

## Closed Caption Log, Council Meeting, 08/18/05

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Mayor Wynn: GOOD MORNING, THANK YOU ALL VERY MUCH, I'M AUSTIN MAYOR WILL WYNN, IT'S MY ARRIVAL TO WELCOME THE REVEREND DR. JIMMY COBB A MINISTER AT THE UNIVERSITY CHRISTIAN CHURCH. HE WILL LEAD US IN OUR INVOCATION, PLEASE RISE.

GOOD MORNING. GOD, WE THANK YOU FOR THIS DAY. FOR THE POSSIBILITIES WHICH IT HOLDS. WE GAVE THANKS FOR THIS COUNCIL, THE TIME AND COMMITMENT WHICH THEY INVEST AND THE BENEFIT OF THIS COMMUNITY. WE ARE ALSO THANKFUL FOR ALL OF THE EMPLOYEES OF THIS CITY WHO SERVE US IN SO MANY WAYS. WE ARE GREATFUL FOR THE NATURAL RESOURCES AND THE PEOPLE RESOURCES OF AUSTIN. THIS MORNING WE PRAY THAT WISDOM WILL BE EVIDENT IN DISCUSSIONS AND DECISIONS MADE IN THIS ROOM. MAY THE GOOD OF ALL PERSONS BE FOREMOST. THOSE WHO LIVE SOUTH OF THE RIVER AND THOSE WHO LIVE NORTH; THOSE WHO LIVE WEST OF THE INTERSTATE AND THOSE WHO LIVE EAST; THOSE WHO LIVE IN LUXURIOUS HOMES AND IN NO HOMES AT ALL, MAY WE BECOME A COMMUNITY WHICH IS REFLECTIVE OF YOUR COMPASSION AND GRACE. AMEN.

Mayor Wynn: THANK YOU, REVEREND COBB. THERE BEING A QUORUM PRESENT AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, THURSDAY, AUGUST 18th, 2005. WE ARE IN THE CITY COUNCIL CHAMBERS IN THE CITY HALL BUILDING, 301 WEST SECOND STREET.

APPROXIMATELY 10:15 IN THE MORNING. I WOULD LIKE TO TAKE ONE POINT OF PRIVILEGE AND WELCOME TO THE CHAMBER OF HAMBERS FORMER MAYOR KIRK WATSON. GOOD TO SEE. COUNCIL, WE HAVE A NUMBER OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. I WILL GO THROUGH THESE AS QUICKLY AS I CAN. ON ITEM NO. 21, PLEASE NOTE THIS IS REGARDING A CONSTRUCTION CONTRACT. PLEASE NOTE IT'S BEEN POSTPONED ONE WEEK TO AUGUST 25th, 2005. ITEM NO. 43 REGARDING THE SOUTH AUSTIN TENNIS CENTER, NOTE THAT COUNCILMEMBER MCCracken IS AN ADDITIONAL CO-SPONSOR. ON ITEM NO. 46 REGARDING THE HISTORIC ZONING TASK FORCE, NOTE THAT THE MAYOR IS ALSO AN ADDITIONAL CO-SPONSOR. AND ON ITEM NO. 48 REGARDING EMINENT DOMAIN POWER, NOTE THAT COUNCILMEMBER LEFFINGWELL IS AN ADDITIONAL CO-SPONSOR. OUR TIME CERTAIN ITEMS, ARE ITEMS THAT WON'T BE TAKEN UP BEFORE THE STATED TIME, AT NOON WE WILL BREAK FOR OUR GENERAL CITIZENS COMMUNICATIONS; AT 2:00 WE HAVE OUR BRIEFING, WHICH IS POSTED AS ITEM NO. 59, WHICH THIS WEEK WILL BE THE -- THE CITY MANAGER'S PROPOSED '05-'06 BUDGET AND SPECIFICALLY THE PRESENTATIONS WILL BE OUR PUBLIC SAFETY DEPARTMENTS, POLICE, FIRE, E.M.S. AND OUR MUNICIPAL COURT, THAT BRIEFING SHOULD OCCUR APPROXIMATELY 2:00 P.M. AT 4:00 WE BREAK FOR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. THEY ARE POSTED THIS WEEK AS ITEMS 60 THROUGH 64 AND PUBLIC HEARING ZONING CASES Z-1 THROUGH Z-9. WE WILL NOTE NOW THAT STAFF IS REQUESTING THE FOLLOWING POSTPONEMENTS. CASE NUMBER 61, ITEM 61, WHICH IS THE JELSON COMMERCIAL DEVELOPMENT, STAFF IS REQUESTING A ONE WEEK POSTPONEMENT TO AUGUST 25th, 2005. ON ZONING CASE Z-5, KNOWN AS THE MANOR COMMERCIAL PIECE, STAFF IS REQUESTING POSTPONEMENT TO SEPTEMBER 29th, 2005. AND ITEM Z-6, KNOWN AS SELA 2 AT 10933 NORTH IH 35, STAFF IS REQUESTING A POSTPONEMENT TO SEPTEMBER 29th, 2005. TECHNICALLY WE CAN'T TAKE UP THE VOTE TO POSTPONE THOSE UNTIL THE 4:00 POSTED TIME CERTAIN, BUT IT'S RARE THAT STAFF, THAT COUNCIL WON'T GRANT A STAFF REQUEST FOR A POSTPONEMENT. 5:30, WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS AND AT 6:00 WE HAVE

PUBLIC HEARINGS AND POSSIBLE ACTION, ACTUALLY ONLY ONE POSTED PUBLIC HEARING TONIGHT, ITEM NO. 65. SO BEFORE I GO THROUGH THE CONSENT AGENDA, WE HAVE A NUMBER OF ITEMS THAT HAVE BEEN PULLED OFF THE CONSENT AGENDA, THAT IS WE WILL TAKE UP LATER IN THIS -- FOR DISCUSSION, ITEM NO. 7, RELATED TO OUR CULTURAL ARTS FUNDING PROGRAM, PULLED BY COUNCILMEMBER ALVAREZ; ITEM NO. 8 REGARDING ECONOMIC INCENTIVES FOR SAMSUNG SEMICONDUCTOR IS PULLED BY MAYOR PRO TEM DANNY THOMAS; ITEM NO. 10, RELATED TO A RIGHT-OF-WAY LICENSE AGREEMENT IS PULLED BY COUNCILMEMBER ALVAREZ, AS IS ITEM NO. 14, WHICH IS AN INTERLOCAL WITH TRAVIS COUNTY REGARDING CENTRAL BOOKING AND REPRESENTED JAIL SERVICES. ITEM 17, THE CONSTRUCTION CONTRACT WITH CASH CONSTRUCTION LIMITED, PULLED BY COUNCILMEMBER ALVAREZ, AS IS ITEM 18, WHICH IS A -- RELATED, ANOTHER CONSTRUCTION CONTRACT WITH CASH CONSTRUCTION, ITEM 35 IS REGARDING A -- REGARDING A CONTRACT WITH TEXAS BUILDING AND PROCUREMENT COMMISSION, THE TBPC, PULLED BY COUNCILMEMBER KIM, ITEM NO. 36, WE WILL ADD TO THE CONSENT AGENDA AS A ONE-WEEK POSTPONEMENT. THIS IS OUR -- BILLBOARD ORDINANCE, TO BE POSTPONED ONE WEEK TO AUGUST 25th, 2005. ITEM NO. 43, REGARDING THE SOUTH AUSTIN TENNIS CENTER, IS PULLED BY MYSELF AND COUNCILMEMBER ALVAREZ. ITEM 46 REGARDING THE HISTORIC ZONING TASK FORCE, ALSO PULLED BY COUNCILMEMBER ALVAREZ. ITEM 48, REGARDING EMINENT DOMAIN POWERS, PULLED BY MYSELF AND COUNCILMEMBER ALVAREZ. AND ITEM 49, RELATED TO THE GREEN WATER TREATMENT PLANT, AGAIN PULLED BY MYSELF AND COUNCILMEMBER ALVAREZ. SO, COUNCIL, ANY ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA OR TO BE ADDED BACK? COUNCILMEMBER MCCRACKEN?

McCracken: MAYOR, ON ITEM 37, ON THE BILLBOARDS, THERE'S BEEN A REQUEST TO POSTPONE IS FOR TWO MEETINGS, WHICH I BELIEVE ACTUALLY WOULD BE THREE WEEKS. COUNCILMEMBER DUNKERLY?

Dunkerly: I THOUGHT WE WERE GOING TO POSTPONE IT FOR JUST ONE WEEK? WAS IT ONE OR TWO WEEKS THAT --

EXCUSE ME? COUNCILMEMBER LEFFINGWELL?

Mayor Wynn: COUNCILMEMBER LEFFINGWELL?

WAS YOUR REQUEST TO POSTPONE THE BILLBOARDS FOR ONE WEEK FOR SECOND READING?

I SUGGESTED ONE WEEK.

IF THAT'S SATISFACTORY I WOULD --

COUNCILMEMBER MCCRACKEN?

McCracken: MAYOR, MS. MEADE, HIS AGENTS OF ONE OF THE AFFECTED PARTIES IS GOING TO BE GONE NEXT WEEK ON VACATION AND ASKED FOR AN ADDITIONAL MEETING AFTER THAT.

Dunkerly: THAT'S FINE.

Leffingwell: THAT'S FINE.

Mayor Wynn: MS. BROWN WE WILL SHOW ITEM NO. 37 BEING POSTPONED TO SEPTEMBER 1st, 2005. FURTHER COMMENTS REGARDING ITEMS TO BE PULLED? COUNCILMEMBER MCCRACKEN?

McCracken: I BELIEVE THE ADDENDUM ON THE WALLGREEN'S CONTRACT. IT'S ON CONSENT, BUT IF IT'S ALL RIGHT WITH COUNCIL FOR FOLKS TO SPEAK BUT KEEP IT ON CONSENT, THAT'S FINE, TOO.

MS. BROWN, I'M TRYING TO PULL UP MY CITIZENS SIGNUP AND I DON'T SEE THE ADDENDUM AS LISTED. COUNCILMEMBER, I -- ITEM 65? 66? THERE'S ONLY ONE CITIZEN SIGNED UP TO SPEAK, SO I WOULD SUGGEST THAT WE KEEP IT ON THE CONSENT AGENDA AND JUST --

THAT'S FINE.

Mayor Wynn: THANK YOU. FURTHER ITEMS TO BE PULLED, COUNCIL, OR ADDED BACK? IF NOT, THEN I WILL READ THROUGH THE CONSENT AGENDA NUMERICALLY. THEN

THESE ARE THE ITEMS THAT WILL BE APPROVED UNANIMOUSLY WITH THE SINGLE NOTE. THE CONSENT AGENDA WILL BE ITEMS 1, 2, 3, 4, 5,, 6, 9, 11, 12, 13, 15, 16, 19, 20, 21 FOR POSTPONEMENT TO AUGUST 25th, 2005, PER CHANGES AND CORRECTIONS, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, TO BE POSTPONED TO SEPTEMBER 1st, 2005, 38, 39, 40, WHICH ARE OUR APPOINTMENTS TO OUR BOARDS AND COMMISSIONS THAT I WILL READ INTO THE RECORD NOW. TO OUR ANIMAL ADVISORY COMMISSION, KARL ADAMS IS COUNCILMEMBER DUNKERLY'S REAPPOINTMENT. CAROL ADAMS. TO OUR BUILDING AND FIRE CODE BOARD OF APPEALS, ALLAN SCHUMAN IS A CONSENSUS REAPPOINTMENT. TO OUR CHILD CARE COUNCIL, SANDRA BRILEY, A TRAVIS COUNTY REPRESENTATIVE IS A CONSENSUS REAPPOINTMENT. TO OUR DOWNTOWN COMMISSION, JOE MORENO, JUNIOR, A HISPANIC CHAMBER REPRESENTATIVE IS A CONSENSUS APPOINTMENT. TO OUR ELECTRIC BOARD, PEGGY SIMPSON IS COUNCILMEMBER DUNKERLY'S APPOINTMENT. TO THE ENVIRONMENTAL BOARD, JOHN GOODNICK IS THE BARTON SPRINGS EDWARD'S AQUIFER CONSERVATION DISTRICT REPRESENTATIVE, IS A CONSENSUS APPOINTMENT. TO OUR PLANNING COMMISSION, GARY STEGGEMAN IS COUNCILMEMBER KIM'S APPOINTMENT. TO OUR SOLID WASTE COMMISSION, C.C. WALKER IS A CONSENSUS APPOINTMENT. TO OUR URBAN FORESTRY BOARD, NEVVICK DONALLY IS A CONSENSUS REAPPOINTMENT. TO OUR URBAN TRANSPORTATION COMMISSION, SCOTT WILLIAMS IS COUNCILMEMBER LEFFINGWELL'S APPOINTMENT. THOSE ARE THE BOARD AND COMMISSION APPOINTMENTS, ITEM NO. 40 ON THE CONSENT AGENDA. CONTINUING ON, ITEM 41, 42, 44, 45, 47, 50, 51, 59, -- WELL, LET'S -- I'M SORRY, 58, BUT IN FACT I THINK 58 IS PROBABLY RELATED TO AN EXECUTIVE SESSION, SO 58 WILL NOT BE ON THE CONSENT AGENDA, NOR WILL 59, AND ITEM 66, OUR ADDENDUM. I'M SORRY, I WILL ENTERTAIN A MOTION --, MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? COUNCILMEMBER KIM?

KIM: ABOUT THE ITEM NO. 41 FOR NEW SUBCOMMITTEES, WE ARE STILL WORKING ON THE DETAILS FOR EMERGING

TECHNOLOGIES AND TELECOM SUBCOMMITTEE.

Mayor Wynn: CORRECT.

Kim: RIGHT.

Mayor Wynn: RIGHT. SORRY, MS. BROWN PLEASE PULL ITEM NO. 41 OFF OF THE CONSENT AGENDA.

Mayor Wynn: THANK YOU. COUNCILMEMBER ALVAREZ AND LEFFINGWELL, IS THAT GOOD WITH YOU? THANK YOU. COMMENTS ON THE CONSENT AGENDA, COUNCILMEMBER MCCRACKEN?

MAYOR, FIRST I HAVE A REQUEST, ALSO, FOR THE ITEM THAT THE MAYOR AND COUNCILMEMBER LEFFINGWELL AND I ARE PROPOSING RELATED TO -- TO PROHIBITING THE CITY OF AUSTIN OR ANY OF ITS SUBDIVISIONS FROM USING THE -- EMINENT DOMAIN POWERS TO TAKE PEOPLE'S PRIVATE PROPERTY. I'M NOT SATISFIED WITH THE LANGUAGE THAT'S BEEN PRESENTED TO US AND SO I'M ASKING THAT IT BE PULLED DOWN IN THE PROPOSED LANGUAGE AS SAID THAT THE CITY SHOULD NOT USE ITS EMINENT DOMAIN POWERS. TO ME THAT DOESN'T MEAN MUCH. I THINK THE INTENT IS THAT THE CITY WOULD PROHIBIT ITSELF FROM USING EMINENT DOMAIN TO TAKE PEOPLE'S PRIVATE PROPERTY FOR ECONOMIC DEVELOPMENT. SO I THINK WE NEED ANOTHER WEEK TO WORK ON THE LANGUAGE. I'M ASKING THAT IT BE POSTPONED FOR A WEEK. MARES

Mayor Wynn: TECHNICALLY IT'S PUT OFF THE CONSENT AGENDA. BUT WE WILL PUT 48 BACK ON THE CONSENT AGENDA, BUT FOR POSTPONEMENT FOR ONE WEEK AUGUST 25th, 2005.

Leffingwell: THAT'S OKAY WITH ME, MAYOR.

Mayor Wynn: THANK YOU.

McCracken: I HAVE A FRIENDLY AMENDMENT, THAT I WOULD LIKE TO ADD TO ITEM 66. WHICH RELATES TO THE CONTRACT WITH WALLGREEN'S. I'LL GIVE THE AMENDMENT THEAND I CAN EXPLAIN IT. I KNOW THAT WE HAVE A SPEAKER AS

WELL. WHAT I'M OFFERING IS A -- AS A FRIENDLY AMENDMENT IS ON ITEM 66 AFTER THE WORDS NOT TO EXCEED 14,343,054 ADD THE FOLLOWING. TO AMEND THE LANGUAGE THAT THE WALLGREEN'S HEALTH INITIATIVE CONTRACT IN SECTION B, 2.1, PARAGRAPH 8.2. C EFFECTIVE SEPTEMBER 1st 2005 TO ADD THE FOLLOWING: CONTRACTOR AGREES THAT SUBJECT TO THE FOREGOING ALL APPLICABLE LAW, THE NETWORK PHARMACY WILL NOT REFUSE TO FILL A PRESCRIPTION DUE TO A PHARMACIST'S PERSONAL BELIEF REGARDING THE MEDICATION OR THE USE OF THE MEDICATION. IN THE EVENT THAT MAN INDIVIDUAL PHARMACIST DECLINES TO FILL A PRESCRIPTION BASED ON PERSONAL BELIEF RATHER THAN PROFESSIONAL JUDGMENT, THE PHARMACY MANAGER WILL TAKE NECESSARY STEPS TO HAVE THE PRESCRIPTION FILLED IN STORE WITHOUT DISCRIMINATION OR DELAY IN THE NORMAL TIME FRAME FOR FILLING PRESCRIPTIONS THAT ARE IN STOCK. THAT COMPLETES THE AMENDMENT. MY UNDERSTANDING IS THAT WALLGREEN'S HAS AGREED TO THIS LANGUAGE. AND THIS AMENDMENT WAS -- WAS PREPARED BY STAFF BASED ON THE NEGOTIATIONS STAFF AND WALLGREEN'S HAVE HAD OVER THE LAST TWO WEEKS.

Mayor Wynn: PERHAPS IF -- -- A BRIEF STAFF CONFIRMATION OF THE NEW LANGUAGE.

I'M VICKI SCHUBERT, DEPUTY CHIEF FINANCIAL OFFICER, THAT IS THE LANGUAGE THAT WALGREEN'S AGREED TO WITH STAFF.

Mayor Wynn: OKAY. SO THEN COUNCILMEMBERS ALVAREZ AND LEFFINGWELL WOULD YOU CONSIDER THAT FRIENDLY AMENDMENT?

YES.

Mayor Wynn: WITHOUT OBJECTION, WHILE WE ARE AT THIS, TWO FOLKS SIGNED UP WISHING TO SPEAK REGARDING ITEM NO. 66. AT THIS TIME IF DANIEL TIRNEY IS AVAILABLE. WELCOME, EITHER PODIUM, THREE MINUTES. FOLLOWED BY SARAH WHEAT.

GOOD MORNING, MAYOR WYNN AND MEMBERS OF THE CITY

COUNCIL, I'M DANIELLE TIRNEY, DIRECTOR OF PUBLIC AFFAIRS FOR PLANNED PARENTHOOD. THANKS FOR THE OPPORTUNITY TO SPEAK IN TERMS OF THIS FRIENDLY AMENDMENT. PHARMACIST REFUSAL INCIDENTS HAVE BEEN REPORTED IN NEARLY EVERY STATE ACROSS THE COUNTRY. IT'S A DISTURBING TREND THAT REQUIRES ACTION ON THE PART OF ELECTED OFFICIALS NOT ONLY TO HONOR THAT DOCTOR-PATIENT RELATIONSHIP, BUT ALSO SAFEGUARD OUR FUNDAMENTAL RIGHTS ... 46 STATES HAVE EXISTING REFUSAL STATUTES WRITTEN INTO THEIR LEGISLATION, FEDERAL LEGS LEGISLATION IS BEING PROPOSED AS WELL. PROTECT A PATIENT'S RIGHT TO PRESCRIBED CONTRACEPTIVES, FOR EXAMPLE, ADDITIONALLY IN 2005 FOUR ADDITIONAL STATES INTRODUCED BILLS THAT WOULD PROVIDE THIS PROTECTION. HOWEVER, WE KNOW OF NO CITY THAT AMENDMENTED TO DO WHAT YOU ARE DOING TODAY WITH THIS AMENDMENT. TO MY KNOWLEDGE, AUSTIN WILL BE THE FIRST TO TAKE THIS BOLD PRACTICE STEP TO ENSURE THAT PATIENTS SERVED BY OUR COMMUNITY'S HEALTH CARE SYSTEM ARE GUARANTEED FAIR AND EQUAL ACCESS TO THEIR PRESCRIPTIONS WITHOUT DELAY OR DISCRIMINATION. FOR A VARIETY OF REASONS, WE THINK THIS KIND OF ACTION IS NECESSARY AT THE LOCAL LEVEL. THIS IS A STATEMENT THAT REFLECTS THE VALUE OF OUR COMMUNITIES. WE THINK IT'S IMPORTANT TO ENSURE THAT PHARMACY WHO RECEIVE GOVERNMENT FUNDING DO NOT DISCRIMINATE AGAINST WOMEN OR PATIENTS WHO USE COMMUNITY HEALTH CENTERS. WHAT WE HAVE FOUND IN OUR WORK ON THIS TOPIC, TALKING TO ALL KINDS OF PHARMACIES NOT JUST WALGREENS, WE HAVE FOUND THAT SOMETIMES LOCAL PHARMACIES MAY NOT EVEN KNOW WHAT THEIR CORPORATE POLICIES MUCH LESS FOLLOW CONSISTENTLY AND RELIABLY WITH THE CUSTOMERS. YOU ARE SENDING A POWERFUL AND POSITIVE MESSAGE TO THE PEOPLE OF OUR COMMUNITY. YOU HAVE ALSO COMMUNICATED THAT DOING BUSINESS WITH THE CITY OF AUSTIN MEANS NO DELAYS, NO LECTURES, NO HASSLES. IT'S AN IMPORTANT PRECEDENT AND CREATING A POSITIVE EXAM LE FOR OTHER COMMUNITIES TO FOLLOW. THANKS SO MUCH FOR YOUR HARD WORK TO ENSURE ACCESS TO



AFFORDABLE HEALTH CARE FOR ALL CENTRAL TEXANS.

THANK YOU, MS. TIRNEY. SARAH WHEAT? WELCOME, YOU WILL HAVE THREE MINUTES.

GOOD MORNING, MAYOR WYNN AND COUNCILMEMBERS. THANK YOU FOR LETTING ME MAKE A BRIEF STATEMENT ON BEHALF OF THE FRIENDLY AMENDMENT THAT'S BEING OFFERED TODAY. I'M REPRESENTING [INDISCERNIBLE] A STATE-WIDE NON-PROFIT ADVOCACY ORGANIZATION THAT PROTECTS TEXAS FAMILIES' ACCESS TO REPRODUCTIVE HEALTH CARE. I WANT TO ECHO THE COMMENTS IN THANKING YOU FOR YOUR LEADERSHIP ON THIS ISSUE. AS MANY OF YOU ARE AWARE, A NUMBER OF INCIDENTS POPPING UP ACROSS TEXAS AND ACROSS THE U.S. WHERE WOMEN HAVE BEEN UNABLE TO ACCESS IMPORTANT AND BASIC HEALTH CARE PRESCRIPTIONS AND YOUR STEPS TODAY I THINK SEND AN IMPORTANT MESSAGE ON BEHALF OF AUSTIN FAMILIES AND I WANT TO MENTION, TOO, WHEN THESE INCIDENTS BEGAN TO POP UP LAST YEAR AROUND TEXAS, WE DID A -- A SURVEY TO FIND OUT HOW TEXANS FELT ABOUT THIS. WE ASKED THEM, DO YOU -- DO YOU DISTRICT ATTORNEY OR DISAGREE THAT PHARMACISTS SHOULD BE ABLE TO OVERRIDE A PHYSICIAN'S ORDER AND REFUSE TO FILL A PRESCRIPTION BECAUSE OF THEIR PERSONAL VIEWS. 80% OF THE -- OF THE TEXANS ASKED THAT QUESTION DISAGREED THAT PHARMACISTS SHOULD BE ABLE TO REFUSE TO FILL PRESCRIPTIONS FOR PERSONAL REASON. I THINK THE FRIENDLY LANGUAGE THAT YOU HAVE WORKED OUT TODAY IS A GREAT REFLECTION OF THE VALUES THAT THIS COMMUNITY SUPPORTS AND WE JUST WANT TO COMMEND YOUR LEADERSHIP FOR TAKING THIS STEP. THANK YOU.

Mayor Wynn: THANK YOU, MS. WHEAT. COUNCIL, FOR THE RECORD, A HANDFUL OF FOLKS SIGNING UP NOT WISHING TO SPEAK ALSO IN FAVOR OF THIS ADDENDUM ITEM. SONYA SANTANA, ME LINDA BOLTON, KASI YA LIGHTNER, REBECCA, ALSO NICOLE NOT WISHING TO SPEAK BUT IN OPPOSITION. ITEM NO. 66. FURTHER COMMENTS ON THE CONSENT AGENDA, COUNCIL? WE HAVE A -- AN AMENDED MOTION AND SECOND TO APPROVE THE CONSENT AGENDA AS AMENDED.

COUNCILMEMBER ALVAREZ?

THANK YOU, MAYOR. I DID WANT TO -- JUST OFFER AS A FRIENDLY, I GUESS, TO MY -- ON MY MOTION TO POSTPONE ITEMS 17 AND 18. I JUST RECEIVED SOME INFORMATION TODAY REGARDING THOSE ITEMS, I JUST NEED A LITTLE MORE TIME TO REVIEW THAT INFORMATION AND JUST BRING THOSE ITEMS BACK ON -- ON AUGUST 25th, OUR NEXT MEETING. JUST ONE WEEK POSTPONEMENT ON ITEMS 17 AND 18.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL WOULD YOU SECOND THAT?

Leffingwell: YES.

Mayor Wynn: MS. BROWN, ITEMS 17 AND 18 AS BEING POSTPONED FOR ONE WEEK, AUGUST 25th 2005 AS PART OF THIS MOTION. FURTHER COMMENTS, COUNCILMEMBER MCCrackEN?

McCracken: FIRST A COUPLE OF QUESTIONS FOR STAFF ON THE FRIENDLY AMENDMENT TO ITEM NO. 66.

SHE'S BRINGING IN REINFORCEMENTS.

I KNOW WHAT THE LANGUAGE SAYS, BUT THE PEOPLE WHO DID ALL OF THE NEGOTIATING ARE BEHIND ME. SO --

THANKS.

FIRST, THE QUESTION IS WHAT KIND OF PATIENT SATISFACTION OR QUALITY ASSURANCE PROGRAMS ARE IN PLACE TO MONITOR OUR CAN TORT BALL GREENS -- OUR CONTRACT TO WALGREEN'S TO MAKE SURE THIS POLICY IS BEING COMPLIED WITH ONCE IT'S ADOPTED.

THE SURVEY, WHAT WE CAN DO IS ASK THEM TO INCLUDE SOME QUESTIONS SPECIFICALLY REGARDING THIS.

I THINK THAT WOULD BE VERY HELPFUL. THEN THE DOES THE CITY PUBLISH ANY WRITTEN INFORMATION REGARDING PHARMACY SERVICES EITHER IN PRINT OR ONLINE? IF SO

CAN WE ADD THE INSTRUCTIONS ABOUT WHAT THIS POLICY IS ON THOSE ONLINE AND WRITTEN PRINTED INSTRUCTIONS?

FOR OUR ENROLLEES, BOTH OURSELF PAY AS FAR AS OUR [INDISCERNIBLE], WE GET A HANDBOOK, WE CAN INCLUDE THAT IN THE HANDBOOK, WE ALSO HAVE A HANDBOOK THAT WE CAN INCLUDE THE INFORMATION ON.

I THINK THAT WOULD BE HELPFUL, TOO, TO MAKE SURE THAT PEOPLE KNOW WHAT THEIR RIGHTS ARE UNDER THIS CONTRACT, UNDER THIS TAXPAYER FUNDED CONTRACT. THEN SOMEONE FROM WALGREEN'S HERE?

NO, SIR, NO ONE IS HERE FROM WALGREEN'S.

I HAVE A COUPLE OF QUESTIONS FOR WALGREEN'S. I WILL FORWARD THEM TO YOU SO WE CAN GET IN ANSWERS. I WANT TO MAKE SURE THAT -- I REALLY DO APPRECIATE THAT WALGREEN'S IS DOING THE RIGHT THING ON THIS. I JUST WANT TO MAKE SURE THAT THE WORD FILTERS DOWN TO ALL OF THE STORES. AS WE ALL KNOW HERE IN THE CITY, YOU HAVE GOT TO COMMUNITY TO THE FOLKS WHO IMPLEMENT IT. IT WOULD BE -- IT WOULD BE -- I WOULD LIKE SOME CLARIFICATION OF WHAT WALGREEN'S CORPORATE POLICY IS, AND THE SECOND IS SOME CLARIFICATION OF HOW THE INDIVIDUAL PHARMACIST AT LOCAL WALGREENS WILL BE NOTIFIED OF THE REQUIREMENT IN THIS CONTRACT AND -- AND INCLUDING WILL -- WILL THE PHARMACIST BE PROVIDED WITH CLEAR INSTRUCTIONS AND INFORMATION ABOUT THEIR OBLIGATIONS AND WILL MANAGERS BE INFORMED OF THEIR OBLIGATIONS TO FULFILL THE TERMS OF THIS CONTRACT.

COUNCILMEMBER MCCracken IN NEGOTIATING THE LANGUAGE WITH WALGREEN'S, THEIR SENIOR ATTORNEY DID TALK TO ALL OF THE SUPERVISING PHARMACISTS FOR THE STORES HERE IN AUSTIN, THE ONES THAT PROVIDE SUPPORT UNDER OUR CONTRACT. SO THEY ARE AWARE OF THE LANGUAGE. THEY AGREED TO THE LANGUAGE AND WALGREENS IS WORKING OUT ALL OF THE DAY TO DAY PROCESSES THAT NEED TO BE ISMMENTED AS A PART OF ISMMENTING THIS NEW LANGUAGE. SO THEY ARE AWARE OF

IT.

THANKS A LOT. I APPRECIATE YOU ALL'S GREAT WORK ON THIS. JUST -- JUST A BRIEF COMMENT ON THIS, MAYOR. COUNCILMEMBER KIM AND COUNCILMEMBER LEFFINGWELL AND I HAVE OFFERED THIS TO ADDRESS THE SITUATION THAT WE HAVE DISCOVERED, ALL OF US DISCOVERED GOING AROUND THE COUNTRY. IT KIND OF GETS TO THIS. IMAGINE IF YOU ARE TAKING YOUR KID TO THE PHARMACY AND THE PHARMACIST SAID, NO, I DON'T BELIEVE IN RITALIN OUT, TAKES THE PRESCRIPTION, SOMEONE BEING TREATED FOR DEPRESSION, THEY SAY WELL I'M SORRY I DON'T BELIEVE THAT PROZAC IS SOMETHING THAT SHOULD BE PRESCRIBED OR IF A 17-YEAR-OLD GIRL IS GOING IN AND IN FRONT OF EVERYBODY THERE AND SAID WELL I'M SORRY I DON'T BELIEVE IN BIRTH CONTROL, THEY TAKE THE PRESCRIPTION, REFUSE TO GIVE IT BACK, YOU KNOW, AT THE MOMENT YOU HAVE GOT THE PHARMACIST AS KIND OF A MOMENT OF A LITTLE VULNERABILITY FOR ALL OF US. AND WHAT WE DISCOVERED IS THAT TO COMPOUND THE SITUATION WE HAVE PHARMACISTS ENGAGING IN POLITICALLY MOTIVATED CONDUCT, SNATCHING AWAY PRESCRIPTIONS, REFUSING TO FILL THEM, MAKING WOMEN GO TO DIFFERENT PHARMACIES AND -- AND IT'S JUST REALLY AN UNACCEPTABLE SITUATION THAT -- THAT IT REALLY -- THERE'S -- IF IT -- PHARMACISTS CAN ENGAGE IN POLITICALLY MOTIVATED CONDUCT TO INTERFERE IN THE DOCTOR-PATIENT RELATIONSHIP WITH BIRTH CONTROL, THEY CAN DO IT WITH ANY OTHER KIND OF MEDICINE. EVERYBODY IS A RISK ON THIS. SO -- SO WE HAVE ALSO LEARNED FROM US IN REPORTING FROM K-EYE NEWS LAST WEEK, THIS HAS ACTUALLY BEEN HAPPENING IN THE METRO AREA, AT LEAST IN GEORGETOWN. SO THIS IS AN ISSUE THAT WE KNOW THAT WE ARE FACING IN THIS METRO AREA, NOT JUST IN THE DALLAS/FORT WORTH AREA WHERE PHARMACISTS ARE ENGAGED IN POLITICALLY MOTIVATED CONDUCT TO INTERFERE WITH THE DOCTOR-PATIENT RELATIONSHIP. I'M VERY PROUD THAT AUSTIN IS THE FIRST CITY IN THE NATION TO PROTECT OUR TAXPAYERS, TO PROTECT PATIENTS, TO PROTECT CONSTITUTIONAL RIGHTS AND TO PROTECT FOLKS FROM POLITICAL INTERFERENCE IN THE DOCTOR-PATIENT RELATIONSHIP. I APPRECIATE MY

COLLEAGUES CO-SPONSORING THIS FOR ME.

COUNCILMEMBER MCCRACKEN AS ONE ADDED NOTE, IF I MAY, WALGREENS ASKED FOR THE EFFECTIVE DATE TO BE THE FIRST OF SEPTEMBER TO ALLOW THEM TIME TO FILTER THE WORD DOWN TO ALL OF THE PHARMACISTS TO MAKE SURE THAT THERE WAS COMPLIANCE AT THE LOCAL LEVEL.

Mayor Wynn: THANK YOU. COUNCILMEMBER LEFFINGWELL?

Leffingwell: I THINK THAT COUNCILMEMBER MCCRACKEN RAISES SOME EXCELLENT POINTS. IT'S ONE THING TO PASS THE ORDINANCE AND ESTABLISH THE POLICY. BUT I ALSO THINK THAT IT'S VERY IMPORTANT TO FOLLOW UP ON THIS. I THINK WE NEED TO CLOSELY MONITOR WHAT'S GOING ON, ESPECIALLY DURING THE INITIAL MONTHS AND I -- I GUESS THAT I WOULD LIKE TO INFORMALLY AT THIS POINT REQUEST SOME KIND OF FOLLOW-UP REPORT FROM STAFF, SAY IN SIX MONTHS OR SOMETHING LIKE THAT, TO SEE HOW THE POLICY IS BEING CARRIED OUT. THANK YOU.

FURTHER -- WE HAVE A MOTION AND A SECOND ON AN AMENDED CONSENT AGENDA. FURTHER COMMENTS? I WOULD LIKE TO POINT OUT ITEM NO. 44 IS AN ITEM THAT WE HAVE WORKED TO AMEND, I APPRECIATE THE WORK FROM COUNCILMEMBER ALVAREZ IN HIS OFFICE, OUR CITY CODE RELATED TO LIVESTOCK ENCLOSURES. THERE'S BEEN SOME ISSUES LATELY. I WILL SAY THAT GENERALLY SPEAK, CODE COMPLIANCE IS A SIGNIFICANT CITIZEN CONCERN AND IN FACT PROBABLY OUR MOST FREQUENT CITIZEN COMPLAINT IS ON THE BROAD ISSUE OF CODE COMPLIANCE. OFTENTIMES IT'S ABOUT ABANDONED CARS, OVERGROWN LOTS, ABANDONED HOMES. WE HAD A SITUATION WITH -- WITH LIVESTOCK RECENTLY, THIS ALLOWS US -- A DEFINITIONAL ISSUE OF WHAT MOST FOLKS WOULD THINK OF A PET VERSUS LIVESTOCK. I BEFORE I THAT UP -- I BRING THAT UP BECAUSE A COUPLE OF CITIZENS SIGNED UP WISHING TO SPEAK ON THIS CONSENT ITEM, NUMBER 44. I WOULD LIKE TO CALL ON CONNIE SHOEMATE, AND JOEL MUNOZ. IS CONNIE SHOEMATE HERE? IF NOT, HOW ABOUT JOEL MUNOZ. WELCOME, YOU WILL HAVE THREE MINUTES.

MY DAUGHTER STEPPED OUT FOR A WHILE. I DON'T KNOW

WHERE SHE WENT. BUT I WOULD LIKE TO -- I'M THE OWNER OF NICK THE GOAT. HE'S GETTING A LOT OF SUPPORT. I WOULD LIKE TO THANK THE COUNCIL, I WOULD LIKE TO THANK THE PUBLIC FOR SUPPORTING NICK. HE'S BEEN THERE QUITE A WHILE. I HAD -- A FIRST GOAT, HE -- I KEPT HIM FOR FIVE YEARS. AND HE -- UNFORTUNATELY HE PASSED AWAY. I WAITED ANOTHER YEAR AND GOT ME A SECOND GOAT. THIS GOAT I HAVE FOR THREE YEARS. AND I'M AMAZED AT HOW MANY PEOPLE RESPONDED TO THE ARTICLE IN THE PAPER THAT HE MIGHT BE TAKEN AWAY. IT'S NOT JUST FOR ME, IT'S FOR THE PUBLIC. IT BRINGS SMILES TO PEOPLE'S FACES A LOT. THEY PASS BY ON SUNDAY MORNING, SLOW DOWN, POINT AT THE GOAT. IT'S SOMETHING THAT JUST HAPPENED. I HAD A GOAT WHEN I WAS NINE YEARS OLD AND THAT'S WHERE I'M COMING FROM. I -- I JUST PUT A GOAT THERE, A LONG TIME AGO, AND IT JUST -- IT JUST CAME TO BE ABOUT -- ABOUT WHERE THERE'S SO MANY PEOPLE THAT LOVED THE GOAT. MY DAUGHTER IS A BETTER SPEAKER THAN I AM, BUT SHE -- I -- I CANNOT SEE HER. I WOULD JUST LIKE TO THANK THE CITY COUNCIL. FOR BRINGING THIS UP, THANK YOU.

THANK YOU, MR. MUNOZ. NICK IS A GOOD GOAT. [LAUGHTER] IN FACT, NICK AND THE DEARLY DEPARTED DOPEY THE GOAT WILL BE FEATURED IN A PLAY THAT WILL BE SHOWING AT THE ZACH SCOTT THEATER PREMIERING SATURDAY, OCTOBER 1st, CALLED KEEPING IT WEIRD. AND I HAPPEN TO BE IN THE PLAY AS WELL, SO I'M LOOKING FORWARD TO SITTING WITH NICK AT THE WORLD PREMIER. THANK YOU, MR. MEAN MUNOZ. A LOT OF PEOPLE CHIMED IN ON THIS ISSUE. WE ARE TAKING CODE COMPLIANCE SERIOUSLY, IN THIS YEAR'S BUDGET, WE RECOGNIZE THE DIFFERENCE BETWEEN PETS AND -- AND LIVESTOCK. COUNCILMEMBER ALVAREZ?

Alvarez: THANK YOU, MAYOR. I THINK THAT YOU SUMMED IT UP WELL AND I THINK WE'VE -- WE'VE HEARD FROM A LOT OF FOLKS ABOUT THIS PARTICULAR SITUATION. FROM A POLICY POINT OF VIEW, WHAT WE ARE ACTUALLY DOING HERE IS -- IS REALLY KIND OF STAYING WITHIN THE PARAMETERS OF THE EXISTING ORDINANCE. THERE'S ACTUALLY A PROVISION IN THERE THAT SAYS MINIATURE LIVESTOCK ARE PERMITTED. ONE OF THE CRITERIA IS THAT THEY WEIGH

LESS THAN 200 POUNDS, THERE'S A VERY SPECIFIC PROVISION FOR MINIATURE LIVESTOCK. WE ARE SAYING YOU CAN HAVE ONE OF ANY PARTICULAR TYPE OF LIVESTOCK AS LONG AS THEY ARE LESS THAN 200 POUNDS AND NOT CREATING A NUISANCE IN TERMS OF NOISE AND IN TERMS OF -- OF SANITARY CONDITIONS. ET CETERA. IT'S ACTUALLY A PRETTY MINOR CHANGE TO THE ORDINANCE, BUT A LOT OF TIMES YOU -- THESE KIND OF THINGS COME UP WHERE JUST BECAUSE OF THE WAY SOMETHING IS WORDED IT CREATES A SITUATION YOU KNOW FOR US, BUT -- BUT REALLY I JUST WANT TO -- TO THANK THE MAYOR, COUNCILMEMBER LEFFINGWELL FOR CO-SPONSORING THE - - THEIR SUPPORT, ALLOWING US TO TAKE A LITTLE BIT OF TIME TO ADDRESS THIS ISSUE. THANK YOU, MAYOR.

Leffingwell: AS THE CO-SPONSOR, I THINK THAT I SHOULD WEIGH IN AND SAY GOATS HAVE ALWAYS BEEN ONE OF MY FAVORITE ANIMALS, THAT'S MY REASON FOR THIS. REMIND ME. I HAVE AN EXCELLENT GOAT JOKE THAT I WILL SHARE WITH YOU LATER TONIGHT. [LAUGHTER]

Mayor Wynn: IN CLOSED SESSION PERHAPS, COUNCILMEMBER. [LAUGHTER] AGAIN, WE HAVE A MOTION AND A SECOND FOR AN AMENDED CONSENT AGENDA. 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. COUNCIL, WITHOUT OBJECTION, WE HAVE A NUMBER OF FOLKS HERE REGARDING ITEM NO. 8, WHICH WAS ONE OF OUR FIRST PULLED ITEMS. SO -- SO WITH THAT LET'S TAKE UP ITEM NO. 8 REGARDING ECONOMIC DEVELOPMENT AGREEMENT AND RECOGNIZE ASSISTANT CITY MANAGER LAURA HUFFMAN.

THANK YOU, MAYOR, MAYOR PRO TEM AND CITY COUNCIL MEMBERS THE ITEM BEFORE YOU TODAY IS THE PROPOSED INCENTIVE PACKAGE FOR SAMSUNG AUSTIN SEMICONDUCTOR. WHAT I WOULD LIKE TO DO IS PROVIDE A LITTLE BIT OF CONTEXT FOR THE PACKAGE BEFORE YOU

TODAY AND DESCRIBE TO YOU HOW WE CAN TO THE DECISION TO MAKE THIS RECOMMENDATION. AS YOU KNOW, CITIES ALL OVER THE COUNTRY ARE COMING OUT OF AN ECONOMIC DOWNTURN. IT'S A DOWNTURN THAT WE EXPERIENCED HERE IN AUSTIN. AND THEY ARE TURNING TO TRADITIONAL ECONOMIC DEVELOPMENT EFFORTS, GROWING EXISTING BUSINESSES AND ATTRACTING NEW BUSINESSES, TO HELP STIMULATE THEIR ECONOMIES AND REGAIN JOBS THAT WERE LOST DURING THE DOWNTURN.

Mayor Wynn: I'M SORRY, MS. HUFFMAN, FOLKS, PLEASE TAKE YOUR CONVERSATIONS OUT IN THE -- OUT FOR N THE FOYER, I WOULD APPRECIATE YOU ALL LETTING US MOVE ON WITH OUR DISCUSSION ITEMS. THANK YOU.

MAYOR, WHAT WE KNOW IS THAT THE COMPETITION FOR JOBS IN OUR COUNTRY IS STIFFER THAN IT USED TO BE. AND PRIMARILY FOR TWO REASONS. AMERICAN CITIES ARE NOT JUST COMPETING AGAINST EACH OTHER ANYMORE IN ECONOMIC DEVELOPMENT. EVERY DAY WE READ IN THE NIEWRP ABOUT JOBS THAT ARE GOING OVERSEAS. THE COMPETITION IS TRULY GLOBAL. IN ADDITION TO THAT, NATIONALLY OUR RECOVERY HAS BEEN MODEST, IN FACT OUR BUDGET THEME FOR THIS YEAR WAS THAT WE HAD A POSITIVE BUT MODEST RECOVERY HERE IN AUSTIN. SO FOR THESE TWO REASONS, BECAUSE THE COMPETITION IS GLOBAL AND BECAUSE WE ARE COMPETING FOR FEWER PROJECTS, CITIES ARE HAVING TO WORK HARDER. I THINK THAT AUSTIN HAS DISTINGUISHED ITSELF IN MANY WAYS IN THIS REGARD. GIVEN THE CHALLENGES THAT WE FACE TO REGAIN LOST JOBS AND TO GROW OUR ECONOMY, AUSTIN BEGAN WORKING YEARS AGO TO POSITION ITSELF FOR A DAY LIKE TODAY. IN THE MIDST OF THE DOWNTURN, THIS CITY COUNCIL COMPLETELY REFOCUSED AND REPOSITIONED ITSELF WITH REGARD TO ECONOMIC DEVELOPMENT. WE MADE SURE THAT WE THOUGHT ABOUT WHERE WE WANTED TO BE WHEN THE ECONOMY BEGAN MOVING FORWARD AGAIN. WE ARE NOW COMMITTED TO BALANCING BETWEEN DEVELOPING SMALL BUSINESSES, THE BACKBONE OF OUR ECONOMY, PROMOTING CULTURAL ARTS, THE HEART OF OUR COMMUNITY AND INVESTING IN TRADITIONAL BUSINESS RECIEWRMENTS AND EXPANSION. ALL DURING THE DOWNTURN, OPPORTUNITY AUSTIN WAS



CREATED. OPPORTUNITY AUSTIN CREATED WHAT THEY CALLED A ROAD MAP FOR RECOVERY AND ESTABLISHED VERY SPECIFIC GOALS OF CREATING 72,000 NEW JOBS WITH AN ASSOCIATED PAYROLL OF \$2.9 BILLION IN A FIVE YEAR PERIOD. AND THE NUMBER ONE STRATEGY TO ACHIEVE THIS GOAL WAS TO CAPITALIZE ON OUR EXISTING STRENGTHS BY GROWING OUR LOCAL SEMICONDUCTOR BUSINESSES, HEADQUARTER OPERATIONS AND SOFTWARE BUSINESSES. MAYOR AND COUNCIL, TODAY WE HAVE AN OPPORTUNITY TO INVEST IN THIS STRATEGY. HERE ARE THE FACTS: SAMSUNG IS CONSIDERING A \$3.5 BILLION PROJECT, THAT PROJECT IS A 300-MILLIMETER FAB FACILITY AND WILL INCLUDE 700 NEW JOBS. THE ASSOCIATED PAYROLL FOR THIS PROJECT IS \$54 MILLION. AUSTIN IS BEING CONSIDERED FOR THIS PROJECT, BUT WE ARE ONE OF MANY LOCATIONS THAT SAMSUNG IS CONSIDERING. THEY ARE ALSO EVALUATING NEW YORK, CHINA AND KOREA AS POTENTIAL LOCATIONS FOR THIS NEW FACILITY. WHAT WE KNOW IS MOST 300-MILLIMETER FAB FACILITIES ARE BEING BUILT OUTSIDE OF THE UNITED STATES. THIS OPPORTUNITY WOULD MAKE AUSTIN ONE OF SIX CITIES IN THE COUNTRY TO HOUSE A 300-MILLIMETER FAB FACILITY. THE NEXT GENERATION IN THE SEMICONDUCTOR BUSINESS. THIS PROJECT WOULD ALSO HELP ENSURE THAT SAMSUNG'S EXISTING INVESTMENTS IN AUSTIN ARE NOT PHASED OUT AS CURRENTS TECHNOLOGY BECOMES OBSOLETE. SAMSUNG IS A PROVEN SUCCESS STORY IN AUSTIN. A SUCCESS THAT WE WANT TO KEEP AND BUILD ON. SAMSUNG IS A LARGE EMPLOYER, 400 AUSTINITES ARE EITHER DIRECTLY EMPLOYED BY SAMSUNG OR ARE PERMANENT CONTRACT EMPLOYEES WITH SAMSUNG. THE PAYROLL ASSOCIATED WITH THESE AUSTINITES IS \$84 MILLION. SAMSUNG IS AN ECONOMIC ENGINE IN OUR COMMUNITY. IT IS ESTIMATED THAT THE CURRENT OPERATIONS GENERATE \$612 MILLION IN ANNUAL LOCAL EXPENDTURES AND IN 2004 SAMSUNG SPENT \$50 MILLION WITH 329 LOCAL AUSTIN COMPANIES. OF THAT IT IS ESTIMATED OVER 2.5 MILLION WAS SPENT WITH MINORITY AND WOMEN OWNED BUSINESSES HERE IN OUR COMMUNITY. SAMSUNG HAS LONG REFLECTED OUR COMMUNITY VALUES WHEN IT COMES TO DIVERSITY AND WHEN IT COMES TO PHILANTHROPIC ABILITY. WHEN YOU LOOK AT THE WORKFORCE, YOU WILL SEE THE RICHNESS OF

DIVERSITY THAT IS REFLECTED IN OUR COMMUNITY. YOU WILL ALSO FOUND THAT SAMSUNG HAS BEEN VERY GENEROUS IN AUSTIN. SAMSUNG CONTRIBUTED NEARLY \$500,000 TO REGIONAL NON-PROFIT AND CHARITABLE ORGANIZATIONS. \$205,000 TO THE TEXAS KOREAN WAR MEMORIAL, \$300,000 TO THE LONG CENTER, \$150,000 TO THE UNIVERSITY OF TEXAS ENGINEERING AND NATURAL SCIENCES COLLEGES, \$100,000 TO THE AUSTIN AIRPORT FOR ART WORK AND ANOTHER \$100,000 FOR FIRST NIGHT, AN INITIATIVE OF THE CITY COUNCIL. SAMSUNG HAS REMAINED COMMITTED TO DEVELOPING OUR WORKFORCE, WHAT WE ARE KNOW IS IN A COMPETITION FOR JOBS, HAVING A WORKFORCE THAT IS EDUCATED AND READY IS VERY, VERY IMPORTANT. NOT ONLY DOES SAMSUNG HIRE FROM AUSTIN, SAMSUNG HELPS DEVELOP OUR LOCAL WORKFORCE. THEY HAVE DONE THIS BY INVESTING IN MATH, SCIENCE, TECHNOLOGY AND ENGINEERING PROGRAMS AT EVERY LEVEL OF EDUCATION IN AUSTIN, BEGINNING WITH MIDDLE SCHOOL AND EXTENDING THROUGH COLLEGE. SO YOU CAN SEE THAT SAMSUNG IS EXACTLY THE KIND OF CORPORATE CITIZEN THAT CITIES ARE LOOKING FOR. ONE THAT WE ARE VERY PROUD TO HAVE HAD HERE IN AUSTIN. WHAT I WOULD LIKE TO DO NOW IS TALK TO YOU ABOUT THE INCENTIVE PACKAGE THAT'S BEFORE YOU TODAY WHICH WE THINK REFLECTS A WIN-WIN BETWEEN PRIVATE AND PUBLIC INVESTMENT. I'LL PUT A SLIDE UP HERE. SO YOU CAN KEEP THE NUMBERS STRAIGHT. THE PACKAGE BEFORE YOU TODAY, MAYOR AND COUNCIL, IS A 20-YEAR INCENTIVE PACKAGE. I WILL TALK ABOUT THE GENERAL FUND INCENTIVES AND THE UTILITY INCENTIVES SEPARATELY, THEN I WILL COMBINE THEM. IN THE GENERAL FUND, LET ME START BY REMINDING YOU, ALL OF AUSTIN'S SNEBT AGREEMENTS ARE PERFORMANCE -- INCENTIVE AGREEMENTS ARE PERFORMED BASED. WHAT THIS MEANS IS THAT THE JOBS AND INVESTMENT THAT YOU ARE ASKING OF SAMSUNG MUST BE DEMONSTRATED BEFORE THE CITY'S INCENTIVES ARE PROVIDED. AND THE WAY THAT WORKS IS IN A TAX ABATEMENT PROJECT, THE COMPANY PAYS ITS TAXES, WE VERIFY THE PERFORMANCE, AND THEN WE REBATE THOSE TAXES. SO THAT'S THE BASIC STRUCTURE OF OUR INCENTIVE AGREEMENTS HERE IN AUSTIN. THE FIRST 10 YEARS OF THE PACKAGE REQUIRE SAMSUNG TO

MAKE A MINIMUM INVESTMENT OF \$2.5 BILLION, AND TO ADD AN ADDITIONAL 700 NEW JOBS. THE -- THE CITY'S INCENTIVE FOR THAT WOULD BE A 10-YEAR, 100% ABATEMENT THAT IS ESTIMATED AT \$38.2 MILLION. IF DURING THAT FIRST 10 YEARS, SAMSUNG INVESTS AN ADDITIONAL \$1 BILLION FOR A TOTAL OF \$3.5 BILLION, THEY BECOME ELIGIBLE FOR A SECOND 10-YEAR PACKAGE OF 75% TAX ABATEMENTS, ESTIMATED AT \$9.3 MILLION. AN ADDITIONAL PERFORMANCE STANDARD IN THAT SECOND 10-YEAR PERIOD IS THAT SAMSUNG WILL INVEST AN ADDITIONAL \$500 MILLION IN NEW EQUIPMENT AND TECHNOLOGY. THAT 20 YEAR PACKAGE IS PREMISED THEN ON A \$4 BILLION INVESTMENT AND 700 NEW JOBS IN THE AUSTIN ECONOMY. ALSO IN THE GENERAL FUND, WE HAVE AN ALLOWANCE OF UP TO \$3 MILLION FOR BUILDING AND CONSTRUCTION FEES. SO MAYOR AND COUNCIL, THE GENERAL FUND INCENTIVE IS \$50.6 MILLION OVER A 20 YEAR PERIOD. ON THE UTILITY SIDE, AUSTIN ENERGY HAS \$6.2 MILLION IN THIS PACKAGE WHICH IS PRIMARILY TO PROVIDE THE ELECTRIC INFRASTRUCTURE TO POWER THE NEW FACILITY. WE HAVE \$360,000 FROM THE WATER UTILITY, AND WATER QUALITY FACILITIES, AN ALLOWANCE THERE FOR \$1.2 MILLION. YOUR UTILITY SUBTOTAL FOR THIS PACKAGE IS \$7.8 MILLION. SO THE PACKAGE THAT'S BEFORE YOU TODAY TOTALS 58 AND A HALF MILLION AND IS A 20 YEAR INCENTIVE PACKAGE. WHAT I WOULD LIKE TO DO NOW IS TALK TO YOU ABOUT THE ECONOMIC BENEFITS, THE DIRECT ECONOMIC BENEFITS THAT THE CITY OF AUSTIN CAN ALSO EXPECT TO SEE DURING THIS 20 YEAR PERIOD OF TIME. PROPERTY TAXES OVER THE 20 YEARS AND REMEMBER IT'S 100% ABATEMENT FOR THE FIRST 10 YEARS SO IN THE SECOND 10 YEARS WHAT YOU ARE SAYING IS THE 25% INCREMENT THAT YOU WILL RECEIVE, WE ESTIMATE THAT THAT REVENUE WILL BE \$3.1 MILLION, WE ESTIMATE THAT THE SALES TAXES GENERATED FROM NEW JOBS WILL BE \$6.3 MILLION, THE TRANSFER FROM AUSTIN ENERGIES WHICH IS SET BY COUNCIL POLICY AT 9.1% WOULD EQUATE TO \$43 MILLION OVER THE LIFE OF THIS CONTRACT AND AUSTIN WATER UTILITY TRANSFER TO THE GENERAL FUND WOULD EQUATE TO \$13.6 MILLION OVER THE LIFE OF THE CONTRACT. SO MAYOR AND COUNCIL, THE TOTAL DIRECT ECONOMIC BENEFITS THAT WE ARE ESTIMATING FOR THE GENERAL

FUND ARE \$66 MILLION. SO TO GO BACK, YOUR PACKAGE FOR THE GENERAL FUND IS \$50.6 MILLION. YOUR BENEFIT IS \$66 MILLION. ON THE UTILITY REVENUES, BECAUSE THIS IS A LARGE ELECTRIC UTILITY CUSTOMER AND WILL CLEARLY BE THE LARGEST CUSTOMER THAT WE HAVE IN THE SYSTEM, AUSTIN ENERGY IS ANTICIPATING \$306 MILLION IN DIRECT REVENUES FROM THE PROJECT. I WANT TO JUST POINT OUT HERE THAT THIS NUMBER DOES NOT INCLUDE FUEL CHARGES WHICH ARE PASS-THROUGH CHARGE IN AUSTIN. SO THIS IS DIRECT REVENUES. AUSTIN WATER UTILITY IS ANTICIPATING \$134 MILLION. AND THE DRAINAGE UTILITY A LITTLE OVER \$700,000. SO THE GRAND TOTAL FOR THE UTILITIES IS \$440 MILLION OVER A 20 YEAR PERIOD, COMPARED TO THE INVESTMENT OF \$7.8 MILLION.

Mayor Wynn: MS. HUFFMAN, JUST FOR CLARIFICATION, THAT IS NET OF THE \$56 MILLION PROFIT OR TRANSFER INTO THE GENERAL FUND?

YES.

SO THE -- SO THE UTILITIES WILL BE GETTING \$440 MILLION AFTER THEY TRANSFER \$56 MILLION IN TRANSFERS INTO OUR GENERAL FUND.

THAT'S EXACTLY RIGHT, MAYOR. WE ALSO BACKED OUT THE FUEL CHARGES AND THE ELECTRIC UTILITY. SO THOSE ARE NET NUMBERS.

CORRECT. COMBINED \$506 MILLION OVER A 20 YEAR PERIOD. I THINK THAT WE HAVE A FINAL SLIDE THAT JUST SHOWS YOU THE -- THE TWO BOTTOM LINES HERE. \$58.5 MILLION ON THE SNESHT, \$506 MILLION ON THE BENEFITS TO THE CITY. WE THINK THAT THIS REFLECTS A VERY STRONG WIN-WIN FROM A PUBLIC-PRIVATE PARTNERSHIP PERSPECTIVE. I WOULD ALSO LIKE TO POINT OUT THAT WE DO NOT HAVE THE FINAL NUMBERS, OTHER PUBLIC ENTITIES ARE EXPECTED TO PARTICIPATE IN THIS PACKAGE, INCLUDING TRAVIS COUNTY, MANOR I.S.D. AND POTENTIALLY THE STATE OF TEXAS. TWO OTHER ENTITIES NOT PROVIDING PACKAGES BUT WILL BE DIRECT BENEFIT SHERRIES OF THIS -- BENEFITS OF THIS. AUSTIN COMMUNITY COLLEGE, \$20 MILLION OF REVENUE OVER THE PERIOD, ALSO THE NEW HEALTH CARE

DISTRICT EXPECTED TO SEE A LITTLE OVER \$9 MILLION OVER THE 20 YEAR PERIOD. SO YOU CAN SEE THAT THERE ARE PUBLIC BENEFITS, EVEN IN THE CONTEXT OF THE INCENTIVE PACKAGE. MAYOR AND COUNCIL, TODAY WE HAVE AN OPPORTUNITY TO INVEST IN A STRATEGY THAT MOVES AUSTIN BEYOND A MODEST RECOVERY. THIS IS PART OF A PLAN THAT YOU BEGAN CONCEPTUALIZING AT THE BOTTOM OF THE DOWNTURN AND FITS DIRECTLY IN WITH THE NUMBER ONE STRATEGY FOR BUILDING AUSTIN'S ECONOMY BACK AGAIN AND THAT IS TO LEVERAGE EXISTING BUSINESSES STARTING WITH THE SEMICONDUCTOR BUSINESS. IF SAMSUNG CHOOSES AUSTIN, THIS WILL BE THE SINGLE LARGEST INVESTMENT THIS REGION HAS EVER SEEN. IT IS ALSO LIKELY TO BE THE SINGLE LARGEST INVESTMENT IN THE COUNTRY THIS YEAR. WE WILL BECOME THE 6th UNION UNITED STATES CITY TO HOUSE A 300-MILLIMETER FAB FACILITY. MAYOR AND COUNCIL BEFORE YOU TODAY IS THE RECOMMENDATION FOR THE SAMSUNG INCENTIVE PACKAGE. WE ARE ENTHUSIASTIC ABOUT THIS PACKAGE. YOUR ECONOMIC DEVELOPMENT TEAM HAS BEEN WORKING VERY HARD ON THIS FOR MANY MONTHS NOW. WE BELIEVE THAT IT IS CONSISTENT WITH YOUR POLICY GOALS, WE ARE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.

Mayor Wynn: THANK YOU, MS. HUFFMAN, QUESTIONS OF STAFF, COUNCIL? COUNCILMEMBER THOMAS?

Thomas: THANK YOU, MAYOR. FIRST OF ALL I WANT TO SAY TO THE STAFF, MAYOR, CITY MANAGER AND COUNCIL, THIS IS A BLESSED DAY TO AUSTIN. THERE ARE SOME QUESTIONS THAT I DO NEED ANSWERED. ONE THING THAT I CAN SAY ABOUT SAMSUNG IS THAT IT'S REALLY OVER A PERIOD OF TIME SINCE THEY HAVE BEEN IN AUSTIN, THEY HAVE SHOWN BEING DIVERSE IN EMPLOYMENT. THERE'S ONE AREA THEY COULD IMPROVE IN, I THINK THEY WILL DO THAT. MY CONCERN ON THE 700 JOBS, WE NEVER HAVE KNOWN, ARE THEY GOING TO BE EXECUTIVE JOBS, WHAT ARE THE OPPORTUNITIES FOR -- FOR MINORITIES IN THOSE POSITIONS, OUT OF THE 700 JOBS, ARE THESE JOBS GOING TO BE INDIVIDUAL SELECTED OUT OF AUSTIN. I THINK READING UP, KEEPING UP WITH THE MEDIA, THESE ARE SOME OF THE QUESTIONS SOME OF THE CITIZENS ARE

ASKING. WHEN WE GIVE THESE GREAT INCENTIVE PACKAGES, ARE WE MAKING SURE THAT THE EMPLOYMENT, THE COMPANIES THAT ARE GETTING THE INCENTIVE PACKAGE ARE SELECTING PEOPLE WITHIN AUSTIN, OPPOSED TO BRINGING SOME FROM THE OTHER COMPANIES. I THINK WE CAN JUST LEVERAGE A LITTLE BIT ON THAT. ALSO THE -- THE 700 JOBS, WHAT LEVEL ARE THERE. WHAT LEVEL WOULD THEY BE. ARE THEY EXECUTIVE, MID-EQUITY ACTIVE, ON THE ASSEMBLY LINE.

LET ME START BY POINTING OUT SOMETHING THAT IS IN THIS CONTRACT THAT WE HAVE NOT HAD IN THE MORE RECENT ECONOMIC DEVELOPMENT CONTRACTS THAT WE HAVE ENTERED INTO HERE IN AUSTIN. WE HAVE ASKED AND SAMSUNG HAS COMMITTED TO DOING SOME THINGS CONTRACTUALLY THAT WILL HELP TO MAINTAIN ITS DIVERSE WORKFORCE. AND SAMSUNG RECRUITS VERY HEAVILY FROM THE AUSTIN AREA, INCLUDING THE UNIVERSITY OF TEXAS. BUT SPECIFICALLY WHAT THEY HAVE AGREED TO DO IN THIS CONTRACT, THEY HAVE AGREED TO WORK WITH THEIR LOCAL RECRUITING AGENCY, ALSO WITH THE STATE OF TEXAS, THE TEXAS WORKFORCE COMMISSION TO HOLD JOB FAIRS FOR THESE NEW JOBS IN AREAS OF TOWN THAT ARE ECONOMICALLY DISADVANTAGED. THEY HAVE ALSO COMMITTED AS A PART OF THIS CONTRACT THAT THEY WILL REQUIRE THEIR CONTRACTORS TO DO THE SAME. SO, MAYOR PRO TEM, NOT ONLY WILL WE BE RECEIVING THE BENEFIT OF SAMSUNG LOOKING AT ITS RECRUITING EFFORTS, FOCUSING ITS RECRUITING EFFORTS NOT ONLY IN AUSTIN, BUT IN PARTS OF TOWN THAT WOULD BENEFIT DISADVANTAGED WORKERS. THEY ARE ALSO REQUIRING THIS OF THEIR CONTRACTORS.

Thomas: OKAY. I DON'T HAVE ANY OTHER -- LET ME MAKE SURE BEFORE I SAY THAT. I ALSO COMMEND THE CHAMBER FOR THE HARD WORK THEY HAVE DONE. I DON'T HAVE ANY OTHER QUESTIONS, UNLESS MY COLLEAGUES, I WOULD MAKE A MOTION TO MOVE FOR APPROVAL.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 8 AS OUTLINED. SECONDED BY COUNCILMEMBER KIM. FURTHER DISCUSSION,

COUNCILMEMBER KIM?

Kim: MS. HUFFMAN CAN YOU TELL ME WHEN YOU STARTED THE DISCUSSIONS OR THE CITY STARTED DISCUSSIONS WITH SAMSUNG ON THIS NEW 300-MILLIMETER FAB.

I CAN TELL YOU THAT THE CITY BEGAN PAYING THE ATTENTION TO THE POTENTIAL OF THIS INVESTMENT WHEN WE FIRST BEGAN READING ABOUT IT IN THE NEWSPAPERS THAT SAMSUNG WAS CONSIDERING BUILDING A 300-MILLIMETER FAB FACILITY. SO WE HAVE BEEN PAYING ATTENTION TO THE COMPANY, LOOKING AT WHAT ITS GROWTH POSSIBILITIES WERE AND HAVE BEEN WORKING WITH THE COMPANY IN THE CHAMBER FOR MANY MONTHS NOW ON JUST EVALUATING HOW PRIMARILY BEFORE THERE WAS A FORMAL PROPOSAL, WHAT WE WERE DOING IS TRYING TO EVALUATE HOW WE AS A COMMUNITY COULD POSITION OURSELVES IF WE WERE TO BE ASKED TO COMPETE FOR THIS KIND OF PROJECT. FOR MONTHS WE WORKED WITH THE CHAMBER AND OTHER PUBLIC ENTITIES TO TALK ABOUT HOW WE COULD POSITION OURSELVES. WHEN THE COMPANY CAME FORWARD, WE BEGAN WORKING WITH THE COMPANY.

OKAY. I WANT TO MAKE SURE THAT THIS BENEFITS ALL OF OUR LOCAL BUSINESSES. NOT JUST SAMSUNG. I KNOW THAT IT'S IMPORTANT THAT WE KEEP SAMSUNG HERE BECAUSE THEY DO HAVE INCENTIVE INVESTMENT HERE IN TERMS OF THE PEOPLE THEY EMPLOY, THE REVENUE THAT THEY SPEND FOR THE LOCAL BUSINESSES HERE. CAN YOU TELL US MORE ABOUT THE BENEFITS TO THE SMALL BUSINESSES, LOCAL BUSINESS HERE IN AUSTIN?

YEAH, ONE OF THE THINGS THAT IS -- ONE OF THE THINGS THAT REALLY IS A BENEFIT FROM WORKING WITH THE LARGE COMPANY LIKE SAMSUNG IS NOT JUST THE DIRECT BENEFITS. IN FACT THE -- OVER \$500 MILLION THAT I JUST SHOWED YOU, THOSE ARE DIRECT BENEFITS TO THE CITY OF AUSTIN. THERE ARE OTHER BENEFITS, THOUGH, THAT -- IN THE COMMUNITY. THERE IS WHAT IS CALLED THE MULTIPLIER EFFECT. AND THAT -- THOSE INCLUDE ALL OF THE DOLLARS THAT CHANGE HANDS AS A RESULT OF SAMSUNG BEING IN AUSTIN. AND AS I MENTIONED EARLIER,

LAST YEAR ALONE, THEY WORKED WITH OVER 300 LOCAL AUSTIN BUSINESSES FOR THE GOODS AND SERVICES THAT THEY RELY ON TO CONTINUE THEIR BUSINESS IN AUSTIN. SO THEY -- THEY PROVIDE A NUMBER OF DOLLARS IN THE FINANCIAL COMMUNITIES, LEGAL COMMUNITIES, RESTAURANT COMMUNITIES AND OUR ENTIRE NETWORK OF SMALL BUSINESSES AS PART OF DOING BUSINESS HERE IN AUSTIN.

WELL, THE SEMICONDUCTOR INDUSTRY IS A MAJOR I GUESS CLUSTER THAT WE FOCUS HERE ON IN AUSTIN. CAN YOU TELL US WHAT IS HAPPENING IN THAT INDUSTRY WORLDWIDE, WHAT IS HAPPENING IN AUSTIN, WHAT DO YOU ANTICIPATE WILL HAPPEN IN THE INDUSTRY IN SAMSUNG DECIDES TO EXPAND HERE.

WHAT THAT REPRESENTS FOR THE CITY OF AUSTIN IS NEXT GENERATION TECHNOLOGY. SO RIGHT NOW WHAT WE HAVE IN AUSTIN IS 200-MILLIMETER TECHNOLOGY. AS THAT TECHNOLOGY PHASES OUT, AND WE ARE BEGINNING TO SEE THE NEW WAVE OF TECHNOLOGY WITH FIVE 300-MILLIMETER FACILITIES IN THE COUNTRY, BECAUSE THE TECHNOLOGY INDUSTRY EITHER GROWS AND EVOLVES OR IT GOES, WHAT WE ARE FACING IS WE ARE EITHER GOING TO BECOME THE NEXT GENERATION TECHNOLOGY CENTER OR WHAT'S HERE WILL LIKELY PHASE OUT. AND SO THIS IS NOT ONLY -- THIS IS BUILDING ON AND REALLY MATURING AN INDUSTRY THAT AUSTIN BEGAN GROWING IN THE '90S, THIS IT'S AN OPPORTUNITY TO STAY CUTTING EDGE AND TO STAY A TECH CENTER WORLDWIDE.

OKAY. THANK YOU. WELL, I TOOK A VERY HARD LOOK AT THIS, AS SOON AS I WAS ELECTED. I -- I ASKED THE CITY MANAGER TO BRIEF ME, I WORKED WITH THE STAFF. I DID HAVE SOME CONCERNS ABOUT THIS BECAUSE I THINK THAT OUR CITY HAS IN THE PAST RELIED TOO MUCH ON ECONOMIC INCENTIVES FOR ECONOMIC DEVELOPMENT. BUT I REALLY DID MY DUE DILIGENCE. I WAS VERY IMPRESSED WITH THE RESPONSE OF YOU AND YOUR STAFF AND THE CITY MANAGER IN GETTING ME THE INFORMATION ON SMALL BUSINESSES THAT WE DIDN'T HAVE BEFORE AND ALSO THE - - THE CONTRACTING THAT THEY DO FOR HIRING AS WELL OF MINORITY WOMEN EMPLOYEES. SO IT'S CLEAR TO ME THAT



IF WE DON'T DO THIS, THE JOB THAT'S WE HAVE IN THIS INDUSTRY AS WELL AS IN -- IN OTHER ANCILLARY INDUSTRIES THAT SUPPLY SERVICES TO THE SEMICONDUCTOR INDUSTRY ARE AT RISK, AND SO THIS IS NOT JUST CREATING NEW OPPORTUNITIES FOR US, BUT ALSO IT'S MAKING SURE THAT AUSTIN REMAINS SILICON HILLS. AND THAT WE ARE A CENTER FOR INNOVATION AND TECHNOLOGY AS WE ARE HAVING TO MOVE AT A FASTER PACE IN THIS WORLD TO COMPETE. SO THAT'S WHY I'M GOING TO SUPPORT THIS PACKAGE. THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS?

Thomas: MAYOR, IF YOU DON'T MIND. THE FIRST QUESTION THAT I ASKED ABOUT, AS FAR AS THE -- HOW THE STRUCTURE OF THE ORGANIZATIONAL CHART DEALING WITH EXECUTIVES, IF YOU CAN JUST GET THAT TO ME LATER ON.

I'LL DO THAT.

AND I COMMEND THEM FOR -- FOR BEING OPEN TO -- TO US AND ALSO TO THE PUBLIC TODAY AS FAR AS THE INFORMATION THAT WE HAVE RECEIVED. IT -- IT LETS US KNOW THAT THEY DO HAVE A DESIRE TO DO THE RIGHT THING. WE DON'T WANT TO SAY IF THEY WON'T ACCEPT OUR PACKAGE. WE ARE SAYING THEY ARE GOING TO ACCEPT IT SO WE CAN BE ABLE TO REACH -- BE THE NUMBER 6 CITY IN THE UNITED STATES FOR THE SEMICONDUCTOR.

Mayor Wynn: FURTHER COMMENTS, COUNCILMEMBER ALVAREZ?

Alvarez: THANKS, MAYOR. AND REALLY I WANT TO, YOU KNOW, JUST EXPRESS SORT OF MY APPRECIATION FOR ALL OF THE HARD WORK THAT'S GONE TO GET US TO THIS POINT. IT'S -- IT'S BEEN A PRETTY ROUGH FIVE YEARS, YOU KNOW, SINCE WE, YOU KNOW, THE MAYOR AND COUNCILMEMBER THOMAS AND I FIRST GOT ELECTED AND WE HAD ONE GOOD BUDGET WHERE WE HAD SIGNIFICANT REVENUES AND SIGNIFICANT ADD BACKS AS WE'RE CALLING THEM NOW TO CONSIDER. BUT WE ALL KNOW, YOU KNOW, IN 2001, PROBABLY LESS THAN A YEAR AFTER WE ALL THREE

GOT ELECTED THEN THE -- THE THINGS CHANGED GREATLY FOR OUR COMMUNITY WITH, YOU KNOW, THE BUBBLE BURSTING WITH THE TECHNOLOGY SECTOR AND THEN SHORTLY FOLLOWED BY SEPTEMBER 11TH AND SO I THINK IT'S -- YOU KNOW, BACK THEN WE DIDN'T NECESSARILY HAVE TO WORRY NECESSARILY ABOUT PROVIDING INCENTIVES FOR FOLKS TO COME TO AUSTIN, BECAUSE THAT WAS HAPPENING NATURALLY JUST BECAUSE OF THE POSITION AUSTIN WAS IN. AND THEN ALL CITIES I GUESS WERE -- WERE PUT DOWN IN THE SAME POSITION AFTER 9/11, AFTER THE DOT-COM BUST, SO WE ALL WERE REBUILDING AND TRYING TO FIGURE OUT HOW WE COULD MAINTAIN OUR COMPETITIVE EDGE IN THE TECHNOLOGY SECTOR BECAUSE THERE'S -- THERE'S SEVERAL ALIEN COMMUNITIES STRONG IN THAT SECTOR RIGHT NOW, WE HAVE BEEN LUCKY THAT WE ARE STILL PRETTY STRONG. THIS IS ANOTHER WAY, SAMSUNG HAS BEEN A GREAT PARTNER, A GREAT MEMBER OF OUR COMMUNITY THAT HAS -- HAS HELPED US TO BECOME STRONG IN THIS ARENA, I THINK THIS IS THE NEXT STEP IN TERMS OF OUR RELATIONSHIP WITH SAMSUNG. BUT ALSO IN TERMS OF THE FUTURE OF US AS A TECHNOLOGY CENTER AS YOU AND COUNCILMEMBER KIM PUT IT. THE SUCCESS THAT WE IN THE '90S, WITH STRENGTHENING OUR TECHNOLOGY SECTOR, BUT REALLY THE REASON WE WERE SO STRONG IN THE 90s WAS BECAUSE OF ALL OF THE WORK THAT WAS DONE IN THE 80s, A LOT OF WORK BEHIND THE SCENE AND SOME WORK AT THE CITY LEVEL, GOVERNMENT TALL LEVEL AND SO REALLY -- GOVERNMENTAL LEVEL, SO REALLY I HAVE SEEN THE LAST FIVE YEARS AS US LAYING THE GROUNDWORK SO THAT NOT NECESSARILY THESE 10 YEARS, 20 -- 2010 SO THAT WE WILL BE STRONG, BUT REALLY WE'LL SEE THE STRONGEST -- WE'LL BE THE STRONGEST BECAUSE OF THESE KINDS OF INCENTIVE AGREEMENTS THAT WE HAVE DONE WITH, YOU KNOW, SEMATECH ON THE R AND D SIDE, FREESCALE, THE DATA CENTER SERVING HOME DEPOT, NOW ALSO WITH SAMSUNG I THINK IS NOT JUST GOING TO MAKE SURE THAT WE KEEP OUR COMPETITIVE EDGE RIGHT NOW, BUT IN THE NEXT COUPLE OF DECADES WE WILL SEE THAT WE ARE ABLE TO REMAIN IN THAT -- IN THAT POSITION AND SAMSUNG IS A CRITICAL PARTNER FOR US IN TERMS OF OUR COMMUNITY AND BEING ABLE TO REMAIN STRONG IN THIS ARENA AND SO WE

REALLY DO APPRECIATE THEM -- WHAT THEY HAVE DONE AND THAT THEY ARE VERY IMPORTANT PART OF THE COMMUNITY AND WE HOPE THAT WE CAN CONTINUE NURTURING AND GROWING THAT RELATIONSHIP. THANK YOU, MAYOR.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? ALSO -- COUNCILMEMBER KIM.

I WAS WONDERING IF FORMER MAYOR KIRK WATSON COULD COME UP AND SPEAK TO US ABOUT WHAT THIS MEANS FOR LOCAL BUSINESS HERE AS HE IS THE CHAIR OF THE CHAMBER AND YOUR SENTIMENTS ON THIS -- ON THIS OPPORTUNITY IN FRONT OF US.

Mayor Wynn: THANK YOU. AS -- AS MAYOR WATSON APPROACHES THE DAIS, THE PODIUM, WE HAVE A NUMBER OF FOLKS SIGNED UP NOT WISHING TO SPEAK IN FAVOR OF THIS ITEM. THOSE QUICKLY WILL BE -- BY THE WAY I'M READING THESE OFF OUR NEW SAMSUNG MONITORS HERE ON THE DAIS [LAUGHTER] TONY SHUM, JERRY HAIR, TIM CASEY, WILLIAM McCOLUMN, BRUCE EVANS, MICHAEL COOPER, PHIL [INDISCERNIBLE], JOYCE WEEDMAN, COURTNEY ROSS, TIM CRAWLY, JEREMY MARTIN, CHARLES CAROLSTON, ... NOT WISHING TO SPEAK IN FAVOR, WELCOME, MAYOR WATSON.

THANK YOU VERY MUCH. I APPRECIATE THE OPPORTUNITY TO SPEAK TO YOU ABOUT THIS. AND -- AND I WAS GOING TO TALK ABOUT THE GOAT. BUT -- [LAUGHTER] BUT DIDN'T GET CALLED UP FOR THAT. AS I THINK THE ASSISTANT CITY MANAGER POINTED OUT AND YOUR QUESTIONS FOCUS ON, THIS IS ONE OF THOSE MOMENTS THAT PROBABLY 15 OR 20 YEARS FROM NOW WHEN THE HISTORY OF OUR CITY IS WRITTEN, THEY WILL -- WE WILL LOOK BACK AND PEOPLE WILL BE ASKING THE QUESTION, WHAT GOT US TO 2020? AND OF COURSE THERE WILL BE DISCUSSIONS ABOUT MCC. THERE WILL BE TALK ABOUT HOW THIS CITY CAME TOGETHER, HAD A VISION OF WHAT IT WANTED TO BE, SPENT TIME PUTTING THAT TOGETHER, AND DID SOMETHING SPECIAL WITH MCC. OF COURSE THERE WILL BE TALK ABOUT SEMATECH. THERE WILL BE OTHER HISTORIC MOMENTS THAT WILL BE MENTIONED. BUT I'M CONVINCED THAT IF IN

FACT SAMSUNG ACCEPTS THE OFFER OF THIS COMMUNITY, THIS WILL ALSO BE ONE OF THOSE MOMENTS. BECAUSE THIS CITY IS IN THE MIDST OF A TRANSITION. THIS COMMUNITY IS, THIS REGION. THE TRANSITION IS ONE THAT'S GOING ON IN THE GLOBAL SENSE. BUT THE TRANSITION THAT WE ARE FACING IS WE HAVE NEVER AS A REGION HAD A MATURE INDUSTRY, IF YOU WILL. WE HAVE BEEN FOR MOST OF OUR HISTORY A COLLEGE TOWN. WHERE STATE GOVERNMENT PLAYED A MAJOR ROLE IN OUR ECONOMY. IT'S ONLY BEEN IN THE LAST MANY YEARS THAT WE HAVE BEEN SHIFTING TO BE IDENTIFIED AS A TECHNOLOGY CENTER. SAMSUNG HAS PLAYED A MAJOR ROLE IN THAT. ONE OF THE THINGS THAT WE KNOW, THAT OVER THE PAST 8 TO 10 YEARS, SEMICONDUCTOR FAB PLANTS THAT PLAYED A BIG ROLE IN THAT, HAVE ACTUALLY LEFT AUSTIN, SO WE HAVE LESS TODAY THAN WE HAD BEFORE. WE ALSO KNOW THAT THAT INDUSTRY IS SHIFTING AS NEW TECHNOLOGY COMES ALONG AND IF YOU ARE NOT IN THE -- IN THE BIGGER GAME, THE 300-MILLIMETER GAME, YOU ARE -- YOU ARE NOT GOING TO BE IN THE GAME AT ALL OVER THE LONG HAUL. SO THIS IS GOING TO BE HISTORIC I BELIEVE IN THAT REGARD AS ESTABLISHING AS -- AS IN THE TECHNOLOGY CENTER AND WE ARE NEEDING TO BE MATURE IN HOW IT IS THAT WE ARE GOING TO ADDRESS A MATURING INDUSTRY. ARE WE GOING IN FACT TO MAKE SOME OF THE DIFFICULT DECISIONS SO THAT WE HANG ON TO THAT INDUSTRY AND ALLOW IT TO EXPANDS, OR ARE WE GOING TO TURN OUR BACK ON IT. THAT'S THE FIRST PARTS OF THAT. THE SECOND PART OF IT IS THERE IS LITTLE QUESTION WHEN YOU HEAR THE NUMBERS THAT THE CITY MANAGER JUST LAID OUT, WHEN YOU HAVE A 3.5 BILLION DOLLAR INVESTMENT, SHE SAID THAT THIS MAY BE THE BIGGEST INVESTMENT IN THIS COUNTRY THIS YEAR, IN THE COUNTRY THIS YEAR, I'M WILLING TO PUT A LITTLE BIT OF MONEY ON THE IDEA THAT IT MAY BE THE BIGGEST -- BIGGEST THIS FIVE YEARS OR MAYBE EVEN IN A DECADE, AUSTIN, TEXAS HAS THE CHANCE TO GET THAT. WHEN YOU HAVE THAT SORT OF INVESTMENT, THAT SORT OF BUILDUP OVER A 20 YEAR PERIOD, ONE OF THE THINGS THAT OCCURS IS THE REST OF THE ECONOMY BENEFITS. OPPORTUNITY AUSTIN THE PROGRAM THAT ALSO MENTIONED IS A PROGRAM THAT SEEKS TO CREATE ABOUT \$3 BILLION IN NET

NEW PAYROLL OVER FIVE YEARS BUT THAT TRANSLATES INTO ABOUT \$14 BILLION IN NET POSITIVE ECONOMIC IMPACT. THAT'S THE RESULT OF COMPANIES LIKE SAMSUNG MAKING THIS ENORMOUS INVESTMENT AND IT TRANSLATES INTO OTHER BUSINESSES DOING WELL. OF COURSE THERE'S A FLIP SIDE OF THAT COIN. IF SAMSUNG DOES NOT MAKE THE DECISION TO STAY HERE, FOR SOME REASON WOULD DECIDE TO PHASE OUT ITS CURRENT FACILITIES, THAT WOULD HAVE A NET NEGATIVE IMPACT ON THOSE BUSINESSES AND RETAILERS AND OTHERS THAT HAVE GROWN ACCUSTOMED TO HAVING THAT ADDITIONAL MONEY IN OUR ECONOMY. SO I WANT TO SAY A SPECIAL THANK YOU, I APPRECIATE THE OPPORTUNITY TO GET TO TALK ABOUT THIS, BUT I WANT TO SAY A SPECIAL THANK YOU TO THE CITY STAFF, MAYOR, MEMBERS OF THE CITY COUNCIL FOR BEING WILLING TO MAKE THE KINDS OF DECISIONS THAT I THINK INVEST IN THIS ECONOMIC COMMUNITY OVER THE LONG HAUL. I WILL BE HAPPY TO ANSWER ANY OTHER QUESTIONS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

Dunkerley: SO TAKE THAT MESSAGE BACK TO KOREA FOR US, AND WE REALLY HOPE AND PRAY THAT YOU DECIDE TO COME HERE.

Mayor Wynn: THANK YOU, COUNCILMEMBER. I WOULD LIKE TO SAY THAT ASSISTANT CITY MANAGER HUFFMAN TOUCHED ON IT, AS DID FORMER MAYOR WATSON. IT WAS BACK IN 2002 WHEN THEN MAYOR GUS GARCIA ASKED ME TO CHAIR THE MAYOR'S TASKFORCE ON THE ECONOMY AND I GOT GREAT HELP FROM COUNCILMEMBER DUNKERLEY AT THE TIME. IT WAS ABOUT THEN THAT THE GREATER AUSTIN CHAMBER OF COMMERCE CREATED THE AUSTIN OPPORTUNITY PROGRAM. AND OUR TASK AS A CITY WAS TO FIGURE OUT WHAT ROLE THE CITY OF AUSTIN SHOULD PLAY AS WE GET BACK INTO THE ECONOMIC DEVELOPMENT BUSINESS, AS WE TRULY FOCUS ON OUR ECONOMY. MEANWHILE, WE HAD THE CHAMBER WITH OPPORTUNITY AUSTIN, I WANT TO RECOGNIZE GARY HERE, WHO GOT THE ENTIRE BUSINESS COMMUNITY TOGETHER AND RAISED ENOUGH MONEY FOR US HAVE TO THE KIND OF ASSETS AND WHEREWITHAL TO GO OUT AND TALK ABOUT THE FUNDAMENTAL STRENGTHS OF OUR ECONOMY. AND AS

LAURA HUFFMAN POINTED OUT, THE SINGLE LARGEST MESSAGE THAT CAME OUT OF THAT COLLECTIVE EFFORT WAS LET'S USE OUR STRENGTHS, OUR EXISTING INFRASTRUCTURE, OUR EXISTING COMPANIES, OUR EXISTING ASSETS TO IN FACT GROW THESE JOBS, REPLACE SOME GREAT JOBS THAT WE HAD LOST. IT WAS ABOUT THAT TIME I TOOK MY FIRST TRIP TO KOREA AND CALLED ON SAMSUNG ALONG WITH SOME OTHER FOLKS, AND THEY WERE VERY PLEASED TO JOIN IN OPPORTUNITY AUSTIN, GREATER AUSTIN CHAMBER OF COMMERCE, UNIVERSITY OF TEXAS, STATE OF TEXAS DELEGATION AS WE WENT BACK TO SEOUL THIS PAST THING TO TALK IN MORE SPECIFICS ABOUT WHAT IT IS AUSTIN HAS TO OFFER, KNOWING THAT SAMSUNG GLOBALLY WAS LIKELY GOING TO BE DOING A NUMBER OF THESE FABs AND MAKE THE PITCH ABOUT THE SYNERGY BETWEEN THIS GREAT COMPANY AND THIS GREAT COMMUNITY. AND I TELL YOU, IT'S QUITE FLATTERING TO WALK INTO SAMSUNG'S REKNOWNED WORLD HEAD QUARTERS IN SEOUL AND SEE THE PHOTO OF SAMSUNG AUSTIN ON THE WALL. THEY HAVE THESE BEAUTIFUL PHOTOGRAPHS OF THEIR FACILITIES ACROSS THE GLOBE, THE VAST MAJORITY OF THEM OF COURSE BEING IN KOREA AND I THINK A FEW IN SOUTHERN CHINA, FWOW HAVE AUSTIN, TEXAS BE HIGHLIGHTED THE WAY WE ARE IN THEIR CORPORATE HEADQUARTERS SHOULD BE FLATTERING FOR US ALL, BUT IT ALSO SHOULD REMIND US HOW UNIQUE WE ARE AND WHAT AN OPPORTUNITY THIS REPRESENTS WITH THIS REMARKABLE COMPANY. SO I REALLY COMMEND THE COUNCIL FOR THE JEW DISH SHUS QUESTIONS THAT HAVE BEEN ASKED THROUGHOUT THIS PROCESS. AND THE CITY STAFF AND LAURA HUFFMAN HAS DONE A REMARKABLE JOB UNDERSTANDING OF BREATH BREADTH OF THIS. AND WHEN WE POSTED THIS ACTION, FOR THE FIRST TIME WE POSTED THE ACTUAL CONTRACT BEING PROPOSED BECAUSE SO MUCH WORK HAS GONE INTO THIS AND SORT OF THE ECONOMIC ANALYSIS THAT LAURA OUTLINED EARLIER IS IN SO MUCH GREATER DETAIL THAN EVEN OUR PREVIOUS POTENTIAL INCENTIVES HAVE BEEN. SO THE PRODUCT IS VERY DEFINED AND REFINED, AND THE FACT THAT SO MUCH COMMON EFFORT WAS PUT FORTH ANALYZING THIS OPPORTUNITY FROM BOTH SIDES OF THE TABLE, THEN WE AS A COUNCIL A AND WE AS A COMMUNITY AND A PUBLIC

HAVE A TREMENDOUS AMOUNT OF DETAIL FOR US TO ANALYZE THE TRUE IMPACTS OF THIS POTENTIAL INVESTMENT. AND IT'S A SOUND ONE AND IT SPEAKS FOR ITSELF. AND I APPLAUD THE COUNCIL AND CITY MANAGER, CITY STAFF FOR THIS OPPORTUNITY. AND I DO WANT TO RECOGNIZE, AS COUNCILMEMBER DUNKERLEY POINTED OUT, WE HAVE A NUMBER OF SAMSUNG OFFICIALS HERE WITH US LED BY DR. H.K. PARK, AND WE'D LIKE TO WELCOME YOU BACK TO THE CHAMBERS, THAT WE'RE VERY PROUD OF YOU AND YOUR COMPANY AND WE'RE PROUD TO BE A PART OF THIS MULTIJURISDICTIONAL OFFER TO SHOW THE VALUE THAT THIS LOCAL COMMUNITY HAS AND WHAT WE WOULD LOVE TO GROW THAT RELATIONSHIP WITH. SO THANK YOU VERY MUCH FOR BEING HERE. [ APPLAUSE ]

Futrell: MAYOR, BEFORE WE TAKE A VOTE, BECAUSE LAURA DIDN'T MENTION MY FAVORITE FACT TOYED HERE IN THE BRIEFING WHEN WE TALK ABOUT THE SIZE OF THIS INVESTMENT, YOU'RE TRYING TO GET YOUR ARMS AROUND BILLIONS OF DOLLARS, HOW FIGURE IS THIS INVESTMENT, HOW BIG DOES IT STACK UP? AS A CITY MANAGER YOU LIKE TO BE PROUD OF THESE KINDS OF THINGS. IF THIS INVESTMENT IS MADE HERE, IT WOULD BE 400 TIMES BIGGER THAN THE INVESTMENT ASSOCIATED WITH THE TOYOTA PROJECT IN SAN ANTONIO.

Mayor Wynn: STOP. [ LAUGHTER ]

Futrell: CITY MANAGER ALWAYS PICKS ON HER HOMETOWN.

Mayor Wynn: SO WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM NUMBER 8 AS OUTLINED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL VERY MUCH. [ APPLAUSE ] COUNCIL, IF WE CAN GO BACK AND TAKE UP ITEM NUMBER 8 IF COUNCILMEMBER ALVAREZ WOULD PREFER, THIS IS THE CULTURAL ARTS FUNDING PROGRAM THAT HE HAS SPENT A LOT OF TIME HELPING US WITH AND I'LL RECOGNIZE

COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, MAYOR. REALLY THERE'S BEEN A LOT OF FOLKS WORKING REALLY HARD ON THIS OVER THE LAST YEAR PROBABLY, ALTHOUGH IT SEEMS LONGER THAN THAT, MAYBE WHEN WE WORKED ON THE BUDGET. IT'S COMING AROUND TO ALMOST A YEAR. BUT MADE SOME GREAT PROGRESS IN TERMS OF LOOKING AT THE PROGRAM THAT WAS DEVELOPED THE PRIOR YEAR AND MAKING SUGGESTIONS FOR HOW TO REFINE THAT PROGRAM AND STRENGTHEN THAT PROGRAM. AND THE GUIDELINES COMMITTEE HAS BEEN VERY ACTIVE AND MET EVERY TWO WEEKS FOR SIX MONTHS OR SO, AND WE TOOK ONE SMALL BREAK AND NOW WE'RE ON OUR SECOND SMALL BREAK AND UNTIL WE GET PAST THIS PARTICULAR POINT. I DON'T KNOW. I JUST PULLED IT IN CASE STAFF WANTED TO HIGHLIGHT ANY PARTICULAR ASPECT OF THE PROGRAM. I THINK YOU MAY HAVE ACTUALLY SEEN -- YOU MAY HAVE ACTUALLY HEARD ABOUT THESE CHANGES THAT CAME FORWARD A FEW MONTHS BACK, BUT WE WENT THROUGH A PUBLIC PROCESS ONCE THAT WAS PRESENTED TO COUNCIL AND GOT SOME FEEDBACK AND THEN FURTHER REFINED THE GUIDELINES AND THE PROGRAM ITSELF, BUT REALLY THAT -- I'M CERTAINLY SUPPORTIVE OF WHAT'S ON THE TABLE AND JUST WANTED TO ALLOW STAFF TO SAY A LITTLE SOMETHING ABOUT HOW WE GOT HERE AND IF THERE'S ANY PARTICULAR ASPECTS OF THE PROPOSALS THAT MAYBE YOU WOULD WANT TO HIGHLIGHT.

Futrell: VINCE, WHY DON'T YOU GIVE US A SHORT OVERVIEW THEN OF WHAT YOU THINK ARE THE KEY HIGHLIGHTS.

SURE. GOOD MORNING, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, MY NAME IS VINCENT CICH, I'M THE CULTURAL ARTS MANAGER. THANK YOU, COUNCILMEMBER ALVAREZ, FOR YOUR LEADERSHIP. REALLY AS YOU MENTIONED, A LOT OF THINGS HAVE HAPPENED. I'LL GO QUICKLY THROUGH THIS POWERPOINT BECAUSE WE DON'T NEED TO HIT EVERYTHING, BUT SINCE 2003 WE'VE BEEN WORKING ON THESE PROGRAMS. THE DRAFT GUIDELINES THAT SERVED LAST YEAR WERE ADOPTED IN APRIL. LAST YEAR THE STAFF PUT TOGETHER AND REWORKED THE APPLICATION AND REVIEW PROCESS AND WE ASSEMBLED



ALL THE PANEL REVIEWS AND CONDUCTED THOSE REVIEWS, WHICH WAS ALL VERY SUCCESSFUL. THIS YEAR AS A COMMITMENT TO REALLY EVALUATE THESE PROGRAMS AND TO REFINE THEM, WE HAVE BEEN GOING THROUGH A LOT OF PUBLIC INPUT. AS THE COUNCILMEMBER MENTIONED, THERE WAS A GUIDELINES COMMITTEE OF THE COMMISSION THAT WAS CREATED AND IT REALLY CONSISTED OF COUNCILMEMBERS, AND I NEED TO RECOGNIZE FORMER MAYOR PRO TEM GOODMAN AND THANK THE OTHERS FOR THEIR DEDICATION IN WORKING OVER MANY MONTHS TO MAKE THIS HAPPEN. WE HELD A NUMBER OF PUBLIC MEETINGS, EITHER THE STAFF OR THE ARTS COALITION, THE ARTS COMMISSION AND THE COMMITTEE, WITH OVER 200 PEOPLE ATTENDING THESE MEETINGS THROUGHOUT THE YEAR. WE'VE GATHERED INPUT THROUGH E-MAIL, PHONE CALLS, PUBLIC HEARINGS. WE'VE POSTED DRAFT REVISIONS OF THE GUIDELINES FOUR TIMES AND THE ARTS COMMISSION HELD PUBLIC MEETINGS TO GET THE KIND OF COMMUNITY INPUT INTO THESE CHANGES. AND WITH THAT I WANT TO GET RIGHT TO THE SPECIFIC CHANGES. THE MAJORITY OF WHAT WE'RE LOOKING AT TODAY REALLY INVOLVES MINOR REVISIONS AND TWEAKS AND REFINEMENTS, BUT THERE ARE THREE PROGRAMMATIC CHANGES THAT I WOULD WANT TO POINT OUT THAT ARE INCLUDED. THAT IS, THE DEVELOPMENT AND IMPLEMENTATION OF A FUNDING MATRIX, WHICH PROVIDES A MECHANISM FOR THE ALLOCATIONS OF FUNDS BASED ON SCORE AND BUDGET. THE DEVELOPMENT AND IMPLEMENTATION OF A CAPACITY BUILDING PROGRAM FOCUSED ON THE ORGANIZATIONAL DEVELOPMENT OF CULTURAL BASED ARTS ORGANIZATION AND THE IMPLEMENTATION OF A TWO-YEAR APPLICATION CYCLE. THE FUNDING MATRIX BEING THE FIRST BIG PROGRAMMATIC CHANGE, REALLY WHICH IS ILLUSTRATED BY THE SLIDE AS A SAMPLE, IS JUST A MECHANISM THAT PROVIDES US WITH THE PARAMETERS FOR THE DISTRIBUTION OF FUNDS BASED ON SCORE TO LIKE SIZED ORGANIZATION. THE NUMBERS THAT ARE IN THE MATRIX ARE EXAMPLES. THE MATRIX ITSELF IS A MECHANISM, BUT THE NUMBERS THAT FALL WITHIN THE MATRIX CAN BE ADJUSTED ANNUALLY IF NEEDED TO ADDRESS FUNDING OR BUDGET CONCERNS. FOR EXAMPLE, COUNCIL MIGHT NEED TO BE ABLE TO RAISE

MAXIMUM CEILING AWARDS OR THE RATE OF DECLINE IN A YEAR WHERE FUNDING WAS VERY PLENTIFUL OR IN A YEAR WHERE BUDGET SHORTFALLS WERE WHAT WE WERE FACING, THEN COUNCIL WOULD HAVE THE ABILITY TO TAKE THE MATRIX AND LOWER THE CEILING AWARDS. BUT USE THE MATRIX ITSELF AS A MECHANISM TO TREAT ORGANIZATIONS EQUALLY WITHIN THEIR RESPECTIVE CATEGORIES. THE CAPACITY BUILDING PROGRAM IS REALLY A NEW PROGRAM THAT IS ROOTED IN THE GUIDELINES THAT WERE ADOPTED LAST YEAR. IT WAS LISTED IN THE GUIDELINES LAST YEAR AS A PROGRAM THAT WAS REALLY SLATED FOR FUTURE DEVELOPMENT, AND WE'RE BRINGING THAT FORWARD THIS YEAR. AGAIN, IF DESIGNED TO HELP STRENGTHEN THE CULTURAL ORGANIZATION IN AUSTIN BY ORGANIZATIONS WHO MAY NEED ASSISTANCE IN GROWING TO THE NEXT LEVEL. THE PROGRAM IS IN DRAFT OUTLINE FORM ONLY AT THIS TIME, AND WE WOULD CERTAINLY RECOMMEND COUNCIL RECOMMENDATIONS AND FEEDBACK. IT IS THE INTENTION THAT WE TAKE THIS DRAFT TO THE GUIDELINES COMMITTEE, RECONVENE THAT GROUP WHO WOULD FLESH OUT THE REMAINING ASPECTS OF THE PROGRAM, FORWARD THAT TO THE ARTS COMMISSION FOR REVIEW AND REVISION AND HAVE THE ARTS COMMISSION SEND IT BACK TO COUNCIL AS AN INDEPENDENT PROGRAM FOR FORMAL ADOPTION BY COUNCIL. AND WE HOPE THAT WOULD HAPPEN IN THE NEXT COUPLE OF MONTHS. THE NEXT IS A FORMAL APPLICATION CYCLE, WHICH IS WHAT WE ARE CURRENTLY OPERATING UNDER DURING THE INTERIM PROCESS. BUT THIS PROCESS WOULD LESSEN THE BURDEN SOMEWHAT ON THE APPLICANT AND PROVIDE STABILITY AGAINST LARGE NUMBERS OF APPLICANTS IN ANY ONE YEAR. BASICALLY WITH THIS PROPOSAL APPLICANTS WOULD SUBMIT A COMPLETE FORMAL APPLICATION, WHICH YOU KNOW IS VERY COMPLEX AND COMPETITIVE AND EXTENSIVE. THEY WOULD DO THAT IN THE FIRST YEAR, GO THROUGH THE FORMAL PANEL REVIEW AND RECEIVE SCORE, THEN THAT SCORE WOULD BE CARRIED ON INTO THE SECOND YEAR AND FUNDING WOULD BE DETERMINED ON THAT SCORE. HOWEVER, WE WOULD TRY TO MAKE PROVISION SO THAT NEW APPLICANTS OR PEOPLE WHO WERE UNSUCCESSFUL IN YEAR ONE WOULD HAVE AN OPPORTUNITY TO ACCESS THE PROGRAMS IN THE SECOND

YEAR. THOSE ARE THE THREE PRIMARY PROGRAMMATIC CHANGES THAT ARE REALLY OUTLINED IN THE GUIDELINES. EVERYTHING ELSE REALLY COMES UNDER THE HEADING OF WHAT I CONSIDER REVISIONS AND REFINEMENTS. WE'RE CHANGING SOME PROGRAM NAMES. THERE ARE SLIGHT CHANGES IN ELIGIBILITY AND REQUEST AMOUNTS. THE PLACEMENT OF INDIVIDUAL ARTISTS WITHIN ONE SPECIFIC PROGRAM AND PROVISIONS FOR NEW APPLICANTS. WE'VE ALSO INCLUDED REVISED REVIEW CRITERIA WITHIN ALL THE PROGRAMS THAT WERE DEVELOPED FROM THE COMMUNITY INPUT THAT REALLY INDICATED THE DESIRE TO HAVE INCREASED IMPORTANCE OF HISTORY, BUDGET, FINANCIAL INTEGRITY AND COMMUNITY IMPACT. AND FINALLY THE MINIMUM SCORE FOR ELIGIBILITY WILL NOW BE 75 INSTEAD OF 70. THIS REALLY CONSTITUTES ALL OF THE CHANGES TO THE PROGRAMS BEFORE YOU TODAY, AND I WOULD WELCOME ANY QUESTIONS YOU MIGHT HAVE.

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

Alvarez: THANK YOU, MAYOR. REALLY I -- I'VE BEEN INVOLVED PRETTY EXTENSIVELY AND I PRETTY MUCH KNOW A LOT OF THIS ALREADY, SO -- I REALLY DO WANT TO COMMEND EVERYONE WHO WORKED ON THIS, THE ARTS COMMISSION, THE CURRENT CHAIR, STILL CHAIR, BUT I THINK ONE OF THE THINGS THAT WE HEARD IN PRIOR YEARS IS LAST MINUTE INTERVENTION BY COUNCIL AT THE LAST BUDGET CYCLE, IT WAS A NEW PROCESS AND WE WERE TRYING TO MAKE SURE THAT WE CAME UP WITH A RESULT THAT WE FELT WAS FAIR. THE POINT OF THE REASONS THAT WE THINK FOLKS FELT THAT THAT MIGHT HAVE HAPPENED IS BECAUSE WE DIDN'T HAVE ALL THE PLAYERS KIND OF TALKING TO EACH OTHER IN TERMS OF HOW TO DEVELOP THIS POLICY. AND SO SINCE THAT TIME WE'VE HAD THIS GUIDELINES COMMITTEE THAT HAS INCLUDED MEMBERS OF STAFF, MEMBERS OF THE ARTS COMMUNITY, MEMBERS FROM THE ARTS COMMISSION. I DO WANT TO HIGHLIGHT JASON NEWLANDER'S ROLE IN THIS BECAUSE HE'S SERVED AS CHAIR AS BEEN THE GLUE THAT KEPT THIS TOGETHER BECAUSE ANY NUMBER OF TIMES ANY ONE OF US THREW OFF THE HANDLE AND THREATENED TO WALK OUT OF THE ROOM, BUT JASON WAS VERY GOOD AND VERY EFFECTIVE AND I WANT TO CERTAINLY THANK HIM IN

PARTICULAR FOR HIS SUPPORT. BUT HE WAS FROM THE ARTS COMMISSION. AND WE'VE HAD SEVERAL COUNCILMEMBERS, MAYOR PRO TEM GOODMAN AND COUNCILMEMBER DUNKERLEY AND MYSELF INVOLVED. AND THAT REALLY HAS LED TO A VERY, VERY PRODUCTIVE DIALOGUE THAT TAKES INTO ACCOUNT ALL OF THE -- IN ALL OF THE VARIOUS PERSPECTIVE, WE'RE ASKING FOLKS NOT JUST LOOK AT IT AS A PERSON FROM THE ARTS COMMUNITY OR AN ARTS GROUP THAT GETS FUNDING OR PERSON FROM THE ARTS COMMISSION OR A FIRST -- A STAFF MEMBER OR A COUNCILMEMBER, BUT TRYING TO GET ALL THOSE ISSUES ON THE TABLE AND TRYING TO -- BASED ON ALL THAT INFORMATION COME UP WITH A POLICY THAT MAKES SENSE, AND SO THAT'S WHY I THINK WE'VE SEEN A LOT OF CONSENSUS AROUND THE OTHER CHANGES THAT HAVE COME FORWARD PREVIOUSLY AND NOW THAT WE'RE TO THIS POINT THAT THIS CAN CONTINUE TO MOVE US FORWARD AND REALLY JUST WANT TO THANK EVERYBODY WHO HAS BEEN A PART OF THAT AND REALLY JUST LOOK FORWARD TO THE CONTINUED DIALOGUE ON THIS -- ON THESE GUIDELINES AS WE MOVE FORWARD BECAUSE IT'S AN ONGOING PROCESS. AND WE'RE GOING GOING TO GO THROUGH IT THIS YEAR AND BASED ON THAT EXPERIENCE MAY COME BACK IN THE NEXT YEAR AND ALSO TRY TO IDENTIFY THINGS THAT COULD FURTHER STRENGTHEN THE PROGRAM. SO IT'S GOING TO BE AN ONGOING PROCESS AND I WANT TO THANK EVERYONE FOR THEIR DEDICATION AND THE COUNCIL FOR ALLOWING US TO FLESH THIS OUT A LITTLE BIT SO THAT THE COUNCIL KNOWS WHAT'S HAPPENING, BUT ALSO SOME OF THE MEMBERS OF THE COMMUNITY ALSO WILL KNOW WHERE WE'RE AT AND WHERE WE'RE GOING FROM HERE. THANK YOU.

Mayor Wynn: THANK YOU. SO REMIND, COUNCILMEMBER, I'LL CONSIDER THAT A MOTION TO APPROVE ITEM NUMBER 7 AS OUTLINED.

Dunkerley: I WILL SECOND THAT.

Mayor Wynn: SECONDED BY COUNCILMEMBER DUNKERLEY. FURTHER COMMENTS?

Dunkerley: I HAVE ONE.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I REALLY APPRECIATE THE WORK OF MAYOR PRO TEM JACKIE GOODMAN ON THIS, BUT I DON'T THINK ANYBODY REALIZES THE EFFORTS THAT COUNCILMEMBER ALVAREZ HAS PUT INTO THIS. IT'S BEEN TIRELESS, THEY SPENT A LOT OF HOURS AND A LOT OF EFFORT, AND I REALLY APPRECIATE IT. SO I WAS HAPPY TO SECOND.

Mayor Wynn: AGREED. FURTHER COMMENTS, QUESTIONS?

Alvarez: I DIDN'T KNOW IF MR. ZIEGLER, BUT WANT TO SAY ANYTHING?

Mayor Wynn: EXCUSE ME, A COUPLE OF FOLKS SIGNED UP. STEVE MORRIS SIGNED UP NOT WISHING TO SPEAK, BUT IN FAVOR, AND JAMES BAG BY NOT WISHING TO SPEAK, BUT AVAILABLE FOR QUESTIONS. BUT MEL, WELCOME. MEL ZIEGLER.

THANK YOU, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, I DIDN'T REALLY PREPARE ANYTHING, BUT I DID WANT TO REITERATE SOME OF THE THINGS THAT HAVE BEEN SAID HERE TODAY. FIRST I WANT TO ACKNOWLEDGE KATHLEEN HARMON ANOTHER COMMISSIONER WHO IS HERE TODAY IN SUPPORT OF THIS. WE ACTUALLY STAND PRETTY PROUD TODAY. I THINK THE ARTS COMMISSION IS REALLY PROUD OF WHAT EFFORT AND WORK HAS GONE INTO THIS. AND IN PARTICULAR THE PROCESS, THE PUBLIC PROCESS. I THINK WE LEARNED A PRETTY GOOD LESSON. THIS HAS BEEN A LONG TIME COMING. I THINK OUR LESSON IS TO BE AS PUBLIC AND INCLUSIVE AS POSSIBLE BECAUSE THAT'S SORT OF WHAT MADE THIS WORK. AND I THINK WHAT WE HAVE TODAY IS SOMETHING THAT NOT ONLY WE CAN BE PROUD OF, BUT I THINK IT'S SOMETHING THAT THE WHOLE CITY CAN BE PROUD OF AND ALSO THAT I THINK SOMETHING THAT WILL BECOME AN EXAMPLE OF SOMETHING THAT WE CAN USE AND OTHER CITIES MIGHT WANT TO LOOK AT IN TERMS OF AN EXAMPLE OF THIS TYPE OF FUNDING AS WELL. I'M REALLY PROUD OF THAT. I DO WANT TO SAY A PARTICULAR THANK YOU TO FORMER MAYOR PRO TEM GOODMAN,

COUNCILMEMBER DUNKERLEY AND ALSO COUNCILMEMBER ALVAREZ FOR THEIR DEDICATION AND LEADERSHIP. AND I WANT TO ALSO SAY THANK YOU TOO TO OUR CHAIR OF THE GUIDELINES COMMITTEE, JASON NEWLANDER, WHO HAS STEPPED UP TO THE PLATE, BUT I WOULD ALSO LIKE TO ACKNOWLEDGE COMMISSIONER BAR KIN WHO IS THE CHAIR OF THE GUIDELINES COMMITTEE AND RESIGNED IN THE MIDDLE OF ALL OF THIS, BUT SHE WAS SORT OF THE BEGINNINGS OF THIS AND THEN JASON TOOK OVER AND DID AN EXCELLENT JOB. SO I JUST WANT TO SAY THANK YOU FOR YOUR SUPPORT, AND I WILL SAY THAT I LIKE WHAT ASSISTANT CITY MANAGER HUFFMAN SAID ABOUT CULTURAL ARTS BEING THE HEART OF THE COMMUNITY. AND I THINK THAT THAT'S TRUE AND I THINK THAT'S SOMETHING THAT IS REFLECTED HERE TODAY, AND HOPEFULLY IT WILL CONTINUE TO BE REFLECTED AS WELL. IF THERE ARE ANY OTHER QUESTIONS, I'LL BE HAPPY TO ANSWER THEM, BUT THAT'S ALL I HAVE TO SAY.

Mayor Wynn: THANK YOU, MR. ZIEGLER FOR YOUR SERVICE AS WELL. QUESTIONS?

ONE LAST THING. I WANT TO ACKNOWLEDGE VINCENT KITCH FOR ALL THE WORK HE'S DONE AS WELL AND ALL HIS EFFORT. WE SOMETIMES OVERLOOK SORT OF THE HARD WORKING BACKBONE OF THIS, BUT VINCENT HAS BEEN GREAT IN REGARDS TO PUTTING THIS ON ALL TOGETHER AS WELL.

Mayor Wynn: AGREED. WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM 7 AS OUTLINED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DAIS. COUNCIL, WE CAN TAKE UP A FEW MORE ITEMS BEFORE OUR 12:00 GENERAL CITIZEN COMMUNICATION. ITEMS 10 AND 14 WERE BOTH PULLED BY COUNCILMEMBER ALVAREZ. 10 RELATES TO RIGHT-OF-WAY LICENSE AGREEMENT, 14 TO INTERLOCAL. ANY PREFERENCE,

COUNCILMEMBER?

Alvarez: ACTUALLY, THEY WILL BOTH ACTUALLY BE VERY QUICK. I HAD REQUESTED -- THIS RELATES TO A LICENSE AGREEMENT. I DON'T NEED AN STENS ACTIVE -- EXTENSIVE PRESENTATION ON THIS --

Futrell: ARE WE SCARING YOU WITH THE STAFF COMING DOWN TO THE PODIUM?

Alvarez: I'VE SEEN IT TWICE AT THE TELECOM COMMITTEE, SO WHAT I HAD ASKED WAS FOR AUSTIN ENERGY TO COMMENT ON THE USE OF OUR INFRASTRUCTURE, OUR POLES POTENTIALLY TO SUPPORT SOME OF THIS EQUIPMENT THAT THEY PROPOSE TO INSTALL AND BE PART OF THIS LICENSE AGREEMENT. I KNOW IN THE PAST WE'VE TALKED ABOUT SAFETY ISSUES REGARDING TO HOW MUCH A PARTICULAR POLE OR STRUCTURE THAT SUPPORTS OUR ELECTRICAL SYSTEM CAN HOLD AND MAINTAIN AND JUST TO MAKE SURE THAT WE HAVE THAT COMMUNICATION WITH AUSTIN ENERGY AND WE'RE CONSIDERING THOSE ISSUES AS WELL WHEN WE CONSIDER ANY ADDITIONS TO OUR OWN INFRASTRUCTURES.

I'M JUAN GARZA FROM AUSTIN ENERGY. YES, COUNCILMEMBER, WE HAVE BEEN IN DISCUSSIONS. WE DO NOT HAVE AN AGREEMENT YET WITH THESE FOLKS. IT WOULD BE APPROPRIATE FOR THE COUNCIL TO TAKE THIS ACTION BEFORE WE TAKE THAT STEP, BUT I CAN ENSURE YOU THAT THE INTEGRITY OF OUR SYSTEM WILL BE PROTECTED. NONE OF OUR PROCEDURES WILL BE PROMISED. IN FACT, THE APPARATUS THAT WE'RE TALKING ABOUT HERE WILL BE MOUNTED ON OUR STREET LIGHTS AND NOT THE DISTRIBUTION POLES. ALL THE SAFETY PROCEDURES THAT ARE CALLED FOR WILL BE ADHERED TO, AND I HAVE NO CONCERNS IN THAT REGARD.

Alvarez: OKAY. I JUST WANTED TO GET THAT ON THE RECORD. THANK YOU, MAYOR PRO TEM.

Thomas: ANY OTHER QUESTIONS ON ITEM 10 AND 14?

Alvarez: I MOVE APPROVAL OF ITEM NO. 10.

Thomas: ITEM MOVED BY COUNCILMEMBER ALVAREZ, I'LL SECOND -- SECONDED BY COUNCILMEMBER LEFFINGWELL. ANY OTHER DISCUSSION? IF NOT, ALL THAT APPROVE THIS SAY AYE.

AYE.

Thomas: MOVE APPROVAL BY A VOTE OF FIVE TO ZERO, THE MAYOR OFF THE DAIS AND COUNCILMEMBER ALVAREZ. ANY OTHER ITEMS? MS. BROWN, BESIDES 12:00? IS THAT THE LAST? WHAT ABOUT ITEM 35? WAS IT.

Alvarez: WE STILL HAD ITEM 14, MAYOR PRO TEM.

Thomas: ITEM 14, COUNCILMEMBER ALVAREZ.

Alvarez: I WANTED STAFF TO SUMMARIZE THIS AGREEMENT OR THE TERMS OF THIS AGREEMENT IN TERMS OF THE COST TO THE CITY AND HOW IT COMPARES TO WHAT WE PAY FOR THESE SERVICES IN THE PAST. AND ALSO THE LENGTH OF THE TERM AND MAYBE GOING FORWARD WITH WHAT WE MAY BE CONSIDERING IN TERMS OF OUR ABILITY TO CONTINUE THIS TYPE OF RELATIONSHIP OR PURSUE OTHER OPTIONS.

MAYOR PRO TEM, COUNCIL, RUDY GARZA, ASSISTANT CITY MANAGER. THE ITEM BEFORE YOU IS A ONE-YEAR EXTENSION OF OUR EXISTING AGREEMENT THAT WAS PUT IN PLACE IN 2000. IT WAS A FIVE-YEAR AGREEMENT. THIS PARTICULAR EXTENSION DID REQUIRE A LOT OF DISCUSSION WITH THE COUNTY STAFF, AND THE COST IS ESTIMATED AT 4-POINT -- ACTUALLY, IT'S SET AT \$4.4 MILLION. IT'S AN INCREASE OF APPROXIMATELY 29% FROM OUR CURRENT CONTRIBUTION TO THE COUNTY CENTRAL BOOKING SERVICES. ONE OF THE THINGS THAT WE TALKED ABOUT IN OUR DISCUSSIONS WITH COUNTY STAFF WAS THAT WE RECOGNIZE AND BOTH SIDES ACKNOWLEDGE THAT WE HAD ISSUES THAT WE NEED TO ADDRESS AND RESOLVE, INCLUDING TECHNOLOGY ISSUES, SOME OF THE OPERATIONAL ISSUES, EVEN TO THE EXTENT OF IS THERE THINGS THAT WE COULD DO MORE EFFICIENTLY. AND AGAIN,



BOTH SIDES HAVE AGREED THAT THOSE ARE THINGS THAT WE NEED TO LOOK FORWARD TO AND ADDRESS. IN ADDITION TO THAT, AS PART OF OUR DUE DILIGENCE, WE HAVE CONTINUED TO EXPLORE WHETHER IN FACT THIS IS A FUNCTION THAT WE AS A CITY COULD DO MORE EFFICIENTLY FROM A COST PERSPECTIVE, ALSO FROM AN OFFICER PERSPECTIVE AND THE TIME THEY SPEND IN CENTRAL BOOKING NOW AND IF WE COULD DO THINGS DIFFERENTLY. WE CONTINUE TO EXPLORE THAT AND WE CONTINUE TO DO THAT AND ENSURE THAT THE CITY IS OPERATING IN THE MOST RESPONSIBLE MANNER, WHETHER IT IS WITH THE COUNTY OR WITH OUR OWN FACILITY. AGAIN, THIS IS A ONE-YEAR CONTRACT, AND I'M NOT SURE IF YOU HAD ANY OTHER QUESTIONS BESIDES THAT.

Alvarez: NO. I THINK THE -- SINCE -- AS THE COST FOR THESE SERVICES GOES UP, IF WE'RE UP TO 4.4 MILLION A YEAR, THAT KIND OF BEGS THE QUESTION OF IS IT POSSIBLE FOR US TO PROVIDE THIS SERVICE OURSELVES OR TO GO THROUGH THIS PROCESS SOME OTHER WAY THAT ACTUALLY SAVES CITY TAXPAYERS SOME MONEY. AND IS THAT PART OF THE ANALYSIS THAT'S BEING DONE IN TERMS OF OUR ABILITY MAYBE TO USE THIS AMOUNT OF REVENUE THAT WE ARE NOW ASKED TO PAY FOR THESE SERVICES AND MAYBE USE THEM TO PROVIDE THEM OURSELVES AND THUS POTENTIALLY SAVING CITY TAXPAYERS SOME MONEY.

YES, SIR. WE ARE PURSUING THAT. WE HAVE BEEN ALL ALONG THROUGH THE PROCESS, AND WE'RE CONTINUING THAT. AND INITIALLY WE THINK THAT WE CAN BE MORE EFFICIENT, BUT WE STILL NEED TO CONTINUE OUR ANALYSIS. AND WE ARE COMMITTED TO BRINGING FORWARD THE BEST OPTION TO THE CITY. AT THIS TIME THIS IS OUR BEST OPTION. OBVIOUSLY WE MADE A DECISION TO GO FORWARD, WE NEED TO ADDRESS THE CAPITAL COSTS AND ACTUAL FACILITY WHERE WE WOULD DO THAT STAFFING AND OPERATIONAL ISSUES. SO THAT WOULD TAKE SOME TIME, BUT WE ARE CONTINUING TO DO THAT AND WE'LL CONTINUE TO UPDATE THE COUNCIL. ONE THING I DID FAIL TO MENTION, THE COUNTY COMMISSIONERS DID TAKE ACTION ON THIS ON TUESDAY AND HAVE APPROVED THE ONE-YEAR EXTENSION.

Alvarez: SO WE'LL BE REVISITING THE ISSUE IN THE NEXT -- I WOULD THINK WE DON'T WANT TO GET TOO FAR INTO THE FISCAL YEAR --

I THINK WE WILL KNOW VERY SOON WHAT OTHER OPTIONS WE MAY HAVE IN THE NEXT COUPLE OF MONTHS.

Alvarez: THANK YOU, MR. GARZA. AND I'LL MOVE APPROVAL OF THIS ITEM, MAYOR PRO TEM.

Thomas: MOVED FOR APPROVAL BY COUNCILMEMBER ALVAREZ. I'LL SECOND THAT. ANOTHER QUESTION TO THE CITY MANAGER ON DISCUSSING THIS. I KNOW WE'LL LOOK AT OPTIONS ON TRYING TO IMPROVE THIS. I JUST NEED A CONTINUED UPDATE BECAUSE WE TALKED ABOUT SOME OF THE THINGS THAT WE NEED TO DO TO IMPROVE THE JAIL SERVICE. THAT IS A LOT OF MONEY, BUT MAYBE IF WE CAN DO IT MORE REASONABLE AND MORE BENEFICIAL TO US, I WOULD LIKE TO BE KEPT --

Futrell: WE WILL. I WILL MAKE SURE THIS IS INCLUDED IN MY ONE ON ONE'S WITH ALL OF YOU. WE WERE ALSO SURPRISED AND DISAPPOINTED BY THE INCREASE AND WE ARE WORKING VERY DILIGENTLY ON WHAT OUR OPTIONS ARE AND WE WILL KEEP YOU POSTED.

Thomas: ANY OTHER QUESTIONS ON ITEM 14? IT'S BEEN MOVED BY COUNCILMEMBER ALVAREZ, AND I SECONDED IT. ALL WHO APPROVE OF ITEM 14 SAY AYE.

AYE.

Thomas: ANY OPPOSED? ITEM 14 IS PASSED BY A FIVE IN AGREEMENT AND TWO THE MAYOR IS OFF THE DAIS AND COUNCILMEMBER MCCracken IS OFF THE DAIS. THERE'S ONE MORE ITEM, ITEM 35. COUNCILMEMBER KIM, DO YOU THINK WE CAN DO IT IN 10 MINUTES? OR DO YOU NEED MORE TIME?

Kim: YES, I JUST WANTED TO ASK THE CITY MANAGER RUDY GARZA TO ANSWER SOME QUESTIONS AS TO THE POLICY THAT WE HAVE FOR TURNING ON THE CAMERAS AND WHEN WOULD THEY BE USED AND HOW IS THAT POLICY

IMPLEMENTED?

COUNCILMEMBER KIM, THESE CAMERAS AGAIN ARE FOR THE AIRPORT POLICE, PARK POLICE AND THE MARSHALS, AND FOR THE POLICIES, I'M GOING TO ASK BRUCE MILLS OUR DIRECTOR OF PUBLIC SAFETY AND EMERGENCY MANAGEMENT TO GO OVER THAT.

GOOD MORNING, COUNCIL. MY NAME IS BRUCE MILLS, DIRECTOR OF PARKS FOR THE PUBLIC SAFETY DEPARTMENT NOW. THE QUESTION ABOUT THE POLICY, THE POLICY -- THERE'S A POLICY THAT MIRRORS A.P.D. POLICY IN TERMS OF USE, IMPLEMENTATION AND USE OF THE CAMERAS. MECHANICALLY THEY'RE ACTIVATED WHENEVER AN OFFICER MAKES A STOP, A TRAFFIC STOP OR INDIVIDUAL STOP WITH THE VEHICLE. THEN THE AUDIO PORTION IS ALSO ACTIVATED AUTOMATICALLY. ANY TIME THE OFFICER IS IN FRONT OF THE CAMERA AND HAS A PERSON STOPPED. THAT POLICY IS IN PLACE, THERE'S TRAINING IN PLACE AND ALL OFFICERS GET THAT TRAINING. THEY CURRENTLY GET IT IN THE AIRPORT, MARSHALS AND THEN PARKS WILL BE GETTING IT AS WELL.

Kim: WHEN YOU DO THE TRAINING, I GUESS MAYBE YOU CAN TELL ME ABOUT HOW -- A LITTLE BIT ABOUT THE A.P.D. POLICY ON THESE CAMERAS, MAYBE MR. GARZA CAN OUTLINE THAT.

I CAN OUTLINE A LITTLE BIT ABOUT THE A.P.D. POLICY. IN FACT, THEY'RE THE SAME. THE ACTUAL TRAINING IS APPROXIMATELY TWO HOURS. EVERY OFFICER GETS IT AND THEY GET IT AS A FIELD TRAINING AND THEY GET IT WITH TRAINING INSTRUCTORS.

Kim: OKAY. I THINK IT WOULD BE

FUTRELL: I THINK IT WOULD BE GOOD TO CLARITY. ASSISTANT CHIEF COY, COULD YOU COME DOWN? THERE'S A LOT OF QUESTIONS ABOUT THIS AND I THINK IT'S FAIR WE GET CRYSTAL CLEAR. NOT ONLY HAVE WE HAD A VERY STRAIGHTFORWARD POLICY AT ASSISTIVE LISTENING A.P.D., IT HAS RECENTLY BEEN ENHANCED ON THE CAMERA. RICK,

IF YOU COULD JUST SPEAK TO THAT.

SURE. RICK COY WITH THE AUSTIN POLICE DEPARTMENT. OUR POLICY MAN MANDATES THAT OFFICERS WHO OPERATE VEHICLES THAT ARE EQUIPPED WITH THE IN-CAR CAMERA WILL ACTIVATE THOSE CAMERAS UPON THE STOP OF A PEDESTRIAN OR A VEHICLE. WE MAINTAIN THOSE TAPES FOR 90 DAYS, SUBJECT TO ANY TYPE OF CITIZEN COMPLAINT OR REVIEW THAT MAY BE NECESSARY BY THE CHAIN OF COMMAND. AND I'M NOT SURE WHAT OTHER --

Futrell: THE RECENT ENHANCEMENT? CAN YOU SPEAK TO THE RECENT ENHANCEMENT WHERE WE ARE LOOKING TO THE TESTING OF WHETHER OR NOT THE CAMERAS HAVE BEEN CHECKED BEFOREHAND?

SURE. WE ALSO HAVE IN PLACE A CHECK SYSTEM THAT'S BEEN IN PLACE FOR QUITE AWHILE WHERE THE SUPERVISORS ARE REQUIRED TO MAKE SURE THAT THEY HAVE OPERATIONAL CAMERAS IN THE VEHICLES AS PART OF THE CHECKLIST. BUT WE ALSO IMPLEMENTED A NEW POLICY IS WHAT THE CITY MANAGER IS REFERRING TO WHERE THE SUPERVISORS ARE REQUIRED TO RANDOMLY DO PERIODIC CHECKS OF THE TAPES TO ACTUALLY WATCH THE TAPES AND MAKE SURE THAT THE STOPS ARE BEING RECORDED. SO WE HAVE A DOUBLE-CHECK PROCESS FOR THE EQUIPMENT AND THE UTILIZATION OF THE EQUIPMENT ON STOPS. THE CAMERAS, THE SAME THING THAT BRUCE MILLS IS USING THE CAMERAS FOR IS THE SAME AS OURS, THAT'S FOR THE PROTECTION OF THE OFFICER AND THE COMMUNITY ON STOPS WHERE USUALLY YOU HAVE JUST A ONE ON ONE SITUATION WITH THE CITIZENS STOPPED AND THE OFFICER, IT'S EXTREMELY VALUABLE IN SITUATIONS WHERE THERE'S AN ISSUE THAT ARISES HAVING THOSE TAPES.

Kim: ALL RIGHT. I JUST WANT TO STRESS THAT WE DO IMPLEMENT THIS POLICY FOR ENHANCED, I GUESS, MONITORING OF THE TAPES AS WELL AS MAKING SURE THAT THE SUPERVISORS ARE CHECKING THEM BECAUSE OUR COMMUNITY RIGHT NOW IS IN A VERY DIFFICULT TIME BECAUSE THAT WE DON'T HAVE THE VIDEOTAPE FOR WHAT HAPPENED AFTER -- OF WHAT HAPPENED AT THE DANIEL

ROCHA SHOOTING. SO I KNOW THIS ISN'T JUST ABOUT THE MARSHALS AND THE AIRPORT AND PARKS POLICE, BUT IT IS RELATED TO A.P.D.'S POLICIES ON USE OF THE CAMERAS. SO I JUST WANT TO MAKE SURE THAT WE'RE DOING EVERYTHING IN HAND TO HAVE AS MANY ITEM YEARS AND RECORD OF WHAT'S HAPPENING AS WE ARE PROTECTING OUR CITIZENS OUT THERE.

IN ADDITION, I MIGHT ADD WE IMPLEMENTED A FURTHER STEP THAT WE HAVE INDEPENDENT CHAIN OF THE COMMAND'S REVIEW AND THE SUPERVISOR AUTHORITY TO REVIEW THOSE TAPES AND THE CAMERAS. WE HAVE AN INSPECTIONS UNIT WITHIN THE AUSTIN POLICE DEPARTMENT AND OUR INSPECTIONS UNIT IS REQUIRED ALSO TO DO PERIODIC AND ROUTINE STOPS OUT ON THE STREET TO ENSURE OFFICERS ARE USING THE EQUIPMENT PROPERLY AND RECORDING THEIR STOPS AND ALSO TO DO QUALITY CHECKS ON THE SYSTEM AND MAKE SURE IT'S MAINTAINED. WE HAVE AN INDEPENDENT UNIT IN THE DEPARTMENT THAT'S A CHECKS AND BALANCE SYSTEM FOR US.

Kim: OKAY. THANK YOU. NO FURTHER QUESTIONS.

Thomas: ANY FURTHER QUESTIONS ON NUMBER 35? IF NOT, I'LL ENTERTAIN A MOTION TO APPROVE ITEM 35.

Dunkerley: SO MOVE.

Thomas: IT'S BEEN MOVED BY COUNCILMEMBER DUNKERLEY. WE NEED A SECOND. SECONDED BY COUNCILMEMBER LEFFINGWELL. ANY OTHER QUESTIONS, ANY OTHER DISCUSSION? IF NOT, WE'LL MOVE FOR APPROVAL, ALL WHO DO SAY AYE.

AYE.

Thomas: IT IS APPROVED BY A FIVE-ZERO APPROVAL NUMBER 35. AND COUNCILMEMBER ALVAREZ AND MAYOR WYNN IS OFF THE DAIS. WE DID GOOD. WE'VE GOT FIVE MINUTES. LET US -- MISS BROWN, THERE'S NOT ANOTHER ONE PULLED, RIGHT? THE REST WAS POSTPONED, AM I

CORRECT? AM I LOOKING AT THAT RIGHT?

I BELIEVE ITEM 41 WAS ALSO PULLED BY COUNCILMEMBER KIM.

Thomas: 43?

41.

Thomas: COUNCILMEMBER?

Kim: I'M STILL WORKING ON THE LANGUAGE WITH THAT WITH COUNCILMEMBER MCCracken.

Thomas: ALL RIGHT.

Kim: IS THERE AN OPPORTUNITY TO BRING THAT UP LATER?

Thomas: YES, WE CAN DO THAT.

Kim: THANK YOU.

Thomas: ITEM 43 WAS ALSO PULLED BUT NEITHER OF THE PEOPLE WHO PULLED IT ON ARE ON THE DAIS RIGHT NOW.

Thomas: OKAY. WE CAN RECESS FOR ABOUT FIVE MINUTES AND COME BACK FOR CITIZEN'S COMMUNICATION.

Mayor Wynn: WE HAVE A HANDFUL OF FOLKS SIGNED UP FOR CITIZEN COMMUNICATION. THE FIRST IS PAT JOHNSON. WELCOME. YOU WILL HAVE THREE MINUTES.

COUNCIL, THIS PRETTY WELL TELLS IT ALL. THE COUNCIL'S LACK OF ACTION OVER THE LAST FOUR YEARS. I'VE SPOKEN BEFORE THREE DIFFERENT MAYORS NOW SINCE THIS ISSUE HAS BEEN BROUGHT UP, BUT OUR CITIZENS ARE BEING RAPED BY THE TOWING COMPANIES OUT THERE AND CERTAIN PROPERTY OWNERS OUT THERE AND IT'S TOTALLY RIDICULOUS. THE TOWING COMPANIES THAT DO COMPLY WITH STATE LAW AND THEY SIT OUT THERE AND MAN THE ZONES TO KEEP OUR FREEWAYS CLEAR OF WRECKS ARE SUFFERING BIG TIME BECAUSE THE COUNCIL WILL NOT VOTE OR MAKE A MOTION TO GIVE THEM A SURCHARGE TO

COMPENSATE FOR FUEL. NOW, WE HAVE TO HAVE TOW TRUCKS TO KEEP THE HIGHWAYS CLEAN. WE HAVE TO HAVE THEM IN ORDER TO PARK. BUT ALL THESE TO FOLLOW THE LAW. ANY PERSON SHOULD BE ALLOWED TO APPLY FOR A WRECKER LICENSE AND NOT HAVE TO BE SPONSORED BY A TOWING COMPANY. AND THAT PERSON SHOULD BE HELD ACCOUNTABLE FOR HIS OR HER ACTIONS, NOT THE TOWING COMPANY. A C ISSUED WRECKER'S LICENSE SHOULD BE CREATED. THAT'S REAL SIMPLE. NOW, WITH OVER 500 WRECKER DRIVERS, IT'S VIRTUALLY IMPOSSIBLE FOR ONE DETECTIVE TO ADEQUATELY SERVE OUR CITIZENS AND THE CURRENT TOWING COMPANIES. WITH MORE THAN 75 PENDING INVESTIGATIONS, WE CAN'T GET TO THEM. THE CITIZENS -- THE TOWING COMPANIES KNOW THAT THEY GO OUT THERE AND TAKE YOUR CAR, TOW IT OFF ILLEGALLY AND KEEP YOUR MONEY OR KEEP YOUR CAR BECAUSE THERE'S NO APPEAL PROCESS. ANY WRECKER COMPANY THAT YOU ALLOW AN EMPLOYEE WITHOUT A WRECKER LICENSE TO TOW AND IMPOUND SHOULD BE REMOVED OFF A.P.D. PROGRAMS IMMEDIATELY BECAUSE IT'S NOT FAIR THAT THE COMPANIES THAT DO COMPLY WITH THE LAW HAVE TO SUFFER BECAUSE THEIR COMPETITORS OUT THERE ARE USING UNLICENSED WRECKER DRIVERS. HERE ARE TWO SIGNS RIGHT HERE, ONE BACKYARD TOWING AND THIS OTHER ONE HERE BY TRAMMELL CROW. THEY BOUGHT 150 SIGNS. I TRIED TO TELL THEM WHAT THE SIGN HAD TO LOOK LIKE AND THEY STILL GOT IT WRONG, BUT YET THEY STILL TOW CARS ILLEGALLY AND ACCORDING TO DETECTIVE GANN AND SERGEANT CANNON, THOSE CARS ARE STILL BEING REMOVED FROM PROPERTY. THEY'VE GOT TWO DRIVERS AT NIGHTTIME TOWING OFF OF BRIDGES THAT DO NOT HAVE A WRECKER LICENSE. NOW, RECENTLY A.P.D. REMOVED SOME TOWING COMPANIES OFF THE ROTATION LIST AND WE WOULD LIKE TO KNOW THE NAMES OF THOSE COMPANIES. I UNDERSTAND THERE WERE SIX OR SEVEN, BECAUSE THEY REFUSED TO COMPLY WITH STATE LAW. COULD WE GET A RESPONSE, MAYOR?

Mayor Wynn: A RESPONSE FOR --

THE NAME OF THE TOWING COMPANIES THAT WERE REMOVED FROM THE A.P.D. ROTATION LIST.

Mayor Wynn: WE'LL SEE IF MR. GARZA IS APPROACHING.

MAYOR AND COUNCILMEMBERS, RUDY GARZA, ACE SENT CITY MANAGER. WE DO HAVE THE RESPONSES FOR MR. JOHNSON. UNFORTUNATELY, THE CEEF STEPPED OUT FOR A SECOND. WE WILL GET THOSE TO HIM AS SOON AS HE GETS BACK. HOWEVER, I DO WANT TO POINT OUT THAT PAGED ON OUR -- BASED ON OUR CURRENT ORDINANCE, ONCE THE COMPANIES COME BACK INTO COMPLIANCE THEY DO COME BACK INTO THE PROGRAM AND AGAIN, THAT'S ONE OF THE ISSUES THAT WE ARE GOING TO BE ADDRESSING IN THE UPCOMING FUTURE.

Mayor Wynn: THANK YOU, MR. GARZA. PLEASE DO GET THAT LIST TO MR. JOHNSON. THANK YOU. NEXT SPEAKER IS MR. PAUL ROBBINS. I SAW T. PAUL EARLIER. WELCOME, PAUL, YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY ARTHUR ASSADOURIAN.

MAYOR, COUNCIL, CITIZENS OF AUSTIN, AGAIN, I'M PAUL ROBBINS AND AGAIN I'M AN ENVIRONMENTAL AND CONSUMER ACTIVIST AND AGAIN I'M HERE TO SPEAK ABOUT THE MAIN GAS COMPANY IN AUSTIN, TEXAS GAS SERVICE. THE COMPANY'S FRANCHISE FEE IS UP IN NOVEMBER OF 2006. AND THIS PRESENTS THE CITY WITH AN OPPORTUNITY TO CORRECT PAST PROBLEMS AND ALSO GIVES THE CITY AN OPPORTUNITY TO CONSIDER BUYING THE COMPANY. I WANT TO SPEAK TO TWO THINGS HERE TODAY. FIRST, I'VE INFORMED THE CITY COUNCIL AND THE MANAGER THAT THE CITY'S BEEN SHORTED MONEY ON ITS FRANCHISE FEES. MY ESTIMATE IS ABOUT THREE MILLION DOLLARS. AND I'M KIND OF WONDERING IF THIS HAS BEEN OR IS GOING TO BE INVESTIGATED AT ALL. THIS IS AFTER ALL BUDGET TIME, AND EVERY LAST DOLLAR COUNTS. THE OTHER THING I WANTED TO SPEAK -- AND I'M ASKING IF SOMEONE FROM THE MANAGER'S OFFICE COULD GET BACK TO ME WITH A REPORT ON IF THIS IS GOING ANYWHERE. THE OTHER THING I WANTED TO SPEAK OF ARE THE POTENTIAL ADVANTAGES OF THE CITY'S PURCHASE OF TEXAS GAS SERVICE. FIRST, WE WOULD BE USING LOWER INTEREST BOND MONEY FOR CAPITAL IMPROVEMENTS THAN A PRIVATE UTILITY. TWO, AUSTIN ENERGY ALREADY HAS LOWER COST FUEL AND IT WILL PROBABLY BE EVEN LOWER IF AUSTIN PURCHASED



LARGER AMOUNTS IN A COMBINED COMPANY OF A LARGER VOLUME PURCHASE. THREE, THERE WOULD BE COMBINED ADMINISTRATIVE EXPENSES SUCH AS CUSTOMER SERVICE, BILLING, ACCOUNTING AND FUEL PURCHASES THAT MIGHT LOWER COSTS FOR BOTH UTILITIES. BY FUEL PURCHASES I MEAN THE STAFF THAT ACTUALLY BUY IT, NOT THE GAS ITSELF. FOUR, THERE WOULD BE NO FEDERAL TAX. FIVE, AUSTIN ENERGY WOULD BE ABLE TO TRANSFER THE PROFIT TO THE GENERAL FUND. NOW, THERE ARE OVER 950 USEFUL OR PUBLICLY OWNED GAS UTILITIES IN THE COUNTRY RIGHT NOW REPRESENTING ABOUT EIGHT PERCENT OF ALL CUSTOMERS, AND SOME OF THE LARGER ONES INCLUDE SAN ANTONIO, INDIANAPOLIS AND OMAHA. CORPUS CHRISTI IS ALSO A MUNICIPAL COMPANY. HOW MUCH WE WOULD PROFIT A YEAR IF WE TOOK IT OVER IS NOT KNOWN AT THIS TIME, BUT TWO SIMILARLY SIZED MUNICIPAL UTILITIES HAVE FIGURES THAT I'VE BEEN ABLE TO GET. LONG BEACH GAS IN CALIFORNIA TRANSFERS ABOUT \$12 MILLION A YEAR TO THE CITY, AND COLORADO SPRINGS UTILITIES TRANSFERS ABOUT \$22 MILLION A YEAR IN LIEU OF TAXES. [ BUZZER SOUNDS ] MY TIME IS UP, SO I'LL JUST ASK YOU AGAIN TO ENTERTAIN THIS INSTEAD OF RENEGOTIATING THE NOVEMBER -- INSTEAD OF RENEGOTIATING THE NOVEMBER 2006 FRANCHISE. THANK YOU.

Mayor Wynn: THANK YOU, MR. ROBBINS. MY UNDERSTANDING IS THAT CITY STAFF HAS ALREADY BEGUN AN AUDIT. IF NOTHING ELSE IN ANTICIPATION OF NEXT YEAR'S NEGOTIATIONS. AND I THINK I -- I KNOW THAT ONE OF THE QUESTIONS THEY'RE ANSWERING IS YOUR QUESTION ABOUT THE TRANSPORTATION CUSTOMER. SO THANK YOU. OUR NEXT SPEAKER IS ARTHUR ASSADOURIAN. SORRY IF I'M MISPRONOUNCING THAT, ARTHUR. ARTHUR ASSADOURIAN. TO BE FOLLOWED BY LELA HALL. LELA HALL. TO BE FOLLOWED BY ANA VILLALOBOS. ANA VILLALOBOS. WHO'LL BE FOLLOWED BY SUSANA ALMANZA. WELCOME, ANNA. YOU WILL HAVE THREE MINUTES.

GOOD AFTERNOON, MAYOR AND CITY COUNCILMEMBERS, MY NAME IS ERIKA GONZALES AND I'M PODER CO-DIRECTOR. I'M HERE TO TALK TO YOU ABOUT A VERY IMPORTANT ISSUE AFFECTING EAST AUSTIN AND THAT'S GENERAL TRAFFIC. THAT IS THE RESIDENTIAL DISPLACEMENT OF

WORKING CLASS PEOPLE OF COLOR BY MIDDLE AND UPPER CLASS WHITES THAT USUALLY LEAD TO HIGHER LEVELS OF RACIAL SEGREGATION. GENTRIFICATION HAS CHANGED FACES OVER THE YEARS. BETWEEN 1999 TO 2000, THE WHITE POPULATION IN EAST AUSTIN INCREASED BY 31%, WHILE MEXICANS AND AFRICAN-AMERICANS INCREASED ONLY BY 16 AND 19% CONSECUTIVELY. SMART HOUSING IS A FACTOR AFFECTING GENTRIFICATION. THIS SO-CALLED AFFORDABLE HOUSING WAS FOR 80% OF THE MEDIAN FAMILY INCOME, YET EAST AUSTIN RESIDENTS ARE AT OR BELOW 30% OF THE MEDIAN FAMILY INCOME. THIS IS NOT AFFORDABLE HOUSING FOR EAST AUSTIN RESIDENTS. HISTORIC ZONING IS ALSO A FACTOR AFFECTING GENTRIFICATION. IN 1998 THE HISTORIC HOME AT 1101 EAST NINTH STREET WAS VALUED AT \$33,586. AND FOUR YEARS LATER IN 2002, IT INCREASED TO \$172,287. THE TWO SURROUNDING NON-HISTORIC HOMES JUMPED FROM THE 20 THOUSANDS TO ALMOST \$100,000 EACH. WE SEE NOW THAT AFFORDABLE HOUSING IS REALLY UNAFFORDABLE HOUSING. FROM 1990 TO 2000, THE PERCENTAGE OF HOUSES VALUED AT \$50,000 TO STHRIEN THOUSAND DOLLARS MORE THAN DOUBLED AND WE FOUND THAT AVERAGE HOME VALUES INCREASED BY 71%. BETWEEN THESE YEARS TILL TODAY PEOPLE OF COLOR AND PREDOMINANTLY LOWER INCOME FAMILIES HAVE FOUND IT HARD TO FIND AN AFFORDABLE HOME AND TO KEEP UP WITH PROPERTY TAXES OF ALREADY EXISTING HOMES. NOW I WANT TO SHOW YOU A PRESENTATION THAT ONE OF OUR YOUNG SCHOLARS FOR JUSTICE CREATED THIS SUMMER. IT IS GUIDE TO GENTRIFICATION IN FIVE EASY STEPS. AND THE FIRST STEP IS TO MAKE A POOR NEIGHBORHOOD SEEM LIKE A FRONTIER TO BE TAMED. THE SECOND STEP IS TO CREATE A RENT GAP TWEELG THE BUILDING'S VALUE AND ITS LAND VALUE BY NEGLECTING MAINTENANCE AND REPAIR WHILE INVESTING MONEY ELSEWHERE. STEP 3, TAKE THE NEIGHBORHOOD BLOCK BY BLOCK. STEP 4, CREATE A HIP ENVIRONMENT FOR ARTISTS AND GALLERY OWNERS TO BE THE FIRST WAVE OF PIONEERS TO AUTHENTICATE THE TOUGH URBAN EXPERIENCE. STEP 5, RAISE RENTS AND DRIVE OUT ARTISTS TO TO BE REPLACED BY WEALTHY ENTREPRENEURS, HIPSTERS AND YUPPIES. SO IN CONCLUSION, WHAT'S AFFORDABLE FOR MOST OF AUSTIN IS

UNREACHABLE FOR EAST AUSTIN. HOMES SHOULD BE FOR THE POOR AND WORKING POOR. EAST AUSTIN RESIDENTS ARE TIRED OF BEING DISPLACED, ESPECIALLY BY THESE PEDERNALES LOTTS WHICH COST \$180,000. WE WOULD RATHER INVEST IN OLD SNEAKERS HANGING OFF THE WIRES WHICH COST ABOUT \$12. PLEASE STOP GENERAL TRAPHIING EAST AUSTIN. THANK YOU. [ APPLAUSE ] LET'S SEE, IS ANA VILLALOBOS?

[INAUDIBLE - NO MIC].

Mayor Wynn: I'M NOT SURE WHAT'S HAPPENING.

GOOD AFTERNOON, CITY COUNCILMEMBERS. THIS SUMMER PODER AND ITS YOUNG SCHOLARS FOR JUSTICE CONDUCTED RESEARCH ON THE IMPACT OF GENERAL GENTRIFICATION IN EAST AUSTIN THROUGH DOOR TO DOOR SURVEYING. IT SERVED AS A MEANS TO INFORM COMMUNITY RESIDENTS ABOUT POTENTIAL ALTERNATIVES AND USEFUL RESOURCES. (INDISCERNIBLE) CONDUCTED SURVEYS FROM THE BOUNDARIES OF I-35 TO PLEASANT VALLEY AND FROM EAST 13TH STREET TO TOWN LAKE. THE 322 HOUSEHOLDS SURVEYED WERE ASKED QUESTIONS REGARDING THE AMOUNT OF YOUTH THAT LIVE IN THE NEIGHBORHOOD, INCREASES IN PROPERTY TAXES, WHETHER THEY RECEIVED OFFERS TO BUY THEIR HOME, WHETHER THEY CONSIDERED 110,000-DOLLAR HOMES AND ABOVE AFFORDABLE AND WHETHER THEY THOUGHT THAT THE LATINO AND AFRICAN-AMERICAN COMMUNITY WAS BEING DISPLACED FROM EAST AUSTIN. OVERALL THE SURVEYS GAVE INSIGHT INTO GENTRIFICATION AND ITS CURRENT AND FUTURE IMPACT ON THE RESIDENTS OF EAST AUSTIN. THE EAST AUSTIN IT'S SURVEYED WERE NOT ONLY AWARE OF THE CHANGES TAKING PLACE IN THE SURVEY, BUT ALSO CONCERNED ABOUT AFFORDABLE HOUSING. OF THE 322 HOUSEHOLDS SURVEYED, 41% ARE RELATIVELY NEW TO THE COMMUNITY AND HAVE BEEN LIVING IN THE AREA FOR 15 YEARS OR LESS. AFRICAN-AMERICANS REPRESENTED EIGHT PERCENT OF THIS POPULATION, AWE INDICATIONS REPRESENTED 34% AND LATINOS REPRESENTED 54%, HOWEVER, UPON CLOSER EXAMINATION, 66.5 PERCENT OF CAUCASIANS WITHIN THIS GROUP WERE HOMEOWNERS WHILE ONLY 43% OF LATINOS WERE HOMEOWNERS. OF THE LATINOS SURVEYED, 64%

CHOSE SPANISH AS THE LANGUAGE OF PREFERENCE. THIS PLAYS A DIRECT ROLE IN THE HOUSING CRISIS. DESPITE THAT 71% OF EAST AUSTIN IT'S SURVEYED WERE HOMEOWNERS, 45% OF THEM WORRIED ABOUT BEING ABLE TO CONTINUE LIVING IN THEIR HOME. SEVERAL SAID THAT THEY WERE RETIRED AND WOULD BE UNABLE TO AFFORD INCREASING PROPERTY TAXES. ROUGHLY 52% OF HOMEOWNERS STATED THEIR PROPERTY TAXES INCREASED FROM 2003 IN COMPARISON TO 77% WHICH STATED THEIR PROPERTY TAXES INCREASED FROM 2004. IF THE PRICES CONTINUE TO RISE, ESTABLISHED HOMEOWNERS WILL HAVE NO OTHER CHOICE BUT TO SELL AND MOVE TO THE OUT SKIRTS OF AUSTIN. IN REGARDS TO THE PRICE OF HOMES IN THE AREA, THE MAJORITY OF RESIDENTS BELIEVE PRICES WERE QUICKLY ESCALATING. ROUGHLY 63% OF RESIDENTS DEEMED \$110,000 HOME AND APPROVE AS OUT OF THEIR PRICE RANGE COMPARED TO 20% WHICH VIEWED IT AS AFFORDABLE. IT IS IMPORTANT TO NOTE WHEN RESIDENTS WERE POSED THIS QUESTION, MANY RESPONDED WITH AFFORDABLE TO WHOM? RESIDENTS ALSO COMMENTED ON THE MULTIPLIERS AND MAILOUTS THEY RECEIVED WEEKLY ON THE PURCHASE OF THEIR HOME. APPROXIMATELY 84% OF HOMEOWNERS RECEIVED OFFERS FOR THE PURCHASE OF THEIR HOME, HOWEVER, MANY DIDN'T KNOW THE PRICE BEING OFFERED SIMPLY BECAUSE THEY WEREN'T INTERESTED IN SELLING. 74% BELIEVE THAT THE LATINO AND AFRICAN-AMERICAN COMMUNITY IS BEING DISPLACED FROM EAST AUSTIN. AS THE NUMBERS CLEARLY SHOW, ESTABLISHED EAST AUSTIN RESIDENTS ARE EXPERIENCING A HOUSING CRISIS DUE TO THE UNFAIR BURDEN OF TAXES. IT IS IMPORTANT THAT OUR CITY COUNCILMEMBERS REVIEW AND SERIOUSLY TAKE INTO CONSIDERATION THE RECOMMENDATIONS PREVIOUSLY PRESENTED BY PODER. URGENT ACTION NEEDS TO BE TAKEN TO REMEDY THE IMPACT OF JANIE TRAFICATION IN EAST AUSTIN. THANK YOU. GENTRIFICATION IN EAST AUSTIN. [ APPLAUSE ]

Mayor Wynn: THANK YOU. SUSANA ALMANZA? YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY NAILAH SANKOFA. WELCOME.

SINCE THE ADOPTION OF SEVERAL EAST AUSTIN NEIGHBORHOOD PLANS IN THE NEW CITY NEIGHBORHOOD

PLAN PROJECTS, RESIDENTS HAVE FELT A BURDEN OF INCREASED PROPERTY TAXES AND INCREASED RENTAL RATES. THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN WAS ADOPTED IN MAY OF 1999 AND THE LAND USE IN DECEMBER OF 2000. THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN AND AREA IS LOCATED EAST OF INTERSTATE 35, THE BOUNDARIES FOR THE PLAN AND AREA ARE THE ALLEY BETWEEN EAST SIXTH AND SEVENTH STREET ON THE NORTH, CHICON ON THE EAST AND TOWN LAKE ON THE SOUTH. RESIDENTS IN THE AREA HAVE EXPERIENCED A RAPID ESCALATION IN APPRAISED PROPERTY VALUES. ACCORDING TO A STUDY CONDUCTED BY THE UNIVERSITY OF TEXAS SCHOOL OF EFFECT AND COMMUNITY REGIONAL PLANNING PROGRAM, AREA RESIDENTS AND SINGLE-FAMILY HOMES EXPERIENCE OVER A 400% PLUS INCREASE IN LAND VALUE AND 123% INCREASE IN THEIR TAX BILL FROM 1998 TO 2004. SINCE THE ADOPTION OF SEVERAL EAST AUSTIN NEIGHBORHOOD PLANS BY THE CITY OF AUSTIN, RESIDENTS HAVE WITNESSED AN INCREASING OF CONDOS AND LOFTS. THE EAST 11th LIVING WORK LOFTS RANGE FROM 185 TO 200,000. THE PEDERNALES LOFTS 155 TO 184,000. WATER STREET LOFTS. 180 TO 240,000 AND MORE CONDOS ARE COMING. THE ONES AT EAST SIXTH AND BRUSHY. PEOPLE ARE COLOR WHO AT ONE TIME HAD NO OTHER CHOICE BUT TO LIVE IN EAST AUSTIN ARE NOW BEING PUSHED FURTHER EAST AND/OR OUT OF AUSTIN. THE REZONING AND AUSTIN NEIGHBORHOOD PLANS HAVE CONTRIBUTED GREATLY TO THE GENTRIFICATION OF EAST AUSTIN. MANY AREA RESIDENTS FEEL THAT THE GOAL OF THE NEIGHBORHOOD PLAN WERE TO A GENERATION OF RESIDENTS WHO MADE EAST AUSTIN THEIR HOME OUT OF EAST AUSTIN THROUGH NEW ZONING CATEGORIES. THE SMART HOUSING, WHICH IS AT 80% MEDIAN INCOME FOR FAMILY OF FOUR, 56,900, IS NOT SERVING THE 30 TO 40% MEDIAN FAMILY INCOME OF EAST AUSTIN THAT RANGES FROM 21,350 TO 28,450 CATEGORY. THE TEXAS TEXAS WORKFORCE COMMISSION IN 2004 REPORTED THAT LOW WAGE JOBS WILL CONTINUE TO GROW. 37% OF NEW JOBS ADDED BETWEEN 2000 TO 20 2010 WILL PAY AN AVERAGE OF \$20,380 A YEAR. THE POOR AND WORKING POOR NEED HOUSING THEY CAN AFFORD. TO MAKE MATTERS WORSE, MORE BURDENSOME FOR EAST

AUSTIN RESIDENTS, THE EAST TRAVIS COUNTY TAX OFFICE RECOVERS DELINQUENT TAXES IS PURSUING AN UNFAIR PROCESS OF RECOVERING DELINQUENT TAXES. TRAVIS COUNTY FILED OVER 5,300 TAX SUITS AND APPROXIMATELY 3,001 IN 2004. IN THE LAST TWO YEARS, OVER 86% OF THE LAWSUITS WERE FILED IN HOMES WITH ASSESSED 2004 VALUES BELOW \$111,000. 87 THOUGH TAXES WERE OWED BY PROPERTY OWNERS OF HIGH VALUED HOMES. THE MAJORITY OF THESE TAX SUITS OCCURRED IN TRAVIS COUNTY COMMISSION PRECINCT 1 AND PRECINCT 4. THESE ARE THE MAJORITY OF PEOPLE OF COLOR. PODER REPORTED TO THE CITY OF AUSTIN IN 2003 THAT EAST AUSTIN RESIDENTS WERE EXPERIENCING A 60% FORECLOSURE. AND THE MAJORITY OF HOMES SITES THAT WERE SOLD AT A TAX AUCTION FOR 2003 OCCURRED IN EAST AUSTIN AT A RATE OF 70%. I WILL WRAP UP, MAYOR. EAST AUSTIN RESIDENTS ARE BEING GENERAL TRA PHID. THERE ARE NUMEROUS INSTRUMENTS BEING USED TO RELOCATE THEM. A GREAT INJUSTICE IS OCCURRING AND THE RESIDENTS OF EAST AUSTIN NEED TO SPEAK OUT ABOUT THE INJUSTICE AND THE CITY AND COUNTY GOVERNMENTS NEED TO MAKE IMMEDIATE ACTION TO STOP THE CURRENT ECONOMIC RACISM THAT IS TAKING PLACE. THERE ARE LAWS AGAINST DISCRIMINATION ON RACIAL LINES, BUT THERE ARE NO LAWS TO PROTECT US FROM ECONOMIC RACISM. PODER REQUESTS THAT YOU REVIEW THE GENTRIFICATION RECOMMENDATIONS THAT WERE MADE BY THE CITY'S TASKFORCE IN 2002 AND THE GENTRIFICATION RECOMMENDATIONS THAT PODER MADE IN 2003. PODER ALSO REQUESTS THAT A MORATORIUM ON CONDOS AND LOFTS BE ISSUED TO REVIEW THE CRITICAL CRISIS OCCURRING IN EAST AUSTIN. THANK YOU.

Mayor Wynn: THANK YOU. [ APPLAUSE ] NAILAH SANKOFA? NAILAH SANKOFA? AND EARLIER I HAD CALLED LELA HALL? OR ARTHUR ASSADOURIAN. THEY APPARENTLY AREN'T HERE. DR. CRANBERG, YOU'RE OUR NEXT AND LAST SPEAKER.

HONORABLE MAYOR, I'VE ADDRESSED YOU PREVIOUSLY ON A VERY AMBITIOUS AND AGAIN REASONABLE AND DESIRABLE PROJECT. AN APPRAISAL OF THE COST EFFECTIVENESS OF THE AUSTIN POLICE DEPARTMENT. I

THOUGHT THAT THIS WAS ESSENTIALLY A ROUTINE, ALMOST PEDESTRIAN PROPOSAL, ONLY TO DISCOVER THAT IT'S NOTHING OF THE SORT. I HAVE BEEN LOOKING INTO THE AVAILABLE RESOURCES THAT WOULD BE APPROPRIATE TO CARRY OUT SUCH A STUDY, AND WHAT I FOUND IS VARIETIES OF POLICE BEHAVIOR BY JAMES Q. WILSON, WHO IS PROBABLY THE LEADING SOCIAL SCIENTIST IN THIS FIELD. AND I HAVE COMMUNICATED WITH HIM. THE UP SHOT OF MY INVESTIGATION THUS FAR IS AS FOLLOWS: THE LEADING SPECIALIST WHO HAS BEEN RECOMMENDED TO ME BY AN M.I.T. HARVARD INSTITUTION FOR URBAN AFFAIRS IS PROFESSOR PETER MANNING. AND HE IS PROFESSOR AT NORTHEAST UNIVERSITY IN BOSTON. I HAVE CORRESPONDED WITH HIM EXTENSIVELY AND HAVE RELAYED THE E-MAILS WHICH RESULTED FROM THAT CORRESPONDENCE TO THE CITY MANAGER. I'M GRATIFIED TO LEARN THAT THE COST OF HIS SERVICES IS EXTRAORDINARILY MODEST, NAMELY, ABOUT \$100,000. NOW, WHAT IS \$100,000? WELL, THE POLICE DEPARTMENT BUDGET ALLOCATES ABOUT \$200,000 FOR EVERY POLICE OFFICER. THIS PROPOSAL FROM PROFESSOR MANNING IS TRULY EXTRAORDINARILY MODEST AND IT AFFORDS TO THIS BODY A RESOURCE OF TRUE PROFESSIONALISM. INCIDENTALLY, I WAS INTERESTED TO LEARN FROM THIS BOOK THAT THE POLICE, ACCORDING TO PROFESSOR WILSON, ARE A CRAFT, NOT A PROFESSION. WELL, I DON'T THINK THAT'S A PUT-DOWN, BUT IT CERTAINLY SUGGESTS THAT THERE IS ROOM FOR PROFESSIONALISM IN THE ASSESSMENT OF OUR POLICE DEPARTMENT. AND I RESPECTFULLY SUBMIT THAT TO ENLIST PROFESSOR MANNING OR SOME EQUIVALENT INDIVIDUAL OF EQUIVALENT COMPETENCE WOULD BE AN EXTRAORDINARILY VALUABLE INNOVATION. ONE OF THE REASONS THAT I THINK IT'S IMPORTANT TO DO THIS IS ILLUSTRATED BY THIS DOCUMENT OF WHICH EACH OF YOU HAS RECEIVED A COPY IN BLACK AND WHITE. IN THE HOPE OF HAVING A STRONGER IMPRESSION, THIS IS IN COLOR. AND IT'S TITLED, ELDER ABUSE, THE CASE FOR CONGRESSIONAL ACTION NOW. AND AS A RECAP OF WHAT THE SENATE HAS BEEN CONSIDERING FOR THE LAST 31 YEARS. [ BUZZER SOUNDS ] I ASSUME THAT THAT'S AN INDICATION THAT I'M ABOUT TO EXHAUST MY TIME.

Mayor Wynn: YES, IT IS.

LET ME SUFFICE TO SAY THAT THIS IS AVAILABLE, AS IS A COPY OF THE COVER OF THE BOOK. AND I STRONGLY RECOMMEND IT TO THIS BODY.

Mayor Wynn: THANK YOU, DR. CRANBERG. AND ACTUALLY, I INVITE YOU IF YOU HAVE TIME, BEGINNING SOMETIME SHORTLY AFTER 2:00 O'CLOCK TODAY WE'RE GOING TO HAVE A PRESENTATION OF THE CITY MANAGER'S PROPOSED '05-'06 BUDGET SPECIFICALLY RELATED TO PUBLIC SAFETY, POLICE, FIRE AND MUNICIPAL COURT, SO THERE WILL BE A DETAILED PRESENTATION IN JUST A COUPLE OF HOURS AS TO THE MAKEUP OF SPECIFICALLY THE POLICE DEPARTMENT'S BUDGET FOR NEXT YEAR. SO THANK YOU. AGAIN, HAS ARTHUR ASSADOURIAN, LELA HALL OR NAILAH SANKOFA ENTERED THE ROOM? IF NOT, THEN COUNCIL, THAT ENDS OUR GENERAL CITIZEN COMMUNICATION. COUNCIL, WE WOULD NORMALLY GO INTO CLOSED SESSION NOW TO GET OUR LUNCH AND TAKE UP SOME EXECUTIVE SESSION ITEMS, BUT THERE'S A HANDFUL OF FOLKS THAT ARE HERE ON ITEM NUMBER 43 THAT I THINK WE CAN GET THROUGH IN JUST A FEW MINUTES. SO WITHOUT OBJECTION, LET'S CALL UP ITEM NUMBER 43, WHICH TECHNICALLY WAS AN ITEM FROM COUNCIL SPONSORED BY COUNCILMEMBERS ALVAREZ, LEFFINGWELL AND MCCracken DIRECTING THE CITY MANAGER TO SUSPEND ALL PLANS OF THE SOUTH AUSTIN TENNIS CENTER. SO PERHAPS IF STAFF COULD GIVE US A BRIEF SUMMARY AS TO WHERE WE HAVE COME FROM, WHERE WE THINK WE ARE, AND THEN WE'LL ENTERTAIN SOME COMMENTS.

THANK YOU, MAYOR. MAYOR PRO TEM, COUNCIL, THANK YOU VERY MUCH. WARREN STRUSE, DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT. AS YOU KNOW, THERE'S BEEN A LOT OF INTEREST LATELY ABOUT THE SOUTH AUSTIN TENNIS CENTER EXPANSION. WHEN WE FIRST STARTED TALKING ABOUT CONSTRUCTION, THERE WAS INTEREST ON THE NEIGHBORHOOD'S PART ABOUT THE EXPANSION, MOVING THEM TO A PARKLAND AT THE EXISTING SOUTH AUSTIN TENNIS CENTER. RECENTLY THERE WAS INTEREST ON THE COUNCIL FOR US TO LOOK AT EXPLORING OTHER SITES. THE CITY MANAGER ASKED ME IN



THE PARKS AND RECREATION DEPARTMENT IF WE WOULD GO OUT AND EXPLORE OTHER SITES TO SEE IF THERE WAS SOME OPPORTUNITIES TO EXPAND THE TENNIS CENTER AT ANOTHER LOCATION. AT THAT POINT WE BASICALLY HAVE HAD A NUMBER OF DISCUSSIONS WITH BOTH SIDES, WITH THE STAKEHOLDERS OF THE TENNIS CENTER, AS WELL AS DISCUSSIONS WITH THE NEIGHBORHOOD. AND WITH THAT WE HAVE HAD SOME PRELIMINARY DISCUSSIONS WITH OUR GREAT FRIENDS THE SCHOOL DISTRICT ON SOME POSSIBILITIES AT OTHER LOCATIONS WITHIN THE CITY TO EXPAND OUR TENNIS CENTER. THOSE DISCUSSIONS HAVE SHOWN A LOT OF POSITIVE REACTION BY THE SCHOOL DISTRICT FOR US TO POSSIBLY ENTER SOME JOINT USE OPPORTUNITIES FOR ANOTHER TENNIS CENTER AT ANOTHER LOCATION WITHIN THE CITY. WE'RE LOOKING AT A COUPLE OF SITES, ONE OF THEM BEING AT MAR MORE SEYMOUR SITE AND ANOTHER ONE WHERE WE HAVE ABOUT 2 HUNDRED ACRES OF PARKLAND. THOSE HAVE BEEN VERY POSITIVE ABOUT THE POSSIBILITY OF JOINT USE WITHIN THE SCHOOL DISTRICT. THE SCHOOL DISTRICT HAS ENTERED INTO US GOING IN WITH THEM FOR UP TO POSSIBLY 12 NEW TENNIS COURTS AT THE PARK IN NORTHEAST AUSTIN. SO THERE ARE SOME OPPORTUNITIES OUT THERE FOR US TO LOOK AT JOINT USE WITH THE SCHOOL DISTRICT. HOWEVER, STILL ON THE TABLE IS SOUTH AUSTIN TENNIS CENTER. STILL ON THE TABLE IS DISCUSSION ABOUT DO WE EXPAND THE SOUTH AUSTIN TENNIS CENTER OR DO WE MOVE FORWARD AT A NEW LOCATION YET TO BE COMPLETELY CONFIRMED? SO MAYOR, THAT'S WHERE WE ARE RIGHT NOW.

Mayor Wynn: THANK YOU, MR. STRUSE. A QUICK TECHNICAL QUESTION. SO HAS ALL THE DESIGN, CONSTRUCTION DOCUMENTS BEEN DONE ON THE SOUTH AUSTIN TENNIS CENTER EXPANSION PROJECT?

A GREAT DEAL OF THE DESIGN IS DONE, MAYOR. THERE'S STILL SOME WORK YET TO BE DONE, BUT THE MAJORITY OF THE DESIGN IS COMPLETED FOR SOUTH AUSTIN.

Mayor Wynn: SO IT HASN'T BEEN BID YET?

NO, SIR, IT HASN'T BEEN BID. WE STILL HAVE WORK TO DO

WITH CD'S AND SO FORTH.

Mayor Wynn: IF THERE WAS THE WILL TO GO FORWARD AS ORIGINALLY PROPOSED AT SOUTH AUSTIN TENNIS CENTER, IT'S A COUPLE MORE MONTHS OF DESIGN, CD'S AND THEN BIDDING TAKES A COUPLE, THREE MONTHS?

MAYOR, WE COULD START WITHIN SIX MONTHS EASILY ON SOUTH AUSTIN TENNIS CENTER.

Mayor Wynn: AND IF THE DECISION IS MADE NOT TO MOVE FORWARD, EVEN IN A SMALLER FORMAT WITH SOUTH AUSTIN TENNIS CENTER, BUT PURSUE ANOTHER EITHER CITY OWNED PROPERTY OR JOIN WITH AISD, REALISTICALLY WHAT'S THE TURNAROUND ON STARTING FROM SCRATCH AT A NEW LOCATION?

THAT'S A GREAT QUESTION BECAUSE THE SCHOOL DISTRICT, IF WE WERE TO LOOK AT THEIR OPPORTUNITIES THAT THEY HAVE IN FRONT OF US, IT NEEDS TO HAPPEN RELATIVELY QUICKLY. THE ISSUES THAT WE HAVE WITH RESPECT TO TIMING ON THE SCHOOL DISTRICT IS THEY INTEND TO BEGIN THEIR MIDDLE SCHOOL PROJECT SOON, WITHIN SIX TO EIGHT MONTHS. WE WOULD LIKE TO, IF THE COUNCIL WILL, WE WOULD LIKE TO JOIN THEM ACTUALLY IN THAT CONSTRUCTION BEGINNING IN SIX OR EIGHT MONTHS, SO WE COULD CONCEIVABLY START CONSTRUCTION AT THE TENNIS CENTER WELL WITHIN A YEAR. SO THE DIFFERENCE - - THE DELTA DIFFERENCE IN TIMING MAY BE SIX OR EIGHT MONTHS.

Mayor Wynn: OKAY. THANK YOU. COUNCILMEMBER ALVAREZ.

Alvarez: YES, MR. STRUSE. I THINK WE WILL HAVE SOME SPEAKERS, BUT GIVEN THE OPPORTUNITY OF THE JOINT USE FACILITY, AND OBVIOUSLY THE SUMMARY THAT YOU PROVIDED TO THE PARKS AND FACILITY COMMITTEE OF THE PARKS BOARD AND OBVIOUSLY THAT THERE'S STILL A POSSIBILITY OF MOVING FORWARD WITH SOME TENNIS -- SOME MEASURE OF AN EXPANSION THERE AT SOUTH AUSTIN TENNIS CENTER, BUT WHAT I WAS CURIOUS OF IS I KNOW THAT SOME OF THE ADVOCATES ARE SAYING -- SOME OF THE ADVOCATES FOR EXPANDING THAT TENNIS CENTER

ARE SAYING, WELL, BUILD THE FOUR COURTS AND THEN ALSO BUILD THIS OTHER TENNIS CENTER, BUT HOW MUCH -- IF YOU WERE JUST TO DO THE FOUR COURTS, HOW MUCH OF THE MONEY THAT'S AVAILABLE, WHICH IS ROUGHLY ABOUT A MILLION DOLLARS, GETS EATEN UP IF YOU'RE DOING FOUR COURTS VERSUS 10 NEW COURTS? AND THEN - - AND THEN IF YOU SUBTRACT THAT FROM THE FUNDS AVAILABLE, CAN YOU ACTUALLY THEN GO FORWARD AND CREATE A TENNIS CENTER THAT HAS 10 OR 12 COURTS?

THE ANSWER TO THAT QUESTION, WE'VE EXPLORED THAT TO SEE IF THAT WAS AN OPTION. AND COUNCILMEMBER, IF WE DECIDED TO GO AHEAD AND BUILD OUR FOUR COURTS AT SOUTH AUSTIN TENNIS CENTER WITH ALL THE OTHER IMPROVEMENTS THAT ARE RECOMMENDED, WE WOULD PROBABLY END UP WITH ABOUT 400,000 LEFT OF FUNDS REMAINING. THAT 400,000 UNFORTUNATELY WOULDN'T BE ENOUGH TO BEGIN ANY TYPE OF SIGNIFICANT PLANS WITH JOINT USAGE OUT AT THE OTHER LOCATION.

Alvarez: THANK YOU, MR. STRUSE.

Mayor Wynn: OTHER QUESTIONS OF STAFF? WE HAVE A HANDFUL OF SPEAKERS WE COULD GO THROUGH. MAYOR PRO TEM.

Thomas: MR. STRUSE, ON THE NORTHEAST SIDE WHERE YOU WERE TALKING ABOUT PROPOSING THE TENNIS COURT, HAVE YOU TALKED TO THE STAKEHOLDERS OF THE COMMUNITY OR HAVE YOU NOT REACHED THAT POINT?

MAYOR PRO TEM, WE FELT THAT --

Thomas: LET ME SAY THIS BEFORE YOU GET INTO THAT. MOVING IT FROM ONE PLACE TO ANOTHER COULD BE ANOTHER PROBLEM BECAUSE IN THAT PARTICULAR AREA THERE'S BEEN SEVERAL COMPLAINTS ABOUT REPAIRS OF WHAT COURTS WE DO HAVE. I DON'T THINK YOU SHOULD HAVE ANY PROBLEM WITH INCREASING SOME, BUT I JUST WANT TO KNOW HAVE YOU STARTED A DIALOGUE WITH THE COMMUNITY IN THAT GENERAL AREA?

MAYOR PRO TEM, ANTICIPATING THAT QUESTION, WE HAVE

HAD A DISCUSSION WITH THE PRESIDENT OF KILEY PARK NEIGHBORHOOD ASSOCIATION. AND SHE SAID SHE LOOKED FORWARD TO HAVING A NEW TENNIS CENTER IF THAT WAS THE WILL OF THE COUNCIL.

Thomas: WHAT ABOUT THE ADJACENT PARK?

NO, SIR, WE HAVEN'T GONE TO THAT EXTENT YESTERDAY. NOT TO THAT EXTENT.

Thomas: ALL RIGHT. THANK YOU.

Futrell: WARREN, DID YOU GIVE THE SUBCOMMITTEE VOTE THAT OCCURRED?

I DID NOT.

Futrell: SHOULD YOU UPDATE THE COUNCIL ON HOW THAT HAPPENED? BECAUSE WE HAVE SUCH A SPLINTERED OPINION ON HOW THIS SHOULD HAPPEN.

MAYOR AND COUNCIL, WE DECIDED TO TAKE THE ISSUE TO THE LAND AND FACILITIES SUBCOMMITTEE OF THE PARKS BOARD. THAT OCCURRED ON TUESDAY. THERE WERE THREE PARKS BOARD SUBCOMMITTEE MEMBERS PRESENT. THEY VOTED ONE IN FAVOR, ONE OPPOSED AND ONE ABSTAINED. SO THE VOTE WAS FRACTURED.

Mayor Wynn: THAT HELPS. [ LAUGHTER ]

MAYOR, IF I COULD REAL QUICKLY, THERE ARE OPPORTUNITIES HERE, I THINK, FOR US TO HOPEFULLY ERR ON THE SIDE OF THE NEIGHBORHOOD, ONE, AND SECONDLY, THE OPPORTUNITIES THAT WE'RE BRINGING FORTH WOULD ALSO PROVIDE HOPEFULLY A NEW OPPORTUNITY FOR A TENNIS CENTER AS WELL FOR OUR TENNIS CENTER STAKEHOLDERS. I JUST WANTED TO MENTION TO THE COUNCIL THAT IF WE DO DELAY MUCH LONGER WITH THE SCHOOL DISTRICT, THEY NEED TO MOVE FORWARD ON THE CONSTRUCTION OF THEIR MIDDLE SCHOOL, AND THERE ARE SOME -- WE MAY HAVE SOME MISSED OPPORTUNITIES HERE. SO I WANT TO MAKE SURE THE COUNCIL WAS AWARE OF

THAT.

Mayor Wynn: THANK YOU, MR. STRUSE. COUNCILMEMBER DUNKERLEY.

Dunkerley: MR. STRUSE, MY INTEREST IS TO HAVE A 16 COURT TENNIS FACILITY SO THAT THE TENNIS FOLKS CAN PLAY TOURNAMENTS AND THINGS LIKE THIS. HOW WOULD THAT WORK INTO THAT LOCATION?

COUNCILMEMBER, THAT'S ALSO MY INTEREST. I WOULD LOVE TO GET THE 16 COURTS. UNFORTUNATELY WITH THE MONIES, EVEN WITH THE SCHOOL DISTRICT COOPERATION, THE BEST I THINK WE CAN DO IS 12 COURTS CURRENTLY. SO TO GET TO 16, WE WOULD PROBABLY NEED ANOTHER TWO, 250 OF FUNDING TO GET THERE, 250,000.

Dunkerley: OKAY. THANK YOU.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, WE HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO ADDRESS US ON THIS ITEM. SO OUR FIRST -- OUR FIRST WHO WISHES TO SPEAK IS JAMES HUMPHREY. WITH WELCOME. YOU WILL BE FOLLOWED BY MICHAEL HAYNES. YOU WILL HAVE THREE MINUTES. WELCOME.

THANK YOU. COUNCIL. MY NAME IS JAMES HUMPHREY. I'M THE PRES OF THE CAPITAL AREA TENNIS ASSOCIATION. AND I WANTED TO PROVIDE YOU WITH SOME INFORMATION FOR YOUR CONSIDERATION IN THIS TOPIC THAT YOU HAVE TODAY. ON MAY 17TH THE ZONING AND PLATTING COMMISSION VOTED EIGHT TO ONE TO PASS THE FOLLOWING MOTION CONCERNING THE SOUTH AUSTIN TENNIS CENTER, BUT THE SITE PLAN BEING AMENDED AND RECONFIGURED SUCH THAT THERE WERE ONLY FOUR ADDITIONAL TENNIS COURTS ADDED TO THE SITE, THAT THE AMENDED PLAN IMPROVE THE LIGHTING AND BETTER MAINTAIN THE COURTS CURRENTLY THERE AND THAT THE REVISED CONDITIONAL USE PERMIT COME BACK TO THE COMMISSION FOR ACTION. WE MET WITH PARD AND APPROVED OF THAT COMPROMISE AND AGREED TO BE PART OF THE PLAN TO USE REMAINING FUNDS AT ANOTHER LOCATION. AT YOUR DIRECTION AND TO OUR DISMAY, PARD

NEVER PRESENTED THAT PLAN TO ZAP. THIS TUESDAY AT THE LAND AND FACILITIES COMMITTEE MEETING, PARD PRESENTED AN OPTION TO BUILD 12 COURTS AND THAT'S WHAT WARREN WAS JUST TALKING ABOUT AT JOHNNY MORRIS ROAD. THE OPTION TO BUILD FOUR COURTS AT SOUTH AUSTIN, THE OPTION TO BUILD FIVE COURTS AT MAYOR MORE C. RIGHT. THEY WERE ASKED IF THE JOHNNIE MORRIS SITE COULD BE STARTED ALONG WITH THE FOUR COURTS IN SOUTH AUSTIN. AND THAT WAS A QUESTION I WAS GOING TO ASKED AND I'M GLAD ONE OF YOU ASKED IT. ACCORDING -- USING A QUICK ESTIMATE BASED ON PARD FIGURES THAT I'VE RECEIVED, THE ANSWER TO ME WOULD BE YES, YOU COULD START THAT SITE AT JOHNNIE MORRIS IN ADDITION TO STARTING THE -- DOING THE FOUR COURTS AT SOUTH AUSTIN, AND YOU COULD PROBABLY GET FIVE OR SIX TO START WITH. WE FEEL THAT BUILDING THE FOUR AT SOUTH AUSTIN AND GETTING JOHNNIE MORRIS STARTED IS THE BEST OPTION AVAILABLE. IT'S NOT ONE THAT'S BEEN PRESENTED, BUT IT'S THE ONE THAT WE THINK WOULD WORK BEST. IT CREATES A LARGE TENNIS CENTER IN A CENTRAL LOCATION AND A SECOND TENNIS CENTER WITH THE POTENTIAL TO BE EVEN LARGERMENT. THIS OPTION ALSO ADDRESSES CONCERNS ABOUT THE ORIGINAL PLAN THAT WERE VOICED BY THE NEIGHBORHOOD BY REDUCING IMPERVIOUS COVER, LOSS OF TREES AND ADDITIONAL TRAFFIC BY MORE THAN 50% WITH THE REDUCTION OF COURTS. AISD BUDGETS AND TIME LINES MAY CHANGE. THEREFORE ACCOMPLISHING THE GOAL OF CREATING A LARGE TENNIS CENTER ON JOHNNY MORRIS ROAD IS NOT A GUARANTEE AND IS A LONG-TERM PROJECT. WE UNDERSTAND THIS AND WOULD LIKE TO WORK WITH THE CITY ON A MASTER PLAN FOR THE TENNIS COMMUNITY. DELAYING OR STOPPING THE ADDITION OF FOUR COURTS IN SOUTH AUSTIN IS NOT NECESSARY FOR THIS PROCESS TO CONTINUE AND WILL BE A HUGE SHORT-TERM SET BACK TO THE AUSTIN TENNIS COMMUNITY. I'D LIKE TO CLOSE BY SAYING THAT WE DESPERATELY NEED MORE COURTS IN AUSTIN. IN THE SHORT-TERM AND IN THE LONG-TERM. WE HAVE OVER ONE THOUSAND SIGNATURES FROM CONCERNED CITIZENS WHO SUPPORT EXPANDING THE SOUTH AUSTIN TENNIS CENTER AND WE'VE EDUCATED OVER FOUR THOUSAND OF OUR MEMBERS ON THIS ISSUE. THERE

ARE APPROXIMATELY 56,000 PEOPLE IN AUSTIN THAT LIST TENNIS AS THEIR FAVORITE OUTDOOR ACTIVITY. AND THERE ARE THOUSANDS MORE WHO VOTED FOR THIS PROJECT IN THE 1998 BOND ELECTION. PLEASE CONSIDER THEIR INTERESTS AND SUPPORT THE ADDITION OF FOUR COURTS TO SOUTH AUSTIN ALONG WITH THE CREATION OF A NEW TENNIS CENTER ON JOHNNY MORRIS ROAD. THANK YOU.

Mayor Wynn: THANK YOU. NEXT SPEAKER IS MICHAEL HAYNES. WELCOME, MICHAEL. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY CATHERINE KOWOSARI.

HELLO. THANK YOU, MAYOR WYNN AND COUNCILMEMBERS. TODAY I'M HERE REPRESENTING THE VOTERS OF AUSTIN. AS YOU ALREADY KNOW, THERE'S A HUGE NEED FOR NEW PUBLICLY MANAGED COURTS HERE IN AUSTIN. THIS IS ACTUALLY NOT AN EXPANSION, BUT A COMPLETION OF A 25-YEAR PROJECT THAT STARTED BACK IN 1980. IN 1998 THE BOND PACKAGE WAS PASSED BY THE CITIZENS OF AUSTIN AND THERE WAS NO OPPOSITION FROM THE NEIGHBORHOOD. THERE WERE MEETINGS HELD AT SOUTH AUSTIN RECREATION CENTER AND THERE WAS NO OPPOSITION AT THAT TIME. SO THE TENNIS COMMUNITY THOUGHT THAT WE HAD SECURED NEW COURTS -- ACTUALLY, EIGHT NEW COURTS AT THAT TIME, AND WE'VE BEEN WAITING FOR SEVEN YEARS FOR THOSE COURTS. WE COMPROMISED DOWN FROM EIGHT COURTS DOWN TO FOUR WITH ALL THE NEIGHBORHOOD CONCERNS AND THINGS LIKE THAT. IN ADDITION TO THE BOND PACKAGE IN 1998, CASWELL WAS ALSO REDONE IN THAT. CASWELL HAS BEEN REDONE. AND THE PLANS FOR SOUTH AUSTIN TENNIS CENTER HAVE BEEN DONE. THEREFORE SOME OF THE FUNDS HAVE ALREADY -- FROM THE BOND PACKAGE HAVE ALREADY BEEN SPENT ON THIS PROJECT. THEREFORE IT WOULD BE FISCALLY IRRELEVANT RERESPONSIBLE TO SUSPEND THIS PROJECT AT THIS TIME. IT WOULD PUT US BACK AT BASICALLY GROUND ZERO, ACTUALLY NEGATIVE BECAUSE WE'VE ALREADY SPENT MONEY ON THE PROJECT AND THE PLANS. THE ALTERNATIVE IS VERY EXCITING. THE TENNIS COMMUNITY IS VERY EXCITED ABOUT PARTNERING WITH AISD AT JOHNNY MORRIS ROAD. IT COULD TURN INTO EXACTLY WHAT AUSTIN NEEDS, WHICH IS A 16 COURT

FACILITY. BUT I STRESS THE WORD COULD BECAUSE THIS PROCESS COULD HAPPEN AGAIN TO THE CITY OF AUSTIN, AND I WILL BE BACK HERE IN SEVEN YEARS LIKE I WAS IN 1998 AND I SAT SIX HOURS THROUGH ONE OF THESE. I PRAISE YOU GUYS FOR SITTING THROUGH THESE ALL THE TIME. BUT I COULD BE BACK IN SEVEN YEARS AT A DIFFERENT COUNCIL FIGHTING FOR THE SAME PROJECT THAT WE'RE BEING PROMISED RIGHT NOW. THE TENNIS COMMUNITY WANTS MORE PUBLICLY MANAGED COURTS. THAT'S THE BASIC PREMISE. AND WE NEED THEM DESPERATELY. THE TENNIS COMMUNITY WILL AGREE TO THIS NEW PROJECT IF WE CAN GET 16 16 COURTS LIKE COUNCILMEMBER DUNKERLEY SUGGESTED. WE WANT TO GUARANTEE THAT THESE COURTS WILL BE BUILT, NOT ANOTHER PROMISE. WARREN TALKED ABOUT THE POSSIBILITY. IF WE SUSPEND THIS AT THIS TIME, WE DON'T HAVE ANY COURTS THAT ARE BEING WORKED ON. THERE'S A POSSIBILITY THAT THIS MAY HAPPEN. AND SO I JUST WANT YOU TO TAKE THAT INTO CONSIDERATION WHEN YOU VOTE ON THIS. AND I WANT TO THANK YOU FOR YOUR TIME. I APPRECIATE IT.

Mayor Wynn: THANK YOU, MR. HAYNES. CATHERINE? YOU WILL BE FOLLOWED BY PA RICIA (INDISCERNIBLE).

THANK YOU. I WANTED TO MENTION THAT THE LAND FACILITIES COMMISSION WAS SAYING THEY DIDN'T HAVE ENOUGH INFORMATION ON THE ALTERNATIVE SITE AND HE ACTUALLY SUPPORTS THE NEIGHBORHOOD IN KEEPING THE NEIGHBORHOOD PARK AS A NEIGHBORHOOD PARK. I'D ALSO LIKE TO REMIND EVERYONE THAT NO ONE FROM THIS NEIGHBORHOOD, EVEN SOME WHO PLAY IN LEAGUES, KNEW ABOUT THE PLANS FOR THE EXPANSION OF SOUTH AUSTIN TENNIS CENTER. MOST DIDN'T KNOW ABOUT THE INCLUSION OF ANY SOUTH AUSTIN TENNIS CENTER PROJECT IN THE '98 BONDS, BUT THOSE WHO DID WERE INFORMED OF RENOVATION ONLY, NOT CONSTRUCTION OF NEW COURTS. THEY CONTINUE TO CLAIM THAT PREBOND INITIATIVES FULLY INFORMED THE PUBLIC, A NEWS ARTICLE IN THE CHRONICLE ABOUT THE BOND ELECTION STATED THAT THE ISSUE -- THE PROJECT OF THE SOUTH AUSTIN TENNIS CENTER WAS ONLY FOR REPAIRS. SO OBVIOUSLY NOT ONLY THE NEIGHBORHOOD ASSOCIATION PRESIDENT AT THE TIME



WAS TOLD OF RENOVATIONS, IN TRYING TO FIND INFORMATION ON PREBOND ELECTION HEARINGS, I FOUND OUT ABOUT THE HEARING AT THE SOUTH AUSTIN REC CENTER HAD MYSTERIOUSLY DISAPPEARED FROM THE FILE, SO WE HAVE NO INFORMATION ON THAT MEETING. THE REASON THAT NO ONE KNEW OF NEIGHBORHOOD OPPOSITION TO THE PROPOSED EXPANSION OF THE SOUTH AUSTIN TENNIS CENTER IS PRENICE SOOISLY BECAUSE OF THIS GAP OF WHAT SOME INTENDED FOR SOUTH AUSTIN TENNIS CENTER AND WHAT PEOPLE FROM THIS AREA AND OTHER PARTS OF THE CITY WERE TOLD. THIS IS ITSELF ENOUGH TO VALIDATE REASSESSMENT OF THE PROJECT. WHEN ONE LOOKS AT CURRENT POLICY RELATING TO NEIGHBORHOOD PARKLAND, OPEN SPACE, EQUITY OF ACCESS AND HOW SUCH PROJECTS GET CREATED AND FUNDED IN THE FIRST PLACE, ONE CANNOT IN GOOD CONSCIENCE VOTE TO CONTINUE EXPANSION. STAFF HAS ALREADY DONE AN ASSESSMENT AND THIS ASSESSMENT OF THE JOHNNIE MORRIS WE FEEL IS A GREAT ALTERNATIVE. IT HAS HOPEFULLY THE LOCAL RESIDENTS' SUPPORT, ON 2 HUNDRED ACRES, ROOM FOR AMENITIES, A REGIONAL TOURNAMENT CENTER, SPECTATOR SEATING, RELEVANT CIRCULATION WITHIN. THIS PROJECT WOULD PROVIDE EIGHT MORE COURTS THAN WHAT MIGHT BE ABLE TO BE BUILT AT SOUTH AUSTIN TENNIS CENTER. SO EVEN AT SOUTH AUSTIN TENNIS CENTER THERE WOULDN'T BE 16 COURTS. IT WOULD PROVIDE THE CITY WITH AN ENTIRE NEW CENTER COMPLETE WITH PRO SHOP, RESTROOMS, PARKING, ACCESS NEAR 290, WHICH IS A MAJOR ARTERIAL, AND IT WOULD CAPITALIZE ON JOINT USE PURPOSES AND FUNDING. AND ALL OF THIS WITHOUT THE LEAGUES HAVING TO RAISE A DIME. IMAGINE WHAT WE COULD DO IF LEAGUES COULD DO WHAT OTHER FACILITIES DO, WHICH IS PAY FOR FACILITIES THAT THEY OFTEN MONOPOLIZE. I WOULD LIKE TO THANK YOU FOR GIVING YOUR ATTENTION TO THIS ISSUE AND TO THE PARKS DEPARTMENT FOR FINDING SUCH A GOOD ALTERNATIVE THAT SERVES WE THINK BOTH THE NEIGHBORHOOD, EXISTING CITY POLICY AND GIVES THE CITY A WHOLE NEW TENNIS CENTER. THANK YOU.

Mayor Wynn: THANK YOU. PATRICIA SPRINKLE, WELCOME, YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY

JESSICA GORDON.

HI, THANK YOU FOR ALLOWING ME TO SPEAK. YOU'VE ALL HEARD THE ARGUMENTS. WE'VE BEEN HERE MANY TIMES. I WOULD LIKE TO SAY I WAS HERE A FEW WEEKS AGO AND I HEARD WARREN STRUSE GIVE HIS PARKS DEPARTMENT BUDGET. AND IN THAT HE MADE A STATEMENT AND HE SAID THAT THE GOAL FOR AUSTIN IS 24 ACRES OF PARKLAND PER THOUSAND PEOPLE. IN OUR NEIGHBORHOOD WE HAVE APPROXIMATELY 5,000 PEOPLE, SO WE'RE AT ABOUT ONE-FIFTH OF THE PARKLAND THAT WE NEED IN OUR AREA. KNOWING FULL WELL THAT WE ARE ALL CITIZENS OF AUSTIN. I ATTENDED THE MEETING ON TUESDAY AND BEGIN WAS VERY IMPRESSED WITH THE PRESENTATION GIVEN BY THE PARKS DEPARTMENT WITH THE ALTERNATIVE THEY TOOK DIRECTION VERY SERIOUSLY AND CAME UP WITH WHAT I FEEL IS A WONDERFUL ALTERNATIVE. WE HAVE THE OPPORTUNITY TO HAVE 12 NEW COURTS HERE IN AUSTIN IN 2007 AS OPPOSED TO FOUR NEW COURTS IN 2006. AGAIN, AS CATHERINE MENTIONED, WE STILL WOULDN'T HAVE 16 COURTS. THERE'S NO FURTHER ROOM FOR EXPANSION AT SOUTH AUSTIN PARK. IF YOU ADD FOUR MORE COURTS, THAT'S ALL YOU'RE GETTING, THAT'S IT. SO TO ME IT SEEMS FISCALLY RESPONSIBLE, EVEN THOUGH WE HAVE SPENT MONEY ON THIS, TO GO AHEAD AND PUT OUR MONEY AND OUR FUNDING TO GET A WORLD CLASS TENNIS CENTER AT ANOTHER LOCATION THAT IS ACCESSIBLE FOR MOST PEOPLE TO GET TO, THE I-30 CORRIDOR IS GOING IN IN THAT LOCATION AS WELL. IT JUST MAKES MORE SENSE THAN TO TRY TO CRAM FOUR MORE COURTS INTO A TINY NEIGHBORHOOD PARK. BASICALLY THE BOND ELECTION WAS IN 1998. THE CITY HAS CHANGED, PRIORITIES HAVE CHANGED. WE ALL HAVE TO MOVE WITH THE TIMES. I UNDERSTAND PEOPLE'S FRUSTRATION, THEY VOTED FOR THAT BOND PROPOSITION. I VOTED FOR IT AS WELL. I'M A RESIDENT OF THE NEIGHBORHOOD. I DIDN'T EVEN KNOW THAT WAS GOING TO HAPPEN UNTIL I OPENED MY NEWSPAPER FIVE MONTHS AFTER THE ELECTION AND SAW THE PLANS. SO I THINK IT'S DISINGENUOUS TO SAY THAT THE NEIGHBORHOOD WAS AWARE OF THIS EXPANSION. WE WEREN'T. BASICALLY THAT'S ALL I HAVE TO SAY. AGAIN, THANK YOU FOR THE OPPORTUNITY TO BE HERE AND FOR

LISTENING TO US AND FOR TAKING OUR CONCERNS SERIOUSLY. THANK YOU.

Mayor Wynn: THANK YOU, MS. SPRINKLE. JESSICA GORDON, WELCOME. YOU WILL HAVE THREE MINUTES.

HELLO, MY NAME IS JESSICA GORDON AND I LIVE ACROSS THE STREET FROM THE PARK. AND I WANT TO URGE YOU ALL HERE TODAY TO APPROVE THIS AGENDA ITEM AND SAVE SOUTH AUSTIN PARK FOR FUTURE GENERATIONS. THIS IS INVALUABLE PARK SPACE. MY LITTLE BABY BOY AND I GO WALK ACROSS THE STREET EVERYDAY AND PLAY IN THE SHADE OF THIS PARK, AND MANY OF THESE TREES WILL STILL BE TAKEN OUT FOR THIS FOUR-COURT ADDITION. I FEEL THAT ADDING THE FOUR COURTS SERVES NEITHER THE TENNIS COMMUNITY NOR THE NEIGHBORHOOD. THE TENNIS COMMUNITY IS STILL NOT GETTING ITS LARGE TENNIS TOURNAMENT CENTER THAT IT WOULD LIKE TO HAVE AS WAS PREVIOUSLY STATED AT LEAST 16 COURTS. SO I THINK ALL OF THE MONEY FOR THE FOUR COURTS SHOULD BE TRANSFERRED OVER TO THE 16 COURT PLAN -- I GUESS CURRENTLY A 12-COURT PLAN WITH THE POTENTIAL FUTURE EXTENSION TO 16 COURTS OR EVEN BEYOND BECAUSE I BELIEVE AT THIS NEW LOCATION IT'S A 200-ACRE PARK RATHER THAN A 12 TO 24-ACRE PARK. AND IT'S OFF OF MAJOR ROADS RATHER THAN SMALL NEIGHBORHOOD STREETS. RESIDENTS FROM THE NEIGHBORHOOD HAVE BEEN HERE NUMEROUS TIMES TO PRESENT TO Y'ALL WHY SOUTH AUSTIN PARK IS A POOR LOCATION FOR EXTENSION OF TENNIS COURTS, FOR THE DRAINAGE ISSUES, THE SMALL NEIGHBORHOOD STREETS AND THE LOSS OF PARKLAND. SO PLEASE THINK OF A LONG-TERM VISION OF AUSTIN AND SAVE SOUTH AUSTIN PARK. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MS. GORDON. THOSE WHO SIGNED UP NOT WISHING TO SPEAK IN FAVOR OF THIS ITEM ARE LESLIE BANKS AND IT LOOKS LIKE JOAN DAKARVOLA. AND SIGNED UP NOT WISHING TO SPEAK AGAINST THIS ITEM IS CAROL WELDER. THAT'S ALL OUR SPEAKERS. QUESTIONS OF STAFF, COMMENTS?

Futrell: WARREN, CAN YOU CLARIFY SOMETHING JUST TO BE SURE? AND MAYBE I'M NOW GETTING CONFUSED ABOUT

NUMBER OF COURTS, WHERE AND EACH SITE. IF FOUR WERE TO BE BUILT IN SOUTH AUSTIN, WHAT WOULD THAT LEAVE THAT COULD BE BUILT AT JOHNNIE MORRIS?

CITY MANAGER, THAT WOULD LEAVE ABOUT 400,000 TO OUR BEST GUESS RIGHT NOW. AND THAT 400,000 WE COULD BUILD, DEPENDING ON THE SOIL CONDITIONS, WE WOULD HAVE TO DO OUR DESIGN AND SO FORTH, MAYBE FOUR, MAYBE UP TO SIX --

Futrell: IN CONJUNCTION WITH AISD?

WELL, YES, IN CONJUNCTION WITH AISD. IF THEY ELECT TO GET ON BOARD -- BECAUSE IT WON'T BE A TENNIS CENTER AT THAT POINT, IT WILL ONLY BE FOUR OR FIVE COURTS.

Futrell: IF THEY STAY WITH US, IF WE PUT FORWARD SOUTH AUSTIN AND THEY STAY WITH US, YOU WOULD HAVE ABOUT 400,000 TO CONTRIBUTE AND YOU COULD GET FOUR TO SIX -  
-

FOUR TO SIX COURTS, RIGHT.

Futrell: ALL RIGHT.

REMEMBER, THAT'S NOT A PRO SHOP, NOT RESTROOMS, THAT'S JUST FOUR TO SIX COURTS.

Futrell: OKAY.

Mayor Wynn: MR. STRUSE, WHILE WE'RE ON THAT, SO THEN COULD THIS NEW FACILITY ON JOHNNIE MORRIS, THIS FOUR TO SIX COURT WITHOUT CONCESSION STANDS OR RESTROOMS, COULD IT BE EXPANDED TO BE A TRUE, YOU KNOW, REGIONAL TOURNAMENT TENNIS CENTER OR WOULD IT SOMEHOW BE CON STRAINED BY AISD'S PRESENCE THERE?

NO, MAYOR, THIS IS ON PARKLAND. WE COULD EXPAND IN THE FUTURE. AS A MATTER OF FACT, WE WOULD EXPAND EVEN IF THE COUNCIL'S WILL WAS TO BUILD ALL 12 OF THEM AND A TENNIS CENTER, WE WOULD HOPE TO EXPAND THEM IN THE FUTURE AS WELL. IT'S ON PARKLAND AND WE COULD

EXPAND.

Mayor Wynn: OKAY. THANK YOU. COUNCIL, WHILE WE WERE SPEAKING, JENNIFER GALE SIGNED UP WISHING TO ADDRESS US ON THIS ITEM. WELCOME. YOU WILL HAVE THREE MINUTES.

HI, AUSTIN. TENNIS ANYONE? COUNCILMEMBERS, MAYOR WYNN, CITY MANAGER. I LOVE TO PLAY TENNIS, BUT MY KNEES AREN'T AS GOOD AS THEY USED TO BE, SO I HAVE TO PLAY A LITTLE SLOWER, BUT WE CERTAINLY COULD USE A TENNIS CENTER, SOMETHING THAT COULD ATTRACT PEOPLE NATIONALLY SO WE GET SOME OF THE FINEST TENNIS PLAYERS IN THE UNITED STATES PLAYING HERE. WE COULD CREATE A PAVILION ON TOWN LAKE, A PLACE WHERE ANYONE COULD GO AND PLAY, NOT ONLY YOUR HIGH SCHOOL STUDENTS, THE PUBLIC AT LARGE, BUT THE UNIVERSITY OF TEXAS. WE COULD INVITE THE UNIVERSITY OF TEXAS IN ON THIS AND THEY COULD PLAY THERE -- WE COULD PLAY NATIONAL TOURNAMENTS HERE AND STATEWIDE TOURNAMENTS HERE AS WELL. I'M SUGGESTING THAT WE NOT HAVE IT OUT ON JOHNNIE MORRIS. THAT'S FAR TO THE EAST AND NORTH, ALTHOUGH IT IS TOWARDS HIGHWAY 130, A DEFINITE ADVANTAGE, HOWEVER, IT WOULDN'T BE CENTRALLY LOCATED WITHIN THE COUNTY OF TRAVIS. SO WE NEED COURTS LIKE THIS FOR PEOPLE LIKE ME WITH SORE KNEES, AND WE COULD USE THIS AS A WAY OF GETTING OUR HOMELESS TO WALK ON OVER ACROSS TOWN LAKE TO PLAY. IF YOU LOOK AT THE PALMER AUDITORIUM, THE LONG CENTER FOR THE ARTS, YOU CAN SEE HOW HIGH UP IT IS AND HOW OPEN IT IS. THAT'S THE KIND OF PAVILION I'M TALKING ABOUT, SOMEWHERE WHERE A PERSON COULD PLAY TENNIS AND SEE TOWN LAKE AND SEE HOW BEAUTIFUL WE'RE GOING TO LANDSCAPE THAT AREA. I'M JENNIFER GALE, CANDIDATE FOR GOVERNOR. THANK YOU.

Mayor Wynn: THANK YOU, JENNIFER. AND ALSO, COUNCIL, WHILE WE WERE SPEAKING, CAROL WELDER WHO SIGNED UP ORIGINALLY NOT WISHING TO SPEAK, NOW WOULD LIKE TO ADDRESS COUNCIL. WELCOME, YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR WYNN. AND MAYOR PRO TEM AND COUNCILMEMBERS. I THOUGHT I HAD ORIGINALLY SIGNED UP TO SPEAK AND IT WAS MISS COMMUNICATED. I DID WANT TO JUST ADDRESS A COUPLE OF THINGS. I'VE BEEN A PART OF THIS PROCESS SINCE THE SOUTH AUSTIN TENNIS CENTER WAS BUILT BACK IN THE '80'S, SO I'M NOT SURE HOW MANY PEOPLE HAVE BEEN AROUND THAT LONG, BUT I HAVE, AND JUST IN LOOKING BACK THROUGH THIS PROCESS WHEN WE ORIGINALLY BUILT THE 10 COURTS AT SOUTH AUSTIN AND WERE GIVEN THE PROMISE THAT THE EIGHT ADDITIONAL COURTS WHICH WERE PART OF THE ORIGINAL PLAN WOULD BE BUILT AT A FUTURE DATE, WE'VE HAD 10 CITY COUNCIL TERMS OVER THAT PERIOD OF TIME. AND I'M NOT SURE HOW MANY PARKS DIRECTORS. BUT WE HAVE BEEN WORKING ON THIS PROJECT FOR A NUMBER OF YEARS AND I WAS PART OF THOSE MEETINGS BACK IN '97 AND '98 TO GET THE PROJECT BACK ON THE BOND, TO EXPAND THE TENNIS CENTER. I DID ATTEND THE MEETING AT THE SOUTH AUSTIN RECREATION CENTER. SO FOR NEIGHBORS TO SAY THAT THEY DID NOT KNOW ABOUT THIS PROJECT, I'M NOT SURE WHAT MORE THE CITY CAN DO TO PUT INFORMATION OUT THERE ON THE DIFFERENT PROJECTS THAT GO ON A BOND. WE SUPPORT THE NEW PROJECT ON JOHNNY MORRIS ROAD. WE'RE JUST SAYING WE FEEL -- WE DON'T WANT TO STOP THE EXPANSION AT SOUTH AUSTIN. WE DON'T THINK THAT ALL OF THE TERMS HAVE BEEN WORKED OUT WITH AISD. WHEN YOU HAVE A JOINT PROJECT SUCH AS WE HAVE WITH THE AUSTIN HIGH TENNIS CENTER, THE PUBLIC DOES NOT GET USE OF THOSE COURTS DURING SCHOOL HOURS, WE ONLY GET USE OF THOSE COURTS DURING THE EVENING AND ON WEEKENDS. AND WE APPLAUD THE PROJECT, THE PARTNERSHIP WITH AISD. WE WANT THAT TO HAPPEN. WE WANT A FUTURE LARGE TENNIS COMPLEX THAT WE CAN BE PROUD OF. AND PROBABLY A JOINING -- IT WILL BE A DESTINATION PARK, WE ANTICIPATE, AND WE ARE VERY SUPPORTIVE OF THAT, BUT WE ALSO ARE VERY SUPPORTIVE OF INNER CITY TENNIS FACILITIES, INNER CITY ACTIVITIES. AND TO HONOR THE VOTE THAT WAS TAKEN IN 1998, WE FEEL THE LEAST THAT SHOULD BE ADDED TO SOUTH AUSTIN IS THE FOUR COURTS THAT WAS PART OF THE ORIGINAL PLAN WHEN THE CITY OF AUSTIN BUILT -- PURCHASED THAT LAND TO BUILD A LARGE TENNIS CENTER. SO I JUST WOULD

URGE YOU TO VOTE AGAINST THE RESOLUTION TODAY. I JUST FEEL LIKE IT'S TOO EARLY TO STOP THIS PROJECT AT SOUTH AUSTIN. WE REALLY NEED THE FOUR COURT NOW. WE DON'T KNOW HOW LONG IT WILL BE BEFORE THE AISD PROJECT IS CONFIRMED. AND COURTS ARE ON THE GROUND. WE'VE BEEN WAITING 20 YEARS, WE'VE BEEN WAITING NOW ANOTHER SEVEN YEARS SINCE THE BOND ELECTION. AND OUR POPULATION IN AUSTIN PROPER HAS GROWN JUST IN THE LAST FIVE YEARS HAS GROWN MORE THAN 50,000 PEOPLE. SO TO JUST TURN YOUR BACK ON THE TENNIS COMMUNITY AND SAY WE'RE NOT GOING TO PUT COURTS THERE IS NOT ADDRESSING THE POPULATION GROWTH THAT WE HAVE IN THIS CITY. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, CAROL. COUNCIL, THAT NOW -- GEEF FERNS WOULD NOW LIKE TO ADDRESS US. WELCOME. YOU HAVE THREE MINUTES.

GOOD AFTERNOON, COUNCIL. MY NAME IS GAVINO FERNANDEZ. I JUST WANT TO SPEAK TO THE ISSUE THAT I MENTIONED BEFORE. I WAS INTERESTED AT THE SOUTH AUSTIN REC CENTER FROM 1980 TO 1990. THROUGHOUT THOSE 10 YEARS WE HAD A TREMENDOUS WORKING RELATIONSHIP WITH THE SOUTH AUSTIN TENNIS CENTER WHERE THEY ACCOMMODATED YOUTH THAT CAME FROM THE PROJECTS ACROSS THE STREET AND INTERMINGLED WITH PROS THAT CAME OUT AND GAVE CLINICS FREE TO THESE YOUTH. I THINK THAT AS THIS COUNCIL HAS MOVED TOWARDS WHAT THEY CALL A COMPACT CITY, THESE ARE THE TYPE OF FACILITIES THAT NEED TO STAY WITHIN THE CONFINES OF A COMPACT CITY. THE FACT THAT GAS IS GOING UP TO ALMOST THREE DOLLARS A GALLON, WHAT TYPE OF OPPORTUNITY DOES THIS PROVIDE TO CHILDREN THAT COME FROM LOW -- LOW TO ZERO INCOME COMMUNITIES? THE OTHER ISSUE IS THAT YOU'RE WANTING TO PUT A BOND PACKAGE BEFORE THE VOTERS. AND WHAT DOES THIS SAY TO ANY OF THOSE POTENTIAL PROJECTS? THAT FOUR OR FIVE YEARS LATER YOU MIGHT FALL BACK ON WHAT VOTERS HAVE APPROVED? AND THE OTHER VERY FUNDAMENTAL ISSUE HERE IS THAT THE VOTERS APPROVED THIS. THE VOTERS APPROVED THIS. AND THAT'S VERY FUNDAMENTAL BECAUSE MANY OF YOU ARE ON THIS DAIS

BECAUSE THE VOTERS ELECTED YOU. SO WE EXPECT ACCOUNTABILITY AND FOLLOW THROUGH BECAUSE I AS AN AMERICAN CITIZEN, TREASURE THE VALUE OF THE VOTE. AND FOR A VOTE OF THIS NATURE TO BE REJECTED SENDS A VERY, VERY QUESTIONING AND PROBABLY PROBLEMATIC ISSUE, MAYOR, IN YOUR EFFORTS IN PUTTING THE BOND PACKET OUT THERE. THE OTHER ISSUE IS ECONOMICS. AISD, THE LEGISLATURE HASN'T EVEN ANNOUNCED HOW THEY'RE GOING TO FUND OUR SCHOOLS. SO AISD HAS AN ECONOMIC ISSUE TO BEGIN WITH. AND LIKE SOME MENTIONED HERE, ARE WE GOING TO BE HERE 10 YEARS FROM NOW TALKING ABOUT WHAT HAPPENED TO THOSE FIXING OR FOUR EXPANSION AT SARC? AGAIN, I THINK THE TENNIS COMMUNITY AND THE PEOPLE -- THE OTHER FACT IS IN AND AROUND THIS COMMUNITY 10 YEARS AGO AND EVEN MORE, THE GEOGRAPHIC, THE POPULATION IS LARGELY LATINO. I'VE SEEN VERY FEW LATINOS NEIGHBORS, HOMEOWNERS ON THIRD, FOURTH, FIFTH STREET COME UP HERE AND REJECT THIS PROPOSAL. THE TREES THAT ARE THE PARK SCAPES THAT'S THERE, IT'S CEDAR. THOSE CAN BE REPLACED AND RELOCATED. I THINK THAT YOU NEED TO BE CONSISTENT IN WHAT YOU PREACH IN REGARDS TO PLANNING A COMPACT CITY. [ BUZZER SOUNDS ] THANK YOU VERY MUCH, MAYOR, AND I HOPE THAT THIS COUNCIL WILL NOT REJECT THE WISHES OF THE VOTERS. THANK YOU.

Mayor Wynn: THANK YOU, MR. FERNANDEZ. SO COUNCIL, THAT'S ALL OF OUR CITIZENS NOW WHO WISH TO ADDRESS US NOW ON ITEM 43. COMMENTS? COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, MAYOR. I WOULD LIKE TO ASK ONE LAST QUESTION OF MR. STRUSE ABOUT -- JUST KIND OF EXPLAIN MAYBE A LITTLE BIT ABOUT WHAT THE WORDING IN THE RESOLUTION SAYS, PLANNING ACTIVITIES. MAYBE IT'S NOT WORDED THE WAY IT SHOULD BE, BUT IT SEEMS LIKE WE HAVE A WINDOW OF OPPORTUNITY TO ACTUALLY DELIVER THE 10 NEW COURTS OR MORE THAT WAS EXPECTED BY THE TENNIS COMMUNITY AS A RESULT OF THE BOND ELECTION 10 YEARS AGO ALTHOUGH THERE'S A DIFFERENCE OF OPINION WHETHER THAT WAS COMMUNICATED CLEARLY OR NOT. MOVING FORWARD WITH THE FOUR COURTS AT SOUTH AUSTIN TENNIS CENTER DOESN'T MEET THE



EXPECTATION THAT THE TENNIS COMMUNITY HAD PER SE, AND SO EVEN THAT WOULDN'T ADDRESS A CONCERN MR. FERNANDEZ RAISED OF FULFILLING WHATEVER PROMISES WERE MADE DURING THAT BOND ELECTION. I THINK WE'RE ABLE TO BUILD A CENTER THAT HAS 10 OR 12 COURTS SOMEWHERE IN THIS TOWN, I THINK THAT WOULD BE A VERY POSITIVE OUTCOME FOR THE TENNIS COMMUNITY AND IT WOULD BE A POSITIVE OUTCOME FOR THE NEIGHBORS, AT LEAST THE FOLKS WHO HAVE EXPRESSED CONCERNS ABOUT EXPANDING ON SITE. AND SO GIVEN THE FACT WE HAVE THIS WINDOW OF OPPORTUNITY, MY MAIN QUESTION IS THE MAIN IDEA HERE IS LET'S PURSUE THAT. LET'S SEE IF THERE'S AN OPPORTUNITY HERE. IF FOR SOME REASON THAT FALLS THROUGH, THEN WE'RE LEFT WITH BUILDING A SMALL LITTLE FACILITY ON JOHNNY MORRIS ROAD, JUST BECAUSE WE SUSPEND THE PLANNING ACTIVITIES DOESN'T MEAN WE CAN'T COME BACK AND SAY, WELL, NOTHING PANNED OUT, WE'RE GOING TO HAVE TO GO BACK AND LOOK AT WHAT OUR OPTIONS ARE NOW AT THAT SOUTH AUSTIN TENNIS CENTER. BUT DOES THAT -- IN SIX MONTHS WE'LL KNOW, IS THERE A PARTNERSHIP OR NOT, BUT IS THERE ANYTHING THAT PRECLUDES US FROM SAYING, WELL, THE PARTNERSHIP DIDN'T WORK THE WAY WE THOUGHT IT WOULD, WE MAY HAVE TO GO BACK AND ADD THOSE COURTS AT THE SOUTH AUSTIN TENNIS CENTERS. DOES ANYTHING PRECLUDE US FROM GOING BACK AND MOVING FORWARD WITH A COMPROMISED PROPOSAL AT THE SOUTH AUSTIN PARK?

COUNCILMEMBER, IF I UNDERSTAND THE AGENDA ITEM CORRECTLY, YOU'RE ASKING TO SUSPEND FURTHER DESIRES TO EXPAND THE SOUTH AUSTIN TENNIS CENTER UNTIL WE EXPLORE AND LOOK AT THE FEASIBILITY OF CONSTRUCTING IT OUT AT JOHNNY MORRIS ROAD?

Alvarez: THE IDEA BEING LET'S NOT SPEND ANY MORE MONEY DESIGNING OR ON PLANNING FOR CONSTRUCTION OF A FACILITY THERE BECAUSE THEN THAT JUST LEAVES US LESS MONEY TO DO AN ACTUAL TENNIS CENTER AS PEOPLE HAVE BEEN ENVISIONING OR TALKING ABOUT.

I THINK THE AGENDA ITEM IS PROBABLY WORDED CORRECTLY, COUNCILMEMBER. I THINK THE IMPORTANT

THING IS THAT OUR DISCUSSIONS HAVE BEEN PRELIMINARY WITH OUR GOOD FRIEND THE SCHOOL DISTRICT, AND I WOULD LIKE TO EXPLORE SOME FURTHER DISCUSSIONS TO MAKE SURE THAT THEY'RE SOLID. THEY HAVE SLEEVED RECEIVED US WITH OPEN ARMS AND I THINK IT'S REAL IMPORTANT THAT WE HAVE THAT OPPORTUNITY TO DISCUSS THAT FURTHER WITH THEM. THIS IS AN OPPORTUNITY TO COLLABORATE IN THE PUREST SENSE. THE SCHOOL DISTRICT HAS INDICATED PRELIMINARILY THEY'RE GOING TO PUT UP TO CLOSE TO A MILLION DOLLARS OUT THERE ON THAT TENNIS CENTER. ANOTHER FIVE COURTS THEY WOULD PROVIDE, AND ALSO SOME OF THE RECREATIONAL OR CAPITAL, ATHLETIC MONIES ALSO. SO THIS IS AN OPPORTUNITY FOR THE COUNCIL AND FOR US TO HAVE TIME TO COLLABORATE A LITTLE BIT MORE FULLY WITH THE SCHOOL DISTRICT.

Alvarez: AND THAT WOULD BE BESIDES THE 12 COURTS?

WELL, I THINK THAT INCLUDES THE 12 COURTS.

Alvarez: BUT FIVE WOULD BE A JOINT USE AGREEMENT TYPE THING?

AND THEN ALSO THEIR BOND MONIES ARE ALSO AVAILABLE TO US AS WELL.

Alvarez: I JUST WANTED TO CLARIFY THAT.

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

Thomas: THANK YOU, MAYOR. THERE WERE SOME THINGS SAID TODAY AND I GUESS I NEED SOME CLARITY BEFORE I CAN EVEN SUPPORT THE ITEM. NUMBER ONE, I'M A LITTLE LEERY OF SUSPENDING ALL PLANS. I'M REALLY LEERY OF THAT. NUMBER TWO, THERE WAS SOME STATEMENTS THERE THAT WHEN WE DID THE 1998 BOND PACKAGE, THE NEIGHBORS DIDN'T KNOW EXACTLY WHAT WE WERE GOING TO DO. AND ALSO, WHAT OBLIGATION DID WE SAY WE WERE GOING TO DO IN SOUTH AUSTIN. THE YOUNG LADY SAID SHE'S BEEN IN THAT PARTICULAR AREA ALL HER LIFE PRETTY WELL. I THINK ALSO WHEN YOU'RE TALKING ABOUT

GOING IN ANOTHER AREA, WE HAVE TO SEE WHAT THE IMPACT IT'S GOING TO DO IN THAT GENERAL AREA ALSO. I THINK THE NEIGHBORS HAVE SPOKE AND SAID THAT IT WOULD BE WELCOME, THEY WOULD WELCOME THE TENNIS FACILITY. THE TRAFFIC IMPACT, HOW IT'S GOING TO AFFECT, WE'LL HAVE TO DO ALL THAT STUDY ALSO. HOW MUCH MONEY HAVE WE SPENT IN SOUTH AUSTIN IN PLANNING? WHEN COUNCILMEMBER ALVAREZ DID SAY ABOUT STOP SPENDING MONEY AND THE PLANNING PROCESS, HAVE WE SPENT ANY IN THE LAST THREE TO FOUR MONTHS?

MAYOR PRO TEM, WE SPENT \$235,000 ON DESIGN TO DATE.

Thomas: OKAY. I'M JUST NOT COMFORTABLE WITH SUSPENDING ALL PLANS. IF WE'VE SPENT MONEY ALREADY, I THINK WE NEED TO CONSIDER SOME KIND OF SITUATION. AND I'M VERY SYMPATHETIC TO THE SOUTH AUSTIN RESIDENTS, BUT I JUST DON'T THINK WE SHOULD SUSPEND ALL PLANS. I THINK THAT WE CAN DO A TWO IN ONE, WIN-WIN SITUATION WOULD BE BETTER THAN JUST SUSPEND WHAT WE'VE BEEN DOING IN SOUTH AUSTIN.

MAYOR PRO TEM, ONE THING THAT I FORGOT TO MENTION ALSO IS THAT AS A PART OF THIS OPTION, IF THE COUNCIL'S WILL IS SUCH, IS THAT ABOUT 600,000 WOULD BE INTO SOUTH AUSTIN TENNIS CENTER. SO A LOT OF THAT MONEY WOULD BE TO GO INTO SOUTH AUSTIN TENNIS CENTER TO REPAIR THE COURTS, TO REPAIR THE LIGHTS, TO PROVIDE DRAINAGE. SO I JUST WANT TO ENSURE THAT COUNCIL UNDERSTANDS THAT ALL OF THE MONEY WOULDN'T NECESSARILY LEAVE SOUTH AUSTIN TENNIS CENTER. SOME OF THAT MONEY WOULD STAY TO MAKE RENOVATIONS TO THAT EXISTING TENNIS CENTER.

Thomas: BUT ANY DISCUSSIONS WITH THE GROUP THAT REALLY WAS AGAINST THE EXPANSION OF EIGHT, HADN'T THEY CONSIDERED THE FOUR? THE NEIGHBORS THAT HAVE BEEN COMING FOR THE LAST --

IT'S MY UNDERSTANDING, MAYOR PRO TEM, THAT THE NEIGHBORHOOD VOTED AFTER THE ZONING AND PLATTING COMMISSION MET AND THEY WERE OPPOSED TO THE FOUR.

Thomas: OKAY. THANK YOU.

McCracken: I HAD CO-SPONSORED COUNCILMEMBER ALVAREZ AND COUNCILMEMBER LEFFINGWELL'S PROPOSAL TODAY BECAUSE I THINK IT IS THE BEST RESULT, ONE WHERE EVERYBODY GETS A 100% VICTORY. WHAT THIS DOES IS IF WE HAD A GOOD FAITH PROPOSAL PUT FORWARD, THERE IS A SPLIT DEBATE, THE FOUR COURTS AT SOUTH AUSTIN. AND WHAT WE HAVE HERE BEFORE US TODAY IS A BETTER PROPOSAL BECAUSE WHAT IT DOES IS IT GIVES THE TENNIS COMMUNITY A FULL TOURNAMENT CAPABLE TENNIS FACILITY IN THIS COMMUNITY. IT IS A GOOD EXAMPLE OF REGIONAL COOPERATION WHERE WE POOL OUR RESOURCES TO GIVE TO FOLKS WHO NEED THE BEST OF THE BEST. AND ALSO WE'RE PROTECTING A NEIGHBORHOOD PARK AND WE'RE LOOKING OUT FOR THE PLACES WE LOVE IN THIS COMMUNITY. SO THE TENNIS COMMUNITY GETS EVERYTHING THEY NEED, EVERYTHING THEY WANT AND ALSO THE NEIGHBORHOOD GETS EVERYTHING IT NEEDS AND EVERYTHING THEY WANT. SO IF WE CAN HAVE THAT 100% WIN ALL AROUND, I HOPE WE'LL JUMP ON IT. I CONGRATULATE COUNCILMEMBER ALVAREZ AND COUNCILMEMBER LEFFINGWELL FOR BRINGING THIS FORWARD.

Mayor Wynn: COUNCILMEMBER KIM.

Kim: I'VE BEEN OUT TO THE PARK WITH SOME OF THE NEIGHBORS WHO LIVE THERE, AND IT IS A NICE PARK AND IT'S RIGHT NEXT TO THE REC CENTER WHERE A LOT OF CHILDREN ARE PLAYING. AND SO I THINK IT'S A GOOD IDEA THAT WE ARE LOOKING TO PARTNER WITH AISD BECAUSE ANYWHERE WE COULD SHARE COSTS, IT DEFINITELY BENEFITS THE COMMUNITY AND I THINK IS GREAT MODEL IS WHAT WE'VE DONE WITH THE SOCCER CENTER IN SOUTH AUSTIN. AND I THINK WE CAN HAVE A WORLD CLASS FACILITY THAT CAN ACCOMMODATE ALL THE SPECIAL NEEDS FOR PEOPLE WHO ARE DISABLED AS WELL AS THE PARKING THAT IT WOULD REQUIRE BECAUSE THE PARK CANNOT ACCOMMODATE THAT. SO THANK YOU FOR YOUR WORK ON THIS.

Mayor Wynn: THANK YOU, COUNCILMEMBER.

COUNCILMEMBER LEFFINGWELL.

Leffingwell: YEAH. I WOULD HATE TO LOSE THE OPPORTUNITY TO BUILD A FIRST CLASS LARGE TENNIS CENTER, AND I THINK THIS HAS THE POTENTIAL AT LEAST TO BLOCK THAT INITIATIVE. I ALSO THINK IT WOULD BE A MISTAKE TO LOSE THE OPPORTUNITY TO PARTNER WITH AISD AND SHARE COSTS, WHICH IS VERY IMPORTANT. AND FINALLY, I -- MY OWN NEIGHBORHOOD A COUPLE OF YEARS AGO WAS APPROACHED WITH A SIMILAR PROPOSITION, PATTERSON PARK, AND MY NEIGHBORHOOD OPPOSED THE EXPANSION OF TENNIS FACILITIES THERE AT THE EXPENSE OF LOSING PARKLAND IN A NEIGHBORHOOD PARK. SO I THINK IT WOULD BE HYPOCRITICAL OF ME TO -- I WAS NOT ACTIVE IN THAT GROUP, BUT CERTAINLY AS A MEMBER OF THE NEIGHBORHOOD I SUPPORTED WHAT THEY DID AND LET THEM KNOW THAT I DID. SO IT WOULD BE HYPOCRITICAL OF ME TO DO THAT AND THEN TURN AROUND AND TRY TO IMPOSE THIS ON ANOTHER NEIGHBORHOOD PARK. SO FOR ALL THOSE REASONS AND THE OTHERS GIVEN HERE TODAY, I WOULD MAKE A MOTION TO CLOSE THE PUBLIC HEARING AND APPROVE THE RESOLUTION.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER LEFFINGWELL TO APPROVE ITEM 43 AS POSTED. SECONDED BY COUNCILMEMBER ALVAREZ. FURTHER COMMENTS? COUNCILMEMBER DUNKERLEY.

Dunkerley: AM I ON HERE? I THINK I'M IN A RATHER UNIQUE POSITION IN THAT I WAS THE FINANCE DIRECTOR WHEN THESE BONDS WERE PROPOSED AND PASSED. DURING THAT TIME I PERSONALLY MADE MANY PUBLIC MEETINGS, AND SPECIFICALLY TALKED ABOUT THE COMPLETION OF THE SOUTH AUSTIN TENNIS CENTER, THE 16 COURT ADDITION. I UNDERSTAND THAT TIMES HAVE CHANGED AND THAT MAYBE THE WILL OF THE COUNCIL IS TO DO SOMETHING DIFFERENTLY. MY REQUEST TO THE COUNCIL -- TO THE STAFF BASED ON THE FEELING THAT I HAVE, THAT I KNOW MANY PEOPLE VOTED FOR THESE PROJECTS BECAUSE OF THAT POSSIBLE COMPLETION OR EXPECTED COMPLETION OF THE CENTER, I WANT TO MAKE SURE THAT IN -- THAT IF WE ARE ABLE TO WORK WITH AISD THAT WITHIN THE NEXT YEAR WE HAVE, INCLUDING THE JOINT USE FACILITIES, 16

COURTS AT THAT SITE, AND THEN MAKE ADDITIONAL PLANS IN THE FUTURE TO GET A 16-COURT COMPLEX FOR THE CITY'S SIDE OF THE THING. SO I THINK THAT'S REALLY THE GOAL. IT WAS THE COMPLETION OF THE TENNIS CENTER. AND EVEN THOUGH WE'RE GETTING MORE NOW THAN THE COMPROMISE SOLUTION WOULD HAVE BEEN, WE'RE STILL NOT GETTING THE TENNIS CENTER. SO I THINK YOU SAID THAT FOR PROBABLY ABOUT 2 FIFT THOUSAND MORE -- 250,000 MORE, WE COULD COMPLETE 16 COURTS AT THAT SITE, INCLUDING THE AISD COURTS, IS THAT CORRECT?

COUNCILMEMBER, JUST A LITTLE HOLD HARMLESS HERE. WE HAVEN'T DONE DESIGNS OUT THERE, BUT IT IS OUR ANTICIPATION THAT IF WE DO -- ARE SUCCESSFUL IN OUR COLLABORATION WITH THE SCHOOL DISTRICT AS WELL AS THE MONIES THAT WE'LL HAVE REMAINING IN THE BOND ELECTION, WE THINK WE CAN PUT 12 COURTS ON THE GROUND CURRENTLY AND A PRO SHOP AND A RESTROOM. IF FOR ANOTHER ABOUT 250,000 I THINK WE COULD ADD ANOTHER FOUR COURTS, YES, MA'AM.

Dunkerley: WELL, AND I THINK THAT'S WHAT I WOULD REALLY LIKE TO SEE EVEN THE CITY MANAGER TRY TO COME UP WITH, BECAUSE I PROMISED TO THE VOTERS -- OUR PROMISE TO THE ON VOTERS WAS A COMPLETED TENNIS COMPLEX. AND WHAT WE DISCUSSED WAS EIGHT MORE TO COMPLETE A TOTAL OF 16. THAT'S WHAT I WOULD LIKE TO SEE IF POSSIBLE DONE AT THIS OTHER SITE. THEN I WOULD FEEL COMFORTABLE THAT WE HAD CARRIED THROUGH OUR PLEDGE TO THE VOTERS.

OKAY.

Dunkerley: SO IF YOU COULD DO THAT I WOULD BE VERY HAPPY. I'M PROBABLY GOING TO ABSTAIN ON THIS BECAUSE OF MY INTERACTION IN THAT ELECTION, BUT I DO ACTIVELY SUPPORT YOU ALL SEEKING THAT ADDITIONAL -- THOSE ADDITIONAL COURTS SO THAT WE CAN HAVE A FUNCTIONING TENNIS CENTER AS PROPOSED BACK IN 1984 OR 85 OR WHATEVER YEAR IT WAS. SO THANK YOU.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER

COMMENTS?

Thomas: MAYOR, THAT IS THE REASON WHEN WE MAKE PROMISES TO PEOPLE IN THE '80'S AND UP TO THE '90'S AND PASS MONEY FOR THAT PARTICULAR PROJECT, I'M JUST NOT COMFORTABLE AND I WON'T SUPPORT SUSPENDING ALL PLANS. I'M OPEN TO THOSE AVENUES LIKE JOHNNIE MORRIS AND ETCETERA. PEOPLE THAT HAVE BEEN THERE WAITING FOR THIS PARTICULAR EXPANSION AND LIVING IN THAT GENERAL AREA FOR A GOOD WHILE AND WE AS THE CITY ARE COMMITTED WHAT WE'RE GOING TO DO, AND THERE'S A BOND PACKAGE PASSED, BUT I'M NOT WILLING TO DO THE PLAN, SO I WON'T BE SUPPORTING THE ITEM, BUT I AM OPEN TO OTHER AREAS OF TRYING TO EXPAND THE TENNIS COURTS.

Mayor Wynn: WARREN STRUSE HAD EXPRESSED HIS THOUGHTS AND MAYBE THE RESOLUTION WAS WORDED INCORRECTLY. IT WAS AT THIS TIME NOT TO KILL FORM LL AT THE POTENTIAL EXPANSION OF SOUTH AUSTIN TENNIS CENTER. AND THAT IS WE MAY HAVE TO GO BACK AND REVISIT THAT IF THIS WINDOW OF OPPORTUNITY ISN'T FOR WHATEVER REASON MIXED WITH AISD AND/OR ONE OF OUR OTHER SITES. SO IF THE \$200,000 HAS BEEN SPENT ON DESIGN AT SOUTH AUSTIN TENNIS CENTER, MEANING I GUESS IT'S PRELIMINARILY ENOUGH DESIGN WORK THAT WE WON'T BE LOSING IT BY SETTING THIS ASIDE FOR SOME PERIOD OF TIME, FOR SOME FOUR, SIX, EIGHT MONTHS, LIKE THAT, CORRECT?

MAYOR, I UNDERSTAND YOUR QUESTION. YOUR QUESTION IS WOULD THAT DESIGN BE AVAILABLE TO US IF WE ELECTED TO COME BACK AND REVISIT SOUTH AUSTIN? AND CERTAINLY IT WOULD. IT WOULD BE. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

Mayor Wynn: MY LAST QUESTION, BECAUSE I'M WITH -- WITH THE MAYOR PRO TEM, I'M VERY RELUCTANT TO SHORT OF GO DOWN THIS ROAD IF THIS CAUSES TOO MUCH DELAY. BUT REALISTICALLY HOW LONG OF A WINDOW DO YOU NEED ON THE ANALYSIS OF WHAT COULD BE A BETTER SITUATION, THAT IS ACTUALLY HAVING, YOU KNOW, AS MANY AS 16

DELIVERED IN APPROXIMATELY THE SAME TIME.

MAYOR, I -- WE HAVE SOME TIME CONSTRAINTS AHEAD OF US WITH RESPECT TO THE SCHOOL DISTRICT. SO IT'S INCUMBENT UPON US TO MOVE AS QUICKLY AS WE CAN. IF -- WE PROBABLY NEED TO HAVE -- WE PROBABLY NEED TO HAVE THIS, IF YOU ARE GOING TO MOVE TO JOHNNY MORRIS, WE NEED TO HAVE EVERYTHING IN ORDER WITHIN SIX MONTHS.

WELL, I GUESS MY SORT OF INFORMAL REQUEST IS THAT WE EITHER ACT ON THIS ALTERNATIVE OR IN FACT WE TEE THIS UP AGAIN AND TRY TO FIGURE OUT HOW TO DELIVER THE DESPERATELY NEEDED PUBLICLY MANAGED TENNIS COURTS IN THE CITY HERE IN JUST A FEW MONTHS. THANK YOU, MR. STRUSS. FURTHER QUESTIONS, COMMENTS? AGAIN A MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM 43 AS OUTLINED WITH SOME OTHER COMMENTS. ALL THOSE IF FAVOR PLEASE SAY.

AYE. AYE OPPOSE? ABSTAIN.

MOTION PASSES ON A VOTE OF 5-1 WITH COUNCILMEMBER DUNKERLY ABSTAINING AND MAYOR PRO TEM SHOWN AS VOTING NO. THANK YOU ALL VERY MUCH. COUNCIL, WE HAD GONE THROUGH CITIZENS COMMUNICATION AND NIELA SKOVA HAS JOIN THE US, SHE WAS CAUGHT EARLIER, COULDN'T BE HERE, WITHOUT OBJECTION. PLEASE COME FORWARD. YOU'LL HAVE THREE MINUTES. THANK YOU SO MUCH FOR ALLOWING ME TO SPEAK. I'M WORKING ON SEVERAL PROJECTS RIGHT NOW, THIS IS CURRENTLY MY BABY. IN NUMEROUS LOCATIONS.

EXCUSE ME, GOOD AFTERNOON. IN NUMEROUS AFTERNOONS AUSTINITES ENJOY FIRST THURSDAY, RENAISSANCE MARKET, FIRST FRIDAY, I THINK IT IS, PECAN STREET FESTIVAL, DOWNTOWN FARMERS MARKET, WEST SIXTH STREET ARTISTS MARKET TO NAME A FEW. THESE ATTRACTIONS HAVE BECOME PART OF THE SIGNATURE OF AUSTIN, SERVING AS TOURIST DESTINATIONS AND FILL A CRUCIAL NEED FOR ARTISANS, PERFORMERS AND FARMERS AND GROWERS TO PROMOTE AND SELL THEIR PRODUCTS DURING TIMES OF EVER SHRINKING PUBLIC FUNDING.



TRAGICALLY THESE EXISTING VENUES CARTER  
OVERWHELMING TO OVERWHELMING TO ANGLOS. THERE'S  
NOTHING MORE THAN A FLEA MARKET OR OCCASIONAL  
CHURCH BAZAAR, LET ALONE SOMETHING DEDICATED TO  
THE PROMOTION AND SELLING OF WORKS BY BLACK  
ARTISANS AND PERFORMERS. I OFFER A SOLUTION. THE  
CALABASH GROVE ARTISANS MARKET AND PERFORMANCE  
MARKET. THE CALABASH WILL FILL THE GAPING HOLE IN  
AUSTIN'S CULTURAL FABRIC AS SERVING AS A LONG  
OVERDUE VENUE FOR MULTI-TALENTED BLACK ARTS ANS,  
FARMERS, GROWERS. THEY WILL BORROW FROM THE  
TRADITIONAL MARKETPLACES OF WEST AFRICA. IT WILL BE A  
YEAR ROUND OUTDOOR VENUE. DEDICATED TO FEATURING  
WORKS OF ARTISTS AND PERFORMERS OF AFRICAN  
DISSENTS. VISITORS HAVE ENJOY STRANGED AND I AM  
IMPROPTU PERFORMANCES BY VISITORS, DANCERS,  
SINGERS, ALSO DEMONSTRATIONS, THERE HAVE BEEN  
SEVERAL ARTISANS WHO HAVE AGREED TO COME OUT AND  
PLAY DRUMS, DO STORY TELLING, JUST WHATEVER YOU  
CAN ENVISION, REALISTICALLY, AS WHAT GOES ON IN A  
TRADITIONAL AFRICAN MARKETPLACE IN EAST AUSTIN, WE  
WILL TRY TO EMULATE HERE. EXCUSE ME, IN WEST AFRICA  
WE WILL TRY TO EMULATE HERE. SO WITH THAT, I PASS OUT  
THE FLIER. THIS IS JUST A MOCKUP JUST FOR  
INFORMATIONAL PURPOSES RIGHT NOW. [BUZZER  
SOUNDING] WE HOPE TO HAVE SOMETHING MUCH BIGGER  
AND ELABORATE AND I -- AND I WOULD LIKE TO FORMALLY,  
PERSONALLY INVITE ALL OF YOU, ESPECIALLY MAYOR PRO  
TEM BOBBY THOMAS, TO ATTEND AND ASSIST WITH THE  
GRAND OPENING LIBATION AND RIBBON CUTTING  
CEREMONY, SATURDAY, SEPTEMBER 10th AT 10:00 P.M.  
EXCUSE ME, 10:00 A.M. AND WE WOULD ALSO LIKE TO SEE  
THIS VENUE AND EVENT SUPPORTED BY THE CITY'S  
WEBSITE AS WELL AS THE -- THE VISITORS AND CONVENTION  
CENTER'S BUREAU WEBSITE AS WELL. THANK YOU.

Mayor Wynn: THANK YOU.

I'M SORRY, YOU ALL DIDN'T SHARE WITH YOU ALL, THE  
CALABSSH GROVE MARKETPLACE, 1223 ROSEWOOD  
AVENUE, RIGHT BEHIND THE VILLAGIER NEWSPAPER, IN  
THEIR SPACE. SO -- AND WE'RE GOING TO PUBLICIZE THIS,  
SO YOU CAN GET ADDITIONAL INFORMATION. FROM ME AS

WELL.

Mayor Wynn: OKAY. THANK YOU, MS. SANKOFA. COUNCIL, THAT CONCLUDES ITEM NO. 43 AS WELL AS OUR GENERAL CITIZEN COMMUNICATION. AT THIS TIME, WITHOUT OBJECTION, WITH HUNGRY STOMACHS, WE WILL GO INTO CLOSED SESSION PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO DISCUSS POTENTIALLY AGENDA ITEMS 52 RELATED TO COLLECTIVE BARGAINING WITH THE FIREFIGHTERS AND 57 RELATED TO THE JOSIE ELLEN CHAMPION ET AL VERSUS THE CITY OF AUSTIN LAWSUIT. WE ARE NOW IN CLOSED SESSION. I EXPECT US TO COME BACK AS -- AS SHORTLY AFTER 2:00 AS POSSIBLE TO BEGIN OUR BUDGET BRIEFINGS AND/OR TAKE UP ACTION ON AN EXECUTIVE SESSION ITEM. WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP TWO ITEMS, ITEM 52 RELATED TO COLLECTIVE BARGAINING WITH OUR FIREFIGHTERS AND 57, A LAWSUIT, JOSIE ELLEN CHAMPION ET AL VERSUS THE CITY OF AUSTIN. NO DECISIONS WERE MADE. WE ARE BACK IN OPEN SESSION AN HOUR LATER THAN USUAL. WE WILL NOW TAKE UP OUR 2:00 O'CLOCK BRIEFING, WHICH IN THIS CASE WILL BE OUR BUDGET PRESENTATION ON THE CITY MANAGER'S PROPOSED '05-'06 FISCAL YEAR BUDGET. THIS WEEK WE ARE HEARING FROM THE PUBLIC SAFETY DEPARTMENTS, POLICE, FIRE, E.M.S. AND OUR MUNICIPAL COURT. AND WITH THAT I'LL RECOGNIZE THE CITY MANAGER, TOBY FUTRELL.

FUTRELL: AND WITH THAT I'M GOING TO RECOGNIZE, AS I STALL FOR A LITTLE TIME HERE. RUDY GARZA, THE ASSISTANT CITY MANAGER OVER PUBLIC SAFETY.

GOOD AFTERNOON, MAYOR AND COUNCIL, RUDY GARZA, ASSISTANT CITY MANAGER. AS YOU KNOW, TODAY WE ARE DOING THE BUDGET PRESENTATIONS FOR THE MUNICIPAL CITY DEPARTMENTS AS WELL AS THE MUNICIPAL COURT. ONE OF THE THINGS I WANT TO TALK ABOUT WHEN WE TALK ABOUT PUBLIC SAFETY IS AS PART OF OUR ANNUAL SURVEY WE HAVE CONSISTENTLY SHOWN THAT WHEN WE ASK OUR CITIZENS WHO IS THE MOST IMPORTANT TO THEM, THE

PUBLIC SAFETY DEPARTMENTS ALSO ARE IN THE TOP THREE. THE MOST RECENT CITIZEN SURVEY SHOWS THE LEVEL OF IMPORTANCE THEY PLACE. THIS YEAR POLICE SERVICED RATERATED US THE MOST IMPORTANT TO OUR SERVICE TO OUR CITIZENS, FOLLOWED BY E.M.S. AND FIRE. THE TOTAL BUDGET FOR THE PUBLIC SAFETY DEPARTMENTS SHOWN ON THIS SLIDE, A TOTAL OF \$310 MILLION IN THE PROPOSED BUDGET. THAT'S BROKEN DOWN TO \$35.2 MILLION FOR E.M.S., 91.5 MILLION FOR FIRE AND \$8,183.8 MILLION FOR THE POLICE DEPARTMENT. IT ALSO INCLUDES UNIFORM PERSONNEL SHOWN THERE A TOTAL OF 2,885. 363 UNIFORMED PERSONNEL AND E.M.S., 1,052 IN FIRE AND 1,440 IN THE POLICE DEPARTMENT. CIVILIAN PERSONNEL FOR THE THREE DEPARTMENTS, E.M.S. 59, FIRE DEPARTMENT 117; HOWEVER, THAT NUMBER DOES INCLUDE 60 CADET POSITIONS. OBVIOUSLY THEY'RE NOT SWORN PERSONNEL AT THE TIME, BUT WE RESERVE 60 CIVILIAN POSITIONS TO HAVE OUR ACADEMIES. THE POLICE DEPARTMENT IS 579 CIVILIAN POSITIONS. AND THAT ALSO SIMILAR TO FIRE INCLUDES 118 CIVILIAN POSITIONS THAT ARE RESERVED FOR OUR CADETS. I'D ALSO HIKE TO POIND -- LIKE TO POINT OUT THAT THE POLICE DEPARTMENT INCLUDES AN ADDITIONAL \$555,000 AS PART OF THE INVESTMENT IN OUR NEIGHBORHOODS FOR A DEDICATED MOTORS UNIT IN OUR NEIGHBORHOOD. THE PUBLIC SAFETY DEPARTMENTS ACCOUNT FOR 75% OF THE TOTAL GENERAL FUND DEPARTMENTAL EXPENDITURES. BASICALLY THAT MEANS IN COMPARISON TO ALL OF THE OTHER DEPARTMENT BUDGETS, PARKS, LIBRARY, HEALTH, SO FAR, OF THE TOTAL GENERAL FUND APPROPRIATIONS, THE PUBLIC SAFETY DEPARTMENTS MAKE UP 65%. IN COMPARISON TO THE CURRENT YEAR AMENDED BUDGET, THE PUBLIC SAFETY GENERAL FUND BUDGETS ARE INCREASING BY JUST UNDER SEVEN PERCENT OR \$19.7 MILLION. WE'RE ALSO FUNDING AN ADDITIONAL 116 UNIFORMED POSITIONS. THAT INCLUDES 45 EXISTING POSITIONS IN THE POLICE DEPARTMENT; HOWEVER, THOSE WERE PREVIOUSLY UNFUNDED AS PARLGHTS OF THE -- PART OF THE COPS GRANT AND IN THE '06 BUDGET WILL BE FUNDED. IN ADDITION, THE PUBLIC SAFETY DEPARTMENTS HAVE AN ADDITION OF 12 CIVILIAN POSITIONS WHICH IS JUST OVER ONE AND A HALF PERCENT IN THEIR CIVILIAN STAFFING. THE MUNICIPAL COURT

BUDGET, WHICH IS ALSO PART OF THIS PRESENTATION FOR 2006 -- ABOUT \$9.1 MILLION, AN INCREASE OF 8.6%. AND ALSO SHOWS F.T.E.'S OF 146.25, WHICH IS ABOUT A FIVE PERCENT INCREASE. THE DEPARTMENTS AS THEY GO THROUGH THEIR DEPARTMENTAL BUDGETS WILL GIVE YOU MORE DETAILS OF THEIR INDIVIDUAL DEPARTMENTAL BUDGETS. THE OUTLINE FOR TODAY, EACH DEPARTMENT, WE WILL COVER SOME OF THE RESULTS FROM CITIZENS SURVEY, THE DEPARTMENT DIRECTOR AND CHIEFS WILL REVIEW WITH YOU SOME OF THE KEY BUDGET FACTS AND ALSO SOME OF THE KEY BUDGET HIGHLIGHTS. WE'LL BEGIN WITH THE MUNICIPAL COURT DEPARTMENT, AND I'LL GIVE REBECCA A COUPLE OF SECONDS HERE TO GET IN POSITION. IN THE MUNICIPAL COURT DEPARTMENT, WE WILL ACTUALLY HAVE THREE PRESENTERS. WE WILL HAVE REBECCA STARK, OUR MUNICIPAL COURT CLERK, WE HAVE JUDGE ELLEN MCKEE, THE PRESIDING JUDGE, AND GREG TOOMEY, OUR COMMUNITY CORD ADMINISTRATOR. THE CITIZEN SURVEY RESULTS FOR MUNICIPAL COURT ARE AS SHOWN. WHEN WE ASKED OUR CITIZENS THEIR OPINION OF THE QUALITY OF THE MUNICIPAL COURT SERVICES, THEY'RE JUST UNDER 80% AT 78%. A SLIGHT DECREASE OF THREE PERCENT. I'D LIKE TO POINT OUT THAT WE ARE NOT SURPRISED BY THAT DECREASE. I THINK IT'S A FACTOR OF THREE YEARS OF CONSISTENT BUDGET REDUCTIONS AND CONSISTENT REDUCTION IN STAFF, AND IN FACT I BELIEVE HAD IT NOT BEEN FOR THE EFFORTS OF STAFF AND MANAGEMENT AT MUNICIPAL COURT TO DO THE BEST THEY COULD AND OPTIMIZE ALL THEIR SERVICES AND RESOURCES, I BELIEVE THAT IT WOULD BE A MUCH GREATER REDUCTION. ACCESSIBILITY TO MUNICIPAL COURT, AND THAT OBVIOUSLY A BIG FACTOR THERE, IS GOING TO BE TRAFFIC, PARKING, SOME OF THE THINGS THAT ARE NOT DIRECTLY TIED TO THEIR SERVICES. THAT'S AGAIN A FAIRLY HIGH-RANKING AT 78%. WITH THAT I'LL TURN IT OVER TO REBECCA.

MAYOR AND MEMBERS OF THE CITY COUNCIL, I AM REBECCA STARK, THE CLERK OF THE MUNICIPAL COURT, AND WITH ME TODAY IS PRESIDING JUDGE EVELYN MCKEE AND GREG TOOMEY, THE DOWNTOWN AUSTIN COMMUNITY ADMINISTRATOR. WE THANK YOU FOR THE OPPORTUNITY TO

PRESENT A MUNICIPAL COURT'S PROPOSED BUDGET FOR FISCAL YEAR '06. MUNICIPAL COURT ANTICIPATES THE REVENUE OF \$17.2 MILLION FOR FISCAL YEAR '06 AND EXPENDITURES OF NINE MILLION DOLLARS. THE FISCAL YEAR ALL FIVE EXPENDITURES HAVE BEEN ADJUSTED FOR COMPARATIVE PURPOSES SO THAT BOTH YEARS DO NOT INCLUDE MARSHAL SERVICES, WHICH HAVE BEEN TRANSFERRED TO THE NEW DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY MANAGEMENT. COURT IS A PERSONNEL INTENSIVE DEPARTMENT, SO THE MAJORITY OF EXPENSE INCREASES ARE PAY FOR PERFORMANCE, LIVING WAGE ADJUSTMENTS AND A SERVICE INCENTIVE ENHANCEMENT. IT ALSO SERVES AS STRATEGIC ADS, WHICH WILL BE DISCUSSED LATER IN THIS PRESENTATION. THE TOTAL NUMBER OF PROPOSED F.T.E.'S IS 146.25, OF WHICH 7.25 ARE ADD-BACKS. A BREAKDOWN OF THE NET TO GENERAL FUND REVENUE SHOWS PAYMENT OF TRAFFIC FINES ACCOUNT FOR THE GREATEST SHARE OF THE REVENUE AT \$7.6 MILLION. THIS WAS FOLLOWED BY PAYMENT OF SPECIAL EXPENSE FEES OF \$4.1 MILLION. THESE ARE PAYMENTS OF DEFERRED DISPOSITION FEES IN LIEU OF PAYING FINES. NEXT ARE PARKING FINES, MISDEMEANOR FINES AND OTHER COURT COSTS. THE SECURITY FUND REVENUES IS ANTICIPATED TO BE \$.4 MILLION. THIS FUND WAS AUTHORIZED BY THE LEGISLATURE SEVERAL YEARS AGO TO GIVE COURTS ASSURED FUNDING FOR BUILDING, JUDGE AND EMPLOYEE SECURITY GIVEN THE NATURE OF OUR BUSINESS. A THREE-DOLLAR COURT COST IS ASSESSED ON EACH CONVICTION OR DEFERRED DISPOSITION OF CRIMINAL CASES IN MUNICIPAL COURT, WHICH INCLUDES ALMOST ALL THE CASES IN MUNICIPAL COURT EXCEPT PARKING. THE TECHNOLOGY FUND REVENUES ANTICIPATE A TO BE \$.6 MILLION. THIS FUND WAS ALSO AUTHORIZED SEVERAL YEARS AGO BY THE LEGISLATURE TO GIVE COURTS ASSURED FINANCING TO IMPROVE THE TECHNOLOGY IN COURTS. A FOUR-DOLLAR COURT COST IS ASSESSED ON EACH CONVICTION OR DEFERRAL OF CRIMINAL CASES. BOTH FUNDS ARE SOLELY FINANCED THROUGH COURT COSTS PAID BY VIOLATORS AND NOT GENERAL FUND SOURCES SUCH AS TAXES. I KEEP SAYING NET TO GENERAL FUND BECAUSE AUSTIN MUNICIPAL COURT WILL ACTUALLY COLLECT MORE THAN \$28

MILLION THIS YEAR. THE SLIDE SHOWS \$18.2 MILLION FOR THREE FUNDS. IT DOES NOT REFLECT A 600,000-DOLLAR CHILD SAFETY FUND THAT'S COLLECTED THROUGH COURT COSTS THROUGH THE PUBLIC WORKS DEPARTMENT CHILD SAFETY PROGRAM. IT ALSO DOES NOT REFLECT OVER NINE AND A HALF MILLION DOLLARS, WHICH WE WILL REMIT TO THE STATE FROM STATE MANDATED COURT COSTS AND FEES. AND THE STATE WILL GET EVEN MORE NEXT YEAR FROM US. THERE ARE THREE NEW FEES THAT WE WILL BE COLLECTING COURT COSTS. THE FIRST IS A NEW FOUR DOLLAR PER CONVICTION COURT COST FOR JUROR REIMBURSEMENT. THIS WAS MANDATED DURING THE REGULAR LEGISLATIVE SESSION. IT GOES INTO EFFECT SEPTEMBER 1st. THERE IS A HOUSE BILL 11 THAT HAS BEEN PASSED BY BOTH HOUSES AND IS WAITING FOR THE GOVERNOR'S SIGNATURE THAT WOULD PROVIDE A FOUR DOLLAR COURT COST FOR HIGHER COURT JUDICIAL SALARY AND BENEFITS AND LEGISLATOR RETIREMENT BENEFITS. THAT COURT COST WILL BECOME EFFECTIVE AND SIGNED BY THE GOVERNOR ON DECEMBER FIRST. THERE IS ALSO A NEW 30-DOLLAR FILING FEE FOR JUVENILE EX-PUNGS PETITIONS. THAT WILL BECOME EFFECTIVE SEPTEMBER FIRST. ALL THE MONEY IS RETAINED BY THE CITY, BUT THERE'S SO FEW OF THEM THAT IT DOES NOT AFFECT REVENUE PROJECTIONS. INCREASED EXPENDITURES ARE PROPOSED IN ALL DIVISIONS AND FUNDS IN MUNICIPAL COURT. THE PRESIDING JUDGE, MR. TOOMEY AND I WILL DISCUSS THE INCREASES MORE IN DETAIL LATER IN THIS PRESENTATION; HOWEVER, AT THIS TIME I'D LIKE TO POINT OUT THAT THE COURT SECURITY FUND HAS A SLIGHT INCREASE GENERALLY DUE TO RISING PERSONNEL COST. ALSO THERE'S A 200,000-DOLLAR INCREASE IN THE TECHNOLOGY FUND EXPENSES WHICH WILL GO TO UPGRADE THE DOWNTOWN AUSTIN MUNICIPAL COURTS -- DOWNTOWN AUSTIN COMMUNITY COURT'S COMPUTER HARDWARE AND SOFTWARE. THE TOTAL PROPOSED STRATEGIC ADDS FROM MUNICIPAL COURT TOTAL \$356,543, AND ARE FOUND IN ALL COURT DIVISIONS. EACH WILL BE ADDRESSED IN MORE DETAIL BY THE JUDGE, MR. TOOMEY AND ME. NOW I'D LIKE TO TURN THE PRESENTATION OVER TO PRESIDING JUDGE EVELYN MCKEE.

GOOD AFTERNOON, MAYOR WYNN, MAYOR PRO TEM THOMAS AND OTHER COUNCILMEMBERS. MY NAME IS EVELYN MCKEE. I'M THE PRESIDING JUDGE AT AUSTIN MUNICIPAL COURT. I'M HERE THIS AFTERNOON TO TALK ABOUT THE PORTION OF THE BUDGET THAT DEALS STRICTLY WITH THE JUDICIARY. ALL FUNDS, EXPENDITURES, THE JUDICIARY ACCOUNTS FOR ABOUT 16 PERCENT OF ALL OF THOSE. AND OF THAT AMOUNT, 30% IS DEDICATED TO CENTRAL BOOKING AND THE PROCESSING OF FOLKS AT THE CENTRAL BOOKING FACILITY. THE REMAINING 70% IS FOR SERVICES AT THE COURTHOUSE OVER ON SEVENTH STREET. WE ARE PROPOSING A TOTAL F.T.E.'S OF 11.5. THAT REPRESENTS AN INCREASE OF A ONE-FOURTH F.T.E. THIS IS A STRATEGIC ADD THAT ACTUALLY WILL BE FILLED BY CURRENT ADMINISTRATIVE EMPLOYEE, BRINGING HER TO FULL TIME TO RESTORE OUR ABILITY TO MEET OUR CURRENT CUSTOMER SERVICE DEMANDS. WE ARE ALSO GOING TO PILOT STARTING IN OCTOBER A JUVENILE DOCKET ON SATURDAYS. THIS IS FOR THE PURPOSE OF INCREASING OF JUVENILES AND THEIR PARENTS. THIS IS EXPECTED TO INCREASE FROM 60% TO 80%. THAT WILL INVOLVE A JUDGE, SOME PROSECUTORS AND SOME ADMINISTRATIVE STAFF. AND ALSO AS PART OF THE CITY MANAGER'S NEIGHBORHOOD REINVESTMENT PROPOSAL, A PROVISION HAS BEEN MADE FOR ADDITIONAL JUDICIAL HOURS DEDICATED FOR CODE COMPLIANCE. AT THIS TIME I'LL TURN THE PRESENTATION OVER TO MR. GREG TOOMEY, THE ADMINISTRATOR OF THE DOWNTOWN AUSTIN COMMUNITY COURT.

THANK YOU. MAYOR, MAYOR PRO TEM, MEMBERS OF COUNCIL, MINE WILL PROBABLY BE THE BRIEFEST PRESENTATION. WE'RE THE SMALLEST COURT. THIS YEAR THE PROPOSED BUDGET FOR COMMUNITY COURT IS \$1,231,000. WE HAVE AN INCREASE PROPOSED OF 2 FULL-TIME EMPLOYEES, BOTH WILL BE WITH THE OUTSIDE CLEANUP AND MOWING CREWS. THIS WAS BEGUN AS A PILOT PROJECT ABOUT TWO YEARS AGO, AND HAS BEEN VERY, VERY SUCCESSFUL IN RESPONDING IMMEDIATELY TO COMMUNITY NEEDS, SPECIAL EVENTS. ONE OF THESE EMPLOYEES WILL BE FUNDED BY THE SOLID WASTE SERVICES DEPARTMENT TO GIVE US THE SAME RAPID

RESPONSE CAPABILITY WE'RE ABLE TO DO FOR OTHER PROJECTS RELATIVE TO CODE ENFORCEMENT AND NEIGHBORHOOD COMPLIANCE. THE NUMBER OF HOURS GENERATED, WE HAD BUDGETED 11,358 COMMUNITY SERVICE HOURS FOR '05, AND WE'VE ALREADY MORE THAN DOUBLED THAT. WE'VE COMPLETED 26,558 HOURS. THERE'S ALSO A STRATEGIC ADD OF \$50,000 IN SOCIAL SERVICES FUNDING WHICH IS GOING TO ALLOW US THE OPPORTUNITY TO PLACE MORE OF THE CLIENTS OF THE COURT IN RESIDENTIAL AND INTENSIVE TREATMENT AS A RESULT OF THEIR NEEDS AND PROBLEMS WITH SUBSTANCE ABUSE. THAT'S PRETTY MUCH IT FOR ME.

Mayor Wynn: THANK YOU, MR. TOOMEY.

THE TOTAL PROPOSED EXPENDITURE FOR COURT OPERATIONS AND SUPPORT SERVICES IS JUST OVER OF MILLION DOLLARS. -- \$6 MILLION. 67% IS FUNDED IN CASELOAD MANAGEMENT, WHICH IS THE BULK OF MUNICIPAL COURT OPERATIONS, INCLUDING RECORDS MANAGEMENT, CASE INITIATION, ALL OF OUR CUSTOMER SERVICES, WARRANT PROCESSING AND PARKING SERVICES. CENTRAL BOOKING PERSONNEL PROVIDE SUPPORT FOR JUDGES AT THE TRAVIS COUNTY JUSTICE CENTER CENTRAL BOOKING. MUNICIPAL COURT JUDGES MAGISTRATE ALMOST EVERY PERSON THAT'S ARRESTED IN TRAVIS COUNTY. COLLECTION SERVICE PERSONNEL CONCENTRATE ON THE CLOSURE OF COURT CASES. LEGISLATION WAS PASSED DURING THE REGULAR SESSION REQUIRING MUNICIPAL COURTS IN CITIES WITH POPULATION 100,000 AND OVER TO HAVE A COLLECTION PROGRAM IN PLACE BY APRIL OF 2006 THAT GENERALLY CONFORMS TO THE STATE'S OFFICE OF COURT ADMINISTRATION GUIDELINES. GIVEN OUR EXCELLENT COLLECTION PROGRAM, WE SHOULD HAVE NO PROBLEM MEETING THIS NEW UNFUNDED MANDATE. SUPPORT SERVICES INCLUDE PURCHASING, BUDGETING, HUMAN RESOURCES, TECHNOLOGY SERVICES PERSONNEL, FACILITY MAINTENANCE AND ADMINISTRATIVE SERVICES. AS STATED EARLIER, FIVE F.T.E.'S ARE BEING ADDED BACK. THE STRATEGIC ADDS FOR MUNICIPAL COURT OPERATIONS INCLUDE CONTINUEDER GONE NO, MA'AM MILK WORKSTATION AND CHAIR REPLACEMENT PROGRAM TO KEEP WORKERS COMPENSATION CLAIMS AS LOW AS



POSSIBLE. THE JUVENILE SATURDAY DOCKET PILOT PREVIOUSLY DISCUSSED BY JUDGE MCKEE IS FUNDED IN THIS DIVISION, AND THE FIVE F.T.E.'S INCLUDE FOUR THAT ARE ADD BACK FOR CUSTOMER SERVICES TO REDUCE CUSTOMER WAIT TIME AND TO REDUCE THE NUMBER OF CUSTOMERS HANGING UP DUE TO EXTENDED HOLD TIMES. ONE F.T.E. IS BEING ADDED IN PLACE OF A CONTRACTUAL FUNDING FOR INSURANCE PROOF VERIFICATION, ABOUT EIGHT PERCENT OF THE CERTIFICATES FOR PROOF OF INSURANCE THE COURT RECEIVES TO DISMISS NO INSURANCE TICKETS ARE FRAUDULENT AND MORE IMMEDIATE STAFF TEAM IS NEEDED TO VERIFY THE VALIDITY OF THESE CERTIFICATES AS SOON AS THEY GET TO COURT. OVERALL, THE REVENUE FOR CASES FILED IN MUNICIPAL COURT CONTINUES TO INCREASE AT A HIGHER RATE THAN THE EXPENDITURES FOR CASES FILED IN OUR COURT. COURTS EMPHASIS ON EFFICIENT CUSTOMER SERVICE AND ITS COMPREHENSIVE COLLECTION EFFORTS CONTINUE TO MOVE THE AUSTIN MUNICIPAL COURT TOWARDS ITS VISION OF BEING THE MOST EFFECTIVE MUNICIPAL COURT IN TEXAS. THIS CONCLUDES OUR PRESENTATION. I WOULD LIKE TO THANK MELANIE MONTEZ, A FINANCE MANAGER, FOR ALL OF HER WORK ON THE BUDGET, AND WE ARE ALL AVAILABLE TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

Mayor Wynn: THANK YOU, MS. STARK. QUESTIONS FOR THE MUNICIPAL COURT CLERK, COUNCIL? THANK YOU, MS. CLARK -- STARK, EXCUSE ME. WELCOME BACK, MR. GARZA.

OUR NEXT DEPARTMENT IS THE E.M.S. DEPARTMENT. PRESENTING TODAY WILL BE OUR DIRECTOR, RICHARD HARRINGTON, AND ALSO DR. ED ROCK OUR MEDICAL SERVICES DIRECTOR.

WHEN WE THINK ABOUT E.M.S., WE PRETTY MUCH WISH THAT NOBODY EVER HAS TO USE THESE SERVICES, BUT IT'S INEVITABLE THAT AT SOME POINT ONE OF US OR SOMEONE WE KNOW WELL, AND IT'S GREAT TO KNOW THAT WHEN WE LOOK AT THE CITIZENS SURVEY RESULTS, WE CLEARLY -- AND WE'VE SAID THIS AND WE'VE KNOWN THIS, WE HAVE THE BEST SYSTEM IN THE COUNTRY. ALMOST PERFECT SCORES, OVERALL SATISFACTION FROM THE GENERAL POPULATION OF 97%, CONSISTENT WITH LAST YEAR'S

RATING. SATISFACTION FOR THOSE THAT HAVE HAD THE UNFORTUNATE PLEASURE OF HAVING TO USE THEIR SERVICES, 94%. THAT'S ACTUALLY AN INCREASE. AND SATISFACTION WITH THEIR QUALITY OF SERVICES. AGAIN, ALMOST A PERFECT SCORE OF 96%. WITH THAT I'LL TURN IT OVER TO SOMEONE WHO SHOULD BE VERY PROUD OF HIS WORKFORCE, AND I'M SURE IS, EXECUTIVE DIRECTOR RICHARD HARRINGTON.

THANK YOU. MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, GOOD AFTERNOON. I'M RICHARD HARRINGTON, EXECUTIVE DIRECTOR OF AUSTIN-TRAVIS COUNTY E.M.S. THE PROPOSED BUDGET INCLUDES AN ESTIMATE OF \$18.9 MILLION IN TOTAL REVENUE FOR NEXT YEAR. THE VAST MAJORITY OF THE REVENUES DRAWS FROM TWO SOURCES, PAYMENTS FROM TRAVIS COUNTY FOR E.M.S. SERVICES OUTSIDE THE CITY OF AUSTIN AND FEES COLLECTED FROM PATIENTS, INSURANCE PROVIDERS, MEDICARE AND MEDICAID. WE ESTIMATE THE 6.2% INCREASE IN REVENUE COLLECTIONS FOR NEXT YEAR. THE PROPOSED GENERAL FUND OPERATING BUDGET IS \$35.2 MILLION, WHICH FUNDS AN ADDITIONAL 47 NEW POSITIONS, 45 OF WHICH ARE PARAMEDICS. AND AN ADDITIONAL TWO NON-UNIFORM POSITION FOR OUR SAFETY PROGRAM. WE ARE PROPOSING OPENING TWO NEW STATIONS IN THE NEXT FISCAL YEAR. AS I JUST MENTIONED, ALMOST 99% OF THE E.M.S. REVENUE COMES FROM TWO SOURCES. AMBULANCE FEES OF 9.5 MM AND TRAVIS COUNTY REIMBURSEMENT FOR AMBULANCE SERVICES AT 9.2 MILLION. AN ADDITIONAL 251,000 IS FROM STAND BY SERVICES, CPR TRAINING, PUBLIC SERVICE FRANCHISE FEES AND MEDICAL RECORDS REQUEST. SEPARATE AND APART FROM THE BUDGET IS THE E.M.S. TRAVIS COUNTY REIMBURSEMENT. THIS FUND IS EXCLUSIVE TO THE STARFLIGHT HELICOPTER PROGRAM AND REIMBURSED THE CITY 1.4 MILLION FOR THE COST OF THE MEDICAL FLIGHT CREWS AND THE COST OF THE PROGRAM HE MUST ALSO ANTICIPATE APPLYING AND RECEIVING SEVERAL SMALL GRANTS IN THE AMOUNT OF 294,000 NEXT YEAR. E.M.S. IS DIVIDED INTO FOUR PROGRAM AREAS, BILLING SERVICES, EMERGENCY OPERATIONS, SUPPORT SERVICES AND TRAINING AND EDUCATION. BILLING SERVICES IS RESPONSIBLE FOR ALL PATIENT BILLINGS AND

FEE COLLECTIONS. BY FAR THE LARGEST PROGRAM, EMERGENCY OPERATIONS PROPOSED AT 30.7 MILLION, INCLUDES 30 AMBULANCE STATIONS, STARFLIGHT OPERATIONS, EMERGENCY COMMUNICATIONS. SUPPORT SERVICES AT 1.7 MILLION INCLUDES ADMINISTRATION AND MANAGEMENT, FINANCIAL MONITORING, BUDGETING, PURCHASING, INFORMATION TECHNOLOGY AND HUMAN RESOURCES. INCLUDED WITHIN THE TRAINING AND EDUCATION BUDGET ARE THE QUALITY ASSURANCE AND IMPROVEMENT, THE E.M.S. ACADEMY FOR RECRUITING, CPR AND SAFETY PROGRAMS. AS PREVIOUSLY INDICATED, WE'LL BE PROPOSING TO OPEN TWO NEW STATIONS NEXT YEAR. THERE WILL REQUIRE 20 NEW UNIFORMED PARAMEDICS. WE PLAN ON OPENING THE DEL VALLE STATION IN EARLY SUMMER OF 2006 AND STAFFING THE CIRCLE C STATION IN THE EARLY FALL OF 2006. E.M.S. HAS THREE STRATEGIC ADD-BACKS AT 1.2 MILLION. THE LARGEST OF THE ADDITIONS IS THE HIRING OF 24 NEW PARAMEDICS TO ALLOW E.M.S. TO IMPLEMENT A 48 HOUR WORK WEEK CYCLE. PRESENTLY THEY WORK 24 HOURS ON, 48 HOURS OFF RESULTING IN 65 WEEKS AND THE CYCLE REPEATS EVERY THREE WEEKS. DUE TO THE HEAVY WORK LOAD AT OUR BUSIEST STATIONS IT IS NECESSARY TO IMPLEMENT SHORTER WORK CYCLES TO REDUCE PARAMEDIC FATIGUE AND INJURIES. IT IS NOT UNCOMMON FOR UNITS TO MAKE SEVERAL CALLS PER SHIFT RESULTING IN LITTLE IF ANY DOWNTIME. AND COMPLICATING THE WORK LOAD, CALL VOLUME THROUGH THE THIRD QUARTER OF THIS YEAR IS UP ALMOST 16% FOR THE SAME PERIOD LAST YEAR. THIS SCHEDULE OFFERS THE FLEXIBILITY OF HAVING MULTIPLE SHIFTS AND GIVES THE ABILITY TO CHANGE TO A SHORTER SHIFT WHEN THE WORK LOAD BECOMES EXCESSIVE. IT ALSO ALLOWS TO IMPLEMENT FUTURE PEAK LOAD UNITS TO HANDLE HEAVY DEMAND PERIODS. THESE UNITS ARE NOT IN SERVICE 24/7, 365, RATHER ADDED AT PEAK TIMES DURING THE WEEK. IN ADDITION, TWO NON-UNIFORMED PHYSICIANS ARE INCLUDED IN THIS. THESE PHYSICIANS WILL ADD SAFETY EXPERTISE TO THE JOINT WELLNESS CENTER TO PROMOTE QUICKER RETURN TO DUTY AND REINJURE PREVENTION. AND LAST IS A RECRUITING POSITION FOR OUR RECRUITING OFFICE. WITH THE NATIONAL LOSS OF PARAMEDICS WE NEED TO BE AGGRESSIVE WITH OUR RECRUIT WILLING

EFFORTS. PRESENTLY WE HAVE TWO NON-UNIFORMED RECRUITERS. INCLUDED IN THIS BUDGET IS 1.6 MILLION FOR YEAR TWO OF THE YEAR TWO MARK ADJUSTMENTS FOR STAFF. IT IS ALLOCATED FOR PAY FOR PERFORMANCE AND LIVING WAGE PERFORMANCE AND \$100,000 IS INCLUDED IN THE E.M.S. BUDGET TO PURCHASE 50 ADDITIONAL AUTOMATED DEFIBRILLATORS TO BE INSTALLED AT KEY FACILITIES. PROPOSED ONE TIME CRITICAL ITEMS, 944,000, THE VAST MAJORITY OF THIS BEING CAPITAL EQUIPMENT. THIS INCLUDES THREE NEW AMBULANCES FOR THE NEW STATIONS, A REPLACEMENT AND RESCUE BOAT, MOTOR AND TRAILER, MEDICAL VENTILATORS FOR EXISTING AMBULANCES, THE DEFIBRILLATORS I JUST SPOKE ABOUT AND A SKID TRUCK AND TRAILER. ALSO INCLUDED IN THERE IS \$53,000 FOR THE INCENTIVE ENHANCEMENT FOR NON-UNIFORMED STAFF. WITHIN THE CAPITAL BUDGET THERE'S \$283,000 ALLOCATED FOR FACILITY IMPROVEMENTS, AND E.M.S. FUNDS THAT ARE ALLOCATED IN OTHER BUDGETS FOR EITHER THE VEHICLE ACQUISITION FUND OR CTMCIP \$421,000. THAT'S ONE RESERVE AMBULANCE, COMPUTERS, LAPTOPS, PRINTERS, SERVERS AND LOCAL AND PORTABLE RADIOS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

THE BLUE COLUMN SHOWS THE AVERAGE RESPONSE TIME WITHIN THE CITY. ALSO AN IMPROVEMENT FROM 8 MINUTES LAST YEAR TO 7.6 MINUTES THIS YEAR. BASED UPON THIS ICMA DATA, I GUESS AUSTIN LIKES TO USE E.M.S. MORE THAN OTHER CITIES. AUSTIN HAS THE SECOND HIGHEST RESPONSE RATE WITH ONLY TUCSON BEING HIGHER. I'M GOING TO HAVE DOCTOR ED ROCK, OUR MEDICAL DIRECTOR, PRESENT THE NEXT TWO SLIDES AND TO GIVE YOU ADDITIONAL INFORMATION ON THE CITY'S AUTOMATED DEFIBRILLATOR PROGRAM.

I'M ED ROCK, DIRECTOR FOR E.M.S. AND FIRE DEPARTMENT. THE NEXT TWO SLIDES GIVE US AN OVERVIEW OF THE CARDIAC ARREST SURVIVAL DATA. SOMETHING VERY IMPORTANT TO THE COMMUNITY AND A GOOD BENCHMARK INDICATOR OF COMMUNITIES ACROSS THE BOARD IN SURVIVAL. THE FIRST SLIDE IS CARDIAC ARREST PATIENTS DELIVERED TO A HOSPITAL WITH A PULSE, THAT'S THE BLUE LINE ON THE TOP. THAT'S CONSIDERED TO BE THE

INDICATOR OF WHAT THE SYSTEM DOES, THE E.M.S. SYSTEM. AND THE MIDDLE LINE IS AN AVERAGE THAT'S PROVIDED BY THE JOURNAL OF EMERGENCY MEDICAL SERVICES MAGAZINE AND HISTORICALLY YOU CAN SEE THIS IS A STRAIGHT LINE AT 20%, THE BOTTOM LINE, THE RED DOTS ARE SURVIVAL OF THAT PATIENT POPULATION TO HOSPITAL DISCHARGE, WHICH IS A REFLECTION OF HOW WELL THE ENTIRE MEDICAL COMMUNITY INCLUDES HOSPITALS AND REHABILITATION PERFORM. WE CONTINUE TO BE PROUD OF OUR CARDIAC ARREST SURVIVAL RATE ACROSS THE BOARD. AS YOU CAN SEE WE HAVE ABOVE THE REPORTED AVERAGE FOR SURVIVAL AT 24.7%. THE NEXT SLIDE IS A SURVIVAL WITH TWO OTHER CITIES, ICMA, SELF REPORTED DATA, THE ICMA, FAIRFAX COUNTY YEAH, AUSTIN, ALMOST 25%, COLLEAGUES IN SAN ANTONIO AT 34.5%. THIS IS SELF REPORTED DATA. I DID ACTUALLY CONTACT MY COLLEAGUE DON GORDON IN SAN ANTONIO. THE NUMBER 34.6% ARE THE NUMBER OF PATIENTS IN SAN ANTONIO THAT HAVE A PULSE AT ANY POINT DURING THEIR RECITATION. WE ACTUALLY REPORT OUT A PULSE WHEN THEY ARE DELIVERED TO THE FACILITY. WE CONTINUE TO BE VERY PROUD OF THIS COMMUNITY'S DEPLOYMENT OF AED'S, PARTICULARLY THE CITY. LAST YEAR COUNCIL APPROVED DEVICES TO GO IN CITY BUILDINGS, LIBRARIES, OTHER CITY BUILDINGS AND WE HAVE PROPOSED ADDITIONAL DEFIBRILLATION DEVICES IN THIS YEAR'S BUDGET.

AS WITH ALL OF THE PUBLIC SAFETY E.M.S. FACES MANY CHALLENGES WITH ITS DIVERSITY, ESPECIALLY IN THE UNIFORM POSITIONS. AS YOU CAN SEE, THE CHART ON THE UPPER -- UPPER RIGHT, 85% OF THE UNIFORM POSITIONS ARE WHITE, THAT DOES INCLUDE 25% FEMALE, 13%, HISPANIC, ONLY ONE PERCENT ARE AFRICAN-AMERICAN AND ASIAN. UNLIKE FIRE AND POLICE, E.M.S.'S PULL IS RESTRICTED TO LICENSED OR CERTIFIED PARAMEDICS, THE APPLICANT HAS TO BE A PARAMEDIC IN ORDER TO BE HIRED. IT IS CONSISTENT WITH THE PARAMEDICS GRADUATING THROUGHOUT THE STATE. DIVERSITY BREAK DOWN OF ALL PARAMEDICS HIRED WITHIN THE LAST YEAR. THE PIE CHART ON THE RIGHT SHOWS FROM AUSTIN TRAVIS COUNTY IN THE LAST YEAR. AS YOU CAN SEE, THE DIVERSITY OF THOSE INDIVIDUALS HAVING APPLIED IS VERY LOW. WHEN IT'S --

WHAT IS NOT SHOWN IS OF THOSE THAT ACTUALLY APPLIED IN THE PAST 12 MONTHS, 46.9% OF THE WHITES WERE HIRED, 50% OF THE HISPANICS WERE HIRED, 33.3 OF AFRICAN-AMERICANS THAT APPLIED WERE HIRED. WE ARE IN DISCUSSION WITH AUSTIN COMMUNITY COLLEGE AND WITH U.T.-SAN ANTONIO MEDICAL BRANCH EXPLORING THE OPTIONS OF STARTING AN E.M.S. PARAMEDIC ACADEMY LOCALLY. RECRUIT FROM THE GENERAL POPULATION AND TRAIN THE RECRUITS TO BE PARAMEDICS OURSELVES. IN THE FUTURE IN ORDER TO MEET STAFFING REQUIREMENTS, BECOME MORE DIVERSE, E.M.S. WILL HAVE TO RELY UPON BOTH OPEN MARKET RECRUITING AND IN-HOUSE TRAINING. WE ANTICIPATE HAVING A PROPOSAL FOR AN INTERNAL PARAMEDIC ACADEMY FOR CONSIDERATION IN THE FY 2007 BUDGET. ALSO EXPLORING HOW TO GENERATE INTEREST IN MAKING E.M.S. A CAREER CHOICE THROUGH THE LOCAL HIGH SCHOOLS. PRESENTLY THE FOCUS IS PRIMARILY ON NURSING AND OTHER HOSPITAL OR MEDICAL OFFICE SPACE CAREERS, WITH THAT I CONCLUDE MY PRESENTATION, BUT I WOULD LIKE TO ALSO THANK SOME OF MY COLLEAGUES, WHO HAVE SPENT MANY A LATE NIGHTS, MANY DAYS AND WEEKENDS PREPARING THIS BUDGET. THANK YOU ALL.

THANK YOU, RICHARD. QUESTIONS OF THE E.M.S. DIRECTOR, COUNCIL? PLEASE DON'T MISCONSTRUE OUR LACK OF QUESTIONS WITH THE FACT THAT THEY ARE DELVING INTO ALL OF THIS HARD WORK VERY DILIGENTLY OVER A NUMBER OF WEEKS THIS SUMMER. SO THANK YOU VERY MUCH.

THANK YOU. THIS NEXT DEPARTMENT, IT WASN'T ENOUGH FOR THESE GUYS TO SHAME EVERY OTHER CITY DEPARTMENT BY BEATING EVERYBODY IN THE SILICON RELAYS AND BEING NUMBER ONE. FAKE ACTING CHIEF JIM EVANS HAD -- I THINK THE ACTING CHIEF HAS HAD A GOOD TIME REGARDING THE HIGHEST SATISFACTION RATING IN THE CITY, AGAIN THAT'S NOT A SURPRISE BECAUSE WE AGAIN KNOW THAT WITH ALL OF OUR PUBLIC SAFETY DEPARTMENTS, OUR FIRE DEPARTMENT IS SECOND TO NONE IN THE COUNTRY. WHEN WE LOOK AT OUR CITIZEN SURVEY RESULTS, OVERALL SATISFACTION WITH THE FIRE DEPARTMENT AGAIN, OBVIOUSLY A PERFECT 100, 96%, QUALITY, OF OUR SERVICES. AGAIN ALMOST A PERFECT 100 AT 96.9, 97% AND WHEN -- WHEN DISCUSSING THEIR FIRE

PROTECTION AND EMERGENCY RESPONSE SERVICES, FIRE DEPARTMENT, A -- A 98%. WITH THAT I WILL TURN IT OVER TO ACTING CHIEF JIM EVANS.

Futrell: RUDY, I BELIEVE THAT THE POLICE DEPARTMENT IS JOGGING IN NOW AS YOU SPEAK [LAUGHTER]

I JUST WANT TO KNOW WHETHER THE CHIEF MADE THE FINAL CUT FOR THE CALENDAR THAT WE SAW IN THE NEWSPAPER THE OTHER DAY.

NO, HE DID NOT. THERE'S NOT 13 MONTHS IN THE YEAR [LAUGHTER] OTHERWISE I WOULD HAVE BEEN RIGHT IN THERE.

Futrell: GOOD ANSWER CHIEF, GOOD ANSWER.

APRIL FOOLS OR SOMETHING MAYBE.

EXACTLY, EXACTLY. MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, I'M JIM EVANS YOUR ACTING FIRE CHIEF. WE ARE VERY PROUD OF OUR CITIZEN SURVEY RESULTS. I WOULD LIKE TO BEGIN OUR PRESENTATION TODAY WITH A REVIEW OF SOME OF OUR GENERAL FUND BUDGET FACTS. BEGINNING WITH OUR REVENUES AND EXPENDITURES. WE ARE ANTICIPATING REVENUES OF \$683,000. APPROXIMATELY. NEXT YEAR. THIS IS APPROXIMATELY A 10% DECREASE, WHICH I WILL COVER IN THE NEXT SLIDE. ON OUR EXPENDITURE SIDE, WE ANTICIPATE \$91.5 MILLION. THIS IS A 2.5% INCREASE FROM CURRENT YEAR. I MUST NOTE AT THIS POINT THAT OUR PROPOSED BUDGET DOES NOT INCLUDE ANY IMPACT OF THE COLLECTIVE BARGAINING AGREEMENTS. OUR TOTAL PROPOSED GENERAL FUND F.T.E.S IS 1,052 SWORN, 117 CIVILIAN, 60 OF WHICH ARE UNFUNDED CADET POSITIONS. THAT INCLUDES 20 NEW SWORN F.T.E.'S FOR THE SPICEWOOD SPRINGS STATION, WITH AN ANTICIPATED OPENING OF FALL OF '06. ONE NEW CIVILIAN F.T.E., TO SUPPORT PAYROLL ACTIVITIES. NOW IN OUR REVENUE SIDE, WE DO NOT GENERATE A WHOLE LOT OF REVENUE. IT COMES FROM VARIOUS SOURCES. LICENSES, CHARGES FOR SERVICES. WE HAVE A CONTRACT WITH SUNSET VALLEY FOR FIRE PROTECTION AND THEN WE HAVE SOME MISCELLANEOUS FEES THAT WE ALSO COLLECT.

THIS 10% DECREASE FOR A NUMBER OF YEARS ARE DUE TO SEVERAL FACTORS. FIRST CURRENT REVENUE PROJECTIONS FOR CERTAIN PERMIT TYPES, BASED ON THE ADOPTION OF A NEW FIRE CODE WHICH HAS NOT YET BEEN FINALIZED. SECOND REVENUE FROM THE VEHICLE EXTRICATION FEE, FINALLY OUR CONTRACT TO PROVIDE FIRE PROTECTION SERVICES TO SUNSET VALLEY WAS RENEGOTIATED TO REFLECT A MORE ACCURATE COST PER CALL. ON OUR FUND EXPENDITURES, OUR FIRE AND EMERGENCY RESPONSE PROGRAM, WHICH IS COMMONLY REFERRED TO AS COMBAT OPERATIONS, IS FUNDED AT 78.7 MILLION. THIS IS AN INCREASE OF 2.4%. THIS IS PRIMARILY DUE TO COSTS ASSOCIATED WITH CIVIL SERVICE, STAFF AND LONGEVITY INCREASES. OPERATIONS SUPPORT WHICH PROVIDES CRITICAL SUPPORT FUNCTIONS SUCH AS COMMUNICATIONS, TRAINING AND RECRUITING IS BUDGETED AT 8.3 MILLION. THIS IS A DECREASE OF 9.9%, APPROXIMATELY 10% FROM CURRENT YEAR. THIS IS THE RESULT OF A ONE-TIME FUNDING OF APPROXIMATELY ONE MILLION DOLLARS FOR AIR PACK REPLACEMENTS WHICH WILL NOT BE CARRIED FORWARD. THE PROPOSED BUDGETS FOR EMERGENCY PREVENTION AND THE ONE-STOP SHOP WERE ADJUSTED TO MORE ACCURATELY REFLECT EMPLOYEE TIME SPENT ON THESE TWO ACTIVITIES. RESULTING IN AN INCREASE TO EMERGENCY PREVENTION AND A DECREASE TO THE ONE-STOP SHOP BUDGET. SUPPORT SERVICES, WHICH PROVIDES ADMINISTRATIVE SUPPORT IN THE AREAS OF FINANCE, PLANNING, PERSONNEL AND PURCHASING, INCREASES BY 2.5%. THIS IS DUE TO THE ADDITION OF THE NON-UNIFORMED POSITION TO SUPPORT PAYROLL ACTIVITIES AS WELL AS SOME SMALL INCREASES TO MAINTENANCE CONTRACTS AND UTILITY COSTS. WE EXPECT TO HIRE 20 CADETS IN THE SPRING OF '06 FOR OUR SPICEWOOD SPRINGS STATION. THIS BUDGETED AMOUNT HERE COVERS THE CADET TRAINING PERIOD. OUR PROPOSED STRATEGIC ADD BACKS AT \$171,571 INCLUDES THE ADDITION OF ONE NON-CIVIL SERVICE PAYROLL SPECIALIST, TO SUPPORT THE INCREASED NUMBER OF FIREFIGHTERS, THE COMPLEXITY OF THE PAYROLL ENTRIES DUE TO PAY REQUIREMENTS FOR SWORN PERSONNEL, THAT ARE RELATED TO OVERTIME, CLASSIFICATION PAY, AND COLLECTIVE BARGAINING



PROVISIONS. A SIGNIFICANT AMOUNT OF INTERNAL KNOWLEDGE OF THE AE PAYROLL SYSTEMS WILL BE LOST DUE TO THE IMPENDING RETIREMENT OF ONE OF OUR PAYROLL SPECIALISTS LATER THIS FALL. OUR WELLNESS CENTER, WE HAVE RECEIVED FUNDING FROM FEMA THROUGH ITS ASSISTANT TO FIREFIGHTER GRANT PROGRAM, FOR ENHANCEMENTS TO OUR WELLNESS FITNESS PROGRAM. AFD'S GOAL IS TO MAINTAIN A HEALTHY, PHYSICALLY FIT WORKFORCE THAT'S EQUIPPED TO HANDLE THE PHYSICAL, MENTAL, EMOTIONAL DEMANDS OF THE JOB. IT'S OUR INTENT TO MEET THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION AGENCY ON HEALTH-RELATED FITNESS PROGRAMS FOR FIREFIGHTERS. AS RICHARD HARRINGTON MENTIONED EARLIER, THESE SERVICES WILL ALSO BE AVAILABLE TO THE E.M.S. PARAMEDICS. OUR PROPOSED CAPITAL BUDGET INCLUDES APPROXIMATELY 30% OF THE OVERALL FUNDING NEEDED FOR THE AVERY RANCH FIRE STATION. THIS MULTI-YEAR PROJECT IS PROJECTED FOR COMPLETION SOMETIME IN 2008. OUR PROPOSED ONE-TIME CRITICAL CAPITAL ITEMS, WE HAVE FUNDING FOR SERVICE ENHANCEMENTS FOR OUR NON-CIVIL SERVICE EMPLOYEES. WE PLAN TO PURCHASE RESCUE TOOL PACKS, WITH CRITICAL ONE-TIME CAPITAL MONEY. IT CONSISTS OF THE HYDRAULIC RESCUE TOOLS COMMONLY KNOWN AS THE JAWS OF LIFE AND THE VARIOUS ACCESSORIES THAT COME WITH THEM. THIS WILL ALLOW US TO REPLACE WORN OUT, OUTDATED SETS AS WELL AS KEEP ONE SET IN RESERVE. ALSO IN THE VEHICLE ACQUISITION FUND, CAPITAL FOR FIRE, THERE'S FUNDING AVAILABLE TO PURCHASE THREE PUMPEST AND ONE LADDER. THIS WILL CONTINUE OUR ROUTINE REPLACEMENT SCHEDULED FOR AGING APPARATUS. FUNDS ARE INCLUDED TO REPLACE COMPUTERS AT THE FIRE STATIONS THAT ARE OUTDATED AND INSUFFICIENT FOR MANDATORY REPORTING REQUIREMENTS AS WELL AS AGING PRINTERS AND OTHER COMPUTER EQUIPMENT. IN ADDITION WE HAVE FIVE REPLACEMENT PORTABLE RADIOS WHICH ALSO ARE FUNDED. THIS PROPOSED BUDGET ALSO MAINTAINS OUR ENHANCED TASK FORCE STAFFING. THE DEPARTMENT IMPLEMENTED A PILOT PROGRAM IN NOVEMBER OF '04. THE OBJECTIVES OF THE PILOT WERE TO ASSESS THE DEPLOYMENT REQUIREMENTS AND STRATEGIES OF

ENHANCED TASK FORCE STAFFING AND TO EVALUATE THE COSTS AND THE OPERATIONAL IMPACT. THE PILOT SHOWED US THAT THE ESTIMATED OVERTIME COSTS DID NOT REFLECT OUR ACTUAL EXPERIENCE WITH THE DAILY SHIFT COUNT. WHICH IS A COMPARISON BETWEEN THE NUMBER OF FIREFIGHTERS ACTUALLY ASSIGNED TO ASPACE COMPANY VERSUS THE NUMBER OF FIREFIGHTERS REQUIRED ON THAT COMPANY FOR ENHANCED TASK FORCE STAFFING. IF YOU WILL LOOK AT THE CHART, YOU WILL SEE THAT STATIONS WHERE A LADDER AND AN ENGINE ARE HOUSED TOGETHER ARE STAFFING STRATEGY IS TO ASSIGN FIREFIGHTERS TO THE LADDER AND FIVE TO THE ENGINE. THE REQUIRED NUMBER OF FIREFIGHTERS FOR TASK FORCE STAFFING WAS 3 ON THE ENGINE AND 3 ON THE LADDER. THE ENHANCED TASK FORCE STAFFING REQUIREMENTS ARE 3 ON THE LADDER, FOUR ON THE ENGINE. THIS RATIO BETWEEN ASSIGNED AND REQUIRED IS TO ALLOW ADEQUATE STAFFING DURING BOTH PLANNED AND UNPLANNED ABSENCES THROUGHOUT SHIFT. YOU'LL SEE THAT WE ASSIGNED 10 FIREFIGHTERS TO A STATION WHERE THE REQUIRED NUMBER IS ACTUALLY SEVEN. THIS MEANS THAT WE CAN HAVE UP TO THREE PLANNED OR UNPLANNED ABSENCES BEFORE OVERTIME BACKFILL IS REQUIRED. MANY TIMES THE ABSENCES THAT OCCUR RESULT IN LESS THAN A FULL SHIFT OF OVERTIME BACKFILL BEING REQUIRED. AS AN EXAMPLE, AT THE BEGINNING OF THE SHIFT, A FIREFIGHTER MAY BE OFF FOR ANY NUMBER OF REASONS. SUCH AS VACATION, MEDICAL SITUATION, TRAINING REQUIREMENTS, FAMILY EMERGENCIES AND SO ON. BUT ONCE THESE SITUATIONS HAVE BEEN DEALT WITH AND ARE OVER, THEY RETURN TO WORK. THERE BE NO LONGER REQUIRING THAT WE BACKFILL FOR THEM WITH OVERTIME FORKS THE REMAINDER OF THAT SHIFT. OUR ORIGINAL COST ESTIMATIONS WERE BASED ON A HIGHER LEVEL OF ANTICIPATED BACKFILL THAN WHAT WE ACTUALLY EXPERIENCED. BUT THE PILOT SHOWED US THAT THE ACTUAL ANNUAL COST OF ENHANCED TASK FORCE STAFFING IS PEOPLE \$700,000. APPROXIMATELY \$700,000. HISTORICALLY OVER THE PAST SEVERAL YEARS, THE DEPARTMENT HAS REALIZED ANNUAL SAVINGS OF APPROXIMATELY ONE MILLION DUE TO THE COMPLEXITIES OF CIVIL SERVICE COMPENSATION, INCLUDING

UNANTICIPATED VACANCIES AND TERMINAL PAY. ALSO SCHEDULING PROJECTIONS WHICH REQUIRE OVERTIME TO MEET OUR STAFFING LEVELS. ACTUAL SAVINGS HAVE RANGED BETWEEN ONE-HALF AND \$1.6 MILLION, ALLOWING US TO COVER THE ESTIMATED COST OF ENHANCED TASK FORCE STAFFING WITHIN OUR CURRENT AND PROPOSED BUDGET. THE STRATEGY IS VERY SIMILAR TO HOW A.P.D. WAS ABLE TO FIND FUNDING WITHIN THEIR BUDGET TO ACCOMPLISH SEVERAL OF THEIR GOALS. A RECENT ANALYSIS OF THE OPERATIONAL IMPACT OF ENHANCED TASK FORCE STAFFING REVEALED THAT WHEN RESPONDING TO STRUCTURE FIRES, IN 94% OF THE INCIDENT, WE HAD FOUR OR MORE FIREFIGHTERS ON A FIRST ARRIVING UNIT. THIS IS A 28% INCREASE ABOVE OUR SAME EXPERIENCE WITH TASK FORCE STAFFING. IN THE REMAINING 6% OF INCIDENTS, THE AVERAGE INTERVAL BEFORE ARRIVING OF THE NEXT DUE COMPANY WAS 90 SECONDS. SOME OF OUR KEY GOALS FOR '06 WE INTEND TO PERFORM OVER 27,000 BUILDING INSPECTIONS, WITH AT LEAST 12,000 OF THOSE BEING DONE BY COMBAT OPERATIONS PERSONNEL AND COMPANIES. WE WILL PROVIDE FIRE EDUCATION PROGRAMS TO OVER 190,000 MEMBERS OF THE COMMUNITY. THESE PROGRAMS RANGE FROM SMOKE ALARM CAMPAIGNS TO TARGETING NEIGHBORHOODS FOR WILD LAND, URBAN INTERFACE, FIRE PREVENTION. AS PART OF OUR VERY SUCCESSFUL FREED FREDDIE FINGER SMOKE ALARM CAMPAIGN ... OUR FIRE INVESTIGATION WILL CLEAR 30% OF ARSON CASES BY MAKING ARRESTS. THIS IS ALMOST TWICE THE NATIONAL AND STATE AVERAGE. OF COURSE THE BULK OF WHAT WE WILL BE DOING IS RESPONDING TO EMERGENCY INCIDENTS. THE UPCOMING YEAR WE EXPECT TO RESPOND TO WELL OVER 67,000 INCIDENTS, OF WHICH AT LEAST 70% WILL BE MEDICAL COSTS. EVEN WITH THIS INCREASE IN THE NUMBER OF INCIDENTS, WE HAVE SEEN A SMALL DECREASE IN OUR AVERAGE DISPATCH PROCESSING TIME. THIS IS THE TIME IN SECONDS FROM ENTRY OF CALL INTO THE DISPATCHING QUEUE TO DISPATCHING. THIS IS PRIEWSM IS DUE LARGELY TO TECHNOLOGY IMPROVEMENT, SUCH AS THE ADDITION OF AN AUTOMATED STATION ALERTING PROGRAM, UPDATED CAB PROGRAM AND IMPROVED ADDRESS VERIFICATION. THIS COMMUNITY SCORE CARD SHOWS OUR FIRE DEATHS PER 100,000 OF

POPULATION FOR FISCAL YEAR 2004. WE ARE VERY PROUD OF OUR PERFORMANCE IN THIS AREA, YOU MAY REMEMBER IMMEDIATELY FOLLOWING ONE OF OUR HIGHEST FIRE DEATH PERIODS THAT WE EVER EXPERIENCED, WE WERE ABLE TO GO 17 MONTHS WITHOUT A SINGLE FIRE DEATH IN THIS COMMUNITY. THIS WAS LARGELY DUE TO OUR AGGRESSIVE, PUBLIC EDUCATION PROGRAM, FREDDIE FINGER WHICH FOCUSES ON HAVING WORKING SMOKE ALARMS IN EVERY RESIDENCE. WE PLAN TO CONTINUE WITH THIS VERY SUCCESSFUL PROGRAM. AUSTIN RANKS VERY HIGH IN THE NUMBER OF FIRE STATIONS PER SQUARE MILE OF FIRE SUPPRESSION AREA. IN THE PROPOSED BUDGET WE WILL HAVE 43 FIRE STATIONS, TO COVER THE 248 SQUARE MILES IN OUR SERVICE AREA. THIS WILL KEEP US WELL IN LINE WITH OUR PERFORMANCE SHOWN HERE ON THIS CHART. WHICH IS SECOND ONLY TO PORTLAND, OREGON. THIS NEXT SCORE CARD REFLECTS THE PERCENTAGE OF EMERGENCY FIRE CALLS THAT HAVE A RESPONSE TIME OF FIVE MINUTES OR LESS, THIS RESPONSE TIME PERFORMANCE MEASURE IS ATTRIBUTED TO SEVERAL FACTORS. THE NUMBER AND LOCATION OF THE FIRE STATIONS, THE TYPE OF APPARATUS THAT WE USE, FIREFIGHTER KNOWLEDGE AND THE RESPONSE TERRITORIES, USE OF OPTICON DEVICES TO ALLOW ACCESS THROUGH SIGNAL CONTROL INTERSECTIONS AND SEVERAL AUTOMATIC AID AGREEMENTS THAT WE HAVE WITH VARIOUS DEPARTMENTS. IN TERMS OF OVERALL FIRE DEPARTMENT PERFORMANCE, THE PERCENTAGE OF RESIDENTIAL STRUCTURE FIRES CONFINED TO THE ROOM OF ORIGIN REFLECTS ALL OF THE ELEMENTS OF THE FIRE DEPARTMENT. OUR RESPONSE TIMES, THE TYPES OF APPARATUS AND EQUIPMENT. OUR INCIDENT MANAGEMENT SYSTEM AND THE USE THEREOF AND MANY OTHER VARIABLES CONTRIBUTED TO OUR EXCELLENT SHOWING IN THIS MEASURE. IN OTHER WORDS, THIS IS WHERE THE RUBBER MEETS THE ROAD FOR THE DEPARTMENT. OR AS WE SAW IN THE FIRE SERVICE, THIS IS WHERE WE PUT THE WET STUFF ON THE RED STUFF. THIS SLIDE COMPARES THE DIVERSITY OF THE AUSTIN FIRE DEPARTMENT TO THAT OF THE AUSTIN COMMUNITY. IT'S CLEAR TO SEE THAT WE HAVE A CHALLENGE TO MEET OUR GOAL OF HAVING THE BEST SKILLS AND QUALIFIED

WORKFORCE THAT IS REPRESENTATIVE OF THE COMMUNITY. WE ARE ENCOURAGED BY OUR RECRUITING EFFORTS FOR THE MOST RECENT CADET CLASS, CLASS 108, WHICH RESULTED IN AN APPLICANT POOL THAT CLOSELY MIRRORS THE MAKEUP OF OUR COMMUNITY. OVER 3600 APPLICATIONS WERE RECEIVED AND OVER 2,000 OF THOSE APPLICATIONS CAME FROM THE TARGETED GROUPS OF MINORITIES AND WOMEN. THE RESULTING CLASS HIRED FROM THAT APPLICANT POOL HAS HELPED MOVE US CLOSER TO A MORE DIVERSE WORKFORCE. THIS CONCLUDES OUR PRESENTATION. THANK YOU.

THANK YOU, CHIEF. QUESTIONS? OF CHIEF EVANS? COUNCIL? AGAIN, THANK YOU VERY MUCH.

THE NEXT DEPARTMENT, POLICE DEPARTMENT, PRESENTING WILL BE POLICE CHIEF STAN KNEE. BEFORE I GET INTO THE SPECIFIC CITIZEN SURVEY RESULTS, AND I KNOW WE ALL RECOGNIZE THIS, BUT I THINK IT'S A GOOD OPPORTUNITY FOR ME TO SAY SOMETHING. EVERY DAY WE HAVE APPROXIMATELY 1400 OFFICERS, MEN AND WOMEN, SUIT UP, GO TO WORK AND KEEP OUR CITY SAFE. IN FACT KEEP US AS ONE OF THE SAFEST CITIES IN THE ENTIRE COUNTRY. BUT IN ADDITION TO THAT, SOME OF THE THINGS THAT WE DON'T GET A LOT OF PRESS FOR, A LOT OF PUBLICITY, AND I WANT TO POINT OUT, BECAUSE THESE ARE DIRECT SERVICES THAT WE PROVIDE TO OUR CITIZENS, SOME OF YOU HAD THE PLEASURE OF SEEING THE PRODUCT OF OUR OFFICERS WORKING NATIONAL NIGHT OUT, VISITING WITH THE NEIGHBORS AND MAKING THEM FEEL SAFE, GETTING TO TALK TO THEM, MAKING HOT DOGS, HAMBURGERS, PASSING OUT BALLOONS AND BASICALLY BEING A PART OF THE COMMUNITY. I'VE HAD THE PLEASURE OF BEING WITH THE POLICE DEPARTMENT WHEN THERE -- YOU KNOW, PICKING UP TRASH, CUTTING LIMBS, WORKING WITH CHAIN SAWS DURING THE OPERATION RESTORE HOPE. BEGIN BEING THE REPRESENTATIVES AND THE VOICES FOR THOSE PEOPLE THAT DON'T GET HERD AND HELPING CLEANING UP THEIR NEIGHBORHOODS AND MAKING A CHANGE IN AN -- AND AN IMPROVEMENT IN THE QUALITY OF LIFE FOR THOSE INDIVIDUALS. WHERE ELSE COULD YOU GO TO AN EVENT SUCH AS TEXAS RELAYS, MARRED HARDY MARDI GRAS, HALLOWEEN, PEOPLE ALL IN ONE PLACE AT

THE SAME TIME, BASICALLY UNEVENTFUL FROM THE CRIME STANDPOINT. OUR MEN AND WOMEN DOING AN OUTSTANDING JOB, PEOPLE CAN FEEL SAFE GOING TO THOSE TYPES OF EVENTS. SOMETHING THAT'S -- THAT'S EXTREMELY IMPORTANT FOR OUR COMMUNITY, THAT AGAIN SOMETIMES WE JUST DON'T THINK ABOUT, IS THAT 12,000 KIDS, THE 3800 FAMILIES THAT ARE HELPED EVERY YEAR THROUGH OPERATION BLUE SANTA. AGAIN PROVIDING TO THOSE THAT AREN'T ABLE TO PROVIDE FOR THEIR KIDS. KEEPING IN LINE WITH THE DISCUSSION OF KEEP -- HAVING THE SAFEST CITY IN OUR COUNTRY, ONE OF THE THINGS THAT WE ARE MOST PROUD OF IS THE FACT THAT IN AUSTIN, TEXAS FOR THE CURRENT YEAR, WE HAVE SOLVED 100% OF ALL HOMICIDES AND THAT IS INCREDIBLY ONE OF THE BEST PERFORMANCES OF ANY CITY IN THIS ENTIRE COUNTRY AND I'M SURE STAN -- CHIEF KNEE WOULD BE GLAD TO TALK TO YOU ABOUT THAT. I WANTED TO KIND OF GIVE YOU AN OVERVIEW OF AGAIN THE OUTSTANDING POLICE DEPARTMENT THAT YOU HAVE. WHEN WE SPEAK SPECIFICALLY ABOUT THE CITIZEN SURVEY RESULTS, EMERGENCY POLICE RESPONSE, 85% JUST UNDER LAST YEAR'S NUMBER. NEIGHBORHOOD POLICING, 75%. WHAT YOU ARE GOING TO SEE IN THE PROPOSED BUDGET ARE CONTINUED EFFORTS TO ADDRESS SOME OF THOSE CONCERNS. TRAFFIC CONTROL AND ENFORCEMENT, 10%. HOWEVER -- 60%, HOWEVER I THINK IT'S IMPORTANT TO POINT OUT, NUMBER ONE NOBODY LIKES TO GET A TICKET, SO I DON'T THINK THAT YOU WILL BE TOO SATISFIED IF YOU GET STOPPED FOR SPEEDING OR RUNNING A RED LIGHT. BUT THE FACT IS --

I WAS VERY SATISFIED WITH MY LAST SPEEDING TICKET  
[LAUGHTER]

ADDITIONALLY, THINGS THAT PEOPLE CONSIDER IN RESPONDING TO THAT WILL BE CONGESTION, TRAFFIC FLOW, BUT AGAIN TO ADD THOSE THE POLICE DEPARTMENT HAS BEEN PROACTIVE AND IN THE CURRENT YEAR ESTABLISH A HIGHWAY ENFORCEMENT UNIT TO CONTINUE TO EMPHASIZE THAT, KEEP OUR STREETS SAFE, KEEP OUR PEOPLE MOVING. OVERALL SATISFACTION WITH THE POLICE DEPARTMENT, FOR THOSE THAT HAVE HAD CONTACT WITH A.P.D., BUT WERE NOT ABLE TO DECIPHER AT THIS POINT,

WILL DO MORE WORK IS WHAT TYPE OF CONTACT. OBVIOUSLY IF SOMEBODY ON THE -- POSSIBLY SOMEBODY INCARCERATED STANDPOINT THEY MAY NOT BE OVERLY SATISFIED, BUT THE FACT IS THAT THOSE THAT HAVE CONTACTED A.P.D., 66% SATISFACTION. WHEN WE TALK ABOUT THINGS THAT WE CAN RELATE TO, PERCEPTION OF SAFETY, FOR INDIVIDUAL WHEN THEY WERE ASKED HOW SAFE DO YOU FEEL WALKING IN YOUR NEIGHBORHOOD DURING THE DAY, 92% ASKING THOSE SAME INDIVIDUALS HOW SAFE THEY FEEL IN THEIR NEIGHBORHOOD WALKING AT NIGHT, 68%. AGAIN, AS I MENTIONED A SECOND OKAY, YOU ARE GOING TO SEE IN THE PROPOSED BUDGET AND CONTINUED WORK BY OUR POLICE DEPARTMENT TO ADDRESS THOSE CONCERNS BY OUR CITIZENS. DOWNTOWN, ASKING CITIZENS HOW SAFE THEY FEEL WALKING DURING THE DAY DOWNTOWN, 83% ASKING THOSE SAME INDIVIDUALS HOW SAFE THEY FEEL DOWNTOWN AT NIGHT, IT'S 47%. WITH THAT, I'M GOING TO TURN IT OVER TO POLICE CHIEF STAN KNEE.

WELCOME, CHIEF. GOOD AFTERNOON, SIR. I WOULD HAVE RUN UP HERE, BUT I LEFT MY SHOES IN MY CAR. I WOULD LIKE TO START BY GOING OVER AND GIVING YOU SOME GENERAL FUN BUDGET FACTS WITH REGARD TO THE POLICE BUDGET. IN THE YEAR 205, WE GENERATED APPROXIMATELY \$2.2 MILLION IN REVENUE. IN FISCAL YEAR 206 WE ANTICIPATE THAT INCREASING TO 2.3, \$90,000 INCREASE OR 4.1%. WITH REGARD TO EXPENDITURES, IN 205 OR EXPENDITURES WERE 172 MILLION, IN 206 WE EXPECT THAT TO BE APPROXIMATELY 183 MILLION. AND 11 MILLION DOLLAR INCREASE OR A 6.8%. THIS BUDGET FUNDS A TOTAL OF 100 -- I'M SORRY, FUNDS 1,440 SWORN POSITIONS AND 579.5 CIVILIAN POSITIONS, OF WHICH 118 ARE POLICE CADET POSITIONS. THIS IS AN INCREASE OF 51 NEW SWORN POSITIONS. WE LOSE EIGHT CIVILIAN POSITIONS. SEVEN OF THOSE WERE TRANSFERRED TO THE COMMUNICATIONS AND TECHNOLOGY MANAGEMENT, THE GSI FUNCTION IN A CENTRALIZATION OF FUNCTIONS EFFORT THROUGHOUT THE CITY. ANOTHER NEIGHBORHOOD LIAISON POSITION WAS TRANSFERRED TO PARKS. WE ADD NINE NEW CIVILIAN POSITIONS AND WE ARE CONVERTING TO GRANT FUNDED CIVILIAN POSITIONS TO GENERAL FUND. BREAKING DOWN

THE GENERAL FUND FEE RENEW OF 2.3 MILLION, WHERE OUR ESTIMATES ARE THAT WILL BRING IN APPROXIMATELY 1.2 MILLION. ALARM PERMITTING, THE RECORD FEES WILL GENERATE ANOTHER \$724,000, PUBLICATION IN REPORT FEES, I DON'T KNOW WHAT WE PUBLISH, BUT GENERALLY SPEAKING THE REPORT FEES WILL GENERATE 170 AND OTHER MISCELLANEOUS FEES APPROXIMATELY 152,000. IN ADDITION TO THAT, WE HAVE IN OUR BUDGET \$1.2 MILLION IN ASSET FORFEITURE MONEY THAT I WILL BE TALKING ABOUT LATER ON TO FUND A NUMBER OF ONE-TIME COSTS FOR THE POLICE DEPARTMENT. WE ALSO HAVE GRANTS TOTALING 5.5 MILLION. THESE GRANTS FUND A TOTAL OF 34 AND A HALF EMPLOYEE POSITIONS. IF YOU LOOK AT THE MAJOR FUND EXPENDITURES BY PROGRAM, YOU WILL NOTICE THAT TWO OF THE PROGRAMS ARE SIGNIFICANTLY INCREASED, THAT IS THE HIGHWAY ENFORCEMENT. THE INCREASE IN FUNDING IN THAT UNIT REVOLVES AROUND THE REASSIGNMENT OF PERSONNEL TO IMPROVE OUR RESPONSE TO TRAFFIC PROBLEMS THROUGHOUT THE CITY IN OUR CENTRALIZED TRAFFIC BUREAU. AS WELL AS THE NEIGHBORHOOD REINVESTMENT OF THE MOTOR UNITS, THAT'S 5 MOTORCYCLE POLICE OFFICERS THAT WILL BE ASSISTING THE AREA COMMANDS IN RESIDENTIAL AND SCHOOL ZONE TRAFFIC ENFORCEMENT. IT ALSO FUND THE ABANDONED VEHICLE FUNCTION WHICH IS REMAINING WITH THE AUSTIN POLICE DEPARTMENT AND --MENT NOT BE MOVING TO THE SOLID WASTE SERVICES. THE SECOND AREA THAT HAS SEEN A SIGNIFICANT INCREASE IS IN PROFESSIONAL STANDARDS, THAT IS -- THAT IS IN OUR TRAINING BUREAU, WHICH WILL HAVE INCREASED STAFFING AS WELL AS INCREASED FUNDING TO HIRE OUTSIDE INSTRUCTORS TO TEACH SOME OF THE SPECIALTY COURSES IN SUCH THINGS AS -- AS DIVERSITY AS WELL AS SOME OF THE OTHER SKILLS TRAINING THAT WE DO, SUCH AS COMMUNICATIONS. IN ADDITION TO THAT, IT ALSO FUNDS A CIVILIAN MANAGER IN ACCREDITATION AND INSPECTIONS AS WELL AS ADDITIONAL SWORN PERSONNEL THAT WILL BE GOING TO ACCREDITATION. IF YOU -- THIS -- THIS BUDGET MAINTAINS THE 2.0 STAFFING, THAT ALSO ALLOWS US TO UTILIZE 100% OF A COPS GRANT CALLED UNIVERSAL HIRING PROGRAM. TWO YEARS AGO, WE WERE -- ONE OF THE ONLY CITIES TO RECEIVE THE FINAL ALLOCATION OF MONEYS UNDER THE



COPS GRANT, UNIVERSAL HIRING PROGRAM AND THIS YEAR IF WE DO NOT USE THAT MONEY, WE WILL HAVE TO RETURN IT. AS A RESULT OF THAT, WE ARE GETTING 51 NEW POSITIONS. 12 OFFICERS FOR POPULATION INCREASE MAINTAINING THE 2.0. FIVE OFFICERS FOR ANNEX, AS WELL AS 28 POLICE OFFICERS UTILIZING THE UNIVERSAL HIRING PROGRAM GRANT. THE 28 ADDITIONAL POLICE OFFICERS WOULD HAVE BEEN POLICE OFFICERS THAT WE WOULD HAVE HIRED NEXT BUDGET YEAR. SO IT ALLOWS US TO PUT THEM IN THE ACADEMY IN NOVEMBER AND PAID FOR THEIR TIME IN THE ACADEMY AS WELL AS THEIR REMAINING TIME AS A POLICE OFFICER IN NEXT YEAR'S FISCAL YEAR. 100% OF THAT COST IS FUNDED BY GRANT PROGRAM. THE STRATEGIC ADS, WE HAVE AS I SAID BEFORE, WE WILL BE ADDING FIVE POLICE TRAFFIC OFFICERS THROUGH THE INVESTMENT IN NEIGHBORHOOD'S PROGRAM AND ONE ANIMAL CRUELTY DETECTIVE. WE TOOK OVER THAT PROGRAM, APPROXIMATELY TWO YEARS AGO, WE ANTICIPATE THAT THE LEVEL OF COMPLAINTS COMING IN WILL DOUBLE FROM 204 TO 206. AND THE SECOND DETECTIVE WILL BE -- WILL BE A WELCOMED RESOURCE IN HANDLING THOSE CALLS. THE PROPOSED STRATEGIC AD ADDS CONTINUE WITH OUR CIVILIAN ADDITIONS. WE -- WE ANTICIPATE ADDING TWO CRIME REPORT TECHNICIANS. THREE PROPERTY CRIME TECHNICIANS. ONE LATENT PRINT EXAMINER, ONE ADDITIONAL FIREARMS EXAMINER, AND ONE FORENSICS D.N.A. ANALYST. THOSE EIGHT POSITIONS ARE PAID FOR BY REALLOCATION OF BUDGET WITHIN THE POLICE DEPARTMENT AND DO NOT -- ARE NOT FUNDED BY ADDITIONAL EXPENDITURES IN THE GENERAL FUND. IN OTHER WORDS, WE MOVED MONEY FROM OUR ONE SOURCE OF FUNDING OR ONE SOURCE IN THE BUDGET TO FUND THESE NEW CIVILIAN POSITIONS. IN ADDITION TO THAT, WHICH WE WILL HAVE ONE NON-SWORN ANIMAL CRUELTY INSPECTOR THAT -- THAT INDIVIDUAL WILL HELP THE -- WILL HELP THE TWO ANIMAL CRUELTY DETECTIVES, HE WILL BE GOING OUT THERE AND -- AND IMMEDIATELY -- PROVIDE US WITH IMMEDIATE RESPONSE CAPABILITY OF GOING OUT TO SCENES AND TAKING A LOOK AT ANIMAL CRUELTY CASES, CALLING ON THE SWORN IF NECESSARY. AND -- AND EARLIER I TALKED ABOUT THE CONVERSION FROM GRANTS TO GENERAL FUND, THOSE ARE TWO POSITIONS AND OUR

VICTIM WITNESS COUNSELOR PROGRAM. IN ADDITION TO THAT, WE HAVE PROPOSED ONE-TIME CRITICAL ITEMS OF \$1.2 MILLION, THAT INCLUDES CAPITAL EQUIPMENT OF ABOUT \$850,000. ABOUT 500,000 OF THAT GOES TOWARD ADDITIONAL VEHICLES THAT ARE NEEDED AND IN ADDITION TO THAT THERE'S -- THERE'S RELATED EQUIPMENT, OVERHEAD LIGHTS, ET CETERA. BUT IN ADDITION WE HAVE RADAR EQUIPMENT, PROTECTIVE GEAR FOR SPECIALTY UNITS AS WELL AS OTHER SMALL TOOLS AND SUCH THAT ARE NECESSARY ON THE JOB. IN ADDITION TO THAT, WE HAVE THE -- THE SERVICE INCENTIVE ENHANCEMENTS OF \$382,000. WHICH IS OUR CIVILIAN INCENTIVE PAY. WE ALSO HAVE ONE-TIME CRITICAL NEEDS THAT WILL NOT BE FUNDED IN THE POLICE DEPARTMENT'S BUDGET. BUT ACTUALLY WILL BE FUNDED IN OTHER BUDGETS. THEY TOTALED \$3.8 MILLION AND INCLUDE MOTORCYCLES, PATROL UNITS, PRISONER TRANSPORTATION VANS AS WELL AS COMPUTERS, LAPTOPS, PRINTERS, SO FORTH. IF YOU LOOK AT THE AUSTIN POLICE DEPARTMENT'S BUDGET IT MAINTAINS STAFFING OF 2.0 OFFICERS PER THOUSAND, MAXIMIZES FUNDING FROM THE COPS GRANT, MEET AND CONFER, FUNDS THIRD YEAR OF THE AGREEMENT, MAKING THE NEIGHBORHOODS SAFE THROUGH THE NEIGHBORHOOD REINVESTMENT PROGRAM, MOST EQUALLY IMPORTANT IN SPECIAL INTEREST TO ME IS OUR INCREASED FORENSIC INVESTIGATIONS CAPABILITY. AS LONG AS FUNDS TRAVIS COUNTY CENTRAL BOOKING INTERLOCAL AGREEMENT WITH AN INCREASE OF 1 POINT OR \$1 MILLION. WHEN YOU LOOK AT HOW AUSTIN COMPARES TO OTHER CITIES, WE DO A VERY GOOD JOB IN AUSTIN. THIS IS ON THE CALENDAR YEAR, NOT BUDGET YEAR. IF YOU LOOK, AUSTIN HAS A VIOLENT CRIME OF 1.3 -- WE ARE THE LOWEST IN THE MAJOR CITIES IN TEXAS, EVEN THOUGH WE HAD A CAN'T INCREASE IN '04, AN INCREASE THAT HAS BEEN REVERSED, THROUGH JULY OF THIS YEAR WE'VE HAD A 2.7% DECREASE. WE ESTIMATE THAT IN 205 OR VIOLENT CRIME RATE WILL END AT APPROXIMATELY 5.0 CRIMES PER THOUSAND. AND OUR GOAL IN 206 WITH THIS BUDGET IS 4.6 VIOLENT CRIMES PER THOUSAND. WE ARE ABLE TO ACHIEVE THAT GOAL. THAT RATE WILL BE THE LOWEST IN 20 YEARS. HAS BEEN IN A DECLINE IN THE LAST SIX YEARS, IT SHOWS THAT OTHER CITIES IN TEXAS HAVE BEEN MORE SUCCESSFUL THAN US.

WE WILL CONTINUE TO WORK HARD AT REGAINING THE LEAD IN THAT AREA. ESPECIALLY BEATING THE CITY OF HOUSTON. IN 204, WE HAD 60.7 PROPERTY CRIMES PER THOUSAND POPULATION. OUR ESTIMATE THAT WE WILL CONTINUE TO DECREASE. IN 205 IT WILL BE 58.5. IN THE 206 GOAL WITH THIS BUDGET IS 56.2. I MIGHT ADD IN THE FIRST SEVEN MONTHS OF THIS YEAR, OUR PROPERTY CRIMES HAVE DECREASED APPROXIMATELY 2%. TRAFFIC FATALITIES PER 100 POPULATION, THIS IS TRAFFIC ACCIDENTS, INJURY ACCIDENTS AND FATAL ACCIDENT CONTINUE TO BE A FOCUS OF -- OF YOUR POLICE DEPARTMENT, JUST AS VIOLENT CRIME, PROPERTY CRIME IS. WE HAVE DONE SOME THINGS, WE HAVE CREATED A TRAFFIC CZAR AT THE AUSTIN POLICE DEPARTMENT, PUTTING A COMMANDER IN THE CENTRALIZED TRAFFIC BUREAU, GIVING HIM THE RESOURCES TO -- TO RESPOND TO LOCATIONS WHERE WE HAVE A HIGH LEVEL OR A HIGH NUMBER OF FATAL OR NEAR FATAL TRAFFIC COLLISIONS. OUR PROGRAMS OF PUBLIC EDUCATION AND OUR PROGRAMS OF ARRESTING ZERO TOLERANCE FOR DWI'S IS WORKING. IN '04, WE HAD 1.7 OR 73 FATALS -- 10.7 OR 73 FATALS AS A RESULT OF TRAFFIC COLLISIONS. IN 205, THIS YEAR, WE ESTIMATE THAT WE WILL HAVE 8.8 FATAL ACCIDENTS PER 100,000 POPULATION. WE ANTICIPATE NOT HAVING MORE THAN 60 FATALITIES THIS YEAR. AND OUR GOAL IN 206 IS TO REDUCE THAT TO 8.1 FATALITIES PER 100,000 POPULATION AND NOT MORE THAN 55 FATALITIES. UNFORTUNATELY IN THE CITY OF AUSTIN, IF YOU LOOK BACK OVER THE FIVE YEARS, THE AVERAGE NUMBER OF PEOPLE WHO DIE ON OUR HIGHWAY IS 70. THAT'S UNACCEPTABLE. WE REALIZE THAT, WE BELIEVE THAT WE ARE DOING THE KINDS OF THINGS THAT WILL REDUCE THAT NUMBER. I HAVE BEEN TO HOUSTON, TEXAS. I WILL TELL YOU THAT IN THE FEW TIMES THAT I HAVE BEEN THERE, I DON'T THINK ANYBODY COULD GET AROUND IN THAT CITY IN THREE MINUTES AND 36 SECONDS. [LAUGHTER] BUT WHEN WE CALL THEIR COMMUNICATIONS COMMANDER, THAT IS THE NUMBER THAT HE TELLS US IS HONEST AND TRUTHFUL. THIS IS -- THIS -- THIS CHART REPRESENTS PRIORITY ONE RESPONSE TIME, DISPATCH TO ARRIVAL. OUR GOAL IS THAT AN INCOMING CALL IS HANDLED, THE INFORMATION IS GATHERED FROM THE CALLER WITHIN A MINUTE, TRANSFERRED TO DISPATCH AND DISPATCHED WITHIN A

MINUTES. IT IS OUT OF COMMUNICATIONS WITHIN TWO MINUTES AND WE DO A VERY GOOD JOB AT PROCESSING CALLS. RESPONSE TIME, PRIORITY ONE OF COURSE IS DEPENDENT UPON TRAFFIC AND MANY OTHER CIRCUMSTANCES. CLEARLY OUR GOAL OF FIVE MINUTES DISPATCH TO ARRIVAL ON PRIORITY ONE IS ACHIEVABLE. AND WE ANTICIPATE THAT -- THAT IN 205 WE WILL HAVE REDUCED THE FIVE MINUTE 48 SECONDS TIME TO 5 MINUTES 30 SECONDS AND WE BELIEVE THAT WE WILL ACHIEVE A FIVE MINUTE RESPONSE TIME TO PRIORITY ONE IN THE YEAR '06 WITH THIS BUDGET FUNDED. IT'S INTERESTING TO NOTE THAT IF YOU EXCLUDE HOUSTON, THAT WE ARE WITHIN 37 SECONDS OF HAVING THE LOWEST RESPONSE TIME IN TEXAS. THE NEXT CHART DEPICTS THE DIVERSITY OF THE AUSTIN POLICE DEPARTMENT. ON THE LEFT IS A -- IS A DEMOGRAPHIC PROFILE OF THE AUSTIN COMMUNITY AS OF THE 2000 CENSUS. ON THE RIGHT ARE TWO CHARTS DEPICTING THE DEPARTMENTAL NUMBERS. THE TOP IS A.P.D. SWORN. IT INDICATES THAT OUR DEPARTMENT IS APPROXIMATELY 70% WHITE AND 30% MINORITY. THE BOTTOM RIGHT INDICATES DEPARTMENT-WIDE THAT IS SWORN AND NON-SWORN. IT'S 65% WHITE AND 35% MINORITY. I REALIZE THESE NUMBERS EXCEED THE MAKEUP OF THE COMMUNITY AND WE STRIVE TO, OUR GOAL EVERY YEAR IS TO -- TO INCH FORWARD IN MEETING THE DIVERSITY WITHIN THE COMMUNITY. THIS IS WHAT WE CALL A TREND CHART. THIS TREND CHART DEPICTS THE LAST GRADUATING CLASS AND THE APPLICANT POOL FOR CLASS 111 WHICH WILL BEGIN IN NOVEMBER 205. THE APPLICANT POOL FOR CLASS 110 WHICH GRADUATED JULY OF THIS YEAR WAS 63% WHITE AND 37% MINORITY. HOWEVER, THE GRADUATING CLASS OF 56 CADET WAS 59% WHITE AND 41% MINORITY. OF THE 8 CADETS THAT STARTED THE CLASS BUT DID NOT GRADUATE FOR VARIOUS REASONS, ALL EIGHT WERE WHITES. WHEN WE GET MINORITIES INTO OUR CLASSES, THEY ARE EXTREMELY SUCCESSFUL. THE DIVERSITY OF CLASS 111 MORE CLOSELY REPRESENTS THE DIVERSITY OF AUSTIN WITH 54%, I'M SORRY, THE DIVERSITY OF THE 194 APPLICANTS IN THE PROCESS FOR CLASS 111, WHICH WILL BEGIN THIS NOVEMBER, MORE CLOSELY REPRESENTS THE DIVERSITY OF THE CITY OF AUSTIN WITH 54% WHITE AND 46% MINORITIES. WE RECOGNIZE THAT WE HAVE, WE

CONTINUE TO HAVE DIFFICULTY RECRUITING HISPANICS AND ASIANS AND WE -- WE WERE WORKING ON THOSE ISSUES AND SOME OF THE SOLUTIONS AS WE SEE IT ARE -- ARE FOCUSING ON INDIVIDUALS NOT NECESSARILY ON GENERAL RECRUITMENT PRACTICES. AS WELL AS -- AS WELL AS THE POTENTIAL, ALTHOUGH I DON'T THINK WE WILL BE ABLE TO DO IT FOR THIS CLASS, BUT THE POTENTIAL OF ACTUALLY HAVING TRAINING CLASSES FOR -- FOR MINORITIES ESPECIALLY WITH COMMUNICATIONS ISSUES, WRITING SKILLS, READING SKILLS, CLASSES, BEFORE THEY TAKE THAT PORTION OF THE TEST. SO -- SO WITH THAT, THAT CONCLUDES OUR PRESENTATION, I WILL BE WILLING TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

Mayor Wynn: THANK YOU, CHIEF, ANY QUESTIONS OF CHIEF KNEE, COUNCIL? COUNCILMEMBER MCCracken?

McCracken: I JUST -- I HAD SOME QUESTIONS ABOUT -- ABOUT A FEW THINGS, IN THE OVERALL PUBLIC SAFETY PACKAGE AS WELL. IN THE TRIM LINES THERE. I'M GOING TO FIRST START OFF AND SAYING THAT -- SAY THAT WE HAVE TWO ISSUES. ONE IS HOW WELL IS THE JOB BEING DONE. THE SECOND IS WHAT IS THE COST OF EVERYTHING. I THINK THAT WHAT YOU HAVE SEEN FROM THE E.M.S. FIRE AND POLICE PRESENTATIONS IS THAT THE JOB IS BEING DONE EXTREMELY WELL. IN FACT I THINK -- WHAT WE SAW IS OUR FOLKS IN E.M.S. ARE SOMETIMES DOING 20 CALLS IN A 24 HOUR CONSECUTIVE SHIFT OF HIGH INTENSITY WORK, ANYONE WHO HAS EVER HAD TO WORK AN INTENSE 10, 12, 14 HOUR DAY, IMAGINE WORKING AN INTENSE 24 HOUR DAY. THE LOWEST LEVEL OF FIRE FATALITIES IN THE STATE. GREAT NEWS FROM THE FIRE DEPARTMENT. AND I -- I DID NOT -- THERE'S ONE STATISTIC, CHIEF, THAT I DID NOT HEAR IN YOUR PRESENTATION ABOUT -- ABOUT IN ADDITION TO THE -- TO THE EVIDENCE THAT WE HAVE HEARD ABOUT HOW AUSTIN IS AMONG THE NATION'S 20 BIGGEST CITIES, THE SECOND LOWEST CRIME RATE IN THE NATION'S 20 BIGGEST CITY. IT'S GREAT NEWS FOR A CITY. I KNOW THAT YOU ALL HAVE COMPILED THE STATISTICS ON THE RATE OF FATAL POLICE SHOOTINGS COMPARING AUSTIN'S RATE TO THE RATES OF THE OTHER MAJOR TEXAS CITIES AS WELL AS CITIES FROM ACROSS THE NATION OF APPROXIMATELY THE SAME POPULATION AS AUSTIN. COULD YOU -- COULD YOU

BRIEF US ON WHAT THOSE FINDINGS HAVE BEEN ABOUT THE RATES OF FATAL SHOOTINGS?

I WILL DO IT AS BEST I CAN FROM MEMORY. BUT AUSTIN HAD SINCE 1997 THE LOWEST RATE. WHEN YOU LOOK AT THE POPULATION OF ANY CITY THAT WAS COMPARED, WE COMPARED OURS WAS SEATTLE, PORTLAND, SAN JOSE, I THINK EL PASO WAS THE CLOSEST. MANY OF THOSE SERIES HAD SHOOTING RATES THAT WERE FOUR TIMES GREATER PER POPULATION THAN THE CITY OF AUSTIN. AS A RESULT OF SOME MEETINGS WITH MINISTERS, WE ALSO COMPARED OURSELVES WITH SOUTHERN CITIES, NEW ORLEANS, KNOXVILLE, I THINK LOUISVILLE, AGAIN AUSTIN HAD THE LOWEST NUMBER OF SHOOTINGS, FATAL SHOOTINGS PER CAPITA THAN CITIES IN THE SOUTH. SOME OF THOSE CITIES HAD POPULATIONS OF 175 AND THEY ACTUALLY HAD MORE SHOOTINGS THAN WE DID. CLEARLY I THINK THAT THE CITY, THE AUSTIN POLICE DEPARTMENT, THE AUSTIN POLICE OFFICERS HAS GO IN AND DO THE JOB DAY IN AND DAY OUT ARE USING FATAL -- ARE USING DEADLY FORCE AT A RATE THAT IS THE FEWEST IN THE NATION AS WELL AS MAKING GOOD DECISIONS.

CHIEF, IN THAT DATA, IF I REMEMBER CORRECTLY. THE DATA THAT CERTAINLY LOOKED AT POPULATIONS OF OUR SIZE, IT SEEMED TO ME THAT THERE WERE AT LEAST 10, 15 PLUS CITIES THAT YOU LOOKED AT. ALSO INCLUDED ALL OF THE MAJOR TEXAS CITIES.

YES, THEY DID.

McCracken: NOW, I THINK THAT'S THE -- AT THIS TIME WHEN THERE'S A LOT OF PUBLIC FOCUS, UNDERSTANDABLE PUBLIC CONCERN ABOUT ANY TIME THERE'S A FATAL SHOOTING, THAT'S OBVIOUSLY SOMETHING THAT THE POLICE DEPARTMENT AND ALL OF US TAKE SERIOUSLY. I DO THINK THAT IT'S IMPORTANT INFORMATION TO NOTE THAT OUR NATIONAL REVIEW HAS SHOWN THAT AUSTIN HAS THE LOWEST RATE OF FATAL POLICE SHOOTINGS SINCE 1997 WHEN YOU BECAME THE CHIEF. ALSO THAT WE HAVE,S -- I THINK AS MAYOR WYNN STATED IN THE PAST, THAT YOU HAVE SUCH A LOW MURDER RATE THAT THE F.B.I. DID NOT INCLUDE NATIONAL STATISTICS BECAUSE WE ARE SUCH AN

OUTLOOKING FOR HAVING SUCH A LOW MURDER RATE. I REALLY DO CONGRATULATE POLICE, FIRE, E.M.S. ON THE OUTSTANDING JOB THAT THEY ARE DOING. WE HAVE A SECOND ISSUE THAT I -- THAT WE ARE HAVING TO ADDRESS THE BUDGET, ALSO PLANNING FOR THE FUTURE, THAT IS THE AFFORDABILITY WITHIN OUR BUDGET IN THE TRIM LINES OF COSTS ON THIS. I ANY THINK THAT IT IS VERY IMPORTANT TO SEPARATE THOSE ISSUES OUT, THIS IS NOT A SLIGHTEST BIT A CRITICISM OF THE OUTSTANDING JOB THAT OUR POLICE, FIRE, E.M.S. EMPLOYEES ARE DOING. WE DO HAVE A DUTY TO HAVE A BROAD BALANCE OF DUTIES AND RESPONSIBILITIES IN OUR BUDGET. ONE OF THE THINGS THAT WE LEARNED IN OUR LAST PRESENTATION WAS THAT THERE IS A PROJECTED INCREASE IN THE BUDGET THIS YEAR FOR LIBRARIES, PARKS, TREATMENT OF COMMUNICABLE DISEASES, AND HUMAN SERVICES, THOSE OF THOSE COMBINED, THERE'S AN INCREASE IN THEIR BUDGET OF \$5 MILLION. I HAVE LOOKED, I HAVE COUNTED UP THE BUDGET INCREASES FOR THE 3 PUBLIC SAFETY DEPARTMENTS AND THOSE INCREASES COME UP IN THIS BUDGET TO \$24 MILLION OF INCREASES, SO IF YOU -- WE DO THE COMPARISON OF -- OF LIBRARIES, PARKS, TREATMENT AND COMMUNICABLE DISEASES, HEALTH INSPECTIONS, SOCIAL SERVICES, THAT WOULD BE 17% AND -- AND -- OF -- THE FUNDING OF THIS BUDGET IN THE INCREASE IN THE PUBLIC SAFETY BUDGET THIS THIS YEAR WOULD BE 83% OF THE NEW SPENDING. THESE ARE JUST THINGS THAT WE NEED TO BE AWARE OF. I KNOW THAT THE COUNCIL HAS HAD SOME BUDGET QUESTIONS. I HAD ONE FOR JOHN STEVENS ON SOME INFORMATION THAT CITY STAFF COMPILED FOR US. JOHN, YOU HAVE GIVEN US A -- A CHART AT THE BUDGET PRESENTATION AND I THINK IT WAS AT THE JULY 28th MEETING. IT MEASURED THE TRIM LINES OF WHERE -- OF THE -- OF WHERE THE -- OF WHAT WAS GOING TO HAPPEN TO THE GENERAL FUND IF CURRENT BUDGET TRENDS STAYED THE SAME AND ALSO -- INCLUDING THE RATE OF INCREASE IN THE UNION SALARY PACKAGES IN PUBLIC SAFETY, GOOD PEOPLE, WE SHOULD PAY THEM, WE JUST NEED TO KNOW WHAT THE CONSEQUENCES ARE. WE HAVE ASKED YOU TO FIGURE OUT IF THOSE TREND LINES CONTINUE IN 10 YEARS, WHAT PERCENTAGE OF THE BUDGET WILL PUBLIC SAFETY TAKE UP. IN THE GENERAL

FUND BUDGET. CAN YOU GIVE US THOSE FINDINGS.

TO SHIFT BETWEEN THE INCREASES IN PUBLIC SAFETY EXPENDITURES AND THE INCREASES IN OUR REVENUE, THE RELATIONSHIP OF THOSE TWO ELEMENTS SO YOU SEE THAT -- THAT UP UNTIL FISCAL YEAR 2009, PUBLIC SAFETY COMPRISES, YOU KNOW, APPROXIMATELY -- APPROXIMATELY 95% OF OUR NEW REVENUE. IN OTHER WORDS, 95% OF ALL OF THE NEW REVENUE THAT WE GET IN THE GENERAL FUND GOES TO FUND INCREASES IN THE PUBLIC SAFETY DEPARTMENTS AND THEN BEGINNING IN 2009, THAT RELATIONSHIP ACTUALLY CROSSES ABOVE -- ABOVE 100%, SO THE SCENARIO THAT WE PUT TOGETHER THAT WE'LL SHOW YOU IN THE NEXT GRAPH HE IS -- IS THAT WHEN THAT COMESOVER HAPPENS AND OUR NEW REVENUE -- WE NEED MORE THAN OUR NEW REVENUE TO FUND THE INCREASES IN PUBLIC SAFETY. WE TOOK THAT OUT OF THE OTHER GENERAL FUND DEPARTMENTS AND REDUCED THEIR BUDGET AND THE RESULT WAS THIS GRAPH THAT YOU SEE HERE, THIS -- THIS BUDGET QUESTION NUMBER 35 THAT WE HAVE GOT OUT ON THE WEBSITE AND IT SHOWS THAT THEY ARE PROJECTING OUT TO 2016. UNDER THOSE ASSUMPTIONS THAT IS -- THAT IS THAT WHAT IS CURRENTLY IN THE PUBLIC SAFETY CONTRACTS ESSENTIALLY CONTINUES IN FORCE THAT -- THAT PUBLIC SAFETY IN 2016 WOULD COMPRISE 87% OF THE TOTAL GENERAL FUND BUDGET WHILE OTHER GENERAL FUND DEPARTMENTS WOULD COMPRISE ONLY 13% OF THAT TOTAL GENERAL FUND BUDGET. THAT'S WHAT WE SHOWED YOU BEFORE.

I -- I RECALL FROM READING THE -- THE INFORMATION THAT YOU PROVIDED COUNCIL ON THIS, THAT IF WE -- IF WE -- BASED ON THIS ANALYSIS THAT PUBLIC SAFETY WILL CONSUME 87% OF THE GENERAL FUND BUDGET AND -- THE 13% WOULD BE LEFT OVER FOR PARKS, LIBRARIES, TREATMENT AND COMMUNICABLE DISEASES, RESTAURANT INSPECTIONS, ROAD MAINTENANCE, THINGS LIKE THAT, BASED ON THOSE PROJECTIONS, WHAT DID YOU FIGURE THE CURRENT DOLLAR TERMS WOULD BE THE AMOUNT OF BUDGET CUTS THAT WOULD BE REQUIRED IN THE NON-PUBLIC SAFETY TO GET US TO 87% OF PUBLIC SAFETY.

THAT'S -- THAT'S SCENARIO ONE THAT WE JUST SHOWED



YOU AND -- AND WE MADE AN ASSUMPTION THEN IN -- IN DOING THAT PROJECTION AND THAT ASSUMPTION WAS -- THAT -- THAT THE GENERAL FUND FUNCTIONS THAT WE LEFT WHOLE, SO TO SPEAK, THAT WE DID NOT CUT WOULD GROW AT AN AVERAGE OF 3.5% A YEAR BECAUSE THEY ARE GOING TO HAVE TO GROW JUST LIKE PUBLIC SAFETY IS GOING TO HAVE TO GROW. EITHER BECAUSE OF -- BECAUSE OF PAY FOR PERFORMANCE OR OTHER INCREASES. SO WHAT WE DID WAS WE LOOKED AT THAT NUMBER AND DETERMINED WHAT IT WAS ON A SORT OF A PRESENT VALUE BASIS AND DETERMINED THAT -- THAT IF WE WERE TO SET OFF DOWN THAT PATH, FOR EXAMPLE, GOING FORWARD, TO BE ABLE TO FUND WHAT WE HAD LEFT IN 2016 WOULD REQUIRE CUTTING ABOUT \$50 MILLION OUT OF THE 2006 PROPOSED BUDGET.

AND -- TO PUT \$50 MILLION IN BUDGET CUTS IN PERSPECTIVE, WHAT IS THE SIZE OF THE COMBINED PARKS AND LIBRARIES BUDGET IN THIS YEAR'S BUDGET?

46.3 MILLION.

SO TO PUT THAT IN PERSPECTIVE, THAT \$15 MILLION IS TODAY'S DOLLAR TERMS OF WHAT IT WOULD BE 10 YEARS FROM NOW; IS THAT RIGHT?

THE AMOUNT THAT'S LEFT OVER IS THE PRESENT VALUE TERMS OF WHAT IT WOULD BE IN 2016. IN OTHER WORDS IN 2016, THE -- THE 13% THAT YOU SAW THERE WOULD IT BE EQUIVALENT TO \$77 MILLION, BUT -- BUT IN TODAY'S DOLLARS THAT WOULD ONLY BE 54 MILLION. ALL OF THE NON-SAFETY, NON-PUBLIC SAFETY DEPARTMENTS RIGHT NOW ARE 104 MILLION, TO HAVE THAT 54 MILLION, LEFT INTACT SO TO SPEAK, YOU WOULD HAVE TO CUT THE 15 MILLION OUT.

IN OTHER WORDS, IF THE PRESENT TRENDS CONTINUE AND - - AND BY -- WITHIN 10 YEARS WE WOULD HAVE -- WE WOULD HAVE TO CUT MORE THAN THE COMBINED PARKS AND LIBRARIES BUDGET. IN -- BUDGET, 10 YEARS FROM NOW UNDER CURRENT TRENDS, RIGHT?

YES.

NOW, YOU PUT UP AN IMPACT TO SCENARIO TWO. CAN YOU DESCRIBE WHAT SCENARIO TWO IS FOR US.

LET ME SHOW YOU WHAT THE GRAPH FOR SCENARIO TWO LOOKS LIKE FIRST. GO BACK TO THE FIRST GRAPH, IF YOU WOULD. THIS SHOWS -- THIS IS THAT SAME REVISED VERSION OF THAT SAME GRAPH, NOW THE DIFFERENCE BETWEEN SCENARIO ONE AND SCENARIO TWO IS SCENARIO ONE ASSUMES THE -- THE CONTRACTS THAT WE ARE FUNDING NOW CURRENTLY AND THE CONTRACT THAT WE HAVE PUT ON THE TABLE FOR THE FIRE DEPARTMENT. SCENARIO 2 ASSUMES NOT WHAT THE CITY HAS OFFERED BUT RATHER WHAT THE FIREFIGHTERS HAD PROPOSED FOR THEIR CONTRACT AND IT ALSO ASSUMES THAT WHEN THE POLICE CONTRACT, THE NEW POLICE CONTRACT WOULD GO INTO EFFECT IN 2009, THAT IT WOULD BE UNDER THE SAME TERMS ESSENTIALLY AS THE FIRE PROPOSAL. SO IT'S -- THE UNION'S PROPOSAL VERSUS THE CITY'S PROPOSAL SO TO SPEAK. IN THIS SCENARIO, TOO, YOU CAN SEE THAT THE -- WHEN WE CROSSED OVER THE 100% MARK. GO BACK FOR JUST A SECOND, GREG. YOU CROSS OVER THE 100% MARK IN 2007 AS OPPOSED TO 09, YOU PEAK OUT WITH LARGER AMOUNTS THAT YOU WOULD HAVE TO REDUCE THE GENERAL FUND BUDGETS BY AND SO -- SO IF WE LOOK AT THE NEXT SLIDE, YOU SEE THAT INSTEAD OF 13% OF THE GENERAL FUND, THE NON-PUBLIC SAFETY DEPARTMENTS WOULD COMPRISE 7% OF THE GENERAL FUND IN 2016.

AND JUST FOR -- FOR SOMETHING THAT'S KIND OF SAYING THE OBVIOUS FOR ALL OF US HERE RIGHT NOW, WE ARE DOING THE 2006 BUDGET RIGHT NOW. SO YOU ARE TELLING US THAT BASED ON THE TREND LINES OF WHAT'S ON THE TABLE FROM THE FIREFIGHTERS UNION, THAT WE WOULD HAVE TO BEGIN CUTTING PARKS AND LIBRARIES AND COMMUNICABLE DISEASE TREATMENT AND THOSE TYPES OF SERVICES, WE HAVE TO START CUTTING THOSE NEXT YEAR, RIGHT?

YES. BECAUSE AGAIN THE ASSUMPTION IS THAT WE'RE GOING TO LEAVE SOME GENERAL FUND FUNCTIONS IN PLACE AND WE ARE GOING TO ALLOW THEM TO GROW AT A

3-POINT 5% RATE, WHICH IS ESSENTIALLY WHAT WE PAY OUR EMPLOYEES, SINCE THEY ARE MOSTLY EMPLOYEE, MOSTLY PERSONNEL BUDGETS, THAT IS THE ASSUMPTION, YES.

AND ALSO -- SO LOOKING AT THE TREND LINES, I CAN MAKE SURE THAT EVERYBODY IS ON THE SAME PAGE HERE, THE TREND LINES IF -- IF FIRE AND POLICE GO IN THE SAME TRACK AS WHAT HAS BEEN PRESENTED TO US FROM THE FIREFIGHTERS' UNION, THE -- THE PUBLIC SAFETY IN 10 YEARS WILL TAKE UP 93% OF THE GENERAL FUND BUDGET, PARKS, LIBRARIES, ROAD MAINTENANCE, TREATMENT OF COMMUNICABLE DISEASES, AFTER SCHOOL PROGRAMS FOR KIDS, THAT WOULD DROP DOWN TO 7% OF THE BUDGET?

THAT'S CORRECT.

McCracken: THEN I THINK YOU HAD A FIGURE ABOUT HOW MUCH A REAL DOLLAR CUT IN THOSE PROGRAMS WOULD BE REQUIRED. AND WHAT IS THAT FIGURE?

UNDER THOSE SAME ASSUMPTIONS, MOVING FROM SCENARIO ONE IN WHICH WE WOULD HAVE TO CUT ESSENTIALLY 50 MILLION OUT OF THE BUDGET IF WE WERE PLANNING FOR 2016 TO SEE WHAT WE WANTED TO LEAVE IN PLACE BY THEN, THAT WOULD GROW TO 72 MILLION UNDER SCENARIO 2.

ARE YOU AWARE OF ANY CITY OF ANY SIGNIFICANCE IN THIS COUNTRY THAT SPENDS 93% OF ITS BUDGET ON ITS PUBLIC SAFETY?

NO, I'M NOT. AS A MATTER OF FACT WE HAVE A SLIDE THAT WE CAN SHOW YOU THAT COMPARES PERCENT OF GENERAL FUND BUDGET FOR OTHER TEXAS CITIES. THIS IS -- WE HAVE TWO SETS OF YEARS HERE, 2005 APPROVED 2006 PROPOSED. WE DON'T HAVE THE CITY OF SAN ANTONIO PROPOSED FOR '06, WE HAVEN'T BEEN ABLE TO GET THAT. YOU CAN SEE IN '05 AND '06 BOTH, AUSTIN HAS THE HIGHEST PERCENTAGE OF PUBLIC SAFETY AS A PERCENT OF THE TOTAL GENERAL FUND EXPENDITURES.

SO AS OF TODAY'S DOLLARS, WE ALREADY HAVE THE

HIGHEST PERCENTAGE OF PUBLIC SAFETY EXPENDITURES  
IN THE STATE OF THE BIG CITIES?

THAT'S RIGHT.

THERE IS A -- THERE IS SOME INFORMATION, WHEN I CAME --  
THAT CAME UP THAT THE PROPOSED BUDGET THIS YEAR  
HAS A FIVE MILLION INCREASE FOR PARKS, LIBRARIES, ROAD  
MAINTENANCE, TREATMENT OF COMMUNICABLE DISEASES,  
AFTER SCHOOL PROGRAMS, THAT WE HAVE FIVE MILLION  
NEW SPENDING FOR THAT. WE ALSO HAVE A PROPOSAL OF  
\$24 MILLION IN NEW SPENDING AND PUBLIC SAFETY, WHICH  
IS 83% OF THAT TOTAL. IN LOOKING AT THE FIRE BUDGET, IT  
REFLECTS \$2.197 MILLION. AND IT ALSO PROJECTS AN  
ADDITIONAL \$4.5 MILLION OF ADDITIONAL SPENDING IF THE --  
IF THE -- IF THE BUDGET INCLUDES THE CITY -- THE CITY'S  
OFFER TO THE FIRE -- TO THE FIREFIGHTERS' UNION; IS THAT  
RIGHT?

THAT'S CORRECT.

IN FACT, THE DAILY REPORTED YESTERDAY THAT THE  
LATEST PROPOSAL FROM THE FIREFIGHTERS WAS FOR AN  
8% INCREASE IN THEIR SALARIES THIS YEAR, NOT A 5.5% AS  
OFFERED BY THE CITY. FIRST, IS AN 8% INCREASE IS THAT  
ACCURATE? OR IS THAT SOMETHING THAT WE ARE  
ALLOWED TO SAY IN PUBLIC?

MY UNDERSTANDING WAS THAT IT WAS 7% INSTEAD OF 8%.  
7% OVERALL.

DO YOU HAVE A FIGURE OF WHAT -- WHAT --

FOR THE FIRST YEAR.

FOR THE FIRST YEAR, RIGHT. DO YOU HAVE A DOLLAR TOTAL  
OF WHAT A 7% SALARY INCREASE WOULD MEAN FOR THE  
BUDGET THIS YEAR? YOU ARE SAYING THAT -- THAT A 5.5%  
INCREASE WOULD BE \$4.5 MILLION.

\$5 MILLION.

ABOUT \$6.5 MILLION RATHER THAN THE \$4.5 MILLION.

SO IF WE DO A -- IF WE DO A -- A SALARY INCREASE FOR THE FIREFIGHTERS UNION OF 7%, DO THEY HAVE -- THAT THEY HAVE PROPOSED AS OPPOSED TO THE 5.5% THAT THE CITY PROPOSED, THAT WOULD RESULT IN -- IN US HAVING TO COME UP WITH AN ADDITIONAL TWO MILLION IN THIS COMING BACK TO PAY FOR THOSE ADDITIONAL SALARIES.

YES.

THAT WOULD REQUIRE US TO CUT \$2 MILLION FROM SOMETHING ELSE, RIGHT?

OR PROPOSE A REVENUE SOLUTION.

YEP.

AND THEN -- I THINK THAT -- I THINK THAT COVERS MY QUESTIONS. I HAVE RAISED THESE FOR A POINT AND IT'S NOT TO CRITICIZE ANYBODY AND IT'S NOT TO -- TO PARTICULARLY CRITICIZE WHAT IS REALLY AN OUTSTANDING PERFORMANCE. BUT IT IS THE FACT THAT -- THAT YOU HAVE GOT TO BE AWARE THAT -- WE HAVE -- WE ALL HAVE A DUTY TO THE COMMUNITY, WE HAVE ALL GOT TO PULL TOGETHER, ONE. WAYS THAT YOU PULL TOGETHER IS TO MAKE SURE THAT YOUR ROADS ARE BEING MAINTAINED, KIDS HAVE SOMEWHERE TO GO AFTER SCHOOL, MAKE SURE THAT YOU HAVE A LIBRARY SYSTEM, MAKE SURE THAT YOU HAVE A PARKS SYSTEM. UNDER THE CURRENT COURSE THAT WE ARE UNDER AS THESE FIGURES SHOW, WE ARE HEADED FOR BIG, BIG TROUBLE IN OUR BUDGET, INCLUDING BUDGET CUTS SO EXTREME THAT IT COULD LEAD TO THE ELIMINATION OF OUR PARK AND LIBRARY SYSTEM AND SO THESE ARE JUST THINGS THAT WE NEED TO BE AWARE OF. AS WE APPRECIATED A GREAT JOB WELL DONE, WE ALSO HAVE A -- HAVE A DUTY TO LOOK AT THE BROAD PICTURE IN OUR BUDGET TO MAKE SURE THAT WE ARE TAKING CARE OF THE THINGS, ALL OF THE THINGS THAT A CITY IS SUPPOSED TO DO AND NOT JUST SOME OF THEM. BECAUSE I WILL TELL YOU MY EXPERIENCE AS A PROSECUTOR, IF YOU DON'T HAVE A PARKS AND LIBRARY SYSTEM, AFTER SCHOOL PROGRAMS, YOU WILL NOT BE ABLE TO HIRE ENOUGH

POLICE OFFICERS TO HANDLE THE MESS THAT YOU WILL HAVE IN OUR CITY AS A RESULT OF THAT. SO ANYWAY THANKS FOR A JOB WELL DONE, THANKS FOR THE INFORMATION.

COUNCILMEMBER.

Kim: KIM THE QUESTION ABOUT THE 2.0 CIVILIAN FUND CONVERSIONS, YOU SAID THEY WERE FUNDED BY GRANT MONIES AND NOW BEING CONVERTED TO THE GENERAL FUND. CAN YOU TELL ME WHAT GRANTS THOSE ARE PERTAINING TO?

I'M SORRY, WHAT WAS THE QUESTION AGAIN?

Kim: ON SLIDE 55, PAGE 55, 2-POINT -- THERE'S TWO CIVILIAN POSITIONS BEING CONVERTED FOR GRANTS.

YES.

CAN YOU TELL ME WHAT THOSE ARE, THOSE PROGRAMS ARE.

THOSE ARE PART OF OUR VICTIMS SERVICES. THE UNIT, THEY RESPOND TO VIOLENT CRIME AND THEIR JOB IS TO ASSIST THE VICTIM AND -- IN PUTTING THEIR LIVES BACK TOGETHER AFTER BEING SUBJECT TO RAPE, AGGRAVATED ROBBERY OR DOMESTIC VIOLENCE. DOMESTIC VIOLENCE ARE ESPECIALLY HELPFUL TO THE POLICE OFFICERS BECAUSE THEY WORK WITH THE VICTIM TO GET ORDERS, STAY AWAY ORDERS FOR THE DEFENDANT, THEY STAY WITH THE VICTIM THROUGH JOT THE ENTIRE CRIMINAL JUSTICE PROCESS, SO IT IS IN FACT AN IMPORTANT PART OF THE POLICE DEPARTMENT. A NUMBER OF THOSE POSITIONS HAVE BEEN LONG-TIME FUNDED. I THINK IN SOME CASES OVER 10 YEARS BY -- BY GRANTS COMING OUT OF THE -- OF THE VIOLENCE AGAINST WOMEN GRANTING AGENCY IN WASHINGTON D.C. WHAT WE HAVE SEEN IS A SHRINKAGE OF SOME OF THOSE DOLLARS COMING OUT OF WASHINGTON. IN THIS CASE THE FUNDING FOR TWO OF THOSE VICTIM WITNESSES WERE IN JEOPARDY AND SO -- SO IN ORDER TO MAINTAIN THAT -- THE INTEGRITY OF THAT UNIT, WE HAVE TO

MOVE THEM OVER INTO THE GENERAL FUND.

Kim: OKAY, THANKS. I HAVE ANOTHER QUESTION ABOUT THE ANIMAL CRUELTY POLICE DETECTIVE ON PAGE 58. IT SAYS HERE THE STRATEGIC ADD IS \$87,575. BUT THEN THE PROPOSED ADD BACKS IT'S LESS THAN THAT. UNLESS THERE'S A DIFFERENCE BETWEEN A DETECTIVE AND AN INSPECTOR.

THERE IS A TECHNICIAN, I THINK THAT WE CALL THEM. THAT IS A CIVILIAN PERSON, WHAT THEY WILL BE ABLE TO DO, GO OUT THERE ON CALLS, TAKE PHOTOGRAPHS, POLAROIDS AND STUFF, FIND OUT IF THERE'S A VIOLATION OF LAW OR JUST A MISUNDERSTANDING OF THE LAW ON THE PART OF THE CALLER. THEREFORE THE DETECTIVES WILL HAVE THE ABILITY TO REALLY WORK THE -- THE VERY BAD CASES AND THERE ARE SOME VERY BAD CASES THAT COME -- THAT COME DIRECTLY TO THEM FROM PATROL, CITIZENS AS WELL AS THE -- THE CIVILIAN CRUELTY TO ANIMAL TECHNICIAN.

I GUESS I'M ASKING WHY IS THERE A DIFFERENCE IN THE AMOUNT BY \$50,000.

ONE IS A SWORN OFFICER, THE OTHER ONE IS A CIVILIAN NON-SWORN.

TWO POSITIONS THAT -- THAT ARE PROPOSED TO BE ADDED BACK?

YES.

Kim: OKAY.

WELL, THEY ARE STRATEGIC ADDS, YES.

I THINK THAT'S IT, THANK YOU.

Mayor Wynn: FURTHER QUESTIONS FOR THE CHIEF, COMMENTS? THANK YOU VERY MUCH, CHIEF.

THANK YOU.

Mayor Wynn: HELL LOCKS MR. GARZA OR CITY MANAGER

THAT CONCLUDES THE -- THE PUBLIC SAFETY BUDGET BRIEFINGS.

Futrell: THAT'S IT.

Mayor Wynn: STAY TUNED FOR LOTS OF QUESTIONS. SO, COUNCIL, THAT TAKES US TO OUR 4:00. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. I WILL RECOGNIZE MS. ALICE GLOSS GO. OUR ZONING CASES FOR TODAY ARE AS FOLLOWS, WE ARE START OFF WITH THOSE ITEMS WHERE YOU HAVE ALREADY CLOSED THE PUBLIC HEARING, THEY ARE ITEM NO. 60, C 814-01-0038.02, PARMER WALNUT CREEK PLANNED UNIT DEVELOPMENT, AMENDMENT NUMBER 2. THIS IS TO APPROVE SECOND AND THIRD READINGS OF AN ORDINANCE THAT REZONES PROPERTY LOCATED AT 1200 THROUGH 1210 WEST PARMER LANE FROM COMMUNITY COMMERCIAL, GR TO PLANNED UNIT DEVELOPMENT. THIS IS READY FOR SECOND AND THIRD READINGS.

ITEM NO. 61, CASE C14-05-0015, STAFF IS REQUESTING A POSTPONEMENT TO SEPTEMBER THE 1st. IN ORDER TO REPOST THE ITEM TO REFLECT THE APPLICANT'S ORIGINAL REQUEST. SO THAT'S WHAT WE WILL BE DOING ON ITEM NO. 61. ITEM NO. 62, CASE C14-05-0026. FRONTIER VALLEY, THIS IS TO APPROVE THIRD READING OF AN ORDINANCE THAT REZONES PROPERTY LOCATED AT 1805 FRONTIER VALLEY DRIVE FROM SINGLE FAMILY TO NEIGHBORHOOD COMBINING NEIGHBORHOOD DISTRICT TO MULTI-FAMILY RESIDENTS, CONDITIONAL OVERLAY NEIGHBORHOOD PLAN WITH A RESTRICTIVE COVENANT THAT REFLECTS ADDITIONAL CONDITIONS THAT THE APPLICANT AGREED TO. READY FOR YOUR APPROVAL ON THIRD READING. ITEM NO. 63 WILL BE A BRIEF DISCUSSION ITEM TO LET YOU KNOW WHAT HAS BEEN NEGOTIATED ON THIS STRUCTURE. MAYOR, I BELIEVE THAT CONCLUDES THE CONSENT ITEMS UNDER THIS SEGMENT OF THE ZONING AGENDA.

Mayor Wynn: I'M SORRY, 63 WILL BE DISCUSSION?

Glasgo: VERY BRIEF, MR. STEVE SADAM SADOWSKY IS GOING TO GIVE YOU A BRIEF OVERVIEW OF THE PROPERTY OWNER AND THE NEIGHBORHOOD ON WHAT TO DO WITH THE



STRUCTURE.

HOW ABOUT 64, 64 IS HYDE PARK, GOING TO BE A DISCUSSION.

Mayor Wynn: ALL RIGHT, THANK YOU. SO, COUNCIL THEN, OUR CONSENT AGENDA WOULD BE APPROVE ITEM NO. 60 ON SECOND AND THIRD READINGS TO POSTPONE ITEM NO. 61, TO SEPTEMBER 1st, 2005, TO APPROVE ON THIRD READING WITH RESTRICTIVE COVENANTS, ITEM 62. I'LL -- I'LL ENTERTAIN A MOTION.

SECOND.

MOTION MADE BY COUNCILMEMBER MCCRACKEN, SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE THE CONSENT AGENDA AS READ. FURTHER DISCUSSION? IF NEED BE, WE CAN NOTE SOME NAY VOTES. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

Glasgo: MAYOR, I WILL NOW PROCEED TO THE ITEMS THAT ARE ON YOUR AGENDA FOR THE FIRST TIME. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

Mayor Wynn: COUNCIL, I WILL SAY THAT I HAVE RECEIVED A NOTE FROM THE CHAIR OF THE ZONING AND PLATTING COMMISSION ESSENTIALLY REQUESTING THAT WE SEND THAT BACK TO THE COMMISSION BECAUSE OF HER CONCERN THAT THE CASE WAS IMPROPERLY UNDERSTOOD BY AT LEAST ONE, IF NOT BOTH SIDES. WITHOUT OBJECTION, WE WILL SEND AS PART OF THE CONSENT AGENDA, SEND CASE Z-5 BACK TO THE ZONING AND PLATTING COMMISSION.

THANK YOU. ITEM NUMBER Z-6, CASE C-14-05-44, CELLA 2. THE NEIGHBORHOOD ASSOCIATION IS REQUESTING A POSTPONEMENT TO SEPTEMBER THE 29TH IN ORDER TO CONTINUE NEGOTIATING ON A PRIVATE RESTRICTIVE COVENANT. THIS IS THE NEIGHBORHOOD'S FIRST REQUEST. ITEM NUMBER Z-7, CASE C-14-05-65-SMART HOUSING. THIS

PROPERTY IS LOCATED AT 12,317 DESSAU ROAD. THE CHANGE IN ZONING IS FROM INTERIM RURAL RESIDENCE TO MULTI-FAMILY ZONING, MF-2 WITH A CONDITIONAL OVERLAY. THAT REQUEST HAS BEEN RECOMMENDED BY THE ZONING AND PLATTING COMMISSION. THIS CASE IS READY FOR ALL THREE READINGS. MAYOR, THAT CONCLUDES THE CONSENT ITEMS. ON THE GABLES ITEMS, WE'LL HAVE A BRIEF DISCUSSION ON THAT ONE.

Mayor Wynn: THANK YOU, MS. GLASGO. SO COUNCIL THEN OUR CONSENT AGENDA ON THE PUBLIC HEARING ZONING CASES WILL BE TO REFER CASE Z 5 BACK TO THE ZONING AND PLATTING COMMISSION. TO POSTPONE CASE Z-6 TO SEPTEMBER 29TH, 2005. AND TO APPROVE ON ALL THREE READINGS, CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE HEARINGS CASE Z-7. I'LL ENTERTAIN A MOTION.

Thomas: MOVE FOR APPROVAL.

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

AYE.

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

MAYOR, THIS SHOULD TAKE US BACK TO ITEM 63, THE THOMAS CUTTER HOUSE SO COUNCIL COULD GIVE US A BRIEF NEGOTIATED AGREEMENT ON THIS HOUSE.

THANK YOU, MS. GLASGO. WELCOME, MR. IS A DO SADOWSKY.

STEVE IS IS A DO YOU DI OF THE NEIGHBORHOOD PLANNING OFFICE. IMPLIED TO SAY WE HAVE COME TO AN AGREEMENT BETWEEN THE PROPERTY OWNER AND THE PARKSFIELD DEVELOPMENT COMPANY ON THIS HOUSE. THE AGREEMENT IS THAT THE HOUSE IS GOING TO BE DECONSTRUCTED, THE MATERIALS SALVAGED. THE HOUSE NEEDS A NEW FOUNDATION, STUD WALLS. THOSE WILL BE BUILT. THE

ORIGINAL MATERIALS WILL BE PUT BACK ON THAT, THE HOUSE WILL BE REBUILT IN ITS ORIGINAL SPACE, ITS ORIGINAL CONFIGURATION. IN ADDITION, PUT ON THE BACK OF IT, WE'VE GOT THE CASE ON FOR SECOND READING. WE NEED TIME TO GET THAT AGREEMENT MEMORIALIZED AND SIGNED BY THE PARTIES. I WOULD LIKE TO TAKE THIS OPPORTUNITY IF I COULD TO THANK THE PROPERTY OWNER AND HIS AGENT, MR. BENNETT, AND THE CLARKSVILLE COMMUNITY DEVELOPMENT CORPORATION FOR THEIR WILLINGNESS TO SIT DOWN AND DISCUSS AND RESOLVE THIS ISSUE.

Mayor Wynn: AGREED. THANK YOU, MR. IS SADOWSKY. QUESTIONS, COMMENTS, COUNCIL? SO THE RECOMMENDATION THEN WOULD JUST BE TO APPROVE ON SECOND READING ONLY CASE NUMBER 63, ITEM 63, WHICH IS THE HISTORIC ZONING ON SECOND READING ONLY. I'LL ENTERTAIN A MOTION.

Leffingwell: MAYOR, WAS IT APPROVED ON FIRST READING? I THOUGHT IT WAS POSTPONED.

Mayor Wynn: GOOD POINT. WE ARE POSTED FOR --

I'M SORRY, THIS IS ON FIRST READING ONLY.

Mayor Wynn: WE CLOSED THE PUBLIC HEARING, BUT HAVE NOT APPROVED ANY READINGS. SO THE RECOMMENDATION IS TO APPROVE ON FIRST READING ONLY.

Leffingwell: SO MOVED.

Thomas: I SECOND.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY MAYOR PRO TEM THOMAS TO APPROVE ON FIRST READING ONLY ITEM 63, THE HISTORIC ZONING ON THIS CASE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF

SEVEN TO ZERO.

THANK YOU.

Mayor Wynn: THANK YOU.

MAYOR, I'VE JUST BEEN INFORMED THAT THERE ARE SEVERAL SPEAKERS SIGNED UP ON ITEM NUMBER Z-7. SO COUNCIL WOULD HAVE TO RESCIND YOUR ACTION TO CLOSE THE PUBLIC HEARING AND OPEN IT SO THE CASE CAN BE HEARD.

Mayor Wynn: OKAY. I'LL GIVE MY SYSTEM ONE SECOND HERE. SO COUNCIL, I'LL ENTERTAIN A MOTION THEN TO RECONSIDER OUR EARLIER ACTION ON CASE Z-7.

Thomas: SO MOVE.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM THAT I'LL SECOND. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? SO ITEM NUMBER Z-7 IS NOW BACK OPEN FOR PUBLIC HEARING AND POSSIBLE ACTION.

MAYOR, I WOULD LIKE TO PROBABLY JUST SKIP A LITTLE BIT HERE, TO SKIP HYDE PARK UNTIL STAFF ARRIVES FOR A PRESENTATION. AND WE COULD MOVE TO ITEM NUMBER -- THE NEIGHBORHOOD PLAN Z-1 THROUGH Z-4 AND THEN WE'LL PICK UP HYDE PARK VERY SHORTLY. WE'RE FINALIZING THE DOCUMENT FOR THIS TRACT. SO WE'LL HAVE MARK WALTERS PREPARE TO GIVE YOU AN OVERVIEW OF THE NEIGHBORHOOD PLAN THAT IS POSTED FOR ITEM Z-1 THROUGH 4.

Mayor Wynn: BEFORE YOU START THAT, OFTEN TIMES THE NEIGHBORHOOD PLANS TAKE A LONG TIME TO GO THROUGH, AND WE ONLY HAVE 40 MINUTES BEFORE WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. SO I'M CURIOUS IF STAFF BELIEVES THAT CAN OCCUR OR --

THIS ONE IS DIFFERENT, MAYOR. [ LAUGHTER ]

Mayor Wynn: WE'VE HEARD THAT BEFORE. [ LAUGHTER ]

THIS ONE IS FAIRLY STRAIGHTFORWARD.

Mayor Wynn: OKAY.

OKAY, MARK.

McCracken: MAYOR, I HAVE A QUESTION. ARE WE HAVING A FULL BLOWN PUBLIC HEARING ON THIS ONE?

I DON'T ANTICIPATE ANYBODY SHOWING UP IN OPPOSITION FOR THIS. THERE IS A PUBLIC HEARING, BUT I HAVEN'T SEEN ANYBODY. I'VE SEEN ONE -- HAVEN'T SEEN ONE PERSON HERE WHO PARTICIPATED.

Mayor Wynn: NO CITIZENS HAVE SIGNED UP ON Z-1 THROUGH Z-4.

I'LL BE RIGHT WITH YOU. I'M WAITING ON THE POWERPOINT TO LOAD UP. GOOD EVENING, MAYOR AND COUNCIL, I'M MARK WALTERS WITH THE CITY OF AUSTIN NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. TODAY I'LL BE PRESENTING ITEM Z-1, Z-2, Z-3 AND Z-4, THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN. TODAY'S PRESENTATION WE'LL PRESENT A BRIEF OVERVIEW OF THE NEIGHBORHOOD PLAN AND THE FUTURE LAND USE MAP. THE SECOND PART OF THE PRESENTATION WE'LL PRESENT THE ZONING RECOMMENDATIONS TO IMPLEMENT THE LAND USE PORTION OF THE PLAN. AND THEN AFTER THAT I'LL BE AVAILABLE FOR QUESTIONS. THE SOUTH CONGRESS NEIGHBORHOOD PLANNING AREA IS BOUNDED BY BEN WHITE ON THE NORTH, I-35 ON THE EAST, WILLIAM CANNON ON THE SOUTH AND SOUTH FIRST STREET ON THE WEST. IT'S COMPOSED OF THE WEST CONGRESS, EAST CONGRESS AND SWEETBRIAR NEIGHBORHOOD PLANNING AREAS. ON NOVEMBER 6, 2003, CITY COUNCIL PASSED A RESOLUTION CONSTRUCTING NEIGHBORHOOD PLANNING AND ZONING STAFF TO BEGIN PLANNING IN THESE AREAS. ON MARCH 30TH WE HAD OUR FIRST STAKEHOLDER MEETING WHEN WE MET WITH NEIGHBORHOOD AND BUSINESS OWNERS TO KIND

OF GIVE THEM A HEADS UP THAT THEY WERE GOING TO BE BEGINNING THE PLANNING PROCESS. THEN ON JUNE 26TH WE HAD OUR FIRST WORKSHOP. THEN OVER THE NEXT MORE OR LESS YEAR, JULY 14TH THROUGH APRIL 27TH 2005, WE HAD 10 PUBLIC MEETINGS THAT RANGED OVER A COUPLE OF PROJECTS. PARKS AND OPEN SPACE AND URBAN DESIGN. THEN ON JUNE 18th OF THIS YEAR WE HAD OUR FINAL OPEN HOUSE, AND WE WENT TO THE PLANNING COMMISSION AND THEY RECOMMENDED THAT WE BRING IT FORWARD TO THE COUNCIL WITH SOME VERY MINOR CHANGES. 1 IS TO PRESERVE AND ENHANCE THE SINGLE-FAMILY NEIGHBORHOODS AND RETAIN THE AFFORDABILITY OF THESE NEIGHBORHOODS. THE NEIGHBORHOODS IN THIS AREA BASICALLY HAVE GONE THROUGH THREE STAGES OF DEVELOPMENT. THE FIRST STAGE WAS STARTED -- THESE PROPERTIES WERE OUT IN THE COUNTY SO THAT THE NEIGHBORHOODS -- THESE OLDER NEIGHBORHOODS RANGE FROM THE 1920'S THROUGH THE 1950'S. THE SECOND CHANGE FOR THOSE OF YOU FAMILIAR WITH THE AREA, WOULD BE THE SUBURBS. AND THAT BEGAN FROM THE MID 60'S TO THE MID 70'S, A SUBURBAN RANCH STYLE DEVELOPMENT DOMINATED THE AREA. THE MOST RECENT -- RECENTLY THERE HAS BEEN SEVERAL NEW SINGLE-FAMILY DEVELOPMENTS OCCURRING IN THE AREA. THERE ARE SEVERAL INFILL OPTIONS RECOMMENDED FOR THIS AREA. FOR THE ENTIRE AREA. ONE IS IMPERVIOUS COVER AND PARKING SPACEMENT EXCEPT IN THE NORTH BLUFF DISTRICT, AND I'LL EXPLAIN WHERE THAT IS LATER. THIS BASICALLY SAYS FOR ALL NEW DEVELOPMENT YOU CAN'T PAVE OVER THE FRONT PART OF YOUR HOUSE, YOUR FRONT YARD. YOU CAN ONLY HAVE 40% OF THE YARD PAVED OVER. ALSO WE'RE RECOMMENDING SMALL LOT AMNESTY, WHICH MAKES SMALLER LEGALLY PLATTED LOTS LEGAL AGAIN AND WE'RE ALSO PROHIBITING PARKING IN THE FRONT YARD IN ALL THREE OF THE PARKING AREAS. FOR THE NORMANDY CLARK, AND PLEASANT HILL SUBDISTRICTS WE'RE PLANNING ON ALLOWING SECONDARY UNITS ON SMALLER LOTS, THE GARAGE PLACEMENT DESIGN TOOL WHICH MEANS A GARAGE CAN NOW BE HALF AS WIDE AS THE REST OF THE HOUSE, SO IF YOU HAVE A 30-FOOT HOUSE YOU CAN HAVE A 15-FOOT WIDE GARAGE. ALSO WE'RE RECOMMENDING ALLOWING FRONT PORCHES TO

EXTEND INTO THE FRONT SET BACK. THIS IS THE NORMANDY CLARK DISTRICT IN THE NORTHWEST QUADRANT OF THE PLAN -- QUADRANT OF THE PLANNING AREA. FOR THE NORTH BLUFF SUBDISTRICT, WE'RE RECOMMENDING SECONDARY UNITS ON SMALLER LOTS, COTTAGE LOT AND URBAN HOME DISTRICTS WHICH WOULD ALLOW NEW SUBDIVIDED LOTS ON 25 TO 3500 SQUARE FEET. RESIDENTIAL INFILL SPECIAL USE, WHICH ALLOWS FOR A VARIETY OF DIFFERENT RESIDENTIAL USES ON A SITE. CORNER STORE SPECIAL USE, THE FRONT PORCH SET BACK AND WE WOULD BE EXCLUDING THE PARKING PLACEMENT TOOL FOR THIS AREA. AND THE NORTH BLUFF AREA IS IN THE SOUTHEAST QUADRANT OF THE PLANNING AREA CLOSE TO THE INTERSECTION OF WILLIAM CANNON AND THE SOUTHBOUND I-35 FRONTAGE ROAD. GOAL 2, SOUTH CONGRESS SHOULD BECOME MORE VIBRANT, ACCESSIBLE MIXED USE CORRIDOR IN A DESTINATION FOR NEARBY RESIDENTS AND THE CITY OF AUSTIN. BACK IN THE DAY, SOUTH CONGRESS WAS THE GATEWAY TO THE CITY. TRAVELLERS FROM THE SOUTH WOULD BE GREETED BY SUCH MODERN CONVENIENCES AS THE ST. ELMO HOTEL AND HILL'S CAFE. TODAY IT'S DIFFERENT. IT'S DOMINATED BY MOSTLY AUTOMOTIVE RELATED USES, A LARGE AUTO SALVAGE YARD, MANY UNDER UTILIZED LOTS, SECTIONS, PARTICULARLY SOUTH OF WILLIAMSON CREEK YOU CURBS OR SIDEWALKS. THE VISION FOR SOUTH CONGRESS IS FOR CHANGE. THE PARTICIPANTS IN THE PLANNING PROCESS HAVE SAID THEY WOULD LIKE TO SEE THE SOUTH CONGRESS BECOME A MORE WALKABLE STREET, A VIBRANT STREET, A HUMAN SCALE DEVELOPMENT, AND MIXED USE AND DECIDEDLY MORE URBAN THAN WHAT IS THERE CURRENTLY. GOAL 3 WOULD BE TO FOCUS MIXED USE DEVELOPMENT AND COMMERCIAL USES ALONG THE MAJOR COMMERCIAL CORRIDORS AND SPECIALIZED DISTRICTS. THE DEVELOPMENT IN REDEVELOPMENT POSSIBILITIES IN SOUTH CONGRESS ARE SIGNIFICANT. THERE'S APPROXIMATELY 300 TO 350 ACRES OF REDEVELOPABLE OR VACANT LAND IN THE PLANNING AREA WHICH PROVIDES THE UNIQUE OPPORTUNITY FOR NEW DEVELOPMENT INSIDE THE CITY. ONE OF THE MOST SIGNIFICANT CHANGES WE'RE RECOMMENDING IS TO ALLOW EIGHT TO 10 STORY BUILDINGS ALONG BEN WHITE BOULEVARD BETWEEN SOUTH

CONGRESS AND I-35, AND THIS WOULD GO ALSO DOWN THE I-35 FRONTAGE ROAD UP TO ST. ELMO ROAD. SO THAT WOULD ALSO MIMIC OR REFLECT THE TYPES OF BUILDINGS THAT YOU SEE HERE, WHICH IS ON THE NORTHWEST CORNER OF THE INTERCHANGE OF BEN WHITE AND 35 AS WELL AS THE OMNI HOTEL, WHICH WOULD BE ON THE SOUTHEAST CORNER OF THAT INTERCHANGE. THE EXISTING SHOPPING CENTER AT WILLIAM CANNON AND SOUTH FIRST STREET, SHOULD IT REDEVELOP. IN THE VACANT LOT AT EVER HEART AND SOUTH FIRST STREET SHOULD BECOME MORE URBAN PLACES, AND PLACES WHERE PEOPLE WANT TO BE. AS WELL AS SOUTH FIRST STREET BETWEEN BEN WHITE AND ST. ELMO ROAD SHOULD BECOME A NEIGHBORHOOD MAIN STREET WITH A MORE URBAN FEEL, BUT PROVIDING MORE LOCAL SCALED USES. THE CORRIDOR AND TRANSITION ALONG SOUTH FIRST STREET JUST SOUTH OF STASSNEY LANE, THERE ARE A NUMBER OF SINGLE-FAMILY HOUSES. WHEN THESE HOUSES WERE BUILT RINGS SOUTH FIRST STREET WAS A NARROW TWO-LANE ROAD WITH DITCHES AND CULVERTS, BUT TODAY IT'S THE MAJOR ARTERIAL IN SOUTH AUSTIN, TWO LANES IN EACH DIRECTION AND A CONTINUOUS TURN LANE. SO THE RECOMMENDATION HERE IS TO ALLOW A MIX OF SMALL OFFICES AND HOUSES ALONG SOUTH FIRST STREET. GOAL 4, IMPROVE THE ACCESSIBILITY, CONVENIENCE AND SAFETY FOR ALL FORMS OF TRANSPORTATION. ONE OF THE MAJOR RECOMMENDATIONS THAT CAME OUT OF THE PLANNING PROCESS WOULD BE TO ALLOW SIDEWALKS ALONG I-35, SIDEWALKS ALONG SOUTH CONGRESS WHERE CURRENTLY THERE ARE NONE, AND THAT'S PARTICULARLY SOUTH OF WILLIAMSON CREEK ALL THE WAY TO WILLIAM CANNON DRIVE. IMPROVE CONNECTIVITY WITHIN THE NEIGHBORHOODS. MANY OF THE NEIGHBORHOODS WERE BUILT, WHEN THEY WERE BUILT THEY DID NOT PROVIDE SIDEWALKS, SO THERE'S NO SAFEWAY FOR PEOPLE TO TRAVEL FROM THEIR NEIGHBORHOODS TO THE COMMERCIAL AREAS OR THE PLANNING AREA UNLESS THEY WALK IN THE STREET OR JUMP IN THEIR CAR. ALSO, THE PLAN SUPPORTS CAPITAL METRO'S RAPID BUS ROUTE ALONG SOUTH CONGRESS. IT WILL BE ONE OF THE FIRST AS PART OF THEIR ALL SYSTEMS GO. ALSO THE PLAN SPEAKS TO IMPROVING GAPS IN THE BICYCLE NETWORK. THERE'S



SOME AUTOMOTIVE ISSUES DISCOURAGING TEST DRIVING AND CUT THROUGH TRAFFIC IN THE NEIGHBORHOODS, PARTICULARLY THOSE LOCATED BETWEEN SOUTH FIRST AND -- LOCATED BETWEEN SOUTH CONGRESS AND I-35. GOAL 5, THE PUBLIC OPEN SPACE SHOULD BE PRESERVED AND ENHANCED. BATTLE BEND PARK IS THE ONLY FORMAL PARK IN THE PLANNING AREA, AND THE PLAN CALLS FOR SOME VERY MODEST IMPROVEMENTS TO THE PARK. ALSO THERE IS A FOUR OR FIVE ACRE TRACT ON THE WEST SIDE OF STASSNEY LANE THAT THE CITY OWNS AND THE NEIGHBORHOOD WOULD LIKE TO SEE THAT AS A SMALL PARK, NEIGHBORHOOD SERVING PARK WITH VERY LOW IMPACT USES, MAYBE AN EXERCISE LAP, A TRAILER SOMETHING AROUND THERE OR SOME SORT OF LOW IMPACT IMPROVEMENT. ALSO, TO PRESERVE WILLIAMSON CREEK, IT'S THE MAJOR OPEN SPACE THAT RUNS THROUGH THE ENTIRE PLANNING AREA. NOW I'M GOING TO BRIEFLY DISCUSS THE FUTURE LAND USE MAP FOR THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLANNING AREA. THE CURRENT USE CURRENTLY IN THE NORTHWESTERN QUADRANT OF THE PLANNING AREA, DOMINATED BY VACANT LAND, SINGLE-FAMILY, SOME COMMERCIAL AND SOME LARGE MULTI-FAMILY USES. THE PLAN CALLS FOR ALLOWING MIXED USE FOR MOST OF THE COMMERCIAL AREAS, RECOGNIZES THE SINGLE-FAMILY AREAS AND RECOMMENDING THAT THEY STAY SUCH, RECOGNIZING THE SMALL INDUSTRIAL PARK THAT HAS BEEN RECENTLY DEVELOPED IN THE AREA, RECOGNIZING THE EXISTING MULTI-FAMILY, AND SUGGESTING THAT COMMERCIAL USES MAY BE THE MOST APPROPRIATE AT THE INTERSECTION OF BEN WHITE AND SOUTH FIRST STREET AS WELL AS RECOGNIZING A CHURCH THAT HAS BEEN IN THE AREA FOR SOME TIME. THE CURRENT LAND USE FOR SOUTH CONGRESS WHICH IS THE DARK LINE IN THE MIDDLE OF THE MAP, THE LAND USES CURRENTLY RANGE FROM INDUSTRIAL TO SINGLE-FAMILY TO VACANT LAND, TO COMMERCIAL TO MOBILE HOMES, AS WELL AS SOME CIVIC USES. AND THE PLAN CALLED FOR THESE TO MOSTLY BECOME A MIXED USE AND HAVING SOUTH CONGRESS BECOME THAT MIXED USE CORRIDOR. AGAIN RECOGNIZING THE EXISTING SINGLE-FAMILY NEIGHBORHOODS, RECOGNIZING THE HIGH DENSITY SINGLE-FAMILY TOWNHOMES, ONE IS CURRENTLY ON THE

GROUND, ONE IN THE NORTH. THE ONE IN THE SOUTH IS A RECOMMENDATION APPROXIMATE FOR THE PLAN AS WELL AS THE COMMERCIAL USES. AND THE OPEN SPACE, BATTLE BEND PARK, AND THE CREEK. THE NEXT AREA WOULD BE THE BEN WHITE-I-35 IN THE NORTHEAST QUADRANT OF THE PLANNING AREA. CURRENTLY THAT PART OF THE PLANNING AREA IS NO, DOMINATED BY INDUSTRIAL USES AS WELL AS A SMATTERING OF DIFFERENT TYPES OF COMMERCIAL USES ALONG BEN WHITE. THEN AS YOU GO DOWN I-35, YOU HAVE THE MOTOR MILE AS WELL AS A FEW HOTELS. THE RECOMMENDATION FOR THE PLAN IS TO LEAVE THE AREA AS COMMERCIAL, RECOGNIZING THAT THESE ARE INDEED THE MOTOR MILE AND THAT'S WHAT THEY'RE GOING TO STAY MOST LIKELY FOR THE LONG-TERM. WE DO ALLOW MIXED USE ALONG THE FRONTAGE ROAD OF BEN WHITE AS WELL AS A BUFFER BETWEEN THE EXISTING INDUSTRIAL AND THE SINGLE-FAMILY. AND AS WELL AS EXISTING MULTI-FAMILY. THE NEXT AREA IS STASSNEY, WHICH IS BASICALLY THE ROAD THAT DIE SECRETARIES THE PLAN RIGHT THROUGH THE MIDDLE. CURRENTLY STASSNEY LANE IS DOMINATED BY VACANT LAND, SOME CIVIC USES AND COMMERCIAL USES AT THE INTERSECTIONS. THE PLAN CALLS FOR THOSE TO BECOME MIXED USE -- RECOGNIZES THE EXISTING MULTI-FAMILY, THE FALCON RIDGE APARTMENTS, RECOGNIZING THE SINGLE-FAMILY NEIGHBORHOODS. THE TWO CIVIC USES, A WIC FACILITY, AS WELL AS THE WILLIAMSON CREEK HISTORIC CEMETERY THERE ON THE BOTTOM RIGHT-HAND CORNER OF THE MAP. RECOGNIZING THE HIGHWAY COMMERCIAL THAT'S ALREADY THERE AND IS BEING DEVELOPED, LOWE'S, ALBERTSON'S COMMERCIAL STRIP SHOPPING CENTER LOCATED AT THE INTERSECTION OF I-35 AND STASSNEY. AND AS WELL AS MIXED USE AT THE INTERSECTION AND FOR MOST OF THE CORRIDOR AND ALLOWING OFFICE MIXED USE ALONG STASSNEY LANE BETWEEN SOUTH FIRST STREET AND SOUTH CONGRESS AVENUE. THE NEXT AREA IS THE SWEETBRIAR AREA TO THE SOUTHWEST QUADRANT OF THE PLANNING AREA. AGAIN, RECOGNIZING THE SINGLE-FAMILY NEIGHBORHOODS AND PRESERVING THEM AS SUCH, RECOGNIZING EXISTING MULTI-FAMILY DEVELOPMENT AND PRESERVING IT, ALSO HIGH DENSITY SINGLE-FAMILY, EXISTING TOWN HOME PROJECT. AND RECOMMENDING

MIXED USE ALONG THE CORRIDORS, AND THAT MAROON MIXED USE TOWARDS THE TOP OF THE MAP IS WHERE ON SOUTH FIRST STREET WE'RE RECOMMENDING A MIX OF HOUSES AS WELL AS OFFICES. AND THEN CIVIC USES RECOGNIZING THE EXISTING CHURCHES IN THE NEIGHBORHOOD. THE LAST QUADRANT IS THE NORTH BLUFF QUADRANT OF THE PLANNING AREA. THAT'S LOCATED IN THE SOUTHEAST PORTION OF THE PLANNING AREA. AND THIS AREA IS DOMINATED TRULY BY A WIDE VARIETY OF USES RANGING FROM AN OLD WAREHOUSE, VACANT LAND, SINGLE-FAMILY HOUSES, MOBILE HOMES, AN AUTOMOBILE IT LOOKS LIKE A KIND OF GARAGE. THE PLAN FOR THIS CALLS FOR THIS TO BECOME -- CERTAIN AREAS TO BECOME MIXED USE, RECOGNIZING THE ROADWAY DOMINATED COMMERCIAL AND LEAVING IT AS SUCH. RECOGNIZING THE MULTI-FAMILY. THE MULTI-FAMILY IN THE CENTER OF THE MAP IS A PLANNED PROJECT THAT HAS NOT YET BEEN BUILT, WHEREAS THE ONE TO THE SOUTH HAS. RECOMMENDING HIGH DENSITY SINGLE-FAMILY WHERE THERE'S CURRENTLY SINGLE-FAMILY. RESIDENTIAL INFILL, THE SALMON TOWARDS THE MIDDLE OF THE MAP, AND THIS WOULD ALLOW FOR A WIDE VARIETY OF DIFFERENT RESIDENTIAL USES RANGING FROM SINGLE-FAMILY, DUPLEXES, TOWNHOMES, AS WELL AS A SMALL AMOUNT OF COMMERCIAL SERVING THE NEIGHBORHOOD. AND RECOGNIZING THE TWO CIVIC USES. THE ONE IS THE CURRENT PLEASANT DAY SCHOOL. THE ONE ON THE RIGHT IS THE ORIGINAL PLS SANT HILL SCHOOL DATING FROM THE LATE TO MID 1800'S AND ALSO RECOGNIZING AN EXISTING MOBILE HOME PARK IN THE AREA AND PRESERVING THAT AS AFFORDABLE HOUSING IN THE AREA. AND NOW I'LL BRIEFLY GO OVER THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN REZONING. TO IMPLEMENT THE LAND USE PORTION OF THE MAP, THE REZONINGS MOSTLY REFLECT THE ADDITION OF MIXED USE TO ALL THE COMMERCIAL CORRIDORS. THERE HASN'T BEEN A LOT -- THERE'S NOT BEEN SIGNIFICANT DOWN ZONING AS A PART OF THIS PLAN. FOR CONGRESS AVENUE SOUTH OF STASSNEY LANE TO WILLIAM CANNON WE'RE RECOMMENDING ONLY THREE PROHIBITED USES, AND THAT WOULD BE PAWN SHOPS, AUTOMOBILE SALES AND AUTOMOBILE WASHING. IN THIS AREA THERE ARE QUITE A FEW OF THOSE USES CURRENTLY. THE NEXT SIGNIFICANT

CHANGES THAT WE'RE RECOMMENDING WOULD BE ALONG STASSNEY LANE JUST EAST OF SOUTH CONGRESS AVENUE, AND STHALD BE TO ALLOW -- THAT WOULD BE TO ALLOW MIXED USE WHERE CURRENTLY MULTI-FAMILY AND COMMERCIAL ZONING IS. THE OTHER CHANGE AGAIN WOULD BE ALONG SOUTH FIRST STREET TO ALLOW OFFICE MIXED USE ZONING. THE NEXT PLANNING AREA, I'LL BRIEFLY GO OVER THE ZONING RECOMMENDATIONS. WOULD BE THE WEST CONGRESS NEIGHBORHOOD PLANNING AREA. AND AGAIN, MUCH LIKE THE PREVIOUS, THE BIGGEST CHANGES WERE THE ADDITION OF COMMERCIAL MIXED USE ALONG THE CORRIDOR. IN THIS AREA IS AGAIN COMMERCIAL MIXED USE. AND THE LAST ONE, THE MOST SIGNIFICANT CHANGES ARE THE ADDITION OF COMMERCIAL MIXED USE ALONG THE CORRIDORS; HOWEVER, WITH EAST CONGRESS THE BIGGEST CHANGE HERE WOULD BE THE CREATION OR THE INDUSTRIAL PLAN DEVELOPMENT AGREEMENT ZONING ALONG THE FRONTAGE ROAD, AND THAT IS HOW WE WOULD GET THE TALLER BUILDINGS THE WAY OUR ZONING CODE IS CONSTRUCTED. THAT WAS THE TOOL WE CHOSE TO USE TO ALLOW BUILDINGS THAT ARE 85 FEET FROM SOUTH CONGRESS TO HERE, AND THEN FROM THIS POINT WRAPPING AROUND I-35 IT WOULD ALLOW BUILDINGS UP TO 125 FEET OR ABOUT 10 STORIES DEPENDING ON HOW THE BUILDING WAS DESIGNED. THAT PRETTY MUCH CONCLUDES MY PRESENTATION FOR THE REZONING AND PLAN. I'D BE HAPPY TO ANSWER ANY QUESTIONS AT THIS TIME. AND I'LL BE GETTING YOUR MOTION SHEETS TO YOU DIRECTLY.

Mayor Wynn: THANK YOU, MR. WALTERS. QUESTIONS OF STAFF, COUNCIL? AGAIN, WE HAVE NO CITIZENS SIGNED UP ON Z-1, 2, 3 OR 4. COUNCILMEMBER ALVAREZ.

Alvarez: I WAS JUST CURIOUS WHAT SINCE THERE'S ONLY TWO CATEGORIES THAT ALLOW YOU TO GO OVER 60 FEET, MU AND CDB, THEN WHAT TOOL DID WE USE TO ALLOW THE HIGHER HEIGHTS THAN WAS WHAT'S ALLOWED UNDER CS?

THAT WOULD BE LI-PDA WHERE WE WROTE THE SPECIFIC SITE DEVELOPMENT STANDARDS AND USES. WE INITIALLY THOUGHT OF USING CH ZONING, WHICH ALLOWED THE HEIGHT; HOWEVER, CH ZONING IN ORDER TO -- COMMERCIAL HIGHWAY. THAT'S THE TYPE OF ZONING THAT HAS BEEN

APPLIED MOST AROUND THE INTERCHANGE AROUND MOPAC AND 183. THAT WOULD ALLOW YOU TO GO HIGH ARE, BUT IN ORDER TO GO HIGHER, YOUR IMPERVIOUS COVER HAS TO REDUCE, SO IT'S MORE OF A GREEN FIELD NEW DEVELOPMENT AND NOT A REDEVELOPMENT ZONING DISTRICT. SO WE LOOKED AROUND AND WHAT OUR CODE WOULD PROVIDE, AND THIS IS WHAT WE CAME UP WITH.

Alvarez: AND HOW ARE YOU REGULATING THE LI USES THEN?

YES. THE BASIC INDUSTRY,, MANUFACTURING AND RESOURCE EXTRACTION WERE PROHIBITED AND ALL THE COMMERCIAL HIGHWAY USES WERE PUT IN INSTEAD. AND BASICALLY WE HAVE CH WITHOUT THE REQUIREMENT THAT YOU INCREASE IMPERVIOUS COVER IN ORDER TO GO TALL.

Alvarez: AND ARE THERE ANY LI USES THAT ARE PERMITTED?

THERE ARE TWO LI USES, AND WE DID NOT AT THIS TIME CHOOSE TO REZONE THEM. WE DID GIVE THEM THE LAND USE DESIGNATION AND IF IN THE FUTURE THEY WANT TO COME IN AND GET THE ZONING CHANGED, THERE WOULD BE PRECEDENT AND THEY COULD DO IT AT THAT TIME.

Alvarez: BUT I MEAN THE LI-PDA, DID WE LEAVE ANY LI USES THAT WEREN'T CONDITIONAL OR PERMITTED?

THERE ARE SEVERAL USES THAT THEY CAN DO IN LI AND CH, WAREHOUSING, THOSE TYPES OF LESS INDUSTRIAL USES. SOME OF THE USES THAT CAN BE DONE IN COMMERCIAL SERVICES PRETTY MUCH, WITH THE ADDITION OF THE RESIDENTIAL COMPONENT, WHICH YOU CAN'T HAVE IN -- THAT YOU CAN'T HAVE UNDER LI. AND ALSO THEIR THINKING WAS NOW THAT THE INTERCHANGE THAT I-35 AND BEN WHITE IS NEARING COMPLETION, THIS MIGHT BE ACTUALLY A GOOD LOCATION FOR SOME APARTMENTS, SOME HOTELS, HIGHER HOTELS BECAUSE IF YOU'VE TAKEN THE FLYOVER FROM I-35 TO BEN WHITE, THE VIEW IS QUITE STRIKING OF DOWNTOWN AND ST. ED'S, SO IT WOULD PROVIDE SOME VERY NICE VIEWS OF THE CITY DOWN THERE.

ALVAREZ: SO THE LI-PDA WOULDN'T ALLOW FOR THE MIXED

USE?

IT WOULD ALLOW FOR MIXED USE.

Alvarez: OKAY. THANK YOU, MAYOR.

Mayor Wynn: THANK YOU, MR. WALTERS. FURTHER QUESTIONS OF STAFF, COUNCIL? WE HAVE NO CITIZENS SIGNED UP, SO MR. WALTERS, WHY -- ONE QUESTION. CAN YOU DESCRIBE BRIEFLY THE MAKEUP OF THE NEIGHBORHOOD PLANNING TEAM AND HOW DID YOU GO FIND FOLKS AND WHO IS INVOLVED?

WELL, WE HAD REPRESENTATIVES FROM THE NEIGHBORHOODS SURROUNDING THAT, BATTLE BEND SPRINGS, GREENWOOD HILLS. WE HAD RESIDENTS AND WE ALSO HAD PROPERTY OWNERS. WE DID SEVERAL TARGETED MAILINGS. FOR EVERY MEETING WE MAILED THEM TO THE COMMERCIAL PROPERTY OWNERS. WE HAD REPRESENTATIVES WHO OWNED PROPERTY AND BUSINESSES ALONG SOUTH CONGRESS AS WELL AS SOME ALONG SOUTH FIRST STREET PARTICIPATE IN THE PLANNING PROCESS. MORE SO THAN MANY OF THE PLANS I'VE WORKED ON IN THE PAST AND I'VE SEEN WORKED ON. THIS HAD A VERY NICE CROSS-SECTION OF THE STAKEHOLDERS IN THE AREA.

Mayor Wynn: THANK YOU. WHY DON'T YOU WALK US THROUGH THE MOTION SHEET THEN?

OKAY. FIRST WOULD BE Z-1. IT WOULD BE TO AMEND THE AUSTIN TOMORROW COMPREHENSIVE PLAN BY APPROVING ON ALL THREE READINGS THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN AS RECOMMENDED BY THE PLANNING COMMISSION AND POSTPONE TAKING ACTION ON THE PLEASANT HILLS SUBDISTRICT OF THE WEST CONGRESS NEIGHBORHOOD PLANNING AREA UNTIL SEPTEMBER FIRST, 2005, AS REQUESTED BY THE NEIGHBORHOOD. THERE ARE STILL A COUPLE OF ITEMS THAT WE HAVE TO WORK OUT THAT CAME UP AT THE LAST MINUTE, AND THE NEIGHBORHOOD -- WE THOUGHT THAT WE COULD DELAY THIS FOR A COUPLE OF WEEKS WHILE WE COULD WORK THIS OUT WITH THE NEIGHBORHOOD. AND IT WOULD

REQUIRE FIVE VOTES. Z-2 WOULD BE TO -- OH, WOULD YOU LIKE TO VOTE ON THAT NOW?

Mayor Wynn: LET'S DO THAT. I'LL ENTERTAIN A MOTION ON Z-1, WHICH IS THE PLAN ITSELF. WE'VE GOT A MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MCCRACKEN TO APPROVE ON ALL THREE READINGS Z-1 AS OUTLINED MAY THIS THE MOTION SHEET. COUNCILMEMBER ALVAREZ, QUESTION?

Alvarez: YES. DID WE APPROVE THE LAND USE MAPS ALREADY?

THAT'S WHAT YOU WOULD BE DOING WITH Z-1.

Alvarez: SO THAT WOULD BE APPROVING THE PLANS AND THE PLANS THEMSELVES INCLUDE THE LAND USE.

THAT IS CORRECT.

Alvarez: WITH THE EXCEPTION OF PLEASANT HILL.

RIGHT.

Alvarez: THANKS.

Mayor Wynn: FURTHER COMMENTS? MOTION AND A SECOND ON THE TABLE TO APPROVE Z-1 ON ALL THREE READINGS AND TO CLOSE THE PUBLIC HEARING. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

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

THE NEXT MOTION WOULD BE Z-2, APPROVE ON ALL THREE READINGS THE SWEETBRIAR NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING ORDINANCE AS RECOMMENDED BY THE PLANNING COMMISSION, AND THAT WOULD REQUIRE FIVE ENT VOTES. AND THERE ARE NO VALID PETITIONS.

Mayor Wynn: QUESTIONS OF STAFF? MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY THE MAYOR PRO TEM TO APPROVE Z-2 ON ALL THREE READINGS AND CLOSE THE PUBLIC HEARING. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THE NEXT MOTION WOULD BE CONCERNING Z-3. IT WOULD PROOF ON ALL THREE READINGS THE WEST CONGRESS NEIGHBORHOOD PLANNING COMBINING DISTRICT ZONING ORDINANCE AS RECOMMENDED BY THE PLANNING COMMISSION WITH THE EXCEPTION OF THE PLEASANT HILLS SUBDISTRICT AND POSTPONE THE REZONING OF THE BASE DISTRICTS FOR THE FOLLOWING TRACTS UNTIL SEPTEMBER 1st 2005 AS REQUESTED BY THE NEIGHBORHOOD. AND THOSE TRACTS ARE 18, 22, 23-A, 23-B, 25, 26, 27, 28, 30, 31, 32 AND 35. AND THIS WOULD REQUIRE FIVE VOTES AND THERE ARE NO VALID PETITIONS.

Mayor Wynn: I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER DUNKERLEY, SECONDED BY COUNCILMEMBER MCCracken TO APPROVE Z-3, CLOSE THE PUBLIC HEARING AND APPROVE Z-3 ON ALL THREE READINGS AS OUTLINED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

MAYOR, I FORGOT TO MENTION SOMETHING DURING MY PRESENTATION CONCERNING THE SWEETBRIAR NEIGHBORHOOD PLAN AND THE REZONINGS. THERE'S A PROPERTY OWNER LOCATED AT 308 WEST WILLIAM CANNON DRIVE WHO WOULD LIKE TO HAVE HER PROPERTY AND THE REST OF THOSE WEST OF SUN STRIP DRIVE TO THE WEST TO THE SHOPPING CENTER LOCATED ON SOUTH FIRST STREET AND WILLIAM CANNON REZONED TO N.O. WE



HAVEN'T NOTICED FOR THOSE AND THAT WOULD REQUIRE COUNCIL ACTION INSTRUCTING US TO DO SUCH. SHE WOULD ALSO LIKE TO HAVE THE PROPERTY DESIGNATED ON THE FUTURE LAND USE MAP AS OFFICE-MIXED USE. SHE COULDN'T -- SHE DIDN'T FEEL COMFORTABLE -- HER ENGLISH ISN'T THAT GOOD AND SHE DIDN'T FEEL COMFORTABLE SPEAKING IN PUBLIC, SO SHE REQUESTED THAT WE BRING THIS FORWARD AND I APOLOGY APOLOGIZE FOR NOT GETTING TO IT SOONER, BUT I WANTED TO GET TO IT WHILE WE WERE STILL HERE. WE INITIALLY THOUGHT ABOUT RECOMMENDING OFFICE-MIXED USE FOR THIS AREA. THE ONLY PROBLEM THAT WE SAW FROM THE STAFF'S PERSPECTIVE -- THIS WILL POINT THIS OUT. IT'S RIGHT THERE IN THE SOUTHWEST WHERE THE PEN IS. IS THAT THERE ARE NO CURB CUTS OR ACCESS DIRECTLY ON TO WILLIAM CANNON AND ANY COMMERCIAL TRAFFIC WOULD HAVE TO GO DOWN AN ALLEY WITH NO EXIT AT ONE END, AND THAT ABUTTED RIGHT TO SINGLE-FAMILY HOUSES. AND WE THOUGHT THAT THAT WOULD NOT BE APPROPRIATE LAND USE AT THIS TIME DUE TO TRAFFIC ACCESS ISSUES. SHE WANTED THE CHANGE IN ZONING TO EXPAND HER DAY CARE, AND UNDER THE N.O. ZONING THAT SHE WAS REQUESTING, SHE WOULD BE ALLOWED TO DO THAT. SINCE WE DIDN'T DISCUSS THIS AT ALL DURING THE -- WE DISCUSSED IT BRIEFLY DURING THE PLANNING PROCESS AND DIDN'T -- WE DIDN'T DECIDE TO MOVE FORWARD ON IT, STAFF HAS SAID THAT SHE HAS THE ABILITY TO EXPAND HER DAY CARE BUSINESS BY -- THROUGH THE CONDITIONAL USE PERMIT PROCESS. AND THAT WOULD INVOLVE HER NEIGHBORS WHO RECEIVED NOTICE FOR THAT. WE FELT THAT WOULD BE THE MORE APPROPRIATE RATHER THAN REZONING AND DESIGNATING THAT WHOLE STRIP AS OFFICE MIXED USE, SHE COULD GO AND SEE FOR HER OWN SPECIFIC PIECE OF PROPERTY. I DON'T KNOW IF ANYONE WOULD LIKE TO BRING THAT FORWARD, WE WOULD HAVE TO RECONSIDER MOTION Z-1 AND Z-2. I APOLOGIZE FOR NOT BRINGING THAT UP SOONER.

Mayor Wynn: SO COUNCIL...

THEN I'LL GO APPROXIMATE INTO MOTION -- I'LL GO INTO MOTION Z-4. APPROVE ON ALL READINGS NEIGHBORHOOD PLANNING COMBINING DISTRICT AND RECOMMENDED BY

THE PLANNING COMMISSION. THAT WOULD REQUIRE FIVE VOTES AND THERE ARE NO VALID PETITIONS.

Mayor Wynn: QUESTIONS OF STAFF? IF NOT, I'LL ENTERTAIN A MOTION ON Z-4. MOTION BY COUNCILMEMBER KIM, SECONDED BY COUNCILMEMBER MCCracken TO APPROVE -- CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS THE EAST CONGRESS NEIGHBORHOOD PLAN COMBINING DISTRICT, Z-4. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THANK YOU.

Mayor Wynn: THANK YOU, MR. WALTERS. AND YOU'RE RIGHT, THAT WAS PAINLESS. MISS GLASGO, WE HAVE 10 MINUTES.

MAYOR, FOR THE NEXT 10 MINUTES, WOULD COUNCIL CONSIDER HEARING VERY BRIEFLY ON THE GABLES ITEMS? THERE'S JUST ONE PERSON THAT WANTS TO SPEAK, AND THAT'S MR. STEVE WAY REPRESENTING THE NEIGHBORHOOD, JUST A VERY BRIEF STATEMENT ON THE AGREEMENT AND THEN WE WOULD RECOMMEND THAT THE COUNCIL APPROVE ITEM -- THE GABLES ITEM, I NEED TO GET THE ITEM 7. THAT IS ITEM NUMBER Z-8, AFTER MR. STEAF WAY SPEAKS TO APPROVE IT ON FIRST READING ONLY, STAFF WILL COME BACK WITH AN ORDINANCE ON AUGUST THE 25TH AND THEN POSTPONE ITEM NUMBER Z-9 TO AUGUST THE 25TH BECAUSE IT'S A RESTRICTIVE COVENANT. WE NEED TO BRING IT BACK WITH THE ORDINANCE SO THEY CAN BE APPROVED CONCURRENTLY. SO MAYOR, IF THAT'S OKAY.

Mayor Wynn: GOOD SUGGESTION, MS. GLASGO. YES. SO LET'S OPEN UP CASE Z-8. AND WE'LL CALL ON STEVE WAY.

MR. MAYOR AND DISTINGUISHED COUNCILMEMBERS, MY NAME IS STEVE WAY. I'M PLEASED TO BE ABLE TO EXPRESS MY VIEWS BEFORE YOU AND HONORED THAT MY

NEIGHBORS HAVE PUT THEIR CONFIDENCE IN ME. I AM THE PRESIDENT OF THE DAFDAVENPORT BUNNY RUN ALLIANCE, A VERY LARGE ORGANIZATION THAT REPRESENTS 15 HOMEOWNER ORGANIZATIONS AND OVER 2,000 HOUSEHOLDS IN THE WESTLAKE, LOOP 360 HAVEN'T. WE ARE ASKING FOR THREE THINGS: YOUR VOTE, YOUR ATTENTION AND YOUR HELP. FOR YOUR VOTE WE WANT YOU TO KNOW THAT THE DAVENPORT BUNNY RUN ALLIANCE UNEQUIVOCALLY SUPPORTS THE REZONING APPLICATION WITH ALL THE INTERRELATED DETAILS WE'VE NEGOTIATED OVER THE LAST EIGHT MONTHS. WE FOCUSED ON DENSITY, APPEARANCE, LOCAL SERVICES AND TRAFFIC. WE AGREED TO A MIXED USE DEVELOPMENT CONTAINING APARTMENTS, GARDEN HOME COMMUNITY AND RETAIL SERVICES. WE REDUCED THE HEIGHT OF THE APARTMENT BUILDINGS AND CREATED DETAILED RESTRICTIVE COVENANTS TO ENSURE AN APPEARANCE CONSISTENT WITH THE SURROUNDING NEIGHBORHOODS. TO IMPROVE THE TRAFFIC FLOW WE MOVED THE SAINT STEPHEN'S ENTRANCE OUT OF OUR RESIDENTIAL AREA AND MADE SEVERAL ENHANCEMENTS TO THE ROADWAYS. IT'S NOT A PERFECT PLAN FOR SURE. WE WANTED LESS DENSITY AND LESS HEIGHT WITH MORE TRAFFIC IMPROVEMENTS AND MORE RETAIL SERVICES. BUT GABLES CONVINCED STAFFERS AND COMMISSIONERS THAT THEY WOULD NOT EARN ENOUGH PROFIT TO MAKE THE PLAN MORE AMENABLE THE NEIGHBORHOOD. EVEN THOUGH THEIR PUBLIC RECORDS SHOW THIS TO BE AN UNUSUALLY LOW COST ACQUISITION, YET ONE OF THEIR HIGHEST REVENUE EARNERS. SO IN THE END THIS BECOMES A NEGOTIATED COMPROMISE ON TOP OF A NEGOTIATED COMPROMISE THAT WAS MADE 17 YEARS AGO. SINCE WE BELIEVE THIS COMPROMISE IS IN THE BEST INTEREST OF ENDING THIS VERY LONG, PUBLIC STRUGGLE, WE ARE HERE TO ASK YOU TO APPROVE THIS COMPREHENSIVE PLAN. SECOND, WE NEED YOUR ATTENTION. WE FEEL OBLIGATED TO TELL THIS DISTINGUISHED COUNCIL AND THE CITIZENS OF AUSTIN WHAT OUR NEIGHBORS HAVE HAD TO ENDURE IN ORDER TO PROTECT THEIR LEGAL RIGHTS AS PROPERTY OWNERS IN AUSTIN. WHEN WE LOOKED AT THE 460 APARTMENTS AT GABLES GRAND VIEW STANDING FOUR STORIES HIGH ON TOP OF THE HILL AT LOOP 360 AND 2222, TOWERING OVER WHAT ONCE AUSTIN'S BEAUTIFUL SCENIC

HIGHWAY, WE SAID WE CANNOT LET THEM DO THAT TO OUR NEIGHBORHOOD. WHEN SAINT STEPHEN'S LABELED US AS A LARGE GROUP OF RICH (INDISCERNIBLE) WHO ARE SIMPLY AGAINST APARTMENTS, DIVERSITY AND AFFORDABLE HOUSING, WE SAID WE CANNOT LET THEM MISS MISREPRESENT THIS NEIGHBORHOOD. WHEN THE GABLES SAID IT DOESN'T NEED LOCAL RETAIL SERVICES TO KEEP US OFF THE HIGHWAY AND THAT THEIR DEVELOPMENT WOULD NOT IMPACT OUR TRAFFIC SAFETY, WE SAID WE CAN'T LET THEM SACRIFICE OUR FUTURE. SO WE MOBILIZED TO GET TO WHERE WE ARE TODAY WE HAD TO FIGHT AN UPHILL BATTLE AGAINST A FORMIDABLE OPPONENT, A TEAM CONSISTING OF A MULTIBILLION DOLLAR DEVELOPER AND ITS ATTORNEY WHO ROAMS THESE HALLS FREELY WHEN WE HAVE DIFFICULTIES JUST GETTING APPOINTMENTS. A WELL RESPECTED SCHOOL AND ITS TRUSTEES WHO STARTED LOBBYING EVEN BEFORE THE APPLICATION WAS SUBMITTED. AND A CITY APPROVAL PROCESS THAT NOT ONLY SEVERELY HANDICAPS NAIVE NEIGHBORHOOD GROUPS, BUT LEAVES THE APPEARANCE OF I AM PROPRIETY. MANY OF US WORKED ON THIS BATTLE DAY AND NIGHT FOR ALMOST 18 MONTHS WITHOUT PAY, SACRIFICING JOBS AND FAMILY. WE HAD NO EXPERIENCE AT THIS. WE CAME MERELY WITH A COMMITMENT TO DEFEND OUR PROPERTY AND TO DO WHAT'S RIGHT WE HAD TO HIRE LAWYERS, LAND PLANNERS, LOBBYISTS, TRAFFIC EXPERTS, ENGINEERS AND MORE. MANY PROFESSIONALS FLAT OUT TURNED US DOWN BECAUSE THEY WOULD NOT OPPOSE THE POWERFUL DEVELOPMENT COMMUNITY THAT PAYS THEIR BILLS OR THE GOOD OLD BOY NETWORK THAT DOMINATES THIS PROCESS. OUR NEIGHBORHOOD IS A WONDERFUL MIXTURE OF LARGE AND SMALL HOMES, FAMILIES AND SINGLES, GOVERNMENT WORKERS, HIGH-TECH PROFESSIONALS AND TEACHERS TO GIVE OURSELVES A FIGHTING CHANCE WE HAD TO APPROACH EVERY SINGLE NEIGHBOR BY GOING DOOR TO DOOR TO RAISE MONEY AND SPENT OVER \$300,000. 300,000 HARD EARNED DOLLARS. WHAT OTHER NEIGHBORHOODS IN AUSTIN OR EAST AUSTIN WOULD HAVE THE COMMITMENT AND WHEREWITHAL TO PROTECT THEIR COMMUNITIES IN THIS WAY? MANY WOULD HAVE BEEN FORCED TO GIVE UP LONG AGO. IS THIS THE MESSAGE THE CITY COUNCIL WANTS TO CONVEY TO ALL OF

AUSTIN? SURE, OUR CONCERNS ABOUT THIS PROJECT INCLUDED LOCAL SERVICES, TRAFFIC, SAFETY, IMPERVIOUS COVER AND WASTEWATER, BUT MOST OF ALL IT'S BEEN ABOUT LANDOWNER RIGHTS AND NEIGHBORHOOD PREDICTABILITY. WHEN THE CITY NOT ONLY ENCOURAGES, BUT ENDORSES A NEIGHBORHOOD PLAN LIKE THE 1988 DAVENPORT PUD. SHOULDN'T THE RESIDENTS BELIEVE THE COMMUNITY WILL BE BUILT THAT WAY? IS THE PLAN GOOD ONLY UNTIL ANOTHER OFFER ARISES OR UNTIL ANOTHER COUNCIL IS SEATED? DOES EVERY AUSTIN NEIGHBORHOOD HAVE TO NOW WORRY ABOUT THEIR NEIGHBORHOOD PLANS BEING RENEGOTIATED? WE ASK OUR PUBLIC SERVANTS WHEN IS A DEAL A DEAL? I GOT INVOLVED NOT JUST BECAUSE WE LIVE IN THE AREA, BUT BECAUSE WE'RE A SAINT STEPHEN'S FAMILY, HAVING TWO KIDS ALREADY GRADUATE THE SCHOOL AND ANOTHER ONE CURRENTLY ENROLLED AS A JUNIOR. IT'S BEEN OUR PRIVILEGE TO BE ASSOCIATED WITH THIS FINE INSTITUTION. NEVERTHELESS, I STAND BEFORE YOU TO SAY THAT THE SAINT STEPHEN'S BOARD OF TRUSS TREES WAS -- TRUSTEES WAS WRONG TO FORCE THIS LAND USE CHANGE ON ITS NEIGHBORS. THEY KNEW THE NEIGHBORHOOD OBJECTED BECAUSE THIS WAS THEIR SECOND TRY WITH AN APARTMENT DEVELOPER. MUCH OF THIS COULD HAVE BEEN PREVENTED. IF THEY HAD COME TO THE NEIGHBORHOOD FIRST, AS ANY GOOD NEIGHBOR WOULD DO TO SEE IF THERE WAS A WAY TO WORK THROUGH THEIR FINANCIAL PROBLEMS WITHOUT SACRIFICING THE COMMUNITY. THIS NEIGHBORHOOD DOES NOT BELIEVE SAINT SE 15 OOTION HAS THE LEGAL OR MORAL RIGHT TO REZONE THE PARCEL, HOWEVER AFTER ZAP WE FOLLOWED THE DIRECTION OF THE CITY COUNCIL AND TRIED OUR BEST THROUGH DAILY NEGOTIATIONS WITH GABLES OVER THE LAST EIGHT MONTHS. INCLUDING FIVE DAYS OF INTENSE MEDIATION THAT YOU ALL STRONGLY ENCOURAGED TO ARRIVE AT TODAY'S COMPROMISE. AFTER 17 YEARS LIVING IN THE PUD AND ALMOST 18 MONTHS DEFENDING IT, THIS NEIGHBORHOOD DESERVES FINALITY OF THESE DEVELOPMENT PLANS. PLEASE APPROVE THIS APPLICATION AND STICK WITH IT. FINALLY, WE ASK FOR YOUR HELP. WE HAVE A HUGE TRAFFIC SAFETY ISSUE AT THE WESTLAKE 360 INTERSECTION, WHICH HAS BEEN RATED F FOR YEARS NOW, ALREADY POTENTIAL BUSINESSES ARE

REJECTING THE AREA DUE TO THE TRAFFIC CONGESTION. THIS WILL UNDOUBTEDLY BECOME UNBEARABLE IN A COUPLE OF YEARS WHEN THE APARTMENTS ARE BUILT AND HILL PARTNERS COMPLETE 800,000 SQUARE FEET OF COMMERCIAL PROPERTY JUST ACROSS THE STREET. THIS INTERSECTION IS A CRITICAL GATEWAY TO DOWNTOWN AUSTIN, NOT ONLY FOR LOCAL RESIDENTS, BUT FOR THOUSANDS OF PEOPLE COMMUTING FROM THE NORTH THROUGH LOOP 360. GABLES HAS AGREED TO FUND IMPROVEMENTS AFFECTING THE WEST SIDE OF THE INTERSECTION WHERE THE APARTMENTS WILL BE BUILT. THAT HELPS, BUT WON'T SOLVE THE PROBLEM. COUNCILMEMBER MCCRACKEN GAVE US HOPE AND BROKE A DEADLOCK DURING THE MEDIATIONS BY SUGGESTING THE CITY MAY HELP US FIND A WAY TO GET THE EAST SIDE IMPROVEMENTS. THIS ENTIRE COMMUNITY AND THE PEOPLE OF AUSTIN NEED YOUR HELP NOW TO GET THIS INTERSECTION FIXED BEFORE IT BRINGS AUSTIN COMMUTING TO A DEAD STOP. THIS HAD BEEN A VERY DIFFICULT EXPERIENCE AND OUR NEIGHBORHOOD IS STILL UPSET. WE'RE UPSET THAT WE'VE HAD TO SPEND THE LAST YEAR AND A HALF PROTECTING OUR COMMUNITY AND OUR REPUTATIONS. WE'RE UPSET BECAUSE WE'VE HAD TO SPEND HUNDREDS OF THOUSANDS OF DOLLARS TO DEFEND A LONG-TERM NEIGHBORHOOD PLAN WE MADE WITH THIS CITY AND SAINT STEPHEN'S 17 YEARS AGO. WE'RE UPSET THAT CERTAIN CITY STAFFERS AND COMMISSIONERS APPEAR TO HAVE CLEAR CONFLICTS OF INTEREST AND YET REFUSE TO REMOVE THEMSELVES FROM THE DECISION PROCESS. WE'RE UPSET THAT TWO OF OUR SUPPORTERS HAD TO ENDURE THREATS TO THEIR REPUTATION AND LIVELIHOOD WHEN ALL THEY WERE DOING WAS STANDING UP FOR WHAT'S RIGHT. NO AUSTIN NEIGHBORHOOD SHOULD HAVE TO GO THROUGH WHAT WE'VE GONE THROUGH. BUT NOW WE'VE REACHED THIS AGREEMENT AND WE'RE READY TO MOVE ON. THE DAVENPORT BUNNY RUN ALLIANCE APPRECIATES THE EFFORT OF ALL OF YOU IN DETERMINING THE FATE OF OUR NEIGHBORHOOD. THIS DECISION, LADIES AND GENTLEMEN, IS CLEARLY NOT JUST ABOUT APARTMENTS, IT'S ABOUT INTEGRITY, IT'S ABOUT THE CITIZENS OF AUSTIN BELIEVING IN A PROCESS, ONE THAT IS OPEN, FAIR, AFFORDABLE TO ALL PARTICIPANTS AND

LASTING. WE ASK YOU TO BRING INTEGRITY BACK TO THIS CITY PROCESS BY, ONE, APPROVING THE NEGOTIATED PLAN, PROVIDING US WITH A LONG-TERM PREDICTABILITY THAT ALL AUSTIN NEIGHBORHOODS DESPERATELY NEED AND DESERVE. TWO, ESTABLISHING MEDIATION BETWEEN NEIGHBORHOODS AND DEVELOPERS AS A REQUIRED PART OF THE APPROVAL PROCESS FUNDED BY THE CITY, WITH THE CITY PROVIDING A NEIGHBORHOOD ADVOCATE TO LEVEL OUT THE PLAYING FIELD. AND THREE, ASKING THE CITY MANAGER TO IDENTIFY A SENIOR STAFF PERSON TODAY TO HELP US THROUGH THE CIP PROCESS, TO OPEN UP THE BOTTLENECK AT THE WESTLAKE 360 INTERSECTION. PLEASE MAKE THIS HEARING A PROUD PART OF YOUR LEGACY AND AN EXAMPLE OF SUCCESS FOR ALL AUSTIN NEIGHBORHOODS. THANK YOU.

Mayor Wynn: THANK YOU, MR. WAY. WELCOME.

MAYOR AND COUNCIL, MAR SI MORRISON WITH THE CITY ATTORNEY'S OFFICE. JUST A CLARIFICATION, THERE IS WHAT APPEARS TO BE AN ORDINANCE IN FRONT OF YOU THAT WAS GIVEN TO YOU BY THE PARTIES. IT'S NOT AN ORDINANCE FROM LAW. THE ORDINANCE IN YOUR BACKUP, WHICH IS THE ZAP RECOMMENDATION, IS ACTUALLY THE ORDINANCE FROM THE LAW DEPARTMENT. AND THAT'S WHAT WE ARE RECOMMENDING BE PASSED ON FIRST READING, AND THEN WE CAN GET WITH THE PARTIES AND WORK ON AN ORDINANCE THAT WOULD REFLECT WHAT THE NEIGHBORHOOD AND THE GABLES HAVE SETTLED UPON.

Mayor Wynn: THANK YOU. BEFORE WE DO THAT, WE HAVE A FEW CITIZENS WHO SIGNED UP WISHING TO SPEAK ON THIS PUBLIC HEARING. INCLUDING MR. WAY'S ELEGANT COMMENTS, MICHAEL AIR, THOMAS CARTER AND BEVERLY DORLAND WERE DONATING TIME TO MR. WAY. IS CLAUDE DECLOI HERE.

I'LL WAIVE MY TIME.

Mayor Wynn: CLAUDE IS IN FAVOR AS IS TOM BURNS, AS IS STEPHANIE RUSSELL NOT WISHING TO SPEAK. AND NOT WISHING TO SPEAK, BUT IN OPPOSITION IS MICHAEL BUTRE. AND COUNCIL, THAT'S ALL OUR CITIZEN'S INPUT THIS

AFTERNOON. I'D ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING ON Z-8 AND THEN WE TAKE UP A DISCUSSION ABOUT THE ORDINANCE LANGUAGE.

MOTION MADE BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING ON ITEM Z-8. ALL IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF SEVEN TO ZERO. COMMENTS, QUESTIONS?

Dunkerley: MAYOR, I HAVE A QUESTION. I WANT TO THANK EVERYBODY FOR WORKING SO HARD IN GETTING THIS AGREEMENT TO US. THIS WAS ONE I NEVER WANTED TO HAVE TO SPLIT THE BABY ON, SO TO SPEAK. I REALLY APPRECIATE IT BECAUSE I KNOW THAT YOU ALL CAME UP WITH A BETTER COMPROMISE THAN WE WOULD HAVE PROBABLY. THERE WERE A COUPLE OF QUESTIONS THAT CAME UP. I'VE HAD A VARIETY OF PEOPLE COMING IN FROM TIME TO TIME TALKING ABOUT THIS PROJECT, AND ONE OF THEM REPRESENTED THE -- I GUESS MAYBE THE SAN CLEMENTE PUD. AND THERE WAS ONE QUESTION, THERE WAS A DIFFERENCE AND I THINK THE AGREEMENT THAT WAS NEGOTIATED IN THE ROADWAY AROUND THAT AREA, AND I THINK THEY'RE VERY SUPPORTIVE AND WANTED TO INCLUDE THESE CHANGES, BUT IF THEY ACTUALLY HAVE TO CHANGE THE PUD PLAN, BECAUSE OF THIS, I DON'T WANT THEM TO BE CHARGED AN EXTRA FEE. SO I DON'T KNOW IF THAT HAPPENS COULD THE STAFF INITIATE THAT CHANGE?

COUNCILMEMBER, YOU WOULD NEED TO -- IF THOOTION YOUR DIRECTIVE TODAY --

DUNKERLEY: YOU WILL HAVE ANOTHER WEEK TO LOOK AT IT WHENEVER IT COMES BACK, BUT THERE WERE SOME CHANGES IN AGREEMENT THAT WERE DIFFERENT THAN IT WHAT THE APPROVED PUD WAS ON THE ROADWAY. AND I WAS MAKING SURE IF THEY HAD TO CHANGE THAT PUD SITE PLAN THAT IT -- IN ORDER TO ACCOMMODATE THIS THAT THEY DON'T ALSO GET CHARGED FOR IT. WE CAN LOOK AT IT BEFORE NEXT TIME.

WE'LL DO THAT AND LET YOU KNOW.



Dunkerley: AND I ALSO WANT TO REITERATE THE SUGGESTION TO THE CITY MANAGER TO ASSIGN SOMEONE TO LOOK AT THAT INTERSECTION AT WESTLAKE AND 360. SOME OF THE IMPROVEMENTS THAT THE PARTIES WOULD LIKE TO SEE PROBABLY FALL INTO THE PURVIEW OF TXDOT. AND SOME MAY OR MAY NOT FALL UNDER OUR PURVIEW, BUT IF YOU COULD KIND OF DISSECT THAT AND SEE WHAT'S WHAT AND THEN TRY TO GET AN ESTIMATE OF THE COST OF THE VARIOUS PARTS AND SEE IF THESE THINGS CAN BE DONE IN PHASES. AND IF SO, TRY TO HELP -- FIGURE OUT A WAY TO HELP THE NEIGHBORHOOD GET INTO THAT CAPITAL PLANNING PROCESS SO THAT THOSE PROJECTS CAN BE INCLUDED ON THE FUTURE CAPITAL COMPREHENSIVE PLAN AND HELP THEM IN THAT WAY. SO THOSE WOULD BE MY SUGGESTIONS.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: THIS IS ACTUALLY A PRETTY REMARKABLE OUTCOME, AND THE FACT THAT WE ARE NOT HAVING A -- THE ZONING AND PLATTING COMMISSION WAS LIKE FIVE HOURS LONG, WENT UNTIL LIKE 1:00 IN THE MORNING. IT WAS KIND OF THE CLASSIC BATTLE. AND I THINK THAT FOLKS WHO HAVE BEEN INVOLVED IN THIS ON BOTH SIDES DESERVE AN ENORMOUS AMOUNT OF CREDIT. I HAD THE CHANCE ABOUT TWO MONTHS AGO TO JOIN THEM ON A FRIDAY AFTERNOON OVER AT THE OFFICE OF THE MEDIATOR, ERIC ALDEN, AND THEY'VE BEEN THERE ALL WEEK LONG. AND THEY KEPT WORKING AFTER THAT. THEY SPENT STRAIGHT DAYS IN MEDIATION AND THEN THEY CONTINUED TO NEGOTIATE. SO EVERYBODY BETTER WATCH OUT. YOU'RE GOING TO RUIN YOUR REPUTATION HERE FOR BEING ABLE TO BE PEACE MAKERS. IT'S A GREAT OUTCOME. IT'S A GREATESTMENT TO FOLKS WORKING TOGETHER FOR A GOOD OUTCOME. I'LL ECHO COUNCILMEMBER DUNKERLEY, I'M VERY FAMILIAR WITH THE INTERSECTION OF 360 AT WESTLAKE AND IT REALLY IS A TERRIBLE INTERSECTION. WHAT I'D LIKE BACK FROM STAFF IS AS SOON AS PRACTICAL IS SOME INFORMATION ABOUT WHERE THAT INTERSECTION RANKS IN TERMS OF ELIGIBILITY FOR CAPITAL IMPROVEMENT PROGRAM PLACEMENT. I KNOW THERE'S A SETTING IN THE PROGRAM BASED ON CONGESTION LEVELS, AND I WOULD LIKE TO KNOW WHERE THAT INTERSECTION

DOES RANG. AND I ALSO -- I THINK MR. WAY HAS MADE AN EXCELLENT SUGGESTION THAT I'M FULLY BEHIND ABOUT THE WISDOM OF ESTABLISHING A -- RESTORING THE MEDIATION PROGRAM THE CITY USED TO OFFER, AND I THINK WHAT HAS HAPPENED HERE TODAY IS A GOOD TESTAMENT TO THE VALUE OF THAT PROGRAM AND THE POSITIVE RESULTS THAT CAN COME FROM IT. CONGRATULATIONS ON ALL YOU'VE DONE, AN OUTSTANDING JOB.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? IF NOT, I'LL ENTERTAIN A MOTION -- COUNCILMEMBER KIM.

Kim: IT'S GOOD TO SEE MR. WAY HERE, ALONG WITH HIS COHORTS. I KNOW THIS IS SOMETHING THAT WAS A BIG PROBLEM AS FAR AS YOUR NEIGHBORHOOD, AND I'M GLAD THAT YOU HAD THIS TIME TO MEET WITH ME AND TO BRIEF ME ON

**Due to technical difficulties a brief portion of this meeting was not transcribed. The remainder of the meeting resumes below.**

MAYOR WYNN: COUNCIL, EARLIER IN CLOSED SESSION WE TOOK UP ITEM NUMBER 57 RELATED TO A LAWSUIT. WE HAVE POSTED ACTION ITEM NUMBER 58. AT THIS TIME I'D ENTERTAIN A STAFF PRESENTATION ON THE PROPOSED ACTION ITEM.

ITEM 58 SEEKS COUNCIL'S APPROVAL OF A MEDIATION AGREEMENT IN A LAWSUIT IN WHICH THE CITY IS A DEFENDANT. THE LAWSUIT IS JOSIE ELLEN CHAMPION ET AL VERSUS THE CITY OF AUSTIN. THE SUIT, JOSIE ELLEN CHAMPION WAS FILED IN MARCH OF 2004. ESSENTIALLY IN THAT SUIT THE CHAMPIONS COMPLAINED OF ZONING THAT COUNCIL PASSED IN MARCH OF 2000. THE ZONING THAT COUNCIL PASSED IN MARCH OF 2000 IMPOSED UPON THREE TRACT THAT ARE WEST OF 360 AT THE CORNER OF 360 AND 2222 IT IMPOSED ON THOSE TRACTS A 6500 SHARED TRIP LIMITATION FOR DEVELOPMENT ON THOSE TRACTS. THE SUIT FILED BY THE CHAMPIONS IN MARCH OF 2004 CLAIMED A BREACH OF CONTRACT AND PURSUED CLAIMS AGAINST THAT ZONING. THE BREACH OF CONTRACT ALLEGED WAS

THAT THE CITY BY ENACTING THE ZONING ORDINANCES IN MARCH OF 2000 BREACHED A 1996 SETTLEMENT AGREEMENT. THE 1996 SETTLEMENT AGREEMENT RESOLVED AN EARLIER LAWSUIT THAT THE CHAMPIONS HAD FILED AGAINST THE CITY OF AUSTIN. IN THE 1996 LAWSUIT, WHICH WAS ESSENTIALLY A GRANDFATHERING CLAIM AGAINST THE CITY, THE CHAMPIONS ASSERTED THAT THEY WERE ENTITLED TO DEVELOP THESE THREE TRACTS OF LAND AND ONE ANOTHER THAT WAS ADJACENT TO IT OR NEAR IT PURSUANT TO EARLIER DEVELOPMENT ORDINANCES. IN ORDER TO RESOLVE THAT 1994 LAWSUIT, THE CITY ENTERED INTO THIS 1996 SETTLEMENT AGREEMENT. IN THE 1996 SETTLEMENT AGREEMENT, THE CITY AT THAT TIME MADE A NUMBER OF AGREEMENTS, AND ONE OF THE AGREEMENTS THAT THE CITY MADE IN THE 1996 SETTLEMENT AGREEMENT WAS TO EVALUATE THE DEVELOPMENT APPLICATIONS THAT CAME IN BASED ON A CERTAIN SERIES OF ORDINANCES. THE ORDINANCES THAT WERE IN EFFECT IN 1993. AMONG THE OTHER OBLIGATIONS THAT THE CITY ASSUMED IN THIS 1996 SETTLEMENT AGREEMENT WAS TO NOT IMPOSE ANY ADDITIONAL RESTRICTIONS ON DEVELOPMENT OF THOSE TRACTS THAT WOULD AFFECT LOT SIZE, LOT DIMENSION, LOT COVERAGE OR BUILDING SIZE. IN ADDITION, THE CITY AGREED THAT SHOULD THE COUNCIL THROW A LEGISLATIVE ACT SUCH AS ZONING, IMPOSE ON THE DEVELOPMENT OF THAT PROPERTY ANY RESTRICTIONS THAT WERE CONTRARY IN ADDITION TO OR IN EXCESS OF THOSE THAT WERE IMPOSED PER THE 1996 AGREEMENT, THEN THE CHAMPIONS COULD AT THAT PART REASSERT AND BRING BACK UP AGAIN THEIR GRANDFATHERING CLAIMS THAT THEY HAD RESOLVED -- THAT THEY HAD PURSUED. THAT ESSENTIALLY WAS THE OBLIGATIONS THAT THE CITY UNDERTOOK IN THIS 1996 SETTLEMENT AGREEMENT. SUBSEQUENT TO THAT THE CHAMPIONS SOUGHT REZONING OF THOSE THREE TRACTS OF LAND, AND WHEN THE REZONING PROCESS WENT THROUGH THE CITY ADMINISTRATIVE PROCESS, THE CITY'S PROFESSIONAL STAFF RECOMMENDED A TRIP LIMITATION, SHARED TRIP LIMITATION FOR THOSE THREE TRACTS OF APPROXIMATELY 14,000 TRIPS. AFTER THE REZONING WENT THROUGH THE -- WHAT THEN THE PLANNING COMMISSION, I THINK, THE PLANNING COMMISSION SENT THOSE

ORDINANCES TO COUNCIL WITH THE RECOMMENDATION OF APPROXIMATELY 12,250 TRIPS. WHEN COUNCIL CONSIDERED THE REZONING BACK IN MARCH OF 2000, COUNCIL IMPOSED A RESTRICTION OR A SHARED TRIP LIMITATION OF 6500 TRIPS. AT THAT TIME THEN FOUR YEARS LATER THE CHAMPIONS BROUGHT A LAWSUIT AND ALLEGED THAT THE MARCH 2000 ZONING AND SPECIFICALLY THE 6500 SHARED TRIP LIMITATION, VIOLATED THE 1996 SETTLEMENT AGREEMENT. THE PARTIES BEGAN LITIGATING THE CASE, THE LAW DEPARTMENT ANALYZED THE CLAIMS OF THE CASE, ANALYZED THE TERMS OF THE 1996 SETTLEMENT AGREEMENT WITH AN EYE TO TRYING TO ASCERTAIN THE STRENGTH OF THE CITY'S CLAIMS, THE STRENGTH OF THE CHAMPIONS' CLAIMS. THE PARTIES SUBMITTED THE CASE TO MEDIATION. IN JULY, EARLY JULY OF THIS YEAR. AFTER THE MEDIATION THE PARTIES WERE ABLE TO REACH A MEDIATION AGREEMENT, AND THAT'S WHAT'S BEFORE COUNCIL TODAY. THE AGREEMENT IN ESSENCE PROVIDES THAT THE LAWSUIT THAT'S PENDING THE CHAMPIONS AGAINST THE CITY GOES TO A STAND STILL IN ESSENCE, AND DURING THE TIME THAT THE LAWSUIT REMAINS AT A STAND STILL, STAFF WOULD INITIATE SOME REZONING OF THOSE THREE TRACTS AND THE REZONING WOULD HAVE CERTAIN ELEMENTS, AND I'LL PRESENT TO YOU IN JUST A MOMENT THE TERMS OF THE REZONING THAT STAFF IS TO INITIATE. IMPORTANTLY, COUNCIL DOES NOT HAVE BEFORE IT TODAY ANY AGREEMENT TO VOTE A CERTAIN WAY IN THOSE REZONING ORDINANCES COME BACK FOR YOUR CONSIDERATION AFTER THEY GO THROUGH THE PROCESS. SPECIFICALLY THE TERMS OF THE REZONING THAT STAFF WILL INITIATE WILL CONTAIN THE FOLLOWING TERMS. THESE ARE TERMS THAT WERE NEGOTIATED BY THE PARTIES BEGINNING AT THE JULY EIGHTH MEDIATION. NUMBER ONE, THESE CHAMPION TRACTS, AND THESE ARE THOSE THAT ARE WEST OF LOOP 360 KNOWN AS TRACTS 1, 2 AND 3, THEY'LL BE REZONED AS BE SUBJECT TO A CUMULATIVE TRIP LIMITATION OF 11,000 ADJUSTED VEHICLE TRIPS PER DAY. THE SECOND ELEMENT OF THE REZONING AGREEMENT, OF THE REZONING TERM SHEET, WOULD BE THAT THE CHAMPIONS' TRACTS WILL BE REZONED TO OMIT ANY LIMITATIONS ON SET BACKS OR ON -- SETBACKS OR ON BUILDING SQUARE FOOTAGE EXCEPT AS I'LL MENTION IN

NUMBER 5 IN JUST A SECOND. WITH REGARD TO FISCAL, NUMBER THREE, THE CHAMPIONS WILL POST A TOTAL OF 320,000 IN INCREMENTS OF 40 PER TRACT AT THE TIME THE SITE PLAN RELEASE. THAT FISCAL WILL BE USED FOR 2222 IMPROVEMENTS, IT WILL BE RELEASED. NOT DRAWN WITHIN 10 YEARS. FINALLY OR NEXT TO LAST, THE CHAMPION TRACTS WILL BE REZONED AS FOLLOWS: TRACT 1 IS KNOWN AS HEAT RANGE OR TRACT 1-C WILL BE REZONED TO GR-MU. THE TRACT THAT'S KNOWN AS CITY PARK ROAD WEST WILL BE REZONED TO BE GR-MU. AND THE TRACT THAT'S KNOWN AS CITY PARK ROAD EAST WILL BE REZONED TO G.O.-MU. FINALLY, THE PARTIES HAVE NEGOTIATED AND THE CHAMPIONS HAVE AGREED TO ADDITIONAL RESTRICTIONS ON THE DEVELOPMENT ON THESE TRACTS, AND THESE RESTRICTIONS ARE AS FOLLOWS: THE PRINCIPAL RETAIL USE AND ITS ACCESSORY USES MAY NOT EXCEED 50,000 SQUARE FOOTAGE OF GROSS FLOOR AREA. A PRINCIPAL FOOD SALE USE AND ITS ACCESSORY USES MAY NOT EXCEED 100,000 SQUARE FEET OF GROSS FLOOR AREA. THE SECOND ADDITIONAL RESTRICTION IS THAT NO ROOFTOP SHALL EXCEED 820 FEET ABOVE SEA LEVEL. THOSE LAST TWO RESTRICTIONS, THE ONE WITH REGARD TO RETAIL USE AND FOOD USE, THAT IS TO ADDRESS THE CONCERN OF REGIONAL DRAINAGE. THE ROOFTOP LIMITATION IS TO ADDRESS SOME VISUAL RIDGE LINE CONCERNS THAT HAD BEEN EXPRESSED DURING THE NEGOTIATIONS. THOSE FIVE TERMS ARE THE TERMS THAT AN ORDINANCE THAT WILL BE PROCESSED AS ANY OTHER ORDINANCE IS PRESENTED BY STAFF AND THEN SENT THROUGH THE ZONING AND PLATTING COMMISSION AND THEN PRESENTED AT A LATER DATE TO COUNCIL. THOSE ARE THE TERMS THAT THE ZONING ORDINANCES WILL CONTAIN. AND AGAIN, WHAT COUNCIL IS FACED WITH TODAY IS A VOTE ON WHETHER OR NOT TO AGREE THAT THE LAWSUIT GETS ABATED DURING THE TIME THAT THESE -- THE ORDINANCE, REZONING ORDINANCES WITH THESE PARTICULAR TERMS GETS PROCESSED THROUGH ZONING AND PLATTING AND THEN BROUGHT BACK UP TO COUNCIL LATER FOR COUNCIL'S VOTE. AND AT THAT TIME OF COURSE COUNCIL CAN VOTE YEA OR NAY OR HOWEVER COUNCIL SHOULD SELECT TO DO. I BELIEVE THAT IS IN ESSENCE MY PRESENTATION. IF THERE'S ANY QUESTIONS, I'D BE HAPPY TO HANDLE THEM

OR WE HAVE STAFF HERE ALSO.

MAYOR WYNN: THANK YOU, MS. JOHNSON. QUESTIONS OF STAFF, COUNCIL. MY MAIN QUESTION, I GUESS IS OBVIOUSLY TO TAKE DIRECTION FROM THE CITY ATTORNEY AS TO HOW MUCH WITH YOU SAYS, BUT OBVIOUSLY THE ONE REASON WHY ONE WOULD EVEN MEDIATE IS BECAUSE OF JUST THE RAW RISK OF LITIGATION. CAN YOU -- CAN YOU TALK ABOUT THAT AND BASICALLY USING THE BROAD TERMS OF WHAT CAN BE CONSEQUENCES OF THAT RISK LITIGATION?

CERTAINLY THE. THE CHAMPIONS IN THE LAWSUIT THAT THIS DEAL ADDRESSES HAVE BROUGHT THREE CAUSES OF ACTION. ONE IS AN INVERSE CONDEMNATION, ONE THEY ESSENTIALLY CLAIM THAT WHEN COUNCIL IMPOSED THE TRIP LIMITATION BACK IN 2000, THEY SO RESTRICTED THE DEVELOPABILITY, IF YOU WILL, OF THEIR TRACTS AS TO CONSTITUTE A TAKING. I WOULD SAY THAT THE PRINCIPAL CLAIM IN THE LAWSUIT HOWEVER IS A BREACH OF CONTRACT, A CLAIM THAT THE CITY BY IMPOSING THAT 6500 TRIP LIMITATION BREACHED THOSE TWO TERMS OF THE CONTRACT. THAT IN PARTICULAR IS WHAT WE GAVE A HARD LOOK AT. THAT IS WHAT WAS THE SUBJECT OF MUCH DISCUSSION DURING THE MEDIATION. MEDIATION IN WHICH WE HAD A FORMER DISTRICT JUDGE TELL THE PARTIES IN CONFIDENCE EXCEPT FOR WHAT HE CONSIDERS TO BE THE STRENGTH AND WEAKNESSES OF THE PARTIES. THE LAW DEPARTMENT HAS LOOKED AT THOSE CLAIMS. IN ADDITION TO COURT COSTS, A BREACH OF CONTRACT CLAIM SUCH AS THE CHAMPIONS ARE ASSERTING, IF THEY DO PREVAIL ON THAT, THEY WOULD BE ENTITLED TO ATTORNEY'S FEES. THIS AGREEMENT PROVIDES THAT THE CHAMPIONS WILL PAY -- THE CITY WILL PAY ME NO ATTORNEY'S FEES SHOULD COUNCIL EVENTUALLY PASS AN ORDINANCE THAT CONTAINS THE TERMS THAT I JUST DISCUSSED. THE LAWSUIT WILL BE RESOLVED AT THAT POINT WITHOUT ATTORNEY'S FEES, COURT COSTS, ET CETERA. AND THE RISKS ARE CERTAINLY THERE WHEN YOU LITIGATE THESE CASES, MAYOR, THAT A JUDGE OR A JURY MAY DEEM WHAT COUNCIL DID, A PREVIOUS COUNCIL I MIGHT ADD, TO BE VOLATILE OF WHAT THE CITY DID IN 1996. BECAUSE OF THAT REASON, BECAUSE WE ANALYZED THIS CASE, WENT TO MEDIATION, HEARD WHAT THE FORMER JUDGE SAID, THE LAW DEPARTMENT

DOES RECOMMEND THIS SETTLEMENT, THIS RESOLUTION, MEDIATED AGREEMENT AT THIS TIME.

MAYOR WYNN: THANK YOU, MS. JOHNSON. QUESTIONS, COMMENTS? COUNCIL? COUNCILMEMBER LEFFINGWELL.

LEFFINGWELL: DO YOU HAVE ANY IDEA WHAT THE TIMETABLE IS FOR COMPLETING THIS AGREEMENT BY A VIRTUE OF REZONING?

SENDING IT THROUGH ZAP IS THAT WHAT YOUR QUESTION WAS?

LEFFINGWELL: NO. WHAT IS THE TIMETABLE FOR COMPLETION OF THIS AGREEMENT WHICH REQUIRES THE REZONING?

I WOULD IMAGINE WITHIN A WEEK. WITHIN A WEEK WE COULD FINALIZE THE DETAILS OF THE MEDIATION AGREEMENT AND ALL ITS PROVISIONS. I CAN'T IMAGINE THAT -- AND I SUSPECT I WORKED CLOSELY WITH MR. WAYLAND AND I ANTICIPATE WORKING WITH HIM PERHAPS TOMORROW AND FINALIZING THIS PERHAPS BY MONDAY.

LEFFINGWELL: OKAY. SO IF THE ZONING IS AS YOU DESCRIBED THEN THE AGREEMENT IS COMPLETE AT THAT POINT?

IF THE COUNCIL TWO OR THREE MONTHS FROM NOW, IF THE ZONING ORDINANCES THAT GO UP THROUGH COUNCIL, COUNCIL PASSES A ZONING ORDINANCE WITH THESE TERMS, THEN AT THAT TIME IS WHEN THE CHAMPIONS WILL BE OBLIGATED TO DISMISS THEIR LAWSUIT, NOT CLAIM ATTORNEY'S FEES, ET CETERA.

LEFFINGWELL: THEY WILL BE OBLIGATED TO DO THAT?

THAT WILL BE THE OBLIGATION THAT THEY ASSUME IN THIS AGREEMENT.

LEFFINGWELL: OKAY. THANK YOU.

HOW LONG WILL THE PROCESS TAKE ONCE THE STAFF

INITIATES? I'LL ASK MS. GLASGO TO ADDRESS THAT ISSUE.

ONCE WE'RE DIRECTED TO INITIATE THE REZONINGS, WE PROJECT THAT WE WOULD -- IT WOULD TAKE ANYWHERE FROM TWO TO THREE MONTHS TO GET IT, FILE IT, COMPLY WITH THE PUBLIC NOTIFICATION, BRING TO THE CITY COUNCIL. WE CAN EXPEDITE AND GET IT HERE BETWEEN TWO AND THREE MONTHS.

MAYOR WYNN: COUNCILMEMBER ALVAREZ.

ALVAREZ: WELL, I THINK -- I DON'T KNOW. I THINK I HEARD OUR ATTORNEY HERE SAY THIS WAS A RECOMMENDED SETTLEMENT, BUT I THINK THAT FOR ME THIS IS SOMETHING FOR THE COUNCIL TO CONSIDER WHETHER IT'S WORTH SETTling THIS THING OR NOT. AND THIS THING HAS BEEN DECIDED OR CONSIDERED BY THE COUNCIL ON MANY OCCASIONS, AND WE'VE BEEN GIVEN LEGAL ADVICE ON VARIOUS OCCASIONS, AND TIME AND TIME AGAIN THIS COUNCIL HAS VOTED TO SUPPORT THE TRIP LIMITATIONS, SO I'M JUST KIND OF SURPRISED THAT WE HAVE A STAFF SUGGESTION NOW ON SOMETHING LIKE THIS. BUT AGAIN, I MYSELF, PERSONALLY I DON'T SEE WHAT -- IF THIS IS AN AGREEMENT, WHAT WE ARE GETTING OUT OF IT, WE AS A CITY, BECAUSE ALL WE'RE GETTING HERE IS THEIR AGREEMENT TO ABATE FOR A CERTAIN AMOUNT OF TIME THE LAWSUIT. THEY'RE NOT AGREEING TO DROP THE LAWSUIT IF THE COUNCIL MOVES FORWARD WITH THIS PARTICULAR COURSE OF ACTION, THEY'RE JUST SAYING THAT OKAY, WE WON'T PROCEED, WE WON'T DO ANYTHING UNLESS THE COUNCIL GIVES US WHAT WE WANT, AND IN THIS CASE IT'S A PARTICULAR SET OF ZONING RESTRICTIONS OR LACK OF RESTRICTIONS. SO IT DOESN'T SEEM TO ME LIKE THERE'S ANYTHING IN IT FOR US IN THIS PARTICULAR AGREEMENT, AND LIKE I SAID, IN ANALYZING THIS, I THINK THIS IS PROBABLY THE FOURTH TIME, IF THIS ZONING CASE IS INITIATED, THAT PROBABLY I WOULD HAVE CONSIDERED THIS PARTICULAR ITEM AS A ZONING CASE. AND TIME AND TIME AGAIN WHEN THE FACTS ARE PRESENTED, THE COUNCIL HAS ELECTED TO SUPPORT AND MAINTAIN AND PRESERVE THE 6500 TRIP PER DAY LIMITATION, AND NOW WE'RE ABOUT TO KIND OF INITIATE A PROCESS TO POTENTIALLY INCREASE THAT TO, WHAT,



11,000 TRIPS PER DAY?

11, THAT'S CORRECT.

ALVAREZ: AND SO OBVIOUSLY THAT'S A PRETTY SIGNIFICANT INCREASE. AND SO I THINK WE KNOW WHAT -- I'M PRETTY FAMILIAR WITH THIS CASE AND I KNOW THAT I CAN'T SUPPORT 11,000 TRIPS PER DAY. I'VE SUPPORTED THE 6500 LIMITATIONS ON SEVERAL OCCASIONS, AND PROBABLY IT'S SAFE TO SAY I WILL NOT BE SUPPORTING 11,000 TRIPS PER DAY, SO I THINK WE'RE GOING TO POTENTIALLY END UP BACK HERE AT THE SAME PLACE WHERE WE ARE, AND IF WHAT THE APPLICANT WANTS OR IN THIS PARTICULAR CASE IT DOESN'T HAPPEN, THEN WE'RE GOING TO BE RIGHT BACK WHERE WE ARE RIGHT NOW, WHICH IS IN COURT. AND SO I REALLY DON'T SEE THAT WE'RE GETTING ANYTHING OUT OF THIS IN PARTICULAR, IT'S JUST -- WE MIGHT GET SOMETHING OUT OF IT IF WE VOTE A CERTAIN WAY ON A ZONING CASE, AND I DON'T THINK -- AGAIN, I WOULD PREFER THE LOWER TRIP LIMITATION, BUT ALSO FOR THEM TO AGREE TO DROP THE LAWSUIT BEFORE WE MOVE FORWARD, YOU KNOW. AND WITH THIS PUBLIC PROCESS, WHICH GETS VERY STICKY, EVERY TIME IT COMES UP IT GETS VERY HEATED, AND IF WE'RE GOING TO GO THROUGH THAT, THEN WE AT LEAST SHOULD GET SOME KIND OF A BENEFIT OUT OF IT WHO COULD FACE (INDISCERNIBLE) FROM THE FOLKS WHO HAVE SUED YOU US THAT THE ACTION THAT WE MIGHT BE TAKING TODAY IS ENOUGH FOR THEM TO TAKE A PROACTIVE STEP AND WITHDRAW THEIR LITIGATION. BUT THAT'S JUST MY VIEW. I'M NOT GOING TO BE SUPPORTING THIS, AND I THINK WE NEED TO BE REAL CAREFUL ABOUT, AGAIN, -- NOT JUST FOR US, BUT ALSO FOR THE FOLKS THAT ARE HERE AGAIN AND COULD BE HERE FOR TWO OR THREE VERY LONG NIGHTS FOR SEVERAL PUBLIC HEARINGS. AND IN THE END, IF AFTER ALL THIS WE'RE GOING TO END UP IN COURT AGAIN, THEN MAYBE WE JUST NEED TO PROCEED DOWN THAT PATH, BUT PERSONALLY I DON'T THINK WHAT'S ON THE TABLE IS GOOD ENOUGH, AND I CAN'T SUPPORT MOVING FORWARD WITH THE DEAL THAT'S CURRENTLY ON THE TABLE.

MAYOR WYNN: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? QUESTIONS OF STAFF? COUNCILMEMBER

MCCRACKEN.

MCCRACKEN: 2222 AND 360 IS THE SECOND WORST INTERSECTION IN THE CITY, AND IN FACT IT'S SUCH A MAJOR PROBLEM THAT THE CITY COUNCIL IN 2002 COMMISSIONED THE 2222 PLAN TO LOOK AT WAYS TO DO SOMETHING BETTER OR DIFFERENT TO ADDRESS WHAT IS AN F INTERSECTION. AND IT'S REALLY DISASTER. AND UNFORTUNATELY WHAT WE HAVE BEFORE US TONIGHT, THAT DOES NOT SEEM TO INCORPORATE MUCH IF ANY -- IF IT'S TAXPAYER FUNDED LOOK AT HOW TO SOLVE THIS PROBLEM. WHAT'S UNFORTUNATELY BEFORE US TONIGHT IS WORSE THAN WHAT CAME OUT OF MEDIATION. THERE'S MORE TRIPS AND IT'S NOT AS GOOD OF A PROPOSAL AS THE RIEBELIN RANCH THAT -- RIEBELIN RANCH THAT WE APPROVED. I'M CONCERNED ABOUT WHAT THE PLANNING IS INVOLVED IN THIS AND COUNCILMEMBER ALVAREZ, THIS COUNCIL HAS SPOKEN REPEATEDLY ON THIS ISSUE. AND BASED ON WE'VE BEEN HAVING CHALLENGES GETTING THE ISSUES NAILED DOWN ABOUT WHAT'S ACTUALLY GOING TO GO THERE FOR THESE EXTRA FIVE THOUSAND TRIPS -- FIVE THOUSAND TRIPS. AND SO I THINK THAT WE'RE GOING TO SEE THE MOTHER OF ALL ZONING BATTLES ON THIS CASE BASED ON THE INDICATION OF WHAT I SEE COMING BEFORE US. SO I APPRECIATE THE SPIRIT OF EVERYBODY WORKING TOGETHER ON THIS, AND SO -- BUT IT'S JUST BASED ON THE LACK OF CLARITY OF WHERE WE ARE NOW AND THE FACT THAT IT DOES NOT INCORPORATE OUR OWN PLANNING EFFORTS AND THE DREADFUL NATURE OF THAT INTERSECTION, I CAN'T SUPPORT THIS.

MAYOR WYNN: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? THIS IS A QUESTION RELATED BACK TO WHAT THE CITY IS GETTING, IF ANYTHING, ON THIS, MS. JOHNSON. I GUESS I JUST WANT TO UNDERSTAND PART OF THE RISK OF LITIGATION IS THERE IN THAT RISK OF LITIGATION -- IN THAT RISK OF LITIGATION IS THERE ANY NEED THAT THERE BE NO TRIP LIMITATIONS ON THESE PROPERTIES?

ABSOLUTELY. THE ALLEGATION IS THAT THE TRIP LIMITATIONS THEMSELVES OR THE ELEMENT OF THE 2000 ZONING THAT VIOLATES THE 1996 SETTLEMENT AGREEMENT, SO WHAT WOULD BE SOUGHT IS RELIEF BY THE CHAMPIONS

AND WHAT IS SOUGHT IN THE CURRENT PLEADINGS BY THE CHAMPIONS IS NOT ONLY A FINDING THAT THERE HAS BEEN A BREACH BY THE CITY AND ANY DAMAGES, BUT ALSO A DECLARATORY JUDGMENT BY THE COURT THAT IMPOSING TRIP LIMITATIONS VIOLATE THE 1996 SETTLEMENT AGREEMENT. SO WHAT THE CHAMPIONS ARE AGREEING HERE TODAY 11,000 TRIPS FOR THESE TRIPS FOR THESE THREE PARCELS. WHAT IS AT RISK, YES, THAT A COURT OR A JURY MAY FIND THAT TRIP LIMITATIONS THEMSELVES, BECAUSE THEY AFFECT LOT SIZE, LOT DIMENSION, BUILDING SIZE OR LOT COVERAGE, VIOLATES THE AGREEMENT OF TRIP LIMITATIONS. SO THAT IS A RISK THAT THE CITY FACES THAT THEY COULD END UP WITH NO TRIP LIMITATIONS ON THIS PARCEL BECAUSE OF THE OBLIGATIONS THAT THEY ASSUMED BACK IN 1996 WHEN THEY ENTERED INTO THE SETTLEMENT AGREEMENT IN ORDER TO RESOLVE THE GRANDFATHERING CLAIMS.

MAYOR WYNN: WE ALL -- I THINK WE ALL WOULD WANT TO SEE LIMITATIONS BECAUSE WE RECOGNIZE HOW BAD THAT INTERSECTION IS, BUT THE RISK OF HAVING NO LIMITATIONS THERE GIVES ME PAUSE AS WELL AS COULD THERE ALSO BE IN RISK OF LITIGATION, COULD THERE ALSO BE SIMPLY NO RESTRICTIONS IN ADDITION TO TRIP LIMITATIONS, NO RESTRICTIONS LIKE THE ONES THAT HAVE BEEN OUTLINED IN THIS MEDIATION? THAT IS, ESSENTIALLY A RESTRICTION THAT KEEPS THERE FROM BEING A LARGE REGIONAL DRAW THAT WOULD DRAW EVEN MORE TRAFFIC INDEPENDENT OF TRIP LIMITATIONS AND/OR THESE SORT OF ARCHITECTURAL OR RIDGE LINE SCENIC RESTRICTIONS THAT I HAVE BEEN OUTLINED.

CERTAINLY THE RIDGE LINE RESTRICTIONS, THE LIMITATION ON THE ROOFTOPS OF 820 FEET ABOVE SEA LEVEL, AND THE RESTRICTIONS ON THE RETAIL USE, THOSE ARE CONCESSIONS I WOULD SUGGEST. I THINK IT WOULD ACCURATELY CHARACTERIZE CONCESSIONS THAT THE CHAMPIONS ARE WILLING TO MAKE TO GET THIS DEAL DONE. THOSE ARE NOT CURRENTLY APPLICABLE TO THIS TRACT.

AND CERTAINLY SO -- SO CERTAINLY THEREFORE THERE'S A RISK OF LITIGATION THAT THERE BE NO SIMILAR TYPE RESTRICTIONS PLACED ON THAT BY EITHER A COURT OR A

JURY.

THAT'S CORRECT.

MAYOR WYNN: THANK YOU. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER ALVAREZ.

ALVAREZ: I GUESS MAYBE IF THE CITY ATTORNEY COULD EXPLAIN TO US WHAT OUR LEGAL AUTHORITY IS IN TERMS OF BEING ABLE TO SET TRIP LIMITATIONS BECAUSE THAT'S OBVIOUSLY A PART OF OUR ZONING POWER, AND IT SEEMS LIKE WE NEVER GIVE UP THAT RIGHT TO ZONE PROPERTY HOWEVER WE WANT TO ZONE IT. SO MY UNDERSTANDING IS THAT'S SOMETHING THAT TO A GREAT DEGREE IS IT'S A HEALTH AND SAFETY ISSUE, AND WE NEVER GIVE UP OUR RIGHT TO REGULATE ON THE BASIS OF HEALTH AND SAFETY, AND I THINK GIVEN THE CONDITIONS AT THIS INTERSECTION, THERE IS A HEALTH AND SAFETY CONCERN IN TERMS OF THE NUMBER OF TRIPS THAT ARE ALLOWED HERE. AND SO I PERSONALLY THINK THAT WE HAVE A STRONG CASE FOR WHAT WE'VE DONE. THREE DIFFERENT COUNCILS BEFORE THIS ONE HAVE DECIDED IT'S A STRONG ENOUGH CASE TO MAINTAIN THE 6500 TRIP LIMITATION, AND SO I THINK THAT WE DO HAVE A LEG TO STAND ON, ALTHOUGH I'M NOT SURE WHY IT'S BEING REPRESENTED OTHERWISE. AND THAT'S WHY IT HAS TO GO THROUGH THE ZONING PROCESS BECAUSE WE HAVE THAT AUTHORITY AND WE CAN'T NEGOTIATE IT AWAY. SO REALLY I JUST WANTED TO SAY THAT JUST BECAUSE IT SEEMS LIKE ONE PARTICULAR SIDE IS BEING REPRESENTED HERE TODAY.

MAYOR WYNN: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? I GUESS I WOULD ENTERTAIN A MOTION THEN, COUNCIL, ON ITEM NUMBER 58, WHICH IS THE POSTED ACTION ITEM REGARDING APPROVAL OF THE NEGOTIATION AGREEMENT AS OUTLINED.

THOMAS: MOVE FOR APPROVAL ON 58 ON THE AGREEMENT THAT THE CITY ATTORNEY HAS BROUGHT FORWARD.

MAYOR WYNN: MOTION MADE BY MAYOR PRO TEM THOMAS. SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE ITEM NUMBER 58 AS OUTLINED AND PRESENTED BY STAFF.

FURTHER COMMENTS?

THOMAS: I JUST WANT TO SAY ONE THING. THE REASON WHY I MADE A MOTION, FIRST OF ALL, I COMMEND THE CHAMPIONS FOR SITTING HERE SO LONG. I APPRECIATE YOU DOING THAT, YOUR PATIENCE. I RESPECT MY COLLEAGUES AS FAR AS WHAT THEY'RE SAYING ABOUT THE TRAFFIC, BUT ALSO WE HAVE TO REALIZE THAT TRAFFIC IN AUSTIN IS A PROBLEM, PERIOD. AND IT'S REALLY UP TO THE CITY AND ALSO TXDOT TO DEAL WITH THOSE TYPE OF ISSUES. WHEN WE MAKE OUR CITY ATTORNEYS GIVE US ADVICE ABOUT HOW WE SHOULD HANDLE CASES AND HOW WE COULD LOSE A CASE, I THINK IT'S VERY PRUDENT OF US TO REALIZE THERE'S AGREEMENT WE HAVE TO MAKE SOMETIMES AND TAKE A CHANCE ON SOMETHING AND AT LEAST START SOMEWHERE. I THINK TODAY, TONIGHT WOULD BE THE TIME TO START ON THIS, ESPECIALLY THE CHAMPIONS CASE, BECAUSE I CAN REMEMBER THE LAST TIME WE WERE HERE ONE OF THE SISTERS MADE A STATEMENT THAT THEY JUST REALLY WANTED TO MOVE ON WITH THEIR LIVES. AND I HOPE WE CAN DO THAT. AND I THINK WITH THE ATTORNEYS IN THIS, WE WILL BE ABLE TO DO THAT TONIGHT. THANK YOU VERY MUCH FOR YOUR PATIENCE. I APPRECIATE THE REST OF COUNCIL ALSO AND THE MAYOR.

MAYOR WYNN: THANK YOU, MAYOR PRO TEM. FURTHER COMMENTS? A MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM 58. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED?

NO.

MAYOR WYNN: MOTION PASSES ON A VOTE OF FIVE TO TWO WITH COUNCILMEMBER ALVAREZ AND COUNCILMEMBER MCCracken VOTING NO. THANK YOU ALL VERY MUCH. OKAY, MS. GLASGO OR MR. GURNSEY, DOES THAT TAKE US BACK TO OUR ZONING CASES? APPRECIATE YOUR PATIENCE.

GOOD EVENING, MAYOR AND COUNCIL, GREG GURNSEY WITH THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. I'M HERE TO BRING FORWARD ITEM NUMBER 64. THIS IS THE HYDE PARK NORTH CONSERVATION COMBINING DISTRICT NEIGHBORHOOD PLAN REZONING CASE. AT FIRST READING, COUNCIL APPROVED THE PLAN, AND WHAT I'D LIKE TO DO IS WORK THROUGH THE MOTION SHEET THAT YOU HAVE ON THE DAIS --

MAYOR WYNN: ACTUALLY, MR. GURNSEY, IF YOU DON'T MIND, COUNCIL, MR. GURNSEY, YOU HAVE AN ESTIMATE AS TO HOW LONG THIS WOULD TAKE? LOOKING AHEAD, WE HAVE ONE OTHER ZONING CASE WITH A HANDFUL OF FOLKS WHO ARE HERE WAITING TO TALK, AND THERE'S NO CITIZENS SIGNED UP ON ITEM 64. DO YOU ANTICIPATE THIS BEING -- I DON'T SEE A MOTION SHEET UP HERE, BUT I SUSPECT THIS IS A LENGTHY SERIES OF MOTIONS?

MAYOR, I THINK I CAN GO THROUGH THIS FAIRLY QUICK. IF IT'S COUNCIL'S DESIRE TO TAKE THE OTHER CASE, I'LL CERTAINLY WAIT. THE PUBLIC HEARING IS CLOSED AND WE HAVE A DRAFT ORDINANCE THAT WE CAN GO THROUGH. AND ON THE ONE CONTESTED CASE WE DO HAVE A RESOLUTION ON THAT ITEM.

MAYOR WYNN: COUNCIL, MY RECOMMENDATION IS THERE'S NO CITIZENS HERE REGARDING THIS, AND THESE THINGS TEND TO GET VERY COMPLICATED FOR US TO EVEN FOLLOW. I DO RESPECT MR. GURNSEY'S CAPABILITIES AND HIS RECOMMENDATION ON THIS, BUT MY RECOMMENDATION WOULD BE THAT WE TAKE UP ZONING CASE Z-7 WHERE WE HAVE FIVE CITIZENS WHO ARE HERE TO GET THIS DONE. BUT I APPRECIATE SOME GUIDANCE.

THOMAS: MAYOR, IF YOU THINK -- MAYBE WE CAN DO NUMBER 7, I AGREE WITH YOU.

MAYOR, ITEM 7 HAS FIVE CITIZENS TO SPEAK. NOW, JUST FOR THOSE IN THE AUDIENCE, THE HYDE PARK -- THE ITEM THAT YOU JUST DEFERRED, ITEM NUMBER 64, HYDE PARK NORTH, THEY ARE -- YOU'VE CLOSED THE PUBLIC HEARING AND THEY ARE CITIZENS HERE, ALTHOUGH THEY JUST WANT TO BE ACKNOWLEDGED THAT THEY'RE HERE AND THEY

REALIZE THAT THE PUBLIC HEARING HAS BEEN CLOSED. BUT THE NEXT ITEM THAT HAS SPEAKERS ON IS ITEM NUMBER Z-7 THAT YOU DELAYED EARLIER. I'M ASSUMING MAYOR THAT THE ITEM THAT YOU'RE SPEAKING TO THAT YOU HAVE SPEAKERS ON. IT'S A PUBLIC HEARING. I JUST WANT TO DRAW THE DISTINCTION BETWEEN ITEM Z-7 --

MAYOR WYNN: FRANKLY, THESE MOTION SHEETS ARE SO INTIMIDATING TO TRY TO FOLLOW, THEY'RE SO LENGTHY AND HARD TO FOLLOW AS TO WHETHER WE NEED FOUR VOTES AND HOW MANY VOTES WE NEED ON CERTAIN READINGS, AND I HAVE SEEN THESE THINGS JUST TAKE A LONG TIME AND GET VERY COMPLICATED, AND HAVE CERTAIN QUESTIONS. IF IT'S YOUR PREFERENCE LET'S TAKE UP ITEM NUMBER 64, IF GURNSEY, IF YOU CAN GET US THROUGH THIS, I WOULD GREATLY APPRECIATE IT. THE OTHER FOLKS CAN WAIT.

ACTUALLY, MAYOR, I WAS JUST --

MAYOR WYNN: ITEM 64, LET'S GET IT DONE. THANK YOU FOR THE SUGGESTION.

MAYOR AND COUNCIL, I'LL TRY TO MAKE THIS AS QUICK AS I CAN AND PAINLESS. HAS I SAID BEFORE, THIS HAS FIRST READING AND I WANT TO NOTE TWO THINGS, THAT YOU HAVE ON THE DAIS, ONE, THERE'S A MOTION SHEET THAT'S ON THE DAIS ON WHITE LEGAL PAPER. AND THEN THERE'S A PUMPKIN COLORED ORDINANCE. AND WE HAVE AN ORDINANCE THAT'S READY FOR ALL THREE READINGS; HOWEVER, WHAT I WOULD LIKE TO DO IS GO THROUGH THE MOTION SHEET, AND IF IT'S COUNCIL'S DESIRE, WE CAN ACTUALLY APPROVE HYDE PARK WITH THE EXCEPTION OF THE PROPERTY AT 609 FAIRFIELD LANE, WHICH WAS KNOWN AT FIRST READING AS BEING EXCEPTED OUT. AND ON THE PUMPKIN ORDINANCE ON THE DAIS AS BEING EXCEPTED OUT. AND THEN 4505 DUVAL, WE HAVE AGREEMENT BETWEEN THE NEIGHBORHOOD AND THE PROPERTY OWNER, AND WE WOULD SEEK ONLY THAT THAT WOULD GO FORWARD ON FIRST READING ONLY. AND FOR THE PROPERTY AT 4505, THAT WOULD ACTUALLY BE REMOVED FROM YOUR PUMPKIN ORDINANCE, AND THEN ACTION MAY BE TAKEN ON THE REMAINDER. AT THIS TIME LET ME GO

THROUGH THE MOTION SHEET FOR ITEM NUMBER 64, CASE C-14-04-096. THIS IS THE HYDE PARK NCCD. THE FIRST MOTION WOULD BE TO APPROVE THE HYDE PARK NEIGHBORHOOD CONSERVATION COMBINING DISTRICT ON SECOND AND THIRD READING, INCLUDING THE BASE DISTRICT CHANGES, WITH THE EXCEPTION OF THE PETITION ITEM THAT WILL COME UP LATER. AND ALSO TO INCLUDE FOUR ADDITIONAL ITEMS, WHICH ARE CONTINUED ON TO PAGE 2. AND WHAT I'LL DO IS I'LL READ THROUGH THESE VERY, VERY QUICKLY. ON PART 5, SECTION 3 OF THE ORDINANCE, PARAGRAPH I-2, THIS WOULD BE ON PAGE 827 OF THAT PUMPKIN ORDINANCE, THERE WOULD BE AN AMENDMENT THAT IT WOULD NOT EXCEED 5,000 SQUARE FEET OF BUILDING COVERAGE, AND NOT MORE THAN THE TOTAL SQUARE FOOTAGE OF A FOOD SALES OR RESTAURANT USE. AND THIS IS ACTUALLY A CLARIFICATION OF YOUR FIRST READING ACTION. THAT WOULD BE ONE CHANGE. THE SECOND CHANGE WOULD BE UNDER PART 6 OF SECTION 11-B OF THE ORDINANCE, AND IT'S ON PAGE 13 OF 27 OF THE PUMPKIN ORDINANCE. AND THIS WOULD BE ADDING SOME LANGUAGE TO CLARIFY THE FRONTAGE OF THE TOTAL STREET FRONTAGE THAT NEEDS TO CALCULATE. AND THE AMENDMENT WOULD ADD THE WORDS, THERE'S A TOTAL OF. THE THIRD ITEM IS UNDER PART 7, IT'S PART 14 OF THAT SECTION ON PAGE 18 OF 27 OF THE PUMPKIN ORDINANCE. AND THIS WOULD CLARIFY THAT ON THE SECONDARY APARTMENT -- AND YOU RECALL SECONDARY APARTMENT IS LIKE A GARAGE APARTMENT, THAT THE LIMITATION ON THE SECOND FLOOR COULD NOT EXCEED 550 SQUARE FEET. AND THIS ACTUALLY MIRRORS THE CURRENT ORDINANCE. AND THEN FINALLY, ON PART 9-- AND THIS IS ON PAGE 21 OF 27 OF THE PUMPKIN ORDINANCE, THAT THERE'S A TABLE ON THAT PAGE WHICH IS UNDER SECTION 1 UNDER THE CS COLUMN, HEIGHT LIMITATION WILL BE 35 FEET AND REPLACE THE REFERENCE TO 30 FEET OR 2.5 STORIES. AND THEN ON PART 9, SECTION 2, IN THE DRAFT ORDINANCE YOU HAVE ON THE DAIS, THAT ENTIRE SECTION OF PARAGRAPH 2 IS REPLACED WITH THE LANGUAGE THAT SUGGESTS -- IT SUGGESTS IN THE MOTION SHEET. I WILL READ THAT, THAT THE MAXIMUM HEIGHTS. THE MAXIMUM HEIGHT IS WITHIN 50 FEET OF A SINGLE USE OR ZONING IS 30 FEET. AND TWO AND A HALF STORIES. AND UNDER 2-B, THE MAXIMUM HEIGHT



WITHIN 125 FEET OF A SINGLE-FAMILY USE OF ZONING IS 35 FEET. SO WITH THOSE FOUR CHANGES, THE COUNCIL COULD APPROVE THE HYDE PARK NCCD AND WOULD ONLY NEED A MINIMUM OF FOUR VOTES.

MAYOR WYNN: AGAIN, WE'RE ACCEPTING THE PETITION TRACTS?

THAT'S CORRECT. I WILL GO THROUGH THESE ON THE FOLLOWING, AND THOSE WILL REQUIRE SIX VOTES BECAUSE THOSE ARE PEOPLE THAT WOULD LIKE TO BE EXCEPTED OUT OF THE NCCD. THOSE ARE THE ONES THAT WILL REQUIRE SIX. BUT THIS WOULD ONLY REQUIRE FOUR VOTES -- FIVE VOTES BECAUSE WE'RE DOING SECOND AND THIRD READING.

MAYOR WYNN: AND SHOULDN'T YOU READ THE LIST OF THE EXCEPTED TRACTS INTO THE RECORD BEFORE WE VOTE ON THIS FIRST MOTION?

I CAN DO SO, MAYOR, IF YOU SO DESIRE?

MAYOR WYNN: I WOULD LIKE THAT BECAUSE I SEE MORE EXCEPTED TRACTS THAN THE ONES YOU'VE IDENTIFIED EARLIER.

THANK YOU, MAYOR. I'LL GO TO THE EXCEPTED TRACTS THAT WE HAVE PETITIONED, AND THESE ARE STARTING ON PAGE 3 OF THE MOTION SHEET, AND I'LL JUST READ THE ADDRESSES. 4912 AVENUE B, 4700 RED RIVER, 812 EAST 47TH, 816 EAST 47TH STREET, THE PROPERTIES AT 808, 810, 812 EAST 46TH STREET, THE PROPERTY AT 470 ELLERS AVENUE. AND CONTINUING ON PAGE 4, THE PROPERTY AT 4705 AVENUE G, THE PROPERTY AT 4500 DUVAL, AND THE PROPERTY AT 4505 DUVAL. SO YOU WOULD NOT BE TAKING ACTION ON THOSE TRACTS WITH THIS MOTION.

MAYOR WYNN: OKAY. QUESTIONS OF STAFF, COUNCIL. COUNCILMEMBER ALVAREZ.

ALVAREZ: I WAS GOING TO MAKE A MOTION.

MAYOR WYNN: I'LL ENTERTAIN A MOTION.

ALVAREZ: THAT WE APPROVE THE NORTH HYDE PARK NEIGHBORHOOD COMBINING DISTRICT NEIGHBORHOOD PLAN ON SECOND AND THIRD READING, INCLUDING BASE DISTRICT REZONING EXCEPTING THE PETITIONED TRACTS THAT MR. GURNSEY READ. AND WITH THE CHANGES THAT WERE READ AND EXPLAINED EARLIER BY MR. GURNSEY AS WELL.

MAYOR WYNN: MOTION MADE BY COUNCILMEMBER ALVAREZ THAT I'LL SECOND TO APPROVE THE HYDE PARK NORTH NEIGHBORHOOD CONSERVATION COMBINING DISTRICT AS OUTLINED ON SECOND AND THIRD READING. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DAIS.

MAYOR, THEN THAT BRINGS US TO THE PETITION PROPERTIES, AND I WILL GO THROUGH THESE. DO YOU WANT ME TO READ ALL OF THEM AT ONCE OR TAKE THEM ONE BY ONE?

MAYOR WYNN: WELL, WHAT'S YOUR RECOMMENDATION? ARE THEY VERY SIMILAR? SORT OF HOMOGENEOUS IN NATURE?

LET'S TAKE THEM PAGE BY PAGE AND I CAN READ THROUGH THOSE. ON PAGE 3 THIS WOULD BE PAGE 4912 AVENUE G, 4700 RED RIVER, 81247TH STREET AND 716 EAST 47TH STREET. OWNERS ARE HERB JANKE AND (INDISCERNIBLE). AND THAT WOULD BE OFFERED TO BE INCLUDED IN THE NCCD FOR SF-3 NCCD-NP. THE NEXT PROPERTY IS AT 808, 810, 812 EAST 46TH STREET OWNED BY DAY AND DAY. THIS IS ALSO FOR SF-3-NCCD-NP. AND THE LAST ONE ON THAT PAGE IS 4701 ELLERS AVENUE, THE OWNERS ARE SCOTT AND NANCY SMITH. THIS IS FOR SF-2-NCCD-NP. IF COUNCIL WERE TO VOTE TO INCLUDE THOSE IN THE NCCD, IT WOULD

TAKE AN AFFIRMATIVE VOTE OF SIX MEMBERS FOR THIS TO PASS AND INCLUDE THEM IN THE NCCD. AND THESE ARE RECOMMENDED BY THE COMMISSION AND STAFF.

MAYOR WYNN: RECOMMENDED BY THE PLANNING COMMISSION.

THAT IS CORRECT.

MAYOR WYNN: I JUST HAPPENED TO NOTICE ON THE COMMENTS HERE, THE FIRST TWO, THESE ARE SITUATIONS WHERE IT LOOKS LIKE THE CITY IS RECENTLY GIVEN THESE FOLKS PERMITS TO BUILD NEW HOUSES?

THAT'S CORRECT.

MAYOR WYNN: AND MY GUESS IS THAT THESE NEW HOUSES WOULDN'T BE COMPLIANT WITH THE NCCD?

NO. UNDER STATE LAW BECAUSE THEY HAVE SECURED PERMITS, THEY WOULD BE GRANDFATHERED, THEY WOULD BE LEGALLY NON-COMPLYING WITH RESPECT TO THE DESIGN AND THE STRUCTURES. SO YES, THEY COULD CONTINUE WITH THEIR CONSTRUCTION AND WOULD NOT BE COMPLIANT.

MAYOR WYNN: WE FIGURED THAT, BUT THESE NEW HOUSES THAT WE'VE JUST GIVEN THEM PERMITS FOR WOULDN'T BE COMPLAINT IN JUST THE GENERAL TERMS, AND WE MIND ME WHAT IMPACT DOES THAT HAVE FOR US TRYING TO THINK ABOUT THESE OWNERS IF THEY'RE TRYING TO -- IF THEY TRY TO REFINANCE THE HOME FIVE YEARS FROM NOW OR TRY TO TAKE OUT A HOME EQUITY LOAN OR SOMETHING OF THAT SORT OR JUST SELL AND SOMEBODY ELSE HAS TO COME IN AND TRY TO FINANCE SOMETHING, WHAT ARE SOME OF THE LEGAL CONSTRAINTS THAT WE MIGHT BE PLACING ON THEM?

YOU MAY HAVE A REQUEST AND WE ACTUALLY HAVE A PROCESS THROUGH THE WATERSHED DEVELOPMENT AND REVIEW DEPARTMENT, A LETTER OF LEGAL NONCONFORMANCE AND USUALLY THEY WANT SOME ASSURANCE THAT IF THE BUILDING IS SOMEHOW DAMAGED

OR DESTROYED THAT IT COULD BE REBUILT. NORMALLY THEY ARE ALLOWED TO COME BACK IN AND REBUILD WITHIN A PERIOD OF A YEAR BACK TO THE SAME DIMENSIONS AND STANDARDS. THESE AREN'T LEGAL NONCONFORMING USE ITEMS EXCEPT FOR THE LAST ONE ON THIS LIST. AND EVEN IF THE BUILDINGS WERE 90% DESTROYED THEY COULD ACTUALLY REBUILD THE BUILDING RIGHT BACK, SAME LOCATION, AND CONTINUE THE USE. AND FOR THE MAJORITY OF PROPERTY OWNERS WHO ARE WORKING WITH FINANCIAL INSTITUTIONS, THAT'S SUFFICIENT FOR THEM TO MOVE FORWARD WITH THEIR LOANS. SO I DON'T SEE THIS AS A PROBLEM. WE HAVE INCIDENTS ALL OVER AUSTIN WHERE WE HAD BUILDINGS THAT ARE LEGAL NON-COMPLYING. TYPICALLY IT'S WITH RESPECT TO HEIGHT WITH COMMERCIAL STRUCTURES THAT MAY HAVE BEEN BUILT PRIOR TO '84, THE OLD HEIGHT AND AREA REGULATIONS THAT MAY HAVE BEEN BUILT TO EXCEED 60 FEET IN THE ZONING DISTRICTS. SO IT'S A FAIRLY COMMON OCCURRENCE. NOT SO MUCH FOR RESIDENTIAL, BUT PRETTY COMMON OCCURRENCE FOR BUILDINGS.

MAYOR WYNN: OKAY. QUESTIONS OF STAFF, COUNCIL. COUNCILMEMBER LEFFINGWELL?

LEFFINGWELL: I UNDERSTAND WHAT YOU RECOMMENDED IS THAT WE TAKE A GROUP OF THESE IN ONE MOTION, THAT'S WHAT YOU INITIALLY RECOMMENDED?

YEAH.

LEFFINGWELL: DID YOU ALSO READ OFF 4715 AVENUE G?

NO, I STOPPED AT PAGE 3.

LEFFINGWELL: ALL OF THESE ARE SIMILAR. THE ONES YOU READ PLUS 4715 AVENUE G AND 4500 DUVAL AND 4505 DUVAL ARE SOMEWHAT UNIQUE IN THAT THEY HAVE DIFFERENT RECOMMENDATIONS AND CONDITIONS, SO I WOULD SUGGEST THAT WE TAKE ALL OF THE PROPERTIES ON PAGE 3 PLUS 4715 AVENUE G, AND I WOULD MOVE APPROVAL OF THOSE FOR THE NCCD OF THAT GROUP.

MAYOR, LET ME JUST READ THAT NEXT ONE, 4715 AVENUE G

IS A PETITIONED ACTION TO RECEIVE TODAY FROM ALICE CARTER AND MICHAEL BOWL, AND IT'S TO ZONE THE PROPERTY SF-3-NCCD-NP.

MAYOR WYNN: OKAY. THANK YOU, MR. GURNSEY. SO WE HAVE A MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER DUNKERLEY TO APPROVE -  
- THIS WOULD BE SECOND AND THIRD READING?

THAT'S CORRECT.

MAYOR WYNN: SECOND AND THIRD READING THE NCCD -- THE REZONING ACCORDING TO THE NCCD AS RECOMMENDED BY PLANNING COMMISSION OF THESE FOUR PETITIONED TRACTS. FURTHER COMMENTS? QUESTIONS? IF NOT, ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DAIS.

THAT BRINGS US TO 4500 DUVAL STREET. AT FIRST READING WE WANTED TO NOTE SOME CORRECTIONS AND CHANGES TO REFLECT IN THE ORDINANCE REGARDING THIS PARTICULAR PROPERTY. 4500 DUVAL IS THE OWNER IS GUY OLIVER, AND THIS IS A REZONING TO CS-NCCD-NP, AND THERE STILL EXISTS A VALID PETITION, BUT WE UNDERSTAND THAT THE PROPERTY OWNER IS IN AGREEMENT AND THEIR LEGAL REPRESENTATIVES ARE HERE THIS EVENING. AND WOULD BE AGREEABLE TO AGAIN THE PUMPKIN COLORED ORDINANCE WITH SOME CHANGES. LET ME READ WHAT THOSE ARE. UNDER PART 5, SECTION TWO OF THE USE CHART, ON PAGE 7 OF 27 OF THE PUMPKIN ORDINANCE THERE'S A DELETION OF SERVICE STATION ON THESE AND THAT'S BEEN DELETED. UNDER PART 5, SECTION 3, K-1 OF THAT, THERE'S AN AMENDMENT THAT THE FOLLOWING ADDITIONALLY USE IS PERMITTED FOR 4500 DUVAL ARE LIMITED TO LOT SIZE EXISTING ON APRIL 1ST OF 2005. AND UNDER PART FIVE, SECTION 3-K-4, THAT THE AUTOMOTIVE WASHING USE OF ANY TYPE IS ALLOWED ONLY IN CONJUNCTION WITH ANOTHER PERMITTED USE AND

LIMITED TO 20% OF THE GROSS SITE AREA. AND THIS WAS ACTUALLY A CLARIFICATION OF WHAT WAS ACTUALLY DONE AT FIRST READING, SO THIS JUST MIRRORS THAT. AND WITH THOSE THREE CHANGES, THIS IS ALSO READY -- THIS IS ALSO READY FOR ALL THREE READINGS AND REQUIRE A VOTE OF SIX. YOU ONLY HAVE FIVE ON THE DAIS. OH, WE HAVE SIX, OKAY.

MAYOR WYNN: COUNCILMEMBER LEFFINGWELL.

LEFFINGWELL: I'LL MOVE APPROVAL OF THE NCCD -- CS-NCCD-NP ZONING WITH THE PLANNING CONDITIONS PLUS THE ADDITIONAL USES AND CONDITIONS APPROVED IN THE DRAFT ORDINANCE.

MAYOR WYNN: MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER DUNKERLEY TO APPROVE THIS TRACT, 4500 DUVAL, THE CS-NCCD-NP ZONING AS OUTLINED.

ALVAREZ: MAYOR? THESE TWO AMENDMENTS THAT ARE SHOWN HERE ON PAGE 4 ARE AMENDMENTS TO THE PUMPKIN COLORED ORDINANCE? I HAD TO GET THAT IN THERE, THE PUMPKIN COLORED ORDINANCE. OR THEY'RE ALREADY INCORPORATED INTO IT?

THEY'RE INCORPORATED INTO THE PUMPKIN COLORED ORDINANCE. THESE ARE THE AMENDMENTS THAT YOU ACTUALLY HAVE IN YOUR BACKUP.

ALVAREZ: THANK YOU.

MAYOR WYNN: FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASS OZ A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DAIS.

MAYOR, THAT BRINGS US TO THE LAST MOTION ON PAGE 5, AND ON THIS ONE IT'S PROPERTY LOCATED AT 4505 DUVAL.

ED BLAINE IS THE OWNER. IN THIS PARTICULAR REQUEST THE PROPERTY IS GR-NCCD-NP AND MF-3-NCCD-NP. LET ME JUST PRESENT TO YOU A LITTLE EXHIBIT. NEIGHBORHOOD STAKEHOLDERS HAVE MET WITH THE PROPERTY OWNER AND WITH STAFF, AND AT FIRST READING THERE WAS SOME GENERAL AGREEMENT ON WHAT THE APPROVAL WOULD BE, AND WE ACTUALLY HAVE AGREEMENT TODAY BETWEEN SOME OF THE NEIGHBORHOOD STAKEHOLDERS AND THE PROPERTY OWNER TO MOVE FORWARD. AND SO THIS WOULD BE TAKING THE FIRST READING ACTION THAT YOU HAVE, AND THEN SOME AMENDMENTS THAT ARE LISTED ON PAGE 6 AT THE BOTTOM OF THAT PAGE. THERE ARE FIVE OF THEM, AND I'LL READ THOSE INTO THE RECORD. AND WITH THOSE CHANGES THIS COULD MOVE FORWARD AND WE WOULD SUGGEST THIS ONLY FOR FIRST READING TO ALLOW STAFF TIME TO GET WITH THE PROPERTY OWNER AND THE NEIGHBORHOOD STAKEHOLDERS AND WITH OUR LAW DEPARTMENT TO MAKE SURE THAT EVERYONE IS IN AGREEMENT, THAT THE LANGUAGE THAT'S BEING BROUGHT FORWARD TO YOU, WE WOULD SUGGEST THAT THIS ITEM BE BROUGHT BACK NEXT WEEK TO MAKE SURE THAT EVERYTHING IS CORRECT, AND THEN FOR YOUR ACTION TODAY IT WOULD ONLY BE FIRST READING IS WHAT STAFF IS SUGGESTING. LET ME GO THROUGH THESE FIVE QUICKLY, THOSE FIVE CHANGES. UNDER THE DEFINITION, THE PROPOSED AMENDMENT UNDER PART A MEANS THAT THE PROPERTY IS GR, COMMUNITY COMMERCIAL DISTRICT, LOCATED IN DUVAL DISTRICT FOR 4505 DUVAL. AROUND UNDER PART B FOR 4505 DUVAL THE PROPERTY IS MULTI-FAMILY, MEDIUM DENSITY DISTRICT AND LOCATED IN A RESIDENTIAL DISTRICT. THESE WOULD STILL HAVE THE NCCD NP AS PART OF THAT. YOU ADD 4505 PART A, THIS IS ACTUALLY TO ADD IT TO THE DUVAL DISTRICT. THE THIRD ONE UNDER -- PART 5, SECTION 3 TO ADD THAT PARKING FOR COMMERCIAL USES AT 4505 DUVAL MAY BE LOCATED ANYWHERE IN THE SITE, AND THAT WOULD BE EITHER IN THE MF-3 AREA THAT'S SHOWN ON THE EXHIBIT THAT'S ON THE MONITOR OR THE GR AREA AS IT EXISTS ON APRIL 1ST, 2005. AGAIN, THIS INCLUDES A PORTION THAT'S ZONED MF-3. THE NEXT CHANGE, NUMBER 4, THE FOURTH CHANGE WOULD BE PART 9, SECTION 4. THAT THE MINIMUM STREET SIDE SET BACK FOR 4505 WOULD BE 10 FEET. AND THIS IS SIMILAR TO

SOME OTHER TRACTS THAT YOU HAVE ALREADY TAKEN ACTION ON ALONG DUVAL. AND FINALLY PART 11, SECTION ONE, THAT THE SECTION APPLIES TO 4505 PART A AND B, THAT THIS IS SIMILAR TO THE OTHER PROPERTIES THAT YOU'VE ALREADY TAKEN ACTION ON. SO WITH THOSE FIVE AMENDMENTS WE CAN MOVE FORWARD TODAY ON FIRST READING TO APPROVE THE ZONING OF THESE TWO PROPERTIES, THE GR, THE SF-3-NCCD-NP, AND THEN WE WOULD BRING THIS BACK NEXT WEEK FOR SECOND AND THIRD READING. AND THE REPRESENTATIVES OF THE PROPERTY OWNER HERE AND THEIR NEIGHBORHOOD STAKEHOLDERS HERE IF YOU WISH TO HEAR FROM THEM. BUT I THINK EVERYBODY IS IN AGREEMENT.

MAYOR WYNN: THANK YOU, MR. GURNSEY. QUESTIONS, COUNCIL? COMMENTS? IF NOT -- COUNCILMEMBER LEFFINGWELL.

LEFFINGWELL: I'M ALL PRACTICED UP FOR THIS NOW. I WILL MOVE APPROVAL FOR 4505 DUVAL OF GR-NCCD-NP-MF-3-NCCD-NP FIRST READING ONLY WITH THE CONDITIONS OUTLINED BY STAFF.

MAYOR WYNN: VERY WELL SAID. SECONDED BY THE MAYOR PRO TEM. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASS OZ FIRST READING ONLY WITH A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCracken OFF THE DAIS.

THAT CONCLUDES THE ITEM ON THE HYDE PARK NCCD. I WILL NOTE THAT 4505 WILL BE REMOVED FROM THE PUMPKIN COLORED ORDINANCE THAT YOU HAVE ON THE DAIS AND WILL BE TREATED AS A SEPARATE ORDINANCE WHEN WE BRING IT BACK NEXT WEEK. THANK YOU.

MAYOR WYNN: THANK YOU, MR. GURNSEY. WELL DONE. WELCOME BACK, MS. GLASGO.



SEE, MAYOR, THAT WASN'T THAT BAD, WAS IT?

MAYOR WYNN: YOU'RE RIGHT. I'M SORRY I EVER DOUBTED MR. GURNSEY.

I KNOW THE MOTION SHEET SEEMED INTIMIDATING --

MAYOR WYNN: HE'S DRESSED SO CONSERVATIVELY TONIGHT THAT I WAS AFRAID HE WAS IN FOR THE LONG HAUL.

WE WORK BEHIND THE SCENES TO MAKE IT SMOOTH. ANYWAY, FOR ITEM NUMBER 37, THIS IS THE CASE THAT YOU -- Z-7 THIS IS THE CASE THAT YOU DEFERRED EARLIER BECAUSE CITIZENS HAD ARRIVED AFTER WE ALREADY ACTED ON THE ITEMS. THIS IS CASE NUMBER C-14-05-0065 AT 12317 DESSAU ROAD. THE EXISTING ZONING IS INTERIM RURAL RESIDENCE AND THE APPLICANT IS REQUESTING MULTI-FAMILY 2 ZONING WHICH IS A DISTRICT THAT ALLOWS LOW DENSITY MULTI-FAMILY DEVELOPMENT. THIS IS A SMART HOUSING PROJECT, AND THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT THE REQUEST WITH SOME CONDITIONS. STAFF IS READY TO HAVE THIS CASE APPROVED ON ALL THREE READINGS TONIGHT, ASSUMING THERE ARE NO OTHER CHANGES TO THE ORDINANCE. THE CONDITIONS THAT THE PLANNING COMMISSION PLACED ON THIS PARTICULAR CASE IS THAT THE TRACT WOULD BE LIMITED TO 3,000 VEHICLE TRIPS A DAY AND THE APPLICANT WOULD DEDICATE 70 FEET OF RIGHT-OF-WAY FROM THE EXISTING END OR FUTURE CENTER LINE OF DESSAU ROAD IN ACCORDANCE WITH THE TRANSPORTATION PLAN AND LIMITING DEVELOPMENT OF THE SITE TO A MAXIMUM OF 248 RESIDENTIAL UNITS. THOSE ARE THE CONDITIONS THAT ARE INCORPORATED INTO THE ORDINANCE THAT IS ATTACHED TO YOUR BACKUP. MAYOR AND COUNCILMEMBERS, I WILL PAUSE HERE, LET YOU HEAR FROM THE APPLICANT AND THE SPEAKERS AND I'LL BE GLAD TO ANSWER QUESTIONS THAT MIGHT ARISE AFTER THE SPEAKERS CONCLUDE THEIR PRESENTATION. THANK YOU.

MAYOR WYNN: WELCOME. THE ROUTINE WILL BE THAT WE WILL HAVE A FIVE-MINUTE PRESENTATION BY THE OWNER APPLICANT OR AGENT, AND THEN WE HEAR FROM FOLKS

WHO SUPPORT THE ZONING CASE, WE'LL HEAR FROM FOLKS WHO ARE IN OPPOSITION OF THE ZONING, AND THEN THE OWNER APPLICANT AGENT WILL HAVE A ONE-TIME THREE MINUTE REBUTTAL. SO WELCOME, MR. THROWER, JUST A QUICK NOTE THAT WHEN YOU DO SEE COUNCILMEMBERS OCCASIONALLY STEP OFF THE DAIS, WE CAN HEAR AND SEE THE ACTION HERE, SO DON'T BE OFFENDED IF WE STEP OFF. WELCOME, MR. THROWER. YOU HAVE FIVE MINUTES.

THANK YOU, MAYOR, MEMBERS OF COUNCIL. I'M REPRESENTING THE LANDOWNER AND THE PURCHASERS OF THE MULTI-FAMILY PORTION THAT IS UNDER THE REQUEST TODAY. THIS PIECE OF PROPERTY WAS ANNEXED BY THE CITY OF AUSTIN EFFECTIVE JUNE -- THE END OF JUNE OF THIS YEAR. I THINK IT WAS JUNE 28TH. THE PARTICULAR PROPERTY, 15 ACRES IN SIZE. IT DOES COMPLY WITH THE SMART HOUSING REQUIREMENT BY THE CITY OF AUSTIN, AND THE PROPERTY IS VERY WELL SUITED FOR MULTI-FAMILY ZONING. IT'S RELATIVELY FLAT. IT SLOPES FROM WEST TO EAST AS YOU CAN SEE IN THE AERIAL, IT'S QUITE CLEAR. UNFORTUNATELY MY AERIAL IS NOT PUMPKIN COLORED, IT'S SQUASH, BUT I HAD TO GET THE PUMPKIN WORD IN MYSELF. NONETHELESS, WE RESPECTFULLY REQUEST CONSIDERATION FOR THE MULTI-FAMILY ZONING ON THE PROPERTY. WE HAVE ADDITIONALLY FILED RECENTLY A COMMERCIAL ZONING CASE FOR THE FRONT SIX ACRES OF THIS PARENT TRACT OF 21 ACRES. AS YOU CAN SEE, THE FLAG PORTION OF THE 15-ACRE TRACT WILL HAVE A JOINT USE DRIVEWAY THAT WILL BE IN ASSOCIATION WITH THE COMMERCIAL DEVELOPMENT, SO WE'RE EXPECTING VERY GOOD INGRESS, EGRESS ON THE DESSAU ROAD ACCESS. AND I'M AVAILABLE IF YOU HAVE ANY QUESTIONS.

THOMAS: ARE THERE ANY QUESTIONS? IF NOT, WE WILL HEAR FROM THE PERSONS WHO SIGNED UP AGAINST THE ITEM Z-7. AND I GUESS WE'LL START OUT WITH -- ANY QUESTIONS? START OUT WITH THE FIRST ONE, IS IT KIM CAMPBELL, YOU HAVE THREE MINUTES UNLESS SOMEONE IS GOING TO VOLUNTEER.

GOOD EVENING, I'M KELLY CAMPBELL. I OWN THE PROPERTY IMMEDIATELY SOUTH OF THIS. MY ADDRESS IS 12315

DESSAU ROAD. I PURCHASED THE PROPERTY IN 1985. I'M VERY FAMILIAR WITH THIS PARTICULAR PIECE OF PROPERTY, AND IN FACT, LEASED IT FROM THE OWNER, MR. JOSEPH, DURING THE MID '90'S. DURING THAT TIME I KEPT MY OWN PERSONAL HORSES ON THIS PROPERTY. WHEN WE'RE REFERENCING CHANGING THE ZONING, MR. THROWER SUGGESTS THAT THIS PARTICULAR PROPERTY IS IMMINENTLY SUITED TO HIS PROPOSAL BECAUSE IT IS RELATIVELY FLAT. IN FACT, THE PROPERTY SLOPES FROM THE TOP SIX ACRES DOWN TO THE BACK IN SUCH A WAY THAT WHEN I PLACE MY BARN AT THE TOP SIX ACRE PORTION, WHEN IT RAINS I WAS COMPLETELY UNABLE TO EVEN RIDE A SINGLE HORSE DOWN IN THE LOWER PORTION AT LEAST FROM THE MIDDLE OF THE PROPERTY TO THE BACK END OF THE PROPERTY. THAT'S ONE HORSE. I WAS UNABLE TO HAVE THE GRASS CUT IF THERE WAS ANY MOISTURE BECAUSE IT WAS SO BOGGY DOWN THERE. SO ONE OF MY CONCERNS HAS BEEN THAT WHEN THIS IS PROPOSED TO MOVE TO A TYPE OF ZONING THAT WOULD ALLOW A FAIRLY SIGNIFICANT AMOUNT OF IMPERVIOUS COVER, DRAINAGE IS GOING TO BE A CONCERN. I DON'T KNOW IF THIS IS ACTUALLY IN THE FLOODPLAIN, BUT FROM SOMEBODY WHO HAS TRIED TO LIVE ON IT AND WORK ON IT FOR THE PURPOSE OF EXERCISING ANIMALS, IT WAS TOO WET IN ANY TYPE OF RAINY CONDITION FOR ME TO EVEN DO SO. MY CONCERN THEN IS ABOUT THE ACCUMULATION OF WATER AND HEALTH CONCERNS ASSOCIATED WITH THAT FOR BOTH ANIMAL AND HUMANS INVOLVED. I'D LIKE YOU TO CONSIDER THAT AS A POTENTIAL PROBLEM. SECONDLY WHEN WE COME TO ISSUES OF SAFETY, THE SINGLE EXIT DESIGNED ENTERS ON TO DESSAU AND THE NORTHBOUND TRAFFIC LANE. WHEN I FIRST BOUGHT MY PROPERTY IN 1985, DESSAU WAS A TWO-LANE ROAD. IT'S BEEN SINCE EXPANDED TO LANES NORTH AND MEDIANS TWO LANES SOUTH. I HAVE A MEDIAN CUT DIRECTLY INTO THE DRIVEWAY OF MY PROPERTY. MY MEDIAN CUT ALLOWS ACCESS OF ABOUT A 30-FOOT WIDEN TRY OPENING. THE PROPOSED OPENING FOR THIS PROJECT IS NOT MUCH WIDER THAN WHAT I HAVE TO MY SINGLE COMMERCIAL BUSINESS. THE AMOUNT OF TRAFFIC ON DESSAU IN EVEN OFF-PEAK TIMES IS SUCH THAT EXITING AND ENTERING THIS IS GOING TO PRESENT PROBLEMS. IN PEAK TIMES OR IF IN

FACT THERE WAS AN EMERGENCY FOR ANY REASON WHATSOEVER, WOULD THIS PROVIDE EVEN A SINGLE ACCESS TO THIS PLAT, I CAN SEE WHERE THERE WOULD BE SOME VERY REAL TRAFFIC SAFETY CONCERNS FOR THIS, SOMETHING THAT THE CITY COUNCIL CANNOT AFFORD TO IGNORE. LASTLY, FROM MY POSITION AS A BUSINESS OWNER IN A BUSINESS THAT DOES INCORPORATE CONTROLLED SUBSTANCES, THE SECURITY INVOLVING THE ENVIRONMENT FOR MY BUSINESS AND ACCESS INTO THOSE AREAS IS CONCERNING. [ BUZZER SOUNDS ] I'VE REACHED THE LIMIT. THANK YOU.

MAYOR WYNN: THANK YOU, MS. CAMPBELL. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

-- CALLED ME, INFORMED ME THAT AN ADJACENT HOUSING ASSOCIATION WAS TRYING TO GET IN TOUCH WITH ME. ONCE I SPOKE WITH THESE FOLKS ON TUESDAY, AUGUST 16TH, I WAS FINALLY FILLED IN ON THE PLAN FOR THE CONSTRUCTION OF THIS PROJECT. OUR NEIGHBORHOOD IS OUTSIDE THE 300-FOOT LIMIT, BEFORE YOU STILL IN CLOSE PROXIMITY AS YOU SEE BY PHOTOGRAPH. I WOULD LIKE TO HAVE MORE TIME TO DO ADDITIONAL RESEARCH THIS EVENING. THE NEXT CONCERN IS TRAFFIC. DURING RUSH HOUR, THE INTERSECTION BETWEEN DESSAU AND PARMER GETS BACKED UP IN BOTH DIRECTIONS ON DESSAU ROAD, THAT INTERSECTION IS IN THE LEFT-HAND CORNER OF YOUR PHOTOGRAPH. AS FAR BACK AS -- CORRECTION, ON CERTAIN EVENINGS TRAFFIC BACK UP ARREST FAR BACK AS BRAKER LANE IF YOU ARE HEADING NORTH ON DESSAU ROAD. I BELIEVE A TRAFFIC STUDY IS REQUIRED BY THE CITY OF AUSTIN AND NEEDS TO BE DONE. I WOULD LIKE TO SEE THE RESULTS OF THIS STUDY AND -- ANTS EFFECT OF AN ADDITIONAL 248 CARS NEAR THAT INTERSECTION. THE ENTRANCE AND EXIT TO THE PROJECT IS EXPECTED TO BE ON DESSAU ROAD, WHICH WILL ADD ADDITIONAL COMPLICATIONS TO THE TRAFFIC SITUATION. THE NEXT CONCERN IS ADDITIONAL POLICE PRESENCE, AS A MEMBER OF THE NEIGHBORHOOD WATCH PROGRAM, WE HAVE DISCUSSED WITH OUR POLICE NEIGHBORHOOD WATCH REPRESENTATIVE THE EFFECT OF APARTMENTS IN THE AREA. AS POPULATION DENSITY INCREASES, THEN THE NUMBER OF POLICE CALLS INCREASES. WE HAVE HAD

THREE -- 200 TO 300 UNIT APARTMENT COMPLEXES GO UP IN OUR NEIGHBORHOOD IN THE LAST FIVE YEARS, SETTLER'S RIDGE AND MANDOLIER. ONE OF THE QUESTIONS THAT I HAVE WILL THERE BE ADDITIONAL POLICE TO DEAL WITH THE POPULATION INCREASE OVER THE NEXT SEVERAL YEARS. IN ATTEMPTING TO RESEARCH THE EFFECT OF THIS NEW APARTMENT AND THIS PROJECT, I -- I HAVE DISCOVERED THE CITY OF AUSTIN WEBSITE ONLY HAS DATA THROUGH MAY OF 2003 AVAILABLE FOR MY ZIP CODE. BOTH CRIME STATISTICS AND TRAFFIC INCIDENTS ARE INCOMPLETE. THE POLICE CAN PROVIDE THE INFORMATION TO US UPON REQUEST, BUT IT WILL TAKE AS MUCH AS A WEEK OR TWO TO COMPLETE IT. THAT'S ANOTHER REASON THAT I WOULD LIKE TO HAVE HAD MORE TIME TO RESEARCH THIS PROJECT. FINALLY, IT IS MY UNDERSTANDING THAT THE THREE SCHOOLS ADJACENT, IN THE ADJACENT AREA, DESSAU MIDDLE SCHOOL AND WILHEMENA DELCO ELEMENTARY, WHICH ARE TWO, MAY BE REFINING CAPACITY TO SUPPORT THE SURROUNDING AREA. HAS A STUDY BEEN DONE OR ANY CONSIDERATION BEEN MADE TO THE IMPACT ON THE SCHOOL SYSTEM WITH THE INCREASED POPULATION DENSITY. THESE SCHOOLS ARE IN THE PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT. WE ARE WILLING TO WORK WITH THE BUILDERS TO REVIEW THE PLANS IN GOOD FAITH. WE WOULD LIKE TO -- WE WOULD LIKE TO REQUEST THAT THE BUILDER AS A GESTURE OF GOOD FAITH TO PUBLISH NOTICES AND SPEAK WITH THE HARRIS RIDGE COMMUNITY AS A WHOLE TO LAY OUT THEIR PLAN AND ADDRESS ANY OTHER CONCERNS OR QUESTIONS THAT THE NEIGHBORHOOD MAY HAVE. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU. LET'S SEE, JANET KLOTZ. IS JANET HERE? WELCOME, JANET, YOU ARE OUR NEXT SPEAKER, YOU WILL HAVE THREE MINUTES, YOU WILL BE FOLLOWED BY HAROLD BAUGHMAN.

THANK YOU, I'M JEANETTE KLOTZ PRESIDENT OF THE ALLIANCE. THE ALLIANCE REVIEWED THE PROPOSED REZONING AT A MEETING ON JUNE THE 29TH THAT WAS ATTENDED BY THE APPLICANT EVER THE ZONING CASE, STEWART HIRSCH, STEVE BARNEY AND 15 MEMBER NEIGHBORHOODS. AFTER REVIEWING THE PROPOSAL THE ALLIANCE DECIDED IT COULD NOT SUPPORT THE REZONING.

THERE IS A CONCERN THAT ANOTHER PROJECT IN WHICH 100% OF THE HOUSING IS SUBSIDIZED COULD HAVE THE POTENTIAL TO CONTRIBUTE TO THE EVER-WIDENING SOCIAL ECONOMIC DIVIDE OF AUSTIN. WE CONTINUE TO BE CONCERNED ABOUT THE EAST-WEST DIVIDE AND THE LONG-TERM IMPACT NOT ONLY ON THE NEIGHBORHOODS, BUT ALSO ON THE CITY OF AUSTIN. THE NEGATIVE IMAGE ON THE EAST SIDE INGRAINED IN THE PUBLIC PERCEPTION PLAYS A ROLE IN THE MOVEMENT OF PEOPLE SURROUNDING COMMUNITIES AND AWAY FROM AUSTIN. TO GIVE AN EXAMPLE THAT ILLUSTRATES THE WIDENING DIVIDE, BEFORE DECIDING TO BUILD OUR HOME IN FAR NORTHEAST AUSTIN, EAST OF I-35 IN 1979, WE HAD ALSO CONSIDERED BUILDING IN BEE CAVES WOODS, WEST OF MOPAC. IT WOULD HAVE ONLY COST US APPROXIMATELY \$10,000 MORE TO DO SO. WHICH WAS THE PRICE OF THE -- THE COST OF THE ADDITIONAL COST OF A LOT. ACCORDING TO TAX APPRAISAL RECORDS, AND I HAVE DOCUMENTS THAT ANYONE CAN SEE, TWO YEARS AGO, THE VALUE OF A HOME IN BEE CAVES WOODS COMPARABLE TO THE ONE THAT WE BUILT IN WOOD CLIFF WAS APPROXIMATELY \$100,000 MORE THAN THE VALUE OF OUR HOME IN WOOD CLIFF. THIS YEAR, THE DIFFERENCE IN THE VALUE OF THE TWO HOMES IS \$147,000. IN TWO YEARS, THE DIFFERENCE IN VALUATION OF THE TWO HOMES INCREASED BY ALMOST 50%. SOCIOECONOMIC DIVIDE CONTINUES TO GROW. WE ASK THE COUNCIL TO CONSIDER -- GIVE CONSIDERATION TO THIS CONCERN AND HOPEFULLY TOGETHER WE CAN COME UP WITH SOME ANSWERS AS TO HOW TO ADDRESS IT. THANK YOU.

MAYOR WYNN: THANK YOU JANET, GLAD TO SEE YOU SURVIVED TUESDAY NIGHT. HAROLD BOWMAN, BAUGHMAN, DOLORES PRINCE, HOW ABOUT CHARLES CROW. WELCOME. SO THEY ARE OFFERING THEIR TIME TO YOU HEARD, YOU WILL HAVE UP TO NINE MINUTES IF YOU NEED IT.

OKAY. I HOPE THAT I CAN DO BETTER THAN THAT. GOOD EVENING. MY NAME IS HAROLD BUFMAN, WITH THE HARRIS RIDGE HOMEOWNERS ASSOCIATION, WE ARE ONE OF THE NEIGHBORHOODS CLOSEST TO THE PROPOSED DEVELOPMENT. I UNDERSTAND THAT YOU HAVE BEEN TOLD OR MAY HAVE BEEN TOLD THAT WE ARE NOT IN THE CITY

LIMITS AND I AM HERE TO TELL YOU THAT WE ARE AND HAVING BEEN SINCE 1994, WE ARE ALSO A REGISTERED COMMUNITY WITH THE CITY OF AUSTIN AND I HAVE DOCUMENTATION IF THAT SHOULD -- CONTINUES TO BE AN ISSUE. PERHAPS THIS MISUNDERSTANDING MAY HAVE CONTRIBUTED TO THE -- TO THE LACK OF A TIMELY NOTIFICATION CONCERNING THIS -- THIS ZONING ISSUE. AS IT IS, WE ARE STILL NOT CERTAIN THAT WE HAVE AIL OF THE AVAILABLE INFORMATION AND THE INFORMATION THAT WE HAVE IS CORRECT, SO IF SOMETHING COMES UP IN THIS EVENING THAT INDICATES THAT WE ARE MISTAKEN OR HAVE INCOMPLETE INFORMATION, THEN WE WOULD APPRECIATE ANY CORRECTIONS OR ADDITIONS. WE UNDERSTAND THAT THE -- THAT THE REZONING BEING PURSUED HERE IS BEING PURSUED AS A SMART HOUSING INITIATIVE. AND AS WE UNDERSTAND IT, WE LIKE THE IDEA OF SMART HOUSING IN -- AND SMART DEVELOPMENT. BUT IT SEEMS TO US THAT IF IT IS THAT THIS -- THIS INITIATIVE, THIS PARTICULAR INITIATIVE SEEMS TO NOT MEET THE PROGRAM'S CRITERIA AS WE UNDERSTAND THEM, IN SEVERAL REGARDS. WE UNDERSTAND THAT THE S IN SMART HOUSING REFERS TO SAFETY. I THINK THAT YOU HAVE ALREADY HEARD FROM SEVERAL PEOPLE THAT THERE ARE SOME SERIOUS ISSUES WITH TRAFFIC ON -- ON DESSAU ROAD AND THAT THE ENTRANCE TO THIS PROPOSED SITE IS WITHIN 300 YARDS OF A MAJOR AND I MIGHT ADD DANGEROUS INTERSECTION WITH PARMER AND THAT DURING PEAK TRAFFIC HOURS THE TRAFFIC EXTENDS SOMETIMES OVER A MILE IN EACH DIRECTION NORTH AND SOUTH OF THAT INTERSECTION. AND WE WONDER WHAT -- WHAT A DESPERATE TENANT IN THAT SITE TRYING TO GET IN OR TRYING TO GET OUT OF THERE IS GOING TO DO AT A TIME LIKE THAT. WE ALSO WONDER WHAT AN EMERGENCY VEHICLE IS GOING TO BE ABLE TO DO TO GET INTO THAT SITE IN A PERIOD LIKE THAT OR IF THERE'S A NEED FOR A RAPID EVACUATION FROM THAT SITE HOW SOMEONE WOULD GET OUT OF THERE UNDER THOSE CONDITIONS. I THINK SEVERAL OF THOSE ANSWERS COULD BE ADDRESSED IF THERE WAS AN ALTERNATIVE EXIT AND ENTRANCE, EVEN IF IT WAS ONLY FOR EMERGENCIES, FROM THAT AREA. AND THE -- SO -- SOMETHING FROM PARMER LANE SUGGESTS ITSELF, BUT WE WONDER IF IT'S EVEN ILLEGAL TO BUILD A MULTI-FAMILY DEVELOPMENT WITH

SUCH RESTRICTED ACCESS AND -- AND EXIT. BUT WE WILL LEAVE THAT FOR YOUR FOLKS TO -- TO DETERMINE. I UNDERSTAND THAT THE M IN SMART REFERS TO MIXED INCOME HOUSING. AS WE UNDERSTAND IT, THIS SITE WILL BE USED FOR 100% GOVERNMENT SUBSIDIZED HOUSING. AND TO US THAT DOESN'T SEEM TO MEET THE DEFINITION OR STATED INTENT OF SMART HOUSING. BUT I UNDERSTAND THAT THE T IN SMART HOUSING REFERS TO TRANSIT ORIENTED. WE ALREADY MENTIONED THE SERIOUS PROBLEMS WITH THE TRAFFIC ON DESSAU ROAD. AND YOU ARE -- I UNDERSTAND THAT NO BUS SERVICE IS AVAILABLE TO THAT AREA. AND WE WONDER IF THERE IS ANY PLANNED AND IF SO WHAT -- WHEN IT WILL BECOME AVAILABLE. THERE'S BEEN AN EXPLOSION IN RESIDENTIAL PROPERTY ALONG DESSAU ROAD AND ON ROADS THAT FEED INTO IT. IN JUST THE LAST YEAR, THE NUMBER OF RESIDENCES AND THE TRAFFIC HAVE JUST MUSHROOMED. WE'RE AWARE THAT THERE ARE A NUMBER OF MULTI-FAMILY PARCELS ALREADY ZONED ALONG THIS. I WONDER IF IT'S REALLY NECESSARY TO CREATE YET ANOTHER. AND WE WONDER IF THE EXISTING ROAD CAN SUPPORT IT, IF WE START OR CONTINUE TO ADD THEM. OR IF NOT AS WE BELIEVE IT IS NOT, BECAUSE WE DRIVE IT EVERY DAY, IF THE ROAD PLAN IS PLANNED TO BE UPGRADED ANY TIME SOON AND IF SO WHEN. FINALLY, I WOULD LIKE TO POINT OUT THAT THERE IS NO GROCERY STORE WITHIN WALKING DISTANCE OF THIS SITE. THERE IS NO -- THERE ARE NO MEDICAL FACILITIES WITHIN WALKING DISTANCE OF THIS SITE. AND THERE ARE NO RECREATIONAL FACILITIES WITHIN WALKING DISTANCE OF THIS SITE UNLESS OF COURSE THE DEVELOPER CHOOSES TO BUILD SOME AND WE DON'T KNOW WHAT HIS PLANS ARE IN THAT REGARD. WE UNDERSTAND THAT THE -- THAT THE RULES FOR SMART DEVELOPMENT REQUIRES THAT THESE DEVELOPERS MEET WITH AND KEEP INFORMED AND WORK WITH THE -- WITH THE NEIGHBORING COMMUNITIES. I MUST TELL YOU AT LEAST TO DATE THAT IS NOT -- HAS NOT HAPPENED WITH US. SO IN THE END WE WONDER HOW SMART THIS DEVELOPMENT REALLY IS IF IT MEETS THE STATED INTENT OR THE PROCEDURES THAT WERE -- THAT WERE PUT INTO EFFECT FROM WHEN THE SMART GROWTH CONCEPT CAME UP. I MUST TELL YOU UNTIL SOME OF THESE CONCERNS ARE ADDRESSED IN A



SUBSTANTIAL WAY, WE WOULD BE STRONGLY OPPOSED TO THE REZONING AS IT IS CURRENTLY PROPOSED. FINALLY, CONSIDERING THE -- THE 100% GOVERNMENT SUBSIDIZED HOUSING, EVEN IF SOME OF THESE THINGS THAT WE HAVE JUST MENTIONED ARE SUBSTANTIALLY ADDRESSED, I THINK WE WOULD OPPOSE THE GRANTING OF STATE INCENTIVES FOR A DENSITY THAT IT WOULD BE THIS -- WE WOULD BE MUCH MORE INCLINED TO GO ALONG WITH SOMETHING NEARER 40%. WE WATCHED WITH SOME INTEREST AND -- AND APPROVAL HOW THE SOUTH AUSTIN COMBINED NEIGHBORHOOD PLAN WAS DEVELOPED AND HOW IT WAS COORDINATED. AND WE CAN ONLY SAY THAT WE WOULD REALLY HOPE THAT IN THE FUTURE SOMETHING SIMILAR TO THAT CAN BE DONE WITH THIS -- WITH THIS SITE AND OTHER SITES LIKE IT IN THE NORTHEAST PART OF THE CITY. THANK YOU.

MAYOR WYNN: THANK YOU, MR. BAUFMAN. OUR LAST SPEAKER IS PATRICIA MARSH. WELCOME, MA'AM, YOU'LL HAVE THREE MINUTES.

GOOD EVENING, MY NAME IS PAT MARSHA, I'M A HOME OWNER IN HARRIS RIDGE AS WELL AS ON THE HOMEOWNERS BOARD. I AGREE PRETTY MUCH WITH MY NEIGHBOR HAROLD. WE HAVE INVITED MR. THROWER TO TWO MEETINGS AND HE HAS DECLINED DUE TO PREVIOUS COMMITMENTS. BUT OFFERED NO ALTERNATE DATE TO MEET WITH US. HE DID RESPOND TO AN E-MAIL THAT WAS SENT WITH OUR QUESTIONS BUT DID NOT OFFER ANY SPECIFICS. SINCE WE HAVE BEEN UNABLE TO MEET WITH THE DEVELOPER, WE DO HAVE SOME QUESTIONS, SUCH AS THE QUALITY OF THE CONSTRUCTION, WHAT TYPE OF BUILDING MATERIALS HE PLANS ON USING, WHETHER IT BE NATURAL STONE, BRICK, STUCCO AND WHAT PERCENTAGE OF THOSE MATERIALS. ALSO, HOW HIGH WILL THE BUILDINGS BE, HOW MANY UNITS PER BUILDING, WHAT AMENITIES HE WILL HAVE. ALSO, WILL THERE BE ADDITIONAL EXITS OTHER THAN THE ONE ON DESSAU ROAD. WE UNDERSTAND THAT FROM THE AUSTIN POLICE DEPARTMENT THAT THE APARTMENTS INCREASE THE NUMBER OF POLICE CALLS. ARE THERE ANY PROVISIONS TO INCREASE POLICE STAFF? LASTLY, WE WOULD LIKE OUR NEIGHBORHOOD TO BE NOTIFIED ON ANY OTHER DEVELOPMENTS CONCERNING

THIS PROJECT. THANK YOU.

MAYOR WYNN: THANK YOU, MS. MARSH. SO AT THIS TIME WE WILL HAVE A ONE-TIME THREE MINUTE REBUTTAL FROM MR. THROWER.

MAYOR, MEMBERS OF THE COUNCIL, FIRST OF ALL, I WOULD LIKE TO STRESS TO YOU THAT IT WOULD HAVE BEEN OUR DESIRE TO MEET WITH THE HARRIS RIDGE NEIGHBORHOOD ASSOCIATION. THE INVITATIONS THAT I GOT WERE GIVEN TO ME MONDAY FOR A TUESDAY MEETING, AT WHICH EVERYBODY KNOWS PLANNING COMMISSION, ZONING AND PLATTING COMMISSION, I DID HAVE COMMITMENTS THOSE NIGHTS. I TOLD THEM TWICE THAT TUESDAYS AND THURSDAYS WERE NOT ACCEPTABLE DAYS FOR ME. IN REGARDS TO THE DRAINAGE ISSUES ASSOCIATED WITH THE SITE, THIS SITE DOESN'T HAVE ANY ENTITLEMENTS. THE SITE WILL HAVE TO COMPLY WITH ALL CURRENT ORDINANCES, REGULATIONS, SO ALL DETENTION, WATER QUALITY FACILITIES WILL BE PUT IN AS PART OF THE DEVELOPMENT. IN REGARDS TO THE -- THE SCHOOL ISSUE, I WOULD LIKE TO POINT OUT THAT THE APPLICANT FOR THE PURCHASER OF THE PROPERTY DID MEET WITH THE PFLUGERVILLE SCHOOL DISTRICT. PFLUGERVILLE SCHOOL DISTRICT WAS ECSTATIC THAT THEY CAME EARLY ON TO TALK TO THEM ABOUT THIS PROJECT AND GIVE THEM SOME FOREWARNING OF THE AMOUNT OF THE POTENTIAL POPULATION THAT COULD OCCUR HERE. ADDITIONALLY, THE PROPERTY DIRECTLY ACROSS DESSAU IS OWNED BY PFLUGERVILLE SCHOOL DISTRICT, IT IS MY UNDERSTANDING THAT THEY WOULD LIKE TO PUT IN A SCHOOL AT THAT LOCATION.

IN REGARDS TO THE TRAFFIC, YES, WE HAVE A FLAG LOT SITUATION HERE. THE FLAG IS NOT GOING TO BE JUST A DRIVEWAY TO THE DEVELOPMENT. THE OUT PARCEL TO THIS RECTANGULAR PARENT TRACT IS THE COMMERCIAL DEVELOPMENT OF WHICH A TRAFFIC IMPACT ANALYSIS WAS SUBMITTED TO THE CITY ALONG WITH THE ZONING CHANGE, APPROXIMATELY THREE WEEKS AGO. AND THE TRAFFIC IMPACT ANALYSIS ENVISIONS A MEDIAN OPENING AND A SMALL AT THE POINT OF LOCATION OF THE FLAG FOR THE MULTI-FAMILY TRACT, WHICH WOULD ALSO SERVE AS A PRIMARY SAFE ACCESS POINT FOR NOT ONLY THE MULTI-

FAMILY TRACT BUT THE FUTURE COMMERCIAL TRACT, THAT ZONING CASE I WOULD SUSPECT WOULD BE BEFORE THE COUNCIL WITHIN TWO TO THREE MONTHS AT THE MOST. I DID SEND INFORMATIONAL E-MAILS TO MR. BAUGMMAN IN REGARDS SO WHAT THE PROJECT IS ABOUT. THE NUMBER OF UNITS, THAT THE MULTI-FAMILY ZONING WAS APPROPRIATE. WE RESPECTFULLY REQUEST YOUR CONSIDERATION FOR THIS MULTI-FAMILY ZONING ON THIS PROPERTY. I'M AVAILABLE IF YOU HAVE ANY QUESTIONS.

THANK YOU, MR. THROWER. QUESTIONS, COUNCIL, COMMENTS? COUNCILMEMBER DUNKERLY?

DUNKERLY: I NOTICED THAT THE ZONING AND PLATTING COMMISSION MADE A RECOMMENDATION TO APPROVE THIS ZONING AS DID THE STAFF. WHAT KIND OF CONDITIONS DID THEY PUT ON IT?

THE CONDITIONS THAT I INCLUDED INCLUDE THE FOLLOWING: THERE IS A LIMIT ON THE VEHICULAR TRIPS TO 2,000 TRIPS PER DAY. WE -- THE COMMISSION IS REQUIRING THAT THE APPLICANT DEDICATE RIGHT-OF-WAY, 70 FEET FROM THE EXISTING OR FUTURE CENTER LINE OF DESSAU ROAD TO ALLOW FOR FUTURE WIDENING OF THE ROAD TO COMPLY WITH THE CAMPO 2025 PLAN THAT WAS PART OF OUR ADOPTED PLAN. THEN ALSO TO LIMIT THE RESIDENTIAL DENSITY TO 248 UNITS. THOSE WERE THE CONDITIONS THAT THE COMMISSION INCLUDED FOR THIS CASE.

DUNKERLY: THANK YOU.

GLASGO: COUNCIL, I ALSO WANTED TO LET YOU KNOW THAT STEWART HIRSCH IS HERE FROM NEIGHBORHOOD HOUSING IN CASE THERE ARE ANY QUESTIONS ABOUT SMART HOUSING AND WHAT THAT MEANS AND THAT WHAT DEPARTMENT HAS CERTIFIED THIS AND SINCE THERE WERE QUESTIONS RAISED ABOUT WHETHER IT QUALIFIED AND COMPLIED WITH THE SMART HOUSING GUIDELINES.

FUTRELL: IN FACT I WOULD APPRECIATE THAT, I DO THINK THAT IT'S IMPORTANT WHEN WE PUT A SMART HOUSING TAG ON A PROJECT, THAT WE CAN EXPLAIN AND TALK THROUGH THE ISSUES ON IT. STEWART COULD YOU ADDRESS SOME

OF THE QUESTIONS THAT WERE RAISED.

I WOULD BE HAPPY TO -- MAYOR AND COUNCIL, STUART HIRSCH WITH NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. WANTED TO WALK YOU THROUGH THE SMART HOUSING REQUIREMENTS TO ADDRESS THE CONCERNS STARTING WITH THE NOTICE ISSUE. SMART HOUSING UNIQUELY DEALS WITH ZONING CHANGES IN TWO WAYS. THIS PARTICULAR PROPERTY APPLIED FOR ITS STATE FUNDING OUTSIDE THE CITY LIMITS. THE FIRST DECISION POINT WE HAD WAS WHETHER WE WERE GOING TO TRY AND PERSUADE THIS OWNER TO DEVELOP OUTSIDE THE CITY LIMITS AND THEREFORE NOT HAVE TO COMPLY WITH AUSTIN'S ZONING REGULATIONS, BUILDING CODES, FIRE CODES, DRAINAGE REQUIREMENTS AND TRANSPORTATION REQUIREMENTS AND REMAIN OUTSIDE OUR -- OUR TAXING JURISDICTION OR TO VOLUNTARILY AGREE TO ANNEX AND COMPLY WITH ALL OF OUR SAFETY REGULATIONS RELATING TO BUILDING AND TRAFFIC AND FIRE. AND OUR WATER QUALITY AND FLOOD CONTROL ISSUES RELATED TO DRAINAGE. SO OUR FIRST STEP WAS TO GO THROUGH THE ANNEXATION PROCESS, WHICH THEY DID. THE SECOND PART OF ZONING IS THAT WE DO NOT ALLOW A CASE TO GO IN FRONT OF THE ZONING AND PLATTING COMMISSION NOR THE PLANNING COMMISSION IF IT'S INVOLVED WITH SMART HOUSING UNLESS THE APPLICANT HAS MET WITH THE NEIGHBORHOOD ASSOCIATIONS THAT ARE REQUIRED TO RECEIVE NOTICE UNDER THE PLANNING COMMISSION AND THIS -- AND THE COUNCIL RULES. SO WHEN IT -- WHEN IT BECAME CLEAR THAT THERE HAD NOT BEEN SUFFICIENT TIME FOR ALL OF THE NEIGHBORHOOD ASSOCIATIONS THAT WERE REQUIRED TO RECEIVE NOTICE, TO ME, WE PULLED THAT CASE OFF THE PLANNING, GOT THE ZONING AND PLATTING COMMISSION AGENDA, AND AS MS. KLOTZ INDICATED TONIGHT, WE MET WITH ALL OF THE NEIGHBORHOOD ASSOCIATIONS AND ANSWERED THEIR QUESTIONS AS DID THE APPLICANT CONCERNING ALL OF THE ISSUES AND AS A RESULT OF THAT WHEN WE APPEARED BEFORE THE ZONING AND PLATTING COMMISSION, NOT A SINGLE ONE OF THOSE NEIGHBORHOOD ASSOCIATIONS STOOD UP AND OPPOSED THIS ZONING CASE AT THAT COMMISSION. THERE WERE --

THERE WAS A STATEMENT MADE BY ONE OF THE PEOPLE WHO TESTIFIED THAT THEY NEITHER SUPPORTED NOR OPPOSED IT, THAT THEY FELT THAT MULTI-FAMILY WAS APPROPRIATE, BUT THEY DIDN'T LIKE THE FACT THAT IT -- AS YOU'VE HEARD TONIGHT THAT IT WAS ENTIRELY GOVERNMENT SUBSIDIZED. I WANTED TO DEAL WITH THAT ISSUE NEXT. THE NEXT INCOME COMPONENT SOMETIMES IS CONFUSING FOR FOLKS. THIS PARTICULAR PROPOSAL IS GOING TO ENTIRELY SERVE FOLKS AT 60% MEDIAN FAMILY INCOME, BUT IT'S GOING TO DO IT IN A RANGE OF GROUPS. 52 ONE BEDROOM UNITS WITH -- 110 TWO BEDROOM UNITS AT \$872 A MONTH AND 86, THREE BEDROOM UNITS, AT \$999 A MONTH. SO THERE IS GOING TO BE A MIX OF INCOME AND THAT IS SOMETHING THAT WE ENCOURAGE. THERE ARE NO - - THERE NOR CITY FUNDS GOING INTO THIS PROJECT IN TERMS OF SUBSIDIES AND THERE'S NO FUNDING FROM THE AUSTIN HOUSING FINANCE CORPORATION GOING INTO THIS PROJECT. IT IS ENTIRELY GOING TO BE FINANCED BY -- BY THE BOND FINANCING THAT THEY HAVE APPLIED FOR WITH THE STATE AND ANY TAX CREDITS THAT THEY MAY RECEIVE FROM THE STATE AS WELL. SO THERE WILL NOT BE ANY REQUIREMENTS FOR THE CITY TO HELP UNDERWRITE THIS. WHY THAT'S IMPORTANT IS BECAUSE ONE OF THE CONCERNS THAT I HAVE HEARD FROM THE NEIGHBORS FROM HARRIS RIDGE THAT I HAVE SPOKEN TO SINCE -- SINCE THE POSTPONEMENT TWO WEEKS AGO IS THEY BELIEVE THIS WOULD BE SECTION 8 HOUSING, I WANT TO MAKE A DISTINCTION BETWEEN WHAT THIS DEVELOPER HAS TO DO VERSUS WHAT SECTION 8 HAS TO DO. SECTION 8 HOUSING, IF THIS WERE FINANCED FOR AFFORDABILITY THROUGH SECTION 8, BASICALLY THE LANDLORD WOULD BE RECEIVING MARKET REPRESENTS FOR ALL OF THE UNITS AND THAT ANY LOW INCOME FAMILY WHO WANTED TO LIVE IN ONE OF THE SECTION 8 UNITS WOULD PAY ONLY 30% OF THEIR INCOME AND THE HOUSING AUTHORITY OF THE CITY OF AUSTIN OR TRAVIS COUNTY HOUSING AUTHORITY WOULD BE PROVIDING A DIRECT SUBSIDY NOT TO THE -- NOT TO THE -- TO THE ATTEMPT, BUT DIRECTLY TO THE LANDLORD TO COVER THE GAP BETWEEN MARKET REPRESENT AND WHAT 30% OF THAT TENANT'S INCOME IS. THIS PARTICULAR OWNER WILL NOT RECEIVE THAT TYPE OF SUBSIDY. SO THEY ARE CHARGED WITH PRODUCING HOUSING LESS

EXPENSIVELY THROUGH DENSITY. THE EASIER WAY FOR THEM TO HAVE DONE THAT QUITE HONESTLY WAS TO DEVELOP OUTSIDE THE CITY LIMITS BECAUSE THE COST TO DEVELOP OUTSIDE THE CITY LIMITS ABSENT ALL OF THE REGULATIONS ARE MUCH LESS EXPENSIVE. SO THE EASIER THING FOR THIS APPLICANT TO DO WAS NOT COMPLY WITH GREEN BUILDING. WHICH IS A PRECONDITION OF SMART HOUSING. NOT COMPLY WITH 10% ACCESSIBILITY, WHICH IS A CONDITION OF SMART HOUSING. NOT COMPLY WITH HAVING TO BE TRANSIT ORIENTED WHICH MEANS THAT BY THE TIME THIS BUILDING GETS TO FULL OCCUPANCY, THEY WILL HAVE TO ARRANGE FOR CAPITAL METRO TO HAVE A STOP WITHIN A QUARTER MILE OF THIS SITE. OBVIOUSLY CAPITAL METRO DOESN'T WANT TO SERVE A NEIGHBORHOOD THAT HASN'T DEVELOPED YET BUT THEY -- THIS APPLICANT HAS WORKED WITH CAPITAL METRO ON THE TIMING ISSUE, SO WHEN THIS PROJECT IS ENTIRELY BUILT OUT, THERE WILL BE A TRANSIT STOP WITHIN A QUARTER MILE OF THE SITE. IN ADDITION TO ALL OF THE TRANSIT ORIENTED STANDARDS, THAT ARE REQUIRED OF OUR SMART HOUSING IN RELATIONSHIP OF NOT PUTTING THE PARK IN CLOSE TO THE VET, BUT INTENDING TO PUT IT BEHIND THE BUILDINGS. IT WILL HAVE TO COMPLY WITH ALL OF THE CITY'S WATER QUALITY AND DRAINAGE REGULATIONS AND SO AT THE END OF THE DAY, IT WAS OUR BELIEF, THE REASON WE BOTH SUPPORTED VOLUNTARY ANNEXATION WHEN YOU SAW THAT CASE A COUPLE OF MONTHS AGO, AND WHY WE SUPPORTED THE ZONING ON THIS THAT ALL OF THE CONCERNS THAT THE NEIGHBORHOODS HAD AND QUITE HONESTLY THE NEIGHBORS AT HARRIS RIDGE ARE CORRECT. WE DID NOT NOTIFY THEM, NOT BECAUSE WE BELIEVE THEY WERE OUTSIDE THE CITY LIMITS. THAT'S WASN'T THE CASE AT ALL. IT'S BECAUSE THEY WERE NOT ONE OF THE NEIGHBORHOODS WITHIN THE DISTANCE REQUIREMENT OF WHERE NOTICE OCCURS IN THESE KINDS OF CASES. I UNDERSTAND THEY HAVE CONCERNS AND IF WE HAD HEARD ABOUT THEM EARLIER WE WOULD HAVE BEEN HAPPY TO MEET WITH THEM, JUST AS WE MET WITH ALL OF THE OTHER AFFECTED NEIGHBORHOOD ASSOCIATIONS. SO AT THE END OF THE DAY, WE BELIEVE THIS PROJECT WILL BE SAFE, IT WILL BE MUCH SAFE THAN IT WAS REQUIRED TO BE OUTSIDE

OF THE CITY LIMITS, IT WILL BE MIXED INCOME. ALL OF THE FAMILIES WILL BE 60% OR BELOW AND I WANT TO HIGHLIGHT FOR THE COUNCIL THE FACT WE HAVE HAD SMART HOUSING IN EFFECT FOR A LITTLE OVER FIVE YEARS. IN HAS NOT BEEN A SINGLE COMPLETED SMART HOUSING UNITS IN THIS PART OF NORTHEAST AUSTIN, NORTH OF -- NORTH OF RUTHERFORD OR NORTH OF RUNDBERG, NORTH OF 290 IN THE ENTIRE FIVE YEARS OF SMART HOUSING. ALL OF THE -- ALL OF THE DEVELOPMENT IN NORTHEAST AUSTIN, I'M -- IN THIS PART OF NORTHEAST AUSTIN HAS ALL BEEN MARKET HOUSING. IT HAS NOT BEEN SMART HOUSING. SO WE SAW THIS AS AN OPPORTUNITY TO PROVIDE FOR LOW AND MODERATE INCOME FAMILIES, AN OPPORTUNITY TO BE ABLE TO LIVE IN A NEIGHBORHOOD THAT THE MARKETPLACE ITSELF IS NOT PROVIDING CURRENTLY. AND THERE ARE STILL POCKETS IN EAST AUSTIN WHERE THERE HAS BEEN NO SMART HOUSING IN THE LAST FIVE YEARS. AND WHEN WE HAVE AN OPPORTUNITY, ESPECIALLY LIKE THIS, WHERE WE CAN GET COMPLIANCE WITH THE HIGHER STANDARDS OF SMART HOUSING, AND GET VOLUNTARY ANNEXATION AND VOLUNTARY COMPLIANCE WITH ALL OF THE LEGITIMATE ISSUES THAT YOU HAVE HEARD ARTICULATED TONIGHT, THOSE ARE THE KINDS OF CASES WE RECOMMEND FOR YOU. WE'VE HAD A NUMBER OF APPLICATIONS IN THIS PART OF NORTHEAST AUSTIN, BUT NONE OF THEM HAVE BEEN ABLE TO MAKE THE FINANCING WORK IN FIVE YEARS AND SO WE'VE HAD A LOT OF THEORETICAL PROJECTS, THE NEIGHBORHOODS HAVE HEARD A LOT ABOUT POTENTIAL PROJECTS, BUT THIS IS -- LOOKS TO BE THE FIRST ONE THAT WILL ACTUALLY HAVE CONSTRUCTION GOING OUT OF THE GROUND IF WE ARE ABLE TO ACHIEVE THIS. I ALSO WANT TO POINT OUT THAT ONE OF THE SUCCESSES OF SMART HOUSING IS THAT WE'VE HAD 1500 UNITS COMPLETED WEST OF I-35. ONE OF THE CHALLENGES WE FACE AS A COMMUNITY IS TO INCREASE THE OPPORTUNITIES THAT LOW AND MODERATE INCOME FAMILIES HAVE TO LIVE ALL OVER AUSTIN AND NOT JUST IN CERTAIN SPECIFIC LOW INCOME CENSUS TRACTS IN AUSTIN. SO WE ARE CONSTANTLY IN A BALANCING ACT LOOKING FOR OPPORTUNITIES IN NEIGHBORHOODS WHERE WE HAVE NOT BEEN A PLAYER TO TRY AND BRING THIS KIND OF HOUSING

WHENEVER POSSIBLE.

THANK YOU, MR. HIRSCH. SO 1500 SMART HOUSING UNITS  
WEST OF I-35?

YES, SIR.

HOW MANY TO THE EAST?

WE'VE COMPLETED ROUGHLY 6,000, SO THERE WOULD BE  
4500 EAST.

FOUR TO ONE.

3 TO ONE, YES, SIR.

ALL RIGHT. OKAY.

THANK YOU, MR. HIRSCH. YOU LOOKED GOOD ON THE TRAIL  
SUNDAY, BY THE WAY.

THANK YOU. FURTHER COMMENTS, QUESTIONS?  
COUNCILMEMBER LEFFINGWELL?

LEFFINGWELL: I GUESS THIS QUESTION OF -- OF  
NEIGHBORHOODS REQUESTING A POSTPONEMENT, IS -- ARE  
-- DO THESE NEIGHBORHOOD ASSOCIATIONS, ARE THEY IN  
PROXIMATE -- PROXIMITY TO QUALIFY BEING A  
REPRESENTATIVE NEIGHBORHOOD ASSOCIATION.

ACTUALLY, COUNCIL, TWO WEEKS AGO YOU POSTPONED  
THIS ZONING CASE AT THE REQUEST OF A NEIGHBORHOOD  
THAT IS -- THAT IS ABOUT A MILE AND A HALF AWAY. AND MY  
UNDERSTANDING IS THAT YOUR RULES DON'T MAKE THAT  
DISTINCTION. AT LEAST BASED ON WHAT YOU DID LAST --

SO WE ALREADY HAVE GRANTED A REQUEST TO POSTPONE.

YES, YOU DID.

BY THE NEIGHBORHOOD ASSOCIATION.

CORRECT, YOU DID. WE WILL CHECK WITH THE



NEIGHBORHOODS TO FIND OUT, TO MAKE SURE THEY UNDERSTAND THE REQUIREMENTS FOR REGISTERING. THEY DESIGNATED THE BOUNDARIES WHEN THEY REGISTER WITH THE PUBLIC INFORMATION OFFICE UNDER THE NEIGHBORHOOD REGISTRY THAT EACH NEIGHBORHOOD WRITES IN AND INDICATES WHERE THEIR BOUNDARIES ARE. SO THE BOUNDARIES THAT WERE GIVEN TO THE NEIGHBORHOOD REGISTRY DO NOT INCLUDE THE SUBJECT TRACT WITHIN THEIR BOUNDARIES. THEREFORE THAT'S WHY THEY DID NOT RECEIVE NOTICE BECAUSE OF THE WAY THEY SET UP THEIR BOUNDARIES AND WE WILL WORK WITH THEM TO EXPLAIN WHAT THAT MEANS.

THANK YOU.

IF YOU DON'T MIND?

MAYOR WYNN: MAYOR PRO TEM?

THOMAS: MS. GLASGO, THE NEIGHBORHOOD GROUP THAT REQUESTED A POSTPONEMENT, WERE THE ANSWERS, THE QUESTIONS THAT THEY HAD, WERE THEY ANSWERED OR WERE THEY PART OF THE Z.A.P. MEETING? THE GROUP THAT REQUESTED THE POSTPONEMENT WHEN WE HAD IT ON THE --

THE --

GIVEN THE LETTER THAT YOU JUST PULLED OUT OF THE FILE --

THOMAS: THE PART OF THE PROCESS THAT THE ZONING --

THAT'S THE NEIGHBORHOOD THAT IS FARTHER AWAY THAT MR. HIRSCH INDICATED. SO I --

THAT'S THE SAME NEIGHBORHOOD. THE LADY THAT WROTE US A LETTER WAS THE SERVICE MANAGER FOR THE PROPERTY AND HER NAME IS BARBARA ARBONIC. I'M NOT SURE THAT SHE'S -- SHE DID NOT SIGN UP TO SPEAK TONIGHT.

SO THAT'S -- THAT'S -- THAT WAS THE REQUEST WE

RECEIVED TWO WEEKS AGO TO WHICH COUNCIL POSTPONED AND ALLOWED THEM TO CONTACT STAFF AND ASKED THE QUESTIONS THAT MR. HIRSCH JUST SPOKE TO.

OF COURSE. IT'S ALWAYS THE COUNCIL'S PRIORITY TO POSTPONE ANY NUMBER OF TIMES. OUR PRACTICE HAS BEEN AUTOMATICALLY GRANTING A POSTPONEMENT REQUEST ON THE FIRST REQUEST. COUNCILMEMBER MCCRACKEN?

MCCRACKEN: FROM EVERYTHING I HEARD FROM MR. HIRSCH, THIS IS REALLY THE -- THE KIND OF PROJECT THAT IS GOING TO BE OF MAJOR BENEFIT TO THE COMMUNITY IN THAT -- AND THAT IS -- WELL, WE ARE REALLY HOPING TO ENCOURAGE, THERE IS OBVIOUSLY A COMPLETE 100% LACK OF SMART HOUSING IN THIS PART OF THE COMMUNITY. AND SO MY UNDERSTANDING, CAN WE CLOSE THE PUBLIC HEARING AND DO FIRST READING TONIGHT. WHAT IS IT BROUGHT FOR, ALL THREE READINGS, MS. GLASGO?

GLASGO: WE ARE OFFERING THREE READINGS, YOU CAN CHOOSE TO JUST APPROVE FIRST READING, WE CAN COME BACK FOR SECOND AND THIRD NEXT WEEK IN THAT'S YOUR DESIRE TONIGHT.

MCCRACKEN: YEAH, I GUESS -- THAT MIGHT BE A MIDDLE GROUND BECAUSE I BELIEVE IT'S READY TO GO FORWARD, BUT I SEE SOME INTEREST IN -- IN GIVING FOLKS MORE OPPORTUNITY TO TALK ON SOMETHING THAT HAS REALLY BEEN EXTENSIVELY VETTED, HAS REALLY DONE AN OUTSTANDING JOB IN BRINGING FORWARD A SMART HOUSING PROJECT. I WILL MOVE TO CLOSE THE PUBLIC HEARING AND TO APPROVE THE -- ZONING AND PLATTING COMMISSION RECOMMENDATION ON FIRST READING ONLY.

MOTION MADE BY COUNCILMEMBER MCCRACKEN, SECONDED BY COUNCILMEMBER DUNKERLY TO CLOSE THE PUBLIC HEARING AND APPROVE ZONING AND PLATTING COMMISSION RECOMMENDATION ON FIRST READING ONLY. AND MS. GLASGO, FOR MY SAKE, WOULD YOU REMIND ME OF THE CONDITIONS THAT THE ZONING AND PLATTING COMMISSION PLACED ON THE CASE?

GLASGO: THE CONDITIONS ARE LIMITING THE VEHICLE TRIPS TO 2,000 AND 2,000 TRIPS SINCE WE TALKED ABOUT THAT ON AN EARLIER ITEM REALLY HAS TO DO WITH THE THRESHOLD AS TO WHEN A TRAFFIC IMPACT ANALYSIS IS REQUIRED. SO IF AN APPLICANT AGREES OR DOES NOT WISH TO SUBMIT A TRAFFIC IMPACT ANALYSIS, THEN WE WILL MAKE THE TRIPS TO THE -- 2000. THIS PARTICULAR PROJECT GIVE VERY MUCH THE NUMBER OF UNITS OF 248 ACTUALLY THAT NUMBER OF UNITS WOULD GENERATE 1641 TRIPS FOR THIS PROJECT TO MAKE IT WORK. 248 UNITS EQUATE TO 61 -- 1641 TRIPS. I JUST RAISED THAT BECAUSE COUNCIL ASKED EARLIER WHETHER COUNCIL HAD THE ABILITY TO LIMIT TRIPS AND I'M POINTING THIS OUT BECAUSE HERE'S A TRUE PROJECT WHERE IN ORDER TO ACHIEVE THAT NUMBER OF UNITS THE TRIP LIMITATION EQUATES [INDISCERNIBLE] TO MAKE THAT WORK, IF THAT HELPS WITH THAT QUERY. AND THE OTHER CONDITION WAS RIGHT-OF-WAY DEDICATION BECAUSE THE AUSTIN METROPOLITAN TRANSPORTATION PLAN CALLS FOR DESSAU ROAD TO BE DIVIDED, TO BE BUILT TO A SIX-LANE IN THE FUTURE AND ZONING CASES COME FORWARD, WE ARE ABLE TO GET RIGHT-OF-WAY, SO WHEN WE GET ALL OF THE RIGHT-OF-WAY WE CAN OBVIOUSLY BE READY TO EXPAND THE ROADWAY. AND THE -- I THINK THOSE ARE THE THREE CONDITIONS. LIMITING THE VEHICLE TRIPS, RIGHT-OF-WAY DEDICATION, LIMITING THE DENSITY TO 248 UNITS.

THE RUNWAY -- I'M SORRY, THE RIGHT-OF-WAY DEDICATION IS GOING TO OCCUR AT THE TIME OF SUBDIVISION. SO WE WILL GET IT WHEN THEY COME IN FOR A SUBDIVISION PLAT.

MAYOR WYNN: THANK YOU, MS. GLASGO. COUNCILMEMBER KIM.

CAN YOU TELL ME ABOUT THE ECONOMIC DEVELOPMENT IN THE AREA THAT'S PLANNED, IF THERE ARE ANY MAJOR EMPLOYERS IN THAT AREA, WHAT'S -- WHAT'S BEING PLANNED LIKE I GUESS DESSAU AND PARMER LANE INTERSECTION.

WELL, I'M NOT AWARE OF ANY -- ANY MAJOR DEVELOPERS OUT THERE YET. BUT -- BUT I'M SURE AS WE -- AS WE BEGIN TO -- TO EXTEND IT OUT THERE WAY, WE DO NEIGHBORHOOD PLANNING IN THE FUTURE, WE WILL BE

ABLE TO HAVE A BETTER --

[INDISCERNIBLE]

I'M NOT AWARE OF ANY AT THIS POINT.

IS IT YOUR OPINION THEN THAT THE 2,000 TRIPS CAN BE HANDLED BY THE ROADS RIGHT THERE. I MEAN GIVEN THAT THERE'S NOT MAJOR EMPLOYMENT HAPPENING IN THAT AREA OR MAJOR COMMERCIAL CENTERS RIGHT NOW?

GLASGO: CORRECT. OVER TIME THIS ROAD IS SUPPOSED TO BE WIDENED SO AS -- THE -- THE CITY COUNCIL HAS ALREADY ADOPTED A ROADWAY PLAN WHICH CALLS FOR THIS ROAD TO BE A SIX-LANE IN THE FUTURE, AT LEAST BY 2025. SO IT'S GOING TO BE AWHILE, OBVIOUSLY. THE PROJECTION AT 2025, THERE WILL BE A NEED TO -- TO ENLARGE THIS ROADWAY. AND AT THAT TIME DEVELOP INTO -- TO BE THERE TO NEED OR RESUSCITATE THAT SIZE OF A ROADWAY.

I THINK 80'S GOOD PROJECT BECAUSE OF THE SMART HOUSING ASPECT OF IT, THAT THEY HAVE WORKED WITH CAPITAL METRO AND I AGREE WE DON'T HAVE SMART HOUSING IN THIS AREA. WE WOULD LIKE TO SEE IT THROUGHOUT THE CITY. AND SO I WILL BE SUPPORTING THIS. THANK YOU.

COUNCILMEMBER LEFFINGWELL?

I HAVE TWO QUESTIONS. FIRST FOR STAFF AND YOU MAY HAVE ALREADY COVERED THIS AND I MISSED IT. BUT THE QUESTION WAS RAISED ABOUT ONLY ONE EMERGENCY ENTRANCE AND EXIT. IS THERE A REQUIREMENT OR IS THERE NOT TO HAVE TWO EMERGENCY ENTRANCES TO -- TO A SUBDIVISION?

GLASGO: AS LONG AS THERE'S ONE WAY IN AND OUT, WE DO NOT REQUIRE THAT YOU HAVE TWO EXITS. YOU HAVE PROBABLY SEEN SEVERAL DEVELOPMENTS AT THE CITY THAT THERE'S ONE WAY IN AND ONE WAY OUT. I'M JUST -- SEVERAL TRACTS RIGHT HERE JUST HAVE ONE WAY OUT AS YOU CAN SEE ON THE ZONING MAP. SO I DON'T THINK THAT

IS A PROBLEM. FOR THIS PARTICULAR PROJECT. THE FIRE DEPARTMENT GETS INVOLVED IN THE REVIEW OF SITE PLANS.

MR. HIRSCH?

THAT WAS THE COMMENT THAT I WAS GOING MAKE MAYOR AND COUNCIL. THE FIRE DEPARTMENT WILL BE REVIEWING THE EXITING REQUIREMENTS AND THE DESIGN OF THE -- INNER ROADWAYS AS PART OF THE FIRE CODE REVIEW AT THE SITE PLAN AND BUILDING PERMIT STAGES. SO WHILE THERE MAY ONLY BE ONE EXIT FROM THE PERSPECTIVE OF A DRIVEWAY, THERE MAY OR MAY NOT HAVE TO BE MORE THAN JUST ONE EXIT FROM THE SITE DEPENDING ON WHAT THE FIRE CODE REQUIRES DEPENDING ON HOW THESE BUILDINGS LAY OUT, WHAT THEIR INTERNAL ROADWAY SYSTEM IS. THE FIRE DEPARTMENT WILL MAKE THAT CALL.

BE CAREFUL, WE ARE GOING TO PULL YOU UP HERE, MAKE YOU EARN YOUR KEEP TONIGHT.

I CAN ADD THAT TO MY AGENDA. [LAUGHTER]

LEFFINGWELL: COULD I ASK ANOTHER QUESTION?

MAYOR WYNN: COUNCILMEMBER LEFFINGWELL.

LEFFINGWELL: I WOULD JUST LIKE TO ASK MS. KLOTZ IF SHE HAS ANYTHING TO ADD TO THIS. SHE SEEMS TO --

THANK YOU FOR -- FOR GIVING ME THE OPPORTUNITY. I WOULD SIMPLY LIKE TO -- TO CLARIFY POSSIBLY WHAT -- WHAT MADE -- WHAT MAY BE A MISCONCEPTION ABOUT -- ABOUT SMART HOUSING THAT HAS BEEN APPROVED EAST OF I-35. THERE ARE -- I BELIEVE THERE ARE TWO TRACTS SOUTH OF THIS SITE ON DESSAU THAT -- THAT ARE SMART HOUSING PROJECT THAT'S HAVE BEEN APPROVED. ONE THING, WHEN I -- WHEN I ALLUDED TO -- TO MORE -- MORE PROJECTS THAT WERE 100% GOVERNMENT SUBSIDIZED, I WAS NOT DIFFERENTIATING BETWEEN SMART HOUSING OR ANY KIND OF OTHER PROJECTS THAT ARE GOVERNMENT SUBSIDIZED 100% BECAUSE THERE ARE QUITE A FEW PROJECTS WITHIN THIS NORTHEAST QUADRANT THAT ARE

GOVERNMENT SUBSIDIZED. SO I WAS NOT -- DEFINITELY NOT -- NOT SAYING ANYTHING DETRIMENTAL ABOUT SMART HOUSING. THANK YOU.

LEFFINGWELL: THANK YOU.

MAYOR WYNN: COUNCILMEMBER ALVAREZ?

ALVAREZ: I HAD A COUPLE OF QUESTIONS. BUT SINCE MS. GLASS GO MENTIONED THE -- GLASGO MENTIONED THE PREVIOUS CASE ON 2222, I WILL NOTE THAT IF 1600 TRIPS A DAY IS 250 MULTI-FAMILY UNITS, THEN FOR 5500 TRIPS THAT WE ARE CONTEMPLATEING, THAT'S 750 -- CONTEMPLATING THAT'S 750 MULTI-FAMILY UNITS ON 2222, JUST A SIDE NOTE THERE. BUT I HAD A QUESTION ABOUT -- ABOUT THAT BIG, EMPTY PIECE OF LAND BETWEEN THIS SUBJECT TRACT AND DESSAU ROAD AND WHAT IS PROPOSED FOR THAT PIECE OF PROPERTY?

COUNCILMEMBER ALVAREZ AS I STATED EARLY ARE, WE SUBMITTED A ZONING CASE FOR THAT AND A TRAFFIC IMPACT ANALYSIS, IT ENVISIONS SOME RETAIL USES, THERE WILL BE OBVIOUSLY AN OFFICE MIXTURE ASSOCIATED WITH THE STRIP RETAIL, THERE'S ALSO A FAST FOOD RESTAURANT ASSOCIATED WITH IT, I WOULD ALSO LIKE TO POINT OUT THAT THERE SEEMS TO BE A LOT OF CONCERN ABOUT A SINGLE POINT OF ACCESS, BUT THERE'S GOING TO BE MULTIPLE DRIVEWAYS TO THE COMMERCIAL TRACT AS WELL, CROSS ACCESS AGREEMENTS, SO WE ARE NOT LOOKING AT JUST A SINGLE POINT OF ACCESS FOR THE MULTI-FAMILY TRACT TO ENTER INTO. THEY CAN ENTER INTO ANY DRIVEWAY ACROSS THE COMMERCIAL PROPERTY TO GET BACK TO THE MULTI-FAMILY AS WELL. BUT AS FAR AS THE DEVELOPMENT UP FRONT, IT IS GOING TO BE A COMMERCIAL DEVELOPMENT.

ALVAREZ: AND LET'S SEE. THAT'S WHAT I WAS KIND OF GETTING, TRYING TO GET TO IS THAT THE ONE SINGLE ACCESS, SO IS THAT SOMETHING THAT WE WOULD REQUIRE MAYBE IS THE QUESTION FOR STAFF, TO MAKE SURE THAT THERE IS MORE THAN ONE ACCESS POINT?

WELL, I DON'T BELIEVE THERE'S A REQUIREMENT FOR MORE

THAN ONE ACCESS POINT. JUST THE ACCESS NEEDS TO MEET ALL OF THE EMERGENCY SERVICE VEHICLE REQUIREMENTS TO GET IN AND OUT OF THE PROJECT. AND WE CAN DO THAT WITH THE SINGLE APPOINTMENT OF ACCESS FOR THIS DEVELOPMENT. BUT JUST THE FACT THAT THAT DRIVEWAY IS ANTICIPATED TO HAVE A MEDIAN CUT INTO DESSAU ROAD IT'S GOING TO BE A MAJOR DRIVEWAY, A LOT OF CROSS ACCESS AVAILABLE BETWEEN BOTH USES.

ALVAREZ: THANK YOU. MS. GLASGO, DOES THAT SORT OF THING GET -- IF THEY COME FORWARD WITH A SEPARATE CASE ON THAT PIECE OF PROPERTY, ARE WE SAYING ACCESS IS ADEQUATE HERE? JUST THE ONE DRIVEWAY?

GLASGO: I BELIEVE ONE DRIVEWAY IS ADEQUATE AND AS WE INDICATED AT THE TIME OF SUBDIVISION, WHICH WAS THE NEXT STAGE AND THE TIME OF SITE PLANNING, WE WILL HAVE TO REVIEW THE LOCATION OF THE BUILDINGS AND HOW OBVIOUSLY THE EMERGENCY ACCESS CAN OCCUR. WHEN THE COMMERCIAL PROJECT COMES IN, THERE IS -- WE TRY TO HAVE JOINT DRIVEWAY OBVIOUSLY TO ELIMINATE A PREPONDERANCE OF TOO MANY DRIVEWAYS ON THE ROAD AS IT CALLED OUT IN THE COMMERCIAL DESIGN STANDARDS. WE TRIED TO HAVE THAT SEPARATION AND THAT THING THAT WILL ADDRESS THAT. SO AT THE TIME OF SITE PLANNING YOU ARE GOING TO HAVE A COMMERCIAL PIECE OF PROPERTY AND MULTI-FAMILY. NOW THE MULTI-FAMILY PROPERTY CAN USE THE COMMERCIAL ACCESS TO DESSAU ROAD, BUT YOU CANNOT HAVE THE REVERSE, YOU CANNOT HAVE THE COMMERCIAL TRAFFIC ON TO MULTI-FAMILY. SO WHEN THAT OPPORTUNITY ARISES, DEPENDING WHICH PROJECT COMES IN FIRST, WE ALWAYS EXPLORE THOSE OPTIONS FOR JOINT DRIVEWAY. WE CANNOT MANDATE THAT BECAUSE GIVEN THE FACT THAT THEY HAVE ALL [INDISCERNIBLE] I THINK THE BEST THING IS TO JUST LET STAFF WALK THROUGH THE SITE PLANNING AND SUBDIVISION PROCESS TO -- TO ACHIEVE THE BEST ACCESS AND WILL ALWAYS INCLUDE THE SEPARATION TO MAKE SURE THAT YOU DON'T HAVE TOO MANY DRIVEWAYS ON TO A ROADWAY.

ALVAREZ: YEAH, I JUST REMEMBER SEVERAL OTHER CASES WHERE THE FIRE DEPARTMENT OR SOMEONE TYPICALLY

SUGGESTS THAT THERE BE MORE THAN ONE ACCESS POINT AND I THINK WE -- SO ANYWAY WE CAN EXPLORE THAT FURTHER. I APPRECIATE THAT.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS, WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE ON FIRST READING ONLY. ZONING AND PLATTING COMMISSION RECOMMENDATION ON Z-7.

LEFFINGWELL: ONE MORE QUICK COMMENT. I'M GOING TO SUPPORT THE MOTION TO APPROVE ON FIRST READING. BUT I REALLY WOULD LIKE TO ENCOURAGE THE APPLICANT TO GET TOGETHER WITH THE NEIGHBORHOOD BEFORE SECOND AND THIRD READING TO TRY TO ADDRESS SOME OF THEIR CONCERNS.

MAYOR WYNN: AGREED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 7-0 ON FIRST READING ONLY. THANK YOU ALL VERY MUCH.

GLASGO: THANK YOU, MAYOR, THAT CONCLUDES OUR ZONING CASES FOR TONIGHT.

MAYOR WYNN: THANK YOU, MS. GLASGO. COUNCIL, WE HAVE PULLED A FEW ITEMS EARLIER THAT WE HAVEN'T TAKEN BACK UP. AND MY UNDERSTANDING IS THAT A COUPLE OF THEM WON'T REQUIRE MUCH DISCUSSION. WE HAVE A COUPLE OF MEMBERS OF STAFF THAT WE COULD SEND HOME. LET'S SEE. THE FIRST WAS RELATED TO COUNCIL ITEM NO. 46, WHICH WAS THE RECONVENING OF THE HISTORIC ZONING TASK FORCE, I THINK THAT WAS PULLED BY COUNCILMEMBER ALVAREZ, PERHAPS BECAUSE THERE WAS SOME -- SOME QUESTIONS THAT MAY HAVE NOW BEEN ANSWERED. SO -- SO COUNCILMEMBER ALVAREZ --

ALVAREZ: THANKS, MAYOR, I REALLY -- I PULLED IT JUST BECAUSE I HADN'T, YOU KNOW, SEEN A COPY OF THE RESOLUTION AND WANT TO -- WANTED FOR THERE TO BE AN EXPLANATION OF THE INTENT SO I DON'T KNOW IF THE



SPONSOR WOULD LIKE TO JUST GIVE A BRIEF SUMMARY.  
BUT NO REAL ISSUES OR CONCERNS.

FUTRELL: ALL RIGHT. LET'S GET STAFF DOWN HERE TO GIVE  
AN EXPLANATION, COME ON, STEVE, WHOEVER IS COMING.  
IT DOESN'T HELP TO SIT ALL THE WAY IN THE BACK, STEVE  
[LAUGHTER]

I WAS HOPING TO HIDE BACK THERE.

FUTRELL: I KNOW.

WELL, I JUST WANTED TO GIVE COUNCIL A LITTLE UPDATE  
ABOUT WHAT'S BEEN GOING ON SINCE THE TASK FORCE  
CONVENED LAST TIME. AT THAT POINT THE  
RECOMMENDATION WAS TO AUTHORIZE LOCAL HISTORIC  
DISTRICTS IN THE OPERATIONS COMMITTEE, THE LANDMARK  
COMMISSION HAS BEEN WORKING VERY DILIGENTLY ALL  
SUMMER TO COME UP WITH THE NOMINATION FORM AND  
GENERAL INSTRUCTIONS FOR THE LOCAL HISTORIC  
DISTRICTS. THAT FORM WILL BE PRESENTED TO THE  
LANDMARK COMMISSION ON MONDAY NIGHT. THEN  
WEDNESDAY NIGHT THE HERITAGE SOCIETY OF AUSTIN IS  
SPONSORING A SEMINAR ON LEGAL HISTORIC DISTRICTS. SO  
THEY WILL BE ABLE TO MAKE A PUBLIC PRESENTATION AS  
TO WHAT'S INVOLVED WITH THAT. I THINK THAT'S -- THAT'S  
ABOUT THE ONLY UPDATE THAT I CAN GIVE YOU AS FAR AS --  
WE HAVE IMPLEMENTED THE OTHER CHANGES OF THE TASK  
FORCE' RECOMMENDATIONS.

SEEMS THE ORDINANCE DEALS WITH MORE THAN ISSUES --  
MORE THAN JUST ISSUES PERTAINING TO LOCAL HISTORIC  
DISTRICTS. IT HAS ABOUT FIVE OR SIX BULLET -- BULLETS.

IT DOES, THE RESOLUTION DOES. AND -- AND AS I SAID, THE -  
- THE OTHER -- [INDISCERNIBLE] TO EXPEDITE LANDMARK  
DESIGNATION PROCESS, THAT WAS COVERED BY THE TASK  
FORCE. I THINK THESE OTHER AREAS ON HERE,  
COUNCILMEMBER, ARE MAYBE JUST THE COUNCIL WANTS  
TO REVISIT AND -- AND SEE HOW WE'RE DOING. ON THOSE --  
ON THE CRITERIA FOR WHICH A PROPERTY CAN BE  
DESIGNATED HISTORIC WAS COVERED BY THE TASK FORCE  
EARLIER AND THEY MADE A RECOMMENDATION THAT HAS

BEEN INCORPORATED INTO THE LAND DEVELOPMENT CODE NOW. BUT I THINK IT'S ALWAYS GOOD TO CONTINUE TO REVIEW THE PROCESS AND SEE HOW WE ARE DOING AND SEE IF -- IF NEW OR MORE IMPROVEMENTS CAN BE MADE TO THE PROCESS.

THANK YOU.

MAYOR WYNN: COUNCILMEMBER DUNKERLY? ING.

JUST A COUPLE --

DUNKERLY: JUST A COUPLE OF THINGS. ONE OF THE THINGS THAT I WANTED THE TASKORS TO DO IS TO TAKE A LOOK AT THE AMENDMENTS THEY PASSED PREVIOUSLY, SEE HOW THEY ARE WORKING AS WE HAVE TRIED TO APPLY THEM OVER THESE LAST FOUR MONTHS, SECONDLY WE'VE HAD -- WE'VE HAD A GREAT DEAL OF DIFFICULTY RECENTLY BACK -- BACK FOR A LONG TIME WHEN YOU HAVE SOMEONE OR A NEIGHBORHOOD OR -- OR STAFF OR LANDMARK COMMISSION SEEKING HISTORIC LANDMARK STATUS AGAINST OVER AN OWNER'S OPPOSITION. SO I WANTED THEM TO TAKE A LOOK AT THAT AND SEE IF THEY CAN MAKE ANY RECOMMENDATIONS TO US. AS TO HOW WE COULD WORK ON THAT PROCESS EARLIER, HOPEFULLY TO AVOID SOME OF THE THINGS THAT COME TO COUNCIL AND DRAG ON IF NOT FOR DAYS, FOR MONTHS. THIRDLY, I -- I ALSO ASKED THEM TO LOOK AT SOME TOOLS THAT WE ALREADY HAVE. SOME NCCD'S, CERTAINLY THE LOCAL DISTRICTS TO SEE IF SOME OF THOSE TOOLS MIGHT NOT BE BETTER FOR SOME OF OUR AREAS RATHER THAN TRYING TO SEEK HISTORIC LANDMARK DESIGNATION AS A WITH A I TO PREVENT CERTAIN KINDS OF DEVELOPMENT FROM HAPPENING. I THINK IF WE COULD FIND A WAY TO MARKET THIS TO SOME OF OUR NEIGHBORHOODS THAT -- THAT THAT WILL IN ESSENCE SOLVE THAT FEAR OF SOMETHING HUGE AND OUT OF -- LET'S SEE, JUST OUT OF PLACE, COMING UP IN THEIR NEIGHBORHOOD, WHETHER IT'S IN SIZE OR STYLE OR WHATEVER IT IS. AND THEN I THINK LASTLY BY THE TIME YOU GET THROUGH OR THEY GET STARTED YOU WILL PROBABLY HAVE YOUR LOCAL DISTRICTS PRETTY WELL LINED OUT AND I JUST WASHED THEM TO TAKE A QUICK REVIEW AND GET RID OF THOSE EARLY SO THAT WE DON'T

IN ANY WAY SLOW UP THE LOCAL DISTRICT PROCESS, SO THOSE WERE SOME OF THE THINGS THAT I HAD HOPED THAT THEY WOULD BRING US BACK AND THEN ANY OTHER THING THAT THEY HAD NOTED IN THESE LAST FEW MONTHS THAT WE WOULD LIKE TO MAKE SOME -- SOME RECOMMENDATIONS TO US.

THE ONLY THING THAT I WOULD LIKE TO ADD TO THAT, COUNCILMEMBER, IS THAT THE CITY HAS ENTERED INTO THE CONTRACT WITH THE UNIVERSITY OF TEXAS TO PRODUCE THE NEW HISTORIC PRESERVATION PLAN, THE PLAN THAT WE ARE OPERATING UNDER RIGHT DATES FROM 1981, JUST THIS WEEK WE HAVE RECEIVED A DRAFT.

OKAY. GOOD.

OF THE PLAN. SO I THINK THAT -- THAT THE PLAN ALONG WITH -- WITH TASK FORCE RECOMMENDATIONS ARE PROBABLY THE TOOLS THAT WE'LL NEED TO MAKE THIS PROGRAM WORK VERY SMOOTHLY.

DUNKERLY: SOUNDS LIKE WE'RE ON THE WAY, THANK YOU.

THANK YOU, COUNCILMEMBER. SO -- SO COUNCILMEMBER DUNKERLY? I'LL CONSIDER THAT A MOTION TO -- TO APPROVE ITEM NO. 46, WHICH IS A RESOLUTION RECONVENING THE HISTORIC ZONING TASK FORCE. SECONDED BY COUNCILMEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. OKAY. COUNCIL, SO WE HAVE GOT A FEW MORE ITEMS WE CAN TAKE UP LATER, BUT WE HAVE A NUMBER OF FOLKS WHO WOULD LIKE TO ADDRESS US REGARDING OUR ITEM NO. 65, WHICH IS OUR POSTED PUBLIC HEARING TO RECEIVE COMMENT ON THE CITY MANAGER'S PROPOSED '05-'06 BUDGET. TODAY AT 2:00 OUR BRIEFING HAPPENED TO BE ON OUR PUBLIC SAFETY DEPARTMENTS, POLICE, FIRE, E.M.S. AND OUR MUNICIPAL COURT SYSTEM. THESE PUBLIC HEARINGS, CITIZENS CAN ADDRESS ANY ASPECT OF THE

PROPOSED BUDGET. WE TRY TO BREAK IT OUT INTO CERTAIN SEGMENTS OF THE BUDGET JUST TO MAKE IT SOMEWHAT MANAGEABLE. BUT AGAIN THE CITIZENS CAN ADDRESS ANY ASPECTS OF THE MUCH LARGER CITY BUDGET. SO WITHOUT OBJECTION OR FURTHER ADO, WE WILL GO TO THE CITIZEN SIGNUPS FOR ITEM NO. 65. OUR FIRST SPEAKER IS MR. DELWIN GOSS. WELCOME, IS BEVERLY WILLIAMS HERE. HI, BEVERLY. DALE SHE'S DONATED HER THREE MINUTES.

OKAY. WHAT I'M GOING TO SPEAK ON MAY INVOLVE A PUMPKIN COLORED DOG OR CAT SO JUST KEEP THAT IN MIND, OKAY. I AM HERE TO REMIND THE CITY COUNCIL OF ITS DECLARATION SEVERAL YEARS AGO THAT THIS IS THE CITY OF AUSTIN SEND TRAVIS COUNTY'S NO KILL MILLENNIUM TO ASK IF THIS BUDGET REFLECTS THE GOALS LAID OUT IN THAT DECLARATION. I WOULD LIKE TO HOPE THAT AT LEAST A FEW OF YOU TOOK THE TIME TO READ MY E-MAILS, I KNOW ALL OF YOU HEARD ME SPEAK IN FRONT OF THE COUNCIL ABOUT THE LOSS OF FUNDING FROM THE STATE FOR OUR LOW COST AND NO COST SPAY AND NEUTER PROGRAMS. I WOULD LIKE TO ASK THIS COUNCIL TO CONSIDER ENACTING A MANDATORY NEW NEUTER ORDINANCE FOR DOGS AND CATS RESIDING IN OUR CITY LIMITS. THIS EVENING I WOULD LIKE TO TALK ABOUT THOSE SAME TWO THINGS. I WOULD LIKE TO ADD BACK INTO THE BUDGET THE \$20,000 WE LOST IN FUNDING FROM THE STATE WHEN OUR LEGISLATORS IN THEIR INFINITE WISDOM FAILED TO DISBURSE THE LARGEST PART OF THE FUNDS FROM THE ANIMAL FRIENDLY LICENSE PLATES. THAT MONEY FUNDED ONE OF THE FREE SPAY NEUTER DAYS IN EAST AUSTIN. RIGHT NOW WE DO THREE FREE DAYS A WEEK, WE STILL HAVE TO TURN PEOPLE AWAY. STARTING AT THE END OF SEPTEMBER THAT WILL DROP TO ONE FREE A DAY AND WE WILL TURN AWAY MORE AN HALLS THAN WE TAKE IN SIMPLY BECAUSE THERE ISN'T ENOUGH ROOM OR MONEY. I WOULD LIKE TO INVITE EACH AND EVERY COUNCILMEMBER TO JOIN ME SOME MORNING ON THE PARKING LOT FOR ONE OF EMANCIPET FREE SPAY AND NEUTER DAY SO YOU CAN SEE HOW GREAT THE DEMAND FOR THIS PROGRAM IS. NEXT I WOULD LIKE TO TALK TO YOU ABOUT A MANDATORY SPAY NEUTER ORDINANCE. AT THE LAST MEETING I PASSED OUT

COPIES OF STATISTICS FROM KING COUNTY WASHINGTON SHOWING A DRAMATIC DROP IN THE NUMBER OF ANIMALS ENTERING THE POUND AND THE DRAMATIC DROP IN THE NUMBER OF ANIMALS KILLED AFTER THEY PASSED A MANDATORY SPAY NEUTER ORDINANCE. I HOPE ALL OF YOU TOOK AT LEAST A COUPLE OF MINUTES TO LOOK AT THOSE NUMBERS. USING THE INTERNET I HAVE READ A LOT ABOUT OTHER MUNICIPALITIES THAT HAVE THE FORETHOUGHT AND PLANNING TO PUT THESE SORT OF ORDINANCE IN PLACE. USING THOSE MUNICIPALITIES OWN STATISTICS IT BECOMES OBVIOUS THESE ORDINANCES GIVING ABOUT A FOUR YEAR PERIOD OF TIME WORK. AND HAVE DRAMATICALLY REDUCED THE NUMBER OF ANIMALS COMING THROUGH THE POUND, NUMBER OF HEALTHY ADOPTED ANIMALS BEING KILLED AND THE NUMBER OF ANIMALS DOA, THERE'S ONLY ONE REASON THESE SIGNIFICANT DROPS HAVE OCCURRED, IT IS A SIMPLE ONE. THEIR MANDATORY SPAY NEUTER ORDINANCES HAVE LED TO LESS STRAY AND HOMELESS ANIMALS WANDERING THE STREETS. I UNDERSTAND ORGANIZED RESISTANCE TO THIS ORDINANCE FROM THE MEMBERS OF THE NATIONAL BREEDER SHELL GROUP OUT OF SAN ANTONIO, ROPA, OR THE RESPONSIBLE PET OWNERS ASSOCIATION. I PERSONALLY WOULDN'T GIVE A WHOLE LOT OF CREDITS FROM A GROUP BASED IN SAN ANTONIO, AT LEAST WHILE THEY HAVE THE HIGHEST KILL RATE IN ANY SHELTER IN ANY MAJOR CITY IN TEXAS.

MAYOR WYNN: WE PROMISED NOT TO PICK ON SAN ANTONIO ALL DAY TODAY.

I HAVE TWO MORE COMMENTS IN HERE. MAYBE DALLAS AND HOUSTON, TOO. I'M SORRY, TO ME THAT SPEAK DROVES ABOUT THAT PARTICULAR ORGANIZATION AND ITS PRIORITIES, NOT SO MUCH SAN ANTONIO, ROPA IS BASED THERE, THEY HAVE THE HIGHEST KILL RATE IN ANY CITY IN TEXAS. HERE IN AUSTIN WE KILLED OVER 14,000 ANIMALS AT OUR SHELTER LAST YEAR. DORINDA PULLIAM WHO IS THE DIRECTOR'S OWN ESTIMATE IN THIS BUDGET SAYS THAT NUMBER WILL CLIMB TO OVER 16,000 NEXT YEAR. THIS IS SUPPOSED TO BE THE NO KILL MILLENNIUM, THESE NUMBERS DON'T REFLECT THAT GOAL. THE BIGGEST TWO PIECE OF THE PUZZLE FOR MAKING THAT HAPPEN ARE FUNDING FOR LOW COST AND NO COST SPAY NEUTER

PROGRAMS AND A MANDATORY SPAY NEUTER ORDINANCE. THESE KIND OF ORDINANCES HAVE BEEN PUT IN PLACE IN OVER 20 CITIES AND COUNTIES ACROSS THE UNITED STATES, THOSE SAME CITIES AND COUNTIES ARE SHOWING DRAMATIC DROPS IN THE NUMBER OF ANIMALS COMING INTO THEIR POUNDS. AS A RESULT A RESULT, BEING KILLED IN THEIR SHELTER. I KEEP HEARING COMMENT THESE ORDINANCES DON'T WORK OR WON'T WORK IN AUSTIN, I HAVE TO WONDER WHY. THEY HAVE WORKED, ARE WORKING IN OTHER CITIES AND COUNTIES, WHY WON'T THEY WORK HERE. IN WATER FLOWS DOWNHILL IN DENVER PROBABLY IN AUSTIN, TOO, TOO. THE OPPONENTS KEEP REPEATING THEIR MANTRA OF EDUCATION IS ANSWER. I AGREE WE SHOULD EDUCATE OUR CITIZENS ABOUT THAT. ONE PART IS A MANDATORY SPAY NEUTER ORDINANCE. LAWS AROUND ORIGINS ARE ONE WAY THAT A GOVERNING BODY EDUCATES ITS CITIZENS. FOR CENTURIES LAWS AND PENALTIES FOR BREAKING THOSE LAWS ARE HOW LEADERS CHANGED THE THINKING OF A POPULATION AS A WHOLE. RULES AND PENALTIES FOR BREAKING THOSE RULES ARE HOW WE EDUCATE OUR CHILDREN TO KNOW THE DIFFERENCE BETWEEN RIGHT AND WRONG. I GUESS WHAT I'M TRYING TO SAY BY PUTTING A MANDATORY ORDINANCE ON THE BOOKS AND ENFORCING THAT ORDINANCE YOU WILL BE TAKING THE FIRST STEP TOWARDS EDUCATING THE PUBLIC ON HOW IMPORTANT IT IS THAT THEY SPAY AND NEUTER THEIR PETS. AUSTIN'S SOUTHWEST MANAGEMENT TURN UNDERSTAND A PERFORMANCE REPORT IN WHICH THEY PLACED THE AMOUNT OF ANIMAL CARCASSES REMOVED FROM TOWN LAKE ANIMAL CENTER AT 165-TONS IN 2004. THAT NUMBER IS EXPECTED TO GROW TO 175-TONS NEXT YEAR. AND A PROGRESSIVE CITY SUCH AS AUSTIN, ONE THAT DECLARED THIS TO BE THE NO KILL MILLENNIUM, THESE NUMBERS MOCK US. THEY SAY THAT WE MAY GET A WARM FUZZY FEELING OUT OF DECLARING A NO KILL MILLENNIUM, BUT SO FAR WE HAVE NOT BEEN WILLING TO ROLL UP OUR SHIRT SLEEVES AND DO THE WORK NECESSARY TO MAKE IT HAPPEN. I EXPECT THAT SORT OF THING FROM HOUSTON, DALLAS, OR SAN ANTONIO. BUT I DON'T EXPECT IT FROM AUSTIN. I HOPE I'M RIGHT WHEN I SAY THIS IS AUSTIN AND I KNOW WE CAN DO BETTER. AND I HOPE THAT THE -- AND THE FIRST AND MOST TWO

IMPORTANT STEPS IN OUR DOING BETTER IS TO FIND THE \$20,000 IN FUNDING FOR OUR LOW COST AND NO COST SPAY NEUTER PROGRAMS AND TO GET A MANDATORY SPAY NEUTER ORDINANCE ON THE BOOKS. THANK YOU VERY MUCH FOR YOUR TIME AND ARE THERE ANY QUESTIONS?

THANK YOU, MR. GOSS.

CAN I LEAVE COPIES OF THIS WITH YOU GUY WAS MY CONTACT INFORMATION.

MAYOR WYNN: YOU MAY. KEEP THOSE E-MAILS COMING.

I PLAN ON IT.

NEXT SPEAKER, MR. MIKE MARTINEZ, LET'S SEE, IS TY -- BRUCE MAYO. BRUCE, STAN VAN HOOSE, GARY SCOTT. I'M SURE -- MIKE, YOU WILL HAVE UP TO 15 MINUTES IF YOU NEED IT. I APOLOGIZE, I WILL STEP OFF THE DAIS FOR A MANUSCRIPT. NOT BECAUSE OF YOUR HAIRCUT. [LAUGHTER] AND WE HAVE VIDEO AND AUDIO IN THE BACK SO WE CAN HEAR YOUR TESTIMONY.

THANKS, MAYOR. APPRECIATE YOU GIVING US TIME, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. I'M MIKE MARTINEZ, PRESIDENT OF THE AUSTIN FIREFIGHTERS. FIRST OF ALL, WE ARE HERE TO SAY THANK YOU FOR THE PROPOSED BUDGET. THERE WERE SOME CONCERNS ABOUT -- ABOUT STAFFING LEVELS NOT BEING MAINTAINED, I APPRECIATE YOU RESPONDING TO THOSE E-MAILS. WE THANK FOR YOU WHAT YOU HAVE DONE TO MAINTAIN THAT. SECONDLY WE ARE GOING TO BE HERE TO TALK ABOUT WHERE WE ARE CURRENTLY IN OUR NEGOTIATIONS WITH THE CITY NEGOTIATING TEAM AND HOW IT IMPACTS THIS YEAR'S BUDGET. WE ARE -- WE HAVE BEEN NEGOTIATING SINCE FEBRUARY THE 2ND OF THIS YEAR. IT'S -- IT'S BEEN LONG, LONG PROCESS. BUT IT'S BEEN A GOOD PROCESS. WE THINK THAT WE ARE REALLY CLOSE TO -- TO SOMETHING VERY SIGNIFICANT. WE THINK THAT -- THAT THE MANY ARTICLES IN THIS CONTRACT THAT WE HAVE BEEN ABLE TO NEGOTIATE CAN AND WILL DRAMATICALLY AFFECT THE FIRE DEPARTMENT FOR MANY YEARS TO COME. BUT WE ARE NOT AT COMPLETE AGREEMENT. AND WHAT WE ARE BEING TOLD

IS THAT THEY DON'T -- THE CITY TEAM IS TELLING US THAT THEY DON'T HAVE AUTHORIZATION TO -- TO OFFER ANYTHING DIFFERENT THAN WHAT'S ON THE TABLE AND SO WE ARE HERE TO ASK YOU TO GRANT THAT AUTHORIZATION. WE NEED TO NEGOTIATE TOWARD ONE ANOTHER AND NOT AWAY FROM EACH OTHER. AND I THINK THAT YOU WILL HEAR SOME OTHER FOLKS TALK ABOUT SOME OTHER THINGS, BUT I THINK THAT IT'S VERY IMPORTANT FOR YOU TO UNDERSTAND THAT -- THAT, YOU KNOW, WE ARE ESSENTIALLY AT AGREEMENT. WE HAVE AGREED ON ALMOST EVERYTHING EXCEPT SOME ECONOMIC ITEMS. AND THE WAY WE HAVE STRUCTURED THAT IT'S ALSO IMPORTANT FOR YOU TO KNOW THAT THIS YEAR, IN THIS YEAR'S BUDGET, YOU WILL HAVE AN ADDITIONAL \$400,000. TO SPEND ON OTHER CRITICAL SERVICES THAT YOU MIGHT NEED. IN LATER YEARS OF THE CONTRACT, YOU WILL NEED TO -- THERE WILL NEED TO BE SOME REVENUE SOURCES TO CONTINUE FUNDING WHAT WE HAVE IMPLEMENTED IN THE PAY SCALE. BUT FOR THIS YEAR, FOR THIS CURRENT BUDGET CYCLE AND WHAT YOU HAVE PROPOSED IN THE BUDGET, 4.4 MILLION IN PAY RAISES FOR FIREFIGHTERS, IT WOULD ONLY COST YOU 4 MILLION. SO THE \$400,000 COULD BE USED AND -- IN ANOTHER CITY SERVICE OR ANOTHER PROGRAM THAT'S -- THAT'S WHAT YOU FEEL IS IMPORTANT. WE HAVE ALSO [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

IF YOU TAKE A LOOK AT THAT PAY SCALE WHAT YOU SEE IS THAT THE BULK OF THE ADJUSTMENT IS AT THAT RANK AND WE'VE COMPRESSED THAT SO THAT IT'S AT EVEN RANK WHEN YOU MOVE UP. BUT AS YOU GET HIGHER THE ADJUSTMENT IN THE PAY SCALE IS NOT THE SAME AS IN THE FIREFIGHTER RANK. IN FACT, SOME PEOPLE IN THIS PAY SCALE PROPOSAL WILL ONLY SEE A THREE PERCENT WAGE ADJUSTMENT BECAUSE THEY ARE WELL COMPENSATED AND WE APPRECIATE WHAT YOU'VE DONE IN THE PAST. WE APPRECIATE WHERE WE ARE NOW. WHAT WE'RE TRYING TO DO IS CLOSE THIS GAP WHERE WE ARE NOW AND WE'RE TRYING TO AFFECT THE LOWEST WAGE EARNERS. THAT'S ALL WE'RE TRYING TO DO. WE THINK IF YOU REALLY TAKE A LOOK AT THESE PROPOSALS AND YOU SEE WHAT IS IN THIS CONTRACT, YOU'RE GOING TO SEE THINGS THAT ARE



LITERALLY HISTORIC IN THE FIRE SERVICE. YOU HAVE THE ABILITY TO APPOINT THE TOP TWO RANKS IN A PROMOTION ARTICLE. NOBODY DOES THAT IN TEXAS. NOBODY. YOU HAVE A HIRING PROCESS THAT ALLOWS SO MUCH FLEXIBILITY SO THAT WE CAN MEET OUR GOALS OF DIVERSITY SO THAT WE CAN STOP THE AGE OLD DEBATE AND ARGUMENT ABOUT HIRING AND REPRESENTING THE COMMUNITY. WE BELIEVE THAT THAT'S IMPORTANT. AND WE PUT THIS PROPOSAL IN THIS CONTRACT TO HOPEFULLY ONCE AND FOR ALL END THIS DEBATE. AND IN THIS CONTROVERSIAL ISSUE. I THINK THERE ARE MANY THINGS THAT ARE SIGNIFICANT ABOUT WHAT WE'VE DONE UP TO THIS POINT, BUT WE ARE SLOWLY GRINDING DOWN TO THE END. AND OBVIOUSLY THE BIG QUESTION IS MONEY. THAT'S ALWAYS A FACTOR. WE THINK WE'RE CLOSE TO A DEAL, BUT WE NEED YOU TO AUTHORIZE THE CITY TEAM TO NEGOTIATE WITH US. THEY MADE A PROPOSAL ON JUNE THE 7TH AND HAVE NOT MOVED ONE INCH TOWARDS US IN THIS WHOLE TIME WE'VE BEEN NEGOTIATING. WE MADE A PROPOSAL AND HAVE MOVED ALL THE WAY TO WHERE WE ARE NOW. THE ONLY WAY TO MEET IN THE MIDDLE IS TO MOVE TOWARDS EACH OTHER. IF ONE SIDE KEEPS MOVING AWAY, YOU'RE NEVER GOING TO MEET IN THE MIDDLE. IT'S TIME TO CLOSE THIS GAP, IT'S TIME FOR US TO MOVE ON AND DO THE THINGS THAT WE NEED TO DO TO IMPROVE THE FIRE DEPARTMENT. WE NEED TO HIRE A FIRE CHIEF. I KNOW YOU GUYS -- I KNOW THE CITY MANAGER HAS A PROCESS THAT'S GOING ON AND WE'RE LOOKING FORWARD TO THAT. WE'RE LOOKING FORWARD TO A NEW CHIEF COMING IN UNDER THIS NEW CONTRACT HOPEFULLY AND DOING SOME GOOD THINGS. SO WE'RE NOT HERE TO TAKE UP ALL YOUR TIME TONIGHT, BUT THERE ARE A FEW FOLKS WHO WOULD LIKE TO SPEAK TO YOU ABOUT SOME OTHER ISSUES AS WELL, BUT I WANT TO AGAIN THANK YOU FOR WHAT YOU'VE DONE IN THIS YEAR'S BUDGET.

MAYOR WYNN: THANK YOU, MR. MARTINEZ. NEXT SPEAKER IS MIKE SULLIVAN. WELCOME, MIKE. IS JOHN SIMMERALL HERE? I'M SURE THERE WILL BE ENOUGH.

THOMAS: CAN I GET THE PRESIDENT TO STAND BACK UP HERE? I REALLY THOUGHT ABOUT THIS TODAY, AND I HAVE REALLY THOUGHT ABOUT IT -- I'VE BEEN ON THIS COUNCIL

FIVE AND A HALF YEARS. I'VE BEEN IN AUSTIN ALL MY LIFE. IT SERVED 21 YEARS WITH THE A.P.D. WHAT REAL TROUBLE -- AND YOUR ASSOCIATION AND YOU'RE GREAT FIREFIGHTERS THAT YOU ARE, I THINK I MADE IT REAL CLEAR IN COMING IN THAT I WILL SUPPORT ANYTHING TO MAKE SURE THAT YOU ARE VERY SECURE, MAKE SURE YOU HAVE THE BEST BENEFITS IN THE WORLD, MAKE SURE YOU HAVE THE BEST EQUIPMENT, BUT WHAT REALLY TROUBLES ME AND TROUBLES MY SPIRIT IS THAT YOU ALL HAVE NOT CAME TO THE TABLE AS FAR AS -- SOME OF THE THINGS WE'RE NEGOTIATING YOU'RE RIGHT, BUT WE HAD A GOLDEN OPPORTUNITY NOT TOO LONG AGO TO DEAL WITH SOME OF THOSE ISSUES THAT WOULD ENHANCE A GREAT NUMBER THAT IS SHOWN ON THIS NUMBER TODAY, BUT WE DIDN'T DO IT.

THAT'S CORRECT.

THOMAS: AND YOUR ASSOCIATION WAS THE CAUSE OF SOME OF THAT NOT BEING DONE. I THINK WHAT WE NEED TO DO --

I THINK THAT'S ABSOLUTELY FALSE, MAYOR PRO TEM. I THINK THAT'S NOT TRUE.

THOMAS: FIRST OF ALL, I'M TALKING TO YOU, SIR. WHEN I ASK A QUESTION, THEN YOU CAN RESPOND. WHAT I'M SAYING TO YOU, PRESIDENT MARTINEZ, IS THAT IT HAS NOT BEEN A FAIR SHAKE, AND WHAT HAPPENED IS SOME OF THOSE ALLEGATIONS WERE NOT CLEARED, THEY WERE CLEARED UP AND THEY WERE NOT ACCURATE, AND I THINK WE COULD HAVE DID A LOT BETTER THAN WHAT WE DID TONIGHT, TODAY, THAT WE'RE DOING. AND I'M LOOKING FORWARD TO THE FUTURE, BUT LIKE I SAID AT THE BEGINNING, I'M VERY SUPPORTIVE OF ANYTHING THAT YOU'RE DOING, BUT THAT DIVERSITY -- WHEN YOU HAVE A DEPARTMENT THAT'S 1100 PLUS FIREFIGHTERS AND THE DIVERSITY IS SO LOW IN THE AFRICAN-AMERICAN AND HISPANIC AND ASIAN, THEN WE OUGHT TO LOOK AT THE WHOLE OVERALL PICTURE. YES, WE'RE GOING TO NEED A STRONG CHIEF TO COME IN AND CORRECT SOME OF THOSE ISSUES. SOME OF THOSE ISSUES THAT WE CANNOT TOLERATE ANY MORE. I DON'T SEE BUT ONE AFRICAN-

AMERICAN SITTING OUT HERE TONIGHT, AND THAT'S NOT SHOWING REPRESENTATION EVEN THOUGH THE POPULATION OF THIS CITY. THOSE ARE THE THINGS THAT REALLY BOTHER ME TONIGHT. KNOW YOU CAN SPEAK, SIR.

FIRST OF ALL, I APPRECIATE YOUR COMMENTS AND WE ABSOLUTELY AGREE THAT DIVERSITY IS A SERIOUS ISSUE AND THAT WE WANT TO WORK ON THAT. AND AS FAR AS SEEING ONLY ONE AFRICAN-AMERICAN HERE, YOU KNOW, THERE'S MORE, THEY'RE JUST NOT HERE. AND THEY ARE REPRESENTED ON OUR PAC BOARD AND ON OUR BARGAINING TEAM AND WE'RE TRYING TO GET MORE REPRESENTATION ON OUR EXECUTIVE BOARD. IT'S DIFFICULT. I'M NOT GOING TO DENY THAT. BUT YOU STARTED OUT BY SAYING THAT THIS ASSOCIATION WAS TO BLAME FOR LOSING AN OPPORTUNITY IN A HIRING PROCESS, AND I JUST HAVE TO TELL YOU THAT THAT'S FALSE. THIS ASSOCIATION FILED TWO GRIEVANCES ON THE HIRING PROCESS, THAT'S CORRECT. THOSE GRIEVANCES WERE REQUESTING THAT THE CITY COMPLY WITH THE CONTRACT THAT WE ARE CURRENTLY UNDER. THIS ASSOCIATION HAS NEVER REQUESTED THAT THE PROCESS BE STOPPED OR THROWN OUT IN ANY MANNER. ALL WE SAID WAS COMPLY WITH WHAT YOU AGREED WITH IN THE CONTRACT. THE CONTRACT SAYS YOU HAVE TO GIVE A LISTENING COMPREHENSION TEST AND IT SAYS YOU HAVE TO GIVE A GENERAL APTITUDE TEST. THE GRIEVANCE QUESTION, WHY THE CITY DIDN'T GIVE A LISTENING COMPREHENSION TEST, AND QUESTIONED WHETHER OR NOT IT WAS A GENERAL APTITUDE TEST THAT WAS GIVEN. WHEN A QUESTION ON A TEST SHOWS A PICTURE OF A MAN PLAYING A GUITAR AND ASKS YOU WHAT DO YOU THINK THIS PERSON IS THINKING, WE HAVE A HARD TIME UNDERSTANDING HOW THAT TESTS GENERAL APTITUDE. SO WE JUST QUESTION THAT. AND THE RESOLVE IN OUR GRIEVANCE WAS NOT TO THROW ANYTHING OUT, IT WAS NOT TO STOP THE PROCESS. IT WAS TO COMPLY WITH THE CONTRACT. SO I DISAGREE WITH THE SENTIMENT THAT WE ARE THE CAUSE OF THAT. THERE IS AN EEOC COMPLAINT BY A FIREFIGHTER THAT'S NOT IN THIS ASSOCIATION, THAT DOESN'T WORK HERE, THAT SHE FEELS LIKE THE PHYSICAL ABILITY TEST IS DETRIMENTAL TO WOMEN. WE'RE TAKING THAT ISSUE EXTREMELY SERIOUS.

WE DON'T WANT A PROCESS THAT'S DISCRIMINATING TO WOMEN, BUT WE ABSOLUTELY HAVE TO TEST THE PHYSICAL ABILITIES TO DO THE JOB AS A FIREFIGHTER. WE THINK WE HAVE A GOOD TEST. AND THERE ARE MANY WOMEN HERE WHO WENT THROUGH THAT TEST AND PASSED IT AND ARE GREAT FIREFIGHTERS, BUT IF IT IS DETRIMENTAL AND IF IT IS HARMFUL TO WOMEN, WE'LL CHANGE IT, GUARANTEE YOU WE'LL CHANGE IT. THE CHIEF CHOSE TO STOP THE PROCESS, MAYOR PRO TEM, OR CITY MANAGEMENT, NOT THIS ASSOCIATION.

THOMAS: WHO INITIATED IT? BECAUSE NUMBER ONE, THAT LIST WE HAD HAD A LARGE NUMBER OF MINORITIES THAT WE COULD HAVE HAD OPPORTUNITIES TO HAVE.

THAT'S CORRECT. AND IT'S A SHAME THAT WE DIDN'T GET THEM, BUT IT'S NOT THIS ASSOCIATION'S FAULT, NOR WAS IT THIS ASSOCIATION'S DECISION. I COMPLETELY AGREE WITH YOU THAT IT IS A SHAME, BUT PLACING THE BLAME ON THIS ORGANIZATION IS NOT AN ACCURATE ACCUSATION.

THOMAS: BUT YOU WERE PART OF THE COMPLAINT, RIGHT?

ABSOLUTELY. I FILED TWO GRIEVANCES ON BEHALF OF THE ORGANIZATION BECAUSE THE CONTRACT WAS NOT BEING COMPLIED WITH. THAT'S ALL I ASKED. IT'S ALL IN THE CONTRACT. WE'RE BOUND BY THAT SAME AGREEMENT. AND WE FEEL LIKE WE'VE UPHELD THAT AGREEMENT TO THIS POINT, AND WE WANTED THE CITY TO DO THE SAME. THAT'S ALL WE ASKED FOR.

THOMAS: THAT'S NOT THE INFORMATION WE RECEIVED, BUT GO AHEAD.

I'M SURE IT'S NOT, AND THAT'S WHY WE'RE HERE. [ APPLAUSE ]

MAYOR WYNN: COUNCILMEMBER MCCRACKEN.

MCCRACKEN: YEAH, MR. MARTINEZ, I HAVE A COUPLE OF QUESTIONS FOR YOU TOO. I'M GOING TO START OFF BY SAYING THIS IS NOT A QUESTION ABOUT HOW MUCH THIS COUNCIL BELIEVES THE FIREFIGHTERS DESERVE. THIS IS

ALWAYS BEEN A QUESTION OF HOW MUCH THE CITY AND THE TAXPAYERS AND THE CITY CAN AFFORD TO PAY. AND IF WE HAVE ALL THE MONEY AVAILABLE THAT WE WISH WE DID, WE WOULD NOT EVEN HAVE AN ISSUE THIS EVENING. I DO HAVE -- YOU ALL HAVE AN OPINION ON WHAT PERCENTAGE THERE IS OF THE BUDGET PUBLIC SAFETY SHOULD TAKE UP.

DO WE HAVE AN OPINION?

MCCRACKEN: YES.

YEAH. AS MUCH AS IT TAKES TO KEEP THIS CITY SAFE.

MCCRACKEN: DO YOU HAVE A PERCENTAGE THAT YOU THINK IT'S UNREASONABLE AT SOME POINT?

AT SOME POINT WHEN YOU DON'T HAVE MONEY, I GUESS THAT'S UNREASONABLE.

MCCRACKEN: WHAT WE HEARD TODAY IS THAT UNDER CURRENT TRENDS ON THE PROPOSAL YOU ALL PUT FORWARD THAT WITHIN 10 YEARS, 93 PERCENT OF OUR BUDGET WILL BE PUBLIC SAFETY. WHICH WOULD REQUIRE ALMOST CERTAINLY THE ELIMINATION OF OUR PARK SYSTEMS, THE ELIMINATION OF OUR LIBRARY SYSTEMS, GUTTING OF AFTER SCHOOL PROGRAMS FOR CHILDREN, GUTTING OF OUR TREATMENT OF COMMUNICABLE DISEASES, AND AS I SAID EARLIER TODAY, FROM MY EXPERIENCE IN THE PUBLIC SAFETY REALM AS A PROSECUTOR, YOU WILL NOT BE ABLE TO HIRE ENOUGH POLICE OFFICERS, ENOUGH FIREFIGHTERS AND ENOUGH E.M.S. FOLKS IF YOU DON'T HAVE A PARK SYSTEM, IF YOU DON'T HAVE A LIBRARY SYSTEM, IF YOU DON'T HAVE JOB TRAINING. AND I DON'T HAVE TO PREACH THAT TO Y'ALL BECAUSE TWO YEARS AGO YOU GAVE UP A PAY RAISE TO MAKE SURE THAT WE DID RESTORE SOME OF THE GUTS TO HUMAN SERVICES FUNDING. SO WHAT I REALLY HOPE WE CAN DO IS WORK TOGETHER BECAUSE I KNOW THE FIREFIGHTERS HAVE A PROVEN HISTORY OF LOOKING AT THE BIGGER PICTURE AND SOMETHING I'VE REALLY ADMIRERD ABOUT YOU ALL. WE'RE IN A TOUGH POSITION AS A COMMUNITY, WHICH I KNOW I DON'T HAVE TO PREACH TO Y'ALL AGAIN. YOU ALL KNOW IT PERSONALLY AS WELL. BUT

THIS COUNCIL, AS I THINK YOU'VE ACKNOWLEDGED, THE PROPOSAL WE HAVE WOULD MAKE AUSTIN'S FIREFIGHTERS THE HIGHEST PAID FIREFIGHTERS IN THE STATE AT EVERY LEVEL. IS THAT ACCURATE?

NO.

MCCRACKEN: AT WHAT LEVELS WOULD YOU NOT BE THE BEST PAID FIREFIGHTERS?

AT EVERY LEVEL.

MCCRACKEN: HERE ARE THE FIGURES WE RECEIVED THAT WERE PRESENTED. I DID NOT HEAR ANY DISPUTE OF THIS. THE AUSTIN CURRENT FIREFIGHTER SALARIES ARE AS HIGH AS \$13,000 MORE THAN THE AVERAGE OF OUR SIX PEER CITIES IN THE STATE. I'M SORRY, WHICH CITY ARE YOU LOOKING AT AS YOUR COMPARISON CITIES?

FIRST OF ALL, YOU'RE LOOKING AT AN AVERAGE OF SIX CITIES. YOU'RE NOT LOOKING AT A BAR GRAPH THAT SAYS DALLAS, SAN ANTONIO, AUSTIN. YOU'RE LOOKING AT TWO LINES, ONE OF THEM'S AUSTIN, ONE OF THEM IS A SIX CITY AVERAGE. AND IF YOU LOOK AT THOSE SIX CITIES, IT'S CORPUS, EL PASO, HOUSTON, IT'S CITIES THAT ARE HISTORICALLY PAID MUCH LESS THAN WE ARE.

MCCRACKEN: WHICH CITY DO YOU THINK WE SHOULD BE COMPARING OUR SALARIES TOO?

WE SHOULD BE COMPARED TO FIREFIGHTERS. THAT'S WHO WE SHOULD BE COMPARED TO. A FIRE IN GEORGETOWN DOESN'T BURN ANY COOLER OR HOTTER THAN IN AUSTIN. WE SHOULD BE COMPARED TO FIREFIGHTERS. SO FOR THOSE THAT WANT TO SAY WE ARE THE HIGHEST PAID FIREFIGHTERS IN THE STATE, IF YOU'RE GOING TO SAY THAT, MEAN IT, BECAUSE WE'RE NOT.

MCCRACKEN: MY UNDERSTANDING, MR. MARTINEZ, IS THAT THE COMPARISON THAT YOU ALL ARE REQUESTING THE CITY TO INCLUDE, INCLUDING EXTREMELY WEALTHY BEDROOM COMMUNITIES IN THE DALLAS SUBURBS LIKE

PLANO OR ADDISON, IS THAT CORRECT?

ONE OF THE CITIES, YES, -- THERE WERE MANY CITIES IN THE MAY METROPLEX, BUT DALLAS AND FORT WORTH WERE TWO OF THE CITIES. GARLAND, RICHARDSON, PLANO, ARLINGTON ARE SOME OF THE OTHER CITIES THAT WE FEEL ARE -- THEY DO THE SAME JOBS THAT WE DO.

MCCRACKEN: YOU UNDERSTAND THAT AS A BIG CITY LIKE DALLAS OR AUSTIN HAS A WHOLE RANGE OF RESPONSIBILITIES THAT ARE VERY DIFFERENT FROM CITIES WITH THE PER CAPITA INCOME MAY BE \$300,000 A YEAR, RIGHT?

YES.

MCCRACKEN: IN FACT, ONE OF THE CITIES THAT WE'VE BEEN TOLD THAT YOU ALL ARE INSISTING WE COMPARE TO HAS BALDOS FOR FIRE TRUCKS AND ARE JUST IN A DIFFERENT POSITION IN AUSTIN. WE HAVE A RANGE OF FOLKS WITH INCOMES AND --

LOOK AT THE LIST YOU WERE GIVEN, COUNCILMEMBER. IS DALLAS AND SAN ANTONIO ON THERE?

MCCRACKEN: YES.

THEY'RE BOTH PAID HIGHER THAN WE ARE.

MCCRACKEN: THE PROPOSAL WE'VE MADE --

THAT'S ASSUMING THOSE CITIES WON'T GIVE THEIR FIREFIGHTERS A RAISE TOO.

MCCRACKEN: THE PROPOSAL THAT WE HAVE MADE ACCORDING TO THE INFORMATION FROM THIS COUNCIL IS THAT FIREFIGHTERS UNDER COUNCIL'S PROPOSAL WILL RECEIVE -- FIREFIGHTERS WILL HAVE THE HIGHEST SALARY AT EVERY LEVEL OF ANY BIG CITY IN THE STATE, NOT OF A 300,000-DOLLAR PER CAPITA INCOME BEDROOM COMMUNITIES, BUT REAL CITIES THAT HAVE TO RUN DEPARTMENTS, HAVE TO RUN MAJOR PARK SYSTEMS AND HAVE TO DO ALL THE THINGS THAT BIG CITIES HAVE TO DO

THAN 300,000-DOLLAR PER CAPITA BEDROOM COMMUNITIES WHERE THEY LIVE A DIFFERENT LIFE. THERE IS A REASON WHY WE HAVE NOT COME FORWARD WITH MORE, AND THE STAFF HAS FAITHFULLY REPRESENTED THIS COUNCIL'S DIRECTION. AND THAT IS THAT WE DO NOT HAVE MORE MONEY. WE HAVE BEEN TOLD, WE HEARD TODAY AT THIS BUDGET PRESENTATION THAT IF WE ARE TO ADOPT THE PROPOSAL THAT THE FIREFIGHTERS HAVE PRESENTED, IT WILL REQUIRE US TO START CLOSING LIBRARIES AGAIN NEXT YEAR. IT WILL START -- REQUIRE US TO START CUTTING AFTER SCHOOL PROGRAMS AGAIN NEXT YEAR AFTER ONLY ONE YEAR OF COMING BACK UP. AND I KNOW THEN --

THAT'S MISINFORMATION.

MCCRACKEN: I WOULD LIKE TO SEE THE CORRESPONDING DATA, BECAUSE THE ONLY DATA WE HAVE TO WORK FROM TO MAKE DECISIONS AFFECTING THE YOUNG PEOPLE WHO HAVE HAD THEIR AFTER SCHOOL PROGRAMS CUT, THE COMMUNICABLE DISEASES PROGRAMS THAT HAVE BEEN CUT. THE ONLY DATA WE HAVE IS WHAT'S BEFORE US. AND SO IF THAT'S THE ONLY INFORMATION WE CAN WORK FROM AND I THINK THIS COUNCIL IS VERY CLEAR THAT WE'RE NOT GOING TO START CLOSING LIBRARIES NEXT YEAR, WE'RE NOT GOING TO LET THE POTHOLES POP UP IN THE STREETS NEXT YEAR. WE'RE NOT GOING TO KICK THE KIDS OUT OF AFTER SCHOOL PROGRAMS NEXT YEAR. AND THE PROPOSAL BEFORE YOU MAKES YOU ALL THE HIGHEST PAID FIREFIGHTERS IN THE STATE. AND SO I THINK THIS COUNCIL IS VERY ADAMANT THAT WE'RE NOT GOING TO COMPARE OUR SALARY LEVELS TO 300,000-DOLLAR PER YEAR CAPITA INCOME BEDROOM COMMUNITY FROM THE DALLAS-FORT WORTH METROPLEX. WE'RE GOING DO A CITY TO CITY COMPARISON. KNOW WE CAN DO THIS TOGETHER BECAUSE I KNOW YOU GET THE BIGGER PICTURE, BUT THAT'S WHERE WE'RE COMING FROM.

WELL, I GUESS I'LL SPEAK TO THE REST OF THE COUNCIL THEN. I HOPE THAT YOU --

MCCRACKEN: SPEAK TO ME TOO BECAUSE I VOTE ALSO.



I UNDERSTAND. I UNDERSTAND. AND WE VOTE AS WELL. WE HOPE THAT YOU WILL TAKE A GOOD LOOK AT THE PROPOSALS THAT WE'VE PUT BEFORE YOU. THEY'RE REALISTIC, HONEST. WE'RE NOT TRYING TO CLOSE LIBRARIES. WE'RE NOT TRYING TO BREAK BANKS HERE. WE'RE LITERALLY JUST TRYING TO ASK FOR WHERE WE WOULD BE HAD WE NOT HAD TO GIVE UP TWO PERCENT PAY RAISE. HAD WE NOT GIVEN UP A TWO PERCENT PAY RAISE A FEW YEARS AGO TO HELP BALANCE THE BUDGET, THAT'S WHERE WE'D BE. THAT'S WHAT WE'RE TALKING ABOUT. THAT'S THE DIFFERENCE.

MAYOR WYNN: THANK YOU, MR. MARTINEZ AND COUNCILMEMBER. A NUMBER OF OTHER SPEAKERS, FOLKS. MIKE, WELCOME. YOU SNOOZE YOU LOSE, MIKE. I PRESUME THERE'S FOUR PEOPLE WHO WANT TO DONATE MINUTES. YOU WILL HAVE UP TO 15 MINUTES IF YOU WOULD LIKE, MIKE.

I'LL DO MY BEST NOT TO NEED IT. MEMBERS OF THE COUNCIL, MAYOR, CITY MANAGER, ONE OF THE QUALITIES THAT MAYOR PRO TEM THOMAS HAS THAT I'M FORTUNATE TO SHARE IS THAT I'M ALSO A LIFETIME RESIDENT OF AUSTIN. SOMETIMES I BRAG TO PEOPLE THAT I'VE NEVER BEEN OUTSIDE THE CITY LIMITS, ALTHOUGH THAT'S NOT ENTIRELY TRUE. WE'VE BEEN NEGOTIATING FOR OVER HALF A YEAR. WE WORKED FOR MONTHS AND MONTHS AMONG OUR MEMBERSHIP TO PRIORITIZE OUR DESIRES AND OUR NEEDS AND OUR THOUGHTS APPROACHING THE CITY AND TRYING TO FIGURE OUT WHERE WE'D BE ABLE TO COMPROMISE AND MEET THE CITY ON THE GOALS OF HIRING AND PROMOTIONAL CHANGES. YESTERDAY WE NEGOTIATED ALL DAY. WE'VE DONE THAT MANY, MANY TIMES. AND FRANKLY, I WAS STILL HOPEFUL THAT WE WERE GOING TO MAKE A DEAL BECAUSE I KEEP EXPECTING TO SEE THE CITY BARGAINING TEAM MAKE SOME COMPROMISE, MAKE SOME MOVEMENT TOWARDS US. WE STARTED OUT ASKING FOR A LOT, AND WE'VE COMPROMISED AND WE'VE CUT OUR REQUESTS AND WE'VE PARED OUR PROPOSALS AND WE'VE ASKED FOR LESS AND WE'VE GIVEN SOME BACK AND WE'VE PUSHED SOME OFF THE TABLE. WE WERE HOPING TO REDUCE OUR 53 HOUR WORK WEEK DOWN TO 46 AND TWO-THIRDS HOURS A WEEK. THAT'S AN EXPENSIVE PROPOSAL.

AND WHEN WE GOT WITH THE CITY MANAGEMENT TEAM AND FIGURED OUT EXACTLY WHAT IT WAS GOING TO COST, WE AGREED TO A MUCH LESS COSTLY PROPOSAL. WE'RE TRYING TO CUT AN HOUR AND 20 MINUTES OFF OUR WORK WEEK, DOWN TO A 51 HOUR AND 40 MINUTE WORK WEEK. THE CITY STILL WON'T ENTERTAIN THE NOTION. WE'VE MADE A NUMBER OF CHANGES IN WHAT WE'D LIKE TO HAVE, AND WE'RE GETTING DOWN TO WHAT WE REALLY NEED. IT'S A FAST, EASY THING TO CLAIM THAT WE'RE THE BEST PAID FIRE DEPARTMENT IN THE STATE, AND THERE ARE IN SOME RANKS, IN SOME TENURES, PLACES WHERE YOU CAN SAY THAT'S TRUE. TO SAY THAT IT'S TRUE DEPARTMENT-WIDE IS SIMPLY NOT ACCURATE. IT'S JUST NOT THE CASE. WE DON'T SENSE ANY COMPROMISE ON THE ECONOMIC ISSUES FROM THE CITY'S SIDE. THE MANAGEMENT TEAM MADE THEIR FIRST COUNTERPROPOSAL TO US ON PAY BACK IN JUNE, AND THAT WAS THE MOST GENEROUS PROPOSAL THEY'VE MADE. IT'S BEEN THE SAME OR SMALLER SENSE THEN. THEY WERE ASKING FOR A FIVE-YEAR DEAL. THEN THEY CAME BACK AND REDUCED THAT TO A THREE-YEAR DEAL, AND WE'RE OKAY WITH THAT TOO. FRANKLY WE'LL SEE SOME ADVANTAGES BECAUSE WE KNOW THAT IF THERE'S A PROBLEM WITH THE MONEY WE'RE SPENDING ON PUBLIC SAFETY, WE'RE NOT GOING TO SOLVE THAT PROBLEM BY CUTTING THE FIRE DEPARTMENT CONTRACT. WE'RE A VERY SMALL PART OF PUBLIC SAFETY, AND IF WE GET A THREE-YEAR CONTRACT, THEN WE'LL BE IN THE SAME ROTATION SO THAT CITY COUNCIL AND THE MANAGER CAN LOOK AT ALL THREE PUBLIC SAFETY DEPARTMENTS AT THE SAME TIME AND SOLVE WHATEVER PROBLEMS THERE ARE BY SPREADING IT OVER ALL THREE DEPARTMENTS. IF THERE ARE PROBLEMS IN PUBLIC SAFETY, YOU CAN'T SQUEEZE ALL OF THAT OUT OF THE FIRE DEPARTMENT. IF WE'RE GOING TO NEGOTIATE AND IF WE'RE GOING TO COMPROMISE AND IF WE'RE GOING TO MOVE TOWARDS ONE ANOTHER, BOTH SIDES NEED TO MOVE. AND I CAN TELL YOU WITH ABSOLUTE CERTAINTY THAT WE HAVE MOVED A LOT. AND WE HAVEN'T SEEN ANY MOVEMENT ON THE CITY MANAGEMENT SIDE. SOMETIMES WE THINK THEY'RE MOVING AWAY FROM US. IT COULD BE JUST NEGOTIATOR'S PARANOIA. WE DON'T SEE THE CITY COMING TOWARDS US EVER. WE'VE NOT NOTICED THAT. WE CAN'T SEE IT HAPPENING. THEY SAY THEY'RE NOT

AUTHORIZED ESSENTIALLY TO NEGOTIATE, SO THEY'RE GIVEN THEIR SCRIPTS AND THOUGH SHOW UP AND THEY READ IT. AND THEY GO THROUGH ALL THE PAGES AND THEN WHEN IT DOESN'T IMPRESS US, THE NEXT TIME THEY READ IT TO US AGAIN. THEY READ THE PAST PAGE FIRST AND WORK BACKWARDS. AND IT JUST LOOKS THE SAME. IT'S GOING TO TAKE SOME GIVE AND TAKE. IT'S GOING TO TAKE SOME COMPROMISE. AND WE ARE CLOSE TOGETHER. WE HAVE COMPROMISED A LOT ON THE PROMOTIONAL PROCESS AND WE'RE VERY CLOSE TO HAVING AN AGREEMENT ON THAT. WE -- I'VE BEEN SURPRISED AT HOW MUCH COMPROMISE WE'VE AGREED TO IN THE HIRING PROCESS. I WAS DISAPPOINTED WHEN CITY MANAGEMENT PULLED THE PLUG ON THE CURRENT HIRING PROCESS. I THINK IT WAS A MISTAKE. I THINK IT COULD HAVE BEEN HANDLED A LOT BETTER, ESPECIALLY WITH ALL THE MONEY THAT WAS INVESTED IN IT. AND ESPECIALLY SINCE IT WAS THE HIRING PROCESS THAT THE CITY INSISTED ON A YEAR AGO. AND IT'S THE SAME PROCESS THEY'VE USED THREE TIMES. IT SHOULD NOT HAVE BEEN SO DIFFICULT. IT WAS A MISTAKE TO STOP DOING IT. BUT WE NEED SOME MOVEMENT FROM THE CITY. WE NEED SOME HELP. THE CITY MANAGEMENT TEAM DOESN'T SEEM TO HAVE ANY LATITUDE TO COMPROMISE OR MOVE. WHO GETS THE CREDIT FOR THAT? I DON'T KNOW. BUT I KNOW WHO CAN FIX IT. AND WHAT WE'RE ASKING FOR IS NOT A LOT. WE'RE NOT TRYING TO BREAK THE CITY, WE'RE NOT TRYING TO CLOSE THE PARKS. I STILL HAVE MY LIBRARY CARD, I INTEND TO USE IT. WE'RE NOT TRYING TO GET RICH. WE WOULD LIKE SOME OF OUR NEWER MEMBERS TO BE ABLE TO ENTERTAIN THE NOTION OF LIVING IN THE CITY OF AUSTIN. WE DID A PAY STUDY AND WE COMPARED HOUSING COSTS, AND WE FOUND OUT THAT WE COULD AFFORD TO BUY A HOUSE EVEN AT ENTRY LEVEL IN ONE OF THOSE CITIES WE WERE COMPARED TO LIKE SAN ANTONIO OR EL PASO. I'M NOT PICKING ON SAN ANTONIO, I'M PAYING THEM A COMPLIMENT, BECAUSE WE CAN AFFORD TO BUY A HOUSE THERE. WE DON'T NEED MUCH, BUT WE NEED A LITTLE AND WE NEED TO SEE SOME MOVEMENT ON THE CITY'S SIDE. AND I DON'T THINK WE'RE INTERESTED IN COMPROMISING ANY MORE UNTIL WE SEE SOME MOVEMENT ON THE SIDE OF THE CITY'S NEGOTIATING TEAM. AND I DON'T THINK THAT'S TOO MUCH

TO ASK. AND IN THE SPIRIT OF COMPROMISE, I'M PREPARED TO GIVE BACK ALL THE REST OF MY TIME. [ LAUGHTER ]

MAYOR WYNN: IT'S A BIT LATE TO CURRY THE FAVOR OF THE COUNCIL. THANK YOU, MR. SULLIVAN. FOR THE RECORD, HE DID DONATED FIVE MINUTES AND 42 SECONDS BACK TO US. THE NEXT SPEAKER IS CLIFF ALEXANDER.

[INAUDIBLE - NO MIC].

MAYOR WYNN: ANOTHER SPEAKER WHO SIGNED UP WAS WILLIAM JANKE, SORRY IF I'M MISPRONOUNCING THAT.

[INAUDIBLE - NO MIC].

MAYOR WYNN: STEP RIGHT UP.

I DO WANT TO THANK EVERYBODY FOR THE STAFFING. I REALLY DO -- OUR COMPANY STATION, YOU GUYS DON'T REALIZE THAT HAVING AN ADDITIONAL PERSON ON THE UNIT, WHAT IT REALLY DOES. BUT IT REALLY TAKES A LOAD OFF, MAKES OUR JOB MUCH MORE EFFICIENT. I DO HAVE TO SAY ONE THING, AFTER LISTENING TO THIS YEAR THAT LIKE A LOT OF FIREFIGHTERS HERE, THE ONES THAT ARE HERE, WE PUT IN OUR TIME, WE GO OUT AND COLLECT PETITIONS, WE GET SIGNATURES, AND I'VE BEEN TO A LOT OF UNION MEETINGS AND HAD SEVERAL COUNCILMEMBERS COME UP HERE AND SPEAK TO US AT THE UNION MEETINGS AND TELL US WHAT THEY THINK AND HOW MUCH THEY APPRECIATE WHAT WE'VE DONE FOR THEM. THERE'S A PARTICULAR COUNCILMEMBER HERE RIGHT NOW THAT I'M PRETTY DISMAYED WITH. HE TOOK OUR MONEY, HE TOOK OUR TIME, AND THEN PARTICULARLY RIGHT NOW HAS NOTHING MORE TO SAY TO US. AND I HAVE TO SAY THAT WHEN THE TIME COMES UP AGAIN, HE WON'T GET A PENNY OF MY MONEY OR A MINUTE OF MY TIME. THAT'S ALL I HAVE TO SAY.

MAYOR WYNN: THANK YOU. OTHER SPEAKERS ARE KENNETH RENARD, STEVE STEWART -- WELCOME, SIR.

FORGIVE MY NERVOUSNESS. THIS IS MY FIRST TIME UP HERE. GOOD EVENING, MAYOR, MAYOR PRO TEM, CITY MANAGER FUTRELL. MY NAME IS KENNETH RENARD. I HAVE

THE HONOR OF REPRESENTING THE EMPLOYEES ASSOCIATION AS VICE-PRESIDENT. AND THE HONOR OF WORKING FOR THE CITIZENS OF THIS WONDERFUL COUNTY AND STATE OR CITY AS A SUPERVISOR INTERN COMMUNICATION CENTER AT CTEC. I'VE LIVED IN AUSTIN FOR ABOUT 12 YEARS NOW. AND IT'S A WONDERFUL PLACE. I REALLY LOVE IT HERE. WE'RE COMING HERE TODAY TO TAKE AND THANK TOBY FOR WORKING WITH US AND MANAGEMENT ON COMING UP WITH A 48 HOUR WORK WEEK FOR OUR PARAMEDICS. THOSE GUYS ARE BEING WORKED TO DEATH OUT THERE. ONE THING THAT THEY HAVEN'T A REGULAR 56 HOUR WORK WEEK, A LOT OF TIME WORKING 48 HOURS STRAIGHT WITH NO REST PERIODS. THEY'RE GETTING KILLED OUT THERE AND THEY NEED THIS 48 HOUR WORK WEEK. WE'RE HERE TO FULLY SUPPORT TOBY'S BUDGET FOR E.M.S.

MAYOR WYNN: THANK YOU, KENNETH. STEVE STEWART? WELCOME, STEVE. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY CRAIG DIETZ.

IT'S MY FIRST TIME UP HERE AS WELL. MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, CITY MANAGER FUTRELL, I'M HERE REPRESENTING AUSTIN TRAVIS COUNTY E.M.S. EMPLOYEES ASSOCIATION. I'VE HAD THE PRIVILEGE OF SERVING THE CITIZENS OF AUSTIN AND TRAVIS COUNTY FOR THE LAST EIGHT YEARS AS A PARAMEDIC. I'VE ENJOYED MY TIME WITH AUSTIN TRAVIS COUNTY E.M.S. AND SPENT SERVING ON THE CORE CITY AMBULANCES THAT THE DIRECTOR RICHARD HARRINGTON SPOKE ABOUT EARLIER TODAY. WITH THE LEVEL OF WORK LOAD THAT WE ARE CURRENTLY EXPERIENCING, I THINK IT IS AMAZING THAT WE ARE ABLE TO CONTINUE TO ACHIEVE A HIGH LEVEL OF CUSTOMER SATISFACTION THAT WE HAVE. I WOULD LIKE TO THANK THE CITY MANAGER, ASSISTANT CITY MANAGER GARZA AND THE MAYOR, MAYOR PRO TEM OR COUNCIL FOR PROVIDING THE SUPPORT FOR OUR EFFORTS TO PROVIDE THE BEST PREHOSPITAL MEDICAL CARE AVAILABLE ANYWHERE. THE AUSTIN TRAVIS COUNTY E.M.S. EMPLOYEES ASSOCIATION FULLY SUPPORTS THE CITY MANAGER FUTRELL'S BUDGET FOR E.M.S. THANK YOU.

MAYOR WYNN: THANK YOU, MR. STEWART. CRAIG DIETZ?

WELCOME, CRAIG. A NUMBER OF FOLKS ARE OFFERING TO DONATE TIME TO YOU, CRAIG. YOU WILL HAVE UP TO 15 MINUTES IF YOU NEED THEM. YOU'RE WELCOME.

THANK YOU. I'LL TRY AND BE BRIEF TOO. I DO WANT TO BE RESPECTFUL OF YOUR TIME. FOR THOSE OF YOU WHO DON'T KNOW ME, I AM CRAIG DIETZ, I AM THE ATTORNEY AND HAVE BEEN THE ATTORNEY FOR A NUMBER OF YEARS WITH THE AUSTIN ASSOCIATION OF PROFESSIONAL FIREFIGHTERS. I'VE REPRESENTED THEM IN THE PAST ON THOSE RARE OCCASIONS WHEN WE'VE HAD LITIGATION, AND THIS YEAR I'VE HAD THE HONOR OF REPRESENTING THEM IN THE COLLECTIVE BARGAINING NEGOTIATIONS THAT THEY'RE CURRENTLY UNDERTAKING WITH THE CITY. I DON'T WANT TO REITERATE A LOT OF WHAT'S BEEN SAID TONIGHT ALTHOUGH I DO WANT TO ADDRESS SOME OF THE CONCERNS RAISED BY COUNCILMEMBER MCCRACKEN AND COUNCILMEMBER THOMAS, AND IF I FORGET TO DO THAT, PLEASE REMIND ME AND I'LL COME BACK TO IT. WE'VE BEEN NEGOTIATING NOW FOR ALMOST EIGHT MONTHS AND WE ARE VERY CLOSE TO AN AGREEMENT. WE ALSO ARE VERY CLOSE TO IMPASSE. AND ONE OF THE THINGS THAT I THINK MY FOLKS HAVEN'T HAD A CHANCE TO TALK TO YOU ABOUT TONIGHT IS WHAT HAPPENED IF IN FACT WE GO TO IMPASSE. I THINK THAT'S VERY IMPORTANT TO UNDERSTAND. IT'S A BAD SITUATION FOR THE FIREFIGHTERS AND I THINK IT'S EVEN A WORSE SITUATION FOR THE CITY. IF WE GO TO IMPASSE AND CAN'T REACH AGREEMENT, EVERYTHING THAT'S BEEN TENTATIVELY AGREED GOES BACK ON THE TABLE. NOW EITHER SIDE CAN REQUEST ARBITRATION, THE CITY PROBABLY WOULD NOT. WE PROBABLY WOULD. THE CITY -- EITHER SIDE CAN REFUSE ARBITRATION. THE CITY WOULD PROBABLY DISAGREE. IF THEY DECLINE TO DISAGREE AND WENT TO ARBITRATION, I THINK WE WOULD HAVE A FAVORABLE RESULT FOR THE FIREFIGHTERS. IF IN FACT ONE OF THE PARTIES DOESN'T AGREE TO ARBITRATION, ONLY THE ASSOCIATION CAN THEN GO TO COURT. THE CITY DOES NOT HAVE A COURT OPTION. AND THE COURT OPTION IS A LIMITED OPTION BECAUSE IT ONLY ALLOWS THE PARTIES TO NEGOTIATE ABOUT MEMBER BENEFITS AND PAY. AND THE COURT CAN ONLY IMPOSE A SOLUTION ON THE FIREFIGHTERS AND THE CITY FOR A

SINGLE YEAR PERIOD. SO IN THE SIX MONTHS WHILE WE'RE LITIGATING THAT CASE, AND WE'LL BE LUCKY IF IT'S SIX MONTHS, THERE'S THIS UNCERTAINTY THAT WOULD BE INJECTED INTO THE SITUATION, AND WE WOULD BE NEGOTIATING AT THE END OF THAT PERIOD. WE WOULD BE RIGHT BACK IN NEGOTIATIONS FOR THE FOLLOWING YEAR. SO IT IS A LIMITED REMEDY THAT'S ONLY AVAILABLE TO THE ASSOCIATION. AND QUITE FRANKLY, IT MIGHT WELL BE THAT THE ASSOCIATION WOULD CHOOSE INSTEAD JUST TO GO BACK TO A TOTAL CIVIL SERVICE SYSTEM THAT HAS SERVED THIS CITY WELL FOR MANY YEARS. WE DON'T WANT TO SEE THAT HAPPEN. WE ARE THIS CLOSE TO AN AGREEMENT. WE'VE NEGOTIATED ON EVERY ITEM THAT'S BEEN PUT BEFORE US BY THE CITY. WHEN WE STARTED THESE NEGOTIATIONS, OBVIOUSLY -- AND I THINK THIS IS TRUE OF EVERY EMPLOYEE ASSOCIATION -- OUR PRIMARY CONCERN WERE ECONOMICS. THE CITY HAD CONCERNS AS WELL. THE CITY'S CONCERNS WERE DIVERSITY IN THE FIRE DEPARTMENT IN WHAT THEY CONSIDERED TO BE AN ARCHAIC CIVIL SERVICE SYSTEM THAT DOESN'T ALLOW THE KIND OF HIRINGS AND PROMOTIONS THAT ARE NECESSARY IN ORDER TO PRODUCE A FIRE DEPARTMENT THAT MIRRORS THE COMMUNITY ITSELF AS A WHOLE. WE HAVE ADDRESSED AND COME TO TENTATIVE AGREEMENT ON EVERY PROPOSAL THAT THE CITY HAS ADVANCED IN THOSE AREAS. BY AND LARGE WITH FEW EXCEPTIONS DESIGNED TO PROVIDE PROTECTION FOR THE FIREFIGHTERS, WE HAVE AGREED TENTATIVELY TO EXACTLY WHAT THE CITY HAS ASKED FOR. WE'VE GONE A STEP FURTHER BECAUSE WE WANT TO SEE A FIRE DEPARTMENT THAT MIRRORS THE CITY AS WELL. AND WHAT WE DID WAS WE PUT ON THE TABLE THE IDEA OF APPOINTING DIVISION AS WELL AS ASSISTANT CHIEFS. THAT WAS AN IDEA THAT CAME NOT FROM THE CITY AT FIRST, BUT THE ASSOCIATION. SO WE NOT ONLY WORKED WITH YOU ON HIRING, WORKED WITH YOU ON PROMOTIONS, WE ALSO PUT ON THE TABLE OURSELVES AN APPOINTMENT SYSTEM FOR THE TWO HIGHEST RANKS BELOW THE FIRE CHIEF IN THE FIRE DEPARTMENT. NOW, ON THE ECONOMIC ITEMS, THERE'S BEEN A LOT OF TALK ABOUT WHETHER OR NOT OUR PROPOSALS, VIS-A-VIS THE CITY'S PROPOSALS, WOULD SOMEHOW BANKRUPT THE CITY. I WANT TO POINT OUT THAT OVER A THREE-YEAR CONTRACT, WHICH IS WHAT

WE'RE TALKING ABOUT NOW, THE DIFFERENCE IS \$27.1 MILLION OR MAYBE A LITTLE BIT MORE ON THE CITY'S SIDE, AND \$31.4 MILLION ON OUR SIDE. OVER A THREE-YEAR PERIOD THAT'S A TOTAL DIFFERENCE OF ABOUT FOUR MILLION DOLLARS. AT AN ADDITIONAL COST OF \$1.3 MILLION A YEAR, IT IS VERY DIFFICULT TO UNDERSTAND HOW OUR PROPOSAL AS OPPOSED TO YOURS WOULD CLOSE LIBRARIES, CLOSE DAY CARE CENTERS, DO ALL OF THE THINGS -- CLOSE OUR PARK SYSTEM, DO ALL OF THOSE THINGS BECAUSE WE'RE NOT TALKING ABOUT OUR PROPOSAL IN A VACUUM, WE'RE TALKING ABOUT A COMPARISON HERE. AND THAT COMPARISON AT THAT LEVEL WITH THAT SMALL OF A DIFFERENCE, IT'S VERY HARD TO SEE. THE OVERALL BASE WAGE INCREASE THAT WE'RE TALKING ABOUT OVER A THREE-YEAR PERIOD IS A 1.5% DIFFERENCE ON AVERAGE OVER THREE YEARS. OVER THE ENTIRE THREE-YEAR PERIOD, THAT'S THE DIFFERENCE BETWEEN OUR TWO PROPOSALS. SO ECONOMICALLY I DO NOT THINK THAT IT IS A CHOICE BETWEEN SOMETHING THAT IS FISCALLY RESPONSIBLE ON THE ONE HAND AND SOMETHING THAT WILL BANKRUPT THE CITY ON THE OTHER HAND IN TERMS OF THE OTHER SERVICES THAT THEY'RE TRYING TO PROVIDE. NOW, WE'VE BEEN TOLD REPEATEDLY AT THE BARGAINING TABLE THAT IT'S THE COUNCIL'S WILL THAT THEY NOT MOVE OFF OF THIS PROPOSAL. AND I NEED TO TELL YOU BACK IN APRIL OR MAY WHENEVER WE GOT OUR FIRST ECONOMIC PROPOSAL, ON PAPER WE WERE PRESENTED A PROPOSAL THAT SAID WE'RE GOING TO GET 5.5% PER YEAR FOR FIVE YEARS. I'VE GOT THE PIECE OF PAPER AND I WILL SHOW IT TO YOU. BUT ALMOST IMMEDIATELY THE CITY BEGAN BACKTRACKING FROM THAT PROPOSAL, AND THE LATEST PROPOSALS WE'VE GOTTEN FOR THE PAST MONTH OR SO OR OVER A THREE YEAR PERIOD WE'LL GET 5.5 PERCENT FOR ONLY THREE YEARS. SO THE CITY POSITION HAS NEVER CHANGED. THE FIREFIGHTERS, ON THE OTHER HAND, HAVE MADE PROPOSAL AFTER PROPOSAL TRYING TO BRIDGE THE GAP. THERE COMES A POINT IN TIME WHEN THE TWO PARTIES HAVE TO COME TOGETHER AND BOTH PARTIES HAVE TO MOVE. AND THAT'S WHAT WE'RE ASKING THE COUNCIL TO CONSIDER DOING TONIGHT IS TO MAKE SOME MOVEMENT TOWARDS US SO THAT WE CAN BRIDGE THIS GAP SO THAT



WE CAN GO ABOUT THE PROCESS OF IMPLEMENTING A CONTRACTUAL SYSTEM THAT I THINK WILL MEET THE NEEDS OF BOTH PARTIES FOR YEARS TO COME. NOW, IF THERE'S ONLY A 1.5% DIFFERENCE, WHY IS IT SO IMPORTANT TO THE FIREFIGHTERS THAT THEIR PROPOSALS BE THE ONES THAT ARE IMPLEMENTED? YOU HEARD E.M.S. WORKERS TALKING TONIGHT ABOUT THE FACT THAT THEY'RE OVERWORKED AND THEY WANT A 48 HOUR WORK WEEK. FIREFIGHTERS WORK AN AVERAGE OF 53 HOUR WORK WEEK AND THEY'RE ASKING FOR A REDUCTION ONLY OF 1.3 HOURS ON AVERAGE PER WEEK. BUT WHAT'S MOST IMPORTANT TO THE FIREFIGHTERS IS THE BASE WAGE PROPOSAL THAT THEY'RE MAKING. THAT BASE WAGE PROPOSAL DOES THIS THINGS THAT ARE GOOD FOR THE CITY AS WELL AS THE FIREFIGHTERS. IT ACTUALLY COMPRESSES THE PAY SCALE FOR FIREFIGHTERS AND IT PLACES MOST OF THE PAY RAISE IN THE LOWEST RANKS WHERE IT IS MOST NEEDED AND WHERE OUR PEOPLE ARE THE LOWEST PAID. AND SO THERE IS A LOT OF VALUE IN THAT TO US BECAUSE WE'RE HELPING THOSE AMONG US THAT NEED THE HELP THE MOST. IT'S SOMETHING THAT WE WERE REALLY ASKING THE CITY TO CONSIDER. AND IF YOU SIMPLY GIVE YOUR BARGAINING TEAM AUTHORITY TO BARGAIN WITH THEM -- AND REMEMBER, WE HAVEN'T SEEN ANY CHANGE IN THE ECONOMIC POSITION FOR SOME FOUR MONTHS NOW. IF YOU GIVE THEM THE ABILITY TO BARGAIN WITH US, WE THINK WE CAN BRIDGE THIS REMAINING GAP AND WE CAN COME UP WITH SOMETHING THAT'S GOING TO BE VERY HELPFUL FOR ALL OF US, FOR ALL THE FIREFIGHTERS AND FOR THE CITY. AND WE DO NOT THINK THAT IT WILL BANKRUPT THE CITY. I WANT TO TALK ABOUT THE HIGHEST PAID FIREFIGHTER THING. NOW, THERE HAVE BEEN TWO PAY SCENARIOS THAT HAVE BEEN GIVEN, THE ONE THAT I THINK YOU'RE REFERRING TO THAT THE CITY EXPERT PREPARED, AND THE ONE THAT OUR EXPERT PREPARED THAT I HOPE TO SHOW TO YOU. BUT THE THING I WANT TO TALK ABOUT IS YOUR OWN STUDY BECAUSE WHAT IT SHOWS IS WHEN YOU SAY WE'RE THE HIGHEST PAID, AS I SAW THE STUDY, AND I HAVEN'T REVIEWED IT TONIGHT, SO I'M TALKING OFF THE TOP OF MY HEAD, WHICH I KNOW IS DANGEROUS, BUT AS I RECALL THAT STUDY, FOR ALMOST EVERY RANK IN FIRE DEPARTMENTS, THERE WERE AT LEAST THREE MAJOR

CITIES IN YOUR STUDY, NOT YOURS, THESE AREN'T BEDROOM COMMUNITIES, THAT HAVE HIGHER PAID FIREFIGHTERS THAN AUSTIN. AND IF YOU ASSUME THAT THE PAY PROPOSAL THAT YOU PUT ON THE TABLE WILL MAKE US THE HIGHEST PAID, YOU ALSO HAVE TO ASSUME THAT THEY'RE NOT GOING TO BE GETTING PAY RAISES AT THE SAME TIME OVER THE YEARS. AND OF COURSE THAT'S NOT AN ASSUMPTION THAT WORKS. SO WHEN YOU SAY THAT YOURS WILL MAKE IT THE HIGHEST PAID, MY ANSWER IS WE'RE NOT THE HIGHEST PAID NOW AND ASSUMING OTHER FIRE DEPARTMENTS GET PAY RAISES, WE DON'T KNOW THAT WE WILL THEN BE EITHER. SO IT'S NOT FAIR TO COMPARE US TO AN AVERAGE ON A GRAPH. YOU'VE GOT TO LOOK AT THE INDIVIDUAL CITIES. AND YOU ALSO HAVE TO FACTOR IN, AS OUR EXPERT DID, THE COST OF LIVING. BECAUSE THE COST OF LIVING IN AUSTIN SIMPLY IS HIGHER THAN MANY OF THESE CITIES. AND THAT'S SOMETHING THAT YOU HAVE TO FACTOR IN. A DOLLAR IN TERMS OF PURCHASING HOUSING, ET CETERA, JUST DOESN'T GO AS FAR IN AUSTIN. SO I HOPE THAT YOU WILL LOOK AT THOSE THINGS. I HOPE THAT YOU WILL LOOK AT THE CLOSENESS WITH WHICH THE PARTIES ACTUALLY ARE, AND THAT YOU WILL HELP US BY AUTHORIZING YOUR TEAM TO MAKE MOVEMENTS DESIGNED TO BRIDGE THIS GAP. I DO WANT TO TALK TOO A LITTLE BIT ABOUT THE DIVERSITY ISSUE, COUNCILMEMBER, BECAUSE I KNOW THAT'S IMPORTANT TO YOU AND I SYMPATHIZE WITH YOU. BUT WHAT YOU'RE TALKING ABOUT AT THE HIRING PROCESS, THE HIRING PROCESS THAT RECENTLY WAS PULLED DOWN, AND IN HIS NEWS CONFERENCE, THE FIRE CHIEF GAVE THREE REASONS THAT THAT PROCESS WAS PULLED DOWN. ONE WAS THE FIREFIGHTERS ASSOCIATION HAD FILED. AND THAT DEALT ONLY WITH THE ENTRY LEVEL WRITTEN COMPETITIVE EXAM, WHETHER IN FACT IT WAS A TRUE APTITUDE TEST. THE CITY'S POSTURE THROUGHOUT THE PROCESSING OF THAT GRIEVANCE, THE GRIEVANCE IS NOW MOOT, OF COURSE, IS THAT THE GRIEVANCE WASN'T EVEN ARBITRATABLE. THEY NEVER EVEN EXPRESSED THE SLIGHTEST CONCERN AT ALL ABOUT WHETHER OR NOT THEY WOULD LOSE THAT GRIEVANCE. BUT THERE WERE TWO OTHER ISSUES THAT THE FIRE CHIEF RAISED THAT WE HAD NOTHING TO DO WITH. ONE OF THOSE WAS THE FACT THAT A WOMAN FILED A CHALLENGE TO THE PHYSICAL

ABILITIES TEST AND THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION HAS NOW TAKEN UP THAT THING AND FOUND THAT IT HAS SOME MERIT. AND SO THAT THROWS INTO QUESTION THE USE OF THAT TEST OVER FIVE OR SIX PAST CLASSES. IT IS A MAJOR PROBLEM FOR THE CITY. THAT I FEEL IS THE MAJOR REASON THAT THE CITY PULLED DOWN THE TEST. AND OF COURSE WE HAD NOTHING TO DO WITH THAT. THE OTHER REASON THEY PULLED DOWN THE TEST IS THAT THERE WERE QUESTIONS RAISED ABOUT WHETHER THE PROCESS HAD BEEN IMPLEMENTED FAIRLY. AND AGAIN THE ASSOCIATION HAD NOTHING TO DO WITH THOSE QUESTIONS THAT WERE RAISED. MY UNDERSTANDING, MY LIMITED UNDERSTANDING OF THAT IS THAT SOME FIREFIGHTERS INVOLVED IN THE PROCESS ITSELF, THE HIRING PROCESS ITSELF, MAY HAVE RAISED SOME CONCERNS, AND THERE WAS AN INTERNAL INVESTIGATION DONE BY THE FIRE DEPARTMENT. SO THE IMPORTANT THING TO REALIZE IS THAT THE ASSOCIATION WAS ONLY INVOLVED IN ONE ASPECT OF THAT AND IN A VERY MINOR WAY. AND I THINK YOU HAVE TO COMPARE THAT WITH WHAT WE'VE DONE WITH REGARDS TO DIVERSITY IN THE CONTRACT THAT WE NEGOTIATE. AGAIN, THE HIRING, THE THINGS THAT THE CITY HAS ASKED FOR IN HIRING IS GIVEN THE THINGS THE CITY HAS ASKED FOR IN PROMOTIONS WE'VE GIVEN. THE THINGS THE CITY DIDN'T ASK FOR LIKE APPOINTMENTS OF DIVISION CHIEFS WE'VE GIVEN. AND IF YOU IMPLEMENT THIS CONTRACT, YOU HAVE AN HISTORIC OPPORTUNITY TO HAVE A PROCESS THAT WILL GIVE YOU THE CITY AND THE FIRE DEPARTMENT THAT MIRROR EACH OTHER, WHICH IS A GOAL THAT I THINK WE ALL SHARE. SO ON BEHALF OF THE FIREFIGHTERS TONIGHT, I ASK SIMPLY THAT YOU EARNESTLY CONSIDER OUR PROPOSALS, LOOK AT THEM PERHAPS IN LIGHT OF SOME OF THE COMMENTS THAT YOU'VE HEARD TONIGHT. WE ARE NOT TRYING TO BANKRUPT THE CITY, WE ARE VERY CLOSE AND AN AGREEMENT IS IN THE INTEREST OF BOTH PARTIES. THANK YOU VERY MUCH FOR YOUR TIME. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

... THE ULTIMATE GOAL IS THAT WE KNOW THAT WE HAVE A PROBLEM IN THE HIRING PROCESS WHEN YOU HAVE A LOW NUMBER OF AFRICAN-AMERICANS, A LOW NUMBER OF

WOMEN, A LOW NUMBER OF ASIANS, A MODERATE RATE OF HISPANICS. WE AS A FIRE DEPARTMENT KNOW THAT WE HAVE A PROBLEM, HE HAVEN'T ADDRESSED IT. THE TROUBLE IS WHEN THERE WAS A CHALLENGE ABOUT THE TEST, I THINK THAT WE KNEW WHAT THE TEST WAS ABOUT ALL OF THE TIME, WHEN YOU GET A LIST OF PEOPLE THAT TOOK THE TEST THAT SAYING IT WASN'T ACCURATE, THERE WAS SOME CHALLENGE ON THE WAY THE TEST AS ADMINISTERED, IT WASN'T THE PROTEST. TO ME THAT WOULD SHOW THAT THE LARGE MONTH OF APPLICANTS THAT YOU HAD, THE LARGE NUMBER OF MINORITIES THAT YOU COULD HAVE HAD AN OPPORTUNITY TO HIRE. THAT'S WHERE -- I'M GOING TO LET STAFF ANSWER THIS, TOO. IS THAT WHAT YOU WERE TELLING ME?

MAYOR PRO TEM, I THINK IT'S IMPORTANT TO UNDERSTAND THAT AT THE POINT IN TIME THAT THE UNION FILED ITS CONTRACT GRIEVANCE WE DIDN'T HAVE ANY RESULTS, NO RESULTS, NO LISTS, WE DIDN'T KNOW WHO SCORED WHERE OR WHAT, NO INFORMATION AVAILABLE TO US. WE SIMPLY CHALLENGED THE WRITTEN APTITUDE TEST THAT WAS GIVEN ON THE GROUNDS THAT WE QUESTIONED WHETHER OR NOT IT WAS IN FACT A VALIDATED, GENERAL APTITUDE TEST. BUT WE DIDN'T HAVE ANY STATISTICS AVAILABLE TO US AT THAT TIME ABOUT WHO HAD DONE WELL ON THE TEST OR WHO HAD DONE BAD THAT I'M AWARE OF. I CERTAINLY NEVER SAW THEM, NONE WERE PRESENTED DURING THE PROCESSING OF OUR GRIEVANCE. THOSE ISSUES WERE RAISED REALLY BY FIREFIGHTERS, NOT AT THE BEHEST OF THE ASSOCIATION, AND THOSE ISSUES WERE -- AND THE EEOC CASE, OF COURSE, HAD NOTHING TO DO WITH US, THAT'S A CHALLENGE THE WOMAN FILED I THINK THREE OR FOUR YEARS AGO, THAT FINALLY THE EOC GOT AROUND TO PROCESSING.

BUT MY CONCERN WAS -- WAS THE WRITTEN EXAM. ALTHOUGH YOU MIGHT HAVE HAD ACCESS, BUT -- BUT I'VE BEEN AROUND LONG ENOUGH AND YOU HAVE BEEN AROUND LONG ENOUGH THAT WORD OF MOUTH IS GOING TO SAY HOW MANY PEOPLE TOOK THAT TEST, THE LARGE NUMBER BECAUSE -- BECAUSE TOOK THE TEST. UM -- SO YOU MIGHT NOT KNOW THE EXACT WHO WAS ON THE LIST, BUT YOU KNOW THERE WAS A LARGE AMOUNT THAT

SHOWED UP TO TAKE THE TEST.

WELL, I --

THAT'S NOT TRUE.

WHY WOULD YOU SAY THAT'S NOT TRUE, MR. MARTINEZ.

BECAUSE THE RESULTS --

THOMAS: NO, I'M SAYING YOU KNOW FOR A FACT --

I'M TRYING TO ANSWER THE QUESTION. I THINK THE QUESTION THAT YOU ARE ASKING IS EITHER THROUGH WORD OF MOUTH OR OFFICIALLY IS THERE A LIST OUT THERE THAT SHOWED HOW WELL MINORITIES DID ON THAT WRITTEN EXAM. IF SO IS THAT WHEN THE QUESTIONS STARTED TO BE RAISED. AND WHAT -- WHAT NEEDS TO BE EXPLAINED IS THAT THERE WERE NO RESULTS. NO ONE HAD SEEN RESULTS, NONE OF US HAD. NO ONE HAD KNOWLEDGE OR OF THE RESULTS OF THAT EXAM BEFORE OUR GRIEVANCE WAS FILED. NO ONE. TO MY KNOWLEDGE. MAYBE THE FIRE CHIEF DID BUT I DOUBT IT. WHEN WE FILED THE GRIEVANCE WE ASKED THE CHIEF AND HE SAID I HADN'T EVEN SEEN THE LIST.

THOMAS: WHO ADMINISTERED THE EXAM?

A PRIVATE COMPANY CALLED CWH MANAGEMENT SOLUTIONS. THAT'S CORRECT.

THOMAS: WHO RECRUITED THE PEOPLE TO TAKE THE EXAM? THE FIRE DEPARTMENT, RIGHT.

CORRECT.

THOMAS: OKAY. THAT'S MY POINT. YOU PROBABLY AT ANY TIME KNOW EXACTLY, BUT YOU KNOW YOU HAVE A LARGE AMOUNT OF PEOPLE APPLY TO TAKE THAT EXAM. YOU KNEW THAT.

YES.

THOMAS: THAT'S ALL THAT I NEED TO KNOW, THANK YOU.

MCCRACKEN: MR. DIETZ --

THOMAS: I'M SORRY, IF YOU DON'T MIND MAYOR, I DON'T WANT -- I'M GOING -- GO AHEAD, MR. DIETZ.

NO, I WAS JUST GOING TO SAY THAT, WELL TO BE HONEST WITH YOU I HAVE FORGOTTEN EXACTLY WHAT I WAS GOING TO SAY AT THIS POINTS. THAT HAPPENS TO ME MORE AND MORE.

MCCRACKEN: YOU WERE MAKING STATEMENTS ABOUT HOW AUSTIN FIREFIGHTERS SALARIES RANK UNDER THE COUNCIL'S PROPOSAL. WHAT ARE THE CITIES THAT ARE, THAT THE FIREFIGHTERS ARE RELYING ON TO COMPARE SALARY LEVELS WITH?

I DON'T HAVE THE LIST IN FRONT OF ME. IF YOUR POINT IS THAT A LOT OF THE CITIES WERE IN THE METROPLEX, YOU ARE --

MCCRACKEN: I WAS ASKING THE CITY.

WELL, MY RECOLLECTION IS THAT WE COMPARED OURSELVES TO ABOUT 10 OR 11 CITIES, I'M SURE THAT YOUR TEAM HAS ALREADY SHARED THAT STUDY WITH YOU. YOU PROBABLY HAVE IT IN FRONT OF YOU. BECAUSE SURELY THEY WOULD GIVE YOU BOTH STUDIES TO SHOW YOU WHAT THE DIFFERENCES IN OUR OPINIONS ARE ABOUT WHETHER OR NOT WE ARE THE HIGHEST PAY BECAUSE OF COURSE WE PRESENTED OUR STUDY FIRST. AND THE CITY REALLY PRESENTED THEIR STUDY AS A RESPONSE TO OUR STUDY. WHEN THEY PRESENTED THE STUDY, WHAT WE FOUND OUT SOME OF THE INFORMATION THAT THEY WERE RELYING ON WAS THE ENTIRE SOUTHERN REGION OF THE COUNTRY --

MCCRACKEN: I'M SORRY, I HAD A QUESTION. I'LL TELL YOU THE CITIES THAT FORM THE BASIS OF THE COMPARISON WE ARE RELYING ON, CORPUS CHRISTI, DALLAS, EL PASO, FORT WORTH, HOUSTON AND SAN ANTONIO. ARE ALL OF THOSE SIX CITIES PART -- WITHIN THE CITIES THAT YOU ALL ARE RELYING ON AS WELL, I MEAN I KNOW THERE ARE MORE BUT

--

I THINK THAT THEY ARE. I THINK THAT THEY ARE. I DON'T KNOW ABOUT CORPUS CHRISTI, AND I DON'T KNOW ABOUT EL PASO. BUT SAN ANTONIO, DALLAS, FORT WORTH, I THINK THAT THEY WERE IN THE GROUP THAT WE LOOKED AT FOR SURE. AND I WOULD POINT OUT IN YOUR OWN STUDY THAT I BELIEVE IT'S DALLAS, SAN ANTONIO AND ONE OTHER CITY THAT FOR MOST RANKS CURRENTLY ARE PAID MORE THAN AUSTIN FIREFIGHTERS ARE. WITHOUT EVEN CONSIDERING COST OF LIVING.

TO ME AS SOMEONE FROM CITY STAFF THAT GIVE US INFORMATION ON THE SALARY COMPARISONS, BECAUSE THIS --

FUTRELL: OF COURSE WE WEREN'T THINKING THIS WAS GOING TO BE -- THE BUDGET DISCUSSION WAS GOING TO BE COLLECTIVE BARGAINING DISCUSSION HERE TONIGHT. WE DON'T HAVE THAT TEAM HERE. RUDY -- I'M GOING TO TELL YOU WHAT WE WILL BE DOING FIRST THING IN THE MORNING. WE WILL HAVE BOTH BACK AND FRONT OF EACH COUNCILMEMBER, INCLUDING THE RANK BY RANK COMPARISON BY ALL MAJOR TEXAS CITIES SO YOU CAN SEE, IF REMEMBER WHAT OUR ASSUMPTIONS WERE, RUDY HELP CORRECT ME IF I'M WRONG, IT WAS 5.5% EACH YEAR, ASSUMING FOR THE OTHER CITIES, THE AVERAGE HISTORICAL INCREASE IN THOSE SUBSEQUENT YEARS. AND CORRECT ME IF I'M WRONG ON THAT.

FIRST OF ALL, UNFORTUNATELY WE -- I DON'T HAVE THE SALARY ANALYSIS WITH ME TONIGHT. BUT FIRST THING IN THE MORNING WE WILL SEND OUT THAT INFORMATION, WE WERE COMPARING, WE WERE UTILIZING THE MAJOR CITIES, HOUSTON, DALLAS, SAN ANTONIO, FORT WORTH. INITIALLY WE INCLUDED DALLAS, I MEAN CORPUS CHRISTI AND EL PASO. WE AGREED WITH THE ASSOCIATION THAT FOR COMPARISON WE WOULD EXCLUDE THOSE FROM OUR COMPARISONS MUCH ONE OF THE ANALYSES THAT WE DID CONDUCT WAS THE AVERAGE TENURE OF AN AUSTIN FIREFIGHTER. WHICH IS APPROXIMATELY NINE YEARS. SO WHAT WE DID, WE DID COMPARE A NINE YEAR FIREFIGHTER RANK TO A NINE YEAR FIREFIGHTER IN THE OTHER MAJOR

CITIES AND I -- I HATE TO SPEAK OUT OF TURN BECAUSE I JUST DON'T HAVE THAT IN FRONT OF ME TO TELL YOU THE EXACT DEVIATIONS FROM THERE. I CAN TELL YOU FROM MEMORY THAT BASED ON OUR ASSESSMENT, A FOUR PERCENT INCREASE TO THE BASE WAGE WOULD PUT A NINE YEAR FIREFIGHTER RANK ABOVE OTHER NINE YEAR FIREFIGHTER RANKS IN THE STATE OF TEXAS OR IN THE MAJOR -- THOSE CITIES, THE MAJOR TEXAS CITIES, EXCLUDING SOME OF THESE SMALLER CITIES IN THE METROPLEX. BUT WE CAN GET YOU, YOU KNOW, THE MORE ACCURATE INFORMATION TOMORROW MORNING OR EVEN LATER TONIGHT.

REALLY, WHAT WE ARE GOING TO DO, I ALREADY HAVE MADE A NOTE, WE ARE JUST GOING TO PUT DETAIL BY DETAIL IN FRONT OF EACH OF YOU FIRST THING IN THE MORNING.

MCCRACKEN: I THINK IT WOULD BE HELPFUL. WE HAVE BEEN PRESENTED WITH THIS INFORMATION ALREADY AS WELL.

FUTRELL: I KNOW, I REGRET I DIDN'T HAVE IT HERE. I DIDN'T REALIZE WHAT OUR DISCUSSION WAS GOING TO GO TO TONIGHT.

MCCRACKEN: WE HAVE LOOKED AT THE NUMBERS. CRAIG I WILL TELL YOU, NUMBERS, BASED ON THE INFORMATION THAT WE HAVE, I THINK IT WOULD BE HELPFUL FOR EVERYBODY TO SEE THE SAME BECAUSE WE ARE LOOKING AT OUR PROPOSAL, IT SHOWS ACCORDING TO THE INFORMATION THAT WE HAVE THAT WE ARE OFFERING TO MAKE AUSTIN'S FIREFIGHTERS THE HIGHEST PAID FIREFIGHTERS IN THE STATE. AMONG THE BIG CITIES. SO IT WILL BE HELPFUL FOR ALL OF US TO BE OPERATING FROM THE SAME PAGE, THE SAME INFORMATION.

BUT JUST RESPONDING TO WHAT MR. GARZA SAID THAT IF YOU GAVE AUSTIN FIREFIGHTERS A 4% RAISE IT WOULD MAKE THEM A HIGHER PAY THAN THE COMPARISON CITIES, THAT'S ASSUMING THOSE CITIES WHICH HAVE THE SAME FISCAL YEAR WE DO WOULD NOT BE GIVING -- THAT WE DO WOULD NOT BE GIVING ANY PAY RAISE TO THEIR PEOPLE.



FUTRELL: NO, THAT'S NOT THE ASSUMPTION. IF I REMEMBER CORRECTLY AVERAGE HISTORICAL INCREASE FOR EACH OF THOSE CITIES WAS INCLUDED IN THE CITIES IN THE ANALYSIS THAT WAS RUN. BUT ONCE AGAIN, WE WILL PULL IT, PUT ALL OF THE ASSUMPTIONS DOWN FOR EVERYONE, PUT IT IN FRONT OF THE COUNCIL RATHER THAN ALL OF US BE TALKING FROM THE AIR HERE TONIGHT.

MAYOR WYNN: PLEASE DO.

AND I'LL BE AVAILABLE OF COURSE TO ANSWER ANY QUESTIONS AFTER YOU HAVE THAT REVIEW. WE WOULD LOVE THE OPPORTUNITY.

ABSOLUTELY, THANKS.

MAYOR WYNN: THANK YOU, MR. DIETZ. NEXT SPEAKER IS BECKY BROOKS. BECKY IS GOING TO TAKE ABOUT RETIREMENT, I GUESS.

I HIGHLY RECOMMEND IT.

MAYOR WYNN: WELCOME.

THANK YOU. LIKE YOU SAID, I'M BECKY BROOKS, I RETIRED ABOUT TWO YEARS AGO. FOR SOME INSANE REASON I ALLOWED PEOPLE TO TALK ME INTO RUNNING FOR THE COLLECTIVE BARGAINING TEAM. I DON'T KNOW. I STILL HAVE A LOT OF FAMILY MEMBERS, NOT TO MENTION IT'S JUST ONE BIG FAMILY, SO I CARE ABOUT ALL OF THEM. SO I FEEL LIKE I DID HAVE A REASON TO START THIS PROCESS. AND I STARTED WITH A VERY POSITIVE ATTITUDE. I BELIEVED THAT WE COULD, UNDER COLLECTIVE BARGAINING, WHICH WE WORKED HARD TO GET. I THOUGHT WE COULD MAKE SOME SIGNIFICANT CHANGES THAT WOULD BENEFIT FIREFIGHTERS AND THE CITY OF AUSTIN. AFTER SIX, SEVEN, EIGHT MONTHS, I DON'T EVEN REMEMBER NOW, I FEEL LIKE WE HAVE BEEN THE ONLY SIDE NEGOTIATING. I THINK IT'S BEEN POINTED OUT A COUPLE OF TIMES, FIREFIGHTERS HAVE MOVED QUITE A BIT AND EACH TIME THE CITY COMES BACK WITH THE SAME THING. DIFFERENT FONT. REORDERED. MAYBE DIFFERENT COLORED PAPER NEXT TIME. BUT IT ALWAYS SAYS THE SAME THING. WE CHANGE.

WE HAVE GIVEN UP THINGS, REORGANIZED, REPRIORITIZED, KEEP MOVING, THE CITY KEEPS COMING BACK WITH THE SAME THING. I FEEL LIKE WE ARE THE ONLY ONES THAT ARE DOING A NEGOTIATION. I THINK THAT WE HAVE SUBMITTED A PROPOSAL THAT -- THAT IT'S VERY REASONABLE. I THINK IT WILL ALLOW THE CITY TO HIRE A WORKFORCE THAT'S REFLECTIVE OF THE CITY, WHICH, YOU KNOW, IS IMPORTANT. I THINK THAT THE SAME IT GIVES THE MAJORITY OF THE MONEY, THE PAY RAISE TO OUR LOWEST PAID FIREFIGHTERS, WHICH AGAIN HISTORICALLY WE HAVEN'T DONE. IT'S BEEN AN ACROSS THE BOARD PAY RAISE TO EVERYBODY. WE HAVE RECOGNIZED THE NEWER ONES THAT NEED MORE MONEY TO LIVE IN THE CITY, TO HIGH COST, GAS, HOUSING, EVERYTHING THAT'S HERE. AND I'M FRUSTRATED. I'M FRUSTRATED THAT AT THIS POINT I DON'T BELIEVE ANY OF OUR PROPOSALS HAVE BEEN TAKEN SERIOUSLY. I DON'T THINK ANYONE -- ANY -- I DON'T THINK IT. AFTER LISTENING TO SOME OF THE INFORMATION THAT YOU HAVE, IT'S DIFFERENT FROM OURS. I THINK IT PUTS US AT A TERRIBLE DISADVANTAGE, YOU SAY WE HAVE THIS, WE HAVE THIS INFORMATION, WE HAVE THAT. IT'S NOT WHAT WE SUBMITTED. WE HAVE AN EXPERT ALSO, YOU KNOW, SUBMIT SOME -- SOME DATA. I THINK THAT WE WERE WAY UP, FAR APART ON THE NUMBERS. SUBCOMMITTEES MEET WHEN WE ARE COMPARING MONEY, APPLES TO APPLES, I THINK THAT'S VERY HELPFUL. THE THING KEEPS COMING UP OFFICER AND OVER TONIGHT, YOU HAVE DIFFERENT FACTS AND FIGURES THAN WE DO. I DON'T WANT TO ACCUSE ANYBODY OF LYING, SOMETHING IS WRONG. SOMETHING IS NOT ACCURATE. IT'S HARD TO COMPARE. WE CAN'T SIT HERE AND TALK ABOUT IT IF WE'RE NOT ALL ON THE SAME PAGE. I THINK IT'S TERRIBLY UNFAIR FOR -- FOR YOU TO ACCUSE US OF TAKING MONEY LIKE TO PAY THE FIREFIGHTERS WITH SHUT DOWN LIBRARIES AND SHUT DOWN PARKS. IT'S UNFAIR. IT'S EVEN I THINK IT'S LOW HANDED IF -- IF THERE'S STUFF IN THE BUDGET, I THINK THERE'S FAT, TOBY FUTRELL IS ALWAYS SAYING THERE'S FAT IN THE BUDGET, EACH DEPARTMENT IS ASKED TO CUT IT. WE ARE -- AGAIN WE ARE DISADVANTAGED WE DON'T HAVE THAT BUDGET TO LOOK AT WHERE THE FAT IS. YOU AUTOMATICALLY SAY IF YOU GIVE FIREFIGHTERS A PAY RAISE AND THE CONTRACT THAT WE WANT IT SHUTS DOWN

PARKS, TAKES AWAY LIBRARIES, THAT'S TERRIBLY UNFAIR. WE HAVE THE BUDGET, I'M SURE THERE'S MANY FIREFIGHTERS OUT HERE THAT WE COULD GO OVER IT, I BET WE COULD FIND SOMETHING ELSE TO CUT THAT'S NOT NEAR AS IMPORTANT AS A PARK OR A LIBRARY TO MAKE UP THAT SMALL DIFFERENCE LIKE CRAIG DIETZ POINTED OUT. 1.5% OVER THREE YEARS IS A TERRIBLY SMALL AMOUNT OF MONEY THAT YOU ARE ACCUSING US OF MAKING ALL OF IT ON THE BACKS OF THE FIREFIGHTERS THAT TO GIVE US THAT MONEY WOULD SHUT DOWN PARKS AND ALL OF THE IMPORTANT STUFF. I THINK THAT'S TERRIBLY UNFAIR. I THINK YOU NOW HAVE OUR PROPOSAL IN FRONT OF YOU, THAT'S WHAT I WAS TOLD THAT YOU DO HAVE OUR PROPOSAL. I'M JUST ASKING THAT YOU SERIOUSLY LOOK AT IT. I THINK IT'S VERY FAIR. I THINK THAT WE HAVE BEEN NEGOTIATING AND NEGOTIATING AND NEGOTIATING AND I DON'T THINK THAT THE OTHER SIDE, AGAIN THEY JUST KEEP GIVING US THE SAME PIECE OF PAPER BACK. WE WILL BE ANXIOUSLY LOOKING FORWARD TO -- TO WHAT COMES NEXT WEEK, THANK FOR YOUR TIME.

MAYOR WYNN: THANK YOU, BECKY. NEXT SPEAKER IS ZANE CARSON.

[INDISCERNIBLE]

MAYOR WYNN: BLESS YOU. [INDISCERNIBLE] GARZA. AGGIE PRIVILEGE. [LAUGHTER]

HAD HE, MY NAME IS DELIA GARZA, I WORK AT STATION 17 IN SOUTH AUSTIN, ALSO A MEMBER OF THE BARGAINING TEAM. I FEEL I AM THE ONLY FIREFIGHTER RANK ON THE BARGAINING TEAM, SO I FEEL LIKE I'M REPRESENTING ALL OF THE FIREFIGHTERS, YOUNGER FIREFIGHTERS AND I THINK WE ARE CLOSE. I THINK WE ARE VERY CLOSE AND I'M ASKING YOU TO DO WHAT -- EVERYTHING THAT YOU CAN DO TO GET US WHERE WE NEED TO BE. AND JUST TO REITERATE, MIKE TALKED ABOUT THE PROPOSAL THAT WE HAVE MADE AND IT HELPS THE LOWEST WAGE EARNERS IN OUR DEPARTMENT. IT HELPS PEOPLE LIKE ME. IT HELPS THE YOUNGER FIREFIGHTERS. AND I DON'T KNOW THE FIGURES AND I DON'T KNOW ALL OF THE STATISTICS. I HAVE SEEN A LOT OF THEM BEING ON THE TEAM. I DON'T KNOW, YOU

KNOW, IF WE ARE THE NUMBER ONE PAID FIREFIGHTERS IN THE STATE. BUT I'LL TELL YOU WHAT I DO KNOW. THAT I PURCHASED A HOME BY MYSELF TWO YEARS AGO WHEN I WAS -- WHEN I WAS LOOKING FOR A HOME, I HAD TO MAKE A DECISION. AND I WANTED TO LIVE HERE IN AUSTIN. BECAUSE I WANTED TO LIVE IN THE CITY THAT I SERVE, IN THE COMMUNITY THAT I SERVE. IT WAS A HARD DECISION BECAUSE I COULD HAVE MOVED SOMEWHERE ELSE. I COULD HAVE MOVED BACK TO WHERE I'M FROM. AND GOTTEN A REALLY NICE HOUSE PROBABLY IN A NICE AREA, BUT I CHOSE TO STAY HERE. I CHOSE TO STAY HERE. I LIVE IN A SMALL OLDER HOME IN A LOWER INCOME NEIGHBORHOOD AND WHEN I DECIDED TO STAY HERE, I ALSO HAD TO DECIDE OKAY DO I GET A SECOND JOB NOW OR DO I GET A ROOMMATE? BECAUSE THAT'S WHAT I HAD TO DO IN ORDER FOR ME TO BUY A HOME. THOSE ARE THE DECISIONS THAT I HAD TO MAKE. I HOPE THAT ALL OF YOU WOULD AGREE THAT AN AUSTIN FIREFIGHTER SHOULD BE ABLE TO LIVE IN THIS COMMUNITY AND TO LIVE IN THE COMMUNITY THAT THEY SERVE AND NOT HAVE TO MAKE THOSE KIND OF DECISIONS. AND SO I CAN'T, YOU KNOW, CITY MANAGER IS GOING TO GIVE YOU NUMBERS TOMORROW. I DON'T KNOW WHAT THEY ARE GOING TO, I CANNOT TELL YOU IF THEY ARE RIGHT OR WRONG. DID YOU I DO KNOW THAT YOU SHOULD BE AN ADVOCATE OF FIREFIGHTERS WANTING TO LIVE HERE AND LIKE I SAID, I THINK WE'RE CLOSE. I THINK -- PLEASE DO ALL THAT YOU CAN DO. I KNOW THAT YOU HAVE A TOUGH JOB. I HAVE TO AGREE WITH BECKY THAT COUNCILMEMBER MCCracken'S COMMENTS WERE A LITTLE UNDERHANDED BECAUSE WE DON'T BECOME FIREFIGHTERS BECAUSE WE WANT TO BECOME RICH. THAT'S NOT WHY I'M A FIREFIGHTER. I KNOW THAT I'M NEVER GOING TO BE RICH. WE BECOME FIREFIGHTERS BECAUSE WE LOVE OUR JOBS. AND WE DON'T WANT LIBRARIES TO CLOSE AND AFTER SCHOOL PROGRAMS TO CLOSE AND I KNOW THAT YOU HAVE A TOUGH JOB, BUT PLEASE DO WHAT YOU CAN DO TO GET US WHERE WE NEED TO BE, TO HELP THE LOWER END OF THE PAY SCALE AND I WOULD JUST LIKE -- I DON'T WANT TO TAKE UP ALL OF YOUR TIME. I WANT TO CLOSE WITH THANKING YOU FOR ENHANCED TASK FORCE STAFFING. I WORK AT A STATION THAT IS AFFECTED BY THAT. I SEE HOW IT HELPS, HOW IT HELPS OUR SAFETY. SO I THANK YOU, MY

FAMILY THANK YOU AND THE MEN AND WOMEN AT MY STATION THANK YOU.

MAYOR WYNN: THANK YOU, MS. GARZA. OUR NEXT SPEAKER IS KEITH WEISS. KEITH, WELCOME. DID I PRONOUNCE THAT RIGHT?

[INDISCERNIBLE]

MAYOR WYNN: BEFORE YOU START, KEITH, I WILL ENTERTAIN A MOTION TO WAIVE COUNCIL RULES TO GO PAST 10:00 P.M.

THOMAS: SECOND.

MAYOR WYNN: MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY THE MAYOR PRO TEM TO WAIVE RULES TO GO PAST 10:00 P.M., ALL IN FAVOR PLEASE SAY AYE?

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

OKAY. THANK YOU. I'M -- YOU MUST HAVE A LITTLE GERMAN IN YOU THAT YOU COULD PRONOUNCE IT PROPERLY. I'M GLAD I TOOK A LITTLE BIT OF SPEECH WHEN I WAS IN HIGH SCHOOL SO I CAN TALK TO YOU ALL ABOUT THIS STUFF BECAUSE IT'S VERY IMPORTANT TO ME. OKAY. LET'S GET DOWN TO THE BASICS ON THIS THING. YOU ALL ARE TALKING ABOUT A LITTLE BIT OF MONEY THAT'S GOING TO CLOSE A LOT OF THINGS. AND I LOOK ACROSS HERE AND I LOOK AT THESE COUNCILMEMBERS THAT I'M LOOKING AT, THERE ARE SOME OF THEM THAT WERE HERE WHEN YOU PASSED THE CONTRACT FOR A.P.D. WHEN I CAME IN BACK, OH, GOD I HAVE BEEN IN 27 YEARS, SO WHEN I WAS IN -- WHEN I HAD FOUR YEARS SERVICE, WE HAD PARITY WITH THE POLICE. MY SON IS WITH A.P.D. HE'S A DETECTIVE. AND HE WILL MAKE MORE MONEY THAN I DO AS A CAPTAIN WITH 27 YEARS IN HIS DEPARTMENT. THIS YEAR WITH HIS OVERTIME. YOU MAY THINK WELL THIS OLD MAN OUGHT TO WORK A LITTLE MORE OVERTYPE. THAT'S NOT THE CASE, WE ARE NOT ALLOWED TO, I'M NOT ALLOWED TO BECAUSE I HAVE TOO MUCH RANK SO YOU PAY THE LOWEST RANK. MY SON HAS EIGHT YEARS IN. SO -- SO I CAN SEE WHERE YOU ARE IN

SOMEWHAT OF A MIND, BUT DON'T BLAME IT ON THE FIREFIGHTERS. BLAME IT WHERE THE BLAME BELONGS ON YOURSELF FOR GIVING A.P.D. THIS KIND OF RAISE. I -- I THINK THEY DESERVE A RAISE, YES. BUT THERE SHOULDN'T BE THAT BIG OF A DIFFERENCE BETWEEN US. I WANT EVERYONE ON THIS COUNCIL TO THINK ABOUT THAT. BECAUSE WE DO JUST AS A DANGEROUS OF A JOB AS A.P.D. DOES. AND I JUST WANT TO THANK YOU FOR THE ENHANCED TASK FORCE STAFFING BECAUSE I AM A CAPTAIN IN A MULTI-COMPANY STATION. AND IT IS VERY IMPORTANT TO US TO HAVE THE SEVEN PEOPLE RATHER THAN THE SIX. AND I DO WANT TO THANK YOU FOR THAT. THANK YOU.

THANK YOU, MR. WEISS. DUKE CHANDLER. DOESN'T WANT TO SPEAK, THANK YOU, DUKE. DAVID SABE, SORRY IF I'M MISPRONOUNCING THAT, DAVID. DAVID IS GONE. CHRIS MORAN? CHRIS MORAN. WISHING TO SPEAK. AND THE LAST SPEAKER SIGNED UP IS DAVID DICKSON. DAVID DICKSON. I'M TRYING TO REFRESH MY SCREEN HERE, NOT WORKING. WHILE I'M WAITING FOR THE SCREEN, TRYING TO DO IT'S MECHANISMS, IF SOMEBODY WANTS TO SPEAK, STEP UP AND --

OH --

FUTRELL: DON'T RUSH THE STAGE NOW.

WAITING IN LINE.

FUTRELL: YEAH.

MAYOR, MAYOR PRO TEM, COUNCIL, CITY MANAGER, I'M GOING TO START OUT BY THANKING YOU ALL FOR THE ENHANCED TASK FORCE STAFFING. THAT WAS A VERY, VERY GOOD THING FOR YOU ALL TO DO. IT MEANS A LOT TO US. ON -- I'M THE CHAIRPERSON OF THE BARGAINING TEAM FOR THE FIREFIGHTERS. CURRENTLY THERE'S A 4.4 MILLION DOLLAR DIFFERENCE BETWEEN WHAT THE CITY HAS OFFERED AND WHAT WE HAVE PROPOSED. THIS 4.4 MILLION SHOWS UP IN YOUR TWO AND THREE CONTRACT. YEAR ONE AS ALREADY HAS BEEN STATED WE ARE ACTUALLY UNDER WHAT HAS BEEN BUDGETED FOR US. BY APPROXIMATELY 300 TO \$400,000. THE \$4.4 MILLION IS A COMBINATION OF

SEVERAL ITEMS. WE HAVE TALKED ABOUT SOME OF THEM. THE 1 AND A HALF PERCENT RAISE OVER THE CONTRACT, THE SHORTER WORK WEEK, ONE THING THAT WE HAVEN'T TALKED ABOUT IS WE HAVE ASKED FOR 1% TO PENSION IN THE THIRD YEAR OF THE CONTRACT. PARDON ME. THEY HAVE COVERED ALL OF THIS, SO I'M NOT GOING TO SAY IT AGAIN. IN YEAR TWO OF THE CONTRACT, OUR PROPOSE COSTS APPROXIMATELY 2.1 MILLION MORE THAN THE CITY IS OFFERING. IN YEAR 3, APPROXIMATELY 2.3 MILLION MORE THAT'S OFFERED BY THE CITY. COUNCILMEMBER, EVERYBODY IS PICKING ON YOU, SO ... I AGREE, I DON'T SEE HOW THAT'S GOING TO DO ALL THAT YOU SAID IT WOULD. I DON'T SEE THAT AS A HUGE AMOUNT AND I DON'T SEE \$4.4 MILLION OVER 3 YEARS ACTUALLY TWO YEARS, YEAR TWO AND YEAR THREE OF THE CONTRACT AS BEING THAT BIG OF A DIFFERENCE. ALL I ASK IS THAT Y'ALL CONSIDER OUR PROPOSAL. THANK YOU.

JUDY ORTIZ, SINNED UP TO SPEAK. PROBABLY GOING TO BE IN ORDER NOW. FIONA ESPECIALLY, SORRY IF I'M MISPRONOUNCING THAT. FIONA. WHEREVER YOU ARE. THAT SHOWS AT LEAST THE PEOPLE SIGNED UP WISHING TO SPEAK, A LOT OF FOLKS MAY HAVE MISCLICKED, NOT WISHING TO SPEAK, A LOT OF THEM THEIR NAME IS ON HERE, IF ANYBODY WOULD LIKE TO ADDRESS THE COUNCIL, PLEASE STEP FORWARD.

MY NAME IS REGGIE TATUM, FIRE STATION 3. I WOULD LIKE TO THANK THE COUNCIL FOR GIVING US THIS OPPORTUNITY TO ADDRESS YOU. I WOULD LIKE TO THANK YOU FOR STARTERS FOR REINSTITUTING THE ENHANCED TASK FORCE STAFFING FOR THE REMAINDER OF THIS YEAR AND FISCAL YEAR 2006. I'M AT THE MULTI-COMPANY STATION ON 30TH STREET. I AM A FIREFIGHTER THAT IS INVOLVED IN THAT TWO IN TWO OUT PROCEDURE THAT MAKES A DIFFERENCE WHETHER YOU HAVE FOUR OR THREE MEMBERS ON THAT FIRE TRUCK, SO THANK YOU VERY MUCH FOR THAT. I'M GOING TO TOUCH ON THE TWO ISSUES. FIREFIGHTER HOUSING, THE SECOND ISSUE RECRUITMENT OF AFRICAN-AMERICAN MALES AS IT RELATES TO THE CURRENT NEGOTIATIONS. EARLIER, WELL, LAST YEAR EARLY LAST YEAR I WAS IN THE PROCESS OF LOOKING FOR A HOUSE, LIKE ANYONE I WOULD HAVE PREFERRED TO BE CENTRALLY

LOCATED IN AUSTIN TO HAVE ACCESS TO THE ENTERTAINMENT. I FOUND MYSELF GOING THROUGH STICKER SHOCK. AS I'M MAKING ADJUSTMENTS ACCORDING TO MY INCOME AND WHAT THE HOUSING PRICES WERE FOR THIS CITY, CENTRAL AUSTIN PARTICULARLY, I'M MOVING FURTHER AND FURTHER OUT. I LIVE IN LEANDER, TEXAS. SO I DID NOT EXPECT THAT, BUT THAT'S JUST THE SITUATION RELATING TO -- I THINK WHAT OTHER FIREFIGHTERS GO THROUGH DAILY GARZA WHAT SHE SPOKE OF EARLIER. I HAVE BEEN IN THE FIRE DEPARTMENT FOR ROUGHLY EIGHT YEARS. I HAVE WORKED TWO JOBS FOR ABOUT SIX OF THOSE EIGHT YEARS. SO IT'S JUST TO MAKE A POINT WITH THAT TO SAY THAT THERE IS DEFINITELY ROOM FOR MAYBE MORE COMPETITIVE SALARIES SO THAT I CAN HAVE ACCESS TO WHAT OTHER PEOPLE HAVE ACCESS TO, WHICH IS TO HAVE AFFORDABLE HOUSING HERE IN AUSTIN, TEXAS AND AT THIS POINT IN MY OPINION THAT IS SOMEWHAT OF A SALARY BASED ISSUE TO THE POINT THAT ONCE AGAIN I'M WORKING TWO JOBS FOR THIS AMOUNT OF YEARS. AS FAR AS THE CONTRACT NEGOTIATIONS GO, SEVERAL YEARS AGO, I WAS INVOLVED IN A PILOT PROGRAM WHEN GARY WARREN WAS OUR FIRE CHIEF, AND IT WAS A RECRUITMENT PROCESS THAT WAS TEMPORARY BUT I ENJOYED IT ACTUALLY. IT INVOLVED GETTING OUT THROUGHOUT AUSTIN, BUT PARTICULARLY IN AREAS WHERE MINORITIES ARE CONCENTRATED, AND SO I WAS IN MANY PLACES IN AUSTIN, PARTICULARLY EAST AUSTIN, I WAS IN BARBER SHOPS, I WAS IN STORES, I WAS IN POOL HALLS TALKING TO AFRICAN-AMERICAN MALES TO GET A FEEL FOR THEM AND HOW THEY WOULD DO THE FIRE SERVICE AND TAKE ADVANTAGE OF A RECRUITING OPPORTUNITIES IF IT PRESENTED ITSELF. MY MOST FRUITFUL EXPERIENCE WAS THE GENTLEMEN THAT I MET ON THE COLLEGE CAMPUSES IN THIS AREA. HUSTON TILLOTSON BUT PRIMARILY THE UNIVERSITY OF TEXAS. I GOT INTO CONVERSATIONS WITH VERY SHARP INDIVIDUAL, TELLING THEM ABOUT THE FIRE DEPARTMENT, THE JOY THAT I HAVE OF THE JOB, THE SATISFACTION THAT I GET IN SERVING THE PUBLIC THAT WAY, I CAN TELL IN THOSE CONVERSATIONS THAT THEY WERE MOTIVATED TO HEAR MORE OF WHAT I SAID. AND THAT WAS GREAT FOR ME TO HEAR UNTIL I GOT TO THE POINT OF SALARY. AND THESE INDIVIDUAL THAT I WAS



TALKING TO IN THOSE INSTITUTIONS WERE MOTIVATED FOLKS. THEY WERE UPPER MOBILE -- UPWARD MOBILE GENTLEMAN, HALFWAY THROUGH OR PRETTY MUCH THROUGH THEIR CAREER PATH AT THAT UNIVERSITY SO WHEN WE ARE TALKING ABOUT SALARY, STARTING SALARY FOR THE AUSTIN FIRE DEPARTMENT, FOR FIREFIGHTER, IT JUST HAPPENED THEY ARE COMPARING THAT TO THEIR STARTING SALARY IN THE PRIVATE SECTOR IN THAT CAREER FIELD. AND ONCE AGAIN THESE -- THESE WERE BUSINESS MAJOR -- BUSINESS MAJORS, THEY WERE ENGINEERS, I RAN INTO PRELAW GUYS EVEN. SO BUT THE POINT WAS AT THAT JUNCTURE TO SAY IT WAS A BIT OF FRUSTRATION FROM MY STANDPOINT BECAUSE THIS -- DANNY THOMAS, THIS IS RELATING TO WHAT YOU ARE SPEAKING OF EARLIER, MY EXPERIENCE DURING THAT PILOT PROGRAM THAT I WAS INVOLVED IN OPENED MY EYES TO THE DIFFICULTY OF RECRUITING AFRICAN-AMERICAN MALES FOR THE FIRE SERVICE IN THIS CITY. I THINK THAT IS A NATIONWIDE PROBLEM AS IT IS, BUT IN THIS CITY THE DIFFERENCE BETWEEN DALLAS AND THE DIFFERENCE BETWEEN HOUSTON, I PICKED THOSE BECAUSE THOSE ARE THE LARGER CITIES, IS FROM MY POINT OF VIEW JUST THE POOL OF QUALIFIED APPLICATIONS, APPLICANTS TO CHOOSE FROM. DALLAS HAS A POPULATION OF ROUGHLY 23% AFRICAN-AMERICAN POPULATION. HOUSTON WE ARE TALKING 40, 50%, DALLAS -- I MEAN AUSTIN, TEXAS DOES NOT HAVE THAT POOL OF BLACK COMMUNITY OF AFRICAN-AMERICANS TO CHOOSE FROM FOR STARTERS LET ALONE QUALIFIED MALE AFRICAN-AMERICANS. SO THERE WAS -- THERE'S A LOT OF THINGS THAT TIE INTO MY OPINION WHY THERE'S A CONTINUAL STRUGGLE IN THIS CITY FOR US TO RECRUIT QUALIFIED AFRICAN-AMERICAN MALES AND I WENT THROUGH THAT RECRUITING PILOT PROGRAM FOR ROUGHLY 8 WEEKS. AND IT TOTALLY CHANGED MY POINT OF VIEW FOR THE DIFFICULTIES THIS DEPARTMENT HAS AND I -- IN MY OPINION WILL HAVE FOR AN EXTENDED PERIOD OF TIME BECAUSE WE'RE TALKING A POOL OF PEOPLE TO CHOOSE FROM THIS IN THIS GENERAL AREA OF TEXAS TO -- TO BE FIREFIGHTERS IN AUSTIN, TEXAS. IT'S JUST NOT THAT MUCH. AND I HAD ACCESS TO THE QUALIFIED INDIVIDUALS WHICH -- WHICH WOULD BE THOSE THAT I SPOKE TO AT THE UNIVERSITIES AND THEY ARE DEBATING AND IF I CAN GET

MORE MONEY THE JOB STRAIGHT OFF THE GATE FROM THE UNIVERSITY OF TEXAS, GO TO THE FIRE DEPARTMENT, 10, 15,000 LESS, THAT WAS AN EASY DECISION FOR THEM TO MAKE. THAT WAS MY POINT OF VIEW. SO ALL OF THAT INFORMATION FROM MY STANDPOINT GOES TO THE POINT OF COMPETITIVE SALARIES AND THIS IS IN RELATION TO OUR CURRENT CONTRACT NEGOTIATIONS. [BUZZER SOUNDING] I FORMALLY ASK THE COUNCIL IF YOU WOULD GIVE AUTHORIZATION TO THE CITY NEGOTIATING TEAM TO MAKE ADJUSTMENTS TO THE CURRENT PROPOSAL THAT THE FIRE DEPARTMENT HAS PUT ON THE TABLE AND I THINK THAT CAN ADDRESS SOME OF THE EXPERIENCES THAT I HAVE JUST TOLD YOU AND PARTICULARLY COUNCILMAN THOMAS I THINK THAT IT CAN BRING UP, THAT'S WHAT'S STANDING THE CURRENT SITUATION WE WENT THROUGH HIRING, I THINK IT CAN HELP ATTRACT MORE QUALIFIED AFRICAN-AMERICAN MALES INTO THE DEPARTMENT. THANK YOU FOR YOUR TIME.

THANK YOU MR. TATUM. ANYBODY ELSE? MY SCREEN DOESN'T SEEM TO BE WORKING FOR US TONIGHT, SO ...

GOOD EVENING, MY NAME IS WARREN RIDER, I WANT TO THANK THE COUNCILMEMBER, MAYOR PRO TEM, CITY MANAGER, FOR THE OPPORTUNITY TO SPEAK. I WILL ALWAYS START WITH PRAISE FIRST AND ENHANCED TASK FORCE STAFFING IS A GOOD DEAL. I APPRECIATE IT. IN TOTAL. 20 YEARS AGO, I PARTICIPATED IN THE FOUR PERSON STAFFING STUDY. THAT FIRST BROUGHT THIS TO OUR ATTENTION IN THIS CITY. AND I'M GLAD TO SEE SOME MOVEMENT. AS MY FATHER SAID, THESE THINGS TAKE TIME. OKAY. AS LONG AS WE ARE MOVING. I'VE ALSO BEEN INVOLVED IN THE BARGAINING PROCESS, THE ONLY PROCESS THAT I HAVEN'T BEEN INVOLVED IN WAS THE VERY FIRST MEET AND CONFER. I DIDN'T LIKE THE RESULTS, SOMEONE SAID YOU NEED TO GET INVOLVED, I HAVE BEEN INVOLVED EVER SINCE. A LOT OF THINGS HAVE CHANGED, COLLECTIVE BARGAINING, BUT STILL GIVE AND TAKE, I THINK IT'S TIME FOR GIVE AND TAKE. I APPRECIATE AT LEAST HAVING AN OPPORTUNITY TO MOVE TOWARDS SOMETHING. I THINK THERE'S SOME GOOD THINGS IN THIS CONTRACT THAT WEREN'T IN PREVIOUS ONES. ONE OF THE BEST EXAMPLES THAT I CAN GIVE IS THE HIRING PROCESS. PREVIOUSLY THE CITY SAID HEY WE NEED THIS, WE SAID

WELL OKAY. THIS TIME IT'S A LITTLE DIFFERENT. WE ARE INVOLVED IN THE PROCESS SAYING WE HAD SUBCOMMITTEE WORK. I WORK WITH GARZA ON THAT SUBCOMMITTEE SAID LOOK HOW DO WE GO ABOUT GETTING PEOPLE IN HERE, HOW DO WE HELP THE PROCESS. WHEN WE SEE SOME INVOLVEMENT ON BOTH SIDES, NOT JUST ONE SAYING YES, LET'S TRY THAT. I THINK THAT WE HAD SOME GOOD RESULTS FROM THAT. I THINK AN OPPORTUNITY TO DO SOME APPOINTMENTS AT THE HIGHER LEVELS WILL HELP MAKE US THE DEPARTMENT THAT IS REFLECTIVE OF OUR COMMUNITY. AND I ALWAYS ENJOY THE FIRE SERVICE BECAUSE WE SERVE PEOPLE, WE DON'T KNOW WHO THEY ARE WHEN THEY CALL. WE NEVER TALK TO THEM. WE JUST SERVE 'EM. WE GO OUT THE DOOR. WE NEVER CARE ABOUT THEIR BACKGROUND, THEIR WAGE EARNING. I HAVE ALWAYS ADMIRERD THAT'S, THAT'S WHY I CAME HERE. I HAVE ALWAYS FOUND IT UNIQUE IF YOU EVER LOOK AT US AT A FIRE SCENE, WE ALL LOOK THE SAME. WE ALL LOOK THE SAME. AND BECAUSE WE ARE JUST WEARING DIFFERENT HELMETS. NOW OUR MISSION CHANGES, WE ARE MEDICAL, WE MEET THAT COMMUNITY. THAT'S A CHANGE TO US. SO WE NEED TO REFLECT THAT COMMUNITY. I THINK THERE'S AN OPPORTUNITY HERE. I'M GLAD, I DON'T WANT TO POINT BACK BECAUSE LOOKING BACK AT ALL OF THE OPPORTUNITIES THAT ARE MISSED IT'S NICE BUT IT DOESN'T GET US MOVING FORWARD. I THINK THAT IT IS A SHAME. BUT I THINK THERE'S SOME GREAT OPPORTUNITIES TO MOVE FORWARD. I HAVE STAYED INVOLVED WITH THE PROCESS ALL THE WAY THROUGH. I HAVE PLANNED ON SEEING THIS PROCESS THROUGH. WE ARE COMING IN HERE ASKING FOR A LITTLE HELP AND I WOULD APPRECIATE THAT. THANKS FOR YOUR TIME.

MAYOR WYNN: THANK YOU, SIR. ARE THERE ANY OTHER CITIZENS THAT WISH TO ADDRESS THE CITY COUNCIL REGARDING THE PROPOSED '05-'06 CITY BUDGET? THANK YOU ALL VERY MUCH FOR BEING HERE. COUNCILMEMBER ALVAREZ? I HAD A COUPLE OF QUESTIONS. PEOPLE SPOKE FAVORABLY ABOUT THE ENHANCED TASK FORCE STAFFING. MY QUESTION IS WAS THAT REINSTATED JUST FOR THE REMAINDER OF THE FISCAL YEAR, THAT'S SOMETHING THAT NEEDS TO BE ADDED TO THE BUDGET OR IS THAT

SOMETHING THAT CAN CONTINUE BASED ON THE RESOURCES THAT HAVE BEEN ALLOCATED FOR FIRE --

FUTRELL: IT'S IN. IT'S IN. IT CONTINUES FOR THE REST OF '05 AND ONWARD. IT'S IN THE BUDGET FOR '06.

ALVAREZ: THANK YOU. WELL, THAT'S VERY GOOD NEWS THEN BECAUSE, YOU KNOW, I THOUGHT WHAT WE HAD DONE WAS JUST REINSTATED IT FOR THE REST OF THE FISCAL YEAR. BUT OBVIOUSLY IT'S A SIGNIFICANT STEP IN TERMS OF MOVING FORWARD AND GETTING CLOSER TO OUR GOAL OF FOUR PERSON STAFFING. AND I DO WANT TO COMMEND THAT THE CITY MANAGER DID DO THAT OBVIOUSLY ON HER OWN ACCORD. OBVIOUSLY THE COUNCIL ADOPTED A RESOLUTION SAYING SEVERAL YEARS BACK WE WANTED TO WORK OUR WAY TOWARDS FOUR PERSON STAFFING. BUT AS YOU COULD TELL THAT ITSELF HAS A BUDGET IMPACT. AND YOU KNOW OTHER ISSUES THAT HAVE BEEN RAISED ABOUT MAYBE INCREASING WAGES OR INCREASING THE SIZE OF THE -- OF THE CONTRACT WE MIGHT HAVE WITH THE UNION, I GUESS THIS IS THE RIGHT FORUM FOR BUDGETARY QUESTIONS, BUT I DIDN'T KNOW THAT WE WERE GOING TO GET THIS FAR INTO THE -- SOME OF THE BARGAINING ISSUES. BUT THERE IS, YOU KNOW, SIGNIFICANT FINANCIAL CONSIDERATIONS HERE THAT THE COUNCIL IS MAKING. I DO WANT TO COMMEND, YOU KNOW, OUR FIREFIGHTERS, THE ASSOCIATION, FOR BEING -- FOR BEING SO KIND. THE WISH THE TASK FORCE STAFFING, THE ISSUE WITH THE HIRING PROCESS AND BOTH OF THOSE ARE PRETTY COMPLEX SORTS OF ISSUES AND THE ONE WITH THE CADET CLASS IS VERY, VERY COMPLEX AND I DON'T KNOW THAT, YOU KNOW, ANY ONE -- THERE'S COMPLAINTS BEING FILED, YOU KNOW, FROM ALL DIFFERENT SOURCES AND SO I -- YOU KNOW, I THINK THAT THERE'S -- THERE'S NO ONE AT THE -- AT THE INDIVIDUAL OR THAT YOU CAN POINT TO TO SAY THAT -- THAT LED TO THIS CLASS HAVING TO BE SUSPENDED. BUT AGAIN UNLESS YOU HAVE A CONVERSATION ABOUT IT, EVERYBODY KIND OF COMES AT IT WITH THEIR OWN ASSUMPTIONS, MAY OR MAY NOT BE BASED ON THE FULL INFORMATION. WE ALSO TALKED A LITTLE BIT ABOUT DIVERSITY AND HOW COMMITTED THE COUNCIL MAY BE OR THE UNION MAY BE OR ASSOCIATION MAY BE. BUT I DO WANT TO COMMEND THE

ASSOCIATION FOR THE OFFER THEY HAVE PUT ON THE TABLE IN TERMS OF HIRING AND IN TERMS OF PROMOTIONS. AND THE -- THE TOOLS THAT IT GIVES THE CITY IN TERMS OF THE ABILITY TO -- TO CRAFT A PROGRAM, YOU KNOW, THAT WE FEEL MAY BE BEST -- IS ABLE TO HELP US MEET OUR GOALS, SO -- SO ALTHOUGH AGAIN THERE'S A LOT OF DIFFERENT ISSUES GOING ON IN TERMS OF HIRING AND DIVERSITY, I BELIEVE THAT WHAT IS ON THE TABLE IS -- IS WHAT WE NEED, YOU KNOW, WHAT THE CITY NEED, MANAGEMENT NEEDS AND PERSONALLY WHAT I THINK WOULD HELP US IN TERMS OF THAT PARTICULAR ISSUE. SO I DO WANT TO MAKE SURE THAT YOU ALL UNDERSTAND THAT WE KNOW THAT THAT WAS NOT A SMALL THING OR IS NOT A SMALL THING AND THAT CARRIES A LOT OF WEIGHT, THANK YOU.

MAYOR WYNN: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS,? COUNCILMEMBER KIM?

KIM: IT'S GOOD TO SEE YOU ALL HERE TONIGHT. I KNOW IT'S BEEN A VERY LONG PROCESS THAT STARTED BEFORE I WAS ON HERE ON THE COUNCIL, SO I STILL AM LEARNING A LOT ABOUT WHAT'S BEEN HAPPENING AS FAR AS OFFERS AND COUNTER OFFERS. BUT I GUESS SOME OF THE THINGS THAT I'M HEARING IS THAT YOU WOULD LIKE TO BE ABLE TO PAY YOUR SHORTER TENURED FIREFIGHTERS A BIT MORE. TO BE ABLE TO STAY IN THE CITY TO BE ABLE TO AFFORD A HOME, SO HOUSING IS A MAIN ISSUE FOR YOU. AND SO I'M HOPING THAT WE AS A COUNCIL CAN MAYBE LOOK AT SOME DIFFERENT WAYS, SOME DIFFERENT PROPOSALS AND TO BE ABLE TO GET TO SOME SORT OF AGREEMENT THAT WOULD BE SOMETHING THAT YOUR UNION CAN ACCEPT. BUT WE WILL WORK ON IT. AND IN THE NEXT WEEK SO THANK YOU.

MAYOR WYNN: COUNCILMEMBERS, FURTHER COMMENTS, QUESTIONS? IF NOT I WOULD LIKE TO REITERATE WHAT WAS SAID BY SEVERAL PEOPLE. ACTUALLY ON BOTH SIDES OF THIS DAIS IS THAT WE DO SEEM TO BE AWFULLY CLOSE. AND I DO COMMEND THE NEGOTIATING TEAM FOR THE FIREFIGHTERS FOR FLEXIBILITY AND THE WORK THAT'S BEEN BROUGHT FORWARD. I PERSONALLY APPRECIATE SOME OF THE FLEXIBILITY EVEN WITHIN YOUR ALL'S MOST RECENT PROPOSAL AS I UNDERSTAND IT. YOU PROBABLY

ALREADY HAVE BEEN NOTIFIED BY CITY MANAGEMENT THAT AFTER OUR DISCUSSIONS TODAY, THE COUNCIL WANTED ANOTHER WEEK NOW TO REALLY UNDERSTAND WHERE WE ARE AND TO UNDERSTAND THESE NUMBERS AS WE STARTED GETTING INTO IT THIS EVENING ABOUT EXACTLY HOW WE ANALYZE WHERE WE ARE. BUT I THINK MOST OF US RECOGNIZE HOW CLOSE WE ARE AND WITH THE -- WITH THE WEEK'S WORTH OF WORK BY THIS COUNCIL, WE WILL SEE HOW TO -- TO HOPEFULLY GET THIS HYPED US AND MOVE FORWARD. I'VE SAID SEVERAL TIMES AS WE HAVE SOME OF THESE RESOURCES OF OUR RECOVERY, CLEARLY THE BOTTOM IS BEHIND US ECONOMICALLY, THEN I THINK MOST OF US VERY MUCH WANT TO LOOK TO OUR WORKFORCE AND MAKE SURE THAT WE HAVE MOTIVATED, WELL COMPENSATED, WELL TRAINED, WELL EQUIPPED PEOPLE ALL ACROSS THIS CITY INFRASTRUCTURE. SO HOPEFULLY THIS WEEK WE GET THERE. WE APPRECIATE THE FLEXIBILITY AND THE TIME AND EFFORT AND THANKS FOR BEING HERE TONIGHT. AGAIN, COUNCIL, THAT'S ALL OF OUR CITIZENS WHO WANTED TO ADDRESS US ON THIS ONE OF FOUR PUBLIC HEARINGS REGARDING OUR BUDGET. I'LL ENTERTAIN A MOTION TO CLOSE THIS PUBLIC HEARING. MOTION MADE BY THE COUNCILMEMBER DUNKERLY. SECONDED BY COUNCILMEMBER MCCrackEN TO CLOSE THIS PUBLIC HEARING, ITEM NO. 65. ALL IN FAVOR PLEASE SAY AYE?

AYE.

WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. COUNCIL, I THINK ALL THAT WE HAVE LEFT, FOR THE RECORD MS. BROWN, EARLIER IN EXECUTIVE SESSION WE DID NOT TAKE UP ITEMS 53, 55 OR 56. SO THOSE ITEMS WERE NOT TAKEN UP IN CLOSED SESSION EARLIER. AND WON'T BE. COUNCIL, THAT LEAVES US WITH I THINK WITH JUST TWO OF OUR ITEMS FROM COUNCIL. FIRST OF WHICH ITEM NO. 41, WAS THE APPOINTMENTS TO OUR SUBCOMMITTEES AND MY UNDERSTANDING IS THAT WE ALL HAVE A -- A NEWER RESOLUTION THAT WAS DRAFTED SOMETIME MIDDAY TODAY. ACTUALLY I'M LOOKING AT ONE THAT'S DATED 4:30 P.M. TODAY, ITEM NO. 41. I DON'T KNOW IF STAFF NEEDS TO WALK US THROUGH THIS OR NOT. I THINK IT'S RELATIVELY SELF EXPLANATORY, IT TALKS ABOUT THE

TWO, AS I SEE IT, IT TALKS ABOUT THE ESTABLISHING THE SCOPE AND PURPOSE OF THE COMMITTEE FOR EMERGING TECHNOLOGY IN TELECOMMUNICATIONS. AND THEN IT TALKS ABOUT THE SCOPE AND PURPOSE OF THE LAND USE AND TRANSPORTATION COMMITTEE. AND THEN IT APPOINTS COUNCILMEMBER LEFFINGWELL TO THE PUBLIC HEALTH AND HUMAN SERVICES SUBCOMMITTEE. JOINING COUNCILMEMBER DUNKERLY AND THE MAYOR PRO TEM. RATIFIES MY APPOINTMENT TO BOTH THE CAPCOG CLEAN AIR COALITION AND THE CLEAN AIR FORCE. AND THEN ABOLISHES A NUMBER OF OUR OLDER COMMITTEES THAT HAVEN'T BEEN MEETING. ANY COMMENTS, QUESTIONS, ON ITEM 41? IF NOT, I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 41, THE AMENDED RESOLUTION. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. LASTLY, HOPEFULLY NOT LEAST, ITEM NO. 49, IS A -- AN ITEM FROM COUNCIL THAT I'M JOINED BY COUNCILMEMBER LEFFINGWELL AND KIM ON, WHICH IS A -- SORT OF A MULTI-FACETED RESOLUTION DIRECTING THE CITY MANAGER TO DO A NUMBER OF THINGS RELATED TO THE GREEN WATER TREATMENT PLANT. AND JUST AS A QUICK SUMMARY, I'LL ITEMIZE THOSE MAY POINTS OF THIS RESOLUTION. ASKS FOR THE CITY MANAGER TO BEGIN THE PROCESS OF SELECTING A SITE FOR AND THEN -- AND BEGINNING THAT PROCESS FOR SECURING A PERMIT FOR A NEW WATER TREATMENT FACILITY LOCATED DOWNSTREAM OF THE EXISTING GREEN WATER TREATMENT PLANT. THAT'S THE FIRST PART OF THIS. THE SECOND PART IS TO THEN CREATE THE TIME LINE FOR THE DECOMMISSIONING AND DEMOLITION OF THE EXISTING GREEN WATER TREATMENT PLANT. THIRD, TO INITIATE THE PROCESS FOR THE DESIGN AND CONSTRUCTION OF THE EXTENSION OF BOTH NUECES STREET TO THE SOUTH, CESAR CHAVEZ, AND THE STEPS OF SECOND STREET TO THE WEST TO NUECES STREET. AND, FOURTH, TO RECOMMEND A PLANNING PROCESS FOR US TO IDENTIFY THE APPROPRIATE USES FOR THE PROPERTY ADJACENT TO THOSE TWO EXTENDED STREETS. THAT IS

THE ACTUAL USES OF THE -- OF THE EXISTING GREEN WATER TREATMENT PLANT. AND I'LL SAY MY -- MR. LIPPE PERHAPS CAN GIVE US A BRIEF, YOU KNOW, SUMMARY AS TO WHY WE BELIEVE THAT WE HAVE THE ABILITY TO DO THIS, BASED ON THE EXPANSION OF THE ULRICH WATER TREATMENT PLANT IN WEST AUSTIN, HOW WE WILL HAVE THE AVAILABILITY AND THE CAPACITY TO TAKE A FEW YEARS TO HOPEFULLY REPLACE THE CAPACITY THAT GREEN CURRENTLY GIVES US.

GOOD EVENING, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. JUST TO GIVE A LITTLE BIT OF BACKGROUND, THE CITY OF AUSTIN HAS TWO NEEDS RELATED TO OUR WATER SYSTEM. WE NEED WATER TREATMENT CAPACITY BY THE YEAR 2011 AND THAT'S SYSTEM-WIDE WATER TREATMENT CAPACITY. SECONDLY, WE NEED THE ABILITY TO -- TO DELIVER ADDITIONAL WATER TO THE NORTH AND NORTHWEST AREAS OF AUSTIN. AS YOU KNOW, WE HAVE BEEN ON A PATH FOR -- FOR SOME TIME NOW FOR BUILDING, CONSTRUCTING WATER TREATMENT PLANT 4, WHICH WOULD TAKE WATER OUT OF LAKE TRAVIS FIRST, FOLLOWED BY THEN THE CONSTRUCTION OF A NEW GREEN WATER TREATMENT PLANT. AND THE -- BASICALLY TONIGHT'S ACTION WOULD CHANGE THE SEQUENCE SUCH THAT WE DO GREEN SOONER RATHER THAN LATER AND WE CAN MOVE, IF WE CAN MOVE QUICKLY, AS THE LANGUAGE POINTS OUT ON ACQUIRING THE LAND AND GETTING STARTED ON THE PERMITTING, AND IF WE CAN ACCELERATE A NEW WATER TRANSMISSION MAIN TO THE NORTHWEST PRESSURE ZONES, THEN THIS ALTERNATIVE PROGRAM WOULD MEET THOSE GOALS OF ADDITIONAL WATER TREATMENT CAPACITY AND THE ABILITY TO GET MORE WATER TO THE NORTH AND NORTHWEST BY -- BY AT LEAST BY 2011. WHAT MAKES THIS POSSIBLE IS THE COMPLETION OF ADDITIONAL CAPACITY AND EXPANSION OF OVER 60 MILLION GALLONS A DAY AT THE ULRICH WATER TREATMENT PLANT, WHICH SHOULD BE FINISHED WITHIN THIS -- COMING NEXT SIX MONTHS OR SO. AND THEN -- AND THEN THAT ADDITIONAL CAPACITY ALLOWS US A WINDOW OUT TO 2011 TO RECONSTRUCT A -- A NEW GREEN WATER TREATMENT PLANT AND SO THAT'S -- THAT'S THE OPPORTUNITY THAT WE HAVE AT THIS TIME AS AN ALTERNATIVE APPROACH TO



ADDITIONAL CAPACITY BY -- WITHIN THE NEXT FIVE YEARS.

MAYOR WYNN: MR. LIPPE, THAT FIRST PART OF THIS RESOLUTION, THAT IS TO DIRECT THE CITY MANAGER TO -- TO SITE THAT DOWNSTREAM PLANT AND BEGIN ITS PERMITTING, OBVIOUSLY THAT DECISION HAS TO COME BACK TO COUNCIL. BUT -- BUT SO IT'S -- IT'S PERFECTLY PRACTICAL TO ASSUME THAT ONE COULD -- COULD FIND THE SITE, COULD BEGIN THE -- YOU KNOW, THE -- THE ENVIRONMENTAL AND CONSTRUCTION PERMITTING PROCESS, AND THEN ACTUALLY CONSTRUCT THE PLANT WELL IN ADVANCE OF OUR JUST 2011 TARGETED DEADLINE.

WE HAVE AN ENGINEERING CONSULTING FIRM THAT FOR SEVERAL MONTHS NOW HAS ALREADY BEEN IN THE PROCESS OF LOOKING AT THE GREEN ISSUE, LOOKING AT THE CONDITION OF THE PLANT ON THE EXISTING SITE AND LOOKING FOR -- FOR ALTERNATIVE SITES. THE SCOPE INCLUDED THE RECONSTRUCTION OR THE -- THE PLAN TO -- TO SITE A NEW GREEN WATER TREATMENT PLANT EITHER AT THE EXISTING SITE OR ALTERNATIVE SITES. SO IT ALREADY HAS BEEN -- THE SEARCH HAS ALREADY BEGUN FOR NEW SITES, ALTERNATIVE SITES OTHER THAN THE CURRENT GREEN PROPERTY. FORTUNATELY WE ARE UNDERWAY ON THAT ALREADY. YES, BY -- WITHIN THE NEXT COUPLE OF MONTHS, WHAT WE COULD DO WOULD BE TO COME BACK AND -- I WOULD SUPPOSE THAT WOULD BE IN EXECUTIVE SESSION, BE ABLE TO TALK SPECIFICS ABOUT -- ABOUT VARIOUS SITES AND THE PROS AND CONS AND -- AND ANY ISSUES ASSOCIATED WITH THAT. BUT ... THE FACT THAT THE -- THAT THE TOWN LAKE IS A -- A CONSTANT LEVEL LAKE, SIMPLIFIES THE PROJECT SOMEWHAT. SO THE FIVE YEAR, WE DO BELIEVE THAT THE FIVE-YEAR SCHEDULE IS -- IS FEASIBLE FOR -- FOR A PLANT OF THIS TYPE.

MAYOR WYNN: BASED ON THE PRELIMINARY WORK THAT'S ALREADY BEEN DONE ON THE POTENTIAL NEW SITE, YOU ARE SUSPECTING THAT YOU ARE -- THAT YOU ARE TWO TO THREE MONTHS AWAY FROM REPORTING BACK TO US ON LIKELY FINAL CANDIDATES?

YES, SIR.

MAYOR WYNN: OKAY. IF I CAN JUST ANOTHER QUICK SORT OF INTRODUCTION TO THIS -- TO THIS ITEM IS JUST THE BENEFITS THAT I SEE. ONE IS THAT -- I HAVE ALWAYS RECOGNIZED THE -- THE BENEFIT OF HAVING THAT STRAW AS IT'S CALLED IN TOWN LAKE AND TECHNICALLY DOWNSTREAM OF BARTON SPRINGS, BARTON CREEK, ALTHOUGH ACROSS THE LAKE, IS THAT A -- SO THEREFORE A PLANT FURTHER DOWNSTREAM, AS LONG AS THE STRAW REMAINS IN TOWN LAKE, THE -- IN FACT I WOULD EVEN SAY EXPANDS THAT ARGUMENT FROM THE ENVIRONMENTAL PROTECTION STANDPOINT OF BARTON SPRINGS, BARTON CREEK AND THE EDWARD'S AQUIFER, THAT ALSO FRANKLY ALLOWS US TO EXPAND THE AWARENESS OF OUR ALL OF OUR URBAN CREEKS, AND TOWN LAKE AS A WHOLE. ENVIRONMENTAL AWARENESS. BUT THEN OF COURSE THE BIG VALUE IN MANY WAYS IS THE SIX PLUS ACRES WHERE GREEN CURRENTLY SITS. BOTH IN THE VALUE OF THE LAND, SHOULD IT BE AVAILABLE FOR -- FOR, YOU KNOW, PRIVATE AND/OR PUBLIC USE, BUT THEN ALSO IN DUE COURSE FROM A TRANSPORTATION STANDPOINT. IF WE CAN PUNCH NUECES STREET THROUGH JUST A BLOCK AND A HALF TO THE SOUTH TO CESAR CHAVEZ, NUECES STREET IS THE ONLY STREET ON THAT END OF DOWNTOWN THAT GOES -- THAT COULD CONNECT TOWN LAKE, CESAR CHAVEZ, ALL THE WAY TO AND THROUGH WEST CAMPUS. WHEREAS THE OTHER STREETS AROUND THERE, WEST RIO GRANDE, SAN ANTONIO, ALL -- ALL DID END SOMEWHERE, EITHER IN SHOAL CREEK AND SEAHOLM INTO THE [INDISCERNIBLE] BLOCK, SO NUECES STREET ON WHAT I CALL THE WEST END OF THE CORE OF DOWNTOWN CAN BE NOT UNLIKE WHAT RED RIVER IS TO THE EAST OF DOWNTOWN AS THIS LINKAGE, THIS CORRIDOR, NORTH-SOUTH BETWEEN TOWN LAKE AND THROUGH THE UNIVERSITY OF TEXAS. SO DONE IN A WELL THOUGHT OUT URBANE WAY, WE CAN CREATE WITH THIS OPPORTUNITY A NOT INSIGNIFICANT NORTH-SOUTH THOROUGHFARE THAT I THINK AS WE CONTINUE TO SEE THIS PART OF DOWNTOWN, I THINK DRAMATICALLY DENSIFY APPROPRIATELY OVER THE NEXT GENERATION, IT'S GOING TO BE CRITICAL FOR US TO HAVE THAT ADDITIONAL CORRIDOR. I THINK THAT IT CAN RELIEVE TO SOME DEGREE THE CONGESTION -- THE EXISTING CONGESTION ON LAMAR. I THINK IT'S GOING TO HELP US AS WE HAVE THE DEBATE

SOON ABOUT THE TWO-WAY CONVERSION OF CESAR CHAVEZ, THAT IS MORE CARS WILL BE ABLE TO TAKE A LEFT AND PEEL OFF OF CESAR CHAVEZ BEFORE THEY HIT WHAT MIGHT BE THE COMPLICATION HERE AT-- YOU KNOW, FROM SAN ANTONIO TO AND THROUGH BRAZOS. SO THERE'S A PRETTY DRAMATIC MOBILITY ARGUMENT TO BE HAD IN ADDITION TO FREEING UP THIS -- VERY DEVELOPABLE VALUABLE LAND, BOTH FOR PUBLIC AND/OR PRIVATE USES. SO, YOU KNOW, PRESUMING THAT STAFF CAN GO THROUGH WITH THE ENGINEERING STUDIES AND DO THE ANALYSES, COST AND OTHERWISE, THE ANALYSIS ON THE SITE, HELP US FIGURE OUT EVEN THE COST OF THESE ROAD EXTENSIONS, HOW THEY CAN BE COORDINATED IN SUCH A WAY THAT DEMOLITION OF GREEN IS COORDINATED WITH THE ACTUAL CUTTING OF THE ROADS AND THE CONSTRUCTION OF THE ROADS, YOU KNOW, WELL AFTER THE DECOMMISSION. SO I JUST SEE AN EXCITING OPPORTUNITY TO EXPAND THE ENVIRONMENTAL AWARENESS OF WHAT A STRAW IN TOWN LAKE WITH BE FOR US, CAN HELP US ON THE MOBILITY FRONT; AT THE SAME TIME CAN FREE UP SOME DRAMATIC VALUABLE LAND BOTH FOR PUBLIC-PRIVATE USES THAT FRANKLY WITH THE RIGHT AMOUNT OF PRIVATE TAX BASE PUT ON SOME OF THAT PROPERTY, THIS PERPETUAL ECONOMIC ENGINE INTO OUR GENERAL FUND THAT WE ARE VERY MUCH CONCERNED ABOUT FOR OUR DISCUSSIONS HERE TONIGHT EVEN. I APPRECIATE MY CO-SPONSORS ON THE ITEM. I KNOW THERE'S STILL REAL DECISIONS TO BE MADE FURTHER DOWN THE ROAD ON THIS LARGER ITEM, YOU KNOW, NOT THE LEAST OF WHICH WOULD BE COMING TO AN AGREEMENT ON A NEW SITE. BUT I PROUDLY BRING THIS FORWARD FOR CONSIDERATION. COMMENTS, QUESTIONS? COUNCILMEMBER KIM?

KIM: I WOULD JUST LIKE TO MAKE SURE WHEN WE ARE LOOKING FOR ALTERNATE SITES WE ARE TAKING INTO CONSIDERATION IN BRINGING TO THE COUNCIL FOR CONSIDERATION THE TECHNOLOGY THAT WILL BE USED AT THE NEW GREEN. I KNOW THERE'S A LOT OF DIFFERENT TECHNOLOGY OUT THERE. AS WELL AS THE COST PER GALLON. I THINK THAT'S SOMETHING THAT WE WOULD ALL BE INTERESTED IN CONSIDERING AS WELL. SO ... OKAY?

WE WILL DO THAT.

MAYOR WYNN: COUNCILMEMBER ALVAREZ?

ALVAREZ: THANKS, MAYOR. MR. LIPPE, CAN YOU -- I GUESS, YOU KNOW, IT SOUNDS LIKE THAT WE'RE KIND OF MAKING A DECISION OR AT LEAST THE WAY THIS IS WORDED, THAT WE ARE ALREADY MAKING A DECISION THAT WE ARE GOING TO RELOCATE THE PLANT AND NOT CONSIDER POSSIBLE, YOU KNOW, A POSSIBLE RETROFIT OR, YOU KNOW, ON SITE. SO -- IS THAT WHAT'S HAPPENING WITH THIS RESOLUTION? OR MAYBE THE SPONSORS CAN SPEAK TO THAT BECAUSE I THOUGHT THAT WE HAD A CONTRACTOR, CONSULTANT THAT WAS DOING THAT ANALYSIS THAT INCLUDED, YOU KNOW, THE OPTION OF, YOU KNOW, FIXING OR RETROFITTING THE PLANT ON SITE. I'M JUST TRYING TO DETERMINE IF THAT'S WHAT WE ARE DOING RIGHT NOW IS BASICALLY MAKING A DECISION THAT -- THAT WE ARE GOING TO RELOCATE IT AND WE ARE GOING TO STOP THINKING ABOUT IT, ANALYZING THE OPTION OF RETROFITTING THE OR REPLACING IT ON SITE.

MAYOR WYNN: WELL, IF I CAN, AS ONE OF THE SPONSORS, IT SEEMS TO ME THAT TECHNICALLY THE DECISION IS STILL COMPLETELY RELIANT ON AN AGREEMENT ON A NEW SITE. MY INTENTION HERE IS THAT IF A NEW SITE CAN BE IDENTIFIED, THAT HAS THE SUPPORT OF COUNCIL, THEN MY UNDERSTANDING IS THAT'S STILL THREE, FOUR MONTHS AWAY, THEN THAT'S WHEN THAT SORT OF DECISION IS MADE. THIS IS DIRECTING THE CITY MANAGER TO GET VERY SERIOUS ABOUT IT. EVEN WHILE THAT SITE ANALYSIS IS UNDERWAY BEGIN SOME OF THE PRELIMINARY WORK ON THE SCHEDULE FOR DECOMMISSIONING THE DEMOLITION, THE ROAD, PRELIMINARY DESIGN AND ENGINEERING SO THAT, YOU KNOW, IF -- IF A SITE IS FOUND THAT HAS THE SUPPORT OF COUNCIL, SAY, IN DECEMBER, THEN THE -- YOU KNOW, THE TRIGGER IS PULLED THEN. CLEARLY THAT -- OBVIOUSLY THE FALL-BACK, IF -- IF A SITE DOWNSTREAM CANNOT BE FOUND, WOULD BE THAT ANALYSIS OF HOW MUCH OF THE EXISTING GREEN SITE COULD BE FREED UP WITH A REDESIGNED SMALLER FOOTPRINT, PERHAPS MORE EFFICIENT, MORE PRODUCTIVE PLANT. AND HOPEFULLY STILL BEING ABLE TO PUSH NUECES STREET THROUGH TO

CESAR CHAVEZ. BUT I SEE THE -- AN ONSITE RENOVATION AS A FALL-BACK IF THERE'S NOT AGREEMENT ON A NEW SITE IN A FEW MONTHS. SO I DON'T SEE THIS AS -- I DON'T SEE THIS AS THE FINAL DECLARATION ON THAT BECAUSE ULTIMATELY WE ARE GOING TO HAVE TO AGREE ON A SITE THAT MAKES SENSE BEFORE WE COULD MAKE THAT CALL. THAT'S MY STRONG PREFERENCE. I'M HOPING AND ENCOURAGING THAT SITE DOWNSTREAM TO BE FOUND BECAUSE I ACTUALLY THINK IT MAY SEND EVEN A MORE EXPANSIVE ENVIRONMENTAL PROTECTION ARGUMENT, BUT CLEARLY THE GREEN SITE ITSELF REMAINS THE FALL-BACK IF THIS COUNCIL CAN'T AGREE ON A SITE THAT IS BROUGHT FORWARD IN A FEW MONTHS.

ALVAREZ: BUT THAT IS -- MAYBE THIS IS MORE FOR STAFF, BUT THAT IS SOMETHING THAT -- THAT -- CONSULTANT THAT WE HAVE HIRED WILL BE PRESENTING THE ANALYSIS OR THE FINDINGS OF THEIR RESEARCH ON THE VARIOUS OPTIONS RELATED TO GREEN.

YES, COUNCILMEMBER. THE SCOPE DOES INCLUDE LOOKING AT THE GREEN SITE IN -- IN EITHER THE POTENTIAL TO REBUILD THAT GREEN OR IT WOULD INCLUDE SOME ADDITIONAL INFORMATION ABOUT THE -- ABOUT THE DECOMMISSIONING AND THE DEMOLITION COSTS. IF THAT'S THE COMBINATION OF DECISIONS THAT ARE MADE. A NEW GREEN AT A DIFFERENT LOCATION WOULD INCLUDE ENOUGH INFORMATION TO WHERE WE WILL KNOW WHAT THE COSTS OF THE DEMOLITION WOULD BE FOR THAT SITE. THE SCOPE ALSO INCLUDES A STUDY OF THE CONDITION OF THE EXISTING PLANT AND I THINK THAT WE KNOW ENOUGH TO KNOW THAT THAT PLANT WILL NOT BE LASTING A LONG -- MUCH LONGER. SO I THINK WE ARE AT THE POINT WHERE WE KNOW THAT WE DO NEED TO RECONSTRUCT GREEN AND SO THE QUESTION LEFT IS WHERE DO WE RECONSTRUCT.

ALVAREZ: SURE. AND MAYBE -- AGAIN THIS WILL BE PART OF THE ANALYSIS, BUT PART OF THE REASON THAT I'M ASKING IS WHEN WE FIRST HIRED A CONSULTANT OR EVEN BEFORE THAT, WHEN WE WERE TALKING ABOUT MAYBE CHANGING THE WAY WATER IS TREATED AT GREEN, THIS MEMBRANE CONCEPT, WHICH COULD FREE UP THREE QUARTERS OF THE SITE, POTENTIALLY, AND STILL MAINTAIN THE SAME

OUTPUT, IN TERMS OF, YOU KNOW, THE -- THE WATER THAT'S BEING TREATED, AND SO -- SO IS THAT STILL -- I MEAN, THAT'S PARTS OF WHAT THIS ANALYSIS WILL SHOW, WHETHER THAT'S EVEN A -- EVEN POSSIBLE BECAUSE OF, YOU KNOW, IF YOU HAVE -- THREE QUARTERS OF SIX ACRES, THAT'S STILL A PRETTY SIGNIFICANT AMOUNT OF DOWNTOWN PROPERTY THAT'S BEING FREED UP AND IT JUST SEEMS LIKE WE HAVE ALREADY WRITTEN THAT OFF AND BEFORE WE EVEN GET THE ANALYSIS, YOU KNOW, FROM OUR CONSULTANT. BUT IS THAT STILL SOMETHING THAT -- YOU KNOW, IS THAT SOMETHING THAT'S STILL AN OPTION OR, YOU KNOW, THE MEMBRANE TECHNOLOGY OR IS THAT SOMETHING THAT -- THAT FOR SOME REASON DOESN'T SEEM ANY LONGER A -- TO BE FEASIBLE?

SEVERAL YEARS AGO, WE RECEIVED AN UNSOLICITED PROPOSAL, IT WAS JUST THE CONCEPT OF A MEMBRANE PLANT ON A MUCH SMALLER FOOTPRINT ON THAT SITE. WE HAVE LEARNED A LOT ABOUT MEMBRANES SINCE THEN. THEY ARE NOT AN EMERGING TECHNOLOGY, BUT THEY ARE NOT PROVEN TECHNOLOGY FOR LARGE TREATMENT PLANTS FOR LARGE CITIES, EITHER. WE DID PILOT TESTING OF MEMBRANES AT THE -- AS PART OF THE ULRICH PROJECT. IT WAS A POSSIBLE -- THERE WAS A POSSIBLE NEED, DEPENDING ON THE WAY THE SAFE DRINKING WATER RULES TURNED OUT FROM EPA. THERE WAS A POTENTIAL NEED FOR SOME MEMBRANE TREATMENT. THE RULES DIDN'T REQUIRE THAT, BUT WE LEARNED A LOT FROM PILOTING TWO DIFFERENT TYPES OF MEMBRANES AT ULRICH. WE LEARNED THAT THERE ARE SOME PROBLEMS. THERE'S A PRETTY SIGNIFICANT WASTE OF WATER THAT COMES FROM THE BRINE OR REJECT WATER FROM MEMBRANES, THAT'S ONE OF THE PROBLEMS. WE ALSO DISCOVERED THAT IT'S VERY DIFFICULT TO LOCATE, PINPOINT A FAILURE IN NUMEROUS TUBES THAT ARE PART OF THIS MEMBRANE TECHNOLOGY. YOU CAN HAVE A FAILURE, THAT FAILURE SHOWS UP IN THE QUALITY, BUT IT'S VERY DIFFICULT AND TIME CONSUMING TO FIND THOSE. WE FOUND THAT THAT'S TRUE IN TALKING TO SOME OTHER CITIES THAT ARE -- THAT HAVE TRIED SOME SMALLER SCALE MEMBRANES THAT -- THAT AGAIN IT'S -- THERE ARE SOME DIFFICULTIES WITH IT. SO WE LEARNED A LOT IN THE LAST COUPLE OF YEARS. I

DON'T THINK WE ARE READY, WE DON'T RECOMMEND DOING A SIGNIFICANT SCALE MEMBRANE PLANT. BUT I THINK THE -- I THINK THE -- THE FOOTPRINT ALSO OF THE MEMBRANE PLANT TAKES UP A LITTLE BIT MORE SPACE THAN ORIGINALLY BELIEVED AS WELL. SO -- SO NOT LIKELY TO BE PURSUING A LARGE MEMBRANE PLANT AS PART OF THE GREEN, ANY OF THE GREEN PROPOSALS.

ALVAREZ: WHAT DO YOU MEAN BY LARGE?

WELL, WE ARE LOOKING AT SOMETHING ON THE ORDER OF -- WE ARE PLANNING FOR A 50 MGD PLANT. THE INITIAL PHASE WE WOULD THINK AT THIS POINT, THIS IS ALL SUBJECT TO THE RESULTS OF THE STUDY THAT'S ONGOING, BUT WE WOULD BE THINKING IN TERMS OF STARTING WITH 25, BUT PLANNING THE LAYOUT FOR 50. AND AGAIN THAT'S PRETTY LARGE FOR A MEMBRANE PLANT. ESPECIALLY WHEN IT DOESN'T LOOK LIKE IT WOULD BE NECESSARY. ONE OF THE BENEFITS WOULD BE A SMALL FOOTPRINT. SO IF WE'RE ON THE EXISTING GREEN SITE, THEN WE CAN -- WE WOULD BE TAKING A SERIOUS LOOK AT THAT. BUT AT THIS POINT IT CERTAINLY SEEMS TO HAVE SOME DISADVANTAGES THAT WE WOULDN'T WANT TO LIVE WITH, ESPECIALLY I WOULD SAY JUST THE FACT THAT IT'S UP TO 20% REJECT WATER. IT'S A LOT OF WASTED WATER. SO ... PRETTY SIGNIFICANT DISADVANTAGE.

ALVAREZ: OKAY, THANK YOU. THOSE ARE ALL OF MY QUESTIONS, MAYOR. I DO HAVE SOME LANGUAGE TO SUGGEST. BUT I WILL LET OTHERS ASK QUESTIONS IF -- IF THERE'S STILL QUESTIONS TO BE ASKED.

MAYOR WYNN: THANK YOU, COUNCILMEMBER MCCRACKEN?

MCCRACKEN: I STRONGLY SUPPORT MOVING GREEN ENTIRELY OUT OF DOWNTOWN. YOU KNOW, YOU -- WE HAVE -- OUR DOWNTOWN BLOCKS NOW SELLING FOR \$15 MILLION FOR A 276-FOOT BY 276-FOOT BLOCK. THESE -- THESE ARE GENERATING INCREDIBLE TAX BASE FOR THE CITY, AND THE LAST THING THAT YOU WANT TO DO IS PUT LOW DENSITY INDUSTRIAL IN THE MIDDLE OF YOUR DOWNTOWN. YOU KNOW, I -- YOU TAKE WHAT IS STARTING A BLOCK OVER HERE, IT IS DECAYING INDUSTRIAL ALL THE WAY TO LAMAR.

WE ARE IN THE PROCESS OF CHANGING THIS. THANKS TO WHAT THE MAYOR HAS DONE TONIGHT. THIS COULD BE A BIG CATALYST FOR ALMOST DOUBLING THE SIZE OF DOWNTOWN'S LAKE FRONT, IT'S GOING TO BE GREAT FOR THE FUTURE OF OUR COMMUNITY. I BELIEVE -- I THINK THAT WE SHOULD ERR ON THE SIDE OF BOLDNESS ON THIS, LET'S MOVE THE WATER TREATMENT PLANT COMPLETELY OUT OF DOWNTOWN OUT OF THE CENTRAL BUSINESS DISTRICT. THE NEXT STEP IS -- I THINK MANAGEMENT IDENTIFIED TO SHRINK THAT ELECTRIC SUBSTATION BACK TO CREATE A NEW BLOCK NEXT TO IT AND FULLY INTEGRATE ALL THE WAY TO LAMAR. IT IS GOING TO BE A GREAT THING FOR OUR CITY. MAYOR, THANKS FOR BRINGING THIS FORWARD TONIGHT.

MAYOR WYNN: THANK YOU, FURTHER COMMENTS, QUESTIONS? I WILL SAY ONE OF THE RATIONALES FOR THIS ITEM IS WITH THIS SORT OF MULTI-FACETED DIRECTION TO THE CITY MANAGER, IT SEEMS TO ME AND ANY CO-SPONSORS THAT THIS DOES IN FACT TIE TOGETHER THAT FULL ANALYSIS. WHEREAS BEFORE WE WERE PROBABLY JUST GOING TO DO THE ANALYSIS OF HOW SMALL A FOOTPRINT PERHAPS COULD WE REBUILD GREEN ON THE EXISTING SITE AND FREE UP SOME LAND PERHAPS OR IS THERE A BETTER SITE DOWNSTREAM. BUT WITH -- WITH THIS ACTION, TAKING INTO ACCOUNT SORT OF THE MOBILITY ASPECTS, WE GET TO HAVE A VALUE, WHETHER IT'S SUBJECTIVE OR NOT, ABOUT THE VALUE OF THAT ADDITIONAL MOBILITY ON THE WEST PART OF DOWNTOWN AND THEN WITH THE -- HAVING THE CITY MANAGER RECOMMEND A PLANNING PROCESS TO IDENTIFY THE USES FOR THE FREED UP LAND, THEN WE ALSO SEE THE VALUE OF THE PUBLIC-PRIVATE OPPORTUNITIES ON THE PROPERTY. SO EVERYTHING FROM PERHAPS SOME SALE PROCEEDS, YOU KNOW, CAPITAL GAINS OR SALES PROCEEDS FROM PUTTING SOME LAND BACK ON THE TAX ROLL, BUT ALSO SORT OF THE PERPETUAL INCOME OFF OF THAT PROPERTY, THE VALUE OF THE MOBILITY, BUT THEN ALSO VERY MUCH TYING IN THE TRUE COST OF -- OF THE TWO PLANTS. THAT IS A NEW PLANT LOCATED DOWNSTREAM VERSUS WHAT HAD BEEN CONCEIVED AS A -- AS A SMALLER, EVEN PERHAPS MEMBRANE TECHNOLOGY PLANT ON GREEN. I THINK WHAT THIS REALLY DOES IS JUST



TIE A MUCH MORE COMPREHENSIVE ANALYSIS THAT WAS JUST GOING TO BE ABOUT WATER DELIVERY, WHICH IS VERY IMPORTANT, A FUNDAMENTAL PART OF THIS EQUATION. BUT THEN IT ADDS TO IT, YOU KNOW, LAND VALUE, GENERAL FUND REVENUE, MOBILITY, YOU KNOW THE -- FRANKLY THE VALUE, I -- I HAPPEN TO BE A FAN OF DEDICATING SOME OF THE PROPERTY THERE AS A NEW CENTRAL LIBRARY SITE. SO THAT'S SUBJECTIVE SORT OF CIVIC VALUE OF HAVING THAT USE HAVE A PLACE HELD HOME. SO I THINK WHAT THIS DOES IS MAKE IT FAR MORE COMPREHENSIVE ANALYSIS THAN JUST A WATER UTILITY ANALYSIS, WHICH IS, YOU KNOW, FUNDAMENTAL, BUT IT'S -- THIS IS SORT OF A ACROSS DEPARTMENTAL BOUNDARIES NOW. COUNCILMEMBER ALVAREZ?

ALVAREZ: THANKS, MAYOR. I THINK -- YOU KNOW, I MEAN I AGREE WITH YOU KNOW THE INTENT HERE, I WOULD LIKE TO SEE THAT SITE REDEVELOPED IN A VERY EXCITING WAY AS WELL, JUST LIKE WE HAVE GONE THROUGH FOR SEAHOLM AND BLOCK 21. BUT YOU KNOW, GETTING INDUSTRIAL USES OUT OF DOWNTOWN IS AN IMPORTANT GOAL. BUT YOU KNOW WE HAVE BEEN TRYING TO GET INDUSTRIAL USES OUT OF EAST AUSTIN FOR A LONG, LONG TIME. AND WHERE IS THIS FACILITY GOING TO GO? WATER TREATMENT PLANT IS GOING TO BE EAST OF THE FREEWAY SOMEWHERE, AND IT'S GOING TO BE IN A PARK OR NEXT TO A NEIGHBORHOOD SOMEWHERE. MAYBE THIS ISN'T AS ONEROUS, AS A WASTEWATER TREATMENT PLANT. BUT TO VOTE ON THIS DECISION OF WHETHER TO FIX IT ON SITE OR WHETHER TO RELOCATE IT, I WOULD LIKE TO SEE THE ANALYSIS DONE BY THE CONSULTANTS, WHICH IS GOING TO BE THE BASIS ON OUR DECISION WHETHER TO MOVE IT OR NOT. SO IT WILL -- IN TERMS OF -- WE HAVE A POWER PLANT THAT WE ARE ALSO TRYING TO CLOSE IN EAST AUSTIN, I HAVE BEEN TRYING TO SHAVE OFF SOME TIME ON THE LIFE OF THAT PLANT, WHICH -- WHICH, YOU KNOW, I'M TOLD IS NOT FEASIBLE BY THE UTILITY. BUT ALL OF A SUDDEN THERE'S ALL OF THIS TRACTION FOR SPENDING A WHOLE BUNCH OF MONEY TO RETROFIT THE SUBSTATION NEXT TO SEAHOLM SO THAT WE CAN FREE UP ANOTHER BLOCK FOR DOWNTOWN DEVELOPMENT. YOU KNOW, SO THAT'S PART OF THE STRUGGLE THAT WE FACE, YOU KNOW. WE ARE TRYING

TO DEAL WITH ISSUES RELATED TO EAST AUSTIN, DOWNTOWN DEVELOPMENT AND I BELIEVE THERE NEEDS TO BE A BALANCE, YOU KNOW, WHEN WE LOOK AT THESE ISSUES AND NOT JUST LOOK AT IT FROM ONE PARTICULAR ASPECT OR POINT OF VIEW. AND SO PART OF MY PROBLEM WITH THE WORDING OF THE RESOLUTION, BECAUSE I SUPPORT SAYING, YOU KNOW, WE DECIDE TO DECOMMISSION THE PLANT, THEN LET'S BE READY TO MOVE FORWARD. WHICH I THINK IS REALLY THE INTENT, YOU KNOW, OF WHAT THE SPONSORS ARE TRYING TO DO HERE. BUT WHEN YOU HAVE LANGUAGE THAT SAYS MOVE FORWARD, SECURING A PERMIT, YOU KNOW, WHEN YOU SAY CREATE A TIME LINE FOR DECOMMISSIONING AND DEMOLITION, I MEAN, IT STARTS SOUNDING PRETTY CLEAR THAT THIS IS A DIRECTIVE, NOT, YOU KNOW, LET'S GET READY TO DO THAT WHEN THE DECISION IS MADE TO DO THAT. AND SO I'M GOING TO E-MAIL Y'ALL SOME SUGGESTED LANGUAGE THAT KIND OF SOFTENS THE LANGUAGE AND SEE IF THAT MAY BE -- I MEAN IT WILL HELP ME BE ABLE TO SUPPORT THIS. BUT I ALSO WANT TO MAKE SURE THAT EVERYONE IS COMFORTABLE WITH WHAT I'M TRYING TO SAY. SO THERE'S A COUPLE OF CHANGES TO THE LANGUAGE IF THAT'S OKAY, MAYOR. I DON'T KNOW IF THERE'S OTHER QUESTIONS.

MAYOR WYNN: THIS IS A GOOD START, GO AHEAD.

ALVAREZ: IN THE BEGINNING, THIS IS JUST KEEPING IN MIND WHAT WE ARE SAYING HERE IS LET'S DO THESE THINGS, REPORT BACK OCTOBER 20TH. OBVIOUSLY THERE'S A VERY LIMITED AMOUNT THAT CAN BE DONE IN A TWO-MONTH PERIOD. AND SO I WAS GOING TO SUGGEST THAT FOR THAT FIRST SENTENCE, WE SAY THE CITY MANAGER IS DIRECTED TO BEGIN THE PROCESS OF SELECTING A SITE FOR A NEW WATER TREATMENT PLANT AND REMOVE THE LANGUAGE THAT SAYS "AND SECURING A PERMIT FOR" BECAUSE YOU REALLY CAN'T SECURE A PERMIT FOR A PLANT UNTIL YOU KNOW WHAT SITE YOU ARE GOING TO BE REQUESTING THE PERMIT FOR. SO IT SEEMS LIKE THAT PARTICULAR ASPECT OF THAT SENTENCE, MAYBE JUST A LITTLE PREMATURE. AND THEN THE SECOND SENTENCE, WHERE IT SAYS TO CREATE A TIME LINE FOR DECOMMISSIONING. JUST ADD THE WORD "TO CREATE A TIME LINE FOR THE POSSIBLE

DECOMMISSIONING AND DEMOLITION OF THE GREEN WATER TREATMENT PLANT." AND THAT JUST KIND OF GETS BACK TO THE IDEA THAT THAT DECISION IS GOING TO BE MADE AND YOU KNOW IN THE NEXT FEW MONTHS, BUT IT'S NOT A DECISION THAT HAS BEEN MADE. AND SO THAT'S, YOU KNOW, A COUPLE OF EDITS TO THE LANGUAGE. THEN TO THE -- JUST A COUPLE OF SENTENCES TO ADD TO THE END OF THE RESOLUTION. AS ADDITIONAL DIRECTIVES TO THE CITY MANAGER IT'S ONE WOULD BE TO PROVIDE AN ESTIMATE OF THE COST DIFFERENTIAL BETWEEN RETROFITTING GREEN WATER TREATMENT PLANT ON SITE AND BUILDING A NEW FACILITY. AND THAT IS PART OF THE ANALYSIS THAT'S ALREADY BEING DONE, BUT IT JUST DEMONSTRATES THAT THAT IS ONGOING, THAT PARTICULAR PART OF OUR ANALYSIS IS -- IS BEING DONE. AND THEN FINALLY, AS -- IS FOR THE CITY MANAGER TO PROVIDE AN ESTIMATE OF THE TAX REVENUES THAT WOULD RESULT FROM THE REDEVELOPMENT OF THE GREEN WATER TREATMENT PLANT SITE IF THE DECISION IS MADE TO RELOCATE THE PLANT. PART OF THE REASON HERE IF WE FREE UP SIX ACRES IN DOWNTOWN AUSTIN, I THINK COUNCILMEMBER MCCrackEN NOTED THAT, YOU KNOW, IT'S VERY EXPENSIVE LAND THAT IS GOING TO YIELD A LOT OF TAX BASE, AND IF WE ARE GOING TO BE RELOCATING THIS TO -- TO A PARTICULAR NEIGHBORHOOD OR TAKING PARKLAND IN A PARTICULAR PART OF TOWN, THAT ALL OF THESE SAVINGS OR BENEFITS THAT ARE ACCRUING TO THE CITY SOMEHOW GET FACTORED INTO SOME KIND OF MITIGATION PROPOSAL. BUT THAT'S I THINK AN IMPORTANT -- IMPORTANT THING TO CONSIDER. ALTHOUGH, YOU KNOW, IT WILL BE -- WE ARE KIND OF EARLY ON IN OUR ABILITY PROBABLY TO ASSESS THAT. BUT JUST SO THAT WE CAN SHOW THAT THAT'S SOMETHING THAT WILL ALSO BE PURSUED JUST LIKE WE ARE SAYING LET'S PURSUE THE -- THE NEED TO -- TO SECURE A PERMIT OR TO CREATE A TIME LINE OR TO DESIGN AND CONSTRUCT YOU KNOW THESE PARTICULAR STREETS. SO THIS WOULD JUST BE SOME ADDITIONAL INFORMATION THAT WILL BE PART OF THE ANALYSIS AS WE MOVE FORWARD, YOU KNOW, WITH THIS PROCESS OF PICKING THE -- THE RIGHT OPTION OR SELECTING RIGHT ALTERNATIVE WHEN WE ARE TALKING ABOUT A GREEN WATER TREATMENT PLANT. SO ... SO I

GUESS THAT I WOULD OFFER THAT AS A FRIENDLY AMENDMENT, MAYOR OR AT LEAST TO TRY TO GET YOUR THOUGHTS ON THAT AND THE SPONSORS.

MAYOR WYNN: RAUL, THANK YOU FOR GIVING US THIS IN WRITING, IT'S ACTUAL VERY HELPFUL. YOU KNOW, I LISTENED TO THE -- ALSO LISTENED TO THE MR. LIPPE DESCRIBED WHERE WE ARE IN THIS PROCESS. I TEND TO AGREE SAYING SECURING A PERMIT IS PREMATURE, NOT KNOWING WHERE A SITE WOULD BE. I DON'T HAVE A PROBLEM WITH DELETING AND SECURING A PERMIT FOR, BECAUSE THAT'S -- THAT'S INTUITIVE ONCE THE SITE IS FOUND. THE ISSUE HOWEVER ON -- SEEMS TO ME ON THE FIRST ADDITION, TO PROVIDE AN ESTIMATE OF THE COST OF -- THAT'S VERY MUCH WHAT THE INTENT HERE IS, BUT AGAIN THE LARGER INTENT WOULD BE TO BE EVEN MORE COMPREHENSIVE THAN JUST THE INTERNAL WATER UTILITY ANALYSIS, THAT IS TO LOOK AT THE OTHER BENEFITS. FROM -- FROM MOBILITY TO SALES PROCEEDS AND TAX REVENUES. THE SECOND POINT, THE TAX REVENUES AGAIN, I THINK YOU POINT TO IT, GETTING AHEAD OF US, TOO, ONE OF THE THINGS THAT WE ARE ASKING THE CITY MANAGER TO DO ON THE LAST POINT IS TO IDENTIFY THE PROCESS WHEREBY, YOU KNOW, WE AS A COUNCIL, AS A COMMUNITY, WOULD FIGURE OUT HOW MUCH OF THAT NEW LAND, IF YOU WILL, WOULD BE AVAILABLE FOR PRIVATE SECTOR DEVELOPMENT, THAT IS PERHAPS SALES PROCEEDS, AND THEN ONGOING TAX REVENUE AND HOW MUCH THIS COMMUNITY AND COUNCIL WOULD SET ASIDE FOR LIKELY PUBLIC USES, PERHAPS A CENTRAL LIBRARY. SO UNTIL WE HAD A PROCESS AND A DECISION ABOUT HOW MUCH WOULD BE PUBLIC, HOW MUCH WOULD BE PRIVATE, WE COULDN'T VERY EASILY MAKE THE ESTIMATE AS TO WHAT WOULD BE THE TAX REVENUES. SO I SEE THE FIRST AS ALREADY BEING PART OF THIS. I WAS HOPING IT WAS, YOU KNOW, JUST INHERENT THAT THIS WOULD BE -- THE NEXT STEP BEYOND JUST THE INTERNAL WATER AND WASTEWATER ANALYSIS. BUT THEN THE SECOND PART I JUST DON'T SEE HOW WE CAN DO UNTIL WE'VE AGREED TO A -- TO A PROCESS BY WHERE WE CAN AT LEAST IDENTIFY THE PUBLIC AND PRIVATE USES. SO ... SO I'M -- IF THE OTHER CO-SPONSORS AGREE, I'M VERY COMFORTABLE JUST STRIKING AND

SECURING A PERMIT FOR, BECAUSE IT IS -- THAT IS, YOU KNOW, WAY AHEAD OF THE GAME. INSERTING THE WORD POSSIBLE DECOMMISSIONING IS -- IS FINE, ALSO.

ULTIMATELY WHAT'S GOING TO HAPPEN IS WE'RE GOING TO HAVE TO AGREE IN VOTE AS A COUNCIL ON A SITE, IF THERE'S GOING TO BE A NEW SITE. WHAT I WANT TO BE SURE THAT THIS GIVES THE FIRM DIRECTION TO THE CITY MANAGER, HOWEVER, IS THAT A NOT INSIGNIFICANT AMOUNT OF WORK GETS STARTED NOW AND THEN, YOU KNOW, FRANKLY IF FOR WHATEVER REASON THAT PLANT ISN'T MOVED OR -- THEN THAT WORK GOES TO NAUGHT. BUT MY UNDERSTANDING IS IF THE GREEN WATER TREATMENT PLANT WERE TO BE REBUILT ON THE CURRENT SITE, THAT PLANT AS WE SEE IT AND KNOW IT WOULD BE COMPLETELY DEMOLISHED. AND SO IT WOULD BE DECOMMISSIONED AND DEMOLISH AND WE WOULD START OVER AS THOUGH IT WAS -- YOU KNOW, A NEW SITE. SO IF THAT WERE THE CASE, I STILL WOULD WANT TO HAVE THOSE ROADS DESIGNED AND ENGINEERED IN SUCH A WAY TO WHERE WE COULD -- WE COULD MAKE THIS MOBILITY IMPROVEMENT, BECAUSE FRANKLY IF THE -- IF THE -- IF THE ANALYSIS SHOWS THAT TO REBUILD GREEN ON THE CURRENT SITE, THERE'S NOT GOING TO BE ANY ROOM TO MAKE THESE MOBILITY IMPROVEMENTS, THEN I'M CERTAINLY NOT GOING TO VOTE TO REBUILD GREEN WHERE IT IS. AND THEN PARTICULARLY WHEN WE SEE THE MORE COMPREHENSIVE ANALYSIS OF -- OF TAX REVENUE, OF -- OF POTENTIAL SALES PROCEEDS, THEN WE SEE THE TRUE COST, NOT JUST THE WATER UTILITY COST OF -- OF THE CURRENT WATER, GREEN WATER TREATMENT SITE, VERSUS A DOWNSTREAM SITE. AND I FULLY EXPECT AND INTEND TO HAVE, YOU KNOW, WHATEVER DISCUSSION NECESSARY ON, YOU KNOW, THE WHOLE CONCEPT OF MITIGATION. PARTICULARLY IF PARKLAND IS TAKEN, HOW WE AT LEAST MITIGATE FOR, YOU KNOW, PARKLAND AND EVEN HAVE A PARTNER -- DOWN ADJACENT TO SOME PARKLAND THAT CAN HELP ENSURE IT'S DEVELOPMENT. SO I GUESS I'M FINE TO STRIKING AND SECURING A PERMIT FOR, ADDING THE WORD POSSIBLE, BUT I THINK THE OTHER TWO ADDS, THE FIRST PART IS INHERENT IN THIS AND THEN THE SECOND ONE IT'S -- IT'S TOO PREMATURE BECAUSE WE HAVEN'T COME UP WITH A PROCESS OF HOW WE WOULD IDENTIFY HOW MUCH WOULD

BE PUBLIC AND HOW MUCH WOULD BE PRIVATE ON THAT SITE. SO --

ALVAREZ: I THINK, MAYOR, IF I COULD --

MAYOR WYNN: COUNCILMEMBER ALVAREZ?

ALVAREZ: I THINK A LOT OF THIS IS PREMATURE. UNTIL WE DECIDE WE ARE GOING TO DECOMMISSIONING IT, THEN IT'S PREMATURE TO SAY GO LOOK FOR A SITE. START REDESIGNING THE STREETS, START DOING X, Y, Z. AND SO ALL I'M ASKING IS JUST TO ALSO INCLUDE, YOU KNOW, BEGINNING THE ANALYSIS JUST LIKE WE ARE BEGINNING THE ANALYSES FOR THESE OTHER THINGS OF WHAT THE VALUE TO THE CITY IS OF FREEING UP SIX ACRES OF LAND IN DOWNTOWN AUSTIN FOR POSSIBLE, YOU KNOW, REDEVELOPMENT AND ALSO AGAIN JUST TO SHOW THAT -- THAT THIS IS, YOU KNOW, I CAN -- I SEE WHAT YOU ARE SAYING THAT -- THAT SOME OF THIS IS ALREADY KIND OF INHERENT IN HERE. BUT IF YOU READ THE RESOLUTION, IT REALLY SEEMS LIKE WHAT WE ARE DOING IS SAYING WE ARE CHOOSING RELOCATION AND THAT'S WHAT THIS RESOLUTION DOES. AND SO THAT'S FINE IF THAT'S WHAT THIS DOES, BUT I'M NOT PREPARED TO MAKE THAT DECISION NOW UNTIL I GET ALL OF THE INFORMATION. THAT'S WHY I WOULD LIKE TO MAKE THESE WHAT I THINK ARE MINOR CHANGES AND SUGGESTIONS SO THAT WE CAN MOVE FORWARD AND ALL OF THE -- ALL OF THE THINGS THAT THE SPONSORS OF THIS RESOLUTION WOULD LIKE TO HAPPEN HAPPEN AND THAT WE ALSO INCLUDE SOME OF THESE OTHER REQUESTS AS WELL.

MAYOR WYNN: I GUESS TO TRY TO MOVE THE DEBATE ALONG, I GUESS I WILL SAY I INTEND FOR THIS TO MOVE THE PLANT. BUT I RECOGNIZE THAT WE ARE GOING TO HAVE TO SITE ON A VOTE AT SOME POINT IN THE FUTURE. MY GOAL IS TO MOVE THAT PLANT BECAUSE THERE'S TOO MANY OTHER BENEFITS TO THE COMMUNITY FROM CASH FLOW SHORT TERM, LONG TERM, TO MOBILITY IMPROVEMENTS, TO LARGER ENHANCED ENVIRONMENTAL AWARENESS OF THE URBAN CREEKS AND TOWN LAKE. SO MY INTENT CLEARLY IS TO MOVE THAT PLANT. BUT I RECOGNIZE THAT THERE'S GOING TO HAVE TO BE ANOTHER VOTE AT LEAST ON

APPROVING A NEW SITE. SO YES MY GOAL IS TO -- WITH THIS IS TO ANNOUNCE THAT WE ARE MOVING THE SITE AND WILL HAVE TO BE CONVINCED FROM AN ENGINEERING STANDPOINT OR JUST A STRONG FINANCIAL RATIONALE WHY WE CAN'T DO HAS HERE IN A FEW MONTHS. COUNCILMEMBER LEFFINGWELL?

LEFFINGWELL: I DON'T KNOW IF I MISSED SOMETHING OR NOT, BUT THERE'S REALLY NOT A MOTION ON THE TABLE YET, IS THERE.

MAYOR WYNN: NO.

LEFFINGWELL: ON MAYBE IT'S A LITTLE PREMATURE TO ASK FOR FRIENDLY AMENDMENTS. SO I GUESS TO GET THE BALL ROLLING, I WOULD MOVE TO APPROVE THE RESOLUTION AS WRITTEN NOW, DELETING THE WORDS AND SECURING A PERMIT FOR ON THE SECOND LINE AND ADDING THE WORD CREATE A POSSIBLE, ADDING THE WORD POSSIBLE, POSSIBLE TIME LINE FOR DECOMMISSIONING. THE REST OF IT REMAINING THE SAME. IF I CAN JUST MAKE THAT MOTION AND THEN MAYBE WE CAN TALK ABOUT THE REST OF IT.

MAYOR WYNN: MOTION MADE BY COUNCILMEMBER LEFFINGWELL. SECONDED BY COUNCILMEMBER KIM ON THIS AMENDED RESOLUTION LANGUAGE. COUNCILMEMBER, MORE COMMENTS OR -- COUNCILMEMBER DUNKERLY?

DUNKERLY: I AM GOING TO SUPPORT THIS RESOLUTION. BUT I HAVE A CONCERN I WOULD LIKE FOR THE STAFF TO HELP US ADDRESS. I'M SURE THAT IT'S A PRIME CONCERN TO YOU, TOO. IT IS NOW AUGUST OF 2005. AND SOMETIME IN ABOUT SIX YEARS WE ARE GOING TO HAVE TO HAVE SOME NEW WATER PRODUCTION. I DON'T KNOW HOW LONG IT TAKES TO GET A PERMIT. I DON'T KNOW HOW LONG IT TAKES TO CONSTRUCT A PLANT. BUT I REALLY WOULD HOPE THAT YOU WOULD START FROM THAT DATE, START BACKING THIS UP A TIME LINE, WHICH I BET THAT YOU HAVE ALREADY DONE, SO THAT YOU CAN KEEP US ON TRACK IN THE DECISIONS THAT WE HAVE TO MAKE. WHETHER WE DO KEEP GREEN WHERE IT IS, WHETHER WE MOVE GREEN DOWNSTREAM, WHETHER WE EXPAND ULRICH, WHATEVER THE HECK WE DO TO GET NEW WATER CAPACITY, I THINK WE NEED TO STAY ON THAT

TARGET. I FOR ONE THINK THAT WE HAVE GOT ENOUGH PRELIMINARY INFORMATION THAT -- WHERE IT LOOKS AS THOUGH PERHAPS, WHEN ENGINEERING STUDIES COME BACK, GREEN WOULD BE A VIABLE OPTION TO MOVE DOWNSTREAM. IS IT THAT'S THE CASE I WOULD LIKE TO ECHO WHAT THE MAYOR SAYS, AT LEAST PART OF THOSE SITES I WOULD LIKE TO RESERVE FOR A NEW PUBLIC LIBRARY.

MAYOR WYNN: SO A MOTION AND A SECOND ON THE TABLE. COUNCILMEMBER LEFFINGWELL?

LEFFINGWELL: I THINK AS YOU SAID, THE TRIGGER ACTION FOR THIS WHOLE TIME LINE WOULD BE FINDING A SATISFACTORY SITE FOR A NEW TREATMENT FACILITY DOWNSTREAM AND OF COURSE THAT WOULD BE -- YOU WOULD HAVE TO COME BACK AND BE APPROVED BY THE COUNCIL. SO I THINK THAT SINCE THAT ACTION HAS TO BE TAKEN BEFORE ANY OF THIS OTHER STUFF IS BEGUN, I THINK THAT MIGHT BE THE PROPER TIME TO ADDRESS THE -- THE CONCERNS THAT -- THAT COUNCILMEMBER ALVAREZ HAS AND I'M COMFORTABLE WITH THAT.

MAYOR WYNN: AGREED. MAYOR PRO TEM?

THOMAS: MR. LIPPE, CAN YOU EXPLAIN DOWNSTREAM? WHAT IS DOWNSTREAM? WHICH WOULD BE THE LOCATION OF A DOWNSTREAM WATER --

WE ARE LOOKING AT DOWNSTREAM OF -- IN PARTICULAR DOWNSTREAM OF THE CONFLUENCE OF BARTON CREEK AND TOWN LAKE. AND WE ARE LOOKING AT SOMEWHERE ON TOWN LAKE, BECAUSE WE NEED THE DEEP WATER AND THE CONSTANT LEVEL LAKE FOR AN INTAKE FOR A WATER TREATMENT PLANT. SO THIS WOULD BE ON TOWN LAKE, DOWNSTREAM OF BARTON CREEK ENTRANCE INTO TOWN LAKE.

THOMAS: GIVE ME AN AREA, EAST, WEST, SOUTH?

IT WOULD BE EAST -- EAST FROM BARTON CREEK, EAST OF THE CURRENT GREEN TREATMENT PLANT, ALL THE WAY DOWN TOWARD LONGHORN DAM, PLEASANT VALLEY ROAD.



THAT ENTIRE AREA OF TOWN LAKE.

THOMAS: IS THAT DEEP ENOUGH TO DO A DOWNSTREAM?  
YOU DON'T HAVE THAT ANALYSIS YET, THOUGH.

RIGHT. BUT IT'S -- YES --

THOMAS: PROFESSIONAL OPINION, WHAT DO YOU THINK?

THE LAKE AREA IS GOING TO BE DEEP ENOUGH. WE HAVE A  
CURRENT INTAKE AT THE GREEN TREATMENT PLANT THAT'S  
JUST UPSTREAM OF SHOAL CREEK AND IT'S ACTUALLY ONE  
OF THE SHALLOWER AREAS ALONG TOWN LAKE. FURTHER  
DOWN TOWARD LONGHORN DAM IT'S DEFINITELY DEEP  
ENOUGH FOR AN INTAKE.

THOMAS: WELL, I'M JUST A LITTLE -- I EVEN MADE A NOTE TO  
MYSELF WHEN I WAS IN HOUSTON ABOUT THIS. I  
APPRECIATE WHAT THE MAYOR IS TRYING TO DO. BUT I'M  
JUST A LITTLE LEERY ABOUT WHERE ARE WE GOING TO PUT  
IT, WE DON'T KNOW EXACTLY WHERE WE ARE GOING TO PUT  
IT. THE BIG QUESTION TO ME, IS WE HAVE HIRED SOMEBODY  
TO DO SOME CONSULTANT WORK TO GIVE US SOME IDEAS  
OF WHERE WE NEED TO GO. I'M JUST CURIOUS WHAT'S THE  
QUICK MOVE, WHY SO QUICK, WHAT'S THE HURRY? THAT'S  
STUCK IN MY MIND AND HASN'T BEEN ANSWERED. JUST  
LISTENING TO WHAT'S GOING ON, THE CONVERSATION AND  
DIALOGUE THAT WE HAVE BETWEEN THE MAYOR AND THE  
CO-SPONSORS. SO -- I'M A LITTLE LEERY TONIGHT.

LET ME JUST COMMENT THAT WHAT -- WITHIN THE NEXT  
COUPLE OF MONTHS, WHEN WE COME BACK, THE STUDY BY  
THAT TIME WILL BE -- WE'LL BE ABLE TO -- AGAIN I BELIEVE  
THIS IS GOING TO BE IN EXECUTIVE SESSION, BUT WE WILL  
BE ABLE TO SHARE WITH YOU THE ALTERNATIVE SITES THAT  
HAVE BEEN IDENTIFIED AND THE ANALYSIS THAT'S GONE  
ALONG WITH WEIGHING AND COMPARING THOSE SITES.

THOMAS: OKAY, IF WE SHUT GREEN WATER PLANT DOWN,  
DON'T GO DOWNSTREAM, IS THERE ANY OTHER WAY THAT  
WE CAN MEET THE CAPACITY OF WHAT THIS GREEN WATER  
IS DOING BESIDES GOING DOWNSTREAM IN YOUR

PROFESSIONAL OPINION?

I'M NOT SURE THAT I UNDERSTAND THE QUESTION.

THOMAS: WE SHUT THIS DONE. IS THERE ANY OTHER WAY WE CAN FIND A BETTER WAY TO MEET THE NEEDS OF THIS PLANT BESIDES GOING DOWNSTREAM?

WELL, REALLY THE TREATMENT CAPACITY IS A CITY-WIDE SYSTEM-WIDE NEED.

THOMAS: RIGHT.

WE HAVE ACTUALLY BEEN ON A PATH OF MEETING THAT CAPACITY NEED THROUGH THE WATER TREATMENT PLANT 4 SITE, TAKING WATER OUT OF LAKE TRAVIS, BECAUSE OUR ENTIRE WATER DISTRIBUTION IS INTERCONNECTED SUCH THAT WE TRULY CAN GET WATER FROM ANY PLANT TO ANY OTHER PART OF THE CITY. SO TECHNICALLY YES THERE'S ALTERNATIVES. BUT IN TERMS OF TAKING WATER AND KEEPING IT TIED TO TOWN LAKE, IT -- IT BASICALLY DOES NEED TO BE -- WELL, IT NEEDS TO BE ON TOWN LAKE, THERE'S A TIE TO BARTON CREEK. AND -- AND THE TIE TO THE URBAN CREEKS. THAT -- THAT WOULD BE MADE THROUGH -- THROUGH MOVING THIS PLANT AND IT'S TRUE IT WOULD -- IT WOULD REQUIRE AN IMPORTANT AWARENESS OF WATER QUALITY IMPROVEMENTS ON SOME -- ON OUR URBAN CREEKS, ALL CREEKS UPSTREAM OF THIS -- OF THIS - - OF ANY TREATMENT PLANT SITE ON TOWN LAKE.

THOMAS: I GUESS WHAT THE, EVERYBODY THAT LIVES EAST OF 35 HAS ALWAYS SAID, NOT JUST BECAUSE I'VE BEEN ON THE COUNCILS ALMOST SIX YEARS, IT'S JUST I HAVE BEEN HERE LIKE [INDISCERNIBLE] I HAVE BEEN HERE ALL MY LIFE. EVERYTHING GOES EAST. AND THAT'S WHY I ASKED YOU THE QUESTION, IS THERE ANYWHERE ELSE WE MIGHT CONSIDER. PUT THE PLANT. BECAUSE WE HAVE GOT TRASH, WE HAVE GOT SEWAGE, WE HAVE WATER TREATMENT, WE HAVE GOT ALL, EVERYTHING. WE JUST WANT I GUESS A LOT OF CITIZENS WANT TO KNOW WHY WE CAN'T SHARE IT SOMEWHERE ELSE. TIME OF TRYING TO FIND THAT OUT IS WHERE I NEED TO BE INSTEAD OF JUST MOVING FORWARD

AND SUPPORTING THIS TONIGHT.

MAYOR WYNN: MR. CANALES?

HOPEFULLY, MAYOR PRO TEM, WHEN WE COME BACK IN TWO MONTHS, WE CAN HAVE A LAYOUT FOR THE COUNCIL, A COMPLETE ANALYSIS. BECAUSE THERE ARE A LOT OF FACTORS IN PLAY HERE. NUMBER ONE, WITH RESPECT TO GREEN, THE URGENCY THERE IS ASSOCIATED WITH THE NEED TO MAKE A DECISION BECAUSE THE CONDITION OF GREEN NOW AND THAT'S NO SECRET IS GOING TO NEED SIGNIFICANT UPGRADES IF WE PLAN ANY CAPACITY OUT OF THAT PLANT. WHAT WE WANT TO BE ABLE TO DO IS PROVIDE YOU INFORMATION IN TERMS OF WHAT THAT'S GOING TO COST IF WE ARE GOING TO CONTINUE. HOW LONG THAT WOULD BE, WHETHER THAT'S A WISE DECISION. THERE'S A TIME SENSITIVITY TO THAT IN TERMS OF WANTING TO BE ABLE TO GIVE YOU THAT INFORMATION TIMELY, SO WE DON'T INVEST DOLLARS IN THERE UNNECESSARILY. THAT'S POINT NUMBER ONE. POINT NUMBER TWO, CAPACITY-WIDE IN THE SYSTEM, WE ARE GOING TO NEED THE ABILITY ON HAVE MORE WATER AVAILABLE BY 2010, 2011. FOR YOU, CONCURRENT WITH EVERYTHING THAT'S GOING ON RIGHT NOW, WE HAVE ANOTHER STUDY GOING ON TO SEE IF WE CAN IDENTIFY CONSERVATION MEASURES THAT CAN EXTEND THAT. SO THAT WE WILL BE ABLE TO IDENTIFY OPPORTUNITIES TO -- TO IMPLEMENT CONSERVATION MEASURES THAT WILL KEEP THAT CAPACITY FROM REACHING THOSE POINTS BY 2011, SO FORTH. SO THAT'S FACTOR NUMBER 2. FACTOR NUMBER 3 IS AS -- AS MR. LIPPE POINTED OUT, WE HAVE BEEN WORKING ON A TREATMENT PLANT 4 IN TRAVIS LAKE. WHAT WE ARE TRYING TO DO THERE IS MAKE SURE THAT WE DIVERSIFY OUR ACCESS TO THE WATER. THERE'S SOME CLEAR BENEFITS IN TERMS OF BEING ABLE TO SECURE THAT. BUT AGAIN, THERE ARE SOME TIME LINE ISSUES THERE AS WELL. SO WHAT WE WILL BE ABLE TO DO, I THINK THIS IS A TYPE OF DISCUSSION THAT YOU NEED TO HAVE A COMPREHENSIVE REVIEW OF ALL OF THE DATA, MAYOR, BECAUSE I THINK IT'S UNFAIR FOR YOU TO BE ABLE TO SEE PIECES HERE, PIECES THERE. SO WE WANT TO BE ABLE TO BRING THAT STUDY BACK IN TWO OR THREE MONTHS. AT THAT POINT YOU CAN SEE THE ALTERNATIVES THAT ARE AVAILABLE TO THE COUNCIL WITH

RESPECT TO GREEN, THE TIME LINE GOES THAT YOU CAN CONSIDER, ALTERNATE SITES IF YOU WANT TO PURSUE THAT, AND EVERYTHING ELSE, BUT YOU WILL HAVE THE BENEFIT OF DOING THAT ALL AT ONE TIME AND THEN YOU CAN CONSIDER WHATEVER OPTIONS THAT YOU WANT TO PURSUE. BUT WE WANT TO BE ABLE TO ORGANIZE THAT INFORMATION FOR YOU. IN A COMPREHENSIVE MANNER SO THAT YOU CAN REALLY HAVE A GOOD ANALYSIS TO -- TO HAVE AVAILABLE TO YOU.

MAYOR WYNN: THANK YOU, MR. CANALES. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER KIM?

KIM: LET ME GET MY MICROPHONE. MR. LIPPE, WHERE THE PLANT WILL BE LOCATED VERSUS WHERE THE INTAKE WILL BE. DOES IT NECESSARILY HAVE TO BE AT THE SAME LOCATION?

NO, THEY DON'T. THE INTAKE WOULD BE WHAT IS LOCATED OF COURSE ON TOWN LAKE, THEN THERE WILL BE A -- A RAW WATER PIPELINE THAT CAN GO TO A PLANT. SO THE -- THE CLOSER TO THE INTAKE THE LESS THE COST OF THE PIPELINE. BUT --

KIM: SURE.

-- BUT THE PLANT DOES NOT HAVE TO BE ADJACENT TO THE LAKE. THERE'S QUITE A BIT OF FLEXIBILITY ON LOCATING THE PLANT IN THE VICINITY.

KIM: OKAY. ALSO WHEN CONSIDERING THE DIFFERENT SITES, WILL YOU BRING TO US INFORMATION ON NEIGHBORHOOD IMPACTS OR EVEN AMENITIES? BECAUSE WE DO HAVE DAVIS AND IT DOES PROVIDE SOME AMENITIES TO THE NEIGHBORS IN THOSE AREAS, THE LANDSCAPING, THE LIGHTING, ALL OF THAT. WILL THAT BE A PART OF THE CONSIDERATION?

YES, THAT WILL BE PART OF THE INFORMATION BROUGHT. THERE'S A NUMBER OF CRITERIA, INCLUDING PROXIMITY TO NEIGHBORHOODS AND AMENITIES, YES.

KIM: OKAY, THANK YOU.

MAYOR WYNN: AGAIN, WE HAVE A MOTION AND A SECOND ON THE TABLE FOR AN AMENDED RESOLUTION LANGUAGE. FURTHER COMMENTS? COUNCILMEMBER ALVAREZ?

ALVAREZ: MAYOR, I'M GOING TO MAKE MY MOTION OR OFFER MINE AS A FRIENDLY AMENDMENT TO ADD THE TWO STATEMENTS AT THE END OF THE RESOLUTION. BECAUSE THEY ARE REALLY NON-ISSUES. I THINK THEY DON'T AFFECT THE REST OF THE RESOLUTION AND WHAT THE SPONSORS ARE TRYING TO DO AND REALLY THERE -- THEY ARE JUST REQUESTING INFORMATION. ONE INSTANCE IT'S ALREADY BEING PROVIDED, IN ANOTHER INSTANCE IT ACTUALLY IS RELEVANT TO THE DECISION OF WHETHER TO RELOCATE OR NOT. AND SO I'M GOING TO OFFER THAT WE ADD TO THE RESOLUTION THE FOLLOWING STATEMENT: TO PROVIDE AN ESTIMATE OF THE COST DIFFERENTIAL BETWEEN RETROFITTING GREEN WATER TREATMENT PLANT ON SITE AND BUILDING A NEW FACILITY AND TO PROVIDE AN ESTIMATE OF THE TAX REVENUES THAT WOULD RESULT FROM THE REDEVELOPMENT OF THE GREEN WATER TREATMENT PLANT SITE IF THE DECISION IS MADE TO RELOCATE THE PLANT. I WILL OFFER THAT -- TO ADD THAT LANGUAGE TO THE MOTION AS A FRIENDLY AMENDMENT.

MAYOR WYNN: COUNCILMEMBER LEFFINGWELL, DO YOU CONSIDER THAT A FRIENDLY AMENDMENT?

LEFFINGWELL: COULD I ASK MR. CANALES, WOULD THESE TWO ITEMS BE A NORMAL PART OF THE STUDY THAT YOU WOULD CONDUCT? THAT YOU WOULD PRESENT TO US IN TWO MONTHS TIME?

COUNCILMEMBER, THE FIRST PART, WITH RESPECT TO THE COST OF -- OF THE UPGRADES, IF WE WERE TO LEAVE THE PLANT AT ITS CURRENT SITE AND THE COST ASSOCIATED WITH MOVING THAT WOULD BE INCORPORATED -- THAT WE WERE PLANNING ON PROVIDING THE COUNCIL. WHAT WAS NOT INCLUDED WAS THE ECONOMIC IMPACT, IF YOU WILL, OF LEAVING -- OF MOVING THE GREEN SITE WITH RESPECT TO INCREASED TAX BASE, INCREASED SALES TAX, THINGS OF THAT NATURE. THAT WAS NOT ANTICIPATED NOR WAS IT

INCLUDED IN THE SCOPE OF WORK FOR THE CONSULTANT.

LEFFINGWELL: SO THE FIRST PART TO PROVIDE AN ESTIMATE OF THE COST DIFFERENTIAL BETWEEN RETROFITTING GREEN WATER TREATMENT PLANT ON SITE AND BUILDING A NEW FACILITY WOULD BE A NORMAL PART OF YOUR STUDY; THE REST WOULD NOT?

YES, SIR.

LEFFINGWELL: SO I WOULD ACCEPT THAT FIRST SENTENCE AS A FRIENDLY AMENDMENT AND WOULD NOT ACCEPT THE REST OF IT.

MAYOR WYNN: COUNCILMEMBER KIM, DO YOU AGREE WITH THAT AS A SECOND?

KIM: ON THE SECOND PART OF IT, MR. CANALES, WHAT WOULD DO THAT? COULD A REAL ESTATE DEPARTMENT DO THAT OR GO WITH ASSUMPTIONS OF 100% DEVELOPMENT, 50% PRIVATE, 50% PUBLIC, WHAT WOULD BE THE STEPS DO THAT SECOND PART?

WELL, COUNCILMEMBER I WOULD ONLY ASSUME IN THAT RESPECT WE WOULD HAVE TO CREATE A SERIES OF SCENARIOS THAT WOULD IDENTIFY THE POSSIBLE -- THE PARTICIPATION IN USE OF THAT LAND, WHETHER IT WOULD BE TOTAL PUBLIC, TOTAL PRIVATE, OR A COMBINATION OF THOSE TWO. AND POSSIBLE LAND USE IN THOSE AREAS. SO WE WOULD HAVE TO REALLY CREATE VARIOUS SCENARIOS FOR YOUR CONSIDERATION IN THAT SITUATION. AND I WOULD IMAGINE THAT THAT'S BEST -- THAT WOULD BE BEST COMPLETED BY SOMEONE WITH AN OUTSIDE CONSULTANT THAT SPECIALIZES IN THAT TYPE OF WORK.

KIM: SO WE DON'T HAVE THE EXPERTISE IN OUR CITY TO DO IT IN-HOUSE?

I DON'T THINK THAT WE COULD POSSIBLY DO ALL OF THAT INTERNALLY.

MAYOR WYNN: IF I CAN, IT SEEMS TO ME THAT IT'S NOT A MATTER OF EXPERTISE, IT'S A MATTER OF US NOT HAVING

MADE THAT DECISION AS A COUNCIL. THAT IS WHETHER WE SELL IT ALL OR WHETHER WE LAND LEASE IT, WHETHER WE HAVE IT ALL AS PUBLIC, SO WE COULD HAVE THE EXPERTISE TO RUN SOME SCENARIOS, BUT THAT WOULD BE A MUCH LATER POLICY DECISION BY US AS TO WHO WE WOULD SELL TO, IF AT ALL, AND WHAT USES WE WOULD APPROVE AND WHETHER WE WOULD APPROVE A 10 STORY BUILDING OR A 40 STORY BUILDING, ALL HAS A DIRECT IMPACT AND THAT'S JUST SORT OF OUR DECISION AS A COMMUNITY AT SOME POINT MUCH FURTHER DOWN THE ROAD. SO WE HAVE AN AGREEMENT BY THE MAKER AND THE SECOND ON THE FIRST PART OF THE FRIENDLY AMENDMENT. BUT NOT THE SECOND. COUNCILMEMBER ALVAREZ?

ALVAREZ: MAYOR, I'M NOT GOING TO SUPPORT THIS MOTION, YOU KNOW, I THINK THIS IS REALLY KIND OF A NON-ISSUE. AND NOT AN UNREASONABLE REQUEST. AND IN TERMS OF THE ANALYSIS OF WHETHER TO MOVE IT OR NOT, WHEN YOU ARE TALKING ABOUT, YOU KNOW, FREEING UP SIX ACRES OF DOWNTOWN LAND, YOU CAN -- YOU CAN USE BLOCK 21 AS AN EXAMPLE, HOW MUCH VALUE, YOU KNOW, IS THAT GOING TO GENERATE AND SAY LET'S PUT THAT VALUE ON IT BECAUSE WE KNOW THAT IT'S PROBABLY GOING TO BE A LOT MORE THAN THAT, SINCE IT'S A MUCH LARGER SITE. BUT YOU KNOW AGAIN THE -- I THINK THIS IS AN ISSUE THAT -- THAT YOU KNOW SHOULD RECEIVE SOME CONSIDERATION, WHEN WE ARE TALKING ABOUT HERE LET'S FREE UP SOME VERY VALUABLE LAND, AND SO THAT VALUE OBVIOUSLY IS HAVING A VERY IMPORTANT IMPACT, YOU KNOW, OR AFFECT ON OUR DECISION. BECAUSE THAT'S THE WHOLE REASON THAT WE ARE DOING IT. AND SO -- SO THAT'S A VERY IMPORTANT BENEFIT TO THE CITY AND SO IF THERE'S GOING TO BE ANOTHER PART OF TOWN THAT HAS TO ABSORB, YOU KNOW, THE LOCATION OF A NEW WATER TREATMENT PLANT, THEN I THINK THAT THE -- THAT THE VALUE THAT THE CITY IS GETTING TO -- SHOULD SOMEHOW BE FACTORED INTO, YOU KNOW, HOW -- HOW AND WHERE THIS NEW FACILITY IS LOCATED. AND AGAIN I'M -- YOU KNOW, I THINK, YOU KNOW, ALL OF THIS IS PREMATURE. YOU KNOW, YES, THIS PART OF THE RESOLUTION IS PREMATURE. ALL OF THIS IS PREMATURE BECAUSE IN TWO MONTHS WHEN WE REALLY SHOULD BE MAKING THIS DECISION, WHEN THAT REPORT

FROM OUR CONSULTANT COMES FORWARD -- THE OTHER THING THAT I HAVEN'T SEEN IN HERE IS A FISCAL NOTE. IS THERE A FISCAL NOTE ATTACHED TO THIS MOTION OR --

MAYOR WYNN: I'M NOT AWARE OF ONE.

ALVAREZ: IN THIS PARTICULAR RESOLUTION, WE ARE SAYING INITIATE THE PROCESS FOR THE DESIGN AND CONSTRUCTION OF THE EXTENSION OF NUECES STREET TO CESAR CHAVEZ STREET AND THE EXTENSION OF SECOND STREET TO NUECES STREET. SO WHAT IS IT GOING TO BE THE -- WHAT IS GOING TO BE THE FISCAL IMPACT OF MOVING FORWARD WITH THAT?

MAYOR WYNN: MY IDEA WAS THAT THE STAFF -- THE STAFF DO WHAT STAFF DOES, WHICH IS BEGIN ENGINEERING AND PLANNING FOR THIS PROCESS. ACTUALLY I VOTE NOW JUST TO MOVE THE PLANT IF THIS SEEMS SO PREMATURE. THE REASON WHY THIS IS EVEN AN OPTION IS BECAUSE WE ARE CONTINUING TO EXPAND, YOU KNOW, WEST AUSTIN TREATMENT FACILITIES AND SO ULRICH EXPANSION ALLOWS THIS TO HAPPEN AND THE MISSED OPPORTUNITY WILL BE THAT WE HAVE TO GET A NEW PLANT BUILT BY 2010 OR 2011, WHICH IS WHY WE SHOULD ACT RIGHT NOW, MAKE IT VERY CLEAR TO THE CITY MANAGER WHAT THE INTENT OF THIS COUNCIL IS, HAVE THEM START THE ENGINEERING AND THE DESIGN WORK OF THOSE ROADS, SO WHEN THEY START BULLDOZING GREEN, AS SOON AS POSSIBLE HOPEFULLY NEXT SUMMER, WE CUT THOSE ROADS THROUGH, AND WE GET SOME REAL TAX REVENUE, WE GET SOME REAL SALES PROCEEDS, WE GET A DYNAMIC URBAN CORE, WE GET A CENTRAL LIBRARY SITE, WE HELP IMPROVE TRAFFIC AND WE DRAMATICALLY EXPAND THE CONCEPT OF ENVIRONMENTAL PROTECTION IN OUR URBAN CORE. I'M PREPARED TO DECLARE THAT TONIGHT TO MOVE FORWARD TO MAKE SURE WE GET THIS NEW PLANT BUILT BY 2011. THERE'S A MOTION AND A SECOND ON THE TABLE WITH SOME AMENDMENTS. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.



WYNN: OPPOSED?

NO.

MAYOR WYNN: MOTION PASSES ON A VOTE OF 5-2 WITH COUNCILMEMBERS ALVAREZ AND THE MAYOR PRO TEM VOTING NO. THANK YOU ALL VERY MUCH. AGAIN, WE WILL HAVE -- AN EVEN BETTER DISCUSSION IN A COUPLE OF MONTHS. I APPRECIATE YOU ALL'S SUPPORT AND PATIENCE. MS. BROWN, IS THAT ALL OF OUR ITEMS? OKAY. THERE BEING NO MORE ITEMS BEFORE THE CITY COUNCIL, WITHOUT OBJECTION, WE STAND ADJOURNED. IT IS 11:27.

**End of Council Session Closed Caption Log**