

Closed Caption Log, Council Meeting, 04/07/05

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Mayor Wynn: GOOD MORNING. I'M AUSTIN MAYOR WILL WYNN, IT IS MY HONOR TO WELCOME REVEREND ARVY CRAYTON, PASTOR OF THE UNANIMITY HILL MISSIONARY BAPTIST CHURCH TO LEAD US IN OUR INVOCATION. BEFORE WE HEAR FROM THE PASTOR, I'M SORRY TO HAVE TO ANNOUNCE THAT LAST NIGHT DOROTHY TURNER PASSED AWAY. FOR THOSE OF YOU ALL WHO KNOW, MS. TURNER, OF COURSE SPENT DECADES IN AUSTIN, A CIVIL RIGHTS ADVOCATE, ADVOCATE FOR A NUMBER OF CAUSES, MS. TURNER SUFFERED HER ILLNESS FOR THE LAST SEVERAL YEARS AND IT'S -- IT'S A SADNESS THAT WE ANNOUNCE HER PASSING AND AS WE HEAR FROM REVEREND CRAYTON, PERHAPS WE KEEP THOUGHTS AND PRAYERS FOR MS. TURNER AND HER FAMILY AS WE HEAR FROM THE PASTOR. WELCOME, PLEASE RISE.

MAY WE ALL BOW OUR HEADS IN PRAYER. OUR FATHER, IN HEAVEN, THE FATHER OF OUR LORD AND SAVIOR, JESUS CHRIST, WE COME THIS MORNING WITH BOWED HEADS AND HUMBLE HEARTS. AND SOME WAY, SOMEHOW, I KNOW THAT WE HAVE ALL WALKED IN DIFFERENT WAY, WE HAVE ALL SINNED AND COME SHORT OF THE GLORY OF GOD. WE COME ASKING YOU TO FORGIVE US FOR ALL OF OUR SINS. AND WE COME WITH THANKSGIVING IN OUR HEARTS, WE THANK YOU FOR YOUR GRACE, YOUR MERCY, YOUR GOODNESS, YOUR KINDNESS AND YOUR EVER-LASTING LOVE. WE PRAY FOR THE BEREAVED FAMILY OF SISTER DOROTHY TURNER. WE PRAY THAT YOU CONTINUE TO

TEACH AND TO BLESS THE GROWTH OF AUSTIN. CONTINUE TO BLESS THE PROGRESS THAT HAS BEEN MADE IN AUSTIN, TEXAS. WE PRAY FOR THE LEADERSHIP THAT THEY CAN CONTINUE TO LEAD IN THE RIGHT DIRECTION. WE PRAY FOR EVERYONE HERE THAT ASSEMBLED HERE TODAY. WE PRAY THAT YOU -- THANK YOU FOR THE PROSPERITY HERE IN AUSTIN. WE PRAY FOR THE LEADERS OF THE CITY COUNCIL. WE PRAY THAT YOU CONTINUE TO LEAD THEM IN THE RIGHT DIRECTION. AND WE PRAY THAT THE DECISIONS THAT ARE MADE HERE -- THAT ARE MADE TODAY, THAT THEY BE THE RIGHT DECISIONS. AND OH, DEAR GOD, WE -- WE THANK YOU TODAY. WE PRAY FOR THE LEADER OF THIS WHOLE ENTIRE STATE. WE THANK YOU FOR THESE AND OTHER BLESSINGS, IN THE POWERFUL NAME OF JESUS, AMEN AND AMEN.

Mayor Wynn: THANK YOU, PASTOR CRAYTON. THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT'S THURSDAY, APRIL 7th, 2005, WE'RE IN THE COUNCIL CHAMBERS OF THE CITY HALL, 301 WEST SECOND STREET IN AUSTIN. IT'S APPROXIMATELY 10:23 IN THE MORNING. AT THIS TIME I WILL READ THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. WE HAVE A FEW. ITEM NO. 11, WE SHOULD INSERT THE PHRASE AND WAIVE ZONING APPLICATION FEES FOR PROPERTY WITHIN THE ANNEXED AREA FOR A PERIOD OF ONE YEAR FROM THE EFFECTIVE DATE OF ANNEXATION. THIS IS REGARDING ORDINANCE NUMBER 11, THE ANNEXATION OF AVERY RANCH AREA. ITEM NO. 22 HAS BEEN POSTPONED INDEFINITELY. ITEM NO. 25 HAS BEEN POSTPONED INDEFINITELY. ON ITEM NO. 36, AN ITEM FROM COUNCIL, COUNCILMEMBER ALVAREZ SHOULD BE SHOWN AS A CO-SPONSOR, RELATED TO THE TEXAS MEDAL OF ARTS EVENTS. OUR TIME CERTAINS ON THIS WEEK'S AGENDA, INCLUDING AT NOON WE WILL BREAK FOR GENERAL CITIZENS COMMUNICATIONS, AT 2:00 WE WILL BEGIN THREE VERY IMPORTANT BRIEFINGS THIS WEEK, FIRST THE CAMPO 2030 MOBILITY PLAN, INCLUDING STAFF RECOMMENDATIONS. A SECONDLY BE THE CITY DEPARTMENTAL NEED ASSESSMENT AS IT RELATES TO A POTENTIAL FUTURE BOND ELECTION. AND THEN THIRD WILL BE A REPORT FROM POLICE CHIEF STAN KNEE REGARDING THE USE OF TASERS IN OUR POLICE DEPARTMENT. SO THREE VERY KEY

BRIEFINGS BEGINNING AT 2:00 TODAY. AT 3:00 WE WILL HAVE OUR DIRECTOR BOARD OF DIRECTORS MEETING OF THE AUSTIN HOUSING AND FINANCE CORPORATION, WE HAVE THREE ITEMS ON THAT AGENDA. AT 4:00 ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THOSE SHOW UP THIS WEEK AS ITEMS 48 THROUGH 58. ZONING CASES AND PUBLIC HEARINGS, Z-1 THROUGH Z-8. WE WILL ANNOUNCE NOW THAT THE STAFF WILL BE REQUESTING A POSTPONEMENT OF CASE Z-4, THE PARMER WALNUT CREEK P.U.D. AND THE STAFF WILL BE REQUESTING A POSTPONEMENT TO MAY 12th, 2005. BUT WE CAN'T TAKE UP THAT POSTPONEMENT VOTE UNTIL AFTER 4:00 P.M. UNTIL -- AT 5:30 WITH BREAK FOR LIVE MUSIC AND PROCLAMATIONS, OUR MUSICIAN TODAY IS WILL JANSON, AT 6:00 P.M., ITEMS 59 THROUGH 65, PUBLIC HEARINGS, SOME OF THOSE PUBLIC HEARINGS INCLUDING OUR H.U.D. PROGRAMS, OUR URBAN RENEWAL PLAN, SOME ANNEXATION, A DISANNEXATION A RARE EVENT FOR US, AS WELL AS SOME PUBLIC WORKS RELATED PROJECTS. THOSE ARE OUR 6:00 PUBLIC HEARINGS. COUNCIL, THERE'S A FEW ITEMS THAT HAVE BEEN PULLED OFF THE CONSENT AGENDA. ITEM NO. 8 HAS BEEN PULLED BY ME, WE WILL HAVE A -- A PRESENTATION IMMEDIATELY AFTER OR -- OUR CONSENT AGENDA. ITEM NO. 35 HAS BEEN PULLED BY COUNCILMEMBER SLUSHER, THESE ARE OUR APPOINTMENTS TO THE POTENTIAL BOND ADVISORY COMMITTEE. ITEM 37, AN ITEM FROM COUNCIL HAS BEEN PULLED BY COUNCILMEMBER DUNKERLY REGARDING A BLUE RIBBON COMMITTEE. AND ITEM NO. 38, HAS BEEN PULLED BY COUNCILMEMBER SLUSHER. SO COUNCIL ANY FURTHER ITEMS TO BE PULLED OR ITEMS TO BE PLACED BACK ON THE CONSENT AGENDA. HEARING NONE, WITH THAT I'LL --

Slusher: MAYOR, I'LL PUT BACK ON -- LET'S SEE 38.

Mayor Wynn: OKAY, MS. BROWN ITEM NO. 38 WILL BE PLACED BACK ON THE CONSENT AGENDA. RELATED TO OUR DESIGN COMMISSION. SO WITH THAT, COUNCIL, THE CONSENT AGENDA WILL BE NUMERICALLY: ITEMS 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, PER CHEANGS AND -- PER CHANGES AND CORRECTIONS, 12 AN ORDINANCE ON FIRST READING ONLY, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 TO BE POSTPONED INDEFINITELY, 23, 24, 25

TO BE POSTPONED INDEFINITELY. 26, 27, 28, TEXAS TECH 29, 30, 31, 32, 33, 34 WHICH ARE OUR APPOINTMENTS TO OUR BOARDS AND COMMISSIONS. I WILL READ THOSE INTO THE RECORD AT THIS POINT. TO OUR ARTS COMMISSION, BRENDA MALLEK IS A CONSENSUS APPOINTMENT. TO OUR CHILD CARE COUNCIL, BETTY HUDSPETH IS COUNCILMEMBER DUNKERLY'S APPOINTMENT. TO OUR COMMUNITY DEVELOPMENT COMMISSION, ROGERIO COURTINEZ A CONSENSUS APPOINTMENT AND KAREN POPP IS MAYOR PRO TEM GOODMAN'S REAPPOINTMENT. TO OUR DOWNTOWN COMMISSION, JEB BOYT WHO IS THE PARKS BOARD REPRESENTATIVE IS A CONSENSUS REAPPOINTMENT. TO OUR ELECTRIC BOARD, DAVID ADAMSON, MAYOR PRO TEM'S APPOINTMENT. TO OUR ENVIRONMENTAL BOARD, JULIE JENKINS IS A CONSENSUS APPOINTMENT. TO OUR FEDERALLY QUALIFIED HEALTH CENTER BOARD, THESE ARE ALL CONSENSUS REAPPOINTMENTS: DAVID CAMPOS, ROSE LANCASTER AND JULIA MITCHELL. TO OUR HUMAN RIGHTS COMMISSION, JUDY CORTEZ IS A CONSENSUS APPOINTMENT. AND EDWARD SHREBLG IS MAYOR PRO TEM'S -- EDWARD SLEDGE IS MAYOR PRO TEM'S REAPPOINTMENT. TO THE MUSIC COMMISSION, RANDOLPH HOUSTON IS MY APPOINTMENT AND TO THE URBAN RENEWAL BOARD CHRISTINA DE LA FUENTE VALADEZ IS MY REAPPOINTMENT. THOSE ARE APPOINTMENTS THAT SHOW AS ITEM NO. 34. CONTINUING ON WITH THE CONSENT AGENDA, ITEM 36 PER CHANGES AND CORRECTION, AND ITEM 38. COUNCIL, I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER ALVAREZ TO APPROVE THE CONSENT AGENDA AS READ. SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS? COUNCILMEMBER MCCRACKEN?

McCracken: THERE'S ANOTHER NOTABLE ITEM AND MORE GOOD NEWS FROM THE NATION'S MOST INNOVATIVE PUBLIC UTILITY, AUSTIN ENERGY, THAT WE ARE HAVING -- WE ARE HAVING THE GREAT OPPORTUNITY TO EXPAND OUR SOLAR REBATE PROGRAM, THAT IS -- BECAUSE THE DEMAND FOR SOLAR ENERGY IS SO HIGH FROM BUSINESSES IN THIS COMMUNITY. THIS IS MORE GREAT NEWS AND CONGRATULATIONS TO JUAN GARZA, ROGER DUNCAN, EVERYBODY ELSE WHO HAD THE FORESITE AS PART OF THE

WATER RIGHTS PLAN TO INCLUDE A SOLAR PROGRAM THAT'S ALREADY EXCEEDED BEYOND OUR WILDEST EXPECTATIONS, GREAT JOB.

Mayor Wynn: THANK YOU, COUNCILMEMBER. ALSO ON THE CONSENT AGENDA, ITEM NO. 7, RELATES TO THE LONG CENTER. WHAT WE ARE DOING WITH THIS IS HAVING A SIMPLE, BUT ULTIMATELY IMPORTANT SINGLE AMENDMENT TO OUR CURRENT AGREEMENT WITH THE LONG CENTER AND I WOULD LIKE IF -- IF HE'S PREPARED, IF MR. CLIFF REDD COULD COME UP AND GIVE US A QUICK SYNOPSIS OF THIS AMENDMENT. I THINK FOLKS WILL SEE HOW IT BENEFITS EVERYBODY INVOLVED. RECOMMEND, MR. REDD.

THANK YOU FOR ASKING ME TO COME TODAY. IT'S ALWAYS GOOD TO BE WITH YOU. THE LONG CENTER IS DOING BEAUTIFULLY RIGHT NOW. WE ARE SO VERY PLEASED WITH OUR PROGRESS, WE ARE RAISING IN EXCESS OF HALF A MILLION A MONTH WITH OTHER MAJOR GIFTS ON THE WAY. VERY CLOSE TO MEETING OUR CONSTRUCTION GOAL. SO WE HAVE COME BEFORE YOU TODAY TO ASK AN AMENDMENT TO OUR LEASE AGREEMENT WITH YOU. WE HAD ASSUMED THAT OUR LEASE AGREEMENT ASKED US TO HAVE A FEASIBILITY STUDY FOR CONSTRUCTION NUMBERS. WHAT WE HAVE -- WHAT WE WOULD IN TURN LIKE TO OFFER YOU A GUARANTEED MAXIMUM PRICE BID, WHICH WOULD GIVE YOU THE EXACT PRICE FOR THE CONSTRUCTION BID FOR THE LONG CENTER. SO WE ARE IN HOPES THAT YOU WILL SUPPORT THAT AMENDMENT BECAUSE IT'S COST EFFICIENT FOR US. THE LEASE AMENDMENT WOULD SAY THIS -- SAVE US ABOUT A HALF MILLION WITH THE FEASIBILITY STUDY WHICH WOULD GO INTO THE CONSTRUCTION WHICH WE WOULD APPRECIATE.

Mayor Wynn: THANK YOU. IT'S ON THE CONSENT AGENDA. THERE'S UNANIMOUS SUPPORT FOR THIS. AGAIN WHAT THIS IS AS OPPOSED TO HAVING THE CITY'S PREVIOUS AND REQUIREMENT THAT IS THAT THE LONG CENTER COME UP WITH A THIRD PARTY ESTIMATE ESSENTIALLY, THEIR CONSTRUCTION NUMBERS, SO WE WOULD BE COMFORTABLE WITH THAT. WHAT THEY ARE PROPOSING IS THAT THEY ACTUALLY GO TO BID. THEY GO TO AN ACTUALLY GUARANTEED MAXIMUM OR SOME TYPE OF BID WHERE WE

ACTUALLY WILL THEN SEE THE PUBLIC WILL SEE THE COMPETITIVE ACTUAL BID FOR THE CONSTRUCTION NUMBERS. SO MUCH MORE ACCURATE, FRANKLY, NUMBER THAN WHAT WE WOULD HAVE GOTTEN FROM A SIMPLE THIRD PARTY ESTIMATE.

THAT'S ACTUALLY CORRECT. WHAT OCCURS IN THE FEASIBILITY STUDY IS JUST THAT. WE PREFER TO GIVE THE CITIZENS OF AUSTIN IN FACT THIS BODY, THIS SPECIFIC GUARANTEED MAXIMUM PRICE BID WHICH WOULD BE A LOT CLEARER FOR US AND CERTAINLY A LOT MORE COST EFFICIENT. SO YOUR SUPPORT IN THIS MATTER WOULD MEAN A LOT TO US IN THAT A HALF MILLION COULD GO INTO THE CONSTRUCTION BUDGET WHERE WE DO NEED IT AND GIVE YOU AN ACTUAL READING ON WHAT THE CONSTRUCTION COSTS WILL BE. PARENTHETICALLY, WE ARE CONSISTENT WITH OUR LEASE AGREEMENT, MOVING RIGHT AHEAD ON ABATEMENT AND DEMOLITION. TAKING BIDS FOR THAT, WE'RE EXCITED ABOUT IT. WE'VE ACTUALLY HAD TO EXTEND OUR BID PROCESS BECAUSE THERE'S SO MUCH INTEREST IN THE MARKETPLACE ABOUT IT THROUGH THE 19th OF APRIL, BUT AS SOON AS IT'S EXPEDITIOUS FOR US, WE WILL BE MAKING A DECISION AND AWARDED DECONSTRUCTION BIDS AS WELL. IT'S A VERY EXCITING AND WONDERFUL TIME FOR THE LONG CENTER AS IT BECOMES A REALITY FOR OUR COMMUNITY. SO WE APPRECIATE YOUR SUPPORT. YOU'VE BEEN GREAT PARTNERS FOR US AS WE MOVE FORWARD.

Mayor Wynn: THANK YOU, MR. REDD. COUNCIL, FURTHER COMMENTS? QUESTIONS ON THE CONSENT AGENDA? MOTION AND SECOND TO APPROVAL AS READ. 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. COUNCIL, I HAD PULLED ITEM NO. 8. WHICH IS AN ORDINANCE RELATED TO AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT WITH FREESCALE SEMICONDUCTORS, HENG. WE OF COURSE HAD A GOOD NEWS FROM OUR PRESENTATION AND PRESS RELEASE THIS

LAST FRIDAY. I WOULD LIKE TO RECOGNIZE MR. LAURA HUFFMAN.

THANK YOU, MAYOR, MAYOR, MAYOR PRO TEM AND COUNCILMEMBERS, THE ITEM BEFORE YOU TODAY IS THE ECONOMIC INCENTIVE PACKAGE FOR THE FREESCALE GLOBAL HEADQUARTERS AND A 600 MILLION DOLLAR EXPANSION TO ITS OPERATIONS HERE IN AUSTIN. MAYOR, ON MANY OCCASIONS YOU HAVE REFERRED TO THE LONG-TERM RELATIONSHIP BETWEEN THIS COMMUNITY AND FREESCALE AS A MARATHON AND NOT A SPRINT. SO TODAY REALLY MARKS THE NEXT LEG OF THE RACE. FREESCALE IS A COMPANY THAT HAS TOUCHED THE LIVES OF EACH AND EVERY ONE OF US HERE IN AUSTIN. THERE ARE 5600 EMPLOYEES AT FREESCALE. THESE ARE PEOPLE THAT LIVE, WORK AND PLAY IN AUSTIN. THESE EMPLOYEES HAVE BEEN A PART OF THIS COMMUNITY AND TROWBT A GREAT DEAL -- CONTRIBUTE A GREAT DEAL TO THE GREATNESS OF AUSTIN, INCLUDING EFFORTS WITH UNITED WAY, SAFE PLACE AND KEEP AUSTIN BEAUTIFUL. OPPORTUNITY AUSTIN TALKS ABOUT THE HUMAN CAPITAL THAT WE HAVE HERE IN AUSTIN. THESE EMPLOYEES REPRESENT A PART OF THAT HUMAN CAPITAL. BEYOND THAT, FREESCALE IS A HIGH TECH COMPANY WITH CUTTING EDGE RESEARCH AND NEW PRODUCT DEVELOPMENT THAT IMPACTS ALL OF US. THE DESIGN CHIPS THEY MAKE ARE RUNNING SOME OF THE MOST ADVANCED CELL PHONES IN THE WORLD. FORM THE BACKBONE OF THE INTERNET, AND MAKE OUR CARS SAFER, MORE RELIABLE, AND ENERGY EFFICIENT. IN LATE 2004 FREESCALE OFFICIALLY SPUN OFF FROM MOTOROLA. IN ESTABLISHING ITS NEW PRESENCE IN AUSTIN, AS A NEW COMPANY, FREESCALE BEGAN TO CONSIDER OPTIONS FOR ITS GLOBAL HEADQUARTERS, WHICH INCLUDE 600 EMPLOYEES. FREESCALE LOOKED AT CHICAGO, DALLAS, FORT WORTH, SAN JOSE, PHOENIX AND AUSTIN. AND AS WE ALL KNOW, LATE FRIDAY, FREESCALE ANNOUNCED AUSTIN AS ITS GLOBAL HEADQUARTERS AND ALSO ANNOUNCED A \$600 MILLION EXPANSION TO ITS FACILITIES HERE IN AUSTIN. I WANT TO TALK A LITTLE BIT ABOUT THE INCENTIVE PACKAGE BEFORE YOU TODAY. I FIRST WANT TO REMIND EVERYONE THAT THE WAY AUSTIN STRUCTURES INCENTIVE PACKAGES IS PERFORMANCE BASED. THAT MEANS THAT

THE CITY PAYS AFTER THE COMPANY PERFORMS. WHAT WE HAVE BEFORE YOU TODAY ARE TWO PARTS OF A PACKAGE, A HEADQUARTERS PORTION AND AN EXPANSION PORTION. AND THE HEADQUARTERS PACKAGE WE HAVE PROPERTY TAX AND PAYROLL BENEFITS, AT AN ESTIMATED \$2.6 MILLION. THE PERFORMANCE FOR THESE BENEFITS INCLUDE UP TO 300 EMPLOYEES MOVING FROM THE OAK HILL SITE, WHICH IS IN THE DRINKING WATER PROTECTION ZONE, TO A LOCATION IN THE DESIRED DEVELOPMENT ZONE. OUR INCENTIVES ARE BASED ON THAT PERFORMANCE. THE EXPANSION INCLUDES A PROPERTY TAX AND PAYROLL BENEFIT AS WELL AS AN AIRPORT INCENTIVE THAT TOTAL \$8 MILLION. THE FSMS THERE IS UP TO -- THE PERFORMANCE THERE IS UP TO 500 NEW JOBS IN THE AUSTIN ECONOMY AND A \$600 MILLION INVESTMENT IN NEW EQUIPMENT AND MACHINERY AND REAL PROPERTY. \$414 MILLION OF WHICH, THAT'S THE PORTION THAT YOU ARE ABATING, WILL BE LOCATED IN THE DESIRED DEVELOPMENT ZONE AND THAT IS THE PERFORMANCE THAT THESE INCENTIVES ARE CONTINGENT UPON. FREESCALE PLAYS AN IMPORTANT ROLE IN AUSTIN'S ECONOMIC DEVELOPMENT EFFORTS. THIS IS OUR LARGEST FORTUNE FIVE HUNDRED HEADQUARTERS. COMBINED THE HEADQUARTERS AND EXPANSION PROJECTS HAVE A PAYROLL OF OVER \$100 MILLION AND 1100 EMPLOYEES. AND PROVIDE THE KIND OF EMPLOYMENT OPPORTUNITIES THAT FORM THE BASIS OF OUR ECONOMIC DEVELOPMENT EFFORTS WITH CUTTING EDGE HIGH TECH JOBS. AGAIN FREESCALE HAS DEMONSTRATED THAT IT'S AN IMPORTANT COMMUNITY GIVER. IN ADDITION TO THE FREESCALE MARATHON WHICH IS A MARQUEE RUNNING EVENT IN THIS COUNTRY, THEIR EMPLOYEES ARE ACTIVE IN UNITED WAY, MARTIN LUTHER KING, JR. CELEBRATION, KEEP AUSTIN BEAUTIFUL AND SAFE PLACE. MAYOR, WITH THAT I WILL BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU HAVE. THANK YOU, MS. HUFFMAN, BEFORE I OPEN IT UP FOR QUESTIONS OR COMMENTS. I WOULD LIKE TO COMMENTS ON THE REMARKABLE AMOUNT OF WORK AND GOOD WORK THAT THE STAFF HAS PROVIDED ON THIS TRANSACTION. FROM TOBY FUTRELL, SUE EDWARD, JUBEL SMITH, A REMARKABLE TEAM THAT HAS DONE APPROPRIATELY A LOT OF WORK BECAUSE THESE ARE APPROPRIATE TRANSACTIONS FOR US. I THINK FREESCALE IN THIS SENSE

SAW THAT WE WERE VERY COMMITTED TO TIME, EFFORT AND RESOURCES NEEDED TO MAKE SURE THAT WE HAVE THE APPROPRIATE TRANSACTION ON THE TABLE. AND SO HATS OFF TO A REMARKABLE JOB BY CITY STAFF. SECONDLY, I WOULD LIKE TO COMMENT ON FREESCALE THEMSELVES. AS -- AS LAURA POINTED OUT, AT ONE TIME THERE WAS JUST INITIAL CONVERSATION ABOUT A HEADQUARTERS LOCATION. AND I WANT TO COMMEND FREESCALE'S LEADERSHIP FOR ULTIMATELY, FRANKLY, ALLOWING US WITH OUR ENCOURAGEMENT TO EXPAND THAT DISCUSSION FOR MORE THAN JUST SIMPLY RETAINING A HEADQUARTERS HERE IN AUSTIN, TO IN FACT WHAT WE HAVE NOW IS A SIGNIFICANT REINVESTMENT IN OUR COMMUNITY WITH ADDITIONAL JOBS INCLUDED. SO -- SO BIG THANKS TO CITY STAFF FOR ALL OF THE WORK, THANK YOU TO FREESCALE FOR THEIR APPROACH WITH THIS PROJECT AND WITH THAT I'LL OPEN IT UP FOR QUESTIONS OR COMMENTS.

MAYOR?

Mayor Wynn: COUNCILMEMBER THOMAS?

Thomas: I COMMEND STAFF AND YOU ALL FOR THE -- FOR THE EXCELLENT WORK THAT YOU HAVE DONE. I JUST NEED TO ASK SOME QUESTIONS ABOUT THE JOBS THAT ARE GOING TO BE AVAILABLE. WHAT TYPE OF JOBS ARE THESE? ENTRY LEVEL OR EXECUTIVE? AND --

YES, SIR. ON THE JOBS ON BOTH THE HEADQUARTERS AND THE EXPANSION, ARE CONSIDERED HIGH PAYING, HIGH TECH JOBS. THESE ARE JOBS THAT WILL BE RELATED TO MANUFACTURING AND SEMICONDUCTOR IN THE EXPANSION PROJECT AND THE HEADQUARTERS JOBS EXIST IN AUSTIN TODAY. I WANT TO MAKE THAT CLEAR. THOSE JOBS ALREADY EXIST TODAY. THE INCENTIVE PACKAGE THAT WE ARE OFFERING ASKS FOR THOSE JOBS TO BE MOVED FROM THE DRINKING WATER PROTECTION ZONE SITE AT OAK HILL TO THE DESIRED DEVELOPMENT ZONE. THE NEW JOBS ARE IN THE EXPANSION AND ARE RELATED, ALL SEMICONDUCTOR RELATED JOBS. WHEN WE LOOK AT SEMICONDUCTOR PACKAGES LIKE THIS, DO WE HAVE ANY IDEA OF HOW THE JOBS ARE EXISTING AS FAR AS ON THE

LEVEL OF MINORITIES? DO YOU HAVE ANY INFORMATION ON THAT?

I DON'T HAVE INFORMATION ABOUT THEIR DEMOGRAPHIC PROFILE OF THE PROSPECT OF JOBS.

OKAY.

Thomas: DO WE EVER LOOK AT THAT? SINCE WE HAVE THIS GREAT INCENTIVE THAT YOU TELL ME, 200 TO 500 JOBS I THINK AS A CITY WE NEED TO BE KIND OF AT LEAST I'M SURE FREESCALE IS -- HAVE AN OPEN MIND TO IN THAT PARTICULAR HIRING, MAKING SURE IT REPRESENTS THE COMMUNITY. I WANT TO KNOW WHEN WE DO THESE INCENTIVE PACKAGES, DO WE LOOK AT THAT, IS THAT MENTIONED AT THE TABLE?

GENERALLY, WHEN WE LOOK AT THE ECONOMIC DEVELOPMENT INCENTIVE PACKAGES, LOOKING AT THE JOBS, WE ARE LOOKING AT THE KIND OF JOBS THAT ARE BEING CREATED. WHETHER OR NOT THEY FIT WITHIN THE ECONOMIC DEVELOPMENT PROFILE THAT WE ARE LOOKING AT, FOR EXAMPLE HIGH TECH OR IN OTHER CASES DIDDATA CENTERS HAVE BEEN JOBS THAT WE HAVE BEEN LOOKING FOR, WE ALSO LOOKED AT THE SALARY OF THE JOB. FOR EXAMPLE IN THE EXPANSION PACKAGE, THE AVERAGE SALARY FOR THOSE JOBS IS \$77,000. BUT ALSO AS PARTED OF OUR EVALUATION MATRIX, WE DO LOOK AT THINGS LIKE IS IT -- IS THIS A GOOD COMMUNITY, CORPORATE COMMUNITY PARTNER? IS THIS A PARTNER THAT GIVES TO THE COMMUNITY? HAS IT DEMONSTRATED TRACK RECORD OF GIVING BACK TO THE COMMUNITY WITH EFFORTS LIKE UNITED WAY AND LIKE KEEP AUSTIN BEAUTIFUL. SO, YES, WE ARE NOT JUST LOOKING AT THE DOLLARSS, WE ARE EVALUATING HOW THAT CORPORATION OR HOW THAT COMPANY FUNCTIONS AS A PARTNER WITH THE COMMUNITY.

OKAY. I THINK THE COMMUNITY NEEDS TO LET -- LET THE COMMUNITY KNOW THAT WE ARE LOOKING AT DIFFERENT ANGLES WHEN WE DO THESE INCENTIVES. TO MAKE SURE THAT WE ARE TRYING TO REPRESENT EVERYBODY IN THIS COMMUNITY, FOR THE JUST -- I NEEDED TO ASK YOU THAT

TO BRING THAT OUT. THANK YOU.

THANK YOU, COUNCILMEMBER. FURTHER QUESTIONS, COMMENTS? I WILL SAY WE WOULD LIKE TO RECOGNIZE AND THANK [INDISCERNIBLE] CRAVEN OF FREESCALE JOINED US, AS WELL AS KIRK WATSON WHO IS SERVING OF COURSE AS CHAIRMAN OF THE GREATER AUSTIN CHAMBER OF COMMERCE, MIKE RAWLINGS IS HERE, ALL THESE FOLKS SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. I WILL POINT OUT THAT THE GREATER AUSTIN CHAMBER OF COMMERCE WILL BE SERVING A KEY ROLE, HAVE BEEN AND WILL CONTINUE TO SERVE A KEY ROLE FOR US. OBVIOUSLY THE CITY OF AUSTIN PIECE IS JUST A PART OF THIS PACKAGE. AND THE OTHER GOVERNMENTAL ENTITIES HAVE BEEN AT THE TABLE OF TRAVIS COUNTY, AISD, THE STATE, UNIVERSITY OF TEXAS HAS PLAYED AN INSTRUMENTAL ROLE. THE CHAMBER HAS BEEN QUARTERBACKING THAT, HOPEFULLY WILL CONTINUE TO THAT DO THAT. I WANT TO THANK THEM FOR THE GREAT WORK THAT'S OCCURRED SO FAR. HEARING NO FURTHER COMMENTS. I WILL ENTERTAIN A MOTION ON ITEM 8.

Thomas: MOVE APPROVAL, MAYOR?

MOTION MADE BY COUNCILMEMBER THOMAS. SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE ITEM NO. 8. 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. LET'S SEE, COUNCILMEMBER SLUSHER PULLED ITEM NO. 35, WHICH ARE OUR APPOINTMENTS PERHAPS REQUIREMENTS ON THE BOND ADVISORY COMMITTEE. I WILL RECOGNIZE COUNCILMEMBER SLUSHER.

Slusher: MAYOR, THERE WAS ONE DRAFT THAT HAD A RESIDENCY WAIVER I THINK AT ONE POINT. EVEN A BLANKET RESIDENCY WAIVER. I DIDN'T SUPPORT THAT. I THINK NOW WE ARE DONE TO WHERE -- DOWN TO WHERE IT'S RESIDENCY WAIVER FOR THE EX-OFFICIO MEMBERS WHO WILL REPRESENT IN EX-OFFICIO STATUS THE SURROUNDING

COUNTIES THAT THE VOTING MEMBERS WILL ALL BE CITY RESIDENTS WHO PAY CITY TAXES. I WANTED TO MAKE SURE THAT THAT IS THE CASE. I'M LOOKING AT THE RIGHT DRAFT.

THAT IS MY UNDERSTANDING. PERHAPS BRIEF STAFF -- RESPONSE.

I'M SANDY ZIMMERMAN WITH THE CITY OF AUSTIN LAW DEPARTMENT. THERE WAS A QUESTION WOULD THERE BE OTHER APPOINTMENTS BESIDE THE EX-OFFICIO APPOINTMENTS BUT WE HAVE ELIMINATED THAT PARAGRAPH THAT WAIVED THE RESIDENCY REQUIREMENTS FOR ANYBODY BUT THOSE COUNTY COMMISSIONERS FROM OTHER COUNTIES.

Slusher: OKAY, THANK YOU, MS. ZIMMERMAN, THAT'S ALL THAT I HAVE ON THIS ONE, MAYOR.

Mayor Wynn: THANK YOU, COUNCILMEMBER. WITH THAT ACTUALLY COUNCIL WHAT I WILL DO NOW IS NOW READ INTO -- I GUESS ESSENTIALLY AS AN -- IN ADVANCE OF A MOTION, ITEM NO. 35, I WILL READ THE CURRENT LIST OF APPOINTEES, COUNCIL DIRECT APPOINTEES, AS WELL AS THE CONSENSUS ENVISION CENTRAL TEXAS APPOINT TEES. I WILL NOTE THAT THERE IS ONE VACANCY OF THOSE CONSENSUS ENVISION CENTRAL TEXAS APPOINTEES RELATED TO THE RESIDENCY REQUIREMENT THAT WE JUST TALKED ABOUT, THE ECT BOARD WILL CONSULT WITH US, FILL THAT SPOT AS THEY HAVE A -- A CITY OF AUSTIN RESIDENT WILLING TO TAKE ON THAT COMMITTEE ROLE WITHIN ECT. SO THE BOND ELECTION ADVISORY COMMITTEE APPOINTMENTS WILL BE: FROM COUNCILMEMBER ALVAREZ'S OFFICE, MARTA COTERA, LYDIA ORTIZ. FROM COUNCILMEMBER DUNKERLY'S OFFICE, AMY MOCK AND TOM TURKELL, FROM THE MAYOR PRO TEM'S OFFICE JENNIFER MCPHAIL AND CYNTHIA MEDALIN. FROM COUNCILMEMBER MCCracken'S APPOINTMENTS, ROSE ANA BAROIS AND SABRINA BROWN. COUNCILMEMBER SLUSHER'S APPOINTMENTS WILL BE RODNEY AHART AND DAVID SULLIVAN. COUNCILMEMBER THOMAS'S APPOINTMENTS WILL BE ALBERT BLACK AND DUANE LOFTTON. AND MY APPOINTMENTS WILL BE MIKE CLACK MADISON AND RON URIAS. THE CONSENSUS ENVISION CENTRAL TEXAS

IMPLEMENTATION COMMITTEE APPOINTEES WILL BE FRED BUTLER, LOWELL LIEBERMAN, ROBIN RATHER, FRITZ STEINER, DR. CHARLES URDY AND JIM WALKER. AND NOTING THAT THERE IS CURRENTLY ONE VACANCY IN THE ENVISION CENTRAL TEXAS BOARD WILL CONSULT WITH US ON THAT IMPLEMENTATION COMMITTEE SPOT ON THIS BOND ELECTION ADVISORY COMMITTEE. AGAIN, JUST AS A REMINDER, SO THE STRUCTURE OF THE COMMITTEE IS NOW THESE 14 DIRECT APPOINTEES BY THE COUNCIL, THE SEVEN IMPLEMENTATION COMMITTEE CONSENSUS APPOINTEES FROM THE ECT BOARD AS RED -- AS READ INTO THE RECORD WITH THE ONE VACANCY. AS COUNCILMEMBER SLUSHER POINTED OUT, WE HAVE THE FIVE REGIONAL COUNTY COMMISSIONERS COURTS ARE ALL TAKING ACTION TO APPOINT A NON-VOTING MEMBER AS WELL AS THE AUSTIN INDEPENDENT SCHOOL DISTRICT A NON-VOTING MEMBER WHO WILL SIT IN ON THESE MEETINGS THROUGHOUT THE COURSE OF THE YEAR TO HELP ADVISE ON THE -- PERHAPS THE IMPACT OF THESE BOND DISCUSSIONS AND DECISIONS ON THEIR LOCAL GOVERNANCE. SO WITH THAT, I'LL ENTERTAIN A MOTION ON ITEM NO. 35.

MOVE APPROVAL.

SECOND.

MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER THOMAS TO APPROVE ITEM NO. 35, THE -- I GUESS THIS IS AN ORDINANCE AND THE APPOINTEES TO THE BOND ADVISORY COMMITTEE. FURTHER COMMENTS? I WILL JUST SAY THAT AT 2:00 TODAY THIS -- OR SOMETIME AFTER 2:00 THE CITY MANAGER'S OFFICE WILL BE GIVING THE -- THE DEPARTMENTAL NEEDS ANALYSIS. THIS IS AN IMPORTANT PRESENTATION. WE WANT TO DO THIS PUBLICLY FOR -- FOR EVERYBODY HERE IN THE PUBLIC TO SEE. ULTIMATELY, THE -- THE CITY MANAGER'S OFFICE WILL BE AT THE -- AT THE SERVICE OF THE CITIZEN BOND ADVISORY COMMITTEE. LIKELY THERE WILL BE A NUMBER OF THESE PRESENTATIONS DIRECTLY TO THAT BOND ADVISORY COMMITTEE RELATED TO BOTH THE SORT OF INTERNAL CITY DEPARTMENTAL NEEDS, WHICH -- WHICH WE ALWAYS HAVE AND ALWAYS HAVE ON OUR BOND ELECTIONS, THEN ALSO PERHAPS SOME -- SOME ADDITIONAL ISSUES THAT WE

WOULD LIKE TO TRY TO TACKLE WITH THIS POTENTIAL FUTURE BOND ELECTION. THERE BEING A MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM NO. 35, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. COUNCIL, ITEM NO. 37 IS A -- ITEM FROM COUNCIL REGARDING A BLUE RIBBON COMMITTEE SPONSORED BY AND PULPED BY COUNCILMEMBER DUNKERLY, I WILL RECOGNIZE HER AT THIS TIME.

Dunkerly: THANK YOU, MAYOR, THIS PARTICULAR ITEM I WOULD LIKE TO MOVE THAT WE POSTPONE THE ACTUAL APPOINTMENTS AND CONSIDERATION UNTIL NEXT WEEK. I WOULD LIKE TO ADD A FEW COMMENTS. TWO WEEKS AGO WE RECEIVED IN COUNCIL A REPORT ON THE AFRICAN-AMERICAN SCORE CARD FOR THIS COMMUNITY. AND LEARNED AT THAT TIME THAT THE CITY MANAGER AND STAFF HAVE BEEN WORKING A NUMBER OF MONTHS ON GETTING INPUT FROM VARIOUS PEOPLE IN THE COMMUNITY AS TO THE -- THE CONCERNS OF THE AFRICAN-AMERICAN COMMUNITY IN AUSTIN. AT THAT TIME, THE CITY MANAGER, WE DIRECTED THE CITY MANAGER TO MOVE FORWARD AND CONTINUE HER WORK AND ESPECIALLY WITH THE FORMAL FOCUS GROUPS. I BELIEVE SHE'S HIRED A GROUP CALLED SOLUTIONS GROUP TO CARRY FORWARD THAT ACTIVITY. I THINK IT WOULD BE APPROPRIATE AT THIS TIME THAT WE ALSO ADD A -- A COMMUNITY, A GROUP OF COMMUNITY LEADERS, TO REVIEW WHAT WE HAVE RECEIVED, TO REVIEW THE OTHER DATA THAT THE CITY MANAGER AND THE STAFF HAVE COMPILED AND WORK WITH THE SOLUTIONS GROUP AS THEY DO THEIR WORK AND ANALYZE AND EVALUATE THE WORK AND COME BACK TO US WITH SOME RECOMMENDATIONS AT THE END OF THE 60 DAY WORK PERIOD. SO WITH THAT IN MIND, THAT'S THE INTENT OF THE RESOLUTION. AND I WOULD LIKE TO -- LIKE I SAY, POSTPONE IT UNTIL NEXT WEEK FOR OUR CONSIDERATION AT THAT TIME.

Mayor Wynn: MOTION BY COUNCILMEMBER DUNKERLY TO POSTPONE ITEM 37. FOR ONE WEEK. SECONDED BY

COUNCILMEMBER SLUSHER. FURTHER COMMENTS?
HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Mayor Wynn: MAYOR COUNCILMEMBER THOMAS?

Thomas: COULD I ASK COUNCILMEMBER DUNKERLY, ON
YOUR BLUE RIBBON COMMITTEE, I DID HEAR YOU SAY ABOUT
BRINGING A RECOMMENDATION BACK TO US.

Dunkerly: BACK TO US.

Thomas: THAT RECOMMENDATION, DO YOU HAVE ANY IDEA --
WHERE WERE YOU TRYING TO GO?

Dunkerly: WELL, WHERE I WAS TRYING TO GO WHEN I LOOKED
AT THE SCOPE OF WORK FOR GROUP SOLUTIONS, THEY
ALSO INCLUDED A GROUP OF FORMAL FOCUS GROUPS AND
PICKING ONE PERSON FROM EACH THE GROUPS THEY
WOULD HAVE TO -- TOP DEVELOP A -- A SOLUTIONS
COMMITTEE. AND I THOUGHT AT THIS TIME IT WOULD BE
VERY APPROPRIATE FOR THE COUNCIL TO APPOINT THEIR
OWN BLUE RIBBON COMMITTEE TO WORK WITH THAT GROUP
TO BRING US BACK SOME RECOMMENDATIONS. I DON'T HAVE
ANY SPECIFIC RECOMMENDATIONS IN MIND. BUT I WAS
CERTAINLY LOOKING AT THE BROADER SCOPE OF -- OF,
NUMBER ONE, IS THERE A PROBLEM IN EAST AUSTIN? IN THE
AFRICAN-AMERICAN COMMUNITY. AND IF SO, WHAT IS --
WHAT IS THEIR RECOMMENDATION AS TO HOW TO ADDRESS
THE BROADER ISSUES INVOLVED. IN THAT PROBLEM, IF ANY,
NO SPECIFIC RECOMMENDATIONS, BUT JUST TO BE ABLE TO
TO FILTH IF HER AND ANALYZE INFORMATION THAT'S
DEVELOPED THROUGH THIS PROCESS.

Thomas: OKAY. I GUESS I'M CONFUSED, WHAT IS THE
PURPOSE GROUP SOLUTION, WHAT THEY ARE TRYING TO
GET TO BECAUSE I THINK TWO WEEKS AGO WHEN WE WERE
HERE WE WERE TALKING ABOUT AN ITEM THAT WAS PULLED
DOWN. MY UNDERSTANDING WHEN I WENT TO A RALLY WAS
THAT ONCE WE PULLED IT DOWN, ONCE WE DID ALL OF OUR

STUDIES AND EVERYTHING TWO ITEMS THAT WERE PULLED DOWN, THAT WAS THE PURPOSE THAT I THOUGHT WE WAS TRYING TO GET TO. THAT'S WHY I'M ASKING --

THERE MAY BE PROGRAMS WITHIN THEIR RECOMMENDATION THAT WOULD ADDRESS IT. WE CURRENTLY HAVE PROGRAMS THAT WOULD HELP SMALL BUSINESSES. SO -- SO AGAIN WHAT -- WHAT I WAS LOOKING FOR HERE IS -- IS THE SPECIFIC ACTION THAT WE DIRECT THE CITY MANAGER TO DO LAST TIME WAS TO GO FINISH OUR REPORT. AND COME BACK WITH SOME BROAD RECOMMENDATIONS AND I FELT THAT I WOULD LIKE A COUNCIL APPOINTED CITIZENS GROUP TO WORK WITH THIS COMMUNITY GROUP TO BRING US BACK SOME RECOMMENDATIONS. NOT SPECIFICALLY ANY ONE THING.

Thomas: OKAY. THE REASON I SAY THAT, I'VE BEEN OUT A TOWN A WEEK, BUT THE -- THE E-MAILS AND THE DEROGATORY E-MAILS ARE STILL COMING, I DON'T KNOW WHAT WE'RE GOING TO DO --

Dunkerly: HOPEFULLY THIS GROUP CAN COME BACK WITH SOME RECOMMENDATIONS FOR US TO HELP WITH THAT OR ANY OTHER ISSUES THAT THEY TURN UP.

Thomas: OKAY, I NEEDED TO KNOW THAT, WHEN I WENT TO THE RALLY THAT'S NOT WHAT I TOLD THE PEOPLE THAT WE WERE TRYING TO DO. BUT -- BUT I WILL WAIT UNTIL YOU COME BACK NEXT WEEK.

Mayor Wynn: AGAIN, MS. BROWN, THE -- THE VOTE TO POSTPONE THIS FOR ONE WEEK WAS APPROVED ON A VOTE OF 7-0. THANK YOU. THANK YOU ALL VERY MUCH. COUNCIL, WITH THAT I BELIEVE THAT'S ALL OF OUR ACTION ITEMS BEFORE THE CITIZENS COMMUNICATION, BRIEFINGS, AFC MEETING SOMETIME AFTER 3:00. WITHOUT OBJECTION, COUNCIL, MAYOR PRO TEM?

Goodman: I'M SORRY, THERE'S SOMETHING THAT I SHOULD HAVE SAID TO FOLLOW-UP ON COUNCILMEMBER THOMAS. REALLY QUICKLY. WHEN THOSE FOLKS COME TOGETHER FOR RECOMMENDATIONS, I'M HOPING THAT ITEM THAT WE COULD HAVE VOTED ON THAT DAY TO EXPAND THE

BOUNDARIES BEYOND DOWNTOWN FOR THAT LOAN PROGRAM FOR A CITY-WIDE MUSIC VENUE, COMMERCIAL LOAN, WOULD BE PART OF THAT. AND I HOPE IT DOESN'T FALL THROUGH THE CRACKS BECAUSE IT'S ASSOCIATED WITH -- WITH THE ONE SPECIFIC.

Mayor Wynn: OKAY. THANK YOU ALL. OKAY. COUNCIL, SO WITHOUT OBJECTION WE WILL GO INTO CLOSED SESSION PURSUANT TO SECTION 551.072 OF THE OPEN MEETINGS ACT, TO DISCUSS POTENTIALLY REAL ESTATE ITEMS RELATED AS POSTED ITEMS 42 AND 43, RELATED TO THE -- TO THE SEAHOLM POWER PLANT IN BLOCK 21 AND GREEN WATER TREATMENT PLANT AREA. AND 43 RELATED TO POSSIBLE REAL ESTATE ISSUE AT AUSTIN-BERGSTROM INTERNATIONAL AIRPORT. WE ALSO MAY TAKE UP IN CLOSED SESSION PURSUANT TO SECTION 551.074 OF THE OPEN MEETINGS ACT, ITEM NO. 44, RELATED TO THE PERFORMANCE EVALUATION COMPENSATION AND BENEFITS OF OUR CITY CLERK. WE ARE NOW IN CLOSED SESSION, SHOULD BE BACK AT 12:00 NOON FOR OUR GENERAL -- 12 NOON FOR OUR GENERAL CITIZENS COMMUNICATION. THANK YOU.

Mayor Wynn: GOOD AFTERNOON. I'M AUSTIN MAYOR WILL WYNN. THIS IS A FUN EVENT FOR US BECAUSE IT BRINGS TOGETHER TWO IMPORTANT ASPECTS OF PUBLIC SERVICE FOR COUNCILMEMBER ALVAREZ AND I. ONE IS WE'RE VERY PROUD OF OUR AUSTIN POLICE DEPARTMENT. ONE IS OF THE ACCREDITATION THEY HAVE AND CONTINUE TO MAINTAIN AND PARTICULARLY PROUD OF A PARTICULAR SWAT TEAM. I WOULD LIKE TO -- WE'LL HEAR FROM COUNCILMEMBER ALVAREZ IN A FEW MINUTES. JOE MUNOZ IS GOING TO SERVE AS SORT OF OUR MASTER OF CEREMONY TO BOTH HELP ME AT LEAST TO TRANSLATE AND ALSO EXPLAIN THE PROGRAM WE HAVE THAT WE HAVE THE OFFICERS FROM SALTILLO TRAINING WITH OUR SWAT TEAM AND THEN WE'LL HEAR ABOUT THE RES PROS CITY WHERE WE GET DOWN TO GO THERE AND HAVE SOME GOOD FOOD AND PERHAPS IN SPANISH I AMERSION FOR SOME OF US. JOE.

GOOD MORNING. JUST TO REEMPHASIZE WHAT THE MAYOR SAID, OVER THE LAST 15 TO 20 YEARS WE'VE BEEN

INVOLVED WITH THE SALTILLO POLICE DEPARTMENT AS A JOINT EFFORT. AND MOST RECENTLY BECAUSE OF THE ACCREDITATION THE AUSTIN POLICE DEPARTMENT HAS RECEIVED, THE POLICE FROM SALTILLO HAS COME FORWARD AND ASKED FOR ASSISTANCE WITH ACCREDITATION. THEY'RE GOING TO BE THE FIRST LAW ENFORCEMENT AGENCY OR STATE POLICE AGENCY IN THE COUNTRY TO RECEIVE THAT STATUS HOPEFULLY THIS JULY. THEY'RE HAVING THEIR INSPECTIONS DONE IN MAY, AND IN JULY THEY'LL BE -- HOPEFULLY RECEIVE THEIR RECOGNITION THROUGH THE ACCREDITATION PROCESS. BECAUSE OF THAT RELATIONSHIP WE HAVE HAD WITH SALTILLO, THEY HAVE ASKED US TO DO SOME PARTNERSHIPS AND TRAINING. THIS PARTICULAR TRAINING HAS TAKEN PLACE THIS WEEK WITH MEMBERS OF THE SWAT TEAM DOING A TACTICAL SCHOOL HERE. THERE HAVE ALSO BEEN SOME OTHER INITIATIVES THAT HAVE BEEN DONE MOST RECENTLY. ONE IS OUR COLD CASE UNIT, AND SOME OF THE MEMBERS ARE HERE NOW. THERE WAS AN OLD MURDER HERE FROM I BELIEVE THE 1980'S THAT OCCURRED, AND THE VICTIM IS FROM SALTILLO. ALL WE HAVE IS A FIRST NAME OF JAIME. THERE HAS BEEN A PRESS RELEASE THERE LOOKING TO SEE FOR THE FAMILY MEMBERS OF THIS GENTLEMAN TO FIND OUT WHERE HE IS OR -- OR WHERE THEY ARE SO THEY CAN CONTACT HIM AND LET THEM KNOW THAT THIS MAN IS DISEASED AND THEY WILL BE GOING TO TRIAL VERY SOON. WE ARE ALSO WORKING ON SOME OTHER INITIATIVES. ONE OF THE INITIATIVES WE'RE WORKING ON IS THIS DEPARTMENT IS VERY WELL AWARE OF THE SPANISH NEEDS OF THIS COMMUNITY AND THROUGH OF THE EFFORTS OF THE POLICE, WE ARE GOING TO SEND 14 OFFICERS THERE TO HAVE A ONE WEEK SPANISH IMMERSION CLASS THAT'S MUCH NEEDED BY OUR DEPARTMENT. I KNOW WE HAVE SEVERAL OFFICERS HERE THAT SPEAK SPANISH, IN PARTICULAR MEMBERS OF THE SWAT TEAM THAT DID A VERY GOOD JOB THIS WEEK AT SPEAKING SPANISH AND HELPING OUT THE TACTICAL TEAM IN THIS INITIATIVE. AS YOU SEE, THEIR STATE POLICE ARE IS PROUD ORGANIZATION, THEY DRESS VERY WELL. THEY'RE VERY PROUD OF WHAT THEY DO. AND WE'RE GOING TO HAVE A PRESENTATION HERE MOMENTARILY BY THE MAYOR AND COUNCILMEMBER ALVAREZ REGARDING THE

CEREMONY THIS AFTERNOON WHEN THEY RECEIVED THEIR CERTIFICATES. SO AT THIS TIME I'M GOING TO TURN IT OVER TO COUNCILMEMBER ALVAREZ FOR A FEW WORDS AND I'LL DO MY BEST TO TRANSLATE. AND THEN WE'LL HAVE THE SECRETARY OF PUBLIC SAFETY -- HE IS HERE. HE MADE A SPECIAL TRIP TO AUSTIN THANKS TO THE SPECIAL EFFORTS OF D.P.S. THAT GOT HIM HERE ON TIME. HE'S ATTENDING A MULTICITY BORDER CONFERENCE FOR ALL THE STATES THAT BORDER MEXICO, AND HE IS THE CHAIR. HE SAID HE GLADLY CAME BECAUSE EVERYBODY WAS BUSY AT WORK IN HOUSTON TO ATTEND THIS CEREMONY BECAUSE HE FEELS IT WOULD BE VERY IMPORTANT FOR THE MEMBERS OF HIS AGENCY TO GET THIS SORT OF TRAINING. SO AT THIS TIME I'LL HAVE COUNCILMEMBER ALVAREZ COME UP. COUNCILMEMBER?

Alvarez: (SPEAKING SPANISH). (SPEAKING SPANISH).

Alvarez: I JUST WANT TO THANK EVERYBODY WHO TOOK PART IN THIS COLLABORATION BETWEEN AUSTIN AND SALTILLO AND THE STATE OF COULDO YOU YOU -- COUHILLA. IT IS OUR SISTER CITY ESTABLISHED 30 YEARS AGO AND THERE ARE POSITIVE EXCHANGES AND POSITIVE WAYS THAT EACH CITY HAS BENEFITTED FROM THAT RELATIONSHIP, AND WE'RE REALLY PROUD THAT WE WERE ABLE TO PUT THIS TOGETHER, AND I WANT TO THANK JOE MUNOZ FOR HIS LEADERSHIP IN SETTING THIS UP, BUT I DO WANT TO MAKE SURE WE THANK OUR OWN DEPARTMENT, POLICE DEPARTMENT, A.P.D. AND THE MEMBERS OF OUR DEPARTMENT THAT TOOK PART IN THE TRAINING AND THE SHOW OF SUPPORT HERE FROM THE POLICE ASSOCIATION AND THE HISPANIC POLICE OFFICERS ASSOCIATION SO THAT WE CAN CONTINUE TO STRENGTHEN THOSE BONDS BETWEEN OUR COMMUNITIES. IT'S VERY, VERY IMPORTANT AND EVERY TIME WE GO TO SALTILLO IT'S VERY, VERY -- PUBLIC SAFETY IS ONE OF THE MAIN ISSUES THAT WE FOCUS ON. AND THERE'S POLICE OFFICERS THAT GO TO HELP TRAIN POLICE OFFICERS FROM SALTILLO. THERE'S FIREFIGHTERS FROM AUSTIN THAT GO AND TRAIN IN SALTILLO AS WELL, E.M.S. MEMBERS. SO THAT'S ONE ARENA WHERE WE'VE SEEN SOME VERY POSITIVE RESULTS AND WE WANT THAT RELATIONSHIP AND THAT POSITIVE EXCHANGE TO CONTINUE. AND SO BEFORE -- BEFORE WE MOVE ON TO

THE PRESENTATION OF THE AWARDS, I DID WANT TO MAKE SURE WE GAVE AN OPPORTUNITY TO OUR FRIEND, THE SECRETARY OF PUBLIC SAFETY, MR. GARCIA. AND SO IF YOU WOULD LIKE TO SAY A FEW WORDS, I CERTAINLY WOULD INVITE YOU TO COME UP AT THIS TIME.

(SPEAKING SPANISH).

ON BEHALF OF THE GOVERNOR OF COUHILLA, HE WOULD LIKE TO THANK OUR MAYOR, WILL WYNN, FOR WHAT'S HAPPENED THIS WEEK. POLICE CHIEF STAN KNEE, THANK YOU VERY MUCH. THE GROUP OF INSTRUCTORS THAT MADE THIS HAPPEN, WHO HAD THE PATIENCE TO TRAIN THE MEN OF THIS ORGANIZATION. BECAUSE OF THIS, THIS IS GOING TO BE A VERY GOOD THING FOR THEIR OFFICERS TO PRESENT AND HAVE THE TACTICS AVAILABLE TO THE CITIZENS OF COUHILLA. BECAUSE WE ARE NEIGHBORING STATES, HE WOULD LIKE TO CONTINUE THIS COLLABORATION BETWEEN THE TWO ORGANIZATIONS.
(AUDIO PROBLEMS)

WE HAVE TO CONTINUE TO COLLABORATE BETWEEN BOTH AGENCIES TO ASSURE OUR PUBLIC THAT THEY ARE SECURE ON BOTH SIDES OF THE RIVER. BECAUSE FOR THE PAST 23 YEARS, BECAUSE OF THE PROBLEMS THERE'S 23 STATES THAT NOW HAVE A COLLABORATIVE EFFORT ON BORDERING TOWNS ON BOTH SIDES TO HAVE CONTINUOUS DIALOGUE, CURRENTLY THERE IS DIALOGUE HAPPENING RIGHT NOW IN HOUSTON, AND HE HAPPENS TO BE THE CHAIR OF THAT COMMITTEE. AT THIS TIME THAT COMMITTEE IS TRYING TO FIND WAYS TO SECURE BOTH SIDES OF THE RIVER BECAUSE THE PUBLIC DESERVES THAT SECURITY. BECAUSE OF THE NEEDS OF THE CITIZENS OF COUHILLA, THEY ARE TRYING TO GET ACCREDITATION TO PROFESSIONALIZE THEIR DEPARTMENT BECAUSE THE PUBLIC DESERVES IT IN THAT STATE. HE WANTS TO RESTORE THE CONFIDENCE FROM THE PUBLIC THAT IS NEEDED BY OFFERING A BETTER POLICE OFFICER THAT'S BETTER EDUCATED THROUGH THESE EFFORTS. BECAUSE OF THE NEEDS OF BOTH SIDES, HE WANTS TO BETTER EQUIP AND HAVE A BETTER POLICE DEPARTMENT FOR OUR -- POLICE FOR BOTH SIDES AND HE WANTS THE COOPERATION TO CONTINUE AND HE IS AT THIS TIME OFFERING THAT COOPERATION TO CONTINUE

BETWEEN THE TWO AGENCIES BECAUSE THE PUBLIC DESERVES THAT FOR BOTH SIDES. AT THIS TIME HE WOULD LIKE TO THANK THE MAYOR, MEMBERS OF THE COUNCIL, MEMBERS OF OUR ADMINISTRATION AND IN PARTICULAR THE SWAT TEAM FOR THE CONTINUOUS RELATIONSHIP WE'VE HAD. AT THIS TIME HE'D LIKE TO SAY THANK YOU AND LET THIS RELATIONSHIP CONTINUE. THANK YOU VERY MUCH. [APPLAUSE]

Alvarez: LET ME JUST CLOSE HERE. I WANT TO THANK THE SECRETARY FOR BEING WITH US AND I WANTED TO GIVE OUR BEST TO GOVERNOR MARTINEZ WHO IS ACTUALLY A FORMER MAYOR OF SALTILLO AND ACTUALLY HAD A HANDS' ON SORT OF RELATIONSHIP WITH AUSTIN WHEN HE WAS MAYOR, SO IT'S GOOD JUST TO SEE THAT RELATIONSHIP CONTINUE WITH THE GOVERNOR. AND ALSO THANKS TO OUR REPRESENTATIVES FROM THE D.P.S., OUR OWN STATE AGENCY, AND THE GOVERNOR HERE FROM TEXAS FOR THEIR SUPPORT WITH THIS EFFORT AS WELL. AND SO I BELIEVE WE'RE AT THE POINT WHERE WE'RE GOING TO HAND OUT THE CERTIFICATES, AND I BELIEVE JOE IS GOING TO READ THE NAMES AND THE MAYOR WILL BE HANDING OUT THE CERTIFICATES.

AT THIS TIME WE'LL HAVE MEMBERS OF THE SWAT TEAM, I BELIEVE Y'ALL HAVE ALSO SOMETHING FOR THEM OR WE ALSO HAVE MEMBERS OF THE SWAT TEAM ALSO DO A CONGRATULATORY PROCEDURE LINE.

I DON'T WANT TO OMIT ANYBODY HERE TODAY. I ALSO WANT TO MAKE SURE THAT I GIVE THE RECOGNITION. THE PERSON THAT IS GOING THE MOST TO THE COUHILLA STATE IS JORGE (INDISCERNIBLE). I'D LIKE TO THANK HIM. [APPLAUSE] OUR FIRST CERTIFICATE IS PRESENTED TO -- THEY HAVE AN EQUIVALENT TO OUR D.P.S. COLONEL. HE HIMSELF ATTENDED THE CLASS. THEY WANTED TO SEE WHAT TACTICS WE WERE GOING TO USE TO BEST SUIT THEIR NEEDS. TO GIVE YOU A LITTLE BIT OF A SUMMARY, THE STATE OF CO-HEECOUHILLA IS BROKEN UP MUCH LIKE AUSTIN. THEY'RE DIVIDED INTO FIVE ZONES, SO EACH ZONE HAS A COMMANDER. BUT THE D.P.S. COLONEL IS HERE, AND I'D LIKE TO CALL HIM UP. [APPLAUSE] WITHOUT A GOOD COMMANDER OR A GOOD COLONEL, THERE ALWAYS HAS TO

BE A SECOND IN HAND. AND BOTH OF THEM ARE HERE. THE SECOND IN HAND IS HERE. [APPLAUSE] (READING LIST OF CERTIFICATES) CLEAR CLEAR ((PRESENTING CERTIFICATES) (PRESENTING CERTIFICATES).

THE NEXT INDIVIDUAL, AT ONE TIME WE HAD AN INDIVIDUAL IN AUSTIN, HE CONTINUES TO HELP, AND HIS NAME IS JOE ALVA ALVA RAD DOUGH. THEY HAVE A VETERINARIAN DOCTOR, HE WAS BORN IN HIS JOB BEING A VETERINARIAN -- BORED IN HIS JOB BEING A VETERINARIAN, SO HE DECIDED TO USE HIS PROFESSIONAL AND FORMER KNOWLEDGE OF BEING IN THE ARMY AND TACTICAL TRAINING, SO HE GOT HIRED ON AS THE DIRECTOR OF THEIR TRAINING, AND WE'RE HAPPY TO HAVE HIM HERE BECAUSE HE HAS BEEN A GREAT ASSET TO THEM AND AT THE SAME TIME HE ALSO CAME TO LEARN OUR TACTICS. I'D LIKE TO HAVE CARLOS ALVARADO. [APPLAUSE] AT THIS TIME I'D LIKE TO HAVE LIEUTENANT SHAUN MADDOX COME UP AND DO A LITTLE PRESENTATION. LIEUTENANT?

EVEN THOUGH YOU GENTLEMEN WEREN'T EXPECTING IT, IF I COULD BE JOINED BY ASSISTANT CHIEFS AS WELL AS THE ASSISTANT CITY MANAGER, AND MA'AM, IF OUR CITY MANAGER, MS. TOBY FUTRELL COULD JOIN ME AS WELL.

I'M VERY PROUD OF THE RELATIONSHIP THAT THE AUSTIN POLICE DEPARTMENT HAS DEVELOPED WITH THE STATE OF COUHILLA. THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES STARTED OUT AS A UNITED STATES PROJECT SEVERAL YEARS AGO. TODAY WHEN WE INCLUDE OUR PARTNERSHIP WITH MEXICO, IT NOW FLIES FOUR FLAGS, THAT OF THE UNITED STATES, CANADA, ROYAL BARABADOS AND MEXICO. ON BEHALF OF THE AUSTIN POLICE DEPARTMENT'S ACCREDITATION UNIT AND THE CITY OF AUSTIN, IF THE SECRETARY, MR. GARCIA, WOULD JOIN US, I WOULD APPRECIATE IT. AS A SMALL TOKEN OF OUR FRIENDSHIP AND OF OUR MUTUAL PURSUIT OF EXCELLENCE IN POLICING, WE'D LIKE TO GIVE YOU THIS SMALL TOKEN FROM THE CITY. [APPLAUSE] MANAGER, WOULD YOU LIKE TO SAY SOMETHING?

Mayor Wynn: AGAIN, WE HAVE TWO GREAT THINGS HERE, ONE, OUR SPECTACULAR POLICE DEPARTMENT, BUT ALSO

THE SPECTACULAR RELATIONSHIP THAT THE CITY OF AUSTIN ENJOYS WITH SALTILLO. AS A QUICK LITTLE HISTORY LESSON, THOSE OF YOU WHO REMEMBER, BACK WHEN TEXAS WAS PART OF MEXICO, A PROVINCE, IN FACT, OUR CAPITOL CITY WAS SALTILLO. SO AGAIN, PLEASE JOIN ME IN FIRST THANKING THE AUSTIN POLICE DEPARTMENT AND IN PARTICULAR THE SWAT TEAM AND CONGRATULATING THE OFFICERS FROM SALTILLO. [APPLAUSE]

THIS CONCLUDES THE CEREMONY AT THIS TIME, AND I'D LIKE THE SWAT TEAM AND MEMBERS OF SALTILLO COUHILLA STATE POLICE TO PROCEED ON TO THE BOARDS AND COMMISSION ROOM.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION. IN CLOSED SESSION WE TOOK UP PURSUANT TO SECTION 551.072, ITEM NUMBER 42 RELATED TO THE BLOCK 21 PROPOSALS. NO DECISIONS WERE MADE. WE'LL NOW GO -- IT'S A FEW MINUTES LATE AND I APOLOGIZE. WE'LL NOW GO TO GENERAL CITIZENS COMMUNICATION. WE HAVE A NUMBER OF FOLKS WHO HAVE SIGNED UP WISHING TO ADDRESS UP. THE FIRST SPEAKER IS JENNIFER GALE. JENNIFER GALE? WE'LL MOVE ON, AKWSAI EVANS. I DON'T BELIEVE I SEE HIM IN THE ROOM EITHER. COLIN CLARK, WHO I DID SEE EARLIER. WELCOME, MR. CLARK. YOU WILL HAVE THREE MINUTE AND YOU WILL BE FOLLOWED BY SUSANA ALMANZA.

GOOD AFTERNOON, MAYOR AND COUNCIL, I'M COLIN CLARK WITH SAVE OUR SPRINGS. I WANTED TO TAKE THIS TIME TO TALK TO YOU ABOUT WATER CONSERVATION IN LIGHT OF WATER TREATMENT PLANT 4 AND GIVE A LITTLE PERSPECTIVE ON HOW AUSTIN COMPARES TO SOME OTHER CITIES. THE SLIDE BEFORE YOU SHOWS AUSTIN'S -- SAN ANTONIO'S DAILY GALLONS PER CAPITA PER DAY FROM 1988 TO 2000, AND YOU CAN SEE THEY WENT FROM 188 TO 142 PER DAY IN THE SPAN OF 18 YEARS. THEY'VE BEEN EXTREMELY AGGRESSIVE WILL CONSERVING WATER AND THEY'VE HAD SOME GREAT RESULTS. THIS IS AUSTIN'S PER CAPITA WATER USE PER DAY FROM '80 TO 2003. AND IT LOOKS LIKE IN 1980 WE WERE AROUND 186 GALLONS PER CAPITA PER DAY. AND IN 2003 YEAR AT 180. SO OVER A LONGER PERIOD OF TIME WE'VE CONSERVED PROPORTIONATELY FAR LESS WATER. SO COMPARED TO

OUR NEIGHBORS IN SAN ANTONIO, AUSTIN WE'RE BIG TIME WATER HOGS. 180. I THINK THE STAT FOR 2004 IS 185- GALLONS PER CAPITA PER DAY. SO I WANTED TO BRING THIS TO Y'ALL'S ATTENTION IN LIGHT OF DECISIONS YOU'RE GOING TO BE ASKED TO MAKE ON WATER TREATMENT PLANT 4 AND THINKING ABOUT WHAT PROJECTIONS AUSTIN HAS FOR WATER USE IN THE FUTURE. AND I'M GOING TO HAND OUT TO Y'ALL SOME INFORMATION FROM OUR FIVE- YEAR WATER CONSERVATION PLAN, AND THAT PLAN SUGGESTS THAT IN 2015 OUR GALLONS PER CAPITA PER DAY WILL BE 178. THAT'S WITH THE CONSERVATION PLAN. RIGHT NOW WE'RE AROUND 180, MAYBE 185. IN 15 YEARS WE'RE ONLY REDUCING OUR PER CAPITA PER DAY CONSUMPTION BY A FEW GALLONS PER DAY, COMPARED TO SAN ANTONIO, WHICH IS AT 140. THE STATE OF TEXAS SET UP A WATER CONSERVATION TASKFORCE FROM THE LAST LEGISLATIVE SESSION. ONE OF THEIR RECOMMENDATIONS IS A STATEWIDE REDUCTION IN PER CAPITA USE TO 140- GALLONS PER DAY. THAT'S EXCLUDING INDUSTRIAL. SO OUR CONSERVATION PLANS TARGET 178 GALLONS PER CAPITA PER DAY. THE RADICAL STATE OF TEXAS IS PROPOSING THAT CITIES GET TO 140, EXCLUDING INDUSTRIAL. SO IT'S VERY OBVIOUS THAT OUR CONSERVATION PLANS AREN'T -- WHILE THEY HAVE SOME GREAT THINGS GOING ON AND THAT SUPPORT AND WANT TO KEEP GOING, THEY'RE NOT NEARLY AS AGGRESSIVE AS THE STATE IS ASKING CITIES TO BE. SO WHEN WE LOOK AT SPENDING HUNDREDS OF MILLIONS OF DOLLARS ON NEW TREATMENT PLANTS, WHAT WOULD OUR DEMAND LOOK LIKE IN 15, 25, 50 YEARS IF WE ACHIEVED 140 GALLONS PER CAPITA PER DAY. AND I'LL PASS THESE OUT TO YOU AS WELL. LAST SLIDE, THIS IS WATER PUMPAGE IN SAN ANGELO. THEY HAVE DROUGHT CONDITIONS. THEY DRASTICALLY REDUCED THE TOTAL AMOUNT OF RAW WATER THEY PUMP FROM THEIR AQUIFERS THROUGH AGGRESSIVE CONSERVE CONSERVATION, PRIMARILY LIMITING HOW MUCH WATER PEOPLE CAN PUT ON THEIR LAWNS.

Mayor Wynn: THANK YOU. SUSANA ALMANZA. WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY ANTHONY WALKER.

GOOD EVENING, MAYOR AND CITY COUNCILMEMBERS, I'M

SUSANA ALMANZA WITH PODER, PEOPLE ORGANIZED IN DEFENSE OF EARTH AND HER RESOURCES. I JUST WANT TO SAY BRIEFLY THIS PAST SATURDAY, APRIL THE 2nd, A.C.C., THE CHAMPION GROUP, HAD A WHOLE FORUM ON GENTRIFICATION. AND ONE OF THE THINGS THAT PEOPLE TALKED ABOUT, AT LEAST IN THE GROUP THAT I WAS, SINCE WE BROKE UP INTO SMALL GROUPS, WAS THE ISSUE OF PUBLIC POLICY AND HOW PUBLIC POLICY IS ASSISTING IN THE GENTRIFICATION THAT'S HAPPENING IN EAST AUSTIN. WE CAN LOOK IN THE PAST OF HOW THE FEDERAL GOVERNMENT, YOU KNOW, WAS INSTRUMENTAL IN SUBSIDIZING THE WHITE FLIGHT IN THE SUBURBAN -- BUILDING THE SUBURBS OUT. NOW WE CAN LOOK AT HOW THE FEDERAL GOVERNMENT IS ALSO AIDING IN THE GENTRIFICATION. IN MY TRAVELS OF GOING THROUGH THE UNITED STATES AND MANY PLACES, I'VE SEEN TOO THAT MOST OF THESE STATES ARE BUILDING HOUSING, SO-CALLED AFFORDABLE HOUSING AT THE 80% MEDIAN FAMILY INCOME. AND ALSO DOING RENTAL AT THE 60 TO 65% MEDIAN INCOME. AND THIS IS A POLICY THAT'S BLEEDING AWAY AT H.U.D. AT THE FEDERAL LEVEL COMING DOWN TO THE CITY. SO WE ARE SEEING A LOT OF HOMES BEING BUILT IN A COMMUNITY THAT LIVES FROM A 20 TO 40% MEDIAN FAMILY INCOME, AND WE'RE SEEING HOUSING THAT IS BEING BUILT AT THE 80% MEDIAN INCOME. AND THEN AGAIN WE SEE THE PRIVATE DEVELOPERS WHO ARE COMING IN AND BUILDING THE CONDOS ANYWHERE FROM 180,000 TO CLOSE TO \$300,000 PURSUANT. SO ALL OF THIS IS CONTRIBUTING TO THE GENTRIFICATION IN OUR COMMUNITY BECAUSE WE CAN'T AFFORD TO LIVE IN THESE NEW CONSTRUCTED SITES IN OUR COMMUNITY, BUT THE NEGATIVE IMPACT IS THAT OUR TAXES ARE SKYROCKETING BECAUSE THE TAX APPRAISAL CAN APPRAISE FROM A BLOCK UP TO A ONE MILE RADIUS. SO ALL OF THESE THINGS ARE ASSISTING IN THE GENTRIFICATION OF OUR COMMUNITIES. WE HAD TWO OF THE YOUNG SCHOLARS WHO WORK WITH PODER JUST RECENTLY TRY TO APPLY FOR THE HOUSING THAT'S GOING TO BE BUILT IN MONTOPOLIS WITH ZERO ENERGY. AND I HOPE THAT THERE'S A WAY THAT YOU STILL DO THAT PROJECT IN MONTOPOLIS. I RECOMMEND THAT MAYBE THE DELL CORPORATION CAN HELP KEEP THE COSTS DOWN BY

MAKING A BIG CONTRIBUTION SO THAT WE CAN GET THE ENERGY EFFICIENT HOMES THERE. ALSO LOOKING AT THE HOLLY POWER PLANT MITIGATION MONEY, HOW MIGHT THAT BE USED TO ASSIST SO THAT THE ZERO ENERGY HOMES CAN BE BUILT AT A LOWER MEDIAN FAMILY INCOME FOR THAT AREA. IT'S VERY IMPORTANT THAT WE THINK OUTSIDE THE BOX. JUST WHEN WE LOOK AT DEVELOPMENT, WHEN WE LOOK AT SWAPPING LAND AND EVERYTHING ELSE ON THE WEST SIDE OF AUSTIN FOR THE CRITICAL ENVIRONMENT ZONE THAT WE DO THAT FOR THE CRITICAL PEOPLE IN EAST AUSTIN TO PRESERVE THEM. [BUZZER SOUNDS] SO I JUST ASK YOU AGAIN TO LOOK AT THAT WHOLE GENTRIFICATION ISSUE AND HOW TO KEEP EAST AUSTIN IN EAST AUSTIN. THANK YOU. [APPLAUSE]

Mayor Wynn: THANK YOU, MS. ALMANZA. ANTHONY WALKER, WELCOME, SIR. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY ERIKA GONZALES.

GREETINGS. PEACE BE TO YOU. MAYOR, CITY COUNCILMEMBERS, EVERYONE WHO HAD AN OPPORTUNITY TO MAKE IT OUT HERE THIS EVENING, I WANT TO WISH YOU THE BEST OF HEALTH AND THE GREATEST SPIRITS. BEFORE I BECAME AN ACTIVIST HERE, I HAD A CHANCE TO SERVE IN U.S. MILITARY. I WAS A DRILL INSTRUCTOR IN OKLAHOMA. I'VE BEEN NUMEROUS PLACES AND MET NUMEROUS PEOPLE. OUT OF THE ALL THE PLAYS THAT I'VE BEEN AND THE PEOPLE THAT I'VE MET, AUSTIN IS THE MOST RACE SIT OF ALL. IF PEOPLE DON'T BELIEVE WE HAVE A PROBLEM, THEY BELIEVE IN A THREE-DOLLAR BILL. LIVING IN AMERICA, AMERICA IS NOT LIVING UP TO THE TRUE CREED OF FREEDOM, LIBERTY AND JUSTICE FOR ALL. PEOPLE WHO ARE IN A POSITION WHO HAVE THE AUTHORITY TO MAKE CHANGES HAVE TO BE WILLING TO DO THAT. WHEN PEOPLE GO TO THE POLL ON ELECTION DAY, IT DOESN'T MATTER WHAT RACE THEY VOTE FOR, THEY WANT YOU TO BE A VOICE. OFFER HELP FOR THE HELPLESS. HERE IN AUSTIN WE HAVE A SERIOUS PROBLEM. WE'RE NOT AGREEING ON A LOT OF ISSUES THAT CONCERN THE AFRICAN-AMERICAN COMMUNITY. WE HAVE A LOT OF EVENT HERE IN AUSTIN AND WE DON'T CATER TO ALL OF AUSTINITES. WHEN WE HAVE SOUTH BY SOUTHWEST, THEY DON'T CATER TO THE AFRICAN-AMERICAN. AUSTIN CITY LIMITS IS NOT CATERING

TO THE AFRICAN-AMERICAN. YOU NEED TO HEAR THE VOICE OF THE AFRICAN-AMERICAN. WHEN PEOPLE COME TO YOU AND WANT SUPPORT FOR THE MIDTOWN LIVE SITUATION, YOU SHOULD HEAR THE CRIES OF THEM. MIDTOWN WAS A PLACE TO GO TO HAVE A GOOD TIME. THERE IS NO REASON WHY THE CITY OF AUSTIN SHOULD COME TO THE AID OF MIDTOWN LIVE. DEALING WITH THE POLICE OFFICER ISSUES, WE'VE GOT TO UNDERSTAND WE'VE GOT A LOT OF OUTSTANDING, GREAT POLICE OFFICERS HERE IN AUSTIN, BUT WE ALSO GOT SOME DIRTY, NO GOOD, LOW DOWN, RACIST PEOPLE HERE IN AUSTIN WHO DO EVERYTHING IN THEIR POWER AND COME TO THE EAST AUSTIN COMMUNITY AND MAKE LIFE MISERABLE FOR THE AFRICAN-AMERICAN RACE. YOU WANT TO LOOK AT O'ROWS, THEY WANT TO LOOK AT THEM AS ROLE MODELS IN THE COMMUNITY, HOW CAN YOU POSSIBLY DO THAT WHEN THEY TERRORIZE THE COMMUNITY. WHEN THE POLICE CHIEF COME TO THE PEOPLE AND SAY HE WANT TO BUILD A RELATIONSHIP WITH THE COMMUNITY AND THE POLICE OFFICER ON THE STREET IS DOING SOMETHING ELSE, OF COURSE WE'LL GET MIXED SIGNALS. ALL THE ABUSE THAT THE AFRICAN-AMERICAN HAVE SUFFERED AT THE HANDS OF THE LAW ENFORCEMENT, WE STILL DON'T HAVE HATRED TOWARDS THEM, BUT WE HAVE A LOT OF ANGER. ANGER IS BUILDING UP AND IT'S A TICKING TIME BOMB. SOONER OR LATER SOMETHING SERIOUS IS GOING TO HAPPEN. WHY DO WE HAVE TO WAIT FOR TRAGEDY TO HAPPEN BEFORE CHANGES COME ABOUT. RIGHT NOW YOU HAVE A POLICE OFFICER ON THE ONE SIDE, COMMUNITY ON THE EAR SIDE AND WE'RE HEADING FOR A COLLISION. WE DON'T HAVE TO COME THAT FAR. RIGHT NOW THE PEOPLE COME TO YOU ASKING YOU FOR HELP, HELP IN A LOT OF WAYS. IT'S YOUR JOB TO LISTEN TO THE PEOPLE. SO WE COME TO YOU AND ASK YOU TO PLEASE HEAR OUR PLEA FOR HELP. GIVE MIDTOWN THE SITUATION THEY NEED, GIVE THEM THE HELP THEY NEED AND COME TO THE AID AND WORK WITH THE POLICE DEPARTMENT SO THEY CAN MAKE CHANGES AND CHANGES AND HELPING EAST AUSTIN AND HELP ALL AUSTIN SITES. THAT'S THE THING WE HAVE TO AUSTIN. WE ARE HUMAN BEINGS. WE ALL HAVE RIGHTS, WE ALL SHOULD BE TREATED EQUALLY DESPITE WHO WE ARE AND WHAT WE STAND FOR. WE HAVE TO PUT OUR PERSONAL DIFFERENCE ASIDE AND

BE ABLE TO WORK TOGETHER. I RAISE MY RIGHT HAND AND
TAKE THE OATH OF TRUTH. MAY GOD BLESS AUSTIN, TEXAS.
[APPLAUSE]

Mayor Wynn: THANK YOU, MR. WALKER. AND THERE IS A LOT
OF EFFORT GOING ON WE KNOW THAT THERE'S A LOT OF
FRUSTRATION IN THE COMMUNITY AND I BELIEVE THIS
COUNCIL IS COMMITTED TO TRY TO CONTINUE TO WORK
THROUGH THAT. THANK YOU. WELCOME MS. GONZALES.
YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY IVAN
WILLIAMS.

GOOD EVENING, COUNCILMEMBERS AND MAYOR. MY NAME
IS ERIKA GONZALES AND I'M HERE TODAY TO TALK ABOUT
PODER, AND TO ALSO EXTEND TO YOU AN INVITATION TO
ATTEND OUR PODER'S 14TH ANNIVERSARY. PODER IS A
NONPROFIT ENVIRONMENTAL JUSTICE ORGANIZATION. OVER
THE YEARS PODER HAS SUCCESSFULLY SHUT DOWN THE
TANK FARM IN EAST AUSTIN THAT HAS EMITTED TOXIC
CHEMICALS THAT IMPACTED RESIDENTS' HEALTH AND THE
ENVIRONMENT. PODER HAD A ONE PAGE HEALTH SURVEYOR
SURVEY TO ASSESS THE HEALTH PROBLEMS OF PEOPLE
LIVING IN THE TANK FARM AREA. THIS ONE PAGE HEALTH
SURVEY HAS BEEN SHARED AND USED BY COMMUNITIES IN
SEVERAL STATES. IN 1997 WE ALSO HELPED RELOCATE THE
SEVEN ACRE BROWNING FERRIS INDUSTRIES, BFI
RECYCLING CENTER. PODER MOBILIZED TO ENSURE THAT
THE RECYCLING PLANT MOVED TO A NONRESIDENTIAL
AND/OR ENVIRONMENTALLY SAFE AREA. PODER WAS ALSO
SUCCESSFUL IN AN EAST AUSTIN OVERLAY ORDINANCE TO
PROTECT EAST AUSTIN RESIDENTS FROM FURTHER
INDUSTRIAL DEVELOPMENTAL THREATS. THE ORDINANCE
REQUIRES THAT NEIGHBORHOOD RESIDENTS BE NOTIFIED
AND GIVEN AN OPPORTUNITY TO VOICE THEIR CONCERNS
ANY TIME AN INDUSTRIAL FACILITY SEEKS TO LOCATE OR
EXPAND ITS OPERATION IN EAST AUSTIN. IN 2000 PODER'S
COLLEGE INTERNS AND HIGH SCHOOL STUDENTS INITIATED
A SUCCESSFUL JUVENILE JUSTICE PROJECT IN PODER'S
SCHOLARS FOR JUSTICE PROGRAM. THEY HAVE STARTED A
BUS RIDERS UNION, WORKED TO ENSURE EQUITY IN THE
CITY OF AUSTIN PARKS AND RECREATION DEPARTMENT AND
CURRENTLY WORK ON CHILDREN IN JUSTICE ISSUES
THROUGH THE TOLERANCE POLICIES IN PUBLIC SCHOOLS

CAMPAIGN. WE ARE CURRENTLY WORKING WITH MOTHERS FROM EAST AUSTIN ELEMENTARY SCHOOLS THROUGH THE HEALTHY COMMUNITIES PROJECT AND CONTINUE TO NETWORK WITH OTHER LOCAL AND NATIONAL YOUTH GROUPS. PODER RECOGNIZES THAT YOUTH WILL BE OUR FUTURE LEADERS AND DECISION MAKERS. FOR THIS REASON WE HONOR CHILDREN'S ENVIRONMENTAL HEALTH AND JUSTICE ON PODER'S 14TH ANNIVERSARY. WE ARE INVITING ALL OF THE AUSTIN COMMUNITY TO ATTEND PODER'S 14TH ANNIVERSARY AND EARTH DAY CELEBRATION HOSTED BY COUNCILMEMBER ALVAREZ. OUR CELEBRATION WILL BE HELD FRIDAY, APRIL 22nd, 2005, AT FIESTA GARDENS EAST, THAT'S 2101 BERGMAN STREET FROM SIX TO EIGHT PROGRAM. WE CELEBRATE OUR TRADITIONS OF HONORING MOTHER EARTH THROUGH CEREMONIAL, DANCE, SONGS AND POETRY. FOR MORE INFORMATION YOU CAN CALL US AT THE PODER OFFICE AT 472-9921. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: THANK YOU. IVAN WILLIAMS, WELCOME, SIR. YOU WILL HAVE THREE MINUTES. AND A QUICK INTRODUCTION, MR. WILLIAMS SERVED YEARS AGO AS OUR MUNICIPAL COURT JUDGE AND I BELIEVE WAS ACTUALLY IN NIGHT COURT JUDGE PRIOR TO RONNIE RONNIE EARLE TAKING THAT POSITION.

THAT'S CORRECT, FOUR YEARS AGO WAS THE LAST TIME I APPEARED BEFORE THE COUNCIL. I WAS A MUNICIPAL JUDGE AND THE FIRST NIGHT COURT MAGISTRATE FOR THE CITY. THAT'S A LONG TIME AGO. I'M HERE TO DISCUSS JUST BRIEFLY A CHRONOLOGY AND MAKE SOME COMMENTS, BRIEF COMMENTS ABOUT THE MIDTOWN FIRE SITUATION. FEBRUARY 18th WAS THE FIRE. FEBRUARY 22nd THE CITY MANAGER AND TWO OF HER ASSISTANTS, MCDONALD AND GARZA, MET WITH MS. BAYLOR, WHO REQUESTED A 750,000-DOLLAR GRANT OR FORGIVABLE LOAN TO REBUILD AND EXPAND MIDTOWN. SPECIFICALLY DISCUSSED AT THIS MEETING AND THE SUBSEQUENT MEETING OF MARCH THE SEVENTH WAS H.U.D. LOANS, GRANTS TO PAY FOR THE LOAN. ON MARCH SEVENTH, THE MEETING BETWEEN MS. BAYLOR AND MCDONALD SPECIFICALLY DISCUSSED THE H.U.D. LOANS AGAIN ABOUT HOW THEY COULD BE USED. THESE LOANS OF COURSE ARE TO EXPAND THE ECONOMIC

OPPORTUNITIES FOR LOW AND MODERATE INCOME PEOPLE. AND DISCUSSION WAS THAT TO USE THESE GRANTS THE CITY COUNCIL WOULD HAVE TO WAIVE SOME PROGRAM GUIDELINES IN ORDER TO QUALIFY THE RELATIVELY HIGH INCOME CASH FAMILY FOR A LOW. AT THAT TIME MCDONALD ASKED MS. BAYLOR IF SHE WOULD CONSIDER A 400,000-DOLLAR, QUOTE, FORGIVABLE LOAN, CLOSE QUOTE, SIMILAR TO THE LOAN THE CITY GAVE TO LIBERTY LUNCH IN 1999. INDEED, WE KNOW NOW THAT THE LIBERTY LOAN SITUATION DID NOT INVOLVE A FORGIVABLE LOAN. INDEED, THROUGH COUNCILMEMBER MCCrackEN'S OFFICE, I SECURED THE DOCUMENTS RELATED TO THAT ORDINANCE, RESOLUTION, LOAN GUIDELINES, AND IT WAS NOT A FORGIVABLE LOAN. NEVERTHELESS, HE ON BEHALF OF THE CITY MANAGER PUT THE CITY ON LINE FOR 400,000-DOLLAR FORGIVABLE LOAN IF IT WAS ACCEPTED, AND I ASSUME THE PEOPLE WOULD HAVE THE MONEY AND BE SETTING A NEW FOUNDATION. BUT THAT LOAN WAS REFUSED. ON MARCH 22nd THE CITY MANAGER MEMO TO CITY COUNCIL, ANNOUNCED THAT SHE WOULD ASK THE COUNCIL FOR A FORGIVABLE LOAN UP TO \$750,000 TO REBUILD AND EXPAND MIDTOWN. ON MARCH 30TH, THE CITY MANAGER STATES IN A MEMO TO COUNCILMEMBER MCCrackEN THAT THE MUSIC VENUE RELOCATION PROGRAM FOR DOWNTOWN DEVELOPMENT WAS KIND OF AN UNUSUAL PROGRAM TO HELP ONE CLUB, LIBERTY LUNCH, 1999, BUT WAS APPROPRIATE FOR THE MIDTOWN SITUATION. IT WAS NOT APPROPRIATE, IS NOT APPROPRIATE NOW. ALSO IN THE MEMO TO MCCrackEN, SHE CITED ANOTHER PROGRAM, THE MUSIC INDUSTRY LOAN PROGRAM STATING THAT THE PROGRAM HAD -- [BUZZER SOUNDS] -- GIVEN 50% LOAN TO 12 BUSINESS VENTURES TOTALING \$700,000\$700,000. WHEN THE STATESMAN GOT THE DOCUMENTS, THE CITY MANAGER HAD TO BACKTRACK ON THAT AND ADMIT THAT WAS AN ERROR. SUMMARY, THE CITY MANAGER MISLED THE COUNCIL THAT THE CITY HAD PREVIOUSLY GRANTED A FORGIVABLE LOAN UNDER EITHER ONE OF THESE PROGRAMS AND SHE MISLED THE COUNCIL EITHER BY INTENT, MISTAKE OR INCOMPETENCE.

Mayor Wynn: PLEASE CONCLUDE, MR. WILLIAMS. YOUR TIME IS UP.

THANK YOU.

Mayor Wynn: THANK YOU.

Futrell: WELL, I'M GOING TO NEED TO RESPOND. THERE ARE THREE THINGS THAT ARE MISINFORMATION IN WHAT HAS JUST BEEN SAID. THE WAIVER THAT WAS DISCUSSED IN THE NEWSPAPER AS A WAIVER OF THE INCOME OF THE OWNERS OF THE BUSINESS IS NOT CORRECT. THE WAIVER OF THE PROGRAM THAT WOULD HAVE TO HAVE BEEN CONSIDERED SHOULD A H.U.D. LOAN HAVE BEEN CONSIDERED WOULD HAVE BEEN A WAIVER FOR OUR INTERNAL GUIDELINES FOR THE AMOUNT OF THE LOAN. THE FEDERAL GUIDELINES FOR THOSE LOANS IS -- HAS TO DO WITH THE INCOME OF THE PEOPLE RECEIVING THE JOBS. THEY HAVE TO BE OF A LOW INCOME. THOSE CANNOT BE WAIVED. THOSE ARE FEDERAL GUIDELINES. SO THE INFORMATION IN THE NEWSPAPER WAS INCORRECT. THE WAIVER THAT WOULD HAVE HAD TO HAVE BEEN CONSIDERED FOR THE LOAN WOULD HAVE HAD TO HAVE GONE TO THE AMOUNT OF THE LOAN, WHICH WAS NOT A FEDERAL WAIVER, IT WAS A LOCAL GUIDELINE ON OUR PROGRAM. AND IT WAS A WAIVER THAT HAS BEEN DONE BEFORE IN OTHER LOANS THAT WERE CONSIDERED. THAT'S THE FIRST PIECE OF INFORMATION. THE SECOND PIECE OF INFORMATION IS THAT THE NEWSPAPER WAS CONFUSED ABOUT THE LIBERTY LOAN LUNCH. ALL OUR COUNCIL WAS AWARE THAT A LIBERTY LUNCH LOAN WAS NOT A FORGIVABLE LOAN. IT'S IN ALL OUR DOCUMENTS. IT'S IN ALL OUR INFORMATION. IT WAS GIVEN TO ALL THE REPORTERS. IN FACT, THEY NEVER MADE A PAYMENT ON THE LOAN, BUT THAT HAD TO DO WITH THEM BEING UNABLE TO MAKE THEIR PROGRAM WORK. THE LOAN WAS SECURED. WHEN IT WAS CALLED IN, WE WERE ABLE TO REPAY THE LOAN BACK TO THE PROGRAM. AND THE THIRD PIECE OF INFORMATION IS YES, THERE WAS A PIECE OF INCORRECT INFORMATION ON ONE OF THE LOAN PROGRAMS THAT WAS DESCRIBED. IT WAS CORRECTED TO COUNCIL PRIOR TO THE REQUEST FOR INFORMATION FROM THE STATESMAN. AND THE INCORRECT INFORMATION HAD TO DO WITH THE FACT THAT IT WASN'T THAT 50% OF THE LOANS WERE FORGIVABLE, IT WAS THAT 50% OF THE LOANS WERE GUARANTEED BY THE CITY. SO IN THE CASE OF A DEFAULT FROM THE LOAN, THE CITY WOULD HAVE TO PAY BACK 50% OF THAT LOAN OUT OF THE

GENERAL FUND. THAT WAS THE MISINFORMATION, SOMETHING THAT HAPPENED IN THE TRANSCRIBING OF THE CRITERIA FOR THE PROGRAM FROM ONE OFFICE TO ANOTHER.

Mayor Wynn: THANK YOU, CITY MANAGER. OUR NEXT SPEAKER IS MR. BART STEPHENS. WELCOME, MR. STEPHENS. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY JENNIFER GALE.

THANK YOU. MY NAME IS BART STEPHENS. I PUBLISH THE WEST AUSTIN NEWS. ON A SOMEWHAT LIGHTER NOTE, ON FRIDAY AND SATURDAY, APRIL 15TH AND 16TH, THE WEST AUSTIN NEWS WILL PRESENT THE THIRD ANNUAL AUSTIN ART CAR PARADE. THIS YEAR'S EVENTS BENEFIT VSA ARTS OF TEXAS, AND THE AUSTIN INDEPENDENT SCHOOL DISTRICT THROUGH ITS PARTNERS IN EDUCATION PROGRAM. OUR SPONSORS THIS YEAR ARE THE TEXAS COMMISSION ON THE ARTS, GRANDE COMMUNICATIONS, MONTY'S CAFE'S, MAGGIE MAY'S ON SIXTH STREETTH, SAFEWAY RENTALS. KICKING IT OFF IS THE BALL ON MAGAZINE DPI MAY'S ROOFTOP FROM SIX P.M. TO MIDNIGHT. ALL THE PARKOGBOTH SIDES OF EAST SIXTH STREET FROM THE 200 TO 500 BLOCKS ARE RESERVED AND WILL BE FILLED WITH APPROXIMATELY 100 ART CARS. THE BALL IS OPEN TO THE PUBLIC FOR A MINIMAL CHARGE AND OF COURSE ANYONE AND EVERYONE CAN VIEW THE PARKED ART CARS AND VISIT WITH THE ARTISTS. SATURDAY MORNING THE CARS GATHER AT THE SOUTHWEST CORNER OF 11th AND CONGRESS ACROSS FROM THE GOVERNOR'S MANSION. AT NOON THE PARADE STARTS AND PROCEEDS SOUTH DOWN CONGRESS AVENUE FOR APPROXIMATELY TWO MILES TO THE CONGRESS AVENUE BAPTIST CHURCH PARKING LOT ACROSS THE STREET FROM THE SOUTH CONGRESS CAFE. THE CARS WILL STRETCH FROM THE CAPITAL TO THE PARKING LOT. THE ENTIRE LENGTH OF THE PARADE ROUTE IS SOMETHING BEHOLD. AFTER THAT THE ART CAN VALUE WILL FEATURE ALL OF THE PARTICIPANTS AND THEIR VEHICLES AND IS OPEN TO THE PUBLIC AT NO CHARGE. NINE LOCAL SCHOOLS ARE MAKING ART CARS FOR THIS YEAR'S PARADE. OF THE OTHER 90 90 PARTICIPANTS, ABOUT HALF ARE FROM AUSTIN AND THE REST FROM ALL OVER THE COUNTRY. WE EXPECT THOUSANDS OF VIEWERS AND

ANTICIPATE THAT THIS EVENT WILL BECOME ONE OF THE HIGHLIGHTS OF WHAT IS SO SPECIAL AND FUN AND SLIGHTLY WEIRD ABOUT LIVING IN AUSTIN. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. STEPHENS. I CAN SPEAK FROM EXPERIENCE THAT IT IS A GREAT EVENT AND PARTICULARLY FOR CHILDREN. THE KIDS REALLY GET A KICK OUT OF THE CARS, INCLUDING PEERING INSIDE TO SEE ANY NUMBER OF DIFFERENT FARM ANIMALS RIDING ALONG INSIDE THE CARS OFTEN TIMES. THANK YOU. GREAT EVENT. WELCOME, JENNIFER. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR. EVERYBODY LOVES A PARADE. HI, AUSTIN. WE'RE TWO WEEKS AWAY FROM THIRD THURSDAY ON GUADALUPE AND IT'S FIRST THURSDAY TODAY ON SOUTH CONGRESS WITH A FORUM AT MOTHER EGAN. 'S FOR THE COUNCIL CANDIDATES, THURSDAY, THE SEVENTH OF APRIL. MAYOR WYNN, CITY MANAGER TOBY FUTRELL, MY OPPONENT, BETTY DUNKERLEY, COUNCILMEMBERS BREWSTER MCCrackEN, DANNY THOMAS, RAUL ALVAREZ, MISSING DARYL SLUSHER AND MAYOR PRO TEM JACKIE GOODMAN. I'M JENNIFER GALE. I AM STILL A CANDIDATE FOR THE AUSTIN CITY COUNCIL. I'D LIKE TO WELCOME THE TROOPERS FROM STATE OF COUHILLA, FROM THE CITY OF SALTILLO. I HOPE YOU LEARN A LOT AND HAVE A GOOD TIME WHILE IN AUSTIN. I'D LIKE TO APOLOGIZE TO WILL BEN FIKT DIKT. HE'S A CANDIDATE IN PLACE FOUR. HE SAID HE'S BEEN HERE A TOTAL OF 11 YEARS. I'M ASKING THAT WE HELP EDUCATE OUR CHILDREN ON THE NEED FOR LOOKING AFTER OUR ENVIRONMENT. TO APPRECIATE THE WATER THAT WE HAVE RUNNING THROUGH THE COLORADO RIVER OR TOWN LAKE OR -- AND THE WATER THAT'S COMING THROUGH OUR AQUIFER. THE WATER QUALITY, ONE PART HYDROGEN AND TWO PARTS OXYGEN, WE HAVE TO TAKE CARE OF THAT QUALITY OR IT WON'T BE GOOD FOR OUR BODY. SO I'M ASKING THAT OUR CHILDREN UNDERSTAND THAT AS MAYOR PRO TEM JACKIE GOODMAN SAID, IT'S THE CANARY IN THE COAL MINE. WE HAVE TO CONSERVE OUR WATERS THAT WAS EXPRESSED EARLIER. WITHOUT CLEAN WATER, WHAT WE SEND DOWN TO THE PEOPLE DOWN THE COLORADO RIVER WILL DETERMINE THEIR QUALITY OF LIFE AND WHETHER OR NOT THEY SURVIVE. I ALSO WANT TO

MAKE SURE THAT THE AQUIFER HAS QUALITY MINERAL AND CLEANLINESS. YOU CAN READ ABOUT MANY OF THESE -- ABOUT THE ENVIRONMENT IN GOOD LIFE MAGAZINE THIS MONTH FOR APRIL. IT TALKS ABOUT THE COUNCIL CANDIDATES. SO WE NEED TO WORRY ABOUT FLOOD VICTIMS, LOSING THEIR HOMES. I'D ALSO LIKE TO ECHO A SENTIMENT BY ANTHONY WALKER ON THE NEED FOR MIDTOWN'S LOAN OF \$750,000. I'M ASKING THE CITY COUNCIL TO PASS AN ORDINANCE FOR THAT, FOR A -- NOT A FORGIVABLE LOAN, BUT A LOAN THAT THEY CAN PAY BACK LIKE A BOND OVER A LONG TIME. BECAUSE IT'S VERY IMPORTANT TO OUR CULTURAL INTEGRITY. I WOULD LIKE TO ALSO TEACH OUR CHILDREN TO RESPECT THE ENVIRONMENT THROUGH THE BOY SCOUTS AND GIRL SCOUTS. WE'RE NOT GETTING -- AND I'M ALSO PEOPLE TO IGNORE THE ENDORSEMENTS. IT'S ALWAYS THE SAME PEOPLE AT EACH ONE OF THE ENDORSEMENT MEETINGS. TODAY, APRIL SEVENTH, IS THE VERY LAST DAY TO REGISTER AND VOTE. THANK YOU, MAYOR WYNN, CITY COUNCIL.

Mayor Wynn: THANK YOU, JENNIFER. COUNCIL, THAT CONCLUDES ALL THE FOLKS WHO HAVE SIGNED UP WISHING TO SPEAK IN GENERAL CITIZEN COMMUNICATION. THERE BEING NO FORMAL BUSINESS BEFORE THE COUNCIL BEFORE WE COME BACK FOR OUR 2:00 O'CLOCK BRIEFINGS, THREE VERY IMPORTANT BRIEFINGS, WITHOUT OBJECTION WE CAN NOW GO BACK INTO CLOSED SESSION PURSUANT TO SECTION 551.072 OF THE OPEN MEETINGS ACT TO TAKE UP REAL ESTATE MATTER ITEM NUMBER 43 RELATED TO AN AUSTIN-BERGSTROM INTERNATIONAL AIRPORT DEAL. AND ITEM NUMBER 44, WHICH IS THE EVALUATION AND POTENTIAL COMPENSATION BENEFITS OF THE CITY CLERK. WE CAN DO THAT UNDER SECTION 551.074. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US BEING BACK SHORTLY AFTER 2:00 P.M. THANK YOU.

Mayor Wynn: THERE BEING A QUORUM PRESENT TO IT CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, WE HAVE BEEN IN RECESS SINCE APPROXIMATELY 1:35, AFTER TAKING UP A COUPLE OF ITEMS IN CLOSED SESSION. WE WILL NOW GO TO THE 2:00 BRIEFINGS. BEFORE I DO, I WILL ANNOUNCE FOR THE RECORD, MS. BROWN, THAT

WE WILL NOT TAKE UP ITEMS 40, 41 NOR 39. THEY ESSENTIALLY HAVE BEEN REMOVED FROM THE AGENDA. SO, COUNCIL, AND AUDIENCE, WE HAVE THREE IMPORTANT PRESENTATIONS THAT WE'RE GOING TO TRY TO ACCOMPLISH IN THE NEXT HOUR AND A HALF OR TWO HOURS. WE'LL JUST TAKE THESE IN ORDER. ITEM NO. 45 ACE PRESENTATION OF CITY -- IS A PRESENTATION OF CITY STAFF RECOMMENDATIONS ON THE CAMPO 2030 MOBILITY PLAN, I WILL RECOGNIZE MS. TERRY MCMANUS.

MAYOR PRO TEM, COUNCILMEMBERS, CITY MANAGER. FIRST OF ALL, I WOULD LIKE TO BY WAY OF INTRODUCTION ACKNOWLEDGE THE CAMPO STAFF, ALL OF THE JURISDICTIONS AND SERVICE PROVIDERS THAT HAVE BEEN WORKING TOGETHER OVER THE PAST FIVE YEARS, DEMONSTRATING A VERY HIGH LEVEL OF PROFESSIONALISM AND TECHNICAL EXPERTISE THAT THEY HAVE BROUGHT TO THIS 2030 PLAN EFFORT. IT HAS BEEN DIFFICULT, THERE ARE DIFFERENT POINTS OF VIEW, DIFFERENT OPINIONS. IN PARTICULAR I WOULD LIKE TO RECOGNIZE MR. STEVIE GREATHOUSE THE PROJECT MANAGER AT CAMPO FOR THE 2030 MOBILITY PLAN. SHE'S BROUGHT SOME NEW PERSPECTIVES THAT ARE VERY REFRESHING FROM HER EXPERIENCE IN OREGON AS A TRANSPORTATION PLANNER. COUNCIL SPECIFICALLY ASKED THE CITY STAFF TO COME BACK AND GIVE THEM A BRIEFING REGARDING A COMPARISON OF THE 2025 AUSTIN METROPOLITAN AREA TRANSPORTATION PLAN AND THE RECOMMENDED CAMPO MOBILITY 2030 PLAN. CAMPO IS PROCEEDING, AS I MENTIONED, WITH A FIVE YEAR PLAN UPDATE. THEY ADOPTED THEIR LAST PLAN JUNE 12th OF 2000. SO -- SO THAT IS WHY THEY ARE TAKING THE ACTION THEY CURRENTLY ARE. THERE'S SEVERAL FREE WEIGHS IN THE 2025 PLAN THAT ARE RECOMMENDED IN 2030 TO HAVE FREEWAY DESIGNATIONS REMOVED AND THESE ARE BEING IDENTIFIED AS CORRIDOR STUDIES WITH INTERIM SAFETY IMPROVEMENT. I WILL EXPLAIN WHAT A CORRIDOR STUDY IS IN JUST A MOMENT AND HOW THEY IMPACT THE CITY OF AUSTIN. CAMPO, SINCE 2000 HAS ALSO EXTENDED THEIR BOUNDARY. THAT IS ONE MAJOR CHANGE THAT HAS OCCURRED SINCE THEN. IN 2003 CAMPO ENLARGED THEIR BOUNDARY TO INCLUDE ALL OF TRAVIS, HAYS AND

WILLIAMSON COUNTIES. THE PREVIOUS PLAN FOR THE YEAR 2025 WAS BASED ON A SMALLER AREA AND INCLUDED ONLY NORTHERN HAYS, ROUND ROCK, CEDAR PARK, LEANDER AND WILLIAMSON COUNTY AND ALL OF TRAVIS COUNTY. THERE'S A BIG DIFFERENCE IN THE POPULATION. IN 2025 VERSUS 2030, THEY ARE NOW PLANNING FOR A HALF MILLION MORE PEOPLE. IT'S FIVE MORE YEARS OF GROWTH, IT'S A LARGER AREA. IN TERMS OF TRANSIT, COMMUTER RAIL ADOPTED IN 2025 IS CLUED, AS WELL AS LEANDER, DOWNTOWN COMMUTER RAIL LINE. THE ALL SYSTEMS GO PLAN HAS BEEN COMPLETELY INCORPORATED IN THE 2030 PLAN. THAT IS A NEW MAJOR CHANGE IN TRANSIT. BICYCLE AND PEDESTRIAN PROJECTS HAVE BEEN INCLUDED THAT WERE NOT IN THE 2025 PLAN AND TOTAL TO \$262 MILLION IN FUNDING FOR PROJECTS FOR BICYCLE AND PEDESTRIAN. SOMETHING THAT THE CITY STAFF WAS VERY PLEASED TO SEE FOR INCLUSION IN THIS PLAN WAS THE NEW LAND USE INITIATIVE PROGRAM, IT'S DESIGNED TO ENCOURAGE LAND USE PATTERNS THAT REDUCE THE NEED FOR AS MUCH AUTO TRAVEL. SO WITH THAT, I'LL GO DIRECTLY TO -- TO A COMPARISON OF THE 2025 AMATP TABLES AND MAPS AS ONE OF THE HAPPENEDOUTS IN YOUR PACKET. THIS SHOULD APPEAR FIRST. IT REPRESENTS THE CURRENTLY ADOPTED DOCUMENT THAT YOU HAVE EXPRESSED AS YOUR POLICY THROUGH YOUR FIVE-YEAR PLAN UPDATE IN 2001 AND ALL OF THE SUBSEQUENT AMENDMENTS THAT YOU HAVE APPROVED TO THE AUSTIN METROPOLITAN AREA TRANSPORTATION PLAN. THE AMATP IS HIGHLIGHTED WITH THE DRINKING WATER PROTECTION ZONE AND THE DESIRED DEVELOPMENT ZONE. IT SPECIFIES RIGHT-OF-WAY ON A SEGMENT BY SEGMENT BASIS. IT INCLUDES THE CITY OF AUSTIN'S ADOPTED BICYCLE PLAN AND THROUGH VERY DETAILED REMARKS, ADDRESSED WATER QUALITY PROTECTION GUIDELINES WITHIN THE CITY OF AUSTIN. THE SECOND TABLE IN THE HANDOUT IS A COMPARISON, WHICH IS DONE ON THE 2025 AMATP ADOPTED BY THE CITY. AND IT HIGHLIGHTS IN YELLOW FOR YOU ALL OF THE SEGMENTS THAT ARE BEING PROPOSED AS DIFFERENT IN SOME WAY, SHAPE OR FORM IN THE 2030 CAMPO PLAN. THE CORRIDOR STUDIES THAT ARE PROPOSED BY CAMPO ARE HIGHLIGHTED IN GREEN AND SPECIFIC COUNCIL ACTIONS. IN OTHER WORDS ACTIONS THAT WERE TAKEN IN 2001, AND ALSO

THOSE IN SPECIFIC AMENDMENTS SINCE 2001 TO THE PRESENT ARE HIGHLIGHTED IN ORANGE. WE ARE PROVIDING THESE TWO TABLES FOR COUNCILMEMBERS AS BACKUP, AS RESOURCE FOR THEIR OWN INFORMATION, SO THAT SHOULD YOU HAVE QUESTIONS ABOUT SPECIFIC ROADWAYS, YOU WILL BE ABLE TO GO IN AND IN A VERY DETAILED WAY AND DETERMINE THE TYPE OF DIFFERENCE THAT EXISTS. THE TYPE OF DIFFERENCE THAT IS BEING PROPOSED CAN SIMPLY BE DESCRIBED AS EITHER SIZE OF A FACILITY, THE FUNCTION OF A FACILITY, AN ADDITION OR A DELETION, A NEW ROAD OR A ROAD THAT HAS BEEN DELETED FROM THE PLAN OR A TYPE OF STUDY THAT IS BEING RECOMMENDED FOR THE PLAN. THIS IS MAP 2 IN THE MAP PACKET THAT YOU RECEIVED. ALSO IN YOUR BACKUP. THE MAP PACKET CONTAINS TABLOID SIZED MAPS THAT -- THAT INCLUDE ALL OF THE MAPS THAT ARE IN THE POWERPOINT PRESENTATION. WE HOPE THAT THEY'LL BE USEFUL FOR YOU AS YOU CONTINUE YOUR STUDY OF THE CHANGES THAT ARE BEING PROPOSED FROM 2030, FROM THE 2025 PLAN. THIS MAP SHOWS ALL OF THE DIFFERENCES BETWEEN AMATP AND CAMPO. THE INCREASES IN ROADWAY CAPACITY OR SIZE ARE HIGHLIGHTED IN RED. THE DECREASES ARE HIGHLIGHTED IN GREEN. ADDED OR NEW ROADWAYS ARE SHOWN IN ORANGE AND THEN BLUE ROADWAYS FALL INTO ANOTHER CATEGORY AND THAT CATEGORY INCLUDES CORRIDOR STUDIES, REGIONAL ARTERIAL STUDIES, SOME PENDING AMATM AMENDMENTS, AND JUST GENERAL TECHNICAL CORRECTIONS. I'LL TALK MORE ABOUT ALL OF THESE DIFFERENCES IN DETAIL. THE CITY COUNCIL ROADWAY CHANGES THAT HAVE BEEN INCLUDED IN THE 2030 MOBILITY PLAN, IN THE FIRST TABLE, REPRESENT A TOTAL OF 29 DIFFERENT COUNCIL ACTIONS SINCE 2001 THAT ARE DIFFERENT IN SOME WAY EITHER THROUGH DELETIONS OR THE SIZE OR THE TYPE OF A ROADWAY THAN THE CAMPO 2030 PLAN. OF ALL OF THESE DIFFERENCES, ABOUT 70% OF THE CITY COUNCIL'S ACTIONS WERE 20 OF THE 29 ACTIONS ARE BEING INCORPORATED AND ARE BEING RECOMMENDED BY CAMPO'S STAFF IN THIS DRAFT OF THE CAMPO MOBILITY 2030 PLAN. THE FINAL HANDOUT THAT YOU HAVE IN YOUR PACKET IS A TABLE, IT IS A COMPLETE ACCOUNTING ALL OF COUNCIL ACTIONS IN THE AUSTIN METROPOLITAN AREA TRANSPORTATION PLAN FROM

2001 TO THE PRESENT. THE SLIDE THAT WE ARE LOOKING AT SHOWS CHANGES THAT HAVE BEEN INCLUDED IN THE 2030 PLAN. AND ONE THAT I WOULD LIKE TO HIGHLIGHT FOR YOU HAS BEEN IDENTIFIED AS A REGIONAL ARTERIAL STUDY, I'LL EXPLAIN WHAT A REGIONAL ARTERIAL STUDY IS HERE IN A MOMENT. THE NEXT SLIDE SHOWS ANOTHER ROADWAY AT LAMAR, WHICH HAS BEEN ACTED ON SEPARATELY BY CITY COUNCIL. AND HAS BEEN IDENTIFIED BY CAMPO AS A POSSIBLE CORRIDOR STUDY. THIS SECTION IS FROM 5th TO 290 WEST. -- THIS MAP I MAP 3 IN THE HANDOUT. ALL OF THE SEGMENTS OF THESE 29 THAT ARE THE SAME AS THE COUNCIL ACTION THAT WHICH IS RECOMMENDED IN CAMPO'S 2030 PLAN. IN GREEN YOU WILL SEE SEGMENTS WHERE COUNCIL HAS TAKEN AN ACTION AND WHAT IS BEING RECOMMENDED IN THE CAMPO 2030 PLAN IS DIFFERENT. THERE ARE SOME RECOMMENDATIONS THAT ARE NOT INCLUDED IN THE PLAN, THAT WOULD BE THE 9 ROADWAYS OR 30% THAT I MENTIONED, THOSE ARE LOOP 1, U.S. 290 WEST WHICH IS BEING RECOMMENDED AS A CORRIDOR STUDY, S.H. 45 SOUTH FROM 1626 TO I-35, WHICH WAS DELETED BY COUNCIL ACTION AND IS RECOMMENDED FOR INCLUSION BY CAMPO AS A TOLL PARKWAY WITH SIX LANES. F.M. 969, MARTIN LUTHER KING, JR. BOULEVARD FROM AIRPORT TO JOHNNY MORRIS ROAD. ADOPTED BY THE CITY OF AUSTIN CITY COUNCIL. AS A FOUR-LANE UNDIVIDED ARTERIAL, RECOMMENDED BY CAMPO AS A DIVIDED ARTERIAL, SO THERE WOULD BE SOME RIGHT-OF-WAY INCREASE AND EXPANSION IN THERE. ON THE NEXT SLIDE, CITY PARK ROAD IS RECOMMENDED AS A REGIONAL ARTERIAL STUDY. FREIGHT BARKER ROAD FROM BRODIE TO MANCHACA IS RECOMMENDED AS A FOUR LANE ROADWAY RATHER THAN A TWO LANE ROADWAY. IT HAS BEEN DELETED BY COUNCIL ACTION IN THE CITY'S PLAN. MINOR ROAD AND 38 AND A HALF STREET HAVE BEEN DELETED FROM THE CITY'S AMATP, THEY ARE RECOMMENDED FOR INCLUSION AS ARTERIALS IN THE 2030 MOBILITY PLAN WITH REGIONAL ARTERIAL STUDIES. MANOR ROAD AND 38th AND A HALF STREET. IN YOUR MAP PACKET, MAP 4 WILL SHOW YOU IN MORE DETAIL WHAT'S DEPICTED ON THE SLIDE. CORRIDOR AND ARTERIAL STUDIES GREEN ARE PROPPED REGIONAL ARTERIAL STUDIES; RED ARE CAMPO CORRIDOR STUDIES. AND HERE IS A BIG PICTURE LOOK AT CORRIDOR

STUDIES THAT ALSO INCLUDE OTHER TYPES OF CORRIDOR STUDIES RATHER THAN JUST ROADWAYS. FOR EXAMPLE, THE -- THE MOKAN CORRIDOR STUDY WILL ANALYZE THE POTENTIAL FOR SOME ADDITIONAL RAIL IN THE MOKAN RIGHT-OF-WAY CORRIDOR. PARMER LANE, ONE OF THE LONGEST ROADS IN THE REGION FROM 1431 TO U.S. 290. THE CORRIDORS ARE ACTUALLY MEANT TO DETERMINE WHAT NEEDS TO BE DONE AFTER 2010. HOW BIG A ROAD SHOULD BE, WHETHER OR NOT BUS TRANSIT RAIL SHOULD PLAY SOME ROLE IN SATISFYING FUTURE TRAVEL DEMAND. WHAT THE CROSS-SECTION MIGHT BE. HOW IT COULD BE FUNDED, WHETHER OR NOT THERE WOULD BE TOLLS AND THE TYPE OF DEMAND MANAGEMENT THAT WOULD BE USED. MANY OF THE CORRIDOR STUDIES ARE LOCATED IN THE DRINKING WATER PROTECTION ZONE. THERE'S A DEBATE ABOUT THE AMOUNT OF FUTURE GROWTH THERE WITHIN CAMPO. CAMPO INTENDS TO MONITOR THIS. THEY WILL ALLOW THE SERVICE PROVIDERS IN CAMPO TO DEVELOP A STRATEGY TO MEET TRAVEL DEMAND IN CORRIDORS THEY HAVE IDENTIFIED AS CAPACITY DEFICIENT, BY IMPLEMENTING SEVERAL SETS OF IMPROVEMENTS AND DEPENDING ON THE CORRIDOR THAT THEY ARE LOOKING AT, THEY COULD INCLUDE ONE OR MORE OF THESE DIFFERENT STRATEGIES. ONE OBVIOUSLY BEING CONSTRUCTING ADDITIONAL ROAD CAPACITY AND THAT MAY MEAN MANAGED LANES. TWO, PROVIDING ADDITIONAL TRANSIT SERVICE IN THE CORRIDOR. THREE, CONSTRUCTING OR ADDING CAPACITY TO ANOTHER PARALLEL ARTERIAL, TO A DIFFERENT ROADWAY WITHIN THE CORRIDOR. FOUR, IMPROVING OPERATIONS PRIMARILY THROUGH TRAVEL DEMAND MANAGEMENT IN THE CORRIDOR, AND, FIFTH, AN IMPORTANT -- AND IMPORTANT FROM THE CITY STAFF'S PERSPECTIVE, ATTEMPTING TO CONTROL THE ACTUAL TRAVEL DEMAND THAT'S DRIVING THE NEED FOR THE CAPACITY THROUGH LAND USE PLANNING. REGIONAL ARTERIAL STUDIES HAVE BEEN CALLED FOR FOR BULLICK HOLLOW ROAD, FOR CITY PARK ROAD, FOR MANOR ROAD, FOR 38th AND A HALF STREET. , FOR ESCARPMENT SOUTH OF S.H. 45 AND FOR NORTH LAKE CREEK PARKWAY. THROUGHOUT THE REGION, CAMPO WILL CONVENE A WORKING GROUP. A REGIONAL ARTERIAL STREETS WORKING GROUP. AND DEVELOP A STUDY THAT IDENTIFIES

STEPS WHICH CAN BE TAKEN TO IMPROVE NOT ONLY CONNECTIVITY, BUT ALSO CAPACITY. AND ADDRESS THE ULTIMATE DESIGN FOR THESE ROADWAYS. BECAUSE THEY ARE DESIGNATED AS REGIONAL ARTERIAL STUDY ROADWAYS, THE 2030 PLAN RECOMMENDATION IS SHOWING THEM RIGHT NOW AS THE ROAD CROSS-SECTION THAT EXISTS. SO IF A REGIONAL ARTERIAL STUDY IS CALLED FOR ON A ROADWAY, THE 2030 PLAN WILL ONLY SHOW WHAT THE EXISTING CROSS-SECTION IS. SO, FOR EXAMPLE, JUST PICKING ONE OUT HERE ON CITY PARK ROAD, THE 2030 COLUMN IN THE CAMPO PLAN WOULD SHOW THAT ROAD AS A MINOR TWO LANE. THE UNDERSTANDING IS THAT CITY PARK ROAD WOULD BE STUDIED FOR A DIFFERENT CLASSIFICATION IN TERMS OF THE NUMBER OF LANES IN ITS CAPACITY. SO IT WILL APPEAR INITIALLY AS THE EXISTING SIZE AND THEN ALSO WITH THIS NOTATION REGIONAL ARTERIAL STUDY. CAMPO HAS IN ITS WORK PLAN OVER THE NEXT YEAR FOR THE REALLY ARTERIAL STUDY WORKING GROUP, KICKOFFS SO THAT MOST OF THE REGIONAL ARTERIAL STUDIES WOULD BEGIN HAPPENING AFTER AND WITHIN THE NEXT YEAR AFTER THE CAMPO PLAN ADOPTION. COUNCIL REQUESTED SPECIFIC INFORMATION REGARDING THE TOLL ROADS THAT WERE ADOPTED IN THE 2025 AMATP AT PRESENT. AND THOSE THAT WERE NOT. TO MOVE FORWARD ONE SLIDE HERE, THE SHORT ANSWER IS THE TOLL ROADWAYS THAT ARE CURRENTLY IN THE CITY'S ADOPTED PLAN ARE WHAT YOU SEE IN BLUE, 183 A, S.H. 45 SOUTHEAST, EXCLUDING THE SEGMENT THAT'S SHOWN IN RED FROM I-35 TO 1626, ALL OF S.H. 130, S.H. 45 NORTH, AND LOOP 1 NORTH EXCLUDING THE SECOND. THAT'S HIGHLIGHTED IN -- THE SEGMENT THAT'S HIGHLIGHTED IN RED FROM PALMPARMER LANE TO S.H. 45 NORTH. THE TOLL ROADS ADOPTED IN 2004, PHASE 2, ALL OF WHICH HAVE CONSTRUCTION FUNDING APPROVED BASED ON INFORMATION FROM CAMPO, BRMA AND TXDOT. THE EXCEPTION IS LOOP 360. THESE ROADS ARE INCLUDED IN THE 2030 PLAN. THEY ARE NOT CURRENTLY IN THE CITY'S AMATP. IN MAP 5, IN YOUR MAP PACKET, YOU ALSO HAVE A MAP WHICH SHOWS THE PHASE 1 AND PHASE II TOLL ROADS, SUPER IMPOSED ON THE CITY'S 2025 PLAN. AND WHAT WE ARE LOOKING AT HERE IS THE COMPLETE FREEWAY SYSTEM WITH THE 2025 CURRENTLY ADOPTED TOLL ROADS AND

THEN INCLUDED THE ADDITIONAL SEGMENT ON NORTH LOOP 1, THE ADDITIONAL SEGMENT ON S.H. 45 SOUTHWEST, AND THE 2030 NEW TOLL ROAD. THOSE BEING THE PHASE II TOLL COMPONENTS. THE ROADWAYS IN RED ON THIS SLIDE ARE EXISTING FREEWAYS. THERE'S BEEN A CONSIDERABLE AMOUNT OF DISCUSSION REGARDING THE TOTAL AREA FREEWAY LANE MILEAGE. THIS IS NOT BROKEN OUT ACCORDING TO THE CITY OF AUSTIN'S JURISDICTION. THIS IS FOR THE FULL THREE-COUNTY REGION. IN THE CAMPO 2030 PLAN FOR ALL OF -- ALL OF HAYS, TRAVIS, WILLIAMSON COUNTY FROM 1990 TO 2004, 147 LANE MILES OF FREEWAY, PARKWAY OR EXPRESSWAY TYPE FACILITIES WERE BUILT. AND THAT WOULD BE EQUAL ROUGHLY TO THE PHASE II TOLL ROAD LANE MILES AT 144 THAT YOU SEE ON THE FOURTH ROW OF THIS CHART. THE PHASE 1 TOLL ROADS, AGAIN ALL OF WHICH ARE ADOPTED IN THE CITY OF AUSTIN'S CURRENT 2025 AMATP EXCEPT FOR S.H. 45 SOUTHWEST, FROM I-35 TO 1626, AND THAT NORTH LOOP 1 SEGMENT FROM PARMER LANE NORTH TO S.H. 45, TOTAL 512 LANE MILES. OF THAT 512 LANE MILES, 300 ARE S.H. 130 ALONE. SO S.H. 130 WHEN YOU ARE LOOKING AT 2000 PHASE I TOLL ROAD, IN TERMS OF LANE MILES, IS THE LARGEST COMPONENT OF THE TOLL ROAD LANE MILES THAT YOU HAVE ADOPTED ALREADY IN YOUR PLAN IN 2001. THE GRAND TOTAL NUMBER OF LANE MILES IS 1,631, WITH EXISTING PHASE 1 AND PHASE 2 APPROXIMATELY 50% OF THE FREEWAY SYSTEM WOULD BE TOLLED. I SHOULD POINT OUT THERE ARE SOME NEW -- THERE ARE SOME NEW FREEWAY LINES THAT ARE IDENTIFIED IN THE PLAN. THESE ARE THE ONLY THREE. IT'S LOOP 1 SOUTH FROM WILLIAM CANNON TO S.H. 45, U.S. 290 EAST FROM F.M. 973 TO THE BOUNDARY, WHICH IS BASTROP COUNTY LINE, SHHH 71 EAST -- SH 71 EAST, BERGSTROM OR SPIRIT OF TEXAS DRIVE, SH 130 VERY SMALL SECTION, THEN ON S.H. 130 AND 183 A, AS DEMAND IS WARRANTED THE 2030 PLAN CALLS FOR SOME ADDITIONAL LANES. THAT MAKES UP ANOTHER 300 LANE MILES THAT IS A PART OF THE 1,631 TOTAL. MANAGED LANES. MANAGED LANES WERE H.O.V. LANES IN THE 2025 PLAN. ONE MAJOR DIFFERENCE BETWEEN MANAGED LANES AND HIGH OCCUPANCY VEHICLE LANES IS THAT THE MANAGED LANE MAY ALLOW A SINGLE OCCUPANT VEHICLE TO USE THE LANE BY PAYING A TOLL. H.O.V. LANE ALLOW ACCESS TO BUSES

AND CAR POOLS ONLY. MANAGED LANES ALLOW ACCESS TO OTHER THAN HIGH OCCUPANCY VEHICLES, THOSE WHICH THEORETICALLY MAY BE WILLING TO PAY A TOLL. MANAGED LANES THUS INCREASE FREEWAY EFFICIENCY FROM THE PERSPECTIVE OF THE ENGINEERS TO OPERATE AND MAINTAIN THESE ROADWAYS BY PACKAGING SOME OPERATIONAL AND DESIGN ACTIONS. THEY FALL INTO THREE GROUPS. ONE IS TREATING VEHICLE GROUPS IN LANES BY TIME OF DAY. TWO CHARGING A TOLL FOR ACCESS TO THE LANES TO MANAGE THE DEMAND. OR TO SELL SURPLUS CAPACITY IN THE CASE OF CONVERSION OF AN H.O.V. LANE TO A MANAGED LANE. AND ALSO TO CONTROL THE ACCESS POINTS. MAP 6 IN YOUR PACKET SHOWS MANAGED LANES SUPERIMPOSED ON THE CITY OF AUSTIN'S CURRENTLY ADOPTED PLAN. AGAIN, MANAGED LANES ARE CALLED FOR IN THE 2030 PLAN ON I-35, LOOP 1 AND ON U.S. 183. THE CAMPO 2030 MOBILITY ADOPTION SCHEDULE, ADOPTION CONSIDERATION IS PROPOSED FOR THIS COMING MONDAY, APRIL 11th. NO CARRIERINGCONNECT 1200 [TECHNICAL PROBLEMS, PLEASE STAND BY] THE REASON THAT I AM ASKING THE QUESTION, WE ARE GETTING READY TO PROBABLY VOTE ON THIS, MAYBE IN JUNE TO FINALIZE THE 2030 PLAN. DO YOU THINK THE STUDY WILL START BEFORE WE FINALIZE WITH CAMPO. I'M THROWING IT AT YOU, BUT -- THAT'S WHAT I'M CONCERNED ABOUT. IF WE ARE NOT ABLE TO DECIDE EITHER KEEP THIS IN THE -- IN THE CAMPO PLAN, IT WOULD AFFECT WHAT -- WHAT WE ARE TRYING TO DO IN THE CITY. THAT'S WHY I WAS ASKING YOU ABOUT THE REGIONAL STUFF.

NO. THE REGIONAL ARTERIAL STUDIES WILL NOT BE DONE PRIOR TO THE CAMPO PLAN ADOPTION. WHAT THE CAMPO PLAN WOULD SHOW IN THE 2030 COLUMN IS THE SIZE OF THE ROAD THAT EXISTS.

OKAY.

IT WOULD HAVE A NOTE THAT SAYS IN THE REMARK COLUMN, REGIONAL ARTERIAL STUDY. I APPRECIATE YOUR COMMENT. THE CITY STAFF HAS BEEN QUITE DILIGENT IN CONVEYING YOUR POLICIES AS IS OUR JOB TO CAMPO STAFF TECHNICAL ADVISORY COMMITTEE AND TO THEIR

BOARD. IN TERMS OF ALL OF YOUR ACTIONS ON -- ON THE 29 SPECIFIC SPECIFIC ROADWAYS THAT YOU HAVE ACTED ON.

OKAY. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER MCCRACKEN?

McCracken: DO YOU KNOW HOW MANY LANE MILES ARE IN SNEACIAL THREE COUNTY REGION, S.H. 130 AND THAT WAS -
- THAT WAS IN LARGE PART A -- A ROAD TO DIVERT
HOPEFULLY TRUCKS OFF OF I-35.

NO, I DO NOT. WE CAN GET THAT INFORMATION FOR YOU. I
THINK IT WOULD BE HELPFUL BECAUSE WE HEAR ABOUT
50% OF THE ROAD MILES IN OUR AREA, METRO AREA, BEING
TOLL ROADS NOW. S.H. 130 IS BROKEN OUT. I THINK IT
WOULD BE HELPFUL TO SEE IF I-35, IF WE COULD GET A
TRUE APPLES TO APPLES COMPARISON THERE. DO WE HAVE
ANY INFORMATION ON THE SAFETY RECORD OR NUMBER OF
FATALITIES ON INTERSTATE 35?

I DON'T HAVE ANY HERE WITH ME TODAY, BUT I THINK THAT'S
PROBABLY SOMETHING THAT WE CAN OBTAIN FROM A.P.D.
AND FROM D.P.S.

THE ROPE WHY I'M ASKING IS THAT -- THE REASON WHY I'M
ASKING IS THAT THE PRESENTATION WE RECEIVED IS AN
THERE WAS AN EXTREMELY PROVISIONAL CONCEPT OF
HAVING ONE APPARENTLY ONE REVERSIBLE MANAGED LANE
ON I-35 THAT IN LOOKING AT THE CONGESTION STUDY, THE
CHIEF TRAFFIC CONGESTION PROBLEM IN THIS THESE-
COUNTY REGION FAR AWAY IS I-35, IS THE SOURCE FOR LIKE
THREE OR THE FOUR MOST CONGESTED PORTIONS OF
ROAD. THE FOURTH HAS ALREADY BEEN FIXED. IT APPEARS
THAT WE ARE PUTTING A LOT OF ENERGY INTO STUFF THAT
IS UP RELATED TO WHERE THE TRAFFIC CONGESTION IS. IT
WOULD BE HELPFUL TO KNOW WHAT THE REAL HUMAN
CONSEQUENCE ARE OF OUR CONTINUING TO IGNORE I-35 IS
WHERE OUR REAL TRAFFIC PROBLEM IS IN THIS REGION, AS
OPPOSED TO SOME OF THE OTHER EFFORTS THAT APPEAR
TO BE SHOWING UP IN THE 2030 PLAN. IT WOULD BE
HELPFUL TO KNOW THE SAFETY RECORD AND THE NUMBER

OF FATALITIES ON I-35. FINALLY, YOU HAD MENTIONED SOMETHING ABOUT HOW CITY STAFF VIEWED ATTENTION TO LANE USE PRACTICES AS BEING VERY ENCOURAGING I BELIEVE IT WAS IN THE CORRIDOR STUDIES; SHATTER?

YES, ALSO THE NEW PROGRAM AND POLICIES THAT ARE INCLUDED IN THE 2030 PLAN. THERE HAS NOT PREVIOUSLY BEEN A LAND USE INITIATIVES COMPONENT TO THE CAMPO PLAN.

McCracken: IN FACT, CAMPO STAFF TOLD US AT OUR HEARING IN APRIL THAT LAND USE BEST PRACTICES WERE -- WERE MIXED USE DEVELOPMENTS, TRANSIT ORIENTED DEVELOPMENTS, JUST THE -- DOES THE CITY STAFF AGREE THAT THOSE CONSTITUTE LANE USE BEST PRACTICES?

YES.

McCracken: CAN YOU TELL US WHAT THE TRAFFIC ADVANTAGES AND TRAFFIC CONGESTION ADVANTAGES ARE OF GOING FROM OUR CURRENT SINGLE USE PATCHWORK APPROACH TO A -- TO AN APPROACH OF MIXED USE LAND DEVELOPMENT PRACTICES?

THE TRAFFIC ADVANTAGES ARE MANY. BUT ONE INITIALLY WOULD BE A REDUCTION IN TOTAL VEHICLE TRIP GENERATION, AN OPPORTUNITY TO INCREASE TRANSITS PERSON TRIPS, BICYCLE AND PEDESTRIAN TRIPS, THAT WOULD LEAD TO A REDUCTION IN VEHICLE MILES TRAVELED WHICH WOULD LEAD TO AND REDUCE -- AND IMPROVE AIR QUALITY THROUGH EMISSIONS REDUCTIONS.

McCracken: SO WE WOULD HAVE ADVANTAGES OF LESS TRAFFIC CONGESTION, BETTER AIR QUALITY FOR GOING TOWARD A MORE MIXED USE TYPE OF LAND DEVELOPMENT PATTERN. WOULD THAT ALSO HELP WITH SUBURBAN SPRAWL?

YES.

McCracken: POTENTIALLY? CAN YOU EXPLAIN WHY THAT WOULD BE, ALSO?

WELL, IF -- IF MORE OPPORTUNITIES TO CONNECT PEOPLE, A SHORTER DISTANCE BETWEEN WHERE THEY LIVE AND WORK, WHERE THEY LIVE AND INTERACT, WHERE THEY SHOP, GO TO SCHOOL, IF THOSE OPPORTUNITIES ARE PROVIDED FOR TRIPS THAT ARE SHORTER IN LENGTH, THE TRANSPORTATION SYSTEM AS A WHOLE, THE IMPACT IS BENEFICIAL. NOT ONLY DOES IT FACILITATE THE USE OF TRANSIT, BUT IT ALSO TENDS TO MAKE THE AUTOMOBILE LESS ATTRACTIVE AS AN OPTION.

McCracken: I APPRECIATE IT. ONE OF THE THINGS THAT WE WERE LOOKING AT THE PUBLIC HEARING ON THE COMMERCIAL DESIGN STANDARDS PROPOSAL NEXT WEEK, SO ONE OF THE THINGS THAT WE HAVE BEEN DISCUSSING IS WHETHER TO START ENCOURAGING MORE MIXED USE AS OPPOSED TO THAT PATCHWORK SINGLE USE THAT'S NOT CONNECTED STRUNG ALONG FREEWAYS. I THINK WHAT WE ARE HEARING IS THERE ARE AIR QUALITY, TRANSPORTATION ADVANTAGES, ANOTHER ADVANTAGE IS LESS SUBURBAN SPRAWL. THANKS A LOT.

THANK YOU. IF YOU ARE COMMENTS OR QUESTIONS? WE APPRECIATE THE STAFF'S TIME ON THIS.

THANK YOU VERY MUCH.

Mayor Wynn: COUNCIL, THAT TAKES US TO OUR NEXT BRIEFING, ITEM 46, A PRESENTATION BY CITY STAFF ON THE CITY'S PRELIMINARY NEEDS ASSESSMENT FOR THE POTENTIAL 2006 BOND ELECTION.

Futrell: WHILE WE'RE GETTING SET UP HERE, I'LL GET US STARTED. WE HAVE JUST A FEW THINGS THAT WE WANT TO REITERATE THAT WE WILL START WITH AND END WITH. THE FIRST IS WHAT WE ARE PRESENTING TODAY IS NOT A BOND PACKAGE PROPOSAL. WE ARE PRESENTING HOWEVER A DETAILED PRIORITIZED NEEDS ASSESSMENT. THIS HAS BEEN PREPARED BY YOUR PROFESSIONAL DEPARTMENTAL STAFF. ONCE AGAIN NOT A BOND PACKAGE PROPOSAL, BUT A NEEDS ASSESSMENT. THE SECOND KEY POINT THAT I WOULD LIKE YOU TO HAVE IS THAT WHILE WE ARE PRESENTING SUBSTANTIALLY LESS THAN THE ACTUAL NEEDS THAT ARE IN EACH OF THESE DEPARTMENTS, THAT

THE COMMUNITY HAS AT LARGE, WE ALSO UNDERSTAND THAT WE ARE PRESENTING SUBSTANTIALLY MORE THAN WE HAVE THE BONDING CAPACITY FOR. IN OTHER WORDS, THIS IS INTENDED AS A STARTING PLACE FOR THE COMMUNITY AND POLICY DISCUSSION ON THE UPCOMING BOND ELECTION. WE KNOW THIS IS NOT THE RIGHT DOLLAR AMOUNT FOR THE BOND PACKAGE THAT WILL ULTIMATELY BE DETERMINED. THE NEXT POINT THAT I WOULD LIKE TO MAKE IS THAT WE HAVE FOCUSSED THIS NEEDS ASSESSMENT VERY CLEARLY. WE FOCUSSED IT ON BADLY NEEDED INFRASTRUCTURE INVESTMENT. OVER 65% OF WHAT WE ARE GOING TO PRESENT TO YOU TODAY IS EITHER AN INFRASTRUCTURE INVESTMENT IN DRAINAGE OR TRANSPORTATION, OR IT IS IN SOME FORM OF MAINTENANCE OR RENOVATION OF FACILITIES WE ALREADY HAVE. WE HAVE SUCH A SIGNIFICANT INVESTMENT IN PUBLIC FACILITIES ON THE GROUND TODAY THAT REQUIRE A GREAT DEAL OF ATTENTION. , BOTH WITH THE DOWNTURN AND AN ENORMOUS AMOUNT OF NEW FACILITIES ADDED IN THE 90s, IT'S TIME TO PAY ATTENTION TO AND TAKE CARE OF WHAT WE HAVE. FOR EXAMPLE, WE HAVE OVER 100 -- 111 MILES OF TRAILS. WE HAVE OVER 21,000-ACRES OF PARKLAND. JUST IN THE GENERAL FUND WE HAVE A -- WE HAVE OVER 193 GENERAL FUND OWNED BUILDINGS. BASKETBALL COURTS, PLAY SCAPES, ALL OF THE OTHER AMENITY, JUST THE OTHER AMENITIES ADD UP TO 525 OTHER TYPES OF FACILITIES. FINALLY, WE HAVE LIMITED OUR RECOMMENDATIONS FOR NEW FACILITIES BOTH IN THE NUMBER OF NEW FACILITIES AND THE PURPOSE OF THE NEW FACILITIES FORD TO REDUCE THE ACCOMPANYING ONGOING AND MAINTENANCE COSTS THAT COME WITH NEW FACILITIES. IN THE NEW FACILITIES COMPONENT WE HAVE ONLY NINE PUBLIC HEALTH, PUBLIC SAFETY FACILITIES AND OF THOSE NINE, SEVEN ARE REPLACEMENT FACILITIES. THE LAST POINT THAT I WOULD LIKE TO MAKE, SOME OF THE COST ESTIMATES IN THESE NEEDS ASSESSMENT ARE PRELIMINARY NUMBERS, THEY ARE GOING TO HAVE TO BE REFINED IN THE UPCOMING MONTHS AS WE MOVE THROUGH THE PROCESS WITH THE CITIZEN BOND COMMITTEE AS WE HEAD TOWARDS THE BOND ELECTION SOMETIME IN 2006. THIS IS BROKEN UP INTO SEVEN SEPARATE AREAS, WE ARE GOING TO PRESENT IN EACH ONE OF THESE AREAS, WE

HAVE BROKEN IT UP INTO DRAINAGE, TRANSPORTATION, RENOVATIONS AND MAINTENANCE TO EXISTING FACILITIES, REGARDLESS OF DEPARTMENT OR PURPOSE, THE FOURTH AREA IS NEW AND REPLACEMENT PUBLIC HEALTH AND SAFETY FACILITIES, A STAND ALONE AND FIFTH CATEGORY IS A NEW CENTRAL LIBRARY. WE THOUGHT THAT DESERVED AND SHOULD BE APPROACHED SEPARATELY AS A STAND ALONE ITEM. THE SIXTH AND 7th CATEGORY ARE ITEMS THAT WE'RE GOING TO TALK ABOUT A LITTLE DIFFERENTLY. WE PUT THEM IN AS PLACE HOLDERS. THE SIXTH IS LAND ACQUISITION, THE SEVENTH IS AFFORDABLE HOUSING. WE HAVE LESS OF THE DETAILED DISCUSSION IN THESE ITEMS, MORE THAT WE WANT TO PUT A PLACE HOLDER ON THE TABLE KNOWING THAT THERE ARE CRITICAL NEEDS IN THESE AREAS AND BOTH THE AMOUNT OF MONEY AND HOW THE SPENDING PLAN SHOULD BE DEVELOPED IS GOING TO TAKE A GREAT DEAL OF POLICY AND COMMUNITY DISCUSSION. SO WE HAVE SEVEN AREAS TO TALK WITH YOU ABOUT. AND BEFORE WE GET GOING, I WANT TO TALK WITH YOU JUST VERY QUICKLY TO RECAP HOW WE HAVE SET THE STAGE BEFORE TODAY. IF YOU REMEMBER ON MARCH 10th, WE WALKED YOU THROUGH THE BOND CAPACITY DISCUSSION. TO GIVE YOU A SENSE OF HOW MUCH CAPACITY WE HAVE TO ISSUE BONDS. WE PRESENTED FOUR DIFFERENT SCENARIOS. IF YOU STAYED AT THE EFFECTIVE TAX RATE, WE SHOWED YOU THAT THERE WAS ABOUT \$279 MILLION OF BONDING CAPACITY. IF YOU WERE WILLING TO GO ONE PENNY ABOVE THE EFFECTIVE -- ABOVE THE EFFECTIVE TAX RATE IN FISCAL YEAR 07, YOU COULD PRODUCE ABOUT 360 MILLION OF BONDING CAPACITY. IF YOU WOULD TAKE THAT ONE PENNY IN BOTH 07 AND THEN AGAIN IN 08, YOU COULD PRODUCE ABOUT 499 MILLION IN BONDING CAPACITY. AND THE FOURTH SCENARIO WAS ONE PENNY IN EACH OF THE YEARS, 07, 09, 09 TO PRODUCE -- 07, 08 AND 09 TO PRODUCE 600 MILLION IN BONDING CAPACITY. YOU WILL SEE ON THE SLIDE IN FRONT OF YOU THAT I HAVE LISTED TWO OF THE DIFFERENT RATIO SHAS OR INDICATORS -- ONE IS YOUR DEBT PER CAPITA, THE OTHER IS YOUR DEBT PER ASSESSED VALUATION OR YOUR DEBT TO ASSESSED VALUATION. FOR EACH OF THE FOUR SCENARIOS, IT SHOWS YOU WHERE YOU ENDS UP AT THE HIGHEST POINT FOR EACH OF THOSE TWO INDICATORS. WHAT YOU SHOULD

THINK ABOUT IN THOSE FOUR SCENARIOS ARE WHAT THE STANDARDS ARE IN EACH OF THOSE AREAS. FOR EXAMPLE, WHEN YOU THINK ABOUT DEBT PER CAPITA, THE NATIONAL MEDIAN FOR CITIES OF OUR SIZE OR LARGER FOR DEBT PER CAPITA IS 1,112. AND YOU CAN SEE ON THE SLIDE THAT BY THE TIME YOU HAVE GONE TO ONE PENNY IN BOTH THE YEARS 2007 AND 08, YOU HAVE GONE PAST THE NATIONAL MEDIAN FOR DEBT PER CAPITA. HOWEVER, IN ALL FOUR SCENARIOS, YOU ARE IN THE CITY'S POLICY IN DEBT TO AV. AT IN POINT IN ANY OF THE FOUR SCENARIOS DO YOU GO BEYOND THAT POLICY. THEN JUST A VERY BRIEF RECAP OF THE 1998 BOND ELECTION ITSELF. OUR LAST GENERAL BOND PACKAGE. REMEMBER WE HAD A 2000 BOND PACKAGE, BUT IT WAS FOR TRANSPORTATION PRIMARILY. IN 1998 THERE WERE FIVE PROPOSITIONS, THEY TOTALED A LITTLE UNDER \$340 MILLION, BUT WE ALSO HAD A SUBSTANTIAL CASH EQUITY INVESTMENT THAT WE MADE AT THE SAME TIME. OF ABOUT \$47 MILLION. SO THE TOTAL INVESTMENT AT THE TIME IN THIS GENERAL BOND PACKAGE WAS ABOUT 387 AND A HALF MILLION. EXCUSE ME, \$386.5 MILLION. NOW, THAT 1998 BOND PACKAGE WAS A FACILITY-RICH PACKAGE. OVER A THIRD OF THAT BOND PROPOSITION, OF THAT BOND PACKAGE WAS DEVOTED TO NEW FACILITIES. 21 NEW OR EXPANDED FACILITIES TOTALLING OVER 135 MILLION OF THAT PACKAGE. THE REASON THAT'S IMPORTANT IT'S BECAUSE ALONG WITH THAT COMES AN ACCOMPANYING COST. THAT'S THE COST TO OPERATE AND MAINTAIN THOSE NEW FACILITIES. FOR EXAMPLE THOSE 21 FEW AND EXPANDED FACILITIES COST THE CITY \$16.5 MILLION IN NEW ANNUAL OPERATING AND MAINTENANCE COSTS EVERY YEAR. ABOUT 170 EMPLOYEES, THAT REPRESENTS AN ADDITIONAL THREE CENTS ON THE TAX RATE. SO AS WE GO ABOUT OUR DISCUSSION, OF A BOND PACKAGE, IT'S NOT JUST WHAT IT TAKES TO BUILD A FACILITY. IT'S ALSO WHAT IT'S GOING TO TAKE YOU ON THE OTHER SIDE OF THE LEDGER TO OPERATE AND MAINTAIN A FACILITY. AND WITH THAT IN MIND, THE NEEDS ASSESSMENT THAT WE ARE PRESENTING TO YOU TODAY FOCUSES INSTEAD ON A CURRENT INVESTMENT IN INFRASTRUCTURE IMPROVEMENTS, RENOVATIONS AND MAINTENANCE OF OUR EXISTING FACILITIES. SO FIRST UP IS ASSISTANT CITY MANAGER LAURA HUFFMAN, SHE'S GOING TO WALK YOU

THROUGH THE NEEDS ASSESSMENT ON DRAINAGE.

THANK YOU, MAYOR, MAYOR PRO TEM AND CITY COUNCIL MEMBERS, WHAT I WOULD LIKE TO DO IS TAKE A FEW MOMENTS TO TALK TO YOU ABOUT THE DRAINAGE NEEDS ASSESSMENT THAT WE ARE GOING TO PUT FORWARD TO YOU. CENTRAL TEXAS IS OFTEN CALLED FLASH FLOOD ALLEY BECAUSE OF ITS FREQUENT AND INTENSE STORMS. RECORDS OF MAJOR FLOODS IN USING AS FAR BACK AS 18618 OF THE AND EACH -- 1869. WE ARE UNIQUELY SITUATED FOR MAJOR FLOODS. AS MOISTURE FROM THE GULF OF MEXICO CONVERGES WITH POLAR AIR MASSES, INTENSE RAINS COMBINE WITH THE STEEP SLOPES ALONG THE BALCONES HE ESCARPMENT TO MAKE AUSTIN'S CREEKS RISE IN A FLASH. THESE FLOODS CAN HAPPEN WITH LITTLE OR NO WARNING, THE FLOOD WATERS CAN REACH FULL PEAK IN ONLY A FEW MINUTES. ANYONE THAT'S LIVED THROUGH ONE OF OUR FLOODS REMEMBERS HOW QUICKLY THEY HAPPEN. SINCE MUCH OF AUSTIN WAS BUILT BEFORE OUR CURRENT DRAINAGE CRITERIA WERE ADOPTED IN 1977, MANY OF THE HOMES AND BUSINESSES IN OUR COMMUNITY ARE LOCATED ALONG CREEKS AND IN FLOODPLAINS. IN FACT THERE ARE AN ESTIMATED 7,000 STRUCTURES AND 400 ROADWAY CROSSINGS IN THE 100 YEAR FLOODPLAIN IN AUSTIN. THE MEMORIAL DAY FLOOD OF 1981 IS PROBABLY ONE OF THE MOST RECENT FLOODS IN OUR HISTORY, BUT MORE RECENTLY PEOPLE ARE STILL RECOVERING FROM THE NOVEMBER 2001 FLOOD. COUNCIL IN 2001 IN RESPONSE TO THIS SET OF UNIQUE CONDITIONS IN OUR COMMUNITY, YOU ADOPTED A ROAD MAP SO TO SPEAK FOR RESOLVING AND PROTECTING AUSTIN'S CITIZENS FROM THESE FLOODS. THIS PLAN DID TWO THINGS FOR US. FIRST OF ALL, IT PRIORITIZED THE PROBLEM AREAS, SECOND OF ALL IT ESTABLISHED THE FINANCIAL NEED, THE GAP THAT WE WOULD HAVE TO FUND IN ORDER TO SOLVE THESE PROBLEMS AND THAT WAS IDENTIFIED AT \$800 MILLION. AS A REMINDER, WHAT WE STUDIED IN THERE WAS 12 URBAN WATERSHEDS AND THE 17 MAJOR WATERSHEDS ACROSS AUSTIN. YOU ALSO LOOKED AT IN THIS MASTER PLAN ANOTHER APPROACH TO RESOLVING THESE PROBLEMS AND THAT WAS THE MULTI-PROJECT APPROACH. WE ARE GOING TO TALK A LITTLE BIT ABOUT THAT. WHAT THAT MEANS IS

WHEN YOU GO IN TO SOLVE A CREEK FLOODING PROBLEM, THAT YOU ARE ALSO LOOKING FOR OPPORTUNITIES FOR WATERSHED ENHANCEMENT. WE HAVE GOT SOME OPPORTUNITIES IN THIS PROPOSAL. I WANT TO TALK ABOUT THE DRAINAGE FEE A LITTLE BIT. YOU HAVE ESTABLISHED A DRAINAGE FEE. WHAT I HAVE SHOWN YOU HERE IS FIVE-YEAR HISTORY OF THE FEE. YOU HAVE BEEN DILIGENT AND LOOKING -- IN LOOKING AT THAT FEE AND RAISING THAT FEE SO THAT WE CAN ADDRESS TWO ASPECTS OF THE DRAINAGE MASTER PLAN. THE FIRST IS THE OPERATIONS AND MAINTENANCE OF THE INFRASTRUCTURE WE ALREADY HAVE. AND WHAT THAT YELLOW BAR TELLS US IS THAT OVER THE PAST FIVE YEARS, WE HAVE CONTINUED TO INCREASE ADDITIONAL FUNDS TOWARDS THE O AND OF OUR EXISTING INFRASTRUCTURE. THE BAR BELOW THAT SHOWS THAT WE HAVE ALSO CONTINUED TO INCREASE THE TRANSFERS TO CAPITAL PROJECTS. BUT HAS THAT BAR IS SHOWING YOU, THAT \$11.7 MILLION IN THIS YEAR'S BUDGET, THAT AMOUNT OF TRANSFER WILL NEVER SOLVE AN \$800 MILLION PROGRAM. WHAT WE HAVE BEFORE US TODAY IS THE FIRST OPPORTUNITY, SINCE YOU PASSED THE DRAINAGE MASTER PLAN TO ALLOCATE GENERAL OBLIGATION BONDS TOWARD THE SOLUTION OF OUR DRAINAGE PROBLEMS. I WANT TO TALK NOW ABOUT THE NEEDS ASSESSMENT. WE HAVE IT DIVIDED INTO FOUR MAJOR CATEGORIES. LET ME SAY UP FRONT. AT \$800 MILLION WE RECOGNIZE THAT A SINGLE BOND PACKAGE CAN'T AND PROBABLY SHOULDN'T ATTEMPT TO SOLVE THE WHOLE PROBLEM. WHAT WE HAVE DONE TODAY IS TO TAKE A CHUNK OF THE \$800 MILLION, THE TOP 40 OR SO PRIORITIES AND SHOW YOU WHAT THEY LOOK LIKE. THE GRAND TOTAL IS \$198.6 MILLION. WE HAVE GOT THEM IN FOUR DIFFERENT AREAS. WE HAVE GOT \$45 MILLION TARGETED FOR FLOOD AND EROSION CONTROL PROJECTS. IN OUR CREEKS. ANOTHER 45 MILLION IS TO UPGRADE STORM DRAINS. 6 MILLION FOR WATER QUALITY RETRO FITS AND RECHARGE ENHANCEMENT PROJECTS. AND \$102.5 MILLION FOR MULTI-OBJECTIVE PROJECTS. THOSE ARE PROJECTS THAT ARE PRIMARILY FLOOD CONTROL RELATED, BUT LITTLE INCLUDE EROSION CONTROL AND WATER QUALITY ENHANCEMENTS. LET ME TAKE THE FIRST CATEGORY, FLOOD AND EROSION CONTROL. CREEK FLOOD CONTROL, WE HAVE \$25.6 MILLION.

LOAD INTO THIS PORTION OF THE NEEDS ASSESSMENT. THIS ADDRESSES THE 7,000 BUILDINGS AND 400 ROADWAYS THAT ARE SUBJECT TO CREEK FLOODING IN AUSTIN. A SIGNIFICANT PORTION OF THE PROPOSED DRAINAGE BOND IS DEDICATED TO PROTECTING THE LIVES AND PROPERTY OF OUR CITIZENS FROM THESE VERY REAL FLOODING HAZARDS. THE PROJECTS THAT WE HAVE PROPOSED INCLUDE ENLARGING CHANNELS, FLOOD WALLS AND BUYOUTS. CREEK EROSION CONTROL RELATED, WE HAVE A NEEDS ASSESSMENT OF \$19.4 MILLION. AND HERE YOU WILL SEE PROJECTS INCLUDING STREAM BANK STABILIZE AND -- STABILIZATION AND BUYOUTS. IN FACT THE PICTURE THAT YOU SEE HERE IS IN OUR NEEDS ASSESSMENT AND RANKS 22 IN OUR LIST OF PRIORITIES. LOCALIZED FLOODING. WE HAVE PROPOSED \$45.1 MILLION. MANY STORM DRAINS IN AUSTIN ARE OLD AND UNDERSIZED. DURING A STORM WHEN THESE STORM DRAINS REACH CAPACITY, FLOOD WATERS RUN INTO STREETS, YARDS AND INTO HOMES AND BUSINESSES, WE HAVE ALL SEEN THIS. THE BOND PROGRAM WOULD PROVIDE FUNDING TO CONSTRUCT NEW STORM DRAINS AND UPGRADE AND ENLARGE EXISTING SYSTEMS THROUGHOUT AUSTIN. YOU WILL SEE ON THE MAP THERE IS A GEOGRAPHIC DISPERSION FOR ALL OF THESE PROJECTS. SPECIAL ATTENTION WILL ALSO BE GIVEN TO COORDINATING THESE PROJECTS WITH STREET AND UTILITY IMPROVEMENTS IN THE AREA. YOU WILL HEAR EACH OF THE UTILITIES TALK ABOUT THIS. ONE OF THE THINGS THAT WE HAVE DONE VERY CAREFULLY IN THIS NEEDS ASSESSMENT IS TO RECOGNIZE THAT WHEN WE ARE DOING A DRAINAGE PROJECT, WE CAN AND SHOULD EVALUATE THE CONDITION OF THE STREET, FOR EXAMPLE. AND IF THE STREET NEEDS TO BE RECONSTRUCTED, THAT'S THE TIME TO DO IT. SO YOU WILL SEE THAT KIND OF RECIPROCITY BETWEEN THE DRAINAGE, THE STREET, AND OUR WATER UTILITY PROJECTS. RECOGNIZING THAT WHEN WE ARE IN THE STREETS, THAT'S THE OPPORTUNITY TO SOLVE AS MANY PROBLEMS AS WE CAN AT A SINGLE TIME. WATER QUALITY PROTECTION HAS \$6 MILLION. WITH INCREASES IN IMPERVIOUS COVER, COUNCIL YOU HAVE RECOGNIZED THIS FOR MANY YEARS, URBANIZATION DEGRADES THE QUALITY OF OUR LOCAL CREEKS. THAT INCREASES THE POLLUTANT LOADS AND BY REDUCED BASE FLOW AND IS REALLY

MAGNIFIED DURING DRY WEATHER CONDITIONS. THE WATER QUALITY RETRO FITS AND RECHARGE ENHANCEMENT PROJECTS WILL ATTEMPT TO REVERSE THESE IMPACTS AND PROTECT OUR WATERWAYS INTO THE FUTURE. THIS IS A PICTURE OF BULL CREEK. MULTI-OBJECTIVE PROJECTS. THE LARGEST AMOUNT AT 102.5 MILLION DOLLAR. AGAIN IN THE SAME WAY THAT WE WANT TO RECOGNIZE STREET CONDITIONS, WHEN WE ARE IN DOING A FLOOD CONTROL PROJECT WE CERTAINLY WANT TO RECOGNIZE OPPORTUNITIES FOR EROSION CONTROL OR WATER QUALITY PROTECTION. AND SO 102.5 MILLION DOLLAR OF THE PROJECTS THAT WE HAVE IDENTIFIED ARE MULTI-OBJECTIVE PROJECTS. SO FOR A GIVEN SEGMENT OF CREEK, THE MAJORITY OF COSTS MAY BE AND TYPICALLY IS ASSOCIATED WITH STREAM FLOODING AND EROSION. AND WHEN WE INTEGRATE THOSE TWO WE MAXIMIZE THE BENEFITS OF THE PROJECT. THE MAP NEXT TO ME AND THE MAP ON THE WALL SHOWS THE GEOGRAPHIC DISPERSION OF ALL OF THESE PROJECTS THAT WE ARE PUTTING BEFORE YOU TODAY AND AGAIN REPRESENT THE TOP 40 OR 45 PROJECTS FROM YOUR DRAINAGE MASTER PLAN. YOU CAN SEE THEY ARE LOCATED KNEWOUT OUR COMMUNITY. COUNCIL, AT \$198 MILLION THIS NEEDS ASSESSMENT, WE THINK, REPRESENTS TWO MAJOR OPPORTUNITIES FOR THE CITY. THE FIRST OPPORTUNITY IS THAT THIS IS THE FIRST TIME THAT WE'VE HAD A BOND PACKAGE SINCE WE'VE ADOPTED THE DRAINAGE MASTER PLAN. SO THIS IS AN OPPORTUNITY FOR US TO TAKE AN \$800 MILLION PROBLEM AND TO BEGIN TO MAKE SIGNIFICANT HEAD WAY AND -- IN RESOLVING THOSE ISSUES WITH FLOOD, EROSION, WATER CONTROL. THE SECOND OPPORTUNITY IS THIS IS THE FIRST TIME THAT WE'VE HAD A BOND ELECTION SINCE ENVISION CENTRAL TEXAS FORMULATED ITS RECOMMENDATION AND MANY OF THE PROJECTS THAT YOU SEE IN THIS DRAINAGE ASSESSMENT SUPPORT THE ECT GOALS OF DENSIFICATION, IMPROVING WATER QUALITY, AND PRESERVING OUR NATURAL RESOURCES AS THE CITY EXPANDS. SO WE SEE THESE DRAINAGE PROJECTS AS AN OPPORTUNITY TO ACCOMPLISH MANY OF THE CITY'S OBJECTIVES THAT WE HAVE RIGHT NOW.

LAURA, ONE LAST POINT, BECAUSE WE HAD TALKED BEFORE

THAT WHEN YOU SEE THE \$6 MILLION UNDER WATER QUALITY, IT LOOKS LOW IN COMPARISON TO THE ORE CATEGORIES. OTHER CATEGORIES. IN THE 102 MULTI-OBJECTIVE PROJECTS, THERE IS A SUBSTANTIAL AMOUNT OF THAT MONEY GOING INTO THE WATER QUALITY PROTECTION CATEGORY.

THAT'S ABSOLUTELY RIGHT. THE \$6 MILLION IS AUGMENTED BY ANOTHER LARGER AMOUNT OF MONEY THAT IS INCLUDED IN THE MULTI-PURPOSE PROJECTS AND THAT \$102.5 MILLION CATEGORY.

Futrell: NEXT, WE WILL GO GOING TO THE TRANSPORTATION -
- BE GOING TO THE TRANSPORTATION SECTION, DEPUTY CITY MANAGER JOE CANALS IS GOING TO TAKE THIS SECTION.

JOE, WHERE ARE YOU IN THAT PICTURE THERE, LET'S SEE?
[ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

73% WITH A SATISFACTORY RATING TO 83% WITH A SATISFACTORY RATING, AND ADDING FOR THE FIRST TIME THREE THINGS. NUMBER ONE RECONSTRUCTION OF RESIDENTIAL STREETS WHICH MAKE UP ABOUT 50% OF THE NETWORK. SECOND, REPLACEMENT OF DETERIORATED STORM SEWERS AS MS. HUFFMAN POINTED OUT EARLIER, WE ARE WORKING TO MAKE SURE THAT THE WATER AND WASTEWATER -- STREETS. NECESSARILY -- [INDISCERNIBLE] LASTLY REPLACEMENT OF DETERIORATED SIDEWALKS, CURBS, GUTTERS AND RAMPS WHERE NECESSARY. FIRST I'LL COVER THE CURRENT STATE OF THE TRANSPORTATION SYSTEM. THE CITY'S TRANSPORTATION SYSTEM CONSISTS OF A VARIETY OF TRANSPORTATION SYSTEM INFRASTRUCTURE, INCLUDING THE STREET NETWORK, BRIDGES, TRAFFIC SIGNALS, TRAFFIC CALMING DEVICES, SIDEWALKS AND BIKEWAYS. THE NEXT SLIDE PROVIDES YOU AN OVERALL BREAK DOWN BETWEEN CLASSIFICATIONS OF OUR STREET NETWORK. FOR EXAMPLE, YOU CAN SEE THAT RESIDENTIAL STREETS MAKE UP ABOUT 50% OF THE NETWORK, WHICH TOTALS CLOSE TO 7,000 LANE MILES THROUGHOUT THE CITY. I WOULD LIKE TO POINT OUT THAT ALTHOUGH OUR REQUEST FOR FUNDS FOR STREET RECONSTRUCTION TOTALS \$150 MILLION, OUR BAG LOG OF

STREETS NEEDING RECONSTRUCTION IS SIGNIFICANTLY LARGER. THAT'S AROUND THE \$675 MILLION AREA. HOUR, WHAT WE ARE RECOMMENDING REPRESENTS OUR HIGHEST PRIORITIES. IN ADDITION TO THE STREET NETWORK, WE ALSO HAVE 320 BRIDGES TO MAINTAIN. THE NEXT PAGE TALKS ABOUT -- [INDISCERNIBLE] IN THE AREA OF TRAFFIC CALMING, THERE ARE 170 AREAS IDENTIFIED FOR TRAFFIC CALMING. WE HAVE COMPLETED STUDIES ON -- ON 15 AREAS. 13 NEIGHBORHOODS HAVE ALREADY VOTED FOR IMPLEMENTATION OF THEIR STUDIES. WE ALSO HAVE ABOUT 2500 MILES OF SIDEWALKS AND 15 MILES OF BIKE ROUTES. LET'S TALK ABOUT THE CONDITION OF OUR STREETS. I WOULD LIKE TO TALK ABOUT THE OVERALL CONDITION OF OUR STREET NETWORKS, SINCE THIS IS THE GREATEST PORTION OF THE -- OF THE BOND NEEDS ASSESSMENT. AS YOU CAN SEE FROM THIS CHART, ABOUT 73% OF OUR NETWORK IS IN SATISFACTORY CONDITION. THOSE ARE EXCELLENT, GOOD, FAIR. THAT LEAVES 27% IN UNSATISFACTORY CONDITION. THESE STREETS HAVE DETERIORATED FOR SEVERAL REASONS. NUMBER ONE, MANY STREETS WERE NOT DESIGNED FOR THE CURRENT TRAFFIC FLOWS -- LOADS THAT HAVE BEEN IMPOSED ON THEM THROUGH THE INCREASE IN TRAFFIC OVER THE YEARS. NUMBER TWO, MANY OF THE STREETS HAVE SIMPLY REACHED THEIR DESIGN HEIGHT. FINALLY SOME OF THE STREETS HAVE DETERIORATED DUE TO INSUFFICIENT PREVENTIVE MAINTENANCE. MAINTAINING A SATISFACTORY NETWORK REQUIRES A COMBINATION OF FUNDING AND PREVENTIVE MAINTENANCE AND RECONSTRUCTION. JUST AS IT IS IMPORTANT TO CHANGE THE OIL IN OUR CARS AND PAINT OUR HOMES, ON A REGULAR BASIS, WE ALSO NEED TO PERFORM ROUTINE MAINTENANCE ON OUR STREETS TO PRESERVE AND EXTEND THE PAVEMENT DESIGN LIFE. THE TRANSPORTATION FEE FUNDS ARE ROUTINE MAINTENANCE - - FUNDS ARE ROUTINE MAINTENANCE NEEDS WHICH INCLUDE CRACKED CEILING, SEAL COATS, OVERLAYS. I WOULD LIKE TO POINT OUT THAT TO BEST ADDRESS THE NETWORK, WE SHOULD BE PERFORMING MAINTENANCE IN ABOUT 10% OF THE NETWORK ON AN ANNUAL BASIS. HOWEVER, WE ARE -- WE HAVE ONLY BEEN ABLE TO FUND A -- A MAINTENANCE OF 8% OF OUR NETWORK. THE OTHER KEY COMPONENTS ON MAIN OBTAINING THE STREET

NETWORK IS TO PROVIDE FOR TOTAL RECONSTRUCTION OF STREETS THAT HAVE FALLEN INTO POOR AND FAILED CONDITIONS. THE 2006 BOND PROVIDES AN OPPORTUNITY TO ADDRESS THE RECONSTRUCTION NEEDS. THE GRAPH THAT YOU WILL SEE HERE SHOWS VARIOUS COMBINATIONS OF PREVENTIVE MAINTENANCE AND RECONSTRUCTION FUNDING SCENARIOS AND THE IMPACT, THE CONDITION OF THE STREET NETWORK. YOU CAN SEE THAT THE STREET NETWORK AND CREW -- IMPROVES TO 80% OVER THE PERIOD OF TIME WITH THE COMBINATION OF THE PROPOSED '06 BOND, AMOUNT OF \$18 MILLION ANNUAL AND 10% PREVENTIVE MAINTENANCE. CONVERSELY, YOU CAN SEE THAT THE NETWORK DETEGRATES SIGNIFICANTLY WITHIN -- WITH AN INVESTMENT OF ONLY 8% OF PREVENTIVE MAINTENANCE. THE GRAPH IN THE MIDDLE SHOWS THAT WITH 8% PREVENTIVE MAINTENANCE AND \$8 MILLION ANNUAL FOR FOR RECONSTRUCTION, WE CAN KEEP THE NETWORK IN ITS CURRENT CONDITION, BUT WE ARE NOT LIKELY TO IMPROVE THAT PERCENTAGE AMOUNT. EXCUSE ME. NOW I WOULD LIKE TO TALK ABOUT TRAFFIC SIGNALS. JUST AS WITH STREETS, WE NEED A COMBINATION OF FUNDING TO ADDRESS ONGOING MAINTENANCE AND OPERATION OF THE SYSTEM AS WELL AS UPGRADES. WE HAVE 800 SIGNAL INTERSECTIONS, BUT 300 ARE NOT YET TIED INTO THE TRAFFIC MANAGEMENT CENTER. IN ADDITION HISTORICALLY WE HAVE FOUND THAT WE NEED TO SIGNAL ABOUT 20 NEW SIGNALS ANNUALLY. THE BOND WOULD ALLOW US TO ACCOMPLISH THIS. NOW I WANT TO REVIEW WITH YOU THE FUNDING THAT WE HAVE RECEIVED SINCE 1999 AND SOME OF THE OUTCOMES THAT WE HAVE BEEN ABLE TO ACHIEVE WITH THIS. CLOSE TO \$420 MILLION HAS BEEN ALLOCATED FOR TRANSPORTATION NETWORK. I WOULD LIKE TO POINT OUT THAT THE QUARTER CENT FUNDING FROM THE CAPITAL METRO PROVIDED A MUCH NEEDED INFUSION OF CAPITAL INTO OUR SYSTEM. HOWEVER, THAT WAS A ONE-TIME FUNDING SOURCE AND WILL NOT BE AVAILABLE IN THE FUTURE. I'M PLEASED TO SAY THAT WE HAVE BEEN ABLE TO MAKE A LOT OF PROGRESS IN ADDRESSING NEEDS IN MANY AREAS. IN THE AREA OF STREET RECONSTRUCTION, WE HAVE BEEN ABLE TO RECONSTRUCT CLOSE TO 170 LANE MILES OF STREETS. THIS HAS TRANSLATED TO AN OVERALL IMPROVEMENT OF

ABOUT 10% OF OUR ARTERIAL NETWORK. WE HAVE ALSO BEEN ABLE TO UPGRADE AND IMPROVE CAPACITY IN 22 SUBSTANDARD ROADS. WE HAVE IMPROVED CAPACITY IN 17 CRITICAL INTERSECTIONS. EXCUSE ME. AND WE HAVE ORAL BE WORKING TO ACCOMPLISH -- OR WILL BE WORKING TO ACCOMPLISH A VARIETY OF OTHER PROJECTS [INDISCERNIBLE] CESAR CHAVEZ CONVERSION. THE FUNDING OVER THE LAST YEAR HAS ALLOWED US TO ADD OVER 75 MILES OF NEW SIDEWALKS, 1600 CURB RAMPS TO OUR NETWORK. IMPROVING CONNECTIVITY AND MOBILITY FOR THE CITIZENS OF AUSTIN. IN ADDITION, SEVERAL KEY BIKEWAY PROJECTS ARE UNDERWAY, EITHER IN DESIGN OR CONSTRUCTION AS THE LANCE ARMSTRONG BIKEWAY, PLEASANT VALLEY ROADWAY BIKEWAY -- [COUGHING] EXCUSE ME AND THE BOGGY CREEK BIKEWAY PEDESTRIAN PLAN. A VARIETY OF OUR TRANSPORTATION IMPROVEMENTS ARE ALSO UNDERWAY OR COMPLETED INCLUDING DEVELOPMENT OF A TRAFFIC [INDISCERNIBLE] INVENTORY SYSTEM AND TRAFFIC STUDIES AT KEY HIGH ACCIDENT INTERSECTIONS. THE 2000 BOND HAS NOT BEEN FULLY SPENT. ALTHOUGH A GOOD PORTION HAS BEEN UTILIZED FOR RIGHT-OF-WAY PARTICIPATION ON KEY STATE HIGHWAYS. THE REMAINING FUNDMENT BE UTILIZED TO IMPROVE ROADS AND BUILD NEW SIDEWALKS AND BIKEWAYS. THERE WILL BE A FUTURE PRESENTATION TO PROVIDE THE COUNCIL INFORMATION ON THESE PROJECTS. I WOULD LIKE TO SHARE WITH YOU OUR PROCESS FOR PRIORITIZING OUR PROJECTS. IT'S A -- IT'S A GIVEN THAT THERE ARE ALWAYS MORE NEEDS WHEN FUNDING IS AVAILABLE. THEREFORE WE UTILIZE CRITERIA TO RANK PROJECTS TO IDENTIFY THE TOP NEEDS. IN THE AREA OF STREET RECONSTRUCTION, WE UTILIZE THE PAVEMENT INFORMATION MANAGEMENT SYSTEM TO EVALUATE STREETS. THE [INDISCERNIBLE] EVALUATES THE SMOOTHNESS OF THE RIDE, ROAD COMFORT. SURFACE DISTRESS INDEX EVALUATES THE SURFACE CONDITION, WHETHER THERE ARE POTHOLES OR OTHER TYPES OF DETERIORATING CONDITIONS. THESE TWO INDEXES THEN TRANSLATE INTO AN OVERALL PAVEMENT QUALITY INDEX, WHICH SEPARATES OUR ROADS INTO EXCELLENT, GOOD, FAIR, POOR AND FAILED. WE ALSO USE OTHER FACTORS SUCH AS COSTS, GEOGRAPHY AND AVERAGE DAILY TRAFFIC

TO DO THE FINAL RANKING. IN THE AREA OF SIGNALS, WE MUST DO A STUDY TO DETERMINE IF THE SIGNAL IS WARRANTED USING CRITERIA SUCH AS TRAFFIC VOLUME, DELAYS, PEDESTRIAN VOLUMES AND ACCIDENT. AS I MENTIONED EARLY IN THE PRESENTATION, WE WILL BE ADDRESSING AGING SIDEWALK AND CURB GUTTER INFRASTRUCTURE FOR THE FIRST TIME. OUR CRITERIA FOR PRIORITIZATION WILL INCLUDE EVALUATION OF THE COMPLAINTS WE HAVE RECEIVED FROM CITIZENS AS TO THE SEVERITY, THE USAGE, AND WHETHER STREET FLOODING IS OCCURRING. WE RANK OUR BICYCLE WAY PROJECTS BASED ON DIFFICULTY OF RIDING A PARTICULAR ROUTE, COST IN CLOSING GAPS TO COMPLETE THOSE ROUTES. IN THE AREA OF TRAFFIC CALMING, WE HAVE AN EXTENSIVE NEIGHBORHOOD INPUT PROCESS, WHICH WE UTILIZE ALONG WITH PERFORMING TRAFFIC VOLUME AND SPEED STUDIES. FINALLY, THE 2006 BOND IS A GREAT OPPORTUNITY TO IMPROVE OUR STREETS ANDY TEARATED STORM SEWER SYSTEM, ENHANCE STORM SEWER SYSTEM, REPLACE AGING SIDEWALK STRUCTURE, CONTINUE IMPLEMENTATION OF THE BIKEWAY AND ADDRESS NEW AREAS DESIRING TRAFFIC CALMING, THE CITY'S NEEDS EXCEED THE FUNDING THAT WILL BE AVAILABLE. HOWEVER THROUGH PRIORITIZATION OF THE PROJECT CITIZENS WILL BENEFIT FROM AN OVERALL IMPROVED TRANSPORTATION SYSTEM THAT WILL ENHANCE MOBILITY, PROVIDE FOR SMOOTHER AND SAFER ROADS AND IMPROVE TRAFFIC FLOW. COUNCIL, I WOULD ALSO LIKE TO JUST CLARIFY UNDER THE CATEGORY OF STREET RECONSTRUCTION, \$150 MILLION INCLUDES WORK FOR SIDEWALKS AND RAMPS. AND THAT'S NOT INCLUDED ON THE OVERHEAD, BUT I JUST WANTED TO CLARIFY THAT POINT. THAT CONCLUDES MY PRESENTATION.

Mayor Wynn: THANK YOU, MR. CANALS.

JOE, WE HAD WATER COMING FROM ALL AREAS FOR YOU. WE ARE GOING TO MOVE TO THE THIRD CATEGORY, WHICH IS RENOVATIONS AND MAINTENANCE OF EXISTING FACILITIES AND ACTING ASSISTANTS MANAGER MICHAEL McDONALD IS GOING TO TAKE THIS SECTION. WE ARE DOING A LITTLE SOMETHING DIFFERENT HERE, TOO, COUNCIL. THIS IS NOT DIVVIED UP BY A PARTICULAR DEPARTMENT OR A PARTICULAR FUNCTION. THIS IS ANY FACILITY IN THE

GENERAL FUND THAT NEEDED REPAIR OR RENOVATION IN THE CATEGORY MIKE IS GOING TO SPEAK TO.

OKAY. THANK YOU, CITY MANAGER. GOOD AFTERNOON, MAYOR AND CITY COUNCIL. MAYOR, I KNOW YOU WILL BE INTERESTED, ON THAT LAST PHOTOGRAPH I WAS BEHIND THAT LARGE TREE IN THE VERY BACK [LAUGHTER]

I WASN'T GOING TO SAY ANYTHING.

ALL RIGHT. TAKE A LOOK AT IT LATER. WE ARE PLEASED TO PRESENT THE STAFF MAINTENANCE AND RENOVATION NEEDS FOR THE 2006 BOND PACKAGE. THE CITY OF AUSTIN HAS INVESTED SIGNIFICANTLY IN THE PROCUREMENT OF FACILITIES OVER THE YEARS. FURTHERMORE, IN RECENT YEARS WE HAVE MADE A CONCERTED EFFORT TO CONVERT FROM LEASE SPACE TO OWNED SPACE TO LOWER FUTURE COST. THE OWNERSHIP OF OVER 193 FACILITIES REQUIRES THAT THE CITY EMPHASIZE THE IMPORTANCE OF PROPER MAINTENANCE. THIS IS WHY WE ARE RECOMMENDING A REINVESTMENT IN THE FACILITIES WE ALREADY OWN IN THIS BOND PACKAGE. WE THINK IT IS IMPORTANT TO MAXIMIZE THE LIFE OF ALL OF OUR CURRENT FACILITIES. THE RENOVATIONS AND MAINTENANCE NEEDS FOR THE 2006 BOND PACKAGE IS 104.3 MILLION. 78.2 IS PARKS AND RECREATION, 5.2 MILLION IS HEALTH AND HUMAN SERVICES. 1 POINT 3 FOR LIBRARIES, 13 MILLION FOR FIRE, 600,000 FOR E.M.S., 6 MILLION FOR POLICE. STOWED'S MAINTENANCE AND RENOVATIONS PRESENTATION WILL BE DIVIDED INTO FOUR SECTIONS. AN INVENTORY OF THE FACILITIES AND RECREATION AMENITIES WE CURRENTLY OWN, HISTORICAL BOND INVESTMENT AND MAINTENANCE, THE CRITERIA WE GAVE DEPARTMENTS IN IDENTIFYING AND PRIORITIZING NEEDS, THE 2006 MAINTENANCE AND RENOVATION NEEDS LISTED BY DEPARTMENT. THE CITY OF AUSTIN COVERS OVER 296 SQUARE MILES. THERE ARE 26 DEPARTMENTS AND ALMOST 10,000 EMPLOYEES PROVIDING A VARIETY OF SERVICES THROUGHOUT THE CITY. THE CITY CURRENTLY OWNS 193 FACILITIES TOTALLING OVER 2.4 MILLION SQUARE FEET. THE NUMBER AND SIZE OF FACILITIES VARY FROM MULTIPLE FACILITIES OWNED BY FIRE AND PARKS OF OVER 300,000 SQUARE FEET TO SINGLE FACILITIES SUCH AS THE ONE TEXAS CENTER AND OUR NEW CITY HALL OF OVER

100,000 SQUARE FEET. THE FACILITIES THAT ARE AGING OR HAVE HIGH USE REQUIRE PERIODIC MAINTENANCE TO ENABLE US TO CONTINUE THEIR USE. IN ADDITION TO THE 193 TRADITIONAL FACILITIES, THERE ARE MANY OTHER PROPERTIES WHICH WE OWN THAT REQUIRE MAINTENANCE LISTED IN THE AMENITIES CHARTS TO THE RIGHT. SOME EXAMPLES ARE THE 21,302 ACRES OF PARKLAND THAT'S AMONG THE HIGHEST AMONG MAJOR CITY NJS HIS COUNTRY. WITHIN THESE PARKS ARE 525 RECREATIONAL STRUCTURES AND 111 MILES OF HIKE AND BIKE TRAILS. THIS ALSO REQUIRES A REINVESTMENT TO MAINTAIN THEIR USE. THE NEXT CHART DEPICT THE HISTORICAL INVESTMENT OF RENOVATIONS AND MAINTENANCE FROM THE LAST TWO BOND PACKAGES. IN THE 1992 BOND PACKAGE, 170.6 BILLION WAS THE TOTAL OF THAT PABLG. 25.7 MILLION WAS FOR RENOVATION AND MAINTENANCE WHICH REPRESENTED ABOUT 15%. IN THE 1998 BOND PACKAGE, WHICH WAS 386.5 MILLION, 9.3% -- 9.3 MILLION WAS FOR RENOVATION AND MAINTAIN, WHICH REPRESENTED ABOUT 2.2%. COUNCIL, SOME OF THE CRITERIA USED TO IDENTIFY THE NEEDS WERE, ONE, AGING AND HIGH USE FACILITIES, ALL OF THE FACILITIES WE WILL PRESENT TODAY ARE OVER 20 YEARS OLD. WITH THE OLDEST BEING 73 YEARS. SOME OF THE FACILITIES HAVE EXPERIENCED HIGHER USE THAN ORIGINALLY PLANNED. WHICH HAS INCREASED THE DEMAND FOR THOSE STRUCTURES. UNDER HEALTH AND SAFETY, IN SOME CASES THE FACILITY IS DETERIORATING TO A LEVEL THAT IT IS ON THE VERGE OF CREATING A SAFETY ISSUE. UNDER THE CATEGORY OF COMPLIANCE AND REGULATIONS, AS MENTIONED EARLIER, MANY OF OUR -- MANY OF OUR FACILITIES ARE OLDER, THEREFORE FEDERAL AND STATE REGULATIONS HAVE CHANGED SINCE THE FACILITY WAS ORIGINAL FALLLY CONSTRUCTED AND REQUIRED UPDATES. UNDER GEOGRAPHIC PRIORITIZATION, THE DEPARTMENTS WERE ASKED TO STRATEGICALLY PRIORITIZE FACILITY REPAIRS AND RENOVATIONS BASED ON THE -- ON THE VOLUME AND THE AREA OF THE CITY. IN THE EVENT THAT WE CANNOT MAKE NEEDED REPAIRS AND RENOVATIONS TO ALL IDENTIFIED FACILITIES, WE WANTED TO ENSURE THAT WE HAD A BALANCED APPROACH OF ALLOCATION TO ALL AREAS OF THE CITY. COUNCIL WILL NOW PRESENT THE SPECIFIC NEEDS FROM THE DEPARTMENTS STARTING WITH

THE PARKS AND RECREATION DEPARTMENT. THE OVERALL NEEDS FOR PARKS AND RECREATION, THE 78.2 MILLION. WE CATEGORIZE THE PARKS AND RECREATION NEEDS INTO THREE AREAS, POOLS, INFRASTRUCTURE, AND FACILITIES. THE POOL NEEDS TOTAL 35.3 MILLION. THE NEEDS ASSESSMENT AND FEASIBILITY STUDY FOR THE AQUATIC FACILITIES CONDUCTED IN 2004 BY GOOTEN ENGINEERING INCORPORATED IDENTIFIED DEFICIENCIES INCLUDING AMERICANS WITH DISABILITIES ACT ACCESSIBILITY REQUIREMENT, ENSURING THAT THE WATER DISCHARGE IS HANDLED CORRECTLY, ADDRESSING LEAKS, SHELL REPLACEMENT AND RECIRCULATION. IN THE AREA OF INFRASTRUCTURE UNDER PARKS, THE NEEDS WERE 31.2 MILLION. RENOVATION OF PLAYScape AREAS NECESSARY TO MEET FEDERAL AND STATE STANDARDS AND REGULATIONS. RENOVATION OF EXISTING TRAILS WHICH EXPRESSED EROSION OR BEING LOST TO FLOOD EVENTS. RESURFACING OF NEIGHBORHOOD PARKS, BASKETBALL, TENNIS COURTS, OTHER MULTI-USE COURTS THAT ARE CRACKED AND WORN FROM YEARS OF USE AND EXPOSURE TO WEATHER. UNDER FACILITY IMPROVEMENTS FOR PARKS AND NEEDS ABOUT 11.6 MILLION, WHICH INCLUDE RENOVATION OF RECREATION FACILITIES THROUGHOUT AUSTIN TO COMPLY WITH HEALTH, SAFETY AND ACCESSIBILITY REQUIREMENTS, REPLACING ROOFS ON OLDER RECREATION BUILDINGS THAT HAVE BEEN PATCHED FOR YEARS. REPLACING THE HVAC SYSTEM IN OLDER HEAVILY USED RECREATION CENTERS AND BUILDINGS THAT ARE NO LONGER SERVICEABLE. DEVELOPMENT OF -- OF PARKLAND TO SERVE NEW AND GROWING GROUPS WITH SKATE BOARD AND BMX FACILITIES, NEW INDOOR RECREATION SPACE AT THE DITTMAR AND NORTHWEST RECREATION CENTERS, AND NEW MULTI-USE FIELD SUCH AS SOCCER, RUG GEE, LACROSSE, FLAG FOOTBALL AT THE KREIG SPORTS COMPLEX, ALSO HISTORIC RENOVATIONS TO PRESERVE AND PROTECT OUR HISTORIC STRUCTURES ALONG WITH BUILDING INTERPRETIVE EXHIBIT AND PROGRAMS AT GEORGE WASHINGTON CARVER, ELIZABETH NEY AND O'HENRY MUSEUMS. UNDER HEALTH LET THE NEEDS TOTAL 5.2 MILLION. HEALTH AND HUMAN SERVICES PROPOSALS TO MAKE NEEDED REPAIRS TO SEVERAL OF OUR NEIGHBORHOOD CENTERS AND THE HOMELESS

SHELTERS FOR WOMEN AND CHILDREN. THE NEEDED REPAIRS RANGE FROM MOLD TO WATER DAMAGE TO -- AND FOUNDATION IMPROVEMENTS. IN THE CASE OF THE HOMELESS SHELTER FOR WOMEN AND CHILDREN, THE REPAIRS TO THE FACILITIES ARE CRITICAL BECAUSE THE USERS OFTEN HAVE NO OTHER ALTERNATIVES. THE NEEDED REPAIRS INCLUDE AIR CONDITIONING, PLUMBING, BOILER REPLACEMENT. ADDITIONALLY THE EXPANSION OF THE HOMELESS SHELTER FOR WOMEN AND CHILDREN WOULD ALLOW US TO SERVE AN ESTIMATED ADDITIONAL 120 TO 200 INDIVIDUALS. WE ARE CURRENTLY SERVING AN AVERAGE OF ABOUT 240 UNDUPLICATED INDIVIDUALS AT THIS POINT. IT'S IMPORTANT TO POINT OUT ON THE PROPOSED REPAIRS FOR THE HOMELESS SHELTER FOR WOMEN AND CHILDREN, THAT WE DO NOT OWN THAT PARTICULAR SITE. WE HAVE A LEASE WITH TRAVIS COUNTY. THEY DON'T CHARGE US ANYTHING FOR THE LEASE, BUT THE LEASE EXPIRES IN 2011. STAFF'S RECOMMENDATION, IF WE -- IS THAT WE CONSIDER THIS PARTICULAR ITEM TO WORK OUT SOME KIND OF ARRANGEMENT FOR THE ACQUISITION OF THAT PROPERTY BEFORE WE HAVE THAT TYPE OF INVESTMENT. BEFORE WE MAKE THAT TYPE OF INVESTMENT. THE LIBRARY DEPARTMENT NEEDS WERE 1.3 MILLION. THE LIBRARY DEPARTMENT PROPOSES REPAIRS TO SIX BRANCHES AND THE ZARAGOSA DISTRIBUTION WAREHOUSE. WHEN WE ESTABLISH THE WAREHOUSE DISTRIBUTION CENTER, WE MADE A COMMITMENT TO EAST AUSTIN CITIZENS IN THAT AREA THAT WE WOULD ENSURE THAT THE SITE WAS AESTHETICALLY APPEALING. REPAIRS TO THE IRRIGATION SYSTEM WILL ASSIST US IN MAINTAINING THAT COMMITMENT. AS YOU WILL SEE IN THE LIBRARY -- CENTRAL LIBRARY PRESENTATION, THE CITY HAS BUILT NUMEROUS BRANCH LIBRARIES IN THE PAST DECADES. SEVERAL ARE NOW IN NEED OF REPAIR SUCH AS ROOF REPAIRS AND HVAC SYSTEMS. THE NEEDS FOR PUBLIC SAFETY TOTALED 19.6 MILLION. IN THAT 19.6 MILLION FOR THE FIRE DEPARTMENT, THE FEED WAS -- WAS APPROXIMATELY 13 MILLION. UNDER FIRE THE AVERAGE AGE OF OUR FIRE STATIONS NEEDING RENOVATIONS THAT WERE -- THAT WE'RE PRESENTING TODAY IS 56 YEARS OLD, THE OLDEST BEING 73 YEARS. WE ARE NOW AT THE POINT WHERE SIGNIFICANT RENOVATION IMPROVEMENTS ARE

NEEDED. SOME EXAMPLES ARE INSTALLATION OF DIESEL EXHAUST EXTRACTION SYSTEMS, PLACEMENT OF -- REPLACEMENT OF HVAC SYSTEMS, ASBESTOS ABATEMENT AND INCREASED SPACE TO ACCOMMODATE CURRENT POLICY FOR FOUR PERSON STAFFING. UNDER POLICE THE NEED IS ABOUT \$6 MILLION. THE FIVE-STORY A.P.D. HEADQUARTERS BUILDING WAS CONSTRUCTED IN 1980. THE ORGANIZATION HAS GROWN SUBSTANTIALLY AND IS EXPERIENCING OVERCROWDING. FOR EXAMPLE, THE VERANDA AREAS THAT WERE MEANT FOR PEDESTRIAN TRAFFIC ON THE 2nd THROUGH 5th THROORS ARE NOW USED FOR CUBICLE OFFENSES. THE SMALL THREE-LEVEL BUILDING ADJACENT TO THE HEADQUARTERS WAS DESIGNED FOR OFFICE OR ROLL CALL SHOWUPS, PROCESSING REPORTS, TWO SMALL SPECIALIZED UNITS AND A WELLNESS CENTER FOR OFFICERS. THE DOWNTOWN AND CENTRAL WEST COMMAND PATROL OPERATIONS HAVE MOW BEEN ADDED TO THAT FACILITY. THE RENOVATIONS WOULD ALLOW THE DOWNTOWN AND CENTRAL WEST AREA COMMANDS TO CONSOLIDATE ALL OF THEIR SERVICES TO PROVIDE A BETTER CENTRALIZED SERVICE AS WE DO IN SOME OF OUR OTHER AREA COMMANDS. FINALLY UNDER PUBLIC SAFETY, AS YOU CAN SEE DEPICTED ON THIS SLIDE WITH REGARDS TO E.M.S., THE NEEDS WERE 600,000. THIS WAS TO COVER THE EXPANSION OF BAY DOORS TO ACCOMMODATE NEWER SIZED AMBULANCES. THIS IS -- THIS IS ONLY A -- THERE'S ONLY A COUPLE OF INCHES OF CLEARANCE FROM THE FRONT AND THE REAR WHEN YOU PLACE THE UNIT INTO THE BAY. THE LIMITED CLEARANCE ON THE SIDES, WHICH IS ABOUT TWO FEET, MAKES IT DIFFICULT TO LOAD AND UNLOAD EQUIPMENT. IN SOME CASES THE VEHICLES HAVE TO BE PULLED PARTIALLY OUT OF THE GARAGE FOR THE -- FOR THE EQUIPMENT TRANSITION. IN CLOSING, OVER THE YEARS, COUNCIL HAS INVESTED SIGNIFICANTLY IN FACILITIES AS THE CITY MANAGER EXPLAINED IN THE 1998 BOND PACKAGE. BUT AGAIN WE THINK THAT IT'S ALSO IMPORTANT THAT WE CURRENTLY INVEST IN THE FACILITY THAT WE CURRENTLY HAVE. THANK YOU. NOW WE ARE GOING TO MOVE ON TO TALK ABOUT A SECTION WHERE WE HAVE INCLUDED BOTH OUR REPLACEMENT FACILITIES AND A FEW NEW FACILITIES ALL IN THE PUBLIC HEALTH AND PUBLIC SAFETY ARENA, RUDY

GARZA, OUR ASSISTANT CITY MANAGER, AND I'M NOT EVEN GOING TO BEGIN TO DISCUSS THE PICTURE HERE, RUDY.
[LAUGHTER]

LIKE ALL GOOD CITY EMPLOYEES, WE ARE IN THE BACK WITH THE SHOVEL.

ACTUALLY I'M TOLD -- WELL NEVER MIND I WON'T EVEN --
[LAUGHTER]

MAYOR AND COUNCIL, AS THE MANAGER SAID I WILL BE REVIEWING WITH YOU THE SECTION OF UNMET NEEDS WHICH IDENTIFY THE NEW OR REPLACEMENT FACILITIES ALL DIRECTLY RELATED TO THE PUBLIC HEALTH AND SAFETY FUNCTIONS. AS HAS BECOME THE COMMON THEME, CHIEF McDONALD COVERED THAT VERY COMPLETELY. WE HAVE OVERGROWN OUR INFRASTRUCTURE, WE ARE DEALING WITH AGED INFRASTRUCTURE THAT REQUIRES AND ACTUALLY RESULTS IN GREAT INEFFICIENCIES BOTH FUNCTIONALLY AND OPERATIONALLY. THE TOTAL IDENTIFIED NEED -- THE TOTAL IDENTIFIED NEED FOR THIS SECTION IS \$99.5 MILLION. OF WHICH \$7.3 MILLION IS FOR TWO NEW IN-FILL STATIONS. HOWEVER SOMETHING SIGNIFICANT POINT OUT IS THE MAJORITY OF THIS ARE 93% OF WHAT WE ARE SHOWING YOU HERE ARE FOR REPLACEMENT FACILITIES. THE TWO NEW FACILITIES ARE BOTH IN-FILL TO ADDRESS CURRENT NEEDS. RESULTING FROM GROWTH IN OUR COMMUNITY, INCREASING CALL VOLUME, INCREASE IN DEMAND FOR OUR SERVICES, AND INCREASED TRAVEL TIMES FOR OUR SERVICES. THE FIRST IS AN E.M.S. FACILITY. THIS FACILITY WOULD BE CO-LOCATED AT FIRE STATION NUMBER 14. CURRENTLY THIS FACILITY, THIS AREA IS SERVICED BY MULTIPLE STATIONS. OUR PROPOSAL OR THE UNMET NEED HERE WOULD BE TO HAVE A STATION THAT WOULD DIRECTLY SERVICE THE AREA ON THE I-35 AIRPORT BOULEVARD AREA. WITH THE COVERAGE THAT WE CURRENTLY HAVE, WE ARE ABLE TO MAINTAIN RESPONSE TIMES THAT -- THAT ARE WITHIN -- WITHIN OUR GOALS, HOWEVER, WE HAVE TWO SIGNIFICANT CONCERNS. BECAUSE OF THE CALL VOLUME IN THIS AREA, THE UNITS THAT ARE RESPONDING HERE MAINTAIN A VERY HIGH UTILIZATION RATE. PUT IT VERY SIMPLY, OUR PARAMEDICS ARE SPENDING MORE THAN HALF OF THEIR TIME OUT IN THE

FIELD FORCE IN ORDER TO COVER THIS AREA. BETWEEN 50 TO 60% OF THE TIME OF THESE UNITS SPENT OUT IN THE FIELD COVERING THEIR SPECIFIC AREAS, ALSO THE -- THE OVER COVERAGE FOR THIS AREA. TO PUT THAT IN PERSPECTIVE, AVERAGE FOR MEDICS WITHIN THE CITY IS ABOUT 40%. SO YOU CAN SEE THAT WITH THE DEMAND FOR SERVICE HERE IT'S TREMENDOUS. THE SECOND SIGNIFICANT CONCERN WE HAVE IS WITH THE DEVELOPMENT OF MUELLER AIRPORT. THIS DEVELOPMENT WILL ONLY INCREASE AND ACTUALLY FURTHER STRESS THE RESOURCES THAT WE CURRENTLY ARE UTILIZING TO COVER THIS AREA. THE SECOND NEW FACILITY IS AN INFILL STATION FOR THE TRAVIS COUNTRY AREA. CURRENTLY THIS AREA IS SERVICED BY THREE FIRE STATIONS SHOWN HERE. WHAT'S IMPORTANT, A COUPLE OF THINGS TO POINT OUT HERE IN THESE RESPONDING STATIONS, ALL OF THESE STATIONS HAVE TO USE MOPAC TO RESPOND TO THIS AREA. AND THIS PART OF OUR COMMUNITY LIKE MANY PARTS OF OUR COMMUNITY HAS GROWN VERY FAST, VERY QUICK, WHICH IS -- HAS RESULTED IN A TREMENDOUS INCREASE IN THE NUMBER OF STRUCTURES, OUR POPULATION HAS INCREASED, TRAFFIC CONGESTION HAS INCREASED. AND ADDITIONALLY, FOR THIS AREA, THERE'S -- THERE'S ONLY ONE WAY IN AND ONE WAY OUT. AND THAT'S SOUTHWEST PARKWAY IS THE ONLY WAY TO GET TO THIS -- THOSE NEIGHBORS. THE TOTAL ESTIMATED COST FOR THIS NEED IS APPROXIMATELY \$5.8 MILLION. I ALSO WANT TO POINT OUT AS WE TALK ABOUT FIRE STATIONS IS YOU WILL NOT SEE IN THIS PACKAGE OF UNMET NEEDS STATIONS THAT ARE NEEDED AS A RESULT OF ANNEXATION. THOSE STATIONS WILL BE HANDLED THROUGH ANNEX PROGRAM WILL BE BROUGHT TO YOU AT THAT POINT. MOVING TO THE REPLACEMENT FACILITIES, THE FIRST FACILITY I WANT TO DISCUSS WITH YOU IS A JOINT PUBLIC SAFETY TRAINING FACILITY. CURRENTLY THE POLICE AND FIRE DEPARTMENTS UTILIZE THE FACILITY AT 4800 SHAW LANE. THAT FACILITY, ACTUALLY, LET ME BACK UP. E.M.S. DOES NOT HAVE A DEDICATED FACILITY. DOES NOT HAVE. IN FACT E.M.S. TRAINS AT VARIOUS FACILITIES THROUGHOUT THEIR SYSTEM. ADDITIONALLY, ALL THREE OF OUR AGENCIES, POLICE, FIRE AND E.M.S., ARE REQUIRED, MANY TIMES TO BORROW OR RENT SPACE IN ORDER TO CONDUCT SOME OF THEIR TRAINING. THE FACILITY AT SHAW

LANE WAS BUILT 25 YEARS AGO. IT WAS A DIFFERENT TIME AND AUSTIN WAS A DIFFERENT PLACE. SINCE THE TIME IT WAS BUILT TO TODAY, OUR SWORN PERSONNEL FOR FIRE AND POLICE HAS INCREASED BY 135%. AND A NEW FACILITY WOULD HAVE TO ACCOMMODATE E.M.S. THROWING THAT INTO THE MIX ACTUALLY RESULTS IN AN INCREASE OF 165 INCREASED SWORN PERSONNEL THAT NEED TO USE THE FACILITY. JUST LIKE OUR HOMES, A -- A HEAVY, HEAVY USE OF OUR FACILITY RESULTS IN GREAT INEFFICIENCIES AND ONGOING MAINTENANCE ISSUES. IT'S NOT UNCOMMON IF YOU GO OUT TO OUR TRAINING FACILITY WHEN OUR COURSES ARE GOING ON TO FIND FIREFIGHTERS OR CADETS AND POLICE OFFICERS WITH TRAINING MATERIAL ON THEIR LAPS, ON THE FLOOR BECAUSE THERE LITERALLY IS NOT ENOUGH SPACE ON THE DESK OR TABLES TO ACCOMMODATE ALL OF OUR TRAINING NEEDS. ADDITIONALLY, IF YOU RECALL, SEVERAL MONTHS AGO, THE PERF REPORT, POLICE EXECUTIVE RESEARCH FORUM, IF THEIR INDEPENDENT ASSESSMENT OF OUR TRAINING, ALSO RECOMMEND, HIGHLY RECOMMENDED A NEW TRAINING, PUBLIC SAFETY TRAINING FACILITY. THE ESTIMATED COST FOR THIS FACILITY IS APPROXIMATELY \$26 MILLION. THE NEXT FACILITY IS OUR MAINTENANCE AND BREATHING AIR SHOP FOR THE FIRE DEPARTMENT. THIS VERY SPECIALIZED FACILITY IS USED FOR TWO KEY FUNCTIONS. FIRST, A -- TO PROVIDE THE ONLY LOCATION THAT WE HAVE FOR INSTALLATION AND MAINTENANCE OF ALL CRITICAL AND SPECIALIZED EQUIPMENT FOR OUR APPARATUS. SOME OF THE EXAMPLES OF THE EQUIPMENT THERE ARE HOSES, SPECIAL BRACKETS, FIRE EXTINGUISHERS AND OTHER TYPE OF PUBLIC SAFETY EQUIPMENT. ADDITIONALLY, THIS FACILITY ALSO SERVES AS THE LOCATION TO SERVICE AND MAINTAIN OUR SELF-CONTAINED BREATHING APPARATUS. AS I MENTIONED THIS IS A VERY SPECIALIZED LOCATION, IT REQUIRES ENGINEERING CONCRETE TO BE ABLE TO SUSTAIN THE CAPACITY, WEIGHT CAPACITY REQUIREMENTS FOR OUR ENGINES. ADDITIONALLY, THE -- THE NEEDS FOR THE BREATHING APPARATUS REQUIRES A VERY SOPHISTICATED, VERY COMPLICATED PLUMBING AND ELECTRICAL SYSTEM. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

OUR CITY HAS GROWN IN A DIFFERENT DIRECTION, AND AS YOU KNOW, OUR SERVICE AREAS HAVE ALSO GROWN. TODAY THAT SAME FACILITY IS NOW HOUSING ALL THREE OF THOSE COMMAND DISTRICTS AND APPROXIMATELY OVER 300 PERSONNEL. THE UNMET NEED WE HAVE IDENTIFIED HERE WOULD ALLOW US TO HAVE A SUBSTATION TO HOUSE OUR NORTHWEST COMMAND DISTRICT TO BE LOCATED WITHIN THE AREAS THAT THEY SERVICE TO THE PATROL OFFICERS WOULD BE WITHIN THE AREA THAT THEY SERVE. THE SECOND SUBSTATION ON THIS NEED WOULD BE STRATEGICALLY LOCATED WITHIN THE NORTHEAST, NORTH CENTRAL AREA, AGAIN TO NOT ONLY ACCOMMODATE THE CAPACITY ISSUES, BUT ALSO TO HAVE OUR PATROL OFFICERS WITHIN THE NEIGHBORHOODS THAT THEY SERVE. THAT ALSO WOULD PROVIDE US A GREAT OPPORTUNITY TO RELOCATE SOME OF OUR PERSONNEL IN OTHER DIVISIONS WITHIN THE POLICE DEPARTMENT THAT ARE IN LEASED SPACE AND MOVE THEM TO THE NORTH SUB. THE ESTIMATED COST FOR THIS PROJECT IS APPROXIMATELY \$14.5 MILLION FOR BOTH SUBSTATIONS. OUR MOUNTED PATROL. CURRENTLY IT'S LOCATED IN MANOR. IN ADDITION TO BEING NOTICED BY THE OWNER OF HIS INTENT TO SELL THE PROPERTY, WHICH WOULD MAKE IT UNAVAILABLE TO US IN THE NEXT SEVERAL YEARS, THE FACILITY IS LIMITED AND DOES NOT MEET ADEQUATELY OUR NEEDS FOR PROPER TRAINING, HOUSING AND EXERCISING OF OUR FORCES. WE NEED A LOCATION THAT IS CLOSER TO DOWNTOWN WHICH IS THE AREA THAT THE MOUNTED PATROL SERVES. AND CURRENTLY WE GO BACK AND FORTH FROM MANOR TO DOWNTOWN WHENEVER WE NEED THE MOUNTED PATROL. SO CLEARLY WE WOULD NEED A FACILITY THAT WOULD ACCOMMODATE OUR OPERATIONAL NEEDS AND ONE THAT WOULD BE MORE EFFICIENT FOR OUR OFFICERS. THE ESTIMATED COST SHOWN HERE IS \$1.5 MILLION; HOWEVER, WE ARE CONTINUING TO REFINE THAT NUMBER, AND IN FACT, EXPECT THAT THAT COST MAY BE LOWERED. IF YOU'VE HAD THE NOT SO WONDERFUL OPPORTUNITY TO GO PAY A TRAFFIC TICKET OR TAKE CARE OF MAYBE OTHER BUSINESS AT MUNICIPAL COURT, YOU KNOW THE CITY OF AUSTIN NEEDS A NEW MUNICIPAL COURT. CURRENTLY THE COURT IS CO-LOCATED WITHIN THE POLICE HEADQUARTERS AND IT WAS BUILT IN 1954. -- IT WAS BUILT IN 1954. A NEW

FACILITY WOULD HELP US MEET THE OPERATIONAL NEEDS FOR OUR STAFF AND ADMINISTRATION, BUT MORE IMPORTANT AT LEAST, IT WOULD ALLOW US THE OPPORTUNITY TO BETTER SERVE OUR CITIZENS, ONE OF THOSE TREMENDOUS NEEDS IS TO ADDRESS THE PARKING ISSUES. AGAIN, IF YOU'VE EVER HAD TO GO THERE, YOU DRIVE AROUND AND AROUND AND AROUND TO FIND A PARKING SPOT, SO THAT CLEARLY WOULD BE SOMETHING WE WOULD ADDRESS IN THIS PROJECT. THE ESTIMATED COST FOR THIS IS APPROXIMATELY \$20 MILLION. THE FINAL REPLACEMENT FACILITY THAT WE'VE IDENTIFIED IS AN ANIMAL SHELTER. THIS PROJECT INCLUDES ESTIMATED COSTS TO PROVIDE OUR ANIMAL SHELTER A FACILITY THAT WILL BETTER SERVE -- NOT ONLY MEET OUR BASIC SERVICES, BUT WOULD ALLOW US TO ENHANCE OUR SERVICES AND TO PROVIDE THE PROPER AND APPROPRIATE FACILITY FOR THE PETS OF OUR COMMUNITY. THE CURRENT FACILITY IS OVER 50 YEARS OLD AND IN FACT HAS NOT HAD ANY MAJOR RENOVATIONS SINCE IT WAS BUILT EXCEPT FOR IN 1995 WHEN THE CITY TOOK OVER THE ADOPTION FUNCTION, WE DID HAVE SOME RENOVATIONS FOR THAT. BUT OTHER THAN THAT IT'S AN ONGOING, VERY COSTLY AND VERY HIGH MAINTENANCE REQUIREMENTS AND REPAIRS. THE ESTIMATED COST YOU SEE HERE OF \$22 MILLION INCLUDES THE COST THAT WOULD BE NECESSARY AT THIS LOCATION TO ADDRESS THE SIGNIFICANT DRAINAGE IMPROVEMENT. THAT CONCLUDES MY SECTION OF THE PRESENTATION.

Mayor Wynn: MAYOR PRO TEM?

Goodman: CAN I ASK YOU SOMETHING ABOUT HOW YOU PRICED THESE, HOW YOU COST WILL THEM OUT? YOU'VE GOT SOME SUBSTATIONS WHERE IT WOULD SEEM THAT YOU WOULD BUILD ON THE SAME SITE OR DOES THIS INCLUDE ANY LAND ACQUISITION IN THESE PRICES? DOES IT INCLUDE FURNITURE, EQUIPMENT?

THE AMOUNT SHOWN THERE FOR THE SUBSTATIONS WOULD BE TWO DIFFERENT GEOGRAPHICALLY LOCATED SUBSTATIONS AWAY FROM THE CURRENT NORTH SUBSTATION. AND IT WOULD BE -- AT THIS POINT IT'S OUR BEST ESTIMATE FOR A COMPLETE LAND ACQUISITION AND

EQUIPMENT AT THE SUBSTATION.

Goodman: AND YOU HAVE ALL THAT KIND OF BROKEN OUT?

I WOULD HAVE TO DEFER TO OUR PUBLIC WORKS STAFF WHO HAVE WORKED WITH THE POLICE DEPARTMENT, BUT THESE ARE EARLY ESTIMATES. I DON'T HAVE THOSE WITH ME, BUT WE CAN GET THOSE TO YOU.

Goodman: FOR THE MOUNTED, AT A TIME I THOUGHT THAT WOULD BE REALLY GREAT TO ADD ON TO THE RALPH ABLANEDO STATION, BUT TOO LATE NOW. SO THAT PRICE, 1.5 MILLION, THAT WOULD HAVE, WHAT, LIKE A LITTLE BIT OF PASTURE WITH IT YOU'RE ESTIMATING?

THAT IN FACT IS A VERY EARLY ESTIMATE, AND THAT'S ACTUALLY ONE REASON WE DO BELIEVE THAT ONCE WE REFINE THE NUMBER, IT WILL BE REDUCED. WE DO BELIEVE WHATEVER WE BID WOULD NEED TO INCLUDE THAT TYPE OF FACILITY TO ALLOW OUR HORSES TO SPREAD OUT AND GET SOME GOOD EXERCISE.

Goodman: AND HOW MANY HORSES ARE YOU FIGURING?

I BELIEVE WE CURRENTLY HAVE 12 IN OUR MOUNTED PATROL UNIT.

Goodman: AND YOU'RE GOING TO KEEP IT AT 12?

YES.

Goodman: THANK YOU.

Futrell: OUR NEXT SECTION IS IS A STAND ALONE SECTION. I'M GOING TO ASK BRENDA BRANCH TO COME DOWN AND WALK US THROUGH THIS. THIS IS A LONG-AWAITED AND VERY BIG DECISION, AND THIS IS THE DISCUSSION OF THE NEW CENTRAL LIBRARY. BRENDA?

GOOD AFTERNOON, MAYOR WYNN, MAYOR PRO TEM GOODMAN AND COUNCILMEMBERS. I WOULD LIKE TO TALK ABOUT THIS FOAT FOE FOR A MINUTE. THIS IS A PHOTO OF THE FIRST AUSTIN PUBLIC LIBRARY WHICH OPENED IN 1926.

IT WAS IN A RENTED UPSTAIRS ROOM AT 819 CONGRESS WITH 500 DONATED VOLUMES AND A VOLUNTEER LIBRARIAN. THEY VERY QUICKLY OUT GREW THIS SPACE AND WE FIND OURSELVES IN A SIMILAR POSITION NOW. GREAT CITIES HAVE GREAT LIBRARIES. BECAUSE A NEW CENTRAL IS CRITICAL TO THE VITALITY AND SUSTAINABILITY OF THIS LIBRARY SYSTEM AND SO THAT OUR GREAT CITY CAN HAVE A GREAT LIBRARY SYSTEM, THE AUSTIN PUBLIC LIBRARY'S PRIMARY NEED IS TO BUILD A NEW CENTRAL LIBRARY. IT IS THE ONLY NEW FACILITY THAT I AM REQUESTING. THE CURRENT CENTRAL LIBRARY IS INADEQUATE TO MEET CURRENT DEMANDS AND TO PROVIDE FOR THE FUTURE GROWTH OF THIS LIBRARY SYSTEM. I AM PROPOSING A 200,000 SQUARE200,000 SQUARE FOOT FACILITY WITH AN ADDITIONAL 100,000 SQUARE FEET OF UNFINISHED SPACE FOR FUTURE GROWTH. I'LL PROVIDE MORE SPECIFICS ABOUT WHAT THAT MIGHT LOOK LIKE IN A FEW MINUTES. IN 1972 THE AUSTIN PUBLIC LIBRARY HAD 10 BRANCHES. SINCE THEN AUSTIN CITIZENS HAVE APPROVED AND BUILT THROUGH BONDS AN IMPRESSIVELY STRONG BRANCH SYSTEM. IN THE PAST FOUR BOND ELECTIONS, WE HAVE BUILT 10 NEW BRANCHES, RELOCATED SEVEN MORE FACILITIES FROM LEASED SPACE TO NEW FACILITIES, AND EXPANDED THREE FACILITIES. OUR STRATEGICALLY LOCATED BRANCHES NOW NUMBER 20 AND PROVIDE CONVENIENT ACCESS TO THE AUSTIN PUBLIC LIBRARY SERVICES, BUT THE BRANCHES WILL NOT THRIVE WITHOUT A VITAL CENTRAL LIBRARY. IN ORDER TO HAVE A VITAL LIBRARY SYSTEM, WE NEED TO ADD CAPACITY TO OUR ENTIRE SYSTEM. THE ADDITIONAL CAPACITY A NEW CENTRAL LIBRARY WOULD PROVIDE WOULD STRENGTHEN THE ENTIRE LIBRARY SYSTEM BY PROVIDING SPACE FOR A LARGER, MORE IN-DEPTH RESEARCH COLLECTION THAT BRANCHES DO NOT HAVE THE SPACE TO PROVIDE AND THAT WOULD BE TOO COSTLY TO REPLICATE IN MULTIPLE LOCATIONS. IT WOULD PROVIDE AN EXPANDED CIRCULATING COLLECTION AVAILABLE FROM ANY LIBRARY LOCATION. BRANCH CUSTOMERS CAN REQUEST THAT CIRCULATING ITEMS FROM THE CENTRAL LIBRARY'S MORE EXTENSIVE COLLECTION BE DELIVERED TO THEIR BRANCH; HOWEVER, THE JOHN HENRY FAULK CURRENT COLLECTION OF 411,000 VOLUMES IS THE LOWEST AMONG ALL PEER LIBRARIES. THE

ADDITIONAL CAPACITY WOULD ENABLE THE CENTRAL LIBRARY TO MOVE CLOSER TO THE 1.4 MILLION VOLUMES AVERAGED AMONG PEER CENTRAL LIBRARIES, EXPANDING THE COLLECTION AVAILABLE TO ALL CITIZENS. THE CURRENT JOHN HENRY FAULK CENTRAL LIBRARY WAS OPENED IN 1979 FOLLOWING APPROVAL IN THE 1972 BOND ELECTION. IT WAS BUILT TO SERVE A POPULATION OF 300,000, WHICH IS LESS THAN HALF OF OUR CURRENT POPULATION. TO SUPPORT 10 BRANCHES, HALF THE NUMBER THAT THE CENTRAL LIBRARY CURRENTLY SUPPORTS. AND WAS BUILT BEFORE THE INTERNET AND MANY OF THE ELECTRONIC INFORMATION CAPABILITIES WEREN'T AVAILABLE. THE CURRENT CENTRAL LIBRARY WAS BUILT WITH A 375,000 VOLUME CAPACITY AND 40 PUBLIC PARK IS SPACES. IT WAS DESIGNED WITH THE ABILITY TO EXPAND VERTICALLY; HOWEVER, WITH THE ADOPTION OF THE AUGUST 1984 CAPITOL VIEW CORRIDOR, THAT EXPANSION COULD NOT TAKE PLACE. THE CURRENT CENTRAL LIBRARY HAS MANY DEFICIENCIES. FOLLOWING ARE JUST A FEW: KEY FUNCTIONS ARE DECENTRALIZED. FOR EXAMPLE, OUR DELIVERY SERVICES DEPARTMENT HAD TO BE RELOCATED TO A BUILDING SEPARATE FROM THE CENTRAL LIBRARY BECAUSE WE DID NOT HAVE ENOUGH ROOM TO CONTINUE TO ACCOMMODATE THAT FUNCTION. THIS DECENTRALIZATION HAS PROVEN TO BE INEFFICIENT. A NEW CENTRAL LIBRARY WOULD BE DESIGNED TO INCLUDE THIS CRITICAL FUNCTION. THE COLLECTION IS AT CAPACITY. THERE IS NO ROOM FOR GROWTH. FOR EVERY BOOK THAT WE ADD TO MEET CURRENT DEMAND, WE HAVE TO REMOVE A BOOK. THE 40 PUBLIC PARKING SPACES IS INADEQUATE. OFTEN CUSTOMERS TELL ME THAT THEY NO LONGER USE THE CENTRAL LIBRARY BECAUSE OF THE PARKING SITUATION. THERE IS INSUFFICIENT WORK SPACE, MAKING IT DIFFICULT IN SOME AREAS TO WORK EFFECTIVELY. ELECTRICAL AND TECHNOLOGY INFRASTRUCTURE IS AT CAPACITY. THERE IS INADEQUATE PUBLIC SPACE, SHELVING AND PUBLIC SEAT SOOETING IS AT CAPACITY. THERE ARE NO PUBLIC MEETING ROOMS, STUDY ROOMS OR AUDITORIUMS. THERE IS LIMITED SPACE FOR SPECIAL EVENTS SUCH AS RECEPTIONS, NATIONAL EXHIBITIONS THAT WOULD COMPLIMENT AND PROMOTE OUR COLLECTIONS AND EXHIBIT SPACE TO SHOWCASE LOCAL

ARTISTS. THERE IS NO YOUTH PROGRAMMING AREA OR SEPARATE TEEN SPACE. THIS NEXT CHART SHOWS YOU THE LIBRARIES THAT WE TYPICALLY BENCHMARK OURSELVES AGAINST BECAUSE THEY ARE LIBRARIES WHICH SERVE POPULATIONS, CITIES WITH POPULATIONS SIMILAR TO THAT OF AUSTIN AND THAT THE CITY OF AUSTIN COMPETES WITH IN A BUSINESS SENSE. THESE ARE ALSO LIBRARIES WHICH HAVE A SIMILAR SERVICE MODEL TO AUSTIN. FOR EXAMPLE, WE DON'T COMPARE OURSELVES TO PORTLAND, MEMPHIS AND SALT LAKE CITY, EVEN THOUGH THEY HAVE SIMILAR POPULATIONS, BECAUSE THEY ARE COUNTY SYSTEMS SERVING THE WHOLE COUNTY. MOST OF THESE CITIES AMONG OTHERS HAVE BUILT NEW CENTRAL LIBRARIES OVER THE LAST SEVERAL YEARS. MANY OF THEM WITHIN THE LAST YEAR OR TWO. WE ALSO HAVE INCLUDED TEXAS LIBRARIES, ALTHOUGH TEXAS LIBRARIES ARE AMONG THE LOWEST FUNDED PUBLIC LIBRARIES IN THE COUNTRY, 46 OUT OF 50. AS YOU CAN SEE FROM THIS CHART, AUSTIN IS THE LOWEST AMONG ALL PEER LIBRARIES, INCLUDING TEXAS LIBRARIES IN SIZE OF CENTRAL LIBRARY, CENTRAL LIBRARY COLLECTION AND SYSTEM COLLECTION. WHEN YOU LOOK AROUND A COUNTRY IT BECOMES EVIDENT THAT GREAT CITIES HAVE GREAT CENTRAL LIBRARIES. SEATTLE, SAN FRANCISCO, DENVER, NASHVILLE JUST TO NAME A FEW. AUSTIN IS A GREAT CITY AND IT SHOULD HAVE A GREAT CENTRAL LIBRARY. AT A COST OF 106.9 MILLION, A 200,000 SQUARE FOOT FACILITY WITH 100,000 SQUARE FEET OF EXPANDED SPACE, UNFINISHED ADDITIONAL SPACE WITH THE CAPABILITY OF EXPANDING VERTICALLY. THIS COST ESTIMATE DOES NOT INCLUDE, BY THE WAY, THE COST OF LAND. IT DOES INCLUDE FUNDING FOR 96,000 ADDITIONAL VOLUMES, 570 ADDITIONAL SEATS WHICH WOULD BRING US TO A TOTAL OF 900. 300 VEHICLE PARKING GARAGE, 80 PUBLIC ACCESS COMPUTERS, 22 MEETING AND STUDY ROOMS, 1010 SEAT AUDITORIUM. BOOKSTORE, GIFT SHOP AND A COFFEE SHOP. SPECIAL EVENT SPACE AND AN ELECTRONIC BOOK DISTRIBUTION SYSTEM FOR THE ENTIRE LIBRARY SYSTEM. HERE'S WHAT THE CITIZENS OF AUSTIN WOULD GET FOR THEIR INVESTMENT. A NEW CENTRAL LIBRARY WOULD INCREASE READING AND RESOURCES FOR THE COMMUNITY, STRENGTHEN BUSINESS AND CAREER RESOURCES CONTRIBUTING TO ECONOMIC DEVELOPMENT,

CREATE A COMMUNITY CENTER FOR DIALOGUE, LITERARY AND CULTURAL EVENTS, BECOME AN ARCHITECTURALLY AND AESTHETICALLY IMPORTANT DOWNTOWN DESTINATION FOR CITIZENS AND TOURISTS. WHEN WE MOVE INTO OUR NEW CENTRAL LIBRARY WE WILL NEED ADDITIONAL OPERATING FUNDS AND F.T.E.'S. THE AUSTIN PUBLIC LIBRARY FOUNDATION PROPOSES A PARTNERSHIP WITH THE CITY OF AUSTIN TO CREATE A RESERVE FUND FOR OPERATING A NEW CENTRAL LIBRARY TO ENSURE LONG-TERM STABILITY FOR THE ENTIRE LIBRARY SYSTEM. THE PROPOSAL IS AS FOLLOWS: THE CITY OF AUSTIN CREATES A SPECIAL FUND FOR THE LIBRARY FROM THE SALE -- PROCEED FROM THE SALE OF BLOCK 21. THE CITY OF AUSTIN PUTS ASIDE THE INTEREST ON THE FUND FOR 10 YEARS. THE AUSTIN PUBLIC LIBRARY FOUNDATION WOULD MATCH THAT INTEREST, AND AT THE END OF 10 YEARS AN ENDOWMENT OF UP TO \$20 MILLION WOULD BE IN PLACE FOR OPERATING THE AUSTIN PUBLIC LIBRARY. THAT LIBRARY TRUST OF \$20 MILLION COULD GENERATE APPROXIMATELY A MILLION DOLLARS PER YEAR FOR AUSTIN PUBLIC LIBRARY SERVICES. AND IT WOULD MENTION THAT SHARON WATKINS AND DAVE SHAW FROM THE AUSTIN PUBLIC LIBRARY FOUNDATION ARE HERE TODAY IF YOU HAVE ANY QUESTIONS ABOUT THAT PART OF THE PRESENTATION. IF WE BUILD THIS NEW CENTRAL LIBRARY WE WOULD PROVIDE TO THE AUSTIN COMMUNITY A GREAT CENTRAL LIBRARY THAT WOULD SUPPORT THE BRANCHES IN A DYNAMIC WAY AND OUR CUSTOMERS WOULD HAVE A COMMUNITY GATHERING PLACE WITH IN DEPTH RESEARCH AND CIRCULATING COLLECTIONS AUGMENTING BRANCH COLLECTIONS, HIGH-TECH CENTER TO SUPPORT A HIGH-TECH COMMUNITY, A CULTURAL CENTER OFFERING PROGRAMS FOR A VIBRANT CITIZENRY, AN INFORMATION FOR A WELL INFORMED COMMUNITY. AN ENGAGING TEEN DESTINATION. A FAMILIAR CENTER OFFERING PROGRAMS AND SERVICES FOR ALL AGES. A TOURIST AND COMMUNITY DESTINATION INCREASING BUSINESS INTO THE DOWNTOWN AREA AND A BUSINESS AND CAREER CENTER POSITIVELY CONTRIBUTING TO THE ECONOMIC WELL-BEING OF THE COMMUNITY. THANK YOU, COUNCIL. I'D BE HAPPY TO ANSWER ANY QUESTIONS IF YOU HAVE THEM.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: MS. BRANCH, DO YOU KNOW HOW MANY ACRES WOULD BE REQUIRED FOR A NEW CENTRAL LIBRARY?

I BELIEVE IT'S TWO AND A HALF. IS THAT CORRECT?

McCracken: AND I KNOW THAT THERE'S BEEN SOME DISCUSSION ABOUT PERHAPS LOCATING THE CENTRAL LIBRARY AT THE SITE WHERE THE GREEN WATER TREATMENT PLANT IS CURRENTLY LOCATED, WHICH WOULD BE A GREAT NEIGHBOR FOR US HERE AT CITY HALL. IT WOULD ALSO SAVE US IN THE COST OF HAVING TO ACQUIRE LAND. HOW MANY ACRES DO WE HAVE AT THE GREEN WATER TREATMENT PLANT SITE?

IT'S ABOUT FIVE ACRES.

McCracken: FIVE ACRES? DO YOU KNOW WHAT THE DIFFERENCE IN OPERATION AND MAINTENANCE COSTS WILL BE BETWEEN THE CURRENT FAULK LIBRARY AND THE NEW CENTRAL LIBRARY?

I'VE GOT IT RIGHT HERE. \$848,000 ADDITIONAL, 18 F.T.E.'S ADDITIONAL.

McCracken: SO 840,000 ADDITIONAL PER YEAR, SO UNDER THE PROPOSAL YOU SOUGHT FROM THE LIBRARY FOUNDATION, THAT WOULD MORE THAN COVER THE ADDITIONAL OPERATION AND MAINTENANCE COSTS. WE CAN GET THE LAND FOR FREE, SO IF WE DID THIS WITH THE BOND PACKAGE IT COULD RESULT, IF THIS ALL WORKS AT AT NO ADDITIONAL COST TO THE TAXPAYERS BEYOND BUILDING THE BADLY NEEDED FACILITY?

THAT'S CORRECT.

McCracken: ALL RIGHT. THANK YOU.

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: MS. BRANCH, I WAS LOOKING AT THE PEER COMPARISON. I WAS JUST CURIOUS IF YOU KNOW WHETHER

THE CITIES HAVE THE SAME LEVEL OF -- SAME NUMBER OF BRANCH LIBRARIES AS AUSTIN HAS?

THEY ACTUALLY DO HAVE VERY SIMILAR, 20, 21. A COUPLE HAVE A FEW LESS AND A COUPLE HAVE A FEW MORE, BUT IT AVERAGES ABOUT -- IN FACT, THE AVERAGE FOR THESE PEER LIBRARIES THAT YOU SEE HERE IS 21 BRANCH LIBRARIES.

Slusher: OKAY. AND THE POPULATION, LET'S SEE.

THE POPULATION IS VERY SIMILAR TO AUSTIN'S, OTHER THAN THE TEXAS CITIES, WHICH WE INCLUDED BECAUSE THERE'S ALWAYS AN INTEREST IN HOW WE COMPARE TO TEXAS CITIES.

Slusher: OKAY. COULD YOU SEND THAT TO ME? I'M JUST CURIOUS BECAUSE OF THE AMOUNT OF BRANCHES WE DID IN THE '80'S AND '90'S. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

Futrell: THEN WHAT I'LL DO NOW IS I'LL MOVE TO OUR LAST TWO CATEGORIES HERE AND I'LL MOVE THROUGH THESE A LITTLE MORE QUICKLY. THE LAST TWO CATEGORIES, ONE IS LAND ACQUISITION AND THE NEXT IS AFFORDABLE HOUSING. AND WE HAVE NOT DONE THE SAME KIND OF DETAILED NEEDS ASSESSMENT ON THESE BECAUSE AS I SAID IN THE BEGINNING OF THE INTRODUCTION, IN MANY CASES THE DECISION ON BOTH THE AMOUNT AND THE SPENDING PLAN FOR THESE TWO CATEGORIES IS GOING TO REQUIRE A VERY STRONG BOTH COMMUNITY AND POLICY DISCUSSION ON AMOUNT AND SPENDING PLAN. SO FOR THE SAKE OF THAT DISCUSSION, WE'VE PUT THEM HERE AS OUR PLACE HOLDERS TO BEGIN THE DISCUSSION. LET'S START WITH LAND ACQUISITION. YOU HAVE A MAP IN YOUR PACKET AND WE HAVE THE MAP UP HERE IN FRONT OF YOU. AND WHAT IT DOES IS SHOWS YOU WHAT THE CITY HAS RIGHT NOW IN TERMS OF OPEN SPACE. WE CURRENTLY HAVE OVER 43,000 ACRES OF OPEN SPACE, PARKLAND, WATER QUALITY PROTECTION LAND, DESTINATION PARKLAND, BALCONES CANYON LAND PRESERVATION LAND, TRAILS. SINCE 1992 THE CITY HAS SPENT ABOUT \$164 MILLION ON LAND

ACQUISITION. IT'S BROKEN OUT AT ABOUT 29 MILLION FOR 13,000 ACRES ON THE BALCONES CANYON LAND PRESERVATION LAND, ABOUT 20 MILLION AND ONE THOUSAND ACRES ON THE BARTON CREEK WILDERNESS PROJECT. ABOUT 73 MILLION AND 15,000 ACRES ON WATER QUALITY PROTECTION LAND. 26 MILLION ON DESTINATION PARKS AND GREENWAYS AND 16 MILLION ON OPEN SPACE FROM THE NOVEMBER 2000 BONDS, MUCH OF WHICH STEMS BETWEEN THE TWO CATEGORIES OF WATER QUALITY LAND AND DESTINATION PARK AND GREENWAY. FOR A TOTAL OF 164 MILLION. NOW, WE HAVE PUT A PLACE HOLDER HERE OF \$50 MILLION IN THE NEEDS ASSESSMENT, BUT WE HAVE NOT MADE A RECOMMENDATION ON WHERE OR HOW THE MONEY SHOULD BE SPENT. TRAILS, AQUIFER LAND, DESTINATION PARKLAND, INFILL PARKS, AND ARE GOING TO PUT THIS DISCUSSION, LEAVE THIS DISCUSSION TO THE CITIZEN COMMITTEE AND THE COMMUNITY DISCUSSION OVER THE NEXT YEAR. NOW I'M GOING TO MOVE TO AFFORDABLE HOUSING. THIS IS A NEW CONCEPT. I'M NOT AWARE THAT WE HAVE DONE THIS BEFORE. WE ALL KNOW THAT AFFORDABLE HOUSING IS A CRITICAL NEED IN OUR COMMUNITY, AND WE HAVE WORKED IN MANY WAYS WITH MANY DIFFERENT TOOLS TO TRY TO ADDRESS THIS NEED. FOR THE LAST BOND PACKAGE THE COUNCIL HAD ASKED FOR AN ATTORNEY GENERAL OPINION ON WHETHER OR NOT WE COULD USE BOND DOLLARS TO HELP CREATE AFFORDABLE HOUSING IN OUR COMMUNITY. AND AT THE POINT IN WHICH THE QUESTION WAS ASKED, WE WERE IN A SHORT TIME FRAME AND WEREN'T ABLE TO PULL THAT INFORMATION TOGETHER IN ENOUGH TIME FOR THE BOND PACKAGE. BUT WE DO HAVE RULINGS FROM THE ATTORNEY GENERAL THAT STATE THAT GENERAL OBLIGATION BONDS CAN BE ISSUED FOR AFFORDABLE HOUSING PROGRAMS FOR LOW AND MODERATE INCOME INDIVIDUALS AND FAMILIES. SO WE RECOMMEND EVALUATING BOND FUNDING FOR AFFORDABLE HOUSING. WE RECOMMEND DOING THIS CAREFULLY. WE HAVEN'T DONE THIS BEFORE. TO WORK CLOSELY WITH OUR BOND COUNSEL TO GET A PRELIMINARY ATTORNEY GENERAL OPINION ON HOW IT'S LAID OUT BEFORE IT GOES ON ANY BOND PACKAGE FOR A VOTE. BUT THE KINDS OF PROGRAMS THAT WE'RE TOLD THROUGH THE ATTORNEY GENERAL COULD BE USED WITH BOND DOLLARS

ARE A COMMUNITY LAND TRUST, REHABILITATION OF EXISTING HOUSING STOCK FOR LOW INCOME FAMILIES AND INDIVIDUALS, INVESTMENT IN SPECIAL NEEDS HOUSING, INCLUDING TRANSITIONAL, ELDERLY AND THE VERY LOW INCOME. AND FUNDING FOR ACQUISITION AND DEVELOPMENT, INCLUDING INFRASTRUCTURE OF PROPERTY WE CURRENTLY OWN FOR LOW INCOME HOUSING PROJECTS SUCH AS THE COLONY PARK PROJECT. SO WE THINK THIS IS A VIABLE DISCUSSION TO HAVE. WE'VE PUT A PLACE HOLDER ON THE NEEDS ASSESSMENT OF ABOUT \$25 MILLION AND PUT IT UP FOR DISCUSSION WITH THE CITIZEN BOND PACKAGE. SO IN CLOSING, LET ME REITERATE OUR TEAM POINTS FROM THE PRESENTATION. ONCE AGAIN, THIS WAS NOT A BOND PACKAGE PROPOSAL. WE PRESENTED INSTEAD A DETAILED PRIORITIZED NEEDS ASSESSMENT. IN MANY AREAS WHAT WE'VE PRESENTED IS FAR LESS THAN THE ACTUAL NEEDS. AN EXAMPLE IS IN DRAINAGE WHERE WE KNOW WITH PROBABLY ONLY TWO-THIRDS OF OUR DRAINAGE AREAS FULLY PLANNED OUT AND MAPPED IN OUR DRAINAGE MASTER PLAN, WE HAVE \$800 MILLION OF NEEDS AND WE'VE PRESENTED ABOUT A QUARTER OF THAT IN A PRIORITIZED ASSESSMENT IN FRONT OF YOU TODAY. WE RECOGNIZED WE'RE PRESENTING LESS THAN THE ACTUAL NEEDS, BUT WE ALSO RECOGNIZE THAT WE ARE PRESENTING SUBSTANTIALLY MORE THAN WE HAVE THE BONDING CAPACITY FOR. SO IN OTHER WORDS, THIS NEEDS ASSESSMENT IS THE STARTING PLACE FOR THE COMMUNITY AND POLICY DISCUSSION ON THE UPCOMING BOND ELECTION. JUST TO GIVE YOU SOME INSIGHT TO THE PROCESS WE'VE FOLLOWED OVER THE LAST MONTH TO TWO IS WE STARTED WITH ALMOST A \$1.9 BILLION PACKAGE OF NEEDS AND CARVED IT DOWN TO HERE. AND WE UNDERSTAND AND RECOGNIZE IT HAS TO BE CARVED FURTHER, AND THAT THERE ARE THINGS WE HAVE NOT INCLUDED IN THIS NEEDS ASSESSMENT THAT MAY BE COMMUNITY NEEDS AND WANTS IN WHAT WE'VE PRESENTED. WE HAVE FOCUSED VERY HEAVILY ON INFRASTRUCTURE INVESTMENTS AND ON TAKING CARE OF WHAT WE ALREADY HAVE. SUBSTANTIALLY OVER 65% OF WHAT WE'RE PROPOSING IS TAKING CARE OF WHAT WE HAVE AND PUTTING INFRASTRUCTURE ON THE GROUND. 26% OF WHAT WE HAVE PUT FORWARD ON THE NEEDS

ASSESSMENT IS FOR DRAINAGE. 24% IS FOR TRANSPORTATION NEEDS. ANOTHER 14% IS FOR MAINTENANCE AND RENOVATIONS OF EXISTING FACILITIES, AND THAT'S AS COMPARED TO TWO PERCENT THAT WAS SPENT IN THE 1998 BOND PACKAGE. WHEN YOU GET TO NEW FACILITIES, WE'VE LIMITED BOTH THE NUMBER AND THE PURPOSE OF WHAT WE ARE PROPOSING FOR CONSIDERATION. WE HAVE LIMITED THE PROPOSAL TO PUBLIC HEALTH AND PUBLIC SAFETY FACILITIES AND WE HAVE LIMITED THE NUMBER TO NINE FACILITIES, SEVEN OF WHICH ARE REPLACEMENT FACILITIES, SO ONLY TWO NEW, BRAND NEW FACILITIES HAVE WE PUT ON THE TABLE FOR DISCUSSION. AND FINALLY, PLEASE REMEMBER THAT THE COST ESTIMATES IN THIS NEEDS ASSESSMENT ARE PRELIMINARY NUMBERS. SOME OF THESE ARE VERY REFINED COST ESTIMATES AND SOME ARE VERY ROUGH COST ESTIMATES THAT WILL NEED FURTHER REVISION. AND THAT'S WHAT WE WILL BE DOING WORKING IN COORDINATION WITH THE CITIZEN BOND COMMITTEE OVER THE NEXT YEAR. SO THE LAST SLIDE SHOWS YOU THE SEVEN CATEGORIES. DRAINAGE, 198 -- WELL, I'LL ROUND NUMBERS UP FOR YOU. 199 MILLION, THAT'S 26% OF THE NEEDS ASSESSMENT. TRANSPORTATION, 185 MILLION, THAT'S ABOUT 24% OF THE NEEDS ASSESSMENT. RENOVATIONS AND MAINTENANCE TO EXISTING FACILITIES, 104 MILLION, THAT'S ABOUT 14% OF THE NEEDS ASSESSMENT. NEW AND REPLACEMENT PUBLIC HEALTH AND PUBLIC SAFETY FACILITIES, NINE IN TOTAL, SEVEN OF WHICH ARE REPLACEMENT, THAT'S 99 MILLION, ABOUT 12% OF THE NEEDS ASSESSMENT. THE NEW CENTRAL LIBRARY PROPOSAL, A STAND ALONE PROPOSAL AT A LITTLE UNDER 107 MILLION AT 14% OF THE NEEDS ASSESSMENT. AND THE LAST TWO, LAND ACQUISITION AND AFFORDABLE HOUSING, REALLY AS PLACE HOLDERS FOR THE LARGER DISCUSSION THAT HAS TO HAPPEN OVER THE YEAR, LAND ACQUISITION AT 50 MILLION, SIX AND A HALF PERCENT OF THE NEEDS ASSESSMENT, AND AFFORDABLE HOUSING, A NEW IDEA FOR A GENERAL OBLIGATION BOND PROPOSAL, AT 25 MILLION, ABOUT THREE PERCENT. SO FOR A TOTAL NEEDS ASSESSMENT OF 769 MILLION. AND WITH THAT, COUNCIL, THE STAFF STANDS READY TO SUPPORT AND WORK WITH THE CITIZEN BOND COMMITTEE AND ANSWER ANY

QUESTIONS THAT YOU HAVE.

Mayor Wynn: THANK YOU, CITY MANAGER, FOR A VERY COMPREHENSIVE NEEDS ANALYSIS. ANY QUESTIONS? MAYOR PRO TEM?

Goodman: DID YOU HAVE ANY TIME TO GET INPUT FROM ANY BOARDS AND COMMISSIONS WHO ALSO HAVE, I'M SURE, SOME OTHER THINGS THAT HAVE BEEN MENTIONED ALONG THE WAY?

FUTRELL: OUTSIDE OF PAST BOARD AND COMMISSION INPUT, WHAT WE ARE DOING HERE WAS PURE STAFF, PURE ASSESSMENT NEEDS ASSESSMENT, IN MOST CASES PULLING FROM EXISTING PLANS, THE SIDEWALK PLAN, OUR A.D.A. MASTER PLAN, OUR DRAINAGE MASTER PLAN. SO NO, MAYOR PRO TEM, I SEE THAT COMING IN THE UPCOMING YEAR. TAKING THIS AS PURELY A STARTING PLACE AND THEN TAKING IT OUT FOR EXACTLY THAT KIND OF FEEDBACK AND DISCUSSION.

Goodman: THAT'S PARTLY WHY, MAYOR, I THINK THAT THE BOND COMMITTEE SHOULD BE PREPARED TO EACH SERVE AS A LIAISON TO ONE OR MORE BOARDS AND COMMISSIONS BECAUSE THEY GO THROUGH THE BUDGET AND SEE A KEY PROCESS IN THIS MANNER AS WELL. SO THERE ARE SOMETIMES SOME EXTRA VISIONARY ISSUES THAT COME UP IN THOSE VENUES, NOT THAT WE CAN AFFORD ALL OF THIS, BUT THERE'S GOING TO BE EVEN MORE, I THINK.

Mayor Wynn: AGREED. AND ANOTHER THOUGHT AS TO WHY WE AS A COUNCIL AGREED TO START SO EARLY THIS YEAR, STARTING HERE AT THE END OF THE FIRST QUARTER SHOWING THAT REALLY THE EARLIEST WE WOULD HAVE THAT BOND ELECTION WOULD BE SOMETIME IN EARLY 2006. AND FOR THOUSANDS OF Y'ALL -- FOR THOSE OF Y'ALL WATCHING AND LISTENING, EARLIER TODAY TO THE CONSENT AGENDA, THE COUNCIL APPOINTED THE CITIZEN BOND ADVISORY COMMITTEE MADE UP OF 21 VOTING MEMBERS, AN ADDITIONAL SIX EX-OFFICIO NON-VOTING MEMBERS FROM OTHER LOCAL GOVERNMENTS TO HELP US TAKE THIS LONG PATH TO COMING UP WITH THE FAIR BALANCE OF THESE DRAMATIC NEEDS THAT ARE CLEARLY

OUT -- THAT CLEARLY OUT WEIGH OUR FINANCIAL CAPACITY HERE AS A CITY AND THEN BALANCE OUT WHAT WOULD BE THE ITEMS THAT WE BRING FORWARD TO THE VOTERS SOMETIME LIKELY IN 2006.

Alvarez: A COUPLE OF INFORMATION REQUESTS. IN 15 YOU LIST OUT THE DRAINAGE PROJECT. CAN YOU PROVIDE MORE INFORMATION ON THOSE SPECIFIC PROJECTS AND GIVE A DESCRIPTION?

CITY COUNCILMEMBER, IT'S PROJECT BY PROJECT, AREA BY AREA FOR EACH OF THESE AREAS.

Alvarez: I THINK YOU CALLED IT A TRANSPORTATION NEEDS, YOU HAVE THE NEEDS ASSESSMENT. AND THEN WHAT WAS OUR -- IT'S HARD TO TELL WHAT WE USED IN THE SIX-YEAR PERIOD AND HOW THAT COMPARES WITH THE 185 MILLION NUMBER. I KNOW WE HAVE SEVERAL DIFFERENT THINGS THAT WE ARE CURRENTLY USING.

Futrell: THE MAYOR PRO TEM HAD ACTUALLY ALREADY ASKED ME YESTERDAY AFTERNOON FOR A LIST OF EVERYTHING WE DID FROM '98 FORWARD. AND WHAT WE'RE PREPARING FOR HER, AND I WILL GET ALL THE REST OF THE COUNCIL, IS NOT JUST WHAT THE '98 BOND ELECTION. YOU CAN SEE THIS AND COMPARE THEM TO WHAT WE ARE PROPOSING HERE.

Alvarez: AND THEN THE PARKS AND REC SECTION, I GUESS YOU SAID YOU'RE GOING TO GIVE DETAILS OF THIS. THERE'S A COUPLE OF LARGE ITEMS, SO JUST TO HAVE A LITTLE MORE DETAIL.

Futrell: ACTUALLY SOME MASSIVE AMOUNT OF DETAIL. MANY OF THESE PROJECTS CAN BE A 20,000-DOLLAR OR 15,000-DOLLAR PROJECT, SO WE'LL BE GIVING YOU A BOOKLET IN EACH OF THOSE CATEGORIES THAT LIST THEM OUT.

Alvarez: IF WE COULD KEEP IT TO THE LARGE ONES--

FUTRELL: YOU JUST WANT THE BIGGER ONES?

Alvarez: REALLY THAT WOULD BE HELPFUL FOR US AND I'M

SURE FOR OUR BOND COMMITTEE.

Mayor Wynn: FOR THOSE OF YOU WATCHING, NOW THE CITY MANAGER'S OFFICE WILL COORDINATE WITH OUR CITIZEN BOND ADVISORY COMMITTEE AND THEY WILL BE, AS THE MAYOR PRO TEM SUGGESTED, FACILITATING INEVITABLY AS A CONDUIT TO OUR NUMEROUS BOARD AND COMMISSIONS, A VERY DETAILED, VERY PROLONGED ANALYSIS OF THESE NEEDS AND OUR BONDING CAPACITY. SO WE LOOK FORWARD TO A LOT OF GOOD DEBATE OVER THIS COMING YEAR. THANK YOU ALL VERY MUCH. WE'RE RUNNING A LITTLE BEHIND, BUT WE HAVE ANOTHER VERY KEY AND IMPORTANT BRIEFING THAT WE'VE ANTICIPATED NOW FOR A COUPLE OF MONTHS, THAT BEING OUR REPORT FROM OUR AUSTIN POLICE DEPARTMENT ON THE USE OF TASERS AND THE ANALYSIS. WELCOME MR. RUDY GARZA.

MAYOR, THROUGHOUT THE LAST SEVERAL MONTHS IN OUR COUNTRY, THROUGHOUT THE STATE OF TEXAS AND EVEN WITHIN OUR CITY THERE'S BEEN A LOT OF DISCUSSION ON THE USE OF TASERS. AND AUSTIN IS NOT UNIQUE. PRACTICALLY EVERY MAJOR CITY IN THIS COUNTRY USES TASERS AS PART OF THE TOOLS AVAILABLE TO OUR POLICE OFFICERS. AUSTIN BEGAN IN 2002, AND IN FACT IT WAS IN 2004 WHEN WE DEPLOYED TASERS TO ALL OF OUR POLICE OFFICERS. THE PRIMARY REASON FOR GOING TO TASERS WAS THE SAFETY OF OUR CITIZENS AND THE SAFETY OF OUR OFFICERS; HOWEVER, AGAIN, THERE HAS BEEN A LOT OF QUESTIONS, AND OUR CHIEF OF POLICE HAS TAKEN AN INITIATIVE AND ASKED US TO GIVE HIM TIME TO CONDUCT A STUDY ON THE USE OF TASERS, OUR POLICY AND OUR EXPERIENCE AND ALSO WORK VERY CLOSELY WITH OUR MEDICAL SERVICES DIRECTOR, DR. RED ROCK, TO ALSO ASSESS IF FROM A MEDICAL STANDPOINT. WHAT YOU WILL HEAR TODAY WILL BE A SULT OF CHIEF KNEE'S ASSESSMENT AND A REVIEW OF HIS POLICY AND ALSO YOU WILL HEAR FROM DR. ROCK ON THEIR FINDINGS FROM THE MEDICAL COMMUNITY. NOW I WILL TURN IT OVER TO CHIEF KNEE TO DO HIS PRESENTATION.

Mayor Wynn: THANK YOU, MR. GARZA. WELCOME, CHIEF.

GOOD AFTERNOON. BEFORE I GET INTO MY PRESENTATION,

I'D LIKE TO BRIEFLY REMIND THE COMMUNITY THAT EACH YEAR THEIR POLICE DEPARTMENT IN A CITY OF NEARLY 700,000 PEOPLE RESPOND TO OVER HALF A MILLION CALLS FOR SERVICE. THEY ISSUE OVER 230,000 TRAFFIC CITATIONS, MAKE ABOUT 40,000 ARRESTS. WE POLICE AN ENTERTAINMENT DISTRICT THAT HAS, WE ARE TOLD, THE HIGHEST CONCENTRATION OF ALCOHOL LICENSES IN TEXAS, AND THEY HANDLE ABOUT 200 SPECIAL EVENTS RANGING FROM FOOT RACES TO ANTI-WAR MARCHES. IN ADDITION TO THAT, IN MANY INSTANCES WE SEE PEOPLE ON THE WORST DAY OF THEIR LIVES, AND AT TIMES WE ARE REQUIRED TO USE FORCE TO EFFECTIVELY DO OUR JOB. YEARS AGO A POLICE OFFICER WAS HIRED AND TRAINED, HE HAD ONLY A GUN AND A NIGHTSTICK TO OVERCOME PHYSICAL RESISTANCE. THEN ALONG CAME CHEMICALS. FIRST IT WAS MACE AND NOW IT'S THE PEPPER SPRAY. THOSE CAME ALONG 25 TO 30 YEARS AGO. SINCE THAT TIME IN THE EARLY 19 90'S, THERE WAS NO FOCUS ON LESS LETHAL WEAPONRY UNTIL THE LATE 19 '90'S WHEN TASER DEVELOPED THE CURRENT TASER THAT WE USE IN AUSTIN TODAY. TODAY THE AUSTIN POLICE DEPARTMENT HAS DEPLOYED TWO FORMS OF LESS LETHAL WEAPONS. THE FIRST ONE IS THE BEAN BAG SHOTGUN. THAT IS A PROJECT TILE THAT'S FIRED BY A SHOTGUN THAT IS ACTUALLY A BAG FILLED WITH PELLETS THAT STRIKES AN INDIVIDUAL WITH SUCH FORCE NOT TO INJURE THEM SERIOUSLY, BUT TO STUN THEM OR PUT THEM ON THE GROUND WHERE OFFICERS CAN THEN COME IN AND EFFECT AN ARREST. THE SECOND IS THE TASER. WE CURRENTLY HAVE ABOUT 894 TASERS IN USE. AND IN ADDITION TO THAT, OUR PARKS POLICE, AIRPORT POLICE AND CITY MARSHAL SERVICE HAVE THOSE WEAPONS. THE TASER WAS FIRST INTRODUCED TO LAW ENFORCEMENT IN THE MID '70'S. THE WEAPON WAS NOT WIDELY USED FOR A WIDE VARIETY OF REASONS. MOST CENTERED ON ITS INEFFECTIVENESS. IN RECENT YEARS THE TASER WAS REMODELLED AND WITH THE OLD DESIGN PROBLEMS ELIMINATED, THEY HAVE BEEN WIDELY DEPLOYED BY POLICE AGENCIES IN THE UNITED STATES AND OTHER COUNTRIES. WE BELIEVE THAT THE TASER IS AN EFFECTIVE TOOL IN REDUCING SITUATIONS WHERE POLICE OFFICERS AND SUSPECTS COME IN VIOLENT CONTACT AND HAS REDUCED THE NUMBER OF SERIOUS INJURIES TO BOTH

OFFICERS AND SUSPECTS. WHILE THERE IS SOME CONTROVERSIAL ASPECTS OF THE WEAPON, WHICH I BELIEVE CAN BE EFFECTIVELY FELT WITH WITH PROPER POLICIES AND TRAINING. NOW I'D LIKE TO GO INTO OUR PRESENTATION. THE AUSTIN POLICE DEPARTMENT'S INITIAL POLICY ON AT A TASER USE HAS BEEN IN PLACE SINCE THE YEAR 2002 WHEN THE M 26 TASERS WERE FIRST APPROVED FOR USE AS A DUTY WEAPON. THE M 26 IS A MUCH LARGER TASER THAN THE CURRENT ONES WE HAVE DEPLOYED. THEAFTHEN COUNCIL APPROVED THE USE OF NEW SMALLER TASERS WHICH ARE DEPLOYED IN PATROL. THIS PURCHASE ALLOWED US TO ISSUE EACH SERGEANT AND EACH PATROL OFFICER WITH A TASER. OVER THE LAST SIX MONTHS WE HAVE EVALUATED -- REEVALUATED AND STREN THENGED OUR POLICY. WE DID DWIGHT QUITE A BIT OF WORK. WE REVIEWED NEWS REPORTS FROM ACROSS THIS NATION WHICH TALKED ABOUT DEPARTMENTS USE OF TASERS. WE TALKED WITH OTHER POLICE DEPARTMENTS. WE TALKED TO RESEARCH GROUPS AND PRIVATE AND NONPROFIT ORGANIZATIONS THAT WERE FOCUSED ON THE TASER OOZE USE AND EMPLOYMENT. OVER THAT PERIOD OF TIME IN THE LAST SIX MONTHS WE REVISED OUR POLICY, WHICH I WILL TALK ABOUT NOW. THAT POLICY REVISION TOOK EFFECT IN MARCH OF THIS YEAR. THE TASER POLICY HAS CHANGED FROM ITS ORIGINAL -- WHEN IT WAS FIRST IMPLEMENTED IN 2002 UNTIL MARCH OF THIS YEAR. THE TASER DOES NOT AND WILL NOT BE USED WHEN YOU HAVE AN UNRULY HANDCUFFED PRISONER. AND FOR SOME FOLKS THAT MAY SEEM VERY, VERY REASONABLE, BUT I WOULD LIKE TO REMIND ALL OF YOU THAT A HANDCUFFED PRISONER FREQUENTLY IS A VERY VIOLENT, HEAD BUTTS OFFICERS, USES HIS FEATS, BITES THE OFFICERS. WE'VE HAD INSTANCES -- SOME TERRIBLE INSTANCES, BUT WE FEEL THAT ONCE AN INDIVIDUAL IS HANDCUFFED THAT THE TASER IS NOT AN APPROPRIATE USE TO HANDLE THAT PRISONER. THE SECOND ONE, THE SUSPECT IS TAKEN ON A NON-VIOLENT OFFENSE UNLESS ARMED AND POSING AN IMMEDIATE THREAT. WHAT WE FOUND IN OUR RESEARCH IS THAT MANY OF THE INJURIES SUSTAINED BY SUSPECTS WERE SUSTAINED WHEN THE SUSPECT WAS RUNNING FROM THE POLICE AND WAS TASERED. I THINK PROBABLY THE NATIONAL STORY WAS THE 11-YEAR-OLD TRUANT THAT WAS

TASED IN MIAMI, FLORIDA AND FELL FORWARD, BREAKING HER NOSE AND OTHER BONES IN HER FACE. SO THIS POLICY PROHIBITS THE USE OF TASERS FOR MISDEMEANOR AND NON-VIOLENT OFFENSES UNLESS THEY'RE ARMED AND POSING AN IMMEDIATE THREAT. AGAINST PERSONS DISPLAYING PASSIVE RESISTANCE. WHEN FLAMMABLE LIQUIDS OR GASES ARE PRESENT. WHAT THE TASER DOES IS WHEN IT'S FIRED, THE TWO PRONGS ENTER THE CLOTHING OF THE INDIVIDUAL AND THEN A CHARGE IS SENT THROUGH THOSE TWO PRONGS. IF THEY'RE CLOSELY TOGETHER, THERE'S PERHAPS AN ARC AND IF THE INDIVIDUAL IS STANDING NEXT TO A GAS TANK OR HE IS -- FOR INSTANCE, IF HE HAS A MENTAL PROBLEM AND HAS POWERED A FLAMMABLE LIQUID ON HIM, THAT SPARK COULD CAUSE COMBUSTION TO OCCUR, SO WHEN FLAMMABLE LIQUIDS OR GASES ARE PRESENT, WE DO NOT ALLOW THE USE OF TASER. AGAINST A WOMAN WHO IS OBVIOUSLY PRESENT, A CHILD WHICH BY PHYSICAL STATISTIC TOUR AND SIZE APPEAR TO BE UNDER THE AGE OF 14. A DISABLED INDIVIDUAL OR AN ELDERLY PERSON. AND AGAIN, THIS SECTION, PARAGRAPH NUMBER 5 HERE, IS THE RESULT OF TAKING MANY, MANY OF THE USES OF TASERS THROUGHOUT THE COUNTRY AND LOOKING AT THOSE AND SAYING DOES IT FIT HERE IN AUSTIN. A.P.D.'S POLICY ON TASER USE CONTINUING. THE POLICY ALSO SAYS THAT WHEN DPLAING A TASER THE OFFICER IS INSTRUCTED TO GIVE EXPLICIT VERBAL COMMANDS TO THE SUSPECT, LETTING HIM KNOW THAT THE TASER IS ABOUT TO BE USED. HE IS TO AVOID EMPLOYMENT TO SENSITIVE TISSUE AREAS, THOSE INCLUDE FACE, NECK, BREASTS OR GROIN AREA. AND HE IS TO AVOID DEPLOYMENT AGAINST A SUBJECT OPERATING A MOTOR VEHICLE, AND THE POLICY ALSO STATES SKATEBOARD OR OTHER RIDING DEVICE SUCH AS A BICYCLE IN WHICH THE USE OF THE TASER MAY RESULT IN THE INDIVIDUAL FALLING OFF THAT DEVICE AND INJURING HIMSELF. AFTER A TASER HAS BEEN DEPLOYED THE POLICY STATES THAT THE OFFICER WILL IMMEDIATELY CONTACT HIS SUPERVISOR, REMOVE THE PROBES AS TRAINED, CONTACT E.M.S. FOR ASSISTANCE WHEN NEEDED AND QUITE HONESTLY, THEY'RE TRAINED THAT IF THE PRONGS HAVE ENTERED THE FACE, NECK OR OTHER AREA TO CALL E.M.S. THE TRAINING ALSO INSTRUCTS THE OFFICER TO ASK

QUESTIONS IMMEDIATELY ABOUT ANY PREEXISTING MEDICAL CONDITION WHICH WOULD REQUIRE THE ASSISTANCE OF E.M.S. OR THE TRANSPORTATION TO A HOSPITAL. ALSO TO AVOID THE POTENTIAL FOR ASPHYXIATION BY PLACING THE SUBJECT IN AN UPRIGHT POSITION AND THEY MUST FILE AN USE OF FORCE REPORT. AND THAT IS BEING REVISED TO PROVIDE MUCH MORE INFORMATION THAN THE ONE CURRENTLY IN USE AT THE AUSTIN POLICE DEPARTMENT. CONTINUING ON. A.P.D. ANALYSIS OF USE OF FORCE. THESE STATISTICS MIGHT GET A LITTLE CONFUSING. THERE ARE THREE DISTINCT PERIODS THAT WE LOOKED AT TO DO SOME ANALYSIS ON USE OF FORCE. AND THE REASON WHY WE LOOKED AT THOSE THREE AREAS FROM JUNE THROUGH DECEMBER OF 2002, 2003 AND 2004 WAS IN EACH OF THOSE BUDGET YEARS WE PURCHASED TASERS IN THE FIRST PART OF THE BUDGET YEAR AND DEPLOYED THEM, USUALLY HAVING THEM FULLY DEPLOYED, THE OFFICERS FULLY TRAINED IN JUNE. SO WE'RE LOOKING FOR COMPARISON PURPOSES AT SEVEN MONTHS OF DATA IN THOSE THREE YEARS. TASER USE HAS INCREASED, BUT WE ALSO HAVE SEEN IN THEIR USE OF FORCE DURING THOSE SAME COMPARISON PERIODS DECREASES IN SOFT HAND CONTROL, HARD HAND CONTROL, THE USE OF PEPPER SPRAY AND IMPACT WEAPONS. VIRTUALLY ALL OF THE OTHER CATEGORIES OF THE USE OF FORCE HAS HAD SOME DECREASE, SOME OF THEM SIGNIFICANT. IN THE YEAR 2004 A TASER WITH A HIGHEST LEVEL OF FORCE USED IN 41% OF ALL THE REPORTS. AND AGAIN, WE'RE TALKING SEVEN MONTHS. DURING THAT PERIOD OF TIME, WE TOOK INTO CUSTODY ABOUT 29,000 PEOPLE, SO IN THOSE SEVEN MONTHS, WE HAD ABOUT 220 INCIDENTS WHERE THE TASER WAS USED. WE ARRESTED ALSO 29,000. OUR KEY FINDING OF THE ANALYSIS, THE INCREASE IN TASER USE FROM 2003 TO 2004 IS PRIMARILY TO THE AVAILABILITY OF TASERS. IN AUGUST OF 2003, PATROL HAD LIMITED ACCESS. ONLY ABOUT 144 144 AVAILABLE FOR USE. BY JUNE OF 2004, A.P.D. HAD ISSUED ABOUT 750 MODEL X-26 TASERS, BRINGING THE TOTAL IN PATROL TO 894. LOOKING AT SOME OF THE RESULTS OF THE DEPLOYMENT OF TASERS, WE BELIEVE THAT THE TASERS IMPACTED THE VIOLENT CONFRONTATION BETWEEN POLICE OFFICERS AND SUSPECTS. SUSPECTS INVOLVED IN USE OF

FORCE REPORTS DECREASED BY 15.1% FROM 2003 TO 2004. 2005 I THINK WILL BE A VERY INTERESTING YEAR BECAUSE WE WILL HAVE A FULL YEAR TO ANALYZE THE FULL DEPLOYMENT OF THE TASERS. BUT MOVING ON TO THAT WINDOW THAT WE LOOKED AT, JUNE TO DECEMBER OF 2003, THERE WERE 600 INSTANCES WHERE OFFICERS HAD TO USE OF FORCE IN TAKING A PERSON INTO CUSTODY. THIS NUMBER DROPPED TO 532, OVER 100 INSTANCES FOR THE SAME PERIOD IN 2004. SO IN 2003 WE HAD TO APPLY USE OF FORCE 630 TIMES. IN 2004 DURING THAT SAME PERIOD OF TIME IT WAS DOWN TO 532. SERIOUS INJURIES TO SUSPECTS DECREASED 80% FROM 2002 TO 2004. THERE WAS NO SERIOUS INJURIES TO OFFICERS IN THE CALENDAR YEAR 2003 AND 2004 COMPARED TO 13 SERIOUS INJURIES TO OFFICERS IN 2005, AND SERIOUS INJURY IS DESCRIBED AS HOSPITALIZATION FOR TREATMENT OF WOUNDS OR INJURIES. FOR ALL INJURIES, THERE WAS A 53% REDUCTION IN OFFICER INJURIES FROM 2002 TO 2004. WE HAVE SOME CHARTS NOW THAT DEPICT IN CHART FORM THAT IN 2002 WE HAD A TOTAL OF 633 SUSPECT INJURIES, OF WHICH 10 WERE SERIOUS -- I'M SORRY, IN 2002. 2003 WE HAD THE SAME TOTAL NUMBER, WITH SIX SERIOUS INJURIES TO SUSPECTS. AND IN 2004 WE HAD 537 TOTAL INJURIES TO SUSPECTS, ONLY TWO WERE SERIOUS. I MIGHT ADD THAT IN 2004 SOMETHING VERY IMPORTANT TO THE ORGANIZATION OCCURRED. IN A CITY OF 700,000, MAKING 40,000 ARRESTS, POLICE OFFICERS IN THE LINE OF DUTY FIRED THEIR WEAPONS ONLY TWICE DURING THAT ENTIRE YEAR. ONCE AT AN ARMED ROBBERY SUSPECT WHO FIRED FIRST AT THE POLICE OFFICER. THE SECOND TIME AT A DRIVER OF A CAR ARMED WITH A REVOLVER WHO WAS SPEEDING TOWARDS TWO MOTOR OFFICERS ON A HIGHWAY. NEITHER SUSPECT WERE INJURED, NOR ANY OF THE OFFICERS. BUT ONLY TWICE IN 2004 DID OFFICERS PULL THEIR WEAPON AND FIRE. CONTINUING ON WITH THE KEY FINDINGS, IF YOU LOOK AT THE CHARTS, FOR JUNE TO DECEMBER 2002 TO 2004, ON OFFICER INJURIES, 184 INJURIES IN 2002. THAT BOTTOM PART THERE REPRESENTS 13 SERIOUS INJURIES. 173 IN 2003, WITH NO SERIOUS INJURIES. I'M VERY, VERY PLEASED TO SEE 86 OFFICERS, A SIGNIFICANT DECREASE, WITH AGAIN, NO SIGNIFICANT INJURIES. WE ALSO LOOKED AT EXCESSIVE FORCE COMPLAINTS IN CUSTODIAL ARRESTS

FROM JUNE TO DECEMBER 2002 TO 2004. REMEMBER, THAT PERIOD OF TIME AFTER IMPLEMENTING LARGE INCREASES OF TASERS IN THE FIELD. THE BARS SHOW ARRESTS MADE, CUSTODY ARRESTS BY A.P.D. YOU CAN SEE THAT FROM 2002 TO 2004 THERE IS AN INCREASE. BUT THE DOTS ABOVE REPRESENTING USE OF FORCE COMPLAINTS MADE TO THE POLICE MONITOR WERE 36 IN 2002, 32 IN 2003, AND 27 IN 2004. THAT'S A SIGNIFICANT DECREASE. FROM 2002 TO 2004 THERE WAS A 32.1% DECREASE IN THE RATE OF EXCESSIVE FORCE COMPLAINTS PER 1,000 CUSTODIAL ARRESTS. A.P.D. RECEIVED 36 EXCESSIVE FORCE COMPLAINTS IN 2002 AS COMPARED TO 27 IN 2005, A 25% DECREASE IN COMPLAINTS. WHEN WE IMPLEMENTED THE TASER AND WE BEGAN TO REVIEW THE ACTIONS OF OTHER POLICE DEPARTMENTS, WE ALSO SOUGHT THE ASSISTANCE OF MEDICAL EXPERTS. AND WHAT WE WANTED TO DO WAS TO DEVELOP GUIDELINES, WHICH WE HAVE, PRECAUTIONARY MEASURES WHICH WILL BE TAKEN FOR THOSE THAT HAVE PREEXISTING MEDICAL CONDITIONS OR WHO WERE UNDER THE HEAVY INFLUENCE OF A NARCOTIC OR CONTROLLED SUBSTANCE. IN ADDITION TO THAT, WE HAVE IN THE PROCESS PURCHASING 50 AUTOMATED EXTERNAL DEFIBRILLATORS TO BE PLACED IN SURVIVORS VEHICLES AND POLICE SUBSTATIONS. AGAIN, NOT ONLY ARE WE DEPLOYING THE TASER, BUT WE'RE ALSO DOING SOME GREAT TRAINING AS WELL AS DEPLOYING OTHER EQUIPMENT THAT MAY BE NECESSARY AT THESE SCENES. WITH REGARD TO TRAINING, THE MANUFACTURER SUGGESTS OR RECOMMENDS FOUR HOURS OF TRAINING TO EACH OFFICER RECEIVING A TASER. THE AUSTIN POLICE DEPARTMENT TRAINS FOR EIGHT HOURS. FOUR HOURS OF CLASSROOM AND FOUR HOURS OF PRACTICAL PROBLEMS THAT THE OFFICER CONFRONTS THAT TALK ABOUT USING OR NOT USING THE TASER. IN ADDITION TO THAT, EACH OFFICER WILL BE SUBJECT TO RECERTIFICATION IN THE COMING YEARS, EACH OF THE COMING YEARS. IN CONCLUSION, THE TASER POLICY HAS BEEN UPDATED, TRAINING AND RECERTIFICATION IS IN PLACE, EFFECTIVE USE OF FORCE EXHIBITED IN DATA FOR THE PAST THREE YEARS SHOWS THE EFFECTIVENESS OF THE TASER. AND A.P.D. WILL CONTINUE TO MONITOR TASER USE, WORKING WITH MEDICAL PROFESSIONALS, OTHER LAW ENFORCEMENT AGENCIES, AGENCIES THAT ARE IN THE PROCESS OF

TESTING THE TASER AND SO FORTH. AND NOW THAT CONCLUDES MY PRESENTATION. I WOULD LIKE TO TURN IT OVER TO DR. ROCK FOR THE MEDICAL PERSPECTIVE ON OUR USE OF TASER AND OUR ANALYSIS OF ITS USE. THANK YOU.

Mayor Wynn: THANK YOU, CHIEF. WELCOME, DOCTORS.

MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, GOOD AFTERNOON. I'VE GOT WITH ME DR. PAT CROCKER, WHO IS THE DIRECTOR OF EMERGENCY MEDICINE AT BRACKENRIDGE AND CHILDREN'S HOSPITAL, AND ALSO SERVES AS THE CHAIR OF THE TRAVIS COUNTY MEDICAL SOCIETY'S E.M.S. COMMITTEE. IT'S A GROUP OF PHYSICIANS THAT HAS OVERSIGHT OF THE E.M.S. SYSTEM IN AUSTIN TRAVIS COUNTY. AND I'M SORRY, I'M DR. ED ROCK, THE MEDICAL DIRECTOR FOR E.M.S. WHAT WE WOULD LIKE TO DO, WE WERE ASKED BY CMO AND THE CHIEF TO CLINICALLY LOOK AT THIS FAIRLY COMPLEX ISSUE. AND WE ARE NOT ALONE. AS A COMMUNITY, AS I'LL SHOW YOU IN SOME OF THE DATA, EVERY COMMUNITY STRUGGLES WITH THIS QUESTION. AS A MATTER OF FACT, MEDICINE STRUGGLES WITH THIS QUESTION. THERE ARE PATIENT IN HOSPITALS IN THE EMERGENCY DEPARTMENT THAT NEED TO BE RESTRAINED BECAUSE THEIR BEHAVIOR OR THEIR ACTIONS MAY BE A THREAT TO THEMSELVES OR A THREAT TO OTHER HEALTH CARE PROVIDERS. AND SO IT'S NOT AN ISSUE THAT WE ARE STRUGGLING WITH IN AN ISOLATED SETTING. THE BALANCE THAT WE LOOK FOR IN ANY OF THOSE CIRCUMSTANCES ARE THE RISK BENEFIT RATIOS SO IF WE GIVE A DRUG TO SOMEONE, THE BENEFIT OF THAT DRUG OUT WEIGH THE RISKS OF THAT DRUG. SIMILARLY AS THE MEDICAL COMMUNITY LOOKED AT THIS DATA, WE LOOKED AT IT WITH THE SAME APPROACH. TO TELL YOU WHAT WE DID IN THIS EVALUATION PROCESS, THERE WERE SEVERAL COMPONENT OF THIS. WE REVIEWED THE PERTINENT MEDICAL LITERATURE AND THE CLINICAL IMPLICATIONS. WE REVIEWED THE DATA THAT CHIEF KNEE JUST PRESENTED FROM THE AUSTIN POLICE DEPARTMENT ON SERIOUS INJURIES, INJURIES TO OFFICERS AND THE ADDITIONAL USE OF FORCE DATA. WE REVIEWED THE A.P.D. USE POLICY AS WELL AS THE AUSTIN TRAVIS COUNTY MEDICAL ADVISORY, HOW THE E.M.S. SYSTEM RESPONDS TO THOSE PATIENTS

THAT HAVE BEEN TASED AND MANAGES THOSE PATIENTS. WE BROUGHT THAT INFORMATION TO THE TRAVIS COUNTY MEDICAL SOCIETY AND THE E.M.S. COMMITTEE AND HAD A DISCUSSION OF THAT LITERATURE, HAD A DISCUSSION OF THE PHYSICIAN'S INDIVIDUAL -- THE PHYSICIAN'S INDIVIDUAL EXPERIENCES, THEIR PERCEPTION OF THE ISSUES ASSOCIATED WITH THAT ON -- ASSOCIATED WITH THAT ON MARCH THE NINTH. IN ADDITION, I PARTICIPATED IN A GROUP THAT DISCUSSED THIS ON A NATIONAL LEVEL WITH MEDICAL DIRECTORS FROM METROPOLITAN AREAS, PARTICULARLY DR. KATHLEEN SHRANG, WHO WAS THE MEDICAL DIRECTOR OF THE CITY OF MIAMI E.M.S. SYSTEM. DR. CROCKER IS GOING TO DISCUSS WHAT WE REVIEWED IN THE MEDICAL LITERATURE AND THE FINDINGS OF THE GROUP.

THERE WERE ABOUT 30,000 CASES TO REVIEW IN TERMS OF HUMAN USE OF THE TASER. 10,000 OF THOSE ARE GATHERED FROM POLICE DURING ARRESTS, AND 20,000 ARE VOLUNTEERS WHO HAVE BEEN TASED. SO WE HAVE A TOTAL OF 40,000 HUMAN TASINGS TO ANALYZE FOR THIS DATA. THE MAJORITY OF INJURIES RELATED TO TASING ARE VERY MINOR. THEY ARE THE RESULT OF ALL OF THINGS MUSCLES CONTRACTING SIMULTANEOUSLY AND HE LOSES HIS ABILITY TO STAND AND FALLS TO THE GROUND. MOST OF THE INJURIES ARE SIMPLY DUE TO A FALL FROM A STANDING HEIGHT. IN NONE OF THE DATA THAT WE REVIEWED, WHETHER IT WAS HUMAN DATA OR ANIMAL STUDY DATA IS THERE ANY EVIDENCE THAT THE TASER REPRESENTS ANY SIGNIFICANT CARDIAC RISK. IN THE EXPERIMENTAL MODELS OF TASER USE, WHERE THEY WERE ABLE TO TAKE SWINE, WHICH ARE COMMONLY USED TO MODEL CARDIAC SYSTEMS FOR HUMANS, AND TURN AND ADJUST THE VOLTAGE AND AMPERAGE UP ON THE TASER, IN ADDITION TO AN ABNORMAL HEART RHYTHM, THERE WAS ABOUT A TWO TO FIFTEEN TIMES SAFETY FACTOR BETWEEN WHAT THE TASER OUTPUT IS DURING NORMAL USE AND THE EXPERIMENTAL USE. THERE WAS A SIGNIFICANT SAFETY FACTOR THERE. SO GIVE AN ANALOGY, THE TASER DELIVERS ABOUT 1.4 1.4 JOULES OF ENERGY, WHICH ARE FAR LESS THAN THE JOULES THAT WE USE WHEN WE TRY TO DEFIBRILLATE A PERSON'S HEART WITH A DEFIBRILLATOR. OF THOSE 40,000 HUMAN TASINGS, THERE ARE FOUR REPORTED DEATHS. THE

CURRENT LITERATURE SUGGESTS THAT THOSE DEATHS ARE SIGNIFICANTLY RELATED TO COMMON USE OF COCAINE, METHAMPHETAMINE OR PCP AND TYPICALLY OCCUR IN A PATIENT WHO HAS WHAT'S CALLED AGITATED DLEERIUM. THIS IS A CONDITION OF HYPER AGITATION THAT IS USUALLY SEEN WITH CRACK COCAINE OR AM MET MEANS AND IN THE - - AMPHETAMINES AND IN THE ABSENCE OF THAT CO-MORBID FACTOR, THERE SIMPLY HAVEN'T BEEN DEATHS. OF GREAT INTEREST IN THIS AND HELPFUL IN ANSWERING THE QUESTION IS IF THE ELECTRICITY FROM THE TASE THEAR CAUSES THE DEATH OR IS IT THE PATIENT'S PREEXISTING DRUG-INDUCED EXCITETATION THAT CAUSES THE DEATH, IS THE FACT THAT THESE TASER RELATED DEATHS OCCUR ANYWHERE FROM SIX TO SEVEN MINUTES TO 45 MINUTES AFTER THE TASING EVENT. THEY DO NOT OCCUR SIMULTANEOUSLY WITH THE TASING EVENT. ELECTRICITY DOESN'T HANG AROUND IN THE BODY. THE INDIVIDUAL IS TASED, THE ELECTRICITY IS GONE AND THE EVENT IS OVER. THESE DEATHS OCCUR AFTER THAT. THREE OF THE FOUR PATIENTS WHO DIED WERE HYPER THERMIC, WHICH WE FREQUENTLY SEE WITH COCAINE OR AMPHETAMINE OVERDOSES, SO THE STRONG WEIGHT OF THE EVIDENCE IS THAT THOSE FOUR DEATHS ARE RELATED TO THE PREEXISTING DRUG STATE OF THE PATIENT AND NOT THE TASING EVENT. ONE LAST INTERESTING FACT IS IF YOU TAKE THE CURRENT USE BY THE A.P.D. OFFICERS OF SOMEWHAT LESS THAN 400 TASING EVENTS A YEAR, AND APPLY THAT AGAINST THE FOUR IN 40,000 DEATH RATE, YOU WOULD HAVE TO USE THE TASERS AT THE CURRENT RATE OF OF 20 YEARS TO HAVE A SINGLE DEATH. AND THAT SINGLE DEATH IS UNLIKELY TO BE RELATED TO THE TASING EVENT AND IS LIKELY TO BE RELATED TO A DRUG-INDUCED STATE.

THE CAUTIONS WITH TASER USE THAT WE FOUND IN THE MEDICAL LITERATURE ARE SEVERAL FOLD. ONE IS AS DR. CROCKER POINTED OUT, THIS EVIDENCE OF AGITATED DLEERIUM OR BEHAVIOR ASSOCIATED WITH DRUG INGESTION. THIS IS A DIFFICULT SCENARIO BECAUSE OBVIOUSLY THIS PATIENT POPULATION IS AT RISK FOR INJURY TO THEMSELVES OR INJURY TO OTHERS OR OTHER OFFICERS, AND CLEARLY THIS IS A DIFFICULT SCENARIO TO SORT OUT ADVANTAGES AND DISADVANTAGES. THERE IS NO

DATA OUT THERE ON IMPLANTABLE DE FIBRILLATORS AND PACE MAKERS, BUT THERE IS EVIDENCE THAT THERE COULD BE RISK WITH THAT. PATIENTS KNOWN TO BE PREGNANT, THERE IS ONE REPORTED CASE IN THE LITERATURE OF A PREGNANT PATIENT THAT WAS TASED WHO ABORTED THE CHILD AT A REMOTE TIME PERIOD FROM THE TASEING EVENT -- TASEING EVENT. THAT PATIENT ALSO HAD A HISTORY OF DRUG ABUSE. SO AS DR. CROCKER POINTED OUT, WHAT SPECIFICALLY WAS THE EVENT RELATED TO? AS CHIEF KNEE POINTED OUT, HIGH RISK AREAS, THE HEAD, NECK, GROIN, AREAS WHERE BLOOD VESSELS MAY BE CLOSE TO THE SKIN, WHERE IT IS, THAT THE BASHES THEMSELVES MAY CAUSE SIGNIFICANT INJURY. IF ANY OF THOSE PATIENTS -- IF ANY OF THOSE PATIENTS ARE TASED, IT WOULD BE IMPORTANT FOR THEM TO GET A MEDICAL EVALUATION. AS DR. CROCKER POINTED OUT, THE CARDIAC ARRESTS THAT DON'T OCCUR DON'T OCCUR IMMEDIATELY UPON THE EVENT, SO AFTER THEY'VE BEEN TASED IF THEY'RE AT RISK, CLEARLY THE LITERATURE WOULD SUGGEST THAT THEY NEED TO BE MEDICALLY EVALUATED. AND THEN FINALLY, ONE OF THE ISSUES THAT THE GROUP, I THINK ALL THE PHYSICIANS THAT REVIEWED THIS DATA POINTED OUT WAS WE HAVE AN OBLIGATION AS A MEDICAL COMMUNITY -- I THINK ALL OF US WANT TO MAKE SURE THAT WHETHER IT'S A SUSPECT, WHETHER IT'S AN OFFICER, WHEN IT'S A BYSTANDER, WE WANT TO DECREASE THE MELTD AND CLINICAL RISK, THE TRAUMATIC RISKS FOR THAT ENTIRE POPULATION, EVERYONE INVOLVED IN THAT EVENT. THE DATA THAT CHIEF KNEE PRESENTED, THE INFORMATION OF A DECREASE IN INJURIES AND A DECREASE IN OFFICER INJURIES, I THINK THE MEDICAL COMMUNITY CLEARLY ACKNOWLEDGED IS GOING IN THE RIGHT DIRECTION FOR THIS COMMUNITY. ONE OF THE ISSUES THAT WAS BROUGHT UP BY THE PHYSICIAN COMMUNITY WAS THAT THAT IS CLEARLY THE DIRECTION THAT WE WOULD LIKE TO GO AS A COMMUNITY. AND THAT'S THE RESULTS OF OUR REVIEW.

Mayor Wynn: THANK YOU DOCTOR ROCK AND CROCKER. COMMENTS, QUESTIONS, COUNCIL?

Thomas: YES, MAYOR, IF YOU DON'T MIND.

Mayor Wynn: COUNCILMEMBER THOMAS.

Thomas: DR. ROCK, DO YOU HAVE ANY REPORTS OF ANY OTHER DEATHS BESIDES THE DEATHS THAT YOU SAID, THE FOUR DEATHS REPORTED THAT WERE DEALING WITH THE MAN WITH PCP, ARE THERE ANY OTHER DEATHS BESIDES THE ONES YOU JUST TOLD US ABOUT?

YES, THERE ARE OTHER DEATHS THAT HAVE OCCURRED WITH USE OF THE TASER, AND CLEARLY THE INFORMATION THAT DR. CROCKER AND I REPORTED ARE THE DEATHS THAT HAVE BEEN CRITICALLY ANALYZED IN THE MEDICAL LITERATURE. SO WE'VE USED THAT AS THE BASIS OF OUR EXAMINATION AND HAVE NOT REVIEWED THOSE DEATHS THAT DON'T END UP IN THE -- ON THE MEDICAL LITERATURE SIDE.

Thomas: ALSO -- THIS IS FOR CHIEF KNEE. AS YOU KNOW, CHIEF McCOY AND I WENT TO SANSAN DIEGO TO A CONFERENCE AND LISTENING TO THE COMPLAINTS THAT OTHER DEPARTMENTS HAD, I THINK WE'VE COME A LONG WAY BECAUSE SOME OF THE USE OF THEIR TASERS WAS WAY OUT OF CONTROL. I THINK CHIEF KNEE CAME BACK AND REVISED SOME OF THESE DURING OR POLICIES AND PROCEDURES AND MAKE SURE THAT WE KNOW WHAT TO DO. IN OUR REVISED EFFORTS, DO YOU THINK WE HAVE REACHED THE AREA THAT WE'VE TALKED ABOUT?

I THINK SO, COUNCILMEMBER THOMAS. I THINK IT GOES -- I THINK THE CONTINUAL TRAINING I THINK IS IMPORTANT. BUT I ALSO AT THAT SAME CONFERENCE, THE CHIEF FROM SAN SAN DIEGO POLICE DEPARTMENT INDICATED THAT WHEN THEY HAVE LESS LETHAL FORCE AT THE SCENE OF A VIOLENT CONFRONTATION WITH POLICE, I BELIEVE HE STATED THAT THERE WAS VIRTUALLY NO USE OF DEADLY FORCE. AND IF LESS LETHAL WAS NOT AT THE SCENE, THEN THEY HAD A MUCH HIGHER USE OF DEADLY FORCE. BUT I THINK THAT OUR POLICY IS SOUND AT THIS POINT. WE'LL CONTINUE TO MONITOR REPORTS AND ANALYSIS OF THIS LESS LETHAL WEAPON. WE'LL CONTINUE TO WORK WITH DR. ROCK AND MS. PHYSICIANS TO MONITOR ANY NEW REPORTS THAT COME OUT AND WE'LL MAKE ADJUSTMENTS AS WE DEEM NECESSARY FOR THE GOOD OF THE COMMUNITY AS

WELL AS THE OFFICERS.

Thomas: THANK YOU. I REALLY APPRECIATE THAT. IT LETS US KNOW THAT EVERY DEPARTMENT HAS ITS ISSUES, BUT WE'RE A LITTLE BIT AHEAD OF THE GAME BY SOME OF THE THINGS THAT I HEARD PERSONALLY AT THE CONFERENCE. THANK YOU.

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: I HAVE A QUESTION, CHIEF, TOO. FIRST OF ALL, I'M REALLY PLEASED TO SEE THE NUMBERS ON THE FORCE -- ON THE USE OF FORCE GOING DOWN. I HOPE THAT GETS REPORTED. ON THE NEW POLICY, THE ADDITIONAL CHANGES IN THE POLICY I'M WONDERING -- I THINK THOSE ARE GOOD. I'M JUST WONDERING HOW WE COULD SUMMARIZE THAT. WOULD IT BE THAT TASERS ARE ONLY USED AS A SUBSTITUTE FOR OTHER KINDS OF FORCE OR AS A SUBSTITUTE FOR DEADLY FORCE? HOW WOULD YOU DESCRIBE THAT?

WELL, IT IS NOT MEANT TO BE A SUBSTITUTE FOR DEADLY FORCE, BUT I BELIEVE IT WAS BRIEFED TODAY THAT THERE'S BEEN AT LEAST FIVE INSTANCES WHERE HAD THE TASER NOT BEEN AVAILABLE, DEADLY FORCE WOULD HAVE BEEN USED. CLEARLY ONE OF THE MOST PROMINENT ONE WAS THE MURDER OF THE U.T. PROFESSOR, THE SUSPECT STILL IN THE APARTMENT, A YOUNG OFFICER ARRIVED, SHE WOUND UP TASING THE SUSPECT, WHO WAS ARMED WITH A LARGE KNIFE AS HE APPROACHED HER. ANOTHER ONE OCCURRED ON SIXTH STREET WHERE A SUBJECT WAS HIDING IN ONE OF THE BARS AND WAS ARMED, AND IT WAS VISIBLE WITH A HANDGUN AND THE OFFICERS CREPT UP ON HIM AND MADE THE DECISION TO USE THE TASER INSTEAD OF JUST PERHAPS THE USE OF DEADLY deadly FORCE, AND HE WAS TAKEN INTO CUSTODY.

Slusher: SO THERE'S TWO INSTANCES WHERE LIKELY DEADLY FORCE WOULD HAVE BEEN USED IF NOT FOR THE TASER?

CORRECT. THOSE ARE TWO. AND THERE'S MANY, MANY MORE OUT THERE. BECAUSE THERE'S SO MANY INSTANCES WHERE AN INDIVIDUAL HAD A MACHETE, HAD A SHOVEL,

WHERE IF A TASER WASN'T AVAILABLE AND IF THE BEAN BAG WAS NOT AVAILABLE TO BE DEPLOYED, THERE COULD HAVE BEEN A VIOLENT CONFRONTATION. IF YOU ASK ME TO SUM UP OUR POLICY, IT IS THAT THE TASER IS USED TO AVOID VIOLENT CONFRONTATIONS BETWEEN SUSPECTS AND THE POLICE. AND I BELIEVE THAT THIS NEW POLICY IN SOME WAYS NARROWS THOSE INSTANCES WHERE IT CAN BE USED, BUT AGAIN I THINK THAT ITS CONTINUED USE WILL CONTINUE TO DRIVE THOSE NUMBERS OF SUSPECTS INJURED, OFFICERS INJURED DOWN.

Slusher: THANK YOU, CHIEF.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER MCCRACKEN.

McCracken: CHIEF, HOW DOES THE NEW TASER POLICY COMPARE TO THE POLICIES FOR OTHER TYPES OF USE OF FORCE?

I DON'T KNOW IF YOU CAN COMPARE THEM BECAUSE EACH TYPE OF USE OF FORCE IS A LITTLE BIT DIFFERENT THAN THE USE OF THE BATON OR NIGHTSTICK, THE WEAPON AS SUCH. I BELIEVE THAT THIS POLICY IS A BIT MORE DETAILED, AND I THINK THAT THE REASON WHY IT'S A BIT MORE DETAILED IS BECAUSE WE WANT TO MAKE SURE THAT THE OFFICERS KNOW CLEARLY WHEN TO DEPLOY IT, KNOW CLEARLY WHAT THEIR RESPONSIBILITIES ARE AFTER IT'S BEEN DEPLOYED. THAT THE SUPERVISOR CLEARLY KNOWS THAT HE IS TO RESPOND TO THE SCENE IMMEDIATELY AND WHAT HIS RESPONSIBILITIES ARE SO THAT WE CAN HAVE AN ACCURATE PICTURE OF ITS DEPLOYMENT.

McCracken: MY SENSES FROM READING THIS AND YOUR ANSWER THEN, THERE ARE MORE RULES ASSOCIATED WITH USING A TASER THAN WITH OTHER METHODS OF USE OF FORCE EXCEPT FOR PERHAPS FIREARMS. IS THAT ACCURATE?

I WOULD HATE TO GO INTO COMPARISON, BUT CLEARLY THIS IS A VERY DETAILED POLICY THAT, AS I SAID BEFORE, CLEARLY INDICATES WHEN YOU CAN USE THE TASER. IF YOU ASK ME IF YOUR FIREARM POLICY CLEARLY INDICATES

WHEN TO USE A FIREARM, YES, I THINK IT DOES. BUT THIS IS ALSO A REALLY CLEAR POLICY OF WHEN AND WHEN NOT TO USE THE TASER.

McCracken: BASED ON WHAT WE'VE HEARD, I GUESS MY ONLY CONCERN IS THAT IT MAY BE A LITTLE BIT TOO RESTRICTIVE WHEN THERE MAY BE APPROPRIATE INSTANCES WHERE SOMEONE COULD BE VERY DANGEROUS AND HANDCUFFED OR SOMEONE WHO IS OLDER, BUT STILL IS A THREAT TO OFFICERS AND THE PUBLIC. I DO WANT TO COMPARE -- I ASKED YOU ALL -- DR. CROCKER, DR. ROCK, IF YOU COULD COMPARE THE RISK OF TASERS TO OTHER USE OF FORCE METHOD, BOTH IN THE RISKS THAT THE TASER PRESENTS FOR THE OFFICER AND TO THE SUSPECT. LIKE FOR INSTANCE, WHEN AN OFFICER IS IN A LOCK HOLD, HOW MUCH MORE DANGEROUS IS THE OFFICER FOR THAT --

I DON'T WANT TO GIVE YOU A MEDICAL RESPONSE TO THAT, BUT I WILL TELL YOU FROM THE STREET. WHEN YOU HAVE AN INDIVIDUAL WHO TURNS ON YOU, DOUBLES UP HIS FIST AND ATTACKS YOU, WHETHER HE'S JUST GOT HIS FISTS OR WHETHER HE PULLS OUT A KNIFE OR ROCK OR CLUB, YOU NEVER KNOW IN THAT SITUATION WHERE THAT SITUATION IS GOING TO GO. IN THE PAST YOU HAD YOUR NIGHTSTICK AND YOU HAD YOUR WEAPON. YOUR HANDGUN. AND IN THIS CASE AN OFFICER VERY CLEARLY COULD PULL OUT HIS TASER AND EFFECTIVELY END THAT CONFRONTATION BEFORE IT BECAME VIOLENT. I THINK THAT'S REAL IMPORTANT FOR US ALL TO REMEMBER. SO THAT I BELIEVE THAT WHEN YOU WEIGH THE ALTERNATIVES OF NOT HAVING THIS TOOL AVAILABLE TO THE OFFICERS, THE ALTERNATIVE PERHAPS IS A STEP BACK TO A DAY WHEN YOU DID NOT HAVE RESOURCES EXCEPT FOR A HANDGUN OR A NIGHTSTICK BECAUSE WE ALL KNOW THAT PEPPER SPRAY, WHILE WIDELY EFFECTIVE ON MANY PEOPLE, IS NOT VERY EFFECTIVE ON PEOPLE THAT ARE -- HAVE ISSUES WITH ALCOHOL OR DRUGS OR THE EXCITEMENT AT THE MOMENT MAKES PEPPER SPRAY INEFFECTUAL. SO WHILE IT'S A GOOD TOOL TO HAVE, I THINK THAT THE TASER FOR THOSE VIOLENT CONFRONTATIONS THAT IF IT WASN'T AVAILABLE WOULD RESULT IN SOMEBODY PERHAPS GETTING HURT, POLICE OFFICER OR SUSPECT. I'LL LET THE DOCTORS

ANSWER THE MEDICAL SIDE.

I'M NOT SURE I UNDERSTOOD THE QUESTION EXACTLY, BUT I DON'T THINK THAT THERE ARE ANY DIRECT STUDIES COMPARING INJURIES WITH BATONS VERSUS TASERS; HOWEVER THERE'S A LOT OF EXPERIENCE AND COMMON SENSE THAT WE'RE ABLE TO TAP ON THAT COMMITTEE. AND DURING OUR DISCUSSIONS, IT WAS UNANIMOUS THAT EVERYBODY FELT BASED ON THEIR MEDICAL EXPERIENCE IN EMERGENCY DEPARTMENTS AND MY OWN OVER 20 YEARS AT BRACKENRIDGE THAT BOTH THE OFFICER AND THE INDIVIDUAL BEING ARRESTED ARE SAFER IF THE OFFICER USES A TASER THAN USES A NIGHTCLUB OR A BATON.

I THINK TOO I WOULD JUST ADD THAT WE DO KNOW NATIONALLY THAT THINGS SUCH AS PEPPER SPRAY, WE HAVE A VERY LOW INCIDENCE OF CAUSING ABNORMALITIES, WE KNOW THAT CAN CAUSE AN ASTHMATIC EPISODE AND WE ALSO KNOW THAT THE THE RESTRAINT SYNDROME HAS BEEN LINKED DIRECTLY TO DEATH. SO I THINK THAT THERE IS SOME OTHER DATA OUT THERE THAT SAYS SOME OF OTHER METHODOLOGISTS -- METHODOLOGIES, WHILE WE CAN'T COMPARE THEM, ARE CLEARLY A RISK TO PATIENTS.

McCracken: WE'VE GOT FROM CHIEF KNEE'S MEMO, IT LISTS SOME OTHER USES OF FORCE, CANINE'S, USING A FIREARM, LEG STRIKES, HAND STRIKES, NECK RESTRAINTS, FIRING BEAN BAGS, RUBBER BULLETS FROM WEAPONS, NIGHT STICKS, PEPPER SPRAYS. AND I BELIEVE IF I UNDERSTOOD THIS ANSWER, I WILL HAVE TO ASK YOU IF THIS IS CORRECT. WHEN YOU COMPARE THE OTHER USE METHODS AND USE OF FORCE, THE TASER IS SAFER BOTH FOR -- IF YOU HAVE A SITUATION WHERE YOU HAVE A VIOLENT SUSPECT THAT A TASER IS SAFER BOTH FOR THE OFFICER AND FOR THE SUSPECT THAN THE OTHER METHODS AND USE OF FORCE, IS THAT AN ACCURATE STATEMENT BASED ON WHAT YOUR RESEARCH INDICATES?

I BELIEVE THAT'S TRUE.

I WOULD TRUE. I WOULD -- I WOULD AGREE WITH THAT. I WOULD AGREE WITH THAT.

McCracken: CHIEF, WOULD YOU AGREE FROM A LAW ENFORCEMENT PERSPECTIVE?

JUST TO PUT THIS IN PERSPECTIVE, DO WE HAVE THE INCIDENT WHERE SOPHIA KING, A WOMAN WHO WAS MENTALLY ILL, BUT HAD A KNIFE, WAS SHOT, WOULD THAT HAVE BEEN AN INCIDENT WHERE A TASER COULD HAVE BEEN USED OR WOULD HAVE BEEN USED UNDER CURRENT PRACTICES?

THAT INCIDENT UNFOLDED WITHIN A MATTER OF I THINK TWO TO THREE SECONDS. THE QUESTION WOULD BE -- AND SO I DON'T THINK I CAN ANSWER THAT. BUT CLEARLY IF THE TASER WAS AVAILABLE, THEN THE OFFICER COULD HAVE ELECTED TO USE IT. WE ALSO HAD ANOTHER INCIDENT WHERE AN INDIVIDUAL, I WON'T NAME HIS NAME, WAS UPSET OVER A DRUG DEAL AND FIRED SEVERAL ROUNDS INTO AN APARTMENT COMPLEX. POLICE ARRIVED AT THE SCENE, CHASED HIM DOWN THE STREET, INTO THE BACKYARD OF A HOUSE. THEY FOUGHT WITH HIM FOR WHAT I IMAGINE THAT THE POLICE OFFICERS THOUGHT WERE FOR HOURS, COULDN'T TAKE HIM INTO CUSTODY. THEY BACKED OFF, THE CA NINE WAS USED. HE RECEIVED MANY DOG BITES. THEY FINALLY GOT ENOUGH OFFICERS THERE FINALLY WHERE THEY SWARMED HIM. AND FINALLY AFTER AN ADDITIONAL STRUGGLE HE WAS HANDCUFFED. IT WAS ONE OF THOSE STORIES IN THE USE OF FORCE REPORT PUBLISHED IN THE NEWSPAPER. I'VE LOOKED AT THAT CASE AND I BELIEVE THAT IF THEY HAD THE TASER THAT THOSE -- NONE OF THOSE OFFICERS WOULD HAVE BEEN INJURED AND I GUARANTEE THAT -- I WON'T GUARANTEE IT, BUT I WOULD SAY THAT THAT PERSON WOULD PROBABLY BE ALIVE TODAY. AND THE CONFRONTATION WOULD NOT HAVE OCCURRED. I THINK THAT'S IMPORTANT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

Mayor Wynn: FOLKS, WE APOLOGIZE FOR RUNNING SO LATE. THANK YOU FOR YOUR PATIENCE. AT THIS TIME WE WILL RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL, CALL TO ORDER THIS MEETING OF THE BOARD OF DIRECTORS OF THE AUSTIN HOUSING AND FINANCE CORPORATION. WE WILL WELCOME MR. PAUL HILL AGAINST.

THANK YOU, MR. PRESIDENT, I AM PAUL HILGERS, HERE TO BRING THREE ITEMS BEFORE THE AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS TODAY. THE AHFC ITEM NO. ONE IS TO APPROVE THE MINUTES OF THE MARCH 3rd 2005 BOARD MEETING.

Mayor Wynn: MOTION MADE BY THE VICE-PRESIDENT, I'LL SECOND. WHICH IS TO APPROVE AHFC ITEM 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 MEMBER SLUSHER AND DUNKERLY OFF THE DAIS. ITEMS TWO AND THREE ARE ITEMS THAT I COULD VERY EASILY SPEND A LOT OF TIME ON, BUT WON'T BECAUSE OF THE FACT THAT WE HAVE GONE OVER. THEY ARE TWO EXCITING ITEMS, ITEMS THAT HAVE TAKEN A LONG TIME TO PLAN FOR AND GET TO THIS POINT. NUMBER TWO IS APPROVE A RESOLUTION BY INCREASING OUR CONTRACT BY \$125,000 FOR A TOTAL AMOUNT NOT TO EXCEED \$13,699,670 TO BE USED FOR THE CITY'S COMMUNITY HOUSING DEVELOPMENT ORGANIZATION, OR CHDO, CAPACITY DEVELOPMENT PROGRAM. THIS ITEM WAS -- WAS CONNECTED TO ITEM NO. 9 THAT WAS PASSED ON THE CONSENT THIS MORNING. AND IT IS -- IT IS ACTUALLY -- I BRIEFLY WOULD TELL YOU THAT THIS IS A PLAN THAT WAS DEVELOPED WITH OUR NON-PROFIT HOUSING ORGANIZATIONS, OUR CHDO ROUND TABLE. IT INVOLVES COLLABORATION WITH THE ENTERPRISE FOUNDATION. WITH THE AUSTIN COMMUNITY DEVELOPMENT CORPORATION. IN A WAY TO PROVIDE AND WITH WASHINGTON MUTUAL WHICH IS A LENDING INSTITUTION THAT'S ACTUALLY PROVIDED RESOURCES TO PROVIDE STAFFING. TO PROVIDE OPPORTUNITIES FOR TRAINING AND TECHNICAL ASSISTANCE TO NON-PROFITS TO HELP DEVELOP THE CAPACITY OF OUR NON-PROFIT HOUSING PROVIDERS IN THE CITY. WE WILL BE WORKING WITH -- WITH THE AUSTIN COMMUNITY DEVELOPMENT CORPORATION AND A GROUP OF -- OF THE NON-PROFITS TO REVIEW PROPOSALS FOR TRAINING AND TECHNICAL ASSISTANCE, THOSE WILL COME BEFORE YOU IN THE FUTURE. BUT THIS IS PART OF THE

PLAN THAT CAME IN LAST YEAR IN OUR FIVE YEAR CONSOLIDATED PLAN AND WE HAVE GOTTEN TO THE POINT TO WHERE WE ARE READY TO BRING THIS CONTRACT AMENDMENT TO ALLOW US TO ADMINISTER THIS PROGRAM. SO IT IS AN IMPORTANT COMPONENT FOR OUR CAPACITY DEVELOPMENT OF OUR NON-PROFITS, OF WHICH WE HAVE SEVERAL THAT -- THAT DO OUTSTANDING WORK IN OUR COMMUNITY. WITH THAT WE WOULD RECOMMEND APPROVAL ON THIS.

Mayor Wynn: AGREED. QUESTIONS? BOARD? COMMENTS? I'LL ENTERTAIN A MOTION ON ITEM TWO. ITEM NO. 2 AS OUTLINED. 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 DUNKERLY OFF THE DAIS. ZOO THANK YOU, AHFC ITEM NO. 3, AN ITEM THAT WE ARE VERY EXCITED TO BRING FORWARD AND RECOMMEND IF YOUR APPROVAL. AUTHORIZE THE NEGOTIATION AND EXECUTION OF A FEDERALLY FUNDED RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM DEFERRED -- RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM, DEFERRED PAYMENT FORGIVABLE LOAN IN AN AMOUNT NOT TO EXCEED \$500,000 TO COMMUNITY PARTNERSHIP FOR THE HOMELESS FOR THE DEVELOPMENT OF A 30-UNIT HOUSING DEVELOPMENT FOR LOW INCOME FAMILIES KNOWN AS THE COTTAGE COMMUNITY AND LOCATED AT 10620 DESSAU ROAD. COMMUNITY PARTNERSHIP FOR THE HOMELESS IS A NON-PROFIT 501 C 3 ORGANIZATION, CERTIFIED BY THE CITY OF AUSTIN AS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION. THE RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM FUNDS WILL BE USED TO ASSIST IN THE DEVELOP OF THE COTTAGE COMMUNITIES AT THE SPECIFIED LOCATION IDENTIFIED JUST A SECOND AGO. 30 SINGLE FAMILY HOMES ON A 7.33-ACRE SITE AND THE DEVELOPMENT INCLUDES A COMMUNITY CENTER DESIGNED TO SERVE AS A FUTURE CHILD CARE FACILITY, PLAYGROUND AREA, SPORT COURT AND PARKING. THIS PROJECT WILL SERVE AND WILL PROVIDE THE FINANCIAL ASSISTANCE FOR THE DEVELOPMENT OF AFFORDABLE RENTAL UNITS FOR

LOW AND MOD RAM INCOME FAMILIES AND PERSONS WITH SPECIAL NEEDS. THIS WILL SERVE FAMILIES AT A VARIETY OF INCOME LEVELS. ALL WITH YEARLY INCOMES OF OR BELOW 50% OF MEDIAN FAMILY INCOME, FIVE OF THE 30 UNITS WILL BE FOR FAMILIES WITH YEARLY INCOMES, BELOW [INDISCERNIBLE] ONE WILL BE FOR A FAMILY WITH YEARLY INCOME OF BELOW 30% OF MEDIAN FAMILY INCOME. IF YOUR BACKUP YOU HAVE NOTICED THAT YOU CAN SEE THE VARIETY OF FUNDING SOURCES THAT THEY HAVE PLACED TOGETHER TO MAKE THIS A REALITY. AGAIN AS WAS DISCUSSED BY THE CITY MANAGER'S PRESENTATION, THE AFFORDABLE HOUSING BEING SUCH A CRUCIAL NEED, HOW WE LEVERAGE OUR DOLLARS, THE COMMUNITY PARTNERSHIPS FOR THE HOMELESS IS HERE, ALISON SCHMIDT IS HERE WITH SOME -- WITH THE BOARD MEMBER TOM STACY AND OTHERS WHO COULD ANSWER ANY QUESTIONS THAT YOU, SHOW YOU SOME PICTURES OF THIS IF YOU WOULD LIKE TO SEE THEM. WE ARE ANXIOUSLY AWAITING THE DEVELOPMENT OF THIS PROJECT AND WOULD RECOMMEND IT HIGHLY.

Mayor Wynn: I THINK TOM QUESTION THAT I HAVE, THE TIMING, MOST OF US HAVE BEEN LONG SUPPORTIVE AND EXCITED ABOUT THIS PROJECT.

ABSOLUTELY.

Mayor Wynn: WHAT IS THE APPROXIMATE TIME --

LET ME ASK ALISON IF SHE WOULD TAKE ADVANTAGE OF THAT QUESTION AND GIVE YOU A -- GIVE HER A CHANCE TO TALK ABOUT WHEN SHE'S GOING TO DO THE DEVELOPMENT, HOW IT'S GOING TO PROCEED.

THANK YOU.

YOU ARE ASKING ABOUT TIMING. WE LOOK TO BREAK GROUND THIS YEAR, HOPEFULLY SOMETIME AROUND THE FALL IS WHAT WE'RE LOOKING AT.

Mayor Wynn: I GUESS CONSTRUCTION DOCUMENTS ARE SORT OF UNDERWAY, ALL OF THE PLANNING IS BEING

DONE?

OH, YEAH. WE ACTUALLY HAVE SOME BOARDS SHOWING DEVELOPMENT, SITE PLAN, LAYOUT OF THE HOUSES, SO BECKER OR TOM COULD BRING THOSE UP AND SHOW YOU. IT'S BEEN A LONG TIME COMING WITH THIS ONE.

Mayor Wynn: WE REMEMBER THE SITE PLAN I THINK, SMALLER SINGLE FAMILY HOMES, SOMEWHAT CLUSTERED. SO NOW WHAT THIS LOAN APPROVAL, THEN IN THE PROJECT GOES TO AND THROUGH THE CONSTRUCTION DOCUMENT PHASE AND BUILDING PERMITS AND THEN ALL BREAK GROUND IN A MATTER OF MONTHS?

CORRECT. AFTER THIS STAGE, WE GO AND WE -- WE DO THE BID PROCESS FOR A CONTRACTOR, ONCE WE GET THAT GOING, WE HAVE GOT ALL OF THE PERMITTING AND EVERYTHING MOVING ALONG. AS A SMART HOUSING PROJECT. IT'S -- IT'S EXPEDITED SO WE ARE VERY GRATEFUL FOR THAT. BUT, YEAH, IT'S -- THIS WILL BE HAPPENING WITHIN THE NEXT SEVERAL MONTHS. ONCE THE FUNDING IS SECURE.

Mayor Wynn: THANK YOU, COUNCILMEMBER ALVAREZ?

Alvarez: IF YOU COULD JUST REMIND US AGAIN, THIS IS A VERY EXCITING PROJECT. BUT WHO THE TARGET AUDIENCE OR CLIENTELE IS?

COTTAGE COMMUNITY IS A NEW DEVELOPMENT, 30 HOUSES FOR SINGLE HEAD OF HOUSEHOLDED FAMILIES. MAKING BELOW 50% OF THE MEDIAN FAMILY INCOME. THERE ARE GOING TO BE A PLETHORA OF ONSITE SERVICES. WE HAVE COLLABORATED WITH SEVERAL DIFFERENT AGENCIES FOR AFTER-SCHOOL PROGRAMS, ENTREPRENEURSHIP PROGRAMS, FOR -- FOR CHILDREN. WE DO HOPE TO INCORPORATE A -- THERE WILL BE A COMMUNITY CENTER, BUT WE DO HOPE TO INCORPORATE A -- A CHILD CARE FACILITY AT SOME STAGE. SO AGAIN SINGLE FAMILY -- SINGLE PARENTED FAMILIES, 30 HOUSES, OUR ARCHITECT IS TOM HATCH WHO HAS DONE A LOT OF VERY BRILLIANT PROJECTS HERE AND AROUND TOWN. EACH COTTAGE WILL BE EITHER TWO, THREE OR FOUR BEDROOMS, LOCATED

AROUND A CENTRAL COURTYARD. WE -- WE BELIEVE THAT -- THAT THIS SORT OF HOUSING SHOULD BE AVAILABLE FOR THIS -- FOR THIS KIND OF FAMILY. SO -- AT AN AFFORDABLE RATE.

Alvarez: GREAT. I ASSUME IT'S COSTING A LOT MORE THAN \$500,000.

YES, IT'S A --

Alvarez: CAN WE TALK ABOUT HOW WE ARE LEARNING OUR FUNDS, I DON'T KNOW IF EITHER OF YOU ALL WILL SPEAK TO THAT.

IF IT'S OKAY I WILL LIST THROUGH SOME OF THE FUNDING SOURCES THAT YOU HAVE HERE.

SURE.

YOU ARE ABSOLUTELY CORRECT COUNCILMEMBER. WE ARE LEARNING OUR HALF A MILLION WITH A PROGRAM THAT COSTS, A DEVELOPMENT THAT COSTS 3.4 MILLION FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT A SUPPORTIVE HOUSING GROONT \$332,000, FROM THE STATE OF TEXAS 1.5 MILLION, FROM TDHCA, FEDERAL HOME LOAN BANK OF HALF A MILLION, PRIVATE FINANCING OF 513,000 AND THEN DONATIONS AND CONTRIBUTIONS FROM THE COMMUNITY OF \$89,000. SO ALL OF THOSE ARE ADDING UP TO THE \$3,400,000 THAT THIS IS GOING TO COST US.

Alvarez: WOW, THAT'S VERY IMPRESSIVE. HATS OFF TO -- TO YOU, MR. STACY AND THE BOARD, THE ORGANIZATION, COMMUNITY PARTNERSHIP FOR THE HOMELESS. THANK YOU, ALISON.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER THOMAS?

Thomas: MAYOR, I JUST FEED TO ASK, WHAT WAS THE SQUARE FOOTAGE IN THE HOUSES, I FORGOT.

ONE SECOND. A VARIETY OF SIZES FOR THE DIFFERENT

HOUSES. LET'S SEE IF I HAVE THAT IN MY BACKUP. 15 2 BEDROOMS ONE BATH MEASURING 821 SQUARE FEET. 3 BEDROOM TWO BATH, 1,045 SQUARE FEET. UP TO 1296 SQUARE FEET FOR FOUR BEDROOM.

Thomas: FOUR BEDROOM?

YES, SIR, TWO BATH.

THANK YOU.

THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT I'LL ENTAPE A MOTION ON A -- ENTERTAIN A MOTION FOR ITEM NO. 3. MOTION MADE BY BOARD MEMBER SLUSHER, SECONDED BY ALVAREZ TO APPROVE IT AS OUTLINED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THAT'S ALL OF THE BUSINESS BEFORE THE BOARD TODAY, MR. PRESIDENT, THANK YOU.

Mayor Wynn: THANK YOU. THERE BEING NO MORE BUSINESS BEFORE THE AHFC BOARD OF DIRECTORS MEETING, WE NOW STAND AJOURNALED, WE CALL BACK TO MEETING OF THE AUSTIN CITY COUNCIL AND BELATEDLY GET TO OUR 4:00 ZONING HEARINGS AND APPROVAL OF ORDERS AND RESTRICTIVE COVENANTS, WE WELCOME MS. ALICE GLASGO.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, ALICE GLASGO. OUR ZONE CASES FOR TODAY ARE AS FOLLOWS: WE WILL START OFF WITH THOSE ITEMS WHERE YOU HAVE CLOSED THE PUBLIC HEARING AND YOU SIMPLY ARE APPROVING ORDINANCES FOR THOSE CASES. ITEM NO. 48, C14-04-145 THIS IS PROPERTY THAT IS LOCATED AT 1209 KINNEY AVENUE. THE REQUEST IS TO APPROVE SECOND

AND THIRD READINGS OF ZONING THAT CHANGES THE EXISTING ZONING FROM SINGLE FAMILY 3 TO SINGLE FAMILY 3 FOR TRACT 1 AND MF 2 CO FOR TRACT 2. ITEM NO. 49, C14-04-201, THIS IS TO APPROVE SECOND AND THIRD READINGS FOR PROPERTY LOCATED AT 12503 TOMANET TRAIL, EXISTING ZONING IS INTERIM RURAL RESIDENTIAL. THE APPLICANT WAS SEEKING AVAILABLE COMMERCIAL BUT ON FIRST READING YOU APPROVED SINGLE FAMILY 1 AND THIS CASE IS READY FOR APPROVAL ON SECOND AND THIRD READINGS. ITEM NO. 50, C14-04-58, THE -- THIS IS FOR APPROVAL SECOND AND THIRD READINGS FOR THE SAYERSARHARA CLUB EXTENSION. AT 9500 EAST BRAKER LANE, THE EXISTING ZONING IS GR, THE APPLICANT IS SEEKING C.S.-1 WHICH STAND FOR COMMERCIAL LIQUOR SALES. ITEMS NUMBER 51 THROUGH 58 RELATE TO THE RAINY REZONING CASES AND I WAS GOING TO RECOMMEND THAT YOU DELAY OR DEFER ACTION ON THESE CASES UNTIL YOU HEAR THE RAINEY STREET WATERFRONT OVERLAY AMENDMENTS AT 6:00 SINCE THEY WOULD AFFECT THE OUTCROUGH THE ZONING CASES SO THAT YOU COULD HEAR ITEMS 51 THROUGH 58 AFTER YOU ACT ON THE WATERFRONT OVERLAY AMENDMENT. SO THEN THAT WOULD TAKE US -- MAYOR THEN THAT WOULD CONCLUDE THOSE ITEMS UNDER THIS SEGMENT OF THE ZONING AGENDA.

THANK YOU. I AGREE, ITEMS 51 THROUGH 58, THOSE CASES RELATED TO THE RAINEY STREET AREA WILL DELAYED UNTIL LATER THIS EVENING. WE CAN TAKE UP ITEMS 48, 49 AND 50, I BELIEVE THE RECOMMENDATION FROM STAFF WAS TO APPROVE ON SECOND AND THIRD READING READINGS, BOTH 48 AND 49. I HAVE -- I HAD HEARD TALK EARLIER OF PERHAPS A REQUEST THAT ITEM 50 ONLY BE APPROVED ON SECOND READING, BUT -- MAYOR PRO TEM?

I LOST MY AGENDA, SORRY. FOR SARAHA THERE ARE SOME ISSUES THAT HAVE COME UP, I DON'T KNOW IF THEY CAN BE DEFINED ENOUGH TO FIND ANSWERS FOR THE NEIGHBORHOOD, BUT THERE ARE TWO DIFFERENT AREAS OF -- TWO ISSUES SOME WAY THAT I THINK SHOULD BE RESOLVED, SO I WOULD ASK ONLY SECOND READING.

THANK YOU, MAYOR PRO TEM. COUNCIL, WITHOUT

OBJECTION THEN, THE CONSENT AGENDA ON THESE CASES WHERE WE HAVE ALREADY HAD THE PUBLIC HEARING WILL BE TO APPROVE ON SECOND AND THIRD READING ITEMS 48 AND 59, AND TO APPROVE ON SECOND READING ONLY ITEM 50. COUNCILMEMBER SLUSHER?

Slusher: MAYOR, I WOULD LIKE TO BE SHOWN VOTING NO AGAIN ON NUMBER 50.

Mayor Wynn: THANK YOU. I'LL ENTERTAIN A MOTION AS OUTLINED. MOTION MADE BY COUNCILMEMBER ALVAREZ. SECONDED BY COUNCILMEMBER THOMAS TO APPROVE THESE ZONING CASES AS OUTLINED. FURTHER COMMENTS?

Thomas: IF I CAN, MAYOR, ON NUMBER 50, I THINK WE NEED TO -- BECAUSE I RECEIVED SOME INFORMATION FROM THE NEIGHBORHOOD GROUP STILL CONCERNED ABOUT THE ZONING. SO I THINK THAT THE OWNERS OR THE OLYMPIC, PLICANT, WHOEVER IS REPRESENTING THE APPLICANT OR THE CLUB NEED TO TRY TO WORK A LITTLE BIT MORE CLOSELY TO WHAT THEY ARE TRYING TO GET TO. MARES AGREED, HOPEFULLY NOW THAT WE ARE ONLY APPROVING THIS ON SECOND READING, THERE SHOULD BE THAT TIME. ALTHOUGH THE AGENT MIGHT WANT TO -- DO YOU CARE TO HEAR FROM THE AGENT?

NO, NO. I DON'T -- I JUST -- THAT'S JUST A STATEMENT I NEEDED TO LET YOU KNOW BECAUSE THEY ARE STILL -- YOU HAVEN'T CAME TO THAT MEDIAN OF AGREEING ON CERTAIN THINGS, I THINK WE WILL CONTINUE TO WORK AT IT. I THINK HOPEFULLY ON THE THIRD READING YOU WILL REACH WHERE YOU NEED TO GET TO.

Mayor Wynn: THANK YOU. WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THIS CONSENT AGENDA AS OUTLINED SHOWING COUNCILMEMBER SLUSHER VOTING NO ON ITEM 50 ON SECOND READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

WITH COUNCILMEMBER SLUSHER VOTING NO ON ITEM 50. MAYOR THAT TAKES US TO OUR PUBLIC HEARING ITEMS. THEY START WITH Z-1, BRAZOS ZONING LOCATED AT 11,410 MANCHACA ROAD. EXISTING ZONING IS INTERIM RURAL RESIDENCE THE APPLICANT IS SEEKING GR ZONING, WHICH STANDS FOR COMMUNITY COMMERCIAL. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT COMMUNITY COMMERCIAL ZONING WITH A CONDITIONAL OVERLAY AND THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-2, C 14-05-15 THIS PROPERTY IS LOCATED AT 6941 WEST U.S. HIGHWAY 290. THIS IS 290 WEST. THE EXISTING ZONING IS RURAL RESIDENCE. THE APPLICANTS IS SEEKING C.S., WHICH STANDS FOR COMMERCIAL SERVICES. ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANTS THE APPLICANT'S REQUEST OF C.S. WITH A CONDITIONAL OVERLAY. THIS CASE IS READY FOR ALL THREE READINGS. Z-3 FOR PROPERTY LOCATED AT 3103 EAST HIGHWAY 71. THE EXISTING ZONING IS INTERIM SINGLE FAMILY 2, THE APPLICANT IS SEEKING GR-CO WHICH STANDS FOR COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT GR-CO. THIS CASE IS READY FOR ALL THREE READINGS. ITEM NO. Z-4, C 814-01-38.02, THIS IT PARMER WALNUT CREEK P.U.D. AMENDMENT NUMBER 2. THE APPLICANT IS REQUESTING A POSTPONEMENT TO JUNE THE 5th TO CONTINUE WORKING ON THE CASE. THIS US THE APPLICANT'S FIRST REQUEST FOR POSTPONEMENT. ITEM NO. 5 WILL BE A DISCUSSION. ITEM NO. Z-16, C14-04-150, THIS IS THE NEIGHBOR'S STOP 'N GO. LOCATED AT 6008 MANCHACA ROAD. WE JUST RECEIVED A LETTER TODAY FROM THE APPLICANT'S AGENT REQUESTING AN AMENDMENT TO THE REZONING WHERE THE APPLICANT WOULD -- IS NOW SEEKING G.O.-MU, THAT IS GENERAL OFFICE MIXED USE ZONING. THAT REQUEST WOULD REQUIRE A RENOTIFICATION OF THE CHANGE IN ZONING SO THAT SHE CAN THEN CONSIDER THE NEW REQUEST. WITH THAT REQUEST, WE WOULD THEN RECOMMEND THAT THE CASE BE POSTPONED TO MAY THE 12 IN ORDER TO ALLOW US TO RENOTIFY FOR THE NEW ZONING CHANGE REQUEST AND HAVE YOU HEAR THE CASE ON THAT DATE. IT IS MY UNDERSTANDING THAT THE -- THE -- THERE IS A NEED FOR

ONE OF THE NEIGHBORHOOD'S REPRESENTATIVES TO SPEAK TO YOU ABOUT IT. I THINK THERE WAS SIX PEOPLE SIGNED UP TO SPEAK, MAYOR, ON MY LIST OF PEOPLE SIGNED UP. BUT SINCE IT'S BEEN POSTPONED I THINK JUST ONE PERSON WANTED TO ADDRESS COUNCIL ABOUT THE REQUEST. BUT I'LL CONTINUE READING THE ITEMS. ITEMS 7 AND 8 DISCUSSION ITEM, WE WILL HEAR THOSE AFTER YOU CONCLUDE WITH THE CONSENT ITEMS. SO COUNCIL THE RECOMMENDED CONSENT AGENDA WILL BE: TO CLOSE THE PUBLIC HEARINGS AND APPROVAL CASES Z-1, Z-2 AND Z-3 ON ALL THREE READINGS, POSTPONE CASE Z-4 TO JUNE 5th, 2005.

JUNE 9th. WE DON'T HAVE A MEETING ON THE 5th.

Mayor Wynn: AGAIN POSTPONE Z-4 TO JUNE 9th, 2005. POSTPONE FOR RENOTIFICATION CASE Z-6, FOR POSTPONEMENT TO MAY 12th, 2005 AND AFTER A -- AFTER A MOTION AND A SECOND THEN WE'LL ENTERTAIN A COMMENT FROM A NEIGHBORHOOD REPRESENTATIVE.

Slusher: I WASN'T GOING TO MAKE THE MOTION, I WANTED TO STATE A FEW THINGS, SOME OF THEM MIGHT BE AMENDMENTS, MAYBE WE'LL HAVE TO WAIT FOR A MOTION. ON Z-1 I PREFER THE STAFF RECOMMENDATION TO THE Z.A.P. RECOMMENDATION. IF I PUT THAT ON THE MOTION I THINK THAT MIGHT ENTAIL A HEARING.

Slusher: THE BIG DIFFERENCE IS THE VEGETATIVE BUFFER BETWEEN THE DEVELOPMENT AND THE NEIGHBORHOOD.

Mayor Wynn: WHY ADOPT WE -- I WILL RECOGNIZE YOU AS PULLING ITEM Z-1.

Slusher: OKAY, OKAY. THEN ON Z-2, MY UNDERSTANDING IS THIS IS BEING COMBINED WITH ANOTHER TRACT AND I'M WONDERING IF -- IF THE OTHER TRACT IS SUBJECT TO THE SAVE OUR SPRINGS ORDINANCE.

Glasgo: COUNCILMEMBER, I'M NOT CERTAIN ABOUT THE ADJOINING TRACT, THAT WAS JUST A ZONING CASE ON -- NOT CERTAIN WHETHER IT WOULD BE SUBJECT TO SAVE

OUR SPRINGS ORDINANCE. WE CAN --

Slusher: IS THE APPLICANT'S REPRESENTATIVE HERE.

MIKHAIL MEADE IS HERE, SHE MAY HAVE SOME ADDITIONAL INFORMATION.

WELCOME, MS. MEADE.

[INAUDIBLE - NO MIC] REPRESENTATIVE OF THE APPLICANT.
AND COUNCILMEMBER SLUSHER YOUR QUESTION WAS
WHETHER THE ADJACENT TRACT IS --

Slusher: I UNDERSTAND THIS IS BEING COMBINED WITH AN
ADJACENT TRACT FOR DEVELOPMENT.

CORRECT.

Slusher: OKAY. YEAH, THAT WAS MY QUESTION.

IS THE ADJACENT TRACT SUBJECT TO THE SAVE OUR
SPRINGS ORDINANCE?

Slusher: BASICALLY, YOU SEE WHAT I'M DRIVING AT, IS THIS
DEVELOPMENT GOING TO BE SUBJECT OR BUILT IN
ACCORDANCE, IS THE DEVELOPMENT GOING TO BE BUILT IN
ACCORDANCE WITH THE SAVE OUR SPRINGS ORDINANCE?

COUNCILMEMBER SLUSHER, THERE'S NOT A DEVELOPMENT
PROPOSED YET. THE TWO PROPERTY OWNERS WERE
DISCUSSING COMBINING THE TWO TRACTS BECAUSE THIS
SMALL TRACT IS NOT DEVELOPABLE ON ITS OWN. IT'S
PRETTY SMALL. .35 ACRES. I'M REALLY NOT CERTAIN
WHETHER THE ADJACENT TRACT IS SUBJECT TO THAT
ORDINANCE. OUR TRACT WOULD BE, I'M NOT SUBJECT -- I'M
NOT SURE WHETHER THE ADJACENT TRACT WOULD BE. WE
CAN FIND THAT INFORMATION OUT IF THAT'S SOMETHING
YOU WANT US TO DETERMINE.

Slusher: I WOULDN'T BE ABLE TO --

THERE'S NOT A PROPOSED DEVELOPMENT AT THIS POINT.

Slusher: CAN WE PULL THAT ONE OFF UNTIL WE CAN FIND OUT?

Mayor Wynn: WE CAN.

Slusher: I'M SORRY TO KILL THE CONSENT AGENDA.

Mayor Wynn: COUNCIL THE CONSENT AGENDA CURRENTLY AS PROPOSED WOULD BE TO CLOSE THE PUBLIC HEARING ON CASE Z-3, APPROVE ON ALL THREE READINGS, TO POSTPONE CASE Z-4 TO MAY -- I'M SORRY, JUNE 9th, 2005, AND TO POSTPONE CASE Z-6 TO MAY 12th, 2005, FOR RENOTIFICATION. I'LL ENTERTAIN A MOTION.

Dunkerly: MOVE APPROVAL.

Goodman: MOTION MADE BY THE MAYOR PRO TEM. SECONDED BY COUNCILMEMBER DUNKERLY. FURTHER COMMENTS? ON THE CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. -- I'M SORRY, BEFORE WE TAKE THE VOTE THEN, LET'S DO HEAR FROM OUR -- FROM OUR NEIGHBORHOOD REPRESENTATIVE ON CASE Z-6. WE -- I APOLOGIZE FOR THOSE SIX OR SO CITIZENS WHO SIGNED UP WISHING TO SPEAK. WE ARE GOING TO POSTPONE THIS CASE FOR RENOIKS, IF YOU WANT TO ADDRESS US, YOUR WELCOME TO. POSTPONING FOR RENOTIFICATION.

MY NAME IS CHRIS COLELY, I'M WITH THE CHERRY CREEK NEIGHBORHOOD ASSOCIATION. AND I'M DIRECTLY AFFECTED BY THIS ZONING WITHIN THE 200 FEET. I JUST WANT TO MAKE IT KNOWN OUR OBJECTION FOR THE DELAY OBVIOUSLY THIS WAS A PLOY OF -- WE HAVE GOTTEN THREE DIFFERENT REVISIONS IN THE LAST WEEK. YOU KNOW, THEY ARE -- THEY ARE OBVIOUSLY UP TO SOMETHING. WE ARE NOT SURE OF THIS POSTPONEMENT, THIS IS SOMETHING I THINK THE CITY STAFF HAS TOLD US THAT THEY NEED TO ANALYZE THIS. A LITTLE BIT BETTER. ANY CONVENIENCE STORE ZONING FOR THIS PROPERTY WE ARE GOING TO OPPOSE AND WE HAVE MET WITH THE COUNCIL AND WE WILL CONTINUE TO WORK WITH THEM TO TRY TO CREATE A SITUATION WHERE WE CAN BALANCE OUT WHAT'S GOOD FOR THE NEIGHBORHOOD, THE RESIDENTS AND FOR THE

OWNER OF THIS PROPERTY. SO WE LOOK FORWARD TO WORKING WITH HER AND WORKING WITH Y'ALL, BUT WE HOPE THAT WE CAN GET THIS DONE EXTINGUISH SHOWSLY AND NOT CONTINUE TO -- EXPEDITIOUSLY AND NOT CONTINUE TO COME UP WITH POSTPONEMENTS FOR THIS MATTER.

Mayor Wynn: UNDERSTAND WE HAVE A POLICY, WE RESPECT THAT, WE HAVE A POLICY OF ALWAYS ESSENTIALLY ALWAYS RESPECTING A FIRST-TIME POSTPONEMENT REQUEST AND IN THIS CASE PARTICULARLY IF IT'S A RENOIFBS AND A TECH -- RENOTIFICATION AND A TECHNICAL CHANGE IN ZONING. WE APOLOGIZE FOR THE INCONVENIENCE FOR FOLKS COMING DOWN, BUT WE UNDERSTAND Y'ALL'S OPPOSITION, WE WILL TAKE UP THE CASE AS SOON AS PRACTICAL. THANK YOU. SO WE HAVE A MOTION AND A SECOND ON THE TABLE 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 -- THE CONSENT AGENDA PASSES ON A VOTE OF 7-0.

Mayor Wynn: MS. GLASGO, WE HAVE 15 OR 20 MINUTES OR SO BEFORE THE 5:30 MUSIC BREAK. DO YOU HAVE A RECOMMENDATION AS TO WHICH CASE?

Glasgo: YES, WE CAN START OFF WITH ITEM Z-1, COUNCILMEMBER SLUSHER'S RESPOND TO HIS QUESTIONS, I WILL PRESENT THE STAFF RECOMMENDATION. BEFORE WE DO THAT ON ITEM NO. Z-2, COUNCILMEMBER SLUSHER, IF IT'S AGREEABLE TO YOU, MAYBE WE COULD CONSIDER FIRST READING ON THIS ONE BECAUSE WE NEED TO DO RESEARCH ON THE ADJOINING TRACT ON THE WATERSHED REQUIREMENTS. YOU COULD EITHER POSTPONE THE ENTIRE CASE TO NEXT WEEK OR DO FIRST READING TONIGHT AND THEN WE WILL COME BACK FOR SECOND AND THIRD READING WITH YOUR ANSWER ON THE WATERSHED REQUIREMENTS FOR THE ADJOINING PROPERTY.

Slusher: I WOULD RATHER POSTPONE IT FOR A WEEK THAN

MOVE FORWARD ON IT.

COUNCILMEMBER I WAS GOING TO SAY EITHER WAY IS FINE WITH US.

Slusher: THANK YOU.

MOTION MADE BY COUNCILMEMBER SLUSHER TO POSTPONE CASE Z-2 FOR ONE WEEK TO APRIL 14th APRIL 14th, 2005. I'LL SECOND. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION TO POSTPONE PASSES ON A VOTE OF 5 - -- 6-0 WITH COUNCILMEMBER MCCracken TEMPORARILY OFF THE DAIS. GLASS NOW ITEM NO. Z-1 IS C 14-05-9 LOCATED AT 11410 MANCHACA ROAD. THE EXISTING ZONING IS INTERIM RURAL RESIDENTIAL. THE APPLICANT IS REQUESTING GR ZONING. THE STAFF RECOMMENDATION ON THIS PARTICULAR TRACT, HOPEFULLY THEY CAN PULL THE MAP UP, I KNOW THEY ARE WORKING ON THAT, IS STAFF RECOMMENDS LR-CO ZONING WHICH STAND FOR NEIGHBORHOOD COMMERCIAL. STAFF FELT LIKE THE LR ZONING IS MORE CONSISTENT, MORE COMPATIBLE WITH THE DEVELOPMENT IN THE AREA. RECENTLY TO THE NORTH, WE RECOMMENDED SIMILAR ZONING FOR THE PROPERTIES THAT ARE ON MANCHACA ROAD AT THE RSECTION OF RAVEN'S CROFT ROAD AND/OR DRIVE AND IN THAT PARTICULAR CASE WE RECOMMENDED L.O. TO THE REAR TO PROVIDE TRANSITION IN ZONING AND THEN RECOMMENDED LR-CO FOR THE TWO TRACTS THAT ARE CLOSER TO THAT INTERSECTION. THE STAFF RECOMMENDATION ALSO HAS TWO OTHER CONDITIONS. ONE THAT WE ARE REQUIRING A 25-FOOT WIDE VEGETATIVE BUFFER ALONG THE WEST PROPERTY LINE WHERE THE TRACT ABUTS SINGLE FAMILY DEVELOPMENT OR ZONING. THEN ALSO REQUIRED THAT DEVELOPMENT BE LIMITED TO 2,000 VEHICLE TRIPS PER DAY. THE PLANNING COMMISSION OR RATHER THE ZONING AND PLATTING COMMISSION ON THE OTHER HAND RECOMMENDED THE APPLICANT'S REQUEST OF COMMUNITY COMMERCIAL ZONING WITH A CONDITIONAL OVERLAY THAT LIMITS THE USES AS FOLLOWS: THE ONLY PERMITTED GR

USES OF BUSINESS SUPPORT SERVICES, GENERAL RETAIL SALES GENERAL, PERSONAL IMPROVEMENT SERVICES AND RESTAURANT GENERAL. THE COMMISSION ALSO ALLOWS FOR ALL L.R. USES. THEY ALSO, LIKE STAFF, PROHIBITED DRIVE-IN SERVICES AS AN ACCESSORY USE TO A COMMERCIAL USE AND ALSO LIMITED THE VEHICULAR TRIP TO 2,000 TRIPS PER DAY. SO THOSE ARE THE DIFFERENCES IN THE STAFF RECOMMENDATION. I THINK COUNCILMEMBER SLUSHER PROBABLY REMEMBERS THE DISCUSSIONS OF THOSE TWO OTHER TRACTS. WHERE YOU -- WHERE YOU RECOMMENDED L.R. ZONING. THAT CONCLUDES MY PRESENTATION. I'M NOT SURE THE AGENT IS HERE.

Mayor Wynn: WE HAVE NO CITIZENS SIGNED UP ON Z-I'M NOT SURE ABOUT THE AGENT OR OWNER. Z-1.

I'M TOLD SINCE THE AGENT ISN'T HERE, SARAH CROCKER WAS THE AGENT, SHE'S OUT OF TOWN, SHE HAD HOPED IT WOULD GO BY CONSENT. SINCE IT'S BEEN PULLED THERE IS A NEW AGENT WHO IS TAKING ON THE CASE, HE WOULD PREFER A POSTPONEMENT INSTEAD. SO HE CAN BETTER PREPARE FOR THE CASE. ONE WEEK.

Slusher: ARE WE LOOKING OKAY NEXT WEEK ON THE NUMBER OF ZONING CASES?

WE CAN TRY IT AND SEE THAT.

Slusher: I WOULD HATE TO GET THEM DOWN HERE AND POSTPONE THEM AGAIN.

Mayor Wynn: DEPENDS ON HOW YOU TREAT THE CONSENT AGENDA NEXT WEEK.

Slusher: I HAVEN'T SEEN IT YET.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER SLUSHER TO POSTPONE CASE Z-1 TO APRIL 14th, 2005, SECONDED BY COUNCILMEMBER THOMAS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Glasgo: MAYOR, I DON'T HAVE YOU HAVE ENOUGH TIME FOR US TO DELVE INTO THE OTHER CASES, WE HAVE SEVERAL SPEAKERS FOR THE REMAINING CASES. SO ...

Mayor Wynn: AGREED. FOLKS I'LL TELL YOU, WE HAVE A NUMBER OF FOLKS SIGNED UP ON AT LEAST ON THE PUBLIC HEARING, THE TWO ZONING CASES Z-7 AND Z-8. SEVERAL DOZEN FOLKS HAVE SIGNED UP TO SPEAK, THAT'S YOU KNOW QUITE A BIT OF TIME. BY THE TIME WE TAKE TESTIMONY AT THREE MINUTES AT A TIME, REGARDLESS WE WOULD BREAK AT 5:30 FOR LIVE MUSIC, A SERIES OF PROCLAMATIONS, PICK UP AGAIN USUALLY APPROXIMATELY AT 6:00. WITHOUT OBJECTION, MY RECOMMENDATION WOULD BE TO GO AHEAD AND RECESS THE MEETING NOW. IF THE MUSICIAN, IF WILL JANSON IS READY, WE CAN TAKE UP THE MUSIC EARLY, GO THROUGH THE PROCLAMATIONS IN QUICK ORDER, TAKE UP THESE PUBLIC HEARINGS SHORTLY THEREAFTER. WE ARE NOW IN SHORT RECESS FOR LIVE MUSIC AND PROCLAMATIONS, HANG AROUND FOR MUSIC FROM MR. WILL JANSON. THANK YOU. [(music) SINGING (music)(music)] SO, FOLKS, SINCE WE NORMALLY WAIT UNTIL 5:30, WE ARE A LITTLE BIT EARLY, I DON'T HAVE MY CHEAT SHEET, MY INTRODUCTION OF WILL JANSON, IF YOU WILL, PLEASE RECOGNIZE THIS IS OUR WEEKLY LIVE MUSIC GIG AT THE AUSTIN CITY COUNCIL. WE TAKE OURSELF PROCLAIMED LIVE MUSIC CAPITOL OF THE WORLD STATUS SERIOUSLY, HAVE LIVE MUSIC EVERY WEEK AT THE AUSTIN CITY COUNCIL MEETING. PLEASE JOIN ME IN WELCOMING MR. WILL JANSON.

THANK YOU VERY MUCH. I WROTE THIS SONG TWO DAYS AGO. I HOPE YOU ENJOY IT. [(music) MUSIC PLAYING (music)(music)] [(music) SINGING (music)(music)] I FLEW AROUND IN MY CLEAR. [(music) SINGING (music)(music)] [(music) SINGING (music)(music)] [(music) SINGING (music)(music)] I WANTED TIED DOWN, NO WIFE AND NO KIDS - - EXCUSE ME -- WITH MY GUITAR AND A SHOTGUN WE WERE - - I TELL YOU WHAT, I WROTE THIS TWO DAYS AGO, WE ARE GOING TO TRY IT AGAIN. (music) WE WERE RIDING AROUND IN MY EXPLORER, MY GIRLFRIEND RIDING SHOTGUN, WE WERE

HEADED DOWN TO THAT MEXICAN BORDER. THE MEXICAN BORDER. WASN'T TIED DOWN, NO WIFE AND NO KIDS, THE COLLEGE BARS AND PARTIES AND GIRLS ARE ALL THE THINGS I DID. HELL THE THINGS I DID. I WAS [INDISCERNIBLE] [(music) SINGING (music)(music)] [(music) SINGING (music)(music)] [(music) SINGING (music)(music)] [(music) SINGING (music)(music)] [(music) SINGING (music)(music)] LEARN YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: WILL, TELL US, BY THE WAY WE LIKE WORKS IN PROGRESS AROUND HERE. WHERE CAN WE HEAR YOU NEXT? WE HAVE A WEBSITE, CD, WHAT'S YOUR DEAL?

THE WEBSITE IS CURRENTLY UNDER CONSTRUCTION, IT SHOULD BE UP IN THE NEXT WEEK. I PLAY AROUND, I HAVE BEEN PLAYING ACOUSTIC SETS IN SAN MARCOS AT JACK'S ROAD HOUSE, I WILL BE THERE TONIGHT. I HAVE BEEN PLAYING IN ROUND ROCK AT THE HOLE IN THE WALL.

HOLD THAT DOWN THERE.

EXCUSE ME.

THIS IS NOT MY NORMAL TYPE OF CROWD YOU HAVE TO -- [LAUGHTER] ALTHOUGH I HAVE ENJOYED IT, THANK YOU. BUT THE WEBSITE WILL BE UP IN ABOUT A WEEK, IT WILL BE www.willJANSON.com.

Mayor Wynn: BEFORE YOU GET AWAY, WE HAVE A PROCLAMATION THAT READS BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY, WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AT THE LIVE MUSIC CAPITAL POLICY OF THE WORLD, THEREFORE I WILL WYNN MAYOR OF THE CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM TODAY APRIL 7th, 2005 AS WILL JANSON DAY IN AUSTIN, CALL ON ALL CITIZENS TO JOIN ME IN THANKING AND CONGRATULATING THIS GREAT TALENT. [APPLAUSE]

THANK YOU. IT DOESN'T DOUBLE AT A GET OF JAIL FREE CARD OR ANYTHING. BEHAVE YOURSELF THE REST OF THE

DAY.

THANK YOU MR. MAYOR. [ONE MOMENT PLEASE FOR
CHANGE IN CAPTIONERS]

Mayor Wynn: REGARDING THIS BEING THE LIBRARY
ASSOCIATION AN WALL CONFERENCE -- ANNUAL
CONFERENCE WEEK AND IT ALSO FALLS AS PART OF
NATIONAL LIBRARY WEEK. WE AT AUSTIN ARE PROUD TO
BRING THIS CONFERENCE BACK TO OUR CITY, WHICH
WASN'T BEEN HERE FOR 40-SOME-ODD YEARS. IT'S A GIANT
CONFERENCE HELD AT THE NEW CONVENTION CENTER AND
THE NEW HILTON CONVENTION CENTER HOTEL DOWNTOWN
AND LOTS OF FOLKS ARE HAVING LOTS OF FUN WITH IT. THE
PROCLAMATION READS: BE IT KNOWN THAT WHEREAS,
AUSTIN IS PLEASED TO HOST THE TEXAS LIBRARY
ASSOCIATION CONFERENCE, THE ANNUAL GATHERING OF
THE LARGEST STATE LIBRARY ASSOCIATION AFTER A 39-
YEAR HIGH HIATUS AND WHEREAS WE EXTEND A WARM
WELCOME TO THE 7,000 STEAND TEES WHO ARE --
ATTENDEES WHO ARE IN AUSTIN TO LEARN, NETWORK,
ATTEND THEIR FIRST EVER RALLY AT THE STATE CAPITOL
AND TO BROWSE THE BOOTHS AT THE WORLD'S THIRD
LARGEST LIBRARY TRADE SHOW. WHEREAS WE ENCOURAGE
ALL PARTICIPANTS TO TAKE FULL ADVANTAGE OF THE
CONFERENCE PROGRAM WITH THE THEME NEW REALITIES
AND NEW DIRECTIONS AND TO ENJOY CELEBRITY
SPEAKERS. NOW THEREFORE I, WILL WYNN, MAYOR OF THE
GREAT CITY OF AUSTIN, TEXAS DO HERE BY PROCLAIM
APRIL 5TH THROUGH EIGHTH 2005 AS THE LIBRARY
ASSOCIATION CONFERENCE WEEK IN AUSTIN. AND I GUESS
I'M GOING TO ASK EITHER GRECH ENOR DAY -- GRETCHEN
OR DANA TO COME UP AND THEY CAN TELL US HOW THEY'RE
ENJOYING THEIR STAY IN AUSTIN. PLEASE HELP ME IN
WELCOMING OUR GUESTS.

THANK YOU. I'M DANA ROOKS, AND THIS IS GRETCHEN
HOFFMAN. WE ARE DELIGHTED TO ACCEPT THIS
WONDERFUL PROCLAMATION ON BEHALF OF THE LIBRARY
ASSOCIATION. THE MEMBERS OF THE ASSOCIATION ARE
AGAIN DELIGHTED TO BE HERE IN AUSTIN THIS WEEK. IT IS
OUR FIRST TIME BACK IN 39 YEARS. AND THANKS TO THE
NEW HILTON HOTEL AND THE EXPANSION OF THE CON

CONVENTION CENTER. WE ONCE AGAIN FIT. THE TEXAS LIBRARY TLA CONFERENCE IS EXPECTED TO BRING A MINIMUM OF \$9.7 MILLION OF NEW MONEY INTO THE AUSTIN ECONOMY THIS WEEK. WE'RE HERE TO REPORT TO YOU THAT LIBRARY USAGE IS UP HIGHER THAN EVER BEFORE. WE'RE NOT GOING AWAY, WE'RE ONLY GETTING BIGGER. TREMENDOUS CITIZEN DEMAND FOR LIBRARY SERVICES, INCLUDING ELECTRONIC DATABASES, USE AT RISK PROGRAMS -- YOUTH AT RISK PROGRAMS, SCHOOL SUPPORT PROGRAMS AND MOST IMPORTANTLY READING. THE AUSTIN PUBLIC LIBRARY IS A NATIONALLY RECOGNIZED LIBRARY AND CONTINUES TO BE HONORED FOR THEIR PROGRAMS AND SERVICES. TLA JUST AWARDED THE AUSTIN PUBLIC LIBRARY ITS LITERACY AWARD FOR THE WONDERFUL SECOND CHANCE BOOKS BRINGING LITERATURE TO INCARCERATED KIDS PROGRAM. THIS AUSTIN PUBLIC LIBRARY LITERACY PROGRAM BRINGS YOUTHS WHO ARE INCARCERATED AT THE GARDNER-BETTS JUVENILE CENTER AN OPPORTUNITY TO LEARN, EXPAND THEIR HORIZONS AND SEE THE WORLD DIFFERENTLY THROUGH BOOKS. WE'RE EXCITED ABOUT THE POSSIBILITY OF A NEW CENTRAL LIBRARY IN AUSTIN AND WE APPLAUD YOUR LEADERSHIP IN PLANNING FOR THE EDUCATIONAL AND ECONOMIC FUTURE OF AUSTIN. THANK YOU. [APPLAUSE]

Mayor Wynn: AND WE'LL WELCOME MS. BRENDA BRANCH, DIRECTOR OF OUR LIBRARY DEPARTMENT, FOR THIS NATIONAL LIBRARY WEEK PROCLAMATION, WHICH READS: NATIONAL LIBRARY WEEK IS WITH THE THEME SOMETHING FOR EVERYONE AT THE LIBRARY, PROVIDES AN OPPORTUNITY TO CELEBRATE ALL THE TERRIFIC RESOURCES LIBRARIES OFFER OUR COMMUNITY AS WELL AS WHAT THE LIBRARIANS BRING THEM IN THEIR DAILY WORK. WHEREAS APL IN TURN WILL CELEBRATE CITIZENS DURING THE WEEK WITH CUSTOMER APPRECIATION EVENTS AT EACH PUBLIC LIBRARY AND ALSO WILL LAUNCH THE FOURTH MAYOR'S BOOK CLUB CAMPAIGN ENCOURAGING ALL AUSTINITES TO READ THE SAME BOOK AND WHEREAS AUSTINITES WHO WANT TO SHOW SUPPORT FOR LIBRARIES ARE ENCOURAGED TO CONTRIBUTE THIS WEEK TO LIBRARY'S COLLECTIONS BY BUYING A BOOK, CD OR DVD ON

THE LIBRARY'S WISH LIST. I HERE BY PROCLAIM APRIL 5TH THROUGH 8TH 2005 AS NATIONAL LIBRARY WEEK AND ASK BRENDA BRANCH TO SAY A FEW WORDS ABOUT WHAT THIS MEANS FOR ALL OF US. BRENDA?

THANK YOU, MAYOR WYNN. IT'S AN HONOR FOR ME TO ACCEPT THIS PROCLAMATION. EVERY YEAR IN APRIL THE NATION CELEBRATES LIBRARIES AND THE WONDERFUL AND IMPORTANT SERVICES AND PROGRAMS THAT LIBRARIES OFFER THEIR COMMUNITIES. THIS YEAR THE AUSTIN PUBLIC LIBRARY WILL COMMEMORATE NATIONAL LIBRARY WEEK BY HONORING OUR CUSTOMERS. FROM SUNDAY APRIL 10th THROUGH SATURDAY APRIL 16TH DURING THE WEEK, EVERY LIBRARY LOCATION WILL OFFER VISITORS FREE KEEP AUSTIN READING REFRIGERATOR MAGAZINE MAGNETS WITH OUR WEBSITE AND PHONE NUMBER ON IT AND FREE VINYL BUMPER STICKERS, KEEP AUSTIN READING. THERE ARE THREE SPECIAL EVENTS GOING ON NEXT WEEK. ON TUESDAY APRIL 12TH AT 1:30 P.M. AT THE CARVER BRANCH LIBRARY, MAYOR WYNN WILL ANNOUNCE THIS YEAR'S TITLE FOR THE MAYOR'S BOOK CLUB, OUR CITYWIDE READING CAMPAIGN. THE LIBRARY WILL ALSO CELEBRATE THE 400TH ANNIVERSARY OF THE NOVEL DON QUIXOTE BY HOSTING AN EXHIBIT AT THE CARVER BRANCH AND THE RUIZ BRANCH. ADDITIONALLY THE LIBRARY WILL PARTNER WITH THE AUSTIN POLICE DEPARTMENT TO OFFER BOOKS AND BADGES, STORY TIMES FOR FAMILIES. ON WEDNESDAY, APRIL 13TH AND SATURDAY APRIL 16TH AT SELECTED POLICE SUBSTATIONS. CHECK THE AUSTIN PUBLIC LIBRARY WEBSITE OR CALL THE LIBRARY FOR MORE DETAILS ABOUT A FUN-FILLED NATIONAL LIBRARY WEEK. THANK YOU. [APPLAUSE]

Mayor Wynn: I'M JOINED BY OUR DIRECTOR OF OUR PUBLIC HEALTH DEPARTMENT, DAVID LURIE, BECAUSE WE'RE ALSO GOING TO BE TALKING ABOUT PUBLIC HEALTH WEEK. AND THESE PROCLAMATIONS TEND TO REMIND US JUST THE BREATH OF THE DIFFERENT SERVICES THAT WE PROVIDE HERE LOCALLY, WHETHER IT'S LIBRARIES, IN THIS CASE PUBLIC HEALTH, AND EARLIER WE HEARD PRESENTATIONS FROM OUR POLICE DEPARTMENT AND MANY OTHERS. THIS PROCLAMATION IS REGARDING APRIL 4TH THROUGH 10th AS PUBLIC HEALTH WEEK AND JOINED BY HALF THE

DEPARTMENT, IT LOOKS LIKE. THE PROCLAMATION READS:
BE IT KNOWN WHEREAS OVER THE PAST 52 YEARS THE U.S.
HAS ACHIEVED SIGNIFICANT INCREASES IN LIFE
EXPECTANCY AND REDUCTIONS AND INCIDENTS OF
DISABILITY AND DISEASE WHICH ARE LARGELY CREDITED TO
THE PUBLIC HEALTH APPROACH. AND WHEREAS PUBLIC
HEALTH PROFESSIONALS HELP IMPLEMENT PROGRAMS
VITAL TO HEALTHY COMMUNITIES SUCH AS PREPAREDNESS
FOR DISASTERS, IMMUNIZING AGAINST INFECTIOUS
DISEASE, PREVENTING HEART DISEASE AND STROKE AND
REDUCING THE EXPOSURE TO THE HARM OF THE EFFECTS
OF TOBACCO SMOKE AND WHEREAS WE ACKNOWLEDGE
THE EFFORTS OF AUSTIN'S PUBLIC HEALTH PROFESSIONALS
TO PROTECT AND PROMOTE THE HEALTH OF OUR CITIZENS,
ESPECIALLY DURING THIS WEEK AS THEY FOCUS ON
CREATING THE CAPACITY FOR EACH AUSTINITE TO TAKE
PREVENTIVE ACTION FOR ADOPTING A HEALTHIER LIFE-
STYLE. NOW THEREFORE I, WILL WYNN, MAYOR OF AUSTAN,
PROCLAIM APRIL 10th THROUGH 16 AS PUBLIC HEALTH WEEK
AND ASK YOU TO HELP ME IN CONGRATULATING A
WONDERFUL STAFF AND ASK THE DIRECTOR TO TALK ABOUT
THE MANY PROGRAMS THAT NOT ONLY WILL BE OCCURRING
THIS WEEK BECAUSE OF THE SPECIAL PUBLIC HEALTH
WEEK, BUT REALLY THE ONGOING PROGRAM OF WORK THAT
WE HAVE HERE IN THE GREAT PUBLIC HEALTH DEPARTMENT.
PLEASE HELP ME IN THANKING A GREAT STAFF. [APPLAUSE]

THANK YOU, MAYOR WYNN, WE APPRECIATE THIS
RECOGNITION OF PUBLIC HEALTH WEEK. IN RECOGNITION
OF THE WORK OF OUR STAFF WITHIN THE HEALTH AND
HUMAN SERVICES DEPARTMENT AND OUR MANY PARTNERS
WITHIN THE COMMUNITY THAT ALSO ARE FOCUSING ON
PUBLIC HEALTH ISSUES. THE ROLE OF PUBLIC HEALTH IS TO
PROMOTE PUBLIC WELLNESS COMMUNITY-WIDE AND TO
PREVENT THE COMMUNITY FROM INFECTIOUS DISEASES
AND ENVIRONMENTAL HAZARDS. WE'RE ALSO LOOKING TO
DISCOURAGE TOBACCO USE, PHYSICAL INACTIVITY, POOR
NUTRITION AND DIET AND IN PARTICULAR FOCUSING ON
CHRONIC DISEASES, HEART DISEASE, CANCER, DIABETES,
ASTHMA, MANY OF WHICH CAN BE PREVENTED, POSTPONED
OR CONTROLLED. AND I ALSO WANT TO INVITE FOLKS,
THERE ARE A NUMBER OF EVENTS DURING PUBLIC HEALTH

WEEK, BUT ONE IN PARTICULAR IS FOCUS ON HEALTH DISPARITIES RELATED TO THE AFRICAN-AMERICAN COMMUNITY, AND WE HAVE A CONFERENCE SCHEDULED ON APRIL 14TH AT HUSTON-TILLOTSON UNIVERSITY FROM 7:30 TO 5:00 P.M. AND THERE WE WILL BE FOCUSING ON SHARING DATA RELATED TO THE HEALTH STATUS OF THE AFRICAN-AMERICAN POPULATION, TALKING ABOUT STRATEGIES AND INTERVENTIONS TO REDUCE DISPARITIES ASSOCIATED WITH THE AFRICAN-AMERICAN POPULATION AND MOBILIZING COMMUNITY LEADERS TO ASSIST US IN THOSE EFFORTS. AND IF YOU WOULD LIKE INFORMATION REGARDING THAT CONFERENCE, PLEASE CONTACT MARTIN HARRIS AT 972-5655. THIS CONFERENCE IS CO-SPONSORED BY OUR DEPARTMENT, THE AUSTIN BRANCH OF THE NAACP, HUSTON-TILLOTSON UNIVERSITY, THE AMERICAN HEART ASSOCIATION AND THE AMERICAN CANCER ASSOCIATION. I'M JUST VERY QUICKLY GOING TO ASK SHANNON JONES TO JUST STEP FORWARD, OUR ASSISTANT DIRECTOR FOR PUBLIC HEALTH AND ACKNOWLEDGE THE STAFF WHO WE HAVE HERE WITH US TODAY. SHANNON?

THANKS, DAVID, MAYOR, COUNCIL AND CITY MANAGER. WE HAVE WITH US REPRESENTING EACH OF OUR UNITS WITHIN OUR PUBLIC HEALTH PROGRAM, WE HAVE PATSY BEN VEEDZ WHO IS -- WE HAVE SUE GRUN STROM WITH THE ENVIRONMENTAL CONSUMER HEALTH AND ALSO WITH ENVIRONMENTAL CONSUMER HEALTH. WE HAVE RAQUEL WITH OUR OFFICE OF VITAL RECORDS AND OUR MEDICAL DIRECTOR AND HEALTH AUTHORITY, DR. VALDEZ. THANKS AGAIN. [APPLAUSE]

AND MAYOR WYNN, I WOULD JUST LIKE TO THANK YOU FOR YOUR LEADERSHIP IN TERMS OF HEALTH PROMOTION AND FITNESS AND THE WORK OF YOUR FITNESS COUNCIL. WE APPRECIATE IT. WE ARE ENJOYING WORKING IN PARTNERSHIP WITH YOUR COUNCIL. THANK YOU.

Mayor Wynn: THANK YOU. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: WE'RE JOINED BY BOARD MEMBERS OF THE AUSTIN AREA INTRA RELIGIOUS MINISTRIES SPECIFICALLY TO WELCOME A NEW DIRECTOR, EMILY WHITEHURST. THEY

HAVE HELPED US ON SO MANY FRONTS. THEY HELPED US WHEN WE OPENED THIS COUNCIL CHAMBERS WITH A BEAUTIFUL MULTIRELIGIOUS BLESSING OF THIS CHAMBERS, BUT MORE IMPORTANTLY THEY HELP US THROUGHOUT THE COMMUNITY AS OUR FAITH COMMUNITY DOES SO MUCH WORK FOR US AS A LARGER COMMUNITY. SO WE'RE HERE TO WELCOME EMILY. I WOULD LIKE TO READ A PROCLAMATION AND THEN ASK PASTOR TIM TUT SERVING AS PRESIDENT OF THE BOARD TO INTRODUCE THE BOARD MEMBERS AND ULTIMATELY INTRODUCE ESPECIALLY MY. THE -- EMILY. THE PROCLAMATION READS, BE IT KNOWN WHEREAS THE AUSTIN INTERRELIGIOUS MINISTRIES IS AN ORGANIZATION PROMOTING INTERFAITH DIALOGUE AND COMMUNITY SERVICE AND WHEREAS IN APRIL, AIM IS HOLDING ITS ANNUAL HANDS ON HOUSING BLUEBONNET BLITZ IN WHICH MEMBER CON DPREGATIONS WILL REHAB 20 HOUSES IN EAST AUSTIN NEIGHBORHOODS AND THEY ARE CO-HOSTING AN INTERDISCIPLINARY INTERRELIGIOUS SYMPOSIUM ON THE CONTEMPORARY MORAL VALUES DEBATE IN AMERICA AND WE ARE PLEASED TO WELCOME THE NEW DIRECTOR OF AIM, EMILY WHITEHURST WHO IS GROUPS PREPARE HER WELL FOR CONTINUING AND EXPANDING ON THESE FINE PROGRAMS SO BENEFICIAL TO OUR CITY. NOW THEREFORE I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM APRIL 2005 AS THE EMILY WHITEHURST AND AIM MONTH IN AUSTIN. AND I WOULD LIKE TO ASK TIM TO INTRODUCE THE BOARD MEMBERS AND EMILY TO ALL OF US. [APPLAUSE]

THANK YOU, MR. MAYOR, FOR THE GOOD WORK THAT YOU DO AND FOR YOUR SUPPORT OF AUSTIN AREA INTERRELIGIOUS MINISTRIES. LET ME INTRODUCE VERY QUICKLY OUR BOARD MEMBERS THAT ARE HERE THIS EVENING. A FEW OF OUR 17 BOARD MEMBERS. FATHER LARRY STALLING WITH THE CATHOLIC DIE ASSESS OF AUSTIN. WE HAVE HOST OF A RELIGIOUS TALK SHOW ON THETHERADIO, THE SILK -- SOUL TALK. JOYCE BECK, WHO IS CO-FOUNDER OF THE CROSSING RETREAT CENTER. REVEREND BILL YOUNG OF THE METROPOLITAN COMMUNITY CHURCH OF AUSTIN. AND THEN THE REVEREND KATHY NORMAN FROM THE CHURCH OF SCIENTOLOGY. ALSO ONE OF OUR STAFF MEMBERS IS HERE, LOU DESIGN WHO STAFFS

OUR ASL PROGRAM. BEFORE I INTRODUCE REVEREND WHITEHURST, I WOULD ALSO LIKE TO RECOGNIZE HER MOTHER WHO IS HERE. MY MOMMA ALWAYS TOLD ME POINT OUT YOUR MOMMA IF SHE'S IN THE AUDIENCE. WELCOME TO YOU. SO MR. MAYOR, CITY MANAGER FUTRELL AND COUNCILMEMBERS, IT IS MY PRIVILEGE TO INTRODUCE TO YOU THE NEW EXECUTIVE DIRECTOR OF AUSTIN AREA INTERLEJS MINISTRIES, THE REVEREND EMILY WHITEHURST.

WELL, FELLOW AUSTINITES, IT IS GOOD TO BE HOME. I GREW UP IN THIS TOWN AND HAVE TRAVELED AND LIVED IN CALIFORNIA AND THE EAST COAST, AND MY MOST RECENT STINT WAS IN LAWRENCE, KANSAS. IT IS TRULY AN HONOR TO RETURN TO AUSTIN AND SERVE THIS CITY IN THIS CAPACITY. THIS BOARD AND OUR MEMBERS AND THE MEMBER CONGREGATIONS HAD THE WILD IDEA THAT WE OUGHT TO BE ABLE TO SIT AT THE TABLE TOGETHER WITHOUT COMPROMISING OUR BELIEFS, EVEN THOUGH WE MAY DISAGREE THAT WE CAN STILL COME TOGETHER TO TAKE STOCK OF THIS CITY AND FIND THE AREAS IN WHICH WE CAN WORK TOGETHER FOR THE GOOD OF THE ENTIRE COMMUNITY. IN THIS DAY AND AGE WHEN THERE SEEMS TO BE SO MANY THINGS IN OUR CULTURE TRYING TO PULL US APART, WE ARE TRYING TO SAY NO, THERE IS MORE THAT COMES THAT PULLS US TOGETHER. AND THAT DOES NOT REQUIRE US TO LEAVE BEHIND THE THINGS WE HOLD MOST DEAR, BUT WE CAN COME TOGETHER AND NOT SACRIFICING AND WATERING DOWN OUR MOST INTIMATE AND PASSIONATE BELIEFS AND WE CAN DO SO FOR THE BENEFIT OF THIS CITY. IN FACT, WE'VE EVEN CONSIDERED CHANGING THE NAME FROM THE AUSTIN AREA INTERRELIGIOUS MINISTRIES TO THE AUSTIN AREA INTERRELIGIOUS MOVEMENT. THE FIRST TIME THE BOARD'S HEARD THIS. BUT IT GIVES YOU A SENSE THAT WE'RE UP TO BIG THINGS IN THIS CITY AND WE ARE EXCITED AND PROUD TO BE SERVING THE CITY IN THIS WAY. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: OUR NEXT PROCLAMATION IS WILDFIRE AWARENESS WEEK. AND CHIEF JIM EVANS WILL TELL US ABOUT THEIR INVOLVEMENT AND HOW WE ALL CAN BE BETTER PREPARED. THE PROCLAMATION READS: BE IT KNOWN WHEREAS AUSTIN'S DIVERSE ECOLOGICAL

ENVIRONMENTS ALLOW RESIDENTS TO ENJOY FANTASTIC VIEWS OF THE LAKES AND HILLS FROM THEIR HOMES AND BUSINESSES BUT THE PROXIMITY TO TREES AND BRUSH ALSO POSE A SEVERE WILDFIRE RISK AND WHEREAS THE WET WINTER AND RECENT RAINS HAVE CAUSED GRASSES AND TREES TO GROW, RESULTING IN AN EVEN GREATER THREAT. WHEREAS THE AUSTIN FIRE DEPARTMENT, THE TEXAS FOREST SERVICE, THE CAPITAL AREA FIRE CHIEFS ASSOCIATION, TRAVIS COUNTY FIRE MARSHAL'S OFFICE AND HOME DEPOT ARE WORKING WITH RESIDENTS IN AFFECTED AREAS THIS WEEK TO MITIGATE THE EFFECT ON LIVES AND BUSINESSES. NOW THEREFORE I, WILL WYNN, MAYOR OF CITY OF AUSTIN DO HERE BY PROCLAIM APRIL 2ND THROUGH NINTH ADDS WILDFIRE AWARENESS WEEK AND CALL ON CHIEF JIM EVANS TO COME UP AND SAY A FEW WORDS AND INTRODUCE OUR GUESTS BUT ULTIMATELY TALK TO US ABOUT HOW WE CAN BE SMARTER AND BE MORE PREPARED IN THE EVENT OF WILDFIRES. PLEASE JOIN ME IN THANKING AND CONGRATULATING THIS ACTING CHIEF JIM EVANS. [APPLAUSE]

THANK YOU, MAYOR. IT'S MY PLEASURE TO BE HERE THIS AFTERNOON. I'D LIKE TO LET Y'ALL KNOW THAT THIS YEAR AS POINTED OUT IN THE PROCLAMATION, IT'S A COLLABORATIVE EFFORT WITH VARIOUS REGIONAL PARTNERS AS WELL AS SOME OF OUR PARTNERS THAT ARE REPRESENTED HERE BEHIND ME. AND I'D LIKE TO MAKE SOME INTRODUCTIONS HERE VERY QUICKLY, IF I MAY. WE'VE GOT JAN FULL KERRSON AND ELECTION SI MAXWELL FROM THE TEXAS FOREST SERVICE. WE HAVE MISTY RICH, JOANN COWEN AND (INDISCERNIBLE) FROM HOME DEPOT WHO HAS BEEN ONE OF OUR CORPORATE SPONSORS THIS YEAR ALSO. I'D LIKE TO THANK THEM FOR THEIR SUPPORT IN THIS YEAR'S EFFORT. AND I'D LIKE TO TAKE THIS OPPORTUNITY TO REMIND EVERYBODY WITH THE UPCOMING FIRE SEASON, YOU NEED TO BE VERY CAREFUL WHEN YOU'RE ENJOYING THE OUTDOORS AND THE MANY OUTDOOR ACTIVITIES THAT OUR COMMUNITY AND OUR REGION PROVIDES FOR US, SPECIFICALLY IF YOU PLAN ON DOING ANY OUTDOOR BURNING AND BE VERY CAREFUL WHEN DISCARDING SMOKING MATERIALS. I WOULD ALSO INVITE YOU TO VISIT OUR WEBSITE WHICH CAN BE ACCESSED THROUGH THE

CITY OF AUSTIN WEBSITE. WE'VE GOT MANY ACTIVITIES THAT ARE POSTED ON THE WEBSITE WITH WILDFIRE AWARENESS WEEK AS WELL AS VARIOUS LINKS LIKE WITH THE TEXAS FOREST SERVICE, TO GIVE YOU INFORMATION ABOUT HOW YOU CAN BETTER PREPARE YOUR HOME AND SURROUNDING AREA FOR WILDFIRE DEFENSE. THANK YOU. [APPLAUSE]

Mayor Wynn: OKAY. MY LAST PROCLAMATION IS A CERTIFICATE OF CONGRATULATIONS TO THE CITY'S BUDGET OFFICE BECAUSE THEY WERE RECENTLY GIVEN A DISTINGUISHED AWARD FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION, AND SO I'M JOINED BY FORMER BUDGET OFFICER RUDY GARZA WHO IS NOW SERVING AS ASSISTANT CITY MANAGER OVER OUR PUBLIC SAFETY DEPARTMENTS AND GREG KANOLLY WHO IS ACTING BUDGET OFFICER, I THINK. DID I GET THAT TITLE RIGHT?

Futrell: ACTUALLY, WE'RE MAKING AN ANNOUNCEMENT.

Mayor Wynn: WE HAVE A NEW BUDGET OFFICER. CONGRATULATIONS GREG. SOME OF YOU IF YOU WERE HERE EARLIER YOU SAW A COUPLE OF -- YOU SAW THREE SIGNIFICANT CITY BRIEFINGS, AND I THINK IT'S PRETTY REMARKABLE HOW OUR CITY STAFF CAN PUT TOGETHER SUCH INFORMATIVE BRIEFING FOR US IN A SPAN OF 20 MINUTES OR SO TO ALLOW US AS COUNCILMEMBERS TO MAKE BETTER INFORMED DECISIONS, BUT ULTIMATELY GET THE MESSAGE OUT TO OUR CITIZENS ABOUT ALL THE DIFFERENT DECISIONS WE'RE MAKING AND THE IMPACTS THAT WE'RE HAVING. BECAUSE THIS CERTIFICATE OF CONGRATULATIONS IS FOR HAVING RECEIVED THE DISTINGUISHED BUDGET PRESENTATION AWARD, THE HIGHEST AWARD IN GOVERNMENT BUDGETING FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION, THE CITY OF AUSTIN BUDGET OFFICE IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. THE AWARD RECOGNIZES A BUDGET DOCUMENT THAT MEETS NATIONALLY RECOGNIZED GUIDELINES AS A POLICY DOCUMENT, A FINANCIAL PLAN, AN OPERATIONS GUIDE AND A COMMUNICATIONS DEVICE. THIS AWARD REFLECTS THE COMMITMENT OF BUDGET OFFICE STAFF IN MEETING THE HIGHEST PRINCIPLES OF GOVERNMENT BUDGETING. WE'RE PLEASED TO RECOGNIZE

THE EMPLOYEES OF THE BUDGET OFFICE FOR THEIR EXCEPTIONAL WORK WITH THIS CERTIFICATE AS PRESENTED THIS 7TH DAY OF APRIL SIGNED BY ME, BUT NOTED BY ALL MEMBERS OF THE AUSTIN CITY COUNCIL. AND BEFORE WE HEAR FROM THE INDIVIDUAL PERHAPS BUDGET OFFICE MEMBERS AND INCLUDING OUR NEW BUDGET OFFICER, I WOULD LIKE TO HAVE CITY MANAGER TOBY FUTRELL STEP UP AND SAY A FEW WORDS ABOUT FRANKLY THE COMPLEX CHALLENGE OF OUR BUDGETS AND ALSO THEIR PRESENTATIONS. TOBY?

Futrell: YOU CAN TELL A GREAT DEAL ABOUT A CITY BY PICKING UP THE CITY'S BUDGET DOCUMENT BECAUSE WHERE YOU CAN TELL IN A BUDGET DOCUMENT A CITY'S PRIORITIES, ITS VALUES AND HOW IT MEASURES ITS SUCCESS. AND TAKE A LOOK AT OURS, GO UP ON OUR WEB PAGE, TAKE A LOOK AT OUR DOCUMENT BECAUSE THE DOCUMENT IS A STORY AND IT'S A STORY THAT AN AVERAGE PERSON IN THE CITY CAN READ AND UNDERSTAND, AND IT'S LARGELY ATTRIBUTABLE TO THESE FOLKS AND A LOT OF PEOPLE BEHIND THEM IN THE BUDGET OFFICE. OUR BUDGET DOCUMENT AND OUR BOWJT PROCESS IS RECOGNIZED NATIONALLY AS ONE OF THE BEST IN THE COUNTRY. AND SO I'D LIKE TO TURN THIS OVER AND RECOGNIZE OUR PAST BUDGET OFFICER AND OUR NEW BUDGET OFFICER AND OFFER THEM ALL OF OUR APPRECIATION FOR THAT. THANKS. [APPLAUSE]

I'LL BE VERY QUICK. I DOPT TO THANK THE MAYOR -- I DO WANT TO THANK THE MAYOR AND THE CITY FOR THE RECOGNITION. I'M GOING TO TURN IT OVER TO THE NEW GUY BECAUSE HE'S ONE OF THE NEW GUY THAT HE AND THE REST OF THE BUDGET STAFF HAS BEEN KEY IN EVERYTHING THAT WE'VE DONE, BUT IN ADDITION TO THE BUDGET STAFF IT REALLY INVOLVES EVERY CITY DEPARTMENT, EVERY DEPARTMENT DIRECTOR, AND EVERYBODY INVOLVED IN THE PROCESS, IT JUST TAKES A TREMENDOUS AMOUNT OF WORK. AND THE BOTTOM LINE IS WE'RE AN OPEN GOVMENT AND WE'RE COMMITTED -- GOVERNMENT AND WE'RE COMMITTED TO THE ACCOUNTABILITY AND TO GIVE YOU THE INFORMATION YOU NEED TO YOU KNOW WHAT'S HAPPENING IN YOUR GOVERNMENT. NOW TO OUR NEW BUDGET

OFFICER.

THANKS, RUDY. I'LL JUST ECHO THE WORDS OF OUR CITY MANAGER IN SAYING THAT IT'S A DOCUMENT THAT DOES REFLECT THE VALUES OF OUR COMMUNITY AND OF THE MAYOR AND COUNCIL AND WHAT THEY PUT INTO THE BUDGET. AND THERE'S A LOT OF WORK THAT GOES INTO IT, STARTING MORE OR LESS RIGHT NOW GETTING READY FOR THE UPCOMING SEASON AND THERE'S A LOT OF STAFF THAT WORKS ON THAT. IN THE BUDGET OFFICE AND SOME OF THEM ARE HERE IN THE BACK OF THE HOUSE AS WELL AS THE DEPARTMENTS OF THE FINANCIAL STAFF THEY'RE CONTINUOUSLY AVAILABLE FOR THE INFORMATION WE NEED TO PUT SUCH A LARGE DOCUMENT TOGETHER. THIS AWARD IS REALLY FOR EVERYONE IN THE CITY WHO CONTRIBUTES TO PUTTING THIS DOCUMENT TOGETHER. SO THANK YOU. [APPLAUSE]

Mayor Wynn: FOR OUR LAST PROCLAMATION I'LL RECOGNIZE COUNCILMEMBER BETTY DUNKERLEY.

THIS PROCLAMATION IS FOR CRIME VICTIMS' RIGHTS WEEK. AND WE HAVE DAVID LURIE FROM THE PUBLIC HEALTH DEPARTMENT COMING UP. BE IT KNOWN THAT WHEREAS CRIME AND VIOLENCE IN OUR CITY AFFECT US ALL, BUT MOST IMPORTANTLY VICTIMS OF CRIME, BE THEY CHILDREN, THE ELDERLY, PEOPLE WITH DISABILITIES, FAMILY, FRIENDS, NEIGHBORS, EVEN ANIMALS. AND WHEREAS THE CITY OF AUSTIN IS COMMITTED TO ADDRESSING THE OVERLAP OF CHILD ABUSE AND NEGLECT, DOMESTIC VIOLENCE AND ANIMAL MALTREATMENT THROUGH POLICIES AND ORDINANCES CONTAINING CONSEQUENCES TO -- CONSEQUENCES TO OFFENDERS FOR COMMITTING THESE CRIMES AND WHEREAS THE CITY OF AUSTIN SEEKS TO ENSURE THAT ALL CRIME VICTIMS AND SURVIVORS ARE TREATED WITH DIGNITY AND RESPECT, RECOGNIZED AS KEY PARTICIPANTS -- WITHIN OUR JUSTICE SYSTEM AND AFFORDED SERVICES THAT PROVIDE HELP AND HOPE TO THEM, NOW THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, DO HERE BY PROCLAIM APRIL THE 10th THROUGH THE 16th, 2005 AS CRIME VICTIMS' RIGHTS WEEK. [APPLAUSE]

THANK YOU, COUNCILMEMBER DUNKERLEY FOR THIS PROCLAMATION. AND I ALSO WANT TO RECOGNIZE SOME CRITICAL FOLKS IN THIS EFFORT. FIRST OF ALL, WILLIAM PETTY WHO IS WITH THE AUSTIN POLICE DEPARTMENT VICTIM'S SERVICES MANAGER. MELISSA ATWOOD, WHO IS ALSO WITH THE A.P.D. VICTIMS SERVICES AS A SPLFER. AND -- SUPERVISOR. AND SHE CHAIRS THE TASKFORCE. AND MICHELLE CASS NOVA WHO IS WITH THE COUNCIL OF GOVERNMENTS AS A CRIMINAL JUSTICE PLANNER AND ALSO SERVES ON THE TASKFORCE. WE HAVE IN OUR COMMUNITY A 30-MEMBER AUSTIN-TRAVIS COUNTY VICTIMS SERVICES TASKFORCE FOCUSING ON THIS IMPORTANT ISSUE. WE'RE VERY FORTUNATE TO HAVE A LOT OF HARD WORKING PEOPLE AND RESOURCES IN OUR COMMUNITY PROVIDING CRIME VICTIMS WITH SUPPORT AND ASSISTANCE. AND WE'RE ALSO PARTICULARLY PLEASED THIS YEAR THAT FOR THE FIRST TIME ANIMALS ARE BEING CONSIDERED AS VICTIMS AND THERE'S A NATIONAL RECOGNITION BEING GIVEN TO THE OVERLAP OF ANIMAL MALTREATMENT, CHILD ABUSE AND NEGLECT AND DOMESTIC VIOLENCE. AND WE HAVE A KICKOFF EVENT SCHEDULED THIS SUNDAY RIGHT HERE ON THE SOUTH SIDE OF CITY HALL FROM 1:30 TO 3:30, AND AT THAT EVENT WE'LL HAVE SEVERAL BOOTHS WITH SOME OF THE SPONSORING AGENCIES. WE'LL PROVIDE A CALENDAR OF EVENTS FOR THE WEEK. AND OF COURSE BEING AUSTIN, WE'LL HAVE LIVE MUSIC. SO WITH THAT I AGAIN WANT TO THANK YOU, COUNCILMEMBER DUNKERLEY, FOR THIS PROCLAMATION AND THE HARD WORK OF THE FOLKS WHO ARE INVOLVED IN THIS IMPORTANT ISSUE IN TERMS OF ASSISTING CRIME VICTIMS. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: YOU REMEMBER WE HAD TAKEN UP OUR CONSENT CASES AND A COUPLE OF ZONING CASES AND WE'LL NOW WELCOME MR. GREG GURNSEY.

THANK YOU, MAYOR AND COUNCIL. OUR NEXT ITEM IS ITEM NUMBER Z-5. THIS IS A ZONING KISS, CASE C-14-05-0003. THIS IS A REZONING CASE LOCATED AT 5701 RIVERSIDE DRIVE. THIS IS A REZONING CASE FROM LIMITED OFFICE, LO ZONING TO GR, COMMUNITY COMMERCIAL CONDITIONAL OVERLAY DISTRICT ZONING. THE PLANNING COMMISSION DID MAKE A RECOMMENDATION IN FAVOR OF THIS AND THE APPLICANT

IS IN AGREEMENT WITH THIS. THIS PROPERTY IS IN APPROXIMATELY 5.83 ACRES OF LAND. THIS IS A PROPERTY THAT WOULD BE SUBJECT TO SEVERAL CONDITIONS AS THE APPLICANT AGREED AT THE PLANNING COMMISSION MEETING. IT WOULD LIMIT THE PROPERTY TO A MAXIMUM OF 2,000 VEHICLE TRIPS A DAY. THE ACCESS WOULD BE PROHIBITED FROM EAST TO WEST. THIS IS BE THE ENDING STREETS TO THE -- THE ENDING STREET TO THE WEST. IN ADDITION, THERE WOULD BE SEVERAL USES THAT WOULD BE PROHIBITED UNDER THE PROPOSED G.O. ZONING THAT WOULD ADDRESS AUTOMOTIVE REPAIR SERVICES, AUTOMOTIVE WASHING, BAIL BOND SERVICES, HOTEL MOTEL, INDOOR SPORTS AND RECREATION, OUTDOOR ENTERTAINMENT, OUTDOOR SPORTS AND RECREATION, PAWN SHOP SERVICES, PET SERVICES, PLANT NURSERY, PRINTING AND PUBLISHING, RESEARCH SERVICES, RESTAURANT GENERAL, RESTAURANT LIMITED, SERVICE STATION AND SOFTWARE DEVELOPMENT. AS I SAID BEFORE, THE APPLICANT DOES SUPPORT THE COMMISSION'S RECOMMENDATION; HOWEVER, THE NEIGHBORHOOD STANDS OPPOSED TO THE COMMISSION'S RECOMMENDATION AND THE CHANGE. CURRENTLY THIS AREA IS GOING THROUGH A NEIGHBORHOOD PLANNING PROCESS AND THERE IS A DRAFT FUTURE LAND USE MAP THAT IS FROM THE STAKEHOLDERS THAT HAS BEEN CREATED, AND THAT IS ON EIGHT AND A HALF BY 11 VERSION IS ON THE DAIS BEFORE YOU. THIS IS NOT AN ADOPTED FUTURE LAND USE MAP, ONE THAT'S ACTUALLY BEEN PROPOSED AND HAS HAD CONSIDERABLE INPUT FROM THE NEIGHBORHOOD. THE PROPERTY IN QUESTION IS LOCATED IN PINK, LOCATED RIGHT HERE. EXISTING THERE'S TOKYOTRON, AN ELEMENTARY SCHOOL, WE HAVE A FIRE STATION, AND THIS IS ALL ON THE SOUTH SIDE OF RIVERSIDE DRIVE. MONTOPOLIS IS LOCATED OFF TO THE EAST. AT THIS TIME I'LL PAUSE AND LET THE APPLICANT COME FORWARD TO MAKE HIS PRESENTATION. I BELIEVE THERE ARE AT LEAST 11 FOLKS THAT HAVE SIGNED UP FOR THE PUBLIC HEARING, AND IF YOU HAVE ANY QUESTIONS, STAFF WILL BE HAPPY TO ANSWER THEM. AT THIS TIME OR LATER.

Mayor Wynn: THANK YOU, MR. GURNSEY. SO AS A REMINDER,

FOLKS OF OF HOW WE HANDLE THESE PUBLIC HEARING ZONING CASES, WE'LL HAVE A FIVE-MINUTE PRESENTATION BY THE APPLICANT AND/OR AGENT/OWNER AND THEN WE WILL HEAR FROM FOLKS THAT WISH TO SPEAK IN FAVOR OF THE ZONING CASE, THREE MINUTES AT A TIME, AND THEN WE'LL HEAR FROM FOLKS IN OPEN SIS TO THE -- OPPOSITION TO THE ZONING CASE AND THEN THE APPLICANT OR OWNER/AGENT HAS A THREE-MINUTE REBUTTAL AT THE END. SO WE'LL WELCOME THE AGENT, MR. JIM BENNETT, WHO WILL HAVE FIVE MINUTES TO PRESENT THE CASE.

MAYOR AND COUNCIL, I'M JIM BENNETT AND I'M HERE TONIGHT ON THE APPLICANT'S REQUEST FOR THE ZONING CHANGE. INITIALLY WE DIDN'T PARTICIPATE IN THE NEIGHBORHOOD PLAN PROCESS. THIS PROPERTY HAS BEEN ZONED OFFICE FOR QUITE SOME TIME. AS A RESULT OF THAT, UNTIL A CONTRACT BECAME AVAILABLE WITH THE GOODWILL INDUSTRIES TO PURCHASE THE LAND AND BUILD A FACILITY ON IT WAS IT NECESSARY TO GO IN AND SEEK A ZONING CHANGE TO GR. AND THAT'S WHAT'S BROUGHT US HERE TODAY. ONCE THAT CONTRACT BECAME AVAILABLE TO THE OWNERS, WE DID ATTEND THE NEIGHBORHOOD PLANNING MEETINGS; HOWEVER, THE PLAN WAS ALREADY GOING ALONG AND THERE WAS NOT ANY RECOMMENDATION FOR GR ZONING FROM THOSE MEETINGS THAT WE HAD. HOWEVER, THIS TRACT -- A BRIEF HISTORY. THIS TRACT AND THE ADJOINING TRACT ON THE WEST SIDE OF THE UNNAMED STREET, WE FILED APPLICATIONS FOR BOTH TRACTS. HOWEVER, THE ZONING AND PLATTING COMMISSION HEARING, BECAUSE OF SOME OPPOSITION, WE WITHDREW THE TRACT TO THE WEST OF THE UNNAMED STREET. WE DO NOT HAVE A CONTRACT ON THAT PROPERTY AND SO WE DECIDED TO LEAVE IT OFFICE AND REMAIN WITH THE GR TRACT THAT'S BEFORE YOU TODAY. AS MR. GURNSEY INDICATED, IT'S A 5.83-ACRE TRACT. GOODWILL INDUSTRIES, AS THE COUNCIL PROBABLY IS AWARE, HAS GONE THROUGH AN EXTENSIVE IMAGE CHANGE. AT SOME OF THE MEETINGS WE HEARD THINGS LIKE DUMPING ON THE EAST AUSTIN. I ASSURED THEM THAT GOODWILL IS NOT DUMPING ON THE EAST AUSTIN. IN FACT YOU HAVE GOODWILL STORES IN WEST AUSTIN, NORTH AND 183, 183 AND NORTH I-35, THAT BUILDING IS UP FOR AN ARCHITECTURAL AWARD. THE ONE

I'M MOST FAMILIAR WITH AT BRODIE AND SLAUGHTER, I WOULD CHALLENGE ONE TO TELL THAT THAT'S A GOODWILL STORE, EXCEPT FOR READING THE SIGN ON THE FRONT THAT SAYS GOODWILL. SO ARCHITECTURALLY THIS BUILDING WILL BE AN ARCHITECTURALLY PLEASANT BUILDING. IT'S BEING MANAGED BY THE STAUBACH COMPANY ON BEHALF OF THE GOODWILL INDUSTRIES. WE HAVE AGREED TO IN THE ZONING AND PLATTING COMMISSION MEETING TO PROHIBIT ACCESS EXCEPT FOR EMERGENCY ACCESS ON THE UNNAMED STREET. I WOULD ENCOURAGE COUNCIL TO NAME THAT STREET ONE DAY, BUT ON THE UNNAMED STREET WE'VE AGREED ONLY TO HAVE EMERGENCY ACCESS. WE HAVE TALKED TO THE DEL VALLE SCHOOL DISTRICT. WE ARE SENSITIVE TO THEIR SCHOOL SITE. WE HAVE AGREED FOR ADDITIONAL LANDSCAPING AND FENCING IN THAT SOUTHWEST CORNER WHERE IT'S ADJACENT TO THE SCHOOL OR IN CLOSE PROXIMITY TO THE SCHOOL. ADDITIONALLY THE GOODWILL STORES PROVIDES GOODS, SERVICES, TRAININGS AND JOBS TO THE COMMUNITY. ON THE SOUTH SIDE OF RIVERSIDE DRIVE, AS MR. GURNSEY INDICATED TO YOU, THERE'S CURRENTLY THIS TRACT IS MORE OR LESS SURROUNDED BY SOME FORM OF COMMERCIAL ZONING, LI, LO, LR. AND WE THINK AS WELL AS THE PLANNING COMMISSION -- PLANNING COMMISSION AND THE STAFF THAT GR IS THE APPROPRIATE USE FOR THIS SITE. I BELIEVE THERE ARE OTHER SPEAKERS TO FOLLOW ME, AND I WILL BE AVAILABLE FOR REBUTTAL.

Slusher: MAYOR?

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: MR. BENNETT, YOU HAD SAID A FACILITY AND THEN YOU'RE TALKING ABOUT SFORZ. JUST CLARIFY FOR ME, IS WHAT'S PROPOSED FOR HER A GOODWILL STORE?

YES, SIR.

Slusher: OKAY. THANK YOU.

Mayor Wynn: COUNCIL, FURTHER QUESTIONS OF THE AGENT? THANK YOU, MR. BENNETT. WE HAVE A HANDFUL OF FOLKS SIGNED UP IN FAVOR, NOT WISHING TO SPEAK. HARVEY

BELL, JOE DUNCAN, STEVE SANDERS ALL SIGNED UP IN FAVOR OF THE ZONING CASE, NOT WISHING TO SPEAK. MR. DICK WRATHGABER SIGNED UP WISHING TO SPEAK. WELCOME. YOU WILL HAVE THREE MINUTES.

I WON'T NEED THAT LONG. MEMBERS OF THE COUNCIL AND STAFF, MY NAME IS DICK WRATHGABER, AND I STARTED MY DEVELOPMENT CAREER RIGHT AROUND THE CORNER IN THE MONTOPOLIS AREA IN THE '60S AND '70'S. AND WHEN I STARTED DEVELOPING HOUSES THERE, ONE OF THE REAL PROBLEMS THAT WE HAD WAS A LACK OF RETAIL. THERE WAS A GROCERY STORE, CULP'S FOOD STORE, WAS IN THE AREA AT THAT TIME, BUT IT HAS SINCE CLOSED. SO IT'S HOPED THAT BY GETTING SOME RETAIL IN THE AREA THAT IT WILL SPAWN OTHER RETAIL DEVELOPMENT. AND THIS IS A REAL OPPORTUNITY FOR COLLABORATION. RIGHT DOWN THE STREET FROM THIS PROPERTY IS THE SAFE PLACE SHELTER. AND FOR BATTERED WOMEN AND CHILDREN. A LOT OF THESE WOMEN ARRIVE AT THE SHELTER WITH ONLY THE CLOTHES ON THEIR BACK. AND THE CLOTHES THAT THEIR CHILDREN HAVE ON BECAUSE THEY HAD TO LEAVE IN A HURRY. AND RECENTLY SAFE PLACE CLOSED THEIR THRIFT STORE. THEY HAVE RECENTLY CLOSED IT, AND THEY HAVE REACHED AN AGREEMENT WITH GOODWILL WHERE ANYBODY WHO BRINGS CLOTHING TO THE SHELTER, IT'S TURNED OVER TO GOODWILL AND GOODWILL ISSUES A CREDIT. OR IF THEY TAKE IT TO A GOODWILL STORE AND MENTION SAFE PLACE THEY'RE ISSUED A CREDIT. AND THE WOMEN AND CHILDREN THEN WILL BE ABLE TO JUST WALK DOWN TO THE STORE AND GET CLOTHES. THIS PROJECT WAS APPROVED, HAD THE RECOMMENDATION OF THE STAFF, AND IT WAS UNANIMOUSLY APPROVED BY THE PLANNING COMMISSION. GOODWILL IS A GOOD NEIGHBOR. THANK YOU.

Mayor Wynn: THANK YOU, MR. CRATHGABER. COUNCIL, THAT'S ALL THE CITIZENS SIGNED UP IN FAVOR OF THIS ZONING CASE. WE'LL NOW GO TO FOLKS IN OPPOSITION. A COUPLE OF PEOPLE HAVE SIGNED UP NOT WISHING TO SPEAK AGAINST. JEAN MADDER AND TONY HOUSE IN OPPOSITION, NOT WISHING TO SPEAK. OUR FIRST SPEAKER WILL BE TONY HOUSE. I'M SORRY, I JUST READ THAT AS NOT WISHING TO SPEAK. GALE GOLF. IS GALE HERE? WELCOME.

YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY LINDA WATT WATKINS.

HELLO EVERYONE. I'M A STAKEHOLDER AND PARTICIPANT IN THE NEIGHBORHOOD PLANNING AREA, AND OUR PLAN BEGAN IN OCTOBER OF 2003. SINCE THAT TIME WE'VE WORKED HARD TO CRAFT A FUTURE NEIGHBORHOOD THAT WILL BE BEST FOR ALL WHO LIVE AND WORK HERE AS WELL AS FOR THE CITY OF AUSTIN. DURING THIS ENTIRE PLANNING PROCESS, THE MAJORITY OF PARTICIPANTS HAS SUPPORTED AND VOTED FOR THE CONTINUED USE OF THIS TRACT AS OFFICE. THE STAKEHOLDERS ATTENDING PLANNING MEETINGS HAVE NEVER EXPRESSED ANY OTHER USE OTHER THAN OFFICE OR SINGLE-FAMILY HOMES FOR THIS PORTION OF RIVERSIDE DRIVE. WE HAVE DESIGNATED THIS TRACT AS OFFICE IN EACH OF THE FOLLOWING -- IN EACH OF THE FOLLOWING INSTANCES, WORKSHOPS 2003. THE FIRST PLUMB. EACH OF THREE GROUPS ON SEPTEMBER THE SECOND, 2004. ON THE SURVEY THAT WAS MAILED OUT IN THE MEETING ON JANUARY THE 12TH AND AT THE FEBRUARY THE 16TH MEETING. EVEN THE STAFF RECOMMENDATION AT, AT LEAST THE CITY STAFF WORKING WITH OUR NEIGHBORHOOD PLAN, WAS ALWAYS IN SUPPORT AS OFFICE. -- IN SUPPORT OF THIS TRACT AS OFFICE. THE ONLY STAKEHOLDER IN ANY NEIGHBORHOOD PLANNING MEETING TO VOTE IN FAVOR OF THE ZONING CHANGE IS THE OWNER OF THIS PROPERTY AND/OR THE AGENT. WE CONSIDER THE CASEY FAMILY PROGRAMS OFFICE AT 5201 EAST RIVERSIDE DRIVE TO BE AN EXAMPLE OF A SUCCESSFUL COLLABORATION BETWEEN A NEIGHBORHOOD AND A DEVELOPER TO CREATE A PROJECT THAT IS SUPPORTED BY EVERYONE. THIS JUST IRONICALLY WAS BUILT ON A TRACT WHICH REQUIRED A CHANGE FROM SF-3 TO G.O. FOR THEIR PROJECT. WE ARE NOT OPPOSED TO COMMERCIAL DEVELOPMENT AND WE WELCOME GOODWILL AS A NEIGHBOR. WE KNOW THAT GOODWILL WOULD MAKE AN EXCELLENT NEIGHBOR AND WE HAVE LOTS OF PROPERTY ALONG EAST RIVERSIDE DRIVE. I'M SURE MANY OF YOU FLY AND YOU'VE DRIVEN THAT ROUTE. ALL OF THOSE TRACTS THAT NEED TO BE REDEVELOPED ARE ZONED APPROPRIATELY FOR THIS PROJECT. THIS IS WHY WE WOULD LIKE TO ENCOURAGE OFFICE ALONG ARTERIALS

AND THIS IS WHERE WE HAVE CHOSEN TO DO THAT IN OUR NEIGHBORHOOD PLAN, WHICH IS VERY NEAR COMPLETION. THE AGENT DOES NOT WANT TO WAIT, THE OWNER DOES NOT WANT TO WAIT UNTIL OUR PLAN IS COMPLETED, NOT BECAUSE IT'S GOING TO BE DONE IN FOUR MONTHS NOW, BUT BECAUSE THEY'RE AWARE THAT IT'S ALWAYS BEEN ZONED AS OFFICE AND WILL NOT ALLOW THAT USE ON THIS PROPERTY. IT'S CLOSE TO THE ELEMENTARY SCHOOL. PHIL WILLIAMS SPOKE AT THE PLANNING COMMISSION MEETING. HE'S THE DEL VALLE FACILITIES MANAGER. THEY ARE NOT IN FAVOR OF THIS. THEY BOUGHT THE TRACT FOR BEATTY ELEMENTARY BECAUSE IT WAS SURROUNDED BY LO. [BUZZER SOUNDS] THANK YOU.

Mayor Wynn: THANK YOU. LINDA WATKINS? HELLO. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY JAN LONG.

I'M LINDA WATT WATKINS AND I LIVE ON RIVERSIDE FARMS ROAD, WHICH IS JUST AROUND THE CORNER FROM HERE. AND I TOO HAVE PARTICIPATED IN THE PLANNING MEETINGS THAT HAVE BEEN GOING ON FOR A COUPLE OF YEARS. WE HAVE ALWAYS SAID OFFICE. WHEN CASEY FAMILY APPROACHED THE RIVERSIDE FARMS ROAD NEIGHBORHOOD ASSOCIATION AND GAVE US THEIR PLAN FOR THEIR BUILDING, WE WORKED WITH THEM AND SUPPORTED THEM IN THE NECESSARY ZONING CHANGE. WE THINK THAT'S AN EXCELLENT ADDITION TO OUR NEIGHBORHOOD. THEY ARE A VERY GOOD NEIGHBOR. GOODWILL IS A GOOD ORGANIZATION. I HAVE NO ORGHT WITH THAT. BUT OTHER AREAS ON RIVERSIDE DRIVE THAT WE HAVE CHOSEN FOR REDEVELOPMENT OR MORE DEVELOPMENT OF RETAIL. OUR SINGLE-FAMILY HOMES HERE, HERE AND -- [INAUDIBLE - NO MIC]. WE JUST FEEL LIKE THIS IS THE APPROPRIATE STRETCH WITH THE SINGLE-FAMILY HOUSING IN THE AREA THAT THIS IS AN APPROPRIATE STRETCH FOR OFFICES. I NOTICED ON THE TRANSPORTATION PART OF THE REPORT THAT THE MAXIMUM INTENSITY FOR THIS REQUESTED ZONING COULD BE AS MANY AS OVER 12,000 TRIPS PER DAY, BUT THEY'RE WILLING TO LIMIT IT TO 2,000 VEHICLE TRIPS A DAY. I DOUBT THAT THAT WILL REALLY HAPPEN. YOU'RE NOT GOING TO BE ABLE TO ENFORCE -- YOU CAN'T COME IN OUR PARKING LOT UNLESS SOMEBODY LEAVES. WE'RE AT 1,999

TRIPS A DAY, WE'RE CLOSING, THAT'S NOT GOING TO HAPPEN. SO I DON'T THINK WE NEED THIS ADDITIONAL TRAFFIC OF RETAIL IN THIS PARTICULAR AREA. WE HAVE PLACES FOR RETAIL MARKED ON OUR PLAN ALL ALONG, AND I WOULD ASK THAT YOU WOULD DENY THIS REQUEST. THANK YOU.

Mayor Wynn: THANK YOU, MS. WATKINS. JAN LONG? WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY BILL GRIEF.

HI. I'M JAN LONG AND I'M THE CONTACT PERSON FOR THE SOUTHEAST AUSTIN NEIGHBORHOOD ALLIANCE. EIGHT YEARS AGO TWO LEADERS FROM ADJACENT NEIGHBORHOOD ORGANIZATIONS AND I APPLIED TO BECOME ONE OF THE FIRST THREE AREAS SELECTED UNDER THE NEWLY CREATED NEIGHBORHOOD PLANNING PROCESS. WE WERE NOT CHOSEN, BUT I HAVE WATCHED THE PROCESS EVOLVE SINCE THEN. NOW HERE WE ARE ALMOST A DECADE LATER TRYING TO CREATE A VISION FOR ONE OF THE LARGEST PLANNING AREAS IN THE CITY, ONE HA HAS AN EXTREMELY DIVERSE MIX OF EXISTING LAND USES. ONE WITH A HUGE AND DISCONNECTED POPULATION, ONE WITH A DISPOSITIVE PORTION GNAT PERCENTAGE OF UNDEVELOPED LAND, AND WE FIND OURSELVES CONSTANTLY DEBATING REZONING CASES. THE TASK HAS BEEN DAUNTING, BUT EVER SINCE WE BEGAN THIS PROCESS IN OCTOBER OF 2003, IN EVERY WORKSHOP, MEETING, SUB MEETING, DISCUSSION GROUP AND WITH EVERY VOTE TAKEN WE HAVE STEADFASTLY REITERATED OUR DESIRE TO RETAIN A LIMITED OFFICE ZONING FOR THIS PROPERTY. I URGE THE COUNCIL TO ALLOW US TO REMAIN TRUE TO THE VISION OF OUR NEIGHBORHOOD PLAN AND DENY THIS REZONING REQUEST. THANK YOU.

Mayor Wynn: THANK YOU. BILL, WELCOME. YOU WILL HAVE THREEMENTS.

THREE MINUTE.

HELL MOW. MY NAME IS BILL AND I'M A LANDOWNER AND AMONG THE PROPERTIES WE OWN ARE THE NINE ACRES THAT FRONT ON RIVERSIDE DRIVE THAT ARE DIRECTLY

ACROSS FROM THIS PROPERTY. I COME TONIGHT TO TELL YOU AS A LANDOWNER THAT I JUST WANT YOU TO UNDERSTAND THAT THE WHOLE NEIGHBORHOOD IS AGAINST THIS. THERE'S BEEN NOT JUST THE PEOPLE WHO LIVE THERE, BUT THE PEOPLE WHO WORKED THERE. TOKYO ELECTRON IS AGAINST THIS. THE ADJOINING BEATTY ELEMENTARY SCHOOL IS AGAINST THIS. THE DEL VALLE INDEPENDENT SCHOOL DISTRICT IS AGAINST THIS. THE CASEY FAMILY PROGRAMS IS AGAINST THIS. EVERY LISTED NEIGHBORHOOD ASSOCIATION IN THE ENTIRE AREA IS AGAINST THIS. PART OF THE REASON FOR THE OPPOSITION TO THIS IS THE ONGOING NEIGHBORHOOD PLANNING. I DON'T KNOW IF ANY OF YOU HAVE EVER PARTICIPATED IN A NEIGHBORHOOD PLANNING GROUP OR EFFORT, BUT IT TAKES A LOT OF TIME. THERE'S A LOT OF SUPPERS THAT GET MISSED, A LOT OF FAMILY TIME. THESE NEIGHBORS HAVE SPENT AN ENORMOUS AMOUNT OF TIME SINCE THE FALL OF 2003 GETTING TOGETHER, WORKING NOT ALWAYS COMPLETELY AGREEING, BUT WORKING FOR A COMMON VISION. AND I THINK THAT A LOT OF THE REASON FOR THE OPPOSITION TO THIS APPLICANT IS BECAUSE THEY DID NOT JOIN THAT. MR. BELL SIMPLY DID NOT PARTICIPATE IN THAT PROCESS. AS I MENTIONED, I'M A LANDOWNER AND I HAVE FOUND THAT THIS GROUP OF NEIGHBORHOOD PEOPLE IS WILLING TO WORK WITH PEOPLE. I THINK THE CASEY FAMILY PROGRAMS CAN TESTIFY TO THAT. THIS IS NOT A GROUP OF PEOPLE WHO ARE AUTOMATICALLY AGAINST SOMETHING, BUT THEY ARE AGAINST THIS, AND I THINK THAT THE VISION THAT HAS BEEN DEVELOPED IN THE NEIGHBORHOOD PLANNING SIMPLY DOESN'T INCLUDE THIS. I PLAN TO BUILD LARGE LOT SINGLE-FAMILY HOMES AS A PART OF THE DEVELOPMENT THAT'S ACROSS THE STREET DIRECTLY FROM THIS. THERE ARE CONDOMINIUMS THAT I ALSO PLAN TO BUILD NORTH ON GROVE BOULEVARD. OWNER-OCCUPIED HOUSING IS WHAT THIS NEIGHBORHOOD WANTS AND NEEDS. SO I JUST -- I WANT TO SUMMARIZE THAT THIS IS SIMPLY TOTALLY AGAINST THE WISHES OF THE PEOPLE WHO HAVE BEEN WORKING 18 MONTHS IN THAT AREA. IT ISN'T WHAT THEY WANT. AND IF YOU DECIDE TO ALLOW THIS, I URGE YOU TO ENFORCE THE DEVELOPMENT STANDARDS THAT CAN BE ENFORCED IN THE AREA. THERE'S BEEN TALK THAT THE CURRENT DESIGN IS FOR THE BUILDING TO BE IN

FRONT AND THE PARKING TO BE BEHIND. THERE'S TALK ABOUT SCREENING PARKING, STORAGE AND TRASH DISPOSAL AREAS. [BUZZER SOUNDS] THERE'S ACCENTING LANDSCAPING. I URGE YOU TO MAKE THIS A CONDITIONAL USE SO THAT THIS NEIGHBORHOOD THAT HAS WORKED SO HARD CAN HAVE SOME FUTURE INPUT BEYOND THIS EVENING. THANK YOU.

Mayor Wynn: THANK YOU, MR. GRIEF. COUNCIL, THAT'S ALL THE FOLKS WHO HAVE SIGNED UP IN OPPOSITION FOR THIS CASE AND THEREFORE THE AGENT WILL NOW HAVE A THREE-MINUTE REBUTTAL. WELCOME BACK, MR. BENNETT.

MAYOR AND COUNCIL, THE NEIGHBORHOOD PLAN PROCESS IS A LONG AND TEDIOUS PROCESS, AS YOU KNOW, HAVING HAD THOSE NEIGHBORHOOD PLANS COME BEFORE YOU. AT THE NEIGHBORHOOD PLANNING MEETINGS THAT I ATTENDED, THERE WAS NO DISCUSSION PRIOR TO THE NEED TO REZONE THIS PIECE OF PROPERTY. I DON'T BELIEVE STAFF LOOKED AT THIS PIECE OF PROPERTY AND SAID, DO WE THINK IT OUGHT TO BE ZONED GR OR DO WE THINK IT OUGHT TO BE ZONED LR? BECAUSE ITS CURRENT ZONING WAS OFFICE, THAT'S THE REASON IN THE NEIGHBORHOOD MEETINGS THAT I ATTENDED STAFF SAYS WHO THINKS THIS PROPERTY OUGHT TO REMAIN OFFICE, SHOW OF HANDS, SO IT REMAINS OFFICE. UNTIL WE GOT INVOLVED WITH GOODWILL, THERE WAS NOT A NEED FOR MY CLIENT TO REQUEST THE ZONING CHANGE. AS I INDICATED TO YOU EARLIER, ONCE THAT BECAME EVIDENT, WE ATTENDED THE NEIGHBORHOOD MEETINGS. WE WEREN'T ABLE TO GET THE NEIGHBORHOOD PEOPLE TO MAKE A RECOMMENDATION FOR GR. IN FACT, AFTER THE PLANNING COMMISSION MEETING, THE PLANNING COMMISSION SUGGESTED THAT WE MEET WITH THEM TO COME UP WITH A PROHIBITED LIST OF USES THAT WOULD NOT BE APPROPRIATE. AFTER THREE CONTACTS WITH MS. GOLF I WAS NOT ABLE TO COME UP WITH THAT LIST. THE LIST THAT YOU HAVE BEFORE YOU NOW FOR PROHIBITED USES IS A LIST THAT I PUT TOGETHER BECAUSE WE NEEDED TO MOVE FORWARD WITH THE ZONING CHANGE. AND THEN RIGHT AFTER I FILED THAT I DID GET A LETTER SAYING THAT THE NEIGHBORHOOD WOULD NOT SUPPORT THE CHANGE. THIS SITE IS ON A MAJOR ARTERIAL. IT CERTAINLY CAN

HANDLE THE TRAFFIC. IT'S NOT SURROUNDED BY OFFICE. IF YOU LOOK AT YOUR ZONING MAP THAT YOU HAVE, AND AS MR. GURNSEY REPORTED TO YOU, THERE'S LR TO THE EAST AND LR TO THE SOUTH. TOKYO ELECTRONICS WAS AT ONE OF THE HEARINGS AND THEY SAID THEY DIDN'T THINK THAT GR ZONING WAS APPROPRIATE IN CLOSE PROXIMITY TO THE SCHOOL. THEY IN FACT HAVE LI ZONING IN CLOSE PROXIMITY TO THE SCHOOL. I BELIEVE THAT THE NEIGHBORHOOD PLAN SHOWS THE PROPERTY ACROSS THE STREET TO BE ZONED LOCAL RETAIL AND SF ZONING. I'M NOT SURE, BUT I THINK THAT MAY BE SOME OF THE PROPERTY THAT MR. GRIEF HAS IN HIS HOLDINGS. THE REDEVELOPMENT OF THE PROPERTY FURTHER TO THE WEST OF HERE, THAT'S ALREADY DEVELOPED WITH SHOPPING CENTERS AND GOING BUSINESSES. THIS IS VACANT PROPERTY THAT HAS BEEN ZONED OFFICE AND IT HAS BEEN ZONED OFFICE FOR A LONG TIME. NO ONE HAS COME IN AND SAID I WANT TO BUILD AN OFFICE BUILDING ON THIS TRACT. OR ON THE ADJOINING TRACT. SO WHEN THE OPPORTUNITY CAME FOR THE GOODWILL INDUSTRIES TO PROVIDE IT, THAT'S WHEN WE BEGAN THIS APPLICATION. AS INDICATED BY THE NEIGHBORHOOD PEOPLE, THEY ARE INDICATING THAT THEY WOULD LIKE TO HAVE GOODWILL IN THE AREA, BUT NOT HERE. THERE ARE NO HOMES IN CLOSE PROXIMITY ON THE SOUTH SIDE OF RIVERSIDE DRIVE. [BUZZER SOUNDS] TO THIS SITE. AND WE WOULD REQUEST THAT THE COUNCIL AND APPROVE THE GR ZONING AS REQUESTED AND APPROVED AND RECOMMENDED BY THE STAFF AND THE ZONING AND PLATTING COMMISSION. THANK YOU.

Mayor Wynn: THANK YOU, MR. BENNETT. SO COUNCIL, THAT CONCLUDES OUR PUBLIC HEARING ON THIS CASE. I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER DUNKERLEY TO CLOSE THE PUBLIC HEARING. FURTHER COMMENT? ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF SEVEN TO ZERO.

COMMENTS, COUNCIL, QUESTIONS?

Goodman: MAYOR?

Mayor Wynn: MAYOR PRO TEM.

Goodman: ONCE UPON A TIME WE STARTED OUT DOING SORT OF A COURTESY GESTURE TO NEIGHBORHOODS THAT WERE WORKING ON THEIR PLANS, AND THAT WAS THAT UNLESS IT WAS AN EXTRAORDINARY INSTANCE, PEOPLE WHO WENT OUT OF THE PROCESS OF PLANNING TO DO THEIR ZONING GAVE US A REALLY GOOD REASON FOR IT, BECAUSE THERE IS A NATURAL RESENTMENT WHEN YOU'RE TRYING TO PLAN THE VERY THINGS THAT MIGHT ALLOW FOR CHANGE, AND THEN SOMEONE COMES IN AND CUTS OUT OF THE PROCESS THAT THE OTHERS ARE PARTICIPATING IN AND SPENDING A LOT OF TIME ON. SO I UNDERSTAND THE NEIGHBORHOOD'S WANTING TO STICK WITH THEIR PLAN, WHICH THEY'VE DONE THAT PART, AND I ALSO UNDERSTAND THAT THIS IS WHAT I WOULD SAY WAS NOT A DEVELOPER, BUT IS A GOOD NEIGHBOR MOST OF THE TIME. BUT THERE DOESN'T SEEM TO BE A MIDDLE GROUND HERE. IF THERE IS NO WAY THAT WE CAN ASK PEOPLE WHO HAVE PROPOSED CHANGES TO THE PLAN TO GO THROUGH THE PLAN PROCESS, IT SEEMS LIKE WHILE WE'RE ASKING THE NEIGHBORHOODS TO DO THAT AND GET A FOUNDATION FOR EVERYONE TO KNOW UP FRONT WHAT TO DO, WHAT KIND OF LAND USES WILL BE APPROPRIATE AND BE ACCEPTABLE, AT THE SAME TIME WE'RE CUTTING THEIR LEGS OUT FROM UNDER THEM BY GOING AHEAD WITH THE ZONING CHANGE WHILE THE PLAN IS STILL ON GOING. SO WITHOUT SAYING ANYTHING NEGATIVE ABOUT EITHER OF THE PARTIES IN THIS CASE, I THINK THAT WHEN WE STARTED LETTING THAT GO THROUGH AS A MATTER OF COURSE RATHER THAN BEING UNDERSTOOD AS SOMETHING THAT WE WOULD AS A COURTESY EXPECT A PROPERTY OWNER TO DO WHEN A PLAN WAS IN PROGRESS, I THINK WE'VE LEFT OURSELVES OPEN FOR THIS AND WE'RE UNDERMINING THE PROCESS OF NEIGHBORHOOD PLANNING.

Mayor Wynn: UNDERSTOOD. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER DUNKERLEY.

Dunkerley: I GUESS MR. BENNETT OR THE OWNER OR GOODWILL OR SOMEBODY, IF YOU COULD TALK A LITTLE BIT ABOUT WHAT ONE OF THE GENTLEMEN FROM THE NEIGHBORHOOD TALKED ABOUT AS THE DESIGN OF THE BUILDING OR THE PLACEMENT OF THE BUILDING AND WHAT KIND OF ASSURANCE IS THERE THAT THERE WILL BE A NICE DESIGN FOR THAT NEIGHBORHOOD.

COUNCILMEMBER DUNKERLEY, WHEN YOU LOOK AT THE NEW BUILDINGS THAT GOODWILL HAS BUILT AND AS INDICATED, PARTICULARLY THE ONE ON SLAUGHTER AND BRODIE THAT I'M MOST FAMILIAR WITH, ARCHITECTURALLY IT BLENDS IN WITH THE SHOPPING CENTER ON THE ADJOINING TRACT. THE STAUBACH COMPANY IS IN CHARGE OF DESIGN AND CONSTRUCTION MANAGEMENT OF THIS PROJECT FOR GOODWILL. THEY ARE A KNOWN, REPUTABLE CORPORATION AS WELL AS THE OTHER BUILDINGS THAT HE INDICATED TO YOU OUT AT 183 AND 35. IT'S UP FOR ARCHITECTURAL AWARDS. THE ONE AT NORTHWEST AT 183. SO GOODWILL'S IMAGE FROM WHAT IT USED TO BE A LONG TIME AGO AS I REMEMBER EARLIER, THEY'VE TRANSITIONED AWAY FROM THAT. WE'RE HIRING A PROFESSIONAL COMPANY TO DESIGN THE BUILDING ARCHITECTURALLY AND PLEASANTLY. THE SITE DEVELOPMENT REGULATIONS THAT WE'VE AGREED TO SUCH AS THE ADDITIONAL LANDSCAPING, BEING SENSITIVE TO THE SCHOOL, GOODWILL HAS INDICATED THAT THEY HAVE NOT A PROBLEM WITH THAT, AS WELL AS ADDITIONAL FENCING ALONG THAT SOUTHWEST CORNER. THE ADDITIONAL LOAFER 88 PREVENTS TRAFFIC ON THE STREET. THEY'RE REQUIRED TO DO LANDSCAPING. WE ARE PROPOSING TO HAVE STOREFRONT ON THE SIDE WITH PARKING. THE TRAFFIC TRAFFIC --

Dunkerley: DID YOU SAY REAR PARKING?

THERE WILL BE SOME STOREFRONT UP FRONT, BUT PRIMARILY THE PARKING IS GOING TO BE IN THE REAR OF THE BUILDING FOR TRUCK TRAFFIC, WHETHER THE NEW DESIGN STANDARDS ARE ADOPTED OR NOT, THAT IS SOMEWHAT IN COMPLYING WITH SOME OF THOSE RECOMMENDATIONS. WE HAVE NOT GOTTEN A SITE PLAN YET. WE'RE WAITING ON THE ZONING CHANGE, OF COURSE, AND OUR ARCHITECTURAL PEOPLE ARE STANDING BY. AND

IF I MAY JUST ADD JUST A BIT OF THAT, IF WE WAIT AND GO THROUGH THE NEIGHBORHOOD PLAN PROCESS, THE NEIGHBORHOOD PLAN PROCESS FLOW MAP RIGHT NOW IS SHOWING THE PROPERTY TO BE OFFICE. IF WE GO THROUGH THAT PROCESS AND IT'S APPROVED IN FOUR MONTHS, THEN WE HAVE TO WAIT A YEAR TO COME BACK AND SEE IF WE CAN GET GR ZONING. I DON'T THINK THE GOODWILL INDUSTRY WILL WAIT. WILL WAIT FOREVER TO DETERMINE WHETHER OR NOT THEY CAN BUILD HERE.

Dunkerley: WELL, I DON'T HAVE -- I HAVE A GOODWILL SITE ABOUT A BLOCK FROM WHERE I LIVE AND IT'S IN A LEASED SPACE, BUT IT'S A VERY NICE STORE. I UNDERSTAND THAT THEY ARE BUILDING VERY NICE FACILITIES NOW. I NOTICE THAT BOTH THE PLANNING COMMISSION AND THE STAFF RECOMMENDED THE GR WITH THE CO, AND THAT CO, DOES IT RELATE TO THE LIMITATION ON THE TRIPS AS WELL AS THE ACCESS ON THE UNNAMED STREET? ARE THOSE THE TWO LIMITATIONS UNDER THAT CO?

AND THE PROHIBITED USES, I BELIEVE.

Dunkerley: OKAY, THE PROHIBITED USES.

I DON'T KNOW, IS THAT ALL OF THEM, MR. GURNSEY?

Dunkerley: OKAY. THANK YOU.

COUNCIL, THERE WAS ONE ADDITIONAL CONDITION I NEGLECTED TO MENTION, ABOUT A 25-FOOT BUFFER FROM THE SCHOOL THAT WAS ALSO PART OF THE COMMISSION'S RECOMMENDATION.

Dunkerley: OKAY. IS THE OWNER OKAY WITH THAT?

YES, MA'AM.

Mayor Wynn: MR. BENNETT, BEFORE YOU LEAVE, WE HEARD MR. GRIEF, I BELIEVE IT WAS, TELL US ABOUT THE ESSENTIALLY UNANIMOUS OPPOSITION TO ANYTHING OTHER THAN OFFICE ON THIS TRACT, INCLUDING TOKYO ELECTRON. HAVE YOU HAD ANY DISCUSSIONS WITH TOKYO ELECTRON

SPECIFICALLY RELATED TO THIS PROPOSAL?

MAYOR, WE'VE ONLY HAD DISCUSSIONS IN THE SENSE OF THE NEIGHBORHOOD PLANNING MEETINGS. A REPRESENTATIVE AT ONE OF THE MEETINGS WAS THERE FROM TOKYO ELECTRONICS, A LADY I'M NOT SURE HER NAME RIGHT NOW. AND SHE DID ADDRESS AND SAY THAT THEY WERE OPPOSED TO IT, THAT THEY THOUGHT THAT GR WOULD BE INAPPROPRIATE CLOSE TO THE SCHOOL. AND THAT'S WHEN I POINTED OUT TO THAT PERSON THAT TOKYO ELECTRONICS IS ADJACENT TO THE SCHOOL WITH LI ZONING. SO IT WOULD SEEM THAT GR AS BEING MORE RESTRICTIVE WOULD BE SOMEWHAT MORE APPROPRIATE THAN LI. THAT'S THE ONLY CONVERSATION THAT I'VE HAD WITH TOKYO ELECTRONICS.

Mayor Wynn: COUNCILMEMBER SLUSHER.

Slusher: MR. BENNETT, I DON'T THINK THAT MAYBE TOKYO ELECTRON WAS TRYING TO BE SUPPORTIVE OF THEIR NEIGHBORS? BECAUSE I KNOW THE NEIGHBORHOOD GROUPS AND RESIDENTS IN THIS AREA HAVE A LONG HISTORY OF WORKING WITH THE INDUSTRIES AND THE BUSINESSES IN THE AREA.

COUNCILMEMBER SLUSHER, TOKYO ELECTRONICS HAS A NICE CAMPUS. I DON'T KNOW WHY THEY WERE AT THE MEETING OTHER THAN THEY GOT A NOTICE OR ONE OF THE NEIGHBORHOOD PEOPLE CALLED THEM. AND THAT'S THE ONLY TIME THAT I'VE SEEN THEM AT THE MEETING WAS THAT ONE TIME WHEN THE LADY WAS THERE AND SAID SHE WAS OPPOSED TO IT, AND HER REASON WAS THAT SHE DIDN'T THINK IT WAS APPROPRIATE NEXT FOR A SCHOOL. AND THAT'S THE ONLY DIALOGUE I'VE HEARD.

Slusher: OKAY.

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

Dunkerley: I MOVE APPROVAL OF THE PLANNING COMMISSION RECOMMENDATION WITH ALL OF THE CONDITIONAL

OVERLAYS AND USES THAT WERE MENTIONED EARLIER.

Mayor Wynn: MOTION BY COUNCILMEMBER DUNKERLEY TO APPROVE THE PLANNING COMMISSION RECOMMENDATION, INCLUDING THE CONDITIONAL OVERLAY ON FIRST READING ONLY. I'M BEING ASKED BY MR. GURNSEY --

THAT'S RIGHT, MAYOR, THIS IS ONLY READY FOR FIRST READING THIS EVENING.

Slusher: MAYOR? I'M GOING TO SUPPORT THE NEIGHBORHOOD'S POSITION ON THIS. I THINK GOODWILL IS AN ASSET IN EVERY PART OF TOWN THAT THEY'RE IN, BUT I THINK THAT'S NOT THE QUESTION BEFORE US TONIGHT. THE QUESTION BEFORE US TONIGHT IS THE LAND USE ISSUE. AND I KNOW THIS NEIGHBORHOOD HAS BEEN VERY DILIGENT ABOUT THEIR NEIGHBORHOOD PLANNING, ABOUT -- AND WELL BEFORE THEY EVEN GOT INTO THE NEIGHBORHOOD PLANNING AND BEEN VERY COOPERATIVE WITH FOLKS COMING INTO THE AREA, SO I'M GOING TO SUPPORT THEM ON THIS.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: YEAH, I'M GOING TO VOTE NO ALSO BECAUSE I KNOW THAT THE NEIGHBORHOOD'S WORKING VERY HARD ON THIS, AND THIS MAY END UP -- I DON'T HAVE AN ENORMOUS PROBLEM WITH THE PROPOSED USE, BUT I THINK YOU DO HAVE TO RESPECT THE PROCESS AND RESPECT THE NEIGHBORHOOD'S EFFORTS. SO I JUST DON'T THINK IT'S A -- IT'S RIGHT TO CONSIDER THE APPLICATION AT THIS POINT.

Mayor Wynn: WE HAVE A MOTION ON THE TABLE. I DON'T THINK IT'S BEEN SECONDED YET. MOTION BY COUNCILMEMBER DUNKERLEY TO APPROVE THE PLANNING COMMISSION RECOMMENDATION ON FIRST READING ONLY. MOTION DIES ON A LACK OF A SECOND. I'LL ENTERTAIN A MOTION. ACTUALLY, I HAVE A QUESTION FOR STAFF. MR. GURNSEY, SO IF THE ZONING CASE IS DENIED TONIGHT OR FAILS AND THEN THE NEIGHBORHOOD PLANNING PROCESS CONTINUES, AND AT SOME POINT -- WHAT WOULD BE YOUR PREDICTION AS TO APPROXIMATELY WHEN THE

NEIGHBORHOOD PLAN AND THE CORRESPONDING
REZONINGS COME FORWARD TO COUNCIL?

MY UNDERSTANDING IS IT WILL COME FORWARD THIS
SUMMER. I THINK RIGHT NOW THE DATE IS IN JUNE OR LATE
JULY. MOST LIKELY JULY.

Mayor Wynn: REMIND ME OF OUR RULES OF WHEN -- IF A
ZONING CASE IS DENIED, THERE'S SOME PERIOD OF TIME IN
WHICH A NEW CASE CAN'T BE FILED?

ALICE, MY DIRECTOR, JUST HANDED ME THE DATES. THIS
WILL PROBABLY COME BACK TO COUNCIL IN SEPTEMBER
AND GO TO COMMISSION IN AUGUST. IF THE CASE IS DENIED,
THE APPLICANT WOULD HAVE TO WAIT 18 MONTHS TO COME
BACK AND BRING IT FORWARD. -- 12 MONTHS IF THE CASE IS
ACTUALLY DENIED, BUT RECOMMENDED BY THE PLANNING
COMMISSION. BUT THEY COULD WORK THROUGH THE
NEIGHBORHOOD PLANNING PROCESS AND THIS ISSUE
WOULD AGAIN ARISE AT COMMISSION, THE PROPERTY
OWNER COULD COME FORWARD AND MAKE THE REQUEST
OF COMMISSION TO CONSIDER A GR OR SIMILAR TYPE
ZONING ON THE PROPERTY AND THEN THAT ISSUE WOULD
BE BROUGHT BACK TO YOU AGAIN IN SEPTEMBER AND THE
APPLICANT COULD MAKE THAT REQUEST AGAIN BEFORE
THAT 12-MONTH PERIOD. THROUGH THE NEIGHBORHOOD
PLANNING PROCESS.

Mayor Wynn: AND CORRESPONDING TO THAT THEN, IF THE
NEIGHBORHOOD PLANNING PROCESS, FOR WHATEVER
REASON, WANTED TO CHANGE THE ZONING ON THIS CASE
BY US TAKING ACTION TONIGHT AND DENYING THE ZONING,
WE WON'T -- THE 18 MONTH PERIOD WOULDN'T PRECLUDE
OR WOULD IT PRECLUDE THE NEIGHBORHOOD PLANNING
PROCESS FROM CHANGING THE ZONING?

IT WOULD NOT BECAUSE IT WOULD BE A CITY-INITIATED
APPLICATION AS OPPOSED TO THE APPLICANT'S
APPLICATION. SO AGAIN, COUNCIL COULD CONSIDER THE
CURRENT ZONING OR A DIFFERENT ZONING AT SUCH TIME
AS THE NEIGHBORHOOD PLAN AND THE PLAN REZONING
COME BEFORE YOU IN SEPTEMBER.

Mayor Wynn: SO LIKELY THERE'S GOING TO -- IF THE ZONING IS DENIED THIS EVENING, THERE WILL BE A ZONING CASE AGAIN OR THE OPPORTUNITY FOR A ZONING CASE AGAIN IN SIX MONTHS' TIME APPROXIMATELY, AND REMIND ME WHEN NEIGHBORHOOD PLANS COME TO COUNCIL AND THERE'S THE DOZENS OFTEN TIMES INDIVIDUAL REZONING CASES, CAN, SAY, AN INDIVIDUAL PROPERTY -- SAY IT ISN'T SUGGESTED FOR A ZONING CHANGE, CAN THE OWNER THEN ESSENTIALLY USE THE NEIGHBORHOOD PLANNING PROCESS TO STILL PETITION, IF YOU WILL, THE PLANNING COMMISSION AND ULTIMATELY THE COUNCIL FOR A ZONING CHANGE?

CERTAINLY THE APPLICANT COULD COME FORWARD AND ASK THE COMMISSION TO INITIATE A CASE OR COUNCIL TO INITIATE A CASE IF THE PLAN IS PROCEEDING WITH MAINTAINING THE EXISTING ZONING AND MAKE THAT SAME REQUEST OF YOU OR THE COMMISSION TO INITIATE GR ZONING ON THEIR BEHALF. AND THEN THE SAME ISSUES THAT ARE BEING DISCUSSED TONIGHT COULD BE DISCUSSED AGAIN BEFORE THE COMMISSION AND THE COUNCIL.

Mayor Wynn: ALL RIGHT. THANK YOU. FURTHER COMMENTS, QUESTIONS? MAYOR PRO TEM.

Goodman: AND IF THE APPLICANT WITHDRAWS, WHAT IMPACT GOES WITH THAT?

IT WOULD HAVE A SIMILAR IMPACT BY WITHDRAWING WITH A FAVORABLE COMMISSION RECOMMENDATION THEY WOULD HAVE TO WAIT 12 MONTHS.

Goodman: BUT THAT COULD BE TRUMPED IF THE NEIGHBORHOOD PLAN WAS FINISHED SOONER.

RIGHT. THE NEIGHBORHOOD PLANNING PROCESS WOULD OPEN ANOTHER AVENUE FOR THE APPLICANT TO COME FORWARD AND REQUEST MORE INTENSIVE GR ZONING ON THIS PROPERTY. IT WOULD NOT PRECLUDE THAT FROM HAPPENING. IF THEY WITHDREW IT TONIGHT OR IF IT WAS DENIED TONIGHT.

Goodman: WOULD THE APPLICANT CONSIDER THAT? [ONE

MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] .

IF YOU GIVE YOURSELF AN OPPORTUNITY TO WORK WITH THE NEIGHBORHOOD, MAYBE THERE IS A WAY FOR THEM TO BE OKAY WITH GOODWILL, BUT IT NEEDS TO BE WITHIN THE PROCESS AND NOT COME CO-OPTING THEM.

WE REALLY HAVEN'T TRIED TO SHORT CIRCUIT THE SYSTEM ON THE NEIGHBORHOOD PLANNING PROCESS. IT JUST THERE WASN'T A NEED TO REZONE IT UNTIL THE CONTRACT WITH GOODWILL CAME UP. THAT'S WHEN WE PRESENTED THE GR TO THE NEIGHBORHOOD.

Goodman: WELL, [INDISCERNIBLE] OUT OF THE BLUE, BUT THE PRINCIPLE IS OUT OF THE -- IS THE SAME, IT DID CO-OPT JUST BECAUSE OF CIRCUMSTANCES.

IF THE MAP GOES -- ADOPTED IF YOU WILL OR CREATED, IT'S SHOWING OFFICE ZONING, SO WHEN WE COME BEFORE THE PLANNING COMMISSION SAYING WE WEREN'T GR ZONING WE ARE GOING TO HAVE THE SAME ARGUMENT THERE. ONCE AGAIN.

Goodman: IF THE ATTITUDES STAY THE SAME. I'M SAYING THERE IS A FORUM, THERE IS A WAY TO WORK WITH THE NEIGHBORHOODS IF THEY STILL KEEP THE SAME OPINION WHAT THEY HAVE NOW, THEN IT WOULD BE THE SAME IF YOU TRY TO COME THROUGH AGAIN. BUT I THINK A GREAT DEAL OF THE NEGLECT ACTIVITY IN TRYING TO COME TO AN AGREEMENT, IF POSSIBLE HERE, IS THE FACT THAT YOU ARE OUTSIDE OF PROS SPEAKS THAT A LOT OF FOLKS ARE WORKING VERY HARD ON. JUST THAT IN ITSELF PUTS YOU IN A CONFRONTATIONAL SITUATION. WORKING TOGETHER THERE MIGHT BE A DIFFERENT OUTCOME.

IF COUNCIL WILL GIVE ME A MANUSCRIPT, I WILL SEE CONTRACTUALLY IF WE CAN WAIT THAT LONG TO -- I DON'T THINK WE CAN, IF YOU WILL BEAR WITH ME JUST A MOMENT I WILL FIND OUT.

Mayor Wynn: GOOD GUERNSEY?

Guernsey: I WANT TO OFFER YOU ONE OTHER OPTION.

COUNCIL HAS HAD CONTENTION CASES IN THE PAST AND INDEFINITELY POSTPONE THEM AND THEN ASK THE CASE TO BE BROUGHT BACK AT SUCH A TIME AS THE NEIGHBORHOOD PLAN IS BROUGHT FORTH. THAT WOULD GIVE YOU AN OPPORTUNITY TO KEEP THE APPLICATION ALIVE APPLICANT WOULD NOT FACE THE 12 MONTH WAIT, FACING A DENIAL, THE CASE WOULD BE BROUGHT BACK AT THE SAME TIME AS THE NEIGHBORHOOD PLAN, YOU COULD CONSIDER THE PLAN CASE AND CONSIDER THIS PARTICULAR REZONING CASE. SO THAT IS ANOTHER OPTION.

AN INDEFINITE POSTPONEMENT IS ONLY SIX MONTHS, RIGHT? THE PLAN WILL BE --

WE WOULD BRING THIS BACK WITH ANOTHER NOTIFICATION THAT WOULD HAVE TO BE SENT OUT TO ADJACENT PROPERTY OWNERS. SO I BELIEVE WE ARE RIGHT IN THE SIX-MONTH WINDOW. SO THAT'S AN OPPORTUNITY THAT YOU HAVE AS WELL.

Goodman: OKAY.

Dunkerly: MAYOR?

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Dunkerly: I WOULD LIKE TO MOVE FOR AN INDEFINITE POSTPONEMENT. [INDISCERNIBLE] SIX MONTHS, IF I COULD GET A SECOND ON THAT.

IF YOU DON'T MIND LET'S WAIT TO SEE WHAT MR. BENNETT SUGGESTS.

MAYOR PRO TEM, I DID CHECK WITH THE CONTRACTOR PEOPLE, THE BROKER IS INVOLVED WITH, AND HE'S TELLING ME THAT WE CAN'T WAIT THAT LONG. IF WE WAIT HAS THAT LONG [INDISCERNIBLE] GO SOMEWHERE ELSE, VERSUS THE SITE [INDISCERNIBLE]

Goodman: [INDISCERNIBLE] SIX-MONTH POSTPONEMENT INDEFINITE. SIX MONTH POSTPONEMENT, INDEFINITE.

PERHAPS IF WE GO WITH THE SIX-MONTH POSTPONEMENT

WE CAN TRY TO GO BACK TO THE NEIGHBORHOOD ONCE AGAIN TO SEE IF THERE'S ANYTHING WE CAN AGREE TO. AND THEN IF WE ARE ABLE TO, COME BACK BEFORE COUNCIL. IF NOT, THEN WE MAY HAVE TO COME BACK BEFORE COUNCIL OR THE CONTRACT WILL GO AWAY.

Goodman: I THINK THE WAY GREG WAS EXPLAINING IT WAS THAT THE NEIGHBORHOOD PLAN WOULD BE THROUGH ROUGHLY WITHIN THAT SIX-MONTH TIME FRAME AN INDEFINITE POSTPONEMENT FOR YOU, GIVES YOU THAT SAME SIX-MONTH WINDOW. BUT IT WOULD BE SIX MONTHS MAXIMUM. IT WOULD BE IMPLYING THAT THE NEIGHBORHOOD PLAN WAS THROUGH BEFORE YOU CAME BACK.

THEN AS FAR AS GOODWILL GOES, I DON'T THINK THE SIX MONTHS WILL HELP THAT --

Mayor Wynn: COUNCILMEMBER ALVAREZ?

Alvarez: I HAVE A QUESTION FOR STAFF. JUST BECAUSE I MEAN I'M -- I WAS LEANING MORE TOWARDS JUST BRINGING THE CASE BACK WITH THE NEIGHBORHOOD PLAN AS YOU HAD SAID. MR. GUERNSEY, I GUESS WE HAVE JUST HEARD THAT THE APPLICANT, AT LEAST GOODWILL, DOES -- YOU KNOW, ISN'T GOING TO WAIT OR ISN'T ABLE TO WAIT THAT LONG FOR IT TO COME BACK. BUT IF -- IF -- IF WE DON'T APPROVE THE REQUESTED ZONING, WHICH IT APPEARS THAT THERE'S NOT SUPPORT FOR THAT, THEN WHO IS PROHIBITED FROM APPLYING FOR 18 MONTHS? IS IT ANYONE ON THIS PROPERTY? OR JUST GOODWILL?

BOTH THE -- WELL THE PROPERTY OWNER IS THE ONE THAT BRINGS FORWARD THE OLYMPIC. THEY MAY HAVE DIFFERENT AGENTS AND DIFFERENT BUYERS, BUT THEY WOULD NOT BE ABLE TO RESUBMIT AN APPLICATION IN THAT 12-MONTH PERIOD. IF WE WERE TO BRING THIS BACK WITH THE NEIGHBORHOOD PLAN, IT MAY BE LESS THAN SIX MONTHS, BUT THE IDEA THAT I WAS SUGGESTING IS THAT YOU WOULD BRING THEM BOTH BACK AT THE SAME TIME. SO -- SIX MONTHS I THINK WOULD TAKE US INTO ACTUALLY OCTOBER, FIVE MONTHS WOULD BRING SOMETIME IN

SEPTEMBER. WE DON'T HAVE A PRECISE DATE. BUT IT.

Alvarez: BUT IT WOULD BE THE PROPERTY OWNER THAT WOULD BE PROHIBITED FROM BRINGING BACK --

THAT'S RIGHT.

Alvarez: ANY NEW APPLICATION FOR A ZONING CHANGE.

THAT'S CORRECT.

Alvarez: ZONING CHANGE OF THAT INTENSITY OR GREATER.

Guernsey: THAT'S RIGHT, THEY COULD COME BACK WITH A LESS INTENSE OR -- LR OR -- THAT'S CORRECT. NEIGHBORHOOD PLANNING PROCESS WOULD STILL BE OPEN TO THEM FOR REQUESTING MORE INTENSIVE ZONING, EITHER AT THE COMMISSION OR BY COUNCIL TO THE NEIGHBORHOOD PLANNING PROCESS.

Alvarez: JUST SEEMS LIKE THE PROPERTY OWNER IS STRAPPED MORE IF WE VOTE IT DOWN NOW VERSUS TRYING TO SEE WHAT HAPPENS THROUGH THE NEIGHBORHOOD PLANNING PROCESS. IF IT APPEARS THAT THAT'S NOT AN ISSUE FOR THE APPLICANT, MAYBE THAT'S NOT SOMETHING WE SHOULD CONSIDER.

Mayor Wynn: COUNCILMEMBER DUNKERLY, YOU ARE -- YOU WERE GOING TO MAKE A SUGGESTION ON AN INDEFINITE POSTPONEMENT. BUT MY UNDERSTANDING IS THE -- THE OWNER PERHAPS DOESN'T HAVE A REASON, WE CAN'T -- FOR THIS ZONING CHANGE AT SOME POINT IN THE FUTURE. IT COULD ALWAYS COME BACK AS PART OF THE NEIGHBORHOOD PLAN BECAUSE INEVITABLY THERE'S GOING TO BE A SUGGESTED LAND USE AND PERHAPS A ZONING CHANGE ASSOCIATED WITH THE NEIGHBORHOOD PLAN.

Dunkerly: SHALL I WITHDRAW THAT MOTION? OKAY.

Mayor Wynn: I'LL ENTERTAIN A DIFFERENT MOTION ON ITEM Z-5.

Goodman: MOVE TO DENY.

Mayor Wynn: MOTION BY THE MAYOR PRO TEM.

Slusher: SECOND.

Mayor Wynn: TO DENY ZONING CASE Z-5. SECONDED BY COUNCILMEMBER SLUSHER. FURTHER COMMENTS? MAYOR PRO TEM.

Goodman: I WAS GOING TO SAY WE RELUCTANTLY.

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

AYE.

Wynn: OPPOSED? MOTION TO DENY PASSES ON A VOTE OF 7-0. MS. GLASGO? TECHNICALLY, LET'S CALL UP CASE Z-7 AND Z-8 TOGETHER AS ONE UNIFIED CASE BECAUSE WE HAVE THE SAME SPEAKERS SIGNED UP FOR BOTH CASES. THIS IS A COMBINED PUBLIC HEARING Z-7 AND Z-8.

Glasgo: YES. THAT WAS MY INTENT, MAYOR, TO OFFER THOSE TWO. MAYOR AND COUNCILMEMBERS, ALICEco GLASGO, ON THE SOUTH.

THE HISTORY WAS THAT THE PROPERTY WAS CONSTRUCTED WITH A DUPLEX IN 1997. THE OWNER AT THE TIME INFORMED THE NEIGHBORHOOD THAT A SINGLE FAMILY HOME WAS UNDER CONSTRUCTION. THE OWNER THEN NOT THE CURRENT OWNER REQUESTED A VARIANCE FOR THE LOT SIZE FOR A DUPLEX USE AND FOR IMPERVIOUS COVER ACCESS IN THE ZONING. EXCESS IN THE ZONING. THE REQUEST TO ALLOW THE DUPLEX TO TEST THE PLANNING COMMISSION HEARD THE CASE, THEY WERE UNABILITIES TO ROACH A QUORUM VOTE IN ORDER TO AFFORD A RECOMMENDATION TO YOU. THEY DID FORWARD, THEY FORWARDED THE CASE TO YOU WITHOUT A RECOMMENDATION WHAT YOU HAVE TO WORK OFF OF IS THE STAFF RECOMMENDATION, WHICH IS FOR DENIAL. I KNOW THERE ARE SEVERAL RESIDENTS SIGNED UP TO SPEAK ON THIS CASE. I WILL AWAIT THEIR PRESENTATION

AND QUESTIONS FOLLOWING THEIR PRESENTATIONS.

THANK YOU, MS. GLASGO. AGAIN AS A REMINDER, WHAT WE WILL HAVE IS A FIVE MINUTE PRESENTATION FROM THE OWNER, AGENT. FOLKS WHO ARE IN FAVOR OF THE ZONING CHANGE, FOLKS IN OPPOSITION, THEN I UNDERSTAND THAT THE STATEMENT IS THAT THE RESIDENTIAL STREET, IF YOU SEE THE BUILDING AT THE CENTER, THAT IS THE -- THAT IS THE DUPLEX OF THAT CONSTRUCTED BEFORE OUR CLIENT PURCHASED IT. THE DOCTOR'S OFFICE. THE HISTORY ON THIS AREA IS THAT -- IS THAT BACK WHEN -- WHEN THAT'S RELATED TO OUR REQUEST, ALSO, I THINK WE SHOULD TAKE INTO CONSIDERATION IS THAT WHEN THE DOUBLE TREE IN AND THE DENNY'S WHICH YOU WILL SEE HERE SHORTLY. LOCATED NORTH OF THIS PROPERTY, ABOUT A BLOCK NORTH, WAS SUPPORTED, THERE WAS A STRONG NEGOTIATION GOING ON, DISCUSSIONS WITH THE NEIGHBORHOOD ASSOCIATION, AND BUT EVENTUALLY THAT PROPERTY [INDISCERNIBLE] AND DOUBLE TREE WAS SUPPORT BY THE NEIGHBORHOOD ASSOCIATION AND BY CITY STAFF AND APPROVED BY CITY COUNCIL IN '95. IRONICALLY, I WAS LOOKING AT SOME OF THE MINUTES, SOME OF THE MATERIALS FROM THE '95 ZONING CASE FOR DOUBLE TREE, TRYING TO UNDERSTAND THE STRONG OPPOSITION THIS THIS ONE DENTIST'S CASE COMPARED TO THE DOUBLE TREE AND DENNY'S. THE FIRST WAS 54 UNITS IN ACRE, THE SECOND AND THIRD READING READING, I BELIEVE THERE WAS A MOTION FOR APPROVAL OF 170 UNITS AN ACRE. IT'S A LITTLE CONFUSING FOR US TO SEE WHAT THE SUPPORT OF STAFF AND FROM THE NEIGHBORHOOD ASSOCIATION FOR THIS DEVELOP TO -- THAT YOU ARE SEEING BEFORE YOU, WHICH IS JUST ONE BLOCK NORTH OF OUR CLIENTS' TRACK, WHERE WE ARE HAVING SO MANY PROBLEMS GETTING THE DENTIST TO GET SOME SUPPORT. THIS IS WEST SIDE OF 35. THE PROPERTY OF THE GRASS, BETWEEN THE BUILDING, HIGHWAY, FRONTAGE ROAD, THAT'S ALL TXDOT RIGHT-OF-WAY, NOT A RESIDENTIAL LOT. ONE SMALL STRIP WITH -- WHERE LARGE TREES ARE SHOWING, THAT BELONGS TO THE CITY OF AUSTIN. WE CHECKED WITH PUBLIC WORKS TO CONFIRM THAT. YOU ARE LOOKING AT A BUILDING WITH COMMERCIAL AND TRAFFIC THAT THE DOCTOR HOSE SENT TO MOVE HIS

FAMILY TO TO WATCH THIS WONDERFUL TRAFFIC COME BY, WATCH THE URBAN CENTER WHEN ACTIVITIES ARE GOING ON, BUT ALSO TO OPERATE HIS ONE DENTIST OFFICE OUT OF, TO CONTINUE PROVIDING SERVICES FOR PEOPLE IN EAST AUSTIN, YOU ARE NOT GOING TO FIND TOO MANY PEOPLE WILLING TO DO THAT. TO HAVE A BUFFER WITH THE RESIDENTIAL ALONG AROUND INTERSTATE LIKE THIS, YOU ARE GOING TO HAVE A DIFFICULT TIME FINDING AN OCCUPANT. WHEN THE DENTIST DID MOVE IN, HIS BUSINESS TWO YEARS LATER, WHILE HE WAS TRYING TO GO THROUGH THE ZONING PROCESS, HE MADE A CALL BASED AS A DENTIST AGAIN, NOT AS A DEVELOPER, OF THINKING HE COULDN'T IMAGINE THAT THERE WOULD BE SO MUCH PROBLEM, SO MUCH OPPOSITION ON THE LOCATION THAT HE'S AT RIGHT NOW. WHICH HONESTLY, I CAN'T EITHER. AND IF HE WOULD HAVE CALLED ME AND TOLD ME, THE FIRST THING THAT I WOULD SAID, TELLING YOU IN AUSTIN ZONING, DO WHATEVER WE CAN, DON'T MOVE IN UNTIL WE DO YOUR ZONING, I REALLY DON'T THINK YOU'LL HAVE A PROBLEM. I THINK I HAD DONATED TIME [BUZZER SOUNDING]

Mayor Wynn: OUR RULES ARE A FIVE-MINUTE PRESENTATION. IF YOU WANT TO SPEAK MORE THAN FIVE, YOU SHOULDN'T HAVE GIVEN THE PRESENTATION, BECAUSE THEN YOU COULD HAVE -- HAVE SPEAKERS DONATE UP TO 12 ADDITIONAL MINUTES TO YOU. BUT OUR RULES ARE A FIVE-MINUTE PRESENTATION, THEN WE GO TO THE FOLKS WHO WANT TO SPEAK IN FAVOR OF THE ZONING CASES.

OKAY. EVEN THOUGH THEY SIGNED UP DONATING TIME? I GUESS?

Mayor Wynn: THEN YOU SHOULD NOT HAVE BEEN THE PERSON GIVING THE PRESENTATION, MS. PHELPS.

THAT'S FINE, THANKS.

THIS TIME WE'LL GO TO THE CITIZENS WHO SIGNED UP IN FAVOR OF THIS ZONING CASE. WE WILL START WITH THEIR REQUEST WITH DR. FRANK PENOSA, SORRY IF I'M MISPRONOUNCING THAT. YOU'LL BE --

[INDISCERNIBLE]

YOU'LL HAVE THREE MINUTE, FOLLOWED BY DR. JAMES WATERS.

GOOD EVENING, I'M FRANK PENOSO, AN ORAL SURGEON, HERE TO SPEAK IN SUPPORT OF DR. LOYA'S EFFORTS TO KEEP HIS OFFICE OPEN, I PRACTICE AT 32nd AND RED RIVER, PROVIDE SUPPORT WITH MY PARTNER IN ACCESS OF 30 DIFFERENT DENTAL OFFICES. I CAN TELL YOU WITHOUT GIVE INDICATION THAT DR. LOYA IS AMONGST THE FINEST THAT WE WORK WITH. I SAY THAT BASED ON THE FACT THAT THE QUALITY OF THE WORK THAT I ASSESSED PERSONALLY AND THE -- THE RAPPORT THAT HE OBVIOUSLY HAS ESTABLISHED WITH HIS PATIENTS. THE SECOND ITEM I WANT TO BRING UP HAS TO DO WITH ACCESS TO CARE. AT A TIME WHEN THAT IS REALLY IN THE FOREFRONT FOR ALL OF US. I'M NOT AWARE OF THERE BEING AN OVERPOPULATION OF DENTAL PROVIDERS IN THAT AREA. DR. LOYA MOVED HIS FAMILY THERE. HE HAS CHOSEN TO KEEP HIS MONEY WHERE HE WORKS. AND FOR THOSE THREE REASONS, I PROVIDE MY SUPPORT TO HIM. I WOULD YIELD ANY TIME THAT I HAVE LEFT BACK TO MS. LOPEZ FLEMS.

Mayor Wynn: GREAT, WE'LL KEEP TRACK OF THAT. [APPLAUSE] IS REBECCA LOYA IS IN THE ROOM? OKAY. DR. WATERS, SHE WAS DONATING HER THREE MINUTES TO YOU, UP TO SIX MINUTES IF YOU NEED IT.

GOODNESS, I DOUBT I NEED SIX MINUTES. ACTUALLY, I'M AN ORTHODONTIST, I'M DR. WATERS, I PRACTICE ON 35th STREET. ALONG WITH DR. PENOSO I WORK WITH A LOT OF DENTISTS IN THE AREA, CERTAINLY ALSO WITH ORAL SURGEONS. I DEAL A LOT WITH PATIENT THAT COME FROM THE EAST SIDE THAT SPEAK SPANISH THAT HAVE DIFFERENT CULTURAL ISSUES. AND THERE IS NO SERVICE FOR THAT BEYOND DR. LOYA'S OFFICE. I JUST, YOU KNOW, IMPLORE YOU ALL TO LOOK AND TO SEE SOMEONE WHO IS NOT LIVING IN WESTLAKE, WHO HAS A PRACTICE ON THE EAST SIDE, TAKING THE MONEY FROM THE EAST SIDE AND RUNNING OFF AND LIVING AND SPENDING IT SOMEWHERE ELSE IN THE SUBURBS. THIS IS A MAN WHO GOES HERE WITH HIS FAMILY AND IS RAISING HIS FAMILY IN THIS COMMUNITY,

WANTS TO BE A PART OF THIS COMMUNITY. HE'S A FAMILY DENTIST, NOT SOMEONE WHO IS JUST SPECIFICALLY DOING HIGH DOLLAR ITEMS OR ITEMS OF DENTIST TREE THAT ARE MORE TO HIS LIKING. HE SEES KIDS, ELDERLY, DENTURES, ALL OF THE THINGS THAT A LOT OF DENTISTS IN AUSTIN NOW AREN'T DOING. YOU KNOW, YOU WONDER WHY A LOT OF THE DIFFERENT CAPITAL AREA DENTAL WAS SELL DENTAL AND -- CASTLE DENTAL AND DIFFERENT OFFICES ARE GOING INTO THESE AREAS, IT'S HARD TO GET SOMEONE TO GO IN SOLE PRACTICE IN AN AREA LIKE THIS. IT'S AMAZING, I'M JUST AN ORTHODONTIST, I DON'T UNDERSTAND ALL OF THE ZONING STUFF. IT'S AMAZING HERE IS AN OFFICE THAT FACING I-35. I STAND ON THAT THRESHOLD, YOU TAKE 30 STEPS FORWARD YOU'RE ON THE HIGHWAY. IT'S NOT EVEN THE SIGN SIDE. IT ABSOLUTELY FACES THAT, IT'S A GREAT BUFFER FOR THE NEIGHBORHOOD, HE'S A WONDERFUL FAMILY DENTIST, HE SPEAKS FLUENT SPANISH, VERY USEFUL IN THAT AREA. IT'S UNDERSERVED AREA FOR DENTISTRY, I SHARE A LOT OF MUTUAL PATIENTS WHO WOULD BE DEVASTATED IF HE WAS FORCED TO MOVE FROM THAT AREA. JUST YOU KNOW IT WOULD BE SAD TO SEE THAT. CERTAINLY I SUPPORT DR. LOYA, I WOULD HOPE THAT EVERYONE HERE COULD SUPPORT THAT AS WELL. I WOULD LEND ANY EXTRA TIME THAT I HAVE TO THE FOLLOWING SPEAKER OR TO HIS ATTORNEY.

Mayor Wynn: GREAT. THANK YOU DR. WATERS. [APPLAUSE] I THINK IT'S SEVITRI. IS DEBORAH DUNCAN IN THE ROOM? DEBORAH DUNCAN?

YOU WILL HAVE UP TO THREE MINUTES IF YOU NEED IT?

IS THERE SOMEONE ELSE THAT I CAN DONATE THE TIME?

WELL, OUR RULES ARE THAT SOMEBODY HAS TO BE PRESENT IN THE CHAMBERS -- IS THAT I HAVE SOMEONE HERE WHO IS PRESENT TO DONATE TIME TO YOU.

WHO WOULD THAT BE?

EVELYN SMITH.

Mayor Wnn: THANK YOU. YOU WILL HAVE UP TO SIX MINUTES.

THANK YOU SO MUCH. I'M HERE AS A PRESIDENT FROM THE [INDISCERNIBLE] NETWORK, THE NON-PROFIT ORGANIZATION. I OPERATE ABOUT A BLOCK AWAY FROM DR. LOYA'S OFFICE, I'M IN TOTAL SUPPORT OF HIS BUSINESS THERE. AND AS A NEIGHBOR WHO TAKE REALLY GREAT CARE OF HIS PLACE, BUT HE INVESTED, HE'S BEEN INVESTING IN THE COMMUNITY IN TERMS OF REALLY DOING PRO BONO WORK WITH US. BUT I HAVE A SHORT VIDEO THAT I WOULD REALLY LIKE TO SPEAK TO THAT WILL SHOW SOME OF THE THINGS THAT HE -- WHERE HE'S WORKING AS A PARTNER, ONE OF MANY, MANY PARTNERS, WITH THE ABUNDANT LIFE NETWORK. SO IF I MAY SHOW THIS VIDEO, IT WILL SPEAK A LOT FOR WHY WE NEED TO HAVE DR. LOYA IN THE COMMUNITY.

[INDISCERNIBLE] INCLUDING CRIME.

RIGHT NOW IN TEXAS THERE'S ABOUT 4,000 WOMEN THAT'S PLANNING TO ACCESS THE [INDISCERNIBLE] SYSTEM EVERY YEAR. ADDITIONALLY THERE'S ABOUT 17% OF THE WOMEN LIVING IN AUSTIN RIGHT NOW HOMELESS ON THE STREETS, DRUG ADDICT OR PROSTITUTES.

BASED ON A CHRISTIAN FOUNDATION AND ADMINISTERED IN DIFFERENT PHASES, ADDRESS THIS UNDERLYING PROBLEM BY FOCUSING ON RESTORING THE ABUNDANT LIFE, THE HEART DESIRES.

THE ABUNDANT LIFE NETWORK IS A PROGRAM OF RESIDENTIAL TRAINING PROGRAM FOR WOMEN WHO ARE SOCIALLY DISADVANTAGED. WE ASK PEOPLE TO COME JUST THE WAY THEY ARE. MANY TIMES WE WILL PICK PEOPLE OFF THE STREET THE WAY THEY ARE, BRING THEM IN IF THEY WANT TO CHANGE.

LIFE SKILLS, SOCIAL SKILLS, WE TEACH YOU ANGER MANAGEMENT, WE HAVE A 12-STEP PROGRAM.

ABOUT A YEAR AGO, YOU WOULD NEVER KNOW IT TO LOOK AT ME, I WAS HIDING BEHIND A DUMPSTER SMOKING CRACK.

I WAS PRETTY MUCH HOMELESS, LIVED IN A CRACK HOUSE.

I TURNED TO PROSTITUTING BECAUSE IT PAID FOR DRUGS.

MY FAMILY GAVE UP ON ME.

I DIDN'T THINK THAT I WAS WORTH ANYTHING, THE GROUND SHE WALKED ON.

REALLY VERY HOPELESS, JUST SHORT OF TRYING TO COMMIT SUICIDE, I EVEN BOTCHED THAT UP.

NOTHING SEEMED TO WORK, I ATTEMPTED SUICIDE, AN EMPTYINGS THAT I COULD NEVER FILL.

ALL THAT I COULD HEAR WAS A VOICE CALLING INSIDE OF ME, SAYING WOULDN'T YOUR MAMMA BE PROUD OF HER LITTLE BABY NOW.

THE ABUNDANT LIFE NETWORK IS A FAITH BASED NON-PROFIT ORGANIZATION. IT ENABLES SOCIALLY DISADVANTAGED INDIVIDUALS TO BECOME PRODUCTIVE CITIZENS BY COMPLETING A HOLISTIC PROGRAM WHICH MEETS THEIR PHYSICAL, EMOTIONAL AND INTELLECTUAL AND SPIRITUAL NEEDS.

WHAT WE DO IS WE BUILD A SPIRITUAL FOUNDATION BASED ON THE BIBLE.

FAITH IS THE SUBSTANCE OF THINGS HOPED FOR.

IT'S ROCK SOLID, TEACHING THEM ABOUT PRAISING WORSHIP, WHERE, BIBLE STUDIES, READING THE BIBLE, BUILDING A RELATIONSHIP WITH GOD. THE GOAL IS BY THE END OF THE SIX MONTHS THEY WOULD HAVE A SOLID FOUNDATION IN JESUS. AND ON THAT ROCK WE BEGIN TO BUILD THE JOB SKILLS. SO WE ARE CLEANING THEM UP ON THE INSIDE. DEALING WITH ALL OF THE EMOTIONAL HURTS THEY MAY HAVE HAD. THEN WE ARE TRYING TO CLEAN THEM UP ON THE OUTSIDE IN TERMS OF THE WAY THAT THEY LOOK, THE PERSONAL HYGIENE, EVEN IN TERMS OF THE LIFE SKILLS, ANGER MANAGEMENT. YOU KNOW, THE DRUG ADDICTION, THE 12 STEP PROGRAM WE HELP THEM WITH.

WE TEACH THEM SOCIAL SKILLS.

TRAINING IMPOVERISHED AND BROKEN SPIRITED ...
THROUGH SPIRITUAL GROWTH AND HEALING, EDUCATION
AND CARING RELATIONSHIPS.

SEVEN OUT OF 10 WOMEN THAT COME THROUGH MY
PROGRAM ACCORDING TO MY RECORDS WHEN I GO CHECK
IN THEIR PRISON SYSTEM, THE CRIMINAL SYSTEM, HAVE NOT
RETURNED TO ANY CRIMINAL ACTIVITY.

A COUPLE OF DAYS WE WERE OUT AND I RAN INTO
SOMEBODY THAT I USED TO ROOM WITH IN A HALFWAY,
THREE QUARTER HOUSE.

JO! MY GOODNESS SAKE, YOU LOST A BUNCH OF WEIGHT,
GIRL.

THEY ENDED UP ON THE STREETS. I JUST TOOK ANOTHER
HARD LOOK. A YEAR AGO, BY THE GRACE OF GOD, GO I. HAD
I MADE THE WRONG CHOICE THAT, TOO, COULD HAVE BEEN
ME.

I'M GLAD THERE ARE PEOPLE OUT THERE LIKE HER.

EVERYBODY HAS POTENTIAL. THERE'S NO REASON THAT
ANYONE SHOULD HAVE LESS THAN ABUNDANT.

LIVE IN ABUNDANT LIFE.

IT TURNS PEOPLE'S LIVES AROUND. GIVES THEM A HOPE
FOR THE FUTURE. A DECEMBER DESTINY.

I FOUND MY IDENTITY, I FOUND OUT WHO I WAS IN CHRIST.

MY LIFE DRASTICALLY CHANGED.

WHETHER IT'S AN HOUR OR A WEEK WE DEPEND ON YOUR
TALENTS AND TIME AS WELL AS FINANCIAL GIFTS TO
PROVIDE ONGOING QUALITY MINISTRY.

WE NEED TEACHER, FACILITATORS, PEOPLE JUST TO HELP
US ADMINISTRATIVELY, HELP US IN FUNDRAISING

ACTIVITIES. WE ALSO NEED PEOPLE IN TERMS OF GIVING US DONATIONS AND IN TERMS OF MATERIALS OF THE WE NEED CLOTHES TO CLOTHE THEM. WE NEED PERSONAL HYGIENE ITEMS. WE NEED SUPPLIES FOR THE HOUSE.

AS A FRIEND OF ALN, YOU CAN INVEST WITH CONFIDENCE. KNOWING THAT YOUR TAX DEDUCTIBLE GIFTS WILL GO TOWARD HELPING TROUBLED WOMEN EXPERIENCE FREEDOM AND CHANGE IN THEIR LIVES.

YOU HAVE ANGELS.

THIS IS A COMMUNITY PROJECT. IT WITH EVERYBODY INVOLVED. AND SO IF THERE'S ANYONE OF YOU THAT WANT TO KNOW HOW YOU CAN PLUG INTO THE ABUNDANT LIFE, THERE IS SOMETHING FOR YOU TO DO.

OUR GOAL IS TO MAINTAIN EXCELLENCE IN MINISTRY, INTEGRITY AND MANAGEMENT AND ACCOUNTABILITY IN OUR FINANCES.

BECOMING A PARTNER GIVES YOU AN OPPORTUNITY TO JOIN A UNIQUE GROUP OF PEOPLE WHO ARE HELPING OTHERS BECOME PRODUCTIVE CITIZENS IN OUR SOCIETY.

GOD GAVE ME THE VISION THAT NOT JUST A HOME HERE IN AUSTIN, BUT PLANTED ALL OVER THE COUNTRY TO BE ABLE TO HAVE HOMES BECAUSE EVERYWHERE AROUND THE COUNTRY WE HAVE WOMEN THAT ARE NEEDING HELP.

FIND OUT MORE ABOUT THE ABUNDANT LIFE NETWORK BY CONTACTING US.

VISIT OUR WEBSITE. LISTED ABOVE.

Mayor Wynn: OUR NEXT SPEAKER IS TINA GRINDLE, SORRY IF I'M MISPRONOUNCING THAT, FOLLOWED BY BOBRA OR BARBARA CAMPBELL.

MY NAME IS TEENY. I HAVE SPENT THE MAJORITY OF MY LIFE ABUSING DRUGS, BEING ABUSED UNTIL IT BECAME A WAY OF LIFE. I LOST FOUR CHILDREN DUE TO MY DISFUNCTIONAL LIFESTYLE. LAST JULY I WAS INCARCERATED IF I CHOSE TO

CONTINUE IN MY CRIMINAL BEHAVIOR. INSTEAD I WENT TO THE ABUNDANT LIFE NETWORK WHERE I WAS ABLE TO TOTALLY TURN MY LIFE AROUND AND BE TRANSFORMED BY THE RENEWING OF MY LINED, SET FREE FROM A LIFETIME OF ADDICTION. THE NETWORK IS A HOME, IT'S NOT A HALFWAY HOUSE. IT'S FUNNY BECAUSE HALFWAY SPEAKS FOR ITSELF. I HAVE BEEN TO SEVERAL AND THAT'S JUST WHAT I GOT. HALFWAY. IT'S ALWAYS A HOUSE IS JUST A BUILDING. ANYONE CAN HAVE A HOUSE. ABUNDANT LIFE NETWORK AND THE DENTIST'S OFFICE ARE HOMES BUILT ON LOVE, UNCONDITIONAL LOVE. SINCE FINISHING THE PROGRAM, I HAVE A REAL JOB TAKING CARE OF MY MOM, I HAVE A CHECKING ACCOUNT, A HOME WITH GOD FEARING WOMEN, I LIVE IN A DRUG INFESTED NEIGHBORHOOD WHERE BECAUSE OF MY FOUNDATION THAT I WAS GIVEN AT THE ABUNDANT LIFE I'M ABLE TO STAY CLEAN. I'M GOING TO BE SPENDING THE SUMMER WITH MY SON WHO I AM I HAVEN'T SEEN IN SIX YEARS. SPEAKING OF NEIGHBORHOODS, THE ABUNDANT LIFE NETWORK AND THE DENTIST OFFICE JUST SO HAPPENS TO BE LOCATED IN THE SAME NEIGHBORHOOD WHERE I FREQUENTLY WORKED THE STREETS AND BOUGHT CRACK COCAINE ON A DAILY BASIS. WHILE AT ABUNDANT LIFE NETWORK I WATCHED A WOMAN COME IN WITH VERY LOW SELF HE STEAM, NOT TOO MUCH UNLIKE MYSELF IN JULY. SHE STEPPED OUT IN FAITH AND WROTE A LETTER TO OYA. THE DENTIST IN TURN RESPONDED BY FIXING HER TEETH FOR FREE. YOU CAN IMAGINE THE JOY THAT BROUGHT TO OUR HOME AND THE HOPE THAT SPREAD LIKE WILDFIRE. I'M ONLY ONE SUCCESS STORY. AND SHE'S ANOTHER. IF ONE CAN REACH A THOUSAND AND TWO 10,000, THESE PEOPLE, THE ABUNDANT LIFE NETWORK AND DR. LOYA ARE CHANGING LIVES FOR THE BETTER, GIVING HOPE IN AN OTHERWISE HOPELESS NEIGHBORHOODS, TO STOP THEM OR EVEN HINDER THEM YOU IN TURN ARE ONLY HURTING YOURSELVES. IF TRUTH BE TOLD, YOUR CHILDREN AS WELL, WE DO BECOME A PRODUCT OF OUR ENVIRONMENT. WHAT'S MORE IMPORTANT HERE? TAX DOLLARS OR PEOPLE'S LIVES? LIGHT IN THE MIDDLE OF DARKNESS, THAT'S WHAT ABUNDANT LIFE AND THE THE DENTIST ARE. FAN THE FLAMES, STOP TRYING TO SNUFF THEM OUT OR HE WILL YOU'LL BE OVERTAKEN BY THE DARKNESS. THANK YOU. [APPLAUSE] BOBRA KENDALL, THREE MINUTES, FOLLOWED

BY RICKY NEAR.

I STAND BEFORE YOU THIS AFTERNOON TO -- TO VALIDATE ABUNDANT LIFE AND DR. LOYA. THE APPROACH THAT ABUNDANT LIFE HAS TAKEN IS A MULTI-DISCIPLINARY APPROACH AND EVEN SINCE ITS INCEPTION, IT'S BEEN IN THE HEART OF ITS FOUNDER THAT IT WOULD BE A MINISTRY THAT WILL BE SUPPORTED BY THE COMMUNITY. BECAUSE IT A VER3□-- EVEN THOUGH THE NUMBER OF PEOPLE THAT ARE BEING SERVED MAY SEEM LIMITED, IT -- EVERY EFFORT THAT'S PUT INTO THIS MINISTRY IS WORTH IT. I MYSELF AM A PARISH NURSE AND I VOLUNTEER MY TIME. I HELP WITH THE G.E.D. PROGRAM, I TEACH HEALTH EDUCATION, AND I -- I HELP BIBLE STUDIES OR ANSWER QUESTIONS THAT SHE HAS REGARDING MEDICAL ISSUES THAT NEED TO BE FOLLOWED UP ON. AND BECAUSE OF -- BECAUSE OF THE NEED FOR THE -- FOR THIS TYPE OF PROGRAM IN THE COMMUNITY, AND PEOPLE LIKE DR. LOYA TO SUPPORT HER, I STAND HERE ASKING YOU TO SUPPORT HIM IN STAYING IN THIS PARTICULAR COMMUNITY WHERE THE NEEDS ARE SO GREAT. REGARDING THE MINISTRY ITSELF, THE BENEFITS OF THE PROGRAM ARE THAT IT -- IT SUPPORTS THE SPIRIT, SOUL AND BODY, IT A HOLISTIC APPROACH, IT IS A HOME, A TRAINING CENTER AND THE PURPOSE OF THIS HOME IS SO THAT THESE PARTICULAR LADIES CAN ACTUALLY DEVELOP NEW LIFE, DEVELOP NEW LIVES. RECENTLY MY SISTER HAD A STROKE, SHE'S HAVING TO LEARN EVERYTHING ALL OVER AGAIN. AND THIS IS WHY I SUPPORT A MINISTRY LIKE ABUNDANT LIFE AND DR. LOYA AND ANYBODY ELSE IN THE COMMUNITY WHO WANTS TO COME ALONGSIDE TO SUPPORT THIS PARTICULAR MINIMUMS COMMUNITY. YOU HAVE SEEN THE VIDEO. IT TESTIFIES FOR ITSELF. I'VE BEEN THERE. I'M A WITNESS TO THE WOMEN THAT HAVE COME FROM THIS PROGRAM AND THE PROGRESS THEY HAVE MADE. AND SO I STAND BEFORE YOU, ASK YOU TO SUPPORT THEM, THE THE EVIDENCE IS IN THE TESTIMONIES, EVIDENCE IN THE VIDEOS, EVIDENCE IN DR. LOYA'S COMMITMENT TO THE COMMUNITY, THANK YOU.

THANK YOU. RUNNING KEY NEAR, FOLLOWED BY PASTOR SHERMAN TAYLOR.

I'M RICKY NEAR, A WIFE, MOTHER, BUSINESS OWNER IN

TRAVIS COUNTY, I DO VOLUNTEER WORK WITH THE ABUNDANT LIFE NETWORK. I SPECIALIZE IN JOB SKILLS TRAINING. I'M HERE TO SUPPORT DR. LOYA BECAUSE OF THE LIFE THAT WAS CHANGED BEFORE MY EYES BECAUSE OF HIS TIME AND GENEROUS DONATION TO ONE OF THE WOMEN IN THE HOME. ONE OF THE WOMEN CAME INTO THE PROGRAM WITH NO TEETH. NO TEETH. WOULDN'T SMILE FOR PICTURES, SHE WOULDN'T SMILE, SHE DIDN'T WANT TO GO WITH ME TO NETWORKING EVENTS AND GET OUT AND DO INTERVIEWS BECAUSE SHE WAS EMBARRASSED ABOUT HER MOUTH. SHE WROTE A LETTER TO DR. LOYA AND HE CAME TO THE DOORSTEP AND I'LL ALWAYS REMEMBER THAT DAY, SHE CALLED ME, SCREAMING, SO EXCITED BECAUSE SHE GOT TEETH. THAT MADE HER TO BE ABLE TO SMILE, SHE WAS ABLE TO TAKE PICTURES AND PARTICIPATE AND BE AT THE FRONT OF ALL OF OUR ACTIVITY. WANTED TO GO WITH ME TO NETWORKING EVENTS AND TO BE ABLE TO GO OUT AND DO INTERVIEWS AND SHE SAYS I'VE GOT MY TEETH NOW, READY TO DO MY RESUME, LET'S GO. SHE WAS UNSTOPPABLE AFTER THAT. THAT'S ALL I WANTED TO SAY. I ASK YOU TO PLEASE SUPPORT DR. LOYA, THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: THANK YOU. PASTOR TAYLOR, WELCOME, YOU'LL HAVE THREE MINUTES.

THANK YOU VERY MUCH, SIR. APPRECIATE THE OPPORTUNITY. I AM HERE TO SUPPORT THE DR. MYSELF. HE'S AN INCREDIBLE MAN. I WAS TAUGHT AT AN EARLY AGE THROUGH MY FATHER THAT WE SHOULD PUT OUR YOUR HANDS TO PEOPLE TO HELP THEM. THIS MAN HAS BEEN BEYOND AND ABOVE THE WORK REQUIRED OF HIM. I'VE WATCHED HIM, I'VE SEEN HIS WORK. I CAN SAY THAT HE IS ONE INCREDIBLE MAN. HE IS A FAMILY MAN. AND I STAND FOR FAMILY, FAMILY BELIEFS, THE THINGS THAT THE MAN DOES IN THE COMMUNITY. WITHOUT HIM, ABUNDANT LIFE, I DON'T THINK THAT THEY COULD SURVIVE AS FAR AS WHAT THEY NEED -- WHAT THEY MEAN TO THE WOMEN. YOU HAVE MANY WOMEN COMING IN FROM AN OUTSIDE WORLD, FROM THE DARKNESS INTO THE LIFE, THIS MAN IS EXTENDING HIS RIGHT HAND TO THEM. I WANT TO THANK YOU FOR THE TIME HERE, BUT I REALLY SUPPORT HIM 100% ON WHAT HE'S DOING, I JUST ASK YOU TO CONSIDER WHAT HE'S DOING FOR

THE COMMUNITY. THANK YOU.

Mayor Wynn: THANK YOU. [APPLAUSE]

Mayor Wynn: PASTOR DAVID PEREZ, FOLLOWED BY KEN ADAMS.

MY NAME IS PASTOR DAVID PEREZ, I'M WORKING WITH VICTORY MINISTRY. I HAVE BEEN IN EAST AUSTIN FOR 25 YEARS. I WORK WITH DRUG ADDICT, ALCOHOLICS, [INDISCERNIBLE], EVERYTHING OUT THERE. I'M WORKING WITH. AND IT IS MY JOB TO REACH OUT TO PEOPLE THAT NEED HELP. DR. LOYA IS OUR DENTIST FOR MY FAMILY, FOR PEOPLE THAT I KNOW I RECOMMEND. NOW THIS IS WHAT WE NEED UP THERE. SEE A LOT OF PEOPLE WORRIED ABOUT THIS, ABOUT THAT, BUT THEN THEY GOT DRUG CONNECTIONS RIGHT THERE ABOUT HALF A BLOCK, TWO BLOCKS FROM THERE, NOBODY SAYS NOTHING. NOW A GOODMAN CAME IN, TRIES TO HELP THE COMMUNITY, WE TRY TO STOP HIM, THAT'S NOT GOOD. I HAVE BEEN WORKING 25 YEARS IN EAST AUSTIN, I SEE A LOT OF THINGS COMING INTO EAST AUSTIN, SOMETHING GOOD. WE HAVE MOVING OTHER THINGS OUT OF THERE. ONE OF THE HELP THAT WE ARE GETTING IS FOR -- FOR SOMEBODY LIKE DR. LOYA TO HELP THE COMMUNITY. I USED TO GO WAY UP NORTH FOR DENTAL, NOW RIGHT THERE IN THE NEIGHBORHOOD. A LOT OF PEOPLE AIN'T GOT NO TRANSPORTATION, THEY DON'T SPEAK ENGLISH. THEY CAN GO THERE AND GET THEIR HELP WHERE -- FOR THE CHILDREN FOR FAMILIES AND IT'S SOMETHING GOOD. AND I SUGGEST THAT WE LOOK AT THIS REAL DEEP AND SEE HOW THE THAT WE NEED TO HELP PEOPLE. OUR JOB IS TO HELP PEOPLE, THE MAYOR AND CITY COUNCIL, IS FOR THE PEOPLE ALSO. EVERYTHING IS FOR THE PEOPLE. NOW, THE COMMUNITY NEEDS HELP AND THEY NEED HELP LIKE DR. LOYA, HE'S A GOODMAN, I VOUCH FOR HIM, I ALWAYS RECOMMEND HIM TO THE NEIGHBORS, YOU KNOW. I WAS WORKING OUT THERE IN THE EAST SIDE, IN THE PROJECTS WHERE PEOPLE NEEDS HELP. I HAVE A HOME FOR MEN, DRUG ADDICT, WE ARE BUILDING A HOME FOR WOMEN BECAUSE WE ARE REACHING OUT. IT'S FREE. WE DON'T CHARGE NOTHING. AND I'M A PASTOR OF A CHURCH. AND WE ARE A COMMUNITY A CHURCH AND I'VE BEEN THERE 25 YEARS. I SEE THIS MAN OTHERWISE I WON'T

BE GOING TO, YOU KNOW, AS A FAMILY FOR OUR FAMILY DOCTOR, BUT, YOU KNOW, IT'S A GOODMAN AND HE'S ALWAYS HELPING PEOPLE. I SUGGEST THAT WE, YOU KNOW, I'M ASKING YOU TO KEEP HIM THERE BECAUSE THIS IS WHAT WE NEED IN EAST AUSTIN. PEOPLE THAT'S GOING TO HELP, YOU KNOW, AND NOT TRYING TO MAKE A FAST DOLLAR, BUT TRYING TO HELP THE COMMUNITY, YOU KNOW, AND I THANK YOU FOR LISTENING TO ME, BUT PLEASE THINK ABOUT THIS. BECAUSE WE NEED THIS IN EAST AUSTIN, WE ARE TIRED OF THOSE DRUGS, WE ARE TIRED OF ALL OF THIS GOING ON THEN SOMETHING GOOD COMES IN, WE TRY TO GET THEM OUT OF THERE, IT'S NOT RIGHT. I THANK YOU FOR LISTENING TO ME, I HOPE YOU KEEP HIM THERE. THANK YOU, GOD BLESS YOU. [APPLAUSE]

THANK YOU, PASTOR. WELCOME, KEN ADAMS, YOU WILL HAVE THREE MINUTES.

THANK YOU. MY NAME IS KEN ADAMS, I'M AN INDEPENDENT FILM MAKER, A LONG TIME AUSTIN ARTIST, RESIDENT. I APPRECIATE YOU GUYS STAYING AROUND AND YOUR STAMINA, I'M IMPRESSED, I APPRECIATE YOU GIVING US THE TIME TO BE HEARD. LAST SUMMER I HAD A DENTAL EMERGENCY IN THE MIDDLE OF A FILM SHOOT. I NEEDED HELP, I WAS IN A LOT OF PAIN. I CALLED A LOT OF DENTISTS, I GOT BASICALLY TOLD THAT I WOULD HAVE TO COME BACK MUCH LATER WITH CREDIT CARDS. DR. LOYA OFFERED ME TO COME DOWN RIGHT AWAY, GET IMMEDIATE ATTENTION. I DEFERRED PAYMENT ON MY TREATMENT UNTIL I GOT PAID AGAIN. AND IN THE MEANTIME, I GOT FURTHER WORK DONE AND SINCE I HAVE IN THE NEIGHBORHOOD, I HEARD SOME OF MY NEIGHBORS WHEN I WAS RECOMMENDING DR. LOYA TOLD ME THAT I HAVE GOING THROUGH THIS REZONING REQUEST, AND I WAS SURPRISED THAT ANYBODY WOULD BE OPPOSED TO IT. AND OFFERED THE DOCTOR TO SPEAK ON HIS BEHALF IF I COULD. THAT'S MY INTENTION TODAY. DOCTOR LOYA HAS A VERY BIG HEART, A VERY GENEROUS MAN. I KNOW THAT THE POINT OF THESE SORTS OF RULES FOR THE ZONING COMMISSION IN THE POINT OF NEIGHBORHOOD COMMISSIONS IS TO PROVIDE AN OPPORTUNITY FOR A GREATER WISDOM TO EMERGE FROM THE SHARED EXPERIENCE OF THE COMMUNITY. THAT'S WHAT I'M HERE FOR. I WANT TO TELL YOU THAT HE'S A

GOODMAN. HE ADDS HIGH VALUE TO THIS COMMUNITY. HE'S BILINGUAL, DELIVERS A HEALTH CARE SERVICE IN A VERY UNDERSERVED NEIGHBORHOOD. IF EVER I'VE KNOWN OF A CASE WHERE A RECONSIDERATION IS IN ORDER, THIS IS IT. I APPRECIATE YOU FOR THE TIME TO TALK AND ADDRESS THIS, THANK YOU VERY MUCH. A NUMBER OF FOLKS SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. I WILL THEIR NAMES INTO THE RECORD. MY INSTINCT IS A FEW OF THESE HAVE ALREADY HAD TO LEAVE. I'LL START READING THOSE NAMES, IF THEY ARE HERE, PLEASE COME FORWARD, JUAN MEZA SIGNED UP IN FAVOR BE WISHING TO SPEAK, ALTHOUGH I BELIEVE I SAW JUAN HAVE TO LEAVE EARLIER. HEARD FROM PASTOR PEREZ, DENNIS ROLAND, WELCOME, SIR, THREE MINUTES. [APPLAUSE] YOU WILL BE FOLLOWED BY CHRIS HARP. WELCOME, SIR.

THANK YOU MAYOR AND CITY COUNCIL, MY NAME IS DENNIS ROLAND, I HAVE RESIDED IN THE CITY SINCE 1968. I KNEW FERN WHEN HE WAS FERN AS AN INTERN ON EAST SEVENTH STREET PRACTICING THERE, NOT PRACTICING BUT INTERNING ON EAST SEVENTH STREET. WHEN I BECAME DR. LOYA HE MOVED HIS PRACTICE TO WHERE EAST FIRST STREET? WHERE DID HE FAMILY LIVE? IN PFLUGERVILLE, WHEN THIS BUILDING BECAME AVAILABLE HE DECIDED THIS WOULD BE A GOOD PLACE TO OPERATE A BUSINESS, STAY IN EAST AUSTIN, AND HAVE HIS FAMILY HERE. WE ARE BUILDING LOFTS DOWNTOWN TO GET PEOPLE TO LIVE DOWNTOWN. HE LIVES AND WORKS DOWNTOWN. I'VE GONE TO HIS OFFICE AND WATCHED HIM. HE'S A FRIEND AS WELL. BUT YOU DON'T KNOW HOW MANY WALK-INS CAME OFF THE STREET ON EAST CESAR CHAVEZ, NOT SPEAKING A WORD OF ENGLISH, PEOPLE WHO NEEDED HELP AND DIDN'T KNOW WHERE TO GO AND HE WOULD BRING THEM IN AND TAKE CARE OF THEM. HE WOULD WORK WITH THEM FINANCIALLY. I CAN'T UNDERSTAND THE QUESTION ABOUT THE REZONING. WHO IN THEIR RIGHT MIND WOULD EXPECT A BUILDING ON I-35 NOT TO BE ZONED COMMERCIAL? YOU KNOW, PARKING? PARKING IS A PROBLEM. HE'S A SMALL ONE DENTIST PRACTICE. HE HAS ONE, TWO CARS OUT FRONT. YOU HAVE THAT MANY CARS AVAILABLE TO YOU WHEN YOU HAVE FRIENDS AND NEIGHBORS OVER. SO, YOU KNOW, I WOULD LIKE YOU TO RECONSIDER AND THINK ABOUT REZONING

THIS BECAUSE THE NEIGHBORHOOD, HE'S DONE SO MUCH FOR THE NEIGHBORHOOD AND HE'LL CONTINUE TO DO SO. THANK YOU AND I YIELD ANY TIME TO HIS AGENT.

Mayor Wynn: THANK YOU. [APPLAUSE]

CHRIS ARP.

Mayor Wynn: SIGNED UP WISHING TO SPEAK IN FAVOR, NOT HERE. JAN GOSS SIGNED UP WISHING TO SPEAK, IN FAVOR. [INDISCERNIBLE] IN FAVOR, FERNANDO LOYA, THANK YOU. WELCOME.

HELLO MAYOR, HELLO COUNCILPERSONS. HOW CAN I FOLLOW THAT? I DON'T KNOW. THAT'S MORE THAN ENOUGH. ALL I REALLY WANT TO SAY I WANT TO STAY ON THE EAST SIDE. I ALWAYS WANTED TO STAY ON THE EAST SIDE. I STARTED MY PRACTICE ON SOUTH FIRST BUT I MOVED ON THE EAST SIDE. WHEN I TO SPOKE TO THE DOCTORS, HIS DECISION FOR MANY YEARS ON THE EAST SIDE, DR. [INDISCERNIBLE] THE ONLY DENTIST ON THE EAST SIDE. THEY APPROACHED ME, SAID WE NEED HELP OVER HERE. I CAN'T TAKE THE OVERFLOW, I CAN'T TAKE -- TOO MANY HISPANIC PEOPLE, I CAN'T UNDERSTAND, EVEN THOUGH MY STAFF SPEAKS SPANISH, I DON'T, HE SAYS WE NEED YOU BACK HERE. THAT'S WHEN I MOVED MY PRACTICE TO CESAR CHAVEZ. BECAUSE OF CIRCUMSTANCES I FOLLOWED PROTOCOL, WHEN I BOUGHT MY HOUSE I WANTED -- I WENT THROUGH THE PROCESS BUT I HAD TO WAIT BUT I WANTED TO STAY ON THE EAST SIDE. I'VE ALWAYS WANTED TO. I CONTINUE TO. MAYBE YOU CAN GIVE ME YOUR SUPPORT TO STAY IN THE EAST SIDE. I BROUGHT MY FAMILY OVER HERE, WE WANT TO GROW AND RETIRE ON THE EAST SIDE WHERE MY PRESENT LOCATION IS. THANK YOU. [APPLAUSE] SUSANA ALMANZA, SORRY YOU HAVE TO FOLLOW THAT SIEWSESA. YOU WILL BE FOLLOWED BY MARTA COTERA.

> MAYOR, I'M SUSANA ALMANZA, CITY COUNCIL MEMBERS, I'M HERE AS AN INDIVIDUAL TODAY. WELL, WELL, WELL, YOU KNOW, I JUST THINK IT TAKES ME BACK TO THE CESAR CHAVEZ PLAN, WHEN WE HAD SINGLE FAMILY ZONING THERE, WE HAD NEIGHBORHOODS, WE HAD RETAIL, WE HAD A MIXED THING AND YOU DECIDED TO BLANKET ZONING US

COMMERCIAL SERVICE MIX THE USE. AND HERE IS A PERSON WHO IS ASKING EXACTLY THE SAME, HE'S NOT EVEN ON SMALL NEIGHBORHOOD STREET. HE'S ON A MAJOR CORRIDOR. AND NOW WE ARE HAVING OPPOSITION TO THE VERY THING THAT YOU ALL ARE PROPOSING. MAYBE IT'S A CERTAIN PART OF EAST AUSTIN THAT YOU WANT TO PROMOTE COMMERCIAL SERVICE MIXED USE AND OUR INNER CORE SINGLE FAMILY BARRIO, BUT YOU DON'T WANT TO DO IT IN A MAJOR CORRIDOR AS I-35. THAT YOU GOT DENNY'S, A LOT OF INDUSTRIAL, THE HOSPITAL, YOU KNOW, I REMEMBER THAT STREET BECAUSE I WENT UP AND DOWN THAT STREET WITH THE SARATOS, JACKSONS, WILSONS, THAT WAS A MEXICAN AND AFRICAN-AMERICAN COMMUNITY. THAT'S WHAT IT WAS. I THINK IT'S TRYING TO TRANSITION BACK BUT THERE'S A LOT OF PEOPLE WHO DON'T WANT TO TRANSITION BACK TO THE WAY IT WAS. AND NOW YOU HAVE THOSE HUMONGOUS BUILDINGS THERE, HE'S ABLE TO NOW TO MAKE SINGLE FAMILY AND A DENTIST'S OFFICE. WHEN I LOOK AT THE IRONY, WHEN WE WERE WORKING IN OUR NEIGHBORHOOD PLAN IN MONTOPOLIS, THE CITY WAS BUSY DOING MULTIPLE FAMILY AT THE AREA THAT WE WANTED SINGLE FAMILY ON MONTOPOLIS DRIVE. RIGHT NOW, THE CITY IS TRYING TO -- HAS INITIATED A CASE FOR SINGLE FAMILY ZONING TO MULTIPLE FAMILY IN MONTOPOLIS AND HASN'T EVEN BROUGHT THAT BACK TO THE NEIGHBORHOOD PLANNING TEAM. I THINK THERE'S A LOT OF, YOU KNOW, INJUSTICES THAT HAPPENED HERE. ONE PART OF THE COMMUNITY DEPENDING WHO HAS THE MOST MONEY GETS THEIR WAY AND ANOTHER GROUP OF PEOPLE WHO LIVE IN THE POVERTY STRICKEN AREA WITH LITTLE EDUCATION GETS TREATED A SEPARATE WAY. YOU KNOW, YOU CAN BLANKET ZONING A LOT OF STREETS IN EAST AUSTIN COMMERCIAL SERVICE MIXED USE, THAT ARE NON-MAJOR CORRIDORS, BUT YOU CAN'T DO IT DURING A MAJOR CORRIDOR AREA. I THINK WE REALLY NEED TO RESIFT THAT PARTICULAR AREA. THAT IS, YOU KNOW, SOMETHING THAT COULD DEFINITELY BE MIXED USE. IT FITS IN WITH YOUR BROADER WHAT YOU ARE FORCING DOWN US ANYWAY. YOU ARE FORCING COMMERCIAL SERVICE MIXED USE. YET HERE IS SOMEONE THAT'S ACTUALLY COMING FOR THAT MICKED USE, NOT -- MIXED USE, NOT EVEN COMMERCIAL, NEIGHBORHOOD OFFICE MIXED USE, LOWERING ZONING,

YET HE CAN'T GET INTO IT BECAUSE OF A CERTAIN TIME FRAME OF THE NEIGHBORHOOD PLAN. I'VE SEEN THE AMENDMENTS COME UP. I HAVE SEEN PEOPLE COME UP IN THE NEIGHBORHOOD PLAN AND BE ABLE TO CHANGE A ZONING EVEN THOUGH THE STATUS AND THE TIME. SO I THINK THAT -- THAT WE REALLY NEED TO LOOK HARD AT THAT AND LET DR. LOYA KEEP HIS OFFICE HERE, THANK YOU.

THANK YOU SUZANNA. [APPLAUSE]

Mayor Wynn: GOOD EVENING, MAYOR, MEMBERS OF THE COUNCIL, MY NAME IS MARTA COTERA. I ECHO SUZANNA'S RECOMMENDATION AND CONCERN. WE OURSELVES, MY HUSBAND AND I, HAD AN OFFICE ON 8th AND WALLER FOR 20 YEARS AND WAS MOST WONDERFUL TIME OF OUR LIVES. WE REALLY MISS IT. WE WANT TO GET BACK TO EAST AUSTIN. WE WOULD HAVE LOVED TO HAVE HIM VERY SHORT CLOSE BY US AS A NEIGHBOR WHEN WE NEEDED AGAINDENTAL CARE. I URGE YOU AT THIS TIME WE ARE DOING MIXED USE DEVELOPMENT IN EAST AUSTIN THAT WE'RE BRINGING A THOUSAND -- THOUSANDS OF PEOPLE INTO DOWNTOWN TO HAVE A DENTIST OFFICE RIGHT ON I-35, CLOSER THAN 32nd STREET AND WEST OF 35 WOULD BE REALLY WONDERFUL. I REMEMBER THE CONVENIENCE OF HAVING THE FIRST OFFICE THAT OPENED UP IN OUR NEIGHBORHOOD WHEN WE HAD OUR OFFICE ON 8th AND WALLER AND WE HAD -- A CLINIC, A SMALL DOCTOR'S CLINIC RIGHT IN FRONT OF SANTA JULIO CHURCH, BOY WAS IT EVER NECESSARY FOR SCRAPES AND BUMPS AND EVERYTHING THAT CAME UP. BUT NEVER DID WE HAVE THE LUXURY EXCEPT ON 7th STREET OF HAVING ANY KIND OF DENTAL SERVICE, SO I URGE YOU NOW THAT WE ARE BRINGING BUSINESSES TO DOWNTOWN - - RESIDENT TO DOWNTOWN, WE ARE BRINGING MORE HIGH DENSITY RESIDENTS TO EAST AUSTIN IS -- IS A GREAT TIME TO CONTINUE THIS KIND OF SERVICE THAT HE'S PROVIDING. OBVIOUSLY WITH THIS KIND OF COMMUNITY SUPPORT HE'S AN OUTSTANDING PROFESSIONAL TO BOOT. SO WE GET DOUBLE WHAMMY. THANK YOU. [APPLAUSE] THANK YOU.

Mayor Wynn: THANK YOU, MET COTERA. THE FOLLOWING FOLKS SIGNED UP IN FAVOR BUT NOT WISHING TO SPEAK, BLESS THEIR HEARTS. [LAUGHTER] I'LL TRY TO GO VERY

QUICKLY, JESSICA LIR A, ED HURST, JOHNNY SANCHEZ, JAIME, BILLY BROWN, BRICE EVANS, OSCAR GUERRERA, NATALIEKOLIN, JASON DEAN, WILSON RODRIGUEZ ... CECIL GRIGGAS, WILLIAM PEREZ, EDDIE [INDISCERNIBLE], AARON HARRIS, ROBERT SWOAP, MICHAEL KELLER, MICHAEL ROBINSON, MATTHEW JOHNDAL, GREGORY RANSAL, KRISTEN ENGIN, MICHELLE LINDENHOW, NANCY COSTA, RODRIGUEZ, [INDISCERNIBLE], RODRIGUEZ, CASEY FERICK, ROBERT JASPER, CARLOS BRIONES, ALL SIGNED UP NOT WISHING TO SPEAK IN FAVOR. WE WILL NOW GO TO FOLKS -- SORRY? GAVINO, HOW ARE YOU? [INDISCERNIBLE]

Mayor Wynn: WE DON'T HAVE YOU, BUT COME FORWARD. YOU WILL HAVE THREE MINUTE.

GOOD EVENING, I'M GOVERNOR GOVERNOR WITH HE WILL CONCEAL -- GAVINO FERNANDEZ, WITH EL CONCILIO. ALSO A MEMBER OF THE LULAC, 4814. BASICALLY HERE TO CONVEY AND SUPPORT FOR THE ZONING CHANGE TO BE ABLE TO ACCOMMODATE DOCTOR STAYING IN EAST AUSTIN AND IN THAT LOCATION. AS YOU WELL HAVE HEARD, ALSO AS A LONG-TIME LIVING EAST AUSTIN NIGHT AND IN EAST AUSTIN, THESE TYPE OF SERVICES ARE VERY RARE IN OUR COMMUNITY. AND IT -- IT BECOMES -- IT IS VERY DIFFICULT TO GET PROFESSIONALS OF THIS CALIBER TO COME INTO AND PROVIDE SERVICES TO OUR COMMUNITIES. BECAUSE OF THE -- OF THE ECONOMIC SITUATIONS IN EAST AUSTIN. SO AGAIN I -- I ALSO WANT TO -- TO MENTION BEFORE I -- BEFORE I FINISH MY TESTIMONY, THAT -- THAT OUR FAMILIES JOIN IN OUR CONDOLENCES TO THE TURNER FAMILY IN THE LOSS OF OUR SISTER DOROTHY TURNER. DOROTHY WOULD BE ONE THAT WOULD BE STANDING RIGHT BESIDE US TONIGHT. FIGHTING FOR THIS ONGOING STRUGGLE THAT WE FACE IN OUR COMMUNITY. SO I HOPE THAT YOU WILL FIND IN YOUR HEART THE NEED, THE REASONS TO CHANGE THE ZONINGS TO -- TO MAINTAIN AND KEEP THE SERVICE IN OUR COMMUNITY, WHICH IS ACCESSIBLE AND LIKE MANY OTHERS HAVE MENTIONED A LOT OF THE OBJECTIVES THAT HAVE BEEN PUSHED THROUGH SMART GROWTH AND BUILDING AND WHATNOT THROUGH OUR COMMUNITIES, THIS IS AN IDEAL CASE OF THAT TYPE OF REALITY. THANK YOU. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

I ALSO THINK THAT THEY DO GREAT THINGS FOR YOUNG WOMEN TRYING TO GET THEMSELVES TOGETHER, AND I APPLAUD THAT. CHARITY KNOWS NO GEOGRAPHY, NO MATTER WHERE HE IS, HE CAN HELP THESE FOLKS. HE HAS FLAUNTED THE ZONING LAWS. THAT IS MY ONE PROBLEM WITH MR. LOYA. HE EXPECTS TO BE REWARDED FOR BREAKING THE LAW, AND NOT ONE OF THE PEOPLE WHO TESTIFIED EXCEPT FOR DR. LOYA LIVES IN OUR NEIGHBORHOOD. ACTUALLY, OWNS PROPERTY OR HAS A LEASE AS A RENTER IN OUR NEIGHBORHOOD. I KNOW FERN IS A GOODMAN. NO MATTER WHERE HIS PRACTICE IS, HE WILL HELP ABUNDANT LIFE AND OTHER FOLKS. BUT THIS IS ABOUT A ZONING CASE AND A NEIGHBORHOOD THAT IS VERY PRECARIOUSLY PERCHED. HE LIVES ON A 20-FOOT STREET THAT CAN'T HANDLE COMMERCIAL TRAFFIC. THIS ISN'T PERSONAL, THIS HAS TO DO WITH ZONING, IT HAS TO DO WITH THE FACT THAT THE NEIGHBORHOOD HAS SPOKEN TIME AND TIME AGAIN THAT WE WANT TO KEEP THIS NEIGHBORHOOD RESIDENTIAL. AND I ASK YOU TO LOOK AT THIS FOR WHAT IT IS, WHICH IS A ZONING CASE, NOT AN INDICTMENT OR A SUPPORT FOR A FINE GUY WHO GIVES LOTS OF FREE DENTAL CARE. SO PLEASE HELP KEEP OUR NEIGHBORHOOD RESIDENTIAL, ESPECIALLY OLEANDER STREET.

Mayor Wynn: THANK YOU. ROSALIE CHILDS. YOU WILL BE FOLLOWED BY GENE CHILDS.

THIS IS THE FIRST TIME I HAVE EVER DONE THIS, AND I'M INTERPRETING PRETTY OLD, SO IT'S A LONG TIME COMING. MY NAME IS ROSALIE CHILDS. I OWN THE HOME AT 908 EAST 14TH. IT IS A BEAUTIFUL EAST LAKE COTTAGE BUILT IN 1890. IT FACES THE NEIGHBORHOOD PARK AND IS THREE HOUSES AWAY FROM DR. LOYA'S PROPERTY. THE ZONING IS RESIDENTIAL. DR. LOYA KNEW IT OR SHOULD HAVE WHEN HE BOUGHT THE PROPERTY. IT WAS A MEGA DUPLEX ON A RESIDENTIAL LOT. DR. LOYA CAME TO THE NEIGHBORHOOD TWICE OVER A YEAR AGO TO ASK FOR PERMISSION TO LOCATE HIS DENTAL PRACTICE IN HIS HOUSE. HE WAS TURNED DOWN BOTH TIMES. AND THESE WERE IN NEIGHBORHOOD MEETINGS IN THE PARK. UNLIKE NOW, HE NEVER OFFERED ANYTHING SPECIFIC. HE REFUSED TO ACCEPT THE NEIGHBORHOOD DECISIONS AND VIOLATED

ZONING LAWS BY MOVING HIS DENTAL PRACTICE TO HIS HOME. AND, OF COURSE, HE WILL ALSO NEED A PARKING VARIANCE FOR HIS HOUSE WAS NOT BUILT FOR COMMERCIAL. PRECEDENT WILL BE SET FOR OTHER COMMERCIAL ZONING. AND BY THE WAY, THERE IS NO ACCESS TO OLEANDER, WHICH IS WHAT HIS PRACTICE FACES, WITHOUT GOING THROUGH THE NEIGHBORHOOD. AND PARKING IS ALWAYS A PROBLEM WITH UNIVERSITY EVENTS AND THE GROUP HOME ON WALLER, THE GROUP HOME SCIEWMZ THE ENTIRE LOT AND -- CONSUMES THE ENTIRE LOT AND HARDLY HAS ANY PARKING. IT NEVER SHOULD HAVE BEEN ALLOWED TO BE THERE IN THE FIRST PLACE. IT'S SURROUNDED ALL BY RESIDENTIAL, SINGLE-FAMILY HOMES. WHILE MY PROPERTY IS CURRENTLY INVESTMENT PROPERTY, I BOUGHT THE HOME BECAUSE OF THE HOME ITSELF AND UNIQUE RESIDENTIAL NATURE OF THE NEIGHBORHOOD. MY PROPERTY IS PROBABLY WORTH MORE AS AN OFFICE OR SOME TYPE OF COMMERCIAL USE, BUT THAT IS NOT WHAT I DESIRE, NOR DO I BELIEVE THAT WHAT MOST FAMILIES IN OUR SINGLE-FAMILY NEIGHBORHOOD WANT. I HAVE CONSIDERED LIVING THERE, BUT IF THE AREA DOES NOT REMAIN RESIDENTIAL, I WOULD NOT BE INTERESTED IN MAKING IT MY HOME. THE COUPLE WHO LIVE IN MY HOUSE HAVE MADE IT THEIR HOME FOR THE PAST FIVE YEARS. THE NEIGHBORHOOD IS UNIQUE WITH A WONDERFUL DIVERSITY OF HOMES, RESIDENTS AND, YES, OPINIONS. IT NEEDS TO STAY RESIDENTIAL. PLEASE DO NOT CHANGE THE ZONING. I BELIEVE IN SMART GROWTH OR WHATEVER WE'RE CALLING IT NOW. IT HAS A NEW NAME. BUT I DO NOT BELIEVE IN BREAKING THE LAW TO ACHIEVE IT. IT NEEDS TO BE PUT IN PLACE PROPERLY AND NOT AT THE EXPENSE OF AN HISTORICAL NEIGHBORHOOD. AND I AM SORRY THAT DR. LOYA WENT TO THE EXPENSE OF MOVING HIS DENTAL EQUIPMENT -- [BUZZER SOUNDS] -- BUT I HATE TO REWARD SOMEONE WHO HAS DONE SOMETHING LIKE THAT FOR BREAKING THE LAW. THANK YOU.

Mayor Wynn: THANK YOU, MS. CHILDS. GENE CHILDS. WELCOME. YOU WILL ALSO HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY JAMES MEDINA.

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS GENE CHILDS. YOU JUST HEARD FROM MY WIFE. OUR PROPERTY IS

908 EAST 14TH STREET. IT'S ONLY A SHORT DISTANCE FROM THE PROPERTY THAT NEEDS -- THAT IS BEING ASKED TO BE REZONED. I'M IMPRESSED WITH THE SUPPORT AND THANKS THAT PEOPLE HAVE FOR DR. LOYA. HE OBVIOUSLY HAS DONE A WONDERFUL JOB AND BEEN VERY HELPFUL. AND I ADMIRE HIM FOR THAT. THE GROUP HOMES, THE ABUNDANT LIFE OPERATION, OBVIOUSLY HAS MADE A HUGE DIFFERENCE IN SOME PEOPLE'S LIVES. I THINK IT'S IMPORTANT. BUT WE HAVE CONSISTENTLY OPPOSED NONRESIDENTIAL DEVELOPMENT OF ANY KIND, PARTLY BECAUSE THERE'S PLENTY OF COMMERCIAL OPPORTUNITIES ON 11th AND 12TH STREET AND ALONG THE INTERSTATE. AS AN EXAMPLE OF OUR NEIGHBORHOOD'S OPPOSITION TO A NONRESIDENTIAL DEVELOPMENT, ROBERT HAGMAN RECENTLY HAD ASKED FOR HIS OLEANDER STREET PROPERTY TO BE ZONED COMMERCIAL, AND AFTER MANY DISCUSSIONS AND MEETINGS AND EVEN AN ATTEMPT AT MEDIATION, THE PLANNING COMMISSION AND YOU THE COUNCIL REJECTED THE CHANGE TO A MEDICAL OFFICE BUILDING. WHEN THE RESIDENTIAL PROJECT WAS PRESENTED TO THE NEIGHBORHOOD WHICH HAD NO OFFICE OR COMMERCIAL IN IT, THE NEIGHBORHOOD SUPPORTED MR. HAGMAN AND WORKED WITH HIM TO GET A HIGHER DENSITY PROJECT, GOT A VARIANCE ON HEIGHT AND IMPERVIOUS COVER. HOPEFULLY THAT ONE IS OVER WITH. HEARING ABOUT ABUNDANT LIFE NETWORK, ALL SERVICES AND HELP THAT IT PROVIDES AND THE GREAT SUCCESS STORIES, BUT I PERSONALLY DON'T THINK THAT THAT PROPERTY EVER SHOULD HAVE BEEN ZONED AS IT IS CURRENTLY ZONED. IT WAS A SPOT ZONED -- IT WAS SPOT ZONED MANY YEARS AGO, I'M NOT SURE WHEN, AND THERE WASN'T A UNIFIED PLAN FOR EAST AUSTIN AT THAT POINT IN TIME. THE ON-SITE PARKING FOR THAT HOME IS VERY LOW, PUT IT THAT WAY, AND THAT PUTS A LOT OF PRESSURE ON THE STREET PARKING AT CERTAIN TIMES ANYWAY. CURRENT ZONING FOR THE GROUP HOME PROPERTY SHOULD NOT BE USED TO JUSTIFY A ZONING CHANGE LIKE DR. LOYA. [BUZZER SOUNDS] OKAY. OFFERING FREE DENTAL SERVICES TO THE GROUP HOME RESIDENTS AND MAJOR DISCOUNTS TO NEIGHBORHOOD RESIDENTS IS WONDERFUL, IT'S HELPFUL, BUT I THINK HE COULD DO IT IN

SOME OTHER PLACE. THANK YOU.

Mayor Wynn: THANK YOU. JAMES MEDINA, WELCOME. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY CHRISTINE GURANA.

HELLO MAYOR, MAYOR PRO TEM, CITY COUNCILMEMBERS, MY NAME IS JAMES MEDINA. I'M HERE TO SPEAK WITH YOU AS BOTH A RESIDENT OWNER AND PRESIDENT OF SWEET HILL NEIGHBORHOOD ASSOCIATION AND TONIGHT WE RESPECTFULLY REQUEST THAT YOU DENY THE APPLICANT'S APPLICATION FOR REZONING AND AMENDMENT TO THE NEIGHBORHOOD. TO REVIEW, I GUESS THE PROCESS, THE NEIGHBORHOOD ASSOCIATION VOTED AGAINST SUPPORTING THIS OCEAN, WHICH IS THE GATEWAY OF THE EAST AUSTIN NEIGHBORHOOD ASSOCIATIONS, WHO IS THE GATE KEEPER OF THE NEIGHBORHOOD, BUT AGAIN, CITY STAFF HAS RECOMMENDED AGAINST THIS AND PLANNING COMMISSION VOTED FOUR TO THREE NOT TO RECOMMEND. THE HANDOUT I GAVE YOU BASICALLY IS A TIME LINE. I KNOW YOU'VE SEEN PART OF THIS IN SOME OF YOUR OTHER MATERIALS THAT WAS PRESENTED, BUT I JUST WANTED TO POINT OUT A COUPLE OF ITEMS. THE FIRST BEING IS A SURPRISE OF THE OPPOSITION THAT THE APPLICANT HAS EXPRESSED. AND THAT SURPRISES ME THAT THAT STATEMENT IS BEING MADE, ESPECIALLY IN LATE 2002 TWO MEETINGS WHERE WE SPECIFICALLY HAD VOICED OUR OBJECTION TO ANY TYPE OF NONRESIDENTIAL DEVELOPMENT. THE SECOND ITEM -- THE THIRD ITEM IN BOLD, IN MID 2003, THIS CITY COUNCIL HEARD THE HAGMAN CASE, WHICH MR. CHILDS REFERENCED AND CITY COUNCIL SUPPORTED THE NEIGHBORHOOD UNANIMOUSLY SEVEN-ZERO AGAINST NONRESIDENTIAL DEVELOPMENT. AND AGAIN, WE'VE GONE THROUGH A LOT OF EFFORT TO WORK WITH THAT PARTICULAR OWNER TO ACTUALLY INCREASE HIS DENSITY SO HE CAN PROFIT FROM THAT PARTICULAR FUNCTION. THE LAST TWO ITEMS, ON JUNE 16TH, CHARGES WERE FILED IN MUNICIPAL COURT AGAINST THE APPLICANT AND THE DAY AFTER THAT APPLICANT ACTUALLY APPLIED FOR A ZONING CHANGE. THE SECOND ITEM THAT YOU SEE IN PACKET IS AN ADVERTISEMENT ON 13TH STREET, WHICH BASICALLY ADVERTISES COMMERCIAL POTENTIAL. AND ONE THING THAT THE NEIGHBORHOOD REALLY IS CONCERNED

ABOUT IS THE NON-COMMERCIAL -- THE NONRESIDENTIAL CREEP WHICH SURELY WOULD BEGIN ONCE THIS -- IF THIS REQUEST WOULD BE APPROVED. I GUESS TO ADDRESS SOME OF THE QUESTIONS. THE DENNY'S AND THE DOUBLE TREE DO HAVE DIRECT ACCESS OFF OF 35. THIS PARTICULAR PROPERTY DOES NOT. YOU DO HAVE TO GO THROUGH THE NEIGHBORHOOD TO GET TO THIS PARTICULAR PROPERTY. AND IT IS ON THE STREET THAT IS A U AND IT WOULD PRESENT A HAZARD TO EMERGENCY VEHICLES IF THEY HAD TO GET AROUND THE PARTICULAR NEIGHBORHOOD. YOU'VE HEARD FROM ABUNDANT LIFE. THEY DO GOOD WORK. DR. LOYA I'M SURE DOES GOOD WORK. THIS IS NOT NECESSARILY AGAINST DR. LOYA. WE JUST WANT TO MAINTAIN OUR NEIGHBORHOOD AS RESIDENTIAL. FOUR PROPERTY OWNERS ARE EITHER HERE OR HAVE WRITTEN TO YOU IN OPPOSITION OF THIS PARTICULAR ZONING REQUEST. AGAIN, AS PRESIDENT OF THE NEIGHBORHOOD ASSOCIATION THE THE VOTES WERE TAKEN. IF YOU HAVE ANY OTHER QUESTIONS, I'LL BE AVAILABLE.

Mayor Wynn: THANK YOU.

AND THE NEXT SPEAKER IS MY WIFE WHO IS OUTSIDE WITH THE BABY. IF YOU WANT TO SKIP, I'LL GO TAKE CARE OF HER.

Mayor Wynn: FAIR ENOUGH. CATHERINE BLUNT, SORRY IF I'M MISPRONOUNCING THAT. YOU'RE OUR NEXT SPEAKER. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY MARGO VERERONA.

GOOD EVENING, COUNCILMEMBERS. I LIVE WITH MY HUSBAND AT THE CORNER OF EAST 13TH STREET AND SAN BERNARD STREET AND I'M THE ACTING SECRETARY FOR SWEET HILL NEIGHBORHOOD ASSOCIATION. I'D LIKE TO STATE MY OPPOSITION TO DR. LOYA'S REQUEST. I DO NOT BELIEVE THAT THERE IS SUFFICIENT NEED NOR SUPPORT FROM NEIGHBORS LIVING IN SWEET HILL FOR THIS PROPERTY TO BECOME COMMERCIAL. I DO KNOW THAT THERE IS TREMENDOUS SUPPORT IN FAVOR OF MAINTAINING THE RESIDENTIAL STATUS OF SWEDE HILL BASED ON MY REGULAR ATTENDANCE AT SWEDE HILL, OCEAN OVER THE YEARS. ADDITIONALLY THERE ALREADY

EXISTS A SUFFICIENT AMOUNT OF COMMERCIAL SPACE IN THE VICINITY OF THE DOCTOR'S HOME. IN FACT, THERE'S AN ABUNDANCE OF COMMERCIAL PROPERTY ALONG 12TH STREET THAT NEIGHBORHOODS AND THE AUSTIN REVITALIZATION AUTHORITY AMONG OTHERS ARE EAGER TO SEE PUT TO GOOD USE FOR THE SERVICES FOR CENTRAL EAST AUSTIN RESIDENTS. THE PROXIMITY OF TWO MAJOR COMMERCIAL CORRIDORS, 12TH STREET AND MARTIN LUTHER KING BOULEVARD MAKE YOU WONDER WHY IT SHOULD EVEN BE CONSIDERED. AS SOMEONE WHO IS SOON TO ATTEND MEDICAL SCHOOL AND TO HAVE MEDICAL PRACTITIONERS IN A COMMUNITY, I DO NOT SUPPORT THIS REQUEST BASED ON HIS CONTINUED DISREGARD OF NEIGHBORHOOD OPPOSITION TO HIS PRACTICE. HIS EFFORTS TO GAIN NEIGHBORHOOD SUPPORT BECAME IMPORTANT TO HIM ONLY WHEN IT CAME TO CLOSING HIS ILLEGALLY OPERATED PRACTICE. WHILE HE MAY BE A FINE DENTIST, I QUESTION HIS ACTIONS AS MY NEIGHBOR. PERHAPS HE HAS AN OUTSTANDING QUALITY OF DENTIST TRY, BUT I DON'T WANT HIM VIOLATING IN HI -- I DON'T WANT HIM WORKING IN MY NEIGHBORHOOD. HE DOESN'T HAVE THE TRUST OF HIS NEIGHBORS. AND I WOULD ASK ALSO TONIGHT THAT YOU WOULD PLEASE CONSIDER OF ALL THE PEOPLE SPEAKING IN FAVOR OF DR. LOYA IF THEY'RE LIVING IN THIS NEIGHBORHOOD AND HAVING THIS BUSINESS OPERATING IN THEIR NEIGHBORHOOD. THANK YOU.

Mayor Wynn: THANK YOU. MARGO VERONA? WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY CHRISTINE.

MY NAME IS MARGO GURANO. MY SISTER AND I LIVE IN SEPARATE HOUSES IN SWEDE HILL NEIGHBORHOOD. WE DO LIVE IN SWEDE HILL. I WANT Y'ALL AGAIN TO NOTICE THAT NONE OF THE SUPPORTERS FOR DR. LOYA ACTUALLY LIVE IN THE NEIGHBORHOOD. THAT MAKES A BIG DIFFERENCE. I ALSO WANT TO REMIND YOU -- POINT OUT THE VIDEO IS MISLEADING. ALL THE TREES YOU SEE NEXT TO DR. LOYA ARE SHIELDING THE BACKS OF HOMES. THERE ARE SIX HOMES RIGHT ALONG I-35. MY HOME ALSO FACES I-35 AS DOES MY NEIGHBOR. I KNEW THAT WHEN I MOVED IN. I LIKE THAT. MY GRANDFATHER USED TO TELL ME TO GO OUT AND COUNT CARS IF I WAS BORED. [LAUGHTER] THE

NEIGHBORHOOD HAS NOT HAD THE GREATEST EXPERIENCE WITH THE DENNY'S. IN ANY CASE, DENNY'S HAS BEEN VERY COOPERATIVE. THERE IS NO ACCESS FROM THE NEIGHBORHOOD TO DENNY'S AT ALL. THE ONLY WAY TO GET TO DENNY'S IS FROM I-35, AND IT IS CLEARLY MARKED, THE LIT SIGN. THE SAME THING WITH THE HOTEL. THESE ARE VERY DIFFERENT INSTANCES. DENNY'S AND THE HOTEL ARE NOT SURROUNDED BY RESIDENTIAL HOMES. DR. LOYA'S HOME RIGHT NOW IS 15 FEET FROM HIS NEIGHBOR'S. IT'S EXTREMELY CLOSE. NEIGHBORS -- SINGLE-FAMILIES -- NEIGHBORS ARE SINGLE-FAMILIES WITH CHILDREN. WE ARE NOT TALKING ABOUT A HOUSE SITTING ON A HILL BY ITSELF ON I-35. DR. LOYA KNEW ABOUT THE ZONING BEFORE THE DENSE -- BEFORE HE OPENED HIS DENTAL OFFICE. WE TOLD HIM POINT-BLANK NO. DR. LOYA HAPPILY MOVED HIS OFFICE TO 11th STREET OR 12TH STREET. THAT WOULD BE FANTASTIC. AND I DO INVITE DR. LOYA OR ANYBODY WHO WANTS TO VOLUNTEER TO CONTINUE VOLUNTEERING FROM WHEREVER YOU'RE AT. WIFE BEEN VOLUNTEERING FOR YEARS IN EAST AUSTIN. TWO YEARS OF VICTORY TUTORING TO TEEN PARENTS FOR THE SCHOOL DISTRICT. I VOLUNTEERED AT THE TOWN LAKE ANIMAL CENTER 20 HOURS A WEEK FOR TWO YEARS. I STARTED MY OWN ANIMAL RESCUE PROGRAM, DELIVERED MEALS ON WHEELS EAST SIDE FOR FIVE YEARS AND CONTINUE TO TEACH AT AUSTIN INDEPENDENT SCHOOL DISTRICT WITHOUT THE BENEFIT OF A DENTAL PAY OR DOCTOR'S PAY. SO INDEED, GOOD PEOPLE CAN STILL WANT NO ZONING CHANGE IN OUR EAST AUSTIN NEIGHBORHOOD. AND YOU MIGHT HAVE NOTICED MY LAST NAME IS GURANA. SO I DIDN'T JUST COME OVER HERE FROM SOMEWHERE ELSE. THANK YOU.

Mayor Wynn: THANK YOU. CHRISTINE GURANA? WELCOME. YOU WILL HAVE THREE MINUTES.

I ASK THAT YOU LISTEN TO THOSE LONG-STANDING NEIGHBORS AND OWNERS THAT ARE TRYING TO PRESERVE THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD. THERE ARE PLENTY OF PEOPLE WATCHING THESE CASES, THE INDIVIDUALS ILLEGALLY OPERATING BUSINESSES IN THE NEIGHBORHOOD, SPECIFICALLY A CAR REPAIR. REALTORS THAT HAVE ALREADY ADVERTISED HOMES FOR SALE WITH COMMERCIAL POTENTIAL. THE OWNER OF THE PROPERTY

YOU DENIED COMMERCIAL ZONING TO IN 2003, THAT CASE IS C-14-02-0194. AND THOSE THAT PARTICIPATE IN OCEAN. THE CITY SUPPORTED COMMERCIAL DEVELOPMENT 11th AND 12TH STREET. YOUR DECISION WILL HAVE A GREAT IMPACT ON THE FUTURE OF THE NEIGHBORHOOD. IT SHOULD REMAIN A RESIDENTIAL NEIGHBORHOOD OR -- I'M SORRY. IT SHOULD REMAIN A RESIDENTIAL NEIGHBORHOOD AND I'M VERY CONCERNED ABOUT CREEP, SPECIFICALLY HOMES THAT ARE MARKETING AS POTENTIAL COMMERCIAL VENTURES. THIS WEEK MY DAUGHTER'S BEEN SICK, SO I'VE BEEN STAYING HOME AND PEOPLE STOP QUITE FREQUENTLY AND ASK ME ABOUT LOTS IN THE NEIGHBORHOOD AND HOW IS THE NEIGHBORHOOD AND WHAT PEOPLE'S ATTITUDE IS ABOUT -- IN THE NEIGHBORHOOD. WE STRONGLY SUPPORT DR. LOYA STAYING IN THE NEIGHBORHOOD. HE DOESN'T HAVE TO LEAVE EAST SIDE. THERE'S LOTS OF PLACES HE CAN GO WITH MIXED USE, AND WE FULLY SUPPORT HIM 100%. I HAVE NO HARSH FEELINGS TOWARDS HIM. I UNDERSTAND WHERE HE'S COMING FROM. I WOULD LOVE TO WORK AND LIVE IN THE SAME PLACE, BUT I ASK THAT HE RESPECT THE ZONING AND OUR CONCERN. WE ARE VERY PRECARIOUS -- IT'S A VERY SMALL NEIGHBORHOOD AND WE'VE WORKED VERY HARD FOR A VERY LONG TIME TO RETAIN THE RESIDENTIAL CHARACTER OF IT. THANK YOU.

Mayor Wynn: THANK YOU. SO COUNCIL, THAT'S ALL THE FOLKS WHO HAVE SIGNED UP IN OPPOSITION TO THE ZONING CASE. NOW MS. LOPEZ PHELPS -- DID YOU? I'M SORRY. WHAT'S YOUR NAME?

[INAUDIBLE - NO MIC].

Mayor Wynn: COME ON FORWARD, JOHN. WELCOME. YOU WILL HAVE THREE MINUTES.

MAYOR WYNN, COUNCILMEMBERS, MY NAME IS JOHN GOLDSTONE. I OWN THE PROPERTY AT 907 EAST 13TH STREET. I'M A MEMBER OF THE SWEDE HILL NEIGHBORHOOD ASSOCIATION. I'M ALSO SWEDE HILL'S ACTIVE ARA BOARD REPRESENTATIVE. I'M HERE TO ASK YOU TO REJECT APPLICANT'S NEIGHBORHOOD PLAN AND ZONING CHANGE REQUEST. I SPEAK TONIGHT OF THE NEIGHBORHOOD

PLANNING PROCESS, WHICH IS A VERY IMPORTANT CONCEPT. IT DETERMINES HOW AND WHERE WE ALL SPEND OUR TIME AND OUR PROCESS IS AT RISK. DR. LOYA CAME TO THE -- CAME TO SWEDE HILL SEVERAL YEARS AGO WHERE HE MET FIERCE RESISTANCE TO HIS PLAN FOR COMMERCIAL ON A PROPERTY CONTRARY TO THE VIDEO AND SEVERAL SPEAKERS THAT IS NOT ON THE FRONTAGE ROAD. AS YOU CAN SEE, IT IS IN A U-SHAPED AREA. IT IS NOT ON THE FRONTAGE. AND IT'S RESIDENTIAL IN THE NEIGHBORHOOD PLAN. HE WITHDREW HIS ORIGINAL REQUEST AND FOLLOWING HIS OLD OFFICE EVICTION, OPENED HIS OFFICE ILLEGALLY. ONLY AFTER OUR PRESIDENT WENT THROUGH NUMEROUS HOOPS WITH CITY STAFF DID THE STAFF ACTUALLY COMMENCE AN ENFORCEMENT ACTION. JUST PRIOR TO SUCH ENFORCEMENT ACTION TAKING THE SHAPE OF OTHER FINES AND PENALTIES DID DR. LOYA GO IN FOR ANOTHER ZONING CHANGE. PURSUANT TO THE PROCESS HE CAME BACK TO THE NEIGHBORHOOD ASSOCIATION. HE WAS PLACED ON THE AGENDA, WHICH WENT IN THE NEWSLETTER AND E-MAILS. HE MADE HIS PRESENTATION. HE WAITED FOR THE MONTH BETWEEN MEETINGS. AND AT THE NEXT MEETING THE VOTE WAS TAKEN ACCORDING TO OUR NEIGHBORHOOD ASSOCIATION PROCESS. HE LOST THAT VOTE. AND INCIDENTALLY, WE HAD WHAT WE LIKE TO CALL A LARGE TURNOUT OF 15 PEOPLE AT THAT MEETING. HE THEN WENT TO OCEAN AND LOST THAT VOTE. THEN WENT TO THE PLANNING COMMISSION AND THERE WAS NO RECOMMENDATION. THE STAFF IS AGAINST THIS CHANGE, SO HE LOST THAT VOTE. NOW, ACCORDING TO THE PROCESS, HE IS HERE BEFORE YOU WITH A LARGE GROUP OFFERS, I WOULD -- SUPPORTERS. I WOULD POINT OUT AS EVERYBODY ELSE HAS, THAT WHILE HE GARNERED A GREAT RESPONSE FROM HIS PETITION, I HAVE NOT SEEN A SINGLE PERSON SPEAKING IN SUPPORT OF HIM THAT HAS ATTENDED ANY OF THE NEIGHBORHOOD MEETINGS NOR THE VOTE WHERE THE MEETING -- NOR THE MEETING WHERE THE VOTE WAS TAKEN. WHERE ARE ALL THESE PEOPLE WHEN WE HAVE OUR DULL MONTHLY MEETINGS WHERE BUSINESS IS TRANSACTED? THAT'S HOW THINGS GET DONE, THAT'S OUR PROCESS. IF YOU, OUR AUSTIN CITY COUNCIL IN OUR GREAT WISDOM, DECIDE THAT WE CHANGE OUR PROCESS SO THAT WE DO NOT WASTE TIME WITH ANY

ACTIONS HAPPENING AT NEIGHBORHOOD MEETINGS, WE'LL BE HAPPY TO OWE BLIJ AND DO ACTION BY PETITION. IF THAT'S THE CASE, PLEASE INFORM US SO THEY CAN CHANGE THEIR PROCESS OF THE URBAN RENEWAL PLAN PROJECT AND CITY DISPOSITIONS OF PROPERTY WHICH REQUIRE PRESENTATIONS TO THE NEIGHBORHOODS. BY THE WAY, OUR NEIGHBORHOOD HAS BEEN A STRONG SUPPORTER OF ENVISION CENTRAL TEXAS DENSITY PROJECTS, NOTABLY THE HAGMAN UP ZONE AND COMPATIBILITY WAIVERS AND A RESUBDIVISION AT 13TH AND SAN BERNARD THAT WILL ALLOW THREE HOUSES INSTEAD OF TWO, INCLUDING ONE AFFORDABLE. AND WE HAVE BEEN VERY ACTIVE IN THE ENTIRE ARA, CRP URBAN RENEWAL PLAN PROCESS. I AGAIN INVITE DR. LOYA TO CONTACT THE ARA AT 4691704 SINCE THERE ARE OPPORTUNITIES ON 11th AND 12TH STREET AND OTHER NEARBY COMMERCIAL CORRIDORS WHERE HE WOULD BE WELCOME BY ALL. I'M NOT AGAINST DENNIS, I'M NOT AN ANTI-DENTITE AS SEINFELD PUT IT. I WANT A DENTIST IN THE NEIGHBORHOOD. I ASK YOU TO RESPECT THE PROCESS AND DENY THIS REQUEST. THANK YOU FOR YOUR TIME AND CONSIDERATION.

Mayor Wynn: THANK YOU. SO COUNCIL, I THINK THAT NOW HAS ALL THE FOLKS WHO SIGNED UP WISHING TO SPEAK IN OPPOSITION TO THE ZONING CASE, SO WITH THAT OUR -- THE CASE'S AGENT, MS. LOPEZ-PHELPS HAS A THREE-MINUTE REBUTTAL AND LIKELY WILL HAVE SOME QUESTIONS FROM COUNCIL.

OKAY. AS USUAL I'LL TALK REALLY, REALLY FAST. FIRST OF ALL, JUST TO TOUCH ON SOME POINTS VERY QUICKLY. SEVERAL OF THE PEOPLE THAT DID SIGN UP ON THE PETITION IN YOUR PACKET, WHICH IS OVER 60 SITS AND PEOPLE WHO SHOWED UP TODAY DO LIVE IN THE NEIGHBORHOOD. THE MAP TO YOUR RIGHT YOU HAVE IN YOUR PACKET. THERE ARE OTHER LO-MU-NP TRACTS WITHIN THIS NEIGHBORHOOD THAT WERE APPROVED DURING THE NEIGHBORHOOD PLAN. MANY OF THEM WERE DOWN ZONED, BUT THEY WEREN'T DOWN ZONED TO SINGLE-FAMILY. ON THIS MAP WHICH YOU MAY NOT BE ABLE TO SEE FROM WHERE YOU ARE, I'M GOING TO JUST POINT REAL QUICK AND COME BACK. [INAUDIBLE - NO MIC] THAT ARE

HIGHLIGHTED IN BLUE, THOSE ARE ACTUALLY PEOPLE THAT HAVE SIGNED UP IN SUPPORT AND THAT'S WHERE THEY LIVE. SO THE STATEMENT ABOUT THESE PEOPLE DON'T LIVE IN THIS AREA IS JUST TOTALLY UNTRUE. AS FAR AS NEIGHBORHOOD ACCESS, UNLESS YOU LIVE IN A NEIGHBORHOOD YOU'RE GOING TO BE TAKING ACCESS FROM I-35. IF YOU LIVE IN THE NEIGHBORHOOD, WHETHER YOU GO TO DR. LOYA'S DENTIST OFFICE WHERE HE'S LOCATED NOW OR YOU GO TO WEST OF I-35 YOU WILL HAVE TO GO THROUGH YOUR NEIGHBORHOOD TO GET TO I-35 AND THAT'S -- THE SAME THING WITH THE DENNY'S. THEY'RE SAYING THERE'S NO ACCESS TO DENNY'S. IF YOU LIVE IN THE NEIGHBORHOOD, YOU'RE GOING TO GO TO THE DENNY'S OR TO A NEIGHBORHOOD MEETING AT DOUBLE TREE. YOU GO THROUGH THE NEIGHBORHOOD. IT'S YOUR NEIGHBORHOOD. YOU SHOULD HAVE THE RIGHT TO DO SO. AS FAR AS THE STATEMENTS ABOUT WE WAITED UNTIL WE WERE RED TAGGED, AS WE SAID EARLIER HE SUBMITTED IN 2002, HE KNEW THE PROCESS, HE TRIED THE PROCESS, HE FOUND OUT AFTER SUBMITTAL THAT HE SHOULDN'T HAVE GONE THROUGH BECAUSE HE NEEDED TO WAIT ONE YEAR. HE'S NOT DISRESPECTED THE PROCESS. HE HIRED AN AGENT AFTER THAT AND WAS DENIED TO GO THROUGH THE PROCESS BECAUSE OF THE WAITING PERIOD, AND THEY STARTED WORKING ON THAT PROCESS. THERE WAS ANOTHER AGENT WORKOGIT THAT DID MEET WITH THE NEIGHBORHOOD, DR. LOYA MET WITH THE NEIGHBORHOOD SEVERAL TIME. THERE'S BEEN A RESTRICTIVE COVENANT WITH A ZONING ROLL BACK OFFER BASED ON WHAT THE NEIGHBORHOOD ASKED FOR THAT THEY MIGHT CONSIDER. THEY NEVER SAID THEY WOULD SUPPORT IT. HE DID COME BACK -- THIS IS BEFORE I EVEN GOT INVOLVED IN THIS CASE. AND SO THE PRESENTATION THAT THE OPPOSITION IS PRESENTING IS OHM OOIM NOT GOING TO SAY THEY'RE MAKING MISSTATEMENTS, IT'S JUST THAT THERE ARE SOME PIECES MISSING HERE. NOW, YES, HE DID MOVE IN WITHOUT HIS ZONING, BUT HE WAS ALREADY IN THE PROCESS OF -- TO START THE ZONING A SECOND TIME. YOU CAN'T GET RED TAGGED ONE DAY AND I'VE NEVER BEEN ABLE TO AS GOOD AS I AM TO PUT AN APPLICATION TOGETHER AND TURN IT IN THE VERY NEXT DAY. YOU HAVE TO WAIT 24 TO 48 HOURS TO GET YOUR TAX CERTIFICATE. THERE'S A LOT OF STUFF YOU

HAVE TO DO. IT WASN'T LIKE HE WAS WAITING TO GET CAUGHT. HE'S RIGHT THERE ON 35. HE KNEW THIS NEIGHBORHOOD IS A REAL GOOD WATCH DAG DOG FOR HIS NEIGHBORHOOD. HE WASN'T TRYING TO SNEAK BY AND SEE IF THE CITY WOULDN'T NOTICE. I THINK THAT I AS AN AGENT AND I'VE BECOME FRIENDS WITH DR. LOYA AND HIS FAMILY. I'M OFFEND THAT HAD THEY'RE IMPLYING THAT HE'S SNEAKING AND HE'S TRYING TO ACT LIKE HE'S NOT DOING RIGHT. IT'S JUST INAPPROPRIATE. SO I'M ASKING THE COUNCIL TO CONSIDER THIS: WHEN THE NEIGHBORHOOD PLANS WERE ADOPTED BY THE CITY -- [BUZZER SOUNDS] -- WE WERE NOT TOLD THAT WE COULD NOT COME BACK WITH A ZONING REQUEST. AND WE'VE HAD MANY CASES BEFORE YOU, NEIGHBORHOOD PLANS OR NOT, THAT WE'VE HAD TO BRING TO YOU BECAUSE PLANS WERE RETAGED MANY TIMES BECAUSE THEY DIDN'T KNOW ABOUT THE ZONING PROCESS. DR. LOYA ADMITTED FROM THE FIRST DAY THAT HE'S TRIED TO WORK WITH THE PROCESS. THANK YOU. [APPLAUSE]

Mayor Wynn: THANK YOU. QUESTIONS OF ANYBODY, COUNCIL? COMMENTS? COUNCILMEMBER ALVAREZ.

Alvarez: A COUPLE OF QUESTIONS FOR STAFF. I DON'T KNOW IF WE HAVE A BETTER VERSION OF THE AERIAL BECAUSE ONE OF THE CONCERNS THAT WAS RAISED HAD TO DO WITH THE TRAFFIC HAVING TO GO THROUGH THE NEIGHBORHOOD. SO WE CAN'T SEE THAT WITH THAT LEVEL OF DETAIL. I DIDN'T KNOW IF THERE WAS SOMETHING ELSE. SOMETHING ELSE THAT MIGHT HELP A LITTLE MORE.

COUNCILMEMBER ALVAREZ, DOES THIS MAP HELP YOU?

Alvarez: YEAH, IT'S EASIER TO SEE THERE.

THIS IS THE I-35 FRONTAGE ROAD. THE SUBJECT TRACT IS RIGHT HERE, AND THESE ARE THE STREETS.

Alvarez: AND SO THE PROPERTY ITSELF IS ADJACENT TO I-35. IS THERE ANYTHING BETWEEN --

THE LITTLE MAP YOU HAVE IN FRONT OF YOU, YOU HAVE THE -- I'LL BRING IT UP CLOSER SO YOU CAN SEE -- I'LL JUST

HAND YOU MINE.

Alvarez: I HAVE A MAP.

WE'VE HIGHLIGHTED THIS ONE. THERE IS THE LITTLE -- OLEANDER STREET IS THE ABUTTING PROPERTY ON THE SUBJECT TRACT, SO IT'S BOUNDED BY 15TH STREET TO THE NORTH AND OLEANDER STREET IS THERE. THERE'S A VACANT TRIANGLE THERE BEFORE YOU GET TO THE FRONTAGE ROAD.

Alvarez: BUT THE TRIANGLE ITSELF IS RIGHT-OF-WAY, I-35 RIGHT-OF-WAY, IS THAT CORRECT.

IT APPEARS TO BE. I DON'T KNOW IF IT'S RIGHT-OF-WAY, BUT IT'S NOT DEVELOPED. I'M NOT CERTAIN EXACTLY WHERE IT BELONGS.

Alvarez: OKAY. BUT REALLY I THINK -- I WAS TRYING TO FIGURE OUT IF YOU'RE COMING FROM I-35 TRYING TO ACCESS THE SITE FOR THE DENTAL SERVICES AND WHAT WOULDING THE LIKELY ROUTE?

YOU WOULD GET TO OLEANDER STREET, THERE'S A PROPERTY RIGHT HERE AND -- IF YOU TURN RIGHT HERE ON TO EAST 14TH STREET AND THEN GO UP OLEANDER AND THEN GET TO THE SUBJECT TRACT.

Alvarez: RIGHT. SO YOU EITHER GO THAT WAY --

YOUR EXIT RAMP GETS YOU EXIT THERE.

Alvarez: SO THAT'S JUST GOING AROUND THE LITTLE TRIANGLE?

CORRECT.

Alvarez: THE UNDEVELOPED TRIANGLE. I WAS TRYING TO FIGURE OUT THE CLAIM FROM THE NEIGHBORHOOD THAT THE TRAFFIC WOULD HAVE TO GO THROUGH THE NEIGHBORHOOD, AND I GUESS IT GOES ALONG THE EDGE OF THE NEIGHBORHOOD.

CORRECT. IF YOU HAVEN'T BEEN TO THE SITE, THE BEST WAY TO BE ABLE TO GET A FEEL FOR HOW THE NEIGHBORHOOD IS SET UP IS TO BE ABLE TO ACTUALLY DRIVE BY THERE TO BE ABLE TO GET A FEEL FOR IT.

Alvarez: SO IN THIS CASE WE HAVE AN EXISTING STRUCTURE THAT'S ZONED SF-3?

CORRECT. IT WAS CONSTRUCTED AS A DUPLEX WITH A VARIANCE FROM THE BOARD OF ADJUSTMENT TO BUILD A DUPLEX AND A VARIANCE TO ALLOW FOR IMPERVIOUS COVER FOR THE DUPLEX. AND -- BY THE PREVIOUS OWNER. CURRENT OWNER DID NOT CONSTRUCT IT. IT WAS THE PREVIOUS OWNER FROM THIS ONE.

Alvarez: IT'S A PRETTY PROMINENT STRUCTURE WHEN YOU DRIVE DOWN I-35. IT DOES STAND OUT.

IT SHOULD BE ABOUT 3200 SQUARE FEET.

Alvarez: LIKE THE SUPER DUPLEX BEFORE THERE WAS SUCH A TERM. BUT THE PROPOSAL HERE IS HE'S ALREADY -- THE APPLICANT WAS ALREADY LIVING THERE, THAT'S HIS RESIDENCE, SO HE'S ASKING TO USE PART OF THAT STRUCTURE AS AN OFFICE.

A MEDICAL OFFICE, CORRECT. HE CURRENTLY RESIDES IN PART OF THE BUILDING AND USES PART OF IT FOR A MEDICAL OFFICE.

Alvarez: AND THE REASON HE CAN'T JUST USE IT AS A HOME OFFICE IS BECAUSE OF THE TYPE OF USE? IS THAT WHY HE HAS TO COME --

CORRECT. BECAUSE UNDER HOME OCCUPATION YOU CANNOT ADVERTISE, YOU CANNOT HAVE SIGNS AND YOU CANNOT HAVE MORE THAN THREE VEHICLE TRIPS PER DAY. YOU CAN HIRE ONE ASSISTANT TO HELP YOU, BUT I THINK THE WHOLE POINT IS A HOME OCCUPATION IS SUPPOSED TO -- TO MAINTAIN THE CHARACTER OF THE NEIGHBORHOOD AND NOT DRAW TRAFFIC TO THE AREA.

Alvarez: OKAY. THEN IN TERMS OF THE TYPE OF ZONING, I

THINK IT'S LO-MU THAT'S REQUESTED.

CORRECT.

Alvarez: AND LO IS WHAT'S REQUIRED FOR -- VERSUS N.O. FOR THE DENTAL?

CORRECT. N.O. ZONING DOES NOT ALLOW MEDICAL OFFICE, SO LO WOULD BE THE FIRST THAT WOULD ALLOW MEDICAL OFFICES. THERE WOULD BE ADDITIONAL PARKING REQUIREMENTS BASED ON THE SQUARE FOOTAGE AS MS. PHELPS HAS INDICATED, LIMITING IT TO 1600 SQUARE FEET WOULD LIMIT IT TO EIGHT PARKING SPACES. THAT WOULD HAVE TO BE ADDRESSED TOO BY EITHER GOING TO THE BOARD OF ADJUSTMENT SHOULD YOU APPROVE THE ZONING AND THE PARKING ASPECT HAS TO BE ADDRESSED BECAUSE YOU'RE GOING FROM A RESIDENCE, AS PREVIOUSLY APPROVED AND PERMITTED, THE BUILDING PERMITS WERE PERMITTED FOR A DUPLEX AND NOT FOR -- NOT MEDICAL OFFICE.

Alvarez: SO WE HAVE AN EXISTING STRUCTURE, AND SO PRESUMEBLY AGAIN THIS IS NOT -- IT'S NOT GOING TO BE ANY MORE OUT OF CHARACTER THAN IT ALREADY IS IN TERMS OF THE STRUCTURE ITSELF. BUT BY GIVING LO, ARE WE GIVING -- WHAT IS THE CURRENT HEIGHT? IS THIS GIVING THEM MORE HEIGHT BECAUSE OF THE ZONING CHANGE?

WELL, LO ZONING WOULD ALLOW ADDITIONAL HEIGHT FROM SINGLE-FAMILY-3, WHICH ALLOWS YOU 45 -- 35 FEET. THE LO ZONING WOULD TAKE THAT HEIGHT. AND I'M NOT SURE IF THE NEIGHBORHOOD PLAN RESTRICT THE HEIGHT, BUT -- I NEED TO TURN OFF THIS MICROPHONE. THE HEIGHT -- THE MAXIMUM HEIGHT UNDER LO WOULD BE 40 FEET.

Alvarez: 40 FEET?

CORRECT.

Alvarez: SO IT DOESN'T MAKE MUCH SENSE FOR THEM TO TEAR DOWN THE HOUSE AND BUILD A 40-FOOT STRUCTURE. I GUESS I'M TRYING TO FIGURE OUT WHAT ARE THEY GETTING FROM THIS ZONING CASE THAT'S GOING TO MAKE

THIS PARTICULAR STRUCTURE, THIS PARTICULAR PROPOSED USE THAT PROBLEMATIC.

THE CHANGE IN ZONING WOULD REALLY JUST ALLOW THE USE. IT'S NOT EXPECTED THAT THEY WOULD TEAR DOWN. IT'S SIMPLY ALLOWING THE MEDICAL OFFICE USE TO OCCUR IN CONJUNCTION WITH THE RESIDENTIAL USE, SO YOU WOULD BE -- THE LO-MU WOULD ALLOW BOTH USES TO COINCIDE WITH EACH OTHER.

Alvarez: SURE. I JUST REMEMBER OUR DISCUSSION ON THAT OTHER HAGMAN PROPERTY WHERE WE WERE TALKING ABOUT I GUESS A VACANT PIECE OF PROPERTY WHERE THERE COULD BE A LOT OF DENSITY, AND SO A LOT OF OFFICE AND A LOT OF RESIDENTIAL AS WELL. I HAVE A COUPLE OF QUESTIONS FOR THE APPLICANT. SO HOW MUCH -- WE HAVE WHAT'S -- I'VE SEEN -- WE HAVE OBVIOUSLY AN EXISTING STRUCTURE. SO HOW MUCH SQUARE FOOTAGE IS THERE OVERALL FOR THE -- FOR THIS STRUCTURE AND THEN HOW MUCH OF IT IS PROPOSED FOR THE OFFICE?

THE COMPLETE STRUCTURE IS APPROXIMATELY 5700 SQUARE FEET. THE RESTRICTIVE COVENANT THAT WE OFFER IS LIMITING THE DENTIST PORTION TO 1600, WHICH IS NOT THE COMPLETE FIRST STORY, BUT JUST THE FIRST -- THE NORTHERN HALF OF THE BUILDING OR LESS THAN HALF ACTUALLY. AND AS FAR AS THE ACCESS GOES, I WANTED TO CLEAR UP, IS ON -- FROM I-35 IS THE PROPERTY BETWEEN OLEANDER STREET AND I-35 IS TXDOT RIGHT-OF-WAY WITH THE EXCEPTION OF A SMALL STRIP THAT'S THE CITY OF AUSTIN. SO IF YOU CAME IN FROM I-35 YOU WOULD TAKE EITHER 14TH TO OR 15TH TO OLEANDER. AS FAR AS THE PARKING GOES, RIGHT NOW THERE ARE TWO PARKING PLACES ON THE NORTHERN PORTION OF HIS PROPERTY FOR THE DENTIST OFFICE. ON THE SOUTHERN PORTION OF HIS HOUSE FROM THE ALLEYWAY THERE ARE THREE PARKING SPACES. SO YOU HAVE A TOTAL OF FIVE SPACES. YOU WOULD HAVE TO GET INTO A LEASE AGREEMENT OR WHATEVER TO BE ABLE TO USE SOME OF THAT FOR THE OFFICE IF YOU'RE HAVING ONE RESIDENCE. NOW, THE OTHER THING IS WE WOULD HAVE TO EITHER GET A VARIANCE OR HAVE AN OFF-SITE PARKING AGREEMENT. WE'VE TALKED TO PUBLIC WORKS TO FIND OUT IF FOR SOME

REASON WE COULDN'T GET THE VARIANCE IF WE WOULD BE ABLE TO LEASE THAT STRIP OF PROPERTY FROM THE CITY OF AUSTIN TO PROVIDE OFF-SITE PARKING. AND THEY INDICATED THAT WE COULD DO THAT ON A LEASED BASIS. THE OTHER THING THAT I WANT TO MENTION ABOUT THE PARKING SITUATION --

Alvarez: I THINK I WAS ASKING ABOUT SQUARE FOOTAGE. THANK YOU FOR SHARING THAT ABOUT THE PARKING. I THINK THAT HAD ALREADY BEEN COMMUNICATED. BUT I THINK THAT -- I WAS TRYING TO FIGURE OUT HOW MUCH OF THIS 5700 SQUARE FOOT STRUCTURE IS ACTUALLY GOING TO BE USED AS OFFICE. AND THE ANSWER WAS...

1600.

Alvarez: 1600 SQUARE FEET. SO MAYBE ABOUT A FOURTH, I GUESS, ROUGHLY.

YES.

Alvarez: IF MY MATH SKILLS ARE STILL SHARP. I DON'T KNOW THAT THEY ARE. SO -- AND THAT IS SOMETHING THAT YOU ARE WILLING TO SORT OF AGREE TO THROUGH A RESTRICTIVE COVENANT?

YES, DEFINITELY. THAT AND THE ZONING ROLLBACK ALSO IF HIS BUSINESS CEASES. AND I DON'T KNOW IF I MENTIONED THE HOURS OF OPERATION. HE SERVES JUST MONDAY THROUGH THURSDAY FROM 8:30 TO 3:30 AND IT'S ONE DENTIST, ONE DENTIST, ONE ADMIN PERSON AND ONE ASSISTANT, NOT EVEN A HYGIENIST. SO AT THE HIGH END AT ONE GIVEN TIME YOU WOULD HAVE TWO STAFF PEOPLE AND POSSIBLY TWO CLIENTS THERE, ONE COMING AND ONE LEAVING. AT THE SAME TIME.

Alvarez: MONDAY THROUGH THURSDAY? OKAY. WELL, THE OTHER -- I THINK THAT THOSE ARE MAINLY MY QUESTIONS. I MEAN, I DID WANT TO ASK ABOUT THE WHOLE TIMING ISSUE, AND MAYBE THIS IS MORE APPROPRIATE FOR DR. LOYA HIMSELF, BUT ABOUT THE SITUATION IN HIS OLD SITE, BECAUSE HE WAS -- I KNEW DR. LOYA FROM HIS PRACTICE ON CESAR CHAVEZ STREET AT THE OLD QUINTANILLA

HOUSE, AND THEN OBVIOUSLY WHEN WE -- WE NOTICED WHEN THAT PROPERTY CHANGED HANDS BECAUSE THERE WAS A LOT OF WORK DONE AND IT WAS ACTUALLY FIXED UP REALLY NICE BY THE YMCA, SO NOW THAT'S THEIR OFFICE. BUT I GUESS HE ORIGINALLY CAME IN TO CHANGE ZONING WHILE HE WAS STILL IN THAT OFFICE, AND THEY NEVER FINISHED THE REZONING PROCESS, BUT THEN SUBSEQUENTLY HAD TO VACATE THAT OTHER OFFICE THAT HE HAD. AND SO I DON'T KNOW IF YOU OR HE COULD EXPLAIN THAT SITUATION ABOUT WHY IT HAPPENED BECAUSE THAT'S PART OF WHAT THE NEIGHBORS SEEM TO BE RESPONDING TO.

CORRECT.

Alvarez: AND I KNOW THAT THERE WAS -- IT WAS KIND OF A PECULIAR SITUATION. IF YOU COULD EXPLAIN THAT.

YEAH, I CAN PROVIDE YOU A QUICK OVERVIEW. AND THE NEIGHBORHOOD IS CORRECT, FROM THE BEGINNING POINT THEY DID TELL HIM THEY WERE GOING TO OPPOSE THIS ZONING, WHICH WE'VE HAD A LOT OF CASES WHERE THE NEIGHBORHOOD OPPOSES US AND WE BRING IT BEFORE COUNCIL ANYWAY. BUT WITHOUT MY NOTES, MY RECOLLECTION IS THAT HE -- THE NEIGHBORHOOD PLAN WAS ADOPTED DECEMBER OF 2001. HE PURCHASED THE PROPERTY SHORTLY AFTER THE NEIGHBORHOOD PLAN WAS ADOPTED. THE PREVIOUS OWNER DID NOT ASK FOR A ZONING CHANGE DURING THE NEIGHBORHOOD PLAN, WHICH I BELIEVE HE WOULD HAVE GOTTEN, BUT HE DIDN'T SEE A NEED FOR IT. AND DR. LOYA BOUGHT IT. HE BOUGHT HIS FAMILY IN IN DECEMBER OF 2001 SHORTLY AFTER HE PURCHASED THIS. HE WAS STILL OPERATING ON CESAR CHAVEZ. IN DECEMBER OF 2003, TWO YEARS LATER, AND BEFORE WE HIT THAT POINT, HE HAD ALREADY TRIED TO START THE ZONING PROCESS AT LEAST ONCE, AND AFTER THAT WENT TO LOOK FOR AN AGENT TO START THE PROCESS A SECOND TIME. SO THAT WAS IN THE WORKS, BUT THE APPLICATION WAS NOT PHYSICALLY IN THE CITY IN DECEMBER OF 2003. THAT WAS A TIME -- ABOUT THE TIME HE WAS GIVEN A 30-DAY NOTICE TO VACATE THE BUILDING FROM THE YMCA TO BUY IT. AND HE HAD 30 DAYS TO DECIDE. HE MADE A JUDGMENT CALL. HE MOVED THERE

KNOWING THAT HE WAS ALREADY GOING THROUGH THE PROCESS, KNOWING THAT THE NEIGHBORHOOD SAID THEY WOULD OPPOSE HIM, BUT AS A DENTIST AND OBVIOUSLY NOT A DEVELOPER, HE JUST COULDN'T UNDERSTAND THAT -- I DON'T THINK HE IMAGINED THAT THERE WOULD HAVE BEEN SUCH A PROBLEM TO GET A ZONING APPROVED FOR A MIXED USE LIMITING OWNER-OCCUPIED USE THERE. SO THAT'S BASICALLY THE SCHEDULE WE WENT THROUGH. AND HE HAD ANOTHER AGENT INVOLVED. I DIDN'T GET INVOLVED UNTIL LATE SUMMER. I WAS HIRED IN AUGUST-SEPTEMBER OF LAST YEAR. AND WE HAD SOME DELAYS DUE TO SOME PERSONAL ISSUES THAT HAPPENED ON MEDICAL EMERGENCIES. BUT THE NEIGHBORHOOD MADE IT VERY CLEAR THEY APPRECIATED HE DID COME BACK AND AGREE TO A RESTRICTIVE COVENANT ON THE ZONING ROLLBACK PRIMARILY AND ALSO THE LIMITED SQUARE FOOTAGE. HOWEVER, THEY OPTED NOT TO SUPPORT THIS. BUT I DO WANT TO POINT OUT THAT AT THE OCEAN MEETING WHEN OUR CASE WAS HEARD THERE, THEY SAW THE RESTRICTIVE COVENANT AND THEIR STATEMENT WAS, WE'RE HAVING A HARD TIME UNDERSTANDING WHERE SWEDE HILL IS SO STRONGLY OPPOSED TO THIS. IS THERE ANY CHANCE THAT Y'ALL WOULD GO BACK AND RECONSIDER IT SO WE COULD POSTPONE THIS ONE MONTH TO SEE IF THERE'S ANY AGREEMENT Y'ALL COULD COME TO IF THERE'S SOMETHING MISSING HERE? AND THEY SAID ABSOLUTELY NOT. IT DOESN'T MATTER WHAT THE CONDITIONS ARE. NO. AND THEY SAID IT'S REALLY UNFORTUNATE. WE THINK THIS IS A REALLY GOOD RESTRICTIVE COVENANT, BUT OBVIOUSLY AS AN UMBRELLA ASSOCIATION, WHICH HAS ALWAYS BEEN MY EXPERIENCE THEIR DUTY IS TO GO AHEAD AND SUPPORT THEIR NEIGHBORHOOD ASSOCIATION. AND WE UNDERSTOOD THAT AND WE RESPECTED THAT. SO THE WAY -- UNFORTUNATELY THE WAY THIS WENT THROUGH, IT JUST KIND OF PUT THEM IN THIS PARTICULAR MESS.

Alvarez: OKAY. I MEAN, I GUESS -- I MEAN, THE QUESTION I WAS TRYING TO ADDRESS WAS THE QUESTION OF WHY HE HAD TO KIND OF CHANGE OR MOVE HIS DENTAL OPERATION, AND THAT'S BECAUSE -- IT APPEARS AT LEAST FROM THE BEGINNING THAT HE WAS STAYING IN HIS OFFICE ON CESAR CHAVEZ AND WOULD STAY THERE UNTIL THE ZONING

PROCESS KIND OF PLAYED ITSELF OUT, BUT THEN HE WAS GIVEN THIS 30-DAY NOTICE BECAUSE THE OWNER OF THE PROPERTY SOLD THE PROPERTY, AND THEN THAT'S WHEN WE GOT INTO THE SITUATION WE'RE IN. AND SO -- BUT IS THAT CORRECT? IS THAT AN ACCURATE REPRESENTATION?

YES.

Alvarez: OKAY. THOSE ARE ALL THE QUESTIONS I HAVE.

Mayor Wynn: FURTHER QUESTIONS, COUNCIL? COMMENTS?
COUNCILMEMBER SLUSHER.

Slusher: THANK YOU, MAYOR. MS. GLASGO, LET ME MAKE SURE I UNDERSTOOD SOMETHING YOU SAID EARLIER. I UNDERSTAND THE PREVIOUS OWNER, BUT WHEN THIS PROPERTY WAS BUILT YOU SAID IT HAD TO GO TO THE BOARD OF ADJUSTMENT TO GET A VARIANCE ON THE IMPERVIOUS COVER, IS THAT RIGHT?

YES.

Slusher: ON THE SIZE OF THE BUILDING.

YES.

Slusher: DID THEY SEEK THAT VARIANCE IN ADVANCE OR DID THEY BUILD IT FIRST AND THEN GO TO THE BOARD OF ADJUSTMENT?

I'M NOT SURE -- I DON'T HAVE THE BOARD OF ADJUSTMENT FILE HERE. I JUST HAVE THE CASE HISTORY THAT JUST INDICATES THAT THE -- THERE WAS A VARIANCE REQUESTED. WE JUST SUMMARIZE INFORMATION. I'M NOT SURE IF IT WAS BEFORE OR AFTER.

Slusher: THAT'S PRETTY SIGNIFICANT. I MEAN, TO ME IT IS. BECAUSE EVEN THOUGH IT'S NOT THE SAME OWNER, FOR THE NEIGHBORHOOD, IF THEY HAD TO -- IF SOMEBODY WENT AND BUILT SOMETHING BIGGER THAN THEY WERE SUPPOSED TO AND THEN WENT AND GOT A VARIANCE FROM IT TO ALLOW IT, THEN IN THIS CASE THE OWNER KNEW THE ZONING WASN'T ALLOWED AND WENT AHEAD AND PUT IT IN

THERE, THAT WOULD JUST BE A PATTERN THAT WOULD BOTHER ME EVEN THOUGH I UNDERSTAND IT WAS A DIFFERENT OWNER, BUT THE NEIGHBORHOOD HAVING TO ENDURE THIS WOULD BOTHER ME.

WELL, THE STAFF REPORT, I'VE FOUND SOME DATES HERE. IT INDICATES THE PROPERTY WAS DEVELOPED WITH THE CURRENT STRUCTURE 1997. AND THE BOARD OF ADJUSTMENT GRANTED IMPERVIOUS COVER IN 1995, SO IT APPEARS THAT THE VARIANCE WAS GRANTED BEFORE THE ACTUAL CONSTRUCTION OCCURRED.

Slusher: OKAY. I DID WANT TO KNOW THAT. AND THEN DID I UNDERSTAND THERE HAD TO BE ANOTHER TRIP TO THE BOARD OF ADJUSTMENT IF THIS ZONING WERE APPROVED TONIGHT FOR PARKING?

THEY CAN MEET THEIR ADDITIONAL PARKING REQUIREMENT FOR MEDICAL OFFICES DEPENDING ON WHAT YOU DO TONIGHT, WHAT SIZE YOU'RE LIMITED TO. WHAT MS. PHELPS IS OFFERING IS THAT YOU LIMIT THE MEDICAL OFFICE TO 1600 SQUARE FEET OF THE ENTIRE STRUCTURE, AND THAT THAT WOULD RESULT IN EIGHT PARKING SPACES, WHICH THEY CAN EITHER HAVE TO PROVIDE IT ON-SITE OR GET A VARIANCE OR LOCATE -- FIND ANOTHER OFF SITE LOCATION THAT MEETS THE OFF SITE REQUIREMENTS TO PROVIDE THOSE ADDITIONAL SPACES IN ORDER TO COMPLY WITH THE BUILDING CODE AND CERTIFICATE OF OCCUPANCY FOR MEDICAL USE.

Slusher: SO OFF SITE --

IT WOULD BE AWAY FROM THIS SITE. HE HAS TO FIND --

Slusher: I KNOW WHAT THAT MEANS. I WAS JUST THINKING OUT LOUD ABOUT WHERE THAT MIGHT BE.

IT HAS TO MEET THE DISTANCE REQUIREMENT FOR -- GEORGE ZAPALAC IS HERE. GEORGE, WHY DON'T YOU COME? I'LL LET GEORGE ADDRESS THISMENT.

COUNCILMEMBERS, GEORGE ZAPALAC WITH WATERSHED PROTECTION. OFF-SITE PARKING WOULD NOT BE PERMITTED

UNLESS BOTH SITES HAVE AT LEAST G.O. ZONING, AND THIS ZONING IS L.O., SO IT WOULD NOT QUALIFY FOR OFF-SITE PARKING.

Slusher: OKAY. LET ME ASK MS. LOPEZ-PHELPS A QUESTION. IT SEEMS PRETTY OBVIOUS FROM THE SPEAKERS THAT DR. LOYA HAS DONE A GOOD JOB IN HIS PRACTICE OF SERVING THE COMMUNITY, BUT IT DOES CONCERN ME THAT THERE DIDN'T SEEM TO BE THE CONCERN FOR THE ZONING LAWS OF THE CITY. AND YOU'VE SAID SEVERAL TIMES THAT HE MADE THAT DECISION AS A DENTIST, NOT A DEVELOPER. AND SO I'M WONDERING WHY WOULD A DENTIST FEEL LIKE -- WHY SHOULD THEY NOT HAVE TO OBEY THE ZONING LAWS JUST LIKE ANYONE ELSE IF THEY WERE AWARE THAT THE LAW DIDN'T ALLOW THEM TO DO SOMETHING, WHY WOULD THEY BE ABLE TO GO AHEAD AND DO IT JUST BECAUSE THEY WEREN'T IN A PARTICULAR FIELD?

BASED ON DR. LOYA'S PERSONALITY, I'M GOING TO -- IF I SPEAK OUT OF LINE, I WOULD LIKE DR. LOYA TO CORRECT ME, BUT MY IMPRESSION IS THAT HE DIDN'T MAKE THAT DECISION BECAUSE HE FELT THAT HE HAD A SPECIAL RIGHT OR HE COULD IGNORE IT AND GET AWAY WITH IT OR SOME OF THE OTHER THINGS THAT YOU SAID. HE DID IT BECAUSE HE MADE A JUDGMENT CALL. HE HAD 30 DAYS TO MOVE. HE KNEW HE WAS GOING TO GO THROUGH REZONING ANYWAY, AND HE DECIDED TO GO AHEAD AND MOVE AND TAKE A CHANCE AND MOVE WHILE HE WENT THROUGH HIS ZONING. HE KNEW HE NEEDED THE ZONING OBVIOUSLY BECAUSE HE STARTED THE PROCESS BACK IN 2002. SO I DON'T BELIEVE HE DID IT BECAUSE HE HAD SPECIAL PRIVILEGES OR PEOPLE WERE GOING TO GIVE HIM BETTER OPPORTUNITY BECAUSE HE WASN'T A DEVELOPER. I HONESTLY DO NOT BELIEVE THAT.

Slusher: BUT IT SEEMS LIKE THAT'S WHAT YOU'RE SAYING. IF HE'S ONLY A DEVELOPER WOULD HAVE TO --

NO.

Slusher: THAT SOUNDED LIKE IT TO ME AND I'M STILL NOT UNDERSTANDING HOW YOU MEANT IT DIFFERENT.

THAT WAS NOT THE MESSAGE I WAS TRYING TO RELATE. MY MESSAGE WAS THAT A DEVELOPER WOULD HAVE KNOWN THAT IN ANY CITY, WHETHER IT AUSTIN OR SAN ANTONIO, THAT IT DOESN'T MATTER WHAT YOUR REASON IS, YOU DO NOT MOVE INTO A PLACE BEFORE YOU GET YOUR ZONING. IT A POLITICAL PROCESS AND IT'S A LAND DEVELOPMENT REVIEW PROCESS. A DEVELOPER KNOWS THAT. THEY DON'T CARE, YOU KNOW, IF THEIR PARENTS DIED AND THE HOUSE BURNED UP AND THEY NEEDED TO MOVE SOMEWHERE. IT DOESN'T MATTER. THEY KNOW THAT SHE SHOULDN'T BEING DOING THAT. A DENTIST OR A DOCTOR OR AN ACCOUNTANT, UNLESS THEY'VE BEEN THROUGH THE PROCESS BEFORE FROM THE PEOPLE THAT I HAVE REPRESENTED ON OTHER SIMILAR TYPES OF ZONING CASES BEING RED TAGGED, IS -- ESPECIALLY IN THIS CASE YOU'RE IN THE COMMERCIAL AREA, YOU'RE ALONG I-35. I CAN SEE WHY HE WOULD NOT THINK -- KNOWING HE WAS GOING IN THERE WITHOUT HIS ZONING AND KNOWING THAT HE WAS GOING TO GET CITED BY THE CITY AND THE NEIGHBORHOOD WAS GOING REPORT HIM AND BE UPSET ABOUT IT BECAUSE HE'S RIGHT THERE IN BROAD DAYLIGHT.

Slusher: I'M SORRY, I DON'T MEAN TO BE TOO TOUGH ON YOU, BUT I'M WONDERING --

I'M TRYING TO CLARIFY.

Slusher: WHAT ABOUT PARENTS DYING? YOU SAID SOMETHING ABOUT SOMEBODY'S PARENTS DYING?

I WAS GIVING AN EXAMPLE. I'M JUST GIVING AN EXAMPLE, IF A DEVELOPER, WHATEVER HIS EXTREME REASONS WOULD HAVE BEEN, A DEVELOPER KNOWS BETTER THAN TO GO AHEAD AND MOVE TO A SITE BEFORE GETTING HIS ZONING. BUT A NON-DEVELOPER OR SOMEONE THAT HAS NOT BEEN THROUGH THE PROCESS WOULDN'T KNOW HOW EXTREME THAT'S GOING TO IMPACT ON THEM WHEN THEY COME THROUGH THE PROCESS. THAT'S THE ONLY POINT I WAS TRYING TO MAKE IS THAT ANYONE WHO HASN'T BEEN THROUGH THE PROCESS, THEY DON'T UNDERSTAND HOW SENSITIVE THE ZONING PROCESS IS AND HOW YOUR ACTIONS OR INACTIONS ARE GOING TO IMPACT YOUR CASE. THAT'S THE ONLY POINT I WAS TRYING TO MAKE. NOT THAT

HE HAD SPECIAL PRIVILEGES OR -- WHAT I SAID, I THINK IT WAS UNDERSTOOD DIFFERENTLY.

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

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION, A COMBINED MOTION WHICH WILL INCLUDE CLOSING THE PUBLIC HEARING, CASE Z-7 AND 8.

Alvarez: MAYOR?

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: I MOVE APPROVAL OF BOTH OF THE ITEMS AND I'LL SPEAK TO THAT AFTER I GET A SECOND. IF I GET A SECOND.

Thomas: YOU GET A SECOND.

Mayor Wynn: MOTION BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER THOMAS TO APPROVE ITEM Z-7 AND Z-8. COUNCILMEMBER ALVAREZ?

Alvarez: THANK YOU, MAYOR. I THINK THIS IS ONE OF THOSE CASES THAT'S -- WHERE YOU DO REALLY HAVE TO LOOK AT SORT OF THE IMPACT ON THE NEIGHBORHOOD AND CONSIDER THE CONSISTENCY WITH THE PLAN, BUT TYPICALLY WHEN WE'RE LOOKING AT THESE KINDS OF CASES, WE'RE LOOKING AT COMPATIBILITY ISSUES. AND SO SOMETIMES YOU'RE LOOKING AT SCALE, THE IS THE SCALE COMPATIBLE WITH THE NEIGHBORHOOD. SO IN THIS CASE THE SCALE IS THE EXACT SAME SCALE THAT WE HAVE NOW BECAUSE IT'S THE SAME STRUCTURE, IT'S JUST REALLY HOW DO YOU USE THE SPACE WITHIN THAT STRUCTURE. AND GIVEN THE ZONING THAT'S REQUESTED, IT REALLY DOESN'T MAKE ANY SENSE FOR THEM TO REDEVELOP BECAUSE THEY'RE ONLY GETTING, I GUESS, FIVE EXTRA FEET THAN WHAT THEY CURRENTLY HAVE. AND IN TERMS OF THE TRAFFIC IMPACTS, YOU KNOW, IT APPEARS THAT IT WOULD BE A PRETTY SMALL NUMBER OF TRIPS PER DAY, AND THAT THE STREET THAT WOULD BE TRAVELED BY THE FOLKS THAT WOULD BE USING THE SERVICES HERE WOULD BE ON THE EDGE OF THE NEIGHBORHOOD. IT WOULD NOT BE IN THE NEIGHBORHOOD, BUT ON THE EDGE OF THE

NEIGHBORHOOD. UNLESS YOU'RE COMING FROM THE NEIGHBORHOOD TO USE THE SERVICE, IN WHICH CASE OBVIOUSLY YOU WILL DRIVE THROUGH THE NEIGHBORHOOD STREET -- THROUGH YOUR OWN NEIGHBORHOOD STREETS. AND THEN IN TERMS OF CONSISTENCY WITH THE NEIGHBORHOOD PLAN, I MEAN, OBVIOUSLY THE NEIGHBORS BROUGHT THIS FORWARD AND SUPPORTED MAINTAINING THE SF-3 ON THIS PARTICULAR TRACT, BUT IT ALSO MAKES SENSE FROM MY POINT OF VIEW TO LOOK AT THIS AS A POTENTIAL MIXED USE SITE BECAUSE OF THE FACT THAT IT IS ON A MAJOR HIGHWAY. AND SO IT DOES SEEM THAT A MIXED USE TYPE ZONING WOULD BE APPROPRIATE AND THAT THAT'S ACTUALLY HOW WE'VE APPROACHED ZONING IN MOST OF THE NEIGHBORHOODS ON MAJOR ARTERIALS WE'VE ACTUALLY ZONED FOR MIXED USE, THOSE PARTICULAR PROPERTIES. AND SO I THINK THAT -- THERE'S SOME ARGUMENT FOR WHY THAT WOULD BE AN APPROPRIATE ZONING, AND SO THAT'S WHY I'M GOING TO GO AHEAD AND SUPPORT THE TWO ITEMS THAT ARE BROUGHT FORWARD HERE.

Mayor Wynn: MAYOR PRO TEM?

Goodman: CAN I ASK A QUESTION FROM SOMEONE AT SWEDE HILL?

Mayor Wynn: PERHAPS MR. BONITA, WELCOME BACK.

Goodman: I'M ALSO HAVING A REAL PROBLEM WITH THIS BECAUSE I'M NOT UNDERSTANDING WHY THIS PARTICULAR STRUCTURE -- I MEAN, I UNDERSTAND USING IT WHEN IT'S OBVIOUSLY ILLEGAL TO USE IT THE WAY IT WAS, BUT GIVEN THE CONFUSION THAT PEOPLE HAVE, I DON'T KNOW THAT I CAN BLAME SOMEBODY FROM WHAT I HEAR UP HERE ON THE DAIS. WHY WERE YOU KEEPING THAT SF-3 ON THE FREEWAY VIRTUALLY.

THE PRIMARY REASON WHY -- THERE ARE ACTUALLY A COUPLE OF REASONS, BUT THE PRIMARY REASON IS CREEP, IS THAT WE -- WHAT THE NEIGHBORHOOD FEARS IS THAT ONCE IT STARTS, EVEN WITH THE RIKTS THAT THE -- THE RESTRICTIVE COVENANTS THAT THE DOMINO EFFECT WOULD BEGIN. IT SEEMS LIKE IT'S ALREADY HAPPENING

AGAIN. PART OF THE HANDOUT I GAVE YOU WAS A PROPERTY THAT IS ON 13TH STREET THAT HAS NO BUSINESS BEING COMMERCIAL, IT HAS NO PARKING. GRANTED, IT'S ON 35, BUT IT'S ALREADY BEING ADVERTISED AS COMMERCIAL PROPERTY. THAT'S A BIG ISSUE. ONCE IT BEGINS IT'S NOT GOING TO STOP AND OUR NEIGHBORHOOD IS GOING TO BASICALLY END UP BEING THE HOUSES THAT YOU SEE WEST OF DOWNTOWN WHERE YOU SEE BASICALLY OFFICE AFTER OFFICE AND YOU SEE PARKING METERS IN FRONT OF EVERY HOUSE.

Goodman: AND I UNDERSTAND THAT, BUT DIRECTLY ON THE FRONTAGE ROAD WHERE YOUR NEIGHBOR IS THE FREEWAY. THAT IS NOT TOTALLY VIABLE, IT WOULD SEEM TO ME AS SF-3. NOBODY WANTS TO LIVE, OR I WOULD THINK --

I WOULDN'T AGREE WITH YOU THERE BECAUSE MY SISTER-IN-LAW LIVES ON THE -- LIVES BASICALLY ONE BLOCK IN, BUT THE WAY THAT IT ANGLES, IT IS ON THE FREEWAY. I DON'T THINK THIS IS ANY DIFFERENT THAN THE HOUSES THAT YOU SEE GOING UP I GUESS OFF OF FIRST OR FIFTH THAT IT'S IN THE SAME SITUATION. YOU HAVE A BLUFF THAT SEPARATES MOPAC FROM THOSE RESIDENTIAL HOUSES, SO I DON'T AGREE WITH YOU WHEN YOU SAY IT'S NOT COMPATIBLE FOR RESIDENTIAL. AND ALSO IT IS NOT ON THE ACCESS ROAD. YOU ACTUALLY HAVE TO COME IN THROUGH A NEIGHBORHOOD, MAKE A LEFT TURN OR COME AROUND --

Goodman: RIGHT, IT'S A DOG LEG.

SO I DON'T KNOW IF I ANSWERED YOUR QUESTION.

Goodman: WELL, I WAS THINKING PROXIMITY FOR KIDS OR PETS OR SOMETHING LIKE THAT, I WOULDN'T WANT TO BE THAT CLOSE.

RIGHT. DID GOOD TO THE FREEWAY IN A RESIDENTIAL SITUATION.

Goodman: AND YOUR SISTER'S OBVIOUSLY A MUCH BRAVER PERSON THAN I WOULD BE.

WELL, I MEAN, AGAIN, I OWN PROPERTY IN THE

NEIGHBORHOOD AND IT'S RIGHT THERE, AND I RECOGNIZE THAT THERE IS SOME TRAFFIC THAT COMES FROM THE NEIGHBORHOOD, BUT HAVING THE CREEP EFFECT AND THE PROCESS OF GRANTING ONE, GRANTING THE OTHER, I STILL BELIEVE WOULD MAKE IT LESS --

Goodman: I THINK WHEN YOU SAY THAT YOU'RE MAKING A BLANKET STATEMENT. WHEN THERE ARE BUFFER CATEGORIES THAT ARE SPECIFICALLY USED TO GRADUATE SO THAT BEYOND A POINT THERE THEY'RE NOT ENCROACHING ANY MORE, THAT THEY'RE OKAY NEXT TO RESIDENTIAL, BUT NONRESIDENTIAL, AND THOSE ARE WHERE THE N.O.'S AND THE L.O.'S COME IN. SO YOU'RE NOT EVEN THINKING, THOUGH, ABOUT L.O. AS A BUFFER AND AS THE STOP, AS THE WALL FOR THE CREEP.

THE ONLY THING I GUESS I COULD POINT OUT IS, AGAIN, THE HAGMAN ISSUE, WHICH IS CLOSER TO THE FREEWAY, WHICH WOULD PARK OFF THE FREEWAY, WHICH, YOU KNOW, WE HAVE SUPPORTED AS DENSE RESIDENTIAL. IT COMES DOWN TO RESIDENTIAL VERSUS NONRESIDENTIAL. I DON'T KNOW IF I COULD --

Goodman: YEAH, YOU DIDN'T REALLY ANSWER, BUT I GUESS IF IT DIDN'T COME UP, YOU WOULDN'T HAVE DISCUSSION TO REFER TO. THANKS.

SURE. ANYTHING ELSE?

Mayor Wynn: FURTHER QUESTIONS OF MR. BONITA? THANK YOU, SIR.

THANK YOU.

Mayor Wynn: IF I COULD HAVE MR. GURNSEY OR PERHAPS MS. GLASGO, SOMEBODY AT STAFF JUST HELP ME. COUNCILMEMBER ALVAREZ ACTUALLY HAD SOME -- HAD SOME EARLIER QUESTIONS ESSENTIALLY SOMETHING TO THE EFFECT OF SO THAT IF WE GO THROUGH WITH THE ZONING CHANGE, CAN WE THINK THROUGH WHAT WOULD BE VERY LONG-TERM CHANGES? AND RECOGNIZING SORT OF THE STRANGE DYNAMICS OF THIS STRUCTURE AND EXACTLY WHERE IT IS AND HOW IT ORIENTED, I TOO CAN BE

SUPPORTIVE OF THIS BECAUSE THE STRUCTURE IS THERE AND WE KNOW WHAT IT IS AND WE KNOW HOW TALL IT WILL BE, WE KNOW HOW MUCH IMPERVIOUS COVER WAS GRANTED BY THE BOARD OF ADJUSTMENTS, ETCETERA. CAN YOU SORT OF QUICKLY, MS. GLASGO, HELP ME WALK THROUGH WHAT WOULD BE OTHER ELEMENTS OF THIS ZONE CHANGE AND WHAT WE IN THEORY AS A COUNCIL COULD DECIDE TO RESTRICT ESSENTIALLY BACK TO WHAT WE SEE ON THE GROUND TODAY? THAT IS, IF A ZONING CHANGE IN FACT INCREASES THE LONG-TERM HEIGHT OF THIS TRACT, IF THERE'S SUPPORT HERE WE COULD BRING THAT HEIGHT DOWN TO EXISTING STRUCTURE, THE SAME THING WITH IMPERVIOUS COVER, SAME THING WITH SEVERAL ELEMENTS OF THE DEVELOPMENT CODE. SO CAN YOU HELP ME JUST THINK THROUGH WHAT WILL BE THE CHANGES OF GOING FROM SF TO L.O. THAT IF THERE'S SUPPORT WE CAN ESSENTIALLY CARVE BACK AND ALLOW FOR EFFECTIVELY THIS USE, BUT NOT A LONG-TERM ZONING CHANGE THAT'S SO DIFFERENT FROM THE NEIGHBORHOOD PLAN? [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

SHE'S GOING TO HAVE TO ADDRESS THAT AFTER YOU ACT. THE SECOND ITEM THAT SHE HAS IS TO -- TO -- TO LIMIT PEDESTRIAN ACCESS TO THE DENTAL OFFICE WILL BE RESTRICTED TO THE OLEANDER STREET. THE DENTAL OFFICE, THE OWNER WOULD NOT OPPOSE A ROLLBACK TO SF 3 SHOULD -- SHOULD THE USES BUT -- THAT'S OPTIONAL, THE USES TODAY, THE MEDICAL OFFICE, THEN -- IF YOU FEEL THAT IT'S APPROPRIATE, YOU REALLY DON'T NEED TO HAVE A ROLLBACK BECAUSE IF YOU LIMIT THE PROPERTY TO MEDICAL USE AND IF HE MOVED OUT, THEN -- THEN THE STREET -- THE FUTURE COUNCIL WOULD BE FACED WITH THE SAME DILEMMA OF HAVING TO ROLL HIM BACK. SO I WOULD NOT RECOMMEND THAT ROLLBACK OPTION. FOR THIS PARTICULAR CASE SIMPLY BECAUSE YOU JUST WOULD BE SUBJECTING A FUTURE COUNCIL TO THIS DEBATE AGAIN. SO SHOULD YOU CONSIDER THE -- THE LIMITED OFFICE ZONING WITH THOSE RESTRICTIONS OF WHAT IS APPROPRIATE, THEN I WOULD NOT RECOMMEND A ROLLBACK PROVISION AT ALL. THE -- THE APPLICANT IS ALSO OFFERING A PRIVATE OR -- A COVENANT RELATING TO

THE CONDITIONAL OVERLAY WHICH I HAVE JUST SPOKEN TO. THOSE ITEMS, HOURS OF OPERATION AGAIN I -- MS. PHELPS OFFERED SOME HOURS OF OPERATION. IF THAT'S -- DID THAT'S APPROPRIATE. SHE DID INDICATE WHAT HOURS THOSE WOULD BE, BUT YOU COULD CONSIDER THOSE ELEMENTS IN YOUR DELIBERATION.

HOW ABOUT HEIGHT, MS. GLASGO?

THE HEIGHT, ACTUALLY COMPATIBILITY -- BECAUSE OF THE PROXIMITY OF RESIDENTIAL HOUSES IN THE AREA, THAT WILL ALWAYS LIMIT THE HEIGHT, BUT YOU CAN LIMIT THE HEIGHT, I DON'T KNOW WHAT THE HEIGHT IS, MS. PHELPS CAN HELP ME OF EXISTING STRUCTURE SINCE IT --

[INDISCERNIBLE]

Glasgo: THAT -- THAT YOU COULD -- YOU COULD ALSO PROBABLY JUST LIMIT THE -- TO THE EXISTING DEVELOPMENT, SHE INDICATES IT SHOULD BE 35 FEET UNDER SF 3. THE BOARD OF ADJUSTMENT TOOK CARE OF THE VARIANCE UNDER SITE DEVELOPMENT REGULATIONS FOR SF 3, SO THOSE SHOULD HELP MINIMIZE THE IMPACT OF ANY FUTURE -- FUTURE PRECEDENCE SETTING.

Mayor Wynn: IS IT -- IS IT -- IS STAFF -- HOW MANY READING IS STAFF READY FOR?

I'M SORRY.

Mayor Wynn: IS STAFF READY FOR ALL THREE READINGS OR WOULD THERE HAVE TO BE --

FIRST READING ONLY SINCE YOU DID NOT HAVE A RECOMMENDATION FROM THE PLANNING COMMISSION. WE WEREN'T ABLE TO PREPARE AN ORDINANCE, WE WILL HAVE TO COME BACK FOR SECOND AND THIRD READINGS.

SO I WANT TO CONFIRM WITH -- COUNCILMEMBER ALVAREZ AND THOMAS, THIS FIRST READING ONLY. I GUESS MY REQUEST IF IT CONSIDERED FRIENDLY WOULD BE THAT -- THAT BETWEEN FIRST -- THAT AFTER FIRST READING THAT STAFF WORK WITH THE APPLICANT TO TRY TO CONSTRUCT

THE LIMITS, ESSENTIALLY LIMIT THIS TO THE EXISTING DEVELOPMENT, YOU KNOW, IN A REASONABLE FORMAT, FOR US TO CONSIDER ON SECOND AND THIRD READING. COUNCILMEMBER ALVAREZ?

Alvarez: THAT'S FRIENDLY, MAYOR, BUT IF WE COULD JUST GET MAYBE A VERY CLEAR INDICATING OF WHAT -- OF WHAT THE -- THE HEIGHT OF THE IMPERVIOUS COVER WOULD BE SO THAT -- SO THAT'S CLEARLY STATED OR ARTICULATED. BECAUSE -- BECAUSE OBVIOUSLY I THINK WE'RE LOOKING AT 35-FOOT STRUCTURE. SO MAYBE JUST VERIFY THAT AND THEN ALSO THE IMPERVIOUS COVER, NOW, WHAT IS THE IMPERVIOUS COVER UNDER L.O.?

THE -- I THINK THIS TRACT -- LET ME JUST INDICATE WHAT L.O. THE -- THE EXISTING IMPERVIOUS COVER IS AT 58%.

Alvarez: I WAS JUST WONDERING IF THEY WERE GETTING ANYMORE, IF THEY WERE JUST ALREADY BEYOND THE LO --

THE IMPERVIOUS COVER UNDER LO WOULD BE 70%. IF YOU LIMIT THE IMPERVIOUS COVER BASED ON THE BOARD OF ADJUSTMENT VARIANCE, THEN YOU WOULD BE BELOW THE 70%. WHAT WE CAN DO BETWEEN SECOND AND THIRD READINGS IS VERIFY THE HEIGHT BASED ON THE BUILDING PERMIT TO MAKE SURE THAT YOU ARE NOT RESTRICTING IT SO IT BECOMES NON-COMPLYING. WE CAN -- SINCE YOU HAVE GIVEN US, I BELIEVE, IF YOU -- IF YOUR MOTION IS TO APPROVE L.O.-MU-CO THEN WE WOULD LIKE AT THE -- AT THE HEIGHT AS IT IS CURRENTLY JUST TO MAKE SURE THAT YOU ARE NOT CREATING A PROBLEM FOR THE APPLICANT. AND THEN SECONDLY INCLUDE THE SAME IMPERVIOUS COVER THAT IS CURRENTLY APPROVED FOR THE SITE, WHICH IS AT 58%, CONFIRM THAT FROM THE BOARD OF ADJUSTMENT RECORDS. I THINK THAT WAS THE INTENT WITH WHAT THE MAYOR WAS -- THE MAYOR'S REQUEST. MAYOR PRO TEM?

Goodman: HOPEFULLY A FRIENDLY AMENDMENT. SINCE THIS IS ON FIRST READING ONLY. I WOULD SUGGEST THAT THERE DOES NEED TO BE A ROLLBACK PROVISION BECAUSE THE SUPPORT HERE IS FOR -- IS FOR A MAN, A PARTICULAR PRACTITIONER. SINCE WE CAN'T ZONE BY OWNERSHIP, ONLY

BY LAND USE, THE ONE QUALIFIER THAT CAN GO WITH THE PARTICULAR PERSON IS A ROLLBACK OR A CONDITIONAL OVERLAY USE PERMIT. IN THIS CASE WE HAVE THE ROLLBACK. SO -- THAT IS SOMETHING -- SOMETHING THAT KIND OF PROTECT THE NEIGHBORHOOD FROM THE KIND OF PRECEDENT THAT WE WERE TALKING ABOUT CREEP -
- THE PRECEDENT.

Alvarez: WOULD THAT BE -- THAT BE -- MAYBE IT A QUESTION FOR STAFF. WOULD THAT BE SOMETHING THE CITY COULD ENTER INTO A RESTRICTIVE COVENANT OR IS THAT A NEIGHBORHOOD TO PROPERTY OWNER -- THAT WOULD.

Glasgo: THAT WOULD BE ONE THAT WE GET TO ENFORCE -- OBVIOUSLY THE CITY COUNCIL, WE WILL IMPLEMENT WHATEVER YOU DIRECT US TO DO. IF IT'S YOUR -- IF IT'S YOUR DESIRE TO -- TO HAVE THE ROLLBACK PROVISION, THAT'S PERFECTLY OKAY. THE LAW DEPARTMENT WILL PREPARE A ROLLBACK PROVISION IF YOU WANT TO INCLUDE THAT. IN YOUR MOTION.

Alvarez: THAT'S FRIENDLY. I THINK THE PROPERTY OWNER WAS OKAY WITH THAT. AS WELL. THEN FINALLY, JUST KIND OF LOOKING FORWARD TO THE SECOND AND THIRD READING ALSO. I KNOW WE HAVE TALKED ABOUT ONLY 1600 SQUARE FEET BEING USED AS MEDICAL OFFICE. BUT IS THERE ANYTHING THROUGH ZONING THAT WE CAN DO TO MAKE SURE THAT -- THAT ALL OF US IN THE -- YOU KNOW, THE FAMILY DOESN'T MOVE OUT AND THEN IT BECOMES JUST A -- JUST AN L.O., YOU KNOW, AN OFFICE STRUCTURE ENTIRELY? CAN YOU LIP THE AMOUNT OF SQUARE FOOTAGE OF -- OF OFFICE SO THAT -- AGAIN, JUST KIND OF LOOKING LONG-TERM DOWN THE ROAD, YOU KNOW, WE DON'T KNOW WHAT'S GOING TO HAPPEN. BUT, YOU KNOW, PART OF MY RATIONALE SHINED SUPPORTING THIS IS IT'S ONLY A FOURTH OF THE STRUCTURE ACTUALLY BEING USED FOR OFFICE PURPOSES. IF, YOU KNOW, I GUESS THEORETICAL, IF WE APPROVE THIS, THEN YOU KNOW I GUESS A LARGER PART OF THE STRUCTURE COULD BE USED, YOU KNOW, FOR OFFICE PURPOSES. IF THEY GET THE PROPER I GUESS ALL OF THE PROPER PERMITS. SO IS THERE SOMETHING THAT WE COULD DO TO ALSO LIMIT THAT BECAUSE, YOU KNOW, THE APPLICANT IS -- IS SUGGESTING THAT -- THAT THEY

ONLY NEED X NUMBER OF SQUARE FEET AND SO THAT WOULD BE ANOTHER WAY TO MAKE SURE THAT THERE ISN'T SOME OTHER UNCORE SEEN CIRCUMSTANCE THAT WE HAVEN'T THOUGHT THAT THAT COULD HAVE AN ADVERSE IMPACT ON THE NEIGHBORHOOD.

CORRECT.

Goodman: TO FOLLOW-UP, SOMETHING WE DON'T THINK OF A PARTIAL FOOTPRINT, WE DO IT WITH LITTLE SHOPPING CENTERS, WE -- WE FOOTPRINT THE ZONING FOR ONE STORE FRONT. WE'VE NEVER DONE IT WITH A DUPLEX BEFORE. BUT SINCE THIS ISN'T ONE THAT DOESN'T DESIGN -- ISN'T DESIGNED TO WORK ENTIRELY LIKE A DUPLEX, IS IT POSSIBLE TO GET A METES AND BOUNDS OR A SQUARE FOOT MAPPED OUTLET ON THE ZONING MAP TO --

SINCE THE SITE IS ONLY 5800 SQUARE FEET, THE -- THE RECOMMENDATION TO -- WOULD BE TO LIMIT THE OFFICE -- THE MEDICAL OFFICE USE TO JUST 1600 SQUARE FEET. THAT'S WHAT MS. FLEMS OFFERED. CURRENTLY THE MEDICAL OFFICE USE OCCUPIES 1600 SQUARE FEET OF THE STRUCTURE THAT IS 5700 SQUARE FEET. SO THAT WOULD ACCOMPLISH YOUR OBJECTIVE. SO SHOULD -- SHOULD THIS -- THIS DOCTOR MOVE OUT AND ANOTHER USE COMES IN, WHAT YOU WOULD HAVE DONE IS IF YOU LIMIT THE -- THE AREA THAT IS BEING USED AND THEN SECONDLY JUST LIMIT IT TO MEDICAL OFFICE AND SO NO OTHER USES UNDER L.O. WOULD BE ALLOWED, THEN YOU WOULD ALSO BE ALLOWING OTHER SF 3 USES, THEN YOU ARE PRETTY MUCH LIMITING THAT.

I JUST THOUGHT IT MIGHT BE EASIER TO TELL IF IT WAS A LITTLE SQUARER ON THE MAP INSTEAD OF A REFERENCE TO SQUARE FOOTAGE.

Glasgo: WELL, IF YOU JUST ZONE THE MAP AND YOU -- THE MINIMUM LAND AREA, THE ZONING HAS TO BE -- MEET THE MINIMUM SITE AREA. FOR THE ENTIRE SITE. THAT WOULD BE -- THAT WOULD BE THE DILEMMA.

COUNCILMEMBER ALVAREZ?

WITH THE ACTION WE'RE TAKING, WE ARE LIMITING THE OFFICE SQUARE FOOTAGE TO 1600 SQUARE FEET? THAT'S BASICALLY WHAT I WAS --

Glasgo: CORRECT FOR THE MEDICAL OFFICE USE YES WOULD BE TO 1600 SQUARE FEET.

Alvarez: THAT'S ALREADY FACTORED INTO OUR PROPOSAL?

CORRECT.

Alvarez: ALL RIGHT.

COUNCIL, WE HAVE A MOTION ON THE TABLE AND A SECOND TO APPROVE ITEM Z-7 AND Z-8 ON FIRST READING ONLY WITH SOME INSTRUCTION TO STAFF TO COME BACK AND HELP US WITH -- WITH THE LONG-TERM IMPLICATIONS OF A ZONING CHANGE. COUNCILMEMBER SLUSHER?

Slusher: THANK YOU, MAYOR, I WILL KEEP MY REMARKS VERY SHORT BECAUSE I WANT TO NOTE THAT THIS CASE IS -- HAS LASTED LONGER THAN ANY TRIP TO THE DENTIST THAT I'VE EVER HAD [LAUGHTER] AND I THINK -- I WOULD RATHER GO TO HIM THAN VOTE ON IT. [LAUGHTER] BUT THAT AS I SAID BEFORE, I THINK DR. LOYA HAS REALLY DONE A GOOD JOB OF SERVING THE COMMUNITY THROUGH HIS DENTAL PRACTICE. AND THIS IS -- THIS IS NOT -- NOT A CASE ABOUT WHETHER, HOW GOOD OF A DENTIST HE IS. I THINK HE PROBABLY IS A GOOD ONE. IT'S ABOUT LAND USE. AND LOOKING AT IT FROM THAT ANGLE, THE PROXIMITY TO I-35 MAKES IT SEEM LIKE A GOOD PLACE, A DECENT PLACE FOR A DENTIST'S OFFICE, ALTHOUGH I THINK THE NEIGHBORHOOD HAS A POINT ABOUT IT COMING UP INTO THE NEIGHBORHOOD. A LITTLE BIT. I WAS -- I WAS MOVED BY THE ARGUMENTS ABOUT -- ABOUT THE DENTIST THAT'S WILLING TO -- TO SERVE IN EAST AUSTIN AND HAVE HIS PLACE ACCESSIBLE, HIS OFFICE ACCESSIBLE TO THE PEOPLE OF EAST AUSTIN. BUT ALSO THERE'S A LOT OF COMMERCIALLY ZONED PROPERTY IN THE AREA. EVEN ALONG EAST 12th, WHERE WE SAW A VIDEO ABOUT SOME OF THE REALLY GOOD WORK THAT ABUNDANT LIFE IS DOING. AND I'M COMPETENT THAT THE DENTIST'S OFFICE WOULD BE WELCOMED BY THE RESIDENTS OF THAT NEIGHBORHOOD.

OR ANY -- OR ANY NEIGHBORHOOD. BUT I THINK IN PARTICULAR ALONG 12th THE VIDEO WE SAW, ALONG 11th WHERE THE CITY JUST HELPED REVITALIZE THAT AREA AND GET THOSE TWO NEW BUILDINGS UP. SOMEWHERE ALONG CESAR CHAVEZ, CESAR CHAVEZ WOULD BE WELCOMED AND WE ALREADY HAD THAT ZONED. I THINK IT'S WILL IMPORTANT IT IS TO ME THAT -- THAT THE -- THAT THE LAWS AND REGULATIONS OF THE CITY BE RESPECTED AND I DON'T THINK THAT REALLY HAPPENED IN THIS CASE AND I THINK WHEN WE HAVE ALLOW THAT WE JUST ENCOURAGE MORE OF IT AND ENCOURAGE MORE CASES. THAT WE HAVE TO DECIDE LIKE THIS. SO -- SO I'LL CONTINUE TO THINK ABOUT IT. IT'S A TOUGH ONE, BUT I CAN'T SUPPORT IT ON THE FIRST READING.

Mayor Wynn: FAIR ENOUGH, FURTHER COMMENTS, QUESTIONS? MOTION ON THE TABLE TO APPROVE ON FIRST READING ONLY, Z-7 AND Z-8 WITH FURTHER INSTRUCTION OF STAFF.

JUST A REMINDER TO FOLKS TO -- THAT WE ZONE BY THREE READINGS. SO NOTHING IS FINAL UNTIL THREE READING. WE USE THE FIRST READING, SECOND READING, THIRD READING SEPARATION TO WORK OUT ISSUES OR TO -- TO BECOME MORE CONVINCED AND MORE CONFIDENT OF THE ZONING THAT'S PROPOSED SO THAT GIVE THE NEIGHBORHOOD TIME, ALSO. TO STILL COME BACK AND TALK IF THERE'S ANYTHING YOU THINK THERE'S LEFT TO TALK ABOUT. I'M SURE AMELIA WOULD BE AVAILABLE.

THANK YOU, MAYOR PRO TEM. WILL A REMINDER THAT THIS MOTION AND SECOND CLOSES THE PUBLIC HEARING. FURTHER COMMENTS. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. --

Thomas: MAYOR, IF YOU DON'T MIND. I JUST WANT TO STRESS TO THE DOCTOR THAT -- THAT -- THAT IN THIS SECOND AND THIRD READING, LIKE THE MAYOR PRO TEM SAID, IF YOU WOULD COMMUNICATE MORE WITH THE COMMUNITY, NEIGHBORS, LET THEM KNOW BECAUSE -- BECAUSE THEY ARE CONCERNED ABOUT THE TRAFFIC. IF WE GET TO THE THIRD READING YOU CAN AT LEAST INSTRUCT YOUR PATIENTS TO -- HOW TO COME IN, HOW TO

COME OUT. THANK YOU.

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

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF -- FIRST READING ONLY ON A VOTE OF 6-1 WITH COUNCILMEMBER SLUSHER VOTING NO. [APPLAUSE]

Mayor Wynn: FOLKS, IF YOU DON'T MIND TAKING YOUR CONVERSATIONS OUTSIDE, WE HAVE A NUMBER OF PUBLIC HEARINGS NOW TO TRY TO GET THROUGH. THANK YOU VERY MUCH. COUNCIL, LET'S TAKE UP ITEM NO. 59. IF YOU DON'T MIND WE HAVE A -- WE HAVE AT LEAST ONE CITIZEN THAT NEEDS TO -- SOME SPECIAL TRANSPORTATION TONIGHT. SO -- SO WITHOUT OBJECTION I WOULD LIKE TO GO AHEAD AND -- IF YOU DON'T MIND HAVE JENNIFER MCPHAIL GIVE HER TESTIMONY BECAUSE I THINK JENNIFER NEEDS TO CATCH A RIDE. THEN WE'LL GO BACK AND HAVE OUR PRESENTATION FROM MR. HILGERS. FOLKS, AGAIN, PLEASE TAKE YOUR CONVERSATIONS OUTSIDE. THANK YOU ALL VERY MUCH, WELCOME, JENNIFER.

THANK YOU, I'M JENNIFER MCPHAIL, WITH ADAPT OF TEXAS. I JUST WANTED TO COME ON -- ON BEHALF OF THE GROUP AND REMIND YOU THAT WE'RE SUPPORTIVE OF AFFORDABLE, ACCESSIBLE HOUSING. WHEN I SAY AFFORDABLE, I MEAN AFFORDABLE TO PEOPLE AT 15% OF THE M.F.I. MOST OF THE FOLKS MEMBERS OF OUR GROUP AND THE PEOPLE THAT WE ADVOCATE FOR ARE AT -- [MICROPHONE CUT OFF] INCOME.

HAVE ANYTHING LEFT OVER FOR UTILITIES AND THE COST OF LIVING. SO AFFORDABILITY NEEDS TO BE ADDRESSED, SUBPOENAEDZIES NEED TO BE -- SUBSIDIES NEED TO BE OFFERED AT A DEEPER LEVEL SO YOU CAN HELP THE VERY LOW INCOME AND VERY POOR. THE OTHER ISSUE THAT I WANTED TO BRING UP WAS ENFORCEMENT OF FEDERAL LAWS. THAT REQUIRE ACCESSIBILITY. WE'VE GOTTEN BETTER OVER THE YEARS AT DOING IT. BUT I KNOW THERE

ARE STILL A LOT OF PROJECTS THAT ARE NOT ACCESSIBLE. THAT CLAIM TO BE. IT REAL EASY TO CHECK A BOX ON A LIST OF -- OF ISSUES WHEN -- WHEN YOUR BUILDING A MULTI-FAMILY HOUSING PROJECT. SO THAT'S WHAT PEOPLE OFTEN DO. AND THE -- WE SUPPORT THE TENANTS COUNCIL AND THEIR EFFORTS TO ENFORCE DISABILITY RIGHTS. I THINK THAT THE COMPLAINTS THAT THEY GET ARE STILL THE MAJORITY OF THE COMPLAINTS THAT THEY RECEIVE ARE STILL DISABILITY BASED. SO THAT TELLS YOU THAT WE STILL HAVE A LONG WAY TO GO. AND IT'S EXTREMELY IMPORTANT THAT MULTI-FAMILY AND SINGLE FAMILY HOUSING BE ACCESSIBLE. WE ARE VERY PROUD OF THE VISITABILITY ORDINANCE, BUT THE REALITY IS THAT ONLY A THOUSAND PROJECTS HAVE BEEN BUILT VISITABLE. THERE ARE TENS OF THOUSANDS OF LOCATIONS THAT ARE NOT VISITABLE. THAT MEANS I CAN'T RENT, THAT MEANS I CAN'T GO VISIT MY NEIGHBORS, AND THAT'S WRONG. SO WE SUPPORT REQUIRING VISITABILITY TYPE OF REQUIREMENTS IN THE BUILDING CODE AND WE REALLY THINK THAT GIVEN WHAT HAPPENED WITH THE MUELLER REDEVELOPMENT AGREEMENT, THE COUNCIL NEEDS TO GET BEHIND THAT CONCEPT. IT'S WRONG THAT I CAN'T GO VISIT MY MOTHER. SHE -- I PAINT A LITTLE BIT FOR FUN. SHE HAS PAINTINGS ALL OVER HER HOUSE AND SHE TELLS ME OFTEN SHE DESCRIBES IT OVER THE PHONE, VERY OFTEN. BUT I MISS BEING ABLE TO GO TO HER HOUSE AND SEE HER. I HAVEN'T BEEN ABLE TO DO THAT FOR YEARS. I SHOULD BE. I'M A TAXPAYER LIKE EVERYONE ELSE. I CONTRIBUTE TO MY SOCIETY. YET I CAN'T VISIT THE PEOPLE THAT I LOVE. THAT IS NOT RIGHT. [BUZZER SOUNDING] I'M NOT EQUAL IN THE CITY AS LONG AS THAT'S TRUE. SO YOU NEED TO ADDRESS THAT. YOU NEED TO DO A BETTER JOB OF MAKING MY RIGHTS YOUR PRIORITY THAN YOU DID ON DECEMBER THE 2nd. THANK YOU.

Mayor Wynn: THANK YOU, MS. MCPHAIL. SO FOLKS IF YOU DON'T MIND, NOW WE WILL GO BACK AND HAVE MR. HILGERS INTRODUCE THIS PUBLIC HEARING, ITEM NO. 59.

THANK YOU, MAYOR, I'M PAUL HILGERS, DIRECTOR OF NEIGHBORHOOD HOUSING AND COMIEWBTD DEVELOPMENT. VERY -- COMMUNITY DEVELOPMENT. VERY BRIEFLY I WANT TO EXPLAIN WHAT WE ARE DOING IS CONDUCTING A PUBLIC

HEARING TO RECEIVE CITIZEN COMMENTS ON THE COMMUNITY NEEDS TO DEVELOP THE CITY'S ANNUAL PLAN FOR 2005-2006 RELATED TO THE ALLOCATION OF H.U.D. GRANT FUNDS AND COMMUNITY DEVELOPMENT FISCAL YEAR REQUIRED PROGRAM BY THE TEXAS LOCAL GOVERNMENT CODE CHAPTER 373, INCLUDING THE PROPOSED FUNDING ALLOCATIONS WHICH I WILL GET TO IN SUS A SECOND. BRIEFLY, COUNCIL, YOU WILL RECALL THAT WE HAVE A FIVE-YEAR CONSOLIDATED PLAN WHICH IS A MUCH MORE CUMBERSOME, MUCH MORE LENGTHY PLANNING PROCESS, WHICH INCLUDES MARKET STUDIES, SOME OTHER RESEARCH AND ANALYSIS OF BARRIERS TO AFFORDABLE HOUSING THAT WE HAVE IDENTIFIED. WE SUBMIT THAT LAST YEAR, WENTLY A LONG ARDUOUS PROCESS TO DO THAT. AND THEN WE HAVE ANNUAL ACTION PLANS TO CONTINUE US DOWN THE FIVE YEAR PLAFN THAT WE HAVE SET FORTH FOR US FOR THE BALANCE OF THE FIVE YEAR PLANS. LET ME JUST FOR THE PUBLIC SAY THAT THE DATE OF THE NEXT PUBLIC HEARING WE WILL -- WE WOULD BE REQUIRED TO DO THIS TWICE BEFORE THE COUNCIL. THE DATE FOR THE NEXT PUBLIC HEARING WILL BE ON MAY THE 12th, THE DATE FOR THE PUBLIC COMMENT PERIOD IS MAY THE 2nd THROUGH JUNE THE 1st, THAT IS THE DATE WHERE PEOPLE CAN WRITE AND THIS BE ON OUR WEBSITE. BUT THE DATE FOR THE COMMUNITY DEVELOPMENT COMMISSION PUBLIC HEARING IS NEXT TUESDAY NIGHT, APRIL 12th FOR THE NEEDS ASSESSMENT AND MAY THE 10th FOR OUR DRAFT PLAN, THOSE WILL BE IN OUR FOURTH FLOOR CONFERENCE ROOM IN THE BUILDING, 1,000 EAST 11th STREET. THE DRAFT PLAN AGAIN WILL BE AVAILABLE ON MAY 2nd. THE PROPOSED -- AT DIFFERENT SITES AROUND TOWN, NEIGHBORHOOD CENTERS, AGAIN ALL OF THAT IS POSTED ON OUR WEBSITE. THE TOTAL PROPOSED ALLOCATIONS FOR THIS NEXT FISCAL YEAR, IT'S IMPORTANT TO DISTINGUISH BETWEEN THIS NEXT FISCAL YEAR BECAUSE AN -- IN FY 2006 THE FEDERAL GOVERNMENT IS PROPOSING TO GIVE US 14,467,020. WHICH IS -- COMPARED TO \$15,328,000 AND \$464 THAT WE ARE RECEIVING THIS FISCAL YEAR. JUST SO YOU'LL UNDERSTAND THIS, WE GET THIS IN ESSENTIALLY NOW FIVE SEPARATE PROGRAM ALLOCATIONS IN DIFFERENT PROGRAMS, THE COMMUNITY DEVELOPMENT BLOCK GRANT

PROGRAM, \$8,476,947, ABOUT HALF OF A MILLION DOLLARS LESS THAN THE 1905 ENTITLEMENT. THE HOME PROGRAM, 4,527,000. WHICH IS ABOUT 150,000 LESS THAN OUR ENTITLEMENT FOR THIS YEAR. THE AMERICAN DREAM DOWN PAYMENT INITIATIVE WHICH IS \$204,000. WHICH IS ABOUT \$150,000 LESS THAN THIS YEAR'S ENTITLEMENT. THE EMERGENCY SHELTER GRANT AND THE HOPW, HOUSING OPPORTUNITY FOR PEOPLE WITH AIDS GRANT, EMERGENCY SHELTER FOR ABOUT 3,000, \$327,000 AND THE HOUSING OPPORTUNITY FOR PEOPLE WITH AIDS ABOUT \$931,000. EACH OF THOSE BELOW THIS YEAR'S ENTITLEMENT. BASICALLY WE'RE LOOKING AT A 6% ENTITLEMENT FROM THE FEDERAL GOVERNMENT IN THE NEXT YEAR AND OF COURSE AS YOU KNOW, THERE HAD BEEN PROPOSALS IN CONGRESS TO ELIMINATE THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE FOLLOWING YEAR. BUT THIS NEXT YEAR WE WILL HAVE SUFFICIENT FUNDING AND TO CONTINUE THE -- THE OPERATIONS OF THE SUCCESSFUL PROGRAMS THAT WE'VE HAD. WE -- WE WOULD -- WE WOULD AGAIN INVITE THE PUBLIC TO -- TO PARTICIPATE IN OUR PLAN, REVIEW OUR ANNUAL, REVIEW OUR CONSOLIDATED PLAN AND CONTINUE TO PROVIDE INPUT TO THIS COUNCIL. THE COUNCIL, THE DRAFT PLAN WILL -- WILL ACTUALLY NOT BE VOTED ON BY THIS COUNCIL. THE FINAL PLAN WILL NOT BE VOTED ON UNTIL AUGUST THE 4th, SO THERE IS SUFFICIENT TIME FOR LOTS OF PUBLIC INPUT ON THIS PLAN AS THERE IS EVERY YEAR AND WE APPRECIATE THE -- THE COMMENTS AND THE INPUT THAT WE GET FROM THE PUBLIC. THAT'S WHAT WE ARE HERE FOR. UNLESS THERE ARE ANY QUESTIONS, I WOULD AT THIS TIME WAIT FOR THE PUBLIC COMMENT, MAYOR.

THANK YOU, MR. HILGERS. QUESTIONS OF STAFF, COUNCIL? IF NOT WE'LL GO TO THE PUBLIC TESTIMONY. APPRECIATE EVERYBODY'S PATIENCE. I BET A NUMBER OF YOU ALL HAVE GONE HOME. BUT I'LL JUST GO THROUGH THE LIST. FIRST SPEAKER IS WALTER MORROW, WELCOME, WALTER, THREE MINUTES. YOU'LL BE FOLLOWED BY GENE CRAMMY.

THANK YOU, I'M WALTER MORROW, THE DIRECTOR OF FOUNDATION COMMUNITIES. WE ARE A NON-PROFIT ORGANIZATION IN AUSTIN THAT DOES AFFORDABLE HOUSING AND SUPPORTIVE HOUSING, LEARNING CENTERS

AND FINANCIAL SERVICE PROGRAMS. I WANTED TO COME AND STRONGLY END CAWRJ YOUR SUPPORT FOR SUPPORTIVE HOUSING. THERE'S A TREMENDOUS NEED IN AUSTIN FOR PEOPLE WHO ARE EXTREMELY LOW INCOME OR HOMELESS FOR HOUSING COMBINED WITH SERVICES. AND I'M VERY GRATEFUL AND WE'VE BEEN CELEBRATING THE SUCCESS THE LAST YEAR AND A HALF OF GARDEN TERRACE, THE FIRST SINGLE ROOM OCCUPANCY TYPE OF HOUSING IN AUSTIN. WE HAVE 85 RESIDENTS THERE WITH -- WITH AMAZING STORIES OF CHANGED LIVES. THE MAJORITY OF RESIDENTS WERE CHRONICALLY HOMELESS FOR MORE THAN A YEAR. THE AVERAGE INCOME GAIN IN THE PAST YEAR IS OVER \$5,000 FOR THOSE RESIDENTS. IT NEVER WOULD HAVE HAPPENED WITHOUT THE CITY'S PROACTIVE SUPPORT TO SAY THIS IS A HUGE NEED, WE NEED TO LOOK AT WHAT -- WHAT HAS WORKED IN OTHER CITIES AND BRING THAT HERE. IF WE WANT TO REDUCE THE NUMBER OF HOMELESS IN AUSTIN ON THE STREET AND MAKE -- MAKE AN IMPACT, WE HAVE GOT TO CREATE SOME ENTRY LEVEL SUPPORTIVE HOUSING OPTIONS LIKE GARDEN TERRACE. I BROUGHT WITH ME AN ARTICLE THAT WAS IN THE PAPER A COUPLE OF WEEKS AGO, AS WELL AS STATISTICS ABOUT HOW THE PROPERTY IS RUN. AND I'M VERY EXCITED THAT WE ARE -- OUR ORGANIZATION IS UNDERCONTRACT TO BUY AN EXTENDED STAY HOTEL. WE ARE HOPING WE CAN REACH CLOSURE IN THE NEXT MONTH OR SO. THAT WOULD BE A PRETTY QUICK CONVERSION TO SUPPORTIVE HOUSING AND MUCH -- MUCH REDUCED COSTS FROM GARDEN TERRACE BECAUSE ARCHITECTURALLY THE BUILDING IS ALREADY SET UP RIGHT. I ASKED TWO RESIDENTS FROM GARDEN TERRACE TO SPEAK TONIGHT, GENE CRANE KNEE AND DARYL WALTERMAN BECAUSE THEY CAN TELL THE STORY BETTER THAN I CAN ABOUT THE IMPACT OF THIS TYPE OF HOUSING. SO I WANT TO TURN IT OVER TO GENE TO SAY A FEW WORDS.

Slusher: MAYOR? I'M GOING TO BE OFF THE DAIS FOR A FEW MOMENTS, BUT I'LL BE WATCHING ON TV.

Mayor Wynn: THANK YOU. GENE, WELCOME, YOU'LL HAVE THREE MINUTES.

THANK YOU VERY MUCH.

MAYOR, CITY COUNCIL MEMBERS I WOULD LIKE TO THANK ALL OF YOU FOR LETTING ME SPEAK TODAY. LOOKING BACK ON MY LIFE, LOSING A SON FOLLOWED BY BOTH PARENTS, 2001, 2002, MY LIFE SLOWLY WAS FALLING APART, FOLLOWED BY ANOTHER TRAGEDY OF MY EX-WIFE TAKING HER OWN LIFE IN 2003. I FOUND MIECHS ALONE AND NOWHERE TO TURN. STAYING IN HOMELESS SHELTERS, LIVING ON THE STREET. FROM PLACE TO PLACE, DECIDING IT'S TIME TO -- FOR ME TO PULL MY LIFE TOGETHER. I WENT THROUGH AUSTIN RECOVERY CENTER FOR HOMELESS THROUGH A SIX-MONTH PROGRAM, PROVIDED BY CARITAS UNDER CASE MANAGEMENT GEORGE BROWN. CHECKING WEEKLY ON -- ON BACKGROUND CHECKS, CRIMINAL RECORDS, INSURANCE CARD, PULLING EVERYTHING TOGETHER, FINALLY GETTING AN OKAY TO MOVE INTO HOUSING PROVIDED BY FOUNDATION COMMUNITY. CALLED GARDEN TERRACE APARTMENTS LOCATED AT 1015 WEST WILLIAM CANNON. SLOWLY, STARTED ON BASED INCOME PER MONTH, BEING AN ELECTRICIAN FROM PREVIOUS YEARS, I HAD LOST MY ELECTRICAL LICENSE, EXPIRED. PUTTING MY LIFE TOGETHER PIECE BY PIECE, GETTING TRANSPORTATION, EMPLOYMENT BACK, SETTING GOALS, ONCE AGAIN HAVING CURRENTLY ENROLLED FOR CERTIFICATION OF ELECTRICAL STATE LICENSE AGAIN. FOR THE STATE OF TEXAS. I WOULD LIKE TO THANK WALTER, JENNIFER, EVERYBODY THROUGH FOUNDATION COMMUNITY FOR GIVING ME A SECOND CHANCE. IN LIFE, CONTRIBUTING AND HELPING ME, MAY GOD BLESS YOU, THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, GENE.

THANK YOU VERY MUCH.

Mayor Wynn: BLESS YOU. DARYL WALTERMAN. WELCOME, DARYL, YOU WILL HAVE THREE MINUTES. YOU'LL BE FOLLOWED BY REVEREND SNEED.

GOOD EVENING, EVERYONE. EXCUSE ME. MY NAME IS DARYL WALTERMAN. I WOULD FIRST LIKE TO THANK MAYOR WYNN, ALL CITY COUNCIL MEMBERS, ALL OTHERS PRESENT FOR

GRANTING ME THE TIME, HONOR AND PRIVILEGE TO SPEAK BEFORE YOU ALL TONIGHT. I WOULD LIKE TO SHARE A BRIEF VIEW OF MY LIFE AND SAY THAT I HAVE BECOME A HUMBLE MAN. PARTLY BECAUSE OF MY OWN BAD CHOICES AND MOST CERTAINLY THROUGH MY GOD'S WILL. I'M NOW 46 YEARS OLD, SPENT THE EARLY YEARS OF MY LIFE IN WHAT I'VE COME TO LEARN NOW IS CALLED A DYSFUNCTIONAL FAMILY. I'LL NOT GO INTO DETAILS AS MANY PEOPLE HAVE THEIR OWN PERSONAL TRAGEDIES AND HORRORS. I HAVE SINCE FOUND THAT MINE PALE IN COMPARISON TO OTHERS. FORTUNATELY, I ESCAPED ALIVE AND MANAGED TO FIND THAT I HAD TALENTS AND ORGANIZATIONAL AND LEADERSHIP SKILLS AND I STILL BELIEVE THIS TO THIS DAY. FROM THE AGE OF 17 TO 42, I WORKED MY WAY TO THE TOP AND THEN MANAGED TO DRINK MY WAY TO THE BOTTOM. SERIOUS MENTAL HEALTH PROBLEMS ALREADY DOCUMENTED IN MY FAMILY HISTORY, DECIDED TO PAY ME A VISIT. AND I STILL CONFRONT THEM EVERY MORNING. I JUST WASN'T PREPARED FOR SUCH UNWANTED GUESTS. SO IN A HOTEL ROOM IN 2002, FACED WITH THE CHOICE OF A LIFE ENDING GUN OR A PHONE CALL FOR HELP, I CHOSE THE PHONE. AND I HAPPENED TO MEET SOME ANGELS. I HAVE ENOUGH TIME TONIGHT -- I HAVEN'T ENOUGH TIME TO MENTION THEM ALL, BUT I MADE SURE THAT EACH OF THEM KNOW WHAT THEY HAVE DONE FOR ME. THEY HELPED TO SAVE MY LIFE. WHICH BRINGS ME AND THIS PANEL TO THIS VERY MOMENT. I NOW LIVE AT GARDEN TERRACE AT 1015 WEST WILLIAM CANNON HERE IN AUSTIN AND IT WAS CERTAINLY NO SMALL TASK TO GET THIS PRIVILEGE. I BELIEVE THAT I WAS A SECOND ACCEPTED RESIDENT THERE AND I'VE SEEN IT GROWN AND IMPROVE IMMENSELY. I ALSO UNDERSTOOD FROM THE BEGINNING THAT IT WAS A WORK IN PROCESS. FROM THE BEGINNING I HAVE WITNESSED PITFALLS, ENJOYED SEVERAL GLORIOUS ACCOMPLISHMENTS, ALONG THE WAY WE HAVE MADE SEVERAL SUCCESSFUL ADJUSTMENTS. BUT ALL THE WHILE, I RECOGNIZED THE IDEA EXACTLY WHAT IT WAS AND IS, A SECOND CHANCE. FOR MANY. I WOULD LIKE TO STATE THAT I TALK UP TO NO ONE AND I SPEAK DOWN TO NO ONE. THERE ARE MANY RESIDENTS OF GARDEN TERRACES I AM SURE WHO WOULD LIKE TO BE HERE THIS EVENING AND COULD PROVIDE MORE AND PERHAPS DIFFERENT INSIGHTS SO I

CAN ONLY HOPE TO SPEAK FOR THEM, NOT JUST FOR MYSELF. I WAS ONCE TOLD BY A PROFESSIONAL COUNSELORS THAT I WAS BRUTALLY HONEST. I HAVE NEVER BEEN BRUTAL, BUT MY HONESTY WILL NEVER CEASE, I SPEAK TO YOU ALL THIS EVENING FOR SPECIFIC, PERSONAL AND TERRIBLY IMPORTANT REASON. THE CITY OF AUSTIN, THE COUNTY OF TRAVIS, THE STATE OF TEXAS AND ALL OTHERS INVOLVED, I GIVE YOU ALL OF MY THANKS. THE IDEAS AND IDEALS THAT STARTED GARDEN TERRACE THROUGH FOUNDATION COMMUNITIES MAY HAVE ONLY COME ABOUT ORIGINALLY THROUGH MONETARY COMMITMENTS, BUT I'M HERE TO GIVE TESTIMONY THAT THE OBVIOUS SUCCESS OF THIS ENDEAVOR WAS ALSO ACHIEVED THROUGH THE SIGNIFICANT EFFORTS OF OTHER SUPPORT ORGANIZATIONS AND ALSO A PERSONAL COMPASSION OF MANY INDIVIDUALS. TO UNDERSTATE ANY OF THESE EFFORTS WOULD BE BLIND IGNORANCE. MY PLEA THIS EVENING TO ALL OF THOSE WHO LENDS AN EAR IS THIS: I ASK THAT YOU TAKE A MOMENT TO TRY TO UNDERSTAND THE FINE LINE BETWEEN DESPERATION AND HOPE, FOR IT CAN BE A FINE LINE. I BELIEVE THIS FORUM IS MEANT TO ADDRESS THIS VERY ISSUE. DESPERATION CAN BE THE RESULT OF BAD LIFE CHOICES, HORRIBLE CONDITIONS OR HAVING NO ONE OR NOWHERE TO TURN TO FOR HELP. IT CAN BECOME THE END OF THE LINE. HOPE, HOWEVER, CAN COME IN MANY FORMS. A KIND WORD, A PHONE NUMBER TO CALL, THE ANGEL THAT ANSWERS THAT PHONE. SIMPLE PRINCIPLE BELIEF AND TRUST IN OUR FELLOW MAN, THE PINNACLE OF WHICH IS THE VERY THINGS THAT WE DISCUSS TONIGHT, CAN WE OFFERED TO GIVE HOPE, WHERE DOES THE MONEY GO TO, TO WHO. THE VERY THING WE MOST TAKE FOR GRANTED IS I WILL LOOSIVE AND SEEMINGLY UNATTAINABLE FOR MANY.

Mayor Wynn: PLEASE CONCLUDE.

MY MOTHER TAUGHT ME THE DIFFERENCE BETWEEN RIGHT AND WRONG. THE DIFFERENCE BETWEEN GOOD AND BAD. ALLOCATING MONEY FOR IDEAS SUCH AS [INDISCERNIBLE] IS BOTH RIGHT AND GOOD. THANK YOU FOR YOUR TIME AND ATTENTION. GOD BLESS US ALL TODAY AND MANY MORE OF THE LESS FORTUNATE IN THE FUTURE. THANK YOU.

Mayor Wynn: THANK I, MR. WALTERMAN. THOMAS SNEED. WELCOME; SIR, THREE MINUTES FOLLOWED BY KATHRYN STARK.

THANK YOU. TO THE MAN AND TO THE COUNCIL MEMBERS -- TO THE MAYOR AND COUNCILMEMBERS, OF COURSE MY NAME IS THOMAS L. SNEED. I REPRESENTATIVE THE SOLID ROCK MISSIONARY BAPTIST CHURCH, WHERE I HAVE SERVED OVER 20 YEARS. NOW, I HAVE ADDRESSED YOU IN THE PAST REGARDING THE SOUTHWEST KEY PROGRAM, EAST AUSTIN COMMUNITY DEVELOPMENT PROJECT. I WANT TO TAKE THIS OPPORTUNITY TO THANK YOU FOR YOUR SUPPORT, OF THAT PROGRAM AND THE IMPACT THAT -- THAT IT -- IT IS ABOUT TO HAVE IN OUR COMMUNITY. WE ARE VERY EXCITED ABOUT SOUTHWEST KEYS PRESENCE AND THE WORK THAT THEY ARE DOING THERE. BUT I'M HERE TONIGHT TO SPEAK TO YOU ABOUT -- ABOUT PHASE 2 OF THIS WONDERFUL PROJECT. AS YOU KNOW, SOUTHWEST KEY CAME TO OUR COMMUNITY OVER THREE YEARS AGO, SPECIFICALLY ASKED US TO IDENTIFY THE VARIOUS PROGRAMS WE WANT TO SEE ON THAT -- ON THAT PROPOSED SITE. AT THAT TIME THE COMMUNITY OFFERED IDENTIFIED HOUSING AS A PRIORITY NEED. FOR THE MORE -- FURTHERMORE THE COMMUNITY WANTED TO PROVIDE OPPORTUNITIES FOR THE VERY LOW INCOME SENIOR MEMBERS OF OUR COMMUNITY. WITH THAT IN MIND, WE ARE HERE TONIGHT TO EXPRESS OUR DESIRE, FOR YOUR SUPPORT OF SOUTHWEST KEY'S PROPOSAL OF DEVELOPING 53 ONE BEDROOM SECTION 202 UNITS ON THE SOUTHEAST PART OF THAT PROPERTY. WE NEED FOR VERY LOW INCOME SENIOR HOUSING AS EVIDENCED AS OUR OWN HOUSING NEEDS ASSESSMENTS EXPRESSED. IN FACT THE ELDERLY POPULATION IN AUSTIN CONTINUES TO SHOW A GREAT, A STRONG PATTERN OF GROWTH AS THE POPULATION GROUP. OVER THE LAST DECADE, THE POPULATION OF ADULTS 60 THROUGH 64 YEARS OF AGE, HAS INCREASED OVER 17% AND THE POPULATION OF 65 YEARS AND OLDER HAS GROWN NEARLY 28%. NOW, AS YOU WELL KNOW, SENIORS ARE LIVING LONGER. THERE WAS A TIME FOR PERSONS WHO LIVED TO BE [BUZZER SOUNDING] 60 YEARS OLD, THAT PERSON HAD LIVED A PRETTY GOOD LIFE. BUT 65 YEARS IS NOT VERY LONG. AS WE WELL KNOW. I REMEMBER

MY GRANDFATHER WHEN HE WAS 66, I ASKED HIM HOW OLD HE WAS, HE SAID 66. I THOUGHT THAT WAS OLD. BUT NOW THAT I'M 71, 66 WASN'T TOO OLD AT ALL. SO WHAT I'M SAYING IS BASED ON THESE STATISTICS, WE BELIEVE THE NEED IS THAT TO SERVE THIS DEMOGRAPHIC -- BELIEVE THE NEED IS THERE TO SERVE THIS DEMOGRAPHIC. THE MOST RECENT SECTION 202 PROJECT IN THIS CITY, LIONS GARDEN FAMILY ELDERLY CARE, WITH 53 UNIT, ALREADY IS -- HAS A WAITING LIST THAT EXCEEDS 60. SO I'M ASKING PLEASE JOIN SOUTHWEST KEY AS WE STRIVE TO BUILD A FULL, ACCESSIBLE, AFFORDABLE, INDEPENDENT LIVING ENVIRONMENT FOR OLDER ADULTS, ADULTS, RATHER, TO AGE IN A PLACE WHERE -- WHERE THEY CAN FIND COMFORT AND ALSO WE LOOK FORWARD TO YOUR SUPPORT OF SOUTHWEST KEY. AND ALSO SOLID ROCK BAPTIST CHURCH. THANK YOU.

Mayor Wynn: THANK YOU, PASTOR SNEED. YOU ARE A GOOD LOOKING 71 BY THE WAY.

THANK YOU, SIR. KATHRYN STARK, WELCOME, MA'AM, YOU'LL HAVE THREE MINUTES, FOLLOWED BY GAVINO FERNANDEZ.

GOOD EVENING, SORRY IT SO LATE, MY NAME IS KATHRYN STARK, EXECUTIVE DIRECTOR OF THE AUSTIN TENANTS COUNCIL. AFFORDABLE HOUSING IS PRETTY MUCH OUR ISSUE. WE DO LANDLORD TENANT ISSUES AND ALSO FAIR HOUSING INFORMATION AND ENFORCEMENT. WE HAVE RECEIVED COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE PAST AND WE USE THAT TO PREVENT HOUSING FROM GOING UNSTANDARD BY ASSISTING CLIENTS IN GETTING REPAIRS MADE SO THEY DON'T GO SUBSTANDARD, SO THAT THEY ARE KEPT UP TO THE CODES THAT THEY SHOULD BE, HEALTH AND SAFETY ISSUES. THE TENANTS COUNCIL TALKS TO OVER 11,000 TENANTS A YEAR ABOUT HOUSING ISSUES. ONE OF THE BIGGEST ISSUES IS AFFORDABILITY. SO I'M HERE TO ENCOURAGE YOU TO SAVE OUR-- OUR SCARCE FEDERAL DOLLARS TO DO HOUSING IN HOUSING PROGRAMS IN SUPPORTIVE HOUSING AND THAT WE TARGET A LOT OF THAT TOWARDS RENTAL. THE CITY OF AUSTIN HAS THE HIGHEST RENTAL RATES FOR LARGE CITY IN THE STATE OF TEXAS. AND IT DOESN'T NECESSARILY HAVE THE HIGHEST EMPLOYMENT WAGES. SO PEOPLE ARE

BEING PINCHED HERE TO LIVE HERE, SO WE NEED TO DO AS MUCH AS WE CAN TO MAKE SURE THAT THERE'S AFFORDABLE HOUSING FOR OUR FOLKS TO LIVE IN. AND WE NEED TO DO A GOOD JOB TRYING TO TARGET, I KNOW IT'S DIFFICULT, TO BELOW 50% OF THE MEDIAN FAMILY INCOME BECAUSE THOSE ARE THE FOLKS IN THE CONSOLIDATED PLAN THAT ARE PAYING THE MOST FOR HOUSING AND THE RENT BURDEN IS CONSIDERED IF YOU PAY MORE THAN 30% OF YOUR INCOME FOR HOUSING, ALMOST ALL OF THE PEOPLE WITH 30% AND BELOW ARE IN THAT BURDEN CATEGORY. AS MUCH AS WE CAN DO AND AS MANY PROGRAMS AS WE CAN FIND THAT WILL LONG-TERM PROVIDE HOUSING FOR VERY LOW INCOME, I WOULD LIKE TO ENCOURAGE. THANK YOU. ANY QUESTIONS?

THANK YOU, MS. STARK.

GAVINO FERNANDEZ, SIGNED UP WISHING TO SPEAK IN FAVOR. THAT'S ALL OF THE FOLKS WHO HAVE SIGNED UP WISHING TO SPEAK. LET ME QUICKLY READ INTO THE RECORD PEOPLE FOLKS WHO SIGNED UP NOT WISHING TO SPEAK BUT IN FAVOR OF THIS PROGRAM. KIMBERLY GREEN, VERONICA DELGADO, ANGELMAN, OSCAR RAMIREZ, [INDISCERNIBLE], SUSANA ALMANZA, JOHNNY TOWNSEND, ISHMAIL ORTIZ, WALTER -- THEN WE'VE HEARD FROM THE OTHERS. COUNCIL THAT'S ALL OF THE FOLKS WHO SIGNED UP TO ADDRESS US ON ITEM NO. 59, I WILL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER ALVAREZ. SECONDED BY COUNCILMEMBER THOMAS TO CLOSE THE PUBLIC HEARING. AGAIN AS MR. HILGERS POINTED OUT, THERE'S NO ACTION TO BE TAKEN TONIGHT. ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF 4-0 WITH THE MAYOR PRO TEM, COUNCILMEMBER SLUSHER AND COUNCILMEMBER MCCRACKEN TEMPORARILY OFF THE DAIS, THANK YOU ALL VERY MUCH. ITEM 60, MR. HILGERS.

THANK YOU, MR. MAYOR. ITEM NO. 60 IS TO CONDUCT A PUBLIC HEARING AND TO APPROVE AN ORDINANCE MODIFYING THE EAST 11th AND 12th STREET URBAN RENEWAL PLANS TO DESIGNATE COMMUNITY PARKING ON EAST 11th AND 12th STREETS. THE -- TO CHANGE PERMITTED

USES, BUILDING HEIGHTS AND PARKING REQUIREMENTS AND ADD SETBACK REQUIREMENTS ALONG THE EAST 12th STREET CORRIDOR. THE PUBLIC HEARING HAS RECEIVED PUBLIC COMMENT REGARDING A PROPOSED MODIFICATION TO THE PLAN. AS REQUIRED BY CHAPTER 374.014 E OF THE TEXAS LOCAL GOVERNMENT CODE, PROPOSED MODIFICATIONS AS I SAID WILL INCLUDE DESIGNATED COMMUNITY PARKING ON EAST 11th AND 12th STREETS, CHANGING PERMITTED USES, BUILDING HEIGHTS, PARKING REQUIREMENTS, ADDING SETBACK REQUIREMENT ALONG THE EAST 12th STREET CORRIDOR AS FURTHER DEFINED IN ATTACHMENT 1 WHICH IS IN YOUR BACKUP. THE ONLY TWO OTHER THINGS THAT I WOULD SAY, I WOULD ASK MR. MARSHAL TO COME FORWARD. I GUESS WE WOULD ASK FOR THE PUBLIC HEARING FIRST. BYRON MARSHAL FROM THE AUSTIN REVITALIZATION AUTHORITY IS HERE. THIS IS PART OF OUR URBAN RENEWAL PLANNING PROCESS, THE EAST 11th AND 12th STREET REVITALIZATION EFFORT. JUST SIMPLY I WOULD LIKE TO SAY THAT THIS PLAN IS A -- IS A LIVING, BREATHING DOCUMENT THAT CONTINUES TO EVOLVE AND CHANGE WITH THE COMMUNITY'S DESIRES AND NEEDS. AND THIS PROCESS HAS BEEN ONE THAT HAS BEEN THOROUGH, HAS BEEN PUBLIC, HAS BEEN OPEN, HAS BEEN AS RESPONSIVE TO THOSE COMMUNITY INTERESTS AND STAKEHOLDERS AS -- AS THEY POSSIBLY CAN BE. AND WE ARE PROUD TO -- TO ONE I GUESS AS I SAID HEAR THE PUBLIC HEARING AND THEN I KNOW MR. MARSHAL IS HERE TO ANSWER ANY QUESTIONS, TALK ABOUT ANY ADDITIONAL AMENDMENTS OR CORRECTIONS THAT NEED TO BE MADE AFTER THAT. SO -- SO THANK YOU MR. HILGERS. WITH THAT COUNCIL WE WILL HEAR FROM ACTUALLY WE ONLY HAVE ONE SPEAKER SIGNED UP WISHING TO ADDRESS US. JOHN GOLD STONE, WELCOME BACK, JOHN. I SEE AN DELLANO AND MICHAEL IN THE AUDIENCE, BOTH DONATING TIME TO YOU. SO YOU WILL HAVE UP TO NINE MINUTES IF YOU NEED IT.

I'M NOT GOING TO NEED IT. I CAN NOW LOOK UP AND SPEAK CLEARLY AND CONCISELY. I'M NOT A GOOD PUBLIC SPEAKER. MAYOR WYNN, COUNCILMEMBERS, I'M JOHN GOLDSTONE, A MEMBER OF SWEET HILL NEIGHBORHOOD ASSOCIATION. I'M ALSO SWEET HILL'S ARA BOARD

REPRESENTATIVE. I'M HERE TO EXPRESS SUPPORT FOR THE RESOLUTION AS TO THE CRP CHANGES BEFORE YOU, BUT WITH CAUTION. ACTUALLY, WITH MORE CAUTION FOLLOWING THE DENTIST'S OFFICE CASE. WITH CAUTION BECAUSE WE ARE NOT DONE YET. THE NCCD NEEDS TO BE DRAFTED INCORPORATING THESE CHANGES. IT WILL BE UP TO ALL OF US, BUT NOW I ACTUALLY UNDERSTAND IT WILL BE MAINLY ME TO HOLD ALL PARTIES ACCOUNTABLE TO THESE HEAVILY NEGOTIATED CHANGES DURING THE DRAFTING AND APPROVAL PROCESS FOR THE NCCD. WHICH IS WHERE CHANGES CAN COME IN THAT WERE NOT APPROVED DURING THE PROCESS. THROUGHOUT THE LONG PROCESS, I ACTUALLY DON'T MEAN THE TYPE OF PROCESS THAT WAS FLAWNTSED BY AND FOR DR. LOYA, PARTICIPANTS FROM OUR NEIGHBORHOOD AND MANY OTHERS HAVE ACTUALLY ATTEMPTED TO MAKE IT EASIER TO DEVELOP ALONG THE CORRIDOR. IN ORDER TO MORE QUICKLY REALIZE THE BENEFITS OF INCREASED SERVICES ALONG 12th STREET. THE ELIMINATION OF FAR'S AND COMPATIBILITY REQUIREMENTS AT LEAST AS TO THE ADJACENT RESIDENTIAL NEIGHBORHOODS AS WELL AS THE SIMPLIFICATION OF THE SETBACKS AND USES SHOULD MAKE THIS AREA VERY ATTRACTIVE TO DEVELOPERS AS WELL AS HAVING AT LEAST ONE NEIGHBORHOOD GROUP THAT WELCOMES DEVELOPMENT. ALSO ENVISION CENTRAL TEXAS HAS HELPED EVERYONE THINK IN A NEW WAY. DENSITY. DENSITY MEANING A GOOD THING. DENSITY MEANING MORE NEIGHBORS. TO HELP CREATE COMMUNITY. BECAUSE NEIGHBORS AND PEOPLE IS REALLY WHAT IT TAKES TO CREATE THAT COMMUNITY. SINCE WE ARE ON THE ROAD TO THE COMPLETION OF A PROCESS, THAT WILL GREATLY INCREASE ALL SURROUNDING PROPERTY VALUES, OF COURSE PROPERTY TAXES, WE MUST SPEAK OF GENTRIFICATION OR AT LEAST MY DEFINITION. THE MOVING OUT OF LONG-TIME NEIGHBORS FROM TWO CATEGORIES OF HOUSING, OWNERS AND RENTERS. I ATTENDED A CANDIDATE FORUM ON THE EAST SIDE ON TUESDAY AND HEARD ONE CANDIDATE FOR CITY COUNCIL MENTION THE MAGIC WORDS PERMANENT LOW INCOME HOUSING. AS OF COURSE THE WORD AFFORDABLE DOES NOT MEAN ANYTHING UNLESS DEFINED EACH TIME YOU USE IT. I ATTENDED THE GENTRIFICATION FORUM THIS PAST

SATURDAY AT A.C.C., ALL AGREED WE CANNOT IGNORE THE NET EFFECT OF MORE DEVELOPMENT ON THE EAST SIDE. VERY, VERY FEW PROPOSALS WERE OFFERED. AS IT IS AN EXTREMELY DIFFICULT ISSUE THAT THE ARA AND OTHER BODIES HAVE BEEN WRESTLING WITH. WE ALL KNOW THAT A FREEZE ON CITY TAXES IS ONLY A SMALL SOLUTION TO THE PROBLEM. EVERYBODY BANTERS THAT AROUND. IT'S A GOOD IDEA. LET'S JUST DO THAT. A COUPLE OF GENTRIFICATION CONTRIBUTING FACTORS, CONTRARY TO A POPULAR VIEW, THAT I HAVE SEEN IS THAT IT APPEARS THAT RESIDENTIAL RESTRICTIONS, RESIDENTIAL DESIGN GUIDELINES, AND HISTORIC DISTRICTS ALL CONTRIBUTE TO TAXABLE VALUE INCREASES FOR RESIDENCES. JUST BECAUSE THE HOUSE IS OLD DOES NOT MAKE IT HISTORIC. A CRITICAL PHRASE COMES TO MIND, PEOPLE OVER THINGS. THAT'S WHAT THE DISCUSSION OF GENTRIFICATION IS ABOUT. IF WE FOLLOW OUR GOAL OF A MIXED INCOME, MIXED RACE NEIGHBORHOOD, THEN SOLUTIONS START TO COME TO MIND. THE ARA HAS RECENTLY AMENDED ONE OF ITS GUIDING PRESERVATION PRINCIPLES TO INCLUDE THE WORD SIGNIFICANT HISTORICAL STRUCTURES. RATHER THAN JUST HISTORICAL STRUCTURES. PEOPLE OVER THINGS. WHEN ATLANTA PASSED ITS HISTORICAL DISTRICTS THEY FUNDED PERMANENT LAND TRUSTS SO THAT RENTAL PROPERTIES COULD STAY IN A PERMANENT AFFORDABLE LOW INCOME POOL. I SUGGEST THE SAME SOLUTION HERE. PEOPLE OVER THINGS. ADDITIONALLY, GIVING EXISTING OWNERS MORE OPTIONS ON WHAT TO DO WITH THEIR PROPERTY MIGHT ALSO BE HELPFUL. I NOTICE CONTRARY TO THE ANTI-SUPER DUPLEX MENTALITY ON THE WEST SIDE, BUT MY SUGGESTION IS, A SUGGESTION, IS TO TWO FAMILY GARAGE APARTMENT, 850 SQUARE FEET ON THE SECOND FLOOR, 500 VISITABLE SQUARE FEET ON THE FIRST FLOOR, SO THEY CAN EITHER BE RENTED OUT OR KIDS CAN STAY WITH THE PARENTS OR COME BACK HOME, BUT NOT INSIDE THE PARENTS HOUSE. AS MOST PARENTS DON'T WANT THEIR KIDS BACK. THIS WILL KEEP LONG-TIME NEIGHBORS AND FAMILIES HERE LONGER, BOTH OWNERS AND RENTERS AND WILL ADD SMALL UNIT OPTIONS TO THE RENTAL POOL. ENOUGH ON GENTRIFICATION SOLUTIONS. YOU HAVE BEFORE YOU LETTER ON ARA, I WAS ACTUALLY GOING TO SPEAK AFTER MR. MARSHAL. I ATTENDED THAT

CONSENSUS MEETING THAT PASSED DOING -- IT WAS A TYPOGRAPHICAL ERROR FOR THE CWA BUILDING TO AND HE ALLOW RETAIL ON THE FIRST FLOOR. I HAVE NOT OUTSIDE OF IN FACT THAT WAS A EVEN THOUGH IT WAS A CONSENSUS MEETING IT WAS ACTUALLY UNANIMOUS TO ALLOW RETAIL ON THE FIRST FLOOR. WE HAVE NOT HEARD FROM ONE OF OUR NEIGHBORS EVER SAY THAT THEY WERE OPPOSED TO RETAIL ON THE GROUND FLOOR EVEN OUTSIDE OF THAT CONSENSUS MEETING. ALSO I DID WANT TO POINT OUT THAT THE SETBACKS IN THE PLAN, WHICH I BELIEVE MR. MARSHAL PUT IN HIS LETTER ARE INTENDED TO BE BUILDING SETBACKS, NOT COMPATIBILITY SETBACKS. FINALLY, I WOULD LIKE TO THANK THE ARA, BYRON MARSHAL, ARA STAFF, PAUL HILGERS, THE CITY OF AUSTIN STAFF FOR ALL OF THEIR ASSISTANCE ON GETTING THE PROCESS THIS FAR. WE ARE INSIDE THE FIVE YARD LINE. PLEASE SUPPORT THIS ITEM. ALSO NOTWITHSTANDING YOUR ACTIONS TONIGHT, I WILL CONTINUE TO WORK WITHIN THE PROCESS AS IT HAS BEEN HANDED TO ME TO TRY AND MAKE THIS A BETTER COMMUNITY. THANK YOU FOR YOUR TIME AND CONSIDERATION. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

THE KEY THING I WOULD LIKE TO DO, MAYOR, IN THAT REGARD, IS TO GO AHEAD AND INTRODUCE MR. MARSHAL AND ALLOW HIM TO TALK ABOUT THOSE KEY ELEMENTS OF THAT PLAN, THE CHANGES IN THE PLAN, AND THERE IS ONE PROVISION IN REGARD TO RETAIL THAT WE NEED TO ADDRESS FOR THE RECORD. THE CHANGES THAT ARE IN THIS PLAN AGAIN ARE CHANGES THAT CAME FROM THE COMMUNITY, BUT THIS IS A PLAN AND THIS IS A REVITALIZATION EFFORT THAT IS MANAGED UNDER CONTRACT BETWEEN THE CITY OF AUSTIN, THE URBAN RENEWAL AGENCY AND THE AUSTIN REVITALIZATION AUTHORITY. AND THEY HAVE MANAGED THIS PROCESS WITH GREAT DILIGENCE AND I WOULD LIKE TO ARE ASK MR. MARSHAL TO COME UP AND TALK ABOUT THE SPECIFIC BENEFITS, THE SPECIFIC CHANGES TO THIS ORDINANCE AND HOW WE WOULD -- TO BE ABLE TO ANSWER ANY QUESTIONS OF THE SPECIFICS THAT ARE IN THIS ORDINANCE AND THEN WE CAN GET TO THE ACTION THAT WAS BEFORE US TODAY. SO BYRON, COULD YOU COME UP?

Mayor Wynn: WELCOME, MR. MARSHAL.

GOOD EVENING, MAYOR, COUNCIL, CITY MANAGER. I'D LIKE TO TALK TO YOU BRIEFLY ABOUT THIS PROCESS. YOU MAY RECALL THAT ABOUT 15 MONTHS AGO WE CAME TO YOU WITH CHANGES TO THE CRP, TO THE URBAN RENEWAL PLAN. AND AT THAT TIME SOME OF THE 12TH STREET BUSINESS OWNERS AND NEIGHBORS ASKED THAT WE NOT CHANGE THE PLAN AS IT RELATES TO 12TH STREET AND THAT WE HAVE A SPECIAL PROCESS, A SPECIFIC PROCESS, THAT JUST DEALT WITH THEIR ISSUES. AND WE SPENT 15 MONTHS GOING THROUGH THAT PROCESS. AND THE GOALS OF THE PROCESS AT THE TIME WERE TO REDUCE THE RESTRICTIONS RELATED TO DEVELOPMENT ALONG EAST 12TH STREET WITHOUT ALLOWING ENCROACHMENT OF TRAFFIC, NOISE, TRASH, ETCETERA INTO THE ABUTTING NEIGHBORHOODS. AND THEY ALSO WANTED US TO MODEL THE CHANGES THAT WERE MADE OR THAT WERE PROPOSED ON AN EXISTING NCCD OVERLAY THAT WAS PASSED 10 OR 15 YEARS AGO FOR EAST 11th STREET, THINKING THAT THAT NCCD IN AND OF ITSELF MADE DEVELOPMENT A LOT EASIER AND A LOT EASIER TO UNDERSTAND. THE 12TH STREET BUSINESS AND PROPERTY OWNERS ASSOCIATION, ALONG WITH THE SEVEN OR EIGHT NEIGHBORHOODS THAT SURROUND 11th STREET AND 12TH STREET WORKED DILIGENTLY TO COME TOGETHER ON ISSUES THAT THEY THOUGHT MADE SENSE. THERE WERE OVER 15 MEETINGS THAT THEY HELD OVER THIS PERIOD OF TIME WHERE ISSUES WERE BROUGHT IN, THOROUGHLY DISCUSSED AND NEGOTIATED. AND WHAT YOU HAVE BEFORE YOU NOW IS A PRODUCT THAT IS ALMOST UNANIMOUSLY AGREED TO THOUSAND THOSE NEIGHBORHOODS. AND ONE OF THOSE THINGS THAT YOU WILL SEE AND IS ALMOST UNHEARD OF IN ANY NEIGHBORHOOD, THE NEIGHBORHOOD HAS AGREED TO ALLOW INCREASED HEIGHTS, REDUCE COMPATIBILITY REQUIREMENTS, INCREASE IMPERVIOUS COVER, DECREASE SETBACKS, THINGS THAT MOST NEIGHBORHOODS FIGHT. THEY DID THAT AS A -- IN THE SPIRIT OF COMPROMISE THAT THEY COULD ALSO REDUCE THE PARKING REQUIREMENTS AS WELL AS THINGS LIKE RESTRICTIONS ON HOW PARKING STRUCTURES WERE DEVELOPED, ADDITIONAL COMMUNITY PARKING SPACES ALONG THE STREETS AND MORE MIXED

USE DEVELOPMENT ALONG THE NEIGHBORHOOD AS OPPOSED TO STRICTLY COMMERCIAL OR STRICTLY OFFICE BUILDINGS OR MORE STRICTLY RESIDENTIAL. ON WHAT YOU HAVE IS A PLAN THAT ENCOURAGES MORE DEVELOPMENT ALONG THE CORRIDOR, BUT IT WOULD BE MORE MIXED USE, HIGHER DENSITY, BUT IT REQUIRES PARKING THAT GOES ALONG WITH IT AND IT -- IT WOULD SEEM TO DISCOURAGE TRAFFIC INTO THE NEIGHBORHOODS. NOW, THERE'S A LOT MORE WORK THAT HAS TO BE DONE? THERE NEEDS TO BE AT LEAST ONE OR TWO PARKING SNUDZ THE AREA SO -- STUDIES IN THE AREA SO WE CAN SEE WHAT THE EFFECT OF THE NEW DEVELOPMENT ACTUALLY HAS ON THE AREA. WE HAVE THE NEW PARKING LOTS THAT HAVE BEEN ASKED FOR AND IN FACT THE COUNCIL HAS ALREADY FUNDED ONE OF THEM FOR 11th STREET. IDEALLY THERE WILL BE ANOTHER ONE FUNDED FOR 12TH STREET. BEFORE YOU ALL THE WORK WE'VE DONE OVER THE LAST SIX YEARS TO GET THE PLAN DONE AND CHANGES TO THE PLAN, THIS PROCESS I THINK HAS BEEN THE MOST SUCCESSFUL. I THINK IF YOU WOULD ASK MR. SLOP THEIR OR MR. MAN WHO ATTENDED ALL THE MEETINGS, THEY WOULD AGREE THIS MEETS THEIR NEEDS AND IT MEETS THE NEIGHBORHOOD'S NEEDS. I THINK MY BOARD IS TO BE CONGRATULATED FOR PULLING PEOPLE TOGETHER AND ACTUALLY HAVING THESE MEETINGS AND I'M HAPPY TO ANSWER ANY QUESTIONS THAT YOU HAVE, BUT I DON'T THINK YOU WILL GET ANY FLACK FROM ANYBODY -- WELL, I CAN'T SAY NO ONE. THERE'S AT LEAST ONE PERSON WHO DISAGREES WITH THIS, BUT MOST OF THE NEIGHBORS AGREE WITH WHAT'S BEING PROPOSED TO YOU.

Mayor Wynn: ANY QUESTIONS OF MR. HILGERS OR MR. MARSHAL, COUNCIL? IF NOT, I'LL ENTERTAIN A MOTION, WHICH WOULD INCLUDE CLOSING THIS PUBLIC HEARING AND APPROVING THE ORDINANCE AS OF POSTED. MOTION BY COUNCILMEMBER MCCRACKEN, SECONDED BY COUNCILMEMBER THOMAS TO CLOSE THIS PUBLIC HEARING AND APPROVE THE ORDINANCE AS OF POSTED. FOM TOM LET ME --

Thomas: LET ME ASK, MAYOR, IF YOU DON'T MIND. ON WHAT YOU ALL AGREED ON, MR. MARSHAL, IN THE LETTER THAT WE RECEIVED, IS -- WERE THEY AGREEABLE ON THE

CHANGES OF THE WORDING TO DELETE THAT WORD,
EXCLUDING RETAIL?

YES, SIR. WHEN THIS SET OF AMENDMENTS YOU HAVE BEFORE YOU WAS PASSED, THERE WAS ONE ADDITIONAL ITEM THAT THE CITY STAFF LOOKED FOR RELATED TO WHAT'S CALLED THE CWA BUILDING ON EAST 12TH STREET, 1022 EAST 12TH STREET. YOU CURRENTLY HAVE A SOLICITATION ON THE STREET FOR SOMEONE TO BUY THAT BUILDING AND RENOVATE IT. THE CURRENT CRP DOES NOT ALLOW RETAIL ON THE GROUND FLOOR. WE BELIEVE THAT THAT WAS AN ERROR FROM YEARS AGO, BUT WHEN THE CITY STAFF BROUGHT IT FORWARD, PROCESS HAD ALREADY GONE PAST THE POINT WHERE WE COULD RECOMMEND THAT TO COUNCIL, SO OUR BOARD AUTHORIZED US TO HAVE ANOTHER MEETING, AND IF THE COMMUNITY AGREED TO IT TO BRING THAT PARTICULAR CHANGE DIRECTLY TO THE COUNCIL, I THINK THAT WAS ALLUDED TO BY MR. GOLD GLEEP STONE A FEW MOMENTS AGO. BUT WE'RE ASKING THAT YOU DELETE THE WORDS EXCLUDING RETAIL FROM THE PLAN AS IT RELATES TO THE WCA BUILDING.

AND JUST FOR CLARIFICATION, THANK YOU, COUNCILMEMBER, STAFF IS AGAIN APPRECIATIVE OF THE FACT THAT ARA AS GONE BACK TO THE COMMUNITY. THE ARA BOARD HAS TESTED THIS WITH THE COMMUNITY INTERESTS AND THE STAKEHOLDERS. EVERYTHING IS SUPPORTIVE. AND FOR THE RECORD WE ARE RECOMMENDING THE ORDINANCE AS PRESENTED TO YOU, MAYOR, WITH THAT ONE EXCEPTION THAT THOSE WORDS WOULD BE DELETED EXCLUDING RETAIL. AND MR. MORRIS HAS ONE MORE.

I WANT TO SAY ONE OTHER THING. WHEN WE SPEAK OF SETBACKS, AS JOHN SAID, WE ARE TALKING ABOUT BUILDING SETBACKS, NOT COMPATIBILITY SETBACKS. IT MAY NOT BE CLEAR IN THE LANGUAGE, WE JUST WANT TO GET IT ON THE RECORD SO THAT WHEN PLANNING HAS TO BE IMPLEMENTED, THEY KNOW WHAT WE'RE TALKING ABOUT.

Thomas: IF YOU DON'T MIND, MAYOR, COULD WE ADD THAT, EXCLUDING THE RETAIL?

MAYOR WYNN: SO COUNCILMEMBER MCCRACKEN, DO YOU CONSIDER THAT A FRIENDLY AMENDMENT? SO WE HAVE A MOTION AND A SECOND -- AMENDED MOTION AND SECOND ON THE TABLE. FURTHER COMMENTS? COUNCILMEMBER MCCRACKEN.

McCracken: YEAH. I REALLY WANT TO APPLAUD THE ARA, COMMUNITY HOUSING, URBAN DEVELOPMENT. THIS IS GREAT URBAN PLANNING AND THIS IS A MODEL THAT PEOPLE ALL OVER THE CITY CAN LEARN FROM. GREAT JOB.

THANK YOU, SIR.

Mayor Wynn: AGREED. FURTHER COMMENTS? HEARING NONE -- COUNCILMEMBER ALVAREZ.

Alvarez: WHAT WAS THE -- THERE WAS MENTION ABOUT RETAIL USES IN THE CWA BUILDING. HOW WAS THAT ADDRESSED?

COUNCILMEMBER, THAT'S -- BY NOT EXCLUDING -- AS OF THIS POINT WE ARE IN THE MIDDLE OF SOLICITATION WHICH WOULD -- IF WE RECEIVED SOLICITATION, RESPONSES TO OUR SOLICITATIONS THAT WANTED TO PROVIDE RETAIL IN THE CWA BUILDING, THEY WOULD BE EXCLUDE FROM THEM BECAUSE OF THE PREVIOUS LANGUAGE. AGAIN, AFTER LISTENING TO THE STAKEHOLDERS AND WORKING THROUGH THE PROCESS, WE RECOGNIZE THAT THE BEST WAY TO CORRECT THAT WAS TO GO AHEAD AND GO BACK TO THE COMMUNITY AND MAKE SURE THAT THIS WAS OKAY, THAT WE CONSIDER IT RETAIL, BRING THIS BACK, BRING THIS WORDING BACK TO BE CLEAR THAT WE WANTED THE WORDS EXCLUDING RETAIL OUT OF THIS PLAN SO THAT IT'S A POSSIBILITY. IT DOESN'T MEAN THAT IT WILL ACTUALLY NECESSARILY IS FORCED TO HAPPEN, BUT IT MEANS IT'S A POSSIBILITY TO HAPPEN THROUGH THE SOLICITATION. IF A BID COMES BACK WHICH HAS RETAIL ON THE GROUND FLOOR, IT WON'T AUTOMATICALLY BE EXCLUDE.

Alvarez: I JUST WANTED TO MAKE SURE THAT WHEN WE SAID EXCLUDE RETAIL THAT WE WEREN'T SAYING EXCLUDE RETAIL, BUT WE WERE ELIMINATING THE CLAUSE THAT SAYS

EXCLUDING RETAIL.

YES, SIR. THANK YOU VERY MUCH FOR THAT CLARIFICATION.
THAT'S WHAT WE WERE TRYING TO SAY.

Mayor Wynn: GOOD POINT. FURTHER COMMENTS. AMENDED
MOTION AND SECOND ON THE TABLE. ALL THOSE IN FAVOR,
PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF
SEVEN TO ZERO. THANK YOU ALL VERY MUCH. OKAY,
COUNCIL. WE NOW HAVE A HANDFUL OF ADDITIONAL PUBLIC
HEARINGS, ANNEXATION AND DISANNEXATION. MR.
GURNSEY, WELCOME.

THANK YOU, MAYOR. MAYOR AND COUNCIL, OUR NEXT ITEM
IS ITEM NUMBER 61, CONDUCTING A PUBLIC HEARING FOR
THE LIMITED PURPOSE ANNEXATION OF THE WOODS OF
GREEN SHOORZ. THIS IS THE FIRST OF TWO PUBLIC
HEARINGS PROPOSED IN THE WOODS OF GREENSHORES
LIMITED PURPOSE ANNEXATION. THE SECOND PUBLIC
HEARING WILL BE CONDUCTED NEXT WEEK, NEXT
THURSDAY, THE 14TH, AT 6:00 P.M. THIS AREA IS
APPROXIMATELY 108 ACRES AND LOCATED IN TRAVIS
COUNTY NEAR THE INTERSECTION OF CITY PARK ROAD AND
PIERCE ROAD. THERE'S AN APPROVED PRELIMINARY PLAN
ALREADY ON THIS PROPERTY FOR 95 UNITS, AND THERE
THIS WOULD BE IN ACCORDANCE WITH YOUR AGREEMENT
THAT'S ALREADY BEEN APPROVED BY THE CITY IN JANUARY.
ACCORDING TO THE TERMS OF THE AGREEMENT, THIS
WOULD BE -- WOULD PROVIDE FOR THE CONVERSION TO
FULL PURPOSE AFTER JANUARY 24TH OF 2017. COPIES OF
THE STUDY AND THE REGULATORY PLAN ARE AVAILABLE
BEHIND ME TO MY REAR ON THE COUNTER, AND I DON'T
BELIEVE THERE ARE ANY SPEAKERS FOR THIS ITEM THIS
EVENING.

Mayor Wynn: THAT'S CORRECT.

MR. GURNSEY, ARE YOU SETTING A NEW STANDARD HERE?

FOR ANNEXATION PRESENTATIONS? [LAUGHTER]

NO. THIS IS ONE OF THE FUNCTIONS OF THE
NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT.

Futrell: IS THIS PART OF YOUR NEW FUNCTION AS THE
ASSISTANT DIRECTOR OF YOUR DEPARTMENT?

YES AND NO. IT WAS ALSO MY FUNCTION AS THE MANAGER
OF THE CURRENT PLANNING DIVISION.

Futrell: JUST THOUGHT I WOULD MAKE THAT ANNOUNCEMENT
TO THE COUNCIL WHO MAY NOT HAVE KNOWN OF GREG'S
NEW PROMOTION.

THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: ARE THERE ANY CITIZENS WHO WOULD LIKE TO
ADDRESS US REGARDING THIS LIMITED PURPOSE
ANNEXATION OF THE WOODS OF GREENSHORES AREA?
HEARING NONE, I'LL ENTERTAIN A MOTION TO CLOSE THE
PUBLIC HEARING.

Thomas: SO MOVE.

Mayor Wynn: MOTION BY COUNCILMEMBER THOMAS,
SECONDED BY COUNCILMEMBER ALVAREZ. ALL THOSE IN
FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF
SEVEN TO ZERO. THANK YOU, MR. GURNSEY.

THANK YOU, MAYOR. MAYOR AND COUNCIL, THIS TAKES US
TO ITEM NUMBER 62. ITEM NUMBER 62 IS TO CONDUCT A
PUBLIC HEARING FOR THE DISANNEXATION OF JET LANE,
WHICH IS APPROXIMATELY 6.4 ACRES OF LAND IN EASTERN
TRAVIS COUNTY IN THE DEL VALLE AREA. THIS IS THE FIRST
OF TWO PUBLIC HEARINGS FOR THE PROPOSED
DISANNEXATION OF THE JET LANE AREA. THETHE SECOND
HEARING IS SET FOR NEXT THURSDAY, APRIL 14TH. AND
TENTATIVELY SCHEDULED FOR MAY 12TH AND THE

EFFECTIVE DATE WOULD BE MAY 23rd OF 2005. 2005 FOR THE ORDINANCE. IN 1998 THE CITY COUNCIL ANNEXED APPROXIMATELY 11,522 ACRES OF LAND IN THE DEL VALLE AREA ON A LIMITED PURPOSE BASIS. IN 2001 ALL THE LAND WAS CONVERTED WITH THE EXCEPTION OF 6.4 ACRES AT THE END OF JET LANE, WHICH IS ONLY A 10-FOOT COUNTY ROAD RIGHT-OF-WAY THERE. AND SO BECAUSE OF DIFFICULTIES PROVIDING FULL MUNICIPAL SERVICE TO THIS AREA AND AFTER DOING EXTENSIVE REVIEW, WE WOULD RECOMMEND THAT THIS AREA BE RELEASED. WE HAVE ONE PROPERTY OWNER THAT IS IN FAVOR OF THIS, AND WE HAVE NOT HEARD FROM THE OTHER PROPERTY OWNER VOICING ANY OBJECTION TO THE DISANNEXATION. THERE'S NO NEED TO MENTION A SERVICE PLAN SINCE TRAVIS COUNTY CURRENTLY PROVIDES THE SERVICES AND WOULD CONTINUE TO PROVIDE THE SERVICES AFTER THE DISANNEXATION OF THIS LIMITED PURPOSE AREA. WITH THAT I'LL CLOSE MY COMMENTS.

Mayor Wynn: THANK YOU, MR. GURNSEY. QUESTIONS OF STAFF, COUNCIL? ARE THERE ANY CITIZENS THAT WOULD LIKE TO ADDRESS US REGARDING THE PUBLIC HEARING OF THE DISANNEXATION OF THE JET LANE AREA? HEARING NONE, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER DUNKERLEY, SECONDED BY THE MAYOR PRO TEM. ALL THOSE IN FAVOR, PLEASE SAY '88. MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF SEVEN TO ZERO.

THAT INCLUDES THE DISANNEXATION ITEM.

Mayor Wynn: THANK YOU, MR. GURNSEY. COUNCIL, QUICKLY, WE HAVE NO CITIZENS SIGNED UP ON PUBLIC HEARING 64 AND 65. WE CAN GET THOSE DONE AND THEN GO BACK TO THE PUBLIC HEARING THAT RELATES TO RAINEY STREET AND THEN TAKE UP THE RAINEY STREET ZONINGS. SO ITEM NUMBER 64, A PUBLIC WORKS PUBLIC HEARING. WELCOME MS. JUNE PLUMBER.

MAYOR AND COUNCIL, FOR ITEM NUMBER 64, THE FACT FINDING IS THAT THERE'S NO OTHER FEASIBLE AND PRUDENT ALTERNATIVE TO THE TAKING OF DEDICATED PARKLAND, WHICH INCLUDES ALL PLANNING TO MINIMIZE

HARM TO THE PARK.

Mayor Wynn: TAKES ALL THE FUN OUT OF IT, DOESN'T IT? [LAUGHTER] QUESTIONS OF STAFF, COUNCIL? ARE THERE ANY CITIZENS THAT WOULD LIKE TO ADDRESS THIS PUBLIC HEARING AS OUTLINED BY MS. PLUMBER? HEARING NONE, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING?

SO MOVE.

Mayor Wynn: MOTION BY COUNCILMEMBER THOMAS, SECONDED BY COUNCILMEMBER SLUSHER. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

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

MAYOR AND COUNCIL --

Mayor Wynn: THAT MOTION INCLUDED ADOPTING THE RESOLUTION IN ADDITION TO SIMPLY CLOSING THE PUBLIC HEARING. THANK YOU.

Thomas: MAYOR? CAN I MAKE A MOTION TO GO AFTER 10:00?

Mayor Wynn: MOTION MADE BY COUNCILMEMBER THOMAS THAT I'LL SECOND TO WAIVE COUNCIL RULES TO GO PAST 10:00 P.M. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED?

Goodman: NO.

Mayor Wynn: MOTION PASSES ON A VOTE OF SEVEN TO ZERO. I WON'T RECOGNIZE MAYOR PRO TEM'S NO VOTE. [LAUGHTER] MS. PLUMBER? ITEM 65.

MAYOR AND COUNCIL, FOR ITEM NUMBER 65, THE FACT FINDING IS THAT THERE'S NO OTHER FEASIBLE AND

PRUDENT ALTERNATIVE TO THE TAKING OF DEDICATED PARKLAND, WHICH INCLUDES ALL PLANNING TO MINIMIZE HARM TO THE PARK.

Mayor Wynn: QUESTIONS OF STAFF, COUNCIL? ARE THERE ANY CITIZENS WHO WOULD LIKE TO ADDRESS US REGARDING THIS PUBLIC HEARING, ITEM 65? HEARING NONE, I'LL ENTERTAIN A MOTION THAT INCLUDES CLOSING THE PUBLIC HEARING AND ADOPTING THE RESOLUTION. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY THE MAYOR PRO TEM. ALL IN FAVOR PLEASE SAY AYE.

AYE.

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

THANK YOU.

Mayor Wynn: THANK YOU VERY MUCH.

Goodman: MAYOR, BEFORE SHE GOES, WE SHOULD THANK EVERYONE FOR ITEM NUMBER 64 FOR COMING TO A RESOLUTION OUT OF THE MIDST OF ANGST.

Mayor Wynn: AGREED. WELL DONE, STAFF AND MS. PLUMBER. OKAY. SO COUNCIL, THAT TAKES US BACK TO ITEM NUMBER 63, WHICH IS OUR PUBLIC HEARING REGARDING OUR LAND DEVELOPMENT CODE THAT WILL THEN LEAD US INTO SOME RAINEY STREET DISCUSSIONS. WELCOME MR. ADAMS.

Slusher: MAYOR, I WOULD BE ABSTAINING ON ALL THE RAINEY STREET ITEMS AS I HAVE PREVIOUSLY ANNOUNCED BEFORE, FOR REASONS I HAVE PREVIOUSLY ANNOUNCED BEFORE. SO I'LL SEE Y'ALL LATER. [LAUGHTER]

Mayor Wynn: WE'RE GOING TO COME BACK AND MAKE YOU VOTE ON THE MOTION TO ADJOURN LATER.

Slusher: WE'LL SEE. I THINK YOU MIGHT BE ABLE TO GET THAT ONE THROUGH.

Mayor Wynn: KEEP YOU FROM GOING HOME EARLIER THAN

REST OF US. WELCOME MR. ADAMS.

THANK YOU, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, CITY MANAGER. MY NAME IS GEORGE ADAMS WITH THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. YOU HAVE A NUMBER OF ITEMS RELATED TO RAINEY STREET BEFORE YOU TONIGHT, ZONING CASES, ITEMS 51 THROUGH 58 ARE BEFORE YOU FOR SECOND READING. AND STAFF IS RECOMMENDING THAT YOU TAKE THOSE UP AFTER CLOSURE OF THE PUBLIC HEARING FOR ITEM 63, WHICH IS CONSIDERATION AND POSSIBLE ACTION ON CODE AMENDMENT TO THE WATERFRONT OVERLAY DISTRICT. VERY BRIEFLY, I JUST -- I'D LIKE TO REVIEW RECENT ACTION ON THE RAINEY STREET ITEMS. THE RAINEY STREET ZONING CASES AND STAFF RECOMMENDATIONS ON POTENTIAL CODE AMENDMENTS TO THE RAINEY STREET SUB DISTRICT OF THE WATERFRONT OVERLAY DISTRICT WERE LAST PRESENTED TO YOU IN NOVEMBER OF 2004. AND AT THAT NOVEMBER 2004 MEETING COUNCIL APPROVED ZONING OF CDB AREA AND DISTRICTED STAFF TO HAVE AMENDMENTS TO THE WATERFRONT OVERLAY REGULATIONS BASED ON TWO RECOMMENDATIONS PROPOSED BY COUNCILMEMBERS ALVAREZ AND MCCRACKEN. THERE ARE SUMMARIES OF THE TWO COUNCIL ALTERNATIVES INCLUDED IN YOUR BACKUP MATERIAL, AND THOSE ARE TABLES ONE AND TWO. THESE TWO PROPOSALS WERE PRESENTED TO THE PLANNING COMMISSION ON MARCH 22nd OF 2005 AND THE PLANNING COMMISSION DEVELOPED A RECOMMENDATION THAT REALLY DREW FROM BOTH OF THE COUNCIL PROPOSALS. AS IS OUR STANDARD PRACTICE, WE HAVE DRAFTED AN ORDINANCE THAT REFLECTS THE PLANNING COMMISSION RECOMMENDATION WITH ONE EXCEPTION THAT I'LL DISCUSS IN MORE DETAIL IN JUST A MOMENT. THAT ORDINANCE IS ALSO BEFORE YOU TONIGHT IN YOUR BACKUP MATERIAL. FINALLY STAFF HAS DEVELOPED A SUMMARY OF OPTIONS FOR AMENDING THE DRAFT ORDINANCE BEFORE YOU. AND THIS SUMMARY INCLUDES THE RECOMMENDATION PUT FORWARD BY COUNCILMEMBER ALVAREZ AND COUNCILMEMBER MCCRACKEN THAT ARE NOT REFLECTED IF THE DRAFT ORDINANCE. SO THERE'S ESSENTIALLY THREE DOCUMENTS BEFORE YOU OR ACTUALLY FOUR. THE TWO SUM I -- SUMMARIES OF THE TWO COUNCIL PROPOSALS, A

DRAFT ORDINANCE THAT REFLECTS THE PC, THE PLANNING COMMISSION RELIGIOUS AND THEN THE THE PLANNING SHEET AND THEN THE SUMMARY. VERY BRIEFLY JUMPING BACK TO THE DRAFT ORDINANCE, THERE WAS ONE PROVISION IN THE PLANNING COMMISSION RECOMMENDATION, WHICH WAS A REQUIRED AFFORDABLE HOUSING COMPONENT FOR PROJECTS IN THE RAINEY STREET AREA. AND THIS IS AS CONTRASTED TO SOME OF THE OTHER RECOMMENDATIONS THAT INCLUDED AN INCENTIVE BASED APPROACH TO AFFORDABLE HOUSING. BASED ON DISCUSSIONS WITH THE COUNCIL AND ON LEGISLATION AT THE ON -- LANGUAGE AT THE LEGISLATURE, THE STAFF DID NOT INCLUDE THAT LANGUAGE IN THE DRAFT ORDINANCE. WITH THAT I'D BE GLAD TO REVIEW COUNCIL PROPOSALS, THE DRAFT ORDINANCE OR THE SUMMARY OF OPTIONS IF THAT'S COUNCIL'S STIER OR I'M ABLE TO -- COUNCIL'S DESIRE OR I'M ABLE TO ANSWER ANY QUESTIONS.

Mayor Wynn: COMMENTS, QUESTIONS, COUNCIL?
COUNCILMEMBER ALVAREZ.

Alvarez: WHAT WAS THAT LAST STATEMENT YOU MADE ABOUT THE ITEM THAT WASN'T INCLUDED IN THE DRAFT ORDINANCE?

IN THE PLANNING COMMISSION RECOMMENDATION THEY INCLUDED A REQUIREMENT THAT 10 PERCENT OF THE UNITS BE AFFORDABLE AT THE 80% OF MEDIAN FAMILY INCOME, AND THAT REQUIREMENT WOULD APPLY TO THE FIRST 60 FEET OF RESIDENTIAL DEVELOPMENT IN A PROJECT. SO IT WAS A MANDATED AFFORDABLE HOUSING REQUIREMENT.

Alvarez: SO IT DIDN'T INCLUDE THE DENSITY BONUS BECAUSE IT DIDN'T HAVE THAT ASPECT OF IT.

THAT'S CORRECT.

Mayor Wynn: THANK YOU, MR. ADAMS. SO PROCEED.

OKAY. IF THE COUNCIL IS -- I WILL WALK THROUGH THE ORDINANCE VERY QUICKLY OR WOULD YOU PREFER TO

WALK THROUGH THE TWO COUNCIL PROPOSALS?

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: IF I COULD MAYBE FACILITATE THIS. I DIDN'T DO SUCH A GREAT JOB AT THE PLANNING COMMISSION WHEN I WENT AND TRIED TO FA SILL TAIL THINGS, BUT -- FACILITATE THINGS, BUT MAYBE IT WILL TURN OUT DIFFERENTLY HERE. AND IT MIGHT BE HELPFUL IF WE HAVE ALL THE RIGHT DOCUMENTS IN FRONT OF YOU. YOU HAVE A DOCUMENT THAT SAYS ITEM 63 THAT SAYS ORDINANCE NUMBER ON THE TOP. AND THEN YOU HAVE A DOCUMENT THAT SAYS ITEM 63 AND THERE'S TWO PAGES, AND ONE'S TABLE ONE AND TABLE TWO. AND THEN YOU HAVE A DOCUMENT THAT SAYS ITEM 63 THAT'S IN LANDSCAPE FORMAT THAT SAYS RAINEY STREET SUB DISTRICT CODE AMENDMENT OPTION SUMMARY. I'LL BE REFERRING TO ALL THREE OF THESE, SO IF YOU DON'T HAVE THEM, IT MIGHT GET KIND OF CONFUSING. SO IF EVERYBODY HAS THAT I CAN TRY TO EXPLAIN WHERE WE ARE AND HOW WE GOT THERE. AND I THINK GEORGE COVERED MOST OF IT, BUT I WANTED TO KIND OF GIVE YOU MY OPINION ABOUT HOW WE GOT HERE AND WHERE WE ARE AND SORT OF WHAT THE KEY DECISIONS ARE. BUT BASICALLY, IF YOU LOOK AT THE TABLE 1 AND TABLE 2 DOCUMENT, YOU HAVE BASICALLY TWO DIFFERENT OPTIONS THAT WERE PRESENTED TO PLANNING COMMISSION. TABLE ONE BEING THE -- IT'S LABELED AS ALTERNATIVE 1, AND THAT'S BASICALLY THE ONE I HAD SUGGESTED WHEN THE ITEM WAS BEFORE COUNCIL LAST TIME. AND THEN TABLE 2 THAT ALSO SAYS ALTERNATIVE 2, IS THE OPTION THAT COUNCILMEMBER MCCRACKEN PROPOSED LAST TIME THAT THIS ITEM WAS BEFORE COUNCIL. SO THAT'S WHAT THE PLANNING COMMISSION HAD BEFORE THEM TO CONSIDER, AND THEN WHAT THEY ACTUALLY DID WAS ACTUALLY ADOPT AN ORDINANCE, THE ONE THAT'S BEFORE US HERE THAT WAS THE HIGH HYBRID OF THE TWO, ON SO THEY BASICALLY TOOK SOME OF MY PROVISIONS AND ADDED THEM TO COUNCILMEMBER MCCRACKEN'S ALTERNATIVE 2, AND SO THAT'S -- TO A CERTAIN DEGREE THAT'S SORT OF WHAT THE ACTUAL ORDINANCE THAT'S IN FRONT OF US DOES. AND AGAIN, SO I THINK THAT WHAT I OBVIOUSLY WOULD LIKE TO PROPOSE IS SOMETHING THAT IS A LITTLE CLOSER TO MY VERSION, BUT

WANT TO KIND OF TALK ABOUT SORT OF THE KEY ISSUES. SO IF YOU LOOK AT TABLE 1, THE DOCUMENT LABELED TABLE 1, IT HAS -- IT TAKES A DENSITY BONUS APPROACH THAT SAYS WE'LL APPROVE CBD 60 FEET, AND YOU CAN GET UNLIMITED HEIGHT, UNLIMITED CBD HEIGHT IF YOU DO FOUR SPECIFIC ACTIONS. AND THOSE ACTIONS WERE THAT THE -- WE PRESERVE OR HONOR THE WATERFRONT OVERLAY DISTRICT REGULATIONS, THE SETBACKS FROM CREEKS AND TOWN LAKE, AND THAT WAS NOT A BIG ISSUE FOR ANYONE. IT PROVIDED FOR SETBACKS AND STEP BACKS ALONG RED RIVER STREET AND IT LIMITED HEIGHT ON RIVER STREET TO 50 FEET AND THEN FINALLY WE HAD THE AFFORDABLE HOUSING REQUIREMENT THAT WAS IDENTICAL TO THE UNO REQUIREMENT, WHICH WAS 10% AT 80%, AND A SECOND 10% AT 65% WITH THE FEE IN LIEU OF OPTION. SO THAT WAS THE ORIGINAL PROPOSAL THAT I HAD -- THAT I HAD SUGGESTED, AND REALLY IT WAS TO TRY TO NARROW DOWN -- BASED ON WHAT WAS BEFORE US BACK WHEN WE CONSIDERED THIS IN OCTOBER OR NOVEMBER. I'M NOT SURE WHEN THAT WAS. SO WE WOULD NARROW IT SORT OF TO THREE OR FOUR KEY ISSUES. SO SINCE THEN I HAVE MET WITH SOME OF THE PROPERTY OWNERS AND THE NEIGHBORHOOD RESIDENTS, AND SO WE'VE SORT OF RELAXED SOME OF THOSE REQUIREMENTS, AND THAT'S WHAT I WOULD LIKE THE COUNCIL TO CONSIDER. SO THE SECOND PART OF ALTERNATIVE 1, THE ONE WHERE YOU GET THE SECOND DENSITY BONUS, THE INCREASED F.A.R. WOULD STAY VIRTUALLY THE SAME. SO WE'RE TALKING ABOUT JUST THE TOP PORTION THAT GETS YOU FROM 60 FEET TO UNLIMITED HEIGHT, AND THE THREE OR FOUR REGULATIONS THAT PERTAIN TO THAT. BUT BASICALLY THE -- WHAT I WOULD DO IS -- WHAT I WOULD PROPOSE IS TO CHANGE THOSE FOUR REQUIREMENTS TO THE FOLLOWING REQUIREMENTS -- BASICALLY ONE IS THAT WE CONTINUE TO HONOR THE WATERFRONT OVERLAY DISTRICT REGULATIONS, THE SETBACK SORT OF THAT, AGAIN, WHICH IS NOT A CONTROVERSIAL PROPOSAL. THE OTHER IS THAT INSTEAD OF HAVING SET BACK AND STEP BACKS ON RIVER STREET THAT WE HAVE A REQUIREMENT FOR NOT LESS THAN A 10-FOOT WIDE SIDEWALK ALONG THOSE STREETS INSTEAD OF GOING WITH SORT OF THE BASE WALL AND SET BACK -- AND STEP BACK APPROACH. AND INSTEAD OF USING THE UNO

APPROACH TO AFFORDABLE HOUSING THAT HAD THE TWO REQUIREMENTS THAT WE JUST DO 10% AND 80% AND LEAVE IT AT THAT IN TERMS OF THE AFFORDABILITY REQUIREMENT. AND SO THAT'S I THINK THE ISSUE THAT PROBABLY WE'LL HEAR MOST ABOUT TODAY. I WANTED TO MAKE SURE WE KNEW WHERE WE ARE. WE'VE HAD OBVIOUSLY A LOT OF DISCUSSION ABOUT THE AFFORDABILITY ASPECT OF THIS, SO I THINK THERE ARE DIFFERENT OPTIONS, DIFFERENT IDEAS THAT WE MIGHT CONSIDER, BUT BASICALLY THAT WOULD BE THE CHANGE TO AT LEAST THE ALTERNATIVE ONE AS LISTED HERE THAT I WOULD ASK THE COUNCIL TO CONSIDER BECAUSE, AGAIN, THAT'S THE OPTION I'M MOST FAMILIAR WITH. AND SO REALLY THAT'S WHAT I WOULD JUST KIND OF SAY IN TERMS OF INTRODUCTION -- AN INTRODUCTION TO OUR DISCUSSION, AND I BELIEVE WE ACTUALLY DO HAVE TO HAVE A PUBLIC HEARING, IS THAT CORRECT? SO MAYBE WE SHOULD HERE HEAR FROM THE SPEAKERS.

Mayor Wynn: THANK YOU, COUNCILMEMBERS. WE HAVE POSTED FOR PUBLIC HEARING BECAUSE OF THE WATERFRONT OVERLAY ORDINANCE. WE HAVE A HANDFUL OF FOLKS WISHING TO ADDRESS US AND WITHOUT OBJECTION WE'LL GO TO THOSE NOW. THE FIRST SPEAKER IS JUDD WILLMAN. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY ROBERT VELASQUEZ.

THANK YOU VERY MUCH. I'M ACTUALLY HERE ON BEHALF OF CAL RIN PROPERTIES -- CALVIN PROPERTIES, THE WITHIN THE RAINEY STREET SUB DISTRICT. THAT PARTICULAR PROPERTY IS PLANNED TO BE DEVELOPED AS A MULTI-FAMILY RESIDENTIAL PROJECT. THIS PROJECT IS LOCATED ON THE NORTH SIDE OF TOWN LAKE IMMEDIATELY WEST OF THE I-35 BRIDGE. WE SIGNED UP AS NEUTRAL INITIALLY BECAUSE WE HADN'T SEEN THE PROPOSAL THAT CAME THROUGH OR THE RECOMMENDED ORDINANCE THAT CAME THROUGH FROM PLANNING COMMISSION, BUT UPON REVIEW OF THAT WE DO ENDORSE IT AS WRITTEN WITH A COUPLE OF COMMENTS. THERE'S -- IN PARTICULAR THERE'S AN ITEM 2-A WHICH NOTES THAT EACH FLOOR OF THE GARAGE MUST BE FLAT. AND FOR OUR PARTICULAR PARCEL, IT'S A SMALL TRACT SO IT WOULD BE DIFFICULT FOR US TO ACCOMMODATE THAT. SO WE WOULD PROPOSE THAT

THERE MIGHT BE AN OPPORTUNITY TO ALLOW THE DIRECTOR TO WAIVE SOME OF THESE REQUIREMENTS IF THEY WEREN'T PRACTICAL FOR A SPECIFIC PIECE OF PROPERTY. WHICH WOULD BE THE CASE ON OURS. SIMILAR TO THAT AND ONE OF THE ITEMS THAT I WANTED TO BRING UP WHILE WE WERE HERE IS THAT THIS ONLY APPLIES TO THE CBD ZONING COMPONENT. THE PROPERTY THAT WE'RE REPRESENTING IS ACTUALLY CURRENTLY ZONED DMU-CO. AND ON THE NOVEMBER 4TH AGENDA IT WAS, AS WE UNDERSTOOD, APPROVED FIRST READING FOR CBD ZONING AND SUBSEQUENT TO THAT IT'S NOT SHOWING UP ANY MORE ON ITEM 57, AND SO WE WANTED TO REQUEST THAT THAT PIECE OF PROPERTY BE RETURNED BACK TO THE COUNCIL AGENDA ITEM 57 BEFORE SECOND AND THIRD READING OCCURRED TONIGHT. AND IF Y'ALL HAVE ANY QUESTIONS ABOUT THE CONDITIONAL OVERLAY OR THE HISTORY OF WHY IT WAS WITHDRAWN, THAT'S NOT SOMETHING THAT WE WERE ABLE TO TRACK DOWN. THE PROPERTY WAS ACTUALLY PURCHASED IN DECEMBER AFTER THE NOVEMBER 4TH CHANGE WAS MADE, AND AS A RESULT OF THAT WE DID SOME HISTORY AND WORKED WITH STAFF TO TRY TO DETERMINE IF THE ACTUAL DMU-CO WAS ACTUALLY GOING TO GO TO CBD, AND THE RESPONSE WAS THAT YES, THEY UNDERSTOOD IT WAS GOING TO BE CBD. WE BELIEVE WE HAVE STAFF SUPPORT FOR CBD ZONING AND REQUEST THAT Y'ALL RETURN THIS PROPERTY BACK INTO THE COUNCIL ACTION ITEM 57.

Mayor Wynn: THANK YOU, MR. WILLMAN. ACTUALLY, THAT BEGS THE QUESTION, CAN STAFF HELP US WITH THE TECHNICALITIES OF WHY PERHAPS THIS PROPERTY WASN'T POSTED ALONG WITH THE OTHERS FOR 57?

GREG GURNSEY, NEIGHBORHOOD PLANNING AND ZONING. I THINK THE TRACT THAT THE GENTLEMAN JUST SPOKE TO WAS A TRACT ZONED DMU-CO, WHICH IS LOCATED ON THE SOUTHERN END OF THIS. AND AS WE WENT THROUGH OUR PROCESS, WE PULLED OUT THE PROPERTIES THAT WERE ZONED CBD CURE ALREADY OR CBD OR DMU. SO THE PARCELLS IN THE ORDINANCE IS -- THAT YOU HAVE THAT I PASSED OUT ON THE DAIS REALLY PERTAIN TO THOSE TRACTS THAT ARE ZONED OTHER THINGS OTHER THAN CBD OR DMU. AS I UNDERSTAND, THIS GENTLEMAN WOULD LIKE

TO BE ZONED CBD. AND WHAT YOU COULD DO IS DIRECT STAFF TO REINITIATE STAFF TO CBD. IT WOULD BE SUBJECT TO WHATEVER OVERALL -- WHATEVER WATERFRONT OVERLAY SUB DISTRICT AMENDMENTS THAT YOU WOULD MAKE TONIGHT JUST LIKE ALL THE OTHER TRACTS THAT YOU WOULD BE ZONING CBD, THOSE WATERFRONT OVERLAY REGULATIONS WOULD NOT ONLY PERTAIN TO THOSE TRACTS, BUT ALSO PERTAIN TO THIS TRACT AND IT WOULD SIMPLY MAKE IT EASIER FOR THEM POSSIBLY TO REDEVELOP, BUT ONLY UNDER WHATEVER THE SUB DISTRICT REGULATION THAT YOU ACTUALLY APPROVE, THEY WOULD BE SUBJECT TO THE SAME REGULATION. SO IN ESSENCE THE PROPERTIES THAT ARE IMMEDIATELY NORTH OF HIM THAT HAVE BECOME CBD, IF YOU WERE TO APPROVE IT, HE WOULD BE TREATED IN A SIMILAR MANNER. THERE WAS EXTENSIVE NEGOTIATION, FOR INSTANCE, ON THE VIGNETTE PROPERTIES BETWEEN THE NEIGHBORS THAT LIVE IN THE CONDOS TO THE SOUTH AND WITH THE OWNERS OF THE PROPERTY OF VIGNETTE REGARDING SETBACKS, HEIGHTS AND DIFFERENT VARIATIONS OF SETBACKS IF CERTAIN CIRCUMSTANCES EXIST, THERE'S ACTUALLY -- IF A HAPPENS, THEN YOU HAVE SEAT SETBACKS. IF B HAPPENS, YOU HAVE THESE SETBACKS. SO THERE WAS A GREAT HESITANCY TO CHANGE ANY OF THOSE PRIOR AGREEMENTS. SO WE LEFT THOSE ALONE AND THAT'S THE REASON WHY WE PULLED THEM OUT. AND I BELIEVE COUNCIL AGREED TO THAT AT FIRST READING. BUT WE DON'T SEE A PROBLEM. STAFF DOES NOT HAVE AN OBJECTION. WE DON'T SEE A PROBLEM OF BRINGING THIS ONE FORWARD TO DO CBD TO REZONE IT TO CBD IF YOU GO BACK AND APPROVE THE AMENDMENTS BECAUSE THE AMENDMENTS WOULD THEN APPLY TO EVERYBODY.

Mayor Wynn: BUT MR. GUR SI, THE IMPLICATION BEING NOW THAT THIS TRACT WAS INCLUDED IN OUR CASE FOR FIRST READING BUT NOW IT'S NOT?

RIGHT. BECAUSE WE PULLED THOSE OUT AT FIRST READING, ALL THE DMU AND CBD TRACTS?

YOU PULLED IT OUT PRIOR TO THE FIRST READING OR AFTER THE VOTE?

AT FIRST READING WE SAID WE WERE GOING TO REMOVE THOSE, COUNCIL, ON YOUR ADOPTION OF FIRST READING, TOOK OUT THOSE PROPERTIES BECAUSE THERE WAS A CONCERN THAT SOME OF VARIANCES, WERE ZONED DMU. THERE WERE QUESTIONS IF YOU CHANGED IT TO CBD ON PROJECTS THAT WERE UNDER CONSTRUCTION ON VIGNETTE, YOU HAD ALL THAT NEGOTIATION THAT ALREADY OCCURRED BETWEEN THE DIFFERENT PROPERTY OWNERS AND THE CONDO AND THE VIGNETTE PROPERTY OWNERS ABOUT WHAT THEY HAD ALREADY AGREED TO, WHAT THEY WERE ENTITLED TO AND HOW ALL THAT WORKED. THIS PROPERTY, WE DIDN'T REALLY HEAR ANYTHING THROUGH ALL THOSE MEETINGS THAT WE HAD WITH THE NEIGHBORS AND THE VARIOUS COMMISSION UNTIL VERY LATE IN THE PROCESS. IN FACT, I WASN'T MADE AWARE OF THIS PARTICULAR PROPERTY OWNER HAVING CONCERN ABOUT THIS ONLY UNTIL THIS MORNING. SO THERE IS A WAY TO CURE THIS SITUATION IN THE SENSE THAT IF THE COUNCIL WOULD DIRECT STAFF TO REZONE THAT TO CBD, WE COULD BRING THAT FORWARD, GO BACK TO COMMISSION AND COUNCIL, AND WHATEVER THE OVERLAY THAT YOU WOULD ADOPT, WHATEVER THE -- WAWRNT FRONT OVERLAY AMENDMENTS TO THE RAINEY STREET SUB DISTRICT THAT YOU WOULD ADOPT, THEY WOULD ULTIMATELY APPLY TO THIS TRACT IN A SIMILAR MANNER TO ALL THE OTHERS.

Mayor Wynn: BECAUSE OF POSTING REGULATIONS AND ALL THAT, WE COULDN'T TAKE THAT UP WITH THE REST OF THESE CASES TODAY.

THAT'S RIGHT.

Mayor Wynn: THANK YOU. COUNCILMEMBER ALVAREZ.

Alvarez: SO I THINK THAT ONE OF THE ITEMS THAT I INCLUDED AS ONE OF THE SORT OF FUNDAMENTAL REQUIREMENTS IS TO RESPECT THE SETBACK REQUIREMENTS FOR THE WATERFRONT OVERLAY. SO HOW WOULD THIS PARTICULAR PROJECT BE AFFECTED BY THAT?

IT WOULD BE TREATED NO DIFFERENT THAN ANY OF THE OTHER PROPERTIES THAT ARE ALONG THE WATERFRONT OVERLAY. WHEN THEY COME TO REDEVELOPMENT,

WHATEVER THE WATERFRONT OVERLAY REGULATIONS THAT YOU ADOPT TONIGHT, ANY BONUS PROVISIONS OR ANY CHANGES THAT YOU MAKE AND WHATEVER CHANGES YOU DON'T MAKE TO THE CURRENT ORDINANCE, THE SAME REGULATIONS WOULD APPLY. AND I THINK GEORGE COULD PROBABLY GO INTO DETAIL ABOUT THE SETBACKS, BUT --

Alvarez: I GUESS THAT'S WHAT I WAS WONDERING. MY MAIN ISSUE WAS SETBACKS -- THE CURRENT SET BACKS BEING HONORED BECAUSE THAT WAS NEVER ANYONE'S INTENTION TO DO AWAY WITH THE SETBACKS. SO I WAS JUST ASKING IF THAT PARTICULAR PROPERTY IS AFFECTED BY THE SETBACK, AND I THINK --

I THINK IT WOULD BECAUSE OF THE PARKLAND AND GEORGE CAN GIVE YOU MORE DETAIL THAN I.

COUNCILMEMBER, I DON'T KNOW IF YOU -- LET ME GRAB THIS OTHER MICROPHONE. THE PROPERTY IN QUESTION IS THIS TRACT RIGHT HERE, AND I DON'T KNOW IF YOU CAN SEE IT FROM WHERE YOU'RE AT, BUT THERE'S A DASHED LINE HERE ON THE MAP, AND THAT IS THE -- WHAT'S CALLED THE PRIMARY SET BACK IN THE WATERFRONT OVERLAY DISTRICT REGULATIONS. IT'S TYPICALLY IN THE RAINEY STREET SUB DISTRICT, IT'S 150 FEET FROM THE SHORELINE OF TOWN LAKE, AND SO WITHIN THAT 150 FEET THERE COULD BE NO DEVELOPMENT AND IT JUST SKIRTS THE CORNER --

Alvarez: THEY'RE ON THE OUTER SIDE OF THE BOUNDARY THERE.

THAT'S CORRECT.

Alvarez: SO WE WOULD HAVE TO INITIATE A CASE SPECIFICALLY FOR THEM?

YES, THAT'S CORRECT. BUT UNLESS YOU TOOK SOME SPECIFIC ACTION TONIGHT TO CHANGE THAT PRIMARY SET BACK, THERE WOULD BE NO CHANGE IN THAT.

Mayor Wynn: THANK YOU. OUR NEXT SPEAKER, ROBERT VELASQUEZ. WELCOME, ROBERT. YOU WILL HAVE THREE

MINUTES AND BE FOLLOWED BY LORI SNEDDON.

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS ROBERT VELASQUEZ. I'D LIKE TO THANK YOU, THE COUNCIL, FOR TAKING THIS ISSUE ON. I'VE WAITED A LOT OF YEARS FOR THIS AND HOPEFULLY A DECISION IS MADE TONIGHT. OUR DESIRES ARE THE SAME AS HAVE BEEN IN THE PAST. WE WANT THE BEST ZONING FOR OUR AREA TO ACCOMMODATE MY NEIGHBORS THAT HAVE BEEN IN THE POLITICAL TURMOIL FOR SO MANY YEARS. I DON'T KNOW WHY, BUT WE HOPE THAT THIS IS DEVELOPED -- PASSED TONIGHT. OUR NEIGHBORHOOD SUPPORTS THE CBD ZONING AND IT ALSO SUPPORTS THE RECOMMENDATIONS OF MR. ALVAREZ HAS MADE. WE MET WITH HIM ON VARIOUS OCCASIONS TO DISCUSS THIS ISSUE. I CAN'T SEE MY WRITING. THE AFFORDABLE HOUSING ISSUE, I FEEL LIKE IN THE NEIGHBORHOOD WE'RE NOT PROFESSIONALS IN THIS AND WE FEEL LIKE THAT'S SOMETHING THAT THE COUNCIL AND THE DEVELOPERS NEED TO DISCUSS WHETHER IT'S A 10%, FIVE PERCENT, WHATEVER NUMBERS IT IS. BUT WE FEEL THAT THAT'S NOT AN ISSUE THAT WE AS NEIGHBORS OR AS LANDOWNERS WANT TO GET INTO BECAUSE WE WANT TO SELL OUR PROPERTIES. AND WHATEVER IS DEVELOPED THERE HOPEFULLY IT BRINGS THE BEST TO THE CITY OF AUSTIN. AND IF THERE'S SOMETHING TO DISCUSS, 10% OR FIVE% OF AFFORDABLE HOUSING, WE WOULD LIKE TO ALSO SEE IF THERE MIGHT BE A BUYOUT PROVISION IF THE DEVELOPER DISEEDZ TO BUY -- DECIDES TO BUY OUT THE PROPOSED ZONING -- PROPOSED AFFORDABLE HOUSING ISSUE. AGAIN, THANK YOU VERY MUCH, AND I HOPE THIS IS VOTED ON TONIGHT. WE'VE WAITED A LOT OF YEARS, AND THANK YOU AND GRACIAS.

Mayor Wynn: THANK YOU. LORI SNEDDON. I DON'T KNOW IF I'M MISPRONOUNCING THAT. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY JEFFREY ENDRON.

HI. I LIVE AT THE VILLAS ON TOWN LAKE, 80 RED RIVER. I'VE SPOKEN AT SEVERAL OTHER MEETINGS ON THIS SUBJECT. AND I HAVE -- WE HAVE A LOT OF CONCERNS. AS HE WANTS THE BEST ZONING FOR THE PROPERTY, THE PEOPLE THAT WANT TO CONTINUE LIVING IN THE NEIGHBORHOOD. I LIVE AT THE VILLAS AND MY MOTHER OWNS PROPERTIES AT THE

TOWERS AT TOWN LAKE. SHE'S 86 YEARS OLD. WE HAVE A LOT OF CONCERNS ABOUT HAVING THIS ZONING OPENED UP WITHOUT THERE BEING ANY RESTRICTIONS. IN THE MEETING IN NOVEMBER, OUR PROPERTY OWNERS WERE LED TO BELIEVE THAT IF THE ZONING WAS OPENED UP THAT THIS WOULD ALLOW A MASTER PLANNED COMMUNITY AND THEREFORE WE WOULD BE PROTECTED AGAINST AN ENTERTAINMENT DISTRICT OR AN INORDINATE DENSITY IN THE AREA. AND WHEN I READ THESE RULES I DON'T SEE THAT THERE'S ANY PROMISE OF A MASTER PLANNED COMMUNITY. IT JUST SEEMS THAT WE'RE GOING TO HAVE AN ENCOURAGEMENT OF EXCESSIVE TRAFFIC AND THERE'S NO PROTECTION AGAINST HAVING THE SIXTH STREET ENTERTAINMENT AND RESTAURANTS MOVING INTO OUR AREA. THE VALUE OF MY PROPERTY RESTS ON ITS ADJACENT SITE TO TOWN LAKE PARK. MY BALCONY LOOKS OVER THE PARK. AND I'M VERY CONCERNED THAT THIS COUNCIL IS NOT ENTHUSIASTIC ABOUT PROTECTING TOWN LAKE PARK AS A PARK. EVERYDAY I SEE THIS MILAGRA PROJECT WHERE A 12-STORY BUILDING IS AN ARM'S LENGTH FROM THE RUNNING TRAIL. AND I'M VERY DISTRESSED ABOUT ANY KIND OF OPEN-ENDED ZONING THAT ISN'T GOING TO HAVE A LOT OF RULES AND A LOT OF RESTRICTIONS THAT THE HEIGHT OF BUILDINGS, ABOUT THE TREES IN THE AREA I JUST DON'T SEE IN THE RULES THAT THERE'S BEEN A LOT OF ATTENTION TO THE DETAIL FOR THE PEOPLE STAYING IN THE AREA. THERE'S A LOT OF ATTENTION IN THE DETAIL FOR THE PEOPLE WHO WANT TO SELL THEIR PROPERTY AND MAKE A PROFIT, BUT I THINK THERE'S ANOTHER SIDE. AND I DON'T BELIEVE THAT THE PEOPLE THAT LIVE THERE UNDERSTAND WHAT'S REALLY HAPPENING. WHEN YOU SAY ALL THE RULES -- WHEN I TELL MY NEIGHBORS THAT THE DENSITY THAT YOU'RE SUGGESTING WOULD BE THE EQUIVALENT OF 10 PROJECTS THE SIZE OF THE TOWERS OF TOWN LAKE DOWN RAINEY STREET, THEY JUST LOOK AT ME AND SAY NO, THEY'RE NOT GOING TO DO THAT. BUT THAT'S WHAT THE DOCUMENTS SAY, THREE TO FIVE THOUSAND PEOPLE. THAT'S WHAT IT'S GOING TO BE. SO I JUST -- I'VE LIVED IN AUSTIN SINCE 1975, AND I'VE SEEN PEOPLE WORK FOR DECADES TO PRESERVE TOWN LAKE PARK AS A PARK AND TO KEEP THE HEIGHT OF THE BUILDINGS NEAR TO THE PARK LOW SO THAT WE CAN

SEE TREES WHEN WE'RE IN THE PARK. AND WHATEVER YOU'RE DOING IN RAINEY STREET, I PRESUME THAT YOU WOULD MAINTAIN -- [BUZZER SOUNDS] -- THE TOWN LAKE PARK AND KEEP THE TREES NEARBY SO WE COULD ACTUALLY SEE THEM INSTEAD OF JUST BUILDING A BUNCH OF HI-RISES. THANK YOU.

Mayor Wynn: THANK YOU. JEFFREY ENDRON. WELCOME, JEFFREY. YOU WILL BE FOLLOWED BY LARRY LAVOE.

THANK YOU VERY MUCH. I WANT TO ECHO WHAT MS. SNEDDON HAS SAID WITH RESPECT TO THE DENSITY POTENTIAL OF THESE DEVELOPMENTS. THERE'S A PROCESS WHICH HAPPENS IN FAST GROWING CITIES IN WHICH A GROUP PROPOSES, YOU KNOW, DEVELOPMENT CHANGES AND THE DEVELOPMENT CHANGES THEN LEAD TO HIGH DENSITY AND THE HIGH DENSITY LEADS TO PROBLEMS OF TRAFFIC AND CONGESTION. AND THEN IT'S UP TO THE CITIZENS OF THE CITY TO PAY FOR A SOLUTION TO THE PROBLEMS CREATED BY THE TRAFFIC AND CONGESTION. NOW, THIS PARTICULAR AREA HAS A VERY PARTICULAR PROBLEM WITH TRAFFIC AND CONGESTION. THERE ARE NO - - THERE'S LIMITED EGRESS FROM THIS AREA. THERE IS A LAKE IN THE WAY, SO YOU CAN'T GO SOUTH, YOU CAN'T GET OUT OF THE AREA. IF YOU HAVE 5,000 PEOPLE IN THERE, SOME DAY THE CITIZENS OF THE CITY OF AUSTIN ARE GOING TO HAVE TO PAY FOR THE ROADS TO GET THE PEOPLE IN AND OUT. THEY'RE GOING TO HAVE TO PAY FOR A SOLUTION FOR THE -- YOU KNOW, WHAT RIGHT NOW IS A TRAFFIC LIGHT AT THE CORNER OF CHAVEZ AND RED RIVER. I AM AFRAID -- AND SOMEONE'S GOING TO PAY FOR IT, AND IT'S NOT GOING TO BE THE PEOPLE THAT BUILD THE HI-RISES THERE. THEY'RE GOING TO BE ENTITLED TO A SOLUTION TO THE TRAFFIC PROBLEM. THEY WILL -- THEY WILL HAVE BUILT UNDER LEGAL RESTRICTIONS, WHICH YOUR COUNCIL HAS PERMITTED AND CREATED. AND THEN IT'S GOING TO BE -- IT'S GOING TO BE TIME FOR SOMEBODY TO SOLVE THEIR TRAFFIC PROBLEM. AND IT WILL BE SOLVED AND IT'S GOING TO BE VERY EXPENSIVE. IT'S GOING TO BE SIMILAR -- THE DIFFICULTY OF CREATING THE INTERCHANGES AND THE EXITS AND THE THROUGHWAYS FOR THE EXTRA THREE TO FIVE THOUSAND PEOPLE THAT LIVE IN THAT LITTLE AREA LIMITED BY I-35 ON ONE SIDE, LIMITED BY WALLER CREEK ON

ONE SIDE, LIMITED BY THE LAKE ON THE OTHER SIDE. THE PROBLEMS ARE GOING TO BE CONSIDERABLE. NOW, THAT LEAVES ASIDE THE POTENTIAL EXPENSE TO THE CITIZENS OF THE CITY OF AUSTIN CREATED BY CREATING THE WALLER CREEK AREA. I'VE BEEN TOLD THAT TO TURN WALLER CREEK INTO AN ATTRACTIVE AREA SIMILAR TO THE RIVER WALK WOULD REQUIRE A 70-MILLION-DOLLAR INVESTMENT JUST TO CARRY THE WATER AWAY DURING THE FLOODS. I MEAN, THE FACT IS WE WOULD BE ATTEMPTING TO BUILD A RIVER WALK UNDER A FLOODPLAIN. WELL, THAT IS WHY OF COURSE NO CITY COUNCIL IN THE HISTORY OF THE CITY HAS EVER ACTUALLY APPROVED IT. [BUZZER SOUNDS] AND SO IF YOU THINK ABOUT BOTH THE DENSITY IN THIS AREA AND THE POTENTIAL BEAUTY IN THIS AREA AND THE POTENTIAL EXPENSE OF SOLVING THE TRAFFIC PROBLEMS CREATED SUGGESTS TO ME THAT THE CITY COUNCIL OUGHT TO REQUEST, PLEASE, A CAREFUL TRAFFIC STUDY, A STUDY OF THE TRAFFIC SOLUTION FOR THIS AREA ONCE YOU'VE CREATED A DENSITY OF THREE TO FIVE THOUSAND PEOPLE BECAUSE IT'S ONLY GOING TO BE A MATTER OF, WHAT, 10 YEARS AT THE RATE THE CITY IS GROWING BEFORE THEY WILL TAKE ADVANTAGE OF THE ZONING THAT YOU CREATE. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. LARRY-- I NEVER CAN REMEMBER WHEN IT'S LAVOE OR LA VUE?

LA VUE.

Mayor Wynn: WELCOME. YOU HAVE THREE MINUTES.

GOOD EVENING, MAYOR AND COUNCIL. IN VIEW OF THE HOUR, I'LL BE MERCIFULLY BRIEF. I'M LARRY LA VUE, A VOICE FROM THE RAINY NEIGHBORHOOD. I RESIDE AT THE 58 UNIT VILLAS ON TOWN LAKE CONDOMINIUMS LOCATED NEAR THE HEART OF THE RAINY NEIGHBORHOOD. AND MY SPECIFIC ROLE IS REPRESENTING THE VILLA'S BOARD OF DIRECTORS AS CHAIRMAN OF THE PLANNING COMMITTEE. MY CENTRAL ISSUE TODAY IS OUR OPPORTUNITY AS A CITY TO EXPAND OUR CENTRAL BUSINESS DISTRICT IN THE ONLY DIRECTION AVAILABLE TO US, THERE BY INCREASING THE CITY'S TAX BASE AND SIMULTANEOUSLY GROWING UPWARD, NOT OUTWARD. THIS WOULD REDUCE THE

INFRASTRUCTURE DEMANDS CREATED BY URBAN SPRAWL AND ALSO ENABLE THE LONG-AWAITED WALLER CREEK BEAUTIFICATION BY PROVIDING A FUNDING BASE FOR THE WALLER CREEK TUNNEL. THIS IS ALL PUT TOGETHER A HUGE TASK WHICH WILL NOT BE EASY TO PULL OFF. TO ATTRACT THOUSANDS OF NEW RESIDENTS TO JOIN US IN LIVING DOWNTOWN WILL REQUIRE INNOVATIVE DEVELOPERS WILLING TO TAKE INVESTMENT RISKS IN A NEIGHBORHOOD AS YET UNTESTED AS A MAJOR RESIDENTIAL MARKET. SO MY PERSONAL VIEW IS THAT THIS CAN BEST BE ASSURED BY MAKING THE DEVELOPMENT PROCESS AS SIMPLE AND LOW RISK AS POSSIBLE. SOME DEVELOPMENT RESTRICTIONS MAY INDEED BE DESIRABLE, BUT LET'S ERR IN THE DIRECTION OF SIMPLICITY. AND I THINK I'LL CONCLUDE WITH THAT. THANK YOU.

Mayor Wynn: THANK YOU, LARRY. COUNCIL, THAT'S ALL OF THE CITIZENS WHO HAVE SIGNED UP WISHING TO SPEAK ON ITEM NUMBER 63, THIS POTENTIAL ORDINANCE CHANGE. COMMENTS, QUESTIONS? THAT'S ALL THE SPEAKERS, YES. COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, MAYOR. AND I BELIEVE THAT -- IN MY CONVERSATIONS WITH SOME OF THE PROPERTY OWNERS AND NEIGHBORHOOD REPRESENTATIVES, EVEN THOUGH WE THINK IT LACKS THE AFFORDABILITY REQUIREMENT FROM WHAT WE DID FOR UNO, I THINK WE DO ACKNOWLEDGE IT IS A DIFFERENT AREA THAN THE UNIVERSITY AREA WHERE YOU'LL HAVE PROBABLY A MUCH GREATER AMOUNT OF PROJECTS THAT ARE GOING TO BE BUILT, AND SO IN WHICH CASE THE FEE IN LIEU OF OBVIOUSLY WOULD GENERATE A LOT OF FUNDING TO HELP INVEST BACK INTO THAT AREA FOR HOUSING. AND SO -- AND BECAUSE OF THE TARGET THERE, I MEAN, 80% OF MEDIAN FAMILY INCOME -- BECAUSE THE STUDENTS ARE SORT OF THE TARGET, THAT'S OBVIOUSLY A LOT MORE EASILY ACHIEVABLE IN THAT AREA THAN IT IS IN THIS AREA WHERE I THINK WE'RE LOOKING AT TRYING TO PROMOTE MUCH HIGHER DENSITIES AND ACTUAL FOR SALE UNITS, CONDOMINIUMS. AND SO IT'S A DIFFERENT TYPE OF HOUSING. AND SO THE DIFFERENCE BETWEEN THE UNITS THAT MIGHT BE PRODUCED HERE AND THE 80% MFI UNIT IS GOING TO BE A LOT LARGER. AND SO FOR THAT REASON I THINK I FELT AFTER I DID -- RAN SOME NUMBERS

AND I THINK OTHER FOLKS RAN SOME NUMBERS FOR ME ALSO, YOU KNOW, I FEEL COMFORTABLE BRINGING THE AFFORDABILITY PERCENTAGE DOWN TO FIVE PERCENT INSTEAD OF 10 PERCENT. AND WHAT I -- THE RATIONALE THERE BEING THAT IF YOU HAVE A 100-UNIT COMPLEX BEING BUILT THAT WOULD REQUIRE FIVE PERCENT OF THE UNITS BE AFFORDABLE AND THEN OWE SO YOU HAVE KNIFE -- -- SO YOU HAVE 95 OTHER UNITS BECAUSE YOU'RE PROVIDING THAT FIVE UNITS AT AN AFFORDABLE RATE. AND SO JUST AS THE QUICK CALCULATIONS I DID SAID THAT YOU COULD -- BETWEEN 4 AND # THOUSAND WOULD BE THE AMOUNT THAT YOU WOULD INCREASE THE VALUE OF THOSE OTHER UNITS. IF WE'RE TALKING ABOUT A 100-UNIT PROJECT OR LARGER. AND SO I THINK THAT -- SO IF YOU'RE SELLING A UNIT FOR 260 INSTEAD OF 250, I THINK THAT'S NOT THAT BIG OF AN ISSUE IF WE CAN SECURE SOME AFFORDABLE UNITS, WHICH AGAIN, I DON'T THINK WE'VE REALLY ACCOMPLISHED MUCH IN THAT REGARD IN DOWNTOWN AS OF YET. AND SO -- BUT I FEEL STRONGLY THAT THAT WOULD BE A REQUIREMENT THAT WE SHOULDN'T DO A FEE IN LIEU OF BECAUSE I THINK THAT IS ACTUALLY A WORKING CLASS NEIGHBORHOOD AND THERE'S A LOT OF WORKING CLASS FAMILIES THERE AND HISTORICAL THROUGH IT HAS BEEN A WORKING CLASS FAMILY, SO THAT'S WHY I FEEL STRONGLY THAT WE SHOULD HAVE AN AFFORDABILITY COMPONENT, THAT WE SHOULD ALLOW FOLKS TO PAY A FEE IN LIEU OF BECAUSE THEN THAT'S EXACTLY WHAT THEY'RE GOING TO DO, THEY'RE GOING TO PAY 50, 60, 70,000 TO NOT PROVIDE AFFORDABLE HOUSING AND WE'RE -- WE'RE GOING TO BE LEFT WITH NO AFFORDABLE HOUSING THERE IN THAT NEIGHBORHOOD EVEN THOUGH HISTORICALLY THAT'S WHAT THIS HAS BEEN, IT'S BEEN A WORKING CLASS NEIGHBORHOOD. SO THAT'S REALLY WHY I FEEL STRONGLY THAT THERE SHOULD BE SOME SORT OF MANDATORY LEVEL OF AFFORDABILITY. IF THE DEVELOPER WANTS TO GET THAT CBD HEIGHT, THAT UNLIMITED HEIGHT, BECAUSE THAT IS BRINGING A LOT OF VALUE TO THEIR DEVELOPMENT, WHEREAS RIGHT NOW THEY WOULD BE LIMITED TO 35 TO 60 FEET DEPENDING ON THE CURRENT ZONING. AND SO IF THAT'S ACCEPTABLE TO COUNCILMEMBERS, WE CAN START LOOKING AT THE MOTION SHEET AND MAYBE WALKING THROUGH THAT. BUT THERE WILL BE A COUPLE OF CHANGES, SO I'LL JUST KIND

OF OPEN IT UP FOR SOME COMMENTS.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: AND COUNCILMEMBER, I WANT TO MAKE SURE I HAVE MY NOTES CORRECTLY. SO WOULD YOU BE AMENABLE SAYING THAT THE BUILDING HEIGHT WAS LIMITED TO 40 FEET UNLESS ALL THE AFFORDABILITY AND OTHER ITEMS WERE DONE AS WELL? DO 40 FEET --

Alvarez: INSTEAD OF 60?

McCracken: YEAH. TO MAKE SURE WE ACTUALLY GOT THAT BUILT.

SO YOU DON'T HAVE FOLKS BUILDING BELOW THE 60-FOOT -- 50 OR 60-FOOT STRUCTURE.

McCracken: RIGHT. I THINK WE COULD ENSURE WITH VIRTUAL CERTAINTY THAT WE WILL GET EVERYTHING THAT'S IN -- IN WHAT I THINK IS AN EXCELLENT PROPOSAL. I JUST WANT TO MAKE SURE THAT PEOPLE DON'T SNEAK IN UNDER 60 -- IF WE DID 40 I WOULD FEEL CONFIDENT THAT THEY WOULD ACTUALLY GO WITH THESE STANDARDS.

Alvarez: THAT'S FINE. I THINK WHAT WE'RE TRYING TO ENCOURAGE IS SOMETHING A LOT TALLER THAN 40 FEET. IF THAT HELPS US ACCOMPLISH THAT, I THINK THAT'S A GOOD CHANGE.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I APPRECIATE YOUR DROPPING THAT PERCENTAGE DOWN. I AGREE WITH YOU. I THINK IF YOU HAD -- IF WE HAD LEFT IT AT 10% WITH NO BUYOUT, I THINK THAT THAT WOULD BE IMPOSSIBLE TO DO AND WE WOULD BE STUCK WITH THE 40 TO 50 TO 60-FOOT DEVELOPMENT. SO I THINK DROPPING THAT DOWN IS A GOOD THING TO DO.

Mayor Wynn: WELL, SO I'LL ENTERTAIN SOMEBODY TAKING CONTROL OF THE MOTION SHEET AND WE'LL START MAKING CHANGES.

Alvarez: SO IF YOU HAVE THE MOTION SHEET, THE ONE THAT'S IN LANDSCAPE FORMAT. IT SAYS OPTION SUMMARY. AND SO WE'LL TAKE JUST THE FIRST ONE. I THINK WE CAN DO MOST OF THESE TOGETHER, BUT THE FIRST ONE MAY BE -- IT HAS A COUPLE OF CHANGES PER OUR DISCUSSION. SO ON THE FIRST MOTION I WOULD MOVE APPROVAL OF THESE AMENDMENTS TO THE ORDINANCE. IS IT AN AMENDMENT TO THE ORDINANCE OR IS IT AN ALTERNATIVE ORDINANCE. MAYBE I SHOULD GET CLARIFICATION ON THAT.

COUNCILMEMBER, LET ME HELP YOU OUT. WHAT YOU -- THE WAY WE WORK THE MOTION SHEET IS THAT BASICALLY WHAT YOU'RE DOING IS THIS IS A SUBSTITUTE FOR THE ORDINANCE ON THE TABLE, SO YOU REALLY AREN'T AMENDING THIS ORDINANCE, WHAT YOU'RE GOING TO GO THROUGH IS GO THROUGH AND ADOPT THESE A PIECE AT A TIME. SO IF YOU WANTED TO DO THE FIRST ITEM, YOUR MOTION WOULD BE TO ADOPT THE PROPOSED ORDINANCE LANGUAGE CONTAINED ON THE MOTION SHEET WITH THE CHANGE OF FOR RESIDENTIAL OR MIXED USE SUB ITEM 2, FOR RESIDENTIAL MIXED USE BUILDING, THE MAXIMUM BUILDING HEIGHT IS 40 FEET, AS I UNDERSTAND WHAT YOU'RE DOING. THIS LIMITATION DOES NOT APPLY TO AT LEAST FIVE PERCENT OF THE DWELLING UNITS ON THE SITE MUST BE AVAILABLE TO HOUSE PERSONS AND SO ON. AS I UNDERSTAND IT, THAT'S WHAT YOU'RE THINKING OF DOING.

Alvarez: THAT WOULD BE THE CHANGE. OKAY. SO I WOULD MAKE THIS AMENDMENT TO THE WATERFRONT OVERLAY, THAT'S WHAT WE'RE DOING, I GUESS. THAT'S A GOOD WAY TO --

YOU JUST ADOPT -- YOUR MOTION IS TO ADOPT THE PROPOSED ORDINANCE LANGUAGE CONTAINED ON THE RIGHT-HAND SIDE, WHICH IS PART ONE LANGUAGE WITH THE CHANGES THAT YOU'VE READ INTO THE RECORD.

Alvarez: OKAY. WELL, THAT BEING SAID, MAYOR, I'LL MOVE THAT WE ADOPT THE PROPOSED ORDINANCE LANGUAGE AS LISTED ON NUMBER 1 WITH THE CHANGES ON ON C -- PART 2 UNDER C, THAT THE MAXIMUM BUILDING HEIGHT WOULD BE LIMITED TO 40 FEET INSTEAD OF 60 FEET, AND THAT THE NEXT STATEMENT WOULD SAY THIS LIMITATION DOES NOT

APPLY TO AT LEAST FIVE PERCENT OF THE DWELLING UNITS ON THE SITE MUST BE AVAILABLE, ETCETERA, ETCETERA. SO THOSE WOULD BE THE CHANGES TO THIS -- TO THIS PROPOSED ORDINANCE LANGUAGE.

YES.

Mayor Wynn: SO A MOTION BY COUNCILMEMBER ALVAREZ AS OUTLINED, SECONDED BY COUNCILMEMBER MCCrackEN.

McCracken: MAYOR, A TECHNICAL QUESTION. THERE ARE SOME ITEMS IN ITEM 63 THAT ARE NOT ADDRESSED IN THESE OPTION SUMMARY SHEETS, THINGS LIKE A DRIVE-IN SERVICE IS PROHIBITED AND -- SOME OF THE BASIC RULES OF THE ROAD FOR THE DISTRICT. IT APPEARS THAT PERHAPS WHAT WE SHOULD BE DOING IS SAYING WE WILL ADOPT ITEM 63 AS AMENDED BY THE AMENDMENTS ON THIS OPTION SUMMARY SHEET, BUT I'M NOT POSITIVE. I DON'T WANT TO MISS OUT ON SOME OF THE REQUIREMENTS IN HERE, BUT THERE'S SOME IMPORTANT THINGS, LIKE PROHIBITING DRIVE-IN SERVICES, REQUIRING RESIDENTIAL BUILDINGS TO HAVE THEIR PRINCIPAL ENTRANCE FACING AND OPENING ON TO THE STREET.

COUNCILMEMBER, LET ME TRY AND HELP YOU. YOU'RE ABSOLUTELY RIGHT. SO IN LOOKING AT ITEM NUMBER 1, THIS PART 1 SECTION ON THE MOTION SHEET REPLACES THE PART 1 SECTION IN THE ORDINANCE, PART 1, C-1 AND 2. OKAY? SO SO FAR THAT'S ALL YOU'VE DONE. IF THE VOTE IS TO ADOPT THAT, WHAT YOU'RE DOING IS YOU WOULD SUBSTITUTE THE PART 1 ON THIS MOTION SHEET, PART 1, C 1 AND 2 FOR THE PART 1, C 1 AND 2 IN THE ORDINANCE.

McCracken: EXCEPT THAT C 1, C 2 DEALS WITH PARKING GARAGES, WHICH IS NOT ADDRESSED IN AMENDMENT 1. SO IT LOOKS LIKE IT WOULD BE SIMPLY TO SUBSTITUTE C 1.

WELL, WHAT YOU HAVE THEN AS FAR AS THE GARAGE IS CONCERNED, THE GARAGE IS LOCATED IN -- GEORGE, I WILL NEED YOUR HELP ON THIS. I BELIEVE THE GARAGE IS LOCATED FURTHER DOWN ON THE MOTION SHEET. IS THAT NOT CORRECT?

NO, THAT ISN'T CORRECT. THE MOTION SHEET -- THE MOTION SHEET ALSO INCLUDES ITEMS THAT ARE NOT ALREADY IN THE ORDINANCE.

ALL RIGHT. OKAY. SO WE DON'T WANT TO LOSE THE OTHER PIECES. HELP ME OUT, GEORGE.

I WAS JUST GOING TO SUGGEST THAT IF -- I UNDERSTAND THAT COUNCILMEMBER ALVAREZ IS PROPOSING TO INCLUDE C 1 AND 2 FROM THE MOTION SHEET, AND COUNCILMEMBER MCCrackEN I BELIEVE IS PROPOSING TO INCLUDE C 2 FROM THE DRAFT ORDINANCE. AND THEN WE WOULD NEED TO RENUMBER ACCORDINGLY.

OKAY. WE CAN DO THAT. ALL RIGHT. I'M WITH YOU NOW. SOMETIMES IT TAKES HELP.

Mayor Wynn: BUT IT SEEMS LIKE WHAT COUNCILMEMBER MCCrackEN IS SAYING IS THAT WE NEED TO START WITH THE ORDINANCE, OTHERWISE WE WILL LOSE THINGS THAT ARE IN THE ORDINANCE IF WE REPLACE ALL OF C 1 AND 2.

McCracken: RIGHT.

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: BEFORE WE GO DOWN THAT ROAD, MY INTENT IS TO REPLACE THIS ORDINANCE. AND LOSE ALL OF THESE THINGS BECAUSE THESE ARE ALL ADDITIONAL REQUIREMENTS THAT WERE NOT PART OF THE AGREEMENT THAT I MADE WITH PROPERTY OWNERS AND THE NEIGHBORHOOD LEADERS, AND THAT'S WHERE IT GOT CONFUSING AT PLANNING COMMISSION BECAUSE THEY TOOK SOME OF MY REQUIREMENTS FROM MY ALTERNATIVE AND THEY ADDED THEM TO COUNCILMEMBER MCCrackEN'S ALTERNATIVE, AND SO ACTUALLY WHAT PLANNING COMMISSION PASSED HAS A LOT MORE REQUIREMENTS THAN WHAT I'VE BEEN TALKING ABOUT IN TERMS OF GETTING THAT DENSITY BONUS. AND SO MY INTENT IS TO NOT ADOPT WITH THE PLANNING COMMISSION RECOMMENDATION BUT TO GO WITH JUST THE ITEMS ON THE MOTION SHEET.

McCracken: MAYOR?

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: I JUST WANT TO MAKE SURE. THERE APPEARS -- IT APPEARS THAT THERE ARE A VERY SMALL HANDFUL OF ITEMS THAT ARE NOT ADDRESSED IN THE OPTION SUMMARY THAT I DON'T THINK ARE CONTROVERSIAL, BUT IF WE DON'T KEEP THEM IN, THEN WE MISS OUT ON SOME IMPORTANT STUFF. FOR INSTANCE, I THINK IT'S IMPORTANT THAT WE PROHIBIT DRIVE-IN SERVICES IN THE RAINEY STREET DISTRICT. AND THAT'S NOT AS I READ THE OPTIONS, IT IS NOT ADDRESSED IN THERE. AND I DO THINK IT'S IMPORTANT THAT WE KEEP IN THE LANGUAGE THAT THE GROUND FLOOR DWELLING UNITS MUST HAVE THE PRINCIPAL ENTRANCE FACING AND OPENING ON TO THE STREET AND I THINK IT'S IMPORTANT THAT THE PARKING GARAGES, IF WE MAINTAIN THE REQUIREMENT THAT THEY HAVE FLAT FLOORS AND THAT ALLOWS FOR FUTURE REDEVELOPMENT OF THOSE PARKING GARAGES. AND I DON'T THINK THOSE ARE CONTROVERSIAL ITEMS, BUT PERHAPS IF THERE'S SOMEONE HERE WHO IS INVOLVED IN THE COMPROMISE, A COUNCILMEMBER WHO MIGHT TELL US THAT WOULD UNDO SOME POINTS, THAT WOULD BE GOOD TO KNOW.

Alvarez: AGAIN, I THINK THAT -- I'VE BEEN TRYING TO WORK WITH SOME OF THE AFFECTED STAKE STAKEHOLDERS HERE TO TRY TO ARRIVE AT SOMETHING THAT THEY'RE COMFORTABLE WITH AND I'M COMFORTABLE WITH. AND SO WHAT I'M PUTTING -- WHAT I'VE SAID I WOULD SUPPORT IS THIS AMENDMENT SHEET OR -- SO I PERSONALLY DON'T WANT TO OPEN THE DOOR UP TO ADDING MORE REQUIREMENTS BECAUSE WHAT I WAS TRYING TO DO IS ACTUALLY REDUCE THE AMOUNT OF REQUIREMENTS TO MAKE IT EASY FOR REDEVELOPMENT TO HAPPEN, NOT TO ADD ON MORE REQUIREMENTS THAT OBVIOUSLY I THINK ARE GOING TO MAYBE INCREASE THE COST OF WHAT GETS DEVELOPED. AND A LOT OF THE DESIGN TYPE ISSUES WOULD COME INTO PLAY UNDER MY PROPOSAL IN THE SECOND DENSITY BONUS PART, BUT THAT'S WHERE I TRIED TO ADDRESS THE DESIGN ISSUES IS IN THE SECOND TIER BECAUSE WHAT I HEARD FROM COUNCIL AND WHAT I HEARD FROM THE COMMUNITY WAS NO RESTRICTIONS AT ALL. AND

SO THAT'S WHY I WAS TRYING TO WHITTLE IT DOWN TO TWO OR THREE ISSUES, AND THAT'S, AGAIN, MY INTENT LAST TIME WHEN WE WENT FORWARD WITH MY PROPOSAL WAS JUST THREE OR FOUR REQUIREMENTS AND EVERYTHING ELSE IS OPTION OPTIONAL. AND SO NOW OBVIOUSLY THE PROPOSAL -- THE DISCUSSION I'M HEARING IS TO ADD EVEN MORE REQUIREMENTS. IT GOES AGAINST WHAT I WAS TRYING TO DO AND WHAT I HAD ACTUALLY HEARD THE COUNCIL SAY. BECAUSE THE COUNCIL HAD SAID STRAIGHT CBD WITH NO REQUIREMENTS, AND NOW IT SEEMS LIKE THE MESSAGE THAT I'M HEARING IS YOU'RE CHANGING. BUT OBVIOUSLY I WANT TO MOVE FORWARD WITH THE PROVISIONS THAT I'VE TRIED TO NEGOTIATE IN WORKING WITH ALL THE VARIOUS STAKEHOLDERS.

McCracken: MAYOR? COUNCILMEMBER, LIKE I SAID, I DON'T THINK THESE ARE CONTROVERSIAL, BUT LET ME TELL YOU WHAT MAY HAPPEN IF WE DON'T KEEP SOME OF THESE IN. IF WE DON'T KEEP IN, FOR INSTANCE, THE PROHIBITION ON DRIVE-IN SERVICES, WHAT WE COULD END UP WITH ARE PAD BANKS AND PAD FAST FOOTREST RAWNTS IN -- REST RESTAURANTS IN THERE. I DON'T THINK IT'S LIKELY, BUT IF THE REAL ESTATE MARKET TURNS SOFT, THERE WOULD BE NO PROHIBITION IN OUR ORDINANCE THAT WOULD STOP THAT. I THINK THAT EVERYBODY IN THIS ROOM IS IN SUPPORT THAT WE DON'T WANT DRIVE-THROUGH RESTAURANTS ON RAINEY STREET BUT UNLESS WE HAVE THE PROHIBITION ON DRIVE-IN THAT'S A POSSIBILITY. AND I DON'T THINK-- AND I DON'T THINK IT'S CONTROVERSIAL, BUT MAYBE SOMEONE WHO IS INVOLVED IN THE DISCUSSIONS COULD GET UP AND TELL US WHAT THEY --

Alvarez: MAYBE YOU COULD LIST OUT THE REQUIREMENTS YOU WANT TO ADD AND THEN WE CAN GET INPUT FROM FOLKS WHO ARE HERE THAT MAY HAVE A WORD OR TWO TO SAY ABOUT THAT. CAN YOU LIST OUT THE THINGS YOU WOULD LIKE TO ADD BACK IN?

McCracken: I'D LIKE TO MAKE SURE THAT WE KEEP IN THAT A USE FOR THE DRIVE-IN SERVICE IS PROHIBITED, NUMBER FIVE. AND ALSO THAT KEEPING THE REQUIREMENT THAT FOR A RESIDENTIAL BUILDING, THE GROUND FLOOR UNIT MUST HAVE ITS PRINCIPAL ENTRANCE FACING THE STREET

SO YOU INVOLVE THE PROBLEM LIKE THE GATED APARTMENT COMMUNITIES THAT I USED TO LIVE IN A NEIGHBORHOOD IN HOUSTON THAT HAD ALL THE CHARACTERISTICS OF RAINEY STREET AND THAT'S WHAT HAPPENED BECAUSE THERE WAS NO RULES AGAINST IT. SO I WOULD WANT TO KEEP IN NUMBER 4. AND THEN FINALLY, NUMBER 2 IS JUST THE FLAT FLOORS FOR A PARKING GARAGE. I THINK EVERYBODY WOULD PROBABLY DO THAT ANYWAY, BUT I'D LIKE TO KEEP IN NUMBER 2. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] I WANTED TO HEAR FROM THE FOLKS HERE ABOUT ADDING -- SO WE HAVE THE THINGS THAT WE WOULD BE ADDING WOULD BE PROHIBIT DRIVE-IN SERVICES, FOR RESIDENTIAL BUILDINGS, YOU KNOW, THE GROUND FLOOR DWELLING UNIT MUST HAVE ITS PRINCIPAL ENTRANCE FACING AND OPENING ON TO THE STREET AND THEN THE THIRD ONE WOULD BE FOR PARKING GARBAGE WITHIN 50 FEET AFTER PUBLIC STREET OTHER THAN AN ALLEY, EACH FLOOR MUST BE FLAT EXCEPT FOR ACCESS RAMPS BETWEEN FLOOR, THE MEMBERSHIP DISTANCE BETWEEN A FLOOR AND A STRUCTURAL PORTION OF THE CEILING IS 8 FEET. AND THE MINIMUM DISTANCE BETWEEN ADJACENT FLOORS IS 10 FEET. THOSE WOULD BE THE THREE PROVISIONS THAT WE WOULD ADD, MAKE MANDATORY, ANYBODY HERE WHO KIND OF HAS AN OPINION ON THAT CERTAINLY NOW WOULD BE THE TIME TO COME AND VOICE THAT.

MR. KNIGHT, WELCOME.

THANK YOU, I HAVE AN OPINION ON SOME OF THOSE ITEMS, THE DRIVE-IN PROHIBITION AGAINST DRIVE-IN FACILITIES I DON'T THINK IS A UPON FOR ANYBODY. OR AT LEAST I NEVER HEARD ANYBODY EXPRESS THAT, A CONCERN ABOUT THAT. THE -- I HAVE HEARD A FAIR AMOUNT OF CONCERN OVER THE FLAT FLOORS ON THE GARAGES BECAUSE THE LOT DEPTH ON SOME PORTIONS OF RAINEY STREET WILL MAKE IT DIFFICULT TO ACCESS FLOORS WITHOUT A -- WITHOUT A TYPICAL SPIRAL THING. I THINK THAT'S A -- THAT'S AN ARCHITECTURAL DECISION. I WOULD ASK THAT YOU POSTPONE THAT, IF YOU FEEL STRONGLY ABOUT IT, THAT YOU POSTPONE IT. I HAVE SEEN ONE STUDY THAT SHOWED THAT YOU COULD HAVE FLAT FLOORS IF YOU COULD PUT A RAMP SYSTEM IN THE ALLEY. UNFORTUNATELY, THE ALLEYS

ARE NOT OWNED BY THE ADJACENT PROPERTY OWNERS COMPLETELY. THERE'S -- THERE'S OWNERS ON BOTH SIDES OF THE ALLEYS AND YOU COULD -- I COULD FORESEE SOME SIGNIFICANT PROBLEMS TRYING TO GET EVERYBODY TO AGREE ON HOW THOSE MIGHT WORK. I HAVE NEVER PERSONALLY REALLY UNDERSTOOD THE CONCERN ABOUT HAVING GROUND FLOOR UNITS, RESIDENTIAL UNITS FACE ON TO THE STREET. I -- MAYBE I'M JUST MISSING THE POINT. BUT WHAT I SEE, I THINK WHAT THAT'S ADDRESSED TO IS TO TRY TO GET SOMETHING THAT LOOKS LIKE BROWN STONES, WHICH I THINK ARE A FINE IDEA. BUT I'M TRYING TO THINK OF A -- OF A RESIDENTIAL TOWER THAT MIGHT HAVE GROUND FLOOR UNITS AND I WOULD THINK THAT MOST OF PEOPLE FOR SECURITY PURPOSES OR WHATEVER WOULD WANT TO ENTER OFF OF A MAIN LOBBY AND I'M NOT SURE, MAYBE I'M MISSING THE POINT ON THAT. BUT I WOULD SUGGEST THAT THERE'S PROBABLY A WAY, THERE'S -- THERE'S NEVER BEEN SHY ABOUT AMENDING ORDINANCES BEFORE, IF THIS BECOMES AN ISSUE I THINK CERTAINLY WE CAN REVISIT IT, GET SOME OTHER OPINIONS FROM PEOPLE WHO WOULD KNOW MORE THAN US KIND OF GETTING [INDISCERNIBLE] FRANKLY, SO --

McCracken: ACTUALLY, I WOULD BE ON THE RESIDENTIAL ENTRANCE, I THINK IT WOULD BE TOTALLY FINE TO HAVE THAT AS ONE OF THE POINTS.

OKAY.

McCracken: AS OPPOSED TO MAKING THAT REQUIRED. LOOKING BACK AT THAT --

AGAIN, I THINK THAT WE HAVE ENVISIONED THIS PROCESS AS A TWO TIERED SORT OF A THING. WE WERE HOPING TO HAVE THE -- A VERY OLYMPIAN MALL SET OF REQUIREMENT TO GET YOU TO NORMAL PLAIN VANILLA CVD, AS YOU KNOW MANY DESIGN CRITERIA DISCUSSED IN WHAT MIGHT ULTIMATELY BECOME A BONUS OR INCENTIVE SITUATION. I THINK CLEARLY THERE'S PLENTY OF OPPORTUNITIES TO TALK ABOUT THOSE LATER IF THAT'S APPROPRIATE.

WELCOME.

THANK YOU, I WANTED TO REITERATE AGAIN THE COMMENT THAT I MADE PREVIOUSLY ABOUT THE FLAT PLATE ON THE GARAGES. SOME OF THESE PARCELS ARE SO SMALL THAT PHYSICALLY WE WOULDN'T BE ABLE TO DEAL WITH THAT. WE WOULD END UP HAVING TO CONTINUOUSLY RAMP THE GARAGE FOR THE FIRST TWO STORIES, TO BE ABLE TO RAMP OVER THE LOWER FLOORS.

MR. ALLEN, COULD YOU GIVE US --

MAYOR AND COUNCILMEMBERS, I'M JAMAIL ALLEN WITH THE TRAMMELL CROW COMPANY. SPEAKING SPECIFICALLY TO I THINK THE THREE POINT THAT WERE JUST BROUGHT UP, I SEE NO CONCERN OVER THE PROHIBITION ON DRIVE-INS. [INDISCERNIBLE] SUCCESSFUL IN THE RAINEY STREET AREA, I DON'T REALLY SEE THAT AS AN ISSUE, GROWN FLOOR DWELLING UNITS FACING THE STREET. AGAIN DON'T THINK IT'S -- DON'T THINK IT AN ISSUE. I THINK IT PROBABLY WISE URBAN PLANNING. FLAT FLOORS, FLOORS FOR PARKING GARAGES, I AM SYMPATHETIC TO THE GENTLEMAN WITH CALHOUN PROPERTY, THERE ARE VERY SMALL LOT IN THE RAINEY STREET AREA, CERTAINLY FOLKS ARE GOING TO TRY TO PUT TOGETHER NUMEROUS LOTS DOWN THERE, PRETTY HARD TO GAUGE AS TO WHETHER OR NOT PEOPLE WILL BE SUCCESSFUL. I THINK IT COULD PROVIDE SOME PRETTY SIGNIFICANT LIMITATIONS TO WHAT PEOPLE COULD DO IN TERMS OF PARKING GARAGES IF THEY ARE MANDATED TO HAVE FLAT FLOORS. I DON'T KNOW IF YOU WANT COMMENT ON ANY OF THE OTHER TOPICS THAT WE TALKED ABOUT SPECIFICALLY, LOW INCOME HOUSING, BUT I'M HAPPY TO ADDRESS THOSE IF YOU DO.

Alvarez: I WOULD RATHER NOT OPEN UP ANYTHING IF WE DON'T HAVE TO [LAUGHTER]

MAYOR?

Mayor Wynn: COUNCILMEMBER MCCRACKEN?

McCracken: COUNCILMEMBER, I WOULD ACTUALLY BE IN LIGHT OF THE COMMENTS I WOULD BE FINE MAKING ITEMS 2 AND 4 AS PART OF YOUR POINT MATRIX AND SIMPLY KEEPING THE PROHIBITION OF DRIVE-IN SERVICES, SO THAT

THEY PROVIDE EXTRA OPTIONS FOR POSITIVE POINTS, MAYBE FIVE POINTS OR SOMETHING LIKE THAT.

TWO AND FOUR [INDISCERNIBLE] POINTS AS OPPOSED TO REQUIREMENTS. MAYBE THIS I A WE FOR STAFF, BUT IS THAT PART OF DOWNTOWN DESIGN GUIDELINES, I KNOW ONE OF THE POINTS IN THE TIER 2 DENSITY BONUS IS DEALS WITH DOWNTOWN DESIGN GUIDELINES. I DIDN'T KNOW IF THAT COULD BE -- [MULTIPLE VOICES] ALREADY PART OF THAT.

THE PARKING GARAGE, THE FLAT FLOOR --

NO, I'M ASK YOU YOU ABOUT THAT NEXT. THIS C 4 UNDER THE PLANNING COMMISSION RECOMMENDATION, THAT DEALS WITH THE GROUND FLOOR DWELLING UNIT HAVING ITS PRINCIPAL ENTRANCE FACING AND OPENING ON TO THE STREET, IS THAT SOMETHING THAT WOULD -- THAT WOULD -- THAT'S ALREADY INCLUDED IN THE DOWNTOWN DESIGN GUIDELINES. SUCH THAT IT'S ALREADY INCORPORATED INTO THE MATRIX, WE ACTUALLY HAD TO FIGURE OUT HOW TO INCORPORATE.

NOT THAT I'M AWARE OF. THERE IS A REQUIREMENT -- ONE OF THE DOWNTOWN DESIGN GUIDELINES DOES SPEAK TO ACCENTUATING PRIMARY ENTRANCES ON BUILDINGS THROUGH SOME SORT OF ARCHITECTURAL MEANS. BUT I DON'T BELIEVE C 4 IN THE DRAFT ORDINANCE IS PART OF THE DESIGN GUIDELINES.

WELL, I THINK THIS IS WHAT COUNCILMEMBER MCCrackEN HAD SUGGESTED IS -- IS THAT WE MAKE EACH OF THESE A BONUS ITEM AND JUST -- JUST ADD AN ADDITIONAL FIVE POINT TO THE SCORE IF -- IF EITHER OF THESE ARE -- ARE INCORPORATED INTO THE DEVELOPMENT.

IF WE DO THAT, COMPLETELY FINE WITH EVERYTHING ELSE. SO WHAT WE WILL BE TALKING ABOUT WOULD BE ADDING THESE TWO TO -- LET ME REFER TO THE ACTUAL MOTION SHEET.

COUNCILMEMBER, A COUPLE OF FOLK JUST POINTED SOMETHING OUT TO ME, I SHOULD HAVE CAUGHT THIS. BUT

IN THE MOTION SHEET THERE ARE I BELIEVE THERE ARE --
THERE ALREADY IS A -- A REQUIREMENT FOR THAT, I'M
SORRY NOT A REFRESH MY MEMORY, I BELIEVE THAT
ALREADY IS UNDER THE -- THE OPTIONAL SECTION.

WHICH PART?

ON PAGE 3 OF THE MOTION SHEET, ROW 5 AND THEN IT'S -- C
2 LITTLE I SO IT'S AT THE -- AT THE BOTTOM OF THAT, THE
RIGHT-HAND COLUMN ON ROW 5.

I SEE, THAT PART IS ALREADY -- ON THERE. OKAY, SOS
THAT'S ALREADY PART OF THE SCORING SYSTEM. FROM AND
WHAT ABOUT THE PARKING GARAGE HAVING THE FLAT --
HAVING FLAT FLOORS; IS THAT -- I DON'T BELIEVE THAT ONE
IS IN THE MOTION SHEET.

YOU DON'T THINK THAT'S PART OF THE DOWNTOWN DESIGN
GUIDELINES FOR PARKING? THERE ARE SOME STANDARDS
ON PAGE 4 OF THE MOTION SHEET, ROW 7, RELATED TO
PARKING GARAGES, THOSE ARE OUT OF THE DOWNTOWN
DESIGN GUIDELINES, THEY READ DIFFERENTLY THAN THE
ONES THAT ARE IN THE DRAFT ORDINANCE.

SO MAYBE WE COULD ADD THAT PROVISION TO -- TO
MOTION 7.

YEAH, IF WE JUST SAID AFTER NUMBER TWO IF IT JUST SAID
AFTER PUBLIC VIEW, SEMI COLON AND WE IMPORTED THAT
PROVISION FROM ITEM 63'S LANGUAGE.

Alvarez: AND FOUR IS ALREADY INCORPORATED? THAT
MAKES SENSE TO ME, I DON'T KNOW IF LEGAL WOULD LIKE
TO COMMENT ON THAT.

I'M GETTING THERE. YOU ARE GOING TO ADD IN THE FLAT
FLOOR PROVISIONS UNDER E. IT GOING TO BE INSERTED
AFTER THE LITTLE DOUBLE I. SO THAT IT BECOMES A -- A
THREE AND THEN WE RENUMBER THE REST?

NO. IN FACT YOU WOULD KEEP NUMBER 3 AS A LITTLE SUB3
OR III, AS IS, LOCATED IN AND ABOVE GROUND STRUCTURE
AND SUBI, SUBPOENAED 2, AUTOMOBILES, SEMI COLON AND

THEN YOU ADD ON --

ADD THE REST.

McCracken: YEAH.

GOT IT. SO WE ARE ADDING IN THE TWO FROM THE ORDINANCE, THE C 2 IN THE ORDINANCE.

Alvarez: THAT'S WHAT WE WILL DO I GUESS WHEN WE GET TO THAT -- THAT MOTION. THE MOTION ON THE TABLE STILL MOTION 1 AS WE DESCRIBED, WE ARE GOING TO SEE ADD TO THAT -- WE ARE GOING TO ADD TO THAT I GUESS C 3, THAT SAYS THE USE WITH A -- WHERE THE DRIVE-IN SERVICE IS PROHIBITED.

THAT'S CORRECT. THAT WILL BECOME THE 3 UNDER -- UNDER THAT -- THAT WILL BE, WE WILL PICK THAT UP FROM THE ORDINANCE LANGUAGE. DRIVE-IN PROHIBITION.

THAT IS THE MOTION ON NUMBER 1.

THAT'S SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER SLUSHER HAVING RECUSED HIMSELF.

COUNCILMEMBER AND MAYOR, IF I CAN, NOW ON ITEM NO. 2, BECAUSE OF WHAT HAS BEEN DONE ON ITEM NO. 1, THE 60 IN ITEM 2 NOW WOULD NEED TO BE CHANGED TO 40.

MAYOR, THIS IS FOR ALL THREE READINGS.

THAT'S CORRECT. NO. THIS IS THE --

ALL THREE READING. CORRECT. AS WE GO ALONG, UNLESS I SAY OTHERWISE, I'VE GOT THE -- I'VE GOT THE LANGUAGE AND WE CAN DO IT. SO I WOULD MOVE THAT WE ADOPT PROPOSED ORDINANCE LANGUAGE LISTED AS NUMBER 2

WITH THE -- WITH THE -- WITH THE CHANGING THE 60 TO 40.

THERE IS ONE OTHER CHANGE AS WELL. THAT IS NOW 4.
PARENTHESES 4. BASICALLY I UNDERSTAND THAT WE
RENUMBER THROUGHOUT SO WE DON'T HAVE TO JUMP
THROUGH THOSE HOOPS.

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

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

Alvarez: THEN NOW WITH CAN HE DO 3 THROUGH 6 -- CAN WE
DO 3 THROUGH 6 ONE ACTION?

Mayor Wynn: I BET WE CAN.

McCracken: WITH CAN HE DO 3 THROUGH 12 IN ONE ACTION
WITH AN AMENDMENT TO ITEM 7.

Alvarez: I HAVE ONE OTHER CHANGE.

McCracken: OKAY. LET'S DO -- MARES I MOVE --

Alvarez: I MOVE, MAYOR, HAS WE ADOPT PROPOSED
ORDINANCE LANGUAGE FOR THE ITEMS LISTED AS 3, 4, 5
AND 6.

SECOND.

Mayor Wynn: MOTION BY COUNCILMEMBER, SECONDED BY
COUNCILMEMBER MCCRACKEN TO APPROVE AMENDMENTS
3, 4, 5 AND 6. FURTHER COMMENTS? ALL IN FAVOR.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

Alvarez: MAYOR I MOVE WE APPROVE THE POSTED

ORDINANCE LANGUAGE ON NUMBER 7 WITH ADDING
NUMBER 3 TO -- TO PART 3 OF THAT SECTION. E 3. THAT
INCORPORATE THE LANGUAGE DEALING WITH PARKING
GARAGES THAT WAS -- THAT WAS PART OF THE PLANNING
COMMISSION RECOMMENDATION. I CAN READ THAT INTO
THE RECORD IF YOU WANT.

Mayor Wynn: I THINK THE ATTORNEY HAS THAT.

WE HAVE IT.

Alvarez: OKAY. SO THAT LANGUAGE IN THE PLANNING
COMMISSION RECOMMENDATION LISTED AS C 2.

Mayor Wynn: YES. SECONDED BY COUNCILMEMBER
MCCRACKEN. FURTHER COMMENTS?

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

Alvarez: MAYOR I MOVE THAT WE ADOPT THE PROPOSED
ORDINANCE LANGUAGE LISTED UNDER 8, 9, 10 AND 11.

SECOND.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ,
SECONDED BY COUNCILMEMBER MCCRACKEN TO ADOPT
AMENDMENT LANGUAGE ITEMS NUMBER 8, 9, 10 AND 11.
FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR
PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

Alvarez: MAYOR, ON ITEM 12, I HAD -- THERE WAS A CONCERN
EXPRESSED ABOUT -- ABOUT THE LANGUAGE THAT SAYS
THAT FIRST SENTENCE LISTED AS J, THE DEVELOPMENT
QUALIFIES AS FIVE POINTS FOR EACH HISTORICALLY
SIGNIFICANT STRUCTURE THAT IS PRESERVED ON SITE OR
RELOCATED TO AN APPROPRIATE LOCATION. AND REALLY
THE INTENT BEHIND THAT WAS -- WAS THAT THEY BE

RELOCATED WITHIN THE RAINEY STREET SUBDISTRICT, JUST BECAUSE OF, YOU KNOW, THE CLUSTERING CONCEPT THAT I THINK HAD BEEN DISCUSSED. I MEAN OBVIOUSLY THE OWNERS CAN CHOOSE TO RELOCATE THEM ELSEWHERE, BUT THE IDEA BEHIND THIS WAS TO TRY TO PRESERVE SOME OF THOSE STRUCTURES WITHIN THAT NEIGHBORHOOD AND SO I WOULD MOVE THAT WE ADOPT THE PROPOSED ORDINANCE LANGUAGE LISTED UNDER 12 BUT CHANGE THE -- THE LANGUAGE AS FOLLOWS: IT SAYS THE DEVELOPMENTAL THIS AS FIVE POINT FOR EACH HISTORICALLY SIGNIFICANT STRUCTURE THAT IS PRESERVED ONSITE OR RELOCATED TO A SITE WITHIN THE RAINEY STREET SUBDISTRICT, COMMA, THE REST OF THE LANGUAGE WOULD BE MAINTAINED AS --

Mayor Wynn: MOTION AMENDED, ALTERED LANGUAGE AMENDMENT NUMBER 12 BUT COUNCILMEMBER, SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

McCracken: MAYOR, I WILL NOT BE OFFERING ITEM 13.

Mayor Wynn: I'M SORRY, YOU WILL NOT BE?

I WILL NOT BE.

Mayor Wynn: SO MS. TERRY, DO WE HAVE AN ORDINANCE?

WE HAVE AN ORDINANCE.

Mayor Wynn: ALL OF THOSE WERE ON ALL THREE READINGS. WE NOW HAVE A NEW ORDINANCE NUMBER 63.

Alvarez: OVERLAY. OVERLAY ORDINANCE, NOW WE HAVE THE ZONING --

Mayor Wynn: TAKES US BACK TO OUR POSTED ZONING CASES. 51 THROUGH 58. I DON'T KNOW IF GREG IS WITH, I THINK WITH THE LIMIT TO THE WATERFRONT OVERLAY WE

DON'T NEED TO TAKE ANY FURTHER ACTION, I MEAN MAKE ANY CHANGES TO THESE SPECIFIC ZONING CASES, BUT IF YOU COULD CLARIFY THAT, MR. GUERNSEY.

Guernsey: THE ZONINGS ITEM THAT WE HAVE, 51 THROUGH 58, THOSE ORDINANCES DO CREATE CDB ZONING IN THE PROPERTY AND GIVEN THE CHANGES THAT HAVE BEEN MADE TO THE WATERFRONT OVERLAY, THOSE PROJECTS WOULD BE SUBJECT TO THE WATERFRONT OVERLAY SINCE THEY ARE IN THE DISTRICT. SO THE ZONING ORDINANCE IS VERY SIMPLE. JUST ZONES THE PROPERTY CBD AND THE WATERFRONT OVERLAY AMENDMENTS THAT YOU HAVE APPROVED WOULD AFFECT ALL OF THEM. SO --

Alvarez: ALL WE NEED TO DO IS APPROVE THEM ON SECOND AND THIRD READINGS.

Guernsey: THAT'S CORRECT. WE HEARD FROM ONE PROPERTY OWNER THAT CAME FORWARD EARLIER AND SPOKE TO I THINK IT WAS TRACT G. IT WAS ITEM 57, THEIR PROPERTY IS CURRENTLY ZONE DMU CURE OR DMUCO. DOWNTOWN MIXED USE WITH A CONDITIONAL OVERLAY. THEY HAD ASKED THAT THEIR PROPERTY BE ZONED CBD. SO WITH THE DIRECTION OF THE CITY COUNCIL FOR THE PROPERTY THAT'S CURRENTLY ZONED DMU-CO, ON THE MOST SOUTHERN END OF THESE PROPERTIES, THAT WOULD BE -- THIS TRACT LOCATED RIGHT HERE. BY DIRECTING US, STAFF, TO GO FORWARD AND REZONE THAT AND WE WILL DO OUR BEST ABILITY TO GET THAT TO COUNCIL TO BRING THAT BACK TO YOU FOR CDB ZONING SO IT WOULD BE SIMILAR TO THE OTHER PROPERTIES THAT YOU WILL BE ZONING CDB ZONING IN SECOND AND THIRD READING THIS EVENING. I HAVE SPOKEN TO THE ARCHITECT, CONSTRUCTION PERSON AND THE I GUESS THE OPERATOR OF THE FACILITY, WE ARE GOING TO HAVE A MEETING WITH THEM NEXT WEEK. IF YOU GO THROUGH DIRECT US TO ACCELERATE THAT PROCESS THE BEST WE CAN.

Alvarez: THAT SEEM THE APPROPRIATE THING JUST TO BE CONSISTENT IN TERMS OF HOW WE ARE TREATING ALL OF THE PROPERTIES. DO WE ACTUALLY NEED A MOTION OR IS THAT JUST KIND OF AN INTENT?

Guernsey: IT WOULD ALSO BE RESPECTING THE AGREEMENTS THAT HAVE ALREADY BEEN MADE ON THE OTHER DMUCO PIECES AND THE CDB CURE PIECES. IT WOULD NOT BE CHANGING THOSE. THIS WOULD -- THIS WOULD BE THE THE ONLY ONE THAT WE WOULD BRING BACK. SO IF YOU WOULD LIKE, COUNCIL, I CAN READ ITEMS 51 -- THROUGH 58 INTO THE RECORD RIGHT NOW. THEN YOU CAN GO TO THEM NOW ON THE SECOND AND THIRD READINGS OR IF YOU SIMPLY SAVE THE POSTED ITEMS --

Mayor Wynn: I THINK WE CAN TAKE A COMBINED MOTION OF ALL POSTED ITEMS 51 THROUGH 58. WITH DIRECTION ON ITEM 57 WITH STAFF.

DMU-CO PIECE. THAT'S TRACT G.

Alvarez: I MOVE APPROVAL MAYOR.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ, COMBINED MOTION. SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS?

I JUST WANT TO SAY SOMETHING.

Mayor Wynn: COUNCILMEMBER MCCRACKEN?

McCracken: I WANT TO CONGRATULATE OUR COLLEAGUE, COUNCILMEMBER ALVAREZ, BECAUSE THERE'S A LOT OF PEOPLE THAT DESERVE CONGRATULATIONS BUT AMONG US THE CITY COUNCIL, RAUL HAS BEEN HOSTING NEIGHBORHOOD MEETINGS, WORKING ON THIS FOR A COUPLE OF YEARS. IN THE INTERIM, HE'S BEEN MEETING WITH ALL OF THE PROPERTY OWNERS AND THE RESIDENTS AND DOING A LOT OF WORK AND WHAT YOU HAVE SEEN TONIGHT IS SOMETHING THAT PROBABLY CAME TOGETHER A LOT EASIER, SMOOTHER THAN PEOPLE EXPECTED, ALL BECAUSE OF RAUL ALVAREZ, THAT'S A GOOD PIECE OF WORK, MAN, CONGRATULATIONS. [APPLAUSE]

Alvarez: THANK YOU, COUNCILMEMBER.

Mayor Wynn: AGREED, WELL DONE, GENTLEMEN. MOTION AND SECOND ON THE TABLE TO APPROVE THE COMBINED

MOTION. ALL IN FAVOR.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER SLUSHER HAVING RECUSED HIMSELF ON ALL OF THESE VOTES. THANK YOU VERY MUCH. MS. BROWN, IS THAT IT? THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL, WE STAND ADJOURNED, THANK YOU VERY MUCH.

End of Council Session Closed Caption Log