

Closed Caption Log, Council Meeting, 6/24/04

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Mayor Wynn: GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, IT'S MY PRIVILEGE TO WELCOME REVEREND JACQUELINE BAKER FROM THE CENTRAL CHRISTIAN CHURCH TO LEAD US IN OUR INVOCATION, REVEREND. PLEASE STAND.

LET US PRAY. GOD OF MANY NAMES, MANY PEOPLES AND MANY NATIONS, WE COME BEFORE YOU NOW TO ASK THAT YOU POLICE THOSE HERE GATHERED WITH INSIGHT AND INSPIRATION, WITH CARE AND COMPASSION, WITH AWARENESS AND WITH WISDOM RIGHTEOUS AND MERCIFUL GOD, WE LIVE IN A WORLD WHERE HUMAN LIFE IS EXPLOITED AND ABUSED. VIOLENCE IS TAKEN LIGHTLY AND PEOPLE ARE OFTEN VIEWED AS OBJECTS. IMAGES OF WAR AND MURDER FLASH BEFORE US SO OFTEN THAT MANY TIMES WE BECOME NUMB AND SOMETIMES WE ARE HARDENED TO THE PAIN AND SUFFERING AROUND US. IF WE HAVE TAKEN ON THESE VALUES OF THE WORLD, FORGIVE US. GIVE US TENDER HEARTS, HELP US TO REFLECT TRUE JUSTICE AND GENUINE MERCY. WE PRAY FOR COURAGE AND STRENGTH OF CHARACTER. THAT WE MAY BE VOICES FOR THOSE WHO HAVE NO VOICE. WE PRAY FOR INTEGRITY AND RESOLVE. THAT WE MAY CHALLENGE THE WRONGS AND INJUSTICES OF THIS WORLD. OH, GOD, WE PRAY TODAY, ALSO, FOR GUIDANCE FOR THOSE IN LOCAL AND CENTRAL GOVERNMENT, THE PLANNERS, THE ADMINISTRATORS, THE DECISION MAKERS. MAY THEY SEE THE WELFARE OF ITS CITIZENS AS THE CITY'S HIGHEST GOOD. WE THANK YOU, CREATIVE GOD, FOR THOSE WHOSE WORK SUSTAINS OUR NATION AND THIS COMMUNITY IN WHICH WE LIVE. WE PRAY

FOR OUR LOCAL, OUR STATE, FOR NATIONAL AND WORLD LEADERS, AND FOR THE MANY MEN AND WOMEN WHO SERVE IN HARM'S WAY. WE GIVE THANKS AS WELL FOR THOSE WHO DAY AND NIGHT MAINTAIN THE APPROXIMATELY SERVICES FOR THE POLICE, FOR THOSE WHO RESPOND TO EMERGENCIES, AND FOR ALL THOSE WHOSE WORK IS IN HEALTH OR HEALING OR SOCIAL CARE. TEACH US TO REMEMBER THAT ALL OUR LIVES DEPEND ON THE WORK AND COOPERATION OF MANY HEARTS AND MINDS AND HANDS AND WE PRAY THAT WE MAY LIVE THANKFULLY AND IN UNITY AS MEMBERS OF ONE HUMAN FAMILY. WE ASK THIS IN A SPIRIT OF GRACE AND TRUTH AND PEACE, AMEN.

Mayor Wynn: THANK YOU, REVEREND BAKER. THERE BEING A QUORUM PRESENT AT THIS TIME, I WILL CALL THIS MEETING OF THE AUSTIN CITY COUNCIL TO ORDER. IT IS 10:15 IN THE MORNING. THURSDAY, JUNE 24th, 2004. WE ARE IN THE LCRA BOARD ROOM, 3700 LAKE AUSTIN BOULEVARD. AT THIS TIME, I WOULD LIKE TO READ THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. ON ITEM NO. 5, STRIKE THE WORDS "DELAWARE, MARYLAND," AND REPLACE IT WITH A DELAWARE LIMITED LIABILITY COMPANY. SO THEREFORE THE REFERENCE TO CATELLUS, AUSTIN, L.L.C. INCLUDES A DELAWARE LIMITED LIABILITY COMPANY. ON ITEM NO. 9, INSERT THE WORDS WITH HOME DEPOT, INC., UNDER CHAPTER 380 OF THE LOCAL GOVERNMENT CODE. STRIKE THE WORDS "OFFERING AUSTIN ENERGY FUNDING FOR CERTAIN ELECTRICAL EQUIPMENT" AND REPLACE THAT WITH "PROVIDING POWER QUALITY AND RELIABILITY ENHANCEMENTS BY AUSTIN AUSTIN ENERGY" INSERT THE WORDS "TOTAL VALUE OF" THEN STRIKE THE REFERENCE RELATING TO ITEM NO. 67. SO, THEREFORE, ITEM NO. 9'S SUMMARY WILL READ: APPROVE AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT WITH HOME DEPOT, INC., UNDER CHAPTER 380 OF THE LOCAL GOFERD CODE AND CREATING AN ECONOMIC DEVELOPMENT PROGRAM FOR A PROPOSED HOME DEPOT DATA CENTER TO BE LOCATED AT 1300 PARK CENTER DRIVE, AUSTIN, TEXAS, PROVIDING FOR ECONOMIC INCENTIVES FOR A PERIOD OF 10 YEARS, CONSISTING OF REBATE OF 100% OF CITY PERSONAL PROPERTY TAX ON BUSINESS EQUIPMENT

AND REBATE OF REAL PROPERTY TAX ON THE INCREASE IN VALUE AFTER PURCHASE OF THE FACILITY AND PROVIDING POWER, QUALITY AND RELIABILITY ENHANCEMENTS BY AUSTIN ENERGY. MOUTHFUL. ITEM NO. 21. WE WILL STRIKE THE AMOUNT 608,259.25. AND CORRECT THAT TO READ \$695,000. ITEM NO. 30 HAS BEEN POET PONIED INDEFINITELY -- POSTPONED INDEFINITELY. ITEM NO. 53 IT SHOULD BE NOTED THAT COUNCILMEMBER ALVAREZ IS AN ADDITIONAL SPONSOR. ON ITEM 71, INSERT THE PHRASE AND WAIVE PERMIT FEES. AND INCLUDE MAYOR WYNN AS AN ADDITIONAL SPONSOR. ON ITEM 59, INSERT THE PHRASE AND THE LEGAL SERVICES AGREEMENT WITH DENTON, NAVARRO, ROCA AND BERNAL, P.C. ITEM NO. 60, WE NEED TO REPLACE L.L.C. WITH L.P. AND I BELIEVE THAT'S ALL OF OUR CHANGES AND CORRECTIONS. FOR THIS WEEK'S POSTED AGENDA. OUR TIME CERTAIN ITEMS TODAY: AT NOON WE WILL BREAK FOR OUR GENERAL CITIZEN COMMUNICATIONS. AT 2:00, WE WILL HAVE A BRIEFING AND THIS SHOWS AS AGENDA ITEM 64 THIS THIS WEEK. AT 3:00, WE WILL HAVE OUR BOARD OF DIRECTORS MEETING OF THE AUSTIN HOUSING AND FINANCE CORPORATION. THOSE SHOW AS ITEMS AHFC 1, 2 AND 3. AT 4:00, WE HAVE OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THOSE SHOW AS ITEMS 65 AND 66 AND Z-1 THROUGH Z-20. OUCH. I WILL -- [LAUGHTER] -- I WILL ALSO ANNOUNCE NOW THAT STAFF WILL BE REQUESTING POSTPONEMENT OF THE FOLLOWING CASES: Z-1 AND Z-2, THE NORTH LOOP NEIGHBORHOOD PLAN AMENDMENT POSTPONED TO JULY 29th, 2004. AND Z-11 AND Z-20 ALSO POSTPONED TO JULY 29th, 2004. BUT TECHNICALLY THOSE POSTPONEMENT NOTES CAN'T OCCUR UNTIL OUR 4:00 TIME CERTAIN. AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. AT 6:00 PUBLIC HEARINGS AND POSSIBLE ACTIONS THAT SHOW AS ITEMS 67 THROUGH 70. AND I WILL ALSO SAY NOW THAT STAFF WILL BE REQUESTING A POSTPONEMENT ON BEHALF OF THE APPLICANT ON ITEM 70 FOR THAT PUBLIC HEARING. AT 7:30, WE HAVE A TIME CERTAIN, ITEM NO. 13, WHICH RELATES TO OUR -- TO OUR -- TO OUR H.U.D. PLAN. SO, COUNCIL, I BELIEVE THOSE ARE ALL OF OUR TIME CERTAINS FOR THIS AFTERNOON AND EVENING. AND I'LL READ THE ITEMS THAT HAVE BEEN PULLED FROM THE CONSENT AGENDA. ITEM NO.

11, IS PULLED AS IT RELATES TO AN EXECUTIVE SESSION ITEM, NUMBER 59. ITEM 12, ALSO IS PULLED BECAUSE IT RELATES TO AN EXECUTIVE SESSION ITEM, NUMBER 62. ITEM 24 PULLED BY MAYOR PRO TEM AND ITEM 44 -- ITEM -- PULLED BY THE MAYOR PRO TEM GOODMAN. COUNCIL, ANY OTHER ITEMS TO BE PULLED OR ADDED BACK TO THE CONSENT AGENDA?

Clerk Brown: MAYOR, I'M HEARING FROM STAFF THERE ARE SOME ITEMS THAT COULD BE PUT BACK ON THAT -- 2 AND 8 ARE BOTH PULLED BECAUSE THEY RELATE TO EXECUTIVE SESSION.

Mayor Wynn: WELL, IN FACT THEY ARE BACK ON THE CONSENT AGENDA NOW.

Clerk Brown: OKAY.

Mayor Wynn: I DID NOT READ THEM AS A PULLED ITEM. THE PULLED ITEMS INCLUDE ITEMS 11, 12, 24 AND 44. AGAIN, COUNCIL, ANY ITEMS TO BE PULLED OR ADDED BACK ON THE CONSENT AGENDA?

Clerk Brown: WE HAVE ONE MORE CHANGES AND CORRECTIONS, IF YOU WOULD, PLEASE, ON ITEM NO. 53, IT SHOULD READ: APPROVE A RESOLUTION FOR -- FOR BEGINNING THE PROCESS OF REVIEW FOR POSSIBLE AMENDMENT TO CHAPTER 27 OF THE CITY CODE TO ADDRESS ISSUES AND PROCESS RELATED TO ETHICS AND CONFLICTS OF INTEREST OF BOARD AND COMMISSION MEMBERS, THEN THE FOLLOWING WORDING, AND TO DIRECT THE ETHICS REVIEW COMMISSION TO MAKE RECOMMENDATIONS TO CITY COUNCIL BASED ON INPUT FROM OTHER BOARDS AND COMMISSIONS.

Mayor Wynn: THANK YOU, MS. BROWN. COUNCIL, AGAIN, WE HAVE NOW CORRECTED ITEM NO. 53 AND EXPANDED THAT RESOLUTION.

Goodman: MAYOR, CAN I SPEAK TO THAT?

Mayor Wynn: YES, MAYOR PRO TEM.

Goodman: I JUST WANTED EVERYBODY TO KNOW THE REASON FOR THIS IS BECAUSE OVER TIME ALL ORDINANCES SHOULD BE LOOKED AT FOR REVIEW AND REVISION. SITUATIONS COME UP THAT YOU HADN'T FORESEEN IN TIMES PAST BECAUSE OF DIFFERENT SITUATIONS, DIFFERENT CLIMATES AND IT'S GOOD FOR A BOARD AND COMMISSION MEMBER TO KNOW AND HAVE A REALLY GOOD GUIDELINE FOR APPROPRIATE BEHAVIOR, APPROPRIATE DISCUSSION OR RECUSAL IN ANY SITUATION. AND SO -- SO SINCE THINGS HAVE COME UP LATELY THAT WE HADN'T FORESEEN YEARS AGO AND THIS WAS WRITTEN -- WHEN THIS WAS WRITTEN, IT'S TIME FOR REVIEW. COULD I ALSO ASK ABOUT ITEM NO. 44? THAT WAS A REQUEST FROM ME TO POSTPONE IF I DIDN'T MAKE IT FOR CONSENT. I DID WANT A FULL STAFF PRESENTATION. WOULD COUNCIL PREFER THAT WE PULL IT THEN OR KEEP IT ON CONSENT WITH THAT PRESENTATION?

Mayor Wynn: MY PREFERENCE, MAYOR PRO TEM, IS IT'S A RELATIVELY IMPRESSIVE PRESENTATION. MY PREFERENCE WOULD BE TO GO AHEAD AND PULL IT OFF THE CONSENT AGENDA SO SOME FOLKS CAN GO HOME, THEN WE WILL TAKE IT UP RIGHT AFTER THAT.

Goodman: OKAY.

Mayor Wynn: ITEM 44 RELATED TO OUR MUNICIPAL COURT.

Mayor Wynn: THANK YOU, COUNCIL, WITH THAT I WILL READ WHAT I BELIEVE TO BE THE CONSENT AGENDA NUMERICALLY. ITEM 1, 2, 3, 4, 5, MER CHANGES AND CORRECTIONS -- PER CHANGES AND CORRECTIONS, 6, 7, 8, 9, 10, 11, 12, 13, -- I'M SORRY, COUNCIL, I'M GOING TO START AGAIN. THERE'S -- OUR SCREEN IS NOT -- NOT JIVING WITH OUR PRINTED PAPER. OKAY, ONCE AGAIN THE CONSENT AGENDA WILL BE. WELL, MS. BROWN IS STAFF NOW TELLING US THAT ITEMS 11 AND 12 SHOULD BE ON THE CONSENT AGENDA, I HAVE READ THEM AS PULLED.

I BELIEVE THE CITY ATTORNEY INDICATED THEY COULD GO ON CONSENT.

THAT'S CORRECT.

MAYOR, 11 AND 12 ARE RELATED TO OUTSIDE COUNCIL CONTRACTS AND IF THE BACKUP MATERIAL WAS SUFFICIENT FOR COUNCIL TO BE COMFORTABLE WITH THE DECISION, THOSE ITEMS COULD GO ON CONSENT. EVEN THOUGH WE HAVE THEM SCHEDULED FOR EXECUTIVE SESSION, IF THERE ARE ANY QUESTIONS.

Mayor Wynn: THANK YOU. COUNCIL, WITHOUT OBJECTION, OF COURSE -- OF COURSE LEGAL STAFF RECOMMENDATION, ITEMS 11 AND 12 WILL BE ON THE CONSENT AGENDA. SO ... ONCE AGAIN, THE CONSENT AGENDA WILL BE, ITEMS 1, 2, 3, 4, 5, PER CHANGES AND CORRECTIONS, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, PER CHANGES AND CORRECTIONS, 22, 23, 24, 25, 26, -- THAT'S WRONG, ALSO. 24 IS PULLED.

PULLED.

Mayor Wynn: SO BACKING UP A NEW A FEW NOTCHES. ITEM 20, 21, PER CHANGES AND CORRECTION, 22, 23, 25, 26, 27, 28, 29, 30, POSTPONED INDEFINITELY, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, FOR OUR BOARD AND ECONOMICS APPOINTMENTS THAT I WILL NOW READ INTO -- BOARD AND ECONOMICS APPOINTMENTS. COMMUNITY DEVELOPMENT COMMISSION, MAT TEE MAYA A CONSENSUS APPOINT REPRESENTING THE MONTOPOLIS NEIGHBORHOOD, TO THE DOWNTOWN COMMISSION, EARNESTINE KUBICEK, COUNTRIES APPOINTMENT REPRESENTNESS THE WOMEN'S CHAMBER OF COMMERCE. ELECTRIC UTILITY COMMISSION, SNAPPER CARR IS COUNCILMEMBER MCCRACKEN'S REAPPOINTMENT. TO OUR ENVIRONMENTAL BOARD, MARY RUTH HOLDER, MAYOR PRO TEM GOODMAN'S REAPPOINTMENT. AND LEE LEFINGWELL A CONSENSUS REAPPOINTMENT. TO THE PARKS AND RECREATION BOARD, ROSEMARY CASTLEBERRY, COUNCILMEMBER SLUSHER'S REAPPOINTMENT. AND MARK VANE IS COUNCILMEMBER MCCRACKEN'S APPOINTMENT. TO THE PLANNING COMMISSION, MEAT HOLLAND IS A CONSENSUS APPOINTMENT. J. READY IS COUNCILMEMBER DUNKERLY'S APPOINTMENT. TO THE ROBERT MUELLER MUNICIPAL AIRPORT PLAN IMPLEMENTATION ADVISORY

COMMISSION, JAMES ROBERTSON IS A CONSENSUS APPOINTMENT. EFFECTIVE JULY 1, 2004. THE TELECOMMUNICATIONS COMMISSION, JOHN GREEN IS A CONSENSUS REAPPOINTMENT. TO THE URBAN FORESTRY BOARD, PAUL JOHNSON IS A CONSENSUS APPOINTMENT. AND JUSTIN STEWARD IS COUNCILMEMBER SLUSHER'S APPOINTMENT. TO THE URBAN RENEWAL BOARD, MARGARET OWENS IS MY APPOINTMENT. TO THE URBAN TRANSPORTATION COMMISSION, RODNEY AHART IS COUNCILMEMBER THOMAS'S APPOINTMENT. AND PATRICK GENTZ IS A CONSENSUS REAPPOINTMENT. TO THE WATER AND WASTEWATER COMMISSION, GLEN COLEMAN IS A CONSENSUS REAPPOINTMENT. AND TO OUR ZONING AND PLATTING COMMISSION, BETTY BAKER IS MAYOR PRO TEM GOODMAN'S REAPPOINTMENT. MELISSA HAWTHORNE, COUNCILMEMBER DUNKERLY'S REAPPOINTMENT. AND THERESA RABAGO COUNCILMEMBER ALVAREZ'S REAPPOINTMENT. THOSE ARE OUR APPOINTMENTS THAT SHOW AS ITEM NO. 50 ON THE CONSENT AGENDA. CONTINUING ON, ITEM 51, 52, 53, PER CHANGES AND CORRECTIONS, 54, 55. AND ITEM -- AND ITEM 71 PER CHANGES AND CORRECTIONS. I'LL ENTERTAIN A MOTION ON THE CONSENT AGENDA.

MOVE APPROVAL.

MOTION MADE BY COUNCILMEMBER MCCRACKEN. I'LL SECOND THAT TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? I WOULD LIKE TO MAKE ONE. WE -- ON OUR CONSENT AGENDA, ITEMS NUMBER 2 AND 8 RELATE TO AN AGREEMENT WITH SAMSUNG SEMICONDUCTOR WHEREBY AUSTIN ENERGY IS -- IS DELIVERING INFRASTRUCTURE, ENERGY RELIABILITY ELEMENTS TO BOTH THAT PROPERTY AND THAT SURROUNDING AREA. AND I WOULD LIKE TO JUST COMMEND SAMSUNG SEMICONDUCTORS. THIS ISSUE RELATES TO A DRAMATIC EXPANSION OF THEIR FACILITY. SAMSUNG HAS BEEN A REMARKABLE CORPORATE CITIZEN, A MAJOR EMPLOYER NOW FOR ALMOST 10 YEARS IN NORTHEAST AUSTIN. AND THIS IS A -- THIS IS A -- MAYBE I SHOULDN'T BE SAYING THIS, BUT APPROXIMATELY A HALF BILLION DOLLAR EXPANSION OF THAT FACILITY. HUNDREDS OF ADDITIONAL JOBS, BUT JUST AS IMPORTANTLY, YOU KNOW THE NEXT GENERATION

OF TECHNOLOGY BEING DELIVERED HERE IN AUSTIN, THAT CONTINUES OUR PRESENCE IN THAT IMPORTANT SECTOR OF OUR ECONOMY. I WOULD LIKE TO RECOGNIZE BILL CRIER IS HERE, WOULD YOU LIKE TO PERHAPS JUST SAY A FEW WORDS AND PERHAPS INTRODUCE THE OTHER SAMSUNG GUESTS AS WELL?

THANK YOU MAYOR AND COUNCIL, I'M BILL CRIER, THE GENERAL COUNSEL FOR PUBLIC AFFAIRS FOR SAMSUNG. WITH ME IS THERESA BERHOFF OUR GENERAL COUNCIL AND CHENO KIM THE PERSON WHO WILL ACTUALLY BE IN CHARGE OF THE FACILITY, BUILDING THE FACILITY OUT THERE. SAMSUNG ALSO WANTS TO THANK THE CITY OF AUSTIN FOR ITS SIX, ALMOST SEVEN YEAR PARTNERSHIP IN BRINGING SAMSUNG HERE, AND KEEPING SAMSUNG PROSPEROUS AND HAPPY HERE. SO THANK YOU VERY MUCH. WE APPRECIATE IT. [APPLAUSE]

MR. KIM, WE LOOK FORWARD TO A BIG EXPANSION AND A GOOD LOOKING BUILDING AND LOTS OF NEW JOBS AND INVESTMENT IN YOUR FACILITY. THANK YOU VERY MUCH FOR ALL YOU'RE DOING. MAYOR PRO TEM GOODMAN?

Goodman: MAYOR, LET ME JUST ADD THAT YOUR COMMENTS ARE ON BEHALF OF THE WHOLE COUNCIL. I THINK THERE ARE FEW CORPORATE CITIZENS LIKE SAMSUNG AND SOME OF THE MOST AMAZING AND CUTTING EDGE IMPROVEMENTS, WILLINGLY AND VOLUNTARILY, PUT INTO PLACE HAVE BEEN DONE BY SAMSUNG. AN EXCELLENT MODEL FOR MANY OF OUR OTHER CORPORATE CITIZENS AND -- AND I'M SURE WE ALL THANK THEM.

Mayor Wynn: ABSOLUTELY, THANK YOU, MAYOR PRO TEM. FURTHER COMMENTS ON THE CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Mayor Wynn: COUNCIL, WITHOUT OBJECTION THE MAYOR PRO TEM HAD -- HAD ASKED FOR A PRESENTATION ON ITEM

NO. 44. WHICH RELATES TO THE MUNICIPAL COURT. COMPUTER UPGRADE. I BELIEVE MS. STARK HAS PREPARE ADD PRESENTATION. WE WILL PERHAPS LET THE ROOM CLEAR FOR ONE MINUTE, THEN MS. STARK CAN PROCEED.

Mayor Wynn: FOLKS, IF YOU COULD PLEASE TAKE YOUR CONVERSATIONS IN THE FOYER, WE WOULD APPRECIATE IT. I RECOMMEND MS. REBECCA STARK. SORRY, MAYOR PRO TEM, THANK YOU.

Goodman: THE REASON I WANTED US TO HAVE EVERY DETAIL POSSIBLE ON THIS PROJECT IS BECAUSE IN YEARS PAST, AND COUNCILMEMBERS MAY OR MAY NOT RECALL, 10 OR 11 YEARS AGO, THE MUNICIPAL COURT AMONG OTHER KEPT AND DIVISIONS IN EFFORTS TO UPGRADE AND ENTER THE WORLD OF TECHNOLOGY MADE SOME DECISIONS THAT REALLY DID NOT CONNECT WITH DECISIONS BEING MADE ELSEWHERE IN THE CITY. AND WE HAD A HODGEPODGE OF SYSTEMS, MANY OF THEM WHICH DID NOT ACHIEVE THE GOALS AND PERFORMANCE AND FUNCTIONS THAT THEY WERE ENVISIONED TO. THERE WAS A PROCESS ENVISIONED. NOW THAT WE ACTUALLY DO AN ORGANIZED AND EXPERT COMMUNICATIONS AND TECHNOLOGY COMPONENT OF THE CITY, THERE'S A PROCESS TO BE FOLLOWED. PARTLY TO MAKE SURE THAT ALL NEW UPGRADES OR NEW SYSTEMS DO IN FACT INTEGRATE AND ACHIEVE WHAT THEY ARE EXPECTED TO ACHIEVE. WITHIN OUR SUBCOMMITTEE, THERE MAY HAVE BEEN DETAILS THAT I'VE MISSED ON WHAT THIS SYSTEM IS GOING TO DO AND PROGRAMS THERE HAVE BEEN UPDATES ON MOVING TOWARD ACQUIRING THAT SYSTEM. BUT FOR EVERYBODY'S SENSIBILITIES AND REASSURANCE, I WANTED TO GET A FULL PRESENTATION TODAY AND TO SORT OF -- OF ENCOURAGE ANYONE ELSE IN THE CITY THAT'S GOING TO -- TO TRY TO UPGRADE TO DO IT BY THE PROCESS THAT WE HAVE IN PLACE. WHICH IS YOU TAKE IT TO THE EXPERTS FIRST, THEY HELP YOU LOOK AT WHAT YOU NEED TO DO AND ACQUIRE WHAT YOU NEED TO DO THAT. I DON'T THINK THAT'S THE APPROPRIATE WAY TO GO ABOUT THIS. I UNDERSTAND THAT THE SIGNOFF IS NOW IN PLACE WITH A QUALIFICATION OR TWO. BUT TO MAKE ABSOLUTELY SURE WE ALL KNOW WHAT PAGE WE'RE ON, I WANTED TO ASK REMEMBER ABOUT OR A PRESENTATION.

THANK YOU, THANK YOU FOR THIS OPPORTUNITY TO MAKE A BRIEF PRESENTATION ON THE WHY AND THE COST OF COURT'S CASE MANAGEMENT AND COMPUTER UPGRADE PROPOSAL. THE PROPOSAL ITSELF IS COMPOSED OF SEVERAL PARTS, MOSTLY THE SOFTWARE, HARDWARE, INSTALLATION INTERFACES, MAINTENANCE AND TRAINING. AS FAR AS THE SOFTWARE IS CONCERNED, WE ARE LOOKING AT UPGRADING OUR CURRENT CASE MANAGEMENT SYSTEM. WE HAVE HAD IT SINCE 1993. IT IS A - IT IS A HARDWARE -- HARD HARDWARE -- MAIN FRAME BASED SYSTEM, WE ARE LOOKING AT MOVING TOWARDS MORE WINDOWS BASED SYSTEM. WE ARE LOOKING AT A VERSION NT 5.2. WE ARE ALSO LOOKING AT THIS SYSTEM INCLUDING IMAGING, WORK -- IMAGING WORK FLOWS, ELECTRONIC SIGNATURES, IVR, INTERACTIVE TELEPHONE SYSTEMS AND WEB ENHANCEMENTS. AS FAR AS THE CASE MANAGEMENT ITSELF, THE VERSION THAT WE CURRENTLY HAVE IS 6.3 AND THE VENDOR HAS INFORMED US THAT WE ARE APPROACHING THE END OF THE LIFE CYCLE AND THEY WILL NOT BE SUPPORTING IT IN THE FUTURE. WE HAVE NOT BEEN GIVEN A DATE, BUT -- BUT AT SOME POINT THEY WILL BE CHANGING STRICTLY OVER TO THE WINDOWS BASED PROGRAMS. THIS SYSTEM ALSO HAS INTEGRATED THE INTERFACES OR THE COMPONENTS NEEDED FOR IMAGING, WORK FLOW AND ELECTRONIC SIGNATURES, IT'S ALL ONE PACKAGE. THE PROCESSING IS ON WINDOWS BASED P.C.'S VERSUS MAIN FRAME FOR EFFICIENCY, FLEXIBILITY AND USER FRIENDLINESS AND WE ALSO HAVE PART OF THIS WAS OFFICE VISION FOR OUR DOCUMENTS, WE PRODUCED A LOT OF DOCUMENTS. SUPPORT FOR THAT WAS WITHDRAWN FROM I.B.M. IN 2002 AND WHERE HE REALLY NEED TO REPLACE -- WE REALLY NEED TO REPLACE THAT WITH A WINDOWS BASED SYSTEM. THE COST FOR THE CASE MANAGEMENT SYSTEM WITH THESE UNDERLYING INTERFACES, LICENSE FEES, REPORTING, MODIFICATIONS, INTERFACES, INSTALLATION, PROJECT, MANAGEMENT TRAINING IS \$933,700. IMAGING, WHICH THE INTERFACES IS -- IS INCLUDED ON THE MAIN SYSTEM IS IMPORTANT TO US BECAUSE WE ARE MOVING TOWARDS A PAPERLESS SOCIETY ACTUALLY. WE PROCESS OVER 200 -- 200 -- WE PROCESS 200 MILLION NEW DOCUMENTS EVERY YEAR FOR 420,000 NEW CASES. WITH IMAGING THERE'S LESS CHANCE

FOR DOCUMENTS BEING PLACED IN THE WRONG CASE FILE OR THE CASE FILE BEING MISPLACED. CASES WILL BE AT THE FINGERTIPS OF MULTIPLE USERS, ANYWHERE THERE'S A COMPUTER AND THEY HAVE ACCESS TO THIS SYSTEM. CUSTOMER REQUESTS FOR DOCUMENTS CAN BE E-MAILED AS ON POSSESSIONED TO MAIL -- AS OPPOSED TO MAIL, CLERICAL PERSONNEL WILL BE ABLE TO WORK ON CASES REMOTELY, TELEWORKING INSTEAD OF HAVING TO COME TO THE OFFICE. LICENSE FEES AND TO IMAGE CURRENT DOCUMENTS WILL COST ABOUT \$155,000. THE IMPORTANCE OF WORK FLOWS FOR US IS THAT COURT PROCESSES REQUIRE NUMEROUS KEYING ENTRIES. THOSE WOULD BE AUTOMATED. IT WOULD REDUCE CLERICAL ERRORS AND IT WOULD SPEED UP OUR PROCESSES AT THE WINDOWS. WORK QUEUES WOULD BE USED INSTEAD OF MOVING PAPER FILES FROM PLACE TO PLACE TO PLACE. SIGNATURES QUEUES FOR THE JUDGES, PROSECUTORS AND CLERKS INSTEAD OF MOVING THE FILES TO THEM TO SIGN EACH INDIVIDUAL DOCUMENT. THAT COST IS INCLUDED IN THE MAIN SYSTEM. ELECTRONIC SIGNATURES. WE WANT THEM OBVIOUSLY. THEY NEED TO BE PROTECTED FOR THE CUSTOMERS, JUDGES, PROSECUTORS AND CLERKS. THE SIGNATURES CAN BE PLACED ON MULTIPLE DOCUMENTS SIMULTANEOUSLY. THIS SHOULD HELP WITH THE JUDGES AND CLERKS WITH THEIR CARPAL TUNNEL. THEY SIGN A LOT OF DOCUMENTS EVERY DAY. ALSO WILL AUTOMATICALLY ADD OUR SIGNATURES TO ELECTRONIC DOCUMENTS SO WE DON'T HAVE TO SIGN EVERY DOCUMENT THAT WE PRODUCE. THE STORED SIGNATURES, INSTALLATION, TRAINING IS INCLUDED. WE HAVE ASKED THAT THIS PROGRAM BE UPGRADED TO BE ABLE TO PROCESS CREDIT CARDS. WE -- OUR IVR SYSTEM IS NOT INTERACTIVE WITH THE UPGRADE. WE ALSO WANT CUSTOMERS TO BE ABLE TO MAKE PAYMENTS 24 HOURS A DAY, SEVEN DAYS A WEEK. TO GET INFORMATION ON THEIR CASES 24 HOURS A DAY, SEVEN DAYS A WEEK. THE COST FOR THIS IS \$102,000. THE WEB ENHANCEMENTS, WE ARE REQUESTING THIS ALSO FOR PAYMENTS 24/7 AND FOR CUSTOMER INFORMATION AND SO THEY CAN DOWN LOAD DOCUMENTS INSTEAD OF HAVING TO COME TO COURT TO GET THEM OR FOR US TO MAIL THEM. THERE IS GOING TO BE INQUIRIES FOR POLICE AND ATTORNEYS SO THEY CAN GET INFORMATION ON THE CASE

THAT EITHER THEY ARE COMING TO COURT FOR OR THEY ARE CONSIDERING REPRESENTING. THERE WILL ALSO BE WARRANT INQUIRIES SO PEOPLE CAN LOOK TO SEE IF THEY HAVE WARRANTS FOR THEIR ARRESTS. THE COST FOR THIS 53,500. THIS IS THE PART THAT IS -- THIS IS A SOFTWARE PART. IT'S 53,500. THIS IS THE PART THAT WE ARE STILL WORKING WITH ON THE HARDWARE PART OF THIS WITH -- WITH THE CITY. THE CITY'S I.S. DEPARTMENT. AS FAR AS HARDWARE IS CONCERNED, THE COMPONENTS ARE -- THE AS 400, I.B.M. AS 400, WE CURRENTLY HAVE ONE, WE ARE MOVING TO A NEW VERSION. ALSO HARDWARE COMPONENTS TO IMAGING, ELECTRONIC SIGNATURES, THE IVR AND THE WEB. AS FAR AS THE MAIN COMPUTER IS CONCERNED, WE ARE MOVING, THE I.B.M. AS MODEL 520, WE ARE CURRENTLY USING A MODEL 730, INSTALLED IN 1993. OUR STAFF IS FAMILIAR WITH -- WITH THE AS 400, SO THIS WILL BE A GOOD MOVE FOR THEM. THE OPERATING SYSTEM FOR THE AS 400, WE ARE MOVING FROM VERSION 5.2 TO 5.3, I.B.M. HAS INFORMED US THEY WILL NO LONGER SUPPORT OUR CURRENT VERSION AFTER SEPTEMBER OF '05. ALSO OUR CURRENT SYSTEM IS NOT ROBUST ENOUGH FOR THE UPGRADED CASE MANAGEMENT SYSTEM, IN PARTICULAR THE IMAGES. AND MAINTENANCE COSTS, OBVIOUSLY, WILL GO DOWN WITH NEWER HARDWARE. AS HARDWARE GETS OLDER, MAINTAININGS UP. BUT THE COST FOR THE AS 400 IS -- IS \$180,000. AS FAR AS IMAGING IS CONCERNED, THE HARDWARE THAT WE NEED, GETTING A COUPLE OF CAMERAS TO TAKE PICTURES OF PRISONERS BROUGHT IN BY THE MARSHALS, WE ARE ALSO GETTING SCANNERS, 50 INDIVIDUAL SCANNERS AND TWO HIGH SPEED SCANNERS. A DELL SERVER AND A SAN, NOW WE GET INTO TECHNICAL STUFF, WILL BE BID IN THE FUTURE. IT'S GOING TO BE PART OF THE WISKA CONTRACT. THE CITY'S CONTRACT WITH WISKA. HARDWARE FOR OTHER FEATURES ARE SIGNATURE PADS, WITH THE INTERFACES, CREDIT CARD SIGNATURE PADS, AT THE FRONT COUNTERS, THE SIGNATURE PAD AND CREDIT CARD SIGNATURE PADS WILL BE COMBINED SO YOU DON'T HAVE TO SIGN IT TWICE. THE IVR SYSTEM WILL NEED A DELL PROCESSOR. AND THE WEB SYSTEM WILL NEED DELL PROCESSORS AT THIS TIME. THAT'S OUR ESTIMATE. SO WE NEED THIS UPGRADE AT SOME POINT. MOSTLY BECAUSE THE CURRENT SYSTEM, THE COMPUTER WAS -- WAS

INSTALLED IN 1993. THERE WILL SHORTLY BE NO SUPPORT FOR THE CURRENT SOFTWARE. THERE WILL NOT BE SUPPORT FOR -- FOR THE OPERATING SYSTEM ON THE CURRENT HARDWARE IN SEPTEMBER OF 2005. OUR DOCUMENT SOFTWARE HAS TO BE REPLACED BECAUSE IT'S NOT REPORTED, SUPPORTED. AND OBVIOUSLY A PAPERLESS ENVIRONMENT ENHANCES EFFICIENCY AND CUSTOMER SERVICES. AND UPGRADE -- AN UPGRADE WAS SELECTED OVER NEW -- OVER NEW SOFTWARE. MOSTLY BECAUSE THE COST WAS LOWER. IT'S EASIER CONVERSION. WE ALREADY HAVE THE BASICS IN PLACE IN OUR CURRENT SYSTEM. IT'S THE SAME COMPANY. THE LEARNING CURVE FOR EMPLOYEES WILL BE MUCH LOWER. I THINK IT WILL BE MUCH EASIER FOR THEM TO BE ABLE TO LEARN THE NEW SYSTEM. AND THAT IS BASED -- A BASIC PROPOSAL. SO IF YOU HAVE ANY QUESTIONS, WELCOME BE HAPPY TO ANSWER THEM.

Mayor Wynn: MAYOR PRO TEM?

Goodman: JUST TO GET SOME THINGS IN PERSPECTIVE, WHEN WE FIRST HIRED YOU AS MUNICIPAL COURT CLERK, PART OF WHAT WE WERE LOOKING FOR WAS THE ABILITY TO UPGRADE IN A LOGICAL AND RATIONAL FASHION, STUDY A NEW SYSTEM THAT WOULD ACTUALLY WORK WITH ALL OTHERS, SO HAVE YOU BEEN WORKING ON THAT ALL THIS TIME AND THIS IS THE FRUIT OF THAT LABOR?

YES, IT IS. WHEN WE FIRST STARTED LOOKING AT THE SYSTEM, WE WERE ALSO LOOKING AT COST. THE PCSS COMPANY HAD NOT -- HAD NOT PERFECTED, I GUESS I'LL CALL IT, AN UPGRADE FOR AN AS 400 UNTIL LAST YEAR. LAST YEAR IS WHEN THEY DID THAT, THEY WERE WORKING ON PC'S, SMALLER COMPUTERS, BUT NOT -- NOT A LARGER COMPUTER LIKE AS 400. SO IT DIDN'T BECOME AVAILABLE FOR OUR TYPE -- OUR BIG OF SYSTEM UNTIL LAST YEAR. LAST DECEMBER I BELIEVE. AND SINCE THEN WE HAVE BEEN GOING THROUGH OUR PROCESSES. THIS IS KITSY DANIELS, A COURT OPERATIONS MANAGER. SHE HAS BEEN WORKING WITH ALL OF THE EMPLOYEES GOING THROUGH PROCESSES TO STREAMLINE THEM. AND GET THEM IN ORDER SO THAT WHEN WE MOVE TO THE NEW SYSTEM, WE WILL BE ABLE TO GET STARTED WITH FEWER PROBLEMS. SO SHE HAS BEEN

WORKING ON THAT FULL-TIME SINCE JANUARY?

RIGHT.

SINCE ABOUT JANUARY. SHE'S BEEN WORKING ON THAT PART. WE FELT THAT WE ARE PREPARED TO GO FORWARD WITH THIS THIS FALL.

Goodman: OKAY. TO GO BACK TO HISTORY FOR JUST A SECOND THAT I -- THAT I ALLUDED TO EARLIER, THE LAST TIME THAT A MUNICIPAL COURT CLERK INDULGED IN AN INVESTMENT, IN A SYSTEM, THERE WAS TOTAL DISCONNECT AND -- AND DIRE CONSEQUENCES FOR -- FOR A CONTINUUM WITH A.P.D. HOW CAN WE KNOW THAT -- THAT THERE ARE NO SIMILAR POSSIBILITIES THIS TIME?

I DON'T KNOW ABOUT GUARANTEES. THERE'S ALWAYS SOMETHING THAT DOESN'T WORK EXACTLY RIGHT. HOWEVER, WE HAVE BEEN WORKING WITH -- KITSY HAS BEEN WORKING ON INTERNAL, A LOT OF OUR STUFF IS INTERNAL. AS FAR AS WORKING WITH EXTERNAL SYSTEMS.

Futrell: WHY DON'T WE LET PETE TALK ABOUT WHAT WOULD BE IN PLACE FROM HIS SHOP.

GOOD MORNING, MY NAME IS PETE COLLINS, CHIEF INFORMATION OFFICER. WE TAKE A LOOK AT THIS SYSTEM FROM A NUMBER OF DIFFERENT ANGLES AS FAR AS THE HARDWARE, SOFTWARE, AND INTEGRATION POTENTIALS ON THE DIFFERENT POLICE SYSTEMS THAT WE HAVE PLACED IN THE LAST YEAR. AS FAR AS THE TECHNICAL REVIEW, WE REALLY DON'T HAVE ANY ISSUES WITH THE TECHNOLOGY ON THIS SYSTEM. THE AS 400 IS A STABLE PLATFORM THAT'S A SOLID COMPUTER. AS FAR AS THE SOFTWARE, IT'S BEEN AROUND QUITE A WHILE. ONE THING THAT WE DO HAVE SOME CONCERNS ABOUT IS THE WEB INTERFACE, WE HAVE POINTED THAT OUT, WE WILL BE WORKING WHERE WITH REBECCA AND ALSO THE VENDOR. THE WAY IT'S PRESENTED RIGHT NOW IS TOO MUCH OF A SECURITY ISSUE FOR US, PRETTY MUCH OR STANDARDS IS UNIX OR LINUX WHEN WE GET INTO THE WEB WORLD. WE ASK FOR A FULL PROJECT PLAN AND WE WILL TRACK THE PROGRESS OF THIS

PROJECT AS IT PROCEEDS.

Goodman: I HAVE ONE MORE QUESTION, ALTHOUGH I'M NOT SURE QUITE HOW TO ARTICULATE IT. I DON'T KNOW WHO I'M ASKING. HOW CAN WE BE SURE THAT THIS NEW SYSTEM DOES EVERYTHING WE NEED IT TO DO AND WE DON'T COME UP LATER AS WE HAVE IN OTHER DEPARTMENTS WITH PERFORMANCE THAT SHOULD HAVE BEEN PART OF WHAT WE WERE LOOKING FOR IN A SYSTEM AND WOUND UP WITH ONE THAT COULDN'T BE PROVIDED?

I FEEL CONFIDENT THAT COURT'S I.S. SYSTEM THAT WORKED EXTREMELY CLOSELY AND WELL WITH THE VENDOR TO FIND OUT WHAT AN UPGRADE WILL ENTAIL AND IF IT WILL WORK. THEY ARE CONVINCED THAT IT WILL. I HAVE TALKED, KITSY DANIELS HAS BEEN WORKING WITH THIS, HER EXPERTISE -- SHE'S BEEN WITH COURT 18 YEARS, SHE KNOWS THE PROCESSES, SHE KNOWS WHAT NEEDS TO BE DONE, I'M RELYING ON HER EXPERTISE TO LET US KNOW THAT SHE CAN DESIGN THIS SO THAT IT CAN OPERATE. WE HAVE BEEN GOING THROUGH THAT. IT LOOKS EXTREMELY GOOD. WE ARE RELYING ON THE CITY'S I.T. PEOPLE TO MAKE SURE THAT EVERYTHING, ALL OF THE COMPONENTS THAT MAKE THIS WORK WILL WORK. AND WE WILL BE WORKING CLOSELY WITH THEM. WHEN HIS PEOPLE LOOKED AT THE HARDWARE PORTIONS AND THE INTERFACES, IT LOOKS LIKE IT SHOULD BE ROBUST ENOUGH AND SHOULD BE ABLE TO WORK TOGETHER TO MAKE THIS WORK IN A MANNER THAT WE EXPECT IT TO WORK. SO WE ARE CONFIDENT THAT THIS CAN -- CAN WORK OUT. THERE ARE ALWAYS SOME THINGS THAT MAY NOT WORK EXACTLY AS WE THOUGHT. BUT I THINK THAT WE HAVE A GOOD ENOUGH WORKING RELATIONSHIP, AMONG ALL OF US, THAT WE CAN WORK THAT OUT IN A TIMELY MANNER.

GO AHEAD.

GO AHEAD.

I THINK THE MOST IMPORTANT THING IS THAT WHEN WE REVIEW THE PORTION OF THE CONTRACT FOR PERFORMANCE, THAT WE WILL MAKE SURE THAT THERE ARE PERFORMANCE REQUIREMENTS THERE THAT NEED TO BE

MET. ALONG WITH RELIABILITY, AVAILABILITY, AND WE WILL JUST MIRROR THOSE OFF OF WHAT WE HAVE DONE WITH PUBLIC SAFETY. BECAUSE GOING IN, EVERYBODY CAN PROMISE YOU THE WORLD. BUT WE WANT TO HOLD THEM ACCOUNTABLE FOR PROCESSING TIME, THE RESPONSE TO THE SYSTEM. BECAUSE I THINK I REMEMBER BACK IN '93, THINK ONE OF THE MAJOR PROBLEMS WITH THE SIZE -- WITH THE SIZING WAS THE AS 400 WAS UNDERSIZED. WE ARE REALLY GOING TO BE WATCHING THAT VERY CLOSELY. WE ARE GOING TO MAKE SURE THAT WE REVIEW THAT CONTRACT AS FAR AS TECHNOLOGY. AS FAR AS THE BUSINESS PROCESSES INSIDE MUNICIPAL COURT, THAT WILL BE REBECCA'S RESPONSIBILITY TO FOLLOW THROUGH ON. I THINK WITH HER LOOKING AT THAT, AND US CHECKING THE CONTRACT AND THEN IT NEEDS TO BE TESTED TO MAKE SURE THAT IT ACTUALLY FUNCTIONS THE WAY THAT THE VENDOR ACTUALLY PROMISED IT WOULD. IF NOT, THEN WE ARE GOING TO HOLD THE VENDOR ACCOUNTABLE, LIKE WE DO WITH EVERYBODY ELSE.

DO YOU HAVE A TIME FRAME FOR COMPLETION?

NO, THAT'S GOING TO BE WORKED ON IN THE CONTRACT. WE DON'T WANT TO RUSH IT. WE DON'T WANT TO TAKE TOO LONG. SO WE ARE HOPING THAT WE WILL BE ABLE TO MOVE FORWARD SOMETIME BETWEEN OCTOBER AND JANUARY.

MOVE FORWARD AND THEN COMPLETE WHEN? EVEN AN ESTIMATE?

UM ... AS SOON AS THE TESTING, AS SOON AS WE ARE HAPPY WITH THE TESTING AND WE FEEL CONFIDENT THAT WHEN WE PUT IT INTO PRODUCTION IT WILL WORK APPROPRIATELY, WE WILL PUT IT INTO PRODUCTION. AGAIN, WE ARE LOOKING AT STILL THE TIME FRAME GIVE OR TAKE JANUARY 1st. WE ARE HOPING THAT WE CAN GET STARTED IN OCTOBER. BY JANUARY 1st HAVE THE BUGS WORKED OUT. I WOULD GIVE OR TAKE THREE MONTHS FROM THERE.

OKAY.

Goodman: OKAY.

[INDISCERNIBLE]

IT IS.

Goodman: THANKS.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? IF NOT I'LL ENTERTAIN A MOTION ON ITEM NO. 44? MOTION MADE BY COUNCILMEMBER DUNKERLY. SECONDED BY COUNCILMEMBER SLUSHER TO APPROVE ITEM 44. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. COUNCIL, I HAD -- THE ONLY OTHER DISCUSSION ITEM POTENTIALLY WAS ITEM NO. 24. AND I THINK THE CITY ATTORNEY WOULD PREFER TO HAVE THAT DISCUSSION IN CLOSED SESSION. WHICH WE ARE ALLOWED TO DO. SO WITH THAT, WE WILL NOW GO INTO EXECUTIVE SESSION PURSUANT TO 551.071 OF THE OPEN MEETINGS ACT, TO DISCUSS ITEM NO. 24 RELATE TO THE NORTH SERVICE CENTER, 56 RELATED TO MISSION BETHANY SUBDIVISION, 57 RELATED TO GREEN SHORES MUNICIPAL UTILITY DISTRICT, 59 RELATED TO COLLECTING BARGAINING, 60, -- I DON'T THINK -- WELL, 60 WILL NOT BE DISCUSSED. 61 RELATED TO THE CITY OF SUNSET VALLEY VERSUS THE CITY OF AUSTIN ET AL. 62, RELATED TO VELMA PICKINS AT ALL VERSUS THE CITY OF AUSTIN. POTENTIALLY ITEM NO. 63 REPRESENTED TO THE SALE OF THE FORMER MUELLER MUNICIPAL AIRPORT. THANK YOU WE ARE NOW IN CLOSED SESSION.

Mayor Wynn: THANK YOU FOR YOUR PATIENCE. IN CLOSED SESSION WE TOOK UP ITEM NUMBER 63 REGARDING THE SALE OF MUELLER MUNICIPAL AIRPORT. NO DECISIONS WERE MADE. AT THIS TIME WE'LL START WITH GENERAL CITIZENS COMMUNICATION. WE'LL START WITH MR. JIMMY CASTRO. WELCOME, SIR.

THANK YOU, WILL. GOOD AFTERNOON, MAYOR WYNN, COUNCILMEMBERS AND MS. FUTRELL. I DO HAVE SOME SLIDES TO SHOW YOU THIS AFTERNOON. I'M HERE TO SHE

ON MY OWN BEHALF AND I'M ALSO A VOLUNTEER WITH THE AUSTIN CHAMBER OF FORECAST. I'M HERE TO SPEAK IN SUPPORT OF THE 2005 FORECAST AND THE 2005 DRAFT POLICY. WE NEED TO TAKE A LOOK AT WHAT HAS BEEN ACHIEVED THE LAST TWO AND A HALF YEARS. THE 2002 BUDGET WAS CHALLENGING AND DIFFICULT. THERE WAS A HIRING FREEZE AND COST CONTAINMENT MEASURES IMPLEMENTED. AND AN ENDING BALANCE OF \$34 MILLION. THE 2003 BUDGET INCLUDED CUT \$31 MILLION, CUT POSITIONS PERMANENTLY. CUT \$17 MILLION IN MANAGEMENT AND ADMINISTRATIVE COSTS. THE 2004 BUDGET INCLUDED CUT 519 POSITIONS AND CUT \$54 MILLION IN SKI WIDE EXPENDITURES -- CITYWIDE EXPENDITURES. THE 2005 BUDGET IS GOING FOR A STRUCTURAL BALANCE. THE PROJECTED REVENUE IS GREATER AND EXPENDITURES IS \$4.4 MILLION LESS BECAUSE OF CONSTANT COST CONTAINMENTS. THIS MAKES THE 19-MILLION-DOLLAR SHORTFALL, \$10 MILLION LESS THAN \$29 MILLION IN THE ORIGINAL FORECAST. THIS IS THE RESULT OF CONSTANT COST CONTAINMENT AND REDUCTIONS IN THE YEAR 2002, 2003 AND 2004. THE \$19 MILLION HAS TO BE CLOSED IN 2005. WE HAVE TO MAKE DECISIONS NOW TO ADDRESS FUTURE NEEDS, MEET RESPONSIBILITIES AND SECURE FINANCIAL STABILITY. CLOSING THE 2005 GAP MAY HAVE AN EFFECT ON DIRECT SERVICES, FACILITY HOURS AND PRESENT LEVELS. AT THE SAME TIME SERVICE REDUCTIONS HAVE BEEN STRATEGIC AND COMMITMENT PUT IN PLACE TO TAKE FULL ADVANTAGE WHEN A RECOVERY OCCURS. AFTER 2005 WE WILL HAVE REACHED STRUCTURAL BALANCE. GROWTH IN REVENUE WILL BE MATCHING GROWTH IN EXPENDITURES. WE WILL HAVE REACHED FINANCIAL STABILITY IN JUST THREE YEARS. FINALLY, IN EXAMINING THE POSSIBILITIES FOR THE 2005 BUDGET, IT IS CLEAR THAT MAINTAINING A BALANCE OF FISCAL RESPONSIBILITY, SERVICE LEVELS AND STAFF STABILITY IS CRITICAL. THANK YOU, MAYOR WYNN.

Mayor Wynn: THANK YOU, MR. CASTRO. OUR NEXT SPEAKER IS JOE ANNE NETO, WHO WILL BE FOLLOWED BY ROBERT SINGLETON. WELCOME, MA'AM, YOU WILL HAVE THREE MINUTES.

GOOD MORNING. FIRST I WANT TO THANK YOU FOR YOUR TIME TODAY. I HAVE NOTICED THAT THE 311 NUMBER TO

REPORT ANIMAL ABUSE HAS BEEN INCLUDED ON THE CITY CONNECTION TOWN LAKE ANIMAL SHELTER SITE. DETECTIVE LAMB IN THE STATUTES DESCRIBING ANIMAL CRUELTY ARE STILL NOT THERE. I WANT YOU TO INVITE ME TO HELP ME FIX THIS PROBLEM. THE ASPCA IS ABOUT TO HAVE A FIRST NATIONAL TV SPECIAL ON ANIMAL ABUSE AND TOWN LAKE IS A SITTING DUCK IN THAT A LOT ATTENTION IS GOING TO BE BROUGHT TO THE SHELTER ABOUT THE LACK OF ENFORCEMENT OF ANIMAL CRUELTY LAWS ON SITE, THE ANIMALS THAT ARE BEING RETURNED TO THE OWNERS THAT HAVE BEEN ABUSED WITHOUT ANY PROSECUTION. I'M WORKING WITH DR. BOWMAN AT ST. EDWARD'S UNIVERSITY WHO DID A STUDY ON DEAF AND ABUSED CHILDREN IN THE TEXAS FOSTER HOME CHILDREN. HE BELIEVES AND IT'S SUPPORTED BY RESEARCH THAT 60 TO 80% OF ALL ANIMAL ABUSE IS CONNECTED TO ELDER ABUSE, SPOUSAL ABUSE AND CHILD ABUSE THAT PEOPLE OFTEN USE ANIMALS TO INTIMIDATE THEIR SPOUSE, THREATEN ANIMALS TO GET PEOPLE TO BEHAVE. I ALSO DID A POLE OF TIME WARNER AND CITY METER READERS ABOUT ANIMAL ABUSE AND THEY SAID WHEN THEY SEE AN ABUSIVE SITUATION THEY FOUND THE POLICE WERE UNABLE TO TELL THEM WHAT WAS OR IS WHAT WAS NOT ILLEGAL. OFFICER BLACK AND OFFICER LAMB, AS I MENTIONED LAST WEEK, ARE NOT AWARE OF THE ILLEGALITY OF CUTTING OFF THE DOG'S EARS WITHOUT ANESTHESIA, EVEN WHEN THE PERSON WHO DID IT CONFESSED IN FRONT OF WITNESSES. I HAVE CASE LAW THAT I BROUGHT. IN 1988 A PERSON WAS PROSECUTED FOR THE EXACT SAME CRIME IN TEXAS AND YET OUR ANIMAL SHELTER RETURNS THE ANIMAL TO THE OWNER. IT'S ALREADY PROSECUTED BEFORE THE LAWS WERE ENHANCED AS THEY ARE NOW. AND FINALLY, I'D LIKE TO SAY SOME OF YOU MAY WONDER ABOUT THE CONNECTION BETWEEN THE RESCUE CERTIFICATION PROCESS AND ANIMAL ABUSE. OBVIOUSLY WE TAKE A LOT OF THESE ANIMALS, BUT MORE IMPORTANTLY, THE TOWN LAKE ANIMAL SHELTER E-MAIL, THEIR RESCUE E-MAIL, HAS NOT NOTIFIED THE RESCUE PEOPLE OF THE MEETINGS TO IMPROVE THE CERTIFICATION PROCESS. WE HAVEN'T BEEN TOLD IT'S BEEN PUT ON HOLD, WE HAVEN'T BEEN INVITED TO THE MEETINGS, AND I'M CONCERNED THAT WITH ONLY SIX MEMBERS IN THIS NEW ANIMAL -- THE ANIMAL COMMISSION GROUP,

SUBCOMMITTEE, THERE'S ONLY SIX MEMBERS AND ONLY TWO OF THEM WHO ARE CITY COUNCIL PEOPLE, ARE NOT ON THE ORIGINAL COMMITTEE. SO THE IDEA WAS TO EXPAND AND ENHANCE THE GROUP TO SHOW DIVERSITY OF THE ANIMAL COMMUNITY, AND NOT ONLY HAS IT NOT BEEN ANNOUNCED THROUGH TOWN LAKE, BUT THESE PEOPLE HAVE NOT BEEN INVITED, THE RESCUE PEOPLE HAVE NOT BEEN INVITED. SO AGAIN I'M ASKING FOR YOU TO HELP ME FIX THE PROBLEM OF EDUCATING OUR POLICE FORCE ON WHAT IS ANIMAL LAW. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. ROBERT SINGLETON, WHO WILL BE FOLLOWED BY RICHARD TROXELL.

BEFORE I BEGIN MY TIME, COULD I ASK YOU A PROCEDURAL QUESTION?

Mayor Wynn: SURE.

MARY LAYMAN DID NOT GET SIGNED UP FOR CITIZENS COMUNS TODAY. COULD I USE ONE MINUTE OF MY TIME AND GIVEMER TWO MINUTES OF MY TIME.

Mayor Wynn: ACTUALLY, COUNCIL, I THINK WE HAVE SOME SPEAKERS WHO AREN'T GOING TO BE WITH US TODAY, SO WITHOUT OBJECTION I WOULD BE HAPPY TO HAVE MS. LAYMAN FOLLOW YOU.

I APPRECIATE THAT. FORGIVE ME IF I'M SPEAKING ON THE ITEM THAT'S SCHEDULED FOR A 6:00 O'CLOCK PUBLIC HEARING. LET'S SEE WHAT THE ITEM NUMBER ON THAT IS. THE ITEM ABOUT THE REBATES FOR THE HOME DEPOT CENTER.

Mayor Wynn: ITEM 67 IS DESIGNATION OF AN ENTERPRISE PROJECT, MR. SINGLETON.

FORGIVE ME IF I'M SPEAKING ON THIS SIX HOURS EARLY, BUT WHAT CONFUSED ME IS COUNCIL VOTED ON THE ACTION ITEM 7 AND A HALF HOURS EARLY. I'M CONFUSED ABOUT WHAT HAPPENED TO ITEM 9 WHERE THE THREE WORDS RELATED TO ITEM 67 WERE SCRATCHED. THEY APPEAR TO BE DISCUSSING THE SAME THING. AND EVEN IF

THERE'S A NARROW OR TECHNICAL REASON WHY IT'S LEGAL FOR YOU TO VOTE ON PART OF THE HOME DEPOT PROJECT BEFORE YOU HEAR FROM THE PUBLIC, MY QUESTION IS, IS IT GOOD PUBLIC POLICY? IS THERE SOME REASON WHY YOU DIDN'T WANT TO HEAR FROM THE PUBLIC BEFORE YOU VOTED ON ITEM 67? I THINK ANYBODY WHO SAW IT POSTED RELATED TO ITEM 67 -- ITEM 9 THAT WAS RELATED TO ITEM 67 WOULD NATURALLY ASSUME THAT THAT MEANT IN PLANNING THEY'RE DAY OUT THEY DON'T HAVE TO BE HERE UNTIL AFTER THE 6:00 O'CLOCK TIME CERTAIN. I KNOW THAT CERTAINLY WAS THE REACTION I HAD WHEN I WAS LISTENING TO YOU ON THE STREAMING VERSION ON THE WEB, ALTHOUGH MY REACTION MAY HAVE HAD ONE OR TWO MORE EXPLETIVES IN IT THAN I'M GIVING YOU NOW. I WAS VERY CONFUSED. I DON'T KNOW WHY THE ITEMS RELATED TO ITEM 67 WERE STRUCK OUT AND WHY YOU THINK IT WAS A GOOD IDEA TO DO THIS. I DON'T KNOW IF IT'S NARROWLY TECHNICALLY LEGAL BECAUSE THE COUNCIL CAN DO A LOT OF THINGS THAT ARE SUB VERSE SIEVE TO PUBLIC POLICY AND PERHAPS LIKELY TO LEAD TO POLITICAL REPERCUSSIONS, BUT WHY YOU PICK THIS PARTICULAR ITEM TO DECIDE SUDDENLY THAT YOU'RE GOING TO CONFUSE PEOPLE AND ELIMINATE -- [BUZZER SOUNDS] PUBLIC INPUT, IS JUST BEYOND ME.?

Mayor Wynn: THANK YOU, MR. SINGLETON. IF YOU LIKE, COUNCIL, I WILL DO A QUICK ANSWER. ITEM NUMBER 9 WAS THE CITY OF AUSTIN INCENTIVE PACKAGE FOR THE HOME DEPOT DATA CENTER. COUNCIL HAS BEEN WELL BRIEFED THROUGHOUT THE WEEK AND EVEN THROUGHOUT THE PROCESS OF THIS PROJECT. THAT ACTION WAS PASSED UNANIMOUSLY THIS MORNING, SEVEN TO ZERO. WHAT ITEM NUMBER 67 IS IS SIMPLY THE CITY OF AUSTIN DESIGNATING A BUILDING THEN AS AN ENTERPRISE PROJECT, THERE BY ALLOWING THAT BUILDING TO HAVE POTENTIAL STATE INCENTIVES. SO THE CITY OF AUSTIN ACTED THIS MORNING UNANIMOUSLY FOR OUR PORTION OF A BROAD INCENTIVE PACKAGE FOR A HOME DEPOT DATA CENTER. STATE LAW REQUIRES FOR THE STATE TO OFFER CERTAIN FRANCHISE, SALES, USAGE TAX INCENTIVES TO ALSO BE BROUGHT TO THE TABLE, THEN THE LOCAL MUNICIPALITY HAS TO DESIGNATE THE BUILDING OR THE ZONE AS AN ENTERPRISE

PROJECT. SO IN ACCORDANCE WITH STATE LAW AND TO ALLOW THE STATE TO BE AN ADDITIONAL PARTNER IN THIS PROJECT, THE CITY WILL SIMPLY BE HAVING A PUBLIC HEARING AS REQUIRED BY STATE LAW TO SEE IF THE COMMUNITY WANTS TO DESIGNATE THAT PROJECT ENTERPRISE PROJECT. WE HAVE ALREADY TAKEN OUR ACTION AND IT WAS VERY WELL RECEIVED BY COUNCIL.

SO THE ANSWER IS BECAUSE YOU CAN.

Mayor Wynn: BECAUSE -- THEY'RE SEPARATE ITEMS. THE PUBLIC HEARING HEARING TONIGHT RELATES TO POTENTIAL STATE INVOLVEMENT IN AN ECONOMIC DEVELOPMENT PACKAGE. SO COUNCIL, WITHOUT OBJECTION, LET'S HEAR FROM MARY LEEMAN. AND FOLLOWED BY RICHARD TROXELL.

THANK YOU FOR GIVING ME THIS TIME. I WISH TO CORRECT AN IMPRESSION THAT HAS ALSO APPEARED IN THE PAPERS TO KEEP THE LAND IS IN ANY WAY CRITICAL OF THE PEOPLE OR THE NEIGHBORHOODS AROUND MUELLER WHO HAVE PUT IN A LOT OF YEARS OF HARD WORK AND WHAT WE CONSIDER AN EXCELLENT MASTER DEVELOPMENT PLAN AND FEEL THAT THE CHOICE OF DEVELOPER WHICH FOLLOWED THE SELECTION OF THE MASTER DEVELOPMENT PLAN HAS NOTHING TO DO WITH IT. WE ARE IN FACT -- THERE ARE REASONS WHY WE MIGHT DEFINE WHO WE ARE AND WE'LL CONTINUE ON THIS WITH ANSWERING THIS QUESTION: WHO BUT THE PUBLIC SHOULD GET THE BENEFIT OF COMMUNITY-CREATED LOCATION VALUE OF REDEVELOPED PUBLIC LAND? WE WILL ATTEMPT TO ANSWER THIS QUESTION IN THE FUTURE AS WELL. [BUZZER SOUNDS]

THANK YOU AGAIN.

Mayor Wynn: RICHARD TROXELL, WHO WILL BE FOLLOWED BY CYNTHIA PEREZ.

GOOD AFTERNOON, MY NAME IS RICHARD TROXELL, PRESIDENT OF HOUSE THE HOMELESS. I ATTENDED THE BOARD OF NATIONAL COALITION FOR THE HOMELESS IN WASHINGTON, D.C. WE JUST RELEASED OUR ANNUAL HATE

CRIMES REPORT. I ENCOURAGE YOU TO LOOK AT THE WEBSITE, WWW.NATIONALHOMELESS.ORG TO SEE THIS REPORT. IN THE LAST FIVE YEARS WE HAVE ATTEMPTED TO CHRONICLE ASSAULTS AGAINST HOMELESS PEOPLE, 281, AND DEATHS AGAINST HOMELESS PEOPLE, 131. I'D LIKE TO SHARE WITH YOU A VIDEO OF A HATE CRIME THAT WE INTERCEPTED A WEEK AND A HALF AGO IN CINCINNATI -- IN CLEVELAND, OHIO. WHAT YOU SEE HERE ARE -- THAT WAS THE FLASH OF A TASER. A TASER IS A STUN GUN. IT EMITS 50,000 VOLTS. WE HAVE THESE YOUNG MEN THAT YOU SEE HERE NOW SO PROUD OF THEIR WORK APPROACHING SLEEPING HOMELESS PEOPLE, YOU ARE INNATING ON THEM, -- URINATING ON THEM, PUTTING WATER ON THEM AND ZAPPING THEM WITH THIS TASER IN THEIR THROAT AND IN THEIR TESTICLES. THIS IS AN AN HOR RENT ACT. THESE PEOPLE VIDEOTAPED THIS WITH THE EFFORT TO TRY TO PUT THIS ON THE INTERNET TO MAKE MONEY. THIS IS PART OF THE BUM FIGHT SERIES. SO FAR PEOPLE HAVE MADE OVER A MILLION DOLLARS FROM THE VERY FIRST BUM FIGHTS. THE NATIONAL COALITION FOR THE HOMELESS IS HOPING TO GET A GAO REPORT ON ALL OF THE HATE CRIMES THAT ARE OCCURRING THROUGHOUT THE YEAR. WE'RE ASKING AND GOING TO ASK THIS CITY COUNCIL TO ENDORSE A RESOLUTION FOR THAT HATE CRIMES REPORT SO THAT WE CAN CHRONICLE WHAT IS GOING ON AND SO THAT CONGRESS CAN THEN TAKE A LOOK AND FIGURE OUT WHAT IT WANTS TO DO. THE MAN IN THE PICTURE HERE IN THE BACK ON THIS BENCH HAS JUST BEEN ZAPPED WITH THE TASER. THE MAN WAS JUST GIVEN 50,000 VOLTS TO HIS THROAT. THESE HATE CRIMES RUN THE GAMUT, WATERED DOWN, KICKED AND THEN ZAPPED. THEY'VE RUN THE GAMUT FROM ONE END TO THE OTHER. PEOPLE ARE EMULATING AS JUST HAPPENED IN CORPUS CHRISTI LAST WEEK -- IMOLATED. LAST WEEK A WOMAN WAS STONED TO DEATH. THEY FOUND BLOOD ON 30 SEPARATE BRICKS. THIS IS GOING ON ALL OVER THE COUNTRY. [BUZZER SOUNDS] HOMELESS PEOPLE ARE BEING USED AS INITIATION INTO GANGS. THIS IS SOMETHING THAT HAS TO BE LOOKED INTO IMMEDIATELY AND STOPPED. WE WILL ASK THE COUNCIL TO REVIEW A RESOLUTION AND TO PASS ITS CONCERNS ON TO THE FEDERAL GOVERNMENT FOR A GOVERNMENT G.A.O.,

GOVERNMENT ACCOUNTING REPORT. THANK YOU.

Mayor Wynn: THANK YOU, MR. TROXELL. CYNTHIA PEREZ. WELCOME, MA'AM. YOU WILL BE FOLLOWED BY ROBERT THOMAS.

THANK YOU, COUNCIL, FOR ALLOWING ME THIS TIME. MY NAME IS CYNTHIA PEREZ. I WORK AT LA MANITAS. I ALSO WORK AT THE LATINO ARTS BUILDING RIGHT THERE ON THIRD AND CONGRESS. AND I'M HERE TO PROTEST THE ADVERSE EFFECT THAT THE GREAT STREET PROJECT WIDENING SIDEWALKS 32 FEET FOR SECOND STREET BECAUSE THAT SEVEN BLOCK PROJECT HAS HAD AN ADVERSE EFFECT ON MY BUILDING. I'M A STAKEHOLDER AT THE CORNER OF THIRD AND CONGRESS. THAT HISTORICAL BUILDING THAT'S THERE, THEY REMOVED EIGHT PARKING SPACES, BUT IN ACTUALITY IT WAS 11 BECAUSE THEY'VE ALSO TAKEN THE ONES FROM BRAZOS STREET. IT'S HAD A NEGATIVE EFFECT FOR TWO REASONS. ONE IS THERE'S A LOT OF PEOPLE WHO WORK DOWNTOWN. THERE'S A LOT OF PEOPLE WHO COME AND VISIT AND HAVE LUNCHESES OR BREAKFAST WITH THEIR FRIENDS AT OUR RESTAURANT. OUR BLOCK IS THE MOST LATINO BLOCK THAT WE HAVE. JONATHAN WILLIAMS HAS (INDISCERNIBLE). WE HAVE A DAY CARE WITH 80 CHILDREN THERE. WE HAVE COPAS AND THEN WE HAVE THE BUILDING AT THE CORNER. THE CITY COUNCIL SAYS THAT IT TRIES TO SUPPORT AND ADVISE FOR DIVERSITY, AND SO THE ACTIONS THAT ARE TAKEN ON THE FLYER WITH AN INAPPROPRIATE PHONE NUMBER FOR MS. MIDDLETON AND WE CAN NOT REACH HERE LEADS TO DESTRUCTIVE ACTIONS. I HAVE TO HAND IT TO YOU, MAYOR, IT WAS THE MOST EFFICIENT USE OF TIME. ON THE 15TH I SPENT TWO HOURS AT DOWNTOWN ALLIANCE MEETING FOR CULTURAL ARTS. ON THE 16TH AT 5:00 O'CLOCK I RECEIVED A PARKING TICKET AND THAT'S HOW I REALLY FOUND OUT ABOUT THE LACK OF PARKING SPACES. THE MORNING OF THE 17TH THEY WERE REMOVING THE POST METERS AND PUTTING SCMENT IN THEIR -- CEMENT IN THEIR PLACE. ON THE FOLLOWING DAY THEY RERACED THE LINES. EACH DAY THEY DID THE PROJECTS, MAYOR, THE WAY THEY PARK THE STREETS AND THE WAY THEY LEFT THE ORANGE CONES THERE KIND OF DETERRED PEOPLE FROM PARKING THERE. I PICKED UP THE ORANGE CONES. I WENT OUT AND I TOLD

THE GUYS WHO WERE DRAWING THE LINES TO MOVE THEIR TRUCKS SO WE COULD AT LEAST MAKE SOME MONEY FOR LUNCH. OKAY? NOW, THEY HAVE A SIGN ADVISING PEOPLE THAT ON THE 28TH THE CONSTRUCTION TAKES PLACE FOR SECOND STREET, OKAY? YOU GIVE TAX ABATEMENTS TO HOME DEPOT. WE HAVE STRUGGLED THERE FOR 25 YEARS. WE GOT IN THERE WITH THE WINOS, THE SALVATION ARMY. WE WERE THERE FIRST. WE HAVE NOTICED TO SEE THE REPERCUSSIONS OF DEVELOPMENT. THE BIG SIDEWALK SIX YEARS AGO. JUST BECAUSE I HAVE BEEN A PROPONENT OF MORE ON STREET PARKING, JUST THIS WEEK HAVE TAKEN ACTION TO DO, THEY WERE FINALLY FIXING A METER THAT WAS SINKING INTO THE SIDEWALK FROM THAT DEVELOPMENT PROJECT THAT WAS DONE TO PREVENT THE PEOPLE FROM SOUTH BY SOUTHWEST TRIPPING OVER IT. I HAD' GAS LEAK THE FOLLOWING WEEK OR TWO AFTER SOUTH BY SOUTHWEST. THE LADY CAME AND COMPLAINED TO ME. I SAID I DIDN'T DO THAT, THE CITY DID THAT. [BUZZER SOUNDS] WHAT I'M ASKING YOU, MAYOR, IS FOR HELP RETURNING OUR PARKING. AND NOT TO TELL ME THAT OF THE 17 PARKING SPACES THAT HAD A METER MAID BEFORE AND NOW THAT YOU'RE GIVING ME THE PLACE WHERE THE BUS TO LEANDER PARKS. WE HAVE TO START SCREAMING TO BE HEARD BECAUSE YOU GUYS ARE SELLING OFF THE SOUL OF AUSTIN. PEOPLE ARE NOT COMING TO SEE THE HI-RISES DOWNTOWN, THEY'RE COMING TO SEE FLAVOR, WATER AND THEY'RE COMING TO SEE CULL CULTURE, ARTS AND MUSIC OF AUSTIN. THEY DON'T COME TO SEE THE CITY COUNCIL UNLESS THEY TRY TO BRIDGE A DEAL. THANK YOU.

Mayor Wynn: THANK YOU, MS. PEREZ. I HAVE JUST FOUND OUT ABOUT THIS ISSUE ON THIRD STREET AND IT'S VERY TROUBLING. IT SEEMS THAT CITY STAFF UNILATERALLY HAD MADE THAT DECISION. IT'S MY UNDERSTANDING THAT NOBODY IN THE DOWNTOWN AUSTIN ALLIANCE TRANSPORTATION COMMITTEE WAS EVEN AWARE OF THAT CHANGE TO BE MADE ON THIRD STREET. I WILL SAY I'M A BIGGER OF THE PLANS FOR SECOND -- BIG SUPPORTER OF THE PLANS FOR SECOND STREET AND I RESPECT YOUR DIFFERING OPINION ON THAT, BUT FOR THE UNILATERAL ACTION TO BE TAKEN ON THIRD STREET WITHOUT NOTIFYING ANY OF THE OWNERS OR OUR DOWNTOWN

PARTNER I DON'T THINK WAS APPROPRIATE. MY GUESS IS IT'S PART OF THE INFAMOUS THIRD STREET SHUFFLE THAT STAFF IS STILL PROPOSING TO ROUTE A ONE-WAY URBAN HIGHWAY THROUGH THE CORE OF OUR DOWNTOWN ON THIRD STREET.

[INAUDIBLE - NO MIC].

Mayor Wynn: I AGREE. THANK YOU FOR BRINGING THAT TO OUR CONCERN, MS. PEREZ. WELCOME MR. THOMAS. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR WYNN AND COUNCIL. I'M INDEED HONORED TO SPEAK WITH YOU TODAY CONCERNING THE ROSEWOOD PARK AND RECREATION CENTER. I'M ROBERT L. THOMAS IN THE BUILDING AND CONSTRUCTION TRADES DEPARTMENT OF THE LABOR OF INTERNATIONAL UNIONS OF NORTH AMERICA. I'M ALSO FROM THE WORLD FOOTBALL LEAGUE, NATIONAL FOOTBALL LEAGUE AND AMERICAN FOOTBALL ASSOCIATION. I AM THE ADVISORY COUNCIL FOR THE ROSEWOOD REVITALIZATION PROJECTS. MY OBJECTIVE TODAY IS TO EXPOSE THE UNFAIRNESS AND MALL TREATMENT THAT I HAVE RECEIVED FROM ABOUT FOUR PARK DIRECTORS IN THE SPAN OF ABOUT 17 YEARS IN RELATION TO MY NEGOTIATING FOR EMPLOYMENT AND ORGANIZED LAND DEVELOPMENT. IN 1987 I MET WITH CHARLES JORDAN OF THE PARKS AND RECREATION DEPARTMENT. PRIOR TO HIM BEING THE PARK DIRECTOR, HE WAS THE PRECINCT COMMISSIONER. JORDAN HAD PROMISED TO REVITALIZE THE ROSEWOOD PARK AND RECREATION CENTER WITH ME AND HE WANTED ME TO SUBMIT SOME DOCUMENTS, CONTRACTS AND LABOR AGREEMENTS. AND HE SAID THAT HE WAS GOING TO ELEVATE ME TO THE POSITION OF PROGRAM SUPERVISOR, BUT HE BREACHED HIS AGREEMENT AND HE LIED AND GOT OUT OF TOWN AND BROUGHT THE OLD MANAGEMENT BACK IN. NOW THERE MUST BE CHANGE. WE MUST HAVE BETTER LEGAL RELATIONS IN ROSEWOOD CONCERNING ATHLETICS AND BUILDINGS. I HAD SPOKE TO CHIEF MIKE MCDONALD LFT YEAR ABOUT REDEVELOPMENT AND HE WANTS REDEVELOPMENT IN 2006, AND I GOT MY BUILDERS TOGETHER. AND WHAT I NEED NOW IS TO SPEAK WITH HIM ABOUT REVISIONS AT ROSEWOOD. WE NEED TO REVISE IT.

BECAUSE IT'S NOT BECOMING PRODUCTIVE IN OUR PROGRAM AND FOR THE NEEDS OF OUR COMMUNITY. AND WE'RE PUSHING IN OUR BUILDERS AND FRANCHISES FROM THE NATIONAL FOOTBALL LEAGUE FROM THE EAST SIDE FOOTBALL FIELD WE DEVELOPED, THE MILLENNIUM YOUTH ENTERTAINMENT COMPLEX WE DEVELOPED AND (INDISCERNIBLE) WE DEVELOPED. AND WE GOT NO JOBS AND WE NEED JOBS IN ROSEWOOD. WE NEED TO CONTINUE WITH WHAT WE'VE GOT. I TALKED TO WARREN STRUSEY OF THE PARKS AND RECREATION DEPARTMENT AND HE WANTS TO SPEAK WITH ME AGAIN AND I'D LIKE TO SPEAK WITH CHIEF MCDONALD AGAIN ABOUT THE SITUATION AT ROSEWOOD. I FEEL THAT I CAN HELP ROSEWOOD. I CAN BRING IT ON TO BE THE PRODUCTION THAT IT NEEDS TO BE WITHIN THE PARKS AND RECREATION DEPARTMENT. AND FOR AT LEAST -- I KNOW THAT WE HAD BROUGHT IN A COALITION OF CONCERNED CITIZENS, WE HAD BROUGHT IN SCHOOL TEACHERS AND POLICE OFFICERS TO HELP IN AREAS LIKE ROSEWOOD BECAUSE THEY WERE STRUGGLING IN AREAS IN THE '80'S AND '90'S TO COME ON INDUSTRIALIZATION. BUT AS MUCH AS WE BROUGHT THIS PARTICULAR PRODUCTION ON, WE NEED THE TYPE OF -- WE NEED TO FIGHT. WE NEED TO FIGHT AT ROSEWOOD. WE NEED TO CHANGE. [BUZZER SOUNDS] I KNOW IT'S BEEN UP THERE FOR 20 YEARS AND WE'VE GOT TO REVISE IT. I THINK I'LL MAKE ANOTHER MEETING WITH MR. STRUSE AND SEE IF WE GET TO MEET WITH CHIEF MCDONALD ABOUT IT.

Mayor Wynn: THANK YOU, MR. THOMAS. OUR LAST SPEAKER IS MR. PAT JOHNSON. WHO I SAW EARLIER IN THE CHAMBERS. PAT JOHNSON. OKAY. I GUESS MR. JOHNSON HAD TO LEAVE. COUNCIL, THAT'S ALL OF OUR CITIZENS FOR CITIZEN COMMUNICATION. WE AGAIN WE STILL HAVE NO DISCUSSIONS ITEMS UNTIL OUR 2:00 O'CLOCK TIME CERTAIN BELIEVING, SO WITH THAT WE'LL GO BACK INTO CLOSED SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEY TO DISCUSS POTENTIALLY AGENDA ITEMS 24, 56, 57, 59, 61 AND 62. AND TO CONTINUE DISCUSSION POTENTIALLY ON ITEM 63. WE'RE IN CLOSED SESSION. THANK YOU.

WE FINISHED DISCUSSING ITEMS 24, 56 AND 63. NO DECISIONS WERE MADE. COUNCIL, BASED ON OUR

FINISHING DISCUSSION ITEM NO. 24 REGARDING TO OUR NORTH SERVICE CENTER, I WILL ENTERTAIN A MOTION.

I MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER MCCracken, I'll second that to approve item no. 24. Further comment? Hearing none, all those in favor please say aye.

AYE.

Wynn: Opposed? Motion passes on a vote of 5-0 with the Mayor pro tem and Councilmember Alvarez temporarily off the dais. Council, at this time we will go to our 2:00 briefings and this will be a staff presentation of the results of the study concerning the effects of big box retail centers on the local economy, small businesses and wages. And we will welcome Ms. Sue Edwards.

Mayor, members of the Council, Sue Edwards, Economic Growth and Redevelopment Services. I wish I were the expert who could give this staff presentation. I have -- I have beside me John Hockenjos of Texas Perspectives who was engaged to do the research on this study. I wanted to remind you of the scope of work before John begins. In the scope of work, what we asked the consultant to do was look at trends and retailing nationwide. We asked them to look at the status and history of retail trade in Austin and the greater Austin area. To do a literature review and search. To do price comparisons. Look at local labor compensation and proper procurement and look at the relative impacts on public safety and the environment. And I'm going to turn this over to John for his briefing.

All right. Mr. Mayor, members of Council, good to see.

HOW ARE YOU?

WELL, SO FAR, SO GOOD, HOW ARE YOU THIS AFTERNOON? THIS HAS ACTUALLY BEEN A VERY INTERESTING PROJECT FOR ME TO BE INVOLVED IN. I PROBABLY HAVE LEARNED MORE IN WORKING ON THIS PROJECT THAN PERHAPS ANYTHING ELSE THAT I'VE DONE IN THE LAST COUPLE OR THREE YEARS. SO WHAT I WILL DO, I THINK, IS WALK YOU THROUGH THE OUTLINE OF THE REPORT WHICH I GUESS HAS BEEN MADE AVAILABLE TO THE PUBLIC. TALK A LITTLE BIT ABOUT THE DEFINITIONS OF BIG BOX, HOW WE CAME TO ON COME TO A DEFINITION FOR THE PURPOSES OF THE STUDY. TALK A LITTLE BIT ABOUT WHAT WE FOUND OUT THERE IN THE WORLD ABOUT COMMONLY CITED BENEFITS OF BIG BOX, COMMONLY CITED CONCERNS, TALK OBVIOUSLY ABOUT THE SITUATION NATIONALLY, THE SITUATION HERE IN AUSTIN, THEN REVIEW WITH YOU OUR FINDINGS. I WANT TO, BEFORE I GET INTO ALL OF THAT, SPEAK A LITTLE BIT TO THE SCOPE OF WORK. WE ARE A LITTLE BEHIND SCHEDULE IN PART BECAUSE I TRIED UNSUCCESSFULLY TO SECURE PERSON PIECES OF DATA ABOUT PATTERNS OF PROCUREMENT FOR BOTH BIG BOXES, SMALL, UNIQUE LOCAL RETAIL. IN SPITE OF SOME -- SOME BEGGING AND PLEADING AND SOMEWHAT ARM TWISTING, I WASN'T VERY SUCCESSFUL. WHICH PUSHED US BACK A LITTLE BIT. ALSO I CAN TALK A LITTLE BIT ABOUT THE FINDINGS RELATED TO CRIME AND THE ENVIRONMENT, BUT THAT WORK WAS ACTUALLY DONE BY CITY STAFF. AND SO I WOULD -- BY NO MEANS -- CLAIM TO BE THE EXPERT ON EITHER OF THOSE TOPICS, I'LL HAVE TO, YOU KNOW, SHARE WHAT THEY TOLD ME, DEFER ANY QUESTIONS BEYOND THAT TO THEM. HAVING SAID THAT, THE OUTLINE OF THE REALLY IS AS FOLLOWS: FIRST OF ALL, WE ARE COMING UP WITH A DEFINITION OF BIG BOX. BIG BOX IS ONE OF THOSE THINGS, A TERM THAT PEOPLE USE A LOT. THERE IS NO ACCEPTED TECHNICAL DEFINITION OF WHAT BIG BOX IS, SO WE WENT THROUGH A PROCESS TO COME UP WITH OUR OWN DEFINITION. THERE IS AN INCREASING BODY OF LITERATURE OUT THERE ON THE IMPACT OF BIG BOXES ON COMMUNITIES. THERE IS A LOT OF STUFF THAT'S GOOD, THERE'S A LOT OF STUFF THAT'S OKAY, THERE'S A LOT OF STUFF THAT'S NOT SO GOOD, THERE'S A LOT BEING

WRITTEN AND SAID OUT THERE, PART OF WHAT WE TRIED TO DO WAS AS MUCH AS POSSIBLE LOOK FOR OBJECTIVE THIRD PARTY INFORMATION. OBVIOUSLY THERE ARE PEOPLE WHO HAVE STRONG FEELINGS ON BOTH SIDES OF THIS ISSUE AND IN DOING OUR LITERATURE REVIEW, WE TRIED TO SORT OF WEED SOME OF THE STRONG FEELINGS OUT AND FOCUS ON THE MORE OBJECTIVE INFORMATION. THE RETAIL ENVIRONMENT HERE IN AUSTIN IS EVOLVING AS YOU ALL WELL KNOW. THERE'S POSITIVE SIGNS, WE WILL TALK ABOUT THAT. AGAIN LIKE I SAID I WILL GET TO THE FINDINGS AND CONCLUDES. THERE ARE A NUMBER OF APPENDIXES, ONE OF WHICH IN PARTICULAR WAS DOWN BY MY COLLEAGUE FROM THE GATEWAY PLANNING GROUP TALKING ABOUT THE INTEGRATION OF BIG BOXES IN DESIGN STANDARDS RELATED TO THOSE INTEGRATION OF BIG BOXES WITH SMALL LOCAL RETAIL AND END OF MIXED USE PROJECTS. UNFORTUNATELY SCOTT IS AT THE CONGRESS FOR NEW URBANISM RIGHT NOW IN CHICAGO. WHAT I KNOW ABOUT THIS IS MOSTLY WHAT I'VE HEARD SCOTT SAY. SO I'LL GO AS FAR AS I CAN WITH IT, YOU CAN ASK SCOTT DIRECTLY ABOUT ALL OF THAT. ANYWAY, THE DEFINITION OF BIG BOX, COLUMBIA UNIVERSITY RESEARCHERS HAVE COME UP WITH SORT OF AN INITIAL OUTLINE OF HOW THEY THOUGHT BIG BOXES SHOULD BE DEFINED. YOU CAN SEE THEY HAVE COME UP WITH SOME CATEGORIES THERE. OBVIOUSLY THEY OCCUPY A PRETTY SUBSTANTIAL FOOTPRINT. THE SECOND POINT IS IMPORTANT, WE'LL TALK MORE ABOUT IT AS WE GO FORWARD, BIG BOXES NORMALLY ARE WHAT WE CALL HIGH VOLUME, LOW MARGIN RETAILERS, WHICH MEANS THAT ON EACH INDIVIDUAL ITEM THEY SELL, THEIR PROFIT MARGIN IS ACTUALLY FAIRLY LOW AND THEY WORK VERY HARD TO HAVE A HIGH VOLUME OF BUSINESS. POINTS 3, 4 -- 3 AND 4 TO SOME DEGREE REALLY ARE A COMMENT ON TYPICAL DESIGN STANDARDS ASSOCIATED WITH BIG BOX. THEY TEND TO RELY OBVIOUSLY ON FOLKS WHO SHOW UP IN CARS, THEY HAVE LOTS OF PARKING AS A RESULT. THEY TEND NOT TO DO AN ENORMOUS AMOUNT IN TERMS OF SITE DEVELOPMENT. LAST IT'S KIND OF AN EDITORIAL COMMENT WHICH SAYS THAT THEY ARE ESSENTIALLY YOU KNOW PLACELESS. THAT'S COLUMBIA'S VIEW OF THE WHOLE THING. COMMON CATEGORIES IN WHICH BIG BOXES OFTEN GET PLACED, THE NEXT SLIDE, AGAIN SOME OF THIS IS -- IS

CONVENTIONS USED IN ORGANIZING INDUSTRIES, ONE OF COURSE IS DISCOUNT DEPARTMENT STORES AND YOU CAN SEE AGAIN THEY FIT THAT FOOTPRINT. SUPER STORES IS A RELATIVELY NEW EVOLUTION OF DISCOUNT DEPARTMENT STORES, THESE ARE THE BIGGEST OF THE BIG BOXES. CAN RUN EASY EASILY UP TO A QUARTER OF A MILLION SQUARE FEET. WAREHOUSE CLUBS AGAIN ARE ALSO A RISING PLAYER IN THIS WHOLE EQUATION. AND THEN ONE THAT'S KIND OF INTERESTING CATEGORY KILLER, IS FOLKS WHO HAVE A MUCH NARROWER PURVIEW OF, YOU KNOW, FOR EXAMPLE FOCUS ON A SPECIFIC TYPE OF GOOD AND DO IT IN A FAIRLY LARGE SCALE WAY. SO AGAIN THOSE ARE COMMON THINGS. FOR OUR PURPOSES HERE, TAKING -- PUTTING IT ALTOGETHER IN -- IN -- IN -- SORT OF AS COHERENT WAS WE COULD, WE DECIDED TO FOCUS ON FIRM WITH FREESTANDING STORES, THAT WERE NOT PART OF A SHOPPING MALL, THAT AVERAGED AT LEAST 100,000 SQUARE FEET. STORES THAT SOLD A RELATIVELY WIDE VARIETY OF MERCHANDISE, INCLUDING PRODUCTS THAT FIT INTO SEVERAL CATEGORIES WITHIN RETAIL TRADE. FIRMS THAT ARE DOING BUSINESS NATIONALLY. THE ARBITRARY DEFINITION THAT I CAME UP WITH OF NATIONALLY WAS IN AT LEAST 25 STATES. THAT'S SOMEWHAT ARBITRARY. THAT BOILED DOWN TO WAL-MART, SAM'S, TARGET, COST COME-CO, LOWS, HOME DEPOT. H.E.B. IS OBVIOUSLY NOT PART OF THAT EQUATION. SOME OF IT REFLECTS A DECISION THAT COUNCIL MADE WAY BACK WHEN WHEN HE TALKED ABOUT EXCLUDING GROCERY STORES. KROEGER'S IS NOT PART OF THAT EQUATION BECAUSE THEY ARE NO LONGER IN AUSTIN, THEY OBVIOUSLY DON'T FIT. WE FELT LIKE THIS WAS A REASONABLE DEFINITION OF BIG BOX FOR OUR PURPOSES, THAT'S WHAT WE WENT WITH. WHEN YOU START TALKING ABOUT THE BENEFITS AND CONCERNS, THE BENEFITS REALLY ARE FAIRLY STRAIGHTFORWARD. THIS IS SOMETHING THAT PEOPLE IN MY OFFICE LOOK AT ME WHEN I SAY THE FIRST BENEFIT, THEY GO, DUH, LIKE EVERYBODY KNOWS THIS. BIG BOXES HAVE BEEN VERY SUCCESSFUL FOR THE PRODUCTS THAT THEY SELL AND IN LOWERING PRICES. I WILL SHOW YOU SOME DATA TO CONFIRM THAT. BUT THERE IS REALLY I THINK LITTLE QUESTION THAT -- THAT BECAUSE OF THEIR BUSINESS MODEL AND BECAUSE OF THEIR ECONOMIES OF SCALE, FOR THE THINGS THEY

SELL, BIG BOXES HAVE HAVE A VERY POSITIVE EFFECT ON PRICES, THAT IN TURN HAS HAD A POSITIVE EFFECT ON INFLATION. THERE ARE ESTIMATES OUT THERE THAT SUGGEST THE IMPACT OF THE BIG BOX BUSINESS MODEL HAS DONE AS MUCH AS KNOCKED ONE PERCENTAGE POINT OFF OF INFLATION OVER THE LAST COUPLE OF YEARS. NOT MY ESTIMATE, BUT AN INTERESTING ESTIMATE NONETHELESS. ALSO THEY ARE CONSIDERED TO MAKE A STRONG CONTRIBUTION TO RISING PRODUCTIVITY. WORKING DONE BY ECONOMISTS AT UBS WARBERG TALKING ABOUT ALL OF THAT. THE FINAL BENEFIT THAT IS COMMONLY VIOLATED CITED IS THAT FOR CERTAIN TYPES OF CUSTOMERS IT'S VERY CONVENIENT BECAUSE IN MANY CASES THEY OFFER ONE-STOP SHOPPING. YOU ARE ABLE TO FOR FOR EXAMPLE TO GO TO WAL-MART, FOR MANY FAMILIES TAKE CARE OF MOST OF THEIR NEEDS HAVING MADE ONE TRIP. THOSE TYPICALLY ARE THE BENEFITS CITED. THE CONCERNS ARE ALSO FAIRLY INTERESTING, THEY TEND TO FALL INTO THREE BROAD CATEGORIES. ON THE ECONOMIC SIDE THERE'S A CONCERN IN CERTAIN COMMUNITIES, WHEN THE BIG BOX COMES IN, IT -- IT UNDERMINES CONSUMER CHOICE. IF IT EFFECTIVELY DRIVES LOCAL BUSINESSES OR EXISTING BUSINESSES OUT OF THE COMMUNITY, FOLKS WILL HAVE FEWER CHOICES FOR THEIR SHOPPING OPTION. THERE'S A CONCERN ABOUT WAGES PAID, ABOUT COMPENSATION, BIG BOXES ARE CONSIDERED TO BE FAIRLY LOW WAGE PAYERS AND THERE ARE CONCERNS RELATED TO THAT FOR OBVIOUS REASONS. THEN OUTSOURCING IS ALSO A CONCERN THAT IS COMMONLY CITED THAT FALLS INTO THE ECONOMIC CATEGORY TO THE EXTENT THAT MANY OF THESE FIRMS NOW SOURCE THEIR PRODUCTS OR AT LEAST A SUBSTANTIAL PORTION OF THEIR PRODUCTS OVERSEAS. THAT'S CONSIDERED TO HAVE HAD A NEGATIVE EFFECT ON THE AMERICAN MANUFACTURING BASE. THE SOCIAL CONCERNS, SOME FALL DIRECTLY OUT OF THE ECONOMIC CONCERNS. THERE IS A CONCERN THAT THERE IS AN IMPACT ON SOCIETY AS A WHOLE IN GENERAL IN THE PUBLIC SECTOR IN PARTICULAR AS A CONSEQUENCE OF POOR WAGES PAID AND AS A CONSEQUENCE OF DRIVING LOCAL RETAILERS OUT OF THE COMMUNITY. THERE ARE CONCERNS ABOUT THE FACT ENVIRONMENTAL EFFECTS

REALLY RELATED TO THE FACT THAT MANY OF THESE STORES RELY ON SHOPPERS AS I MENTIONED EARLIER, AUTO BORN, MANY OCCUPY FAIRLY SUBSTANTIAL FOOTPRINTS WITH LARGE -- FOOTPRINTS OF LET ME SAY IF I SAY THIS RIGHT, NON-IMPERVIOUS COVER COVER WHERE THE WATER DOESN'T GO THROUGH. THE FINAL CATEGORY OF CONCERNS HAVE TO DO WITH COMMUNITY CHARACTER. THERE IS AGAIN TRACKING BACK TO SOME OF WHAT THE FOLKS AT COLUMBIA TALKED ABOUT, A SENSE THAT BIG BOXES CONTRIBUTE TO MAKING A COMMUNITY HOME HOME MONTH HOMOGENOUS THAT THE BIG BOXES MAKE THEM ALL LOOK THE SAME. THERE ARE CONCERNS RELATED TO THAT AROUND DESIGN, ALSO A CONCERN THAT WHEN THE BIG BOX STORE LEAVES IS LEAVES A HULKING WHITE ELEPHANT THAT TENDS TO LEAVE A LOT OF URBAN BLIGHT. ESSENTIALLY THOSE ARE THE AREAS THAT PEOPLE TALK ABOUT AS BOTH BENEFITS AND CONCERNS WHEN THEY THINK ABOUT THIS ISSUE. IN TERMS OF THE RETAIL ENVIRONMENT HERE IN AUSTIN, THERE IS I THINK SOME GOOD NEWS. CURRENT TRENDS REALLY ARE SOMEWHAT POSITIVE. WE HAVE SEEN SALES TAX REVENUE TURN UP IN THE PAST SIX MONTHS. I KNOW THAT EVERYBODY HERE IS OBVIOUSLY FEELING A LITTLE BIT BETTER ABOUT THAT. AND THAT'S A SIGN I THINK THAT -- THAT SOMETHING THAT WE HAVE BEEN TALKING ABOUT FOR SOME TIME REALLY IS HAPPENING IN THE -- THE ECONOMY IS BEGINNING TO TURN AROUND, BEGINNING TO TURN AROUND LOCALLY AS WELL AS TURN AROUND NATIONALLY. WE STILL CONTINUE TO BE A LITTLE CONCERNED ABOUT THE IMPACT OF INTERNET SHOPPING ON THE TAX BASE HERE. AS WE ALL BECOME MORE AND MORE WEB SAVVY, WE ARE DOING A BETTER AND BETTER JOB OF USING THE INTERNET TO MAKE RETAIL PURCHASES AND THAT DOES PROBABLY HAVE AN IMPACT ON THE CITY SALES TAX REVENUES. AND THEN SOMETHING THAT I WANT TO POINT OUT, I ACTUALLY MADE A MISTAKE IN CALCULATIONS IN ARE IN THE REPORT WHEN I TALKED ABOUT THE CITY'S DECLINING SHARE OF MSA RETAIL SHARES. IT IS TRUE THE CITY SALES ARE DECLINING, NOT AS RAPIDLY AS I THOUGHT. I MADE THE MISTAKE NOT CONTROLLING FOR THE FACT THAT A NUMBER OF COMMUNITIES IN THIS AREA HAVE ACTUALLY RAISED THEIR TAX RATES IN THE LAST 10 YEARS. SO ORIGINALLY I SAID

THE CITY HAD FALLEN FROM AROUND 83% OF THE REGION'S ACTIVITY DOWN TO 53. I THINK THE RIGHT NUMBER IS MORE LIKE 67. THE POINT IS STILL MADE, THE NUMBER IS PERHAPS NOT QUITE AS DRAMATIC. YOU HAVE A COUPLE OF PIECES THERE TO GO WITH THIS. THE NEXT SLIDE SHOWS SOME INFORMATION ON EMPLOYMENT AND WAGES IN THE AUSTIN AREA AND RETAIL RATE. ALL OF THIS REAIL -- RETAIL TRADE, EXCUSE ME, ALL OF THIS COMES FROM THE TEXAS WORKFORCE COMMISSION. IT IS UNFORTUNATE FOR OUR PURPOSES THAT -- THAT THE GOVERNMENT AGENCIES DON'T CATEGORIZE THINGS AS BIG BOXES AND SMALL LOCAL RETAIL. THEY TEND TO USE INDUSTRY BASED CATEGORIES. SO WE ARE FORCED TO FALL BACK ON A COUPLE OF THINGS THERE. THE BIG BOXES WOULD EITHER FALL INTO THE BUILDING MATERIALS CATEGORY OR THE GENERAL MERCHANDISE CATEGORY. THOSE ARE MSA WIDE. THAT'S THE WAY THE DATA COMES. YOU CAN SEE THOSE IT WAS CATEGORIES TOGETHER COMPRISE ABOUT 25% OF THE TOTAL RETAIL TRADE EMPLOYMENT IN THE AUSTIN AREA AS OF LAST YEAR. AND THEN IF YOU GO DOWN BELOW, THIS IS ACTUALLY SOME RELATIVELY RECENTLY RELEASED INFORMATION ON HOURLY WAGE RATES DOWN BY OCCUPATIONAL CATEGORY AND THEY ACTUALLY BREAK IT DOWN A LITTLE BIT, INTO SUPERVISOR, SALES PERSONS AND CASHIERS, AGAIN YOU CAN SEE DIFFERENT WAGE RATES. AS A GENERAL RULE RETAIL RATE IN AUSTIN PAYS A LITTLE BIT BETTER THAN THE NATIONAL AVERAGE, WITH AN OVERALL WAGE RATE OF \$13 PER HOUR. BUT AGAIN IT STRATIFIES GREATLY BY INDUSTRY, ALSO GREATLY BY OCCUPATION. AS A GENERAL RULE, THE MORE VALUE THAT YOU ADD IN TERMS OF YOUR JOB, IF YOUR SUPERVISOR OWE FOE YOU'RE SUPERVISE ON -- IF YOU'RE A SUPERVISOR YOU WILL GET PAID MORE. IF YOU ARE DIFFERENT THAN HIGH VOLUME LOW MARGIN MODEL YOU WILL TEND TO PAY HIGHER PAGES. BASIC DATA FROM THE TEXAS WORKFORCE COMMISSION ON LOCAL WAGE RATES. LET ME JUMP INTO THE FIND,.

ONE IS I REALLY DO THINK THERE IS NO QUESTION THAT THERE IS CONSUMER VALUE CREATED FOR THE PEOPLE WHO SHOP AT BIG BOXES THROUGH LOWER PRICES. I HAVE PUT THERE THE INFORMATION ON GROSS AND NET PROFIT

MARGIN FOR -- FOR A COUPLE OF DIFFERENT FIRMS OF THE
T IS NATIONAL DATA. INTERESTING. WAL-MART ACTUALLY
MAKES RELATIVELY LITTLE PROFIT PER DOLLAR OF
REVENUE, COST-CO MAKES EVEN LESS. WAL-MART LAST
YEAR GENERATED SOMETHING ON THE ORDER OF \$7
BILLION IN PROFITS. BUT IT WAS AGAINST A BASE OF A
QUARTER OF A TRILLION DOLLARS IN BUSINESS. THAT'S
PROPERLY THE SIZE OF THE ECONOMY IN SWITZERLAND. SO
IT IS AN ENORMOUS OPERATION MAKING PENNIES ON EVERY
DOLLAR, BUT STACKING UP A WHOLE LOT OF DOLLARS.
THERE'S A GROUP IN NEW ENGLAND CALLED THE NEW
ENGLAND CONSULTING GROUP, THAT HAS DONE ONE
ESTIMATE ON THE VALUE SAVINGS TO CONSUMERS. THEY
THINK BIG BOXES DIRECTLY HAVE SAVED CONSUMERS
PROBABLY \$20 BILLION IN THE LAST COUPLE OF YEARS.
INDIRECTLY, IN TERMS OF THE PRESSURE THEY PUT ON
OTHER RETAILERS, THEY THINK THE NUMBER IS \$100
BILLION NATIONWIDE. I CANNOT VERIFY THAT NUMBER. I
CAN'T -- I CALL THEM, I TRIED TO GET THEM TO SEND ME THE
INFORMATION AND THEY WERE UNWILLING TO DO SO. BUT IT
IS AN INTERESTING NUMBER. THE DATA THERE ARE BELOW
THAT, WHICH TENDS TO REINFORCE THAT TO SOME DEGREE
IS -- IS BUREAU OF LABOR STATISTICS DATA AGAIN AT THE
NATIONAL LEVEL SHOWING DIFFERENT CATEGORIES OF THE
CONSUMER PRICE INDEX. IT -- IT IS NOT PRICING THAT
MEDICAL CARE COSTS HAVE RISEN MORE RAPIDLY THAN
ANYTHING ELSE IN THE LAST TEN YEARS. BUT IF YOU LOOK
DOWN THERE AT THE BOTTOM, CLOTHING COSTS HAVE
ACTUALLY DECLINED 10% AND DEPARTMENT STORE, WHICH
IS A MARKET [INDISCERNIBLE] OF THINGS SOLD IN
DEPARTMENT STORES INCLUDING BIG BOXES HAS ALSO
DECLINED ABOUT 10%. I THINK THAT'S PRETTY COMPELLING
EVIDENCE THAT THESE GUYS REALLY DO IN FACT SAVE
CONSUMERS MONEY. SECOND FINDING IS ALSO
INTERESTING, PART OF OUR SCOPE OF WORK WAS TO DO A -
- WHAT WE CALL A MARKET BASKET STUDY WHERE WE
ACTUALLY IDENTIFIED ABOUT 50 ITEMS, WENT OUT AND
SHOPPED THEM HERE IN THE AUSTIN AREA. WE -- WE HAD A
DEVIL OF A TIME GETTING EXACT MATCHES BETWEEN
SMALL, LOCAL RETAILERS AND BIG BOXES. WE COULD GET
BROAD CATEGORIES, YOU COULD GET BLUE JEANS, FOR
EXAMPLE, FROM THE DIFFERENT CATEGORIES OF RETAIL,

BUT YOU WOULD GET A WIDE VARIATION IN WHAT BLUE JEANS WERE AVAILABLE. YOU KNOW I THOUGHT IT WOULD BE SIMPLE, LEVY 501'S FROM EVERYBODY, NOT ACTUALLY PRETEND. PRICE CHECK. AND THAT TURNED OUT TO BE VERY, VERY CHALLENGING. SO WE STARTED DIGGING INTO IT, FOR EXAMPLE, AT WAL-MART YOU CAN GET LEVY'S, ONE TIME, ESPECIALLY MADE FOR WAL-MART. NOT AVAILABLE AT OTHER STORES. SO WHERE HE FOUND IT WAS VERY DIFFICULT TO DO A DIRECT COMPARISON. WHAT THAT SUGGESTED TO US AS WE SORT OF WORKED IT THROUGH IS THAT THERE WAS PROBABLY RELATIVELY LITTLE DIRECT COMPETITION BETWEEN SMALL AND LOCAL RETAILER AND THE BIG BOXES. THERE IS OBVIOUSLY IN THE BROADER SENSE EVERY RETAIL DOLLAR IS IN ECONOMY COMPETITION, EVERY TIME I CHOOSE TO SPEND A DOLLAR ON SOMETHING, I CHOSE NOT TO SPEND IT ON SOMETHING ELSE. BUT IN TERMS OF I OFFER THIS PRODUCT AS A SMALL LOCAL GUY. THE BIG BOX OFFERS EXACTLY THE SAME PRODUCT, IT DOESN'T HAPPEN AS MUCH AS WE MIGHT HAVE THOUGHT IT WAS. WE MIGHT HAVE THOUGHT IT WOULD. WHEN IT DID HAPPEN, ALMOST INEVITABLY, THE PRICES WERE THE SAME. WELL, THERE'S A GOOD REASON FOR THAT. IN ECONOMICS, IT'S CALLED CLEVERLY THE LAW OF ONE PRICE. WHICH SAYS IF I'M SELLING SOMETHING FOR \$10, YOU CAN'T SELL IT FOR \$11 FOR VERY LONG UNLESS YOU ARE SOMEHOW ADDING VALUE FOR YOUR CUSTOMERS THAT JUSTIFIES A ONE DOLLAR PRICE INCREASE. BECAUSE CONSUMERS CAN FIGURE OUT, NO, I CAN GET A BETTER DEAL AT THE GUY SELLING IT FOR \$10. THAT SORT OF LEADS US INTO THE SECOND, WELL, LET ME MAKE ONE MORE POINT ON THAT, I WILL LEAD TO THE FOLLOW ON TO THAT. THE BIG BOXES I WOULD SAY TENDED TO BE WIDE, BUT NOT VERY DEEP. YOU COULD GET ONE OR TWO VERSIONS OF THE WEBBER SMOKEY JOE GRILL AT THE BIG BOXES, BUT IF YOU WANTED THE SPECIALIZED MODEL, IF YOU WANTED THE DEL LUKE MODEL --DY LUKE MODEL, SOMETHING DIFFERENT, YOU WEREN'T GOING TO FIND IT AT THE LOCAL BIG BOX STORE. THEY TENDED TO OFFER A WIDE VARIETY OF MERCHANDISE, BUT NOT AS DEEP AS IT WOULD BE IN SOME OTHER RETAILERS. BACK TO THE COMMENT ABOUT THE \$11 VERSUS THE \$10. WHAT WE FOUND IS THAT MOST SMALL LOCAL RETAILERS HERE IN AUSTIN DID -- DID ONE OF TWO

THINGS. EITHER SOLD SOMETHING DIFFERENT OR MORE EXTENSIVE LINE THAN THE BIG BOXES DID. OR THEY WERE ABLE TO ADD VALUE FOR THEIR CUSTOMERS THROUGH SOME COMBINATION OF SERVICE, CUSTOMIZATION, CONVENIENCE, OR WHAT I WOULD CALL AN EXPERIENCE. IT'S INTERESTING. THERE'S A CERTAIN, I CAN'T USE THEIR NAME BECAUSE IT WOULDN'T BE APPROPRIATE, BUT THERE'S A CERTAIN FIRM THAT COMPETES WITH THE BIG BOXES OUT THERE. WHERE WHEN I ACTUALLY WALKED IN AND WANTED TO BUY SOMETHING, THEY HAD SOMEBODY AVAILABLE TO HELP ME COHERENTLY UNDERSTAND WHAT I WAS TRYING TO DO, AS OPPOSED TO THEIR COMPETITOR WHERE I WALKED IN, I WAS ON MY OWN. THAT WAS AN ENHANCED LEVEL OF SERVICE. SOME OF THESE GUYS WILL DO CUSTOMIZATION. FOR SOME CUSTOMERS THE DEFINITION OF CONVENIENCE IS NOT ACTUALLY BEING ABLE TO BUY ALL OF YOUR PRODUCTS IN ONE PARTICULAR PLACE. IT'S BEING ABLE TO PULL UP TO THE FRONT DOOR, HOP OUT, WALK IN, TO A FAIRLY SMALL SHOP, FIND WHAT YOU NEED FAIRLY QUICKLY, MOVE ON. SO AGAIN THAT WAS A WAY IN WHICH SMALL BUSINESSES COULD EFFECTIVELY COMPETE WITH SOME OF THE BIG BOXES. THE OTHER WAY THAT'S PART OF THIS AS WELL IS WHAT -- WHAT THE ECONOMIST TERM AS CROSS SUBSIDIZATION OF THE LOST LEADERS. YOU PRICE MATCH THE BIG BOX ON THE AREAS WHERE YOU OVERLAP, MAYBE YOU DON'T MAKE MUCH MONEY ON THAT, BUT YOU HAVE OTHER ITEMS IN THE STORE WHERE YOU HAVE A HIGHER PROFIT MARGIN AND YOU MAKE IT UP ON THAT. WHAT WAS INTERESTING I GUESS OVERALL, PART OF THIS IS CLEARLY A FUNCTION OF BEING IN A LARGE SOPHISTICATED URBAN AREA. IS THAT THE LEVEL OF DIRECT COMPETITION BETWEEN THE BIG BOXES AND THE SMALL UNIQUE LOCAL RETAILER IS NOT AS EXTENSIVE AS WE MIGHT OTHERWISE HAVE THOUGHT IT WOULD HAVE BEEN GOING IN. THIRD BIG FINDING, THIRD FINDING, ALL BIG BOXES ARE NOT IDENTICAL. IT'S INTERESTING IF YOU READ THE LITERATURE ON THIS, READ SOME OF THE CASE STUDIES, WAL-MART APPEARS TO BE THE STARTING POINT FOR MOST OF THESE GUYS, THERE'S A QUOTE FROM SOME SENIOR V.P. AT TARGET, SOMETIME BACK SAYING I FOLLOW WHAT WAL-MART DOES VERY, VERY CLOSELY ALL THE TIME. THEN I FIGURE OUT WHAT I'M GOING

TO DO AS A FUNCTION PARTLY TO WHAT THEY DO. THEY SEE THEIR COMPETITION AS EACH OTHER. SO WHAT WE FOUND WITH MOST OF THE COMPETITORS IS MOST OF THE OTHER PEOPLE SAID HOW DO WE DO SOMETHING A LITTLE DIFFERENT. TARGET CHARGES MORE FOR WHAT THEY SELL, ARGUABLY ON MORE UPSCALE SHOPPING ENVIRONMENT, HIPER ADD CAMPAIGN, A COUPLE OF DESIGNS CREATE ISAAC MIZARHI FOR TARGET, THEY STARTED WITH WAL-MART AND SAID HOW TO APPEAL TO A DIFFERENT DEMOGRAPHIC. COSTCO DOESN'T 'EM EMPLOY AS MANY PEOPLE AS AS SAM'S. I READ THEY HAD \$52,000 DIAMOND WATCHES ON SALE THERE AS WELL. I DON'T KNOW WHETHER THAT'S TRUE OR NOT. AGAIN, THEY HAVE DONE SOMETHING A LITTLE BIT DIFFERENT. ALL OF THESE GUYS START WITH A -- APPEAR TO START WITH WAL-MART, THEN SAY HOW DO WE COMPETE. ACTUALLYED CITED IN THE ECONOMIST MAGAZINE, WHICH I THOUGHT WAS INTERESTING, H.E.B. WAS CITED AS A FIRM THAT HAS VERY EFFECTIVE COMPETED WITH WAL-MART THROUGH THE CENTRAL MARKET CONCEPT. NICE TO SEE THE INTERNATIONAL PRESS TAKES NOTE OF THAT. THERE IS A BOOK ACTUALLY BEEN WRITTEN THAT I HAVE TO ADMIT THAT I HAVE NOT READ, I READ THE CLIFF NOTES VERSION OF IT. MY MICHAEL SILVER STEIN CALLED THE NEW AMERICAN LUXURY, TALKS ABOUT TRADING UP AND DOWN. HE SAYS HIS THESE IS WHICH IS -- THESE WHICH I -- THESIS WHICH I THINK HAS A LOT TO DO, AMERICAN'S VIEW THEIR PRODUCTS IN TWO POTS. A COMMODITY, I NEED A SIX PACK OF ATHLETIC SOCKS, WHATEVER IT IS, THERE'S NO SELF IMAGE TIED UP IN THAT, NO SENSE OF ANYTHING RELATED TO WHO I AM AS A PERSON, I JUST NEED SOME ATHLETIC SOCKS. A LUXURY ITEM IS SOMETHING THAT SOMEHOW HELPS US DEFINE WHO WE ARE. THIS IS PART OF MY LOOK, PART OF MY FEEL, THE WINE I DRINK, RESTAURANTS I LIKE. WE -- THIS GUY'S THESIS SAYS WE PUT THESE THINGS IN OUR POTS AND MAKE THE SAME DECISIONS. SOMETIMES I BUY BOTTLES OF WINE THAT ARE 7 OR \$8. SOMETIMES MORE THAN THAT, TWO DIFFERENT THINGS FOR TWO DIFFERENT OCCASIONS. ONE OF MY FOLKS ON SOUTH CONGRESS FOUND WOMEN'S BLUE JEANS, AT ALLEN'S, ACROSS THE STREET AT FACTORY PEOPLE FOR 180. WASN'T THE SAME PRODUCT, ONE WAS A LUXURY, ONE WAS A COMMODITY.

THE POINT OF ALL OF THAT, LEADS TO US THE FOURTH POINT, IT'S AN INCREDIBLY COMPLEX DIVERSE MARKET IN WHICH WE OPERATE. THAT RETAIL ARGUABLY MAYBE ONE OF THE WIDEST AND DEEPEST AND MOST COMPLEX INDUSTRIES THERE IS OUT THERE, CERTAINLY THE CASE HERE IN AUSTIN, TEXAS. SO WE THEN COME TO THE FOURTH FINDING THE HEALTHIEST CONSUMER MARKET IS THE MARKET THAT MAXIMIZING CONSUMER CHOICE ON A SUSTAINABLE BASIS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

WELL, THAT MINDSET CAN BE APPLIED TO SOME DEGREE TO LOOKING AT BIG BOXES IN AUSTIN. AND WE DID A CALCULATION ON THE COMPANIES I MENTIONED BEFORE AS A SHARE OF THE APPLICABLE RETAIL TRADE MARKET. IT'S NOT FAIR, FOR EXAMPLE, TO PUT AUTO DEALERS IN THE DENOMINATOR OF RETAIL TRADE BECAUSE THESE GUYS AREN'T SELLING CARS. AND I DIDN'T PUT GAS STATIONS IN THERE ALTHOUGH WAL-MART AND COSTCO ARE NOW TELLING GAS BECAUSE THEY'RE JUST PUTTING THE TOE INTO THAT MARKET. BASED ON OUR CALCULATIONS FOR 2003, THE SIX COMPANIES I MENTIONED BEFORE COMPRISE 21.2% OF THE RETAIL MARKET HERE IN THE AUSTIN MSA. SO, YOU KNOW, THAT MEANS FOUR OUT OF FIVE DOLLARS SPENT ARE NOT AT THE BIG BOXES. IS THAT A NUMBER WE SHOULD PAY ATTENTION TO? YEAH. AN INTERESTING NUMBER TO GO BEYOND IT THAT I DON'T KNOW EXACTLY HOW TO CALCULATE IS WHAT MARKET SHARE DO SMALL BUSINESSES HAVE. AND THAT'S SOMETHING WE TALK A LITTLE BIT ABOUT AS WE GO FORWARD. BUT RIGHT NOW THIS REMAINS A COMPETITIVE MARKET. FOR SURE. THE NEXT TWO FINDINGS COME OUT OF THE WORK THAT SCOTT DID. AND I WILL SHARE THEM WITH YOU. I'M NOT SURE I CAN ANSWER A WHOLE LOT OF QUESTIONS ABOUT THEM. ONE IS THAT LAND POLICY OFFERS THE POSSIBILITY OF MITIGATING SOME OF THE CONCERNS ASSOCIATED WITH BIG BOXES AND THAT TALKS ABOUT THE ABILITY OF USING THE DRAWING POWER OF A BIG BOX AS A LEVERAGING FACTOR FOR SMALL UNIQUE LOCAL BUSINESSES TO LOCATE AROUND THE BIG BOX AND TAKE ADVANTAGE OF SHOPPERS WHO ARE COMING TO SHOP AT THE BIG BOX AND OBVIOUSLY TO BROAD IT ENOUT INTO SMALL LOCAL

BUSINESS. AND FINALLY THE CITY SHOULD PROMOTE DESIGN STANDARDS THAT PRO NOTE COMMUNITY STANDARDS. THEY SHOULD NOT BE SO ONEROUS THAT LOCAL AND NATIONAL RETAILERS CAN JUSTIFY DOING BUSINESS IN AUSTIN. AGAIN, I THINK THAT'S A NICE WAY OF SAYING YOU SHOULD HAVE GUIDELINES, BUT SHE SHOULDN'T BE SO TIGHT THAT PEOPLE CAN'T FIGURE OUT HOW TO MAKE THINGS WORK. AGAIN, TWO OF SCOTT'S BIG FINDINGS. THERE IS NO QUESTION THAT IF YOU ARE ADOPTING A HIGH VOLUME -- A HIGH VOLUME, LOW VOLUME BUSINESS, YOU ARE GOING TO PUT DOWN PRESSURE ON WAGES. AND THIS IS THE FLIP SIDE OF THE VALUE CREATED FOR CONSUMERS. IF COST CONTAINMENT IS WHAT YOU ARE ALL ABOUT AS YOUR BUSINESS MODEL, YOU ARE GOING TO DO EVERYTHING IN YOUR POWER TO KEEP WAGES AS LOW AS POSSIBLE. THAT INFORMATION SPENTED THERE IS 2002 DATA. THAT'S NATIONAL INFORMATION ON THE AVERAGE HOURLY WAGE. THE WAL-MART INFORMATION ACTUALLY IS DRAWN FROM THE DATABASE THAT YOU PROBABLY ALL SAW RELATED TO THE CLASS ACTION SUIT THAT HAS RECENTLY BEEN FILED AGAINST WAL-MART. AND WE ACTUALLY WERE ABLE TO GET OUR HANDS ON THE CORE DATA BEHIND THAT. AND SO JUST AS WAL-MART AND THE OTHER BIG BOXES HAVE A MARKET LEADER EFFECT ON MANY OTHER COMPANIES IN TERMS OF HOLDING THE COST DOWN, THEY HAVE SOMETHING OF A MARKET LEADER EFFECT IN HOLDING WAGES DOWN. THAT'S THEIR BUSINESS MODEL. THAT'S PART OF WHAT THEY'RE ALL ABOUT. WHEN YOU START TALKING ABOUT LOWER WAGES, YOU DO TEND TO START TALKING ABOUT CREATING SOCIAL COSTS THAT ARE PROBABLY NOT FULLY ACCOUNTED FOR IN THE PRICE OF GOODS THE CONSUMERS PURCHASE. ONE OF THE THINGS THAT WAS INTERESTING WAS TO PULL TOGETHER INFORMATION FROM THE VALUE CONSUMER EXPENDITURE SURVEY LOOKING AT INCOME PATTERNS CROSSED AGAINST SPENDING PATTERNS. AND WHAT I FOUND FASCINATING WAS THAT ABOUT 35,000 DOLLARS' WORTH OF HOUSEHOLD INCOME FOR A TYPICAL FAMILY OF FOUR IS THE POINT AT WHICH AFTER TAX INCOME BEGINS TO EXCEED SPENDING. AND WHAT THAT SUGGESTS IS, IF YOU HAVE A FAMILY WHERE BOTH -- LET'S SAY A TYPICAL FAMILY OF FOUR, MOM, DAD, TWO KIDS, AND BOTH PARENTS ARE WORKING AT

RELATIVELY LOW WAGE JOBS AND MAKING NINE OR \$10 AN HOUR, THEY'RE GOING TO JUST ABOUT MAKE IT. AND WHAT HAPPENS, OBVIOUSLY, IF THAT ISN'T THE CASE, YOU HAVE SOCIAL COSTS THAT ARE CREATED. I DON'T KNOW HOW TO MEASURE ALL OF THEM. THERE HAVE BEEN STUDIES DONE. THERE'S A FAMOUS STUDY DONE THAT WAS ACTUALLY CITED IN SOME WORK BY REPRESENTATIVE GEORGE MILLER, CALIFORNIA CONGRESSMAN GEORGE MILLER. HIS WORK WAS BASED ON AN EVALUATION DONE AT THE UNIVERSITY OF CALIFORNIA BERKLEY WHERE RESEARCHERS TOOK DATA FROM MEDICAL, WHICH IS A MEDICAID SUPPLEMENT AND LOOKED AT THE WORKING POOR. AND 3.3 MILLION WORKING POOR HOUSEHOLDS IN CALIFORNIA WERE RECEIVING THIS SUPPLEMENT. 600,000 OF THEM WERE IN RETAIL TRADE. IT WAS A DISPROPORTIONATELY HIGH LEVEL IN RETAIL TRADE. OF THAT 600,000, IF I REMEMBER RIGHT, 191,000 WERE WORKING FOR FIRMS THAT EMPLOYED MORE THAN A THOUSAND PEOPLE, WHICH MEANT A SUBSTANTIAL CHUNK OF THEM WERE ALSO WORKING FOR FIRMS THAT DIDN'T EMPLOY MORE THAN A THOUSAND PEOPLE. SO I THINK THAT THE BROADER POINT IS THAT THERE ARE A VARIETY OF SOCIAL COSTS. THE OBVIOUS ONES ARE UNCOMPENSATED HEALTH CARE WHICH AT LEAST TENDS TO FOLLOW THE LOCAL PUBLIC SECTOR. THERE ARE CERTAINLY SOME AT THE STATE LEVEL AND THE NATIONAL MEASURE AND SOME THAT WE CAN'T MEASURE. WHAT'S THE IMPACT IF MOM AND DAD HAVE TO WORK 10 OR 12 HOURS AND DON'T SPEND QUALITY TIME WITH THEIR KIDS? I DON'T KNOW WHAT THAT IS. BUT IT'S A PROBLEM IN MY MIND THAT IS A FUNCTION OF LOWER WAGES OVERALL AND SOMETHING THAT I THINK IS IMPORTANT TO POINT OUT, ALTHOUGH I'M NOT SURE I HAVE BRILLIANT IDEAS ON HOW TO SOLVE IT. THE NEXT FINDING IS THAT LOCAL RETAILERS PER DOLLAR REVENUE MAY HAVE STRONGER LINKAGES FOR THE LOCAL ECONOMY THAN THE BIG BOXES. THERE HAVE BEEN SEVERAL STUDIES DONE THAT WERE FRANKLY A FAIRLY LIMITED SCOPE THAT SUGGESTED THAT A LOCAL RETAILER PER DOLLAR REVENUE MIGHT SPEND MORE OF THEIR MONEY IN THE LOCAL ECONOMY. I COULD NOT PULL DATA TOGETHER THAT WOULD CONFIRM OR DENY THAT. LOGICALLY TELL YOU THAT WOULD BE THE CASE. IF NOTHING ELSE, BECAUSE A LOCAL

RETAILER IS LIKELY TO PROCURE THEIR SERVICES LOCALLY. THEY'RE LIKELY TO BANK LOCALLY, THEY'RE LIKELY TO HIRE A LOCAL ACCOUNTANT, LIKELY TO DO MARKETING LOCALLY. THEIR SERVICE BASE IS LIKELY TO BE LOCAL. BEYOND THAT IT'S TOUGH TO SAY. THERE'S NO QUESTION THERE HAVE BEEN SOME LOCAL RETAILERS HERE WHO HAVE IDENTIFIED A MARKET AND SELLING THE PRODUCTS AND SOMEBODY ASKED ME ONE TIME WHAT BUSINESS WOULD HAVE THE STRONGEST LINKAGE TO THE LOCAL ECONOMY ON THE RETAIL SIDE AND I SAID AN ART GALLERY THAT REPRESENTS LOCAL ARTISTS. ASIDE FROM THE COST OF THE PAINT, 100% OF THE MONEY WOULD STAY IN THE LOCAL ECONOMY. SO I THINK THAT'S IMPORTANT BECAUSE I THINK IT ALSO CONNECTS TO THE NEXT FINDING, WHICH IS THAT SMALL LOCAL RETAILERS ENHANCE THE ECONOMY OVER AND ABOVE THE VALUE THEY CREATE FOR CONSUMERS THROUGH THEIR CONTRIBUTION TO OUR AREA'S CULTURAL VITALITY. THIS IS SOMETHING WE HAVE TALKED A LOT ABOUT OBVIOUSLY IN THE LAST COUPLE OF YEARS. AND I CONTINUE TO THINK THAT THERE ARE TWO PIECES OF IT. ONE IS A STATEMENT I'VE USED FOR SOME TIME. ONE IS THAT WE'RE BEGINNING TO UNDERSTAND THAT OUR COMMUNITY CHARACTER, WHICH IS A BROAD TERM THAT ENCOMPASSES OUR QUALITY OF LIFE, VITALITY, INFRASTRUCTURE AND LOOK AND FEEL AND ALL THAT, HAS A SIGNIFICANT IMPACT ON OUR ECONOMY GOING FORWARD BECAUSE IT IS A MAJOR, MAJOR PIECE OF OUR ABILITY TO ATTRACT AND RETAIN RICH OR POOR CREATIVE CLASS AND THAT IS OBVIOUSLY A COMPARATIVE ADVANTAGE FOR THIS ECONOMY WHICH WE SUDDENLY CONTINUE TO EXPLOIT. THE OTHER THING IT DOES IS THAT IT HELPS TO CREATE THE DIFFERENTIATORS FOR US AS A COMMUNITY VERSUS OTHER COMMUNITIES. WHEN WE THINK ABOUT AUSTIN, I USED TO LEAD CLASSES I WAS TEACHING BY SAYING THINK ABOUT YOU'RE ON AN AIRPLANE AND YOU'RE SITTING NEXT TO SOMEBODY YOU DON'T KNOW, BUT YOU WOULD ACTUALLY WANT TO HAVE A CONVERSATION WITH. YOU SAY WHERE ARE YOU FROM? TELL ME ABOUT AUSTIN. YOU PICK THE THINGS THAT MAKE THEM UNIQUE. YOU TALK ABOUT THE ENVIRONMENT, LIVE MUSIC, INCREASINGLY YOU TALK ABOUT FILM, YOU TALK ABOUT ALL THE OTHER CULTURAL OFFERINGS AND YOU SAY, MAN, WE'VE GOT THIS COOL

WAREHOUSE DISTRICT, SIXTH STREET, WE'VE GOT THESE GREAT LOCAL RETAILERS. THEY'RE THE THINGS THAT SET US APART FROM OTHER COMMUNITIES.

Mayor Wynn: DON'T FORGET THE LOCAL ELECTED OFFICIALS.
[LAUGHTER]

I AM TEMPTED TO SAY SOMETHING ABOUT KEEP AUSTIN WEIRD, BUT THAT'S GOING TO GET ME IN TROUBLE. SO AGAIN, JUST TO MAKE THAT POINT FURTHER, I GUESS THAT I THINK THAT WE ARE BLESSED IN THIS COMMUNITY WITH REALLY I THINK A FAIRLY LARGE NUMBER OF UNIQUE LOCAL RETAILERS, AND I THINK THE BENEFITS THEY BRING US REALLY DO EXCEED THE VALUE THEY CREATE FOR THE FOLKS WHO ACTUALLY COME AND SHOP AT THEIR STORES. AND THEN THE FINAL FINDING IS THAT FISCAL IMPACTS OF RETAIL REALLY IS A FUNCTION OF MAINTAINING A RETAIL BASE THAT CAN MEET LOCAL DEMAND. MOST FOLKS BUY -- MAKE THEIR RETAIL PURCHASES WITHIN A REASONABLE PROXIMITY OF EITHER WHERE THEY WORK OR THEY LIVE. THE RULE OF THUMB I HAD HEARD AT ONE POINT IT'S WITHIN TWO MILES AND THEN I HEARD WITHIN 10 MINUTES DRIVE TIME. WHATEVER IT IS, THERE'S SOME SORT OF REASONABLE PROXIMITY NOTION. AND THAT REASONABLE PROXIMITY DOESN'T HAVE MUCH TO DO WITH POLITICAL BOUNDARIES. SO WHEN YOU HAVE A COMMUNITY THAT DOESN'T HAVE THAT CAN'T KEEP LOCAL CONSUMER DEMAND WITH STORES AND SHOPS AND SERVICES, THEY WILL DRIVE TO GET IT. AND I WANT TO SEE SOMETHING INTERESTING, SUNSET VALLEY IS AN EXAMPLE WE USE ALL THE TIME TALKING ABOUT THAT. IN 1990 THE CITY OF SUNSET VALLEY REALIZED A LITTLE OVER \$800,000 IN SALES TAX REVENUE. LAST YEAR IT WAS 3.8 MILLION. IF YOU CORRECT THAT FOR A CHANGE IN THEIR TAX RATE, IT WOULD BE MORE LIKE 2.2 MILLION. MEANWHILE, THE OFFICIAL POPULATION INCREASED ABOUT 60 PEOPLE. SO IF THOSE 60 PEOPLE REALLY SHOPPED HARD, IT'S LOCAL DEMAND. IF NOT, IT'S FOLKS COMING FROM AUSTIN TO TAKE ADVANTAGE OF THEIR RETAIL BASE. AND I KNOW COUNCIL IS AWARE OF THAT, BUT IT IS A FINDING THAT I THINK DOES HAVE SOME IMPACT ON THAT. SO IN CONCLUSION, I WOULD SAY THAT THE EVALUATION OF BIG BOXES REALLY IS LARGELY A FUNCTION OF WHICH STAKEHOLDER LENS YOU

PUT ON IT. CONSUMERS PROBABLY ENJOY AN UNDES
PRESENTED -- UNPRECEDENTED LEVEL OF LOW PRICES, AT
LEAST FOR THE LOW PRICES THAT BIG BOXES SELL AS A
RESULT OF THEIR BUSINESS MODEL. EMPHASIS ON COST
CONTAINMENT DOES PUT DOWN WARD PRESSURE ON
WAGES. OUTSOURCING DOES CONTRIBUTE AT LEAST IN THE
SHORT RUN TO THE LOSS OF DOMESTIC MANUFACTURING
JOBS. AND LOWER LABOR COMPENSATION DOES CREATE
SOCIAL COSTS, SOME OF WHICH ARE BORNE BY THE PUBLIC
SECTOR. ALL OF THAT IS IMPORTANT STUFF THAT I THINK
SHOULD BE -- IS WORTHY OF NATIONAL DIALOGUE AND
HOPEFULLY IT WILL PLAY OUT ON A NATIONAL STAGE. I
HOPE SOME OF THESE CONVERSATIONS ARE PART OF THE
UPCOMING PRESIDENTIAL CAMPAIGN BECAUSE I THINK IT'S
AN IMPORTANT THING. BUT BACK HERE AT THE CITY OF
AUSTIN I'M NOT SURE THAT A LOT OF THESE THINGS ARE
SOMETHING THAT THE LOCAL PUBLIC SECTOR HERE CAN
ADDRESS. I THINK THE CITY OF AUSTIN REALLY HAS
OVERSIGHT OVER TWO PRIMARY ISSUES. ONE IS
PRESERVATION AND ENHANCEMENT OF YOUR TAX BASE
BOTH IN THE SHORT AND LONGER TERM. AND THEN ALSO
THE NATURE AND CHARACTER OF THE PHYSICAL CONTEXT
OF THE COMMUNITY. AND SO THE RECOMMENDATIONS THAT
WE HAVE COMING OUT OF OUR STUDY ARE BROAD AREAS.
ONE IS TO CONTINUE TO WORK TO CAPTURE THE FAIR
SHARE OF TOTAL LOCAL RETAIL DEMAND. THE SECOND IS
TO MONITOR THE MARKET SHARE OF UNIQUE LOCAL
RETAILERS WITH A GOAL OF AT LEAST MAINTAINING THE
CURRENT STATUS AND HOPEFULLY SEEING IT RISE OVER
TIME. THIRD IS TO RECOGNIZE THE CONTRIBUTION THAT
CULTURAL VITALITY MADE BY THESE SAME LOCAL
RETAILERS THROUGH SOME PROACTIVE ASSISTANCE WHICH
COULD ACHE TAKE A VARIETY OF FORMS AND THE FOURTH
IS TO ENSURE THAT COMMUNITY GOALS AND BUSINESS
NEEDS REALLY ARE INTEGRATED INTO ANY ULTIMATE
REGULATORY SCHEME FOR ENHANCED RETAIL DESIGN AND
URBANISM. AND WITH THAT...

THANK YOU, MR. HOCKENYOS. A COUPLE OF QUESTIONS I
HAVE, ONE OF THE THINGS IS IN YOUR STUDY, THE BILLIONS
OF DOLLARS THAT CONSUMERS SAVE BECAUSE OF THE
PURCHASING POWER AND THE ADVANCED SYSTEMS OF

THESE BIG BOX RETAILERS, WERE YOU ABLE TO IDENTIFY OR IS THERE A CONVENTION OF WISDOM AS TO WHO THOSE CONSUMERS ARE? IS IT MORE LIKELY TO BE MIDDLE CLASS, WORKING POOR? WHO ARE THE CONSUMERS THAT SAVE THE BILLIONS AND BILLIONS OF DOLLARS?

I THINK IT'S THE BIG BOX STORE WE'RE TALKING ABOUT. DIFFERENT BIG BOXES IN GENERAL TARGET DIFFERENT DEMOGRAPHIC GROUPS. BUT I THINK IT REALLY DOES CROSS SOCIOECONOMIC CATEGORIES. I HAVEN'T SEEN ANY SPECIFIC DATA ON THAT. THAT'S A BROAD NUMBER LAID OUT THERE. AND I HAVEN'T SEEN ANYBODY TRY TO BREAK IT DOWN, FOR EXAMPLE, BY INCOME SECTOR. SO I DON'T KNOW THE ANSWER TO THAT. BUT MY SENSE IS IT WOULD BE A PRETTY BROAD SPECTRUM. >>

Mayor Wynn: OKAY. ALSO, THE INTUITION CLEARLY ABOUT THE PRESSURE ON LOW WAGES THAT THIS DYNAMIC HAS CAUSED, BUT IS THERE HISTORIC EVIDENCE THAT RETAIL GENERALLY, EVEN BEFORE SORT OF THE DYNAMIC OF MASS PRODUCTION AND THE BIG BOX DYNAMIC THAT RETAIL SECTOR WAS ALWAYS LOW WAGE?

CERTAINLY RELATIVE TO OTHER SECTORS OF THE ECONOMY. IT HAS ALWAYS BEEN RELATIVELY LOW WAGE. PART OF WHAT IS HAPPENING IS WHEN I TALK ABOUT WAGES I'M ALSO TALKING ABOUT WAGES AND BENEFITS. AND PART OF WHAT YOU'RE SEEING IN THIS WHOLE EQUATION IS THE EROSION OF THE BENEFIT LEVEL AGAIN ACROSS A VARIETY OF SECTORS OF THE ECONOMY, BUT IN PARTICULAR THROUGHOUT RETAIL TRADE. BUT YOU'RE RIGHT, RETAIL HAS ALWAYS BEEN RELATIVELY LOW WAGE IN MOST PLACES IN COMPARISON TO, SAY, PROFESSIONAL SERVICES OR REALLY EVEN HISTORICALLY IN COMPARISON TO MANUFACTURING.

Mayor Wynn: AND IN REGARDS TO BENEFITS, IT SEEMS TO ME ALSO THAT MY INTUITION IS THAT FRANKLY THE SMALLER THE BUSINESS IN ANY INDUSTRY CLUSTER, THE LESS LIKELY THEY ARE TO PAY BENEFITS. SO IS THERE EVIDENCE THAT, I GUESS, SMALLER BUSINESSES WERE MORE LIKELY TO HAVE PAID BENEFITS, YOU KNOW, 10 OR 12 YEARS AGO OR HAVE RETAILING TRENDS CHANGED AND THAT'S NO LONGER THE

CASE?

THERE'S AN INTERESTING STATISTIC OUT THERE AND IT'S ACTUALLY CITE UNDERSTAND A CASE STUDY BY HARVARD DONE ON ON WAL-MART WHERE WAL-MART SPENDS AN AVERAGE OF \$3,600 A YEAR PER EMPLOYEE ON BENEFITS. IN THE ECONOMY OVERALL IT'S 5600. WAL-MART GIVES COUNCILMEMBER ALVAREZ OF SCALE, SO IS THERE 3600 THE SAME AS MY COMPANY'S 4800. I DON'T KNOW. I DON'T KNOW WHAT THE DEFINITION OF ADEQUATE BENEFITS IS, TO TELL YOU THE TRUTH.

Mayor Wynn: ALSO, ON YOUR -- I HAPPEN TO HAVE READ AN INTERESTING STORY IN THE "NEW YORK TIMES" RECENTLY, YOUR COMMENT ABOUT THE HHI INDEX I GUESS THE DEPARTMENT ISSUED ON ANTI-TRUST AND MONOPOLIES, THE GIST OF THIS STORY WAS THAT HISTORICALLY -- THE RATIONALE BEHIND ANTI-TRUST LEGISLATION WAS THAT IF EVERY -- POTENTIALLY EVERY OTHER MODEL AS A COMPANY BEGAN TO MON OPEN LIES A PRODUCT IN A GEOGRAPHIC AREA, THE PRICE WENT UP. SO THE WHOLE CONCEPT PHILOSOPHY BEHIND THE ANTI-TRUST LEGISLATION WAS THAT YOU TRIED TO STOP THIS DOMINATION BECAUSE YOUR CONSUMERS WERE HURT BECAUSE PRICES WENT UP. THEY POINTED TO THE FACT THAT AS -- THEY USED WAL-MART, BUT THEY WERE TALKING ABOUT OTHER BIG BOX RETAILERS, THAT AS ANY BIG BOX RETAILER STARTED TO DOMINATE OR JUST INCREASE THEIR MARKET SHARE IN A GEOGRAPHIC AREA, PRICES WENT DOWN. SO IT TURNS THE WHOLE ANTI-TRUST LEGISLATION PHILOSOPHY ON ITS HEAD. WHY WOULDN'T YOU WANT TO HAVE SOMEBODY DELIVERING LOWER PRICES IS THE WHOLE CONCEPT OF ANTI-TRUST LEGISLATION WAS TO ENSURE LOWER PRICES.

IT'S INTERESTING AND THE SAME ARGUMENT CAN BE GIVEN TO INTEL. INTEL, DEPENDING ON WHO YOU TALK TO, OCCUPIES THE MARKET SHARE, BUT PRICES FOR SEMI CONDUCTORS HAVE FALLEN SO FAR THAT IT'S TOUGH TO MAKE THAT ARGUMENT FOR WHAT YOU'RE SAYING. THERE ARE TWO THINGS THAT GO WITH THAT. ONE IS IF A COMPANY TRULY HAS CONTROL OF THE MARKET IT FEARS THEY WILL DRIVE PRICES TO THE BOTTOM, SEES CONTROL

OF THE MARKET AND YANK PRICES BACK UP. THE OTHER FEAR IS WHEN THEY SEES CONTROL OF THE MARKET YOU REDUCE CONSUMER CHOICE. SO IT'S COMPLICATED.

Mayor Wynn: RIGHT. AND ALSO IN THE SAME ARTICLE, THE ARGUMENT WAS BEING MADE THAT ESSENTIALLY WHAT IS HAPPENING BECAUSE OF THE SUPPLIER CHAIN IS THAT THE SAVINGS, THE BILLIONS OF DOLLARS IN SAVINGS THAT ARE BEING PASSED ON TO CONSUMERS ARE ACTUALLY COMING OUT OF THE POCKET OF THE EXORPT SUPPLIER CHAIN. THAT IS, LEVY'S MARGINS ARE WAY DOWN, RUBBER MAID'S MARGINS ARE WAY DOWN. SO IT'S SORT OF THE CORPORATE DOLLARS THAT ARE BEING PASSED DOWN TO INDIVIDUAL CONSUMERS BECAUSE OF ESSENTIALLY THE STAGGERING PURCHASING POWER OF THE ACTUAL RETAILER.

AND THE ABILITY OF THE RETAILER TO TAKE THEIR PURCHASING DOLLARS ANYWHERE IN THE WORLD THEY WANT TO GO.

Mayor Wynn: ALL RIGHT. I GUESS MY NEXT TO THE LAST POINT, SO YOU ALSO TALKED ABOUT THE SHARE OF AUSTIN'S -- AUSTIN'S SHARE OF THE REGIONAL RETAIL ACTIVITY. AND WE'VE -- IT'S BEEN AN ISSUE HERE STATISTICALLY FOR THE LAST THREE OR FOUR YEARS AND LOTS OF HAND WRINGING ABOUT IT. TO BECOME A LITTLE MORE CONTRARY ABOUT THE WORRY OF THIS, AS WE WALK THROUGH THE ENVISION CENTRAL TEXAS PROCESS, WE SAW FIRST AND FOREMOST THAT AUSTIN NOW HAS 52, 55% OF THE REGION'S POPULATION. I THINK IT'S PERFECTLY PREDICTABLE THAT, YOU KNOW, YOUR CITY'S SHARE OF RETAIL ACTIVITY IS GOING TO PROXIMATE YOUR PROPORTION OF POPULATION NOW THAT, ONE, RETAILERS SIMPLY -- THEY'RE PERFECTLY PREDICTABLE. THEY FOLLOW ROOFTOPS. SO THEY WANT TO GO TO THIS 10 MINUTE OR TWO MILE RADIUS TO HIT AS MANY ROOFTOPS AS POSSIBLE. SO THEY GO DO THAT. SO I THINK IT'S A LITTLE -- I THINK WE'RE WORRYING ABOUT THE WRONG ISSUE IF WE -- IF WE AS A CITY OF AUSTIN LOOK AND SEE A DECLINING PERCENTAGE OF REGIONAL RETAIL ACTIVITY AND THEN TRY TO SCRAMBLE AROUND AND TRY TO FIGURE OUT WHEN DOES THIS PASS WHEN IN FACT I THINK IT'S PREDICTABLE

THAT OUR REGIONAL PARTNERS, OUR SUBURBAN MUNICIPAL PARTNERS ARE GOING TO DO EXACTLY WHAT THEY SHOULD DO, WHICH IS GENERATE THEIR OWN TAX BASE AND GENERATE THEIR OWN REGIONAL OPPORTUNITIES FOR THEIR OWN RESIDENTS.

I ACTUALLY AGREE. I THINK THAT THE ISSUE IS NOT THAT WE WANT TO TRY TO KEEP FOLKS WHO LIVE IN CEDAR PARK FROM SHOPPING IN CEDAR PARK, BUT WHAT WE WANT TO PAY ATTENTION TO IS OUR FOLKS IN AUSTIN DRIVING OUT OF AUSTIN TO GO SHOPPING IN CEDAR PARK.

Mayor Wynn: I SEE THAT. I DO SEE THAT THERE IS SOME TACTIC KEL GEOGRAPHIC DECISIONS ONE MAKES, WHERE YOU APPROVE THE RETAIL DEPENDING ON WHERE YOUR CITY LIMITS ARE START TO DEFINE THAT AND WE START PLAYING CLEVER GAMES. BUT IT SEEMS TO ME THAT GLOBALLY WE SHOULD BE PREPARED FOR OUR RETAIL ACTIVITY TO APPROXIMATE OUR POPULATION WITH THE IDEA THAT AS THE CORE CITY WE HAVE A DISPROPORTIONATE ARRAY OF OTHER ATTRACTIONS THAT A SMALLER COMMUNITY WON'T HAVE, CULTURAL ARTS BEING A BIG ONE, A DOWNTOWN URBAN SHOPPING EXPERIENCE MIGHT BE ONE. I MEAN, FRANKLY, IT WOULD BE OPPORTUNITIES OF ENZYME BLOCK 21, THE WAREHOUSE DISTRICT, SIXTH STREET, ALL THOSE THINGS ARE LESS LIKELY TO BE REPLICATED AND SO IT SEEMS TO ME THAT PART OF OUR STRATEGY SHOULD BE HOW DO WE STAKE ADVANTAGE -- TAKE ADVANTAGE OF THIS DISTINGUISHING CHARACTERISTIC. A BIG CHUNK OF THAT WOULD BE THE RETAILERS WHO PLAY THE COMPLICATED PART THAT HAVE SYNERGY. BUT I WOULD SUGGEST EVEN THE NON-RETAIL COMPONENTS LIKE WHAT ENTERTAINMENT CONGLOMERATION WE MIGHT PULL INTO DOWNTOWN COULD PLAY A SIGNIFICANT ROLE TO SLIGHTLY ALTER THAT PREDICTABLE TREND.

I THINK THAT'S TRUE.

Mayor Wynn: I WANT TO TALK ABOUT ONE LAST THING, AND THAT IS THE CONCEPT OF BASED ON WHAT WE SAW HERE THAT ONE BIG BOX RETAILERS AREN'T THE SAME, THAT THERE'S CLEARLY SOME EVIDENCE OF PRODUCT

DIFFERENTIATION, THAT IS, A SMALL RETAILER IN FACT COULD BENEFIT FROM -- DEPENDING ON WHAT TWO -- ON WHO THE BIG BOX RETAILER MAY OR MAY NOT BE AROUND THE CORNER IS THE CONCEPT OF USING BIG BOX RETAILERS -- I MEAN, TAKE SHAMELESS ADVANTAGE OF WHAT THAT BIG ADVANTAGE MIGHT BE, WHICH IS THE DRAW. I MEAN, I GUESS IF ONE HAS 200 SQUARE FEET OF RETAIL UNDER ONE ROOF, YOU PROBABLY ANTICIPATE HAVING, YOU KNOW, 10,000 CUSTOMERS A DAY OR SOMETHING, MAYBE MORE THAN THAT. I DON'T KNOW. SO IT SEEMS TO ME WE HAVE THE OPPORTUNITY TO THINK ABOUT THE CONCEPT IN OUR LAND DEVELOPMENT CODE THAT AS WE APPROVE SOME TYPE OF BIG BOX RETAIL, LET'S THINK OF IT AS THAT MAGNET, AS THAT CONSUMER MAGNET AND THAT TRAFFIC GENERATOR, SO PERHAPS BASED ON THE SIZE OF THAT BOX, THERE'S THE REQUIREMENT OR CERTAINLY THE INCENTIVE OR SOMETHING THAT ENABLES A LOT OF SMALLER RETAIL SPACES TO BE DEVELOPED IN AND AROUND THAT BIG MAGNET. SO I'D LIKE TO SUGGEST, COUNCIL, THAT PERHAPS OVER OUR BREAK WE START TO THINK THROUGH, AS WE'VE BEEN DOING WITH COUNCILMEMBER MCCracken'S SORT OF DESIGN STANDARDS, THAT AS WE PHYSICALLY TRY TO BREAK UP THE VISUAL ISSUE AROUND THE BIG BOX, THAT IF WE EXTEND THAT ONE STEP FURTHER AND TO THE EXTENT THAT WE CAN PUT A LOT OF SMALL RETAIL SPACE AROUND ONE OF THESE MAGNETS, THERE MAY BE THIS DIRECT COMPLIMENT OF ALLOWING A SMALL LOCAL RETAILER TO FIGURE OUT WHAT PRODUCT LINE HE OR SHE DELIVERS BECAUSE, YOU KNOW, WAL-MART IS JUST SELLING THAT ONE BRAND OF LEVIES AND THERE'S 50 OTHER BRANDS ONE COULD TRY TO USE.

YEAH.

Mayor Wynn: SO THOSE ARE MY COMMENTS AND QUESTIONS. I APPRECIATE THE REPORT. FURTHER COMMENTS?
COUNCILMEMBER SLUSHER.

Slusher: THANK YOU, MAYOR. I THINK THAT'S A GOOD REPORT. I THINK YOU'RE RIGHT. I THINK YOU'RE RIGHT ALSO THAT WE'RE TALKING ABOUT THAT A LOT OF THIS IS NATIONAL AND INTERNATIONAL POLICY AND TRENDS. FOR

INSTANCE, TRADE, INTERNATIONAL TRADE POLICY HAS A LOT TO DO WITH THIS, NATIONAL ECONOMIC POLICY, SO THOSE ARE THINGS THAT ARE GOING TO GO ON AT THE NATIONAL LEVEL. I KNOW WE HEARD A LOT OF THAT DISCUSSION DURING THE DEM DEMOCRATIC PRIMARIES AND IT DOESN'T SEEM TO HAVE BEEN THAT BIG OF A TOPIC, TRADE POLICY I MEAN. LET ME ASK YOU JUST A FEW QUESTIONS. I AGREE, TOO, ABOUT THE -- A BALANCE NEEDS TO BE MAINTAINED SO THAT AUSTIN CAN KEEP HIS SALES TAX BASE AND HOPEFULLY CAPTURE SOME OF WHAT'S BEEN LOST WITH THE TREND WE'VE SEEN OVER THE LAST 15 YEARS OF MORE PERCENTAGE OF SALES TAX GOING TO THE SUBURBS. DO YOU REACH A -- TELL ME I'M -- I'M NOT JUST FISHING TO SAY YES, BUT IT SEEMS LIKE WHERE WE'VE APPROVED BIG BOXES ALONG THE FREEWAY AND ON THE EDGES OF THE CITY, THAT SEEMS TO BE SIMILAR TO WHAT THE MAYOR IS TALKING ABOUT THAT WE'RE CAPTURING THE TAX BASE, WE'RE KEEPING PEOPLE FROM GOING OUTSIDE THE CITY MAYBE TO STOP AND MAYBE WE'RE EVEN GETTING SOME THAT ARE COMING IN. SO IT SEEMS IN THAT WAY THAT WE'RE ON THE RIGHT TRACK AS FAR AS THE FINDINGS OF THIS STUDY.

I THINK SO. ALTHOUGH I HAVE TO BE HONEST AND SAY, COUNCILMEMBER, I'M NOT A LAND USE PLANNER. SO I WORK AT THIS SORT OF 50,000-FOOT LEVEL. BUT I THINK -- I THINK THAT'S BASICALLY RIGHT. >>

Slusher: SO WE'RE TRYING TO FIND A BALANCE THERE. JUST MORE DOWN TO 10,000 FEET, WHATEVER -- [LAUGHTER] YOU TALKED ABOUT THE WAGES AND THE DIFFERENT SECTORS. IN THE REPORT DOES IT GET DOWN FURTHER OR WERE YOU ABLE TO GET DATA ON WHAT THE WAGES AT SOME OF THE DIFFERENT INDIVIDUAL RETAILERS ARE?

THE ONLY INFORMATION WE WERE ABLE TO GET AT A NATIONAL LEVEL WAS ON WAL-MART. WE WERE NOT ABLE TO GET INFORMATION EITHER LOCAL OR NATIONAL FOR ANY OF THE OTHER BIG BOXES. WE GOT A LITTLE BIT OF INFORMATION FROM SOME LOCAL FOLKS, NOT ENOUGH TO SORT OF BE STATISTICALLY VALID. AND I HAD PROMISED ALL ALONG FOR LOCAL FOLKS I WOULDN'T REVEAL SPECIFIC COMPANY INFORMATION. AND SO THE ANSWER REALLY IS

NOW -- SO I THINK IT'S INTERESTING. IF YOU LOOK AT THAT DATA FROM THE WORKFORCE COMMISSION, IT SHOWS WAGE LEVELS FOR SUPERVISORS AND SALESPeOPLE AND CASHIER'S. I DIDN'T SEE A LOT OF VARIATION FROM THAT IN TALKING TO INDIVIDUAL FIRMS.

Slusher: WHEN YOU TALK ABOUT A BALANCED DISCUSSION BETWEEN LOCAL AND THE BIG BOX OR JUST THE NATIONAL RETAILERS, IS THERE A TIPPING POINT FOR YOUR -- WHERE YOU'RE GOING TOO FAR ONE WAY OR THE OTHER? I THINK IT WOULD BE TOO FAR TOWARD THE INTERNATIONAL OR NATIONAL CORPORATIONS.

I GUESS THE ANSWER IS PROBABLY. IT PROBABLY IS SOMETHING OF A MOVING TARGET. TWO THINGS I MIGHT PAY ATTENTION TO. ONE IS I WISH I KNEW EXACTLY WHAT MARKET SHARE THE SMALL UNIQUE LOCAL GUYS WERE. I THINK THAT WOULD BE AN INTERESTING PIECE OF INFORMATION TO FIND OUT. AND I'D THINK YOU'D WANT TO PAY ATTENTION TO THAT AND IF THEY'RE SHARE OF THE MARKET WAS DECLINING, YOU WOULD WANT TO KNOW WHY. AND THE OTHER THING IS THAT IF THE BIG BOXES ARE 21% NOW AND THE STANDARDIZED JUST AS PART OF METHODOLOGY, YOU BEGIN TO PAY ATTENTION TO OF AROUND 30 AND BEGIN TO SORT OF -- ACTUALLY AROUND 33%, I WOULD PROBABLY BEAR THAT IN MIND TOO.

Slusher: SO YOU DON'T KNOW WHAT THE SHARE OF THE LOCAL FOLKS ARE.

I DON'T.

Slusher: HOW DO YOU OBTAIN THAT DATA?

I DON'T KNOW FOR SURE. I THOUGHT ABOUT DIFFERENT SURVEY KINDS OF APPROACHES. YOU COULD CERTAINLY LOOK AT SOME OF THE ORGANIZATIONS IN TOWN THAT WORK ON BEHALF OF THOSE FOLKS AND LOOK AT THEIR MEMBERSHIP AND TALK TO THEM ABOUT WHAT THEY THINK THE UNIVERSE IS. I THINK THAT'S AN INTERESTING QUESTION, THOUGH, AND I'D LIKE TO FIND THAT OUT.

Slusher: EXPLAIN A LITTLE BIT AND -- TELL ME IF I DON'T

STATE IT CORRECTLY. WHAT YOU'RE SAYING AS FAR AS PRODUCTS THEMSELVES, THE COMPETITION AMONG THE LOCAL AND THE BIG BOXES IS PRETTY -- IS LIMITED IN A FAIRLY NARROW AREA. THERE'S NOT A LOT OF COMPETITION AS FAR AS PRODUCTS?

IT'S THE SPECIFIC PRODUCT. I MEAN, LOCALLY OWNED FOLKS, BLUE JEANS, BIG BOXES SELL BLUE JEANS. LOCALLY OWNED FOLKS SELL A WIDE VARIETY OF CLOTHING, BIG BOXES SELL A WIDE VARIETY OF CLOTHING. THEY BOTH SELL HARDWARE. BUT THERE'S NOT AN ENORMOUS OVERLAP IN THE ABSOLUTE SAME THING. AND AGAIN, YOU CAN GO TO A BIG BOX AND BUY EITHER THEIR HOUSE BRAND OF BLUE JEANS OR ONE OR TWO DIFFERENT KINDS. THE LOCALLY OWNED GUYS PROBABLY WON'T OFFER THAT EXACT SAME THING. THEY'LL OFFER BLUE JEANS, BUT IT WILL BE A DIFFERENT KIND OF BLUE JEANS, A DIFFERENT BRAND AND WHAT HAVE YOU. AND SO THERE IS THAT COMPETITION, SURE. BUT IN THE NARROW SENSE, IF YOU I KNOW WHAT BRAND OF BLUE JEANS I LIKE AND WALMART DOESN'T OFFER IT, I'LL BUY IT FROM THE LOCAL GUY OR I'LL BUY IT ONLINE OR FROM SOMEBODY ELSE. IF I DON'T REALLY CARE, WHATEVER WAL-MART OFFERS, THEN I'LL GO THERE AND BUY IT. >>

Slusher: SO COMPETITION WITHIN PRODUCTS, BUT LESS WITHIN BRANDS?

YES.

Slusher: OKAY. LET ME CHECK. THAT MAY BE ON MY QUESTION -- THAT MAY BE ALL MY QUESTIONS.

Slusher: AS FAR AS BENEFITS, I WOULD THINK AT THE VERY LEAST MEDICAL.

MOST PEOPLE OFFER MEDICAL COVERAGE. IT'S NOT ONE THING. YOU GET MEDICAL COVERAGE IF YOU WORK FULL TIME, AND THE DEFINITION OF FULL TIME IS 32 HOURS A WEEK AND YOU'RE ONLY SCHEDULED FOR 30.

Slusher: A LOT OF THEM WOULD HAVE 30-HOUR EMPLOYEES AS OPPOSED TO 32 BECAUSE IF YOU WORK 32 YOU GET

FULL-TIME BENEFITS.

RIGHT. SO THE WHOLE ISSUE OF DEFINING WHAT IS AND IS NOT BENEFITS AND WHO DOES AND DOES NOT OFFER THEM IS CHALLENGING.

AND ONE MORE THING, IT'S MY LAST QUESTION. YOU TALK ABOUT THE SOCIAL COSTS ARE BORNE ON THE NATIONAL AND STATE LEVEL, BUT WOULD YOU AGREE THAT IT SEEMS THAT IN RECENT YEARS THOSE SOCIAL COSTS ARE SHIFTING MORE ON THE LOCAL LEVEL BECAUSE THERE HAVE BEEN SO MANY NATIONAL AND STATE CUTS?

SURE, OF COURSE.

Slusher: THAT'S ALL I HAVE FOR NOW. THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER DUNKERLEY.

Dunkerley: EARLIER, LAST YEAR, WE DID A SERIES OF STUDIES ON THE ECONOMY FROM THE BIG COMPANY PERSPECTIVE, SMALL COMPANIES, AS YOU KNOW THE CULTURAL COMPONENT. I WAS LOOKING BACK THIS WEEK OVER RECOMMENDATIONS WE MADE IN THE SMALL BUSINESS AREA AND FOUND THAT WE HAD EITHER DONE OR WERE IN THE PROCESS OF DOING MOST OF THOSE EXCEPT MAYBE ONE. I WAS WONDERING, AND MAYBE I DIRECT THIS TO SUE AND TO YOU, IS THAT IF YOU COULD TAKE A LOOK AT -- OR MAYBE TO YOU FIRST. THE LAST BULLET UNDER YOUR CONCLUSIONS WHERE YOU SAY WORK TO ENSURE THE COMMUNITY GOALS AND BUSINESS NEEDS ARE INTEGRATED INTO ANY ULTIMATE REGULATORY SCHEME FOR ENHANCED RETAIL DESIGN AND URBANISM. I DON'T KNOW IF BURIED IN THAT SENTENCE ARE ANYTHING -- ARE ANY KERNELS THAT WE PROBABLY OUGHT TO LOOK AT AND CONSIDER MORE IN-DEPTH ON OUR SMALL BUSINESS INITIATIVE SIDE. SO SUE, MAYBE THIS IS A TIME THAT YOU GET WITH YOUR STAFF AND LOOK AT WHAT WE'VE DONE. THEY WERE DOING SOME STATUS REPORT WORK FOR ME. , FOR ALL OF US. AND KIND OF SEE IF THE TWO OF YOU TOGETHER COULD SEE SOMETHING THAT WE'RE MISSING OR THAT NEEDS TO BE INCLUDED. IT'S NOT ALREADY BEING INCLUDED IN THE

DESIGN STUDY OF COUNCILMEMBER MCCRACKEN.

SURE.

Dunkerley: APPRECIATE THAT.

I JUST WANTED TO POINT OUT THAT COUNCILMEMBER MCCRACKEN IS OUT AHEAD OF ONE OF THE RECOMMENDATIONS IN HERE ON THE DESIGN STANDARDS, AND WE'RE GLAD TO SEE THAT.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: AND, ACTUALLY, -- [OVERLAPPING SPEAKERS].

McCracken: YOU KNOW, FIRST OF ALL, COUNCILMEMBER SLUSHER KNEW, IT WAS HIS IDEA AND LEADERSHIP THAT BROUGHT THIS FORWARD. AND WHEN PEOPLE ASK WHY ARE YOU STUDYING THE ECONOMIC EFFECT OF BIG BOX RETAILER, WELL, 350, \$400 MILLION OF OUR CITY BUDGET IS EITHER SALES TAX OR PROPERTY TAX, AND AS A RESULT OF WHAT JOHN AND SCOTT HAVE PUT TOGETHER, WE ARE AS A POLICY MAKING BODY ABLE TO BE A LOT MORE INFORMED ON THE IMPORTANT DECISIONS TO BE MADE ABOUT OUR TAX BASE IN THE CITY. AND I PERSONALLY FEEL A LOT MORE INFORMED BASED ON WHAT YOU'VE DONE. I REALLY APPRECIATE THAT. AND DARRYL, FOR TAKING THE LEADERSHIP TO BRING THIS TO US. I HAVE TO GIVE A LITTLE CAVEAT THAT I'VE BEEN INTERESTED IN WORKING WITH ACTUALLY SEVERAL FOLKS ON THE DAIS ALREADY ON DESIGN STANDARDS, BUT IT WAS JACKIE GOODMAN WHO FIRST TRIED TO BRING THIS TO THE ATTENTION OF FOLKS IN THE LAST DECADE. PEOPLE SAID YOU CAN'T GET INTO THAT KIND OF STUFF. AND THEN WE FOUND OUT THAT EVERYBODY ELSE IN AMERICA DID IT. AND WE'RE BEHIND, BUT WE'RE GOING TO CATCH UP. BUT IT REALLY WAS MAYOR PRO TEM GOODMAN WHO FIRST PUT THIS ON THE RADAR SCREEN AND I'VE LEARNED A LOT FROM HER IN THIS PROCESS ALSO. I JUST WANTED TO BRING A COUPLE OF POINTS UP ALSO THAT WHEN -- IN RELATION TO WHAT YOU ALL FOUND ON ABOUT THE USE OF LAND USE PLANNING AND THE ISSUES, WE ASKED ROBERT GIBBS TO COME DOWN HERE THREE WEEKS AGO, AND HE HAS LOOKED AT THE

QUALITY -- HE AGAIN WAS LOOKING AT THE RETAIL ENVIRONMENT IN AUSTIN. HE SAID ON A SCALE OF ONE TO 10, IF FIVE IS THE AVERAGE OF WHAT CITIES LOOK LIKE IN TERMS OF THE QUALITY OF THEIR RETAIL GROWTH ENVIRONMENT THAT AUSTIN WAS SOMEWHERE BETWEEN A ZERO AND A ONE. AND IT'S SOMETHING WE KNEW FROM OUR COMPLETE LACK OF STANDARDS THAT IT REFLECTS IN THE IMAGE THAT VISITORS HAVE TO OUR CITY THAT WE ARE -- WE HAVE A VERY LOW QUALITY BUILT ENVIRONMENT. ONE OF THE THINGS THAT I THINK GETTING DOWN TO THE NEXT GENERATION DOWN THE ROAD ABOUT WHERE WE'RE GOING AND ALL THIS IS THAT GIBBS POINTED OUT THAT THERE ARE SOCIAL FORCES THAT ARE DRIVING BIG BOX RETAILING, WHICH IS THAT PEOPLE OUGHT TO SHOP NOW BECAUSE THEY'RE STRESSED FOR TIME AND THEY WANT TO SAVE MONEY, SPEND AS LITTLE TIME SHOPPING AS POSSIBLE. THOSE ARE THE SAME FORCES IN FACT THAT ARE DRIVING INTERNET SHOPPING. SO WHAT WE MAY SEE IS THAT THE BIG BOX SHOPPING IS REALLY KIND OF A FAD REFLECTING BIGGER SOCIAL FORCES OR LACK OF TIME AND DESIRE TO SAVE MONEY AND THAT INTERNET SHOPPING MAY START EATING IN DOWN THE ROAD TO BIG BOX RETAILING. ALSO I COMPLETELY AGREE WITH YOU, MAYOR, ON THE BENEFIT OF CO-LOCATING SMALLER BUSINESSES WITH LARGE ANCHOR STORES. IN FACT, WE HAVE AN EXAMPLE OF THAT AND FUNCTIONALLY THAT'S A SHOPPING MALL. THAT THERE ARE TONS OF LITTLE SMALL RETAILERS AND IN FACT THAT THESE SHOPPING MALLS TYPICALLY PAY A DILLARD'S OR A FOLEY'S TO LOCATE IN THE SHOPPING MALL AND THEY BRING REVENUE TO THE SMALL STORES AND THAT'S A SUCCESSFUL MODEL FINANCIALLY. SO I THINK IT WOULD BE A GREAT IDEA TO INCLUDE THAT IN OUR LATEST PLANNING. AND IN FACT, THAT WAS A BIG ISSUE ON THE QUALITY OF OUR ENVIRONMENT, THIS IS A SERIOUS LAND USE CONCERN WHEN IT COMES TO THE STATUS QUO ON THE BIG BOX STORES, WHICH I THINK IS WHY IT'S IMPORTANT TO LOOK AT THIS FROM AN AESTHETIC AND SOCIAL LAND POINT THAT THE STATE REPORTED THIS YEAR ON AN ABANDONED WAL-MART STORE THAT HAD BEEN EMPTY FOR EIGHT YEARS. WE LEARNED THIS PAST WEEK THAT THE SIZE OF THE LAND FOR OF THE BIG BOX STORE IS SOMEWHERE BETWEEN FIVE AND 10 CITY BLOCKS. SO IMAGINE WE HAVE -- WE HAVE A

LARGELY VISIONLESS LAND USE PLAN FOR A HUGE CHUNKS OF LAND THAT PUT POOR QUALITY BUILDINGS THAT ARE ABANDONED FOR EIGHT, NINE YEARS AND WE LOSE THE TAX BASE. AND THAT MAY AT SOME POINT HAVE SOME CONTRIBUTION TO OUR DETERIORATION OF THE TAX BASE THAT OTHER CITIES AROUND THE CITY. I THINK ANOTHER ISSUE WE NEED TO BE AWARE OF IS ON THE ISSUE OF TOLL ROADS AND THE CONNECTION BETWEEN HIGHWAY-BASED RETAIL AND TOLL ROADS. AND WHAT WE'VE BEEN TOLD, SEVERAL OF US ON CAMPO IS WHAT'S DRIVING THIS ISSUE IS TOLLS ARE THAT GAS TAX REVENUES ARE ON A DECLINE ALREADY AND THAT THERE'S NOT GOING TO BE ENOUGH GAS TAX REVENUE TO FUND ROADS AND THE GAS PRICES ARE GOING TO GO UP. SO PEOPLE MAY BE PAYING TO DRIVE ON HIGHWAYS BECAUSE THERE'S NO OTHER WAY TO FUND ROADS AND THEY PAY HIGHER GAS PRICES. THEY MAY DAMAGE THE COST ADVANTAGE TO A LOT OF THESE HIGHWAY-BASED RETAIL STORES HAVE. I THINK IT'S SOMETHING TO KEEP AN EYE ON IN TERMS OF TAX BASE AND LAND USE PLANNING. BUT THESE THINGS ALSO -- THIS QUALITY OF LIFE CONCERN REFLECTED BY THE FACT THAT TWICE AS MANY PEOPLE RESPONDED TO THE SURVEY ON DESIGN STANDARDS AS EVER RESPONDED. THE NEXT BIGGEST SURVEY BY THE CITY OF AUSTIN IN THE CITY'S HISTORY AND THAT WAS WITH AN ADVERTISING BUDGET OF ZERO DOLLARS. I WAS TOLD LAST WEEK BY SOMEONE IN THE BUSINESS ABOUT THE STORY THAT THEY HAD A BOX STORE THAT WHEN IT OPENED THEY TURNED OFF ALL THE SPRINKLERS TO KILL THE VEGETATION SO THEY WOULD NOT BE REQUIRED TO MAINTAIN THE VEGETATION. AND THAT'S ONE OF THE THINGS THAT, PARTICULARLY MAYOR PRO TEM GOODMAN AND COUNCILMEMBER ALVAREZ HAVE PUT A LOT OF FOCUS ON AND THAT IS THE URBAN HEAT ISLAND ISSUE AND THE QUALITY OF LIFE THAT COMES FROM A FUNCTIONAL USE OF LANDSCAPING. SO THERE ARE SOME GOOD THINGS THAT MANY OF US ON THE DAIS ARE DOING AND I THINK THERE'S SOME ADDITIONAL CONCERNS TO KEEP OUR EYES ON DOWN THE ROAD. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

THERE ARE ALSO TREND NOW IN CITY CITIES TO MAXIMUM MIEDZ THEIR TAX BASE, TO TRY TO SAVE AS MUCH OF THE

LOCAL ENVIRONMENT OR -- OR OTHER KIND OF GREEN SPACE ASSETS THAT THEY CAN. SO IT'S ALL COMING TOGETHER FINALLY. I THINK IT WAS ALSO GOOD FOR US TO LEARN THAT NO, THAT WASN'T REALLY OUT OF THE BOX TO TALK ABOUT DESIGN STANDARDS THAT IN FACT WE WERE ON THE TAIL END THE TRAIN THIS TIME. SO -- REALITY CHECK IS ALWAYS GOOD FOR US WHEN WE THINK WE ARE SO CUTTING EDGE AND FIND OUT THE BLADE IS PRETTY DULL. [INDISCERNIBLE] NEW URBANISM HAS ALSO BROUGHT US TO THIS POINT. THERE'S AN EVOLUTION OF THE TRADITIONAL PRINCIPLE FOR SHOPPING MALLS TO HAVE YOUR ANCHOR WHO GETS A REALLY GREAT DEAL, THEN YOU GET YOUR SMALLER FOLKS IN THERE AS WELL. WE ARE JUST LOOKING AT NOT SO MANY NATIONAL BECAUSE WE DO KNOW THE VALUE OF LOCAL RETAIL. KEEPING IN MIND THAT YOU CANNOT BUY EVERYTHING THAT YOU NEED FOR DAILY LIFE, FROM A LOCAL VENDOR OR A LOCAL BUSINESS, AND I WON'T GET INTO REALLY PERSONAL STUFF, BUT I'LL SAY KLEENEX, A BRAND NAME, TISSUE, IS NOT AVAILABLE AS LOCAL MANUFACTURED PRODUCT HERE. BUT YOU DO NEED IT, SO YOU HAVE TO GET IT SOMEWHERE. IT'S A NICE QUILT THAT WE HAVE HERE. SO -- SO I'M GLAD THAT FINALLY SOME THINGS ARE COMING TOGETHER. SO WE CAN ACKNOWLEDGE ALL OF THE SQUARES IN THE QUILT AND MAKE IT REALLY, REALLY BETTER BECAUSE WE HAVE SO MUCH POTENTIAL, SO MANY ASSETS AND IT'S UP TO US TO FIGURE OUT HOW TO MAKE SURE THAT THE STITCHING IS STRONG AND INTERESTING LOOKING. DIFFERENT, DIFFERENT WAYS OF SEWING THINGS TOGETHER. I WANT TO THANK THIS COUNCIL FOR COMING ON BOARD WHAT TURNED OUT TO BE SOMETHING OF A STRUGGLE, TO COME TO THIS UNDERSTANDING AND LEVEL OF ACCEPTANCE AND MOVING BEYOND WHAT TRADITIONALLY IN TEXAS, EVEN HERE, WAS THOUGHT OF AS GOING TOO FAR ACROSS THE LINE. AND ENTERING INTO PRIVATE BUSINESS DECISIONS A LITTLE TOO MUCH. SO WE'LL HAVE TO BE CAREFUL NOT TO MAKE THAT SO INTRUSIVE THAT BACKS GET UP. BUT -- BUT I THINK THAT WE ARE DOING A PRETTY GOOD JOB AND I WANT TO THANK THE MAYOR AS WELL, AS LONG AS WE ARE THANKING EVERYBODY. FOR BEING A GOOD SUPPORT FOR MOVING FORWARD, CITY STAFF NEEDS THAT -- THAT SUPPORT AND THAT REASSURANCE THAT WE ARE NOT

GOING TO MAKE THEM WORK HARD AND SPEND A LOT OF HOURS AND THEN STICK IT ON A SHELF SOMEWHERE. SO THANKS FOR THAT, TOO.

ANY FURTHER COMMENTS? COUNCILMEMBER ALVAREZ?

QUICK COMMENT AND -- AND HOPEFULLY A QUICK ECONOMY. BUT -- BUT A COUPLE OF THINGS DO -- DO REALLY STAND OUT TO ME ABOUT -- ABOUT THE CITY AND -- AND ONE -- ABOUT THE STUDY, ONE IS THE AMOUNT OR THE PERCENTAGE OF THE -- SORT OF RETAIL REVENUES THAT COME FROM THE BIG BOX STORES, WHICH -- WHICH AT LEAST HERE IT'S PRESENTED TO BE ABOUT 21%. AND SO -- SO -- SO THAT WAS KIND OF -- COUNTER INTUITIVE, ALTHOUGH NOT REALLY CLEAR HOW TO GET A GRASP ON THAT.

I WILL TELL YOU HOW WE CALCULATED THAT. TO GET THE LOCAL BIG BOXES TO TELL US -- WHAT WE DID, IN EACH OF THEIR FILINGS WITH THE S.E.C., THEY LIST SALES PER SQUARE FOOT ON A NATIONAL BASIS. WE CROSSED THAT INFORMATION. WITH -- WITH THE ACTUAL FOOTPRINT OF LOCAL STORES HERE. SOME CASES IT MIGHT HAVE BEEN A LITTLE HIGHER, PROBABLY, SOME CASES IT MUST HAVE BEEN A LITTLE LOWER. BUT BECAUSE MOST OF THESE STORES HAVE A MODEL THAT THEY APPLY ON A NATIONAL BASIS, IT'S LIKELY THAT THERE ISN'T GOING TO BE AN ENORMOUS AMOUNT OF DEVIATION BETWEEN HERE ON A PER SQUARE FOOT BASIS AND A STORE SOMEWHERE ELSE. THAT'S AN ESTIMATE. IT'S NOT BY ANY STRETCH OF THE IMAGINATION A HARD CENSUS, IT'S AN ESTIMATE.

OKAY. THAT'S BASED MORE ON SIZE VERSUS ACTUAL REVENUES OR OWE.

HE IF I KNOW HOW MUCH A STORE SELLS PER SQUARE FOOT, IF I KNOW HOW BIG THE STORE IS, I CAN ESTIMATE WHAT THEIR ANNUAL SALES ARE.

Alvarez: NOW SO THIS IS -- THIS IS NOT NUMBERS SPECIFIC TO AUSTIN, THE 21%?

IT IS A NUMBER SPECIFIC TO AUSTIN, THAT I WAS ABLE FOR

THE MOST PART TO COME UP WITH THE EXACT SQUARE FOOTAGE OF THE NUMBER OF EACH ONE OF THE STORES IN AUSTIN. WHAT I COULDN'T GET THEM FROM THEM WAS -- FROM THEM IN AUSTIN WAS TARGET SELLS X AMOUNT PER SQUARE FOOT. I HAD TO TAKE THE NATIONAL NUMBER OF ON THAT AND APPLY IT TO THE LOCAL SQUARE FOOTAGE NUMBERS.

Alvarez: I THINK THAT WAS JUST A -- AN INTERESTING THING THAT -- OR FIGURE, NUMBER, THAT -- THAT WE ARRIVED AT. THEN WHAT THAT POINT, TO, THOUGH, AGAIN AS YOU MENTIONED, IS THE IMPORTANCE OF THE LOCAL RETAILERS, IF THAT MEANS THE OTHER 80% ARE COMING FROM LOCAL RETAIL, SOMETHING LIKE THAT --

WELL, THERE'S AN ENORMOUS CATEGORY OUT THERE THAT LOCAL RETAIL DOESN'T COMPRISE THE BALANCE. I MEAN, BED, BATH, BEYOND, THERE'S OTHER THINGS. I DON'T KNOW HOW BIG SMALL LOCAL RETAIL IS, BUT I'M SURE IT'S SMALLER THAN THE BIG BOX. I FEEL VERY CONFIDENT OF THAT. WHICH MEANS THERE'S A BIG, BIG OTHER CATEGORY OUT THERE.

AND -- AND FINALLY, YOU KNOW, JUST -- IN LOOKING AT THAT, IS THAT -- IS THIS A NUMBER THAT'S EASY TO COMPUTE, OR DO YOU HAVE TO GO THROUGH THIS VERY EXTENSIVE PROCESS ON A --

IT'S PRETTY EASY TO CALCULATE THE BIG BOX STUFF ON AN ONGOING BASIS. IT GETS TRICKIER FOR THE SMALL LOCAL GUYS. WE ARE GOING TO HAVE TO FIGURE OUT SOME WAY TO DO THAT.

I WAS CURIOUS ABOUT IF, YOU KNOW, DOES THAT WE THINK IS SIGNIFICANT BECAUSE OF SOME OF THESE -- THESE IMPACTS THAT WE THINK YOU KNOW MAY BE ADVERSELY AFFECTING THE COMMUNITY, THEN IS THERE A WAY OF JUST TRACKING IT ANNUAL TO SEE --

YEAH.

Alvarez: YOU KNOW, IS IT STAYING IN LINE.

YES.

Alvarez: OR ARE THE SCALES SORT OF TIPPING.

NO. WE FIGURED IT OUT. IT CERTAINLY CAN BE TRACKED ON AN ONGOING BASE.

Alvarez: GREAT. THANK YOU VERY MUCH FOR YOUR WORK.

THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? HEARING NONE, THANK YOU, MS. EDWARDS, MR. HOCKENYOS. AT THIS TIME, COUNCIL, WE WILL RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL AND CALL UP OUR 3:00 BOARD OF DIRECTORS MEETING THE AUSTIN HOUSING FINANCE CORPORATION. WELCOME, MR. PAUL HILGERS. THANK YOU, MR. PRESIDENT AND BOARD MEMBERS. I AM PAUL HILGERS AND I'M HERE TO BRING BEFORE YOU TODAY THREE ITEMS BEFORE THE AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS, ITEM NO. 1 IS TO APPROVE THE MINUTES OF THE MAY 27th, 2004 BOARD MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn: I'LL ENTERTAIN A MOTION. MOTION MADE BY VICE-PRESIDENT GOODMAN, SECONDED BY BOARD MEMBER DUNKERLY TO APPROVE THE MEETINGS AS POSTED, AHFC 1, FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 5-0 WITH BOARD MEMBERS ALVAREZ AND -- OOPS, 6-0 WITH BOARD MEMBER MCCracken OFF THE DAIS.

THANK YOU, AGAIN, MR. PRESIDENT. ITEM NO. 2 IS TO AUTHORIZE THE NEGOTIATION AND EXECUTION OF A LOAN IN AN AMOUNT NOT TO EXCEED \$470,000 TO NEIGHBORHOOD HOUSING SERVICES, INC., OF AUSTIN, TEXAS, A NON-PROFIT COMMUNITY-HOUSING PROVIDER, FOR THE ACQUISITION OF FOUR LOTS AND THE CONSTRUCTION OF FOUR SINGLE FAMILY HOMES IN THE HERITAGE VILLAGE SUBDIVISION IN

THE MARTIN LUTHER KING, HIGHWAY 183 NEIGHBORHOOD PLANNING AREA, NORTHEAST OF THE INTERSECTION OF MARTIN LUTHER KING, JR. BOULEVARD AND ED BLUESTEIN HIGHWAY. JUST REAL QUICKLY, NEIGHBORHOOD HOUSING SERVICES, INCORPORATED OF AUSTIN, WHOSE CHAIR IS HERE, EMMITT HAYS, EXECUTIVE DIRECTOR DIANA LEWIS ARE HERE IF THERE ARE ANY QUESTIONS FOR THEM, IS A NON-PROFIT COMMUNITY HOUSING PROVIDER THAT WE HAVE BEEN WORKING WITH FOR SEVERAL YEARS. THIS IS ESSENTIALLY THE SECOND ROUND OF -- OF DEVELOPMENT THAT THEY ARE GOING THROUGH. THEY -- THEY CONSTRUCTED 12 HOUSING UNITS IN THE SAINT JOHN'S NEIGHBORHOOD. THE REVENUE THAT THEY ARE USING HERE, THAT THEY GENERATED FROM THE -- FROM THE SALE, CONSTRUCTION AND SALE OF THOSE 12 HOMES HAS HELPED TO GENERATE THE \$470,000 THAT'S AVAILABLE FOR THEM TO DO THIS AGAIN. THE SALE OF THE HOMES WILL, OF COURSE, BE TO QUALIFIED HOUSEHOLDS, THEY WILL BE USING THE SMART HOUSING PROGRAM AND THEY'LL -- THE HOUSE HOLDS WILL BE EARNING CERTAINLY NO MORE THAN 80% OF THE AREA MEDIAN FAMILY INCOME. THEY ESTIMATE THAT THE SALES PRICE OF THE HOMES WILL BE ABOUT 115 TO \$118,000. SO IF THERE ARE NOT ANY QUESTIONS, WE BRING THAT TO YOU FOR APPROVAL.

Mayor Wynn: WITH STAFF RECOMMENDATION.

YES, SIR.

Mayor Wynn: QUESTIONS, COMMENTS ON AHFC 2? IF NOT, I WILL ENTERTAIN A MOTION. MOTION MADE BY VICE-PRESIDENT GOODMAN, SECONDED BY BOARD MEMBER ALVAREZ TO APPROVE AHFC 2, FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THANK YOU. THANK YOU ALL. AHFC ITEM NO. 3 IS TO AUTHORIZE AN AMENDMENT TO THE AUSTIN HOUSING FINANCE CORPORATION FISCAL YEAR 2003-2004 HOUSING

ASSISTANCE FUND BUDGET BY INCREASING BOTH THE HOUSING ASSISTANCE FUND SALES PROCEEDS SOURCE OF FUNDS LINE ITEM AND THE HOME OWNERSHIP BY AN AMOUNT EQUAL TO \$550,000 WHICH WILL INCREASE EACH LINE ITEM TOTAL AMOUNT TO 1.550 -- \$1,550,000 TO REFLECT AN INCREASE IN THE TOTAL AMOUNT OF SALES PROCEEDS RECEIVED BY THE CORPORATION DURING THE FISCAL YEAR. ESSENTIALLY, WHAT WE ARE ASKING FOR HERE IS AUTHORITY TO SPEND THE PROGRAM INCOME WE HAVE GENERATED FROM THE HOUSES THAT WE HAVE SOLD. SO WITH THAT, THIS WILL ALLOW US TO CONTINUE THE -- TO INVEST IN -- WE HAVE THREE DEVELOPMENTS COMING FORWARD THAT TOTAL ABOUT 81 HOMES. AND THOSE WILL BE ISSUED AGAIN AND LOANS THAT ARE REPAYABLE, THIS MONEY WILL BE REVOLVING BACK INTO THE HOUSING FINANCE CORPORATION AND PROGRAM INCOME IN THE FUTURE YEARS FOR CONTINUED INVESTMENT IN OUR HOUSING PROGRAMS. SO WITH THAT WE WOULD ASK FOR THE APPROVAL TO DO THE BUDGET AMENDMENTS TO ALLOW US TO MOVE FORWARD WITH THESE PROJECTS.

THANK YOU, MR. HILGERS. FURTHER QUESTIONS OF STAFF? COUNCIL? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. -- COUNCILMEMBER THOMAS? I WILL ENTERTAIN A MOTION.

MOVE APPROVAL.

SECOND.

Mayor Wynn: MOTION MADE BY BOARD MEMBER THOMAS, SECONDED BY BOARD MEMBER SLUSHER TO APPROVE AHFC ITEM 3. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH BOARD MEMBER ALVAREZ -- AH MCCracken OFF THE DAIS.

MR. PRESIDENT THAT'S ALL OF THE -- AGENDA ITEMS TODAY.

WE WILL ADJOURN THE AUSTIN HOUSING FINANCE

CORPORATION, CALL BACK TO ORDER THE AUSTIN CITY COUNCIL, KNOWING THAT WE HAVE NO MORE DISCUSSION ITEMS BEFORE THE 4:00 TIME CERTAIN. WE WILL NOW GO BACK INTO CLOSED SESSION UNDER 551.071 OF THE OPEN MEETINGS ACT TO DISCUSS POTENTIALLY AGENDA ITEMS 57, 59 AND 61. THANK YOU.

Mayor Wynn: IN EXECUTIVE SESSION WE TOOK UP ITEM NO. 57 RELATED TO THE GREEN SHORES MUNICIPAL ELECTRIC UTILITY PROPOSAL, NO DECISIONS WERE MADE. THERE BEING A QUORUM PRESENT WE WILL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, GO TO OUR 4:00 TIME CERTAIN ZONING HEARINGS AND APPROVAL OF COVENANTS. WELCOME MS. GLASGO, THANKS FOR YOUR PATIENCE.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, ALICE GLASGO DIRECTOR OF NEIGHBORHOOD PLANNING AND ZONING OWRKS ZONING CASES FOR TODAY ARE SYMPTOMS, ITEM NO. 65 IS CASE C14-03-187 FOR YOU TO APPROVE SECOND AND THIRD READINGS OF ZONING FOR PROPERTY LOCATED AT 7411 OLD BEE CAVES ROAD. THE CHANGE IN ZONING IS FROM RURAL RESIDENTIAL TO LIMITED OFFICE MIXED USE WITH A CONDITIONAL OVERLAY. ITEM NO. 66 IS C14-04-12.001, THIS IS THE REMNANT OF THE BRENTWOOD HIGHLAND NEIGHBORHOOD PLAN REZONING. WHERE TRACTS 15 A AND 15 -- AND A PART OF 15 B WERE POSTPONED IN ORDER FOR THE NEIGHBORHOOD TO CONTINUE WORKING WITH THE PROPERTY OWNERS. BOTH PARTIES HAVE REACHED AN AGREEMENT. THAT IS THE NEIGHBORHOOD AND THE PROPERTY OWNERS, THEY HAVE ALL AGREED THAT -- THAT BOTH TRACTS 15 A AND PART OF TRACT 15 B BE ZONED C.S.-M.U.-C.O.-N.P. WITH THE FOLLOWING CONDITIONS: THE FOLLOWING USES WOULD BE CONDITIONAL USES, AGRICULTURAL SALES AND SERVICES, CAMPGROUND, COMMERCIAL BLOOD PLASMA CENTER, EQUIPMENT REPAIR SERVICES, EQUIPMENT SALES, KENNELS AND VEHICLE STORAGE. NUMBER 2, ACCESS TO CLAY AVENUE IS ALLOWED FOR EXISTING USES AND ANY NEW USE THAT TRIGGERS A SITE PLAN IS PROHIBITED TO ACCESS CLAY AVENUE. AND 3, IF ACCESS IS PROHIBITED TO CLAY AVENUE, THEN A PRIVACY FENCE SHALL BE INSTALLED AND MAINTAINED ALONG THE PROPERTY LINE ADJACENT TO

CLAY AVENUE. WE HAVE AN ORDINANCE IN FRONT OF YOU THAT INCORPORATES THE AGREED UPON ZONING AND THOSE CONDITIONS. AND THE CONDITIONS THAT I JUST READ TO YOU ON A PINK SHEET HAS THAT HAS BEEN GIVEN TO YOU. IF COUNCIL IS AGREEABLE TO THEIR -- THEIR AGREED UPON AGREEMENT, THEN THIS CASE WOULD BE READY FOR YOUR APPROVAL ON THIRD READING.

Goodman: COULD I ASK FOR A CLARIFICATION, COULD YOU COME BACK TO THE FENCE AGAIN.

YES.

WHAT IS THAT?

THE FENCE -- OKAY. THAT'S NUMBER 3, IF ACCESS -- ACCESS IS PROPER HINTED TO CLAY AVENUE, THEN A PRIVACY FENCE SHALL BE INSTALLED AND MAINTAINED ALONG THE PROPERTY LINE ADJACENT TO CLAY AVENUE.

Goodman: HOW HIGH IS THAT FENCE?

THEY DID NOT SPECIFY. THAT WOULD JUST COMPLY WITH THE CODE, THAT'S USUALLY A SIX-FOOT PRIVACY FENCE. IF THEY NEED IT TALLER THAN THAT, IT WILL HAVE TO FOLLOW THE REQUIREMENT IN THE CODE.

Goodman: WHAT ARE THE REQUIREMENTS? I'VE HAD DIFFERENT STORIES LATELY.

Glasgo: TYPICALLY, IF YOU WANT AN 8-FOOT FENCE, TOUGH GET A BUILDING PERMIT, THAT'S PROBABLY ONE OF THE CONFUSING FACTORS. AT SIX FEET YOU DON'T JUST NEED A PERMIT TO DO THAT. AT 8 FEET FOR ENGINEERING PURPOSES TO MAKE SURE THAT IT IS STEADY ENOUGH THAT YOU NEED A BUILDING PERMIT SO SOMEONE CAN INSPECT IT. OBVIOUSLY IF YOU -- IF YOU NEED A FENCE THAT IS TALLER THAN SIX FEET AND NOT BEYOND -- NOT AT THE SETBACK THAT'S ARE REQUIRED, THEN YOU HAVE TO GO TO THE ON BOARD OF ADJUSTMENT IF THEY EXCEED THOSE ELEMENTS.

Goodman: THE CLAY ACCESS, I CAN'T FIND MY MAP.

RESIDENTIAL.

Glasgo: I'M SORRY.

IS THAT RESIDENTIAL, THE DIVIDING LINE OF THE FENCE?

THE FENCE WOULD JUST BE -- WILL BE ADJACENT TO -- ON THE PROPERTY LINE ADD ADJACENT TO THE STREET. SO YOU HAVE THE PROPERTY LINE, THIS WOULD BE THE PROPERTY LINE. THE STREET AND THEN THE FENCE IS REALLY ON YOUR PROPERTY LINE. WHEREVER YOUR PROPERTY LINE IS, THAT'S WHERE THE FENCE TYPICALLY GOES.

Goodman: BUFFERING RESIDENTIAL USE?

Glasgo: I'M SORRY?

Goodman: WE ARE BUFFERING RESIDENTIAL USE OR ARE WE SCREENING?

Glasgo: YES, IT WOULD BE RESIDENTIAL ON THE OPPOSITE SIDE OF CLAY AVENUE YOU'RE CORRECT IS RESIDENTIAL, YES.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? IF NOT I WILL ENTERTAIN AS A CONSENT AGENDA ON OUR PRIOR ZONING CASES ITEM NO. 65 ON SECOND AND THIRD READING AND ITEM 66 ON THIRD READING WITH THE ZONING AND CONDITIONS A AS READ INTO THE RECORD BY MS. GLASGO.

Goodman: SO MOVED, MAYOR.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER ALVAREZ TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Glasgo: HAIR THAT TAKES US TO THE SECOND SEGMENT OF OUR ZONING CASES FOR CONSENT AND POSTPONEMENT. ITEM NO. Z-1 WHICH IS A REQUEST TO APPROVE AN AMENDMENT TO THE NORTH LOOP NEIGHBORHOOD PLAN, THE PROPERTY OWNER HAS REQUESTED A POSTPONEMENT TO JULY THE 29th. THIS IS THE OWNERS FIRST REQUEST. Z-2, ALSO CASE C14-04-15, LOCATED ON 51st STREET, THE OPENER HAS ALSO REQUESTED A POSTPONEMENT TO JULY THE 29th. BOTH ITEMS ONE AND TWO ARE RELATED. THIS IS AGAIN THE OWNERS FIRST REQUEST AND IT WAS TIMELY, WE RECOMMEND THE POSTPONEMENT. ITEM Z-3 WILL BE A DISCUSSION ITEM. Z-4 CASE C 14 H-01-22, MINI HUGHES HOUSE, THIS IS A REQUEST TO APPROVE SECOND AND THIRD READINGS OF ZONING AT 900 JUNIPER STREET FROM S.F. 3 N.P., THAT'S NEIGHBORHOOD PLAN, TO S.F. 3 WITH HISTORIC OVERLAY WITH NEIGHBORHOOD PLAN, THAT IS READY FOR SECOND AND THIRD READINGS.

ALICE, I THINK WE NEED TO CLARIFY FOR THE RECORD THAT THE PUBLIC HEARING WAS CLOSED ON THESE -- THEY ARE LISTED AS Z ITEMS, BUT MY UNDERSTANDING THAT IS THE PUBLIC HEARING WAS CLOSED THE FIRST TIME THEY WERE HEARD ON FIRST READING.

I WAS JUST ABOUT TO SAY THAT, THANK YOU.

I'LL STAY OUT OF YOUR BUSINESS.

THAT IS OKAY. I WAS ABOUT TO SAY THAT ITEMS Z-4, 5, 6, AND 7 ARE OUT OF ORDER. WE -- THEY ARE SECOND AND THIRD READINGS. THE PUBLIC HEARING HAS BEEN CLOSED AS MS. MARTY TERRY INDICATED, THANK YOU FOR REMINDING ME. I'LL READ THEM FOR YOUR APPROVAL, BUT THERE IS NO PUBLIC HEARING, IT'S JUST THAT THEY ARE OUT OF ORDER. SO THAT'S Z-4 FOR SECOND AND THIRD READINGS AND Z-5, 23, THE HEBRY STRINGFELLOW HOUSE AT 902 JUNIPER STREET FROM SINGLE FAMILY 3 N.P. TO SINGLE FAMILY 3 HISTORIC N.P. FOR SECOND AND THIRD READINGS. ITEM NO. Z-6, C 14 H 02-24 THE CLEM LINDSAY HOUSE AT 904 JUNIPER FROM SINGLE FAMILY NEIGHBORHOOD PLAN TO SINGLE FAMILY 3 NEIGHBORHOOD HISTORIC PLAN, ALSO READY FOR SECOND AND THIRD READINGS. ITEM NO. Z-7, CASE C 14 H 0225, THE FANNY WALK

HER HOUSE LOCATED AT 902 OLIVE STREET, FROM -- FROM SINGLE FAMILY 3 N.P. TO SINGLE FAMILY 3 HISTORIC NEIGHBORHOOD -- HISTORIC NEIGHBORHOOD PLAN. READY FOR SECOND AND THIRD READINGS. NOW, I'M GOING TO MOVE ON TO PUBLIC HEARINGS. Z-8 IS THE BEGINNING OF THOSE HISTORIC CASES THAT YOU ARE HEARING FOR THE FIRST TIME, THEN TO APPROVE ON ALL THREE READINGS AS I READ THEM. Z-8, C 14 H-04, 001, THE OCIE SPEAR HOUSE LOCATED AT 108 WEST 33rd STREET FROM SINGLE FAMILY 3 ZONING TO SINGLE FAMILY 3 WITH HISTORIC DESIGNATION. THAT HAS BEEN RECOMMENDED BY BOTH COMMISSIONS AND IT'S READY FOR ALL THREE READINGS. ITEM NO. Z-9 IS C 14 HAD 04004 THE TRUTH HOUSE LOCATED AT -- FRUTH LOCATED AT SPEEDWAY TO MULTI-FAMILY 4 HISTORIC, RECOMMENDED BY BOTH COMMISSIONS READY FOR ALL THREE READINGS. ITEM NO. Z-10, 005, THE SARES -- SAIRS HOUSE LOCATED AT 709 RIO GRANDE STREET FROM GENERAL OFFICE MIXED USE TO GENERAL OFFICE MIXED USE HISTORIC. THIS IS READY FOR ALL THREE READINGS. ITEM NO. Z-11 HAS BEEN PULLED OFF YOUR AGENDA, DOES NOT REQUIRE ANY ACTION FROM YOU. ITEM NO. Z-12, C 14-4-7 THE STECK HOUSE LOCATED AT 305 EAST 34th STREET, FOR MULTI-FAMILY 4, TO MULTI-FAMILY 4 HISTORIC AND THIS IS RECOMMENDED BY BOTH COMMISSIONS AND IS READY FOR ALL THREE READINGS. ITEM NO. Z-13, C 14 H-8 THE MITCHELL ROBERTSON BUILDING, THAT'S A CORRECTION FROM YOUR AGENDA. THE NAME HAS CHANGED FROM WHAT IS SHOWN ON THE AGENDA. AND IT IS LOCATED AT 909 CONGRESS AVENUE AND THE CHANGE IS FROM CBD, CENTRAL BUSINESS DISTRICT TO CENTRAL BUSINESS DISTRICT HISTORIC. RECOMMENDED BY BOTH COMMISSIONS. AND THIS ONE IS READY FOR ALL THREE READINGS. ITEM NO. Z-14, THE GIESE-STARK LOCATED AT 1211 SAN BENITO IN REGARD STREET FROM SINGLE FAMILY 3 N.P. TO SINGLE FAMILY HISTORIC N.P. READY FOR ALL THREE READINGS AS RECOMMENDED BY BOTH COMMISSIONS. ITEM NO. Z-15, C 14-04-57. LOCATED AT 2404 EAST YAGER LANE, STAFF IS REQUESTING A POSTPONEMENT TO JULY THE 29th DUE TO AN ERROR IN THE ADDRESS. ITEM NO. Z-16, CASE C14-03-128, IS AN ORDINANCE CORRECTION TO CORRECT WHAT WAS INTENDED BY THE PLANNING COMMISSION. AND THIS CASE IS READY FOR ALL

THREE READINGS. ITEM NO. Z-17, C14-03-173, THIS PROPERTY IS LOCATED AT 6300 THROUGH 6501 F.M. 2244. THE CHANGE IN ZONING IS FROM SINGLE FAMILY 2 TO G.R., WHICH STAND FOR COMMUNITY COMMERCIAL. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT THE APPLICANT'S REQUEST WITH A CONDITIONAL OVERLAY. THIS CASE IS READY FOR ALL THREE READINGS. THEM NUMBER Z-18 C14-04-35, THE EPPRIGHT 12-ACRE TRACT. THE NEIGHBORHOOD ASSOCIATION FOR THE FIRST TIME IS REQUESTING A POSTPONEMENT TO JULY 29th. AND STAFF RECOMMENDS THAT REQUEST. ITEM NO. Z-20, C 814-04-4 THE BRODIE WALTERS SOUTHWEST TRACT, THE APPLICANT IS REQUESTING FOR THE FIRST TIME A POSTPONEMENT TO JULY THE 29th. THE REQUEST WAS TIMELY. WE THEREFORE RECOMMEND IT. MAYOR, THAT CONCLUDES MY PRESENTATION ON THE CONSENT ITEMS.

Mayor Wynn: THANK YOU, MS. GLASGO. SO, COUNCIL, IF YOU WILL FOLLOW ALONG MS. GLASGO AND CHECK MY MATH HERE, THE CONSENT AGENDA WILL BE, ITEM Z-1 AND Z-2 TO BE POSTPONED TO JULY 29th. ITEMS Z-4, 5, 6, 7, TO APPROVE ON SECOND AND THIRD READING. Z-8, 9 AND 10 APPROVE ON ALL THREE READINGS.

THAT'S CORRECT.

ITEM -- Z-11 HAS BEEN REMOVED FROM THE AGENDA. Z-12, 13RBGS 14, APPROVE -- Z-12, 13, 14RBGS APPROVED ALL THREE READINGS. Z-15 POSTPONEMENT TO JULY 29th 2004. Z-16 AND 17, ON ALL THREE READINGS. Z-18 POSTPONED UNTIL JULY 29th AS IS Z-20 POSTPONED UNTIL JULY 29th, '04. I'LL ENTERTAIN A MOTION. MOTION MADE BY MAYOR PRO TEM TO APPROVE THE CONSENT AGENDA. TO CLOSE THE PUBLIC HEARINGS AS NEEDED AND APPROVE THE CONSENT AGENDA AS READ. SECONDED BY COUNCILMEMBER ALVAREZ, 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.

OKAY. WE JUST HAVE TWO DISCUSSION ITEMS. WE'LL START OFF WITH Z-3 THE ROBERT MUELLER REDEVELOPMENT PLANNED UNIT DEVELOPMENT. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

IN 1943 THE SITE WAS EXPANDED WITH THE CONSTRUCTION OF AN AIR CONTROL TOWER AND A NEW TERMINAL BUILDING. THE MAIN TERMINAL BUILDING WAS DEDICATED IN 1961, ENLARGED IN 1983 AND THEN EXPANDED AGAIN WITH AN ADDITION OF AN EAST TERMINAL FACILITY IN 1990. AT THE AIRPORT'S PEAK THE PROPERTY WAS DEVELOPED WITH THREE RUNWAYS AND WAS UTILIZED BY EIGHT AIRLINE CARRIERS. IN AUGUST OF 1991 AFTER YEARS OF DISCUSSION AND PLANNING, THE CITY COUNCIL PASSED A RESOLUTION TO MOVE THE CITY'S MUNICIPAL AIRPORT TO BERGSTROM AIR FORCE BASE IN SOUTHEAST AUSTIN. THE CITIZENS OF AUSTIN APPROVED A REFUSE REFERENDUM FOR THE RELOCATION OF THE AIRPORT IN 1993. THE ROBERT MUELLER MUNICIPAL AIRPORT CEASED OPERATIONS ON MAY 22nd OF 1999 WHEN THE NEW AIRPORT WAS OPENED WHICH IS NOW AUSTIN-BERGROM INTERNATIONAL AIRPORT. IN 1996 A TASKFORCE WAS CREATED TO CONSIDER REDEVELOPMENT OPPORTUNITIES FOR ROBERT MUELLER MUNICIPAL AIRPORT SITE. THE TASKFORCE WORKED TO DEFINE A VISION AND TO CREATE REDEVELOPMENT GOALS FOR THE SITE, AND WITH THAT RESULTED WHAT WE REFER TO AS THE RMMA REDEVELOPMENT REUSE PLAN. THAT WAS PRESENTED TO THE CITY COUNCIL AND APPROVED ON NOVEMBER 30TH OF 2000. THE CHANGE IN ZONING IN FRONT OF YOU IS FROM AV AND PUD TO PLANNED UNIT DEVELOPMENT. THE PLANNING COMMISSION RECOMMENDATION TO YOU WAS TO APPROVE THE STAFF RECOMMENDATION OF PLANNED UNIT DEVELOPMENT WITH A LIST OF EXHIBITS THAT ARE ATTACHED IN YOUR BACKUP. THE STATEMENT THAT WAS ATTACHED FROM JIM WALKER -- THEY JUST WANTED US TO LET YOU KNOW THAT THERE WAS A STATEMENT ON RESOLUTION FROM THE JOINT SUBCOMMITTEE ENDORSING THE PLAN AND THE RECOMMENDATION ON THE PLANNED UNIT DEVELOPMENT. AND THIRDLY TO PROHIBIT CONSTRUCTION SALES AND SERVICES ON EC-1. I'M GOING TO WALK TO THE MAP AND KIND OF WALK YOU THROUGH

THE AREAS BRIEFLY. I'D LIKE TO POINT OUT THAT STAFF IS NOT IN AGREEMENT WITH THE PROHIBITION OF CONSTRUCTION SALES AND SERVICES ON TRACT EC-1 ON THAT -- AS RECOMMENDED BY THE PLANNING COMMISSION. I'M GOING TO SWITCH OUT THE MAPS TO GIVE YOU AN OVERVIEW OF -- IF YOU COULD GIVE ME THAT MAP. THANK YOU. WHAT YOU SEE BEFORE YOU IS A CONCEPT PLAN THAT GIVES YOU AN IDEA OF WHAT THE DEVELOPMENT OF THIS SITE IS GOING TO LOOK LIKE. THE YELLOW REPRESENTS RESIDENTIAL DEVELOPMENT, THE ORANGE IS GOING TO BE YOUR HIGHER DENSITY RESIDENTIAL. THE PINK IS YOUR MIXED USE DEVELOPMENT. YOUR BLUE RIGHT HERE IS THE CHILDREN'S MEDICAL CENTER, WHICH WAS ALSO REFERRED TO AS THE SETON MEDICAL SITE THAT WAS APPROVED WITH A PUD NOT TOO LONG AGO. THE GREEN REPRESENTS YOUR GREENWAYS AND YOUR PARKS FOR THE AREA. AND THE RED IS YOUR TOWN CENTER. AND IT JUST GIVES YOU A GOOD IDEA OF THE CONNECTIVITY OF THE DEVELOPMENT AND WHAT IT WILL LOOK LIKE ONCE IT'S ALL BUILT. I WILL THEN NOW SHOW YOU WHAT THIS TRANSLATES TO ON THE ZONING MAP. THE ZONING JUST SIMPLY HAS THE SAME COLORS THAT ARE SHOWN THERE WITHOUT THE DETAILS. IT'S REALLY A VERY GENERAL PLAN JUST TO SHOW YOU THE DIFFERENT TRACTS THAT ARE POINTED OUT IN YOUR DOCUMENTS, BUT THE CONCEPTUAL MASTER PLAN REALLY GIVES YOU A BETTER PICTURE OF YOUR USES, BUT I JUST WANTED TO SHOW YOU THE TWO -- JUST YOUR GENERAL PLANNED LAYOUT FOR ZONING PURPOSES, AND THAT MAP TO MY EXTREME LEFT JUST SHOWS YOU AN IDEA OF HOW THIS TRANSLATES TO THAT. WE SHOULD GIVE YOU AN IDEA OF WHAT THE DEVELOPMENT WILL LOOK LIKE. MR. ADAMS IS NOW GOING TO FOLLOW ME WITH HIS PRESENTATION AND WE'LL BE GLAD TO RESPOND TO QUESTIONS ON ZONING AS THEY ARISE THROUGHOUT THE PRESENTATION.

Mayor Wynn: THANK YOU, MS. GLASGO. COUNCIL, TECHNICALLY WITHOUT OBJECTION, I MUST WAIVE OUR TYPICAL FORMAT OF A FIVE MINUTE APPLICANT PRESENTATION AND THEN THE CARDS. I THINK THIS WILL BE INFORMATIVE FOR BOTH EVERYBODY HERE, BOTH SIDES OF THE ISSUE AND FOLKS AT HOME WATCHING. SO WITHOUT OBJECTION, TAKE AS LONG AS YOU NEED, MR. ADAMS.

THANK YOU, COUNCIL. THIS IS A VERY IMPORTANT EVENING FOR THIS PROJECT AND FOR THE COMMUNITY, WHO HAVE SPENT SO MANY YEARS WORKING ON IT. AS MS. GLASGO SAID, THE PLAN FOG THIS REALLY STARTED IN THE 1980'S WITH THE SURROUNDING NEIGHBORS TRYING TO ESTABLISH A VISION FOR SOMETHING OTHER THAN AN AIRPORT. AND SINCE 1996 WE HAVE BEEN WORKING ON THIS PARTICULAR PLAN. AFTER ITS APPROVAL BY THE COUNCIL IN 2000, WE HAVE SINCE BEEN WORKING WITH THE MASTER DEVELOPER, CATELLUS, TO REFINE THE MASTER PLAN INTO MORE DETAILED DOCUMENTS THAT WILL BE COMBINED INTO A MASTER DEVELOPMENT AGREEMENT. TONIGHT BEFORE YOU IS THE ZONING, WHICH IS THE FIRST LEVEL OF DEVELOPMENT CONTROLS THAT WILL GOVERN THIS SITE. WHAT THIS SLIDE IS SHOWING YOU IS KIND OF THE STRUCTURE OF CONTROL. THE ZONING IS THE MOST GENERAL LEVEL OF CONTROL. IT DEALS WITH MATTERS OF LAND USES, PERMITTED, PROHIBITED AND CONDITIONAL USES. IT DEALS WITH ISSUES OF HEIGHT, INTENSITY, SETBACKS. AND I HAVE TO SAY THAT THE ZONING THAT IS BEFORE YOU IS IN A PUD FORMAT, BUT IT HAS BUILT ON THE TND ORDINANCE WHICH YOU ALL ADOPTED IN THE LATE 1990'S. AND THAT HAS BEEN A VERY USEFUL DOCUMENT AS A SPRINGBOARD FOR EVERYTHING THAT WE'RE GOING TO TALK TO YOU ABOUT TONIGHT. IN ADDITION TO THE ZONING, THE MASTER DEVELOPMENT AGREEMENT WILL INCLUDE A DOCUMENT CALLED CONDITIONS, COVENANTS AND RESTRICTIONS OF THE CCNR'S AND WHAT THAT DOCUMENT IS GOING TO DO IS TO ESTABLISH THE OVERALL GOVERNANCE OF THE PROPERTY, HOW NEIGHBORHOOD ASSOCIATIONS WILL BE GOVERNED. IT WILL DEAL WITH RESTRICTIONS ON PARTICULAR ACTIVITIES AND USES THAT ARE MORE DETAILED THAN THE ZONING AND IT WILL ESTABLISH THE REGIMEN FOR THE DESIGN REVIEW AND ARCHITECTURAL CONTROL. IT ALSO PROVIDES FOR DESIGN GUIDELINES TO BE DEVELOPED, AND THAT'S THE THIRD LEVEL OF CONTROL WHICH WE'RE GOING TO TALK ABOUT TONIGHT. EVEN THOUGH THE DESIGN GUIDELINES AREN'T INCLUDED IN THE ZONING, THEY'RE A VERY IMPORTANT ELEMENT THAT WILL ENSURE THAT THE MASTER PLAN THAT HAS BEEN DEVELOPED GETS IMPLEMENTED THE WAY IT WAS CONCEIVED BACK IN THE 2000 PLAN. THIS MAP HERE IS

SHOWING, AS MS. GLASGO EXPLAINED, THE STRUCTURE OF THE ZONING. THE ZONING DESIGNATIONS, THE MR, MIXED RESIDENTIAL, THE TC, TOWN CENTER, THE EC, EMPLOYMENT CENTER AND THE OS ARE ALL THE DESIGNATIONS FROM YOUR TND ORDINANCE. THE PLAN PROVIDES FOR -- IN THE MIXED RESIDENTIAL ZONES UP TO 4500 UNITS OF HOUSING IN A VARIETY OF DENSITIES WHICH I'LL DISCUSS. UP TO 400 SQUARE FEET OF OFFICE DEVELOPMENT, 80,000 SQUARE FEET OF RETAIL OR COMMERCIAL USES AND 80,000 SQUARE FEET OF CIVIC. THAT IS IN ALL THE YELLOWS OF THE MAP. THE TOWN CENTER IN THE CORE OF THE COMMUNITY WILL PROVIDE UP TO 1500 UNITS. THE ZONING PROVIDES FOR UP TO 1500 UNITS AND UP TO A MILLION SQUARE FEET OF COMMERCIAL USES, INCLUDING RETAIL. THE EC AREAS IN THE BLUE, INCLUDING THE SETON TRACT, WHICH IS ABOUT 1.4 MILLION SQUARE FEET OF DEVELOPMENT, INCLUDING THE HOSPITAL, WILL ALLOW 3 MILLION SQUARE FEET OF COMMERCIAL USES, 220,000 SQUARE FEET OF FILM PRODUCTION USES IN THE FILM SOCIETY PORTION, AND 700 RESIDENTIAL UNITS AND UP TO 450,000 SQUARE FEET OF RETAIL USES IN THE EC-1, WHICH WE'LL DESCRIBE IN A MOMENT. THE OS ZONE IS THE OPEN SPACE, AND THIS DIAGRAM HERE SHOWS YOU THE EXTENSIVE SYSTEM OF OPEN SPACES THAT HAVE BEEN CREATED ON THE PROPERTY. IN KEEPING WITH THE TND ORDINANCE, MORE THAN 20% OF THE SITE OR ABOUT 150 ACRES WILL BE IN PUBLICLY ACCESSIBLE OPEN SPACE. AND THAT TRANSLATES INTO ABOUT 75 ACRES OF GREENWAYS, WHICH ARE THE PERIMETER PARKS THAT PROVIDE HIKE AND BIKE TRAILS AROUND THE ENTIRE EDGE OF THE COMMUNITY, LINKING PATTERSON PARK, MORRIS WILLIAMS GOLF COURSE AND ANOTHER PARK WITH ANOTHER. IT ALSO INCLUDES A 30-ACRE COMMUNITY PARK WITH A MAJOR LAKE IN THE CENTER OF IT. IT'S THE VERY FRONT DOOR OF THE COMMUNITY. 20 ACRES OF PLAY FIELDS, WHICH WILL BE PREDOMINANTLY FOR YOUTH SOCCER IN THIS AREA HERE. A 10-ACRE ELEMENTARY SCHOOL SITE. AND THEN 25 ACRES OF NEIGHBORHOOD PARKS AND POCKET PARKS THROUGHOUT THE WHOLE COMMUNITY. I SHOULD ALSO SAY ON THAT SLIDE THAT WE WILL BE PLANTING ABOUT 15,000 15,000 TREES ON THIS SITE. ONE OF THE LIABILITIES OF AN AIRPORT SITE IS THAT THERE AREN'T THAT MANY TREES.

AND 15,000 TREES, WHICH WILL AT MATURITY PROVIDE A 35 PERCENT CANOPY COVER OVER THIS 700-ACRE SITE. AND WHICH WE THINK IS VERY IMPORTANT IN CREATING THE ENVIRONMENT WE WANT, BUT ALSO IN MITIGATING THE URBAN HEAT ISLAND EFFECT, WHICH I KNOW THAT THE CITY IS WORKING ON IN OTHER PARTS OF THE COMMUNITY. WE ARE PREPARING A DESIGN BOOK THAT WILL GOVERN THE FORM OF DEVELOPMENT IN THE MUELLER COMMUNITY. THESE WILL INCLUDE DESIGN GUIDELINES THAT WILL BECOME THE BASIS FOR THE ARCHITECTURAL REVIEW COMMITTEE TO EVALUATE PROPOSALS AS THEY COME THROUGH. AND WHAT I'D LIKE TO DO IS KIND OF GO THROUGH QUICKLY SOME OF THE IDEAS OR SOME OF THE CONCEPTS THAT WE ARE DEVELOPING AND THAT REALLY BUILD OFF OF THE IDEAS THAT WERE IN THE ORIGINAL MASTER PLAN. THE FIRST SECTION IS REALLY THE NEIGHBORHOODS, AND THOSE ARE ALL OF THOSE MR AREAS IN YELLOW. AND WHAT THE DESIGN BOOK WILL TALK ABOUT ARE THE CONCEPTS FOR THE BUILDINGS WITHIN THE NEIGHBORHOOD AREAS. AND THESE ARE SOME OF THE QUALITIES THAT WE'RE TALKING ABOUT. NEIGHBORLINESS THAT ALL OF THE BUILDINGS, REGARDLESS OF THE DENSITY, WHETHER IT'S A SINGLE YARD HOUSE OR A MULTI-FAMILY USE WILL HAVE A STREET ORIENTATION WITH PORCHES AND ENTRIES ALONG THE STREETS. WHAT WE DON'T WANT TO HAPPEN IS TO HAVE SINGLE STAND ALONE RESIDENTIAL PROJECTS THAT ARE INWARD LOOKING. EVERY PROJECT OR COMPONENT OF THE NEIGHBORHOOD WILL HAVE A STREET ORIENTATION AND A PUBLIC FACE. WE ARE WORKING VERY DILIGENTLY WITH THE CITY OF AUSTIN IN ENSURING THAT THE HOUSING PROGRAM IS CONSISTENT WITH YOUR OWN SMART HOUSING PROGRAM IN TERMS OF CREATING COMPACT NEIGHBORHOODS, GREEN BUILDINGS, VISITABLE HOUSING UNITS AND LIVEABLE NEIGHBORHOODS. THE GUIDELINES WILL BE STRUCTURED SUCH THAT ALL OF THE BUILDINGS WILL BE COMPATIBLE WITH ONE ANOTHER IN SCALE. AND ALSO WITH THE ADJACENT NEIGHBORHOODS, SOME OF WHICH ARE VERY NEARBY, THE DELLWOOD 2 AND THE WINDSOR PARK NEIGHBORHOODS, FOR INSTANCE. AND ONE OF THE THINGS THAT WE'RE WORKING WITH OUR RMMA COMMISSION ON AND WE HAD A MEETING THE OTHER NIGHT TALKING ABOUT THIS, IS THE KIND OF ARCHITECTURE. WE

WOULD LIKE THE ARCHITECTURE TO BUILD ON THE QUALITIES OF HILL COUNTRY AND CENTRAL TEXAS ARCHITECTURE. WE'RE NOT NECESSARILY DICTATING AN HISTORIC STYLE OR A TEMPLATE OR PATTERN BOOK, BUT WE WOULD LIKE TO BUILD ON THE QUALITIES OF TRADITIONAL ARCHITECTURE, THE SHADING OF WALL SURFACES, THE USES OF PORCHES, THE KINDS OF MATERIALS THAT YOU SEE, THE USE OF STONE, METAL, THE ACCENTING OF WOOD AND SO ON ARE ALL ELEMENTS THAT ARE BUILD INTO THE DESIGN GUIDELINES. LET ME JUST DESCRIBE SOME OF THE BUILDING TYPES THAT WE ARE IN THE PROCESS OF DEVELOPING AND THE GUIDELINES FOR THOSE. THE YARD HOUSES ARE THE SINGLE-FAMILY HOMES. THEY WILL BE ON LOTS BETWEEN 3 AND 5,000 SQUARE FEET. ALL OF THE UNITS WILL HAVE THEIR ACCESS FROM RARE GARAGES ALONG ALLEYS, WHICH ALLOWS US TO CREATE AN ENGAGING STREET SCAPES. WE ARE INTRODUCING GUIDELINES THAT WILL PROMOTE DIVERSITY OF UNIT TYPES ALONG A BLOCK FACE SO THAT WE WON'T END UP WITH THE SAME UNIT TYPES IN THE NEIGHBORHOOD. AND THE DEVELOPER IS ACTUALLY TALKING ABOUT HAVING MULTIPLE BUILDERS WORKING ON A FAIRLY FINE SCALE WITHIN EACH OF THE NEIGHBORHOODS. THE HEIGHT LIMIT FOR HOUSES IN THE NEIGHBORHOODS WILL BE -- YARD HOUSES WILL BE 25 FEET, TWO AND A HALF FLOORS. GUIDELINES WILL DEAL WITH CHANGES IN PLANE AND VOLUME. WE HAVE FRONT YARD SETBACKS, LANDSCAPED FRONT YARDS OF MINIMUM 10 FEET, MAXIMUM 15 FEET. AND REQUIREMENTS FOR FRONT PORCHES WITH ENCROACHMENTS UP TO FIVE FEET. SPECIAL TREATMENTS ON THE CORNERS AND TERMINUS LOTS. WE'RE ALSO EXPLORING THE IDEA OF CARRIAGE HOUSES OR SMALL UNITS ON TOP OF GARAGES AND DEVELOPING GUIDELINES FOR THE SIZES OF LOTS THAT THEY WILL GO ON, PROBABLY ON THE LARGER LOTS, ESTABLISHING MAXIMUM SQUARE FOOTAGES FOR THESE UNITS. WE THINK THAT IT'S A REALLY GOOD IDEA HAVING THESE POWS BECAUSE IT PROMOTES A DIVERSITY OF POPULATION WITHIN THE NEIGHBORHOOD AND INTERGENERATIONAL COMMUNITY, BUT IT'S SOMETHING THAT DOES HAVE TO BE CAREFULLY MONITORED. AND SOME OF THE DESIGN GUIDELINES THAT WE'RE DEVELOPING IN TERMS OF ITS RELATIONSHIP TO THE MAIN HOUSE AND THE

PERCENTAGE OF THESE HOUSES THAT WILL OCCUR WITHIN A PARTICULAR NEIGHBORHOOD. THE BUILDING MATERIALS ARE GOING TO BE VERY IMPORTANT TO ENSURE A QUALITY NEIGHBORHOOD; HOWEVER, WE WANT TO ALLOW SOME FLEXIBILITY IN THIS REGARD. WE WANT TO ENSURE THAT THERE'S A SIMPLE AND A HARMONIOUS APPLICATION OF MATERIALS IN KEEPING WITH THE FORM AND THE STYLE OF THE HOUSE. WE WOULD LIKE TO ENCOURAGE STANDING SEAM METAL ROOF IN THE TRADITION OF HILL COUNTRY ARCHITECTURE, BUT IN KEEPING WITH YOUR OWN GREEN BUILDING STANDARDS AND USE OF STONE, SIDING, SMOOTH FINISHED BRICK AND PAINTED BRICK AND ALSO STUCCO. AND JUST QUICKLY, THESE ARE SOME IDEAS OF SOME YARD HOUSES THAT WE'RE TESTING. THESE AREN'T NECESSARILY GOING TO BE BUILT HERE. CATELLUS WILL BE SOLICITING DESIGNS FROM BUILDERS AND THOSE DESIGNS WILL BE REVIEWED BY THE ARCHITECTURAL REVIEW COMMITTEE, BUT THESE ARE JUST SOME IDEAS, SINGLE LEVEL BUNGALOWS ON A 37-FOOT LOT, ONE AND A HALF STORY COTTAGES, AGAIN ON A 37-FOOT LOT AND TWO-STORY HOMES. AND THESE PICTURES ON THE RIGHT ARE PICTURES FROM AUSTIN NEIGHBORHOODS THAT SHOW SIMILAR TRADITIONAL HOMES THAT COULD PROVIDE SOME INSPIRATION FOR THE BUILDERS. AND THEN ON THE LARGER LOTS, SIMILARLY ONE-STORY, ONE AND A HALF STORY, AND THEN TWO-STORY HOMES. WE'RE ALSO IN ADDITION TO THE SINGLE-FAMILY HOMES WHICH ARE ABOUT 1500 OF THE 4600 UNITS THAT WE'RE PROJECTING ON THE SITE, WE WILL HAVE ROW HOUSES, RESIDENTIAL ROW HOUSES, WHICH I PICTURE HERE AS AN EXAMPLE, AS WELL AS SHOP HOUSES. SHOP HOUSES INCLUDE WORK SPACE, DOWNSTAIRS LIVING SPACE UPSTAIRS. THE HEIGHT LIMIT FOR THESE BUILDINGS TYPICALLY IS 35 FEET OR THREE AND A HALF FLOORS. THEY PROVIDE A TRANSITION FROM THE YARD HOUSES TO THE HIGHER DENSITY COMPONENTS OF THE DEVELOPMENT. AGAIN, ALL OF THE AUTO ACCESS WILL BE FROM THE REAR, FROM REAR GARAGES. WE WILL HAVE GUIDELINES THAT TALK ABOUT SEPARATION, HOW MANY YOU CAN PUT TOGETHER. AND ALSO THE SAME KIND OF REQUIREMENTS FOR BUILDING MATERIALS AND SETBACKS, AS I DISCUSSED EARLIER. THE SETBACK WILL BE A LITTLE SMALLER. THESE ARE SOME ILLUSTRATIONS OF THE KIND OF ROW HOUSES

AND SHOP HOUSES THAT WE SEE HAPPENING IN THE NEIGHBORHOOD. AND THIS IS AN EXAMPLE OF A PROPERTY TO TYPE OF A SHOP HOUSE ON A 70-FOOT DEEP LOT, AGAIN REAR LOADED WITH A GARAGE BEHIND, A WORK SPACE DOWNSTAIRS AND TWO LEVELS OF LIVING SPACE ABOVE AND WHAT THEY MIGHT LOOK LIKE ON A STREET. WE ALSO HAVE A MULTI-FAMILY PRODUCT -- RESIDENTIAL PRODUCT TYPE THAT WE'RE CALLING MANSION HOUSES. WE'RE STILL LOOKING FOR A BETTER NAME FOR THAT BECAUSE WE DON'T KNOW THAT THAT'S EXACTLY THE RIGHT NAME FOR AUSTIN, BUT THIS IS A HOUSING TYPE THAT HAS BEEN VERY SUCCESSFUL IN STAPLETON AND IN DENVER, AND THESE PHOTOGRAPHS ARE SHOWING SOME OF THESE BUILDING TYPES THAT HAVE BEEN DEVELOPED THERE. THEY INCLUDE FOUR TO SIX UNITS OF HOUSING. THEY'RE DESIGNED TO LOOK LIKE LARGER ESTATE HOUSES. THEY'RE ON LOTS OF ABOUT 9 TO 10,000 SQUARE FEET. AND THEY'RE IN THE CENTER OF THE COMMUNITY ALONG A WIDE AVENUE LINKING LAKE PARK WITH THE ELEMENTARY SCHOOL. WE'RE GOING TO ASK HERE FOR LARGER FRONT YARD SETBACKS OF ABOUT 20 FEET, SIDE YARD SETBACKS OF 10 FEET. AND WE ARE EXPLORING A WHOLE DIFFERENT SERIES OF FORMS THAT ARE MORE IN KEEPING THAN MAYBE THESE PHOTOGRAPHS WITH THE KIND OF HILL COUNTRY AND CENTRAL TEXAS ARCHITECTURE. SO THESE ARE JUST SOME EXAMPLES. THESE AGAIN ARE PHOTOGRAPHS FROM STAPLETON. THESE ARE SOME EARLY SKETCHES OF WHAT WE'RE DEVELOPING IN TERMS OF MASSING FOR THE MANSION HOMES. THE THING THAT THE MANSION HOME IS EVEN THOUGH THERE MIGHT BE FOUR OR SIX UNITS IN THE BUILDING, ALL OF THE UNIT HAVE ACCESS FROM THE STREET, HAVE THEIR FRONT DOORS ON THE STREET, ALL OF THE UNITS HAVE DIRECT ACCESS FROM THEIR GARAGES. SO IT'S LIKE A SINGLE-FAMILY HOME IN SOME RESPECTS IN THAT REGARD. BUT IT ALSO PROVIDES REALLY AFFORDABLE HOUSING OPPORTUNITIES FOR FOLKS. AND THESE ARE AGAIN JUST SOME EXAMPLES OF FORMS THAT WE'RE EXPLORING, FOUR UNITS, NOW SIX UNITS. AND THEN MOVING UP IN DENSITY IN THE NEIGHBORHOOD, WE WILL HAVE APARTMENT HOUSES AND MIXED USE RESIDENTIAL COMMERCIAL BUILDINGS. SOME OF THE GUIDELINES THAT WE ARE EXPLORING FOR THIS IS PARKING. PARKING WILL BE

LARGELY INVISIBLE FROM THE STREET. EITHER IN GARAGES THAT ARE ENCAPSULATED IN THE BUILDING OR LOCATED IN PARKING AREAS THAT ARE WITHIN THE BLOCKS THEMSELVES. AGAIN, ALL STREET FRONTS WILL HAVE UNITS THAT ARE -- HAVE ACCESS TO THE STREETS THEMSELVES. THE HEIGHT LIMIT FOR THESE BUILDINGS IS 50 FEET, WITH FENCED LINES THAT REQUIRE -- GUIDELINES THAT REQUIRE STREET VARIATION IN VOLUME AND PLANE AS WELL AS SCALE TRANSITIONS TO YARD HOUSES. SO IF A MULTI-FAMILY BUILDING IS NEXT TO A SINGLE-FAMILY NEIGHBORHOOD, THE HEIGHT LIMIT WOULD BE DROPPED TO THREE STORIES. AND THEN AGAIN FRONT YARD SETBACKS OF FIVE TO 15 FEET MINIMUM TO MAXIMUM. THE TOWN CENTER, LET ME JUST DESCRIBE A LITTLE BIT. WHAT THE OVERALL CHARACTER OF THE TOWN CENTER, THIS IS A VERY IMPORTANT PART OF THE COMMUNITY. IT'S ONE THAT WILL NOT ONLY BE A DESTINATION WE THINK FOR MUELLER RESIDENTS, BUT WILL BE A DESTINATION FOR THE SURROUNDING NEIGHBORHOODS, AND WE REALLY BELIEVE FOR ALL OF AUSTIN. SOME OF THE CHARACTERISTICS OF THIS NEIGHBORHOOD IS ITS WALK ABILITY, ITS CONNECTIVITY TO THE ADJACENT NEIGHBORHOODS. WE WANT TO MAKE SURE THIS IS NOT A STAND ALONE COMMERCIAL OR MIXED USE PROJECT, BUT ONE THAT IS VERY MUCH CONNECTED TO THE SURROUNDING NEIGHBORHOODS. ONE THAT WILL ESTABLISH A UNIQUE IDENTITY OF ITS OWN THROUGH THE DIVERSE TYPES OF USES THAT ARE HERE. WE'RE REALLY ENCOURAGING CATERING TO TALK TO AUSTIN TENANTS IN ADDITION TO NATIONAL CREDIT TENANTS, BUT TO HAVE A REAL COMPONENT OF UNIQUE AUSTIN RETAILERS HERE THAT WILL GIVE THIS AREA AND SMALL ENTREPRENEURS THAT WILL GIVE THIS AREA A UNIQUE IDENTITY. AND THEN CERTAINLY CONVENIENCE IS AN IMPORTANT CHARACTERISTIC. AGAIN, WE LOOKED AROUND AUSTIN AS WELL AS THE CENTRAL TEXAS AREA FOR SOME INSPIRATION IN TERMS OF ARCHITECTURAL DESIGN GUIDELINES. SOME OF THE QUALITIES OF THE SMALLER COMMUNITIES AND MAIN STREET TOWN SQUARE -- ARCHITECTURE WITHIN THE AREA LIKE FREDRICKSBURG, NEW BRAUNFELS. THE IDEA OF CANOPIES AND AWNINGS AND ARCADE STRUCTURES THAT PROVIDE SHADE ALONG THE STREET THAT CAN PROVIDE ADDITIONAL SHADE TO THE TREES THAT WE WILL

HAVE ALONG THE STREETS. THE IDEA OF SHADING WEST FACING SURFACES, THE DETAILING, THE STOREFRONTS ARE ALL IMBEDDED IN THE DESIGN GUIDELINES THAT WE'RE PREPARING AS PART OF THIS DESIGN BOOK. THE MAIN STREET BUILDINGS -- AND THIS MAIN STREET YOU CAN SEE HERE, WHICH WILL BE WHERE MOST OF THE RETAIL OCCURS -- WILL HAVE REQUIREMENTS FOR A CONTINUOUS STREET WALL OF RETAIL, PROJECTING CANOPIES AND AUSTININGS, A DIVERSITY OF BUILDING FORMS. WE REALLY WOULD LIKE TO HAVE THE OPPORTUNITY FOR DIFFERENT ENTREPRENEURS AND USERS THAT ARE BUILDING ON THE STREET SO THAT WE TONIGHT, AGAIN, HAVE THE SAMENESS BUT THE KIND OF DIVERSITY THAT YOU SEE IN A COMMUNITY LIKE FREDRICKSBURG, BUT AGAIN I WAS REMINDED THAT NOT WITH THE WIDE STRAIGHT HIGHWAY GOING THROUGH IT. A MINIMUM AND MAXIMUM HEIGHT OF RETAIL THAT WILL OCCUR ALONG THE STREET, AT LEAST TWO STORIES, BUT UP TO FIVE STORIES. THERE MIGHT BE SOME ARC, ARCHITECTURE REVIEW COMMITTEE, DEFINITION FOR WLGA UNIQUE USERS. THE TOWN CENTER HAS A WHOLE SERIES OF MIXED USE BUILDINGS, NOT UNLIKE THE ONES I REFERRED TO EARLIER IN THE NEIGHBORHOODS. THESE WILL BE TALLER IN HEIGHT. WEST OF MUELLER BOULEVARD THEY'LL RANGE FROM 40 FEET HIGH ADJACENT TO THE DELLWOOD NEIGHBORHOOD AND THE GREENWAY, WHICH IS CONSISTENT WITH THE NEIGHBORHOOD COMPATIBILITY STANDARDS OF THE CITY, STEPPING UP TO 65 FEET, AND THEN EAST OF MUELLER BOULEVARD HEIGHTS OF UP TO 100 FEET SIMILAR TO THE AMLI BUILDING THAT'S JUST BEING FINISHED ON SECOND STREET. AGAIN, ARCHITECTURALLY INTEGRATED PARKING, GROUND LEVEL ORIENTATION OF UNITS IS A VERY IMPORTANT ASPECT OF THE GUIDELINES HERE. WE'LL ALSO IN THE TOWN CENTER HAVE SHOP HOUSES AND ROW HOUSES. THESE WILL TYPICALLY BE LOCATED ON THE EAST-WEST STREETS LEADING OUT FROM THE MAIN STREET RETAIL AREA. HAVING A GROCERY STORE ANCHOR IS A VERY IMPORTANT COMPONENT OF THE TOWN CENTER. AND IT'S A REAL CHALLENGE TO DESIGN IT IN SUCH A WAY THAT IT FITS IN WITH THE SCALE AND THE CHARACTER OF THE TOWN CENTER AND ITS PEDESTRIAN ORIENTATION. THIS DIAGRAM SHOWS CONCEPTUALLY WHERE WE ARE TALKING ABOUT LOCATING THE GROCERY

STORE AND SOME OF THE IDEAS. WE WILL BE CONTROLLING ITS FLOOR PLATE SIZE. -- FLOOR PLATE SIZE. WE WILL BE SCREENING ITS TRUCK DOCKS AND SERVICE AREAS WITH THE SHOP HOUSES THAT I REFERRED TO EARLIER SO THAT THE TRUCK AREAS AND SERVICE AREAS WILL BE LARGELY INVISIBLE AS WELL AS THE BLANK WALL. WE'RE SIDE SITING IT TO REINFORCE MAIN STREET SO THAT THE MAIN ENTRIES TO THE SUPERMARKET WILL BE A CLOSE WALK FROM THE MAIN STREET, AND WE'RE CREATING A SHARED ORCHARD PARKING AREA THAT WILL HAVE A SIGNIFICANT TREE COVER AND WILL BE USED NOT ONLY BY THE SUPERMARKET, BUT BY OTHER COMPONENTS OF THE TOWN CENTER. AS THE SURFACE PARKING, HOWEVER, WILL NOT BE SUFFICIENT TO SERVE ALL OF THE USES AT BUILDOUT, SO WE ARE ANTICIPATING A PUBLIC PARKING GARAGE AND THE DEVELOPMENT PRO FORMA HAS INCLUDED THAT. THE DESIGN OF THE PARKING GARAGE IS SOMETHING THAT WE'RE VERY CONCERNED ABOUT. THIS IS A PARKING GARAGE THAT WE THINK WOULD WORK VERY WELL WITHIN THE TOWN CENTER. IT'S ONE THAT'S LOCATED IN A SMALL COMMUNITY. IT'S A FOUR-STORY GARAGE WITH GROUND LEVEL RETAIL USES THAT IS DESIGNED TO FIT IN. SO THIS WOULD MEET THE DESIGN GUIDELINES THAT WE'RE IN THE PROCESS OF DEVELOPING FOR THE TOWN CENTER PARKING GARAGE. SO THE GARAGE WOULD ALSO HAVE A DIRECT LINKAGE TO NOT ONLY THE MAIN STREET, BUT ALSO TO LAKE PARK WALK. WE SEE LAKE PARK SERVING FOR MAJOR CONCERTS AND COMMUNITY GATHERINGS AND THE PARKING STRUCTURE WILL HELP TO SUPPORT THOSE EVENTS. AND THAT'S IT. LET ME NOW TALK ABOUT THE NORTHWEST QUADRANT. THIS IS IN YOUR -- IN THE ZONING AREA, WHAT'S REFERRED TO AS EC-1 AND SETON. WE ARE PREPARING DESIGN GUIDELINES FOR THIS AREA. WE'VE OFTEN REFERRED TO THIS AREA AS KIND OF THE ECONOMIC ENGINE OF THE MUELLER COMMUNITY, EVEN BACK IN 1984 WHEN THE CARE PLAN WAS DEVELOPED. IT HAS ALWAYS BEEN ANTICIPATED THAT DEVELOPMENT AT THE I-35 EDGE WOULD NEED TO HELP PROPEL FINANCIALLY THE REST OF THE COMMUNITY IN TERMS OF FUNDING INFRASTRUCTURE. BUT HAVING SAID THAT, WE DO NOT WANT TO JUST LOP IT OFF AND LET IT DO ITS OWN THING. WE SEE IT AS AN INTEGRAL PART OF THE OVERALL COMMUNITY. AND SO THE

DESIGN GUIDELINES THAT WE'RE DEVELOPING FOR THIS AREA REFLECT THAT. THESE ARE SOME OF THE IDEAS. CONNECTIVITY, AGAIN WE WANT TO CONNECT THE STREET SYSTEM, THE BICYCLE AND PEDESTRIAN WAYS BACK IN TO THE COMMUNITY. WE WANT TO CREATE AMENITY HERE. WE WANT TO PROVIDE FOR INTENSIFICATION OVER TIME AND EVEN UP FRONT. WE WANT TO ENSURE COMPATIBILITY WITH THE ADJACENT AREAS. THE DELLWOOD 2 NEIGHBORHOOD FOR INSTANCE IS JUST ACROSS THE GREENWAY FROM THIS AREA. AND WE WANT TO CREATE A UNIQUE IDENTITY, THIS SITE BEING RIGHT AT THE I-35 FRONTAGE, IT'S IMPORTANT THAT IT FREQUENT THE RIGHT IDENTITY NOT ONLY FOR ITSELF, BUT FOR THE OVERALL MUELLER COMMUNITY. AND CERTAINLY WE WANT TO ACHIEVE THE CITY'S SUSTAINABILITY GOALS -- SUSTAINABILITY GOALS, BUT BEYOND THOSE GOALS WE ALSO WANT TO MAKE SURE THAT THIS DISTRICT IS SUSTAINABLE IN ITSELF AS A DISTRICT THAT DOES NOT BECOME OUTMODED AFTER FIVE OR 10 YEARS, BUT THAT COULD BE RECYCLED AND REUSED ITSELF. WHEN YOU LOOK AT THE NORTHWEST QUADRANT IT REALLY DIVIDES ITSELF INTO THREE SUB AREAS. THE SETON CHILDREN'S HOSPITAL COMPLEX IS 32 ACRES. AND IT IS BASICALLY BEEN PURCHASED BY SETON AND IS NOW STARTING ITS CONSTRUCTION. THE I-35 FRONTAGE BLOCK, WHICH IS ABOUT 36 ACRES OF LAND BETWEEN EAST 51st STREET HERE, I-35 AND THE GREENWAY AND DELLWOOD 2 NEIGHBORHOODS HERE, AND THEN WHAT WE'RE CALLING THIS 14-ACRE TRACT, THE NORTH OF HOSPITAL BLOCKS, WHICH IS BETWEEN WHAT WILL BE BARBARA JORDAN BOULEVARD, MUELLER BOULEVARD AND EAST 51st STREET. LET ME START BY TALKING ABOUT THE I-35 FRONTAGE BLOCKS. THIS IS THE PART OF THE SITE THAT WE'VE IDENTIFIED FOR REGIONAL SERVING RETAIL. AND ONE THAT HAS GOTTEN A LOT OF ATTENTION OVER THE LAST FEW MONTHS, AND WE'VE BEEN WORKING WITH THE COMMISSION ON THIS ISSUE. THESE ARE SOME OF THE DESIGN QUALITIES THAT WE ARE WRITING INTO THE DESIGN GUIDELINES AND INTO THE PLAN. WE WANT TO ASSURE THAT THERE'S A CLEAR PATTERN OF STREETS THAT CONNECT THIS PARCEL TO ALL OF THE OTHER AREAS OF THE SITE, INCLUDING THE MOST ADJACENT BEING THE CHILDREN'S HOSPITAL, THE NORTH OF HOSPITAL BLOCKS HERE. AND SO WHAT WE'VE

REQUIRED IS THAT THE SUPER BLOCK BE BROKEN DOWN INTO A SERIES OF STREETS, WHICH I'M HIGHLIGHTING HERE, THAT WILL ALLOW FOR CONNECTIVITY, BUT WILL ALSO ALLOW FOR INFILL AND INTENSIFICATION OVER TIME, AND THAT'S KIND OF THE NEXT GENERATION OF DEVELOPMENT, WE COULD SEE A SMALLER BLOCK PATTERN DEVELOPING. WE ALSO WANT TO ENSURE THAT BUILDINGS ARE POSITIONED ON THE SITE IN A WAY THAT DEFINE SPACES AND CREATES PLACES. WE WANT TO ENSURE THAT PARKING IS NOT JUST AN ENDLESS SEA, BUT THAT IS ACTUALLY DEFINED BY BUILDINGS AND CREATE OUTDOOR ROOMS. ROOMS WITH SIGNIFICANT TREE COVER AGAIN TO MITIGATE HEAT ISLAND, BUT ALSO TO CREATE URBAN SPACES. WE LOOKED AT KIND OF THE TRADITIONAL SHOPPING CENTERS LIKE HIGHLAND PARK VILLAGE IN DALLAS OR COUNTRY CLUB PLAZA IN KANSAS CITY WHERE PARKING IN THOSE DAYS WAS CONSIDERED PART OF THE OVERALL COMPLEX OF PUBLIC SPACES. AND THAT'S KIND OF ONE OF THE IDEAS THAT WE WOULD LIKE TO ENSURE HERE IN THIS CENTER. WE ALSO WANT TO MAKE SURE THAT THE BUILDINGS ARE -- HAVE FOUR SIDES OF ARCHITECTURE, THAT THEY HAVE A VERY CLEAR RELATIONSHIP TO ONE ANOTHER. ONE OF THE THINGS THAT WE'RE WRITING INTO THE GUIDELINES IS THAT NO BUILDING BE APPROVED BEFORE THERE WAS AN OVERALL ARCHITECTURAL MASTER PLAN FOR THE 36 ACRES SO THAT WE'RE NOT JUST DOING WHAT IS KIND OF SPOT DEVELOPMENT OF INDIVIDUAL PADS, BUT THAT THERE IS A COHESIVE ARCHITECTURAL IDEA FOR THE ENTIRE AREA. THE OTHER IDEA THAT'S VERY IMPORTANT IS THE IDEA OF LINER USES. AND A HIGHER DENSITY LINER USES. AND WHAT WE'RE PROPOSING IS THAT THESE ARE LOCATED ALONG THE EXTENSION OF LANCASTER, THAT THEY BE A MIX OF OFFICE AND/OR RESIDENTIAL USES. THAT THEY HAVE STRUCTURED PARKING IMBEDDED WITHIN THEM. THEY INCLUDE SOME GROUND LEVEL RETAIL THAT WOULD BE ORIENTED BACK INTO THESE PARKING AREAS. AND THAT THEY CREATE A GOOD TRANSITION AND LINKAGE TO THE REST OF THE COMMUNITY. AND THAT THEY ALSO STEP DOWN IN SCALE TO THE DELLWOOD NEIGHBORHOOD. AGAIN IN TERMS OF IDENTITY, I I-35 IS OUR FRONT DOOR. WHAT WE'RE TALKING ABOUT HERE IS ESTABLISHING A SIGNIFICANT LANDSCAPE SET BACK OF ABOUT 40 FEET IN

SIZE. WE'RE STILL TRYING TO DETERMINE THE RIGHT DIMENSION THAT WOULD HAVE SIGNIFICANT LANDSCAPING AND SCREENING SO THAT THE BACK OF THESE STORES WOULD BE INVISIBLE FROM I-35. AND THAT WE WOULD INTRODUCE A SIGNIFICANT PUBLIC ART PROGRAM OR COMPONENT ALONG THE FRONTAGE OF I-35. THIS IS ONE THAT'S BEEN DONE AT LAX AIRPORT. IT'S NOT BEING DONE HERE, BUT AN EXAMPLE. IT CREATES A STRONG IDENTITY NOT FOR THE REGIONAL RETAIL CENTER, BUT -- ALONE, BUT FOR THE OVERALL MUELLER COMMUNITY. THE HOSPITAL BLOCKS, THE 14 ACRES, AGAIN, JUST MORE OF THE CONCEPT OF EXTENDING STREETS, CREATING OPEN SPACES, CENTRAL QUAD ANGLE IN THIS CASE. THIS COULD BE ONE OR MORE OFFICE, RESEARCH AND DEVELOPMENT TYPE USES, EMPLOYMENT INTENSIVE USES THAT COMPLIMENT THE HOSPITAL, COMPLIMENT THE FILM SOCIETY WHICH IS NEXT DOOR, BUT THAT CREATE KIND OF A SEAMLESS EXTENSION OF THE COMMUNITY, BUILDINGS ABOUT 65 FEET IN HEIGHT. AND FINALLY, THE CHILDREN'S HOSPITAL COMPLEX ITSELF, WE'RE WORKING WITH SETON AS THEY ARE FINISHING THEIR MASTER PLAN TO ENSURE THAT IT IS AGAIN NOT A STAND ALONE ELEMENT, BUT IS AN INTEGRAL PART OF THE MUELLER COMMUNITY. AND THIS LAST DRAWING HERE SHOWS KIND OF AGRICULTURE GATES ALL OF THE NORTHWEST QUADRANT TOGETHER AND SHOWS THAT BUILDOUT, HOW THAT ALL MIGHT WORK. AGAIN, THE REGIONAL RETAIL AREA HERE, THE NORTH OF HOSPITAL BLOCKS AND THEN THE SETON CAMPUS AT ITS BUILDOUT WITH ALL THE SURFACE PARKING REALLY INTENSIFIED AND REPLACED WITH STRUCTURED PARKING AND OTHER DEVELOPMENT. AND WITH THAT, I WILL TURN IT BACK TO GEORGE. >>

Mayor Wynn: THANK YOU, MR. ADAMS.

GOOD AFTERNOON, COUNCIL, I'M GEORGE ZAPALAC WITH WATERSHED PROTECTION AND DEVELOPMENT REVIEW. THE TRAFFIC IMPACT ANALYSIS THAT WAS PREPARED BY THE PROJECT BY ENGINEERING CONSULTANTS. THE DEVELOPMENT SCENARIO DETERMINED IT WOULD GENERATE ABOUT 90,000 VEHICLE TRIPS PER DAY. HOWEVER, BECAUSE OF THE MIXED USE CHARACTER OF THE DEVELOPMENT, THE AVAILABILITY OF TRANSIT SERVICE

AND THE FACT THAT SOME OF THE TRAFFIC WOULD ALREADY BE ON THE EXISTING ROADS AND WOULD BE ABLE TO USE THE FACILITIES THAT ARE BEING PROPOSED, THE ACTUAL NUMBER OF NEW VEHICLE TRIPS GENERATED WOULD BE ABOUT 74,000. THE TIA ANALYZED FIVE PHASES OF DEVELOPMENT RANGING FROM THE YEAR 2005 TO 2017. IT EXAMINED 24 OFF SITE INTERSECTIONS AND 11 NEW INTERNAL INTERSECTIONS. IT IDENTIFIED A SIGNIFICANT NUMBER OF TRAFFIC SIGNALS AND TURN LANES NEEDED TO ACCOMMODATE THE PROJECTED TRAFFIC FROM THE SITE AS LISTED IN THE BACKUP MATERIAL. WITH THESE IMPROVEMENTS, ALL INTERSECTIONS WOULD OPERATE AT AN ACCEPTABLE LEVEL OF SERVICE IN ALL PHASES OF THE DEVELOPMENT. THE DEVELOPER WILL CONTRIBUTE A PRO RATA SHARE OF THE COST OF THE EXTERNAL IMPROVEMENTS, AND WILLFULLY CONSTRUCT THE INTERNAL IMPROVEMENTS AS THE SITE DEVELOPS. AT THIRD READING THERE WILL BE A TRAFFIC PHASING AGREEMENT WITH THE SCHEDULE OF ROAD IMPROVEMENTS WHICH WILL BE ADOPTED AS PART OF THE ORDINANCE. THE LAND PLAN ALSO MAKES PROVISION FOR A HIGH CAPACITY TRANSIT SERVICE ALONG THE CENTRAL SPINE ROAD CHO COULD EITHER BE LIGHT RAIL OR BUS SERVICE OR SOME OTHER TRANSIT SERVICE. AND THE TEXAS DEPARTMENT OF TRANSPORTATION IS ALSO CONSIDERING HIGH OCCUPANCY VEHICLE LANES ON U 35 THAT WOULD HAVE A DIRECT CONNECTION TO THE SITE. THIS IMPROVEMENTS WERE NOT ASSUMED IN THE TIA BECAUSE THEY'RE NOT YET FUNDED, BUT IF THEY ARE BUILT, THEN THEY WOULD FURTHER ENHANCE ACCESS TO THE SITE. THE SITE WILL ALSO HAVE SPECIAL STREET STANDARDS BASED UPON THOSE THAT ARE IN THE TRADITIONAL NEIGHBORHOOD DISTRICT GUIDELINES. BASICALLY THERE WILL BE DIFFERENT TYPES OF STREETS FOR DIFFERENT FUNCTIONS WITHIN THE SITE. TYPICALLY THE STREETS WILL HAVE NARROWER TRAFFIC LANES, ENHANCED PEDESTRIAN, BICYCLE AND TRANSIT FACILITIES. AND THE ADDITIONAL LANDSCAPING AS COMPARED WITH THE STANDARD CITY CROSS-SECTIONS. THAT COMPLETES THE STAFF PRESENTATION.

Mayor Wynn: THANK YOU, MR. ZAPALAC. COUNCIL, WE'LL CONSIDER THAT TO BE THE APPLICANT PRESENTATION.

WE'LL NOW TAKE CARDS FROM FOLKS WHO ARE AGAINST THIS ZONING CASE AND THEN THOSE THAT -- HOW DO WE DO IT? WE NORMALLY DO CARDS OF THOSE FOLKS IN FAVOR OF THE ZONING CASE AND THEN THOSE IN OPPOSITION, ALLOW IN THIS CASE THE STAFF TO HAVE A REBUTTAL. SO WITH THAT WE'LL CALL UP THE CARDS OF FOLKS WISHING TO START IN -- SPEAK IN FAVOR. WELCOME MR. TAYLOR. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY CAREY TATE.

GOOD AFTERNOON, MAYOR. IS IT ON?

Mayor Wynn: THERE YOU GO.

GOOD AFTERNOON, MAYOR, COUNCILMEMBERS, STAFF AND WAITING CITIZENS. I'M ROGER TAYLOR. I'M A NATIVE AUSTINITE. I LIVE AT 1906 GREENWOOD AVENUE AND I'VE BEEN THERE FOR ALMOST 43 YEARS. I WAS THE PERSON THAT SPEARHEADED ORGANIZING JJ SEA BROOK NEIGHBORHOOD ASSOCIATION. THE REASON BEING WAS BECAUSE OF THE AIRPORT. I LIVED IN THE 65 LDN. AND IT MAY HAVE DAMAGED MY HEALTH. SOME OF US WORKED ON THAT TO MOVE THE AIRPORT A NUMBER OF YEARS. WE STARTED OUT IN 1982 TO TRY TO DO SOMETHING ABOUT IT. AND IT SEEMED LIKE WE WOULD BE PROGRESSING REAL GOOD AND SOMEBODY -- WE CHANGE COUNCILS AND THEY THROW A MONKEY WRENCH IN THE SPROCKET. I'VE WORKED REAL HARD WITH CARE -- TO ORGANIZE CARE. I WAS CO-CHAIR OF CARE. I WORKED REAL HARD WITH THE MUELLER CORRELATION. WE WORKED REAL HARD WITH THE RMMA, JIM ROBINSON AND RMMA. WE WORKED WITH THE CATELLUS GROUP. SOME OF US -- IT SEEMS LIKE WE'VE SPENT ALL OF OUR LIVES WORKING ON THIS ISSUE. WE STARTED OUT WITH THE WEDDING CAKE CONCEPT, WHICH WAS GOOD. BUT THE RMMA GROUP CAME AND DID SOMETHING BETTER. WE THINK THIS CONCEPT THAT YOU HAVE HERE -- I'M RIGHT IN FRONT OF THE OLD AIRPORT FOR YOU PEOPLE THAT DON'T KNOW. I'M RIGHT IN FRONT OF IT, AND ONE COUNCILMEMBER SAID ONE TIME MY HOUSE WAS 1100 FEET FROM THE MAIN TERMINAL. SO 65 LDN GIVE YOU A GOOD IDEA ABOUT WHAT I WAS GOING THROUGH. WE HAVE FOUGHT THIS THING AND FOUGHT IT FOR YEARS, AND WE'VE BEEN INVOLVED IN WORKSHOPS, MEETINGS. I'M STILL

INVOLVED WITH THE TRAFFIC COMMITTEE. THE POINT I WANT TO MAKE IS THAT SOME OF US ARE TIRED. WE APPRECIATE WHAT YOU ALL HAVE DONE AS A COUNCIL. WE'VE COVERED MORE TERRITORY WITH THIS COUNCIL I THINK THAN WE HAVE WITH ANY COUNCIL. I'M GLAD THAT WE WERE ABLE TO SAVE THAT TOWER, SOMETHING THAT I TAKE A LOT OF PRIDE IN. IT'S A GOOD LANDMARK FOR MUELLER. AND HOPEFULLY WHEN WE GET ALL OF THAT STUFF UP THERE AND YOU GET READY TO DEVELOP THE FOOTPRINT OF THE TOWER, I WILL BE INVOLVED TO HAVE SOME CONCEPTS. IF I MIGHT BORROW SOME PHRASES FROM 9-11, IT'S TIME FOR US TO LET'S ROLL. WE URGE YOU TO VOTE AND SUPPORT THIS GENERAL PLAN. WE THINK IT'S GOOD. AND WE'D LIKE TO SEE YOU DO THE RIGHT THING. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU PLRKS TAYLOR. CAREY TATE, WHO WILL BE FOLLOWED BY YESTERDAY BOWIE, WHO WILL BE FOLLOWED BY JIM WALKER. WELCOME. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR AND MEMBERS OF THE COUNCIL AND CITY MANAGER. I'VE WORKED ON THIS PROJECT FOR TWO YEARS AS A VOLUNTEER PRIOR, AND FOR THE LAST TWO YEARS AS A CONSULTANT TO THE APPLICANT. AND IT IS FROM THAT PERSPECTIVE AS WELL AS A POSITION I'M CURRENTLY HOLDING AS CO-CHAIR OF THE ETHICS IN BUSINESS AWARDS FROM ST. EDWARD'S UNIVERSITY AND THE SAMARITAN CENTER FROM WHICH I SPEAK TO TALK ABOUT THE PERSPECTIVE TO THIS COUNCIL OF WHAT MIGHT BE THE UNINTENDED CONSEQUENCES TO LOCAL BUSINESSES IF THE PLANS TO SELECT USERS AT THE I-35 FRONTAGE ARE BASED ON WHAT A STORE SELLS OR A BRAND NAME OR SQUARE FOOTAGE LIMITS. I DO NOT REPRESENT ANY COMPANY THAT SELLS CONSTRUCTION PRODUCTS OR INCLUDING THE COMPANY'S STORY THAT I'M GOING TO TELL YOU. IT'S BEEN RECOMMENDED THAT THE CITY DISQUALIFY CONSTRUCTION PRODUCTS AND SERVICES AND THAT THERE IS ANOTHER SUGGESTION THAT EVEN TO QUALIFY OR REWARD COMPANIES BASED ON THEIR CORPORATE RESPONSIBILITY, AN BOTH ARE VERY WORTHY IDEAS. BOTH ARE AIMED AT A COMMON DESIRE TO GET THE KIND OF NEIGHBOR AND ECONOMIC ENGINE THAT WOULD BE

A GOOD THING AT THE SITE. BUT IN AN ATTEMPT TO SOLVE ONE CONCERN, TO ELIMINATE SOCIALLY IRRELEVANT RESPONSIBLE RETAILERS OR CERTAIN BRANDS, ANOTHER PROBLEM MIGHT BE CREATED, AND IT COULD IN FACT BE USED TO DISQUALIFY THE VERY KINDS OF BUSINESSES WE WOULD LOVE TO HAVE AS NEIGHBORS, LOCAL, FAMILY-OWNED BUSINESSES WITH A TRACK RECORD OF ETHICAL AND COMMUNITY GOODWILL. AND I WANT TO EXPLAIN WHAT I MEAN BY THAT. THE McCOY'S FAMILY HAS BEEN IN BUSINESS HERE SINCE 1923. THEY HAVE FIVE STORES IN AUSTIN. THEIR PRIMARY AUSTIN LOCATION IS IN EAST AUSTIN ON MONTOPOLIS. THEY COMPETE WITH NATIONALS LIKE LOWE'S AND HOME DEPOTS AND LOCALS LIKE CALCASIEU AND THEY USED TO COMPETE WITH STRIPLING BLAKE, A FAMILY OWNED BUSINESS BEFORE THEY WERE ELIMINATED. THEIR HEADQUARTERS -- McCOY'S HEADQUARTERS ARE IN SAN MARCOS. THEY HAVE 85 STORES IN FIVE STATES. THEY ARE AN AUTHENTIC LOCAL, REGIONAL SUCCESS STORY. THEY SELL BUILDING PRODUCTS. IF THE RESTRICTION RECOMMENDED BY PLANNING COMMISSION SHOULD STICK, McCOY'S WOULD LOSE THE RIGHT TO LOCATE THERE. GIVEN THE LOSS OF TWO AREA McCOY'S STORES IN RECENT YEARS DUE TO ROAD EXPANSION AND A LAPSED LEASE, THIS SITE COULD BE CONSIDERED IDEAL. IT IS ALSO WORTH NOTING THAT McCOY'S WOULD NOT REPRESENT AN ENTIRELY NEW TAX BASE, BUT AN EXPANDED ONE -- [BUZZER SOUNDS] -- SINCE THEY HAVE BEEN HERE SINCE THE 20'S.

Mayor Wynn: PLEASE CONCLUDE.

THE McCOY'S FAMILY IS A MODEL FOR ETHICAL CORPORATE BEHAVIOR. THEY WON THE BUSINESS AND ETHICS AWARD LAST YEAR BY THE ORGANIZATION THAT IS AWARDING LOCALLY ETHICS IN BUSINESS. AND THE FOUNDERS GAVE AWAY \$20 MILLION LAST YEAR TO TEXAS STATE UNIVERSITY. MY HOPE IS THAT FOLKS LIKE BRYAN McCOY WILL NOT GET CAUGHT WITH THE UNINTENDED CONSEQUENCES AND BE DISQUALIFIED FROM LOCATING THERE. I ENCOURAGE YOU TO APPROVE THE ZONING WITH NO RESTRICTIONS FOR REGIONAL RETAIL ON ANY PORTION OF THE I-35 FRONTAGE AT MUELLER. AND THANK YOU.

Mayor Wynn: THANK YOU, MS.TATE, YESTERDAY, IS IT BOWIE?
I THOUGHT I KNEW THAT. WHO WILL BE FOLLOWED BY JIM
WALKER.

THANK YOU AND COUNCIL. MY NAME IS YESTERDAY BOWIE
AND I SERVE AS A CONSULTANT TO THE APPLICANT AS
WELL. TODAY I WANTED TO SHARE JUST A FEW BRIEF
EXCERPTS FROM ARTICLES THAT HAVE APPEARED IN LOCAL
MEDIA OVER THE LAST COUPLE OF WEEKS. THE FIRST IS THE
CHRONICLE ARTICLE FROM LAST WEEK'S EDITION, MUELLER
IN THE MIDDLE. THERE WOULD BE NO MUELLER
REDEVELOPMENT PROJECT IF IT WEREN'T FOR THE
DEDICATED, UNCOMPENSATED EFFORTS OF A GREAT MANY
FAIRLY TYPICAL AUSTINITES. THE NEIGHBORHOODS
AROUND MUELLER HAVE CARRIED THIS DEAL FORWARD AS
BEST THEY COULD AND OVER AND AROUND SOME FAIRLY
CHALLENGING OBSTACLES. MUELLER IS A RARE CASE IN
WHICH AUSTIN HAS DONE EVERYTHING RIGHT FOR YEARS.
AND THE SECOND EXCERPT COMES FROM THE "AUSTIN
AMERICAN-STATESMAN" MAY 30TH EDITORIAL BY THE
STATESMAN STAFF. IF THE PLANNING COMMISSION DOESN'T
REVISIT ITS RECOMMENDATION REGARDING THE
NORTHWEST CORNER, THE AUSTIN CITY COUNCIL SHOULD
DROP THE HIGHLY IRRELEVANT RESTRICTION ON ALLOWING
LARGE CONSTRUCTION SUPPLY RETAILERS AND LET
CATELLUS GET ON WITH THE PROJECT AS IT WAS TO
PAINFULLY PUT TOGETHER OVER THE PAST EIGHT YEARS.
THANK YOU.

Mayor Wynn: THANK YOU PLRKS BOWIE. WELCOME, MR.
WALKER. WE HAVE A NUMBER OF FOLKS OFFERING TO
DONATE TIME TO YOU, JIM. IS JIM GALLAGOS HERE? --

MY FRIENDS ALWAYS LEAVE BEFORE THE PARTY STARTS.

Mayor Wynn: I KNOW THE FEELING. HOW ABOUT SID ZYNOS
OR PEGGY (INDISCERNIBLE)?

RAISE YOUR HAND.

Mayor Wynn: I ONLY NEED ONE. YOU HAVE UP TO NINE
MINUTES IF YOU NEED IT, MR. WALKER.

GREAT, THANKS. NUMBER ONE, MY NAME IS JIM WALKER AND THANKS FOR THE OPPORTUNITY TO TALK HERE. NUMBER ONE, I WANT TO SAY THIS IS A MILESTONE DAY. WE'RE STARTING TO TALK ABOUT REZONING MUELLER AIRPORT. FINALLY. AND THIS IS WE SHOULDN'T USE SITE OF THE CULMINATION. WE ALL NEED TO CONGRATULATE OURSELVES AND CITY STAFF FOR GETTING US TO THIS POINT. I WON'T TALK ABOUT SOME OF THE HISTORY THAT ROGER TAYLOR TALKED ABOUT. I DO WANT TO PRESENT TO YOU AS CHAIR OF THE ROOBT MUELLER PLAN ADVISORY COMMISSION APPOINTED BY YOU ALL, I WANT TO -- WE DID TAKE A POSITION ON THE REZONING PACKAGE AND WE WERE IN SUPPORT OF THE STAFF RECOMMENDATION THAT IS -- THAT WAS BEFORE THEY WENT TO PLANNING COMMISSION THEY HAD -- THEY WERE A COUPLE OF AMENDMENTS THAT WERE MADE AND A JOINT SUBCOMMITTEE AND THE MUELLER COMMISSION MET AND APPROVED THOSE LATE AMENDMENTS. SO I WANTED YOU TO HAVE THAT INFORMATION THAT THE MUELLER COMMISSION AND SUPPORT STAFF RECOMMENDATION ON THE ZONING. I CAN'T GET AWAY FROM THE MILESTONE THAT WE'RE AT. WE'RE 7 HUNDRED ACRES OF CONGRESS RENEWED URBANISM AWARD WINNING, HIGH DENSITY TRANSIT ORIENTED, NEIGHBORHOOD SUPPORTED DEVELOPMENT HERE. AND THAT'S JUST A VERY GOOD THING. BUT THERE ARE STILL CONCERNS TO BE ADDRESSED. AND I THINK THAT WHEN WE'RE LOOKING AT ONE OF THE HOT BUTTON ISSUES RIGHT NOW ABOUT PARTICULAR RETAILERS IN THE NORTHWEST CORNER, THERE'S A LOT OF CONCERNS THERE. I BELIEVE THAT AS I LOOK IN THOSE, KEEP IN MIND THE GUIDELINES HE PRESENTED AND THE KIND OF STUFF THAT BREWSTER AND COUNCILMEMBER MCCRACKEN IS WORKING ON, HOW MUCH THAT'S GOING TO RAISE THE BAR. AND TO MAKE SURE THAT WE ACHIEVE THAT BAR. BECAUSE MY NEIGHBORS AND I DON'T WANT A TYPICAL UGLY LOWE'S THERE -- NO ONE WANTS TO LIVE NEXT TO A BIG BOX. WE'RE GOING TO SET A NEW STANDARD FOR RETAIL AT MUELLER. AND PROCEEDING WITH THE ZONING AND WITH THE DESIGN GUIDELINES IS THE FIRST STEP WITH THAT. IN TERMS OF THE OTHER CONCERNS, THE INNOVATION AND DESIGN, I THINK THAT THE COMMUNITY IS LOOKING TOWARD THE VARIOUS

GROUPS INVOLVED, INCLUDING COUNCIL, TO HAVE SOME CREATIVITY IN THE WAY THAT WE LOOK AT WAGES AND FILTERING OUT SOME RETAILERS FROM OTHERS. I THINK WHAT COUNCILMEMBER SLUSHER HAS PUT OUT THERE AS AN INITIAL DRAFT FOR A CREATIVE SOLUTION IS THE RIGHT KIND OF APPROACH TO BE TAKING. AND I THINK AS YOU MAY HAVE HEARD EARLIER, BUT WHAT -- IN TERMS OF LOOKING AT A MASTER DEVELOPER AGREEMENT FOR LOOKING AT OTHER WAYS TO LOOK AT ADDRESSING BENEFITS AND WAGES AND HOW TO HAVE MUELLER BEHIND LAND USE AND DESIGN, THAT'S THE APPROPRIATE PLACE TO LOOK AT THAT, NOT IN THE ZONING THAT YOU HAVE BEFORE YOU. AND THERE ARE APPROPRIATE PLACES TO TRY TO DO CERTAIN THINGS AT MUELLER, AND I WANT TO TRY TO KEEP THAT IN MIND. THE ZONING I BELIEVE IS A COMPLETE PACKAGE THAT YOU HAVE AND IT SHOULD PROCEED AND WE LOOK TO THE MDA TO HANDLE A LOT OF THE OTHER SOCIAL ISSUES. JUST IN CLOSING, I WON'T USE THE WHOLE NINE MINUTE, BUT -- AND GRANTED I HAVE A BUY AS ON THIS -- BIAS ON THIS HAVING WORKED ON IT EIGHT YEARS, WHICH DOESN'T MATCH UP TO ROGER OR RICK OR AL, BUT FOR THE LAST EIGHT YEARS A LOT OF PEOPLE HAVE BEEN HEARD AND OVER THE PAST TWO OR THREE YEARS A LOT OF PEOPLE HAVE BEEN ABLE TO HAVE THEIR VOICES HEARD AT MUELLER NEIGHBORHOOD COALITION MEETINGS, AT MUELLER COMMISSION MEETINGS, IN FRONT OF YOU. AND I THINK THAT ALL OF THAT EXPRESSION OF CONCERN HAS BEEN HEARD AND IT HAS BEEN CONSIDERED, AND WE NEED TO BORROW A SLOGAN FROM THE 80'S, WE NEED TO KEEP IT MOVING. AND I THINK IF YOU ALL CAN KEEP MUELLER MOVING, THAT'S THE BEST THING WE CAN DO AND WE'LL GET THIS THING DONE IN AUGUST. SO UNLESS THERE'S ANY QUESTION, I'LL REMAIN AS CHAIR OF THE MUELLER COMMISSION AS A ARE HE SOURCE IF YOU HAVE ANY QUESTIONS ABOUT OTHER CONVERSATIONS WE'VE HAD. THANKS FOR THE TIME AND THANKS FOR KEEPING IT MOVING.

Mayor Wynn: THANK YOU, MR. WALKER AND THANKS FOR YOUR SERVICE ON THE COMMISSION. RICK REED SIGNED UP ONLY IF COUNCIL HAD QUESTIONS IN FAVOR. RICK CORAVENIK. YOU WILL BE FOLLOWED BY (INDISCERNIBLE).

AND RICK, IT LOOKS LIKE -- IS HEIDI ROSS HERE? WELCOME. SHE'S DONATED HER THREE MINUTES SO YOU HAVE UP TO SIX MINUTES. WELCOME.

THANK YOU. I DON'T THINK I'LL NEED THAT. I'M RICK (INDISCERNIBLE). I AM ON THE RMMA PLANNING, IMPLEMENTATION ADVISORY COMMISSION. I'M A RESIDENT OF THE WINDSOR PARK NEIGHBORHOOD ASSOCIATION TO THE NORTH OF THE AIRPORT SITE, FORMER AIRPORT SITE, AND I'M AN ARCHITECT. AS JIM WALKER NOTED, THE COMMISSION TALKED ABOUT THIS QUITE A BIT ABOUT THE ZONING, BUT IT IS AN AMAZING FEAT THAT 7 HUNDRED ACRES HAS COME DOWN TO ONE LITTLE ISSUE SORT OF BEING DISPUTED. WE'VE GOT A GREAT PLAN HERE. THE ZONING IS GOING TO HELP US GET THAT IMPLEMENTED. WE'LL HAVE OTHER TOOLS SUCH AS THE DESIGN GUIDELINES TO HELP US CREATE A GREAT COMMUNITY. I HAVE BEEN WORKING ON THIS FOR 20 YEARS. I'M PART OF THAT CARE PLAN. GERARD KINNEY IS HERE AS WELL AND HE'S THE ONE THAT ACTUALLY I THINK DREW THAT LITTLE MAP THAT I HOPE SOME OF YOU HAVE. IF NOT, I HAVE EXTRA COPIES. THE DISPUTED AREA IS THAT INTERSECTION OF 35 AND 51st STREET, THE FRONTAGE. I'M GOING TO READ DIRECTLY FROM THE TEXT PART OF THE CARE PLAN WHERE A SECOND HIGH DENSITY CONCENTRATION, THE FIRST BEING THE TOWN CENTER OF -- NEAR IH-35 WILL BE THE ONLY MODIFICATION TO THE BASIC WEDDING CAKE PLAN. THE INTERSECTION OF IH-35 AND 51st STREET WILL BE RESERVED FOR A LOW DENSITY LOW TO MID RISE DEVELOPMENT SUCH AS SHOPPING OR ENTERTAINMENT COMPLEX JUST WEST OF THE PROPOSED HOTEL SITE, WHICH IS NOW A HOSPITAL. SO IT BEEN OWE ON IT'S BEEN IN THE PLAN FOR 20 YEARS THAT THAT'S GOING TO BE A PRETTY INTENSE CORNER. IT'S UP TO YOU NOW TO DECIDE WHAT THOSE USES ARE GOING TO BE. I WOULD RECOMMEND THAT YOU FOLLOW THE -- THE RMMA COMMISSION'S RECOMMENDATIONS. IT WAS ALSO THE RECOMMENDATION THAT CAME OUT OF THE JOINT SUBCOMMITTEE OF THE PLANNING COMMISSION AND THE RMMA COMMISSION TO ALLOW CONSTRUCTION SALES AND SERVICES. OR WHATEVER THAT PARTICULAR USE IS. SO IF YOU HAVE ANY OTHER QUESTIONS OF ME, I'LL REMAIN

AROUND TO ANSWER THOSE. BUT THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. AND FOR YOUR SERVICE AS WELL. CHARLES HIEMSTAFF. WELCOME, CHARLES. YOU WILL BE FOLLOWED BY AL DOTSON. WHO WILL BE FOLLOWED BY SCOTT BURRIS. WELCOME. YOU WILL HAVE THREE MINUTES.

MAYOR AND COUNCIL, THANK YOU VERY MUCH FOR THE OPPORTUNITY TO COME AND SPEAK TO YOU TODAY. I'M CHARLES HIEMSATH, PRESIDENT OF MARKET RESEARCH, AND WE WORK WITH CATELLUS, THE CITY AND THE RMMA DESIGN GROUP TO BRING A MARKET PERSPECTIVE TO THE PROPOSED PLAN THAT YOU HAVE BEFORE YOU TODAY. AND WE'VE WORKED ON MOST OF OUR WORK WAS DONE LAST FALL, BUT I DO WANT TO SPECIFICALLY SPEAK TO AN ISSUE THAT HAS CAUSED SOME CONTROVERSY AND READ A PORTION OF A LETTER THAT I HAVE RECENTLY READ -- WROTE TO MR. WEAVER. AND I CAN GIVE YOU A COPY OF THAT IF YOU WOULD LIKE AT THE END. DR. MR. WEAVER, THIS LETTER CONFIRMS OUR PREVIOUS CONVERSATIONS REGARDING THE VIABILITY OF COMMUNITY SERVING RETAIL ON 34-36 ACRES AT THE NORTHWEST CORNER OF THE RMMA PROPERTY. THIS LOCATION, WITH FRONTAGE ON THE I-35 ACCESS ROAD SOUTH OF THE MAJOR INTERSECTION WITH HIGHWAY 290, IS IDEAL FOR LARGE FORMAT, RETAIL DEVELOPMENT DUE TO THE HIGH VISIBILITY FROM I-35, EXCELLENT ACCESS FROM THE NORTHBOUND FREEWAY FRONTAGE ROADS. THE MARKET DEMAND FOR COMMUNITY SERVING RETAIL USERS WILL BE VERY STRONG AS CONFIRMED BY THE HIGH LEVEL OF INTEREST SHOWN IN THE OLD MONTGOMERY WARD SITE IN CAPITAL PLAZA, WHICH IS NOW OCCUPIED BY TARGET. CONVERSELY, THE PROSPECTS FOR OFFICE DEVELOPMENT ON THIS 34-ACRE PARCEL ARE LIMITED AT THE PRESENT TIME DUE PRIMARILY TO THE CURRENT CONDITION OF THE AUSTIN OFFICE MARKET. ACCORDING TO A MARCH 2004 OFFICE MARKET SURVEY THAT MY COMPANY PREPARED, THE CITYWIDE OFFICE OCCUPANCY WAS ONLY 75% IN MARCH, INCLUDING SUBLEASE SPACE. RENTS ARE AT A 10 YEAR LOW AND CURRENTLY AVERAGE \$19 PER SQUARE FOOT. THE LOW OCCUPANCY RATE AND EFFECTIVE RENTS MAKE THE CONSTRUCTION AND LEASING OF NEW OFFICE BUILDINGS CURRENTLY NOT FEASIBLE. OUR ANALYSIS OF THE MARKET

INDICATES THAT OFFICE OCCUPANCY WILL NOT ACHIEVE 95% BEFORE 2008 AND NEW CONSTRUCTION IN THIS AREA IS UNLIKELY BEFORE 2009. WHEN THE MARKET RECOVERS NEW OFFICE DEVELOPMENT IS MORE LIKELY TO OCCUR IN THE LOOP 360 CORRIDOR, IN THE CBD THAN ON THE EAST SIDE OF I-35. AND I SPECIFICALLY WANTED TO SPEAK TO THAT ISSUE. THE NORTHWEST CORNER TRACT THAT HAS BEEN THE TOPIC OF SOME CONTROVERSY. BUT I'M GOING TO REMAIN AFTERWARDS AND WILL MAKE MYSELF AVAILABLE IF YOU HAVE QUESTIONS ABOUT THE MARKET CONDITIONS OR MARKET DEMAND OR ANYTHING ELSE THAT RELATE TO OUR WORK. ON THE PROJECT. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

TONIGHT I'M JUST ONE OF THE BOYS. I LIVE ON 5413 PENDLETON LANE, VERY NICE STREET OVER IN THE AREA. VERY SECLUDED. AND IT'S A STREET THAT DOESN'T CHANGE TOO OFTEN FOR PEOPLE WHO LIVE THERE. THEY LOVE IT. I'VE BEEN PRESIDENT OF THE PECAN SPRINGS, SPRINGDALE NEIGHBORHOOD ASSOCIATION THREE TIMES. AND OUR BOUNDARY COMES RIGHT STRAIGHT DOWN MANOR ROAD, RIGHT TO THE AIRPORT. RIGHT TO THE ENTRANCE. WE HAVE JUST RECENTLY ACQUIRED A FEW DEVELOPMENT OVER THERE CALLED THE DEVON DEVONSHIRE PARK, THOSE ARE VERY NICE HOMES OVER THERE, THEY ARE PART OF OUR NEIGHBORHOOD SEWING. SO WE ARE INTERESTED IN ALL OF IT. I HAVE BEEN A PART OF THE EFFORT AT THE AIRPORT SINCE THE LATE '70S. WHEN I FIRST CAME BACK TO AUSTIN. AUSTIN, I'M A NATIVE BORN AUSTINIAN. I'M BEEN THROUGH ALL OF THE SCHOOLS HERE. AND I'VE BEEN -- WITH THE EFFORT OF THE AIRPORT SINCE THE '70S. WITH EACH EFFORT TO MOVE IT, IN FACT THE ONE THAT PIKE POWERS WAS HOSTING BACK THERE, I WORKED WITH THE -- WITH THE INTERFAITH THROUGH THE ZONING PROCESS TO -- TO BRING IN PEOPLE TO VOTE. AND AT THAT TIME WE WERE SUCCESSFUL. WE WERE GOING TO MANOR, ON OUR WAY TO MANOR. THEN A YOUNG MAN BY THE NAME OF BARNSTONE, WHO WAS A COUNCILMEMBER, BROUGHT IN THE BERGSTROM AIR FORCE BASE. THAT'S WHERE WE ARE TODAY. NOW, I WAS APPOINTED BY THE CITY COUNCIL TO

SERVE ON THE ADVISORY COMMITTEE. THAT -- THAT HELPED TO GENERATE THE -- THE PLAN THAT'S -- THAT'S BEFORE YOU NOW, THAT'S SERVING AS THE GUIDE TO THE CATELLUS CORPORATION. I HOPE THAT YOU WILL CONSIDER THE ZONING THAT'S BEFORE YOU TONIGHT, BEFORE THE ZONING, I HOPE THAT WE CAN GO FORWARD FROM THERE. LIKE I SAID THIS HAS BEEN A PART OF MY LIFE FOR 30 YEARS NOW. [BUZZER SOUNDING] I'LL BE FINISHED IN JUST A SECOND. WE HAVE COME THROUGH A LONG WAYS SO THERE'S NO REASON TO HAVE BYPASSES AND DETOURS, LET'S GO FORWARD. LET'S GET THIS THING DONE. A LOT OF PEOPLE WANT TO SEE THIS DONE. THEY WANT TO SEE A GOOD -- A GOOD EXAMPLE FOR AUSTIN. AUSTIN CAN SIT -- WE ARE SITTING RIGHT ON THE LINE. WE HAVE NO PROBLEMS WITH PEOPLE CROSSING FROM WEST TO EAST NOW. NOTHING WHATEVER. AND SO -- SO LET'S KEEP IT THAT WAY. AND, AGAIN, MY VOTE IS FOR THE AFFIRMATIVE. I HOPE THAT YOURS WILL BE TOO, THANK YOU.

THANK YOU, MR. DODSON. SCOTT BURRIS WHO WILL BE FOLLOWED BY GERARD KINNEY.

I'M SCOTT BURRIS, VICE-PRESIDENT OF GRANDE COMMUNE COMMUNICATIONS, AN AUSTIN RESIDENT WHO WORKS HERE ALSO, AS ZOO THE 127 POINTS WHO WORK IN EAST AUSTIN FOR GRANDE. I'M HERE TO ASK FOR YOUR UNCONDITIONAL APPROVAL, MANY OF THE NEIGHBORS AT MUELLER ARE ALSO OUR CUSTOMERS. EAST AUSTIN WAS THE FIRST PLACE GRAND DAY CAME TO DO BUSINESSES SELLING OUR SERVICES FOR DOORS TO DOOR, FOR FIVE YEARS WE HAVE BUILT A CUSTOMER BASE AROUND THE MUELLER AIRPORT. AS ANY ENTREPRENEUR CAN TELL YOU, YOU YOUR FIRST CUSTOMERS ARE SO SPECIAL. WE HAVE GOTTEN TO KNOW THESE NEIGHBORS, THAT'S REALLY WHY I'M HERE. I'M HERE TO SUPPORT THE CUSTOMERS WHO ARE MUELLER'S NEIGHBORS. WE BELIEVE THIS IS A REMARKABLE PROJECT THAT WILL PROVE TO BE A TIPPING POINT FOR AUSTIN AS WELL AS THE REGION. IF IT WERE NOT FOR GREG WEAVER AND CATELLUS, I WOULD BE HERE TO BRAG ABOUT GRAND DAY. I WOULD BE TELLING YOU ABOUT OUR PASSION AND COMMITMENT, HOW MUCH WE PRIDE OURSELVES TO O BEING A GRASS ROOTS, DOWN HOME, STREET BY STREET COME. BUT CATELLUS IS MAKING IT HARD TO DO ALL OF

THAT BRAGGING. WE NO LONGER HAVE THE CORNER ON THAT MARKET. THEY MATCHED GRANDE ON PASSION, COMMUNICATION, LOCALITY, PUSHED UNDER THE CIRCUMSTANCES TO EXCEL EVEN MORE. GRANDE MAY HAVE FOUND THE FORMULA BUT CATELLUS HAS DISCOVERED THE SECRET SAUCE. AS CITIZENS WE ARE ALL BENEFICIARIES OF COMPANIES LIKE THE -- WHEN THE TWO OF OURS TRY TO OUT DO GOOD ONE ANOTHER. I HAVE BEEN IN THE POWER AND COMMUNICATIONS INDUSTRY 20 YEARS DIGGING UP YARDS TO DELIVER TECHNOLOGY. EVEN WHEN DIGGING DIRT TO BRING GREAT THINGS TO LIFE, WHETHER IT'S TECHNOLOGY LIKE GRANDE OR PROVIDING SERVICES FOR CATELLUS CHANGE IS HARD, NEW DEVELOPMENT IS EVEN HARDER. IT TAKES PATIENCE TO LISTEN BEFORE YOU DIG, IT TAKES TIME AND MONEY TO BE YOUR THE KIND OF NEIGHBORS YOU WANT YOUR OWN NEIGHBORS TO BE. OUR HAT IS OFF TO THE CITY AND CATELLUS FOR DOING THE RIGHT THING HERE AND NOT TAKING SHORTCUTS WITH MUELLER. LASTLY, HERE ON BEHALF OF THE EMPLOYEE OWNERS OF GRANDE TO SAL LEWD OUR MUTUAL -- SALUTE OUR NEIGHBORS AND CUSTOMERS, TO MAKE A GREAT VISION BECOME A REALITY AT MUELLER. AS OUR ELECTED COUNCIL AND MAYOR, I ENCOURAGE YOU TO MOVE AHEAD TO APPROVE THE STAFF RECOMMENDATION FOR ZONING AND TO THANK YOU FOR YOUR HARD WORK ON THIS PROJECT AND FOR YOUR CONSIDERATION ON THIS MATTER. THANK YOU.

THANK YOU, MR. BURRIS. GERARD KINNEY, WELCOME, YOU'LL HAVE THREE MINUTES, FOLLOWED BY ROBERT SINGLETON.

THANK YOU, MAYOR AND MEMBERS OF THE COUNCIL. AS MOST OF YOU HAVE HEARD ME TALK ON THIS SUBJECT, SO I DIDN'T ASK FOR ANY MORE TIME. I WILL BE BRIEF. I DID SERVE ON THE ORIGINAL CARE TASK FORCE AND -- AND 1989 TASK FORCE, 1995 AND '91 TASK FORCE, MOST -- '96 TASK FORCE, MOST TASK FORCES AND BOARDS AND COMMISSIONS SINCE. SO THIS PROJECT IS -- YOU KNOW, IN MY SOUL I'M VERY DEVOTED TO IT, I THINK AS YOU KNOW. I WAS -- I WOULD LIKE TO SAY THAT I THINK IT'S -- WELL, ONE OTHER THING, I AM ALSO SERVING ON YOUR TASK FORCE THAT IS DEALING WITH COMMERCIAL DESIGN GUIDELINES

AND I THINK THAT'S PARTICULARLY PERTINENT HERE TONIGHT. ON THIS -- ON THIS SUBJECT OF THE NORTHWEST CORNER, THE ONE CONCERN THAT I HAD WHEN -- WHEN RMMA FIRST PRESENTED THE PLAN, THAT PREVIOUSLY WE HAD ADOPTED WAS THE SUBJECT THAT WE DID NOT HAVE THE RETAIL ORIENTATION ON THE NORTHWEST QUADRANT. THAT WAS BECAUSE THEN THE ECONOMIC FORECASTS AND THE MARKET STUDIES DIDN'T SHOW A MARKET FOR THAT. BUT A LOT OF US THOUGHT WE WERE LOOKING AHEAD OF THAT, I'M GLAD TO SEE IT COMING BACK AROUND TO WHAT WE REALLY THOUGHT NEEDED TO HAPPEN ON THAT NORTHWEST CORNER. TONIGHT WE NEED TO BE THINKING OUTSIDE OF THE BIG BOX. WITH APPROPRIATE DESIGN CONTROLS AND BY DESIGN CONTROLS I'M REALLY NOT TALKING ABOUT THE AESTHETICS, ALTHOUGH THAT'S ALWAYS IMPORTANT, I'M AN ARCHITECT. AESTHETIC ARE IMPORTANT. BUT WITH THE APPROPRIATE FUNCTIONAL DESIGN CONTROLS, AND I THINK BETWEEN THE -- BETWEEN THE TASK FORCE THAT COUNCIL IS -- HAS ESTABLISHED, WORKING IN TANDEM WITH THE DESIGN GUIDELINES THAT ROMA IS PRODUCING, I BELIEVE THAT VIRTUALLY ANY SIZE OF RETAIL ENTITY CAN WORK OTHER SIZES OF RETAIL TO -- TO -- IN CONJUNCTION WITH APPROPRIATE OFFICE AND HOUSING -- AS RMMA IS ILLUSTRATING, WE ARE GETTING THERE. I THINK THAT IT WOULD BE A VERY SERIOUS MISTAKE FOR YOU TO PUT ZONING RESTRICTIONS ON HOW THAT HAPPENS. THERE ARE A LOT OF VERY IMPORTANT CONCERNS THAT CITIZENS HAVE AND I RESPECT THOSE CITIZENS FOR THEIR CONCERNS, BUT I DON'T THINK ZONING IS THE WAY TO DEAL WITH THOSE CONCERNS. SO I HOPE YOU WOULD ALLOW THIS ECONOMIC ENGINE WITH THE NORTHWEST GUARD QUADRANT TO GO FORWARD WITHOUT TOO MANY RESTRICTIONS THAT WOULD KEEP IT FROM FUNCTIONING AS A -- AS AN ECONOMIC ENGINE.

NOW FOR FOLKS IN OPPOSITION, I THINK WE CAN GET THESE DONE QUICKLY HERE. WE WILL START WITH MR. ROBERT SINGLETON. IS JOHN LARK KIN STILL HERE, HE'S DONATED HIS TIME TO YOU, YOU WILL HAVE UP TO SIX MINUTES. FOLLOWED BY MARY LEHMANN.

ALL RIGHT. YOU'VE HEARD A LOT OF REALLY GOOD THINGS FROM THE PEOPLE WHO SUPPORT THIS PROJECT. YOU

WANT TO SAY I AGREE WITH ALMOST EVERYTHING THEY'VE SAID, BUT IT'S ALMOST ALL BEEN IRRELEVANT. WHAT JIM WALKER SAID, I AGREE WITH NEARLY EVERYTHING SAID, I LOVE THE MASTER PLAN, I WANT TO SEE IT GO INTO PLACE IRTION WANT TO SEE IT -- I WANT TO SEE IT GO FORWARD QUICKLY, SOMETIME BEFORE THE END OF SUMMER WHEN THE MASTER DEVELOPMENT AGREEMENT COMES UP. WHAT MAKES EVERYTHING THAT WAS SAID UP UNTIL NOW IRRELEVANT, HOWEVER, IS THE FACT THAT YOU ARE CONSIDERING ZONING AND THE ZONING IS NOT FINISHED. GERARD SAID WE CAN KEEP LOWE'S OFF THIS SITE THROUGH ARCHITECTURAL CONTROL, BUT THOSE AREN'T WRITTEN. I'M AFRAID I'M GOING TO GET A LITTLE BIT AUTO BIOGRAPHICAL HERE AND TELL YOU SOMETHING ABOUT MY SAD AND LONELY LIFE. BUT WHENEVER I SEE JIM ADAMS PRESENT A NEW VERSION OF THIS PLAN, I THINK ABOUT PITCHING A SHOW TO THE LEARNING CHANNEL CALLED WHEN ARCHITECTS RULE THE EARTH. PLANNERS HAVE TO HAVE THEIR INPUT HERE, TOO. CITY OFFICIALS HAVE TO HAVE THEIR INPUT. THE PLANNERS THINK THAT YOU CAN PUT A LOWE'S ON THIS SITE. GERARD SAYS YOU CAN PUT ANY SIZE RETAIL ON YOUR SITE IF YOU HAVE THE ADEQUATE CONTROLS, WHAT THEY ARE LEAVING OUT IS THE FACT THAT THE CONTROLS AREN'T WRITTEN. A LOT MORE ABOUT THAT LATER. MORE ABOUT MY SAD LIFE, I WAS WATCHING THE REPLAY OF LAST WEEK'S COUNCIL MEETING, I HEARD SOMETHING VERY INTERESTED INTERESTING THAT MARY ARNOLD SAID. SHE SAYS REMEMBER THE FINAL PLAN NEVER LOOKS LIKE THE PRETTY PICTURES. WHAT I'M TALKING ABOUT TONIGHT IS MAKING SURE THAT THE PRETTY PICTURES COME ABOUT. MORE ABOUT MY LIFE. SEVERAL YEARS AGO IN THE EARLY 90s I WENT TO PLANNING COMMISSION ON AN ALMOST WEEKLY BASIS WHEN THE BARTON CREEK PROPERTY STUFF WAS COMING THROUGH THE PROCESS. IN ALL OF THAT TIME, SEEING HUNDREDS OF DIFFERENT ZONING CASES ALL OVER THE CITY, I NEVER SAW ONE WHERE THEY SAID OKAY GIVE US THE ZONING TONIGHT, WE WILL WRITE THE CODES, COVENANTS AND RESTRICTIONS LATER. YOU'LL LOVE THEM. THEY'LL BE EXACTLY WHAT YOU WANT. CODES, COUGH NANLTS, RESTRICTIONS -- COVENANTS, RESTRICTIONS USUALLY ARE APPLIED AT THE TIME OF ZONING, OR AT THE VERY LEAST

BOTH SIDE AGREE ON WHAT THE CODES, COVENANTS AND RESTRICTIONS ARE GOING TO SAY. THOSE CODE, COVENANTS AND RESTRICTIONS, THEY KEEP TELLING US WE'LL HAVE THEM NEXT WEEK, NEXT MONTH, WE STILL DON'T HAVE CCNR'S, NO ARCHITECTURAL GUIDELINES, WE DON'T HAVE THE CONTROLS THAT ARE NECESSARY TO MAKE SURE THAT THE MASTER PLAN IS GOING TO LOOK LIKE WHAT YOU SAW. I'M NOT TRYING TO DELAY THIS. I'M JUST SAYING VOTE ON ZONING AT THE SAME TIME THAT YOU VOTE ON THE MASTER DEVELOPMENT AGREEMENT. SOMETIME LATER THIS SUMMER. BUT ONLY AFTER THOSE CODE, COVENANTS AND RESTRICTIONS AND THE ARCHITECTURAL GUIDELINES ARE IN YOUR HANDS! THERE IS -- IT'S RIDICULOUS TO SAY LET'S GO AHEAD AND GIVE THEM THE ZONING. CATELLUS HAS ALREADY GOTTEN YOUR PERMISSION THAT THEY ALREADY KNOW YOU ARE GOING TO SELL THE LAND TO THEM. NOW YOU ARE GOING TO GIVE THEM ZONING WITHOUT CODES, COVENANTS AND RESTRICTIONS AND WITHOUT THE ARCHITECTURAL GUIDELINES. AT WHAT POINT DO YOU THINK CATELLUS IS GOING TO CUT THEIR OWN HANDS? I DON'T THINK IT'S GOING TO HAPPEN UNLESS THOSE CONTROLS ARE WRITTEN AT A POINT WHEN YOU STILL HAVE MEANINGFUL CONTROL AND YOU HAVE MEANINGFUL CONTROL IF YOU SAY ALL RIGHT, WE'LL DO YOUR ZONING WHEN WE DO THE MDA, BUT ONLY, ONLY, ONLY IF THOSE CCNRS ARE FINISHED AND ONLY IF THOSE ARCHITECTURAL GUIDELINES ARE IN THERE. AGAIN, I DON'T WANT TO DELAY THE PROJECT. AGAIN, I WANT EVERYBODY ELSE HAS TOLD YOU A LITTLE BIT ABOUT THEIR LIFE. I WANT TO TELL YOU A STORY. IN '91 I RAN FOR MAYOR. AND THIS WAS REALLY MY FIRST INTRODUCTION TO MOVING THE AIRPORT AND A -- AND A TALL, SLIGHTLY SCRUFFY LOOKING JOURNALIST AT THE CHRONICLE TOOK ME ASIDE AND TOLD ME WHY THE AIRPORT COULDN'T GO TO MUELLER IT WAS BECAUSE OF THE HOUSTON TOAD. I DON'T KNOW IF DARYL REMEMBERS THAT CONVERSATION, THAT'S THE FIRST CONVERSATION THAT I REMEMBER WITH ANYBODY ABOUT THE MOVING OF THE AIRPORT.

Slusher: I HAD FORGOTTEN THAT.

YES. WE SAT DOWN AND TALKED ABOUT THAT. YOU TOLD ME

ABOUT THE HOUSTON TOAD.

Slusher: I FORGOT THAT, TOO.

I BELIEVE THERE'S A PICTURE IN YOUR OFFICE, IF YOU HAVE FORGOTTEN, YOU LEANING ON THE CAR OUTSIDE THE DARYL HERALD. MY MAJOR POINT HERE IS THAT YOU ARE LOSING YOUR ABILITY TO NEGOTIATE WITH CATELLUS. THE CLOSER YOU GET, TO THE DECISION ON THIS MATTER WITHOUT THE -- ALL OF THE CONTROLS BEING IN PLACE. THOSE CCNRS ARE GOING TO CONTROL THINGS LIKE AFFORDABLE HOUSING, MANAGEMENT OF THE PROPERTY, OPEN SPACE. AT THE TIME THAT THE ZONING WENT TO PLANNING COMMISSION, A NEW THING MORPHED AND I DON'T KNOW HOW MANY OF YOU REMEMBER THE ENDING OF TERMINATOR II WHEN THE EVIL LIQUID METAL TERMINATOR IS DROPPED INTO THE MOLTEN STEEL, IT KEEPS CHANGING INTO ALL OF THESE DIFFERENT FACES UNTIL IT IT FINALLY SINGS. THAT'S WHAT IT'S LIKE DEALING WITH THIS. SUDDENLY ALL OF THE POOLS IN THE PROJECT WERE GOING TO BE PRIVATE, GATED, CARD ENTRY, FOR THE RESIDENTS ONLY. BELIEVE ME, THAT ONLY LASTED FOR ABOUT 20 MINUTES. BUT THAT WAS ACTUALLY IN THE PLAN AT ZONING. IT HADN'T BEEN IN THE PLAN THE WEEK FROMMENT IT SHOWED UP AT ZONING, WE SLAPPED IT DOWN, IT WENT AWAY. I'M TELLING YOU THIS PLAN CHANGES EVERY TIME YOU LOOK AT IT. I HAVE A SCENE FOR YOU, WHAT IF IN TWO WEEKS CATELLUS SAYS LOOK WE'VE HAD A CHANGE IN ENVIRONMENT HERE, OUR LENDERS ARE NOW TELLING US THAT WE CAN'T MAKE THIS PROJECT WORK UNLESS YOU SELL US THE LAND RIGHT NOW. AND IF WE CAN'T WE ARE JUST GOING TO HAVE TO WALK AWAY FROM IT. IF YOU GIVE THEM EVERYTHING THEY NEED YOU LOSE THE CONTROL THAT YOU HAVE TO SAY NO THIS IS THE WAY WE WANT THINGS, WE'LL SEE YOU THE LAND AFTER THE MDA IS IN PLACE. [BUZZER SOUNDING] LET ME SEE IF I HAVE A CLOSING --

Mayor Wynn: PLEASE CONCLUDE.

THE ECONOMIC ENGINE. THE ECONOMIC ENGINE FOR THIS FOR YEARS WAS THE GIVE LEAPT OF AN ELECTRIC -- EQUIVALENT OF AN ELECTRIC DIESEL HYBRID, NOW WE GET

A V 8 HEMI. JIM DOESN'T WANT A LOWE'S NEXT DOOR BUT YOU WANT YOU TO APPROVE THE ONLY THING THAT'S GOING TO PREVENT LOWE'S. CONSTRUCTION SALES AND SERVICES WAS NOT IN THIS PLAN AS LATE AS MARCH. THEY ONLY PUT IT BACK BECAUSE I WAS DUMB ENOUGH TO ASK A QUESTION ABOUT IT. THAT'S WHEN CONSTRUCTION SALES AND SERVICES CAME BACK. STAFF UNTIL MARCH DIDN'T WANT CONSTRUCTION SALES AND SERVICES AS AN ALLOWABLE USE. I'M SAYING DON'T PUT IT IN NOW.

Mayor Wynn: THANK YOU. TO ADD YOUR MAJOR CONCERN, COUNCIL KNOWS THAT STAFF ALREADY INFORMED US THAT ALL OF THE CCRS AREN'T READY AND DRAFTED I WOULD BE VERY, VERY SURPRISED IF THIS COUNCIL TOOK ACTION TO FORMALLY AND FINALLY TO ZONE THE PROPERTY TONIGHT. MARY LEHMANN, WELCOME, 3 MINUTES. THANK YOU, I COULDN'T PUT IT BETTER THAN ROBERT SINGLETON DID. THE REASONS YOU SHOULDN'T PASS THE ZONING NOW. BUT MAKE SURE THAT YOU ALSO NAIL DOWN THE CODE, COVENANTS, RESTRICTIONS AND THE DESIGN CRITERIA. I WOULD REMIND YOU THAT THE MUELLER CITIZENS ADVISORY COMMISSION DID NOT ADVISE YOU TO SELL MUELLER. BUT THAT DIDN'T MEAN THAT THEY WERE AGAINST THE PLAN. IN FACT I WAS IN NEW YORK AND APPLAUDED WHEN THEY AWARDED JIM ADAMS A PRIZE FOR HIS MUELLER PLAN. WE ARE IN FAVOR OF THE PROPOSAL -- ALSO APPRECIATE THEIR HARD WORK FOR MANY YEARS TO PRODUCE THE MUELLER PLAN. BUT THIS DOES NOT MEAN THAT TODAY IS THE DAY TO PASS ZONING AND I THINK MAYBE THE TIME TO ADD THAT IF YOU ARE, AS YOU WERE WITH SETON, FORCED TO TAKE THE LINE OKAY OUR LENDERS MUST SELL, WE DON'T WANT LEASED LAND, THAT YOU WILL LOOSE THE RIGHT OF THE CITY TO -- LOSE THE RIGHT OF THE CITY TO COLLECT ON THE INFRASTRUCTURE IF YOU ARE NO LONGER THE OWNER. REMEMBER THAT. AND I'M AFRAID THAT WHEN PEOPLE LOOK BACK AND THEY SEE THAT YOU HAVE GIVEN UP THIS RIGHT, EVEN IF YOU ARE PLANNING TO GIVE THE DEVELOPER THE -- OR GET THE TRANSFER TO HIM ON THE CHEAP, YOU STILL WILL BE -- WILL BE SAID TO HAVE MADE A -- I'M SORRY -- NOT A VERY SMART DECISION. BUT I REPEAT, DON'T PASS THE ZONING TODAY. FOR ALL THE REASONS THAT ROBERT MUELLER, ROBERT

SINGLETON SO ABLY EXPRESSED. THANK YOU.

Mayor Wynn: THANK YOU, MS. LEHMANN, COUNCIL THAT'S ALL OF THE CITIZENS WHO SIGNED UP EITHER IN FAVOR OR IN OPPOSITION TO THE ZONING. WITHOUT OBJECTION, I WILL RECOMMENDED THAT WE GO AHEAD AND NOW TO BREAK FOR OUR LIVE MUSIC AND PROCLAMATION, THEN STAFF WILL FORMULATE THEIR SORT OF FINAL RESPONSE REBUTTAL. WE ARE NOW IN RECESS. CASTILLO,.

Mayor Wynn: FOLKS, CAN WE HAVE YOUR ATTENTION, PLEASE, WE ARE A LITTLE BIT BEHIND SCHEDULE BUT WE'RE GOING TO MAKE UP SOME GROUND. WITH SOME LIVELY MUSIC. IT'S TIME FOR OUR WEEKLY VERSION OF LIVE MUSIC HERE AT THE AUSTIN CITY COUNCIL. AND JOINING US TONIGHT ARE THE DIMESTORE POETS. THE FOUR SOME, USUALLY A FOURSOME PLAYS BLUE GRASS, BILLY ON GUITAR, LEAD FOR EXAMPLE VALUES, KARL ON BASE, LARISSA SINGING HARMONY, PLEASE JOIN ME IN WELCOMING THE DIME STORE POST. POETS.

INSTEAD OF BLUE GRASS WE HAVE A LITTLE ROCK AND ROLL FOR YOU. [(music) MUSIC PLAYING (music)(music)] [(music) MUSIC PLAYING (music)(music)] WORLD,.

Mayor Wynn: SO WHERE DOES ONE SEE THE DIMESTORE POETS ANY TIME SOON OR HOW ABOUT A WEBSITE, >

WEBSITE IS www.thedimestorepoets.com, TONIGHT WE WILL BE AT MOTHER EEGAN'S FROM 9:00 TO 10:00. SUNDAY MARIA'S TACO EXPRESS SOUTH SIDE OF TOWN. SATURDAY NIGHT ZACH'S SOUTH OF THE RIVER, DISAK'S AND MARIA'S WILL CONTINUE THROUGHOUT THE SUMMER. BUT GO TO THE WEBSITE CHECK OUT TO SEE WHERE WE ARE PLAYING. BEFORE WE GET AWAY AN OFFICIAL PROCLAMATION THAT READS BE KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TO THE DEVELOPMENT OF AUSTIN'S SOCIAL ECONOMIC, DEVELOPMENTAL AND CULTURAL DIVERSITY, WHEREAS THE DEDICATION FURTHER OUR STATUS AS LIVE MUSIC CAPITAL OF THE WORLD, THEREFORE I WILL WYNN CALL ON OUR CITIZENS TO JOIN ME IN RECOGNIZING THIS GREAT TALENT. OUR NEXT AWARD IS ACTUALLY A DISTINGUISHED SERVICE

AWARD PRESENTED TO JOSEPHINA CASTILLO. FOR OTHER
OUTSTANDING PUBLIC SERVICE AS A MEMBER OF THE
CITIZEN REVIEW PAN MEDICAL FOR POLICE OVERSIGHT --
PANEL FOR POLICE OVERSIGHT. WE APPRECIATE YOUR
EFFORTS TO HELP RESOLVE CONCERNS IN A MANNER THAT
RESTORES DIGNITY AND BUILD MEANINGFUL
RELATIONSHIPS, WE ALSO RECOGNIZE MS. CASTILLO FOR
GUIDING THE OFFICE OF THE POLICE MONITOR IN THE WAY
IT COMMUNICATES WITH THE IMMIGRANT COMMUNITY. THIS
CERTIFICATE IS PRESENTED THIS OUR GRATITUDE, ON
BEHALF OF THE ENTIRE AUSTIN CITY COUNCIL, PLEASE JOIN
ME IN CONGRATULATING AND THANKING JOSEPHINA
CASTILLO OF OUR POLICE OVERSIGHT BOARD. [APPLAUSE]

THANK YOU, MAYOR WYNN. I'M A SHORT WOMAN IN
PHYSICALLY AND IN WORD. SO I'LL JUST SAY A FEW WORDS
OF THANKS TO -- TO THE OFFICE OF THE POLICE MONITOR
FOR GIVING ME THIS OPPORTUNITY TO SERVE WITH THE --
WITH A WONDERFUL TEAM OF PANELISTS. MY CO-WORKERS
AT THE CITIZEN REVIEW PANEL. IT WAS A PRIVILEGE FOR ME
TO BE THERE AND SPEAK ON BEHALF OF THE IMMIGRANT
COMMUNITY, AND TO ALL OF THOSE WHO ARE
DISENFRANCHISED. I FOLLOW THE PRINCIPLES OF THE
QUAKER COMMUNITY FOR -- QUAKER COMMUNITY WHEN I
WORK FOR, OF PEACE AND NON-VIOLENCE, I WILL CONTINUE
TO WORK AS SUCH, THANK YOU SO MUCH.

THANK YOU. WILLIE KOCUREK OUR --

Mayor Wynn: OUR NEXT CERTIFICATE OF APPRECIATION
GOES TO TOO GROUP, DELTA RO DELTA AND SUN HARVEST.
I WILL READ EACH OF THEM BECAUSE THEY ARE SLIGHTLY
DIFFERENT BUT THE CITY OF AUSTIN CERTIFICATE OF
APPRECIATION FOR THEIR GENEROUS SUPPORT OF THE
SAINT JOHN COMMUNITY CENTER EMERGENCY FOOD
PANTRY, DELTA RO DELTA IS DESERVING OF PUBLIC
ACCLAIM AND RECOGNITION. THEY CONTRIBUTE FORLY TO
THE FOOD PANTRY, HELPING TO KEEP IT STOCKED WITH
BASIC FOODS FOR FAMILIES IN NEED. IN ADDITION THE
ORGANIZATION HAS CONTRIBUTED TO THE THANKSGIVING
AND CHRISTMAS BASKETS FOR SENIOR CITIZENS AND
DISABLED INDIVIDUALS WHICH THE COMMUNITY CENTER
DISTRIBUTES DURING THOSE HOLIDAYS, PATTI CAST AND

ARCON AND MARGARET BEER. THIS CERTIFICATE IS ISSUED WITH OUR APPRECIATION FOR THEIR EXTRAORDINARY EFFORTS ON BEHALF OF THE SAINT JOHN COMMUNITY CENTER. AGAIN FROM THE ENTIRE AUSTIN CITY COUNCIL TO DELTA RO DELTA, THANK YOU ALL SO MUCH. I WILL DO THE OTHER ONE QUICKLY, THEN WE WILL HEAR FROM THESE FOLKS. THE SECOND ONE GOES TO SUN HARVEST AGAIN FOR THE SAINT JOHN COMMUNITY CENTER EMERGENCY FOOD PANTRY HELP. SUN HARVEST CONTRIBUTES REGULARLY TO THE FOOD PANTRY, ENABLING SAINT JOHN'S COMMUNITY CENTER TO ADDRESS THE NEEDS OF LOW INCOME FAMILIES AND INDIVIDUALS LIVING IN NORTH AUSTIN. WE ARE ESPECIALLY PLEASED TO RECOGNIZE STORE MANAGER GARLAND GRAY, ASSISTANT STORE MANAGERS TONY CANDLERLA AND TIM FEELAN. AS WELL AS KAREN DIXON AND TIFFANY FOR THEIR GENEROUS CONTRIBUTIONS FOR THEIR WORK. AGAIN THE CERTIFICATE IS WITH OUR APPRECIATION FROM THE ENTIRE AUSTIN CITY COUNCIL. PLEASE JOIN ME IN CONGRATULATING, THANKING, WELCOMING SUN HARVEST FOR THEIR WORK. [APPLAUSE]

OKAY. I DIDN'T KNOW I WAS SUPPOSED TO SAY ANYTHING. I WANT TO THANK YOU ALL FOR THANKING US. SUN HARVEST IS HAPPY TO HELP OUT ANY WAY WE CAN. THANK YOU. [APPLAUSE]

ON BEHALF OF DELTA RO DELTA I WOULD LIKE TO SAY THAT IT IS AN HONOR FOR US TO HELP SERVE THE COMMUNITY WHICH IS WHAT WE ARE DESIGNED TO DO, THANK YOU.

THANK YOU. [APPLAUSE]

THE NEXT IS ACTUALLY AN OFFICIAL PROCLAMATION REGARDING THIS MONTH AS HOME OWNERSHIP MONTH. AND JOINING ME IS PAUL HILGERS, THE DIRECTOR OF OUR COMMUNITY HOUSING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT. AND IT READS: BE IT KNOWN THAT WHEREAS HOME OWNERSHIP IS THE AMERICAN DREAM. GIVING HOMEOWNERS A PLACE WHERE THEIR CHILDREN CAN GROW, SAVE MONEY AND BUILD EQUITY FOR THE FUTURE AND WHERE THEY CAN DEVELOP A SENSE OF SECURITY AND BELONGING TO THE GREATER COMMUNITY. AND WHEREAS THE CITY SUPPORTS NEW HOUSING THROUGH ITS SMART

HOUSING PROGRAM, PROVIDES FINANCIAL ASSISTANCE TO NON-PROFIT BUILDERS, LIKE HABITAT FOR HUMANITY, EDUCATES FIRST TIME HOME BUYERS AND PROVIDES DOWN PAYMENT ASSISTANCE AND WHEREAS WE UNDERSTAND THE HOME OWNERSHIP IS GOOD FOR THE HOME OWNER AND FOR OUR CITY, WE RECOGNIZE THE IMPORTANCE OF PROVIDING AUSTINITES THE OPPORTUNITY TO ACHIEVE THE DREAM OF HOME OWNERSHIP. NOW THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM THIS MONTH, JUNE, 2004 AS HOME OWNERSHIP MONTH IN AUSTIN. I WOULD LIKE TO ASK MR. PAUL HILGERS TO SAY A FEW WORDS ABOUT ALL OF OUR HOME OWNERSHIP PROGRAMS THAT WE HAVE, ALSO WORK THE GREAT WORK OF HABITAT FOR HUMANITY. PAUL HILGERS.

THANK YOU, MAYOR. IT'S -- IT'S GOOD AND RIGHT THAT WE WOULD RECOGNIZE HOME OWNERSHIP MONTH. HOME OWNERSHIP IS THE AMERICAN DREAM. AND ONE OF THE THINGS THAT PEOPLE NEED TO UNDERSTAND IS THAT IT DOESN'T HAVE TO BE A DREAM. IT CAN BE A REALITY. HOME OWNERSHIP IS ACTUALLY WITHIN THE REACH OF A LOT MORE PEOPLE THAN THE -- THAN THEY ACTUALLY REALIZE. ONE OF THE EFFORTS THAT WE WILL CONTINUE TO INCREASE IS -- IS OUR EFFORTS TO EDUCATE PEOPLE ABOUT HOW TO PREPARE FOR HOME OWNERSHIP, PEOPLE WHO ARE PAYING RENT THAT COULD ACTUALLY BE TURN INTO D INTO A MORTGAGE WHERE THEY CAN ACHIEVE HOME OWNERSHIP. WE ARE BLESSED TO LIVE IN A CITY THAT HAS A CITY COUNCIL COMMITTED TO HOUSING AND COMMUNITY DEVELOPMENT. TODAY FOR EXAMPLE THE CITY COUNCIL AUTHORIZED A BUDGET TRANSFER THAT WILL RESULT IN 81 HOMES BEING BUILT FOR LOW AND MODERATE INCOME CITIZENS. AND WE HAVE A LOT OF BUILDERS THAT WE DO BUSINESS WITH. A LOT OF PARTNERS IN THE NON-PROFIT COMMUNITY, IN THE FOR PROFIT COMMUNITY 7 ONE OF OUR MOST -- ONE OF OUR MOST IMPORTANT PARTNERS THAT WE HAVE IS HABITAT FOR HUMANITY. JOINING ME TODAY TO RECEIVE THIS PROCLAMATION IS MICHAEL WILLARD THE NEW EXECUTIVE DIRECTOR FOR AUSTIN HABITAT FOR HUMANITY WHO IS GOING TO MAKE A HUGE DIFFERENCE IN THE CONTRIBUTION TO THIS CITY. HABITAT FOR HUMANITY HAS A GREAT MODEL AROUND THE

COUNTRY. ONE OF OUR MOST SUCCESSFUL PARTNERS IN REACHING A VERY LOW INCOME LEVEL OF FAMILIES AND GETTING THEM INTO HOME OWNERSHIP WHEN OTHER MODELS JUST SIMPLY ARE NOT APPROPRIATE FOR OTHER PEOPLE. SO I WOULD LIKE TO ASK MICHAEL TO SAY A COUPLE OF WORDS AND AGAIN THANK THE MAYOR AND COUNCIL FOR THEIR SUPPORT OF HOME OWNERSHIP. MICHAEL? >>

THANKS, PAUL, THANK YOU ALL FOR GIVING ME THIS OPPORTUNITY TO COME AND SPEAK. THANK YOU TO EVERYONE WHO IS SUPPORTIVE OF HOME OWNERSHIP. THOSE BUILDERS WHO ARE OUT THERE BUILDING HOMES AND MAKING THE DREAM OF HOME OWNERSHIP A REALITY. HABITAT IS FORTUNATE ENOUGH THAT WE ARE ABLE TO REACH INDIVIDUALS WHO ARE VERY LOW INCOME AND PROVIDE THEM AN OPPORTUNITY TO SEE THAT DREAM BECOME A REALITY AND WE ARE VERY LUCKY IN THIS COMMUNITY TO BE ABLE TO HAVE BUILT 151 HOMES HERE IN AUSTIN, JUST EDUCATED THOSE LAST WEEKEND, BUT WE WANT TO CONTINUE TO DO MORE BECAUSE WE ALL KNOW THERE ARE MORE FAMILIES OUT THERE WHO NEED A SIMPLE DECENT PLACE TO LIVE. THAT'S WHAT WE ARE HOPING TO PROVIDE. WE WANT TO THANK EVERYONE FOR THIS OPPORTUNITY AND HELPING US MEET OUR GOALS AND MAKE THOSE DREAMS BECOME REAL. THANK YOU.

THANK YOU. [APPLAUSE]

Mayor Wynn: FOR OUR LAST PROCLAMATION, IF I COULD GET THELMA TO COME UP HERE. SHE WORKS IN MY OFFICE AND JULY 3rd IS THEY WILL MAKE'S 30th -- THELMA'S 30th BIRTHDAY. SO I THINK WE ARE GOING TO HAVE SOME MUSICAL ACCOMPANIMENT HERE. AS THE OFFICIAL CITY OF AUSTIN PROCLAMATION READS, BE IT KNOWN WHEREAS THELMA WAS BORN JULY 3rd, 1974 IN EL PASO TEXAS, AN ACTIVE MEMBER OF THE DOWNTOWN AUSTIN COMMUNITY AND HAS BROUGHT COUNTLESS NUMBERS OF OF AUSTINITES AND VISITORS TO DOWNTOWN WHO MIGHT NEVER OTHERWISE HAVE VISITED OUR AREA. SHE IS A MEMBER OF THE MAYOR'S STAFF WHOSE ACUTE FASHION SENSE HAS LED HER TO SOUTH AMERICA AND EUROPEAN TRAVEL JAUNTS ON HER FREE TIME. I WILL WYNN DO HERE

BY JOIN FAMILIES AND FRIENDS IN EXTENDING HAPPY BIRTHDAY WISHES AND PROCLAIM JULY 3rd, 2004 AS THELMA BERRAZA DAY IN AUSTIN, PLEASE JOIN ME IN A REASON RENDITION OF HAPPY BIRTHDAY.

(music) HAPPY BIRTH DAY TO YOU, HAPPY BIRTHDAY TO YOU, HAPPY BIRTHDAY DEAR THELM, HAPPY BIRTHDAY TO YOU.
(music)(music) [APPLAUSE]

THANK YOU.

HAPPY BIRTHDAY.

(music) HAPPY BIRTHDAY DEAR THELMA, HAPPY BIRTHDAY TO YOU. (music)(music)

THANK YOU VERY MUCH. I DIDN'T KNOW IT WAS COMING OR I WOULD HAVE DRESSED BETTER [LAUGHTER] THIS IS WHAT WE LOOK LIKE WHEN NOBODY IS AT CITY HALL. THANK YOU VERY MUCH. I'M VERY SURPRISED.

HAPPY BIRTHDAY, CONGRATULATIONS. THANK YOU.

THANK YOU SO MUCH.

THERE'S CAKE IN THE BACK.

Mayor Wynn: WE WILL RECONVENE THE MEETING AFTER A QUICK RECESS, THANK YOU.

THANK YOU FOR YOUR PATIENCE, WITH A QUORUM PRESENT WE WILL CALL BACK TO ORDER A MEETING OF THE CITY COUNCIL. IF YOU WILL REMEMBER WE'VE HAD THE DETAILED PRESENTATION BY THE APPLICANT, IN THIS CASE THE CITY OF AUSTIN ON Z-3 THE RMA P.U.D. ZONING, WE'VE HEARD FROM CITIZENS IN FAVOR OF THE ZONING AND CITIZENS OPPOSED. NOW TYPICALLY WE WOULD HAVE A REBUTTAL BY THE APPLICANT. IN THIS CASE I DON'T KNOW IF THAT'S THE RIGHT TERM. PERHAPS IF CITY STAFF CAN NOW WALK US THROUGH WHERE WE THINK WE ARE, HELP US UNDERSTAND THE DOCUMENT, THE DOCUMENTATION THAT'S NEEDED. AND MAKE YOUR RECOMMENDATION, PLEASE. MAYOR AND COUNCILMEMBERS, WE AS STAFF DO

NOT HAVE A REBUTTAL, WE WILL BE GLAD TO RESPOND TO ANY QUESTIONS THAT COUNCIL MIGHT HAVE. MAYOR, WE DO NOT HAVE ANY REBUTTAL, BUT WE WILL BE GLAD TO RESPOND TO ANY QUESTIONS THAT COUNCIL MIGHT HAVE. WHAT YOU DO HAVE BEFORE YOU IS P.U.D. ZONING AND IT'S READY FOR FIRST READING ONLY. IT INCLUDES ALL OF THE ELEMENTS THAT ARE IN THE STAFF -- THAT THE STAFF REVIEW HAS -- THAT HAS EVOLVED THROUGH THE PROCESS AND THE PLANNING COMMISSION RECOMMENDATION, THE DOCUMENTS IN YOUR BACKUP JUST REFLECTS THE ZONING ASPECTS WHICH WE SHOWED YOU EARLIER. WHAT I WANTED TO POINT OUT, WHEN WE COME BACK FOR SECOND AND THIRD READINGS, WE WILL ALSO BRING TO YOU MODIFICATIONS TO CERTAIN ADMINISTRATIVE PROCEDURES AND ALSO ITEMS THAT RELATE TO AMENDMENTS TO THE CRITERIA MANUAL. AND THAT'S SOMETHING THAT WE WILL BRING TO YOU LATER. I JUST WANTED TO MENTION THAT, WHEN WE COME BACK FOR SECOND AND THIRD READINGS WE WILL HAVE OTHER ELEMENTS THAT WILL BE INCLUDED TO -- TO IMPLEMENT THIS -- THIS DOCUMENT.

CAN YOU HELP JUST QUICKLY JUST UNDERSTAND SORT OF THE LEVEL OF DOCUMENTATION? WE SAW THE PRESENTATION THAT WE TYPICALLY HAVE THE ORDINANCE FOR ZONING. I EXPECT IN THIS CASE IT WOULD BE A VERY COMPLICATED ORDINANCE. BUT IN ADDITION TO THAT WE HAVE HEARD ABOUT THE CCR'S, OTHER LEVEL OF DOCUMENTATION THAT'S REQUIRED. WHAT'S THE TIMING OF -- I THINK COUNCIL IS REALLY FRANKLY TRYING TO FIGURE OUT WHETHER WE -- YOU KNOW HAVE SOMEWHAT OF A -- YOU KNOW FIRST READING NOW VERSUS HAVING MUCH MORE OF THIS DOCUMENTATION IN HAND PRIOR TO ACTUALLY TAKING UP PERHAPS EVEN ALL THREE READINGS WHEN WE GET TO COME BACK NEXT MONTH.

THE OTHER DOCUMENTS WOULD INCLUDE THE MASTER DEVELOPMENT AGREEMENT AND I'M SORRY THE DOCUMENT THAT IS GOING TO INCLUDE -- SUE, COME UP HERE AND HELP ME. I MAY BE USING THE WRONG TERMINOLOGY.

MAYOR, THE GENERAL SEQUENCE WE EXPECT TO BRING THIS BACK IN IS A P.U.D. ORDINANCE WHICH IS IN THE WORKS RIGHT NOW. AND WILL RUN TO -- TO SEVERAL

DOZEN PAGES AND WE'LL HAVE A LOT OF THE ATTACHMENTS THAT HAVE REFUSESLY BEEN CONSIDERED BY THE PLANNING COMMISSION, INCLUDING TABLES OF USES FOR THE DIFFERENT ZONING DISTRICTS THAT RMMA WILL HAVE THE DEVELOPMENT STANDARDS THAT ARE TRADITIONAL DEVELOPMENT STANDARDS LIKE SETBACKS, BUILDING HEIGHTS, THE IMPERVIOUS COVER, THAT TYPE OF THING. WHAT MS. GLASGO WAS JUST MENTIONING, EVENTUALLY THERE WILL BE ALSO A SEPARATE SET OF CITY REGULATIONS WHICH ARE IN THE FORM OF CRITERION MANUAL THAT IS SPECIFIC FOR RMMA, SOMEWHAT LIKE THE TRADITION NEIGHBORHOOD DISTRICT CRITERION MANUAL. THAT'S THE ZONING PACKAGE THAT WILL COME BACK FOR SECOND AND THIRD READING. WE ARE ASKING FOR -- FOR FIRST READING ON ZONING TONIGHT BASED ON THE SAME ZONING PACKAGE, PRETTY MUCH THAT THE PLANNING COMMISSION HAD, WHICH IS THE PRESENTATION, THE AVAILABLE TABLES THAT YOU DO HAVE IN YOUR PACKET, AND THE ORDINANCE WILL BE DRAFTED AND COMPLETED BASED ON THOSE GUIDE LINES. IN TERMS OF THE CCR'S AND THE DESIGN GUIDELINES, THOSE WILL BE BROUGHT BACK AS PART OF THE MDA, BUT THEY WILL BE SEPARATE FROM THE ACTUAL ZONING P.U.D. ORDINANCE. AND WE WOULD EXPECT THOSE TO BE AVAILABLE IN A COUPLE OF WEEKS BEFORE FINAL ACTION ON THE MDA.

Mayor Wynn: FINAL ACTION ON THE MDA LIKELY TO

End of Council Session Closed Caption Log