OWNERS OF THE PROPERTY ARE VERY OPPOSED AGAINST ANY DOWN ZONING OR ENTITLEMENT TO THE PROPERTY THAT THEY HAVE TODAY. ZONING VERIFICATION LETTERS PROVIDE THAT THIS PROPERTY HAS BEEN ZONED FOR MULTI-FAMILY USE SINCE APRIL 23rd OF 1931. SO FOR 73 YEARS IT'S BEEN ZONED MULTI-FAMILY. THE ENTITLEMENTS ARE IN PLACE TODAY AND WE WOULD LIKE TO RETAIN THE ENTITLEMENT FOR THIS PROPERTY. THANK YOU.

Mayor Wynn: THANK YOU. JAMES HOLLAND? OKAY. YOU ESSENTIALLY ARE STILL SHOWN IN OPPOSITION TO SOME OF THESE ZONING CASES. THANK YOU. THE BARB DENATO NOT WISHING TO SPEAK, IN FAVOR. CLIFFORD MAY, WISHING TO SPEAK. WELCOME. SIR, YOU WILL HAVE THREE MINUTES. AND YOU WILL BE FOLLOWED BY BARBARA EPSTEIN.

GOOD EVENING, MAYOR AND CITY COUNCILMEMBERS. MY NAME IS CLIFFORD MAY. I'M A HOMEOWNER IN THE HERITAGE NEIGHBORHOOD AT 3316 GUADALUPE STREET, AND REPRESENT 42 CONDOMINIUMS ON TRACT 220. IT SEEMS TO US THAT THE PROPOSED NEIGHBORHOOD PLAN COMBINED WITH SITE DEVELOPMENT AND WATER QUALITY REQUIREMENTS, THE NEIGHBORHOOD MIXED USE REDEVELOPMENT, THE PLAN ENDORSES THE NEIGHBORHOOD ENDORSES AND REENDORSE FOR TRACT 220 IN THE GUADALUPE CORRIDOR FROM 27TH TO 38TH STREETS. THE UNO DISTRICT SEEMS LIKE A SERIOUS EFFORT TO ACHIEVE THE PLAN'S STATED GOAL, BUT THE GUADALUPE CORRIDOR DOES NOT SEEM EQUALLY SERIOUS. FOR EXAMPLE, GIVEN THE STREET IN THE CORRIDOR IS A FOUR-LANE DIVIDED ARTERIAL ON 80 FEET RIGHT-OF-WAY, WITH SET BACKS THE FACADES OF OPPOSING BUILDINGS WILL BE SEPARATED BY ABOUT 100 TO 120 FEET OR MORE AND THUS WOULD SEEM TO REQUIRE FOR THE PURPOSE OF MEETING THE PLAN'S GOAL OF A PEDESTRIANLY FRIENDLY CORRIDOR MINIMUM BUILDING HEIGHTS OF 40 FEET AND MAXIMUM BUILDING HEIGHTS OF AT LEAST 60 FEET. WITH

COMPATIBILITY SETBACKS FOR BUILDING HEIGHTS ONLY WHEN HEIGHTS EXCEED 60 FEET. BUILDINGS OF THAT SCALE SEEM NECESSARY FOR SUCCESSFUL, ECONOMICALLY FEASIBLE NEIGHBORHOOD MIXED USE REDEVELOPMENT. THE NEIGHBORHOOD ASSOCIATION SEEMS CONTENT TO RESPOND TO THE NEED FOR ECONOMIC FEASIBILITY BY STATING THAT THEY WOULD CONSTRUCTIVELY WORK WITH A DEVELOPER WHO PROPOSES NEIGHBORHOOD MIXED USE REDEVELOPMENT. THIS SOUNDS GOOD; HOWEVER, IT IGNORES THE FACT THAT NO SUCH REDEVELOPMENT IS LIKELY TO EVER BE PROPOSED. ECONOMICS DICTATES THAT THE EXISTING BUILDING BE AUTOMATICALLY REBUILT. BOTH THE CURRENT ZONING AND THE PROPOSED REZONING OF TRACTS 220 REQUIRE THAT A MUCH SMALLER BUILDING WITH FAR FEWER UNITS REPLACE THE EXISTING BUILDING. OR THAT IT BE PROMPTLY WITHOUT ANY SIGNIFICANT CHANGES. WE DESIRE ZONING SITE PLAN RESTRICTIONS AND WATER QUALITY RESTRICTIONS FOR TRACT 220 THAT MAKE IT ECONOMICALLY FEASIBLE FOR EVENTUALLY REDEVELOPMENT WITH THE NEIGHBORHOOD MIXED USE BUILDING CONTAINING THE SAME NUMBER OF RESIDENTIAL UNITS AS IT NOW CONTAINS. I CONCLUDE BY SAYING THE GUADALUPE SQUARE HOMEOWNERS ASSOCIATION DOES NOT SUPPORT THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN. I MIGHT ADD WE DO NOT INTEND TO FILE A VALID PETITION OR SEEK ANY LEGAL REMEDIES AGAINST A REZONING. THE CURRENT ZONING AND THE REZONING SHARE THE SAME PROBLEMS, SO IT'S NOT WORTH IT TO OPPOSE THE PLAN THAT WAY. I JUST POINT OUT THAT I THINK AN ECONOMIC STUDY WOULD -- [BUZZER SOUNDS] -- BE VERY IMPORTANT TO A NEIGHBORHOOD PLAN.

Mayor Wynn: THANK YOU, MR. MAY. BARBARA EPSTEIN, WELCOME.

THANK YOU. I'M BARBARA EPSTEIN AND I'M THE CHAIR OF THE EASTWOOD NEIGHBORHOOD ASSOCIATION AND I'M GOING TO ECHO A LITTLE BIT OF WHAT MY NEIGHBOR LYNN TEEN SAID EARLIER, BUT I'D LIKE TO EXPLAIN WHAT HAPPENED ON THE CONTROVERSY OF THE TWO TRACTS AT RED RIVER AND DEAN KEATON. I BELIEVE IT WAS IN MARCH THAT THE DEVELOPER CAME TO A NEIGHBORHOOD MEETING

AND ASKED US TO ALLOW THEM MS-6 ZONING WITH 90 FEET HEIGHT. THEY HAD NO PLANS, THEY HAD NO DRAWINGS, THEY HAD NOTHING. WE REJECTED IT SAYING THAT WE DIDN'T THINK WE COULD ACCEPT A 90-FOOT HEIGHT LIMIT, IN LARGE PART BECAUSE WE HAD A RED RIVER CORRIDOR PLAN WITH A 60-FOOT HEIGHT LIMIT. AND I WENT ON VACATION IN MAY AND I CAME BACK AND FOUND OUT THAT DURING MY ABSENCE, THROUGH CITY STAFF, THE NEIGHBORHOOD HAD BEEN APPROACHED AND HAD ACCEPTED UNLIMITED DENSITY WITH A 60-FOOT HEIGHT RESTRICTION. SO I HAD MISGIVINGS ABOUT THAT, SO I CONTACTED THE DEVELOPER'S REPRESENTATIVE AND WAS TOLD, WELL, WE ONLY AGREED TO THE MS-6 WITH 60-FOOT HEIGHT LIMIT BECAUSE WE WANTED TO GET IT IN THE PLAN SO THAT WE COULD COME BACK LATER AND ASK FOR 90 FEET. I HAVE GRAVE MISGIVINGS ABOUT THIS AND I TOLD THAT TO MY NEIGHBORS AT A MEETING THE OTHER NIGHT. WE WERE TOLD BECAUSE THIS IS ALREADY IN THE PLAN FOR YOU THAT THERE REALLY WASN'T MUCH POINT ON US TAKING A VOTE TO ASK FOR THIS TO BE REDESIGNATED AS MF-5. WE HAVE A COMMITMENT TO DENSITY. WE BELIEVE THAT MF-5 MAKES MORE SENSE more sense MORE, PARTICULARLY IF WE HAVE TO RENEGOTIATE IT AT A LATER DATE. AND THAT IS THAT SEVERAL YEARS AGO AND I MY NEIGHBORS CAME TO YOU AND ASKED THAT WE BE ALLOWED TO HAVE NEIGHBORHOOD PLANNING BECAUSE WE FELT THAT SPECULATIVE ZONING WAS REALLY TEARING OUR NEIGHBORHOOD APART, NOT OUR NEIGHBORHOOD, BUT ALL THE NEIGHBORHOODS AROUND U.T. AND I THINK THAT THIS NEIGHBORHOOD PLAN HAS COME ABOUT IN LARGE PART BECAUSE THE COUNCIL RECOGNIZED THAT NEIGHBORHOODS NEEDED TO HAVE SOME VOICE IN WHAT WAS HAPPENING TO THEIR NEIGHBORHOODS AND GAVE US A UNIQUE OPPORTUNITY TO DO THAT. WE CAN'T AFFORD TO MAKE A MISTAKE. AND I THINK THAT WE MAY BE WORRIED THAT WE DID MAKE A MISTAKE IN THIS PARTICULAR CASE, AND WE WOULD THINK WE WERE -- WE WOULD BE MUCH BETTER OFF WITH MF-5 FOR THESE TRACTS IN OUR PLAN. THANK YOU.

Mayor Wynn: THANK YOU, BARBARA. LET'S SEE, MARK, IT LOOKS LIKE BIRCH, IN FAVOR. CLARENCE PRINCE IN FAVOR.

MONETTA PRINCE IN FAVOR. LINDA GUERRERO IN FAVOR.
KATHY COLLINS IN FAVOR. ROD HERRIN. LET'S SEE, ROD,
YOU WILL BE FOLLOWED BY DAVID CONNALLY.

MAYOR AND CITY COUNCIL, MY NAME IS ROD AARON. I'M
REPRESENTING TODAY MY SISTER, MY BROTHER AND DR.
GEORGIA LEGGET. I BELIEVE THE PROPERTIES ARE IN THE
HERITAGE NEIGHBORHOOD ASSOCIATION ON LOT 4. THEY
ARE 3100, 3102, 3104 3106 KING STREET AND THEN THE
PROPERTY DIRECTLY BEHIND 3106 KING. ALL OF THESE
EXCEPT 3104 ARE PRESENTLY ZONED MF-2. THESE ARE AN
ASSEMBLAGE THAT WE HAVE DONE OVER THE YEARS, MY
BROTHER AND SISTER AND DR. LEGGETT IS A CLIENT OF
MINE. WE FILED PETITIONS ON THE MF-2 ZONING, THAT IT
REMAIN, AND WE WOULD REQUEST THAT THAT REMAIN THAT
WAY. WE HAVE MET WITH -- I'VE MET WITH THE
NEIGHBORHOOD ASSOCIATION AND WITH STAFF A NUMBER
OF TIMES ALONG WITH PUBLIC MEETINGS, AND HAVE BEEN
UNABLE TO RESOLVE THE PROBLEM AND WOULD LIKE TO
KEEP THE EXISTING ZONING. THANK YOU.

Mayor Wynn: THANK YOU, MR. AARON. DAVID CONNALLY.
WELCOME, DAVID. MEANWHILE, DOUG PETERSON , AGAINST.
GALE KATOWSKY, AGAINST. DAVID KARNES, IN FAVOR. JAN
BOWL, IN FAVOR. WELCOME, DAVID. AND LET'S SEE,
SOMEBODY WANTED TO OFFER TIME TO YOU. IS VIRGINIA
CONNALLY STILL HERE? HELLO, VIRGINIA. SO DAVID, YOU
WILL HAVE UP TO SIX MINUTES IF YOU NEED IT.

THANK YOU, MAYOR AND COUNCIL. MY NAME IS DAVID
CONNALLY. I'M HERE FOR THE TRACT -- ACTUALLY, TRACT 49.
AND I'M HERE REPRESENTING DR. (INDISCERNIBLE) AND
VIRGINIA CONNALLY, THE OWNERS OF THE PROPERTY. TO
KEEP IT SIMPLE, I'M HERE TO OFFER A COMPROMISE AS TO
THE REZONING OF IT. IT'S CURRENTLY AN MF-3 ZONING, AND
IT IS PROPOSED TO BE REZONED SF-3, AND MY
COMPROMISE IS TO MAKE IT MF-2 PROPERTY. AND I HOPE
THIS IS LARGE ENOUGH. IT MAY NOT BE LARGE ENOUGH TO
SEE, BUT I UNDERSTAND THAT AN MF-3 MIGHT BE
CONSIDERED TOO LARGE FOR THIS AREA. THIS IS ON
LONGVIEW STREET BETWEEN 22nd AND A HALF TO 24TH
STREET. THERE ON THE EAST SIDE. NORTH IS UP. OKAY.
WELL, AS MARK WALTERS MENTIONED, SOME OF THE

PROPERTIES THAT WERE ZONED MF-3 ARE PROPOSED TO CHANGE TO SF-3 HAVE HISTORICALLY BEEN SINGLE-FAMILY THIS ENTIRE TIME; HOWEVER, THIS PROPERTY, WHICH HAS A DUPLEX ON IT CURRENTLY, OUR PLANS ARE TO RESTORE ACTUALLY A GARAGE APARTMENT THAT ONCE EXISTED THERE. AS YOU MIGHT NOTICE THERE ARE TWIN HOUSES THAT ARE DESIGNED BY THE SAME ARCHITECT IN 1940 WITH GARAGE APARTMENTS, OF WHICH ONE STILL EXISTING AND THE OTHER ONE ONLY THE FOUNDATION EXISTS AT THE MOMENT. IF ZONED SF-3 WE WOULD NOT BE ABLE TO RESTORE THAT GARAGE APARTMENT AND WE FEEL THAT A DUPLEX GARAGE APARTMENT COMBINATION IS SUITABLE FOR THE NEIGHBORHOOD IN THIS AREA BECAUSE THESE OTHER PROPERTIES I'VE SHOWN HERE ARE OF VARIOUS SIZES. THERE'S OTHER DWELLINGS -- FOR EXAMPLE, OBVIOUSLY THE TWIN BUILDING IS A DUPLEX WITH A GARAGE APARTMENT ALREADY. AND THEN THERE IS SEVERAL DUPLEXES, A HOUSE ACROSS THE STREET WITH TWO FAMILIES AND A GARAGE APARTMENT AS WELL, SO THAT'S PRACTICALLY -- FOR ALL INTENDS AND PURPOSES HAS THREE. AND OF COURSE THERE'S APARTMENT COMPLENGS FURTHER UP -- COMPLEX FURTHER UP AND THEN COMMERCIAL AND BED AND BREAKFASTS. IT'S A GOOD MIX. SO WE BELIEVE THAT HAVING A GARAGE APARTMENT WITH A DUPLEX WOULD BE -- WOULD FIT INTO THE FABRIC AND IT IS ALSO AS IT WAS ORIGINALLY DESIGNED FOR. AND I UNDERSTAND THERE MIGHT BE A CONCERN ABOUT WHAT WOULD BE BUILT THERE BEING TOO LARGE, BUT THE GARAGE APARTMENT, WE'RE OBVIOUSLY NOT TRYING TO BUILD AN MF-3 STRUCTURE THERE, THAT'S WHY THE COMPROMISE WAS -- [BUZZER SOUNDS] -- WAS THE REASON. THANK YOU.

Mayor Wynn: THANK YOU, MR. CONNALLY. LET'S SEE. MARTHA MORGAN? HELLO, MARTHA. THANK YOU FOR YOUR PATIENCE. SHE'LL BE FOLLOWED BY JIMMY NESER. WELCOME, MA'AM. YOU WILL HAVE THREE MINUTE.

I'M MARTHA MORGAN. I'M A RESIDENT OF THE HERITAGE NEIGHBORHOOD FOR 38 YEARS. I OWN HALF A BLOCK OF RESIDENTIAL PROPERTY THAT ABUTS COMMERCIAL PROPERTY ON LAMAR. I HAVE A VALID PETITION, AND I'M WORKING WITH THE PRONE'S ATTORNEY AND THE -- THE

PROPERTY OWNER'S ATTORNEY AND THE CITY STAFF AND REPRESENTATIVES ON A SOLUTION TO THAT. I'VE CONCEDED FIVE OF THE SEVEN POINTS ASKED FOR WITHOUT A MURMUR WITH RESPECT TO; HOWEVER, WITH THE OTHER TWO IT'S KIND OF LIKE SPOT ZONING BECAUSE THE REST OF BLOCK ON LAMAR HAS CERTAIN ZONING, AND THIS PROPERTY WANTS TO BE EXEMPT. I FEEL PRESSURED TO DROP MY PETITION BECAUSE NOT BEING A COMMERCIAL PERSON, I DON'T REALLY HAVE MUCH CLOUT, BUT I DO HAVE A LOT OF FAITH IN WHAT WE'RE DOING AND THE NEGOTIATIONS WITH THE CITY STAFF AND THE NEIGHBORHOOD ASSOCIATION AND THE PROPERTY OWNER, AND I THINK THIS WILL BE RESOLVED BEFORE THE SECOND AND THIRD READING. THANK YOU.

Mayor Wynn: THANK YOU, MS. MORGAN. COUNCILMEMBER DUNKERLEY.

Dunkerley: WHAT PROPERTY WERE YOU REFERRING TO?

[INAUDIBLE - NO MIC].

Mayor Wynn: I CAN'T TELL -- CAN YOU TELL US THE TRACT NUMBER, MS. MORGAN?

MY PETITION IS TRACT 236.

Mayor Wynn: THANK YOU. HANG ON, JIMMY. LET'S SEE, KATHLEEN STRONG NOT SPEAKING, IN FAVOR. MICHAEL GRIMES IN FAVOR. JOHN IT LOOKS LIKE McHENRY IN FAVOR. MICHAEL ISA AGAINST. HAROLD BUTLER IN FAVOR. JEFF HECKLER, NOT WISHING TO SPEAK, AGAINST. WELCOME, JIMMY. YOU HAVE THREE MINUTES.

THANK YOU, MAYOR, COUNCIL. FIRST OF ALL, I WANT TO THANK YOU FOR REMINDING ME WHAT PUBLIC SERVICE IS AND WHAT PUBLIC SERVANTS DO, AND WE APPRECIATE WHAT YOU DO. I'M HERE TO SPEAK AGAINST WITH LIMITATIONS WITH REGARDS TO Z-4 IN PARTICULAR, ZONING ADDRESSING TRACT -- EXCUSE ME, 133 AND 92. TRACT 133 IS 2800 SAN PEDRO STREET. AND TRACT 92 IS 706 WEST 24TH STREET. 2800 SAN PEDRO IS LOCATED ACROSS THE STREET FROM THE COMAN KNOW REAL APARTMENTS AND IS

ADJACENT TO THE PROPERTY OWNED BY THE POWELLS, WHICH I BELIEVE CATHERINE FISH HAD SPOKE TO YOU ABOUT EARLIER TODAY AND THIS EVENING. THIS IS ACROSS THE STREET AGAIN FROM THE CAMINO REAL AND ANOTHER APARTMENT COMPLEX AND IS CURRENTLY ZONED MF-3. THE PROPERTY IN ALL THE PLANS THAT I HAVE SEEN HAS BEEN SLATED FOR MF-3 ZONING. THE STAFF HAS RECOMMENDED MF-3 ZONING. THE NEIGHBORHOOD PLANS SHOW IT AS MF-3 ZONING, BUT SOMEHOW TODAY IT IS BEFORE YOU AS MF-4, WHICH IS SUBSTANTIAL DOWN ZONING AND I DON'T KNOW WHY, BUT IT'S HERE AND I'M HERE TO LET YOU KNOW THAT I'M AGAINST THE DOWN ZONING OF THIS PROPERTY AND IN FAVOR OF THE STAFF'S EARLIER RECOMMENDATION AND THE NEIGHBORHOOD PLAN'S MAPS WHICH IDENTIFY THIS PROPERTY AS MF-3. FURTHER, I WANTED TO PLEDGE MY SUPPORT TO THE POWELL TRACT, WHICH IS KATHLEEN FISH'S REQUEST ON PARCEL 133 A LOCATED AT 2202 AND 2804 TO MF-2, WHICH IS ALSO THE RECOMMENDED ZONING BY STAFF AND THE NEIGHBORHOOD PLAN. SOMEHOW IT GOT CHANGED AT THE LAST PLANNING COMMISSION MEETING. WE HAD RECEIVED A NOTICE DATED MAY 14TH STATING IN PART THAT THE REZONINGS ASSOCIATED WITH THE PLAN WILL NOT REQUIRE AN ADDITIONAL REZONING OF THE PLANNING COMMISSION, WE JUST THOUGHT IT WAS THERE BECAUSE IT WAS A BOUNDARY ISSUE, BUT SOMEHOW OR ANOTHER THESE THINGS GOT CHANGED. THE PROPERTY, 706 TWES 24TH, NUMBER 92, OR KNOWN AS THE DELL PHI CONDOMINIUMS AND THE TOWERS OFF OF 24TH AND RIO GRAND, THE PROPERTY IS CURRENTLY ZONED CS-MU, AND AGAIN THROUGH ALL THE PLANS HAS BEEN IDENTIFIED -- EXCUSE ME. THE PROPERTY IS ZONED CS, BUT HAS BEEN IDENTIFIED IN NEIGHBORHOOD PLANS AND STAFF RECOMMENDATIONS AS CS-MU, BUT AGAIN IS BEFORE YOU AS A DOWN ZONING TO MF-3. THE MAY -- I BELIEVE IT'S THE APRIL NOTICE THAT WAS SENT OUT TO ALL OF US IDENTIFIES THE PROPERTY AS BEING ZONED TO CS, BUT THIS MAY 14TH LETTER REDUCES IT TO MF-4. AGAIN, I DON'T KNOW WHY THAT'S THE CASE, BUT JUST TO SUM UP, I'M ASKING THAT THE PROPERTIES NOT BE DOWN ZONED, BUT THE ZONINGS ORIGINALLY APPROVED BY THE NEIGHBORHOOD BE APPROVED WITH THE ADDITION OF THE

MU AND NP DESIGNATIONS. THANK YOU.

McCracken: MAYOR, WHICH PROPERTIES WERE THESE? WE CAN'T FIND THEM.

133 IS A PROPERTY LOCALLY KNOWN AS 2800 SAN PEDRO. AND THEN NUMBER 92 IS A PROPERTY LOCALLY KNOWN AS 706 WEST 24TH STREET.

McCracken: IT DID NOT APPEAR THAT PROPERTY 92 IS ON OUR SHEET, AT LEAST AS I SEE.

WELL, IT MAY BE. LET ME MAKE SURE I HAVE THAT NUMBER CORRECT. I'M LOOKING AT THE MAY 12TH MAY 12TH -- EXCUSE ME, THE MAY 14TH NOTICE, AND IT IDENTIFIES IT AS TRACT 92.

McCracken: IT DOES NOT APPEAR TO BE ON OUR SHEET OF ITEMS FOR TONIGHT.

OH. I DON'T KNOW WHY THAT'S --

McCracken: IS IT ON THERE?

CAN THE STAFF ADDRESS THAT?

YES. WE LEARNED ABOUT THE OPPOSITION FOR TRACT 92 BASICALLY YESTERDAY, THIS MORNING, AND BECAUSE IT IS A CONDO, THERE ARE SPECIAL RULES INVOLVED WITH CREATING A PETITION FOR CONDOMINIUM ASSOCIATIONS WHICH REQUIRE BASICALLY THREE STEPS. AND I AM GOING TO MEET WITH MR. MASSUR, I CAN EXPLAIN TO HIM NOW, SO THAT THEY CAN FILE A PETITION. BUT CURRENTLY THE USE THERE IS A CONDOMINIUM, AND WE WERE TRYING TO MAKE ALL THESE USES CONFORMING USES CURRENTLY ZONED CS, SO WE WERE MAKING IT MF-4 TO REFLECT THE USE THAT'S CURRENTLY THERE. THIS ALSO HAPPENS TO BE WITHIN THE BOUNDARIES OF THE UNIVERSITY NEIGHBORHOOD OVERLAY, AND ANY REDEVELOPMENT SCHEME WOULD -- WE WOULD HOPE THAT IT WOULD FOLLOW THOSE DEVELOPMENT GUIDELINES TO CREATE A MORE PEDESTRIAN ORIENTED DEVELOPMENT. WE DID RENOTICE TO THE PLANNING COMMISSION, AND INITIAL

NOTICE HAS A LOT OF MIXED USE ENTITLEMENTS WITH THAT NOTICE. AFTER A MEETING WITH THE MAJORITY STAKEHOLDER GROUP THAT YOU'VE HEARD MENTIONED THROUGH THIS PROCESS, STAFF AND THE GROUP DECIDED THAT IT MIGHT BE BEST TO NOT CREATE DISINCENTIVES FOR THE UNIVERSITY NEIGHBORHOOD OVERLAY BY CREATING THE WHOLE SCALE, LIBERAL ZONING ENTITLEMENT SO THAT WE DON'T CREATE THESE DISINCENTIVES. THAT WAS THE REASON FOR THE REZONING, THE RENOTICE. THAT'S WHY THEY'RE -- THAT'S WHAT HE WAS SPEAKING TO. THERE WAS A RENOTICE THAT WENT OUT, AND THERE WAS A COVER LETTER EXPLAINING THAT WE WILL BE NOTICING. WE DID POSTPONE AT THE PLANNING COMMISSION AT THAT TIME.

McCracken: THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. LET'S SEE. ED MORGAN? THANK YOU FOR REMINDING ME. ARE YOU IN FAVOR OR AGAINST THE ZONING CASE?

[INAUDIBLE].

Mayor Wynn: YOU'RE IN FAVOR? ALL RIGHT. THANK YOU. COUNCIL, THAT'S ALL THE CARDS THAT HAVE SIGNED UP FOR Z-1, 2, 4, 5 OR 7. NOW THE FUN BEGINS. GO AHEAD AND ADDRESS US. I DO REMEMBER THE NAME ON A CARD.

THIS CAN BE MADE REALLY EASY. YOU COULD JUST GIVE EVERYBODY EXACTLY WHAT THEY WANT AND WE'LL BE DONE. [LAUGHTER] WE COULD DO ALL THREE READINGS TONIGHT. MY NAME A MICHAEL ISA. I COME HERE AS A PROPERTY OWNER IN WEST CAMPUS AND THE PRESIDENT OF THE DELPHI CONDOMINIUM ASSOCIATION LOCATED ON 24TH STREET. I THINK MR. MASUR ALREADY ADDRESSED TRACT 133 KNOWN AS 2400 SAN PEDRO. I WOULD LIKE TO SEE IT STAY THE SAME AS WELL. I HAVE AN INTEREST IN THAT AS BEING MF-3, AND I'D LIKE TO SEE IT STAY MF-3. WE WOULD ALSO SUPPORT THE REQUEST AND THE RECOMMENDATION -- REQUEST OF THE OWNER AND THE RECOMMENDATION OF THE STAFF ON 2802 AND 2804 SAN PEDRO TO GO TO MF-2. WHEN THIS LATEST NOTICE WAS SENT OUT ON MAY 14TH, WE WERE TOLD IT WAS DUE TO AN ERROR IN POSTINGMENT WE WERE UNDER THE IMPRESSION

THAT THE RECOMMENDATIONS AND THE CHANGES OF ZONING FOR THE TRACTS IN OUR NEIGHBORHOOD WILL STAY THE SAME. HOWEVER, WE FOUND OUT THAT THAT WAS NOT THE CASE. I'M CONCERNED WITH DELPHI CONDOMINIUMS. WE WOULD LIKE TO SEE IT STAY AS CS. WE WOULD LIKE TO ADD MU TO IT. THAT NECESSARILY -- THAT WOULD MAKE IT CONFORMING ACCORDING TO CITY STAFF. THEY'RE SUGGESTING MF-4 BECAUSE THAT IS WHAT IT IS USED TODAY AS A CONDOMINIUM PROJECT. GIVING IT CS-MU WOULD GIVE IT THE FLEXIBILITY AND MAKE IT CONFORMING AS WELL. AND WE WOULD LIKE TO AT LEAST -- IF YOU'RE NOT GOING TO GIVE US THE MU, TO JUST KEEP IT THE WAY THAT IT IS, CS, AND KEEP THE ENTITLEMENTS FOR IT. FINALLY, I'D LIKE TO SAY THAT IF YOU REALLY WANT TO SEE A WELL PLANNED AND A VIBRANT NEIGHBORHOOD IN WEST CAMPUS THAT PROVIDES AFFORDABLE HOUSING, PRESERVES THE CHARACTER OF THE NEIGHBORHOOD, I URGE YOU TO ENGAGE THE STUDENT BODY AS MUCH AS POSSIBLE, ENGAGE THE MANY PROPERTY OWNERS IN THE IMMEDIATE WEST CAMPUS, NOT ONLY THE RECOMMENDATIONS OF THE SURROUNDING NEIGHBORHOODS AND THEIR ASSOCIATIONS, THE STUDENTS AND THE PROPERTY OWNERS IN THE IMMEDIATE AREA OF WEST CAMPUS HAVE THE MOST VESTED INTEREST IN MAKING SURE THAT WHATEVER COMES OUT OF THIS PLAN IS A POSITIVE EFFECT FOR EVERYBODY. AND WILL BE LASTING. THANK YOU.

Mayor Wynn: THANK YOU. ARE THERE ANY OTHER CITIZENS WHO WISH TO BE HEARD IN THIS PUBLIC HEARING RELATED TO ITEMS Z-1, 2, 4, 5 OR 7? YES, MA'AM. RATS. [LAUGHTER] YOU ONLY HAVE THREE MINUTES.

I WILL BE VERY FAST. AND YOU KNOW WHY I WANTED TO WAIT UNTIL THE END BECAUSE I WANTED YOU TO HEAR ALL THE OBJECTIONS THAT YOU WERE GOING TO HEAR THAT PEOPLE HAD PETITIONS ON, ESPECIALLY IN OUR NEIGHBORHOOD, WHICH IS THE TINY BIT OF WEST UNIVERSITY DOWN THERE GREEN BY LAMAR. AND IT'S REALLY -- IT WAS REALLY INAPPROPRIATE TO PUT IT TOGETHER WITH THAT NORTHERN EXTENSION OF WEST UNIVERSITY BECAUSE WE ARE SEPARATED. WE ARE VERY SMALL. I WANT TO ADDRESS PARTICULARLY TRACTS 49 ON LONGVIEW, WHICH MR. CONNALLY SPOKE ABOUT. HE WANTS

TO RETAIN HIS MF-3, I THINK, ZONING. TRACTS 33, 34, 35 AND 39-A. IF YOU WILL LOOK AT WHERE ALL THOSE TRACTS ARE LOCATED IN OUR NEIGHBORHOOD, IF YOU DO NOT GIVE US THE DOWN ZONING AND THE HEIGHT RECOMMENDATIONS THAT CITY STAFF HAS RECOMMENDED, THOSE BUILDINGS, WE ARE NOW BEING SUBJECTED TO 45, 50, 60-FOOT BUILDINGS OVER ON ROBIN'S PLACE. WE HAVE JUST HAD TWO OF THEM GO IN ON 1903 AND 1905. IF WE HAVE ANY MORE OF THOSE HEIGHT BUILDINGS GOING IN IN THE NEIGHBORHOOD, WE WILL BE GONE. WE ARE MEMBERS OF AN ENDANGERED SPECIES BECAUSE OUR HABITAT IS BEING DESTROYED. WE CANNOT SUSTAIN ANY MORE OF THE NOISE, CARS, THE TRASH IN THE STREETS, THE TRAFFIC THAT THESE KINDS OF CONSTRUCTIONS ENGENDER. SO I'M ASKING YOU TO PLEASE KEEP THE HEIGHT RESTRICTIONS TO 30 FEET WHERE THEY RECOMMENDED IT AND 40 WHERE THEY RECOMMENDED IT. AND DOWN ZONE WHAT THEY HAVE RECOMMENDED YOU TO DOWN ZONE. THANK YOU.

Mayor Wynn: THANK YOU, MA'AM. LAST CALL. ANYBODY ELSE? YES, MA'AM.

GOOD EVENING, MY NAME IS LINDA GUERRERO. I'M WITH HANCOCK NEIGHBORHOOD ASSOCIATION AND THANK YOU FOR EVERYTHING YOU'VE DONE THIS EVENING. BRIEFLY, WE WOULD LIKE THIS PASSED AND WE URGE YOU TO PASS THIS AS SOON AS YOU CAN BECAUSE THE MORE TIME THAT LAPSES, THINGS KIND OF SNEAK UNDER THE RADAR, BELIEVE IT OR NOT. AND SO WE'RE VERY ANXIOUS FOR Y'ALL TO GO AHEAD AND DO THIS. WE HAVE ONE ISSUE IN HANCOCK THAT WE HAVE DISCUSSED, AND WE'RE GOING TO MEET AGAIN. WE HAVE WORKED DILIGENTLY TO WORK WITH THIS THROUGH THE OWNERS THAT OWN THIS PROPERTY. I AM REQUESTING, AND JACKIE SHOOTER AGREES, THAT BECAUSE HYDE PARK IS WITHIN 300 FEET OF THIS PROPERTY THAT WE PUT THEM IN THE LOOP WITH THE NEGOTIATIONS, SO THE NEXT TIME WE DO MEET ON THIS PROPERTY, WE'RE GOING TO INCLUDE HYDE PARK. AND THAT'S ALL. THANK YOU SO MUCH.

Mayor Wynn: THANK YOU, MS. GUERRERO. ANYBODY ELSE WHO WOULD LIKE TO BE HEARD ON THESE PUBLIC HEARINGS? WE'RE LIKELY TO STILL HAVE A LOT OF

DISCUSSION WITH Q AND A AS WE GO THROUGH THE ZONING CASES THEMSELVES. HEARING NONE, COUNCIL, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARINGS ON Z-1, 12, 4, 5 AND 7. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY COUNCILMEMBER SLUSHER TO CLOSE THE PUBLIC HEARINGS. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? PUBLIC HEARINGS ARE NOW CLOSED. THANK YOU ALL. NOW FOR THE ACTION ITEMS.

YES, COUNCIL. FOR Z-1, WE'RE RECOMMENDING THAT THE COUNCIL APPROVE THE NEIGHBORHOOD PLAN AS RECOMMENDED BY PLANNING COMMISSION, AND, LIKE THE COUNCIL DID PREVIOUSLY WITH PRESENT BRENTWOOD, ON FIRST READING ONLY, AND WE CAN COME BACK FOR SECOND AND THIRD READING WITH A MORE COMPREHENSIVE MOTION SHEET THAT IDENTIFIES MORE OF THE ADDITIONAL PROPERTIES WITH ISSUES. WE CAN COME BACK ON SECOND AND THIRD READING. AND APPROVE THE NEIGHBORHOOD PLAN WITH THE EXCEPTION OF THE TRACTS LISTED IN THE MOTION SHEET BEFORE YOU FOR Z-1. FOR Z-2 IS THE UNO PROPOSAL, AND I EXPECT SOME DISCUSSION AMONGST THAT, BUT WE ARE ALSO RECOMMENDING THAT FOR FIRST READING ONLY FOR THE Z-4, 5 AND 7, WE'RE RECOMMENDING THAT THE COUNCIL TAKE THE PLANNING COMMISSION LIKE I JUST PREVIOUSLY STATED, WE COME BACK ON SECOND OR THIRD READING WITH MORE COMPREHENSIVE MOTION SHEETS.

Mayor Wynn: OKAY. SO COUNCIL, WE HEARD OUR STAFF'S SUGGESTION. AND AS JUST A REMINDER FOR FOLKS OUT THERE -- REMINDER FOR FOLKS OUT THERE WHO DON'T DO THIS AS OFTEN AS WE DO, WE WILL HAVE THREE -- IT TAKES -- TECHNICALLY IT TAKES THREE READINGS TO CHANGE THESE ZONING CASES. AND SO OFTEN TIMES WHAT WILL HAPPEN IS WE HERE AS A COUNCIL WILL TRY TO WORK THROUGH AS BEST WE CAN COMPLEXITIES OF NUMEROUS TRACTS. ULTIMATELY -- MANY TIMES WE'LL BOG DOWN ON THOSE DETAILS AND WE'LL APPROVE SOMETHING ON FIRST READING IN ORDER TO SEND STAFF BACK -- STAFF WILL GET

SOME DIRECTION INEVITABLY FROM THE DISCUSSION. OFTEN TIMES WE'LL GIVE THEM SPECIFIC INSTRUCTIONS TO GO BACK BEFORE THEY COME BACK IN SEVERAL WEEKS OR SEVERAL MONTHS IN SOME OCCASIONS WITH DIFFERENT MOTION SHEETS FOR US, WITH A DIFFERENT SERIES OF PARTICULARS FOR CERTAIN PROPERTIES. OFTEN TIMES HAVING NUMEROUS MEETINGS WITH THE AFFECTED PROPERTY OWNER AND THE APPROPRIATE NEIGHBORHOOD ASSOCIATION IN THAT INTERIM PERIOD. SO COUNCIL, THE -- I BELIEVE I HEARD STAFF RECOMMENDATION THAT ON THE ACTUAL NEIGHBORHOOD PLAN, Z-1, THAT WE COULD APPROVE ON FIRST READING EVERYTHING WITH THE EXCEPTION OF WHAT -- ALL OF THE TRACTS THAT ARE IDENTIFIED AS BEING POTENTIALLY CONTENTIOUS, THAT IS, HAVING A PROPERTY OWNER WHO IS IN OPPOSITION TO THAT LIKELY DOWNZONING.

THAT IS CORRECT. THAT WOULD REQUIRE FOUR VOTES.

Mayor Wynn: SO I'LL ENTERTAIN A MOTION TO APPROVE THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN, Z-1, THE ACTUAL LAND USE DESIGNATION, ON FIRST READING ONLY, BUT ONLY ON THOSE CASES THAT DON'T APPEAR ON THIS 20-PAGE MOTION SHEET THAT INCLUDES ALL OF THE -- WE BELIEVE ALL OF THE CONTENTIOUS INDIVIDUAL TRACTS OF LAND.

Goodman: SO MOVE, MAYOR.

Mayor Wynn: THANK YOU. MOTION MADE BY MAYOR PRO TEM, I'LL SECOND THAT. FIRST READING ONLY, THE NON-CONTENTIOUS PORTIONS OF THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN, ITEM Z-1. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

FOR Z-2, STAFF RECOMMENDS TO ADOPT THE PLAN THAT WAS INCLUDED IN YOUR EARLY BACKUP, NOT THE ONE THAT WAS HANDED OUT ON THE DAIS. THERE WAS A MISCOMMUNICATION AND THE ONE IN YOUR BACKUP IS THE CORRECT UNO ORDINANCE. FIRST READING ONLY.

Mayor Wynn: BEFORE WE MOVE AHEAD, BOTH ON THE ACTION WE JUST TOOK, THE FIRST READING APPROVAL OF Z-1, AND NOW THIS PROPOSED FIRST READING ACTION ON THE UNO PLAN Z-2, WHAT IS YOUR ESTIMATE AS TO WHEN THIS WILL COME BACK TO COUNCIL FOR SECOND AND/OR SECOND AND THIRD READING.

I BELIEVE THAT THE UNO ORDINANCE CAN COME BACK BY THE LAST MEETING OF THIS MONTH, JUNE 24TH. THE ORDINANCES FOR THE REZONING I'VE BEEN INFORMED WON'T BE PREPARED FOR THIRD READING UNTIL THE END OF JULY.

Mayor Wynn: THANK YOU. SO COUNCIL, WE HAVE A RECOMMENDATION THAT WE ENTERTAIN -- I'LL ENTERTAIN A MOTION ON Z-2, THE UNO PLAN, FIRST READING ONLY, THE INITIAL PLAN AS SHOWN IN OUR BACKUP.

Goodman: SO MOVE.

Mayor Wynn: MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER DUNKERLEY TO APPROVE ON FIRST READING ONLY THE INITIAL UNO PLAN. COUNCILMEMBER ALVAREZ? AL

Alvarez:, I HAD A QUESTION ABOUT THE MEMO ATTACHED TO THE -- TO THE UNO ORDINANCE THAT WAS PASSED OUT ON THE DAIS. I DON'T KNOW IF THAT MEANS THE MEMO IS GOOD OR NOT. IT MAY STILL BE RELEVANT. BUT THE QUESTION I HAD WAS ABOUT THE EXPLANATION ON THE AFFORDABLE HOUSING COMPONENT, AND UNDER STAFF RECOMMENDATION IT SAYS LAW DEPARTMENT IS REVIEWING LEGAL ISSUES RELATED TO THIS ITEM. SO IS THAT WHO -- I MEAN, IS THE ORDINANCE GOING TO INCLUDE THE AFFORDABLE HOUSING REQUIREMENT OR NOT? IT'S A QUESTION BASED ON WHAT THIS MEMO SAYS.

(INDISCERNIBLE) FROM NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT WILL BE ANSWERING THAT QUESTION.

COUNCIL, STEWART HERSH WITH NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. WE HAVE BEEN WORKING

WITH THE STAKEHOLDERS SINCE THE LAST HEARING TO IDENTIFY ALL OF THE ELEMENTS OF HOUSING AFFORDABILITY THAT BOTH THEY AND THE PLANNING COMMISSION HAVE RECOMMENDED THAT WE ATTEMPT TO INCORPORATE IN THE UNO ORDINANCE. AND OUR CHALLENGE IS TO IDENTIFY -- IS TO CONTINUE TO WORK WITH NEIGHBORHOOD PLANNING AND ZONING AND THE LAW DEPARTMENT TO SEE WHAT STRATEGIES ARE AVAILABLE TO TRY AND IMPLEMENT THOSE RECOMMENDATIONS. SO AT THIS POINT WE THINK WE HAVE REACHED AN UNDERSTANDING WITH ALL THE STAKEHOLDERS THAT HAVE COMMUNICATED WITH US ON THE AFFORDABLE HOUSING ISSUE, AND WE'VE DONE A PROCESS CHECK TO SEE IF WE'VE CAPTURED WHAT THOSE ELEMENTS ARE. AND NOW WE ARE WORKING TO SEE IF WE CAN BRING YOU A STAFF RECOMMENDATION THAT INCORPORATES THOSE OR NOT. AND THAT'S GOING TO TAKE US SOME TIME WITH LAW BECAUSE THIS IS SORT OF NEW GROUND FOR ALL OF US, AND IT'S BEEN VERY CHALLENGING.

Alvarez: SO DOES THE MOTION INCLUDE THE AFFORDABLE HOUSING REQUIREMENT OR NOT?

THE DOCUMENT IN FRONT OF YOU DOES NOT HAVE AN AFFORDABLE HOUSING ELEMENT AT THIS TIME.

Alvarez: OKAY. I THINK THAT WAS AN IMPORTANT ELEMENT OF THE OVERALL UNO CONCEPT. THAT'S AN IMPORTANT ISSUE TO RESOLVE. APPARENTLY IF YOU LOOK AT THE -- IF YOU GET THAT RESOLVED AND MOVE FORWARD ON SECOND AND THIRD READING.

AND SINCE THE FIRST HEARING AND TONIGHT, THE ORDINANCE THAT YOU WILL BE APPROVING ON FIRST READING TONIGHT, THAT IS THE ONLY DIFFERENCE, BUT WE WANT TO RESOLVE -- WHEN WE COME BACK TO FIRST, SECOND AND THIRD READING WE INTEND TO HAVE THE ISSUES AS MENTIONED IN THE MEMO IRONED OUT AND ANY OTHER ISSUES THAT WE MIGHT HAVE IDENTIFIED SOME TWEAKING OF THE PROPOSAL TO MAKE IT MORE ENCOMPASSING, SUCH AS TO INCLUDE BUSINESS AND STRAYED SCHOOL TO CAPTURE BUSINESSES LIKE HOUSE THE TUTORS WOULD BE SOMETHING THAT WOULD BE

DESIROUS IN A NEIGHBORHOOD IMMEDIATELY ADJACENT TO THE LARGEST UNIVERSITY IN THE COUNTRY. SO THERE'S A FEW THINGS THAT WE ARE TWEAKING THAT BY SECOND AND THIRD READING WILL HAVE THOSE READY FOR YOUR CONSIDERATION.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? TECHNICALLY I MISSPOKE EARLIER, COUNCIL. THIS IS NOT A PLAN, THIS IS ACTUALLY AN OVERLAY DISTRICT.

AN AMENDMENT TO THE LAND DEVELOPMENT CODE.

Slusher: I'D JUST SAY THAT WE ALL TALKED ABOUT LAST TIME ABOUT HOW WHAT A GREAT THING IT IS THAT THE FOLKS THAT USED TO BE OPPOSED TO EACH OTHER AND SITTING ON OPPOSITE SIDES OF THE ROOM AND ALL THAT KIND OF THING ARE TOGETHER ON THIS. AND I STILL THINK THAT'S -- THAT IS A GREAT THING. I THINK IT'S A REAL GOOD PLAN. BUT I WANT TO JUST POINT OUT THAT THE COUNCIL HAS ABOUT 70 TO 100 ITEMS A WEEK ON OUR AGENDA, SO SOMETIMES WE -- I WAS KEPT AWARE OF THIS THE WHOLE TIME IT WAS GOING ON, BUT WHEN IT GETS ON TO OUR AGENDA, IT REALLY IS OUR RESPONSIBILITY TO LOOK AT IT VERY CLOSELY BECAUSE WE'RE ENTRUSTED BY THE CITIZENS TO TAKE A FINAL VOTE ON THESE MATTERS. SO I JUST WANT FOLK TO KNOW THAT I'M GOING TO BE OUT LOOKING AT THIS VERY CLOSELY, EVEN CLOSER THAN I HAVE SO FAR, BETWEEN FIRST AND THIRD READING. I DON'T ENVISION ANY MAJOR CHANGES IN THE FRAMEFRAMEWORK OR ANYTHING, BUT I THINK WE DO HAVE THAT RESPONSIBILITY AND I JUST WANTED TO LET FOLKS KNOW THAT. AND IF ANYBODY -- WE WERE TO SEE SOMETHING WE WANT TO CHANGE OR IF THERE'S A TWEAK AS THE STAFF MEMBER SAID, I DON'T WANT FOLKS TO BE SHOCKED OR SURPRISED. AND ONE PERSON SAID THAT SHE WAS AFRAID THIS WAS GOING TO FALL OFF THE RADAR SCREEN. I CAN ASSURE YOU THAT WE'RE NOT GOING TO LET THIS CENTRAL CITY, THE WHOLE CENTRAL CITY AS A CITY WE ALL REPRESENT, FALL OFF THE RADAR SCREEN.

Mayor Wynn: THANK YOU, COUNCILMEMBER. WELL SPOKEN. FURTHER COMMENTS? AGAIN, I'M ENTERTAINING A MOTION ON Z-2, THE UNO OVERLAY DISTRICT, FIRST READING ONLY.

MOTION MADE BY COUNCILMEMBER THOMAS. SECONDED BY COUNCILMEMBER MCCracken TO APPROVE Z-2, FIRST READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THE NEXT ITEMS ARE THE Z-4, 5 AND #, THE REZONINGS TO IMPLEMENT THE FUTURE LAND USE MAP OF THE NEIGHBORHOOD PLAN. AND THE RECOMMENDATION FROM STAFF IS TO AT THIS TIME TAKE THE PLANNING COMMISSION'S RECOMMENDATION ON FIRST -- ON FIRST READING ONLY, AND WE'LL COME BACK FOR SECOND AND THIRD WITH THOSE ITEMS THAT HAVE CONTENTION AND TRY TO RESOLVE THEM BETWEEN NOW AND THEN AND HAVE THOSE ITEMS THAT ARE STILL AT ISSUE MORE CLEARLY IDENTIFIED ON THE MOTION SHEET.

Mayor Wynn: I'M SORRY. SO THE -- SO ON Z-4, 5 AND 7, WE'RE TAKING UP JUST THE LAND USE PLAN FIRST, NOT THE ZONING?

YOU'VE ALREADY ADOPTED THE LAND USE PLAN WITH THE EXCEPTION BEING THE PLANNING COMMISSION'S RECOMMENDATIONS FOR THOSE TRACTS IN QUESTION. SO THAT WOULD BE THE REZONINGS TO MATCH THE ADOPTED LAND USE PLAN FOR FIRST READING FOR THOSE THREE ZONING CASES.

Mayor Wynn: SO YOUR SUGGESTION IS WE SHOULD DO ON FIRST READING ONLY A MASS ZONING?

FOR FIRST READING FOR THE -- PER THE PLANNING COMMISSION RECOMMENDATION.

Mayor Wynn: THAT IS PER THE PLANNING COMMISSION RECOMMENDATION?

YES. MATURE MAYOR THANK YOU. MOTION BY MAYOR PRO TEM. I'LL SECOND THAT TO APPROVE THE PLANNING

COMMISSION RECOMMENDATION ON THE UNCONTESTED ZONING TRACTS Z-4, 5 AND 7, FIRST READING ONLY. FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

AND FOR THE CONTESTED TRACTS WOULD BE FOR PER THE PLANNING COMMISSION RECOMMENDATION AS WELL.

MARK, DID WE ADOPT THE PLAN FOR THE CONTESTED TRACTS?

OH, THE PLANNING COMMISSION'S RECOMMENDATIONS FOR THOSE.

THAT WAS INCLUDED IN THAT INITIAL MOTION.

THAT IS CORRECT.

ALL RIGHT. THEN WHAT HE'S RECOMMENDING THEN IS THAT YOU ADOPT THE PLANNING COMMISSION'S RECOMMENDATION FOR THE CONTESTED TRACTS ON THE ZONING MATTERS ON 4, 5 AND 7 ON FIRST READING ONLY. WE'LL BRING THEM BACK WITH ALL OF THE -- HOPEFULLY THE ONES SETTLED OUT THAT CAN BE SETTLED OUT, AND WITH THE FINAL DISPUTES ON THE ONES THAT ARE FINALLY DISPUTED.

MOTION MADE BY MAYOR PRO TEM.

Thomas: SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER THOMAS. AND SO HOW DO WE USE THIS 20-PAGE MOTION SHEET NOW.

THE 20-PAGE MOTION SHEET, WHAT YOU HAVE ON THAT NOW IS THAT IS THE LISTING OF ALL OF THE TRACTS THAT HAVE DISPUTES ON THEM. THIS IS YOUR WORKSHEET GOING FORWARD. AND WHAT WE'RE GOING TO DO IS WE'RE GOING

TO COME BACK ON SECOND AND THIRD READING, HOPEFULLY HAVING SETTLED SOME OF THESE OUT, AND HAVING THE ONES REDUCED DOWN TO A FARE THEE WELL AND WE'LL CONSIDER THEM AT THIS TIME. THIS IS YOUR WORKSHEET IN THE MEANTIME. BASICALLY WHAT STAFF IS TRYING TO DO IS STAFF IS TRYING TO SAY TO YOU, IT'S 10:00 O'CLOCK AT NIGHT, THEY REALIZE THAT IT'S 10:00 O'CLOCK AT NIGHT. THIS IS A GOOD WAY TO HANDLE IT FOR THIS FIRST READING ONLY.

Mayor Wynn: AND AGAIN FOR THE FOLKS OUT HERE WHO OBVIOUSLY HAVE A VERY KEEN INTEREST IN THIS, THE LIKELY SECOND AND/OR SECOND AND THIRD READING OF THESE POTENTIALLY CONTESTED CASES ON Z-4, 5 AND 7 SHOULD BE LATE JULY. I DON'T THINK WE'LL GET IT DONE BEFORE THE JULY FIRST BREAK.

IT WILL BE DONE AFTER YOU COME BACK FROM SUMMER BREAK.

Mayor Wynn: THAT FIRST MEETING BACK IS THE LAST THURSDAY IN JULY.

JULY 29TH, YOU'RE CORRECT.

Mayor Wynn: OKAY. MOTION AND A SECOND IS ON THE TABLE TO APPROVE ON FIRST READING ONLY PLANNING COMMISSION RECOMMENDATION OF THESE CONTESTED ZONING TRACTS ON Z-4, 5 AND 7. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL VERY MUCH. WE'LL GIVE SOME FOLKS A MINUTE OR SO TO CLEAR THE ROOM WHILE WE FIGURE OUT OUR NEXT --

Mayor Wynn: FOLKS, IF I ASK YOU TO PLEASE KEEP YOUR BUSINESS DOWN, WE HAVE QUITE A BIT OF BUSINESS TO GET DONE THIS EVENING. FIRST AND FOREMOST I WILL ENTERTAIN A MOTION TO WAIVE OUR RULES TO GO PAST

10:00 P.M.

SO MOVED.

MOTION MADE BY THE MAYOR PRO TEM. SECONDED BY COUNCILMEMBER THOMAS TO -- TO WAIVE OUR 10:00 P.M. RULE. ALL IN FAVOR.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. FOLKS PLEASE KEEP YOUR CONVERSATIONS DOWN AND/OR LEAVE THE ROOM. WE WOULD APPRECIATE IT. AT THIS TIME, COUNCIL, WE ARE GOING INTO EXECUTIVE SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEY UNDER SECTION 551.071 TO POTENTIALLY DISCUSS ITEMS 16 RELATED TO CONTRACT RESOLUTION -- MEDIATION AND DISPUTE RESOLUTION, 44, RELATED TO OUR M/W.B.E. PROCUREMENT PROGRAM, 45 RELATED TO NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT, NUMBER 1, ET AL VERSUS THE CITY OF AUSTIN, 46 RELATED TO BETHANY MISSION BETHANY SUBDIVISION, 55 ALSO RELATED TO OUR M/W.B.E. PROGRAM. WE ARE NOW IN CLOSED SESSION.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP ITEM -- ITEM 16, 44, 55, AND 45, WE DID NOT, WILL NOT TAKE UP ITEM NO. 46, NO DECISIONS WERE MADE. SO, COUNCIL, WE HAVE A COUPLE OF ACTION ITEMS STILL TO HANDLE. WE HAVE SOME CITIZENS HERE TO SPEAK ON ITEM NO. 55, SO WE SHOULD TAKE THAT UP FIRST. AND -- AND -- I'LL ENTERTAIN A BRIEF STAFF PRESENTATION ON ITEM NO. 55 RELATED TO THE POTENTIAL INTERLOCAL ON CERTIFICATION ISSUES.

ITEM 55, SALLY INMAN WITH THE CITY ATTORNEY'S OFFICE. ITEM 55 IS REQUESTING AN APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE SOUTH CENTRAL TEXAS REGIONAL CERTIFICATION AGENCY IN SAN ANTONIO TO PROCURE M.B.E., W.B.E. AND D.B.E. CERTIFICATION SERVICES. THE CITY HAD -- HAD CONDUCTED -- HAS CONDUCTED A REVIEW OF OUR CURRENT CERTIFICATION PROCESS WHICH WE DO IN HOUSE AT DSMBR, WE EVALUATED THE FEASIBILITY OF OBTAINING CERTIFICATION SERVICES FROM A REGIONAL

CERTIFICATION AGENCY. THE BENEFITS OF -- OF GOING WITH THIS INTERLOCAL AGREEMENT WITH SOUTH CENTRAL TEXAS, THEY WILL BASICALLY PROVIDE A SEAMLESS AND TRANSPARENT PROCESS. THEY WILL USE THE CITY OF AUSTIN AND OUR CURRENT FEDERAL CERTIFICATION STANDARDS AND PROCEDURES. THEY WILL MAINTAIN THE SAME VOLUME OF CERTIFICATIONS THAT WE CURRENTLY PROVIDE WITH A CAPACITY TO INCREASE THE NUMBER OF CERTIFICATIONS. THEY WILL PROVIDE TIMELY TURN AROUND. THE SERVICES WILL BE SEAMLESS TO APPLICANTS THAT COME IN. AND THEY CAN BEGIN THE SERVICES ON OCTOBER 1 OF THIS YEAR, ALLOWING A TIME PERIOD FOR TRANSITION BETWEEN THE CITY AND SOUTH CENTRAL TEXAS. I FEEL LIKE THE BENEFITS TO THE CITY ARE -- IT IS THE BEST PRACTICES MODEL. THERE IS A GROWING TREND TO USE REGIONAL CERTIFICATION AGENCIES. IT PROVIDES AN INDEPENDENT THIRD PARTY CERTIFICATION REVIEW PROCESS. THIS AGENCY HAS PROVEN EXPERTISE IN UNIFORMITY AND CERTIFICATION REVIEW. IT WILL PROVIDE OPPORTUNITIES FOR ONGOING PUBLIC INPUT IN PROCESS IMPROVEMENTS AS WE MOVE FORWARD THROUGH THE SUMMER. IT WILL PROVIDE THE OPPORTUNITY TO -- TO REDEPLOY CURRENT STAFF THAT ARE CURRENTLY DOING CERTIFICATION TO OTHER AREAS OF NEED. INCLUDING POST AWARD AUDITS. AND DSMBR WOULD HAVE A STAFF LIAISON TO FACILITATE THE CONTRACT MANAGEMENT AND RECORDS MANAGEMENT AND MAKING SURE THAT THE SERVICES ARE SEAMLESS WITH SOUTH CENTRAL TEXAS. SO -- SO STAFF IS ASKING THAT THE COUNCIL APPROVE THIS INTERLOCAL SO THAT WE CAN MOVE FORWARD TO NEGOTIATE AND ENTER INTO AN INTERLOCAL WITH SOUTH CENTRAL TEXAS.

Mayor Wynn: WE WILL HANDFUL OF PEOPLE THAT WANT TO ADDRESS THIS IR, THE FIRST SPEAKER IS MICHAEL VAN OHLEN. SOME FOLKS WANTED TO DONATE TIME TO YOU.

DAWN CRANE STILL HERE.

WORN DOWN.

YOU WILL HAVE UP TO SIX MINUTES.

THANK YOU, MAYOR, GOOD EARNINGS MAYOR, COUNCILMEMBERS, CITY MANAGER. MY NAME IS MICHAEL VAN OHLEN, I OWN PRISM DEVELOPMENT INC. A MEMBER OF THE HISPANIC CHAMBER ASSOCIATION, A BOARD MEMBER FOR THE GENERAL ASSOCIATED CONTRACTORS OF AMERICA AND CURRENTLY THE HONORARY CHAIRMAN FOR THE BUSINESS ADVISORY COMMITTEE TO CONGRESS IN WASHINGTON D.C. ITEM 55 WILL HAVE A SERIOUS ADVERSE EFFECT ON THE M.B.E.-DBE PROGRAM IN THE CITY OF AUSTIN. THIS ACTION WILL ALSO OPEN THE CITY AND CONTRACTORS TO SERIOUS LIABILITY IN REGARDS TO FEDERAL FUNDING OF PROJECTS AND COMPLIANCE WITH FEDERAL LAW. I PERSONALLY, MYSELF, SPOKE WITH MS. CAROL BURROS OF THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION AT 1:25 P.M. AND 3:00 P.M. RESPECTIVELY TODAY. SHE STATED THAT SHE HAD ONLY LEARNED OF THIS ACTION THIS MORNING AND THAT SHE HAD INFORMED CITY STAFF WHEN SHE SPOKE WITH THEM THAT THE FEDS NEEDED TO BE INCLUDED IN ALL CHANGING HAVING AING CERTIFICATION OR THE CITY WILL BE IN DIRECT VIOLATION OF THE CODE OF FEDERAL REGULATIONS, CFR 49 PART 26. I WAS ALSO INFORMED BY MR. JACKSON OF TEXDOT THAT DUE TO THIS VIOLATION, TEXDOT WILL NOT RECOGNIZE ANY CERTIFICATIONS PROVIDED BY SOUTH TEXAS CENTRAL CERTIFICATION AGENCY OR NEITHER WILL THE FEDS OR -- OR FHA, FTA, U.S. DEPARTMENT OF TRANSPORTATION, CAPITAL METRO, AND THE SCTCRA IS CURRENTLY IN NON-COMPLIANCE WITH TEXDOT. SCTCRA ALSO IS NOT RECOGNIZED BY THE UNIFORM CERTIFICATION PROGRAM OF THE FEDERAL GOVERNMENT. AS A CONTRACTOR, AND MEMBER OF THE BOARD OF DIRECTORS OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA. THE AGC, WHICH IS THE LARGEST CONTRACTING ORGANIZATION IN THE UNITED STATES, I HAVE EVEN MORE SERIOUS CONCERNS. A GENERAL CONTRACTOR WHO USES A MINORITY SUBCONTRACTOR CERTIFICATED AS A D.B.E. THROUGH SC TRC A WHICH IS NOT GOING TO BE RECOGNIZED ON A CITY JOB WITH FEDERAL FUNDING. AS YOU KNOW ANY CITY JOB WITH ONE PENNY OF FEDERAL FUNDING FALLS UNDER THE ONE TOUCH RULE WHICH CAUSES THE PROJECT TO FALL UNDER FEDERAL

GUIDELINES, THE CONTRACTOR WILL BE IN VIOLATION OF 49 CFR AND CAN BE FINED, THEIR PRONGS STOPPED OR CANCEL AND THEY THE CITY CAN BE FORCED TO PAY BACK ALL MONEYS FROM THE PROJECT AND BE PERMANENTLY DISBARRED FROM ANY FUTURE FEDERAL WORK. ALL THE WORK AT THE AIRPORT, YOUR ROAD WORK WITH FEDERAL FUNDING, INTERMODAL TRANSPORTATION WORK, SOME OF THE HIKE AND BIKE TRAILS WHERE WE GET FEDERAL FUNDING OR TEXDOT MONEY ON, CAPITAL METRO WORK, JOINING INTERLOCAL AGREEMENTS WITH CAPITAL METRO, AVIATION, H.U.D., HOUSING PROGRAM, F.A.A. WORK, IT WILL ALL BE ADVERSELY AFFECTED BY THIS ACTION. THIS WILL NOT BE A SEAMLESS PROCESS. THIS IS MORE LIKE A CHEST WOUND, OPEN CHEST WOUND. IT NOT GOING TO BE SEAMLESS, IT'S ILL CONCEIVED AT BEST. I ADVISE AND REQUEST THE COUNCIL TO VOTE AGAINST THIS ITEM. DO NOT VOTE TO VIOLATE FEDERAL LAW AND TAKE THE TIME AND INVESTIGATE THE POTENTIAL ADVERSE EFFECTS IT WILL HAVE -- IT WILL CAUSE. CALL, MAKE THE PHONE CALLS TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION. THE FEDERAL HOUSING AUTHORITY, TEXDOT AND OTHERS. CHECK THE NON-COMPLIANCE OF BACKGROUND OF SCTCRA, INCLUDE THE STAKEHOLDERS IN THE DECISION, THE AGC, MINORITY TRADE ORGANIZATIONS, CHAMBERS OF COMMERCE AND OTHERS, IF YOU HAVE ANY QUESTIONS I WILL BE MORE THAN HAPPY TO ANSWER THEM. TO THE BEST OF MY ABILITY. I DO HAVE A COPY OF 49 CFR RIGHT HERE IF YOU DON'T HAVE ONE AND YOU WOULD LIKE ONE. I ALSO HAVE THE PHONE NUMBER FOR MS. CAROL BOROUGHS FOR THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND THE FEDERAL HIGHWAY ADMINISTRATION IF YOU WOULD LIKE TO HAVE THAT TO GIVE HER A CALL AND VERIFY SOME OF THIS STUFF YOURSELF, EXCEPT IT BEING CLOSE TO 11:00 SHE MIGHT NOT BE IN HER OFFICE.

Mayor Wynn: THANK YOU, AFTER WE HEAR ALL OF THIS TESTIMONY, I EXPECT WE WILL HAVE QUESTIONS FROM STAFF. THANK YOU, MR. JAMES HARPER.

GOOD EVENING, MAYOR AND CITY COUNCIL, MY NAME IS JAMES HARPER, PRESIDENT OF THE AUSTIN BLACK CONTRACTORS ASSOCIATION. FIRST OF ALL, I DON'T -- I NEED TO KNOW I KEEP HEARING THIS WORD SEAMLESS, I

DON'T KNOW WHAT THAT MEANS. I WOULD LIKE TO GET -- I GUESS WHEN WE GO INTO SOMEBODY COULD TELL ME WHAT SEAMLESS MEANS. TONIGHT WHEN YOU WENT INTO EXECUTIVE SESSION IT REMINDED ME OF A GRAND JURY. KIND OF LOOKED AT Y'ALL AS A GRAND JURY BECAUSE YOU ONLY GOT ONE SIDE. YOU ONLY GOT ONE SIDE OF THE INFORMATION, A GRAND JURY IS NOBODY -- NOBODY THAT'S EVER BEEN BEFORE A GRAND JURY THAT WASN'T INDICTED BECAUSE HE ONLY GOT ONE SIDE OF THE INFORMATION. NOBODY -- ONLY GOT ONE ONE TRUTH OR LIE OR HOWEVER YOU WANT TO TELL IT. TO ME THIS AFFECTS US, BUT NOBODY ASKED US. TO ME THIS IS A MINORITY ISSUE. BUT HERE WE GO AGAIN. WE GOT EVERYBODY TELLING US WITH A WE NEED. NOBODY CAME TO US AND ASKED US ANYTHING. WE DIDN'T EVEN HAVE -- I MEAN, I WAS -- I WAS AMAZED THAT THEY EVEN WENT BY THE -- THE MINORITY BOARD, THAT YOU ALL HAVE APPOINTED. I KNOW IF THIS HAD SOMETHING TO DO WITH THE PLANNING COMMISSION, YOU ALL WOULDN'T HAVE BYPASSED THE PLANNING COMMISSION. THE STAFF WOULDN'T HAVE DONE THAT. AND YOU SAY THIS WAS ABOUT SECURITY. SECURITY ON CERTIFICATION? WHAT IS SECURITY, WHAT NEEDS TO BE -- WHAT IS SECURITY FOR? I DON'T THINK YOU ALL SUPPORT HOMELAND SECURITY, WHAT IS IT FOR? TO ME WE NEED TO GET THE FACTS. WE NEED TO GET BOTH SIDE. I MEAN, THE MAYOR, I MEAN -- I'M -- I'M STANDING HERE TONIGHT, I'M GOING TO VOTE. I THINK THAT I SUPPORTED YOU. I SUPPORTED BREWSTER, DANNY, BETTY, MOST OF YOU UP HERE. AND IT WAS ABOUT -- I THOUGHT Y'ALL WAS FAIR. WOULD BE FAIR. I'M NOT ASKING Y'ALL, HELL I'M 62. IT AIN'T NOTHING YOU ALL CAN DO FOR ME. BUT I'M TALKING ABOUT THESE YOUNGSTERS THAT YOU ALL ARE ALWAYS TALKING ABOUT NEED TO GET AN EDUCATION. EDUCATION DON'T MEAN A THING WHEN YOU ALL STAND RIGHT UP HERE AND TAKE AWAY EVERY OPPORTUNITY THAT THEY MIGHT HAVE. THAT THEY MIGHT HAVE. I'M TALKING ABOUT BLACKS, I HAVE NEVER BEEN WHITE ONE DAY IN MY LIFE. I DON'T KNOW WHERE YOU ALL ARE COMING FROM. I KNOW WHERE WE ARE COMING FROM. FOR A BLACK KID THAT'S COMING UP, IT'S GOING TO BE HOLY HELL FOR THEM, Y'ALL ARE NOT MAKING IT NO EASIER FOR US. Y'ALL ARE NOT MAKING IT NO EASIER FOR US. WE NEED ALL OF THE HELP WE CAN GET.

VOTE, VOTE FOR WHAT? TO GET SCREWED, YOU KNOW? YOU ALL ARE COMING TO US, BREWSTER CAME TO ME BEFORE I GOT ELECTED. I TALKED TO HIM UP AT THE VICTORY GRILL. I TOLD HIM WHEN YOU ARE RUNNING FOR OFFICE YOU DON'T KNOW A WHOLE LOT. AS SOON AS YOU GET THERE, YOU KNOW EVERYTHING. THIS IS TRUE, NOW YOU'RE TELLING US WHAT WE NEED. [BUZZER SOUNDING] YOU DON'T ASK US, YOU TELL US. THIS IS JUST TIME FOR THAT TO STOP. Y'ALL NEED TO COME TO US AND ASK US SOMETHING THAT WE KNOW WE NEED. DON'T GIVE US THE RECIPE AND TELL US YOU ARE GOING TO EAT THIS PIE. I'M A DIABETIC, I CAN'T EVEN EAT EVERYTHING THAT YOU FIX, YOU NEED TO ASK ME WHAT MY MENU IS. WHAT I NEED TO HAVE. DON'T YOU FIX IT FOR ME. ASK ME. BUT YOU ALL ARE NOT DOING THAT.

Mayor Wynn: THANK YOU, MR. HARPER, HE WAS AGAINST. KARL HADNOT. WELCOME, CAROL, YOU HAVE THREE MINUTES.

GOOD EVENING, COUNCILMEMBERS, MY NAME IS CARROLL HADNOT I'M A MEMBER OF THE AUSTIN BLACK CONTRACTORS ASSOCIATION. THIS MORNING THE ASSOCIATION DELIVERED YOU A LETTER THAT THEY WROTE REGARDING THIS ISSUE. WE WERE SOMEWHAT SHOCKED BECAUSE TUESDAY ONE OF OUR -- OUR REPRESENTATIVE ON THE M.B.E. ADVISORY BOARD RECEIVED A LETTER FROM CITY MANAGEMENT STAFF STATING THAT THEY WERE GOING TO EXPLAIN TO THEM ABOUT THIS ISSUE AT THEIR NEXT MEETING. BUT IT'S ON THE COUNCIL AGENDA FOR THIS EVENING. NOW, IF YOU ALL DO NOT RESPECT OR EVEN HAVE ANY CONFIDENCE IN THE PEOPLE THAT YOU APPOINT TO BE ON THE M-W.B.E. ADVISORY BOARD, WHY HAVE ONE. THAT WAS TOTALLY DISRESPECT. AND IT DOESN'T JUST HAPPEN ONE TIME. IT HAPPENS ALL THE TIME. THEY GET HALF THE INFORMATION, INCOMPLETE INFORMATION, DELAYS JUST LIKE THE CASH ENHANCEMENT PROGRAM. FOR TWO YEARS STILL WORKING ON IT. IT'S EITHER WE DON'T WANT TO DO IT OR IT'S I DON'T KNOW HOW TO DO IT, OR JUST PURE INCOMPETENCY, ENOUGH IS ENOUGH. I'M LIKE MR. HARPER, I DON'T KNOW WHAT SEAMLESS MEANS. IF IT MEANS WHAT I THINK IT MEANS, THIS IS GOING TO COME UNRAVELED. IT'S UNBELIEVABLE. I HAVE TALKED TO PEOPLE REGARDING 49

CFR PART 6. FROM MY UNDERSTANDING ANY ENTITY THAT RECEIVE \$250,000 OR ABOVE THEY HAVE TO BE IN COMPLIANCE WITH 49 CFR PART 26. SO OUR QUESTION IS, HOW WILL THE THIRD PARTY CHALLENGE TO CERTIFIED FIRM'S PARTICIPATION IN CITY PROJECTS BEING HANDLED? WHO WILL HANDLE LEGAL APPEALS TO THE FEDERAL HIGHWAY ADMINISTRATION OR THE FEDERAL TRANSIT ADMINISTRATION. HOW WILL CERTIFICATION BE COORDINATED WITH THE TEXAS UNIFIED CERTIFICATION PROGRAM? WILL THE CITY CONTINUE TO PARTICIPATE IN THE TUCP? RIGHT NOW THERE'S OVER 1200 M.B.E.S ON THE VENDORS LIST WITH THE CITY OF AUSTIN. ABOUT FIVE TO SIX HUNDRED ARE D.B.E.'S. BASED ON THE INFORMATION THAT I RECEIVED ABOUT THE GROUP THAT YOU ARE GOING READY TO ENTER, IN THE INTERLOCAL AGREEMENT, I DIDN'T KNOW THAT YOU ENTER INTO INTERLOCAL AGREEMENTS WITH NON-PROFITS THAT ARE NOT GOVERNMENTAL ENTITIES, SO MAYBE THAT'S JUST MY IGNORANCE, I DON'T KNOW THAT YOU DID THAT. I THOUGHT THAT YOU DID IT WITH OUT MUNICIPALITIES OR OTHER GOVERNMENTAL ENTITIES, NOT THE PRIVATE SECTOR. SO MY ISSUE IS HOW IS SOMEONE GOING TO DO THIS AT \$50,000. GOING TO COME IN HERE AND SPEND A DAY AND THINK THAT THEY ARE GOING TO BE ABLE TO DO THE OUTREACH, THE CERTIFICATION, MAINTAIN THE LISTING, MAKE SURE THAT THE LISTING IS UPDATED, SO -- SO PEOPLE WHO ARE LOOKING FOR M/W.B.E.S OR D.B.E.S WILL HAVE A CURRENT LIST. I DON'T KNOW HOW THAT'S GOING TO BE DONE. SO I SEE YOUR SEAMLESS PROJECT BECOMING UNRAVELED BEFORE THE SEAM IS SEWN UP.

Mayor Wynn: THANK YOU, MS. HADNOT. COUNCIL, THAT'S ALL OF THE SPEAKERS FOR ITEM NO. 55. COMMENTS, QUESTIONS OF STAFF? I WOULDN'T MIND HEARING OUR LEGAL STAFF RESPOND BRIEFLY AT LEAST TO SPECIFICALLY THE ISSUES THAT MR. VON OHLEN RAISED.

MR. VON OHLEN STATED, SPOKE TO CARROLL ANN BROILS, AN ATTORNEY WITH THE FEDERAL HIGHWAY SEWING. I ALSO TALKED WITH HER TODAY. WE PLAN TO MEET NEXT WEEK TO GO OVER THE DETAILS OF HOW THIS WOULD WORK. AND HE'S ABSOLUTELY RIGHT THAT, YES, THE FEDERAL AGENCIES DO HAVE TO APPROVE HOW WE PARTICIPATE IN --

HOW WE HAVE OUR D.B.E. PROGRAM, HOW WE PARTICIPATE IN THE CERTIFICATION PROGRAM. WHICH IS OUR INTENT TO DO SO. SO WE HAVE NO INTENT TO VIOLATE FEDERAL LAW. AND WE WILL WORK OUT THE DETAILS SO THAT -- SO THAT ALL PARTIES WILL BE -- WILL BE SATISFIED WITH THE RESOLUTION. AS THE ALLEGATIONS OR THE ISSUES RAISED BY SOUTH CENTRAL TEXAS, I'M NOT AWARE THAT THEY ARE NOT -- THAT THEY ARE IN VIOLATION WITH TEXDOT. I WOULD BE CERTAINLY HAPPY TO CHECK THAT OUT. IT IS OUR UNDERSTANDING THAT THEY ACTUALLY HAVE A 12 COUNTY REGION WHERE THEY SERVE AS THE -- AS THE REGIONAL CERTIFICATION AGENCY. AND HE ALSO RAISES AN ISSUE ABOUT -- ABOUT INCLUDING STAKEHOLDERS AND FOLKS IN THE COMMUNITY AND IT IS THE -- IT IS THE PLAN, AS WE ADVISED THE ADVISORY COMMITTEE TO HAVE THIS ON THEIR JUM AGENDA, AT WHICH TIME WE WOULD RECEIVE COMMENTS AND SUGGESTIONS REGARDING THIS PROCESS AND THE CERTIFICATION PROGRAM.

Mayor Wynn: THANK YOU?

Alvarez: I GUESS, YOU KNOW, A COUPLE OF SPEAKERS MENTIONED THE WORD SEAMLESS, SO I THINK THAT -- THAT -- THAT SOME BASIC QUESTIONS ARE IN ORDER ABOUT WHAT THIS MEANS IN TERMS OF -- OF THE APPLICATION PROCESS. HOW IS IT GOING TO BE DIFFERENT, WHAT'S THE TURN AROUND TIME, WHAT CRITERIA ARE GOING TO BE USED, SO THE CRITERIA ARE GOING TO BE THE SAME FOR CERTIFICATION, WHAT'S THAT PROCESS GOING TO BE LIKE, HOW IS IT GOING TO CHANGE. INSTEAD OF OUR OWN INTERNAL STAFF -- 7 SOMEONE DOING IT THROUGHOUT SOURCING CONTRACT.

THE PROPOSAL AND I PROBABLY STARTED THE USE OF THE WORD SEAMLESS. WHAT I MEANT BY SEAMLESS IS THAT TO THE USER, TO THE APPLICANT WHO IS APPLYING FOR CERTIFICATION OR RECERTIFICATION, THEY WILL SEE NO DIFFERENCE IN THE PROCESS FROM WHAT WE CURRENTLY HAVE. THEY WILL SUBMIT THEIR APPLICATIONS, EITHER AT THE AUSTIN OFFICE, CURRENTLY ABOUT 75% OF OUR APPLICATIONS ARE MAILED IN. THEY CAN CONTINUE THE ONSITE VISITS WILL CONTINUE, THEY WILL -- THERE WILL BE EITHER THE LIAISON OF THE DSMBR STAFF AND/OR THE

SOUTH CENTRAL TEXAS REPRESENTATIVE AVAILABLE TO ASSIST WITH APPLICATION QUESTIONS. I THINK THE SERVICES WILL BE AS PROMPT. IN FACT I THINK THE PROCESSING OF THE APPLICATIONS WILL BE QUICKER. SO THAT'S WHAT I MEAN BY SEAMLESS. BASICALLY THEY WILL FOLLOW THE SAME PROCESS, THE APPLICANT FIRMS WILL FOLLOW THE SAME PROCESS THEY HAVE BEEN FOLLOWING. THEY WILL NOT NEED TO GO TO SAN ANTONIO. THEY WILL NOT NEED TO INCUR ANY EXPENSE TO FILE THEIR APPLICATION. IT WILL BE BASICALLY THE SAME AS NOW. >>

ALVAREZ: AND IN TERMS OF -- OF THE ISSUE OF HOW TO RESOLVE THIRD PARTY DISPUTES AND HOW WOULD THAT CHANGE --

WE CURRENTLY HAVE IN THE ORDINANCE, ONE PROCESS OR TWO PROCESSES. WHEN A FIRM APPLIES FOR CERTIFICATION, IS DENIED THEY CAN APPEAL THAT. OR A THIRD PARTY CAN CHALLENGE SOMEONE ELSE'S CERTIFICATION STATUS IF THEY FEEL THEY SHOULD NOT BE CERTIFIED. THOSE WILL BE HANDLED AS THEY CURRENTLY ARE HANDLED UNDER THE TERMS OF OUR ORDINANCE, THEY GO TO INDEPENDENT HEARING OFFICER, BUT CITY STAFF WILL HANDLE IT. THEY WILL NOT GO TO -- THEY WILL NOT BE HANDLED BY THE SAN ANTONIO ENTITY.

Alvarez: BASICALLY ANY APPEALS --

WOULD BE HANDLED AS THEY CURRENTLY ARE, THAT'S CORRECT.

Alvarez: THROUGH DSMBR AND THROUGH THE PROPER PROCESS.

YES. >>

OKAY. FINALLY THE INTENT HERE REALLY IS TO JUST HAVE THE SAME CRITERIA THAT WE CURRENTLY HAVE FOR CERTIFICATION BUT JUST USING AN ENTITY THAT HAS EXPERIENCE AND THAT IS RECOGNIZED IN THIS FIELD AND CERTIFICATION AND SO -- AND MAYBE ONE LAST QUESTION, TO STAFF, IS ABOUT -- ABOUT, YOU KNOW, THERE'S CONCERNS THAT THESE STAFF MEMBERS AT DSMBR MAY

NOT -- YOU KNOW WHAT I MEAN, WE'RE DOING THIS AS A WAY OF REDUCING OUR STAFF AND SAVING MONEY, BUT THE REAL INTENT IS TO BETTER UTILIZE THAT STAFF OR PUT THEM TO USE IN OTHER AREAS MAYBE WHERE WE HAVE HEARD FROM THE CONTRACTORS, THE ASSOCIATIONS, THAT WE NEED MORE ATTENTION AND IN TERMS OF COMPLIANCE WITH CONTRACT PROVISION ET CETERA SORT OF A -- ONCE THE PROJECT IS ACTUALLY DONE TO DO SOME WORK. ON THAT END. IN OTHER AREAS, YOU WANT TO SPEAK TO THAT A LITTLE BIT IN TERMS OF --

YES, IT'S MY UNDERSTANDING THAT THE PLAN -- THE PLAN IN THE PROPOSAL IS THAT THE EMPLOYEES THAT ARE CURRENTLY PROVIDING CERTIFICATION SERVICES, WHICH I BELIEVE ARE TWO FULL-TIME EMPLOYEES AND ONE THAT DOES THAT ALONG WITH OTHER DUTIES, SO TWO PLUS AN ADDITIONAL ONE THAT DOES IT I THINK A THIRD OR HALF OF THE TIME, THAT THEY WILL ONE OF THOSE FOLKS MAY END UP BEING THE LIAISON WITH THE ENTITY. AND THEY WILL BE JUST REASSIGNED TO OTHER DUTIES WITHIN DSMBR FOR AREAS THAT HAVE NOT HAD AS MUCH COVERAGE AS IS REQUIRED. SUCH AS POST CONTRACT AUDITS. POST COMPLIANCE AUDITS.

Alvarez: SO IF ANYTHING REALLY WHAT THIS ACTION DOES IS -- IS INVEST ACTUALLY ADDITIONAL FUNDS INTO OUR SMALL BUSINESS PROGRAM BECAUSE WE ARE MAKING -- MAINTAINING THE SAME STAFFING LEVELS AND REMOVING SOME RESPONSIBILITIES SO THAT WE CAN BETTER UTILIZE THOSE STAFFING RESOURCES.

THAT'S CORRECT.

Alvarez: THEN FINALLY, IT WILL TAKE YOU KNOW I WOULD THINK A COUPLE OF MONTHS OR SO TO NEGOTIATE THIS. THIS IS NOT -- WE ARE ACTUALLY CONSIDERING THE -- THE APPROVAL OF NEGOTIATION AND POSSIBLE EXECUTION, ASSUMING ALL THESE ISSUES CAN BE IRONED OUT. SO REALLY IF -- IF THERE ARE SOME QUESTIONS THAT REMAIN FROM -- FROM MEMBERS OF THE ADVISORY COMMITTEE, THE CONTRACTORS OR THE ASSOCIATIONS OUT THERE, THAT'S WHAT WE WILL BE SOLICITING AS WE GET MORE INFORMATION OUT ABOUT WHAT THIS ACTUALLY ENTAILS

AND REALLY BEFORE ANY CONTRACT IS SIGNED TO MAKE SURE AGAIN THAT THOSE QUESTIONS ARE ANSWERED AND IF ANYONE IS NOT ABLE TO ANSWER COME UP, BUT I THINK REALLY THE -- A LOT OF THE QUESTIONS THAT HAVE BEEN POSED I THINK THERE'S A VERY -- ALREADY WE ALREADY HAVE GOOD RESPONSES TO, BUT WE NEED TO SHARE THAT INFORMATION WITH THE ADVISORY COMMITTEE AND THE CONTRACTING COMMITTEES.

YES, THAT'S CORRECT. THAT'S OUR INTENT. WE DO HAVE A LOT OF WORK TO DO TO WORK OUT THE DETAILS AND LOGISTICS SHOULD THIS COME TOGETHER AND THERE WILL BE AMPLE OPPORTUNITY FOR BOTH THE ADVISORY COMMITTEE AND THE OTHER INTERESTED SHAREHOLDERS TO PAR PATRIOT AND GIVE US -- PARTICIPATE AND GIVE US INPUT.

Alvarez: I YIELD, MAYOR.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

Thomas: I NEED TO ASK MR. HARPER DID HE GET HIS QUESTION ANSWERED? THE WORD THAT YOU WERE ASKED A WHILE AGO.

WELL, SHE GAVE SOMETHING. I DON'T -- I DON'T KNOW THAT THAT'S REALLY WHAT TO ME WHAT I UNDERSTOOD IT TO BE. I MEAN, IN -- IN MY UNDERSTANDING, LIKE I SAID, THIS IS A MINORITY ISSUE MY UNDERSTANDING A BLACK PERSON WILL LOSE THEIR JOB OVER THAT. THAT'S MY UNDERSTANDING. WELL, I UNDERSTAND THIS AND I SEE IT ALL THE TIME. THERE AIN'T GOING TO BE NO JOB CUTS, AIN'T NOBODY RETIRING, SOMEBODY EVENTUALLY LEAVES. I SEE IT NOT ONLY HERE BUT ACROSS THE COUNTRY SAYING AIN'T NOBODY, YOU KNOW, BUT, YOU KNOW, YOU DON'T FIRE THEM, YOU ASK THEM TO RESIGN, IT'S THE SAME THING. WE HAD THE CIA MAN THE LEAVE DAY. HE DIDN'T LEAVE BECAUSE OF BAD HEALTH. HE DIDN'T LEAVE BECAUSE OF BAD HEALTH. EVERYBODY KNOWS THAT YOU EITHER LEAVE OR YOU GET FIRED. WE ALL KNOW THAT. SO I HEAR WHAT EVERYBODY IS SAYING, THREE OR FOUR MONTHS DOWN THE ROAD, IF THIS YOUNG MAN IS GOING, WHO UP HERE IS GOING TO BRING HIM BACK? NOBODY. WE ARE GOING TO

HAVE A WAY OF SAYING WHY HE LEFT, THE REASON WAS LEGIT. SO I HAVE A CONCERN. I HAVE A REAL CONCERN. IF YOU LOOK AROUND, LOOK BACK FIVE YEARS BACK, LOOK AT THIS CITY, AS FAR AS HOW MANY BLACKS WAS ON THE PAYROLL, LOOK TODAY. WE GOT ONE BLACK DEPARTMENT HERE, OVER THE TRASH DEPARTMENT, I WOULDN'T EVEN HAVE THAT JOB. SO -- SO THINK ABOUT IT.

ACTUALLY, MR. HARPER, WE HAVE SEVERAL AFRICAN AMERICAN DEPARTMENT DIRECTORS. WE HAVE AN AFRICAN AMERICAN ASSISTANT CITY MANAGER, ALICE GLASGO IS A DIRECTOR. YOU ARE WRONG ABOUT THAT -- NOPE, MR. HARPER, YOU MAY --

ASSISTANT.

ASSISTANT CITY MANAGER, MR. HARPER. AS WELL AS MULTIPLE DEPARTMENT DIRECTORS.

YOUR JOB IS ASSISTANT. I'M TALKING ABOUT -- I'M TALKING OVER THE DEPARTMENT. NOT ASSISTANTS.

Futrell: MR. HARPER, I WILL REQUEST THAT YOU LET ME SPEAK FOR JUST A MOMENT AS WE LISTENED TO YOU SPEAK.

I WILL LET YOU SPEAK.

Futrell: SIR.

YOU DON'T HAVE TO POINT YOUR FINGER AT ME.

Mayor Wynn: THEN I'LL DO IT MR. HARPER.

WELL --

Mayor Wynn: SHOW SOME RESPECT -- THESE FOLKS HAVE BEEN UP HERE WORKING ALL DAY LONG. WORKING FOR THE CITY. YOU ARE GOING TO SHOW RESPECT IN THIS ROOM.

I SHOW RESPECT. I HAVE BEEN SITTING HERE ALL DAY LONG. I HAVE ALWAYS SHOWN RESPECT TO THIS COUNCIL.

Mayor Wynn: YOU ARE NOT DOING IT NOW, SIR.

THANK YOU.

THANK YOU, I DO, TOO.

I'M LISTENING.

ACTUALLY I'M WAITING FOR YOU TO STEP AWAY TO THE MICROPHONE SO I CAN RESPOND TO THE COUNCIL ON THE MISINFORMATION THAT YOU JUST GAVE. WE HAVE MULTIPLE DEPARTMENT DIRECTORS THAT ARE AFRICAN-AMERICAN IN THE CITY. OUR REPRESENTATION OF AFRICAN-AMERICANS IN THE CITY MORE THAN REPRESENTS THE POPULATION IN THE CITY. WE ARE VERY PROUD OF OUR DIVERSITY IN HIRING IN THE CITY. IN ADDITION TO THAT, MY EXECUTIVE TEAM IS 40% AFRICAN-AMERICAN. IN FACT IT'S OFFENSIVE TO ME, MR. HARPER. NOW HAVING SAID THAT, PEOPLE IN PLACEMENTS AND LAYOFFS IS ALSO VERY CRITICAL TO ME. AND THE COMMITMENT THAT WE MADE AS PART OF THIS WAS THAT NO ONE WOULD LOSE THEIR JOB. AND EVERYONE WOULD HAVE A PLACEMENT AND THAT WILL OCCUR.

Thomas: LET ME SAY THIS, CITY MANAGER AND MAYOR. THAT WAS ONE OF THE THINGS THAT I WAS CONCERNING THAT CITY MANAGER MADE A COMMITMENT AND A -- AND I MYSELF WILL MAKE SURE THAT THAT COMMITMENT IS HELD. MY CONCERN WAS ABOUT THE POSITION ONCE WE DID, IF WE WENT OUT, THAT -- TO DO THIS. MY SECOND CONCERN IS THAT ANY TIME WE ARE DEALING WITH CHANGING OF ISSUES AND ONE THING THAT I DO SAY, WHEN YOU -- WHEN YOU BRING AN ITEM OUT OF EXECUTIVE SESSION, I'M NOT COMFORTABLE MAKING -- I'M NOT SUPPORTING THIS ANYWAY, BUT I'M JUST SAYING I'M NOT COMFORTABLE MAKING A VOTE FOR YES FOR SOMETHING, ESPECIALLY WHEN WE DIDN'T DO WHAT WE NORMALLY DO IN THE PROCEDURES OF ADVISORY COMMITTEE. I KNOW THERE MIGHT HAVE BEEN SOME LEGALITIES THAT WE COULDN'T HAVE HAD RELEASED, BUT I THINK THE OPPORTUNITIES SHOULD HAVE BEEN GIVE VERY MUCH TO THEM. AT LEAST LIKE WE NORMALLY DO. CERTAINLY AMOUNT OF INFORMATION WE COULD HAVE GIVEN OUR ADVISORY BOARD AND THEN WE COULD HAVE STILL DID THAT. I WOULD

HAVE BEEN MUCH MORE COMFORTABLE IN THAT PROCEDURE. INSTEAD OF COMING OUT IN EXECUTIVE SESSION -- OUT OF EXECUTIVE SESSION AND ADVISORY BOARD LIKE I SAID TUESDAY, THEY DID NOT KNOW WHAT WAS GOING ON. SO I WOULD NOT SUPPORT THIS. BUT I DO COMMEND THE CITY MANAGER. I'M LOOKING FORWARD TO THAT SHE SAYS SHE WILL REPLACE THE YOUNG MAN AND ALSO THE OTHER TWO EMPLOYEES BUT -- AND IN -- IN A POSITION THAT WILL HELP ENHANCE WHAT WE ARE TRYING TO DO AS FAR AS CERTIFICATION AND MAKE SURE THAT THE -- THAT THE SUBCONTRACTORS ARE TAKEN CARE ON CONTRACTS WHEN PRIME CONTRACTORS SAY THEY ARE GOING TO USE THEM WHEN THEY GET THE [INDISCERNIBLE] THE CONTRACT AGREED THEY DO NOT, SO WE ARE GOING TO LOOK AT THAT AREA OF THE PROCESS. BUT -- BUT I'M NOT COMFORTABLE TODAY TO SUPPORT THIS ITEM AT ALL BECAUSE THE PROCEDURE WE USED ON THIS ONE. THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS? ITEM NO. 55.

Slusher: MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER SLUSHER TO APPROVE ITEM NO. 55. I WOULD SECOND THAT. COUNCILMEMBER ALVAREZ?

Alvarez: I JUST -- YOU KNOW WANT TO SAY ABOUT THIS PARTICULAR ITEM THAT -- THAT I THINK THAT IT'S REALLY ANOTHER STEP, THE CITY IS TRYING TO TAKE, IN ORDER TO STRENGTHEN OUR PROGRAM. IT'S NOT INTENDED TO KEEP PEOPLE OUT OR OUTSIDE OF THE PROCESS. I THINK AGAIN IT DOESN'T CHANGE THE CRITERIA FOR CERTIFICATION, IT JUST CHANGES HOW WE ARE GOING ABOUT VERIFYING THAT THAT CRITERIA IS MET. SO I'M VERY CONFIDENT THAT - - THAT WE WILL BE ABLE TO DO THAT EFFICIENTLY ASSUMING THAT WE CAN NEGOTIATE SOMETHING WITH THIS ENTITY. AND THAT -- AND THAT -- THAT IF THERE ARE ANY -- ANY ISSUES AGAIN THAT ARE IDENTIFIED BY THE ADVISORY COMMITTEE, BY -- BY THE ASSOCIATIONS OF CONTRACTORS, THAT WE WILL WORK TO -- TO APPEARS THOSE QUESTIONS AND ADDRESS THOSE ISSUES, BUT IT'S A VERY SPECIFIC

FUNCTION WE ARE LOOKING TO -- TO ADDRESS HERE IN TERMS OR TO STRENGTHEN HERE, SO IT'S -- IT'S -- REALLY THE INTENTION IS TO -- TO FURTHER STRENGTHEN OUR PROGRAM WE HAVE BEEN UNDERTAKING OVER THE LAST COUPLE OF YEARS SEVERAL ACTIONS TO STRENGTHEN OUR PROGRAM. I THINK THIS IS ANOTHER ONE THAT IS REALLY GOING TO BE POSITIVE AND -- AND BECAUSE -- BECAUSE OF THE NATURE OF SOME OF THESE ISSUES WE ARE DEALING WITH IT WASN'T SOMETHING THAT COULD GO TO THE ADVISORY COMMITTEE FIRST. BECAUSE IT IS A CONTRACT THAT HAS TO BE NEGOTIATED OVER SEVERAL MONTHS, WE STILL WANT TO MAKE SURE THAT ALL OF THE ANSWERS ARE ANSWERED THAT HAVE NOT BEEN ANSWERED. THAT'S WHY I WILL BE SUPPORTING THIS ITEM TODAY AND HOPE -- AND I THINK THAT IT'S CONFIDENT THAT THIS IS GOING TO WORK WELL AND -- BUT REALLY DO WANT TO HEAR WHAT CONCERNS PEOPLE HAVE. THAT MAYBE HASN'T BEEN EXPLAINED TODAY BECAUSE I THINK THAT IT'S A PRETTY STRAIGHTFORWARD ACTION.

Mayor Wynn: MAYOR I WANTED TO THANK FOR YOU STANDING UP FOR DECK DECORUM IN THE CHAMBERS, I THINK IT'S VERY IMPORTANT THAT WE ACT ON LOGIC AND CIVIL DISCOURSE NOT HOLLERING AND MISINFORMATION I WANT TO THANK YOU FOR TAKING THAT STAND ON BEHALF OF THE COUNCIL AND THE CITIZENS.

Mayor Wynn: THANK YOU, COUNCILMEMBER. I APPRECIATE MR. HARPER APOLOGIZING AND ALSO RECOGNIZING THAT WE ARE ALL TIRED AND FRUSTRATED AND WORKING ON A COMPLICATED ISSUE THAT WE ALL HAVE THE SAME OVERARCHING GOAL TOWARDS OF THE A MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM NO. 55. FURTHER COMMENTS?

Thomas: ONE MORE COMMENTS. I THINK THAT WE ALSO NEED TO MAKE SURE THAT WHAT I'M SAYING IS MAKING IT VERY CLEAR THAT WHAT WE DID AS A SUBCOMMITTEE I FEEL WE COULD HAVE DID FOR THE ADVISORY COMMITTEE. WE DISCUSSED IT A LITTLE BIT AND THEN WENT INTO EXECUTIVE SESSION. THAT'S THE ONLY PROBLEM THAT I HAVE WITH THIS WHOLE ITEM. I THINK THAT WE COULD HAVE DID THE ADVISORY COMMITTEE THE SAME THING BECAUSE I

THINK WE HAVE ENOUGH LEGAL STAFF TO KNOW THERE'S AN AREA THAT WE CAN GO INTO AND THERE'S AN AREA THAT WE CAN'T GO INTO. THAT'S WHERE I GOT THE PROBLEM. I THINK, I KNOW WE COULD HAVE DONE THAT. THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. A MOTION AND A SECOND IS ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED?

NO.

Mayor Wynn: MOTION PASSES ON A VOTE OF 5-1, COUNCILMEMBER THOMAS VOTING NO AND THE MAYOR PRO TEM OFF THE DAIS. COUNCIL, IF YOU DON'T MIND, WHILE WE'RE TALKING ABOUT THIS ISSUE, I THINK THAT WE SHOULD TAKE UP ITEM NO. 16, WHICH IS MUCH MORE SIMPLE, I BELIEVE. WHICH WAS SIMPLY THE AUTHORIZE THE CITY MANAGER TO DEVELOP A LIST OF MEDIATION AND CONFLICT RESOLUTION PROFESSIONALS TO PROVIDE CONSTRUCTION, CONTRACT DISPUTE RESOLUTION SERVICES. I DON'T KNOW THAT IT FRANKLY NEED MUCH OF AN INTRODUCTION FROM STAFF.

I THINK THE SUBJECT BASICALLY EXPLAINS -- ONE MECHANISM THAT WE ARE GOING TO USE TO ENHANCE OUR CURRENT DISPUTE RESOLUTION PROCESS TO STRENGTHEN THAT PROCESS SO THAT CONFLICTS BETWEEN PRIMES AND SUBS CAN BE RESOLVED QUICKLY AND EFFICIENTLY. AND SO WE CAN GET OUR PROJECTS COMPLETED ON TIME.

Mayor Wynn: BENEFITS EVERYBODY. QUESTIONS OF STAFF, COUNCIL? COMMENTS? IF NOT I'LL ENTERTAIN A MOTION ON ITEM NO. 16.

Thomas: SO MOVE.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER THOMAS SECONDED BY COUNCILMEMBER ALVAREZ TO APPROVE ITEM NO. 16. FURTHER COMMENTS? HEARING NONE, ALL

THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH THE MAYOR PRO TEM OFF THE DAIS. WE HAVE -- SORRY WE HAVE A BRIEFING FROM -- FROM ASSISTANT CITY MANAGER REGARDING OUR JOINT HOUSE BILL 1445 SUBCOMMITTEE RECOMMENDATIONS.

THANK YOU, MAYOR. I'LL MAKE THIS QUICK. WHAT I WOULD LIKE TO DO TONIGHT HE IS JUST TO LOOP BACK WITH YOU ALL AS A FULL COUNCIL ON WHAT HAPPENED AT THE LAST SUBCOMMITTEE MEETING BETWEEN COMMISSIONERS DAUGHERTY, JUDGE BISCOE AND OUR COUNCILMEMBERS MAYOR PRO TEM GOODMAN AND COUNCILMEMBER SLUSHER. JUST AS A QUICK BRIEFING, HOW BILL 45 GAVE CITIES AND COUNTIES IN THE STATE OF TEXAS SEVERAL OPTIONS THAT THEY COULD USE TO AVOID AND ELIMINATE DUPLICATION OF THE REVIEW OF SUBDIVISIONS IN E.T.J.S, THOSE OPTIONS INCLUDED CITIES GIVING COUNTIES EXCLUSIVE AUTHORITY, COUNTIES GIVING CITIES EXCLUSIVE AUTHORITY IN E.T.J.S, COMBINING UNDER A SINGLE OFFICE OR SPLITTING THE E.T.J.S BETWEEN CITIES AND COUNTIES. IN TRAVIS COUNTY THE OPTION THAT WE CHOSE WAS TO HAVE A SINGLE OFFICE. YOU ALL ENTERED INTO AN INTERLOCAL AGREEMENT WITH TRAVIS COUNTY TO ESTABLISH A SINGLE OFFICE FOR THE REVIEW AND APPROVAL OF SUBDIVISIONS IN OUR E.T.J. IT WAS A COLLABORATIVE APPROACH USED BY THE CITY AND THE COUNTY AND IT WAS DESIGNED TO HELP STREAMLINE AND SIMPLIFY HOW THOSE SUBDIVISION REVIEWS OCCURRED. IT ALSO ALLOWS US TO COLLECT FEES IFIN A LUMP SUM. PROBABLY MOST IMPORTANTLY ESTABLISH A SINGLE CODE SO THAT WHEN WE REVIEW WE ARE REVIEWING AGAINST THE SAME CODE IN THE CITY AND IN THE COUNTY. PROGRESS THAT WE HAVE MADE TO DATE INCLUDES ALL OF THOSE THINGS. SO WE ARE REALLY COMING TO THE END OF OUR WORK ON 1445 FROM A POLICY PERSPECTIVE. ONE OF THE LAST THINGS THAT WE WERE DOING IS SORTING THROUGH THE ROLES THAT WE WOULD HAVE IN THIS SINGLE OFFICE. YOU WILL RECALL WE HAVE ALREADY TALKED ABOUT WHO WOULD WEAR THE -- WHERE THE CITY

WOULD HAVE VARIANCE AUTHORITY AND WHERE THE COUNTY WOULD HAVE VARIANCE AUTHORITY. WE ARE REALLY DOWN TO THAT FINAL REVIEW FUNCTION AND HOW IT WILL OCCUR IN THE SINGLE OFFICE. WE PASSED OUT A TABLE FOR YOU THAT SHOULD BE UP ON YOUR -- ON THE DAIS. IT FAIRLY SIMPLY SHOWS YOU HOW THE SUBCOMMITTEE DESIGNED THE ROLES AND RESPONSIBILITIES IN THE SINGLE OFFICE AND I'LL JUST WALK YOU THROUGH IT. THEN I'LL TALK TO YOU ABOUT NEXT STEPS. FIRST OF ALL THERE WILL BE A CASE MANAGER IN THESE REVIEWS, THE WAY WE HAVE STRUCTURED THE CASE MANAGER ROLE IS THAT IN NEAR-TERM ANNEXATION AREAS, WE HAVE NAMED THOSE AREAS, THE CITY OF AUSTIN WILL BE THE CASE MANAGER. IN THE DRINKING WATER PROTECTION ZONE, THE CITY WILL BE CASE MANAGER. IN THE DESIRED DEVELOPMENT ZONE THE COUNTY WILL BE THE CASE MANAGER. THEN YOU GET INTO CONTENT REVIEWS. TRAVIS COUNTY WILL BE THE REVIEWER FOR TRANSPORTATION ITEMS. THE DRAINAGE WE HAVE SPLIT. WHERE THERE'S A REGIONAL STORM WATER MANAGEMENT PROGRAM, THE CITY WILL BE THE REVIEWER. WHERE THERE IS NOT THE COUNTY WILL BE THE REVIEWER. ON ALL ENVIRONMENTAL REVIEWS THE CITY OF AUSTIN WILL TAKE THE LEAD. ON UTILITY REVIEWS THE CITY OF AUSTIN WILL TAKE THE LEAD. AND ON INSPECTIONS THE CITY OF AUSTIN WILL TAKE THE LEAD. THIS TABLE REALLY SUMMARIZES THE ROLES OF EACH ENTITY IN THAT SINGLE OFFICE. OUR NEXT STEP WILL BE TO BRING YOU AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN. IT WILL CAPTURE THESE RULES AND RESPONSIBILITIES -- ROLES AND RESPONSIBILITIES AND THAT SHOULD WRAP UP OUR WORK ON THE INTERLOCAL AGREEMENT. THE LAST SHOE TO FALL, NOW THAT WE HAVE ASSIGNED ROLES AND RESPONSIBILITIES, WE IN TRAVIS COUNTY ARE WORKING TOGETHER TO SIFT THROUGH OUR FEES AND MAKE SURE THAT OUR FEES ARE NO LONGER CAPTURING FEES FOR WORK THAT THE CITY WON'T BE DOING. FOR EXAMPLE, THAT WE AREN'T CHARGING FOR THE TRANSPORTATION REVIEW THAT'S WE ARE NO LONGER PERFORMING. THAT UNLIKE MOST FEES, MOST OF THE FEES THAT YOU SEE COMING ALONG AS PART OF THE BUDGET PROCESS, IN FACT RUDY

PASSED YOU THE THOSE OUT EARLIER TODAY IN THE POLICY BUDGET REVIEW. THIS SET OF FEES WE BELIEVE THAT WE WILL HAVE THEM TO YOU BEFORE THE BUDGET IS PASSED. BUT IT WILL TAKE ANOTHER MONTH OR TWO TO SORT THROUGH JUST EXACTLY HOW THE CITY AND COUNTY'S NEW FEES SHOULD LOOK GIVEN THESE ROLES AND RESPONSIBILITIES. TO YOUR NEXT ACTION WE WERE HOPING TO GET BACK TO YOU BEFORE THE JUNE BREAK WITH A FINAL WE HOPE FINAL AMENDMENT TO THE INTERLOCAL AGREEMENT. THAT CONCLUDES THE UPDATE, MAYOR.

THANK YOU, MS. HUFFMAN. QUESTION?

McCracken: I JUST WANT TO SAY I GUESS ABOUT SIX WEEKS AGO OR A MONTH AGO WE WERE HAVING SOME ISSUES GETTING THIS RESOLVED. WE ELECTED WITH THE COUNCIL TO GO WITH OUR TWO MOST EXPERIENCED COUNCILMEMBERS TO GET US THROUGH THIS AND COUNCILMEMBER SLUSHER AND MAYOR PRO TEM GOODMAN DID A FANTASTIC JOB. I'M REALLY IMPRESSED.

Mayor Wynn: AGREED, THANK YOU. FURTHER COMMENTS? QUESTIONS? THANK YOU, MS. HUFFMAN. COUNCIL, I BELIEVE THAT'S ALL OF THE ITEMS BEFORE US THIS EVENING, I WILL ENTERTAIN A MOTION TO ADJOURN. MOTION BY COUNCILMEMBER SLUSHER, SECONDED BY COUNCILMEMBER ALVAREZ, ALL THOSE IN FAVOR PLEASE SAY AYE? AYE. WE ARE ADJOURNED, THANK YOU.

End of Council Session Closed Caption Log