

## Closed Caption Log, Council Meeting, 4/27/06

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Mayor Wynn: GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, I WELCOME DANA HAMILTON FROM THE UNITED METHODIST CHURCH WHO WILL LEAD US IN OUR INVOCATION. PLEASE RISE.

MOST HOLY SPIRIT OF GUIDANCE, FROM OUR PLACES OF LIFE WE HAVE COME THIS DAY TO OFFER OUR GIFTS , THAT THEY MAY ENRICH AND STRENGTHEN AND UPHOLD THE WONDERFUL CITY OF AUSTIN. WE OFFER AND PRAY FOR YOUR STABILITY AND STRENGTH, THAT WE MAY UPHOLD ONE ANOTHER. THAT WE MAY GIVE STABILITY AND IDEALS OF HOME AND FAMILY TO ONE ANOTHER AND TO THIS CITY. THAT WE MAY GIVE THE FUTURE VALUES OF THE WORLD THAT WE MAY GIVE YOU OUR GREATEST NEEDS. FROM OUR PLACES OF LIFE, WE COME OFFERING OUR GIFTS WITH OUR TALENTS AND OUR VOCATIONS AS WE ARE IN YOU. AS WE ARE NOW WE PRAY, FOR THIS OUR ONENESS IN YOU, AND FOR YOUR DIRECTION, WE THANK YOU, LORD, AMEN.

Mayor Wynn: THANK YOU, REVEREND HAMILTON. THERE BEING A QUORUM PRESENT AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, APRIL 27th 27th, 2006. WE ARE IN THE COUNCIL CHAMBERS AT THE CITY HALL BUILDING, 301 WEST SECOND STREET, IT'S APPROXIMATELY 10:25 A.M. WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THAT YOU WILL GO THROUGH NOW. WE WILL NOTE THAT ITEM NO. 2, STAFF IS -- IS REQUESTING A POSTPONEMENT TO MAY 4th, 2006. WE -- NOTING THAT ITEMS

8 REGARDING TOWING REGULATIONS, ITEM 39 OUR AFTERNOON BRIEFING ON INCIDENT MANAGEMENT AND ITEM 51, AN ADDENDUM ITEM RELATED TO RUSH HOUR RAPID RESPONSE ARE ALL RELATED, SO WE WILL ITEM 8 AND 51 AFTER WE HAVE THE AFTERNOON BRIEFING ITEM NO. 39. SO 8 AND 51 WILL BE OFF THE CONSENT AGENDA, WE WILL TAKE THOSE ITEMS SEPARATELY LATE THIS AFTERNOON ONCE WE HEAR FROM OUR CITY MANAGER ABOUT THE BROAD CONCEPT OF INSTANT MANAGEMENT IN THIS TOWN. ON ITEM NO. 13, COUNCIL, WITHOUT OBJECTION, STAFF IS REQUESTING ITEM NO. 13 RELATED TO OUR TAXICAB FRANCHISE ISSUES, STAFF IS REQUESTING THIS TO BE TAKEN UP AFTER 6:00 P.M. SO -- SO THAT WILL BE PART OF OUR -- THE CONSENT AGENDA WILL NOT CONTAIN ITEM NO. 13, WE WILL TAKE IT UP AFTER THE LIVE MUSIC AND PROCLAMATIONS THIS EVENING. ON ITEM NO. 32, WE SHOULD NOTE THAT COUNCILMEMBER JENNIFER KIM IS AN ADDITIONAL CO-SPONSOR, REGARDING THE 90th BIRTHDAY OF THE PAIRM PARAMOUNT THEATER. ITEM NO. 35 HAS BEEN WITHDRAWN FROM THE AGENDA. ON ITEM NO. 50, WE NEED TO -- TO INSERT THE PHRASE EXTENDED PHASING, AND ALSO INSERT THE WORD CITY CODE SECTION AND STRIKE LDC, AND SO -- SO THIS -- THIS SUMMARY BRIEFING -- SUMMARY FOR ITEM NO. 50 WILL READ: TO CONDUCT A PUBLIC HEARING AND CONSIDER ACTION ON AN APPEAL BY DALE [INDISCERNIBLE] VICE-PRESIDENT, 2222 COALITION OF NEIGHBORHOODS ASSOCIATIONS, INC. OF THE ZONING AND PLATTING COMMISSION'S DECISION TO APPROVE EXTENDED PHASING OF A SITE PLAN UNDER CITY CODE SECTION 25-5-63. OUR TIME CERTAIN THIS AFTERNOON, THIS MORNING AND AFTERNOON, WE WILL HAVE AN 11:00 A.M. BRIEFING THIS MORNING AFTER THE CONSENT AGENDA, THEN WE WILL TAKE UP OUR CITIZEN COMMUNICATIONS AT NOON, AT 1:00 WE HAVE A -- WE HAVE A SERIES OF BRIEFINGS, THAT INCLUDED BOTH THE INCIDENT MANAGEMENT, OUR POTENTIAL BOND ISSUES AND A FINANCIAL FORECAST, AT 4:00 -- 3:00 WE WILL HAVE OUR FIRST MUELLER LOCAL GOVERNMENT CORPORATION MEETING. TECHNICALLY WE WILL RECESS THE CITY COUNCIL AND WE TAKE UP THAT STRUCTURE, CONSTITUTED BOARD THAT WILL BE OVERSEEING THE REDEVELOPMENT OF THE OLD MUELLER AIRPORT. THE 4 -- AT 4:00 THE CITY COUNCIL AGAIN WILL

CONVENE AND WE WILL TAKE UP OUR ZONINGS HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. 5:30 LIVE MUSIC AND PROCLAMATIONS, OUR LIVE MUSIC TODAY IS COURTESY OF THE ZACH SCOTT THEATER. AND AT 6:00 P.M. WE HAVE PUBLIC HEARINGS AND POSSIBLE ACTION. SO COUNCIL, TECHNICALLY, THERE'S NO ITEMS PULLED BY COUNCILMEMBERS FOR DISCUSSION. NOTING THAT ITEMS 8 AND 51 ARE TAKEN OFF THE CONSENT AGENDA SO THAT THEY CAN BE DISCUSSED AFTER OUR BRIEFING ON INSTANCE DISENT MANAGEMENT. INCIDENT MANAGEMENT. ITEM 2 STAFF REQUESTED POSTPONEMENT TO MAY 4th, ITEM 13 WILL BE NOT BE ON THE CONSENT AGENDA THIS MORNING AS WE WILL TAKE IT UP AFTER LIVE MUSIC AND PROCLAMATIONS. AND ITEM NO. 34 HAS BEEN -- EXCUSE ME, 35 HAS BEEN WITHDRAWN. SO, COUNCIL, ANY ITEMS TO BE PULLED OFF THE CONSENT AGENDA? OTHER THAN THOSE READ? HEARING NONE, I WILL READ OUR CONSENT AGENDA FOR THIS MORNING. IT WILL BE, ITEM 1, 3, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 OUR BOARD AND ECONOMICS APPOINTMENTS THAT I WILL READ -- BOARD BOARD AND COMMISSION APPOINTMENTS, CHARLES LOCKLYNN IS A CONSENSUS APPOINTMENT TO THE DOWNTOWN ADVISORY COMMITTEE, TO THE M.B.E.-W.B.E. ADVISORY COMMITTEE, MERRIAM GARBY CONSENSUS REAPPOINTMENT, TO THE URBAN FORESTRY BOARD LARRY MCGINNIS IS A CONSENSUS APPOINTMENT. ITEM NO. 29 ON THIS MORNING'S CONSENT AGENDA. ALSO ON THE CONSENT AGENDA WILL BE ITEMS 30, 31, 32, PER CHANGES AND CORRECTION, AND 33. I'LL ENTERTAIN A MOTION ON THE CONSENT AGENDA. MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS BY COUNCIL? I WILL NOTE THAT WE HAVE A COUPLE OF CITIZENS WHO WOULD LIKE TO ADDRESS US ON A COUPLE OF THESE ITEMS, SO WITHOUT OBJECTION WE WILL HEAR FROM -- FROM JENNIFER GALE WOULD LIKE TO ADDRESS US ON ITEM NO. 3. JENNIFER GALE SIGNED UP NEUTRAL BUT WISHING TO SPEAK ON ITEM NO. 3. WE WILL HOLD THAT THOUGHT FOR A MINUTE. AND JENNIFER GALE ALSO SIGNED UP WISHING TO ADDRESS US ON ITEM NO. 9. SHE SIGNED UP IN OPPOSITION, JENNIFER GALE, ITEM NO. 9. ITEM NO. 11, LESLIE LAWSON SIGNED UP IN

FAVOR HERE TO ANSWER QUESTIONS IF NEED BE. AND KEN, SAFER, SORRY IF I'M MISPRONOUNCING THAT, NOT WISHING TO SPEAK, OPPOSITION, WE WILL SHOW HIS OPPOSITION TO ITEM NO. 11. COUPLE MORE. HANNAH RETTERING WISHING TO SPEAK ON ITEM NO. 12. WELCOME, HANNAH. APPRECIATE YOUR SERVICE ON OUR ADVISORY BOARD.

GOOD MORNING, COUNCIL. I AM HANNAH RITTERING CHAIR OF THE AIRPORT ADVISORY COMMISSION, I'M HERE COMPLETELY NEUTRAL ON ITEM 12, BUT I WANTED YOU ALL TO KNOW WHY THIS COMES TO YOU WITHOUT A RECOMMENDATION ONE WAY OR ANOTHER FROM THE COMMISSION. AS SOME OF YOU KNOW, I HAVE BEEN CONCERNED FROM OPENING DAY AT ABIA ABOUT CERTAIN PROBLEMS IN THE PARKING GARAGE AND RAISED THE ISSUES THEN AND EVERYBODY SAID, WELL, ON TIME, ON BUDGET, EVERYTHING IS HUNKY, DORY, YOU ARE JUST A CAB DRIVER WHAT DO YOU KNOW ABOUT CONSTRUCTION? AS IT TURNS OUT THERE ARE SOME PROBLEMS, WE HAVE A CONTRACT TO HAVE A FORENSIC ENGINEER LOOK AT THE PARKING GARAGE TO TRY TO FIGURE OUT THE PROBLEMS. THERE'S A POTENTIAL FOR LITIGATION. WELL, AT OUR LAST MEETING THEY BROUGHT THIS ITEM TO US WHICH BASICALLY DOUBLES THE AMOUNT OF THE CONTRACT. WHEN WE STARTED ASKING THE USUAL QUESTIONS ONE WOULD ASK SUCH AS WELL WHAT HAVE WE FOUND SO FAR WHAT'S GOING ON, WHERE'S THE REPORT ON WHAT THEY HAVE DONE WITH THE FIRST \$347,000? STAFF SAID WELL, YOU KNOW, THIS IS A MATTER OF ATTORNEY-CLIENT PRIVILEGE AND YOU ARE NOT PART OF THE PRIVILEGE SO WE CAN'T TELL YOU. SO I ASKED FOR -- WHICH IS COMPLETELY PROPER IF THERE'S A PENDING LITIGATION. SO I ASKED FOR A MOTION ON THE ITEM AND THE MOTION WAS MADE AND I ASKED FOR A SECOND AND THERE WAS NO SECOND. AND BASICALLY THE ADVISORY COMMISSION FELT THAT WE COULD NOT TAKE A VOTE ON THIS ITEM AND ADVISE YOU ONE WAY OR THE OTHER BECAUSE WE HAD NO INFORMATION AT ALL, HOPEFULLY THEY HAVE GIVEN YOU SOME INFORMATION ON WHERE WE STAND SO FAR AND WHAT -- WHAT COURSE THEY ARE THINKING ABOUT TAKING. THAT IS WHY THIS COMES TO YOU WITHOUT A RECOMMENDATION FROM THE AIRPORT ADVISORY

COMMISSION.

Mayor Wynn: THANK YOU, QUESTIONS OF OUR BOARD CHAIR, COUNCIL? AND MR. SMITH DO YOU WANT TO JUST CONFIRM THAT --

THE --

Mayor Wynn: THE COMMENT FROM MS. RITTERING WAS THAT SHE NEEDED TO MAKE THE ASSUMPTION THAT WE HAD BEEN ADVISED ON A BEFORE YOU PRUDENT NATURE OF THIS ACTION.

AND IT IS -- IT CAN BE AN AWKWARD SITUATION BUT WE ARE ALLOWED TO SHARE CERTAIN INFORMATION WITH THE GOVERNING BODY THAT WE ARE NOT ALLOWED TO SHARE WITH OTHERS.

I PERFECTLY UNDERSTAND THAT. I JUST WANT TO MAKE SURE THAT EVERYBODY UNDERSTANDS WHY THERE'S NO ADVISORY RECOMMENDATION ONE WAY OR THE OTHER.

THAT'S EXACTLY IT. I APPRECIATE YOUR UNDERSTANDING.

THANK YOU.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL? LEFFINGWELL SO I DON'T KNOW WHO --

Leffingwell: I DON'T KNOW WHO THIS IS REALLY FOR. BUT IF THE INFORMATION ON THIS ITEM CANNOT BE GIVEN OUT, WHY WAS IT POSTED ON THE AGENDA?

Futrell: PERSONALLY I WAS MAKING SOME NOTES TO MYSELF ON THIS. I THINK WE NEED TO DO A BETTER JOB THAN WE HAVE ON EXECUTIVE SESSION MATERIAL AND HOW THAT'S HANDLED BECAUSE IT SOUNDS LIKE THAT'S FRUSTRATING FOR THE BOARDS AND COMMISSIONS I HAVE MADE A NOTE OF HOW TO HANDLE THAT IN THE FUTURE. I THINK WE ARE CAUGHT IN A HARD SPOT WHEN THE BRING THE ITEM FORWARD THE BOARDS AND COMMISSIONS HAVEN'T SEEN, THE QUESTION IS WHY NOT. I THINK IT WOULD HAVE BEEN MORE PROPER TO BRIEF THEM THAT THIS IS AN ITEM THAT

THE COUNCIL IS BEING BRIEFED ON IN EXECUTIVE SESSION AND NOT BRING IT TO AN ACTION.

IS THE AIRPORT ADVISORY COMMISSION ENTITLED TO GO INTO EXECUTIVE SESSION, I KNOW ONLY A FEW OF THEM ARE.

Futrell: I WILL LEAVE THAT FOR THE ATTORNEYS TO ANSWER.

DAVE, IF YOU WOULDN'T MIND.

DAVE PETERSON, ASSISTANT CITY ATTORNEY. THE -- FOR PURELY ADVISORY COMMISSIONS THEY CANNOT GO INTO EXECUTIVE SESSION UNLESS THEY HAVE A PRIOR APPROVAL OF THE CITY ATTORNEY BECAUSE HE'S PURELY CITIZEN ADVISORY BOARDS. TELLING INFORMATION TO MOST ADVISORY COMMISSIONERS IS THE -- COMMISSIONS IS THE SAME THING AS MAKING INFORMATION PUBLIC, WHICH WOULD HAVE THE EFFECT OF DESTROYING THE ATTORNEY-CLIENT PRIVILEGE. SOP FOR THAT REASON WE WERE EXTREMELY LIMITED IN WHAT INFORMATION WE COULD PROVIDE. WE BROUGHT THE MATTER TO THE ADVISORY COMMISSION BECAUSE UNDER ITS -- UNDER THE SECTION OF THE CODE DEALING WITH THE AIRPORT ADVISORY COMMISSION, WE ARE SUPPOSED TO BRING THEM ANY KIND OF MATTERS DEALING WITH THE AIRPORT BUDGET AND THAT IS -- INCLUDES A -- CONTRACTS AND THINGS LIKE THAT. SO WE HAD TO BRING IT FORWARD TO THEM, EVEN IF WE WEREN'T REALLY IN A POSITION TO FULLY BRIEF THEM ON THE MATTER.

Futrell: DAVID YOU ARE MAKING THE DISTINCTION, JUST FOR THE PUBLIC TO UNDERSTAND THE TERMS THAT YOU ARE USING, THE DIFFERENCE BETWEEN A SO SO WRITTEN AND -- SOVREIGN AND ADVISORY BOARD.

THAT'S CORRECT, SO SORRY SOVREIGN IS A DIFFERENT ANIMAL.

IT WOULD BE FRUSTRATING TO SAY WE CAN'T TELL YOU ANYTHING ABOUT THIS BECAUSE IT'S EXECUTIVE SESSION MATERIAL. WE NEED TO WORK ON THAT PROCESS FOR THEM SO WE DON'T PUT THEM IN THAT KIND OF POSITION,

WE WILL DO THAT MOVING FORWARD.

AS YOU ALL KNOW I STRONGLY OBJECT TO BEING VIEWED  
AS BEING A RUBBER STAMP.

Futrell: YEAH, EXACTLY RIGHT. YOUR POINT IS WELL TAKEN.

Mayor Wynn: WE HARDLY CONSIDER YOU THAT, HANNAH,  
THANK YOU [LAUGHTER]

Leffingwell: MAYOR, COULD I JUST SAY THAT I THINK YOU  
ACTED PROPERLY IN NOT TAKING ANY ACTION ON A MATTER  
OF WHICH YOU ARE NOT FULLY INFORMED. I APPRECIATE  
YOU COMING FORWARD AND TELLING US EXACTLY WHAT  
HAPPENED. THANK YOU.

THANK YOU.

Futrell: I GUESS PROBABLY THE LAST THING HANNAH THE  
QUESTION YOU ASKED WAS THE COUNCIL INFORMED, YES,  
THE COUNCIL HAS BEEN IN EXECUTIVE SESSION ON THIS  
ITEM AND THEY ARE BEING BRIEFED.

GOOD, THANKS.

Mayor Wynn: THANK YOU. JENNIFER GALE SIGNED UP  
WISHING TO SPEAK ON ITEM NO. 9, WELCOME, JENNIFER.

HI, AUSTIN. IT'S ELECTION TIME TO VOTE FOR CITY COUNCIL  
MEMBERS, MAYOR, SCHOOL BOARD. GOOD MORNING,  
COUNCILMEMBERS ALVAREZ, KIM, MCCracken AND MAYOR  
PRO TEM DANNY THOMAS. MAYOR WILL WYNN, BETTY  
DUNKERLY AND LEE LEFFINGWELL. I'M HERE THIS MORNING  
ON THREE -- LOOKS LIKE THERE'S A -- THERE'S A FUND, A \$23  
MILLION FUND OVER -- OVER A GREAT MANY YEARS THAT'S  
GOING TO THE ROBERT MUELLER AIRPORT. I WANT TO HAVE  
SOME IDEA WHERE THAT \$23,100,000 IS GOING. THAT COULD  
TAKE CARE OF A LOT OF EROSION PROJECTS. NUMBER 9,  
THERE'S -- THERE'S AN ORDINANCE TO APPROVE FOR -- TO  
VACATE A PORTION OF THE ALLEYWAY BETWEEN  
UNIVERSITY AVENUE AND WHITEIS AVENUE BETWEEN  
MARTIN LUTHER KING, JR. AND [INDISCERNIBLE] TO THE  
BOARD OF REGENTS FOR THE UNIVERSITY OF TEXAS. THE

UNIVERSITY OF TEXAS IS FAMOUS FOR VIOLATING THE RIGHTS OF THE CITIZENS OF THE UNITED STATES BY GIVING THEM CRIMINAL TRESPASS WARNINGS IF THEY ARE NOT -- IF A PERSON ISN'T ON PROPERTY FOR THE BENEFIT OF THE PROGRAM OR THE STUDENTS, FACULTY OR STAFF. WELL, PEOPLE GO TO THE CACTUS, THE UNION, THE BASS CONCERT HALL, MANY OF THE FAIRS AND GET CRIMINAL TRESPASS WARNINGS EVEN THOUGH THEY ARE DOING NOTHING WRONG. I'M ASKING YOU TO VOTE AGAINST THIS UNTIL THE BOARD OF REGENTS FOLLOWS THE CONSTITUTION OF THE UNITED STATES AND STOPS HANDING OUT CRIMINAL TRESPASS WARNINGS ACCORDING TO THEIR LAWS, WHICH HOLD THE POWER OF THE STATE LEGISLATORS. I WOULD ALSO LIKE TO ADDRESS YOU ON 13. I HEARD MANY STORIES FROM YELLOW CAB EMPLOYEES THAT WERE -- THAT ARE OWNED BY THE GREATER AUSTIN TRANSPORTATION COMPANY. AND THAT ARE -- THAT ARE OWNED BY YELLOW CAB THAT ARE NOW CALLED YELLOW CAB OWNED OUT OF HOUSTON BY THREE OWNERS. I'VE HEARD MANY BAD STORIES ABOUT PEOPLE, CAB DRIVERS IN HOUSTON, NOW VERY BAD STORIES ABOUT HOW YELLOW CAB IS TREATING THE CAB EMPLOYEES AND ROY'S CAB EMPLOYEES ARE NOT GOING TO BE TREATED VERY WELL. THEY WERE NOT INFORMED OF THIS SALE TO BE DONE TO GREATER AUSTIN TRANSPORTATION COMPANY AND I'M ADVISING YOU VERY STRONGLY NOT TO APPROVE THIS AGREEMENT WITH THIS. I ALSO WANT TO ASK THE CITY ATTORNEY ON ITEM 30, THAT -- THERE'S A TALK OF THE -- OF COUNCILMEMBER LEE LEFFINGWELL AND BETTY DUNKERLY OPENING UP AND COUNCILMEMBER BRUCE STEER MCCrackEN -- BREWSTER McCANE OPENING UP CODE AMENDMENTS TO PUBLIC ACCESS, IF THAT'S EITHER FOR OR AGAINST PROPOSITION 1 OR 2 AND IF THE COURT OR IS ADVOCATING, IF THERE'S NOT A CITY LAW THAT PREVENTS OUR -- OUR MEMBERS OF THIS COUNCIL TO DO THAT. IS THERE? CITY ATTORNEY, DAVID SMITH? MY UNDERSTANDING THAT THERE'S A CITY LAW PREVENTING THE CITY COUNCIL FROM ADVOCATING FOR OR AGAINST.

OKAY. YOU HAVE MADE YOUR QUESTION MORE SPECIFIC. I THINK JENNY GILCHRIST WILL SPEAK TO YOU.



THANK YOU.

Mayor Wynn: THANK YOU, MS. GALE.

THE SHORT ANSWER IS NO.

STATE LAW DOES PROHIBIT THE USE OF ANY PUBLIC RESOURCES TO ADVOCATE FOR OR AGAINST A BALLOT MEASURE OR ELECTION. THE CITY CODE CONTAINS A SIMILAR PROHIBITION, BUT THIS PARTICULAR -- THIS ACTION ITEM DOESN'T HAVE ANYTHING TO DO WITH EITHER PROP 1 OR 2.

Mayor Wynn: CORRECT, THANK YOU.

AGAIN THE SHORT ANSWER IS NO.

MR. ROBERT SINGLETON ALSO SIGNED UP TO ADDRESS US ON ITEM NO. 30. RECOMMEND, ROBERT, THREE MINUTES.

Alvarez: I WOULD LIKE TO SPEAK TO THAT ISSUE. WE CANNOT USE CITY RESOURCES TO ADVOCATE A POSITION ON A CHARTER AMENDMENT. AS INDIVIDUALS WE COULD BE OUT IN THE COMMUNITY ADVOCATING A POSITION BECAUSE CLEARLY THERE'S FOLKS OUT THERE, COUNCILMEMBERS OUT THERE IN THE COMMUNITY TAKING POSITIONS ON THIS. WE ARE NOT EXPENDING CITY RESOURCES WHEN THERE'S COUNCILMEMBERS OUT AND ABOUT SPEAKING TO THESE PARTICULARS.

CORRECT, THANK YOU. WELCOME, MR. SINGLETON.

WELL, WHEN YOU CONSIDER THE BALLOT LANGUAGE THAT YOU ORIGINALLY APPROVED WHICH WAS STRUCK DOWN IN COURT AND THE NEW BALLOT LANGUAGE WHICH DIDN'T FULLY ENFORCE THE JUDGE'S ORDER, I THINK -- THANK GOD THAT YOU CAN'T CAMPAIGN AGAINST THE AMENDMENTS. I WENT TO THE ENVIRONMENTAL BOARD LAST NIGHT. I THOUGHT THAT I WOULD PASS ALONG A LITTLE OF WHAT THEY DID IN CASE YOU HAVEN'T HEARD YET. FIRST THEY REJECTED THE ROY GUERRERO COLORADO RIVER PARK AS A SITE FOR THE GREEN WATER TREATMENT PLANT. THEY WILL BE SENDING YOU A RESOLUTION TO THAT EFFECT. BUT

THE SECOND THING THEY DID IS MORE GERMANE TO ITEM 30. WHICH IS COUNCIL -- THE BOARD MEMBERS EXPRESSED A GREAT DEAL OF FRUSTRATION AT THEIR INABILITY TO GET CURRENT INFORMATION ON THE GREEN SITE, ON THE GREEN PLANT AND THE PLANTS FOR MOVING IT. ALL OF THE BOARD AND COMMISSION REMEMBERS WHO ARE PRESENT AND VOTING EXPRESSED THE SAME FRUSTRATION. THE OTHER THING THAT I WANTED TO TALK TO YOU ABOUT TODAY IS LIVABLE CITY HAS RELEASED A REPORT ON THE CHARTER AMENDMENTS. AND -- AND SPECIFICALLY ON THE ITEM THAT YOU ARE CONSIDERING NOW, WHICH IS PREPARING AN ALTERNATIVE AMENDMENT FOR AFTER THE - - AN ALTERNATIVE ORDINANCE FOR AFTER THE ELECTION. YOU SHOULD BE AWARE OF SOME OF THE THINGS THAT LIVABLE CITY SAID. THEY ARE NOT ADVOCATING PASSAGE OF PROP 1 OR PROP 2. THEY SIMPLY CONVENED A PANEL TO LOOK AT BOTH THE AMENDMENTS, SEE WHAT THEY WOULD DO, SEE WHAT THEY WOULD COST AND A COUPLE OF THINGS THAT THEY SAID IN THEIR REPORT, I THINK YOU NEED TO KNOW ABOUT. THE AUSTIN ... MOVE THE TREATMENT PLANT TO GUERRERO PARK CLEARLY SURPRISED CITIZENS OF EAST AUSTIN, NON-PROFITS THAT ADVOCATE FOR ENVIRONMENTAL JUSTICE AND PUBLIC PARKS AND EVEN THE CITY'S OWN PARKS BOARD. THEN IN -- IN A MASTERPIECE OF UNDERSTATEMENT, THEY SAID LACK OF TIMELY PUBLIC INPUT HAMPERED THE CHANCE TO BUILD CONSENSUS. THEY ALSO ADDRESSED THE \$36 MILLION FIGURE, WHICH WAS REJECTED BY JUDGE YELENOYSKY, B TOUTED BY THE AUSTIN AMERICAN-STATESMAN AND OTHERS, GARCIA SAID THAT \$36 MILLION IS PROBABLY A MINIMUM, ALTHOUGH HE DIDN'T SAY WITH WHERE HE GOT HIS INFORMATION HOW HE FIGURED THAT. BUT LIVABLE CITY DID DIRECTLY ADDRESS THAT COST. SAID IN OUR VIEW THE CITY CANNOT SPEND \$36 MILLION TO ACHIEVE THE BROADEST GOAL OF OPEN GOVERNMENT. SO FAR SO GOOD. BUT THEN THEY WENT ON TO SAY IT CAN LIKELY SPENT A 10th OF THAT TO ACHIEVE NEARLY ALL OF WHAT THE CURRENT ADVOCATES CONSIDER MOST CRUCIAL. THE \$36 MILLION FIGURE IT BECAME CLEAR IN COURT REFLECTED THE COST OF PUTTING ALL E-MAIL ONLINE IN REAL-TYPE. SOMETHING THAT IS NOT -- REAL-TIME, SOMETHING THAT IS NOT REQUIRED BY THE ORDINANCE AND SOMETHING THAT

THE JUDGE SAID THERE ARE EXCEPTIONS, YOU ARE NOT GOING TO HAVE TO PUT ALL E-MAIL ONLINE IN REAL-TIME. IN MY OPINION WHO WANT TO READ THE FULL LIVABLE CITIES REPORTING TO [www.livablecity.org](http://www.livablecity.org) AND SEE THE ENTIRETY OF THOSE REPORTS ON BOTH AMENDMENTS.

Mayor Wynn: THANK YOU, MR. SINGLETON, COUNCILMEMBER LEFFINGWELL?

Leffingwell: SO YOUR SUGGESTION, EVIDENTLY YOU ARE QUOTING A LIVABLE CITY'S REPORT IS THAT WE FOLLOW NOT ALL OF THE CHARTER BUT NEARLY ALL OF IT; IS THAT CORRECT?

CHARTER AMENDMENT? NO, NO, WHAT THEY ARE SAYING IS THAT -- THEY ARE TRYING TO BE AS FAIR AS POSSIBLE AND THEY ARE SAYING THAT \$36 MILLION MAY BE A VALID FIGURE IF ALL E-MAIL HAS TO GO ONLINE IN REAL-TIME, BUT YOU CAN ACHIEVE AND THEY WILL BE IN KIND AND -- THEY WERE CALLING IT KIND, MOST OF THE GOALS THAT THE PROPONENTS WANT, I SAY ALL OF THEM BECAUSE THE AMENDMENT DOES NOT REQUIRE THAT E-MAIL GO ONLINE IN REAL-TIME.

THIS IS NOT A QUESTION. YOUR STATEMENT WAS THAT THEY COULD ACHIEVE NEARLY ALL OF THE PROVISIONS OF THE CHARTER AMENDMENT BUT HAVE 1/10th THE COST. I'M HAVING A HARD TIME UNDERSTANDING HOW WE COULD FOLLOW NEARLY ALL OF THEM AND NOT ALL OF THEM. BUT IT'S NOT A QUESTION.

OKAY.

YOU DON'T NEED TO RESPOND.

Mayor Wynn: THANK YOU, COUNCILMEMBER. I WILL ALSO BUILD ON THE FACT THAT THE AMENDMENT GOES FAR BEYOND JUST E-MAILS. IT TALKS ABOUT -- ABOUT PRIVATE CONVERSATIONS, MENTIONS HAPPY HOURS, THAT SORT OF THING AND SO THE -- OF COURSE A FUNDAMENTAL REAL COST IS TO PUT -- IDENTIFY THE PERSON, THE CONTENT, NATURE OF THE DISCUSSION AND THE BUSINESS ON LINE IN REAL-TIME. AS WE, YOU KNOW, GET STOPPED IN THE

PARKING LOT OF WHOLE FOODS BY A CITIZEN AND TALK ABOUT SOME CITY BUSINESS BECAUSE THEY WANT TO KNOW ABOUT THE TIMING OF THE UPCOMING TRAFFIC CALMING PROJECT ON THEIR STREETS, SOMEHOW WE HAVE TO FIGURE OUT HOW IN REAL-TIME TO IDENTIFY THAT PERSON AND WHAT THE DISCUSSION IS ABOUT ONLINE IN REAL-TIME. SO AGAIN AS COUNCILMEMBER LEFFINGWELL POINTS OUT, WE THE CITY WILL BE REQUIRED TO -- TO INSTIGATE AND FOLLOW THE ENTIRE AMENDMENT, NOT WHAT CURRENT ADVOCATES BELIEVE TO BE THE MOST IMPORTANT PARTS OF THE PROPOSED CHARTER AMENDMENT. WE HAVE FOLLOW THE LETTER OF THE LAW AND COMPLY. IT'S VERY, VERY, VERY COSTLY IS THE ESTIMATE THAT WE ARE GETTING FOR SOMEHOW INDIVIDUAL COUNCILMEMBERS AND SENIOR CITY OFFICIALS WHEN THEY ARE ON A SOUTHWEST AIRLINE AND 10 PEOPLE TALK TO THEM IN THE COURSE OF THREE HOURS ABOUT THE CITY BUSINESS, UNSOLICITEDLY ADDRESS THEM ABOUT CITY BUSINESS, SOMEHOW THAT INFORMATION HAS TO BE PUT ONLINE IN REAL-TIME, THAT'S A VERY COSTLY PROPOSITION.

Dunkerly: MAYOR, I WOULD LIKE TO SAY SOMETHING ABOUT THE LIVABLE CITY COST. THE PERSON THAT WROTE THAT PART OF THE LIVABLE CITY REPORT ACTUALLY CALLED ME AND SAID WHAT WOULD IT COST TO DO A SCOPE THIS SMALL. THE CITY MANAGER AND I PUT THEM IN TOUCH WITH KEY PEOPLE AND HE HELPED WORK WITH A NUMBER ON WHAT THE COSTS WOULD BE IF THE SCOPE WERE THIS SMALL. UNFORTUNATELY, THE SCOPE IS THIS BIG. SO WITH THAT, THAT -- THAT SCOPE SIZE IS WHAT DRIVES THE COST. AFTER LOOKING AT DETAIL, LOOKING AT WHAT WE WOULD HAVE TO DO, VERY FRANKLY, I THINK THE IMPLEMENTATION COSTS ARE GOING TO BE HIGHER THAN 36 MILLION. BUT AT LEAST THE 36 MILLION NUMBERS IS WHAT OUR OUTSIDE EXPERTS AND INSIDE EXPERTS HAVE -- HAVE COME UP WITH TO -- TO IMPLEMENT THE SCOPE THAT OUR OUTSIDE EXPERTS AND INSIDE EXPERTS THINK THAT WE HAVE TO DO UNDER THIS ORDINANCE AND THAT \$36 MILLION BUDGET, IF THIS PASSES, WILL BE THE BUDGET THAT WE WILL ESTABLISH IN NEXT YEAR'S BUDGET.

MAYOR, JUST QUICKLY BECAUSE WE HAVE ALSO JUST

GOTTEN THIS REPORT, I'M JUST NOW HAVING A CHANCE TO READ THROUGH IT MYSELF. BUT I -- I'VE ALSO HAD A CHANCE TO SEE A LOT OF INTERPRETATIONS OVER THIS THE LAST DAY OF THIS REPORT WHICH DO NOT MATCH UP WITH WHAT I'M READING IN THIS REPORT. THE REPORT SAYS THAT THE STUDY TEAM, IN OTHER WORDS, LIVABLEABLE CITIES, BELIEVES THAT THE COUNCIL CAN AND SHOULD THROUGH A WELL-CRAFTED ORDINANCE MEET THE INTENT OF THE AMENDMENT WHILE MINIMIZING ADMINISTRATIVE COSTS AND REDUCING THE DEGREE OF LITIGATION. THAT'S WHAT'S WRITTEN IN IT. IT SAYS SUCH AN ORDINANCE, NOT THE CHARTER AMENDMENT THAT'S IN FRONT OF YOU, BUT WHAT THEY DEFINE AS A WELL CRAFTED ORDINANCE, SHOULD NOT ATTEMPT TO IMPLEMENT THE AMENDMENT AS BROADLY AS THE OPPONENTS HAVE DEPICTED, RATHER THE -- THE ORDINANCE SHOULD LAY OUT AN IMPLEMENTATION STRATEGY THAT PRIORITIZES THE AREA OF MOST CONCERN, IN OTHER WORDS PICKING CERTAIN PARTS OF IT, NOT ALL OF IT, LAND DEVELOPMENT ISSUES, POLICE RECORDS, INCENTIVE NEGOTIATIONS. IT SAYS FOR EXAMPLE UNDER A SCENARIO THAT PRIORITIZES THE ABOVE INFORMATION, WE BELIEVE YOU CAN SATISFY THE CURRENT SUPPORTERS OF THE AMENDMENT AND HAVE A MUCH LOWER CAPITAL COST. THAT'S A VERY DIFFERENT STATEMENT THAT'S SAYING THAT THE CHARTER AMENDMENTS AND THE COST OF IMPLEMENTING THE ACTUAL CHARTER AMENDMENTS ARE WRONG.

CAN I ASK ONE QUICK QUESTION?

Mayor Wynn: WITHOUT OBJECTION, YES, MR. SINGLETON, GO AHEAD.

DOESN'T THIS CONSTITUTE USING CITY RESOURCES TO CAMPAIGN AGAINST A BALLOT ITEM?

SHORT ANSWER? NO.

[LAUGHTER]

Mayor Wynn: THANK YOU.

I ALSO MIGHT ADD ON THE CITY MANAGER'S POINT, ONE OF

THE UNIQUE THINGS ABOUT A CITIZEN INITIATED AMENDMENT TO THE CHARTER IS IT -- IT IS PASSED OR NOT PASSED BASED ON EVERY WORD IN IT. AND THIS IDEA THAT SOMEHOW THE CITY CAN TAKE ACTION AFTER IT PASSES, ASSUMING IT DOES, TO CHANGE WHAT IS IN THE CITIZEN INITIATED PROPOSAL, IS PREPOSTROUS.

Mayor Wynn: THANK YOU, COUNCILMEMBER ALVAREZ?

Alvarez: THANK YOU, MAYOR. THIS DISCUSSION RELATES TO AN ITEM THAT I THINK IS ON THE CONSENT AGENDA ITEM, ITEM 30, WHERE SEVERAL COUNCILMEMBERS HAVE ASKED CITY MANAGER TO BRING FORWARD PROPOSED AMENDMENTS REGARDING ONLINE ACCESS TO PUBLIC INFORMATION. AND THE WAY IT RELATES TO THE LIVABLE CITY REPORT IS THAT I THINK THAT IT TALKS ABOUT THE KINDS OF INFORMATION THAT COULD BE MADE PUBLIC AND WAYS THAT IT COULD BE MADE PUBLIC TO ADDRESS ISSUES THAT WE HAVE -- THAT HAVE BEEN BROUGHT TO OUR ATTENTION. THAT IS A SPIRIT OF THIS ITEM, THE ITEM THAT WE PASSED A WEEK OR TWO AGO, REQUESTING AMENDMENTS ON -- ON POLICY GOES WE COULD ESTABLISH TO PROTECT THE ENVIRONMENT, BECAUSE THERE ARE WELL MEANING INTENTIONS PERPERTAINING TO THE PROPOSALS THAT ARE ON THE BALLOT AND THAT THEY ARE -- THE COUNCIL CAN MOVE TO -- TO ADOPT ORDINANCES TO ADDRESS THOSE ISSUES, THAT'S TO A CERTAIN DEGREE WHAT THESE ITEMS ARE. HOW THAT RELATES TO THE LIVABLE CITY REPORT, OPEN GOVERNMENT, ONLINE ACCESS INFORMATION, THE POSTED ITEM 30 IS WE ARE GOING TO BE SEEKING INPUT REGARDLESS OF WHAT HAPPENS IN MAY, THE MAY ELECTION ON THE CHARTER AMENDMENTS ON THESE ISSUES, AND IF THE AMENDMENTS PASS, THEN I THINK THE DIRECTIVE WILL BE CLEAR, YOU KNOW, WHAT NEEDS TO BE DONE ON THESE ISSUES. BUT -- BUT EVEN IF -- IF, YOU KNOW, IF THESE PROCESSES WILL BE GOING FORWARD REGARDLESS. IT'S REALLY -- REALLY THE REASON THAT WE HAVE THESE AMENDMENTS ON THE -- ON THE AGENDA. THESE DIRECTIVES TO CITY MANAGER TO CRAFT PROPOSED AMENDMENTS PERTAINING TO THESE PARTICULAR TYPES OF ISSUES. THANKS, MAYOR.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER

COMMENTS ON -- ON THIS PART OF THE CONSENT AGENDA, ITEM NO. 30? WE WILL MOVE FORWARD BECAUSE GAVINO FERNANDEZ SIGNED UP WISHING TO ADDRESS US ON ITEM 31. WELCOME, GAVINO, YOU WILL HAVE THREE MINUTES.

GOOD MORNING, COUNCIL, MY NAME IS GAVINO FERNANDEZ, I COME BEFORE YOU TODAY AS A MEMBER OF LULAC 4814. I -  
- I SUPPORT ITEM NO. 31, BECAUSE IT'S ONE OF THE TOOLS AND UNIQUE ELEMENTS THAT -- THAT ORGANIZATIONS LIKE MEXIC-ARTE INSERT AND MAKES AUSTIN THE CULTURAL RICH COMMUNITY THAT IT IS. THE FUNDS THAT -- THAT ARE SAVED BY -- BY HAVING THESE FEES WAIVED GO TO EXPAND AND PROMOTE CULTURAL PROGRAMS TO THE ENTIRE COMMUNITY. WE ALSO -- AS MAY COMES AROUND, MAY ALSO INITIATES HISPANIC MONTH, AND IT ALSO INITIATES AND BEGINS EARLY VOTING FOR -- FOR THE AUSTIN CITY COUNCIL, AISD, AND THE A.C.C. BOARD OF ELECTIONS. AND WE HAVE A VERY, VERY SERIOUS PROBLEM IN OUR BARRIOS IN OUR COMMUNITIES, COUNCIL, THAT IS VOTER APATHY. SO THE TEXAS LULAC DISTRICT 7 COUNCILS, EL CONCILIO, LULAC, 4818, 4792, TEJANO LULAC, [INDISCERNIBLE] LULAC COUNCILS VOTED TO DESIGNATE MAY 1st AS LATINO VOTE DAY AND WE CALL ON ALL REGISTERED AND ALL LATINO REGISTERED VOTERS TO GO TO THE POLLS ON MAY 1st AS EARLY VOTE BEGINS. AND LET US SHOW OUR VOTING POWER, OUR LATINO VOTING POWER IN AUSTIN. THERE WILL BE OVER 24 EARLY VOTING SITES THROUGHOUT THE CITY, THAT WILL OPEN FROM 7:00 A.M. TO 7:00 P.M. FOR A VOTING SITE NEAREST YOU, GO TO [www.travisCounty.org](http://www.travisCounty.org) AND HIT ELECTIONS. ON MAY 1st WE WOULD LIKE TO ENCOURAGE ALL REGISTERED LATINO VOTERS TO VOTE, TO ILLUSTRATE OUR VOTING POWER IN THIS COMMUNITY. THANK YOU, MAYOR AND COUNCIL, THANK YOU.

Mayor Wynn: THANK YOU, MR. FERN FERNANDEZ. AND FOR THE RECORD WE HAVE A COUPLE OF FOLKS WHO HAD SIGNED UP ON ITEMS THAT ARE ON THE CONSENT AGENDA THAT IS -- THAT IS ITEMS THAT ARE BEING PASSED UNANIMOUSLY. NOT WISHING TO SPEAK IN FAVOR, ITEMS NUMBER 28 AND 32, AMONG OTHERS SO WE WILL JUST NOTE THOSE CITIZENS SUPPORT FOR THE RECORD. FURTHER COMMENTS ON THE CONSENT AGENDA? WE HAVE A MOTION AND A SECOND ON THE TABLE. 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 THAT TAKES US TO -- MS. GENTRY, I BELIEVE WE HAD HOPEFULLY PROPERLY POSTED THE -- ITEM NO. 34 ACTUALLY AT 11:00 A.M. BRIEFING AS OPPOSED TO A 1:00 A.M. WITH A COUPLE OF MINUTES OF SET UP TIME AND DELAY WE COULD TAKE ITEM NO. 34 OUR PRESENTATION OUR FINANCIAL FORECAST FROM CITY STAFF. WE WILL WELCOME MR. JOHN STEVENS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

MR. MAYOR, MEMBERS OF COUNCIL, GOOD MORNING, IT'S A NICE TIME TO BE AN ECONOMIST IN AUSTIN, TEXAS. 'S ALWAYS A NICE TIME TO BE AN ECONOMIST, REALLY, IF YOU HAVE A CERTAIN MIND SET BUT IT'S PARTICULARLY NICE RIGHT NOW. WHAT I'M GOING TO TALK ABOUT THIS MORNING IS THE STATUS AND OUTLOOK OF OUR LOCAL ECONOMY AND SHORT VERSION IS VERY, VERY POSITIVE, AND NO SIGN OF ANY SIGNIFICANT CHANGE GOING FORWARD, IF ANYTHING THINGS MAY GET SLIGHTLY BETTER, WHICH IS HARD TO IMAGINE, CONSIDERING HOW RELATIVELY GOOD THINGS ARE RIGHT NOW. THE WAY WE TYPICALLY DO THESE THINGS IS WE ALWAYS SORT OF TRY TO PUT THE INFORMATION WE PRESENT IN TO CONTEXT AND THEN AS WE GET INTO TALKING ABOUT AUSTIN AND WHAT'S GOING ON IN AUSTIN RIGHT NOW, I THINK PROBABLY REAL ESTATE AND CONSTRUCTION ACTIVITY IS PROBABLY AS TOP OF MIND AS ANYTHING IS RELATED TO THE ECONOMY RIGHT NOW, WE'LL PUT A LITTLE BIT OF EMPHASIS ON THAT, TALK ABOUT IT, HOW IT ALL ROLLING TO IN THE OUTLOOK FOR THE COMING YEAR, AND THEN DISCUSS A LITTLE BIT SOME OF THE LONGER TERM FACTORS THAT WE THINK ARE GOING TO INFLUENCE PATTERNS OF GROWTH, DEVELOPMENT, AND OVERALL ECONOMIC ACTIVITY HERE FOR THE NEXT FIVE OR TEN YEARS, SO LET ME SEE IF I GET THIS RIGHT. WHICH BUTTON?

THAT'S WHY YOU'RE AN ECONOMIST, JOHN.

I HAVE A HARD TIME WITH SELF SERVICE GAS, TOO.



WHOOPS, YEAH, THERE WE GO. OKAY. SO WHAT IS THE CONTEXT I WAS TALKING ABOUT? WELL, NATIONALLY WE'RE CONTINUING TO SEE PRETTY GOOD GROWTH IN THE U.S. ECONOMY, BUT PEOPLE ARE NERVOUS OUT THERE A LITTLE BIT, THERE ARE THINGS OUT THERE THAT ARE MAKING PEOPLE CONCERNED ABOUT NATIONAL GROWTH GOING FORWARD, YOU KNOW, LET ME TALK A LITTLE BIT ABOUT THE UP SIDE, MOST OF THE FUNDAMENTALS, BUSINESS INVESTMENT, CORPORATE PROFITS, CONSUMER SPENDING, WHICH OF COURSE IN PART DUE TO VERY, VERY LOW INTEREST RATES HAVE ALL COME TOGETHER TO CONTRIBUTE TO REALLY ECONOMIC GROWTH IN THE LAST YEAR, COUPLE -- REALLY COUPLE YEARS THAT WAS COMPARE TO BELIEVE THE BOOM OF THE LATE 1990s NATIONWIDE, THAT IS THE GOOD STUFF, BUT ON THE DOWN SIDE, PRICES ARE RISING NATIONALLY, ANY OF THOSE -- ANY OF YOU WHO HAVE BEEN TO A GAS PUMP LATELY KNOW THIS, PRICES FOR OTHER THINGS ARE ALSO RISING A LITTLE BIT, AND HIRING HAS BEEN A LITTLE BIT SLUGGISH NATIONWIDE, THERE ARE GOOD REASONS FOR THAT WHICH WE DON'T HAVE TIME TO GET INTO RIGHT NOW, BUT IT SEEKS A LITTLE BIT TO COMPANIES BEING NERVOUS ABOUT ADDING PAY ROLL, IN PART BECAUSE THEY'RE WORRIED ABOUT DEMAND GOING FORWARD AND PART BECAUSE THEY'RE WORRIED ABOUT FOREIGN COMPETITION AND FRANKLY HER WIRE WORRIED ABOUT ISSUES LIKE HEALTH CARE, MONETARY POLICY, INTEREST RATES ARE GETTING TIGHTER, THE FED HAS BEEN MOVING TO RAISE INTEREST RATES FOR SOME TIME, IT ALL SUGGESTS THAT THE RECOVERY IS A LITTLE BIT FRAGILE OUT THERE ON A NATIONAL BASIS. BUT HAVING SAID, THAT WE STILL THINK ECONOMIC GROWTH THIS YEAR IS GOING TO BE UP ABOUT 3% AND WE STILL THINK IT'S GOING TO CONTINUE TO BE POSITIVE TURNOVER NEXT FIVE YEARS OR SO. OBVIOUSLY THAT NUMBER WILL MOVE UP AND DOWN ON ANY INDIVIDUAL YEAR BASIS. BUT WE ARE POWERFULLY IMPRESSED BY THE IMPACT OF A LOT OF THE STRUCTURAL CHANGE IN THE ECONOMY IN THE LAST THREE TO FIVE YEAR, COMPANIES ARE MUCH MORE EFFICIENT THAN THEY HAVE BEEN IN THE PAST, COMPANIES USE TECHNOLOGY MORE EFFECTIVELY THAN THEY HAVE IN THE PAST, WE THINK ALL OF THAT HAS RAISED THE SPEED LIMIT, TO SOME

DEGREE, NATIONALLY INTO THE RANGE I'M TALK ABOUT, THE BOTTOM LINE MESSAGE NATIONWIDE, WE'RE PAYING ATTENTION BUT THE STORY IS PRETTY POSITIVE, PRETTY GOOD. SO. OKAY, IN AUSTIN, THE STORY IS EVEN BETTER, EVERY INDICATOR I LOOK AT OF THE AUSTIN ECONOMY IS VERY, VERY POSITIVE. JOB GROWTH HAS BEEN VERY, VERY STRONG RECENTLY, TAX REVENUE IS TERRIFIC. RETAIL SALES ARE BOOMING, BUILDING ACTIVITY GOING ON ALL OVER THE PLACE, THE AGGREGATE MEASURES OF OUR LOCAL ECONOMY ARE VERY, VERY STRONG. I REALIZE THAT IS A BIG INSIGHT, YOU GUYS DIDN'T KNOW THAT ALREADY BECAUSE YOU HAVEN'T BEEN LIVING HERE FOR MONTHS AND WATCHING IT GO ON. BUT THE NUMBERS BEAR OUT WHAT WE ALL SORT OF SEE ON A REAL WORLD BASIS. ONE OF THE THINGS I THINK IS ENCOURAGING IS THIS RELATIVE LEVEL OF PROSPERITY IS FAIRLY WIDE SPREAD AMONG THE DIFFERENT SECTORS OF THE ECONOMY, ALMOST EVERY SECTOR OF THE ECONOMY YOU CAN LOOK AT ITS JOB BASE IS EXPANDING WITH THE EXCEPTION OF MANUFACTURING GIVEN SOME OF THE ECONOMIC DEVELOPMENT ANNOUNCEMENTS THAT IS GOING TO CHANGE IN THE NEAR FUTURE AND MANUFACTURING WILL START LOOKING POSITIVE AS WELL, AS WE ADD SOME JOBS IN THAT AREA, WHAT IS DRIVING THAT? YOU KNOW, I THINK IT'S A COUPLE OF THE THINGS -- ONE OF THE MOST IMPORTANT OF WHICH IS INCREDIBLY STRONG MIGRATION TO THIS REGION. WE CONTINUE TO HAVE PEOPLE MOVE TO CENTRAL TEXAS AND MOVE TO AUSTIN. YOU PUT THAT TOGETHER WITH SOME OF THE ECONOMIC DEVELOPMENT INITIATIVES AND GENERAL ECONOMIC RECOVERY AND YOU HAVE REALLY RECORD LEVELS OF ACTIVITY THAT IS REMINISCENT, YOU KNOW, DARE I SAY IT OF SEVERAL OF THE PAST BOOMS WE'VE HAD HERE, REAL ESTATE AND CONSTRUCTION ARE HOT AND WE'RE GOING TO PUT A LITTLE EXTRA FOCUS ON THOSE TODAY. SINGLE FAMILY HOMES, YOU KNOW, THE VOLUME OF HOMES SOLD HERE IN AUSTIN AND THE MEDIAN PRICE, THE AVERAGE PRICE HAS REACHED RECORD HIGH, 2005, YEAR-END DATA, THERE WAS ABSOLUTELY NO SIGN THAT IS SLOWING DOWN THIS YEAR. ONE OF THE THINGS WE PAY A LOT OF ATTENTION TO WHEN LOOKING A LITTLE REAL ESTATE MARKETS IS THIS FAIRLY SOPHISTICATED ECONOMIC CONCEPT OF SUPPLY AND DEMAND, AND

SUPPLY, IN CENTRAL TEXAS RIGHT NOW OF SINGLE FAMILY HOMES IS DWINDLING, AT 3.8 MONTHS OF CURRENT AVAILABLE INVENTORY IT'S BACK DOWN TO THE LEVELS OF THE LATE 1990s. WHAT THAT SUGGESTS AS DEMAND AS MEASURED BY POPULATION GROWTH AND JOB GROWTH CONTINUES, IS MORE RAPID THAN SUPPLY, I THINK YOU'LL SEE PRICES FOR HOUSING HERE CONTINUE TO GO UP IN 2006. DO I THINK THEY WILL GO UP AS RAPIDLY AS THEY HAVE IN THE PAST? PROBABLY NOT. IN PART BECAUSE MARKET BASED INTEREST RATES ARE RISING. BUT THE UNDERLYING FUNDAMENTALS HERE FOR SINGLE FAMILY HOUSING ARE VERY, VERY SOLID, AND SO TO THE EXTENT THAT INTEREST RATES ARE RISING A LITTLE BIT, I THINK THAT ECONOMIC GROWTH WILL HELP OFFSET ANY OF THAT AND I THINK YOU'LL CONTINUE TO SEE A VERY SOLID MARKET FOR SINGLE FAMILY HOUSING THROUGH THE BALANCE OF THIS YEAR, ONE OF THE THINGS THAT IS INTERESTING HERE NOT JUST IN AUSTIN BUT IN THIS REGION IN GENERAL, YOU ARE SEEING A GREATER DIVERSITY OF HOUSING PRODUCT COMING COMING UN-- ON TO THE MARKET, YOU ARE SEEING MULTIFAMILY OWNER-OIPED HOUSING DIVERSIFY, IT'S NOT JUST CON DMOAS DOWNTOWN AUSTIN, YOU WERE SEEING THAT PRODUCT BEGINNING TO P A PEER THROUGHOUT THE REGION, AND I THINK THAT IS A VERY, VERY POSITIVE THING. BECAUSE I THINK ONE OF THE THINGS IT SPEAKS TO IS THE INCREASING DIVERSITY OF LIFESTYLE THAT IS AVAILABLE FOR FOLKS IN THE AUSTIN AREA. IF YOU WANT TO LIVE IN A LOST TEN YEARS AGO IT WAS PRETTY CHALLENGING. TODAY, VERY, VERY DOABLE. AND I THINK THAT IS A POSITIVE THING AS WELL. PUT SOME OF THIS IN CONTEXT, I STOLE SOME STUFF FROM THE WALL STREET"THEWALL STREET JOURNAL" THAT I THOUGHT WAS KIND OF INTERESTING, THESE ARE COMPARISONS THEY HAVE DONE OF DIFFERENT HOUSING MARKETING ACROSS THE COUNTRY, THEY ACTUALLY DID ALL OF THEM EXCEPT AUSTIN WHICH I INSERTED SORT OF THREE VARIABLES TO PAY ATTENTION TO. ONE IS, AGAIN, CHANGE IN SUPPLY, THAT IS THE CHANGE IN HOUSING INVENTORY, OVER THE 12 MONTHS THROUGH THE END OF MARCH. WHAT HAVE BEEN RECENT TRENDS IN HOUSING PRICES AND THEN WHAT IS THE UNDERLYING EXEMPT OUTLOOK AS DONE BY

ECONOMY.COM , BECAUSE THAT WILL GIVE YOU SOME SENSE OF WHAT DEMAND IS GOING TO BE GOING FORWARD, IF YOU CALL OUT AUSTIN THERE, IT IS MARKEDLY DIFFERENT THAN MOST OF THE OTHER REGIONS ON THAT SLIDE. DALLAS IS SOMEWHAT COMPARABLE, INTERESTINGLY ENOUGH, HOUSTON IS SOMEWHAT COMPARABLE, ALTHOUGH THE JOB GROWTH FIGURES REALLY ARE NOT EVEN AS STRONG AS THEY ARE HERE, BUT YOU CAN CONTRAST THAT SAY WITH SOME OF THE MARKETS ON EITHER COAST AND WHAT YOU'VE SEEN IS A BIG SURGE IN HOUSING INVENTORY WHICH IS GOING TO HELP FLATTEN THE REDUCED PRICES IF THEY HAVEN'T GOT JOB GROWTH TO SUPPORT NEW DEVELOPMENT, THEY'RE GOING TO HAVE HARD TIMES, SO WHEN PEOPLE TALK TO YOU ABOUT HOUSING BUBBLES, THAT IS REAL, BUT IT MAY NOT BE REAL IN THIS MARKET, BECAUSE AS I SAID EARLIER HERE I THINK THE FUNDAMENTALS ARE PRETTY GOOD FOR THIS CHART. COUPLE OTHER DIFFERENT AREAS OF FOCUS IN REAL ESTATE. AND I -- I'M PLEASED TO HAVE GOTTEN MOST OF THIS DATA FROM CAPITAL MARKET RESEARCH HERE IN TOWN, AGAIN IN THE APARTMENT MARKET, RENT, OCCUPANCY, ABSORPTION ALL SET RECORDS LAST YEAR, RIGHT NOW YOU HAVE OCCUPANCY RATES IN THE APARTMENT MARKET ACROSS THE CITY OF ALMOST 95%, THAT IS VERY, VERY SOLID OCCUPANCY, IT IS INTERESTING TO ME, IF YOU LOOK AT THAT LAST SUB BULLET POINT WHERE YOU HAVE A LITTLE OVER 6200 UNITS ABSORBED IN 2005 AND AT THIS POINT WE'RE ONLY SCHEDULED TO BRING ONLINE SLIGHTLY LESS THAN 3,000 UNITS DURING 2006, THAT SAYS AGAIN DEMAND IS LIKELY TO OUTSTRIP SUPPLY AND OCCUPANCY IN RENTS WILL LIKELY RISE. I DO THINK THAT RISING INTEREST RATES COULD SLIGHTLY TILT PEOPLE BACK TOWARD RENTING AWAY FROM PURCHASING HOMES, ALTHOUGH I'M POWERFULLY IMPRESSED BY THE ABILITY OF THE MARKETS TO GIVE ME 5% MONEY IN SOME WAY, SHAPE OR FORM, NO MATTER WHAT THE UNDERLYING MONETARY POLICY IS. SO THAT MIGHT BE SOMETHING TO PAY AT TEXAS TO, BUT I DON'T THINK IT WILL HAVE A HUGE IMPACT. AGAIN, IN THE OFFICE MARKET IT'S MUCH THE SAME STORY AS WE TALKED ABOUT IN THE -- IN THE APARTMENT MARKET, AGAIN, THESE ARE ALL VARIATIONS ON THE THEME, ONE OF THE MOST TELLING POINTS IS THE LAST

ONE. WHAT THAT MEANS IS WE HAVE JUST ABOUT WORKED OFF THE EXCESS OF OFFICE SPACE THAT WE HAD IN THE WAKE OF THE DOWNTURN IN THE FIRST PART OF THIS DECADE AND WE'RE GOING TO BE BACK TO MORE NORMAL MARKET CONDITIONS GOING FORWARD, WHICH MEANS, AS YOU ALREADY ARE, YOU'LL BEGIN TO SEE PEOPLE DEVELOP OFFICE PRODUCT AGAIN SOME TIME IN THE NEAR FUTURE AS THEY'VE ALREADY BEGUN TO DO. FINALLY RETAIL, ONE OF THE THINGS THAT AGAIN HAS BEEN SOMEWHAT SURPRISING IS HOW RETAIL HAS HELD UP IN SPITE OF, YOU KNOW, WHAT WE WOULD HAVE THOUGHT WOULD HAVE BEEN SOME DOWNTURN IN THE FIRST PARDON PART OF THIS DECADE, IN THE 2001-2002 PERIOD, SOME OF THAT I THINK IS ATTRIBUTABLE TO THE IMPACT OF ATTRACTIVE INTEREST RATES, WE TOOK EQUITY OUT OF OUR HOMES AND WENT OUT AND BOUGHT TOASTER OVENS WITH IT. RETAIL IS VERY STRONG, ONE OF THE THINGS WE DO BEGIN TO SEE HAPPENING IN RETAIL IS AS YOU SEE VERY, VERY RAPID GROWTH IN THE AUSTIN REGION OUTSIDE THE CITY OF AUSTIN, THE JOB AND POPULATION GROWTH, YOU'RE BEGINNING TO SEE RETAIL PRODUCT FOLLOW THAT, THE OLD ADAGE IS RETAIL FOLLOWS ROOF TOP, A HECK OF A LOT OF ROOF TOPS IN WILLIAMSON COUNTY, HAYS COUNTY, BASTROP COUNTY THE LAST 18 MONTHS OR SO, SO WE ARE WATCHING THAT PROCESS GO FORWARD, YOU'LL SEE THAT GOING ON. ALSO WE ARE BEGINNING TO SEE A REAL SURGE IN RETAIL ACTIVITY DOWNTOWN, AND SO IT'S INTERESTING. THERE WAS A PERIOD WHEN MUCH RETAIL DEVELOPMENT WAS IN WHAT I WOULD CALL THE DOUGHNUT, WHICH IS NOT SORT OF IN THE SUBURBAN AUSTIN MARKET, WHAT YOU'RE GETTING IS RETAIL CONCENTRATED IN DOWNTOWN AS THE DOWNTOWN REVITALIZES AND THEN ALSO RETAIL GROWTH OUT IN SOME OF THE TALLER COUNTIES OF THE REGION AS WELL. SO WHAT'S A FORECAST FOR THE NEAR TERM? WELL, YOU KNOW, WE THINK IT'S REALLY PRETTY STRONG, I MEAN THE NATIONAL ECONOMY IS OKAY. THERE'S BEEN TREMENDOUS ECONOMIC DEVELOPMENT SUCCESS HERE WHICH IS SOMETHING WE THINK IS GOING TO CONTINUE TO GO FORWARD AND OBVIOUSLY MIGRATION IS QUITE GOOD, REALLY SEE PRETTY STRONG GROWTH FOR THIS YEAR, BALANCE THIS YEAR, POPULATION -- EXCUSE ME, JOB GROWTH WE PROJECT TO BE UP ABOUT 3.4% THIS YEAR,

WHICH I THINK IS EXCELLENT GROWTH. IF I COULD HAVE MY WISH, WE WOULD HAVE SORT OF THE OLD RULE OF THREES ON ECONOMIC GROWTH, REMEMBER THE OLD SCHOOL HOUSE ROCK SONG, THREE IS THE MAGIC NUMBER, 3 IS PRETTY GOOD IN ECONOMIC, IF YOU GET 3% JOB GROWTH, 3% INFLATION, 3% INTEREST RATES, 3%% ECONOMIC GROWTH, YOU'RE IN PRETTY GOOD SHAPE, PERSONAL INCOME IS GOING TO RISE PRETTY RAPIDLY, I THINK 8.2% IS VERY, VERY STRONG. THAT POPULATION NUMBER WAS DONE TWO MONTHS AGO, IT'S ACTUALLY ALREADY REACHED 1.45 MILLION AS OF THE SUMMER OF 2005, AGAIN, THINGS ARE GOOD. AND AGAIN, SORT OF SPEAKS BACK TO WHAT WE'VE BEEN TALKING ABOUT, MOST OF THE GROWTH IS IN SECTORS OF THE ECONOMY RELATED TO TRADE AND DEVELOPMENT, WE THINK EVERY SECTOR OF THE ECONOMY NEXT YEAR, REALLY THE BALANCE OF THIS YEAR, WILL HAVE EMPLOYMENT RISE BY AT LEAST 2% AND THAT IS SOMETHING THAT HAS NOT HAPPENED SINCE THE BOOM OF THE LATE 1990s, OVER THE LONGER TERM, WHAT ARE THE KEYS TO SUCCESS? WELL, POPULATION GROWTH CONTINUES TO DRIVE GROWTH IN THE ECONOMY, OF COURSE POPULATION GROWTH IS A DOUBLE EDGED SWORD, OBVIOUSLY YOU HAVE TO PROVIDE INFRASTRUCTURE AND PUBLIC SERVICES TO MORE AND MORE PEOPLE, BUT WE REALLY HAVE HAD TREMENDOUS GROWTH HERE IN OUR POPULATION. JUST TO GIVE YOU SOME STATISTICS ON THAT, WHICH I DID NOT INCLUDE IN THE PRESENTATION, MSA POPULATION GROWTH LAST YEAR, IT SHOULD SAY THE YEAR FROM JULY OF 2004 TO THE YEAR OF JULY OF 2005, 41,330 PEOPLE, THAT IS A POPULATION GROWTH RATE OF ALMOST 3%. IN TRAVIS COUNTY, INTERESTINGLY ENOUGH, 19,312 NET NEW PEOPLE CAME A THAT IS 2.2% GROWTH, OUTSIDE OF TRAVIS COUNTY, IN THE METROPOLITAN AREA, 20,350 PEOPLE CAME, THAT IS 8.2% GROWTH. SO TRAVIS COUNTY IS DOING VERY WELL, THE SUBURBAN COUNTIES ARE GROWING EVEN MORE RAPIDLY, THE REGION AS A WHOLE IS EXPANDING VERY, VERY SMARTLY. IT WAS INTERESTING ALSO, IN SURFING AROUND AND LOOKING AT THIS, HAYS COUNTY, BASTROP COUNTY AND WILLIAMSON COUNTY ARE THREE OF THE ONE HUNDRED FASTEST GROWING COUNTIES IN THE UNITED STATES IN THE LAST FIVE YEARS, WHICH WE ALL KNOW

FROM LOOKING AT IT. INTERESTING TO PUT IT INTO CONTEXT. MAINTENANCE OF THE CURRENT HARD TECHNOLOGY BASE, I AT ONE POINT THOUGHT WE WERE IN DANGER OF SEEING SOME OF THAT BASE GO AWAY, I THOUGHT THAT COMPANIES WOULD BE INCLINED TO LOOK OVERSEAS TO BUILD NEW FACTS AND I TURN OUT TO BE DEAD WRONG ON THATTAL WHICH I'LL THRILLED TO SAY. WE'VE DONE A VERY GOOD JOB IN HELPING SHORE THAT UP, THAT IS ENORMOUS AMOUNT OF CAPITAL INVESTED, A TREMENDOUS AMOUNT OF JOBS ALL OF WHICH PAY HIGH, HIGH WAGES AND THAT IS POSITIVE. ONE OF THE THINGS I THINK WE'RE GOOD AT AS A COMMUNITY, WE ARE VERY, VERY GOOD AT THE APPLICATION OF IDEA, IDEAS TRNS LATE INTO RESEARCH AND DEVELOPMENT, THEY ALSO TRANSLATE IN THE CREATIVE SECTOR, SO I THINK WE ARE AWARE OF THIS, AND WE ARE SORT OF PAYING ATTENTION TO IT, IF WE CAN CONTINUE TO GROW THOSE AREAS, WE WILL CONTINUE TO BE THE KIND OF ECONOMY THAT IS GOING TO HAVE PERFORMANCE LIKE WE'VE SEEN IN THE LAST YEAR AND THEN I THINK THE LAST POINT THAT IS INTERESTING IS I'M WATCHING THE CENTRAL TEXAS REGION BECOME MORE OF A TRUE REGIONALIZATION -- TRUE REGIONAL ECONOMY, WE HAVE NOT GROWN TOGETHER YET WITH SAN ANTONIO, BUT WE ARE MOVING MORE IN THAT DIRECTION, AND THAT IS GOOD FOR BOTH OF US, BECAUSE I HAVE ALWAYS THOUGHT THAT AUSTIN AND SAN ANTONIO ARE ESSENTIALLY COMPLIMENTARY TO EACH OTHER RATHER THAN COMPETITIVE, AND I THINK THAT THAT IS ALL GOOD. SO I WISH I HAD SOMETHING SOMEWHAT NEGATIVE TO TELL YOU, IF I'M AN ECONOMIST I'M SUPPOSED TO SAY ON THE ONE HAND THIS, ON THE OTHER HAND THAT, BOTTOM LINE IS THINGS ARE LOOKING GOOD. QUESTIONS? COUNCILMEMBER KIM?

Kim: THANK YOU. I WANTED TO ASK YOU TO TALK ABOUT CONSUMER DEBT AND WHAT IMPACT THAT WILL HAVE ON OUR ECONOMY LOCALLY.

LOCALLY? CONSUMER DEBT HAS OBVIOUSLY BEEN RISING FOR SOME TIME AND THERE IS SOME CONCERN ABOUT IT. I DON'T HAVE SPECIFIC LOCAL FIGURES. THERE'S NO QUESTION IN MY MIND THAT THERE ARE LOTS OF PEOPLE IN AUSTIN WHO ARE OVEREXTENDED. I DO THINK THAT

RELATIVE TO THE NATION AS A WHOLE, I THINK THE IMPACT HERE IS GOING TO BE LESS THAN IT WILL BE IN OTHER PARTS OF THE COUNTRY BECAUSE THE UNDERLYING ECONOMY HERE IS GROWING RELATIVELY STRONGLY WHICH MEANS THAT PEOPLE HAVE BETTER OPPORTUNITIES TO FIND JOBS THAT ARE GOING TO PAY BETTER WAGES WHICH HELPS THEM HANDLE DEBT SERVICE, WE'VE ALL TAKEN EQUITY OUT OF OUR HOMES AND BOUGHT CONSUMER GOODS WITH THEM, IF YOU DON'T HAVE A JOB PAYING A DECENT WAGE, YOU'RE NOT IN A POSITION TO SERVICE THAT DEBT, SO I THINK IT'S SOMETHING ABSENT GOOD DATA ON THE LOCAL SITUATION, I THINK IT'S SOMETHING WE AUGHT TO KEEP OUR EYE ON, BUT I WOULD RATHER BE WORRYING ABOUT IT HERE THAN I WOULD, SAY, IN THE MIDWEST OR OTHER PARTS OF THE COUNTRY.

Kim: SINCE THE INTEREST RATES HAVE BEEN LOW, THEY'RE GOING UP RIGHT NOW, THERE'S BEEN A LOT OF SPECULATION FROM PEOPLE IN CALIFORNIA AND BUYING PROPERTY HERE IN AUSTIN, THE SURROUNDING REGION, CEDAR PARK, THE METRO AREA, THE AUSTIN METROPLEX AREA, AND I WAS WONDERING WHAT ARE YOU OBSERVING IN TERMS OF NEW CONSTRUCTION IN HOUSING? HOW MUCH OF THAT IS OWNER OIPED? HOW MUCH OF THAT IS INVESTMENT PROPERTY FROM PEOPLE OUTSIDE THE REGION?

THERE'S BEEN A LITTLE BIT OF A BACK LASH AGAINST THE MOVEMENT OF THE PROVERBIAL DOCTOR FROM THE BAY AREA COMING HERE TO BUY HOUSING PRODUCT. YOU HAD A NUMBER OF SUBDIVISION DEVELOPERS WHO ARE ACTUALLY NOW RESTRICTING THE VOLUME OF NONOCCUPIED HOUSING THEY WILL BUY IN THE SUBDIVISION, I DON'T HAVE REAL GOOD DATA ON THAT. ONE OF THE THINGS THAT I THINK IS DRIVING SOME OF THAT, AT LEAST THE LAST COUPLE OF YEARS HOUSING HAS BEEN PERCEIVED TO BE ON A NATIONWIDE BASIS THE BEST INVESTMENT YOU CAN MAKE. I'M NOT NERVOUS ABOUT THE STOCK MARKET. I'M NOT COMFORTABLE WITH SOME OF THE OTHER OPTIONS. INTEREST RATES ARE GREAT, BOOM, LET'S GO INVEST IN HOUSING, I THINK YOU MAY SEE THAT CHANGE GOING FORWARD. SO, AGAIN, I DON'T HAVE GREAT DATA ON PERCENTAGES. I WOULD GUESS ANECDOTALLY THAT THAT



PHENOMENON PROBABLY EITHER PEAKED LAST FALL OR WILL PEEK THIS YEAR AND WILL DECLINE GOING FORWARD.

DIFFERENT TOPIC, THE CLEAN AIR ACT, WHAT IMPACT WOULD THAT HAVE IN TERMS OF E.P.A. MANDATES IF WE WERE TO REACH NONATTAINMENT, THAT IS SOMETHING THAT OUR REGION IS REALLY CONCERNED ABOUT.

I DON'T KNOW, TO TELL YOU THE TRUTH. THAT'S AN AREA OF EXPERTISE I DON'T HAVE. WHAT I DO KNOW IS A SPECIFIC PORTION OF OUR ECONOMY, OUR INDUSTRIAL BASE, IF YOU WILL, IS NOT ABOUT PHYSICAL PRODUCTION -- IT'S NOT SMOKE STACK INDUSTRY, SO I WOULD THINK THAT THAT PROBABLY WOULD HAVE A RELATIVELY LOWER IMPACT, BUT IN TERMS OF, YOU KNOW, QUALITY OF LIFE ISSUES AND ALL OF THAT, I CAN'T SPEAK TO THAT CHEM

Kim: OKAY. THANK YOU.

SURE.

Mayor Wynn: COUNCILMEMBER McCracken?

McCracken: I THOUGHT YOU RAISED A VERY GOOD POINT ABOUT YOUR CONCERN OF US LOSING OUR SEMICONDUCTOR BASE AND THE EMERGING TECHNOLOGY COMMITTEE MEETING ABOUT 3 MONTHS AGO, WE WERE -- WE HAD RODNEY GIBBS -- WE HAD AARON SAY HE WAS WITH THE WIRELESS GENERATOR AT THE AUSTIN INNING CUE BAYTOR, AND THIS CITY WAS INVESTING IN THE WIRELESS ACCELERATOR, IN OTHER WORDS INVESTING IN SMALL BUSINESSES THAT ARE STARTUP BUSINESSES IN THE WIRELESS SECTOR AND HE WAS SAYING AUSTIN WAS EMERGING AS A GLOBAL HOT SPOT FOR NEW WIRELESS ENTREPRENEURIALISM, WE ASKED THEM WHAT IS IT ABOUT AUSTIN THAT MAKES WIRELESS COMPANIES AND WIRELESS SECTOR WANT TO BE IN AUSTIN. HE SAID IT'S BECAUSE OF THE LOCATION OF THE SEMICONDUCTOR INDUSTRY, PARTICULARLY SAMSUNG, HE POINTED OUT, HE SAID YOU LOSE YOUR SEMICONDUCTOR BASE, YOU LOSE YOUR WIRELESS SECTOR, YOU LOSE YOUR WHOLE TECHNOLOGY SECTOR. I KNOW THERE'S BEEN SOME DISCUSSION ABOUT WHETHER THE CITY OF AUSTIN SHOULD HAVE INVESTED IN

KEEPING FREE SCALE AND EXPANDING SAMSUNG IN EFFORTS TO MAINTAIN SEMICONDUCTOR BASE, BUT I THINK AS AARON POINTED OUT, THAT IS NOT THE QUESTION, THE QUESTION IS WHAT PRICE DID YOU PAY TO KEEP YOUR ECONOMIC BASE VERSUS WATCHING IT ALL DISAPPEAR FROM YOU, SO WE ARE WORKING VERY HARD HERE TO MAKE SURE THAT WE DO KEEP OUR HIGH TECH BASE AND I THINK YOU'VE ILLUSTRATED JUST NOW THE RISKS THAT WE RAN OF LOSING IT IF WE DIDN'T AGGRESSIVELY KEEP AND EXPAND WHAT WE HAVE.

THANKS.

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

THANK YOU.

Mayor Wynn: WE'LL NOW ROLL INTO OUR STAFF PRESENTATION.

WHAT WE'RE GOING TO DO NOW IS MOVE TO THE SECOND PART OF YOUR FORECAST, WHICH IS THE FINANCIAL FORECAST. NOW, THE FORECAST IS PART OF THE CITY'S OVERALL COMPREHENSIVE PLANS STRATEGY, AND WEAF PLANNING PLANNING -- WE HAVE A PLANNING PIERD, IPLANNING PYRAMID. I'LL WAIT FOR THAT TO COME UP FOR YOU.

Mayor Wynn: WITH AN EYE BALL ON TOP.

YEAH, WE HAVE AN EYE BALL ON THE VERY TYPE. WHEN YOU LOOK AT THE PYRAMID, YOU HAVE A PLANNING PROCESS, AND THAT PROCESS STARTS WITH THE FOUNDATION OF YOUR LONGER RANGE POLICIES AND PLANS, MANY OF THESE IN THE 25 TO 50 YEAR RANGE, THEN YOU MOVE UP TO YOUR FIVE YEAR PLANS, LIKE YOUR FINANCIAL FORECAST, AND THEN YOU MOVE TO YOUR MORE SHORTER TERM PLANS THAT CAN BE TWO YEARS, THREE YEAR, FOUR YEAR PLANS AND IT ROLLS UP INTO YOUR ANNUAL BUDGET, AND ACTUALLY EVEN UP ABOVE THAT INTO ANNUAL PERFORMANCE EVALUATIONS FOR INDIVIDUAL EMPLOYEES WITHIN OUR ORGANIZATION. IT ALL TIES

TOGETHER INTO THE OVERALL PLANNING PYRAMID OF THE CITY. NOW, THIS COMPREHENSIVE PLANNING STRATEGY IS A STRATEGY DESIGNED TO REALIZE AUSTIN'S VISION TO BE THE MOST LIVEABLE CITY IN THE COUNTRY. BY FOCUSING ON REALIZING COUNCIL'S FOUR LONG-ESTABLISHED PRIORITIES: ONE, YOUTH FAMILY AND NEIGHBORHOOD VITALITY. 2, A STRONG PUBLIC SAFETY COMPONENT. 3, MAINTAINING A SUSTAINABLE COMMUNITY. AND 4, MAINTAINING AFFORDABILITY IN OUR COMMUNITY. NOW, THE ANNUAL BUDGET PROCESS IS A KEY COMPONENT OF OUR COMPREHENSIVE PLANNING STRATEGY. SO I WOULD LIKE TO WALK YOU JUST QUICKLY THROUGH THE TIME LINE OF THE YEAR-LONG BUDGET PROCESS, AND HOW THE FORECAST, WHERE WE ARE TODAY, FITS INTO THIS PROCESS. NOT TOO LONG AFTER THE START OF EACH FISCAL YEAR, THE PROCESS STARTS ANEW AND THE EFFORT OF LOOKING AHEAD FIVE YEARS VIA THE BUSINESS PLANNING PROCESS BEGINS. BUSINESS PLANNING ALLOWS EACH DEPARTMENT TO FOCUS THEIR GOALS AND OBJECTIVES ON THE COUNCIL'S PRIORITIES AS WE STRIVE TO MAKE AUSTIN THE MOST LIVEABLE COMMUNITY IN THE COUNTRY. THIS ANNUAL PROCESS GIVES DEPARTMENTS THE OPPORTUNITY TO MAKE REFINEMENTS TO THEIR BUSINESS PLAN, AND TO ADJUST THEIR PERFORMANCE MEASUREMENTS AND GOALS BASED ON AN ANNUAL ENVIRONMENTAL SCAN, AS WELL AS WHAT'S CALLED A S.W.A.T. ANALYSIS, A STRENGTH WEAKNESS OPPORTUNITY AND THREAT ANALYSIS, TO SCAN THE ENVIRONMENT AND SET THE STAGE FOR THE UPCOMING FORECAST. NOW, IN MARCH AND APRIL, WE WORK ON BOTH THE ECONOMIC AND THE FINANCIAL FORECAST. THE FOARK SERVES TWO PURPOSES FOR US. ONE STRATEGIC, AND THE OTHER FUNDAMENTAL. STRATEGICALLY IT SERVES AS A LONG-TERM PLANNING TOOL. IN PREVIOUS YEARS WHEN WE WERE FOCUSED ON ACHIEVING STRUCTURAL BALANCE IN ORDER TO WEATHER THE ECONOMIC DOWNTURN, WE WERE ONLY LOOKING THREE YEARS INTO THE FUTURE, WE SHORTENED THAT FINANCIAL FORECAST HORIZON. BUT NOW THAT OUR ECONOMY IS HEALTHY AGAIN, AND WE SUCCESSFULLY ACHIEVE STRUCTURAL BALANCE, WE'VE RETURNED TO A FIVE YEAR FINANCIAL HORIZON. BUT SECONDLY, THIS FORECAST SETS THE FOUNDATION FOR THE UPCOMING

ANNUAL BUDGET. HOWEVER, WHEN YOU LOOK AT THIS FORECAST, YOU WILL NOT SEE A BUDGET FOR THE UPCOMING YEAR, THAT'S BECAUSE THE FORECAST IS NOT A BUDGET IN AND OF ITSELF. THE FORECAST IS ONLY THE BUDGET'S STARTING POINT. IT ALLOWS US TO BEGIN TO IDENTIFY ISSUES AND NOT NECESSARILY THE ANSWERS TO THOSE ISSUES THAT WILL SET THE CONTEXT FOR THE UPCOMING BUDGET AND FOR FUTURE BUDGETS. AT THE END OF MAY, WE WILL BE BACK IN FRONT OF THE COUNCIL TO GET POLICY DIRECTION ON A WIDE RANGE OF ISSUES AND IN SOME CASES PROPOSED ANSWERS TO THOSE ISSUES. SUCH AS THE TAX RATE, THE UTILITY TRANSFER OR UTILITY RATE, REVENUE INITIATIVES, PRIORITIZING, THE COUNCIL PRIORITIES, AND AS WELL AS THE STRATEGIC REBUILDING EFFORT. WITH COUNCIL'S DIRECTION ON THESE ISSUES UNDER OUR BELT, WE THEN BEGIN A TWO-MONTH PROCESS OF PREPARING THE FISCAL YEAR 2007 PROPOSED BUDGET. AND THAT WILL BE PRESENTED PUBLICLY TO THE COUNCIL AT THE END OF JULY. DURING THE MONTH OF AUGUST, AND EARLY SEPTEMBER, WE BEGIN A SERIES OF COUNCIL BRIEFINGS AND PUBLIC HEARING ON THE PROPOSED BUDGET. AND FINALLY, ON SEPTEMBER 11th, 12th AND 13th, THE COUNCIL IS SCHEDULED FOR THREE BUDGET READINGS TO APPROVE THEIR FINAL 2007 BUDGET. NOW, THIS IS A DIFFERENT FINANCIAL FORECAST THAN YOU'VE SEEN IN THE RECENT PAST. AUSTIN'S ECONOMY IS STRONG, HEALTHY, AND GROWING AGAIN. A NUMBER OF POSITIVE ECONOMIC CONDITIONS, THE KINDS OF THINGS THAT JOHN HAS JUST SPOKEN TO YOU ABOUT, SUCH AS A ROBUST SALES TAX GROWTH, AND INCREASING AND MORE EQUITABLE PROPERTY TAX BASE. LOW UNEMPLOYMENT AND A SOLID JOB GROWTH RATE. ALL OF THESE THINGS RESULT IN SOLID REVENUE GROWTH PREDICTIONS THROUGHOUT THE FORECAST PERIOD. HOWEVER, I WANT TO CAUTION YOU THAT WE NEED TO BE AWARE OF OUR VERY LARGE COST DRIVERS. COST DRIVERS SUCH AS THE INCREASING COSTS OF EMPLOYEE HEALTH INSURANCE, REINVESTING IN OUR WORKFORCE THROUGH PAPER PERFORMANCE AND ANALYZED MARKET ADJUSTMENTS, THE COST OF OPENING NEW AND EXPANDED FACILITIES AND VERY SIGNIFICANT PUBLIC SAFETY COST INCREASES. PUBLIC SAFETY CONTINUES TO BE THE BIGGEST COMPONENT OF OUR

ANNUAL COST DRIVERS. IN 2007, PUBLIC SAFETY COST ALSO RISE \$23 MILLION, NEARLY 60% OF THE TOTAL EXPENDITURE GROWTH OR PROJECTED 77% OF ALL OF OUR DEPARTMENTAL EXPENDITURES. IT IS IMPORTANT TO REMEMBER THAT THIS FORECAST IS BUILT ONLY ON TWO THINGS: OUR BASE BUDGET AND OUR POLICY COST DRIVERS. THE FORECAST IS NOT BUILT AROUND REBUILDING NEEDS OR GROWTH DEMANDS. SO LET'S TALK ABOUT WHAT THAT MEANS. THE BASE BUDGET INCLUDES ONLY FUNDING TO MAINTAIN THE SERVICE LEVEL WE'RE CURRENTLY PROVIDING, SO IN AREAS LIKE E.M.S., EMERGENCY MEDICAL SERVICES, PARKS AND LIBRARY, DEVELOPMENT REVIEW, INSPECTION, PERMITTING SERVICES AND HEALTH AND SOCIAL SERVICES. AND THE FUNDING FOR OUR COST DRIVERS COVERS ONLY POLICY-DRIVEN INCREASES, SO FOR EXAMPLE, OUR PUBLIC SAFETY CONTRACT INCREASES, OR MAINTAINING 2.0 OFFICERS FOR EVERY THOUSAND POPULATION, OR ENHANCED TASK FORCE STAFFING FOR THE FIRE DEPARTMENT, HEALTH INSURANCE INCREASES, AND AS I SAID BEFORE, PAY FOR PERFORMANCE AND MARKET ADJUSTMENTS FOR OUR WORKFORCE. SO ONCE AGAIN, THE FORECAST DOES NOT INCLUDE FUNDING TO COPE WITH THE INCREASED DEMAND ON OUR NONCIVIL SERVICE RESOURCES THAT HAVE RESULTED FROM TWO DISTINCT FACTORS: NORMAL GROWTH DEMANDS AND PRESSURE FROM THE PRIOR YEAR REDUCTIONS THAT WE WENT THROUGH DURING THE DOWNTURN. IN FACT, WE JUST BEGUN THAT PROCESS OF IDENTIFYING THE STRATEGIC ADS FOR THESE BASIC OPERATIONAL NEEDS THAT EXIST DUE TO THE PRESSURE OF GROWTH AND THOSE PRIOR YEAR REDUCTIONS. WE'VE ESTABLISHED NOW A PRELIMINARY LIST OF ABOUT \$6 MILLION OF SUCH STRATEGIC ADS AND THAT IS DOWN FROM A PRELIMINARY LIST OF OVER 20 MILLION IN THIS ORGANIZATION. I'LL HIGHLIGHT JUST A FEW OF THESE ITEMS FOR YOU. THEY ARE NOT THE TOPIC OF THE FORECAST TODAY. THEY WILL BE A VERY BIG PART OF THE PRESENTATION AT THE END OF MAY. BUT FOR EXAMPLE, WE HAVE A VERY LARGE NEED TO REINVEST IN OUR CLINICAL PRACTICE TRAINING, KEAJ EDUCATION AND QUALITY ASSURANCE FOR OUR PARAMEDICS AND OUR EMERGENCY MEDICAL SERVICES DEPARTMENT. WE HAVE A BIG NEED TO ADD RESIDENTIAL BUILDING INSPECTORS,

WITH A HOME BEING BUILT EVERY 90 MINUTES IN THIS TOWN, WE ARE HAVING DIFFICULTY ENSURING THE RIGHT TURN AROUND FOR THOSE INSPECTORS FOR OUR DEVELOPMENT COMMUNITY AND WE'RE HAVING A DIFFICULT TIME RESPONDING TO THE NUMEROUS NEIGHBORHOOD COMPLAINTS THAT EACH OF YOU ARE RECEIVING MAKING SURE THAT DEVELOPERS ARE BUILDING IN THE FIELD WHAT WAS ACTUALLY PERMITTED. WE HAVE A NEED TO ADD ADDITIONAL MUNICIPAL COURT DOCKETS TO HANDLE THE INCREASED CASELOAD ESPECIALLY IN CODE ENFORCEMENT. AND ANOTHER EXAMPLE ARE THE INCREASES THAT SHOULD HAPPEN EACH YEAR FOR OUR SOCIAL SERVICE PROVIDERS WHO THEMSELVES ARE FACED WITH THE SAME COST INCREASES WE'RE SEEING IN HEALTH INSURANCE AND COMMODITY COST INCREASES. SO AS WE WORK THROUGH THIS BUDGET PROCESS, WE WILL CONTINUE TO ASSESS AND REFINE THESE MUCH-NEEDED STRATEGIC ADS. SO WHILE OUR OUTLOOK IS STRONG, THE THEME THAT IS EMERGING HERE IS CAUTIOUS OPTIMISM. IN SCANNING THE NEAR TERM HORIZON, THERE ARE SEVERAL ENVIRONMENTAL FACTORS THAT COULD SEVERELY IMPEDE THIS STRONG RECOVERY. LET'S JUST TAKE A LOOK LOCALLY. THE UPCOMING CHARTER AMENDMENT COULD RESULT IN LARGE OUTLAYS OF EXPENDITURES FOR WHICH THERE ARE NO IDENTIFIABLE FUNLIDING. IF YOU TAKE A LOOK AT IT FROM THE STATE AND NATIONAL LEVEL, WE ARE FACING SIGNIFICANT CUTS TO PROGRAMS SUCH AS THE COMMUNITY DEVELOPMENT BLOCK GRANTS, CDBG FUNDS, AND DROPS IN FEMA ELIGIBILITY FOR THE PEOPLE IN OUR COMMUNITY THAT WERE IMPACTED BY HURRICANE KATRINA AND RITA. ALL OF THESE WILL ONLY INCREASE THE DEMAND FOR CITY SERVICES AND CITY REVENUE. JUST TAKE A LOOK AT THE CDBG FUNDING. THAT FUNDING DECREASED 7% IN 2005, ANOTHER 10% IN 2006. AND IT'S PROJECTED TO DECREASE YET ANOTHER 25% IN 2007. SO OUR VERY EARLY PROJECTIONS FOR 2007, WE COULD BE FACING UP TO A FOUR MILLION DOLLARS GAP IN CDBG HOUSING PROGRAM FUNDING IN OUR 2007 BUDGET AND THIS IS NOT YET REFLECTED IN OUR FORECAST NUMBERS. OR LET'S TAKE A LOOK AT THE FEMA FUNDING. OF THE 1800 FAMILIES IN AUSTIN WHO WERE IMPACTED BY THE HURRICANE, A 25% DROP IN ELIGIBILITY COULD IMPACT OVER A THOUSAND

PEOPLE IN OUR COMMUNITY. AND THERE ARE OTHER OUTSIDE FACTORS FOR WHICH WE HAVE NO CONTROL THAT HAVE A TREMENDOUS IMPACT ON ALL OF OUR FUND, LET'S JUST TAKE ONE EXAMPLE, ALL OF US ARE LOOKING AT WHAT IS HAPPENING WITH GAS PRICES IN THE COMMUNITY. GAS PRICES ARE UP 37% IN JUST ONE YEAR. (ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS...)

ACROSS THE TOP IS EACH OF THE YEARS IN THE FIVE YEAR FORECAST, 2007 THROUGH 2011, WE ARE ALSO SHOWING YOU THE CURRENT YEAR WITH 2006. OUR NEXT LINE IS OUR BASE BUDGET, MOVES FROM ONE YEAR TO THE NEXT AND GETS YOU IN THAT CURRENT YEAR. ON TOP OF THAT IS THE ANNUAL COST DRIVERS OR INCREASES, SUCH AS PUBLIC SAFETY CONTRACTS, HEALTH INSURANCE, PAY FOR PERFORMANCE. THESE ARE THE COSTS WHICH ARE DETERMINED BY POLICY. THESE TWO LINES ARE ADDED TOGETHER TO GET US OUR TOTAL PROJECTED EXPENDITURES. TOGETHER THE REVENUE AND EXPENDITURE LINES RESULT IN THE EXCESS DEFICIT LINE OR THE ANNUAL FUNDING GAP. FOR THE CURRENT FISCAL YEAR, WE ARE ESTIMATING THAT WE WILL END THE YEAR WITH AN ADDITIONAL \$7.3 MILLION. THIS IS DUE TO \$8.1 MILLION IN HIRE THAN EXPECTED REVENUE, MAINLY FROM SALES TAX, INCREASED DEVELOPMENT REVENUE, HIGHER INTEREST INCOME REVENUE, BUT OFFSET BY AN ADDITIONAL \$900,000 IN EXPENSES. THIS \$7.3 MILLION EXCESS WILL BE OFFSET BY ABOUT A \$1.4 MILLION ADJUSTMENT TO GAP ENTRY FOR OUR CRUDE PAYROLL. AS A REMINDER, PER THE CITY'S FINANCIAL POLICY, THIS EXCESS BALANCE WILL BECOME AVAILABLE IN THE BUDGET STABILIZATION RESERVE FUND. FOR ONE-TIME CAPITAL AND CRITICAL NEEDS. I WILL GO INTO FURTHER DETAIL LATER IN THE PRESENTATION ABOUT THIS RESERVE FUND. OUR PROJECTED GAP FOR -- FOR 2007 IS \$2.2 MILLION. WE RESEARCHED BACK ALL THE WAY BACK TO 1991, AND THIS IS THE SMALLEST FIRST YEAR GAP THAT HAS BEEN PRESENTED IN A FINANCIAL FORECAST. THE GAPS GROW OVER THE FIVE YEAR -- OVER THE FIVE YEARS TO SLIGHTLY OVER 17 MILLION IN 2011. THE ASSUMPTION IN THE SUMMARY IS THAT EACH YEAR WE ACHIEVE STRUCTURAL BALANCE. THAT IS OUR REVENUE WILL EQUAL OUR

EXPENDITURES, SO THAT THE GAP OF 2.2 MILLION WILL BE CLOSED IN 2007, THE GAP OF 6.7 IN 2008 WILL BE CLOSED, SO ON. THESE FORECAST GAPS ARE LOWER THAN IN PREVIOUS YEARS DUE TO TWO MAJOR FACTORS. ONE OUR REVENUE PROJECTIONS REFLECT A REBOUNDED ECONOMY. AND SECOND THE FORECAST INCLUDES AS THE CITY MANAGER MENTIONED ONLY OUR COST DRIVERS. NOW I'M GOING TO GO INTO MORE DETAIL ABOUT THE PROJECTIONS FOR OUR GENERAL FUND REVENUE STARTING WITH THE PROPERTY TAX. AUSTIN IS JUST ONE OF FIVE LOCAL TAXING JURISDICTIONS FOR 2006 THE CURRENT COMBINED TAX RATE IS 2.74 CENTS, OF WHICH AUSTIN COMPRISES 16.2%. FOR A TAX BILL ON \$175,000 HOME, AUSTIN'S SHARE OF \$4,300 TAX BILL IS \$776, OR 17.8%. OUR PERCENTAGE OF THE TAX BILL IS HIGHER THAN THAT OF THE OVERLAPPING TAX RATE, AS THE COUNTY AND SCHOOL DISTRICT BILLS ARE BASED ON HOMESTEADED TAXABLE VALUE FOR THIS \$175,000 HOME. PROPERTY TAX REVENUE ACCOUNTS FOR ABOUT 30% OF OUR TOTAL GENERAL FUND REVENUE FOR THE FORECAST PERIOD. PROPERTY TAX REVENUE IS -- IS BASED ON MAINTAINING THE EFFECTIVE TAX RATE. THERE WE GO.

THANKS.

OUR CURRENT TAX RATE AGAIN IS 44.3 CENTS. ESTIMATES OF APPRAISED VALUE ARE NOT BASED ON THE RECENT PROPERTY VALUES AS SENT OUT, BUT BASED ON CURRENT ESTIMATES OF WHERE THE CERTIFIED APPRAISAL ROLL WILL END UP IN JULY. BASED ON THESE ESTIMATES THE TAX RATE WILL FALL TO 40.62 CENTS FOR FISCAL YEAR 2007. FOR THIS FORECAST WE HAVE MADE TWO ASSUMPTIONS AS IT RELATES TO THE TAX RATE. ONE, BASED ON COUNCIL'S DIRECTIONS ABOUT THE SIZE OF THE POTENTIAL NOVEMBER 2006 BOND ELECTION, WE HAVE ADDED ONE CENT IN 2008 AND ONE CENT IN 2009 FOR THE DEBT SERVICE ASSOCIATED WITH THOSE BONDS. ADDITIONALLY, WE HAVE ALSO INCLUDED ONE CENT FOR THE OPERATIONS AND MAINTENANCE IMPACT OF THE BOND ELECTION, HALF A CENT IN 2009 AND ANOTHER HALF A CENT IN 2010. AS THE BOND IMPLEMENTATION SCHEDULE IS DEVELOPED, THE TIMING OF THE O AND M TAX RATE IMPACTS WOULD BE ADJUSTED ACCORDINGLY. OUR ASSESSED VALUATION,



WHICH IS CURRENTLY 52.4 BILLION IS EXPECTED TO INCREASE EACH YEAR WITH THE 12% INCREASE IN NEXT YEAR. THIS IS FOR OUR TOTAL AV, RESIDENTIAL, MULTI-FAMILY, COMMERCIAL, COMMERCIAL, PERSONAL PROPERTY, LAND AND OF COURSE NEW CONSTRUCTION. AND JUST TOUCHING QUICKLY ON THE COMPONENTS OF THE CHANGES IN ASSESSED VALUE, HERE ON THIS SLIDE ARE THE CATEGORIES OF ASSESSED VALUE, SINGLE FAMILY RESIDENTIAL IS THE LARGEST CATEGORY AT 48%, FOLLOWED BY COMMERCIAL, THEN BY MULTI-FAMILY AND THEN BY NEW CONSTRUCTION, LAND AND PERSONAL PROPERTY. THE HEADLINES FROM RECENT REPORTS SPOKE TO AN AVERAGE INCREASE IN HOME VALUE OF ABOUT 16%. THAT FIGURE IS BASED ON THE NOTICES RECENTLY SEPTEMBER OUT TO PROPERTY OWNERS -- SENT OUT TO PROPERTY OWNERS AND WAS FOR ALL OF TRAVIS COUNTY. OUR FORECAST IS FOR PROPERTIES WITHIN THE CITY AND IS -- OUR ESTIMATES OF WHERE THE FINAL CERTIFIED APPRAISAL ROLL WILL BE IN JULY. ANOTHER POINT ON HOME PRICES THERE ARE ALSO OTHER MEASURES OF INCREASED VALUE, SPECIFICALLY MEDIAN HOME VALUE THAT PROVIDES A MORE REFINED AND POTENTIALLY A -- A POTENTIAL IMPACT TO THE TYPICAL HOMEOWNERS UNTIL THE TAX ROLL IS CERTIFIED IN JULY WE WILL NOT HAVE THE ACTUAL 2006 MEDIAN HOME PRICE BUT WE DO KNOW THAT THE MEDIAN SALES PRICE HAS INCREASED ABOUT 6% TO 164,000 FOR 2006. AGAIN, ONE OF THE SALES -- MEDIAN SALES PRICES, NOT THE TAXABLE VALUE, THEY ARE HIGHLY CORRELATED. THE NEXT SLIDE SHOWS CONTINUED GOOD NEWS FOR HOMEOWNERS. IN THE EARLY PART OF THE DECADE, THE TAX BURDEN SHIFTED TO HOMEOWNER,S FOR THE SECOND YEAR IN A ROW THAT TREND IS REVERSING. TOP LINE SINGLE FAMILY RESIDENTIAL, BEGINNING IN 2001 THE SINGLE FAMILY SHARE INCREASED TO JUST UNDER 50%, IT IS NOW PROJECTED TO BE BACK TO 48% OF OUR TOTAL ASSESSED VALUATION. IN STAYING WITH OUR REVIEW WE HAVE SEVERAL SLIDES SHOWING HOW AUSTIN COMPARES TO OTHER CITIES IN TEXAS. HERE ON SLIDE 13 IS AUSTIN'S CURRENT STACKS RATE TO THAT OF THE OTHER MAJOR TEXAS CITIES. AS YOU CAN SEE AUSTIN IS THE LOWEST AT 44.3 COMPARED TO FORT WORTH WITH THE HIGHEST AT 86.5 CENTS. FOR COMPARISON PURPOSES, WE HAVE ALSO

CHOSEN TO USE A 175,000 HOME TO COMPARE TAX BILLS AMONG THE MAJOR TEXAS CITIES. IT'S BASED ON THE TAXABLE VALUE OF THAT \$175,000 HOME, THAT IS IT TAKES INTO ACCOUNT ANY EXEMPTIONS. LOOKING AT THE TAX BILL, AUSTIN IS STILL THE LOWEST OF ANY OF THESE MAJOR CITIES AT \$775 PER YEAR. THE MOST COMPREHENSIVE WAY TO COMPARE IS LOOKING AT THE OVERALL TAX RATE AND TAX BILL. WHILE THE TOTAL BILL IS 4300, RIGHT IN THE MIDDLE OF THE PACK, THE 17% THAT THE CITY COMPRISES OF THIS TOTAL TAX BILL IS THE LOWEST OF THE TEXAS CITIES WITH DALLAS AND FORT WORTH ABOVE 24%. ANOTHER WAY TO LOOK AT THE IMPACT OF THE TAX BILL ON THE COMMUNITY AT LARGE IS THROUGH THE MEDIAN FAMILY INCOME. FOR AUSTIN, THE MEDIAN FAMILY INCOME IS 69,000, THE HIGHEST OF ANY OF THE MAJOR TEXAS CITIES. SAN ANTONIO THE LOWEST. A PERCENTAGE OF THIS MEDIAN INCOME, BOTH THE CITY'S TAX BILL AND OVERLAPPING TAX BILL ARE THE LOWEST OF ANY OF THESE CITIES MUCH SAN ANTONIO IS THE HIGHEST AT 1.91 FOR THE CITY PORTION AND 9.3% FOR THE OVERLAPPING. STAYING WITH REVENUE AND MOVING ON TO SALES TAX WHICH MAKES UP 29% OF OUR TOTAL REVENUE, JOHN PAINTED A PICTURE OF A VERY HEALTHY, BOW BUST ECONOMY, WE ARE HOSPITAL MYSTIC ABOUT THE FUTURE, ESPECIALLY SALES TAX. OPTIMISTIC ABOUT THE FUTURE. SALES TAX COLLECTIONS ARE UP 12 POINT 9% COMPARED TO LAST YEAR. HIGHER THAN BUDGETED GROWTH OF 6.1%. THE FIRST FIVE MONTHS OF THE YEAR POSTED DOUBLE DIGIT GAINS. THIS IS THE FIRST TIME THAT THIS HAS OCCURRED. BASED ON THIS, OUR BUDGETED GROWTH RATES SHOWN HERE SHOW AGGRESSIVE GROWTH IN THE EARLY YEARS, FOLLOWED BY MORE MODERATE GROWTH IN THE OUT YEARS. TO PUT OUR PROJECTIONS IN SOME CONTEXT, CAPITAL METRO IS SHOWING SALES TAX GROWTHS OF AROUND 5%. I WOULD LIKE TO BRIEFLY TOUCH ON SOME OF THE FUNDS OTHER REVENUE. WHILE DEVELOPMENT REVENUE ONLY ACCOUNTS FOR 2.5% OF TOTAL REVENUE IN THE GENERAL FUND, WE PROJECT THAT WILL BE INCREASING 26% IN 2007. VERY MUCH IN LINE WITH JOHN'S OUTLOOK ON THE REAL ESTATE MARKET. OUR FORECAST ASSUMES WE MAINTAIN THE CURRENT UTILITY TRANSFER RATES FROM AUSTIN ENERGY AND AUSTIN WATER UTILITY,

COMBINED UTILITY TRANSFER REVENUE ACCOUNTS FOR 21% OF THE TOTAL REVENUE. THE TRANSFER RATE FOR AUSTIN ENERGY IS AT 9.1%, THE TOP OF THE RANGE THAT COUNCIL HAS ESTABLISHED. AUSTIN WATER UTILITY TRANSFER IS AT 8.2%. FINALLY, HERE'S A SUMMARY OF THE FUND'S REVENUE PROJECTIONS THROUGHOUT THE FORECAST PERIOD. TOTAL REVENUE IS PROJECTED TO INCREASE ALMOST 8% IN 2007 DUE TO ROBUST SALES TAX GROWTH AND PROPERTY TAX REVENUE. WITH THE OUT YEARS GROWING BETWEEN 5 AND 6%. NOW WE MOVE ON TO THE GENERAL FUND FOCUSING ON THE EXPENDITURE SIDE. WE BUILT THIS FORECAST BASED AROUND SEVERAL KEY ASSUMPTIONS. AGAIN, BASE BUDGET FUNDING TO MEET CURRENT SERVICE LEVELS FOR OUR EMERGENCY MEDICAL SERVICES, PUBLIC HEALTH AND SOCIAL SERVICES. AND OUR PARKS AND LIBRARY PROGRAMS. THAT WE WILL MAINTAIN 2.0 OFFICERS PER THOUSAND POPULATION. THAT WE WILL CONTINUE TO STAFF OUR FIRE DEPARTMENT AND ENHANCED TASK FORCE STAFFING LEVEL, THAT WE WILL CONTINUE TO HONOR OUR PUBLIC SAFETY CONTRACTS, BOTH INCREASED SALARIES AND OTHER PAY INCREASES PART OF THE PAY SCALES. FINALLY WE ARE NEARING THE END OF THE IMPLEMENTATION OF THE 1998 BOND PACKAGE AND THIS FORECAST INCLUDES COSTS FOR OPEN BEING NEW AND EXPANDED -- OPENING NEW AND EXPANDED FACILITIES. I WOULD LIKE TO HIGHLIGHT SOME OF THE ASSUMPTIONS THIS FORECAST HAS IN REGARDS TO OUR EMPLOYEES. IT ASSUMES A CONTINUATION OF OUR PAY FOR PERFORMANCE PROGRAM, AND REINSTATES ADDING EXCEEDS INTO THE BASE SALARY. FUNDING IS INCLUDED FOR OUR MARKET PROGRAM AND A CONTINUATION OF THE SERVICE INCENTIVE ENHANCEMENT. WE ARE PROJECTING HEALTH INSURANCE COSTS TO INCREASE 10% A YEAR IN ACCORDANCE WITH THE EXISTING POLICY, THIS FORECAST INCLUDES THE FUNDING TO CONVERT LONG-TERM TEMPORARY POSITIONS TO REGULAR STATUS. WE CURRENTLY ESTIMATE THAT AROUND 100 EMPLOYEES WILL MEET THE CRITERIA FOR CONVERSION, BUT WILL CONTINUE TO WORK WITH OUR HUMAN RESOURCES DEPARTMENT TO REFINE THIS PRELIMINARY LIST. FINALLY, FOR THE -- FOR THE COUNCIL FUNDING PLAN FOR THE EMPLOYEE RETIREMENT SYSTEM, AN ADDITIONAL 1% IN ERS

CONTRIBUTIONS IS INCLUDED IN THE FORECAST. AS THE MANAGER SAID, THIS FORECAST IS BUILT ON BASE COSTS AND COST DRIVERS. IT DOES NOT INCLUDE FUNDING TO COPE WITH INCREASED DEMAND ON OUR RESOURCES THAT HAS RESULTED FROM THESE TWO DISTINCT FACTORS SHE MENTIONED, GROWTH AND PRIOR YEAR REDUCTIONS. OUR COST DRIVERS ARE VERY LARGE, OUR PUBLIC SAFETY COST DRIVERS TIED TO EXISTING CONTRACTS ACCOUNT FOR 60% OF OUR ANNUAL INCREASE IN COSTS IN 2007. IN 2011 THEY ARE 65% OF THE TOTAL. THE OTHER COST DRIVERS ARE HEALTH INSURANCE, PAY FOR PERFORMANCE, NEW FACILITIES AND OTHER DEPARTMENTAL COST DRIVERS. IF YOU RECALL, THE FORECAST SUMMARY SLIDE PRESENTED REVENUE AND EXPENDITURES ALSO SHOW THE ANNUAL GAPS, TIED IN LARGE PART TO THE PUBLIC SAFETY COST DRIVERS. WE FIRST PRESENTED THIS GRAPH TO COUNCIL DURING LAST YEAR'S PROPOSED BUDGET PRESENTATIONS. IT SHOWS THE ANNUAL INCREASE IN OUR PUBLIC SAFETY COSTS AS A PERCENT OF THE INCREASE IN THE ANNUAL NEW REVENUE THAT WE BRING IN. IN THE LAST TWO YEARS, ACTUAL TOTAL PUBLIC SAFETY COSTS HAVE INCREASED MORE THAN 9% PER YEAR. THE ANALYSIS SHOWN HERE ASSUMES A CONSERVATIVE INCREASE OF 7.1%. 7-POINT 5%. LAST YEAR THIS ANALYSIS SHOWED THAT PUBLIC SAFETY COSTS WOULD CONSUME MORE THAN 100% OF OUR ANNUAL NEW REVENUE IN 2009. DUE TO THE FACT THAT OUR SALES TAX PROJECTIONS ARE BEEN REVISED UPWARDS FROM LAST YEAR, FOR EXAMPLE WE NOW HAVE 10% GROWTH IN 2007 AS OPPOSED TO 6%, LAST YEAR, AND OUR ESTIMATE -- OUR ESTIMATE OF ADDED TAXABLE VALUE FROM NEW CONSTRUCTION IS ALSO HIGHER, IT IS NOW NOT UNTIL FISCAL YEAR 2011 THAT PUBLIC SAFETY COSTS WILL EXCEED NEW REVENUE. BUT EVEN IN THE NEXT FEW YEARS, WHERE THE PERCENTAGES ARE SLIGHTLY BELOW 100%, THERE IS STILL AN IMPACT ON THE GENERAL FUND. TAKE 2008 FOR EXAMPLE WHERE PUBLIC SAFETY EXPENDITURES ACCOUNT FOR 81% OF OUR NEW REVENUE. LEAVING 19% TO COVER OUR OTHER COST DRIVERS. IN DOLLAR TERMS THIS 19% IS ABOUT \$5.6 MILLION, BUT THE TOTAL OF THE OTHER COST DRIVER IS 12.3 MILLION LEAVING 6.7 MILLION IN THE OTHER COST DRIVERS UNFUNDED. AGAIN THIS IS THE GAP THAT WE PRESENTED IN OUR GENERAL FUND SUMMARY. IN

THE OUT YEARS, WHEN OUR REVENUE PROJECTIONS ARE MORE MODERATE, IT WILL BE OVER 150% OF ALL NEW REVENUE. ONCE WE GET ABOVE 100%, NOT ONLY WOULD THERE BE NO FUNDING FOR OTHER COST DRIVERS, THERE WOULD NEED TO BE EITHER ANOTHER REVENUE SOURCE OR A ZIG -- SIGNIFICANT CUTS TO THE NON-PUBLIC SAFETY DEPARTMENTS. THIS ANALYSIS IS BASED ON OUR ASSUMPTIONS FOR REVENUE GROWTH THAT I HAVE REVIEWED. HOWEVER, HISTORY TELLS US THAT AT ONE POINT DURING THIS PERIOD WE WILL SEE A YEAR OF FLAT SALES TAX GROWTH, FOLLOWED POSSIBLY BY NEGATIVE SALES TAX GROWTH. WE JUST DON'T KNOW WHEN THIS WILL OCCUR. THE REVENUE SIDE OF THE EQUATION WILL CHANGE. THE COST DRIVER SIDE WILL NOT. AGAIN, HERE'S A SUMMARY OF THE GENERAL FUND. THE PROJECTED GAPS ARE SMALL, THE SMALLEST WE HAVE SEEN IN 15 YEARS, BUT BASED ON COST DRIVERS ALONE. WE WILL WORK OVER THE UPCOMING MONTHS TO REFINE THE REVENUE AND EXPENDITURES AND AFTER OUR BUDGET POLICY DISCUSSION IN MAY, BRING YOU BACK A PROPOSED BALANCED BUDGET. I WANTED TO QUICKLY REVIEW OUR BUDGET STABILIZATION RESERVE FUND THAT I MENTIONED EARLIER. THIS FUND WAS ESTABLISHED DURING THIS CURRENT FISCAL YEAR. AT THE END OF EACH YEAR, EXCESS REVENUE AND UNSPENT APPROPRIATION IS DEPOSITED INTO THIS RESERVE. FROM WHICH ONE THIRD IS AVAILABLE FOR FUTURE YEAR FOR ONE TIME CAPITAL OR CRITICAL NEEDS. HERE ON SLIDE 26 IS A SUMMARY OF THIS FUND. ESTIMATING AN ADDITIONAL \$5.8 MILLION WILL BE ADDED TO THE FUND. ONE TIME COSTS FOR 2006 ARE AT 17.7 MILLION. THIS LEAVES 40.8 MILLION AS THE BEGINNING BALANCE FOR FISCAL YEAR 2007. ONE THIRD OR 13.6 MILLION WOULD BE AVAILABLE FOR THESE ONE-TIME COSTS AND CRITICAL NEEDS. OVER THE -- OVER TIME THE AMOUNT AVAILABLE DECLINES EACH YEAR AS THIS RESERVE IS SPENT DOWN. AS PART OF THIS FORECAST PROCESS WE PUT TOGETHER A PRELIMINARY LIST FOR ONE TIME CRITICAL COSTS IN THE UPCOMING FISCAL YEAR. THIS PRELIMINARY LISTS INCLUDES FUNDING FOR VEHICLE REPLACEMENTS, TECHNOLOGY REPLACEMENTS, THE SERVICE INCENTIVE PAY FOR CIVILIAN WORKFORCE AND DEPARTMENT CAPITAL AND ONE TIME COSTS. AS YOU CAN SEE THIS LIST TOTALS 17

MILLION. MORE THAN 3 MILLION HIGHER THAN WE ARE PROJECTING TO HAVE AVAILABLE, AGAIN AS WE WORK ON THE PROPOSED BUDGET, WE WILL HAVE EACH ITEM IN ORDER TO BRING THE AMOUNT NEEDED IN LINE WITH THE AMOUNT AVAILABLE. FINALLY CITY THE -- AS THE CITY MANAGER ADDRESSED, DURING THIS FORECAST PROCESS, DEPARTMENTS ALSO CONDUCTED A NEEDS ASSESSMENTS FOR THEIR O AND M COSTS ASSESSING VULNERABILITIES TO PRIORITIZE ADDITIONAL RESOURCES TO ADDRESS SERVICE OR OPERATIONAL ISSUES. AS MENTIONED THE COMBINATION OF GROWTH WITH PRIOR YEAR CUTS STRAINED RESOURCES BOTH FRONT LINE AND SUPPORT AND ARE NOT KEEPING UP WITH THIS GROWTH. DEPARTMENTS IDENTIFIED OVER \$23 MILLION IN NEEDS AND THIS LIST HAS NOW BEEN SCALED BACK TO 6 MILLION. THEY HAVE NOW IDENTIFIED FUNDING. THERE ARE OPTIONS ON THE TABLE. FOR THE LAST TWO YEAR THE GENERAL FUND HAS BEEN RECEIVING \$4 MILLION FROM CAPITAL METRO IN BUILD GREATER AUSTIN FUNDING BUT IT IS PROJECTED TO GO AWAY IN 2007. INCREASED PROPERTY TAX REVENUE EITHER FROM ADDITIONAL GROWTH, NOT IN THE FORECAST ON THE TAX ROLL OR TAX RATE DIFFERENT FROM THE EFFECTIVE TAX RATE OR OTHER OPTIONS, FINALLY REFINEMENTS TO THE EXPENDITURE PREDICTIONS MAY ALSO FREE UP SOME FUNDS. DURING THE BUDGET POLICY DISCUSSION IN MAY, AS THE CITY MANAGER MENTIONED, WE WILL BE BRINGING BACK THIS LIST OF STRATEGIC REBUILDING NEEDS IN MUCH FURTHER DETAIL. THAT CONCLUDES OUR SECTION ON THE GENERAL FUND. NOW JOHN WILL WALK YOU THROUGH OUR MAJOR ENTERPRISE FUNDS.

COUNCIL, I JUST WANTS TO TOUCH BRIEFLY ON EACH OF OUR MAJOR ENTERPRISE FUNDS [INDISCERNIBLE] I WILL START OFF WITH THE AVIATION FUND. AM I ON NOW? OKAY. I WANT TO TOUCH BRIEFLY ON EACH OF OUR SIX MAJOR ENTERPRISE FUNDS. STARTING WITH THE AVIATION FUND. WE OPENED THE NEW AIRPORT IN MAY, IN THE FOLLOWING FISCAL YEAR, WE PEAKED IN 2000, HOWEVER, AS YOU KNOW IT FELL OFF SHARPLY AFTER SEPTEMBER 11th, 2001, ESSENTIALLY REMAINED PLAT IN '02 AND '03. BY 2005, PASSENGER TRAFFIC HAD ESSENTIALLY RETURNED TO THE -

- TO THE PEAK LEVELS THAT WE SAW IN -- IN THE YEAR 2000. AND IN THIS YEAR, WE ARE ESTIMATING PASSENGER TRAFFIC TO INCREASE BY ABOUT -- ABOUT SIX PERCENT. MOVING FORWARD TO TALK ABOUT AVIATION REVENUE, WHAT WE ARE SHOWING IN OUR FORECAST IS THAT OUR PASSENGER ACTIVITY WILL GROW AT ABOUT 2.8% OVER THE FORECAST YEAR, CONSISTENT WITH POPULATION GROWTH, AIRLINE REVENUE OVER THIS PERIOD, IN OTHER WORDS THE REVENUE THAT WE RECEIVE FROM THE AIRLINES DOING BUSINESS WITH US AT THE AIRPORT IS PROJECTED TO INCREASE SOMEWHERE BETWEEN 1.6 AND 4.7% DEPENDING ON WHICH AREA YOU LOOK AT FOR THE PERIOD AND THEN OUR NON-AIRLINE REVENUE IS PROJECTED TO INCREASE BY 13.8% IN FISCAL YEAR 2000. WE'VE HAD SOME GOOD EXPERIENCE WITH OUR NON-AIRLINE REVENUE OR AT LEAST PARTS OF IT. AND IN PARTICULAR FOOD SERVICE AND THEN INCREASE APPROXIMATELY 3% PER YEAR OVER THE FORECAST PERIOD. ON THE EXPENDITURE SIDE FOR THE AVIATION FUND, WE ARE, HOWEVER, PROJECTING THAT EXPENDITURES WILL INCREASE SLIGHTLY MORE THAN REVENUE OVER EACH YEAR OF THE FORECAST PERIOD. THE FORECAST INCLUDES COST INCREASES ASSOCIATED WITH COMPLIANCE OF ALL SECURITY MANDATES THAT HAVE BEEN HANDED DOWN TO US. IT ASSUMES INFRASTRUCTURE MAINTENANCE AND THE -- THE PERSONNEL COSTS THAT -- THAT WE TALKED ABOUT EARLIER THAT -- THAT WOULD GO WITH ENTERPRISE FUND EMPLOYEES AS WELL AS GENERAL FUND EMPLOYEES. WE DO ESTIMATE THAT THE FUND WILL BE ABLE TO TAKE THE SURPLUS THAT IS CONTRIBUTED TO THE CAPITAL FUND, THAT'S WHAT THE AVIATION FUND DOES WITH ITS SURPLUS. [INDISCERNIBLE] OUR ESTIMATE FOR 2007, THEN DWINDLES TO ABOUT 2.4 MILLION IN 2011. HOWEVER WE DO PREDICT OVER THE FORECAST PERIOD THAT WE ARE GOING TO SPEND MORE FROM THE CAPITAL FUND THAN WE TAKE IN. IN SURPLUS REVENUE. JUST SO SORT OF SUM UP THE INFORMATION IN THE AIRLINE INDUSTRY, IT'S -- IT'S IN A PERIOD OF INSTABILITY DUE TO HIGH FUEL PRICES AND DUE TO THE INABILITY OF THE AIRLINES TO -- TO BE ABLE TO CUT THEIR OTHER OPERATING COSTS, THEY ARE ALL LOOKING FOR A LOW-COST MODEL THAT SOUTHWEST AIRLINES AND JET BLUE HAVE BEEN FAIRLY EFFECTIVE IN IMPLEMENTING 7 BUT HAVE NOT BEEN

ABLE TO GET THERE YET. SO OVER THE FORECAST PERIOD I THINK THE OBJECTIVE FOR -- FOR OUR AIRPORT IS TO MAXIMIZE NON-AIRLINE REVENUE IN ORDER TO BE ABLE TO TO FUND THEIR ONGOING O AND M REQUIREMENTS AND TO PROVIDE FOR CAPITAL RESERVES, WE DO PROJECT THAT OVER THE -- OVER THE FORECAST PERIOD OUR CAPITAL FUND, WHICH IS -- WHICH IS CURRENTLY AT ABOUT 40 MILLION, COULD DECLINE AROUND THE -- AROUND THE \$6 MILLION RANGE. MOVING ON TO THE AUSTIN CONVENTION CENTER, AS YOU KNOW, WE OPENED OUR EXPANDED CENTER IN MAY OF 2002 AND -- AND ONE OF THE THINGS THAT THAT'S ALLOWED US TO DO IS INCREASE THE NUMBER OF CONVENTIONEERS, THE PUBLIC THAT COME FROM OUT OF TOWN TO STAY IN HOTELS HERE, WE HAVE INCREASED THAT -- THAT NUMBER BY ABOUT 60%, SINCE WE OPENED THE NEW EXPANDED CENTER AND I THINK ANOTHER INDICATION OF -- OF HOW WELL THIS INDUSTRY, THE TOURISM INDUSTRY, THE CONVENTION INDUSTRY IS DOING IS THAT WHEN WE OPENED OUR HILTON HOTEL, APPROXIMATELY AROUND THE SAME TIME, THIS IS -- THIS IS AS YOU KNOW A PUBLIC-PRIVATE PARTNERSHIP WITH THE CITY SINCE THE HILTON HOTEL OPENED EVEN THOUGH IT OPENED DURING THE DOWNTURN, THE GOOD NEWS IS THAT THAT -- THAT THE HOTEL HAS BEEN ABLE TO PAY ALL OF ITS OBLIGATIONS INCLUDING ALL OF ITS DEBT SERVICE CURRENT REVENUE HAS NOT HAD TO DIP INTO ANY OF ITS DEBT SERVICE RESERVES. LOOKING AT CONVENTION CENTER REVENUE FOR THE FORECAST PERIOD, HOTEL BED TAX ACCOUNTS FOR -- FOR ABOUT 58% OF TOTAL CONVENTION CENTER REVENUE WHEN YOU COUNT THE VENUE FUND IN WITH THAT, OUR HOTEL TAX IS DOING EXTREMELY WELL NOW. OUR 2005 COLLECTIONS WERE UP 18.6% OVER 2004 AND OUR YEAR TO DATE 2006 COLLECTIONS ARE UP 24% WHEN YOU COMPARE IT TO 2005. WE EXPECT THIS YEAR IN 2006, WE WILL -- WE WILL -- BETTER THE PEAK THAT WE ACHIEVED IN 2001 PRIOR TO THE DOWNTURN WHEN WE BROUGHT IN A TOTAL OF ABOUT \$31 MILLION IN HOTEL TAX REVENUE. WE EXPECT TO -- TO EXCEED THAT IN THIS YEAR. OUR RENTAL CAR TAX IS ALSO DOING VERY WELL. IT'S UP 6.6% OVER 2004 AND IT'S UP 25% THIS YEAR COMPARED TO LAST YEAR. IN THE FORECAST PERIOD, STEADY REVENUE IN CONVENTION CENTER AND



HOTEL TAX REVENUE. I THINK THE GOOD NEWS IS AGAIN THAT WE ARE -- WE ARE SETTING A NEW PEAK FOR OUR HOTEL TAX BUT NOT EVERYTHING WILL CONTINUE TO GO UP THAT FAST SO OUR REVENUE PROJECTIONS ARE MORE MODEST HAVING ACHIEVED A LARGER PEAK. ON THE EXPENDITURE SIDE, THE FORECAST FOR THE CONVENTION CENTER IS TO CONTINUE INVESTING IN THEIR TECHNOLOGY INFRASTRUCTURE, I THINK THAT WILL HELP THE CONVENTION CENTER WITH THEIR MARKETING EFFORTS, THEY ARE SEEN AS ONE OF THE PREMIER PLACES TO GO IF YOU ARE PUTTING ON -- ON A HIGH-TECH CONFERENCE LIKE THE WCIT, FOR EXAMPLE, WHICH WILL BE HERE NEXT WEEK. S THROUGHOUT THE FORECAST WE ARE EXPECTING CONVENTION CENTER TO REMAIN STABLE AT APPROXIMATELY 16 MILLION. A HEALTHY BALANCE FOR THIS FUND, IT REPRESENTS ABOUT 120 DAYS OF OPERATING CAPITAL. HOWEVER, THAT BALANCE DURING THE DOWNTURN DWINDLED DOWN TO SIGNIFICANT BELOW THAT, APPROXIMATELY HALF OF THAT. LOOKING AT THE DRAINAGE UTILITY FUND, THERE ARE NO RATE INCREASES PROJECTED FOR THE DRAINAGE UTILITY FUND THROUGHOUT THE PERIOD. WE HAD ANOTHER RATE INCREASE THIS YEAR, BUT NO INCREASES OR FORECASTS. OUR FORECAST FOR REVENUE FOR THIS FUND IS BASED ON 2.5% ANNUAL CUSTOMER GROWTH AND ON THE EXPENDITURE SIDE WE EXPECT TO CONTINUE WITH OUR INFRASTRUCTURE AND SYSTEM IMPROVEMENT PLANS FROM THE MASTER PLAN THAT THE DRAINAGE UTILITY IDENTIFIED A NUMBER OF YEARS AGO. OUR FISCAL YEAR '07 TRANSFER TO THE CIP REMAINS AT THE SAME LEVEL OF THIS YEAR. 16.6 MILLION. IT RANGES BETWEEN 14.6 AND 16.6 FOR THE REMAINING YEARS OF THE FORECAST. SO WE WILL BE ABLE TO CONTINUE TO INVEST TO THE EXTENT THAT WE CAN THROUGH CURRENT REVENUES IN THE CURRENT DRAINAGE MASTER PLAN. LOOKING AT THE SOUTHWEST SERVICES FUND, ON THE REVENUE SIDE THE PAY AS YOU THROW PROGRAM WHICH WAS BEGUN IN 1997, THAT PROGRAM HAS NOT HAD A RATE INCREASE SINCE ITS INCEPTION IN 1997. WE DO PROJECT THAT SOLID WASTE SERVICES BASE REVENUE WILL INCREASE BY ABOUT 4% THROUGHOUT THE FORECAST PERIOD. BUT ON THE EXPENDITURE SIDE, WE SEE THAT THE FORECAST ASSUMES THAT WE WILL

IMPLEMENT OUR SINGLE STREAM RECYCLING PROGRAM AND CLOSE THE -- THE 1812 LANDFILL, THE FORECAST PERIOD ALSO ASSUMES CONTINUED FUNDING FOR OUR CODE COMPLIANCE PROGRAM, BUT IT ALSO INCLUDES SOME SIGNIFICANT GROWTH IN COST DRIVERS AS BOTH JOHN HOCKENYOS AND GREG SPOKE TO, WE ARE SEEING INCREASES IN PERSONNEL, WE ARE SEEING SIGNIFICANT INCREASES IN FUEL PRICES AND COMMODITY PRICES AND WE EXPECT THAT OVER THE FORECAST YEAR, OVER THE FORECAST PERIOD, THAT GROWTH IN COST DRIVERS WILL OUTSTRIP THE GROWTH IN -- IN SOLID WASTE SERVICES BASE REVENUE. AND THEREFORE WE PROJECT IN THE FORECAST PERIOD THAT -- THAT THEIR ENDING BALANCE, SOLID WASTE SERVICES ENDING BALANCE WILL DECLINE TO A POINT WHERE A RATE INCREASE MAY BE NECESSARY IN 1999. IN 2009 EXCUSE ME. THIS IS OBVIOUSLY SOMETHING WE WILL MONITOR FROM YEAR TO YEAR. THIS IS SIMPLY WHAT THE PROJECTIONS ARE SHOWING NOW. AS WE GET CLOSER, WE WILL BE ABLE TO KNOW THE SIZE, WHETHER THE RATE INCREASE IS NECESSARY AND THE SIZE OF THE RATE INCREASE WILL BE NECESSARY. LOOKING AT AUSTIN ENERGY, AUSTIN ENERGY LIKEWISE HAS NOT HAD A BASE RATE CHANGE FOR A NUMBER OF YEARS SINCE 1994. THEY HAVE DONE I THINK A GOOD JOB OF MANAGING WITHOUT A RATE INCREASE DURING THIS TIME, BUT THEY HAVE -- THEY HAVE HAD SOME FINANCIAL CHALLENGES IN DOING SO, THE ECONOMIC DOWNTURN SIGNIFICANTLY AFFECTED THEIR CUSTOMER AND THEIR BASE REVENUE GROWTH. THEY ESSENTIALLY HAD FLAT REVENUE FROM 2001 THROUGH 2004. AT THE SAME TIME THEY WERE HAVING TO IMPLEMENT COSTS RELATED TO -- TO DEREGULATION, ERCOT FEES. THEY HAD TO IMPLEMENT A QUALIFIED SCHEDULING ENTITY THAT REQUIRES BOTH PERSONNEL AND CAPITAL EXPENDITURES. THEY IMPLEMENTED, THEY FUNDED THE CONSTRUCTION IN THE O AND M OF THE NEW SAND HILL PLANT AND THEY'VE HAD SOME [INDISCERNIBLE] COST INCREASES FOR THEIR ENERGY EFFICIENCIES, SOLAR REBATES, PEAK LOAD REDUCTION PROGRAMS IN ADDITION TO SOME IMPROVEMENTS TO TRANSMISSION LINES. LOOKING OUT OVER THE FORECAST PERIOD, THEY ARE PROJECTING GROWTH IN BASE REVENUE WITH NO RATE INCREASE AT ABOUT 1.75% ANNUALLY. HOWEVER, SIMILAR

TO THE SOLID WASTE SERVICES FUND SITUATION, THEY WERE EXPECTING A GROWTH IN THEIR COST DRIVERS WILL EXCEED THE GROWTH IN THEIR BASE REVENUE. THE PERSONNEL COSTS THAT WE HAVE OUTLINED FOR YOU, MATERIAL AND COMMODITY COSTS, AND DEBT SERVICE REQUIREMENTS THAT ARE DUE TO THE LARGE CAPITAL IMPROVEMENTS PROGRAM, AUSTIN ENERGY WILL IMPLEMENT OVER THE FIVE YEAR PERIOD APPROXIMATELY 823 MILLION. AUSTIN ENERGY IS THEREFORE ALSO PREDICTING THAT A RATE INCREASE MAY BE NEEDED IN THE OUT YEARS OF THE FORECAST PERIOD OF PERHAPS IN 2010. THE LAST FUND I WANT TO GO OVER WITH US IS THE AUSTIN WATER UTILITY, AUSTIN WATER UTILITY HAS BEEN UNDER FISCAL STRESS AND CONTINUES TO EXPERIENCE SOME SIGNIFICANT FISCAL STRESS, THE FORECAST PROJECTS CONTINUED INCREASES IN DEBT SERVICE AND O AND M COSTS. WHEN WE CAME TO YOU LAST YEAR, SHOWED YOU THE FORECAST OF 2000, BACK IN 2005, THERE WERE RECEIVER THINGS I THINK THAT HAVE CHANGED SINCE THAT FORECAST. FIRST OF ALL WE ARE PROJECTING HIGHER INCREASES FOR CONTRACTUAL AND COMMODITY COSTS. THE AUSTIN WATER UTILITY STAFF SAY THAT THEY HAVE EXPERIENCED 20 TO 25% INCREASES IN SOME OF THEIR CONTRACTUAL COMMODITY COSTS REALLY TO THE POINT WHERE -- THEY ARE HAVING VENDOR PROBLEMS, VENDORS THAT ARE NOT WILLING TO ENTER INTO LONG-TERM CONTRACTS OR RENEW LONG-TERM CONTRACTS AND RATHER ARE PREFERRING TO GO ON A MONTH-TO-MONTH BASIS TO DEAL WITH THOSE COST INCREASES. ONE OF THE OVER THINGS THAT'S CHANGED FROM THE FORECAST WE PRESENTED TO YOU LAST YEAR IS -- IS THAT I THINK WE HAVE A MORE ACCURATE ESTIMATE FOR OUR AUSTIN CLEAN WATER PROGRAM COSTS. THIS IS REALLY -- WE HAVE MORE ACCURATE ESTIMATE, HOWEVER WE ESTIMATE THE COSTS FOR THAT PROGRAM ARE GOING TO INCREASE. I THINK THERE ARE TWO THINGS ABOUT THAT. WE -- WHEN WE PRESENTED THE FORECAST TO YOU LAST TIME OR LAST YEAR ABOUT THIS TIME, WE HAD NOT YET COMPLETED OUR SURVEY OF SOME OF THE SUBBASINS AND MORE IMPORTANTLY OF THE ENTIRE GOVALLE BASIN. THAT -- THAT BASIN WAS THE LAST ONE TO BE SURVEYED AND IT WAS ALSO ONE OF THE OLDEST PARTS OF -- OF THE SEWER

SYSTEM. SO AT THAT TIME LAST YEAR, WE DID NOT HAVE THE FINAL PROJECT SCOPES FOR THOSE PORTIONS OF THE AUSTIN CLEAN WATER PROGRAM. I THINK THAT'S ONE THING THAT HAS CAUSED A CHANGE IN THAT PROGRAM COST. THE OTHER WAS, OF COURSE, THAT -- THAT AFTER THE HURRICANES, KATRINA AND RITA, THE BIDS THAT WE HAVE BEEN GETTING IN FOR THE CLEAN WATER PROGRAM PROJECTS HAVE INCREASED EVEN BEYOND WHAT -- WHAT OUR ENGINEERS WERE ESTIMATING. ONE OF THE OTHER THINGS THAT'S CHANGED THE LAST THING THAT'S CHANGED I THINK IN THE FORECAST FROM LAST YEAR TO THIS YEAR IS -- THAT WE ARE GOING TO BE DOING SOME PROJECTS EARLIER THAN WE ESTIMATED LAST YEAR. FOR EXAMPLE, WE HAVE MOVED UP IN THE FORECAST WHEN WE WILL HAVE TO DO SOME -- SOME MECHANICAL AND ELECTRICAL UPGRADES TO THE DAVIS WATER TREATMENT PLANT AND WE HAVE ALSO GOT SOME REHAB AND STREET PROJECTS THAT ARE MOVED UP MORE -- EARLIER IN THE FORECAST, BASED ON -- ON COORDINATION WITH -- WITH TXDOT AND WITH PUBLIC WORKS. THIS SLIDE SHOWS YOU SINCE 1993, AND THROUGHOUT THE FORECAST PERIOD, THE -- THE CONTINUED INCREASES THAT WE HAVE SEEN IN BOTH DEBT SERVICE AND O AND M COSTS FOR THE WATER AND WASTEWATER UTILITY. THE RED LINE SHOWS YOU THE INCREASES IN O AND M COSTS. THE BLUE LINE SHOWS INCREASES IN DEBT SERVICE. AND WE PUT IN THE GREEN LINE TO SHOW YOU THAT THE F.T.E.'S FOR THE AUSTIN WATER UTILITY HAVE REMAINED ESSENTIALLY FLAT THROUGHOUT THIS ENTIRE PERIOD AND THROUGHOUT THE FORECAST PERIOD, HOVERING AT JUST OVER SLIGHTLY A THOUSAND F.T.E.'S. SO THE COSTS THAT YOU SEE IN -- IN THE INCREASING COSTS THAT YOU SEE IN O AND M ARE ESSENTIALLY DUE TO THE INCREASES THAT WE HAVE SEEN IN OUR CONTRACTUALS AND COMMODITIES, MORE SO THAN THE INCREASES IN PERSONNEL COSTS THAT WE HAVE SEEN, ALTHOUGH THERE CERTAINLY HAVE BEEN SOME DUE TO PAY FOR PERFORMANCE, MARKET ADJUSTMENTS AND HEALTH INSURANCE INCREASES. AGAIN, COMPARING THE FORECAST THAT WE PRESENTED TO YOU LAST YEAR TO THIS YEAR, WE ARE NOW PROJECTING WE WILL NEED HIGHER RATE INCREASES THAN WE HAD ORIGINALLY SHOWN YOU FOR FISCAL YEARS 7, 8, 9, 10. WE ORIGINALLY

PROJECTED THAT WE IN FISCAL YEAR '07 WE WOULD NEED A 5.2% COMBINED RATE INCREASE, 5% INCREASE IN 2008 AND THEN INCREASES AS YOU SEE IN NINE AND 10 FOR A TOTAL INCREASE OF 20% OVER THE FORECAST PERIOD. WE ARE NOW BASED ON OUR AGAIN INCREASES IN O AND M AND DEBT SERVICE, WE ARE SEEING A PROJECTION OF 26.3% FOR THE ENTIRE FORECAST PERIOD BEGINNING WITH THE 7.1% INCREASE IN FISCAL YEARS 2007 AND 2008. THIS SLIDE SHOWS YOU THE -- THE CURRENT -- HOME OWNER IN AUSTIN CURRENTLY PAYS. THIS IS BASED ON -- BASED ON THE AVERAGE RESIDENTIAL CUSTOMER FOR AUSTIN WATER UTILITY WHO USES 8500 GALLONS OF WATER AND 5,000 GALLONS OF WASTEWATER MONTHLY. YOU CAN SEE THAT -- THAT WE ARE -- WE ARE AT 49.95 RIGHT NOW. ABOVE SAN ANTONIO BUT BELOW FORT WORTH AND CORPUS CHRISTI. WITH THE RATE INCREASE THAT WE ARE TALKING ABOUT, THE 7.1% INCREASE FOR FISCAL YEAR '07 WE PROJECTED THAT WOULD TAKE THAT MONTHLY WATER AND WASTEWATER BILL OF 39.95 UP TO APPROXIMATELY 5.50, PERHAPS MOVING US AHEAD OF FORT WORTH SOMEWHERE PUTTING US BETWEEN FORT WORTH AND CORPUS CHRISTI. HOWEVER, THE OTHER STORY ABOUT THIS IS THAT WE KNOW THAT THERE ARE SOME BIG RATE INCREASES THAT ARE LOOMING FOR SOME OF THESE CITIES OUT HERE. WE KNOW FOR EXAMPLE THAT SAN ANTONIO WITH THE RESERVOIR PROGRAM THEY HAVE GOING ON NOW OR GOING TO HAVE SOME SIGNIFICANT RATE INCREASES AND -- IN THEIR FUTURE. THAT CONCLUDES OUR DISCUSSION OF THE ENTERPRISE FUNDS JUST LOOKING FORWARD TO KEY DATES, AGAIN AS THE CITY MANAGER POINTED OUT, WE WILL HAVE OUR BUDGET POLICY DISCUSSION ON MAY THE 25th. WE WILL PRESENT THE PROPOSED BUDGET TO YOU ON JULY 27th. THEN IN AUGUST WE HAVE THREE BUDGET PRESENTATIONS AND PUBLIC HEARINGS SCHEDULED AND WE HAVE OUR BUDGET APPROVAL READINGS SCHEDULED SEPTEMBER THE 11th THROUGH THE 13th. SO THAT CONCLUDES OUR PRESENTATION. WE WOULD BE HAPPY TO ANSWER ANY QUESTIONS.

Mayor Wynn: THANK YOU, MR. STEPHENS. QUESTIONS OF STAFF, COUNCIL? COMMENTS,? COUNCILMEMBER MCCracken?

McCracken: THIS IS FOR GREG ON THE GENERAL FUND PRESENTATION. THE SAW THE PERCENTAGE BREAK DOWNS IN THE RESIDENTIAL AND COMMERCIAL TAX BASE. DO YOU HAVE AGGREGATE DOLLAR FIGURES? MAYBE IT'S IN THERE.

I DO, COUNCILMEMBER. LET ME PULL THIS UP REAL QUICK.

I BELIEVE IT'S SLIDE 11, EVERYBODY.

SO OUR AGGREGATE FOR 2007 FOR SINGLE FAMILY WOULD BE 28.4 MILLION, MULTI-FAMILY WOULD BE 8 OR LAND WOULD BE 1.4, OUR COMMERCIAL WOULD BE 14.6 AND OUR PERSONAL PROPERTY WOULD BE 6.1. I DO WANT TO POINT OUT THAT -- IN THAT NEW CONSTRUCTION WOULD BE A SEPARATE ITEM AT -- AT 1.6.

I'M SORRY. SLIDE 11 DOES NOT HAVE THAT, RIGHT.

WHAT YOU ARE SEEING THERE IS THE INCREMENTAL OVER THE PRIOR YEAR.

SO I WAS LOOKING AT THAT. OFF TRACK. SO WHAT IS THE RESIDENTIAL SINGLE FAMILY TOTAL?

THE RESIDENTIAL SINGLE FAMILY TOTAL WOULD GO TO -- TO 28.4 IN 2007.

AND THEN WHAT IS OUR AGGREGATE COMMERCIAL TAX BASE?

COMMERCIAL WOULD BE A -- WOULD GO TO 14.6.

IS THAT -- THAT SOUND LIKE IT'S TAX RECEIPTS AS OPPOSED TO TAX BASE; IS THAT RIGHT?

AGAIN, THIS IS BASED ON THE -- ON THE ASSESSED VALUATION AND THEN THE TAX RATE WOULD BE APPLIED FOR THAT FOR OUR RECEIPTS OFF OF THAT.

DO WE HAVE INFORMATION ON THE AGGREGATE ASSESSED VALUATION OF THE COMMERCIAL --

I DON'T HAVE THAT WITH ME RIGHT IN FRONT OF YOU, WE

CAN GET THAT TO YOU. >

ESSENTIALLY ONE OF THE THINGS THAT WE HAVE BEEN SEEING ON THIS DAIS, IN THIS COUNCIL IMPLEMENTED THE RAINY STREET OVERLAY, THE UNIVERSITY NEIGHBORHOOD OVERLAY, THE -- THE VERTICAL MIXED USE ZONING PROVISIONS, VERTICAL MIXED USE OVERLAYS, THE MUELLER REDEVELOPMENT, THE -- THE -- INITIATED THE DOWNTOWN PLAN, TRANSIT ORIENTED DEVELOPMENT DISTRICTS. WHAT ARE YOU SEEING IN TERMS OF -- OF REDEVELOPMENT INFILL IN THE TAX BASE COMING FROM ALL -- THESE NUMEROUS ENVISION CENTRAL TEXAS DEDICATED CODE CHANGES WE HAVE ENACTED?

I THINK WE SEE THAT REALLY REFLECTED HERE IN OUR NEW CONSTRUCTION NUMBER WHICH AGAIN IS HIGHER THAN WE PROJECTED LAST YEAR. WE ARE LOOKING AT 1.6 BILLION, IN ADDED NEW CONSTRUCTION, WHICH IS A FAIRLY HIGH NUMBER. I THINK WHERE THESE NEW DEVELOPMENTS HAVE OCCURRED IN THE DOWNTOWN AREA AS WELL AS AROUND THE REST OF THE CITY, YOU ARE SEEING THAT IMPACT INCREASINGLY REFLECTED HERE IN OUR NEW CONSTRUCTION, ADDED VALUE. WHICH IS WHERE WE GET A GOOD SOURCE OF REVENUE WHEN WE APPLY OUR TAX RATE TO --

Futrell: MAYBE ONE WAY WE COULD TRY TO HELP GET THAT NUMBER FOR YOU IS SHOW YOU WHAT THAT NEW CONSTRUCTION NUMBER HAS BEEN OVER TIME. YOU CAN LOOK AT THE CHANGE THAT'S OCCURRED RECENTLY TO SEE WHAT THAT IMPACT MIGHT BE ON THAT NUMBER.

McCracken: GREAT. THAT WOULD BE HELPFUL, ONE OF THE THINGS OBVIOUSLY IS COUNCIL HAS BEEN VERY AGGRESSIVE ON IS ISMENTING ENVISION CENTRAL TEXAS AND -- THROUGH THE NUMEROUS CODE CHANGES. IT IS -- IT IS VERY END ENCOURAGING TO SEE THERE'S A CORRELATION OF NEW CONSTRUCTION THAT IS NEW INFILL CONSTRUCTION AT LEAST THAT WE HAVE SEEN. HAVE YOU ALL BEEN ABLE TO FORMULATE ANY PROJECTIONS OF WHAT IS THE TAX BASE IMPACT FOR, SAY, THE MUELLER REDEVELOPMENT OR THE NEW DOWNTOWN DEVELOPMENT SUCH AS RAINEY STREET OR WEST CAMPUS, TOO WE HAVE

ANY PROJECTIONS BUILT IN ON THAT?

WE DON'T HAVE ANY SPECIFIC PROJECTIONS FOR THAT COUNCILMEMBER. WE JUST HAVE -- WE HAVE AN ESTIMATE OF HOW MUCH NEW PROPERTY WOULD BE ADDED TO THE ROLLS EACH YEAR THROUGHOUT THE FORECAST PERIOD. BUT IT'S NOT BROKEN DOWN BY LOOKING SPECIFICALLY, YOU KNOW, AT A PARTICULAR DEVELOPMENT COMING IN. CERTAINLY THE ESTIMATES THAT WE'VE HAD JUST IN WORKING WITH CATELLUS AND THE PROJECTIONS OUT THERE SHOW THAT WE ARE GOING TO ADD AT LEAST A BILLION DOLLARS TO THE TAX BASE FOR THAT TOTAL DEVELOPMENT OUT THERE.

YEAH, PROBABLY ON MUELLER IS WHERE WE COULD GET YOU A LITTLE BETTER NUMBER BECAUSE OBVIOUSLY WORKING WITH THAT IN A MORE DEFINED WAY THROUGH THE REDEVELOPMENT MASTER PLAN.

I THINK ONE OF THE REAL GRAPHIC EXAMPLES OF -- OF WHAT THE POSITIVE IMPACT IS TO THE TAX BASE IS THERE'S -- THERE'S TWO REAL OBVIOUS ONES HERE IN DOWNTOWN. ACROSS THE STREET FROM US, BLOCK 21, THE ESTIMATES ARE THAT THE PROJECT WILL BUILD OUT TO A \$200 MILLION PROJECT. \$200 MILLION ARE TAX BASE, CURRENTLY \$0 OF TAX BASE AND AT THE SAME TIME WE HAVE -- THIS KIND OF REDEVELOPMENT REQUIRES NO NEW PARKS, NO NEW LIBRARIES, NO NEW FIRE STATIONS, NO NEW ROADS. IT IS EFFECTIVELY ALMOST COMPLETELY FREE MONEY TO THE GENERAL FUND TAX BASE MINUS SOME DRAINAGE COSTS. AND THEN YOU GET A RAINEY STREET, YOU ALREADY SEE ONE PROJECT ALMOST COMPLETED, YOU SEE, WE ARE AWARE ON THE COUNCIL OF SEVERAL OTHERS EITHER UNDER CONSTRUCTION OR IN DEVELOPMENT AT THE MOMENT, SO THAT I THINK TO THE MAXIMUM EXTENT WE CAN GET SOME INFORMATION THAT MODELS FOR US WHAT THE TAX BASE IMPACT IS FOR -- FOR THESE NUMEROUS CODE CHANGES TO IMPLEMENT ENVISION CENTRAL TEXAS WE HAVE ENACTED. I THINK THAT WOULD BE HELPFUL TO COME AT THE END OF MAY WHEN WE DO THE POLICY PERIOD DURING THAT PERIOD.

I SEE THREE WAYS TO DO THAT. LET'S TAKE A LOOK AT THE



NEW CONSTRUCTION NUMBER OVER TIME. MOST RECENT CHANGE, MAYBE TRY TWO FOCUSES, ONE ON MUELLER, ONE ON DOWNTOWN ON THE CENTRAL BUSINESS DISTRICT AS A WAY TO START GETTING A HANDLE ON THAT.

NOW, I WANT TO TURN TO PAGE 24, GREG, THIS IS ON YOUR SLIDE. THIS RELATES TO -- THIS RELATES TO HOWEVER MUCH NEW MONEY WE GET IN A YEAR, HOW MUCH OF THAT IS TAKEN LIKE THAT WITH CONTRACTUAL OBLIGATIONS FOR PUBLIC SAFETY THAT ARE REALLY OUT OF OUR DISCRETION, TO EXTENT OTHER THAN WHAT WE NEGOTIATE IN THE CONTRACTS. THAT'S THE AMOUNT OF -- THAT'S THE PERCENTAGE OF NEW MONEY THAT IS SPOKEN FOR BEFORE WE EVEN HAVE A HEARING ON THE DAIS, IS THAT RIGHT?

THAT'S CORRECT.

OKAY.

AS I RECALL, YOUR FORECAST, THE FORECAST SHOWS THAT -- THAT -- SHOWS US THAT STARTING THIS YEAR WOULD BE NEARLY 90% OF THE NEW MONEY THE BUDGET IS SPOKEN FOR DAY ONE ON PUBLIC SAFETY. IS THAT -- IS THAT ACCURATE, 89%?

YES, COUNCILMEMBER, THAT'S CORRECT.

THEN WE ACTUALLY STARTING IN THE 2011 BUDGET WHICH WE WOULD BE APPROVING IN SEPTEMBER OF 2010, SO BASICALLY STARTING IN 2010 WE WILL HAVE TO START CUTTING THE BUDGET, LIBRARIES AND PARKS AGAIN DUE TO THE RATE OF INCREASE IN THE PUBLIC SAFETY BUDGET; IS THAT RIGHT?

THAT'S CORRECT, COUNCILMEMBER. UNLESS THERE WAS ANOTHER REVENUE SOURCE TO HELP PAY FOR SOME OF THOSE COST DRIVERS.

BASICALLY, JUST --

MAKE SURE THAT WE ARE ALL CLEAR. OUR CHOICES ARE PUBLIC SAFETY, PARKS, LIKE LIBRARIES AND? ASSORTED SMALLER COSTS, BUT OUR BIG BULK, AM I MISSING ONE --

HEALTH DEPARTMENT.

HEALTH DEPARTMENT. YOU HAVE THE GENERAL FUND COMPONENT OF CODE ENFORCEMENT. OF COURSE OF A LOT HAPPENING IN INSPECTION, DEVELOPMENT, REVIEW WHICH IS INCREASINGLY TIED TO CODE ENFORCEMENT.

WE ARE LOOKING AT A SITUATION UNDER THESE PROJECTIONS IN 2010, GOING TO HAVE TO START MAKING CUTS IN PARKS, LIBRARIES, CUTS IN CODE ENFORCEMENT, CUTS IN HEALTH DEPARTMENT UNDER CURRENT PROJECTIONS, IS THAT RIGHT?

AGAIN, WITHOUT ANOTHER REVENUE SOURCE.

YES.

FINALLY THE -- BASED ON THESE PROJECTIONS THEY DO NOT ASSUME ANY RECESSIONS DURING THIS PERIOD, CORRECT?

NO. AGAIN THE REVENUE NUMBERS THAT WE ARE -- WE ARE INCLUDING IN THIS MODEL ARE WHAT WE PRESENTED TO YOU IN THE FORECAST, WHICH ARE AGGRESSIVE REVENUE PROJECTIONS ON FOR BOTH THE SALES TAX, SLIGHTLY LESS AGGRESSIVE FOR THE PROPERTY TAX.

I DO WANT TO STRESS THAT WE REALLY DID PRESENT A VERY AGGRESSIVELY OPTIMISTIC VIEW ON REVENUE, WE ARE ASSUMING, WE ARE SEEING VERY STRONG NUMBERS RIGHT NOW, THIS FIVE YEAR FORECAST REFLECT IT. AS AN EXAMPLE ON THE SALES TAX NUMBER FOR NEXT YEAR OUR PROJECTION, OTHER JURISDICTIONS ARE FORECASTING HALF OF WHAT WE HAVE IN OUR PROJECTION, SO WE HAVE A VERY POSITIVE BUT VERY AGGRESSIVE FORECAST IN FRONT OF YOU.

IT APPEARS THEN THAT IF THEY WERE TO HAVE THE RECESSION ANY TIME DURING THIS -- DURING THIS PERIOD THAT THE MARGINS ARE VERY FINE IN 2009, 2010, IF THEY SAID THERE'S A RECESSION, WE MIGHT HAVE TO START CUTTING CODE ENFORCEMENT, PARKS, LIBRARIES DUE TO THE RATE OF INCREASE, UNDER CURRENT PROJECTIONS IF

WE HAVE A RECESSION DURING THAT PERIOD, THAT WOULD BE ACCURATE?

YEAH.

OKAY, THANKS.

Mayor Wynn: COUNCIL, YOU DON'T MIND, I WOULD LIKE TO CONTINUE THESE DISCUSSIONS AND QUESTIONS, BUT WE ARE HONORED RIGHT NOW TO HAVE STATE REPRESENTATIVE EDDIE RODRIGUEZ WITH US, HE'S TECHNICALLY SIGNED UP FOR OUR CITIZENS COMMUNICATION. HE WOULD LIKE TO ADDRESS US QUICKLY BY SALTILLO PLAZA, WE WANT TO GET HIM BACK TO THE HOUSE FLOOR BECAUSE THEY ARE DEBATING AND ABOUT TO VOTE ON A MEASURE THAT HE NEEDS TO VOTE ON.

THANK YOU ALL FOR YOUR ACCOMMODATION, I DO APPRECIATE IT. TOBY, HELLO. I WILL TRY TO BE BRIEF. AS YOU KNOW THE SALTILLO DISTRICT COMMUNITY ADVISORY GROUP IS COMPOSED OF COMMUNITY MEMBERS, FIVE OF US APPOINTED BY CAPITAL METRO, FOUR BY THE CITY OF AUSTIN, I WAS FORTUNATE ENOUGH TO BE SELECTED BY THE CITY OF AUSTIN. FOR ABOUT THREE YEARS CAG HAS WORKED WITH CO-MANAGER GEORGE ADAM, I WANT TO THANK HIM, HE DID AN INCREDIBLE, A HARD JOB TO DO, BUT HE DID A VERY FINE JOB. AND ALSO FORMER CO-MANAGER SAM ARCHER OF CAPITAL METRO WHO IS NO LONGER WITH THE PROJECT IN DEVELOPING THE COMMUNITY'S WISHES FOR THE SATELLITE TRACT. AS MEMBERS OF THE SALTILLO DISTRICT CAG WE PLAYED AN ACTIVE ROLE IN PROVIDING INPUT TO ROMA IN THE DEVELOPMENT OF THE MASTER PLAN AND SERVED AS A LIAISON TO THE COMMUNITY. THE OVERARCHING GOAL OF OUR WORK WITH CAPITAL METRO AND THE CITY OF AUSTIN IS TO DEVELOP A PLAN THAT PRESERVES, PROTECT AND ENHANCES THE UNIQUE QUALITIES AND SOCIO-ECONOMIC FABRIC OF THE SURROUNDING NEIGHBORHOOD AND THAT REALISTICALLY CAN BE IMPLEMENTED THROUGH A BALANCED PROGRAM OF PUBLIC AND PRIVATE INVESTMENT WITH MEANINGFUL INVOLVEMENT BY THE COMMUNITY. UNFORTUNATELY, WE ARE NOT AFFORDED THE OPPORTUNITY TO MAKE ANY SUBSTANTIAL CHANGES TO THE ROMA DRAFT PLAN DUE TO

BUDGET CONSTRAINTS. THEREFORE WE THE CAG CREATED OUR OWN REPORT IN RESPONSE TO THE DRAFT SALTILLO DISTRICT REDEVELOPMENT MASTER PLAN WHICH LAYS OUT OUR CONCERNS AND PUT MORE DETAIL INTO SOME OF ROMA'S RECOMMENDATIONS THAT THE CAG DID AGREE WITH. SO THERE WERE SOME THINGS THAT WE DID LIKE. BUT WE FELT THAT THERE WAS -- THERE WERE SOME ISSUES THAT WE REALLY WANTED TO PUSH THAT REALLY WEREN'T ADDRESSED IN THE MASTER PLAN, SO WE CREATED OUR OWN RESPONSE KIND OF OUR OWN IDEA IN THERE, TOO. OUR CAG REPORT, IN OUR REPORT IN RESPONSE TO THE ROMA MASTER PLAN, WE HAVE INCLUDED INNOVATIVE AND CHALLENGING PROPOSALS FOR AFFORDABLE HOUSING, SIGNIFICANT PARTICIPATION BY SMALL MINORITY OWNED BUSINESSES AND DESIGN ELEMENTS THAT REFLECT THE TRADITIONAL CHARACTER OF THE SURROUNDING NEIGHBORHOOD. AL OUR LAST MEETING, WE VOTED UNANIMOUSLY TO FORMALLY OPPOSE THE CURRENT MASTER PLAN. IN THE CURRENT FORM WE FEEL THAT THE MASTER PLAN WOULD FAIL TO ACHIEVE OUR EXPRESSED OVERARCHING GOAL OF PRESERVING, PROTECTING AND ENHANCING THE UNIQUE QUALITIES AND SOCIO-ECONOMIC FABRIC OF THE SURROUNDING NEIGHBORHOOD OF WHICH I WANT TO NOTE THAT I DO LIVE IN. DIFFERENCES AND MORE AGGRESSIVE AND SPECIFIC MEASURES THAT THE CAG BELIEVES ARE ESSENTIAL FOR A SUCCESSFUL PROJECT. LATER ON IN THE PROCEEDINGS YOU WILL HEAR FROM MARK RODGERS TALKING ABOUT AFFORDABLE HOUSING THAT'S REALLY WHAT WE WERE FOCUSING ON, REALLY IMPORTANT TO US. ALSO YOU WILL BE HEARING FROM SUSANA ALMANZA TALKING ABOUT AMONG OTHER THINGS SMALL AND MINORITY OWNED BUSINESSES. SENIORS NEXT STEPS, WE ARE URGING CAPITAL METRO AND THE CITY TO COMMIT FUNDS TO COMPLETE THE PLANNING PROCESS. IT IS NOT KNOWN HOW OR IF CAG RECOMMENDATIONS THAT RESULT FROM A COMMUNITY INPUT PROCESS AND IN RESPONSE TO THE MASTER PLAN WILL BE INCORPORATED. FUND MUST BE ALLOCATED TO ENABLE CONSULTANTS TO EXECUTE A MEANINGFUL INPUT PROCESS AND THEN TO BE ABLE TO REVISE THE MASTER PLAN BASED ON THAT INPUT. TO GIVE JUSTICE TO THE IMPORTANCE OF THE DEVELOPMENT OF

CAPITAL METRO'S 11-ACRE SITE MEANS A BALANCED AND SINCERE EFFORT MUST BE MADE TO MODIFY AND SHAPE THE MASTER PLAN IN WAYS THAT AFFECT THE IDEAS, GOALS AND SENSIBILITIES OF THE IMPACTED COMMUNITY. THIS HAS ALWAYS BEEN A PUBLICLY STATED GOAL OF ALL OF THE STAKEHOLDERS INVOLVED IN THIS PROJECT AND THE CAG. SECONDLY THE FINANCIAL RESPONSIBILITY THAT INCORPORATES THE RECOMMENDATIONS AS RELATES TO HOUSING, BUSINESS AND INFRASTRUCTURE NEEDS TO BE EXPLORED IN OUR NEW -- IN OUR VIEW THE IMPLEMENTATION OF A MASTER PLAN THAT INCLUDES THE LEVEL OF HOUSING, AFFORDABILITY, SMALL BUSINESS DEVELOPMENT AND INFRASTRUCTURE IMPROVEMENTS CANNOT BE FINANCE -- CAN -- CANNOT BE FINANCED THROUGH THE REDEVELOPMENT ITSELF. THE CITY OF AUSTIN'S NEIGHBORHOOD HOUSING COMMUNITY FWOMENT DEVELOPMENT OFFICE HAS ENGAGED DIANA MAC IVER AND ASSOCIATES [INDISCERNIBLE] IN THE TRANSIT ORIENTED DEVELOPMENT DISPOANS. THIS CONTRACT SHOULD BE EXPANDED TO INCLUDE A RESPONSE TO THE CAG RECOMMENDATIONS FOR THE SALTILLO T.O.D. SPECIFICALLY BENEFICIAL TO HAVE THEM REPORT ONLY ON THE FEASIBILITY BUT ON WHAT TOOLS ARE AVAILABLE THAT COULD BE -- THAT COULD HELP US ACHIEVE A MORE -- MORE TOWARDS ACHIEVING THE GOALS SET OUT BY THE CAG. FINALLY, THE CITY AND CAPITAL METRO SHOULD COMMIT TO CONTINUING SOME FORMAL COMMUNITY ADVISORY OR OVERSIGHT GROUP AS THE PLANNING MOVES FORWARDS INTO IMPLEMENTATION, SOMETHING SIMILAR TO THE AUSTIN REVITALIZATION AUTHORITY WHICH WAS ESTABLISHED AS A NON-PROFIT CO-DEVELOPER FOR PLANNING AND IMPLEMENTATION OF THE EAST 11th STREET, 11th AND 12th STREET CORRIDORS, I THINK THAT SHOULD BE CONSIDERED FOR THE SALTILLO DISTRICT AS WELL. WE HAVE WORKED DILIGENTLY TO PUT TOGETHER RECOMMENDATIONS WHICH WE BELIEVE WILL MAKE THE SALTILLO DISTRICT A PLACE WHERE THE PRESSURES OF ECONOMIC DISPLACEMENT CAN BE MITIGATED AND CREATES A BALANCE BETWEEN TRADITIONAL RESIDENTS AND BUSINESS OWNERS AND NEW RESIDENTS WHO WANT TO MAKE EACH AUSTIN THEIR HOME. IF WE DON'T PLAN IN A FAIR AND EQUITABLE WAY, WE WILL OPEN THE FLOODGATE THAT WILL COMPLETELY DISPLACE

EACH AUSTIN RESIDENTS -- EAST AUSTIN RESIDENTS. I ASKED TO BE ON THIS CAG IN THE FIRST PLACE, THAT'S THE REASON WHY I WANTED TO BE ON IT. TO SLOW THAT DOWN. I KNOW IT CAN'T BE PREVENTED BUT TO REALLY SLOW IT DOWN TO DO WHAT WE CAN TO PRESERVE THE CHARACTER OF THAT COMMUNITY. AND THE PEOPLE THAT -- TO PROTECT PEOPLE THAT ARE LIVING THERE NOW AS BEST WE CAN. IN CLOSING I WOULD LIKE TO INVITE THE AUSTIN COMMUNITY AND THE SALTILLO DISTRICT REDEVELOPMENT TO THE OPEN HOUSE WHICH WILL BE THIS SATURDAY THE 29th AT MARTIN MIDDLE SCHOOL ON HASKELL AND COMAL, OPEN TO THE PUBLIC, I WOULD LIKE TO TAKE THIS OPPORTUNITY TO INVITE ALL OF YOU AND ANYONE WHO IS -- WHO IS LISTENING. WITH THAT I WILL CLOSE AND I DO GENERAL APPRECIATE THE ACCOMMODATION AND GO BACK AND SEE WHAT WE ARE GOING TO DO ABOUT CIGARETTE TAXES NOW. [ APPLAUSE ] BUT I WILL BE HAPPY TO ANSWER ANY QUESTIONS. >>

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

BECAUSE THERE WAS ESSENTIAL THINGS, WE HAD TO KIND OF PRESENT OUR OWN IDEA. I REALLY HAVE FAITH THAT THE CAPITAL METRO AND THE CITY COUNCIL WILL ALSO TAKE THAT INTO CONSIDERATION AS WELL. SO -- THANK YOU. THANK YOU COUNCILMEMBER.

THANK YOU, REPRESENTATIVE. [ APPLAUSE ]

Leffingwell: MAYOR, I WOULD LIKE TO COMMENT, REPRESENTATIVE, THAT I LIKE YOUR SUIT. I THINK WE HAVE THE SAME TAILOR.

I APPRECIATE THAT, IN A FEW MINUTES WE WILL TAKE UP CITIZENS COMMUNICATION. WE HAVE A COUPLE OF ADDITIONAL FUNCTION THAT WILL TALK TO US MORE SPECIFICALLY ABOUT THE COMMUNITY ACTION GROUP. BACK TO OUR DISCUSSION COMMENTS, QUESTIONS? REGARDING FINANCIAL FORECAST. COUNCILMEMBER KIM? MR. STEPHENS, MR. CANALS, IF YOU CAN HELP YOU IN COMING ONE THE ESTIMATES FOR THE COST OF PUBLIC

SAFETY EXPENDITURES THROUGH FY 2011. WHEN I LOOKED AT THE NUMBERS, LOOKS FROM '04 '04 07 TO 08 ... CAN YOU PLEASE GIVE ME YOUR ASSUMPTIONS TO ARRIVE AT THESE NUMBERS? >

TOO FOR EACH OF THOSE COUNCILMEMBERS, THEY ARE BASED ON THE EXISTING CONTRACTS, CARRYING FORWARD THE EXISTING CONTRACTS OUT TO THE YEARS THAT THEY EXPIRE AND THEN ONWARDS. ALSO ANY OTHER COSTS, NOT PAY PERFORMANCE BUT DOWN BELOW THE LINE. IT AGAIN IS FOR FIRE AND POLICE DEPARTMENT, MAINTAINING THE CONTRACTS FOR THE E.M.S., 3.5% FOR THE PARAMEDICS PLUS A 2% PUBLIC SAFETY.

THE CONTRACT EXPIRES WHEN, FIRE AND POLICE, WHICH IS THE LARGEST SHARE OF THE PUBLIC SAFETY CLASS.

TWO MORE YEARS LEFT.

TWO MORE YEARS LEFT.

WHY DOES IT GO UP THEN IN 2009 BY 11%.

I HAVE TO LOOK AT THAT. I WILLS TO GET THAT INFORMATION TO YOU.

Kim: IF I DO MY OWN CALCULATIONS TAKE THE LOWEST OF THE THREE ACROSS THE YEARS, IT WOULD BE 5.2%. IF THAT'S THE INDICATES CASE THEN WE WOULD ARRIVE IN THE YEAR 2011 WITH A TOTAL COST FOR PUBLIC SAFETY OF -- OF LET'S SEE HERE. 28.57 MILLION, NOT 30.4 MILLION.

WHEB WE WILL GET YOU A BREAKDOWN, BUT THEY INCLUDE ESTIMATES NOT ONLY FOR WHAT'S INCLUDED IN THE CONTRACTS, BUT IT WOULD INCLUDE FOR EXAMPLE 2.0 OFFICERS PER THOUSAND, ANY ON PLAGUES INCREASES IN THE RELATED INCREASES IN OFFICERS AND IT WOULD ALSO INCLUDE THE OPENING OF ANY NEW FATALITIES THAT ARE SCHEDULED FOR THAT TIME. SO -- ANY NEW FACILITIES. IF THERE'S A FIRE STATION INCLUDED TO BE OPENED IN THAT YEAR, WE WOULD ADD IN THE O AND M FOR THAT YEAR.

IN FACT THERE IS, SCHEDULED OPENING OF THE AVERY

RANCH FIRE E.M.S. STATION.

OKAY.

Kim: THEN LOOKING AT GENERAL REVENUE FORECAST ON PAGE 19, THAT INCREASES I GUESS FOR 2008 5.7% SPEAKERS, ... THEN IT -- THE INCREASES BUT GOES DOWN FROM THE -- FROM THE PREVIOUS YEAR TO 4.7%. WHAT IS YOUR -- WHAT ARE YOUR ASSUMPTIONS TO ARRIVE AT THOSE NUMBERS.

FOR OUR SALES TAX ASSUMPTIONS WE GO 10% IN 2007, 7.5%, 6% AND -- LET ME GRAB THEM, IT'S ON THE SLIDE. 10%, 7.5%, 7%, 6% AND 6%. FOR OUR SALES TAX GROWTH. FOR OUR -- FOR OUR ASSESSED VALUATION, WE ARE SHOWING INCREASES IN OUR ASSESSED VALUATION AND AGAIN THIS IS ON SLIDE -- THIS IS ON SLIDE 10, 12.2% GROWTH IN, FOLLOWED BY 7% IN 2008, 5% IN 2009, 4.5 IN 2010 AND 3%.

Kim: WHERE ARE YOU GETTING THOSE NUMBERS FOR SALES TAX AS WE GET FARTHER OUT YOU ARE SAYING 6%, HOW DO YOU COME UP WITH THOSE NUMBERS.

AGAIN, JUST LOOKING AT OUR -- LOOKING AT BEING AGGRESSIVELY OPTIMISTIC ABOUT OUR FUTURE. WE KNOW THIS CURRENT YEAR WE ARE ALREADY UP 12.9%, WHICH IS ABOUT 6% HIGHER THAN WHERE WE HAD BUDGETED FOR. WE CONTINUE THAT AGGRESSIVE APPROACH IN 2007 WITH 10%. AND SO WE ARE SHOWING A MODERATE GROWTH RATES AFTER THOSE FIRST TWO YEARS GOING FORWARD.

IF WE LOOK AT PROPERTY TAX REVENUES AND THEY ARE PRETTY MUCH CONSERVATIVE IN TERMS OF ESTIMATES AND YOU ARE USING SALES TAX, I LOOK ACROSS THE DIFFERENT TOTAL REVENUE NUMBERS ACROSS THE YEARS, THERE'S AN AVERAGE OF 5.5% INCREASE. PER YEAR. IF WE USE THAT NUMBER, THEN IF I APPLY THAT NUMBER TO 2011, WE WOULD GET AN INCREASE OF -- TO A TOTAL OF 33.3 MILLION ADDITIONAL NEW REVENUE AND USING THAT NUMBER BASED ON THE PUBLIC SAFETY COSTS, USING A 5.2% ESTIMATE THAT SHOWS THAT OUR PUBLIC SAFETY EXPENDITURES AND PERCENTAGE OF GENERAL REVENUE IS 85.8% NOT 123 PERCENT, I WOULD LIKE TO GET MORE INFORMATION ON HOW WE ARRIVED AT THESE NUMBERS, IF



WE ARE GOING TO BE MAKING POLICY DECISIONS ON WHAT PUBLIC SAFETY SHOULD BE AS A PERCENT OF THE BUDGET AND TALK ABOUT CUTS IN THE VERY NEAR FUTURE, I THINK WE NEED TO BE REALISTIC AS WHO THOUGH ASSUMPTIONS ARE AND DEGREE WITH THOSE.

WE WILL GET YOU THOSE.

Alvarez: I THINK ONE THING THAT I DIDN'T SEE IN THE REPORT, ALL OF THE INFORMATION THAT WE HAD BEEN READING IN THE PAPER ABOUT THE SALES TAX, EXCEEDING OUR PROJECTION, KNOW THAT AS A RESULT OF THAT WE ARE BEING VERY AGGRESSIVE IN OUR PROJECTIONS FOR NEXT YEAR. IF YOU COULD -- COULD YOU OUTLINE WHAT OUR PROJECTIONS WERE FOR THE CURRENT FISCAL YEAR, WHERE WE ARE AND HOW -- WHAT THAT MEANS IN TERMS OF ADDED REVENUE?

SURE, COUNCILMEMBER. AGAIN WE ARE SHOWING UP 12.9% YEAR TO DATE, SO WE ARE INCREASING OUR SALES TAX PROJECTIONS FOR THIS YEAR. FROM -- FROM 6.1% BUDGETED UP TO 10% WE ARE SHOWING UP -- WE HAD BUDGETED FOR \$131 MILLION IN SALES TAX REVENUE, [INDISCERNIBLE] \$135 MILLION.

Alvarez: AN EXTRA 4 MILLION THAT WE ARE PROJECTING WE WILL HAVE.

THAT'S CORRECT.

Alvarez: THANKS.

Futrell: I THINK ALSO REMEMBERING THAT YOUR SALES TAX NUMBER IS A COMPARISON OF ACTUALLY YEAR TO YEAR AND MONTH ON MONTH. SO WHEN YOU HAVE A REALLY POSITIVE INCREASE ONE YEAR THAT INCREASE THE NEXT YEAR IS ABOVE THAT INCREASE. WHICH IS WHY YOU WILL SEE IT BEGINNING TO DECREASE IN THE OUTLYING YEARS, BECAUSE IT'S ONLY SO MUCH THAT YOU BELIEVE IT'S GOING TO BE ABLE TO GROW OVER TIME.

COUNCILMEMBER LEFFINGWELL.

Leffingwell: FOLLOWING ON WITH THAT, LOOKING AT PAGE 25, NOTE THAT THERE'S A DEFICIT EVERY YEAR EVEN WITH THAT ROSY SCENARIO FROM THE SALES TAX. IF I READ IT CORRECT, THAT INCLUDES ONLY BASE BUDGET PLUS COST DRIVERS, IS THAT CORRECT.

THAT'S CORRECT, COUNCILMEMBER.

THAT REFLECTS THE 10% DECLINING DOWN TO 6% OVER THAT PERIOD IN SALES TAX REVENUES.

THAT IS CORRECT.

AND I'M JUST WONDERING, I BELIEVE THAT I HEARD YOU SAY THAT CAPITAL METRO HAD -- HAD A SALES TAX INCREASE FORECAST OF 5%, COULD YOU COMMENT ON WHY THEY PICKED THAT LOW NUMBER AND WHY YOU PICKED THE HIGHER NUMBER?

I'LL ANSWER THE QUESTION. WE PUSHED THIS NUMBER. WOE MADE A DECISION TO PUSH THIS NUMBER HARD. YOUR NUMBERS ARE RIGHT NOW ARE COMING IN STRONG ON SALES TAX. CAPITAL METRO TOOK THIS NUMBER, THEY LOOKED AT IT HISTORICALLY OVER A LONG PERIOD OF TIME. IF YOU LOOK HISTORICALLY OVER A LONG PERIOD OF TIME, YOU ARE GOING TO SEE A MUCH LOWER AVERAGE. THEY PICKED THAT LOWER AVERAGE AND FORECASTED IT OUT. BUT WHAT WE HAVE DONE IS WE HAVE TAKEN A LOOK AT A VERY STRONG YEAR AND A FORECAST FOR STRONG YEAR NEXT YEAR. AND THEN BEGAN TO TO BACK IT DOWN. SO OURS IS A MORE AGGRESSIVE AND MORE OPTIMISTIC CHOICE BUT IN A FORECAST, YOU ARE MAKING CHOICES ABOUT WHAT YOU BELIEVE IS GOING TO HAPPEN IN THE FUTURE. OVER TIME YOU ARE GOING TO AVERAGE BACK TO A SMALLER NUMBER AND IT'S JUST WHEN YOU BELIEVE YOUR HIGH NUMBERS ARE GOING TO BE THERE, IF YOU REMEMBER YOU HEARD GREG SAY WE KNOW THAT AT SOME POINT IN TIME THIS SALES TAX NUMBER IS GOING TO FLATTEN OUT AND THEN JUST LIKE WE EXPERIENCED DURING THE DOWNTURN IT WILL GO NEGATIVE. IT'S JUST A QUESTION OF WHEN. AND DO WE BELIEVE THAT'S GOING TO HAPPEN IN OUR FIVE YEAR WINDOW THAT WE ARE FORECASTING. I UNDERSTAND THAT AND I THINK THAT YOU

HAVE MADE A GOOD SOUND FORECAST IN THIS CASE ALL THE SAME, KNOWING THAT SALES TAX IS ESPECIALLY VOLATILE, IF WE HAD A DOWNTURN A COUPLE OF YEARS FROM NOW, THAT NUMBER COULD GO NEGATIVE REAL FAST AND -- AND I WOULD JUST BE CURIOUS IF YOU HAVE A FEEL FOR -- FOR WHAT THE DEFICIT WOULD BE IF YOU USE THE CAPITAL METRO FORECAST OF 5%.

Futrell: IN FACT WE WILL RUN THAT NUMBER FOR YOU. WE ACTUALLY STARTED AT A FORECAST VERY SIMILAR TO THAT.

Alvarez: ON THAT -- ON THAT CAPITAL METRO PROJECTION, I -  
- AS THE CITY MANAGER ALLUDED TO WAS BASED ON LOOKING I THINK 10 YEARS WORTH OF DATA BECAUSE IT WAS -- WE WERE USING THAT TO DO I THINK A 20 YEAR PROJECTION INTO THE FUTURE. SO THE WAY AT LEAST THE WAY THAT WE ARRIVED AT THAT NUMBER WITH CAPITAL METRO WAS BASED ON LOOKING AT A 20 YEARS INTO THE FUTURE AND WHAT SHOULD WE EXPECT VERSUS THIS, WHICH IS MORE OF A SHORT-TERM FORECAST AND THERE'S A LOT -- THERE ARE A LOT OF VARIABLES THAT ARE HARD TO PREDICT. SO -- THAT'S --

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Dunkerly: COUNCILMEMBER LEFFINGWELL'S COMMENTS ARE VERY APPROPRIATE. IF YOU RECALL, SEVERAL YEARS AGO, WHEN THE GULF WAR STARTED IN AUGUST, WE WERE JUST GOING INTO OUR BUDGET YEAR. BY OCTOBER AND NOVEMBER, OUR SALES TAX PROJECTIONS HAVE DROPPED PRECIPITOUSLY. WE IMMEDIATELY WENT INTO A COST CONTAINMENT MODE, FREEZES ALL POSITIONS, ALL UNNECESSARY PURCHASES. BY JANUARY THE WAR END ENDED. BY THE FOLLOWING SEPTEMBER THE SALES TAX RECOVERED. THAT DOESN'T ALWAYS HAPPEN. SO I WOULD LIKE TO -- TO REMIND THE STAFF THAT -- THAT WHEN WE DO THESE, YOU KNOW, I THINK APPROPRIATE BY AGGRESSIVE NUMBERS, WE REALLY DO HAVE TO CONTINUE AS YOU ALWAYS DO TO MONITOR THOSE AND GIVE US A HEADS UP WHEN WE SEE IT GOING SOUTH SO THAT YOU AND THE CITY MANAGER AND ALL OF US CAN TIGHTEN OUR BELTS. SO THANK YOU COUNCILMEMBER LEFFINGWELL FOR BEING

CAUTIOUS. IT'S SOMETHING THAT -- THAT WE NEED TO DO.

OF ALL OF YOUR NUMBERS, YOUR SALES TAX NUMBER IS YOUR MOST VOLATILE NUMBER. IF YOU REMEMBER AFTER SEPTEMBER 11TH THAT NUMBER CRASHED WITHIN MONTHS AND IT TOOK A GREAT PERIOD OF TIME FOR IT TO RECOVER. IT WAS MANY YEARS. BEFORE IT CAME BACK UP. SO IT IS VERY -- IT IS A VERY DIFFICULT NUMBER TO PROJECT AND IT IS A DIFFICULT NUMBER TO RELY ON. CURRENTLY, WE HAVE REDUCED OUR RELIANCE ON SALES TAX AS A PERCENT OF OUR OVERALL GENERAL FUND FUNDING. SO WE -- WE ARE IN PRETTY GOOD STEAD IN TERMS OF OUR RELIANCE ON SALES TAX. BUT YOU ARE RIGHT, WHY WE HAVE POINTED IT OUT TO YOU, THIS IS A VERY AGGRESSIVE, VERY OPTIMISTIC LOOK AT SALES TAX, PARTICULARLY IN THE FRONT COUPLE OF YEARS OF THIS FORECAST.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

I WANTED TO FOLLOW UP WHAT I THINK WERE VERY HELPFUL QUESTIONS FROM COUNCILMEMBER KIM. MY UNDERSTANDING IS THAT WE HAVE POLICIES IN PLACE THAT ARE THE FOUNDATION OF THE COST DRIVERS IN PUBLIC SAFETY AND THEY ARE FOR INSTANCE 2.0 OFFICERS PER THOUSAND THAT MEANS THAT WE ARE, YOU KNOW, KIND OF FROM A STATISTICALLY OBLIGATED TO INCREASE POLICE OFFICERS, NOT BASED ON ANNUAL BUDGET DECISIONS BUT BASED ON THOSE POLICIES. I BELIEVE THAT IS, YOU KNOW, FOR THE MOST PART A GOOD POLICY. THAT SAID, THAT WILL REQUIRE US TO ADD IN -- IN EVERY OTHER DEPARTMENT IN THE CITY, WE MAKE AN INDIVIDUAL ANNUAL DECISION ABOUT WHETHER TO ADD EVEN SINGLE EMPLOYEES, THEY ARE CALLED STRATEGIC ADD-BACKS, WE DON'T MAKE THOSE DECISIONS IN PUBLIC SAFETY. THEY ARE LOCKED IN. NOT ONLY THAT, BUT IF WE ARE ASSUMING A 5.5 OR 6% SALARY GROWTH RATE COMPOUNDED ON PUBLIC SAFETY, WHICH IS NOT THE CASE FOR THE REST OF THE CITY WORKFORCE, WHAT HAPPENS IS THAT YOU HAVE THE COMBINATION OF -- OF LOCKED IN INCREASES IN STAFFING, ONLY IN PUBLIC SAFETY, NOWHERE ELSE IN THE BUDGET, YOU CAN -- YOU CAN PEG THAT TO POPULATION GROWTH. IF YOU KNOW WHAT OUR -- CORRECT ME IF I'M WRONG, BUT IS THE POPULATION GROWTH -- AS THE POPULATION GROWS,

WE LOCK INTO THE FORECAST THAT THERE WILL BE ALSO AN INCREASE IN THE NUMBER OF PUBLIC SAFETY PERSONNEL. THEN THEY ARE -- THEY ARE GETTING PAY RAISES AT A HIGHER RATE THAN THE REST OF THE CITY WORKFORCE. SO THAT'S WHERE YOU GET THE DELTA AND FOR INSTANCE THAT'S WHERE YOU GET THE NEW FIRE STATIONS THAT ARE REQUIRED TO BUILD IT. THEY ALL GET BIGGER PAY RAISES THAN ANYBODY ELSE IN THE CITY.

THAT MAY BE GOOD. THOSE ARE POLICY DECISIONS THIS COUNCIL MAKES. THINKI THINK IT WOULD BE GOOD TO SEE ALL OF THE UNDERLYING CODE AND DATA. CERTAINLY IN THE THREE YEARS THAT I HAVE BEEN HERE, 1999 TO 2004, IT'S CERTAINLY HAPPENED -- TO 2005 IT'S CERTAINLY HAPPENED WHERE AN ENORMOUS GAP OPENED IT, COMBINATION OF POPULATION GROWTH, LOCKING IN THE INCREASES IN STAFFING, CUTTING STAFFING LEVELS, LOCKING IN THOSE PAY RAISES EVERY YEAR, THE SAME WE ARE CUTTING WORKFORCE AND HOLDING SALARIES FLAT FOR EVERYBODY ELSE. THAT'S WHERE THAT PERCENTAGE ZOOMS UP. WE HAVE NOT REALLY CHANGED THE STRUCTURE -- WE WERE -- WE ARE CERTAIN TO GET A SLIGHT DECREASE IN THE LEVEL OF THE SPIKE, BUT THE SPIKE IS STILL THERE AND IT COMPOUND ITSELF ANNUALLY. THAT'S OUR CHALLENGE. THAT'S WHY I THINK WE NEED THE DATA. WE HAVE AN IMPORTANT DECISION TO MAKE IN TWO YEARS AS WE NEGOTIATE FIRE AND POLICE AT THE SAME TIME ABOUT WHAT PERCENTAGE WE WANT TO SET AND, YOU KNOW, MY EXPERIENCE, THE DATE THAT THAT YOU HAVE DONE BEFORE US, WE ARE GOING TO SEE CUTS TO CODE ENFORCEMENT, CUTS TO PARKS, LIBRARY, SUGGEST AFTER SCHOOL -- SHUTTING AFTER SCHOOL CLINICS, PROGRAMS, IF WE DON'T GET CONTROL OF THE SITUATION. THE BEST DATA POSSIBLE WOULD BE GOOD. I THINK IT WOULD BE HELPFUL TO US.

WHAT WE ARE GOING TO DO FOR YOU ALL, TAKE YOU EACH YEAR AND GIVE YOU EACH OF THE REVENUE ASSUMPTIONS AND EACH OF THE EXPENDTURE ASSUMPTIONS SO YOU CAN ABSOLUTELY TRACK THE WAY THAT GRAPH MOVES YEAR BY YEAR AND IT IS HARD TO UNDERSTAND BECAUSE IT'S SOMETHING LIKE THE OPENING OF A STATION WILL MAKE IT SPIKE. IF A REVENUE PROJECTION IN AN OUTLYING YEAR

DECREASES BECAUSE WE ARE BEGINNING TO DOWN THE PROJECTION ON SALES TAXES THAT WILL ALSO MAKE IT SPIKE. WE WILL SHOW YOU ON BOTH SIDES WHAT WILL HAPPEN ON THE CHART.

THAT WOULD BE HELPFUL ESPECIALLY IF WE ARE LOOKING AT THE NUMBERS FOR 2011 IT CAUSES A LOT OF ALARM. I THINK WE HAVE A RESPONSIBILITY TO SHARE WITH PEOPLE WHERE WE ARE GETTING INFORMATION AND ASSUMPTIONS THAT WE ARE MAKING. THANK YOU.

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

Thomas: I DO SAY THAT JUST BECAUSE THE ECONOMY AND EVERYTHING HAS GONE UP, I THINK THAT I ASKED THIS MAYBE THREE OR FOUR YEARS AGO, WHAT ARE WE DOING TO MAKE SURE WE WON'T BE IN THE SAME CRUNCH THAT WE WERE IN THE 90s. I THINK WE SHOULD -- THE COST FACTOR EVEN IN THE PUBLIC SAFETY, I THINK WHAT COUNCILMEMBER KIM SAID WAS CORRECT, I THINK WE ALSO HAVE TO SIT DOWN AND AS MAYOR AND COUNCIL MAKE IT CLEAR HOW WE ARE PUBLIC SAFETY IS CONTINUING DECLINING, WHAT WE -- INCLINING -- INCLINING, WHAT CAN WE DO, THOSE THINGS WE HAVE TO BE HONEST UP FRONT, GETTING PREPARED FOR THE MEET AND CONFER, I THINK WE NEED TO BE A LITTLE BIT MORE OPEN AND LET THEM KNOW HOW DEFINITELY IT'S GOING TO -- I THINK OUR PUBLIC SAFETY UNDERSTAND THAT WE ARE AT A TIME THAT WE ARE GOING TO HAVE TO SCALE BACK A LITTLE BIT. BUT SIT BACK -- I KNOW THAT'S NEGOTIATION, BUT I THINK AS MAYOR AND COUNCIL WE HAVE TO BE STRONG AND HAVE A -- A FORECAST LETTING YOU KNOW WHAT'S GOING ON. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? THANK YOU MR. STEPHENS, MR. McNALLY. WE APOLOGIZE FOR THE LATENESS OF THE HOUR, OUR CITIZENS FROM NOON. WE HAVE HEARD FROM STATE REPRESENTATIVE EDDIE RODRIGUEZ EARLIER. REGARDING THE SALTILLO PLAZA ACTION GROUP, MARK RODGERS FOLLOWED BY SUSANA ALMANZA. I AM MARK ROGER, I WANT TO THANK YOU FOR APPOINTING ME TO THE CAK. IT IS OUR DUTY TO ADVISE YOU

AND CAPITAL METRO BOARD ADVISING THE MASTER PLAN, WE ARE HERE TO BEGIN FULFILLING THAT CHARGE. AS YOU ARE PROBABLY AWARE THE ROMA DESIGN GROUP PRODUCED A DRAFT MASTER PLAN FOR THE REDEVELOPMENT OF THE 11-ACRE SALTILLO DISTRICT LAST SEPTEMBER. IN DECEMBER, YOU FELTLY, CAPITAL METRO AND CITY STAFF INFORMED US THAT THERE WOULD BE ONLY ONE COMMUNITY INPUT MEETING, AND THAT FUNDS WERE NOT AVAILABLE TO INCORPORATE INTO THE MASTER PLAN ANY CHANGES OR RECOMMENDATIONS THAT CAG MIGHT MAKE. SO WE ARE HERE TO LET YOU KNOW OUR THOUGHTS. AS IT IS THE ROMA PLAN MIGHT PRODUCE A SUCCESSFUL TRANSIT ORIENTED DEVELOPMENT, [INDISCERNIBLE] WHICH BY THE WAY ROMA FAILED TO INCLUDE IN THEIR DRAFT PLAN, THE REDEVELOPMENT WOULD HAVE A RATHER HEALTHY PERCENTAGE OF AFFORDABLE HOUSING, THANK FOR YOU COUNCILMEMBER ALVAREZ MAKING SURE OF THAT BACK WHEN YOU DRAFTED UP THE T.O.D. ORDINANCE. EVEN THOUGH THE DRAFT PLAN IS A REST RECIPE FOR FAILURE. IT FAILS TO MEET ITS OWN GOAL. IT STARTS, THE YOANCH ARCING GOAL IS TO DEVELOP A PLAN THAT PRESERVE, PROTECT, ENHANCES THE UNIQUE QUALITIES AND SOCIO-ECONOMIC FABRIC OF THE SURROUNDING NEIGHBORHOOD. WHAT IS THE FABRIC? THE FABRIC OF THE NEIGHBORHOOD SURROUNDING THE SALTILLO DISTRICT IS MADE UP OF FAMILIES, FAMILIES WITH GENERATIONS OF HISTORY, OFTEN LIVING SEVERAL BLOCKS FROM GREAT GRANDMOTHER, SMALL BUSINESS, CHURCHES, CANTEENS MUSIC AND SCHOOLS, OLD AND YOUNG HAVE STRUGGLED TOGETHER TO IN A LIVING, CRAFTED BY THE WORKING POOR. THE CRAG CAG HAS WORKED HARD FOR THE GOALS. THE CAG IS MAKING THREE MAIN RECOMMENDATIONS FOR AFFORDABLE HOUSING. FIRST RECOMMENDING TWICE AS MUCH AFFORDABLE HOUSING AS REQUIRED BY THE T.O.D. ORDINANCE. WHEREAS THE T.O.D. ORDINANCE REQUIRES 25% OF ALL HOUSING UNITS MUST BE AFFORDABLE, WE RECOMMEND 50% BE AFFORDABLE. IN ESSENCE IT FILLS AN AFFORDABILITY GAP. THE T.O.D. ORDINANCE REQUIRES THAT AFFORDABLE OWNERSHIP BE SOLD TO PERSONS WITH INCOMES AT OR BELOW 60% OF THE AUSTIN MEDIAN FAMILY INCOME AND AFFORDABLE RENTALS FOR PERSONS THAT

INCOMES -- WITH INCOMES AT OR BELOW 50% OF THE MFI. RECOMMENDS AN ADDITIONAL 25% OF ALL OWNERSHIP UNITS BE FOR PERSONS BETWEEN 60 AND 80% MFI, 25% FOR RENTERS BETWEEN 50 AND 60%, THE SECOND RECOMMENDATION SPECIFIC GOALS FOR THE PERCENTAGE OF RENTAL AND OWNERSHIP UNITS. BECAUSE APPROXIMATELY 60% OF THE HOUSING UNITS IN THE SURROUNDING NEIGHBORHOODS ARE OWNER OCCUPIED, A SIMILAR RATIO, 60% OWNERSHIP AND 40% RENTAL RECOMMENDED FOR THE SALTILLO DISTRICT. FINALLY, I FEEL MOST IMPORTANTLY THE CAG REPORT MAKES SPECIFIC RECOMMENDATIONS REGARDING UNIT SIZES [BUZZER SOUNDING] NEARLY 1,000 UNITS OF HOUSING HAVE BEEN DEVELOPED OR ARE BEING DEVELOPED TODAY BY FOR PROFIT DEVELOPERS WITHIN A MILE OF SALTILLO DISTRICT OF THESE 1,000 UNIT, NOT ONE IS A THREE BEDROOM OR FOUR BEDROOM UNIT. 0 OUT OF A THOUSAND. ONLY IF THE SALTILLO REDEVELOPMENT CONTAINS THREE AND EVEN FOUR BEDROOM UNITS WILL BE ABLE TO PRESERVE, PROTECT AND ENHANCE THE SOCIO-ECONOMIC FABRIC OF THE SURROUNDING NEIGHBORHOOD, THE SALTILLO REDEVELOPMENT PROVIDES A REMARKABLE OPPORTUNITY FOR AUSTIN TO CREATE A MODEL THAT SHINES FOR THE NATION, LET'S DO IT. THANKS.

THANK YOU, SUSANA ALMANZA I LET MR. RODGERS USE UP A COUPLE OF YOUR SECONDS.

I WILL TAKE SOMEONE ELSE'S. GOOD AFTERNOON, MAYOR AND MAYOR PRO TEM AND COUNCILMEMBERS. MY NAME IS SUSANA ALMANZA, I REPRESENT PODER AND I'M CO-CHAIR OF THE COMMUNITY ADVISORY GROUP CAG FOR THE SALTILLO DISTRICT REDEVELOPMENT PLAN. IN ADDING COMMERCIAL DEVELOPMENT THE GOAL SHOULD BE TO ENSURE THAT EXISTING BUSINESSES ARE NOT DISPLACED BY NEW DEVELOPMENT. THE NEW DEVELOPMENT SHOULD ENHANCE THE GOOD QUALITIES, RESPECT THE CULTURAL HERITAGE AND REVITALIZE WITHIN A COMMUNITY CONTEXT RATHER THAN IN ISOLATION. IT MUST BE RECOGNIZED THAT CREATING A SUCCESSFUL TRANSIT DISTRICT IS NOT THE MAIN GOAL. INSTEAD THE OVERARCHING GOAL IS TO CREATE A CULTURAL DISTRICT WITH A VITAL TRANSIT COMPONENT THAT ENHANCES A SOCIO-ECONOMIC FABRIC



OF EXISTING COMMUNITY. [ APPLAUSE ] PLAZA SALTILLO WAS CREATED IN LARGE PART BECAUSE AN INITIATIVE CALLED ONLY MEXICO ORGANIZED IN 1992 BY BUSINESS OWNERS IN THE EAST SIXTH AND 7th STREET AREA. THE DREAM OF OLE MEXICO WAS TO CREATE A VIBRANT COMMERCIAL DISTRICT EVOKING THE LATINO HERITAGE OF THIS PARTICULAR AREA OF AUSTIN THAT WOULD SERVE BOTH AS A CULTURE DISTRICT AND A TOURIST DRAW. IT APPEARED THEN AS IT DOES TODAY THAT DESPITE A HISTORIC PRESENCE OF THE LATINO COMMUNITY, SINCE ITS FOUNDING AUSTIN LACKS A TYPE OF COMMERCIAL HEART TO WHICH IT COULD CELEBRATE THE MUSIC, ART, FOOD, CULTURE OF ITS AT LATINO POPULATION. IT WAS MEANT TO BE CATALYST. THE REDEVELOPMENT OF THE CAPITAL METRO SITE AND THE SURROUNDING COMMUNITY IS THE OPPORTUNITY TO REALIZE HAS DREAM BEGUN OVER A DECADE AGO WITH OLE MEXICO. THE CREATION OF A LIVELY COMMERCIAL DISTRICT SHOULD FOCUS ON THE AREAS CLOSEST TO PLAZA SALTILLO, SALTILLO SHOULD BE DEVELOPED IN THIS AREA. MORE INFORMATION IS PROVIDED IN OUR REPORT. IN ADDING THE LAND DISPOSITION AND DEVELOPMENT STRATEGIES THAT CAG RECOMMENDS THE SATELLITE REDEVELOPMENT PROJECT BE IMPLEMENTED WITHIN AN ORGANIC DEVELOPMENT STRATEGY. THIS STRATEGY SEEMS BEST SUITED TO SLOW OR COUNTER ACT THE GENTRIFICATION OF EAST AUSTIN. FAR MORE LIKELY TO INVOLVE SMALLER, LOCAL DEVELOPERS AND NON-PROFITS. IN CONTRAST TO A MASTER DEVELOPMENT STRATEGY, IT WOULD BE EASIER TO FOCUS DEVELOPMENT THAT IS PHASED IN OVER TIME, TRACT BY TRACT ON PROVIDING OPPORTUNITIES FOR BOTH EXISTING EAST AUSTIN RESIDENTS AND AS WELL AS FOR NEW MEMBERS OF COMMUNITY. AN ORGANIC STRATEGY TO THE PROJECT AND CAPITAL MET DRAFT SUGGEST. IT PUTS MAJOR IMPORTANCE ON INVOLVING LOCAL INVESTORS, ARCHITECTS, CRAFTSMEN, BUSINESS PEOPLE, NON-PROFIT COMMUNITY ORGANIZATIONS AND THE RESIDENTS OF EAST AUSTIN USING A PHASED AND ORGANIC DEVELOPMENT STRATEGY WOULD BENEFIT ALL STAKEHOLDER WITHOUT ALIENATING ANY ONE OF THESE GROUPS. THE CAG RECOMMENDS THAT RATHER THAN HAVING ONE MASTER DEVELOPER, THERE SHOULD BE MULTIPLE DEVELOPERS AND INVESTORS

WORKING ON THE PROJECT UNDER THE DIRECTION OF EXPANDED COMMUNITY ADVISORY BOARD. THANK YOU FOR YOUR CONSIDERATION. OUR NEXT SPEAKER IS NAILAH SANKOFA, THREE MINUTES, FOLLOWED BY DANIEL LLANE, FOLLOWED BY LEROY NELLIS.

GOOD AFTERNOON, MAYOR, COUNCILMEMBERS. MY NAME IS NAILAH SANKOFA, HERE TO SPEAK ABOUT A COUPLE OF THINGS IN THE THREE MINUTES THAT I HAVE. ONE IS TO -- TO -- SORT OF CHIME IN ON WHAT'S BEEN TALKED ABOUT THE PLAZA SALTILLO, BUT BASICALLY FROM A DIFFERENT SORT OF PERSPECTIVE WITH ARTS AND CULTURE IN EAST AUSTIN AS IT RELATES TO BLACK ARTISTS. I DON'T KNOW IF ANY OF YOU ARE AWARE ABOUT THE EAST SEVENTH STREET ART WALL PROJECT THAT IS -- UP FOR TO HAVE ART WORK AS A PUBLIC ART PROJECT IT -- THE ART TEST THAT WAS SELECTED FOR THAT PROJECT ARTIST THAT WAS COLLECTED FOR THAT PROJECT WHICH A LOT OF PEOPLE IN THE COMMUNITY FELT SHOULD HAVE BEEN A BLACK ARTIST, I WAS ONE OF 13 ARTISTS NOMINATED FOR THE PROJECT. I'M HERE SPEAKING TO YOU NOT BECAUSE I WASN'T SELECTED AND I'M BEING A SORE LOSER, IT'S BECAUSE ONCE AGAIN I DON'T KNOW WHAT IT IS ABOUT MAYBE IT'S JUST AUSTIN OR SOMETHING, THAT BLACK ARTISTS ALWAYS HAVE TO COMPROMISE WHEN IT'S TIME FOR US TO -- WHEN WE ARE FACED WITH THE RARE OPPORTUNITIES TO HAVE PARTICIPATE IN PUBLIC ART PROJECTS. AND THIS IS NOT AN AIPP PROJECT THAT'S BEING MANAGED BY AIPP, BUT THE MONEY FOR DID PROJECT CAME FROM THE COMMUNITY. AND YET ONCE AGAIN WE ARE GOING TO HAVE SOMEONE ELSE OUTSIDE OF US TELLING OUR STORY AND PORTRAYING US WHATEVER THAT MEANS. I HIGHLY OBJECT TO THAT. SO DO A LOT OF OTHER PEOPLE. I WISH THAT THEY WOULD HAVE BEEN HERE WITH ME NOW OR I HOPE THAT YOU ALL ARE UNFORTUNATELY INUNDATED BY PHONE CALLS AND E-MAILS ABOUT THIS. AND I WOULD REALLY, REALLY LIKE FOR YOU ALL TO RESPOND TO IT AT SOME POINT BECAUSE I DO PLAN ON RAISING A LOT OF COMMOTION ABOUT THIS AND IT GOING TO GET UGLY. THEN ON AN UP NOTE, I AM ORGANIZING SEVERAL ART EVENTS IN EAST AUSTIN AND ONE OF WHICH HAPPENS THIS WEEKEND, I WILL GIVE YOU PASS AROUND MOSAIC RHYTHMS, MULTI-

ETHNIC, STIEWR, STUDIO, FUNDRAISER FOR AN ARTIST WHO IS HOMELESS, WE ARE GOING TO HAVE GREAT LIVE MUSIC AND FOOD AND -- JUST WONDERFUL ART AND SOME EVEN ART DEMONSTRATIONS BY -- BY SEVERAL OF THE ARTISTS THIS WEEKEND, IT'S A THREE DAY EVENT AND I HOPE THAT -- THAT YOU ALL WOULD -- WOULD COME AND THE COMMUNITY AS WELL, TO SUPPORT THESE ARTISTS IN EAST AUSTIN. THANK YOU VERY MUCH. [BUZZER SOUNDING]

I DID RECEIVE YOUR E-MAIL, I DID TALK TO STAFF ABOUT THE SELECTION PROCESS, I THINK IT WAS THE PROCESS OF DEALING WITH SOMEBODY, PART OF THE COMMUNITY. PART OF -- OF THE ALUMNI FROM HT UNIVERSITY. AM ON THE RIGHT TRACK?

TWO OF THEM WERE, BUT THEN YOU WOULD THINK THEY WOULD KNOW BETTER, THAT'S MY RESPONSE.

Thomas: I WOULD BE GLAD TO SIT DOWN AND TALK TO YOU.

THANK YOU. DANIEL LLANE, WELCOME, THREE MINUTES FOLLOWED BY LEROY NELLIS.

THANK YOU MAYOR AND COUNCIL, IT'S NICE TO SEE AN ALMOST FULL COUNCIL. I'M HERE TO TALK ABOUT STAFF PARTICIPATION IN THE DECISION MAKING PROCESS AT ALL LEVELS OF GOVERNMENT. IT'S DIVINE INTERVENTION I GUESS BECAUSE THE SALTILLO SITUATION IS ANOTHER EXAMPLE, EVEN THOUGH IT'S CAPITAL METRO, IT THE SAME KIND OF A THING. IF YOU ALL HAVE EVER SEEN THAT MOVIE BRAZIL, HAVE YOU SEEN THAT MOVIE? ARE YOU AWARE OF THE MOVIE BRAZIL, ALL OF YOU SHOULD LOOK UP THAT MOVIE. MADE IN THE 80s I THINK OR 70s. IT'S ABOUT INFORMATION RETRIEVAL. IN THE MOVIE INFORMATION RETRIEVAL OR CITY STAFF BECOMES THE MOST POWERFUL ELEMENT OF THE CONSULT CULTURE, THE ENTIRE CULTURE. HAVING SAID THAT, ALL TOO OFTEN IN TOO MANY AREAS OF THE BUREAUCRACY STAFF ARE TOO CONTROLLING WITH THE INFORMATION. AND WITH THE DECLARATION THAT THEIR VIEW AND THEIR PERSPECTIVE ARE THE OFFICIAL CITY POSITION. ONE EXAMPLE, RECENT EXAMPLE IS THE GREEN WATER TREATMENT PLANT. THIS ILLUSTRATES LIKE THE SALTILLO DISTRICT THING AND THE ARTS ILLUSTRATE

THE GROWING PAINS OF DEMOCRACY. I FEEL LIKE WE ARE ON THE M OF DEMOCRACY. DEMOCRACY IS STILL UNFOLDING. WE ARE SHIFTING FROM AN OLD PARADIGM OF GOVERNANCE BY THE FEW RICH AND POWERFUL TO ONE OF GOVERNANCE OF AND BY THE PEOPLE. AND WE STILL DO NOT HAVE ENOUGH MECHANISMS IN PLACE FOR THE PEOPLE TO PARTICIPATE AS GOVERNMENT. LET US REMEMBER WE DO NOT LIVE UNDER KINGS AND LORDS, EVEN THOUGH THE SHADOW OF THAT OLD PARADIGM IS STILL WITH US. YOU KNOW THE IDEA THAT SOME PEOPLE ARE MORE IMPORTANT THAN OTHERS AND MAYOR WITH ALL DUE RESPECT, YOU JUST ILLUSTRATED THAT TO ME WHEN YOU ALLOWED REPRESENTATIVE RODRIGUEZ TO GO AHEAD OF EVERYBODY BECAUSE HE'S VERY BUSY. BUT THESE CITIZENS ARE ALSO VERY BUSY AND THEY SHOULD HAVE BEEN AFFORDED THE SAME RESPECT. THE LESSON HERE IS THAT WE ARE THE PEOPLE, ALL OF US ARE THE CITY. THE STAFF AND ELECTED OFFICIALS WORK WITH AND FOR ALL OF US, BUT ALL TOO OFTEN WE HEAR STAFF DECLARE THAT THEIR OPINIONS REPRESENT THE CITY. THEY ARE ALSO RELUCTANT TO SHOW TRANSPARENCY WHICH ALWAYS RAISES A QUESTION ABOUT THE PROP PRIORITY OR LEGALITY OF SUCH ACTIVITIES. PROPRIETY. WHAT EXAMPLE IN THE NEIGHBORHOOD PLANS, ALL STAKEHOLDER, BUSINESSES, DEVELOPERS HAD THE OPPORTUNITY TO CREATE THE STAFF -- PLANS TOGETHER, WHICH REFLECT A COLLECTIVE WILL. YET STAFF MAINTAINS A DEVISIVE ATTITUDE TREATING DEVELOPERS MORE IMPORTANT THAN THE REST. ON TOP OF THAT STAFF COMES UP WITH THEIR OWN VERSION OF THE NEIGHBORHOOD PLAN AND CALL IT THE CITY VERSION. [BUZZER SOUNDING] THE SAME IS TRUE IN THE ARTS. IN THE LAST THREE OR FOUR YEARS WE HAVE GONE BACKWARDS IN THE ART BY DE FACTO STAFF HAS PREDICTATED POLICY THIS HAPPENS ALL OF THE TIME. I'M RUNNING OUT OF TIME, I NEED TO SPEAK QUICKLY HERE.

Mayor Wynn: YOU HAVE RUN OUT. PLEASE CONCLUDE.

I HAVE? I WILL CLOSE HERE. I SUGGEST TO YOU THAT WE MUST CHANGE THIS CULTURE. OF CLOSED DOORS, VERY FEW PEOPLE DECIDING THE DECISIONS THAT AFFECT ALL OF US. THERE'S A GROWING TREND OF ACTIVE PARTICIPATION IN THE POLITICAL PROCESS HERE IN AUSTIN, I HOPE THAT

WE EXPAND THAT MORE AND MORE. THANK YOU VERY MUCH.

THANK YOU. MR. YANEZ. [ APPLAUSE ] LLANES. OUR NEXT SPEAKER IS LEROY NELLIS. WELCOME, YOU WILL HAVE THREE MINUTES, FOLLOWED BY CAROL ANNE ROSE KENNEDY.

MEMBERS OF THE AUSTIN CITY COUNCIL, I APPRECIATE THE OPPORTUNITY TO ADDRESS YOU. I AM LEROY NELLIS, I'M THE TRAVIS COUNTY BUDGET MANAGER. I'M HERE TODAY TO SPEAK AS A PART OF MEMBER OF THE CAMPUS ADVISORY COMMITTEE FOR ALISON ELEMENTARY SCHOOL. I DO HAVE A NUMBER OF PEOPLE HERE WITH ME TODAY, WE DO HAVE PARENTS FROM ALISON ELEMENTARY, KIKER ELEMENTARY OR SISTER SCHOOL OVER IN CIRCLE C. WE DO HAVE ALISON STAFF, ADMINISTRATION, SOME PARENTS WITH SOME CHILDREN. I'M HERE TO SPEAK TO YOU ALSO WE DO HAVE PETITIONS THAT WE WILL DELIVER TO YOU OF ABOUT 250 PARENTS THAT HAVE SIGNED ASKING THAT YOU PROVIDE A PAID CROSSING GUARD FOR THE DANGEROUS, VERY DANGEROUS INTERSECTION OF MONTOPOLIS AND RIVERSIDE. I DO KNOW THAT THERE'S A TEMPORARY FIX IN PLACE THROUGH THIS YEAR. DR. FORGIONE COATED TO ME THAT HE IS -- INDICATED TO ME THAT HE IS GOING TO PAY FROM THE SCHOOL BUDGET FOR THE NEXT FOUR WEEKS A PERSON TO HELP WITH ESCORTING THESE CHILDREN ACROSS THIS -- THIS VERY, VERY, DANGEROUS INTERSECTION. WE ARE ASKING YOU THREE THINGS TODAY. WE ARE ASKING THAT YOU RECONSIDER YOUR STAFF'S REQUIREMENT TO HAVE 20 CHILDREN CROSS AN INTRKS INTERSECTION BEFORE THEY PLACE A PAVED CROSSING GUARD THERE. YOU KNOW, WE PRIDE OURSELF IN THIS COMMUNITY, BOTH THE COUNTY AND THE CITY, ON PUBLIC SAFETY BEING A FIRST PRIORITY. WE DON'T ASK HOW MANY PEOPLE ARE IN THE HOUSE HOLD THAT WE NEED TO SEND, A 4 MILLION-DOLLAR HELICOPTER TO PICK THEM UPPER E.M.S. WE HAVE ONE OF THE FINEST E.M.S. SYSTEMS IN THE UNITED STATES. WHETHER OR NOT WE EXPEND RESOURCES FOR A PAID CROSSING GUARD SHOULD NOT BE DETERMINED ON THE NUMBER OF CHILDREN THAT ARE AT RISK. IF IN FACT WE HAVE THOSE PAID CROSSING GUARDS IN OUR OPINION SHOULD BE DETERMINED ON HOW

DANGEROUS THAT INTERSECTION IS. AND I -- I MIGHT SAY THAT DR. FORGIONE IS WORKING WITH US, THERE'S A TASK FORCE BEING ESTABLISHED THAT I WILL BE SERVING ON THAT WE ARE GOING TO EVALUATE THE DANGEROUS INTERSECTIONS. THE REQUIREMENT TO HAVE 20 CHILDREN PASS AN INTERSECTION IN ORDER TO PUT A PAVED CROSSING GUARD IS ABSURD. AND I WOULD ASK YOU TO LOOK AT THAT, I WOULD ASK YOU AND I THINK THAT DR. FORGIONE IS GOING TO ASK YOUR CROSSING GUARD PERSONNEL TO BASICALLY JOIN THAT TASK FORCE SO THAT WE CAN LOOK AT NOT ONLY RIVERSIDE AND MONTOPOLIS, BUT ALL OF THE DANGEROUS ONES AND SEE IF THE 20 -- I'LL FINISH QUICKLY [BUZZER SOUNDING] LET ME JUST SAY THAT WE HAVE A TEMPORARY FIX BUT I WAS VERY DISAPPOINTED, I WAS OUT THERE AT 7:06 THIS MORNING AND THE REPORT THAT I GOT BACK FROM YOUR STAFF, FROM THE INQUIRY, THE E-MAIL THAT I SENT TO EACH AND EVERY ONE OF YOU SAID THAT THE -- THE TRAFFIC WALK LIGHT HAD BEEN EXTENDED IN THE INTERSECTION. YOU KNOW IT GOT EXTENDED ON THE WRONG STREET. IT'S EXTENDED GOING ACROSS MONTOPOLIS. NOT RIVERSIDE. NOBODY CHECKED TO SEE THAT IT HAD BEEN EXTENDED COMING ACROSS RIVERSIDE. YOU HAVE FIVE SECOND CURRENTLY TO CROSS SIX LANES OF TRAFFIC. IT'S ABSURD. I'LL TELL YOU. I HAPPEN TO LIVE IN SOUTHWEST. I COME OFF OF MOPAC AND EXIT ON THE ENFIELD EXIT. THAT MILE PER HOUR SPEED LIMIT IS 25 MILES PER HOUR. RIVERSIDE IS 45. I ASKED YOU THAT YOU ASK WHOEVER IS RESPONSIBLE TO SLOW THE TRAFFIC DOWN ON RIVERSIDE. I WAS ON RIVERSIDE THE OTHER DAY RUNNING 45 MILES PER HOUR, THE TRAFFIC WAS RUNNING 50 AND THERE WERE CARS TRYING TO BEAT THAT INTERSECTION, THAT RED LIGHT, AT MONTOPOLIS AND RIVERSIDE RUNNING AT LEAST 60. WE ARE GOING TO GET A CHILD KILLED IN THAT INTERSECTION IF WE DON'T DO SOMETHING. I APOLOGIZE FOR GOING OVER THE TIME I FAILED TO -- TO ACKNOWLEDGE THAT WE DO HAVE THE REPRESENTATIVE FROM AUSTIN INTERFAITH WITH US HERE AND WE DO APPRECIATE YOU CONSIDERING THIS REQUEST.

Mayor Wynn: FAIR IF YOU ENOUGH, THANK YOU, MR. NELLIS. [APPLAUSE ]

Thomas: DO YOU HAVE ANY IDEA HOW MANY CROSS AT THAT INTERSECTION?

YOUR STAFF INDICATED THAT THERE WERE SIX -- I HAD INFORMATION, THAT MAYBE THAT SURVEY WAS TAKEN AT A TIME THAT MOST OF THE ELEMENTARY SCHOOL STUDENTS ARE SUPPOSED TO BE AT ALISON AT 7. I HAVE HEARD THAT MIGHT HAVE BEEN TAKEN AFTER THAT. I WAS THERE THE AT 7:06 THIS MORNING, LEFT AT 7:30 WHICH MEANS I MISSED THE ELEMENTARY SCHOOL KIDS THERE WERE NINE THAT CROSSED. THERE ARE 51 STUDENTS LIVING IN THE APARTMENT COMPLEX TO THE SOUTH OF RIVERSIDE THAT -- THAT HAVE THE ABILITY TO CROSS THERE.

Thomas: THANK YOU.

McCracken: AND HOW WOULD WE -- WHAT IS THE PROCESS THAT WE COULD HAVE A SLOWER SPEED LIMIT? WHAT WOULD WE NEED TO DO? CAN SOMEONE GIVE US AN ANSWER ON THAT?

PERHAPS --

Leffingwell: JUDGING BY TODAY'S AGO TAKE AN AGENDA IT TAKES AN ORDINANCE.

McCracken: I'M AMAZED AT HOW IT'S MORE COMPLICATED THAT THAT.

COUNCILMAN, MARTY TERRY WILL.

ASSISTANT CITY ATTORNEY, COUNCILMEMBER LEFFINGWELL IS CORRECT. IT WOULD BE AN ITEM THAT WOULD NEED TO BE BROUGHT FORWARD TO YOU ALL. IT WOULD BE AN ITEM THAT WOULD NEED TO COME FROM THE STAFF. I CONFESS, I'M NOT FAMILIAR WITH THE INTERSECTION. WE DO HAVE SCHOOL CROSSING ZONES. I DON'T KNOW WHETHER THIS HE IS ONE -- IT MAY BE ADJACENT AND THEREFORE QUALIFIES, THE STAFF WOULD LOOK AT IT, BRING IT FORWARD FOR YOUR CONSIDERATION, YES, WE DO BRING THOSE SPEED LIMIT MATTERS TO YOU FOR CONSIDERATION, PROBABLY SOMETHING THAT THE STAFF PUBLIC WORKS STAFF NEED TO -- TO -- THEY NEED TO GET ON BOARD ON

AND TAKE A LOOK AT AND CONSIDER BRINGING SOMETHING FORWARD TO YOU.

IT'S 45 MILES PER HOUR? ON RIVERSIDE.

YES IT IS. I OBSERVED IT THERE THIS MORNING.

I APOLOGIZE, IT'S NOT MY AREA OF TOWN [LAUGHTER]

THE REASON WHY I ASK IS THAT THIS COUNCIL HAS DESIGNATED RIVERSIDE DRIVE THROUGH THE DESIGN STANDARDS PROCESS AS A TRANSIT CORRIDOR. THAT MEANS THAT WE ARE REQUIRING ALL NEW REDEVELOPMENT ON RIVERSIDE BE PEDESTRIAN ORIENTED DEVELOPMENT WITH THE DEVELOPMENT UP TO THE SIDEWALK AND MAKE RIVERSIDE A PEDESTRIAN ORIENTED STREET. 45 MILES PER HOUR OBVIOUSLY IS HIGHLY INCOMPATIBLE WITH A PEDESTRIAN ORIENTATION WHICH THIS COUNCIL ALREADY AS A PLANNING MATTER DECIDED THAT RIVERSIDE IS NOT GOING TO BE A HIGHWAY, IT IS GOING TO BE A PEDESTRIAN ORIENTED STREET. THOUGH THE TO MENTION WE HAVE -- NOT TO MENTION KIDS CROSSING THE STREET THERE THAT IT SOUND LIKE WE NEED TO GET THE INFORMATION ACROSS -- PROCESS STARTED TO SLOW DOWN RIVERSIDE SINCE WE KNOW THAT WE HAVE A COMBINATION OF AN UNSAFE SITUATION NOW AND COUNCIL ACTION THAT HAS CHANGED THE PLANNING -- FROM A PLANNING PERSPECTIVE THIS COUNCIL ADOPTED A POLICY TO CHANGE IT FROM A HIGHWAY EFFECTIVELY TO A PEDESTRIAN ORIENTED STREET. THOSE THINGS TELL US THAT WE NEED TO LOWER THE SPEED LIMIT ON RIVERSIDE. I APPRECIATE YOU ALL BRINGING THAT TO OUR ATTENTION.

THANK YOU.

THANK YOU, MR. NELLIS.

OUR NEXT SPEAKER IS CAROL ANNE ROSE KENNEDY TO BE FOLLOWED BY MONTY SMITH.

THANK YOU ALL FOR HAVING ME. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]



... DON'T GET ME WRONG. FOR IRAQ OR IRAN FOR THE PRESIDENT, PRESS DOUBLE OO ZERO. FOR THE POPE HANG IT UP AND PRAY, THE SERMON FOR TODAY IS NO, JOHN BOY, YOU DON'T HAVE TO DIE AND YOU DO NOT HAVE TO PAY INCOME TAXES. FOR VICENTE FOX, [SPEAKING IN SPANISH] FOR ENGLISH, PLEASE CALL BACK DURING REGULAR BUSINESS HOURS. BUT AND IF IT'S THURSDAY, TUESDAY, WEDNESDAY, RAINING OR MONDAY, THERE'S A GOOD CHANCE WE MIGHT JUST BE OUT TO LUNCH OR Y'ALL CAN VISIT US 24/7, 366 AT WORLDWIDE WAR DOT HAVE A NICE LIFE ON DOT CAPITAL U CAPITAL S COME TO PAPPA.

THANK YOU.

THANK YOU, NEXT SPEAKER IS MONTY SMITH. MONTY SMITH, YOU HAVE THREE MINUTES AND FOLLOWED BY PAUL ROBBINS.

WELCOME, SIR.

MR. MAYOR, COUNCILMEMBERS, I APPRECIATE Y'ALL'S PATIENCE, I'M SURE Y'ALL ARE READY FOR LUNCH, I AM MYSELF, MY NAME IS MONTY SMITH, I'VE BEEN A RESIDENT OF AUSTIN FOR THE LAST 33 YEARS, I APPRECIATE THE OPPORTUNITY TO BE HERE TODAY TO EXPRESS MY SENTIMENTS ABOUT AN ISSUE OF SIGNIFICANT IMPORT TO THE CITIZENS OF THE CITY OF AUSTIN AND ACTUALLY TO OUR COUNTRY, THE TOPIC IS ILLEGAL IMMIGRATION. A YOUNG GERMAN AMERICAN, I LEARNED IN SCHOOL THAT OUR GOVERNMENT WAS HERE TO PROTECT US AND LOOKED OUT FOR OUR INTERESTS, BUT AS AN AMERICAN I WOULD HONOR OUR LAWS AND BY SO DOING I WAS FULFILLING MY CIVIC RESPONSIBILITY. CIVIL RIGHTS WERE EARNED FOLLOWING THESE LAWS AND DUTIES AND THEY WERE NOT FREE, THAT WE AS GERMAN DESCENDANTS WOULD GIVE ALLEGIANCE TO OUR COUNTRY AND OUR COUNTRY WOULD THEN LOOK OUT FOR US, THAT PEOPLE WHO CHOSE NOT TO OBEY THOSE LAWS WERE CRIMINALS AND WOULD BE TREATED WITH JUST CONSEQUENCES. I DID NOT EXPECT TO SEE THE DAY IN THIS COUNTRY THAT BORN CRIMINALS MARCHING UNDER A FOREIGN FLAG WOULD PARADE THROUGH OUR STREETS DEMANDING A RIGHT TO BREAK OUR LAWS AND DOING SO WITH NO CONSEQUENCE. I

CERTAINLY DID NOT EVER EXPECT THAT ANY PART OF OUR GOVERNMENT WOULD SUPPORT THIS TYPE OF ACTION USING THE EXCUSE THAT IF PEOPLE WORK HARD OR HAVE HIDDEN HERE LONG ENOUGH THEY'RE SOMEHOW EXEMPT FROM OUR LAWS, I WOULD LIKE TO TELL YOU HOW HAVING THEM HERE DIRECTLY AFFECTS ME AND MY FAMILY. FIRST IS WORK-RELATED. I'VE BEEN IN THE CONSTRUCTION BUSINESS IN AUSTIN AND ONE WAY OR ANOTHER SINCE I CAME HERE, I'VE LIVED IN MY CAR, I'VE DONE WITHOUT, I TOOK WHATEVER IT -- I HAVE DONE WHATEVER IT TOOK TO MAKE AUSTIN MY HOME. I'VE BEEN FORTUNATE ENOUGH TO FIND STEADY WORK BUT IF I HAD TO GO OUT AND GET A JOB ON A CONSTRUCTION SITE TODAY I PROBABLY COULD NOT GET ONE. THESE JOBS HAVE BEEN TAKEN OVER BY ILLEGAL WORKERS. IT IS NO SECRET AT ALL THE TRICKS THAT THE COMPANIES USE TO HIRE THESE WORKERS. UNTIL THE LAST FEW YEARS THERE'S ALWAYS BEEN ENOUGH AMERICAN WORKERS OF ALL ETHNIC BACKGROUNDS TO WORK CONSTRUCTION HERE IN AUSTIN AND THROUGHOUT OUR COUNTRY. WHEN WE COULDN'T GET THAT WORK, WE DID WHAT WE COULD, WHETHER IT WAS RESTAURANT WORK, STOCKING SHELVES, OR ANY OTHER LOW PAYING JOB, OR ELSE WE FOLLOWED THE WORK. WE HAVE BEEN SQUEEZED OUT BY VARIOUS MEANS AND THEN THE PUBLIC HAS BEEN FED THE LIE THAT WE DON'T WANT THESE JOBS ANYMORE. MOST AUSTINNITES HAVE ALWAYS BEEN WILLING TO WORK FOR A FAIR WAGE. MY WIFE'S JOB HAS GONE OVERSEAS AND SHE WORKS FOR FAR LESS MONEY, IT'S NOT BENEATH HER, MYSELF, OR MY AMERICAN WORKER OF ANY ETHNIC BACKGROUND TO DO WHATEVER IT TAKES TO MAKE THEIR OWN WAY. THE SECOND CONCERN IS THE CARE OF MY FAMILY AND KEEPING MY HOME. MY WIFE AND I WERE FORTUNATE TO EVENTUALLY BUY A TWO BEDROOM, ONE HALF HOME, AND THROUGH REPAIR AND HARD WORK MAKE A NICE HOME, WE HAVE BOTH WORKED TWO JOBS FOR A LONG TIME TO MAKE THAT HAPPEN AND FINALLY PAY IT OFF. WE'RE NOW VERY CONCERNED WE WILL NOT BE ABLE TO KEEP OUR HOME AS RETIREMENT DRAWS NEAR DUE TO VERY HIGH PUBLIC -- TO HIGH COUNTY PROPERTY TAXES WHICH ARE BASICALLY DRIVEN BY AUSTIN SCHOOL TAXES THAT ARE INTOSH TANT DUE TO HIGH ILLEGAL ENROLLMENT AND THE COST THAT THAT ENTAILS. OTHER CITY SERVICES

FUNDED BY THESE TAXES LIKE BRACKENRIDGE, WHICH ARE BURDENED WITH ILLEGAL ALIENS SEEKING HEALTH CARE, TAKE ANOTHER PORTION OF THESE TAXES. THESE AND OTHER TAXES DIRECTLY INCREASED BY SOCIAL SERVICE FOR ILLEGAL ALIENS KEEPING US FROM CONTRIBUTING THE SUPPORT OF OUR OWN CHILDREN AND GRANDCHILDREN AS MUCH AS WE WOULD LIKE, I HAVE FAMILY MEMBERS THAT ARE CITIZENS OF THREE COUNTRIES THAT I KNOW OF, JAPAN, GERMANY, AND IRE IRELAND, IN 2004 ONE OF THEM FROM IRELAND WISHED TO COME TO THE UNITED STATES JUST TO HAVE A GREEN CARD AND WORK HERE, IT TOOK HIM OVER A YEAR WITH MUCH EXPENSE, COUNTLESS FORMS AND INTERVIEWS TO RECEIVE IT. HE BROUGHT HIS JOB WITH HIM AND IS CURRENTLY HIRING OTHER MEMBERS. WHY SHOULD MEMBERS OF MY FAMILY AND MANY OTHER AUSTINNITES FAMILIES WHO ARE CITIZENS OF COUNTRIES HAVE TO OBEY OUR LAWS BUT MEXICAN AND OTHER LATIN NATIONALS DO NOT? SO MY REQUEST TO YOU, MY ELECTED REPRESENTATIVES, IS THE REDRESS OF THIS GRIEVANCE, POLICE DISCONTINUE THE DUAL LANGUAGE ON FORMS AND SIGNAGE IN AUSTIN, WE DON'T HAVE THEM IN GERMAN, VIETNAMESE, OR ANY OF THE OTHER HUNDRED LANGUAGES SPOKEN IN THIS COUNTRY. PLEASE DISCONTINUE ACCEPTANCE OF CON SHRAR GENERAL CARDS AS IDENTIFICATION OF PUBLIC SERVICE. DO NOT HIRE CONTRACTORS FOR CITY WORK WHO USE ILLEGAL WORKERS.

Mayor Wynn: MR. SMITH, YOUR TIME HAS EXPIRED IF YOU WOULD PLEASE CONCLUDE, WE WOULD APPRECIATE IT.

YOUR TIME HAS LONG SINCE EXPIRED. PLEASE CONCLUDE.

I WOULD ASK UPHOLD OUR COUNTRY'S LAWS EVEN THOUGH THEY MAYBE BE STATE AND FEDERAL, WE HAVE PUT OUR TRUST IN YOU, PLEASE DO NOT LET US DOWN, THANK YOU AGAIN FOR THIS OPPORTUNITY.

THANK YOU, SIR. >> [ APPLAUSE ]

Mayor Wynn: NEXT SPEAKER IS PAUL ROBBINS. MR. ROBBIN, YOU WILL BE FOLLOWED BY PAT JOHNSON.

COUNCIL, CITIZENS OF AUSTIN, I'M PAUL ROBBINS, I'M AN ENVIRONMENTAL ACTIVIST AND CONSUMER ADVOCATE, AND I'M HERE AGAIN TO DISCUSS THE USE OF CITY HALL CHAMBERS FOR THE GENERAL PUBLIC. FOR THOSE OF YOU IN OUR STUDIO AUDIENCE WHO HAVE JUST TUNED INTO THIS MELLOW DRAMA, I INTEND TO CONDUCT A PRESS CONFERENCE IN THE NEAR FUTURE FOR AN ENVIRONMENTAL REPORT THAT AFFECTS THE REGION. PRIOR TO THE YEAR 2000, WHEN THE OLD MUNICIPAL BUILDING WAS RAZEED TO BUILD THIS NEW ONE THAT WE'RE IN TODAY IT WAS VERY COMMON FOR CITIZEN'S GROUPS AND CITY COUNCIL CANDIDATES TO USE THE CHAMBER, WHEN THE NEW BUILDING WHERE WE'RE IN NOW WAS OPENED, THE CUSTOM DISAPPEARED. I HAVE PROVEN STATISTICALLY THAT DURING BUSINESS HOURS THESE CHAMBERS ARE ONLY USED ONE THIRD OF THE TIME. IN CORRESPONDENCE WITH THE CITY MANAGER, SHE DID NOT DISPUTE MY STATISTICS. HER ONLY ARGUMENT AGAINST PUBLIC USE OF THESE CHAMBERS THAT MADE ANY SINCE TO ME AT ALL WAS THAT IF EVERYONE USED THEM, THERE WOULD BE NO ROOM FOR CITY BUSINESS. BUT -- AND WHILE THAT IS TRUE, I'VE NEVER SUGGESTED THAT THAT USE OF THE CHAMBERS PREEMPT CITY BUSINESS. IN AN EFFORT TO BE CONSTRUCTIVE, I WILL MAKE THE FOLLOWING SUGGESTIONS TO ESTABLISH A FAIR USE POLICY THAT WILL ALLOW CITIZEN USE. THERE'S FOUR BASIC POINTS: NO PERSON, CANDIDATE, OR GROUP COULD USE THIS MORE THAN ONCE EVERY THREE MONTHS FOR A MAXIMUM TIME OF TWO HOURS. DURING THE THREE MONTH PERIOD BEFORE CITY COUNCIL ELECTIONS, COUNCIL CANDIDATES AND BALLOT MEASURE PARTICIPANTS CAN USE THE CHAMBERS ONCE A MONTH. SECOND, CITY BUSINESS IS NEVER PREEMPTED BY THESE EVENTS. IF THERE IS AN EMERGENCY USE THAT IMPACTS CITIZENS WHO HAVE REGISTERED, THEY NEED TO BE GIVEN A CERTAIN AMOUNT OF NOTICE TO FIND ANOTHER SPACE. THREE, IT CANNOT -- THESE CHAMBERS CANNOT BE USED FOR COMMERCIAL PURPOSES OR POLITICAL FUND RAISING PURPOSES, AND FOUR, THAT THE BUILDING USE POLICY BE REVIEWED IN 12 MONTHS' TIME TO SEE ITS IMPACT. I'LL E-MAIL THESE TO YOU SINCE YOU GET A LOT OF SUGGESTIONS IN A DAY.

APPRECIATE YOUR TIME.

Mayor Wynn: THANK YOU, MR. ROBBINS. [ APPLAUSE ] THOSE SEEM LIKE VERY REASONABLE GOOD SUGGESTIONS TO ME. WELCOME, MR. JOHNSON, YOU'LL HAVE THREE MINUTES.

GOOD MORNING, COUNCIL, MAYOR, AND OUR CITIZENS, I WAS GOING TO SPEAK ABOUT SOMETHING TODAY, BUT I HAVE A DAY SURGERY APPOINTMENT AT 2 O'CLOCK, WHAT I AM GOING TO TELL YOU, COUNCIL, IS STAFF IS GOING TO BRING THIS ORDINANCE TO YOU ABOUT THE TOWING RULES. I ENCOURAGE YOU TO THINK ABOUT THE MANY CITIZENS OUT THERE THAT HAVE BEEN HARMED FINANCIALLY. WE HAVE TOWING COMPANIES IN OUR COMMUNITY THAT ARE REALLY OUTSTANDING COMPANIES, BUT WE HAVE SOME OUT THERE THAT TO GIVE US SOME PROBLEMS. THESE RULES ARE FAIR, IT GIVES THEM A RATE INCREASE. BUT IT ALSO REQUIRES THEM TO FOLLOW THE RULES. COUNCILMEMBER LEFFINGWELL, WHEN YOU FLEW FOR DELTA AIRLINES, Y'ALL HAD RULES YOU HAD TO OBEY. THERE'S NO REASON THESE TOWING COMPANIES CAN'T OBEY THESE SAME RULES THAT WE PUT OUT THERE FOR THEM. THE RULES ARE PROTECT THE CONSUMER, THEY MAY NOT -- THEY MAY DISAGREE WITH THEM, BECAUSE, YES, THEY'RE GOING TO HAVE TO FOLLOW THE LAW, BECAUSE THE BIGGEST PART OF THE TOWING STATUTE NOW IS CRIMINAL STATUTE, CRIMINAL PENALTIES ARE ATTACHED TO IT T MINIMUM FINE IS \$500 B, \$500 TO \$1,500, QUESTIONS OUT THERE ABOUT THE FEES THEY'RE GOING TO CHARGE, WE'RE GOING TO CHARGE HAD IN THE ORDINANCE, THEY CLAIM THAT DEREGULATION DOES NOT ALLOW THAT. LAST -- THREE YEARS AGO I SPOKE WITH STAFF ABOUT A WAY TO FUND FOR THOSE POSITIONS IN THE POLICE DEPARTMENT TO MONITOR THIS BY A GOVERNMENTAL FEE THAT THE LEGISLATURE AUTHORIZED THE MUNICIPALITY TO CHARGE THE CONSUMER WHEN THEY PICKED UP THEIR VEHICLE FROM THE VEHICLE STORAGE FACILITY. THAT TAKES THE TOE COMPANY COMPLETELY OUT OF I THE CONSUMER WOULDN'T HAVE A PROBLEM PAYING AT ADDITIONAL 5 OR \$10 IF THEY KNEW THAT FEE WAS GOING TO GO TOWARD PROTECTING THEM, THAT'S WHAT THIS IS ABOUT, PROTECTING THE CONSUMER. OUR CITIZENS DESERVE YOUR HELP AND YOUR VOTE TODAY TO ENACT THIS

ORDINANCE. THANK YOU VERY MUCH. [ APPLAUSE ]

Mayor Wynn: THANK YOU, MR. JOHNSON. COUNCIL, THAT CONCLUDES OUR NOON CITIZEN COMMUNICATION. WE HAVE SEVERAL BRIEFINGS THAT WE HAD SCHEDULED FOR 1 P.M., OBVIOUSLY RUNNING ALMOST A COUPLE OF HOUR BEHIND SCHEDULE TODAY. WHAT WE'LL DO NOW IS GO INTO CLOSED SESSION AND TAKE UP TWO ITEMS, HOPEFULLY QUICKLY, PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT, ITEM NUMBER 36 RELATES TO THE CITY OF AUSTIN VERSUS LEVEL III COMMUNICATIONS, INC. AS RELATED ACTION ITEM NUMBER 52. AND ITEM NUMBER 37 RELATED TO AN APPEAL BY TUMBLE WEED INVESTMENT JOINT VENTURE OF THE ZONING AND PLATTING COMMISSION DENIAL OF REQUEST FOR EXTENSION OF A SITE PLAN KNOWN AS RANCHO LAVANCIA, I GUESS, THERE'S A RELATED ITEM NUMBER 49. WE'LL TAKE UP THESE TWO ITEMS IN CLOSED SESSION, WHILE COUNCIL GRAB AS QUICK BITE OF LUNCH AND COME BACK AND TAKE UP OUR BRIEFINGS FOR THE AFTERNOON. WE'RE NOW IN CLOSED SESSION. THANK YOU VERY MUCH.

WE ARE OUT OF CLOSED SESSION. IN CLOSED SESSION, ONE OF THE ITEMS WE TOOK UP, ITEM 36 RELATED TO THE CITY OF AUSTIN VERSUS LEVEL 3 COMMUNICATIONS INCORPORATED. AND LEVEL 3 COMMUNICATIONS LLC. WE HAVE GOT A GOOD BRIEFING FROM OUR ATTORNEYS ON THAT MATTER. NO DECISIONS WERE MADE IN CLOSED SESSION, BUT WE ARE NOW BACK IN OPEN SESSION, WE HAVE POSTED ITEM NO. 52 ON TODAY'S ADDENDUM WHICH WAS TO APPROVE A SETTLEMENT, WE WILL WELCOME MR. CASEY DOBSON TO OUTLINE IT FOR US.

THANK, MAYOR, COUNCILMEMBERS. I'M HERE TO RECOMMEND A SETTLEMENT IN CITY OF AUSTIN VERSUS LEVEL THREE COMMUNICATIONS. THIS IS A LAWSUIT CONCERNING LEVEL 3 COMMUNICATIONS DRILLING A FIBER OPTIC CONDUIT THROUGH THE ONION CREEK SEWER TUNNEL, THAT HAPPENED? 1999, IT WAS DISCOVERED IN LATE 2002 AND EARLY 2003 AND WE HAVE BEEN LITIGATING THIS MATTER WITH LEVEL 3 FOR ABOUT THREE YEARS. THE DRILLING OF THE PIPE THROUGH OUR SEWER TUNNEL CAUSED THE CITY TO EXPEND ABOUT \$10.4 MILLION TO

BUILD A BULKHEAD SYSTEM TO DIVERT THE SEWAGE AND TO CLEAN THE -- THE SEWER LINER, WHICH FAILED. WE ALLEGE, BECAUSE OF THE PENETRATION OUT OF THE ONION CREEK TUNNEL. THE -- THE DEFENDANT CLAIMS THAT THE -- THAT THE LINER IN OUR TUNNEL FAILED FOR DIFFERENT REASONS NOTHING HAVING TO DO WITH THE PENETRATION, WE HAVE BEEN LITIGATING THE CASE FOR A LONG TIME, WE MEDIATED IT LAST WEEK. AT MEDIATION LEVEL 3 OFFERED TO SETTLE THE CASE WITH THE CITY OF AUSTIN FOR \$9 MILLION AND WE RECOMMEND TO THE COUNCIL THAT THE CASE AGAINST LEVEL 3 BE SETTLED FOR \$9 MILLION. ANY COMMENTS? WE HAD A VERY DETAILED PRESENTATION DURING CLOSED SESSION. HEARING NO DISCUSSION, I WILL ENTERTAIN A MOTION ON ITEM NO. 52.

Alvarez: MAYOR?

Mayor Wynn: COUNCILMEMBER ALVAREZ?

I MOVE APPROVAL OF THE SETTLEMENT AS PROPOSED BY STAFF.

ALL RIGHT. MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE THIS SETTLEMENT ITEM NO. 52 AS OUTLINED BY THE ATTORNEY, FURTHER COMMENT? COUNCILMEMBER ALVAREZ?

I WOULD JUST LIKE TO THANK OUR COUNCIL FOR THEIR GOOD WORK ON THIS AND -- IN GETTING THIS TO A RESOLUTION AND GETTING TO WHAT I THINK IS A VERY -- VERY GOOD OUTCOME FOR THE CITY. THANK YOU.

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

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER MCCracken OFF THE DAIS. THANK YOU ALL. SO AGAIN WE APOLOGIZE, THAT NOW TAKES US BACK TO THE AFTERNOON BRIEFINGS. WHICH WE HAVE SEVERAL POSTED, WE WILL START WITH A BRIEFING REGARDING

POTENTIAL 2006 BOND ELECTION WITH THE SPECIFIC CATEGORY BEING THAT OF NEW FACILITIES.

GOOD AFTERNOON, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, GREG CANALE BUDGET OFFICER. TODAY WE BEGIN THE RECOMMENDATION ON INVESTING IN OUR FUTURE COMPONENT OF THE 2006 BOND PROGRAM. FOCUSING ON PUBLIC SAFETY, HEALTH FACILITIES, A NEW LIBRARY, NEW PARKS AND CULTURAL FACILITY DEVELOPED FROM CITIZEN INITIAL ACTIVITIES, WE WILL CONCLUDE THE RECOMMENDATION ON INVESTMENT IN OUR FUTURE, AT NEXT WEEK'S COUNCIL MEETING WITH AFFORDABLE HOUSING AND LAND ACQUISITION. BEFORE YOU IS A NEEDS ASSESSMENT, THE BOND COMMITTEE ADVISORY COMMITTEE'S RECOMMENDATION. WE HAVE COMPLETED FILLING IN THE INVESTMENT IN OUR INFRASTRUCTURE COMPONENTS OF THE BOND PROGRAM. NOW TOTALING 2523. -- 253.1 MILLION, WORKING TOWARDS A TOTAL TARGET OF [INDISCERNIBLE] FIRST UP TODAY WILL BE PUBLIC HEALTH AND SAFETY FACILITIES. I WILL BE SUMMARIZING THE JOINT TRAINING FACILITY, THEN WE WILL TURN IT OVER TO CHIEF ADAME, RICHARD HARRINGTON AND CHIEF KNEE. CHIEF KNEE WILL WALK YOU THROUGH ON THE NEW POLICE SUBSTATION, RICHARD OVER TO THE E.M.S. STATION, REBECCA STARK AND JUDGE MCKEE WILL REVIEW OUR PROPOSAL ON A MUNICIPAL COURTHOUSE AND FINALLY WE WILL WRAP UP THIS SECTION WITH AN ANIMAL SHELTER WITH DAVID LURIE. THEN WE WILL BE A REVIEW OF THE CENTRAL LIBRARY PROPOSAL WITH BRENDA BRANCH AND THEN I WILL CONCLUDE BY REVIEWING THE CITIZEN INITIATIVES. WE BEGIN WITH OUR PUBLIC SAFETY AND HEALTH FACILITIES. THE FIRST PROJECT WE WOULD LIKE TO DISCUSS TODAY IS THE JOINT PUBLIC SAFETY TRAINING FACILITY, BEFORE TURNING IT OVER TO CHIEF ADAME. WHO -- WE ARE GOING TO TALK ABOUT EACH OF THE BENEFITS FOR EACH OF THE DEPARTMENTS, I'M GOING TO BRIEFLY REVIEW OUR RECOMMENDATION. CURRENTLY THE POLICE AND FIRE DEPARTMENTS UTILIZE THE TRAINING FACILITY LOCATE ADD THE 4800 SHAW LANE. E.M.S. DOES NOT HAVE A DEDICATED TRAINING FACILITY. THE CURRENT FACILITY ON SHAU LANE WAS BUILT 25 YEARS AGO AND IN A DIFFERENT ERA. IN FACT OUR AUTHORIZED STRENGTH FOR POLICE AND



FIRE INCREASED OVER 135% OVER 1400 SWORN PERSONNEL, IF WE ADD E.M.S. THE INCREASE IS LARGER. THE HEAVY DEMAND FOR USE OF THE CURRENT FACILITY RESULT IN GREAT INEFFICIENCIES AND ONGOING MAINTENANCE ISSUES. WE ARE RECOMMENDING \$20 MILLION IN THE BOND PROGRAM FOR A JOINT PUBLIC SAFETY TRAINING FACILITY AT THE CURRENT SITE. THIS WOULD VASTLY IMPROVE THE CURRENT SITUATION BY PROVIDING AS NEEDED RENOVATIONS TO ABOUT 15,000 SQUARE FEET OF THE EXISTING FACILITIES, PLUS CONSTRUCT 60,000 SQUARE FEET IN NEW FACILITIES SPACE. THIS NEW SPACE WOULD ADD GREATLY NEEDED TRAINING, SPECIAL PURPOSE CLASSROOM AND ADMINISTRATION ROOMS. IN ADDITION, THIS FUNDING WOULD ALLOW FOR IMPROVEMENTS TO THE DRIVING COURSE AND PISTOL RANGE. MORE IMPORTANTLY, THE NEW FACILITY WOULD IMPROVE TRAINING OPPORTUNITIES AMONG EACH OF OUR PUBLIC SAFETY DEPARTMENTS. ON SLIDE 8 HERE IS AN AERIAL MAP SHOWING THE EXISTING SHAW LANE SITE. NOW I'LL TURN IT OVER TO CHIEF ADAMA.

THANK YOU. MY PRESENTATION WILL DEAL WITH THE JOINT PUBLIC TRAINING FACILITY. OUR CLASSROOMS ARE CURRENTLY BOOKED AT LEAST 70% OF THE TIME AND AS WE MOVE FORWARD WITH OUR NEXT ACADEMIES, SPACE WILL BECOME MORE AND MORE OF AN ISSUE IN TRYING TO CONDUCT MEANINGFUL TRAINING. BECAUSE OF THE OVERFLOW THAT CURRENTLY EXISTS WE ARE UTILIZING LOCATIONS WHERE HE CAN FIND THEM, SUCH AS THE LRC, THE POLICE DEPARTMENT, THE NATIONAL GUARD JUST TO NAME A FEW. LARGER CLASSROOMS WITH IMPROVED TECHNOLOGY WILL ENHANCE OUR ABILITY TO CONDUCT THIS TRAINING AND FOR PRESENTING UP TO DATE PROGRAMS. WITH REGARD TO THE -- TO THE CURRENT DRIVING TRACT, THE TRACT IS NOT -- THE TRACK IS NOT RATED TO HANDLE THE SIZE AND TYPE OF EQUIPMENT THAT THE AUSTIN FIRE DEPARTMENT CURRENTLY USES. WE ALSO DO NOT HAVE THE ABILITY TO CONDUCT THE CONTROL TYPE OF TRAINING NECESSARY TO PREPARE FIREFIGHTERS FOR THE DIFFERENT CONDITIONS THEY WILL ENCOUNTER DURING THE COURSE OF THEIR DUTIES AND RESPONSIBILITIES. THE PROPOSED TRACK WILL PROVIDE

TRAINING ON THE ROAD CONDITIONS THAT THEY -- THAT FIREFIGHTERS WILL ENCOUNTER SUCH AS WET SURFACES AND TURNS ON THESE TYPES OF SERVICES. IN TODAY'S WORLD WITH THE INCREASED THREATS HAVING A JOINT PUBLIC SAFETY FACILITY MAKES SENSE FROM A PREPARATION STANDPOINT AS WELL AS FROM AN ECONOMIC STANDPOINT? IN THE END, A PUBLIC -- A JOINT PUBLIC SAFETY TRAINING FACILITY WILL BENEFIT THE ENTIRE CITY OF AUSTIN IN ALL DEPARTMENTS AT SOME TYPE -- AT SOME TIME COULD BE BROUGHT IN TO TRAIN AT THIS -- AT THIS LOCATION. SHARED RESOURCES LIKE INSTRUCTORS, SUPPLIES AND EQUIPMENT WILL BENEFIT BOTH OR ALL THREE OF THE ORGANIZATIONS THAT ARE PRESENTLY PROPOSED TO USE THIS FACILITY. FINALLY THIS IS AN EXCELLENT OPPORTUNITY FOR REGIONAL TRAINING WITH OTHER PUBLIC SAFETY AGENCIES AND ALSO THERE'S THE POSSIBILITY OF DEVELOPING A REVENUE STREAM THROUGH THE USE OF THIS TRAINING FACILITY BY OTHER DEPARTMENTS. THERE'S ALSO BEEN INTEREST EXPRESSED BY OTHER DEPARTMENTS, IN NEGOTIATE BEING FOR EXAMPLE TRAINING -- NEGOTIATING FOR EXAMPLE TRAINING DAYS, AN EXCHANGE FOR MUTUAL AID WITH OTHER ORGANIZATIONS. THIS IS IMPORTANT AS WE MOVE TO MORE AND MORE AUTOMATIC RESPONSES WITH OTHER DEPARTMENTS. WE WANT TO MAKE SURE THAT WE ARE ALL IN THE SAME PAGE AS FAR AS TRAINING REQUIREMENTS AND THE ABILITY TO INTERACT ON THE FIRE GROUND. FINALLY THE AUSTIN FIRE DEPARTMENT IT'S A NATIONAL LEADER IN THE FIRE FIGHTING TACTIC IN WHAT'S KNOWN AS POSITIVE PRESSURE VENTILATION. IN OUR TRAINING GROUP DOING RESEARCH WITH THE UNIVERSITY OF TEXAS, ALSO WITH EUROPEAN GROUPSMENT THE TRAINING DIVISION LECTURES AND PUTS ON PRESENTATION THROUGHOUT THE COUNTRY, CURRENTLY AT THIS TIME THEY ARE IN INDIANAPOLIS PUTTING ON SOME NATIONAL TRAINING FOR THE FIRE SERVICE. NUMEROUS DEPARTMENTS WOULD JUMP AT THE OPPORTUNITY TO COME TO AUSTIN FIRE ACADEMY TO LEARN AND PRACTICE THIS VERY IMPORTANT FIREFIGHTING TACTIC. I'LL BE HAPPY TO ANSWER ANY QUESTIONS.

THANK YOU, CHIEF. QUESTIONS OF CHIEF ADAME? THANK

YOU, CHIEF.

THANK YOU.

I PASS IT ON TO CHIEF RICHARD, I'M SORRY.

WELCOME, MR. HARRINGTON. IS THAT MAYOR AND COUNCILMEMBERS, GOOD AFTERNOON. PRESENTLY E.M.S. DOES NOT HAVE A SINGLE LOCATION FROM WHICH TO PROVIDE TRAINING FOR NEARLY 400 PARAMEDICS WITHIN THE SYSTEM. THE TRAINING IS CONDUCTED PRESENTLY AT THREE DIFFERENT LOCATION, PLEASANT VALLEY, ED BLUESTEIN, THE [INDISCERNIBLE] COMPLEX, WE ALSO DO NOT HAVE A SINGLE SITE THAT WE CAN TRAIN MORE THAN 71 PARAMEDICS IN ONE SECTION. THE NEW FACILITY WILL GIVE E.M.S. A DEDICATED SITE TO TRAIN AT LEAST ONE-HALF IN A SINGLE SESSION INSTEAD OF HAVING TO SPLIT IT OVER FOUR DIFFERENT SESSIONS PRESENTLY. AS PREVIOUSLY MENTIONED BY THE CHIEF, THIS SITE INCLUDES AN EMERGENCY VEHICLE OPERATORS TRACK, E.M.S. VEHICLES ALSO ARE TOO HEAVY TO USE [INDISCERNIBLE] PRESENTLY, WE CONTRACT THE SERVICES THROUGH THE COLLEGE STATION RIGHT NOW FOR OUR [INDISCERNIBLE] TRAINING. E.M.S. ALSO THIS WOULD COMBINE ALL OF OUR TRAINING AND ACADEMY RESOURCES INTO ONE LOCATION, WHICH WOULD GIVE US A SINGLE SITE AND IMPROVE OUR EFFICIENCY OF OUR TRAINING. ALSO AS MENTIONED BY THE CHIEF AS BEING CO-LOCATED WITH THE OTHER TWO PUBLIC SAFETY DEPARTMENTS, JOINT TRAINING WILL BE MUCH MORE EFFECTIVE AND THERE WILL BE A MUTUAL GAIN BY ALL THREE DEPARTMENTS. THANK YOU.

THANK YOU MR. HARRINGTON. WELCOME, CHIEF.

GOOD AFTERNOON. MAYOR AND COUNCIL I WILL NOT GO OVER -- BEING THE THIRD SPEAKER I WILL NOT GO OVER WHAT HAS PREVIOUSLY BEEN STATED. I THINK THIS PHOTO ADEQUATELY DESCRIBES WITHOUT ADDITIONAL CONVERSATION THE DIFFICULTY WE FACE IN TRAINING POLICE OFFICERS IN LARGE NUMBERS AT THE CURRENT FACILITY. THE CURRENT TRAINING FACILITY FOR THE POLICE DEPARTMENT IS GROSSLY INADEQUATE TO PROVIDE THE MODERN TRAINING REQUIRED TO DEVELOP A

PROFESSIONAL POLICE DEPARTMENT. A POLICE DEPARTMENT THAT CONSISTS OF 1435 1435 SWORN AND 615 NON-SWORN EMPLOYEES. THESE PICTURES DEPICT A VERY COMMON OCCURRENCE, OVERCROWDED CLASSROOMS WHEN INHIBIT THE MISSION OF THE TRAINING UNIT WHICH IS TO BUILD THE FINEST POLICE OFFICERS IN THE WORLD. CURRENTLY ONE THIRD TO ONE-HALF OF OUR POLICE TRAINING IS CONDUCTED IN OFF-SITE LOCATIONS, MANY OF THEM ARE INADEQUATE, EQUIPPED TO REALLY DO A GOOD JOB. AS I SAID PREVIOUSLY, IF WE ARE TO MAINTAIN A HIGHLY TRAINED PROFESSIONAL DEPARTMENT, WE MUST HAVE A FACILITY THAT ENHANCES TRAINING, NOT DISTRACTS FROM THAT TRAINING AND I WOULD LIKE TO JUST POINT OUT TWO THINGS THAT A NEW FACILITY WOULD ALLOW US TO DO. WE HAVE A COMMITMENT IN THE AUSTIN POLICE DEPARTMENT BY THE YEAR 2010, 50% OF OUR WORKFORCE WILL BE BILINGUAL, YET IN OUR TRAINING FACILITIES WE DO NOT HAVE A MODERN LANGUAGE LAB THAT INHIBITS US, THAT INHIBITS US FROM REACHING THAT GOAL. OUR -- FORENSICS COMPUTER CRIME UNIT DOES NOT HAVE A MODERN COMPUTER LAB ROOM IN WHICH TO TEACH OTHER OFFICERS ABOUT CONDUCTING FORENSICS EXAMINATION OF CAPTURED COMPUTERS AND SERVERS FROM CROOKS ALL THE WAY FROM CHILD MOLESTERS TO NARCOTICS DEALERS. A NEW FACILITY ALLOWS FOR THE STATE-OF-THE-ART CADET TRAINING, THIS IS THEIR FIRST VIEW OF THE CITY OF AUSTIN, THE AUSTIN POLICE DEPARTMENT AND IT ALLOWS FOR INCREASING THE EXCELLENCE OF TRAINING PROVIDED TO THEM. IT CREATES OPPORTUNITIES FOR IMPROVED ADVANCED TRAINING, TWO OF WHICH I JUST PREVIOUSLY TALKED ABOUT, THE ABILITY TO TEACH OUR OFFICERS A SECOND LANGUAGE, THE ABILITY TO TEACH THEM HOW TO CONDUCT MODERN INVESTIGATIONS OF NEW CRIMES. THE -- IT ENCOURAGES THE AUSTIN PUBLIC SAFETY TO BE LEADERS IN REGIONAL TRAINING. IF A CRIMINAL COMMITS A CRIME IN SAN MARCOS, NO DOUBT HE WILL OFTENTIMES GET TO -- TO AUSTIN VERY SHORTLY SO IT -- IT ENHANCES OUR OWN SAFETY IF WE CAN TRAIN REGIONALLY OTHER POLICE DEPARTMENTS. I WILL END BY REFERRING TO A 2004 POLICE EXECUTIVE RESEARCH FORUM STUDY THAT WAS CONDUCTED WITH REGARD TO OUR TRAINING AND IN THAT PARAGRAPH IT

SAYS REVIEW THE EXISTING TRAINING FACILITY, THE LIST OF DYSFUNCTIONAL COMPONENTS OF THE EXISTING FACILITIES, THE DOCUMENTED EXPANSION OF TRAINING DEMANDS AND THE FUTURE GROWTH OF THE DEPARTMENT, ALL CLEARLY HIGHLIGHT THE NEED FOR A NEW OR GREATLY ENHANCED TRAINING ACADEMY. IT IS IMPERATIVE FOR CADETS TO BE TRAINED IN AN ENVIRONMENT CONDUCIVE TO LEARNING WITH ADEQUATE CLASSROOM AND DESK SPACE AND APPROPRIATE PHYSICAL DEVELOPMENT AND DEFENSIVE TACTICS FACILITY. THEY MUST HAVE PROPER RESTROOMS, BRAKES AND MAIL FACILITIES. THANK YOU.

THANK YOU, CHIEF. QUESTIONS, COMMENTS, COUNCIL?

I BELIEVE I'M ALSO SPEAKING ON A REQUEST FOR APPEAR ADDITION TO THE POLICE SUBSTATIONS. THE POLICE SUBSTATIONS LOCATED OUT IN THE -- IN THE NORTHEAST AREA TO HANDLE THE TREMENDOUS GROWTH WE ARE SEEING IN THE NORTH PART OF THE SYSTEM. AND OUR NORTH PART OF THE CITY. CURRENTLY THE NORTH SUBSTATION WAS BUILT TO HOLD ONE AREA OF COMMAND AND APPROXIMATELY 100 PERSONNEL. BUT NOW HOUSES THREE TIMES THAT AMOUNT. THEY HANDLE THE NORTHWEST, NORTHEAST AND NORTH CENTRAL AREA COMMANDS. THE CURRENT SUBSTATION FACES PROBLEMS WITH OVERCROWDING. WE VIRTUALLY USED EVERY CLOSET AND EVERY SPACE THAT WE CAN TO PUT DESKS AND PERSONNEL INTO THOSE ROOMS. WE SEE SIGNIFICANT GROWTH IN THE NORTHEAST. WE SEE HIGH CALL VOLUME AND AN INCREASING DEMAND FOR SERVICES. IN ADDITION THE REQUESTED NORTHEAST SUBSTATION WOULD BE STRATEGICALLY LOCATED WITHIN A -- WITHIN THE GEOGRAPHICAL SERVICE DELIVERY AREA. THIS IS IMPORTANT TO US BECAUSE THIS 27,000 SQUARE FOOT FACILITY WOULD BE IN A BETTER POSITION TO SERVE A GROWING IMMIGRANT POPULATION. THAT IS EXPANDING IN THE NORTHEAST SECTION OF THE CITY AND IT WOULD ALSO I THINK IMPACT OUR RELATIONSHIP IN THAT AREA WITH ALL OF THOSE WHO LIVE IN THE NORTHEAST. AS WE ALL KNOW, WITH 130 GOING IN, THE EXPANSION OF THE NORTHEAST AUSTIN IS GOING TO BE SIGNIFICANT AND THIS SUBSTATION WOULD PROVIDE A -- AN INCREASED LEVEL OF SERVICE FOR

THOSE PEOPLE. ANY QUESTIONS?

Mayor Wynn: QUESTIONS OF THE CHIEF, COUNCIL? THANK YOU, CHIEF. MR. HARRINGTON, WELCOME BACK. E.M.S. IS RECOMMENDING THAT THE NEW CENTRAL EAST AUSTIN STATION BE CONSTRUCTED NEXT TO THE STATION 14, 4305 AIRPORT BOULEVARD AT AN ESTIMATED COST OF \$3.1 MILLION. THE AREA IS PRESENTLY COVERED BY FOUR VERY BUSY STATIONS, ONE LOCATED AT 12th AND SPRINGDALE, ONE LOCATED AT BRACKENRIDGE HOSPITAL, ONE AT KOENIG AT LAMAR, ANOTHER ONE AT SAINT JOHNS AND BERKMAN. EACH HAS A VERY HIGH UNIT HOUR UTILIZATION OR UHU IN THE E.M.S. JARGON WHICH IS A MEASURE OF HOW OFTEN A UNIT IS OUT OF SERVICE, THUS UNAVAILABLE TO TAKE A NEW CALL. EACH OF THE FOUR PRIMARY RESPONSE AREAS INTO THIS ... GREATER THAN .58. TO PUT THIS INTO PERSPECTIVE, A UNIT WITH A UHU OF .5 WOULD HAVE A 50% CHANCE OF NOT BEING ABLE TO MAKE A CALL AT ANY GIVEN TIME. FUTURE DEVELOPMENT OF MUELLER WILL PUT ADDITIONAL PRESSURE ON RESPONSE TIMES AND WORKLOAD DUE TO THE INCREASED POPULATION AND THE DENSITY OF THE CONSTRUCTION. WHAT THIS MAP INDICATES BEFORE YOU IS THE CURRENT PRIMARY RESPONSE ZONE TO THE FOUR UNITS THAT NOW SERVE THIS AREA. THE CENTER OF THE YELLOW IS THE OLD AIRPORT SITE, THIS NEW STATION WOULD BE IMMEDIATELY WEST OF THAT ON AIRPORT BOULEVARD. AS YOU CAN SEE, THERE ARE -- THERE ARE REALLY FOUR UNIT. FIVE WITH MEDIC, SIX DOWN AT CENTRAL FIRE STATION IS A BACKUP UNIT. THIS SLIDE INDICATES WHAT OUR COMPUTER MODELING SHOWS TO BE THE PRIMARY RESPONSE AREA THAT SHOWS SIGNIFICANT RESPONSE TIME IMPROVEMENT. WE PROJECT THAT WITH THE ADDITION OF THIS STATION, THE SHADED AREA IN THE MIDDLE HAS A RESPONSE TIME REDUCTIONS OF UP TO THREE MINUTES. IN ADDITION TO THE DECREASING RESPONSE TIMES IN THE IMMEDIATE PROPOSED RESPONSE AREA, THE ADDITION OF THIS UNIT WILL HAVE A RIPPLE EFFECT IN THE SURROUNDING UNITS. THEIR RESPONSE TIME AREAS AND CALL VOLUMES WILL BE REDUCED FROM THE RUTTING BETTER RESPONSE TIMES WITHIN THOSE SECTORS. WHAT WE ARE PROPOSING IS A 5400 SQUARE FOOT STATION THAT INCLUDES TWO VEHICLE

BASES THAT WILL BE DESIGNED ACCORDING TO THE ROMA STANDARDS. WITH THE OPENING OF CHILDREN'S HOSPITAL COMPLEX NEXT SUMMER AND THE FULL BUILDOUT OF THE OLD AIRPORT SITE THERE WILL BE AN ADDITIONAL, WE ESTIMATE AN ADDITIONAL 25,000 PEOPLE THERE DURING THE DAYTIME WHICH WILL ADD SIGNIFICANTLY TO THE IMPACT OF THAT AREA, THE E.M.S. IMPACT TO THAT AREA. THE O AND M IMPACT IS \$1.6 MILLION, THAT INCLUDES 12 PARAMEDIC F.T.E.'S. I WILL BE GLAD TO ANSWER ANY QUESTIONS.

QUESTIONS, COMMENTS, COUNCIL?

THANK YOU, RICHARD.

WELCOME JUDGE MCKEE. GOOD AFTERNOON, MAYOR, MAYOR PRO TEM AND COUNCILMEMBERS, MY NAME IS EVELYN MCKEE, I'M THE PRESIDING JUDGE AT AUSTIN MUNICIPAL COURT. I'M HERE TO ASK ALONG WITH OUR CHIEF CLERK, REBECCA STARK, FOR YOUR SUPPORT OF A NEW MUNICIPAL COURTHOUSE. NOT MANY PEOPLE WHO COME TO MUNICIPAL COURT WANT TO BE THERE. OR WANT TO COME THERE. SO WE DON'T REALLY HAVE AN ADVOCACY GROUP AND SO YOU WILL HAVE TO BE OUR ADVOCATES IN THIS AREA. OUR CURRENT BUILDING IS SHOWN ON THE SLIDE. IT WAS BUILT AROUND THE TIME I WAS BORN. I DON'T HAVE TO TELL YOU THAT THE POPULATION OF AUSTIN HAS GROWN TREMENDOUSLY SINCE THAT TIME. IN THOSE 50 YEARS. THAT THE SURROUNDING --

Mayor Wynn: YOU DON'T LOOK A DAY OVER, JUDGE.

BLESS YOUR SWEETHEART.

I WAS GOING TO ASK YOU SPECIFICALLY FOR THAT DATE EVELYN.

I WILL SEND YOU AN E-MAIL ON THAT, TOBY. [LAUGHTER] BUT OUR POPULATION HAS GROWN TREMENDOUSLY. THE PHYSICAL SIZE OF OUR CITY HAS GROWN TREMENDOUSLY SINCE THAT TIME AND WITH THAT THE NUMBER OF CASES, THE NUMBER OF CITATIONS ISSUES AND CASES FILED IN OUR COURT HAS GROWN TREMENDOUSLY SINCE THAT TIME.

THE ONLY THING THAT HAS NOT GROWN IS OUR BUILDING. I HAVE BEEN A JUDGE IN MUNICIPAL COURT FOR 17 YEARS NOW. WE HAD A NEED FOR MORE SPACE, WHEN I FIRST CAME TO WORK THERE DURING THE LAST BOND ELECTION WE HAD A PRETTY URGENT NEED FOR MORE SPACE AND WE WEREN'T ON THAT -- ON THAT BOND ISSUE. WE NOW HAVE A VERY URGENT NEED FOR MORE SPACE AND IF WE AREN'T INCLUDED THIS TIME IT WILL BE ANOTHER DECADE BEFORE THE CITIZENS OF AUSTIN AND THE EMPLOYEES THAT -- AT MUNICIPAL COURT WILL GET ANY RELIEF. I'M PROUD TO SAY THAT OUR COURT IS ONE OF THE MOST EFFICIENT IN THE STATE, PERHAPS IN THE NATION. BUT EVEN SPACE EVEN PUTS A LIMIT ON HOW EFFICIENT YOU CAN BECOME, THE WAY WORK HAS CHANGED FROM THE TIME WHEN A CLERK WOULD COME IN WITH A STACK OF PAPER IN THE MORNING, DO SOME WORK, PUT THE STACK TO GO OUT. NOW WE HAVE DOUBLE MONITORS, JUST THE TECHNOLOGY OF IT DEMANDS MORE SPACE. WE ARE NOT ASKING FOR A BRAND NEW, HIGH PRICED PALATIAL BUILDING. WHAT WE NEED IS A LARGER BUILDING WITH MORE SPACE AND LOW COST ALTERNATIVE FOR THE EMPLOYEES TO DO THEIR WORK AND FOR THE PUBLIC TO CONDUCT ITS BUSINESS. I WILL ASK MS. STARK TO GIVE YOU AN OVERVIEW OF THE CURRENT BUILDING AND WHAT WE HAVE PROPOSED.

WELCOME.

MAYOR.

OUR CURRENT FACILITY IS LOCATED AT THE NEXT TO POLICE HEADQUARTERS AT THE CORNER OF EAST SEVENTH AND I-35. IT WAS BUILT IN 1953, A YEAR IN WHICH I WAS ALSO BORN AND COME ON, I DON'T LOOK IT, EITHER [LAUGHTER] IT'S APPROXIMATELY 40,000 SQUARE FEET. THE THREE PICTURES HERE, THE ONE ON YOUR RIGHT IS -- IS OUR BASEMENT WHERE WE KEEP OUR RECORDS. THOSE RECORD CABINETS ARE EIGHT FEET TALL, FOUR FEET WIDE, WE HAVE HUNDREDS OF THOUSANDS OF OPEN RECORDS THERE. DURING HEAVY RAINS THAT WALL LEAKS. THERE ARE TWO AREAS IN THE BASEMENT, SOMETIMES IT JUST RUNS IN, SOMETIMES IT GEYSERS IN. WE TRY TO MOVE AS MANY OF THOSE FILES AS POSSIBLE, THE TRICK IS BRINGING IN BUILDING SERVICES TO KEEP THE WATER OFF THE FLOOR



FROM GETTING MORE THAN THREE INCHES DEEP BECAUSE THEN IT HITS THE BOTTOM OF THESE FILE. WE CAN'T AFFORD TO LET IT GET MORE THAN THREE INCHES DEEP.

YOU HAVE A PROBLEM WITH THAT.

WE WERE GOING TO CHARGE FOR A SWIMMING POOL, BUT HASN'T GONE OVER. IN THE LOWER LEFT-HAND CORNER, THAT'S ACTUALLY A SUPERVISOR IN AN OFFICE BUT I WANTED TO DRAW YOUR ATTENTION TO THE BUNDLING OF CABLES THERE WITH THE NEW TECHNOLOGY, WE HAVE HAD TO ADD CAPABLING FOR COMPUTERS AND ELECTRICITY AND WITH THE CANED ASBESTOS IN THE WALLS, CEILINGS, UNDER THE CARPETS, ALL OF THE CABLING IS ON THE OUTSIDE OF THE WALLS. ON ALL OF OUR FLOORS. IN THE PUBLIC AND PRIVATE AREAS. THEN JUST FOR -- TO SHOW YOU A LITTLE BIT OF THE RECOVERY CROWDING, THERE IS A ROOM, THE PICTURE IN THE MIDDLE, THAT IS A ROOM THAT'S 12 BY 12. THERE ARE FIVE EMPLOYEES SHOWN IN THERE. WHAT'S NOT SHOWN IS THE OTHER FOUR BY 12-FOOT SPACE IN THERE IN WHICH THERE ARE -- THERE ARE THREE OTHER EMPLOYEES. THERE'S A TOTAL OF 8 IN THE 17 BY 12 ROOM. ON THE NEXT SLIDE OUR COURTROOM IS OVERCROWDED FOR COURT USERS, INCLUDING THE CUSTOMERS, ATTORNEYS, JURORS, WITNESSES, OFFICERS AND STAFF. THE CONFIGURATION IS NOT CONDUCIVE FOR COURT BUSINESS. ON THE LOWER LEFT IS OUTSIDE OF A COURTROOM. THAT'S WHERE ALL OF THE DEFENDANTS SIT WAITING FOR THE NEXT DOCKET. UNLIKE HIGHER COURTS WE HAVE DOCKETS ON THE HOUR, EVERYONE WAITS OUTSIDE THE ROOM AND WE CHANGE OVER FROM HOUR TO HOUR. THAT IS ALSO WHERE THE DEFENSE ATTORNEYS TALK TO THEIR CLIENTS, THAT'S ALSO WHERE THE PROSECUTORS TALK TO THEIR WITNESSES AND KIND OF WORST OF ALL WHERE THAT YOUNG LADY IS STANDING IS IN FRONT OF THE ELEVATORS AND THAT'S WHERE THE JUDGES NEED TO GO TO GET FROM FLOOR TO FLOOR, THEY ARE WALKING PAST WHERE THE ATTORNEYS ARE TALKING TO THEIR CLIENTS. ALSO WITH TECHNOLOGY WE HAVE A LOT OF ELECTRONIC FILES NOW IN ADDITION TO THE PAPER FILES. IN ORDER TO -- TO GIVE ACCESS TO DEFENSE ATTORNEYS, WE HAD TO CLEAR OUT A CLOSET, ACTUALLY, AND WE INSTALLED THE COMPUTER FOR THE DEFENSE

ATTORNEYS AND THE CHAIR. SO THAT'S WHAT THAT LAST PICTURE ON THE RIGHT-HAND CORNER IS. IS OUR TECHNOLOGY FOR THE ATTORNEYS. OUR RECOMMENDATION IS \$16 MILLION. WHAT WE ARE LOOKING FOR -- WE ARE ENVISIONING A PURCHASE AND RENOVATE OPTION. WE LOOK FOR A SUITABLE EXISTING BUILDING TO RENOVATE IF THE BONDS PASS. AND WE THINK THAT WILL BE MUCH MORE COST EFFECTIVE AND FASTER THAN BUILDING FROM SCRATCH. WE ARE IN DIRE NEED OF MORE SPACE. THE MAJOR FEATURES ENVISIONED FOR OUR NEW COURTHOUSE INCLUDE 62,500 SQUARE FEET. THAT WAS DERIVED IN COOPERATION WITH [INDISCERNIBLE] GROUP WHO LOOKED AT OUR CURRENT NEEDS AND FUTURE NEEDS. WE ARE HOPING THAT OUR PROSECUTORS CAN BE RELOCATED INTO OUR BUILDING SINCE NOW THEY ARE ON SIXTH STREET. LOOKING FOR ADEQUATE INTERNAL EXTERNAL SECURITY, WE WOULD LIKE TO ENHANCE OUR SECURITY AND CASH HANDLING FACILITIES. WE HANDLE \$30 MILLION WORTH OF CASH EVERY YEAR. WE NEED MORE SECURITY IN THE NUMBER OF AREAS AND ALSO ALL OF OUR JUDGES ARE NOT ABLE TO BE BEHIND THE SECURED AREA IN THE COURT BECAUSE WE HAVE OUTGROWN THAT SPACE. SO THERE ARE SOME -- SOME JUDGES' OFFICES THAT OPEN DIRECTLY INTO PUBLIC HALLWAYS. WE HOPE TO BE CONVENIENTLY LOCATED NEAR I-35 AND BUS ROUTES AND WE HOPE TO HAVE A DESIGN BASED ON COURT OPERATIONAL AND SERVICE NEEDS AS WELL AS PROVIDING OPPORTUNITIES FOR OPERATIONAL AND TECHNOLOGICAL EFFICIENCIES. OUR O AND M IS \$462,000 AND THAT'S BASED ON SQUARE FOOTAGE. AND NOW I'M GOING TO TURN THIS BACK TO JUDGE MCKEE.

I WOULD LIKE FOR YOU ALL TO NOTE AT THE INVITATION OF REPRESENTATIVES OF THE AUSTIN BAR ASSOCIATION AND THE -- THE REPRESENTATIVES OF TRAVIS COUNTY THAT WE HAVE HAD MEETINGS AND EXPLORED THE CONCEPT OF A JOINT CITY AND COUNTY COURTHOUSE. I WOULD LIKE TO JUST GIVE YOU BRIEFLY THE FEATURES OF THAT AND JUST PUT IT OUT THERE FOR YOU TO UNDERSTAND. UNDER OUR PROPOSAL -- THEY NEED UP TO 200,000 SQUARE FEET OF SPACE. WE NEED 62-5. THEY NEED A COURTHOUSE THAT IS WITHIN A SPECIFIED LOCATION CLOSE TO WHERE THEY ARE

NOW, VERY HIGH DOLLAR AREA. THEY HAVE A VERY HIGH COST MODEL A CIVIL COURTHOUSE. WE ON THE OTHER HAND JUST NEED TO BE CENTRALLY LOCATED. WE DO NOT NEED TO BE IN THE HIGHEST PRICED AREA OF THE CITY. BUT JUST CENTRALLY LOCATED AND CONVENIENT FOR -- FOR THE PUBLIC, SO -- WE CAN LOOK AT A MUCH BROADER AREA AND AT LOWER COSTS. ALSO -- ALSO THE FACILITY ITSELF THAT WE ARE LOOKING AT IS A MUCH LOWER COST MODEL. DID THIS IS A SHORT TIME LINE. THEY HAVE AN EXTENDED TIME LINE, SEVEN YEARS OR SO. THEY HAVE GOT TO GO OUT FOR BONDS AS WELL. WE HAVE DIFFERING NEEDS IN OUR FACILITY, DIFFERENT POPULATIONS. WE HAVE YOUR EVERYDAY CITIZEN, LAWYER-CLIENT KIND OF SITUATION, WE HAVE DIFFERENT PARKING NEEDS. WE WOULD THEN HAVE SOME CHALLENGES IN THE JOINT OWNERSHIP OF THAT KIND OF FACILITY. BUT THE BOTTOM LINE IS THAT WE NEED TO MOVE SOON, QUICKLY AND SO WE WOULD ASK YOU TO ALLOW THE OPPORTUNITY OF THE DECADE FOR US TO GO AHEAD AND PROCEED WITH A MUNICIPAL COURTHOUSE. THANK YOU. IF YOU HAVE ANY QUESTIONS, WE WOULD BE GLAD TO ANSWER THEM.

THANK YOU, JUDGE MCKEE. MS. STARK, QUESTIONS COUNCIL? THANK YOU ALL. WEPTWELCOME, MR. LURIE.

MAYOR, COUNCILMEMBERS, THE BOND PACKAGE INCLUDES A PROPOSED NEW ANIMAL SHELTER AND WE HAVE SOME INFORMATION TO SHARE WITH YOU, THE CURRENT FACILITY IS 50 YEARS OLD, IT'S OBSOLETE. INEFFICIENT AND EXTREMELY COSTLY TO MAINTAIN AND IN SOME INSTANCES THE COST OF REPAIRS OVER TIME WOULD EXCEED THE COST FOR REPLACEMENT. WE ARE VERY LIMITED IN TERMS OF WHAT WE CAN DO RELATIVE TO RENOVATIONS OR REPLACEMENTS BECAUSE THE CURRENT FACILITY IS IN THE FLOODPLAIN. AND WOULD HAVE TO BE LITERALLY RAISED UP IN ORDER TO DO EXTENSIVE REMODELING OR REPLACEMENTS. IT'S NOT AT ALL CONDUCIVE TO AN EFFICIENT OPERATION. IT'S NOT DESIGNED TO -- TO OPERATE EFFECTIVELY IN TERMS OF THE CURRENT SERVICES AND PROGRAMS THAT WE ARE TRYING TO MANAGE THERE WITHIN THE FACILITY. AND ALSO THERE ARE SEVERE SAFETY RISKS TO STAFF AT THIS PARTICULAR FACILITY, PRIMARILY BECAUSE OF THE FACT THAT IT

FLOODS REGULARLY. WHEN IT DOES FLOOD, STAFF HAVE TO LITERALLY MOVE THE ANIMALS, SOMETIMES OVER 300 ANIMALS TO HIGHER GROUND. INTO TRUCKS, INTO OBVIOUS, INTO ANY LOCATION THEY CAN FIND THAT IS OUT OF THE FLOODED AREA. AS I SAID, IT CREATES A SIGNIFICANT RISK TO OUR STAFF IN ORDER TO DO THIS. WE HAVE A FEW PICTURES TO SHARE WITH YOU. BY THE WAY THIS IS NOT THE DOG BATHING AREA IN THE APPEAR MALL SHELTER. THIS IS A PART OF THE SHELTER DEMONSTRATING THE AMOUNT OF WATER THAT COMES IN AND WHAT STAFF ARE FACED WITH IN TERMS OF TRYING TO MOVE ANIMALS AROUND. A COUPLE MORE PICTURES DEPICTING THIS, OFTENTIMES AS YOU KNOW DURING THESE STORMS WE HAVE LIGHTNING, THERE ARE AREAS WITHIN THIS PROPERTY WHERE -- WHERE YOU HAVE LOW GROUND AND THE WATER BACKS UP AND IT'S ACTUALLY MUCH DEEPER EVEN THAN THIS. SO YOU HAVE STAFF OUT THERE OFTENTIMES AT NIGHT, SLIPPERY SURFACES, TRYING TO MOVE THE LARGE NUMBER OF ANIMALS VERY QUICKLY AND IN SOME INSTANCES POTENTIALLY AT RISK TO THEMSELVES. ONE OTHER PICTURE HERE ACTUALLY SHOWS THE WATER COMING INTO THE FACILITY ITSELF. BOTH THE KENNEL AREAS AS WELL AS THE OFFICE AREAS ANDS YOU CAN SEE IS A LOT OF WATER AND THIS HAPPENS QUITE -- QUITE OFTEN. THE NEXT PICTURE JUST DEPICTS KIND OF THE GENERAL STATE OF CONDITIONS THERE. COB SECRET THAT IS OFTEN DE-- CONCRETE THAT IS OFTEN DETERIORATING. EXPOSED REBAR. WE HAVE BEEN SITED IN TERMS OF THE FACILITY, HAVE HAD TO MAKE REPAIRS TO THE KENNEL AREA, BUT AGAIN THESE ARE VERY TEMPORARY, THEY DON'T LAST VERY LONG, THEY ARE COSTLY. IT NOT THE BEST FACILITY IN TERMS OF -- OF PREVENTING DISEASE TRANSMISSION AMONG THE ANIMALS, AS YOU CAN SEE THE ELECTRICAL SYSTEMS ARE NOT SUFFICIENT TO MEET OUR CURRENT OPERATIONS THERE AND YOU SEE -- THE EXTENSION CORDS AND OTHER WAYS TO TRY TO CONTACT DATE THAT. THE PROPOSED NEW SHELTER, THE RECOMMENDATION WOULD BE FOR A COST OF \$12 MILLION. THIS WOULD PROVIDE FOR A 41,000 SQUARE FOOT FACILITY, 25% LARGER THAN OUR CURRENT FACILITY. SO IT WOULD ACCOMMODATE A LOT OF THE GROWTH THAT WE HAVE BEEN EXPERIENCING. AGAIN, IT WOULD PROVIDE FOR A

MUCH HEALTHIER ENVIRONMENT IN TERMS OF AIR FLOW, DISEASE MANAGEMENT, AMONG THE ANIMALS. IT WOULD PROVIDE US WITH AN OPPORTUNITY TO DESIGN A FACILITY SO WE COULD BETTER INTEGRATE THE PROGRAMS AND MAKE BETTER USE OF THE SPACE THAT'S AVAILABLE. IT WOULD PROVIDE EXPANDED CAPACITY IN ALL PROGRAM AREAS, PREVENTION, INCLUDING SPAY NEUTER SERVICES, MICROCHIPPING, EDUCATION AS WELL AS OUR IMPROVED VETERINARY OR TREATMENT FACILITY. OBVIOUSLY WOULD PROVIDE FOR A MUCH SAFER ENVIRONMENT FOR THE WORKFORCE AND A MORE EFFICIENT OPERATION OVERALL. WE WOULD SEE IMPROVED CUSTOMER SERVICE IN TERMS OF THE -- OF THE OPERATING AND COSTS, WE WOULD LOOK AT THE POSSIBILITY OF FOUR ADDITIONAL F.T.E.'S, PRIMARILY ANIMAL TREATMENT AREA AND CUSTOMER SERVICE AREA AND THE PROPOSED LOCATION OF THE NEW SHELTER WOULD BE AT OUR NEW HEALTH AND HUMAN SERVICES CAMPUS. THANK YOU.

Mayor Wynn: THANK YOU, MR. LURIE, QUESTIONS FROM STAFF, COUNCIL? THANK YOU. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

... HAVE APPROVED AND BUILT THROUGH BONDS TEN NEW BRANCHES, RELOCATED 7 MORE FACILITIES, FROM LEASE SPACE TO NEW FACILITIES, AND EXPANDED THREE BRANCHES. BUT THOSE BRANCH ALSO NOT THRIVE WITHOUT A VITAL CENTRAL LIBRARY. THE CURRENT CENTRAL LIBRARY HAS MANY DEFICIENCIES, I'LL HIGHLIGHT A FEW FOR YOU. THE COLLECTION IS AT CAPACITY. THERE IS NO MORE ROOM FOR GROWTH. FOR EVERY BOOK THAT WE ADD TO MEET CURRENT DEMAND WE HAVE TO REMOVE A BOOK FROM THE SHELVES. AS A RESULT, WE CANNOT ADD ANY DEPTH OR BREDTH TO OUR COLLECTION. THE AVERAGE NUMBER OF VOLUMES FOR OUR PEER CENTRAL LIBRARY IS 1.2 MILLION. JOHN HENRY FAULK HAS 411,000 VOLUMES. WE HAVE NO SPACE TO ADD COMPUTERS. WE CURRENTLY HAVE 40 PUBLIC COMPUTERS. THOSE 40 COMPUTERS HAVE WAITING LINES EVERY MINUTE THAT THE LIBRARY IS OPEN. AND AS A POINT OF COMPARISON, THE AVERAGE NUMBER OF COMPUTERS FOR OUR PEER CENTRAL LIBRARIES IS 146. WE HAVE NO COFFEE SHOP, JUST TO THE NORTH OF THIS AREA THAT YOU SEE ON YOUR SCREEN, WE HAVE TWO SOFT

DRINK MACHINES, AND A SNACK MACHINE. WE HAVE NO COFFEE. IN OUR NEW CENTRAL LIBRARY,, WE PLAN THE TO HAVE A COFFEE SHOP WHICH IS SOMETHING OUR CITIZENS HAVE ASKED FOR THROUGH FOCUS GROUPS AN SURVEYS ON COMMENT CARDS TURNOVER YEARS. SEATING IS AT CAPACITY, THERE IS LITTLE AVAILABLE SPACE FOR SEATING, PRIMARILY IT OWES LOCATED ALONG THE WINDOWS AND IN THE SMALL SPACES BETWEEN THE SHELFING. AT ANY GIVEN TIME, AT ANY DAY, ON ANY DAY, THERE ARE PEOPLE WALKING AROUND TRYING TO FIND A PLACE TO SIT. JOHN HENRY FAULK HAS 330 SEATS. THE PEER AVERAGE IS AROUND 2,000. 40 PUBLIC PARKING SPACES ARE INADEQUATE. OFTEN CUSTOMERS TELL ME THEY NO LONGER USE THE JOHN HENRY FAULK CENTRAL LIBRARY BECAUSE OF OUR PARKING SITUATION. THE CENTRAL LIBRARY IS SUPPOSED TO BE A COMMUNITY CENTER, BUT I DOUBT IF AUSTINNITES WOULD SAY THAT OUR CURRENT CENTRAL LIBRARY IS A COMMUNITY CENTER, BECAUSE THERE ARE NO PUBLIC SPACES FOR THEM TO GATHER IN. THERE'S NO EXHIBIT SPACE FOR NATIONAL EXHIBITIONS THAT ARE AVAILABLE TO US FREE OF CHARGE. NO SPACE TO SHOWCASE OUR LOCAL ARTISTS. THERE'S NO AUDITORIUM, NO MEETING ROOMS, NO STUDY ROOMS, THERE IS NO TEAM SPACE. WE DO HAVE A WIERD FOR USE CENTER THAT WAS DONATE BID MICHAEL AND SUSAN DELL FOUNDATION WITH TEN COMPUTERS BUT IT'S RIGHT IN THE MIDDLE OF THE CHILDREN'S AREA AND WHEN THE TEENS FINISH THEIR TIME ON THE COMPUTER, THEY GET UP AND LOOK AROUND FOR A PLACE TO READ AND DO THEIR HOME WORK AND THERE IS NO SPACE FOR THEM. THERE'S NO DEDICATED USE PROGRAMMING SPACE, THE SINGING ZOOLOGIST AND THE BAZARRO BROTHERS AND JOE McDER MID, PERFORM RIGHT IN THE MIDDLE OF THE SHELVES WHERE THE PARENTS AND THEIR KIDS ARE TRYING TO FIND MATERIALS. THE NEXT CHART SHOWS YOU THE LIBRARIES THAT WE TYPICALLY BENCHMARK OURSELVES AGAINST, BECAUSE THEY ARE LIBRARIES THAT SERVE CITIES WITH IS SIMILAR POPULATIONS TO AUSTIN, AS YOU CAN SEE FROM THIS CHART, AUSTIN IS THE LOWEST AMONG ALL PEER LIBRARIES INCLUDING TEXAS LIBRARIES IN SIZE OF CENTRAL LIBRARY, CENTRAL LIBRARY COLLECTION AND SYSTEM COLLECTION. THE NEXT FEW SLIDES WILL DEPICKET A FEW OF THE

CENTRAL LIBRARIES OF THE JUST REFERENCED PEER CITIES. AUSTIN CENTRAL LIBRARY WILL HAVE A UNIQUE CHARACTER REPRESENTATIVE OF AUSTIN, BUT THESE PHOTOS WILL GIVE YOU AN IDEA OF THE RENAISSANCE IN LIBRARIES BEING BUILT AROUND THE COUNTRY OVER THE LAST FEW YEARS. ALL OF THESE LIBRARY SYSTEMS HAVE SEEN SIGNIFICANT INCREASES IN LIBRARY USAGE, GATE COUNT, COLLECTION TURNOVER, AND PROGRAM ATTENDANCE WITH THE OPENING OF THEIR NEW CENTRAL LIBRARIES. >>WE WANT OUR CENTRAL LIBRARY TO REFLECT THE CHARACTER OF AUSTIN, ALTHOUGH WE WON'T HIRE AN ARCHITECT UNTIL THE BONDS ARE PASSED, THE COMMUNITY HAS BEEN EXCITED TO SEE WHAT OTHER CITIES HAVE ENVISIONED AND REALIZED FOR THEIR CENTRAL LIBRARIES SO THAT THEY CAN DREAM ABOUT THEIR VISION FOR AUSTIN'S NEW CENTRAL. ONCE THE BOND MEASURE PASSES IN NOVEMBER OF 2006, AN RFQ COULD BE INITIATED AS SOON AS DECEMBER OF 2006 AND WE COULD BE LOOKING AT OPENING OUR NEW CENTRAL LIBRARY IN AUGUST OF 2012. A NEW CENTRAL LIBRARY IS CRITICAL TO THE VITALITY AND SUSTAINABILITY OF THE LIBRARY SYSTEM. THE BOND ELECTION COMMITTEE HAS -- ADVISORY COMMITTEE HAS RECOMMENDED FUNDING IN THE AMOUNT OF \$90 MILLION WHICH WILL BUILD A 250,000 SQUARE FOOT FACILITY WITH 100,000 OF THAT SQUARE FOOTAGE FINISHED OUT. AND AS A POINT OF REFERENCE, AVERAGE SQUARE FOOTAGE FOR PEER CENTRAL LIBRARIES IS AROUND 400,000 SQUARE FEET. THIS MAP SHOWS YOU WHERE THE NEW CENTRAL LIBRARY WILL BE RELOCATED AT GREEN WATER TREATMENT PLANT. THIS IS THE PERFECT LOCATION FOR THE NEW CENTRAL LIBRARY IN THE OPINION OF LIBRARY SUPPORT GROUPS AND LIBRARY ADMINISTRATION BECAUSE IT'S RIGHT IN THE HEART OF THE EMERGING CIVIC AND CULTURAL DISTRICT. IN ORDER TO HAVE A VITAL LIBRARY SYSTEM, WE NEED TO ADD CAPACITY TO OUR ENTIRE SYSTEM. THE ADDITIONAL CAPACITY THAT A NEW CENTRAL WOULD PROVIDE WOULD STRENGTHEN THE ENTIRE LIBRARY SYSTEM BY PROVIDING SPACE FOR A LARGER, MORE IN-DEPTH RESEARCH AND CIRCULATING COLLECTION. THE ADDITIONAL CAPACITY WOULD ENABLE THE CENTRAL LIBRARY TO MOVE CLOSER TO THE 1.2 MILLION VOLUME AVERAGE AMONG OUR PEER CENTRAL LIBRARIES

EXPANDING THE COLLECTION AVAILABLE TO ALL CITIZENS AND IN ADDITION THE CITIZENS WOULD BE GETTING A VIBRANT COMMUNITY CENTER AND GATHERING PLACE THAT WOULD SUPPORT THE BRANCHES IN A DYNAMIC WAY. ONE QUESTION THAT I GETS A I DO THESE PRESENTATIONS AROUND THE COMMUNITY IS HOW -- HOW CAN THE CITY AFFORD THE OPERATING COST, THE ADDITIONAL OPERATING COSTS? THE AUSTIN PUBLIC LIBRARY FOUNDATION HAS MADE A PROPOSAL TO ADDRESS THAT ISSUE. AND IN THE AUDIENCE TODAY IS THE PRESIDENT OF THE AUSTIN PUBLIC LIBRARY FOUNDATION AND THE EXECUTIVE DIRECTOR OF THE AUSTIN PUBLIC LIBRARY FOUNDATION WHO WOULD BE ABLE TO TALK TO YOU A LITTLE BIT MORE ABOUT THAT PROPOSAL. HERE ARE A FEW LOCAL VISIONS OF WHAT OUR NEW CENTRAL LIBRARY MIGHT LOOK LIKE. IN THE SPRING OF 2003, AN ADVANCED DESIGN CLASS AT THE UNIVERSITY OF TEXAS SCHOOL OF ARCHITECTURE, SPENT AN ENTIRE SEMESTER EXPLORING POSSIBILITIES FOR A NEW CENTRAL LIBRARY IN THE DOWNTOWN AUSTIN AREA, LED BY FACULTY MEMBER LAWRENCE SPEC. THE RESULTS OF THEIR WORK ARE PUBLISHED IN A BOOK WHICH WE JUST DISTRIBUTED TO YOU ALL. THIS FIRST SLIDE IS THE RENDERING DESIGNED BY BRIAN NICODEMIS. THE \$90 MILLION PROPOSED FOR AUSTIN PUBLIC LIBRARY'S NEW CENTRAL LIBRARY INCLUDES FUNDING FOR 96,000 ADDITIONAL VOLUMES ON OPENING DAY, 400 ADDITIONAL SEATS, 126 PUBLIC ACCESS COMPUTERS, 21 MEETING AND STUDY ROOMS, 175 SEAT AUDITORIUM, A FRIEND'S BOOK STORE, A GIFT SHOP, A COFFEE SHOP, SPECIAL VENTS SPACE AND AN ELECTRONIC BOOK DISTRIBUTION CENTER -- SYSTEM. THIS RENDERING WAS DESIGNED BY JENNY PETERSON. ALL THREE UNIQUE CONCEPTS ARE INTENDED TO ENGAGE THE AUSTIN CITIZENS IN A DIALOGUE ABOUT WHAT THEY ENVISION FOR THEIR NEW CENTRAL LIBRARY. THIS THIRD RENDERING WAS DESIGN BID MIRA WAN, AND I'LL CONCLUDE BY SHARING THE AUSTIN PUBLIC LIBRARY FOUNDATION SLOGAN WHICH SEEMS TO HAVE RESSATED WITH OUR CITIZENS, GREAT CITIES HAVE GREAT LIBRARIES AND IT'S MY OFFICER VENT HOPE THAT AUSTIN WILL JOIN THOSE OTHER GREAT CITIES WITH A NEW CENTRAL LIBRARY, BE HAPPY TO ANSWER ANY



QUESTIONS THAT YOU MAY HAVE.

Mayor Wynn: COUNCILMEMBER McCracken?

McCracken: BRENDA, IS THERE A -- I KNOW A LOT OF US ON THE DAIS DISCUSSED THE POSSIBILITY OF HAVING THE CENTRAL LIBRARY BE THE BASE BUILDING OF A LARGER BUILDING AT THE GREEN SITE. CAN YOU TELL US WHAT WORK HAS BEEN DONE ON COST MODELING FOR A -- THE CENTRAL LIBRARY, BE IT THE FIRST FOUR OR FIVE STORIES OF A LARGER BUILDING ON GREEN?

WE HAVEN'T DONE ANY COST MODELING BUT WE'RE OPEN TO THAT IDEA. >>

McCracken: I DO BELIEVE ONE OF THE REAL BENEFITS OF THAT IS WE BASICALLY GET FOUR BLOCKS OF GREEN TO REDEVELOP AND THOSE HAVE ENORMOUS TAX BASE POTENTIAL FOR ALL OF THE TAXPAYERS OF AUSTIN INCLUDING TO HELP FUND LIBRARY OPERATIONS AND I'VE LEARNED FROM THE ULI FOLKS THERE ARE MODELS WE CAN LOOK AT AROUND THE COUNTRY, WHERE GREAT CENTRAL LIBRARIES ARE PART OF LARGER BUILDINGS.

WE'RE OPEN TO THAT.

WHAT WOULD BE THE MECHANISM FOR GETTING THAT?

WELL, I GUESS PART OF IT HAS TO DO WITH THE CART AND THE HORSE, THE IDEA HERE BEHIND THE BOND PACKAGE WAS JUST TO SEE WHETHER OR NOT WE HAVE THE GO AHEAD FROM THE COMMUNITY TO DO A LIBRARY, THEN THE CONCEPT I THINK AS WE ORIGINALLY THOUGHT WAS TO GO FROM THERE KNOWING WHERE WE HAD A SITE AND BEST PLAN HOW TO MAXIMIZE THOSE DOLLARS. WITH THE USE OF THAT SITE WE THOUGHT THERE WOULD BE LOTS OF OPPORTUNITIES FOR SHARED OPEN SPACE, SHARED PARKING, POSSIBLY SHARED BUILDING, A WHOLE RANGE OF POSSIBILITIES. AND USE THE PRIVATE PUBLIC PARTNERSHIP TO HELP AUGMENT THE FUNDING.

McCracken: IN FACT, WHEN ARE WE SCHEDULED TO ISSUE AN RF -- I GUESS AN R.F.P. FOR THE GREEN REDEVELOPMENT?

WOULD IT BE AFTER THE BOND ELECTION?

YES, IT WOULD BE. IT WOULD BE, THE FIRST THING THAT WE HAVE TO DO BEFORE WE MAKE THE NEXT MOVE ON GREEN, AND IT'S GOING TO BE ONE OF YOUR PRESENTATIONS OBVIOUSLY TODAY.

McCracken: IS THAT COMING UP IN.

YES, IT IS. OBVIOUSLY WE NEED TO DECIDE ABOUT WHERE A NEW PLANT WOULD BE LOCATED. ONCE WE HAVE THAT CITED, THEN WE HAVE THE ABILITY TO MOVE AHEAD.

McCracken: I GUESS IN THEORY THEN, I GUESS IF WE WERE TO GO FORWARD IN NOVEMBER WITH AFTER THE BOND ELECTION, WHEN IT IS HOPEFULLY SUCCESSFULLY APPROVED BY THE VOTERS FOR NEW CENTRAL LIBRARY, WE COULD ASK FOR AN R.F.P. AND INCLUDING TO GIVE US THE BEST OFFER OF COMPETING BIDDERS TO HAVE A CENTRAL LIBRARY AS A BASE BUILDING OF ONE OF THE FOUR BLOCKS THERE OF A LARGER BUILDING AND SEE WHAT THE BEST MOST ORIGINAL OFFER WE GET IS.

ABSOLUTELY, THAT IS CERTAINLY ONE OF THE IDEAS THAT COULD HAPPEN. OBVIOUSLY THE LIBRARY HAS SOME SPECIFIC REQUIREMENTS THAT THEY HAVE TO BUILD INTO A BUILDING, BUT, YES, I COULD SEE THAT EASILY BEING ONE APPROACH. >>

McCracken: GREAT.

Mayor Wynn: FURTHER QUESTIONS? COUNCILMEMBER LEFFINGWELL?

Leffingwell: I NOTICE YOU HAVE 250,000 SQUARE FEET PLAN INITIALLY AND RESERVE EXPANSION OF 170,000, THAT PUTS UNAROUND 420 --

WELL, NO, ACTUALLY, COUNCILMEMBER, IT'S THE TOTAL SQUARE FOOTAGE, 170 WOULD BE FINISHED OUT WITH 80,000 LEFT TO BE FINISHED OUT AT ANOTHER BOND ELECTION.

Leffingwell: IS YOUR MAXIMUM IS HOW MUCH NOW?

170 RIGHT NOW, 250 TOTAL WHEN WE FINISH OUT THE SECOND PART.

Leffingwell: OH, WHEN YOU FINISH IT OUT? AND YOUR PEER AVERAGE IS 408,000?

THAT'S CORRECT.

Leffingwell: YOU MENTIONED A FEW YEARS IN AGO IN 1979 WE BUILT THE FAULK LIBRARY FOR A CITY OF 300,000 PEOPLE, THAT'S PROBABLY PRETTY CLOSE TO WHAT WE WERE THEN, WITH NO CAPABILITY FOR EXPANSION THERE, SO YOU HAVE TO CHOOSE ANOTHER SITE. I'M JUST WONDERING IF WE'RE LOOKING AHEAD HERE ON THIS NEW SITE, THE GREEN SITE F. THERE IS EXPANSION CAPABILITY FOR THE FUTURE SO WE DON'T HAVE TO GO OUT AND BUILD A NEW BUILDING.

THAT'S ONE OF THE PARTS OF OUR PLAN IS TO INCLUDE EXPANDABILITY, IT DEPENDS ON WHAT WE END UP -- HOW WE END UP COLLABORATING, HOW THAT WOULD WORK OUT, OUR PLAN IS TO INCLUDE EXPANDABILITY IN THIS.

Leffingwell: I REALIZE THAT IS A WAYS DOWN THE ROAD. WE HAVE TO TAKE IT ONE STEP AT A TIME. BUT I CERTAINLY HOPE WE'LL PLAN FOR THE FUTURE AT THIS SITE BECAUSE IF EVERYTHING GOES LIKE WE WANT IT TO DO, THIS IS PROBABLY WHERE IT'S GOING TO BE FOR A VERY LONG TIME.

THANK YOU.

AND OF COURSE COUNCILMEMBER, THE ORIGINAL SITE, PART OF THE PROBLEM IS WE HAD NO ABILITY TO GO UP, IT WAS CON TRAINED WITH HEIGHT AND THEN THERE WAS ALSO NO PLACE FOR ADDITIONAL PARKING. MANY OF THOSE WILL NOT BE THE SAME CONSTRAINTS ON THIS SITE AND IN ADDITION TO THAT, WE CAN BUILD ON THE FRONT END THE ABILITY TO ADD STORIES LATER, JUST STRUCTURALLY BUILD IT IN A WAY YOU CAN ADD STORIES LATER, THERE'S A NUMBER OF WAYS WE CAN TRY TO APPROACH IT.

Leffingwell: RIGHT. I HOPE WE CAN LEARN NOT TO WALK INTO THE SAME WALL TWICE, ANYWAYS.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? THANK YOU MS. BRANCH. WELCOME BACK, MR. CANALY.

THANK YOU, MAYOR. HERE NOW TO WALK YOU THROUGH SOME RECOMMENDATIONS ON CITIZENS INITIATIVES THAT CAME FROM THE VERY THOROUGH CITIZEN INPUT PROCESS DURING THIS LAST YEAR'S BOND PROCESS, JUST AS A RECAP, THERE WERE SIX FULL PUBLIC HEARING THAT REACHED OUT INTO THE COMMUNITY. THE SUB COMMITTEES MET OVER 50 TIME, WHICH CITIZENS PARTICIPATED THROUGHOUT THAT PROCESS VIA THOSE MEETINGS BUT ALSO THROUGH CITIZEN COMMUNICATION WITH E-MAILS AND SURVEYS AND THAT CITIZEN INPUT WAS INVALUABLE TO THIS PROCESS AND FROM IT WE ARE RECOMMENDING SEVERAL CITIZEN INITIATIVE -- SEVERAL CITIZEN INITIATIVE DRIVEN PROJECTS THAT I'LL REVIEW RIGHT NOW. IN MAY 2003, COUNCIL CREATED THE ASIAN-AMERICAN RESOURCE CENTER ADVISORY BOARD TO WORK ON DEVELOPING A RESEARCH CENTER FOR THE ASIAN COMMUNITY, TODAY WE'RE INCLUDING IN OUR INVESTMENT IN OUR FUTURE RECOMMENDATION \$5 MILLION FOR THE ASIAN-AMERICAN RESOURCE CENTER. THIS FUNDING WOULD PROVIDE MATCHING FUNDS FOR A MULTIPHASE PROJECT, PHASE I OF WHICH IS FOR A 32,000 SQUARE FOOT EDUCATION CENTER THAT WOULD PROVIDE CLASSROOMS, A LANGUAGE LIBRARY CENTER, COMMUNITY ACTIVITY CENTER, SPACE FOR CULTURAL EXHIBITS AND ADMINISTRATIVE SPACE. IN 2000, AUSTIN STUDIOS WAS FORMED AS A PUBLIC PRIVATE PARTNERSHIP BETWEEN THE CITY OF AUSTIN AND THE AUSTIN FILM SOCIETY. WE ARE RECOMMENDING \$5 MILLION FOR IMPROVEMENTS TO THE EXISTING CITY-OWNED FACILITY AT RMMA THAT IS LEASED TO THE FILM SOCIETY. THIS FACILITY IS NOW THE HUB OF THE LOCAL FILM PRODUCTION INDUSTRY, AN INDUSTRY THAT IS A VITAL COMPONENT OF OUR CREATIVE ECONOMY. THIS FUNDING WILL PROVIDE STRUCTURAL IMPROVEMENTS AS WELL AS CRITICAL ELECTRICAL UPGRADES AND FIRE SUPPRESSION SYSTEMS. ALSO INCLUDED IN THIS RECOMMENDATION IS \$5 MILLION FOR THE MEXICAN-AMERICAN CULTURAL CENTER. THIS \$16 MILLION FACILITY IS CURRENTLY UNDER

CONSTRUCTION WITH A COMPLETION DATE EARLY NEXT YEAR. THE NEW BUILDING WILL COMPRISE ABOUT 20,000 SQUARE FEET OF FACILITIES AND A 20,000 SQUARE FOOT PLAZA. THIS ADDITIONAL FUNDING WOULD BE USED TO BUILD OUT OTHER FEATURES OF THE MASTER PLAN THAT HAVE ALREADY BEEN DEVELOPED AS PART OF THIS PROCESS. CURRENTLY THERE ARE NO RECREATION CENTERS LOCATED NORTH OF U.S. 183 AND WEST OF IH-35, AN AREA THAT HAS SEEN RAPID GROWTH IN CHANGE. \$8.9 MILLION INCLUDED HERE FOR A NORTH AUSTIN RECREATION CENTER, THIS 18,000 SQUARE FOOT FACILITY WOULD BE SIMILAR TO OUR UPCOMING NEW RECREATION CENTER SUCH AS GUS GARCIA AND TURNER ROBERTS BY PROVIDING A GYMNASIUM AND MULTIPURPOSE ROOMS FOR THE COMMUNITY. AS WE HAVE SEEN WITH THE RECENT SUCCESS OF THE MAYBE DAVIS SKATE PARK, THERE'S A HUGE DEMAND FOR SKATE PARKS AND BMX PARKS IN THE COMMUNITY AS EVIDENCED BY THE SKATERS WHO PARTICIPATED THROUGHOUT THE PROCESS. \$3 MILLION IS INCLUDED FOR A NEW SKATE PARK AND A NEW BMX PARK, BOTH OF THESE PARKS WOULD BE LOCATED ON EXISTING PARK LAND, SO THERE WOULD NOT BE ADDITIONAL LAND ACQUISITION COSTS. AND FINALLY, OUR LAST CITIZEN RECOMMENDATION -- INITIATIVE RECOMMENDATION IS FOR \$10 MILLION FOR THE ZACK SCOTT THEATRE, A JOINT PUBLIC PRIVATE PARTNERSHIP, THIS \$10 MILLION WOULD BE MATCHED BY ANOTHER \$10 MILLION IN PRIVATE FUND RAISING TO BUILD A NEW 500 SEAT THEATRE AND ADDITIONAL PARKING. COUNCIL, I JUST WANT TO WRAN UP WITH ONE PIECE ON -- ON THE O AND M COST OF THE BOND ELECTION, WE BEGAN THIS BOND PROGRAM WELL OVER A YEAR AGO WITH THE UNDERSTANDING THAT OUR 1998 BOND PROGRAM WAS A NEW FACILITY RICH PROGRAM AND AS A RESULT HAD SIGNIFICANT O AND M IMPACT ON OUR BUDGET. WELL, THE FOCUS OF THE NEEDS ASSESSMENT WAS TO INVEST IN OUR INFRASTRUCTURE, THE BOND PROCESS CLEARLY INDICATED THAT THERE WAS ALSO A COMMUNITY DESIRE TO INVEST IN OUR FUTURE, WE BELIEVE THIS RECOMMENDATION FOR PUBLIC SAFETY AND HEALTH FACILITY, A NEW CENTRAL LIBRARY AND THESE SIX CITIZEN INITIATIVE STRIKES THE RIGHT BALANCE BETWEEN PROVIDING FOR NEW FACILITIES TO MEET THE NEEDS OF

OUR GROWING CITY WHILE KEEPING ADDITIONAL O AND M COSTS TO A MINIMUM. THE PROJECTS WE RECOMMEND TODAY HAVE A COMBINED 5.3 MILLION IN NEW O AND M COSTS WHICH WILL BE SPREAD OUT OVER THE IMPLEMENTATION OF THE BOND PROGRAM, AS A COMPARISON, THE 1998 BOND PROGRAM RESULTED IN AN O AND M IMPACT OF 16 AND A HALF MILLION DOLLARS. COUNCIL, THAT CONCLUDES OUR RECOMMENDATION ON THE FIRST PART OF INVESTING IN OUR FUTURE BONDS. GO TO THE NEXT SLIDE THERE. NOW, WE NOW HAVE A RUNNING TOTAL OF 436.4 MILLION OF THE BOND PROGRAM FILLED IN AND WE WILL BE BACK NEXT WEEK TO CONCLUDE THE RECOMMENDATION ON AFFORDABLE HOUSING AND LAND ACQUISITION. THANKS.

Mayor Wynn: THANK YOU, MR. CANALY, QUESTIONS, COMMENTS, COUNCIL? WE'LL DO OUR BEST TO ABSORB ALL OF THIS AND MOVE FORWARD. THANK YOU, GREG. CITY MANAGER, IS STAFF READY FOR ANOTHER ONE OF OUR MAIN BRIEFINGS TODAY WAS THE POSSIBLE ACTION ON WATER SUPPLY SIMPLY RELATED TO THE EXISTING GREEN WATER TREATMENT PLANT.

I'M SURE WE CAN BE READY HERE IN JUST A FEW SECONDS, SO I THINK WE HAVE JOE CANALES AND CHRIS LIPPY SHOULD BE COMING FORWARD HERE.

GOOD AFTERNOON, MAYOR AND COUNCILMEMBERS, WHILE CHRIS MAKES HIS WAY BACK WITH THE STAFF, I WOULD LIKE TO INTRODUCE THE TOPIC, LAST WEEK YOU ASKED US TO GO FORTH AND PRESENT THE INFORMATION YOU HAD BEEN PRESENTED IN THE PAST REGARDING OUR CASE FOR IDENTIFYING AND DEVELOPING -- DEVELOPING ADDITIONAL CAPACITY FOR THE FUTURE. WE PRESENTED THAT INFORMATION IN TERMS OF OUR ASSESSMENT OF GREEN. THE ALTERNATE SITES IN THE SCHEDULE, THAT PRESENTATION WAS SHARED LAST NIGHT WITH THE ENVIRONMENTAL BOARD AND THAT INFORMATION WILL BE MADE AVAILABLE TO YOU THIS AFTERNOON. THE DIRECTION THAT WE RECEIVED LAST WEEK WAS TO TRY TO PRESENT ALL OF THE OPTIONS ON THE SAME PLAYING FIELD WITH NO RECOMMENDATION AND THAT'S EXACTLY WHAT WE PRESENTED LAST NIGHT. THE OTHER POINT THAT WAS

MADE LAST NIGHT WAS THAT THERE IS ADDITIONAL INFORMATION THAT WILL BE FORTHCOMING RELATED TO THE ROLL OF CONSERVATION D. METHODOLOGY FOR OUR FORECASTING, AND THE DATES ASSOCIATED WITH THOSE FORECASTS. THAT INFORMATION WILL BE SHARED WITH THE COUNCIL IN THE FUTURE AND THAT INFORMATION WILL ALSO BE MADE AVAILABLE TO THE VARIOUS BOARDS AND COMMISSIONS AS WE MAKE OUR WAY BACK TO THE COUNCIL WITH THE VARIOUS PRESENTATIONS. SO EVERYTHING WILL BE MADE AVAILABLE TO THE BOARD AND COMMISSIONS. HAVING INTRODUCED THAT THIS AFTERNOON, MR. LIPPY IS GOING TO GO OVER THE ASSESSMENT AND THEN WE HAVE REPRESENTATIVES FROM CH HILL AS OUR CONSULTANTS WHO DID THAT ASSESSMENT AS WELL AS REPRESENTATIVES FROM THE PLUMBER & ASSOCIATES GROUP WHO WILL TALK ABOUT THE ROLE OF CONSERVATION IN OUR ESTIMATES AND IN -- AS AN OPTION FOR EXTENDING THE CAPACITY OF OUR WATER SYSTEM.

GOOD AFTERNOON, MAYOR PRO TEM AND COUNCILMEMBERS, IT IS MY -- AND MAYOR, GOOD AFTERNOON, MAYOR WINN WIN THANK YOU.

MY NAME IS CHRIS LIPPY, I'M DIRECTOR OF OF THE AUSTIN WATER COMMUNITY AND IT'S MY PLEASURE TO BE HERE TO SHARE INFORMATION AND BROADEN THE DISCUSSION OF OUR DRINKING WATER CAPACITY PLANNING IN THE UTILITY. AS YOU KNOW, A FINAL SITE HAS NOT BEEN SELECTED AND WE'RE HERE TO TALK ABOUT THE PROCESS AND BROADEN THE DISCUSSION TO PROVIDE AS MUCH INFORMATION AS POSSIBLE, IT'S IMPORTANT TO NOTE THAT WE'RE SHARING INFORMATION ON A LOT OF OPTIONS THAT HAVE BEEN IDENTIFIED PUBLICLY, BUT MAY OR MAY NOT BE FEASIBLE. SOME OF THESE MAY 0 OR MAY NOT BE ON THE TABLE STILL, BUT THE IDEA IS TO SHARE JUST AS AS MUCH INFORMATION AS WE CAN ABOUT A LOT OF IDEAS AND OPTIONS THAT HAVE BEEN DISCUSSED PUBLICLY. LET ME MENTION THAT THE PRESENTATION WE'RE GIVING TODAY IS GOING TO BE ON THE CITY WEB -- IS ALREADY POSTED ON THE CITY WEBSITE, IT'S UNDER AUSTIN, THE CITY OF AUSTIN, AUSTIN WATER UTILITY, UNDER GREEN TREATMENT PLANT, AND THIS ENTIRE PRESENTATION CAN BE FOUND THERE. WE HOPE THIS PRESENTATION ANSWER AS LOT OF QUESTIONS THAT

ARE COMMONLY BEING ASKED, BASIC QUESTIONS OF WHY BUILD A PLANT, WHY WE NEED CAPACITY, WHY NOW, AND WHAT ARE -- WHAT ARE SOME OF THE OPTIONS BEING CONSIDERED. AS JOE SAYS, MENTIONED, AS MR. CANALES MENTIONED, WE ARE AWARE, VERY AWARE OF CONCERNS ABOUT OUR ABILITY TO SHARE INFORMATION, AND ASIDE FROM CONFIDENTIAL PRIVATE PROPERTY INFORMATION, WHICH WE ALL KNOW WE HAVE TO RESPONSIBLE -- WE'RE RESPONSIBLE TO PROTECT THAT INFORMATION TO PROTECT THE CONFIDENTIAL NEGOTIATIONS, BUT ASIDE FROM THAT TYPE OF INFORMATION, WE WANT TO SHARE AS MUCH SITING INFORMATION AS POSSIBLE. SO IN ADDITION TO PRIVATE PROPERTY INFORMATION, WE KNOW THERE'S A NUMBER OF CONCERNS ABOUT INFORMATION BEING PREPARED AS PART OF A NUMBER OF STUDIES, SEVERAL OF WHICH CAME OUT OF THE WATER TREATMENT PLANT FOR DISCUSSIONS THAT BEGAN MORE THAN A YEAR AGO. THERE WERE SOME REQUESTS FOR INFORMATION ABOUT WATER CONSERVATION AND THE POTENTIAL FOR BEING ABLE TO POSTPONE NEW CAPACITY, EXPANSIONS, IF WE COULD GET SOME IMMEDIATE WATER CONSERVATION SAVINGS. IT WAS A REQUEST FOR SPECIAL STUDY ON ENVIRONMENTAL MEDIATION OF THE WATER TREATMENT PLANT FOR SITE OR ALTERNATE SITES. THERE WAS AN ALTERNATE SITE PROCESS, ALTERNATE SITE SEARCH THAT WAS BEING CONDUCTED, AND THEN THERE'S OF COURSE THE GREEN WATER TREATMENT PLANT SITE ASSESSMENT -- I'M SORRY, THE CONDITION ASSESSMENT OF EXISTING PLANT AND THE PLANNING FOR POTENTIAL FUTURE PLANT FOR GREEN, SO ALL OF THOSE DIFFERENT STUDIES, WE'RE GOING TO BE TAKING PARTS OF THOSE TODAY, AND YOU'LL SEE SOME OF THE KEY INFORMATION FROM SOME OF THOSE STUDIES. AND THEN IN THE VERY NEAR FUTURE WE'LL BE POSTING THOSE -- THAT INFORMATION, PROVIDING THOSE REPORTS AND STARTING BOARDS AND COMMISSION DISCUSSIONS ON ALL OF THOSE, THE EXCEPTION BEING THE ALTERNATE SITE -- ALTERNATE SITE SEARCH FOR WATER TREATMENT PLANT FOUR WHICH WILL ALSO BE COMING BACK SOON BUT THAT WILL BE EXECUTIVE SESSION AT CITY COUNCIL OF COURSE. SO WE ARE -- HAVE HEARD THOSE -- HAD A LOT OF CONCERNS ABOUT INFORMATION BEING AVAILABLE AND JUST WANTED YOU TO KNOW THAT WE'RE AT THAT POINT OF



SHARING THE INFORMATION WITH YOU TODAY AND VERY SOON COMING BACK WITH REPORTS AND FOLLOW-UP DISCUSSIONS IN MUCH MORE DETAIL ON EACH OF THESE TOPICS, SO WITH THAT, LET ME JUST GIVE YOU AN IDEA OF WHAT THE PRESENTATION IS GOING TO LOOK LIKE, WE'RE GOING TO BREAK IT INTO FOUR SECTIONS, WE'RE GOING TO TALK ABOUT THE SYSTEM OVERVIEW, INCLUDING WATER SUPPLY CAPACITY, WATER DEMAND, WHERE ARE WE AT ON OUR WATER SUPPLY CAPACITY FOR AUSTIN AS A WHOLE, TALK SOME ABOUT THE ASSESSMENT AND CONDITION OF THE GREEN WATER TREATMENT PLANT AND WHAT -- WHAT THE FUTURE OF THAT PLANT COULD BE. TALK ABOUT OPTIONS FOR ADDITIONAL CAPACITY AND THEN WRAP UP WITH THE SCHEDULE. LET ME BEGIN WITH THE SYSTEM OVERVIEW OF OUR WATER SUPPLY CAPACITY. I'M GOING TO BE USING THE TERM MGD A LOT TODAY, MILLION GALLONS PER DAY, AND I'LL JUST -- I KNOW I'M GOING SLIP INTO THAT JARGON SO I WANTED TO MAKE SURE, A MILLION GALLONS PER DAY IS THE CAPACITY TERM FOR TREATMENT, AND AUSTIN HAS 260 MILLION-GALLONS PER DAY OR MGD SYSTEMWIDE FOR 3 MAJOR WATER TREATMENT PLANTS AND JUST TO SHOW YOU WHERE WE'RE AT, ON OUR -- CURRENTLY ON OUR DEMAND, WE'RE -- OUR HISTORICAL PEAK DAY WAS 247 JUST LAST SUMMER, 247 MGD OUT OF 260 SO WE'RE GETTING VERY CLOSE, WE SEE SEASONAL VARIATIONS, THOUGH, SO WE SEE AN AVERAGE LOW IN THE WINTER, PEAKING IN THE SUMMER, THE ANNUAL AVERAGE IS 141 MGD. SOMETIMES YOU'LL HEAR THE AVERAGE NUMBER, BUT OFTEN WHEN WE'RE TALKING ABOUT SOME CAPACITY, WE'RE NEEDING TO TALK ABOUT THE PEAK DAY CAPACITY. THE NEXT SLIDE JUST LOOKS AT -- IS A MAP OF OUR -- OF THE CITY OF AUSTIN AREA AND IT HIGHLIGHTS PRESSURE ZONES. WE HAVE ABOUT NINE MAJOR PRESSURE ZONES. SEE LAKE TRAVIS UP TO THE LEFT AND THE CENTRAL ZONE IS BASICALLY ALONG NORTH AND SOUTH OF THE RIVER, COMES DOWN IN THE VALLEY OF THE COLORADO RIVER AS IT RUNS THROUGH TOWN, AND THEN AS YOU GET AWAY FROM THE RIVER, YOU GET INTO HIGHER AND HIGHER PRESSURE ZONES AND AS YOU HEAD WEST TOWARD THE HILL COUNTRY, YOU GET ALSO HIGHER AND HIGHER PRESSURE ZONE, BOTH NORTH AND SOUTH. CURRENTLY WE HAVE A FAIRLY STRONG GROWTH TO THE NORTH AND

NORTHWEST AND THAT IS PREDICTED TO CONTINUE INTO THE FUTURE, ALL THE POPULATION THAT ABOUT HALF OF AUSTIN'S FUTURE WATER DEMAND IS GOING TO BE IN THE NORTH AND THEN NORTHWEST A, B AND C PRESSURE ZONES, SO IT'S -- IT'S AN IMPORTANT FACT IN TERMS OF PLANNING OUT OUR WATER SYSTEM AND THE WAY WATER IS DISTRIBUTED, SO CURRENTLY WE'RE KIND OF STRETCHED ON GETTING WATER DELIVERED UP INTO THAT CORNER OF THE CITY, AND THAT'S PART OF THE PLANNING THAT WE'LL BE TALKING ABOUT TODAY.

SELLTODAY. ELEVATION IS AN IMPORTANT DESIGN OR FEATURE IN THE WATER SYSTEM LIKE AUSTIN. THIS SHOWS LAKES AND TREATMENT PLANTS AND SERVICE AREAS RELATIVE TO EACH OTHER IN TERMS OF ELEVATION, I GUESS WHAT I LIKE TO POINT OUT IS THE LAKE TRAVIS WATER IS OVER 250 FEET HIGHER IN ELEVATION THAN THE TOWN LAKE WATER, SO IT DROPS 250 FEET AND DROPS DOWN TO LAKE AUSTIN AND TOWN LAKE, OUR SERVICE AREAS ARE, YOU KNOW, VARY FROM THE LOW LYING CENTRAL AREA TO THE NORTH AND SOUTHWEST AREAS TO AWAY FROM THE RIVERS TO THE WEST, I GUESS THE LAST THING I WOULD POINT OUT ON THIS IS JUST THAT YOU CAN IMAGINE IF WE CAN CAPTURE THAT LAKE TRAVIS WATER THAT IS APPROPRIATE FOR THE HIGH ELEVATION SERVICE AREAS WHEREAS STATED TO THE OTHER EXTREME, A GREEN, DAVIS OR OLRICH PLANT.

REAL QUICK DESCRIPTION OF OUR MAJOR PLANTS, PLANT HAS A CAPACITY OF 42 MGD AND THAT'S THE DESIGN CAPACITY, BUT RECENT AGE CONDITIONS ESPECIALLY OF THE FILTRATION SYSTEMS AT THAT PLANT HAVE REDUCED THE MAXIMUM CAPACITY IN RECENT YEARS TO 35 MGD THEN ON AN ANNUAL AVERAGE THIS PLANT PRODUCES JUST OVER 17 MGD. IT IS THE OLDEST PLANT, IT'S OVER 80 YEARS OLD, BUILT IN 1924, AND THE STATUS OF THIS PLANT OF COURSE THAT THERE'S PLANS FOR THE REPLACEMENT OF THIS PLANT AND REDEVELOPMENT OF THAT AS A -- AS A NEW PLANT, THE WATER SOURCE IS TOWN LAKE AND THE ACREAGE IS ONLY 6 ACRES, NOTICE AS I GO THROUGH THESE NEXT -- THESE THREE MAJOR PLANTS THAT AS TIME MOVES ON, THE MORE MODERN THE PLANTS GET, THE LARGER -- THE LARGER THE PLANTS ARE GETTING AS WELL,

BUT THE LARGER THE ACREAGE AND THE GREATER THE SURROUNDING ACREAGE AND BUFFER ZONES FOR EACH OF THESE PLANTS AS THEY BECOME MORE MODERN. (ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS...)

ON 3TH STREET AND MOUNT BENELL ROAD. IT'S 22 ACRES BUT THE TITLE IS 35, SO YOU CAN SEE YOU HAVE ABOUT A 13-ACRE SURROUNDER BUFFER ZONE. HERE ARE PHOTOGRAPHS OF THIS PLANT, AND YOU SEE THIS NEAR THE PLANT. NOTICE THE COMMON WALL WHICH MAKES IT A LITTLE MORE DIFFICULT TO DO MAJOR MAINTENANCE, MAJOR EXPANSION WORK BECAUSE IT'S NOT A LOT OF WORK SPACE BETWEEN THE UNITS. SO JUST A UNIQUE FEATURE OF THE WAY THIS WAS DESIGNED. NEXT IS THE UHLRICH PLANT. IT'S UNDERGOING AN EXPANSION TO 167M.G.D. CONSTRUCTED MORE RECENTLY IN 1969 AND IT'S ON RED BUD TRAIL. THE ACREAGE FOR THIS PLANT WHERE THE FACILITIES RESIDE IS 38 ACRES AND SO IT'S LEDGER LARGER -- GETTING LARGER AND LARGER. THIS PLANT HAS 141 ACRES TOTAL BUT SOME OF THAT IS IN THE D.C.P. AREA. AND A LOT IS ON THE CREEK AND LAKE AUSTIN. SO THAT IS THE SETTING FOR THIS PLANT. I JUST WANTED TO MENTION, AS WE EXPAND TO 167, HERE'S AN EXAMPLE OF A TYPICAL SCHEDULE REQUIRED FOR A MAJOR FACILITY LIKE THIS. THE ORIGINAL PLAN SCHEDULE WAS 70 MONTHS, AND THE ACTUAL IS TURNING OUT TO BE 82. AND I JUST POINTED OUT THE UNCERTAINTIES THAT COME WITH A PROJECT LIKE THIS. A COUPLE OF SLIDES SHOWING THE PLANT SITE. -- SLIDES SHOWING THE PLANT SITE. THIS IS THE SOUTH AND THE SOUTHWEST PROPERTY LINE OF THE PLANT. ONE THING TO NOTE IS THE PROPERTY OF THE UHLRICH TREATMENT PLANT CROSSES INTO THE JURISDICTION OF THE CITY OF WEST LAKE HILLS, SO PART OF THE PROPERTY IS IN THE CITY AND EVERYTHING TO THE SOUTH IS ALSO CITY OF WEST LAKE HILLS, BUT THAT SOUTHWESTERN CORNER ACROSS THE CITY LIMITS AS WELL. THIS IS SHOWING THE 100M.G.D. VERSION AND THE SECOND PLANT. ONE OF THE QUESTIONS WE WANTED TO DISCUSS TODAY WAS WATER DEMAND AND CONSERVATION, TAKING A LOOK AT OUR METHODOLOGY FOR PROJECTING DEMANDS INTO THE FUTURE AND TALKING ABOUT THE POTENTIAL EFFECTS -- IMMEDIATE EFFECTS, IF POSSIBLE OF DOING SOME VONS EVACUATION THAT --

CONSERVATION THAT COULD MAKE A DIFFERENCE ON THE TIMING OF OUR NEXT PLANT. IT'S MY PLEASURE TO INTRODUCE STEVE CUNNIN FOR DO THE PRESENTATION.

MY NAME IS STEVE I'M WITH ALLEN AND ASSOCIATES. AND THIS PSEUDOREALLY FOCUSSED ON LOOKING OUT INTO THE 2040 AND BEYOND TIME FRAME TO GET A HANDLE ON WHERE THE NEXT BLOCK OF WATER WAS GOING TO COME TO THE CITY AND HOW YOU WERE GOING TO MEET THE DEMAND OUT TO THAT TIME RANGE. THAT IS A 20-YEAR STUDY DUE IN THE SPRING OF 2007. BUT AS THE UTILITY WAS FACING MAJOR INFRASTRUCTURE INVESTMENT DECISIONS, THEY ASKED THAT WE LOOK AT SEVERAL ITEMS ON A MORE SPEEDED UP TIME TABLE, SPECIFICALLY LOOKING AT HOW THE UTILITY IN THE PAST HAS DONE THEIR PROJECTIONS ON WHAT THEIR WATER GHANDZ WILL BE IN THE -- DEMANDS WILL BE IN THE FUTURE -- HOW THEY'VE DONE THAT EXERCISE -- AND ANTICIPATE WHAT THE DEMANDS ARE TO OTHER TEXAS UTILITIES TO TRY TO GET A HANDLE WHERE THE UTILITY FALLS. AND THAT IS REALLY A DIFFICULT TASK TO DO, TO COMPARE ONE UTILITY TO ANOTHER BECAUSE THERE ARE A LOT OF DIFFERENCES THAT DON'T ALWAYS COME THROUGH IN THE NUMBERS. SO IT'S A RISKY VENTURE TO GET APPLES TO APPLES AND ORANGES TO ORANGES. THERE ARE DIFFERENCES IN CLIMATOLOGY, AND SOME CITIES HAVE THEIR OWN WATER WHEREAS OTHERS ARE USING WELLS AND ARE HAVING TO PROVIDE ALL OF THESE SERVICES THROUGH THEIR SYSTEM. AND THEN FINALLY TO EVALUATE WHAT POTENTIAL CONSERVATION AND REUSE WOULD HAVE ON THE TIMING OF THOSE FUTURE INFRASTRUCTURE NEEDS, AND WE'LL HAVE THAT LATER ON IN THE PRESENCE. IN TERMS OF THE WATER DEMAND ANALYSIS, WHEN WE LOOKED AT HOW THE UTILITY HAS HISTORICALLY BEEN DOING DEMAND PROJECTIONS WE LOOKED AT THE DATA THEY WERE USING AND SAW A DISTINCT DIFFERENCE IN THE DATASET IN ABOUT THE 1983 TIME FRAME. PREVIOUSLY THE UTILITY HAD BEEN USING A LONG HISTORY, AND STATISTICSLY THE LONGER YOUR DATASET THE BETTER IT IS, BUT IN 1983 THERE WAS A DING CHANGE -- A DISTINCT CHANGE IN THE WATER USE CHARACTERISTICS AND THAT COINCIDED WITH THE TIME THAT THE CITY IMPLEMENTED SOME AGGRESSIVE

WATER CONSERVATION, SO WE SAW A CHANGE IN THE SLOPE OF THE DEMAND. AND FACTORS IN THE MORE RECENT TODAY THAT THAT IS MORE REPRESENTATIVE OF WHAT THE UTILITY IS EXPERIENCING NOW AND LIKELY TO EXPERIENCE IN THE FUTURE WE ACTUALLY SAW THAT WE WERE ACTUALLY RECOMMENDING A REDUCTION IN THE AFTERDAY DPAND OF ABOUT -- AVERAGE DAY DEMAND OF ABOUT 8% AND WE TOOK THAT OUT TO THE FUTURE BUT DIDN'T COME OUT WITH A SIGNIFICANT DIFFERENCE FROM WHAT THE UTILITY HAS BEEN PROJECTING WHICH IS REALLY THE CAPACITY NEEDS AT THE WATER TREATMENT PLANT. SO WE VERIFYING THAT IN OUR OPINION, YES, THE YEAR 2011 IS THE TIME FRAME WHEN THE NEXT BLOCK OF TREATMENT CAPACITY NEEDS TO BE ON LINE, AND FINALLY WHAT WE DID WAS LOOKING AT COMPARE TO AGAIN THE AUSTIN WATER UTILITY, AND IN PARTICULAR IN THIS ASPECT LOOKING AT THE PEAK DAY DEMAND PER CAPITA AND COMPARE THAT TO OTHER UTILITIES IN THE STATE. WHAT WE FOUND WAS IN GENERAL AUSTIN WATER UTILITY ON A PEAK DAY IS IN LINE WITH OTHER WATER UTILITIES. THERE ARE SOME ARE HIGHER AND SOME ARE LOWER PEAK DPANDZ, BUT IN -- DEMANDS, BUT IN GENERAL, AUSTIN IS IN LINE WITH THAT. AND THEN LOOK AT A GRAPH OF WHAT THE PEAK DAY PROJECTION IS AND HOW THAT IMPACTS TREATMENT CAPACITY. AS YOU CAN SEE ON THE GRAPH TO THE LEFT WHERE THE UTILITY IS RIGHT NOW, AT A 260 MILLION GALLONS PER DAY TREATMENT, AND ONCE UHLRICH COMING ON LINE AND GREEN IS TAKEN OVER THAT WILL BE INCREASED TO 285 MILLION GALLONS A DAY. YOU CAN SEE THAT THE BLUE LINE IS OUR RECOMMENDATION FOR THE PEAK DAY DEMAND. AND THE RED LINE ABOVE THAT IS A RESERVE CAPACITY SINCE OUR PROJECTIONS -- YOU CAN SEE FROM THE FEW HISTORIC DATA POINTS ON THERE THAT THE ACTUALLY PEAK DAY PUMPAGE VARIES ABOVE OR BELOW DEPENDING ON WHETHER WE ARE HAVING A HOT, DRY SUMMER OR A WET SUMMER. AND WHERE THESE TWO CURVES INTERSECT IS THE 2011 TIME FRAME. I WOULD ALSO POINT OUT IF A 25 M.G.D. CAPACITY IS ADDED WE'LL HIT THAT LINE AGAIN OUT IN THE 2015 TIME FRAME. TURN IT BACK TO YOU.

THANK YOU, STEVE.

QUESTIONS.

I JUST WANT TO ASK YOU QUESTIONS ABOUT THE PROJECTION ABOUT 2011 BEING WHEN WE NEED TO HAVE THE NEW CAPACITY COME ON LINE. COULD YOU TELL US, HAVE YOU ☐ FACTORS IN WATER CONSERVATION PROGRAMS INTO -- CONSERVATION PROGRAMS INTO THAT?

SINCE WE ARE LOOKING AT HISTORIC DATA AND THE CITY HAS BEEN DOING WATER CONSERVATION SINCE 1983 THERE IS AN EMBEDDED ASSUMPTION THAT THOSE EFFORTS CONTINUE OUT TO THE FUTURE, SO THERE WILL BE A NEED TO CONTINUE THAT JUST TO HIT THIS LINE. ANY LOWERING OF THE LINE WOULD NEED TO BE ADVANCE WATER CONSERVATION, AND THAT IS NOT JUST NECESSARILY NEW PROGRAMS. THERE ARE PROGRAMS THAT THE CITY HAS IMPLEMENTED THAT ARE REALLY BECOMING MATURE AND WE'VE GOTTEN AS MUCH BANG FOR THE BUCK OUT OF THAT PROGRAM AND WE'LL NEED TO LOOK FOR ONE TO TAKE THE PLACE OF THAT ONE THAT THE CITY HAD BEEN DOING.

YOU'RE SAYING THAT WE WILL NEED TO BE RESPONSIBLE AND HAVE THE NEW WATER CAPACITY FINISHED AND UP AND RUNNING BY 2011. THAT IS 2011 INCLUDING HAVING -- WE WOULD ALSO HAVE TO HAVE IMPLEMENTED THESE WATER CONSERVATION -- WATER CONSERVATION MEASURES JUST TO MAKE IT TO 2011.

THAT IS CORRECT.

AND IF WE DON'T IMPLEMENT THE WATER CONSERVATION MEASURES THEN WE WOULD NEED --

IF YOU DON'T CONTINUE THE LEVEL OF WATER CONSERVATION YOU'RE CURRENTLY PROCEEDING WITH, THEN, YES, THAT WOULD BE TRUE.

I WANT TO SHUCK -- MAKE SURE YOU'RE SAYING THIS IS ASSUMING THAT WE HAVE IMPLEMENTED NEW WATER CONSERVATION MEASURES IN ADDITION TO WHAT WE HAVE NOW.

CORRECT, TO REPLACE THOSE THAT HAVE MATURE AND

YOU NEED MOVE ON AND CONTINUE GETTING ADDITIONAL WATER CONSERVATION.

AND WHAT HAPPENED IF WE DON'T AND WE HAVE A HOT DRY SUMMER --

YOU RUN THE RISK THAT THE UTILITY WILL NOT BE ABLE TO PROVIDE THAT PEAK DAY DEMAND AND WILL HAVE TO GO INTO MANDATORY WATER RESTRICTIONS AND IN EXTREME CASES PRESSURES IN THE SYSTEM MAY FALL BELOW MINIMUM STANDARDS AND ISSUE BOIL WATER NOTICES --

AND WHEN YOU ISSUE THOSE NOTICES, WHAT ARE THE REAL HEALTH AND SAFETY IMPACTS OF NOT HAVING THE WATER TO MAINTAIN PRESSURE OR THE CLEANLINESS OF YOUR WATER SUPPLY? -- YOUR WATER SUPPLY?

THE ISSUE WITH SAFETY IS WHEN YOU GET AREAS BELOW 20 POUNDS PER SQUARE INCH YOU GET AREAS WHICH HAVE A VACUUM IN THE SYSTEM AND THE CONCERN IS THAT YOU WOULD DRAW WATER IN THAT IS CONTAMINATED AND YOU'RE DRAWING THAT BACK INTO THE SYSTEM. AND SO THE PROCEDURE IS TO ISSUE A BOIL NOTICE FOR SOME PERIOD OF TIME SO THAT THE SYSTEM CAN FLUSH THAT POTENTIAL WEAKNESS OUT OF THE SYSTEM AND RESIDENTS BEFORE THEY DRINK IT, BOIL IT TO PURIFY IT ON THEIR OWN.

AND TELL US -- SOME OF THESE SEEM OBVIOUS TO ME AT LEAST, BUT WHAT ARE SOME OF THE RISKS FOR PUBLIC HEALTH AND SAFETY IF WE FIND THAT WE HAVE INADEQUATE WATER PRESSURE BECAUSE WE DON'T HAVE THE WATER TREATMENT CAPACITY, IF YOU LOSE THAT PRESSURE, WHAT ARE THE RISKS FOR HEALTH AND SAFETY?

YOU COULD DEVELOP DISEASE. YOU COULD HAVE BACTERIA AND VIRUSES COME INTO YOUR SYSTEM AND THEN SPREAD THROUGHOUT AND PEOPLE GET SICK.

AND WHAT ABOUT THINGS LIKE FIRE HAZARDS --

RIGHT, THAT WOULD ALSO BE A CONCERN, YOU WOULD NOT

HAVE THE FIRE PROTECTION CAPABILITIES.

A QUICK QUESTION, HOW GOOD IS OUR INFORMATION INSOFAR AS THE ACTUAL USE OF OUR WATER? SEEMS THAT THE PEAK DAY DEMANDS ARE FOR THE MOST PART HUNDREDS OF THOUSANDS OF CITIZENS USING DRINKING WATER TO IRRIGATE THEIR LAWNS, AND PEOPLE SHOWER ABOUT AS FREQUENTLY IN THE SUMMER AS THEY DO IN THE WINTER I PRESUME AND SOME OF OUR LARGER INDUSTRIAL AND TECHNOLOGY USERS OF WATER, THEY ARE 24/7 AND 365 IN CASES. AND THAT LEADS ME TO THIS PROGRAM THAT WE'VE BEGUN AS FAR AS THE PURPLE PIPE PROGRAM, AND WE ARE MORE LIKELY TO HAVE LARGER CUSTOMER IRRIGATING LAWNS WITH REUSED AND TREATED WATER VERSUS TREATED DRINKING WATER. HOW AGGRESSIVELY HAVE THESE NUMBERS INCORPORATED THAT CONCEPT? ONE. THE RECOGNITION THAT WE ARE PUTTING OUR DRINKING WATER ON YOUR GRASS AND THEN THE COMPLEMENTARY SIDE OF THE COIN IS RELATIVELY AGGRESSIVE PROMOTION AND DELIVERY OF A PURPLE PIPE SYSTEM.

OUR ABILITY TO PROJECT THE PEAK DEMAND IN ANY GIVEN YEAR IS SOMEWHAT DEPENDENT ON WHAT THE SUMMER IS GOING TO BE LIKE. AND THEN, ALSO, WE ARE USING HISTORIC DATA TO PROJECT OUT TO THE FUTURE. SO TO THE EXTENT REUSE -- TO THE EXTENT THAT REUSE HAS BECOME A PART OF THE SCENARIO IN THE CITY, AS IT BUILDS, AS THOSE SYSTEMS BUILD, THEY WILL BECOME A PART OF THE DEMAND PROJECTION FOR THE FUTURE. AS MORE PEOPLE COME ON THAT WILL FOLD INTO THE FUTURE DEMANDS AS THE UTILITY MOVING FORWARD. WE ARE RECOMMENDING THAT THE UTILITY LOOK AT 20-YEAR ROLLING AVERAGE OF HISTORY TO PROJECT OUT INTO THE FUTURE SO THAT YOU'RE ALWAYS LOOK AT THE MOST CURRENT DATA AND AS YOU INVEST IN RECLAIMED WATER THAT WILL AFFECT DEMAND AND SHOW UP IN FUTURE YEARS. BUT THE REALLY HAZARD IN LOOKING AT RECLAIMED WATER SYSTEM AND DEPENDING ON IT FOR FUTURE REJUNCTIONS IS YOU'RE DEPENDENT ON BEING ABLE TO KEEP THOSE CUSTOMERS SIGNED UP ON THE SYSTEM IN A TIMELY MANNER TO MEET THE DEMAND SITUATION THAT YOU'RE TRYING TO ADDRESS. THE CITY OF SAN ANTONIO



HAS BEEN VERY AGGRESSIVE IN THEIR WATER RECLAMATION, BOUGHT A LARGE SYSTEM AND HAVE FELT THAT THEY BUILT MORE THAN WHAT THEY ARE ACTUALLY ABLE TO BRING PEOPLE ON LINE AND THEY ARE STILL OUT HUNTING FOR CUSTOMERS TO MAKE THAT SYSTEM GO.

OKAY, COUNCILMEMBER LEFFINGWELL.

I WANT TO CLARIFY SOMETHING. I HEARD YOU TELL COUNCILMEMBER MACAQUEEN THAT THESE -- McCRACKEN INCLUDED NEW MEASURES, IS THAT CORRECT?

TO THE STHEANT THERE ARE -- TO THE EXTENT THAT THERE ARE EXISTING PROGRAMS, YOU HIT THE MARKET AND TRY TO GET PEOPLE TO SWAP OUT TOILETS AND SPRAY VALVES --

LET ME INTERRUPT YOU. THE PREVIOUS PAGE 15 TO THE SLIDE SAYS THESE PROJECTIONS INCLUDE CONTINUE CONTINUATION OF CURRENT WATER CONSERVATION EFFORTS --

THAT'S RIGHT, AND CURRENT LEVEL IS WHAT IT SHOULD SAY.

SO THE LEVELS DON'T INCLUDE ANY CURRENT METHODOLOGIES, DO THEY?

NO SPECIFIC THOUGHT -- METHODOLOGY BECAUSE THERE IS AN ASSUMPTION THERE WILL BE A LEVEL OF WATER CONSERVATION CONTINUED INTO THE FUTURE, AND SINCE THERE ARE PROGRAMS THAT WILL FALL OFF OF THE TABLE AS THEY MATURE, THE ASSUMPTION IS NEW PROGRAMS WILL NEED TO TAKE THEIR PLACE TO BE ABLE TO STAY ON LINE.

DO YOU HAVE A PROJECTION IN TERMS OF M.G.D. OF WHAT NEW CONSERVATION EFFORTS WOULD YIELD?

WE DID LOOK AT THAT AND WHEN WE GET FURTHER INTO THE PRESENTATION THERE IS A SECTION ON WHAT ARE OUR CAPACITY OPTIONS TO MEET THE DEMANDS AND THAT IS

ONE OF THE AREAS THAT HE WILL COVER.

IS WATER REUSE AN INITIATIVE WE'VE ALREADY STARTED --  
11 MILLION GALLONS A DAY IS THAT INCLUDED IN THESE  
PROJECTIONS AND THESE CURVES?

THIS IS WITHOUT THE ADDITIONAL 11 M.D.G.

SO WHEN WE MEET THAT OBJECTIVE OF 11 M.D.G. THIS LINE  
AND THE 10% OVERAGE WOULD BE REDUCED DOWN, AND I'M  
JUST WONDERING WHERE THIS 285 M.G.D. LINE WOULD  
INTERSECT -- WHAT YEAR THAT WOULD HAPPEN WITH THE  
ADDITION OF THE 11 M.G.D. RESERVE.

THE SLOPE OF THAT DEMAND CURVE WITHOUT THE  
ADDITIONAL ADVANCED WATER CONSERVATION OR  
ADDITIONAL ADVANCED RECLAIMED WATER IS ABOUT AN  
INCREASE OF 4.5 TO 5 M.G.D. IN. PEOPLE DEMAND PER YEAR.

BUT LOOKING AT THE GRAPH HERE, THIS YEAR 2011  
PROJECTED DATE OF NEW CAPACITY NEEDED, THAT WOULD  
BE PUSHED BACK BY THE 11M.G.D., WOULD IT NOT --

THAT IS CORRECT.

AND PUSHED BACK BY ADDITIONAL CONSERVATION  
MEASURES, CORRECT?

YES.

AND LET ME MAKE SURE WE SUMMARIZE THIS PROPERLY.  
THE GRAPH OF THE LINE -- THE DEMAND PROJECTION LINE  
YOU'RE LOOKING AT ON PAGE 16.

16.

16, DOES NOT INCLUDE THE MORE AGGRESSIVE TYPES OF  
WATER CONSERVATION MEASURES THAT WE'LL TALK ABOUT  
IN JUST A MOMENT AS SOME OPTIONS.

OKAY.

SO THIS DOES ASSUME AND INCLUDE SOME OF THE

MEASURES AND ALTERNATE TIS THAT ARE AVAILABLE -- ALTERNATIVES THAT ARE AVAILABLE OUT THERE AS YOU SAY TO REPLACE THE MORE MATURE -- THE MORE MATURE MEASURES THAT ARE BECOMING LESS EFFECTIVE BUT DOES NOT INCLUDE THE REGULATORY AND MANDATORY TYPES OF MEASURES. AND WE'LL HAVE STEVE COME BACK UP AND TALK MORE ABOUT THAT.

I DO THINK THAT COUNCILMEMBER'S POINT IS WELL TAKEN. PROBABLY WHAT WE ARE REALLY SAYING -- WHAT I'M LISTENING TO -- IS IT RELIES ON A CURRENT CONTINUATION OF THE LEVELS.

THAT IS CORRECT.

AND THAT MIGHT MEAN NEW MEASURES ON TOP OF THE CURRENT MEASURES.

THAT IS CORRECT.

AND SO WE PROBABLY NEED TO REWORD THIS TO MAKE A CORRECT STATEMENT HERE.

THANK YOU, ALL. AND YOU MAY CONTINUE ON.

AT THIS TIME, LET'S MOVE ON TO THE ASSESSMENT AND THE CONDITION OF THE GREEN WATER TREATMENT PLANT. WE HAD A CONSULTING FIRM COME IN AND DO THAT ASSESSMENT AS WELL AS THE FUTURE PLANNING FOR THE PLANT, AND IT'S MY PLEASURE TO INTRODUCE JOE JENKINS WITH HIS ASSESSMENT OF THE CURRENT GREEN WATER TREATMENT PLANT.

GOOD AFTERNOON, AND THANK YOU. WE WERE GIVEN TWO CHALLENGES BY THE UTILITY TO HELP THEM IN THIS PLANNING PROCESS OF MEETING THEIR WATER DEMANDS FOR THE CITY. ONE OF THE FIRST CHALLENGES WAS TO LOOK AT THE STATUS OF THE EXISTING -- THE CONDITION OF THE EXISTING PLANT AS THEY ARE GOING THROUGH THIS PLANNING PROCESS. WE DON'T KNOW FOR SURE HOW LONG THIS EXISTING FACILITY NEEDS TO KEEP GOING. SO THAT WAS ONE OF OUR VERY FIRST TASKS WAS TO DO AN ASSESSMENT OF THE CURRENT PLANT TO SAY WELL, IF WE

NEED GO FIVE YEARS, EIGHT YEARS, HOW LONG CAN WE GO AND WHAT MODIFICATIONS MIGHT WE NEED IF WE HAD TO STRETCH IT OUT A LITTLE BIT LONGER. JUST TO ORIENT EVERYBODY, THIS PLANT IS JUST TWO BLOCKS DOWN, IT'S CAESAR CHAVEZ. ORIGINALLY BUILT IN 1924, THE FIRST DRINKING WEA PLANT FOR THE -- WATER PLANT TO THE CITY OF AUSTIN. AND WE'VE MODIFIED IT SIX TIMES, THE LAST BEING IN 1998 AND WE CAN ALSO SEE IT'S BEGINNING TO REACH ITS USEFUL LIFE. WE PUT ONE MORE SET OF TIRES ON IT BUT THAT WAS ONLY PLANNED TO LAST UNTIL ABOUT 2003. SO WE ARE REALLY, TRULY RUNNING ON BARE TREAD AT THIS POINT, AND THE PLANT IS LOOSING ITS FUNCTIONALITY. AND I JUST TO HIT ON JUST A COUPLE OF MAIN ISSUES HERE TO REITERATE THIS POINT. AS CHRIS MENTIONED, THE PLANT OPERATING LEVELS ARE BEGINNING TO DECLINE TO WHERE WE COULD SAY DURING THE SUMMER THAT WE CAN RELIABLY COUNT ON THAT WATER -- IT WAS RATED ABOUT 42, BUT NOW BECAUSE OF SOME OF THE LOSS OF EQUIPMENT, CAN'T REPLACE, WE ARE DOWN TO ABOUT 35 MILLION GALLONS A DAY THAT WE CAN RELIABLY COUNT ON DURING THE SUMMER TO MAKE SURE WE CAN PUT THAT OUT. ALSO, CONDITIONS ON THE STRUCTURES -- I'LL SHOW YOU A FEW SLIDES IN A MINUTE THAT ILLUSTRATE THIS POINT. WE HAVE SOME SOIL BANK EROSION OCCURRING ALONG SHOAL CREEK THAT IS BEGINNING TO ERODE INTO THE PLANT, AND WE HAVE STRUCTURAL FAIL CHIEWRS, CRACK -- FAILURES, CRACKS AND PROBLEMS CAUSING SAFETY PROBLEMS. WE HAVE LIMITED SPACE, AND BUILDINGS STACKS ON ONE ANOTHER, WE ARE ONLY ON SIX ACRES THERE. WHEN THEY BUILT THE PLANT, WE ACTUALLY HAVE THE TREATED WATER STORAGE UNDERNEATH THE PROCESSES, UNDER THE FILTERS AND THE ADMINISTRATION BUILDING. IF WE EVER HAVE TO GO DOWN TO CLEAN IT OR DO MAINTENANCE WE ACTUALLY HAVE TO TURN THE WHOLE PLANT OFF, AND THAT IS NOT A GOOD ENGINEERING PRACTICE TODAY. BUT THAT WAS SOMETHING THEY HAD TO DO BECAUSE OF THE SITE BACK THEN. WE ALSO HAVE A CHEMICAL BUILDING BUILT OVER A PART OF THE PROCESS, AGAIN CAUSING MAINTENANCE ISSUES AND LIMIT THE SPACE. ONE OF THOSE MAINTENANCE PROBLEMS, ONE EXAMPLE IS WE DON'T HAVE A THROUGH ROAD OR AMAINTENANCE ROAD THROUGH THIS PLANT. IF

YOU'RE AT THE FRONT OF THE PLANT AND YOU NEED A VEHICLE IN THE BACK OF THE PLANT YOU HAVE TO COME BACK ON CHAVEZ AND COME BACK IN OASIS TO GET BACK INTO THE PLANT. AND IT'S NOT A GOOD WAY TO GET AROUND A FACILITY EFFECTIVELY AND TAKE CARE OF THE FACILITY AS NEEDED. WE ALSO AND I'LL SHOW YOU SOME SLIDES IN A MOMENT, WE HAVE MAINTENANCE ISSUES ON SOME OF THE EQUIPMENT, WE CAN'T GET PARTS, CAN'T REPLACE IT AND CAN'T UPGRADE IT TO KEEP IT RUNNING. WE ALSO HAVE SECURITY ISSUES, PARTICULARLY SINCE 9-11 BUT WE HAVE BASINS RIGHT UP AGAINST SECOND STREET, AND THIS IS SOMETHING THAT WOULD BE A CONCERN FOR SECURITY BREACHES AND POSSIBLE ISSUES WITH CONTAMINATION TO THE WATER SUPPLY. ALSO, WE DON'T HAVE ANY TRUCK TURN-AROUNDS IN THIS FACILITY. IF A FIRE TRUCK CAME IN, HE ACTUALLY HAS TO BACK UP TO GET OUT, AND SO THERE IS AN ISSUE WITH SECURITY AND SAFETY. AND IF WE HAVE AN OPERATOR DOWN T'S GOING TO BE DIFFICULT TO GET THAT EMERGENCY VEHICLE IN AND OUT. ALL OF THOSE ARE ISSUES WITH THE CURRENT FACILITY. AND THEN A FEW ILLUSTRATES. THIS IS THE BANK OF SHOAL CREEK, AND THE OLD EXISTING GABIAN HAS ACTUALLY GIVEN WAY, AND IF THAT WERE TO GO, WE WOULD LOSE THE FUNCTION OF THE PLANT. HERE IS THE UNDERSIDE OF ONE OF THE CHEMICAL BUILDINGS, WE ARE LOSING STRUCTURE, AND WE HAVE EXPOSED STEEL, AND IF THAT GOES WE LOSE NOT ONLY THE PROCESS BUT THE BUILDING AS WELL. I THINK WHAT WE ARE SAYING IS WE ARE KIND OF ON BORROWED TIME HERE, AND IT FITS INTO THE ISSUE OF KEEPING IT RUNNING LONGER. THESE IN-TAKE SCREENS ARE FROM THE 20'S AND THE MAINTENANCE SHOP HAS DONE A GOOD JOB OF LEARNING HOW TO FABRICATE PARTS, BUT THAT IS DIFFICULT TO DO OVER THE LONG RUN. THE SAME FOR THIS PUMP ON THE RIGHT, THEY DON'T MAKE THEM ANYMORE, AND MAYBE WE COULD SAY IT'S HISTORICAL, BUT WHAT THEY DID BACK THEN, THEY ACTUALLY PUT THE EQUIPMENT IN AND BUILT THE PLANT AROUND THE EQUIPMENT, AND SO THEY DIDN'T TAKE INTO CONSIDERATION MAINTENANCE,. THERE IS NO WAY TO PULL EQUIPMENT OR GET IT OUT OF THERE, SO WE ARE JUST EMPHASIZING THAT WE'VE GOT SOME ISSUES HERE AND IT FITS INTO THIS PLAN. SO THAT NEXT STEP WE BEGIN TO

LOOK AT THIS SITE AS DOING SOMETHING DIFFERENT AND  
LOOK WE BEGIN TO LOOK ATURE -- AT OTHER SITES TO  
BEGIN TO REPLACE THIS EXACTION. WITH THAT, CHRIS, I'LL  
HAND IT BACK TO YOU.

SO WITH THAT, IT'S JUST NOT FEASIBLE TO REHABILITATE  
THIS PLANT, AND SO WE TURN TO THE RECOMMENDATIONS,  
AND WE KNOW SOME OF THESE MAY NOT BE FEASIBLE AT  
ALL, BUT I'LL WALK YOU THROUGH THE DIFFERENT  
ALTERNATIVES THAT HAVE BEEN THOUGHT OF AND ARE  
BEING TALKED ABOUT PUBLICLY. THE FIRST IS INCREASED  
CONSERVATION AND REUSE, AND WE JUST TALKED ABOUT  
THAT. THE KEY HERE IS INCREASING BEYOND THE CURRENT  
LEVELS. AND WE'LL BE COMING BACK AS SOON AS WE CAME  
IN ANOTHER COUPLE OF WEEKS HOPEFULLY AND  
PRESENTING THE MORE FULL STUDY WITH A COMPLETE  
MENU FOR THE OPTIONS FOR INCREASING WATER  
CONSERVATION, AND SOME ARE THOSE ARE CONTINUED  
VOLUNTARY, AND SOME HAVE INCENTIVES AND SOME ARE  
THE MORE AGGRESSIVE, IT WOULD BASICALLY BE A  
REGULATED TYPE OF MEASURE SUCH AS THE FIVE-DAY  
RESTRICTIONS OR A REQUIRED MANDATED WATER BUDGET  
FOR SOME OF THE MAJOR INDUSTRIES AND MAJOR  
COMMERCIAL COMPLEXES. SO THERE'S SEVERAL  
DIFFERENT LEVELS AND WE'LL PRESENT THOSE TO YOU.  
WHAT WE ARE SEEING HERE IS THAT OBVIOUSLY THERE'S  
GREAT ADVANTAGES AND THIS IS AN IMPORTANT PART OF  
AUSTIN'S WATER MANAGEMENT STRATEGY INTO THE  
FUTURE, AND IT WILL MAKE A DIFFERENCE, IT IS MAKING A  
DIFFERENCE. BUT WHAT THE CONCERN IS -- THE MAJOR  
CONCERN IS THAT SIGNIFICANT SHORT-TERM SAVINGS  
REQUIRES THE MANDATORY RESTRICTIONS TO GET US  
WHERE WE NEED TO BE BY 2011. THE VOLUNTEER TAKES  
TIME TO GET IN PLACE AND SHOW UP -- YOU KNOW,  
ACCUMULATE AND BE EFFECTIVE, AND TO GET SIGNIFICANT  
CAPACITY IN THE TERM THAT WE ARE TALKING ABOUT  
CANNOT BE DONE WITHOUT THE MANDATORY  
RESTRICTIONS. AND LET'S TALK FOR A MOMENT ABOUT  
BOTH CONZ -- CONSERVATION AND THE REUSE PROGRAM.  
WE A SLIDE WITH A PIE CHART THAT SHOWS A NUMBER OF  
MEASURES WE'LL BE PRESENTING HERE SOON. AND LET ME  
ASK STEVE TO COME UP IN CASE WE WANT TO TALK ABOUT

SOME OF THESE, BUT WHAT WOULD IT TAKE TO ACHIEVE SIGNIFICANT WATER SAVINGS IN THE SHORT TERM? WE CAME UP WITH A SCENARIO FOR 20 M.G.D. AND MORE THAN TWO-THIRDS OF THAT WOULD HAVE TO BE ONLY TWO MANDATORY TYPES OF PROGRAMS, THE FIVE-DAY WATER SCHEDULE AND THE CUSTOMER WATER BUDGETING. AND THEN THERE ARE A NUMBER OF OTHER MANDATORY REGULATED TYPES OF PROGRAMS. A COUPLE OF CONCERNS WITH THAT IS THAT EVEN AS IT'S REGULATED, HAVING IT TAKE EFFECT AND COMPLIANCE IS A CONCERN. SINCE THERE IS NOT A REQUIREMENT IT'S DIFFICULT TO RELY ON THE FULL PARTICIPATION OF A SUFFICIENT NUMBER OF CUSTOMERS TO SHOW UP AND MAKE THAT DIFFERENCE. I GUESS THE MAJOR CONCERN WITH BOTH WATER CONSERVATION AND RECLAMATION WOULD BE, IT'S BASICALLY -- IT'S KIND OF THE LAST LEG YOU WANT TO BE -- YOU DON'T WANT TO RELY ON THIS BECAUSE IF IT DOES NOT SHOW UP AND BECOME AS EFFECTIVE AS YOU'RE THINKING, THEN THERE'S NO TIME LEFT TO CONSTRUCT ADDITIONAL WATER TREATMENT CAPACITY. AND SO THEN YOU'RE FACED WITH MORE OF THE CRISIS LEVEL. FOR EXAMPLE, EVEN FIVE-DAY WATER CONSERVATION IS ONE OF THE LAST MEASURES YOU WANT TO PUT IN PLACE AS A -- PUT IN PLACE AS A SAFE GUARD, AND WE WOULDN'T WANT TO RECOMMEND THAT WHEN WE ARE THIS CLOSE TO THE NEED. AND THE NEXT SLIDE IS POTENTIAL REUSE SAVINGS, AND JUST A COUPLE OF COMMENTS ON THE WATER RECLAMATION SIDE. IN ORDER TO BE ABLE TO RELY ON THAT 11 M.G.D. IT ASSUMES 100 CONNECTION OF POTENTIAL RECLAIMED CUSTOMERS AND THERE ARE SIGNIFICANT UNCERTAINTIES CONCERNING THAT LEVEL OF PARTICIPATION. YOU COULD REDUCE THE DEMAND BY 11 M.G.D. BUT THAT WOULD REQUIRE SIGNIFICANT INVESTMENT AND YEARS TO GET THAT CONSTRUCTED AND THEN YOU HAVE TO DEPEND ON THE CUSTOMERS TO MAKE THE USE. IT WAS MENTIONED EARLIER THAT SAN ANTONIO HAS HAD THAT EXPERIENCE OF GETTING OUT AHEAD AND GETTING THE LINES IN PLACE, BUT THE CUSTOMERS DIDN'T SHOW UP. SO IT'S SOMETHING THAT IS HARD TO BANK ON. AGAIN, THE SIGNIFICANT CONCERN WITH THIS AS AN ALTERNATIVE IS THAT IT WOULD REQUIRE THE MANDATED CONSERVATION PROGRAMS. QUESTIONS ON THAT AT THE MOMENT WHILE

WE'VE STEVE HERE? I KIND OF GOT INTO THE ABOVE AND BEYOND WHAT WE ARE DOING TODAY, AND THE LEVEL OF WHAT WE ARE DOING TODAY, AND I JUST WANT YOU TO SEE THAT AS AN OPTION.

COUNCILMEMBER LEFFINGWELL?

I WAS JUST CONCERNED TO HEAR THAT WE WERE GOING TO GET A MORE FULLSOME PRESENTATION IN COMING WEEKS ON WATER CONSERVATION MEASURES, IS THAT CORRECT?

YES, SIR, AND WHAT WE'VE IDENTIFIED HERE ARE 16 DIFFERENT ITEMS ON THE SLIDE HERE. IN THE OVERALL, THE LONG-RANGE STUDY WE HAVE UP TO CLOSE TO 100 DIFFERENCE WATER CONSERVATION PROGRAMS THAT WE ARE LOOKING AT AS POTENTIAL IDEAS FOR THE CITY NF LOOKING AT THE MORE SPECIFIC NEEDS IN TERMS OF HELPING THE UTILITY IN DECISIONS ON CAPACITY AND INFRASTRUCTURE, WE REALLY TRIED TO CULL THAT DOWN INTO A FEW ITEMS THAT WE THOUGHT COULD BE IMPLEMENTED IN A SHORT TIME FRAME AND WOULD HAVE AN IMPACT ON THE PEAK DAY DEMAND --

WELL --

THAT IS REALLY THE LIST AND WE'LL GIVE YOU A MORE THOROUGH BRIEFING ON THAT.

THERE ARE OTHER CITIES AROUND THE COUNTRY THAT ALREADY HAVE AGGRESSIVE MANDATORY WATER CONSERVATION PROGRAMS. AND ASSUMING ALL OF THESE ARE INCORPORATED IN SOME FASHION, I BELIEVE THAT THE THREE CITIES -- LARGE CITIES WITH STRONG WATER CONSERVATION PROGRAMS ARE SEATTLE, TAMPA, AND OF COURSE, SAN ANTONIO. ARE THESE ALL INCORPORATED IN THEIR PROGRAMS?

NOT ALL. WHAT WE DID IN DEVELOPING THE LIST OF 100 IS TO LOOK AT NUMBER OF UTILITIES THAT ARE BEING AGGRESSIVE AND TOTALLED UP THE PROGRAMS THAT THE CITIES HAVE, NOT THAT ALL ONE CITY HAS ALL 100. THEY ARE ALL PICKING OFF OF THAT AS WHICH WILL FIT FOR OUR COMMUNITY AND ARE RIGHT FOR US TO DO,. BUT WE



COMBINED ALL OF THOSE INTO ONE BIG LIST AND WE ARE IN THE PROCESS OF SAYING WHICH OF THESE ARE RIGHT FOR AUSTIN.

AND THESE ARE ALL POTENTIALLY FEASIBLE --

THEY ARE ALL POTENTIALLY FEASIBLE, AND THE LEVEL OF SAVINGS DEPENDS ON WHAT KIND OF PARTICIPATION THE COMMUNITY HAS AND THE KIND OF ENFORCEMENT THE CITY WOULD HAVE ON THE MANDATORY -- IT'S HARD TO SAY A PARTICULAR ITEM WILL SAVE X MILLION GALLONS A DAY IN AUSTIN --

BUT YOU HAVE A TOTAL HERE OF 20.

THAT IS OUR BEST ESTIMATE OF SOMETHING THAT COULD BE ACHIEVED BUT THERE IS NO GUARANTY THAT IT WOULD BE ACHIEVED OR WOULD BE ACHIEVED IN A TIME FRAME THAT IT WOULD BE NEEDED TO OFFSET THE NEED FOR THE -- TO OFFSET THE NEED FOR THE ADDITIONAL CAPACITY.

I DON'T THINK ANYBODY REALLY SERIOUSLY DOUBTS THE NEED FOR NEW WATER TREATMENT FACILITIES, THESE CURVES ARE GOING UP, BUT WITH THE IMPLEMENTATION OF SOME MANDATORY WATER CONSERVATION AND/OR REUSE IF WE CAN PUSH THOSE DATES THAT THESE PLANTS ARE REQUIRED TO BE ON LINE BACK A FEW YEARS, WE'RE TALKING REALLY MONEY SAVINGS AS YOU MENTIONED IN YOUR PREVIOUS SLIDE IN TERMS OF CAPITAL INVESTMENT.

THAT IS CORRECT.

SO THIS COULD BE A REALLY MONEY SAVER JUST TO BE ABLE TO IMPLEMENT WATER CONSERVATION AND PUSH BACK THE REQUIRED DATES FOR THESE PLANTS TO BE ON LINE, NOT TO MENTION IT'S PROBABLY THE RIGHT THING TO DO.

THAT IS CORRECT, BUT THERE ARE INVESTMENT NEEDS FOR THESE -- IMPLEMENTING THESE PROGRAMS. IT WILL COST MONEY. IN PARTICULAR ON THE REUSE, THERE IS A SIGNIFICANT INVESTMENT THAT WOULD BE REQUIRED

THERE, BUT YOU'RE RIGHT. IT COULD POTENTIALLY PUSH OFF INTO THE FUTURE THE NEED FOR ADDITIONAL CAPACITY,. OUR OPINION IS PROBABLY NOT THIS FIRST ADDITIONAL CAPACITY, BUT THE SECOND OR THE ON-GOING, ANY CONSERVATION OR REUSE IS GOING TO EXTEND THE USEFUL LIFE OF THE FACILITIES THAT YOU HAVE OR WILL HAVE IN THE FUTURE.

I REALLY DO THINK IT'S SOMETHING WE NEED TO SERIOUSLY LOOK AT AND I LOOK FORWARD TO YOUR PRESENTATION IN A COUPLE OF WEEKS.

COUNCILMEMBER McCRACKEN.

YES, TO ADD ON COUNCILMEMBER LEFFINGWELL'S QUESTION, TO FOLLOW-UP, IF WE CAN REDUCE THE DAILY DEMAND TO A CERTAIN LEVEL BUT CONSERVATION LEVELS, ARE THERE OTHER TECHNOLOGIES AVAILABLE THAT ARE SMALLER CAPACITY TYPES OF PLANTS THAT MIGHT BE FEASIBLE IN THAT CASE? WE HEARD ABOUT REVERSE OSMOSIS PLANTS AND I DON'T KNOW MUCH ABOUT THEM, BUT WE ARE TOLD THAT THERE IS THE OPPORTUNITY TO BUILD SMALLER PLANTS. COULD YOU DESCRIBE FOR ME THOSE OPTIONS AND HOW THOSE INTEGRATE?

IN LOOK AT WHETHER YOU BUILD A SMALLER PLANT OR THE SAME SIZE AND IT JUST LASTS YOU LONGER IS REALLY THE ISSUE YOU'RE LOOKING AT. YOU CAN TAKE THE SAVINGS FROM WATER CONSERVATION AND SAY WELL WE'LL BUILD A SMALLER PLANT AND THEN THE NEXT CAPACITY BLOCK COMES ON AND YOU'RE FACED WITH EXPANDING IT AGAIN IN THE SAME TIME FRAME THAT YOU WOULD AS OPPOSED TO IF YOU BUILT THE ORIGINAL SIZED PLANT AND IT JUST TAKES YOU OUT A COUPLE OF YEARS BEFORE YOU NEED THE SECOND EXPANSION. THERE ARE COMMITTEES OF SCALE IN MAINTAINING A LARGER SIZED THAN MAINTAINING A SMALLER SIZED PLANT.

AND CAN YOU TELL ME ABOUT REVERSE OSMOSIS PLANTS AND OTHER TECHNOLOGIES THAT ARE SMALLER IN PROFILE -- WHAT ARE THE INNOVATIONS OUT THERE?

I WOULDN'T SAY THEY ARE CHEAPER. THEY USE LESS

SQUARE FOOTAGE OR HAVE A SMALLER FOOTPRINT, SO THERE ARE TECHNOLOGIES ON THE MARKET TODAY THAT ARE BECOMING MORE COMMONLY USED. THEY ARE FREQUENTLY USED WHEN THE SOURCE WATER HAS QUALITY ISSUES THAT WOULD REQUIRE ADDITIONAL, MORE AGGRESSIVE TREATMENT TO PRODUCE A DRINKING-WATER QUALITY PRODUCT. THEY ARE TYPICALLY NOT -- THEY ARE MORE EXPENSIVE. THE OTHER ISSUE THEY HAVE IS THAT THEY ARE BASICALLY TIGHT MEMBRANES THAT YOU ARE FORCING WATER THROUGH, AND THE PARTICULATES AND THE OBJECTABLE PARTS IN WATER STAY AND THERE IS A POSITIVE BARRIER THERE, AND SO WHEN YOU GET ON THE OTHER SIDE OF THE MEMBRANE, YOU HAVE CLEAN WATER. THE PROBLEM IS YOU HAVE TO BACK WASH THOSE MEMBRANES AND YOU WIND UP LOSING A PORTION OF YOUR WATER SUPPLY IN CARRYING AWAY THE RESIDUALS FROM THAT MEMBRANE. SO IF AUSTIN WERE TO INSTALL A MEMBRANE PLANT YOU WOULD LOSE A PORTION OF YOUR WATER SUPPLY IN THAT USE.

ARE THEY SMALLER PLANTS IN TERMS OF QUICKER OR SMALLER -- ARE THERE ANY ADVANTAGES TO THEM?

THEY CAN HAVE A SMALLER -- OR THEY DO HAVE A SMALLER FOOTPRINT THAN A CONVENTIONAL TREATMENT PLANT.

SLOWER OR FASTER TO BUILD?

IF THE CITY WERE TO LOOK AT USING MEMBRANES THE STATE WOULD REQUIRE THE CITY TO GO OUT AND DO EXTENSIVE PILOT TESTING TO MAKE SURE THAT THE WATER TO BE TREATED IS SUITABLE DUE TO CHEMISTRY DIFFERENCES IN THE WEA -- NOT ALL MEMBRANES WORK FOR ALL WEA EQUALLY -- SO THERE IS THAT RETIREMENT AND WOULD BE SIX TO NINE MONTHS, AND IN OTHERS A YEAR, A YEAR AND A HALF TO MAKE SURE IT'S A WISE INVESTMENT. SO THERE IS THAT ADD-ON, AND AS FAR AS CONSTRUCTION THEY ARE TYPICALLY IN THE SAME ORDER, BUT MAYBE A LITTLE BIT QUICKER IN THE CONSTRUCTION PHASE.

HOW MUCH DO YOU MEAN BY A LITTLE QUICKER?

I THINK A MATTER OF MONTHS. A LOT OF THE LARGE -- THE TIME EXTENT IN A LARGE CONSTRUCTION PROJECT LIKE A TREATMENT PLANT IS IN EQUIPMENT ORDERING. IN THAT YOU'VE GOT TO PUT IN THE ORDER, YOU GO OUT AND YOU GET A CONSTRUCTION CONTRACTOR ON BOARD,. HE HAS TO GO TO THE EQUIPMENT MANUFACTURERS AND PLACE AN ORDER FOR EXPENSIVE LARGE EQUIPMENT AND THEN WAIT FOR THEM TO BUILD THE EQUIPMENT AND SHIP IT TO THE SITE. FREEKSLY THAT IS THE LARGEST -- FREQUENTLY THAT IS THE LARGEST LEAD TIME IN A CONSTRUCTION OF THIS TYPE, AND THAT IS NOT GOING TO CHANGE WHETHER IT'S A CONVENTIONAL OR A MEMBRANE PLANT. SO YOU SAVE A FEW MONTHS ON THE ORDER OF A PROJECT LIKE THIS.

ARE THERE ANY TREATMENT TECHNOLOGIES THAT CAN BE BUILT FASTER BECAUSE THEY ARE SMALLER?

NOT ANY THAT COME TO MIND.

OKAY. I GUESS ONE OF THE THINGS WE'LL NEED MORE INFORMATION ON AND I THINK THE BOARDS AND COMMISSIONS ARE STILL -- I TRUST ARE STILL SCHEDULED TO HEAR THIS IN THE COMING WEEKS -- BUT THAT KIND OF FOLLOWS WHAT LEE WAS TALKING ABOUT. IF WE COULD BE MORE AGGRESSIVE IN IMPLEMENTING CONSERVATION MEASURES WHAT THAT DOES TO THE PROFILE AND THE CAPACITY WE NEED AND WHEN WE NEED IT, AND HOW MUCH WE NEED AND WHEN WE NEED IT, THINGS LIKE THAT.

LET ME ADD ONE COMMENT ON THE MEMBRANE DISCUSSION. WE'VE BEEN TALKING ABOUT THE 100% MEMBRANE TYPE OF A PLANT WHERE THE ENTIRE STREAMENT THROUGH A METROPOLITAN -- THE ENTIRE TREATMENT IS THROUGH A MEMBRANE, THAT IS WHAT ALLOWS THE SMALL FOOTPRINT, AND THE WASTED WATER -- THE MAJOR CONCERN FOR US IS IT'S A DEVELOPING TECHNOLOGY, AND TECHNOLOGIES ARE RAPIDLY DEVELOPING SO IT'S A POSSIBILITY FOR THE FUTURE, BUT THE WATER WASTE AT THIS POINT IS SOMETHING THAT CONCERNS US. 15 TO 20% ARE THE NUMBERS BEING THROWN AROUND, SO ON A 25 M.G.D. PLANT, YOU'RE

WASTES THREE, FOURERS FIVE, AND THAT IS A CONCERN. THERE ARE MEMBRANES JUST FOR THE FILTRATION PART, WHICH IS A TECHNOLOGY THAT WE SHOULD CONSIDER ALONG WITH ALL OF THE TECHNOLOGIES AS WE LOOK AT OUR NEXT WATER TREATMENT PLANT. SO THERE ARE VARIOUS USES OF MEMBRANE, AND WHEN WE TALK ABOUT WHEN WE TALK ABOUT THE SMALL FOOTPRINT IS THE 100% MEMBRANE, REVERSE OSES OSMOSIS PLANT. AND LET ME JUST SAY WE HIRED THIS FIRM TO LOOK AT OUR WATER STRATEGIES FOR THE FUTURE BECAUSE WE DO KNOW THAT THAT IS IMPORTANT, AND IN PARTICULAR HAS THAT GREAT POTENTIAL FOR POST PONYING THE -- POSTPONING THE PLANT EXPANSIONS. OUR CURRENT PROGRAMS HAVE POSTPONED TO DATE, BUT WE ARE VERY CLOSE TO THE NEED FOR THIS NEXT PLANT, AND SO THE CONCLUSION ON THAT WHOLE DISCUSSION WAS THAT TO GET SUBSTANTIAL SAVINGS YOU WOULD NEED TO DO THE MANDATORY TYPES OF PROGRAMS, BUT THAT IS THE OPTION BEEF WITHIN TALK -- WE'VE BEEN TALKING ABOUT. THE NEXT IS A NONHARD CONSTRUCTION APPROACH, IT'S THE POTENTIAL FOR PURCHASING GROWPD WATER, AND THERE HAVE BEEN PROPOSALING ABOUT BRINGING IN GROUNDWATER FROM LEE COUNTY. AND SO THAT IS THE DESCRIPTION. THERE'S AT LEAST ONE COMPANY THAT IS LOOKING FOR CUSTOMERS ALONG 130 AND I-35 AND BRINGING UP WEA. THE ADVANTAGES IS THAT IT'S ANOTHER WATER SUPPLY, AND IT DELAYS THE RAW WATER PAYMENT TRIGGER POTENTIALLY BY HAVING AN ALTERNATE SOURCE, AND IT'S A POTENTIAL FOR LONG-TERM ADDED CAPACITY, BOTH FOR WATER AND TO THE EXTENT THAT IT'S TREATED WATER THAT IS ARRIVING AND THAT CAN OFF-SET TREATMENT COSTS. THE CONCERNS ARE THAT IT'S A DIFFERENT WEAR -- WEA -- WATER QUALITY, AND THERE ARE DIFFERENCES IN THE BLEND IN CHEMICALS, IN THE PAST WE'VE DONE PILOT SCALE TESTING ON BLENDING WATERS AND THAT TAKES QUITE A BIT OF TIME, SO IT'S A SIGNIFICANT AREA OF CONCERN. THE TIMING OF THE PROJECT AND THE COST UNCERTAINTIES IS ANOTHER. >>. THERE HAS BEEN A COST OF DELIVERED WATER, BUT STILL CONCERNS ABOUT WHETHER OR NOT ADDITIONAL TREATMENT WOULD BE REQUIRED. WE HAVE CONCERNS ABOUT THE AQUIFER ITSELF AND NEEDING TO CONFIRM WHAT TYPE OF

SUSTAINABLE YIELD THAT AQUIFER CAN PROVIDE, AND IS IT SOMETHING THAT AUSTIN COULD RELY ON DURING A DOUBT, AND -- DURING A DROUGHT, AND WHETHER THERE WOULD BE ENVIRONMENTAL CONCERNS AS WELL. WE NEED TO HAVE THAT CONFIRMED IN DISCUSSIONS WITH THE STATE. AND IT'S A LONG-DISTANCE SUPPLY LINE AND IT WOULD START IN THE FEW FEW YEARS AS A SINGLE SUPPLY LINE, ROUGHLY 40 MILES LONG AND THERE IS THE RELIABILITY OF NOT HAVING A BACKUP FOR THAT PARTICULAR FEED. I THINK THIS HAS POTENTIAL FOR THE LONG TERM. THIS IS SOMETHING THAT WE DEFINITELY WANT TO CONTINUE TO EXPLORE AND EVALUATE THE COSTS, RISKS AND BENEFITS ON. NEXT OPTION WE TALK ABOUT IS JUST CALLED LOCAL GROUNDWATER, AND THAT IS DEVELOPING WELLS IN THE EDWARDS AQUIFER. THE ADVANTAGES OF THAT IS IT DOES MAINTAIN A LINK TO THE EDWARDS AQUIFER, AND IT COULD BE LOW COST BUT THE DISADVANTAGES ARE THE ENVIRONMENTAL CONCERNS OF PUMPING WATER FROM THE EDWARDS AQUIFER. ALTHOUGH IT COULD BE MANAGED IN RELATION TO THE CONCERNS OF THE BART SPRINGS AQUIFER IT DOES NOT ADDRESS THE CAPACITY AND WOULD NOT PROVIDE SUFFICIENT CAPACITY ESPECIALLY DURING THE DROUGHTS THAT WE ARE FAMILIAR WITH FOR THE EDWARDS AQUIFER AND THE IMPACT THAT THE DROUGHTS HAVE. OUR MAIN CONCERN IS IT DOESN'T SUPPLY THE CAPACITY FOR PROJECTED NEEDS. AND NOW LET'S TALK ABOUT --

I DON'T KNOW IF YOU SAID THIS OR NOT, BUT ARE YOU TALKING ABOUT DRILLING WELLS IN THE EDWARDS AQUIFER?

YES.

THERE IS A WATER AUTHORITY OUT THERE, A CONSERVATION DISTRICT AND THEY ARE ALREADY RATIONAL PEOPLE AND CUTTING THEM BACK THAT DEPEND ON THAT AQUIFER FOR THEIR DRINKING WATER, AND I'M JUST WONDERING HOW THAT WOULD BE VIEWED IF THE CITY OF AUSTIN WENT OUT THERE TO GET ADDITIONAL DRINKING WATER --

THIS IS WHAT I WAS TRYING TO POINT OUT --

I HAVE SERIOUS CONCERNS ABOUT WHETHER OR NOT THEY WOULD EVEN APPROVE SOMETHING LIKE THAT. DO YOU HAVE A FEELING FOR THAT?

I CAN'T SAY THAT I DO,. THE YIELD DURING A DOUBT OF THAT AQUIFER IS ALREADY TAPPED OUT, SO IT WOULD MORE LIKELY BE FINDING EXISTING WELLS --

COUNCILMEMBER, I THINK YOU'RE EXACTLY RIGHT, I THINK IT WOULD BE DIFFICULT TO GET A PERMITTED WELL. WHAT THEY ARE TRYING TO DO FOR ANY SIGNIFICANT SUPPLY IS AN INTERRUPTIBLE SUPPLY, LIKE YOU'VE SEEN WITH BEUTA AND KYLE. IF THERE WERE EXISTING WELLS ALREADY PERMITTED -- BUT WE PUT THIS HERE BECAUSE WE ARE TRYING TO PUT ON THE TABLE ALL OF THE DIFFERENCE IDEA THAT PEOPLE HAVE COME AND SAID WHAT ABOUT THIS IDEA OR WHY THAT THAT IDEA. JUST TO TALK THROUGH THE PROCESS AND THE PROS AND CONS BUT I DO NOT THINK YOU'RE GOING TO FIND THAT THE WATER UTILITY BELIEVES THAT THIS IS A VIABLE OPTION.

I WOULD LIKE TO TALK FOR A FEW MINUTES ABOUT TREATMENT PLANT OPTIONS AND WE'LL START WITH THE EXISTING GREEN WATER TREATMENT PLANT SITE AS AN OPTION, AND THE UHRICH AND DECKER LAKE, AN IDEA THAT CAME UP IN THE LAST WEEK OR SO, AND THE NEW GREEN WATER TREATMENT PLANT SITES, AND FIRST LET ME REMIND EVERYBODY OF SOME OF THE FACTORS TO CONSIDER. VERY IMPORTANT TO US AT THIS POINT IS THE SCHEDULE, SOMETHING THAT CAN BE DONE BY 2011 AND THE NEXT IS THE COST, LOOKING FOR THE MOST COST EFFECTIVE CONCLUSION, AND CITY AND PUBLIC AND NEIGHBORHOOD CONCERNS, ENVIRONMENTAL CONSIDERATIONS. AND THE IMPACT OR EFFECTIVENESS IN THE LOCATION ON THE CITY'S PREFERRED DEVELOPMENT OR DESIRED DEVELOPMENT ZONE CORRIDORS. COMPATIBILITY WITH THE EXISTING INFRASTRUCTURE. WHERE IS THE NEAREST TRANSMISSION LINES AND IS THERE ENOUGH CAPACITY IN THE LINES TO TAKE THE WATER. WATER QUALITY, QUANTITY, AND THE PLANT ACCESSIBILITY IS THE PRACTICAL CONCERNS ABOUT THE

PLANT ITSELF. THE CONVEYENS SYSTEM, AND THEN FINALLY PERMITS AND REGULATORY CONCERNS. ALL OF THESE GET WEIGHED AND COMPARED FROM SITE TO SITE OR OPTION TO OPTION. I'LL TALK FOR A MINUTE ABOUT THE EXISTING GREEN WATER TREATMENT PLANT, THIS IS THE DOWNTOWN SITE, IT'S A SIX-ACRE SITE, AND THE ADVANTAGE IS THAT IT'S CITY-OWNED. IT'S AN EXISTING TREATMENT PLANT SITE AT THE MOMENT. THE DISADVANTAGES -- THERE ARE A NUMBER OF DISADVANTAGES. FIRST SCHEDULED RISKS INCLUDE THE TIME FOR DECOMMISSIONING AND DEMOLITION, AND YOU SAW A PICTURE OF THE SHOAL CREEK BANK, SO STABILIZATION AND A REBUILDING OF THAT BANK IS GOING TO BE A COCHLY INDICATED PROJECT. THERE IS A -- COMPLICATED PROJECT. AND THERE IS A CONCERN ABOUT THE TREATMENT PLANT IMMEDIATELY ADJACENT TO THE SEA HOME DEVELOPMENT. AND SO WE WOULD NOT BE ALLOWED TO HAVE AN INTAKE IMMEDIATELY NEXT DOOR TO A PUB FACILITY, SO -- TO A PUBLIC FACILITY. THE PLANT LAYOUT LIMITATIONS TO ME IS A BIG CORNER. IT'S SUCH A SMALL PLANT. SIX ACRES IS JUST TOO SMALL TO BUILD A PLANT OF THE CAPACITY WE ARE TALKING ABOUT, WE NEED 25 M.G.D. JUST TO GET US FIVE YEARS DOWN THE ROAD AND THAT IS NOT GOING TO FIT ON SIX ACRES. AND IN ADDITION, THERE WOULD BE ABSOLUTELY NO ROOM FOR FUTURE EXPANSIONS OR FUTURE REGULATIONS, AND THOSE COME FROM TIME TO TIME THAT REQUIRE ADDITIONAL UNITS AND WE ALSO NEED TO KEEP THAT IN MIND OR HOW AND WHERE THAT WOULD BE PLACED. AND MAINTENANCE ISSUES ARE OF CORNER FOR THE QUISING GREEN. -- EXISTING GREEN. MODERN SAFETY STANDARDS REQUIRE MORE SPACE THAN THE PLANT HAS. ONCE YOU HAVE ROADS FOR WORKERS TO GET FROM FRONT TO BACK AND TURN-AROUND SPACE FOR DELIVERIES AND TRUCKS THAT TAKES UP QUITE A BIT OF THE SPACE AT THE SITE. AND A FINAL ISSUE IS BACK OF SECURITY AND BUFFER AREA. THERE IS NOT AN EXISTING FIRM REGULATION THAT DEFINES A PARTICULAR DISTANCE FROM THE PROPERTY LINE THAT A PLANT SHOULD BE, BUT THERE'S A VOLUNTEER INTERIM SECURITY GUIDE ADOPTED BY BOTH THE AMERICAN WATER WORKS ASSOCIATION AND THE WATER ENVIRONMENT FEDERATION AND THE AMERICAN SOCIETY OF CIVIL ENGINEERING THAT RECOMMENDS 150 FOOT AS AN



APPROPRIATE BUFFER, AND THE DEPARTMENT OF HOMELAND SECURITY IS DEVELOPING REGULATIONS. AGAIN, THERE IS NOT A REGULATION AT THIS POINT, BUT IT COULD BECOME ONE IN THE FUTURE. SO WE HAVE TO AT LEAST KEEP THAT IN MIND. SO THE MAJOR CONCERN FOR THE EXISTING GREEN IS IT'S A SMALL SITE AND DOES NOT PROVIDE THE CAPACITY TO MEET THE EXISTING DEMANDS ON THAT SMALL SITE. HERE IS A PICTURE OF THE SITE. THIS IS JUST AN EXAMPLE TO KNOW WHAT 150 FEET IS ON SUCH A SMALL SITE. I GUESS ONE SAY TO THINK OF THIS IS EATEN IF WE -- EVEN IF WE WAPTD TO BACK OFF OF THAT AND GET SOMETHING LESS THAN 150 YOU CAN STILL SEE WHAT A SMALL AMOUNT OF SPACE IS GOING TO BE LEFT, AND IT'S CERTAINLY NOT APPROPRIATE HAVE THE PLANT RIGHT UP TO THE PROPERTY LINE. THE NEXT PLANT TO TALK ABOUT IS THE IDEA OF WHY NOT EXPAND THE UHLRICH TREATMENT PLANT. IT'S ON RED BUD TRAIL. THIS IS THE 167 M.G.D. PLANT THAT SERVES -- IT'S ON THE SOUTH SIDE OF THE RIVER. IT'S AGAIN AN AD ADVANTAGE, A CITY-OWNED PLANT, AND IT'S THAT WHOLE PLANT OF GETTING WATER INTO AND OUT OF THE PLANT HAS BEEN PLANNED FOR MANY YEARS AT 160 MILLION GALLONS A DAY, SO THIS EXPANSION TO 167 MAXES OUT THE EXISTING -- THE PLAN FOR THAT PLANT, AND IN PARTICULAR, GETTING WEA -- WATER OUT. THERE ARE A FEW ACRES LEFT AND BRINGING UP THE IDEA THAT WE CAN PUT IN ANOTHER BASIN OR TWO AND GET ANOTHER 50 MILLION GALLONS BUT THAT WOULD BE COSTLY AND TAKE TOO MUCH TIME TO DO ADDITIONAL IN-TAKE LINES UP TO THE PLANT AND TRANSMISSION LINES OUT AND PUMP STATIONS. THE CONCERN OF GETTING THE WATER OUT BECOMES THE MAJOR PROJECT FOR THIS PARTICULAR PLANT SITE. AND IN ADDITION IT'S IMORPT TO NOTE THAT ALTHOUGH YOU COULD PUT A COUPLE OF BASINS AT THIS SITE, IT WOULD MOVE INTO THE ADJACENT JURISDICTION. AND I MENTION PART OF THE PLANT SITE IS IN THE CITY LIMITS OF WEST LAKE HILLS AND I BELIEVE THERE WOULD BE SOME CONCERNS ABOUT THAT JURISDICTION. SO OUR MAJOR CONCERN HERE WOULD SUMMARIZE TO SAY THAT THE LEVEL OF PROJECT COMPLEXITY AND EXPECTED COSTS WOULD PREVENTION TIMELY COMPLETION FOR THE 2011 NEED. HERE IS A PICTURE OF THE CONCEPTUAL 225. AND THAT LAST BASIN TO THE FAR LEFT IS WHAT CROSSES OVER

THE CITY LIMITS LINE. THE DAVIS WATER TREATMENT PLANT IS AN OPTION THAT WAS LOOKED AT AND HAS BEEN CONSIDERED. THIS IS AT 118 MANS LAUGHTER -- 118 M.G.D., AND IT'S CITY-OWNED AND HAS BEEN PLANNED AT A MAXIMUM OF ITS CURRENT CAPACITY AND THE TRANSMISSION MAINS OUT OF THE TREATMENT PLANT ARE ALREADY AT THEIR MAX. SO THERE IS LIMITED ROOM FOR EXPANSION. IT'S ALREADY AT ITS PUMPING AND TRANSMISSION CAPACITY, SO THAT MAKES IT A MUCH LARGER PROJECT THAN YOU MIGHT THINK, JUST THE ON-SITE IMPROVEMENTS. BASICALLY AN AGING PLANT ARE NO ROOM TO EXPAND AND COULD NOT MEET THE SCHEDULE BECOMES OUR CONCERN. LET'S TALK ABOUT WATER TREATMENT PLAN FOUR, THE PROPOSED PLANT ON LAKE TRAVIS. IT WILL DRAW WATER FROM LAKE TRAVIS AND IS PROJECTED FOR BE COM COMPLETE BY THE SUMMER OF 2015. SO THE ADVANTAGES OF THAT PLANT, IN PARTICULAR, AND WE ARE TALKING ABOUT AS AN OPTION TO DO SOONER THAN 2015, YOU KNOW, ALL OF THE ADVANTAGES THAT GO ALONG WITH THAT PLANT IS ONE THAT WE SEE THAT IS IMPORTANT FOR THE FUTURE OF AUSTIN. THE HIGH WATER ELEVATION, MINIMIZING ENERGY USE. IT'S A HIGH WATER QUALITY LAKE AND DIVERSIFIES OUR SUPPLY FROM THE TOWN LAKE IN AUSTIN AND ADDS LAKE TRAVIS TO THAT FOR ADDITIONAL DIVERSITY FOR A LOCATION FOR ADDITIONAL WATER, AND IT'S A FAVORABLE LOCATION TO MEET THE SYSTEM NEEDS. AND IT DELIVERS IT TO THE NEARBY KNOT-NORTHWEST AREAS. THE DISADVANTAGES, IT'S JUST TOO COMPLICATED, IT'S ON A VARIABLE LEVEL LAKE AND SO IT'S A VERY COMPLICATED INTAKE STRUCTURE AND TUNNEL AND PUMP STATION TO GET THE WATER OUT TO PLANTS. SO THE SCIEWLT AT HIM POINT -- THE SCIEWLT -- THE SCHEDULE AT THIS POINT WOULD NOT BE ABLE TO MEET THE 2011 DEADLINE. DECKER CAME UP THIS WEEK, AND IT IS ANOTHER LOCATION FOR A PLANT. IT'S DOWNSTREAM OF BARTON CREEK AND COMES UP AS AN ALTERNATIVE. SO THE ADVANTAGE -- ONE OF THE ADVANTAGES IS THAT IT'S CLOSE TO STATE HIGHWAY 130, SO IT'S A PLANT AND CAPACITY ALONG WHAT WE KNOW IS A GROWING AREA OF AUSTIN. JUST TO CLARIFY, THE SOURCE OF THE WATER IN DECKER LAKE IS COLORADO RIVER WATER. SO THE LAKE ITSELF, IT MAY NOT BE AS IMPORTANT AS -- IT'S NOT AN

ADDITIONAL SUPPLY OF WATER. IT IS A HOLDING LAKE PRIMARILY FOR COLORADO RIVER WATER, AND HAS A VERY SMALL WATERSHED, AN INTERMITTENT CREEK THAT FLOWS INTO THAT LAKE. SO THE LAKE IS NOT SO SIGNIFICANT TO THIS AS A PROJECT. WE WOULD STILL NEED A PUMP STATION, AND A NEW INTAKE STRUCTURE THAT WOULD BE LOCATED UPSTREAM OF THE WASTEWATER TREATMENT PLANTS AND PREFERABLY ON TOWN LAKE, BUT THAT LEAVING YOU WITH A -- LEAVES YOU WITH A DISADVANTAGE OF A LONGER INTAKE PIPE. AND A CHAPTER 26 PROCESS WOULD BE A PART OF THE ACQUISITION PROCESS. AUSTIN ENERGY OF COURSE USES DECKER LAKE FOR COOLING FOR THE DECKER POWER PLANT AND WE MAY HAVE SOME CONFLICTING OPERATIONAL ISSUES TO THE EXTENT THAT WE DID WANT TO PUT WATER IN THE LAKE AND THEN PUMP IT BACK INTO THE PLANT. BUT THAT, OF COURSE, REQUIRES TWO PUMP STATIONS AND THAT SEEMS TO BE AVOIDABLE IF WE PUT A PUMP STATION ON THE LAKE AND JUST PUMP DIRECTLY TO THE PLANT. SO THERE ARE A NUMBER OF ISSUES IDENTIFIED AND THAT SHOULD BE LOOKED AT AND STUDIED FURTHER BUT DOESN'T LOOK FEASIBLE FOR THE 2011 DEADLINE AGAIN. AND NOW LET'S TALK ABOUT THE STUDIES DONE FOR THE PLANNING FOR A NEW GREEN. WE KNOW ALL OF THESE SITES ARE NOT EQUAL AND ARE NOT NECESSARILY IN ON THE TABLE ANYMORE, BUT THERE ARE FIVE -- FIVE SITES ALTOGETHER, INCLUDING THE GREEN. THREE OF THOSE ARE CITY-OWNED. THOSE ARE PUBLICLY OWN AND WE CAN TALK ABOUT THOSE IN SOME DETAIL. AND THEN OUR TWO ADDITIONAL PRECISELY -- PRIVATELY OWNED SITE, AND WE'LL PROVIDE AS MUCH INFORMATION AS WE CAN TO THE PUBLIC. IT DOES BECOME FRUSTRATING WHEN WE CAN'T TALK ABOUT THE SITES, BUT THE PRIVATE OWNERSHIP AND PROTECTING THE CITY'S INTERESTS MAKES IT DIFFICULT TO SHARE INFORMATION, BUT WE'LL HAVE A LITTLE BIT OF A DESCRIPTION OF THE SITES. SOUTHEAST OF CREEK FIELD IS THE ROY GUERRERO PARK PROPERTY, ACROSS FROM TOWN LAKE. YOU SEE THE BUFFER ZONE OUTLINE, AND THAT IS THE 150-FOOT DISTANCE MAPPED ON EACH OF THESE SITES AS WELL, JUST FOR COMPARISONS. YOU CAN SEE THERE IS PLENTY OF DEVELOPABLE SPACE LEFT AFTER THAT BUFFER ZONE. THE OBVIOUS DISADVANTAGES TO THIS SITE ARE THE USE OF

PARK PLACE AND THE NEIGHBORHOOD CONCERNS. IT'S PARTIALLY IN THE FLOOD LAIN BUT THAT IS SOMETHING THAT WOULD PROBABLY BE MITIGATED. IT'S ON THE VERGE OF BEING DECOMMISSIONED AND TAKING IT OFF-LINE, SO THAT LEAVES IT AS AN OPTION FOR A NEW WATER PLANT. THIS IS A 40-ACRE SITE. IT'S LOCATED ON 183 BETWEEN 183 AND THE COLORADO RIVER. IT'S ON THE SOUTHERN BOUNDARY, AND AGAIN YOU SEE THAT 150-FOOT BUFFER. THE FLOOD PLAIN ISSUE IS SIGNIFICANT ON THIS SITE, BUT THERE ARE EXISTING BERMS ON THIS SITE. WE WOULD NEED TO CONSTRUCT SOME ADDITIONAL FLOOD WALLS TO RECLAIM THIS SITE IF WE WERE TO USE IT AS A WATER TREATMENT PLANT. THAT WOULD CREATE SOME UNSERVE TIS FOR PERMITS -- UNSERVE TIS FOR PERMITTING THROUGH THE CORPS OF ENGINEERING. AND THE ADVANTAGES ARE ITS A PROPER SIZE, A SECURE LOCATION, GOOD ACCESS AND THE CITY OWNS IT. AND NOW WE'LL TALK ABOUT WHAT WE JUST CALL PRIVATE PARCEL ONE. IT'S 40 TO 50 ACRES, EAST OF LONGHORN DAM, AND IS USED FOR INDUSTRIAL USES RIGHT NOW. THE ADVANTAGES, IT'S ENOUGH SPACE FOR A PLANT WITH A SECURE LOCATION AND BUFFER ZONE. HAS ROOM FOR EXPANSION TO 50 M.G.D. AND BEYOND, IT'S NOT IN THE FLOODPLAIN, AND TO THE EXTENT THERE STYLE NEEDS TO -- TO THE EXTENT THERE STILL NEEDS TO BE AN INTAKE STRUCTURE, THOSE EASEMENTS WOULD REQUIRE A CHAPTER 26, BUT WE BELIEVE IT WOULD BE MORE OF A MINIMAL IMPACT TO PARKS. SIMPLY THE INTAKE AND THE PIPELINE AND WITH LIMITED NEIGHBORHOOD IMPACTS. THE DISADVANTAGES FROM THE LEFT -- LENGTH FROM TOWN LAKE AND REQUIRES A DISTRIBUTION SYSTEM, AND FINALLY THERE MAY NOT BE A WILLING SELLER. AND TWO IS 40 TO 5 ACRES - - 40 TO 50 ACRES. IT'S NOT IN THE FLOODPLAIN, GOOD ACCESS AND MINIMAL IMPACT TO PARKS, AND THE TRAN MISSION LINES TO THE PLANT AND FEW NEIGHBORS. THE DISADVANTAGES, THE RAW LENGTH OF THE LINE FROM TOWN LAKE AND IT REQUIRES DISTRIBUTION IMPROVEMENTS AND THERE MAY NOT BE A WILLING SELLER. AND THE GRAPH TAKES ALL OF THE PROS AND CONS AND PUTS THEM ON ONE PAGE. WHAT IS NEW HERE IS THE TOP LINE, WE HAVE THE FOUR SITES IDENTIFIES AND THERE'S JUST A RELATIVE COMPARISON ON COST DIFFERENCES. AND

LET ME MENTION, WE'VE PRESENTED THIS ONCE AT THE 25 MILLION GALLON A DAY FIRST PHASE COST COMPARISONS AND THE DIFFERENCES WERE GREATER. AND WE THINK IT'S BETTER TO LOOK AT THE FULL 50 M.G.D. COMPARISON. IF YOU DO THAT, YOU'VE BUILT ALL OF THE CONNECTIONS TO THE DISTRIBUTION AND THE TRANSMISSION MAINS, SO ALTHOUGH -- ON THE CREEK FIELD SITE ONE OF THE ADVANTAGES WOULD HAVE BEEN POSTPONED EXPENDITURE TO THE SECOND PHASE BUT WHEN YOU GET TO THE 50, IT'S MUCH LESS, OTHERWISE THE ADVANTAGES AND DISADVANTAGES ARE SHOWN HERE. LET ME SUM UP WITH A SCHEDULE. AND GET BACK TO THE DEMAND CURVE. WE ARE TALKING ABOUT WHAT TO DO BY 2011 TO BRING ON 25 M.G.D. CAPACITY BY THE SPRING OF 2011. AND HERE IS THE TASKS THAT BREAK DOWN INTO A SCHEDULE THAT ADD UP TO 62 MONTHS. NOW, THERE ARE A COUPLE OF ITEMS THAT ARE CONCURRENT, WHERE PERMITTING IS GOING ON AT THE SAME TIME THAT THE FINAL DESIGN IS BEING WRAPPED UP, SO LET'S NOT ADD IT IN TWICE, BUT THE TIME FROM START TO FINISH IS 62 MONTHS OR FIVE YEARS AND TWO MONTHS AND THAT PUTS US AT JUNE 7, 2011. SO IT'S A VERY TIGHT SCHEDULE AND THERE IS NO ROOM FOR DELAYS OR SURPRISES IN THE SCHEDULE. THAT IS A CLEAN AND AGGRESSIVE SCHEDULE. I HAVE A GRAPH HERE THAT SHOWS -- JUST LAYING OUT THE SCHEDULE IN A SCHEMATIC. YOU CAN SEE THE IMPORTANCE OF GETTING THIS THING FINISHED BEFORE THE 2011 -- JUNE TO SEPTEMBER REALLY OF EVERY YEAR IS THE PEAK WATER DEMAND TIME AND THAT IS WHEN WE HAVE TO HAVE THE FULL CAPACITY ON LINE. THAT IS WHY WE ARE AIMING FOR THE AGGRESSIVE 62-MOPTH SCHEDULE TO GET US CAPACITY BEFORE THE SUMMER OF 2011. THAT IS THE SCHEDULE ON THAT. AND THEN HERE IS ANOTHER. ANOTHER SCHEDULE GRAPH THAT SHOWS SEVERAL OTHER RELATED PROJECTS THAT HAVE ALREADY BEEN THROUGH PLANNING ASSESSMENT INTO THE EARLY 2006 YEAR. WE ARE AT THE POINT WHERE WE ARE LOOKING FOR THE DIRECTION TO MOVE FORWARD. THE EXISTING GREEN PLANT AND DECOMMISSIONING AND DEMOLITION IS SHOWN HERE AND THAT SHOWS GREEN NEEDING TO STAY IN OPERATION THROUGH NEXT WINTER AND AT THAT TIME YOU COULD TAKE IT OFF LINE AND START SOME SITE WORK AND DECOMMISSIONER AND DEP LITION

WORK. AND -- DEMOLITION WORK. AND THEN THE NEXT IS THE WEA TREATMENT PLANT ITSELF, AND THE SCHEDULE SHOWS DOING THE ENGINEERING AND DESIGN WORK AND STARTING CONSTRUCTION IN MIDTO LATE 2008 TO FINISH BY THE SUMMER OF 2011. SO THE NEXT STEPS ARE WE'VE ISSUED THE GREEN WATER TREATMENT PLANT REQUEST FOR QUALIFICATIONS TO THE ENGINEERING COMMUNITY, STARTED THAT PROCUREMENT FOR THE DESIGN SERVICES. WE ARE ISSUING THE GREEN WATER TREATMENT PLANT DECOMMISSIONING R.F.Q NEXT WEEK IS WHAT WE ARE SHOOTING FOR, AND IT'S JUST A MATTER OF GETTING THAT PUBLISHED. A CITY VOTE ON THE COLLECTION OF ENGINEERS. OUR GOAL WAS JUNE 22 SO WE CAN DO THE ACCOUNTER IN JULY AND GET -- DO THE CONTRACTOR IN JULY AND GET STARTED ON THE EARLY DESIGN. THE CHAPTER 26 PROCESS WILL COME UP AGAIN BECAUSE OF THAT IN-TAKE OR TRANSMISSION OR RAW WATER LINE. IF IT'S ON THE BANKS OF THE TOWN LAKE, IT'S GOING TO INCLUDE DEALING WITH PARK LAND, AND SO THAT CHAPTER 26 WILL COME BACK UP, BUT THAT WILL BE EARLY 2007 AFTER THE DESIGN AND THE LOCATION IS RECOMMENDED FOR THE INTAKE STRUCTURE. ABOUT THE SAME TIME WE'LL START THE DETAILS DESIGN AND START CONSTRUCTION IN MIDTO LATE 2008 FOR COMPLETION IN EARLY 2011. IT'S BEEN MY PLEASURE TO WALK THROUGH A LOT OF BACKGROUND INFORMATION AND A LOT OF OPTIONS THAT ARE OUT THERE BEING DISCUSSED. HAPPY TO TAKE ANY QUESTIONS AT THIS TIME.

THANK YOU, MR. LIBBY.

QUESTIONS?

I FEEL LIKE I'M DROWNING IN ALL OF THIS WATER, BUT LET ME ASK YOU A QUESTION. THE CAPACITY YOU NEED WOULD MEET HOW MANY ACRES DO YOU REALLY ACTUALLY NEED TO MEET THE CAPACITY THAT YOU NEED -- I KNOW YOU'RE SAYING IT'S TOO SMALL TO DO WHAT WE NEED TO DO, AND THE SECOND QUESTION IS SINCE WE HAVEN'T MOVED YET, I NEED TO ASK YOU WHAT ARE WE DOING -- YOUNG MAN SAID SOMETHING ABOUT THE SECURITY MEASURES OVER THERE. HAVE WE CORRECTED THAT OR ARE WE STILL WORKING ON THAT AND THE FIRST QUESTION IS ABOUT THE CAPACITY

HOW MANY ACRES YOU NEED, AND I MAY HAVE MISSED THAT

--

THAT IS A GOOD QUESTION AND I DID NOT IDENTIFY. WE BELIEVE FOR THIS PLANT 0 ACRES -- 30 ACRES IS THE MINIMUM, AND THE SITES WE ARE LOOKING AT ARE 30 AND ABOVE, FOR A 50 M.G.D. PLANT. AY.

WE DID A VULNERABILITY ASSESSMENT REQUIRED BY THE DEPARTMENT OF HOMELAND SECURITY AFTER 9-11 AS WELL AS OUR OWN A.P.D. HELPED US CONDUCT THOSE, AND WE HAVE TAKEN SOME MEASURES BUT THERE'S ONLY SO MUCH YOU CAN DO WHEN THE PLANT SITE COMES RIGHT TO THE PROPERTY LINE.□□

OKAY, THANK YOU.

COUNCILMEMBER KIM.

MR. LIBBY, I'VE HEARD WE HAVE A LOT OF WATER MAIN BREAKS WHERE WE LOSE A LOT OF WATER, AND I'VE HEARD AS MUCH AS 6,000 WATER LEAKS WE GET A YEAR. HOW MUCH WATER DO WE LOOSE WHEN THAT HAPPENS?

RN LET ME ASK OUR ASSISTANCE DIRECTOR OF WEA RESOURCE PLANNING IN THE PLANNING AND THAT INCLUDES THE WEAR -- THE WATER CONSERVATION GROUP. THERE WAS A REPORT TURNED IN TO THE STATE THAT WENT THROUGH A METHODOLOGY THAT THEY PROSCRIBED AND THAT INCLUDED AN TIMENT ESTIMATE OF THE TOTAL WATER LEAKED. SO WE HAVE -- ACTUALLY, THAT IS A PART OF THE ALLEN PLUMBER STUDY MAKING RECOMMENDATIONS WITH HOW TO BETTER MANAGE THAT, AND I'LL LET THEM DESCRIBE THE WORK GOING ON TODAY.

GOOD AFTERNOON, I'M THE ASSISTANCE DIRECTOR. ONE OF THE THINGS WE ARE DOING AT THE UTILITY IN RESPONSE TO THE WATER DEVELOPMENT BOARD'S REQUEST FOR A WATER AUDIT, WE'VE PREPARED A WATER ACCOUNTABILITY PLAN, AND ESSENTIALLY WHAT THIS DOES, IT WILL ADDRESS THE ISSUES WITH THE LEAKAGE AND SOME OF THE PROBLEMS WE HAVE AS FAR AS ACCURATELY ACCOUNTING FOR OUR WATER. CURRENTLY THE UTILITY STANDARD IS

ABOUT 15% IN WATER LOSS, AND A PART OF THAT INCLUDES UNBILLED WATER FOR FIRE PRODUCTION, FLUSHING LINES AND A NUMBER OF OTHER THINGS THAT GO UNBILLED BUT ARE ACCOUNTED FOR, AND THOSE ARE NOT TYPICALLY MEASURED. THE OTHERS INCLUDING THE LAKAGE, AND METER INACCURACIES, THEY ACCOUNT FOR ANOTHER PERCENTAGE. RIGHT NOW WE ARE LOOKING AT ABOUT 9 MILLION GALLONS A DAY THAT WE COULD POTENTIALLY ADDRESS BY IMPLEMENTS AN AGGRESSIVE LEAK DETECTION PROGRAM, AND AN AGGRESSIVE METER REPAIR AND TESTING PROGRAM -- THOSE ARE SOME OF THE THINGS WE ARE LOOKING AT RIGHT NOW. POSSIBLY WITH INVESTMENTS TO REDUCE THAT TO 3 TO 6 MILLION GALLONS A DAY.

WHAT ABOUT --

I HAD SOMETHING --

SURE OTHER THE WASTEWATER SIDE WE HAVE AGING INFRASTRUCTURE, AND THIS IS RELATED TO ME WITH THE AGING OF THE SYSTEM. IN ALL OF THE MILES OF PRESSURIZED PIPES, LEAKS ARE A PROBLEM. MAJOR BREAKS? THEY ARE OBVIOUS, WATER ER WHERE, AND -- EVERY WHERE, AND THEN THERE ARE LEAKS THAT ARE SEEN AND REPAIRS -- REPAIRED, BUT THERE ARE SUBSURFACE LEAKS THAT ARE NOT DETECTED AND THERE ARE METHODOLOGIES AND EQUIPMENT THAT CAN DETECT SOME OF THOSE, SO WE WANT TO IMPROVE AND ADD TO THAT RESOURCE IN THE UTILITY WHERE WE CAN BETTER DETECT AND MORE AGGRESSIVELY GO AFTER THAT LEVEL OF LEAK. SO WE HANDLE THE BIG ONES AND THE ONES AT AT SURFACE THAT CAN BE SEEN AND NOTICED BUT WE NEED TO STRENGTHEN THE ONES THAT ARE HARDER TO FIND AND THEN ADD TO THE PROGRAM. FOR THAT AGING INFRASTRUCTURE IT'S GOING TO MEAN INVESTMENT IN THE AGING LINES AND MAKE SH OF THOSE FIXES TO SLOW THE LEAKS DOWN.

WHAT ARE THE THINGS MAINTENANCE WISE THAT WE HAVEN'T BEEN DOING THAT WE NEED TO SO ENSURE THAT WE DON'T HAVE THE AGING AND THE CALS IF I RATION IN THE -- CALS IF I INDICATION IN THE PIPES THAT RESULTS IN



LEAKS. I THINK THAT IS ONE OF THOSE THINGS BUT ARE THERE OTHER THINGS WE SHOULD BE DOING MAY IT PLEASE THE UNANIMOUS WISE -- MAINTENANCE WISE IF WE HAD THE FUNTDING --

WE TRACK THROUGH ALL OF OUR WORK ORDERS THE NUMBER OF LINE BREAKS PER MILE, AND WHEN HE -- WHEN WE HIT A CERTAIN LEL -- WE DO SPOT REPAIRS FOR BREAKS AND REPLACEMENT FOR SOME OF THE SMALLER SEGMENTS BUT WHEN A LINE STARTS TO GET TOO MANY BREAKS PER MILE WE PUT IT ON THE LIST FOR A MAJOR REPLACEMENT PROJECT OR A NEIGHBORHOOD REHABILITATION PROJECT.

AND DO WE HAVE A COST ESTIMATE -- WE HAVE ONE FOR THE WASTEWATER SYSTEM BUT DO WE HAVE ONE FOR THE WATER UTILITY WHAT IT COSTS.

WE ARE PLANNING THAT IN OUR CAPITAL IMPROVEMENTS AND I DON'T KNOW HOW MANY MILLIONS IT IS, BUT IT'S ONE OF THE CATEGORIES WE CAN REPORT TO YOU EASILY, AS A PART OF OUR BUDGET REPORT, BUT WE CAN GET THAT TO YOU SOON, WATER REHABILITATION, ON A FIVE-YEAR AND A TEN-YEAR FORECAST.

THANK YOU.

IF I COULD ADD TO THAT, WE ARE ALSO LOOK AT AN INITIATIVE TO SET UP AN ACID MANAGEMENT PROGRAM, AND WHAT THAT DOES, THAT LOOKS AT OUR INFRASTRUCTURE AND AT MORE PREVENTIVE MAINTENANCE SO HE CAN BETTER PREDICT THE KINDS OF PROBLEMS WE'RE GOING TO ENCOUNTER OVER THE YEARS. THAT IS NOW IN DISCUSSION PHASE, AND WE HOPE TO BRING THAT TO COUNCIL OVER THE NEXT FEW MONTHS WITH A PLAN THAT WE ARE GOING TO LOOK AT.

AND THEN, DAVID, ANOTHER THING THAT STRIKES THEY IS YOU'VE BEEN DOING A VERY GOOD JOB OF LOOKING FOR REPEAT LEAKS IN TOWN, AND PRYING TO PRIORITY -- TRYING TO PRIORITIZE A WEAK SYSTEM OR AREA FOR LEAKS AND REPAIRS. CAN YOU GIVE THE COUNCILMEMBERS -- ALL SYSTEMS HAVE LEAKS AND IS THERE AN INDUSTRY STANDARD FOR A PERCENT OR SOME TYPE OF I.N.I. FOR THE

PROBLEM?

ABOUT 15% FOR INDUSTRY STANDARDS LOSS IN THE SYSTEM, AND WE ARE ACTUALLY DOING WELCOME PARED TO OTHER UTILITIES IN DISTRICT STANDARDS. WHAT WE'VE CONSIDERED UNACCOUNTED FOR, WE ARE ACTUALLY DOING VERY WELL, BUT WE STILL NEED A NEED FOR IMPROVEMENT AND WE ARE TRYING TO TAKE THOSE PROGRAMS FURTHER, BECAUSE WE DO UNDERSTAND THAT EVERY GALLON WE SAVE TAKES US FURTHER IN TERMS OF OUR DOLLARS.

COUNCILMEMBER LEFFINGWELL.

MR. LIBBY MENTIONED YOU RECENTLY DID A REQUIRED WEA AUDIT -- WATER AUDIT FOR THE STATE.

THAT IS CORRECT.

WHAT WAS THAT NUMBER?

I BELIEVE THAT 9 MILLION GALLONS IS WHAT I CAN RECALL.

DO YOU REMEMBER, MR. LIBBY WHAT THE NUMBER WAS.

THAT IS A NUMBER THAT I HEARD RECENTLY.

I THINK WE HAVE IT COMING AND WE CAN GET A SUMMARY OF THIS TO THE COUNCIL, IF YOU WOULD LIKE.

THIS IS DAN STRUB WITH OUR WEAR CONSERVATION GROUP.

THE NUMBERS I HAVE HERE ARE IN BILLIONS OF GALLONS FOR THE ENTIRE YEAR, SO ITSHAS TO BE TO CONVERSION TO GALLONS PER DAY, BUT IT WAS 4.4 BILLION GONES FOR THE TOTAL LOSS.

FOR THE ENTIRE YEAR?

THAT IS CORRECT.

OKAY, I THINK I CAN FIGURE THAT OUT ON A PER DAY BASIS

WHEN I GET MY CALCULATOR HANDY. SO 4.4 BILLION GALLONS A YEAR, I KNOW YOU SAID YOU WERE DOING WELL AS FAR AS PEER AVERAGES COMPARED TO OTHER CITIES AS FAR AS YOUR LOSS RATE, BUT WITH AN AGGRESSIVE LEAK REPAIR SYSTEM, WHAT WOULD YOU REDUCE THAT 4.4 MILLION TO WITH A GOOD REPAIR PROGRAM?

IN TERMS OF THAT WE ARE SHOOTING FOR BETWEEN 3 TO 6 MILLION AS A TOTAL LOSS AND THAT PUTS US WELL BELOW INDUSTRY STANDARDS. WE HAVE OVER 3,000 MILES OF DISTRIBUTION PIPE IN THE SYSTEM AND THOSE LEAKS OVER THOSE MILES AND THE LOSS ALSO INCLUDES LOSS AT THE PLANTS, SO 3 TO 6 IS ACTUALLY EXCELLENT IN TERMS OF LOSS.

AND THAT IS A PART OF ALMOST A BILLION DOLLARS OF CAPITAL THAT IS PLANNED OVER THE NEXT FIVE YEARS, A SIGNIFICANT PORTION OF THAT IS GOING INTO THIS KIND OF REPLACEMENT AND REPAIR.

AND I USED MY PENCIL, DIDN'T NEEDLY CALCULATOR AND LOOKS LIKE ABOUT 12 MILLION GALLONS A DAY, AND YOU'RE SAYING YOU CAN ONLY REDUCE THAT BY ABOUT 25% WITH AN AGGRESSIVE PROGRAM.

25 TO 50% DEPENDING ON THE CAPITAL INVOLVED AND THE REPAIRS AND ACTUALLY THE ACTUAL PROGRAM ITSELF, AND CONDUCTING AN AGGRESSIVE LEAK DETECTION PROGRAM. WE ARE LOOKING FOR THE LEAKS THAT DON'T SURFACE.

SO WITH A GOOD PROGRAM YOU COULD GET ANOTHER 6 MILLION GALLONS A DAY, WEEK.

YES, SIR.

THANKS.

WE DO SEE THAT AS AN TIEWPT THAT WE NEED GO FOR. AT SOME POINT YOU HIT THAT LEVEL THAT IS JUST NOT ECONOMICALLY FEASIBLE TO CHASE DOWN EVERY DROP OVER THE 3,000 MILES.

COUNCILMEMBER MA McCRACKEN.

ONE OF THE THINGS I DON'T HAVE A CLEAR GRIP ON IS CAN YOU DESCRIBE IN TERMS OF THE EVERYDAY LIVES OF CITIZENS WHAT MANDATORY RESTRICTIONS WOULD LOOK LIKE AND WHAT WE WOULD EXPERIENCE AS AUSTIN RESIDENTS?

WE HAVE THE VOLUNTEER FIVE-DAY WATERING SCHEDULE THAT IS IN PLACE EVERY YEAR. THAT IS STAGE I, AND STAGE II IT BECOMES MANDATORY, AND WE WOULD HAVE TO FIND THE PEOPLE TO DO SOME LEVEL OF ENFORCEMENT AND A LOT OF COMMUNICATION ABOUT HOW IT IS MANDATORY AND SUBJECT TO FINES, BUT IT'S JUST A VERY STRICT FIVE-DAY WATERING SCHEDULE, ONCE EVERY FIVE DAYS.

WHICH SOUNDS ON THE FACE LIKE IT WOULD BE IMPOSSIBLE TO ADMINISTER. I THINK IT WOULD BE VERY DIFFICULT, AND IN Y'ALL'S DEFENSE, WHAT ELSE?

AUSTIN HAD A YEAR FIVE OR SIX YEARS AGO OF MANDATORY WATER RESTRICTIONS. THE IMMEDIATE EFFECT WAS A 15% DROP, BUT OVER THE WEEKS IT KEPT UP TO A 10%. -- CREPT UP TO A 10. SO HOW MUCH OF THAT YOU WOULD WANT TO RELY ON IS THE 10% LEVEL. THAT IS WHAT WE SAW. AND SOME OF THAT IS -- PEOPLE TOOK IT SERIOUSLY AT FIRST AND THEN GOT USED TO IT OR FORGOT. SHOW IT IS -- SOMEHOW IT IS DIFFERENT TO ENFORCE. (ONE MOMENT, PLEASE, FOR A CHANGE IN CAPTIONERS) >>... BANNED LAWN WATERING IN SAN ANTONIO TWO SUMMERS AGO. AT LEAST IN CORPUS, WHEN WE HAD TO GO THROUGH IT, WE -- WHAT HAPPENS IS ALL OF THESE TRUCKS WOULD GO, IF YOU WANTED TO WATER YOUR LINE, PEOPLE WOULD GO GET TRUCKS, GET TREATED SECONDARY, NOT TERTIARY, SECONDARY, ON THE YARD, I THINK THAT'S -- PART OF THAT EXPERIENCE, THEY REALLY WENT OUT AGGRESSIVELY AND ENHANCED THEIR WATER SUPPLY. IT WAS -- IT WAS HIGHLY UNPOPULAR WITH THE RESIDENTS OF THE CITY. YOU WOULD HAVE TO GET SIGNIFICANT WATER CONSERVATION ACHIEVED IN A VERY SHORT PERIOD OF TIME, WHAT WE ARE TALKING ABOUT, FIVE YEARS, YOU WOULD HAVE TO AGGRESSIVELY REDUCE

THE -- THE USAGE OF THE BIG USES. IRRIGATION --

PRIMARILY IRRIGATION FOR PEAK DAY MANAGEMENT,  
THAT'S THE BIG ONE? ONE.

ALL RIGHT. FURTHER QUESTIONS, COMMENTS?  
COUNCILMEMBER LEFFINGWELL?

Leffingwell: DON'T WE ALREADY HAVE SOME MANDATORY  
WATER CONSERVATION REQUIREMENTS OF COMMERCIAL  
PROPERTIES AND PLUMBING CODES AND THINGS LIKE THAT?

YEAH, THERE'S SOME ONGOING PROGRAMS THAT REQUIRE  
DEVELOPMENTS TO USE CERTAIN FEATURES. AND ALSO  
DURING THE MAY -- WE HIT THE STAGE 1 WHILE IT IS  
VOLUNTARY, WE DO IMPLEMENT THE -- THE FIRE DAY  
WATERING VOLUNTARY SCHEDULE. SO THAT -- THAT STARTS  
MAY AND GOES THROUGH SEPTEMBER.

WE DO HAVE THE WATER WASTE WHICH IS ENFORCEABLE,  
FINABLE. WATER WASTE ORDINANCE.

WATERING ON THE STREET?

THAT'S CORRECT.

THAT SORT OF A THING.

YES.

Mayor Wynn: OTHER QUESTIONS, COMMENTS? THANK YOU  
VERY MUCH, MR. LIPPE.

Mayor Wynn: COUNCIL THAT TAKES US TO OUR --

McCracken: I THOUGHT WE WERE SUPPOSED TO GIVE  
DIRECTION TODAY ABOUT GOING FORWARD --  
PARTICULARLY WE WERE NOT POSTED LAST WEEK FOR  
FORMALLY REMOVE GUERRERO PARK AS ONE OF THE  
POSSIBILITIES FOR A SUCCESSOR SITE. MY  
UNDERSTANDING IS THAT WE ARE POSTED IF WE WERE  
GOING TO TAKE THAT ACTION THAT WOULD BE TODAY.

Mayor Wynn: WE ARE POSTED FOR THE BRIEFING THAT WE JUST HAD, POSSIBLE ACTION GIVING US THE ABILITY TO GIVE DIRECTION ON ANY ELEMENT OF THIS, ACTUALLY.

McCracken: ONE QUESTION I GUESS BEFORE -- BEFORE WE WOULD DO ANYTHING LIKE THAT. WHAT IS OUR TIME LINE HERE IN THIS COUNCIL ABOUT WHEN THEY NEED TO GIVE YOU DIRECTION ABOUT WHAT WE ARE AUTHORIZING THE CITY TO DO.

Futrell: THE SHORT ANSWER TO THAT IS PROBABLY A MONTH AGO. THE HONEST TRUTH, THE FACT OF THIS IS THAT WE ARE OUT OF TIME. WE ARE LOOKING FOR SOME DIRECTION ON HOW WE MOVE FORWARD. OUR UNDERSTANDING WAS THAT THERE WAS A SENSE OF THE COUNCIL THAT THEY WOULD LIKE US TO PURSUE THE PRIVATE SITE AND THAT THERE MIGHT BE SOME INTEREST IN THE COUNCIL TO REMOVE THE PARK SITE ALTOGETHER FROM CONSIDERATION. BUT IN ORDER TO MOVE FORWARD WE NEED TO LOCK DOWN A SITE AND WE NEED SOME SENSE OF HOW TO MOVE FORWARD ON THAT AND WE ARE -- ALL OF THE THINGS THAT WE HAVE TALKED ABOUT, WITHOUT VERY AGGRESSIVE MANDATORY DISCOVERING VACATION AND REUSE WHERE WE HAVE -- WE HAVE THE ABILITY TO USE AND PURCHASE THE REUSE, WHICH IS NOT A GIVEN FOR THE TOTAL AMOUNT, THOSE -- WE HAVE A MATURE SYSTEM AND THOSE ARE NOT -- THOSE ARE GOING TO HELP YOU AROUND THE MARGINS, THEY ARE NOT GOING TO GIVE US THE FLEXIBILITY THAT WE NEED TO BE ABLE TO PUSH THIS OFF IN ANY MEANINGFUL WAY. SO WE ARE AT THAT POINT NOW. WE ARE LOOKING FOR DIRECTION FROM YOU.

I HAVE A FOLLOW-UP QUESTION THEN. THAT IS I GUESS WHERE ARE WE ON PRIVATE SITES ABOUT HAVING OPTIONS?

Futrell: IF WE FLIP BACK IN THE PRESENTATION THERE WERE TWO PRIVATE SITES THAT WERE UNDER CONSIDERATION. AND WE WILL BE GLAD TO AGGRESSIVELY PURSUE BOTH OF THOSE IF THAT IS THE DIRECTION OF THE COUNCIL.

BUT YOU BASICALLY NEED US TO GIVE YOU DIRECTION

TODAY?

Futrell: IF THE COUNCIL IS NOT INTERESTED IN US MOVING FORWARD ON THE PARK SITE AND THAT IS THE IMPRESSION THAT I GOT, FROM LAST WEEK, WE WOULD LIKE TO HAVE THE DIRECTION FROM COUNCIL OF HOW THEY WOULD LIKE US TO PROCEED AND, YES, WE ARE LOOKING FOR DIRECTION TODAY.

WELL, IT DOES SEEM TO ME THAT IF WE ARE GOING TO GIVE DIRECTION FOR INSTANCE TO TAKE A SITE OFF THE TABLE, WHICH THAT SITE WOULD BE THE PARK SITE IF THAT WAS CHOSEN, I THINK IT WOULD THEN CERTAINLY IMPLICIT DIRECTION WITH THAT WOULD BE FOR STAFF CONTINUING GIVING US THESE OPTIONS TO MOVE AGGRESSIVELY ON, YOU KNOW, THOSE PRIVATE SITES, THAT IS, YOU KNOW, THE NORMAL PROCESS WOULD BE THERE WOULD BE A NUMBER OF MEETINGS WITH THOSE LANDOWNERS AND/OR FURTHER ANALYSES AND MY INSTINCT IS BY THE TIME THOSE -- A SITE COULD COME FORWARD TO US, LIKELY IN CLOSED SESSION IN AN UPCOMING MEETING, WE AS INDIVIDUAL COUNCILMEMBERS COULD ALSO BE ASKING THE RIGHT QUESTIONS AND PUSHING ON OTHER ELEMENTS OF THIS BROAD ANALYSIS. THAT IS WE COULD HAVE -- WE COULD, YOU KNOW, HAVE MORE MEETINGS OR HAVE MORE TECHNOLOGICAL ANALYSIS OF -- OF OTHER GROUND WATER, WE COULD HAVE A REAL INVESTIGATION AND SERIOUS SORT OF POLITICAL DISCUSSION ABOUT MANDATORY WATER RATIONING. WE COULD HAVE -- A NUMBER OF THOSE FRONTS COULD BE PURSUED BY ANY SORT OF EXHIBITION OF COUNCIL -- COMBINATION OF COUNCILMEMBERS WORKING WITH STAFF THROUGH THE CITY MANAGER'S OFFICE, BUT I THINK IF WE TAKE A -- A SITE OFF THE TABLE TODAY, WHICH I'M PREPARED TO DO, THEN I THINK IMPLICIT IN THAT WOULD BE THE STAFF HAS TO REALLY REFOCUS ON THE REMAINING POTENTIAL SITES.

Futrell: KNOWING WE WOULD KEEP YOU APPRISED OF ALL ACTIONS, KEEP YOU BRIEFED, BUT JUST TO START MOVING OUR OPTIONS ALONG THAT WOULD GIVE US TIME TO HAVE THE FULL CONSERVATION REPORT IN FRONT OF YOU, BUT RUN SOME PARALLEL PATHS HERE.

Alvarez: MAYOR?

Mayor Wynn: COUNCILMEMBER ALVAREZ AND THEN  
LEFFINGWELL.

Alvarez: I FEEL IT'S IMPORTANT FOR US TO BE CLEAR ABOUT THE DIRECTION WE ARE GIVING AND THIS WAS A -- YOU KNOW, AN EXCELLENT PRESENTATION AND I THINK IF WE WOULD HAVE COME OUT WITH THIS PACKET GOING, YOU KNOW, THROUGH THE PROCESS OF DEMONSTRATING THAT THE PARK SIDE WAS -- WAS ONE OF MANY SITES CONSIDERED THEN -- YOU KNOW I THINK IT WOULD HAVE BEEN A DIFFERENT DISCUSSION. AT THIS POINT I THINK IF WE FAILED TO TAKE THE PART -- SIDE OFF THE TABLE -- TO TAKE THE PARK SITE OFF THE TABLE, WHICH WAS OUR DISCUSSION LAST WEEK, THEN THE FUROR WILL CONTINUE OR BE RESURRECTED. SO I THINK IT WAS IMPORTANT FOR PEOPLE TO GET ANSWERS TO THE QUESTIONS THEY HAVE BEEN ASKING ABOUT, BUT WHY NOT EXPAND DAVIS OR ULRICH OR WHY NOT STAY AT GREEN, WHY NOT DO THE WATER TREATMENT PLANT 4 FIRST INSTEAD OF THIS ONE FIRST, WHY NOT LOOK AT DECKER LAKE. AND THEN TO HAVE THE FINANCIAL INFORMATION ON THE VARIOUS SITES PRIVATE AND PUBLIC THAT ARE BEING CONSIDERED AND THAT THAT'S REALLY THE -- THE DECISION THAT WAS BEFORE THE COUNCIL AND REALLY BEFORE THE PUBLIC EXCEPT, YOU KNOW, WE HADN'T LAID IT OUT FOR THE PUBLIC IN THAT WAY. BUT -- BUT I WOULD -- YOU KNOW, I AM CERTAINLY IN SUPPORT OF REMOVING THE PARK SITE, GUERRERO PARK SITE FROM CONSIDERATION AND MOVING HIS SPECIAL SHOWSLY AS -- EXPEDITIOUSLY AS POSSIBLE TO DO THE ANALYSIS ON THE REMAINING SITES THAT ARE ON THE TABLE.

MOTION MADE BY COUNCILMEMBER ALVAREZ TO INSTRUCT THE CITY MANAGER TO REMOVE THE ROY GUERRERO PARK SITE OUT OF THE POTENTIAL GREEN PLANT ANALYSIS.

Thomas: I'LL SECOND.

Mayor Wynn: SECONDED BY THE MAYOR PRO TEM.  
COUNCILMEMBER LEFFINGWELL?



WELL, BEFORE YOU MADE THE MOTION I WAS GOING TO SAY I CERTAINLY WOULD SUPPORT GOING AHEAD AND TAKING THAT PARTICULAR OPTION OFF THE TABLE. BUT RIGHT NOW I'M NOT READY TO GO ANY FURTHER THAN THAT. I DO THINK WE NEED ADDITIONAL TIME TO -- WE HAVEN'T EVEN HEARD OUR BRIEFING FROM -- FROM ALLAN PLUMBER ON WATER CONSERVATION. I WOULD REALLY LIKE TO KNOW WITH THE COMBINATION OF A MAN DID A INVENTORY CONSERVATION -- MANDATORY CONSERVATION PROGRAM, AGGRESSIVE LEAK REPAIR PROGRAM, PUSHING AHEAD A LITTLE FASTER WITH REUSE, HOW FAR COULD WE PUSH THIS TIME LINE, HOW MUCH MONEY WOULD THAT SAVE US, SOME OF THAT IMPORTANT INFORMATION. WE ARE TALKING ABOUT SPENDING A QUARTER OF A BILLION DOLLARS HERE AND I THINK IT'S CERTAINLY WORTH OUR WHILE TO GET A LITTLE MORE INFORMATION BEFORE WE GO AHEAD WITH IT, EVEN IF WE ARE A MONTH LATER. SO ...

Mayor Wynn: COUNCILMEMBER KIM?

Kim: I'LL BE SUPPORTING THE MOPTION. I THINK THIS DISCUSSION HAS DONE ONE THING POSITIVE IS RAISED AWARENESS ABOUT ROY GUERRERO PARK. IT'S A WONDERFUL PARK. I HAVE BEEN THERE MYSELF AND I ENCOURAGE ANYONE INTERESTED TO GO OUTLET THERE AND SEE THE PARK, RECOGNIZE ITS POTENTIAL. IT'S GOING TO BE DIFFICULT TO FINISH OUT THE PARK. THERE'S A MASTER PLAN THAT IS QUITE AMBITIOUS. HAD WE HAD GUERRERO PARK AS A POTENTIAL SITE THERE WOULD HAVE BEEN A SOURCE OF FUNDING THAT WOULDN'T BE AVAILABLE OTHERWISE. SINCE THE COMMUNITY HAS SAID THEY DON'T WANT THAT, WE ARE GOING TO HAVE TO WORK TOGETHER TO FIND A WAY TO DEVELOP THAT PARK, PROBABLY WITH PARTNERSHIP FROM OTHER ENTITIES AND PRIVATE OR PUBLIC NON-PROFIT ENTITIES. SO I HOPE THAT WE WILL BE ABLE TO WORK ON THE PARK AND BUILD IT OUT. IT'S SOMETHING THAT WOULD BE A GREAT SERVICE TO PEOPLE IN EAST AUSTIN AS WELL AS FOR THE POTENTIAL -- THE NEW GROWTH WE ARE EXPECTING IN THE DESIRED DEVELOPMENT ZONE.

Mayor Wynn: COUNCILMEMBER ALVAREZ?

Alvarez: THAT'S MAYBE THE LAST POINT I WILL ADDRESS. BECAUSE THERE SEEMS TO BE A LITTLE BIT OF CONFUSION OF WHETHER OR NOT THERE'S ANY FUNDS TO DEVELOP ROY GUERRERO PARK AND THAT -- AND IF BY TAKING THE SITE OFF THE TABLE, THAT MEANS WE ARE NOT MOVING FORWARD WITH DEVELOPING THE PARK. BUT WE DO HAVE NINE MILLION OF BOND FUNDING TO DEVELOP THE PARK AND THAT SHOULD BE -- IT WAS SUPPOSED TO GO OUT FOR BID SOMETIME IN THE SPRING, BUT NOT SURE WHERE THE STATUS IS OF THAT. BUT THAT WILL HAPPEN VERY SOON, IF IT HASN'T BEEN INITIATED YET. SO WITH THIS -- WHAT THIS OPPORTUNITY WAS POTENTIALLY WAS TO INCREASE THAT AMOUNT, YOU KNOW, BY 50% OR 75%, WHATEVER THE MITIGATION TOTAL MAY HAVE BEEN AND THAT WAS AGAIN SUPPOSED TO BE ONE OPTION FOR CONSIDERATION. BUT, YOU KNOW, CLEARLY THAT -- THAT WASN'T AN OPTION THAT THE COMMUNITY REALLY WANTED TO CONSIDER. BUT THERE IS \$9 MILLION FOR IMPROVEMENTS TOWARDS GUERRERO PARK, THAT WILL PROCEED IN THE NEAR FUTURE. THIS WOULD HAVE JUST BEEN AN OPPORTUNITY TO -- TO ACTUALLY FUND SOME OF THOSE ELEMENTS IN THE MASTER PLAN THAT THERE WERE NO -- THERE WAS NO FUNDING FOR AND SO THAT'S REALLY WHAT WAS ON THE TABLE. IT WASN'T -- IT WASN'T DEVELOPED ROY GUERRERO PARK OR NOT DEVELOPED ROY GUERRERO PARK, BUT, YOU KNOW, THE -- THIS FIRST PHASE OF DEVELOPMENT WILL PROCEED, YOU KNOW, PRETTY QUICKLY AND MAYBE WE CAN ALSO MENTION THAT SOMEHOW IN THIS PRESENTATION AS -- WELL, IF THE ISSUE COMES UP AGAIN, JUST BE CLEAR THAT THAT'S CLEARLY WHAT IS GOING TO BE HAPPENING IN TERMS OF PARK DEVELOPMENT. THANKS, MAYOR.

THANK YOU.

COUNCILMEMBER MCCRACKEN.

I WANT TO SAY I'M -- I'M BASICALLY HAVE THE SAME POSITION AS COUNCILMEMBER LEFFINGWELL IN THIS, BECAUSE THE THINGS THAT I'M NOT COMFORTABLE ABOUT AS I HEAR THE PRESENTATION TODAY IS -- IS REALLY WHAT WE CAN ACHIEVE THROUGH CONSERVATION, NOT TO SAY WE WON'T EVER NEED ANOTHER WATER PLANT OR WE WON'T NEED IT VERY SOON. BUT IT DOES SOUND LIKE WHAT

I HEARD TODAY IS THAT THE TECHNOLOGY IS RAPIDLY IMPROVING AND IN TERMS OF WATER PLANT CONSTRUCTION, SO WE MAY BE ABLE TO GET A WATER PLANT, WE MAY HAVE DIFFERENT OPTIONS AND IN FACT IN OUR ELECTRIC UTILITY AUSTIN ENERGY IS -- YOU KNOW, [INDISCERNIBLE] LONG TERM PLAN THAT STARTS FIRST AND FOREMOST DO WHATEVER WE CAN TO AVOID BUILDING A NEW POWER PLANT ANY TIME SOON BECAUSE THE TECHNOLOGY IS CHANGING SO MUCH THAT WE DON'T KNOW -- WE NEED THE TIME AND TO SAVE THE CAPITAL COSTS IF IT'S FEASIBLE. SO I AM -- WHILE WE DO, I BELIEVE WE DO NEED TO GO LOCK DOWN ONE OR BOTH OF THE -- OF THE PRIVATE SITES, I DON'T THINK IT WOULD BE RESPONSIBLE TO -- TO FAIL TO DO THAT. BECAUSE THAT IS ONE OF THE OPTIONS WE NEED TO MAKE SURE THAT WE HAVE. BUT I WOULD LIKE SOME REVIEW BY THE -- BY THE WATER AND WASTEWATER COMMISSION ABOUT WHAT OUR OPTIONS ARE THAT ALSO LIKE ONCE THE PRIVATE SITES, WE ARE ABLE TO OBTAIN OPTIONS ON THEM, RATHER THAN SAY THIS IS WHAT IT'S GOING TO BE. I WOULD RATHER HAVE THOSE PRESENTED TO THE ENVIRONMENTAL BOARD AND THE WATER AND WASTEWATER COMMISSION TO -- ANY OTHER RELEVANT BOARDS AND COMMISSIONS TO GET THEIR INPUT ON WHAT THEY VIEW AS TO WHETHER THAT'S A GOOD OPTION OR NOT. SO IT'S A MOVE FORWARD, TAKE -- MOVE FORWARD WITH THE PRIVATE SITE, MOVE FORWARD WITH THE BROADER ANALYSIS AND INPUT AND EXPEDITIOUSLY BRING THAT BACK TO US TO GET MORE FINAL CONCRETE DIRECTION.

MAYOR.

Dunkerly: I THINK THE THINGS THAT I WOULD LIKE TO DO AS I LOOK AT THE FUTURE AND LISTEN TO THE PRESENTATION, I DON'T WANT TO BE IN A POSITION THAT FIVE YEARS FROM NOW OR SIX YEARS FROM NOW OR SIX YEARS FROM NOW WE HAVE A PROBLEM WITH PUBLIC SAFETY IN THIS COMMUNITY AND IN FIRE SAFETY IN THIS COMMUNITY BECAUSE WE WERE SLOW IN GETTING A PLANT. SO I WOULD LIKE TO REALLY MOVE ALONG TWO PARALEGAL PATHWAYS. I THINK THE -- I THINK WE NEED TO GO AHEAD AND MOVE FORWARD AND TRYING TO SECURE A SITE BECAUSE I THINK WE WILL NEED IT EVENTUALLY. BUT IN THE MEANTIME WHILE

THAT PROCESS IS GOING ON, TRY TO GET THE DATA ON THE DISCOVERING VACATION AS -- ON THE CONSERVATION AS QUICKLY AS POSSIBLE. I THINK WE NEED TO BE A LOT STRONGER ON THE CONSERVATION SIDE. I THINK WE ALSO NEED TO LOOK AT THE ISSUE OF THE WATER LOSS AND TRY TO SEE IF THERE'S SOME THINGS THAT WE CAN DO THAT WILL -- THAT WILL AT LEAST SLOW DOWN OR MAKE US A LITTLE BETTER THAN MOST OF OUR PEER CITY. THEN THIRDLY LOOK AT -- I GUESS TRYING TO -- TO GET A BETTER ESTIMATE OF HOW FAR WE CAN PUT OFF SOME OF OUR CAPACITY IN THE FUTURE. I GUESS MY FEAR IS THAT -- MY CONCERN IS THAT I KNOW IT WILL BE HELPFUL AND I KNOW IT CERTAINLY WILL BE HELPFUL IN EXTENDING THE TIME PERIOD ON WATER TREATMENT PLANT 4. AND IF WE CAN GET THE INFORMATION QUICKLY, AND SEE IF IT WOULD HAVE AN IMPACT ON THE GROWN SITE THAT MIGHT ACTUALLY POSTPONE THE CONSTRUCTION A LITTLE. BUT I GUESS I'M SO INSECURE RIGHT NOW IN -- IN MAKING AN ERROR ON THE SIDE OF WAITING I WOULD RATHER GO ALONG TWO PARALLEL PATHS AND PURSUE A TRACT, A SITE, THAT WE CAN HAVE AND HOLD IF WE HAVE TO FOR A WHILE AND POSTPONE CONSTRUCTION AND AT THE SAME TIME PURSUE VERY AGGRESSIVE WATER SAVING, WATER REUSE, AND WATER CONSERVATION MEASURES.

Mayor Wynn: THANK YOU, COUNCILMEMBER MUCH AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE.  
COUNCILMEMBER KIM?

Kim: THIS ISN'T ABOUT THE PARTICULAR MOTION BUT SINCE WE ARE TALKING ABOUT THE DESIGN AND CONSTRUCTION OF THE WATER TREATMENT PLANT I WAS WONDERING IF THE CITY MANAGER COULD BRING US OPTIONS ON THE DESIGN AND CONSTRUCTION AND DIFFERENT METHODS OF DOING THAT TO SAVE COSTS AND TO SAVE TIME AND WHAT OTHER INSTITUTIONS USE FOR -- IN TERMS OF STRUCTURING THE CONTRACTS TO -- TO -- OTHER THAN WHAT WE ARE LOOKING AT RIGHT NOW.

Futrell: WE CAN GIVE YOU DIFFERENT CONSTRUCTION METHODOLOGIES, TALK TO YOU ABOUT HOW THOSE TIME LINES HAVE PLAYED OUT, DIFFERENT PROPOSALS. WE CAN

LOOK AT BEST PRACTICES FOR YOU. CIM.

Kim: THANK YOU VERY MUCH.

Mayor Wynn: AGAIN A MOTION AND A SECOND ON THE OTHER TABLE, TO AMONG OTHER THINGS, MOST IMPORTANTLY REMOVE THE GUERRERO PARK SITE OUT OF CONSIDERATION FOR THIS PLANT. FURTHER COMMENTS?

Thomas: ONE MORE THING, IF THE CITY MANAGER CAN -- WHAT COUNCILMEMBER ALVAREZ WAS TALKING ABOUT, THAT IS THE REASON WHY I SECONDED IT THAT WE WORK VIGOROUSLY TRYING TO FIGURE OUT HOW WE CAN GET THE FUNDING FOR THE PARK AND IF PEOPLE CAN SIT DOWN AND TALK WHAT KIND OF PLAN BEFORE THE NINE MILLION ALREADY MONEY SET ASIDE, WHAT ARE THE -- WHAT OTHER TYPE OF FUNDING WE MIGHT CAN TAP INTO FOR GUERRERO TO MOVE IT FASTER THAN WHAT WE ARE DOING. IF YOU CAN DO THAT FOR ME.

Futrell: I WILL. ONE THING THAT I CAN GIVE YOU IS THAT WE HAVE COMPILED THE EXISTING FUNDING TO DATE THAT'S BEEN SPENT ON THE PARK. WHAT'S UNFUNDED IN THE CURRENT MASTER PLAN AND THEN THE LOGICAL PLACES THAT WE WOULD LOOK, WHICH ARE PRIMARILY GRANT AND BOND FUNDING. BUT WE WILL PUT THAT LIST TOGETHER FOR YOU.

Thomas: THANK YOU.

Mayor Wynn: 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, OBVIOUSLY WE ARE RUNNING WELL BEHIND. I SEE THAT OUR PERFORMERS ARE HERE. AT THIS TIME WE WILL BREAK FOR LIVE MUSIC AND PROCLAMATION, ACTUALLY WE WILL RECESS, THE COUNCIL WILL NOT BE IN CLOSED SESSION. THEY WILL BE GRABBING A BITE TO EAT WHILE WE GO THROUGH PERFORMANCE AND PROCLAMATIONS AND THEN VERY SHORT ORDER WE WILL

BE ABLE TO GET THROUGH OUR EVENING AGENDA  
DISCUSSIONS. THANK YOU ALL VERY MUCH.

Mayor Wynn: OKAY, FOLKS, ARE YOU WELCOME TO OUR LIVE  
MUSIC GIG, WEEKLY GIG AT THE AUSTIN CITY COUNCIL  
MEETING. WE HAVE A SPECIAL TREAT TODAY. JOINING US IS  
THE PERFORMING ARTS SCHOOL FROM ZACH SCOTT  
THEATER. THESE STUDENTS, SINCE 1970, THIS SCHOOL HAS  
NURTURED IMAGINATIONS AND CREATIVITY AND HELPED  
DEVELOP INTERPERSONAL SKILLS AND CONFIDENCE IN ITS  
STUDENTS. THE THEATER CLASSES AND CAMPS COVER  
EVERYTHING FROM DRAMA AND MUSICAL THEATER TO  
ACTING, FILM ACTING AND IMPROV. TODAY WE WILL BE  
ENTERTAINED WITH A NUMBER ENTITLED HAVE SOME FUN  
FOR THE FAMILY MUSICAL THE PEOPLE GARDEN, WHICH RAN  
EARLIER THIS WEEK AT ZACH SCOTT THEATER. THE MUSICAL  
IS ABOUT A DAY OF LEARNING EXPERIENCES FOR A  
SUBSTITUTE TEACHER IN HER KINDERGARTEN CLASS.  
PLEASE JOIN ME IN WELCOMING A GROUP THAT HAS  
PROVIDED SO MUCH TO THE AUSTIN ARTS SCENE, THE  
PERFORMING ARTS SCHOOL AT ZACH SCOTT THEATER. [  
APPLAUSE ] [INDISCERNIBLE]

HOW WOULD YOU LIKE TO DO JUST MATH ALL DAY LONG?!!

NO!

LISTENING TO ME READ FOR SIX HOURS IN A ROW!

NO! I WOULDN'T LIKE THAT EITHER, YOU SEE IT'S IMPORTANT  
TO DO A LOT OF DIFFERENT THINGS, IT'S CALLED LEADING A  
BALANCED LIFE. YOU HAVE GOT TO -- (music)(music) THINK A  
LITTLE, LAUGH A LITTLE, EVEN DO SOME MATH A LITTLE.  
READ A LITTLE, PAINT A LITTLE, WORK A LITTLE, PLAY A  
LITTLE EVERY DAY. [ CHEERS & APPLAUSE ] [ (music) SINGING  
(music)(music) ] (music)(music)

IF YOU TRIED TO SMILE MAYBE YOU MIGHT THINK SO, TOO.

I CAN'T SEE WHY.

GIVE IT A TRY.

A BIG SMILE.

WORTH YOUR WHILE.

I JUST DON'T GET IT.

ALL RIGHT. HERE. [ CHEERS & APPLAUSE ] [ (music) SINGING  
(music)(music) ] [ APPLAUSE ]

Mayor Wynn: LET'S HEAR MORE ABOUT THE CAMP, HOW  
PEOPLE CAN SIGN UP, HOW PARENTS CAN SORT OF GET AN  
UNDERSTANDING OF THE PROGRAM THERE.

THANK YOU, MAYOR WYNN. ALL SUMMER LONG WE HAVE  
SUMMER CAMPS, COME ON DOWN, ACT, SING, MOVE HAVE  
SOME FUN LIKE THESE GUYS HERE. TO FIND OUT MORE VISIT  
OUR WEBSITE AT [www.disamScott.com](http://www.disamScott.com). OR CALL 476-0594.

OKAY. BEFORE THE KIDS GET AWAY, WE HAVE A SPECIAL  
PROCLAMATION THAT READS: BE IT KNOWN THAT WHEREAS  
THE LOCAL MUSIC COMMUNITY MAKES MANY  
CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S  
SOCIAL, ECONOMIC AND CULTURAL DIVERSITY, AND  
WHEREAS THE DEDICATED EFFORTS OF ARTISTS LIKE YOU  
FURTHER AUSTIN'S STATUS AT THE LIVE MUSIC CAPITAL OF  
THE WORLD, NOW THEREFORE I WILL WYNN MAYOR OF THE  
CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM TODAY,  
APRIL 27th, 2006, AS ZACH SCOTT PERFORMING ART SCHOOL  
DAY IN AUSTIN AND CALL ON ALL CITIZENS TO JOIN ME IN  
THANKING AND CONGRATULATING THESE GREAT TALENTS. [  
APPLAUSE ] OUR FIRST PROCLAMATION WE ARE HERE FOR A  
CERTIFICATE OF CONGRATULATIONS FOR ONCE AGAIN  
AUSTIN ENERGY. ANOTHER GREAT LITTLE ROVE FOR THE  
MAYOR'S TROPHY CASE UPSTAIRS. OVER AT THE SIDE HERE  
WE HAVE GENERAL MANAGER JUAN GARZA, DEPUTY  
GENERAL MANAGER ROGER DUNCAN -- [LAUGHTER], SORRY  
IT'S BEEN A LONG DAY. HERE UP WITH ME IS FRED YBARRA  
AND GERALD GUSTAFSON TO TALK ABOUT -- AND JAMES  
VERES TO TALK ABOUT WHY -- JERREL GUSTAFSON TO TALK  
ABOUT WHY AUSTIN IS GETTING THIS AWARD. FOR HAVING  
BEEN SELECTED BY THE U.S. ENVIRONMENTAL PROTECTION  
AGENCY AND THE U.S. DEPARTMENT OF ENERGY, AS AN  
ENERGY STAR PARTNER OF THE YEAR FOR 2006, AUSTIN

ENERGY IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. AUSTIN ENERGY, ONE OF 8,000 ENERGY STAR PARTNERS NATIONWIDE RECEIVED THIS DISTINCTION FOR SEVERAL NEW RESIDENTIAL INITIATIVES. THESE INCLUDE BUILDING PERFORMANCE CERTIFICATION TRAINING FOR COMPANIES THAT MAKE ENERGY EFFICIENCY IMPROVEMENTS AND DEVELOPING A CERTIFICATE FOR HOMEOWNERS WHO COMPLETE SUCH IMPROVEMENTS. CONTINUED REFINEMENTS TO ALREADY EFFECTIVE PROGRAM, HELPING AUSTINITES REDUCE THEIR ENERGY BILLS. THIS CERTIFICATE IS PRESENTED WITH OUR CONGRATULATIONS ON A WELL DESERVED AWARD, THIS 27th DAY OF APRIL OF THE YEAR 2006 SIGNED BY ME, ACKNOWLEDGED BY THE ENTIRE CITY COUNCIL, PLEASE JOIN ME IN CONGRATULATING OUR FINE PROFESSIONALS AT AUSTIN ENERGY. [ APPLAUSE ] SO THIS IS A -- FRED STEP UP FIRST, SAY A FEW THINGS ABOUT THE DEMAND SIDE MANAGEMENT OF THESE PROGRAMS AND THEN PERHAPS WE WILL HEAR SOME MORE FROM AUSTIN ENERGY. FRED?

THANK YOU.

THANK YOU, MAYOR AND CITY COUNCIL MEMBERS AND CITY MANAGERS. MY NAME IS FRED YABRA, I DIRECT AUSTIN ENERGY EFFICIENCY AND CONSERVATION PROGRAM. THIS EVENING WE ARE HERE, IT'S A GREAT PLEASURE TO BE HERE AND SHARE WITH YOU THE EXCITEMENT OF YET ANOTHER AWARD THAT AUSTIN ENERGY HAS RECEIVED. A FEW WEEKS AGO IN WASHINGTON D.C., THE U.S. DEPARTMENT OF ENERGY AND THE ENVIRONMENTAL PROTECTION AGENCY AWARDED AUSTIN OR NAMED AUSTIN ENERGY THE 2006 ENERGY PARTNER OF THE YEAR. THE AWARD IS ONLY ONE OF THREE THAT -- THAT WAS GIVEN OUT. THERE ARE OVER 8,000 MEMBERS OF THE ENERGY STAR PROGRAM AND AUSTIN WAS ONE OF THE THREE PARTNERS THAT WAS SELECTED. AT THE CEREMONY -- THE AWARD WAS GIVEN OF COURSE FOR OUR COMMITMENT AND DEDICATION TO PROTECTING OUR ENVIRONMENT, IMPLEMENTING ENERGY EFFICIENCY PROGRAMS, AND REDUCING AIR POLLUTION. AT THE AWARDS CEREMONY, THERE WAS OVER 6,000 -- 600 ATTENDEES AND SOME OF THE PEOPLE THAT WERE THERE WERE THE SECRETARY OF ENERGY, SAM BOATMAN AND THE ADMINISTRATOR FOR THE



ENVIRONMENTAL PROTECTION AGENCY, STEVE JOHNSON. THIS YEAR'S AWARD WENT -- WE SUBMITTED AN APPLICATION FOR OUR TOTAL HOME ENERGY EFFICIENCY PROGRAM AND WE WERE RECOGNIZED FOR THAT AND THE PERSON THAT -- THAT HAS A LOT TO DO WITH THE PROGRAM, I WOULD LIKE TO RECOGNIZE JERREL GUSTAFSON WHO WILL EXPLAIN A LITTLE BIT ABOUT MORE ABOUT THE AWARD AND OUR EXCITEMENT.

MAYOR AND COUNCIL I WANT TO THANK YOU FOR THE PRIORITY THAT YOU HAVE PUT ON THE QUALITY OF LIFE INITIATIVES LIKE AUSTIN ENERGY'S ENERGY EFFICIENCY PROGRAMS. I ALSO WANT TO THANK STAFF WHOSE HARD WORK EARNED THIS AWARD FOR THE UTILITY. JUST TO LET YOU KNOW, THIS PAST YEAR, WE HAVE WORKED VERY HARD TO DEVELOP A -- A -- THROUGH OUR HOME PERFORMANCE WITH ENERGY STAR PROGRAM WE DEVELOPED A CONTRACTOR TRAINING AND CERTIFICATION PROGRAM. AND TO GIVE YOU AN EXAMPLE OF WHAT KIND OF WORK WE ARE DOING, JUST TO LET YOU KNOW, YESTERDAY AND TODAY, WE HAD A CONTRACTOR, AIR CONDITIONING AND HEATING CONTRACTOR THAT -- THAT MOVED HIS BUSINESS FROM NEW ORLEANS TO LOCATE HERE IN AUSTIN, TEXAS. AND HE WENT THROUGH THE TRAINING PROGRAM TODAY TO REPRESENT AUSTIN ENERGY THROUGH ITS RESIDENTIAL EFFICIENCY PROGRAMS. SO THIS IS THE TYPE OF WORK THAT WE DO THROUGH OUR PROGRAMS AND AGAIN I WANT THANK THE MAYOR AND COUNCIL AND ALSO THE EXECUTIVES AT AUSTIN ENERGY FOR SUPPORTING OUR ENERGY EFFICIENCY PROGRAMS. THANKS A LOT. [ APPLAUSE ]

Mayor Wynn: WE ARE ACTUALLY SKIPPING AROUND A LITTLE BIT ON THE AGENDA TO BE MORE EFFICIENT WITH FOLKS TIME. WE ARE DOWN TO OUR FIRST PROCLAMATION ACTUALLY WILL BE ABOUT THE INCA TRAIL DAY. I'M JOINED BY BARBARA MINK BOARD CHAIR OF AUSTIN COMMUNITY COLLEGE AND OTHERS, WE WILL TALK ABOUT THE DAY. I WILL READ THE PROCLAMATION, BARBARA WILL STEP UP AND GIVE US MORE INFORMATION. THE PROCLAMATION READS BE IT KNOWN WHEREAS THE CITY OF AUSTIN IS HONORED TO THE FIRST STOP IN THE ONLY TEXAS STOP FOR AN EXHIBIT OF 80 PHOTOGRAPHS ENTITLED THE INCA

TRAIL MADE AVAILABLE BY THE PERUVIAN CONSULATE AND TOURING THE U.S. IT DOCUMENTS THE ARCHITECTURE AND ENGINEERING OF THE 500-YEAR-OLD, 503,000-MILE ROUTE THAT FOLLOWS THE SPINE OF THE ANDES MOUNTAINS AND A SPECIFIC COASTLINE THAT LINK THE INCA EMPIRE FROM SOUTHERN COLUMBIA TO CENTRAL CHILE. AUSTIN COMMUNITY COLLEGE IS HOSTING IN COLLABORATION WITH THE CITY, PURR RUIAN CONSULATE GENERAL AND AISD, WHICH IS INCORPORATING CULTURAL LEARNING ACTIVITIES AND PRESENTATIONS FOR LOCAL FIFTH GRADERS. SO NOW THEREFORE I WILL WYNN MAYOR OF THE AUSTIN I, AUSTIN MAYOR WILL WYNN, DO HEREBY DECLARE PROCLAIM THIS AS THE INCA TRAIL DAY, CALL ON MS. BARBARA MINK TO TELL US MORE ABOUT THIS PROGRAM WE ARE VERY EXCITED TO HOST. BARBARA?

YES. GOOD EVENING. I'M DR. BARBARA MINK, CHAIR OF THE AUSTIN COMMUNITY COLLEGE BOARD OF TRUSTEES. AND WE ARE INDEED VERY PROUD TO HAVE AUSTIN AS THE ONLY STOP IN TEXAS AND THEN IN AUSTIN HAVE AUSTIN COMMUNITY COLLEGE BE THE PLACE FOR THIS INCA TRAIL EXHIBIT WILL BE ON APRIL 29th THROUGH MAY 3rd. IT'S A FANTASTIC EXHIBIT, PHOTOGRAPHIC EXHIBIT LIKE MAYOR WYNN SAID OF HISTORY OF OVER 5,000 MILES LINKING THE INCA EMPIRE FROM COLUMBIA TO CHILE. SO WE ARE INDEED PROUD TO HAVE THAT. IT WILL BE AT OUR EASTVIEW CAMPUS, APRIL 29th THROUGH MAY 3rd FROM 10:00 A.M. TO 5:00 P.M. WITH A GENERAL RECEPTION ON SATURDAY EVENING THE 29th. STARTING AT 6:00 P.M. ACTUALLY THE COP ASSUME GENERAL -- CONSUL GENERAL FROM THE PERUVIAN CONSULATE GENERAL IN HOUSTON WILL BE WITH ME. IN THE AUDIENCE, FRANK THE DIRECTOR OF OUR INTERNATIONAL PROGRAM AT AUSTIN COMMUNITY COLLEGE, DR. DIAZ MORANDA, AT AUSTIN COMMUNITY COLLEGE, AND -- COME UP, TOO. SHE'S HIDING THERE, TOO. MS. CAROL HEYLAND AN A.C.C. INSTRUCTOR AND ALSO THE SISTER CITY'S CHAIR, THEN BEHIND ME DR. RICHARD ARMENTE IS ALSO HERE WHO IS ALSO THE ASSOCIATE VICE-PRESIDENT FOR STUDENT SERVICES AND STUDENT SUCCESS AT A.C.C. SO WE ENJOY YOU, ASK YOU TO JOIN US OVER AT THE WEBBERVILLE LOCATION OF AUSTIN COMMUNITY COLLEGE, EAST-VUE CAM VUS, 3401

WEBBERVILLE ROAD. IT'S A FREE EXHIBIT. I THINK THAT YOU WILL REALLY BE BLOWN AWAY BY THE PHOTOGRAPHS AND THE INTERACTIVE EXHIBIT AND WE ARE ALSO HAVING STUDENTS FROM AISD MONDAY, TUESDAY AND WED. DID I LEAVE ANYTHING OUT? NO? OKAY. THANK YOU.

THANK YOU. [ APPLAUSE ]

Mayor Wynn: FOR THE NEXT PROCLAMATION I WOULD LIKE TO RECOGNIZE AND WELCOME COUNCILMEMBER KIM.

WE HAVE A PROCLAMATION HERE. TO CELEBRATE WORLD TAI CHI AND QIGONG DAY, THE OPERATION READS BE IT KNOWN WHEREAS THE HEALTH AND WELFARE OF OUR CITIZENS IS A PRIMARY CONCERN AND WHEREAS STRESS IS A CONTRIBUTING FACTOR IN THE MAJORITY OF HEALTH ISSUES AND WHEREAS TAI CHI IS A MARSHAL ART THAT PROVIDES HEALTH BENEFITS FOR ALL AGES, STRESS REDUCTION, IMPROVED COORDINATION AND FLEXIBILITY AS WELL AS BRINGING PEOPLE CLOSER TO NATURE AND THE ENVIRONMENT. WHEREAS CITIZENS CAN LEARN TAI CHI BASICS AND HELP CREATE A WAVE OF HAGY, ENERGY AROUND THE WORLD BUT JOINING INSTRUCTORS AT AUDITORIUM SHORES FOR THE LOCAL WORLD TAI CHI AND QIGONG EVENT, I MAYOR WILL WYNN DO ENCOURAGE AUSTINITES TO TAKE PART IN THIS EVENT AND DO HEREBY PROCLAIM APRIL 29th, 2006 AS WORLD TAI CHI AND QIGONG DAY. WE WILL HEAR MORE ABOUT IT FROM VINCE COBALIS AND THE EVENTS THAT WILL BE HAPPENING AT AUDITORIUM SHORES.

THANK YOU, COUNCILMEMBER. THANK YOU, MAYOR AND COUNCIL FOR THE PROCLAMATION. I ALSO WANT TO THANK THE MAYOR'S FITNESS COUNCIL AND THE HEALTH AND HUMAN SERVICES DEPARTMENT, STEPS FOR A HEALTHIER AUSTIN PROGRAM AND THE PARKS AND RECREATION DEPARTMENT FOR THEIR SUPPORT OF THIS EVENT. THIS EVENT WOULD NOT HAPPEN WITH THE PARTICIPATION OF ALL OF THE TAI CHI INSTRUCTORS IN AUSTIN AND CENTRAL TEXAS. PARTICULARLY DAVE PICKENS, JEFF CHEWS AND DONNA MINCHU. I AM ALSO EXCITED ABOUT THE EVENT AT AUDITORIUM SHORES, IT'S FREE TO THE PUBLIC AND INTENDED TO INCREASE AWARENESS AND INVOLVEMENT IN

TAI CHI AND QIGONG ACTIVITIES AS A HEALTHY LIVE STYLE FOR INDIVIDUALS OF ALL AGES, OLD AND YOUNG, AND ABILITIES. THERE WILL BE THREE CLASSES AVAILABLE BETWEEN 9:00 AND 10:00, THE MAIN EVENTS WILL START EXACT LISTENING AT 10:00 WITH A MASS MOVEMENT. I HAVE DONE THIS EVENT FOR THE LAST FOUR YEARS AND I WANT TO SAY IT'S VERY SATISFYING TO PARTICIPATE IN THIS WORLDWIDE EVENT WHICH IS OBSERVED IN -- IN OVER 60 COUNTRIES ACROSS SIX CONTINENTS OF THE WORLD. BY PRACTICING AT EXACTLY 10:00, IN EACH TIME ZONE, WE CREATE A WAVE OF HEALING ENERGY AROUND THE WORLD. AND WE ALL KNOW THAT THE WORLD NEEDS HEALING NOW. THIS YEAR WE ARE ALSO DEDICATING THIS EVENT TO MADAM WONG JU AND STAN ROSSY, ONE OF THE ORIGINAL ORGANIZERS HERE OF THE AUSTIN EVENT AND HE'S NOW FIGHTING CANCER GAINING STRENGTH FROM HIS TAI CHI AND QIGONG TRAINING. OUR THOUGHTS ARE WITH STAN, HIS WIFE AND HIS STUDENTS WHO ARE SUPPORTING HIM EVERY DAY. THANK YOU AGAIN AND I'M HOPING TO SEE MANY PEOPLE AT AUDITORIUM SHORES ON SATURDAY. IT WILL NOT RAIN. [LAUGHTER]

THANK YOU, VINCE, THIS IS ONE OF A FEW THINGS HAPPENING, RIGHT BEFORE MAY, WHICH IS ASIAN PACIFIC HERITAGE MONTH. NEXT WEEK WE WILL TALK MORE ABOUT SOME OF THE ACTIVITIES. BUT SINCE THERE ARE TWO THAT WILL HAPPEN BEFORE THE NEXT COUNCIL MEETINGS I WANTED TO TELL YOU. 8th ANNUAL DRAG BONE BOAT RACE, EXCITING RACE WITH DRUMMERS, SKIERS, 20 PEOPLE ROWING ON THE BOAT WITH A DRAGON HEAD. I HAVE PARTICIPATED IN THE PAST. WON'T BE ROWING THIS YEAR. TOO BUSY TO BE OUT THERE PRACTICING BUT I KNOW THE AUSTIN POLICE DEPARTMENT HAS A GREAT TEAM. I SAW THEM ON THE WATER THIS WEEK. THEY LOOK IN GOOD SHAPE. I'M HOPING THEY WILL TAKE A MEDAL. SATURDAY FROM 10:00 TO 3:00 P.M. THEN MAY DAY WHICH IS A HAWAIIAN EVENT, ON MONDAY, MAY 1st AT 6:30 P.M. I HOPE YOU CAN PARTICIPATE. THERE WILL BE MORE THAT I WILL MENTION NEXT WEEK. THANK YOU VERY MUCH. [APPLAUSE]

UP UNITED WAY FOR THIS MONTH'S VOLUNTEER OF THE MONTH FOR MARCH AND APRIL. OUR FIRST WILL BE DICK WATERFIELD WHO IS THE VOLUNTEER OF THE MONTH FOR

APRIL. NOT ONLY THAT BUT DICK SHOWED ME AROUND MEALS ON WHEELS LAST YEAR. MY FRIEND, WE GO TO CHURCH TOGETHER AND GREG CAN -- KAREN YOU GET TO TALK ABOUT -- ABOUT INTRODUCE DICK OR IS DAN GOING TO DO IT? GREAT.

ON BEHALF OF A.M.D. AND HANDS ON CENTRAL TEXAS, A PROJECT OF UNITED WAY, WE ARE DELIGHTED TO BE HERE DURING NATIONAL VOLUNTEER WEEK AND WE ARE VERY PLEASED TO HAVE DICK AS ONE OF OUR VOLUNTEERS OF THE MONTH. HE HAS WORKED FOR MEALS ON WHEELS FOR OVER NINE YEARS NOW. AND EVERY WEEK HE TOUCHES MORE THAN 30 HOMEBOUND CLIENTS BY SERVING MEALS. HE ALSO GOES GROCERY SHOPPING FOR THEM AND MANY OTHER JOBS. DICK WOULD YOU LIKE TO SAY A FEW WORDS?

I WILL NEVER PASS UP A CHANCE TO MAKE A PITCH FOR MEALS ON WHEELS. WE NEED VOLUNTEERS. I ASSURE YOU, YOU WILL GET A WHOLE LOT MORE OUT OF THE DELIVERING THAN YOU WILL PUT IN. IT IS A FANTASTIC OPPORTUNITY. WE DO A GOOD JOB. BREWSTER CAME OUT AND WENT ON A ROUTE WITH ME. I WOULD ENCOURAGE EVERYONE TO LOOK INTO IT BECAUSE IT IS A GREAT ORGANIZATION. THANK YOU.

TYPICAL WEST TEXAS MODEST COMMUNITY. DICK IS BEING TOO MODEST. WHEN I HAD THE CHANCE TO GO WITH HIM ON HIS ROUTE, HE RAN INTO A LOT OF FOLKS, MEALS ON WHEELS SERVES IN THE COMMUNITY, FOLKS WHO ARE VERY ISOLATED, AREN'T ABLE TO GET OUT AND THEY REALLY -- YOU COULD TELL BY MEETING THE FOLKS THAT -- THAT THEY LOVE DICK AND THEY DEEPLY APPRECIATED NOT JUST WHAT THE -- WHAT THE MEALS HE WAS BRINGING, THE GROCERIES THAT HE WAS BRINGING, BUT ALSO THE COMPANIONSHIP AND FELLOWSHIP. IT MAKES A BIG DIFFERENCE IN THEIR LIVES.

ONE OTHER THING.

I HAVE A LADY THAT I HAVE BEEN DELIVERING TO FOR EIGHT OR NINE YEARS. THE GREAT THING ABOUT IT. EVERY TIME I HAND HER A MEAL SHE SAYS GOD BLESS YOU. LIKE I TOLD PEOPLE I REALLY NEED THAT BLESSING. AND SHE IS FANTASTIC. AND BUT IT IS A TOUGH BUSINESS BECAUSE

TODAY I LOST ONE OF THE CLIENTS THAT I'VE HAD FOR ALL THIS TIME. I REALLY AM GOING TO MISS HIM.

McCracken: I'M GOING TO READ THE CERTIFICATE OF CONGRATULATIONS. THE CERTIFICATE OF CONGRATULATIONS FOR HAVING BEEN SELECTED BY THE UNION UNITED WAY CAPITAL AREA AS THE APRIL 2006 VOLUNTEER OF THE MONTH, DICK WATERFIELD IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION, RETIRED FROM FARMING AND RANCHING, CITY COUNCIL EVEN SERVING IN THE STATE LEGISLATURE, HE AND MY OFFICIAL SERVED TOGETHER, A COUPLE OF WEST TEXAS GUYS. HE IS NOW A VOLUNTEER OF MEALS ON WHEELS AND MORE. HE HAS THREE DELIVERY ROUTES, PROVIDING HOT MEALS TO THE DISABLED. HE SERVES AS MEAL MANAGER ONE DAY A WEEK. HE ALSO SERVES AS SECRETARY OF THE MEALS ON WHEELS AND BOARD OF DIRECTORS. PERHAPS GROCERY TO GO VOLUNTEER IS THE MOST -- WE THANK HIM FOR HIS AMAZING SELFLESSNESS AND IMPROVING THE QUALITY OF LIFE, THIS CERTIFICATE IS PRESENTED IN RECOGNITION ON THE 27th DAY OF APRIL IN 2006 FOR THE CITY COUNCIL OF AUSTIN, TEXAS. WILL WYNN, MAYOR, DICK, THANK YOU, CONGRATULATIONS. [ APPLAUSE ] OUR NEXT PERSON IS GOING TO MAKE EVERY ONE OF US FEEL TOTALLY INADEQUATE ABOUT WHAT WE CONTRIBUTE TO THE COMMUNITY. ROSAYN CURRY DOES I PRONOUNCE THAT RIGHT. WHO ALL DO --

ROSEAYN HAS BEEN WITH US FOR A HOTLINE VOLUNTEER AND A LEGAL ADVOCATE GOING TO COURT WITH CRIME VICTIMS OF FAMILY VIOLENCE AND SEXUAL ASSAULT. VERY DEDICATED IF OUR MISSION OF SAFE PLACE IN STOPPING FAMILY VIOLENCE AND SEXUAL ASSAULT. THAT MEANS SHE STAYS UP ALL NIGHT ON THE HOTLINE, SHE COMES TO COURT. SHE PAYS HER OWN TICKETS FOR PARKING, SHE'S JUST WARM, COMPASSIONATE AND WITH A RIPPLE EFFECT OF PEOPLE THAT SHE'S HELPED I CAN'T TELL YOU HOW MANY HUNDREDS AND HUNDREDS AND HUNDREDS OF PEOPLE AND THEIR CHILDREN THAT HAVE BEEN AFFECTED BY HER. SHE'S DEDICATED AND WITHOUT OUR VOLUNTEERS FROM SAFE PLACE, WE COULD NOT EXIST, FOR FAMILIES HERE TO -- HER FAMILY IS HERE TO HONOR HER, I WANT TO THANK YOU ON BEHALF OF SAFE PLACE. OUR VOLUNTEER

COORDINATOR CHRISTINE LANGA IS ALSO WITH ME TONIGHT. SHE'S THE LADY WHO HAS TO GO OUT AND FIND THESE DEDICATED PEOPLE. WHICH IS DIFFICULT TO FIND PEOPLE DURING THE DAY WHO WILL GIVE US THEIR TIME AND THEIR EFFORTS. IF ANYONE IS HERE WHO WOULD LIKE TO VOLUNTEER FOR SAFE PLACE, LOOK US UP ON THE WEBSITE WORLDWIDE WEB AUSTIN SAFE PLACE.ORG. HAVE TO GET OUR PLUG IN THERE, WE HAVE ALL KINDS OF PROGRAMS, WE LOVE ROSAYN CURRY.

THANK YOU, JOAN, THIS IS TRULY AN ONLY NOR. VOLUNTEERING FOR SAFE PLACE, BETWEEN THE APPRECIATION OF THE CLIENTS, STAFF PEOPLE, YOU REALLY FEEL SPECIAL AND I WOULD LIKE TO ENDORSE WHAT DICK WATERFIELD SAID EARLIER ABOUT VOLUNTEERING, I WOULD CHOOSE EVERYONE TO CHOOSE A VOLUNTEER OPPORTUNITY, GIVE A FEW HOURS A MONTH, IT WILL ENRICH YOUR LIFE, I PROMISE YOU. [ APPLAUSE ]

JOAN, ALL THAT YOU HAVE GOT TO DO IS GO TO THE WEBSITE AS YOU ALL OF THE INSTRUCTIONS ON THE WEBSITE. SAME WITH MEALS ON WHEELS, YOU CAN SIGN UP TO VOLUNTEER THERE. I'M GOING TO READ ROSAYN CURRY'S PROCLAMATION. BEFORE WE DO THAT I WANT TO PUT ALL OF THIS IN CONTEXT WHAT DICK AND ROSAYN CURRY, HOW WE ARE HONORING TONIGHT. WE HAVE AN INCREDIBLE BASE OF VOLUNTEERS IN THIS COMMUNITY. IN THIS WHOLE METRO AREA WHERE -- THE WHOLE VOLUNTEER COMMUNITY HAVE SAID THAT DICK AND ROSEANY REALLY STAND OUT IN A VERY EXCEPTIONAL GROUP OF COMMUNITY MINDED FOLK. IT REALLY A HUGE HONOR AND WE ARE REAL FORTUNATE ABOUT THE CONTRIBUTIONS. WE WILL READ THROUGH YOUR CERTIFICATE OF CONGRATULATIONS FOR HAVING BEEN SELECTED AS THE MARCH 2006 VOLUNTEER OF THE MONTH, ROSAYN CURRY IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. AFTER RETIRING AND MOVING TO AUSTIN IN 1994, MS. CURRY SOUGHT OUT MEANINGFUL VOLUNTEER OPPORTUNITIES. SHE WITNESSED THE TRAGIC CONSEQUENCE OF DOMESTIC VIOLENCE AND ITS IMPACT ON CHILDREN DURING HER TEACHING CAREER AND CHOSE TO BECOME INVOLVED WITH SAFE PLACE. MS. CURRY RECEIVED TRAINING TO BECOME A HOTLINE VOLUNTEER, FURTHER

TRAINING TO BECOME A LEGAL ADVOCATE WHO PROVIDES INFORMATION AND EMOTIONAL SUPPORT TO VICTIMS OF DOMESTIC VIOLENCE AND GUIDES THEM THROUGH THE LEGAL SYSTEM. MS. CURRY FINDS IT REWARDING TO HELP WOMEN WHO HAVE ENDURED YEARS OF HUMILIATION AND PHYSICAL ABUSE TO HAVE HOPE AGAIN. I CONGRATULATE HER FOR HER DEDICATION AND CARING FOR THIS CERTIFICATE PRESENTED IN RECOGNITION ON THE 27th DAY OF APRIL IN 2006, CITY COUNCIL OF AUSTIN, TEXAS, MAYOR WILL WYNN. THANK YOU, CONGRATULATIONS. [ APPLAUSE ]

THANK YOU.

WE ARE EXCEPTIONALLY FORTUNATE TO HAVE KAREN DICK WAS A.M.D. TO TELL US ABOUT NATIONAL VOLUNTEER WEEK, BUT HOW YOU ALL CAN GET INVOLVED. A.M.D. HAS BEEN A HUGE SUPPORTER AND LEADER IN MAKING SURE THAT WE DO HAVE PEOPLE ABLE TO BE A GOOD VOLUNTEER BASE IN THE COMMUNITY TO SUPPORT THE UNITED WAY. KAREN TELL US A LITTLE BIT ABOUT WHAT YOU DO IN THE COMMUNITY, HOW FOLKS CAN GET INVOLVED.

HI, MY NAME IS KAREN DICKS WITH THE COMMUNITY AFFAIRS DEPARTMENT AT A.D. WE ARE DELIGHTED TO BE HERE, DELIGHTED TO PARTNER WITH MANY OF OUR NON-PROFIT PARTNERS AND EDUCATIONAL INSTITUTIONS IN THE COMMUNITY AND WE HAVE A VERY SPECIAL PARTNERSHIP WITH HANDS ON CENTRAL TEXAS AND WE WANT TO ENCOURAGE YOU TO GO TO THEIR WEBSITE, [www.handsonCentralTexas.org](http://www.handsonCentralTexas.org) SEE WHAT KIND OF DIFFERENCE YOU CAN MAKE IN THE COMMUNITY, WHETHER IT'S WITH SAFE PLACE, WHETHER IT'S WITH MEALS ON WHEELS OR WHETHER IT'S AT ONE OF YOUR LOCAL SCHOOLS BECAUSE IF -- AS MENTIONED THIS EVENING YOU ARE GOING TO GET SO MUCH MORE BACK THAN WHAT YOU GIVE. WE FEEL VERY PROUD TO BE HERE IN AUSTIN, WE LOOK FORWARD TO A GREAT FUTURE IN THIS COMMUNITY, THANK YOU, BRUCE BREWSTER.

WE ARE PROCLAIMING THIS WEEK IS NATIONAL VOLUNTEER WEEK. BE KNOWN WHEREAS EACH YEAR HANDS ON CENTRAL TEXAS THE PROJECT OF THE UNITED WAY VOLUNTEER CENTER CONNECTS PEOPLE WITH QUALITY



VOLUNTEER OPPORTUNITIES AND THE WORK OF THESE VOLUNTEERS HELPS BUILD CENTRAL TEXAS TO A STRONGER, MORE CARING COMMUNITY. WHEREAS LAST YEAR MORE THAN 10,000 CENTRAL TEXANS STEPPED FORWARD TO MENTOR AT RISK CHILDREN, BUILD NEW HOMES, HELP FAMILIES AND ASSIST ORGANIZATIONS AND CAUSES IN MEETING THEIR MISSION, WHEREAS WE ARE PLEASED TO RECOGNIZE AND CELEBRATE TREMENDOUS EFFORTS OF THE DEDICATED VOLUNTEERS OF CENTRAL TEXAS, DESIGNATED THIS SPECIAL WEEK IN THEIR HONOR, THEREFORE WE WILL WYNN HEREBY PROCLAIMS APRIL 23rd TO 29th AS 2006 AS NATIONAL VOLUNTEER WEEK HERE IN CENTRAL TEXAS. THANK YOU VERY MUCH.

THANK YOU. NEXT I NEED TO HAVE MARSHALL COTHRON COME UP HERE. TO RECOGNIZE ANOTHER SPECIAL VOLUNTEER HERE, MARSHAL.

THANK YOU, COUNCILMEMBER MCCRACKEN. I'M CHIEF EXECUTIVE OF THE BLOOD AND TISSUE CENTER OF CENTRAL TEXAS. LET ME JUST SAY WE NEED BLOOD. EVERY DAY. EVERY WEEK. OF THE YEAR. WE ARE HERE TONIGHT THOUGH TO -- TO PUBLICLY RECOGNIZE AND SAY A SPECIAL THANK YOU CITY MANAGER. >>MANAGERTOBY MANAGER FUTRELL. WE DO NEED BLOOD, EVERY SEASON OF THE YEAR. SOME ARE WORSE THAN OTHERS. EVERY YEAR TOUGH COLD AND FLU SEASON, IN EARLY FEBRUARY DONOR AFTER DONOR NOT COME IN WHEN CALLED TELL US I CAN'T COME IN, I'M ILL. THAT KIND OF HURTS THE BLOOD SUPPLY WHEN 30 PLUS HEALTH CARE FACILITIES IN THIS 10 COUNTY REGION DEPEND UPON THIS CENTER AND THOSE VOLUNTEERS FOR THE BLOOD THAT THEY TRANS FUSE EVERY DAY OF THE WEEK. WE WENT ON CRITICAL APPEAL. TOBY SAW THAT AND -- IN THE MEDIA, IT CAUGHT HER ATTENTION AND SHE DID SOMETHING EXTRAORDINARY. WE DEPEND UPON VOLUNTEER BLOOD DONORS WHO COME INTO ONE OF OUR TWO LOCATIONS, NORTH LAMAR OR OUR LOCATION IN ROUND ROCK, BUT MORE THAN HALF OF OUR BLOOD SUPPLY FOR THAT WE DEPEND UPON CORPORATE AND INSTITUTIONAL WORKPLACE BASICALLY BLOOD DRIVES WHERE THE BUS OR THE MOBILE COMES OUT TO THE WORKPLACE. AND FOR MORE THAN HALF THE BLOOD SUPPLY THAT'S WHERE WE GO. TO INCREASE THAT, I CAN

TELL YOU IT'S HARD TO GET SUPPORT UNLESS YOU HAVE SUPPORT FROM MANAGEMENT AND IT DOESN'T GET ANY HIGHER THAN THE C.E.O. AUSTIN IS ONE OF THE LARGEST EMPLOYERS IN THIS CITY. AND WHAT TOBY DID FOR US WAS REALLY NOT TO -- TO COME DOWN AND DONATE BLOOD IN FEBRUARY. I UNDERSTAND IN YOU TRAVELED TO THE WRONG PLACE.

THEY WOULDN'T LET ME. I TRIED.

SHE IS A BLOOD DONOR, BUT THAT'S NOT WHAT I'M HERE TO RECOGNIZE HER FOR. SHE'S A CORPORATE C.E.O. WHO DID SOMETHING MOST EXTRAORDINARY AND THAT IS SHE ORGANIZED AND ENCOURAGED THE CITY OF AUSTIN TO ORGANIZE FIVE BLOOD DRIVES THROUGH THE MONTH OF MARCH. YOUR OWN VERSION OF MARCH MADNESS. THE FINAL FOUR IN THAT MARCH MADNESS WAS THE POLICE DEPARTMENT, THE FIRE DEPARTMENT, E.M.S. AND CITY HALL, WHICH IT NEVER HAD A BOOD BLOOD DRIVE I DON'T THINK. THAT WAS A NEW ONE. AND OUT OF THOSE, MORE THAN 180 EMPLOYEES ATTEMPTED TO DONATE BLOOD. WE HAVE A LOT OF PEOPLE WHO HAD BEEN TRAVELLING AND OTHER THINGS AND HAD TO BE TEMPORARILY DEFERRED. BUT 25 WERE ACTUALLY ABLE TO DONATE. THEY INCREASED WHAT HAD BEEN DONATED FROM THE CITY OF AUSTIN IN PRIOR YEARS BECAUSE THE CHIEF EXECUTIVE OF THIS LARGE EMPLOYER GAVE HER PERSONAL ENTHUSIASTIC SUPPORT. THEY ORGANIZED FIVE BLOOD DRIVES AND LET ME TELL YOU IT'S NOT JUST THE BLOOD THEY GAVE. THIS WAS COVERED BY VIRTUALLY EVERY TELEVISION STATION IN THE COMMUNITY, FREQUENT COVERAGE ON KLBJ RADIO. TO SEE OUR UNIFORMED PUBLIC SERVANTS, THE EMPLOYEES OF THIS CITY WHO KNOW MORE THAN ANYBODY ELSE WHY WE NEED BLOOD, THERE PUBLICLY DONATING THAT ENCOURAGES OTHERS TO DONATE, IT BROUGHT MORE PEOPLE TO THE DRIVES. THE MOST EXTRAORDINARY THINGS TOBY DID AS THE CITY MANAGER WAS TO ALLOW THE EMPLOYEES TWO HOURS OF PAID TIME OFF TO GO TO ONE OF THOSE WORKPLACE DRIVES OR TO COME INTO THE CENTER TO DONATE BLOOD AND IN RESPONSE TO THE ONGOING NEED AND WE CANNOT THANK YOU ENOUGH FOR THAT, THAT GETS THEM IN. TOBY, I -- I AM THE -- IN THE FIRST GRADE I NEVER ACTUALLY SHOWED UP FOR SCHOOL

WITHOUT MY CLOTHES ON, THAT WAS JUST A SCARY DREAM. BUT I DID SHOW UP AT COUNCIL WITHOUT AN AWARD THAT WE HAVE FOR YOU, IT'S A LOVELY CRYSTAL PAPER WEIGHT. WITH THE INTERLOCKING HANDS SYMBOLIC OF THE BLOOD CENTER, THAT WILL BE ARRIVING AT YOUR OFFICE SHORTLY. I HOPE IT WILL REMIND YOU OF THE CONSTANT NEED FOR BLOOD.

THANKS SO MUCH. LET'S GIVE OUR CITY EMPLOYEES A ROUND OF APPLAUSE, THEY ARE THE ONES WHO DID IT, THANKS. [ APPLAUSE ] [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] .

Mayor Wynn: THERE BEING A QUORUM PRESENT, AT THIS TIME I CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. I APPRECIATE YOUR PATIENCE. TO GIVE FOLKS A HEAD'S UP, WE HAVE ACTUALLY FOUR ITEMS REMAINING ON THE AGENDA THAT ARE TRANSPORTATION RELATED. WE'RE GOING TO TRY TO GROUP THOSE TOGETHER HERE IN A FEW MINUTE, BUT AT THIS TIME I'D LIKE TO INTRODUCE COUNCILMEMBER ALVAREZ WHO WILL INTRODUCE ITEM 48, A NAMING ITEM. COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, MAYOR. AND THANK EVERYONE HERE ON THIS ITEM AND OTHER ITEMS AS WE WORK THROUGH THESE ISSUES. THIS IS AN EXCITING ITEM, NOT MUCH CONTROVERSY RELATING TO THIS ONE BECAUSE THERE APPEARS TO BE A FULL CONSENSUS THAT THIS IS A GOOD WAY TO PROCEED. BUT THIS IS AN ITEM TO NAME A PARK, CITY PARK, IN HONOR OF JOHN TREVINO, JUNIOR, FORMER MAYOR PRO TEM AND FIRST HISPANIC ELECTED TO CITY COUNCIL. HE WAS ELECTED FIRST IN 1975 AND HE SERVED UNTIL 1988, SO THERE'S NO ONE WHO HAS MATCHED HIS TENURE ON THE CITY COUNCIL CERTAINLY, ALTHOUGH GUS MADE A RUN FOR IT, BUT HE DIDN'T QUITE MAKE IT TO 13 YEARS. FR R. BUT HE MIGHT COME OUT OF RETIREMENT BEFORE TOO LONG. BUT I'M VERY HONORED TO BE ABLE TO BRING THIS ITEM FORWARD FOR RECOGNIZING THE MAYOR PRO TEM TREVINO AND I'M GOING TO HAVE THE HONOR OF WORKING WITH HIM AS A FELLOW BOARD MEMBER OF THE CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY, CAPITAL METRO, AND HE SERVED IN THAT POSITION A

PRETTY LONG TIME AS WELL. BUT HE HAS A VERY DISTINGUISHED CAREER AND I KNOW WE'RE GOING TO BE HEARING FROM A LOT OF FOLKS WHO WILL SPEAK TO IT, BUT WHILE HE WAS ON THE COUNCIL HE HELPED IMPROVE THE CITY'S HIRING PRACTICES AND CONTRACTING PROCEDURES AND WAS A CHAMPION FOR SOCIAL SERVICES, A CHAMPION IN TERMS OF ADDRESSING ISSUES IN TERMS OF POVERTY AND HOMELESSNESS AND WAS INVOLVED BEFORE -- BEFORE HE WAS IN THE COUNCIL IN THE COMMUNITY HEAVILY, WITH WAR ON POVERTY, THE MODEL CITIES PROGRAM FOR 10 YEARS, AND BEFORE BEING ON THE CITY COUNCIL, AND PRIOR TO THAT SERVING IN THE MILITARY IN THE YEKD AIRBORNE -- 82nd AIRBORNE DIVISION AS A TEENAGER. BEEN INVOLVED IN MANY, MANY ORGANIZATIONS, AND LIKE I SAID, WE'LL BE HEARING A LITTLE BIT MORE ABOUT THAT FROM FRIENDS AND FAMILY AS WE GO FORWARD. AND OF COURSE, SINCE HIS TIME ON THE CITY COUNCIL HAS REMAINED VERY ACTIVE WITH THE HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM AT THE UNIVERSITY OF TEXAS. ON A PROFESSIONAL SIDE HE'S ALSO SERVING HIS COMMUNITY, BUT ON HIS SPARE TIME AND SPENDING A LOT OF TIME AT CAP METRO AND CAMPO, CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION, SO HE'S A SHINING EXAMPLE OF A PERSON WHO HAS DEDICATED THEIR LIFE TO PUBLIC SERVICE. AND AGAIN, I'M REALLY HONORED TO BE ABLE TO BRING THIS FORWARD. I WANTED TO FIRST SHARE A FEW PHOTOS OF THE PARK THAT'S BEING CONSIDERED FOR NAMING, AND SO I DON'T KNOW IF WE CAN MOVE FORWARD WITH THAT REALLY BRIEF PRESENTATION WITH SOME PHOTOGRAPHS. THE PARK THAT WE ARE PROPOSING TO NAME IN HONOR OF MAYOR PRO TEM TREVINO IS REFERRED TO AS MORRISON PARK -- MORRISON RANCH, I SHOULD SAY. AND IT WAS ACQUIRED ABOUT THREE YEARS AGO, I THINK, THROUGH OUR DESTINATION PARKLAND PROGRAM. AND THE VOTERS, MANY OF THOSE WHO ARE HERE TODAY WHO SUPPORTED A 1998 PASSING -- I THINK IT WAS \$25 MILLION TO CREATE DESTINATION PARKS IN EAST AUSTIN, AND THIS WAS ONE OF THE PIECES OF PROPERTY THAT WAS ACQUIRED, AND IT'S ABOUT 300 ACRES. IT'S RIGHT ON THE COLORADO RIVER AND RIGHT WITH THE CONFLUENCE OF WALNUT CREEK, SO IT'S A VERY BEAUTIFUL PIECE OF PROPERTY AND IT LOOKS

LIKE WE'RE SHOWING THE CURRENT PHOTO OR A CURRENT -- LIVE FOOTAGE OF MAYOR PRO TEM TREVINO AS WELL AS A YOUNGER PHOTO. AND A PHOTO FROM CITY COUNCIL DAYS. AND THAT'S A PHOTO FROM THE INTERNATIONAL SISTER CITIES EVENT OR CONFERENCE THAT HE WAS VERY INVOLVED WITH, AND HE -- AS THE OTHER HISPANIC COUNCILMEMBERS AFTER HIM ALSO CHAMPION OR TAKE THAT SISTER CITIES' RELATIONSHIP OR EXCHANGE UNDER YOUR WING AND BECOME PART OF THE FOLKS THAT ARE WITH THE CITY PROGRAM HERE AND WITH THE FOLKS IN SALTILLO AND YOU DEVELOP A VERY SPECIAL BOND AND A SPECIAL PLACE FOR SALTILLO IN YOUR HEART AFTER YOU'RE INVOLVED WITH THAT PROGRAM. AND ONE OF THE -- I THINK THE NEXT PICTURE IS FROM ABOUT TWO YEARS AGO AND YOU SEE MAYOR PRO TEM TREVINO HERE. IT WAS AN EXCHANGE WITH -- A COLLABORATION BETWEEN CAPITAL METRO AND ONE OF THE GOVERNMENTS THERE OF SALTILLO THAT HAS PRODUCED VERY POSITIVE RESULTS FOR BOTH ENTITIES AND WANTED TO HIGHLIGHT A COUPLE OF THOSE SPECIFIC IMAGES, AND MAYBE JUST FLIP THROUGH THOSE IMAGES OF THE PARK AGAIN SO FOLKS CAN JUST GET AN IDEA OF WHAT IT IS WE'RE PROPOSING TO DO BECAUSE IT'S ACTUALLY A BEAUTIFUL SITE AND IT'S IN PRISTINE CONDITION RIGHT NOW, AND I THINK THAT THIS IS GOING TO BE A VERY GREAT OPPORTUNITY FOR US. I WANTED TO CALL UP ONE OF THE FAMILY MEMBERS TO MOVE FORWARD. , SHE WORKED WITH HER MOM ON DRAFTING THE INITIAL APPLICATION. IT'S ABOUT A SIX TO SEVEN PAGE LETTER WITH SOME INCREDIBLE HISTORICAL INFORMATION ABOUT THE LIFE OF MAYOR PRO TEM TREVINO. IF YOU HAVEN'T HAD A CHANCE TO READ THAT, I WOULD ENCOURAGE FOLKS TO REQUEST THAT FROM MY OFFICE AND WE'LL PROVIDE THAT. BUT IT REALLY TELLS A VERY INSPIRING STORY. I WANT TO THANK YOU FOR HELPING ME WITH THIS INITIATIVE.

THANK YOU FOR BEING OPEN MINDED AND HELPING US THROUGH THIS EFFORT, COUNCILMEMBER ALVAREZ. WE DEEPLY, DEEPLY APPRECIATE ALL YOUR SUPPORT. GOOD AFTERNOON, GOOD EVENING, MAYOR WYNN AND MEMBERS OF THE AUSTIN CITY COUNCIL. I AM ERMALINDA AND I WANT TO THANK YOU FOR ALLOWING ME TO SPEAK THIS EVENING

IN THE PROPOSAL TO NAME THE MORRISON RANCH TRACT FOR JOHN TREVINO, JUNIOR. MR. TREVINO IS MY UNCLE, BUT I COME BEFORE YOU TONIGHT NOT AS HIS NIECE, BUT AS A CITIZEN OF AUSTIN WHO RECOGNIZES HIS LIFELONG SERVICE TO OUR GREAT CITY. JOHN BEGAN HIS COMMUNITY SERVICE AT AGE EIGHT WHEN HE DEVOTED HIS SUNDAYS TO TRAVELLING THROUGHOUT THE CATHOLIC DIOCESE OF AUSTIN TO ASSIST AT MASSES AS AN ALTER BOY. AT AGE 17 JOHN VOLUNTEERED FOR DUTY IN THE MILITARY AND SERVED IN THE ARMY'S 82nd AIRBORNE DIVISION FOR THREE YEARS. FOLLOWING HIS RETURN TO AUSTIN, HE TOOK AN ACTIVE ROLE IN THE SAINT VINCENT DEPAUL SOCIETY, A NONPROFIT CHARITABLE ORGANIZATION DEDICATED TO HELPING THE DOOR AND NEEDY. HIS SERVICE TO THE DISADVANTAGED HAS REMAINED CONSTANT THROUGHOUT HIS LIFE. IN 1965 HE WAS CHOSEN TO BE THE FIRST DIRECT EITHER OF THE COMMUNITY ACTION PROGRAM IN AUSTIN, A FEDERAL ANTI-POVERTY INITIATIVE. HE SERVED IN THIS POSITION FOR MORE THAN A DECADE AND HIS ACCOMPLISHMENTS WERE MANY. FOR EXAMPLE, HE PERSUADED THE DIRECTOR OF THE INTERNAL REVENUE SERVICE TO SEND STAFF TO HELP CITIZENS FROM POOR NEIGHBORHOODS PREPARE THEIR TAX RETURNS. HE ORGANIZED CITIZENSHIP CLASSES, HE ALSO SUPERVISED VOLUNTEERS FROM THE FEDERAL VISTA PROGRAM. A COUPLE OF THOSE WHO WENT ON WITH OTHERS TO DEVELOP THE MEALS A WHEELS AND THE AUSTIN TENANTS' COUNCIL. IN 1966 JOHN BEGAN A BULK TRASH COLLECTION PROGRAM IN EAST AUSTIN, AND TODAY HE HAVE THE CITY OF AUSTIN THAT HAS ADOPTED THIS MODEL FOR THE ENTIRE CITY. BECAUSE OF THESE ACCOMPLISHMENTS, IN 1968 THE SCHOOL OF SOCIAL WORK AT THE UNIVERSITY OF TEXAS AT AUSTIN NOMINATED HIM TO ATTEND THE INTERNATIONAL CONFERENCE ON SOCIAL WELFARE HELD IN FINLAND. JOHN WAS ONE OF ONLY 13 AMERICANS INVITED TO PARTICIPATE. JOHN'S ACCOMPLISHMENTS AND LEADERSHIP WERE INCREASINGLY RECOGNIZED, AND IN 1965 HE BECAME THE FIRST HISPANIC ELECTED TO A SEAT ON THE AUSTIN CITY COUNCIL. HE SERVED ON THE COUNCIL FOR OVER 13 YEARS, EVENTUALLY BECOMING MAYOR PRO TEM AND SERVING AS ACTING MAYOR. AMONG HIS ACCOMPLISHMENTS AT THE COUNCIL WERE HE HELPED

CREATE WHAT THE FORERUNNER OF THE DEPARTMENT AND SMALL AND MINORITY BUSINESS RESOURCES. HE AND COUNCILMEMBER JIMMY SNEL PERSUADED THE CITY TO ESTABLISH A SYSTEMATIC REVIEW OF HIRING PRACTICES TO ENSURE THAT WOMEN AND MINORITIES HAVE FAIR ACCESS TO CITY JOBS. THIS EVENTUALLY LEAD TO THE HIRING OF THE CITY'S FIRST HISPANIC CITY MANAGER. HE JOINED WITH COUNCILMEMBER BETTY HIMELBOW IN LEADING EFFORTS TO ESTABLISH CLINICS THROUGHOUT THE CITY TO GIVE THE POOR AND NEEDY MORE ACCESSIBLE AND IMMEDIATE HEALTH CARE. HE ESTABLISHED A SOCIAL POLICY ADVISORY COMMITTEE TO ENSURE EQUITABLE DISTRIBUTION OF FUNDING TO SOCIAL SERVICE AGENCIES. HE WAS A LEADER IN THE INITIATIVE TO HAVE WOMEN AND MINORITIES REPRESENTED ON CITY BOARDS AND COMMISSIONS. HE PLAYED A SIGNIFICANT ROLE IN ESTABLISHING POLICIES FOR THE FAIR ALLOCATION OF SPACE TO VENDORS USING THE RENAISSANCE MARKET ON GUADALUPE. AND HE LED EFFORTS TO ESTABLISH A PAINT AND GLUE SNIFFING ORDINANCES AIMED AT TEENS. IN 1988 JOHN LEFT THE CITY COUNCIL, BUT CONTINUED HIS COMMITMENT TO PUBLIC SERVICE. AT THE UNIVERSITY OF TEXAS HE HAS HELPED DEVELOP PROGRAMS FOR HISTORICALLY UNDERUTILIZED BUSINESSES. IN ADDITION, HE HAS SERVED ON THE BOARD OF DIRECTORS OF THE GREATER AUSTIN HISPANIC CHAMBER OF COMMERCE. HE HAS SERVED ON THE INTERNATIONAL BOARD OF THE U.S., MEXICO SISTER CITY'S ASSOCIATION AND WAS A FOUNDER OF THE AUSTIN SALTILLO SISTER CITY INITIATIVE. HE HAS BEEN A MEMBER OF THE BOARD OF DIRECTORS OF CAPITAL METRO FOR NINE YEARS, AND HE IS A MEMBER OF CANDLE POE AND A MEMBER AND PAST CHAIR OF THE CAPITAL AREA PLANNING COUNCIL. THE FACT THAT JOHN TREVINO, JUNIOR WAS THE FIRST HISPANIC ELECTED TO THE AUSTIN CITY COUNCIL IS IN ITSELF REASON ENOUGH FOR THIS PERMANENT RECOGNITION. BUT IF YOU LOOK THROUGH THE LETTERS OF SUPPORT RECEIVED FOR THIS PROPOSAL, YOU WILL SEE ENDORSEMENTS FROM A CROSS-SECTION OF OUR CITY. FROM THE TIME HE WAS A CHILD, JOHN HAS DEVOTED HIMSELF TO OTHERS AND TO AN EVER WIDENING CIRCLE OF OUR COMMUNITY. HIS SERVICE AND INFLUENCE ARE FELT TODAY BY PEOPLE WHO HAVE NEVER MET HIM OR EVEN

HEARD OF HIM, BUT AUSTIN IS A BETTER PLACE FOR ALL PEOPLE FOR WHAT HE HAS ACCOMPLISHED. I URGE YOU TO HONOR HIS SELFLESS AND LASTING SERVICE TO OUR CITY BY VOTING IN FAVOR OF THIS PROPOSAL.

Mayor Wynn: THANK YOU.

Alvarez: I WANTED TO CALL UP A COUPLE OF CLOSE FRIENDS OF MAYOR TREVINO TO SAY A FEW WORDS AND FORMER MAYOR GUS GARCIA AND FOLLOWED BY FORMER COMMISSIONER RICHARD MOYA. WELCOME.

GOOD TO BE HERE TO HONOR MY GOOD FRIEND OF SO MANY, MANY YEARS. BACK IN THE LATE 60'S WE STARTED WORKING ON ISSUES AFFECTING EAST AUSTIN, AND OUT OF THOSE DAYS WE FORMED WHAT KNOWN AS THE BROWN MACHINE. I THINK THAT THE CHAIRMAN OF THAT MACHINE WAS COUNCILMEMBER TREVINO, BUT WE ALSO HAVE A FELLOW THAT WENT ON TO BE ELECTED SENATOR FOR THE STATE OF TEXAS, THE HONORABLE GONZALO BARRIENTOS, AND THE FELLOW THAT'S GOING TO COME AFTER ME, RICHARD MOYA. RICHARD WAS ALWAYS CONSIDERED TO BE THE TOUGHEST OF THE GROUP AND JOHNNIE THE KINDEST OF THE GROUP. HE ALWAYS KEPT US GOING IN THE RIGHT DIRECTION. I WAS ON THE SCHOOL BOARD AT THAT TIME AND FROM ALL THREE OF THEM I GOT THE INSTRUCTIONS THAT ON MATTERS OF EDUCATION, THEY WOULD FOLLOW MY LEAD. I NEVER STOPPED TO CHECK AND SEE IF THAT WAS TRUE OR NOT, BUT I KNOW THAT DURING THOSE YEARS, EARLY YEARS, WE MOVED THE COMMUNITY FORWARD. AND MUCH OF THE THANKS FOR THAT GO TO COUNCILMEMBER TREVINO BECAUSE SO MUCH OF THE DECISION MAKING THAT AFFECTS THE CITY TAKES PLACE HERE. SO I WANTED TO COME AND BE WITH FORMER MAYOR, ACTING MAYOR JOHN TREVINO BECAUSE OF THE RESPECT THAT I HAVE FOR THE WORK THAT HE HAS DONE IN THIS CITY AND FOR THE EFFECTS OF THAT WORK ON THE COMMUNITY, HOW IT HAS IMPROVED. AND LIKE SHE HAD SAID, EVEN AFTER THE 13 YEARS ON THE COUNCIL AND THE MANY YEARS AS ALTER BOY AND EVERYTHING ELSE THAT SHE TICKED OFF, HE'S STILL SERVING. HE'S ON THE CAPITAL METRO BOARD. SOME OF US WENT ON TO SET OUT -- WE'RE LOOKING AT THAT RANCH THAT TREVINO IS GOING TO GET



NAMED. [ LAUGHTER ] I THINK I WANT TO BRING SOME COWS AND A HORSE, BUT I CAN GO OUT THERE. IT IS THE RIGHTFUL WAY TO HONOR A GREAT PUBLIC SERVANT WHO HAS HAD A VERY POSITIVE EFFECT AND WHO HAS CHANGED THE LANDSCAPE OF THIS COMMUNITY FOR THE BETTER. AND WE CAN SAY THAT THING FOR MANY PEOPLE HERE, BUT FOR JOHN TREVINO, IT HAS REALLY HAD A VERY DRAMATIC EFFECT AND VERY FEW PEOPLE FALL IN THAT CATEGORY. SO I'M VERY PROUD TO BE HERE TO HONOR MY VERY GOOD FRIEND, AND A FRIEND OF THE PEOPLE OF AUSTIN, THE HONORABLE JOHN TREVINO. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MAYOR. [ APPLAUSE ] WELCOME, COMMISSIONER.

THANK YOU, MAYOR AND MEMBERS OF THE CITY COUNCIL. I LISTENED VERY INTENTLY TO WHAT SHE WAS SAYING AND OBVIOUSLY SHE LEFT SOME THINGS OUT THAT ONLY JOHN AND I KNOW. [ LAUGHTER ] AND I'M NOT SURE THAT I WANT TO SHARE IT WITH ALL ANYWAY. BUT IN ALL SERIOUSNESS, -- SERIOUSNESS, JOHN TREVINO, WHEN I FIRST MET HIM 45, MAYBE 50 YEARS AGO, I REALIZED EARLY ON THAT JOHN WAS GOING TO BE A PERSON THAT WOULD LEAD US IN THE RIGHT DIRECTION. AND TOGETHER WITH GONZALO AND GUS AND MYSELF, WE MANAGED TO AGREE ON ONE THING, THAT WE WOULDN'T RUN AGAINST EACH OTHER. AND THAT'S HOW YOU GOT A COUNCILMEMBER, COUNTY COMMISSIONER, A STATE REPRESENTATIVE, LATER A SENATOR, AND A SCHOOL BOARD MEMBER AND THEN A MAYOR. [ APPLAUSE ] THE BROWN MACHINE WAS NOT SOMETHING THAT SHOULD BE FEARED, BUT IT WAS SOMETHING THAT ENABLED US TO GET THE COMMUNITY TOGETHER, AND I WISH WE COULD DO THAT SOME MORE. IT WORKED VERY WELL. WE'VE ALL GOTTEN OLD. I CAME OUT OF RETIREMENT TO COME AND TALK TONIGHT. [ LAUGHTER ] I NEVER MISS EVERYBODY LOVES RAYMOND, BUT I DID TONIGHT, AND I'M GLAD TO BE HERE. [ LAUGHTER ] BECAUSE I THINK THAT FROM JOHN WE GOT A LOT OF GOOD ADVICE. HE WAS THE (INDISCERNIBLE) OF THE GROUP. AND I CAN TELL YOU THIS, AND THIS IS MORE SELF-SERVING THAN ANYTHING ELSE, BUT I NEVER WOULD HAVE BEEN A COUNTY COMMISSIONER WITH JOHN TREVINO. BECAUSE HE WAS NOT ONLY MY CAMPAIGN MANAGER, HE WORKED FOR NOTHING, AS YOU ALL KNOW UP

THERE ON THE DAIS, THAT NOBODY WORKS FOR NOTHING ANYMORE. AND HE WORKED FOR NOTHING, QUIT HIS JOB -- HE WAS MARRIED AND HAD A LITTLE KID. QUIT HIS JOB. AND OF COURSE WE DIDN'T HAVE ANY MONEY TO PAY HIM. AND I QUIT MY JOB AND I NEVER FIGURED OUT WHY I QUIT MY JOB TO DO WHAT I DID, BUT IT WORKED OUT ALL RIGHT. THE OTHER THING WE'VE ALWAYS WONDERED ABOUT JOHN TREVINO IS WHY HE VOLUNTEERED TO BE AN ALTER BOY. [ LAUGHTER ] NOW, YOU CAN READ BETWEEN THE LINES AND TRY TO FIGURE OUT WHAT THAT'S ALL ABOUT. [ LAUGHTER ] BUT IN ALL SERIOUSNESS, JOHN TREVINO AS A CITY COUNCILMEMBER, AS A FRIEND, WAS ALWAYS TELLING US THAT OUR JOB IF ELECTED WAS TO SERVE THOSE PEOPLE THAT PROBABLY COULDN'T VOTE FOR US, THAT PROBABLY DIDN'T KNOW HOW TO VOTE FOR US, BUT THEY NEEDED HELP TO. SO HE LED THE WAY IN GETTING YOU IS INVOLVED IN THE WAR ON POVERTY AND HELPING PEOPLE THAT WILL NEVER VOTE FOR US, BUT THEY NEEDED HELP AND THEY NEEDED REPRESENTATION. AND I KNOW THAT Y'ALL DO A LOT OF THAT NOW, AND THAT'S GREAT, BUT BACK IN THOSE DAYS THAT WASN'T SO, AND I'M GLAD THAT IT WAS SO NOW. BUT TO ME IT'S JUST AN HONOR FOR ME TO BE HERE, AND I WISH I COULD VOTE FOR HIM STILL. I WOULD LOVE TO DO IT. I KNOW THAT I CAN'T, BUT I WOULD ASK Y'ALL TO DO IT. AND I KNOW THAT PEOPLE WILL KNOW WHAT THAT PARK IS ALL ABOUT. I KNOW THAT JOHN WILL BE OVER THERE EVERY CHANCE HE GETS, AND I HOPE HE INVITES ME TO GO. BUT LOOK, WHEN YOU NAME A PARK AFTER SOMEONE THAT'S DONE AS MUCH WORK FOR THE COMMUNITY AS JOHNNIE HAS, YOU REALLY DO A BIG SERVICE TO HIM BECAUSE I THINK WHAT ARE PARKS ABOUT? PARKS ARE ABOUT PEOPLE. AND EVERYBODY CAN USE A PARK. AND JOHNNIE WOULDN'T WANT TO HAVE ANYTHING NAMED AFTER HIM THAT EVERYBODY COULDN'T USE. SO DO YOUR DUTY AND MAKE US HAPPY AND WE'LL BE PROUD OF YOU. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, RICKY. [ APPLAUSE ]

Alvarez: MAYOR, WE HAD ONE OTHER FAMILY MEMBER THAT WAS GOING TO BE PRESENTING AS WELL. AND THAT WAS REBECCA (INDISCERNIBLE). IF YOU COULD COME FORWARD,

PLEASE.

THANK YOU, COUNCILMEMBER. TO THE HONORABLE MAYOR AND MEMBERS OF THE AUSTIN CITY COUNCIL, THANK YOU FOR THIS OPPORTUNITY TO SPEAK. I AM HERE TODAY AS A MEMBER OF FIVE GENERATIONS OF THE TWO FAMILIES TO SUPPORT THE HONORABLE JOHN TREVINO, WHO SERVED AS A COUNCILMEMBER AND MAYOR PRO TEM AND WHO I AM PROUD TO SAY IS OUR RELATIVE, FRIEND AND MENTOR. WE RESPECTFULLY REQUEST THAT JOHN TREVINO BE RECOGNIZED BY THE CITY OF AUSTIN BY NAMING MORRISON RANCH IN HIS HONOR AND MEMORY. DURING THE 1970S WHEN JOHN TREVINO WAS FIRST ELECTED TO THE AUSTIN CITY COUNCIL, OUR COUNTRY AND CITY WAS STILL IN THE MIDST OF TRANSITIONING FROM A SOCIETY OF EXCLUSION, OF MINORITIES, TO ONE OF INCLUSION, EQUALITY AND FAIRNESS. IT WAS ALSO A TIME FOR MINORITIES OF OUR NATION TO SEEK CAPABLE LEADERS AND TO ELECT THOSE LEADERS TO BEGIN VOICING OUR LONG-STANDING CONCERNS AND DESIRES. HOWEVER, JOHN TREVINO WAS NOT ONLY ELECTED REPRESENTATIVE AS WE USE THAT TERM IN OUR REPUBLICAN FORM OF GOVERNMENT, BUT ALSO REPRESENTATIVE OF THE BELIEF THAT HONESTY, INTEGRITY AND DEDICATION TO ONE'S COMMUNITY CAN AND SHOULD TRIUMPH OVER INJUSTICE AND INDIFFERENCE. PRIOR TO HIS TENURE, THE VOICE OF THE MEXICAN AMERICAN COMMUNITY WAS SELDOM HEARD; HOWEVER, JOHN TREVINO WAS NOT THE VOICE FOR A MINORITY COMMUNITY, HE WAS A VOICE FOR FAIRNESS AND RESPECT FOR ALL OF AUSTIN REGARDLESS OF RACE OR NATIONALITY OR OTHER ARTIFICIAL CATEGORIZATIONS. THOSE WHO COME TO KNOW JOHN TREVINO FIND IT EASY TO BEFRIEND HIM AND TO LOVE HIM LIKE A FAMILY MEMBER. IT IS ALSO EASY TO RESPECT HIS FAIRNESS AND GOOD JUDGMENT AS THEY ARE DEEPLY INSTILLED AND EVIDENT QUALITIES IN HIM. WE ARE PROUD TO SAY HE CONTINUED THESE QUALITIES IN HIS REPRESENTATION AND THAT HE WAS THE FIRST MEXICAN-AMERICAN ELECTED TO THE AUSTIN CITY COUNCIL, ONE OF OUR NATION'S GREATEST AND HISTORICALLY RICHEST CITIES. HE WAS ALSO THE EMBODIMENT OF A DREAM WHICH WAS FINALLY TRANSLATED TO REALITY BY GENERATIONS OF HARD WORK,

RESPECT FOR OUR GREAT NATION, AND THE CITY'S FORM OF GOVERNMENT AND IDEALS. AND MOST IMPORTANTLY, FERVENT PRAYERS FOR JUSTICE AND EQUALITY. THESE PRAYERS WERE ANSWERED FOR MANY PREVIOUS AND SUBSEQUENT GENERATIONS. HE CONTINUES TO BE AND ALWAYS WILL BE A REPRESENTATIVE OF ALL THAT IS GOOD IN THE INDIVIDUAL AND WHAT AN INDIVIDUAL CAN CONTRIBUTE BACK TO HIS COMMUNITY. WE ARE PROUD TO SAY THAT HE IS OURS AND THE COMMUNITY'S PRIMO. I WOULD ALSO LIKE TO ADD TO MY SPEECH THAT WE ARE BLESSED, OUR FAMILIES ARE ALL BLESSED BECAUSE NEXT TO THIS PIECE OF PROPERTY IS THE HORNSBY CEMETERY, AND THERE'S A MEXICAN CEMETERY THERE WHERE HIS GRANDMOTHER, MY GREAT GRANDMOTHER, IS BURIED THERE. SO IN THAT SPIRIT, I THANK YOU SO MUCH FOR YOUR SUPPORT. [ APPLAUSE ]

Mayor Wynn: THANK YOU.

Alvarez: AND I WOULD NOTE THAT WE'VE RECEIVED SEVERAL LETTERS OF SUPPORT, MAYOR, FROM SEVERAL ELECTED OFFICIALS, SOME OF WHOM ARE HERE, BUT I'LL MENTION THOSE WHO HAVEN'T SPOKEN YET IS FROM OUR SENATOR, GONZALO BARRIENTOS, WE DO HAVE A LETTER OF SUPPORT HE SUBMITTED. FROM COMMISSIONER MARGARET GOMEZ. STATE REPRESENTATIVE EDDIE RODRY GREZ. JUDGE ORLINDA NAJARO. I SEE CONSTABLE (INDISCERNIBLE) OUT THERE. THANK YOU FOR BEING HERE. AND I ALSO WOULD NOTE THAT FRED GILLIAM, THE CEO, PRESIDENT OF CAP METRO IS HERE TOO. AND WE'VE ALSO RECEIVED AT LEAST 50 LETTERS OF SUPPORT IN A PETITION WITH TWO OR THREE HUNDRED SIGNATURES ON IT. SO THERE'S A LOT OF SUPPORT IN THE COMMUNITY. AND WE MAYBE WANT TO JUST OPEN IT UP MAYBE FOR ABOUT 10 MINUTES FOR SOME COMMENTS FROM OTHER FOLKS WHO ARE HERE WHO MAY WANT TO ADDRESS THE COUNCIL BECAUSE WE ARE STRAPPED FOR TIME THIS EVENING, AS YOU CAN TELL. SO IF FOLKS WANT TO COME AND SHARE A BRIEF MESSAGE WITH THE COUNCIL, I THINK WE'D APPRECIATE, YOU KNOW, THAT YOU WOULD DO THAT AT THIS POINT, I GUESS.

Mayor Wynn: AND WE'LL CERTAINLY NOTE -- AND WE'LL CERTAINLY NOTE FOR THE RECORD ALL THE FOLKS WHO

HAVE SIGNED UP IN ADDITION, ALL OF COURSE IN FAVOR OF THIS ITEM.

Alvarez: I WOULD NOTE, MAYOR, I THINK MR. FUENTES IS COMING UP WITH THE SPANISH CONTRACTORS ASSOCIATION, BUT WE ALSO RECEIVED LETTERS OF SUPPORT FROM THE GREATER AUSTIN HISPANIC CHAMBER OF AUSTIN AND THE AUSTIN PROFESSIONAL FIREFIGHTERS ASSOCIATION AND MANY OTHER ORGANIZATIONS AND INDIVIDUALS, FAMILIES AND FRIENDS, AND I WISH WE COULD READ ALL THAT INTO THE RECORD BECAUSE IT TELLS AN AMAZING STORY. BUT I THINK ONE OF THE IMPORTANT THINGS ABOUT ALL THIS IS THAT WE COMPILE IT AND WE MAKE SURE THAT IT'S PRESERVED IN THE HISTORY CENTER. SO I THINK THAT'S ANOTHER VERY IMPORTANT ELEMENT OR IMPORTANT REASON WHY THIS IS -- WHY THIS IS SOMETHING THAT MEANS A LOT, NOT JUST FOR MAYOR PRO TEM TREVINO, BUT FOR OUR CITY AS A WHOLE. MR. FUENTES?

THANK YOU, COUNCILMEMBER, MAYOR WYNN, MAYOR PRO TEM THOMAS, COUNCILMEMBERS. FORMER MAYOR KIRK WATSON USED TO SAY ISN'T IT GREAT TO BE IN AUSTIN, TEXAS? AND OF COURSE, MAYOR, YOU USED TO SAY OR STILL SAY, ISN'T IT A BLESSED DAY TO BE IN AUSTIN? IT IS, BECAUSE TODAY WE GET AN OPPORTUNITY TO HONOR AN INCREDIBLE OPPORTUNITY. IF IT PLEASES THE COUNCIL, I'D LIKE TO READ A LETTER FROM THE HISPANIC CONTRACTORS ASSOCIATION, AND IT READS, PUBLIC SERVICES EXPRESSES ITS SELF IN MANY WAYS THROUGH MANY PEOPLE. THE MORE ONE GIVES WHEN CALLED TO SERVE, THE MORE HIS OR HER EFFORTS ARE LIKELY TO TAKE ROOT IN A COMMUNITY. IF A SERVANT'S COMMITMENT IS DEEP, TRUE AND CONSTANT, HIS CONTRIBUTIONS WILL CONTINUE TO FLOURISH THROUGH MANY SEASONS, EVEN AFTER HIS SERVICE IS. SUCH ARE THE CONTRIBUTIONS OF JOHN TREVINO TO THE CITY OF AUSTIN. LIKE THE RINGS OF A TREE REVEAL ITS AGE, THE FOOTPRINTS OF JOHN'S PUBLIC SERVICE SHOW ADVOCACY FOR THE POOR AND DISADVANTAGED. IT'S EASY TO SEE THE WAY THIS MAN'S ACCOMPLISHMENTS CONTINUE TO BENEFIT THE CITIZENRY BECAUSE HIS SERVICE HAS SPANNED SEVERAL DECADES AS THE FOLLOWING POINTS DEMONSTRATE. I WON'T READ THE

POINTS, BUT I WILL SAY THAT -- I'LL CONTINUE READING THE LETTER AND IT SAYS THIS FORMER ARMY PARATROOPER SERVED NOT ONLY IN THIS COUNTRY'S MILITARY, HE ALSO SERVED IN THE WAR ON POVERTY IN THE 1960'S. A DEVOUT CATHOLIC, HE HAS SERVED AS AN EXAMPLE IN HIS PARTICIPATION IN CHURCHES, BUT THIS MAN DOES NOT NEED A PARK NAMED AFTER HIM. HIS ACCOMPLISHMENTS ALREADY SERVE AS A TRIBUTE TO THIS FORMER ALTER BOY. RATHER, IT IS WE THE PUBLIC WHO NEED THAT PARK NAMED AFTER HIM. THANK YOU, JOHN. THAT WOULD BE THE MOST FITTING WAY TO DO SO BECAUSE IT WOULD PROVIDE AN EXPRESSION OF HIS LEGACY AS JOHN'S WORK. I'VE OFTEN SAID THAT GOD SOMETIMES TOUCHES US IN SPECIAL WAY. AND IN ONE OF THE WAYS I THINK THAT IS VERY CRITICAL IS HE INTRODUCES US TO PEOPLE THAT HAVE A HUGE IMPACT IN OUR LIVES. JOHN HAS BEEN THAT MAN. AND SO I THANK YOU ALL FOR CHAMPIONING -- I THANK YOU, COUNCILMEMBER, FOR CHAMPIONING THIS ISSUE AND I THANK YOU, COUNCILMEMBERS. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. WILLIAM MR. LIMON.

MAYOR AND MAYOR PRO TEM AND CITY COUNCILMEMBERS, I DID SIGN THE CARD THAT I WAS NOT GOING TO SPEAK AS AN INDIVIDUAL, BUT I AM HERE TODAY, TONIGHT, SPEAKING FOR 2400 MEMBERS OF THE LIMON FAMILY, WHICH WE ALL TOTALLY SUPPORT NAMING THIS PARK AFTER OUR COUSIN, JOHN TREVINO. I KNOW HE'S DONE GREAT THINGS, BUT TO US HE IS OUR COUSIN AND HE IS FAMILY, AND WE ARE IN TOTAL SUPPORT OF THIS PARK. AND WHO KNOWS, MAYBE THAT'S WHERE WE'LL HAVE OUR ANNUAL FAMILY REUNION. [ LAUGHTER ]

Mayor Wynn: IT NOT BIG ENOUGH, IT'S ONLY 300 ACRES. [ LAUGHTER ]

I KNOW. AND THAT WAS ONE REASON WHY TONIGHT I TOLD THEM THAT IF THEY LET ME ENDORSE OUR LIMON FAMILY BY MYSELF, THAT WOULD BE OKAY BECAUSE I DIDN'T WANT THEM ALL TO COME HERE AND TAKE UP ALL THE PARKING. [ LAUGHTER ] SO AGAIN, I HOPE THAT Y'ALL WILL VOTE TONIGHT IN HONORING NOT ONLY A GREAT MAN, BUT OUR GREAT COUSIN, JOHN TREVINO. THANK YOU VERY MUCH. [

APPLAUSE ]

GOOD EVENING, MY NAME IS ALICIA PEREZ AND TO MANY JOHNNIE IS A COUSIN. TO THE COMMUNITY HE IS KNOWN AS PADRENO. HE IS A GODFATHER BECAUSE HE HAS STOOD AS A PROTECTOR AND A CARETAKER TO A COMMUNITY WHOSE HISTORY HAS WITNESSED THE STING OF PREJUDICE AND DISCRIMINATION. BUT WE ARE IN A BETTER PLACE NOW AND IT IS BECAUSE OF PEOPLE LIKE JOHN TREVINO. I STAND HERE TO BEAR WITNESS TO JOHN'S GOOD DEEDS. I CAN TELL YOU THAT I'VE WORKED WITH JOHN FOR ABOUT 20 YEARS. HE IS ONE OF THE FOUNDERS OF THE SALTILLO SISTER CITIES ASSOCIATION. I HAVE SEEN HIM, I HAVE BEEN EYEWITNESS TO HIS CARING AND TAKING AND SERVING THE POOREST OF THE POOR, THE OLD, THE ORPHANED, AND THE SICK NOT ONLY IN AUSTIN, TEXAS, BUT IN SALTILLO, MEXICO. HE HAS BEEN A GREAT CHAMPION, NOT ONLY TO MAKE AUSTIN BETTER, BUT TO SHARE A CHRISTIAN FAITH AND BELIEF THAT HE NOT ONLY, LIKE I SAID, BELIEVES IN, BUT HE ALSO LIVES. HERE IN AUSTIN AND ALSO IN SALTILLO MEXICO. I THINK IT IS QUITE FITTING, AND JOHN MATTERS THE NAMING OF -- MERITS THE NAMING OF A PUBLIC FACILITY AFTER HIM BECAUSE HE REPRESENTS IDEALS THAT WE ALL STRIVE FOR. HE IS A KIND MAN, A GENTLEMAN AND A NOBLEMAN. HE WAS NOT GIVEN THAT BECAUSE HE BELIEVED TO SOME FAMILY WHO WAS ROYALTY. HE HIMSELF IS A PRINCE OF A MAN. AND HE HAS ACHIEVED THE RESPECT AND THE TITLE OF GODFATHER FROM THE COMMUNITY BECAUSE HE HAS WORKED SO HARD FOR THOSE WHO MAY NOT HAVE HAD A VOICE. AS PEOPLE SAID, HE'S ONE OF THE FIRST HISPANIC ELECTED TO THE CITY COUNCIL. AT THAT TIME IT MAY NOT HAVE BEEN AS POPULAR TO CHAMPION A CAUSE AS IT IS NOW, BUT HE IS ONE OF THOSE PEOPLE WHO STEPPED FORWARD. HE HAS DEFENDED AUSTIN AS A BASTION OF LIBERALISM IN THE SOUTHWEST AND HAS DONE THAT PROUDLY. HE HAS DONE IT ALONE AND WITH MANY. SO I THANK YOU FOR THE CONSIDERATION OF NAMING A PUBLIC FACILITY AFTER HIM. I DON'T THINK YOU COULD NAME IT AFTER ANYONE THAT REPRESENTS THE BEST IN THIS COMMUNITY MORE THAN JOHN TREVINO. THANK YOU. [ APPLAUSE ]

GOOD EVENING, MAYOR AND COUNCIL. I'M HERE TONIGHT

REPRESENTING THE BOARD OF DIRECTORS OF THE GREATER AUSTIN HISPANIC CHAMBER AND ALSO REPRESENTING THE HISPANIC BUSINESS LEADERS OF AUSTIN. ON A PERSONAL NOTE I'M ACTUALLY HERE REPRESENTING MYSELF AS WELL. LIKE MANY OF THE FOLKS THAT ARE HERE TODAY I'M A NATIVE AUSTINITE, BORN IN EAST AUSTIN. AND IT WAS PERSONALLY IMPORTANT FOR ME TO COME TONIGHT AND TO ATTEST TO ALL THE 40 YEARS OF HARD WORK AND DEDICATION AND COMMUNITY SERVICE THAT MR. TREVINO HAS PROVIDED TO OUR COMMUNITY. AND TO OUR YOUNG HISPANIC COMMUNITY IN PARTICULAR, FOR ME PERSONALLY HE'S NOT ONLY A FRIEND AND A MENTOR, BUT I REALLY VIEW HIM AS A LIVING LEGEND. AND HE'S JUST PROVIDED SUCH A WONDERFUL PATH FOR YOUNG PEOPLE AND HISPANICS IN EAST AUSTIN. IN ADDITION TO REQUESTING THAT YOU ALL SUPPORT THE NAMING OF THE PARK TONIGHT IN HONOR OF JOHN TREVINO, I'M ALSO RESPECTFULLY REQUESTING THAT THE CITY OFFICIALLY CORRECT THE NUMBER OF MAYORS THAT YOU HAVE LISTED. I BELIEVE THE CITY CLERK'S OFFICE HAS AN OFFICIAL LIST OF ALL MAYORS. I BELIEVE SINCE 1832 YOU ALL HAVE LISTED IN THE MAYOR THAT AUSTIN HAS HAD 49 MAYORS, AND AS WE'VE HEARD TONIGHT, THERE'S BEEN PUBLIC TESTIMONY THAT JOHN TREVINO, ALTHOUGH GUS WAS CERTAINLY THE FIRST HISPANIC ELECTED MAYOR, MAYOR PRO TEM JOHN TREVINO WAS THE FIRST HISPANIC TO SERVE AS MAYOR OF AUSTIN. I BELIEVE THAT OCCURRED FROM JANUARY TO MAY IN THE YEAR OF 1983. SO I'M HERE TO CORRECT THE RECORD THAT AUSTIN HAS HAD 50 MAYORS AND JOHN TREVINO SERVED AS THE FIRST HISPANIC MAYOR OF AUSTIN. [ APPLAUSE ] [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

JOHN HAS BEEN A VERY DEDICATED PUBLIC SERVANT TO THE CITIZENS OF AUSTIN AND TO THE CITY OF AUSTIN, AND I THINK IT'S ONLY BE FITTING THAT WE RECOGNIZE HIM WITH THIS HONOR. THANK YOU SO VERY MUCH. [ APPLAUSE ]

GOOD EVENING, COUNCIL. I AM SUPPORTING THIS ONE. [ LAUGHTER ] AND I MADE IT A POINT --

Mayor Wynn: IT IS A SURPRISE ACTUALLY.



THINGS CHANGE, MAYOR, LIKE THE WEATHER. I MADE IT A POINT TO COME DOWN HERE BECAUSE WHEN I WAS GROWING UP IN EAST AUSTIN, I BOTH REMEMBER OF A LOCATION THERE ON AT THAT TIME FIRST STREET AND NEXT TO WHAT IS NOW THE LIBRARY, AND I WOULD -- USUALLY THAT'S A POOL -- USED TO THAT WAS A POOL HALL FOR AWHILE. AND WHEN I WAS GROWING UP I USED TO HANG AROUND AND OBSERVE THE POLITICS AND I REMEMBER SEEING JOHNNIE AND RICHARD AND GABE AND ALL OF THEM AS THEY WERE WORKING AROUND AND GETTING AND PREPARING THEM THEMSELVES TO SERVE AND REPRESENT IN OUR COMMUNITY. BUT THE UNIQUE EXPERIENCE THAT I WANT TO TALK ABOUT IS ASIDE FROM THE POLITICS, BECAUSE THE POLITICS AS A FAMILY MANY TIMES WE AGREE AND DISAGREE, BUT MOST RECENTLY I LOST MY DAD, AND WHILE GOING THROUGH THAT EXPERIENCE, FOR SOMEONE TO SET POLITICS ASIDE AND COME DOWN AND VISIT YOU DURING THAT TIME OF A PERIOD, TO ME IS A HELL OF A MAN. JUAN, GRASS YAS, AND O.O.GRACIAS AND THAT MEANT A LOT TO OUR FAMILY. [ APPLAUSE ]

JOHN AND I GREW UP IN EAST AUSTIN. I'M FAMILY, I'M COUSINS OF COUSINS OF HIS COUSINS AND SO ON. [ LAUGHTER ] LET ME TELL YOU THAT IN A GREAT PUBLIC SERVANT, WHO NOT ONLY CONSIDERS THE PEOPLE, BUT ALSO CONSIDERS GOVERNMENT AND WHAT'S FAIR AND THE ALLOCATION OF PUBLIC FUNDS AND SO ON. I REMEMBER IN THE LATE '70'S THERE WAS AN ISSUE OF A PAY RAISE FOR THE CITY EMPLOYEES. AND JOHN TREVINO WAS OPPOSED TO A PAY RAISE FOR PUBLIC -- FOR THE CITY EMPLOYEES. SO GONZALO BARRIENTOS, MIKE GUERRERO AND RICHARD MOYA THOUGHT WE WOULD FIX THAT. SO WE INVITED JOHN OVER TO MOYA'S HOUSE AND WE HAD BEERS AND THOUGHT THIS WAS THE MOMENT. SO WE ALL GATHERED AND WOODSHED HIM, AND DO YOU KNOW WHAT, HE WAS CONSIDERING THE BUDGETARY PRIORITIES OF THE CITY, SO HE'S NOT JUST THINKING OF WHAT THE FOLKS WANT OUT HERE, HE CONSIDERED WHAT THE CITY IS AND THE BUDGETARY MATTERS. AND I THINK THAT'S A GREAT TRIBUTE. WE LEARNED AT THAT TIME THAT JOHN TREVINO WAS TRULY A PUBLIC SERVANT WHO WAS CONSIDERING GOVERNMENT AND HOW IT AFFECTS ALL THE PEOPLE OF

THIS CITY. SO I RECOMMEND THAT THAT PARK BE NAMED FOR JOHN. THANK YOU. [ APPLAUSE ]

Mayor Wynn: THANK YOU.

Alvarez: THANK YOU FOR ALLOWING THE FOLKS TO COME FORWARD AND SPEAK, AND I WISH WE COULD BE HERE ALL NIGHT HEARING THESE STORIES. WE COULD POP OPEN A FEW BOTTLES OF CHAMPAGNE AND HAVE BANDS PLAY, BUT THERE WILL BE TIME FOR THAT. WE CAN PLAN THAT OUT WITH A LITTLE MORE TIME. BUT I THOUGHT WE MIGHT MAYBE TAKE ACTION ON THE ITEM AND THEN MAYBE GIVE MAYOR PRO TEM TREVINO A CHANCE TO SAY A FEW WORDS IF HE LIKES.

Mayor Wynn: MOTION BY COUNCILMEMBER ALVAREZ.

Thomas: I'LL SECOND.

Alvarez: MAYOR, I MOVE THAT WE NAME THE DESTINATION PARK REFERRED TO AS MORRISON RANCH AS FOLLOWS: THAT IT BE KNOWN AS JOHN TREVINO, JUNIOR PARK AT MORRISON RANCH SO THAT WE CAN ALSO PAY TRIBUTE TO THE MORRISON FAMILY AS WELL.

Thomas: SECOND.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY THE MAYOR PRO TEM TO APPROVE THIS ITEM NUMBER 48 AS BROUGHT FORWARD, AND BY THE WAY, IT COMES RECOMMENDED AS WELL BY THE PARKS BOARD. FURTHER COMMENT BEFORE WE HEAR FROM --

Thomas: IF YOU DON'T MIND, MAYOR. FIRST OF ALL, WE WANT TO GIVE COUNCILMEMBER ALVAREZ A ROUND OF APPLAUSE FOR DOING WHAT HE'S DONE. HE'S WORKED HARD TO DO THIS AND WE APPRECIATE YOU VERY MUCH. [ APPLAUSE ] SECOND I WANT TO SAY ONE THING TO MY DUD BUDDY JOHNNIE. WE SERVED ON THE CAPITAL METRO BOARD TOGETHER. AND WHAT PEOPLE CAME UP TO SAY TODAY IS VERY TRUE. WE TRAVELED TO MANY STATES ON DIFFERENT CONFERENCES, AND THE FIRST THING HE WANTS TO KNOW IS WHERE IS THE FIRST CATHOLIC CHURCH TO GO TO. HE

LIVES IT, HIS LIFE-STYLE SHOWS IT, HE'S HUMBLE AND HE BELIEVES AND HE'S A SERVANT, AND I HAVE ENJOYED WORKING WITH YOU, JOHNNIE, ON CAPITAL METRO. NOT THAT I'M GOING ANYWHERE, BUT I JUST WANT TO SAY TO YOU, CONTINUE TO HAVE THE HEART OF A SERVANT BECAUSE IT PAYS OFF. THERE'S A BLESSING IN IT AND I SAY TO YOU GOD BLESS AND GOD KEEP YOU. [ APPLAUSE ]

Mayor Wynn: SO A MOTION AND A SECOND ON THE TABLE. FURTHER COMMENTS? I'LL JUST SAY I'M PROUD TO BE THE 50th UP HERE NOW, JOHNNIE. [ LAUGHTER ] GOOD ROUND NUMBER. ALL THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. FOLKS, PLEASE JOIN ME IN WELCOMING JOHN TREVINO. [ APPLAUSE ]

THANK YOU VERY MUCH. MAYOR WYNN, MAYOR PRO TEM, MEMBERS OF THE CITY COUNCIL, MS. CITY MANAGER. I HAVE ALWAYS CONSIDERED A GREAT HONOR GIVEN THE OPPORTUNITY TO SERVE THE CITY WHEN I WAS ELECTED YEARS AGO. I THINK IT'S A VERY UNIQUE, A VERY RARE EXPERIENCE IT IS TO BE ABLE TO SERVE. AND I KNOW I DON'T HAVE TO TELL YOU, YOU LIVE IT. I DIDN'T THINK THAT ANYTHING COULD SURPASS THAT, HAVING THE OPPORTUNITY TO SIT ON THE DAIS LIKE YOU AND TO CONSIDER ALL THE DECISIONS THAT ONE HAS TO MAKE IN ORDER TO RUN A GOOD AND EFFICIENT AND A FAIR CITY. YOU CAN IMAGINE HOW STUNNED I WAS WHEN I HEARD ABOUT THIS ADDITIONAL HONOR. I AM VERY MINDFUL OF THE REPRESENTATION THAT AUSTIN HAS FOR ITS PARKS, AND I ALSO KNOW HOW MUCH THE CITIZENS OF AUSTIN TREASURE THE PARKLAND, SO TO BE GIVEN THIS HONOR IS SOMETHING THAT ONE NEVER DREAMS ABOUT. I THINK AS ONE OF THE SPEAKERS POINTED OUT, THE BEAUTIFUL THING ABOUT THIS, IT'S A FACILITY THAT CAN BE ENJOYED BY THE WHOLE FAMILY, AND IT DOESN'T COST YOU ANYTHING. I THINK ANOTHER THING TOO THAT STRUCK ME IS IT'S LOCATED IN EAST AUSTIN, AND PARTICULARLY IN AN AREA WHERE THE GROWTH IS GOING TO OCCUR. WE SEE WHAT'S HAPPENING WITH HIGHWAY 130. WE DON'T KNOW

WHERE THE TEXAS CORRIDOR IS GOING TO BE, BUT IT'S GOING TO BE CLOSE BY. WE SEE THE EXPANSION OF SAMSUNG. WE THINK THAT'S GOING TO ATTRACT ADDITIONAL INDUSTRY IN THAT AREA. CERTAINLY THE MAYOR AND ALL OF YOU, COUNCIL, HAVE BEEN TALKING ABOUT TRYING TO PREPARE, TO ANTICIPATE THE GROWTH THAT IS GOING TO OCCUR. SO THERE'S A FACILITY THAT'S GOING TO BE AVAILABLE TO THE CITIZENS OF AUSTIN SO THAT THEY CAN ENJOY. AS MY COUSIN BECKY POINTED OUT, CLOSE BY IS A HORNSBY BEND CEMETERY. MY GRANDMOTHER, WHO WAS VERY CLOSE TO ME WHEN I WAS A CHILD, IS THERE. AND WHEN I USED TO GO AND VISIT HER, SHE WOULD ALWAYS BLESS ME. AND SO I KNOW THAT HER BEING PRACTICALLY NEXT DOOR, SHE'S GOING TO BLESS THE PARK TOO. I WANT TO THANK YOU, COUNCILMEMBER ALVAREZ, FOR BEING THE CHAMPION IN THIS EFFORT. IT IS REALLY AN HONOR JUST TO SERVE ON THE COUNCIL, AND REALLY THE CITY HAS GIVEN ME SO MUCH THAT THERE'S NO WAY THAT I CAN REPAY THE CITY, EVEN IF GOD WOULD ALLOW ME TO LIVE ANOTHER 100 YEARS, THERE WOULD BE NO WAY THAT I CAN REPAY WHAT IT'S GIVEN ME. BEING A KID THAT GREW UP IN EAST AUSTIN, I CERTAINLY HAD AN OPPORTUNITY TO REALLY TAKE ADVANTAGE OF ALL OF THE PARK FACILITIES, BEGINNING WITH SARAH SARAH GOES IS ZARAGOZA AND HEART FIELD, THESE ARE PARKS THAT I ACTUALLY USE BECAUSE MY MOTHER HAD TO WORK TO SUPPORT US, AND SO WE HAD TO KEEP OURSELVES OCCUPIED AND OUT OF TROUBLE, SO WE WOULD BE OUT THERE EITHER SWIMMING OR PLAYING BALL OR SOMETHING. AND BEGAN TO MEET A LOT OF THE KIDS THAT ARE OF COURSE GROWN AND GROWN UP AND HAVE FAMILIES. SO I'M -- I'M A USER OF OUR FACILITIES. I CAN NEVER REPAY WHAT Y'ALL HAVE DONE. BUT MAYOR, I JUST WANT YOU TO MAKE SURE THAT GUS KEEPS HIS COWS OUT OF THERE. [ LAUGHTER ] AND I DON'T WANT YOU TO ALLOW MOYA TO COME IN WITH HIS TRACTOR. [ LAUGHTER ]

Mayor Wynn: OR HIS ICE CHESTS. [ LAUGHTER ]

I TELL YOU, I THINK ONE OF THE MOST BEAUTIFUL THINGS ABOUT BEING IN PUBLIC OFFICE IS THAT YOU GET TO MEET PEOPLE, LIKE THESE GENTLEMEN THAT HAVE GOTTEN UP AND ELECTED OFFICIALS. AND NOT ONLY THEM, BUT

EVERYBODY ELSE, BUT PARTICULARLY THE ELECTED OFFICIALS BECAUSE AS YOU WELL KNOW, WE HAVE A CHANCE TO INTERACT WITH EACH OTHER, PERHAPS IN A WAY THAT WE CAN'T WITH ANYONE ELSE. AND SO TO ME MAYOR GARCIA IS TO ME A MENTOR. HE IS A TEACHER. AND TO THIS DAY HE WILL TELL ME, DO YOU KNOW THAT IN 19... AND START QUOTING THE DATE AND LOCATION. HE TELLS ME SOMETHING THAT OCCURS THAT I DIDN'T KNOW ABOUT. AND PARTICULARLY ABOUT MEXICAN HISTORY AND HISTORY ALONG THE BORDER. SO I HAVE ALWAYS LOOKED UP AT GUS AS A GREAT MENTOR, NOT ONLY TO ME, BUT TO ALL OF US. MOYA, I DON'T THINK ANYONE HAS AS MUCH DRIVE AND DEDICATION IN POLITICS AS MOYA DOES. EVEN TO THIS DATE HE'S UP AND ABOUT AT 5:00 IN THE MORNING. HE GOES TO JOE'S BAKERY BEFORE THE COOK DOES. [ LAUGHTER ] AND HE'S THERE TO TALK ABOUT EVERYTHING THAT'S HAPPENED, CITY COUNCIL, COUNTY COMMISSIONER, STATE GOVERNMENT. AND SO I -- I'M TRULY GRATEFUL FOR THE OPPORTUNITY TO HAVE BEEN -- TO SERVE NOT NECESSARILY IN THIS CITY HALL OR CHAMBER, BUT TO HAVE SERVED THE CITIZENS OF AUSTIN. AND AGAIN, THANK YOU ALL VERY MUCH. THANK YOU. [ APPLAUSE ]

I FORGOT TO MENTION, GROWING UP IN SOUTH AUSTIN, ONE OF THE KIDS I USED TO PLAY WITH IS COUNCILMEMBER LEFFINGWELL. HE AND I -- [ LAUGHTER ] [ APPLAUSE ] [ APPLAUSE ]

Mayor Wynn: THANK YOU ALL SO MUCH FOR THE TEAJS ATTENTION AND THE PATIENCE WHILE WE APPROPRIATELY HONORED JOHN. OKAY. SO AGAIN, SO WE'VE OBVIOUSLY RAN WAY BEHIND SCHEDULE ALL DAY LONG. TO BE EFFICIENT WITH EVERYBODY'S TIME AND RECOGNIZING SORT OF THE LENGTH ISSUES HERE, WE CAN TAKE UP OUR ZONING CASES, THE VAST MAJORITY WILL BE ON CONSENT OR POSTPONED TO SEND PEOPLE HOME IN A SHORT PERIOD OF TIME. THE SAME THING WITH OUR VERY BRIEF LOCAL CORPORATION BOARD MEETING AND WE WILL LUMP TOGETHER WHAT IS A SERIES OF TRANSPORTATION ITEMS RELATED TO MANAGEMENT, TOWING, TAXIS AND OTHERS. SO WITH THAT LET'S TAKE UP OUR ZONING AND ORDINANCES AND RIKTDS.

OUR FIRST ZONING ITEM IS ITEM ITEM NUMBER 41, CASE C-14-05-0200, THE ROCKING Y FOR A PROPERTY BEING REZONED AT 7629, 7715 AND 7739 WEST HIGHWAY 71. THIS IS A REZONING REQUEST FROM RURAL RESIDENTIAL DISTRICT TO NEIGHBORHOOD COMMERCIAL MIXED USE CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR LR-MU-CO ZONING FOR TRACT ONE. AND LIMITED OFFICE MIXED USE, CONDITIONAL OVERLAY COMBINING DISTRICT ZONING FOR TRACT TWO, ALSO KNOWN AS LO-MU-CO. AND I'M PRESENTING THIS FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM NUMBER 42 IS CASE C 814-05-0213, LOOP 1 AT U.S. HIGHWAY 290 WEST PUD. THIS IS FOR THE PROPERTIES LOCATED AT 5009 U.S. HIGHWAY 290 WEST TRACT ONE. AND 4959 DAVIS LANE AND 5,000 WEST SLAUGHTER LANE, AND THIS PARTICULAR CASE THE APPLICANT IS REQUESTED POSTPONEMENT OF ONE WEEK TO YOUR MAY 4TH MEETING. ITEM NUMBER 43, AND THAT'S OFFERED FOR CONSENT. ITEM NUMBER 43 IS CASE C-14-05-0201, 2100 PARKER LANE. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE OR SF-3 DISTRICT ZONING TO TOWNHOUSE AND CONDOMINIUM RESIDENTS CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR SF-6-CO ZONING WITH CONDITIONS. AND THIS IS READY FOR THIRD READING ON CONSENT. AND THAT CONCLUDES THE NON-PUBLIC HEARING ITEMS BEING OFFERED FOR CONSENT OR POSTPONEMENT.

Mayor Wynn: THANK YOU, MR. GUERNSEY. APPROVE FOR SECOND AND THIRD READINGS ITEM 41. TO POSTPONE ITEM 42 TO MAY FOURTH, 2006, AND TO APPROVE ON THIRD AND FINAL READING ITEM NUMBER 43. I'LL ENTERTAIN A MOTION.

Thomas: MOVE FOR APPROVAL.

Mayor Wynn: MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER DUNKERLEY 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.

THANK YOU, MAYOR. LET ME THEN CONTINUE ON TO OUR PUBLIC HEARING ITEMS SCHEDULED AT 4:00 O'CLOCK. OUR FIRST ITEM IS ITEM NUMBER 44, PH, WHICH IS CASE C-14--85-055, RCA AT LELA'S CROSSING, 1300 WEST DITTMAR ROAD. THIS IS A REQUEST TO APPROVE A COVENANT AMENDMENT. THE ZONING AND PLATTING COMMISSION RECOMMENDED APPROVAL OF THIS RESTRICTIVE COVENANT AMENDMENT AND IT'S READY FOR CONSENT APPROVAL. ITEM NR 45 PH IS CASE C-14-05-0091, A RELATED CASE AT 1300 WEST DITTMAR ROAD. THIS IS A REZONING REQUEST FROM GENERAL OFFICE OR GO DISTRICT ZONING TO MULTI-FAMILY RESIDENCE LIMITED DENSITY, WHICH STANDS FOR MF-1 DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED TO GRANT TOWNHOUSE CONDOMINIUM RESIDENCE CONDITIONAL OVERLAY ZONING WITH CONDITIONS. I'D LIKE TO NOTE THAT THE PETITION ON THIS PARTICULAR CASE IS NOW DROPPED BELOW 20% AND STAFF IS BRINGING THIS FORWARD FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 46, THIS IS CASE C-14-06-0006, A REPLAT OF WEST 16TH PLACE. THIS IS AT 908 WEST 16TH STREET FROM LIMITED OFFICE DISTRICT ZONING OR LO ZONING TO FAMILY RESIDENCE OR SF-3 DISTRICT SEEING. THE PLANNING COMMISSION RECOMMENDATION IS TO GRANT THE FAMILY RESIDENCE OR SF-3 DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 74 PH, WHICH IS CASE C-14-05-0197. SH, BANSTER OAKS, IS A DISCUSSION POSTPONEMENT ITEM. WE HAVE A POSTPONEMENT REQUEST ON THAT PARTICULAR ITEM.

Mayor Wynn: A POSTPONEMENT REQUEST ON ITEM 47?

IT'S A DISCUSSION POSTPONEMENT. THE APPLICANT DOES NOT AGREE AND WE HAVE ONE REQUEST FOR A POSTPONEMENT ON THAT PARTICULAR ITEM.

Mayor Wynn: SO COUNCIL, LET'S BRIEFLY TAKE THIS UP. THE POSTPONEMENT REQUEST IS THEN BY NEIGHBOR?

IT'S FROM MR. BOB THOMPSON, WHO HAS PRESENTED STAFF WITH A VALID PETITION ON THIS PROPERTY, AND THE

REQUEST IS ON HIS BEHALF AS WELL AS SOME OTHER ADJACENT PROPERTY OWNERS. I'LL JUST NOTE THAT IT'S NOT NOT THE REGISTERED HOMEOWNERS ASSOCIATION, BUT NEIGHBORS NEARBY. HE HAS ASKED FOR A POSTPONEMENT TO MAY 18th. THE SOUTH -- THE FOUNDATION COMMUNITIES HAS WRITTEN A LETTER TO COUNCIL THAT OPPOSES A POSTPONEMENT THIS TIME TO THAT DATE, AND IT'S MY UNDERSTANDING, COUNCIL, OR MAYOR, THAT THERE ARE SEVERAL INDIVIDUALS THAT HAVE SIGNED UP TO SPEAK TO THIS ITEM, AND I THINK BOTH PARTIES ARE HERE TO SPEAK EITHER TO THE POSTPONEMENT REQUEST OR TO THE OBJECTION TO THE POSTPONEMENT REQUEST.

Mayor Wynn: CORRECT. AND MR. GUERNSEY, THIS IS A FIRST -- YOU WOULD CHARACTERIZE THIS -- THE PROPERTY OWNER OR PROPERTY OWNERS AS ESSENTIALLY HAVING STANDING INsofar AS OUR TRADITION OF GRANTING THE POSTPONEMENT REQUEST?

IT IS THE FIRST REQUEST OF AN ADJACENT PROPERTY OWNER. AS I SAID BEFORE, TO MY LITTLE IT'S NOT THE REGISTERED NEIGHBORHOOD ASSOCIATION, BUT HE IS AN ADJACENT PROPERTY OWNER IN THE AREA AND HAS PRESENTED A VALID PETITION IN OPPOSITION WITH THIS.

Mayor Wynn: WITH OTHERS. AND COUNCIL, IF WE COULD PERHAPS HEAR FROM THE OWNER OR AGENT. I SEE WALTER MOREAU IS HERE. COUNCILMEMBER DUNKERLEY?

Dunkerley: IT'S NOT A FORMAL REQUEST, BUT WASN'T THERE SORT OF AN INFORMAL POSTPONEMENT FOR A FEW DAYS OR A WEEK AS ASKED FOR BY THE NEIGHBORHOOD?

YES. IT'S MY UNDERSTANDING THAT STAFF WAS CONTACTED ACTUALLY ABOUT POSSIBLY HAVING THIS ITEM ON THE PREVIOUS WEEK, ON APRIL 20TH. IT'S MY UNDERSTANDING STAFF OR THE CASE MANAGER OR HOWEVER WE WERE CONTACTED BY THE NEIGHBORHOOD, ASKING TO BE PLACE ODD THIS EVENING INSTEAD OF LAST WEEK BECAUSE IT WAS MORE CONVENIENT TO THE NEIGHBORHOOD. AFTER DISCUSSING THAT WITH THE APPLICANT, THAT WAS AGREED TO TO HAVING THE MEETING THIS EVENING AS FAR AS THE



REGISTERED NEIGHBORHOOD GROUP THAT'S OUT THERE. AND THE APPLICANT. SO ALTHOUGH IT WASN'T POSTPONED FROM LAST WEEK TO THIS WEEK, IT'S MY UNDERSTANDING THAT THERE WAS AGREEMENT FROM THE NEIGHBORHOOD AND THE PROPERTY OWNER THAT IT WOULD NOT BE SCHEDULED LAST WEEK AND IT WOULD BE ON THIS EVENING.

Mayor Wynn: THANK YOU. MR. MOREAU, WOULD YOU LIKE TO SORT OF SPEAK IN OPPOSITION TO THE POSTPONEMENT REQUEST?

ABOUT THE POSTPONEMENT, WE'RE VERY ANXIOUS TO MOVE FORWARD. WE HAVE A NUMBER OF FINANCING AND GRANT APPLICATIONS WITH PENDING DEADLINES. WE'RE READY TO GO LAST WEEK, BUT APRIL 20TH WAS THE SAME DATE AS THE STANDING MEETING FOR THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION, WHICH HAS SUPPORTED THE PROJECT, SO WE WERE FINE WITH NOT SCHEDULING FOR LAST WEEK AND WAITING UNTIL THIS WEEK WITH THE FULL UNDERSTANDING AND EXPECTATION SOME ACTION COULD HAPPEN TONIGHT. WAITING A WEEK IS NOT THE END OF THE WORLD, ALTHOUGH I DON'T KNOW THAT EVERYONE ON COUNCIL WILL BE HERE NEXT WEEK. THERE'S NO MEETING ON THE 11th AND THE REQUEST FOR POSTPONEMENT IS UNTIL MAY 18th, WHICH REALLY IS DETRIMENTAL. ONE OF OUR MAJOR FUNDERS IS CONSIDERING A GRANT MAY 16TH AND THEIR PRIMARY CRITERIA IS THE PROJECT READY TO PROCEED. SO I'D ASK YOU PLEASE TO CONSIDER TAKING ACTION TONIGHT. WE'VE SPENT FIVE MONTHS WORKING WITH THE NEIGHBORHOOD, HAD THREE MEETINGS WITH GALINDO AND SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. I THINK WE'VE BEEN AS PROACTIVE AS WE CAN BE TO DO ALL THE THINGS YOU WANT US TO DO TO WORK WITH NEIGHBORS AND THE NEIGHBORHOOD ASSOCIATION. UNFORTUNATELY, NOT EVERYONE IS IN FAVOR OF THE PROJECT.

Mayor Wynn: CORRECT. QUESTIONS OF MR. MOREAU, COUNCIL? SO ALTHOUGH IT WASN'T IN OUR FORMAL STRUCTURED FORMAT OR PROCESS, THE POTENTIAL DECISION ON THIS CASE HAS BEEN DELAYED ONCE, BUT

NOT THROUGH COUNCIL ACTION.

Alvarez: I DON'T KNOW IF IT'S READY FOR THREE READINGS OR NOT, BUT EVEN IF WE JUST MOVE FORWARD ON FIRST READING POSSIBLY, THEN IT COMES BACK IN A WEEK AND IT'S IN EFFECT ALMOST LIKE A -- IT'S IN EFFECT ALMOST LIKE A POSTPONEMENT, BUT WE'RE NOT TAKING FINAL ACTION. DOES THAT HELP YOU AT ALL?

MY UNDERSTANDING THIS MORNING IS THERE'S A 20% VALID PETITION IN EFFECT. I DON'T KNOW IF EVERYONE WILL BE HERE NEXT WEEK. WE DO HAVE A LOT OF SUPPORTERS HERE. AND SO WE'RE PREPARED TO PRESENT TONIGHT AT YOUR PLEASURE.

Mayor Wynn: MR. GUERNSEY, IS STAFF READY -- IS STAFF READY FOR ALL THREE READINGS TONIGHT REGARDLESS?

YES, MAYOR. COUNCILMEMBER DUNKERLEY.

Dunkerley: I WAS JUST SHAKING MY HEAD YES.

Alvarez: HOW MANY FOLKS ARE SIGNED UP, MAYOR?

Mayor Wynn: TECHNICALLY 32 FOLKS HAVE SIGNED UP IN FAVOR. HOPEFULLY NOT ALL OF THEM WISHING TO SPEAK. FOUR FOLKS HAVE SIGNED UP IN OPPOSITION. SO A VERY LARGE SHOWING OF FOLKS IN SUPPORT. I DON'T KNOW WHETHER SOME OF THOSE MAY BE NEIGHBORS OR NOT, BUT A LOT OF SUPPORT OBVIOUSLY. COUNCILMEMBER MCCRACKEN.

McCracken: ONE OPTION WE COULD DO IS GO AHEAD AND HOLD THE PUBLIC HEARING, A LIMITED TIME PER SIDE SINCE WE HAVE A VERY FULL AGENDA ON OTHER ITEMS THIS EVENING AND MAKE A JUDGMENT AT THAT TIME IF THEY'RE PREPARED TO GO FORWARD, BUT I RECOGNIZE ALSO THAT WE DO HAVE SOME COMMON SENSE RESPONSIBILITIES FOR THIS UNIQUE SITUATION GIVEN IT'S A NONPROFIT WITH FUNDING DEADLINES THAT COULD FAIL IF THEY DON'T ACT BY A CERTAIN DEADLINE. SO WE COULD GO FORWARD WITH THE PUBLIC HEARING SINCE IT HAS BEEN DELAYED ONCE. I'M UNCOMFORTABLE WITH THE PRECEDENT, BUT THIS IS A

UNIQUE SITUATION.

Mayor Wynn: I WILL SAY I TOO WOULD BE COMFORTABLE HOLDING THE PUBLIC HEARING WHILE WE HAVE FOLKS HERE. I DON'T KNOW THAT I'LL BE COMFORTABLE PERHAPS TAKING ACTION ON ALL THREE READINGS, BUT THIS WAY CERTAINLY ALLOWS FOR IF THIS DOES GO ANOTHER WEEK, IT WOULD BE MUCH MORE EXPEDITED EITHER WAY, SHOULD IT BE DENIED OR FURTHER APPROVED. OVER THE NEXT MEETING OR TWO.

Leffingwell: MAYOR, I AGREE WITH THAT SINCE EVERYBODY IS HERE TO GO AHEAD WITH THE PUBLIC HEARING. BUT ANOTHER ALTERNATIVE I MIGHT SUGGEST IF WE'RE NOT GOING TO TAKE ACTION TONIGHT THAT WE COULD HOLD THE PUBLIC HEARING AND THEN POSTPONE ACTION AND TAKE ALL THREE READINGS NEXT WEEK. IT WOULD BE THE SAME END RESULT. SO I'D MAKE THAT SUGGESTION.

Mayor Wynn: SO THEN COUNCIL, WITHOUT FURTHER OBJECTION, WE WILL HAVE THIS AS A DISCUSSION ITEM SOMETIME THIS EVENING. SO WITH THAT OUR CONSENT AGENDA ON THESE PUBLIC HEARINGS -- ZONING CASES WOULD BE TO CLOSE THE PUBLIC HEARINGS AND TO APPROVE ITEM NUMBER 44, THAT IS, THE RESTRICTIVE COVENANT AMENDMENT. TO APPROVE -- CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS CASE 45, THE ZONING AND PLATTING COMMISSION WITH THEIR CONDITIONS, AND TO APPROVE ON ALL THREE READINGS CASE 46. ALL ENTERTAIN A MOTION. -- I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY COUNCILMEMBER DUNKERLEY 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. THANK YOU ALL VERY MUCH. COUNCIL, WITHOUT OBJECTION AND STILL TRYING TO SORT OF MANAGE THE AGENDA HERE TO GET THE RIGHT NUMBER OF FOLKS HOME IN AN EXPEDITED WAY AND RECOGNIZING WE'RE GOING TO TRY TO GROUP FOUR RELATED

TRANSPORTATION ITEMS HERE IN A FEW MINUTES, WITHOUT OBJECTION I WOULD LIKE TO TECHNICALLY RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL AND CALL TO ORDER THIS MEETING OF THE MUELLER LOCAL GOVERNMENT CORPORATION, LGC, FOR OUR POSTED BOARD MEETING AND WELCOME MS. SUE EDWARDS.

THANK YOU, BOARD MEMBERS. I'M SUE EDWARDS. THERE ARE THREE ITEMS ON THE BOARD AGENDA FOR YOUR CONSIDERATION TONIGHT. THE FIRST IS A RESOLUTION TO APPROVE THE AMENDED BYLAWS OF THE MUELLER LOCAL GOVERNMENT CORPORATION. IN DECEMBER 2004 COUNCIL CREATED THE MUELLER LGC TO ACT ON BEHALF OF THE CITY IN THE REDEVELOPMENT OF THE FORMER ROBERT MUELLER AIRPORT, AND SPECIFICALLY TO ISSUE BONDS TO FINANCE REIMBURSABLE COSTS FOR THE PROJECT. AT THE SAME TIME THE COUNCIL ADOPTED BYLAWS FOR THE CORPORATION. AS THIS IS THE FIRST MEETING OF THE BOARD, THE BYLAWS AS AMENDED BY CITY COUNCIL ACTION THIS MORNING ARE SUBMITTED FOR YOUR APPROVAL.

Mayor Wynn: THANK YOU, MS. EDWARDS. SO JUST REMIND ME, SO WITH THIS NEW CORPORATION, TECHNICALLY I AM THE CHAIR?

UNFORTUNATELY, YOU HAVE TO APPROVE THE BYLAWS CHANGE BEFORE WE DO THE ELECTION IN ORDER TO DO THE ELECTION BECAUSE THE BYLAWS CHANGES SOME OF THE OFFICERS.

Mayor Wynn: SORRY. I HAVEN'T CREATED A GOVERNMENT LATELY. SO I'LL ENTERTAIN A MOTION FROM ONE OF US AS BOARD MEMBERS, THAT IS, APPROVING ALL THE BYLAWS, ITEM ITEM NO. 2. MOTION MADE BY BOARD MEMBER LEFFINGWELL, SECONDED BY BOARD MEMBER THOMAS TO APPROVE THESE BYLAWS, ITEM NO. 2. 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. THE SECOND ITEM IS TO APPROVE ELECTION OF THE OFFICERS OF THE CORPORATION. THE OFFICERS INCLUDE THE CHAIR AND THE VICE-CHAIR OF THE BOARD OF DIRECTORS AND THE PRESIDENT, VICE-PRESIDENT, SECRETARY AND TREASURER OF THE CORPORATION. ON BOARDS AND SIMILAR CITY CORPORATIONS, THE MAYOR HAS ACTED AS A CHAIR AND THE MAYOR PRO TEM AS THE VICE-CHAIR, AND I BELIEVE YOU HAVE IN FRONT OF YOU RECOMMENDED MEMBERS OF THE OTHER MEMBERS OF THE BOARD.

Mayor Wynn: QUESTIONS OF STAFF, BOARD? I'M SORRY, MS. EDWARDS, I WAS DISTRACTED BRIEFLY. SO THE -- SO PART OF THIS IS THE RECOMMENDATION FOR CHAIR, VICE-CHAIR AND THEN SORT OF THE OPERATING OFFICERS.

AND FOR THE OPERATING OFFICERS, YES, SIR.

Mayor Wynn: AND DID YOU MAKE A RECOMMENDATION?

IT'S BEFORE YOU, I BELIEVE, AND YOU WOULD WANT TO MAKE THAT RECOMMENDATION.

Mayor Wynn: OKAY. WELL, THEN, BOARD, MY RECOMMENDATION IS TO FOLLOW SOMEWHAT OF A HYBRID BETWEEN WHAT WE DO AS THE AUSTIN HOUSING FINANCE CORPORATION WHERE THE MAYOR SERVES AS PRESIDENT, THE MAYOR PRO TEM SERVES AS VICE-PRESIDENT AND THEN THE REST OF THE COUNCIL ARE BOARD MEMBERS THE WAY THIS LOCAL GOVERNMENT CORPORATION AND THE BYLAWS ARE STRUCTURED, MY RECOMMENDATION WOULD BE THAT THE MAYOR SERVES AS BOARD CHAIR. THE MAYOR PRO TEM SERVES AS BOARD VICE-CHAIR, BUT THEN THE OPERATING OFFICERS WOULD NOT, UNLIKE OUR CITY GOVERNMENT, THE OPERATING OFFICERS WOULD BE THE CITY MANAGER SERVING AS PRESIDENT, TOBY TOBY FUTRELL, IN THIS CASE LESLIE BROADER SERVING AS VICE-PRESIDENTS. SUE EDWARDS SERVING AS SECRETARY AND ART ALFERO SERVING AS VICE-CHAIR. THOSE ARE THE ACTUAL OFFICERS OF THE CORPORATION. I WOULD ENTERTAIN THAT MOTION OR

DISCUSSION. MOTION MADE BY BOARD MEMBER ALVAREZ, SECONDED BY BOARD MEMBER LEFFINGWELL TO APPROVE THAT RECOMMENDED APPOINTMENT OF CHAIR, VICE-CHAIR AND CORPORATION OFFICERS. 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. THE FINAL ITEM IS TO AUTHORIZE NEGOTIATION AND EXECUTION OF A 20-YEAR ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH THE CITY OF AUSTIN TO ENABLE THE LOCAL GOVERNMENT CORPORATION TO PAY ANNUAL DEBT SERVICE AND ONGOING ADMINISTRATIVE EXPENSES ON THE PROPOSED BOND TO BE ISSUED BY THE CORPORATION TO FINANCE CERTAIN REIMBURSIBLE PROJECT COSTS IN AN AMOUNT NOT TO EXCEED 1.2 MILLION PER YEAR FOR A TOTAL GRANT AMOUNT NOT TO EXCEED 23 MILLION WITH RESPECT TO THE DEVELOPMENT OF MUELLER. THIS ACTION MIRRORS THE ACTION TAKEN EARLIER TODAY BY COUNCIL TO APPROVE THE ECONOMIC DEVELOPMENT AGREEMENT.

Mayor Wynn: THANK YOU, MS. EDWARDS. QUESTIONS OF STAFF, BOARD? THIS FUNDAMENTALLY IS THE MEAT OF WHAT IT IS WE'RE DOING TODAY AND THIS VERY MUCH NOT ONLY MIRRORS THE ACTION WE TOOK EARLIER, BUT THIS FOLLOWS REALLY OUR FIVE YEARS' WORTH OF WORK WHEN IT COMES TO BOTH APPROVING THE MASTER PLAN, APPROVING THE MASTER DEVELOPER, IN THIS CASE CATELLUS AND THEIR SUCCESSORS, AND FUNDAMENTALLY HOW WE INTERNALLY HAD AGREED TO FINANCE THE ONGOING WORKINGS OF THIS VERY EXCITING DEVELOPMENT. SO QUESTIONS OF STAFF? I'LL ENTERTAIN A MOTION ON LGC ITEM NUMBER 4. MOTION BY BOARD MEMBER DUNKERLEY, SECONDED BY BOARD MEMBER MCCracken TO APPROVE NUMBER 4 AS OUTLINED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THERE BEING NO MORE BUSINESS BEFORE THIS MUELLER LOCAL GOVERNMENT CORPORATION

BOARD, WE STAND ADJOURNED. WE'LL NOW CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE WILL GO BACK TO OUR ZONING AGENDA AND WELCOME BACK MR. GREG GUERNSEY.

THANK YOU, MAYOR AND COUNCIL, GREG GUERNSEY, NEIGHBORHOOD PLANNING AND ZONING. ITEM 47 IS CASE C-14-05-0197. SH, BANSTER OAKS FOR THE PROPERTY LOCATED AT 1212 WEST BEN WHITE BOULEVARD. IT'S A REZONING REQUEST FROM COMMUNITY COMMERCIAL DISTRICT ZONING OR GR ZONING, GENERAL OFFICE DISTRICT ZONING OR GO ZONING AND LIMITED OFFICE OR LO DISTRICT ZONING TO COMMUNITY COMMERCIAL MIXED USE CONDITIONAL OVERLAY COMBINING DISTRICT ZONING, ALSO KNOWN AS GR-MU-CO ZONING. THE PLANNING COMMISSION ACTION WAS TO GRANT COMMUNITY COMMERCIAL MIXED USE COMBINING DISTRICT ZONING AND THIS IS AN ITEM THAT WAS BROUGHT BEFORE THEM AND RECOMMENDED UNANIMOUSLY BY THEM. THE OWNER AND APPLICANT IS THE BANSTER OAKS HOTEL AND THE AGENT IS FOUNDATION COMMUNITIES. THE PROPERTY IS APPROXIMATELY TWO AND A HALF ACRES, AND IT'S PROPOSED FOR REDEVELOPMENT OF 100 SUPPORTED HOUSING FACILITY UNITS ON THIS PROPERTY. THE PROPERTY IS LOCATED ALONG BEN WHITE BOULEVARD AT THE INTERSECTION OF BANSTER. THE PROPERTIES THAT ARE LOCATED TO THE NORTH ARE OFFICES AND APARTMENTS. TO THE EAST IS SOME UNDEVELOPED TRACTS AND OFFICE AND A RAILROAD. TO THE -- I GUESS YOU SAID THE WEST WOULD BE SINGLE-FAMILY AND SOME ADDITIONAL COMMERCIAL DEVELOPMENTS FURTHER TO THE WEST. AND TO THE SOUTH ARE SOME OFFICES. AND THEN YOU ALSO HAVE BEN WHITE BOULEVARD. THE PROPERTY IS AN EXISTING HOTEL THAT IS CURRENTLY BEING USED. THE PROPOSAL FOR THE FOUNDATION COMMUNITY'S USE OF THE PROPERTY HAS BEEN CERTIFIED BY THE CITY'S -- UNDER THE CITY'S SMART HOUSING PROGRAM. I THINK I'LL PAUSE AT THAT POINT AND GO TO THE DIFFERENT SPEAKERS. I THINK YOU HAVE 12 SPEAKERS TO SPEAK IN FAVOR OF THIS AND AT LEAST TWO OR THREE THAT ARE OPPOSED. WE DO HAVE A VALID PETITION THAT YOU SHOULD HAVE ON YELLOW PAPER BEFORE YOU. ALSO A COPY OF THE ORDINANCE, BUT THE

PETITION HAS BEEN FILED, STANDS AT 20.31% AND IS REPRESENTED MAINLY BY THE PROPERTY OWNERS THAT FRONT ON BANSTER THAT ARE ZONED SF-3. THAT AND THAT WOULD BE TO THE NORTHWEST OF THE SUBJECT PROPERTY.

Mayor Wynn: STAFF HAS HAD A CHANCE TO VALIDATE THIS PETITION?

THAT'S CORRECT.

Mayor Wynn: QUESTIONS OF STAFF, COUNCIL? IF NOT, WE WILL START THE PUBLIC HEARING. I KNOW COUNCILMEMBER MCCracken HAD A SUGGESTION ABOUT POTENTIALLY TRYING TO ALLOCATE AND/OR LIMIT TIME. I'LL JUST SAY THAT THE WAY WITH 36 FOLKS SIGNING UP, NOT ALL WISHING TO SPEAK, IT'S RUNNING 32 IN FAVOR, FOUR AGAINST, AND MATHEMATICALLY THOSE FOLKS WHO WANT TO SPEAK, IF EVERYBODY WERE TO SPEAK AND TAKE ALL THEIR TIME, IT WOULD BE ABOUT 50 MINUTES OF FOLKS IN FAVOR, 12 MINUTES FOR FOLKS IN OPPOSITION. SO SEEMINGLY IT'S SO SKEWED THAT I DON'T KNOW IF WE WANT TO TRY TO CHANGE THAT MUCH OTHER THAN I THINK IF THE FOLKS -- THE LARGE NUMBER OF FOLKS WHO ARE HERE IN FAVOR, PARTICULARLY AFTER WE PROBABLY HEAR FROM THE APPLICANT OR EXTENDED PRESENTATION FROM MR. MOREAU, THERE MIGHT NOT BE THE NEED TO TAKE UP ALL OF THAT TIME TO TAKE FOLKS IN FAVOR, PARTICULARLY SINCE WE ARE HEARING THE CASE AND NOT AUTOMATICALLY POSTPONING. SO WITHOUT OBJECTION, WE'LL GO STRAIGHT INTO THE PUBLIC HEARING. WE TYPICALLY HAVE A FIVE MINUTE PRESENTATION FROM THE APPLICANT AND THEN HEAR FROM FOLKS IN FAVOR OF THE ZONING CASE. OUR PRACTICE IS A NUMBER OF FOLKS HAVE DONATED TIME. TWO PEOPLE ALSO WISHING TO SPEAK IN FAVOR, INCLUDING MR. MOREAU. SO A NUMBER OF THE FOLKS THAT ARE HERE WHO SIGNED UP IN FAVOR WOULD LIKE MR. MOREAU TO TAKE THEIR TIME, AND SO IF I CAN JUST CONFIRM, IS JENNIFER DAUGHERTY HERE? HELLO. HOW ABOUT SANDRA LUMLY? IS SANDRA HERE? HOW ABOUT STACY YATES? HELLO. AND JEAN CROWNY? HELLO. SO WALTER, YOU WOULD HAVE UP TO 12 MINUTES IF YOU NEED



IT. THEN WE'LL HEAR FROM FOLKS IN FAVOR.

THANK YOU FOR -- -- OWE.

Mayor Wynn: THEN WE WILL HEAR FROM THE FOLKS IN OPPOSITION AND THEN YOU WILL HAVE A THREE-MINUTE REBUTTAL.

WALTER MOREAU, THE DIRECTOR OF COMMUNITIES. WE ARE VERY EXCITED ABOUT THIS NEW COMMUNITY OF SUPPORTED HOUSING. I'LL BE AS BRIEF AS I CAN AND I THINK WE JUST HAVE TWO OR THREE PEOPLE THAT ARE GOING TO SPEAK AS WELL. I HOPE YOU WILL SUPPORT THIS ZONING. IT'S MIXED USE ON FRONTAGE ROAD TO BEN WHITE. SO THE NEIGHBORHOOD HAS A NEIGHBORHOOD PLAN AND THEIR SUBCOMMITTEE THAT LOOKED AT LAND USE. THEIR COMMITTEE HAS ALREADY LOOKED AT THAT AS AN APPROPRIATE USE ALONG THE FRONTAGE ROAD OF BEN WHITE. THE EXCITING REASON TO SUPPORT THIS IS THAT SUPPORTIVE HOUSING LIKE GARDEN TERRACE AND SPRING TERRACE, WHICH OPENS THIS SUMMER, IS A REAL SOLUTION TO HELPING VERY LOW INCOME INDIVIDUALS, MANY OF WHOM WHO HAVE BEEN HOMELESS TO GET A PLACE TO LIVE THAT'S STABLE AND PROVIDES SERVICES ON SITE TO HELP PEOPLE SUCCEED AND MOVE FORWARD. IT'S PART OF THE CONSOLIDATED PLAN TO CREATE SEVERAL HUNDRED UNITS OF SUPPORTED HOUSING AND THIS WILL BE OUR THIRD PROJECT AND WE'LL BE MEETING THAT VERY SIGNIFICANT GOAL FOR THE COMMUNITY. FOUNDATION COMMUNITY HAS A VERY PROUD AND LONG TRACK RECORD THE LAST 17 YEARS IN AUSTIN. WE OWN EIGHT AFFORDABLE HOUSING COMMUNITIES AND LEARNING CENTERS. THE TRACK RECORD AT GARDEN TERRACE THE LAST TWO AND A HALF YEARS, IT'S BEEN A VERY WELL MAINTAINED BUILDING, 70% OF OUR RESIDENTS HAVE BEEN THERE FOR MORE THAN A YEAR. TWO-THIRDS OF THE RESIDENTS ARE WORKING. AND WE ACTUALLY HAVE A HANDFUL OF RESIDENTS WHO ARE HERE TONIGHT, AND RESIDENTS AND FRIENDS THAT CAME BECAUSE THEY REALLY WANTED TO SUPPORT THIS PROJECT. WE ALSO HAVE THE SUPPORT OF THE NEIGHBORHOOD ASSOCIATION. WE MET SEVERAL TIMES WITH THE NEIGHBORHOOD ASSOCIATIONS WHERE THE PROJECT IS LOCATED. THEY VOTED TO SUPPORT THE

PROJECT. SOME PEOPLE FROM SOUTH LAMAR ARE HERE AND OTHERS HAVE WRITTEN IN SUPPORT AND FROM GALINDO AND WE HAVE PROVIDED OVER 30 30 LETTERS OF SUPPORT FROM RESIDENTS AT GARDEN TERRACE, FROM NEIGHBORS OF THE RAMADA, WHAT NOW IS THE OAK INN,, FROM NEIGHBORS AT GARDEN TERRACE THAT LIVE ADJACENT TO THE PROPERTIES, FROM OTHER SOCIAL SERVICE AGENCIES. WE THINK THIS IS A GREAT LOCATION AND A NEIGHBORHOOD THAT HAS A LOT OF AMENITIES. WE INCLUDED A MAP THAT SHOWS THE AMENITIES AND THE BUS STOPS IN PROXIMITY TO THIS PROPERTY. THERE'S NOT A HIGH AREA OF HOUSING IN THIS AREA. THERE IS NO TAX CREDIT PROPERTIES. WE'RE NOT GOING INTO AN AREA THAT HAS ALREADY GOT A CONCENTRATION OF ASSISTED HOUSING. THERE HAVE BEEN SOME CONCERNS ABOUT CRIME IN THE AREA, AND THERE IS ONE APARTMENT COMPLEX FOUR OR FIVE BLOCKS AWAY DOWN BANSTER THAT HAS HAD SOME REAL MANAGEMENT ISSUES AND IT'S BEEN SORT OF A HOT SPOT. IT IS SURROUNDED BY FIVE OTHER COMPLEXES THAT ARE ALL VERY WELL MAINTAINED AND WELL MANAGED. A COUPLE OF THEM VERY EXPENSIVE, REALLY NICE PLACES TO LIVE. WE THINK IT'S A GREAT LOCATION FOR THE TYPE OF PROGRAM THAT WE HAVE, AND IF ANYTHING, IT WILL BE A REAL POSITIVE ASSET FOR THE NEIGHBORHOOD. RATHER THAN BEING A NO FRANCHISE HOTEL WHICH MAY CHANGE HANDS IN THE NEAR FUTURE, WE ACTUALLY WILL ONLY HAVE 100 RESIDENTS. WE KNOW WHO IS COMING IN AND OUT OF THE BUILDING. IT AN INTERIOR CORRIDOR BUILDING WITH SOMEBODY AT THE FRONT DESK PRETTY MUCH ALL OF THE TIME. AS PEOPLE WILL TESTIFY, GARDEN TERRACE IN THE LAST TWO AND A HALF YEARS WE'VE NOT HAD ISSUES OF CRIME, LOITERING, TIMES FEARFUL THINGS THAT PEOPLE HAVE THAT THIS TYPE OF HOUSING MIGHT BE. WE WANT TO BE A POSITIVE ASSET IN THE SOUTH LAMAR NEIGHBORHOOD, HELP ADDRESS SOME OF THE CRIME ISSUES THAT DO EXIST. OFFER SERVICES TO THE NEIGHBORHOOD. AND THAT'S THE TRACK RECORD WE HAVE ACROSS AUSTIN AT ALL THE OTHER EIGHT LOCATIONS WHERE WE'RE AT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

WE'RE CONCERNED WITH OUR NEIGHBORHOOD OF COURSE,

PERHAPS OUR LAWYERS INVESTMENT AND WE SEE NO NEGATIVES IN THIS PROGRAM. I HAVE BEEN WITH SAINT IGNACIAS CHURCH FOR MANY YEARS WHERE WE WELCOME THE HOMELESS ON FREEZING NIGHTS AND IT'S MY -- MY UNDERSTANDING THAT GIVING THEM SOME OF THEM A STEP UP, SO MANY OF THEM ARE GREAT GUYS, IT'S PRETTY HARD TO GENERALIZE, WITH ANY PLACE, BUT MOST -- A LOT OF THESE ARE GREAT GUY, SOMETHING HAS COME ALONG THAT CUT THEIR LEGS OUT FROM UNDER THEM. THIS WILL GIVE THEM A CHANCE TO GET STARTED AGAIN, TO EVEN MAKE IT ON A -- ON A -- ON A MINIMUM DOLLAR JOB, AND OUR GROUP, THE GALINDO NEIGHBORHOOD ASSOCIATION VOTED ALMOST UNANIMOUSLY IN FAVOR OF IT AND I WOULD LIKE TO AGREE WITH THAT, THANK YOU.

Mayor Wynn: THANK YOU, MR. WONDERLICK. [ APPLAUSE ]  
KAREN BROWN AND/OR LEE BOLINGER AND/OR KARIN GIBBS,  
WELCOME.

MAYOR WYNN, DISTINGUISHED CITY COUNCIL, MY NAME IS LEE BOLINGER AND I'M A RESIDENT AT GARDEN TERRACE, A YEAR AGO I WAS LIVING AT THE ARCH, DIDN'T KNOW WHERE MY NEXT DOLLAR WAS COMING FROM. THEY LET ME COME OUT TO THE GARDEN TERRACE AND LIVE. IN THE PAST YEAR, I PUT MY LIFE BACK TOGETHER AND AS OF MAY 31ST I HAVE TO MOVE OUT OF GARDEN TERRACE, IT'S NOT THAT I WANT TO, IT'S BECAUSE I MAKE SO MUCH MONEY NOW I DON'T QUALIFY TO LIVE THERE. AND IT'S NOT THAT I'M GLAD TO BE LEAVING. BUT I AM GLAD TO BE LEAVING BECAUSE NOW IT OPENS UP ANOTHER SPOT FOR SOMEBODY ELSE TO HAVE THAT APARTMENT. THIS CITY NEEDS GARDEN TERRACE. IT NEEDS FOUNDATION COMMUNITIES. I WOULD DEEPLY APPRECIATE Y'ALL CONSIDERING THIS TONIGHT AND VOTING IT IN TONIGHT. THANK YOU.

Mayor Wynn: THANK YOU, MR. BOLINGER. [ APPLAUSE ] SEE,  
KAREN BROWN, PERHAPS? OR...

FIRST OF ALL, THANK YOU VERY MUCH FOR ALLOWING ME TO SPEAK. AS I STAND HERE WITH FELLOW RESIDENTS OF GARDEN TERRACE, I AM HERE TO TELL YOU THIS HOUSING PROGRAM WORKS. I'VE BEEN AFFILIATED WITH HOUSTON, I'VE LIVED THERE UNDER THEIR PROGRAMS. I'VE LIVED IN

SAN ANTONIO WITHIN THE HOUSING PROGRAMS THERE. NOTHING WORKS AS WELL AS THIS PROGRAM. AND I KNOW WE'RE ON VERY LITTLE TIME, AND THAT'S BASICALLY ALL I HAVE TO SAY. AND WE NEED MORE OF THEM. THANK YOU. [ APPLAUSE ]

Mayor Wynn: THANK YOU.

CAROL GIBBS, WELCOME, LET'S SEE, BE FOLLOWED BY LYNN HUBERTIS. SORRY IF I MISPRONOUNCED THAT.

I'M CAROL GIBBS, I'M THE CURRENT PRESIDENT OF THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION.

Mayor Wynn: SORRY, CAROL, JOSEPH BEER HAS ALSO OFFERED TO DONATE TIME TO YOU, IF YOU NEED IT, CAROL, YOU COULD HAVE SIX MINUTES.

I HOPE I DON'T, BUT THANK YOU. AS I SAID, I'M THE PRESIDENT OF THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION, AND WHILE I HAVE THE FORTUNATE OF NOT BEING ABLE TO ADDRESS THIS PROJECT FROM THE PERSPECTIVE OF THE TWO PREVIOUS SPEAKERS, I SYMPATHIZE CERTAINLY WITH WHERE THEY'RE AT. I WANT TO TALK MORE ON THE -- KIND OF THE DRYER ELEMENTS OF THIS CASE. IT WAS FIRST BROUGHT TO US IN NOVEMBER WHEN FOUNDATION COMMUNITIES APPLIED OR SUBMITTED THEIR -- THEIR ZONING APPLICATION, ONE MONTH AFTER WE STARTED THE NEIGHBORHOOD PLANNING PROCESS, SO THAT WAS KIND OF A LITTLE BIT OF AN UPHEAVAL FOR US BECAUSE WE HAD THOUGHT, AS A MATTER OF FACT I HAD JUST ANNOUNCED ON OUR E-MAIL GROUP, OH, GOOD, WE'RE STARTING NEIGHBORHOOD PLANNING, WE DON'T HAVE TO DEAL WITH ANY ZONING CASES FOR SIX MONTHS. THIS PROJECT CAME ALONG AND SO FOR ABOUT A MONTH, THERE'S A LOT OF DISCUSSION AMONG THE ZONING COMMITTEE WHICH IS WHERE WE FIRST KIND OF VET THINGS THAT COME UP FOR US, AND THAT OBVIOUSLY BECAME APPARENT REAL FAST THERE WERE DIFFERING OPINIONS, EVEN AMONG THE ZONING COMMITTEE, IN DECEMBER WE THEN STARTED TO KIND OF FLUSH IT OUT ON THE E-MAIL GROUP THAT OF COURSE IS NOT -- DOESN'T COVER THE WHOLE NEIGHBORHOOD, BUT ANYBODY THAT

LIVES OR OWNS THERE CAN BE A MEMBER OF IT. AND THERE WAS CERTAINLY MORE DISCUSSION, SO AS YOU WILL HEAR LATER, THERE ARE SOME STRONG SENTIMENTS IN OPPOSITION TO THIS, AND I CERTAINLY RESPECT THOSE, AND ESPECIALLY RESPECT THE FACT THAT IT'S INDIVIDUALS WHO LIVE IN MUCH CLOSER PROXIMITY TO THIS PROJECT THAN I DO AND THAN THE MAJORITY OF THE OTHER VOTING MEMBERS OF THE NEIGHBORHOOD ASSOCIATION DO. THAT BEING SAID, WE FOLLOWED OUR PROCESS, IN TERMS OF HOW WE COME TO VOTE A NEIGHBORHOOD ASSOCIATION POSITION ON A CASE, AND DID HAVE FOUNDATION COMMUNITIES COME OUT, THEY WANTED TO COME TO OUR DECEMBER MEETING BUT THAT IS ALWAYS JUST A PARTY, AND, YOU KNOW, WE JUST -- WE JUST WANTED OUR PARTY, SO THEY WERE WILLING TO WAIT UNTIL FEBRUARY, OUR NEXT MEETING AND THEY DID PRESENT THERE, WE LEFT, WE HAD OUR DISCUSSION AND WE HAD OUR VOTE, AND WHILE IT WAS ONLY A VOTE OF 13 ACTIVE MEMBERS, CURRENT VOTING ELIGIBLE MEMBERS, THAT IS HOW OUR NEIGHBORHOOD ASSOCIATION WORKS, IT'S A SMALL NUMBER BUT THAT'S WHAT WE HAVE TO WORK WITH. IT WAS A VOTE OF TEN TO 3 TO SUPPORT THE FORWARD-LOOKING NEIGHBORHOOD ASSOCIATION SUPPORT OF THE PROJECT. ALSO I WANT TO TOUCH ON BACK TO THE NEIGHBORHOOD PLANNING STUFF. THERE WAS SOME ENERGY EXPENDED TRYING TO FIGURE OUT WHERE OUR RIGHTS AND RESPONSIBILITIES ARE IN TERMS OF AREN'T WE SUPPOSED TO HAVE SIX MONTHS BEFORE WE HAVE TO DEAL WITH SOMETHING LIKE THIS? AND I KNOW THAT THERE'S SOMETHING COMING UP NOW, I DON'T KNOW IF IT'S IN FRONT OF Y'ALL OR A PLANNING COMMISSION, LOOKING AT WHAT IS THIS KIND OF MORE TOMORROW -- NOT MORATORIUM BUT WHAT ABOUT THIS POSTPONEMENT STUFF FOR CASES. NO MORATORIUM, I'M SORRY, THE M WORD, AND WE DO APPRECIATE THAT BEING LOOKED AT BECAUSE THAT WAS VERY CONFUSING FOR US, YOU KNOW, WHAT DOES A NEIGHBORHOOD THAT IS IN NEIGHBORHOOD PLANNING, WHAT CAN WE EXPECT OF THE CITY MACHINE IN TERMS OF WHETHER WE CAN HAVE THAT -- THAT SPACE TO LOOK AT NEIGHBORHOOD PLANNING. AS FOR OUR NEIGHBORHOOD PLANNING PROCESS, WE ARE SEVERAL MONTHS INTO IT, JUST OUR LAST MEETING, APRIL 10th, WAS -- WAS THE

MEETING WHICH WALTER OBVIOUSLY HE HADN'T BEEN THROUGH THE JOYS OF NEIGHBORHOOD PLANNING HIMSELF, SO HE REFERRED TO IT AS SUB COMMITTEE, IT WAS JUST THE STAKE HOLDERS WHO HAVE BEEN PARTICIPATING IN NEIGHBORHOOD PLANNING WHO WERE PRESENT AT THE APRIL 10TH MEETING WHICH WAS THE SESSION AT WHICH THIS PARCEL WAS BROUGHT UP BY STAFF ON THE LITTLE -- CUTE LITTLE MAP, THE FLUM, FUTURE LAND USE MAP, WHERE WE DISCUSSED WHERE DO WE WANT THIS PIECE OF LAND TO LOOK LIKE, AND WHAT WE CAME UP WITH IS OFFICE AND MIXED USE WERE THE KINDS OF USES WE COULD SEE IN THE FUTURE BEING APPROPRIATE THAT POINT IN OUR NEIGHBORHOOD GIVEN THE ARTERIALS AND THE EDGE AND THE SURROUNDING USES. SO JUST TO KIND OF GIVE YOU THE NEIGHBORHOOD PLANNING STAKE HOLDER PERSPECTIVE ON WALTER'S REFERENCE TO THAT, IT'S NOT REALLY A SUB COMMITTEE, BUT IT WAS JUST THE STAKE HOLDERS WHO WERE PRESENT FOR THAT MEETING. IT IS STILL VERY MUCH THE DRAFT STAGE. IT WAS OUR FIRST -- STARTED TO SAY FLUSH -- FIRST BLUSH. AT THAT, AND MY UNDERSTANDING IS WE WILL HAVE PROBABLY TWO MORE ROUNDS OF LOOKING AT THE FLUM AS A WHOLE WHERE WE WILL VET OUT PARTICULAR ISSUES, SO IT'S CERTAINLY NOT OUR FINAL FLUM, BUT OUR DRAFT FLUM HAS COME UP WITH THAT AS A -- AS A DESIRED USE. IN CLOSING, I PROBABLY AM ALREADY CLOSE TO MY SIX MINUTES. I DO WANT TO SAY IN MY DISCUSSIONS WITH THE FOUNDATION COMMUNITY FOLKS AND THEIR AWARENESS OF CONCERNS ABOUT CRIME IN THE NEIGHBORHOOD AND THEIR PRESENCE BEING FEARED TO CONTRIBUTE TO THAT, OR MAKE IT WORSE, THEY HAVE BEEN VERY EAGER, WILLING, READY, AND ABLE WITH THEIR REAL ESTATE EXPERTISE ON STAFF TO HELP US LOOK AT THE EXISTING PROBLEMS IN THE NEIGHBORHOOD WITH SOME QUADRA PLEXES THAT ARE JUST UP THE ROAD FROM THIS FACILITY, AND THAT HAVE A REPUTATION FOR HIGH CRIME AND POOR MAINTENANCE BY LANDLORDS, EVEN AUSTIN TEN NENTS COUNCIL IS WELL AWARE OF THIS AREA, AND I BELIEVE THEM, THAT THEY ARE GOING TO BE WILLING TO HELP US WORK AND I DO ALSO BELIEVE THAT THE GENTLEMAN THAT IS UP TO SPEAK NEXT SPOKE AT OUR NEIGHBORHOOD ASSOCIATION MEETING AND -- AND IT'S

OBVIOUS FROM -- FROM THEM, FROM HIS SPEAKING AND FROM TALKING TO OTHER RESIDENTS AT GARDEN TERRACE THAT THERE IS A PRIDE IN THIS NEW HOME, I'LL WRAP UP -- THERE IS A PRIDE THAT I THINK SOMETIMES EVEN IS GREATER THAN SOME OF THOSE WHO HAVE BEEN IN THIS NEIGHBORHOOD FOR 20 YEARS AND MAYBE HAVE GOTTEN A LITTLE BIT COMPLACENT WITH IT AND JUST KIND OF GO WITH THE FLOW AND MAYBE DON'T NOTICE THINGS AROUND US AS READY AS SOMEONE WHO HAS FINALLY GOT A ROOF OVER THEIR HEADS, AND SOME STABLE GROUND, AND I HAVE CONFIDENCE THAT THEY'RE GOING TO HELP US DEAL WITH THIS PROBLEM THAT I WILL ADMIT I WAS NOT AWARE OF THE EXTENT OF IT MYSELF. BUT I THINK WE CAN CONQUER IT TOGETHER. THANK YOU.

Mayor Wynn: THANK YOU, CAROL. [ APPLAUSE ]  
CONGRATULATIONS, YOU USED ALL OF YOUR SIX MINUTES.

LYNN HUBERTON, AS I MISPRONOUNCING IT.

MY MY NAME IS GENE CRANTON.

Mayor Wynn: OKAY, HANG ON JUST A MINUTE. LET'S SEE. DID YOU SIGN IN TO SPEAK, SIR? ALL RIGHT, WELL, THEN STEP RIGHT UP.

THANK YOU, MAYOR MAYOR WYNN, MEMBERS OF CITY COUNCIL, I WANT TO THANK YOU TONIGHT FOR GIVING ME THE OPPORTUNITY TO SPEAK ON BEHALF OF GARDEN TERRACE COMMUNITY. IT HITS ME PRETTY HARD AS FAR AS BRINGING MY LIFE BACK TOGETHER AGAIN, YOU KNOW, FAMILY MEMBERS HAVE NO PLACE TO TURN TO, THEN YOU RESTRUCTURE YOUR LIFE. YOU GET A SECOND CHANCE IN LIFE. NOW I'VE -- I'M BUILDING MY CAREER BACK. I LOST MY ELECTRICAL LICENSE IN 2000, EVERYTHING FELL APART ON ME. NOW THEY GOT ME RESTRUCTURED, ME AND LEE IS MY NEIGHBOR. WE WALK OUT OF THE DOOR EVERY MORNING, AND WE HAVE A JOB, YOU KNOW, I'M AN ELECTRICIAN, DOWN AT THE CHILDREN'S HOSPITAL TODAY, YOU KNOW, BUILDING ANOTHER COMMUNITY THAT I LOOK AT EVERY DAY. YOU KNOW, AND IT GIVES ME GREAT PLEASURE TO KNOW THAT FOUNDATION COMMUNITY AND GARDEN TERRACE HAS GAVE ME THAT CHANCE IN LIFE AGAIN. YOU KNOW, I DON'T WANT

TO LOSE IT AGAIN. YOU KNOW, I KNOW HOW TO RESTRUCTURE MY LIFE, AND IT'S -- IT'S -- IT'S A PLEASURE AS FAR AS BEING HERE TONIGHT TO SPEAK ON SOMEBODY THAT HAS REALLY GIVEN ME A SECOND CHANCE. I WANT TO THANK YOU TONIGHT. THANK YOU.

THANK YOU, SIR. >> [ APPLAUSE ]

Mayor Wynn: LYNN HUBERTUS, SHERRILL DAVIS, AND RORY O'MALLEY. WELCOME.

I CAN ONLY SHARE MY OWN EXPERIENCE. I LIVE RIGHT BEHIND GARDEN TERRACE, AND SO FOR THE PAST THREE YEARS, TWO OR THREE YEARS THAT THEY HAVE BEEN THERE, I HAVE THAT EXPERIENCE TO DRAW ON. I HAVE TO ADMIT THAT WHEN I HEARD THAT, YOU KNOW, HEARD OF THE NEW POPULATION AND THE CHANGE IN THINGS FROM A NURSING HOME TO THE WAY SIT NOW, I WAS A LITTLE BIT APPREHENSIVE, I DIDN'T KNOW WHAT TO EXPECT. THEY WERE VERY OPEN. THEY INVITED ALL PEOPLE THAT LIVED IN THE NEIGHBORHOOD TO COME GO THROUGH AND SEE THE ESTABLISHMENT AND TO TALK WITH THEM AND ASK QUESTIONS AND SO FORTH, AND THEN ONCE THEY OPENED, EVER SINCE THEN, IT'S BEEN GREAT. I HAVEN'T -- I PERSONALLY HAVEN'T NOTICED OR EXPERIENCED ANY PROBLEMS FROM ANYTHING THAT I'VE SEEN OR HEARD OR ANYTHING. IT'S VERY QUIET, IT'S VERY WELL-MAINTAINED. I HAVE FOUND NO PROBLEMS OVER THERE. I'M VERY COMFORTABLE WITH IT. AND I REALLY, REALLY HOPE THAT THIS NEW FACILITY WILL BE OPENED. I THINK IT SERVE SERVES A VERY, VERY GREAT NEED AND REALLY HELPS PEOPLE TO GET STARTED AGAIN. I REALLY APPLAUD THAT. THANK YOU. [ APPLAUSE ]

Mayor Wynn: THANK YOU. [ APPLAUSE ] SHERRILL DAVIS FOLLOW BID RORY O'MALLEY, WELCOME.

MAYOR, COUNCIL MEMBER, I'M JARRELL DAVIS, I'M A SOCIAL WORKER HELPING PEOPLE MOVE FROM HOMELESS TO STABILITY. I SUPPORT THIS PROJECT, AND I URGE YOU TO ACT POSITIVELY ON THIS MEASURE TONIGHT, THANK YOU.

Mayor Wynn: THANK YOU, SIR. [ APPLAUSE ] RORY O'MALLEY.



>>[INAUDIBLE]

Mayor Wynn: FAIR ENOUGH, THANK YOU SO MUCH, COUNCIL, THAT CONCLUDES THE FOLKS WHO SIGNED UP WISHING TO SPEAK IN FAVOR. FOR THE RECORD I'LL READ THESE FOLLOWING NAMES FOLKS WHO HAVE SIGNED UP ALSO IN FAVOR BUT NOT WISHING TO SPEAK. THAT WOULD BE ANITA WEAVER, ANDREW BUCK NELL, BILL BRYCE, VERONICA TATE, GREG HUNTMAN, SARAH BROWN, MICHAEL GATO, MATT STAR, JOHN RICK KERT, STEVE SOERNER, DARRELL SMITH, ANN GILL, LEE SCOTT, ALLEN HASKELL, AND JAMES INGRAM, THOSE ARE FOLKS HERE IN SUPPORT OF THE ZONING CASE. NOW GO TO THOSE SPEAKERS IN OPPOSITION AND WE HAVE ONE SPEAKER BUT SEVERAL FOLKS WISHING TO DONATE TIME TO MR. BOB THOMPSON. WELCOME, BOB. LET'S SEE, IS LINDA THOMPSON HERE? HELLO, LINDA. HOW ABOUT BARBARA AND/OR BELINDA BOSS STICK? BOTH, OKAY, BOB, YOU'LL HAVE UP TO 12 MINUTES IF YOU'LL NEED IT.

MAYOR, CITY COUNCILMEN, MY NAME IS BOB THOMPSON, BEFORE I GET INTO THE MERITS OF IT, I WOULD LIKE TO REGISTER AN OBJECTION NOT BEING GRANTED THE CUSTOMARY POSTPONEMENT. THE NEIGHBORHOOD ASSOCIATION A 7 VOTE MAJORITY IN FAVOR OF THE APPLICANT IS THE ONE THAT REQUESTED THE PREVIOUS POSTPONEMENT, WE WERE NOT CONSULTED ABOUT THAT. SO OUR SIDE, THE OPPONENTS, HAVE NEVER PREVIOUSLY REQUESTED A POSTPONEMENT BEFORE TONIGHT, I WAS ASSURE BID SEVERAL 0 YOUR OF YOUR AIDES THAT SUCH A POSTPONEMENT WAS ROUTINE, AFTER RECEIVING THAT ASSURANCE, I TOLD SEVERAL OF THE OPPONENTS THAT THAT WAS THE LIKELY OUTCOME. IT WITH WAS TOLD TO ME TO BE ALMOST AUTOMATIC, AND SO THEY'RE NOT HERE. SOME INDIVIDUALS ARE OUT OF TOWN. ONE THAT SPOKE AT THE PLANNING COMMISSION HAD TO ARRANGE A TRIP FROM CHICAGO AND SHE'S NOT HERE, AND SO THAT'S WHY THERE'S A SPARSE TURNOUT. AND GIVES THE APPEARANCE THAT IT'S NOT A FAIR PROCEEDING WHEN WE'RE NOT ALLOWED THE CUSTOMARY POSTPONEMENT THAT YOU -- THIS MAY BE THE FIRST TIME EVER THAT OPPONENTS, ONE SIDE OF THE ISSUE IS NOT ALLOW ADD POSTPONEMENT. WE'VE NEVER USED OUR POSTPONEMENT, TO CARRY ON.

Mayor Wynn: FOR THE RECORD, WE CERTAINLY WILL DULY NOTE YOUR OBJECTION AND APOLOGIZE IF THERE'S ANY MISCOMMUNICATION, THE COUNCIL WILL TAKE THAT INTO CONSIDERATION AS WE DELIBERATE THE CASE, BUT WELCOME, AND PLEASE PROCEED.

I DO REPRESENT MANY CLOSELY-AFFECTED PROPERTY OWNERS IN THE SOUTHERN PART OF THE SOUTH LAMAR NEIGHBORHOOD AREA WHO ARE STRONGLY OPPOSED TO THIS REZONING REQUEST. THE NEIGHBORHOOD ASSOCIATION VOTE, AS CAROL GIBBS RIGHTLY SAID, THE 7 VOTE MAJORITY WAS ALMOST EXCLUSIVELY PEOPLE THAT LIVE FAR TO THE NORTH OF OUR NEIGHBORHOOD ASSOCIATION THAT ARE NOT GOING TO BE AFFECTED BY THIS ZONING ONE WAY OR THE OTHER. SEVERAL DOZEN PROPERTY OWNERS THAT DO LIVE IN CLOSE PROXIMITY HAVE SIGNED A PETITION OF OPPOSITION WHICH HAS BEEN FILE AND VALIDATED T PRIMARY REASON FOR OUR OPPOSITION IS THE INAPPROPRIATE SITE SELECTION IN CLOSE PROXIMITY TO A CRIME HOT SPOT, AND AS WELL THE EMPLOYMENT OF A VERTICAL HIGHRISE, HIGH DENSITY SINGLE ROOM OCCUPANCY PLAN WHICH IS UNTESTED HERE IN AUSTIN. WE ARE NOT OPPOSED TO FOUNDATION COMMUNITIES AND WE'RE NOT OPPOSED TO HELPING THE HOMELESS, THE ISSUE IS WHETHER THEY SHOULD BUILD THEIR NEXT FACILITY SITE OR AT A MORE APPROPRIATE SITE. THE PROPOSAL IS FOR A SINGLE ROOM OCCUPANCY FACILITY TO OFFER PERMANENT HOUSING TO 100 SINGLE ADULTS WHO WILL ALSO BE ALLOWED OVERNIGHT GUESTS AND PROVIDED SOME SUPPORTIVE SERVICES. THIS PROPOSAL DOES CONTAIN SOME RISKS TO THE HOST NEIGHBORHOOD WHICH IS OUR NEIGHBORHOOD TCLEOSEEST PRECEDENT IS THE GARDEN TERRACE FACILITY AT WILLIAM CANNON WHICH HAS ITS 85 RESIDENTS IN A HORIZONTAL NURSING HOME LAYOUT, THERE ARE BIG DIFFERENCES BETWEEN THE WILLIAM CANNON FACILITY, WHICH DID NOT HAVE A HIGH CRIME REPUTATION BEFORE THE FACILITY CAME IN THERE, COMPARED TO OUR NEIGHBORHOOD WHICH DOES HAVE A HIGH CRIME EXISTENCE. AND THE HORIZONTAL LAYOUT VERSUS THE VERTICAL DORMITORY/PENITENTIARY TYPE LAYOUT. THE STATISTICS FOR THE GARDEN TERRACE FACILITY IS THAT

78% OF THE RESIDENTS HAVE PREVIOUSLY BEEN HOMELESS FOR AT LEAST A MONTH, 34% FOR MORE THAN A YEAR. 72% ARE MALE. 82% ARE UNDER AGE 55. 80 TO 90% WILL BE WITHOUT CARS, WALKING THE NEIGHBORHOOD, AND THERE'S A 25% ANNUAL TURNOVER DESPITE THE VERY LOW RENTS THAT THEY ENJOY. SINCE SO MANY OF THE RESIDENTS HAVE PREVIOUSLY BEEN HOMELESS, I OBTAINED STATISTICS ON HOMELESSNESS FROM THE NATIONAL RESOURCE AND TRAINING CENTER ON HOMELESSNESS AND MENTAL ILLNESS, AND FOUND THE FOLLOWING, THAT ONLY 20% ARE PERSONS WHO BECOME HOMELESS, REMAIN SO FOR MORE THAN 2 OR 3 WEEK, THE OTHER 80% ESCAPE FROM HOMELESSNESS VERY SHORTLY. BUT THE 20% THAT REMAIN HOMELESS IS MORE THE CHARACTERISTIC OF THE PEOPLE AT GARDEN TERRACE. AMONG THE CHRONIC HOMELESS, DISABILITIES ASSOCIATED WITH MIDDLE -- MENTAL ILLNESS AND SUBSTANCE ABUSE ARE COMMON. 60% -- EXCUSE ME, 66% OF THE HOMELESS ARE SINGLE ADULTS OF WHICH THREE QUARTERS ARE MEN, 38% REPORT ALCOHOL ABUSE PROBLEMS. 26% REPORT DRUG ABUSE PROBLEM, 39% REPORT SOME MENTAL HEALTH PROBLEMS. OF WHICH 20 TO 25% MEET CRITERIA FOR SERIOUS MENTAL ILLNESS. 66% REPORT EITHER SUBSTANCE ABUSE AND/OR MENTAL HEALTH PROBLEMS. 54% WERE INCARCERATED AT SOME POINT IN YOUR LIVES. THE CONCLUSION FROM ALL OF THIS IS THAT THESE RESIDENTS ARE TRYING TO ESCAPE PAST PROBLEMS AND TURN THEIR LIVES AROUND; HOWEVER, THEY ARE VULNERABLE AND PERHAPS FRAGILE AND THE HOST NEIGHBORHOOD COULD ALSO BE VULNERABLE IF THEY SHOULD REVERT TO PRIOR BEHAVIOR PROBLEMS. WHAT THEY NEED AND DESERVE IS TO BE HOUSED IN A SAFE NEIGHBORHOOD WITHOUT A HIGH CRIME ENVIRONMENT AND A NEIGHBORHOOD NOT ALREADY UNDER STRESS. THE PROBLEM WITH THE RAMADA SITE IS INDEED THE NEARBY CRIME. IN THE PACTS THAT I HANDED OUT, THE TOP PAGE OF THE ONE LABELED CRIME PACKAGE SHOWED THE ENTIRE SOUTH LAMAR NEIGHBORHOOD AREA AND THE LITTLE BOX IN THE SOUTHEAST CORNER SHOWS THE AREA ON THE ZONING MAP ON THE NEXT PAGE. WE OBTAINED THE TOTAL SOUTH LAMAR AREA COMPRISES ABOUT 500 ACRES, THE LITTLE BOX COMPRISES ABOUT 100 ACRES, WE OBTAIN 2005

CRIME STATISTICS FROM THE POLICE DEPARTMENT. AND IN 2005 THERE WERE 1061 CRIMES IN THE ENTIRE NEIGHBORHOOD OF WHICH 74% OCCURRED IN THE LITTLE BOX SURROUNDING RAMADA INN IN THE SOUTHEAST CORNER, ABOUT 788. I UNDERSTOOD THAT THE 78704 ZIP CODE THAT WE'RE THIS IS THE HIGHEST CRIME ZIP CODE AFTER 78701 IN THE DOWNTOWN AREA. THE CRIME HOT SPOT IS IN THE BANISTER SOUTH RIDGE DRIVE, SOUTH PORT DRIVE AREA, SOUTH PORT IS THE LOOP THAT HAS THE SHODDY FOUR PLEXES THAT WE REFERRED TO, BUT THE CRIME IS MORE WIDELY DISTRIBUTED THAN THAT. AND OVER A TEN OR 20-ACRE AREA AROUND THAT HOT SPOT, THE CRIME DENSITY REACHES AS HIGH AS 20 TO 30 CRIMES PER ACRE PER YEAR AS OBSERVED IN 2005. IF YOU THINK ABOUT YOUR OWN HOMES WHERE YOU LIVE, PICTURE A ONE ACRE TRACT AND IMAGINE WHAT IT WOULD BE LIKE IF THEY WERE 20 OR 30 CRIMES WITHIN THAT TRACT IN A ONE YEAR PERIOD, IT'S A TREMENDOUS PROBLEM. THE TYPES OF CRIME COVER THE GAMUT IF YOU'LL ALSO LOOK FURTHER DEEP INTO THE CRIME PACKET THAT I HANDED OUT, I'VE INCLUDED ABOUT 25% OF THE CRIMES THAT WERE LISTED BY THE POLICE DEPARTMENT, THEY INCLUDE ASSAULTS, RAPES, BURGLARY, LITTER, GRAFFITI, DRUGS, GANGS, PROSTITUTION, JUST EVERYTHING UNDER THE SUN, CAR BREAK INS, IT'S A VERY SEEDY, RAW STREET ATMOSPHERE. PROFESSIONALS IN REHABILITATION KNOW THAT IT IS NOT A GOOD IDEA TO LOCATE FACILITIES UNTH DER UNDERTAKING REHABILITATION SUCH AS THIS IN A HIGH CRIME AREA, NOR IS IT A GOOD IDEA TO CLUMP LOW INCOME SUBSIDIZED HOUSING FACILITIES NEAR TO ONE ANOTHER AND OUR NEIGHBORHOOD ALREADY HOST AS VERY LARGE AMOUNT OF LOW INCOME SUBSIDIZED HOUSING, SECTION 8 HOUSING, AND HOUSING THAT OFFERS VERY CHEAP RENTS. WE BELIEVE THAT WE'RE ALREADY HOSTING MORE THAN OUR SHARE OF SUCH LOW INCOME HOUSING AND LOW INCOME INDIVIDUALS. THERE'S A LARGE AMOUNT OF ILLEGAL ALIENS IN THE AREA AS WELL. IT IS NOT GOOD ENOUGH TO JUST HAVE A BUNKER MENTALITY WHICH THE FOUNDATION COMMUNITIES PEOPLE SEEM TO HAVE WHERE THEY WILL HAVE A ONE ACCESS CLOSELY CONTROLLED DOOR AND CAMERAS WITHIN THEIR OWN FACILITY SO THEY CAN ENSURE THERE'S NO CRIME INSIDE

THERE, AND SUPPOSE THAT THAT'S GOOD ENOUGH. WHAT THE NEARLY AFFECTED NEIGHBORS ARE CONCERNED ABOUT IS CRIME IN THE STREETS, AND WHAT WILL HAPPEN WHEN THEIR RESIDENTS WHO WILL MAINLY BE WANDERING AROUND THE STREETS INTERACT WITH THE EXISTING CRIMINAL ELEMENTS, DRUGS AND SO FORTH IN THE NEIGHBORHOOD. SOME OTHER COMPLAINTS THAT WE HAVE ARE STAFFING INADEQUACIES, GARDEN TERRACE WE WERE TOLD HAS ONLY 5 AND ONE HALF STAFF POSITIONS OF ONLY ONE AND A HALF POSITIONS PROVIDE ALL OF THE SUPPORTING SERVICES. WE'RE STRONGLY IN FAVOR OF SUPPORTIVE SERVICES, BUT FOR A POPULATION THAT LARGE, IT SEEMS GROSSLY INADEQUATE AND WE'VE BEEN TOLD THAT BY SOCIAL WORKERS IN THE AREA. THERE ARE ALSO SOME SCREENING INADEQUACIES, THEY DO SCREEN THEIR APPLICANTS FOR CRIMINAL -- PREVIOUS CRIMINAL ACTIVITY, BUT ARCHDIOCESES, WHICH HAVE OCCURRED, ARE NOT DISQUALIFYING IN THEIR SCREENING. CONVICTIONS ARE REQUIRED, IN THE TIME PERIODS ARE MEASURED FROM THE TIME OF THE CRIME, NOT FROM THE TIME OF RELEASE OR COMPLETION OF PROBATION, SO FOR EXAMPLE, THERE'S A TEN YEAR TIME PERIOD FOR DRUG TRAFFICKING, IF YOU DRUG TRAFFIC, THAT HAS TO BE MORE THAN TEN YEARS AGO BEFORE YOU CAN BE ACCEPTED INTO RESIDENCY, MAYBE YOU GOT SENT TO JAIL AND MAYBE YOU GOT OUT OF JAIL AND NOW YOU'RE ACCEPTED INTO RESIDENCY, THERE AS A FIVE YEAR TIME PERIOD, ASSAULT, TALKING, PHYSICAL VIOLENCE, BUT THAT SEEMS A LITTLE SHORT TO US. ONLY ONE YEAR FOR CONTROLLED SUBSTANCE USE. ANOTHER OBJECTION IS THE HIGHRISE HIGH DENSITY NATURE OF THE BUILDING. THIS IS UNTESTED IN AUSTIN. THE ONLY FACILITY PRESENTLY THAT IS SINGLE ROOM OCCUPANCY IS THE GARDEN TERRACE WHICH IS THE LOW RISE IN A LOW CRIME NEIGHBORHOOD, THERE'S ANOTHER FACILITY THAT IS PLANNED IN THE ST. JOHN'S AREA, PRESENTLY IT'S HOUSING KATRINA EVACUEES. IT'S A SHAME THAT THEY'RE NOT WILLING TO DELAY THIS BANISTER FACILITY UNTIL THEY'VE HAD SOME EXPERIENCE UNDER THEIR BELTS WITH THE ST. JOHN'S FACILITY. BUT THEY'RE NOT WILLING TO DO THAT, THEY WANT TO PLUNGE AHEAD. BILLIE EDGEMOND IS A RESPECTED NEIGHBORHOOD ACTIVIST IN THE WILLIAM CANNON VICINITY WHERE THE

GARDEN TERRACE FACILITY IS. SHE'S A STRONG SUPPORTER OF THAT FACILITY, AS WE ARE. BUT SHE APPEARED AT THE PLANNING COMMISSION AND REGISTERED STRONG RESERVATIONS ABOUT THE WISDOM OF PUTTING A A SIMILAR FACILITY IN THE RAM RAMADA HIGHRISE BUILDING AS WELL AS IN A HIGH CRIME NEIGHBORHOOD. SHE ALSO THOUGHT THEY WOULD BE WELL ADVISED TO WAIT UNTIL THEY HAD SOME RESULTS FROM THE ST. JOHN'S FACILITY BEFORE PLUNGING AHEAD AT THE RAMADA. SOME QUESTIONS WERE RAISED AT THE PLANNING COMMISSION ABOUT AMENITIES ABOUT WHERE THE GROCERY STORES ARE. THE -- THERE ARE ONLY TWO REAL FULL FLEDGED GROCERY STORES WHICH ARE EACH THREE-QUARTERS OF A MILE AWAY AND YOU HAVE TO TREK DOWN BEN WHITE BOULEVARD, ACCESS ROAD PAST ALL THE CRIME HANDLERS AND SEEDY ENVIRONMENT TO GET TO THEM, PUSHING GROCERY CARTS OR CARRYING BAGS. THE ONLY NEARBY FOOD IS A CONVENIENCE STORE ON SOUTH RIDGE RIGHT IN THE MIDDLE OF THE HIGH CRIME AREA, AND SO ALL OF THESE FOLKS CAN BE EXPECTED TO BE WALKING UP AND DOWN OUR STREETS TO THAT CONVENIENCE STORE THROUGH ALL OF THE HIGH CRIME AREA. IN CONCLUSION, I WOULD JUST SAY THAT THE NEIGHBORS WERE VERY CONCERNED WITH THE HIGH RISK OF ADDITIONAL CRIME AND OTHER PROBLEMS ON TOP OF THE EXISTING CRIME WHICH HAS ALREADY PUT SO MUCH STRESS ON THE NEIGHBORHOOD. WE WOULD FEEL BETTER IF THERE WERE FAMILIES INSTEAD OF ONLY SINGLE ADULTS IN THE FACILITY. WE WOULD FEEL BETTER IF IT WERE NOT HIGHRISE, HIGH DENSITY DORM-LIKE, WE WOULD FEEL BETTER IF -- IF THE ACQUISITION WAS POSTPONED UNTIL SOME EXPERIENCE WAS GAINED FROM ST. JOHN'S, WE WOULD FEEL BETTER IF THE STAFFING WERE MORE ADEQUATE, WE COULD FEEL BETTER IF THE CRIMINAL SCREENING WAS TIGHTER AND PRIMARILY WE WOULD FEEL BETTER IF WE WERE NOT ALREADY BURDENED WITH SO MUCH EXISTING CRIME THAT THE CITY IS INCAPABLE OF COPING WITH. I MIGHT JUST INTERJECT THAT POLICEMEN VERY REGULARLY IN RESPONDING TO CRIME SORT OF THROW UP THEIR HANDS AT THE PROSPECT OF ACTUALLY DETERRING OR STOPPING IT. ONE OF THE SINGLE FAMILY RESIDENTS THAT HAS SIGNED THE VALID PETITION THAT LIVES STRAIGHT ACROSS

THE STREET, I BELIEVE I HAD SEVERAL PEOPLE DONATE TIME TO ME --

Mayor Wynn: THAT WAS YOUR 12 MINUTES, BUT TAKE YOUR TIME TO CONCLUDE, MR. THOMPSON.

ONE OF THE LADIES, AFTER A BREAK IN, THE AUSTIN POLICE DEPARTMENT OFFICER SHOWED UP AND TOLD.

Herrera: BEST ADVICE TO HER WAS TO MOVE OUT OF THE NEIGHBORHOOD OR LEAVE AUSTIN, THAT THERE WAS NOTHING THEY COULD DO TO COPE WITH THE CRIME, THAT HE WAS HAVING TO PUT UP WITH. I WOULD JUST REPEAT THAT THE CHOICE IS NOT -- NOT BETWEEN HAVING THIS SINGLE ROOM OCCUPANCY FACILITY VERSUS NO FACILITY, IT'S BETWEEN HAVING A SINGLE ROOM OCCUPANT FACILITY LOCATION OR AT A BETTER LOCATION. WE SUPPORT FOUNDATION COMMUNITIES. WE SUPPORT THESE TYPES OF FACILITY, BUT THIS HIGH CRIME AREA IS NOT A GOOD SITE, THEY SHOULDN'T BE GIVEN A FREE PASS ON SITE SELECTION, IF YOU APPROVE THIS, YOU'RE TELLING THEM THEY CAN PUT THESE THINGS ANY PLACE THEY CHOOSE WITHOUT PAYING ATTENTION TO ANY SITE SELECTION. WE HOPE YOU NOTICE THAT THE OPPOSITION IS ALMOST UNANIMOUS AMONG THE CLOSE NEIGHBORS OUT TO ABOUT A HALF A MILE. I'M NOT AWARE OF ANY PROPERTY OWNERS ON THE ZONING MAP WITHIN THE PARAMETERS OF THE ZONING MAP THAT SUPPORT THIS PROPOSAL. THE ONES THAT SUPPORT LIVE FURTHER AWAY. AND I REGRET THAT MANY OF THE OTHER OPPONENTS WERE NOT ABLE TO BE PRESENT TONIGHT BECAUSE OF THE MISUNDERSTANDING OF THE POSTPONEMENT POLICY.

Mayor Wynn: UNDERSTOOD. OKAY. THANK YOU, MR. THOMPSON. QUESTIONS OF MR. THOMPSON, COUNCIL? THANK YOU, SIR. COUNCIL, THOSE ARE THE FOLKS SIGNED UP IN OPPOSITION. WE NOW HEAR -- WE NOW HAVE A ONE TIME THREE MINUTE REBUTTAL FROM THE APPLICANT. WELCOME BACK, MR. MORROW.

JUST WANT TO RESPOND TO A FEW THINGS, WE THINK THIS IS A VERY SUITABLE IDEAL BUILDING FOR WHAT WE'RE TRYING TO DO. IF YOU LOOK ACROSS THE COUNTRY IN

SINGLE ROOM OCCUPANCY OR SUPPORT OF HOWKING DEVELOPMENTS THEY'RE ALMOST ALWAYS MID RISE BUILDING, GIVES YOU INTERIOR CORRIDORS, LOTS OF COMMON AREA AEROSPACE TO BUILD A SENSE OF COMMUNITY, WE'RE LOOKING AT A MILLION AND A HALF DOLLAR RENOVATION TO THE PROPERTY, WE THINK IT'S A GREAT LOCATION. I DON'T KNOW WHO THESE DOZENS OF PEOPLE WHO ARE OPPOSED TO US ARE. NO ONE HAS COME TO US IN THE LAST TWO OR THREE MONTHS TO SEEK ANY -- TO TELL US THEIR CONCERNS OR TRY TO REACH SOME KIND OF COMPROMISE ON WHETHER IT'S VARIOUS -- WHATEVER THE CRITERIA MIGHT BE. I JUST WOULD CLOSE AND ASK THAT WE REALLY DO NEED YOUR SUPPORT FOR THIS PROJECT AT THIS TIME TO HELP US STAY ON TRACK IN TERMS OF PUTTING ALL THE FUNDING TOGETHER WHICH IS A RISKY, EXHAUSTING AND CHALLENGING PROCESS. AND SO I HOPE THAT, YOU KNOW, BE ABLE TO DO THAT AT THIS TIME.

THANK YOU, MR. MORROW. A COUPLE OF QUESTIONS. ONE... [ APPLAUSE ] THE -- WAS IT ZONING AND PLATTING COMMISSION OR PLANNING COMMISSION THAT HEARD THIS? PLANNING, PROBABLY. PLANNING COMMISSION. THE -- WERE THERE MORE FOLKS IN OPPOSITION AT THAT HEARING THAN WHAT WE'VE SEEN TODAY?

I BELIEVE THE ONLY OTHER PERSON IS THAT SPOKE OR WAS HERE IS THE REPRESENTATIVE OF BANE BRIDGE VILLAS, AN APARTMENT COMPLEX IN THAT AREA.

Mayor Wynn: THE PLANNING COMMISSION, THE ONLY CONDITIONS THEY PLACED ON THEIR APPROVAL WAS THE TRAFFICES COUNT, IS THAT CORRECT, MR. GUERNSEY?

THE PLANNING COMMISSION ADOPTED THE STAFF RECOMMENDATION WHICH HAD A TRIP LIMITATION, AND SINCE THE PLANNING COMMISSION, WE'VE RECEIVED A -- FOUNDATION COMMUNITY THE WILLINGNESS TO PROHIBIT SIX ADDITIONAL ACES WHICH I DID NOT READ INTO THE RECORD EARLIER, WHICH ARE AUTO RENTAL, AUTO SALE, AUTO REPAIR, AUTO WASHING OF ANY TYPE, SERVICE STATION AND PAWN SHOP, SO WE WOULD ADD THOSE TO THE LIST OF PROHIBITED USES IN THE CONDITIONAL OVERLAY ABOVE THE 200,000 TRIP LIMIT THAT THE



COMMISSION DID LIMIT ON THE PROPERTY.

Mayor Wynn: COUNCIL, QUESTIONS OF MR. MORROW OR STAFF? COUNCILMEMBER ALVAREZ?

Alvarez: I DON'T KNOW IF YOU EVEN HAVE THIS INFORMATION. IT MAY BE A QUESTION FOR APD, BUT I KNOW THE GARDEN TERRACE HAS BEEN IN OPERATION FOR A COUPLE OF YEARS NOW, IS THAT CORRECT?

UH-HUH.

Alvarez: TWO OR THREE.

GOING ON THREE.

Alvarez: GOING ON THREE. I CERTAINLY HAVEN'T RECEIVED ANY COMPLAINTS ABOUT INCREASED CRIME IN THAT AREA, I KNOW WE HEARD FROM A NEIGHBOR OF GARDEN TERRACE SPEAKING IN SUPPORT, AND I THINK THAT WAS ONE OF THE MAIN, YOU KNOW, ISSUES OR CONCERNS RAISED BY THE GENTLEMAN WHO SPOKE IN OPPOSITION, BUT CAN YOU JUST KIND OF SHARE WITH US, AT LEAST YOU KNOW YOUR THOUGHTS ABOUT THAT, I DON'T KNOW, LIKE I SAY, WE DO HAVE ANY KIND OF STATISTICAL INFORMATION, BUT I KNOW WE HAVEN'T BEEN HEARING, YOU KNOW, FROM FOLKS IN THAT AREA THAT CRIME OR INCREASED CRIME IS A PROBLEM, BUT --

IT STARTED WITH GOOD SELECTION CRITERIA AND ENFORCING THE HOUSE RULES AND IF WE HAVE AN INCIDENT OR CONCERN, THERE'S SOME ISSUE WITH RESIDENTS, WE'RE RIGHT ON TOP OF THAT, AND UP DON'T HAVE THE STATISTICS IN TERMS OF POLICE CALLS, IT'S NOT BEEN A PERFECT PROPERTY, THERE'S BEEN A FEW THINGS CALLED IN FOR THIS OR THAT AND TO ME THAT IS A POSITIVE THING, WE WANT NEIGHBORS TO REPORT ANY CRIME INCIDENTS THAT OCCUR. I THINK WE'VE BEEN A GREAT NEIGHBOR AT THAT LOCATION AND WE REALLY ARE COMMITTED TO WORK WITH THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION TO ADDRESS SOME OF THE CRIME ISSUES THAT DO EXIST IN THE BANISTER AREA. IN MY OPINION, YOU KNOW, IT'S A VERY LOCALIZED SITUATION

AROUND THE SET OF FOUR PLEXES. THERE'S VERY NICE APARTMENTS NEARBY. MR. THOMPSON OWNS 8 UNIT, THE TOWN HOME COMPLEX ACROSS THE STREET NEXT TO CONVENIENCE STORE THAT HE'S INVESTED IN. THIS PICTURE THAT'S BEEN PAINTED THAT THIS WAS JUST A REALLY, REALLY AWFUL LOCATION IS I DON'T RESPECTFULLY JUST COMPLETELY DISAGREE WITH. THERE MIGHT BE LOCATIONS IN TOWN WHERE WE REALLY WOULD HAVE A SECOND THOUGHT, BUT IN THE LETTERS OF SUPPORT YOU HAVE MANY, MANY LETTERS FROM OTHER SOCIAL SERVICE AGENCIES THAT WE WORK WITH THAT ARE VERY EXCITED ABOUT THIS LOCATION AND -- AND THIS NEW HOUSING OPPORTUNITY.

Alvarez: GREAT. I CERTAINLY, AGAIN, YOU KNOW, WHEN I'VE BEEN OUT TO GARDEN TERRACE, IT'S BEEN A VERY GOOD, YOU KNOW, EXPERIENCE, EVERY TIME I DRIVE THROUGH THERE I NOTICE WHAT A BEAUTIFUL PLACE IT IS, REALLY, AS YOU'RE DRIVING DOWN WILLIAM CANNON, AND SO I JUST -- JUST KIND OF CURIOUS ABOUT THAT, BECAUSE, I DON'T KNOW, JUST SEEMS LIKE THAT IS ONE OF THE MAJOR FEARS OUT THERE, AND I HAVEN'T GATHERED THAT THAT HAS NECESSARILY BEEN A BIG PROBLEM SINCE GARDEN TERRACE OPENED.

Mayor Wynn: OTHER QUESTIONS, COMMENTS? COUNCIL? COUNCILMEMBER LEFFINGWELL?

Leffingwell: IS YOUR PROJECT PUT IN JEOPARDY IN ANY WAY BY DELAY?

NOT A WEEK. IF OTOIF THERE WILL BE SIX OR SEVEN COUNCILMEMBERS HERE NEXT WEEK, THAT'S MY REAL CONCERN, I KNOW THERE'S NO MEETING ON THE ELEVENTH, AND IF WE HAVE TO WAIT UNTIL THE 18th, THEN IT IS AT RISK. THERE'S ONE MAJOR FUNDER, HALF A MILLION DOLLARS GRANT WITH NEIGHBORHOOD WORKS AMERICA, THEY'RE MEETING BEFORE THAT WEEK.

Leffingwell: IF ANYTHING GOES WRONG NEXT WEEK, YOU LOSE THE ONLY BUFFER YOU HAVE?

CORRECT.

Leffingwell: IF SOMETHING GOES --

THERE'S NO REASON TO POSTPONE, I WOULD ASK YOU TO ACT TONIGHT, BECAUSE I DON'T WANT TO KEEP DELAYING THINGS AND THEN REALLY RUN THAT RISK.

Leffingwell: WELL, MAYOR, I THINK, YOU KNOW, I'VE STATED I'M KIND OF A SLAVE TO TRADITION SOME TIME, THIS IS A VERY SPECIAL CASE. OBVIOUSLY SRO HOUSING IS THE MOST CRITICAL HOUSING NEED RIGHT NOW IN THIS CITY, AND I THINK IT'S VERY IMPORTANT THAT WE NOT PUT IT AT RISK IN ANY WAY, SO I WOULD MAKE A MOTION TO APPROVE THE STAFF RECOMMENDATION WITH THE ADDITIONAL RESTRICTIONS ON USES THAT WERE JUST READ OFF WITH -- BY MR. GUERNSEY, CLOSE THE PUBLIC HEARING ON ALL THREE READINGS.

Dunkerly: I SECOND THAT.

Mayor Wynn: WE HAVE A MOTION AND A SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING AND I PRESUME PLANNING COMMISSION RECOMMENDATION WITH THE ADDITIONAL CONDITIONS READ INTO THE RECORD BY CITY STAFF.

Leffingwell: WELL, I SAID STAFF RECOMMENDATION BECAUSE IT'S A LITTLE CONFUSING IN THE LANGUAGE HERE, IT SAYS EVIDENTLY THERE WAS A CO AND IT SAYS PLANNING COMMISSION GRMU AND THERE'S NO CO ON THAT, SO I HEARD YOU STATE THAT THE -- THE RECOMMENDATIONS WERE THE SAME, SO JUST TO KEEP THE RECORD STRAIGHT, BECAUSE OF THE EVIDENT TYPO HERE, EITHER ONE IS OKAY, AS LONG AS WE UNDERSTAND WHAT WE MEAN.

YES, THE ORDINANCE HAS BEEN PREPARED TO REFLECT THE STAFF RECOMMENDATION, COMMISSIONER'S RECOMMENDATION, AND WE HAVE THAT ON THE DAIS. IT DOES REFLECT THE COMMUNITY COMMERCIAL MIXED USE OVERLAY DISTRICT AND THE ORDINANCE HAS BEEN PREPARED WITH THE ADDITIONAL USES THAT THE FOUNDATION COMMUNITIES AGREED TO PROHIBIT, WHICH IS

THE LIST THAT I MENTIONED EARLIER.

THANK YOU, MR. GUERNSEY, MOTION AND A SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING APPROVED ON ALL THREE READINGS THE ORDINANCE HERE IN FRONT OF US, AS OUTLINED WITH MR. GUERNSEY, MR. GUERNSEY, REMIND ME, WE HAVE A VALIDATED PETITION AT 20.31%.

CORRECT.

Mayor Wynn: WOULD REQUIRE SIX AFFIRM THIVE VOTES.

THAT'S CORRECT.

Mayor Wynn: ON ALL THREE READINGS AND MISTERY, HELP ME, IF PERHAPS BY CHANCE THERE WEREN'T SIX AFFIRMATIVE VOTES THE MOTION OF COURSE IS ON ALL THREE READINGS IS OUR SORT OF PRACTICE THEN TO, SINCE YOU GO BACK TO A FIRST READING ONLY MOTION OR WE DON'T -- THE CASE IS NOT LOST I GUESS IS MY QUESTION.

IF THE MOTION IS FOR ALL THREE READINGS THEN IT FAILS TO PASS BY SIX VOTES, IT IS DEFEATED.

Mayor Wynn: BUT FROM, A PARLIAMENTARY STANDPOINT, A NEW MOTION COULD BE MADE.

SOMEONE WOULD HAVE TO -- SOMEONE ON THE PREVAILING SIDE WOULD HAVE TO HAVE A MOTION TO RECONSIDER AND THEN ONLY PASS IT ON FIRST AND SECOND READING.

Mayor Wynn: OVERLY CAUTIOUS HERE, THE PREVAILING SIDE ON THIS THEN WOULD BE THOSE COUNCILMEMBERS THAT VOTED NO EVEN THOUGH THEY'RE IN THE MINORITY.

THAT'S CORRECT.

Mayor Wynn: RIGHT. OKAY. JUST WANT TO MAKE SURE WE KNOW. I WILL SAY I WILL BE SUPPORTIVE -- SUPPORTING THE MOTION. I WANT TO MAKE SURE FROM A PARLIAMENTARY STANDPOINT I HANDLE THE FLOW CORRECTLY ON ALL COUNTS. A MOTION AND A SECOND ON THE TABLE TO

APPROVE ON ALL THREE READINGS. COUNCILMEMBER ALVAREZ?

Alvarez: THANKS, MAYOR, I GUESS I WAS -- I'M NOT SURE IF THIS IS IN SCWEP DID I OR AT RISK HERE -- JEOPARDY OR AT RISK HERE, BUT I KNOW IN THE PAST, YOU KNOW, WE'VE BEEN ABLE TO VOTE ON ITEMS ON FIRST READING AND THEN HAVE IT COME BACK IN SUBSEQUENT READINGS WITH JUST FOUR VOTE, BUT I THOUGHT THAT'S WHAT THE MAYOR WAS ALLUDING TO IF THERE WASN'T SIX VOTES ON A MOTION FOR THREE READINGS. BUT I'LL JUST SPEAK TO THE MOTION. YOU KNOW, I THINK THAT WE HAVE SEEN -- I GUESS THERE'S -- OR THIRD SUPPORTIVE HOUSING FACILITY, OR PROJECT BY A FOUNDATION COMMUNITIES AND -- AND SO THREE YEARS AGO WE DIDN'T HAVE ANY SINGLE ROOM OCCUPANCY FACILITIES IN OUR NEIGHBORHOOD AND IT WAS KIND OF AN EMBARRASSING THING FOR US, BECAUSE, YOU KNOW, MOST LARGE CITIES HAVE, YOU KNOW, SEVERAL OF THESE TYPES OF FACILITIES AND I MENTIONED THIS IS A COMMUNITY ACTION NETWORK MEETING LAST FRIDAY ABOUT, YOU KNOW, WHAT WE'VE BEEN ABLE TO ACCOMPLISH BECAUSE OF THE WORK FOUNDATION COMMUNITIES HAS DONE IN THE COMMUNITY TO HELP US MEET THIS PORTION OF THE HOUSING CONTINUUM FOR FOLKS WHO NEED THIS KIND OF SUPPORTIVE HOUSING, AND JUST TO, YOU KNOW, THE STORIES WE'VE HEARD ABOUT HOW FOLKS HAVE BENEFITTED FROM IT IS TRULY INSPIRING BECAUSE OF, AGAIN, THE WRAP AROUND SERVICES THAT ARE PROVIDED ALONG WITH THE HOUSING, IT'S NOT JUST A MULTIFAMILY FACILITY, AND SO MAYBE OTHER CITIES MAY EXPERIENCE, YOU KNOW, DIFFERENT KINDS OF SITUATIONS WITH SRO'S, BUT THE MODEL IMPLEMENTED HERE HAS BEEN SUCCESSFUL, YOU KNOW, AT LEAST, YOU KNOW WE'VE ALREADY SEEN IT IN GARDEN TERRACE, AND -- AND CALL IT [INAUDIBLE] BUT I KNOW YOU HAVE A BETTER NAME FOR THAT, AND NOW WITH THE SKYLINE TERRACE I THINK THAT, AGAIN, IT'S JUST GOING TO DO WONDERS, YOU KNOW, FOR OUR COMMUNITY IF WE CAN HAVE -- YOU KNOW, BRING THIS THIRD FACILITY ONLINE AND I JUST CAN'T REALLY COMMEND FOUNDATION COMMUNITIES ENOUGH FOR WHAT THEY HAVE DONE TO HELP US, YOU KNOW, IN MEETING THIS NEED, BECAUSE CLEARLY THE CITY WAS NOT ABLE TO DO IT ON ITS

OWN, AND THEY'VE BEEN ABLE TO HELP US LEVERAGE AN INCREDIBLE AMOUNT OF RESOURCES TO HELP OUR COMMUNITY AND THAT TRULY IS AN INSPIRING THING, I WANT TO PERSONALLY THANK THEM AND WISH THEM WELL, YOU KNOW, WITH EVERYTHING THAT THEY'RE DOING FOR US INCLUDING THE COMMUNITY TECH CENTERS WHICH IS A WHOLE DIFFERENT TYPE OF PROGRAM, WELL, IT'S RELATED TO WHAT THE MISSION OF THE ORGANIZATION TRYING TO HELP PEOPLE BECOME SELF SUFFICIENT AND THAT'S -- I THINK THAT'S WHY THEY'VE BEEN SUCCESSFUL IS BECAUSE THEY TAKE A HOLISTIC VIEW OF TRYING TO HELP THE INDIVIDUALS AND FAMILIES THAT COME TO THEM FOR ASSISTANCE AND I'M JUST REALLY PROUD TO BE ABLE TO BE ON A COUNCIL TO SUPPORT THIS. THANKS, MAYOR DUNK.

Dunkerly: MAYOR?

Mayor Wynn: COUNCILMEMBER DUNKERLY.

Dunkerly: I'M GOING TO SUPPORT THIS APPLICATION ON ALL THREE READINGS, NORMALLY I WOULD NOT DO THAT, I WOULD POSTPONE TO THE NEIGHBORHOODS, BUT I THINK THERE'S THREE REASONS TO ACT TOGETHER TONIGHT. TO PUT TOGETHER A FUNDING PACKAGE FOR AN SRO PROJECT IS LIKE A JIG SAW PUZZLE WITH ALL THE PIECES MIXED UP. IT TAKE AS COMBINATION OF SUPPORT FROM THE STATE, FROM VARIOUS FOUNDATIONS THROUGHOUT THE COUNTRY, THE CITY OF AUSTIN'S HOUSING PROGRAM, PRIVATE DONATIONS SOMETIMES IN ORDER TO GET THE FUNDING BEHIND THESE PROJECTS, ALL OF THAT SUBSIDY THAT WILL ALLOW THEM TO HAVE A LOW RENT WITH SUPPORTIVE SERVICES FOR PEOPLE THAT ARE TRYING TO TURN THEIR LIVES AROUND. I CAN TELL YOU THAT I'VE HAD EXPERIENCE WITH THEIR PROJECTS THROUGHOUT AUSTIN, WHETHER THEY'RE APARTMENT COMPLEX OR SRO ON STASSNEY, AND THEY ARE AN OUTSTANDING ADMINISTRATOR OF THOSE PROJECTS. I KNOW YOU HAVE CRIME IN THIS AREA NOW. I WOULD BET YOU BY ADDING FOUNDATION COMMUNITIES TO THE MIX, YOUR COMMUNITY IS GOING TO GET BETTER, BECAUSE THEY KNOW HOW TO DEAL WITH COMMUNITY PROBLEMS, SO I'M GOING TO BE VERY SUPPORTIVE OF THE ORGANIZATION AND WE THANK YOU FOR THE WORK YOU

DO.

Mayor Wynn: COUNCILMEMBERS, FURTHER COMMENTS?  
COUNCILMEMBER KIM?

Kim: THERE'S A SHIFT IN UNDERSTANDING HOW TO HELP THE HOMELESS IN TERMS OF HOUSING, THE TRADITIONAL APPROACH HAS BEEN GET THEM TREATMENT, THEN EVENTUALLY GET THEM READY FOR HOUSING AND THERE'S A TREND NOW TO GET THEM INTO HOUSING FIRST, BECAUSE THAT GIVES THEM A STABLE ENVIRONMENT IN WHICH TO GET ALL THE SERVICES THEY MAY NEED SO THEY CAN BE MORE SUCCESSFUL IN TERMS OF A LONG-TERM PLAN TO BEING SUSTAINABLE AND BEING INDEPENDENT AND I THINK THIS IS A GOOD PROJECT THAT WILL HELP OUR COMMUNITY PROVIDE THE HOUSING, TRANSITIONAL HOUSING THAT WE NEED TO HELP PEOPLE HELP THEMSELVES, SO I'LL BE SUPPORTING THE MOTION.

Mayor Wynn: AGAIN, WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE ON ALL THREE READINGS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. AYE. OPPOSED? MOTION ON ITEM NUMBER 47 PASSES ON A VOTE OF 7-0. [ APPLAUSE ]

Mayor Wynn: SO COUNCIL, IN THE SPIRIT OF SOME EFFICIENCIES HERE NOW, MY UNDERSTANDING IS WE HAVE A CASE THAT IS NOW READY TO BE POSTPONED, PERHAPS PUBLIC HEARING NUMBER 50, I BELIEVE THAT TO BE THE CASE. STAFF COULD CONFIRM THAT WITH ME, WE COULD GET THAT TECHNICALITY DONE.

MAYOR AND COUNCIL, ON ITEM 50 WHICH IS A APPEAL OF THE DECISION ON A SITE PLAN KNOWN AS THE CHAMPION COMMERCIAL TRACT, THE PROPERTY OWNER HAS REQUESTED A POSTPONEMENT UNTIL MAY 18th AND THE NEIGHBORHOOD ASSOCIATION IS NOT OPPOSED TO THAT REQUEST.

Mayor Wynn: GREAT. SO I'LL ENTERTAIN A MOTION TO POSTPONE PUBLIC HEARING ITEM NUMBER 50 TO MAY 1th, 2006.

SO MOVED.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM.  
SECONDED BY COUNCILMEMBER McCRACKEN,EN. MOTION  
TO POSTPONE PASSES ON A VOTE OF 7- 0. SO COUNCIL,  
THAT -- IN THE SPIRIT TO TRY TO GET THE TRANSPORTATION  
BRIEFING AND THEN FOLLOW IT UP REAL QUICKLY WITH  
THREE RELATED TRANSPORTATION ITEMS, 8, 13 AND 51, OUR  
RECOMMENDATION WOULD BE FOR US TO TAKE UP PUBLIC  
HEARING NUMBER 49 RELATED TO AN APPEAL BY AN  
APPLICANT OF THE ZONING AND PLATTING COMMISSION'S  
DENIAL AND WOULD WELCOME A BRIEF STAFF  
PRESENTATION, MISTERY?

YES, MAYOR AND COUNCIL, I WILL HANDLE THIS  
PRESENTATION ON BEHALF OF THE STAFF, THIS IS AN  
APPEAL OF A DENIAL OF ONE YEAR AND THREE YEAR  
EXTENSION FOR SITE PLAN, THE SITE PLAN EXPIRED IN  
FEBRUARY OF '05 AND THE APPLICANT REQUESTED A ONE  
YEAR ADMINISTRATIVE EXTENSION WHICH WAS DENIED AND  
THEN THAT EXTENSION WAS APPEALED TO THE ZONING AND  
PLATTING COMMISSION AND AT THE SAME TIME THE  
APPLICANT APPLIED FOR A COMMISSIONED THREE YEAR  
SITE PLAN. THE ZONING AND PLATTING COMMISSION DENIED  
BOTH THE ONE YEAR AND THE THREE YEAR SITE PLAN  
EXTENSIONS. THE APPLICANT HAS APPEALED THE DENIALS  
OF THOSE EXTENSIONS TO COUNCIL. THE STATUS OF THE  
PROCEEDINGS IS THAT YOU HAVE ACTUALLY HELD AND  
CLOSED THE PUBLIC HEARING IN MARCH AND AT THAT TIME  
YOU DIRECTED THE APPLICANT IN THE NEIGHBORHOOD TO  
ENGAGE IN NEGOTIATIONS. THE STAFF HAS MET WITH THE  
PARTY ON SEVERAL OCCASIONS. THE PARTIES HAVE  
ENGAGED IN EXTENSIVE DISCUSSIONS BUT THEY HAVE NOT  
REACHED AN AGREEMENT. YOU HAVE BEFORE YOU TWO  
SEPARATE ITEMS, ONE IS A SUMMARY OF THE CODE  
CRITERIA THAT YOU MUST CONSIDER IN DECIDING WHETHER  
TO GRANT THE APPEAL OF THE EXTENSION DENIALS AND  
THE OTHER IS THE CHART ENTITLED DECISION POINTS THAT  
REFLECTS THE POSITIONS OF THE VARIOUS PARTIES THAT  
IS THE APPLICANT AND THE NEIGHBORS. I WANT TO GO  
OVER THE CODE CRITERIA WITH YOU. THE CODE -- AND THE  
REASON FOR THAT IS THIS KIND OF APPEAL IS A RARE  
APPEAL, SO I WANT TO MAKE SURE THAT THE CODE



CRITERIA IS LAID OUT AND YOU HAVE THOSE CONSIDERATIONS IN FRONT OF YOU. THE FIRST THING THAT THE CODE REQUIRES THAT YOU DO IS THAT YOU MUST FIND GOOD CAUSE. IF YOU FIND GOOD CAUSE, YOU ARE THEN -- YOU THEN MUST PROCEED TO FIND ONE OR MORE OF FOUR ITEMS, THAT WOULD BE COMPLIANCE -- THAT THE PROJECT IS IN COMPLIANCE WITH THE CURRENT CODE, THAT THE PROJECT -- THE FILING OF THE SITE PLAN WAS IN GOOD FAITH THAT THE PROJECT WOULD BE CONSTRUCTED OR THE CONSTRUCTION OF A STRUCTURE HAS BEEN HAD THAT CAN BE OCCUPIED, OR THAT THERE IS CONSTRUCTION OF SIGNIFICANT INFRASTRUCTURE. IF YOU FIND THAT THERE ARE ONE OR MORE OF THOSE CONDITIONS EXIST, YOU THEN PROCEED ON TO CONSIDER WHETHER OR NOT TRAFFIC IMPACTS HAVE BEEN ADEQUATELY MITIGATED BY THE APPLICANTS PLANS. THE DECISION POINTS ARE CONTAINED IN THE OTHER ITEM I'VE GIVEN TO YOU AND AT THIS POINT I'M HAPPY TO ANSWER ANY QUESTIONS YOU HAVE CONCERNING EITHER THE DECISION POINTS OR THE CODE CRITERIA, AS ALWAYS, YOU HAVE DISCRETION TO GRANT -- GRANT WITH MODIFICATIONS OR DENY THE APPEALS AND AS ALWAYS, YOU ARE CHARGED UNDER THE CODE WITH MAKING THE DECISION THAT THE ORIGINAL DECISION MAKER SHOULD HAVE MADE, WITH THAT I'LL BE HAPPY TO ENTERTAIN ANY QUESTIONS YOU MAY HAVE.

Mayor Wynn: QUESTIONS OF STAFF, COUNCIL, CAN WE HAVE, YOU MAY HAVE SAID THIS, WE HAVE CLOSED THE PUBLIC HEARING ON THIS.

THAT'S CORRECT.

Mayor Wynn: NOT TECHNICALLY FOR A PUBLIC HEARING BUT APPROPRIATELY WE HAVE THE APPELLATE OR THE APPLICANT FOR THE APPEAL HERE VERY IMPRESSIVE VISUAL AND WE COULD PROBABLY TAKE EVEN SOME COMMENTS FROM FOLKS WHO MIGHT HELP US UNDERSTAND OP POADZING VIEW. QUESTIONS, COMMENTS? WELL, PERHAPS IT WOULD -- COUNCILMEMBER DUNKERLY?

Dunkerly: --

Mayor Wynn: IT WOULD CERTAINLY HELP ME THE FACT THAT

WE HAVE THIS VISUAL HERE AND PROBABLY WOULD HELP THE FOLKS TRYING TO FOLLOW THIS AT HOME OR IN THE ROOM, I WOULD WELCOME THE --

Dunkerly: ONE OF THE THINGS I WOULD LIKE TO HEAR IS SORT OF A SUMMARY OF WHAT'S GONE ON.

I'M SORRY, I'LL BE HAPPY TO GO DOWN TO THE VISUAL AND MAYBE WALK THROUGH SOME OF THE DECISION POINTS IF THAT WOULD BE ASSISTANCE TO YOU.

Mayor Wynn: THAT WOULD HELP ME, YES.

OKAY, I'M GOING GET STAFF TO STAND BEHIND ME AND PROMPT ME WHEN I GET THINGS WRONG.

GOING TO BE A LITTLE AWKWARD FOR ME, I'M USUALLY USED TO STANDING AT THE PODIUM, IF I CAN DIRECT YOUR ATTENTION TO THE VISUAL, WHAT YOU HAVE IN THE THREE D MODEL IS THIS IS A THREE D VERSION SHOWING THE VERTICAL SCALE OF THE 2222 ALONG THE SIDE OF THIS PROPERTY. THIS IS -- MOST OF US WHO HAVE BEEN AROUND AUSTIN FOR AWHILE KNOW THIS AS THE TUMBLE WEED SITE BECAUSE OF THE OLD TUMBLE WEED RESTAURANT THAT USED TO BE ON THIS SITE THAT BURNED. AS YOU CAN TELL, THE PROPERTY IS VERY LONG AND VERY NARROW, AND THAT HAS CREATED SOME CONSTRUCTION CONSTRAINT THAT THE APPLICANT HAS HAD TO DEAL WITH. AND THE DECISION POINTS, IF I CAN BRING THOSE TO YOUR ATTENTION, THE DECISION POINTS SORT OF SET OUT THE ISSUES IN THE ORDER OF IMPORTANCE AS THE STAFF IS PERCEIVED THOSE ISSUES. THE APPLICANT AT THIS POINT, WE HAVE THREE SMALL MODELS OF BUILDINGS. THE BLUE MODEL IS A FOUR SEAT. THE YELLOW MODEL IS 28 SEAT. AND THE RED IS 35 FEET, AND WHAT THE APPLICANT IS PROPOSING AT THIS POINT IN TIME IS THAT THERE WILL BE 7 UNITS AT A HEIGHT OF 28 FEET AND TWO STORIES, ALL BETWEEN THE DRIVEWAY WHICH IS THIS DEPICTED ON THE MODEL, AND 2222, THERE WILL BE 15 UNITS IN THE MIDDLE THAT WILL BE AT A HEIGHT OF 35 FEET, THAT'S REPRESENTED BY THE RED COLOR, SOME OF THOSE -- THOSE UNITS ARE LOCATED, AGAIN, BETWEEN 2222 AND THE DRIVEWAY. AND THE REST OF THE UNITS WILL BE 40 FEET

AND AT THREE STORIES. THE NEIGHBORS HAVE ALL -- THE NEIGHBORS HAVE PRESENTED THEIR REQUESTS THAT ALL OF THE UNITS BE 28 FEET IN HEIGHT WITHIN THE 100 FEET OF THE -- OF THE ROADWAY. YOU CAN'T SEE IT FROM HERE, BUT THERE IS A HUNDRED FOOT LINE WHICH IS DEPICTED AS IT CUTS ACROSS THE PROPERTY. AND ALL OF THE UNITS THAT ARE BETWEEN THE ROADWAY AND THAT 100-FOOT LINE, THE NEIGHBORS HAVE REQUESTED BE 28 FEET AND TWO STORIES, THEY THEN ALL OF -- THEY ARE AMENABLE TO UNITS BEHIND THAT 100-FOOT LINE BEING AT 40 FEET AND THREE STORIES. THAT IS PROBABLY THE MAJOR ISSUE. THE SECOND ISSUE IS THE SETBACK ISSUE. THE APPLICANT HAS COME FORWARD WITH A PROPOSAL THAT ALLOWS FOR A SETBACK THAT IS NOT SET FOR THE ENTIRE LENGTH OF THE PROPERTY AT THE SAME DISTANCE FROM THE HIGHWAY, BUT ACTUALLY MOVES BACK AND FORTH. THE SUM TOTAL IS THAT THE SETBACK WILL BE 25 FEET FOR APPROXIMATELY 510 FEET OF THE LENGTH ALONG THE FRONT AND THAT VARIES IN DIFFERENT PLACES. EXCLUDING -- EXCLUDING THAT 510 FEET WHERE IT VARIES IN DIFFERENT PLACES, THE REST OF THE SETBACKS, THE REST OF THE SETBACK WOULD BE -- THE REST OF THE FOOTAGE WOULD BE AT 30-FOOT SETBACK, AGAIN EXCLUSIVE OF THE DRIVEWAY WHICH IS HERE, THAT IS THE SECOND MAJOR ISSUE THAT WE PERCEIVE TO BE OF IMPORTANCE. THE DRIVEWAY ENTRANCE ITSELF IS OF IMPORTANCE, AS YOU CAN SEE FROM THE THREE D MODEL, IT IS LOCATED AT THE TOP OF THE HILL. THAT -- THAT CAN BE PROBLEMATIC AS FAR AS TRAFFIC IS CONCERNED. WHAT THE APPLICANT IS PROPOSING TO MITIGATE THE -- PROPOSING TO MITIGATE THE SITUATION WITH THIS DRIVEWAY, THE LOCATION AND THE DIFFICULTIES IT CAUSES WITH TRAFFIC IS THAT THEY ARE PROPOSING A DECELERATION LANE, A RIGHT IN, RIGHT OUT, WHICH MEANS THAT TRAFFIC CAN ONLY TURN IN RIGHT AND CAN ONLY TURN OUT RIGHT. A LEFT TURN WHICH WOULD EVENTUALLY BE CONSTRUCTED BY THE STATE, THEY WOULD -- THEY ARE PROPOSING JOINT ACCESS WITH THE DEVELOPMENT THAT IS JUST BEYOND THIS PIECE OF PROPERTY. THAT PARTICULAR DEVELOPMENT HAS BEEN ZONED BUT IT HAS NOT -- IT IS NOT INTO THE DEPARTMENT YET FOR A SITE PLAN, AS A RESULT OF THAT, THAT -- AND THAT -- THAT DEVELOPMENT HAS NOT BEEN DESIGNED.

THAT DEVELOPMENT, IT IS -- IT IS DIFFICULT AT THIS POINT IN TIME TO DETERMINE WHERE THAT JOINT ACCESS WILL BE. THE CODE DOES ALLOW THE CITY TO REQUIRE THAT THERE BE JOINT ACCESS. THIS APPLICANT IS WILLING TO ENGAGE IN -- IS -- IS WILLING TO ENGAGE IN THE DISCUSSIONS WITH THE NEXT DOOR DEVELOPMENT TO DEVELOP THE JOINT ACCESS AND IS AMENABLE TO JOINT ACCESS, RIGHT NOW THAT PROJECT HASN'T BEEN DESIGNED SO WE DON'T KNOW WHERE THAT ACCESS WILL BE. THE BOTTOM LINE IS WHEN THAT PROJECT GETS DESIGNED, WHEN THAT SITE PLAN IS APPROVED, WHEN THAT JOINT -- WHEN THAT ACCESS IS ACTUALLY CONSTRUCTED, THE APPLICANT IS WILLING TO REMOVE THIS DRIVEWAY, REVEGETATE, AND THEN THE SETBACKS FOR THAT DRIVEWAY, THE SETBACKS ALONG THIS TRACK WHERE THAT DRIVEWAY IS LOCATED WILL BE CONSISTENT WITH THE REST OF THE SETBACKS ON THE TRACK. THE NEIGHBORS, ON THE OTHER HAND, ARE VERY CONCERNED ABOUT CONSTRUCTION TRAFFIC COMING IN TO THIS SITE. AND THERE -- THERE -- WHILE THEY UNDERSTAND THE TIMING ISSUES, THEY'RE VERY CONCERNED THAT THERE IS GOING TO BE A DANGEROUS SITUATION CREATED WITH CONSTRUCTION TRAFFIC COMING INTO THIS SITE PRIOR TO THE CONCLUSION OF THE CONSTRUCTION OF THE JOINT ACCESS. SO THAT IS THE SECOND MAJOR ISSUE BETWEEN THE PARTIES THAT THE STAFF EXPLORED WITH THE NEIGHBORS AND WITH THE APPLICANT. THE -- THERE IS A LOT OF RESTORATION WORK THAT NEEDS TO BE DONE, 20% OF THE SITE UNDER THE HILL COUNTRY ROADWAY WOULD BE REQUIRED TO BE IN A VEGETATIVE BUFFER. WHAT THE APPLICANT HAS AGREED TO DO AGAIN IN MEETING AND COMING AS CLOSE TO THE HILL COUNTRY ROADWAY ORDINANCE AS POSSIBLE, IS TO REVEGETATE 14% OF THE SITE AND THEY WOULD ACTUALLY IRRIGATE IT. I DO WANT TO KNOW, AND I DIDN'T NOTE STARTING OUT, THAT THE APPLICANT IS WILLING TO DO CURRENT CODE ON WATER RETENTION AND WATER QUALITY. 40% OF THE SITE IS REQUIRED UNDER THE -- WOULD BE REQUIRED IF THE HILL COUNTRY ROADWAY ORDINANCE APPLIED TO BE A NATURAL AREA, THE APPLICANT IS PROPOSING 29%. THE NEIGHBORS WOULD LIKE THAT TO BE AT 40%. FINALLY -- WELL, NOT FINALLY, WE STILL HAVE A FEW MORE ISSUES TO GO. BUT AS FAR AS THE NUMBER OF UNITS ARE

CONCERNED, THE ORIGINAL -- IF -- IF THIS PROPERTY WERE ZONED FS 6, THERE WOULD BE 121 UNITS ALLOWED. THE APPLICANT IS CURRENTLY PROPOSING 86 UNITS, THE NEIGHBORS COMMENTS ABOUT THE UNITS IS THEY WOULD LIKE TO SEE THEM 89 OR LESS. CONSTRUCTION ON SLOPES, THERE IS SOMEWHAT OF A DEVIATION AGAIN FROM HILL COUNTRY ROADWAY STANDARDS, THE APPLICANT IS PROPOSING TO DO 35% AS FAR AS THE DRIVEWAY IS CONCERNED WITH THE REST BEING AT 25. THE NEIGHBORS DID NOT REALLY HAVE AN ISSUE WITH THAT. THAT IS, AS I UNDERSTOOD, FROM THEIR COMMENTS. THE REAR SETBACK, BOTH THE NEIGHBORS AND THE APPLICANT ARE -- AGREE TO ATTEND -- A TEN FOOT SETBACK, UNDERGROUND UTILITIES, AND RESTORATION AND REPLANTING OF THE NATIVE TREES AND RESTORING THE VEGETATIVE BUFFER. I THINK THAT THAT TAKES CARE OF ALL OF THE ISSUES -- I BELIEVE THAT THAT TAKES CARE OF ALL OF THE MAJOR ISSUES. HEIGHT AND SETBACKS CONTINUE TO BE THE MAJOR DIFFERENCE, I BELIEVE, BETWEEN THE NEIGHBORS AND THE APPLICANTS AND I'LL LET PEOPLE CORRECT ME IF I'VE MISSTATED IT SO FAR. ANY QUESTIONS?

Mayor Wynn: QUESTIONS OF STAFF? COUNCIL?  
COUNCILMEMBER DUNKERLY? KURNG KURNG MISS TERRY,  
YOU MENTIONED THEY WOULD APPLY WITH THE CURRENT  
RULES ON WATER QUALITY AND DETENTION.

THAT'S CORRECT.

Dunkerly: DOES THAT NEED TO BE -- WHATEVER WE  
PROPOSE AT SOME POINT, DOES THAT NEED TO BE  
INCLUDED OR IS THAT SOMETHING THAT IS NORMALLY  
DONE.

IT'S NOT NORMALLY DONE. IT WOULD BE APPROPRIATE TO  
INCLUDE IT, ON THE DECISION POINT, SINCE THAT IS ALL -- I  
APOLOGIZE, THIS HAS ALWAYS BEEN A GIVEN, I DID NOT  
INCLUDE DECISION POINTS BECAUSE IT WAS NOT A POINT  
OF CONTENTION, BUT YOU'RE ABSOLUTELY RIGHT, IT IS  
APPROPRIATE TO INCLUDE THAT IN IN MOTION IF YOU ALL  
CONSIDER THAT.

Mayor Wynn: THANK YOU FOR THE QUESTIONS OF STAFF.

COUNCIL COMMENTS? AGAIN, AS RESOURCES, NOT ONLY DO WE HAVE I GUESS THE --

Dunkerly: EXCUSE ME, MAYOR, I HAVE ONE MORE.

YES, MA'AM.

Dunkerly: WHEN YOU WERE TALKING ABOUT THE JOINT USE THAT WILL HAPPEN WHEN -- THE OTHER DEVELOPMENT.

THE OTHER DEVELOPMENT.

Dunkerly: -- AND THEY CHANGE THAT ENTRANCE, DID YOU SAY THAT WOULD THEN ALLOW MORE OF A BUFFER OF THAT SIDE?

WHAT THEY WILL DO IS REMOVE THIS DRIVEWAY AND REVEGITATE IT AND THE SETBACKS WILL BE IN LINE WITH THE SETBACKS ON EITHER SIDE.

THE SETBACK ON EITHER SIDE IS WHAT, THE 30 FEET.

AT THIS POINT I DON'T RECALL. IT'S A VARYING SETBACK. I DON'T KNOW IF IT'S 25 OR 30, I WOULD HAVE TO DEFER TO THE APPLICANT ON THAT. WHAT THE APPLICANT HAS INDICATED TO US IS DEPENDING ON WHAT YOU ALL DO WITH REGARD TO THIS REQUEST, WHETHER YOU -- IF IT IS WITHIN YOUR DESIRE TO INCLUDE THAT KIND OF A MODIFICATION, THEY WILL SUBMIT A SITE PLAN THAT WILL CONFORM TO THE REPRESENTATION THAT -- THAT THE -- OF THE 510 FEET AT -- AT 25, THE 25 -- THE 510 FEET AT 25 AND THE REST AT 30, THEY WILL SUBMIT A -- A SITE PLAN THAT SHOWS WHERE THOSE VARIATIONS ARE. WHAT I'M SAYING IS IF YOU CHOOSE IN YOUR MOTION TO -- TO GRANT THIS WITH THE MODIFICATION THAT THEY PROVIDE THOSE VARYING BUFFERS, WHAT THEY WILL DO IS THEY WILL FILE A SITE PLAN THAT WILL DEMONSTRATE THAT THERE IS A 25-FOOT SETBACK FOR 510 FETAL LONG THE SITE AND THAT THE REMAINDER WOULD BE AT 30 FEET, THE REMAINING SETBACK WOULD BE AT 30.

Dunkerly: THE 510 FEET S. THAT -- MAYBE IF YOU HELD UP

THAT --

SHIELA, CAN YOU COME HELP ME.

Mayor Wynn: PERHAPS IF WE COULD DO IT VISUALLY WITH THE CAM TR CAMERA FROM ABOVE.

THAT WOULD BE MUCH BETTER. LET ME TELL YOU WHAT I'M TALKING ABOUT AS SOON AS WE GET IT UP.

Dunkerly: OKAY.

OKAY. SHIELA... AND GEORGE. WHAT I NEED FOR -- WHAT I NEED FOR YOU TO DO IS ON THIS -- ON THIS DIAGRAM, SHOW WHERE THE 25 FEET IS AND WHERE THE 30 IS.

THE 25-FOOT SETBACK WOULD BE APPLIED ALONG THIS GROUP OF UNITS HERE, WHICH IS APPROXIMATELY 12 UNITS, AND ONE CORNER OF THIS BUILDING, WHICH CONTAINS SIX UNITS TOTAL, THE CORNER OF THESE TWO BUILDINGS HERE WHICH CONTAIN FOUR UNIT, THIS CORNER WOULD BE 25 FEET, IT WOULD BE A 30-FOOT SETBACK AT THE OTHER CORNER OR THE SECOND BUILDING AND THEN THE CORNER OF THE PROPOSED BUILDING HERE WHICH WOULD CONTAIN 14 UNITS WOULD BE 25 FEET T BALANCE -- ALSO THE EXISTING DRIVEWAY, A PORTION OF THE DRIVEWAY AT THE UPPER END DIPS INTO THAT 25-FOOT SETBACK. THE REST OF THE SETBACKS WOULD BE IN EXCESS OF 25 FEET, AT LEAST 30 FEET.

Dunkerly: COULD I ASK THE OWNER OR THE AGENT A QUESTION?

Mayor Wynn: IN ADDITION, WE HAVE OFFICERS FROM THE 2222 NEIGHBORHOOD COALITION HERE AS WELL.

Dunkerly: OKAY. I HAD ONE QUESTION THAT I WAS CONFUSED ON. I KNOW THAT IT'S A VERY NARROW LOT. IS THERE ANY WAY THAT YOU COULD SCOOT THE BUILDING BACK FIVE FEET SO THAT YOU HAVE THIS 30-FOOT SETBACK EVERYWHERE EXCEPT FOR THE DRIVEWAY IMPACTS UNTIL YOU GET THE JOINT ENTRANCE? OR IS IT JUST TOO NARROW

THERE TO DO THAT?

GOOD EVENING. I'M THE APPLICANT FOR --

Dunkerly: I'M SORRY....

RANCHO VALENCIA.

Dunkerly: ARE THERE ANY YOU CAN SETBACK THE FIVE FEET.

IN RESPONSE TO YOUR QUESTION, MA'AM, WE ALREADY HAVE GIVEN UP ALREADY TWO-THIRDS OF THE AREA THAT WILL BE WITH A 35-FOOT SETBACK, THE REMAINING 25%, WE NEED TO KEEP IT IN ORDER TO GET THE UNITS. AS YOU CAN SEE ON THIS DIAGRAM, WE HAVE A VERY NARROW DRIVEWAY THAT HAD WE KNOWN BEFORE WE CONSTRUCTED THE INFRASTRUCTURE THAT THIS WAS GOING TO BE AN ISSUE FOUR YEARS DOWN THE ROAD, I'M SURE WE COULD HAVE MADE SOME RECOMMENDATIONS, BUT NOW OUR ROAD IS HERE AND REALLY BY PUSHING IT AN ADDITIONAL FIVE FEET IT WILL REALLY REDUCE THE NUMBER OF UNITS THAT WE HAVE.

Dunkerly: OKAY, SO IN OTHER WORDS BECAUSE OF THE NARROW LOT WHERE THOSE BUILDINGS ARE, YOU CAN'T GET THE EXTRA FIVE FEET, BUT WHEN THE DRIVEWAY GOES AWAY AND YOU REVAMP THAT ENTRANCE, YOU WILL BE ABLE TO GET 30 FEET.

YES, MA'AM.

Dunkerly: ALL ALONG THERE EXCEPT FOR THAT 500 FEET THERE IN THE MIDDLE OR THOSE AREAS WHERE --

THAT'S CORRECT. THIS AREA RIGHT HERE AND THIS AREA RIGHT HERE.

Dunkerly: ALL RIGHT. THANK YOU.

YOU'RE WELCOME.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? AS A RESOURCE WE HAVE A NUMBER OF FOLKS BUT A COUPLE



OF THE OFFICERS OF THE NEIGHBORHOOD COALITION.  
COUNCILMEMBER LEFFINGWELL?

Leffingwell: FOR MS. TERRY, ON THE RESTRICTION OF BUILDINGS WITHIN 100 FEET, IS THAT ANY ENCROACHMENT WHATSOEVER INTO THE 100-FOOT BUFFER, MOST OF THE BUILDING, ANY PART OF IT OR MOST -- OR WHAT? IN OTHER WORDS, JUST A CORNER OF THE BUILDING IS IN THAT BUFFER, DOES THAT RESTRICT IT?

COUNCILMEMBER, THE -- THE 35 -- THERE ARE TWO BUILDINGS --

Leffingwell: I'M NOT REALLY TALKING ABOUT THAT ONE, THAT IS CLEAR.

YES.

Leffingwell: BUT ON THE BACK SIDE THERE'S A COUPLE OF THE 40-FOOT BUILDINGS IT LOOK LIKE THAT ONE OF THEM -- A COUPLE OF THEM -- WELL, THREE OF THEM BARELY ENCROACH INTO THE 100-FOOT BUFFER.

THE PROPOSAL IS THEY WILL NOT ENCROACH INTO THE 100 100-FOOT BUFFER, THIS NEW DIAGRAM SHOWS THEY DO NOT.

Leffingwell: FOLLOW YOUR FINGER ON THE 100-FOOT LINE.

YES, SIR. THIS IS THAT SIDE --

Leffingwell: BEHIND YOU, NOW KEEP GOING, KEEP GOING, KEEP GOING, NO, THE 100-FOOT LINE.

THIS IS THE 100-FOOT LINE.

Leffingwell: I KNOW, JUST KEEP GOING.

OH, THESE.

Leffingwell: NO, NO, KEEP GOING.

I'M SORRY, OH, UP HERE, I WAS AT THE WRONG END, I

APOLOGIZE.

Leffingwell: OKAY, CAN WE HAVE THE SKY CAM AGAIN?  
[LAUGHTER]

YOU'VE GOT A LAWYER UP THERE DOING THIS.

Leffingwell: FOLLOW THE 100-FOOT LINE, THE FIRST BUILDING  
-- NO GO BACK TOWARD THE MIDDLE.

YES.

Leffingwell: YOU SEE IT RIGHT THERE, PARTS OF 1, 2, 3, 4  
BUILDINGS ARE IN IT.

THAT'S CORRECT.

Leffingwell: WITHIN THE 100-FOOT LINE. ACCORDING TO THE  
CONDITION THAT THE NEIGHBORS ENDORSE, AS I  
UNDERSTOOD IT, WOULD THOSE BUILDINGS BE ALLOWED TO  
GO TO 40 FEET OR 28?

28.

Leffingwell: IF IT ENCROACHES WITHIN THAT 100-FOOT  
BUFFER.

THAT'S THEIR PROPOSAL.

Leffingwell: OKAY. NOW, ONE MORE MINOR DETAIL, ON THE  
SETBACKS, THE APPLICANT IS PROPOSING THE 25 FEET FOR  
510 FEET AND THE REST OF 30 FEET, EXCLUSIVE OF THE  
DRIVE, THE NEIGHBORHOOD RECOMMENDATION IS 30 FEET  
WITH DENSE VEGETATIVE BUFFER.

YES.

Leffingwell: THERE'S NO DENSE VEGETATIVE BUFFER ON THE  
APPLICANTS COLUMN?

WHAT THE -- YES, SIR, WOULD YOU LIKE FOR ME TO SPEAK  
TO THAT?

Leffingwell: THERE IS NONE. IS THERE SUPPOSED TO BE ONE OR NOT?

WELL, WHAT THE APPLICANT HAS REPRESENTED THAT THEY WILL DO IS THAT THEY WILL RESTORE THE VEGETATIVE BUFFER TO HILL COUNTRY ROADWAY STANDARDS AND WHEN I ASKED THE STAFF WHAT -- WHAT THE IMPLICATIONS OF THAT WAS, THEY SAID THAT STANDS. WHEN I READ THE LATEST INFORMATION THAT I GOT FROM THE NEIGHBORHOOD TODAY MY IMPRESS OF WHAT THE NEIGHBORHOOD REPRESENTATIVE, NEIGHBORHOOD REPRESENTATIVE SAID AND THEY CAN CORRECT ME IF I'M WRONG IS THAT THAT IS REALLY WHAT THEY'RE LOOKING FOR. THEY'RE LOOKING FOR THE HILL COUNTRY ROADWAY BUFFER STANDARDS, THE VEGETATIVE BUFFER STANDARDS SO I'M NOT SURE THERE IS ANY DIFFERENCE, BUT THEY COULD CORRECT ME IF I MISINTERPRET WHAT THEY SENT TODAY.

Leffingwell: WOULD ANYONE FROM THE NEIGHBORHOOD LIKE TO COMMENT ON THAT?

Mayor Wynn: PERHAPS DALE OR... WELCOME, THANKS FOR YOUR PATIENCE.

MY NAME IS PETER TORGAN, I REPRESENT 2222. OUR POSITION IS GENERALLY THAT, WELL, ON THIS TRACT, BECAUSE IT'S A LONG AND NARROW TRACT, THE HILL COUNTRY ROADWAY ORDINANCE PROVIDES FOR INSTEAD OF WHAT IS NORMALLY A HUNDRED FOOT SETBACK FOR ANY DEVELOPMENT A. 35-FOOT SETBACK IN THIS CASE WHICH WILL BE 20% OF THE TRACT. THE APPLICANT HAS PROPOSED A MIX OF 25 AND 30% SETBACK, UNFORTUNATELY WITH THE 25-FOOT SETBACKS WHERE THEY WANT TO HAVE BUILDINGS AND OUR OBJECTIVE IS TO GET THE BUILDINGS TO BE MORE CLOSELY ALIGNED TO THE HILL COUNTRY ROADWAY ORDINANCE IN THIS CASE, BUT OUR POSITION IS THAT IF THEY WOULD AGREE TO 28-FOOT BUILDING WITHIN 100 FEET OF THE RIGHT OF WAY THAT THE MIX OF 25 AND 30-FOOT SETBACKS WOULD BE FINE WITH US AS LONG AS WE HAVE DENSE BUFFER IN THE SETBACK AREA. IN ANY CASE, I THINK THE -- I THINK HAVING A VEGETATIVE BUFFER THERE IS NOT A CONTROVERSY

BETWEEN THE TWO PARTIES. IT'S TO EVERYBODY'S ADVANTAGE TO HAVE THAT, PARTICULARLY FOR THE DEVELOPER BECAUSE THERE'S AN EXTREMELY HIGH NOISE LEVEL AT THIS TRACT AND THE DENSE BUFFER WOULD HELP DISSIPATE THAT NOISE BECAUSE IT IS VERY HIGH NOISE LEVEL.

Leffingwell: OKAY. JUST TO MAKE SURE I UNDERSTOOD CORRECTLY, YOU BASICALLY DON'T HAVE ANY OPPOSITION TO THE APPLICANT'S PROPOSAL FOR THE HILL COUNTRY ROADWAY BUFFER, 25 OR 30 FEET, AS LONG AS IT'S DENSELY VEGITATED, IS THAT RIGHT?

NO, THAT IS NOT EXACTLY RIGHT.

Leffingwell: OKAY.

IF THEY -- IF THEY WANT TALLER BUILDINGS, THEN THE HILL COUNTRY ROADWAY ORDINANCE IN THIS PARTICULAR CASE ALLOWS A 35-FOOT SETBACK INSTEAD OF 100-FOOT SETBACK AND 28-FOOT HIGH BUILDINGS AND PART OF THE PROBLEM WE HAVE WITH THE PLAN IS THAT THE DEVELOPER SIMULTANEOUSLY WANT AS SMALLER SETBACK AND TALLER BUILDINGS UP CLOSE TO THE STREET AND THAT'S WHAT WE'RE OBJECTING TO. IF THE DEVELOPER WERE AGREEABLE TO MAKE -- WE PROPOSED 100-FOOT -- THAT'S WHERE THAT HUNDRED FOOT LINE CAME FROM, WE PROPOSED A HUNDRED FOOT LINE FOR DEFINING WHERE 28-FOOT BUILDINGS WOULD COME IN AS A COMPROMISE TO THE HILL COUNTRY ROADWAY ORDINANCE AS OPPOSED TO HAVING TALL BUILDINGS UP CLOSE TO THE ROADWAY, TO HAVE THE TALLER BUILDINGS CLOSE TO THE ROADWAY, IF WE COULD GET AGREEMENT FOR 28-FOOT BUILDINGS WITHIN 100 FEET OF THE ROADWAY, THE MIXED SETBACK WOULD BE JUST FINE. I THINK THE STICKING POINT THERE IS REALLY THE HEIGHT OF THE BUILDINGS.

Leffingwell: RIGHT. I UNDERSTOOD THAT, THANK YOU.

Dunkerly: COULD I ASK YOU ONE QUESTION.

YES.

Dunkerly: WHEN WE WERE VISITING THE OTHER DAY, WE DIDN'T HAVE THAT NICE BIG MAP.

NO, WE DIDN'T.

Dunkerly: I MISUNDERSTOOD SOMETHING, I THINK. WHEN WE WERE TALKING YOU SAID YOU WANTED THE 28-FOOT HIGH BUILDINGS CLOSER TO THE ROADWAY AND YOU WERE OKAY WITH THE 40 FEET BEHIND, I THOUGHT YOU MEANT IN RELATIONSHIP TO THE DRIVEWAY.

NO.

Dunkerly: YOU MEANT THE HUNDRED.

RELATIVE TO THE ROADWAY.

Dunkerly: ALL RIGHT, THANKS.

AND THAT IS UNDER THE HILL COUNTRY ROADWAY ORDINANCE ALL THE BUILDINGS ON THE TRACT WOULD BASICALLY BE 28 FEET HIGH. WE REALIZE THAT IS A PROBLEM FOR THE DEVELOPER.

Dunkerly: I MISUNDERSTOOD YOU, WE NEEDED THAT MAP, THAT BIG ONE.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS?  
COUNCILMEMBER ALVAREZ?

Alvarez: JUST A QUICK QUESTION FOR THE APPLICANTTOR THE AGENT IN TERMS OF I GUESS WHAT HAS BEEN INVESTED IN SUPPORT OF THE -- OF THIS PARTICULAR SITE PLAN IN TERMS OF INFRAC. I KNOW I MEAN THERE'S CERTAIN DELAYS BECAUSE OF SOME LITIGATION AND -- BUT THERE WAS SOME, YOU KNOW, WORK THAT WAS DONE IN TERMS OF MOVING FORWARD WITH THE DEVELOPMENT PROJECT AND I WAS JUST CURIOUS ABOUT HOW MUCH OF AN INVESTMENT HAD BEEN MADE IN THAT INFRASTRUCTURE.

MAYOR, STAFF, MY NAME IS EDDIE JONES, I'M THE OWNER OF THE SITE UP THERE. THERE'S APPROXIMATELY A LITTLE OVER \$4 MILLION OF INFRASTRUCTURE IN THIS SITE AT THIS

TIME RIGHT NOW, INFRASTRUCTURE AND INTEREST. THE SITE WAS PERMITTED PRIOR TO ANNEXATION INTO THE CITY, AND WE WERE NOT SUBJECT TO THE HILL COUNTRY ORDINANCE WHEN THIS INFRASTRUCTURE AND THE DESIGNS WENT INTO THIS SITE. UNFORTUNATELY WE HAD THE INFRASTRUCTURE IN YOU I HAD RECEIVED SIX BUILDING PERMITS AS YOU SEE IN RED HERE.

Alvarez: YOU'VE RECEIVED THOSE?

I RECEIVED THOSE IN SEPTEMBER OF '03 FROM THE CITY OF AUSTIN, WHENEVER I DID THE CASH CALL ON THE MINORITY PARTNER IN THIS PROJECT, HE DIDN'T MAKE MISS CASH CALL, THE THING WENT INTO LITIGATION, THE NEXT 26 MONTHS WERE LITIGATION. WE FINALLY -- THAT WAS FINALLY A JURY VERDICT ON DECEMBER 5th. THEY FOUND HIM IN FRAUD, AND FOUND THAT HE LOST HIS INTEREST IN THE PROPERTY. AT THAT POINT I WENT AHEAD AND ASKED SERGIO TO EXTEND THE SITE PLAN SO WE CAN GO AHEAD AND GET THE PROJECT FINISHED. AS OF MARCH 6th OF THIS YEAR I THOUGHT WE HAD EVERYTHING WORKED OUT WITH CITY OF AUSTIN LEGAL DEPARTMENT, CITY OF AUSTIN DISAF AND LEFT FOR SPRING BREAK. I CAM BACK HOME AND WAS INFORMED THAT THREE NEIGHBORHOOD GROUPS, JESTER, LONG CANYON AND RIVER PLACE, JESTER WAS ABOUT THREE MILES AWAY, RIVER PLACE WAS ABOUT TWO AND A HALF, RIVER -- I MEAN LONG CANYON IS ABOUT TWO AND A HALF, AND RIVER PLACE I THINK IS CLOSE TO ABOUT A MILE AWAY, MAYBE. MAYBE A LITTLE BIT LESS. I WAS INFORMED THEN THAT THE BIGGEST PROBLEM WAS THE INGRESS AND EGRESS OFF 2222 WITH SAFETY CONCERNS. I THINK WE'VE RESOLVED THAT TO EVERYBODY'S SATISFACTION. I'M REALLY PLEASED WITH IT AND I THINK THE NEIGHBORHOOD GROUPS ARE PLEASED WITH THIS. IT'S THE ONLY ACCESS TO THE SITE. AS SOON AS VISTA, I THINK IT'S CALLED, HAS THEIR PROPERTY BACK THERE, WE CAN ACCESS IT THROUGH THEN -- THROUGH THEIR PROJECT.

Alvarez: THEY WERE OPEN TO THAT IDEA?

RIGHT, THE HEIGHTS OF THE BUILDING, THE INFRACTION, THE PLANS, EVERYTHING WAS DONE. >>DONE.

Alvarez: AND THEN THE ORIGINAL PROJECT WAS ASSUMING A 40-FOOT HEIGHT LIMIT OR...

WE HAD 35-FOOT. ACTUALLY WE HAD 150-FOOT ON ONE PIECE OF THE PROPERTY, AND THESE WERE 30... WHEN WE GOT THE PERMITS. THIS WAS DOWN HERE ON THIS END THIS WAS 150-FOOT WITH 35 -- 34, 35, I DON'T RECALL THE NUMBER OF UNITS AND THE PERMITS WE PULLED HERE WERE -- WERE 35-FOOT HEIGHTS.

Alvarez: ALONG 2222 THE ONLY BUILDINGS WOULD BE 35 FEET WOULD BE THE ONES THAT ARE ALREADY PERMITTED AT THAT HEIGHT, IS THAT...

Mayor Wynn:. >>THAT... ..

WELL, THIS GROUP IN HERE WE PLANNED ON BUILDING ABOUT HALF OF THEM, THE MODELS, WE WERE GOING TO BUILD THE SECOND HALF, IT'S HOW THEY'RE DESIGNED.

Alvarez: ALL THAT STRIP OF RED THERE IS NOT PERMITTED, JUST A PORTION OF IT, IS THAT...

WELL, THEY'RE DESIGNED AS MODULAR UNITS, SO ON THIS ONE -- THE NEIGHBORHOOD GROUP ASKED ME IF I COULD CHANGE THE ARCHITECTURE AND CHANGE THE MODELS AND THAT'S WHERE THIS CAME ABOUT CLUSTERING IS THEY LIKED IT BETTER AND I SAID OKAY.

Alvarez: AND BUT THE ORIGINAL HEIGHT YOU WERE ASSUMING WHEN YOU SUBMITTED THE SITE PLAN WAS 40 FEET.

ORIGINALLY IT WAS 150 FEET, THE ORIGINAL SITE PLAN.

Alvarez: RIGHT, ORIGINALLY, BUT -- BUT THEN AS YOU PROCEEDED --

AND I DON'T THINK THERE WERE -- AND YOU CAN ASK SERGIO HERE, I DON'T THINK THERE WERE HEIGHT RESTRICTIONS THE WAY IT WAS BECAUSE IT WAS IN THE COUNTY, IT WASN'T AND NEXTED INTO THE CITY, BUT THE PLANS WERE FOR 40-FOOT OR LESS PLANS ON THERE WITH

THE EXCEPTION THAT ONE END UNIT, WE SAID WE'LL DROP THAT THING DOWN TO 40. EVERYTHING WE'RE TRYING TO DO IS 3 STORY RIGHT NOW W. THE EXCEPTION OF WHERE WE SHOW THE YELLOW ONE HERE BEING TWO STORY.

Alvarez: ALL RIGHT, THANK YOU VERY MUCH.

YOU'RE WELCOME. THANK YOU.

Mayor Wynn: THANK YOU, SIR, FURTHER QUESTIONS, COMMENTS? MISS TERRY.

MAYOR AND COUNCIL, THAT IS ALL I HAVE UNLESS YOU ALL HAVE FURTHER QUESTIONS OF ME. ACTUALLY, LET ME -- LET ME BACK UP. THE COLINA VISTA SITE, THE SITE COMING IN NEXT DOOR, THAT IS PART OF THE CITY AND IT IS SUBJECT TO THE HILL COUNTRY ROADWAY AND THAT IS WHAT GIVES US THE ABILITY TO REQUIRE THAT JOINT ACCESS IS BECAUSE THEY ARE SUBJECT TO THE HILL COUNTRY ROADWAY PROVISIONS AND THE HILL COUNTRY ROADWAY PROVISIONS TO DO ALLOW US TO REQUIRE JOINT ACCESS SO THAT IS WHAT MAKES THAT POSSIBLE, IN CASE THERE'S SOME QUESTION BETWEEN THIS SITE VERSE THE OTHER SITE AND THE ISSUES WE'RE DEALING WITH ABOUT THIS SITE NOT BEING SUBJECT TO HILL COUNTRY ROADWAY, I THOUGHT I MIGHT ADD THAT, BUT OTHER THAN THAT, COUNCIL, I HAVE NOTHING ELSE.

Mayor Wynn: MISS TERRY, SOMEBODY HAS CREATED THIS DECISION POINTS.

YES, SIR.

Mayor Wynn: SPREADSHEET FOR US?

YES, SIR.

Mayor Wynn: THIS IS PUBLIC INFORMATION, CORRECT?

YES, IT IS PUBLIC INFORMATION. IN FACT I AT VARIOUS TIMES MAILED THESE SHEETS OUT TO THE VARIOUS PARTIES SAYING HAVE I GOT THIS THING RIGHT?



Mayor Wynn: OKAY. COUNCILMEMBER LEFFINGWELL?

Leffingwell: I'M NOT SURE I COMPLETELY UNDERSTAND THE DISAGREEMENT ON THE JOINT USE. IT'S NOW VERSUS LATER?

WELL, THE NEIGHBORS -- THE NEIGHBORS REALLY, AS I UNDERSTAND THEIR POSITION, AND IT MAY BE THAT SINCE I'VE LAST TALKED WITH HIM, THEY MAY HAVE CHANGED, BUT THE LAST TIME WE HAD THE DISCUSSION WITH THE NEIGHBORS, THEY REALLY DID NOT WANT THE CONSTRUCTION TRAFFIC GOING IN -- IN THERE, IN THAT DRIVEWAY RIGHT NOW. THEY REALLY WANT THAT DRIVEWAY SHUT DOWN NOW. THE PROBLEM IS THE -- THAT WOULD REQUIRE JOINT ACCESS WITH THE DEVELOPMENT NECK DOOR AND THE DEVELOPMENT NEXT DOOR HAS NOT DESIGNED ITS PROJECT SO THEY DON'T KNOW WHERE THEIR DRIVEWAYS ARE GOING TO BE. SO WHAT THAT WOULD MEAN IS IS THAT THIS PARTICULAR DEVELOPMENT WOULD BE -- IF YOU MADE A CONDITION OF EXTENDING THE SITE PLAN, IF YOU MADE THAT A CONDITION THAT THAT DRIVEWAY HAD TO GO AND NOW THAT IT COULD NOT DO IT NOW, THAT THEY HAD TO REACH AN AGREEMENT WITH COLINA VISTA CONCERNING JOINT ACCESS BEFORE THEY COULD BEGIN WORK ON THIS SITE, IT WOULD HOLD THIS PROJECT UP, THEY WOULD NOT BE ABLE TO START, THAT WOULD -- THEY WOULD BE GRANTED AN EXTENSION, BUT THEY LITERALLY WOULD NOT BE ABLE TO USE THAT EXTENSION BECAUSE THEY WOULD BE HELD UP UNTIL COLINA VISTA DESIGNED ITS PROJECT, DESIGNED WHERE ITS DRIVEWAY WAS GOING TO BE, AND -- AND NEGOTIATED WITH -- WITH THIS JOINT -- WITH THIS PROJECT WITH THE APPLICANT FOR THAT ACCESS. IT'S A TIMING ISSUE. AND -- BUT IT IS A CONCERN OVER CONSTRUCTION TRAFFIC COMING IN ON THAT DRIVEWAY ACCESS AT THE TOP OF THE HILL. SO THAT IS HOW I UNDERSTAND THE ISSUE.

COULD I ASK MR. BEULAH TO CONFIRM TO YOU, UNDERSTAND THAT TO BE THE CASE?

I PREFER MR. TORGENSON TO RESPOND BECAUSE HE WAS IN ON THE NEGOTIATIONS. I DID NOT ATTEND ON THAT ONE.

I GUESS THE QUESTION IS DID YOU UNDERSTAND THAT THE CONDITION YOU WERE IMPOSING WOULD NOT ALLOW ANYTHING TO GO FORWARD.

WE HAD SEVERAL DISCUSSIONS ABOUT DRIVEWAYS AND WE -- WE -- WE ARE IN AGREEMENT THAT IT'S IMPOSSIBLE TO FORCE A DRIVEWAY TO BE PUT IN IMMEDIATELY. THE CONCERN THAT WE HAD IS THAT WE DON'T WANT A, QUOTE, TEMPORARY DRIVEWAY TO BECOME A FIFTEEN YEAR TEMPORARY DRIVEWAY WHICH IS POSSIBLE ON THE REAL ESTATE BUSINESS IF THE ENVIRONMENT WERE TO BECOME LESS FAVORABLE TO NEW DEVELOPMENT. SO WE WERE IN FAVOR, VERY STRONGLY, OF NOT JUST THINKING ABOUT WE'LL HAVE SOME DISCUSSIONS ABOUT HAVING THAT DRIVEWAY REMOVED AND HAVING AN EASEMENT ACROSS THE COLINA VISTA PROPERTY, BUT WE WANTED TO SEE SOME REAL SERIOUS THINKING CONTACT WITH THE PEOPLE AND SOME POSITION BY THE CITY TO MAKE SURE THIS ACTUALLY IS GOING TO HAPPEN, AND MY UNDERSTANDING IS THAT THERE'S A LETTER FROM CITY STAFF OF YET DOCUMENTING THAT THEIR PLAN IS TO REQUIRE THAT THE SHARED DRIVEWAY BE PUT IN, AND I -- MY PERSONAL OPINION IS THAT NOW THAT THE RANCH PROPERTY HAS BEEN SOLD AND WILL PROBABLY BE DEVELOPED, BOTH OF THESE DEVELOPERS ARE PROBABLY EXTREMELY MOTIVATED TO GET THEIR DEVELOPMENTS BUILT BEFOREHAND BECAUSE THOSE RANCH PROPERTIES ARE GOING TO BE COMPETITORS OF THEIRS FOR SELLING CONDOMINIUMS, SO I BELIEVE THAT IT'S NOT GOING TO FUNDAMENTALLY BE A PROBLEM UNLESS SOMEBODY HAPPENS WITH THE REAL ESTATE MARKET, OUR CONCERN REALLY IS THAT WE DON'T WANT THIS THING TO BECOME TOO NEBULOUS TO FORCE SOMETHING TO HAPPEN, I THINK THE CITY STAFF ACTIONS HAVE BEEN A STEP IN THE RIGHT DIRECTION THERE. (ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS...)

Mayor Wynn: THANK YOU, SIR. FURTHER QUESTIONS, COMMENTS?

MAYOR AND COUNCIL, IF IT IS YOUR DESIRE TO GRANT THE APPEAL, EITHER JUST GRAPT IT OUT RIGHT -- GRANT IT OUT RIGHT OR GRANT IT WITH MODIFICATIONS, I CAN ASSIST YOU

WITH HELPING YOU WALK THROUGH THE FINDINGS THAT YOU HAVE TO MAKE UNDER THE CODE AND MAKE THOSE SUGGESTIONS FOR YOU, AND THEN I CAN ASSIST YOU WALKING THROUGH THE MOTION SHEET, BUT I AM AT YOUR DISPOSAL. JUST TELL ME WHAT YOU WOULD LIKE FOR ME TO TELL YOU TO DO.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I WOULD LIKE TO MAKE A MOTION TO GRANT THE APPEAL WITH CONDITIONS.

OKAY. THEN IN THAT CASE LET ME WALK YOU THRT THROUGH THE CODE CRITERIA AND ASSIST YOU WITH THAT. FIRST OF ALL YOU MUST FIND THAT THERE IS JUST CAUSE AND THERE WAS LITIGATION BETWEEN THE PARTNERS, AND THE SUCCESSFUL LITIGANT IS SAYING THAT THROUGH NO FAULT OF HIS OWN THAT HE WAS -- WAS DELAYED IN PURSUING THIS PROJECT. SO YOU COULD FIND THAT THAT LITIGATION WAS GOOD CAUSE. SECONDLY, WHERE YOU HAVE THE FOUR ELEMENTS, YOU HAVE TO FIND ONE OR MORE OF THOSE. CERTAINLY CONSTRUCTION OF SIGNIFICANT INFRASTRUCTURE QUALIFIES. THERE WAS THE UNDERGROUND UTILITIES ARE IN AND THE DRIVEWAY IS IN, AND YOU COULD FIND THAT THERE WAS CONSTRUCTION OF SIGNIFICANT INFRASTRUCTURE. THAT THEN LEADS YOU TO THE FINAL REQUIREMENT, AND THAT IS WHETHER TRAFFIC IMPACTS WILL BE ADEQUATELY MITIGATED, AND YOU COULD FIND THAT THE PROPOSAL CONCERNING THE ACCESS TO THE TRACT BEING JOINT ACCESS, THE DIESEL RATION LANE, THE RIGHT IN, THE RIGHT OUT, THE LEFT TURN RAIN FROM THE STATE AND EVENTUALLY THE JOINT ACCESS IS ADEQUATE TRAFFIC MITIGATION.

Dunkerley: WELL, THOSE WOULD BE MY WORDS AS FAR AS THE GOOD CAUSE AND THE CRITERIA, AND THEN THE TRAFFIC IMPACT THAT THEY'VE SAID. AND ON YOUR DECISION POINTS, I WOULD LIKE TO MAKE THE REMGHTSES TO -- RECOMMENDATIONS TO MAKE THE APPLICANT'S RECOMMENDATION AND ADD THE FOLLOWING CONDITIONS. ON THE SETBACKS, SO ENSURE THAT THE DENSE VEGETATIVE HILL COUNTRY ROADWAY BUFFER IS INCLUDED.

WITH IRRIGATION?

Dunkerley: YES. THAT IS INCLUDED. AND ALSO I'M NOT SURE IF THIS IS COVERED HERE, BUT WHEN THE JOINT DRIVEWAY IS COMPLETED TO MAKE SURE THAT THAT 30-FOOT SET BACK EXTENDS -- THAT ADDITIONAL SPACE DOWN THE LOT.

WHEN THE 30-FOOT -- WHEN THE DRIVEWAY IS REMOVED THAT IT IS REMOVED SUCH THAT WHERE IT WAS LOCATED THERE IS NOW A 30-FOOT BUFFER?

THAT'S RIGHT.

Dunkerley: ON THE NEXT PAGE I WOULD LIKE TO MAKE SURE THAT THE CITY DOES WHAT IT NEEDS TO DO TO ENSURE THAT THERE IS A JOINT ACCESS DRIVEWAY, WHETHER IT'S A LETTER OR WHETHER -- I THINK YOU CAN REQUIRE IT BECAUSE OF THE OTHER PROPERTY, ETCETERA.

COUNCILMEMBER, I UNDERSTAND THE SETBACKS, YOU WANT TO ADDRESS THE HEIGHT.

Dunkerley: IT SAYS JOINT ACCESS LATER. I JUST WANTED TO MAKE SURE -- I THINK THERE'S AGREEMENT BETWEEN THE CITY AND THE NEIGHBORHOOD, BUT I WANT TO MAKE SURE THAT WE'VE GOT WHATEVER DOCUMENTATION WE NEED TO ENSURE THAT THERE IS A JOINT DRIVEWAY AT THE APPROPRIATE TIME.

YES, MA'AM. WE WILL DO THAT.

Mayor Wynn: AND MS. TERRY, WE HAVE THAT AUTHORITY. THAT IS, ESSENTIALLY, IF THE NEXT PROJECT COMES FORWARD THAT CAN BE A CONDITION OF SOME ELEMENT OF IT.

THAT IS CORRECT, BECAUSE THEY ARE SUBJECT TO HILL COUNTRY ROADWAY. BEFORE WE LEAVE THE FIRST PAGE, WHAT DO YOU WISH TO DO ABOUT HEIGHT? I'M SORRY, NEVER MIND.

Dunkerley: THESE ARE THE ONES THAT I'M ADDING.

ALL RIGHT. >>

Dunkerley: AND ALSO INCLUDE THE REQUIREMENT FOR THE WATER DETENTION PONDS AND WATER QUALITY REQUIREMENTS -- CURRENT CODES.

THE CURRENT CODE FOR THOSE ITEMS. THAT IS NOT ON THOSE SHEETS AND I'D LIKE TO HAVE THAT INSERTED. AND THEN THOSE ARE MY CONDITIONS, SO THAT WOULD BE MY MOTION.

Alvarez: I'LL SECOND THAT, MAYOR.

Mayor Wynn: SO MOTION BY COUNCILMEMBER DUNKERLEY, SECONDED BY COUNCILMEMBER ALVAREZ AND IN A MINUTE WE'LL GET MS. TERRY TO SUMMARIZE AGAIN FOR US. I'LL BASE MY QUESTION -- I GUESS MY QUESTION TO COUNCILMEMBER DUNKERLEY IS ESSENTIALLY ON OUR FIRST PAGE OF THIS DECISION POINT CHART IS WHERE WE TALK ABOUT THE ACTUAL HEIGHT AND THE UNITS. I WANT TO MAKE SURE I UNDERSTAND WHAT IS IN YOUR MOTION.

Dunkerley: THE UNITS WILL BE REDUCED FROM 121 UNITS TO 86 UNITS AND THAT SEVEN OF THOSE UNITS, AS SHOWN IN THE DIAGRAM, WOULD BE 28 FEET. 15 WOULD BE 35 FEET AS IT WAS IN THEIR ORIGINAL SITE PLAN, I BELIEVE, AND THEN THE BALANCE -- AND REALLY MOST OF THAT IS BEHIND THE DRIVEWAY. MAYBE IT'S NOT WITHIN THAT 100-FOOT LINE, WOULD BE 40 FEET. IN ADDITION TO THAT THEY HAVE REDUCED THE 150-FOOT BUILDING DOWN TO 40 FEET. SO I THINK THOSE ARE ALL OF THE CHANGES ON HEIGHT.

CAN I ASK MY QUESTION ABOUT WHAT THE MOTION IS? I WANT TO MAKE SURE I UNDERSTAND WHAT THE MOTION IS. MY UNDERSTANDING ABOUT THE MOTION IS THAT ON THE FIRST PAGE THAT PART OF YOUR MOTION IS THE SEVEN UNITS AT 28 FEET, TWO STORIES. THE MIDDLE 15 UNITS AT 35 FEET, THREE STORIES BETWEEN THE DRIVEWAY AND 2222 AND THE REST ARE AT 40 FEET.

Dunkerley: DO I HAVE TO ADD THAT I WANT TO MAKE SURE THAT THE 150-FOOT BUILDING IS ELIMINATED AND REDUCED

TO 50 FEET? IS THAT NECESSARY?

I WOULD SUGGEST THAT WHAT IS IN THE MOTION WOULD BE THAT NO BUILDING EXCEEDS 40 FEET IN HEIGHT. NO BUILDING WILL EXCEED 40 FEET IN HEIGHT. AND THEN THE FRONT SET BACKS ARE WE'VE GOT 25 FEET FOR 510 FEET, THE REST AT 30 FEET, EXCLUSIVE OF THE DRIVEWAY, AND THE DRIVEWAY WILL BE -- WHEN IT'S REMOVED WILL BE 30 FEET. THAT THAT SET BACK WOULD BE 30 FEET WITH A DENSE VEGETATIVE BUFFER. AND THEN COUNCILMEMBER, MOVING ON, I'M ASSUMING THAT YOU'RE INCLUDING YOUR MOTION THAT 14% OF THE SITE WILL BE RESTORED TO A VEGETATIVE BUFFER, AND THAT WILL BE IRRIGATED. THAT THE TOTAL NATURAL PORTION OF THIS SITE WILL BE 29%.

Dunkerley: THAT'S CORRECT.

AND MOVING ON THERE WILL BE A MAXIMUM OF 86 UNITS, IS THAT CORRECT? AND THAT THE CONSTRUCTION ON SLOPES IS PROPOSED BY THE APPLICANT.

Dunkerley: THAT'S TRUE.

AND THEN THE REAR SETBACK WOULD BE 10 FEET.

Dunkerley: THAT'S RIGHT.

AND OF COURSE, THE REPLANT NATIVE TREES AND RESTORE THE VEGETATIVE BUFFER AND THEN ALL UTILITIES WILL BE UNDERGROUND.

Dunkerley: THAT'S CORRECT.

YES, MA'AM. AND THEN CURRENT CODE WATER QUALITY, WATER DETENTION, AND I BELIEVE, COUNCILMEMBER, THAT THAT COVERS EVERYTHING THAT IS IN YOUR MOTION.

Dunkerley: THAT COVERS EVERYTHING IN MY MOTION.

ALL RIGHT.

Mayor Wynn: AND AS A SECOND, COUNCILMEMBER ALVAREZ,

DO YOU AGREE WITH THOSE?

Alvarez: YES, SIR. AND CAN I SPEAK TO IT?

Mayor Wynn: PLEASE DO.

Alvarez: I THINK WE'VE BEEN THROUGH SOME HIGHLY COMPLEX ZONING CASES WITH THIS NEIGHBORHOOD GROUP, AND THERE'S A LOT OF DEVELOPMENT HAPPENING IN THIS CORRIDOR, BUT TYPICALLY WE'RE DEALING WITH THE ZONING STAGE, BEFORE FOLKS HAVE EVEN RECEIVED A SITE PLAN, AND WE'RE TRYING TO FIGURE OUT WHAT ARE THE RIGHT LAND USE RESTRICTIONS OR ZONING RESTRICTIONS TO PLACE ON PROJECTS. AND SOMETIMES THE ISSUE OF GRANDFATHERING COMES UP, BUT IN THAT CONTEXT IT'S A LITTLE DIFFERENT SITUATION WHEN YOU HAVE AN UNDEVELOPED PIECE OF PROPERTY THAT HAS HAD NO WORK DONE ON IT, NO PLANNING, AND THEN HAVE A GRANDFATHERING DECISION. BUT WHEN YOU HAVE A SITUATION LIKE THIS WHERE OBVIOUSLY THERE'S SOME GRANDFATHERING AND FOUR MILLION DOLLARS INVESTED, I MEAN, THIS IS NOT A THEORETICAL PROJECT WHERE THEY MAY OR MAY NOT HAVE GRANDFATHERING. THEIR RIGHTS WERE ACKNOWLEDGED AND THEY PROCEEDED AND INVESTED A LOT OF MONIES IN THE INFRASTRUCTURE, AND THEN EVERYTHING WENT A LITTLE HAYWIRE IN TERMS OF DETERMINING WHO WAS -- DETERMINING THE OWNERSHIP AND THE CONTROL OF THE PROPERTY, AND I THINK IF YOU PUT YOURSELF IN THAT SITUATION WHERE IF YOU'RE TRYING TO DO THIS AND YOU'VE INVESTED FOUR MILLION DOLLARS AND YOUR BUSINESS PARTNER -- YOU HAD SOME ISSUES WITH YOUR BUSINESS PARTNER THAT SLOWED YOUR PROJECT DOWN AND THEN YOU COME BACK AND POTENTIALLY LOSE THE ABILITY TO MOVE FORWARD WITH THE PROJECT, YOU INVESTED FOUR MILLION DOLLARS ON, I THINK THAT'S ONE KIND OF WAY THIS IS DIFFERENT FROM TYPICALLY THE ZONING DECISIONS WE MAKE. BUT I DO THINK ANOTHER IMPORTANT POINT IS THAT THE APPLICANT IN THIS PARTICULAR CASE HAS ACTUALLY MADE CONCESSIONS. THEY COULD BE TRYING TO GET THEIR EXTENSION HERE, YOU KNOW, SAYING THIS IS WHAT WE APPLIED FOR SO MANY YEARS AGO AND WE'VE INSTALLED INFRASTRUCTURE TO SUPPORT THIS LEVEL OF

DEVELOPMENT, AND SO IN ORDER TO GET OUR RETURN, WE NEED TO BUILD THE PROJECT THAT THE INFRASTRUCTURE WAS DESIGNED FOR, BUT THEY REDUCE THE UNITS FROM 120 PLUS TO 86, REDUCED THE HEIGHT IN OTHER AREAS, TRYING TO FIGURE OUT A WAY TO ADDRESS THE DRIVEWAY -- THE ACCESS ISSUES ON TO 360 BUT HAVE AT LEAST MADE AN EFFORT IN TERMS OF TRYING TO DO A RIGHT IN, RIGHT OUT CONFIGURATION AND POSSIBLY EVEN CLOSING THAT ACCESS POINT EVENTUALLY, AND I THINK -- SO THAT SHOWS SOME GOOD FAITH IN TRYING TO ADDRESS SOME CONCERNS. AND THEN FINALLY I'M TRYING TO PLAY THIS OUT TO THE POINT OF WHERE THE COUNCIL, LET'S SAY, WOULD NOT SUPPORT THE EXTENSION AND WHAT WOULD HAPPEN IS THAT THEY'RE GRANDFATHERING ON THIS PARTICULAR CONFIGURATION OR THIS PARTICULAR PROJECT BEFORE US WOULD BE IN QUESTION, AND THEN THE DEVELOPER WOULD HAVE TO LOOK AT THEIR OPTIONS IN TERMS OF TRYING TO RECOUP THEIR MONEY, AND THEY HAVE THE GRANDFATHERING THAT GOES BEYOND THIS SITE PLAN THAT WAS APPLIED FOR THAT ALLOWS FOR 150 FEET. I WOULD BE CONCERNED ABOUT THEIR ONLY OPTION, THE ONLY OPTION FOR THIS DEVELOPER IS GOING BACK TO THE ORIGINAL ENTITLEMENTS ON THE PROPERTY WHICH WOULD ALLOW THEM TO DO MUCH GREATER THAN 40 FEET AND WHAT THAT MIGHT DO TO THE VISUAL IMPACT ON THE CORRIDOR. THEY COULD ALSO CHOOSE TO LITIGATE THEIR GRANDFATHERING ON SOME PARTICULAR SITE PLAN, BUT AGAIN THE DEVELOPER IS GOING TO GO THROUGH A PROCESS OF FIGURING OUT WHAT'S MY BEST -- WHAT'S MY BEST OPTION MOVING FORWARD TO RECOUP MY INVESTMENT IF THE COUNCIL DOESN'T GRANT THIS EXTENSION? AND SO THAT'S WHERE I THINK THERE'S A GREAT POTENTIAL THAT IN ORDER TO RECOUP THEIR INVESTMENT THEY MAY HAVE TO GO BACK TO THEIR ORIGINAL ENTITLEMENTS AND HAVE A SIGNIFICANT -- GO WITH AN OPTION THAT MAY HAVE A MORE SIGNIFICANT ADVERSE IMPACT, AND I THINK -- I DON'T KNOW IF IT'S ON TODAY OR WAS ON TODAY. I THINK IT WAS LAST WEEK. BUT THEY'RE TRYING TO BUILD A 120-FOOT BUILDING OFF OF 183 AND PAVILION, SO THERE'S A DEMAND FOR CONDOS IN THE HI-RISE CONTEXT. AND I THINK THIS PARTICULAR SITE ACTUALLY WOULD HAVE MUCH BETTER VIEWS THAN THE



120-FOOT TOWER AT PAVILION AND 183. SO WHO KNOWS WHAT WOULD HAPPEN IF THIS -- THIS EXTENSION WERE NOT TO BE GRANTED, BUT THOSE ARE SOME OF THE ISSUES I'M TRYING TO GRAPPLE WITH BECAUSE IT'S A LITTLE DIFFERENT FROM YOUR TYPICAL ZONING CASE. THERE'S A WHOLE OTHER LAYER OR SEVERAL LAYERS OF COMPLEXITY TO THIS PARTICULAR CASE, AND THAT'S WHY I SECONDED THE MOTION AND FEEL THAT THERE'S BEEN ADEQUATE CONCESSIONS TO TRY TO ADDRESS THE NEIGHBORS' CONCERNS. THANKS, MAYOR.

Mayor Wynn: THANK YOU, COUNCILMEMBER.  
COUNCILMEMBER MCCRACKEN.

McCracken: YEAH, I HAD A QUESTION FOR THE APPLICANT. IF WE'RE GOING TO DO SOME SORT OF A VARIANCE FROM THE HILL COUNTRY ROADWAY, I DO THINK IT'S GOING TO BE PRETTY IMPORTANT THAT AT LEAST THE ARCHITECTURE BE, YOU KNOW, IN THE HILL COUNTRY SENSE BECAUSE I THINK ONE OF THE THINGS THAT IS FRUSTRATION IN SOME PLACES ALONG 360 IS WHERE YOU HAVE KIND OF THESE MODERN KIND OF SUBURBAN OFFICE PARK TYPES OF STUFF AS OPPOSED TO THINGS THAT REALLY FIT IN THE HILL COUNTRY CONTEXT. IS THERE SOME ASSURANCE WE CAN GET OR COVENANT THAT IT WOULD BE LIKE LIMESTONE OR LIGHT COLORS AS OPPOSED TO SOME KIND OF NON-NATURAL COLORED MATERIALS?

ABSOLUTELY ON THE COLORS. NATURAL COLORS. I DON'T KNOW IF IT'S GOING -- IT WOULD PROBABLY BE A COMBINATION OF STONE AND STUCCO AND WOOD.

McCracken: THAT'S FINE. I WOULD LIKE TO BUILD IN SOME KIND OF ASSURANCE THAT WE DON'T GET SOME KIND OF BRIGHT BLUE THING OR SOME OF THE STUFF YOU SEE ON 360 THAT IS REALLY OUT OF CONTEXT WITH THE HILL COUNTRY.

NO.

McCracken: IF WE CAN GET SOMETHING ABOUT THE COLOR OF THE STONE AND STUCCO AND WOOD, THAT WOULD GO A LONG WAY TO PROTECTING. WE'RE NOT GOING TO GET THE

FULL VISUAL BUFFER AND I UNDERSTAND THE LIMITATION  
OZ THAT, DO WE HAVE SOMETHING ARCHITECTURALLY THAT  
FITS WITHIN THE CONTEXT OF THE REGION?

YES. NATURAL COLORS, AUSTIN COLORS AND I THINK  
EVERYBODY WILL BE PROUD OF THE PROJECT WHEN IT'S  
DONE.

McCracken: WOULD THAT BE OKAY AS A FRIENDLY  
AMENDMENT TO HAVE A COVENANT -- COULD WE GET THAT  
ADDED IN, MS. TERRY?

I HAVE SHEILA CHECKING THE CODE VERY QUICKLY, BUT I  
BELIEVE THAT IN THE HILL COUNTRY ROADWAY ORDINANCE  
ITSELF THERE IS GUIDANCE ON THAT POINT. AND IF THERE  
IS, WHAT WE CAN DO IS SHE'S CHECKING ON IT FOR ME.  
WHAT WE CAN DO IS I CAN ADD TO THE MOTION THAT THEY  
WILL MEET THAT STANDARD IN THE HILL COUNTRY  
ROADWAY ORDINANCE, BUT IF YOU CAN HANG ON JUST A  
SECOND AND WE'LL DOUBLE-CHECK.

Mayor Wynn: THEY'RE CHECKING TO SEE IF ONE OF THOSE  
COLORS INCLUDES MAROON. [ LAUGHTER ]

McCracken: IF IT DOES, THAT'S ONE OF THE SEVEN SIGNS OF  
THE APOCOLYPSE.

MAYOR AND COUNCIL, THAT REQUIREMENT IS 2521126, EACH  
BUILDING SHALL BE DESIGNED AND USED TO THE GREATEST  
EXTENT FEASIBLE, BUILDING MATERIALS THAT ARE  
COMPATIBLE WITH THE ENVIRONMENT OF THE HILL  
COUNTRY, INCLUDING ROCK, STONE, BRICK AND WOOD. A  
PERSON MAY NOT CONSTRUCT A BUILDING THAT HIS MIR  
LOWER GLASS WITH A REFLECT TANS OF MORE THAN 20%. IF  
YOU WOULD INCLUDE IN YOUR MOTION THAT THEY WILL  
MEET THE STANDARDS IN SECTION 2521126, THAT WILL  
COVER IT.

Dunkerley: I'LL CHANGE MY MOTION TO INCLUDE THAT.

Mayor Wynn: AND COUNCILMEMBER ALVAREZ, FRIENDLY  
AMENDMENT ACCEPTED. FURTHER COMMENTS? WE HAVE  
AN AMENDED MOTION AND A SECOND ON THE TABLE.

COUNCILMEMBER KIM -- I'M SORRY, COUNCILMEMBER  
LEFFINGWELL FIRST AND THEN KIM.

Leffingwell: I'M CERTAINLY SENSITIVE TO THE DIFFICULTY  
THAT THE APPLICANT HAS HERE WITH A LOT OF MONEY  
INVESTED AND SO FORTH IN THE PROPERTY, AND I  
CERTAINLY APPRECIATE THE EFFORTS THAT  
COUNCILMEMBER DUNKERLEY HAS MADE TO FIND SOME  
MENTAL GROUND AND ALSO THE COMMENTS MADE BY  
COUNCILMEMBER ALVAREZ THAT GO INTO THE DETAILS ON  
THE CONSTRUCTION THAT'S ALREADY BEEN DONE AND THE  
MONEY INVESTED AND THE POSSIBLE CONSEQUENCES AND  
SO FORTH, BUT THE FACT IS HERE THAT WE HAVE AN  
OPPORTUNITY TO -- I BELIEVE FOR ME PERSONALLY AN  
OBLIGATION TO ENFORCE TO THE GREATEST DEGREE  
POSSIBLE THE HILL COUNTRY ROADWAY ORDINANCE. THIS --  
WE JUST HEARD A MINUTE AGO THAT THE DEVELOPMENT  
IMMEDIATELY ADJACENT TO THIS AND A SIMILAR  
DEVELOPMENT WILL COMPLY WITH THE HILL COUNTRY  
ROADWAY ORDINANCE. THE FACT OF THE MATTER IS THAT  
THIS DEVELOPMENT COULD BE BUILT IN ACCORDANCE WITH  
MAYBE NOT STRICTLY THE HILL COUNTRY ROADWAY  
ORDINANCE, BUT AT LEAST IN ACCORDANCE WITH THE  
ACCOMMODATIONS MADE BY THE NEIGHBORHOOD  
ASSOCIATION. MAYBE NOT WITH AS MUCH PROFIT, BUT IT  
COULD BE DONE. SO THIS MOTION ALLOWS BUILDING  
HEIGHT IN EXCESS OF BOTH THE HILL COUNTRY ROADWAY  
ORDINANCE AND WHAT THE NEIGHBORS HAVE AGREED TO  
ACCOMMODATE. IT DOES NOT CONTAIN THE HILL COUNTRY  
REQUIREMENTS FOR SITE VEGETATIVE BUFFER AND  
NATURAL AREAS, SO I WILL NOT BE ABLE TO SUPPORT THE  
MOTION. [ APPLAUSE ]

Mayor Wynn: COUNCILMEMBER KIM AND THEN DUNKERLEY.

Kim: I WANT TO THANK EVERYBODY FOR THEIR LETTERS AND  
FOR THEIR CALLS ON THE FEEDBACK. IT DOES HELP ME TO  
MAKE A DECISION ON A CASE LIKE THIS, AND WHAT WE HAVE  
BEFORE US IS A SITE PLAN THAT'S ALREADY RECEIVED  
APPROVAL, IT'S JUST THE APPLICANT DID PROCEED BY  
PUTTING IN THE INFRASTRUCTURE, AND DUE TO  
UNFORTUNATE CIRCUMSTANCES, THE APPLICANT ENTERED  
INTO LITIGATION WITH HIS FORMER PARTNER AND WASN'T

ABLE TO COMPLETE THE SITE WORK AFTER THE EXPIRATION OF HIS PERMIT. AFTER THE MEETING WITH THE NEIGHBORS, THE APPLICANT MADE SIGNIFICANT MODIFICATIONS, SUCH AS REDUCING HEIGHT AND ALTERATION OF SOME BUILDINGS, AND THE SITE PLAN I BELIEVE IS NOW BETTER THAN WHAT WE ORIGINALLY HAD BEFORE US, SO I THANK THE NEIGHBORHOOD FOR THEIR INPUT AND THEIR INFLUENCE IN THIS REGARD. IT IS A SITE PLAN THAT IS BETTER THAN WE ORIGINALLY HAD BEFORE US, AND IT WILL ADD OWNER-OCCUPIED CONDOMINIUMS IN AN AREA WITH CERTAIN TOPOGRAPHICAL CONSTRAINTS. AND THE CONDOMINIUMS I FEEL WILL BE LESS OF A BURDEN THAN THE ORIGINAL RESTAURANT THAT WAS FORMERLY AT THE SITE. I FEEL THIS WOULD BE A BETTER PROJECT FOR 2222 AND I'LL BE SUPPORTING THE MOTION.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS? AGAIN, WE HAVE AN AMENDED MOTION AND A SECOND ON THE TABLE TO -- MS. TERRY, TO TECHNICALLY APPROVE THE APPEAL WITH --

WITH MODIFICATIONS.

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

AYE.

Mayor Wynn: OPPOSED?

Leffingwell: NO.

Mayor Wynn: MOTION PASS OZ A VOTE OF SIX TO ONE WITH COUNCILMEMBER LEFFINGWELL VOTING NO. THANK YOU ALL. OKAY. SO COUNCIL, WE'RE GOING TO TAKE UP SOME TRANSPORTATION ISSUES NOW. CHAP CLAP[ APPLAUSE ] OF COURSE, THE HOPE WAS BY WAITING THIS LONG SOME OF THE ANGRY TOW TRUCK DRIVERS WOULD TOW AWAY SOME OF THE ANGRY TAXI CABS. THERE WOULD BE A SMALLER CROWD HERE. JUST KIDDING. [ LAUGHTER ]

Thomas: AT LEAST YOU'LL WAKE SOMEBODY UP BACK THERE.

Mayor Wynn: COUNCIL, MY RECOMMENDATION AND I THINK THE WAY STAFF PROBABLY HAS PREPARED SOME INFORMATION FOR US, WE'LL TAKE UP ITEM 13 FIRST WHICH TECHNICALLY RATES TO A TAXI ISSUE, AND THEN WE WILL HAVE STAFF COME UP, AND WITH BRIEF -- QUICKLY GIVE US THE BRIEFING ON INCIDENT MANAGEMENT, WHICH THEN LEADS US INTO ITEMS 8 AND 51 RELATED, GENERALLY SPEAKING, TO TOWING. AND SO WE'LL WELCOME MS. SONDRA CREIGHTON.

GOOD EVENING, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. ITEM 13 BEFORE YOU TODAY IS AN ITEM TO REPEAL -- IT'S AN ORDINANCE TO REPEAL THE ROY'S TAXI FRANCHISE AND AMEND THE YELLOW CAB FRANCHISE. IT WILL RESULT IN AN INCREASE IN THE PERMITS FOR YELLOW CAB FROM 304 PERMITS TO 455 PERMITS. AND SUSAN LEFLER WITH THE LAW DEPARTMENT IS GOING TO DO A VERY SHORT BRIEFING TO GO THROUGH THE CODE WITH YOU, AND MORRIS POE IS HERE WITH PUBLIC WORKS. HE OVERSEES THE OPERATIONAL AREA. AND WE'RE ALL HERE TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

Mayor Wynn: THANK YOU, MS. CREIGHTON.

GEEFN, I'M SUSAN LEFLER, ASSISTANT CITY ATTORNEY. AND I WANT TO REVIEW BRIEFLY THE ORDINANCE THAT'S BEFORE YOU THIS EVENING ON FIRST READING. THIS IS AN AMENDMENT TO FRANCHISES, SO AS REQUIRED BY THE CHARTER THERE ARE THREE READINGS. THIS IS THE FIRST ONE. AND THE THIRD AND LAST READING CAN'T TAKE PLACE UNTIL 30 DAYS AFTER TODAY IF YOU APPROVE IT TONIGHT. THE FIRST PART OF THE ORDINANCE WOULD BE TO REPEAL THE ROY'S TAXI FRANCHISE. THE REMAINDER OF THE ORDINANCE IS AMENDMENTS TO THE YELLOW CAB FRANCHISE. THE FIRST PART CHANGES THE NUMBER OF TAXI CAB PERMITS THAT THEY HAVE, CHANGING IT FROM 304 PERMITS TO 455. THE NEXT PART AMENDS THE ORDINANCE TO ADD -- THE FRANCHISE ORDINANCE TO ADD A SECTION REGARDING EQUIPMENT. IT GIVES THEM A PERIOD OF 90 DAYS TO -- AFTER THE ORDINANCE GOES INTO EFFECT TO BASICALLY OPERATE USING THE ROY'S COLOR SCHEME AND

NAME WHILE THEY TRANSITION OVER TO THE YELLOW CAB COLOR SCHEME. IT ALSO PROVIDES THAT YELLOW CAB WOULD REPAINT THE DRIVER-OWNED ROY'S TAXI VEHICLES AT NO COST TO THE DRIVER-OWNERS AND THAT YELLOW CAB WOULD NOT CHARGE DRIVER-OWNERS TRANSFERRING TO YELLOW CAB WHO HAVE -- WHOSE VEHICLES HAVE BIKE RACKS ON THE BACK OF THEM, THEY WON'T CHARGE THEM A FEE IN LIEU OF ADVERTISING IF THEY HAVE THOSE ON THE BACK OF THE VEHICLES. FINALLY, IT PROVIDES AN AMENDMENT TO THE FRANCHISE THAT YELLOW CAB WOULD BE INELIGIBLE TO RECEIVE ANY ADDITIONAL ALLOCATION OF PERMITS. EACH YEAR THE DEPARTMENT USES A FORMULA TO DETERMINE IF THERE ARE ANY ADDITIONAL PERMITS NEEDED, AND YELLOW CAB WOULD BE GIVING UP ITS ELIGIBILITY TO RECEIVE ANY OF THOSE FOR THE REMAINDER OF ITS FRANCHISE BEGINNING THIS YEAR, AND THAT WOULD BE FOUR YEARS BECAUSE THE FRANCHISE WAS AWARDED LAST YEAR. SO THAT'S THE ORDINANCE THAT'S BEFORE YOU THIS EVENING. I DON'T KNOW IF YOU HAVE ANY QUESTIONS, BUT I'D BE HAPPY TO ANSWER THEM IF YOU DO.

Thomas: MAYOR, I DO.

Mayor Wynn: MAYOR PRO TEM.

Thomas: THANK YOU VERY MUCH. CAN YOU EXPLAIN -- MAYBE NOT YOU, BUT SOMEBODY FROM STAFF -- WHY I THINK URBAN TRANSPORTATION DENIED THIS? AM I CORRECT?

YES, THEY DID VOTE TO --

Thomas: CAN YOU EXPLAIN?

I'LL LET SOMEONE FROM STAFF SPEAK TO THAT ISSUE.

MORRIS POE WITH PUBLIC WORKS DEPARTMENT. THE URBAN TRANSPORTATION COMMISSION DID CONSIDER THIS ITEM AND THEY VOTED TO RECOMMEND THE STAFF RECOMMENDATION. THEY HAD A NUMBER OF CONCERNS, AS THE STAFF DID, ABOUT THE IMPACT ON THE INDUSTRY AND THE SERVICES BEING PROVIDED FROM THE CHANGE FROM 3

FRANCHISES TO TWO FRANCHISES.

Thomas: OKAY. I DO HAVE A CONCERN, A BIG CONCERN, BECAUSE I THINK IN '03 WE WERE BACK HERE WHEN WE HAD THE FRANCHISE, WE TRIED TO ADD A NEW FRANCHISE. THE THREE FRANCHISES THAT WERE IN EXISTENCE WAS AGAINST THAT. WHEREAS DID THAT COME UP IN THE URBAN TRANSPORTATION MEETING ABOUT A NEW FRANCHISE COMING ABOARD.

THEY EXPRESSED SOME INTEREST IN SEEING NEW FRANCHISES APPROVED.

HOW MANY?

I THINK IT WAS A UNANIMOUS VOTE.

Thomas: WHO WAS THAT? ARE YOU SAYING THE TWO FRANCHISES, ROY'S AND YELLOW?

I DIDN'T UNDERSTAND.

Thomas: WHAT FRANCHISE WERE AMENABLE THE NEW FRANCHISE?

THERE'S NOT -- A NEW FRANCHISE HAS NOT BEEN PROPOSED.

Thomas: LET ME BACK UP. MAYBE I CAN GET YOU CLEAR. AT THE URBAN TRANSPORTATION MEETING WAS THERE ANY DISCUSSION ABOUT A NEW FRANCHISE COMING ON BOARD IF THIS ROY AND YELLOW CAB WAS APPROVED?

THERE WAS NO AGREEMENT BY ANY OF THE -- BY THE FRANCHISES TO CHANGE THEIR PROPOSAL TO AWARD A NEW FRANCHISE.

THERE IS AN APPLICATION PROCESS FOR A NEW FRANCHISES, AND WE HAVE THREE APPLICATIONS RIGHT NOW THAT WE'RE CURRENTLY REVIEWING. AND AS WE GO THROUGH AND REVIEW THOSE, IF THERE'S A VIABLE FRANCHISE, THEN WE WILL BE COMING BACK TO COUNCIL

WITH THAT APPLICATION FOR A NEW FRANCHISE.

Thomas: WHICH WHEN WOULD YOU COME BACK TO COUNCIL?

IT TAKES US ABOUT A MONTH TO GET ON THE COUNCIL AGENDA AND THEN WE THINK THAT WE'LL HAVE THE REVIEW DONE WITHIN ABOUT TWO WEEKS.

Thomas: IN OTHER WORDS, IF THIS WAS APPROVED ON FIRST READING, WITHIN THE THIRD READING, YOU WOULD -- THE NEW FRANCHISE WOULD HAVE AN OPPORTUNITY TO APPLY? IS THAT WHAT YOU'RE TELLING HE?

I'M NOT CERTAIN EXACTLY HOW MANY READINGS IT IS, BUT MS. LEFLER COULD ANSWER THAT QUESTION. WE WILL BE PREPARED TO COME BACK AS SOON AS WE CAN.

Thomas: THE ONLY CONCERN I HAVE, AND I THINK IT'S BEEN PRETTY LOUD AND CLEAR, IS THAT IF WE'RE GOING TO APPROVE THAT TONIGHT, YOU'RE TALKING ABOUT A FRANCHISE THAT'S GOING TO GET 455 PERMITS, AND I THINK AUSTIN CAB, I DON'T KNOW HOW MANY THEY WOULD HAVE, BUT TO ME I THINK URBAN TRANSPORTATION MADE A LOUD MESSAGE THAT WOULD BE MONOPOLIZING MOST OF THE PERMITS. WE DO CONTROL THE PERMITS -- [ APPLAUSE ] WE DO CONTROL THE PERMITS, RIGHT?

THAT'S CORRECT.

Thomas: MAYBE YOU NEED TO EXPLAIN THIS TO ME. IF ROY'S PERMITS GO TO YELLOW CAB, WHO CONTROLS THOSE PERMITS?

YELLOW CAB WILL BE CONTROLLING 455 PERMITS, AND THERE ARE OTHER OPTIONS THAT YOU COULD CERTAINLY CONSIDER. FOR EXAMPLE, IT'S NOT SOMETHING NECESSARILY THAT THE STAFF WOULD RECOMMEND, BUT YOU COULD CONSIDER BORROWING FROM THE FUTURE IN ORDER TO CREATE MORE OPPORTUNITIES FOR NEW FRANCHISE OR TO BALANCE THE FRANCHISES OUT A BIT MORE.



Thomas: I'LL ASK YOU AGAIN, WHO CONTROLS THE PERMITS?

THE CITY CONTROLS THE PERMITS.

Thomas: THANK YOU.

BUT THE PERMITS HAVE BEEN GRANTED BY FRANCHISE.

Thomas: LET ME EXPLAIN THIS. I BELIEVE IN 2003 WE SAT AND TALKED ABOUT THIS, NOT HERE, BUT LCRA. AND I HATE TO BRING THIS BACK UP, BUT WE HAVE TO REMEMBER, WE SHOULD MAKE THIS EQUAL ACROSS THE BOARD, GIVE EVERYBODY AN OPPORTUNITY, DRIVERS TO COME IN AND HAVE A FRANCHISE. IF WE'RE GOING TO SIT HERE AND APPROVE 450 PERMITS TODAY, UNLESS SOMEBODY ELSE IS COMING FORWARD, AND I THINK IT IS, BUT WE'RE GOING TO HAVE TO BE FAIR FOR ME TO APPROVE ANYTHING, WE'RE GOING TO HAVE TO BE FAIR TO THE PEOPLE THAT -- THE DRIVERS THAT HAVE BEEN CRYING OUT SINCE 2003 AND TRY TO FIGURE OUT A WAY -- I'M NOT AGAINST ROY. THAT'S THEIR BUSINESS. BUT AS A CITY, IF WE'RE CONTROLLING PERMITS, WE NEED TO LOOK AT SOMETHING A LITTLE BIT DIFFERENT. I KNOW HE'S GOING TO SELL THE FRANCHISE, THE PERMITS GO OVER TO THEM, BUT WE'VE GOT TO BE SOMEWHERE MORE PRUDENT IN OUR DECISION TONIGHT.

THE STAFF RECOGNIZED THAT CONCERN AND THAT WAS PART OF THE BASIS FOR THE STAFF NOT MAKING THE RECOMMENDATION FOR THE TRANSFER, BUT AGAIN, THERE ARE OTHER OPTIONS THAT CAN BE EXPLORED BY THE COUNCILMEMBERS THIS EVENING.

Thomas: WELL, IT WOULD HAVE BEEN GOOD IF ALL OF US WOULD HAVE SAT DOWN, MAYBE PASSED THAT THROUGH TO EVERYBODY BEFORE TWO DAYS OF THE MEETING. THAT WOULD HAVE BEEN A BETTER WAY TO APPROACH THIS. I'M NOT TALKING TO YOU, I'M JUST SAYING TO THE COUNCIL, WHOEVER IS GOING TO BRING THIS OPTION UP. BECAUSE I BELIEVE -- THIS IS A FAIR THING, I BELIEVE, IN DOING. BECAUSE WHEN WE SIT THERE AND DENIED THAT FRANCHISE THAT YEAR, WHEN THEY SAID THERE'S AN OPPORTUNITY FOR A NEW FRANCHISE, EVERYBODY WOULD BE SUPPORTIVE OF IT, BUT THE PROCESS AND THE

PROPOSAL I SEE HERE IS NOT FAIR, BUT I'LL GIVE THE PERSON WHO WANTS TO BRING THE PROPOSAL FORWARD, BUT I DON'T THINK IT'S FAIR BECAUSE IT CAN'T HELP A NEW FRANCHISE GET WHERE THEY NEED TO GO. [ APPLAUSE ]

Mayor Wynn: THANK YOU, MAYOR PRO TEM. COUNCILMEMBER DUNKERLEY MOVES THAT WE WAIVE COUNCIL RULES TO GO PAST 10:00 P.M. I'LL SECOND THAT MOTION. ALL IN FAVOR? MOTION PASSES ON A VOTE OF FIVE TO TWO WITH COUNCILMEMBERS LEFFINGWELL AND ALVAREZ OFF THE DAIS. COUNCILMEMBER DUNKERLEY.

Dunkerley: I DO HAVE A PROPOSAL I'D LIKE TO PUT FORWARD TODAY. I KNOW IT DOESN'T HAVE STAFF RECOMMENDATION, BUT MANY OF THE -- MOST OF THE COUNCIL OFFICES HAVE BEEN VISITING WITH THE THREE FRANCHISE HOLDERS CURRENTLY, YELLOW CAB, AUSTIN CAB AND ROY'S CAB FOLKS. IN ADDITION TO THAT, I'VE SPOKEN TO EITHER THE REPRESENTATIVES OF TWO OF THE THREE THAT HAVE PROPOSED FOR NEW FRANCHISES, AND EVEN MET WITH THE -- AND AGAIN, MET WITH THE ORGANIZATION -- THE DRIVERS' ORGANIZATION, WHATEVER THAT'S CALLED, TRYING TO GET A FEEL FOR WHAT WE COULD DO HERE TO SORT OF ALLEVIATE A SITUATION WHERE WE COULD POSSIBLY HAVE ONLY TWO FRANCHISES. SO THE GOAL THAT I SET OUT WAS TRYING TO SEE HOW COULD WE MAKE -- HOW COULD WE ALLOW THE FRANCHISE TO GO THROUGH SO THE OWNERS OF ROADWAY'S CAB COMPANY -- ROY'S CAB COMPANY WOULD BE ABLE TO AT LEAST GAIN SOME OF THE EQUITY THEY'VE HAD FROM A COMPANY THAT THEY'VE HAD 75 YEARS. I THINK THAT'S IMPORTANT. SECONDLY, I WANTED TO MAKE SURE THAT WE HAD A NEW -- THE ABILITY TO CREATE A NEW FRANCHISE, AND THAT THAT WOULD GO THROUGH THE NORMAL CREATION OF NEW COMPANY FRANCHISES. AND THIRDLY, AUSTIN CAB COMPANY WOULD GET A FEW PERMITS SO A DRIVER WOULD HAVE THE ABILITY TO WORK FOR AT LEAST THREE DIFFERENT COMPANIES. AND WOULD HAVE THAT ABILITY TO HAVE THAT CHOICE. NOW, WHAT I THINK THAT MOST OF THE GROUP HAVE MAYBE TENTATIVELY, GRUDGINGLY OR WHOLEHEARTEDLY AGREED WITH REALLY THESE FOUR OR FIVE THINGS. NUMBER ONE, THAT THE FRANCHISE WOULD GO THROUGH WITH THE TWO CONDITIONS MENTIONED. AND THIS IS SORT OF SOME IDEAS

THAT THE DRIVERS' ASSOCIATION GAVE TO ME. ONE, THAT THE DRIVERS WHO OWN THEIR OWN CABS, IF THEY GO OVER TO YELLOW CAB, WOULD HAVE THEIR CABS PAINTED AND OUTFITTED AT NO CHARGE TO THE DRIVERS. AND THAT SECONDLY THOSE ROY'S CAB DRIVERS WHO HAVE BICYCLE RACKS ON THE BACK WOULD NOT HAVE TO PAY THE IN LIEU OF ADVERTISING FEE WHEN THEY WENT OVER. THAT'S THE ACTION THAT I'LL BE MAKING A MOTION ON SHORTLY. BUT IN ADDITION TO THAT, WE'VE GOT SOME DIRECTIONS THAT WE'D LIKE TO GIVE TO STAFF AT THIS TIME, AND THAT'S, ONE, TO SET ASIDE 55 NEW PERMITS FOR A NEW FRANCHISE, AND I UNDERSTAND FROM WHAT YOU SAID EARLIER THERE ARE THREE COMPANIES THAT HAVE APPLIED FOR THAT FRANCHISE AND THEY'LL START THROUGH THAT PROCESS. SECONDLY TO GRANT 20 NEW PERMITS TO AUSTIN CAB COMPANY, WHICH WILL GIVE THEM THEN SOME FREE PERMITS THAT THEY WILL HAVE IN CASE SOME OF THE DRIVERS WANT TO COME WORK FOR THEM. SO THAT WILL BE 75 NEW PERMITS THAT WE WILL BE CREATING. WHERE ARE WE GOING TO GET THOSE? YELLOW CAB HAS AGREED TO GIVE BACK FOUR OF THE PERMITS FROM THE ROY'S TRANSACTION. [ LAUGHTER ] AND THE CITY WILL CREATE 71 NEW PERMITS. 11 ARE BEING CREATED THIS YEAR. SO WE'LL HAVE A DEFICIT OF ABOUT 60 PERMITS. FOR THE NEXT FOUR YEARS YELLOW CAB WOULD NOT HAVE ACCESS TO ANY OF THE NEW PERMITS CREATED. FOR THOSE FOUR YEARS, ANY NEW PERMITS WOULD BE SPLIT EVENLY BETWEEN AUSTIN CAB COMPANY AND THE NEW COMPANY. AND THAT SHOULD ALLOW THEM TO GET UP TO A SIGNIFICANT AMOUNT OVER THE NEXT FOUR YEARS. AFTER FOUR YEARS THE PERMITS CREATED AT THAT TIME WOULD GO BACK TO TAKING CARE OF THE 60 THAT WE'RE BORROWING IN ORDER TO HAVE THIS TRANSACTION GO THROUGH. AND I THINK THAT -- I THINK THAT WILL COVER MOST OF IT, SO REALLY THE ACTION TONIGHT IS TO, AT LEAST ON FIRST READING, TO APPROVE THE TRANSFER OF ROY'S WITH THOSE TWO CONDITIONS AND START THAT PROCESS. AND BY THE WAY, THE PROCESS IS THE SAME FOR THIS FRANCHISE TRANSFER AS IT IS FOR THE NEW FRANCHISEE. YOU WOULD HAVE TO HAVE A FIRST READING, A SECOND READING, AND THE THIRD READING HAS TO BE 30 DAYS FROM TODAY IF THIS PASSES. AND THEN AFTER THAT

YOU WAIT 60 DAYS FOR THE OFFICIAL TRANSFER OR 61 DAYS, WHATEVER IT IS. WITH THE NEW FRANCHISE APPLICATIONS THAT ARE GOING THROUGH, AND I THINK THEY HAVE TO GO THROUGH STAFF REVIEW, THEN TO THE URBAN TRANSPORTATION COMMITTEE, THEN THEY WILL COME TO US, AND AGAIN YOU HAVE TO HAVE THE FIRST READING, THE SECOND READING AND THEN A THIRD READING, WHICH IS 30 DAYS FROM THE FIRST, OR AT LEAST THAT LONG, AND THEN 60 DAYS AFTER THAT THE FRANCHISE WILL GO INTO EFFECT. ONE OF THE THINGS WE'RE TRYING TO DO IS AS MUCH AS POSSIBLE SYNCHRONIZE THESE TWO ACTIONS AND HOPEFULLY THE STAFF WILL DO THE BEST THEY CAN TO HAVE IT COME FORWARD SO THERE'S NOT A BACK LACK AT THE END. SO AT THIS TIME I WOULD LIKE TO MAKE A MOTION --

Thomas: GO AHEAD.

Dunkerley: -- FOR THE TRANSFER OF THE FRANCHISE WITH THOSE TWO CONDITIONS, AND THEN ASK THE COUNCIL TO DIRECT THE STAFF TO IMMEDIATELY GO THROUGH AND SET ASIDE THOSE PERMITS AND HURRY THE PROCESS THROUGH AS MUCH AS OUR RULES WILL ALLOW ON THE NEW FRANCHISE.

Mayor Wynn: SO WE HAVE A MOTION ON THE TABLE BY COUNCILMEMBER DUNKERLEY TO APPROVE THE TRANSFER WITH TWO SIGNIFICANT MODIFICATIONS. AND BEFORE I ASK FOR A SECOND, I'LL RECOGNIZE THE MAYOR PRO TEM.

Thomas: THANK YOU VERY MUCH. WE DO HAVE SPEAKERS, RIGHT?

Mayor Wynn: YES, WE HAVE A BUNCH OF FOLKS --

Dunkerley: I'M SORRY, I SHOULD HAVE WAITED.

Mayor Wynn: YEAH. A LOT OF FOLKS HAVE SIGNED UP, MOSTLY JUST I THINK STRAIGHT UP AGAINST WHAT WAS ON THE AGENDA. PERHAPS TO THE EXTENT THAT THEY HEAR THAT THERE'S A HYBRID PLAN BEING TALKED THROUGH, THERE MIGHT BE SOME SLIGHTLY DIFFERENT TESTIMONY.

WE'LL SEE.

Thomas: I JUST NEED TO GET SOME CLARIFICATION. AUSTIN CAB HAS 139 PERMITS? IS THAT CORRECT?

YES, SIR.

Thomas: ROY'S HAS 155.

CORRECT.

Thomas: YELLOW HAS 304 AT THIS TIME.

CORRECT. TOM

Thomas: AND IF THIS HAPPENS, ROY'S YELLOW GETS 155, THEY SAID THEY WOULD GET FOUR BACK, SO THERE WOULD BE 151?

YES. THAT IS CORRECT. AND THE SUGGESTIONS THAT COUNCILMEMBER DUNKERLEY IS MAKING, YELLOW WOULD HAVE 455, AUSTIN WOULD HAVE 159 AND THE NEW FRANCHISE WOULD HAVE 55.

Mayor Wynn: FOLKS, FOLKS, PLEASE. WE'RE TRYING TO WORK THROUGH THIS SO THAT WE CAN TAKE SOME TESTIMONY.

Thomas: PLEASE. I'LL ASK YOU THE QUESTION AGAIN, WHO CONTROLS THE PERMITS?

THE CITY.

Thomas: OKAY. [ APPLAUSE ] IF THE FRANCHISE IS GOING TO BE SOLD, ROY'S SOLD THE YELLOW CAB, BEFORE THAT HAPPENS, BUT IF THAT HAPPENS, WHO STILL HAS CONTROL OF THE 155 PERMITS?

CONSTITUENT HAS GRANTED THOSE PERMITS TO ROY'S THROUGH A FRANCHISE BY ORDINANCE. SO IT'S BEING GRANTED TO THEM.

Thomas: BUT IF HE'S GOING TO SELL HIS FRANCHISE, WHAT

DOES THE ORDINANCE SAY ABOUT THE PERMITS?

ROY'S CAN'T TRANSFER THEIR PERMITS TO YELLOW WITHOUT THE CITY'S APPROVAL.

Thomas: THAT'S WHAT I'M GETTING AT. THAT'S MY POINT. [ LAUGHTER ]

Thomas: I APPRECIATE ROY'S SERVICE FOR 75 YEARS, BUT I FEEL PERSONALLY THAT WE'VE GOT SOME MORE WORKING TO DO BECAUSE THAT 155 PERMITS -- AND I DON'T KNOW OF ANY NEW FRANCHISE COMING IN THAT I CAN REMEMBER LAST TIME WITH 55 PERMITS IS GOING TO BE ABLE TO BE BENEFICIAL. BUT I'LL ALLOW THE SPEAKERS TO -- [ APPLAUSE ] I APPRECIATE COUNCILMEMBER DUNKERLEY, BUT NOBODY CAME -- MY STAFF MET WITH -- MY EXECUTIVE MET WITH THE ASSOCIATION, BUT NO ONE -- I MET WITH ROY -- NO, YELLOW CAB, BUT I DIDN'T MEET WITH ANYBODY PERSONALLY, THE OWNERS FROM ROYS, BUT I MET SOME EMPLOYEES AND DRIVERS. AND I THINK WHAT THE DRIVERS ARE GOING TO DO, THEY DON'T WANT ANYBODY -- THE DRIVERS HAVE THEIR OWN VEHICLES AND THEY DON'T WANT TO BE SPONSORED BY OTHER PEOPLE. I THINK THIS IS AN OPPORTUNITY TO GIVE THESE DRIVERS THE OPPORTUNITY TO STEP OUT AND INTO A DIFFERENT -- [ APPLAUSE ] TESTIMONY.

Thomas: AND I THINK IF WE DO A PRUDENT DECISION TONIGHT, IF WE DO SOME MORE TALKING, I THINK WE CAN DO THAT. I'LL STOP AT THIS POINT, BUT I JUST CAN'T SEE HOW WE'RE GOING TO ALLOW YAO TO -- YELLOW TO MONOPOLIZE THAT MANY PERMITS AND I DON'T KNOW HOW IT WOULD BE PRODUCTIVE. I'M NOT IN THE CAB BUSINESS, BUT I'LL LET THE SPEAKERS -- I THINK WE NEED TO BE MORE PRUDENT IN THIS DECISION MAKING. THAT'S WHERE I'M AT.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. MS. LEFLER, A QUESTION I HAVE. YOU MAY NOT HAVE BEEN INVOLVED, BUT AS THE MAYOR PRO TEM POINTED OUT, SEVERAL YEARS AGO A POTENTIAL NEW FRANCHISE ARRANGEMENT CAME TO US, AND AT THAT TIME WAS THERE -- WAS THE CITY CONTEMPLATING GROWING THE NUMBER OF PERMITS AND THAT WAS SORT OF HOW THE CAPACITY FOR A NEW

FRANCHISE?

THERE WAS ABILITY TO GROW UP TO FIVE FRANCHISES, I BELIEVE, BUT TO MY KNOWLEDGE THERE'S NOT ANYTHING THAT'S BEEN APPROVED AND MEETS ALL THE CRITERIA.

Dunkerley: WHEN THIS CAME UP A FEW YEARS AGO WHEN -- THERE WAS A REQUEST TO CREATE THE NEW FRANCHISE, GO BACK AND CHECK IT. IN THE RULES DID IT SAY WE WOULD SET ASIDE SO MANY OF THE NEW PERMITS FOR A NEW CAB COMPANY, AND WHEN IT GOT TO 50, WE WOULD ACTUALLY CREATE -- COULD CREATE THE COMPANY, SO THAT'S WHERE THE 50 NUMBER CAME -- I THINK CAME FROM. IT WAS FROM THE ORDINANCE MAYBE.

THE COUNCIL APPROVED AN ORDINANCE-- APPROVED AN ORDINANCE THAT WHENEVER THERE'S AN ALLOCATION, THAT 25% WOULD BE SET ASIDE FOR A NEW FRANCHISE. THE INTENT WAS TO GROW 50 PERMITS FOR A NEW FRANCHISE BEFORE A NEW ONE WAS GRANTED. DURING THOSE THREE OR FOUR YEARS NOW THERE HAVEN'T BEEN ANY NEW PERMITS ALLOCATED. THERE HASN'T BEEN ANY GROWTH IN THE INDUSTRY UNTILIOUS JUST THIS YEAR. SO THE POOL HAS NOT DEVELOPED THAT WE HAD HOPED THAT IT WOULD.

Mayor Wynn: COUNCILMEMBER DUNKERLEY, MY REQUEST TO YOU WOULD BE IF YOU WOULD CONSIDER IT, WE COULD SET ASIDE OR TABLE YOUR MOTION WHILE PERHAPS WE GET SOME FEEDBACK FROM SOME CITIZENS HERE.

Dunkerley: ABSOLUTELY. I JUST WANTED TO GET THE PROPOSAL ON THE TABLE TRYING TO GET THE TRANSFER GOING THROUGH AND THE CAPACITY FOR A NEW COMPANY KIND OF IN CONFORMANCE WITH OUR OWN ORDINANCE, AND THEN TO MAKE SURE THAT THERE WERE AT LEAST THREE OPTIONS AND THAT THE DRIVERS THAT WENT OVER TO YELLOW WERE NOT PENALIZED FOR HAVING TO OUTFIT THOSE CABS. SO THAT WAS JUST MY PROPOSAL ON THE TABLE. I'LL BE GLAD TO TABLE IT.

Mayor Wynn: SO TECHNICALLY WE WERE POSTED FOR NUMBER 13 APPROVING AN ORDINANCE TO 13, REPEALING

AN ORDINANCE -- REPEALING THE ROY'S FRANCHISE IN ORDER TO FACILITATE POTENTIALLY THIS TRANSACTION. AND THEN THE URBAN TRANSPORTATION COMMISSION RECOMMENDED DENIAL OF THIS ITEM.

THAT'S CORRECT.

Mayor Wynn: I WANTED TO MAKE SURE I UNDERSTOOD THE POSTING. COUNCILMEMBER LEFFINGWELL.

Leffingwell: YES. A TECHNICAL QUESTION FOR STAFF. I BELIEVE WE'RE TALKING ABOUT IT EARLIER TODAY. IT HAS TO DO WITH THE REQUIRED NUMBER OF CABS FOR DISABLED PEOPLE TO ACCOMMODATE WHEELCHAIRS AND SO FORTH. IT'S MY UNDERSTANDING THAT EACH CAB COMPANY IS REQUIRED TO HAVE 11 OF THOSE?

THEY HAVE BEEN AUTHORIZED AN ADDITIONAL 11 PERMITS. THEY'RE NOT REQUIRED TO USE THEM. THEY'RE NOT REQUIRED TO USE THEM. ALL OF THEM HAVE CHOSEN TO USE THE 11 PERMITS, BUT THEY'RE NOT REQUIRED BY THE ORDINANCE TO USE THEM.

Leffingwell: SO IF ROY'S CAB IS ALLOWED TO MERGE WITH YELLOW, THEN WOULD THOSE PERMITS GO WITH THEM? THEY WOULD HAVE 22 PERMITS?

THAT'S CORRECT. THOSE 11 PERMITS WERE PART OF THE 155 PERMITS BEING TRANSFERRED FROM ROY'S. >>

Leffingwell: SO HOW ABOUT ANY NEW CAB COMPANY THAT CAME ALONG? WOULD THEY HAVE TO APPLY FOR CABS EQUIPPED TO CATER TO DISABLED PEOPLE?

THERE IS AN ORDINANCE OF SIX TO SIX AND A HALF OF THE TOTAL FLEET SIZE. SO AS THE FLEET SIZE INCREASES, THEN WE WILL MAINTAIN THAT AND ALLOCATE ANY ADDITIONAL SPECIAL PERMITS OR WHEELCHAIR ACCESSIBLE TAXI PERMITS EQUALLY AMONG THE EXISTING FRANCHISES.

Leffingwell: SO IF YOU FOUND THAT NEW PERMITS WERE REQUIRED UNDER THAT CODE THAT YOU JUST CITED, SAY THREE WERE REQUIRED, ONE WOULD GO TO YELLOW, ONE



WOULD GO TO THE NEW CAB COMPANY, AND ONE WOULD GO TO AUSTIN CAB? THAT'S THE WAY THAT WOULD WORK?

YES, SIR.

Leffingwell: OKAY, THANKS.

Mayor Wynn: FURTHER QUESTIONS OF STAFF, COUNCIL? AGAIN, WE HAVE A NUMBER OF FOLKS SIGNED UP WISHING TO SPEAK ON THIS ITEM ESSENTIALLY. WE'VE GOT 30 FOLKS SIGNED UP IN OPPOSITION. TWO IN FAVOR. 13 SIGNED UP AS NEUTRAL. NOT EVERYBODY WANTS TO SPEAK. A LOT OF FOLKS DO, AND WE WILL GIVE THEM THEIR TIME. SO WITHOUT OBJECTION WE WILL GO INTO --

[INAUDIBLE - NO MIC].

Mayor Wynn: IT LOOKS LIKE WE HAVE ACTUAL WANTING TO SPEAK 25 -- 27 FOLKS WANTING TO SPEAK, BUT SOME FOLKS HAVE DONATED TIME TO THEM. WE HAVE WELL OVER 2 HOURS' WORTH OF SIGNED UP FOR TESTIMONY. 129 MINUTES, TO BE PRECISE. I DON'T KNOW IF WE WANT TO START WITH THAT.

McCracken: AND HOW MANY DO WE HAVE ON THE NEXT PUBLIC HEARING?

Mayor Wynn: WE HAVE -- WELL, LET'S SEE. OH, WE HAVE 102 MINUTES IN THE NEXT PUBLIC HEARING.

McCracken: AT THIS RATE WE'LL BE HERE UNTIL 2:00, 2:30 IN THE MORNING. SO I'M GOING TO RECOMMEND THAT -- WHAT'S THE RATIO OF SPEAKERS ON THIS ITEM?

Mayor Wynn: IT LOOKS LIKE 10 OR 15 TO ONE. 12 AND A HALF TO ONE. 25 SPEAKING IN -- IN FACT, A HANDFUL OF FOLKS ACTUALLY SIGNED UP NEUTRAL, SO I MAY BE MISSTATING SLIGHTLY. SO THE MEASURED MAJORITY SIGNED UP WISHING TO SPEAK OR ARE AGAINST. A MODEST AMOUNT SIGNED UP WISHING TO SPEAK NEUTRAL, AND THEN TWO PEOPLE SIGNED UP WISHING TO SPEAK IN FAVOR.

McCracken: WHAT IF WE SAID AN HOUR ON ONE SIDE AND 10

MINUTES ON THE OTHER SIDE, AND THEN SEE -- I'M ASSUMING THAT PEOPLE WHO ARE FOR THIS ARE ON THE 10 MINUTE SIDE. AND I GUESS WE'LL SEE IF THEY CAN ADEQUATELY PRESENT THEIR SIDE IN 10 MINUTES AND THEN HEAR FROM THE OPPONENTS FOR AN HOUR. THAT STILL HAS US HERE FOR AN HOUR AND 15 MINUTES, BUT WE'LL BE HERE UNTIL 12:30 INSTEAD OF 2:30 IF WE DID THIS APPROACH.

[INAUDIBLE - NO MIC].

Mayor Wynn: SIR, WITH THAT ATTITUDE, I'M NOT GOING TO, SO, YOU KNOW, YOU BEHAVE YOURSELF. WE'RE GOING TO SIT HERE AND TRY TO CONDUCT A PUBLIC HEARING SO WE CAN GET AS MUCH INPUT ON A VERY IMPORTANT ITEM. THIS IS VERY IMPORTANT TO A LONG-STANDING SMALL BUSINESS HERE IN TOWN, IT'S VERY IMPORTANT TO A BUNCH OF MICROBUSINESSES, THAT IS, THE DRIVERS, AND THIS COUNCIL WANTS TO HANDLE THIS PROPERLY. WE'VE GOTTEN GOOD FEEDBACK SORT OF INDIVIDUALLY THROUGHOUT THE COURSE OF THESE FOLKS, WE'VE GOTTEN A STRONG RECOMMENDATION FROM OUR URBAN TRANSPORTATION COMMISSION, AND STAFF IS HELPING US WORK THROUGH A COMPLICATED ISSUE THAT'S VERY IMPORTANT TO A LOT OF DIFFERENT PEOPLE IN BOTH DIRECTIONS. SO WE GREATLY APPRECIATE Y'ALL'S COOPERATION.

McCracken: MAYOR, I'LL RECOMMEND AN HOUR ON ONE SIDE, 10 MINUTES ON THE OTHER SIDE, AN HOUR FOR OPPONENTS, 10 MINUTES FOR PROPONENTS AND THEN WE CAN ALWAYS ASK QUESTIONS IF WE HAVE MORE. AND THE NEUTRALS CAN SPEAK.

Mayor Wynn: MAYOR PRO TEM AND THEN --

Thomas: ON THE OTHER PUBLIC HEARING, I KNOW THEY'VE BEEN HERE JUST AS LONG AS EVERYBODY ELSE. THEY'VE BEEN HERE LONGER. THEY'VE BEEN HERE SINCE 10. IS IT POSSIBLE THAT -- IS IT URGENT FOR THIS ITEM TO GO? BECAUSE THEY REALLY WANTED SOME MORE TIME TO TALK TO STAFF AND SO CAN WE POSTPONE THAT ONE? [

APPLAUSE ]

THAT'S Y'ALL'S ITEM.

Mayor Wynn: I'M SORRY, SO THE TOWING ITEM, ITEM NUMBER 8 --

Thomas: I THINK IT'S 8.

Mayor Wynn: AND RELATED 51. 39 BEING THE STAFF BRIEFING, 8 BEING -- I FORGOT HOW WE'VE POSTED IT. 8 BEING THE TOWING ORDINANCE AND THEN 51 BEING SORT OF THE INCIDENT MANAGEMENT, RUSH HOUR PROGRAM.

Thomas: BECAUSE MY UNDERSTANDING, IF YOU DON'T MIND, MAYOR.

Mayor Wynn: NO, PLEASE DO.

Thomas: SOME PARTS OF THE ORDINANCE THAT WE'RE BRINGING FORWARD, THEY HAVEN'T HAD AN OPPORTUNITY TO REALLY WORK THOSE THINGS THROUGH, THE ASSOCIATION AND THE POLICE DEPARTMENT. SO IF -- I DON'T KNOW. THIS IS Y'ALL'S ITEM, YOU AND COUNCILMEMBER MCCracken. IF WE COULD POSTPONE IT. AT LEAST THAT WOULD GIVE THEM A WEEK OF AN OPPORTUNITY TO SIT DOWN AND TALK WITH THE STAFF, THE POLICE DEPARTMENT, WORK THROUGH SOME OF THE ISSUES THEY STILL HAVE, IF Y'ALL DON'T MIND POSTPONING FOR A WEEK.

Mayor Wynn: I SUSPECT STAFF WOULD BE ANXIOUS TO GO HOME IF THAT WOULD BE THE WILL OF THE COUNCIL.

[INAUDIBLE - NO MIC].

Mayor Wynn: WHO ARE YOU, WHO DO YOU REPRESENT? WHAT ITEM DO YOU WANT TO TALK ABOUT?

[INAUDIBLE - NO MIC].

Thomas: MAYOR, COULD I COME UP TO --

A DAY'S WORK TODAY. THAT'S A REALLY BIG DEAL TO THEM. AND WE'D ASK THAT -- WE THINK THAT WE CAN WORK TOGETHER IN PARTNERSHIP WITH THE CITY AND GET AN ORDINANCE THAT EVERYBODY, THE CITY AND THE TOW TRUCK PEOPLE CAN ALL GET BEHIND AND ALL WORK WITH AND CAN BE LIVEABLE WITH ALL, BUT WE DO THINK THAT WE NEED TIME TO WORK WITH STAFF AND TIME TO WORK WITH THE POLICE DEPARTMENT. WE'VE BEEN WORKING WITH THE POLICE DEPARTMENT FOR SOME TIME. A NUMBER OF THINGS THAT WE FELT LIKE WE HAD WORKED OUT ARE NOT NECESSARILY REFLECTED IN THE ORDINANCE. SO IF WE HAD THREE WEEKS TO PUT THIS BACK ON THE AGENDA, WE WOULD VERY MUCH APPRECIATE IT.

Mayor Wynn: AS ONE OF THE SPONSORS, I CERTAINLY EMPATHIZE WITH THAT, AND I WOULD LIKE FOR THERE TO BE AS MUCH INPUT AND COORDINATION WITH STAFF AS POSSIBLE. SO COUNCILMEMBER MCCRACKEN MOVES THAT WE POSTPONE BOTH OUR BRIEFING -- I'VE GOT ALL THESE NUMBERS NOW. OUR BRIEFING ITEM NUMBER 39 ON INCIDENT MANAGEMENT PROGRAMS AND ACTION ITEMS NUMBER 8 AND 51.

McCracken: I MOVE TO POSTPONE ALL THREE, MAYOR.

Mayor Wynn: HOW ABOUT THE DATE? THREE WEEKS? >>

McCracken: THREE WEEKS IS FINE.

Mayor Wynn: I'LL MOVE TO POSTPONE ALL THREE ITEMS TO MAY 18th, 2006. COMMENTS?

Leffingwell: THOSE ARE THE TOWING?

Mayor Wynn: TOWING AND RUSH HOUR INCIDENT MANAGEMENT, THE THREE COMBINED ITEMS. AND I APPRECIATE THE COMMENTS BY THE MAYOR PRO TEM. ALL IN FAVOR? OPPOSED? MOTION TO POSTPONE PASSES ON A VOTE OF (INDISCERNIBLE). [ APPLAUSE ] OF COURSE, NOW I FEEL WORSE WE DIDN'T DO THIS 12 HOURS AGO. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

MR. SMITH, UP TO SIX MINUTES IF YOU NEED IT, FOLLOWED

BY MARION, I'M SORRY IF I MISPRONOUNCED SOME NAMES.

TO THE HONORABLE MAYOR, MAYOR PRO TEM AND THE -- THE CITY COUNCIL AND THE DISTINGUISHED CITY STAFF, I COME HERE ON BEHALF OF THE CAB DRIVERS TO REPRESENT THE DRIVER'S VIEWPOINT AND TO ADVOCATE THE INTERESTS OF THE DRIVERS. BECAUSE THE TAXICAB SERVICE IS GIVEN BY THE DRIVER'S AND WE NEED DRIVERS WHO ARE OWNERS OPERATORS AND WHO ARE EXPERIENCED IN THIS TAXICAB BUSINESS TO PROVIDE A GOOD SERVICE FOR THE GREAT CITY OF AUSTIN. WHETHER THAT'S TO THE AIRPORT, TO THE ON DOWNTOWN BUSINESS DISTRICT, TO THE ENTERTAINMENT DISTRICT OR TO SPECIAL NEEDS INDIVIDUALS SUCH AS THE BLIND, THE DEAF, THE ELDERLY, ARE EVEN ON THE EAST SIDE IN THE LOW INCOME AREAS. AND THE EXISTING CAB COMPANIES HAVE HAD THAT MARKET AND HAVE TRIED TO DO A GREAT JOB OF THAT. EARLIER TODAY I WAS IN THIS -- IN THIS -- HERE FOR A REPORT BY I BELIEVE THE CITY ECONOMIST. HE WAS DOING A PROJECTION OF HOW WELL THE ECONOMY WOULD BE DOING IN THE NEAR FUTURE, WHAT WAS HAPPENING AT THE AIRPORT AND THE TOURIST AND CONVENTION BUSINESS, WHICH IS GREATLY AFFECTED BY THE CAB DRIVERS. IF YOU HAVE DISHARMONY IN THE CAB MARKET WITH -- WITH -- WITH -- WHAT HAS BEEN DETERMINED THEN THE -- THEN THE CAB INDUSTRY, I BELIEVE THEY DESCRIBE IT AS -- LET ME FIND THAT REAL QUICK. A LEASE RACKET. WHICH BASICALLY IS WHERE THE TAXI INDUSTRY IN THE BIG CITIES, THE TAXICAB COMPANIES ARE NOT IN THE INTERESTS OF SERVING THE PUBLIC, THEY ARE HERE TO LEASE CABS AND FINANCE CABS TO THE DRIVERS. SO -- SO THE REASON WE ARE HERE OPPOSING THIS IS THAT IT WILL HAVE A DETRIMENTAL EFFECT ON THE CUSTOMER BASE HERE IN AUSTIN, TEXAS, SERVING EVERY AREA. IT WILL HAVE A DETRIMENTAL EFFECT ON THE DRIVERS. BECAUSE -- BECAUSE GREATER AUSTIN, TEXAS SEE, GREATER AUSTIN TRANSPORTATION, BETTER KNOWN AS YELLOW CAB, AND SOME OF THE OTHER CAB COMPANIES, THEY WORK ON TWO DIFFERENT ECONOMIC SCALES. THEREFORE, ALLOWING THE OWNER-OPERATORS AND THE LEASE DRIVERS OF SOME COMPANIES TO WORK IN DIFFERENT AREAS AT DIFFERENT TIMES AT A DIFFERENT PACE BECAUSE THE ECONOMIC PRESSURE TO

PAY THE LEASE ISN'T AS GREAT. AND SO WE COME BEFORE YOU ASKING NUMBER ONE THAT YOU -- THAT YOU JUST STRAIGHT UP REJECT THIS OFFER BECAUSE YOU HAVE THE POWER TO DECIDE WHERE THESE 155 PERMITS GO BECAUSE IT'S NOT IN THE INTERESTS OF THE CITY OF AUSTIN, IT'S NOT IN THE INTERESTS OF THE CUSTOMERS, IT'S NOT IN THE INTERESTS OF THE DRIVERS, WHETHER THEY DRIVE FOR YELLOW, AUSTIN CAB OR ROYS THAT THIS THING GO THROUGH. BASICALLY WHAT YOU ARE ALLOWING IT'S ONE COMPANY, ONE COMPANY TO CORNER THE MARKET ON THE PERMITS. THEREFORE, ALLOWING THEM TO EXERCISE MONOPOLY PROCESSES. AND I BELIEVE COUNCILMEMBER BETTY DID YOU DUNKERSLY, YOU ARE AN ECONOMIC EXPERT. TELL ME ABOUT WHAT MONOPOLIES DO ONCE THEY GET CONTROL OF THE MARKET. PARDON?

Dunkerly: THAT'S ONE OF THE REASON WE WANT TO CREATE A NEW FRANCHISE.

YOUR PROPOSAL IS OUTLANDISH, YOU ARE GIVING THE MAJORITY -- THEY ALREADY CONTROL 77%, ABOUT 70% OF THE DISPATCHED TRIPS IN THE AUSTIN CAB MARKET. NOW YOU ARE ABOUT TO GIVE THEM ANOTHER 155 CABS, SO IT'S A PLAY TO CONTROL THE MARKET. AND ONCE THEY CONTROL THE MARKET, THEY WILL CANNIBALIZE THE CUSTOMERS HERE IN THE MARKET. I KNOW THOSE ARE STRONG WORDS, THAT'S ABOUT WHAT'S TO HAPPEN SIX MONTHS OR A YEAR FROM NOW. WHILE YOU ARE TRYING TO FIND A WIN-WIN SITUATION, IT'S NOT A WIN-WIN FOR THE CUSTOMERS OR THE DRIVERS.

THE FRANCHISES, SECTION 3.13-2-309, GRANTING TAXICAB FRANCHISES UNDER CERTAIN CIRCUMSTANCES. THE CITY COUNCIL MAY GRANT ONE OR TWO ADDITIONAL TAXI FRANCHISES IF THERE HAVE BEEN FEWER THAN 5 TAXICAB FRANCHISE HOLDERS IN THE CITY FOR FIVE CONSECUTIVE YEARS. I BELIEVE WE MEET THAT REFRESH MY MEMORY. THE DEPARTMENT HAS AT LEAST ONE ADDITIONAL PERMIT THAT'S NECESSARY UNDER SECTION 13-2-32, YADA YADA, BASICALLY TALKING ABOUT FRANCHISE HIS HOW YOU NORMALLY ISSUE THEM. THE COUNCIL MAY NOT ALLOCATE MORE THAN 50 PERMITS TO A FRANCHISE APPLICANT THIS SECTION. IF THE NUMBER OF QUALIFIED APPLICANTS IS

GREATER THAN THE NUMBER OF FRANCHISES, THE COUNCIL MAY GRANT UNDER THIS SECTION, THE COUNCIL SHALL AWARD THE FRANCHISES BY LOTTERY. D, IF FEWER THAN FIVE TAXICAB HOLDERS IN THE CITY FOR FIVE CONSECUTIVE YEARS, THE NUMBER OF SURPLUS FRANCHISE PERMITS ISSUED BY THE DEPARTMENT IS 12 OR FEWER UNDER THE FORMULA SECTION 13-2-322, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE COUNCIL ADVISING THE COUNCIL ON AN APPROPRIATE MECHANISM TO DETERMINE HOW THE FRANCHISE MAY BE AWARDED UNDER THIS SECTION. SO THEREFORE THE CITY COUNCIL HAS THE POWER TO AWARD TWO FRANCHISES, THE OTHER CAB DRIVERS ASSOCIATION ARE ENDORSING LONE STAR CAB, CAPITAL CITY CAB, WHO HAVE APPLIED FOR FRANCHISES. WE BELIEVE THAT THEY SHOULD BE GRANTED FRANCHISES UNDER THIS SECTION OF THE TAXICAB CODE. THEREFORE IF YOU WOULD GIVE THEM APPROXIMATELY ABOUT 70 TO 140 THIS WOULD ELIMINATE THE CAWRNG OF THE MARKET SO THAT IT WOULD EXPLODE THE DRIVERS. THE CITY MANAGER IS NOT HERE AND I SAW THAT SHE -- [BUZZER SOUNDING] OPPOSED THE TRANSFER OF -- OF THE FRANCHISES. AND WITH GOOD REASON BECAUSE I BELIEVE THEY HAVE A VISION FOR -- FOR AUSTIN BEING THE GREATEST CITY IN THE COUNTRY. TO BE THE GREATEST CITY IN THE COUNTRY YOU HAVE TO HAVE A GREAT TAXICAB SERVICE. I THANK THEM FOR THE MINUTES GIVEN TO ME BY MY FELLOW DRIVERS. I HOPE THE CITY COUNCIL WILL RECONSIDER ALL OF THE PROPOSED PLANS, COME UP WITH SOMETHING THAT IS ADEQUATE. NOT GIVING THEM ALL 155 PERM, MAYBE 50 OR 70, GIVING THE OTHER FRANCHISES WHAT IS DUE. THANK YOU.

THANK YOU, MR. SMITH [ APPLAUSE ]

Mayor Wynn: MARIAN LOCO, IS RICK RICARDO SALINAS STILL HERE, YES, SIR SEE WILSON, KARLIE JOE DIXON. HELLO. SO MARION UP TO 12 MINUTES IF YOU NEED IT.

HONORABLE MAYOR, MAYOR PRO TEM, CITY COUNCIL MEMBERS, MY NAME IS MARIAN WOLCO, I FOUNDED THE UNITED CAB DRIVER'S ASSOCIATION ABOUT TWO MONTHS AGO WITH SEVERAL FASES ON THE ROY TAXI SALE OF 155 PERMITS TO YELLOW CAB. MY CONCERN THEN AND NOW IS PROPER PLACEMENT OF DRIVERS WHICH WOULD REQUIRE

MORE [INDISCERNIBLE] DUE TO THE FACT THAT MANY DRIVERS CANNOT AFFORD THE HIGH LEASE AND TERMINAL FEE, RATES THAT ONE WOULD INCUR WITH A TRANSFER. ALSO I RECOGNIZE THAT A SERIOUS MONOPOLY WITH OVERWHELM OUR CITY, THEREBY CREATING A LACK OF ETHICAL ATTITUDE TOWARDS THE EAST SIDE RESIDENTS DUE TO THE NUMBER OF SHORT TRIPS WITHOUT TIP AND IT MEANS -- MANY SPECIAL TRANSIT SYSTEM RIDERS. THESE ARE PEOPLE WITH DISABILITIES AND THEREFORE PATIENTS IN CONSIDERATION WITHOUT PRESSURE OF THE DOLLARS VERY NECESSARY. ROY TAXI HAS ALWAYS DOMINATED THE EAST SIDE AND THE STS BUSINESS. ROY'S TAXI'S ATTITUDE TOWARD THEIR STAFF, DRIVERS AND CUSTOMERS IS REPREHENSIBLE. AMERICA OF THE BEAUTIFUL, LAND OF THE FREE, HOPE OF THE BRAVE, WE ARE NOT YOUR SLAVES, WE ARE NOT YOUR PROPERTY. THEREFORE, DO NOT TRY TO SELL US TO THE HIGHEST BIDDER. DUE TO THE FACT THAT ALL BROTHERS DO NOT AGREE ON THE SALE, I STRONGLY SUGGEST YOU GIVE THEM 30 DAYS TO WITHDRAW FROM THE SALE WITHOUT PENALTY. HOWEVER IF THEY CHOOSE TO SELL THE 155 PERMITS SHOULD BE RETURNED TO THE CITY TO AVOID A MONOPOLY I RECOMMEND THAT A NEW FRANCHISE BE ESTABLISHED. WE HAVE TWO NEW FRANCHISE APPLICANTS, LONE STAR, SOLOMON KAISER, WHO APPLIED THREE YEARS AGO IN MY UNDERSTANDING HE WOULD HAVE FIRST CHOICE. THERE IS CAPITAL CITY, ZACH PHOTO WHO PRESENTLY HAS 54 CABS. 38 WITH AUSTIN, AND 17 WITH ROY'S TAXI. ACTUALLY THAT'S A COMPANY WITHIN ITSELF, THERE NEEDS TO BE A LIMIT TO YOUR CITY ORDINANCE IN REGARDS TO THAT. THERE IS NO REASON WE CANNOT HAVE TWO NEW FRANCHISES. ALSO MY UNDERSTANDING ON TODAY LONGHORN ALSO PUT IN THEIR APPLICATION. KEEP IN MIND THE REQUESTS FOR THE PORTABLE PERMITS, THEY ARE PURCHASED AND RENEWED EVERY TWO YEARS UPON TIME OF THE LICENSE RENEWAL. THEREFORE THERE IS NO ADDITIONAL STAFF THAT WOULD HAVE TO COME ABOARD WITH THE CITY. THE DRIVER WOULD HAVE PREFERENCE OF WHAT COMPANY HE OR SHE WOULD LIKE TO DRIVE FOR. THE PERMITS, THE PERMITS WOULD ALWAYS FOLLOW THE DRIVER AND WITHOUT PENALTY. FROM THE COMPANY. SUCH PENALTIES AS HIGH TERMINAL FEES, MORE FOR DISPATCH SYSTEM, ET CETERA. WE CAN'T



TOLERATE THAT. WE ALSO ASK UTC TO DETERMINE THESE INTERNAL FEE AMOUNTS IN THE NEAR FUTURE FROM A BOARD OF COMMISSIONERS. WHILE WE ARE HERE, PLEASE LETS NOT FORGET THE HIGH COST OF GAS AND THE TREMENDOUS IMPACT IT HAS ON THE DRIVERS. IT IS MY UNDERSTANDING THAT A REVIEW WILL TAKE PLACE ON MAY 8th BY THE UTC. WE ASK THAT YOU CONSIDER 25 CENTS INCREASE APPLIED TO THE SIT-DOWN COST AND 10 CENTS PER 1/8th OF A MILE. INASMUCH AS YOU HEAR OUR VOICE TONIGHT, BREEZE PLEASE I PRAY YOU CONSIDER THE MORE THAN 600 DRIVERS OPPOSED TO THE FIVE ROY'S TAXI BROTHERS. IT IS SAID THAT DRIVERS CRY ALL THE TIME. WELL, WHEN A BABY IS HUNGRY, IT WILL CRY. UNTIL PROPERLY NOURISHED. FEED US AND WE WILL CRY NO MORE, THANK YOU. [ APPLAUSE ]

THANK YOU, MS. WILLCO. OUR NEXT SPEAKER IS SAMUEL, [INDISCERNIBLE], SORRY IF I'M MISPRONOUNCING THAT, FOLLOWED BY SOLOMON CASA.

YOU WILL HAVE THREE MINUTES.

GOOD EVENING, LADIES AND GENTLEMEN. I'M HERE REPRESENTING LONGHORN CAB COMPANY. IN TEXAS. TODAY -- THIS HEADLINE SAYS THAT YELLOW CAB COULD BOY ROY'S TAXI AND THE PERMITS BUT THE NUMBER OF PERMITS WOULD CAPPED AT 455 FOR SEVERAL YEARS. ALSO SAYS AUSTIN CAB COMPANY WILL GET 20 MORE PERMITS FOR A TOTAL OF 159 AND NEW FRANCHISE WILL GET 55 SPERMENTS. IF YOU DO THE MATH, IF AUSTIN CAB GETS 159, PLUS 55 FOR THE NEW FRANCHISE, YOU HAVE A TOTAL OF 214. THE YELLOW CAB WOULD GET 455. IF YOU MINUS 455 FROM 214 YOU HAVE A DEFICIT OF 241. IT'S UNFAIRMENT I'M HERE TONIGHT LADIES AND GENTLEMEN AND I URGE EVERY ONE OF US HERE TO THINK ABOUT IT. HOW WILL I SLEEP TONIGHT IF I APPROVE THIS. THIS IS RIDICULOUS, UNCONSCIONABLE, IT'S IMMORAL. YOU ARE HERE TO REPRESENT THE PEOPLE OF AUSTIN. NOT TO REPRESENT CORPORATIONS. YELLOW CAB IS [INDISCERNIBLE] DOMINATING THE MARKET. I WISH YOU DON'T LET IT HAPPEN. WE THE CITIZENS OF AUSTIN SHOULD RISE UP. WE ARE ASKING THE CITY COUNCIL TO DO THEIR JOB. THIS MUST BE STOPPED. COUNCIL HAS THE WILL TO DO THIS. IT'S THEIR --

IF THEY WANT TO DO THIS. THE COUNCIL MUST EXERCISE THAT WILL. [INDISCERNIBLE] SAY THIS SHALL BE STOPPED AND I ASK YOU LADIES AND GENTLEMEN TONIGHT TO LISTEN TO THE VOICES, LET US HAVE OUR PERSONAL AFFILIATIONS AND BE VERY OBJECTIVE. IF THIS SALE GOES THROUGH, THINK ABOUT THE LEGACY, THINK ABOUT THE PRESS DENT THAT YOU ARE -- PRECEDENT THAT YOU ARE SETTING. MANY OF US WILL NOT BE HERE ON THE CITY COUNCIL FIVE YEARS FROM NOW, BUT IT IS A GOOD PRECEDENT TO LEAVE THAT AS A LEGACY, 455, THAT IS OUTRAGEOUS AND TO GIVE THE 55 JUST FOR A NEW CAB COMPANY, THAT'S NOT FAIR. WE KNOW THAT. SOME TO CONSIDER THREE COMPANIES LIKE MR. POOL SAID HAVE APPLIED. BUT I'M RECOMMENDING LONE STAR AND LONGHORN CAB COMPANY BECAUSE THESE ARE CAB COMPANIES OWNED BY DRIVERS AND THEY ARE FIGHTING FOR THE DRIVERS. HE WHO FEELS IT KNOWS IT. HE WHO WEARS THE SHOES, WE FEEL IT AND WE KNOW IT. PLEASE WE ARE ASKING YOU TONIGHT CONSIDER LONGHORN CAB COMPANY AND THE LONE STAR CAB COMPANY. THESE ARE CAB COMPANIES OWNED BY DRIVERS. WE SHOULD STOP THIS CORPORATE GREED AND YOU GUYS HAVE THE WILL TO DO THAT. I APPRECIATE IT. SO WE WILL GO TO BED TONIGHT WE WILL SLEEP GOOD. YOU APPROXIMATE MAKE THE RIGHT DECISIONS BECAUSE JUSTICE IS FAIR. JUSTICE IS NAKED, WE SHOULD NOT WISHING TO SPEAK CLOTHE JUSTICE. -- WE SHOULD NOT CLOTHE JUSTICE. YELLOW CAB --

Mayor Wynn: YOUR TIME HAS EXPIRED PLEASE CONCLUDE.

THANK YOU, MAYOR. [INDISCERNIBLE] MONEY HAS CHANGED HANDS, WE SHOULD STOP IT. [ APPLAUSE ]

Mayor Wynn: OKAY. NEXT SPEAKER IS SOLOMON CASA. TO BE FOLLOWED BY HANNAH RETTERING, IS [INDISCERNIBLE] HERE? SORRY IF I'M MISPRONOUNCING THAT, THIRU GETAHUN? OKAY. WELCOME, SO MR. CASA, YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT.

THANK YOU. MY NAME IS SOLOMON CASA, I AM THE PRESIDENT OF LONE STAR CAB COMPANY. DEAR MR. MAYOR, COUNCILMEMBERS, WE ARE VERY SORRY TO -- TO HEAR AND TO SEE THE CURRENT SITUATION WHERE OUR

GREAT CITY IS RUNNING INTO AND ASK YOU MOST OF YOU REMEMBER THREE YEARS AGO, LONE STAR CAB COMPANY APPLIED FOR A FRANCHISE BECAUSE [INDISCERNIBLE] THE SYSTEM -- THE CAB SYSTEM WAS MONOPOLIZED BY ONLY A FEW CAB COMPANIES, ONLY THREE. AND THIS GREAT CITY DESERVES MORE THAN THAT. AND WE WERE PROMOTING COMPETITION, WE BELIEVE THAT THERE WAS ALSO A ROOM FOR ANOTHER FRANCHISE. HOWEVER DUE TO [INDISCERNIBLE] THE CITY COUNCIL, SO WE WOULDN'T GO THROUGH ALL OUR APPLICATION WAS DENIED. THE MAIN THING THIS LONE STAR WAS ESTABLISHED BY CAB DRIVERS. IN OTHER WORDS, THESE CAB DRIVERS WHO WORKING 16 HOUR, 18 HOURS A DAY, BELIEVES THAT THEY NEED TO CHANGE THEIR LIFE. AND ONE WAY THEY WANT TO CHANGE THEIR LIFE WAS TO CREATE A CAB COMPANY, WHERE THE CITY WOULD ALLOW A FRANCHISE SO AT LEAST THEY CAN BE PROUD OF HAVING THEIR OWN CAB COMPANY, THEY CAN PROUD OF HAVING THEIR FUTURE INVESTMENT. LIKE ANYBODY THESE CAB DRIVERS OR WE HAVE CHILDREN'S WE WANT TO SEND OUR STUDENTS TO A GOOD SCHOOL, TO A COLLEGE, WE WANT TO PAY TUITION AND WE WANT ALSO TO THINK ABOUT OUR FUTURE. SO THAT WAS HOW LONE STAR WAS ESTABLISHED AND THAT IS WHAT MADE DIFFERENT FROM OTHER CAB COMPANIES. WE WERE TRYING TO CREATE A SOUTHWEST AIRLINES OF TAXICAB. WE ARE STILL PURSUING THIS. WE NEED HELP RIGHT NOW AND GIVE US A CHANCE. LET US WORK AND THE LONE STAR CURRENTLY IS FINE IN EVERY ASPECT IS READY TO ROLL. WE HAVE FINANCIAL CAPACITY AND RESOURCES READY TO GO IN THE SHORTEST PERIOD OF TIME. BESIDES THAT PROPOSAL I WOULD LIKE TO JUST MENTION A FEW POINTS THAT WAS MAYBE OVERLOOKED. FRANCHISE FOR THREE YEARS, THEY CANNOT HAVE A SELF INSURANCE. IN OTHER WORDS THEY HAVE TO BUY [INDISCERNIBLE] INSURANCE. THE COST OF COMMERCIAL INSURANCE FOR ONE VEHICLE PER WEEK IS ABOUT \$100. THAT MEANS \$5,200 PER YEAR. IF THAT FRAN -- IF THAT FRANCHISE OWNER HAVE UNDER PERMIT IT'S ABOUT 500 -- \$520,000. THERE'S A BIG JUMP ON A SINGLE EXPENSE INSURANCE COSTS. HOW WAS THAT COMPANY SURVIVE FOR THREE YEARS UNTIL BE SELF-INSURED? SO 55 THAT'S NOTHING. YOU JUST -- IT'S ENOUGH TO BE -- IT'S JUST IT DOESN'T WORK THAT WAY. SO THERE SHOULD BE A

NUMBER THAT COULD HELP THIS NEW FRANCHISE TO STAND UP AND STAY IN THE BUSINESS. ON THE OTHER END IF YOU SEE -- ACCORDING TO THE NEW PROPOSAL, THERE ARE GOING TO BE 669 PERMITS OUT WHICH OUT OF THAT 455 PERMITS WILL BE OWNED BY YELLOW, 68%. UNDER 59 BY AUSTIN THAT GIVES 23.77%. THE FEW COMPANY 55 MEANS YOU WOULD GET INTO THIS COMPETITIVE MARKET WITH 8.23%. THAT IS JUST I DON'T KNOW JUST CREATING A COMPANY FOR THE SAKE OF CREATING A NEW FRANCHISE. AND A FRANCHISE WEREN'T STAY IN BUSINESS MAYBE THREE MONTHS FOUR MONTHS. SO I WOULD JUST SUGGEST THAT IT'S TIME TO EXPLORE OTHER POSSIBILITIES ALSO WE NEED MORE FRANCHISE AND CAB DRIVERS AND THIS ALSO IS A UTC RECOMMENDATION. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. [ APPLAUSE ]

Mayor Wynn: WELCOME, HANNAH, 3 MINUTES FOLLOWED BY STEVEN COBEL FOLLOWED BY JENNIFER GALE.

I THOUGHT THERE WERE PEOPLE THAT CEDED SOME TIME TO ME. HANG ON. WHAT WAS YOUR NAME, SIR? RONNIE CARTER. HAD YOU SIGNED UP TO SPEAK, RONNIE? OKAY. WELL THEN HANNAH YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT.

ALL RIGHT. MY NAME IS HANNAH RITTERING, I AM AN OWNER-OPERATOR UNDER CONTRACT WITH YELLOW CAB, YELLOW CAB NUMBER 95. WE HAVE BEEN TALKING A LOT ABOUT PERMS HERE TONIGHT. I THOUGHT MAYBE FOR A CHANGE YOU WOULD LIKE TO ACTUALLY SEE ONE. THIS IS MY QUARTERLY PERMIT. CHANGES COLORS EVERY QUARTER, IT'S THE REAL THING. LET'S LISTEN INTO A PHONE CALL. HELLO, BANK OF AMERICA, IN AN EFFORT TO TRY TO PLEASE ALL PARTIES EQUALLY, THE CITY COUNCIL HAS DECIDED TO BORROW AGAINST FUTURE GROWTH AND FLOOD THE MARKET WITH TAXICAB PERM. SO COULD YOU PLEASE DEFER MY MORTGAGE PAYMENTS FOR THE NEXT FIVE YEARS?!! HOW IS THAT GOING TO WORK? HOW IS THAT GOING TO WORK? HOW AM I -- WE ARE NOT HE WERING A LIVING NOW BETWEEN -- WE ARE NOT EARNING A LIVING NOW BETWEEN THE CAB COMPANIES AND THEIR DEMAND AND THE OIL COMPANIES. I AM ASKING YOU TO DENY THIS

TRANSFER. FOR ALL OF THE MONOPOLISTIC REASONS THAT HAVE ALREADY BEEN DISCUSSED. WHILE I HAVE SYMPATHY FOR THE DESIRE TO HAVE ANOTHER CAB COMPANY AND SOME OTHER PEOPLE START UP, JUST AS WHEN THE FIRST - - WHEN THEY FIRST CAME WITH THEIR PERMIT, THE LAST THING THAT WE NEED RIGHT NOW IS 75 MORE CABS ON THE STREETS OF AUSTIN. [ APPLAUSE ] WHERE ARE THEY GOING TO SIT AT THE AIRPORT? THERE'S 120 SPACES RIGHT NOW, THERE'S FREQUENTLY NOT ROOM FOR THE CABS THAT HAVE NO OTHER OPTION BUT TO SIT THERE RIGHT NOW. [ APPLAUSE ] AT THE HOTELS DOWNTOWN? MANY OF US END UP HAVING TO CIRCLE PAST EVERY HOTEL DOWNTOWN CONSTANTLY BECAUSE THERE'S NO PLACE TO LAND, THE STANDS ARE ALREADY FULL. I WOULD LIKE TO SEE US MOVE SERIOUSLY IN THE DIRECTION OF LOOKING AT SOME OTHER OPTIONS. I THINK TRYING TO SETTLE THAT TONIGHT WHEN I KNOW, WE ALL KNOW THAT -- THAT THOSE OF US IN THE INDUSTRY ARE THE ONLY ONES WHO UNDERSTAND THE INDUSTRY AND THOSE OF YOU WHO MAKE THE DECISIONS ACTUALLY DON'T REALLY UNDERSTAND THE INDUSTRY VERY MUCH AND DON'T UNDERSTAND ANY OF THE ISSUES AND YOU DON'T KNOW WHAT WE ARE GOING THROUGHOUT THERE. TRYING TO EARN A LIVING. TRYING TO BE DECENT PEOPLE. IF YOU DO THIS, I REALLY CANNOT SEE ANY OPTION OTHER THAN TO SELL MY HOUSE AND GET OUT OF THE BUSINESS. AND I'M VERY SERIOUS ABOUT THAT. BECAUSE I AM ALMOST NOT ABLE TO MAKE MY MORTGAGE NOW. IF YOU FLOOD THE MARKET, THAT IS GOING TO BE IT. IF YOU DRIVE LONG TIME PROFESSIONAL CAB DRIVERS OUT OF THE MARKET, SURE YOU ARE GOING TO HAVE MORE CABS, YOU ARE GOING TO HAVE MORE FRANCHISES, BUT YOU ARE GOING TO HAVE SOME REALLY LOUSY DRIVERS WHO ARE GOING TO BE OUT THERE TRYING TO STEAL FROM THE PUBLIC EVERY WHICH WAY THEY CAN AND WE DON'T WANT THAT. WE ARE PROFESSIONAL DRIVERS. BUT IF WE CAN'T AFFORD TO STAY IN THE BUSINESS YOU WILL NOT SEE US IN IT. [ APPLAUSE ] THE SOLUTION FOR TONIGHT COULD BE SIMPLY FOR YOU TO DO AN UP OR DOWN VOTE ON THE TRANSFER OF THE FRANCHISE. I HAVE EVERY SYMPATHY IN THE WORLD FOR THE FOLKS AT ROYS WANTING TO SELL THEIR COMPANY. ALL I'M SAYING IS SAY NO, ROY'S, YOU FOLKS NEED TO FIND ANOTHER BUYER. LET'S SERIOUSLY

GET TOWN TO TALKING ABOUT FUTURE PLANNING. BUT DON'T MAKE US BANKRUPT IN THE MEANTIME. DO DIRECT THE CITY STAFF TO REALLY SERIOUSLY DISCUSS SOME FUTURE PLANNING, HOW ARE WE GOING TO DO THIS, COULD WE WANT TO MAKE CHANGES IN THE INDUSTRY? NO MONOPOLY AND DON'T MAKE ME HAVE TO QUIT MY JOB. THANK YOU. [ APPLAUSE ]

Mayor Wynn: STEVEN COBEL, WISHING TO SPEAK IN OPPOSITION. FOLLOWED BY JENNIFER GALE.

LADIES AND GENTLEMEN, THANK YOU VERY MUCH FOR THE TIME THIS EVENING. I'LL TRY TO KEEP THIS AS BRIEF AS POSSIBLE. DO ANY ONE OF YOU HAVE A COPY OF THE MARCH 30 E-MAIL THAT I SENT TO THE CITY COUNCIL WEBSITE? DID ANY OF YOU READ THAT?

Mayor Wynn: IF IT WAS MARCH 30th, 10,000 E-MAILS AGO.

THE WEBSITE WAS THE PROBLEM. MY APOLOGIES. YOU WEREN'T AWARE OF IT. WELL THE TIME I SPENT WITH THE -- WITH THE URBAN TRANSPORTATION COMMISSION, I SENT THEM AN E-MAIL, THEY READ IT AND THEY RESPONDED ACCORDINGLY. ALL I FEEL THAT I NEED TO DO TONIGHT IS SIMPLY ASK YOU A QUESTION. DO YOU HAVE A CHILD? DO YOU HAVE ANYONE IN YOUR FAMILY THAT YOU WOULD RECOMMEND THAT THEY GO DRIVE A TAXI FOR \$3.50 AN HOUR, BASED ON THE FACT THAT THEY WORK AT LEAST A 100 HOUR WORK WEEK AND IF YOU MAKE THIS DECISION TONIGHT, AGAINST THE CAB DRIVERS, WOULD YOU THEN URGE YOUR CHILDREN OR YOUR RELATIVES TO WORK FOR \$1.75 OR 2.50 AN HOUR AS A LOT OF THESE YELLOW CAB DRIVERS ARE DOING RIGHT NOW, BASED ON A 100 HOUR WORK WEEK. I KNOW CAB DRIVERS AROUND HERE THAT HAVE BEEN DRIVING 120, 130, 140, I MYSELF FOR TWO AND A HALF YEARS PUT IN 140 HOUR WEEK. A YEAR AGO THIS LAST MONTH, I SAT UP IN THE HOSPITAL BED WITH ACUTE RENAL FAILURE. I REACHED MY WIT'S END. BUT THE OBVIOUS SOLUTION TO THE ECONOMIC DOWNTURN THAT BEGAN JANUARY 21st '01 WOULD HAVE BEEN TO HAVE REDUCED THE NUMBER OF CABS ON THE STREET ACCORDINGLY SO THAT DRIVERS COULD MAKE A LIVING. A DOLLAR AND A HALF IS ABOUT WHERE WE HIT THE BOTTOM, PROVIDED WE PUT IN

AT LEAST 120 HOUR WORK WEEK BEFORE IT BEGAN TO COME UP AGAIN AFTER THE 911. FOR THE FIRST TWO MONTHS AFTER 9/11 NO ONE SAW BLACK INK EXCEPT THE CAB COMPANIES. WE HAVE BEEN THROUGH A LOT. TO GET US TO THIS POINT. WE COMPLAINT GO ON ANYMORE. WE CAN'T GO ON ANYMORE. SOMETHING HAS TO GIVE. YOU CAN'T WORK PEOPLE LIKE THIS. AT THESE WAGES, NOW MAKE IT EVEN WORSE. THERE'S NOTHING LEFT TO BE SAID. IF YOU WANT TO VOTE TO EXTENT THESE PERMITS TO YELLOW CAB IN THE FACE OF WHAT YOU JUST SAID, WHAT I CAN PULL IN AT LEAST 500 PEOPLE TO VERIFY, GOD HELP YOU. [ APPLAUSE ]

Mayor Wynn: THANK YOU, JENNIFER GALE. TO BE FOLLOWED BY RON MEANS. JENNIFER GALLEY WISHING TO SPEAK, NEUTRAL. ROB MEANS, VERNON CRAYTON.

HE GAVE HIS TIME TO ME.

YOU HAVE TO BE PRESENT IN THE CHAMBERS IN ORDER TO DONATE TIME.

I DON'T NEED THAT MUCH TIME.

Mayor Wynn: WELCOME.

MAYOR, COUNCILMEMBERS, STAFF, MY NAME IS RON MEANS, I'M GENERAL MANAGER OF AUSTIN CAB. WE HAVE MET MOST OF US HAVE ALREADY MET. OUR POSITION, WE ARE NOT ADVERSE TO THE CAB COMPANIES, NOT ADVERSE TO YELLOW CAB MERGING WITH ROY'S. GIVING ALL OF THOSE PERMITS TO THEM, YOU HAVE HEARD ALL OF THE DRIVERS COMPLAINING ALL OF THIS. BUT I USED TO BE A DRIVER. I BELIEVE MR. NOACIAL USED TO BE A DRIVING. MR. CASA USE TO BE A DRIVER BECAUSE HE DROVE FOR US. SAMUEL SIMMONS STILL DRIVES FOR US. SO I GUESS THE MAJORITY OF THE PEOPLE WHO WANT A CAB COMPANY ARE FROM AUSTIN CAB, WHO OWN A CAB COMPANY ARE FROM AUSTIN CAB, THAT'S GOOD. I DON'T HAVE A NEW PROBLEM WITH ANY NEW FRANCHISES COMING IN I DON'T HAVE A PROBLEM MUCH I DON'T KNOW ABOUT AUSTIN CAB COMPANY. BUT RON MEANS HAS NO PROBLEM WITH YOU IRRING THREE CAB COMPANIES. THE MINIMUM NUMBER OF

PERMITS I BELIEVE THAT THE CITY ALLOWS IS 25. OBVIOUSLY 50, YOU NEED 50. MR. CASA HAD SOMETHING I HAD A PROBLEM WITH -- WHAT DID HE SAY? I IT DOWN, HE WAS FUNNY. HE WAS GOING TO HAVE ALL OWNER DRIVERS FOR HIS COMPANY. THEN HE COMPLAINED ABOUT THE NUMBER OF PERMITS THAT YOU WOULD GIVE. WHAT DIFFERENCE DOES IT MAKE IF HE HAS OWNERS DRIVERS? IF THEY ARE ALL OWNER DRIVERS, IT DOESN'T MATTER IF IT'S ONE, 20, 50 OR 100 PERMITS. THEY ARE GOING TO BE PAYING OUT OF THEIR POCKETS. THEY WANT TO DRIVE FOR THEIR FAMILIES, NO PROFIT FOR THE COMPANY. SO THAT DOESN'T MAKE SERNGS. SENSE. MR. POE TOLD YOU EARLIER THAT THERE WAS SOME KIND OF FORM FOR DISTRIBUTING WHEELCHAIR PERMIT. WHAT HE DIDN'T TELL YOU MR. LEFFINGWELL IS THAT THOSE PERMITS ARE NOT MANDATORY. THERE'S NOTHING REQUIRING NEW CAB FRANCHISE FROM HAVING WHEELCHAIR VANS, I WANT TO CHANGE THAT. I WANT YOU ALL TO HAVE SOME KIND OF FORMULA. I THINK A GOOD FORMULA WOULD BE ONE WHEELCHAIR VAN PERMIT FOR EVERY 20 CABS. ON THE STREET. REGULAR CABS. AND THEN YOU WOULD BE MEETING THE PUBLIC NEED AND NECESSITY WHICH IS VERY IMPORTANT. I'M ONE OF THE FIRST PERFORMERS TO PUT WHEELCHAIR VANS BEING INTEGRATED INTO CAB COMPANIES. WE HAVE STARTED WITH FLEET, I'M DEFINITELY FOR THAT. WE WANTED 100 PERMITS, WE WILL TAKE 25, 20, WHATEVER YOU GIVE US. I THINK IT'S IMPORTANT TO GIVE THE DRIVERS A CHOICE, LET THE DRIVERS HAVE A CHOICE OF WHERE TO GO. THEY OUGHT TO BE ABLE TO CHOOSE US, THEY OUGHT TO BE ABLE TO CHOOSE TO GO TO YELLOW, THEY SHOULDN'T BE FORCED TO GO TO YELLOW IF YOU APPROVE THIS MERGER. WE WOULD HAVE WISHED AUSTIN WOULD HAVE WISHED WE WOULD HAVE HAD A CHANCE TO BID FOR ROY'S IF THEY WERE GOING TO SELL LIKE THAT, BUT THEY DIDN'T GIVE US A CHOICE. [BUZZER SOUNDING] I THINK THEY HAVE A RIGHT TO SELL. I CAN'T SEE TELLING THEM NO. THANK YOU. [ APPLAUSE ]

Mayor Wynn: BERKELEY SORRELL, SORRY IF I'M MISPRONOUNCING THAT, SIGNED UP WISHING TO SPEAK, ALSO NEUTRAL. EXCUSE ME, JEFF RHODE, ROADIE, SORRY, JOSEPH BEERS? SO JOSEPH AND LET'S SEE, JIM ENYGTON,



YES, NASSAR, HOW ARE YOU? AND DEBBIE RUSSELL. SO YOU WILL HAVE UP TO 12 MINUTES IF YOU NEED IT.

LADIES AND GENTLEMEN OF THE CITY COUNCIL, MY NAME IS JEFF RODE DEEVMENT THANK YOU VERY MUCH FOR TAKING THE TIME TO HEAR THIS ISSUE. I KNOW IT'S STRENUOUS FOR YOU.

MOVE UP TO THE MIC.

I'M SORRY. OKAY.

AM I COMING THROUGH NOW?

YEAH.

OKAY. GOOD. THANK YOU. I HAVE BEEN DRIVING A TAXICAB COMBINED TOTAL A LITTLE BETTER THAN 12 YEARS NOW FOR ALL FOUR NOW, THREE OF THE EXISTING FLEETS STARTING WITH AMERICAN CAB, YELLOW CAB AND I HAVE BEEN DRIVING WELL I DROVE TWO YEARS WITH AMERICAN CAB AND THEN 10 YEARS THIS TIME STARTING WITH AUSTIN CAB, YELLOW CAB AND NOW EIGHT YEARS WITH ROY'S CAB. I AM GOING TO ATTEMPT TO SAY THIS MUCH. THAT I HAVE SEEN THE SPECTRUM OF THIS BUSINESS, I HAVE WORKED FOR EVERYBODY IN IT. I HAVE WORKED IN ABOUT EVERY ASPECT OF IT AND I CONSTANTLY, RIGHT NOW WORK THE AIRPORT, BECAUSE THAT'S WHERE I LIKE THE DEMOGRAPHICS. LEAST-WISE FAMILIAR WITH EVERYTHING ELSE AT LEAST TACITLY IF NOT MORE THAN TACITLY. I WOULD HOPE TO FOCUS ON SOMETHING OF THE QUANDARY AND I WOULD LIKE TO TAKE A LOOK AT THE ONLY POSSIBLE SOLUTION TO THAT QUANDARY. IT'S THIS. I MEAN NO DISRESPECT TO THE COUNCIL WOMAN FOR SUGGESTING THE COMPROMISE. BUT I HAVE TO BE VERY PLAIN ABOUT THE COMPROMISE THAT HAS BEEN SUGGESTED ALREADY. IF YOU -- IF YOU BORROW PERMITS AGAINST TIME, THAT MIGHT WORK FOR THEIR MATH, BUT IT DOESN'T WORK FOR OURS BECAUSE EVERY CAB DRIVER IS ULTIMATELY IN COMPETITION WITH EVERY OTHER CAB DRIVER FOR ALL OF THE BUSINESS, HOWEVER MUCH OR LITTLE THAT IT IS AND IF YOU DUMP 50 ON 70, MORE PERMITS OUT ON THE STREET RIGHT NOW, IT MIGHT WORK FOR YOUR LOANS, BUT IT IS

GOING TO TAKE OUT OF MY POCKET AND ALL WITHOUT ANY CONCEIVABLE POSSIBILITY OF EVER BEING PAID BACK. THE QUAND QUANDARY THEREFORE BECOMES HOW TO HANDLE THE SALE OF THE FACT OF ROY'S CAB BUT DO IT WITH PERMIT NEUTRALITY. THERE HAS BEEN A FORMULA AND IT HAS BEEN WORKED OUT AND THAT FORMULA WAS BASED ON NOT HAVING THE SALE OF THE FRANCHISE, THAT FORMULA CAME UP WITH A CALCULATION OF 11 MORE PERMITS, ET CETERA, NOT 70 MORE PERMITS. IF YOU TAKE THAT FORMULA AND THROW IT OUT THE WINDOW, FOR WHATEVER THE RATIONAL, IT DOESN'T MATTER. YOU ARE THROWING YOUR WORD OUT THE WINDOW AND NO MATTER WHAT YOU ARE GOING TO HAVE THE IRE OF FRANKLY SPEAKING EVERY SINGLE CAB DRIVER IN THIS ENTIRE CITY. YOU ARE BECAUSE YOU CAN'T CHANGE THE FACT THAT YOU ADD TO THE PERMITS, YOU TAKE OUT OF THE BUSINESS LITERALLY THE INCOME OF EVERY SINGLE ONE OF US INDIVIDUALLY AND ALL FOR THE PURPOSE OF WHAT? FOR PAYING FOR A NEW FRANCHISE COMING IN OR WHATEVER REALLY FOR THE PURPOSE OF PAYING FOR THE TRANSFER OF THIS ONE PERMIT OR THIS ONE FRANCHISE TO ANOTHER. LITERALLY WE ARE GOING TO BE PAYING THE BILL FOR THE TRANSFER OF ROY'S PERMITS TO YELLOW CAB. THAT DOESN'T WORK FOR US. FURTHERMORE, I'M GOING TO HAVE TO FOCUS ON ONE POINT HERE. THE UTC, URBAN TRANSPORTATION COMMISSION, CAME UP WITH A UNANIMOUS RECOMMENDATION AGAINST THIS SALE FOR ONE REASON. THEY UNDERSTOOD, THEY CONCLUDED AFTER LISTENING TO THE DRIVERS THAT TESTIFIED BEFORE THEM, THAT THE SYSTEM OF PERMITTING TAXICABS IN AUSTIN, TEXAS IS ON ITS FACE UTTERLY DYSFUNCTIONAL. IT IS UTTERLY DYSFUNCTIONAL BECAUSE CAB COMPANIES HAVE ALL RIGHTS AND CAB OWNERS AND CAB DRIVERS HAVE NO RIGHTS. NOW THIS CAN'T [INDISCERNIBLE] -- THAT FACT ALONE ISN'T GOING TO CHANGE BY ANYTHING THAT YOU DO TONIGHT. BUT WHAT YOU NEED TO DO TONIGHT IS TELL ROY'S CAB FIND SOMEONE ELSE TO SELL THE COMPANY TO BECAUSE THE TRUTH OF THE MATTER IS THERE ARE OTHER OPTIONS. IF YOU DON'T DO THAT, PLEASE UNDERSTAND THAT NO MATTER HOW GOOD THE MANAGEMENT AT YELLOW CAB IS RIGHT NOW, I'M GOING TO SUBMIT THAT YOU ARE NOT GOING TO HEAR THAT FROM

THEIR DRIVERS, OKAY. NO ONE LIVES FOREVER. THESE PERMIT, IF YOU GIVE THEM THESE PERMITS TONIGHT, WHAT WILL ULTIMATELY HAPPEN YOU JUST GOT THE DOOR WIDE OPEN FOR ANOTHER DEBACLE FIDDLING WITH THE COMPUTER, YOU CAN FIND OUT FROM THE RECORD WHAT DID HAPPEN TO THE TAXI INDUSTRY IN AUSTIN, TEXAS WHEN HE DID DO EXACTLY THAT. YOU ARE GOING TO HAVE NOW YELLOW CAB WITH HOWEVER MANY PERCENT IF YOU ADD IN 50 MORE PERMITS, THEY ARE GOING TO END UP WITH WHAT, MAYBE 70% INSTEAD OF 77% OF THE TOTAL PERMITS WHO CARES, AT THAT POINT IT DOESN'T MAKE MUCH DIFFERENCE. THE FACT OF THE MATTER IS YOU CAN'T AFFORD THAT SITUATION AND YOU CAN'T AFFORD THE SITUATION THAT HANNAH RITTERING DID VERBATIM TELL YOU ABOUT OF LITERALLY DRIVING ALL OF THE GOOD DRIVERS OUT OF THE BUSINESS. I'M TELLING YOU RIGHT NOW THE DYSFUNCTIONALTY OF THE TAXI INDUSTRY IS THAT TAXI COMPANIES HAVE A REVOLVING DOOR TURNSTILE OF ROOKIES COMING IN, GOING OUT, DRIVING FOR THREE AND FOUR MONTHS, THEY FIND OUT YOU KNOW WHAT WHAT THEY READ IN THE NEWSPAPER AREN'T RIGHT AFTER THAT, THEY ARE GOING TO DO THIS ALL OF THOSE PERMITS. I'M HERE ADVOCATING FOR ZACH PHOTO CAPITAL CITY CAB COMPANY. HE HAS BEEN IN THE BUSINESS FOR 20 YEARS, STARTED AS A DRIVER, 54 CABS IN BOTH ROY'S AND AUSTIN FLEETS RIGHT NOW. HE IS A VIABLE BUSINESS. IF YOU HAVE IF YOU HAVE A NEW BUSINESS, YOU NEED A FRANCHISE WHICH IN FACT VIABLE. HE HAS MADE HIS REPUTATION AS A CAB OWNER ULTIMATELY BY PROVING TRUSTWORTHINESS. ONE OF THE HAVE YOU FEW PEOPLE IN THIS BUSINESS WHO HAS A CONSISTENT HISTORY OF ETHICAL OPERATIONS. HE HAS A GOOD BUSINESS, YOU CAN CALL HIM, PROVE HIM WRONG, HE WILL ADMIT THAT HE'S WRONG, GO BACK AND DO IT RIGHT, WITH OUT ANY VINDICTIVITY AFTERWARDS. THE ONE ADVANTAGE IN GIVING A FRANCHISE TO HIM AT LEAST WISE HE BECOMES A GOOD BASELINE FOR DRAWING CONCLUSIONS ABOUT THE REST OF THE TAXI INDUSTRY BECAUSE YOU CAN AT LEAST WISE BELIEVE WHAT HE SAYS. BUT YOU CAN BELIEVE WHAT I SAID RIGHT NOW, MR. MAYOR, MEMBERS OF THE COUNCIL THAT IF YOU GIVE THESE PERMITS TO ROY -- TO YELLOW CAB RIGHT NOW, YOU ARE GOING TO MAKE AN INDUSTRY

WHICH IS ALREADY BAD, MUCH WORSE. THEY NEED TO BE STOPPED FROM TRANSFERRING TO YELLOW CAB TO AT THAT POINT ROWE'S CAB CAN GO FIND ANOTHER CUSTOMER. THE TRUTH OF THE MATTER IS THERE'S OTHERS WAITING IN THE WINGS TO DO IT. THERE ARE BETTER THINGS TO BE DONE WITH THESE PERMITS THAN TO TRANSFER THEM TO YELLOW CAB AND GIVE THEM TOTAL CONTROL OVER ALL OF THE CAB DRIVERS, LITERALLY WITH THE OPTION OF JUST DRIVING OUT OF THE BUSINESS ALL OF THE GOOD CAB DRIVERS SO THAT THEY CAN HAVE A REVOLVING DOOR OF ROOKIES COMING IN, GOING OUT. THE TRUTH OF THE MATTER IS THEIR BOOK WORK DOESN'T MATTER TO THEM. THEY ARE GETTING A LEASE EITHER WAY. ALL THEY HAVE GOT TO DO IS JUST HAVE SOMEBODY ELSE THAT BELIEVES WHAT THEY READ IN THE NEWSPAPER. MR. MAYOR, I'M ASKING YOU, COUNCILMEMBERS I'M ASKING YOU TO NOT ALLOW THEM TO DO THAT TO THIS INDUSTRY. I'M NOT GOING TO TELL YOU HOW PERFECT CAB DRIVERS ARE, THEY AREN'T. BUT THERE'S GOOD ONES OUT THERE. AND IF YELLOW CAB HAS THESE PERMITS GIVEN TO THEM, FRANKLY AS DISFUNCTIONAL AS THEY ALREADY ARE, THEY ARE GOING TO BE EVEN MORE DISFUNCTIONAL. WE HAVE GOT NOTHING BUT COMPLAINTS FROM THE YELLOW DRIVERS ABOUT HOW BAD THEIR COMMUNICATION SYSTEM IS. I DON'T WORK THERE, I'M NOT GOING TO TRY AND PERSONALLY TESTIFY TO IT. BUT I CAN TELL YOU ONE THING, I HAVE GOT SOME EXPERIENCE WITH THE SAME THINGS FROM YELLOW CAB THAT I'M HEARING FROM MY FELLOW DRIVERS RIGHT NOW. I'M INCLINED TO BELIEVE THEM. IF THEY ARE NOT FUNCTIONAL, AT 304 PERMITS, WHAT MAKES YOU BELIEVE THAT THEY ARE GOING TO BE MORE FUNCTIONAL AT 455. THAT DOESN'T MAKE ANY SENSE. THEY NEED TO CLEAN UP THE OPERATION THAT THEY HAVE ALREADY GOT. THE TRUTH OF THE MATTER IS YELLOW CAB IS ATTEMPTING TO BITE OFF MORE THAN THEY CAN CHEW. I DON'T NECESSARILY BLAME THEM FOR WANTING TO BITE THAT OFF, BUT THAT DOESN'T MEAN THAT WE THE PEOPLE NEED TO SIGN-OFF ON THIS. THE ONLY PROBLEM IS WHAT WE REALLY DON'T NEED TO SIGN-OFF ON IS ANOTHER 70 PERMITS EITHER. WHAT I'M ASKING YOU FOR, WHAT I'M LITERALLY PLEADING FOR IS TO JUST SAY NO. LITERALLY, NANCY REAGAN SOLUTION. JUST SAY NO. [ APPLAUSE ] YOU

CAN'T DO THIS ROY'S CAB, YOU CAN'T DO THIS YELLOW CAB. NOW ROY'S CAB YOU CAN SELL YOUR COMPANY TO ANYBODY ELSE THAT WANTS TO BUY IT. AND AT WHICH POINT YOU HAVE STILL GOT 155 PERMIT, STILL IN BUSINESS THE SAME AS YOU ALWAYS HAVE BEEN, STILL GOT A VIABLE BUSINESS GOING. YOU CAN COME UP WITH A DIVISION OF THOSE PERMITS BETWEEN OTHER APPLICANTS, THAT GIVES SOME ROOM. THOSE 155 PERMITS COULD BE BETTER ICED. ICE -- BETTER USED. MUCH BETTER USED THAN TO ALL GOING TO ONE COMPANY LITERALLY SPEAKING THAT IS GOING TO DOMINATE THE PROCESS FOR ALL CAB DRIVERS IN AUSTIN AND ULTIMATELY FRANKLY IT WILL DRIVE A LOT OF THE GOOD DRIVERS OUT OF BUSINESS. MR. MAYOR, DO YOU REALLY WANT HAS TO HAPPEN THAT TO HAPPEN? INEXPERIENCED DRIVERS OUT ON THE ROAD? YOU CAN'T TAKE BACK THE ACCIDENT, YOU COMPLAINT TAKE BACK THE DEATHS. AND FORGET THOSE FOR A MINUTE. YOU STILL CAN'T TAKE BACK WHEN DRIVERS SO AND SO WHO IS FRANKLY A CROOK JUST RIPS OFF PEOPLE BLIND. ONE OF THE SITUATIONS I DEAL WITH ALL OF THE TIME ISING ING PEOPLE ARE COMPLAINING ABOUT THAT NASTY CAB DRIVER, ET CETERA, ET CETERA, DID THUS AND SO TRYING TO GET THEM TO CALL IN. FRANKLY I HAVE GOT THEIR CARD□□ SITTING IN MY POCKET. BUNCHES OF THE TIME YOU CAN'T EVEN DO THAT BECAUSE WELL THEY DON'T EVEN KNOW HOW TO IDENTIFY THAT DRIVER. SOMETIMES THEY DO, THAT SITUATION HAS COME UP WHERE THEY DID KNOW HOW TO IDENTIFY THAT DRIVER, I'M TELLING YOU RIGHT NOW, I'VE HANDED THEM THE NUMBER. I DON'T WANT THE BAD DRIVERS ON THE ROAD! I DON'T WANT THEM OUT THERE. BUT THERE'S ONLY ONE WAY TO KEEP THE GOOD DRIVERS IN BUSINESS AND KEEP THE BAD DRIVERS FROM EVEN GETTING THERE AND THAT'S TO NOT GIVE THIS ONE COMPANY THE ABILITY TO MAKE THESE TOTAL DOMINATION OF THE MARKETPLACE AT WHICH POINT FRANKLY YOU ARE EITHER GOING TO WORK FOR THEM OR BASICALLY NOT AT ALL. I WOULD WELCOME AT LEAST ONE MORE, I WOULD HAVE TO SEE OWE I'M THE PRINCIPLE WRITER OF THIS PETITION FOR CAPITAL CITY CAB COMPANY. I WOULD CERTAINLY WELCOME ZACH PHOTO HAVING HIS OWN CAB COMPANY. I'M NOT GOING TO EXCLUDE THE POSSIBILITY OF OTHER FRANCHISE OWNERS HAVING THEIRS, ALSO. WE

WOULD BENEFIT, THE CITY WOULD BENEFIT, THE PEOPLE WOULD BENEFIT IF WE HAD AT LEAST ONE MORE AND PROBABLY TWO MORE.

Mayor Wynn: YOUR TIME HAS EXPIRED.

THANK YOU VERY MUCH.

[ APPLAUSE ]

ZENO MERSHA, FOLLOWED BY EVELYN ADAMS, FOLLOWED BY BOB HECHT. MY NAME IS ZENO -- AT THIS TIME I DRIVE FOR AMERICAN -- YELLOW CAB, 147. THANKS FOR THIS OPPORTUNITY COUNCILMEMBERS. I AM A NEUTRAL ON THIS CASE, ON THE COMPLAIN WHEN WE SAY LIKE ROY'S LIKE 155 PERMITS YOU HAVE TO THINK ABOUT THE DRIVERS, WHAT KIND OF -- I KNOW SOME OF THEM, I KNOW THEY HAVE BEEN FOR YELLOW DRIVERS, THEY DON'T DRIVE ANYMORE. SOME OF THEM THEY WAS FOR AUSTIN DRIVERS, THEY DON'T [INDISCERNIBLE] DO WE HAVE LIKE ALTERNATIVE TO OCCUPY THOSE 155 PLUS DRIVERS? JUST THIS IS WE HAVE TO PUT INTO CONSIDERATION. LIKE 55 PERMIT ONLY LIKE FOR NEW COMPANY IT DON'T GIVE US ANY SOLUTION. ONLY TO BRING THIS LIKE MORE PROBLEMS. SO -- SO IF WE HAVE TO BRING LIKE A NEW FRANCHISE COMPANY, WE WILL HAVE TO GET THE SAME AMOUNT OF PERMIT AS WHAT WE TRANSFER FOR A NEW FRANCHISE COMPANY FOR -- MUCH BETTER. BUT NOW WHAT WE DO IS LIKE 55 FOR NEW FRANCHISE COMPANY, WE HAVE LIKE 3 [INDISCERNIBLE] AND THE 20 PERMITS SENT INTO AUSTIN I DON'T BELIEVE THIS IS A FAIR PROPOSAL. YOU KNOW? SO THIS IS -- NEED TO BE STUDIED BETTER IN ORDER TO OCCUPY OR TO MAKE US FIND THE CURRENT DRIVERS. THANK YOU VERY MUCH. [ APPLAUSE ]

Mayor Wynn: THANK YOU, EVELYN ADAMS. SIGNED UP WISHING TO SPEAK IN OPPOSITION. BOB HECHT. ALSO OPPOSITION. PEGGY HOBBS. WELCOME, THREE MINUTES, YOU WILL BE FOLLOWED BY [INDISCERNIBLE] GABRIEL. SORRY. WELCOME.

I'M PEGGY HOBBS, I'M A 40 YEAR RESIDENT OF AUSTIN, AN EIGHT YEAR CAB DRIVER. I DRIVE FOR AUSTIN CAB AND I'M

VERY, VERY HAPPY THERE. BUT I ALSO HAVE A CONSTITUENT AND A GOOD FRIEND BY THE NAME OF ZACH PHOTO. BY NO MEANS IS HE A NEWCOMER TO THIS BUSINESS, HE'S BEEN PERFORMING IN DIFFERENT CAPACITIES FOR ALMOST 20 YEARS, HE HAS BEEN A CAB DRIVER, A REPAIR BUSINESS, A MANAGER AND A MULTI-OWNER. THIS BUSINESS IS MUCH MORE THAN JUST ISSUING A PERMIT TO A CAB. AND PUTTING IT ON THE STREET. AN INTEGRAL ELEMENT IS HAVING A CAMARADERIE WITH THE DRIVERS. ZACH IS SUCCESSFUL IN WORKING WITH DRIVERS FROM ALL THREE EXISTING COMPANIES. HE TRIES AND STRIVES TO SEE THE OPERATIONAL. REPAIRS, WHETHER -- WHETHER PREVENTIVE MAINTENANCE OR UNEXPECTED ARE NOT ALWAYS TIMELY AND OFTEN LEAVE DRIVERS IN DIRE STRAITS. MOST SHOPS SAY CASH, CHECK, CREDIT CARD. ZACH SAYS LET'S GET YOU OPERATIONAL, WE WILL FIGURE OUT THE MONEY LATER. HE KNOWS IF THE CAB ISN'T ROLLING BILLS DON'T GET PAID, THERE'S NO FOOD ON THE TABLE. ZACH HAS HELPED MANY DRIVERS WHO OPT TO BECOME OWNERS, BUT NEED FINANCIAL HELP IN SECURING THE FINANCING OF A VEHICLE. HE'S THERE FOR THEM. THE DRIVERS AND OWNERS THAT DISABLG HAS HELPED -- ZACH HAS HELPED ARE WAY TOO NUMEROUS TO NAME. ZACH HAS ALWAYS SHOWN THE DRIVERS HE'S SCPANTING EXPANDING HIS BUSINESS, AWAITING THE DAY TO BECOME A FULL-SERVICE CAB COMPANY FOR AUSTIN. THAT TIME IS NOW, ZACH IS MORE THAN READY TO OFFER THE CITY OF AUSTIN A VIABLE, SUCCESSFUL THIRD CAB COMPANY. THANK YOU. [ APPLAUSE ]

THANK YOU MR. MAYOR, GOOD EVENING, MAYOR AND COUNCILMEMBERS. I'M HERE STANDING IN FRONT OF YOU TODAY TO LET YOU KNOW THAT -- THAT THERE ARE ALTERNATIVES FOR THIS TRANSACTION. I WAS START BY THE QUESTION WHAT MR. THOMAS ASKED, WHO CONTROLS THE PERMITS? THE PERMITS ARE PERMITS. IF THEY ARE PUBLIC PROPERTY WHICH MEANS THEY ARE PROPERTY OF THE CITY OF AUSTIN GOVERNED BY THE CITY COUNCIL. SO -- SO WHAT REASON DOES A COMPANY HAS TO SELL THIS PERMITS AFTER IT'S USED FOR 30 YEARS, 20 YEARS? WHY? AND IN THIS CASE ROY'S CAB IS NOT SELLING ANY PHYSICAL PROPERTY, NOT SELLING ANY INTELLECTUAL PROPERTY,

NOT SELLING ANY OTHER THAN THE PERMITS AND THIS IS -- I CAN CONFIRM THIS FROM THE PUBLICATION OF AUSTIN STATESMAN ON FEBRUARY 10th, 2006, WHICH WAS ANSWERED BY YELLOW CAB REPRESENTATIVE. THEY ASKED HIM POINT-BLANK WHAT YOU BUYING. HE TOLD THEM THE PERMITS. SO DO WE HAVE -- DOES -- I MEAN THE COUNCIL HAVE THE RIGHT EVEN TO SELL LET THE SALE GO THROUGH? YOU ARE HERE TO GOVERN THESE PERMITS. AND THE CITY IS CALLING IT TRANSACTION. THE CITY IS CALLING IT TRANSFER, BUT REALLY IT WAS -- WHAT'S HAPPENING IS PURCHASE. AND AS FAR AS I KNOW AN ITEM WHICH IS SOLD AND PAID FULLY WILL BE OWNED BY THE BANK. SO THE CITY IS ALSO LET THE CONTROL TO YELLOW CAB IN THIS CASE. WE HAVE AN ALTERNATIVE DRIVERS WHO HAVE BEEN DRIVING FOR 10 YEARS, 20 YEARS, 30 YEARS, WHEN WE GET OUT WE HAVE NOTHING. YOU BUILT, WE HAVE A VESTED INTEREST IN THE INDUSTRY BUT WE CAN'T BECAUSE OF THE CITY ORDINANCE, WE CANNOT BUILD OUR EQUITY IN THIS BUSINESS. AFTER WE WORK FOR 20 YEARS, YOU HAVE PENSION, YOU HAVE SOME RETIREMENT, IN OUR CASE WE DON'T OWN THE PERMIT, WE LEASE THE PERMIT FROM THE LEASER WHICH IS THE COMPANY THE PERMIT FROM THE CITY, IN TERMS THEY SUBLEASE TO US. WHEN WE GO OUT FOR WHATEVER REASON, WHETHER WE ARE RETIRING OR TIRED OF THE JOB OR SICK, WE HAVE NOTHING TO SELL. BECAUSE THE SYSTEM IS NOT ALLOWING US. SO -- WE HAVE I'M SUGGESTING TO YOU THIS PETITION TO THE CITY COUNCIL MEMBERS, THERE'S A LOT OF PEOPLE WHO ARE TRYING TO GET THIS [INDISCERNIBLE] SYSTEM. WE DON'T HAVE TO BE AFRAID OF ANYTHING, A MEDALLION SYSTEM CAN WORN. IF IT WORKS IN -- CAN WORK. IF IT WORKS IN NEW YORK IT CAN WORK HERE. WHAT I'M ASKING YOU TONIGHT, THE ROY'S STUFF TO HAVE MILLIONS OF DOLLARS THEY WERE IN PRAYING, THEY ARE NOT SELLING AGAIN, I'M REPEATING, THEY ARE NOT SELLING ANY PHYSICAL PROPERTY, ANY ACCOUNTS, SO THE PERMITS HAVE TO GO BACK TO THE CITY [APPLAUSE] THE CITY HAS TO REALLOCATE THEM. AND WHEN WE DO THIS REALLOCATION I PLEAD WITH YOU THAT I CONSIDER THE DRIVERS FIRST WE ARE THE ONES WHO ARE SERVING THE PUBLIC -- EVERY DAY AND WE ARE DEDICATED DRIVERS AND SOME OF MY FRIENDS TOLD TO YOU WE HAVE FAMILIES AND



WE WANT TO BUILD OUR EMPATHY IN WHAT WE DO.

THANK YOU, SIR.

ALL RIGHT.

SO I REALLY APPRECIATE IF YOU CONSIDER THE MEDALLION SYSTEM. YOU DON'T HAVE TO BE A PRISONER OF FEAR. THIS MEDALLION SYSTEM CAN WORK.

THANK YOU, SIR. SHERRI ELLIOTT WISHING TO SPEAK, NEUTRAL. CHARLES WELCOME THREE MINUTES, FOLLOWED BY CHARLES. FOLLOWED BY JOSEPH HILLY.

MAYOR WYNN, DISTINGUISHED COUNCILMEMBERS, I'VE BEEN IN THIS BUSINESS FOR 26 YEARS. I USED TO DRIVE A CHECKER. I REMEMBER WHEN CHECKER FIRST MERGED WITH YELLOW. I HAVE NO PROBLEM WITH THIS MERGER GOING THROUGH. I DON'T SEE HOW IT COULD BE DETRIMENTAL TO THE OTHER DRIVERS. I MAY GET HUNG OUT AFTER THIS BECAUSE I'M ABOUT THE ONLY ONE STANDING UP HERE, THE OTHER DRIVERS WILL PROBABLY LYNCH ME WHEN I GET BACK TO THE AIRPORT. BUT I HAVE NO PROBLEMS WITH THIS. IF YOU CONSIDER A NEW CAB COMPANY MY VOTE IS FOR CAPITAL CAB, BUT I THINK ALL CAB COMPANIES SHOULD MEET A CERTAIN CRITERIA. IF LONGHORN CAB CAN MEET IT, THEN YOU GIVE THEM THE PERMITS. IF CAPITOL CITY MEETS THE CRITERIA, THEN YOU GIVE THEM TO CAPITAL. THAT'S ALL THAT I HAVE GOT TO SAY.

FAIR ENOUGH, THANK YOU. [APPLAUSE]

CHARLES BESSIE, I BELIEVE. WELCOME CHARLES, THREE MINUTES FOLLOWED BY JOSEPH [INDISCERNIBLE]

EXCUSE ME, THIS IS THE FIRST TIME THAT I'VE EVER SEEN YOU GUYS.

WELL, WHAT DO YOU THINK? [LAUGHTER]

WELL, IT'S BEEN A LONG DAY. I HAVE I BELIEVE YOU HAVE PROBABLY BEEN HERE SINCE 8:00 TONIGHT, 8:00 IN THE

MORNING I MEAN. I REALLY DON'T KNOW. I HAVE BEEN IN THIS BUSINESS FOR A LONG TIME. I BOUGHT A HOUSE, SOLD A HOUSE -- HAD TO SELL MY HOUSE BECAUSE I CAN'T AFFORD IT. THE PRICES OF THIS INFLATION OF THIS TOWN HAS GOTTEN TOO HIGH. BASIC HOUSE IS \$1,200 A MONTH. AVERAGE PRICE NOWADAYS AFTER YOU PAY YOUR TAXES IS 22,500 A MONTH. WE HAVE DRIVERS -- 225 -- WE HAVE DRIVERS DRIVING, SLEEPING IN THEIR CARS, SLEEPING IN FRONT OF HOTELS, PARKING LOTS, DOING EVERYTHING THEY CAN. WHEN THEY DO SEE THEIR FAMILY, THEY ARE LUCKY IF THEY SEE THEIR FAMILY FOR AN HOUR OR TWO OR FOR A DAY. EACH PERSON COSTS THEM -- [APPLAUSE] -- BETWEEN \$100 TO \$150 TO OPERATE A CAB A DAY. GAS PRICES ARE GETTING OUT RAGOUS. HALF A TANK OF GAS, \$40. OKAY. AT THE AIRPORT, I WORK THE AIRPORT, I WORK THE STREETS. WE AVOID ACCIDENTS EVERY DAY. WE GOT SO MANY PEOPLE OUT THERE THAT DOESN'T KNOW HOW TO PAY ATTENTION ON SIGNALS, RUNS US OVER, HE THINKS THAT WHATEVER FRANCHISE IS OUT THERE THAT COMPANY GOT MONEY, WE ARE GOING TO LET THEM HIT US. JUST LIKE THEY DO WITH YOU GUYS. ANYTHING THEY CAN DO. TRIP OVER YOUR SHOE LAYS BECAUSE THERE'S A STICK ON YOUR ROAD, THEY ARE GOING TO TRY TO SUE YOU FOR IT. OKAY. THE PROBLEM IS IS WHEN -- WHEN THE RATES GET UP TOO HIGH YOU CAN'T MAKE NO MONEY. I PAY \$500 A WEEK. DOING IT FOR 16 YEARS. YOU TAKE 16 YEARS TIMES \$500 A WEEK, ALMOST HALF A MILLION DOLLAR A YEAR. WHERE'S MY MONEY? NONE OF US DON'T HAVE NO MONEY. WHY? BECAUSE WE GIVE IT TO THE OTHER PEOPLE. WHEN WE DIDN'T HAVE NO MONEY, WHEN 9/11 WAS GOING ON, WE DIDN'T HAVE NO MONEY WHEN WE HAD THE STORM SYSTEM THAT HAPPENED IN LOUISIANA. I FEEL SORRY FOR THEM PEOPLE. I FEEL SORRY FOR ANYBODY WHO LOSES THEIR HOMES FOR ANY FIRES, ACCIDENTS, ANYBODY WHO CAUSES A PROBLEM FOR ANYBODY. BUT YOU KNOW WHAT? THE BOTTOM LINE IS THE PEOPLE WHO GIVES US THE PERMITS TO DRIVE, THEY'S THE ONES WHO GET PAID EVERY DAY, BE ABLE TO FEED THEIR FAMILY, SPEND EIGHT OR 10 HOURS WITH THEIR FAMILY. IT HAS TAKEN ME 11 YEARS TO SPEND ONE VALENTINE'S DAY WITH MY WIFE. 11 YEARS. 11 YEARS TO HAVE A CHRISTMAS WITH MY WIFE. I DON'T EVEN HAVE CHILDREN. I DON'T KNOW HOW CAB DRIVERS DO IT WITH

THREE CHILDREN OR FIVE CHILDREN. OKAY? I ENVY THEM. SOMETIMES DRIVERS NEED HELP. THERE'S TIMES I GO OUT THERE, YOU MADE IT WHERE THESE CAB COMPANIES SAY EVERY CAB DRIVER HAS TO TAKE A CREDIT CARD. I TAKE A CREDIT CARD, START AT 8:00 IN THE MORNING, BY 4:00 IN THE AFTERNOON I DON'T HAVE NO MORE MONEY, I CAN'T CASH MY CHECKS BECAUSE MY CREDIT CARDS USED MY SLIPS TO PAY FOR GASOLINE OR FOOD. WHAT -- HOW DO YOU FEED YOUR CHILDREN? [BUZZER SOUNDING] HOW DO YOU BUY YOUR GASOLINE? HOW DO YOU PAY YOUR RENT? OKAY. YOU HAVE GOT TO PAY YOUR LEASE FIRST BEFORE YOU PAY YOUR HOUSE BILLS.

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

IF I'VE GOT TO WORK 16 HOURS A DAY JUST TO MAKE ENDS MEET, MY LIFE IS DOWN THE DRAIN. OKAY? ALSO, YOU MENTIONED SPECIAL PERMITS FOR DISABILITY. THE CITY ALLOTTED 33 PERMITS YEARS BACK FOR 11 PERMITS FOR EACH CAB COMPANY FOR WHEELCHAIR VANS. THOSE PERMITS MEAN NO DIFFERENT THAN ALL THE OTHER PERMITS THAT ARE ISSUED OUT, AND I CAN VERIFY THAT BECAUSE I DRIVE A WHEELCHAIR CAB, I HAVE BEEN ISSUED TWO PARKING TICKETS FOR PARKING IN WHEELCHAIR ACCESSIBLE SPACES WHILE PICKING UP WHEELCHAIR PASSENGERS BECAUSE MY CAB IS NOT DESIGNATED WITH A WHEELCHAIR PLATE OR A WHEELCHAIR PLACARD. ALL IT HAS IS YOUR SPECIAL PERMIT THAT YOU SAY IS SPECIAL. IT IS NO DIFFERENT THAN ANY OF THE OTHER CAB PERMITS ON THE ROAD. THOSE 33 PERMITS SHOULD HAVE NEVER BEEN ISSUED. ALL THAT YOU SHOULD HAVE DONE WAS CHANGE SOME CABS INTO WHEELCHAIR VANS FROM THE ONES YOU ALREADY HAD, THOSE 33 PERMITS WERE NEVER NEEDED. AND THESE 70 THAT YOU'RE TALKING ABOUT ADDING, THEY'RE NOT NEEDED EITHER. WE'RE ALREADY STARVING, WE DON'T NEED TO STARVE ANYMORE. THAT'S ALL I HAVE TO SAY. I'M AGAINST THE SALE.

Mayor Wynn: JERRY CHOATE, TO BE FOLLOWED BY JEFF HOWARD. WELCOME. YOU WILL HAVE THREE MINUTES.

THANK YOU. I'VE BEEN DRIVING AMERICAN YELLOW

CHECKERED CAB FOR ALMOST 16 YEARS. AND I THINK OVERALL WE HAVE A GOOD COMPUTER SYSTEM AND WE PROVIDE A GOOD SERVICE TO THE CITY OF AUSTIN AND ITS CUSTOMERS; HOWEVER, THE WAY THE SYSTEM WORKS IS THE CAB COMPANIES DON'T PAY US, WE PAY THEM. I AVERAGE ABOUT \$435 A WEEK, AND I'M AN OWNER-DRIVER AND I'M A SINGLE DRIVER OF MY CAB. IN ADDITION TO THAT, I HAVE TO PAY FOR MY OWN GASOLINE, WHICH MEANS I'VE GOT TO GENERATE OVER \$700 A WEEK BEFORE I EVER BREAK EVEN AND SEE A DIME FOR MYSELF. YOU CAN IMAGINE WHAT KIND OF TIME YOU HAVE TO PUT INTO THE SYSTEM. I LIKE DOING THIS BECAUSE YOU'RE FREE TO COME AND GO AS -- FREE TO COME AND GO AS YOU PLEASE, AND THAT SOUNDS GOOD. YOU CAN WORK WHENEVER AND WHEREVER YOU WANT TO, BUT YOU BETTER WANT TO A WHOLE LOT OF HOURS EVERY WEEK OR YOU'RE NOT GOING TO MAKE A LIVING AND PAY THE CAB COMPANY. I'M AGAINST THIS SALE. I THINK THE PERMIT -- ROY'S SHOULD BELONG TO THE CITY. AND IF ROY'S DOESN'T WANT TO BE IN BUSINESS, YOU OUGHT TO GIVE THEM TO SOMEBODY WHO DOES WANT TO BE IN BUSINESS. I DON'T UNDERSTAND WHY THAT'S NOT TAKEN INTO CONSIDERATION. [ APPLAUSE ] I WAS AT THE URBAN TRANSPORTATION COMMISSION HEARING AND IT WAS A GREAT HEARING, A LOT MORE DETAIL THAN WE'RE GETTING TONIGHT. AND AT THE END OF THAT HEARING, THE URBAN TRANSPORTATION COMMISSION VOTED UNANIMOUSLY TO DENY THIS SALE GOING THROUGH. AND I THINK YOU SHOULD TAKE THAT INTO CONSIDERATION WHEN YOU MAKE YOUR DECISION. AGAIN, I'VE ENJOYED BEING IN THE CAB BUSINESS FOR A LONG TIME. I'M NOT SO SURE IF THIS GOES THROUGH I'M GOING TO BE ABLE TO STAY IN BUSINESS. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. WELCOME JEFF HOWARD. AND IS ZACARIAS PHOTO HERE. YOU WILL HAVE SIX MINUTES AND BE FOLLOWED BY FRED ALI.

GOOD EVENING, COUNCILMEMBERS. I DON'T KNOW IF I'LL NEED ALL MY TIME. I'M HERE TONIGHT ON BEHALF OF ZACH PHOTO AND CAPITOL CITY CAB COMPANY. THOSE OF YOU WHO KNOW ME KNOW I'M A REAL ESTATE AND LAND USE LAWYER AND I'M A LITTLE BIT OUT OF MY ELEMENT TO TELL YOU THE TRUTH TONIGHT. AND I DON'T THINK THAT I CAN

TELL YOU ABOUT THE CAB BUSINESS. I KNOW I CAN'T TELL YOU ABOUT THE CAB BUSINESS ANY BETTER THAN THESE FOLKS CAN TELL YOU, AND I THINK THE TESTIMONY FROM THE CAB DRIVERS IS PRETTY COMPELLING. BUT I WILL MAKE A FEW POINTS ON BEHALF OF MY CLIENT. MR. PHOTO HAS BEEN IN THE CAB BUSINESS EITHER HAS A DRIVER OR A CAB OWNER FOR 20 YEARS. HE CURRENTLY OWNS 54 CABS, 16 OF WHICH ARE OPERATED THROUGH ROY'S, 38 OF WHICH ARE OPERATED THROUGH AUSTIN CAB. HE OWNS HIS OWN AUTOMOTIVE SHOP ON TWO-THIRDS ACRES OF LAND, WHICH HE ALSO OWNS. AND AT THAT AUTOMOTIVE SHOP HE REPAIRS AND SERVICES ALL EXISTING CAB COMPANIES. HE HAS WORKING RELATIONSHIPS WITH THE EXISTING CAB COMPANIES. HE HAS GOOD RELATIONSHIPS WITH THE CAB DRIVERS. AND IN FACT, I THINK THAT'S EVIDENCED BY THE FACT THAT OVER 200 CAB DRIVERS HAVE SIGNED A PETITION SUPPORTING HIM GETTING AN APPLICATION. I THINK IT'S CLEAR THAT COUNCIL IN 2003, AND WHAT YOU'RE HEARING FROM THE FOLKS OUT HERE TONIGHT, IS THAT COMPETITION IS CRITICAL TO PROVIDING GOOD, RELIABLE SERVICE. THAT'S A GOOD VALUE TO THE RIDERS IN AUSTIN. AND TO THE CAB DRIVERS. I THINK THAT COMPETITION SUFFERS IF YOU ONLY HAVE A SALE WHERE 77% OF THE CABS -- PERMITS GO TO ONE COMPANY OUT OF TWO. AND SO I THINK THAT IF YOU APPROVE THE SALE, YOU HAVE TO ADDRESS THAT ISSUE. IF YOU ADDRESS THAT ISSUE BY PROPOSING A NEW FRANCHISE, THEN I WOULD ENCOURAGE YOU TO GO THROUGH A PROCESS THAT IS FULL AND FAIR, THAT CONSIDERS THE IMPACTS ON CAB DRIVERS, BUT THAT ALSO CONSIDERS THE IMPACTS OF -- AND THE ABILITY TO SERVE RIDERS WITH GOOD RELIABLE SERVICE. AND SO I THINK YOU SHOULD CONSIDER THINGS LIKE FINANCIAL ABILITY, EXISTING FACILITIES AND EXPERIENCE. SO I'M HERE TONIGHT REALLY JUST TO ASK YOU TO KEEP COMPETITION IN THE FOREGROUND AS YOU MOVE FORWARD WITH THE TAXI CAB BUSINESS, AND THAT IF YOU CONSIDER NEW CAB FRANCHISES THAT YOU HAVE A FULL AND FAIR PROCESS AND THAT YOU CONSIDER WHAT'S BEST FOR THE PUBLIC AS A WHOLE. THANK YOU VERY MUCH. I'LL BE HAPPY TO ANSWER ANY QUESTIONS. [ APPLAUSE ]

Mayor Wynn: THANK YOU, MR. HOWARD. FRED ALI.

[INAUDIBLE - NO MIC].

Mayor Wynn: IF HE HASN'T SPOKEN YET.

[INAUDIBLE - NO MIC].

Mayor Wynn: WHY DON'T YOU COME ADDRESS US, FRED.  
WELCOME. YOU WILL BE FOLLOWED BY RICK LEVY.

MAYOR, MAYOR PRO TEM, THE COUNCIL, I APPRECIATE THE OPPORTUNITY GIVEN TO ME TO SPEAK FOR JUST ABOUT THREE MINUTES. I'VE BEEN A DRIVER BEFORE, IN ATLANTA, WASHINGTON, D.C., (INDISCERNIBLE), AND I BECAME A CITIZEN, AND IN SAN ANTONIO, CLOSE BY HERE. OUR PEOPLE DO NOT COME HERE -- I'M SORRY, I DON'T LIKE TO USE THAT WORD -- TO DRIVE TAXI. I WAS DRAFTED TO BE THE INTERIM PRESIDENT OF LONGHORN TAXI. I HAVE NOTHING AGAINST MR. ZACH. HE'S VERY GOOD TO ME AND I LIKE HIM, BUT UNFORTUNATELY WITH THE FRANCHISE GOING TO MR. ZACH IS HE'S ALREADY GOT 54 TAXIS. WE'RE ALREADY DEALING WITH HIM. SOME OF MY PEOPLE ARE COMPLAINING THAT HE OVER CHARGED HIM TOO MUCH. THAT'S THE ONLY THING I HAVE AGAINST HIM. BUT HE'S A VERY, VERY GOOD GUY. [ LAUGHTER ] THE WAY WE COME INTO BUSINESS IS A DIFFERENT BALLGAME. LONGHORN IS FOR DRIVERS. YOU GO THERE -- I DROVE IN SAN ANTONIO BEFORE. I COME FROM NIGERIA. WE LEAVE OUR HOME TO COME HERE FOR A BETTER LIFE. (INDISCERNIBLE). WHAT ARE WE DOING TO HAVE A BETTER LIFE? WE'RE DRIVING TAXIS. WE DIDN'T JUST JUMP INTO DRIVING TAXI JUST LIKE THAT. NO, I'M HIGHLY EDUCATED. (INDISCERNIBLE). THE PROBLEM IS WE KNOW WE DON'T HAVE ANY OF THAT TO FALL INTO BECAUSE IF YOU GET A JOB SOMEWHERE, DO YOU KNOW WHAT, WE GET -- [INAUDIBLE - NO MIC].

Mayor Wynn: IF YOU STANT BACK THERE, THE CAMERA IS GOING TO MISS THAT GOOD LOOKING FACE. [ APPLAUSE ]

OUR PEOPLE WORK (INDISCERNIBLE). I TELL YOU WHAT, JUST WAIT FOR TWO YEARS. WE GET KICKED OUT. (INDISCERNIBLE). DO YOU KNOW WHAT JOB I DID, I WAS MOPPING THE FLOOR. I WAS DOING CASHIER'S JOB. AT THAT TIME I WAS HAVING (INDISCERNIBLE) DEGREE. GENTLEMEN,

WE NEED TO CONSIDER WHAT WE ARE DOING. YOU HAVE A GOOD JOB. YOU ARE SENSITIVE PEOPLE. [ BUZZER SOUNDS ] I'VE BEEN THERE. I'VE BEEN HERE. I CAN TELL YOU THAT IN ATLANTA, WE FORCE THEM TO LISTEN TO US. THEY DID LISTEN TO US. WHY? WE HAD MAYOR JACKSON, WE WENT AND CAME TO HIM, WE TOLD HIM WE'RE SUFFERING. PLEASE LOOK AT OUR PROBLEM. HE LOOKED AND WE SUCCEEDED. I WANT YOU TO LOOK AT SO MANY THINGS. YELLOW CAB, IF YELLOW CAB IS GIVEN THE CHANCE TO BUY THE (INDISCERNIBLE). LET ME GIVE YOU AN EXAMPLE IN SAN ANTONIO.

Mayor Wynn: YOUR TIME IS UP, PLEASE CONCLUDE.

OKAY. WHAT I'M BEGGING YOU TO DO, WHAT I'M BEGGING THE COUNCIL TO DO IS PLEASE LOOK AT THE REGULATIONS. IF YOU CAN CHARGE \$400, WHY ARE THE CAB COMPANIES MAKING 10, 11, 12,000 A YEAR? LOOK AT US.

Mayor Wynn: WE WILL. THANK YOU, FRED. [ APPLAUSE ] RICK LEVY. AND OKAY, IS ALVA (INDISCERNIBLE) HERE? SO ALVA IS NOT HERE?

[INAUDIBLE - NO MIC].

Mayor Wynn: IS SAMUEL HERE? HOW ABOUT ALBA (INDISCERNIBLE)? HOW ABOUT USEF WOOD DARD? WILL SIX MINUTES WORK FOR YOU?

IT WILL BE FINE. I PROMISE. MY NAME IS RICK LEVY AND I'M AN ATTORNEY WITH THE UNITED CAB DRIVERS ASSOCIATION AND I'M HERE ALSO TO SPEAK IN OPPOSITION TO THE SALE. AND I GUESS NOTHING I CAN SAY IS REALLY GOING TO BE AS ELOQUENT AS SOME OF THE THINGS YOU'VE HEARD FROM THE DRIVERS ABOUT WHAT THEIR SITUATION REALLY IS. AND I THINK THE FACT THAT SO MANY OF THEM HAVE COME HERE AND STAYED AND WORKED WITH EACH ONE OF YOU OVER THE LAST FEW WEEKS IS REALLY TESTIMONY TO HOW CRITICAL THIS SITUATION IS FOR THEM. SO I'M NOT GOING TO COVER THAT, BUT I'M JUST GOING TO HONOR THEIR WORK THAT THEY'VE DONE BY MENTIONING IT. I GUESS WHAT I WANT TO DO IS TALK A MINUTE ABOUT SOMETHING THAT YOU RAISED, COUNCILMEMBER THOMAS, WHICH IS

HOW DO WE EVALUATE THIS SALE, HOW DO WE KNOW WHETHER IT'S A GOOD THING OR A BAD THING? AND WHAT THE LAW SAYS IS WHEN YOU LOOK AT A TAXI CAB FRANCHISE, THE APPLICANT HAS TO DEMONSTRATE THAT THERE IS A PUBLIC NECESSITY AND CONVENIENCE FOR THIS TRANSFER. AND I THINK WE'VE HEARD A LOT ABOUT ROY'S AND YELLOW AND THE BUSINESS AND WHY THAT'S A GOOD THING, AND I HONOR THEIR BUSINESS. THEY'VE BEEN IN BUSINESS FOR 75 YEARS AND I THINK EVERYBODY HERE WILL TALK ABOUT THE SERVICE THAT THEY PROVIDED, BUT THAT'S NOT REALLY THE ISSUE THAT WE'RE TRYING TO ADDRESS. WHAT WE'RE TRYING TO FIGURE OUT IS AS THE COUNCIL IS WHAT IS BEST FOR THE CITY? AND COUNCILMEMBER DUNKERLEY, I REALLY APPRECIATE YOUR WORK IN TRYING TO BALANCE ALL THOSE INTERESTS AND PUT IT TOGETHER. YOU PROBABLY DON'T APPRECIATE IT RIGHT NOW, BUT WHAT YOU'RE TRYING TO DO IS TRYING TO BALANCE WHAT'S GOOD FOR THESE COMPANIES WITH EVERYTHING ELSE. AND I GUESS WHAT I WOULD SAY IS LET'S START FROM WHERE THAT TRANSPORTATION COMMISSION STARTED, WHICH WAS LET'S NOT DO THIS UNTIL WHAT THEY SAID, BUT LET'S REALLY LOOK AT -- LET'S DO A COMPREHENSIVE REVIEW AND EVALUATION OF WHAT THE SYSTEM REALLY IS SO WE CAN GET IT RIGHT FOR THE CITY. SO YOU'VE HEARD ABOUT THE MONOPOLY INSTANCES, THE GAS PRICES, ALL THESE THINGS THAT ARE SQUEEZING EVERYBODY IN THE INDUSTRY. AND I THINK TO ALLOW THIS SCALE TO GO THROUGH WITH THAT KIND OF EFFECT, IT DOESN'T NEED TO HAPPEN. AND I GUESS WHAT I WOULD SAY TO YOU IS THAT I THINK THE DRIVERS, CERTAINLY I AM, ARE WILLING TO WORK WITH YOU HAND AND GLOVE TO COME UP WITH A SITUATION THAT REALLY DOES WORK FOR EVERYBODY. AND I THINK IT'S OUT THERE. I THINK YOU HAVE -- [ APPLAUSE ] I THINK YOU HAVE PEOPLE WILLING TO STEP UP AND ASSUME FRANCHISES. YOU HAVE DRIVERS WILLING TO EXPLAIN TO YOU WHAT'S BAD ABOUT THE SYSTEM, WHAT WORKS AND WHAT DOESN'T. LET'S TAKE ADVANTAGE OF ALL THE ENERGY THAT'S COME IN HERE TONIGHT AND NOT RUSH TO JUST DO SOMETHING RIGHT NOW, BUT REALLY TAKE OUR TIME AND GET IT RIGHT. Y'ALL SPENT A LOT OF TIME HERE TONIGHT AND I APPRECIATE THAT. AND HOPEFULLY WE'LL SPEND SOME TIME OVER THE NEXT FEW WEEKS AND



REALLY GET IT RIGHT FOR EVERYBODY. [ APPLAUSE ]

Dunkerley: MAYOR, I'D LIKE TO MAKE ONE COMMENT. JUST IN GENERAL, SEVERAL MONTHS AGO, MAYBE A YEAR AGO WE DID DIRECT THE STAFF TO LOOK AT SOME WAY TO COMPENSATE THE DRIVERS OR THE PEOPLE THAT ACTUALLY BUY THE GASOLINE IN A WAY THAT WOULD ADJUST FOR THESE INFLATIONARY PRICES WE'VE HAD VERY SIMILARLY TO WHAT WE DO WITH OUR UTILITY FUEL COSTS, HOW WE SORT OF ADJUST FOR THAT. SO I DON'T KNOW IF THE STAFF HAS HAD A CHANCE TO DO THAT, BUT I'D LIKE TO ASK THE CITY MANAGER IF IN THE NEXT FEW WEEKS OR NEXT FEW DAYS LA RATHER THAT THE STAFF COULD COME FORWARD TO SEE WHAT THEY'VE DONE. I THINK THE DIRECTION WE GAVE THE STAFF BACK THEN IS TO LOOK AT A MECHANISM SO THAT WE COULD BE ASSURED THAT THE CHANGES IN RATES THAT WOULD COVER THE FUEL INCREASES WOULD GO DIRECTLY TO WHOEVER IS PAYING THAT FUEL BILL. SO PERHAPS IN THE NEXT FEW DAYS YOU COULD GIVE US A WRITTEN REPORT OF WHERE THAT IS.

I CAN JUST TELL YOU THAT THAT WAS THE TAXI CAB SURCHARGE FOR FUEL, THAT WAS PASSED BY COUNCIL.

Dunkerley: IT WAS? WHEN DID THAT PASS?

I WOULD SAY SIX MONTHS AGO OR MAYBE EIGHT MONTHS AGO.

Dunkerley: CAN YOU SEND ME THAT? I'VE REALLY FORGOTTEN IT. LET ME SEE. AND DID IT MAKE SURE THAT IT WENT TO THE PEOPLE THAT WERE ACTUALLY PAYING -- THAT THE FEE INCREASES WOULD GO TO THE PEOPLE THAT WERE PAYING FOR THE GAS?

I DON'T THINK WE COULD ACTUALLY CONTROL THAT, BUT -- ACTUALLY, I DON'T THINK IT'S ACTUALLY KICKED IN BECAUSE THE FUEL PRICES CAME DOWN AFTER THAT WAS PASSED.

Dunkerley: I'D LIKE TO SEE IT BECAUSE I KNOW --

I'LL GIVE YOU A REPORT ON THAT.

Dunkerley: THERE'S PRETTY HIGH GASOLINE PRICES RIGHT NOW.

Mayor Wynn: EDWIN (INDISCERNIBLE). WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY ANDREA MOORE.

MAYOR, MAYOR PRO TEM, CITY COUNCIL, AND EVERYBODY ELSE, HEY. SEE, THE PROBLEM IS THE FRANCHISE. (INDISCERNIBLE). IF YOU LOOK AT THE FRANCHISE SYSTEM THE WAY IT'S SET UP, IT'S LIKE I'LL GIVE YOU SOMETHING THAT YOU DIDN'T PAY FOR, BUT YOU COULD CHARGE AS MUCH AS YOU WANT AND THEN COME BACK AND TELL ME THAT YOU'RE DOING A GOOD JOB WHILE SOMEBODY IS PAYING FOR IT. I'VE WORKED FOR YELLOW CAB. THEY'RE GOOD PEOPLE. I'VE WORKED FOR YELLOW CAB. WHEN DEB RICHARD OWNED YELLOW CAB, SHE WAS TRYING TO SELL IT. SHE TALKED TO A LOT OF PEOPLE IN THE COMPANY. MOST PEOPLE IN YELLOW CAB THEN, THEY DIDN'T HAVE THE MONEY TO BUY IT. SOME PEOPLE WERE INTERESTED, BUT COULDN'T GET THE FINANCING. AND THEN AMERICAN CAB BOUGHT IT. BUT THE PROBLEM IS NOT WHAT -- WHAT WAS HAPPENING IS WHEN THEY BOUGHT IT, PEOPLE FELT GOOD BECAUSE AMERICAN CAB HAD A COMPUTER AND THERE WAS NO (INDISCERNIBLE) THAT WAS HAPPENING IN YELLOW CAB BEFORE. BUT THEN THINGS BEGAN TO CHANGE. ANY TIME THE CITY COUNCIL GIVE A RAISE, LEASE GOES UP 30, 40. [ APPLAUSE ] I USED TO BE AT YELLOW CAB, YOU KNOW, AND I HAD A LOT OF DIFFICULTY THERE BECAUSE I USED TO OWN QUITE A FEW CABS. ZACH, I UNDERSTAND YOUR FAITH, MAN. IF YOU DON'T HAVE THEM -- WHAT EVERYBODY SAID ABOUT ZACH OWNING 54 CABS. ZACH OWNS NOTHING AS FAR AS I'M CONCERNED. ZACH OWNS NOTHING. HE'S AT GOOD GRACES AT AUSTIN CAB. ANY DAY THEY WANT THEY CANCEL HIM, ANY DAY THEY WANT, THEY CANCEL HIM. [ APPLAUSE ] AND THERE ARE NO GUARANTEES THAT THE CITY IS GOING TO GIVE HIM THAT IF THEY COME IN THAT THEY'RE GOING TO PROTECT HIS INVESTMENT ON THE SIDE OF AUSTIN CAB AND THEN ON THE SIDE OF ROY'S CAB. YELLOW CAB MIGHT DECIDE THAT THEY DON'T WANT HIM OWNING THOSE CABS AND YELLOW CAB BECAUSE IT'S THEIR POLICY AND THEN HE HAS TO FIND A WAY TO COVER THAT EXPENDITURE, EVEN THOUGH HE'S ALREADY PAID FOR IT --

(INDISCERNIBLE). THE THING THAT NEEDED TO BE DONE IS THE CITY CAN MAKE MORE MONEY BY CHARGING THE DRIVERS INDIVIDUALLY EVERY YEAR. [ APPLAUSE ] [ BUZZER SOUNDS ] THANK YOU.

Mayor Wynn: PLEASE CONCLUDE.

HOLD ON. THE THE CITY CAN MAKE MORE MONEY BY CHARGING THE DRIVERS INDIVIDUALLY. AND I HAVE A LOT OF DRIVERS WHO HAVE EXPRESSED INTEREST TO PAY EVEN FIVE TIMES MORE THAN THE \$400 THAT THE CITY IS CHARGING THE COMPANIES JUST TO OWN IT AND HAVE -- BECAUSE THEY'RE IN COMPETITION FOR THE BUSINESS. THERE'S NO COMPETITION FOR THE BUSINESS. THEY DON'T HAVE INCENTIVE TO MAKE THE WORKING CONDITIONS GOOD BECAUSE THEY ALREADY HAVE THE GOODS. THERE ARE NO INCENTIVES. LIVES CAN BE BETTER. YOU COULD SELL YOUR BUSINESS -- I WAS IN BOSTON. PEOPLE SELL THEIR BUSINESS IN BOSTON, BUT THEY DON'T OWN THE PERMITS THAT THE CABS -- THEY SELL IT FOR MILLIONS OF DOLLARS BECAUSE THEY BUILT A BUSINESS THAT MAKES MONEY FOR THEIR DRIVERS. IF YOU WANT TO SELL ROY'S, IF YOU WANT TO SELL AUSTIN CAB, IF YOU WANT TO SELL YELLOW, SELL IT BECAUSE YOU HAVE A BUSINESS THAT'S MAKING MONEY FOR THE DRIVERS.

Mayor Wynn: THANK YOU. [ APPLAUSE ] ANDREA MOORE, WELCOME. YOU HAVE THREE MINUTES AND BE FOLLOWED BY GIDI MOTO.

MY NAME IS ANDREA MOORE, AND I AM THE TOKEN PASSENGER TONIGHT. [ LAUGHTER ] I WAS HERE AT THE URBAN TRANSPORTATION COMMITTEE'S MEETING, AND I DON'T THINK THAT I WANT TO TALK TOO MUCH ABOUT THE MONOPOLY SITUATION BECAUSE THE DRIVERS HAVE ALREADY DONE THAT. I WANT TO TALK ABOUT WHAT HAPPENS, THOUGH, TO THE PASSENGERS IN A MONOPOLY. SEVERAL MONTHS AGO A YELLOW CAB DRIVER REFUSED TO TRANSPORT A COUPLE AND THEIR TWO DOG GUIDES. THEY WENT TO COURT, THE COUPLE WON. THAT DRIVER STILL WORKS FOR YELLOW CAB. IN SAN ANTONIO, THE SAME COMPANY THAT OWNS YELLOW CAB HERE IN AUSTIN AND PROPOSES TO BUY ROY'S OWNS NEARLY ALL OF THE

FRANCHISES IN SAN ANTONIO. MOST PEOPLE WITH DISABILITIES AND A LOT OF PEOPLE WHO DO CASH RUNS ALSO DON'T EVEN BOTHER TO CALL THEM ANYMORE IF THEY CAN POSSIBLY HELP IT. YOU CAN'T GET PICKED UP FROM A GROCERY STORE, AND IF YOU HAVE A DISABILITY, YOU MIGHT AS WELL FORGET IT. ANY TIME YOU HAVE ANY KIND OF A MONOPOLY, WHICH IS WHAT YOU'RE GOING TO BE CREATING HERE, COME COMPLACENTLY SETS IN AND SERVICE GOES DOWN. THAT'S WHY BELL TELEPHONE COMPANY WAS DISBANDED. I THINK THERE SEEMS TO BE SOME KIND OF MISUNDERSTANDING ABOUT PEOPLE SELLING THEIR BUSINESSES. THESE PERMITS WHICH WERE GIVEN TO ROY'S TAXI BY THE CITY ARE TOOLS BY WHICH ROY'S TAXI SHOULD HAVE BEEN MAKING MONEY THROUGHOUT ALL THE YEARS THAT THEY HAD A BUSINESS. IF THEY DON'T HAVE ANY MONEY IN SAVINGS NOW FROM WHICH TO RETIRE, THEN I DON'T THINK THAT'S THE CITY'S PROBLEM. [ APPLAUSE ] THE CITY IS NOT OBLIGATED TO MAKE SURE THAT ROY'S TAXI BROTHERS WALK AWAY MILLIONAIRES. IF THEY WANTED TO DO THAT, THEY SHOULD SAVE MONEY IN THEIR BUSINESSES LIKE EVERYBODY ELSE IS SUPPOSED TO. THESE PERMITS BELONG TO THE CITY. I THINK THAT ONE OF THE THINGS THAT I'VE HEARD FROM DRIVERS TONIGHT IS THAT ROY'S TAXI DID NOT COME TO THE DRIVERS, THEY DID NOT GO TO AUSTIN CAB, THEY DID NOT GO TO ZACH'S COMPANY, CAPITOL CITY CAB, THEY DID NOT GO TO LONGHORN OR LONE STAR OR ANYBODY ELSE -- [ BUZZER SOUNDS ] -- TO SELL THEIR COMPANY. THEY JUST TOOK THE EASY WAY OUT BECAUSE IT WAS QUICK MONEY. IF THEY WANT TO MAKE QUICK MONEY THEY CAN SELL SOME OF THEIR HOUSES. [ APPLAUSE ] I GUESS THAT'S IT. MY TIME IS RUNNING OUT. BUT I REALLY DON'T THINK THAT YOU SHOULD CREATE A MONOPOLY AND HURT DRIVERS AND PASSENGERS BOTH. THANK YOU VERY MUCH. [ APPLAUSE ]

Mayor Wynn: THANK YOU. GITI MOTO. YOU WILL BE FOLLOWED BY SAMUEL (INDISCERNIBLE). ARE YOU RELATED TO MIRIAM?

YES, SIR. THANK YOU, HONORABLE MAYOR, COUNCILMEMBERS AND FELLOW CAB DRIVERS. I'M HERE TO OPPOSE THE TRANSFER OR SALE OF CITY PERMITS FROM ROY'S CAB TO YELLOW CAB FOR TWO MAJOR REASONS.

ONE, IT'S GOOD TO UNDERSTAND OR FROM MY OWN PERSPECTIVE THE TRUE (INDISCERNIBLE). TO ME I THINK THE PERMIT IS AN INSTRUMENT OF BUSINESS THAT THE CITY LEASES TO CAB COMPANIES TO OPERATE, SO IF ROY WANTS TO SELL THEIR BUSINESS, I DON'T THINK THEY'RE SELLING THEIR PHYSICAL BUSINESS, THEY'RE TRYING TO SELL THE PERMIT OR THE INSTRUMENTS OF BUSINESS LEASED TO THEM BY THE CITY. AND I DON'T UNDERSTAND THE CITY DON'T SELL PERMITS. SO THAT DON'T MAKE A DIFFERENCE. [ APPLAUSE ] NOW, THE SECOND REASON WHY I'M HERE IS TO THROW MORE LIGHT ON THE CASCADING EFFECT IT'S GOING TO HAVE ON THE DRIVERS. (INDISCERNIBLE). MOST DRIVERS WILL BECOME JOBLESS BECAUSE MANY DRIVERS HERE AND THOSE THAT ARE NOT HERE CANNOT WORK FOR YELLOW CAB. IF YELLOW DOMINATES THE BUSINESS -- (INDISCERNIBLE). YOU GUYS ARE SERVING THE INTEREST OF THE PUBLIC AND RESIDENTS OF AUSTIN. I'M PLEADING WITH YOU GUYS TO MAKE A WISE DECISION INSTEAD OF SEVERING THE BROTHERS -- I FEEL FOR THEM BECAUSE THEY'VE BEEN IN BUSINESS FOR YEARS AND WANT TO SELL OR RETIRE. BUT PLEASE, YOU HAVE TO LOOK AT THE INTEREST OF THE PUBLIC THAT YOU'RE SERVING, MOST ESPECIALLY THE DRIVERS AND RIDERS AND THEN THE EAST SIDE RESIDENTS THAT THEY HAVE BECAUSE THE CAB FARE WILL GO UP, DRIVERS CAN'T AFFORD THEIR LEASE. SO I PRAY THAT YOU WILL PUT THIS INTO CONSIDERATION OF PUTTING THE PUBLIC AND DRIVERS AT INTEREST IN MAKING YOUR DECISIONS FIRST, PLEASE. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. SAMUEL (INDISCERNIBLE). YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY ANDREW CLEMENTS.

GOOD EVENING, MAYOR AND THE DISTINGUISHED (INDISCERNIBLE) OVER THERE AND LADIES AND GENTLEMEN. I'M AGAINST THE SALE FOR A COUPLE OF REASONS. FIRST AND FOREMOST I JUST WANT TO BREAK IT DOWN IN DOLLARS AND CENTS. I DRIVE FOR ROY'S TAXI THROUGH -- I DON'T OWN MY OWN CAB, SO I LEASE THE CAB. I LEASE THE CAB FOR ONE WEEK, I PAY \$375. NOW, IF I WAS TO GO AND DRIVE FOR YELLOW, I WOULD BE PAYING FOR THAT SECOND CAB, I WOULD BE PAYING \$600. SO WHAT THAT MEANS IS I CANNOT SERVICE STS CUSTOMERS. I CANNOT GO TO THE

EAST SIDE, I CANNOT DO CERTAIN LOW INCOME CUSTOMERS THAT ARE NOT BRINGING A LOT OF MONEY. AND WHAT WOULD EVENTUALLY HAPPEN IS MOST OF THESE PERMITS GO TO YELLOW IS THAT MOST OF THE DRIVERS WILL NOT BE ABLE TO SERVICE THOSE CUSTOMERS AND THOSE CUSTOMERS WILL SUFFER. AND SOME OF US WILL NOT BE ABLE TO MAKE ENDS MEET BECAUSE WE WILL NOT BE ABLE TO PAY THAT HIGH LEASE WORKING FOR YELLOW CHECKERED CAB COMPANY. AND THAT'S THE PROBLEM WITH THAT COMPANY. I HAVE SEEN SITUATIONS WHERE STS RIDERS HAVE CALLED FOR YELLOW CHECKER CAB. I DON'T BLAME THE DRIVERS. THEY DON'T WANT TO DO IT. THEY HAVE AN OPTION. IF I DRIVE FOR YELLOW AND I'M BOOKED IN A ZONE AND THE TRIP IS STS, I HAVE TO DO IT. BUT IF YOU'RE DRIVING FOR YELLOW, YOU HAVE AN OPTION IF YOU WANT TO DO STS OR IF YOU DON'T WANT TO DO STS. OR IF YOU WANT TO DO -- WHATEVER TRIP YOU WANT TO DO, IF YOU WANT TO DO THIS OR THAT. SO WHAT HAPPENS IS THOSE STS TRIPS WHEN THEY COME OUT, THEY JUST HANG ON THE SCREEN THERE FOREVER AND FOREVER. AND WHEN YOU HAVE MOST OF THE CABS BEING YELLOW CHECKER CABS, THAT'S EXACTLY WHAT IS GOING TO HAPPEN. THE PEOPLE ON EAST SIDE WOULD NEVER GET CABS BECAUSE NOBODY WANTS TO GO THERE. PEOPLE AT THE GROCERY STORES WILL NEVER BE SERVICED BECAUSE I CAN SERVICE THEM DRIVING FOR ROY'S BECAUSE I PAY 375. BUT IF I PAY \$600 A WEEK, I WOULD NOT GO FOR A GROCERY STAR. I WOULD HAVE TO -- TO NORTHWEST AUSTIN AND START LOOKING FOR AIRPORT RUNS, \$60 TO THE AIRPORT AND STUFF LIKE THAT. AND THOSE LITTLE SMALL BUSINESSES ARE GOING TO SUFFER. AND AGAIN, ON THE COMPROMISE, EVEN IF WE DECIDE -- YOU ALL DECIDE TO DO THE SALE AND DECIDE ON SOME KIND OF A COMPROMISE, I WOULD SUGGEST THAT AT LEAST HALF OF THOSE, IF THEY'RE GOING TO SELL THE COMPANY, HALF OF THE PERMITS SHOULD BE RETAINED AND REDISTRIBUTED TO THE NEW FRANCHISE OR OTHER EXISTING COMPANIES. 155 PERMIT -- JUST TOO MUCH IS GOING TO CREATE A SERIOUS PROBLEM. AND I GUESS THAT'S ABOUT ALL I WANT TO SAY. THANK YOU VERY MUCH. [ APPLAUSE ]

Mayor Wynn: OUR LAST SPEAKER IS ANDREW CLEMENTS.

[INAUDIBLE - NO MIC].

Mayor Wynn: WE'LL LET YOU SPEAK, YES, SIR.

Mayor Wynn: IS SIGN-UP STILL OPEN, MS. GENTRY. IF FOLKS WANT TO SPEAK, IT HELPS US WITH THE RECORD TO SIGN UP. WELCOME, ANDREW.

THANK YOU. I'M GLAD I WON'T BE LAST. I THOUGHT I HAD BETTER COME REPRESENT THE URBAN TRANSPORTATION COMMISSION AND WHAT OUR RECOMMENDATION TO YOU WAS. I WANTED TO FOLLOW UP THE MEMO THAT I WROTE AT THE REQUEST OF MAYOR PRO TEM THOMAS, AND I APOLOGIZE FOR JUST GETTING IT TO YOU TODAY, BUT I HOPE IT WAS IN YOUR BACKUP. YOU HAVE TO UNDERSTAND ON MARCH THE 20TH WHEN WE HEARD THIS ISSUE AT THE COMMISSION, WE STARTED OFF WITH A RECOMMENDATION FROM YOUR OWN CITY MANAGER AND CITY STAFF TO DENY THIS. SO THAT WAS REALLY THE BEGINNING POINT, THE EXPERTS ACTUALLY RECOMMEND DENYING THIS REQUEST. AND MORRIS POE, THE CITY STAFFER THAT KNOWS THE MOST ABOUT THIS ISSUE PROBABLY OR AT LEAST REGULATES THIS ISSUE FOR THE CITY RECOMMENDED DENYING THIS ACTION ALSO. IT'S BEEN AN EDUCATIONAL PROCESS FOR ME AND FOR THE URBAN TRANSPORTATION COMMISSION. WE'RE BY NO MEANS EXPERTS ON THE KIND OF ARREST CONTAIN WAY THAT THE CITY OF AUSTIN ISSUES TAXI CAB FRANCHISES AND THE PERMITS TO THOSE FRANCHISES, BUT JUST ON THE FACE OF IT IT JUST STRUCK US THAT ADDING 52 AND 25% TO 77% JUST REALLY STARTED TO SMACK OF A MONOPOLY AND IT DIDN'T SOUPED LIKE AUSTIN TO US, -- DIDN'T SOUND LIKE AUSTIN TO US. AS WE HEARD MORE AND MORE TESTIMONY FROM THE DRIVERS, WE HEARD SOME UNUSUAL THINGS AND WE LEARNED AT LEAST IN MY OWN MIND IT'S AN UNUSUAL COMBINATION OF REGULATION AND FREE MARKET THE WAY WE DO TAXI CAB FRANCHISES, AND MAYBE THAT'S NECESSARY BECAUSE WE INITIALLY-- WE REALLY KIND OF LEAN TOWARDS THE DRIVES AS SAYING WHY CAN'T ALL THE PERMITS BE ISSUED DIRECTLY TO THE DRIVERS AND LET IT GO WITH THEM WHEN THEY GO TO COMPANIES, BUT WE UNDERSTAND FROM MR. POE THAT THE FRANCHISE SYSTEM WAS CHOSEN BECAUSE THE CITY AT THE TIME FELT THAT FRANCHISES WOULD

ENSURE THAT TAXIS WERE KEPT SAFE AND CLEAN AND WERE INSPECTED EITHER ANNUALLY OR EVERY TWO YEARS, I CAN'T REMEMBER. BUT WE REALLY THINK THE BOTTOM LINE THAT THE SYSTEM REALLY DOES WARRANT A COMPLETE REVIEW THE WAY THAT FRANCHISES AND PERMITS ARE GRANTED. WE JUST HEARD UNUSUAL THINGS LIKE THE PERMITS COSTING \$400 TO THE FRANCHISES AND THEN THEY TURN AROUND AND SELL THEM TO THE DRIVERS ANYWHERE FROM 4 TO 10 TIMES THAT AMOUNT. AND THAT SEEMED A LITTLE BIT UNBALANCED. SO I JUST WANT TO SAY THE URBAN TRANSPORTATION COMMISSION AND OUR NEWLY RECONSTITUTED LAND TRANSPORTATION SUBCOMMITTEE IS WILLING AND WELCOME TO WORK WITH -- I THINK THE DIRECT AVENUE MIGHT BE WITH THE LAND USE SUBCOMMITTEE OF THE CITY COUNCIL. AND I WOULD RECOMMEND DENYING THIS ACTION TONIGHT, AND I FEEL FOR ROY'S TAXI. I KNOW ROY VA LAS QUESTIONS, BUT I THINK 30, 60, 90 DAYS IS NOT AN UNUSUAL AMOUNT OF TIME TO WORK OUT A MORE EQUITABLE WAY TO DO THIS. [ BUZZER SOUNDS ] IF YOU REALLY FEEL YOU NEED TO APPROVE THIS ON FIRST READING TONIGHT, THEN I REALLY THINK YOU SHOULD FOLLOW CITY MANAGER, CITY STAFF'S RECOMMENDATION AND OUR RECOMMENDATION THAT THOSE 155 PERMITS GO TO AT LEAST ONE NEW FRANCHISE, AND WE'D PREFER A DRIVER-OWNED FRANCHISE. [ APPLAUSE ] AND THREE YEARS AGO THE CITY COUNCIL ITSELF SAID THEY WISHED WE HAD FOUR OR FIVE TAXI CAB FRANCHISES, AND THIS IS YOUR OPPORTUNITY TO DO THAT, ALTHOUGH I WOULD ARGUE TO REVISIT THE ENTIRE FRANCHISE WAY OF GRANTING PERMITS. LET ME KNOW IF I CAN ANSWER ANY QUESTIONS.

Mayor Wynn: THANK YOU FOR YOUR SERVICE ON THE BOARD.  
[ APPLAUSE ]

Mayor Wynn: MS. GENTRY, MY SYSTEM IS DOWN. IF YOU WOULD LIKE TO ADDRESS US, JUST COME FORWARD AND STATE YOUR NAME INTO THE RECORD, PLEASE.

MY NAME IS RAIN. I USED TO WEAR A SUIT AND TIE BEFORE. I USED TO BE A STAFF ACCOUNTANT. AND I FOUND OUT THAT THE GREATEST CROOKS IN THE WORLD WERE THE ONES THAT WEAR SUITS AND TIES. I LOVE WHAT I DO. YOU CAN



CALL ME A CAB DRIVER, WHATEVER YOU WANT. I'VE BEEN DOING IT FOR THREE YEARS. I'M FREE. I MAKE GOOD MONEY BECAUSE I WORK A LOT OF HOURS. A LOT OF MY CUSTOMERS ARE AGAINST THE SALE. AND I SAY TO MYSELF -- AGAIN, I HAVE A DEGREE IN ACCOUNTING. I THINK MOST OF YOU ARE EDUCATED BACK THERE. I SAY TO MYSELF, HOW CAN THEY SELL SOMETHING THAT BELONGS TO THE CITY? NOW, WHO IS THE CITY? IT'S THE PEOPLE. AND HOW -- WHAT'S SO DIFFICULT ABOUT THIS THAT HAS TO GO TO THE CITY COUNCIL TO APPROVE A SALE OR NOT? TO ME, UNLESS I'M STUPID, IT DOESN'T MAKE SENSE. YOU CAN'T SELL SOMETHING THAT, YOU KNOW -- ROY'S CANNOT SELL PERMITS THAT DO NOT BELONG TO THEM, UNLESS THE CITY COUNCIL IS LETTING SOMETHING TRANSPIRE THAT'S ILLEGAL IN ACTUALITY, REALLY ILLEGAL. MR. MAYOR, WHO DO THE PERMITS BELONG TO, SIR, I ASK YOU A QUESTION?

Mayor Wynn: THANKS, BUT I DON'T ANSWER QUESTIONS, NOT WHILE I'M ON THE DAIS.

OKAY. SO NO ONE ANSWERS QUESTIONS UP ON THE DAIS.

Mayor Wynn: I SAID I DON'T.

HOW ABOUT YOU, JENNIFER KIM? WHO DO THE PERMITS BELONG TO?

[INAUDIBLE - NO MIC].

AH. SO WHY ARE WE HERE DISCUSSING THE SALE WHEN SOMETHING REALLY BELONGS TO THE CITY WHICH REALLY BELONGS TO THE PEOPLE OF AUSTIN? ISN'T THAT TRUE? THAT'S WHAT MY MIND SAYS. THESE COMPANIES HAVE MADE A LOT OF MONEY OFF OF US, US THE DRIVERS, OKAY? DO THEY GIVE AN ACCOUNTABILITY? ARE THEY ACCOUNTABLE FOR CHARGING US 220 A WEEK, 500 A WEEK AND SO ON, AND YOU MULTIPLY THAT BY HUNDREDS OF DRIVERS TIMES ONE YEAR, 52 WEEKS? THAT'S A HECK OF A LOT OF MONEY, AND THAT'S A BIG PROFIT THAT THEY'RE MAKING OFF OF US. WELL, LET ME MAKE A PROFIT OFF OF YOU, KIM. HOW ABOUT YOU, TOBY? HOW ABOUT YOU? LET ME MAKE A PROFIT OFF OF YOUR SWEAT. THAT'S NOT RIGHT. THE VEHICLES IN SOME OF OUR CASES BELONG TO US, BUT

THE TITLE IS IN BOTH NAMES, MINE AND THE COMPANY. IF I HAVE AN ACCIDENT, THEIR SELF-INSURED, SO TO SPEAK, BUT I'VE GOT TO PAY FOR IT. COME ON NOW. WHAT KIND OF INSURANCE PROGRAM IS THAT? WE ARE BEING RIPPED OFF. DO YOU CARE? COUNCIL PEOPLE, DO YOU REALLY CARE ABOUT US CAB DRIVERS? BECAUSE TO ME IF YOU VOTE FOR THE CAB COMPANIES FOR THE TRANSFER OF THIS SALE, WHICH TO ME IS REALLY SUPPOSED TO BE ILLEGAL, IF YOU VOTE FOR THIS SALE, IS SOMEBODY PUTTING MONEY IN YOUR POCKETS? THANK YOU. [ APPLAUSE ]

Mayor Wynn: THE NEXT SPEAKER IS JIM CONNALLY.  
WELCOME, SIR. YOU WILL HAVE THREE MINUTES.

THANK YOU, MAYOR. I'M JIM CONNALLY, PRESIDENT OF YELLOW CAB COMPANY, AND OBVIOUSLY WE'RE FOR THE SALE OF ROY'S TAXI COMPANY AND WOULD LIKE TO SEE IT APPROVED TONIGHT. I'LL JUST TAKE A COUPLE OF MINUTES BECAUSE IT'S VERY LATE, IN FACT, IT'S THIS MORNING. YELLOW CAB DOES SERVE THE CITY AND IT DOES SERVE ALL SECTIONS OF THE CITY AND ALL POPULATIONS. WE HAVE PROVIDED OVER 1.2 MILLION TAXI CAB DISPATCHED TRIPS IN THE PAST 12 MONTHS AND TRANSPORTED OVER A MILLION AND A HALF PEOPLE. 20% OF ALL THOSE TRIPS CAME FROM QUOTE, UNQUOTE, THE EAST SIDE. AND YOU CAN CALL CAPITAL METRO ANY TIME YOU LIKE. WE PROVIDE OVER 65% OF ALL STS RIDES THERE ARE IN THE CITY. DISCUSSION ABOUT DRIVERS AND US BEING A TURNSTILE. WE HAVE OVER 450 DRIVERS, 62% OF WHICH HAVE BEEN WITH US IN EXCESS OF THREE YEARS. AND MS. DUNKER DUNKERLEY, I'M SORRY, YOUR QUESTION ABOUT FUEL. FUEL IS EVALUATED EVERY QUARTER. THE NEXT EVALUATION IS MAY THE 8TH. AT THE CURRENT PRICES, THE METER RATE WILL BE INCREASED BY A DIME A MILE. WE PLEDGED WHEN IT HAPPENED ABOUT SIX MONTHS AGO THAT YELLOW CAB, ALL THAT MONEY WOULD GO TO THE DRIVES AND THERE WOULD BE NO FEE INCREASES BY OUR COMPANY. I THANK YOU. I'M HERE IF YOU HAVE ANY OTHER QUESTIONS. ONCE AGAIN, I DO SUPPORT THE TRANSFER OF THIS FRANCHISE TO US. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. CONNALLY.

Thomas: MAYOR, I HAVE A QUESTION FOR HIM. I'VE HEARD THIS SEVERAL TIMES, SIR, ABOUT THE LEASE OF YOUR VEHICLES. ONE GENTLEMAN SAID -- WHO WAS THAT SAID HE PAYS ROY 300 SOMETHING AND HE PAYS MAYBE FOUR OR FIVE HUNDRED AT THE YELLOW CAB. AND I'VE HEARD THAT SEVERAL TIMES. A LOT OF THEM SAY THAT'S WHY THEY CAN'T REALLY PAY THEIR NOTES. SO TELL ME WHAT IS -- AND I'LL ASK STAFF DO WE REGULATE THAT ABOUT THE LEASE OF YOUR VEHICLES.

THERE ARE DIFFERENT LEASES IN DIFFERENT COMPANIES. AND THERE ARE DIFFERENT FEES AT DIFFERENT COMPANIES. OUR COMPANY CHARGES \$270 A WEEK IF YOU OWN YOUR OWN CAB TO PAY THE TERMINAL FEES OR LEASES, WHICH IS \$50 MORE THAN THE OTHER TWO COMPANIES CHARGE. WE FEEL THAT OUR COMPANY ALSO PROVIDES A BIGGER BUNDLE OF SERVICES FOR THAT \$270 THAN THE OTHER TWO COMPANIES DO. WE HAVE DIFFERENT CHARGES. EACH COMPANY APPROACHES HOW THEY GENERATE THEIR REVENUE IN DIFFERENT MANNERS. THE 5 4 AND 500-DOLLAR QUOTES THAT YOU RECEIVED ARE PEOPLE THAT ARE BUYING A CAR THROUGH A COMPANY OR THEY'RE PAYING A DAY USE FEE AND DON'T ACTUALLY OWN A CAR, AND THE FEES ARE NOT REGULATED BY THE CITY THAT THE COMPANIES CHARGE.

Thomas: THANK YOU.

Mayor Wynn: THANK YOU. OUR NEXT SPEAKER IS JOHN BOARDNER, WHO SIGNED UP WISHING TO SPEAK AGAINST. WELCOME. YOU WILL HAVE THREE MINUTES.

THANK YOU VERY MUCH FOR ALLOWING ME TO SPEAK, SIR. MEMBERS OF THE CITY COUNCIL, I FIRST STARTED DRIVING A CAB IN HOUSTON, TEXAS IN JANUARY OF 1964. AND I WAS DRIVING FOR THE LARGEST CAB COMPANY DOWN THERE. AND THEN THE GREATER HOUSTON TRANSPORTATION SUDDENLY APPEARED ON THE SCENE AND I NO LONGER WORKED FOR A COURTEOUS CAB SERVICE ANYMORE, I WAS WORKING FOR YELLOW CAB. AND THEY PROCEEDED TO DO THE SAME THING THEY'RE TRYING TO DO HERE AND BUY UP EVERY LITTLE CAB COMPANY THAT WAS DOWN THERE UNTIL FINALLY THEY HAD WELL OVER 2,000 CABS RUNNING

AROUND HOUSTON RIGHT NOW. AND I HAVE A BROTHER-IN-LAW DOWN THERE, HE OWNS THREE CABS AND DOES REAL WELL. YOU DON'T HAVE TO HAVE ALL THE PERMITS TO MAKE MONEY, IF YOU JUST GET OUT THERE AND APPLY YOURSELF AND DO IT THE OLD AMERICAN WAY AND WORK. I'VE WORKED HARD ALL MY LIFE. I'M NOT A RICH MAN. I MEET ALL MY NEEDS BY THE GRACE OF THE LORD, BUT IT'S NOT BECAUSE I MAKE A WHOLE BUNCH OF MONEY, IT'S JUST SIMPLY BECAUSE I APPLY MYSELF. THESE DRIVERS ARE TELLING YOU EXACTLY LIKE IT IS. I PAY \$385 A WEEK TO LEASE A CAR SO THAT I CAN GO OUT AND MAKE A LIVING. I PAY 35 TO \$40 EVERYDAY TO BUY GASOLINE. I HAVE A TELEPHONE SO I HAVE TO PUT TIME ON THAT ABOUT EVERY TWO OR THREE DAYS. IT DOESN'T LEAVE A WHOLE LOT FOR PROFIT, YOU KNOW. AND IF I -- RIGHT NOW I'M JUST SORT OF A PART TIME DRIVER BECAUSE I'M RETIRED AT THE SAME TIME AND THAT'S THE ONLY REASON WHY I'M ABLE TO PAY MY BILLS IS BECAUSE I GET A DISABILITY CHECK. BUT I CONSIDER MYSELF AN EXPERIENCED DRIVER AND I KNOW HOW TO WORK A CAB AND MAKE MONEY, BUT IT'S GOT TO BE THERE TO DO IT. AND I BRING IN PLENTY, BUT I GIVE IT ALL TO SOMEBODY ELSE. AND I DON'T HAVE ANY LEFT OVER TO PUT IN A SAVINGS ACCOUNT SO THAT I CAN LIVE EASY WHEN I CAN'T WORK BECAUSE I'M MAKING SURE THAT SOMEBODY ELSE IS GOING TO BE ABLE TO DO THAT. AND THAT'S PRETTY MUCH WHAT I HAVE TO SAY THERE, SIR. I AM AGAINST THIS SALE. I DON'T THINK THAT IT WOULD BENEFIT ANYBODY EXCEPT YELLOW CAB. AND I AM FOR STARTING UP THE CAPITOL CITY CAB COMPANIES. ZACH PHOTO I'VE WORKED FOR -- I LEASE FROM ZACH. AND HE'S BEEN FAIR WITH ME AND HE'S TREATED ME RIGHT, AND IF MY CAR HAS A MECHANICAL PROBLEM, I GO IN THERE, HE DON'T TELL ME, WELL, I CAN'T GET TO YOU. HE TELLS ME WE'LL GET IT. AND HE TAKES CARE OF HIS CARS. AND THIS IS THE ONE MAN IN THE BUSINESS THAT'S NOT A COMPANY OWNER THAT -- THAT IS NOT A COMPANY OWNER THAT ACTUALLY TAKES CARE OF HIS CARS JUST LIKE HE IS A COMPANY OWNER. SO I DO APPRECIATE YOU TAKING TIME TO LISTEN TO ME AND GOD BLESS YOU. THANK YOU.

Mayor Wynn: WE HAVE GAVINO FERNANDEZ SIGNED UP NOT WISHING TO SPEAK NEUTRAL AND (INDISCERNIBLE) SIGNED

UP NOT WISHING TO SPEAK, AGAINST. AND THAT'S THE LAST SPEAKER THAT MY SYSTEM SHOWS. IS THERE ANYBODY ELSE WHO HASN'T SPOKEN THAT WOULD LIKE TO ADDRESS US ON THIS ISSUE? WE GREATLY APPRECIATE YOU ALL'S PATIENCE AND ATTITUDES AS WE WORK THROUGH THIS. I'VE GOT A QUESTION FOR STAFF, I GUESS. SO CITY MANAGER -- MANAGEMENT, STAFF, RECOMMENDED DENIAL OF THIS, AND WE HEARD EARLIER THAT IT WAS RECOMMENDED UNANIMOUSLY FOR DENIAL BY THE URBAN TRANSPORTATION COMMISSION, BUT THEN WHEN IT COMES TO THE COUNCIL, OUR AGENDA, THE SUMMARY TITLE, WHICH IS WHAT EVERYBODY SEES, SAYS APPROVE AN ORDINANCE ON FIRST READING. SO I GUESS JUST THE TECHNICAL QUESTION I HAVE IS WHY ISN'T IT POSTED AS DENY A REQUEST FOR AN ORDINANCE IF IN FACT STAFF RECOMMENDED DENIAL, UNANIMOUS RECOMMENDATION OF DENIAL FROM THE TRANSPORTATION COMMISSION? WHY DIDN'T WE START THIS PROCESS WITH A SUMMARY THAT SAYS APPROVE?

I THINK THAT'S JUST THE WAY IT'S POSTED. YOU CAN APPROVE OR YOU CAN DENY IT. EITHER WAY YOU WANT TO VOTE.

Mayor Wynn: I'M SUGGESTING THAT WE DIDN'T ASK FOR THIS TO BE ON THE AGENDA, AND IF WHEN APPARENTLY A REQUEST -- I GUESS THE WAY THIS WORKS, A REQUEST FROM EITHER YELLOW OR ROY'S CAME TO CITY STAFF, CITY STAFF SAID, NO, ALTHOUGH THE FINAL DECISION OBVIOUSLY IS BY COUNCIL, AND THEN THAT GOES TO THE URBAN TRANSPORTATION COMMITTEE AND IT'S DENIED UNANIMOUSLY, IT SEEMS LIKE PERHAPS THE ACTION OF THIS BOARD IS TO CONFIRM STAFF'S RECOMMENDATION OF DENIAL AND THE BOARD AND COMMISSION RECOMMENDATION OF DENIAL. IT'S A TECHNICALITY, BUT THE IMPLICATION IS, YOU KNOW, WE'RE READY TO APPROVE --

I DON'T THINK THERE'S AN IMPLICATION. I THINK GENERALLY THINGS ARE PUT ON THERE SO IF YOU WOULD DESIRE TO APPROVE SOMETHING ON CONSENT YOU COULD DO THAT, OTHERWISE YOU PULL IT AND YOU DISCUSS IT AND THEN YOU CAN APPROVE OR DENY IT, WHICHEVER WAY YOU

WANT TO DO IT. WE DON'T MAKE AN ASSUMPTION THAT YOU'RE GOING TO DO IT EITHER WAY.

Mayor Wynn: OKAY. COUNCIL, QUESTIONS OF STAFF, COMMENTS?

Dunkerley: I HAVE MY OLD MOTION ON THE TABLE.

Mayor Wynn: IF YOU WANT TO REVIVE IT --

Dunkerley: I'D LIKE TO REVIVE MY MOTION TO SEE IF THERE'S A SECOND.

Mayor Wynn: SO MOTION ON THE -- SO COUNCILMEMBER DUNKERLEY MOVES HER ORIGINAL MOTION, SECONDED BY COUNCILMEMBER MCCracken. THE ORIGINAL MOTION BEING TO APPROVE THE TRANSFER, FIRST READING, WITH TWO MAJOR ADJUSTMENTS TO THAT. COMMENTS? MAYOR PRO TEM.

Thomas: WELL, I CAN'T SUPPORT THE MOTION IF WE'RE NOT GOING TO TALK ABOUT THESE PERMITS. IN THIS PROPOSAL AND ALL THIS TESTIMONY WE JUST HEARD, I KNOW WE'RE NOT JUST GOING TO SIT HERE AND VOTE WHAT BROUGHT FORWARD BECAUSE YOU'VE GOT 555 155 PERMITS. I NEED TO ASK, YOU'VE GOT THREE FRANCHISES THAT MIGHT COME INTO PLAY, AND I NEED TO ASK FROM EACH ONE OF THEM HOW MANY PERMITS WOULD THEY NEED TO BE EFFECTIVE. MR. SIMON? SAM WE WILL AND WHOEVER IS AT CAPITAL.

[INAUDIBLE - NO MIC].

Thomas: YOU'RE TALKING ABOUT 100 OR ARE YOU TALKING ABOUT 300 PERMITS. YOU'VE GOT THREE DIFFERENT COMPANIES TRYING TO COME IN.

[INAUDIBLE - NO MIC].

Thomas: WHO IS CAPITAL?

MAYOR PRO TEM, JEFF HOWARD FOR CAPITOL CITY. MY CLIENT HAS PUT IN AN APPLICATION FOR 130 PERMITS. HE TELLS ME THAT 75 IS REALLY WHAT HE WOULD LIKE TO HAVE

AS A MINIMUM TO GO FORWARD, BUT, OF COURSE, YOU ALL DECIDE HOW MANY PERMITS ARE AVAILABLE TO A FRANCHISEE AND WE WOULD WORK WITH YOU ON THAT.

THANK YOU. WE REQUESTED 100 PERMITS IN OUR APPLICATION, AND THAT'S THE EFFECTIVE NUMBER TO START THAT BUSINESS. SINCE I HAVE ALREADY DESCRIBED THE MAIN COST FOR THIS NEW FRANCHISE FOR THE NEXT THREE YEARS IS INSURANCE. WE HAVE TO PROVIDE THE COMMISSION INSURANCE. WE CAN'T BE SELF-INSURED. SO 100 IS BETTER, BUT IF THERE IS A CHANCE -- WE MAY HAVE 75, BUT IF EVERY YEAR THERE'S AN INCREASE UNTIL WE GET TO 100, IF THAT'S THE POSSIBILITY OF DOING THAT, WE COULD HAVE 75 TO START WITH, BUT WE NEED TO BUILD UP TO 100. THANK YOU.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL. I'M SORRY, MAYOR PRO TEM, ARE YOU --

Thomas: GO AHEAD. HE CAN GO AHEAD.

Leffingwell: QUESTION FOR STAFF. SO THIS ORDINANCE CONTAINS DIRECTION FOR -- TO ISSUE PERMITS TO A NEW CAB -- POSSIBLY NEW FRANCHISEE?

NO, COUNCILMEMBER. THE ITEM BEFORE YOU IS SIMPLY TO REPEAL THE ROY'S TAXI FRANCHISE AND AMEND THE YELLOW CAB. WE HAVE RECEIVED THREE APPLICATIONS FOR NEW FRANCHISES AND WE WOULD COME FORWARD SEPARATELY TO DO THAT. BUT THE ITEM TODAY IS NOT TO CREATE A NEW FRANCHISE.

Leffingwell: I'M SORRY, I SHOULD HAVE SAID THE MOTION CONTAINED DIRECTION FOR THAT, IS THAT CORRECT? SO YOU'VE ALREADY STARTED THAT PROCESS. AND SO APPROXIMATELY HOW LONG WOULD THAT TAKE?

IT TAKES -- IT WILL TAKE US ABOUT A WEEK OR TWO TO REVIEW THE APPLICATIONS AND THEN WE'LL NEED TO GO TO THE URBAN TRANSPORTATION COMMISSION, COME BACK TO COUNCIL. THERE OF COURSE HAVE TO BE THREE READINGS AND THEN THERE'S A 60 DAY PERIOD IN THERE. SO I THINK IT ENDS UP BEING SOME TIME IN SEPTEMBER OR

OCTOBER.

Leffingwell: SO WE REALLY HAVE A LOT OF TIME ON THISTHIS SECOND DAIRY ISSUE. THE ISSUE BEFORE US TONIGHT IS THE TRANSACTION BETWEEN ROY'S AND YELLOW CAB.

YES, SIR, ALTHOUGH WE WILL BE PROCEEDING QUICKLY TO REVIEW THE APPLICATIONS AND SEE THAT THEY MEET THE CRITERION, THAT SORT OF THING, AND GET IT IN THE WORKS.

Leffingwell: RIGHT. BUT THE DECISION ON A POSSIBLE NEW FRANCHISEE IS MONTHS AWAY?

YES, SIR.

Leffingwell: THANKS.

Thomas: MAYOR, IT'S A MONTH AWAY, BUT WHAT ARE WE GOING TO DO ABOUT PERMITS? ARE YOU GOING TO CREATE -- JUST LIKE EACH ONE WAS SAYING, 75, 75, THAT'S 225.

THAT WOULD BE -- WE CAN TAKE YOUR DIRECTION AS TO HOW YOU WOULD -- IF YOU'RE INTERESTED IN CONSIDERING THAT OPTION THAT COUNCILMEMBER DUNKERLEY HAS MENTIONED ABOUT BORROWING PERMITS FROM THE FUTURE, YOU CAN CERTAINLY GIVE US DIRECTION ON THAT AS TO HOW MANY PERMITS YOU WOULD WANT TO ALLOCATE TO A NEW FRANCHISE.

Thomas: THAT'S NOT WHERE I WANT TO GO, BECAUSE NUMBER ONE, THAT'S STILL NOT HELPING ME --

THE OTHER OPTION YOU HAVE, OF COURSE, IS TO DENY THE TRANSFER AND THEN -- THERE ARE ACTUALLY QUITE A FEW OPTIONS HERE. YOU CAN APPROVE THE TRANSFER OR DENY IT. BECAUSE ROY'S CURRENTLY HAS THOSE PERMITS, WE CAN'T -- AND THEY HAVE A FRANCHISE FOR ANOTHER NUMBER OF YEARS, THE ONLY WAY THAT YOU COULD REALLOCATE THEM WOULD BE IF FOR CAUSE YOU WERE -- THEY WERE TO HAVE TO FORFEIT THE FRANCHISE. AND THERE ARE CERTAIN CONDITIONS LAID OUT IN THE FRANCHISE AGREEMENT THAT EXPLAIN WHAT THE CAUSE



WOULD BE. SO THERE WOULD BE BASICALLY VIOLATIONS OF THE TERMS OF THE FRANCHISE THAT WOULD CAUSE THE CITY TO FORFEIT. AND THEN THOSE 155 WOULD COME AVAILABLE; HOWEVER, THERE HASN'T BEEN ANYTHING THAT THEY'VE DONE THAT WOULD CREATE THAT SITUATION AT THIS TIME. MY UNDERSTANDING IS IF YOU WERE TO DENY THE TRANSFER, THEN -- IF YOU WERE TO SUGGEST -- I WOULD HAVE TO LET MR. CONNALLY PROBABLY SPEAK TO SOME OF THE QUESTIONS THAT YOU'RE ASKING ABOUT, WHAT THE OUTCOME MIGHT BE REGARDING ASKING FOR MORE PERMITS TO BE MADE AVAILABLE FROM YELLOW TO THE OTHER FRANCHISES. HE COULD PERHAPS SPEAK TO THAT. IS THAT WHAT YOU'RE SUGGESTING?

Thomas: NO. BECAUSE I ASKED YOU EARLIER WHO CONTROLS THE PERMITS, YOU SAID THE CITY DOES.

THE CITY CONTROLS THEM, BUT WE HAVE APPROVED -- WE HAVE GRANTED A FRANCHISE AND WE HAVE TERMS AND CONDITIONS FOR THAT FRANCHISE FOR A PERIOD OF TIME. SO WE CAN'T JUST TAKE THOSE PERMITS BACK UNLESS THERE WERE CAUSE FOR DOING THAT.

Mayor Wynn: BUT A SCENARIO THAT YOU NEVER GOT TO WAS COUNCIL DENIES THE TRANSFER, ROY'S -- ROY CONTROLS THESE CITY-ISSUED PERMITS THROUGH A FRANCHISE AGREEMENT, SO UNTIL THEY'VE VIOLATED THAT FRANCHISE, THEY HAVE THOSE PERMITS, BUT IT SEEMS TO ME THAT -- THERE'S DEMAND OUT THERE IN THE DRIVER -- THIS COMBINATION OF DRIVER COMMUNITY THAT WOULD VALUE THOSE EXISTING PERMITS THAT ROY CONTROLS THROUGH - - ROY'S CONTROLS THROUGH THEIR FRANCHISE AGREEMENT. AND SO I SEE ANOTHER SCENARIO WHERE WHEREBY SOME COMBINATION OF PURCHASES OF THOSE PERMITS COMES BACK TO THE COUNCIL FOR APPROVAL. AND THAT IS, WE AMEND, TERMINATE THE ROY'S FRANCHISE BECAUSE NOW THERE'S -- [ APPLAUSE ] -- ROY'S HAS SPENT SOME TIME WITH THE EXISTING DRIVER COMMUNITY THAT HAS FOUND A WAY TO ALLOCATE IN A CAPITAL LIST STICK, FREE SOCIETY, IN THEIR OWN WAY ALLOCATE WHAT THIS IS THEY CONTROL, WHICH IS THESE PERMITS FOR THE LENGTH OF THAT FRANCHISE. COUNCILMEMBER KIM.

AGAIN, THE TERMS OF THE FRANCHISE AGREEMENT ARE SUCH THAT IN ORDER TO DO SOMETHING LIKE THAT THERE WOULD HAVE TO BE CAUSE. THAT'S MY UNDERSTANDING.

Mayor Wynn: YOU'RE NOT HEARING ME. WE DENY THIS SALE, PROBABLY BECAUSE OF THE REASONS THE CITY MANAGER SUGGESTED IT NOT EVEN BE ON THE AGENDA AS APPROVE BECAUSE YOU END UP HAVING TOO MANY PERMITS CONTROLLED BY ONE COMPANY. AND SO TOMORROW ROY'S GO MARKET THEIR PERMITS TO FIVE DIFFERENT GROUPS OF 31 BUYERS EACH --

YES, SIR, I APOLOGIZE. I DIDN'T UNDERSTAND EXACTLY WHAT YOU WERE SAYING.

Mayor Wynn: I'M FRUSTRATED HOW THIS EVEN CAME TO US, BUT COUNCILMEMBER KIM. [ APPLAUSE ]

Kim: I'VE LISTENED TO WHAT OTHER CITIES DO IN TERMS OF TAXI CABS AND I LOOKED AT NEW YORK CITY'S WEBSITE. AND THEY HAVE A SYSTEM SIMILAR TO WHAT THE DRIVERS ARE WANTING WHERE THE OWNERS OWN A MEDALLION, BUT I THINK YOU NEED TO KNOW THAT WHEN I LOOKED AT THE BACKGROUND INFORMATION, THE COST OF THE MEDALLION ON AVERAGE IS \$359,000. AND THAT WOULD BE COST PROHIBITIVE FOR MANY PEOPLE TO GO INTO THIS BUSINESS. I DON'T KNOW HOW PEOPLE CAN AFFORD IT TO GO INTO OWNING A TAXI CAB IN NEW YORK, BUT THEY HAVE A LIMITED NUMBER OF MEDALLIONS AND IT'S VERY RARE THAT THEY ISSUE NEW MEDALLIONS. THEY WILL DO IT THIS JUNE, BUT IT IS A SYSTEM THAT I THINK IS -- I DON'T THINK WE CAN GO WITH A HYBRID SYSTEM. I THINK WE HAVE TO CHOOSE ONE SYSTEM OR ANOTHER. AND TO SAY THAT SOME WILL BE OWNED BY THE TAXI CABS -- THE CITY WILL OWN THEM WILL HAVE A STREAM OF PAYMENTS OF \$400 A MONTH PER MONTH FOR PERPETUITY IS DIFFERENT THAN SAYING WE WILL ISSUE A MEDALLION ONCE AND WHATEVER THAT MAKES ON THE OPEN MARKET, THE CITY WILL ONLY GET A PERCENTAGE OF THAT SALE, WHICH IS WHAT NEW YORK DOES. NEW YORK GETS FIVE PERCENT OF THE SALE WHEN A MEDALLION IS SOLD FROM ONE OWNER TO ANOTHER, AND THAT IS NOT VERY OFTEN. SO THERE ARE DIFFERENT WAYS OF DEVISING THE SYSTEM. THE CITY COUNCIL CHOSE TO

HAVE THE FRANCHISE SYSTEM. I THINK THAT IF WE WERE TO GO TO A MEDALLION SYSTEM, THEN THERE WOULD BE A TOTALLY DIFFERENT MARKET, BUT I'M ALSO CONCERNED ABOUT IT BEING VERY COST PROHIBITIVE FOR DRIVERS TO OWN A MEDALLION AND ALSO TO BE A TAXI CAB DRIVER AS AN INDEPENDENT OPERATOR.

Mayor Wynn: MAYOR PRO TEM.

Thomas: WHERE WERE Y'ALL GOING TO GET THE 55 PERMITS AND 22 AUSTIN CAB? WHERE WERE THOSE COMING FROM?

THERE ARE EIGHT PERMITS THAT ARE AVAILABLE FOR YOU NOW UNDER THE GROWTH. AND THEN THERE ARE GOING TO BE PERMITS BORROWED FROM THE FUTURE, A TOTAL OF 60 PERMITS BORROWED FROM THE FUTURE. THAT ARE NOT CURRENTLY AVAILABLE.

Thomas: OKAY. SO WE'RE REALLY NOT SOLVING THE PROBLEM WITH THE URBAN TRANSPORTATION, WHAT STAFF IS SAYING. THEY'RE STILL GETTING 155 PERMITS AND GIVING FOUR BACKS. AND WE'RE NOT SOLVING THE PROBLEM OF THE REQUEST OF THE DRIVERS THAT WANT TO OWN CABS. SO THAT'S WHERE I'VE GOT A PROBLEM. [ APPLAUSE ] I MIGHT HAVE TO DO -- I'M GOING TO TRY A SUBSTITUTE MOTION, BUT I THINK WE NEED TO LOOK AT THIS A LITTLE BIT MORE BECAUSE SOMETHING'S NOT RIGHT BECAUSE THEY'RE STILL GOING TO HAVE THAT 150 SOMETHING PERMITS, AND THEY'RE STILL GOING TO BE MONOPOLIZING THE CAB SYSTEM, PERIOD. [ APPLAUSE ] AND I DON'T THINK -- THAT'S NOT THE FAIR THING TO DO HERE TONIGHT. I THINK WHAT WE NEED TO DO IS -- WE'VE -- I THINK WE SHOULD DEAL WITH THIS A LITTLE BIT MORE. I DON'T SEE HOW WE CAN JUSTIFY IT. I CAN'T JUSTIFY, AND I HOPE ANYBODY SITTING UP HERE CAN'T JUSTIFY IT BECAUSE THESE PEOPLE HAVE BEEN ASKING, AND 55 PERMITS IS NOT GOING TO HELP A NEW CAB COMPANY GET OFF THE GROUND. AND SEE, THAT'S NOT FAIR. I JUST DON'T SEE HOW WE CAN -- IT'S JUST NOT THERE.

Kim: MAYOR? PEOPLE ARE SAYING THAT THERE'S A MONOPOLY, THERE'S NOT A MONOPOLY. A MONOPOLY MEANS THROTTLE EXCLUSIVE CONTROL BY ONE GROUP,

AND WE HAVE MORE THAN ONE GROUP AND WE'RE ENCOURAGING THE CREATION OF A THIRD GROUP. THAT IS NOT A MONOPOLY.

Thomas: YES, IT IS A MONOPOLY. MAYOR?

Mayor Wynn: FOLKS, LET THE COUNCIL DID DEBATE, PLEASE. THANK YOU.

Thomas: IT IS A MONOPOLY WHEN THERE'S 455 PERMITS, 100 SOMETHING TO AUSTIN CAB, AND THEN THERE'S NO OTHER CAB, NO OTHER FRANCHISE. 455, THAT IS A ON OPEN MONOPOLY.

Kim: THE CAB COMPANY MAY HAVE A PLURALITY OF PERMITS, BUT THERE IS ANOTHER CAB COMPANY, AUSTIN CAB COMPANY, AND WE'RE LOOKING TO CREATE A THIRD CAB COMPANY, SO BY DEFINITION THAT IS NOT A MONOPOLY.

Thomas: THAT IS YOUR DEFINITION.

Kim: THAT IS THE WEBSTER'S DEFINITION.

Thomas: YOU'RE NOT DRIVING OUT THERE. THESE DRIVERS ARE TELLING YOU. [ APPLAUSE ]

Mayor Wynn: WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE ON FIRST READING THIS ORDINANCE WITH TWO MAJOR MODIFICATIONS, ESSENTIALLY THE GROWTH PERMITS. FURTHER COMMENTS? COUNCILMEMBER ALVAREZ.

Alvarez: THANKS, MAYOR. THIS IS -- THERE ARE MANY DIFFERENT WAYS TO LOOK AT THIS ISSUE. I APPRECIATE EVERYBODY COMING OUT AND BEING PATIENT WITH THE PROCESS, BUT I'VE REALLY STRUGGLED WITH WHAT TO DO ON THIS PARTICULAR ITEM. ON THE ONE HAND YOU HAVE A LONG TIME CAB COMPANY WHO'S OBVIOUSLY INTERESTED IN GETTING OUT OF THE TAXI CAB BUSINESS, AND THERE'S SOMETHING ABOUT DICTATING TO A BUSINESS WHAT THEY CAN AND CAN'T DO WITH A BUSINESS JUST DOESN'T SIT RIGHT ON SOME LEVEL, BUT WE ALSO UNDERSTAND THE

SITUATION THAT DRIVERS ARE BRINGING UP IN TERMS OF HAVING ONE COMPANY CONTROL SUCH A LARGE PERCENTAGE OF PERMITS. AND I'M NOT SURE THAT DENYING OR REJECTING A TRANSFER WOULD REALLY SOLVE THE SITUATION EITHER BECAUSE THEN ROADWAY'S STILL HAS CONTROL OF THEM AND AGAIN IT SEEMS KIND OF ODD TO BE TELLING ROY'S THAT THEY HAVE TO STAY IN BUSINESS. OBVIOUSLY JUST TURNING OVER THOSE PERMITS TO THE CITY WOULDN'T MAKE SENSE FROM A BUSINESS POINT OF VIEW, SO THAT DOESN'T REALLY SEEM LIKE A LOGICAL MOVE FOR ROY'S. I DON'T SEE THAT -- AGAIN, THAT WOULDN'T NECESSARILY BENEFIT ANYBODY HERE OR MAKE ANYBODY HERE ANY HAPPIER. AND SO I THINK THE APPROACH THAT COUNCILMEMBER DUNKERLEY HAS TAKEN IS TRYING TO FIND A WAY TO ENSURE THAT THERE WAS MORE COMPETITION THAN THERE WOULD BE IF WE DIDN'T PUT ANY ADDITIONAL PERMITS ON THE STREET BY GIVING SOME TO OUR EXISTING FRANCHISEE AND CREATING A POOL TO START ANOTHER FRANCHISE AND CREATING A SITUATION WHERE WE STILL HAVE THREE FRANCHISES WHERE I GUESS JUST AN OUT RIGHT APPROVAL OF THIS TRANSFER WOULD LEAVE US WITH JUST TWO. AND SO I BELIEVE THAT THAT'S -- IT SEEMS LIKE ONE WAY TO TRY TO BALANCE THE VARIOUS ISSUES, AND I UNDERSTAND THE ISSUES THAT THE DRIVERS HAVE RAISED, BUT I'M GOING TO BE SUPPORTING THIS ON THIS FIRST READING, AND JUST SEEING IF THERE'S ANY OTHER SUGGESTIONS PEOPLE HAVE FOR TRYING TO FIGURE OUT THE BEST WAY TO BALANCE ALL THESE ISSUES, BUT I DON'T THINK THERE'S JUST A CLEAN ANSWER OR -- THAT'S GOING TO MAKE EVERYBODY HAPPY. AND I WISH THERE WAS, BUT I THINK THAT'S JUST THE WAY THIS ISSUE IS BECAUSE OF THE -- ALL OF THE VARIABLES INVOLVED. THANKS, MAYOR.

Mayor Wynn: THANK YOU, COUNCILMEMBER. CHIEF MCDONALD?

MAYOR, COUNCIL, I JUST WANT TO MAKE SURE THAT -- BECAUSE I UNDERSTAND THE WAY THE WORDING WITH APPROVAL, THE WAY WE POSTED IT MAY HAVE SEEMED A LITTLE CONTRADICTORY TO STAFF'S ACTUAL RECOMMENDATION REGARDING THIS MATTER. SO I WANT TO MAKE SURE FROM OUR STAFF PERSPECTIVE THAT WE'RE

CLEAR THAT THE CITY MANAGEMENT RECOMMENDATION WAS NOT TO APPROVE THIS, AND THE FRANCHISE HAS NOT BEEN SOLD, AND SO THEREFORE IF THE COUNCIL DOES NOT MOVE FORWARD WITH APPROVING THIS THAT ROY'S STILL CONTINUES TO OWN THOSE PERMITS UNLESS THEY ARE IN VIOLATION OF THEIR -- VIOLATION OF THEIR FRANCHISE AGREEMENT. I WANT TO MAKE SURE WE'RE MAKING THAT PART OF IT CLEAR.

IF COUNCIL VOTES TO DENY APPROVAL OF THIS ORDINANCE, THEN ROY'S ORDINANCE, THEIR FRANCHISE ORDINANCE CONTINUES FOR ANOTHER FOUR YEARS. IT WAS GRANTED LAST YEAR FOR A TERM OF FIVE YEARS. SO THERE'S FOUR YEARS LEFT ON THE TERM OF THEIR FRANCHISE ORDINANCE. SO IF YOU DENY THE APPROVAL OF THE ORDINANCES BEFORE YOU NOW, THEN THEIR FRANCHISE CONTINUES FOR ANOTHER FOUR YEARS. AND THERE WOULD BE NO TRANSFER FROM -- OF PERMITS OVER TO YELLOW. SO IT SIMPLY WOULD LEAVE THINGS AS THEY ARE NOW WITH NO CHANGES.

Kim: WOULD ROY CONTINUE TO HAVE TO PAY \$400 PER YEAR TO KEEP THE LICENSES IF? IF THEY STOP PAYMENT DO THEY --

IF THEY VIOLATE THE TERMS OF THEIR FRANCHISE THEN WE CAN TAKE ACTION. BUT UNTIL THEY VIOLATE ANY OF THE TERMS OF THEIR FRANCHISE, THEY CONTINUE ON WITH THE FRANCHISE.

Kim: I'M GOING TO BE SUPPORTING THE MOTION. I THINK THAT EVERY BUSINESS DESERVES TO HAVE AN EXIT STRATEGY, AND THIS BUSINESS HAS BEEN HERE IN AUSTIN FOR A VERY LONG TIME. I THINK THAT THE OWNERS OF THE BUSINESS DESERVE TO RECOUP SOME VALUE. I AGREE THIS ISN'T THE PERFECT SOLUTION. I DO RESPECT THE DRIVERS IN THEIR ABILITY TO CHOOSE COMPANIES THAT THEY WORK FOR. THAT'S WHAT WE'RE TRYING TO DO HERE IS COME UP WITH A WAY TO CREATE MORE FRANCHISE, MORE -- ANOTHER FRANCHISE WITH MORE PERMITS SO THAT WE COULD HAVE MORE OPPORTUNITIES FOR PEOPLE TO DRIVE CABS. AND I KNOW IT'S NOT AN EASY JOB AND YOU DO PROVIDE A VALUABLE SERVICE TO OUR CITY AND WE'RE A

FAST GROWING CITY, WE DEPEND ON YOUR SERVICE AS WE HAVE VISITORS COMING TO AUSTIN. SOMETIMES THE FIRST IMPRESSION THEY GET IS THE CAB THAT THEY COME -- THAT THEY GET A RIDE TO DOWNTOWN OR TO WHEREVER THEY'RE LOCATED. SO I DO VALUE THE SERVICE YOU GIVE TO OUR CITY AND I DO ALSO SUPPORT THE RIGHT OF A BUSINESS, ESPECIALLY A FAMILY-OWNED BUSINESS, BEEN HERE FOR A LONG TIME, TO HAVE AN EXIT STRATEGY AND NOT BE FORCED TO CONTINUE IN A BUSINESS IF THEY SO CHOOSE NOT TO.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL. FOLKS, LET THE COUNCIL DEBATE, PLEASE. COUNCILMEMBER LEFFINGWELL.

Leffingwell: YEAH, I AGREE WITH COUNCILMEMBER ALVAREZ AND OTHERS WHO SAY THAT ROY'S TAXI HAS A RIGHT TO SELL THEIR PERMITS TO SOMEONE ELSE, A WILLING SELLER AND A WILLING BUYER. I DON'T THINK IT'S RIGHT TO DID HEDEPRIVE SOMEONE OF ESSENTIALLY HIS RETIREMENT. HE'S WORKED ALL HIS LIFE TO BUILD THIS BUSINESS. AND FURTHER, I'M NOT ALL CONCERNED ABOUT THE ASPECT OF MONOPOLY ANY MORE THAN I'M CONCERNED ABOUT THE FACT THAT AUSTIN ENERGY HAS A MONOPOLY, THAT TEXAS GAS SERVICE HAS A MONOPOLY OR THAT CAP METRO HAS A MONOPOLY ON BUSES. THIS IS A PUBLIC UTILITY, TRANSPORTATION. THE DRIVERS HAVE GRIEVANCES, THEN WE SHOULD BE ADDRESSING THAT. THEY ARE FRANCHISEE OF THE CITY OF AUSTIN, SO WE SHOULD BE PAYING ATTENTION TO ANY PROBLEMS THAT THEY MIGHT HAVE WITH WORKING CONDITIONS, FEES, ETCETERA, STANDARDS FOR DRIVERS, MAINTENANCE OF CABS, ETCETERA, AND I THINK AT SOME POINT WE DO NEED TO TAKE A CLOSER LOOK AT THAT, BUT I WILL SUPPORT THE MOTION.

Mayor Wynn: SO MOTION AND A SECOND ON THE TABLE, FIRST READING ONLY. COULD STAFF HELP ME UNDERSTAND -- APPARENTLY IN THE ORDINANCE THERE'S SOME REGULATION ABOUT THE TIMING OF THE SEQUENCE OF THESE READINGS? DID I HEAR THAT EARLIER IN TESTIMONY?

COUNCIL, THE CHARTER REQUIRES THAT ANY ORDINANCE THAT AMENDS A FRANCHISE HAS TO BE APPROVED, BE

READ ON THREE READINGS, AND THERE HAVE TO BE 30 DAYS BETWEEN THE FIRST READING AND FINAL APPROVAL. THE COUNCIL CAN'T FINALLY ACT UNTIL THE THIRD READING, AND THERE HAS TO BE A PERIOD OF 30 DAYS BETWEEN THE FIRST AND THE THIRD. SO I THINK THE NEXT -- IF YOU WERE TO APPROVE IT FINALLY, THAT COULDN'T OCCUR UNTIL I THINK THE JUNE EIGHTH MEETING OF COUNCIL. I THINK THERE'S ONE ON MAY 25TH, BUT THAT WOULD NOT BE 30 DAYS. I THINK IT CARRIES IT TO JUNE.

Mayor Wynn: OKAY. THANK YOU. I'LL JUST STATE THAT THE FRUSTRATION I FEEL, THE DILEMMA THAT I PERSONALLY FEEL IS CERTAINLY NOT WANTING TO BLOCK A SALE OF A COMPANY OR VALUE, BUT AT THE SAME TIME THE DILEMMA I SEE IS PERHAPS THE ONLY THING WORSE THAN THAT UNDERSTANDING THE DYNAMICS BETTER NOW THAN I HAVE RECENTLY IS THE ONLY THING WORSE THAN THAT PERHAPS IS ADDING MORE PERMITS TO THE MIX RIGHT NOW. AND SO I JUST FEEL -- THE DEFINITION OF A DILEMMA IS THE CHOICE BETWEEN TWO EQUALLY DISTASTEFUL CHOICES, AND THAT'S WHAT I'M -- THAT'S WHAT I'M HAVING TO STRUGGLE WITH HERE. I RECOGNIZE COUNCILMEMBER DUNKERLEY'S VALIANT ATTEMPT TO TRY TO FIND WHAT ON PAPER IS A COMPROMISE, WHICH OF COURSE ALLOWS FOR A SALE TO OCCUR. BUT I JUST DON'T THINK -- OBVIOUSLY THE DRIVER COMMUNITY FEELS VERY STRONGLY THAT THEY CAN'T FINANCIALLY ABSORB MORE PERMITS AT THIS TIME. BUT THE FACT THAT WE HAVE TO WAIT A MONTH AND THERE HAS TO BE TWO MORE READINGS, PERHAPS THIS SENDS A STRONG ENOUGH SIGNAL THAT ROY'S STILL HAS ALTERNATIVES, AND THAT IS THERE'S STILL SIGNIFICANT VALUE IN THOSE PERMITS IN A SENSE AND HOW THOSE PERMITS CAN BE ALLOCATED, HOW THE EXISTING PERMITS THAT CREATE THE VALUE BY HAVING MORE PERMANENTS, IN A SENSE WE DEVALUE THE ABILITY OF FOLKS TO MAKE A LIVING AND THEREFORE HAVE THIS PUBLIC SERVICE DELIVERED TO OUR CITIZENS. [ APPLAUSE ] FURTHER COMMENTS? MAYOR PRO TEM.

Thomas: LET ME ASK THE MAKER OF THE MOTION IF WITHIN THE SECOND READING WOULD SHE BE WILLING TO LOOK AT ADDING THE 55, TO MAYBE MAKING THAT 75 SO IF A NEW



FRANCHISE COME ON IT WOULD BE ABLE TO OPERATE?

Dunkerley: WELL --

Thomas: YOU GAVE 20 TO AN EXISTING FRANCHISE ALREADY.

Dunkerley: THIS IS A VERY DELICATE NEGOTIATION. WE HAVE TWO BUSINESSES THAT HAVE MADE AN AGREEMENT ON -- BASED ON A CERTAIN SALE PRICE, WHICH I DON'T KNOW. IF WE CREATE TOO MANY PERMITS, THEN THAT IMPACTS THAT TRANSACTION, SO I THINK THAT THE 55 PERMITS AND WHAT WE'VE SAID FOR THE NEXT FOUR YEARS, THAT THE NEW COMPANY WOULD GET HALF OF ANY PERMITS CREATED. SO WITHIN THREE TO FOUR YEARS, AT LEAST THE RATE WE'RE GOING NOW, THEY SHOULD HAVE THEIR 100 PERMITS.

[INAUDIBLE - NO MIC].

Mayor Wynn: OKAY, FOLKS. SIR.

Thomas: MAYOR.

THAT'S NOT HOW THE NUMBERS -- THEY JUST TOLD YOU THAT. THAT'S NOT HOW IT GOING TO WORK. AND I'M REALLY NOT AGAINST ROY. I UNDERSTAND WHAT THEY'RE TRYING TO DO. IF YELLOW HAS 54 AND YOU'RE NOT WILLING TO GO UP TO 75 FOR THE NEW FRANCHISE, THEY'LL NEVER CATCH UP TO THAT, WHAT YOU'RE SAYING.

Dunkerley: THE INTENT WAS TO TAKE -- FOR THE NEXT FOUR YEARS TO TAKE THE DIRECTIONS THAT ORIGINALLY I READ OUT, FOR THE NEXT FOUR YEARS ALL NEW PERMITS THAT ARE CREATED, AND IT REALLY DEPENDS ON THE ECONOMY HOW MANY ARE CREATED, HOW MANY CAB -- I THINK IT'S FORMULAS BASED ON POPULATION AS WELL AS PICKUPS AT THE AIRPORT. THIS YEAR WE HAD, WHAT, 11 CREATED. SO IF IT CONTINUING TO INCREASE, YOU MIGHT EXPECT MORE THE NEXT YEAR. AND HALF OF THOSE WOULD GO TO THE NEW COMPANY. SO YOU WOULD EXPECT THEY WOULD HAVE AT LEAST UP TO 75 WITHIN A FEW YEARS. >>

Mayor Wynn: OKAY. SO AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING,

APPROVE ON FIRST READING ONLY THE TRANSFER AND CREATING 75 NEW PERMITS. AND THE REQUIREMENT IS THAT THE -- AT LEAST A THIRD READING CAN'T BE HEARD PRIOR TO JUNE 8TH.

Dunkerley: MAYOR, IF I COULD CORRECT ONE THING. UNDER THIS SCENARIO WE WOULD BE CREATING 60 NEW PERMITS. THERE ARE ALREADY 11 11 AVAILABLE THIS YEAR, AND THE FOUR THAT CAME BACK FROM -- THAT WOULD COME BACK FROM YELLOW CAB WOULD ONLY NEED TO CREATE 60 NEW ONES.

Mayor Wynn: THANK YOU FOR THE CLARIFICATION. WELL, IN THE SENSE OF GETTING PEOPLE HOME BEFORE MUCH LONGER, I WILL VOTE FOR THIS ON FIRST READING, BUT I WANT TO -- AND WILL NOW SPEND MORE TIME TRYING TO BOTH SEND A STRONG SIGNAL, BUT ALSO TRY TO ENCOURAGE AN ALTERNATIVE SOLUTION THAT ALLOWS ROY'S TO FRANKLY HAVE THE ADVANTAGE OF THE VALUE THAT THAT SERVICE HAS CREATED IN THIS COMMUNITY WITH A POTENTIAL ALTERNATE PURCHASER. HAVING SAID THAT, A QUESTION OF STAFF. ABOUT THIS ISSUE OF FRANCHISE AGREEMENTS, HOW MUCH CAN THIS AGREEMENT BE AMENDED WITHOUT ESSENTIALLY STARTING OVER? ARE WE ALREADY DESIGNATING THE NEW FRANCHISEE WITH THIS FIRST READING? DO YOU UNDERSTAND WHAT I'M ASKING?

ALL THE CHARTER SAYS IS THAT ANY ORDINANCE THAT AMENDS A FRANCHISE MUST BE READ AT THREE REGULAR MEETINGS OF COUNCIL AND MAY NOT FINALLY BE ACTED UPON UNTIL THE LAST MEETING. SO I BELIEVE THAT MEANS THAT WE CAN MAKE SOME CHANGES TO THIS ORDINANCE, AND WE CAN MAKE THE FINAL ACTION AT THE JUNE FEEGHT IF THAT'S WHEN YOU WANT TO HAVE IT.

Mayor Wynn: SO SIGNIFICANT CHANGES, INCLUDING EVEN IN THEORY --

WELL, THE ORDINANCE IS COMPLETELY REWRITTEN, BUT I THINK IF WE MAKE SOME CHANGES TO IT THAT IT CAN BE READ AT THE NEXT ONE AND FINALLY ACCUSED UPON AT

THE LAST READING.

Mayor Wynn: THANK YOU. FURTHER COMMENTS, QUESTIONS?

Thomas: JUST ONE MORE QUESTION. ONCE WE PASS -- IF THIS PASS AND IN THE PROCESS YOU WERE TELLING ME EARLIER ABOUT THE FRANCHISE, IF ALL OF -- HOW DO YOU SELECT A NEW FRANCHISE IF ALL OF THEM APPLY? HOW DO THEY MEET THE QUALIFICATIONS? HOW CAN THEY BE THE CANDIDATE FOR THIS 55?

ONCE WE REVIEW THEIR APPLICATION THERE'S CERTAIN CRITERIA LISTED IN THE OARNS THAT WE CONSIDER AND WOULD MAKE OUR RECOMMENDATIONS BASED ON CONSIDERING THOSE STANDARDS. IF ALL ARE EQUAL, THERE'S A MECHANISM THAT WOULD ALLOW YOU TO CHOOSE ONE OR MORE BY LOTTERY. OF COURSE, YOU DON'T HAVE TO APPROVE A NEW FRANCHISE IF YOU DIDN'T LIKE THE APPLICANT.

Thomas: OKAY. AND IF THEY'RE ALL EQUAL --

IT'S DONE BY LOTTERY.

Thomas: THAT'S WHAT I THOUGHT YOU SAID. OKAY. THANK YOU.

Mayor Wynn: AGAIN, A MOTION AND A SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY. COUNCILMEMBER DUNKERLEY'S MOTION. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED?

Thomas: NO.

Mayor Wynn: MOTION PASSES ON A VOTE OF SIX TO ONE WITH MAYOR PRO TEM VOTING NO ON FIRST READING ONLY.

Mayor Wynn: THERE BEING NO MORE BUSINESS BEFORE THE

AUSTIN CITY COUNCIL, WE NOW STAND ADJOURNED. IT IS  
12:54 A.M.

**End of Council Session Closed Caption Log**