

Closed Caption Log, Council Meeting, 05/04/06

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Mayor Wynn: WE ARE OUT OF CLOSED SESSION. IN SESSION WE TOOK UP ITEMS 28 AND NINE. NO DECISIONS WERE MADE. WE HAVE NOT TAKEN UP ITEM 27 YET. I EXPECT WE WILL DO THAT IN THE AFTERNOON. WE NOW GO TO OUR 12:00 NOON GENERAL CITIZEN COMMUNICATION. WE HAVE NINE FOLKS SIGNED UP WISHING TO ADDRESS US, AND THERE'S I THINK FIVE FOLKS HERE THAT ARE SIGNED UP ON THE SAME TOPIC, SO WITH A LITTLE COORDINATION WE'LL LUMP THOSE FIVE TOGETHER AT THE END OF THE REST OF THE COMMUNICATION SO THEY COULD COORDINATE WHAT I BELIEVE TO BE IS A VIDEO PRESENTATION. SO OUR FIRST SPEAKER THEN WILL BE JIMMY CASTRO. WELCOME, JIMMY. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY MICHAEL BENEDICT.

THANK YOU. GOOD AFTERNOON, MAYOR, COUNCILMEMBERS AND STAFF. THIS FIRST SLIDE SHOWS THE FIFTH OF MAY, 1862 INVOLVED THE HISTORIES AND DESTINIES OF BOTH THE UNITED STATES AND MEXICO. AND THEIR LEADERS WERE ABRAHAM LINCOLN AND BENITO JUAREZ.

Mayor Wynn: TECHNICAL DIFFICULTY? ACTUALLY, HOW ABOUT WHILE THAT'S BEING LOADED, IF YOU DON'T MIND, JIMMY, WHY DON'T WE GO TO MICHAEL BENEDICT. MICHAEL IS A LITTLE LOWER TECH, I THINK. WELCOME, MICHAEL.

A PIECE OF PAPER IS WHAT I'VE GOT.

Mayor Wynn: YOU WILL HAVE THREE MINUTES. THANK YOU.

THANK YOU VERY MUCH, MAYOR WYNN, THE COUNCIL, FOR LISTENING TO THIS PROPOSITION. I HAVE IT WRITTEN OUT. YOU HAVE COPIES IN FRONT OF YOU. IF YOU DON'T MIND, I'LL JUST READ IT SO THAT EVERYONE CAN HEAR. I AM ASKING YOU TO RESOLVE -- TO DO A RESOLUTION THAT GOES AS FOLLOWS: WHEREAS IT IS THIS CITY COUNCIL'S OPINION THAT THE CITY OF AUSTIN IS THE GREENEST AND MOST BEAUTIFUL CITY IN TEXAS, IF NOT THE UNITED STATES, WHEREAS THE NUMBER, VARIETY AND AGE OF ITS TREES, THE DENSITY OF ITS TREE CANOPY AND THE PLAY OF SUN AND SHADE ALMOST EVERYWHERE PROVIDED BY ITS TREES ARE MAJOR CONTRIBUTIONS TO THE BEAUTY OF AUSTIN, AUSTIN'S IMAGE AND AUSTIN'S DESIREABILITY AS A PLACE TO LIVE AND VISIT. WHEREAS AUSTIN PRIDES ITSELF ON ITS ENVIRONMENTALISM AND QUALITY OF LIFE FOR EVERYONE AND WHEREAS MANY IF NOT ALL OF AUSTIN'S GRANDER TREES ARE IN PRIVATE HANDS DEPENDENT ON THEIR UPKEEP FOR CIVIC GRADE, PERSONAL SATISFACTION AND RESPECT FOR NATURE, THE CITY OF AUSTIN HERE BY DIRECTS THE URBAN FORESTRY BOARD TO BRING FORWARD A PLAN AND PROCEDURE FOR IMPLEMENTING AN ANNUAL TREE OF THE YEAR AWARD PROGRAM BEGINNING IN THE FALL OF 2006, I SHOULD SAY IF POSSIBLE, AND CONTINUING INDEFINITELY THEREAFTER, WHICH WOULD RECOGNIZE, AWARNED APPROPRIATELY PUBLICIZE ONE BEST TREE, THE ONE TREE OF THE YEAR, FOR EACH OF THE MAJOR TREE SPECIES OR IN SUCH BOTANICAL CATEGORIES AS IT DEEMS FIT AND A LONG CRITERIA OF JUDGMENT INCLUDING SIZE, CONDITION, AGE, HISTORY AND BEAUTY AS IT THINKS APPROPRIATE. SO THIS IS A SIMPLE GESTURE, IF I MIGHT USE THE REST OF MY THREE MINUTES, I DID TRY TO WORK OUT WITH SOME CONSULTATION HOW THIS PROGRAM MIGHT WORK, AND IT WOULD GIVE YOU SORT OF A FLAVOR, ALTHOUGH I WOULD IMAGINE THIS WOULD BE REVISED AND MADE MORE FORMAL. SO JUST TURN TO THE SECOND PAGE AND IT SAYS, MANY CITIES HAVE TREE OF THE YEAR PROGRAMS, BUT THEY TEND TO HONOR A TREE SPECIES, THE AIM BEING FOR CITIZENS TO BUY AND PLANT THAT SPECIES OF TREE THAT YEAR, RATHER THAN TO HONOR A PARTICULAR TREE AND BY I AM PLA IMPLICATION ITS

OWNER. ONE EXAMPLE IS THE CITY OF ASHLAND, OREGON, WHICH HAS A PROPOSAL LIKE THE ONE I'M PROPOSING AND ANOTHER ONE IS IN THE CZECH REPUBLIC. SO HERE'S HOW I THINK IT COULD GO. FIRST -- AND THIS IS BASED ON THE ASHLAND, OREGON MODEL. AND CANDIDATES FOR TREE OF THE YEAR ARE NOMINATED BY CITIZENS. NOMINATORS INCLUDE A DESCRIPTION AND A LOCATION OF THE TREE, WHY THEY'RE NOMINATING IT AND IF POSSIBLE A PHOTOGRAPH. THE CALL FOR NOMINATION APPEARS IN THE "AUSTIN AMERICAN-STATESMAN" TIME STOOIM IN APRIL OR MAY. THEY MAY ALSO BE CIRCUMSTANCE STATED TO AREA SCHOOLS. IN ASHLAND, OREGON, THE KIDS REALLY GET INTO THIS AS WELL, FINDING AND SPOTTING THESE THINGS. A COMMITTEE OF FOUR, BLAH, BLAH, BLAH, VISIT EACH TREE THAT THEY JUDGE ELIGIBLE. [BUZZER SOUNDS] VISIT EACH TREE THEY JUDGE ELIGIBLE AND THEY TAKE PHOTOGRAPHS AND MAKE NOTES. THE COMMITTEE DECIDES THE WINNERS IN DIFFERENT SPEAKS SPECIES AND CATEGORIES. THE WINNERS ARE PUBLISHED ON THE CITY'S WEBSITE AND THE "AUSTIN AMERICAN-STATESMAN" IN SEPTEMBER. EACH TREE OF THE YEAR OWNER RECEIVES A BRASS PLAQUE ON THE GROUND NEAR THE TRUNK OF THE TREE INDESCRIBED CITY OF AUSTIN AND THEN THE SPEAKS SPECIES NAME, LIKE POST OAK OF THE YEAR, 2006. THE CITY'S WEBSITE MAINTAINS A PAGE WITH PHOTOGRAPHS AND A MAP OF THE LOCATION OF ALL TREES OF THE YEAR PAST SO THAT CITIZENS AND VISITOR S CAN VISIT THE GREAT TREES OF AUSTIN. TREE OWNERS MAY OPT TO NOT HAVE THEIR TREES APPEAR ON THE MAP IF THEY DON'T WANT PEOPLE COMING TO SEE IT. A PROGRAM LIKE THIS WOULD COST THE CITY ABOUT 100 PERSON HOURS PER ANNUM PLUS THE COST OF THESE PLAQUES. PLUS A WAY TO HANDLE THE COST OF IT, AWARD THE TREE OWNERS AND INCENTIVE WOZ GET A LIFETIME FREE ASHER SERVICE FOR THAT TREE BY THE CITY OF AUSTIN PARKS DEPARTMENT OR BY A LOCAL ARBORIST PAID UNDER CONTRACT BY THE CITY OR BY A LOCAL ARBORIST FOR A SECOND LINE ON THE PLAQUE MAINTAINED BY, AND THEN THE NAME OF THE COMPANY. THAT'S MY PROPOSAL AND I DO HOPE YOU ADOPT IT. THANK YOU.

Mayor Wynn: THANK YOU, MICHAEL. QUESTIONS?
COUNCILMEMBER LEFFINGWELL.

Leffingwell: JUST A COMMENT. IT SOUNDS LIKE A GOOD IDEA, BUT CORRECT ME IF I'M WRONG, CITY ATTORNEY, I DON'T BELIEVE YOU NEED A COUNCIL RESOLUTION TO DO THAT. UKTD GO DIRECTLY TO THE URBAN FORESTRY BOARD, AND MY OFFICE WILL BE HAPPY TO ASSIST YOU AND PUT YOU IN TOUCH WITH THE APPROPRIATE PEOPLE IF YOU WOULD LIKE TO CONTACT ME LATER AND LEAVE YOUR CONTACT INFORMATION.

THANK YOU. I JUST THOUGHT THIS WOULD COST THE CITY SOME MONEY AND MAYBE IT SHOULD COME THROUGH YOU.

THEY CAN MAKE A PROPOSAL AND WE'LL SEE WHERE IT GOES FROM THERE. BUT THAT'S JUST IF YOU WANT TO EXPEDITE THE PROCESS, THAT MIGHT BE THE WAY TO DO IT.

Mayor Wynn: COUNCILMEMBER KIM.

Kim: I AGREE. I THINK THAT THE URBAN FORESTRY BOARD WOULD BE MORE THAN HAPPY TO WORK WITH YOU. AND I SEE IN YOUR PROPOSAL YOU HAVE A DESIGNATION FOR A MEMBER OF THE FORESTRY BOARD IN THIS COMMITTEE, AND IT MAY OR MAY NOT COST ANY MONEY TO CONSTITUENT OR A VERY NOMINAL COST, BUT I THINK THIS IS A VERY GOOD IDEA. ESPECIALLY THAT TREES HELP US FIGHT THE URBAN HEAT ISLAND EFFECT.

SO TRUE.

AND IT'S A PRIORITY OF MINE.

THANK YOU.

THANK YOU, MICHAEL.

ARE WE DONE?

Mayor Wynn: YES. THANK YOU, SIR. JIMMY CASTRO? ARE THE KINKS WORKED OUT? WELCOME.

THANK YOU. WILL, GOOD AFTERNOON, MAYOR WYNN, COUNCILMEMBERS AND STAFF. THIS FIRST SLIDE SHOWS THE FIFTH OF MAY, 1862 INVOLVING THE HISTORYIES AND

DESTINIES OF BOTH THE UNITED STATES AND MEXICO AND THE LEADERS WERE ABRAHAM LINCOLN AND BENITO JUAREZ. IN 1862 SOLDIERS CAME FROM FRANCE AND PLANNED TO CAPTURE PARTS OF MEXICO. ON MAY FIFTH, 1862, 10,000 FRENCH ARMY SOLDIERS ARMED WITH CANNONS AND RIFLES TOOK ON 5,000 ILL EQUIPPED INDIANS ARMED WITH ONLY PRIDE AND MACHETES. MANY HONORABLE MEXICAN FARM WORKERS DECIDE SO MEXICO COULD REMAIN INDEPENDENT. THE MEXICAN SOLDIERS KNEW THEY HAD TO FIGHT FOR ALL THEIR WORTH. IF THEY LOST THEY KNEW THEY WOULD BECOME PART OF FRANCE. THIS THE MEXICAN FARMERS WOULD NOT TOLERATE. ON THIS DAY, MAY 5TH, 1862, THE GENERAL AND HIS FORCES WERE CONVINCINGLY VICTORIOUS IN THEIR FIGHT AGAINST THE FRENCH ARMY. AND WHAT CAME TO BE KNOWN AS THE THE (INDISCERNIBLE) ON THE FIFTH OF MAY. THE CITY IS NOW OFFICIALLY NAMED IN HONOR OF THIS VICTORY. AMERICAN UNION FORCES WERE RUSHED TO THE TEXAS-MEXICO BORDER WHO MADE SURE THAT THE MEXICANS GOT ALL THE WEAPONS AND AM NIEWTION THEY NEEDED TO EXPEL THE FRENCH. IN GRATITUDE, THOUSANDS OF MEXICANS CROSSED THE BORDER AFTER PEARL HARBOR TO JOIN THE U.S. ARMED FORCES. MEXICANS, YOU SEE, NEVER FORGET WHO THEIR FRIENDS ARE AND NEITHER DO AMERICANS. (SPEAKING SPANISH).

THAT'S WHY CINCO DE MAYO IS SUCH A PARTY. A PARTY THAT CELEBRATES FREEDOM AND LIBERTY. (. [SPEAKING SPANISH] THIS IS WHY WE CELEBRATE CINCO DE MAYO. [SPEAKING SPANISH] FOR THE CHILDREN. [SPEAKING SPANISH] FOR THE HISTORY. [SPEAKING SPANISH] FOR THE FOOD. [SPEAKING SPANISH] BECAUSE WE'RE ALL NORTH AMERICANS. [SPEAKING SPANISH] THANK YOU, MAYOR WYNN.

Mayor Wynn: THANK YOU, JIMMY. OUR NEXT SPEAKER WILL BE PAT JOHNSON. WELCOME, PAT. AND YOU WILL BE FOLLOWED BY SUSANA ALMANZA.

I'VE BEEN A LITTLE UNDER THE WEATHER. TODAY IS ANOTHER DAY. WHO DO YOU REPRESENT? THIS ISSUE IS VERY -- WE TALKED ABOUT THIS ISSUE NOW FOR THREE YEARS, ABOUT CERTAIN TOWING COMPANIES THAT HAVE

PREYED ON OUR CITIZENS, BOTH HISPANIC, ENGLISH, GERMAN, WHATEVER. THEY PREY ON EVERYONE. THEY'RE JUST LIKE SEXUAL PREDATORS. OVER THE PAST THREE YEARS I'VE SPOKE TO THIS COUNCIL ABOUT THE ISSUES, CERTAIN TOWING COMPANIES AND THEIR DRIVERS KNOWINGLY COMMITTING CRIMINAL ACTS AGAINST OUR CITIZENS AND VISITORS ABOUT NON-PERMITTED TOW COMPANIES AND DRIVERS THAT OPERATE WITHIN OUR CITY, ABOUT WRECKER DRIVERS WHO CHARGE IN EXCESS OF THE CITY ORDINANCE SET BY STAFF. THIS PAST SATURDAY NIGHT AT THE PARKING LOT ON FIFTH AND THE WEST FRONTAGE, I SAW A TOW TRUCK BY THE NAME OF TOW TIME. THE PEOPLE RAN UP TO THE GUY AND CAUGHT HIM AND WHILE HE'S IN THE PROCESS OF LOADING, THEY OFFERED HIM MONEY. THE MOST HE COULD HAVE BEEN CHARGED IS \$15. THEY WANTED \$100. SO THEY TOLD THE PEOPLE THEY HAD TO GO TO THE YARD. PARKING LOTS TO THIS DAY THAT STILL DO NOT COMPLY WITH STATE LAW AND VEHICLES ARE TOWED DAILY. INCIDENTALLY, THE PARKING GARAGE AT THE AUSTIN CITY LOFTS WHERE THE MAYOR LIVES STILL DOES NOT COMPLY, BUT VEHICLES ARE ALLOWED TO BE TOWED ANYWAY, EVEN AFTER I BROUGHT THIS TO YOUR ATTENTION THREE MONTHS AGO. THE THEFT OF PERSONAL ITEMS AFTER PEOPLE'S VEHICLES, VEHICLES INVOLVED IN COLLISIONS. JUST BECAUSE A VEHICLE IS TOTALED, DOESN'T MEAN THE DRIVER CAN STEAL THE STUFF OUT OF THE VEHICLE. BANKS THAT ENGAGE IN ORGANIZED CRIME WITH CERTAIN TOWING COMPANIES. WOULD YOU KEEP YOUR MONEY IN THAT TYPE OF BANK? IT GOES ON QUITE OFTEN RIGHT HERE AT FIFTH AND GUADALUPE. THE CITY OF AUSTIN SHOULD REQUIRE THAT ANY TOWING COMPANY THAT HAS THEIR OWN STORAGE FACILITY PARTICIPATING IN ANY APD PROGRAM OR THOSE THAT DO PRIVATE PROPERTY TOWING PROVIDE FROM THE TEXAS STATE CONTROLLER A CERTIFICATE THAT SAYS NO TAX DUE BEFORE BEING ALLOWED TO BE PERMITTED BY A.P.D. THE CITY MANAGER SAYS AT THE LAST COUNCIL MEETING WE DEPEND ON THAT SALES TAX REVENUE AS PART OF OUR GENERAL FUND. SEVERAL CURRENT TOWING COMPANIES, AUSTIN EXPRESS BEING ONE, HAVE A SALES TAX LYNN AT TRAVIS COUNTY FOR \$64,198. THEY COLLECT THE SALES TAX, BUT THEY DON'T WANT TO REMIT IT TO THE STATE. WE DEPEND ON

THAT SALES TAX. AND THEY'RE NOT THE ONLY ONES OUT THERE THAT HAVE SALES TAX LIENS. CERTAIN TOWING COMPANIES HAVE JUDGMENTS IN JP COURTS AROUND TOWN FOR ILLEGAL TOWING. THEY 2003100 CARS ILLEGALLY, THEY GO TO COURT ON FOUR OF THEM, THEY GET A JUDGMENT BY THE COURT, BUT THEY STILL DON'T PAY THEM. A PARKING FACILITY, IN OTHER WORDS, THAT'S WHAT THE TOWING STATUTE CHANGES. SO I ASK YOU, WHO DO YOU REPRESENT, OUR CITIZENS AND THE MANY, MANY VISITORS WHO COME TO OUR COMMUNITY FOR DIFFERENT EVENTS AT THE ERWIN CENTER OR OVER HERE AT THE CONVENTION CENTER, OR DO YOU REPRESENT THOSE TOWING COMPANIES, THOSE CERTAIN TOWING COMPANIES OUT THERE, AND THEIR EMPLOYEES THAT DEPRIVE OUR CITIZENS OUT OF THEIR HARD EARNED DOLLARS? SO AT THE NEXT COUNCIL MEETING YOU'LL HAVE THE OPPORTUNITY TO DO WHAT IS RIGHT FOR OUR CITIZENS AND APPROVE THE NEW TOWING RULES AND REGULATIONS THAT STAFF WILL PRESENT. THE TOWING COMPANIES ARE GOING TO ALL BE IN HERE LINED UP SAYING THEY DON'T WANT TO TOW CARS FOR FREE OUT THERE. ARE WE JUST SUPPOSED TO FORGET ABOUT ALL THE WRONGFUL TOWS THEY'VE COMMITTED AGAINST OUR CITIZENS IN THE LAST FIVE OR SIX YEARS? SO I ASK THE COUNCIL, AND COUNCILMEMBER MCCracken, YOU WAS A FORMER PROSECUTOR AND YOU REPRESENTED THE CITIZENS OF THE STATE OF TEXAS. THE TOWING STATUTE IS A CRIMINAL ACT, CARRIES A CRIMINAL PENALTY. YOU WILL AGREE WITH ME THAT ANYBODY, NOBODY IS ABOVE THE LAW. THAT'S WHAT OUR LAWS ARE FOR, FOR PEOPLE WHO OBEY THE LAW. AND OUR POLICE DEPARTMENT WILL ENFORCE THE LAW. WE JUST HAVE TO GIVE THEM THE AUTHORIZATION AND THE VOTE OF CONFIDENCE FROM THIS CITY COUNCIL THAT THIS IS WHAT WE WANT TO DO. WE WANT TO PROTECT OUR CITIZENS AND GET OUR ROADWAYS CLEAR, BUT IN THE PROCESS WE WANT TO STOP THE STEALING AMONG THE TOWING COMPANIES OF OUR CITIZENS. THANK YOU, MAYOR. [APPLAUSE]

Mayor Wynn: THANK YOU, MR. JOHNSON. OUR NEXT SPEAKER WILL BE SUSANA ALMANZA. WELCOME. YOU WILL BE FOLLOWED BY THE FOLKS WHO WANT TO GIVE US A VIDEO

PRESENTATION.

GOOD AFTERNOON, MAYOR, MAYOR PRO TEM, AND CITY COUNCILMEMBERS. MY NAME IS SUSANA ALMANZA AND FIRST OF ALL, I WOULD LIKE TO THANK ALL THE GROUPS, ORGANIZATIONS AND INDIVIDUALS THAT CONVINCED THE CITY COUNCIL NOT TO PUT THE ROY GUERRERO PARK, THE GREEN WATER TREATMENT PLANT AT THE ROY GUERRERO PARK. NOW I WOULD LIKE TO GIVE A BRIEF HISTORY OF THE CINCO DE MAYO. THE CINCO DE MAYO REPRESENTS THE HOPES AND DREAMS OF PEOPLE OF THE WORLD, IT REPRESENTS THE STRUGGLE FOR JUSTICE AND FREEDOM, THE STRUGGLE FOR HUMAN RIGHTS. THE MEXICAN CONSTITUTION OF 1857, THE ASPIRATIONS OF THE MEXICAN PEOPLE, THE MEXICAN CONSTITUTION OF 1857 HAD NO PARALLELS IN WESTERN HEMISPHERE HISTORY. NO HUMAN DOCUMENT WITH WHICH IT MAY BE COMPARED. IT WAS THE FIRST CONSTITUTION OF THE PEOPLE, THE FIRST EXPRESSION OF PURE DEMOCRACY, THE FIRST FOUR ARTICLES CITED THE CLEAR PRINCIPLE THAT RESPECTED THE RIGHTS OF PEOPLE OPPOSED TO THE RIGHTS OF PROPERTY. EVERYONE IS BORN FREE, THE SLAVES WHO STEPPED INTO THE NATIONAL TERRITORY WOULD BE FREE AND PROTECTED BY LAW. ALL EDUCATION IS FREE. EVERY PERSON IS FREE TO ADOPT THE PROFESSION, TRADE OR WORK THAT SUITS THEM, IT BEING USEFUL AND HONEST. THE MEXICAN CONSTITUTION OF 1857 REPRESENTED THE FIRST PURE DEMOCRACY. ON JUNE THE 11th, 1861, BENITO JUAREZ WAS NAMED CONSTITUTIONAL PRESIDENT OF MEXICO. AND ON OCTOBER 31st, 1861, THE CONSTITUTION WAS CHALLENGED BY FRANCE, ENGLAND AND SPAIN. FRANCE, ENGLAND AND SPAIN ALSO WANTED TO CHECK MATE THE UNITED STATES BY CONTROLLING MEXICO. MEXICO HAD TO DEFEND THEIR ENTIRE PROGRAM OF REFORM AGAINST EUROPE. BENITO JUAREZ AND THE PEOPLE DEFENDED MEXICO AND THE MEXICAN CONSTITUTION OF 1857. IN 1862 ENGLAND AND SPAIN REACHED A MONETARY AGREEMENT WITH MEXICO AND WITHDRAW THEIR FORCES BUT GREEDY FRANCE WANTED MEXICO. MEXICO EXHAUSTED AND FAMINE STRICKEN, CONTINUED TO FIGHT FOR JUSTICE AND FREEDOM. BENITO JUAREZ'S BROWNSVILLE YENS HELD ABAY THAT ARMY. IN

1862 THEY STOPPED THE FORCES OF IN A POLICYIAN THE THIRD. THIS VICTORY KEPT ALIVE THE MEXICAN PEOPLE'S STRUGGLE TO FINALLY DEFEAT THE FRENCH FIVE YEARS LATER. CINCO DE MAYO REPRESENTS DEMOCRATIC RIGHTS OF PEOPLE. THE POWER OF GRASSROOTS PEOPLE CHALLENGING THE POWERFUL. THE STRUGGLE FOR HUMAN RIGHTS, SO WHEN WE CELEBRATE THE CINCO DE MAYO, THAT IS WHAT WE ARE REPRESENTING. WE ARE REPRESENTING AND WE'RE CELEBRATING THE RIGHTS OF THE PEOPLE, THE HUMAN RIGHTS, THE RIGHT TO BE FREE, THE RIGHT TO LIVE IN JUSTICE. IT'S JUST NOT A PARTY. THANK YOU. [APPLAUSE]

Mayor Wynn: THANK YOU. OKAY. NEXT WE'LL HEAR FROM FOLKS WHO HAVE SIGNED UP, LET'S SEE, HAROLD DANIEL, PAM THOMPSON, ROGER BAKER, SHUDDE FATH AND STEFAN WRAY. I UNDERSTAND THERE'S A VIDEO PRODUCTION WE HAVE? OKAY. >>

FOR DECADES WE HAVE RECOGNIZED A SCIENTIFIC, ECONOMIC AND PUBLIC CONSENSUS THAT MAJOR EMPLOYERS DO NOT BELONG IN THE BARTON SPRINGS WATERSHED WHERE RAINWATER FLOWS AND SEEPS INTO THE GROUND OVER THE CONTRIBUTING AND RECHARGE ZONE TO THE EDWARD'S AQUIFER. TEXAS AQUIFER THAT'S MOST VULNERABLE TO URBAN POLLUTION. IN APRIL OF 2005, ADVANCED MICRODEVICES ANNOUNCED IT WOULD MOVE ITS AUSTIN HEADQUARTERS WITH BETWEEN 2 AND 3,000 EMPLOYEES FROM EAST OF INTERSTATE 35 TO SOUTHWEST AUSTIN ON UNDEVELOPED LAND NEAR THE EDWARD'S AQUIFER'S RECHARGE ZONE.

SO WHILE GOING THROUGH THE PROCESS WE LOOKED AT DIFFERENT SITES, AND EVENTUALLY CAME TO THE DECISION THAT THE LAN TAN IN A SITE WAS THE ONE THAT HAD BOTH THE SIZE THAT WE NEEDED AND FOR THE LARGE MAJORITY OF OUR EMPLOYEES REDUCE THEIR COMMUTE TIME.

SINCE THAT TIME, AMD'S PLAN TO BUILD 850,000 SQUARE FEET OF OFFICE SPACE ON A 59-ACRE TRACT AT WILLIAM CANNON AND SOUTHWEST PARKWAY HAS BECOME A CONTROVERSIAL COMMUNITY ISSUE.

WHY THROW IT IN YOUR FACE? IT'S A GREAT IDEA. LET'S HAVE SOME TIME TO TALK IT OVER AND COME TO THAT DECISION AND NOT HANG IT ON THIS ONE DECISION WITH OUR MOST -- ONE OF OUR MOST IMPORTANT (INDISCERNIBLE). I DON'T GET THAT.

MORE THAN 16,000 PEOPLE HAVE SIGNED A PETITION URGING HECTOR RUIZ, AMD'S CHIEF EXECUTIVE OFFICER, TO FIND A LOCATION AWAY FROM THE FRAGILE BARTON SPRINGS WATERSHED. THE PUBLIC IS CONCERNED ABOUT THE IMPACT THAT AMD'S PLANNED HEADQUARTERS WILL HAVE ON AUSTIN'S CREEKS AND SPRINGS AND ABOUT THE ACCELERATED COMMERCIAL AND RESIDENTIAL DEVELOPMENT AND MASSIVE INCREASE IN TRAFFIC THAT WILL FOLLOW. MOST OF THE GROUNDWATER WITHIN THE BARTON SPRINGS SEGMENT OF THE EDWARD'S AQUIFER EVENTUALLY DISCHARGES FROM BARTON SPRINGS. THE AMD TRACT IS SURROUNDED BY BOTH THE BARTON CREEK AND THE WILLIAMSON CREEK WATERSHEDS AND IS ONLY 0.6 MILES FROM THE MOUNT BONNELL FAULT, THE WESTERN EDGE OF THE EDWARD'S AQUIFER'S RECHARGE ZONE. AUSTIN ENVIRONMENTAL LEADERS HAVE DEMANDED THAT THE AUSTIN CITY COUNCIL AND MAYOR WILL WYNN HOLD A PUBLIC HEARING ON THE MATTER. TO DATE THERE HAS BEEN NO PUBLIC ASSESSMENT OF AMD'S IMPACT ON THE BARTON SPRINGS WATERSHED, YET ON JANUARY 12TH OF THIS YEAR, CITY STAFF APPROVED A PLAT OR INITIAL DEVELOPMENT PLAN FOR THE COMPANY'S NEW AUSTIN HEADQUARTERS. CITY STAFF ACCEPTED THE COMPANY POSITION THAT AMD IS EXEMPT FROM AUSTIN'S S.O.S. ORDINANCE, EVEN THOUGH THE AUSTIN CITY COUNCIL HAS NOT VOTED TO GRANT SUCH AN EXEMPTION, NOR HAS THE COUNCIL HELD ANY PUBLIC HEARINGS. WHEN WE STARTED FILMING ON JANUARY 12TH, THE SAME DAY AMD RECEIVED CITY APPROVAL, OUR GOAL WAS TO DOCUMENT THE AMD TRACT AND SURROUNDING AREA BEFORE ANY CONSTRUCTION BEGAN. AND TO IDENTIFY AREAS OF CONCERN FOR FUTURE FILMING.

PULL OVER RIGHT HERE.

BUT CONSTRUCTION HAD ALREADY BEGUN MONTHS BEFORE, NOT BY AMD, BUT BY STRATUS PROPERTIES,

OWNER OF THE AMD SITE AND HUNDREDS OF ACRES OF SURROUNDING LAND. STRATUS STARTED IN MAY OF 2005 TO BULLDOZE AND CUT THE GRADE FOR THE EXTENSION OF RIALTO BOULEVARD BETWEEN SOUTHWEST PARKWAY AND WILLIAM CANNON DRIVE. WE SAW BRIGHT GREEN GRASS NEXT TO A BRAND NEW BLACKTOP ROAD AND A BULLDOZER PARKED ON A SLIGHT RISE ABOVE SOUTHWEST PARKWAY. WE ALSO SAW HOW CONSTRUCTION RUNOFF HAS CARRIED SILT AND SEDIMENT FROM RIALTO BOULEVARD UNDERNEATH SOUTHWEST PARKWAY AND INTO SYCAMORE CREEK. THIS CREEK IS WITHIN 20 YARDS OF SOUTHWEST PARKWAY. THE SILT AND SEDIMENT LOAD IN THE CREEK BED HERE COULD BE AN EXAMPLE OF WHAT TO EXPECT IF AMD BEGINS MOVING EARTH AND ERECTING BUILDINGS ON THE HILLTOP. AMD'S CONSTRUCTION PROJECT AND THE DEVELOPMENT TO FOLLOW WILL ADD MUCH TO THE ALREADY UNACCEPTABLE POLLUTION OF BARTON CREEK, SYCAMORE CREEK AND THE BARTON SPRINGS SEGMENT OF THE EDWARD'S AQUIFER AND BARTON SPRINGS. AMD HAD ORIGINALLY PLANNED TO LEASE A PORTION OF STRATUS PROPERTIES' LANTANA HILLTOP FOR ITS HEADQUARTERS IN SOUTHWEST AUSTIN. BUT IN DECEMBER OF 2005, AMD ANNOUNCED IT WOULD PURCHASE THIS 59-ACRE TRACT, SEEN HERE AT THE INTERSECTION OF WILLIAM CANNON DRIVE AND SOUTHWEST PARKWAY. RIALTO BOULEVARD DEFINES THE AMD TRACTS' EASTERN AND SOUTHERN BOUNDARY. THE ROAD'S COMPLETION FORESHADOWS EXPLOSIVE GROWTH AND SPRAWL IN THE BARTON SPRINGS WATERSHED DRIVEN BY THE COMBINED INITIATIVE OF AMD AND STRATUS PROPERTIES. STRATUS PROPERTIES IS A SPINOFF OF FM PROPERTIES, A SUBSIDIARY OF FREEPORT McMORAN, WHICH IS A COMPANY OF THE INFAMOUS JIM BOB MOFFETT.

THIS IS A VIEW FROM THE PROPOSED AMD SITE OF STRATUS PROPERTIES' LAND, THE BARTON SPRINGS WATERSHED AND DOWNTOWN AUSTIN SEVEN MILES AWAY. WATER FROM THE 59-ACRE SITE DRAINS TO THE HEADQUARTERS OF SYCAMORE CREEK, WHICH DRAIN INTO BARTON CREEK THREE MILES DOWNSTREAM. IT IS AT AN ELEVATION ONE THOUSAND FEET ABOVE SEA LEVEL. IT DROPS DOWN TO 550 FEET WHERE IT ENTERS BARTON CREEK. AMD WANTS TO

BUILD 150,000 SQUARE FEET OF OFFICE SPACE ON THIS PROPERTY. TO THE SOUTH, WILLIAMSON CREEK SUBSIDIARIES DRAIN THE AMD SITE, CARRYING WATER FROM THE CONTRIBUTING ZONE TO BARTON SPRINGS, HE DID ETDZ. THE CONTRIBUTING ZONE INCLUDES CREEKS AND RIVERS THAT DRAIN WATERSHEDS AND FLOW TO AREAS WHERE THE EDWARDS LIMESTONE IS EXPOSED AT THE SURFACE. RAIN AND SURFACE WATER ENTERS THE HIGHLY POROUS EDWARDS LIMESTONE AND FLOWS DOWN THROUGH JOINTS AND CRACKS INTO THE AQUIFER BELOW. STORM WATER SWEEPS SILT, SEDIMENT AND POLLUTANTS FROM CONSTRUCTION SITES, ROADS AND PARKING LOTS INTO OUR CREEKS. CHEMICALS AND OUR POLLUTANTS THAT ATTACH TO THE PARTICLES ARE CARRIED INTO THE AQUIFER. PAH'S, HEAVY METALS, PESTICIDES AND OTHER TOXIC SUBSTANCES CAN BE FOUND IN STREAM SEDIMENTS AND IN BARTON SPRINGS. AMD'S LATEST TRAFFIC IMPACT ANALYSIS SAYS THAT ITS NEW HEADQUARTERS WILL PRODUCE MORE THAN 9,000 ADDITIONAL DAILY CAR TRIPS. BUT THIS ESTIMATE DOES NOT ACCOUNT FOR NEW COMMERCIAL AND RESIDENTIAL DEVELOPMENT THAT AMD'S MOVE TO THE AQUIFER WILL GENERATE. AN UNDERSTANDING OF THE TRAFFIC IMPACT ON SOUTHWEST PARKWAY IS LACKING, COMPLETED IN 1991, SOUTHWEST PARKWAY WAS COMPLETED BY A TRAVIS COUNTY BOND INITIATIVE. SINCE THEN THE CITY OF AUSTIN HAS TAKEN OVER MUCH OF THE PARKWAY AND FINANCIAL BURDEN OF MAINTAINING IT. SOUTHWEST PARKWAY'S BIG PROBLEM IS POOR ENGINEERING. ACCORDING TO AN OCTOBER 2003 "AUSTIN AMERICAN-STATESMAN" ARTICLE, THE INITIAL DESIGN WAS INADEQUATE AND DID NOT ACCOUNT FOR UNDERGROUNDWATER FLOWING THROUGH THE LIMESTONE BEDROCK OF THE CONTRIBUTING ZONE UNDER THE ROAD. IN SOME SECTIONS WATER HAS LEECHED INTO AND COMPROMISED THE ROAD BASE, RESULTING IN CRACKING AND SAGGING ASPHALT. TAXPAYERS HAVE HAD TO FOOT THE BILL FOR MILLIONS OF DOLLARS IN REPAIR WORK ON SOUTHWEST PARKWAY. IN 2003, THE CITY SPENT \$2.5 MILLION. STORM WATER RUNOFF CONTINUES TO ERODE AND CHANNEL THE SOUTHWEST PARKWAY EMBANKMENT SOILS. ADDING AMEND'S TRAFFIC TO A POORLY DESIGNED ROAD WILL ONLY EXAGGERATE SOUTHWEST PARKWAY'S

STRUCTURAL PROBLEMS AND THE NEED FOR COSTLY MAINTENANCE AND REPAIR. AMD SAYS IT'S NOT SEEKING ANY INCENTIVE TO OFFSET THE SUBSTANTIAL COST OF ITS NEW COMPLEX, BUT ITS RELOCATION TO SOUTHWEST PARKWAY BECOMES A DEFACTO INCENTIVE. AUSTIN TAXPAYERS WILL BE SUBSIDIZING SOUTHWEST PARKWAY'S UPKEEP FOR YEARS TO COME. THE LONG-TERM COST TO TAXPAYERS WILL LIKELY OVERSHADOW ANY CONTRIBUTION OR BUYOFF THAT AMD GIVES NOW TO THE COMMUNITY, SUCH AS ITS PROMISED FIVE-MILLION-DOLLAR PURCHASE WITH STRATUS OF SENSITIVE LANDS. THE INITIAL ROAD DESIGN DID NOT INCLUDE STRUCTURAL CONTROLS SUCH AS WATER QUALITY RETENTION PONDS TO CONTAIN AND TREAT POLLUTED RUNOFF THAT WASHES OFF SOUTHWEST PARKWAY WHEN IT RAINS. THERE IS LITTLE SPACE FOR STRUCTURAL CONTROLS BETWEEN SOUTHWEST PARKWAY AND THE STRATUS PROPERTIES' FENCE LINE. THESE ARE ISSUES THAT COULD BE RAISED AND ADDRESSED IF THE AUSTIN CITY COUNCIL WERE TO HOLD A PUBLIC HEARING ON AMD'S PLAN. AMD SAYS ITS NEW HEADQUARTERS WILL BE A MODEL OF CLEAN BUILDING, EVEN THOUGH THE FIRST PRINCIPLE OF GREEN BUILDING IS TO FIND A SUSTAINABLE SITE. THE COMPANY'S OWN ENGINEERED DRAWINGS SHOW THAT THE POLLUTANT LOADS WILL BE ALMOST FOUR TIMES HIGHER THAN THAT ALLOWED UNDER THE S.O.S. ORDINANCE. FURTHERMORE, AMD'S DEVELOPMENT WILL GREATLY INCREASE CAR TRAFFIC AND POLLUTE ANT LOADS TO ADJACENT ROADS FROM WHERE STORM WATER FLOWS FROM BARTON CREEK WITHOUT ANY WATER QUALITY TREATMENT. RAINWATER COLLECTING IN THE DITCH ALONG SOUTHWEST PARKWAY FLOWS BENEATH THE ROAD THROUGH A SERIES OF CULVERTS: STORM DRAINS IN THE MIDDLE OF SOUTHWEST PARKWAY SOMETIMES GET CLOGGED WITH DEBRIS. POLLUTED WATER SIMPLY GETS WASHED DOWN SYCAMORE CREEK TO BARTON CREEK BELOW. IN JANUARY, WE NOTICED THESE BLACK SILT FENCES ALONG SOUTHWEST PARKWAY NEXT TO RIALTO BOULEVARD. THESE ARE SUPPOSED TO HOLD BACK DEBRIS FROM CONSTRUCTION RUNOFF WATER. WE FOLLOWED THE DITCH ALONG SOUTHWEST PARKWAY AND FOUND THAT A LOT OF SEDIMENT HAD COLLECTED AT THE BASE OF TWO CULVERTS THAT PASS UNDER THE ROAD. WE CROSSED

SOUTHWEST PARKWAY AND SAW THAT THE SAME SEDIMENT FROM CONSTRUCTION RUNOFF HAD ACCUMULATED AT THE OTHER END OF THE TWO CULVERTS. THIS SEDIMENT HAD COLLECTED IN A PART OF SYCAMORE CREEK THAT RUNS RIGHT NEXT TO STRATUS' PARKLINE. EVIDENTLY IT RAINED WHEN THE LANTANA HILLTOP WAS BULLDOZED AND THERE WAS RUNOFF INTO THE CREEK. DRIED ORANGE CLAY AND WHITE LIMESTONE DEPOSITS CAKED THE CREEK BED FOR MORE THAN 700 FEET DOWNSTREAM. MANY CREEK ROCKS WERE COMPLETELY COATED. STORM WATER RUNOFF HERE ON THE NORTH SIDE OF SOUTHWEST PARKWAY FLOWS IN SEVERAL CHANNELS RIDE NEXT TO THE ROAD BASE AND NEAR THE STRATUS FENCE LINE. CITY OF AUSTIN ENVIRONMENTAL INSPECTION STAFF VISITED THIS SITE ON JANUARY 17TH AND ISSUED TO STRATUS PROPERTIES A FIRST NOTICE OF NONCOMPLIANCE AND A NOTICE OF ORDINANCE AND AUSTIN CITY CODE VIOLATION ON THE RIALTO EXTENSION PROJECT. AT AUSTIN'S ENVIRONMENTAL BOARD MEETING ON FEBRUARY 1st, INSPECTION STAFF ADMITTED THE BLACK SILT FENCES HAD BEEN INADEQUATE DURING THE CONSTRUCTION OF RIALTO BOULEVARD. STRATUS PROPERTIES AGREED TO INSTALL ADDITIONAL SILT FENCES AND OTHER TEMPORARY WATER QUALITY FEATURES IN THE PUBLIC RIGHT-OF-WAY BETWEEN SOUTHWEST PARKWAY AND THE STRATUS FENCE LINE. ON JANUARY 28TH AFTER LESS THAN ONE INCH OF RAIN, THE NEW SILT FENCES PARTIALLY FILTERED THE POLLUTED RUNOFF, BUT NOTHING TREATED THE POLLUTED SEDIMENT ALREADY IN THE CREEK BED. POLLUTED WATER HARMS HUMANS WHO DRINK IT AND SWIM IN IT. THE BARTON SPRINGS SEG SEGMENT OF THE EDWARD'S AQUIFER IS A FEDERALLY -- CONTAMINANTS IN THE WATER HARM AQUATIC LIFE LIKE THE BARTON SPRINGS SALAMANDER. THESE SALAMANDERS ARE VERY SENSITIVE TO POLLUTION AND SERVE AS BAROMETERS FOR THE HEALTH OF THE AQUIFER. THE CITY WATERSHED DEPARTMENT CONDUCTS WATER QUALITY TESTS THROUGHOUT AUSTIN, BUT THE CITY DOES NOT DIRECTLY MONITOR SOUTHWEST PARKWAY RUNOFF FOR CONTAMINANTS. THE CLOSEST MONITORING STATION IS A MILE DOWNSTREAM IN A SUBDIVISION CALLED TRAVIS COUNTRY. MORE CONSTRUCTION AND IMPERVIOUS COVER UPSTREAM, LIKE PARKING LOTS AND ROADS, WILL INCREASE

THE VOLUME OF RUNOFF AND MORE TRAFFIC WILL CAUSE THE RUNOFF TO BE MORE POLLUTED. TO THE SOUTH OF THE AMD SITE ARE TRIBUTARIES THAT FEED WILLIAMSON CREEK. THIS SMALL TRIBUTARY BEGINS AT THE LANTANA HILLTOP, PASSES UNDER RIALTO BOULEVARD, FLOWS BENEATH WILLIAM CANNON DRIVE, ENTERS A LARGER TRIBUTARY AND EITHER SEEPS INTO THE GROUND OR IN HEAVIER STORMS CONTINUES TO FLOW INTO WILLIAMSON CREEK. THE SEDIMENT LOAD SEEN HERE IN THIS SMALL WILLIAMSON CREEK TRIBUTARY BETWEEN RIALTO AND WILLIAM CANNON IS DIFFERENT FROM WHAT'S NORMALLY FOUND IN A HILL COUNTRY CREEK. THE UNIFORM TEXTURE AND LACK OF VEGETATION SUGGEST IT WAS DEPOSITED DURING THE CONSTRUCTION OF RIALTO. IF THIS HAPPENS DURING THE CONSTRUCTION OF ONE ROAD, WHAT WILL A RAINSTORM DO TO THE CREEK DURING CONSTRUCTION ON A 59-ACRE HILLTOP? VERY CLOSE TO WHERE THOUSANDS OF AMD EMPLOYEES WOULD DRIVE ARE PLACES ALONG THIS WILLIAMSON CREEK TRIBUTARY WHERE POLLUTED STORM WATER CAN ENTER THE GROUND AND BE CHANNELLED TO THE RECHARGE ZONE AND INTO THE EDWARD'S AQUIFER. IN LARGER STORMS, POLLUTANTS WILL WASH DOWNSTREAM TO WHERE WILLIAMSON CREEK CROSSES THE RECHARGE ZONE. THERE IT WILL ENTER THE AQUIFER THROUGH HOLES AND OTHER RECHARGE POINTS ALONG WILLIAMSON CREEK. ACCORDING TO NICO HOWARD, A HYDROGEOLOGIST FOR THE CITY OF AUSTIN, RUNOFF CAN BE TRACED DIRECTLY TO BARTON SPRINGS. HOURS AFTER THE JANUARY 28TH RAIN, WATER TRICKLED DOWN THE SMALL TRIBUTARY BETWEEN RIALTO BOULEVARD AND WILLIAM CANNON DRIVE BEFORE PASSING BENEATH A BRIDGE. THIS RAINWATER ENTERED THE LARGER WILLIAMSON COUNTY TRIBUTARY AND FLOWED INTO A SERIES OF POOLS THAT ARE WITHIN ONE-QUARTER MILE OF THE PROPOSED AMD SITE. ALTHOUGH RAINWATER WAS CLEARLY VISIBLE IN THE CREEK UPSTREAM, THE CREEK BED WAS BONE DRY FURTHER DOWNSTREAM NEAR THE FREESCALE FACILITY ON WILLIAM CANNON DRIVE. WHEN IT RAINS, ACCUMULATED POLLUTION FROM THE THOUSANDS OF DAILY AMD CAR TRIPS WILL FLOW THESE SAME PATHS INTO THE AQUIFER.

WE HAVE DRAINAGE UP THERE COMING OFF OF SOUTHWEST

PARKWAY.

TIM JONES, A FORMER MEMBER OF AUSTIN'S ENVIRONMENTAL BOARD, TELLS US HOW CONTAMINATED RUNOFF FROM THE PROPOSED AMD SITE WILL END UP IN BARTON CREEK.

AND WE'RE GOING TO HAVE MASSIVE DEVELOPMENT UP ON THE AMD TRACT AND ALL OF THIS TRAFFIC IS GOING TO BE GENERATING POLLUTE POLLUTANTS THAT ARE GOING RIGHT INTO THE CREEK IMMEDIATELY ACROSS (INDISCERNIBLE). IT GOES 100 YARDS OR SOMETHING LIKE THAT, AND ALL OF A SUDDEN THAT WATER STARTS RECHARGING INTO THE EDWARD'S AQUIFER.

FOSTER RANCH ROAD INTERSECTS SOUTHWEST PARKWAY TO THE EAST AND DOWNSTREAM FROM THE STRATUS OWNED LANTANA HILLTOP WHERE AMD PLANS TO BUILD. RUNOFF FROM THE AMD SITE FLOWS DOWN THE CREEK AND THROUGH FOSTER RANCH ROAD THROUGH SEVERAL CULVERTS. SYCAMORE CREEK HERE IS DRY, BUT THIS AREA IS PRONE TO SIGNIFICANT FLOODING. DURING LARGE RAIN STORMS LIKE THE NEARLY 20 INCHES IN NOVEMBER OF 2004, SYCAMORE CREEK FLOWS RIGHT ACROSS THE ROAD. TIM JONES DESCRIBES THE GEOLOGIC FEATURES THAT LET YOU IDENTIFY THE BOUNDARY OF THE RECHARGE ZONE.

THERE'S ROCKS WHERE THE ROCK IS SUDDENLY TILTED LIKE THAT.

IS THAT AN INTERESTING FEATURE OR IS THERE SOME SIGNIFICANCE TO THAT IN TERMS OF THE RUNOFF?

WELL, THE AMD SITE STARTS RECHARGING RIGHT IN HERE. THIS IS THE BALCONES FAULT.

WHAT FIRST LOOKED LIKE JUNIPER BARRIES ARE IN FACT SOMETHING ELSE.

THESE ARE NOT JUNIPER JUNE BERRIES. THIS IS PAVEMENT.

SYCAMORE CREEK RUNS THROUGH TRAVIS COUNTRY. HERE AT A BRIDGE ON REPUBLIC OF TEXAS BOULEVARD, THE CITY

OF AUSTIN MAINTAINS THE STORM WATER AND WATER QUALITY MONITORING STATION. THE CITY TESTS FOR CHEMICALS AND SUBSTANCES SUCH SUBSTANCE SUBSTANCES. THE AMOUNT OF PIEWTSYCAMORE CREEK IS RELATIVELY CLEAN. THE THOUSANDS OF DAILY CAR TRIPS AND THE ENSUING SPRAWL WILL GENERATE TOXIC CHEMICALS DETECTABLE AT THE MONITORING STATION DOWNSTREAM. THE CREEK WILL NO LONGER BE AS CLEAN. TODAY IT IS A WILD AND BEAUTIFUL PLACE. THE BRANCH OF THE CREEK THAT DRAINS THE AMD TRACT AND SOUTHWEST PARKWAY MEETS THE OTHER MAIN BRANCH OF SYCAMORE CREEK IN THE MIDDLE OF THE TRAVIS COUNTRY'S GREENBELT. AFTER HEAVY RAIN EVENTS WATER QUICKLY RACES ACROSS THE SURFACES TOWARDS BARTON CREEK. DOZENS OF HOMES IN TRAVIS COUNTRY SIT ALONGSIDE THE CREEK. THIS BRIDGE IS THE LAST STRUCTURE CROSSING SYCAMORE CREEK BEFORE IT REACHES BARTON CREEK. THESE PASSAGE WAYS ANTICIPATE THE FLOOD WATERS THAT SOMETIMES ROAR DOWN THE CREEK. THE DRY AND QUIET CREEK SEEN HERE A FEW HUNDRED FEET FROM BARTON CREEK CAN BE A RAGING TORRENT CARRYING CONTAMINANTS AND ROAD DEBRIS FROM MILES UPSTREAM. THIS CONTRIBUTES TO THE POLLUTION IN BARTON SPRINGS. LARGE AREAS OF UNDEVELOPED LAND REMAIN OVER THE AQUIFER. PEOPLE IN AUSTIN STILL HAVE A CHOICE, BUT TIME IS RUNNING OUT. AMD WANTS TO START CONSTRUCTION IN 2006. AMD CLAIMS THAT IF IT DOESN'T BUILD HERE, A WORSE DEVELOPER HERE. THE COMPANY ALSO CLAIMS THAT IT WILL SET A STANDARD FOR GREEN BUILDING TECHNIQUES. BUT THE NEW STANDARDS SET BY AMD WILL BE THAT IT'S OKAY TO BUILD MAJOR EMPLOYMENT CENTERS IN THE BARTON SPRINGS WATERSHED AND THAT IT'S OKAY NOT TO COMPLY WITH THE SAVE OUR SPRINGS ORDINANCE. WHAT COULD BE WORSE FOR BARTON SPRINGS WATERSHED THAN THE TRAFFIC, CONSTRUCTION AND POLLUTION THAT AMD WILL SPAWN? IF AMD BUILDS, MORE DEVELOPMENT WILL FOLLOW. THE EDWARD'S AQUIFER, OUR DRINKING WATER, WELLS AND BARTON SPRINGS WILL BE EVEN MORE POLLUTED, AND THAT WOULD BE A CRIME. GO TO MOVEAMD.COM AND JOIN THE MORE THAN 16,000 PEOPLE WHO HAVE SIGNED AN ONLINE PETITION URGING AMD TO STAY OFF THE AQUIFER. JOIN WITH THE SAVE OUR SPRINGS

ALLIANCE IN DEMANDING THAT THE MAYOR AND AUSTIN CITY COUNCIL HOLD A PUBLIC HEARING ABOUT AMD'S IMPACT ON OUR CREEKS AND SPRINGS. [APPLAUSE]

Mayor Wynn: THANK YOU ALL VERY MUCH. SO COUNCIL, THAT CONCLUDES TODAY'S GENERAL CITIZEN COMMUNICATIONS. LET'S SEE. NO MORE DISCUSSION ITEMS UNTIL POTENTIAL POSTED BRIEFINGS. WE STILL HAVE ONE ITEM THAT WE HAVEN'T TAKEN UP YET IN CLOSED SESSION, SO WITHOUT OBJECTION, WE'LL NOW GO BACK INTO CLOSED SECTION PURSUANT TO SECTION 551.072 OF THE OPEN MEETINGS ACT TO TAKE UP REAL ESTATE MATTER ITEM 27 RELATED TO THE ACQUISITION OF LAND NEAR U.S. 183 AND CAMERON ROAD FOR PUBLIC PURPOSES. WE ARE NOW IN CLOSED SESSION. THANK YOU VERY MUCH. AN UPDATE ON THE COMMUNITY LAND TRUST, AT THAT TIME, WE -- WE BROUGHT FORWARD SOME PROPOSED RECOMMENDATIONS TO MOVE HAD THIS INITIATIVE FORWARD. AND TO MAKE A LAND TRUST, TO MAKE A LAND TRUTH A VIABLE OPTION IN THIS COMMUNITY. WE BROUGHT FORTH SOME RECOMMENDATIONS THAT WERE FAIRLY BASIC AND THEY INCLUDED RECOMMENDATIONS, ONE, THAT CERTAINLY AFTER OUR ANALYSIS AND INVESTIGATIONS THAT WE DETERMINED THAT COMMUNITY LAND TRUSTS WERE FEASIBLE AND AN APPROPRIATE TOOL FOR THIS COMMUNITY TO DEAL WITH AFFORDABLE HOUSING. AND TO ADDRESS SOME OF THE MAJOR ISSUES FOR AFFORDABILITY. SECONDLY, OUR RECOMMENDATION WAS THAT IF LAND IS GOING TO BE PURCHASE AND USED FOR A COMMUNITY LAND TRUST, THAT IT OUGHT TO BE DONE SO IN SUCH A MANNER THAT WOULD ALLOW FOR THAT LAND TO BE TAX EXEMPT. AND, THIRD, THAT WE SHOULD CONDUCT A STAKEHOLDER PROCESS THAT INVOLVES A LARGER GROUP FROM THE COMMUNITY AND LARGER INTERESTS OF STAKEHOLDERS, INCLUDING NOT ONLY TITLE COMPANIES AND SOME MORALES INTERESTS, ALONG WITH THE INTERESTS OF THE HOUSING ADVOCATES AND -- AND OTHER INTERESTED PARTIES THAT HAVE BEEN WORKING ON THIS FOR SEVERAL YEARS. ALSO MEMBERS OF THE AFRICAN-AMERICAN QUALITY OF LIFE INITIATIVE AND TASK FORCE. LEADING ALL OF THAT EFFORT FOR US IS THE DIRECTOR OF THE AUSTIN HOUSING FINANCE CORPORATION. KELLY WEIS.

KELLY HAS MANAGED THE PROCESS, SHE HAS PREPARED THE RESEARCH, SHE HAS BECOME QUITE AN EXPERT ON COMMUNITY LAND TRUSTS AND IT'S ONLY APPROPRIATE THAT I ASK KELLY TO COME TEEND TO MAKE THIS -- TO COME TODAY AND MAKE THIS PRESENTATION ON THE STATUS REPORT ON WHERE WE ARE ON THE COMMUNITY LAND TRUST. SO KELLY?

THANK YOU, PAUL, GOOD AFTERNOON, MAYOR PRO TEM AND COUNCILMEMBERS. I'M KELLY WEISS, COMMUNITY DEVELOPMENT ADMINISTRATOR FOR THE AUSTIN HOUSING FINANCE CORPORATION. THANK YOU FOR THE OPPORTUNITY TODAY TO BRIEF YOU ON COMMUNITY LAND TRUST. IN MAY OF 2005 CITY COUNCIL DIRECTED THE CITY MANAGER TO PREPARE A REPORT ON THE VARIOUS FORMS OF COMMUNITY LAND TRUSTS AND THE FEASIBILITY UNDER TEXAS LAW AND UNDER CITY OF AUSTIN FINANCIAL POLICIES. THE RESPONSE TO THAT DIRECTIVE IN JULY OF 2005 NHCD NEIGHBORHOOD HOUSING AND AUSTIN HOUSING FINANCE CORPORATION ISSUED A REPORT THAT INCLUDED RECOMMENDATIONS FROM THE AUSTIN CLT STEERING COMMITTEE, WHICH WAS SPONSORED BY THE AUSTIN COMMUNITY DEVELOPMENT CORPORATION, NOW PEOPLE FUND. THIS REPORT FOUND THAT CLT'S ARE IN FACT FEASIBLE UNDER TEXAS LAW AND ARE COMPATIBLE WITH THE CITY OF AUSTIN'S FINANCIAL POLICIES. STAFF PRESENTED THAT REPORT TO CITY COUNCIL ON DECEMBER 1st OF 2005. AND CITY COUNCIL DIRECTED STAFF TO PROCEED TO RECEIVE INPUT REGARDING IMPLEMENTATION. FROM JANUARY TO APRIL STAFF MET WITH CLT STAKEHOLDERS AND IMPLEMENTED THEIR CONCERNS INTO STAFF RECOMMENDATION IMPLEMENTATIONS. OPTIONS FOR A COMMUNITY LAND TRUST AS WELL AS IMPLEMENTATION RECOMMENDATIONS ARE OUTLINED IN A COMPLETE REPORT DISTRIBUTED AND MADE PUBLIC IN APRIL. THERE IS NO ONE SOLUTION TO AFFORDABLE HOUSING. HOW STAFF DETERMINED THAT COMMUNITY LAND TRUSTS ARE CONSISTENT WITH THE GOALS OF THE CITY. THE CITY HAS THREE BASIC AFFORDABLE HOUSING GOALS, THEY HAVE BECOME OUR MANTRA, PRESERVE LONG-TERM AFFORDABILITY, RECYCLE PUBLIC INVESTMENT AND ALSO MITIGATE GENTRIFICATION. WHY START A COMMUNITY LAND

TRUST? THE CLT MAKES SENSE IF YOU HAVE TWO BASIC FACTORS PRESENT. FIRST AN APPRECIATING HOUSING MARKET AND SECOND LIMITED GROWTH AND INCOME. AS THIS CHART ILLUSTRATES, AUSTIN HAS EXPERIENCED STEADILY APPRECIATING HOME PRICES WITH MINIMAL INCOME GROWTH. HOME PRICES ARE INCREASING FASTER THAN INCOME AND INCREASING HOME PRICES PUT ONCE AFFORDABLE HOMES OUT OF REACH OF LOW INCOME HOUSEHOLDS. A CLT TAKES THE HOME OUT OF THE PRIVATE MARKET SO THAT THE HOME REMAINS AFFORDABLE FOREVER. SO WHAT IS A CLT WHICH IS A QUESTION THAT I'VE BEEN ASKED OFTEN. THIS CHART ILLUSTRATES HOW THE CLT WORKS. THE COMMUNITY LAND TRUST HOLDS TITLE TO THE LAND WHILE THE HOMEOWNER HOLDS TITLE TO THE IMPROVEMENTS ON THE LAND. BY OWNING THE LAND THE LAND TRUST RETAINS CONTROL OVER FUTURE AFFORDABILITY. ESSENTIALLY, THE VALUE OF THE LAPPED IS REMOVED FROM THE SALES PRICE OF THE CLT HOME PLUS REDUCING THE COST OF THE HOME TO THE HOME BUYER FOREVER. FOREVER WITH A 99 YEAR GROUND LEASE. THE CLT AND THE HOMEOWNER ENTER INTO A 99 YEAR GROUND LEASE THAT DICTATES A CONTRACTUAL RELATIONSHIP BETWEEN THE PARTIES INCLUDING RESALE RESTRICTIONS. RESALE PROVISIONS REQUIRE TWO BASIC THINGS OF THE CLT HOMEOWNER. FIRST, THE CLT HOMEOWNER AGREES TO SELL THEIR HOME AT A PRICE THAT IS AFFORDABLE TO THE NEXT HOME BUYER WHO NEEDS TO BE INCOME ELIGIBLE. ALSO THE HOME BUYER AGREES TO RECEIVE A FAIR RETURN WHEN THEY SELL THEIR HOME, BASED ON RESALE FORMULA STIPULATED IN THE GROUND LEASE. SLIDE. THE LAST TIME THAT STAFF WAS BEFORE YOU, WE OUTLINED THE CLT STAKEHOLDER PROCESS AND WE ARE NOW HERE TO PROVIDE A SUMMARY OF THAT PROCESS. THE CLT STAKEHOLDERS REVIEWED THE MECHANICS OF THE CLT MODEL AND DISCUSSED THE ADVANTAGES AND DISADVANTAGES. THE CLT STAKEHOLDER GROUP INCLUDED PARTICIPANTS FROM CITY OF AUSTIN BOARDS AND COMMISSIONS, COMMUNITY PARTNERS, SUCH AS NON-PROFIT HOUSING ORGANIZATIONS AND CITIZENS COMMITTEES AND ALSO THE VERY IMPORTANT ASPECT OF OUR PRIVATE PARTNERSHIPS AS WELL. THE CLT STAKEHOLDERS IDENTIFIED ISSUES IN THE FOLLOWING

AREAS, GROUND LEASE PROVISIONS, OUTREACH AND EDUCATION TO CLT HOME BUYERS, CLT PROGRAM ADMINISTRATION AND OPERATION, CLT ORGANIZATIONAL STRUCTURE AND CLT DEVELOPMENT INITIATIVES. STAFF DOCUMENTED THESE ISSUES AND THEY ARE INCLUDED IN AN ATTACHMENT TO THE REPORT. THESE ISSUES WILL BE USED AS A CHECKLIST TO DEVELOP CLT PROGRAM GUIDELINES AND PROCESSES AND PROCEDURES. AFTER REVEALING A DRAFT OF THE REPORT, THE CLT STAKEHOLDERS REQUESTED ADDITIONAL INFORMATION. FIRST THING THEY REQUESTED THAT WE INCLUDE PERFORMANCE MEASURES FOR THE CLT INITIATIVE. WHICH STAFF AGREED WAS VERY IMPORTANT. WE HAVE INCORPORATED THOSE PERFORMANCE MEASURES INTO THE REPORT. THE STAKEHOLDERS ALSO WANTED AN ANALYSIS OF COMMUNITY LAND TRUST AND CONDO LOW WHICH IS SOMEWHAT OF A COMPANION ON THE DISCUSSION OF DOWNTOWN AFFORDABILITY. THAT REQUEST IS STILL PENDING. WE AGREED TO ISSUE AN ANALYSIS UNDER A SEPARATE REPORT DUE BACK TO THE STAKEHOLDER GROUP WITHIN 30 DAYS. A CLT STAKEHOLDER INPUT HAS INFORMED STAFF RECOMMENDATIONS CONCERNING IMPLEMENTATION. CLT STAKEHOLDER GROUP DISCUSSED CLT SPONSORSHIP OPTIONS INCLUDING GOVERNMENT SPONSORSHIP AND NON-PROFIT SPONSORSHIP, THERE IS A GENERAL CONSENSUS THAT A PARTNERSHIP OF GOVERNMENT AND NON-PROFIT ORGANIZATIONS WOULD BE MOST EFFECTIVE IN CREATING A SUCCESSFUL CLT FOR AUSTIN. BASED ON THE DECISION THAT A GOVERNMENT NON-PROFIT PARTNERSHIP WOULD BE THE BEST OPTION FOR THE CITY, STAFF HAS OUTLINED IMPLEMENTATION RECOMMENDATIONS ACCORDINGLY. THERE ARE SIX BASIC STAFF RECOMMENDATIONS THAT I WILL BE DISCUSSING, THE CLT PARTNERSHIP OF GOVERNMENT AND NON-PROFIT ORGANIZATIONS, THE ESTABLISHMENT OF A CLT ADVISORY COMMITTEE, APPROVAL OF CLT CERTIFICATION REQUIREMENTS, FOURTH TO IMPLEMENT A CLT FINANCING PROGRAM. THE IMPLEMENTATION OF A TECHNICAL ASSISTANCE PROGRAM TO ASSIST CLT'S AND ALSO TO RESEARCH CLT AND SMART HOUSING ENHANCEMENTS TO CREATE AN OPTION TO PRODUCE CLT UNITS UNDER THE SMART HOUSING INCENTIVES. A GOVERNMENT NON-PROFIT

SPONSORSHIP CAN BE ACHIEVED IN AUSTIN. CLT PARTNERSHIP BETWEEN AUSTIN HOUSING FINANCE CORPORATION AND A NON-PROFIT ORGANIZATIONS OFFER THE FOLLOWING ADVANTAGES. FIRST, TAX EXEMPT LAND. THE VALUE OF THE LAND WOULD BE TAX EXEMPT IF AHFC RETAINS OWNERSHIP OF THE PROPERTY. HOMEOWNERS, HOWEVER ARE RESPONSIBLE FOR PAYING THE TAXES ON THE IMPROVEMENT. CLT HOME OWNERSHIP IS LIKE HOME OWNERSHIP IN GENERAL. YOU HAVE A MORTGAGE, YOU HAVE TO PAY YOUR TAXES. THE SECOND ADVANTAGE -- YOUR TAXES. THE SECOND ADVANTAGE STABLE YET FLEXIBILITY STRUCTURE. PRIVATE NON-PROFIT PARTICIPATION IS A KEY ADVANTAGE. ALSO THE LEVERAGE OF FINANCIAL COMMITMENTS. A PARTNERSHIP OF AHFC AND PRIVATE NON-PROFITS WILL MAXIMIZE THE LEVERAGE OF PUBLIC AND PRIVATE FINANCING. AND FINALLY THE LEVERAGE OF STAFFING RESOURCES. NON-PROFIT ORGANIZATIONS PROVIDE NEIGHBORHOOD AND COMMUNITY OUTREACH OPPORTUNITIES, INCLUDING HOME BUYER COUNSELING WHICH IS KEY. THEN AHFC CAN PROVIDE RESOURCES AND TECHNICAL ASSISTANCE TO ASSIST NON-PROFITS TO DEVELOP AND ADMINISTER THEIR CLT PROGRAMS. OF COURSE THERE'S A GENERAL DISADVANTAGE OF HAVING GOVERNMENT OR NON-PROFITS INVOLVED IN ANYTHING, REALLY, THAT'S THAT GOVERNMENT INVOLVEMENT MAY BE SUBJECT TO POLICY CHANGE. NON-PROFIT PARTICIPATION MAY BE SUBJECT TO COMPETING DIRECTIVES. STAFF RECOMMENDS A CLT ADVISORY COMMITTEE BE CREATED. THE CLT ADVISORY COMMITTEE WOULD REVIEW AND PROVIDE INPUT ON QUALITY ASSURANCE MEASURES, CERTIFICATION REQUIREMENTS AND BEST PRACTICES OF CLT'S. SUGGESTED INITIAL PARTICIPANTS INCLUDE A REPRESENTATIVE FROM THE AFRICAN-AMERICAN QUALITY OF LIFE NEIGHBORHOOD SUSTAINABILITY COMMITTEE, REPRESENTATIVE FROM THE CHDO ROUND TABLE, ALSO FROM THE HOME BUILDERS ASSOCIATION OF GREATER AUSTIN, HOUSING WORK, RECA, THE REELS COMMISSION OF AUSTIN, REAL ESTATE COMMISSION OF AUSTIN ... CLT CERTIFICATION WILL BE REQUIRED FOR CLT ORGANIZATIONS SEEKING FUNDING FROM THE CITY OF AUSTIN. CERTIFICATION REQUIREMENTS MAY INCLUDE BUT NOT LIMITED TO NON-PROFIT STATUS,

FINANCIAL AUDIT WITH NO FINDINGS, ADEQUATE RESERVE FUNDS, ADOPTION OF A STANDARDIZED GROUND LEASE, REQUIRED HOME BUYER AND POST -- POST OWNERSHIP EDUCATION, A DEMONSTRATED HOUSING EXPERIENCE AND ALSO FINANCIAL ACCOUNTABILITY. STAFF HAS THE FOLLOWING PROGRAM IMPLEMENTATION RECOMMENDATIONS. FIRST, A CLT FINANCING PROGRAM. THIS PROGRAM WILL DEVELOP PERMANENTLY AFFORDABLE HOUSING UNITS THROUGH THE FINANCING OF NON-PROFIT DEVELOPERS AND THROUGH PARTNERSHIPS IN SMART HOUSING DEVELOPMENTS. THE PROPOSED PROGRAM PROVIDES FINANCING FOR CLT UNITS IN THE FORM OF NO INTEREST LOANS AND GRANTS. PARTNERS INCLUDE NON-PROFIT ORGANIZATIONS AND OTHER SMART HOUSING DEVELOPMENT PARTICIPANTS. SECOND PROGRAM IS THE CLT TECHNICAL ASSISTANCE PROGRAM. THIS PROGRAM PROVIDES TECHNICAL ASSISTANCE TO NON-PROFIT HOUSING DEVELOPERS TO ASSIST THEM IN THE DEVELOPMENT OF THEIR CLT HOMES. THIS PROGRAM WOULD ALSO PROVIDE EDUCATION, TRAINING AND TECHNICAL ASSISTANCE TO HOUSING DEVELOPMENT PROFESSIONALS, INCLUDING BUILDERS, LENDERS, APPRAISERS, TITLE AGENTS AND DEVELOPERS. THIS PROGRAM WOULD ALSO PROVIDE HOME BUYER EDUCATION AND COMMUNITY OUTREACH ABOUT CLT HOME OWNERSHIP. THE PROGRAM WILL OFFER A TRAIN THE TRAINER PROGRAM, THAT IS NON-PROFIT HOUSING ORGANIZATIONS WILL BE TRAINED TO PROVIDE CLT HOME OWNERSHIP EDUCATION TO POTENTIAL HOME BUYERS. AND FINALLY, THE SMART HOUSING POLICY ENHANCEMENT. STAFF WILL RESEARCH AND ANALYZE ... TO LEVERAGE BENEFITS OF OF THE CLT MODEL OF THE SMART HOUSING INCENTIVES. THE STAKEHOLDERS AND STAFF HAVE IDENTIFIED THE FOLLOWING PERFORMANCE MEASURES OR KEY MEASURES FOR SUCCESS. AFFORDABILITY OVER TIME, CLT HOMES SHOULD BE AFFORDABLE AT RESALE TO THE SAME INCOME LEVEL WITH NO ADDITIONAL SUBSIDY. SECOND, A SUCCESSFUL TAX STRATEGY TO MAINTAIN AFFORDABILITY SHOULD BE ADOPTED. THIRD, QUALITY HOME BUYER EDUCATION. THIS WAS A KEY POINT FOR THE STAKEHOLDERS AND CRITICAL TO THE SUCCESS OF THE CLT. POTENTIAL HOME BUYERS SHOULD HAVE ACCESS TO

HOME BUYER EDUCATION, FINANCIAL AND CREDIT COUNSELING. CLT PROGRAMS SHOULD ALSO PROVIDE A PIPELINE OF EDUCATED, QUALIFIED BUYERS TO FULFILL THE PRODUCTION GOAL LEVELS. THE CLT SHOULD STRIVE TO BE A MIXED INCOME COMMUNITY. CLT UNITS SHOULD BE GEOGRAPHICALLY DISBURSED THROUGHOUT THE CITY OF AUSTIN AND SHOULD BE IN MIXED INCOME NEIGHBORHOODS. A FAIR RETURN TO THE HOME OWNER. THE CLT HOME OWNER SHOULD RECEIVE A FAIR RETURN ON THEIR INVESTMENT WHEN THEY SELL THEIR HOME AND SOME CLT HOMEOWNERS AT RESALE SHOULD BE ABLE TO MOVE INTO FAIR MARKET HOUSING. THEY SHOULD BE IN GOOD CONDITION, IN A VARIETY OF SIZES AND LOCATIONS TO SERVE THE DIVERSE NEEDS OF THE AUSTIN COMMUNITY. THE CITY OF AUSTIN THROUGH THE AUSTIN HOUSING FINANCE CORPORATION IS IN A POSITION TO LEVERAGE PUBLIC PRIVATE PARTNERSHIPS TO MAXIMIZE PRODUCTION OF PERMANENTLY AFFORDABLE HOME OWNERSHIP OPPORTUNITIES. CURRENT CLT PROJECT OPPORTUNITIES IN THE CITY INCLUDE THE AUSTIN HOUSING FINANCE CORPORATION'S MONTOPOLIS SUBDIVISION PROJECT. WHICH IS AN 81 UNIT SINGLE FAMILY RESIDENTIAL SUBDIVISION THAT HAS BROKEN GROUND IN MONTOPOLIS AND WE ARE CURRENTLY PLANNING 16 OF THOSE UNITS TO BE CLT UNITS. ALSO PROJECTS THAT WE PARTNER WITH OUR COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS OR CHODS, LIKE GUADALUPE DEVELOPMENT CORPORATION FOR INSTANCE. ALSO THE CLT SMART HOUSING DEVELOPMENT THAT'S WE ARE ABLE TO ACHIEVE THROUGH OUR SMART HOUSING DEVELOPMENT. FINALLY THE RMMA, THEY HAVE ALSO EXPRESSED INTEREST IN THE CLT MODEL. I'M GOING TO LET MY DIRECTOR, MR. PAUL HILGERS, WRAP UP AND IDENTIFY NEXT STEPS.

COUNCIL, WE ARE EXCITED ABOUT THIS OPPORTUNITY, WE ARE NOT ASKING YOU FOR ANY ACTION TODAY. HOWEVER WE DO WANT TO OUTLINE FOR YOU WHAT WE THINK THE NEXT STEPS ARE. FIRST WE ARE GOING TO CONTINUE TO FOLLOW UP ON THE LEGAL ISSUES, PROVIDE THE REPORT ON THE TEXAS CONDOMINIUM LAW. WE ARE GOING TO RECOMMEND THE ESTABLISHMENT OF THE CLT ADVISORY COMMITTEE. ME WANT TO CONTINUE TO WORK ON

FINALIZING THE MINIMUM STANDARDS FOR CERTIFICATION, WHICH WERE OUTLINED FOR YOU TODAY. FINALIZE A GROUND LEASE. AND THEN PREPARE AN IN EARNEST FOR IMPLEMENTATION, DEVELOPING THE HOME BUYING COUNSELING CURRICULUM IN ENGLISH AND SPANISH, OUTLINING THE TECHNICAL ASSISTANCE PROVIDED TO NON-PROFIT HOUSING DEVELOPERS. I WOULD LIKE TO MENTION, OF COURSE, THE PEOPLE FUND AGAIN AND THE FOLKS IN THE -- IN THE COMMUNITY HOUSING DEVELOPMENT ORGANIZATION ROUND TABLE OR WHAT WE CALL OUR CHODO ROUND TABLE, WHO HAVE BEEN INVOLVED IN THIS, ALONG WITH ALL OF THE STAKEHOLDER AT THE TABLE THROUGH SEVERAL MEETINGS AND GIVING UP FRIDAY LUNCHES TO MEET ON THESE ISSUES AND DISCUSS THESE ISSUES. THERE WAS FAIRLY ALMOST UNANIMOUS ENTHUSIASM ABOUT THE CONCEPT OF A COMMUNITY LAND TRUST IN ALL QUARTERS. AND IT IS A NEW CONCEPT AND A NEW IDEA. WE DO BELIEVE THAT WE ARE GOING TO BE BRINGING FORWARD IN OUR BUDGET PROCESS RECOMMENDATIONS ABOUT HOW WE WOULD MAKE SOME FUNDING DECISIONS OF STAFFING TO BE ABLE TO STAFF THIS ON AN ONGOING BASIS. WE RECOGNIZE THAT IT'S A NEW INITIATIVE FOR THE STATE OF TEXAS. THERE ARE STILL FOLKS THAT MAY BE SOMEWHAT SKEPTICAL, BUT GIVEN THE INCREASED COST OF REAL ESTATE, THE LESSENING OR THE SLOWER RISE IN WAGES, AND INCOME, WE JUST SIMPLY MUST FIND NEW TOOLS TO HELP US ACHIEVE OUR OBJECTIVES OF CREATING LONGER TERM AFFORDABILITY ON INVESTMENTS THAT WE ARE MAKING IN HOUSING. AND SO WITH THAT, I WOULD CLOSE THIS PRESENTATION AND ALLOW THE COUNCIL TO PROVIDE ANY QUESTIONS AND WE WILL DO OUR BEST TO RESPOND TO THEM TODAY OR TO GET BACK WITH YOU WITH FURTHER ANALYSIS.

Thomas: MR. -- YEAH, OKAY. MR. HILGERS, YOU WERE SAYING THAT THERE WAS SOME PEOPLE WHO WERE KIND OF SKEPTICAL. CAN YOU KIND OF REMEMBER GREAT WHAT THAT -- ELABORATE WHAT THAT MEANS?

WELL, I THINK AGAIN PARTICULARLY IN THE TRADITIONAL MARKET OF THE ISSUE OF PEOPLE NOT BUYING FEE SIMPLE PROPERTY. THE CONCEPT OF -- THAT SOMEONE WOULD WANT TO BUY A HOME WITHOUT OWNING THE LAND IS STILL

A NEW CONCEPT FOR SOME FOLKS. THE CONCEPT THAT A HOME BUYER WOULD UNDERSTAND THAT IN FACT THEY ARE ENTERING INTO A PARTNERSHIP WITH THE COMMUNITY TO GET INTO A HOME THAT THEY ACTUALLY WOULD HAVE A CHANCE TO GENERATE SOME EQUITY WHICH THEY DON'T GET THE CHANCE TO DO IN A RENTAL PROPERTY OR WOULD THEY SIMPLY GO 30 OR 40 MILES OUTSIDE OF THE CITY AND BUY ESSENTIALLY A HOUSE WHERE THEY COULD GET FEE SIMPLE PROPERTY. SKEPTICISM IS REALLY ON THE IMPORTANCE AS KELLY TALKED ABOUT OF THE EDUCATION NECESSARY SO THAT THE HOME BUYER KNOWS WHAT THEY ARE GETTING. THAT THE LEADER UNDERSTANDS WHAT THEY ARE LENDING ON AND IT'S A FAIRLY NEW PRODUCT. IT'S AGAIN THE WAY THAT -- THAT THE COMMUNITY LAND TRUST IS STRUCTURED AND KELLY MADE THIS POINT, I WOULD REITERATE IT, THERE IS NO ONE SOLUTION EVEN COMMUNITY LAND TRUST. WE ARE NOT RECOMMENDING THAT EVERYTHING BECOME A COMMUNITY LAND TRUST IN THIS COMMUNITY, BUT WE DO BELIEVE THAT IT IS A -- IT IS A VITAL, IMPORTANT, INTERIM STEP TO FULL-FLEDGED HOME OWNERSHIP THAT WILL PROVIDE US AN OPPORTUNITY TO PROVIDE MORE HOUSING OPTIONS IN PARTICULARLY IN THE CENTRAL CITY AREA, IN AREAS WHERE THE PRESSURES FOR REAL ESTATE COSTS ARE GOING UP SO HIGH. SO I GUESS I DON'T WANT TO OVERSTATE THE SKEPTICISM, BUT I DON'T WANT TO UNDERSTATE IT EITHER.

THANK YOU.

COUNCILMEMBER MCCRACKEN?

McCracken: I WAS LOOKING THE WRONG DIRECTION. PAUL, THIS -- THE APPROACH PUT BEFORE US WHICH IS I THINK A VERY EXCITING ADDITION TO THE TOOL BOX, IT SEEMED TO SPEAK AND FOCUS ON SINGLE FAMILY HOMES WHERE THE -- WHERE THE ADVANTAGE WAS BUYING BASIC -- BUYING DOWN THE COST OF DIRT IN THIS SENSE. IS THERE ANY THOUGHT ABOUT ADDING INTO THIS STRATEGY CONDOMINIUMS?

YES, SIR, THERE IS. THAT IT IS ONE OF THE REASONS WE ARE GOING TO EXPLORE THAT. THE OTHER THING, YOU BRING UP A VERY IMPORTANT POINT, CONCEPTUALLY IT IS

JUST THE COST OF THE DIRT YOU KNOW THE LAND TRUST. THE REALITY IS THAT -- THIS MAY HAVE TO BE STRUCTURED SO THAT IT'S NOT JUST THE DIRT COSTS OR THE LAND COSTS, BUT IT MAY BE SOME OF THE DEVELOPMENT AND INFRASTRUCTURE COSTS THAT HAS TO BE BORNE BY THE COMMUNITY TO REACH THE LEVEL OF AFFORDABILITY THAT YOU ARE TALKING ABOUT, PARTICULARLY IN -- IN SOME CASES COMMUNITY LAND TRUSTS HAVE DONE -- BEEN DONE WITH MULTI-FAMILY RENTAL PROPERTY. SO IT NOT AN OWNERSHIP SITUATION FROM THAT SENSE. IT COULD BE, AGAIN, WITH A CONDO, WHEN WE TALK CONCEPTUALLY ABOUT COMMUNITY LAND TRUSTS, MOST PEOPLE GO OH, WELL THAT'S JUST LIKE A CONDO IN MANY WAYS. SO THAT'S THE CLOSEST A LOT OF PEOPLE CAN -- CAN -- WHERE THEY CAN RELATE TO IT. SO WE THINK THAT THAT'S -- WE KNOW THAT IT'S BEEN DONE IN OTHER AREAS. ONE MORE POINT THAT I WOULD MAKE IS THAT WE HAVE RECEIVED THE COUNSEL OF MICHAEL BROWN FROM BURLINGTON & ASSOCIATES AND AGAIN TO SOME DEGREE THROUGH THE ASSISTANCE WITH THE PEOPLE FUND, BRINGING HIM TO THIS COMMUNITY, AND FUNDED HIS INVOLVEMENT TO GIVE US HIS EXPERTISE ON HOW THIS HAS BEEN DONE IN OTHER CITIES. SO LIKE ALWAYS WE WILL HAVE TO DO IT IN THE UNIQUELY AUSTIN WAY, I THINK WE CAN BENEFIT FROM THE BEST MODELS THAT OCCURRED IN OTHER COMMUNITIES, INCLUDING CONDOS.

McCracken: BECAUSE ONE OF THE THINGS THAT I'M WONDERING IS WHEN WE DID A COMMUNITY LAND TRUST MODEL WITH THE AUSTIN COMERN'S MUSEUM ON BLOCK 21, ESSENTIALLY WHAT WE DID IS WE INVESTED MONEY IN A SPACE TO LOWER THE ENTRY PRICE TO GET INTO THAT SPACE FOR NON-PROFIT. IN THIS CASE THE CHILDREN'S MUSEUM IS ABLE TO GET INTO A FIVE AND A HALF MILLION SPACE FOR \$500,000, WITH THAT CAME THE PERMANENT AFFORDABILITY COVENANT WHICH WAS PRETTY STRAIGHTFORWARD WAY OF DOING IT. SO I GUESS FROM A CONCEPTUAL STANDPOINT CAN YOU GIVE ME YOUR THOUGHTS ON WHETHER THAT MODEL COULD BE USED FOR SAY CONDOMINIUMS AND VERTICAL MIXED USE STRUCTURES ON THE CORRIDORS OR DOWNTOWN.

ABSOLUTELY. COUNCILMEMBER THAT IS EXACTLY AS SIMPLE

AS THAT SOUNDS, I MEAN, REALLY AS THE WAY IT WAS, YOU ARE GETTING THE PUBLIC BENEFIT OF LONG-TERM AFFORDABILITY FOR AN INVESTMENT THAT YOU MADE TO HELP SOMEONE BE ABLE TO GET INTO SOMETHING THAT THEY OTHERWISE WOULDN'T BE ABLE TO AFFORD. WE BELIEVE THAT WE CAN DO THAT AND NOT ONLY AS YOU DID ON ACTUAL COMMERCIAL PROPERTY, BUT IN ALL KINDS OF RESIDENTIAL PROPERTY, THAT'S EXACTLY THE MODEL THAT WE ARE TALKING ABOUT.

McCracken: YEAH BECAUSE I CAN SEE A MODEL THAT WENT SOMEWHERE ALONG THESE LINES THAT WE DEVELOPED A PRETTY GOOD FEE IN LIEU OF SYSTEM, EITHER PROVIDE AFFORDABLE HOUSE AND FEE IN LIEU OF, WHAT WE ARE DISCOVERING IS A LOT OF TIMES, AT LEAST NOT ALWAYS, A LOT OF TIMES WE GET FEES IN LIEU OF. THAT MAYBE THERE COULD BE A SECOND LEVEL OF RESPONSIBILITY TO COME WITH IT, WHICH WOULD SAY THAT YOU HAVE A RIGHT OF FIRST REFUSAL AND A CERTAIN PERCENTAGE OF UNITS TO CONTRIBUTE SAY \$200,000 TO A UNIT TO BUY DOWN THAT COSTS, IT BECOMES WITH A PERMANENT AFFORDABILITY COVENANT.

[MULTIPLE VOICES]

THAT'S EXACTLY THE WAY WE ARE ENVISIONING THAT IT WOULD WORK. WHICH IS ALSO WHY HAVING A PIPELINE OF QUALIFIED BUYERS READY TO GO IS SO IMPORTANT. BECAUSE IF YOU HAVE A RIGHT OF FIRST REFUSAL WITH THE DEVELOPER, YOU WANT TO BE ABLE TO HONOR IT AND HAVE HOMEOWNERS LINED UP READY TO PURCHASE.

THE OTHER POINT THAT I WOULD MAKE ON THAT IS THAT AGAIN BY HAVING THE ABILITY, I THINK THAT -- THAT WE CAN CONTINUE TO EXPLORE A VARIETY OF MODELS. AS KELLY WAS TALKING ABOUT, THE -- THE COMBINING OF SMART HOUSING INCENTIVES WITH THE COMMUNITY LAND TRUST WHERE WE LITERALLY ARE TALKING TO SOMEONE IN A SUBDIVISION OF SAYING WE WOULD LIKE TO ENHANCE YOUR SMART HOUSING INCENTIVES, FOR EXAMPLE, AGAIN THIS IS JUST SINGLE FAMILY I REALIZE, BUT WHERE FIVE PERCENT OF THE HOMES MIGHT BE COMMUNITY LAND TRUST HOMES IN A SUBDIVISION. NOBODY WOULD KNOW WHICH ONES ARE

COMMUNITY LAND TRUST HOMES OR WHICH ONES ARE REGULAR HOMES. THE ABILITY OF HAVING SOME STABILITY WITH -- AS WE SAID WITH THE GOVERNMENT PARTICIPATION, ALONG WITH THE FLEXIBILITY OF OTHER NON-PROFITS WHO CAN COME UP WITH UNIQUE OPPORTUNITIES OF -- OF SPECIFIC PARTNERSHIPS DESIGNED FOR SPECIFIC PROPERTIES AND SPECIFIC POPULATIONS, I THINK WE CAN LOOK AT A VARIETY OF DIFFERENT MODELS AND SO THAT'S WHY WE ARE SO EXCITED ABOUT, YOU KNOW, JUST BASICALLY GETTING STARTED ON -- A ALLOWING SOME QUALITY CONTROL STANDARDS, SOME CERTIFICATION STANDARDS AND HAVE THE FLEXIBILITY TO ALLOW THIS -- THIS TOOL TO ACTUALLY EXPAND INTO A VARIETY OF USES.

PHI MY FINAL QUESTION IS, IT APPEARS THAT YOU DID SOME -- WHETHER YOU DID SOME KIND OF A LEASE OR IN CONCEPT YOU WOULDN'T HAVE TO DO A GROUND LEASE ON THE DIRT FOR INSTANCE. YOU COULD JUST SIMPLY SAY, LIKE WE DID WITH THE CHILDREN'S MUSEUM, THE PERMANENT AFFORDABILITY COVENANT, THERE'S THE PERMANENT AFFORDABILITY COVENANT, IT PROVIDED A FORMULA FOR WHAT PRICE COULD BE SOLD AT. ONE OF THE THINGS WE NEED GUIDANCE ON IS HOW MUCH WEIGHT DOES THAT CARRY WITH THE TRAVIS COUNTY APPRAISAL DISTRICT? HOPEFULLY IT'S PRETTY DISPOSITIVE.

RIGHT, I GUESS TWO POINTS. MANY OTHER STATES HAVE ADOPTED A COMMUNITY LAND TRUST MODEL BECAUSE THEIR STATE LAW DOES NOT ALLOW RESTRICTIVE COVENANTS OR DEED RESTRICTIONS TO RUN IN PERPETUITY. TEXAS IS A LITTLE BIT DIFFERENT, WE DO. WE HAVE RESTRICTIVE COVENANTS THAT CAN RUN IN PERPETUITY. HOWEVER, THE GROUND LEASE PROVIDES SOME BACK STOPS. FOR INSTANCE TO PREVENT FORECLOSURE, SO THAT GROUND LEASE MECHANISM HAS BEEN PROVEN SUCCESSFUL ACROSS THE NATION AS A WAY TO HELP MONITOR CLT HOME BUYERS IN THEIR HOMES, THE GROUND LEASE COMES WITH A NOMINAL GROUND LEASE FEE, SERVES AS A CANARY IN THE COAL MINE. IF THEY ARE NOT PAYING IT OF \$10 A MONTH, \$25 A MONTH, SOMETHING ELSE MAY BE GOING ON. I THINK THE COMMERCIAL VERSUS RESIDENTIAL CONTEXT IS A LITTLE BIT DIFFERENT. THE STAKEHOLDER GROUP DID ADDRESS A BUSINESS OR

COMMERCIAL CLT. WE ARE NOT THERE YET. I THINK WE WOULD ALL AGREE THAT WE WOULD START WITH SINGLE FAMILY DETACHED. I GUESS THAT'S ONE POINT THAT I WOULD MAKE ABOUT THE GROUND LEASE VERSUS A RESTRICTIVE COVENANT. GIVEN THAT, THERE ARE A NUMBER OF WAYS THAT YOU CAN WORK THE CLT MODEL INTO A CONDO REGIME. AND I THINK WHAT WE ARE GOING TO SEE IS DEPENDING ON THE TYPE OF CONDO PROJECT THAT'S CREATED, YOU COULD POTENTIALLY SEE DIFFERENT WAYS OF TREATING THAT CONDO RELATIONSHIP WITH THE CLT. SO IF YOU HAD A NON-PROFIT HOUSING PROVIDER THAT WANTED TO DO A REASONABLY PRICED CONDO DEVELOPMENT, YOUR CLT MODEL MIGHT LOOK A LITTLE BIT DIFFERENT IF YOU WERE DOING CLT UNIT IN A LUXURY HIGH RISE CONDO DOWNTOWN FOR INSTANCE. SO THERE MAY BE DEED RESTRICTIONS USED IN CONDOS AND SOME -- IN SOME CASES AND THEN GROUND LEASES IN OTHERS. DEPENDING ON WHO THE DEVELOPER IS. SO THAT'S ONE CONSIDERATION. AS WELL.

McCracken: KELLY, THAT'S -- I AM GLAD YOU BROUGHT THIS UP BECAUSE YOU HAVE BEEN PART OF OUR TEAM ON THE DESIGN STANDARDS TASK FORCE AS WE ARE ADDING IN THE AFFORDABILITY COMPONENT ON THE VERTICAL MIXED USE ZONING DISTRICT, THANKS TO PAUL CATCHING THAT. WE ARE ON A PRETTY SHORT FUSE. THE HOPE IS NEXT WEEK THAT THE TASK FORCE WILL GET TOGETHER TO SET THOSE AFFORDABILITY PERCENTAGES WILL BE. IT APPEARS LIKELY THAT WE WOULD WANT TO USE SOME TYPE OF FORMULA OF THIS COMMUNITY LAND TRUST/AUSTIN CHILDREN'S MUSEUM MODEL THAT WE USE. THAT MEANS THAT WE MAY NEED TO HAVE IN PLACE HOW WE ARE GOING TO DO THIS BY NEXT MONTH. WE ARE SUPPOSED TO VOTE ON THE FINAL CODIFICATION OF DESIGN STANDARDS NEXT MONTH.

ABSOLUTELY, OUR 30 DAY TURN AROUND ON THE CONDO ANALYSIS OUT STARTED RUNNING APRIL 24th. WE HAVE STARTED ON THAT ANALYSIS, I ANTICIPATE WE WILL BE DONE BY THE TIME WE ARE READY TO GO ON BMU.

GREAT, THANKS. MARES COMIEWNG? >>

Mayor Wynn: COUNCILMEMBER DUNKERLYING.

ASKED MOST OF MY QUESTIONS. ON PAGE 6 OF THE REPORT, ARE THESE PEOPLE THAT HAVE ACTUALLY PARTICIPATE UNDERSTAND FOCUS GROUPS.

YES.

THE QUESTION IS WHEN WE FIRST STARTED THINKING ABOUT HOW TO MAKE THESE ARRESTEDDABLE, THE LENDING -- AFFORDABLE, THE LENDING COMMUNITY WAS A LITTLE INSECURE ABOUT TALKING ABOUT THIS BECAUSE IT'S NOT A MODEL THAT WE SEE A LOT HERE IN TEXAS. BUT I GUESS MY QUESTION IS WITH THE INTEREST AND THE PUBLICITY ON A NATIONAL LEVEL NOW ABOUT THIS AND THE IDEA OF TRYING TO GET THEM TO THINK ABOUT IT AS A CONDO, DO YOU SEE A MORE POSITIVE RESPONSE THERE?

YES, MA'AM. I WANT TO LET KELLY ANSWER THIS, BUT I WILL TELL YOU THAT COMMUNITY LAND TRUST AS A MOVEMENT AROUND THE COUNTRY IS BECOMING MUCH STRONGER AND KELLY CAN TALK DIRECTLY ABOUT THE LENDING PRODUCT THAT SHE'S AWARE OF.

Dunkerly: OKAY.

FANNY MAY HAS A STUDENT LAND TRUST MORTGAGE PRODUCT. WHEN I CALLED HEADQUARTERS AT FANNIE MAE HERE IN TEXAS, THEY SAID A COMMUNITY WHAT. I SAID IT'S ON YOUR WEBSITE. THEY DO INDEED HAVE A PRODUCT. WE ARE IN DIRECT COMMUNICATION WITH NATIONAL FANNY MAY, ACTUALLY MEETING WITH THEM TOMORROW SO THEY ARE VERY EXCITED ABOUT PROVIDING THAT MORTGAGE PRODUCT HERE IN AUSTIN. WELLS FARGO ALSO HAS A COMMUNITY LAND TRUST MORTGAGE PRODUCT THEY HOLD IN HOUSE. THEY DON'T SELL IT ON THE SECONDARY MARKET. BETWEEN FANNIE MAE'S PRODUCTS USED BY A VARIETY OF LENDERS COMBINED WITH THE WELLS FARGO PRODUCT, TYPICALLY LENDERS DON'T LIKE TO BE THE ONLY GAME IN TOWN LENDING AS WELL, BETWEEN THOSE TWO PRODUCTS WE WILL HAVE A SOLID BASE FOR LENDING.

THAT'S REALLY ENCOURAGING, I THINK. THE SECOND

QUESTION, I KNOW WE ARE REALLY THINKING IN TERMS OF SEVERAL PERHAPS WAYS TO USE A COMMUNITY LAND TRUST, WHETHER IT'S IN A -- SOME ASPECT OF IT AND IN A REGULAR SINGLE FAMILY SUBDIVISION OR A RENTAL PROJECT, CONDO PROJECT, BUT AS YOU LOOK AT THOSE RENTAL PROJECTS AND CONDO PROJECTS, PARTICULARLY RENTAL, I WANT TO MAKE SURE THAT WE ARE NOT -- THAT WE ARE INCLUDING ENOUGH SPACE SO THAT A SMALL FAMILY COULD RESIDE THERE AND NOT JUST A SINGLE INDIVIDUAL AND EMPTY NESTERS SORT OF PRODUCT THAT WE SEE IN MANY OF -- OF THE CONDO OR HIGH MARKET PROJECTS, I WOULD APPRECIATE THAT, THANKS.

Mayor Wynn: COUNCILMEMBER ALVAREZ?

Alvarez: THANKS, MAYOR. I JUST WANTED TO THANK YOU ALL FOR YOUR CONTINUED WORK ON THIS. I THINK IT'S A GREAT TOOL FOR US TO ADDRESS OUR HOUSING CRIESDZING CRISIS ARE HOUSING SWAYING. A COUPLE OF COMMENTS IN TERMS OF NEXT STEPS. I DO THINK -- I WAS LOOKING AT THE LIST OF PERSONS OR GROUPS TO ARE INCLUDED IN THE ADVISORY COMMITTEE, WE MIGHT INCLUDE A REPRESENT OF THE COMMUNITY DEVELOPMENT COMMISSION, I JUST THOUGHT THAT THEY HAVE BEEN INVOLVED ON SOME LEVEL.

ABSOLUTELY.

NOT AS A COMMISSION THEN AS INDIVIDUALS I THINK. I THINK THAT WOULD BE A NATURAL GROUP TO HAVE REPRESENTED. ALSO I THINK FIGURING OUT SORT OF HOW TO DEAL WITH THE CONDO REGIME WOULD BE GOOD. BUT I JUST THINK THIS IS A GREAT TOOL FOR US REGARDLESS OF WHETHER THAT'S AN INTEGRAL ELEMENT OR NOT BECAUSE -- I THINK OF IT IN MORE IN TERMS OF PRESERVING EXISTING STOCK OF AFFORDABLE HOUSING. VERSUS -- VERSUS THE CONTINUING -- TRYING TO BUILD AFFORDABLE HOUSING THE WAY WE HAVE BEEN, WHICH IS, YOU KNOW, BUILDING AFFORDABLE HOME YOU HAVE GOT TO SPEND \$100,000 PLUS IN ESSENCE OR APPROXIMATELY. SO IF WE COULD, YOU KNOW, PRESERVE AFFORDABLE HOUSING THAT EXISTS BY PURCHASING THE LAND FROM AN EXISTING HOMEOWNER WHO QUALIFIES, YOU KNOW, AS A -- AS UNDER OUR

AFFORDABILITY CATEGORIES AND THAT MIGHT COST US
NUN 30, \$40,000, WE MIGHT HAVE, YOU KNOW, A GREAT
DEGREE OF LONGEVITY IN TERMS OF THAT PROPERTY
REMAINING AFFORDABLE. AGAIN IT MY END UP COSTING US
LESS IN THE END, TOO, IF I WAS A HOMEOWNER AND
SOMEBODY WAS SAYING YOU HAVE GOT TO STAY IN YOUR
HOUSE, HERE'S A CHECK FOR 30 OR \$40,000, I THINK EVEN
THOUGH I MIGHT NOT LIKE THE IDEA, I MIGHT AT LEAST
LISTEN TO THE PITCH, YOU KNOW, BECAUSE I THINK THAT'S
ONE THING THAT WE DO HAVE GOING FOR US IS THE ABILITY
MAYBE TO PROVIDE SOME RESOURCES TO SOME LOW
INCOME FAMILIES. TO HELP THEM DEAL WITH SOME OF THE
CHALLENGES THAT THEY ARE FACING, BUT MAYBE ALSO
HELP US WITH THE PRESERVATION OF -- OF AFFORDABLE
HOUSING WITH THE INVESTMENT OF A MUCH MORE LIMITED
AMOUNT OF FUNDS PER UNIT. AND SO THAT'S JUST MY
COMMENT. I THINK IN THE CONDO REGIME ACTUALLY THIS
WOULD BE EVEN MORE EFFICIENT BECAUSE YOU ARE
DRIVING DOWN THE COST FOR A GREATER NUMBER OF
UNITS. LET'S SAY IF YOU WERE TO OWN THE LAND ON WHICH
A CONDO DEVELOPMENT, YOU KNOW, SITS AND SO IT MAY
ACTUALLY NOT SAVE YOU AS MUCH PER UNIT, BUT COULD
HAVE A -- A REDUCTION IN AFFORDABILITY OR
IMPROVEMENT IN AFFORDABILITY FOR A GREATER NUMBER
OF UNITS. SO I -- I THINK THAT IS AN IMPORTANT ELEMENT
AND I HOPE THAT YOU CAN KIND OF WORK THROUGH THOSE
ISSUES AS QUICKLY AS POSSIBLE AND ESPECIALLY THE --
THE TOOL, YOU KNOW, THAT WE ARE GOING TO USE SO
THAT -- TO KEEP THE -- THE AGREEMENT I GUESS BETWEEN
HOME OWNER AND THE LAND OWNER WHICH WOULD BE THE
CITY OR NON-PROFIT ENTITY BECAUSE IF WE ARE PLANNING
TO MAYBE USE THIS AS A -- AS A TOOL IN THE MONTOPOLIS
PROJECT, THEN WE ARE GOING TO NEED TO HAVE THAT
TOOL IN PLACE PRETTY SOON.

YES, SIR.

Alvarez: BUT THAT WOULD BE HELPFUL FOR US IN THE
CONTENT OF THE -- CONTEXT OF THE MUELLER
REDEVELOPMENT AND MAYBE OTHER PROJECT PROJECTS
LIKE COLONY PARK OR OTHER AREAS WHERE WE HAVE
CITY-OWNED LAND AND WE MIGHT BE ABLE TO INCREASE
THE DEPTH OF THE AFFORDABILITY WE ARE OFFERING BY

USING COMMUNITY LAND TRUSTS AND THEN WE HAVE TO LOOK AT THE ISSUE OF WELL HOW DO WE INVEST OUR EXISTING RESOURCES TO FULLY TAKE ADVANTAGE OF THIS BENEFIT. SO I KNOW THERE'S A LOT OF POTENTIAL HERE. I WANT TO THANK ALL OF THE STAKEHOLDERS. I KNOW THERE'S A FEW OUT HERE WHO HAVE PARTICIPATED AND OUR STAFF FOR THEIR DILIGENT WORK AND WE JUST KIND OF HOPE TO KEEP THE MOMENTUM GOING SO THAT AGAIN WE CAN PUT THIS NEW TOOL IN OUR TOOL BOX AND START REAPING THE BENEFITS, I APPRECIATE AGAIN ALL OF YOUR WORK ON THIS.

THANK YOU VERY MUCH, COUNCILMAN.

Mayor Wynn: COUNCILMEMBER KIM.

THANK YOU FOR YOUR WORK I WANT TO THANK THE STAKEHOLDERS, TOO, FOR PARTICIPATING, ESPECIALLY PAUL FOR INCLUDING THE LEPDERS AND BROKE lepders and broke , I ANTICIPATED THAT THEY WOULD HAVE QUESTIONS ABOUT THIS. THANK YOU FOR CHECKING IN WITH THEM. I KNOW THAT IT'S GOING TO BE A NEW TOOL FOR TEXAS. MAYBE IN OTHER PARTS OF THE COUNTRY. SO WE ALSO HAVE TO LOOK AT OUR OWN BANKING LAWS AND CONDO LAWS AS WELL. ANY WAY THAT WE CAN HELP, LET US KNOW, I LOOK FORWARD TO SEEING THE PRODUCT. THANK YOU.

THANK YOU VERY MUCH. FURTHER COMMENTS, QUESTIONS OF STAFF? THANK YOU ALL VERY MUCH.

THANK YOU, SIR.

COUNCIL NOW WE WILL GO INTO ITEM NO. 32, THE BRIEFING FOR THE 2006 BOND ELECTION.

MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, GREG CANALE BUDGET OFFICER. WE ARE BEFORE YOU TODAY TO COMPLETE THE BOND PROGRAM RECOMMENDATION THAT WE HAVE BEEN REVIEWING WITH YOU THESE LAST SEVERAL COUNCIL MEETINGS, WRAPPING UP WITH THE FINAL COMPONENTS OF OUR INVESTMENT IN OUR FUTURE AREAS, AFFORDABLE HOUSING AND LAND ACQUISITION, BEFORE YOU AGAIN IS THE NEEDS ASSESSMENT ON THE BOND

ELECTION ADVISORY COMMITTEE'S RECOMMENDATION. AND OUR NEEDS ASSESSMENT. AND WE HAVE NOW COMPLETED FILLING IN INVESTMENT IN OUR INFRASTRUCTURE PORTION OF THE BOND PROGRAM AND THREE OF THE INVESTMENT IN OUR FUTURE COMPONENTS NOW TOTALING \$436.4 MILLION, TODAY WE WILL COMPLETE FILLING IN THE AMOUNTS ON THIS TABLE. FIRST LEAD OFF WITH PAUL HILGERS AND THE RECOMMENDATION ON THE AFFORDABLE HOUSING BONDS, FOLLOWED BY WARREN STRUSS TO WALK YOU THROUGH THE PARKLAND AND THEN I WILL BRIEFLY DISCUSS OUR OPEN SPACE AND WATER QUALITY PROTECTION LAND RECOMMENDATION, FINALLY JOHN WILL WRAP UP AND WALK YOU THROUGH THE NEXT STEPS OVER THE NEXT SEVERAL COUNCIL MEETINGS, HERE'S PAUL AGAIN.

HI! I AM PAUL HILGERS, COMMUNITY -- DIRECTOR OF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. I'M VERY EXCITED AGAIN TO COME BEFORE YOU AND TALK TO YOU ABOUT THIS REALLY EXCITING OPPORTUNITY. OUR RECOMMENDATIONS FOR THE GENERAL OBLIGATION AFFORDABLE HOUSING BONDS IN AUSTIN, TEXAS. I WILL BE DISCUSSING IN THIS PRESENTATION ESSENTIALLY THE NEED FOR AFFORDABLE HOUSING BRIEFLY. THE CITY OF AUSTIN'S AFFORDABLE HOUSING SOLUTIONS AND A CURRENT -- OUR CURRENT PROGRAMS, THEN TALKING ABOUT THE RECOMMENDATIONS SPECIFICALLY. THIS COUNCIL KNOWS THAT A LACK OF AFFORDABLE HOUSING CONTRIBUTES TO INCREASED CRIME RATES, POOR SCHOOL AND EDUCATIONAL PERFORMANCE AND INCREASED STRESSES ON OTHER SOCIAL SERVICES. I WOULD SAY THAT THIS COUNCIL AND THE COUNCIL'S, PREVIOUS COUNCILS OF THIS CITY HAS COMMITTED MORE DOLLARS TOWARDS ISSUES OF AFFORDABLE HOUSING THAN ANY OTHER CITY IN THE STATE. MORE DOLLARS IN ITS TRUST FUND AND SUPPORT OF AFFORDABLE HOUSING THAN THE ENTIRE STATE OF TEXAS DOES WITHIN THE STATE OF TEXAS DOES FOR THE ENTIRE STATE OF TEXAS. SO YOUR LEADERSHIP HAS BEEN RECOGNIZED NATIONALLY. BUT UNFORTUNATELY IT'S TIME WHERE WE ARE GOING TO HAVE TO FIND SOME OTHER RESOURCES TO DEAL WITH THESE ISSUES AND THIS CRISIS THAT WE HAVE IN THIS COMMUNITY. HOUSE THE STRATEGY, THE FOUNDATION OF OUR HOUSING POLICY,

WHEN WE ARE TALKING ABOUT FUNDING DOLLARS, WE HAVE TO GO BACK TO THE HOUSING CONTINUUM. AS A STRATEGY FOR INVESTMENT, AS A STRATEGY FOR COLLABORATION AND AS A STRATEGY TO IDENTIFY WHERE THE NEEDS ARE IN THIS COMMUNITY NO INCREASED INVESTMENT IN HOUSING. THE IDEA IS OBVIOUSLY ONE THAT'S FAIRLY SIMPLE IN THAT WE ARE CREATING HOUSING AS A PUBLIC POLICY TO HELP PEOPLE ACHIEVE LEVELS OF SELF SUFFICIENCY, THAT HOUSING IS A CRUCIAL ELEMENT IN THE PUBLIC POLICY TOOL BOX THAT PEOPLE MUST HAVE QUALITY AFFORDABLE HOUSING TO STABILIZE THEIR LIVES SO THAT THEY CAN BECOME SELF SUFFICIENT. ESSENTIALLY BOTH THE QUANTITATIVE ANALYSIS AND FEEDBACK FROM RESIDENTS AND STAKEHOLDER HAVE REINFORCED THAT THE MOST PRESSING NEEDS, HOUSING NEEDS FACING THESE COMMUNITIES ARE REALLY RIPPLING THROUGH EVERY LEVEL OF THIS CONTINUUM BUT WE HAVE IDENTIFIED THAT THE MOST IMPORTANT ISSUES FACING THIS COMMUNITY ARE IN THE AREAS OF VERY LOW INCOME, RENTAL OPPORTUNITIES, AND HOUSING FOR WORKING FAMILIES. BUT THE HOUSING CRISIS DOES -- DOES IMPACT FAMILIES AT THE VERY POOR LEVEL AS WELL AS FAMILIES THAT ARE WORKING. THE NEED FOR HOUSING THAT IS AFFORDABLE IS DISBURSED AMONG MANY INCOME LEVELS. AUSTIN HAS -- HAS THE HIGHEST HOUSING COSTS IN TEXAS. AND THAT INDICATES THAT AUSTIN IS FACING A HOUSING CRISIS. THE MEDIAN HOME SALES PRICE IN AUSTIN IS \$165,900. MORE EXPENSIVE THAN DALLAS. AVERAGE RENTS IN AUSTIN ARE ALSO HIGHER THAN OTHER TEXAS CITIES. AVERAGE ONE IN AUSTIN FOR A THOUSAND SQUARE FOOT APARTMENT IS \$870. THERE ARE TWO PRIMARY FACTORS FUELING THIS CRISIS. RAPIDLY INCREASING REAL ESTATE MARKET, SPURRED BY POPULATION GROWTH, PLEASEING INCREASED DEMANDS ON THE HOUSING MARKET. AND RELATIVELY SLOW GROWTH IN INCOME AND WAGES. A SAFE AND DECENT PLACE TO LIVE IS CORRELATED TO POSITIVE CHILD DEVELOPMENT. LACK OF HOUSING HURTS STUDENTS AND SCHOOL PERFORMANCE. CHILDREN UNDER THE AGE OF 18 COMPRISE 39% OF THE HOMELESS POPULATION IN THIS COUNTRY. FAMILIES WITH CHILDREN ARE THE FASTEST GROWING SEGMENT OF THE HOMELESS POPULATION IN THIS COUNTRY. AND THE EXISTING PROGRAMS THAT WE

HAVE IN AUSTIN ARE OVERWHELMED. THE HOUSING AUTHORITY OF THE CITY OF AUSTIN, WHICH IS ONE OF THE TOP HOUSING AUTHORITIES IN THE NATION, HAS 4,406 PEOPLE ON THE WAITING LIST FOR THEIR 1928 UNITS OF PUBLIC HOUSING. AND 5,100 PEOPLE THAT ARE ON THE WAITING LIST FOR SECTION 8 RENTAL ASSISTANCE. AND BOTH WAITING LISTS ARE CLOSED. HOME OWNERSHIP IN AUSTIN IS OUT OF THE REACH OF MANY AND AUSTIN HAS A VERY LOW HOME OWNERSHIP RATE. IT'S ONLY 48% COMPARED TO 64% FOR THE STATE OF TEXAS AND 66% FOR THE NATION. AND A HOME OWNERSHIP RATE IS EVEN LOWER FOR MINORITY COMMUNITIES, AFRICAN-AMERICAN 37.3%, HISPANIC 36.3%, AND ASIAN HOME OWNERSHIP RATE IS AT 30.2%. BUT RENTERS ARE ALSO FACING HUGE BUDGET PRESSURES. AN AUSTIN FAMILY HAS TO MAKE AT LEAST \$31,400 A YEAR OR WORK FULL TIME AT 15.10 TO REPRESENT A TWO BEDROOM APARTMENT AT THE AVERAGE RENT OF \$785 PER MONTH. THIS IS BASED ON PAYING NO MORE THAN 30% OF HOUSEHOLD INCOME ON HOUSING EXPENSES. IN ADDITION TO FAMILIES, WORKING FAMILIES WITH CHILDREN, THERE'S DRAMATIC NEED FOR SPECIAL NEEDS HOUSING AND SENIORS HOUSING. OVER 16,000 OF AUSTIN'S LOW INCOME HOUSEHOLDS INCLUDE PEOPLE WITH DISABILITIES. OVER 60% HAVE HOUSING RELATED ISSUES. BEYOND PAYING -- THEY ARE PAYING BEYOND THEIR MEANS FOR HOUSING, SOME AS MANY AS 70% OF THEIR LIMITED INCOME AS BEING PAID ON HOUSING. HOUSING WAS IDENTIFIED AS A PRIORITY. BY THE MAYOR'S MENTAL HEALTH TASK FORCE AND HAS BEEN LONG SOUGHT WITH MHMR LOOKING FOR SPECIAL NEEDS HOUSING AS A CRITICAL NEED. THERE ARE ALSO CRITICAL NEEDS TO REMOVE PHYSICAL BARRIERS TO HOUSING. IN THE NEXT 25 YEARS, THE NUMBER OF CITY OF AUSTIN RESIDENTS, AGE 65 AND OVER, WILL INCREASE BY 218%. AND SENIORS ARE FACING THE BUDGET SQUEEZE. 58% OF LOW INCOME SENIORS WHO RENT MUST FORGO OTHER BASIC NEEDS TO PAY FOR HOUSING. AND THEY OFTEN LIVE IN POOR HOUSING CONDITIONS. IN AUSTIN, WE HAVE EVOLVED OUR HOUSING GOALS. WE ARE NO LONGER JUST WORRIED ABOUT THE PRODUCTION OF AFFORDABLE HOUSING. WE HAVE NOW THOSE GOALS HAVE EVOLVED AND THEY ARE SHIFTING TO THE GOALS THAT KELLY MENTIONED BEFORE, WHICH ARE TO PRESERVE HOUSING

AFFORDABILITY, TO RECYCLE THE INVESTMENT TO MAINTAIN AFFORDABLE HOUSING STOCK AND TO MITIGATE THE NEGATIVE PRESSURES OF GENTRIFICATION. OUR CURRENT SOLUTIONS IN AUSTIN CAN REALLY BE SUMMARIZED INTO THREE DIFFERENT CATEGORIES OF PROGRAMS. THEIR DIRECT CLIENT ASSISTANCE PROGRAMS, AFFORDABLE HOUSING PARTNERSHIPS IN WHICH WE ACT AS A REAL LENDING AGENT AND SMART HOUSING INCENTIVES. STAFF IS RECOMMENDED THAT THE GENERAL OBLIGATION BOND FUNDING FOR AFFORDABLE HOUSING PARTNERSHIP PROGRAMS ACQUISITION DEVELOPMENT PROGRAMS AND THE RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAMS ARE THE BEST MECHANISMS FOR THIS FUNDING. THERE WERE, AS THIS IS NEW FOR US, SOME LEGAL CONSIDERATIONS THAT WE HAD TO -- WE ARE CONTINUING TO WORK THROUGH. FEDERAL TAX LAW ISSUES, WHICH INVOLVE PRIVATE USE ISSUES. A BOND CAP ISSUE, THE STATE BOND FINANCE LAW, WHICH MEANS THAT THESE FUNDS HAVE TO BE USED FOR PUBLIC BENEFIT, HAS TO MEET A PUBLIC BENEFIT TEST. AND THE CITY HAS TAKEN THE FOLLOWING ACTION TO OBTAIN PRIOR APPROVAL FROM THE TEXAS ATTORNEY GENERAL'S OFFICE BEFORE WE WOULD IMPLEMENT THESE BONDS, SPECIFICALLY BOND COUNSEL ASSISTED IN PREPARING PROPOSED PROGRAM SUMMARIES AND BOND COUNCIL SUBMITTED PROGRAM SUMMARIES TO THE ATTORNEY GENERAL AND WE ARE WAITING FOR THE FINAL REMAINING APPROVALS THAT WILL BE REQUIRED WOULD BE THE ATTORNEY GENERAL PRELIMINARY APPROVAL OF THE PROGRAM SUMMARIES AND THE ATTORNEY GENERAL REVIEW OF THE PROCESS OF THE FINDINGS OF PUBLIC PURPOSE, THE BALLOT LANGUAGE AND THE PROGRAM GUIDELINES. SO TAKING INTO CONSIDERATION ALL OF THE HOUSING NEEDS, THE COMMUNITY'S INPUT, THE COMMUNITY GOALS, THE EFFORTS OF -- OF THE HOUSING COMMITTEE AND THE BOND COMMITTEE AND OUR PROPOSED SOLUTIONS, STAFF ADDRESSED THE FOLLOWING OBJECTIVES WHEN RECOMMENDING THE AFFORDABLE HOUSING BONDS. FIRST, SATISFY THE LEGAL REQUIREMENTS. SECOND, FUND AFFORDABLE HOUSING FOR THOSE HOUSEHOLDS MOST IN NEED. THIS IS PRECIOUS GENERAL OBLIGATION BOND MONEY AND WE THINK IT SHOULD GO TO SERVE THOSE

MOST IN NEED. MAXIMIZE THE IMPACT OF GENERAL OBLIGATION BOND FUNDING TO PROVIDE LONG-TERM AND PERMANENT AFFORDABLE HOUSING OPPORTUNITIES. AND WE MEAN BY THAT PERMANENT AND AFFORDABLE HOUSING OPPORTUNITIES NOT JUST FOR THE LOWEST INCOME, BUT ALSO FOR WORKING FAMILIES. LEVERAGE GENERAL OBLIGATION BOND FUNDING WITH FUNDING WITH OTHER SOURCES AND IT'S BECOME MORE AND MORE IMPORTANT TO OFFSET THE LOSS OF FEDERAL FUNDING FOR HOUSING PROGRAMS WHICH WE HAVE SEEN OVER THE PAST THREE YEARS AND THE PASSAGE OF THE BOND WOULD ALLOW US TO DO THAT. THE STAFF RECOMMENDATION FOR -- FOR THE AFFORDABLE HOUSING GENERAL OBLIGATION BOND IS \$50 MILLION. WHILE \$50 MILLION IS TWO TIMES THE ORIGINAL PLACE HOLDER AMOUNT SET FOR THIS ITEM, THE STAFF HOUSING ADVOCATES AND I'M SURE THE COUNCIL RECOGNIZED THE NEEDS FAR EXCEED \$50 MILLION. HOWEVER WHEN BALANCED WITH THE OTHER PRIORITIES OF THE CITY BOND INITIATIVE, AND THE IMMEDIATE NEEDS THAT WE SEE IN THE COMMUNITY FOR INVESTMENTS, FOR HOUSING, DEVELOPMENTS THAT WE KNOW ARE IN THE PIPELINE, WE ARE COMFORTABLE WITH THIS RECOMMENDATION AND BELIEVE WE CAN DO SOME MAJOR GOOD WITH THIS RECOMMENDATION. I WOULD LIKE TO TALK A LITTLE BIT MORE SPECIFICALLY ABOUT THE PROGRAMS. FIRST THE RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM, THIS PROGRAM PROVIDES GRANT AND LOANS TO QUALIFIED DEVELOPERS FOR QUALITY RENTAL HOUSING INCLUDING PROPERTY ACQUISITIONS, DESIGN, INFRASTRUCTURE DEVELOPMENT, REHABILITATION AND CONSTRUCTION OF NEW OR ECONOMISTING RENTAL HOUSING INCLUDING SPECIAL NEEDS HOUSING. QUALIFIED DEVELOPERS INCLUDE THE CITY OF AUSTIN CHODO'S AND OTHER NON-PROFIT DEVELOPERS MEETING FEDERAL TAX REGULATIONS AND OTHER LEGAL REQUIREMENTS. THIS QUALITY RENTAL HOUSING PROGRAM WILL SERVE HOUSEHOLD EARNING A MAXIMUM OF 50% OF MFI AND TARGETS HOUSEHOLDS EARNING 30% OF MEDIAN FAMILY INCOME. STAFF RECOMMENDS A LEVEL OF 60% OF THE GENERAL OBLIGATION BONDS ALLOCATED TO THIS PURPOSE. AS ONE OF THE I KNOW CONCERNS OF THE COMMUNITY IS ACCOUNTABILITY AND WHETHER OR NOT

THEIR MONEY WILL BE SPENT WISELY. I WANT TO SHOW A COUPLE OF EXAMPLES THAT THIS IS AN EXISTING PROGRAM, THIS PROGRAM IS SOMETHING THAT WE HAVE BEEN OPERATING FOR SOME TIME. I HAVE TWO EXAMPLES OF OUTSTANDING PROJECTS, ONE FOUNDATIONS COMMUNITIES IS RESPONSIBLE FOR THE DEVELOPMENT OF - OF GARDEN TERRACE. GARDEN TERRACE IS AN 85 UNIT SINGLE ROOM OCCUPANCY FACILITY SERVING HOMELESS AND LOW INCOME ADULTS EARNING LESS THAN 50% OF MEDIAN FAMILY INCOME AND IN MOST CASES BELOW 30% OF MEDIAN FAMILY INCOME. THE TOTAL PROJECT COST 4.5 MILLION WITH 1.6 MILLION PROVIDED THROUGH THE FINANCE CORPORATION BY THE CITY OF AUSTIN. LEVERAGED FUNDING FROM VARIOUS PUBLIC AND PRIVATE SOURCES INCLUDING COMPASS BANK, FEDERAL HOME LOAN BANK AND THE STATE OF TEXAS. SECONDLY, FAMILY ELDER CARE WAS RESPONSIBLE FOR THE DEVELOPMENT OF LIONS GARDENS. A 54 UNIT RENTAL DEVELOPMENT SERVELY ELDERLY HOUSEHOLDS EARNING LESS THAN 50% OF MEDIAN FAMILY INCOME, AGAIN MAINLY BELOW, A PROJECT THAT HAS WON NATIONAL AWARDS. THE TOTAL PROJECT COSTS OF 5.5 MILLION WITH OVER 800,000 PROVIDED THROUGH THE AUSTIN HOUSING FINANCE CORPORATION BY THE CITY OF AUSTIN. AN ADDITIONAL FUNDING PROVIDED HERE UNDER THE H.U.D. 202 GRANT WHICH PROVIDES RENT SUBSIDIES FOR 30 YEARS FOR FAMILIES, FOR THOSE LIVING IN THIS COMMUNITY. ADDITIONALLY, BEYOND THE RENTAL HOUSING DEVELOPMENT PROGRAM, ANOTHER ONE OF OUR EXISTING PROGRAMS IS THE ACQUISITION AND DEVELOPMENT PROGRAM. THIS PROGRAM PROVIDES GRANTS AND LOANS TO QUALIFIED DEVELOPERS FOR THE ACQUISITION OF LAND AND DESIGN, CONSTRUCTION INCLUDING THE INSTALLATION OF UTILITIES, DRAINAGE IMPROVEMENTS, STREETS, SIDEWALKS AND CONSTRUCTION MANAGEMENT OF INFRASTRUCTURE IMPROVEMENTS TO DEVELOP OR REDEVELOPMENT THE LAND THAT AFFORDABLE HOME OWNERSHIP OPPORTUNITIES. THIS PORTION OF THE BOND PROGRAM WILL BE MADE OF SEVERAL SUBPROGRAMS, INCLUDING COMMUNITY LAND TRUST OPPORTUNITIES, ACQUISITION DEVELOPMENT PROGRAM AND -- WHICH IS A PROGRAM THAT ACQUIRES AND DEVELOPS LAND FOR CONSTRUCTION OF AFFORDABLE

HOUSING. ANY REPAYMENT OF PROCESS ADVANCED UNDER THIS PROGRAM WOULD BE DEPOSITED IN THE ACQUISITION DEVELOPMENT PROGRAM INVOLVING BOND FUND. THE POPULATION THIS PROGRAM WOULD SERVE WOULD BE HOUSEHOLDS EARNING A MAXIMUM OF 80% OF MEDIAN FAMILY INCOME WITH A TARGET GROUP TO SERVE 50 TO 65% OF MEDIAN FAMILY INCOME OR BELOW. FOR EXAMPLE, HABITAT FOR HUMANITY SERVES FAMILIES BELOW 50% IN MANY CASES. FUNDING LEVEL RECOMMENDATION FOR THIS CATEGORY WOULD BE 40% OF THE GENERAL OBLIGATION BOND OR 20% OF -- \$20 MILLION OF OUR 50 MILLION-DOLLAR RECOMMENDATION. CRITICAL PARTNERS ARE PRIVATE AND NON-PROFIT HOUSING DEVELOPERS LIKE HABITAT, LIKE GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION. NEIGHBORHOOD HOUSING SERVICES OF AUSTIN. THE PRIMARY GOAL OF THE PROGRAM AGAIN WOULD CREATE PERMANENT AFFORDABLE HOME OWNERSHIP OPPORTUNITIES FOR WORKING FAMILIES IN AUSTIN. AND HERE AGAIN JUST PICTURES OF HOUSING THAT THE AUSTIN HOUSING FINANCE CORPORATION HAS DEVELOPED IN PARTNERSHIP WITH NON-PROFITS. STAFF RECOMMENDATION AGAIN FOR THE AFFORDABLE HOUSING GENERAL OBLIGATION BOND IS \$50 MILLION. THE STAFF PROPOSES THAT 60% OF THE ALLOCATION GO TO AFFORDABLE RENTAL HOUSING DEVELOPMENT TO SERVE HOUSEHOLDS EARNING A MAXIMUM OF 50% AND TARGETING PRIMARILY HOUSEHOLDS EARNING 30% OF MEDIAN FAMILY INCOME OR LESS, STAFF FURTHER PROPOSES THAT 40% OF THE ALLOCATION GO TO AFFORDABLE HOME OWNERSHIP DEVELOPMENT TO SERVE HOUSEHOLDS EARNING A MAXIMUM OF 80% TARGETING HOUSEHOLD AT 50 TO 65% OF FEEDIAN FAMILY INCOME OR LESS. WITH THAT I WOULD BE GLAD TO ANSWER ANY QUESTIONS THAT THE COUNCIL MIGHT HAVE.

THANK YOU, MR. HILGERS, QUESTIONS OF STAFF, COUNCIL? COUNCILMEMBER KIM?

Kim: THANK YOU, PAUL. I'M GLAD TO SEE YOU WITH THIS ALLOCATION THAT YOU HAVE BROKEN IT UP INTO RENTAL HOUSING DEVELOPMENT ASSISTANCE WITH HOME OWNERSHIP. I THINK THE TWO ARE VERY DIFFERENT AND THE ALLOCATION OF 60% FOR -- FOR RENTAL HOUSING; IS

THAT CORRECT? [INDISCERNIBLE] IS FOR HOME OWNERSHIP.

YES, MA'AM.

HOW CAN YOU ARRIVE AT THAT NUMBER?

WELL, IN LOOKING AT AGAIN A VARIETY OF ISSUES, ONE, IN LOOKING AT THE RECOMMENDATIONS FROM THE ADVOCACY COMMUNITY, THE BOND ADVISORY COMMITTEE AND IN LOOKING AT THE PROGRAMS THAT -- AND THE TARGET POPULATIONS THAT THEY HAD RECOMMENDED, ONE, AND WHAT PROGRAM ACTIVITIES THEY WERE REQUESTING, AND IN LOOKING AT THE NEED TO BALANCE THE OPPORTUNITY FOR HOME OWNERSHIP, WE RECOGNIZE THAT -- THAT IN LOW INCOME VERY LOW INCOME, RENTAL TRANSITIONAL HOUSING OPPORTUNITIES WERE IN OUR JUDGMENT THE MOST IN NEED OF ☐ THIS TYPE OF FUNDING. SO THAT YOU HAVE THE OPPORTUNITY TO INVEST IN ESSENTIALLY BUILDING THE PROPERTY WITH NO DEBT SERVICE APPLIED TO THE PRODUCT. IN OUR ESTIMATION, THE HIGHER PRIORITY WOULD GO TO SERVING VERY LOW INCOME. IF YOU LOOK AT THE BREAKDOWN THAT WAS -- THAT WAS PROPOSED, IT WAS 0 TO 30%, 30 TO 50% AN THEN 50 TO 80% IN 3 DIFFERENT CATEGORIES OF THE ADVOCACY AND THE BOND ADVISORY COMMITTEE. OUR RECOMMENDATION WAS TO -- TO COMBINE THOSE TWO INTO -- INTO THESE TWO PRIORITIES GIVING LOWER INCOME RENTAL PROPERTY A 20% HEAVIER WEIGHT, IF YOU WILL, AND SO THAT'S -- THAT'S ESSENTIALLY HOW WE CAME UP WITH IT. WE JUST THINK THAT THAT'S A HIGHER NEED.

Kim: IS THAT ALSO BECAUSE GENERALLY SPEAKING FEWER FAMILIES CAN BE SERVED, THOSE THAT HAVE A LOWER PERCENT OF MFI.

THAT'S CERTAINLY ANOTHER ISSUE. THE ISSUE OF HOW WE ESTIMATED HOW MANY PEOPLE COULD BE SERVED WOULD BE ESSENTIALLY ESTIMATING AT ABOUT \$50,000 FRANKLY PER -- EXCUSE ME, \$40,000 PER RENTAL PROPERTY PER FAMILY. THEN ON THE HOME OWNERSHIP SIDE, ACTUALLY THE SUBSIDY WOULD BE MORE LIKE \$50,000 PER FAMILY, JUST BECAUSE OF -- OF ITS -- WITH -- WHEN YOU LOOK AT THE FACT THAT THE HOUSING WE ARE PROPOSING TO BUILD

WILL SERVE FAMILIES ON A TEMPORARY BASIS, 18 MONTHS, TWO YEARS IN RENTAL, SO THAT THEY WILL STABILIZE THEIR LIVES, WE ARE GOING TO SEE A LOT MORE FAMILIES GO THROUGH THOSE PROPERTIES AND IF WE BUILD THEM MORE EFFICIENTLY BY BUILDING THEM IN DENSER AREAS AS OPPOSED TO SINGLE FAMILY RESIDENTS OR UNITS, THAT'S HOW WE ESTIMATED THOSE DOLLARS. SO -- SO IT -- IT ACTUALLY WORKS OUT IN OUR ESTIMATION SO THAT IN A HOME OWNERSHIP SITUATION YOU MAY BE ACTUALLY INVESTING ALMOST THE SAME AMOUNT AS YOU WOULD ON A RENTAL UNIT. IN THOSE CASES IT'S REALLY LOOKING AT UNITS NOT FAMILIES IN THE INVESTMENT PER UNIT THAT YOU ARE CONSTRUCTING JUST BECAUSE OF THE COST OF CONSTRUCTION.

SO FOR HOME OWNERSHIP YOU LOOK AT NUMBER OF UNITS AND BECAUSE OF THE -- OF THE RENTAL HOUSING DEVELOPMENT OR RENTAL HOUSING IT'S TYPICALLY FOR TWO YEARS AND HOPEFULLY GET THEM INTO HOME OWNERSHIP AFTERWARDS.

STABILIZE --

NUMBER OF FAMILIES FOR RENTAL HOUSING THEN NUMBER OF UNITS FOR HOME OWNERSHIP IS THAT WHAT YOU ARE SAYING?

WHAT WAS THE COST PER FAMILY FOR HOME OWNERSHIP? WAS IT 50, 5-0.

YES, THAT'S WHAT OUR ANALYSIS IS MUCH AGAIN IT'S DIFFICULT TO KNOW EXACTLY WHAT DEVELOPMENT PROPOSALS ARE COMING FORWARD AND HOW WE ARE GOING TO STRUCTURE THOSE WITH THE COMMUNITY LAND TRUST, WE ARE TRYING TO GET SOME SENSE OF WHAT WILL HELP US ACHIEVE THAT 50 TO 65% LEVEL OF HOME OWNERSHIP. SENIORS SUBSIDY IS CONCERNED. THAT'S A GENERAL WAY TO TRY TO GET A SENSE OF HOW MANY UNITS WE COULD PRODUCE.

IN TERMS OF ASSISTANCE, FINANCIAL ASSISTANCE FOR DOING SOME OF THESE PROJECTS, HAS YOUR DEPARTMENT LOOKED AT THE POSSIBILITY OF LEASE PURCHASE

AGREEMENTS.

WE DO HAVE THE OPPORTUNITY TO LOOK AT SOME PROPOSALS ON LEASE PURCHASE. THE COUNTIES STRATEGY AUSTIN HOUSING FINANCE CORPORATION ACTUALLY HAS A LEASE PURCHASE PROGRAM, WE HAVE TALKED TO THEM A LITTLE BIT ABOUT THOSE ISSUES. I THINK THAT THAT PROGRAM MAY BE A VIABLE OPTION FOR SOME OWNERSHIP. THAT THE DIFFERENCE BETWEEN THAT PROPOSAL AND THE PROPOSAL FOR A COMMUNITY LAND TRUST MAY BE SOMEWHAT COMPETE IN THIS THE MARKETPLACE. IF SOMEONE CAN GO AND LEASE SOMETHING, THAT THERE ARE ADVANTAGES AND DISADVANTAGES TO BOTH. BUT A LEASE PURCHASE PROGRAM IS ANOTHER TOOL THAT WE CAN CERTAINLY LOOK AT AND THAT THESE FUNDS MIGHT LEND THEMSELVES TO HELP FACILITATE.

WHEN YOU ARE SAYING LEASE PURCHASE, DO YOU MEAN THE CITY LEASING AND EVENTUALLY PURCHASING OR -- HOME OWNER.

YES, MA'AM, THAT'S WHAT I WAS REFERRING TO. IN THE LEASE PURCHASE PROGRAM WHAT HAPPENS, OF COURSE, IS THAT THE FAMILY BEGINS IN A LEASE FOR UP TO TWO OR THREE YEARS WHILE THEY GET THEIR CREDIT ESTABLISHED. THEIR PAYMENT HISTORY ESTABLISHED. THEN THEY ULTIMATELY APPLY THE LEASE, TRANSFER THAT INTO AN EQUITY POSITION WITH THE HOUSING SO THAT THEY BECOME A HOME OWNER OF THE SAME HOME THAT THEY HAVE BEEN LEASING FOR SOME YEARS. SO IT'S STRUCTURED THAT WAY THAT THEY ESSENTIALLY ASSUME THE OWNERSHIP AND AGAIN THAT PROGRAM HAS BEEN -- IS BECOMING MORE SUCCESSFUL I THINK WORKING THROUGH THE STRATEGIC HOUSING FINANCE CORPORATION AND ACCOUNTING. SO IT'S CERTAINLY SOMETHING THAT WE ARE TALKING TO THEM ABOUT.

HOW IS THAT DIFFERENT FROM A MORTGAGE? WELL, THE ONLY -- IT IS THE SAME THING AS A MORTGAGE, EXCEPT AT FIRST IT'S JUST A LEASE AGREEMENT. THEN THEY TRANSFER IT INTO A MORTGAGE EXACTLY. SO IT BECOMES A

LEASE, TRANSFERRED INTO A MORTGAGE PAYMENT.

Kim: I WAS ACTUALLY THINKING ABOUT A LEASE RESPECT FOR THE RENTAL HOUSING WHERE THE CITY WOULD LEASE WITH AN END PAYMENT OF LIKE A DOLLAR TO PURCHASE THE UNIT. PURCHASE THE PROPERTY WHICH COULD BE MIXED INCOME AND PROVIDE THAT AS RENTAL HOUSING.

THAT I HAVE NOT LOOKED INTO, I WOULD BE GLAD TO TAKE A LOOK AT THAT AS AN OPTION, I'M NOT FAMILIAR WITH THAT MODEL.

Kim: WELL, WE COULD LOOK AT IT.

ABSOLUTELY.

Kim: THANK.

IT'S A GREAT IDEA.

Mayor Wynn: FURTHER QUESTIONS OF STAFF BE COMMENTS? COUNCILMEMBER ALVAREZ? THANKS, MAYOR. JUST -- JUST IN THE -- IN OUR REQUEST TO THE AG FOR -- FOR I GUESS VARIOUS OPINIONS ON --

YES, SIR.

Alvarez: I'MING ON WHAT WE MAY USE OUR BOND FUNDS FOR, THEN WE ARE ASKING ABOUT THE COMMUNITY LAND TRUST.

YES, SIR.

TOO IN TERMS OF OUR ABILITY TO USE THOSE BOND FUNDS IN FURTHERANCE OF THAT PROGRAM.

YES, SIR. ABSOLUTELY. WE BELIEVE THAT THIS WOULD BE VERY HELPFUL TO PROVIDE A CORPUS TO BEGIN THAT PROGRAM.

Alvarez: WHEN DO WE THINK THAT WE'LL HAVE -- AN OPINION ON THAT?

LAST WEEK OF [LAUGHTER]

Alvarez:.

AN AVERAGE TO GET AN AG OPINION OR --

ANY DAY NOW IS WHAT I'M TOLD, SIR.

Alvarez: OKAY. SO THE REQUEST IS --

THE REQUEST HAS BEEN MADE. WE ARE WAITING IN RESPONSE.

WAS IT ALSO THE REQUEST MADE PER TAPING TO -- TO REHABILITATION, THE USE OF THOSE FUNDS FOR REHABILITATION OR WOULD WE GET AN OPINION ON THAT, TOO.

JIM, DO YOU WANT TO COME TALK ABOUT HOW WE LAID OUT THAT REQUEST? BUT WE HAVE LOOKED AT SPECIFICALLY I WILL ASK -- I WILL ASK THE ATTORNEY TO ANSWER HOW THE -- HOW THE QUESTION WAS POSED TO THE ATTORNEY GENERAL. THE ISSUE WAS -- WITH PRIVATE ACTIVITY, PRIVATE BENEFIT IN SOME CASES, AS LONG AS IT'S A NON-PROFIT THAT'S ASKING FOR THE REHABILITATION AND THEY WOULD RETAIN OWNERSHIP FOR PUBLIC PURPOSE, WE THINK THAT MIGHT BE AN ELIGIBLE USE OF THE DOLLARS. BUT FOR -- IF YOU WANT TO GO AHEAD --

WHAT PAUL SAID. I'M JILL WILLIAMS WITH THE LAW DEPARTMENT. BUT THAT'S CORRECT. THERE ARE SOME FEDERAL TAX LAW ISSUES THAT WE ARE WORKING THROUGH WITH OUR BOND COUNCIL AND THEIR TAX COUNCIL AND THAT IS ONE OF THE AREAS THAT IS -- IS DIFFICULT TO ACHIEVE. BUT THROUGH THE NON-PROFIT USING A NON-PROFIT DEVELOPERS, THERE DOESN'T SEEM TO BE, WE THINK THAT FROM THE FEDERAL TAX LAW WE FEEL LIKE THAT'S GOING TO BE ACCEPTABLE PLAN FROM THE ATTORNEY GENERAL THEY PROBABLY -- THEY ARE NOT GOING TO REALLY LOOK AT THE TAX ISSUES, BUT THEY WOULD PROBABLY FIND THAT ACCEPTABLE.

WELL, I ASKED BECAUSE WE HAVE A -- AN EMERGENCY

HOME REPAIR PROGRAM THAT HELPS, YOU KNOW, A LOT OF INDIVIDUALS AND THAT THOSE ARE FEDERAL FUNDS AND WE CAN'T SPEND OVER X AMOUNT, FOUR OR FIVE THOUSAND, WITHOUT HAVING ALL OF THESE FEDERAL REGULATIONS KICK IN. SO IF WE WANTED TO CREATE A PROGRAM WITHOUT ALL OF THOSE FEDERAL STRINGS THAT COULD HELP PEOPLE WITH -- WITH A LITTLE OVER 5,000 -- YOU KNOW, 5,000 OR MORE FOR REHABILITATION THEN THAT WOULD HELP OUR ABILITY TO -- TO HELP FOLKS, YOU KNOW, IN A MORE MEANINGFUL WAY OR IN A WAY THAT WE ARE NOT ABLE TO GIVE VERY MUCH OUR EXISTING REHAB PROGRAM THAT WE HAVE IN PLACE AND GIVEN THE WAY IT'S FUNDED SPECIFICALLY. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] HAVING A NONPROFIT REHAB THAT PROPERTY AND MAKE IT AVAILABLE FOR LOW COST RENTAL IS ANOTHER OPPORTUNITY THAT WE THINK WHERE WE COULD COME CLOSE TO SATISFYING WHAT YOU'RE TALKING ABOUT THAT NEED OR AT LEAST ADDRESSING A PORTION OF THAT NEED. BUT YOU'RE BRINGING UP AN ISSUE THAT MAY NOT BE THE HIGHEST AND BEST USE FOR A GENERAL OBLIGATION BOND WITH REGARD TO SPECIFIC GRANTS TO SPECIFIC FAMILIES, WHICH MEANS THAT NEED GOES UNMET IF WE CAN'T FIND A WAY TO DO THAT.

Alvarez: I THINK WE CAN DEBATE SORT OF WHETHER THAT'S THE BEST USE OF THE FUNDS OR NOT. I JUST WANT TO MAKE SURE WE HAVE A CLEAR INDICATION FROM THE AG, AT LEAST A RESPONSE TO THAT QUESTION.

I UNDERSTAND THAT POINT.

Alvarez: AGAIN, GOING BACK TO THE CLT MODEL OR CONCEPT, LET'S SAY YOU NEED TO FIX SOMEBODY'S ROOF OR FOUNDATION AND YOU'RE SPENDING 10 OR \$20,000 IN REHAB, WHICH WE CURRENTLY CAN'T DO THROUGH can't do through REHAB PROGRAM THAT WE HAVE IN PLACE. IF IN EXCHANGE THEY AGREE WE'RE NOT GOING TO SELL THIS PIECE OF PROPERTY FOR X NUMBER OF YEARS, SORT OF TAKING THAT SAME CONCEPT AND KIND OF USING REHAB FOR THAT PURPOSE OF ACHIEVING LONGEVITY AND AFFORDABILITY.

I UNDERSTAND YOUR POINT AND WE CAN MAKE SURE WE

GET CLARIFICATION FROM THE AG ON THAT.

Alvarez: THANK YOU, SIR.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER DUNKERLEY.

Dunkerley: MR. HILGERS, YOU MENTIONED THE CUTS THAT YOU'VE HAD FROM THE FEDERAL FUNDING SOURCES. WHAT PERCENTAGE ARE WE LOOKING AT FOR THE LAST COUPLE OF YEARS?

WELL, OVER THE LAST THREE YEARS WE STARTED WITH A FIVE PERCENT CUT THREE YEARS AGO, AND ALL OF THESE ARE CUMULATIVE, SO IT WAS FIVE PERCENT THREE YEARS AGO, THEN AN ADDITIONAL SEVEN PERCENT THE NEXT YEAR, AND NOW AN ADDITIONAL 10 PERCENT. SO CUMULATIVELY WE'RE RECEIVING 22% LESS DOLLARS IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM THAN WE RECEIVED JUST THREE SHORT YEARS AGO. AND PROJECTIONS ARE IF THE BILL DOESN'T CHANGE THAT THE FOLLOWING YEAR WOULD BE A 25% REDUCTION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Dunkerley: ON TOP OF ALL OF THAT.

YES, MA'AM, ON TOP OF THE OTHER ONE. THAT WOULD MEAN IF THAT PASSES IT WOULD BE A 47% REDUCTION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN FOUR YEARS. WE'RE HOPING THAT DOESN'T HAPPEN.

I DUE DO TOO. THANKS.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? THANK YOU, MR. HILGERS. MAYORWELCOME MR. STRUSE.

THANK YOU, MAYOR, COUNCIL COUNCIL. I'M WARREN STRUSE, DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT. TODAY I'M VERY PLEASED -- I'M ALSO EXCITED TO BE BRINGING TO YOU THE PARKLAND ACQUISITION BOND PROPOSAL FOR LAND ACQUISITION FOR THE PARKS AND RECREATION DEPARTMENT. THIS IS THE LAST COMPONENT OF WHAT I CONSIDER TO BE A VERY BALANCED PARKS AND

RECREATION DEPARTMENT BOND PACKAGE. AS YOU MAY REMEMBER, WE BROUGHT TO YOU ALREADY THE RENOVATIONS PACKAGE FOR YOUR INFRASTRUCTURE. WE'VE ALSO BROUGHT TO YOU AS PART OF THE BOND PROPOSAL SOME NEW DEVELOPMENT, WHICH WOULD INCLUDE A BMX TRACK, SKATEBOARD PARK AND RECREATION CENTER. TODAY I WOULD LIKE TO FINALIZE OUR BOND PROPOSAL FOR LAND ACQUISITION. I THINK THIS WILL SHOW YOU THE BALANCED PROPOSAL FOR A BOND PACKAGE IN THE PARKS AND RECREATION DEPARTMENT. COUNCIL, I'M RECOMMENDING TODAY \$20 MILLION TO CONTINUE AUSTIN'S INCREDIBLE LEGACY OF ACQUIRING NEEDED PARKLAND TO PROVIDE FOR BOTH TODAY'S RECREATIONAL USE AND TOMORROW'S FUTURE. OUR PARKLAND ACQUISITION LAND IS GOING TO BE DIVIDED INTO THREE COMPONENTS. BEFORE I GO INTO THE COMPONENTS, WE SOMETIME BACK WHEN WE WERE LOOKING AT THE LAND ACQUISITION AND PARKS, WE CAME UP WITH WHAT I THOUGHT OUR PLANNING AND DESIGN TEAM AND PARKS WAS AN INCREDIBLY GOOD STRATEGIC POLICY. WE'RE GOING TO BE LOOKING AT THREE DIFFERENT COMPONENTS. THE FIRST COMPONENT IS SOMETHING THAT'S RELATIVELY NEW FOR AUSTIN, BUT IS USED IN OTHER PARTS OF THE COUNTRY THROUGHOUT THE NORTHEAST AND NORTHWEST AND THAT'S CALLED INFILL PARKLAND ACQUISITION. I'LL BE TALKING TO YOU A LITTLE BIT ABOUT INFILL PARKS. ALSO, I'LL BE TALKING TO YOU ALSO ABOUT OUR RECOMMENDATION TO CONTINUE OUR INVESTMENT IN OUR GREENWAYS AND OUR GREENBELTS THROUGHOUT AUSTIN, WHICH WE HAVE SUCH A RICH LEG DPEAS IN DOING. AND THEN THE LAST PIECE OF THE THIRD COMPONENT OF OUR LAND ACQUISITION WILL BE DESTINATION PARKS, WHICH I ALSO FEEL VERY STRONGLY ABOUT TO ENSURE THE FUTURE OF OUR PARKS AND RECREATION DEPARTMENT. THE FIRST CATEGORY WE TALKED ABOUT INFILL PARKS. THE FIRST CATEGORY I'LL BE RECOMMENDING \$10 MILLION TO PURCHASE INFILL PARKS. AND I BROUGHT THE CONCEPT ALREADY FORWARD TO THE LAND USE TRANSPORTATION COMMITTEE AND TALKED ABOUT INFILL PARKS. THIS IS A CONCEPT THAT WE KNOW ALSO AS POCKET PARKS OR SMALL NEIGHBORHOOD PARKS. IN THE FIRST SLIDE, AS YOU CAN SEE, THE FIRST THING WE

NEED TO DO WITH RESPECT TO THIS STRATEGY OF INFILL PARKS IS FIRST OF ALL TO DETERMINE WHERE THOSE PARKS TRULY NEED TO BE. AND THE MOST IMPORTANT PART OF DOING THAT IS TO DETERMINE WHERE OUR RESIDENTS ARE RESIDING. SO OUR FIRST STRATEGY WAS TO LOOK AT THE POPULATION DENSITY OF AUSTIN TO DETERMINE WHERE OUR DENSITY IS IN THE CITY, AND WE HAVE SOME INCREDIBLE REVIEW AND ANALYSIS THAT OUR STAFF HAS PUT TOGETHER, AND ACTUALLY LOOKED AT THE DENSITY OF AUSTIN, AND YOU CAN SEE THAT IN YOUR SLIDE. IF YOU'LL LOOK AT EACH ONE OF THOSE DOTS THAT YOU SEE IN FRONT OF YOU, THAT ACTUALLY REPRESENTS RESIDENTS OF OUR FINE CITY. SO THAT GIVES US OUR FUNDAMENTAL APPROACH AT DETERMINING WHERE OUR PARKS ACTUALLY NEED TO GO TO ENSURE THAT WE PROVIDE INFILL OPPORTUNITIES OR PARK OPPORTUNITIES TO AS MANY AS POSSIBLE. SO WE TAKE THE FOUNDATION OF POPULATION DENSITY AND THEN WE TAKE IT TO THE NEXT STEP. JASON, IF YOU WILL GO TO THE NEXT SLIDE, IT'S KNOWN AS INFILL ANALYSIS. SO WHAT YOU'VE DONE IS WE'VE OVERLAID OVER THE TOP THE OUR POPULATION DENSITY IN YOUR CITY, WE'VE OVERLAID THOSE PARKS ON TOP OF THE POPULATION DENSITY, AND THEN OUR STANDARD PERFORMANCE MEASURE THAT WE LIKE TO ACHIEVE IS TO DETERMINE WHERE THOSE AREAS ARE THAT OUR PARKS WERE DEFICIENT IN PARKS WITHIN A MILE OR MORE RADIUS FROM ANY OF THE PEOPLE THAT WE HAVE. SO IN OTHER WORDS, THE MILE RADIUS OF A PARK, IF IT'S OUTSIDE OF THAT, THEN WE FEEL THAT WE HAVE AN ELIGIBILITY REQUIREMENT TO FILL. THAT IS, WE NEED TO BUY PARKLAND TO ENSURE THAT EVERY ONE OF OUR RESIDENTS HAVE AN OPPORTUNITY TO ACHIEVE AND TO ASSESS THEIR PARKS WITHIN A ONE MILE RADIUS. SO WE'VE TAKEN THE POPULATION DENSITY, WE'VE OVERLAID IT WITH RESPECT TO WHERE OUR PARKS ARE. THAT WILL ALLOW US TO DETERMINE WHERE OUR PARK DEFICIENT AREAS ARE. WE GO TO THE NEXT SLIDE, WHICH IS INFILL ACQUISITION. NOW, THIS WILL ACTUALLY TELL US STRATEGICALLY WHERE WE'RE NOT SERVING THE CITIZENS OF AUSTIN WITHIN A MILE RADIUS OF ANY PARK WITHIN THEIR AREA. SO THIS WILL ALLOW US TO GO BACK, IF FUNDED, AND IF SUCCESSFUL WITH OUR BOND PROPOSITION, TO TAKE OUR \$10 MILLION

AND TO TAKE IT AND FUND IT IN THESE STRATEGIC LOCATIONS THAT YOU SEE IN FRONT OF YOU ON THE SLIDE. THESE ARE AREAS THAT ARE BOUNDARIED BY THE RED SQUARES OR THE RED BOXES. SO STRATEGICALLY THIS IS WHAT WE WOULD LOOK AT FIRST AND FOREMOST WHEN WE'RE LOOKING AT ACTUALLY ACQUISITION OF INFILL PARKS WITHIN AUSTIN. THERE'S APPROXIMATELY 20 DIFFERENT AREAS THAT YOU SEE IN FRONT OF YOU THAT ARE ACTUALLY DEFICIENT OF PARKLAND THAT MEETS THE ONE MILE RADIUS OF OUR CITIZENS. SO THIS WOULD BE OUR FIRST STRATEGIC PLAN IN FUNDING OUR PARK ACQUISITION WOULD BE TO LOOK IN ALL OF THESE AREAS AND TO LOOK AT ACQUISITION OF PARKLAND WITHIN THOSE AREAS. OBVIOUSLY MOST OF THOSE PARKS WILL BE PARKS THAT ARE SMALLER IN NATURE, HALF AN ACRE, ACRE AND A HALF OR TWO ACRES, UP TO SAY A NEIGHBORHOOD SIZE PARK, AND THAT'S WHERE WE WOULD TRY TO PURCHASE THOSE PARKS TO PROVIDE OUR RECREATIONAL SERVICE NEEDS TO OUR CITIZENS. THAT IS THE COMPONENT OF INFILL ACQUISITION. AGAIN, WE ARE RECOMMENDING 10 MILLION IN THAT ACQUISITION. NOW, I WANTED TO ALSO BRING FORTH FOR YOUR INFORMATION THAT THIS WILL ALSO INCLUDE SOME DEVELOPMENT COSTS TO TAKE THOSE ACQUISITIONS AND TO ACTUALLY DEVELOP THEM IN -- IN HOPEFULLY A BASIC MANNER THAT WILL PROVIDE THOSE PARKS TO BE ACCESSIBLE TO OUR PUBLIC AND THEY COULD HAVE -- THEY COULD HAVE DEVELOPMENT ANYWHERE UP TO AND INCLUDING -- THERE'S A PICTURE THAT ILLUSTRATES ONE OF OUR VERY SUCCESSFUL POCKET PARKS. THIS IS CHESTNUT PARK. HOPEFULLY WE CAN ACTUALLY NOT ONLY PURCHASE, BUT ALSO DEVELOP SOME OF OUR PARKS TO THIS MAGNITUDE. ALSO, ANOTHER PARK THAT WE'RE VERY, VERY PROUD OF THAT WE JUST DEDICATED LAST SUNDAY WAS BROWNY PARK. WE KNOW OF IT AS A PARK AS HOPE FOR OUR CHILDREN. THIS IS ALSO I THINK REPRESENTATIVE OF A PARK THAT WE CAN DO WITH RESPECT TO OUR INFILL STRATEGY. SO THIS GIVES YOU AN IDEA OF OUR INFILL STRATEGY ACQUISITION AND WHAT WE CAN DO WITH THOSE PARKS.

Mayor Wynn: STRUSE, IS THAT YOU DANCING THERE ON THE LEFT SIDE?

AS A MATTER OF FACT, IT IS, MAYOR. I WAS HOPING YOU DIDN'T SEE THAT. LET'S GO TO THE NEXT ONE, JASON. LET'S NOT SPEND A WHOLE LOT OF TIME ON THAT ONE. THE NEXT SLIDE OR THE NEXT INITIATIVE IS GOING FROM INFILL. THE SECOND COMPONENT OF OUR LAND ACQUISITION, PARKLAND ACQUISITION, IS GREENWAY ACQUISITION. I PROBABLY DON'T NEED TO TELL THE COUNCIL, THE COUNCIL HAS HAD INCREDIBLE VISION OVER THE LAST FIVE OR 10 YEARS, THE LAST DECADE, IN PROVIDING US OUR GREENWAY INITIATIVE. I NOTE THAT MS. JUNEY PLUMBER IS HERE AND SHE'S PROBABLY MORE RESPONSIBLE THAN ANYBODY IN PROVIDING US WITH A SUCCESSFUL GREENWAY INITIATIVE. WE WOULD LIKE COUNCIL TO ALSO CONTINUE THIS INCREDIBLE INITIATIVE TO ENSURE THAT WE CONTINUE TO PURCHASE PROPERTY TO ADD TO OUR GREENWAYS THAT YOU WILL SEE ON THIS SLIDE. IF YOU'LL TAKE NOTE, YOU'LL SEE THE AREAS THAT ARE BOUNDARIED BY THE LIGHT GREEN RUNNING FROM I-35 UP NORTH, RUNNING DOWN WALNUT CREEK ALL THE WAY DOWN TO THE COLORADO RIVER. ALSO, BULL CREEK, WHICH IS UP IN THE UPPER LEFT-HAND CORNER IS ALSO A GREENWAY INITIATIVE THAT YOU CAN SEE BEGINNING AND ON THE FAR SOUTH ALONG SLAUGHTER CREEK ARE OUR PRIMARY GREENWAY INITIATIVES THROUGHOUT THE CITY. ALSO, I DON'T NEED TO REMIND THE COUNCIL THAT WE'VE ALSO DONE SOME INCREDIBLE DEVELOPMENT AND PURCHASE ALONG THE OTHER GREENWAYS AND GREENBELTS THROUGHOUT OUR CITY, SHOAL CREEK, WALLER CREEK, PLUMB CREEK, JOHNSON CREEK, MANY OF THE GREENWAYS HAVE ALL BEEN PURCHASED AND A LOT OF THEM DEVELOPED UP TO THIS TIME. THEREFORE, COUNCIL, WE WOULD ALSO LIKE TO CONTINUE THIS INITIATIVE, THIS STRATEGY IN CONTINUING OUR GREENWAYS THROUGH OUR CITY. WE'RE GOING TO BE ASKING FOR FIVE MILLION DOLLARS TO CONTINUE THAT INITIATIVE IN THIS BOND PROPOSAL. AGAIN, I THINK ALL OF US HAVE WALKED OUR GREENWAYS AND OUR GREENBELTS AND ARE FAMILIAR WITH MANY OF OUR GREENBELTS. INCREDIBLY RICH IN BOTH ENVIRONMENTAL ASPECTS OF OUR CITY AS WELL AS RECREATIONAL USE. WE CAN BOTH HAVE PEDESTRIAN TRAILS, HIKING TRAILS, DESTINATION AREAS ALONG OUR GREENWAYS AS WELL AS AN INCREDIBLE ENVIRONMENTAL

COMPONENT THAT IT PROVIDES TO OUR CITY AS ILLUSTRATED IN THE PICTURE IN FRONT OF YOU. THEN THE LAST ONE IS OUR THIRD COMPONENT THAT WE DISCUSSED AT THE BEGINNING OF THE PRESENTATION, AND THAT'S DESTINATION PARKS. IT'S ONE THAT AS A PARKS DIRECTOR I STRONGLY SUPPORT. NOT NECESSARILY FOR TODAY'S USAGE, BUT FOR TOMORROW'S FUTURE. IF YOU'LL NOTE IN THE UPPER RIGHT-HAND CORNER-- THE LOWER LEFT-HAND CORNER, UP IN THE NORTHEAST AND THE SOUTHEAST IS MY RELIGIOUS ON ANOTHER FIVE -- MY RELIGIOUS ON ANOTHER FIVE MILLION DOLLARS OF THE 25-MILLION-DOLLAR LAND ACQUISITION TO GO TO DESTINATION ACQUISITION. THIS WILL ALLOW US TO PROVIDE A LARGE -- TWO LARGE METROPOLITAN PARKS IN THESE TWO AREAS IN THE FUTURE THAT WILL SERVICE THESE AREAS WHICH I THINK RIGHT NOW ARE GOING TO BE GROWING EXTREMELY RAPIDLY OVER THE NEXT DECADE, AND IT WILL ALSO SERVE MANY OF THE NEEDS OF SH 130. BUT MORE THAN THAT IT WILL PROVIDE US METROPOLITAN PARKS IN THE FUTURE THAT WILL BE WHAT I CONSIDER FULL SERVICE PARKS THAT WILL PROVIDE OUR CITIZENS WITH MANY THINGS SUCH AS SWIMMING POOLS, RECREATION CENTERS, TRAILS, TENNIS COURTS, COMPLEXES, ATHLETIC COMPLEXES, THINGS OF THIS NATURE THAT LARGE PARKS CAN DO FOR US. SO THIS IS OUR FINAL COMPONENT OF OUR LAND ACQUISITION STRATEGY. THIS IS A PICTURE OF THE JOHN TREVINO, JUNIOR PARK AT MORRISON RANCH, WHICH IS A GOOD INDICATOR OF ONE OF OUR DESTINATION PARKS, AND WE'RE HOPEFUL THAT WE'LL BE ABLE TO DO THIS IN THE FUTURE WITH SUCCESSFUL COMPLETION OF OUR BOND PACKAGE. THIS IS SIMPLY AN OVERLAY FOR YOUR REVIEW THAT SHOWS YOU THE COMPLETE STRATEGY OF OUR LAND ACQUISITION STRATEGY OVER THE WHOLE CITY. BASICALLY IT SHOWS YOU OUR INFILL EFFORTS, IT WILL SHOW YOU OUR GREENWAY EFFORTS AND INITIATIVE AND IT WILL ALSO SHOW YOU OUR STRATEGY ON ADDITIONAL DESTINATION PARKS ALL ON ONE MAP. IN SUMMARY, COUNCIL, WE'RE AGAIN REQUESTING \$10 MILLION FOR INFILL, POCKET AND NEIGHBORHOOD PARKS, FIVE MILLION DOLLARS FOR GREENWAYS AND FIVE MILLION DOLLARS FOR DESTINATION PARKS FOR A TOTAL OF \$20 MILLION FOR THE NOVEMBER BOND PACKAGE. I'M AVAILABLE FOR ANY QUESTIONS THAT

YOU MIGHT HAVE. >>

Mayor Wynn: ONE QUESTION. MY EYES AREN'T WHAT THEY USED TO BE, BUT LOOKING AT YOUR SUMMARY, ESSENTIALLY LOOKING AT THE NEIGHBORHOOD PARK INFILL ACQUISITION AREAS, THE AREAS THAT ARE IN -- OUTLINED IN PURPLE, I GUESS. I KNOW THIS IS A PROCESS BY WHICH TO DETERMINE WHERE IN TOWN WE'RE LACKING IN PARKLAND, BUT WHAT APPEARS TO BE JUST GENERALLY SPEAKING SORT OF THE WEST CAMPUS AREA, SORT OF THE CENTER OF TOWN, IT SEEMS TO ME THAT'S LITERALLY ABUTTING PEASE PARK. SO MY QUESTION IS HOW CAN THAT AREA THAT ABUTS PEASE PARK NOT BE WITHIN A MILE --

MAYOR, I FORGOT TO MENTION TO YOU, THE OTHER CAVEAT TO THIS IS IF IT'S WITHIN THAT MILE, BUT IT'S SEPARATED BY A MAJOR ARTERIAL OR A PHYSICAL BARRIER THAT DOESN'T ALLOW ALLOW PEDESTRIAN ACCESS EASILY, BECOMES A PARK WE TAKE INTO CONSIDERATION AS WELL. IN THAT CASE WE HAVE LAMAR THAT'S RUNNING THROUGH THERE ALSO.

Mayor Wynn: OKAY. FURTHER QUESTIONS, COMMENTS?
COUNCILMEMBER ALVAREZ.

Alvarez: THANKS, MAYOR. IT KIND OF SPILLS OVER INTO THE PRESENTATION WE'VE ALREADY RECEIVED, BUT ONE OF THE THINGS WE REALIZED SINCE THE 1998 BOND ELECTION IS THAT WE HAD A LOT OF FUNDS ALLOCATED FOR ACQUISITION, BUT NOT A LOT OF FUNDS ALLOCATED FOR PARK DEVELOPMENT AND SO WE'VE ACQUIRED AT LEAST THREE SIGNIFICANT DESTINATION PARKS AND HAVE A VERY LIMITED AMOUNT OF FUNDING TO DEVELOPMENT THEM, INCLUDING JOHN TREVINO, JUNIOR PARK AT MORRISON RANCH, AND I GUESS I'M WONDERING -- I GUESS THE REQUEST HERE FOR MORE PARKLAND FOR DESTINATION PARKS, THEN HOW DOES THAT -- HOW DOES THE PARK DEVELOPMENT ISSUE RELATE TO THIS PARTICULAR RECOMMENDATION FOR MORE LAND, AND IS THERE A WAY -- WAS THERE SOMETHING IN THAT PREVIOUS SECTION IN TERMS OF PARK IMPROVEMENTS THAT COINCIDES WITH THE ADDITIONAL PARK ACQUISITION?

COUNCILMEMBER, THAT'S AN EXCELLENT QUESTION, AND WE STRUGGLED AND DEBATED THAT AS WELL. OUR THOUGHTS WERE TO MAKE THE MOST IMMEDIATE IMPACT WITH DEVELOPMENT WE THOUGHT THAT IN OUR INFILL STRATEGY THAT WE WOULD ALSO PROVIDE DEVELOPMENT DOLLARS AVAILABLE IN THAT INFILL STRATEGY SO BY WHICH WE COULD GO INTO THE NEIGHBORHOODS AND THE COMMUNITIES AND MAKE A DIRECT IMPACT. PURCHASE LAND, SMALL TRACTS, FIND OUT AND ASSESS THOSE COMMUNITIES AND FIND OUT AND DETERMINE WHAT IT IS THEIR NEEDS ARE. IF IT'S COMMUNITIES WITH A LOT OF CHILDREN, LET'S BUILD SOME PLAYSAPES. IF IT'S A COMMUNITY WITH LOTS OF TEENS, LET'S BUILD SOME HIKING TRAILS AND SOME OPPORTUNITIES FOR ACTIVE RECREATION. WE FELT THAT WE COULD MAKE AN IMMEDIATE IMPACT WITH THE VERY LIMITED DOLLARS WE HAD BY GOING IN AND HOPEFULLY DEVELOPING MANY OF OUR INFILL PARKS. WE DO NOT HAVE -- YOU'RE RIGHT. WE DON'T HAVE DOLLARS AVAILABLE FOR DEVELOPMENT OF ANY OF OUR GREEN WAYS OR OUR DESTINATION PARKS, NOR DO WE HAVE ANY FOR THE OTHER DESTINATION PARKS THAT WE HAVE ON BOARD AT THIS TIME. AND IT'S SIMPLY, COUNCIL, A SITUATION OF COMPETING DOLLARS AT THIS POINT.

Alvarez: ESPECIALLY IN TERMS OF THE ACQUISITION SIDE IN THE 130 CORRIDOR WE WANT TO MOVE FORWARD NOW AND NOT FIVE YEARS FROM NOW WHERE WE'LL BE PAYING TWO OR THREE TIMES THE COST FOR MORE. BUT I ALSO FEEL THAT THAT'S AN ISSUE MAYBE WE SHOULD ADDRESS MAYBE AS A COUNCIL MOVING FORWARD AS WHAT KIND OF BALANCE DO WE WANT IN TERMS OF LAND ACQUISITION AND PARK DEVELOPMENT. AND EVEN IF YOU SET ASIDE A MILLION DOLLARS FOR EACH DESTINATION PARK, THAT'S PRETTY -- YOU CAN DO A VARIETY OF THINGS FOR THAT AMOUNT OF FUNDING. IN THE GRAND SCHEME OF THINGS, MAYBE IT'S NOT -- IT'S NOT A VERY LARGE AMOUNT OR AT LEAST COMPARED TO THE \$530 MILLION THAT WE'RE CONSIDERING OVERALL, BUT THAT'S JUST ONE ISSUE I KNOW THAT I'VE BEEN INTERESTED IN ADDRESSING BECAUSE WE'VE TALKED ABOUT THE LAST SIX YEARS WHERE WE HAVE THESE GREAT CONTIGUOUS PARKS THAT

WE'VE BEEN ABLE TO DEVELOP OR AWIRE, BUT WE DON'T HAVE MUCH IN THE WAY OF RESOURCES FOR DEVELOPMENT AND MAKE THEM USABLE TO THE PUBLIC. AND FOR THE GREENWAY INITIATIVE, THAT'S ONE WAY WE CAN MAKE USE OF THAT PUBLIC LAND. SO I'M GLAD TO SEE THAT IN THERE. BUT THAT'S JUST ONE ISSUE THAT I WOULD LIKE TO SOMEHOW ADDRESS THROUGH THIS PROCESS AND THROUGH THE NEXT FEW WEEKS AND WE TALK ABOUT THE BALANCE OF ALL OF THESE ISSUES ON A BROADER SCALE.

COUNCIL, THANK YOU. WE WOULD CERTAINLY WELCOME ADDITIONAL DEVELOPMENT HOURS, THERE'S NO QUESTION.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: CAN YOU GIVE ME AN UPDATE ON THE WAL-MART PROJECT THAT CAME THROUGH SEVERAL WEEKS AGO? AND I THINK IT'S ON THE AGENDA TODAY. PART OF THE NEGOTIATIONS ON THE OUTLYING TRACT WAS THAT SOME OF THAT LAND WOULD BE FOR PARKS OR TRAIL R. TRAIL CONNECTION OR ARE SOMETHING LIKE THAT. DO YOU KNOW THE STATUS OF THAT?

YES, COUNCILMEMBER. THERE'S 20 -- JENNY IS WITH ME TODAY. I BELIEVE THERE'S 24 ACRES OR 23 ACRES OF IDENTIFIED LANDS THAT WILL BE DEDICATED PARKLAND BASED UPON THAT. IT WILL BE LANDS THAT ARE JUST ADJACENT TO MOPAC AS PART OF THAT --

Dunkerley: THIS WOULD BE MORE OR LESS IN THE TRAIL SYSTEM?

IT WILL BE CONNECTIVITY FOR A TRAIL SYSTEM, THAT'S CORRECT.

Dunkerley: ALL RIGHT. THANKS.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: WARREN, DO YOU COUNT POOLS AS PARKS ON THIS? I SEE WHEN YOU'RE DETERMINING THE RADIUS THAT THERE WERE POOLS IDENTIFIED. ARE THOSE COUNTING IN

THE PARKS ANALYSIS?

COUNCILMEMBER, WE DO, YES. GENERALLY OUR POOLS ARE ON PARKLAND, SO WE WOULD CALL THAT --

McCracken: HOW MANY MONTHS A YEAR ARE THE POOLS OPEN GENERALLY?

I'M SORRY.

McCracken: HOW MANY MONTHS A YEAR ARE THE POOLS OPEN GENTLY?

THREE. IN SOME CASES MORE, IN SOME CASES ACTUALLY A LITTLE LESS.

McCracken: AND THEN THE OTHER QUESTION IS ARE YOU COUNTING AISD PROPERTIES AS PARKS ALSO?

NO, WE DIDN'T.

McCracken: AND THE REASON WHY I ASKED, AND I'M JUST FAMILIAR WITH MY OWN NEIGHBORHOOD, AND IT HAS NO PARKS IN IT, BUT THERE'S A SCHOOL AND A POOL THAT ARE BOTH IDENTIFIED AS PARKS, BUT THEY'RE NOT -- NEITHER OF THEM ARE PARKS IN OUR NEIGHBORHOOD. AND LIVING IN A NEIGHBORHOOD WITHOUT A PARK, I CAN TELL YOU IT'S A BIG ISSUE IN OUR NEIGHBORHOOD FOR SURE. AND SO IF WE ARE COUNTING A FACILITY THAT'S FENCED OFF AND CLOSED NINE OUT OF 12 MONTHS A YEAR, THAT'S NOT REALLY FULFILLING THE FUNCTION OF A PARK. AND SO IF THAT'S HAPPENING IN MY NEIGHBORHOOD, I SUSPECT IT MAY BE PART OF THE ANALYSIS IN OTHER NEIGHBORHOODS. I THINK IT WOULD BE HELPFUL FOR US TO GET A RUN AT THE ANALYSIS TO TELL US, YOU KNOW, IF YOU WERE TO BACK OUT THE POOLS TO SHOW WHERE WE DON'T HAVE THAT, AND THEN I GUESS ALSO I'M NOT SURE -- I'M JUST SPEAKING FROM MY OWN PERSONAL KNOWLEDGE OF MY NEIGHBORHOOD WITHOUT A PARK TWO AREAS IDENTIFIED AS PARKS, NEITHER OF WHICH ARE PARKS IN ANY TRADITIONAL SENSE THAT I'M AWARE OF. SO I WANT TO LEARN MORE ABOUT THAT ANALYSIS TO FIGURE OUT WHERE ELSE THAT ANALYSIS IS BEING APPLIED CITYWIDE. THAT

MIGHT HAVE SOME EFFECT ON WHAT IS HOW WE ARE TARGETING PARK ACQUISITION.

VERY GOOD. AND COUNCILMEMBER, I WILL ADMIT THIS IS NOT A PERFECTLY FINE SCIENCE. IT'S ONE THAT -- THIS IS THE FIRST TIME THAT WE HAVE REALLY, REALLY DEDICATED OURSELVES TO TRY TO TARGET INFILL PARKS TO MAKE SURE WE'RE TRYING TO FULFILL THAT DEFICIENCY. I AGREE WITH YOU THAT THERE WILL PROBABLY BE SOME WE HAVE MISSED AND WE'LL CONTINUE TO GO BACK THROUGH IT AND I APPRECIATE YOUR COMMENTS, WE'LL LOOK AT THAT AREA AS WELL AS ANY OTHERS. AND YOU'RE RIGHT ABOUT POOLSES. WE HAVE 48 SWIMMING POOLS IN THE CITY OF AUSTIN, MANY OF THEM ON A VERY SMALL TRACT, SO WE NEED TO TAKE THAT INTO CONSIDERATION AS WELL.

McCracken: I KNOW THE THE POOL IN OUR NEIGHBORHOOD, IN ADDITION TO BEING CLOSED NINE OR 10 MONTHS OUT OF THE YEAR, IS A VERY SMALL SITE AND HAS A CHAIN-LINK FENCE AROUND IT. IT DOESN'T ADD MUCH. YOUR KID CAN'T PLAY IN IT, FOR INSTANCE.

WELL NOTED, COUNCILMEMBER.

McCracken: COULD YOU GET US AN ANALYSIS? AND WHAT I NEED TO DO, WARREN, IS GET WITH YOU AND GIVE YOU MY PERSONAL KNOWLEDGE ON THE SITES I'M AWARE OF, SEE WHAT KIND OF ANALYSIS WE CAN HAVE THAT SHOWS, YOU KNOW, BACKING OUT SOME OF THESE THINGS LIKE POOLS TO SHOW IF THAT HAS ANY EFFECT ON IDENTIFYING NEIGHBORHOODS THAT DO HAVE A DEFICIENCY IN PARKLAND.

BE HAPPY TO.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: COULD YOU GIVE ME A FEEL FOR THIS REALISTICALLY YOU'VE GOT FIVE MILLION DOLLARS FOR DESTINATION PARKS, AND I ASSUME THAT MEANS LARGE PARKS THAT PEOPLE DRIVE SOME DISTANCE TO TO GET TO AND HAS MULTIPLE FACILITIES. WHAT CAN YOU DO DO FOR

FIVE MILLION DOLLARS?

I'M GOING TO LOOK OVER MY SHOULDER TO MS. JENNY PLUMMER. COUNCILMEMBER, I WOULD HOPE THAT BEING ON THE URBAN EDGE THAT WE WOULD HOPEFULLY MAKE SOME GOOD OPPORTUNITIES AT GETTING SOME DECENT PARKLAND. WITHOUT GOING OUT AND ASSESSING IT AT THIS POINT, I REALLY COULDN'T TELL YOU. JENNY, ANY IDEAS OR COMMENTS? I WOULD HOPE THAT WE COULD AT LEAST GET SOME PARKS THAT WOULD HAVE TRACTS OF 75 TO 100 ACRES. LEAF

Leffingwell: HOW ABOUT THE IMPROVEMENTS?

AGAIN, COUNCILMEMBER, ON THE DESTINATION PARKS, THIS WOULD BE LAND BANKING ONLY. WE'RE ONLY LAND BANKING.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? THANK YOU, MR. STRUSE.

MAYOR AND COUNCIL, I'M GOING TO COMPLETE OUR BOND PROGRAM RECOMMENDATION BY WALKING YOU THROUGH OUR OTHER COMPONENT OF OUR LAND ACQUISITION BOND PROGRAM, AND THIS IS FOR OPEN SPACE FOR OUR WATER QUALITY PROTECTION LAND. I FIRST WANTED TO TAKE UP WHERE WARREN LEFT OFF ON PARKLAND. HERE ON SLIDE 36 IS A MAP OF THE CITY OF AUSTIN'S PARKLAND, AND I'D LIKE TO POINT OUT IN RED THERE ON THE MAP IS THE PARKLAND, DESTINATION PARKS AND GREENWAYS WE GOT WITH OUR BOND MONIES. SO IN ADDITION TO ACQUIRING PARKLANDS CITYWIDE, THE CITY HAS ALSO MADE IT A PRIORITY TO PROTECT LAND IN IN OUR ENVIRONMENTALLY AND ECHO LOGICALLY SENSITIVE AREAS. WHAT THIS MAP SHOWS HERE IS THE BARTON SPRINGS RECHARGE ZONE AS WELL AS THE CONTRIBUTING ZONES. THE CITY HAS INVESTED NEARLY 87 MILLION DOLLARS IN INQUIRING LAND -
- ACQUIRING LAND OR DEVELOPMENT RIGHTS ON LAND THROUGH CONSERVATION EASEMENTS IN THESE ZONES SINCE 1998. YOU CAN SEE THE PARCELS THAT HAVE BEEN ACQUIRED IN PURPLE AND BRIGHT GREEN IN THE MAP ON SLIDE 37. PROTECTING HABITAT HAS ALSO BEEN A PART OF THE PROGRAM. THE AREAS ARE IN DARK GREEN ON THIS

MAP. ADDITIONAL PRESERVE LAND ACQUIRED BY OTHER ENTITIES, SUCH AS THE TEXAS NATURE CONSERVANCY, OTHER PRIVATE LAND MANAGEMENT IN TRAVIS COUNTY ARE SHOWN IN BROWN ON THIS MAP. HERE'S A SUMMARY OF OUR OPEN SPACE PROTECTION, WATER QUALITY PROTECTION ACQUISITIONS WITH THE HIGHLIGHTS BEING THE \$65 MILLION IN MAY 1998 PROP 2 BARTON SPRINGS CLEAN WATER BONDS AND THE 13.4 MILLION THAT WAS INCLUDED IN OUR NOVEMBER 2000 BOND ELECTION. OVER 20,000 ACRES HAVE BEEN PROTECTED AND IN OUR PRESERVED WILDERNESS ACQUISITION, MANY ACRES HAVE BEEN PROTECTED WITH THE \$22 MILLION IN PROP 2 BONDS AND \$20 MILLION IN BONDS FOR THE BARTON CREEK WILDERNESS AREAS. BOND PROGRAM RECOMMENDATION INCLUDES \$30 MILLION FOR OPEN SPACE ACQUISITION TARGETED IN THE BARTON SPRINGS RECHARGE AND CONTRIBUTING ZONES. LAND WOULD BE ACQUIRED AT MARKET CONDITIONS THROUGH PURCHASE OR CONSERVATION EASEMENTS, CONSERVATION EASEMENTS ARE A POWERFUL TOOL THAT PROVIDE THE COMMUNITY WITH A METHOD FOR THE DEVELOPMENT RATES IN SENSITIVE AREAS WHILE ALLOWING PROPERTY OWNERS TO KEEP OWNERSHIP. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] OBVIOUSLY THEY'LL LOOK FOR GETTING THE LARGEST BANG FOR THEIR BUCK IN TERMS OF THE SIZE. SO COUNCIL, IN SUMMARY, HERE IS HOW THE \$50 MILLION THAT IS INCLUDED IN OUR BOND PROGRAM RECOMMENDATION FOR LAND ACQUISITION BREAKS OUT. \$20 MILLION FOR PARKLAND ACQUISITION. AGAIN, THAT'S FOR INFILL PARKS, DESTINATION PARKS AND GREENWAYS AND \$30 MILLION FOR OUR CONTINUING INVESTMENT IN OPEN SPACE AND WATER QUALITY PROTECTION LAND. AND WITH THAT WE'LL MOVE ON TO -- I'LL TURN IT OVER TO JOHN AND HE CAN SUMMARIZE OUR BOND PROGRAM.

SO COUNCIL, THIS COMPLETES OUR SERIES OF RECOMMENDATIONS THAT WE'VE MADE TO YOU ON EACH OF THE COMPONENTS OF THE BOND PROGRAM. AS YOU SEE HERE, WE FILLED IN THE RIGHT-HAND COLUMN, THE BOND PROGRAM RECOMMENDATION TODAY WITH OUR 50-MILLION-DOLLAR RECOMMENDATION ON AFFORDABLE HOUSING AND \$50 MILLION IN TOTAL ON LAND ACQUISITION. SO WE HAVE

COMPLETED ALL CATEGORIES AT THIS POINT AND HAVE A TOTAL OF \$536.4 MILLION ROUGHLY DIVIDED EQUALLY BETWEEN THE TWO MAIN CATEGORIES WE'VE DESCRIBED TO YOU THROUGHOUT, INVESTING IN OUR INFRASTRUCTURE AND INVESTING IN OUR FUTURE. SO LOOKING AHEAD AT NEXT STEPS IN THE PROCESS, WE HAVE SCHEDULED TWO WEEKS FROM TODAY ON MAY 18th A PUBLIC HEARING ON THE RECOMMENDED BOND PROGRAM, SO YOU'LL TAKE SOME PUBLIC INPUT ON THE RECOMMENDATIONS THAT WE HAVE MADE, AND THEN ON MAY 25TH WE HAVE THE FIRST OF TWO COUNCIL MEETINGS SCHEDULED WHERE WE WILL BRING TO YOU AN ORDINANCE TO SET THE BOND PROPOSITIONS AND APPROVE THE BOND BALLOT LANGUAGE, AND AT THAT POINT WOULD SOLIDIFY THE AMOUNTS THAT WOULD BE FOR EACH COMPONENT OF THE TOTAL BOND PROGRAM. WE HAVE ALSO SCHEDULED THEN JUNE THE 8TH AS A FALL BACK DATE FOR THAT IF COUNCIL NEEDS TO HAVE FURTHER DISCUSSION AND DELIBERATION FOR EITHER THE BOND LANGUAGE ITSELF OR THE COMPONENTS OF THE TOTAL BOND PROGRAM. SO THAT CONCLUDES OUR PRESENTATION FOR TODAY. WE WILL CERTAINLY BE WORKING WITH YOU OVER THE NEXT FEW WEEKS TO ANSWER ANY QUESTIONS THAT YOU HAVE ABOUT THE RECOMMENDATIONS THAT WE HAVE MADE, AND THEN COME BACK AGAIN ON THE 18th FOR THE PUBLIC HEARING AND TO BEGIN THE FINAL PROCESS ON MAY THE 25TH.

Mayor Wynn: THANK YOU, MR. STEPHENS. COUNCILMEMBER KIM?

Kim: WHAT IS THE DATE WE WOULD BE SETTING THE LANGUAGE FOR THE BALLOT FOR THE BOND?

THE FIRST DATE WILL BE MAY THE 25TH, AND IT CERTAINLY COULD BE ALL ACCOMPLISHED ON THAT DAY; HOWEVER, WE HAVE AGAIN SCHEDULED JUNE THE EIGHTH AS A BACKUP IN CASE COUNCIL NEEDS TO TWEAK THE LANGUAGE THAT WE DISCUSSED ON THE 25TH AND COME TO RESOLUTION ON JUNE THE EIGHTH.

Kim: THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

COUNCILMEMBER ALVAREZ.

Alvarez: I JUST WANTED TO THANK STAFF FOR WORKING THROUGH THIS AND MAKING THEIR RECOMMENDATIONS TO US. I THINK THAT IN THE END IF WE WANT TO SEE ANY OF THESE NUMBERS CHANGE, WE'RE GOING TO HAVE TO FIGURE OUT HOW TO REARRANGE THOSE NUMBERS, AND SO I THINK ESPECIALLY WITH THIS PARTICULAR CATEGORY OF AFFORDABLE HOUSING AND OPEN SPACE, I KNOW I'M INTERESTED IN INCREASING SOME OF THOSE NUMBERS, BUT I ALSO REALIZE WE'RE TRYING TO TARGET THIS 500 TO 530-MILLION-DOLLAR RANGE FOR THE BOND PROPOSAL, THAT MEANS THERE NEEDS TO BE A GIVE AND TAKE. OR TAKE FROM SOMEWHERE ELSE. I KNOW THERE'S PROBABLY SOME FOLKS OUT THERE INTERESTED IN THESE ISSUES, AND I APPRECIATE STAFF KIND OF TAKING THE FIRST ATTEMPT AT DETERMINING HOW TO PRIORITIZE THESE ISSUES, AND I LOOK FORWARD TO WORKING WITH THE COUNCIL ON JUST FIGURING OUT WHAT -- HOW THIS COMBINATION OF RECOMMENDATIONS COMPARES TO WHAT WE MAY HAVE BEEN ANTICIPATING OR EXPECTING OR WANTING AS INDIVIDUAL COUNCILMEMBERS. BUT IT'S NOT AN EASY TASK AND I APPRECIATE ALL THE STAFF TIME THAT WENT INTO GETTING US TO THIS POINT AND NOW HEARING FROM THE PUBLIC ON HOW WE MIGHT MAYBE REFINE THIS A LITTLE BIT. BUT ANYWAY, THAT WAS MAINLY -- I THINK IT'S BEEN A LOT OF WORK, AND FROM THE BOND COMMITTEE AND NOW THROUGH THE STAFF LEVEL, AND SO I THINK THAT -- I THINK THE COUNCIL NEEDS TO WEIGH IN NOW AND OBVIOUSLY CITIZEN INPUT WILL BE VERY CRITICAL TOWARDS THAT TOO AS FAR AS LOOKING AT ALL THIS IN A HOLISTIC FASHION. WE WANT TO BEGIN THANK YOU FOR GOING THROUGH THIS PROCESS AND HELPING US TO GET CLOSER TO OUR GOAL THAT WE'RE TRYING TO REACH FOR AN OVERALL BOND PACKAGE.

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

McCracken: YEAH, I'M GOING TO ECHO COUNCILMEMBER ALVAREZ'S COMMENTS. I APPRECIATE THE EFFORT TO GIVE US THE TEMPLATE TO WORK OFF OF AND THE 5525-MILLION-DOLLAR RANGE. AND WE DO NEED TO TAKE PUBLIC INPUT

TO GIVE US A SENSE OF WHETHER WE NEED PRIORITIES TO GET US 100 MILLION -- ABOUT \$85 MILLION LOWER, RATHER THAT WAS THE RIGHT MIX FROM THE PUBLIC INPUT, AND ALSO WE'RE GOING TO NEED SOME MORE INFORMATION. I EXPECT ON THINGS LIKE POSSIBLE MIXES FOR THE CULTURAL FACILITIES AND ALSO ON THE PARKS A LITTLE MORE INFORMATION. AND FINALLY I THINK IT WOULD BE HELPFUL TO GET INFORMATION ON WHETHER WE COULD LUMP SOME OF THESE TOGETHER SO THAT IF THERE ARE COST SAVINGS THAT ARISE OVER THE COURSE OF THE NEXT SIX YEARS, WHETHER WE COULD BASICALLY COME UP WITH A LUMP SUM FOR SOME POTENTIAL EXPENDITURES AND USE THEM IF A COST SAVINGS MIGHT EMERGE OR OTHER PRIORITIES WITHIN THAT GROUP. BUT IT'S A CHALLENGE WHEN YOU HAVE \$769 MILLION OF NEEDS AND THERE ARE ABOUT \$530 MILLION OF MONEY. THANKS FOR THE HARD WORK. APPRECIATE IT.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? THANK YOU ALL VERY MUCH. SO COUNCIL, TECHNICALLY WE HAVE NOTHING BEFORE OUR 4:00 P.M. ZONING HEARINGS, AND SO WITHOUT OBJECTION, WE WILL STAND IN RECESS FOR 10 MINUTES AND WILL RECONVENE AT 4:00 P.M.

Mayor Wynn: THERE BEING A QUORUM PRESENT, WE'LL CALL THIS MEETING BACK TO ORDER. WE'VE BEEN IN RECESS FOR ABOUT 15 MINUTES. IT IS NOW 4:05 P.M. WE WILL NOW GO TO THE ZONING HEARINGS, ORDINANCES AND RIKTS. AND WE'LL WELCOME MR. GREG GUERNSEY.

HELLO, MAYOR AND COUNCIL. I'D LIKE TO GO THROUGH THE 4:00 O'CLOCK ZONING ITEMS. I'LL GO THROUGH THE SECOND AND THIRD READING PUBLIC HEARING ITEMS THAT ARE CLOSED. THE FIRST CASE IS CASE C-14-05-0190, THIS IS A WEST 15TH STREET PROJECT LOCATED AT 515 WEST 15TH STREET. THIS IS FOR SECOND AND THIRD READING. TO REZONE THE PROPERTY FROM GENERAL OFFICE, WHICH IS GO DISTRICT ZONING, TO CENTRAL BUSINESS DISTRICT CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR CBD-CO ZONING. AND THIS IS READY FOR SECOND AND THIRD READING APPROVAL ON CONSENT. ITEM NUMBER 34 IS CASE C 814-05-0213, THIS IS LOOP 1 AT U.S. HIGHWAY 290 WEST P.U.D. FOR THE PROPERTY LOCATED AT 5009290 WEST

AND 4929 DAVIS LANE AND 5000 WEST SLAUGHTER LANE. AND IT'S TRACT TWO. AND THIS IS A REZONING REQUEST FROM GR DISTRICT ZONING, RURAL RESIDENTIAL OR ROUND ROCK DISTRICT ZONING FOR TRACT ONE, AND COMMUNITY COMEKT CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR GR-CO ZONING FOR TRACT TWO, TO PLANNED UNIT DEVELOPMENT ZONING. AND THIS IS READY FOR SECOND AND THIRD READING APPROVAL. THAT CONCLUDES THE NON-PUBLIC HEARING ITEMS FOR CONSENT APPROVAL.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I'D LIKE TO -- ON ITEM NUMBER 33 I WANT TO MAKE SURE THAT WE'VE GOT SOME KIND OF AN AGREEMENT ON THE FIRST FLOOR USE. WE ADDED A VERTICAL MIXED USE OVERLAY ON THAT LAST WEEK. MY UNDERSTANDING IS THAT BECAUSE OF THE SETBACKS IN THE PUBLIC SPACE, LIKE THE ELEVATORS AND RESTROOMS AND HALLS AND THINGS, THAT THERE'S PROBABLY NOT VERY MUCH USABLE SPACE FOR A BUSINESS ACTIVITY. AND I WAS GOING TO TRY TO SEE IF WE COULD -- I THINK A VERTICAL MIXED USE YOU NEED TO HAVE TWO USES ON THE FIRST FLOOR, AND IF THIS WAS NOT REASONABLE I WAS GOING TO TRY TO GET SOME RELIEF FROM THAT. DO YOU KNOW WHERE THAT DISCUSSION IS RIGHT NOW?

DISCUSSION WITH THE DEVELOPER AND THE OWNER JUST CONCLUDED AND THERE'S AN AGREEMENT BETWEEN THE TWO PARTIES TO LIMIT THE FIRST FLOOR ONLY TO A SINGLE USE, COMMERCIAL USE, SO WE WOULD OFFER THIS AT SECOND READING AND HAVE TO MODIFY THE LANGUAGE AND BRING THIS BACK AS AS SOON AS WE WERE ABLE FOR POSTING OF THIRD READOGANOTHER DAY. SO WITH THAT MODIFICATION WE CAN STILL TAKE IT AS CONSENT ON SECOND READING AND NOTING THAT FOR THE VERTICAL MIXED USE ORDINANCE PORTION OF THAT THAT THERE'S ONLY ONE COMMERCIAL USE ON THE FIRST FLOOR.

Dunkerley: I APPRECIATE THAT.

McCracken: THAT'S FINE. I JUST WANT TO MAKE SURE OF A COUPLE OF THINGS. FIRST, THAT THE USE ON THE GROUND FLOOR IS ACTUALLY A DIFFERENT USE FROM THE UPPER

FLOOR SO IT'S NOT ACTUALLY THE LOBBY TO GET TO THE UPPER FLOOR. IT WOULD HAVE TO BE A TRUE MIX OF USES. AND THE SECOND THING IS THIS IS A FAIRLY SMALL SITE, SO IF THIS WERE -- IF THIS SITE ACTUALLY WERE SOLD AND JOINED AS A BIGGER DEVELOPMENT THAT THIS WOULD BE REMOVED, IT WOULD HAVE TO REVERT BACK TO TWO USES FOR THE PROJECT OR MORE.

IF THE AREA BEING REZONED WERE ATTACHED TO A LARGER TRACT FOR DEVELOPMENT?

McCracken: YEAH. THAT IF THIS SITE IS DEVELOPED JUST AS A -- IN ITS CURRENT ENVELOPE, IT'S OKAY -- I THINK IT'S FINE THAT IT HAVE ONE USE AS LONG AS IT'S A TRUE MIXED USE AND THAT THERE'S A DIFFERENT ENTRANCE TO THE UPPER FLOORS.

Mayor Wynn: WELL, SEE, YOU'VE GOT RESTROOM, JANITOR'S CLOSET, ELEVATOR -- JUST KIDDING. [LAUGHTER] JUST A JOKE. >>

MAYOR, THAT WOULD BE SECOND READING ONLY WITH THE CHANGES.

Mayor Wynn: THANK YOU. SO COUNCIL, OUR CONSENT AGENDA WILL BE TO APPROVE ON SECOND READING ONLY ITEM 33. AND TO APPROVE ON SECOND AND THIRD READING ITEM 34. 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: OPPOSE OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL.

MAYOR AND COUNCIL, LET ME CONTINUE ON TO ITEMS 35 THROUGH 38. THESE ARE PUBLIC HEARING ITEMS. THE FIRST CASE IS CASE 35, CASE C-14-06-0008, CRESTVIEW STATION LOCATED AT 918 TO 920 BANYON STREET, AND THIS IS A REQUEST FROM GENERAL COMMERCIAL SERVICES

NEIGHBORHOOD COMBINING DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES MIXED USE NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING OR CS-MU-NP ZONING. THE PLANNING COMMISSION RECOMMENDED THE REZONING REQUEST AND THIS IS RECOMMENDED AND READY FOR ALL THREE READINGS. ITEM NUMBER 36 IS CASE C-14--06-0020, GALLERY SHOAL CREEK FOR THE PROPERTY LOCATED AT 1500 WEST 34TH STREET. THIS IS A REZONING REQUEST FROM LIMITED OFFICE OR LO DISTRICT ZONING TO GENERAL OFFICE CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR GO-CO ZONING. AND THE ZONING AND PLATTING COMMISSION RECOMMENDED THIS FOR CONSENT APPROVAL AND THIS IS READY FOR ALL THREE READINGS. ITEM NUMBER 37 IS CASE C-14-06-0023, MARKS 4. THE PROPERTY LOCATED AT 2301 RIVERSIDE DRIVE. STAFF IS REQUESTING A POSTPONEMENT OF THIS CASE DUE TO A POSTPONEMENT AT THE PLANNING COMMISSION, AND STAFF IS RECOMMENDING POSTPONEMENT DATE OF JUNE 8TH. OUR LAST ZONING ITEM, ITEM NUMBER 38, IS CASE C-14-06-0028 AT 1700 1700 SMITH ROAD. THIS IS A REZONING REQUEST FROM AN INDUSTRIAL PARK NEIGHBORHOOD PLAN OR IP-NP ZONING TO LIMITED INDUSTRIAL SERVICES CONDITIONAL OVERLAY NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING OR LI-CO-NP ZONING. THIS IS RECOMMENDED BY THE PLANNING COMMISSION AND IS READY FOR FIRST READING ONLY. AND THAT CONCLUDES THE ZONING ITEMS.

Mayor Wynn: THANK YOU, MR. GUERNSEY. QUESTIONS OF STAFF, COUNCIL? IF NOT, OUR CONSENT AGENDA ON THESE PUBLIC HEARING ZONING CASES WILL BE TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS CASES 35 AND 36, TO POSTPONE CASE 37 TO JUNE EIGHTH, 2006. AND ON ITEM 38 TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON --

[INAUDIBLE - NO MIC].

Mayor Wynn: OH, SORRY. THE CONSENT AGENDA MOVED APPROVAL BY COUNCILMEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM, ALL IN FAVOR.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL VERY MUCH.

MAYOR, THAT CONCLUDES THE ZONING ITEMS THIS EVENING.

Mayor Wynn: THANK YOU VERY MUCH, MR. GUERNSEY. THE PLAN NETS HAVE ALIGNED. SO COUNCIL, TECHNICALLY WE HAVE NO MORE DISCUSSION ITEMS PRIOR TO OUR TWO PUBLIC HEARINGS, 39 AND 40, SO AT THIS TIME WITHOUT OBJECTION, WE WILL RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL. SOME OF US WILL RECONVENE TECHNICALLY NOT AS A QUORUM, BUT RECONVENE AT 5:30 FOR LIVE MUSIC AND PROCLAMATION. WE ARE NOW IN RECESS.

Alvarez: SEEMS LIKE A GOOD TIME TO START HERE. GOOD EVENING, WELCOME BACK TO -- TO THE CITY HALL AND FOR OUR LIVE MUSIC AND PROCLAMATIONS, I'M COUNCILMEMBER ALVAREZ, SUBING IN FOR THE MAYOR FOR A COUPLE OF REASONS, YOU KNOW, ONE IS TO INTRODUCE OUR -- OUR LIVE MUSIC FOR THE DAY, BUT ALSO -- ALSO SHARE A LITTLE BIT OF INFORMATION WITH YOU ABOUT LATINO MUSIC MONTH. THIS IS A NEW TRADITION THAT -- THAT WAS SPEARHEADED FOR THE MOST PART BY THE CITY COUNCIL WITH THE HELP OF SOME SUPPORTING COMMUNITY ORGANIZATIONS AND INDIVIDUALS AND -- AND LATINO MUSIC MONTH IS THE MONTH OF MAY. AND WE -- WE ARE TRYING TO PROMOTE THE LATINO ELEMENT OF OUR LIVE MUSIC SCENE DURING LATINO MUSIC MONTH BECAUSE IT'S SUCH A -- SUCH AN IMPORTANT PART AND BECAUSE -- SO WE WANTED TO PLAY THAT UP A LITTLE BIT, SHOW HOW EXCITING OF A MUSIC SCENE THAT WE HAVE IN AUSTIN WHERE WE HAVE BEEN -- CHOSEN BY HISPANIC MAGAZINE TWO YEARS RUNNING AS A -- AS THE BEST CITY FOR HISPANICS AND SO -- SO WE THOUGHT WELL WE NEED TO PROMOTE, YOU KNOW, SOME OF THE CULTURAL ASPECTS OF WHAT OUR COMMUNITY HAS TO OFFER AND THIS WAS

ONE IDEA THAT WE HAD AND WE HAVE A GREAT PROGRAM, MONTH-LONG PROGRAM OF ACTIVITIES, YOU CAN GO TO A WEBSITE WE HAVE CREATED CALLED www.austinLatinomusic.com TO GET THE LATEST INFORMATION ABOUT SHOWS IN THE MONTH OF MAY FEATURING DIFFERENT STYLES OF MUSIC. IF YOU GO TO THE ARTIST DIRECTORY, YOU WILL ACTUALLY FINISHED A DIRECTORY OF OVER 150 LATINO ARTISTS AND IN EVERY POSSIBLE GENRE THAT YOU COULD POSSIBLY IMAGINE, A LOT OF TIMES WE THINK OF LATINO MUSIC AND MAY THINK OF CUJUNTO MUSIC AND TEJANO MUSIC, WE HAVE FOLKS WHO DO ROCK AND ROLL, COUNTRY WESTERN, JAZZ AND LIKE I SAID EVERY STYLE OF MUSIC THAT YOU COULD IMAGINE. THAT'S ONE REALLY A GREAT OUT -- GREAT PRODUCT OUT OF THIS EFFORT IS THIS -- THIS GREAT, GREAT ART, DIRECTORY OF LATINO ARTISTS. OF COURSE ON THAT WEBSITE, AUSTIN LATINO MUSIC.COM YOU WILL ALSO FIND ACAL LONE STAR FOR THE MONTH OF MAY, OVER 130 SHOWS WE HAVE PUT ON THERE. WE KNOW THERE ARE A LOT MORE HAPPENING, ENCOURAGE FOLKS TO E-MAIL US TO GET THAT, THIS IS THE PRINTED VERSION OF THE CALENDAR SO FAR WITH THE SHOWS THAT I MENTIONED. VERY EXCITED TO INTRODUCE THIS NEXT ARTIST WITH US TODAY. A SINGER, SONG WRITER, MULTI-INSTRUMENTIST EDDIE GUERRERA, HIS INFLUENCES INCLUDE ROCK, COUNTRY, LATIN MUSIC, HE HAS WRITTEN AND RECORDED WITH RICK TREVINO, COREY MORRO, ASLEEP AT THE WHEEL AND THE GRAMMY AWARD WINNING SUPER SEVEN. HE RECENTLY PERFORMED IN RAY BENSON'S THEATRICAL PRODUCTION A RIDE WITH BOB WHERE HE PLAYED WITH MEMBERS OF THE ORIGINAL TAX PLAY BOYS. HE HAS BEEN NOMINATED FOR THE AWARD IN MUSIC FOR 2006, WHICH RECOGNIZES SUCCESS STORIES AND ROLE MODELS WITHIN THE TEXAS HISPANIC COMMUNITY, ACCLAIMED BY TEXAS MUSIC LEGEND STEVE CONVENIENT FROMHOLZ.

THANK YOU, THANK YOU, WHAT AN HONOR IT IS TO BE HERE. I WANT TO DO A SONG THAT I WROTE WITH MY BROTHER. [(music) MUSIC PLAYING (music)(music)] [(music) SINGING (music)(music)] [APPLAUSE]

LET'S HEAR IT. WELL DONE HAYDN. WE WILL GIVE HAYDN VITERA A LITTLE OPPORTUNITY TO TALK ABOUT SOME OF

HIS UPCOMING GIGS. BE IT KNOWN WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY, WHEREAS THE DEDICATE THE EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AT THE LIVE MUSIC CAPITAL OF THE WORLD, THEREFORE I WILL WYNN DO HEREBY PROCLAIM MAY 4th, 2006, AS HAYDN VITERA DAY IN AUSTIN. [APPLAUSE]

THANK YOU SO MUCH. IF YOU WOULD LIKE TO COME UP AND TELL US ABOUT SOME SHOWS COMING UP. AS I SAID IT'S LATINO MUSIC MONTH, HE'S GOT AT LEAST -- PLAYING AT THE AIRPORT, PLAYING NEXT FRIDAY NOT TOMORROW, A WEEK FROM TOMORROW HERE AT NOON CONCERTS ON FRIDAY. SO WE LOOK FORWARD TO THAT. BUT -- BUT WHY DON'T YOU COME AND TELL US ABOUT SOME OF THE OTHER THINGS THAT YOU ARE INVOLVED WITH AND ALSO A WEBSITE AND ANYTHING ELSE THAT YOU WANT TO SHARE WITH US.

ALL RIGHT.

SHAMELESS PLUG PORTION OF THE SHOW I GUESS OF THE MEETING. THANK YOU, FIRST OF ALL, I WOULD LIKE TO SAY THAT I'M PROUD AND THANKFUL FOR MANY THINGS. FIRST OF ALL FOR BEING LATINO, MY MOTHER IS FROM VERA CRUZ, MY DAD WAS A RICE FARMER FROM EL PASO, HE'S AMERICAN, MY MOM IS MEXICAN. I'M PROUD TO HAVE BOTH HERITAGES, TO BE A MUSICIAN, PROUD TO BE A TEXAS, MOST OF ALL I'M PROUD TO BE AN AUSTINITE, THIS IS THE GREATEST CITY IN THE WORLD NO MATTER IF YOU ARE A MUSICIAN OR WHATEVER YOU ARE DOING. AUSTIN, TEXAS Y'ALL. [APPLAUSE] THANK YOU. IT IS SUCH AN HONOR TO BE GIVEN THIS PROCLAMATION IN MY OWN DAY IN THIS CITY WHICH I LOVE AND I WILL NEVER LEAVE. SO ANYWAY ASIDE FROM THAT, LIKE I SAID, NEXT FRIDAY MAY 12th AT NOON, COME OUT THERE AND HAVE A LITTLE LUNCH OUT THERE ON THE STEPS, I WILL BE PLAYING WITH A FULL BAND OUT AT THE PLAZA THERE. TONIGHT AT THE BLIND PIG PUB ON SIXTH STREET. WE ARE HAVING THE OFFICIAL HAYDN VITERA PARTY. TOMORROW IF YOU GUYS LIVE AROUND WIMBERLY, A PLACE CALLED CASA LOMA, WE ARE DOING A CINCO DE MAYO FESTIVAL THERE. EVERY THURSDAY WE ARE AT THE

BLIND PIG, COME SEE US AND THANK YOU SO MUCH, IT'S A GREAT HONOR. THANK YOU. [APPLAUSE]

THANK YOU.

HAYDN VITERA.COM BY THE WAY.

GREAT. ONE MORE TIME, FOLKS. LET'S GIVE A HAND TO OUR ARTIST HERE. WITH THAT I HAND THE PODIUM BACK TO THE MAYOR FOR THE PROCLAMATIONS PART OF THE PROGRAM.

MAYOR? >>

Mayor Wynn: OKAY. THANK YOU VERY MUCH. SO WHILE HAYDN VITERA BREAKS DOWN ON THAT SIDE OF THE ROOM, WE WILL COME OVER HERE AND USE THIS PODIUM TO START OUR WEEKLY PROCLAMATIONS, CERTIFICATES, ET CETERA. WHAT WE TRY TO DO IS TAKE FEW MINUTES EACH WEEK TO HIGHLIGHT GOOD THINGS HAPPENING ACROSS THE COMMUNITY, SAY THANK YOU TO A NUMBER OF PEOPLE. OFTENTIMES RAISE AWARENESS OF IMPORTANT ISSUES. I'M WEARING MY -- MY GREEN RIBBON ON MY LAPEL TODAY BECAUSE MAY HAPPENS TO MARK MENTAL HEALTH MONTH AND IN ADDITION TO MENTAL HEALTH MONTH WE ARE GOING TO BE CELEBRATING AND TALKING ABOUT CHILDREN'S MENTAL HEALTH AWARENESS DAY. SO I WILL READ THE PROCLAMATION AND WE WILL HEAR MORE ABOUT HELPING US RAISE THE AWARENESS FOR CHILDREN'S MENTAL HEALTH. THE CERTIFICATE READS: BE IT KNOWN WHEREAS MENTAL HEALTH IS ESSENTIAL TO EVERYONE'S OVERALL HEALTH AND EMOTIONAL WELL-BEING, NO MATTER WHAT THEIR AGE. CHILDREN IN YOUTH WHO HAVE MENTAL ILLNESS CAN RECOVER AND LEAD FULL PRODUCTIVE LIVES. WHEREAS THE SPECIAL DAY IS DESIGNED TO CALL ATTENTION TO THE SERIOUS EMOTIONAL DISTURBANCES, CHILDREN AND YOUTH CAN SUFFER AND TO UNITE COMMUNITY PARTNERS IN PROAJT PREVENTION AND -- PROMOTING PREVENTION AND RECOVERY, FOR PROVIDING A YEAR-ROUND PROGRAM FOR CHILDREN AND YOUTH WITH MENTAL HEALTH NEEDS AND THEIR FAMILIES IS COST EFFECTIVE, BENEFICIAL TO OUR RESIDENTS, FUNDAMENTAL FOR THE FUTURE OF OUR COMMUNITY. NOW THEREFORE I WILL WYNN, MAYOR OF THE CITY OF AUSTIN, DO HEREBY

PROCLAIM MAY 8th 8th, 2006, AS CHILDREN'S MENTAL HEALTH AWARENESS DAY IN AUSTIN, I WANT TO THANK THE -- THE MYRIAD OF AFTER CATS, AGENCIES THAT -- ADVOCATES AGENCIES THAT WORK WITH SO MANY OF US AS WE TRY TO DEAL WITH A VERY FRAGMENTED SERIES OF SERVICES WHERE WE EVEN HAVE THEM FRANKLY REGARDING MENTAL HEALTH AND AS WE RAISE THE AWARENESS AND -- I RECOGNIZE THIS MONTH AS MENTAL HEALTH MONTH. I DO WANT TO HEAR ABOUT AND HELP UNDERSTAND THAT CHILDREN'S MENTAL HEALTH AWARENESS DAY. SO -- SO FIRST JOIN ME IN THANKING SO MANY PEOPLE WHO CHIP IN TO HELP US ON THIS VERY IMPORTANT ISSUE. [APPLAUSE]

THANK YOU, MAYOR. ON BEHALF OF -- OF ALL OF US THAT WORK TOGETHER, COLLABORATE TO -- TO MAKE SURE THAT -- THAT WE PROMOTE REST SILLRESILIENCY AND RECOVERY FOR CHILDREN, THAT AUSTIN IS A COMMUNITY IN WHICH INDEED CHILDREN CAN THRIVE AND I WANT TO THANK ALL OF YOU FOR WORKING TOGETHER. THIS YEAR'S THEME FOR CHILDREN'S MENTAL HEALTH AWARENESS DAY IS CHILDREN THRIVING IN THE COMMUNITY AND WHAT WE HAVE LEARNED IS THAT IT REALLY DOES TAKE AN ENTIRE COMMUNITY TO RAISE A CHILD. AND SO THIS IS A COMMUNITY IN WHICH ORGANIZATIONS AND INDIVIDUALS AND PEOPLE AND THE FAITH BASED COMMUNITY AND EVERYBODY HAS COME TOGETHER TO PROMOTE AN ENVIRONMENT IN WHICH CHILDREN CAN BE SUCCESSFUL. AND THRIVE. THANK YOU.

THANK YOU.

THANK YOU.

Mayor Wynn: SPEAKING OF THE LIVE MUSIC CAPITOL OF THE WORLD, LAST MONTH WE HAD A CERTIFICATE OF CONGRATULATIONS TO OUR FRIENDS MONTY WARDEN, BRUCE ROBINSON FOR A GREAT WRONG THEY HAD WRITTEN HAD A MILLION AIRPLANES, DESPERATELY BY GEORGE STRAIT. WE ARE GOING TO CONTINUE THE TRADITION OF CERTIFICATES OF CONGRATULATIONS TO FOLKS IN THE MUSIC COMMUNITY HELPING TO PROMOTE THIS GREAT ASPECT, REALLY THE DEFINING CHARACTERISTICS OF OUR CITY. FOR YOU WE HAVE OTHER CERTIFICATE OF CONGRATULATIONS TO THE DUST DEVILS, I

WILL READ IT AND HAVE KEVIN STEP FORWARD AND TALK TO US ABOUT THE ACCOMPLISHMENT AND ABOUT THE CAREER. SO THIS IS A CITY OF AUSTIN CERTIFICATE OF CONGRATULATIONS. FOR HAVING WON FOUR OF THE FIVE TEXAS MUSIC AWARDS, FOR WHICH THEY HAVE BEEN NOMINATED, THE DUST DEVILS ARE DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. BETWEEN THEM DUST DEVILS FOUNDERS, KEVIN HIGGINS AND BARBARA MALTEZEAND WON SONG OF THE YEAR, DOLL DUO OF THE YEAR, FEMALE VOCALIST OF THE YEAR AND AT BUM OF ALBUM OF THE YEAR. WE THANK THEM FOR THEIR CONTRIBUTIONS TO TEXAS MUSIC. WE JOIN THE ACADEMY OF TEXAS MUSIC AND MY TEXAS MUSIC.COM IN RECOGNIZING THE DUST DEVILS. THE LIVE MUSIC CAPITAL OF THE WORLD IS PROUD. THIS CERTIFICATE IS PRESENTED 4th DAY OF MAY, 2006, SIGNED BY ME BUT ACKNOWLEDGED BY THE ENTIRE CITY COUNCIL, A CERTIFICATE OF CONGRATULATIONS TO THE DUST DEVILS.

THANK YOU VERY MUCH.

THANK YOU.

SURE. THANK YOU MAYOR WYNN, HONORABLE CITY COUNCIL MEMBERS AND CITIZENS OF AUSTIN, TEXAS. WE ACCEPT THIS PROCLAMATION ON BEHALF OF THE AUSTIN AREA MUSICIANS WHO HOLD DOWN REGULAR JOBS TO AFFORD THE PRIVILEGE TO PERFORM IN THE LIVE MUSIC CAPITAL OF THE WORLD. WE ACCEPT THIS PROCLAMATION ON BEHALF OF THE CLUB OWNERS IN AND AROUND AUSTIN WHO PROMOTE LIVE MUSIC WHILE STILL PAYING A DECENT WAGE FOR A DECENT NIGHT'S WORK. WE ACCEPT THIS PROCLAMATION ON BEHALF OF THE HARD WORKING PEOPLE EVERYWHERE WHO AT THE END OF A LONG DAY STILL GO OUT AND REJUVENATE THEIR SOULS FOR MUSIC. THANK YOU FOR LISTENING, THANK YOU FOR THIS PRESTIGIOUS HONOR.

BARBARA?

NO. [APPLAUSE]

Mayor Wynn: OKAY. NEXT WE HAVE A SERIES OF CERTIFICATES OF CONGRATULATIONS TO AWARD WINNERS

AND SO I HAVE A PROCLAMATION THAT WILL TALK ABOUT THE LATINO MOTHER'S DAY CONTEST WINNERS. THAT BEING MAY 14th WILL BE THE ACTUAL DAY, THEN ALICIA WILL TALK ABOUT THE PROGRAM AND HOW THESE YOUNG LADIES WERE CHOSEN AS WINNERS AND THEY WILL PRESENT THE ACTUAL CERTIFICATES OF CONGRATULATIONS TO THEM. AND SO THE -- THE PROCLAMATION READS -- BE IT KNOWN THAT LATINITAS MAGAZINE, A NON-PROFIT BILINGUAL OPINION INDICATION FOR HISPANIC -- PUBLICATION FOR HISPANIC UNIVERSITIES WITH THE ASSISTANCE OF TEXAS STATE UNIVERSITY COMMUNICATION STUDENTS SPONSORED A MOTHER'S DAY WRITING CONTEST FOR MIDDLE AND HIGH SCHOOL GIRLS. WHEREAS WE ARE PLEASED TO RECOGNIZE FIRST PLACE WINNERS IN THE ESSAY CATEGORY, MARIA PATION AND BRIANNA WALKER. POEM LAURIE GUERRERO, ART CART GORE, FLORES AND DE LA ROCHA. [APPLAUSE] AND WHEREAS SECOND PLACE WINNERS INCLUDE ALEYA SOLIVA SORRY IF I'M MISPRONOUNCING THAT AND LAURA MONROE FOR THEIR ESSAYS AND VERONICA VILLANUEVA FOR HER POEM, SECOND PLACE WINNERS. NOW THEREFORE I WILL WYNN, MAYOR OF THE CITY OF AUSTIN DO HEREBY CONGRATULATE ALL OF THE YOUNG LADIES AND THEIR ENTRIES AND PROCLAIM MAY 14th, 2006 AS LATINITATS MOTHER'S DAY CONTEST WINNERS DAY HERE IN AUSTIN AND PLEASE CONGRATULATE -- PLEASE JOIN IN IN CONGRATULATING THESE FINE YOUNG WOMEN.

FIRST OF ALL I WANT TO THANK MAYOR WELL WIN, AS WELL AS THE CITY COUNCIL FOR THIS WONDERFUL PRESTIGIOUS HONOR. WE ARE VERY FORTUNATE TO RECEIVE NUMEROUS SUBMISSIONS FROM GIRLS FROM AUSTIN AS WELL AS THE CENTRAL TEXAS AREA. AND WE HAD SO MANY TALENTED YOUNG GIRLS SUBMIT THEIR ART WORK, THEIR PHOTOGRAPHY AS WELL AS THEIR WRITING AND POETRY, IT WAS VERY CHALLENGING FOR US TO LIMIT IT DOWN TO THESE GIRLS RIGHT HERE, BUT WE HAVE A VERY TALENTED POOL OF GIRLS WHO HAVE SHARED THEIR LOVE WITH THE ENTIRE COMMUNITY LETTING US ALL KNOW ABOUT THE LOVE THAT THEY HAVE FOR THEIR PARENTS. SO WE REALLY APPRECIATE THEM HONORING THEIR MOTHERS AND WE ARE EXCITED TO HAVE THIS OPPORTUNITY TO PUBLISH THEIR

WORK IN OUR MAGAZINE AND SOME BACKGROUND ABOUT US, WE ARE A BILINGUAL MAGAZINE BY AND FOR HISPANIC GIRLS AND OUR MISSION TO EMPOWER HISPANIC GIRLS THROUGH MEDIA. SO ALL THE WORK THAT THESE GIRLS HAVE SUBMITTED WILL BE PUBLISHED ON OUR WEBSITE FOR GIRLS. THANK YOU. [APPLAUSE] LATINO,. >>

Mayor Wynn: MY LAST PROCLAMATION BEFORE I HAND THE MICROPHONE OVER TO COUNCILMEMBERS LEFFINGWELL AND THEN KIM, THIS PROCLAMATION IS REGARDING COVER THE UNINSURED MONTH. I'M JOINED BY GERALD HILL OF THE SETON HEALTH CARE FAMILY OF HOSPITALS OR SYSTEMS, WHATEVER THE NAME IS NOW, WHO WILL TALK ABOUT THE PROGRAM AND FUNDAMENTALLY AS YOU ALL KNOW THAT TEXAS SADLY LEADS THE NATION IN ITS PERCENTAGE OF ITS CITIZENS WHO ARE UNINSURED, UPWARDS OF OVER 25% NOW AND AT -- THAT FUNDAMENTALLY IT RAISES THE COST OF HEALTH CARE FOR EVERYBODY, INCLUDING THOSE OF US WHO ARE LUCKY ENOUGH TO BE INSURED. WHAT WE ARE TRYING TO PROMOTE IS OF COURSE THE NEED FOR ALL OF US TO BE GAINFULLY INSURED. SO THE PROCLAMATION IS REGARDING COVER THE UNINSURED WEEK AND IT READS: BE IT KNOWN THAT WHEREAS ONE OUT OF FOUR TEXANS, ALMOST 5.4 MILLION PEOPLE ARE UNINSURED. IN FACT TEXAS LEADS THE U.S. WITH THE HIGHEST RATE OF UNINSURED RESIDENTS. WHEREAS BEING UNINSURED DOES NOT NECESSARILY MEAN BEING UNEMPLOYED. EIGHT OUT OF 10 UNINSURED AMERICANS ARE UNEMPLOYED OR ARE MEMBERS OF WORKING FAMILIES. WHEREAS THE LACK OF ADEQUATE INSURANCE AFFECTS US ALL, DECREASED PRODUCTIVITY CAUSED BY ABSENTEEISM AND POOR PERFORMANCE BECAUSE OF ILLNESS ARE COSTLY TO BOTH EMPLOYERS AND TO OUR ECONOMY. WHEREAS I CALL ON CENTRAL TEXANS TO JOIN THE SETON FAMILY OF HOSPITALS AND ANOTHER LOCAL ORGANIZATIONS IN VOICING THEIR CONCERNS TO LAWMAKERS ABOUT THE LACK OF ADEQUATE, AFFORDABLE HEALTH COVERAGE. ON NOW THEREFORE I WILL WYNN MAYOR OF AUSTIN DO HEREBY PROCLAIM THIS WEEK AS COVER THE UNINSURED WEEK AND WOULD ASK GERALD TO COME FORWARD AND TALK TO US ABOUT -- ABOUT THE ADEQUACY NEEDED FOR THIS PROGRAM AND FRANKLY HOW SETON IS THE MAJOR

PARTNER IN OUR HEALTH CARE NETWORK HAS TO DEAL WITH THE CHALLENGES. GERALD, THANK YOU FOR BEING HERE.

THANK YOU VERY MUCH. THANK YOU, MAYOR AND COUNCIL, IT IS VERY MUCH APPRECIATED THAT YOU HELP US BRING ATTENTION TO COVER THE UNINSURED WEEK IN OUR AREA AND CENTRAL TEXAS, 25 PERCENT OF OUR FRIENDS AND NEIGHBORS AND FAMILIES GO WITHOUT INSURANCE EVERY DAY. AND I WANT TO BRING ATTENTION TOMORROW THERE WILL BE A SCREENING PROCESS AVAILABLE AT CHILDREN'S HOSPITAL, ALL DAY LONG FROM 9:00 TO 4:00, AND IF YOU HAVE CHILDREN THAT YOU WILL LIKE TO BE SCREENED TO SEE IF THEY MIGHT BE ELIGIBLE, LET ME GIVE A NUMBER THAT IS 324-2447, 324-2447, THAT IS INSURE A KID HERE IN AUSTIN. THAT'S A COLLABORATIVE PROGRAM. IT IS ONE OF THE THINGS THAT SETON HAS WORK ON VERY HARD. BUT WE APPRECIATE THE MAYOR AND COUNCIL HELPING BRING ATTENTION TO THIS VERY, VERY IMPORTANT ISSUE ABOUT OUR UNINSURED IN OUR COMMUNITY. THANK YOU VERY MUCH.

THANK YOU FOR YOUR WORK.

THANK YOU. [APPLAUSE]

Mayor Wynn: FOR OUR NEXT OPERATION I WILL RECOGNIZE COUNCILMEMBER LEE LEFFINGWELL.

WOULD YOU ALL LIKE TO COME UP? MS. HERZOG, MARY ARNOLD. IT'S MY SPECIAL PRIVILEGE TONIGHT TO PRESENT A CERTIFICATE OF CONGRATULATIONS TO MR. BOB AYRES, WHO MANAGES THE SHIELD RANCH. 6700 ACRES OF LAND THAT IS PRESERVED FOR FUTURE GENERATIONS OUT IN SOUTHWEST AUSTIN. I PERSONALLY HAD THE PRIVILEGE OF VISITING THIS RANCH ABOUT TWO YEARS AGO AND BOB TOOK ME AROUND, I TELL YOU IT'S ONE OF THE MOST BEAUTIFUL PIECES OF LAND THAT I'VE EVER SEEN, ROLLING HILLS, STREAMS, PERCHED AQUIFERS, ET CETERA, IT'S REALLY SOMETHING TO SEE, IT'S A GREAT THING THAT THIS RANCH IS IN THE PROCESS NOW, ONGOING, OF BEING RESTORED AND AS I SAID PRESERVED FOR FUTURE GENERATIONS. 6700 ACRES AGAIN, PART OF CONSERVATION

EASEMENT ON THAT IS -- IS HELD BY THE CITY OF AUSTIN. WHICH WE ARE VERY PROUD OF. AND THE REST IS HELD BY THE NATURE CONSERVANCY. SO -- SO THE AWARD IS ACTUALLY PRESENTED BY THE DAUGHTERS OF AMERICAN REVOLUTION. WHICH HAS BEEN -- BEEN PRESENTING CONSERVATION AWARDS SINCE 1909. HOWEVER, THIS IS THE FIRST ANNUAL AWARD TO BE PRESENTED BY THE AUSTIN COLONY AND WE WILL HOPE THEY KEEP DOING IT EVERY YEAR AND MARY MAYBE YOU ARE NEXT. WHO KNOWS? SO I WILL READ THE PROCLAMATION. IT'S A CERTIFICATE OF CONGRATULATIONS FOR HAVING BEEN SELECTED BY THE AUSTIN COLONY CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION AS AN OUTSTANDING CONSERVATIONIST, ROBERT A. BOB AYRES IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. MR. AYRES EFFORTS TO PROTECT THE ENVIRONMENT ARE LEGION, HIS WORK TO RESTORE THE 7600-ACRE SHIELD RANCH AND TO PRESERVE IT FOR FUTURE GENERATIONS HAVE HAD A FAR-REACHING IMPACT ON THE FLORA AND FAUNA OF THE TEXAS HILL COUNTRY AS WELL AS THE WATER QUALITY OF THE EDWARD'S AQUIFER. HE HAS EDUCATED OTHERS ABOUT THE IMPORTANCE OF PRESERVING AND ENHANCING OUR NATURAL RESOURCES AND HAS SHOWN THAT LANDOWNERS CAN BENEFIT ECONOMICALLY AND STILL PRESERVE RICH ELEMENTS OF THE LANDSCAPE AND NATURAL HABITATS FOR WILDLIFE. HE'S A MEMBER OF THE TEXAS LAND TRUST HONORARY COUNCIL, SERVES ON THE BOARD OF TRUSTEES OF THE NATURE CONSERVANCY OF TEXAS, IS A FOUNDING BOARD MEMBER OF THE HILL COUNTRY CONSERVANCY. WE CONGRATULATE HIM ON HIS EXCEPTIONAL WORK TO PROTECT THE ENVIRONMENT AND FOR HAVING BEEN HONORED WITH THE NS DAUGHTERS OF THE AMERICAN REVOLUTION CONSERVATION AWARD, THIS CERTIFICATE IS PRESENTED IN RECOGNITION THEREOF, THIS 4th DAY OF MAY, THE YEAR 2006, CITY COUNCIL OF AUSTIN, TEXAS, SIGNED BY MAYOR WILL WYNN, CONGRATULATIONS BOB. [APPLAUSE]

I WOULD LIKE TO INTRODUCE, TO SAY A FEW WORDS. MS. MARTHA HARTZOG, A REGENT OF THE AUSTIN COLONY OF THE AMERICAN DAUGHTERS OF REVOLUTION.

MATTERMARTHA?

THANK YOU SO MUCH. THANK YOU, COUNCILMEMBER AND YOUR STAFF FOR JOINING WITH AUSTIN COLONY CHAPTER DAR IN HONORING BOB AYRES FOR HIS CONTRIBUTION TO THE ENVIRONMENT WITH THIS CERTIFICATE OF APPRECIATION. SINCE 1909 THE DAR HAS EMPHASIZED GUARDIANSHIP OF OUR NATURAL RESOURCES AND THROUGH ITS CONSERVATION COMMITTEE IT'S DEDICATED TO PROTECTING AND PROMOTING RESPONSIBLE USE OF THESE RESOURCES. THE DAR CONSERVATION MEDAL IS GRANTED TO INDIVIDUALS FOR OUTSTANDING EDUCATION WORK IN THE FIELD OF CONSERVATION, MAJOR REPLANNING EFFORTS, INDIVIDUAL AND WILDLIFE NATURE CENTER WORK, RESOURCE MANAGEMENT, YOUTH LEADERSHIP, MEDIA WORK AND PARK ESTABLISHMENTS. AUSTIN COLONY CHAPTER IS HOPEFUL THAT THANKS TO THE KNOWLEDGE AND THE WORK OF OUR OWN MARY ARNOLD, WE WILL BE ABLE TO AWARD THIS MEDAL ON A YEARLY BASIS. PLEASE JOIN US, IMMEDIATELY FOLLOWING FOR A SMALL RECEPTION IN THE BOARD AND COMMISSION ROOMS. THERE WILL BE SOME LIGHT REFRESHMENTS SERVED AND WE ARE GOING TO ACTUALLY PRESENT HIM WITH THE DAR MEDAL AND HIS CERTIFICATE FROM DAR, THANK YOU SO MUCH. [APPLAUSE] NOW, I BELIEVE BOB AYRES, MAY I PRESENT BOB AYRES TO YOU SO HE CAN MAKE SOME REMARKS.

THANK YOU VERY MUCH. I'M VERY HONORED BY THE AWARDS. I WANT TO SAY HOW FORWARD THINKING I BELIEVE THAT IT IS OF THE DAR TO -- TO UNDERSTAND THE PROFOUND LINKS BETWEEN THE PROTECTION OF A NATURAL RESOURCES AND OUR NATURAL HERITAGE AND OUR -- OUR CULTURAL AND NATIONAL HISTORY. I -- NATURAL HISTORY. I ALSO WANT TO UNDERSCORE MY FAMILY'S APPRECIATION TO THE CITY OF AUSTIN. THE CONSERVATION THAT WE HAVE ACCOMPLISHED ON OUR PROPERTY WE COULD NOT HAVE DONE IN THE WAY THAT WE HAVE WITHOUT THE -- THE ASSISTANCE OF THE CITY AND THE PARTNERSHIP WITH THE CITY OF AUSTIN AND ALSO THE NATURE CONSERVANCY AND I WOULD BE REMISS NOT TO SAY HOW THRILLED I AM THAT THERE APPEARS TO BE A PARKS AND OPEN SPACE MONEY ON THE BOND INITIATIVE

FOR NEXT FALL AND HOPE THAT THE COUNCIL WILL BE AS LIBERAL AS THEY ARE ABLE TO BE BECAUSE I KNOW THAT THERE ARE OTHER LANDOWNERS WHO WOULD LIKE TO PARTICIPATE AND PROTECT THEIR PROPERTIES AS WELL. SO THANKS -- THANKS VERY MUCH. [APPLAUSE]

I HAVE A PROCLAMATION HERE FOR ASIAN PACIFIC AMERICAN HERITAGE MONTH. THERE ARE A LOT OF EVENT GOING ON THIS MONTH AS THERE ARE EVERY YEAR. IN PARTICULAR THERE ARE SERIAL THAT I WOULD LIKE TO MEXICO BECAUSE THERE ARE A LOT OF OPPORTUNITIES FOR EVERYONE TO GET A BIT BIT OF ASIAN AMERICAN CULTURE. WE HAD SOME THIS PAST WEEKEND, MAY ASIA MONTH FESTIVAL AT 8650 SPICEWOOD SPRINGS ROAD OVER AT THE SPICEWOOD 183 SHOPPING CENTER, THIS SATURDAY, MAY 6th FROM 11:00 A.M. TO 2:00 P.M. WE HAVE THE AUSTIN FILIPINO AMERICAN ASSOCIATION FLORES DEMAYO SANTA CRUZ AT THE CAPITOL ON SUNDAY 11:00 A.M. TO 12:00 P.M. SUNDAY A FESTIVAL AT THE ZILKER BOTANICAL GARDEN AUDITORIUM, A HUGE EVENT FROM SUNDAY FROM 12:00 TO 4:00. THE INDIA MUSICAL CLASSIC, AKINS HIGH SCHOOL AUDITORIUM SUNDAY MAY 7th AT 5:00 P.M. FINALLY WE HAVE THE 2006 ASIAN PACIFIC AMERICAN HERITAGE MONTH LUNCHEON AT THE PARMER EVENTS CENTER WHERE ALL OF OUR CITY OF AUSTIN EMPLOYEES ARE INVITED. THIS PROCLAMATION FOR THE ASIAN AMERICAN EMPLOYEE NETWORK I HAVE HERE. BE IT KNOWN THAT WHEREAS ASIAN PACIFIC AMERICAN CULTURAL HERITAGE MONTH IS NATIONALLY RECOGNIZED AS A TIME TO CELEBRATE THE DIVERSITY OF ASIAN AND PACIFIC ISLAND CUT CULTURES AND THEIR INFLUENCE ON OUR COMMUNITY, WHEREAS THERE ARE MANY EVENTS IN AUSTIN CELEBRATING THE DIVERSE ASIAN AND PACIFIC ISLAND CULTURES, WHEREAS THE CITY OF AUSTIN'S ASIAN AMERICAN EMPLOYEE NETWORK, AEN, IS HOSTING THE 7th ANNUAL CELEBRATION OF THIS CULTURAL EVENT AT PALMER AUDITORIUM OR PAMER EVENTS CENTER ON MAY 26th FROM 1130 TO 1:00 P.M. FEATURING MANY DIFFERENT FOOD, ALONG WITH A DYNAMIC DRAGON DANCE, CULTURAL DANCES FROM CHINA, INDIA AND KOREA, A MARTIAL ARTS DEMONSTRATION AND MORE, NOW THEREFORE I, AUSTIN MAYOR WILL WYNN, DO HEREBY DECLARE MAY 2006 AS

ASIAN PACIFIC HERITAGE MONTH, SIGNED WILL WYNN.
ACCEPTING ON BEHALF IS SARAH CHEN AND VINCE COBALIS.
[APPLAUSE]

THANK YOU, COUNCILMEMBER KIM. MAYBE HAS BEEN THE MONTH FOR CELEBRATION OF ASIAN AMERICANS OR ASIAN PACIFIC AMERICANS SINCE 1978. THE FIRST 10 DAYS OF MAY WAS DESIGNATED ASIAN PACIFIC AMERICAN HERITAGE WEEK. TO CELEBRATE TWO THINGS, THAT HAPPENED IN MAY A LONG TIME AGO. THE FIRST IS THE FIRST ARRIVAL OF JAPANESE IMMIGRANTS IN 1843, AND THE SECOND IS THE CONTRIBUTIONS OF CHINESE WORKERS TO THE BUILDING OF THE TRANS CONTINENTAL RAILROAD COMPLETED MAY 10th, 1869. IN 1990, THE CELEBRATION WAS EXPANDED TO THE ENTIRE MONTH OF MAY BY PRESIDENT GEORGE H.W. BUSH AND IN 1992 CONGRESS DESIGNATED THE WHOLE MONTH OF MAY AS NATIONAL ASIAN PACIFIC AMERICAN HERITAGE MONTH. SO THE CELEBRATIONS IN AUSTIN IS ACTUALLY A COORDINATION WITH NATIONWIDE CELEBRATIONS IN EDUCATIONAL OPPORTUNITIES AND FESTIVITIES WITHIN THE WHOLE MONTH JUST TO MAKE-- TO BRING AWARENESS TO THE CONTRIBUTIONS AND ALSO THE CULTURAL HERITAGE OF ASIAN PACIFIC AMERICANS. THE THEME, THE NATIONAL THEME FOR THIS YEAR IS CELEBRATING DECADES OF PRIDE, PARTNERSHIPS AND PROGRESS. THE PERSPECTIVE INTO THE HISTORY AND ON TO THE FUTURE. AND WE INVITE ALL CITY OF AUSTIN EMPLOYEES TO COME JOIN US IN THIS EVENT. THANK YOU. [APPLAUSE] >>

Mayor Wynn: THERE BEING A QUORUM PRESENT AT THIS TIME WE WILL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, WE WILL GO TO OUR PUBLIC HEARINGS. WE HAVE A COUPLE OF FOLKS WHO SIGNED UP. WE WILL TAKE THESE IN ORDER. ITEM 39. 39 AN ISSUE REGARDING THE CITY'S ONE STOP SHOP. A BRIEF PRESENTATION.

MAYOR, MAYOR PRO TEM, COUNSEL, I'M LEON BARTLETT, THE ASSISTANT DIRECTOR WITH THE WATERSHED PROTECTION DEVELOPMENT REVIEW DEVELOPMENT. ITEM 39 WILL COMPLETE OR FINALIZE OUR COMPLETION OF THE ONE STOP SHOP. A NUMBER OF RESPONSIBILITIES AND

DUTIES THAT NEED TO BE TRANSFERRED OVER TO THE NEW ONE STOP SHOP, THIS AMENDMENT WILL MAKE THOSE CHANGES OFFICIALS. I DON'T HAVE ANY PRESENTATIONS BUT I'M HERE TO ANSWER ANY QUESTIONS IF YOU HAVE ANY.

THANK YOU, ANY QUESTIONS OF STAFF, COUNCIL? ANY CITIZENS THAT WOULD LIKE TO ADDRESS US ON THIS PUBLIC HEARING, ITEM NO. 39 REGARDING THE FORMATION OF OUR ONE STOP SHOP? HEARING NONE, WITHOUT FURTHER COMMENTS OR QUESTIONS I WILL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING AND CONSIDER THIS ORDINANCE AMENDED. COUNCILMEMBER LEFFINGWELL?

Leffingwell: I'LL MOVE TO CLOSE THE PUBLIC HEARING AND AMEND THE ORDINANCE AS SPECIFIED IN THE ITEM.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER DUNKERLY TO CLOSE THIS PUBLIC HEARING AND APPROVE THE ITEM AS PRESENTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THANK YOU. ITEM 40 IS CONDUCT A PUBLIC HEARING TO CONSIDER A VARIANCE REGARDING A SINGLE FAMILY RESIDENT, 806 EAST 30th STREET IN THE 25 YEAR AND 100 YEAR FLOODPLAIN AND I WOULD APPRECIATE A BRIEF STAFF PRESENTATION FROM GEORGE OSWALT.

MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, GEORGE OSWALT, WATERSHED PROTECTION AND DEVELOPMENT REVIEW. THE ACTION BEFORE YOU WITH ITEM 40 IS TO CONDUCT A PUBLIC HEARING TO CONSIDER A VARIANCE REQUEST BY RUSSELL JONES TO ALLOW CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AT 806 EAST 30th STREET AND THE -- IN THE 25 YEAR AND 100 YEAR FLOODPLAINS OF WALLER CREEK AND TO WAIVE THE REFRESH MY MEMORIES TO DEDICATE A DRAINAGE EASEMENT TO THE FULL EXTENT

OF THE 100 YEAR FLOODPLAIN FOR THE FOOTPRINT OF THE RESIDENTS. TRY TO GET THE VISUALS UP HERE. OKAY. THIS IS A SUMMARY OF THE REQUEST. IS TO DEMOLISH AN EXISTING 929 SQUARE FOOT RESIDENCE THAT'S IN VERY POOR CONDITION. I'M GOING TO SHOW YOU SOME PICTURES HERE IN A FEW MINUTES TO CONSTRUCT A 1628 SQUARE FOOT SINGLE FAMILY HOUSE, ALSO EXCLUDING THE FOOTPRINT FROM THE REQUIREMENTS TO DEDICATE A DRAINAGE EASEMENT. ALL RIGHT, HERE'S THE LOCATION OF THE SUBJECT PROPERTY, IT IS THE RED POLYGON IN THE CENTER OF THE PICTURE. WE HAVE WALLER CREEK FLOWING FROM NORTH TO SOUTH FROM THE TOP OF THE VISUAL TO THE BOTTOM. 30th STREET IS -- IS IMMEDIATELY IN FRONT OF THIS PROPERTY AND IT DEAD ENDS INTO WALLER CREEK. AT THE LOCATION OF THE LOT. GOING IN A LITTLE CLOSER, YOU CAN SEE THAT THE LOT ITSELF IS PLATTED TO THE CENTER LINE OF THE CREEK, THE -- THE DARKER BLUE AREA IS THE LIMITS OF THE 25 YEAR FLOODPLAIN, THE LIGHTER SHADED AREA IS THE LIMITS OF THE 100 YEAR FLOODPLAIN, SO ALL BUT THE SMALLEST PIECE THAT -- AT THE SOUTHEASTERN CORNER OF THE LOT IS ENTIRELY WITHIN THE LIMITS OF THE 25 YEAR FLOODPLAIN. AND THE YELLOW AREA IS THE FOOTPRINT OF THE PROPOSED NEW CONSTRUCTION. IT'S VERY DIFFICULT TO -- TO SEE THE FOOTPRINT OF THE OLD HOUSE THAT'S KIND OF IN THAT NOTCH BEHIND THE PROPOSED NEW CONSTRUCTION. ALL RIGHT, THIS IS WHAT'S AT THE LOCATION NOW. THIS IS FRONT ELEVATION OF THE EXISTING STRUCTURE THAT IS PROPOSED TO BE DEMOLISHED. THIS IS THE REAR LOCATION AND WHAT I WANT TO I ALSO STRAIGHT HERE IS THE PROXIMITY OF THE PROPERTY TO THE CREEK. IT'S BASICALLY RIGHT ON TOP OF WALLER CREEK AND SOLIDLY WITHIN THE FLOOD WAY OF WALLER CREEK. THE NEW CONSTRUCTION WILL MOVE A LITTLE BIT FURTHER AWAY FROM THE CENTER LINE OF THE CREEK. BEFORE I GO THROUGH OUR FINDINGS FOR RECOMMENDATION OF DENIAL OF THE VARIANCE, I WANT TO DISCUSS WITH YOU SOME OF THE INTERACTION THAT WE HAD WITH THE APPLICANT OVER THE LAST FEW MONTHS ON THIS PARTICULAR REQUEST. THE EXISTING STRUCTURE HAS BEEN ABANDONED FOR A LONG TIME. NO ONE HAS LIVED IN THERE FOR MANY YEARS, SO IT'S BASICALLY A NON-

CONFORMING USE THAT HASN'T BEEN OCCUPIED FOR A LONG TIME, SO EVEN IF YOU WANTED TO RECONSTRUCT THAT, IT WOULD HAVE TO CONFORM WITH THE FLOODPLAIN REGULATIONS, EVEN IF YOU WANTED TO REHAB THAT, WHICH BASICALLY WOULD STILL REQUIRE A VARIANCE BECAUSE IT'S SOLIDLY IN THE FLOODPLAIN. WE ASK THE APPLICANT IF HE WAS WILLING TO LIMIT THIS SQUARE FOOTAGE OF THE NEW STRUCTURE TO WHAT IS THERE NOW. THAT WAS NOT HIS DESIRE. IF HE HAD DONE THAT, WE WOULD -- WE WOULD HAVE BEEN WILLING TO SUPPORT THE VARIANCE REQUEST BECAUSE WE WOULD HAVE RECOGNIZED A HARDSHIP ON THE LAND. THAT -- THAT REALIZING SOME BENEFICIAL ECONOMIC USE OF THE LAND. BUT THAT BEING SAID, THE APPLICANT WANTS TO BUILD A LARGER STRUCTURE, WE ARE NOT TALKING ABOUT A LOT OF SQUARE FOOTAGE HERE, BUT IT IS SIGNIFICANT CONSIDERING WHAT'S ALREADY OUT THERE. THE -- THE PROPOSED NEW CONSTRUCTION, THERE WOULD BE AIR CONDITIONED SPACE, SOMEWHAT IN EXCESS OF 1200 SQUARE FEET, ABOUT A 35% INCREASE OVER WHAT'S THERE. IF YOU COUNT ALL OF THE SQUARE FOOTAGE, THE DECK, PATIOS, COVERED PATIOS, IN EXCESS OF 1600 SQUARE FEET, IF YOU GO OUT INTO THIS NEIGHBORHOOD AND WALK AROUND, YOU WILL SEE WHERE OVER THE YEARS MANY PEOPLE HAVE ENCLOSED PORCHES, SO THERE IS SOME LIKELIHOOD OF THAT ADDITIONAL SQUARE FOOTAGE BEING ENCLOSED SOMETIME IN THE FUTURE. I WANT TO TAKE YOU TO THE SALIENT FINDINGS THAT SUPPORT OUR RECOMMENDATION TO DENY IS BASICALLY THIS HOUSE WILL BE SURROUNDED BY FOUR FEET OF WATER IN THE BACK, ABOUT A FOOT AND A WATER IN THE FRONT DURING ONE HUNDRED YEAR EVENT, IT'S A PRETTY HIGH VELOCITY SITUATION IN THE -- IN THE REAR OF THE PROPERTY THE WATER WOULD BE MOVING IN EXCESS OF 10 FEET PER SECOND IN FRONT OR 2.5 FEET PER SECOND, IF YOU CAN IMAGINE WATER COMING AROUND THIS BUILDING, COMING TO 30th STREET AND THEN FINDING ITS WAY BACK INTO WALLER CREEK. SO THAT -- THAT'S A SIGNIFICANT ISSUE. THE -- THE APPLICANT DOES PROPOSE TO PROPERLY ELEVATE THE PROPERTY. THE FINISHED FLOOR OF THE PROPOSED CONSTRUCTION WOULD EXCEED TWO FEET ABOVE THE 100 YEAR FLOODPLAIN. SO THERE WOULD BE

SAFE REFUGE IN THE STRUCTURE BECAUSE OF THE PROPER ELEVATION. THE OTHER MAJOR CONCERN WHICH I HAVE ALREADY OUTLINED IS INCREASED OCCUPANCY IN THE FLOODPLAIN. THAT CONCLUDES MY PRESENTATION, I WOULD LIKE TO TAKE ANY QUESTIONS THAT YOU MIGHT HAVE.

THANK YOU, QUESTIONS OF STAFF, COUNCIL?
COUNCILMEMBER LEFFINGWELL?

THE ACTUAL HOUSE, CONDITIONED SPACE THAT'S 1200 FEET YOU ARE SAYING.

THE EXACTLY. IT'S 1260 SQUARE FEET. ENCLOSED IN THE NEW, IN THE PROPOSED STRUCTURE.

THE PRESENT STRUCTURE IS NOT HABITABLE.

NO. I WILL GO BACK TO THAT PICTURE.

Leffingwell: THAT'S -- YEAH, I SAW IT. IT'S HARD TO --

IT'S IN BAD SHAPE.

VERY BAD SHAPE. I WOULDN'T RECOMMEND IT, EVEN WALKING IN THERE.

FURTHER QUESTIONS?

IF NOT WE WILL -- WE WILL HEAR FROM FOLKS WHO SIGNED UP FOR THE PUBLIC HEARING. OUR FIRST SPEAKER IS RUSSELL JONES. WELCOME, RUSSELL. LET'S SEE IS PAUL KRIGER IN THE ROOM. SO RUSSELL UP TO SIX MINUTES, FOLLOWED BY MARGARET WOMACK.

THANK YOU MAYOR, MAYOR PRO TEM, COUNCIL, I HAVE LIVED NEXT DOOR TO THIS PROPERTY FOR 16 YEARS. I HAVE BEEN TRYING TO BUY IT FOR ABOUT THE SAME AMOUNT OF TIME. YOU EITHER -- YOU EITHER OWN IT OR SOMEBODY ELSE OWNS IT AND THEY -- THEY PUT FOUR STUDENTS IN IT NEXT DOOR TO YOU, I RESPECT WHAT WATERSHED PROTECTION THE GROUP ARE SAYING BECAUSE I HAVE LIVED AGAIN ON WALLER CREEK LITERALLY FIVE FEET OFF

OF IT FOR THE LAST 16 YEARS, I HAVE SEEN A 25 YEAR FLOOD EVENT. BELIEVE ME, I WOULDN'T BE STANDING HERE PROPOSING THIS IF I DIDN'T FEEL COMFORTABLE WITH THE ENGINEERING AND DESIGN AND THE MONEY THAT I HAVE SPENT TO THIS POINT. I HAVE WORKED ON THIS PROJECT FOR TWO YEARS AND TWO MONTHS. CROSSING EVERY T, DOTTING EVERY I. I HAVE WORKED WITH THEM AND THE PERMING PEOPLE, I ACTUALLY THOUGHT THAT I WOULD HAVE AN ADMINISTRATIVE VARIANCE LAST DECEMBER. I FILED THIS PERMIT IN OCTOBER, SEVEN MONTHS AGO. I THOUGHT THAT I WOULD ALREADY BE BUILDING A HOUSE BY NOW. INSTEAD I HAVE SPENT TIME AND MONEY WITH HIDE HYDROLOGISTS, ENGINEERS, ARCHITECTS, I BELIEVE THIS PROPERTY, I'M NOT GOING TO USE FEMA'S NUMBERS, BUT I'M GOING TO BUILD THIS HOUSE BASED ON FEMA'S NUMBERS. THE HOUSE WILL BE A STRUCTURALLY SOUND, WELL FITTING HOUSE WITH THE NEIGHBORHOOD. I'M PLANNING ON LIVING IN IT. SO BELIEVE ME I LIKE SLEEPING AT NIGHT WHEN THE RAIN IS POURING, BUT I DON'T WANT TO HAVE TO GET WORRIED ABOUT GETTING UP AND -- AND TRYING TO ESCAPE. AGAIN I BELIEVE THE HOUSE WILL BE STRUCTURALLY SOUND AND I HAVE BEEN THERE DURING A 25 YEAR FLOOD EVENT, THE WATER HAS NEVER EVEN TOUCHED THE EXISTING HOUSE AND THE NEW HOUSE WILL BE ELEVATED FAR ABOVE THAT. I AM EVEN MOVING THE -- THE CORNER OF THE HOUSE 10 MORE FEET IN SO THE FLOOD WAY ACTUALLY HAS BETTER -- BETTER OPPORTUNITY TO -- TO MOVE PAST. ANY -- ANY -- I COULD SHOW YOU OTHER PICTURES, BUT I THINK THAT YOU ARE SEEING A NICE LITTLE SLIDE SHOW OF THE CREEK. I HAVE ALREADY PUT IN, REDONE THE RETAINING WALL, YOU ARE SEEING MY OTHER HOUSE NEXT DOOR. I WILL GO AHEAD AND ASK FOR QUESTIONS IF -- IF PEOPLE WOULD LIKE TO ASK THEM. THANK YOU, COUNCILMEMBER DUNKERLY.

ON THE HOUSE ITSELF, YOU ARE GOING FROM 900 PLUS TO 1200 PLUS, ABOUT 300 SQUARE FEET. WHEN WE WENT OVER THOSE THINGS, MOST OF THAT -- MANY OF THOSE FEET WERE USED TO -- TO BRING THE HOUSE AND TO -- INTO CONFORMITY WITH CODE, FOR EXAMPLE THE WIDTH OF THE STAIRS, I THINK THAT YOU ARE ADDING SOME WIDTH ON THE WALLS IN ORDER TO BETTER INSULATE THE STRUCTURE.

BUT I WAS -- YOU SHOWED ME THE DESIGN ON THE -- ON THE DECK ITSELF. THE WAY THAT YOU ARE BUILDING IT. COULD YOU DESCRIBE THAT AND TO ME IT DIDN'T LOOK LIKE ANY WATER WOULD BE IMPEDED OR AFFECTED AT ALL BY THE DECK ITSELF.

WELL, ACTUALLY IT DOES -- IT DOES CLEAR UP THE FLOOD WAY. AGAIN I DIDN'T THINK THAT I WOULD EVER BE AN EXPERT EYEDDROLOGIST UNTIL -- HYDROLOGIST UNTIL AFTER A COUPLE OF YEARS OF EXPERIMENTING, BUT -- BUT THE NEW STRUCTURE WILL ACTUALLY HAVE CONCRETE PEERS INTO BEDROCK. THE BEDROCK IS RIGHT THERE AT THE CREEK. AND SO -- SO MY ENGINEERS ASSURE ME THAT IF I -- IF I GET INTO THE BEDROCK AND BUILD THAT -- THAT CORNER POST, THAT -- THAT ACTUALLY THE -- IN THE MIDDLE OF THE CREEK THERE'S A FORMER FOOT BRIDGE POST WHICH HAS STOOD MANY MAJOR FLOODS, IT'S BASICALLY THE SAME DESIGN AS -- AS WHAT I WILL BE USING. YES, I UNDERSTAND THE POTENTIAL FOR THE CLOSING PURCHASE. WHAT I AM BUILDING IS A ONE BEDROOM, ONE AND A HALF BATH, 1260 SQUARE FOOT HOME FOR ME TO LIVE AND WORK IN. I HAVE WORKED OUT OF MY HOME FOR 25 YEARS AND SAVES -- SAVES PEOPLE TRAFFIC ON MOPAC AND -- AND I-35 SINCE I'M SAFELY AT HOME WHEN I'M -- WHEN EVERYBODY ELSE IS ON THE ROAD. I ENJOY THE -- I PLAN ON LIVING IN THE -- IN THIS HOUSE FOR 25 YEARS UNTIL I CAN NO LONGER TAKE THE STAIRS I. WANT TO BE ABLE TO HAVE THE SCREEN PORCH, ENJOY THE GREAT WEATHER AND THE VIEW THAT WE HAVE. WHAT YOU ARE SEEING UP THERE, THESE PICKS THAT HOUSE WAS A BRAND NEW HOUSE BUILT OVER THE LAST FEW YEARS IN ADMINISTRATIVE FLOODPLAIN VARIANCE. 25 YEAR AND 100 YEAR FLOODPLAIN AS WELL. I HAVE NO ISSUES OF THAT HOUSE. IT'S A GORGEOUS HOME. AGAIN, IT'S A 6,000 SQUARE FOOT HOME THAT -- THAT MY WHOLE NEW HOUSE WOULD FIT IN THERE MASTER BEDROOM AND BATH. WE WOULDN'T LET ME MOVE IN THERE, SO THIS IS MY OTHER OPTION. THIS IS MY CURRENT HOUSE RIGHT NOW NEXT DOOR. [BUZZER SOUNDING]

OKAY.

Dunkerly: THANK YOU.

Mayor Wynn: FURTHER QUESTIONS? COUNCILMEMBER
LEFFINGWELL?

Leffingwell: YOU SHOWED ME YOUR PLAN FOR THE HOUSE
THAT SHOWED THAT THE BOTTOM PART, THE PART THAT'S
IN THE FLOODPLAIN WOULD NOT BE END ENCLOSED, IT
WOULD BE OPEN TO ALLOW FREE FLOW. DO YOU HAVE THAT
SKETCH TO SHOW US? MY ARCHITECT THAT SINCE RETIRE
SINCE I STARTED THIS PROJECT, THAT'S A HIGHLIGHTER
SHOWING WHERE THE BASEBOARD HAS BEEN REMOVED. OR
THAT -- OR THAT YELLOW AREA WILL ALL BE MOVED BACK 10
FEET. TO HAVE -- TO HAVE FLOW FOR THE FLOOD WAY.

WHAT DOES THE DASH LINE REPRESENT?

THE DASH LINE, I BELIEVE, IS THE 100 YEAR FLOODPLAIN.

THE REQUIRED ELEVATION ABOVE THE 100 YEAR
FLOODPLAIN?

200 -- I THOUGHT THE DIAGRAM THAT YOU SHOWED ME
SHOWED THAT -- NOW SHOWS AS A LIMESTONE SHORTING,
IS THAT WHAT IT IS?

SKIRTING.

SKIRTING. THAT AREA BEING OPEN. THAT'S NOT YOUR
CURRENT PLAN?

OKAY THE CURRENT PLAN, IT'S JUST MY ARCHITECT, THE
FILES HAVE TO BE REDONE, WE ARE CHANGING THIS
CONSTRUCTION OVER FROM WOOD TO STEEL, SO IT'S
GOING TO BE A COMMERCIAL QUALITY BUILDING ABOVE
CODE ACTUALLY. BUT THIS -- THERE ARE NO -- NO WAY TO
ALTER THIS FOR YOUR -- FOR DEMONSTRATION TODAY. BUT
THAT SKIRTING WILL BE MOVED UNDERNEATH THE PORCH.
YOU DON'T WANT TO HAVE OPEN UNDERNEATH YOUR
HOUSE FOR ANIMALS TO ACCESS. BUT UNDERNEATH THE
PORCH IS ACCEPTABLE.

Leffingwell: OKAY.

COUNCILMEMBER ALVAREZ.

Alvarez: WHAT DOES THAT YELLOW REPRESENT.

JUST SHOWING WHERE I WAS TRYING TO REPRESENT
WHERE I MOVED BACK THE -- THE SKIRTING SO IT -- IT WILL
NOT BE UNDER THE PORCH ITSELF, BUT THE SKIRTING WILL
ACTUALLY STILL BE WHERE THE HOUSE -- PROTECT THE
HOUSE FROM ANIMALS.

Alvarez: JUST TO SHOW A PORTION THAT IS --

MOVED BACK.

Alvarez: ON THE EDGE OF THE PORCH.

EXACTLY.

OKAY.

Mayor Wynn: ANY MORE QUESTIONS OF MR. JONES? IF NOT
WE HAVE A COUPLE MORE SPEAKERS. OUR NEXT SPEAKER
IS MARGARET WOMACK, FOLLOWED BY BARBARA EPSTEIN.
THANK YOU, MR. JONES.

MAYOR AND COUNCIL, I'M MARGARET WOMACK, I LIVE
DIRECTLY ACROSS WALLER CREEK FROM RUSS JONES IN MY
BIRTH HOME AND SO I HAVE A LOT AT STAKE HERE AND I
HAVE BEEN SO EXCITED ABOUT THE -- RUSS ACTUALLY
OWNS THREE PROPERTIES ACROSS, RIGHT ACROSS FROM
MY LOT. AND TWO OF THEM HE'S HAD A LONG TIME AND
THEY ARE BEAUTIFULLY MAINTAINED AND LANDSCAPED AND
TERRACED AND THE TREES ARE TRIMMED ON TIME AND IT'S
ALWAYS JUST HELPED WONDERFULLY. SO WE HAVE BEEN --
ALWAYS JUST KEPT WONDERFULLY. WE HAVE BEEN SO
EXCITED ABOUT HIS BUYING AND RENEWING THIS
PROPERTY THAT HAS JUST BEEN HORRIBLE. IT HAS BEEN
THE PICTURE THAT WE HAVE SEEN OUT OUR PICTURE
WINDOWS FOR THE LAST 50 YEARS SINCE MY PARENTS
SOLD THAT HOUSE TO THIS GUY. AND SO WE WERE REALLY
EXCITED ABOUT THE RENEWAL AND WHAT WE KNEW THAT

HE WOULD DO TO MAKE THIS A REALLY NICE PLACE. AND YOU KNOW SOMEONE IS GOING TO LIVE THERE, IT'S GOING TO HAVE BE -- GOING TO BE A HOUSE OF SOME KIND, I HOPE THAT IT'S GOING TO BE RUSS THAT HE'S GOING TO BE ABLE TO BUILD THE HOUSE BECAUSE I KNOW JUST FROM OUR EXPERIENCE WITH HIM AS A NEIGHBOR, THE JOB THAT HE'S DONE ON THE HOUSES THAT HE NOW HAS THAT HE WILL DO A REALLY GOOD JOB AND STAY WITHIN THE RULES THAT HE NEEDS TO AND SO I ENCOURAGE YOU TO -- TO LET HIM DO THIS. THANK YOU.

THANK YOU, MS. WOMACK. OUR LAST SPEAKER IS BARBARA EPSTEIN. WELCOME, BARBARA. YOU WILL HAVE THREE MINUTES.

THANK YOU. MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, MY UNDERSTANDING OF WHY WE ARE HERE TONIGHT TO SUPPORT RUSS GETTING A VARIANCE IS THAT THE CITY IS DETERMINED THAT -- HAS DETERMINED THAT THE HOUSE IS IN THE 25 YEAR FLOODPLAIN. THERE ARE TWO THINGS THAT I CAN TELL YOU ABOUT THIS HOUSE. ONE IT DID NOT FLOOD OUT DURING THE MEMORIAL DAY FLOOD AND, TWO, SOMEBODY IS GOING TO LIVE THERE. THE QUESTION FOR OUR STREET AND OUR NEIGHBORHOOD IS WHETHER THAT PERSON IS GOING TO BE AN OWNER OCCUPANT IN A NEW, NICE HOUSE OR A RENTER IN A marginally repaired house. AND WHAT -- WHAT OUR STREET AND OUR NEIGHBORHOOD NEEDS IN ORDER TO THRIVE ARE EITHER MORE OWNER OCCUPANTS OR MORE ABSENTEE LANDLORDS WHO ARE CONCERNED ABOUT WHAT IMPACT THE MAINTENANCE OF THEIR PROPERTY HAS ON THE NEIGHBORHOOD. I WAS COUNTING UP THE NUMBER OF OPENER OCCUPIED HOUSES WHEN I MOVED IN 31 YEARS AGO, IT WAS 12 OUT OF 16. NOW IT'S 5 AND WHAT I HAVE SEEN IN THOSE 31 YEARS, A DOZEN YEARS AS NEIGHBORHOOD ASSOCIATION PRESIDENT AND LONG-TIME CHAIR OF THE LEGAL COMMITTEE IS THAT IT'S A RARE ABSENTEE LANDLORD WHO IS CONCERNED ABOUT WHAT IMPACT THEIR PROPERTY HAS ON THE NEIGHBORHOOD. WE DO HAVE A COUPLE. BUT WE HAVE A LOT OF -- OF ABSENTEE LANDLORDS WHO ARE SIMPLY INTERESTED IN MAXIMIZING THEIR PROFIT WHICH IS WHAT THEIR JOB USUALLY IS. WHAT WE HAVE SEEN, THOUGH, IS THAT NEIGHBORS LIKE RUSS

HAS SPENT AN INORDINATE AMOUNT OF TIME COMPLYING WITH THE CITY'S REQUEST, TRYING TO GET A VALID PERMIT. WE HAVE ABSENTEE LANDLORDS WHO EITHER DON'T GET PERMITS AT ALL AND NEVER FIND THEMSELVES COMING BEFORE YOU ASKING FOR A VARIANCE FOR A BUILDING PERMIT, MAYBE A ZONING PERM, BUT NOT A BUILDING PERMIT. WHAT WE REALLY WANT TO SEE IS SOMETHING THAT WILL IMPROVE OUR NEIGHBORHOOD. SO I'M ASKING YOU TO MAKE A PRAGMATIC DECISION. LET RUSS BUILD A NEWS ARE NICE, NEW HOUSE. INCREASE THE VALUE OF THE HOUSE ON THE TAX ROLLS. GIVE OUR STREET A NEEDED BOOST WITH A NICE NEW HOUSE AND GIVE PEOPLE LIKE RUSS AN INCENTIVE TO STAY. THANK YOU.

THANK YOU, MS. EPSTEIN. COUNCIL, THAT'S ALL OF OUR CITIZENS WHO SIGNED UP FOR THIS PUBLIC HEARING. FURTHER QUESTIONS FOR STAFF? OR MR. JONES OR NEIGHBORS? COUNCILMEMBER ALVAREZ?

Alvarez: DO YOU HAVE A MAP WITH THE LOCATION OF THE PROPERTY WITH RESPECT TO THE FLOODPLAIN LINES, A QUESTION TO STAFF PROBABLY BUT ANYBODY WITH A CLEAR MAP.

THIS IS THE HIGHEST RESOLUTION THAT I HAVE WITH ME THIS EVENING, NOW THE RED POLY GONE IN THE CENTER IS THE LOT BOUNDARY. AND THEN WHAT YOU CAN SEE HERE, THE DARK BLUE IS THE LIMITS OF THE 25 YEAR FLOODPLAIN AND THAT IS THE CITY'S FLOOD WAY, DEFINED FLOOD WAY. THE LIGHTER SHADED AREA OUTSIDE OF THE BLUE IS THE LIMITS OF THE 100 YEAR FLOODPLAIN. AND IF THIS IS FROM OUR NEW FEMA MAP, WHAT YOU CAN SEE HERE IS THAT THERE IS A GAP BETWEEN THE PROPOSED CONSTRUCTION AND MR. JONES' HOUSE THAT, YOU KNOW, STILL IS IN THE FLOODPLAIN, AND, YOU KNOW, WHAT -- WHAT I WOULD ANTICIPATE DURING HIGH WATER IS HAVING WATER NOT ONLY COMING AROUND THE REAR, BUT AROUND THE FRONT AND THERE'S JUST A -- A LITTLE YOU'LL SEE A LITTLE SLIVER THERE IN THE SOUTHEASTERN CORNER THAT IS OUTSIDE THE 25 YEAR FLOODPLAIN AT THE FRONT OF THE LOT. THAT'S PROBABLY THE BEST DESCRIPTION THAT I CAN GIVE YOU FROM WHAT I HAVE WITH ME THIS EVENING.

Alvarez: SO STAFF'S RECOMMENDATION IS NOT TO APPROVE WHAT -- WHAT IS STAFF'S RECOMMENDATION ON THIS?

WE RECOMMEND NOT APPROVING FOR TWO MAJOR REASONS. JUST THE DIFFICULTY OF ACCESS DURING HIGH WATER, THE WATER AT THE CURB LINE OUT IN FRONT OF THE STREET IS 1.8 FEET DEEP, 100 YEAR WATER SURFACE ELEVATION, SO WE WILL LOOK AT THAT IN TERMS OF, YOU KNOW, E.M.S. FIRST RESPONDERS, FIRE, POLICE, BEING ABLE TO GET TO THE INSTRUCTURE. THE PEOPLE THAT ARE IN THE HOUSE BEING ABLE TO WALK OUT. IT DOESN'T MEET THAT TEST. THE WATER IS -- DOES HAVE SIGNIFICANT VELOCITY IN THIS AREA. THE PROXIMITY TO THE CREEK IS SIGNIFICANT. SO THAT -- YOU KNOW THAT'S -- THAT PLUS THE INCREASED OCCUPANCY WHICH I MENTIONED EARLIER.

Alvarez: YES I REMEMBER THE PREVIOUS VARIANCE REQUESTS WE WOULD CONSIDER HOW HIGH THE WATER WOULD GO UP ON THE EMERGENCY VEHICLE AND SO WHAT - - WHAT IS THE SORT OF THAT MAGIC --

AS I RECALL [MULTIPLE VOICES]

THAT'S A GREAT QUESTION. AS I RECALL, WE DID GET A FIRE CHIEF UP HERE THAT ONE EVENING, THAT 1.8 FEET IS ABOUT AT THAT LIMIT. CERTAINLY A SEDAN WOULDN'T BE SAFE TRANSPORTING IN THAT DEPTH OF WATER. BUT I BELIEVE THE FIRE TRUCKS, SOMETHING IN THE VICINITY OF 20 INCHES WAS A LIMIT OR FOR -- FOR THE FIRE VEHICLES.

HAVE THE -- ON THE ORDER OF ONE AND A HALF FEET OR TWO FEET?

IT'S 1.8 FEET AT THE CURB LINE, THAT'S CLOSE TO -- CLOSE TO 20, RIGHT ABOUT AT THAT LIMIT. I'M TRYING TO ALSO FIGURE OUT WHERE IS THE ROAD, ACCESSING THE PROPERTY. IS IT --

IT'S -- SEE THE -- I CAN'T -- I DON'T HAVE A CURSOR WORKING HERE THIS EVENING, BUT IF YOU LOOK IN THE LOWER RIGHT HAND QUADRANT YOU WILL SEE EAST 30th STREET THERE. IF YOU FOLLOW THAT NORTHWESTERLY, IT COMES RIGHT IN FRONT OF THE PROPERTY AND THEN DEAD ENDS INTO

WALLER CREEK.

Alvarez: OKAY THE HOUSE FACES --

THE HOUSE WILL FACE SOUTH --

EAST 30th.

SOUTH AND WEST.

IT FACES EAST 30th, IS THAT CORRECT.

YES, IT FRONT ON EAST 30th.

HERE'S A PRINTOUT.

THANK YOU, MAYOR, THAT'S ALL OF MY QUESTIONS. I WILL
ISLAND YIELD FOR OTHER QUESTIONS.

Leffingwell: CAN I JUST FOLLOW-UP.

MAYOR PRO TEM?

MAYOR PRO TEM?

Leffingwell: NOT -- NOTWITHSTANDING ALL OF THAT, YOU DO
RECOMMEND A STRUCTURE THERE THAT WOULD FACE THE
SAME PROBLEMS EXISTING TO THE --

WE WOULD -- BECAUSE THAT GETS INTO ANOTHER SET OF
CONSIDERATIONS. REASONABLE ECONOMIC USE OF THE
LAND, STAFF WOULD SUPPORT THAT WITH NOT INCREASING
THE LEVEL OF HAZARD THAT WAS -- THAT WOULD BE THERE
IF THIS CURRENT STRUCTURE WAS OCCUPIED.

Leffingwell: THANK YOU.

Thomas: ANY OTHER DISCUSSION? QUESTIONS?
COUNCILMEMBER ALVAREZ?

Alvarez: I KNOW THERE WAS A REFERENCE OR MENTION OF
INCREASE IN SQUARE FOOTAGE FOR THE NEW STRUCTURE.

YES, SIR.

WHAT DOES THAT -- BECAUSE OF THE FOOTPRINT IS ALSO INCREASING?

YES. IT MEANINGS THERE'S MORE OPPORTUNITIES -- THERE'S OPPORTUNITY FOR MORE PEOPLE TO LIVE THERE WITH THE PROPOSED STRUCTURE THAN WITH THE CURRENT STRUCTURE.

Alvarez: RIGHT BUT IS THE FOOTPRINT INCREASING, HOW THEY ARE GETTING THEIR ADDITIONAL --

I BELIEVE THAT WE HAVE ASSESSED THAT THERE REALLY IS NO SIGNIFICANT IMPACT ASSOCIATED WITH THE FOOTPRINT ON THE FLOODPLAIN. AND THE -- THE WAY HE IS ELEVATING THAT ONE CORNER OF THE HOUSE AND LEAVING A CLEAR PATHWAY THROUGH THERE TO -- ON TO -- WE ARE NOT CONCERNED ABOUT ANY NEGATIVE FLOODPLAIN IMPACT ASSOCIATED WITH THE PROPOSED CONSTRUCTION.

Alvarez: JUST MORE THE ACCESS -- EMERGENCY ACCESS DURING THE FLOOD EVENT.

RIGHT.

Thomas: ANY OTHER DISCUSSION? I DO WANT TO ACKNOWLEDGE MS. TEAM, SHE DID SIGN UP FOR BUT DID YOU DONATE YOUR TIME TO MR. RUSSELL?

[INAUDIBLE - NO MIC]

Thomas: OKAY. HOW MUCH TIME DID YOU GIVE MR. RUSSELL THEN? DID YOU WANT TO SPEAK, MA'AM? SOMEHOW WE JUST MISSED ON HERE.

YES, BECAUSE MY NAME WAS MISSPELLED. I'M HERE IN SUPPORT OF MR. JONES' REQUEST AND I HAVE GREAT CONFIDENCE IN THE AMOUNT OF WORK THAT HE'S DONE PREPARING THE PLANS FOR THIS PROJECT AND IN THE NEIGHBORHOOD WE WOULD BE SO GLAD TO SEE THE HAUNTED HOUSE GO AWAY AND SEE ONE OF RUSSELL'S LOVELY DESIGNS GOING IN ITS PLACE. I'M HERE TO

SUPPORT THAT.

Mayor.NO CARRIERRINGCONNECT 57600 TEST TEST TEST.

THEY DIDN'T HAVE KING-SIZED BEDS IN 1937, EITHER.

YOU DIDN'T GET IT UP THE STAIRS.

THANK YOU.

THANK YOU.

COUNCILMEMBER LEFFINGWELL?

Leffingwell: WELL, YOU HAVE GOT 11 MORE YEARS ON THAT 100 YEAR FLOOD, YOU NEVER KNOW. YOU HAVE GOT TO BE CAREFUL. HOWEVER, I BELIEVE THAT YOUR REQUEST THAT YOU ARE MAKING IS A MINIMAL DEPARTURE FROM WHAT YOU HAVE NOW. AND TO DEPRIVE YOU OF ANY USE OF YOUR PROPERTY I DON'T THINK WOULD BE RIGHT. OBVIOUSLY, THE STRUCTURE THAT'S EXISTING THERE NOW IS SOMETHING THAT NEEDS TO BE DONE ABOUT IT. I ALSO APPRECIATE THE FACT, THE WORK THAT YOU HAVE DONE ON THE -- ON THE WALL ON THE CREEK THERE. THAT WILL BE A SUBSTANTIAL BENEFIT TO YOUR NEIGHBORHOOD. AND NOT JUST YOURSELF. BUT EVERYBODY DOWNSTREAM WILL APPRECIATE IT AS WELL. AS IS -- AS -- A ONE BEDROOM, ONE AND A HALF BATH, I DO NOT, IN SPITE OF THE INCREASED SQUARE FOOTAGE, I DON'T BELIEVE THAT IT'S REALLY A SIGNIFICANT OPPORTUNITY FOR AN INCREASE IN OCCUPANCY. I UNDERSTAND THAT -- THE STAFF'S RECOMMENDATION, I BELIEVE THEY DID THE CORRECT THING ACCORDING TO THEIR GUIDELINES. BUT I'M GOING TO MOVE TO -- TO CLOSE THE PUBLIC HEARING AND FOR THE FIRST TIME SINCE I'VE BEEN ON THE COUNCIL, MOVE TO APPROVE YOUR VARIANCE.

Thomas: MOVED BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MCCRACKEN. ANY OTHER QUESTIONS? ALL IN FAVOR LET IT BE KNOWN BY SAYING AYE.

AYE.

ANY OPPOSED? MOTION CARRIES ON A 6-0 WITH THE MAYOR
OFF THE DAIS.

THANK YOU VERY MUCH.

Thomas: MS. SPENCER, ANY OTHER ITEMS? THAT'S THE LAST
ITEM? THAT'S A RECORD, 6:46 P.M., WE ARE ADJOURNED.
THANK YOU ALL.

End of Council Session Closed Caption Log