

Closed Caption Log, Council Meeting, 10/05/06

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GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, IT'S MY PRIVILEGE TO WELCOME DEACON JOHN DE LA GARZA, JR. FROM THE UNIVERSITY CENTER TO LEAD US IN OUR INVOCATION, PLEASE RISE.

BLESSED ARE YOU LORD GOD OF ALL CREATION, THROUGH YOUR GOODNESS WE HAVE LIFE, THROUGH YOUR GNSZ, WE..... GOODNESS, WE HAVE LIBERTY. WE RAY FOR THE MEMBERS OF THIS CITY COUNCIL. THEY ARE GIVEN GREAT TRUST BY THE PEOPLE OF AUSTIN, MAY THEY DISCHARGE THEIR DUTIES WITH HONESTY AND ABILITY. LET THEIR DELIBERATIONS OFFER BLAL AMONG COMPETING DESIRES. LET THEIR DELIBERATIONS OFFER HOPE TO THOSE IN NEED. LET THEIR DELIBERATIONS LEAD TO THE PURSUIT OF HAPPINESS FOR ALL. BLESSED ARE YOU, LORD GOD OF ALL CREATION, AMEN.

THANK YOU, JOP. THERE BEING A QUORUM PRESENT AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, THIS IS THURSDAY, OCTOBER 5th, 2006, WE ARE IN THE CITY COUNCIL CHAMBERS, CITY HALL BUILDING 301 WEST SECOND STREET. APPROXIMATELY 10:17 A.M. WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THEY ARE ITEM NO. 2, WE SHOULD INSERT THE PHRASE AND FIGURES PLUS A \$79,699.05 CONTINGENCY FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED 1,673,680.05. AGAIN, ADDING THE CONTINGENCY TO ITEM NO. 2. ITEMS NUMBER 4 AND 5, ARE

TO BE POSTPONED TO OCTOBER 19th, 2006. OUR NEXT COUNCIL MEETING. AS IN ITEM NO. 21, OCTOBER 19th, 2006. ITEM NO. 28, AN ITEM FROM COUNCIL, WE SHOULD STRIKE THE WORD IMPLEMENT AND INSERT THE WORD DEVELOP, SO WE WILL BE DIRECTING THE CITY MANAGER TO DEVELOP ACCOUNTABILITY GUIDELINES. ON ITEM NO. 47, WE SHOULD NOTE THAT THE Z.A.P., ZONING AND PLANNING COMMISSION'S RECOMMENDATION IS TO GRANT RURAL RESIDENTIAL RR DISTRICT ZONING. ON ITEM NO. 53, WE NEED TO INSERT AND CORRECT THE ADDRESS, THIS WAIVER IS FOR -- FOR THE ADDRESS OF 906 WEST LYNN STREET. NOT 1111 WEST SIXTH STREET. WE SHOULD NOTE THAT OUR 2:00 BRIEFING, WE SHOULD HAVE -- WE SHOULD INSERT THE LETTER S AND MAKE THE WORD FINALIST..... FINALIST PLURAL BECAUSE WE ARE GOING TO RECEIVE A PRESENTATION FROM AS MANY OF THE FINALISTS ON THE PROPOSED DOWNTOWN MASTER PLAN AS WANT TO PRESENT TO COUNCIL. I'M TOLD THAT PERHAPS TWO OF THE THREE FINALISTS WILL BE HERE THIS AFTERNOON. LET'S SEE ... WE HAVE A HANDFUL OF ITEMS THAT HAVE BEEN PULLED OFF THE CONSENT AGENDA. ITEM NO. 17 HAS BEEN PULLED BY COUNCILMEMBER MARTINEZ, WE HAVE A HANDFUL OF SPEAKERS AS WELL. I HAVE PULLED ITEM NO. 17 RELATED TO THE DOWNTOWN PLAN. AND ITEM NO. 30 HAS BEEN PULLED BY COUNCILMEMBER LEFFINGWELL.

MAYOR?

YES, COUNCILMEMBER MARTINEZ.

DID YOU SAY 17 OR 7?

Mayor Wynn: BOTH 7 AND 17. WE WILL TAKE UP RELATED ITEM NO. 17 IN CLOSED SESSION BEFORE WE WILL TAKE ACTION. OUR -- OUR TIME CERTAINS TODAY, AT NOON WE BREAK FOR OUR GENERAL CITIZENS COMMUNICATIONS, AT 2:00, AS I SAID EARLIER, WE WILL HAVE THE PRESENTATIONS BY THE FINALISTS ON THE PROPOSED DOWNTOWN MASTER PLAN. 4:00 WE GO TO THE ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RIGHT CORNERBACKS. AND -- AND RESTRICTIVE COVENANTS. AT 5:00 POSSIBLE HEARINGS AND ACTION. COUNCIL ITEMS 7, 17 AND 30 PULLED OFF THE CONSENT AGENDA. ANY ADDITIONAL ITEMS TO BE PULLED

OR ADDED BACK? APPROVING ITEMS NUMBER 1, 2, PER CHANGES AND CORRECTIONS, THREE, POSTPONING ITEMS NUMBER 4 AND 5 TO OCTOBER 19th, 2006, APPROVING ITEM 6, AND 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, POSTPONING ITEM NO. 21 TO OCTOBER 19th, 2006, APPROVING ITEM 22, 23, 24, 25, 26, 27, 28 PER CHANGES AND CORRECTIONS, 29, 31, 32, 33, 34, 35, 36, AND 37. THAT'S THE PROPOSED CONSENT AGENDA, MS. TERRY?

MAYOR AND COUNCIL, WHEN YOU ANNOUNCED THE CHANGE IN CORRECTION ON ITEM NO. 53, I WANT TO MAKE SURE THAT THE RECORD IS ACCURATE. THAT CHANGE IN CORRECTION TO THAT ADDRESS IS THE ADDRESS CHANGES FOR MATTHEWS ELEMENTARY, NOT THE LOCATION OF THE GALAXY CAFE. THAT IS CORRECT, THAT'S KIND OF IMPORTANT IN TERMS OF -- FOR NOTICE PURPOSES.

Mayor Wynn: THANK YOU VERY MUCH. AS THE ASSISTANT CITY MANAGER TOLD US, THE CHANGE IN CORRECTION FROM THE ADDRESS IS FOR THE NEARBY SCHOOL MATTHEWS ELEMENTARY, NOT THE ACTUAL ADDRESS OF THE WAIVER REQUEST. MS. --

COMMISSION APPOINTMENTS.

THANK YOU VERY MUCH, EXCUSE ME.

ITEM 27 ON OUR ASKED IS OUR BOARDS AND COMMISSIONS APPOINTMENTS FOR THIS WEEK. I WILL READ THOSE INTO THE RECORD NOW. THEY ARE TO OUR ANIMAL ADVISORY COMMISSION, [INDISCERNIBLE] ELLIS, COUNCILMEMBER LEFFINGWELL'S APPOINTMENT. TO THE ARTS COMMISSION, BRUCE LENZIK IS COUNCILMEMBER LEFFINGWELL'S APPOINTMENT. TO OUR COMMISSION FOR WOMEN, RENEE COTTON IS COUNCILMEMBER COLE'S APPOINTMENT. FOR OUR COMMISSION ON IMMIGRANT AFFAIRS, JOSE FUENTES IS A CONSENSUS REAPPOINTMENT. TO OUR CONSTRUCTION ADVISORY COMMISSION, CONRAD MASTER IS MY REAPPOINTMENT ALSO THE LABOR REPRESENTATIVE, TO OUR DESIGN COMMISSION, PERRY LORENZ IS COUNCILMEMBER LEFFINGWELL'S REAPPOINTMENT. TO OUR DOWNTOWN AUSTIN COMMUNITY COURT ADVISORY COMMITTEE, ROBERT CHAPA, JUNIOR IS THE CONSENSUS

REAPPOINTMENT. TO THE ELECTRIC UTILITY COMMISSION,
GREG KNAPP IS COUNCILMEMBER MCCracken'S
REAPPOINTMENT. TO THE ETHICS REVIEW COMMISSION,
LEWIS AKARI, SORRY IF I'M MISPRONOUNCING THAT,
CONSENSUS CONFIRMATION AS IS MARIA JOHNSON, ALSO
REPRESENTING THE LEAGUE OF WOMEN VOTERS AND LISA
SI IS.

.....IS.

.....COUNCILMEMBER KIM'S NOMINATION. ROBERT CHAPA,
JUNIOR IS A CONSENSUS REAPPOINTMENT AS IS TONY
[INDISCERNIBLE] THE MAYOR'S COMMITTEE ON PEOPLE WITH
DISABILITIES, ELISA ACANO IS MY APPOINTMENT AND TO
OUR MUSIC COMMISSION, MARY ERNE LEFT END.....NELL
ISCOUNCILMEMBER KIM'S REAPPOINTMENT.

COUNCIL, FURTHER COMMENTS OR QUESTIONS ON THE
CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR
PLEASE SAY AYE. -- COUNCILMEMBER MARTINEZ? OKAY.
HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0, ON
OUR CONSENT AGENDA. THANK YOU ALL VERY MUCH.
COUNCIL, THAT LEAVES US WITH A COUPLE OF DISCUSSION
ITEMS PRIOR TO LIKELY GOING INTO CLOSED SESSION TO
TAKE UP OUR EXECUTIVE SESSION AGENDA..... AGENDA.
ITEM NO. 7 WAS TECHNICALLY PULLED BY COUNCILMEMBER
MARTINEZ, WE ACTUALLY HAD AT LEAST FIVE CITIZENS
SIGNED WISHING TO SPEAK SO IT WOULD HAVE BEEN
PULLED ANYWAY.

MAYOR, I SINCERELY APOLOGIZE, WE WERE OVER HERE
HAVING CONVERSATIONS. THERE WAS ONE ITEM PASSED ON
CONSENT THAT I THINK IS VERY SIGNIFICANT THAT I WANTED
TO SAY A FEW WORDS TO STAFF AND FOLKS. THE TEXAS
GAS FRANCHISE AGREEMENT. THERE'S BEEN A LOT OF
WORK PUT INTO THIS THING. I WANT TO ACKNOWLEDGE THE
FOLKS WHO WORKED SO HARD ON THIS. WANT TO
ACKNOWLEDGE TEXAS GAS FOR THE CONCESSIONS THAT
THEY MADE AND THE PROGRESS THAT WE HAVE MADE AND I

BRIEF WANT TO ALLOW THEM A MOMENT TO COME UP AND SAY A COUPLE OF WORDS IF THEY WOULD LIKE. I APOLOGIZE.

Mayor Wynn: THANK YOU, I SHOULD HAVE DONE THE SAME. WELCOME, MR. GRAHAM, TEXAS GAS SERVICE.

THANK YOU, I'M LARRY GRAHAM WITH TEXAS GAS SERVICE. I WANTED TO REITERATE WHAT COUNCILMEMBER MARTINEZ SAID. WE'VE BEEN WORKING ON THIS FRANCHISE REALLY FOR OVER A YEAR. I DID WANT TO THANK JOHN STEVENS AND [INDISCERNIBLE] HAWKINS AND -- FOR THEIR WORK AND THEIR PROFESSIONALISM AND ALSO WANTED TO THINK GWEN AND STEPHEN WEBB, THE ATTORNEYS. IT'S BEEN A GOOD PROCESS, I THINK THAT WE HAVE A REALLY GOOD RELATIONSHIP AND A GOOD DOCUMENT GOING FORWARD. I WANTED TO LET EVERYBODY KNOW THAT WE APPRECIATE THEIR HARD WORK AND THEIR PROFESSIONALISM. SO THANK YOU.

ALL RIGHT. COUNCILMEMBER KIM.

Kim: I WOULD LIKE TO SAY THANK AS WELL FOR THE HARD WORK. WITH ANY KIND OF RELATIONSHIP WITH THE CITY IN TERMS OF PROVIDER OF SERVICES, IT IS A MATTER OF GIVE AND TAKE. THAT'S WHAT NEGOTIATION IS GOING VERY WELL, I THINK OUR CITIZENS, OUR STAFF, OUR CORPORATIONS ARE GOING TO HAVE THE ASSURANCE THAT THEY HAVE A GOOD PROVIDER AND THAT COUNCIL WORKS WITH YOU TO MAKE SURE THAT WE HAVE A SUSTAINABLE AND RELIABLE ENERGY AND FUEL FOR OUR GROWING ECONOMY. THANK YOU.

THANK YOU, COUNCILMEMBER KIM.

THANK YOU AND COUNCILMEMBERS. FURTHER COMMENTS? WE HAVE JUST PASSED THE CONSENT AGENDA, EXCUSE ME, ANY OTHER ADDITIONAL COMMENTS ON OUR CONSENT AGENDA? THANK YOU ALL. OKAY. SO COUNCIL, ITEM NO. 7, COUNCILMEMBER MARTINEZ PULLED IT, BUT ALSO FIVE CITIZENS SIGNED UP WISHING TO ADDRESS US ON THIS ITEM. SO COUNCILMEMBER, WOULD YOU PREFER TO TAKE TESTIMONY FIRST? OKAY. SO WE HAVE A HANDFUL OF

FOLKS THAT WOULD LIKE TO ADDRESS US ON ITEM NO. 7 RELATED TO THE CITY CODE AND ANIMAL REGULATION AND CARE. OUR FIRST SPEAKER IS TIMOTHY VERET? SORRY IF I'M MISPRONOUNCING THAT. WELCOME. YOU WILL BE FOLLOWED BY LYNNDIE MURPHY. THREE MINUTES, WELCOME.

THANK YOU. YEAH, I.. I JUST WANTED TO SAY THAT I DEFINITELY SUPPORT THIS ORDINANCE. I THINK THAT IT'S A GOOD ORDINANCE. IT DEFINITELY REFERS TO -- TO PROPER CARE OF AN ANIMAL. I THINK BEFORE IT WAS DEFINITELY PRETTY SKETCHY ABOUT WHAT WAS CONSIDERED PROPER CARE. BUT IT MAKES VERY SPECIFIC FEET OF -- OF THE DOG BEING IN A -- YOU KNOW IN A SHADED AREA, HAVING SHELTER, WATER, FOOD ON A DAILY BASIS. I DO HAVE A PROBLEM OR -- WITH SECTION 3129 SAYING THAT THE CITY MANAGER OR THE MANAGER OF AN ANIMAL SHELTER MAY STERILIZE THE ANIMAL IF IT HAS BEEN IMPOUNDED THREE OR MORE TIMES. I FEEL LIKE THAT'S TOO MANY. WHEN YOU THINK ABOUT IT, THREE TIMES OF A DOG BEING A STRAY, RUNNING AROUND AND POSSIBLY, YOU KNOW, FINDING A MAKE IT, THEN WE HAVE -- A MATE, THEN A LITTER OF PUPPIES AND THAT'S JUST TOO MANY. I FEEL LIKE THE FIRST TIME AN ANIMAL IS IMPOUNDED IT SHOULD BE AUTOMATICALLY STERILIZED. WE HAVE 30 PLUS DOGS AND CATS KILLED EVERY DAY IN THE SHELTER, THAT'S TOO MANY. AS FAR AS EVERYTHING, YOU KNOW THE MOTOR VEHICLES, THAT'S A GREAT THING TO HAVE, VACCINATIONS. I KNOW ALSO ONE THING THAT I AM WORKING ON WITH A FRIEND OF MINE HERE IN AUSTIN THAT HOPEFULLY WE WILL BE ABLE TO COME TO YOU WITH IS CHAINING DOGS. THERE ARE LOTS OF CHAINED DOGS IN AUSTIN AND CHAINING A DOG MAKES A DOG MUCH MORE AGGRESSIVE. IF A DOG BROKE FROM A CHAIN WHICH DOES HAPPEN, THE CITIZENS ARE IN DANGER. YOUR CHILDREN. SO WE ARE -- WE ARE DEFINITELY HOPING TO MAKE AUSTIN A CHAIN FREE CITY, AS MANY OF THE CITIES ARE. IN FACT BIG SPRINGS AND ELECTRA, TEXAS, ARE TWO CITIES IN TEXAS THAT HAVE A BAN ON CHAINING DOGS. BUT I WOULD SAY LIKE I SAID, I THINK THIS IS A REALLY GOOD ORDINANCE, I'M GLAD THAT IT HAS BEEN AMENDED. IT LOOKS GREAT BUT -- BUT IT DEFINITELY NEEDS SOME WORK AND AS FAR AS WHAT I

MENTIONED EARLIER AND -- BUT, YEAH, I WOULD DEFINITELY SAY THE SECTION 3129 ABOUT STERILIZATION, I JUST DON'T THINK THAT WE SHOULD ALLOW THREE OR MORE TIMES, I THINK THAT'S TOO MANY. AS SOMEONE WHO RESCUES DOGS CONSTANTLY, I HAVE NEVER, EVER RESCUED A DOG THAT WAS NOT STERILIZED. EVER. AND THAT'S A COMMON THING, THAT DOGS WILL GET LOOSE PARTLY BECAUSE THEY ARE NOT STERILIZED. THEY GO IN HEAT, THEY GET OUT. SO - - SO THREE OR MORE TIMES IS TOO MANY, ONE TIME IS ENOUGH. SO THAT'S IT FOR ME. THANK YOU VERY MUCH FOR HEARING ME OUT.

Mayor Wynn: THANK YOU. LET'S SEE OUR NEXT SPEAKER IS WENDY MURPHY. WELCOME, THREE MINUTES, FOLLOWED BY PAT.

THANK YOU, MY NAME IS WENDY MURPHY. IMPART OF A HUMANE EDUCATION TEAM FOR ANIMAL TRUSTEES OF AUSTIN, PRIOR TO THAT I WAS WITH THE HUMANE EDUCATION TEAM FOR AUSTIN PETS ALIVE. I'M SAYING THAT BECAUSE I WANT IT TO BE KNOWN THAT I'M OUT ALL THE TIME AMONG CHILDREN AND ADULTS IN AUSTIN AND I FEEL LIKE I HAVE A SENSE OF WHAT GOES ON IN AUSTIN REGARDING ANIMALS THAT OTHER PEOPLE MIGHT NOT HAVE. WHAT'S GOING ON IS JUST HUGE, HUGE CONCERNS. I HAVE A WOMAN CALL ME LAST WEEK THAT SAID THERE ARE NO FEWER THAN 10 DOGS IN HER NEIGHBORHOOD THAT ARE NOT UP TO CITY CODE AND OUR CITY CODE IS NOT -- NOT WHAT -- EVEN WHAT IT SHOULD BE, BUT WHATEVER IT IS, IT'S NOT EVEN BEING ENFORCED. YOU ALMOST CAN'T CALL TOWN LAKE ANIMAL CENTER OR 311 FAST ENOUGH FOR ALL OF THE ABUSES. AND WITH ALL DUE RESPECT TO EVERYBODY THAT TRIES TO HELP ANIMALS IN THIS CITY, IT'S JUST NOT ENOUGH. IT'S JUST HORRIBLE. I HAVE BEEN LIVING HERE FOR 15 YEARS AND IT'S NEVER -- IN MY OWN NEIGHBORHOOD, I DON'T LIVE IN PARTICULARLY WHAT YOU WOULD CULL A BAD NEIGHBORHOOD. IN MY OWN NEIGHBORHOOD I NEVER HAVE -- I WOULD SAY I NEVER HAVE A WEEK WITHOUT SOME INCIDENT WHERE I AM EITHER NEGOTIATING WITH PEOPLE OR PICKING UP A STRAY DOG WHO DOESN'T HAVE ANY IDENTIFICATION. I HAVE TO USE MY OWN TIME AND MONEY TO DO THIS, TO GET THIS DOG SPAYED OR NEUTERED, TRY TO FIND A HOME FROM IT.

THERE'S NOT ENOUGH HELP FROM THE GOVERNMENT AS IT SHOULD BE. I AGREE WITH EVERYTHING THAT TIMOTHY JUST SAID. I DON'T WANT TO REPEAT WHAT HE SAID BECAUSE I'M SURE YOU ALL GOT THAT DOWN AND UNDERSTOOD IT. I WOULD LIKE TO REFER TO ONE MORE ITEM IN THE PROPOSED ANIMAL ORDINANCE UNDER 325, PROPER CARE OF ANIMALS, DOWN ON THE LAST ITEM ON MY PRINTED PAGE, WHICH IS F. AN ANIMAL'S OWNER SHALL PROVIDE THE ANIMAL WITH EXERCISE SPACE THAT IS LARGE ENOUGH TO PREVENT INJURY AND KEEP THE ANIMAL IN GOOD CONDITION. I FEEL LIKE THE WORDING OF THAT IS VERY SUBJECTIVE AND I WOULD LIKE TO PROPOSE THAT SOMEWHERE IN THIS ORDINANCE THERE WOULD BE AN ACTUAL SQUARE FOOTAGE OF -- BECAUSE BOTH TIMOTHY, WHO JUST SPOKE AND I HAVE -- WE HAVE DONE OUR RESEARCH FOR OTHER CITIES THAT HAVE SIMILAR BILLS AND -- AND THE 150 SQUARE FEET SEEMS -- YOU KNOW, IT'S BECOMING KIND OF COMMON, THE 150 SQUARE FEET. OTHERWISE WHEN YOU SAY SOMETHING LIKE ADEQUATE SPACE, THAT'S SO SUBJECTIVE, IT'S JUST GOING TO PRESENT SO MANY PROBLEMS DOWN THE LINE. AND ALSO THE PHRASE EXERCISE SPACE, I'M NOT SURE WHAT IT MEANS, DOES THAT MEAN A TEMPORARY LIKE THAT YOU CAN KEEP THE ANIMAL ANY WHICH WAY THAT YOU WANT TO, FOR 15 MINUTES A DAY HE HAS TO HAVE EXERCISE SPACE. I DON'T KNOW WHAT IT MEANS. WE WOULD PROPOSE THAT THAT BE CHANGED TO OUTDOOR CONFINEMENT. ANY OUTDOOR CONFINEMENT. SHOULD -- SHOULD BE ADEQUATE, NOT EXERCISE SPACE, I JUST THINK THE WORDING THERE IS -- IS TOO SUBJECTIVE. AND UP ABOVE THAT UNDER C, THE -- THE SHELTER NEEDS TO BE LARGE ENOUGH FOR THE -- IS THAT MY TIME?

YES, MA'AM -- WELL YOU CAN CONCLUDE YOUR --

OKAY. WHEN YOU SAY THINGS LIKE -- A SHELTER MUST BE LARGE ENOUGH FOR THE ANIMAL TO ENTER, TURN AROUND, LIE DOWN IN A NATURAL MANNER. AGAIN, I JUST THINK BECAUSE OF WHAT I HAVE SEEN IN THE LAST 15 YEARS, LIKE I'M OUT ON THE STREETS WORKING WITH THESE ISSUES, I THINK THAT YOU HAVE TO BE VERY SPECIFIC. IT'S JUST AS SPECIFIC AS YOU CAN BE. AND I WOULD LIKE TO END WITH A QUOTE FROM -- FROM GANDHI, A NATION'S MORAL

PROGRESS CAN BE JUDGED BY THE WAY IT TREATS ITS ANIMALS, I WOULD LIKE TO SUGGEST AUSTIN CITY LIKEWISE, I THINK WE NEED LOTS OF IMPROVEMENT, THANK YOU.

THANK YOU.

PAT, WELCOME. YOU WILL HAVE THREE MINUTES TO BE FOLLOWED BY DAVID [INDISCERNIBLE]

GOOD MORNING, MY NAME IS PAT VORDIKE, THE DIRECTOR OF THE TEXAS FEDERATION OF HUMANE SOCIETIES. WE SUPPLY SUPPORT AND TRAINING FOR ALL OF THE ANIMAL GROUPS WITHIN THE STATE OF TEXAS. I TELL YOU THAT JUST TO GIVE YOU THE BASIS THAT I HAVE CONSIDERABLE EXPERIENCE IN ANIMAL WELFARE. HOWEVER, I AM SPEAKING TO YOU NOW AS A CITIZEN OF AUSTIN. THE CURRENT -- THE ORIGINAL ORDINANCE WRITTEN ON ANIMALS IN UNENCLOSED VEHICLES CONTAIN THE TERM THE ANIMAL SHALL BE CONFINED BY A VENTED CONTAINER OR CAGE. WHEN THE ORDINANCE WAS PRESENTED TO YOU, THAT WAS ELIMINATED FROM THE ORDINANCE. I SENT YOU PAPERWORK DETAILING THE REASONS FOR HAVING AN ANIMAL IN A SECURELY FASTENED APPROPRIATELY SIZED VENTED CONTAINER IN AN UNENCLOSED VEHICLE. ANIMALS GOING DOWN THE HIGHWAY, AT 70 MILES AN HOUR, NEED PROTECTION FROM THE HEAT AND THE COLD. THEY BURN THEIR PADS ON HOT BEDS IN PICKUPS AND FLATBEDS IN THE SUMMER AND CERTAINLY WE HAD AN EXTREMELY HOT SUMMER THIS YEAR. IN ADDITION, IN THE COLD AND IN THE INSTANCES WHERE WE HAVE FREEZING WEATHER, HAVEN'T SEEN THAT MUCH LATELY, BUT THEY BURN THEIR FEET. THEY ALSO INGEST IN THEIR EARS, THEIR NOSE, THEIR MOUTH, BUGS AND DEBRIS WHILE FLYING DOWN THE HIGHWAY. AT 70 MILES AN HOUR. ASSUMING THAT YOU HAVE ANIMALS, THAT MEMBERS OF THE COUNCIL HAVE ANIMALS, WOULD YOU PREFER THAT YOUR ANIMAL BE TETHERED LIKE THIS GOING DOWN THE HIGHWAY WITH ITS BEHIND QUARTERS FLOPPING IN THE BREEZE, AND BEING THROWN ALL OVER TO POSSIBLE INJURY OR WOULD YOU PREFER THAT THE ANIMAL BE IN AN ENCLOSED CONTAINER THAT WOULD GIVE IT SOME PROTECTION? THE REASON I SAY APPROPRIATELY SIZED, OBVIOUSLY THIS IS A CAT CONTAINER, I COULDN'T BRING IN ONE THAT WOULD HOLD A

LABRADOR. I RESPECTFULLY ASK THAT YOU REINSTATE PUTTING INTO THE ORDINANCE THAT THE ANIMAL SHALL BE CONFINED IN A SECURELY FASTENED -- THAT'S AN ADDITION, ADD THE WORDS SECURELY FASTENED, APPROPRIATELY SIZED. BUT PUT IN A CONTAINER. THAT DOES NOT MEAN THAT YOU HAVE TO GO OUT AND BUY A CONTAINER AT A STORE. EASILY SOMEBODY COULD MAKE ONE OUT OF PLYWOOD AND VENT IT AND GIVE THE ANIMAL SOME PROTECTION. AS THE ORDINANCE IS WRITTEN NOW [BEEPING] ON JUST TETHERING, IT'S VERY POORLY WRITTEN. THANK YOU FOR YOUR TIME.

THANK YOU, MS. VORDIKE. DAVID LYNNSTEAD, FOLLOWED BY JULIA HILLGER.

GOOD MORNING MAYOR AND COUNCIL, I'M AN AUSTIN FIREFIGHTER, ALSO A LONG-TIME ANIMAL LOVER. BECAUSE OF THAT I WAS RECENTLY ASKED TO SERVE ON THE TASK FORCE ON CRUELTY, WHICH IS BASICALLY A SUBCOMMITTEE FOR THE ANIMAL ADVISORY COMMISSION. THE AN -- THE TASK FORCE AND I GENERALLY APPROVED THIS ORDINANCE, IF YOU APPROVE IT AS IS TODAY, I WILL CONSIDER IT A SMALL STEP IN THE RIGHT DIRECTION. THE MICROCHIPPING IS A GREAT IDEA. I THINK THAT THAT'S GOING TO GO A LONG WAY IN THE RELIEVING OVERCROWDING AT THE SHELTER WHEN THE ANIMAL CONTROL OFFICER CAN TAKE THE ANIMAL DIRECTLY FROM THE TRUCK BACK HOME. I LOVE THAT PART. I'M NOT CRAZY ABOUT THE TETHERING IN THE BACK OF THE PICKUPS. I KNOW THE TASK FORCE WOULD PREFER THAT NO ANIMAL BE AT THE TIME THEY ARE WHETHER IT BE -- TETHERED WHETHER IT BE TO A TREE OR A TRUCK GOING DOWN MOPAC. I THINK THAT'S BEEN ADEQUATELY ADDRESSED, I WON'T REHASH THAT. I ALSO HAVE A PROBLEM WITH THE THREE STRIKE STERILIZATION PROVISION. I WILL GIVE SOMEBODY ONCE BECAUSE I THINK ANYBODY CAN HAVE A DOGGETT OUT OF AN OPEN GATE OR OPEN DOOR, BUT BY THE TIME AN ANIMAL HAS BEEN PICKED UP THREE TIMES, IF IT'S UNNEUTERED, THERE'S A GOOD CHANCE IT'S BRED AND ADDED TO THE OVERBURDENED SHELTER POPULATION. SO I WOULD REALLY LIKE TO SEE THAT REDUCED TO AT LEAST TWO, TWO TIMES. SO IN CONCLUSION, I WOULD JUST LIKE TO SAY THAT I GENERALLY SUPPORT THE ORDINANCE, I

HOPE THAT YOU WILL PASS IT. BUT I DO BELIEVE THAT -- THAT IT DOESN'T GO FAR ENOUGH AND I THINK A YEAR FROM NOW WE WILL STILL HAVE A PROBLEM WITH THE KILL RATE AT THE SHELTER REMAINING STEADY OR GOING UP. I HOPE THAT WHEN WE COME BACK TO YOU WITH THE STRONG ACROSS THE BOARD SPAY NEUTER ORDINANCE AT THAT TIME THAT SOMEONE WILL TAKE THE BOLD STEP TO -- TO ENDORSE IT AND THAT THE COUNCIL WILL PASS IT. AND I THANK FOR YOU YOUR TIME AND ONE MORE THING, AS AN AUSTIN FIREFIGHTER, I RELISH THE OPPORTUNITY TO COME BACK AT A LATER DATE SO WE CAN DISCUSS YOUR PAY RAISE. THANK YOU VERY MUCH. [APPLAUSE]

WON'T BE QUITE AS MUCH FUN AS YOURS WAS. JULIA, WELCOME.

THANK YOU VERY MUCH, MAYOR, COUNCILMEMBERS. IT'S NICE TO BE WITH YOU THIS MORNING. I'M GENERALLY IN FAVOR OF THE ORDINANCE. I AM A VOLUNTEER IN THE ANIMAL WELFARE COMMUNITY. HAVE BEEN DOING IT FOR ABOUT 10 YEARS NOW. I FEEL LIKE I HAVE SEEN A LOT OUT IN THE AUSTIN COMMUNITY. RIGHT NOW I CONCENTRATE MY EFFORTS ON TRAPPED, NEUTER, RETURN OF FERAL CATS IN AUSTIN. I JUST WANTED TO COME UP AND TALK TO YOU A LITTLE BIT ABOUT THAT. WE APPRECIATE THE MONEY THAT YOU HAVE GIVEN FOR US THE FERAL CAT VOUCHER PROGRAM. IT IS GREATLY NEEDED. WE ARE USING IT UP AS FAST AS WE CAN, DOING GREAT THINGS IN THAT AREA. HOWEVER, THIS PROPOSAL DOESN'T REALLY ADDRESS CATS IN AUSTIN. AND AS A VOLUNTEER GOING INTO EAST AUSTIN, ON AT LEAST A COUPLE OF DAYS A WEEK, BASIS, I HAVE SEEN A LOT OF THINGS AND I THINK THAT -- THAT I AM HOPING THAT NOW THAT YOU ARE ABOUT TO PASS THIS ORDINANCE, YOU WILL -- YOU WILL CONTINUE TO THINK ABOUT -- ABOUT WHAT WE CAN DO FURTHER FOR THE ANIMALS OF AUSTIN. THIS IS A VERY SMALL STEP IN THE RIGHT DIRECTION, BUT AT ACROSS THE BOARD SPAY NEUTER ORDINANCE IS GOING TO BE SOMETHING. I THINK THAT YOU ARE GOING TO BE LOOKING AT SEATTLE WASHINGTON, ALBUQUERQUE, NEW MEXICO, HAS IT, WE NEED TO HEAD IN THAT DIRECTION, BE MORE PROGRESSIVE. I JUST WANT TO GIVE YOU A CASE IN POINT. THE PEOPLE THAT I GO OUT AND HELP TRAP, NEUTER, RETURN ARE

RESIDENTS OF EAST AUSTIN. MOST OF THEM ARE VERY HAPPY TO SEE ME COME AND HELP THEM TRAP OR PICK UP SOME OF THEIR CATS OFF THEIR FRONT PORCH -- KITTENS OFF THE -- KITTENS OFF THE FRONT PORCH. GET THEM ADOPTED. A FEW PEOPLE ARE NOT. ONE CASE IN POINT AN ELDERLY COUPLE IN EAST AUSTIN, WHERE MYSELF AND ANOTHER VOLUNTEER WENT TO TALK TO AND SAY THERE ARE FREE PROGRAMS, WE WANT TO HELP YOU GET THESE CATS NEUTERED. SEVERAL ADULT CATS AND NUMBERS OF KITTENS ON THEIR FRONT PORCH AND THE MAN AFTER EXPLAINING WHAT WE DO AND HOW WE DO IT, HOW IT'S FREE, HE SAID NO THANK YOU, WE DON'T WANT IT. THE KITTENS THAT YOU SEE HERE WILL DISAPPEAR WITHIN THREE MONTHS AND IT WON'T BE A PROBLEM. WELL, THE KITTENS MAY DISAPPEAR IN THREE MONTHS, BUT IT'S BECAUSE THEY HAVE PROBABLY GOTTEN HIT BY CARS OR TAKEN BY GOOD SAMARITANS TO FIND HOMES FOR OR TAKEN INTO THE ANIMAL SHELTER BY OTHER NEIGHBORS AND PUT TO DEATH. WE ALL NEED TO THINK ABOUT THE FUTURE OF AUSTIN'S ANIMALS, NOT JUST WITH THIS ORDINANCE BUT WITH A STRONGER SPAY NEUTER ORDINANCE. THANK YOU.

THANK YOU. SO COUNCIL THAT'S ALL OF OUR CITIZEN TESTIMONY FOR ITEM NO. 7. ANY OTHER COMMENTS, QUESTIONS? COUNCILMEMBER MARTINEZ?

Martinez: I JUST HAVE SOME QUESTIONS FOR STAFF. I WANTED TO START OUT BY ASKING ABOUT PART 2 OF THE ORDINANCE, THE FEE WAIVERS, HOW THAT'S -- GOOD MORNING, MR. LURIE. I WANTED TO ASK ABOUT THE FEE WAIVER STRUCTURE AND HOW SOMEONE GOES ABOUT HAVING FEES WAIVED ONCE THEY HAVE HAD THEIR PET. I AM..... IMPOUNDED, WHAT TYPE OF OUTREACH DO WE PROVIDE ONCE THEY COME IN TO RETRIEVE THEIR PET. IS IT ALSO BILINGUAL?

I'M SORRY THE LAST ONE?

IS IT BILINGUAL, INFORMATION AND RESOURCES TO THE SPANISH SPEAKING COMMUNITY.

YES, COUNCILMEMBER. WE DO PROVIDE INFORMATION THAT

IS BILINGUAL. IN TERMS OF THE WAIVER PROCESS, THERE ARE TWO OPTIONS FOR WAIVER. IF A PERSON WOULD CHOOSE TO HAVE THEIR ANIMAL STERILIZED, THE ENTIRE IMPOUND FEE IS WAIVED. IN ALL INSTANCES. WITH THE NEW STRUCTURE THAT WE HAVE -- THAT ACTUALLY YOU APPROVED WITH THIS NEW BUDGET, WHERE WITH INTACT ANIMALS THERE'S A \$100 IMPOUND FEE FOR THE FIRST IMPOUND AND \$150 FOR THE SECOND IMPOUND. THIS IS FOR INTACT ANIMALS. WE FEEL THAT'S AN EXTREMELY SIGNIFICANT INCENTIVE FOR PEOPLE TO HAVE THEIR ANIMALS STERILIZED BECAUSE THE FEE WILL BE ENTIRELY WAIVED IF THEY CHOOSE TO HAVE THEIR ANIMAL STERILIZED. THE OTHER WAIVER OPTION IS IF PEOPLE WILL AGREE TO VOLUNTARY SERVICE WHICH IS BASICALLY COMING IN COMMUNITY SERVICE WHICH IS BASICALLY COMING IN AND SERVING ON A VOLUNTARY BASIS AT THE SHELTER. FEES WILL BE WAIVED AT THE RATE OF \$10 PER HOUR OF VOLUNTARY SERVICE. WE FOUND ABOUT 21% OF INDIVIDUALS HAVE CHOSEN THAT OPTION, IT HAS BEEN VERY SUCCESSFUL, VERY EFFECTIVE, MAKES A SIGNIFICANT DIFFERENCE IN TERMS OF -- OF PET OWNERSHIP RESPONSIBILITY BECAUSE PEOPLE SPENDING TIME AT THE SHELTER I THINK DEVELOP A BETTER SENSE OF THE SIGNIFICANCE OF RESPONSIBLE PET OWNERSHIP. SO THE TWO WAIVER OPTIONS ARE TO -- TO HAVE YOUR ANIMAL STERILIZED OR TO -- TO PROVIDE COMMUNITY SERVICE..... SERVICE.

WHAT ABOUT ABOUT SECTION A, PART 2, WHERE THE OWNER PRESENTS A WRITTEN STATEMENT OF INABILITY TO PAY. WHAT TYPE OF WRITTEN STATEMENT IS REQUIRED?

WHAT SECTION.

DEFINES INABILITY. PART 2, SECTION A. OWNER PRESENTS A WRITTEN STATEMENT OF INABILITY TO PAY. I'M NOT SURE WHAT THE DEFINITION OF INABILITY TO PAY IS.

LET ME ASK -- I'M GOING TO CHECK WITH --

COUNCILMEMBER, BECAUSE IN -- IN PRACTICE BECAUSE WE HAVE THESE TWO OPTIONS THAT WE ARE APPLYING, MATERIAL MATERIALATION OR COMMUNITY -- STERILIZATION

OR -- WE HAVE NOT BEEN APPLYING AN ABILITY TO PAY CRITERION IN TERMS OF WAIVERS.

IS IT POSSIBLE FOR SOMEONE TO PICK UP THEIR PET AND PROVIDE YOU A STATEMENT OF INABILITY TO PAY, THEY ARE ABLE TO RETRIEVE THEIR PET AND NOT BE ASSESSED A FINE?

CURRENTLY WE ARE NOT DOING THAT, THAT IS NOT OUR PRACTICE.

WHY DID WE LEAVE IT IN THE ORDINANCE?

MY NAME IS [INDISCERNIBLE], ASSISTANT DIRECTOR OVER THE ANIMAL SERVICES AREA. THAT LANGUAGE WAS IN THERE BEFORE WE HAD THE STERILIZATION OPTION OR THE VOLUNTEER OPTION. WE LEFT IT IN THERE IN CASE WE HAD A SPECIAL CASE WHERE THE ANIMAL COULD NOT BE STERILIZED. OUR FIRST MOTIVE IS TO GET THE ANIMAL STERILIZED. THE ANIMAL CAN BE STERILIZED FOR FREE THROUGH OUR FREE PROGRAM SO THERE IS A WAY FOR PEOPLE TO GET AWAY WITH NOT HAVING TO PAY ANYTHING, INCLUDING PAYING FOR THE STERILIZATION. BUT I WANTED TO LEAVE THAT IN THERE IN CASE WE DID HAVE AN OPTION WHERE SOMEONE COULDN'T STERILIZE THEIR PET FOR SOME REASON AND THEY CAN'T AFFORD TO PAY, I HAD A LEGAL WAY FOR ME TO HANDLE THE WAIVER. I CAN'T WAIVE FEES UNLESS THE ORDINANCE SPECIFICALLY ALLOWS NOTICE WAIVE FEES. SO THAT GIVES ME AN OPTION FOR SOMEONE WHO CAN'T PAY AND THEIR PET CAN'T BE STERILIZED BECAUSE IT HAS A MEDICAL CONDITION THAT WOULD GIVE ME A LEGAL WAY TO DO IT. THE SAME THING ON THE VOLUNTEER SIDE. IF I HAD SOMEONE WHO COULDN'T AFFORD TO PAY, BUT WAS UNABLE TO VOLUNTEER SAY THEY WERE SEVERELY HANDICAPPED, I'M NOT GOING TO EUTHANIZE THEIR ANIMAL BECAUSE THEY CAN'T MEET THAT. SO THEN THAT WOULD GIVE ME A WAY TO DO THAT FOR LOW INCOME INDIVIDUALS. BUT IT'S RARE THAT WE USE IT BECAUSE THE VOLUNTEER PROGRAM OR THE MATERIAL STERILIZATION PROGRAM ACCOMMODATES MOST CUSTOMERS.

Martinez: THANKS. I HAVE ONE MORE QUESTION ON THAT. I'M

CURIOUS AS TO WHY THE CITY MANAGER IS PART OF THE LANGUAGE TO WAIVE A FEE. ARE THERE INSTANCES WHERE THE CITY MANAGER HAS TO GET INVOLVED WITH WAIVING FEES?

AT THE SHELTER, THIS LANGUAGE ALLOWS ME TO ACCOMMODATE ALL OF THE ISSUES THAT WE HAVE AT THE SHELTER.

Martinez: IS THERE A SPECIFIC MANAGER WHY WE SAY THE CITY MANAGER OR THE MANAGER OF THE SHELTER MAY WAIVE FEES?

COUNCIL [INDISCERNIBLE] WITH THE LAW DEPARTMENT. IT'S HISTORICAL LANGUAGE. IT WAS THERE YEARS AGO AND IT CARRIES OVER IN SOME OF OUR OTHER ORDINANCES, BUT BASICALLY THE CITY MANAGER DELEGATES THOSE DUTIES TO THE HEALTH DEPARTMENT.

OKAY.

Mayor Wynn: COUNCILMEMBER KIM?

Kim: MR. LURIE, CAN WE GET SOME INFORMATION ON THE [INDISCERNIBLE] PROGRAM AND WHAT THAT DOES TO -- TO HELP PEOPLE WHO WANT TO STERILIZE THEIR PETS, BUT CAN'T AFFORD TO DO IT? AND HOW OFTEN WE HAVE THAT IN THE COMMUNITY AND WHAT WE DID WITH THE LAST BUDGET FOR THEM?

YES, COUNCILMEMBER. WITH THE LAST BUDGET WE INCREASED THE EMANCI PET APPROPRIATION FROM 50,000 TO \$90,000, IN FACT THE \$40,000 INCREASE, THEY PROVIDE FREE STERILIZATION SERVICES TARGETED PRIMARILY TO LOW INCOME NEIGHBORHOODS AND COMMUNITIES THROUGHOUT THE CITY. AND WE HAVE FREE DAYS DURING THE WEEK WHEN STERILIZATION SERVICES ARE PROVIDED BY EMANCI PET. FOR EXAMPLE, IN THIS INSTANCE IF SOMEONE HAS AN ANIMAL AT THE SHELTER. THEY WANT TO GET THAT ANIMAL STERILIZED, DON'T HAVE THE RESOURCES TO PAY FOR IT. WE WILL TAKE THAT ANIMAL TO EMANCI PET ON ONE OF THOSE FREE DAYS, IN FACT THEY GET FREE STERILIZATION SERVICES. IT'S BEEN A WONDERFUL

RESOURCE FOR US IN THE COMMUNITY IN TERMS OF INCREASING THE STERILIZATION OF PETS. SO THROUGHOUT THE CITY.

ABOUT HOW MANY PETS DO THEY TARGET ON STERILIZING? WE DID INCREASE THE BUDGET BECAUSE THEY HAD MORE DEMAND THAN THEY WERE ABLE TO TAKE CARE OF.

ALL RIGHT. [INDISCERNIBLE]

OKAY.

CAN.... WE CAN HANDLE ABOUT 40 PETS PER DAY. WE RUN IT TWO DAYS PER WEEK, 50 WEEKS A YEAR. WE TAKE A BREAK BETWEEN CHRISTMAS AND THANKSGIVING. WE CAN HANDLE UP TO 40. THE AVERAGE IS 35, WE ARE CLOSE TO OUR MAXIMUM AT EVERY CLINIC. THE ADDITIONAL FUNDING DID GET US UP TO KEEPING THAT TWO DAYS PER WEEK. THOSE ARE PACKED EVERY DAY.

SO YOU ARE SAYING THE SHELTER STERILIZES ABOUT 35 A WEEK.

THE FREE PROGRAM, WE DO 35 -- WE AVERAGE 35 ON EACH DAY, 70 A WEEK TIMES 50 WEEKS, WE DO ABOUT 3500 TO 4,000 ANIMALS THROUGH THAT PROGRAM.

4,000 ANIMALS? AND THEN SO HOW MUCH WOULD THEY HAVE PRODUCED IN TERMS OF LITTERS OVER THEIR LIFE TIMES? THOUSANDS?

HUNDREDS OF THOUSANDS. PYRAMID, PARTICULARLY THE CATS. THEY ARE VERY PROFICIENT AT REPRODUCTION. IT'S ACTUALLY THAT PROGRAM HAS REDUCED OUR DOG INTAKE FROM THOSE TARGETED NEIGHBORHOODS BY 136 DOGS PER MONTH. AND THAT'S A PERMIT DECREASE. IT DIDN'T GO DOWN AND THEN START RISING AGAIN. IT WENT DOWN AND STAYING DOWN IN THOSE NEIGHBORHOODS. FOR CATS, IT DIDN'T GO DOWN IN THOSE NEIGHBORHOODS, BUT IT WENT UP LESS THAN ANYWHERE ELSE IN THE CITY. SO I HAVE GOT STATISTICAL PROOF THAT THIS PROGRAM IS DOING WHAT WE NEED IT TO DO IN KEEPING ANIMALS OUT OF THE

SHELTER, STOPPING THAT REPRODUCTION.

Kim: THANK YOU VERY MUCH.

MAYOR?

Mayor Wynn: COUNCILMEMBER MARTINEZ?

Martinez: IF WE ARE STERILIZING 4,000 ANIMALS, HOW MANY COULD WE BE STERILIZING WITH THE -- WHAT IS THE NEED? IN TERMS OF OUR CITY-WIDE EFFORT.

WE DO NOT HAVE A CENSUS OF HOW MANY ANIMALS ARE OUT THERE. WE DON'T COUNT HOW MANY ARE OUT THERE. BASED ON THE ATTENDANCE THAT WE HAVE AT THE CURRENT FREE PROGRAM, MY SUSPICION IS THAT I COULD RUN THAT PROGRAM FIVE DAYS A WEEK AND KEEP IT FULL IN THOSE NEIGHBORHOODS. THAT'S WHY OUR OFFER OF A FEE WAIVER FOR ANIMALS THAT COME INTO THE SHELTER IS ANOTHER WAY TO GET THOSE ANIMALS OUT THERE STERILIZED SO THAT WE CAN STOP THE PROBLEM. BUT MY SUSPICION IS THAT THERE'S ENOUGH NEED OUT THERE THAT WE COULD CONTINUE TO INCREASE THAT PROGRAM, IT WILL CONTINUE TO BE UTILIZED.

IF WE ARE OFFERING FREE STERILIZATION SERVICES BASED ON ZIP CODES, WHAT HAPPENS IF YOU LIVE IN ANOTHER PART OF TOWN WHERE WE ARE NOT TARGETING AND YOU CAN'T AFFORD SPAY OR NEUTERING.

WE HAVE TRIED TO TARGET THAT PROGRAM TO OUR HIGH INTAKE AND LOW INCOME NEIGHBORHOODS, WITH THE THEORY BEING THAT WE WANT TO MAXIMIZE OUR RESOURCES BY PROVIDING THOSE SERVICES IN THE PLACES WHERE THEY ARE MOST LIKELY TO BE UTILIZED BY PEOPLE THAT NEED THE SERVICE. THE OTHER THING IS THAT IT'S MOBILE, WE OVERCOME THE TRANSPORTATION ISSUE THAT MANY OF THESE FOLKS WILL HAVE. IF THERE'S SOMEONE THAT IS A LOW INCOME CITIZEN AND THEY HAPPEN TO BE LIVING IN AN AREA WHERE WE ARE NOT PROVIDING IT, WE CAN GET THEM INTO THAT PROGRAM. AS LONG AS THEY CAN SHOW THAT THEY ARE IN A LOW INCOME STATUS, WE WILL GET THEM INTO THE PROGRAM. WE HAD --

TWO OTHER PARTNER AGENCIES THAT ARE PROVIDING LOW COST STERILIZATION, SO THERE IS A COST, BUT IT'S A VERY LOW COST AND THAT'S ANIMAL TRUSTEES OF AUSTIN AND ENMANCI PET, YOU COULD GET AN ANIMAL STERILIZED AROUND \$35. EMANCI PET -- THEY HAVE BEEN OUT THERE 14 YEARS, WE HAVE BEEN CONTRACTING WITH THEM FOR SIX YEARS. THAT'S ANOTHER LOW COST OPTION THAT'S OUT THERE. AUSTIN HAS MORE LOW COST STERILIZATION OPTIONS THAN MOST COMMUNITIES DO BECAUSE WE HAVE GOT THE CITY PROGRAM AS WELL AS OUR TWO PARTNER AGENCIES.

Martinez: I GUESS I'M YOUR BOWS ABOUT IF WE ARE MAXIMIZING THESE PROGRAMS NOW, WHAT'S GOING TO HAPPEN IF WE ENTERTAIN A CITY-WIDE SPAY AND NEUTER ORDINANCE? AND ARE WE GOING TO BE ABLE TO -- TO ACCOMPLISH WHAT WE ARE TRYING TO DO WITH -- WITH MANDATORY SPAY AND NEUTER ORDINANCE? I MEAN, IS IT GOING TO REQUIRE SUBSTANTIAL COMMITMENT FROM OTHER -- FROM OTHER ENTITIES TO HAVE THE RESOURCES TO PROVIDE FREE SPAY AND NEUTERING IN THE FUTURE AND --

IF YOU -- IF YOU IMPLEMENTED A MANDATORY STERILIZATION ORDINANCE, I THINK THAT THERE WOULD BE A GAP IN CAPACITY AND SO WE WOULD HAVE TO INCREASE THE CAPACITY FOR FOLKS TO STILL BE ABLE TO KEEP THEIR PETS AND GET IN COMPLIANCE WITH THAT LAW. ENANCIPET AND ATA ARE BOTH NON-PROFITS, AS THE DEMAND GROWS THEY ARE VERY COMMITTED TO INCREASING THEIR CAPACITY. I THINK THAT WE WOULD HAVE TO LOOK AT HOW WE CAN INCREASE THAT CAPACITY IN ORDER TO SERVE THOSE FOLKS WHO MIGHT BE IMPACTED BY A LAW LIKE THAT.

I WOULD JUST ADD THAT WE ARE NOT RECOMMENDING A MANDATORY SPAY NEUTER ORDINANCE OBVIOUSLY. WHAT WE WENT THROUGH THIS PAST YEAR IN TERMS OF THE PROJECT COMMITTEE RECOMMENDATION BROUGHT TO YOU THROUGH THE BUDGET PROCESS, WAS WHAT WE FELT IN CONSULTATION WITH A NUMBER OF STAKEHOLDERS WAS KIND OF THE MOST PRACTICAL SET OF -- OF RECOMMENDATIONS IN TERMS OF IMPLEMENTATION AND

MOVING US FORWARD ON THIS ISSUE. BUT -- BUT IF YOU WERE TO CONSIDER A MANDATORY SPAY NEUTER ORDINANCE, THERE ARE A LOT OF ISSUES THAT WE WOULD WANT TO REVIEW AND PRESENT TO YOU FOR -- FOR CONSIDERATION. IN TERMS OF THE IMPLICATIONS. THE FINAL QUESTION LEADING UP TO THIS POINT, WHAT WE NEED TO HAVE IS A STRONGER IMPACT AS A CITY NOT BE SO RELIABLE ON NON-PROFITS IF WE ARE REALLY GOING TO MAKE TRUE PROGRESS. I WANTED TO ASK WHY STAFF CHOSE FOR A PET TO HAVE TO BE IMPOUNDED THREE TIMES BEFORE WE STERILIZED THEM AND CAN WE REDUCE THAT NUMBER TO TWO AND IF SO WHAT WOULD BE THE FISCAL IMPACT, ARE WE PREPARED OR CAPABLE OF DOING THAT?

WELL, COUNCILMEMBER, THAT'S ESSENTIAL..... CERTAINLY A POLICY DECISION IN TERMS OF WHAT THAT NUMBER WOULD BE. AGAIN WE FEEL THAT WHAT -- WHAT HAS BEEN APPROVED HERE IN TERMS OF THIS -- OF FEE STRUCTURE CREATES A VERY SIGNIFICANT FINANCIAL INCENTIVE FOR PEOPLE TO HAVE THEIR ANIMALS STERILIZED AT THE FIRST IMPOUNDMENT IF POSSIBLE OR CERTAINLY BY THE SECOND BECAUSE YOU ARE LOOKING AT SOME PRETTY SIGNIFICANT \$100 THE FIRST TIME, 150 THE SECOND. I THINK PEOPLE COULD BE RESPONSIBLE PET OPENERS, YET THEIR ANIMAL END UP AT THE SHELTER. THERE'S A LOT OF DISCUSSION, SHOULD THAT BE THE FIRST, SECOND, THIRD TIME. THIS IS BASICALLY WHERE WE LANDED. CERTAINLY THAT NUMBER COULD BE ADJUSTED, I DON'T THINK IT'S GOING TO HAVE A SIGNIFICANT IMPACT IN TERMS OF US OPERATIONALLY. I THINK IT'S MORE SORT OF THE POLICY CHOICE OF WHAT YOU THINK IS REASONABLE OF EXPECTATIONS IN THE COMMUNITY.

Kim: I WAS WONDERING IF SOMEBODY COULD ANSWER WHAT THE COSTS ARE FOR MICROCHIPPING, THE COSTS FOR SPAY AND NEUTERS, UNDERSTAND HOW MUCH IT COSTS ON A PET TO BE RESPONSIBLE PET OWNER AND AS THEY -- THEY MAKE A DECISION WHETHER OR NOT TO ADOPT A PET OR WHETHER OR NOT TO -- TO BE MORE CAREFUL ABOUT LETTING THEIR PET OUT. MICROCHIPPING TO BE ABLE TO IDENTIFY THE PETS AND GET BACK TO THE OWNER AND NOT GOING TO THE SHELTER. CERTAINLY TO THE ADVANTAGE OF THE OWNER. EXCUSE ME THE COST IS

APPROXIMATELY \$6 FOR MICROCHIPPING.

\$6.

THAT'S WHAT WE BUDGET IN TERMS OF OUR --

Kim: THAT'S YOUR COST.

OUR COST. IF THEY WENT OUT IN THE PRIVATE SECTOR --

PRIVATE SECTOR, LAST I CHECKED, WE PERIODICALLY DO A SURVEY, THE LAST TIME WE CHECKED MICROCHIPS AT A PRIVATE VETERINARIAN CLINIC WERE RUNNING 35 TO 50. STERILIZATION COSTS IF A PRIVATE CLINIC VARY WIDELY FROM AT AND EMANCI PET FROM 35 TO 250, \$300 DEPENDING ON THE CLINIC WHAT SERVICES YOU CHOOSE TO GET FOR YOUR PET WHEN YOU DO THE STERILIZATION. THERE'S A VERY, VERY BROAD RANGE ON THE STERILIZATION COSTS.

THEN ON MICROCHIPPING, IF SOMEONE IS GOING TO GET THE PET OUT OF THE SHELTER, DO THEY HAVE TO PAY A CERTAIN -- WHAT DO THEY HAVE TO PAY?

WE ARE NOT CHARGING WITH THE MICROCHIP. IT WILL BE FREE.

OKAY.

WE ARE COVERING THAT UNDER THE RECLAIM FEE, WE WILL PAY FOR THE MICROCHIP.

OKAY. THANK YOU.

IT AN ENHANCEMENT. THEY PAY THE FEE BUT GET A FREE MICROCHIP.

OKAY.

Mayor Wynn: MR. LURIE, WE HAD A COUPLE OF OTHER SORT OF COMMENTS OR QUESTIONS THAT CAME OUT OF THE EARLIER TESTIMONY. I GUESS THE FIRST RELATED TO -- TO ACTUALLY IDENTIFYING A SQUARE FOOTAGE ON I GUESS THE EXERCISE AREA. HAD THAT BEEN CONTEMPLATED OR

DEBATED AS PART OF THE ORDINANCE? AND THOUGHT TO BE NOT PRACTICAL.

YES, MAYOR. WE HAD A LOT OF DISCUSSION ABOUT THAT. AGAIN IT'S TRYING TO STRIKE THIS SORT OF REASONABLE BALANCE, IF YOU WILL. IT'S IMPORTANT I THINK WE FELT TO RECOGNIZE THAT A LOT OF FOLKS HAVE OUTDOOR SPACE FOR THEIR PETS. A LOT OF PEOPLE KEEP PETS IN INDOOR SPACE. PARTICULARLY WITH A LOT MORE OF THE DEVELOPMENT DOWNTOWN FOR EXAMPLE IT'S A REAL CHALLENGE IN TERMS OF HAVING OUTDOOR SPACE. SO PEOPLE TEND TO USE, YOU KNOW, MORE OF THE PUBLIC SPACES AND SO FORTH. SO -- SO WHAT WE WORKED ON HERE AND ACTUALLY A.P.D. WAS PART OF THE DISCUSSION WAS HOW DO WE PROVIDE THE APPROPRIATE TOOLS SO THAT OUR OFFICERS HAVE THE ABILITY TO STEP IN IF THERE'S A POTENTIAL CRUELTY SITUATION, YET AT THE SAME TIME BE FLEXIBLE ENOUGH SO THAT IT DOES ACCOMMODATE A WIDE RANGE OF PET OWNER, YOU KNOW, SITUATIONS. THE FOCUS HERE WAS LOOKING AT OPPORTUNITIES FOR ACCESSING AREAS FOR EXERCISE BUT NOT SPECIFYING, YOU KNOW, SPECIFIC SQUARE FOOTAGE OR AMOUNT OF SPACE THAT EACH LIVING CONDITION WOULD REQUIRE.

OKAY, THANK YOU.

THEN RELATED TO THE MICROCHIPPING COSTS, I GUESS ONE ELEMENT OF THE -- OF THE ANALYSIS AT LEAST RELATIVELY RECENTLY WAS THE COST OF THE READERS THAT WE WOULD HAVE TO HAVE IN ORDER TO, YOU KNOW, READ THE CHIP, TO IDENTIFY THE -- THE PETS OWNER. MY GUESS IS TECHNOLOGY, THAT PRICE HAS COME DOWN DRAMATICALLY AS WELL.

WELL, IN FACT MAYOR THAT IN A SENSE IS ALREADY COVER, WE ALREADY HAVE THE READER, THOSE ARE AVAILABLE, OUR PEOPLE IN THE FIELD HAVE THEM. I DON'T KNOW ALL OF THE DETAILS, BUT I THINK THROUGH THE GENEROSITY OF A - - OF A VENDOR WE HAVE ACTUALLY GOTTEN THE EQUIPMENT IN PLACE. SO THAT'S NOT AN ADD-ON COST FOR US AT THIS TIME IS WHAT I'M TRYING TO SAY.

GOOD. AND THEN THE -- SORRY, COMMENT? DORINDA WAS POINTING OUT THAT WE HAVE 30 OF THEM DONATED TO US.

WOW, GREAT. THEN THE ISSUE OF THREE STRIKES VERSUS SAY MAYBE ON THE SECOND, YOU KNOW, RESCUE THEN -- THE SPAY NEUTERING COMES INTO PLAY.

YES.

THAT WAS PART OF THE DEBATE AS WELL AND --

IT WAS PART OF THE GIVE AND TAKE. I MEAN, CERTAINLY FROM -- FROM OUR PERSPECTIVE, WE WOULD LIKE TO SEE THESE ANIMALS STERILIZED AS EARLY ON AS POSSIBLE. AS I SAID EARLIER, WE FEEL LIKE WE HAVE PRETTY STRONG INCENTIVES FOR PEOPLE TO DO SO. IT WAS JUST A MATTER OF ARRIVING AT SORT OF A NUMBER IN TERMS OF WHERE WE WOULD APPLY THAT. I WOULD DEFER TO THE COUNCIL, I MEAN, IF YOU ALL FEEL THAT -- THAT YOU PREFER FOR THAT TO HAPPEN SOONER IN THE PROCESS, THAT'S YOUR PREROGATIVE.

THANK YOU, FURTHER QUESTIONS, COMMENTS, COUNCILMEMBER MARTINEZ?

I WANTED TO JUST ASK BRIEFLY WHAT -- WHAT TRANSPIRED IN THE COMMENTS AROUND THE -- AROUND THE I GUESS RESTRAINING AN ANIMAL IN THE UNENCLOSED VEHICLE. IT WAS RELATED TO ME THAT THE CONTAINER LANGUAGE WAS PART OF THE PROPOSAL, BUT IT DIDN'T MAKE IT TO THE FINAL DRAFT. I WANTED TO KNOW WHAT HAPPENED THERE.

THAT'S CORRECT, COUNCILMEMBER. AND AGAIN THIS WAS SORT OF THIS -- SORT OF THIS GIVE AND TAKE THAT WE WENT THROUGH IN TERMS OF -- IN TERMS OF TRYING TO STRIKE A BALANCE. RIGHT NOW, THERE'S -- THERE'S PRACTICALLY NOTHING IN PLACE. SO -- SO WE ARE OBVIOUSLY MOVING IN THE RIGHT DIRECTION IN TRYING TO IMPROVE THE SITUATION. SOME ARE OF THE OPINION THAT THERE ARE APPROPRIATE RESTRAINTS AVAILABLE FOR ANIMALS TO BE SAFELY TRANSPORTED IN OPEN VEHICLES SHORT OF AN ENCLOSED CONTAINER. AS YOU HAVE HEARD TODAY, THERE ARE OTHERS THAT FEARFUL THAT THAT'S

NOT THE -- FEEL THAT'S NOT THE CASE AND THAT AN ENCLOSED CONTAINER REALLY SHOULD BE REQUIRED. AGAIN IT'S A POLICY CHOICE. OUR SENSE WAS -- WAS THAT WE ARE MOVING IN THE RIGHT DIRECTION, THIS IS SUBSTANTIAL IMPROVEMENT, THIS IS GOING TO GIVE OUR OFFICERS TOOLS AND MEANS BY WHICH WE CAN STEP IN TO PREVENT POTENTIALLY A CRUELTY LIKE SITUATION? SO AGAIN HOW FAR WE WANT TO GO WITH THAT, IT'S KIND OF A JUDGMENT CALL AT THIS POINT. THIS IS THE RECOMMENDATION THAT WE ARRIVED AT.

FURTHER COMMENTS, QUESTIONS? STAFF?

I -- I GUESS THAT I WOULD LIKE TO PROCEED WITH -- WITH TRYING TO ADOPT THE ORDINANCE, BUT I WOULD LIKE TO DISCUSS MAYBE SOME MINOR AMENDMENTS. IF FOLKS WOULD CONSIDER THAT SUCH. I.I WANT TO THANK STAFF FOR WORKING ON THIS, IMPROVING THE CARE OF OUR PETS AND OUR ANIMALS I WOULD THANK DORINDA AND HER STAFF, I KNOW IT'S A THANKLESS JOB DOWN THERE. I HAVE SEEN A LOT OF INFORMATION ABOUT -- ABOUT THE EUTHANASIA RATE THAT WE HAVE, TRYING TO WORK HARDER ON THAT, I CAN'T IMAGINE WHAT YOU DEAL WITH ON A DAILY BASIS. WITH THAT SAID, I WOULD LIKE TO MOVE THAT WE APPROVE THE ORDINANCE WITH -- WITH A COUPLE OF -- OF AMENDMENTS AND THAT IS -- THAT IS THE FIRST AMENDMENT WOULD BE TO CHANGE SECTION 3129, AND STRIKE THE WORD 3 AND ADD -- CHANGE IT TO THE WORD 2. SO THAT -- SO THAT WE BEGIN STERILIZING AFTER AN ANIMAL HAS BEEN IMPOUNDED TWO TIMES. AND THEN MY SECOND AMENDMENT WOULD BE SECTION 3-2-6, SECTION A, NUMBER 2, AFTER THE FIFTH COMMA, WE INSERT THAT THE ANIMAL SHALL BE CONFINED IN A SECURE AND APPROPRIATELY SIZED VENTED CONTAINER. AND STRIKE THE WORD -- THE WORDS IS RESTRAINED. ADD THAT LANGUAGE WHERE IS RESTRAINED WAS.

Mayor Wynn: MOTION BY COUNCILMEMBER MARTINEZ TO APPROVE THIS ORDINANCE BEFORE US WITH THE TWO AMENDMENTS AS HE OUTLINED. THAT BEING -- THOSE BEING A SECOND STRIKE IF YOU WILL ON THE STERILIZATION AND INSERTION OF -- OF THE SECURED CONTAINER LANGUAGE. SECONDED BY COUNCILMEMBER KIM. FURTHER COMMENTS,

QUESTIONS? MR. -- MR. CITY ATTORNEY, DID -- WAS COUNCILMEMBER MARTINEZ'S LANGUAGE CLEAR ENOUGH AND YOU ALL COULD --

WE UNDERSTAND OUR TASK.

OKAY. FURTHER COMMENTS, QUESTIONS? SO -- SO THEN HEARING NONE, ALL IN FAVOR OF... COUNCILMEMBER MARTINEZ'S AND KIM'S MOTION SAY ".

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. COUNCIL THAT LEAVES US WITH A COUPLE OF POTENTIAL DISCUSSION ITEMS. ONE IN WHICH FOR SURE NEEDS TO BE TAKEN UP IN CLOSED SESSION. SO WITHOUT OBJECTION, I THINK WE CAN GET MUCH OF THIS DONE BEFORE OUR LUNCH HOUR TO KEEP OUR 2:00 BRIEFING ON SCHEDULE, WITHOUT OBJECTION WE WILL GO INTO CLOSED SECTION PURSUANT TO 551.0716 THE OPEN MEETINGS ACT TO TAKE UP POTENTIALLY AGENDA ITEM NO. 38 RELATED TO THE HERITAGE NEIGHBORHOOD ASSOCIATION AND ATKINSON VERSUS BUCKINGHAM INVESTMENTS, LIMITED AND THE CITY OF AUSTIN, ITEM 39 RELATED TO THE CONDEMNATION OF LAND NEAR THE BERGSTROM AIRPORT AND ITEM 41 RELATED TO THE DOWNTOWN AUSTIN PLAN. WE MAY ALSO TAKE UP REAL ESTATE MATTERS, SO PURSUANT TO SECTION 551.072, ITEM NO. 40 RELATED TO -- TO REAL ESTATE NEAR BERGSTROM AIRPORT. WE ARE NOW IN CLOSED SESSION. WE SHOULD BE BACK RIGHT AT NOON FOR THE GENERAL CITIZENS COMMUNICATION. THANK YOU.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP ITEM NUMBER 38 REGARDING A LAWSUIT. NO DECISIONS WERE MADE. WE'RE NOW BACK IN OPEN SESSION FOR OUR GENERAL CITIZEN COMMUNICATION. WE HAVE 10 SPEAKERS SIGNED UP. OUR FIRST SPEAKER IS JIM LLOYD. WELCOME, MR. LLOYD. YOU HAVE THREE MINUTES AND WILL BE FOLLOWED BY JULIE REESE.

COUNCILMEMBERS, THANK YOU FOR THIS OPPORTUNITY TO COME BEFORE YOU AND DISCUSS THESE MATTERS THAT I

HAVE TALKED TO YOU ABOUTED TO. FIRST OF ALL I'D LIKE TO TELL YOU ON THA -- MY NAME IS JAMES LLOYD. I'M VICE-PRESIDENT OF SCAN, WHICH STANDS FOR SOUTHEAST CORNER ALLIANCE OF NEIGHBORS. FIRST OF ALL, I'D LIKE TO INVITE YOU, WE'RE HAVING A BIG CELEBRATION DOWN IN DOVE SPRINGS ON OCTOBER 21st, SATURDAY. IT STARTS AT ABOUT 9:00 IN THE MORNING, WILL RUN FOR MOST OF THE DAY. WE'LL BE CELEBRATING THE PRIDE THAT EXHIBIT IN OUR NEIGHBORHOOD DOWN THERE RIGHT NOW. WHILE I'M PROUD OF MANY OF OUR DOVE SPRINGS REZ DERNGTS THERE'S ONE ISSUE THAT I WOULD LIKE TO TALK TO YOU ABOUT TODAY AND THAT IS THE ISSUE OF POLICE RESOURCES, THAT BEING MANPOWER AND MONEY RESOURCES AS IT APPLIES TO THE DOVE SPRINGS AREA. FIRST OF ALL, BEFORE I GET INTO THAT I WANT TO SAY THAT I'M VERY PROUD OF THE..... POLICE OFFICERS THAT ARE DOWN IN THAT AREA ESPECIALLY AS WELL AS THE WHOLE CITY OF AUSTIN POLICE FORCE. I'M A VOLUNTEER WITH THE POLICE DEPARTMENT. I HAVE BEEN FOR A NUMBER OF YEARS. I KNOW A LOT OF POLICE OFFICERS AND I'M REALLY PROUD OF THE JOB THAT THEY DO WITH THE RESOURCES THAT THEY'VE BEEN GIVEN. SO WHAT I'D LIKE TO MAINLY GET ACROSS TODAY IS THAT I AM IN FULL SUPPORT OF THE POLICE DEPARTMENT AND I KNOW THE PUBLIC SAFETY BUDGET FOR THE CITY OF AUSTIN IS A HUGE PART OF THE BUDGET AND I JUST WANTED TO SHOW MY SUPPORT FOR THAT BUDGET. COMING FROM THE DOVE SPRINGS AREA I'M ALSO A LANDLORD. I'VE BEEN DOWN THERE FOR ABOUT 15 YEARS. I OWN ABOUT 60 TO 70 RENTAL UNITS TOWN IN THAT AREA AND I'M VERY, VERY BIG ON PARTICIPATING IN THE ACTIVITIES OF WHAT GOES ON IN MY DOVE SPRINGS NEIGHBORHOOD. WE DO HAVE A PROBLEM DOWN THERE, THOUGH. WE HAVE A LOT OF LOW LEVEL STREET NARCOTICS CRIME THAT HAS A BIG INFLUENCE ON A LOT OF THE BURGLARIES AND THEFTS IN THAT AREA. SOME OF THE THING THAT I'VE NOTICED OVER THE YEARS, THE POLICE DEPARTMENT HAS LOST SOME OF ITS TOOLS AVAILABLE TO THEM, ONE BEING THE ABILITY TO DO VEHICLE PURSUITS, THE SECOND THE ABILITY TO DO VERBAL CONSENTS TO SEARCH VEHICLES DOWN IN THE AREA. WHAT THAT SEEMS TO HAVE DISUN PLACED A HUGE BURDEN ON OTHER POLICE ACTIVITY SUCH AS THE POLICE RESPONSE AND NARCOTICS

UNITS AND I JUST WANT TO TELL THAW I SUPPORT THE FUNDING THAT GOES ON WITH THE POLICE DEPARTMENT. IF THERE'S ANYTHING WE CAN DO TO GIVE THEM MORE SUPPORT AND RESOURCES TO ALLOCATE WARDS THOSE PARTICULAR FUNCTIONS, THAT BEING STREET NARCOTICS AND STREET RESPONSE UNITS TO HANDLE THAT LOW LEVEL TREAT CRIME THAT'S HIGHLY INVOLVED IN DRUG ACTIVITY, I SURE WOULD APPRECIATE IT. THAT'S IT. THANKS.

WELCOME, JULIE REESE. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY MARY KRENEK.

THANK YOU. I AM A LANDLORD TOO. I'M NOT IN DOVE SPRINGS, BUT ORIGINALLY I HAD A LOT OF ISSUES THAT I WANTED TO TRY TO SQUEEZE INTO THREE MINUTES, BUT YOU HAVE AN EMPLOYEE NAMED ORLANDO THAT HEADED US INTO THE RIGHT DIRECTION AND A WOMAN HERE FROM THE WEED AND SEED THING I THINK IS GOING TO BE ABLE TO HANDLE A LOT OF QUESTIONS THAT I ORIGINALLY HAD. HOWEVER, I DO -- I WOULD HAVE JUST GIVEN MY TIME UP, BUT THERE IS ONE CRITICAL I WANT TO MAKE SURE THAT WE'RE ON TOP OF. THERE'S A LOT OF COPPER THEFT HAPPENING IN TOWN, AND WHAT THEY DO IS IS THEY CUT IT OFF OF AIR CONDITIONERS AND IT'S NOT JUST HAPPENING HERE. IN FACT, THE DETROIT CITY COUNCIL IS HAVING A MEETING ON OCTOBER 16 ITS TO SEE WHAT TO DO ABOUT IT. IT'S HAPPENING EGG ACCORDING TO THIS THING IN YAHOO ABOUT A BUILDING BOOM IN CHINA. IF IT WAS JUST ABOUT THE PRICE OF COPPER IT WOULD BE A DIFFERENT ISSUE, BUT EACH TIME THEY CUT THOSE COPPER LINES TO GET A COUPLE DOLLARS' WORTH OF RECYCLING, A TON OF FREON IS RELEASED INTO OUR AIR AND THEY'RE BEING STOLEN ALL OVER AUSTIN WITH A LOT OF FREQUENCY AND REGULARLY. SO I'M HOPING THAT SOMEBODY IS ON TOP OF THAT AND I APPRECIATE YOUR TIME AND LET'S KEEP GIVING THE POLICE RESOURCES THAT THEY NEED. THANK YOU.

Mayor Wynn: THANK YOU, MS. REESE. MARY KRENEK. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY TREK ENGLISH, TO BE FOLLOWED BY PAT JOHNSON.

GOOD AFTERNOON, COUNCIL AND COMMUNITY. I'M A NATIVE

AUSTINITE, ARTIST, HOMEOWNER AND MOTHER. AND THAT'S PRETTY MUCH WHAT MAKES ME A CONCERNED CITIZEN. I TOOK MY SON OUT TO BLUES ON THE GREEN TO SEE GUY FORSYTHE ABOUT A MONTH BEFORE THE LAST SHOW, AND THE WAY WE WERE ASKED TO LEAVE WAS THREE COP CARS DROVE OCCUPY THE SOCCER FIELDS WITH THEIR LINES ON AND TECHNICALLY HERDED THE CROWD OFF. I WAS DISGUSTED AND DECIDED I NEEDED TO COME AND LET YOU KNOW. I'VE SINCE TALKED WITH SARAH AND JAY ZONE AT THE AUSTIN PARKS AND RECREATION EVENTS AND I REALLY APPRECIATED THEM. I SUGGEST Y'ALL END THE EVENTS EARLIER IF IT TAKES SO LONG TO HERD PEOPLE OFF THE PROPERTY. OR I SUGGEST YOU I NOWNS IT SEVERAL TIMES OR POST THAT IT ENDS AT 10. AND KEEP THE COPS THERE, BUT NOT WHEN MY SON GETS TO SEE THEM AND GETS WORRIED WHAT'S GOING ON. 10:30 PUT THEM ON THE SOCCER FIELDS, WHATEVER. USE THE GOLF CART GUYS TO SHUFFLE PEOPLE OFF LIKE YOU NORMALLY DO. I WAS NORMALLY DISAPPOINTED IT TOOK ME ABOUT SIX PHONE CALL TO GET ON YOUR WAITING LIST HERE TO TALK, BUT I APPRECIATE BLUES ON THE GREEN AND LET'S NOT MAKE IT REALLY BLUES ON THE GREEN AND LET'S KEEP IT TEXAS FRIENDLY. THANKS.

Mayor Wynn: TREK ENGLISH, WHO I HAVEN'T SEEN THIS AFTERNOON. SHE SIGNED UP WISHING TO SPEAK, AS DID PAT JOHNSON. FSHS PAT JOHNSON? TO BE FOLLOWED BY DR. LAWRENCE CRANBERG. WELCOME BACK. AND YOU WILL BE FOLLOWED BY WILLIAM DAVID PLASKY.

I'M LAWRENCE CRANBERG. MY TOP PICK IS COLD CASES, A TERM WHICH IS UNIVERSALLY UNDERSTOOD, FWO MY ASTONISHMENT I HAVE EXTENSIVE RESEARCH BY HIGHLY QUALIFIED INVESTIGATORS. THE TERM IS NOWHERE TO BE FOUND IN ANY DICTIONARY, ANY WORK OF REFERENCE. IT'S NOT TO BE FOUND, FOR EXAMPLE, IN THE (INDISCERNIBLE). IT CAN MEAN ANYTHING YOU WISH. AND IT HAS A NUMBER OF I AM MR. INDICATIONS, WHICH IN MY JUDGMENT IS PAINFULLY INAPPROPRIATE. PARTICULARLY I THINK THAT ANY MURDERER WHO IS SUBJECT TO PRESENTATION INDEFINITELY -- BECAUSE THERE'S NO STATUTE OF LIMITATIONS ON MURDER -- WILL GET PSYCHOLOGICAL SANCTUARY IN BEING A COLD CASE, WHICH PEENZ IT'S NO

LONGER AN ACTIVE PURSUIT. AND CORRESPONDINGLY, THE VICTIMS AND FRIENDS OF THOSE WHO HAVE BEEN MURDERED, WHEN THEY LEARN THAT THE PROSPECTIVE CASE IS ESSENTIALLY CLOSED OR HELD IN SUSPENSION, THEY WILL UNDOUBTEDLY BE PROFOUNDLY DISAPPOINTED AND EVEN ANGUISHED BY SUCH CHARACTERIZATION. MY PROPOSAL IS VERY SIMPLE, OPEN UNSOLVED. THOSE WORDS ARE BOTH IN THE DICTIONARY. THEY DON'T REQUIRE ANY INNOVATION. COLD CASE IS JARGON. EVERY PROFESSION PROBABLY HAS ITS JARGON, FWU SEEMS TO ME THAT IT WARRANTS CRITICAL ANALYSIS BY PEOPLE. YOU HAVE MY STATEMENT. YOU ALSO HAVE A COPY OF THE STATEMENT THAT WAS PROVIDED BY THE F.B.I.'S MEDIA COORDINATENER SAN ANTONIO WHICH YOU CAN READ FOR YOURSELVES. THEY'RE CLEARLY SUPPORTIVE OF THE IDEA OF OPEN AND UNSOLVED IN LIEU OF COLD CASES. COLD CASES INCIDENTALLY IS ALSO AMONGST VERY MANY USES, A KIND OF GALLOS HUMOR, WHICH IS HARDLY APPROPRIATE. THANK YOU. IF YOU HAVE ANY QUESTIONS, I'LL BE HAPPY TO ANSWER THEM.

..

Mayor Wynn: THANK YOU. QUESTIONS, COUNCIL? CHIEF MCDONALD.

WELL, SIR, ONE OF THE THING I WANTED TO ASSURE YOU THAT CERTAINLY WHEN WE USED A TERM COLD CASE THAT'S JUST BEEN SOMETHING HISTORICALLY USED IN LAW ENFORCEMENT, BUT THAT'S NOT THE WAY THE AUSTIN POLICE DEPARTMENT TREATS THOSE CASES. THEY ARE IN FACT OPEN AND UNSOLVED AND I'MIOUS WANTING TO CLARIFY THAT THAT'S THE WAY THEY'RE TREATED. THEY HAVE SPECIFIC INVESTIGATORS THAT CONTINUE TO LOOK AT THOSE AND EVEN IF THOSE INVESTIGATORS ARE PROMOTED AND REASSIGNED, THOSE CASES ARE ALWAYS ASSIGNED TO SOMEONE. JUST BECAUSE WE HAVEN'T RESOLVED A CASE DOESN'T MEAN WE'RE NOT PURSUING IT BY USING THAT TERM COLD CASE.

THAT MAY BE THE INTERNAL KNOWLEDGE OF THOSE LIKE YOURSELF WHO KNOW WHAT GOES ON IN THE POLICE DEPARTMENT. I'M TALKING ABOUT THE USE OF THE TERM

THROUGHOUT THE COUNTRY AND PERHAPS EVEN GLOBALLY. AND BY THE WAY, SUCH USAGE IS VERY RECENT. MY INVESTIGATORS FOUND THAT AS OF 1980 PRIOR TO THAT THERE WERE NO COLD CASES. I THINK THE PSYCHOLOGICAL ASPECT OF THIS CAN BE JUDGED BY ANYBODY WITH OUR OWN COMMON SENSE.

Mayor Wynn: THANK YOU, DR. CRANBERG. NEXT SPEAKER IS WILLIAM DAVID PLASKY. TO BE FOLLOWED BY PAUL ROBBINS. MR. PAUL ROBBINS. TO BE FOLLOWED BY NAILAH SANKOFA. TO BE FOLLOWED BY GRISELD A-RODRY GEZ. RODRIGUEZ.

[INAUDIBLE - NO MIC].

Mayor Wynn: PLEASE APPROACH THE PODIUM.

MY NAME IS REBECCA HERNANDEZ. I'M A LEADER WITH AUSTIN INTERFAITH FROM THE LORD'S CATS LICK CHURCH. I HAVE LIVED IN THE MONTOPOLIS AREA FOR MORE THAN 45 YEARS. LIKE MANY MAR RISHNERS I WAS ABLE TO BUY OUR HOME IN THE NEIGHBORHOOD THAT I GREW UP. NOW MY CHILDREN AND GRANDCHILDREN ARE GROWING UP THERE. FOR A FEW MONTHS WE HAVE KNOWN ABOUT THE FRONTIER VALLEY PROJECT IN THE MONTOPOLIS AREA. MR. PAUL HILGERS APPROACHED OUR LEADERS TO START A CONVERSATION ABOUT THE PLANS THAT THE CITY HAS FOR THAT LAND. IT IS A DEVELOPMENT OF 81 LOTS THAT AT LEAST INITIALLY WAS GOING TO BE AFFORDABLE FOR THE PEOPLE FOR MONTOPOLIS. MONTOPOLIS HAS A LONG HISTORY OF BEING A FAMILY ORIENTED NEIGHBORHOOD. DOLORES PORE RISH HAS A TRADITION OF BEING AN ANCHOR FOR THE MONTOPOLIS NEIGHBORHOOD. MORE THAN ONE THOUSAND FAMILIES BELONG TO DOLORES. THAT MEANS OVER 5,000 PEOPLE. OF COURSE FAMILIES FROM MONTOPOLIS WANT TO BE ABLE TO BUY A HOUSE, BUT OUR FAMILIES EARN 30% OF THE MEDIAN FAMILY INCOME. THE AVERAGE ANNUAL INCOME IS 24,000. AUSTIN INTERFAITH AND DOLORES PARISH IN DOLLAR ARE COMMITTED TO HOUSING OPPORTUNITIES THAT PEOPLE LIVING THERE CAN ACTUALLY AFFORD. WE HOPE THAT THE CITY IS COMMITTED TO THIS AS WELL. UP TO NOW THIS DOES NOT SEEM THE CASE. MR. HILGERS HAS MET WITH US SEVERAL TIMES, BUT

WE DO NOT SEEM TO BE ABLE TO AGREE ON THE BEST PLAN FOR THESE LOTS AND THIS NEIGHBORHOOD. HERE ARE TWO PLANS. THEY ARE 81 LOTS. THIS IS THE CITY'S PLAN. THE CITY WANTS 31 FOR LAND TRUST AND OTHER USE. 20 LOTS GO FOR HABITAT FOR HUMANITY, WHICH IS IN OUR OPINION THE MOST AFFORDABLE OPTION OUT THERE, AND 30 LOTS TO BE BID ON BY PRIVATE BUILDERS. AND THIS IS OUR PLAN. OUR PLAN IS 31 LOTS FOR THE CITY TO KEEP FOR LAND TRUST. 30 LOTS TO GO TO HABITAT FOR HUMANITY. AND 20 LOTS TO BE DEVELOPED AS RENT TO OWN PROPERTIES. AND WE ARE CURRENTLY IN CONVERSATION WITH OTHER ORGANIZATIONS TO MAKE THAT POSSIBLE. WHAT WE NEED FOR THE CITY IS TO TAKE US SERIOUSLY. WHAT THE RESIDENTS WANT TO SEE HAPPEN IN OUR NEIGHBORHOOD. WE HAVE A PLAN. WILL YOU SUPPORT THIS PLAN AND WORK WITH US TO MAKE THIS HAPPEN? THANK YOU.

Dunkerley: HAVE ANY OF THE FOLLOWING PEOPLE ARRIVED, WILLIAM DAVID PLASKY, PAUL ROBBINS, NAILAH SANK DLEEF OFA? AT THIS TIME WE WILL GO BACK INTO --

Martinez: MAYOR PRO TEM? I WANTED TO ASK MR. HILGERS TO COME UP AND ADDRESS SOME CONCERNS THAT WERE LAID OUT IF HE WOULD.

Dunkerley: I DIDN'T SEE YOU, COUNCILMEMBER.

Martinez: THAT'S ALL RIGHT. MR. HILGERS, CAN YOU ADDRESS SOME OF THE CONCERNS LAID OUT FROM THE FROAKZ THE -- FOLKS FROM THE NEIGHBORHOOD.

I'M PAUL HILGERS, DIRECTOR OF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. WE HAVE BEEN MEETING WITH THE FOLKS IN MONTOPOLIS FOR A LITTLE OVER A YEAR NOW ON A MONTHLY BASIS TO ADDRESS TWAINGD VERY SERIOUSLY THE CONCERN OF THE NEIGHBORHOOD OF MONTOPOLIS. OUR PLAN IS PRETTY MUCH AS SHE'S LAID OUT. SHE'S ACCURATE IN THE FACT THAT WE HAVE A MINIMUM OF 16 HOUSES THAT ARE GOING INTO A COMMUNITY LAND TRUST, A MINIMUM OF 20 THOUSANDS THAT ARE GOING FOR HABITAT TO HUMANITY. WE HAVE OTHER NONPROFITS THAT HAVE REQUESTED PARTICIPATION, AMERICAN YOUTH WORKS, NEIGHBORHOOD

HOUSES OUT OF ST. JOHN'S. NONE OF THE HOUSES THAT WILL BE BUILT IN THIS NEIGHBORHOOD WILL BE SERVING -- THEY'RE CAPPED AT 80% OF MEDIAN FAMILY INCOME, ALL OF THEM, SO THERE WILL BE NOTHING AT MARKET. THEY ALL BE HOME OWNERSHIP HOMES, AND WE HAVE CONTINUED TO MEET AND WILL CONTINUE TO MEET WITH THE NEIGHBORHOOD TO TRY TO FIND THE OPPORTUNITIES POTENTIALLY FOR A LEASE PURCHASE, IF THAT WOULD WORK. LAST MONTH THEY HAD TALKED ABOUT SOME RENTAL, SO I'M GLAD TO SEE THEM NOT ON THE RENTAL AGENDA BECAUSE THAT'S NOT SOMETHING THIS COMMUNITY HAS HISTORICALLY REQUESTED. THEY'VE ALWAYS WANTED SINGLE-FAMILY. WE APPRECIATE A COUPLE OF THING SPECIFICALLY. THE WORK OF DOLORES AND THEIR FAITH AND HELPING US EDUCATE THE COMMUNITY ABOUT THE OPPORTUNITIES FOR OHM HOPE. WE'VE HAD MEETINGS WITH NONPROFITS IN THE COMMUNITY. WE'VE ASKED HABITAT TO BE THERE, AMERICAN YOUTH WORKS TO COME AND ACTUALLY TALK ABOUT THEIR PROGRAMS WITH THE NEIGHBORHOODS. WE HAVE A HOUSING FAIR SCHEDULED ON OCTOBER 28TH WHERE WE'RE GOING TO TRY TO CONTINUE TO WORK TO GET PEOPLE QUALIFIED FOR THE HOUSES THAT EXISTS IN THAT COMMUNITY. HOPEFULLY BRINGING SOME PEOPLE BACK TO MONTOPOLIS WHO HAVE LEFT MONTOPOLIS AND GIVE THEM THE OPPORTUNITY TO COME BACK. THE DEVELOPMENT IS ONE IN WHICH WE BELIEVE WE'VE STRUCK A GREAT BALANCE OF MAKING IT ALL AFFORDABLE BUT OUR STANDARDS, BUT TRYING TO CREATE AN FOWNT A MIXED INCOME, TO HAVE THE OPPORTUNITY FOR A LAND TRUST AND HABITAT HOMES THAT ALMOST HALF OF THOSE UNITS WOULD CREATE THE OPPORTUNITY FOR FOLKS WHERE SOME POTENTIALLY AT 30%, BUT FRANKLY HOME OWNERSHIP FOR FOLKS AT 30% OF MEDIAN FAMILY INCOME IS QUITE A CHALLENGE WITHOUT VERY HEAVY SUBSIDIES, LIKE A LAND TRUST OR LIKE A HABITAT HOME. SO WE THINK THERE'S SOME OPPORTUNITIES THERE. WE'LL CONTINUE TO WORK WITH THE FOLKS OF INTERFAITH, WE'LL WORK WITH ANY NONPROFITS WHO COME FORWARD WITH SOME REAL PLANS AND WE'LL CONTINUE TO SEEK OUT THOSE OPPORTUNITIES TO CREATE THE MOST AFFORDABLE

HOUSING POSSIBLE IN THAT NEIGHBORHOOD.

Martinez: I WANTED TO ASK, CAN YOU EXPLAIN TO ME WHY HABITAT IS ABLE TO REACH SO FAR BELOW 80%? AND COUPLED WITH WITH THAT, WHO GETS TO APPLY FOR THESE HOMES? IS IT RESTRICTED TO FOLKS IN THAT NEIGHBORHOOD OR IS IT RESFWRAIKTSDED ON INCOME LEVELS?

IT CAN'T BE RESTRICTED TO PEOPLE IN THE NEIGHBORHOOD, IT HAS TO BE RESTRICTED TO FOLKS -- THAT'S ONE OF THE REASONS WE STARTED TARGET MARKETING IN THAT NEIGHBORHOOD OVER A YEAR AGO. ON THE HABITAT ISSUE AND THERE'S A BUILDER'S BLITZ THAT'S HAPPENING ON OCTOBER BE 11th WHICH WE'LL HAVE A PROCLAMATION THIS AFTERNOON. THE WAY HABITAT DOES THIS IS REALLY THROUGH VOLUNTEER LABOR AND THROUGH HEAVY SUBSIDIES TO THE HOMEOWNER. THEY SICIALLY HAVE A PRICE POINT FOR THEIR HOMES, WHICH IS ABOUT \$55,000 THAT THEY SELL THE HOUSE FOR. NO MATTER WHAT IT COSTS THEM TO PRODUCE IT, NO MATTER WHAT IT COSTS THE LAND. THE LAND THAT THEY WILL BE BUILDING ON COST ABOUT \$30,000 TO DEVELOP PER LOT, SO THEY'RE ONLY GOING TO SELL THE HOME FOR \$55,000. SO CAN YOU SEE THAT THERE'S A HEAVY SUBSIDY IN WHAT HABITAT IS DOING, AND THAT'S HOW THEY ACHIEVE IT. THE OTHER THING THEY DO, THEY DO A COUPLE OF THING THAT ARE VERY SIGNIFICANT AND UNIQUE. OBVIOUSLY IT'S THE VOLUNTEER LABOR THAT BUILDS THE HOME. THEY GET MUCH OF THEIR PRODUCT, THEY GET EITHER A DISCOUNTED RATE BUT CHEAPER CONSTRUCTION NOT JUST THROUGH VOLUNTEER LABOR, BUT THROUGH THEIR DONATIONS THAT THEY RECEIVE FROM FOUNDATIONS AND FROM OTHER BENEFACTORS. AND THEY ALSO STRUCTURE THEIR FINANCING IN A WAY THAT PROVIDES NO OPPORTUNITIES FOR ADDITIONAL DEBT TO THE FAMILY, SO THEY DON'T HAVE SECOND LIENS. THEY ACCEPT ALL OF THAT. THEY BASIC WITHLY PROVIDE REST OF THAT IN GRANT FORM AND THAT IS MY UNDERSTANDING OF HOW THEY ACHIEVE SUCH LOW AFFORDABILITY IS REALLYIOUS WITH HEAVY SUBSIDIES. AND PART OF THE ISSUE WE BELIEVE THAT GOING FORWARD, THAT'S WHY WE THINK THE COMMUNITY LAND 'TRUST MODEL IS SUCH A GREAT MODEL IS IS THAT WE WILL HAVE HEAVY

SUBSIDIES IN THAT UNIT, BUT WE CAN KEEP THE AFFORDABILITY OVER TIME. AGAIN, I'VE COMMUNICATED TO THE NOAKZ FOLKS AT DOLORES AND INTERFAITH THAT OUR MIND STAYS OPEN TO FIND OTHER ALTERNATIVES. THE IDEA OF A LEASE PURCHASE PROGRAM IS ONE THAT WE STILL WANT TO CONTINUE TO PURSUE. WE'VE HAD SOME BRIEF DISCUSSIONS WITH THE HOUSING AUTHORITY. TRAVIS COUNTY HOUSING AUTHORITY HAS A LEASE PURCHASE PROGRAM THAT IS EXPIRING IN OCTOBER, SO WE WANT TO SEE HOW THAT WORKED. BUT IT IS A CHALLENGE TO GET TO FAMILIES IN MONTOPOLIS AND THE BEST WAY TO DO IT IS TO MOBILIZE AND EDUCATE THE COMMUNITY IN MONTOPOLIS ABOUT THESE OPPORTUNITIES AND HOPE THAT THEM OR THEIR FAMILY MEMBERS CAN TAKE ADVANTAGE OF THEM.

Martinez: DO WE HAVE THE ABILITY TO ESTABLISH MFI BASED ON GEOGRAPHICAL BOUNDARIES AS OPPOSED TO THE ENTIRE CITY? CAN WE TAKE THE MONTOPOLIS NEIGHBORHOOD AND ESTABLISH AN 80% MFI BASED ON WHO LIVES IN THAT COMMUNITY AND APPLY THAT?

WE COULD DO THAT. CERTAINLY WE COULD STRUCTURE MFI AND ORGANIZE IT IN ANY WAY POSSIBLE. RET ALTY IS STILL THE SAME, IT'S MARKET DRIF TONE SOME DEGREE -- MARKET DRIVEN TO SOME DEGREE AND A MATTER OF HOW MUCH DO WE WANT TO PAY TO SUBSIDIZE FOR THE HOME OWNERSHIP OPPORTUNITIES. THAT'S WHARL IT COMES DOWN TO, WHETHER SOMEONE IS MAKING -- THEIR ABILITY TO MAINTAIN THE HOME AND PAY THE TAXES ON THE HOME AND NOT JUST GET INTHIEWN A HOME, BUT TO MAKE SURE SHE THEY HAVE ABILITY TO STAY IN THAT HOME FOR LONG-TERM PURPOSES. THAT'S WHY THE IDEA AFTER LEASE PURCHASE FOR VERY LOW INCOME FAMILIES MIGHT WORK. THE IDEA OF A COMMUNITY LAND TRUST MIGHT WORK FOR FOLKS. SO THOSE ARE OPTIONS FOR US. THE IDEA OF ESSENTIALLY HAVING GEOGRAPHIC BOUNDARIES AROUND MFI IS COMPLICATED IN THAT WE WOULD HAVE TO -- THE MFI DATA THAT WE GET COMES FROM H.U.D. AND IT'S DONE NATIONALLY AND IT'S DONE WITH STATISTICAL ANALYSIS'S UNIFORM ACROSS THE COUNTRY. AND FOR US TO BE ABLE TO CAPTURE THAT ON GEOGRAPHIC BOUNDARIES IS PROBLEMATIC. BUT I THINK THE POINT IS THAT -- BEHIND YOUR QUESTION IS ARE WE SENSITIVE TO THE FACT THAT

80% OF MEDIAN FAMILY INCOME IN THE GEOGRAPHIC AREA IS REALLY 120% OF MEDIAN FAMILY NUMBER IN MONTOPOLIS. YES, WE ARE SENSITIVE TO THAT FACT AND WE RECOGNIZE THAT WE HAVE TO DO MORE TO SERVE THE FAMILIES IN THAT NEIGHBORHOOD.

Martinez: THANKS, MAYOR.

Dunkerley: ANY OTHER QUESTIONS? IF NOT, AT THIS TIME WE WILL RETURN TO EXECUTIVE SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEY RELATED TO ITEM 41, THE DOWNTOWN AUSTIN PLAN, AND ITEM 39 RELATED TO THE CONDEMNATION OF LAND NEAR THE AUSTIN-BERGSTROM INTERNATIONAL AIRPORT AND THE EXCHANGE LEASE, PURCHASE, VALUE OR CONDEMNATION OF THE LAND.

MAYOR PRO TEM, IF I CAN ADD TO YOUR ANNOUNCEMENT, THE CLOSED SESSION ON ITEMS 41 AND 39 WILL BE UNDER SECTION 551.071 OF THE OPEN MEETINGS ACT AND THE CLOSED SESSION ON ITEM NUMBER 40 WILL BE UNDER SECTION 55 551 IS .072 OF THE OPEN MEETINGS ACT.

Dunkerley: THANK YOU. HE..

Mayor Wynn: WE'RE OUT OF CLOSED SESSION. IN CLOSED SESSION WE TOOK UP ITEM NUMBER 41, LEGAL CONSULTATION REGARDING THE DOWNTOWN AUSTIN PLAN. WE ALSO TOOK UP REAL ESTATE MATTERS. NOW WE GO UP TO OUR MID AFTERNOON BRIEFINGS. AND THIS AFTERNOON WILL BE ON THE PROPOSED DOWNTOWN AUSTIN MASTER PLAN, INCLUDING PRESENTATIONS FROM FINALISTS. WELCOME MS. LAURA HUFFMAN.

THANK YOU, MAYOR PRO TEM AND CITY COUNCILMEMBERS. WHAT WE ARE DOING NOW IS HOLDING PRESENTATION..... PRESENTATIONS WITH TWO OF THE PRESENTERS FOR THE DOWNTOWN AUSTIN MASTER PLAN. REPRESENTS A SIGNIFICANT PROGRESS FOR..... PROJECT FOR NUS THE COMING YEAR. IT WILL BE AN IMPLEMENTABLE STAGE FOR APREEFG -- STRAIJ FOR A PREEFG THAT VISION. THE TWO FIRMS THAT ARE WITH US TODAY ARE EDAW, WHO WILL BE LED BY BARBARA FAGA

AND ROMA, WHO WILL BE..... BOTH TEAMS WILL HAVE 20 MINUTES TO MAKE THEIR PRESENTATIONS TO YOU AND WE WILL PAUSE AFTER EACH PRESENTATION AND ALLOW THEM TO ANSWER QUESTIONS FROM THE CITY COUNCIL. SO MAYOR, WITH THAT WE FLIPPED A COIN AND EDAW WON THE TOSS, SO THEY WILL BE PRESENTING FIRST AND BARBARA FABGALL WILL LEAD THAT TEAM.

Mayor Wynn: THANK YOU, MS. HUFFMAN. WELCOME, BARBARA AND TEAM.

THANK YOU. GOOD AFTERNOON. IT'S LIKE A FOOTBALL GAME, I GUESS, IF WE'RE FLIPPING COINS. IT'S A PLEASURE TO BE HERE TODAY. WE WANT TO THANK YOU FOR YOUR TIME FOR INVITING US. AS ELECTED OFFICIALS, IT'S VERY SELDOM YOU GET 15 MINUTES IN FRONT OF YOU WITH YOUR ATTENTION, AND WE REALLY APPRECIATE THAT. SO IT'S A GREAT OPPORTUNITY FOR US AND WE'LL TAKE IT. I'M BARBARA SAGA. I'M A PRINCIPAL WITH EDAW. I'VE CHAIRED EDAW'S BOARD OF DIRECTORS SINCE 1996. THERE'S THREE THINGS WE'D LIKE TO TALK ABOUT TODAY AND LEAVE YOU WITH. THE FIRST IS OUR EXPERIENCE IS VAST. WE'RE GOING TO SHOW YOU SOME OF THAT TODAY. THIS IS WHAT WE DO, URBAN PLANNING, URBAN DESIGN. SECOND IS WE HAVE A GREAT TEAM. OUR TEAM IS BOTH INSIDE AUSTIN AND OUTSIDE AUSTIN AND WE HAVE MANY MEMBERS OF THE TEAM HERE TODAY AND IF I COULD ASK THEM TO STAND, WE HAVE A FEW RINGERS IN THE AUDIENCE TOO BECAUSE WE HAVE A CLASS FROM THE UNIVERSITY OF TEXAS. WHERE ARE YOU? THAT'S A T.O.D. CHAS, SO ALTHOUGH THEY TOLD ME THEY HAVE TO DO A MAKEUP CLASS, SO THEY THOUGHT THEY WERE GETTING OUT, BUT THEY'RE REALLY NOT. SO FOR SOME OF THEM, THIS IS THEIR FIRST COUNCIL MEETING, SO I THINK THIS IS IMPORTANT. THIRD, OUR WORK IS AWARD WINNING AND IT IS FABULOUS AND WE'RE GOING TO SHOW YOU SOME OF THAT TODAY. WE'RE WORKING ACTUALLY WITH THE UNIVERSITY OF TEXAS WHERE WE'VE DONE THE AN EXHIBIT GOING ON RIGHT NOW IN VENICE. IF YOU HAVEN'T SEEN IT, YOU NEED SO SEE SOME OF THAT. I THINK IT'S ON THE U.T. WEBSITE. SO NOW WE'LL GET TO OUR -- WHY WE'RE HERE TODAY. AND WHAT YOU REQUESTED WAS IN THE WRCH..... R.F.P. WAS LOOK AT DOWNTOWN PLANNING, IMPLEMENT AL STRATEGIES, ANNUAL AND CULTURAL HUB,

WHICH IS WHAT DOWNTOWN AUSTIN IS, HOUSING DOWNTOWN AND A HIGH QUALITY OF LIFE FOR YOUR RESIDENTS. SO THAT'S WHAT WE'RE GOING TO SHOW YOU TOW, HOW WE'VE DONE THIS IN OTHER COMMUNITY. OUR TEAM IS READY FOR THE TASK. SEVERAL MEMBERS ARE HERE. YOU'VE SEEN THEM, SEVERAL OF OUR MEMBERS. I'D LIKE TO INTRODUCE BILL VITECH, WHO IS A VERY VICE-PRESIDENT WITH EDAA AND ONE OF MY COLLEAGUE ON THE BOARD. ED GARZA WHO YOU KNOW IS THE CHARMING FORMER MAYOR OF SAN ANTONIO AND IS ALSO LEADING US IN TEXAS IN OUR SAN ANTONIO OFFICE. SO BASICALLY THIS IS WHAT YOU ASKED FOR AND WHAT WE THOUGHT WE WOULD DO IS AUGMENT OUR TEAM WITH OUR PRACTICE LEADERS. RICHARD FLORIDA, ALAN JACOB BES, HENRY CISNEROS, SO WE HAVE EXPERTS WHO ARE PART OF OUR TEAM ALSO. THESE ARE RECOGNIZED EXPERTS AND THEY ARE ALSO PUBLISHED EXPERTS. SO TOGETHER WE HAVE MAYBE FIVE OR SIX BOOKS, BUT WE CHOSE A FEW HERE TO SHOW YOU TODAY. OUR PUBLISHED EXPERTS HAVE WRITTEN AND SOME OF THEM ARE ACTUALLY BEST SELLERS, RISE OF THE CREATIVE CLASS ON PLACE MAKING, ALAN JACOB'S BOOK ON DESIGN, MY BOOK ON PUBLIC PROCESS WHICH HAS JUST COME OUT AND A RECENT BOOK THAT HENRY CISNEROS HAS DONE ON HOME AND COMMUNITY, WHICH IS SURE TO BE A BEST SELLER AND I THINK JUST CAME OUT THIS MONTH. SO WHAT WE'RE GOING TO DO NOW IS IS TAKE YOU THROUGH A LITTLE BIT OF E DAA'S WORLDWIDE OFFICES. WE HAVE 30 OFFICES ON FOUR CONTINENTS. WE HAVE OVER 65 YEARS OF EXPERIENCE AS A FIRM. THIS IS WHAT WE DO. THIS IS ALL WE DO. WE HAVE 1400 EMPLOYEES. ALL WE DO IS PUBLIC PLANNING AND URBAN DESIGN. SO AS YOU LOOK AT ALL OF THESE LOCATIONS AND YOU KNOW THIS IS ALL WE DO, I MEAN, IMAGINE THE EXPERIENCES THAT WE HAVE WITH THIS. WHAT I'LL DA DO IS..... DO IS START WITH A LITTLE TOUR OF THESE PLANS AND MANY OF THEM THIS TEAM HAS WORKED ON, MANY OF THEM WE CAN GET MEMBERS OF THE TEAM IN HERE TO SERVE ON PANELS OR AS PART OF THE TEAM. THE LONDON CITY PLAN WE'VE BEEN DOING FOR A NUMBER BE OF YEARS. THIS HAS LED TO US BEING NAMED AS THE MASTER PLANNER FOR THE LONDON OLYMPICS FOR 2012. WE WENT THROUGH HUGE COMPETITION TO GET TO THAT.

NEXT IS MAN CHESTER ENGLAND. WE'VE WORKED ON A NUMBER OF PROJECTS THAT HAVE REBUILT DOWNTOWN MANCHESTER AND IT'S A HUGE ECONOMIC DEVELOPMENT THERE. BARCELONA SPAIN IS ONE OF MY PROJECTS, WE BUILDING A WHOLE AREA OF BARCELONA WITH THE MASTER PLAN, WITH SURROUNDING COMMUNITIES, WITH A TEXAS DEVELOPER GERALD HEINZ. ALSO THIS STATION IN MY LAN, WHICH IS VERY INTERESTING TO WORK ON IN THE STATION. THE SYDNEY PORT MASTER PLAN, WE'RE TRYING TO SHOW YOU SCALE OF DIFFERENT PLANS WE HAVE DONE. SHANGHAI MASTER PLAN IN CHINA. THREE BILLION DOLLARS IN ADJACENT DEVELOPMENT AROUND A PARK IN ATLANTA, AND IF YOU KNEW ATLANTA, THIS WAS PARKING LOTS. WE TOOK SOMETHING AND MADE A LOT OUT OF IT. THIS MASTER PLAN IN PHILADELPHIA. DENVER, THE LOWER DOWNTOWN MASTER PLAN WHICH BILL HAS BEEN VERY INVOLVED IN. THE STAPLE TON OPEN SPACE PLAN AND MASTER LANDSCAPE PLAN. OMAHA CITY CENTER PLAN. THESE ARE PROJECTS WE'VE DONE IN THE LAST FIVE YEARS. BOSTON'S WHAFERB DISTRICT AREA. PART OF THE BIG DIG, BUT THE NEW PARKS THAT ARE THE RESULT OF THE BIG DIG. SO FABULOUS NEW DEVELOPMENT AROUND THAT. NEW YORK GOVERNOR'S ISLAND MASTER PLAN. WASHINGTON, D.C., CAPITAL SECURITY PLAN. THIS IS SOMETHING THAT DOWNTOWN'S NEED TO LOOK AT. THINGS HAVE CHANGED, WE HAVE A LOT OF ISSUES REGARDING SECURITY. WE LOOK AT THAT IN MOST OF OUR DOWNTOWN PLANS. THE MIAMI CIVIC TR AREA PLAN, THIS IS THE NEW CARNIVAL PERFORMING ARTS CENTER. WE'RE WORKING WITH THE UNIVERSITY OF MIAMI THERE AND ALSO THE CITY ON A MIAMI PARTNERSHIP TO REDO DOWNTOWN MIAMI. 55 MILLION DOLLARS' WORTH OF STREET SCAPE IN THE MIAMI BEACH STREETSCAPE PLAN. DOWNTOWN TAMPA, WHICH IS A DOWNTOWN PLAN AND A RIVER WALK PLAN, WHICH WE'RE INVOLVED IN NOW. THE ORLANDO OUTLOOK PLAN WHICH REDID ALL OF DOWNTOWN ORLANDO. THIS IS ABOUT FIVE BILLION DOLLARS WORTH OF NEW DEVELOPMENT. FORT WORTH CULTURAL DRIGHT, THE LANCASTER MASTER AVENUE PLANS. WE'RE WORKING WITH ONE OF OUR TEAM MEMBERS HERE. ALSO IN AUSTIN WE DID THIS LANDSCAPE RENOVATION AROUND THE AUSTIN STATE CAPITOL AND THE TOWN LAKE PART MASTER PLAN. LOS ANGELES, THE PORT

OF ENTRY ON THE URBAN DESIGN PLAN. FRAN MISSION BAY PLAN, BEEN WORKING THERE FOR 15 YEARS AND ST. LOUIS, THE DOWNTOWN REDEVELOPMENT PLAN WHICH YESTERDAY I DON'T KNOW IF YOU WERE LOOKING THROUGH YOUR "NEW YORK TIMES" YESTERDAY. I SORT OF LIKE TO TOUCH IT DURING THE DAY, BUT UNDER SQUARE FEET, MEET ME IN REVITALIZED DOWNTOWN SAINT LOUIS LEWIS. THIS WAS OUR PLAN THAT LED TO THIS. 20 YEARS LATER A FAILED URBAN PROJECT IS PART OF A THRIVING REVIVAL. THIS IS PRESS THAT WE GET ON MANY OF OUR PLANS. EDWARDS PROJECT AUSTIN STYLE. LOCAL PARTICIPATION. WE UNDERSTAND THAT IS A BIG ISSUE HERE. WE LOVE LOCAL PARTICIPATION AND THAT'S WHY I WROTE A BOOK ON PUBLIC PROCESS. IT'S GREAT. AND ONE OF THE COMMENTS WE'LL SEE IN A MINUTE. YOUR EMERGING PROJECTS, ALL OF THE DIFFERENT PROJECTS THAT ARE GOING ON, HOW THEY WORK, HOW THEY DON'T WORK, WHAT PARTNERSHIPS THEY LEAD TO BOTH INSIDE AND OUTSIDE OF AUSTIN. CULTURE, ARTS, ENTERTAINMENT. YOU ARE THE EPITOME OF CULTURE, ARTS AND ENTERTAINMENT FOR A LOT OF CITIES AND THAT IS A HUGE REPUTATION TO HAVE AND TO UP HOLD WHICH YOU'RE DOING A PERFECT JOB AT, BUT IT'S SOMETHING THAT MANY CITIES LOOK TO YOU FOR. ENVIRONMENTAL STEWARDS. HAVE YOU A VERY STRONG ENVIRONMENTAL STEWARDSHIP REPUTATION AS YOU NOERKS AND ICONIC REPUTATION WHICH IS BECOMING THE THING IN A NUMBER OF CITIES THAT WE'RE WORKING IN FROM BOSTON, NEW YORK, WASHINGTON, ALL ALONG THE EAST COAST. SO THIS IS A HUGE DEAL IN UPSTATE NEW YORK. SO ONE THING THAT WE DID, WE'VE BEEN KIND OF LOOKING AT THIS PROJECT FOR 12 MONTHS. ED'S BEEN DOWN HERE AND WE'VE SPENT A LOT OF NAME AUSTIN. EARLY IN 2006 WE HAD A STAKEHOLDER OPEN HOUSE. I WAS A LITTLE SKEPTICAL. I DIDN'T THINK ANYBODY WOULD SHOW UP. GIFT PEOPLE SHOWED -- 50 PEOPLE SHOWED UP. AND ONE OF THE COMMENTS IS IF YOU LOVE PUBLIC MEETINGS YOU ARE GOING TO LOVE AUSTIN. SO WE KNOW WE ARE GOING TO LOVE AUSTIN. WHAT WE'RE GOING TO DO NOW IS TALK ABOUT FINANCING TOOL BAR, AND MY COLLEAGUE HERE, JERRY, IS GOING TO GIVE YOU A LITTLE BIT ON THAT AND THEN WE'LL CLOSE UP AND TAKE QUESTIONS. THANK

YOU.

GOOD AFTERNOON, I'M JARRELL TRIMBLE. IT'S GREAT TO BE BACK IN AUSTIN. MY FIRST WORK HERE WAS IN 1996 IN THE DOWNTOWN ARREST. MY MOST RECENT ASSIGNMENT HERE WAS WITH THE AUSTIN MUSEUM OF ART HELPING THEM FIND A DEVELOPER FOR THEIR MIXED USE MARKET. KAISER MARK FOCUSES ON REAL ESTATE ECONOMICS AND IMPLEMENTING PROJECTS. WE'RE INVOLVED IN THE PROJECT ADVISING CLIENTS PRIMARILY PUBLIC SECTOR, BUT WE HAVE PRIVATE SECTOR CLIENTS ALSO. WE HAVE THREE OFFICES, SAN DIEGO, LOS ANGELES AND SAN FRANCISCO. IN OUR THREE OFFICES WE PROBABLY REPRESENT 250 PUBLIC SECTOR CLIENTS THAT ARE INVOLVED IN SOME WAY IN THE DEVELOPMENT PROCESS PRIMARILY FROM URBAN AREAS. WE SELECTED A NUMBER OF FINANCING TOOLS TO TALK ABOUT BRIEFLY. THESE ARE TOOLS THAT WE BELIEVE MAKE PLANS A REALITY. WE HAVE USED THESE IN IMPLEMENTING THE DEVELOPMENT IN VARIOUS CITIES THAT WE REPRESENT. WE THINK THEY ARE APPLICABLE HERE IN THIS SITUATION. THIS IS NOT AN EXHAUSTING LIST BUT THIS IS A NAB WE KNOW HAVE WORKED IN VARIOUS SITUATIONS. WE LY APPROACH A DEVELOPMENT LOOKING AT AN ECONOMIC DWAP GAP TO SEE IF IT DOES EXIST AND THEY BELIEVE WHAT TOOLS CAN BE USED TO FILL THAT GAP. AND ESSENTIALLY BRIEFLY IT'S COMPARING ECONOMIC VALUE AND DEVELOPMENT COSTS. TAX INCREMENT FINANCING, SOMETHING I THINK THAT YOU HAVE CONSIDERED AND MAYBE YOU'RE CONSIDERING AGAIN AS AN APPROACH TO ASSIST VARIOUS KINDS OF DEVELOPMENT, TAX INCREMENT FINANCING SET ASIDES CAN BE USED FOR VERY SPECIFIC THINGS LIKE AFFORDABLE HOUSING OR TRANSIT ORIENTED DEVELOPMENT. THE INFRASTRUCTURE FINANCING DISTRICTS OR COMMUNITY FACILITIES DISTRICTS IS A WAY OF GETTING A LOT OF INFRASTRUCTURE FINANCED AND ESSENTIALLY PUBLIC SECTOR ACTS AS A CONDUIT IN THE SECURITY AS A LIEN ON THE PROPERTY VALUE, SPREAD OVER WHATEVER THE DISTRICT IS. TAX CREDITS, THERE ARE NOW THREE DIFFERENT KINDS BE OF TAX CREDITS THAT WE'VE USED A LOT, LOW INCOME HOUSING TAX CREDITS FOR AFFORDABLE HOUSING, HISTORIC TAX CREDITS AND THEN THE NEW MARKET TAX CREDITS. AND

THEN LAST IS DENSITY BONUSES, AND THERE ARE A LOT OF THINGS THAT THIS APPROACH CAN BE USED FOR. IT CAN BE USED FOR HOUSING, USED FOR INFRASTRUCTURE, VARIOUS THINGS LIKE THAT. THESE ARE ALL TOOLS THAT WE BELIEVE WOULD BE APPLICABLE IN THIS DOWNTOWN PLANNING SITUATION. I'D LIKE TO FOCUS FOR A MINUTE ON THE SLIDE. THERE'S A PICTURE OF DOWNTOWN SAN DIEGO WHICH HAS SOME APPLICABILITY TO AUSTIN, BOTH WATERFRONT CITIES, A LOT OF HISTORIC BUILDINGS, A LOT OF RESIDENTIAL BOTH. WE RECENTLY WERE INVOLVED IN A PROJECT THAT WAS AN UPDATE OF THE COMMUNITY PLAN. WE DID THE MARKET ASSESSMENT WITH THE PROJECTION OUT 25 YEARS BECAUSE OF THE IMPACT OF THE MARKET ON THE PLAN AS REDEVELOPMENT OCCURRED THERE. WE DID AN AFFORDABLE HOUSING STRATEGY LOOKING AT HOW DENSITY BONUSES COULD BE USED AS AN INCENTIVE FOR AFFORDABLE HOUSING, FOR ECHO ROOFS, FOR OPEN SPACE. WE ALSO HAD TO FOCUS AND WE ALWAYS DO IN DOWNTOWN SAN DIEGO ON HOMELESS PROVIDERS AND FIND A WAY TO KEEP THEM WHERE THEY ARE AND MAKE IT WORK WITH RESPECT TO THE BALANCE OF THE DEVELOPMENT IN THE DOWNTOWN AREA. IT SOMETIMES IS IS A CHALLENGE, BUT IT'S IMPORTANT TO THE COMMUNITY. WE'VE WORKED IN DOWNTOWN SAN DIEGO FOR PROBABLY 30 YEARS AND DURING THAT PERIOD THERE'S PROBABLY BEEN TWO AND A HALF BILLION DOLLARS OF DEVELOPMENT IN DOWNTOWN SAN DIEGO, AND YOU SEE SOME OF IT THERE. IT'S ALSO IMPORTANT TO TALK ABOUT THE ISSUES AND OPPORTUNITIES AND SPECIFIC PROJECTS, HOUSING AND RETAIL AND TRANSIT ORIENTED DEVELOPMENT. IN JUST A FEW PROJECTS THAT ARE VERY URBAN THAT I COULD MENTION IS ONE IS THE SMART CORNER, WHICH IS AT 12TH AND C IN DOWNTOWN SAN DIEGO, A VERY DENSE PROJECT, ABOUT 301 IS HOUSING UNITS, 26 OF THEM ARE AFFORDABLE, TAX INCOME FINANCING AND TAX CREDITS WERE USED. THERE'S RETAIL ON THE BASE OF TWO BUILDINGS ON A SMALL BLOCK. ANOTHER PROJECT THAT'S HOUSING IS UTILIZING A NUMBER BE OF APPROACHES. IT'S AN HISTORIC YMCA BUILDING IN DOWNTOWN SAN DIEGO THAT WAS ADAPTED INTO RESIDENTIAL, SOME 260 UNITS WITH 52 BEING AFFORDABLE HOUSING. TAX CREDITS WERE USED, TAX INCREMENT FINANCING WAS USED WITH

RESPECT TO THAT AS WELL. [ONE MOMENT, PLEASE, FOR
CHANGE IN CAPTIONERS]

ONE IMPORTANT PROJECT IN THE SAN DIEGO AREA IS
SALANA BEACH. THE PROJECT HAS TAKEN ADVANTAGE OF
SHARED PARKING FOR TRANSIT. HEAVY RAIL AND AMTRAK,
COASTER, METRO LINK AND THE PRIVATE USES BEING
RESIDENTIAL, ABOUT 140 UNITS. 15% AFFORDABLE. AND
RETAIL. USED BY TRANSIT RIDERS AND THE THE
COMMUNITY. WE HAVE BEEN INVOLVED IN RESIDENTIAL
PROJECTS AROUND A NUMBER OF BART STATIONS.
GROSSMONT IN THE TROLLY STATION I.. INCORPORATED
INTO RESIDENTIAL AND RETAIL. AGAIN WITH A 50%
COMPONENT -- 15% [INDISCERNIBLE] BEING AFFORDABLE
HOUSING. BACK OVER TO BARBARA.

Mayor Wynn: THAT BUZZER SHOULD HAVE BEEN SET AT 20
MINUTES. YOU HAVE ALMOST FIVE MORE MINUTES LEFT,
BARBARA.

THANK YOU WE APPRECIATE THAT. ALMOST DONE. WELL,
THEY TOLD ME IF RERAN OVER THERE'S SOMETHING CALLED
MAYOR TO MAYOR PRIVILEGE. [LAUGHTER] MY THOUGHT
WAS IF WE WERE OVER WE ARE GOING TO GO WITH THAT. I
NEVER HEARD THAT ED. I SORT OF LIKED THAT. JUST A FEW
MORE THINGS HERE. WE WANTED TO MENTION TO YOU THAT
WE EXCEEDED THE TOTAL THAT WAS ASKED FOR. FROM THE
W.B.E./M.B.E. AND WE OFTEN DO THAT BECAUSE WE BELIEVE
IT'S VERY IMPORTANT. TO HAVE BOTH LOCAL FIRMS AND
MINORITY FIRMS INVOLVED IN OUR PROJECTS. ANOTHER
THING THAT I WOULD LIKE TO MENTION IS THAT WE ARE
CONSENSUS BUILDERS. THIS IS WHAT WE DO. THE PUBLIC
PROCESS IS THE MOST IMPORTANT THING TO US. AND WE
CAN GO BACK TO THAT SLIDE WITH ALL OF THE DIFFERENT
COMMENTS, BUT THE PEOPLE HERE WERE NOT AT ALL SHY
ABOUT SPEAKING UP ABOUT WHAT THEY WANTED AND
WHEN THEY WANTED IT AND HOW THEY WANTED IT. WE
THOUGHT THAT WAS REALLY INTERESTING. I STARTED A
BLOG ON PUBLIC PROCESS, PEOPLE HERE FEEL SO
STRONGLY ABOUT THEIR CITY. WHAT WAS ONE OF THE
COMMENTS WE WANT TO KEEP AUSTIN WEIRD. ANY CITY
WHERE PEOPLE WILL SAY THAT IS GREAT. WHAT WE WOULD
LIKE TO DO IS CLOSE WITH WHY OUR TEAM, WE BELIEVER

THE BEST AT EXPERIENCE, WE HAVE THE COMMITMENT OF THE TEAM, YOU WILL SEE BILL, ED, ME, THESE TEAM MEMBERS HERE FOR YOUR MEETINGS. WE HAVE A PASSION FOR AUSTIN. AUSTIN IS A WONDERFUL PLACE. WE HAVE BEEN HERE MANY TIMES, I HAVE SPOKEN TO U.T. MANY TIMES. WE HAVE PLANS THAT ACTUALLY GET BUILT. MANY OF THE PLANS THAT WE BEGIN ON ACTUALLY HAVE A PUBLIC -- PUBLIC PROJECTS BUILT AFTERWARDS THAT WE ARE INVOLVED IN. WE ARE NOT ARCHITECTS SO WE ARE NOT DOING BUILDINGS. GLOBAL PERSPECTIVE, WE HAVE A GLOBAL PERSPECTIVE AND A LOCAL TEAM. WE CAN TELL YOU PRETTY MUCH WHAT'S GOING ON ANY CITY IN THE WORLD WHERE WE HAVE OFFICES, ALL OF THE ONE THAT'S WE ARE WORKING IN. WE HAVE CONFIDENCE IN OUR TEAM, WE HAVE MANY MAYORS AND CITY OFFICIALS THROUGHOUT THE COUNTRY ARE CONFIDENT IN OUR TEAM. WE HAVE MANY CLIENTS THAT COME BACK TO US OVER THE YEARS. WE ARE CONSENSUS BUILDERS, WE WOULD LIKE TO BE PART OF THE AUSTIN EXPERIENCE. WE ARE VERY HAPPY TO HAVE THIS OPPORTUNITY TO PRESENT TO YOU. IF THERE ARE ANY QUESTIONS, PLEASE LET ME KNOW. THANK.

THANK YOU, BARBARA. ACTUALLY, COUNCIL, WITHOUT OBJECTION MY RECOMMENDATION WOULD BE FOR US TO GO AHEAD AND ACTUALLY LISTEN TO THE SECOND PRESENTATION. RESERVE OUR QUESTIONS UNTIL WE HEAR FROM BOTH TEAMS. THANK YOU VERY MUCH. OUR SECOND PRESENTATION WILL BE FROM THE ROMA DESIGN GROUP.

THANK YOU, MR. MAYOR. WE WILL SET THE CLOCK FOR 20 MINUTES AGAIN.

THANK YOU. YOU WILL NOTICE THAT WE ARE USING THE SAME PHOTOGRAPH THAT OUR COMPETITOR IS USING. AND IT'S A TESTIMONY TO THE GREAT PHOTOGRAPH. WE ARE VERY DELIGHTED TO BE HERE TODAY. JOHN AND MYSELF REPRESENTING OUR -- OUR TEAM. WE ARE A FIRM -- WE ARE FIRMS, THE TWO OF US THAT WORK TOGETHER, ON -- ON NUMEROUS PROJECTS THROUGHOUT THE COUNTRY. WE HAVE ALSO WORKED SEPARATELY AND OVER THE PAST 25 YEARS, WE PERSONALLY HAVE BEEN INVOLVED IN SHAPING OVER 2 DOZEN DOWNTOWNS, RANGING FROM SAN FRANCISCO, SAN DIEGO, CINCINNATI, COLUMBUS, OHIO, A

PLAN THAT JOHN RECENTLY COMPLETED AND TOGETHER WE HAVE RECENTLY COMPLETED A PROJECT FOR THE BALLPARK IN WASHINGTON ON THE ANACOSTA RIVER. I THINK WHAT DISTINGUISHES US IS FIRST OF ALL OUR PERSONAL COMMITMENT, WE ARE THE INDIVIDUALS. THE FOLKS THAT YOU SEE TODAY, WE ARE THE INDIVIDUALS WHO HAVE WORKED ON THESE PROJECTS. OUR PROJECTS BY AND LARGE GET IMPLEMENTED. WE ARE VERY INTERESTED IN DESIGN, HIGH QUALITY DESIGN, BUT WE ARE ALSO INTERESTED IN PRACTICAL, REALIZABLE IMPLEMENTATION STRATEGIES. WHEN JOHN SPEAKS HIS EXPERTISE IS REALLY FOCUSED ON THAT. AND -- AND -- THE OTHER THING THAT DISTINGUISHES US IS OUR COMMITMENT AND UNDERSTANDING OF AUSTIN. I PERSONALLY HAVE HAD THE PRIVILEGE OVER THE PAST 10 YEARS TO WORK -- TO BE WORKING IN THIS COMMUNITY. AND WE HAVE -- WE HAVE PUT TOGETHER A LOCAL TEAM AND A TEAM OF NATIONAL CONSULTANTS WHO HAVE A REALLY -- A FINE TUNED UNDERSTANDING OF AUSTIN. SEVERAL OTHER DOWNTOWN REDEVELOPMENT PROJECTS WHO WILL BE ASSISTING IN THE MODELING. CALTHORP ASSISTING US IN THE T.O.D. DEVELOPMENT, ALSO IN THE FORM BASED CODE. ALSO A VERY STRONG LOCAL TEAM, DIANA McI'VEER IS HERE TODAY AND WILL BE WALKING ABOUT AFFORDABLE HOUSING, SUPPORTED BY FRANCINE FERGUSON ... URBAN DESIGN GROUP WITH CIVIL ENGINEERINGS AND GROUP SOLUTIONS WILL BE OUR -- WILL BE ASSISTING US IN THE COMMUNITY FACILITATION. I SHOULD MENTION THAT ROMA ALSO HAS A LOCAL OFFICE IN AUSTIN, WHICH WE OPENED ABOUT 18 MONTHS AGO. JANNA MCCANN WHO USED TO BE ON THE CITY STAFF WILL BE THE ASSOCIATE PROJECT MANAGER. I WILL BE SUPPORTED BY JOHN OSHLER, WE WILL BE PERSONAL INVOLVED IN DIRECTING THE WORK.

THANK YOU. I'M JOHN OSHULER, THE PRESIDENT OF [INDISCERNIBLE], HAVE HELD THAT POSITION SINCE I LEFT BEING THE CITY MANAGER OF SANTA MONICA, CALIFORNIA. OUR FIRM, SPECIALIZES IN DEVELOPMENT FINANCE. AND IMPLEMENTATION OF COMPLEX URBAN RENEWAL PROJECTS. AND THE STRATEGIC UNDERPINNINGS OF THE REVITALIZATION OF AMERICAN CITIES. ALL WE DO AS A FIRM IS WORK ON THE FUTURE OF THE AMERICAN CITY. AND

MOST -- MOST CITIES THAT HAVE BOTH THE ASSETS AND CHALLENGES YOU HAVE FIND THESE PROCESSES DIFFICULT. THERE ARE MANY PLANS, THIS COMMUNITY HAS HAD A VARIETY, MANY PLANS END UP PRODUCING THE PLAN ITSELF. THE WORK THAT YOU ARE GOING TO SEE IS THE ONLY OUTPUT THAT WE ARE PROUD OF, WHICH ARE SPACES THAT COMMUNITIES LOVE AND ADOPT. PLACES THAT WHEN THEY ARE DONE, BECOME COMFORT OF THE FABRIC OF URBAN LIFE AND AREN'T SEEN AS THE DEVELOPERS PROJECT, AREN'T SEEN AS A CITY EFFORT, THEY ARE SEEN AS A NEW SPACE THAT CITIZENS LOVE FREQUENT AND CHERISH. MY COLLABORATION WITH ROMA BEGAN 20 YEARS AGO. WHEN WE APPROACHED A DECEMBER.....DESOLATE PART OF DOWNTOWN SANTA MONICA, CALIFORNIA, YOU CAN SEE IT HERE. THE MOST IMPORTANT STREET IN OUR COMMUNITY. WHEN WE BEGAN IT HAD VERY LITTLE RETAIL. IT HAD NO CIVIC LIFE AND AS YOU ARE HERE A BLOCK AND A HALF FROM THE PACIFIC OCEAN. THIS IS WHAT IT LOOKS LIKE TODAY. IT'S ONE OF THE GREAT CIVIC FESTIVALS OF URBAN AMERICA. WHAT MADE IT THAT WAY? FIRST, WE SET CLEAR STRATEGIES WHICH MADE -- WHICH MEANT WE MADE PAINFUL CHOICES. WE PASSED AN ORDINANCE THAT SAID THIS WAS THE ONLY PLACE IN THE CITY THAT YOU COULD HAVE A MOVIE THEATER. WE FORCED THE THEATERS TO COME HERE BELIEVING THEY WOULD BE THE DRIVERS OF ENTERTAINMENT. WE GOT A SUBSTANTIAL BONUS FOR PUTTING HOUSING OVER RETAIL, WE PUT IN ONE OF THE NATION'S FIRST, I'M VERY PROUD OF THIS AFFORDABILITY REQUIREMENTS, SO THAT AS THE MALL BECAME BUILT, BECAME A PLACE FOR EVERY CITIZEN, NOT JUST THOSE WHO ARE MOST OFF FLUENT. AFFLUENT. WE LEVERAGE INVESTMENTS, THERE WERE FOUR STRATEGICALLY LOCATED GARAGES THAT BECAME ANCHORS, ALONG WITH THE PHENOMENAL WORK THAT JIM, HE AND HIS COLLEAGUES THAT I HAVE TREASURED AS COLLEAGUES OF MINE FOR -- FOR A GENERATION, BUILD AN EXTRAORDINARY PUBLIC REALM AND THIS PROJECT IS NOW THE CIVIC HEART OF THE CITY. SOMETHING THAT WE HOPE THAT -- THAT WHEN YOU LOOK BACK AT THIS EFFORT, YOU WILL SEE AS THE LEGACY FOR AUSTIN. SANTA MONICA IS A GOOD CASE STUDY, I THINK, FOR AUSTIN. WE -- WE WENT ON AFTER THE THIRD STREET PROMENADE WHICH YOU SAW AND DID THE

DOWNTOWN URBAN DESIGN PLAN AND AMONG OTHER THINGS LOOKED AT THE WHOLE ISSUE OF THE DOWNTOWN STREETS. CONVERTING THE ONE-WAY STREET SYSTEM TO A TWO-WAY STREET SYSTEM, THROUGH A LOT OF -- OF FINANCIAL AND A LOT OF TRAFFIC EVALUATIONS, A LOT OF COMMITMENT OR -- OR CONSENSUS BUILDING WITH THE LOCAL BUSINESS COMMUNITY AND THAT HAS PROVEN TO BE A VERY BIG SUCCESS. I THINK A GOOD CASE STUDY THAT AUSTIN COULD USE AS IT LOOKS AT THAT ISSUE AS WELL. WE ALSO DEVELOPED -- DEVELOPMENT STANDARDS AND GUIDELINES FOR HOUSING TO TRY TO IMPROVE THE LIVABILITY OF HIGH DENSITY HOUSE IN THIS THE DOWNTOWN. WE ARE NOW GOING THROUGH THE ZONING PROCESS TO BE ADOPTED, DOWNTOWN SANTA MONICA HAS BECOME A REAL MIXED USE, THRIVING DESTINATION IN ADDITION TO ITS SUCCESSES, SHOPPING AND RETAIL CENTER. OVERALL OPEN SPACE AND RECREATION MASTER PLAN AND ALSO LOOKED AT A VERY SIGNIFICANT PIECE OF PUBLIC OWNED LAND, LEVERAGING THE VALUE IN THAT LAND TO ACHIEVE AFFORDABLE HOUSING GOALS AND OPEN SPACE GOALS. THIS WAS THE REDEVELOPMENT OF THE CIVIC CENTER, WHICH IS NOW BEING CONSTRUCTED. BUT ALSO A GOOD CASE STUDY FOR AUSTIN AS IT LOOKS AT THE CONSIDERABLE AMOUNT OF PUBLIC LAND THAT IS IN THE DOWNTOWN AREA IN THE -- AND THE OPPORTUNITY THAT THAT MIGHT GIVE. WE THINK THAT THIS IS A FABULOUS TIME TO BEGIN THE DOWNTOWN PLAN. ENVISION CENTRAL TEXAS, WHICH OUR PARTNER WAS INVOLVED IN HAS REALLY RAISED THE CONSCIOUSNESS OF THIS COMMUNITY FOR THE REGION, SUSTAINABLE DEVELOPMENT OMNISCIENTED TRANSIT, THE -- DEVELOPMENT ORIENTED TRANSIT, THE DOWNTOWN IS THE CENTRAL CORE OF THAT, ALL SYSTEMS GO PROJECT IS UNDERWAY, ALSO LOOKS LIKE A STREET CAR MAYBE A REALITY IN DOWNTOWN, WHICH IS VERY EXCITING TURN OF EVENTS. ALSO, I THINK THAT FOR THE FIRST TIME IN -- IN -- IN MORE THAN A GENERATION, REALLY INDEPENDENT PARTNERSHIPS ARE BEGINNING TO EMERGE BETWEEN THE CITY, COUNTY AND THE STATE. I THINK THAT IS GOING TO REALLY HELP IN TERMS OF SHAPING DOWNTOWN AUSTIN AS THAT CORE REGION. BUT THERE ARE SOME REAL CHALLENGES. DOWNTOWN IS IN DANGER OF LOSING ITS COMPETITIVE EDGE AS THE TOLL ROADS GET

BUILT, AS THE LIFE STYLE CENTERS IN THE FRINGES START GETTING IMPLEMENTED, IT IS GOING TO BE REALLY IMPORTANT FOR THE DOWNTOWN PLAN TO BUILD ON THE STRENGTHS OF DOWNTOWN. THAT THE CULTURAL LIFE, THE EMPLOYMENT FOCUS THAT IS AROUND THE CAPITOL. THE IMPROVED MOBILITY AND ACCESS WHICH WE HOPE IS COMING, THE CULTURE AND THE HISTORY OF THE PLACE. AS JOHN SAYS, YOU HAVE DEVELOPED NUMEROUS PLANS ALREADY, AND THERE ARE A LOT OF REALLY GREAT IDEAS IN PLACE. I THINK WHAT IS LACKING, TO DEVELOP A SENSE OF PRIORITY AND IMPLEMENTATION PROGRAM AROUND SOME OF THE DESIGN CONCEPTS. THAT'S REALLY WHAT JOHN'S FOCUS ON THE TEAM IS GOING TO BE. IN HELPING US.

AS JIM SAID, YOUR DOWNTOWN EXISTS IN A COMPETITIVE ENVIRONMENT. THEY ARE LARGE WELL CAPITALIZED ORGANIZATIONS WHOSE BUSINESS IS TO TAKE RETAIL SPENDING AND HOUSING DEMAND AND COMMERCIAL OFFICE AND MOVE THE LOCATIONS OTHER THAN IN YOUR DOWNTOWN. SO THE CORE IS TO CHANGE THE COMPETITIVE DYNAMICS OF DOWNTOWN TO OTHER LOCATIONS SO WHERE DEVELOPERS AND USERS HAVE CHOICES. THIS IS A CHALLENGE THAT WE ADDRESS BY LOOKING AT -- FOUR THINGS TOGETHER. FIRST, YOU HAVE TO HAVE A CLEAR STRATEGIC NOTION OF WHAT YOU ARE TRYING TO ACCOMPLISH. EASY TO SAY WHAT THAT USUALLY MEANS IS THAT YOU HAVE TO MAKE DIFFICULT CHOICES. THE DOWNTOWN BOUNDARIES FOR YOUR PLAN ARE VERY LARGE. IT'S A DOWNTOWN THAT YOU HAVE OUTLINED VERSUS THE SIZE OF BOSTON, IT'S A LARGE SPACE. VIRTUALLY THE SIZE OF BOSTON. THE NOTION THAT ECONOMIC DEMAND WILL FILL THIS SPACE OVER ANY KIND OF SINGLE DEVELOPMENT CYCLE IS A DIFFICULT PROPOSITION. SO STRATEGIC CHOICES HAVE TO BE MADE ABOUT WHAT AREAS GO FIRST, WHERE INCENTIVES ARE TARGETED, TOO OFTEN THE DEVELOPMENT PROCESS ENDS UP WITH A STRATEGY THAT LOOKS LIKE A BAD CASE OF THE MEASLES. WHAT WORKS AND WHY DEVELOPMENT STRATEGIES ARE SUCCESSFUL IN THE PRIVATE SECTOR IS THEY ARE ABLE TO INTEGRATE A CLEAR STRATEGY NOTION OF WHAT THEY WANT TO ACCOMPLISH. WITH THE OTHER

ELEMENTS OF WHAT WE HOPE TO BRING TO THIS PLAN. A CLEAR NOTION OF FINANCING. BY A CLEAR NOTION OF FINANCING, WHAT I MEAN IS A CLEAR DECISION BY THE PEOPLE SITTING ON -- ON THE DAIS TODAY, AS TO HOW MUCH MONEY GETS SPENT, WHERE AND IN WHAT ORDER. IF THERE'S NOT A SPECIFIC FINANCING PLAN, THEN THE -- THE DEVELOPMENT PLAN HAS NO ATTRACTION OR CREDIBILITY IN THE PRIVATE MARKETPLACE AND NO ABILITY TO SHAPE THE FUTURE OF THE DOWNTOWN. SO WHAT YOU ARE NOT LOOKING FOR IS -- IS AN INVENTORY OR A COOK BOOK, YOU ARE LOOKING FOR A VERY CLEAR ESTABLISHMENT OF PUBLIC POLICY. BY THIS ADMINISTRATION AND YOU AS ELECTED OFFICIALS. THIRDLY, THERE HAS TO BE A MANAGEMENT STRUCTURE. THINGS GET BUILT BECAUSE PEOPLE ARE RESPONSIBLE FOR BUILDING THEM. AND -- YOU CAN'T TAKE A PLAN AND ASSUME THAT AN INVISIBLE HAND OF THE MARKETPLACE CREATES GREAT PLACES. GREAT PLACES GET BUILT BY TALENTED HUMAN BEINGS, WITH A SUSTAINABLE STRUCTURE COMMITTED ON A SUSTAINED PERIOD OF TIME WITH THE MONEY AND THE STRATEGY. SO WITHOUT A MANAGEMENT STRUCTURE IN PLACE, CAPABLE OF TAKING THE PLAN AND CAPABLE OF TAKING THE STRATEGY, CAPABLE OF TAKING THE MONEY AND BUILDING IT, THE PLAN SIMPLY BECOMES YET ANOTHER COMPENDIUM. FINALLY AS JIM SAID, THESE ARE PARTNERSHIPS. THESE ARE THINGS DONE IN PARTNERSHIP WITH PRIVATE DEVELOPERS, IN PARTNERSHIPS WITH OTHER LAYERS OF GOVERNMENT. YOU SEE THERE OUR WORK DONE IN WASHINGTON. WE BEGAN WORKING WITH MAYOR WILLIAMS. WE HAD 17 SEPARATE FEDERAL AGENCIES AND FIVE SIGNIFICANT CITY DEPARTMENTS. OVER FIVE YEARS OF WORK, WE PUT TOGETHER ONE OF THE MOST IMPORTANT PARTNERSHIPS EVER DONE IN OUR NATION'S CAPITAL TO TRANSFORM THE ANTACOSTA RIVER THROUGH A DESOLATE INDUSTRIAL ZONE INTO THE FUTURE DEVELOPMENT CORRIDOR FOR OUR NATION'S CAPITAL. LET ME TURN IT BACK TO JIM WHO WILL ADDRESS SOME THINGS IN THE TIME WE HAVE ALLOTTED.

THANKS, JOHN. AS PART OF THE WHOLE IMPLEMENTATION STRATEGY, RETAIL IS GOING TO BE A REALLY IMPORTANT THING. THE ERA PLAN IS VERY GOOD IN SETTING A

DIRECTION. ONE OF THE THINGS WE NOTICE IN AUSTIN IS THAT DOWNTOWN RETAIL IS STARTING TO TAKE HOLD IN VARIOUS PLACES, BUT I THINK THERE'S A REAL OPPORTUNITY TO START ESTABLISHING A MORE SPECIFIC STRATEGY FOR HOW THE VARIOUS DISTRICTS MARKET DISTRICT, SECOND STREET, WILL EMERGE AND WHAT ROLE THEY WILL PLAY AND IN PARTICULAR CONGRESS AVENUE. WHAT ROLE WILL CONGRESS AVENUE PLAY IN TERMS OF THE DOWNTOWN RETAIL. IT'S STRUGGLING RIGHT NOW.

IF YOU TOLERATE ME, WITH MY PASSION FOR INTERRUPTING WHICH HE DOES TO ME OFTEN.

YEAH.

WHAT PEOPLE OFTEN WANT IS A SENSE OF PLACE. I -- I SERVE ON THE BOARD OF A COMPANY THAT HAS BUILDING WHERE WE HAVE THE LARGING PRODUCING GAP IN THE UNITED STATES, ON THE CORNER OF 7th AVENUE AND BROADWAY IN TIMES SCARE. SCARE, YOU CAN BUY A T-SHIRT THERE, ANYWHERE, ON THE INTERNET. NOTHING SPECIAL ABOUT THE STORE. IT DOES OVER A THOUSAND A FOOT. PEOPLE WANT THE EXPERIENCE OF SAYING THEY WERE THERE, IN TIMES SQUARE, PART OF NEW YORK, PART OF AN EXPERIENCE. WHAT MAKES IT WORK WHEN PEOPLE GO FOR THE EXPERIENCE OF THE POLICE AND THEN THEY SHOP -- EXPERIENCE OF THE PLACE AND THEN THEY SHOP. THEN THEY EXPERIENCE WHAT CITIES DO THAT SHOPPING MALLS CAN'T WHICH IS HELP PEOPLE BE PART OF A CIVIC CULTURE. THAT BUILDS RETAIL OUT OF PLACE. THAT'S THE KIND OF STRATEGIC WORK THAT IN OUR WORK AT QUINCY MARKET, WITH OUR COLLEAGUES, WITH THE WORK THAT WE ARE DOING FOR THE MAYOR, GOVERNOR, NEW YORK AT GROUND ZERO AND CINCINNATI AND OTHER PLACES, THAT -- THAT YOU SEE HERE --

THAT'S GOOD, THANK YOU, JOHN.

THE TRANSIT ORIENTED DEVELOPMENT, THE DISTRICTS TO CREATE NEW DOWNTOWN NEIGHBORHOODS, ROMA HAS DEVELOPED THE SEAHOLM DISTRICT T.O.D., ALSO WORKING ON T.O.D.'S AROUND THE COUNTRY, MOST RECENTLY ALSO IN SAN JOSE. THE HISTORIC DISTRICTS OF DOWNTOWN

AUSTIN VERY IMPORTANT IN ESTABLISHING THE CHARACTER, OUR TEAM HAS A GREAT DEAL OF EXPERIENCE IN -- IN DEFINING HISTORIC DISTRICTS AND PLANNING FOR THEM AS WELL. THE -- THE DOWNTOWN PLAN OFFERS THE OPPORTUNITY TO SCULPT THE FORM OF DOWNTOWN. CAPITAL VIEW ORDINANCE ALREADY IS -- HAVE DETERMINES A GREAT DEAL OF FORM, THERE HAVE BEEN NUMEROUS PROJECTS THAT HAVE BEEN APPROVED RECENTLY WHICH ARE ALSO GOING TO -- GOING TO DICTATE THE FORM. BUT WE HAVE AN OPPORTUNITY IN DOWNTOWN PLAN THROUGH THE FORM BASED [INDISCERNIBLE] AND OTHER MODELING TECHNIQUES TO REALLY ESTABLISH WHERE DENSITY NEEDS TO BE TO CREATE THE SENSE OF PLACE AND THE IDENTITY FOR THIS CITY. WE ALSO -- WE ALSO HAVE A REALLY UNIQUE OPPORTUNITY IN TERMS OF THE AMOUNT OF PUBLICLY OWNED REAL ESTATE. WE ESTIMATE OVER 450-ACRES OF PUBLIC REAL ESTATE AND THAT'S CITY, COUNTY, STATE, AND FEDERAL. NOT INCLUDING THE CAPITAL GROUNDS AND PUBLIC PARKS. THIS LAND, MUCH OF IT AS YOU CAN SEE IN THESE IMAGES IS UNDERUTILIZED. THERE'S A REAL EXCITING OPPORTUNITY TO LEVERAGE THE VALUE OF THAT LAND TO ACHIEVE YOUR AFFORDABLE GOALS, AFFORDABLE HOUSING, SPACE, ET CETERA. IF YOU ADD ON TOP OF THAT THE FLOODPLAIN LANDS ALONG WALLER AND SHOAL CREEKS, THAT'S ANOTHER 300 ACRES OF REAL ESTATE. SO WE HAVE A SIGNIFICANT AMOUNT OF LEVERAGE THAT WE CAN USE. AND DIANA IS GOING TO TALK A LITTLE BIT ABOUT ONE OF THE PUBLIC OBJECTIVES FOR AFFORDABLE HOUSING.

RIGHT. DIANA McIVER. I THINK MOST OF YOU KNOW THAT WE WORK NATIONALLY AS CONSULTANTS AND DEVELOP..... DEVELOPERS IN OFFEREDDABLE HOUSING, FORTUNATE ENOUGH TO BE BASED HERE IN AUSTIN, TEXAS. THE DEVELOPMENT ON THE LOWER LEFT OF THE SIDE WAS LIONS GARDENS, WE WERE CONSULTANTS FOR FAMILY ELDER DARE FOR THE SENIOR HOUSING IN EAST AUSTIN, WHERE WE COBBLED TOGETHER 8 SOURCES OF FINANCING TO MAKE THAT .BUT PROJECT A REALITY. WHILE THE DEVELOPMENT OF AFFORDABLE HOUSING IS OUR PRIMARY BUSINESS, WE HAVE BEEN FORTUNATE TO HAVE OPPORTUNITIES TO APPLY THIS EXPERTISE TO VARIOUS

PLANNING EFFORTS. CURRENTLY WE ARE THE CONSULTANTS FOR THE CITY ON THE AFFORDABLE HOUSING STRATEGY FOR EACH OF THE T.O.D. DISTRICTS. WE ALSO HAVE CONSULTANTS FOR THE AFFORDABLE HOUSING TASK FORCE THAT'S CHARGED WITH -- WITH DEVELOPING INCENTIVES TO FOSTER AFFORDABLE HOUSING THROUGHOUT THE CITY, INCLUDING THE DOWNTOWN AREA. BECAUSE OF THIS BACKGROUND, WE BRING TO THE ROMA TEAM ONE, AN UNDERSTANDING OF THE AFFORDABLE HOUSING NEEDS WITHIN THE DOWNTOWN AREA. TWO, THE CHALLENGES THAT AUSTIN WILL FACE IN PRODUCING SUCH HOUSING AS PART OF THE DOWNTOWN PLAN. AND, THREE, A VAST AMOUNT OF EXPERIENCE WITH THE FINANCING TOOLS THAT ARE AVAILABLE ALREADY FOR PRODUCING AFFORDABLE HOUSING. ONE OF THE BIGGEST CHALLENGES THAT WE WILL FACE IS THAT IT IS VERY EXPENSIVE TO DEVELOP IN DOWNTOWN AUSTIN. OUR APPROACH WILL LOOK FIRST AT OPTIONS THAT HAVE BEEN - - THAT HAVE THE LEAST FISCAL IMPACT ON THE CITY, BUT THE GREATEST FINANCIAL INCENTIVES FOR THE DEVELOPER. DENSITY BONUSES WILL MEET SUCH A TASK. USING THE HOUSING TAX CREDIT PROGRAM WILL MEET SUCH A TASK. WE KNOW THAT LAND COSTS IN THE DOWNTOWN AREA WILL MAKE THE INCLUSION OF AFFORDABLE HOUSING UNITS CHALLENGING. WE WILL LOOK AT THE PUBLICLY OWNED LAND TO ACHIEVE AFFORDABILITY. WE WILL LOOK AT COMMUNITY LAND TRUSTS OR SIMILAR VEHICLES TO ENSURE LONG-TERM AFFORDABILITY. IT'S EASY TO TALK ABOUT AFFORDABLE HOUSING. BUT WHAT AUSTIN NEEDS IS A TEAM THAT'S GROUNDED IN REALITY AND THAT CAN PRODUCE VIABLE SOLUTIONS AND WE ARE THAT TEAM. THANK YOU.

THE OTHER ASPECTS THAT WOULD BE VERY IMPORTANT IS LOOKING AT THE OPEN SPACE PLAN OF DOWNTOWN, THE GREAT -- THE GREAT WALLER PLAN. WITH THE FOUR PARKS OR -- UNFORTUNATELY ONE IS NOW MISSING, BUT THE OPPORTUNITY TO REALLY REENVISION THE CHARACTER OF DOWNTOWN OPEN SPACES, THE ROLE. ALSO THE DOWNTOWN PLAN REALLY CAN OFFER THE OPTION TO ACCELERATE THE IMPLEMENTATION OF THE GREAT STREETS PROGRAM. WHICH IS A GREAT EFFORT THAT HAS

BEEN UNDERTAKEN. YOU ONLY HAVE TO LOOK AT SECOND STREET AND THE IMPACT THAT THAT ONE BLOCK PROJECT HAS HAD TO REALLY SEE THAT THE -- THAT THE PUBLIC IMPLEMENTATION OF STREETS, RATHER THAN THE INCREMENTAL IMPLEMENTATION PROPERTY BY PROPERTY IS WHAT WE REALLY NEED TO DO TO CREATE THE IMPACT AND TO CHANGE THE AMENITY AND THE IDENTITY OF DOWNTOWN. I THINK IF WE CAN DEVELOP FINANCING STRATEGIES THROUGH THAT, IT WOULD BE VERY IMPORTANT. ALSO, DESIGNING STREETS FOR RAIL AND BUS. [BEEPING] THAT IS -- THAT IS -- DO I HAVE FIVE MINUTES? IS THAT IT? THAT'S GOING TO BE AN IMPORTANT ASPECT. LTK ON OUR TEAM WHO DESIGNED THE PORTLAND STREET CAR SYSTEM AND WILL BE ASSISTING US. ALMOST DONE. WE ARE COMMITTED TO WORKING WITH YOU AND WITH THE AUSTIN COMMUNITY. WE HAVE A VERY STRONG LOCAL TEAM, WE HAVE V A REALLY GOOD RELATIONSHIP THAT WE HAVE ESTABLISHED WITH AUSTIN COMMUNITY AND MANY OF THE STAKEHOLDERS ALREADY INVOLVED IN THE PROJECT. AS I SAID, I PERSONALLY HAVE BEEN PRIVILEGED TO HAVE BEEN INVOLVED IN THE MUELLER PROJECT OVER THE LAST 10 YEARS. I WILL PERSONALLY COMMIT BY OWN INVOLVEMENT IN THIS PROJECT AS WE PROCEED. AND I THINK THAT THE THING THAT DISTINGUISHES US, JOHN, YOU HAVE GIVEN US AND THE OTHER COMPETITORS HERE AN EXTRAORDINARY OPPORTUNITY. WE UNDERSTAND THIS IS HUMBLING WORK. THERE ARE MANY THINGS THAT CAN INTERFERE, ECONOMIC CYCLES TURN AND WE PRODUCE WONDERFUL PLANS THAT MET DOWNTURNS IN REAL ESTATE CYCLES. POLITICAL REALITIES AND ALIGNMENTS SHIFT. PRIORITIES MOVE, MONEY EBBS AND FLOWS. YOU HAVE, WE BELIEVE, AN EXTRA OPPORTUNITY NOW IN WHICH AN ECONOMIC CYCLE, FOABL FOR PARTNERSHIPS -- POSSIBLY FOR PARTNERSHIPS, COMMUNITY SUPPORT AND CIVIC LEADERSHIP COME TOGETHER. AND WE HOPE VERY MUCH WE HAVE THE OPPORTUNITY TO WORK WITH YOU, TO TAKE THIS WINDOW THAT IS OPEN FOR SOME UNDETERMINED PERIOD OF TIME. WE LOOK FORWARD TO WORKING WITH YOU BECAUSE WE HAVE A SUCCESSFUL RECORD OF IMPLEMENTATION. THE PROJECTS THAT WE CARE ABOUT AND WORK ON AND I CAN REALLY ONLY DO TWO OR THREE OF THESE AT ONE TIME. THEY TAKE A LOT OF TIME, THEY

TAKE A LOT OF UNDERSTANDING AND DETAIL, WE GET OUR THINGS BUILT. SECONDLY, WE HAVE A NATIONALLY RECOGNIZED QUALITY DESIGN WITH THE ABILITY TO HELP FINANCE AND MAKE THE QUALITY DESIGN, QUALITY PLACES, ECONOMICALLY VIABLE. AND FINALLY, JIM AND HIS TEAM HAVE PUT TOGETHER WITH US A COMBINATION OF BOTH NATIONAL QUALITY, AND THE FINEST LOCAL FIRMS SO THAT WE CAN MOVE QUICKLY, WE CAN MOVE ASSUREDLY, WE CAN MOVE WITH THE COMMAND OF DETAIL WHICH IS WHAT TAKES VISION AND MAKES IT REAL. SO THANK YOU VERY MUCH FOR YOUR TIME, MAYOR AND MEMBERS OF THE COUNCIL. WE APPRECIATE YOUR ATTENTION.

Mayor Wynn: THANK YOU. FOR THE PRESENTATION. MS. HUFFNER? BEFORE WE PERHAPS OPEN IT UP FOR QUESTIONS, FIRST I WOULD LIKE TO THANK REALLY THANK ALL OF THE TEAMS, EVEN THOSE IN THE VERY PRELIMINARY EARLY STAGES, WHO PRESENTED PROPOSALS TO OUR REQUESTS. WE RECOGNIZE HOW MUCH TIME, EFFORT, MONEY, GOES INTO THESE -- THESE PROPOSALS. AND WITH - WITH A LOT OF HELP FROM STAFF, WE TAKE THE EVALUATION PROCESS VERY, VERY SERIOUSLY AND THIS IS A VERY IMPORTANT DECISION FOR US. ONCE IN A GENERATION SORT OF A DECISION LIKELY FOR -- F THE CITY. SO THANK YOU ALL FOR THE OBVIOUS EFFORT THAT YOU HAVE PUT FORT. MS. HUFFMAN, REMIND SOME OF US JUST SORT OF THE TINY WHAT IT IS WE -- WE HAVE REQUESTED THE OTHER TEAMS TO HELP US WITH, WHAT WE ASSUME OUR SCOPE AND TIMING WILL BE GOING FORWARD.

WELL, TO BEGIN WITH, ONE OF THE OTHER AGENDA ITEMS ON YOUR COUNCIL AGENDA TODAY IS ITEM NO. 17 AND THAT IS THE ACTION ITEM FOR THIS SELECTION OF THE CONSULTANT. AND FROM THERE WHAT WE WOULD DO, THIS IS AS A REMINDER AN RFQ, REQUEST FOR QUALIFICATION PROCESS, THE RFQ OUTLINED THE BASIC SCOPE OF THE PROJECT, THAT IT INCLUDES ALL OF THE ELEMENTS THAT THESE FOLKS HAVE TOUCHED ON, ESSENTIALLY, A VERY ROBUST STAKEHOLDER PROCESS THAT HELPS TO ESTABLISH A BROAD VISION FOR DOWNTOWN AND INCLUDING DEVELOPMENT PATTERNS, TRANSPORTATION, AFFORDABLE HOUSING, OPEN SPACES, WE HAVE ASKED THEM TO LOOK AT INFRASTRUCTURE, ALSO. OTHER KINDS

OF INFRASTRUCTURE BESIDES ROADS, WATER, WASTEWATER, DRAINAGE, FINANCING STRATEGIES THAT MIGHT SUPPORT SOME OF THE RECOMMENDATIONS ON INFRASTRUCTURE. SO THIS WILL BE A PROJECT THAT WILL TAKE THE FULL YEAR, WE EXPECT THERE TO BE A LOT OF PUBLIC PARTICIPATION IN THE PROJECT. YOU'VE HAD A STRONG EMPHASIS ON AN IMPLEMENTABLE STRATEGY THAT SHOULD EMERGE FROM THIS PROCESS VERSUS A CONCEPTUAL PLAN. I THINK IT'S CLEAR TO ME THAT -- THAT THE FOLKS THAT ARE HERE TODAY UNDERSTAND THAT THAT IS YOUR INTEREST. SO WE EXPECT TO SEE SOMETHING THAT -- THAT COMES IN THE SHAPE OF AN IMPLEMENTATION STRATEGY. BUT THE FIRST STEP, OF COURSE, IS TO -- IS TO SELECT THE CONSULTANT. YOU HAVE THE TWO CONSULTANTS HERE THAT REPRESENT THE TOP CONSULTANTS THAT HAVE EMERGED FROM THE CITY'S EVALUATION PROCESS. AND SO IF YOU MOVE TO ITEM 17, THAT WILL PUT YOU IN A POSITION TO MAKE THAT SELECTION.

Mayor Wynn: IF YOU COULD FOR THE RECORD, TECHNICALLY WE HAD THREE FINALISTS WHO HAVE ALL BEEN INVITED TO PRESENT AND OBVIOUSLY WE JUST HAD TWO PRESENTATIONS. ONE TEAM HAS BEEN IN CONTACT WITH US AND FOR DIFFERENT REASONS CHOSE NOT TO PRESENT TODAY.

THAT IS CORRECT. FOR THOSE THAT HAVE LOOKED AT THE BACKUP FOR TODAY, CRANDALL WAS THE THIRD TEAM, THEY NOTIFIED US IN WRITING I BELIEVE YESTERDAY THAT THEY WERE NOT GOING TO MAKE THE PRESENTATION TODAY.

Mayor Wynn: OKAY. COUNCIL, QUESTIONS? COMMENTS? WE HAVE -- WE HAVE OF COURSE STAFF HERE, BUT ALSO AS WE HAVE SEEN AND HEARD, REPRESENTATIVES FROM BOTH OF OUR TWO FINALISTS. COUNCILMEMBER MARTINEZ?

Martinez: YEAH, I HAD SOME QUESTIONS FOR ROMA. WANTED TO START OUT WITH ROMA AND ASK A FEW QUESTIONS. IN YOUR PRESENTATION YOU TALKED ABOUT CREATING A PLAN FOR DOWNTOWN THAT HAS THE BEST VALUE FOR THE CITY. BUT YET YOU WANTED TO MAINTAIN AFFORDABILITY

AND I WANTED YOU TO EXPAND A LITTLE BIT ON THAT. AND -- AND WHERE YOU -- WHERE YOU HAVE IMPLEMENTED DOWNTOWN PLANS WITH AFFORDABLE HOUSING THAT HAS BEEN SUCCESSFUL AND WHAT IS THAT MEASURE OF SUCCESS.

WELL, LET ME FIRST START BY SAYING THAT WE UNDERSTAND AFFORDABILITY, HOUSING AFFORDABILITY HAS BECOME PROBABLY ONE OF THE NUMBER ONE ISSUES IN AUSTIN. AND AT THE -- AT THE MUELLER, THE MUELLER PROJECT WHICH WE WERE VERY MUCH INVOLVED IN, HAVE DEVELOPED AN AFFORDABLE HOUSING PROGRAM THAT WILL ASSURE 25% OF THOSE UNITS AT THE OLD AIRPORT, THAT THEY WILL BE AFFORDABLE. AND FRANCINE FERGUSON, ALSO ON OUR TEAM, HELPED US TO DEVELOP THAT PLAN. WE HAVE BEEN INVOLVED IN NUMEROUS DOWNTOWN PLANNING EFFORTS THAT HAVE ALSO CALLED FOR AFFORDABLE HOUSING. JOHN MENTIONED SANTA MONICA, WHICH PROBABLY HAS ONE OF THE MOST AGGRESSIVE, AFFORDABLE HOUSING PROGRAMS IN THE COUNTRY. AFFORD. WE DIDN'T PERSONALLY DEVELOP THAT PROGRAM, BUT WE WERE SOLVED IN THE PLANNING FOR IT. ALSO IN -- IN MOST CITIES IN CALIFORNIA, NOW UNDER REDEVELOPMENT LAW, HAVE A MINIMUM REQUIREMENT OF 15% OF AFFORDABILITY OF HOUSING. SO WE ARE VERY MUCH INVOLVED IN PLANNING FOR AFFORDABLE HOUSING, COMING UP WITH PLANS THAT CAN ASSURE THAT IT IS ECONOMICALLY FEASIBLE, BOTH FOR THE -- WELL, PRINCIPALLY FOR THE PRIVATE SECTOR TO BE ABLE TO BUILD IT. THAT'S ONE OF THE KEY CHALLENGES THAT WE ARE FACED WITH IN THE DOWNTOWN PLAN IS HOW CAN WE MAKE SURE -- IT'S EASY TO SAY WE WANT 25% AFFORDABILITY, BUT WE HAVE TO COME UP WITH PROGRAMS AND STRATEGIES THAT CAN ASSURE THE DELIVERY OF THAT HOUSING. THAT'S REALLY THE CHALLENGE.

A COUPLE OF EXAMPLES. IN THE PLAN THAT -- THAT ROMA AND I JUST FINISHED FOR THE DISTRICT OF COLUMBIA AROUND THE NEW BASEBALL STADIUM, THERE'S A REQUIREMENT THAT 30% OF THE UNITS BE AFFORDABLE. SOME OF THOSE AFFORDABILITY REQUIREMENTS ARE QUITE DEEP. THEY STRETCH DOWN TO 50% OF MEDIAN. WE PUT

TOGETHER A FINANCING STRATEGY THAT REVOLVED AROUND THESE BASIC ELEMENTS. FIRST, AN AGGRESSIVE USE OF THE AVAILABLE FEDERAL PROGRAMS IT'S -- SPENDING THEIR MONEY IS THE FIRST OPTION. SECONDLY, BY PRODUCING A SERIES OF CROSS SUBSIDIES IN WHICH HIGHLY CREATIVE RIGHTS HAVE BEEN GRANTED TO THE DEVELOPER REQUIRED THEM TO ASSUME THE AFFORDABLE OBLIGATION. PRINCIPLELY BY GIVING THEM -- PRINCIPALLY BY GIVING THEM VIRTUE OF DENSITY BONUSES. FINALLY PROVIDING A SERIES OF TAX ABATEMENT PROGRAMS SIMPLY LIMITED TO THE AFFORDABLE UNITS THEMSELVES, SO THAT 70% OF THE UNITS WERE TAXED AT FULL VALUE, BUT THE TAX ABATEMENT WAS LIMITED TO THOSE UNITS WHICH WERE AFFORDABLE. THAT'S PART OF THE -- OF THE PLAN AND THE ENTIRE ANTACOSTIA PLAN THAT WE DID FOR MAYOR WILLIAMS REQUIRES THAT REQUIREMENT, 30% OF ALL OF THE HOUSING BE BUILT TO BE AFFORDABLE. THAT'S CONSISTENT WITH WHAT WE HAVE DONE WITH THE MAYOR AND GOVERNOR IN THE CITY OF NEW YORK. WE CONFRONT PROBABLY ONE OF THE MOST SERIOUS HOUSING AFFORDABILITY CRISES IN THE NATION. THE LACK OF AFFORDABLE HOUSING AS A MATTER OF ECONOMIC EQUITY, ALSO THE SURVIVAL OF OUR ECONOMY. WE WORK VERY CLOSELY, MY FIRM, WE DO SEVERAL HUNDRED MILLION A YEAR OF -- OF ACTUALLY FINANCING OF AFFORDABLE HOUSING IN ADDITION TO BEING PLANNERS OF IT, WE ACTUALLY HELP BUILD AND FINANCE AS ADVISORS TO -- TO DEVELOPERS, SO OUR UNDERSTANDING IS NOT JUST AT THE LEVEL OF THEORY, WE ARE DAY TO DAY IN THE MARKETPLACE. WE HELPED CRAFT THE CITY OF NEW YORK'S INCLUSIONARY HOUSING PROGRAM. THE MAYOR'S COMMITTED TO BUILDING OVER 150,000 UNITS OF AFFORDABLE HOUSING IN THE NEXT 10 YEARS. THE UNDERLYING TOOL IS THAT THE WAY OUR HOUSING ECONOMICS WORK, IS THAT BY GRANTING A -- A 20% OF DENSITY BONUS, THE CITY WITH DELIVER 30% OF THE UNITS AS AFFORDABLE. WITHIN THE STRUCTURE ITSELF. SUPPORTED AND BACKED UP BY TAX ABATEMENT. WE HAVE EXPERIENCED, I THINK THERE IS -- YOU KNOW, DOWNTOWNS ARE EVERYBODY'S NEIGHBORHOODS. THEY ONLY WORK AS CIVIC ENVIRONMENTS, WHEN EVERYBODY IS -- HAS A CHANCE TO PARTICIPATE IN THEIR REDEVELOPMENT,

AFFORDABLE HOUSING IS A -- IS A CORE GOAL. I DON'T BELIEVE -- WE HAVE NEVER DONE A DOWNTOWN PLAN AND WE WOULDN'T DO A DOWNTOWN PLAN THAT DIDN'T HAVE AN AFFORDABLE HOUSING COMPONENT BECAUSE IT'S PART OF WHAT MAKES CITIES GREAT. PART OF WHAT MAKES THEM DIFFERENT THAN SHOPPING MALLS. THEY ARE EVERYBODY'S PLACE. SO IT'S A CORE VALUE, WE LOOK AT IT BOTH TRANSACTIONALLY IN TERMS OF A PLANNING STRUCTURE, BUT WE HAVE AN EXPERT HERE ON OUR TEAM. DO YOU WANT TO ADD?

I WOULD ONLY ADD HOW IT REALLY PLAYS IN WITH SOME OTHER THINGS GOING ON RIGHT NOW. THAT WOULD BE THE AFFORDABLE HOUSING TASK FORCE THAT'S CREATING INCENTIVES AND AS COUNCILWOMAN DUNKERLY AND COUNCILWOMAN KIM BOTH KNOW AS THEY HAVE ATTENDED THOSE MEETINGS, IT'S QUITE A CHALLENGE. THAT GRIPES CHARGED WITH INCENTIVES, COMING UP WITH TOOLS TO PUT IN THE TOOL BOX. SOME OF THOSE MAY REVOLVE AROUND MORE ENHANCED SMART HOUSING. SOME OF THOSE MIGHT REVOLVE AROUND DENSITY BONUSES, BUT WHAT WE ARE DOING IS LOOKING AT THOSE TOOLS WHICH WILL HAVE THE LEAST FISCAL IMPACT TO THE CITY AND THE GREATEST BENEFIT FOR DEVELOPERS AND I BELIEVE THAT YOU ARE GOING TO SEE THAT TOOL BOX BEFORE THE END OF THE YEAR.

Martinez: I APPRECIATE THE EXPLANATION AND COMMITMENT TO THE AFFORDABLE HOUSING. I WAS ASKING IF YOU HAD EVER DONE A DOWNTOWN PLAN THAT HAD AFFORDABLE HOUSING AND WHAT WAS YOUR SUCCESS RATE WITH THAT?

OH, I'M SORRY. WE HAVE DONE NUMEROUS DOWNTOWN PLANS, ALL OF WHICH HAVE HAD AFFORDABLE HOUSING PROGRAMS AND FROM -- THEY ARE -- THEY HAVE ALL BEEN SUCCESSFUL. CALIFORNIA AS I SAID, HAS MANDATED IT INTO STATE LAW SO THAT THAT AFFORDABLE HOUSING IS BEING IMPLEMENTED. SO OUR PLANS IN DOWNTOWN SAN FRANCISCO, IN SAN DIEGO, IN SAN JOSE, HAVE ALL ACHIEVED THEIR LEVELS OF -- LEVELS OF AFFORDABILITY. MINIMUM LEVELS OF AFFORDABILITY.

WHAT IS THAT? WHAT PERCENTAGE OF DOWNTOWN

RESIDENTIAL IN A COMPARABLE CITY THE SIZE OF AUSTIN WOULD BE A TARGET THAT WE WOULD TRY TO ACHIEVE FOR AFFORDABLE, WHAT RANGE OF MFI WOULD WE TRY TO ACHIEVE AT THAT AT.

AS I SAID, IN CALIFORNIA A MINIMUM UNDER REDEVELOPMENT LAW IS 15%. THERE ARE VARIOUS LEVELS, DEPTHS OF AFFORDABILITY THAT ARE FACTORED IN DEPENDING ON THE MUNICIPALITY. THE ACTUAL LEVELS IN DOWNTOWN ARE ONES THAT IN DOWNTOWN AUSTIN ARE ONES THAT WE ARE GOING TO HAVE TO DEVELOP IN WAYS THAT CAN REALISTICALLY BE ACHIEVED. AS I SAID EARLIER, THERE ARE SOME REAL OPPORTUNITIES HERE BECAUSE OF THE AMOUNT OF PUBLIC LAND, I THINK THE TOOLS THAT DIANA AND JOHN HAVE BOTH MENTIONED. WE BELIEVE THAT WE CAN ACHIEVE IF -- IF THE PUBLIC IS BEHIND IT, WE CAN ACHIEVE VERY DEEP LEVELS OF AFFORDABILITY IN DOWNTOWN. THE EXACT PERCENTAGES I CAN'T TELL YOU TODAY.

THE RANGE OF THE PLANSGY IS BETWEEN 20 AND 30. 20 IS A MINIMUM. THE WAY WE STRUCTURE THEM SUCCESS RATE IT GUARANTEED BECAUSE THE DEVELOPMENT RIGHTS SIMPLY ARE NOT TRANSFERRED UNLESS THE DEVELOPER MAKES THE COMMITMENT TO THE AFFORDABLE HOUSING. IT'S JUST -- IT'S LIKE GUARANTEEING A HEIGHT LIMIT. IT'S A MATTER OF THE BUILT-IN PERMIT. YOU WRITE IN SUCH A WAY AS THAT IT HAPPENS.

WHAT -- WHAT HAVE YOU GUYS DONE WITH -- WITH IN CASES OF WHERE SOCIAL SERVICES ARE PROVIDED IN THE DOWNTOWN URBAN CORE, WE HAVE HOMELESS SHELTER DOWNTOWN THAT'S EXTREMELY VITAL TO THAT COMMUNITY AND PROVIDES ESSENTIAL SERVICES. WHAT -- HOW DO YOU ENVISION THAT BEING A PART OF DOWNTOWN OR DO YOU?

THIS IS A -- THIS IS AN ISSUE THAT WE FACED IN -- IN NUMEROUS DOWNTOWNS. I CAN GIVE YOU AN EXAMPLE OF -
- OF ONE IN DOWNTOWN SAN FRANCISCO ON THE SAN FRANCISCO WATERFRONT THAT WE DID THE PLAN FOR. IT'S KNOWN AS DELANCEY STREET. IT IS A SOCIAL SERVICE PROVIDER, A NON-PROFIT IN THIS CASE, BUT IT IS FOR EX-CONVICT, REHABILITATION OF EX-CONVICTS. THAT

DEVELOPMENT IS RIGHT CENTER IN THE ENTIRE REJUVENATION OF THE DOWNTOWN SAN FRANCISCO WATERFRONT. IT IS PROBABLY THE JEWEL IN TERMS OF BOTH ARCHITECTURALLY AS WELL AS THE ACTIVITY PROGRAM, IT'S A MIXED USE PROGRAM THAT HAS RAIL IN.....RETAIL IN IT. CONTRIBUTED VERY POSITIVELY AS A SOCIAL SERVICE INSTITUTION TOWARD THE WHOLE REJUVENATION OF THE AREA. SO I BELIEVE THAT IT IS VERY POSSIBLE TO INTEGRATE SOCIAL SERVICES INTO OUR REVITALIZING DOWNTOWN. IT IS LIKE AFFORDABLE HOUSING, IT IS ONE OF -- IT'S AN IMPORTANT COMPONENT AND SOMETHING THAT REALLY HAS TO BE DEALT WITH REALISTICALLY. --

QUESTIONS, COMMENTS.

COUNCILMEMBER COLE?

I WANTED TO FIRST ASK OF THIS ROMA, BECAUSE THE OTHER TEAM MENTIONED THEIR MINORITY PARTICIPATION AND I'M NOT SURE FROM THE NUMBERS THAT ARE ON OUR AGENDA WHAT -- WHAT THE MINORITY AND WOMEN PARTICIPATION ARE FOR EACH OF THE TEAMS.

THANK YOU FOR ASKING THAT QUESTION. WE HAVE MET AND EXCEEDED THE MINIMUM TARGETS AND WE ARE VERY PROUD OF THE -- OF THE LOCAL TEAM THAT WE PUT TOGETHER, WHICH INCLUDES MINORITY AND WOMEN OWNED FIRMS. THESE ARE FIRMS THAT -- THAT WE HAVEN'T JUST ADDED TO OUR LIST TO -- TO TICK OFF A REQUIREMENT. THESE ARE FIRMS THAT WE HAVE WORKED WITH FOR MANY YEARS ON A VARIETY OF PROJECTS AND WHO WE'VE DEVELOPED VERY -- VERY PRODUCTIVE WORKING RELATIONSHIPS WITH AND I'M REALLY PLEASED THAT OUR TEAM, THE -- THE M.B.E./W.B.E. TEAM IS AN INTEGRAL PART. WE HAVE ESTABLISHED RELATIONSHIPS WITH MOST ALL OF THEM ALREADY. SO --

THANK YOU. I HAVE ANOTHER QUESTION, ALSO. I UNDERSTAND THAT THE -- THAT THE DOWNTOWN AREAS ARE GOING TO BE REPRESENTED SOUTH OF THE RIVER AND ON THE WEST BY THE LAMAR AND ON THE EAST BY I-35 AND THE NORTH BY MLK. I'M PARTICULARLY CONCERNED THAT

THE EASTBOUND DEAR REACH OVER -- EAST BOUNDARY HAS CONNECTIVITY, BECAUSE WE SEE MORE OF THAT BECOMING DOWNTOWN LIKE, IT HAS A HIGHER ELEVATION AND MUCH DEVELOPMENT AND I WOULD LIKE TO KNOW WHAT PART OF YOUR PLAN INCLUDES CONSIDERING CONNECTIVITY TO EAST AUSTIN AND BRINGING IN THOSE STAKEHOLDERS.

I THINK IT'S A VERY GOOD POINTS THAT YOU ARE RAISING. IT'S GOING TO BE IMPORTANT FOR THE DOWNTOWN PLAN TO LOOK AT THE ENTIRE CONTEXT OF EAST, WEST AND NORTH, AS WELL AS SOUTH. WE ARE VERY MUCH IN TUNE WITH THE ISSUES OF EAST AUSTIN, HAVING JUST FINISHED THE SALTILLO REDEVELOPMENT MASTER PLAN PROJECT. WE ARE VERY AWARE OF THE -- OF THE ISSUES AND THE OPPORTUNITIES THAT EXIST THERE. SO WE WILL -- WE WILL BE SURE AS WE STRUCTURE THE STAKEHOLDER PROCESS TO -- TO INCLUDE THE EAST CESAR CHAVEZ NEIGHBORHOOD ASSOCIATION AND OTHER OF THE -- OF THE SURROUNDING NEIGHBOR HOODS ON ALL SIDES OF THE DOWNTOWN AS PART OF THAT PROCESS.

Cole: I ALSO ASKED THE QUESTION BECAUSE I WAS PARTICULARLY INTERESTED IN YOU SEEKING OUT THE CENTRAL EAST AUSTIN NEIGHBORHOOD AND ALSO WORKING WITH THE AUSTIN REVITALIZATION AUTHORITY.

YES.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER KIM?

Kim: I WAS WONDERING WHAT -- MAYBE THIS IS A QUESTION FOR THE CITY MANAGER. WHAT -- WHAT THROUGHOUT THIS PROCESS WILL BE DONE TO TIE IN THE AFFORDABLE HOUSING TASK FORCE'S RECOMMENDATION, ALSO -- THAT'S MY FIRST QUESTION.

THE WAY I HAD -- I HAVE THOUGHT ABOUT THIS IS THAT YOU HAVE A LARGE NUMBER OF STAKEHOLDER THAT FEED TO BE INCORPORATE INTO -- NEED TO BE INCORPORATED INTO THIS PROCESS. EVERYTHING FROM THE DOWNTOWN NEIGHBORHOOD ASSOCIATION TO THE AFFORDABLE

HOUSING TASK FORCE TO THE DOWNTOWN COMMISSION. AND SO -- THE WAY I VIEWED THIS IS THEY WOULD BE A STAKEHOLDER, ONE OF THE KEY STAKEHOLDERS AND WE WOULD BE WORKING WITH OUR CONSULTANT TO SERVE AS THE CENTRAL POINT OF CONTACT FOR CONSOLIDATION OF BRINGING INFORMATION TOGETHER AS PART OF THE PLAN. BUT WE HAVE MULTIPLE GROUPS THAT ARE WORKING IN DIFFERENT WAYS IN THE DOWNTOWN ARENA FROM THE D.A.A. ALL THE WAY TO THE TASK FORCE. SO I SEE THEM AS BEING INCORPORATED THROUGH A CENTRAL POINT OF CONTACT, THROUGH THE CONSULTANT. BEING IDENTIFIED AS THE KEY STAKEHOLDER AND BEING SURE THAT THEIR FEEDBACK IS BROUGHT FORWARD AND INCORPORATED AS PART OF THE PROCESS.

ALL RIGHT. THEN HOW ARE WE GOING TO ASK THE CONSULTANTS TO COORDINATE WITH OUR UTILITY PROVIDERS. WHAT THEY WILL BE RECOMMENDING IN TERMS OF THE PLAN THAT WILL REQUIRE INFRASTRUCTURE, WATER AND WASTEWATER CAPACITY, WE DON'T HAVE RIGHT NOW. AND HOW ARE WE GOING TO -- TO HAVE THAT AS PART OF THE INFORMATION THAT WE RECEIVE AS A COUNCIL IN TERMS OF THE COST ASSESSMENT FOR THE -- FOR WHATEVER SCENARIO THEY BRING BACK TO US OR VARIOUS SCENARIOS AS WELL AS THE FINANCING OPTIONS AVAILABLE TO US.

WELL, LET'S START WITH UTILITY INFRASTRUCTURE AS AN EXAMPLE. THERE ARE A NUMBER OF THINGS THAT WILL HAVE TO BE COORDINATED INTERNALLY. SUCH AS UTILITIES, DEPENDING ON THE RECOMMENDATION. LET'S START AT THE VERY BEGINNING. FIRST THE CONSULTANTS WILL GET AN ASSESSMENT OF EXACTLY WHAT THE CAPACITY IS DOWNTOWN, WHERE LINES ARE, SO THEY WILL START WITH OUR ASSISTANCE BECAUSE WE WILL SERVE AS STAFF SUPPORT AS WE MOVE THROUGH THIS PROCESS. THEN BASED ON THE RECOMMENDATIONS, IF THERE ARE MAJOR CHANGES THAT HAVE TO HAPPEN WITH EITHER CAPACITY OR MOVING A LINE, ALL OF THOSE WILL BE COST THE OUT, AS AN ESTIMATE WILL BE BROUGHT FORWARD TO YOU AS A RECOMMENDATION. THANK YOU.

I HAVE A QUESTION FOR -- SINCE WE HAVE TWO TEAMS

PRESENTING TO US, IS THAT HOW -- WE HAVE QUESTIONS WE SHOULD DIRECT THEM TO EACH TEAM TO TAKE A TURN IN ANSWERING THEM?

SURE.

THAT WOULD WORK VERY WELL.

WELL, I HAVE A QUESTION ABOUT DENSITY BONUSES SINCE THAT IS SOMETHING THAT THE VARIOUS COMMISSIONS ARE LOOKING AT. ONE WAY IT COULD BE APPROACHED IS -- TO LOOK AT A BUILDOUT OF DOWNTOWN, MAYBE 20 YEARS OUT FROM NOW. I DON'T KNOW WHAT THE AMOUNT OR TIME WILL BE, BUT LET'S JUST SAY THAT WE DO THAT THROUGH THIS PLAN. THEN WE COULD ASK THE COMMUNITY HOW MUCH WORKFORCE HOUSING ARE WE GOING TO NEED AS A RESULT OF BUILDING OUT DOWNTOWN, WITH -- WITH PEOPLE WHO NEED TO WORK DOWNTOWN, PEOPLE WHO NEED TO BE IN THE VICINITY, CLOSE BY, IT'S ONLY FAIR THAT THEY BE ABLE TO LIVE DOWNTOWN AS WELL. I WAS WONDERING IF IT'S POSSIBLE TO DO THAT IN THE -- DO YOU HAVE AN IDEA OF HOW THAT WOULD BE DONE TO BE ABLE TO SAY THIS IS THE AMOUNT OF WORKFORCE HOUSING THAT YOU WOULD NEED GIVEN THE BUILDOUT SCENARIO AND THIS IS HOW MUCH THE GAP WOULD BE IN TERMS OF WAGES FOR THESE PROFESSIONS, LOOKING FORWARD AS WELL AS THE GAP OF BEING ABLE TO FORM WHAT THE PRICE WOULD BE MARKET RATE? AND FOR US THEN TO AS POLICY MAKERS FIGURE OUT HOW WE ARE GOING TO FILL THAT GAP. THAT'S A BIG QUESTION, BUT SOMETHING THAT I WAS WONDERING, DO YOU HAVE THE TOOLS TO BE ABLE TO TELL US HOW MUCH WORKFORCE HOUSING WOULD BE NEEDED DOWNTOWN AS WE BUILD IT OUT?

SEVERAL DIFFERENT DIRECTIONS. ONE IS EXACTLY WHAT YOU HAVE SAID. YOU NEED TO TRY AND PROJECT HOW MUCH DO YOU NEED OVER SOME REASONABLE PERIOD OF TIME. AND 15 OR 20 YEARS IS A REASONABLE PLANNING CYCLE. BUT THEN I THINK YOU HAVE TO TURN IT AROUND AND SAY, GIVEN THE FINANCING STRUCTURE OF THE PARTICULAR YIELDS AND THE RATE AT WHICH HOUSING GETS CONSTRUCTS, WHAT'S AN ACTUAL AND VIABLE MARKET PROJECTION. AS WE STRESSED, WE ARE HERE

TRYING TO BOTH PRODUCE A DOCUMENT HOW MUCH DO YOU IN THEORY NEED, BUT THEN IN THE REALITY GIVEN THE UNKNOWN ECONOMICS OF THIS HOUSING MARKET WITH THIS PARTICULAR PRICE AND STRUCTURE, WHAT IS A REALISTIC ANTICIPATION OF PRODUCTION? AND IN MOST PLACES, I DON'T WANT TO -- I DON'T WANT TO MISLEAD YOU, MOST PLACES THE TWO NUMBERS DON'T ALIGN. THAT THERE ARE VERY FEW COMMUNITIES IN AMERICA THAT CAN AFFORD TO PRODUCE THE VOLUME OF WORKFORCE HOUSING, THE PROJECTION OF WORKFORCE HOUSING REQUIREMENTS STIPULATES BECAUSE BECAUSE GIVEN THE RETRENCHMENT OF THE FEDERAL GOVERNMENT FROM A PRINCIPAL ROLE IN HOUSING WHICH WAS IN PLACE FOR TWO GENERATIONS, THEY HAVE PUT IT BACK ON TWO SOURCES OF FINITE FINANCING. ONE IS LOCAL GOVERNMENT THROUGH THE FOREGOING OF ITS LIFE BLOOD, NAMELY TAX REVENUE AND THE ABILITY OF THE PRIVATE DEVELOPMENT COMMUNITY WHO ESSENTIALLY RECYCLE PROFITS THAT WOULD HAVE OTHERWISE GONE TO INVESTORS. THOSE ARE FINITE. SO WHAT I THINK THE STRATEGY WILL DO IS BOTH PROJECT WHAT THE ASPIRATIONAL GOAL IS. IF WE LOOK AT WHAT THE REALITY MARKET IS LIKELY TO PRODUCE, WHAT'S THE GAP AND HOW DO YOU SET PRIORITIES? PRIORITIES BY LOCATION, PRIORITIES BY INCOME GROUP, SO THAT YOU -- THAT YOU MAKE ACTUAL DECISIONS IN THE SAME WAY THAT YOU DO ABOUT YOUR BUDGET. I MEAN, YOU BOTH HAVE THE ASPIRATIONS OF YOUR CITIZENS AND YOUR DEPARTMENTS, THEN YOU HAVE HOW MUCH MONEY YOU ACTUALLY HAVE TO SPEND THAT YEAR AND THAT PRODUCES YOUR BUDGET. THIS PLAN, WHEN YOU ARE -- WILL IT GIVE YOU ESSENTIALLY A WORKFORCE HOUSING BUDGET THAT IS BOTH A FUNCTION OF ASPIRATION AND A FUNCTION OF WHAT WE ACTUALLY BELIEVE THE MARKETPLACE IN THIS FINANCING STRUCTURE WITH THIS DEMAND, WITH THIS LAND COST, WITH THESE PRODUCTION COSTS, THIS INCOME FLOW IS LIKELY TO PRODUCE FOR YOU.

THANK YOU.

Mayor Wynn: DO YOU WANT TO HEAR FROM THE EDAW TEAM.

Martinez: WE TALKED A LITTLE BIT EARLIER ABOUT CREATING

AFFORDABLE HOUSING, REALLY TRYING TO HAVE A TRUE IMPACT ON THAT IN THE DOWNTOWN AREA, NOW WE HAVE -- THE DISCUSSION HAS EVOLVED INTO THE COMMERCIAL ASPECT OF HOW REPLAN WE PLAN DOWNTOWN. WHAT DO YOU GUYS SEE AS -- AS A WE TO HAVE AN IMPACT ON THE DOWNTOWN BUSINESSES THAT -- THAT PEOPLE WHO ARE LIVING IN THOSE AFFORDABLE SPACES, IF WE ARE SUCCESSFUL, CAN ACTUALLY PARTICIPATE IN? WHAT I SEE RIGHT NOW IS A SECOND STREET CORRIDOR FULL OF BUSINESSES THAT -- THAT MOST FOLKS WHO ARE LIVING IN AN AFFORDABLE INCOME RANGE COULD ONLY BUY A CUP OF COFFEE. I AM REALLY CURIOUS AS TO HOW THOSE TWO ARE GOING TO MIX TOGETHER. WHAT YOU DO IN YOUR PLANNING TO TRY TO CREATE BUSINESSES THAT ARE ALSO AFFORDABLE.

DOWNTOWNS ARE EVERYBODY'S NEIGHBORHOOD. EVERYBODY NEEDS TO HAVE A PLACE THERE. BECAUSE THEY ARE THE COMMONPLACE WHERE EVERYBODY IN THE COMMUNITY COMES TOGETHER. YOU ARE GOING TO TRY TO CREATE A RETAIL ENVIRONMENT WHERE YOU HAVE THE SECOND STREET BECAUSE YOU DON'T WANT TO TAKE THAT MONEY AND HAVE IT LEAK OUT AND SPENT IN OTHER LOCATIONS, YOU WANT TO BE ABLE TO CAPTURE THAT. BUT, YOU KNOW, A CITY WHICH IS ONLY THAT IS VERY LIMITED. SO YOU ARE GOING TO NEED TO PLAN FOR RETAIL DISTRICTS THAT OPERATE IN A VARIETY OF DIFFERENT PRICE POINTS. THE TOOLS THAT YOU HAVE AVAILABLE TO THAT ARE -- ARE THE -- ARE THE RETAIL INCENTIVES THAT CAN COME OUT OF THE PLAN. AND WE HAVE PUT TOGETHER IN DIFFERENT CITIES A VARIETY OF DIFFERENT RETAIL INCENTIVES INVOLVING BOTH WORK WITH FACADES AND WORK WITH SUBSIDY FOR THE ACTUAL TENANT IMPROVEMENT, WORK FOR WORKING CAPITAL GRANTS FOR RETAILERS THEMSELVES, AND ADDRESSING EXACTLY THE CONCERN THAT YOU HEARD WASHINGTON IN THAT PLAN THAT WE DID WITH ROMA, WE ACTUALLY INSERTED ONE OF THE FIRST REQUIREMENTS FOR -- FOR LOCAL AND MINORITY RETAILER PARTICIPATION, SO THAT THE ACTUAL RETAIL IS BROUGHT INTO THE DISTRICT HAD TO BE THOSE THAT CAME OUT OF THE COMMUNITIES THAT WERE CONSISTENT WITH THE AFFORDABLE HOUSING OBJECTIVES. SO WE INSERTED

OURSELVES DIRECTLY INTO THE CONTROL LEVEL OF THE ACTUAL RETAILING OF THE DISTRICT ITSELF. WE WROTE A SERIES OF AGREEMENTS BETWEEN THE DEVELOPER AND THE GOVERNMENT THAT REQUIRES THEM TO FILE A SPECIFIC RETAILING PLAN, INCLUDING A LOCAL RETAILING PLAN THAT ENSURES PARTICIPATION OF LOCAL RETAILERS AT DIVERSE PRICE POINTS. SO THERE ARE A SET OF TOOLS THAT -- THAT WE HAVE USED ELSEWHERE, THAT ARE AVAILABLE TO YOU, AND IF THIS IS A POLICY THAT EMERGES, YOU KNOW, OUT OF THE CIVIC PROCESS, AFFIRMED BY YOUR LEADERSHIP, YOU HAVE THE SAME ABILITY TO MANAGE AND GUIDE RETAIL AS YOU DO HOUSING AND COMMERCIAL. TO BE HONEST, COUNCILMEMBER, IT'S DONE LESS FREQUENTLY. IT'S -- IT'S NOT VERY COMMON IN THE UNITED STATES. BUT THAT JUST TO ME IS A FAILURE OF IMAGINATION AND POLITICAL WILL. THE TOOLS ARE REALLY NO DIFFERENT FROM THE TOOLS THAT YOU WOULD USE IN A HOUSING SYSTEM OR A COMMERCIAL OFFICE. WE HAVE DONE THAT BECAUSE WE CARE ABOUT THAT AND OUR CLIENTS DO AND IF THAT'S A GOAL THAT COMES OUT OF THIS PROCESS, WE HOPE TO DO IT WITH YOU.

DO YOU ALL REMEMBER THE QUESTIONS.

I DON'T KNOW WHICH OF THE QUESTIONS THAT YOU WANT ME TO ADDRESS. YOU ASKED ABOUT PROJECTING WHAT THE NEED WOULD BE OVER A 20 YEAR PERIOD OR SOMETHING. THE DIFFICULTY IS THAT IT IS SUCH A PROJECTION, THAT CAN BE DONE. ONE OF THE REAL QUESTIONS THAT EVERYBODY HAS TO DEAL WITH, PUBLIC POLICY MAKERS IN THE COMMUNITY, IS HOW DEEP IS THE LEVEL OF AFFORDABILITY THAT YOU ARE ATTEMPTING TO ACHIEVE. WE ARE TALKING ABOUT HOUSING THAT'S 120, 110% OF AREA MEDIAN INCOME IS ONE THING. IT'S VERY EXPENSIVE TO PRODUCE AFFORDABLE HOUSING, DEEPER THE SUBSIDY, 50% OF AREA MEDIAN INCOME THAT'S EXTREMELY EXPENSIVE, IT'S IMPORTANT FOR THE PUBLIC SECTOR TO THINK ABOUT ESTABLISHING A SERIES OF FINANCING MECHANISMS THAT -- THAT WILL HELP -- WILL HELP THIS TYPE OF HOUSING BE DELIVERED BECAUSE -- BECAUSE IT CAN'T BE ALL ON THE BACKS OF THE PRIVATE SECTOR DEVELOPERS. BECAUSE AGAIN WE ARE COMPARING THE COST TO BUILD THE HOUSING WITH THE

ECONOMIC VALUE OF THE HOUSING AND THE LOWER -- THE LOWER THE AFFORDABLE RANGE, THE MORE EXPENSIVE THAT IS AND THE LESS INCOME THAT YOU HAVE. WE FOUND IN IMPLEMENTING AFFORDABLE HOUSING IS NOT REALLY ONE SOURCE OF SUBSIDY THAT'S NEEDED. IT'S REALLY MULTIPLE. MOST OF THESE PROJECTS THAT HAVE A RANGE OF AFFORDABILITY, A CERTAIN PERCENTAGE BEING 50%, 80%, 100% ARE GOING TO REQUIRE TAX CREDITS AS A POSSIBILITY, TAX INCREMENT FINANCING SET ASIDE AND MAYBE OUT RIGHT GRANTS FROM THE PUBLIC SECTOR TO BE ABLE TO GET THAT HOUSING..... THAT HOUSING BUILT. THAT'S THE WAY THESE PROJECTS, YOU HAVE TO LOOK AT THE PROJECT, EACH PROJECT INDIVIDUALLY. SO THE PROJECTIONS HELP TO YOU LOOK AT WHAT'S GOING TO HAPPEN, BUT EACH OF THE PROJECTS HAVE TO BE DEALT WITH [INDISCERNIBLE]

MY NAME IS [INDISCERNIBLE] DAVIS HAYNES, I'M A MEMBER OF THE EDAW TEAM. I WOULD LIKE TO ADDRESS ON THE ISSUE OF AFFORDABLE HOUSING. I THINK WE HAVE TO BE REALISTIC IN AUSTIN. BUILDING AFFORDABLE HOUSING DOWNTOWN WILL BE, IS NOW AND WILL BE INCREDIBLY CHALLENGING. I KNOW THAT YOU ALL KNOW THAT. EVERYBODY IN THIS AUDIENCE KNOWS THAT. UNFORTUNATELY, TEXAS DOES NOT HAVE SOME OF THE TOOLS THAT IT MADE BUILDING AFFORDABLE HOUSING DOWNTOWN POSSIBLE. IT IS ILLEGAL IN TEXAS TO DO MANDATORY INCLUSIONARY ZONING. MANY OF THE EXAMPLES CITED TODAY STATES HAVE THAT IN PLACE. WHICH -- WHICH MAKE IT A REQUIREMENT TO INCLUDE AFFORDABLE HOUSING IN MANY PLACES WHERE YOU WOULDN'T SEE IT OTHERWISE. WE DON'T HAVE THAT. NOW, IS IT LIKELY THAT THAT WILL CHANGE ANY TIME SOON? I DON'T HAVE A CRYSTAL BALL, SO I CAN'T PREDICT THAT. BUT THAT DOES REQUIRE STATE LEGISLATIVE ACTION. SO WHAT TOOLS DO WE HAVE HERE IN TERMS OF PREDICTING WHERE WE WILL GO IN THE FUTURE, WHAT WE CAN PLAN FOR? WE HAVE TO LOOK AT THE TOOLS THAT WE HAVE NOW, SERVING -- CERTAINLY THERE CAN BE SOME OTHER MODIFICATIONS THERE, BUT -- BUT AUSTIN DOES HAVE THE SMART HOUSING PROGRAM, WHICH BASICALLY IS A FEE WAIVER PROGRAM. I DON'T KNOW THAT THAT'S ENOUGH. I DO THINK THAT IT

REQUIRES MULTIPLE APPROACHES. FAST TRACK DEVELOPMENT, DENSITY BONUSES, MANY THINGS IN COMBINATIONS, BUT -- IN COMBINATION, BUT WILL WE GET TO MAJOR PERCENTAGES OF DOWNTOWN, I THINK REALISTICALLY WE JUST HAVE TO LOOK AT WHAT TOOLS ARE AVAILABLE AND WHAT'S POSSIBLE. I HAD THE -- THE GOOD FORTUNE OF BEING ON ONE OF THE COUNCIL'S FIRST DOWNTOWN HOUSING TASK FORCE AND IN FACT WHEN I FIRST MET THE CITY MANAGER. AND LUCKILY IN THAT -- REMEMBER THAT, TOBY. IN THOSE EXAMPLE, IN THE AMLI PROJECT, BELIEF IT OR NOT. JUST BECAUSE OF THE CITY'S INVOLVEMENT THOSE DEVELOPERS VOLUNTARILY, OF COURSE WITH ENCOURAGEMENT FROM THE CITY, SET ASIDE FIVE PERCENT OF THOSE UNITS AT THE RECOMMENDATION OF OUR TASK FORCE. TO BE AFFORDABLE. THEY DID THAT. AGAIN THERE WAS PUBLIC PRIVATE PARTNERSHIP THAT GOES ON THERE. PUBLICLY OWNED LAND IS ANOTHER CRUCIAL DEVELOPMENT OF IT. PREDICTABILITY WHAT CAN WE SAY A PERCENTAGE, THAT'S VERY DIFFICULT TO DO. THE MAIN THING IS THAT IT'S DESIRED GOAL AND OBJECTIVES, LET'S LOOK AT THE INCENTIVES, THE THAT -- THE TOOLS THAT WE HAVE IN PLACE NOW. BE REALISTIC ABOUT WHAT CAN BE ACHIEVED DOWNTOWN. NOT GOODBYE TO BE THE SAME -- GOING TO BE THE SAME ACHIEVEMENT AS PLAILTIONS WITH INCLUSIONARY ZONING.

LET ME ADD ONE MORE THOUGHT ON THE WHOLE QUESTION GOING BACK TO YOUR QUESTION ON THE SPECIFIC MODEL. VERY HARD FOR THE CITIES TO DEVELOP AN IDEAL MODEL BECAUSE IT CHANGES FROM CITY TO CITY, STATE TO STATE AS SHE IDENTIFIED. HOUSING AND URBAN DEVELOPMENT HAS BEGUN TO LOOK AT THAT ACROSS THE COUNTRY. THERE'S BEEN SEVERAL STUDIES THAT HAVE LOOKED AT WAYS TO DEVELOP A FINANCIAL MODEL. WE ARE VERY FORTUNATE THAT HENRY CISNEROS IS PARTS OF OUR TEAM. I THINK HE'S THE MOST BRILLIANT MIND IN TRYING TO FIGURE OUT HOW DO CITIES WITH THEIR VARIOUS CHARACTERISTICS FIGURE OUT THAT DYNAMIC CHALLENGE OF MAKING SURE THAT YOU PROVIDE THE WORKFORCE HOUSING, IN AND AROUND THE CITY, THE DOWNTOWN CORE, THE CENTRAL CORE, BUT ALSO FOCUS ON THE QUALITY, SUSTAINABILITY. IT'S NOT JUST ABOUT GETTING

AFFORDABLE WORKFORCE HOUSING, IT'S SUSTAINABLE HOUSING THAT ADDS VALUE TO THE ENTIRE COMMUNITY. I THINK THAT WE HAVE A VERY BRILLIANT TEAM OF EXPERTS AT ALL LEVELS THAT CAN COME TOGETHER AND DO THE BRAINSTORMING AND COME UP WITH THE MODEL THAT FITS THIS -- THIS SPECIFIC COMMUNITIES. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

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WHEN OUR TEAM MET WITH THE COMMUNITY SEVERAL MONTHS AGO IN PREPARATION FOR PRESENTING A PROPOSAL TODAY, THIS WAS AN ELEMENT THAT STOOD OUT. THERE WERE MEMBERS OF THE COMMUNITY THAT SAID THIS IS CRITICALVE ALTHOUGH THE AREA OUTSIDE THAT TIPPED THE BOUNDARY THAT THE BEEN SET, ESSENTIALLY OUTSIDE THAT BOUNDARY, IT WOULD BE TRAGIC UNACCEPTABLE IF ANY DOWNTOWN PLANNING DOES NOT CONSIDER WHAT'S HAPPENING RIGHT ACROSS I 35 ON EAST 12TH AND 11TH STREETS. THE CONNECTIVITY ISSUE TO NOT ONLY THE EAST AUSTIN NEIGHBORHOOD BUT SURROUNDING NEIGHBORHOODS IS CRITICAL. IT WAS A THEME MENTIONED OVER AND OVER AGAIN AS WE SPOKE TO MEMBERS OF THE COMMUNITY ABOUT THIS. IT WILL BE A VIABLE PART OF THE PLANNING .

THANK YOU. I WANT TO REEMPHASIZE THAT I UNDERSTAND CONNECTIVITY TO DOWNTOWN ALL OF AUSTIN IS IMPORTANT BUT FROM A HISTORICAL PERSPECTIVE WE HAVE HAD A PARTICULAR DIFFICULTY WITH EAST AUSTIN AND I'D LIKE TO ASK MR. CATE CATERA TO COME TO THE POATED YUM. HE VISITED MY OFFERS--PODIUM A FEW DAYS AGO AND SHOWED ME SOME PICTURES THAT I HAD NOT SEEN BEFORE, BEFORE I 35 WAS BUILT. WOULD YOU

COMMENT ON THAT?

I WOULD BE DELIGHTED TO. I'M WITH CATERO REID ARCHITECTS AND WE ARE THE ED EDOT TEAM. WHEN THE DOWN TRIES FOR THIS STUDY WERE SET BY THE CITY, IT WAS BASICALLY A REACTION TO HAVING TO SET SOME BOUNDARIES. NOBODY BELIEVES YOU CAN PLAN SOMETHING UP TO AN EDGE AND THEN STOP. BECAUSE THERE IS AN EFFECT ON WHAT'S ON THE OTHER SIDE OF THAT EDGE. SO THAT HAS TO BE TAKEN INTO CONSIDERATION. WHEN THE DESIGN COMMISSION, WHEN I WAS CHAIRING THE DESIGN COMMISSION THROUGH THE WRITING OF THE DESIGN GUIDELINES, WE DID OUTLINE BASICALLY THAT AREA THAT IS IN THIS STUDY BUT WE INCLUD INCLUDED CORRIDORS WHICH INCLUDED A CORRIDOR THAT WENT BEYOND THE EAST BOUNDARY OF I 35 THAT WAS I 35, A CORRIDOR FOR LAMAR, SOUTH CONGRESS, EAST 6TH AND 7TH STREET CORRIDORS AND WEST 6TH AND 7TH STREET. THAT'S A VERY IMPORTANT ISSUE. I THINK NOBODY ADDRESSED IT IN THE RESPONSE BECAUSE THE CITY HAD PRETTY MUCH SET THE BOUNDARIES. SO WE COULD NOT JUST ARBITRARILY SAY WE'RE GOING TO GO BEYOND THOSE. IT'S A CRITICAL ISSUE. WHEN YOU CONSIDER PLANNING UP TO AN EDGE, YOU HAVE TO CONSIDER WHAT HAPPENS ON THE OTHER SIDE. AND I THINK WE DEFINITELY WOULD BE LOOKING AT THAT. THANK YOU.

I APPRECIATE YOUR COMMENTS. THANK YOU.

I'M READY TO MAKE A MOTION.

ADDITIONAL QUESTIONS, COMMENTS. OF STAFF OR OUR TEAMS.

MAYOR, I WILL MOVE TO APPROVE THE STAFF RECOMMENDATION OF ITEM 17 FOR ROMA DISOIN GROUP.

MOTION AND SECOND ON ITEM NUMBER 17 TO APPROVE STAFF RECOMMENDATION FOR THE AUTHORIZATION AND NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH ROMA DESIGN GROUP.

COUNCIL MEMBER MCCracken: IT WAS A GREAT LEARNING OPPORTUNITY, AND THIS HAS AN OPPORTUNITY TO BECOME THE EDMOND WALLER PLAN TWO. I JOINED MAYOR WYNN IN SPONSORING THIS PLAN AND CODE BECAUSE WE SAW DOWNTOWN WAS IN A TIME OF TRANSITION AND REALLY FUNDAMENTAL AND UNCE PRECEDENTED OPPORTUNITY TO SHAPE THE FUTURE OF THE DOWNTOWN TO REFLECT THE VALUES OF OUR COMMUNITY AND WHAT WE WANT THE COMMUNITY TO BECOME. I THINK IN PARTICULAR, I THINK I'D LIKE TO MAKE SURE THAT WE FOCUS ON ARE SOME THINGS THAT YOU ALL MENTIONED THAT RANG TRUE WITH ME, AND THAT WAS THE COMBINATION TO MAKE SURE DOWN TOWN IS A PLACE THAT EVERYBODY HAS AN OPPORTUNITY TO LIVE IN. I THINK YOU NAILED IT WHEN YOU SAID THAT DOWNTOWN REALLY IS ALL OF OUR NEIGHBORHOOD AND THAT MEANS WE ALL HAVE TO HAVE AN OPPORTUNITY TO LIVE HERE. AND ALSO WHAT COUNCIL MEMBER MARTINEZ POINTED OUT AND YOU MENTIONED ABOUT THE WASHINGTON, D.C. EXAMPLE. WE HAVE TO MAKE SURE THAT AS WE MAKE IT A PLACE WHERE EVERYBODY CAN LIVE AND WORK WE MAKE SURE THERE'S A PLACE WHERE THERE'S AN OPPORTUNITY FOR ALL RANGE OF BUSINESSES TO LOCATE. WE HAVE SPECIFICALLY SOME ISSUES AT THE MOMENT ABOUT HOW IS IT GOING TO BE POSSIBLE FOR SMALL LOCAL BUSINESSES TO HAVE A PLACE IN DOWNTOWN AUSTIN SINCE IT'S REALLY ONE OF THE FUNDAMENTAL THINGS THAT MAKES DOWNTOWN AUSTIN HAVE ITS CHARACTER AND ATTRACTION AND A PLACE WE ALL WANT TO BE. I DO SEE SOME TOOLS I THINK THAT BOTH TEAMS DID A GREAT JOB OF IDENTIFYING, WHICH IS THE OPPORTUNITY OF OUR DENSITY BONUSES, PRIMARILY TO THE FAR WAIVERS, I WOULD SAY WHEN WE TALK ABOUT WAIVE OF--WAIVING, GIVING MORE FAR THAT IS A GIFT FROM A PUBLIC SECTOR TO A PRIVATE OWNER OF IMMENSE AMOUNTS OF REAL ESTATE VALUE. I THINK IT IS VERY FAIR TO EXPECT THAT WHEN THERE IS A PUBLIC GIFT OF, IF AR OF WEALTH, OPPORTUNITY, THERE IS A PRIVATE RESPONSIBILITY TO GIVE BACK TO THE PUBLIC. I THINK THE GREAT OPPORTUNITY ARE THERE NOT JUST FOR PUBLIC SPACES BUT ALSO AFFORDABLE HOUSING AND SMALL LOCAL BUSINESSES DOWNTOWN SO IF PEOPLE WANT TO HAVE A GIFT, THEY NEED TO GIVE SOMETHING BACK. I THINK YOU

ALSO IDENTIFIED THE PRIME OPPORTUNITY ON HOUSING AND THAT IS THE 450 ACRES WHICH I THINK STUNNED EVEN US. WE JOKE THAT CENTRAL AUSTIN HAS MORE GOVERNMENT OWNED LAND THAN DOWNTOWN HAVANA. THAT CREATES AN AMAZING OPPORTUNITY. YOU TAKE OUT THE COST BASIS ON THE LAND THAT TRANS FORMS THE OPPORTUNITIES TO BRING HOUSING TO ALL PRICE RANGES. THE OTHER THING I'D LIKE TO MAKE SURE THAT WE ARE LOOKING AT AS WE MOVE INTO THIS, WHICH I'M VERY EXCITED ABOUT YOUR EXPERTISE IN RAIL ALIGN THE. I'D LIKE THE MAKE SURE THAT THAT--ALIGN AM. I'D LIKE TO BE SURE WE IDENTIFY, ONE ISSUE, DEDICATED VERSUS NON NONDEDICATED. I KNOW DALLAS AND HOUSTON HAVE GONE DEDICATED . PORTLAND HAS GONE WITH A MIXTURE OF SOME DEDICATED AND SOME NONDEDICATED . THAT'S ONE OF THE ISSUES WE NEED TO LOOK A ALSO, I THINK AS YOU ALL IDENTIFIED, WE WILL NEED A ROAD MAP TO GO TO THE LEGISLATURE ON THE CAPITAL VIEW CORRIDOR BECAUSE WE HAVE ALREADY HEARD IN LAST MEETING THAT SOME CAPITAL VIEW CORRIDORS ARE FUNCTIONALLY NOT EVEN IN EXISTENCE ANYMORE. IN OTHER WORDS, NO VIEW OF THE CAPITAL PROTECTED ANYMORE, BUT THERE'S THIS HUGE DEVELOPMENT CONSTRAINT. YOU HAVE A CHANCE TO REPLACE A TWO STORY GOVERNMENT OWNED PARKING GARAGE WITH A DEVELOPMENT THAT HAS HOUSING IN ALL PRICE RANGES AND MAKES A POSITIVE CONTRIBUTION TO DOWNTOWN. THAT MADE BE A TRADE-OFF THE COMMUNITY IS WILLING TO EMBRACE IN THE RIGHT LOCATIONS. THAT'S SOMETHING WE WILL BE LOOKING AT. FINALLY, IT WOULD BE HELPFUL FOR US IF YOU ALL COULD DEVELOP PUBLIC SPACE IN THE SAME WAY THAT WE HAVE GREAT TREAT STANDARDS, A MAJOR FILING I BELIEVE IN DOWNTOWN ASIDE FROM THE GREAT STEETS, WHICH IS A TREMENDOUS SUCS, WE DON'T REALLY HAVE A SUCCESSFUL PLAZA IN DOWNTOWN AUSTIN. IF YOU READ THE LITERATURE IN THE PROJECT FOR PUBLIC SPACES, EVERY PLAZA VIOLATES THE RULES FOR GREAT PUBLIC SPACES. I THINK IT WOULD BE HELPFUL DUE TO OUR LOCAL FAMILIARITY OF HOW TO GREAT SPACES OTHER THAN THE GREAT STREET SIDE WAKE, IF WE COULD HAVE SOME STANDARDS ON THAT, THAT WOULD BE AN ENORMOUS HELP. BLESS YOU, HAVE YOU A LOFT WORK. WE'RE EXCITED. AND IN 150 YEARS THEY

WILL BE TALKING ABOUT THE WALLER PLAN PART TWO WHICH I THINK WILL BECOME THE ROMA PLAN. THANKS.

THANK YOU, COUNCIL MEMBER MARTINEZ.

COUNCIL MEMBER MARTINEZ: I HAVE SOME QUESTIONS, I GUESS, ABOUT THE PROCESS. I FELT LIKE WE WERE GIVEN A 15-MINUTE PRESENTATION FROM EACH TEAM AND NOW WE'RE BEING ASKED TO MAKE A \$6 \$600,000 DECISION OVER A PLAN THAT IS EXTREMELY VITAL TO THE ENTIRE COMMUNITY AND NOT JUST DOWNTOWN. I'M JUST TRYING TO UNDERSTAND, IF THIS TRULY WAS ABILITY FOR US AS COUNCIL TO VIEW BOTH [TAO-ELS] AND MAKE A DECISION BASED ON THE PRESENTATION, IT THAT WE'RE MOVING FORWARD WITH WHAT STAFF IS RECOMMENDING WITHOUT GIVING COUNCIL TIME TO LOOK AT SOME OF THE VALUES THAT WE SAW IN THE PRESENTATION.

. AND THE RESPONSES TO THEIR QUESTIONS.

WELL, OBVIOUSLY, FROM OUR PERSPECTIVE THE COUNCIL ALWAYS HAVE THE PREROGATIVE TO TAKE ADDITIONAL TIME TO ASK ADDITIONAL QUESTIONS, TO BRING IT BACK IN ADDITIONAL TIME FOR MORE INFORMATION. IF THERE'S ANYTHING WE CAN DO TO ASSIST WITH ADDITIONAL INFORMATION, WE JUST NEED TO KNOW WHAT THAT IS FROM YOU ALL.

ONE OF THE QUESTIONS THAT WAS ASKED EARLIER, AND I'M NOT SURE IF IT IS LEGAL ADVICE, SO IF IT IS, I'M SURE JENNY WILL LET ME KNOW, WAS ABOUT THE PROCESS. AND WHY WE POSTED THE MATRIX THE SCORING OF THIS PLOS AND MADE IT PUBLICLY KNOWN BEFORE TODAY WHEN WE INVITED THESE TEAMS, WHO HAVE SPEND COUNTLESS HOURS AND LOTS OF MONEY PUTTING THESE PROPOSALS TOGETHER.

LAURA, YOU CAN TAKE A SHOT AND I'LL FOLLOW UP WITH ANYTHING AFTER YOURS.

OKAY. THE PROCESS THAT WE'RE USING TODAY IS, IT'S A LIKE SOME PROCESSES WE HAVE USED BEFORE BUT DIFFERENT FROM OTHER RFQ PROCESSES WHERE THERE

ARE NO FINALIST PRESENTATIONS. IT IS TYPICAL FOR STAFF IN A RFQ PROCESS WHERE WE ARE PROCURING PROFESSIONAL SERVICES, FOR US TO INCLUDE THE MATRIX IN THE COUNCIL'S BACKUP SO THAT YOU CAN SEE THE FIRST, SECOND AND THIRD SCORES IN THAT PROCESS. SO THE FACT THAT THE MATRIX IS IN THE BACKUP IS TYPICAL FOR PROCUREMENT FOR A CONSULTANT, FOR THIS KIND OF PLAN. FOR EXAMPLE, WHEN YOU ALL APPROVED THE CONSULTANTS FOR THE TOD, WE INCLUDED A MATRIX IN THE BACKUP FOR THAT. WE DON'T ALWAYS HAVE CONSULTANTS COME AND MAKE PRESENTATIONS. WE HAVE DONE IT IN THE LAST COUPLE YEARS, WE DID IT IN THE PROCESS INVOLVING C HOME AND ALSO IN THE PROCESS FOR THE SALE OF BLOCK 21. PARTLY IN THOSE PROCESSES THEY WERE A LITTLE DIFFERENT FROM THIS BECAUSE YOU WEREN'T SEEING A CONSULTANT TO DEVELOP A PLAN, AN IMPLEMENTABLE PLAN. WHAT YOU WERE DOING THERE, IN ONE CASE YOU WERE SELLING LAND. PART OF THE SALE OF THAT TRANSACTION INCLUDED THE INCORPORATION OF THE CHILDREN'S MUSEUM INTO THAT. WE WERE AT THAT TIME, WE DID NOT POST FINALISTS WHEN THEY--FINALISTS WHEN THEY MADE THE PRESENTATIONS. THOSE INCLUDED SOME PROPRIETARY INFORMATION WE WERE NOT AT LIBERTY TO DISCLOSE PARTLY BECAUSE YOU WERE CHOOSING A DEVELOPER. WE SOUGHT INFORMATION ABOUT THEIR FINANCIAL BACKING THAT WAS PROPRIETARY. AND THAT WAS A KEY DIFFERENCE BETWEEN THAT AND THIS PROCESS.

THE ONLY THING I MIGHT ADD TO THAT, THE LAST TWO TIMES YOU HAVE SEEN THIS PROCESS WHERE YOU HAVE HAD INTERVIEWS, IT HAS INVOLVED, AS LAURA SAID, TWO TRACTS OF LAND THAT THE CITY OWNED AND WE WERE BLENDING A REAL ESTATE TRANSACTION ALONG WITH THE COLLECTION OF A DEVELOPER--SELECTION OF A DEVELOPER, A LITTLE DIFFERENT, SIGNIFICANTLY DIFFERENT, THAN THE SERVICES THAT YOU ARE LOOKING AT PROCURING TODAY. IF YOU WILL EVEN REMEMBER THAT THE DIFFERENCE IN THE TIME FRAME BETWEEN WHEN YOU GOT YOUR, WHEN YOU HEARD YOUR INTERVIEW OR--HEARD YOUR PRESENTATIONS FROM THE PROPOSERS, THERE WERE TWO, THREE MONTHS OF TIME THAT ELAPSED

BEFORE YOU ACTUALLY MADE THE DECISION BECAUSE YOU WERE ALSO RESOLVING A REAL ESTATE ISSUE AS PART OF THAT PROPOSAL.

I THINK IF WE'RE GOING TO BRING SOMETHING BEFORE COUNCIL AND ASK US TO SIT HERE AND LOOK AT THAT, WE NEED THE TIME TO DO THAT AND MAKE THE APPROPRIATE DECISION. BASED ON THE MOWING PENDING I'LL BE ABSTAINING MOTOR BECAUSE I DON'T SUPPORT STAFF OR THEIR RECOMMENDATION, BUT BECAUSE I CERTAINLY WOULD LIKE TO HAVE A LITTLE MORE TIME TO EVALUATE WHAT'S BEEN PRESENTED HERE.

MAYOR WILL WYNN: UNDERSTOOD AM COUNCIL, WE HAD A COUPLE OF FOLKS SIGN UP WHO WISH TO ADDRESS US. I DON'T SEE THEM IN THE ROOM ROOM. I RECEIVED E-MAIL EARLIER. SID AND SINCLAIR HAD SIGNED UP. THEY ARE WELCOME TO ADDRESS US BUT I DON'T SEE THEM.

MAYOR, I HAVE A QUESTION. I AM NOT SURE IF THIS IS LAURA OR OTHER CITY MANAGER. COULD I GET A BRIEF EXPLANATION . RULES PROHIBITING FIRMS COMING BEFORE THE COUNCIL FROM CONTACTING COUNCIL BECAUSE THAT MIGHT HELP IN WHY WE ACTUALLY DON'T HEAR FROM THE INDIVIDUALS BEFORE THE ITEM IS ACTUALLY PRESENTED.

WHAT YOU ARE REFERRING TO COUNCIL MEMBER, AND I'LL LET BOTH LAW DEPARTMENT AND LAURA ADD, YOU ARE REFERRING TO THE ANTILOBBY CLAUSES PART OF THE PROCUREMENT PROCESS. JENNY, IF YOU WOULD DESCRIBE THE PROCESS FOR THOSE.

THEY ARE RIRL--REQUIRED TO FILL OUT AN ANTILOBBING OF OF LOBBYING AFFIDAVIT. AND THAT IS TO ENSURE THAT THE PROCESS A LEVEL PLAYING FIELD AND IT'S NOT WHO YOU KNOW, IT'S THE QUALITY OF YOUR PRESENTATION THAT DETERMINE HOW YOUR PROPOSAL IS CONSIDERED.

JUST TO CLARIFY ON THAT, THE FIRST OPPORTUNITY THAT

ANY OF PROPOSERS WOULD HAVE TO INTERFACE WITH THE COUNCIL WOULD BE TODAY. PRIOR TO TODAY IT COULD BE THE BASIS FOR DISKWAN IF I CASE.

THAT'S CORRECT.

--DISQUALIFICATION.

I UNDERSTAND THAT. THAT KIND OF ANSWERS FOR ME A LOT OF THE REASONS WHY BEFORE THE PROJECTS COME TO COUNCIL, WE DON'T KNOW A LOT ABOUT THEM UNTIL THE PRESENTATION BECAUSE THE RECIPIENTS HAVE FOLLOWED THAT RULE.

THAT'S TRUE.

MAYOR WILL WYNN: COMMENTS, QUESTIONS? WE A MOTION AND SECOND ON THE TABLE ON ITEM NUMBER 17. FURTHER COMMENTS? HEARING NONE, THOSE IN IN FAVOR, PLEASE SAY AYE. OPPOSED? ABSTAINING. MOTION PASSES 6-0 WITH COUNCIL MEMBER MARTINEZ NOT VOTING. THANK YOU ALL VERY MUCH DnTCH. COUNCIL, THAT TAKES US TO OUR FOUR O'CLOCK ZONING, APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS. WE'LL GIVE THIS GROUP A MOMENT TO CLEAR AUTO AND WELCOME MR. RAY GUERNSEY.

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HAVING SOME TECHNICAL DIFFICULTIESTECHNICAL DIFFICULTIES--

COUNCIL, WE'LL NOW WELCOME MR. RAY GUERNSEY.

MAYOR AND COUNCIL, HELLO, I'D LIKE TO GO THROUGH OUR

FOUR O'CLOCK JOINING ORDINANCE AND RESTRICTIVE COVENANT ITEMS. THESE TWO ITEMS ARE WHERE THE HEARINGS ARE CLOSED. ITEM NUMBER 43 IS CASE C 14- 14- 05-151, THE FLEX 15 PROPERTY AT 8420 LONGVIEW ROAD. THIS IS APPROVAL FOR SECOND READING ONLY. IT'S REZONING REQUEST FROM RURAL RESIDENCE, RR DISTRICT ZONING TO COUNSEL HOUSE, CONDOMINIUM, OR S 6 DISTRICT ZONING. COUNCIL ON MARCH 23, 2006, APPROVED SF 4 A WHICH STANDS FOR SINGLE FAMILY RESIDENT SMALL LOT CONDITIONAL OVERLAP COMBINING DISTRICT ZONING. THE PETITION HAS BEEN WITHDRAWN, I SHOULD SAY IS NOW INVALIDATED. SO THIS WOULD ONLY REQUIRE A SIMPLE MAJORITY FOR SECOND AND THIRD READING. THE NEIGHBORHOOD HAS BROUGHT FORTH, WHICH YOU SHOULD HAVE A LETTER, I UNDERSTAND, THAT BASICALLY IS NOW IN AGREEMENT WITH THE PROPERTY OWNERS AND WOULD LIMIT THE PROPERTY TO A MAXIMUM OF 130 UNITS.

MAYOR PRO TEM BETTY DUNKERLEY: MAYOR.

MAYOR WILL WYNN: MAYOR PROTEM.

IF WE CHANGE THE ZONING REQUEST TO THE FS 6 WITH THE 130 UNIT, CAN IT STAY ON CONSENT.

YES, FOR SECOND READING ONLY.

MAYOR PRO TEM BETTY DUNKERLEY: OKAYWE CAN HAVE A CONDITIONAL OVERLAY THAT WOULD LIMIT THE NUMBER OF UNITS TO 130 UNITS AND THEN THEY COULD FINALIZE WHATEVER NEGOTIATIONS THEY HAVE WITH THE NEIGHBORHOOD AND GET THAT INFORMATION TO US AND WE COULD PROVIDE THAT TO YOU AT THIRD READING.

MAYOR PRO TEM BETTY DUNKERLEY: THANK YOU. I'D LIKE TO DO THAT.

NEXT ITEM I'D OFFER IS ITEM 44, CASE C 14-06-0154 FOR THE PROPERTY KNOWN AS THE MAIN, LOCATED AT 1000-70 1000-701 NORTH PACK EXPRESS WAY, THIS IS FOR MIPDA COMBINED DISTRICT ZONING TO MAJOR INDUSTRIAL PLANNED DEVELOPMENT. THIS IS A CHANGE IN CONDITION OF ZONING THAT AFFECTED SIGNS. THIS IS READY FOR

CONSENT APPROVAL ON SECOND AND THIRD READINGS.
WITH THAT, THAT CONCLUDES THE ITEMS I COULD OFFER
FOR CONSENT.

OUR PROPOSED CONSENT AGENDA ON THE CASES WHERE
WE CLOSED THE PUBLIC HEARING WOULD BE TO ON ITEM 43,
APPROVE ON SECOND READING ONLY AND ON ITEM 44,
APPROVE ON SECOND AND THIRD READING.

MAYOR PRO TEM BETTY DUNKERLEY: MOVE FOR APPROVAL.

MAYOR WILL WYNN: MOWING MADE AND SECONDED TO
APPROVE THE CONSENT AGENDA AND READ. FURTHER
COMMENTS. HEARING NONE, ALL THOSE IN FAVOR PLEASE
SAY AYE. OPPOSED IN MOTION PASSES VOTE OF 6-0 WITH
COUNCIL MEMBER MARTINEZ AWAY.

LET ME CONTINUE ON, ZONING OR PLANNED AMENDMENT
ITEMS WHERE PUBLIC HEARINGS ARE OPEN AND POSSIBLE
ACTION CAN OCCUR. ITEM NUMBER 45, C 14-06-0155
GUSTAFSON ZONING CHANGE AT 3 3329 HACKA MORE DRIVE,
ZONING REQUEST FROM INTERIM RULE RESIDENCE, IRR
DISTRICT ZONING, TO FAMILY RESIDENCE, OR SF 3 DISTRICT
ZONING. THE ZONING AND PLANNING COMMISSION
RECOMMENDATION IS TO GRANT THE SINGLE FAMILY
RESIDENCE STANDARD LOD CONDITIONAL OVERLAY OR SF
2- 2-CO, COMBINING DISTRICT ZONING. THIS IS READY ON
ALL THREE READINGS NUMBER 46 IS C 14- 14-06-0167, THE
PROPERTY HOE INDICATED AT 13205 U.S. HIGHWAY 183
NORTH, THIS IS A REZONING REQUEST FROM COMMUNITY
COMMERCIAL OR GR- GR-C. CO COP COMBINING DISTRICT
ZONING TO COMMERCIAL LIQUOR SALES, OR CS 1 DISTRICT
ZONING. AND THE ZONING AND PLANNING COMMISSION
RECOMMENDATION WAS TO GRANT THE COMMERCIAL
LIQUOR SALES CONDITIONAL OVERLAY OR CS 1 CO, ZONING
ON ALL THREE READINGS. ITEM NUMBER 4, CASE C 14-06- 14-
06-0179, THIS WOULD AMEND THE PLAT OF LOTS 88 AN AND
89 AN OF WESTMINSTER GLEN AT THE PROPERTY LOCATED
AT THE 914 WEST MENSTER GLEN AVENUE, REZONING
REQUEST FROM DEVELOPMENT RESERVE OR DR TO RR
DISTRICT ZONING. THE ZONING AND PLANNING COMMISSION
THIS PAST TUESDAY VOTED TO GRANT THE RURAL
RESIDENCE OR R DISTRICT ZONING AND THIS IS READY FOR

CONSENT APPROVAL ON ALL THREE READINGS. NUMBER 48, C 14-06-0120, MARTIN 1 AND 2, WE HAVE A POSTPONEMENT REQUEST BY THE APPLICANT, THEIR FIRST REQUEST, TO OCTOBER 19. ITEM 49, CASE C 14-06-0128, AUSTEX REEVES PROPERTY, THIS IS A DISCUSSION ITEM. ITEM NUMBER 50, C 14-06-0134 LAKE LINE AUSTIN DEVELOPMENT LIMITED PROPERTY LOCATED AT NORTH FM 620 ROAD IN RIDGE LINE BOULEVARD, WE HAVE APPLICANT'S REQUEST, THEIR FIRST, FOR POSTPONEMENT TO OCTOBER 19. THE APPLICANT MET WITH THE NEIGHBORHOOD LAST NIGHT AND IS CONTINUING TO NEGOTIATION WITH THEM. ITEM NUMBER 51, CASE C 14 H-H-05-0017, THE BAUGH COL BY HOUSE, THIS IS A DISCUSSION ITEM AS WELL. THAT CONCLUDES THE CONSENT ITEMS I CAN OFFER AT THIS TIME.

THANK YOU. COUNCIL, OUR ROW POSED CONSENT AGENDA ON THESE PUBLIC HEARINGS WILL BE TO CLOSE THE PUBLIC HEARINGS AND APPROVE ON ALL THREE READINGS CASES 45, 46 AND 47 47. WAITING FOR ANOTHER COUNCIL MEMBER TO SHOW UP. AND TO POSTPONE ITEM NUMBER 48 TO OCTOBER 19, 2006, AND TO POSTPONE ITEM NUMBER 50 TO OCTOBER 19, TO POSTPONE, SORRY, ITEM NUMBER 50 TO OCTOBER 19, 2006. I'LL ENTERTAIN A MOTION. MOTION MADE MOI AND SECONDED TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 5 5-0 WITH COUNCIL MEMBERS MC MCCrackEN AND MARTINEZ AWAY. THANK YOU.

LET ME THEN CONTINUE BACK TO OUR DISCUSSION ITEM. I'LL BEGIN WITH ITEM NUMBER 49. THIS IS CASE C 14-06-0128, THE AUSTEX REEVES PROPS LOCATED AT 403 EASE BREAKER LANE. THIS IS A REZONING REQUEST FROM COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO COMBINING DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY, GR-CO, COMBINING DISTRICT ZONING, IN ORDER TO CHANGE CONDITIONS OF ZONING. THE ZONING AND PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE COMMUNITY COMMERCIAL CONDITIONAL OVER OVERLAY COMBINING DISTRICT ZONING. THE PROPERTY, AS I MENTIONED BEFORE, IS LOCATED AT 403 EAST BRAKER LANE. THIS IS A LITTLE WEST OF THE INTERSECTION OF I 35. CURRENTLY THE

PROPERTY OWNER WOULD LIKE TO REDEVELOP THIS PROPERTY FOR A RETAIL TYPE USE. AND IT'S JUST OVER A HALF ACRE IN SIZE. THE ZONING AND PLANNING COMMISSION WHEN THEY MADE THE RECOMMENDATION DID RECOMMEND GR-CO ZONING, WHICH I ON THE PROPERTY OWNER WOULD BE IN AGREEMENT WITH, BUT DID PROHIBIT SEVERAL OF THE USES THAT WOULD ALLY BE ALLOWED IN THIS DID IT. THOSE USES WOULD INCLUDE AUTOMOTIVE RENTAL, AUTOMOTIVE SALES, AUTOMOTIVE WASHING OF ANY TYPE, BED AND BREAKFAST TYPES GROUP ONE AND TWO, COMMERCIAL OFF OFFSTREET PARKING, CONGRESS GAT--CONGREGATE LIVING, DROP OFF RECYCLING, EXTERMINATOR, FUNERAL SALES, GENERAL RETAIL SALES, GUIDANCE SERVICES, HOTEL-MOTEL USES, INDOOR ENT OF-- ENTERTAINMENT OUTDOOR ENTERTAINMENT, PAWN SHOP SERVICES, PERSONAL IMPROVEMENT SERVICES, RESIDENTIAL TREATMENT, RESTAURANT GENERALLY, AND THEATER. IN ADDITION, THERE WOULD BE A 2,000 VEHICLE TRIP LIMIT. AS I MENTIONED BEFORE, THE PROPERTY BEING ALONG BRAKER ON THE SOUTH SIDE IS CURRENTLY ADD ADJACENT TO LO PROPERTY DEVELOPED FOR OFT-- OFT-- ZONED FOR OFFICE WAREHOUSE, UNDEVELOPED USES. TO THE NORTH THERE ARE LOWER INTENSITY OFFICE AND RESIDENTIAL, BUT LYING BEYOND AND TO THE SOUTH WE HAVE A VARIETY OF USES ALONG HARLEY DRIVE WHICH IS TO THE REAR. AT THIS TIME I'LL PAUSE. I UNDERSTAND THE APPLICANT WOULD LIKE TO SAY A FEW WORDS AND THERE ARE SOME INDIVIDUALS FROM THE NEIGHBORHOOD THAT I BELIEVE WOULD LIKE TO SPEAK TO THIS CASE AS WELL.

MAYOR WILL WYNN: ANY QUESTIONS OF STAFF? WE'LL HEAR FROM OUR APPLICANT. AND THERE ARE A COUPLE FOLKS WHO WOULD LIKE TO SPEAK IN OPPOSITIONLVE I RECOMMEND THE APPLICANT TAKE AS MUCH OF THE FIVE MINUTES AS HE THINKS HE NEEDS. WELCOME.

I'M JIM BEEN NET AND I'M HERE THIS EVENING ON THE REQUEST FOR ZONING CHANGE. HOWEVER, WE'RE NOT REALLY CHANGING THE ZONING. WE'RE LEAVING IT GR ZONING. WE'RE ASKING COUNCIL TO CONSIDER CHANGING ONE OF THE PROHIBITED USES. THE PROHIBITED USE THAT WE'RE PROPOSING TO CHANGE IS THE GENERAL RETAIL SALES GENERAL. AS YOU LOOK AT THE USES IN THE LDC,

THE GENERAL RETAIL SALES GENERAL IS USUALLY CONSIDERED A MORE INTENSIVE RETAIL THAN THE GENERAL RETAIL SALES CONVENIENCE. THAT BEING THAT THE GENERAL RETAIL SALES GENERAL WOULD ALLOW YOU THINGS LIKE FURNITURE STORES AND SOME LARGER OPERATIONS. WHAT WE'RE PROPOSING HERE IS A DOLLAR GENERAL STORE WHICH IS IN FACT A GENERAL RETAIL SALES CONVENIENCE. BECAUSE THE WAY THE ORDINANCE WAS ORIGINALLY DRAFTED PROHIBITING THE GENERAL RETAIL SALES CONVENIENCE, STAFF AND I LOOKED AT THE ORDER THAN TO SEE IF IT WAS A TYPO OR WHY THEY WOULD PERMIT THE MORE INTENSIVE GENERAL AND NOT THE LESS INTENSIVE CONVENIENCE, AND SHORT OF JUST THINKING THAT PERHAPS IT WAS DONE IN ERROR, WITHOUT ANY EXPLANATION FROM THE MINUTES OR ANYTHING, IT DOESN'T SEEM TO, FROM A PLANNING STANDPOINT, TO MAKE A GOOD PRACTICAL SENSE WHY YOU WOULD ALLOW THE MORE INTENSIVE AND NOT THE LESS INTENSIVE USE. SO THE ONLY THING THAT'S CHANGING IN WHAT'S CURRENTLY EXISTING ON THE LOT IS THE ONE PROHIBITED USE TO CHANGE IT FROM THE GENERAL RETAIL SALES GENERAL TO ALLOW THE GENERAL RETAIL SALES CONVENIENCE. THE PLANNING COMMISSION, ZONING AND PLANNING COMMISSION MADE THIS RECOMMENDATION TO YOU FOR THIS CHANGE AND WE WOULD REQUEST THAT COUNCIL CONSIDER THAT AND MAKE THE CHANGE. AS WELL, THIS USE IS WITHIN THE NORTH LAMAR STUDY AREA AND CONFORMS TO THE STUDY. I'LL BE AVAILABLE SHOULD YOU HAVE ANY QUESTIONS.

MAYOR WILL WYNN: THANK YOU. ANY QUESTIONS OF THE APPLICANT OR AGENT, COUNCIL? THANK YOU, SIR. AT THIS TIME WE WILL HEAR FROM FOLKS IN SUPPORT OF THE ZONING CHANGE. THERE ARE NONE. WE'LL HEAR FROM FOLKS IN OPPOSITION. CALL MR. WAYNE TOBIAS, WHO I SAW EARLIER. WELCOME. LET'S SEE. IS NAN KING HERE? HELLO. SO WAYNE, YOU'LL HAVE UP TO SIX MINUTES IF YOU NEED IT. WELCOME.

THANK YOU, MAYOR, COUNCIL MEMBERS. AS YOU SAID, I'M WANE TOBIAS WEPTING THE WALNUT CREEK NEIGHBORHOOD ASSOCIATION. IN 1956 BRAKER LANE BEGAN AS DALLAS HIGHWAY, EXCUSE ME, IN 1956, BREAKER

LANE BEGAN AT THE DALLAS HIGHWAY AND WENT EAST AS A TWO-LANE ROAD. IT BECAME A DIRT ROAD AS IT CROSSES THE EASEMENT THAT WAS TO BE DEVELOPED AT I 35. THE BRAND NEW HOMES, EU BANK ACRES DEVELOPMENT, WAS SURROUNDED BY FARM LAPPED AND COW PASTURE. THIS WAS RURAL AUSTIN. OVER THE NEXT TEN YEARS THE INTERSTATE OPEN, DALLAS HIGHWAY WAS RE-NAMED, AND THE NEIGHBORHOOD EXPANDED NORTH TOWARD WALNUT CREEK AND WALNUT CREEK ELEMENTARY SCHOOL WAS BUILT. BY 1964, LAND ON THE SOUTH SIDE OF BRAKER WAS SUBDIVIDED AND LOTS SOLD TO BUILD HOMES IN THIS COUNTRY ENVIRONMENT. IT WAS NOT A PLANNED DEVELOPMENT. SOME HOMES WERE BUILT ALONG BRAKER AND SOME A FEW BLOCKS IN. THE STRUCTURES RANGED FROM BRICK AND STONE TO STRUCTURES WITH MINIMUM CONSTRUCTION TECHNIQUES AND MATERIALS. IN THE LATE '60S A FEW OF THE HOMES ON BRAKER CONVERTED TO BUSINESSES. THE FIRST WAS AN AUTO PAINT AND BODY SHOP. A MOTEL WENT IN NEAR THE INTERSTATE. A LITTLE FURTHER WEST A FEED STORE OPENED WITH A STORAGE BARN LOCATED IN THE BACK. IN THE MID '70S, ANOTHER AUTO BODY SHOP OPENED ALONG BRAKER. JUNK CARS STARTED SHOWING UP ON THE BACK VACANT LOTS NEXT--VACANT LOTS NEXT TO THE HOME. FROM THE MID '70S TO EARLY '80S, BUSINESSES AND BUILDING PERMITS SEEMED TO BE ISSUED TO WHAT APPLIED. SHOPPING CONCERNS AND COMMERCIAL SERVICE BUSINESSES WERE SPRINGING UP ALONG LAMAR AND HEADED TOWARD BRAKER. SEVERAL LOTS WITHIN THE DEVELOPMENT ALONG THIS STRETCH OF BRAKER WERE PURCHASED FOR COMMERCIAL SERVICE BUSINESSES. IT WAS APPARENT THAT THE AREA ALONG BRAKER WAS SUSCEPTIBLE TO THE SAME Hodgepodge SPOT ZONING AND BUSINESS PRACTICES FOUND ON LAMAR. THIS BECAME MORE EVIDENT WHEN THE MOTEL NEAR THE INTERSTATE WAS REPLACED BY A SHOPPING CENTER AND NEXT TO THAT A LOT BECAME A STORAGE AND DISTRIBUTION FACILITY FOR AUTOMOBILE PARTS. THE NEIGHBORHOOD IN AUSTIN CITY PLANNERS RECOGNIZES SOMETHING HAD TO BE DONE TO SLOW THE UNCONTROLLED GROWTH. IN 1985 AFTER THE AREA HAD BEEN LIMITED BY THE CITY, NEIGHBORS WORKED WITH CITY PLANNERS IN WHAT IS NOW

KNOWN AS THE NORTH LAMAR STUDY. IN THE STUDY THE PRIVATE DEVELOPMENT PROPERTY SOUTH OF BRAKER WERE ALREADY LITTERED WITH ESTABLISHED COMMERCIAL BUSINESSES AND WERE ZONED C S. WITH PROPERTIES ALONGED BRAKER ZONED LIMITED OFFICE TO PROVIDE A SIGNIFICANT BUFFER BETWEEN THE CS BUSINESSES AND THE NEIGHBORHOOD. THE CS BUSINESSES ALREADY IN EXISTENCE ALONG BRAKER, WHICH REMAIN GRANDFATHERED UNDER THE NEW LO ZONING. FAST FORWARD TO TWURE. FROM THE--TO 2004. FROM THE AUSTIN WEB PAGE, RAISING DEVELOPMENT STANDARD STANDARDS. IN FEBRUARY 2006, THE CITY COUNCIL IN RESPONSE TO THE FINDINGS THAT THE CITY OF AUSTIN HAS AMONG THE LOWEST DESIGN STANDARDS OF COMMUNITIES IN TEXAS AND ELSE WHERE IN THE UNITED STATES FOR COMMERCIAL DEVELOPMENT, DIRECTED THE CITY MANAGER BY RESOLUTION TO PREPARE RECOMMENDATIONS FOR STANDARDS FOR COMMERCIAL AND RETAIL DEVELOPMENT. IN THE RESOLUTION, IT STATED GOOD DESIGN CONTRIBUTE TO ENHANCED QUALITY OF LIFE, SUSTAINED ECONOMIC DEVELOPMENT AND MAINTAIN A COMMUNITY'S UNIQUE IDENTITY. I'M HERE TO REQUEST YOU HELP US MAINTAIN THE 'S UNIQUE TY TY. WITH EXCEPTION TO AROUND BECK SHUN, PROPERTIES AROUND THE AREA WE HAVE A MIX OF RESIDENTIAL WITH SOME OFFICE AND PUBLIC USE, TWO SCHOOLS, THREE CHURCHES, A FIRE DEPARTMENT, AND A BANK. ONLY ALONG THIS SECTION OF LAMAR, ADD ADJACENT TO THE WALNUT CREEK NEIGHBORHOOD, DO WE ENCOUNTER OF COMMERCIAL SERVICE BUSINESSES. WALL NAT CREEK NEIGHBORHOOD WOULD LIKE THE COUNCIL TO TAKE INTO CONSIDERATION THE 2004 CITY INITIATIVE TO RECONCILE THE DESIGN STANDARDS FOUND IN THE CITY OF AUSTIN WHEN THEY CONSIDER REZONING THIS SECTION OF BRAKER. WE RECOGNIZE THE BUSINESSES AND BUILD THINGS HAVE EXISTED SINCE BEFORE 1985 COULD CONCEIVABLY CONTINUE FOR ANOTHER 20 YEARS. HOWEVER, WE DON'T FEEL THEIR EXISTENCE IS JUSTIFICATION TO CHANGE THE INTENT OF THE NORTH LAMAR STUDY. ZONING PLACE PLAYS TO PROVIDE A BUFFER BETWEEN STORAGE BUILD, PARKING LOTS AND AUTO JUNK WAREHOUSES ON THE STREETS SOUTH OF BRAKER. THIS AREA IS GOING UNDER A REAWAKENING. PROPERTIES AROUND THE

AREA HAVE BEEN PURCHASED BY NEW INVESTORS. AS BUSINESS TYPES CHANGE, RE REZONING REQUESTS WILL NOT BE FAR BEHIND. OUR NEIGHBORHOOD IS ALSO SEEING MAYBE NEW YOUNG FAMILIES PURCHASE HOMES. OUR HOME RENTALS HAVE DROPPED BY ALMOST 50 PERCENT IN THE LAST TWO YEARS. WE WOULD LIKE TO HAVE A PLAN FOR THE SECTION OF BRAKER, AN OLDER SECTION OF ROAD, AND IT IS SUSCEPTIBLE TO RE REVITALIZATION IN THE WRONG DIRECTION IF NOT PLACED IN CHECK NOW. BY ZONING LR, YOU SET THE STAGE FOR FUTURE ZONING ISSUES WITH BUSINESSES ENCROACHING ON A NEIGHBORHOOD. THE PLAN IS VIEWED BY THE NEIGHBORHOOD TO CREATE A TAP TAPERED CHANGE FROM GR ZONING AT THE FREEWAY TO LO FOR PROPERTIES WEST OF THIS FREEWAY AND CLOSING TO THE NEIGHBORHOOD ACCESS STREETS, THE CHURCH AND SCHOOL. RATHER THAN ALLOWING GR WITH A LONG LIST OF CONDITIONS, THE NEIGHBORHOOD WOULD LIKE TO YOU CONSIDER THE CITY PLANNER'S RECOMMENDATION OF PULL BACK THE ZONING TO LR AND ADD THE RESTRICTIONS OF NO SERVICE STATION, RESTAURANT OR OFF-SITE PARKING. THE REZONING TO LR STILL ALLOWS THE OWNER TO INSTALL A GENERAL RETAIL SALES DOLLAR STORE AS HE HAS INDICATED. WE CONCEDE THAT THE EXISTING GRANDFATHERED BUSINESSES MAY NOT BE GOING AWAY SOON. WE DON'T AGREE WITH ONE OF THE RESPONDS IN THE--WE SPONCES THAT ALL OF BAKER SHOULD BE ZONED C S. PLEASE CONSIDER THE STAFF RECOMMENDATION OF ZONING TO LR WITH A FEW RESTRICTIONS RATHER THAN THE CURRENT LIST ASSOCIATED WITH THE GR ZONING. THANK YOU.

MAYOR WILL WYNN: THANK YOU. QUESTIONS OF WAYNE, COUNCIL? THANK YOU VERY MUCH. COULD COUNCIL, THAT'S ALL THE FOLK THAT--COUNCIL, THAT'S ALL THE FOLKS THAT SIGNED UP IN OPPOSITION. TO MR. NET, TECHNICALLY--MR. BEEN NET, TECHNICALLY WE GET A ONE-TIME THREE MINUTE REBUTTAL.

THANK YOU, MAYOR. COUNCIL, WE ARE NOT ATTEMPT TO GO CHANGE THE NORTH LAMAR STUDY FROM WHAT IT HAS BEEN AND WITH WHAT MR. TOBIAS HAS COME BEFORE YOU SAYING PLEASE PROTECT THIS STUDY. THE NORTH LAMAR

STUDY SHOWS THE AREA TO BE USED FOR THE USE THAT WE INTEND. THE PROMPT IS AND HAS BEEN G G. ALL--ZONED G R. ALL WE'RE ASKING IS TO CHANGE THE APPARENT DISCREPANCY FROM PUTTING THE GENERALLY RETAIL SALES CONVENIENCE AS A PROHIBITED USE AND NOW MAKE IT A PERMITTED USE. NOTHING ELSE ABOUT THE ORDINANCE OR NOTHING ABOUT THE NORTH LAMAR STUDY OR NOTHING AS FAR AS CHANGING OF THE ZONING AND PATTERNS OF THE USES AROUND US. THIS AREA, AS MR. TOBIAS INDICATED, IS DEVELOPED WITH AUTOMOTIVE, PAINT AND BODY SHOPS, BRICK COMPANY, MORE INTENSIVE THAN THE OFFICE ZONING THAT'S THERE NOW. PERHAPS AS A RESULT OF THIS BUSINESS GOING IN THERE, MIGHT FOSTER THE CHANGE IS OR IMPROVEMENTS TO IMPROVE THE SECTION THAT WAYNE WAS TALKING ABOUT TO MORE USES THAT MAY BE COMPATIBLE WITH THIS NEIGHBOR. WE WOULD REQUEST THAT YOU LOOK AT THE PLANNING COMMISSION'S RECOMMENDATION TO MAKE THIS SLIGHT MODIFICATION IN THE EXISTING ORDINANCE AND APPROVE IT AS REQUESTED. THANK YOU.

MAYOR PRO TEM BETTY DUNKERLEY: MAYOR.

MAYOR WILL WYNN: MAYOR PROITEM.

MAYOR PRO TEM BETTY DUNKERLEY: NO CHANGE IN ZONING OF JUST A CHANGE IN A PROHIBITED USE. IT WILL STILL COMPLY WITH THE NORTH LAMAR STUDY AREA.

YES, MA'AM.

MAYOR PRO TEM BETTY DUNKERLEY: OKAY. AND YOU'RE PROHIBITING MANY OF THE AUTO USES THAT THE NEIGHBORHOOD DOESN'T WANT IN THAT AREA.

THAT LIST REMAINS THE STAMP AS IT HAS BEEN IN THE PAST. WE'RE ONLY CHANGING THAT ONE GENERALLY RETAIL SALES GENERALLY AND RETAIL SALES CONVENIENCE TO ALLOW THE CONVENIENCE TO BE THERE.

MAYBE I NEED TO ASK MR. T TOBIAS. DO YOU NOT LIKE THE DOLLAR STORE OR DO YOU JUST NOT WANT THE OTHER INTENSE USES IN THERE? SORRY TO BE SO BLUNT, BUT YOU

DIDN'T QUITE UNDERSTAND WHAT YOU SAID.

THAT'S QUITE ALL RIGHT. WHAT WE ARE TRYING TO DO IN THE NEIGHBORHOOD STANCE, AS YOU NOTICE, MR. BEEN ET HAS POINTED OUT THEY WENT TO PUT IN A CONVENIENCE STORE. CONVENIENCE STORE IS ALLOWED IN THE LR ZONING. WHAT I'M TRYING TO ELIMINATE IS THE GR. BECAUSE WE WILL BE IN HERE EVERY TIME SOMEONE WANTS TO PUT A R IN. CAN YOU JUST TAKE ONE MORE THING OFF THE LIST . IT WILL SOUND GOOD, JUST ONE MORE ITEM. WHEREAS IF YOU GO LR YOU'RE ALLOWING THE CONVENIENCE STORE THERE BUT WE'RE NOT GOING TO BE FIGHTING A GR ZONING ISSUE EVERY TIME WE COME IN. I'M REDUCING THE LIST--

YOU'RE REALLY WANTING A ZONE CHANGE. HE IS JUST SAYING LEAVE IT.

YEAH, WE ARE ALLOWING HIS CONVENIENCE STORE. IF I MAY, THE REASON THE RESTRICTIONS WERE PUT IN THERE, THAT WAS AN ON-THE- ON-THE-FLY CHANGE DURING A MEETING AT CITY COUNCIL WHEN IT WAS APPARENT THAT CITY COUNCIL WAS GOING TO ALLOW THE GR ZONING TO ALLOW WHAT THE OWNER SAID WAS GOING TO BE A QUICK LUBE ON THE PROPERTY. THE QUICK LUBE, THAT WAS SIX YEARS AGO, THE QUICK LUBE NEVER CAME AROUND DnM. SO WE HAD TO DO ON THE FLY WHEN WE COULD. ON A QUICK DISCUSSION WE CAME UP WITH THAT LIST WHILE CITY COUNCIL OR WHILE THE DISCUSSION WAS GOING ON FOR THE ZONING CHANGE IN 2000.

WE ARE GOING TO HAVE SOME COMMERCIAL, WE DO HAVE SOME COMMERCIAL DESIGN STANDARDS NOW THAT I THINK WILL HELP ALLEVIATE SOME OF YOUR ISSUES OUT THERE. THANKS.

COUNCIL, IF I MAY, WAYNE HAS SAID CONVENIENCE STORE. I DO NOT WISH TO GET THAT CONFUSED WITH WHAT I NORM NORMALLY THING OF AS A CONVENIENCE STORE BEING A 7-7-11 TYPE AFFAIR.

#SH: I WERB YOU WOULD CLARIFY THAT DnR.

MAYOR PRO TEM BETTY DUNKERLEY: I WERE YOU WOULD CLARIFY.

IN THE DEFINITION YOU HAVE GENERALLY RETAIL SALES CONVENIENCE AND YOU HAVE GENERAL RETAIL SALES GENERAL GENERAL. CONVENIENCE STORES ALLY FALL UNDER A DESCRIPTION CALLED FOOD AND GASOLINE SALES. THIS IS A DOLLAR STORE WHICH FALLS INTO THAT DEFINITION OF GENERAL RETAIL SALES CONVENIENCE BUT IT DOESN'T MEAN A CONVENIENCE STORE AS MOST OF US THINK OF.

MAYOR PRO TEM BETTY DUNKERLEY: ALL RIGHT. SO IN THE TITLE THAT YOU'RE REQUESTING, WE WOULD IN THE SEE A CONVENIENCE STORE.

NO.

MAYOR PRO TEM BETTY DUNKERLEY: OKAY. I'LL READY TO MAKE A MOTION.

MAYOR WILL WYNN: FURTHER QUESTIONS, COMMENTS? MAYOR PROITEM.

MAYOR PRO TEM BETTY DUNKERLEY: I WOULD MOVE APPROVAL OF THE ZONING AND PLANNING COMMISSION RECOMMENDATION WITH ALL THE UNDERSTANDINGS THAT WE HAVE CLARIFIED HERE TODAY.

MAYOR WILL WYNN: MOTION MADE BY MAYOR PROITEM, SECONDED BY COUNCIL MECK COLE, TO A--MEMBER COLE, TO APPROVE THIS ITEM WITH RECOMMENDATIONS BROUGHT FORTH TO US. THAT WOULD BE ON ALL THREE READINGS. CLOSED TO PUBLIC HEARING AND APPROVE ON ALL THREE READINGS. FURTHER COMMENTS, QUESTIONS HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7 7-0. THANK YOU ALL VERY MUCH.

THANK YOU MAYOR AND COUNCIL. CONTINUING TO ITEM NUMBER 51 THIS IS CASE C 14 H-05-0017, FOR THE BAUGH COL BY HOUSE AT 1102 EN FIELD ROAD. OUR PRESENTATION

OFFICE WILL BE PRESENTING THIS CASE.

MAYOR WILL WYNN: WELCOME MR. SADOWSKI.

GOOD AFTERNOON, COUNCIL. NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. THIS CASE COMES TO YOU UPON A RECOMMENDATION BY STAFF, THE HISTORIC LANDMARK COMMISSION, AND THE PLANNING COMMISSION. IT ALSO HAS A VALID PETITION WHICH IS IN YOUR LATE BACKUP PACKET. WE HAVE CALLED THIS THE BAUGH COL BY HOUSE, BUILT BETWEEN 1917 AND 1918 AT 110 1102 ENFIELD ROAD. IT IS AN OUTSTANDING EXAMPLE. PRAIRIE SCHOOL TILE OF ARCHITECTURE, REALLY POPULAR POPULARIZED BY FRANK LLOYD WRIGHT FROM CHECK CAG AND THE STYLE SPREAD THROUGHOUT THE MIDWEST AND EVENTUALLY INTO TEXAS AND CALIFORNIA. SOME OF THE HALL MARKS ARE VERY LOW STYLE HOUSE, A HIP HIPPED ROOF, VERY DEEP EAVES USE OF STUCCO OR OTHER MASONRY. THE WHOLE IDEA BEHIND THE PRAIRIE SCHOOL STYLE WAS TO HAVE A VERY HORIZONTAL COMPOSITION TO THE PROPERTY. IF YOU THINK ABOUT THE HOUSE HOUSES THAT PRE SEED THIS, THEY WERE VERY LARGE, QUEEN ANN TYPE VICTORIAN HOUSES THAT WERE VERY VERTICAL AND HAD A LOT OF ORNAMENTATION. THE PRAIRIE SCHOOL WENT FOR A VERY SIMPLE HOUSE, EVEN THE FLOOR PLANS WERE VERY OPEN AND PROVIDED A GOOD COMPROMISE OR COMPLEMENT TO CHICAGO AND THE AREA THAT THESE HOUSES CAME OUT OF IN THIS PARTICULAR DESIGN. SOME OF THE HALL MARKS OF THE STYLE THAT I HAVE ALLUD ALLUDED TO ALREADY ARE A HIP HIPPED ROOF, WHICH THIS HOUSE HAS, GROUPED OR BANTED WINDOWS, VERY HORIZONTAL COMPOSITION TO THE WINDOW CONFIGURATION. AS YOU CAN SEE ON THIS HOUSE ON THE UPPER STORY. THE USE OF STUCCO OR OTHER SORT OF MASONRY ON THE HOUSE HOUSE. THIS HOUSE WAS BUILT BETWEEN 1917 AND 1918. AND THE FIRST OWNER AND OCCUPANT THAT WE HAVE RECORD OF IS THE LADY NAMED MRS. ETHYL WEBSTER. WE DON'T KNOW ANYTHING ABOUT HER AND SHE ONLY LIVED IN THE HOUSE FOR A SHORT PERIOD OF TIME. THIS IS ONE OF THE VERY FIRST HOUSES BUILT IN EN ENFIELD AND ENFIELD WAS A PROMINENT SUBDIVISION ON THE WEST SIDE. IT STARTED IN THE PEAS FAMILY'S EAST PASTURE AND WAS SUB DIVIDED BY THE HEIRS FORTUNE. AT THE TIME THE DEVELOPERS

WERE BUILDING HOUSES THAT WERE PROMINENTLY SITED SUCH AS THIS ONE. THIS ONE IS CLOSE TO THE ENTRY TO PEASE PARK AND SERVES AS THE GATEWAY INTO THE ENFIELD NEIGHBORHOOD. MRS. WEBSTER, AS I SAID, LIVED IN THE HOUSE FOR A SHORT PERIOD OF TIME THEN IT WAS RENTED OUT BY A SERIES OF FOLKS ALL OF WHOM WERE QUITE PROMINENT. THE 1920 CITY DIRECTOR SHOWS THE RENTAL BY AN ASSOCIATE JUDGE IN THE COMMISSION OF APPEALS. BY 1922 BnM AND BONNIE MARSHAL WERE RENTING THE HOUSE AND HE WAS THE CHIEF ACCOUNTANT AT THE MAJOR COTTON EXPORTING BUSINESS IN THE CITY OF THE TIME. ABNER GREEN AND HIS WIFE RENTED THE HOUSE IN 1924 . HE WAS A LAW ROV SORE AT THE UNIVERSITY OF TEXAS. BY 1927, JAMES AND ROSE BAYH HAD PURCHASED THE PROPERTY. AND JUDGE PAUGWAS AN ASSOCIATE--BAUGH WAS AN ASSOCIATE JUSTICE ON THE STATE COURT OF CIVIL APPEALS A POSITION HE HELD FOR A LONG TIME. THE BAUGHS LIVED IN THE HOUSE THROUGH AT LEASE 1934 WHEN--AT LEAST 1934 WHEN IT BECAME A RENTAL PROMPT AGAIN AGAIN. THROUGH THE 1930S AND EARLY 1940S, IT WAS OCTOBER PIND BY MR. BAILEY JONES AND HIS WIFE RUN DA, WHO WAS A REPAIRMAN. THEN BY 1947, MALCOLM AND LACY COLBY HAD PURCHASED THE HOUSE. MALCOLM WAS THE MOST PROMINENT RESIDENT OF THIS HOUSELVE HE STARTED OFF AS A PHYSICS PROFESSOR AT THE UNIVERSITY OF TEXAS. HE WAS WORLD RENOUNED IN HIS FIELD, THE AUTHOR OF SEVERAL PHYSICS TEXTBOOKS. HE WAS CHAIR OF THE PHYSICS DEPARTMENT AT UT FOR MANY YEARS, WITH A SMALL BREAK IN BETWEEN. BUT HE WAS THE EXECUTIVE DIRECTOR OF THE WAR RESEARCH LABORATORY, THE MILITARY PHYSICS RESEARCH LABORATORY AT THE UNIVERSITY OF TEXAS. HIS RESEARCH INCLUDED WORKS ON CRYSTAL STRUCTURE, EXTRA DETRACTION, AND RADIOACTIVE DETERMINATION OF THE AGE OF ROCKS. HE WAS THE AUTHOR OF SEVERAL GRADUATE AND UNDERGRADUATE TEXTBOOKS IN PHYSICS AND EARNED A PLACE OF DISTICK SHUN AMONG ACADEMICS IN PHYSICS. THIS CASE, AS I SAID, WAS RECOMMENDED BY STAFF, BY THE LANDMARK COMMISSION AND BY THE PLANNING COMMISSION FOR ITS IMPORTANCE IN THE AREAS OF ARCHITECTURE, FOR ITS EXCELLENT DEPICTION OF THE PRAIRIE SCHOOL STYLE, AND FOR ITS ASSOCIATIONS WITH

SEVERAL JUDICIAL FIGURES INCLUDING JUDGE JUDGE -- BAUGH AND THEN DR. COLBY OF THE UNIVERSITY OF TEXAS. STAFF RECOMMENDS BECAUSE IT IS THE GATEWAY INTO THE ENFIELD NEIGHBORHOOD AND SERVES AS THE PRIME EXAMPLE OF WHAT ENFIELD WAS DESIGNED TO BE. THIS HOUSE, AS I SAID, WAS ONE OF THE FIRST BUILT IN ENFIELD AND THIS IS WHAT THE DEVELOPERS REALLY ENVISIONED FOR THAT NEIGHBORHOOD. SO IT HOLDS A PLACE OF DISTINCTION IN THE NEIGHBORHOOD AND IN THE HISTORY OF THE CITY. THANK YOU.

MAYOR WILL WYNN: THANK YOU. QUESTIONS, COUNCIL MEMBER LEFFINGWELL.

#L: W--

DO YOU HAVE ANY COMMENTS ON THE STATE OF REPAIR OF THIS HOUSE STRUCTURE AND SUPERFICIALLY?

YES, THE HOUSE HAS BEEN VACANT FOR A LONG TIME AM I KNOW THAT THERE HAS BEEN INCURSIONS BY TRANSIENT INTO THE HOUSE. AT ONE POINT I THINK, ABOUT A YEAR AND A HALF AGO, THERE WAS A FIRE IN THE HOUSE. APPARENTLY IT HAS NOT SUFFERED ANY STRUCTUREL DAMAGE. ON THE INSIDE THERE ARE PROBABLY SOME FLOOR BOARDS THAT NEED TO BE REPLACED AND THINGS LIKE THAT. BUT THE HOUSE WAS SOLID BY BUILT AND REMAINS SO. IT'S BEEN BOARDED UP FOR A LONG TIME SO IT'S REALLY DIFFICULT TO ACTUALLY DETERMINE THE STRUCTUREL CONDITION OF THE HOUSE.

YOU HAVEN'T BEEN INSIDE OR HAVE YOU?

I HAVE NOT BEEN INSIDE, NO, SIR.

DO YOU KNOW OF ANY ANALYSIS AS FAR AS STRUCTURAL THAT'S BEEN DONE? NOTHING HAS BEEN SUBMITTED TO YOU?

THE OWNER OF THE HOUSE, I BELIEVE, DID HAVE A STRUCTURAL REPORT BUT I HAVE NEVER HAD A COPY OF IT SO I HAVE NOT HAD AN OPPORTUNITY TO REVIEW THAT. LIKE I SAID, FROM THE OUTSIDE, I HAVE WALKED ALL AROUND

THE HOUSE. THERE DOESN'T APPEAR TO BE THE STRUCTURAL DETERIORATION THAT YOU WOULD EXPECT TO SEE I THINK ON A HOUSE THAT HAD BEEN ABANDONED AND VACANT FOR AS LONG AS THIS HAS, AT LEAST FROM THE OUTSIDE.

LOOKING AT THE PICTURE, THE LINES ARE STRAIGHTRB THE ROOF LINES ARE STRAIGHT. IT LOOKS VERTICAL, LOOKS STRUCTURALLY SOUND FROM THE PICTURE BUT I SUPPOSE SOME KIND OF FORMAL ANALYSIS WOULD HAVE TO BE MADE TO PROOF THAT POINT. HAS ANYONE FILED FOR A DEMOLITION PERMIT ON THIS?

YES, THE CASE ACTUALLY CAME TO THE COMMISSION UPON A DEP LIST PERMIT.

DID YOU SAY THAT BEFORE? OKAY.

MAYOR WILL WYNN: MORE QUESTIONS? TENLY WE'LL CONSIDER THE CITY TO BE--TECHNICALLY WE'LL CONSIDER THE CITY TO BE THE APPLICANT. THANK YOU, STEVE. COUNCIL, WE'LL HEAR FROM FOLKS IN SUPPORT OF THE HISTORIC ZENG AND THEN FROM FOLKS IN OPPOSITION AND PERHAPS A REBUTTAL FROM STAFF. SO OUR FIRST SPEAKER, WHO IS HERE SUPPORTING THE HISTORIC ZONING, ELIZABETH WHITLOW. WELCOME. IS JASON NICHOLS HERE?

MAYBE, WE HAVE AN ORDER OF SPEAKERS, IF WE MAY.

MAYOR WILL WYNN: SURE. WHY DON'T YOU BRING THAT TO ME. SOME FOLKS HAD FIND UP TO DOUGH NIGHTTIME TO OTHER DnR DONATE TIME TO OTHER FOLKS. THE RULES ARE THAT THE DON DONERS NEED TO BE IN THE ROOM IN THE CHAMBERS TO DONATE THE TIME. AS I CALL ONE OF THE NAMES I'LL ALSO SEE IF THE FOLKS HERE ARE ABLE TO DONATE TIME TIME. BEFORE ELIZABETH STARTS, IS JASON NICHOLS OR KAREN CARLSON HERE? WELCOME. HOW ABOUT JASON? ELIZABETH, YOU'LL HAVE UP TO 6 MINUTES IF YOU NEED, AND YOU'LL BE FOLLOWED BY BILL HEAD, WHO WILL BE FOLLOWED BY PATRICIA WINSTON.

THIS SMALL OF PICTURES THAT I JUST HAND THE THE

TECHNICIAN HERE. WHAT YOU SEE IN FRONT OF YOU NOW IS A HOUSE THAT IS ACROSS THE STREET. SEVERAL OTHERS, IF YOU WANT TO GO AHEAD AND GO THROUGH THOSE. THAT IS THE HOUSE THAT IS ADJACENT TO THE BAUGH COLBY HOUSE, WHICH IS NOW BEAUTIFULLY PRESERVED TO ITS ORIGINAL STATE. YOU'LL HEAR ABOUT THAT. NEXT, THIS IS THE BAUGH COLBY HOUSE THIS MORNING AT ELEVEN O'CLOCK. IN THE BOTTOM RIGHT QUADRANT IS A CARTON OF BEER BOTTLES-- CARTON OF BEER BOTTLES. NEXT. THIS IS, IF YOUR PICTURES ARE BETTER THAN WHAT I CAN SEE HERE, BUT THERE ARE A NUMBER OF DEAD TREES BECAUSE THE LANDSCAPE HAS NOT BEEN MAINTAINED AND THE GRASS HAS NOT BEEN MAINTAINED. NEXT. THIS SHOWS THE UPPER AND SOME LOWER WINDOWS THAT HAVE BEEN BOARDED UP. NEXT, PLEASE. THAT'S IT. OKAY. THERE ARE MANY REASONS TO CONSIDER HISTORIC PRESERVATION OF ANY STRUCTURE. I'D LIKE FIRST TO READ TO YOU A STATEMENT THAT HAS BEEN GIVEN TO US BY DR. ANTHONY ALFONSON, A UNIVERSITY OF TEXAS PROFESSOR OF ARCHITECTURE, NATIONALLY RECOGNIZED AS AN EXPERT ON PRAIRIE STYLE. THESE HOUSES ARE THE STYLE CREATED BY FRANK LLOYD WRIGHT. YOU'LL HEAR MORE ABOUT HOW THIS HOUSE IN QUESTION IS SUCH A HOME. THIS HOUSE IS CLASSIFIED AS PRAIRIE STYLE, BUT DR. ALFONSON SAYS THIS HOUSE IS UNIQUE TO AUSTIN. IT IS NOT ONLY A PRAIRIE STYLE HOUSE. ITS ARCHITECTURE IS VERY SPECIAL, PARTLY BECAUSE OF ITS CURVED ROOF LINE AND ITS PORCH, AND THAT IT WOULD BE TRULY A TREASURE FOR SUCH A STRUCTURE TO BE LOST. HE CALLS IT AUSTIN VERNACULAR. THIS HOUSE WAS BUILT IN 1917. I'D LIKE TO TALK TO YOU A LITTLE BIT ABOUT THE FACT THAT PRESERVATION PAYS, PAYS MONEY I WANT TO QUOTE TO YOU FROM ONE OF OUR MOST HISTORIC CITIES, CHARLESTON AND ITS MAYOR. WE SAID WE WERE GOING TO KEEP THE BULLDOZER OUT AT ALL--BULLDOZER OUT AT ALL COSTS. BULLDOZER REMOVE THINGS CITIES NEED. THEY REMOVE MEMORIES AND SCALE. WE LEARN THAT THE BULLDOZER WAS USUALLY AN ENEMY BECAUSE SELDOM WAS ANYTHING BUILT BACK WITH THE QUALITY OF WHAT WAS DESTROYED. THE CITY OF CHARLESTON OUGHT TO KNOW. THEY HAVE BEEN PRESERVING THINGS WELL FOR A

LONG TIME. WHEN PRESERVATION HAS BEEN TRIED AND MEASURED, IT HAS BEEN PROVED, AND THERE IS REALLY BUT ONE CONCLUSION. IT PAYS. HISTORIC PRESERVATION GENERALLY HAS A POSITIVE IMPACT ON PROPERTY VALUES. IT IS ASSOCIATED WITH AVERAGE PROPERTY VALUE INCREASES RANGING BETWEEN FIVE AND 20 PERCENT OF THE TOTAL PROPERTY VALUE. AND THAT STUDY IS FROM HISTORIC PRESERVATION AND RESIDENTIAL PROPERTY VALUES ANALYSIS OF TEXAS CITIES. WE'RE NOT TALKING ABOUT SOMEWHERE FAR AWAY. THE LIFE EXPECTANCY OF REHAB HISTORIC BUILDING MAY WELL BE LONGER THAN THAT OF NEW STRUCTURES. WE HABITATING HISTORIC BUILDINGS IS COST EFFECTIVE AND ENERGY CON SERVING. IT IS A FINANCIALLY RESPONSIBLE REACTION TO THE HIGH COT OF LANDFILL, WHICH ALL OF US AS A CITY HAVE TO DEAL WITH. REHABILITATION IS MORE COMPETITIVE WITH NEW CONSTRUCTION WHEN DEMOLITION COSTS ARE FACTORED IN. THE SIMPLE FACT IS THAT A HOUSE THAT STOOD FOR 50 OR 1 HAD YOU BEEN YEARS IS OFTEN SO--OR 100 YEARS IS OFTEN SO WELL BUILT THAT IT WILL STAND MUCH LONGER THAN THE HOUSES WITH NEW CONSTRUCTION THAT MIGHT LAST 30 YEARS. IT'S JUST SIMPLE ECONOMICS. THEN WE GET INTO SOMETHING REALLY SPECIAL TO THOSE OF US WHO LIVE IN AUSTIN, QUALITY OF LIFE. IT'S BECOMING A CRITICAL INGREDIENT IN ECONOMIC DEVELOPMENT AND IS AN IMPORTANT PART OF THE EQUAL OF LIFE EQUATION. HIGH RATES OF INNOVATION DEPEND PRIMARILY ON BRAINS. THE KEY TO ATTRACTING BRAINS IS TO OFFER QUALITY, NOT CHEAPNESS. THE SUCCESSFUL INNOVATION- INNOVATION-BASED COMPANY WILL SETTLE IN AN ENVIRONMENT THAT BRIGHT CREATIVE PEOPLE FIND ATTRACTIVE. READ, AUSTIN. THEY WANT AN AN AMORPHOUS THING CALLED QUALITY OF LIFE LIFE. THERE'S ALSO A VERY INTERESTING BOOK TITLED BEAUTY, THE MONEY CROP OF THE SOUTH. IT OCTOBER TO ME WHEN I SAW THAT THAT AUSTIN HAS A MONEY CROP. IT'S CALLED BEAUTY. IT'S CALLED WHAT'S REALLY SPECIAL AND UNIQUE HERE. WE PRESERVE THAT BY TAKING CARE OF OUR HISTORIC STRUCTURES THAT CONTRIBUTE TO THAT. WE DON'T WANT TO END UP A CAN OF SARDINES THAT LOOKS LIKE HOUSTON OR THAT LOOKS LIKE DALLAS. WE KNOW HOW MANY PEOPLE FROM THOSE PLACES LOVE AUSTIN AND

WE NEED TO PRESERVE THE NEIGHBORHOODS AND THE INDIVIDUAL HOUSES THAT COULD BE TRIBUTE TO THIS. THIS CAN BE A BEAUTIFULLY RESTORED AND VERY FINE HOUSE FOR OUR TAX BASE FOR A LONG TIME IN THE FUTURE. THANKS SO MUCH.

MAYOR WILL WYNN: THANK YOU MISWHITLOW. BILL HEAD, WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY PATRICIA WINSTON.

MAYOR, COUNCIL MEMBERS, THANK YOU. AIL TRY TO BE BRIEF. DID YOUR STAFF GIVE YOU THE PICTURES, THE OTHER PICTURES OF THE HOUSE AS IT APPEARED WHEN THE PRESENT OWNER PURCHASED IT? YOUR STAFF SAID THEY WOULD HAND THOSE OUT TO YOU IN THE STAFF MEETING THEY HAD THOSE THOSE. I'LL TELL YOU, IF YOU DON'T, I HAVE A FEW MORE THAT MAYBE CAN YOU PASS ALONG. SORRY. I APOLOGIZE. MAYBE YOU CAN PASS THESE ALONG. YOUR STAFF HAD THESE AND HAD COPIES. THEY SAID THAT THEY WERE GIVEN TO YOU. I THINK THAT THE CONTRAST, MS. WHIT LOW SHOWED YOU THE PICTURES OF WHAT IT LOOKED LIKE THIS MORNING, AND YOU MIGHT COMPARE THAT TO WHAT IT LOOKED LIKE FIVE YEARS AGO. YOU NOTICE THE TREES ARE GREEN AND THE PLACE LOOKS A LOT DIFFERENT THAN IT DID. I PASSED OUT A COUPLE OF PEOPLE WHO COULD NOT BE THERE. I HOPE YOU DID GET THE LETTERS FROM DR. ROBERT CONT CONTU AND ROBERT AGNORE ES ESACQUIRE, WHO COULD NOT BE AMONG US, AND WANT THAT HAD TO BE PASSED ALONG, THEIR SUPPORT OF THIS. I WANT TO TALK ABOUT THE PEOPLE WHO LIVED THERE. JUDGE STRONG WAS A JUSTICE OF THE TEXAS SUPREME COURT. I DES AGREES ABOUT WHETHER DR. COL BY WAS THE MOST IMPORTANT OR JAMES BALL WAS. DR. COL BY WAS A PIONEER PERSON IN THE FIELD OF PHYSICS AND IS QUITE WELL-KNOWN. JAMES BALL WAS THE SATE SENATOR AND A VERY WELL-KNOWN CITIZEN OF AUSTIN AN APALATE JUDGE--APPELLATE JUDGE AND IN ADDITION SERVED IN WORLD WARS ONE WAN TWO IN THE UNITED STATES ARMY, A MAJOR AT THE END OF THE WORLD WAR I. HE CONTINUED SERVING IN MILITARY AND RETIRED AS A FULL COLONEL. HE HAD A MILITARY CAREER, A CAREER WITH THE JUDICIARY, AND BEFORE THAT WITH THE LEGISLATIVE BRANCH AS A SENATOR. THIS HOUSE, I

BELIEVE, RISES TO THE STANDARD OF A HISTORICAL STRUCTURE. BY THE CITY OF AUSTIN'S OWN REVISED PLANS, THE NEIGHBORHOOD, THE ARCHITECTURE OF THE HOUSE, AND THE PROMINENT PEOPLE WHO LIVE THERE, IF THIS HOUSE ISN'T HISTORIC, THERE'S NOT A HISTORIC HOUSE IN AUSTIN BY THE CITY'S OWN LIST OF WHAT MAKES IT HAVE HISTORICAL SIGNIFICANCE. OF COURSE, THIS HOUSE DOES NEED REPAIRS. THE FOUNDATION I'M SURE IS BAD. IT'S BAD ON EVERY HOUSE IN WEST AUSTIN. THOSE OF YOU AT THE HERITAGE SOCIETY AWARDS YESTERDAY, IF YOU RECALL ALMOST EVERYBODY MENTIONED FOUNDATION WORK ON HOUSES. THE HOUSE CAN BE DONE. WE'RE ASKING YOU JUST TO GO, THE PEOPLE WHO LIVED HERE I WOULD SAY IN THE 30S AND 40S, THEY WERE THE MOVERS AND SHAKERS OF THE TOWN. SO WE WOULD APPRECIATE YOUR CONSIDERATION OF DOING THIS. THE VOTERS, WE HAD 100 PERCENT OF THE HISTORIC ZONING COMMISSION, 100 PERCENT OF THE PLANNING COMMISSION. WE'D ASK THE SAME FOR YOU. THE VOTERS, WHO AFTER ALL HIRED YOU, THE VOTERS WILL THANK YOU. NOT ONLY THAT, THE VOTERS' GREAT GRANDCHILDREN WILL THANK YOU.

MAYOR WILL WYNN: THANK YOU MR. HEAD. PATRICIA WINSTON. WELCOME, WILL YOU HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY HELEN INGRAM.

I HAVE OWNED AND LIVED IN --

MAYOR WILL WYNN: IF YOU COULD PULL THE MICROPHONE DOWN.

I HAVE OWNED AND LIVED IN THE PROPERTY AT 1104 ENFIELD ROAD FOR 26 YEARS. MY PROPERTY BORDERS THE SUBJECT PROPERTY ON TWO SIDES. AS YOU ALREADY KNOW, JUDGE BALL LIVED AND OWNED THE SUBJECT PROPERTY. I WOULD ALSO LIKE TO MENTION THAT HE OWNED AND LIVED ON ANOTHER PROPERTY ON PARKWAY THAT ALSO JOINS THIS PROPERTY. DURING THE 1900S WHEN THE 1515TH STREET EAST WEST AUTHORITY FAIR WAS BEING PLANNED THERE WAS GOING TO BE AN EXIT RAMP TO CUT THROUGH WHERE THE HOME WAS SITUATED AT 1508 PARKWAY. THE CITY PURCHASED 1104 ENFIELD WHICH IS WHERE WE LIVE, 1106, THE CORNER HOME AT WIND SORE

NORTH OF END FIELD, AND SEVERAL HOMES ON PARKWAY. THE EAST-WEST THOROUGH FAIR WAS SCALED BACK. THE BUTTE FOLFULL HOME OF JUDGE BALL AT THE PARKWA WAS DEMOLISHED AND THE EXIT RAMP NEVER BUILT. THE HOME WAS DEMOLISHED FOR NO REASON. THE HOMES ON ENFIELD PARKWAY AND WIND SORE WERE LEFT VAGUE . THEY OBVIOUSLY BEGAN DETERIORATINGLVE THESE HOMES WERE FINALLY AUCTIONED BY THE CITY IN 1978. 1104 AND 1106 WERE PURCHASED BY INVESTORS. THEY DID MINOR REMODELING FOR RESALE. I PURCHASED 1104 ENFIELD IN 1980. IT WAS ABLE BUT IN NEED-- NEED--LIVABLE BUT IN NEED OF A LOT OF WORK AND REPAIR. I HAVE BEEN REMODELING EVER SINCE. SIX YEARS AGO RESTARTED EXTENSIVE PROJECTS AND HIRED AN ARCHITECT, I'M AN INTERIOR DESIGNER, LICENSED. OUR GOAL WAS TO MAKE IT LOOK LIKE A NEW KITCHEN AND BUTLER PANTRY WERE ALWAYS THERE. WE REPLACED ALL THE WINDOWS AND PUT IN NEW WOOD ENERGY EFFICIENT WINDOWS, NEW HVAC, NEW PLUMBING, WIRING, STABILIZED THE FOUNDATION, WHICH THEY ARE ALL NEEDING. THE POINT IS ANY HOME CAN BE REMODELED TO A BETTER HOME THAN ORIGINALLY WAS AND KEEP THE SAME FOOTPRINT AND BONES AND CHARACTER OF THE HOUSE. SINCE I HAVE LIVED IN THE OLD ENFIELD WEST AUSTIN NEIGHBORHOOD I HAVE SEEN STRUCTURES IN NEED OF REPAIR BEING BEAUTIFULLY RESTORED AND HISTORIC HOMES NOW. SEVERAL ON-- THERE ARE SEVERAL ON BLACKO STREET, TWO OF WHICH WON HER STAGE SO SITES AWARDS. MANY ON CAPITAL HILL, THE STREET PERPENDICULAR. ONE OF THE HOMES WAS FEATURED IN A NATIONAL MAGAZINE, RENOVATION STYLE, AND THERE ARE SEVERAL HOMES ON WIND SORE ROAD. I WOULD LIKE TO ADDRESS THE DETERIORATION OF THE HOUSE SINCE THE PURCHASE OF THIS HOME IN 2001. 2001, THE HOME WAS PURCHASED FROM MRS. ANNA PORTER. YOU HAVE SEEN THE PICTURE OF THE HOUSE AT THE TIME OF THE PURCHASE. 2001, WINDOWS WERE IMMEDIATELY TAKEN OUT, BOARDED UP BUT NOT COMPLETELY COVERED. THE SAME YEAR, 27, THE CRIMP CRIMPNY AND FIRE-- CHIMNEY AND FIREPLACE WERE TAKEN OUT OUT. THOSE WINDOWS AND CHIMNEY HAVE LEFT OPEN SPACES FOR RAIN AND ANIMALS TO ENTER. I'M AN INTERIOR DESIGNER LICENSED BY THE STATE OF TEXAS AND THIS IS JUST NOT

THE WAY YOU DO IT. WE PUT IN WOOD WINDOWS, WE WAITED FOR THE WINDOWS TO COME IN. THE CARPENTERS INSTALLED THEM AS SOON AS THEY CAME IN AND TOOK OUT THE OLD WOODEN WINDOWS AT THAT TIME.

MAYOR WILL WYNN: PLEASE CONCLUDE, YOUR TIME HAS EXPIRED.

THE DOORS IN THE BACK AND SIDE OF THE HOUSE WERE LEFT UNLOCKED ALSO WHERE TRANSIENTS CALM IN AND OUT AND ALSO STARTED A MATTRESS FIRE WITH A CIGARETTE. THANK YOU.

MAYOR WILL WYNN: THANK YOU. HELEN INGRAM. WELCOME. WILL YOU HAVE THREE MINUTES AND BE FOLLOWED BY GENE STEVENS.

MY FAMILY HAS OWNED THE PROPERTY ACROSS THE STREET FROM THIS HOUSE. AS FAR AS I KNOW, NO ADDITIONS HAVE BEEN MADE. I KNEW MS. PORTER, THE PREVIOUS OWNER. SHE HAD LIVED IN IT, THAT HOUSE, FOR 35 OR 40 YEARS. I WAS IN HERE HOME MANY TIMES AND THE HOUSE WAS VERY LOVELY AND CAN BE RESTORED. THANK YOU.

MAYOR WILL WYNN: THANK YOU. GENE STEVENS, WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY JIM CHRISTIAN STON.

THANK YOU, GOOD EVENING. MY NAME IS JEAN STEVENS AND I AM THE CHAIRPERSON OF THE OLD AUSTIN NEIGHBORHOOD ASSOCIATION ZONING COMMITTEE AND I'M HEARING TO OFFER SUPPORT TO THE OLD ENFIELD NEIGHBORHOOD HOMEOWNERS ASSOCIATION IN OUR QUESTIONS TO GET HISTORIC ZONING--OUR QUESTIONS TO GET HISTORIC ZONING ON THIS PROPERTY. I HAD INTENDD TO USE MY 25078 TO TALK ABOUT THE EPIDEMIC KNOWN AS DEMOLITION BY NEGLECT . I MUST SAY THAT I WAS SURPRISED WHEN I READ SARA C COPLA'S ARTICLE TARGETING THOSE WHO NEGLECT OLD HOME IN TODAY'S STATEMAN. I AM ENCOURAGED THAT COUNCIL MEMBERS PLAN TO INTRODUCE AN ORDINANCE REGARDING THE ISSUE IN THE NEAR FUTURE AND I THANK YOU FOR RECOGNIZING

THE IMPORTANCE OF STOPPING THE PRACTICE OF DEMOLITION BY NEGLECT. THIS HOUSE IS ALSO CONTRIBUTING TO THE OLD WEST AUSTIN NATIONAL REGISTER'S HISTORIC DISTRICT INVENTORY. SO IT IS NATIONALLY RECOGNIZ RECOGNIZED AS A VIABLE STRUCTURE. AND THEREFORE IT SHOULD BE PROTECTED WITH HISTORIC ZONING. IN CLOSING, I ASK THAT YOU REMEMBER A CASE THAT CAME BEFORE COUNCIL NOT TOO LONG AGO INVOLVING A HISTORIC PIECE OF PROPERTY IN OUR NEIGHBORHOOD AND A PERSON WHO INTENDED TO PURCHASE TO REHABILITATE AND HAVE HIS FAMILY MOVE IN . LONG STORY SHORT, THE HOUSE WAS DEMOLISHED AND THE NEIGHBORHOOD NOW LIVES WITH A VACANT LOT. I HOPE THAT YOU SERIOUSLY CONSIDER ZONING THIS HISTORIC. THANK YOU.

MAYOR WILL WYNN: THANK YOU MS. STEVENSMPTS WELCOME WELCOME--STEVENS. WELCOME MR. CHRISTIAN SOME. IS BROOK BAILEY HERE OR CON YO GREEN? YOU HAVE UP TO SIX MINUTES IF YOU NEED THAT.

THANK YOU. MAYOR, TWO PEOPLE SIGNED UP LATE IN TERMS OF OUR LIST, THEY WOULD LIKE TO GO RIGHT BEFORE SHARON GILLESPIE. CAN I GIVE YOU THEIR NAMES?

MAYOR WILL WYNN: SURE.

ALMAN IS THE HONORARY MAYOR OF OLD ENFIELD AND SHE WOULD LIKE A FEW WORDS FOR THE COUNCIL, AND JUDGE PATTERSON.

MAYOR WILL WYNN: GREAT.

MAYOR AND COUNCIL, MY NAME IS JIM CHRISTIAN SON. I'M A NATIVE AUSTINITE, FORMER PRESIDENT OF THE EN ENFIELD HOMEOWNERS ASSOCIATION AND A MEMBER OF YOUR CITY OF AUSTIN HISTORIC LANDMARK COMMISSION FOR 23 YEARS. I GOT ON THE COMMISSION IN 1976. ABOUT A YEAR AFTER THE CITY COUNCIL CREATED THE HISTORIC ORDINANCE THAT WE HAVE HERE TODAY. I STAYED ON THE COMMISSION BECAUSE HISTORIC HOMES IN MY HOMETOWN, AUSTIN, WERE BEING DESTROYED. IN THOSE DAYS THE CITY COUNCIL WAS NOT AFRAID TO ZONE SOMETHING HISTORIC

OVER THE OWNER'S OBJECTIONS. IN RECENT YEARS I HAVE WATCH THE CITY COUNCIL DEAL WITH OWNER OPPOSED HISTORIC CASES AND ALWAYS THE RESULTS ARE THE SAME. HISTORIC ZONING IS DENIED. I WANT TO DEAL WITH SOME OF THE REASONS I HAVE HEARD YOU AND OTHER COUNCIL FOR NOT GIVING, FOR DENYING HISTORIC ZONING WHEN THERE IS OWNERS' OPPOSITION. FIRST, IT'S NOT HISTORIC. IN THE 23 YEARS OF LOOKING AT HISTORIC CASES, THIS IS ONE OF THE MOST HISTORIC HOUSES NOT ZONED BY THE CRIT CRIT. IF YOU ARE NOT GROWN UP HERE YOU MAY THINK THE WAY THAT TO WEST AUSTIN IS OVER THE 15TH STREET BRINK. THE BRIDGE WAS NOT THERE-- THERE-- BRIDGE. THE BRIDGE WAS INTO THE THERE UNTIL 1970. THE ENTRANCE TO OLD WEST AUSTIN AND ENFIELD WAS DOWN PAST THE TAVERN, ENTERED ON ENFIELD ROAD, PAST THIS HOUSE, WHICH WAS THE GATEWAY HOUSE TO PEASE PARK AND THE WEST AUSTIN NEIGHBORHOOD. I DON'T KNOW IF YOU KNOW THE NAME NILES GRAM. HE IS A DESEND DENT OF THE P PEASE AND YOU HAVE THOUSANDS OF DOCUMENTS AT THE HISTORY CENTER. I HAVE LOOKED THROUGH LOTS OF THE DOCUMENTS BECAUSE WE WANTED INFORMATION ABOUT THE ORIGINAL OWNER HERE, MRS. WHEELER. THIS WAS HIS FIRST SUBDIVISION. HIS FIRST SUBDIVISION. AND THIS WAS ONE OF THE FIRST HOUSES. THE IT IS BUILT IN 1918 AND IT IS A SIGNIFICANT STRUCTURE. IT IS A CORNER STONE HOUSE AND IT DESERVES PRESERVATION PRESERVATION. ANOTHER REASON I HEAR COUNCILS NOT ZONING, WELL, IT'S FALLING DOWN. LET ME SAY TO YOU, THIS HOUSE YOU SEE TODAY IS NOT THE HOUSE THAT ANIA PORTER SOLD TO THE--ANNA PORTER SOLD TO THE INVESTOR. I KNEW ANNA. SHE WORK AT OUR ELECTIONS. SHE WAS A VERY DIG FIDE WOMAN. SHE MAIN-- DIGNY FIDE WOMAN AND MAINTAINED HER HOUSE AND YARD. ANNA PORTER WOULD NOT LIVE IN THE HOUSE THAT YOU SEE HERE TODAY. THIS WAS NOT THE HOUSE THAT SHE HANDED THE KEYS OVER TO THE INVESTOR. YOU'RE JOHNNY COME LATELY IN THE HISTORIC CASE. WHY DIDN'T YOU HAVE HAD BEFORE? THIS CASE HAS GONE YO YO FOR YEARS THROUGH THE HISTORIC PROCESS, ON THE AGENDA AND OFF, ON THE AGENDA AND OFF THE AGENDA. LITERALLY, THE PEOPLE AROUND THIS HOUSE HAVE BEEN DOWN TO THE VARIOUS BOARDS AND COMMISSIONS

COUNTLESS TIME. WHEN IT WAS FINALLY PUT ON THE AGENDA LAST JUNE FOR THE LANDMARK COMMISSION, I FOUND IT INTERESTING THAT THE INVESTOR WAS ABLE TO GET A POSTPONEMENT. A POSTPONEMENT BECAUSE I GUESS HE WAS AWARE THAT YOU WERE GETTING READY TO IMPOSE THE SUPER MAJORITY RULE AT THE CITY COUNCIL. ON THE LANDMARK COMMISSION. AND SO WE FACED THE SUPER MAJORITY RULE AT THE LANDMARK COMMISSION. AND IT PASSED UNANIMOUSLY. AND SEVERAL OF YOU, I SAW YOU ON TELEVISION. ONE OF THE REASONS WHY YOU PUT THE SUPER MAJORITY RULE IN PLACE WAS THAT IT WOULD BE BROUGHT TO YOU TRULY HISTORIC STRUCTURES THAT WILL BE COMING FORWARD TO YOU. NOT A LOT, IF YOU WATCH THE LANDMARK COMMISSION, YOU HAVE SEEN THAT YOUR SUPER MAJORITY RULE HAS KILLED A LOT OF CASES COMING FORWARD TO YOU. THIS IS THE VERY FIRST ONE TO COME TO YOU UNDER THE SUPER MAJORITY RULE AT THE LANDMARK COMMISSION. AND IT PASSED UNANIMOUSLY. I THINK THE EXPERTS, THE PEOPLE YOU PUT ON THAT COMMISSION, TRULY KNOW AND RECOGNIZE HISTORIC. THEY ARE NOT JUST RUBBER STAMPING HISTORIC DOWN THERE AT THE LANDMARK COMMISSION. THEY ARE TRULY ONLY SENDING TO YOU TRUE HISTORIC STRUCTURES. WHY DON'T YOU BUY IT? WHY DON'T YOU GET IT OUT OF THE HANDS OF THE OWNER? WE TRIED. WE HAVE PUT THE INVESTOR IN CONTACT WITH PEOPLE WHO HAVE RESTORED THREE HOUSES IN OLD ENFIELD. NEGOTIATIONS WENT ON. I DON'T KNOW THE FINANCIAL OUTCOME. I'M ASSUMING BECAUSE WE ARE HERE TODAY THAT THOSE DEALS FELL THROUGH. BUT WE DID TRY TO GET A PERSON. LET ME ALSO SAY, THE CITY HAS FAILED THIS HOUSE. LET ME TELL YOU WHY. FIRST OF ALL, WE SPENT MILLIONS OF DOLLARS IN THIS TOWN ON NEIGHBORHOOD PLANNING. THIS AREA WAS UNDER NEIGHBORHOOD PLANNING. AND MAYOR, YOU POINTED OUT TO US EVEN AT OUR NEIGHBORHOOD ASSOCIATION THAT YOU HAVE TAKEN ZONING SHA THAT MULTIFAMILY, AND THAT'S WHAT WE HAVE HERE, MULTIFAMILY, AND OVERRIDDEN THAT ZONING UNLESS IT WAS AN OLDER PERSON THAT ED IT FOR THEIR INVESTMENT--NEEDED IT FOR THEIR INVESTMENT. THIS PROPERTY IS SURROUNDED BY SINGLE FAMILY AND SHOULD HAVE BEEN THROUGH THE NEIGHBORHOOD PLANNING

PROCESS ROLLED BACK BUT IT WASN'T. WE WERE ALSO PROMISED HISTORIC DISTRICTS. I FOR ONE AM A FULL SUPPORT OF HISTORIC DISTRICT AND I HAVE VOLUNTEERED TO PUT MY HOUSE IN THE HISTORIC DISTRICT BECAUSE I KNOW THE VALUE OF IT. WE WERE TOLD IN JANUARY BY CITY STAFF THAT OUR NEIGHBORHOOD WOULD BE THE FIRST DISTRICT CREATED BY THE CITY. IT WAS NOT. WE HAD OUR FIRST MEETING LAST NIGHT BUT MANY OF THE PEOPLE HERE THAT SPOKE TO YOU ARE WILLING, AND THEY VOLUNTEERED THEIR HOUSE FOR HISTORIC OF WHAT'S THE SOLUTION HERE? WE NOW THAT THERE'S OWNER OPPOSITION. I SAY TO YOU, YOU CAN ZONE IT HISTORIC AND YOU CAN UN ZONE IT HISTORIC. BUT IF YOU DON'T ZONE IT HISTORIC, I CAN ASSURE YOU TOMORROW IT WILL BE SCRAPPED.

THANK YOU, MR. CHRISTIAN SON. RON WEISS. WELCOME. YOU WILL BE FOLLOWED BY MARIANNE DORMEN AND FOLLOWED BY WILL HORN DAY.

MAYOR, SILL MEMBERS. MY NAME IS RON WEISS. MY WIFE AND I OWN THE HOME DIRECTLY ACROSS THE STREET ON ENFIELD, 1105. WE HAVE LIVED THERE SINCE 1979. WE ALSO KNEW MS. PORTER AND THE WAY THAT SHE KEPT HER HOME. THE WAY THAT I WOULD LIKE TO USE MY TIME TODAY IS TO READ TO YOU AND INTO THE RECORD SOME COMMENTS THAT WERE GIVEN TO US BY DR. WILLIAM CEL YOO, A SOME--KELLY, A SOME YOLGE PROFESSOR-- PROFESSOR--SOCIOLOGY PROFESSOR AND CURRENTLY THE VICE-PRESIDENT OF THE HOMEOWNERS ASSOCIATION OF EN ENFIELD. HE WANTS TO MAKE THREE POINTS. THE ARE HIS WORDS. FIRST, THE MOST RECENT AND SO THE FIST INDICATED SCIENTIFIC RESEARCH WHICH HAVE I REVIEWED IN MY ROLE AS A STATISTICAL RESEARCH EXPERT CLEARLY SHOWS THAT HISTORIC PRESERVATION IN FACT RAISES PROPERTY VALUES OF AN INDIVIDUAL HISTORIC LANDS MARK AND SURROUNDING PROPERTIES. A RECENT STUDY CONDUCTED IN TEXAS CLEARLY AND SCIENTIFICALLY DEMONSTRATES THAT HISTORIC PRESERVATION INCREASES PROPERTY VALUES FOR HISTORIC LAND MARKS AND HOMES IN HISTORIC DISTRICT ON AVERAGE 14 PERCENT. I'LL GIVE THIS FOR THE RECORD. HE CITES THE STUDY THAT WAS DONE IN TEXAS IN 2001. LET ME BE CLEAR. HISTORIC

PRESERVATION IMPACTS THE POCKETBOOK NOT ONLY FOR AN INDIVIDUAL LANDMARK BUT FOR OTHER RESIDENCES IN THE SURROUNDING AREA AS WELL. WHILE MORE PROFIT MAY YOU A CREW TO THE DEVELOPER FROM TEARING DOWN THE BAUGH COL BY HOUSE AND CONSTRUCTING CONDOS, THE ECONOMIC IMPACT ON THE NEIGHBORHOOD WILL CLEARLY BE DETRIMENTAL. IN MAKING YOUR DECISION I URGE YOU TO CONSIDER NOT ONLY THE EDGE MIX OF DEMOLITION--ECONOMICS OF DEMOLITION . HOUSE BUT ALSO THE ECONOMICS OF ALL THE OTHER HOMES IN OLD ENFIELD. I ONTHE PROPERTY RIGHTS ARGUMENT THAT THE OWNER HAS AND THE OTHER OPPOSES TO THIS APPLICATION. HOWEVER, THE NEIGHBOR HAVE PROPERTY RIGHTS AS WELL AND A RIGHT TO PROTECT THEIR PROPERTY VALUES. SECONDLY, I WOULD LIKE FOR YOU TO CONSIDER THE IDEA OF STEWARDSHIP. JUST AS MOST OF US BELIEVE THAT WE ARE STEWARDS OF NATURAL RESOURCES SUCH AS PUBLIC PARKS, CLEAN AIR AND CLEAN WATER, IT SEEMS THAT DEVELOPERS SOMETIMES LOSE SITE OF THE STEWARDSHIP OF HISTORIC RESOURCES. I BELIEVE THAT OUR ROLE IS TO CARE FOR WHAT CAME BEFORE US, ESPECIALLY WHEN WHAT CAME BEFORE US HAS SUCH SUBSTANTIAL HISTORICAL SIGNIFICANCE. FINALLY, I CANNOT HELP BUT EXPRESS MY OUTRAGE AT THE WAY THE OWNER OF THIS PROPERTY HAS NEGLECTED AND ABUSED THIS HISTORIC RESOURCE. I BELIEVE THAT DENYING THIS APPLICATION FOR HISTORIC LANDMARK DESIGNATATION WOULD SERVE TO CONDONE SUCH BEHAVIOR AND SET A DANGEROUS PRECEDENT FOR THE FUTURE. THANK YOU VERY MUCH.

MAYOR WILL WYNN: THANK YOU MR. WEISS. MARIANNE DORMEN. WELCOME, MARIANNE. YOU WILL BE FOLLOWED BY WILL HORNA DAY.

MAYOR AND THE COUNCIL, I AM LIVE IN 1505 WEST LINN IN THE OLD ENFIELD NEIGHBORHOOD AND I HAVE BEEN ON THE BORED OR AN OFFICER OF THE--BOARD OR AN OFFICER OF THE HOMEOWNERS ASSOCIATION SINCE ITS INCEPTION IN THE EARLY '80S. I WANT TO SAY THAT THIS IS THE FIRST TIME THAT WE HAVE BEEN HERE TO TRY TO SAVE A HISTORICAL HOUSE. I WANT TO EMPHASIZE THAT WE JUST, THIS IS VERY, VERY IMPORTANT TO OUR NEIGHBORHOOD.

AND I HOPE YOU AGREE WITH US US. THANK YOU.

MAYOR WILL WYNN: THANK YOU. WILL HORNA DAY.
WELCOME, WILL, YOU WILL HAVE THREE MINUTES AND BE
FOLLOWED BY LYNN TEAM.

HI MAYOR AND COUNCIL MEMBERS, MY NAME IS WILL HORNA
DAY AND MY WAVE AMY AND I ARE RESIDENCE OF THE OLD
ENFIELD NEIGHBORHOOD AND LIVE JUST FIVE HOUSES
WEST OF THE HOUSE. I'M IN VERY STRONG SUPPORT OF THE
APPLICATION FOR HISTORIC ZONING OF THE BAUGH COL BY
HOUSE AT 1102 ENFIELD ENFIELD. PLEASE FOLLOW THE
UNANIMOUS RECOMMENDATIONS OF BOTH THE HISTORIC
LANDS MARK COMMISSION AND THE PLANNING COMMISSION
TO DESIGNATE THIS PROPERTY HISTORIC LANDS MARK
MARK. . HELP US SAVE THIS UNIQUE AUSTIN TREASURE, A
TREASURE THAT CANNOT BE MEASURED IN MONETARY GAIN
FOR A SINGLE INVESTOR BUT A TREASURED PART OF A
NEIGHBORHOOD, A COMMUNITY AND THE CITY. THIS HOUSE
HAS STOOD FOR NEARLY 90 YEARS AS A WONDERFUL
EXAMPLE OF A HOME, OF HOW WE LIVE AND HOW THE CITY
USED TO BE. HISTORIC HOME LIKE THIS CAN'T BE REBUILT.
IT'S A TESTAMENT TO ITS STRENGTH, OF ITS STRUCTURE,
THAT IT'S WITHSTOOD THE ABUSE AND NEGLECT,
DELIBERATELY INFLICTED, NOT JUST TO THE HOME BUT TO
US, THE PEOPLE HERE TODAY, THE NEIGHBORS, YOUR
COMMUNITY AND THE ENTIRE NEIGHBORHOOD. THOSE ARE
THE PEOPLE HERE TODAY PLEADING FOR YOU TO SAVE THIS
HISTORIC STRUCTURE FROM DEMOLITION. SO PLEASE
SUPPORT THIS HISTORIC LANDMARK DESIGNAT
DESIGNATATION FOR THE BAUGH COL BY HOUSE. THANK
YOU FOR YOUR TIME.

MAYOR WILL WYNN: THANK YOU, WILL. LYNN TEAM.
WELCOME, WILL YOU HAVE THREE MINUTES AND YOU WILL
BE FOLLOW BY ALMA BACKELEN.

THANK YOU MR. MAYOR, MAYOR PRO ITEM, COUNCIL
MEMBERS. MY NAME IS LYNN TAKE TEAM. I'M A REALTOR
SPECIALIZING IN THE HANDLING OF HISTORIC LANDS MARK
PROPERTIES. TONIGHT I AM HERE REPRESENTING THE
HERITAGE SOCIETY OF AUSTIN ON WHOSE BOARD I SIT AND I
HAVE A LETTER TO READ INTO THE RECORD FROM THE

HERITAGE SOCIETY. THE HERITAGE SOCIETY OF AUSTIN WOULD LIKE TO EXPRESS OUR OPPOSITION TO THE DEMOLITION PERMIT BEING APPLIED FOR AT THE PROPERTY AT 1102 ENFIELD ROAD. WE RESPECTFULLY REQUEST THAT YOU SUPPORT THE LANDMARK ZONING OF THE BAUGH COLBY HOUSE WHICH IS A VALUED STRUCTURE TO THE NEIGHBORHOOD AND OUR CITY. IT SEEMS CLEAR THAT THE PRESENT OWNER HAS NOT ONLY BEEN CARELESS IN HIS CARE OF THE HOME BUT--NEGLECTFUL IN HIS CARE BUT HAS CONTRIBUTED TO ITS DETERIORATION. PLEASE DO NOT REWARD THE NEGLECTFUL OWNER WITH A DEMOLITION-- NEGLIGENCE WITH A DEMOLITION PERMITS. THE INTENTIONAL NEGLECT INCLUDES THE BULLETED ITEMS HERE THAT HAVE BEEN MENTIONED BY OTHERS, THE WINDOWS BEING BOARDED UP, RAIN ALLOWED TO POUR INTO THE HOUSE, VAGRANTS ALLOWED TO KICK AND EVEN STARTED A FIRE. THE VALUE OF THIS PROPERTY AS A HISTORIC LANDMARK IS WELL ESTABLISHED AND HAS BEEN TESTIFIED TO BY THE NEIGHBORS. THAT IS TRUE WHATEVER THE REASONS FOR ITS PRESENT STATE OF DISREPAIR. ALTHOUGH IT WOULD BE FAR MORE COSTLY TO RESTORE NOW THAN WHEN IT WAS PURCHASED IN 2001, WE BELIEVE THAT THERE ARE POTENTIAL BUYERS WHO WOULD BE INTERESTED IN RESTORING. WE UNDERSTAND THAT THERE HAVE BEEN INTERESTED BUYERS FOR THE PROPERTY AND WE BELIEVE THAT IF THE OWNER HAS NO INTEREST IN RESTORING THE HOUSE, THAT HE COULD SELL IT TO SOMEONE WHO WOULD. IF THE COUNCIL IS UNWILLING TO DESIGNATE THE PROPERTY HISTORIC, WE ASK THAT YOU AT LEAST POSTPONE FINAL ACTION ON THIS MEASURE FOR A PERIOD OF TIME TO ALLOW FOR THE POSSIBILITY FOR OVER 50 YEARS THE HER SOCIETY HAS BEEN THE LEADING PROTECTOR OF AUSTIN'S CULTURE HERITAGE. AS SUCH WE ARE OPPOSED TO THE POTENTIAL DESTRUCTION OF THIS KEY PIECE OF AUSTIN'S PAST AND THE PRECEDENTS OF DESTROYING A CONTRIBUTING PROPERTY TO A NATIONALLY RECOGNIZED HISTORIC DISTRICT. THE HERITAGE SOCIETY BELIEVES THAT LEARNING FROM AND CELEBRATING OUR PAST WHILE PLANNING FOR OUR FUTURE ENHANCES LIVABILITY AND A SENSE OF IDENTIFY. THANK YOU FOR YOUR MANY HOURS OF HARD WORK IN AN EFFORT TO

PRESERVE WHAT IS BEST ABOUT AUSTIN FOR FUTURE GENERATIONS. SINCERELY, SIGNED, DENNIS MC MCDANIEL, PRESIDENT.

MAYOR WILL WYNN: THANK YOU MS. TEAM. WELCOME, MS. EC LAN. YOU WILL HAVE THREE MENTION AND BE FOLLOWED BY JUDGE JAN PATTERSON.

THANK YOU FOR HEARING ME. I AM THE UNOFFICIALLY MAYOR AND I HAVE MET YOU BEFORE, OF OLD ENFIELD.

MAYOR WILL WYNN: YOU COULD BE OFFICIAL--

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MAYOR WILL WYNN: YOU COULD BE OFFICIAL HERE.

IT'S MY VERY GREAT PLEASURE TO COME HERE AND SPEAK WITH YOU FOLKS TODAY. I HOPE YOU WILL PLEASE LISTEN WITH YOUR HEARTS. BECAUSE THIS IS A REALLY NEAT NEIGHBORHOOD. WE WANT TO KEEP IT THAT WAY. I HAVE LIVED THERE. MY MOTHER LIVED THERE AND BOUGHT THE HOUSE IN 1955. AND WHEN SHE PASSED AWAY, I BOUGHT FROM IT HER ESTATE, AND I LIVED THERE SINCE 1983 1983. USED TO KNOW A LOT OF NAMES THAT I DON'T KNOW NOW, BUT I DO WANT TO SAY THAT EVERY TIME WE HAVE A PARADE, I CAN WAVE AND SAY I'M THE UNOH OFFICIAL MAYOR, AND I WILL HELP YOU OUTRB ANY TIME, MAYOR, THAT YOU NEED MY HELP HELP. THANK YOU SO MUCH.

MAYOR WILL WYNN: THANK YOU, MS. EC LAND. JUST A FY MINUTES, ACTUALLY, PROBABLY. JUDGE JAN PATTERSON, WELCOME.

THANK YOU, I SPEAK ON MY OWN BEHALF. I COME TO THIS ISSUE A LITTLE BIT LATE SO I APOLOGIZE IF I'M A LITTLE DISORGANIZED ON THE ISSUES BUT I APPLAUD ALL OF MY NEIGHBORS WHO HAVE COME TO SPEAK WITH YOU TODAY AND WHOLE HEARTEDLY SUPPORT THEIR SUPPORT OF THE HISTORIC LANDMARK AND PLANNING COMMISSION'S RECOMMENDATIONS TO YOU. THIS HOUSE IS A CRITICAL ANCHORING STRUCTURE IN A DELICATE BELOVED

NEIGHBORHOOD. IT IS AN IMPORTANT HOUSE I'M TRULY CONCERNED ABOUT OUR INNER CITIES, OUR CENTER CITIES, AND YOU KNOW THAT YOU ALL ARE AS WELL. I ATTENDED FIRST GRADE ACROSS THE STREET FROM THIS HOUSE AND SO THIS NEIGHBORHOOD IS PARTICULARLY IMPORTANT, AND I CAN SEE THE NEIGHBORHOOD IN MY CHILD'S MINDS' EYE. IT'S A HOUSE THAT ANCHORS THE NEIGHBORHOOD. ACROSS THE STREET IS THE FIRST BUILT STRUCTURE IN OLD ENFIELD. IT CONTAINS A GROVE OF TREES ON TOP OF A SPRING. THIS BLOCK, THIS NEIGHBORHOOD, IS THE FIRST PLANNED NEIGHBORHOOD FOR CARS IN THE ENTIRE CITY OF AUSTIN. IT WAS THE FIRST PART OF THE NEIGHBORHOOD TO BE DEVELOPED BY THE PEASE FAMILY AND IT'S IRONIC THAT THIS HOUSE OF ALL HOUSE IS MIGHT BE LOST TO CARS WHEN IT WAS PLANNED FOR CARS INITIALLY WHEN FIRST BUILT. IT'S THE ONLY SURVIVING HOUSE OF THE ORIGINAL FIVE HOUSES DEVELOPED ON ENFIELD ROAD, THE ONLY SURVIVING HOUSE OF THOSE FIVE. IT'S A CRITICAL STRUCTURE. WE ALL KNOW THAT THE PRESERVATIONS OF THESE IMPORTANT STRUCTURES MAKE OUR PROPERTY VALUABLE. THIS IS WHAT RETAINS THE HEALTH AND AND HEART OF OUR CITY. MORE THAN ANYTHING, ICE THE RIGHT THING TO DO TO PRESERVE THIS HOUSE. THANK YOU SO MUCH FOR YOUR TIME AND ATTENTION.

MAYOR WILL WYNN: THANK YOU JUDGE FOR YOUR SERVICE. SERVICE.. SHARON GEL ESPI. WELCOME, THREE MINUTES.

THANK YOU COUNCIL. I HAVE LIVED AT 1103 ENFIELD DIRECTLY ACROSS FROM THE BAUGH COL BY HOUSE FOR 11 YEARS. I'M SURE WE WOULD ALL AGREE THAT A PRUDENT BUYER HAS PROPERTY INSPECTED BEFORE HE PURCHASES IT AND A PRUDENT BUYER PAYS WHAT THE CONDITION OF THE PROPERTY COMMANDS AT THE TIME OF PURCHASE. TAKING INTO ACCOUNT NECESSARY REPAIRS. THE INVESTOR WHO PURCHASED THE BAUGH COL BY PROPERTY ARGUES IT WAS NOT COST EFFECTIVE TO REPAIR THE HOUSE WHEN HE BOUGHT IT. YET HE BOUGHT IT ANYWAY. WHETHER A BARGAIN IS A POOR ONE OR NOT, A PRUDENT BUYER PROTECTS HIS INVESTMENT. BUT THIS INVESTOR ABANDONED HIS PROPERTY TO THE ELEMENTS AND THE VAGRANTS AND ACTIVE ACTIVELY PARTICIPATED IN ITS DESTRUCTION. AS YOU HAVE HEARD, HE REMOVED

FUNCTIONING WINDOWS AND BOARDED THE THE HOLIS HOLES SO THE RAIN CAME INSIDE. HE LEFT THE PROPERTY WITHOUT TENANTS OR OVERSIGHT, AND THE DOORS UNSECURED, AND VAGRANTS IN--MOVED IN AND SET A FIRE. LIKE ALL OF US, HE HAS TER MIGHTS AND FOUNDATION PROBLEMS. DESPITE THnRK THE CITY'S PRESERVATION OFFICE CONTENDS THE HOUSE IS STILL STRUCTUR STRUCTURALLY SOUNDS AND PLEADS FOR ITS SALVATION. IT CAN BE RESTORED. CRURE USELY, THOUGH THE INVESTOR HAS NOT RESTORED THE PROPERTY, HE HAS NEVER HAD A FOR SALE SIGN ON IT. A NUMBER OF MY NEIGHBORS HAVE FIELDDED MANY INQUIRIES ABOUT ITS AVAILABILITY FOR SALE, AND ONE EVEN SENT A POTENTIAL BUYER TO THE INVESTOR. HOWEVER, DESPITE THE FACT THAT THE PROPERTY HAS BEEN DEVALUED BY NEGLECT AND MISS MANAGEMENT, THE INVESTOR'S ASKING PRICE IS \$200,000 MORE THAN HE PAID FOR IT. IF HISTORIC ZONING IS DENIED TONIGHT THE HOME WILL LEGISLATURELIEN DEMOLISHED, LOT DEVELOPMENT MAXIMIZED AND THE INVESTOR'S PROFIT, SHOULD I SAY WIND FALL, WILL BE FAR GRATED THANS 200,000, AT A LOSS TO OUR NEIGHBORHOOD AND OUR COMMUNITY. UNDER THE LAW OF EQUITY, A PERSON WHO ASKS FOR RELIEF MUST NOT HAVE CONTRIBUTED TO HIS PROBLEM. HE MUST COME TO THE TABLE WITH CLEAN HANDS. YET THIS INVESTOR HAS CREATED HIS OWN PROBLEM AND HE IS SEEKING RELIEF FROM YOU AT THE EXPENSE OF US ALL ALL. ONE OF AUSTIN'S HISTORIC NEIGHBORHOODS IS LOSING ITS CHARACTER HOUSE BY HOUSE, AND AUSTIN COMMUNITY AT LARGE IS LOSING ITS HISTORY. A CITY THAT VALUES ITS HISTORY CANNOT REWARD HIM. A RESPONSIBLE GOVERNMENT WILL NOT BE MANIPULATED. IT MUST GIVE THE INVESTOR INCONVENIENTTIVE TO RESTORE HIS PROPERTY--INCENTIVE TO RESTORE HIS PROPERTY OR TO SELL TO ONE WHO WILL. ON BEHALF OF AUSTIN WE'RE ASKING YOU TO JOIN WITH THE HISTORIC LANDMARK COMMISSION AND THE PLANNING COMMISSION WHO VOTED UNANIMOUSLY TO SAVE BAUGH COL BY. WE'RE ASKING THAT YOU SUPPORT THE HISTORIC PRESERVATION OF OUR CITY BY GRANTING HISTORIC ZONING TO THIS BEAUTIFUL OLD HOME. THANK YOU.

MAYOR WILL WYNN: THANK YOU. COUNCIL, CONVENIENTLY, THAT CONCLUDES OUR LIST OF CITIZENS WHO SIGNED UP IN FAVOR OF THIS ZONING CASE. WE NEXT GO TO FOLKS IN OPPOSITION BEFORE WE THEN HEAR REBUTTALLVE HOWEVER, WE'RE RIGHT AT OUR 5:30 BREAK. SO WITHOUT OBJECTION WE WILL NOW TABLE THE ZONING CASE. AS SOON AS WE FINISH WITH THE LIVE MUSIC AND PROCLAMATIONS WE'LL COME BACK AND TAKE UP THE CITIZENS HO WHO--WHO WANT TO SPEAK IN OPPOSITION. WE ARE NOW IN RECESS. STAY FOR THE BAND OF HEATHEN HEATHENS WHO JUST ARRIVED AND THE SERIES OF PROCLAMATIONS. THANK YOU VERY MUCH.

(LIVE MUSIC)

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MAYOR WILL WYNN: FOLKS, TIME FOR OUR LIVE MUSIC GIG HERE AT THE WEEKLY COUNCIL MEETING. JOINING US TODAY IS THE BAND OF HEATHENS. THIS IS FORMED OF TALENTED MEMBERS AND AN OUTSTANDING RHYTHM SECTION. ALL FOCUSED ON THEIR OWN PROJECTS BUT THEY SHARE THE STAGE TOGETHER SO OFTEN THAT THE GROUP WAS A NATURAL EVOLUTION. THE PROJECT DEVELOPED INTO A COLLECTION OF TALENTED MUSE ISSUANCE. THEIR WEEKLY GIG HAS GARNER GARNERED CRITICAL PRAISE AND THEY ARE NEW RECORD WILL BE RELEASED OCTOBER 10. JOIN ME IN WELCOMING THE BAND OF HEATHENS.

(APPLAUSE).

THANK YOU MAYOR.

IT WILL BE A COLD DAY IN HELL BEFORE I EVER WALK OUT ON YOU, BABY. SOMETHING YOU HAVE TO UNDERSTANDS, I'M A MAN, AND THAT THE ALL I CAN DO. WHEN I COME HOME IN THE MORNING, YOU REST YOUR WEARY HEAD UPON MY SHOULDER. YOU KNOW YOU GOT TO REALIZE INTEED THIS COULD ALL BE OVER. DON'T YOU HEAR ME WONDER WHY WE ARE GOING TO GO ROUND IN A CIRCLE. WHEN WE BOTH

KNOW WE COULD FIT SO WELL. OH, THAT AIN'T FAIR. TELL ME
THE SUGAR IN MY BLACK COFFEE, BE THE BUMBLE BEE
BUZZING AROUND. BE THE SUGAR IN MY BLACK COFFEE. BE
THE BUMBLE BEE BUZZING AROUND. IF I CAN NOW SING ME
SONG, I WANT TO GET UP AND SING IT FOR ME, BRIAN.

OH, YEAH.

IN THE TIMES WHEN I COME UNDONE, PICK ME UP AND PUT
ME BACK TOGETHER AGAIN. I'LL BE WITH YOU THROUGH THE
SUMMER AND THE FALL. DON'T YOU KNOW THROUGH THE
WINTER AND SPRINGTIME. THE LOVE I HAVE FOR YOU, YOU
KNOW MOST OF ALL, WE HAVE BEEN TALKING ABOUT
FOREVER, BABY. EVER WONDER WHY WE ARE GOING
ROUND IN A CIRCLE. WE BOTH KNOW WE COULD FIT IN SO
WELL. THAT ANTI--AIN'T FAIR. BE THE SUGAR IN MY BLACK
COFFEE. I'LL BE THE BUMBLE BEE BUZZ BUZZING
AROUND. BE THE SUGAR IN MY BLACK COFFEE, I'LL BE
YOUR BUMBLE BEE BUZZ BUZZING AROUND. YOU KNOW, IF
YOU EVER WONDER WHY WE ARE GOING ROUND AND
ROUND IN A CIRCLE. WHEN WE BOTH KNOW IT COULD FIT IN
THIS WAY. OH, THAT AIN'T FAIR. TELL ME, BE THE SUGAR IN
MY BLACK COFFEE, I'LL BE YOUR BUMBLE BEE BUZZING
AROUND. BE THE SUGAR IN MY BLACK COFFEE, I'LL BE YOUR
BUMBLE BEE BUZZING AROUND. COME BE THE SUGAR IN MY
BLACK COFFEE, I'LL BE YOUR BUMBLE BEE BUZZING
AROUND. BE THE SUGAR IN MY BLACK COFFEE, I'LL BE THE
YOUR BUMBLE BEE BUZZING AROUND. BE THE SUGAR M--IN
MY BLACK COFFEE, I'LL BE YOUR BUMBLE BEE BUZZING
AROUND. BE THE SUGAR IN MY BLACK COFFEE, I'LL BE YOUR
BUMBLE BEE BUZZING AROUND.

(APPLAUSE)

THANK YOU ALL.

(APPLAUSE)

MAYOR WILL WYNN: IN ADDITION TO THE WEEKLY GIG, WHAT
NIGHT IS THAT?

WEDNESDAY NIGHT.

WHERE ELSE CAN WE HEAR YOU?

WEDNESDAY NIGHT IS OUR CD RELEASE OF OUR NEW RECORD LIVE AT MOMO'S. IT'S COMING OUT ON THE 10TH, TUESDAY, FOR SALE IN ALL FINE STORES.

CD CAN PROBABLY BE PURCHASED PERHAPS ONLINE OR WATER LOO RECORDS.

RIGHT, BAN OF HEATHENS. HEATHENS.COM.

BEFORE YOU ALL GET AWAY, WE HAVE A SPECIAL PROCLAMATION THAT READS, BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTION TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURE DIVERSITY, 8,000 WORKING MUS MUSICIANS CONTRIBUTING TO THE ECONOMIC IMPACT OF THE CITY, GENERATING ALMOST \$25 MILLION WORTH OF LOCAL TAXES SALES ATTACKS AND BED ATTACKS, FOR--TAX AND BEDS TAX, FOR THE LOCAL GOVERNMENT, AND WHEREAS THE DEDICATED EFFORTS OF THE AR ACTIVITIES FURTHER AUSTIN'S STATUS AS THE MUSIC CAPITAL OF THE WORLD, THEREFORE, I DECLARE TODAY, OCTOBER 5, TWICK-1000 AS BANDS OF HEATH--2006, AS BAND OF HEATHEN DAY IN AUSTIN. JOIN ME IN CONGRATULATING THIS GREAT TALENT.

(APPLAUSE)

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THANK YOU, MAYOR.

MAYOR WILL WYNN: WHILE THE BAND OF HEATHENS BREAKS DOWN, WE'LL START OUR PROCLAMATIONS ON THIS SIDE OF THE ROOM. WE USE THIS TIME EACH WEEK TO SAY CONGRATULATIONS OR THANK YOU TO FOLKS OR TO HELP RAISE AWARENESS OF CAUSES AND EVENTS AROUND TOWN. THE FIRST [PRA] CLAM ACE, WE'RE CELEBRATING THE 100 ANNIVERSARY OF THE IBEW LOCAL UNION 520. I'M GOING TO READ THE PRO CLAIMATION AND ASK DAVID ADAMSON TO SAY A FEW WORDS ABOUT THE ORGANIZATION, THE LONGEVITY AND THE IMPORTANCE OF IT STILL TODAY.

PROCLAMATION READS, BE IT KNOWN THAT WHEREAS, THE INTERNATIONAL BROTHER HOOD OF ELECTRICAL WORKERS WAS CHARTERED IN OCTOBER 1906 AND NOW HAS 1400 MEMBERS IN A 16 COUNTY AREA IN CENTRAL TEXAS AND AS IT STANDS OUT AMONG OTHERS BECAUSE IT IS AMONG THE LARGEST AND HAS MEMBERS IN SO MANY SKILLED OCCUPATIONS, IBEW WORKERS WORK IN UTILITIES, CONSTRUCT TELEPHONE COMMUNICATION, BROADCASTING, MANUFACTURING, RAILROADS AND GOVERNMENT. AND WHEREAS WE'RE PLEASED TO CONGRATULATE LOCAL UNION 5020 ON ITS CENTENNIAL YEAR AND TO EXTEND OUR BEST WISHES AS THEY EXPLORE A FUTURE FULL OF ADVENTURES, TECHNOLOGY, AUTOMATION, ALTERNATIVE SOURCES OF ENERGY AND OTHERS, NOW, THEREFORE, I DO HEREBY PROCLAIM THIS MONTH, OCTOBER 2006, AS THE 100 ANNIVERSARY OF IBEW LOCAL 5020 IN AUSTIN, TEXAS. I'LL ASK DAVID TO COME UP AND SAY A FEW WORDS. JOIN ME IN CONGRATULATE A FINE ORGANIZATION OF 100 YEARS HERE IN AUSTIN.

HONORABLE MAYOR AND CITY COUNCIL MEMBERS, ON BEHALF OF THE MEMBERS AND OFFICERS OF IBEW LOCAL UNION 520 WE WOULD LIKE TO SAY THANK YOU FOR HONORING OUR 100 YEARS OF SERVICE TO AUSTIN AND THE SURROUNDING COUNTIES. TO GIVE YOU A LITTLE BIT OF BRIEF INFORMATION ABOUT THE LOCAL, WE ORIGINALLY WERE CHARTERED OCTOBER 1, 1906. IN THE 30S MEMBERSHIP WAS ABOUT 50. BUT NOT 138 WE HAD ENOUGH MEMBERS AND ENOUGH WORK IN THE JURISDICTION TO EMPLOY ITS FIRST BUSINESS MANAGER. TODAY THE LOCAL HAS A MEMBERSHIP OF NEARLY 1400, FULL-TIME BUSINESS MANAGER, TWO ASSISTANTS, OFFICE MANAGER AND TWO SECRETARIES AND ONE LEAD ORGANIZER. LOCAL 520 JURISDICTION COVERS 16 COUNTIES INCLUDING TRAVIS, PROVIDING TRAINED, QUALIFIED AND LICENSED ELECTRICIANS TO 52 SIGNATORY CONTRACTORS AND ALL OF THEIR CUSTOMERS. WE LOOK FORWARD TO ANOTHER 100 YEARS OF SERVICE TO THE CITIZENS OF AUSTIN AND THE SURROUNDING COMMUNITIES.

(APPLAUSE)

THANK YOU ALL.

THANK YOU.

MAYOR WILL WYNN: NEXT PROCLAMATION REGARDS THE RECOGNITION OF ARBOR DAY HERE IN AUSTIN. SEEMS LIKE SOMEWHAT OF A LUXURY TO HAVE A CITY ARBOR ARBORIST BUT IT'S VERY IMPORTANT TO US AS A GROWING CITY. THIS PROPORTIONALLY IS OUR URBAN FOREST THAT WE ARE SPENDING SO MUCH TIME THINKING ABOUT AS WE CONTINUE TO SORT OF REVITAL REVITALIZE THE URBAN CORE AND HAVE SO MANY FOLKS LIVE IN THE CITY. WE'RE FOCUSING ON THE URBAN FOREST WITH THE GREAT PARKS DEPARTMENT, SOME HARD WORKING FOLKS AT AUSTIN ENERGY TRYING TO HELP US FIGURE OUT A GOOD TREE TRIM TRIMMING POLICY TO KEEP US MOVING FORWARD WITH A HEALTHY YOU ARE BUT BAN FOREST. I'LL READ THE PROCLAMATION AND ASK JAY TO COME UP AND SAY A FEW WORDS. BE IT KNOWN THAT WHEREAS TREES REDUCE EROSION, CUT COOLING AND HEATING COSTS, MODERATE TEMPERATURE, CLEAN THE AIR, PRODUCE OXYGEN AND PROHABITAT FOR WILDLIFE, AND WHEREAS TREES ARE A RENEW RENEWABLE RESOURCE GIVING US PAPER AND WOOD WHILE ALSO INCREASING POPT VALUES AND BEAUTIFYING THE COMMUNITIRS AND WHEREAS I URGE ALL CITIZENS TO SUPPORT EFFORTS TO PROTECT THE TREES AND WOOD LANDS AND TO PLANT TREES TO EN THE HEART AND PROMOTE THE WELL BEING OF THIS AND FUTURE GENERATIONS DURING THE 116TH CELEBRATION OF ARBOR DAY IN TEXAS, THEREFORE, MAYOR OF AUSTIN, I HERE BY PROCLAIM OCTOBER 7 2006, AS ARBOR DAY IN AUSTIN AND ASK MR. JAY CULVER TO SAY A FEW WORDS ABOUT HOW WE CELEBRATE THAT IN AUSTIN AND HOW WE CONTINUE TO PROMOTE PROGRAMS THAT BENEFIT THE URBAN FORESTS. JAY.

THANK YOU, MAYOR.

(APPLAUSE)

TRADITIONALLY ARBOR DAY IS CELEBRATED NATIONWIDE ON THE LAST FRIDAY IN APRIL. WE FELT WE WERE SENDING OUT THE WRONG MESSAGE BY OBSERVING IT AT THE END

OF APRIL BECAUSE OUR TREE PLANTING SEASON RUNS FROM OCTOBER TO THE END OF MARCH. THIS GIVES OUR TREES A MUCH BETTER CHANCE OF SURVIVING. WE ARE HAVING OUR FIRST PUBLIC TREE PLANTING THIS SATURDAY, OCTOBER 7. IT WILL BE AT THE DOVE SPRINGS RECREATION CENTER LOCATED OFF KNUCKLES CROSSING ROAD JUST EAST OF WIDEN ELEMENTARY SCHOOL. I ENCOURAGE EVERYONE WHO CAN TO COME OUT AND HELP US PLANT TREES AND CELEBRATE AUSTIN'S ARBOR DAY. IVE THANK YOU VERY MUCH, MAYOR, AND THANK YOU FOR YOUR SUPPORT.

(APPLAUSE)

MAYOR, I WANT TO TAKE ONE OPPORTUNITY TO RECOGNIZE SCOTT HARRIS WITH TREE FOLKS. WE HAVE AN INCREDIBLE PARTNER IN TREE FOLKS. WE CAN'T DO IT OURSELVES. GOVERNMENT CAN'T BE ALL THINGS TO ALL PEOPLE WITH RESPECT TO TREES. BUT WE DO COLLABORATE WITH TREE FOLKS EVERY YEAR AND SCOTT HARRIS IS HERE WITH US TODAY. I'D LIKE TO RECOGNIZE SCOTT HARRIS AS OUR PARTNER IN OUR ENDEAVORS TO MAKE AUSTIN A GREEN CITY. SCOTT, THANK YOU VERY MUCH.

(APPLAUSE).

MAYOR WILL WYNN: NEXT PROCLAMATION REGARDS NATIONAL DENTAL HYGIENE MONTH SEALANT DAY. AFTER I READ THE PRESENT CLAMATION AND GIVE YOU A LITTLE-- PROCLAMATION AND GIVE YOU A LITTLE INFORMATION ABOUT THE DAY AND PRODUCT, WE'RE GOING TO HEAR FROM SHERYL COLE, THE OTHER ONE, NOT OUR CITY COUNCIL MEMBER, TO TELL US ABOUT THE DAY AND ABOUT THE IMPORTANCE OF DENTAL HYGIENE HYGIENE. PROCLAMATION READS, BE IT KNOWN THAT WHEREAS LOCAL MEMBERS OF THE TEXAS DENTAL HYGIENIST ASSOCIATION ARE PARTICIPATING IN SEALANTS ACROSS TEXAS TO HELP PROTECT THE TEETH OF UNDERSERVED AND UNINSURED CHILDREN IN OUR AREA, WHEREAS TWO SEALANTS ACT AS A PHYSICAL BARRIER TO PREVENT ORAL BACTERIA FROM COLLECT AND CAUSING DECAY, AND WHEREAS WE COMMEND THE DENTAL HYGIENISTS IN

CONJUNCTION WITH DENTISTS AT THE AUSTIN COMMUNITY COLLEGE FOR HOLDING THE FREE CLINIC FOR CHILDREN IN THE AREA, THEREFORE, I, MAYOR OF THE AUSTIN, DO PROCLAIM OCTOBER 14, 2006, AT DENTAL HYGIENE MONTH SEALANT DAY IN AUSTIN AND ASK SHERYL TO STEP UP AND SAY A FEW WORDS ABOUT THE PROGRAM AND HOW WE GET THE WORD OUT TO PARENTS AND TEACHERS SO THESE UNDER UNDERINSURED CHILDREN CAN TAKE ADVANTAGE OF THIS PROGRAM. THANK YOU OR YOUR HARD WORK.

(APPLAUSE)

THANK YOU FOR RECOGNIZING WHAT THE DENTAL HYGIENISTS DO FOR THE CHILDREN OF AUSTIN. WE LIKE TO CELEBRATE THE MONTH OF OCTOBER AS OUR 10TH ANNUAL SEALANTS ACROSS TEXAS DAY. ON SATURDAY OCTOBER 14 FROM 9-1 P.M. WE WILL BE PROVIDING SEALANTS TREE OF COST TO THE CHILDREN OF AUSTIN. THIS PROJECT IS DONE IN CONJUNCTION WITH 11 OTHER GROUPS ACROSS THE STATE. OURS IS GOING TO BE HELD AT THE AUSTIN COMMUNITY COLLEGE EAST VIEW CAMPUS AT THE DENTAL HYGIENE CLINIC. FOR THOSE OF HOW MAY NOT BE AWARE, SEALANTS ARE PROTECTIVE COATINGS PLACED ON THE BACK MOLARS TO PREVENT DECAY. THE SERVICE IS PRETO THE CHILDREN BUT PARENTS MUST ACCOMPANY THE CILED. A DENTAL HYGIENIST WILL PLACE THE SEALANT ON THE BACK OF THE TEETH AND WILL BE OFFER A FLUORIDE TREATMENT AND CHILDREN WILL BE TAUGHT TO TAKE CARE OF THEIR TEETH. ALSO THIS MONTH WE'LL BE HOSTING ANOTHER EVENT ON SATURDAY OCTOBER 28 AT REAGAN HIGH SCHOOL FROM 9-4. KAREN IS GOING TO ANSWER ANY OTHER QUESTIONS.

GOOD EVENING. I ALSO WANT TO THANK ALL THE HYGIENISTS THAT WILL BE PARTICIPATING IN THIS EVENT. THEY ARE GIVING THEIR TIME AND THEIR TALENT TO HANG THE CHILDREN OF AUSTIN--HELPING THE CHILDREN OF AUSTIN. A YOUNG CHILD WITH A TOOL EIGHT CANNOT--TOOTH ACHE CANNOT LEARN. WE'RE HELPING TO PREVENT CAVE CAVITIES BY GETTING TO THE SIX-YEAR MOLARS THAT COME IN AROUND THE AGE OF SIX, AND 12-YEAR MOLAR. IF WE CAN GET TO THEM BEFORE THE DECAY WE CAN PREVENT A LOT OF PAIN AND LOST TIME FROM SCHOOL. WE

HAVE GOTTEN IN TOUCH WITH 15 SCHOOLS IN THE DISTRICT THROUGH THE SCHOOL NURSES TO ANNOUNCE OUR PROGRAM, TWO MIDDLE SCHOOLS AND 13 ELEMENTARY SCHOOLS. AND WE'RE LOOKING FORWARD TO A LARGE TURNOUT. WE'VE GOT, WE'RE READY TO GO ON THE 14TH, STARTING AT NINE A.M. PARENTS MUST ACCOMPANY THEIR CHILDREN. THERE IS, I KNOW, A BUS COMING WITH PARENTS AND CHILDREN, I'M TOLD THERE'S GOING TO BE A BUS LOAD. WE'RE LOOKING FORWARD TO THE-- THE--FORWARD TO THE EVENT AND TO PARTICIPATING IN HOPE FES FEST WHICH IS A COLLABORATION OF MANY AGENCIES COMING TOGETHER AT REAGAN HIGH SCHOOL FROM 9-4 ON SATURDAY OCTOBER 28. IT'S TO LET THE PEOPLE THAT LIVE IN THAT AREA KNOW, OF EVERYTHING THAT'S OUT THERE IN THE WAY OF SOCIAL SERVICES AND MEDICAL AND DENTAL SERVICES AVAILABLE TO THEM. SO WE'RE LOOKING FORWARD TO PARTICIPATING IN THAT TO ALSO CELEBRATE NATIONAL DENTAL HYGIENE MONTH. THANK YOU.

THANK YOU ALL.

MAYOR WILL WYNN: THANK YOU SO MUCH. GREAT PROGRAM.

THANK YOU. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] INSTITUTE LOTS OF INTERSECTION BETWEEN AUSTIN AND THE CITY OF WOOS. SO I'M GOING TO READ A PROCLAMATION AND THEN HAVE MARY GABRON TALK ABOUT THE POLISH FILM FESTIVAL MONTH HERE IN AUSTIN AND EXPLAIN WHY WE'RE CELEBRATING THIS AND THE OPPORTUNITIES THAT IT REPRESENTS BETWEEN POLAND AND AUSTIN. THE PROCLAMATION READS, BE IT KNOWN WHEREAS THE AUSTIN POLISH SOCIETY AND THE NATIONAL FILM SCHOOL AND WOOS POLE LAND ARE HOSTING OUR FIRST FESTIVAL AT ALAMO DRAFT HOUSE ON LAMAR. THE FILMS ARE DIRECTED..... DIRECTED BY WELL-KNOWN GRADUATES OF THE NATIONAL FILM SCHOOL OF POLE LAND WHO WILL SCREEN THEIR WORK AT THE FESTIVAL AND WHEREAS AN EXHIBIT OF HISTORIC POLE I CAN FILM POSTERS IS ON DISPLAY AT UT AT HARRY RAN SOM, COMMUNICATIONS BETWEEN FILM STUDENTS BETWEEN THE

UNIVERSITY OF TEXAS AND THE FILM SCHOOL IN WOOS.
THEREFORE I, WILL WYNN, MAYOR OF AUSTIN DO HERE BY
PROCLAIM THE MONTH OF OCTOBER, 2006 AS THE MOLE
ISSUE FILM AND CULTURE MONTH HERE IN AUSTIN AND ASK
MS. MARY GABROON TO... TO SAY A FEW WORDS ABOUT THE
PROGRAM, THE MONTH AND HOW CITIZENS OF AUSTIN CAN
BECOME MORE FAMILIAR AND HOW THEY GET GET DOWN TO
THE ALAMO DRAFT HOUSE AND SEE SOME GREAT FILMS.
[APPLAUSE]

THANK YOU, MAYOR WYNN. HONORABLE MAYOR WYNN AND
CITY COUNCIL MEMBERS, I WANT TO THANK YOU FOR THIS
OPPORTUNITY. I'M A MEMBER OF THE AUSTIN AMERICAN
POLISH SOCIETY BUT I DON'T DO THIS JOB ALONE. WE'VE
HAD MUCH HELP FROM THE CITIZENS OF AUSTIN AND THE
MEMBERSHIP OF OUR ORGANIZATION AND FROM MANY
PEOPLE WHO ARE NOT EVEN POLISH. SO FOR THIS THIS IS
AN HONOR, A GREAT EVENT AND THE BEGINNING OF MANY
YEARS. WE'VE BEEN PRESENTED JUST NOW WITH PEOPLE
WHO HAVE HAD ORGANIZATIONS THAT HAVE HAD A LONG
LIFE. WE'RE IN OUR FIRST YEAR AND WE HOPE THAT THIS
CONTINUES TO HAPPEN. WE LOVE AUSTIN AND WE SUPPORT
MUSIC, CULTURE, EDUCATION AND FILM, AND I WANTED TO
JUST TAKE A MOMENT BECAUSE I WANTED TO MAKE SURE
THAT EVERYBODY RECOGNIZES MR. MARK HALL FOR MISS
MAJOR CONTRIBUTION HE HAS MADE AND GIVEN US THE
OPPORTUNITY TO MEET WITH THE FOLKS AT CITY HALL.
MAYOR WYNN, YOU HAVE A FANTASTIC STAFF. YOU HAVE
PEOPLE WHO ARE TOTALLY IN SUPPORT OF ALL OF OUR
ACTIVITIES, AND WITHOUT THAT WE COULD NOT EVEN GET
STARTED. WE HAVE FRIENDS OF OURS FROM POLAND HERE
WHO HAVE COME TO PRESENT THEIR FILMS. A WOMAN WHO
IS A WELL-KNOWN FILM MAKER FROM EUROPE AND SHE IS
NOW BEING SHOWN TONIGHT. SHE'S PREMIERING HERE. WE
KNOW THAT AUSTIN SUPPORTS FILM. WE KNOW THAT
AUSTIN AND ITS FILM INDUSTRY IS JUST BEGINNING TO BE
THE HOTTEST THING SO WE'RE VERY PLEASED THAT SHE
COULD COME AND JOIN US. WE ALSO HAVE ANOTHER
WOMAN WHO IS A WELL-KNOWN POSTER ARTIST IN POLE
LAND. HE'S JUST GIVEN A COUPLE OF CLASSES AT UT
YESTERDAY AND TODAY. AND WE THANK UT FOR
RECOGNIZING THE FACT THAT WE HAVE A LOT TO OFFER AS

POLES TO AMERICAN CITIZENS AND TO AMERICAN STUDENTS. SO SO I WANTED TO SHARE THE PODIUM WITH A WOMAN FROM THE POLISH CONSEQUENCE LAT IN LOS ANGELES WHO MADE A SPECIAL TRIP FOR ONE DAY TO BE PRESENT HERE TODAY WITH US AND THEN ALSO TO ATTEND THE PREMIERE OF THE FILM, AT THE SOUTH ALAMO DRAFT HOUSE. [APPLAUSE]

THANK YOU VERY MUCH.

MAYOR WILL..... WILL WYNN, LADIES AND GENTLEMEN, ON BEHALF OF THE CONSULAT GENERAL OF THE REPUBLIC, I WANT TO THANK YOU YOU FOR J RECOGNITION AND EXPRESS MY PERSONAL -- THIS IS ABSOLUTELY UNIQUE EXPERIENCE AND I MUST SAY THAT OUST IS A WONDERFUL CITY, BUT VERY FRIENDLY FOR MANY DIFFERENT CULTURES AND ALSO FOR POLISH CULTURE AND I WOULD LIKE TO PRESENT TO YOU SOME SMALL SAMPLE OF POLISH CULTURE. I HOPE YOU ENJOY THIS.

MAYOR WYNN: I WILL. THANK YOU SO MUCH. [APPLAUSE]

IT WILL BE MY PLEASURE THIS EVENING TO READ A PROCLAMATION HONORING THE DOWNSTAIRS..... DOWN'S SYNDROME ASSOCIATION OF CENTRAL TEXAS. OCTOBER HAS TRADITIONALLY BEEN DOWN'S SYNDROME THROUGHOUT THE COUNTRY, AND WE WANT TO CONTINUE THAT TRADITION HERE IN AUSTIN. THERE ARE 350,000 PEOPLE IN THE COUNTRY AT THIS TIME THAT ARE AFFLICTED WITH DOWNSTAIRS..... DOWN'S SYNDROME. IT AFFECTS PEOPLE FROM EVERY RACE, GENDER, ETHNICITY. IT'S PERVASIVE AND WIDESPREAD AND I'M VERY GRATEFUL TO THIS GROUP FOR DOING THE WORK THAT THEY DO. SO I'LL READ THE PROCLAMATION NOW. BE IT KNOWN THAT WHEREAS DOWN'S SYNDROME IS THE MOST COMMONLY OCCURRING CHROMOSOMAL ABNORMALITY AFFECTING ABOUT 5,000 NEWBORNS EACH YEAR, DOWN'S SYNDROME AFFECTS ALL AGES, RACES, ETHNICITIES AND ECONOMIC GROUPS AND WHEREAS DOWN'S SYNDROME CAUSES DELAYS IN PHYSICAL, INTELLECTUAL AND LANGUAGE DEVELOPMENT, BUT ADVANCES IN RESEARCH, EDUCATION AND HEALTH CARE ENABLE PEOPLE WITH DOWN'S SYNDROME TO LEAD ACTIVE, PRODUCTIVE LIVES AND

WHEREAS THIS SPECIAL WEEK IS SET ASIDE TO PROMOTE A GREATER UNDERSTANDING OF DOWN'S SYNDROME AND TO HELP CREATE AN ATMOSPHERE WITHIN OUR COMMUNITY WRITTEN ALL PEOPLE ARE FREE TO DEVELOP THEIR ABILITIES, ENJOY PRODUCTIVE WORK AND MAKE MEANINGFUL CRY.... CONTRIBUTIONS, NOW THEREFORE I, WILL WYNN, READING FOR HIM, MAYOR OF THE CITY OF AUSTIN, DO HERE BY PROCLAIM OCTOBER 2006 AS NATIONAL DOWN'S SYNDROME AWARENESS MONTH, AND HERE TO ACCEPT THE PROCLAMATION WILL BE LORI TULLOS BARTA, WHO IS ON THE BOARD OF DIRECTORS OF THE DOWN'S SYNDROME ASSOCIATION OF CENTRAL TEXAS. [APPLAUSE]

COUNCIL MEMBER LEFFINGWELL AND MAYOR WYNN, WE WOULD JUST LIKE TO THANK YOU VERY SINCERELY AS PARENTS AND AS BOARD THE BOARD OF THE DOWNSTAIRS..... DOWN'S SYNDROME ASSOCIATION. IT MEANS SO MUCH TO US THAT YOU'RE RECOGNIZING THE TALENTS AND ABILITIES AND UNIQUE WORTH OF OUR CHILDREN AND WE THANK YOU VERY MUCH. [APPLAUSE]

AND FOR ANYONE WHO WANTS MORE INFORMATION ABOUT DOWN'S SYNDROME AND SERVICES HERE IN CENTRAL TEXAS YOU CAN ACCESS OUR WEB SITE AT DSS.COM, AND ON BEHALF OF THE WHOLE BOARD AND THE ASSOCIATION, WE'D LIKE TO PRESENT EACH OF YOU WITH OUR 2007 -- THEY'RE EXCITED -- SHARE THE PASSION CALENDAR. THE CALENDAR PAIRS US, INDIVIDUALS WITH DOWN'S SYNDROME AND LOCAL CELEBRITIES INCLUDING OUR ESTEEMED MAYOR WILL WYNN. SO WE REALLY APPRECIATE ALL OF YOUR ASSISTANCE AND RECOGNITION FOR OUR CHILDREN. THANK YOU.

LEFFINGWELL: AND CONGRATULATIONS AGAIN. WOULD ANYONE ELSE LIKE TO SAY A WORD? BEEN SAYING A FEW WORDS ALL ALREADY, HAVEN'T YOU?

WE LOOK FORWARD TO WORKING WITH THE CITY ON INCREASING SERVICES FOR PEOPLE WITH INTELLECTUAL DISABILITIES AND HAVING SOME MORE INCLUSIVE PROGRAMMING THROUGH THE PARKS DEPARTMENT. WE HOPE WE CAN WORK TOGETHER TO MAKE SOME GAINS AND PROGRESS TO ENSURE THAT PEOPLE WITH DOWN'S

SYNDROME ARE FULLY INCLUDED IN SOCIAL SECURITY MUCH PROGRAMMING AS POSSIBLE IN THE CITY. THANK YOU. [APPLAUSE]

IT IS WITH GREAT PRIDE TODAY THAT WE... WE CELEBRATE SOME OF OUR PARTNERS IN OUR AFFORDABLE HOUSING PROGRAM, SO I HAVE A SPECIAL PROCLAMATION FOR THE CITY OF AUSTIN, THE AUSTIN HOUSING FINANCE CORPORATION AND AUSTIN ENERGY, IN CONJUNCTION WITH HABITAT FOR HUMANITY. BE IT KNOWN THAT WHEREAS THE CITY OF AUSTIN, THE AUSTIN HOUSING FINANCE CORPORATION AND AUSTIN ENERGY WILL HELP MAKE SARAH VALDEZ'S DREAM COME TRUE BY SPONSORING THE CONSTRUCTION OF A NEW AUSTIN HABITAT FOR HUMANITY HOME FOR HER AND HER FAMILY, AND WHEREAS SARAH VALDEZ'S HOME WILL BE BUILT IN THE NEW FRONTIER AT -- AT MONTANA SUBDIVISION IN THE MONTOPOLIS NEIGHBORHOOD, AN AFFORDABLE HOUSING SUBDIVISION BEING DEVELOPED BY AUSTIN HOUSING FINANCE CORPORATION, AND WHEREAS THE FIRST WALL OF SARAH VALDEZ'S HOME WILL BE RAISED ON TUESDAY, OCTOBER 11 AT THE KICKOFF EVENT FOR THE BUILDERS BLITZ, A CHALLENGE TO BUILD SARAH'S HOME IN ONLY TEN WEEKS. NOW, THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS DO PROCLAIM OCTOBER 11 AS HABITAT FOR HUMANITY BUILDERS BLITZ TODAY..... DAY AND WE HOPE THAT EVERYONE WILL JOIN US ON THAT DAY. I'D LIKE TO ASK PAUL HILGERS AND JUAN GARZA TO SAY A FEW WORDS ABOUT THIS IMPORTANT PROJECT.

THANK YOU. THANK YOU VERY MUCH, MAYOR PRO TEM. WE WANT TO TAKE THE OPPORTUNITY TO CELEBRATE THE PARTNERSHIP WE HAVE WITH HABITAT AND TO ENCOURAGE ALL OF AUSTIN TO KNOW OF THE GOOD WORK OF AUSTIN HABITAT FOR HUMANITY. THEY ARE LEAD PARTNERS, FIRST PARTNERS WORKING IN THE SUBDIVISION THAT IS A SUBDIVISION THAT'S BEEN LONG IN THE PLANNING STAGES, BUILT ON LAND THAT WAS PURCHASED AND ALSO LAND THAT WAS DONATED, DEEDED TO THE AUSTIN HOUSING FINANCE CORPORATION FROM AUSTIN ENERGY. WE'LL HAVE 81 HOMES TOTALLY OUT THERE, BUT 20 OF THOSE HOMES AT LEAST WILL BE HABITAT HOMES, AND THE BUILDING OF THOSE HOMES BEGINS AT... AS THE MAYOR PRO TEM SAID,

ON OCTOBER THE 11TH, WITH THE BUILDERS BLITZ. I WANT TO MENTION THE BUILDERS WHO ARE ERROR WHO ARE INVOLVED IN THAT BLITZ, SYNTAX HOMES, KIM BELL HILL AND LEGACY HOMES, AND THOSE FOR PROFITS BUILDERS HAVE JOINED IN THIS EFFORT TO CREATE THESE OPPORTUNITIES OF VERY AFFORDABLE HOMES THAT WILL COST NO MORE THAN 60,000 -- AVERAGE OF 60,000 HOMES OF ALL THE HOMES THEY'RE BUILDING. SO IT'S A GREAT OPPORTUNITY FOR US TO BRING VERY AFFORDABLE HOUSING TO A NEIGHBORHOOD AND TO A COMMUNITY THAT HAS BEEN SEEKING THESE OPPORTUNITIES FOR A LONG TIME, VERY PROUD TO BE PARTNERING ALSO WITH AUSTIN ENERGY. WE'RE CO-FINANCING THIS AND WE ENCOURAGE OUR EMPLOYEES TO COME AND VOLUNTEER THEIR TIME ON THE WEEKENDS WHEN THEY CAN TO PARTICIPATE IN THIS, AS ALL OF YOU CAN. CONTACT AUSTIN HABITAT FOR HUMANITY IF YOU'RE INTERESTED IN PARTICIPATING IN THIS BUILD IN ANY FORM OR FASHION. THEY TAKE ALL COERCE AND VOLUNTEERS, SO WE APPRECIATE THE OPPORTUNITY TO PLUG THIS DAY AND THE SUPPORT THAT THE COUNCIL HAS GIVEN US FOR ALL THE AFFORDABLE HOUSING ACTIVITIES WE UNDERGO TOGETHER AND WE ARE PARTICULARLY APPRECIATIVE OF THE WORK THAT AUSTIN ENERGY HAS DONE IN CO-FINANCING THIS HOUSE WITH US AND WE LOVE PARTNERING WITH AUSTIN ENERGY.

MAYOR PRO TEM, PAUL TALKED ME INTO THIS PROJECT AND I SURE AM GLAD THAT HE DID. I'M LOOKING FORWARD TO PARTICIPATING IN AND I ENCOURAGE ALL OF OUR EMPLOYEES AT AUSTIN ENERGY TO COME OUT WITH ME AND HELP BUILD THIS WONDERFUL HOUSE FOR A WELL DESERVING FAMILY. THANK YOU. [APPLAUSE]

GOOD EVENING. THE LAST TIME WE HAVE DURING PROCLAMATIONS IS A PRESENTATION FROM SOME OF THE FOLKS WHO TENDERED OUR SISTER CITY'S TRIP TO SAL TI ON, MEXICO. WE HAVE GLORIA FROM THE SISTER CITY'S COMMITTEE. FORMER MAYOR GUS GARCIA IS HERE AS WELL. IF THEY WOULD COME UP AND JOIN ME AND MAKE THE PRESENTATION.

THANK YOU VERY MUCH. THANK.....THANK YOU COUNCIL MEMBER. IN 1967, SAL TI ON BECAME THE CITY OF AUSTIN'S

FIRST SISTER CITY. OVER THE YEARS A TRADITION OF AN ANNUAL EXCHANGE OF VISITS DEVELOPED. THIS YEAR A DELEGATION FROM AUSTIN TRAVELED TO SAL TI ON JULY THE 22ND THROUGH THE 25TH. THE GROUP OF 32 TRAVELED BY CHARTERED BUS TO EAGLE PASS AND ONTO FEDERAL HIGHWAY 57 THROUGH THE BEAUTIFUL SIERRA MOUNTAINS. THE DELEGATION INCLUDED MEMBERS OF THE AUSTIN SALTILLO SISTER CITY ORGANIZATION, ARTISTS, ENVIRONMENT AND WATER TREATMENT SPECIALISTS, FIREFIGHTERS POLICEMEN AND ELECTED OFFICIALS. SEVERAL STOPS WERE MADE ALONG THE WAY INCLUDING ONE AT BLACK BARE PASS WHERE WE STOPPED TO TAKE A FOAT..... PHOTO AND ENJOY THE VIEW. BY THE TIME WE ARRIVED IN MONCLOVA WE WERE ALREADY FOR LUNCH. THE GOOD FOOD WAS SERVED FAMILY STYLE AND ENJOYED BY ALL. THE STOP GAVE US TIME TO UNWIND AND SET OUR RHYTHM TO THE MORE GENTLE AND LEAST YOUR PACE THAT IS MEXICO. THE EVENING OF OUR ARRIVAL IN SALTILLO. THE HEAD OF OUR DELEGATION, MIKE MARTINEZ, WAS HEADED AT A RECEPTION AND DINNER. IT WAS A TIME TO GREET LONG TIME FRIENDS WHO TRULY HAVE BECOME LIKE FAMILY, TO INTRODUCE THE NEW MEMBERS OF OUR DELEGATION AND TO ENJOY BEING TOGETHER AGAIN. THE AUSTIN SALTILLO SISTER CITY'S RELATIONSHIP EXEMPLIFIES THE VERY ESSENCE OF WHAT SISTER CITY CONCEPT STANDS FOR, A PEOPLE TO PEOPLE PROGRAM THROUGH WHICH PEOPLE OF TWO COUNTRIES GET TO KNOW, UNDERSTAND AND RESPECT EACH OTHER. THAT EVENING, IN THE COOLNESS OF A LOVELY NIGHT IN SALTILLO WE CAME TOGETHER TO ENJOY GOOD FOOD, GOOD MUSIC, GOOD CONVERSATION AND GOOD COMPANY. THERE WERE WELL..... WELCOMING SPEECHES AS WELL AND OF COURSE THERE WAS GOOD MUSIC, AND THE BEST PART OF IT ALL WAS THAT BECAUSE SOME OF US WERE THERE TO BE ENTERTAINED BUT OTHER OF US WERE THERE TO BE THE ENTERTAINMENT. THERE'S ALWAYS THE GAYNESS OF MUSIC AND SEEING IN SALTILLO. THE NEXT MORNING WE BOARDED OUR BUS FOR THE ONE AND A HALF HOUR TRY TO PARAS, THE OWE ACES OF. THIS LOVELY CITY IS AN OWE ACES, WITH PECAN ORCH ARDZ, WINE VIN YARDS AND A LOVELY GET AWAY RESORT WITH A GOLF COURSE AND A GOOD RESTAURANT. THE CITY HAS ALSO BEEN DESIGNATED AS

ONE OF MEXICO'S MAGICAL CITIES. NEXT WE VISITED THE MUSEUM IN THE FAMILY HOME OF FRANCISCO, WHO WAS PRESIDENT OF MEXICO IN 1911. LUNCH WAS ON THE PATIO OF THE HOTEL HE... EL FEROL AND AFTER LUNCH WE CONTINUED OUR TOUR OF PAREZ. WE VISITED THE CHURCH OF SAN ANTONIO ON MADERO BUILT IN 1868 AND LOCATED ON TOP OF A HILL. SOME IN OUR GROUP CLIMBED TO THE TOP WHERE THEY GOT A FANTASTIC VIEW OF PAREZ. NEXT WE TOURED THE WINERY, THE FIRST IN THE AMERICAS, BUILT IN 1597. EACH YEAR DURING THE MONTH OF AUGUST PAREZ LARGEST FESTIVAL, DEL VINO IS HERE. AFTER THE TOUR AND THE WINE TASTING WE WERE TAKEN TO AN OUTDOOR RECEPTION ON THE GROUNDS OF THE WINERY WHERE WE WERE TREATED TO SOME MODERN MEXICAN MUSIC AS WELL AS THE MORE TRADITIONAL AND REGIONAL DANCES. PRIOR TO DINNER THERE WAS AN EXHIBITION OF STOMPING OF THE GRAPES, AND MANY IN OUR DELEGATION FOUND IT IMPOSSIBLE TO RESIST THE INVITATION TO JOIN IN. I MENTIONED THAT THERE'S ALWAYS MUSIC IN SALTILLO. FORTUNATELY FOR US SEVERAL MEMBERS OF THE SISTER CITY'S ASSOCIATION ARE SINGERS OR THEY HAVE RELATIVES THAT SING. ON THIS TRIP EVEN THE BUS DRIVER SANG. THE TWO BEAUTIFUL SINGERS WHO ENTERTAINED US THAT EVENING ARE THE NIECES OF ROSIE AND JOSE ANTONIO GARCIA. HE IS A SCULPTOR AND HIS WIFE ROSIE AND THEY SERVE AS CO-CHAIRS OF THE CITY COMMITTEE IN SALTILLO AND WERE INSTRUMENTAL IN HANGING AND ARRANGING AN ART EXHIBIT THAT I'LL TALK A LITTLE BIT MORE ABOUT LATER. WELL....THE NEXT MORNING WE GOT TO WORK. THE WORK SESSION ADDRESS..... ADDRESSED MANY TOPICS, MUNICIPAL SERVICES, SAFETY, HE HAD HE... EDUCATION, CULTURE AND ECONOMIC DEVELOPMENT. EACH TABLE HAD SOMEONE WHO TOOK NOTES ON WHAT WAS DISCUSSED. THE PROJECT SELECTED AND THE PLANS FOR IMPLEMENTATION. FROM THE WORK SESSION WE TRAVELED TO A MEETING WITH MAYOR FERNANDO. THE MEETING WAS HELD AT CITY HALL WHICH FEATURES A LARGE MURAL THAT DEPICTS THE HISTORY OF SALTILLO. THE INTRODUCTIONS AND THE WELCOME WERE GIVEN IN THE COUNCIL CHAMBER. FOLLOWING THE MEETING WE WERE INVITED TO A LUNCH HOSTED BY THE MAYOR AND HELD IN THE CASINO OF SALTILLO, A MEMBERSHIP CLUB WITH A LONG TIME MEMORY

OF HOSTING SOME OF THE MOST SPECTACULAR SOCIAL EVENTS. THAT EVENING WE ATTENDED THE OPENING OF ART EXHIBIT 2006, HELD AT THE CULTURAL CENTER FEATURING 29 PIECES OF ART BY NINE ARTISTS FROM AUSTIN. THREE ARTISTS SCULPTURE DAN POGEO AND PHOTOGRAPHER AND SCULPTURE MARY PAGE HIEWT ATTENDED THE OPENING. THE EXHIBIT WAS THE RESULT OF AN IDEA AT A WORK SESSION ON CULTURE DURING THE SOMETHING HELD IN AUSTIN. THE OPENING WAS A COOPERATIVE EFFORT BETWEEN THE CULTURAL COMMITTEE IN AUSTIN AND THE ONE IN SALTILLO. THE COST TO TRANSPORT THE EXHIBIT WERE PAID BY LOCAL CONTRIBUTIONS AND ASSISTANCE FROM THE CULTURAL DIVISION OF THE CITY OF AUSTIN. THE MORE THAN OF THE 25TH WE TRAVELED BEFORE SUNRISE TO MEET THE MAYOR AT THE CELEBRATION OF SALTILLO'S 429.... 429 ANNIVERSARY. AT THE END OF THE CEREMONY THE GROUP WALKED DOWN TO THE BOTTOM OF THE HILL TO LAY A BREATHE NEXT TO A CHURCH WHERE A SPRING OF WATER FOR WHICH THE CITY IS STILL NAMED STILL FLOWS. AND AS THE CITY WAS BATHED IN SUNLIGHT WE SAID HASTA LUEGO TO OUR FRIENDS IN SALTILLO. [APPLAUSE]

THANK YOU GLORIA AND THANK YOU TO ALL THE FOLKS WHO WENT THERE. A FEW OF THEM ARE HERE. I WANT TO RECOGNIZE REBECCA WHO IS HERE. WE SENT SOME FOLKS FROM AUSTIN WATER UTILITY, SOME OF OUR ENGINEERS, WE HAD ARTISTS. VICTOR FROM AUSTIN PARKS AND REX IS HERE. MARY ANN WHO WASN'T ABLE TO MAKE IT THIS YEAR BUT IS EXTREMELY SUPPORTIVE THROUGH THE OFFICE OF SISTER CITIES, ALONG WITH VINCENT CICH AND I WANT TO THANK THANK EVERYONE AND THANK HIM FOR ALL THE PHOTOS. HE TOOK EVERY ONE OF THESE PHOTOS THAT WERE DISPLAYED TODAY SO I REALLY APPRECIATE THE WORK THAT THE SISTERS COMMITTEE HAS DONE WITH SALTILLO IS WONDERFUL THE STRIDES WE'VE MADE IN HELPING THAT COMMUNITY GROW AND PRODUCTS TER AND DEVIL HAS.... HAS BEEN JUST UNIMAGINABLE FROM THE FIRST TIME I WENT..... WENT IN 1995 SO I WANT TO THANK YOU YOU FOR YOUR DEDICATION AND COMMITMENT AND HARD WORK. THANK.....THANKS. [APPLAUSE]

WE WILL RESUME THE COUNCIL MEETING SHORTLY.

REC.S.....

APOLOGIZE ON THE DELAY. WE'RE WAITING ON A COUPLE MORE COUNCIL FOLKS. THIS IS AN IMPORTANT CASE. WE WANT TO MAKE SURE WE HAVE ENOUGH COUNCIL PEOPLE TO HEAR THE ARGUMENTS. THEY'LL BE HERE SHORTLY..... HOUSE.

THERE BEING A QUORUM PRESENT I'LL CALL BACK TO ORDER THE MEETING OF CITY COUNCIL. WE'VE BEEN RECESSED FOR ALMOST AN HOUR AND I APOLOGIZE FOR THE DELAY. YOU REMEMBER WE HAD JUST FINISHED OUR PUBLIC TESTIMONY, CITIZEN TESTIMONY FROM FOLKS WHO ARE IN SUPPORT OF, IN FAVOR OF THE HISTORIC ZONING ON THIS CASE. WE NOW GO TO FOLKS IN OPPOSITION TO THE HISTORIC ZONING AND I THINK THEY ALSO HAVE SUPPLIED ME WITH A LIST OF THE ORDER IN WHICH THEY WOULD LIKE TO SPEAK. AND DOES THAT START WITH YOU, MR. JIM BENNETT? AND NO ONE HAS DONATED TIME TO YOU SO YOU'RE TAKING THREE MINUTES? OKAY. SO NOW WE'LL HEAR FROM FOLKS IN OPPOSITION TO THE HISTORIC ZONING CASE. WE'LL START WITH MR. JIM BENNETT. HE'LL BE FOLLOWED BY DMING ON GARZA.

MAYOR AND COUNCIL I'M HERE ON BEHALF OF MR. GARDERE WHO IS THE OWNER OF THIS PROPERTY WHO PURCHASED IT IN NOVEMBER OF 2001. HE DID PURCHASE THE PROPERTY FROM MRS. PORTER. I TOO HAVE KNOWN MRS. PORTER FOR ABOUT 32 YEARS. AT ONE TIME I WAS HER SUPERVISOR FOR ABOUT 20 SOMETHING YEARS WITH THE CITY OF AUSTIN. AND I WOULD REITERATE MS. PORTER IS A FINE LADY. WHEN MR. GARDERE PURCHASED THIS HOUSE, THERE WAS NO PRIORITY ESTABLISHED FROM THE CULTURAL SURVEY, IN OTHER WORDS, THERE WASN'T GIVEN ANY AS FAR AS ITS ARCHITECTURAL SIGNIFICANCE AND THERE WAS NO HISTORIC DISTRICT IN PLACE WHEN HE PURCHASED THE PROPERTY. AFTER THAT THERE WAS AN EVALUATION DONE AND THERE IS SOME STRUCTURAL, THAT OTHER SPEAKERS WILL SPEAK TO YOU ABOUT WITH DOCUMENTATION OF SUCH. IT'S TRUE THAT THE ASSOCIATE JUSTICE BOB LIB DO NOT LIVED IN THE HOUSE FOR FIVE YEARS AND PROFESSOR COLBY LIVED IN THE HOUSE. HOWEVER THE FACT THAT HE WAS A PROFESSOR AT THE UNIVERSITY OF TEXAS AND

ASSOCIATE JUSTICE BAUGH DOES NOT NECESSARILY INDICATE HISTORICAL SIGNIFICANCE TO THE STRUCTURE. ALL PROFESSORS AT UT ARE ENCOURAGED TO BE PUBLISHED PROFESSORS FROM THE UNIVERSITY AS WELL AS PROFESSOR COLBY. AFTER PURCHASING THE HOUSE THE HOUSE BECAME VACANT CHT THERE WAS TRANSIENT PEOPLE LIVING IN THE HOUSE. THE CODE COMPLIANCE PEOPLE, THE SUBSTANDARD HOUSING PEOPLE, TAGGED IT. WE HAD A HEARING BEFORE THE HOUSING COMMITTEE AND THEY INDICATED THAT THEY NEEDED TO BOARD THE HOUSE UP TO KEEP THE TRANSIENTS OUT. WE DID THAT. THE TRANSIENTS STILL STAYED IN -- OR CAME IN BY TAKING THE PLYWOOD OFF THE WINDOWS. WE WERE THEN INFORMED THAT WE NEEDED TO PUT A FENCE AROUND IT, IMMEDIATELY AROUND THE STRUCTURE TO KEEP THE TRANSIENT PEOPLE FROM LIVING IN THE HOUSE AS IT WAS A VACANT HOUSE. WE DID GO TO THE HISTORIC COMMISSION. THE HISTORIC COMMISSION DID RECOMMEND THE HISTORIC ZONING TO IT. AND IN DOING SO, IN LOOKING AT THE ARCHITECTURAL SIGNIFICANCE OF THE STRUCTURE, CLASSIFIED AS A PRAYER I SCHOOLHOUSE, THE CULTURAL SURVEY DIDN'T TEACH ANY PRIORITY TO THE STRUCTURE ITSELF SAYING THAT THIS IS A NUMBER ONE PRIORITY HOUSE. IT SHOULD BE PRESERVED. NOT UNTIL MY CLIENT BOUGHT IT AND APPLIED FOR THE DEMOLITION PERMIT DID ANYONE IN THE NEIGHBORHOOD, ANY OF THE NEIGHBORS, MRS. PORTER OR ANY PAST OWNERS, EVER COME FORTH AND SAY WE THINK THIS IS A HISTORICAL STRUCTURE AND SHOULD BE PRESERVED AND OBTAIN THE HISTORICAL ZONING. IT WAS ONLY AFTER THE FACT THAT WHEN MR. GARDERDER THAT APPLIED FOR THE DEMOLITION PERMIT THAT THIS STRUCTURE BECAME A SIGNIFICANT HISTORICAL STRUCTURE IN THE OPINION OF SOME, AND WE WOULD REQUEST THAT YOU WOULD DENY THE HISTORICAL ZONING TO THE STRUCTURE AND ALLOW US TO DO THE DEMOLITION AS PROPOSED. THANK YOU.

MAYOR WYNN: EXCUSE ME, MR. BEEN..... BENNETT. SO THE SURVEY THAT YOU MENTIONED THAT DIDN'T -- YOU SAID IT DIDN'T LIST IT AS -- YOU USED A TERM, WAS IT CONTRIBUTING OR --

DIDN'T ESTABLISH A PRIORITY TO THE STRUCTURE IT...

ITSELF.

MAYOR WYNN: AND WHEN WAS THAT SURVEY DONE?

YOU MAY WANT TO CHECK WITH MR. SADOWSKI ON THAT. I'M NOT SURE.

MAYOR WYNN: WE'LL ASK LATER. YOU SAID SOMETHING ABOUT THE HOUSING GROUP ORDERED YOU-ALL TO BOARD UP AND FENCE AROUND THE HOUSE. WHAT HOUSING GROUP? WHO WAS THAT?

IT'S THE CITY OF AUSTIN SUBSTANDARD HOUSING BOARD. I THINK THAT'S THEIR TITLE.

MAYOR WYNN: LIKE THE.

BUILDING STANDARDS COMMISSION.

MAYOR WYNN: BUILDING STANDARDS COMMISSION, AND YOU-ALL WERE BROUGHT BEFORE THEM IN SOME FORM -- LIKE, I GUESS, PERHAPS, APPROPRIATELY SOME NEIGHBORS COMPLAINED OR SOMETHING -- HOW IS IT THAT YOU ENDED UP IN FRONT OF THE BUILDING AND STANDARDS COMMISSION?

BECAUSE THE STRUCTURE WAS VACANT AND I PRESUME THAT SOMEONE MUST HAVE CALLED THEM BECAUSE OF THE TRANSIENT SITUATION, AND WITH THE BUILDING AND STANDARDS COMMISSION, WE WENT BEFORE THEM, THEY ORDERED US TO BOARD IT TO KEEP THE TRANSIENTS OUT, AND WE DID THAT, BUT THEN THE TRANSIENTS --

BUT ?OO BUT YOU WENT BEFORE THEM BECAUSE YOU GOT RED TAGGED OR SOMETHING.

YES.

MAYOR WYNN: YOU GOT SOME NOTICE TO SHOW UP AT THIS COMMITTEE MEETING?

YES, SIR, THEY TAGGED IT SUBSTANDARD SO WE HAD TO SHOW UP BEFORE THEM AND THEY ORDERED US TO BOARD

IT UP. THE SECOND HEARING BEFORE THEM WAS TO EVEN MAKE IT MORE SECURE BY PUTTING A FENCE AROUND IT.

MAYOR WYNN: OKAY.

AND THERE WAS A FIRE IN THE STRUCTURE, AND WE HEARD THE FIRE DEPARTMENT TAGGED IT WITH HAZARD STRUCTURE AS WELL, I THINK.

MAYOR WYNN: THANK YOU. ADDITIONAL QUESTIONS PO... FOR MR. BENNETT, COUNCIL? THANK YOU. IF NO,.... NOT, OUR NEXT SPEAKER IS DOMINGO GARZA. THANK YOU, MR. GARZA. YOU'LL HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY -- I'LL FIGURE IT OUT LATER. THANK YOU.

MAYOR WYNN: YOUR CLOCK IS RUNNING.

I WAS WAITING TO FIND OUT -- MY NAME IS DOMINGO GARZA. I AM THE OWNER OPERATOR OF PEST CONTROL AND PETER GARDERE ASKED ME TO DO A WOOD DESTROYING INSECT REPORT ON THE PROPERTY BACK IN JULY AND WHEN I WENT OVER THERE TO GO DO THE INSPECTION I CAN TELL THAT YOU THIS STRUCTURE HAS SOME SERIOUS PROBLEMS WITH TERMITES. NOW, THIS IS SIGNS OF PREVIOUS. THIS IS NOT ACTIVE, AND THE REASON I SAY THAT IS BECAUSE I COULDN'T FIND ANY LIVE TERMITES, BUT MIND YOU, THE STRUCK STRUCTURE IS SO ATE UP THAT THERE'S REALLY NOT MUCH STRUCTURAL MEMBERS THERE, AND IT'S NOT UNCOMMON FOR TERMITES TO INFILTRATE A 2 BY 4 OR THE STRUCTURE AND WHEN IT IS ACTUALLY DEPLETED SO BAD OF WOOD THEN WHAT ENDS UP HAPPENING IS THE TERMITES WILL ACTUALLY ABANDON IT. AND OVER THE YEARS YOU CAN TELL IT'S BEEN OLD BECAUSE OVER THE YEARS THE DIRT THAT TERMITES BRING IN -- BECAUSE THESE ARE SUB TRAINIAN TERMITES. THEY USE THE SOIL AND THEY WILL BRING THE SOIL WITH THEM AND PUT IT INSIDE THE 2 BY 4 AS THEY WORK. THE STRUCTURE IS SO TORE UP THAT THE DIRT IS EVEN GONE SO THE MEMBERS RIGHT THERE ARE JUST NOT IN REAL GOOD SHAPE. AND, IN FACT, PETER HAS SHOWN ME A PICTURE OF THE STRUCTURE AND THIS IS WHAT YOU CAN SEE THAT IS NOT UNCOMMON. IT'S LIKE THIS. YOU CAN SEE THE -- I GUESS YOU CAN SAY THE PLYWOOD PANELING. IT'S NOT

UNCOMMON FOR THE MEMBERS UNDERNEATH THAT TO BE DESTROYED AND THIS SIDING THING THAT THEY PUT THERE, THE -- NOT SHOW IN SIGNS UNTIL YOU RIP IT OUT IS WHEN YOU ACTUALLY GO GET TO SEE ALL THE INSTRUCTION THAT THE TERMITES HAVE DONE. PART OF THE PROBLEM WITH THE STRUCTURE IS ALSO WITH THE FOUNDATION. WHEN YOU DO A TERMITE TREATMENT YOU PUT THE TREATMENT IN THE GROUND, IN THE SOIL, AND UNFORTUNATELY WHAT HAPPENS IS THAT AS THE FOUNDATION SHIFTS AND MOVES, AND THIS FOUNDATION HAD SOME SERIOUS PROBLEMS BECAUSE YOU CAN SEE WHEN YOU WALK INTO THE STRUCTURE THAT THE FOUNDATION HAS LITERALLY SEPARATED AND THERE'S NO REINFORCING RODS OR ANYTHING IN THIS CONCRETE. SO THE FOUNDATION -- YOU WALK AROUND AND YOU CAN SEE CRACKS IN IT. AND UNFORTUNATELY, BECAUSE OF THIS, GOES ALL THE WAY DOWN, CREATES A PROBLEM, CREATES AVENUES FOR TERMITES. SO THIS STRUCTURE IS IN REALLY SERIOUS CONDITION,. IN BAD CONDITION WHEN IT COMES TO THE TERMITES. NOW, MR. PETER GARDERE ASKED ME TO SEE WHAT IT WOULD COST TO TREAT IT AND I PERSONALLY TOLD HIM THAT I WOULDN'T EVEN TREAT IT AND THE REASON IS THIS STRUCTURE IS IN BAD SHAPE AND PART OF THE PROBLEM IS FOUNDATION. WHEN YOU MAKE A TREATMENT FOR TERMITES, THE TREATMENT GOES IN THE SOIL, UP AGAINST THE FOUNDATION. UNFORTUNATELY WHEN THE FOUNDATION IS IN THIS POSITION -- IN THIS CONDITION, IT'S VERY DIFFICULT FOR A TERMITE TREATMENT TO HAVE ANY EFFECT BECAUSE OF THE FOUNDATION FOUNDATION. IS THAT IT?

MAYOR WYNN: THAT'S IT.

OKAY. THANK YOU.

MAYOR WYNN: ALTHOUGH, MR. GARCIA A. QUICK QUESTION. SO YOU DID THIS INSPECTION.

IN JULY.

MAYOR WYNN: RECENTLY?

YES SO.

MAYOR WYNN: SO MR. GARDERE HAD PURCHASED THE PROPERTY WHEN YOU DID YOUR INSPECTION.

WHEN I WENT OVER THERE I WAS EXPLAINING TO HIM THAT THIS IS OLD. THIS STRUCTURE HAS BEEN IN BAD SHAPE FOR A LONG LONG TIME AND I'M TALKING MANY YEARS, AND THE REASON IS THIS. THERE IS NO SOIL WITH THE STRUCTURE ANYMORE. THE SOIL HAS LITERALLY -- BECAUSE WHEN TERMITES ARE ACTIVE AND ALIVE, THEY USE THE SOIL AND BRING IT IN THERE WITH THEM AND AS THE TERMITES DISAPPEAR OVER THE YEARS WHAT ENDS UP HAPPENING IS THE SOIL DISINTEGRATES AND FALLS APART AND BASICALLY ENDS UP BEING NOTHING. SO THAT'S THE REASON WHY YOU DON'T SEE MUCH DIRT THERE ANYMORE.

MAYOR WYNN: THANK YOU, MR. GARZA.

I.

LEFFINGWELL: I HAVE A QUESTION.

MAYOR WYNN.

I SAW ONE PHOTOGRAPH. DO YOU HAVE ANY PHOTOGRAPHS THAT SHOW ACTUAL DAMAGE BECAUSE I COULDN'T SEE ANY --

I DON'T HAVE ANY PICTURES BECAUSE I DIDN'T TAKE ANY PICTURES. I WENT ON THE..... WENT OVER THERE TO... TO DO AN INSPECTION REPORT. I HAVE A REPORT RIGHT..... A COPYRIGHT HERE..... A COPY RIGHT HERE.

I CAN'T TELL WHAT THAT IS ANYMORE.

MAYOR WYNN: CAN YOU LOOK UP HERE ON THIS --

IS THAT THE ONE WITH THE -- OKAY, BECAUSE THE TERMITES HAVE DESTROYED THE STRUCTURE, FROM THE FRONT, FROM THE SIDES, ALL THE WAY AROUND THE

STRUCTURE.

LEFFINGWELL: WHAT IS IT WE'RE LOOKING AT HERE?

I HAVE NO IDEA.

THAT'S THE CORNER POST? OKAY. THERE'S NOT MUCH LEFT OF THAT. IF THAT'S A CORNER POST, THAT'S NOTHING.

ONE MORE QUESTION. YOU INSPECT A LOT OF HOUSES.

I'VE BEEN DOING IT FOR ABOUT 20 YEARS.

LEFFINGWELL: HAVE YOU EVER SEEN ONE THIS OLD THAT --

I'VE NEVER SEEN ONE THIS BAD.

LEFFINGWELL: HAVE YOU EVER SEEN ONE THIS OLD THAT DOES NOT HAVE TERMITE DAMAGE.

I'VE SEEN HOMES THAT ARE OLDER THAN THIS.

LEFFINGWELL: THAT HAVE NONE?

TERMITE INFESTATION AND GO IN THERE AND TREAT IT, BUT NOT LIKE THIS.

MAYOR WYNN: MR. GARZA, THANK YOU.

THAT'S IT?

MAYOR WYNN: YES,..... YES. THANK YOU. NEXT SPEAKER IS DON D AT WELL. WHO WILL BE FOLLOWED BY BOB WET MORE. WELCOME, SIR, YOU'LL HAVE THREE MINUTES.

MY NAME IS DON D AT WELL WITH ATS ENGINEERING. I'M A LICENSED PROFESSIONAL INSPECTOR. I'VE BEEN LICENSED FOR 18 PLUS YEARS. I HAVE SEVERAL STATE LICENSES. I'M AN FHA INSPECTOR, HUD INSPECTOR AND SO ON. I DID PERSONALLY INSPECT THE REFERENCED PROPERTY. FROM THE STREET, AS YOU CAN TELL BY THE PICTURES THAT YOU SEEN EARLIER, DOESN'T APPEAR TO HAVE ANY SIGNIFICANT DAMAGE, FROM THE OUTSIDE. A LOT OF THE PREVIOUS

TESTIMONIALS THAT WERE BEFORE ME TODAY, I DON'T KNOW IF THEY'VE ACTUALLY BEEN INSIDE THE HOME, BUT THE EXTERIOR OF THIS HOME IS STUCCO. THE STUCCO FOR THE MOST PART WAS REALLY HOLDING THE HOME TOGETHER. ONCE YOU GO INSIDE, I MEAN, THERE IS -- DOMINGO WAS SAYING THAT THE WOOD DESTROYING INSECTS, I MEAN, A GOOD PORTION OF THE INTERIOR STRUCK..... STRUCTURE IS PRETTY WELL ELIMINATED. WE ARE AN ENGINEERING FIRM. WE ENGINEER FOR NUMEROUS HOME BUILDERS. MATTER OF FACT, NUMEROUS PRODUCTS IN... PROJECTS IN THE TARRYTOWN ENFIELD AREA, HOMEOWNERS THAT WANT TO DO REMODELS. DEMOLITION, REBUILDS AND SO ON. PETER HAS COME TO US TO EVALUATE THE HOME VERSUS POSSIBLY RENOVATING IT TO, YOU KNOW, DEMOCRAT OH... DEMO IN IT. THERE'S SO MUCH GONE THAT WE CAN'T EVEN DO CALCULATIONS ON THE DESCRUK TURS THAT ARE..... STRUCTURES THAT ARE LEFT. THE MAJORITY OF THIS HOME IS WOOD, GROUND CONTACT. THERE'S JUST SO MUCH GONE UNDERNEATH THAT IT WOULD TAKE A TREMENDOUS AMOUNT OF MONEY TO PUT ANOTHER FOUNDATION UNDERNEATH THERE. THE FOUNDATION FOOTINGS ITSELF, I MEAN, AS DOMINGO WAS SAYING, THERE'S NO VISIBLE SIGNS OF ANY REBAR IN THERE WHATSOEVER. I MEAN, IT'S JUST CONCRETE THAT WAS BASICALLY POURED IN THE GROUND, IS WHAT IT APPEARS TO BE. THERE WAS AN EXISTING FIREPLACE IN THERE THAT WAS REMOVED. THE FOOTINGS AND SUPPORT THAT WAS UNDERNEATH THAT FIREPLACE, THE CONCRETE -- AS CONCRETE GETS OLD, DEPENDING ON THE MIXTURE OF THE CONCRETE, IT'S BRITTLE, IT'S CRACKING. I MEAN, YOU CAN LITERALLY GO UP THERE WITH A SCREWDRIVER AND SCRAPE THE SIDE AND MAKE A SCORE INTO THE CONCRETE IN THAT WHOLE AREA THERE. THE -- THE STRUCTURE HAS SLAP SIDING ON THE. INSTEAD OF HAVING SHEETROCK IT'S 1 BY 6 AND IT HAS PANELING OVER THE TOP OF THAT TO COSMETICALLY MAKE IT LOOK BETTER. WHEN I WENT TO THE HOME -- AND A LOT OF THE PANELING WAS REMOVED. UNDERNEATH THAT PANELING THE STUDS, THE 1 BY 4 INTERIOR SHEETING, THE 1 BY 4 EXTERIOR SHEETING, RIGHT BEFORE THE STUCCO, I MEAN, THERE'S NOT A WHOLE LOT LEFT OF THAT.

MAYOR WYNN: PLEASE CONCLUDE, MR. AT WELL.

SORRY?

MAYOR WYNN: PLEASE CONCLUDE. YOUR TIME HAS EXPIRED, SO PLEASE CONCLUDE.

OKAY. WELL, THERE'S -- YOU KNOW, AS FAR AS, YOU KNOW, WATER DAMAGE, WATER DAMAGE WAS MENTIONED, YOU KNOW, AS FAR AS THE, YOU KNOW, WINDOWS BEING REMOVED AND SO ON. I MEAN, I AGREE, THERE'S A LITTLE BIT OF WATER DAMAGE. THERE'S SOMEWHAT -- YOU KNOW, AS FAR AS THE FAMILY ROOM, THE FLOORING WAS MENTIONED IN THERE. SURE, THE FLOOR IN THAT AREA IS -- DOES HAVE WATER DAMAGE AND THE FLOOR IN THERE DOES NEED TO BE REPLACED, BUT THE MAJORITY OF THE DAMAGE I'M SEEING IN THERE AND WHAT I SAW IN THERE, I MEAN, IT'S JUST LONG-TERM DAMAGE. IT'S NOT SOMETHING THAT CAN DEVELOP OVER THE LAST FIVE YEARS. IT TAKES MANY, MANY, MANY YEARS FOR WOOD-DESTROYING INSECTS TO TAKE OUT THE STRUCTURAL ELEMENTS WHICH IT DID.

MAYOR WYNN: THANK YOU, MR. WET MORE. THANK YOU, SIR. NEXT -- MR. AT WELL AN -- I'M SORRY, NEXT SPEAKER IS BOB WET MORE. YOU'LL HAVE THREE MIPTS AND BE FOLLOWED BY PETER CAR DARE.

THANK YOU, MAYOR. MY NAME IS BOB WET MORE, I'M A PRINCIPAL PARTNER AT THE CORNER GROUP ARCHITECTS HERE IN AUSTIN. WE'VE BEEN HERE FOR 18 YEARS. WE FOCUS PRIMARILY ON CUSTOM RESIDENTIAL DESIGN, IN ADDITION TO BEING A REGISTERED ARCHITECT I'M ALSO A REGISTERED INTERIOR DESIGNER. WE HAVE DONE WORK ON BOTH CUSTOM RESIDENTIAL AND HISTORIC RENOVATION AND MR. GARGERER HAD ME COME OUT, WOULD HAVE BEEN ABOUT THE FALL OF 2000 2000..... 2002 TO TAKE A LOOK AT THE HOUSE. EVERY INDICATION OF THE HOUSE WAS THAT THERE WAS A LOT OF DAMAGE, A LOT OF THINGS THAT WOULD HAVE TO BE REPLACED. AND...AS WE DELVED MORE..... MORE INTO IT OVER THE COURSE OF A YEAR WE CAME TO IN ESSENCE THE CONCLUSION THAT WE WOULD HAVE TO REPLACE JUST ABOUT EVERY PIECE OF WOOD IN

THAT HOUSE STRUCTURALLY AND THE THE WOOD IS TIED TO THE STUCCO. WHILE IT COULD BE DONE WE IN ESSENCE WOULD BE REBUILDING THE HOUSE. WE WOULD CREATE A HOUSE INTRINSICALLY WHERE THIS OLD HOUSE WAS. WHILE IT LOOKS SOUND FROM THE STREET, WHEN YOU GO INSIDE, WHEN YOU GET UNDERNEATH THE HOUSE, THE STRUCTURE JUST ISN'T THERE. A LOT OF THIS IS WOOD AWAY. A LOT HAS BEEN EATEN AWAY, AND WHAT -- I ACTUALLY FELT PRETTY UNSAFE AS WE WENT THROUGH THAT PROCESS. THE -- SO AS WE WENT THROUGH IT WE BEGAN TALKING A LITTLE BIT ABOUT COST. WE DIDN'T ACTUALLY DO DRAWINGS TO GO THROUGH AND HAVE PRICED OUT WHAT THE COST WOULD BE, BUT I CONSERVATIVELY COULD SEE US SPENDING AT LEAST \$500,000 TO BRING THAT HOUSE INTO A LIVABLE STATE AND AGAIN, WHEN WE GOT DONE IT WOULDN'T BE THAT HOUSE. IT WOULD BE -- IT WOULD BE A CREATION THAT THAT HOUSE ONCE WAS: THAT'S IT.

MAYOR WYNN: THANK YOU -- EXCUSE ME, THANK YOU, MR. WETMORE. QUESTIONS, COUNCIL? THANK YOU, SIR. OUR LAST SPEAKER IN OPPOSITION IS SPEETER GARDERE. WELCOME, PETER. AND IS LAURA SMITH HERE? AND NANCY GARDERE.

MAYOR PRO TEM, THANK YOU, COUNCIL MEMBERS. I'M GOING TO GO THROUGH ACTUALLY THE HISTORY OF THE HOUSE AND WHEN I PURCHASED IT. I PURCHASED IT IN NOVEMBER OF 2001. MY ORIGINAL INTENT WAS TO REMODEL THE HOUSE, AND TO CHANGE THE ROOMS AND SOME OF THE OTHER THINGS THAT NEEDED TO BE DONE. IT NEEDED TO BE BROUGHT UP TO CODE, SOME OTHER THINGS. I HAD PLANS DRAWN FOR THE HOUSE TO REDO THE HOUSE. AS IT TOOK A LOT OF TIME TO DO THAT AND MONEY. IN THE MEANTIME I HAD THE FOUNDATION PUMPED UP TO REINFORCE THE FOUNDATION. THAT PROCEEDED TO CAUSE STRESS CRACKS THROUGHOUT THE HOUSE. I DECIDED TO PUT THAT ON HOLD AND ALSO IN THE MEANTIME I HAD TO ACTUALLY PULL OFF THE WINDOWS, AND THIS IS A MAP, ACTUALLY, OF THE LOCATION OF THE HOUSE, AND LET ME GET TO -- AND THIS IS THE LOCATION -- I KNOW SOME OF YOU MIGHT NOT KNOW WHERE IT IS. BUT AS YOU CAN SEE, IN THE BLUE IS ALL THE MULTIFAMILY AND COMMERCIAL HOUSING THAT IS AROUND THE HOUSE. THE HOUSE IS IN

RED. AND THAT'S THE LOCATION OF THE HOUSE. THE REASON I BOUGHT THE HOUSE, I LIKE THE HOUSE AND I THOUGHT IT COULD BE REMODELED. WHEN I PURCHASED IT, AS JIM SAID, MR. BENNETT, THAT THERE WAS NO PRIORITY INDEX, THERE WAS NO HISTORIC DISTRICT IN PLACE. I'M IN THE REAL ESTATE BUSINESS. I KNOW THE QUESTIONS TO ASK AND WHERE TO GO TO GET THEM, SO I KNEW THAT THERE WAS NOTHING IN PLACE. SO IF IT DID SO HAPPEN THAT I WASN'T ABLE TO DO WHAT I WANTED TO DO WITH THE HOUSE, THAT THERE WAS A POSSIBILITY I COULD DO SOMETHING ELSE. IT HAS MULTIFAMILY ZONING. YOU CAN SEE THE ZONING ON THE HOUSE, AND IT'S, LIKE I SAID, ONE OF THE MANY THAT'S AROUND. AND AS I WENT THROUGH THE DAMAGE, THE COST THAT I -- THAT I BUILT UP THAT WE KIND OF WORKED AROUND, AS MR. WETMORE SAID WAS EXTENSIVE. IT WAS NEARLY TRIPLE THE VALUE OF THE HOUSE AND I JUST PERSONALLY DID NOT THINK THE ECONOMICS WORKED BECAUSE YOU'RE LOOKING AT PAYING CLOSE TO \$900,000 FOR A 2,000 SQUARE FEET HANDOUT, WHICH IS UPWARD IN THE 485, 450-DOLLAR PER SQUARE FEET RANGE, WHICH IS VERY HIGH FOR A SMALL HOUSE. TALKING ABOUT THE HISTORIC -- HISTORICAL SIGNIFICANCE. AS I MENTIONED IN THE SURVEY THAT THERE WAS A PRIORITY INDEX, I HAVE A QUOTE FROM MR. SADOWSKY, THAT IN... IN THE HISTORICAL LANDMARK MEETING, WHEN HE WAS ASKED BY A COMMISSIONER -- HE WAS ASKED THE QUESTION, IN THE BEGINNING OF THE MEETING HE SAID STAFF RECOMMENDS HIS.... HISTORIC ZONING BECAUSE OF THE ARCHITECTURAL MERIT AND AT THE END OF THE SESSION ONE OF THE MEMBERS ASKED, I SEE YOUR DEPARTMENT COMMENTS THAT THERE ARE NO PRESERVATION PRIORITY. IS THAT CORRECT? YES, IN THE 1984 SURVEY IT IS LISTED IN THE SURVEY BUT NO, IT DOES NOT HAVE A NUMBER. DO YOU KNOW WHY? WELL, THE 1984 SURVEY, COMMISSIONER, ONLY DEALS WITH ARCHITECTURE. SO OBVIOUSLY IT DIDN'T HAVE A PRIORITY INDEX BUT AS AS AS HE SAYS IT IS BASED ON ARCHITECTURAL MERIT. ALSO WHEN YOU TALK ABOUT THE PEOPLE THAT HAVE LIVED IN THE HOUSE, YES, PROFESSOR COLBY WAS A PROMINENT PROFESSOR BUT THERE'S LOTS OF PREVIOUSERS THAT HAVE LIVED IN THE AREA, AND MR. BAUGH WAS ACTUALLY, YOU KNOW, A JUSTICE, AND I

UNDERSTAND THAT. BAUGH LIVED THERE FOR SEVEN YEARS, COLBY LIVED THERE FOR 10. ONCE HE MOVED OUT HE IMMEDIATELY MOVED TO MINNESOTA AND NEVER CAME BACK. HE DIED IN MINNESOTA. NOW, THE HOUSE ADJACENT TO ME, 1104, AND YOU CAN PUT ON THAT PICK, AS YOU CAN SEE RIGHT BEHIND, THIS IS THE HOUSE THAT PATRICIA WINSTON WAS TALKING ABOUT, AND THIS HOUSE WAS ACTUALLY -- IN THE T CAD RECORDS IS BUILT IN THE SAME YEAR MY HOUSE IS, 1920. AND IF YOU LOOK AT THE OCCUPANTS, IT WAS CARLTON AIR, ONE OF THE COUNTRY'S BEST KNOWN EDUCATORS AND HE WAS A PUBLISHED AUTHOR TOO, BUT AS YOU CAN SEE IN THE PICTURE OF THE HOUSE THERE IS A ROOF-TOP DECK THAT IS RIGHT BEHIND MY HOUSE AND I HEARD HER MENTION THAT IT WAS RESTORED TO THE WAY IT WAS, AND I DON'T THINK THAT THERE WAS A ROOFTOP DECK BACK IN THE 1920S. LET'S SEE. AS FAR AS SOME OF THE -- SOME OF THE OTHER QUOTES THAT WERE MENTIONED IN THE HISTORICAL LANDMARK COMMISSION, TO GO BACK TO SOME OF THESE, ELIZABETH WITNESS LOW WHO SPOKE HER TONIGHT, ONE.... ONE OF HER QUOTES WAS IT WAS PROBABLY THE PREMIERE HOME AND ALSO IT WAS PROBABLY BUILT BY A PROMINENT ARCHITECT BUT WE DON'T KNOW WHICH ONE. IF THERE IS A HISTORICAL MARKER ON MY HOUSE, I DON'T KNOW WHAT WOULD BE PUT ON THE HISTORICAL MARKER, IS THERE AN ARCHITECT, OR USE THE WORD PROBABLY WAS THE FIRST HOUSE IN THE NEIGHBORHOOD? MAYBE A PROMINENT ARCHITECT? SO IT'S DIFFICULT FOR ME TO UNDERSTAND THAT, YOU KNOW, SOMEONE WHO HAS A HOUSE THAT'S BEHIND MINE WHO WAS BUILT IN THE SAME YEAR, WHY HAVEN'T THEY ASKED FOR HISTORIC ZONING? WHY HASN'T THE CITY GONE AND ASKED FOR HISTORIC ZONING? NOW, I WANTED TO BRIEFLY TOUCH ON THE CONDITION OF THE HOUSE. I KNOW I'VE BEEN ACCUSED PUBLICLY AS IN THE PAPER TODAY, OF LETTING IT KIND OF GO IN DISREPAIR. AS I MENTIONED, I WAS GOING TO REMODEL THE HOUSE. I TOOK OUT THE WINDOWS. BECAUSE OF THE -- THE WINDOWS NEED TO BE TAKEN OUT TO REMODEL AND I'LL SHOW YOU PICTURES. THIS IS THE BOARDED UP. AS MR. BENNETT SAID, THERE WERE VALUE RANTS GETTING IN THE HOUSE. I LOCKED THE HOUSE. THEY BROKE THE WINDOWS. THERE WERE WINDOWS THAT I WANTED TO PRESERVE, AND THIS

WAS THE ONLY WAY TO SECURE THE HOUSE WITHOUT SOMEBODY BREAKING THE WINDOWS VALUE..... AND AS YOU CAN SEE SOME OF THE DAMAGE THAT HAS OCCURRED, THE CRACKS IN THE FOUNDATION, AS MR. ATWELL TALKED ABOUT, AND THEN WE'LL GO INTO THE -- THERE'S ANOTHER CRACK IN THE FOUNDATION. THIS IS THE INTERIOR OF THE HOUSE, AND AS YOU CAN SEE, THE WINDOWS ARE IN PLACE. THIS WAS TAKEN SHORTLY AFTER I PURCHASED THE HOUSE, AND IF YOU CAN SEE THE AMOUNT OF WATER DAMAGE THAT IS ON THE CEILING AND ON THE WINDOWSILLS. THOSE WINDOWS HAD TO BE TAKEN OUT. I HAD A MOLD REPORT THAFTS..... THAT..... THAT WAS DONE IN 2004 THAT SAID NO ONE SHOULD ENTER THE HOUSE OR REMAIN IN THE HOUSE IF THEY'RE WARM BLOODED, AND THAT WAS -- IT WAS TAKEN SHORTLY AFTER I BOUGHT THE HOUSE, AND HERE'S -- CAN WE GO BACK ONE? HERE'S ANOTHER PICTURE OF ANOTHER ROOM. AS YOU CAN SEE, ON THE WINDOWSILLS AND ON THE CEILINGS, EVEN THE WINDOW UNIT IS STILL IN PLACE, AND NOTHING HAS BEEN TOUCHED. THAT'S THE DAMAGE IN THE HOUSE. I HAVE MRS. PORTER'S ORIGINAL SELLER'S DISCLOSURE LIST, AND SHE TALKS -- SHE DOES NOT INDICATE THAT THERE'S ANY WOODEN -- LET ME GRAB THAT HERE -- ANY WOOD DESTROYING INSECTS. SHE SAID THERE IS -- I HAVE A COPY IF YOU-ALL WOULD LIKE THIS. WOOD DESTROYING INSECTS. SHE CROSSES OUT KNOW. TERMITE OR WOOD ROTTING NEEDING REPAIR. SHE CROSSED OUT KNOW. PREVIOUS TER.... TERMITES, NO. WATER PENETRATION OF THE BUILDING, LEFT BLANK. ANY INSPECTION OF... OF THE BUILDING THAT WAS DONE AFTER - - ACTUALLY DURING THE PROCESS, BUYING THE HOUSE, EVERY HOUSE NEEDS AN INSPECTION. THE INSPECTOR HAS -- THESE ARE SOME OF HIS ITEMS IN HIS REPORT. INTERIOR DOORS ARE OUT OF SQUARE. FRAME STICKING THROUGHOUT THE HOUSE. EVIDENCE OF WATER PENETRATION IN CEILINGS AND WINDOWSILLS. EVIDENCE OF TERMITE DAMAGE IN THE WINDOW AND DOOR IN FAMILY ROOM. EVIDENCE OF WATER PENETRATION IN HEAD JAMS AND EXTERIOR DOORS OF FAMILY ROOM. DAYLIGHT IS SHOWING THROUGH THE ROOF IN THE ATTIC, AND ROOF FRAMING IS NOT UP TO DATE STANDARDS AND FOUNDATION IS NOT PERFORMING ITS INTENDED AND SHOULD BE EVALUATED BY A LICENSED STRUCTURAL ENGINEER. I -- I

MEAN, THIS IS A PICTURE OF ACTUALLY THE BASEMENT. IT KIND OF GIVES YOU AN IDEA OF WHAT IT LOOKS LIKE. IT'S STANDARD PEER AND..... PEE AND.... PIER AND BEAM. SOME OF THE QUESTIONS THAT VS. POSED TO ME. LET ME -- JIM CHRISTIAN SON BROUGHT UP THE FACT OR SOMEBODY BROUGHT UP THE FACT THAT SOMEONE APPROACHED ME TO PURCHASE THE HOUSE. I MET WITH JIM CHRISTIANSON. I GAVE HIM A PRICE WHICH ACTUALLY HE SAID WAS A REASONABLE PRICE. WE HAD TWO POSTPONE MENTS OF THIS MEETING AND SHE WAS NOT ABLE TO COME UP WITH THE PRICE THAT I WANTED SO THAT DID NOT WORK OUT. LET ME CLOSE ON THESE QUESTIONS THAT WERE POSED TO ME. IF YOU KNEW THE PROBLEMS WHY DID YOU BUY THE HOUSE? THE ONES THAT I SAW AND THAT THE EXPECTERS DID.....ERRER DID IN HI REPORT INSPECTOR WERE ONES I THOUGHT I COULD FIX. BUT ONCE WE DELLED..ED HAVE HAD INTO THE HOUSE THE COST WAS EXORBITANT AND I COULDN'T DO IT. WHEN I FILED FOR DEMOLITION PERMIT THE COSTS STARTED AND THAT'S WHERE WE... WE ARE. I TOLD YOU WHEN I BOUGHT THE HOUSE NOTHING HISTORICAL IN PLACE. NO PRIORITY INDEX AND NO HISTORICAL COMMISSION. ANOTHER QUESTION IS WHY DID YOU NOT SUE THE PREVIOUS OWNER FOR SAYING WHAT SHE SAID IN HER DISCLOSURE STATEMENT? WELL, IT WAS A 76-YEAR-OLD WOMAN. I'M -- IF THE 76-YEAR-OLD WOMAN COULD NOT REPAIR HER ROOF OR COULDN'T FIX THE WATER DAMAGE THAT SHE HAD, SHE'S NOT GOING TO BE ABLE TO AFFORD -- I'M NOT GOING TO SUE A 76-YEAR-OLD WOMAN. THERE IS NO WAY. I WAS GOING TO GO ABOUT MY BUSINESS AND SEE IF I COULD FIX IT MYSELF, AND.... BUT AS IT COMES OUT IT WAS MORE THAN I BARGAINED FOR, AND IT'S MAYBE MY FAULT, BUT I'M NOT SOMEONE WHO'S GOING TO SUE A 76-YEAR-OLD WOMAN. THANK YOU.

MAYOR WYNN: THANK YOU, MR. MR. GARDERE. COUNCIL MEMBER LEFFINGWELL? MAYOR PRO TEM?

DUNKERLEY: I HAVE A QUESTION AND MAY WELL BE FOR STEVE, AND IT'S ABOUT -- I DON'T KNOW HOW LONG YOU'VE BEEN HERE, STEVE, BUT IT WAS ABOUT THE PRIORITY INDEX, AND I.. UNDERSTAND THAT THIS WAS NOT LISTED AS -- WITH ANY PRIORITY IN THAT INDECKS OR... ARCHITECTURAL SIGNIFICANCE DISBLOOB THAT SURVEY WAS NOT IN 1984,

AND THE PRIORITY INDEXES IN THERE ARE BASED ON ARCHITECTURE. THEY ARE BASED ON ARCHITECTURE, BUT THESE ARE 1984 EVALUATIONS. IT ONLY DEALT WITH HOUSES THAT WERE BUILT AFTER -- I'M SORRY, BEFORE 1935. SO WE HAVE A LOT OF CASES COMING BEFORE US THAT ARE NOT IN THAT SURVEY AT ALL.

DUNKERLEY: WELL, THIS HOUSE WAS BUILT BEFORE 1935.

RIGHT, THIS WAS BUILT IN 1917.

DUNKERLEY: I WAS JUST WONDERING. SOMEBODY IS BUYING SOMETHING AND IT'S NOT HISTORIC AND IT'S NOT ON THAT -- IT DOESN'T HAVE ANY KIND OF INFORMATION BASED ON THE INDEX. I CAN SEE WHY YOU WOULD NOT THINK ABOUT THAT.

HOWEVER, MAYOR PRO TEM, I DO WANT TO ADD THAT THAT'S ONLY HALF OF THE STORY, BECAUSE THE SURVEY, LIKE I SAID, IS BASED ON ARCHITECTURE, BUT IN 1984 OUR PHILOSOPHIES OF PRESERVATION WERE DIFFERENT THAN THEY ARE NOW, AND IN 1984 THE HOUSES THAT HAVE THE NUMBER ONE AND NUMBER TWO PRIORITIES ARE ALL 19TH CENTURY HOUSES. I DON'T KNOW OF A SINGLE 20TH CENTURY HOUSE IN THAT SURVEY THAT HAS A PRIORITY INDEX --

DUNKERLEY: I GUESS MY QUESTION IS, HOW IS A POTENTIAL BUYER TO KNOW THAT SOMETHING MIGHT BE CONSIDERED HISTORICALLY IMPORTANT IF HE CAN'T LOOK TO CERTAIN -- FOR CERTAIN INFORMATION OR CERTAIN DOCUMENTS IF IT'S NOT EVEN -- EVEN GIVEN A PRIORITY 3 OR WHATEVER OTHER PRIORITIES THERE MIGHT BE?

RIGHT. BUT AS I SAID, THAT'S ONLY HALF THE ANSWER, BECAUSE THE -- WHEN WE'RE LOOKING AT LANDMARK DESIGNATION, WE'RE NOT JUST LOOKING AT THE ARCHITECTURE. WE'RE LOOKING AT THE HISTORY TOO. AND --

DUNKERLEY: I DIDN'T SEE ANYTHING IN THE HISTORY OR I DIDN'T HEAR ANYTHING IN THE HISTORY, SO I WAS LOOKING, REALLY, MORE TO THE ARCHITECTURE, AND SO IF I DON'T

FIND THAT, THEN WHAT DO YOU HANG YOUR HAT ON?
THAT'S MY QUESTION. THANKS.

YES, MA'AM.

MAYOR WYNN: COUNCIL, IN ADDITION TO THE CITIZENS THAT
HAVE SPOKEN TONIGHT, A HANDFUL OF FOR EXAMPLE
SIGNED UP NOT WISHING TO SPEAK, KELLY CHAPEL AND
SHARON ANDERSON, ALL NOT WISHING TO SPEAK IN FAVOR
OF THE ZONING. JOHN GAM ET SIGNED UP NOT WISHING TO
SPEAK IN OPPOSITION.

DUNKERLEY: I HAVE ONE OTHER QUESTION. THIS IS FOR THE
OWNER. AND I JUST REALLY WANT TO KNOW IF YOU KNOW
YET WHAT YOU WANT TO DO WITH THIS PROPERTY.

NOT RIGHT NOW. I KNOW I WANT TO DOWN ZONE IT. I KNOW
WITH COMPLIANCE OF THE NEIGHBORHOOD PLAN, WHICH IS
SOME SORT OF SF.

DUNKERLEY: OKAY. WHAT IF WE ONLY DID FIRST READING
ON WHATEVER WE DID AND -- WOULD THAT GIVE YOU SOME
TIME TO THINK THROUGH THESE THINGS? I'M NOT SAYING
HOW WE'RE GOING TO VOTE TONIGHT, BUT I'M JUST ASKING
YOU --

WHAT KIND OF ZONING ARE YOU TALKING ABOUT?

DUNKERLEY: I HAVE NO IDEA. I'M JUST ASKING YOU IF -- YOU
SAID YOU WERE INTERESTED IN DOWN ZONING IT. DOES
THAT MEAN BUILDING MORE THAN ONE UNIT, LIMITING THE
NUMBER OF UNITS? , YOU KNOW, I'M NOT SURE WHAT YOU
MEAN, SO THAT'S WHY I'M ASKING.

I'M OPEN TO LIMITING TO A CERTAIN NUMBER OF UNITS. IT'S
A COST ISSUE. MY CARRYING COST ON THIS, AS YOU KNOW I
BOUGHT IT IN 2001 AND BEEN GOING THROUGH THIS
PROCESS FOR A LONG TIME. I HAVE A LARGE CARRYING
COST AND SO IT'S AN ECONOMIC ISSUE AS WHAT I CAN DO.
BUT I HAVE NO PROBLEM WITH LIMITING THE NUMBER OF
UNITS, IF I DO --

DUNKERLEY: SO YOU REALLY DON'T KNOW WHAT -- SOUNDS

LIKE YOU HAVE AN IDEA BUT YOU'RE NOT QUITE SURE WHAT YOU'RE GOING TO DO.

I HAVE AN IDEA BUT LIKE I SAID, I STARTED THIS PROCESS WITH THE DEMOLITION PERMIT IN 2002, LATE 2002, AND SO I REALLY HAVEN'T REVISITED BECAUSE THIS HAS BEEN THE SOLE SOURCE OF MY FOCUS, IS -- AS YOU -- AS YOU KNOW, THE SHOCK OF THE CITY STARTING THIS ZONING CASE OF A HISTORIC AND I DIDN'T KNOW ANYTHING ABOUT IT, IT WAS -- IT CAME AS A SHOCK. BUT I'M WILLING TO DO SOME SORT OF SF, AND 3 IS NOT -- I'M NOT DISAGREEING WITH AN SF-3.

DUNKERLEY: OKAY. THANK YOU.

MAYOR WYNN: ANY FURTHER QUESTIONS? COUNCIL MEMBER MARTINEZ.

MARTINEZ: MAYOR. I HAD A QUESTION, I THINK IT MIGHT BE MORE APPROPRIATE FOR STAFF BUT I'M NOT SURE. AND MORE ALONG THE LINES OF GREG GUERNSEY'S STAFF. I WANTED TO KNOW WHAT HAPPENS IF HISTORIC ZONING IS DENIED WITH THE CURRENT ZONING OF MF-6 --..., MF-3. I'M SORRY. DOES -- ARE THERE ANY COMPATIBILITY STANDARDS WITH MCMANSION THAT WOULD APPLY TO THIS?

WITH MF-3 ZONING THE PROPERTY OWNER COULD COME BACK AND PROPOSE TO BUILD AN APARTMENT, A CONDO, TYPE PROJECT GIVEN THE SINGLE-FAMILY USES THAT ARE ACROSS THE STREET OR NEXT DOOR, THEY WOULD TRIGGER COMPATIBILITY TO...ON THE PROPERTY. SO YES, YOU WOULD HAVE COMPATIBILITY TRIGGERED IF THEY WERE -- IF MR. GAR.... GARDERE WERE TO BUILD SOMETHING THAT BASICALLY HAD THREE UNITS OR MORE, WHETHER IT'S AN APARTMENT OR CONDO OR TOWNHOUSE PROJECT.

AND WHAT WOULD HAPPEN IF WE DOWN ZONED IT TO SF-3?

SF-3 HE WOULD BE ALLOWED TO BUILD EITHER A DUPLEX OR TWO FAMILY RESIDENTIAL, GARAGE APARTMENT, HOUSE IN BACK. IT WOULD BE SUBJECT TO OUR NEWER REGULATIONS REGARDING A HOUSE DESIGN THAT HAVE BEEN RECENTLY PASSED AND WHATEVER THOSE STANDARDS WOULD BE

DEPENDING ON IF IT'S A DUPLEX OR A TWO FAMILY RESIDENTIAL, OR HE COULD BUILD A SINGLE-FAMILY HOME AS WELL. NOW, HE ALSO COULD MAKE A REQUEST TO SUBDIVIDE THE PROPERTY IN THE.... INTO SMALLER LOTS AND HAVE BEEN AN ADDITIONAL UNITS ON THE PROPERTY. BECAUSE THE PROPERTY IS, WHAT, ABOUT A HALF ACRE OR SO, MAYBE JUST A LITTLE BIT OVER? NOT QUITE A HALF. SO HE COULD COME BACK AND ASK TO RESUBDIVIDE THE PROPERTY INTO SMALLER LOTS AND ALSO DO SOME DEVELOPMENT ALONG THAT LINE. MARTINEZ MARTINEZ THANK.....

MARTINEZ: THANK YOU.

MAYOR WYNN: QUESTIONS, COMMENTS, COUNCIL? COUNCIL MEMBER MCCracken.

MCCRACKEN:.. IN ONE PRESENTATION WE SAW A MAP, AND IT APPEARS TO CASE THAT A WHOLE LOT OF THIS AREA IS ZONED MULTIFAMILY, AND I GUESS IT WOULD HELPFUL TO UNDERSTAND MORE ABOUT HOW THAT'S COME TO HAPPEN, IF THERE'S A LOT OF SINGLE-FAMILY HOMES ON THOSE LOTS.

SINGLE-FAMILY HOMES, COUNCIL MEMBER, FOR THE MOST PART ARE TO THE WEST. THIS IS ON ENFIELD AT PARKWAY, SO THERE ARE A NUMBER OF 1930S, 1940S APARTMENT BUILDINGS ON PARKWAY BETWEEN THIS HOUSE AND THE ENTRANCE TO PEACE..... PIECE PARK, AND THEN YOU'RE ALSO VERY CLOSE TO LAMAR BOULEVARD RIGHT THERE WHERE ENFIELD ENTERS ONTO LAMAR, SO THAT WOULD ACCOUNT FOR THE -- AS YOU CAN SEE ON THE MAP, THE MULTIFAMILY AND THEN THE OFFICE USES THAT ARE CLOSER TO LAMAR. IF YOU LOOK TO THE WEST, IT'S SINGLE-FAMILY. THERE IS MULTIFAMILY THERE ALONG KINGS BURY, BUT THAT BORDERS ON PIECE PARK AND AGAIN THAT'S A LOT OF OLDER APARTMENT BUILDINGS RIGHT THERE. IT'S ALL -- THAT'S VERY FEW PIECES OF NEW CONSTRUCTION IN THERE, AND I THINK A LOT OF... OF IT IS EITHER DUPLEXES, A FOURPLEX, PROPERTY USES LIKE THAT.

IF THE HISTORIC DISTRICT IS -- TAKES EFFECT, WHAT EFFECT WOULD THAT HAVE ON MULTIFAMILY ZONED

PROPERTIES?

THE HISTORIC DISTRICT WOULDN'T HAVE ANY EFFECT ON THE BASE ZONING. THE HISTORIC DISTRICT OVERLAY FOR THE LOCAL HISTORIC DISTRICT, WOULD JUST BE AN ADDITIONAL OVERLAY BUT IT WOULD NOT AFFECT THE BASE ZONING OF THE PROPERTY WITHIN THE DISTRICT.

IN OTHER WORDS, WHAT IMPACT WOULD IT HAVE ON WHAT IS BUILT AS REPLACEMENT STRUCTURES IF SOMETHING IS TORN DOWN?

IF THE LOCAL HISTORIC DISTRICT PASSES AND INCLUDES THIS PROPERTY, THEN THERE WOULD BE DESIGN STANDARDS FOR THE -- FOR THE HISTORIC DISTRICT, AND WHATEVER IS BUILT ON THIS PROPERTY WOULD HAVE TO COMPLY WITH THOSE DESIGN STANDARDS.

ARE THERE DESIGN STANDARDS CONTEMPLATED FOR MULTIFAMILY THAT IS DIFFERENT -- THAT WOULD BE DIFFERENT FROM SINGLE-FAMILY?

YES. YES. WE'RE WORKING ON DESIGN STANDARDS FOR CLARKSVILLE RIGHT NOW, AND WE'RE USING DESIGN STANDARDS FROM OTHER CITIES, AND OTHER DESIGN -- OTHER AREAS OF AUSTIN, SUCH AS HYDE PARK, THAT HAVE COME UP WITH VERY GOOD DESIGN GUIDELINES FOR BOTH SINGLE AND MULTIFAMILY DEVELOPMENTS IN NEW CONSTRUCTION.

IT STRIKES ME THAT -- LET ME ASK YOU THIS. DO WE HAVE ACCESS TO ANY TYPE OF MULTIFAMILY DESIGN STANDARDS THAT WOULD BE USABLE FOR A LOT OF THIS CONFIGURATION?

WELL, I THINK IT WOULD BE PREMATURE RIGHT NOW, ONLY BECAUSE WE -- WE DON'T HAVE THE -- WE DON'T HAVE THE LOCAL HISTORIC DISTRICT NOMINATION FOR THIS AREA UNDER WAY. THERE WAS JUST A MEETING LAST NIGHT THAT I ATTENDED ABOUT ANSWERING QUESTIONS -- ANSWERING QUESTIONS ABOUT THE LOCAL HISTORIC DISTRICT FOR OLD ENFIELD, SO THERE SEEMS TO BE A GREAT DEAL OF NEIGHBORHOOD SUPPORT FOR THE LOCAL HISTORIC

DISTRICT, BUT WE DON'T HAVE ANYTHING UNDER WAY RIGHT NOW, AND WHAT WE'RE DOING IN CLARKSVILLE IS DOING AN INTENSIVE SURVEY OF THE DISTRICT, LOOKING AT WHAT ARE THE PREVAILING ARCHITECTURAL TYPES, THE MATERIALS, HEIGHTS, WINDOW CONFIGURATIONS, WINDOW MATERIALS, THINGS LIKE THAT, SO THAT WE CAN BASE THOSE DESIGN STANDARDS ON WHAT IS ALREADY THERE. SO THAT WHAT IS BUILT -- OR NEW CONSTRUCTION WOULD BE COMPATIBLE IN HEIGHT, SCALE, MATERIALS AND MASSING.

LET ME ASK YOU THIS. IF THE CHOICE WERE NOTHING OR SOMETHING FOR DESIGN STANDARDS FOR MULTIFAMILY, I MEAN, HOW FAST COULD WE COME UP WITH SOMETHING?

WELL, WE COULD COME UP WITH SOMETHING PRETTY QUICKLY IF WE GET THE NOMINATION IN PLACE AND WE GET THE --

I'M GOING TO STOP YOU REAL QUICK. BECAUSE RIGHT NOW WE HAVE BEFORE US A CONSIDERATION WHETHER TO GO -- ZONE SOMETHING HISTORIC, THERE IS OPPOSITION FOR PROPERTY THAT'S ZONED MULTIFAMILY. I THINK THERE IS A STRONG INTEREST AMONG ALL PARTIES, THE NEIGHBORHOOD AND THE OWNER, TO SEE THAT WHAT IS ON THIS PROPERTY IS COMPATIBLE WITH THE NEIGHBORHOOD. IF WE WERE ABLE TO COME UP WITH A -- AND LET'S SAY THE COUNCIL DID NOT SUPPORT HISTORIC ZONING, WE WOULD HAVE A CHOICE, REALLY, OF JUST KIND OF -- OF WHAT'S HAPPENED, YOU KNOW, WITHOUT ANY KIND OF STANDARDS. BUT I THINK ALSO -- BUT I GET THE IMPRESSION THE OWNER, IT APPEARS, WOULD BE INTERESTED IN -- IF HE WERE DEVELOPING A MULTIFAMILY, TO HAVE SOMETHING THAT FIT IN THE CONTEXT OF THE NEIGHBORHOOD, I THINK THAT WOULD BE SUPERIOR..... SUPERIOR TO A MULTIFAMILY THAT HAD NO ASSISTANCE ON MAKING SURE IT WAS COMPATIBLE IN THE NEIGHBORHOOD. I KNOW THAT WE WOULD HAVE TO DO SOMETHING OUTSIDE OF THE BOX ON THIS, IF WE DON'T GO HISTORIC. I GUESS I'M TRYING TO FIGURE OUT IS, HOW FAST CAN WE DO THAT?

WELL, THE AUSTIN NEIGHBORHOOD ASSOCIATION ALREADY HAS DESIGN GUIDELINES IN PLACE, AND BECAUSE THIS IS IN

THE OLD WEST AUSTIN NATIONAL REGISTER HISTORIC DISTRICT, THAT -- ANY PROPOSED DESIGN WOULD BE PRESENTED TO THE LANDMARK COMMISSION, WHO WOULD MAKE RECOMMENDATIONS AS TO THE COMPATIBILITY OF THE NEW DESIGN WITH THE HISTORIC CHARACTER OF THE DISTRICT.

DO THEY HAVE DESIGN GUIDELINES IN THE NATIONAL REGISTER OF HISTORIC DISTRICT FOR WEST AUSTIN THAT ARE FOR MULTIFAMILY? OR IS IT JUST SINGLE-FAMILY?

NO, I BELIEVE THEY ADDRESS MULTIFAMILY AS WELL, BUT AGAIN, THESE WOULD BE ADVISORY RECOMMENDATIONS THAT THE LANDMARK COMMISSION WOULD MAKE.

I KNOW, AND I THINK WHAT WE'RE TRYING TO DO IS FIND AN APPROACH THAT IS BETTER THAN, REALLY -- WE HAVE KIND OF A CLASSIC ALL OR NOTHING DECISION BEFORE US, AND I SENSE THAT EVERYBODY HERE WOULD PREFER TO SEE A BETTER RESULT THAN ALL OR NOTHING, YOU KNOW, EITHER WAY.

RIGHT.

SO I THINK TO THE EXTENT WE CAN HELP THAT HAPPEN, IF IT IS THE DETERMINATION OF THE COUNCIL THAT THIS IS NOT -- DOES NOT RISE TO THE CRITERIA FOR HISTORIC ZONING, THEN I THINK IT WOULD BE VERY HELPFUL FOR EVERYBODY TO HAVE A WAY TO HAVE SOMETHING GO UP THERE THAT -- YOU KNOW, THAT REFLECTS WHAT.....WHAT HAS ALREADY BEEN DETERMINED TO BE THE ARCHITECT..... ARCHITECTURAL STYLE, HISTORIC STYLE OF THE NEIGHBORHOOD. SO I THINK THAT WOULD BE REAL HELPFUL WE COULD GET THAT.

MAYOR WYNN: MAYOR PRO TEM?

DUNKERLEY: ONE THING WE MAY WANT TO DO, BECAUSE WE'RE ALL ASKING WHAT IF AND MAYBE AND THIS SORT OF THING, IS PERHAPS TAKE A -- TAKE TWO WEEKS AND LOOK AT IT TO SEE WHAT APPROACH WE COULD USE, AND THAT GIVES MR. GARDERE SOME OPPORTUNITY TO LOOK AT THE HISTORIC GUIDELINES AND SEE IF HE CAN -- IF IT'S

SOMETHING THAT HE CAN WORK WITH, AND THEN MAYBE JOINTLY THE STAFF AND THE CLIENT AND ET CETERA COULD BRING BACK SOME KIND OF RECOMMENDATION TO US. BECAUSE WE'RE STRUGGLING. WE -- WE UNDERSTAND BOTH SIDES OF THE ISSUE, AND UNDERSTAND PERHAPS NOT KNOWING THAT THIS COULD POTENTIALLY BE HISTORIC, AND AT THE SAME TIME WANTING SOMETHING COMPATIBLE IN A NEIGHBORHOOD THAT IS FULL OF GREAT HISTORY AND WHAT HAVE YOU. SO ANYBODY GOT ANY SUGGESTIONS ALONG THOSE LINES?

MAYOR PRO TEM, I JUST ASKED MR. GARDERE IF HE WAS FAMILIAR ENOUGH WITH THE DESIGN GUIDELINES IN THE NEIGHBORHOOD, AND I BELIEVE HE IS BASED ON OUR SHORT CONVERSATION, SO MAYBE IT WOULD BE APPROPRIATE IF YOU TOOK FIRST READING OR YOU POSTPONED THIS, WE COULD ACQUAINT HIM WITH THOSE STANDARDS AND MAYBE HE COULD GET A COMFORT LETTER AND GIVE YOU A BETTER IDEAS OF HOW HE WOULD BE ABLE TO REDESIGN A PROJECT AND BUILD THIS UNDER THOSE GUIDELINES AND THEN GIVE THAT INFORMATION TO YOU. HE COULD GIVE IT TO THE STAFF AND WE COULD GIVE IT TO YOU AND ALSO SHARE IT WITH THE NEIGHBORS.

I FRANKLY WOULD LIKE TO GO OUT THERE AGAIN AND LOOK AT IT IN THE CONTEXT OF OTHER MULTIFAMILY THAT'S AROUND THERE, AND I'D LIKE TO TAKE A LOOK AT THE GUIDELINES. SO WHATEVER WE DO, I WOULD LIKE AT LEAST THE FINAL ACTION TO BE POSTPONED BECAUSE I WOULD BE MUCH MORE COMFORTABLE HAVING THAT LITTLE TOUR MYSELF.

AND I THINK MR. GAR.... GARDERE HAS SOME INFORMATION THAT STAFF DOESN'T HAVE AND MAYBE HE COULD SHARE THAT WITH US AND US WITH YOU REGARDING ENGINEERING REPORTS AND REMEMBER MIGHT REPORTS AND THAT SORT OF THING.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. FURTHER QUESTIONS, COMMENTS? I'LL JUST AGREE WITH SEVERAL OF THE COMMENTS THAT MY COLLEAGUES HAVE MADE. THERE'S NO QUESTION THAT VISUALLY DRIVING, EVEN WALKING BY ANY OF THIS HOUSE, EVEN IN THE

UNFORTUNATE CONDITIONS IT'S IN NOW, CLEARLY JUST THE VISUAL PRESENCE OF IT IS QUITE STRIKING AND QUITE CONTRIBUTING IN THAT CONTEXT. WE FIND OURSELVES IN THESE CASES, UNFORTUNATELY, TOO OFTEN, WHERE WE -- WE STRUCK HE WILL WITH THAT. WE STRUGGLE WITH A CONDITION OF STRUCTURE. WE STRUCK HE WILL..... STRUCK HE WILL WITH WHAT SEEMS TO BE INI CAN WITNESSABLE APPROACH, WHEN AN OWNER IS SOMEWHAT BLINDSIDED BY THE PROCESS. OF COURSE WE'RE STRUCK BY THE IMPORTANCE, VISUALLY AND OTHERWISE, OF THIS FABRIC THAT THIS HOUSE HAS REPRESENTED. AND SO TO THE EXTENT THAT THERE'S THE ABILITY FIRST AND FOREMOST FOR THE OWNER TO PERHAPS SHARE AS MUCH INFORMATION AS HE HAS WITH STAFF AND COUNCIL AND OTHERS, BUT THEN ALSO FOR HIM TO BECOME MORE AWARE OF YOU KNOW WHAT COULD BE SALVAGED FROM..... FROM THAT INVESTMENT, THEN THE MORE THE HAPPIER. SO IF THERE'S MAYOR..... PERHAPS AN INTERIM PERIOD OF A FIRST READING CASE OR SOMETHING THAT ALLOWS SOME MORE INFORMATION TO BE SHARED AND HAD, MORE INVESTIGATION TO BE CONDUCTED, THEN PERHAPS WE GET TO THE COMMON GROUND THAT I THINK BOTH SIDES SHARE, BECAUSE I DO BELIEVE MR. GARDERE WOULD LOVE NOTHING MORE THAN TO SEE A VERY APPROPRIATE, YOU KNOW, SCALED AESTHETICALLY PLEASING, YOU KNOW, NEIGHBORHOOD..... NEIGHBORHOOD-COMPLIANT, PLAN-COMPLIANT STRUCTURE THERE ON THIS LOT.

MAYOR WYNN: COUNCIL MEMBER, MCCRACKEN?

IN THAT STRAIN I'LL MAKE A MOTION TO CLOSE THE PUBLIC HEARING AND TAKE NO ACTION TONIGHT, COME BACK FOR FIRST READING -- LET ME ASK YOU THIS. HOW SOON COULD WE GET THE WEST AUSTIN NATIONAL HISTORIC DISTRICT GUIDELINES FOR MULTIFAMILY AND GET THEM TO ALL THE STAKEHOLDERS?

RIGHT AWAY.

MCCRACKEN: WELL THEN -- MY MOTION WOULD BE TO COME BACK IN TWO WEEKS FOR FIRST READING, VOTE ON FIRST READING, AND LET'S WORK TOGETHER IN THIS NEXT TWO WEEKS TO SEE IF WE CAN FIND A COMMON-GROUND

APPROACH THAT HAS A -- SEE IF THERE'S OPPORTUNITY FOR A MULTIFAMILY DESIGN THAT IS WORKABLE WITHIN THE HISTORIC DISTRICT DESIGN GUIDELINES. AND THE REASON WHY I THINK WE NEED TO MOVE FAST, THERE'S COMPETING CONSIDERATIONS, BUT ONE OF THEM IS THAT THERE ARE VERY EXTENSIVE CARRYING COSTS, VERY EXPENSIVE PROPERTY, CLEARLY, AND WHATEVER OUR DECISION MAY BE, IF IT IS TO NOT DO HISTORIC ZONING BUT THERE'S AN OPPORTUNITY TO DO MULTIFAMILY, WE NEED TO -- WE NEED TO MAKE THAT DECISION QUICKLY SO THAT WE DON'T HAVE PROTRACTED CARRYING COSTS INVOLVED.

MAYOR WYNN: SO MOTION BY COUNCIL MEMBER MCCracken TO CLOSE THE PUBLIC HEARING, TAKE NO ACTION, BUT INSTRUCTING STAFF TO POST THIS CASE FOR FIRST READING -- OR FOR ACTION IN TWO WEEKS, OCTOBER 19, 2006. SECOND BY MAYOR PRO TEM. IF I COULD, ALSO JUST LIKE TO ASK IF STAFF COULD GET WITH MR. GARDERE AND EITHER GET COPIES OF THESE REPORTS THAT HE HAS AND/OR PERHAPS EVEN A SITE VISIT TO TRY TO HELP US ON THE CONFIRMATION OF THE -- OF WHAT APPEARS TO BE SIGNIFICANT DAMAGE TO THE HOUSE. THANK YOU. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I'M GOING TO SUPPORT THE MOTION TO POSTPONE, I GUESS FOR TWO WEEKS, ALSO, BUT I THINK -- I'M PRETTY MUCH IMPRESSED BY THE FACT THAT HISTORIC ZONING IS RECOMMENDED BY THE STAFF, BY THE HIS.... HISTORIC LANDMARK COMMISSION, BY THE PLANNING COMMISSION, BY UNANIMOUS VOTES, AND VISUALLY, AS I SAID EARLIER AND THE MAYOR JUST SAID A MOMENT AGO, JUST LOOKING AT IT, IT DOESN'T LOOK LIKE A HOUSE THAT'S FALLING DOWN TO ME, AND I HAVE NOT SEEN ANY CERTIFIABLE EVIDENCE FROM A LICENSED ENGINEER, ET CETERA. I HAVE SEEN TERMITE INSPECTORS' REPORT OR I SAW ONE IN HIS HAND. I HAVEN'T ACTUALLY SEEN IT. I'VE HEARD ABOUT A HOME INSPECTION REPORT FROM THE OWNER WHEN HE BOUGHT THE HOUSE SEVERAL YEARS AGO, BUT ON A HOUSE THAT OLD YOU'RE GOING TO HAVE -- I KNOW FROM PERSONAL EXPERIENCE YOU'RE GOING TO HAVE PAGES AND PAGES OF THAT KIND OF STUFF BECAUSE THOSE GUYS NEVER LET UP. SO I THINK THE BURDEN IS GOING TO BE ON THE OWNER, AS FAR AS I'M CONCERNED,

TO SHOW THE NEIGHBORHOOD PEOPLE, HISTORIC
STAKEHOLDERS SHOULD BE INVOLVED IN THIS AND THEY
SHOULD BE SATISFIED THAT THE RESTORATION OR
REBUILDING, WHATEVER IT IS, IS GOING TO BE IN
CONFORMANCE WITH THE HISTORICAL STANDARDS OF
THEIR NEIGHBORHOOD.

MAYOR WYNN: THANK YOU COUNCIL MEMBER. FURTHER
COMMENTS ON THE MOTION TO CLOSE THE PUBLIC HEARING
AND POSTPONE ACTION FOR TWO WEEKS? HEARING NONE,
ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 7
TO ZERO. THANK YOU ALL VERY MUCH. COUNCIL, THAT
TAKES US TO OUR FIRST OF TWO PUBLIC HEARINGS. ITEM
NO. 52 IS CONDUCTING A PUBLIC HEARING TO APPROVE AN
ORDINANCE AMEND..... AMENDING CITY CODE REGARDING
ESTABLISHING HIGHLAND MALL AND SOUTH IH-35 TOD
DISTRICTS, AND WOULD ENTERTAIN A BRIEF STAFF
PRESENTATION.

GOOD EVENING ACTION I'M SEASON YEAH LOPEZ WITH THE
NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. I'M
HERE TO PRESENT A PROPOSED CODE AMENDMENT TO THE
LAND DEVELOPMENT SECTION OF THE LAND DEVELOPMENT
CODE TO ADD IN TWO ADDITIONAL TRANSITORY AND
DEVELOPMENT DISTRICTS. THAT WOULD BE THE FIRST STEP
TOWARDS TODD IMPLEMENTATION ONCE THEY'RE
ADDED INTO THE ORDINANCE WE CAN ENGAGE IN
STATIONARY PLANNING, WHICH IS A SPECIFIC STUDY OF
EACH OF THESE SITES AND IMPLEMENTATION PLAN. THE --
ONE OF THE SITES IS LOCATED ON AIRPORT BOULEVARD
NORTHWEST OF KOENIG LANE ACROSS FROM HIGHLAND
MALL. THE SECOND SITE IS LOCATED ON SOUTH CONGRESS
-- WELL, SOUTH I-35 WHERE THE SOUTH CONGRESS AND
SOUTH I-35 INTERSECTION OCCURS, JUST NORTH OF THAT.
THE SOUTH I-35 SITE IS AT A CAPITAL METRO FUTURE RAPID
BUS PARK AND RIDE. IT WOULD BE THE SOUTHERN
TERMINUS OF THAT INITIAL RAPID BUS LINE THAT RUNS

ALONG NORTH LAMAR AND DOWN SOUTH CONGRESS. THE
HIGHLAND MALL TOD SIDE WOULD BE ALONG THE 32-MILE
FURTHER COMMUTER URBAN -- URBAN COMMUTER RAIL
LINE, EXCUSE ME. BOTH OF THESE ARE PROPOSED AS TOWN
CENTER TOD'S AND WE'RE RECOMMENDING FOR THE
REASONS LISTED IN YOUR BACKUP THAT THEY BE BROUGHT
FORWARD AT THIS TIME WITHOUT BOUNDARIES SO THAT
THE BOUNDARIES CAN BE DETERMINED DURING THE
STATIONARY PLANNING PROCESS BY OUR CONSULTANT
THAT WE'VE HIRED TO DO STARE AREA PLANNING. I'M
AVAILABLE FOR ANY QUESTIONS IF YOU HAVE THEM.

MAYOR WYNN: THANK YOU MS. LOPEZ. QUESTIONS OF
STAFF, COUNCIL? WE HAVE NO CITIZENS SIGNED UP
REGARDING THIS PUBLIC HEARING. AND HEARING NO
QUESTIONS OR COMMENTS, I'LL ENTERTAIN A MOTION.

MOVE TO CLOSE PUBLIC HEARING, APPROVE THE --

MAYOR WYNN: MOTION BY COUNCIL MEMBER MARTINEZ TO
CLOSE THE PUBLIC HEARING AND APPROVE THE THIS
AMENDING ORDINANCE. SECOND BY COUNCIL MEMBER
LEFFINGWELL.

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

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A
VOLT..... VOTE 6 FER OF 6 TO SER.... ZERO WITH COUNCIL
MEMBER KIM OFF THE DIEZ.

TAKES US TO OUR LAST PUBLIC HEARING REGARDING A
QUESTION FOR WAIVER FROM THE MINIMUM DISTANCE
REQUIREMENTS OF THE CITY CODE REGARDING ALCOHOLIC
BEVERAGES. I WOULD ENTERTAIN A BRIEF STAFF
PRESENTATION.

GOOD EVENING, COUNCIL MEMBERS, TAMMY WILSON WITH
THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW
DEPARTMENT DEPARTMENT. I'M HERE TO REPRESENT THE
GALAXY CAFE LOCATED AT 1,000 LYNN STREET. THTS....THIS

IS A REQUEST TO WAIVE THE 300 SQUARE FEET BUFFER FOR THE SALE OF ALCOHOL WITHIN THE AREA OF A PUBLIC SCHOOL. THAT'S THE APPLICANT'S REQUEST BEFORE YOU THIS EVENING. I WANTED TO MAKE SURE THAT BEFORE YOU WENT ON ANY FURTHER, THERE WAS A LETTER THAT WAS PLACED ON YOUR DAIS TONIGHT FROM THE OLD WEST AUSTIN NEIGHBORHOOD ASSOCIATION SAYING THAT THEY THEY HAD NO OBJECTION TO THE WAIVER REQUESTED. I JUST WANT TO MAKE SURE THAT YOU HAVE THAT FOR THE RECORD. THE EVALUATION CRITERIA THAT STAFF USED WAS FROM SECTION 4. -- 4-9 HIGHER 5 A OF THE CITY CODE, SO THE COUNCIL MAY CONSIDER THE WAIVER OF THE 300-FOOT DISTANCE REQUIREMENT IF IT IS DETERMINED THAT THE ENFORCEMENT IN THE PARTICULAR INSTANCE DOES -- IT GOES ON TO SAY SIX BULLETS THIS PARTICULAR, ONE, THAT IS NOT IN THE BEST INTEREST OF THE PUBLIC, TWO, THAT IT CONSTITUTES WASTE OR INEFFICIENT USE OF LAND OR OTHER RESOURCES. 3, CREATES UNDUE HARDSHIP ON THE APPLICANT. 4, DOES NOT SERVE ITS INTENDED PURPOSE. 5, IS NOT EFFECTIVE OR NECESSARY. 6, AFTER CONSIDERATION TO THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC AND EQUITIES OF THE SITUATION, COUNCIL FOR ANY OTHER REASON DETERMINES THE WAIVER TO BE IN THE BEST INTEREST OF THE COMMUNITY, AS WELL AS SECTION 4-5-B STATES THAT COUNCIL MAY WAIVE THE CONSIDERATION IF THERE'S WRITTEN CONSENT TO THE WAIVER UNDER THIS SECTION FROM A SCHOOL, A CHURCH, A PUBLIC HOSPITAL, DAY-CARE CENTER OR CHILD CARE FACILITY WITHIN 300 FEET FROM THE APPLICANT'S REQUEST OF THE PLACE OF BUSINESS. RECEIVED BY THE WATERSHED PROTECTION DEPARTMENT. IN THIS PARTICULAR CASE THE STAFF RECOMMENDATION WAS BASED ON THE FACT THAT WE DID RECEIVE TWO LETTERS OF OPPOSITION FROM THE AUSTIN..... AUSTIN INDEPENDENT SCHOOL DISTRICT IN THIS CASE, AND IN SITUATIONS LIKE THIS, IT IS STAFF POLICY TO RECOMMEND. BASED ON THAT STAFF DID RECOMMEND DENIAL. AS I UNDERSTAND IT, IT HAS BEEN THE POLICY OF AISD BASED ON RECENT EVENTS, TRYING TO REGULATE THE VEARZ INCONSISTENCY ALONG THEIR CAMPUSES, A COUPLE YEARS AGO THEY DECIDED THEY WERE RECOMMENDING OF THAT SITUATION AND BASED ON THAT STAFF POLICY IS GOING TO DO SO AS. SO THAT IS THE BASIS OF THE

RECOMMENDATION BEFORE YOU TOO TONIGHT FROM STAFF. I'D BE HAPPY TO ANSWER ANY QUESTIONS.

MAYOR WYNN: THANK YOU, TAMMY. ANY QUESTIONS FROM STAFF OR COUNCIL? IF NOT WE HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO ADDRESS THIS ON PUBLIC HEARING. STARTING WITH JIM BENNETT. WELCOME, YOU'LL BE FOLLOWED BY PAUL SEALS.

MAYOR AND COUNCIL I'M HERE TONIGHT ON BEHALF OF GALAXY'S REQUEST FOR ALCOHOLIC BEVERAGE WAIVER. FROM MATHEWS SCHOOL. WE ARE, IN FACT, 278 FEET FROM THE SCHOOL. THE ORDINANCE SAYS WE NEED TO BE 300 FEET FOR.... OR FOR A 22-FOOT WAIVER, IF YOU WILL. TAMMY..MY WILLIAMS POINTED OUT TO YOU, AISD'S POLICY PREVIOUSLY WAS TO ALLOW IT TO BE DECIDED BY EACH INDIVIDUAL PRINCIPAL. HOWEVER, IN TALKING WITH LINDA COURT ANY FROM AISD, THEY HAD A PROBLEM WITH SOMETIMES SUPPORTING ONE AND NOT SUPPORTING ANOTHER. SO THEY HAVE CHALLENGED THEIR POLICY NOW TO JUST OPPOSE THEM STRAIGHT ACROSS THE BOARD. ALSO, AS WAS POINTED OUT, WE DO HAVE THE SUPPORT OF THE OLD WEST AUSTIN NEIGHBORHOOD ASSOCIATION. GALAXY CAFE IS CERTAINLY A NEIGHBORHOOD RESTAURANT. , WHERE 51% OF THE GROWS REVENUE HAS TO BE DERIVED FROM FOOD SALES, SO WE'RE NOT TALK ABOUT A BAR OR ANY OF THOSE SHENANIGANS GOING ON. IN FACT, A LOT OF THE PARENTS WILL PROBABLY BE TAKING THEIR CHILDREN THAT GO TO THE ELEMENTARY SCHOOL OVER THERE FOR DINNER AND LUNCH AND WHAT HAVE YOU. INASMUCH AS WE HAVE THE OVERWHELMING SUPPORT OF THE PEOPLE WHO LIVE AROUND THE FACILITY AND SUPPORT IT AND THE FACT THAT IT'S ONLY A 22-FOOT WAIVER THAT WE'RE TALKING ABOUT, IF WE WERE JUST 22 FEET AWAY, WE WOULDN'T BE HERE BEFORE YOU TONIGHT, AND BASED ON THAT WE WOULD REQUEST THAT COUNCIL APPROVE THE WAIVER FOR THE GALAXY CAFE. IF YOU HAVE ANY QUESTIONS I WILL BE AVAILABLE.

MAYOR WYNN: THANK YOU, MR. BENNETT. ANY QUESTIONS, COUNCIL? COUNCIL MEMBER MARTINEZ?

MARTINEZ: JUST BASED ON THE POLICIES OF THE SCHOOL

DISTRICT AND STUFF, I WAS WONDERING, DO WE EVER TAKE CASES LIKE THIS AND LIMIT THE HOURS OF OPERATION OR SALE OF ALCOHOL? SAY MONDAY THROUGH FRIDAY FROM , YOU KNOW -- TILL 3:00 P.M.?

MAYOR WYNN: MS. WILLIAMSON?

I DO NOT BELIEVE THAT I KNOW OF A CASE WHERE WE HAVE DONE THAT, NOT -- CERTAINLY NOT RECENTLY, NO.

MARTINEZ: DO WE KNOW IF THE APPLICANT WOULD BE A.. AVERSE TO SOMETHING LIKE THAT?

I'D HAVE TO DEFER TO MR. BENNETT ON THAT QUESTION.

MARTINEZ: COME ON, GUYS, WE CAN'T LEAVE BEFORE 8:00.

MAYOR WYNN: OH, YEAH, WE CAN.

OUR CLOSING TIME, COUNCIL MEMBER, CURRENTLY IS 11:00. HOWEVER, THE ALCOHOLIC BEVERAGE LICENSE WOULD ALLOW YOU TO STAY OPEN TILL 12:00. WE'RE NOT REQUESTING A LATE HOURS PERMIT OR ANYTHING FOR IT.

MARTINEZ: RIGHT. WHAT TIME DO YOU OPEN, THOUGH? WHAT TIME DO YOU BEGIN THE SALE OF ALCOHOL?

WE WOULD BE OPEN TO A COMPROMISE OF HOURS OF SALE. WE'RE ONLY INTERESTED IN SELLING BEER AND WEAN. WE'RE NOT LOOKING FOR MIXED BEVERAGE PERMIT. WE CURRENTLY -- MY OTHER STORE, OUR ALCOHOL SALES ARE LESS THAN 5% OF GROWS SALES. WE OFFER BEER AND WINE TO ACCOMPANY DINNER BUT WE DON'T RELY ON THE PROFIT FROM THAT. I DON'T EVEN MAKE THE TYPICAL MARKUP. , THE PROFIT MARGIN ON ALCOHOL SALES. IT'S JUST SOMETHING WE OFFER TO GO ALONG WITH YOUR DINNER. NOW, IF ANYONE WAS INTERESTED IN LIMITING THE HOURS OF ALCOHOL SALE TO AFTER THE SCHOOL HAS LET OUT -- SCHOOL IS DISMISSED AT 2:30, THE LAST BUS PICKS UP BY 3:00 AND THEY'RE CLEARED FROM THE AREA. I DON'T KNOW WHAT THE PRECEDENCE IS FOR THAT SORT OF RESTRICTION ON HOURS.

MAYOR WYNN: MS. TERRY?

MAYOR AND COUNCIL, I THINK WHAT I'M STRUGGLING WITH RIGHT NOW IS THIS IS A JURISDICTION THAT IS SHARED WITH THE STATE AND TEXAS ALCOHOLIC BEVERAGE COMMISSION. I -- WHILE YOU CAN LIMIT THE HOURS OF OPERATION, I DO NOT BELIEVE THAT YOU CAN LIMIT THE SALE HOURS -- HOURS OF SALE OF ALCOHOL. THAT IS -- YOU..... -- YOU KNOW, ONCE THEY GRANT THE PERMIT, THEY GRANT IT FOR THE HOURS OF OPERATION. SO YOUR BEST -- YOUR BEST -- IF YOUR DESIRE IS IN THIS AREA, YOUR BEST SHOT AT IT IS TO LIMIT THE HOURS OF OPERATION. I GUESS MY QUESTION WOULD BE IS WHEN YOU SAY YOU'RE OPEN AT 7:00 A.M., GALAXY IS -- IT'S A CAFE?

IT'S A CAFE. WE SERVE BREAKFAST, LUNCH AND DINNER.

THAT'S WHY YOU'RE OPEN THAT EARLY.

MAYOR WYNN: COUNCIL MEMBER KIM?

KIM: IS THIS THE SAME RESTAURANT AS COSMIC CAFE SF.

NO, THAT'S AN INDIAN FOOD CHAIN FROM DALLAS, AND THEY ARE ON 12TH AND WEST LAND. WE ARE ON 10TH AND WEST LAND. IT'S FORMERLY A LAUNDRY MAT. IT'S BEEN THERE FOR YEARS. IT'S A LITTLE BIT CLOSER TO THE SCHOOL.

MAYOR WYNN: ESSENTIALLY YOU'RE SAYING THE STATE LOOKS TO US ON THE LAND USE AND THE QUESTION IS DO WE THINK IT'S APPROPRIATE TO HAVE ANY LIQUOR SALES HERE AT ALL AND THEN THEY TAKE THEIR REGULATORY AUTHORITY TO THE TBC AND OFTENTIMES HAVE DIFFERENT RESTRICTIONS BASED ON, YOU KNOW, THE APPLICANT OR THE HISTORY OR SOMETHING THAT THEY --

THAT IS CORRECT, BUT WHAT I WILL SAY TO YOU IS THIS, AND THAT IS, AGAIN, HOURS -- HOURS OF OPERATION, YOU CAN SAFELY LIMIT. WHAT I DON'T KNOW THE FINAL ANSWER TO... TO AND WHAT I BELIEVE -- BUT WHAT I BELIEVE IS THE ANSWER IS THAT YOU CANNOT LIMIT THE HOURS OF THE SALES OF THE ALCOHOLIC BEVERAGE DIRECTLY, BUT I WOULD -- AND I -- I'M STRUGGLING HERE BECAUSE IT'S NOT A

FIRM ANSWER THAT I CAN GIVE YOU TONIGHT. IF THIS IS SOMETHING THAT YOU WANT TO LOOK INTO WITH REGARD TO THIS PARTICULAR OPERATION, WHAT I WOULD ASK IS THAT YOU GIVE ME AN OPPORTUNITY TO GO DOUBLE-CHECK THAT TO MAKE SURE. I'M GIVING YOU WHAT I RECALL THE LAW TO BE, BUT I AM NOT 100% SURE ON THAT. SO I AM AT YOUR DISCRETION, COUNCIL, AS TO HOW YOU WANT TO PROCEED AT THIS POINT.

MAYOR WYNN: COUNCIL, WE HAVE A HANDFUL OF ADDITIONAL SPEAKERS. WHY DON'T WE GO THROUGH THE TESTIMONY AND THEN WE MIGHT HAVE SOME MORE QUESTIONS. THANK YOU, MR. CHAPEL. OUR NEXT SPEAKER IS PAUL SILLS. WELCOME, PAUL. APPRECIATE YOUR PATIENCE AND YOU'LL BE FOLLOWED BY SPIKE GLES PI.

MAYOR, COUNCIL, PAUL SEALS. I'M A RESIDENT OF OLD WEST AUSTIN AND CO-CHAIR OF STEERING COMMITTEE. MY WIFE AND I HAVE BEEN STRONG SUPPORTERS OF MATHEWS ELEMENTARY. MY WIFE STARTED VOLUNTEERING AT THE SCHOOL, BEFORE OUR DAUGHTERS, WHO ARE NOW IN COLLEGE STARTED KINDERGARTEN THERE. IT'S A WONDERFUL SCHOOL AND IS RECOGNIZED AS A VERY IMPORTANT PART OF THE QUALITY OF LIFE IN OUR NEIGHBORHOOD, MAINTAINING AND ENHANCING MATHEWS IS ONE OF THE OBJECTIVES OF OUR NEIGHBORHOOD PLAN. WE WOULD NEVER COUNTENANCE ANY THREATS TO MATHEWS. AFTER REVIEWING THE INFORMATION REGARDING THE WAIVER REQUEST FOR THE GALAXY CAFE AND AFTER A NUMBER OF VISITS TO THE ORIGINAL RESTAURANT ON... ONSLAUGHT LANE, WE SUPPORT THE WAIVER REQUEST. THE REQUEST IS... NOT ONLY SUPPORTED BY US BUT THE GENERAL MEN OF OWANA. AT THE MARCH MEETING WE VOTED TO SUPPORT THE REQUEST. INFORMATION REGARDING THE VOTE WAS INCLUDING IN MY LETTER TO THE MAYBE DATED APRIL THE 18TH. GALAXY NOW HAS BEEN OPEN FOR A COUPLE WEEKS. I DON'T KNOW IF ANY OF YOU HAVE MADE IT OVER THERE BUT IN THAT VERY SHORT TIME THE GALAXY CAFE HAS ALREADY BECOME AN ATTRACTIVE GATHERING PLACE FOR FAMILIES IN THE NEIGHBORHOOD. IT REPRESENTS A POSITIVE FAMILY-FRIENDLY, NEIGHBORHOOD-FRIENDLY, PEDESTRIAN-FRIENDLY DEVELOPMENT IN THE AREA ALONG

WEST LYNN, WHICH MANY OF US REFER TO AS DOWNTOWN CLARKSVILLE. AS CO-CHAIR AND AS A RESIDENCE AND AS A PARENT AND A LONG-TIME SUPPORTER OF MATHEWS, I ASK THAT YOU GRANT THE WAIVER TO THE GALAXY CAFE AND I'D LIKE TO MAKE ONE JUST OBSERVATION. IF PERCHANCE THIS WAIVER IS NOT GRANTED, GALAXY WOULD BECOME, I ASSUME, A BYOB, AND ONE OF THE IRE....IRONIES WOULD BE THAT I WOULD WALK ACROSS THE..... ACROSS THE STREET TO THE CONVENIENCE STORE, WHICH IS EVEN CLOSER TO MATHEWS, TO BUY THE BEER OR WINE TO BRING BACK OVER TO THE GALAXY CAFE.

THANK YOU FOUR TIME. BE HAPPY TO ANSWER ANY QUESTION.

MAYOR WYNN: THANK YOU, MR. SEALS. QUESTIONS, FOR MR. SEALS, COUNCIL? THANK YOU, PAUL. SEE YOU ON THE TRAIL TOMORROW MORNING. SPIKE GILL LESS PI. WELCOME.

I PUT ON MY GOOD PENNSYLVANIA JAJ AS... JAM AS TO CAME. I'LL READ THIS AS QUICKLY AS I CAN AND THESE REMARKS ARE BASED ON RUMBLINGS THAT I'VE HEARD AROUND THE NEIGHBORHOOD. I LIVE IN CLARK VILS TWO BLOCKS IN THE GALAXY CAFE. I'VE HEARD RUMBLINGS THAT THERE'S OPTION TO THE GRANTING OF THE LICENSE. ONE POINT BROUGHT TO MY ATTENTION IS THERE IS A FEAR THAT IF IF THE CAFE SERVES ALCOHOL MINERS WILL HAVE ACCESS TO ALCOHOL. I BEGAN BINGE DRINKING AT AGE 14. IT NEVER MATTERED HOW YOUNG I WAS, HOW BROKE I WAS OR HOW MUCH TROUBLE I GOT IN. THERE WAS SIMPLY NO STOPPING ME. IF I WANTED BOOST, I FOUND A WAY TO GET IT. ALLOWING THE SALE OF ALCOHOL TO THE CAFE IS NOT GOING TO ENCOURAGE UNDERAGE DRINKING JUST AS DISALLOWING IT WILL NOT STOP UNDERAGE DRINKING. PEER PRESSURE AND THE NEED TO EXPERIMENT AND THE FACT THAT SO MANY PARENTS SAY DRINKING IS TAKE BOO. THE BIGGER ISSUE IS DRUNK DRIVING. WHEN I LIVED IN FLORIDA I DROVE BUZZED ON A REGULAR. I. THE TROUBLE WITH LIQUOR. NOW, WHEN I LIVED IN KNOXVILLE I WAS WITHIN EASY WALKING DISTANCE OF A NUMBER OF PUBLISHES SO I'D WALK DOWN TO THE LONG BRANCH, HAVE ANY SHARE, THEN STUMBLE BACK HOME UP THE HILL. THE ONLY PERSON I HURT WAYS MYSELF. LAST NIGHT I HAD DINNER AT THE

GALAXY CAFE WITH A FRIEND OF MINE. 15 YEARS AGO ON SEPTEMBER 26 HER SON CHRIS DIED OF INJURIES SUSTAINED WHEN A DRUNK DRIVER ON HIS WAY HOME THERE FROM A BAR HIT CHRIS AND HIS GREENED WHO WERE ON BICYCLES. WE CAN NEVER KNOW FOR CERTAIN WHAT MIGHT HAVE BEEN, BUT THERE'S NO DENYING IF THE DRIVER HAD BEEN WALKING HOME FROM A NEIGHBORHOOD ESTABLISHMENT RATHER THAN DRIVING, CHRIS WOULD BE ALIVE TODAY. I LIVED ACROSS THE STREET FROM HYDE PARK BAR AND GRILL FOR 30 YEARS, LITERALLY 30 FEET AWAY. IT WAS A GREAT GATHERING PLACE AND WHAT..... WHAT A WALKING NEIGHBORHOOD. I'D LOVE TO HAVE SOMETHING SIMILAR IN MY NEW NEIGHBORHOOD. I HOPE YOU'LL ALLOW THE GALAXY TO SERVE ALCOHOL. I WON'T BE ORDERING ANY DRINKS THERE AND NEITHER WILL MY TEENAGERS BUT I'LL BE GLAD THAT MY ADULT NEIGHBORS WILL HAVE A CHOICE AND HOPE THAT WHEN THEY DO DECIDE TO DRINK WITH DINNER THEY'LL WALK. I.I ALSO HOPE THEY'LL TRY THE SWEET POTATOES.

MAYOR WYNN: THANK YOU, SPIKE. WE HAD TWO FOLKS, KELLY CHAPEL, WHO WE HEARD TO... BEFORE, IS HERE TO ANSWER QUESTIONS AS IS BROOK BAILEY AND JEAN STEVENS SIGNED UP NOT WISHING TO SPEAK IN FAVOR OF THE VARIANCE. THERE ARE NO OTHER CITIZENS SIGNED UP. THANK YOU ALL VERY MUCH. COUNCIL, QUESTIONS, ADDITIONAL COMMENTS? COUNCIL MEMBER LEFFINGWELL?

I WILL MOVE TO CLOSE THE PUBLIC HEARING AND APPROVE THE WAIVER.

SECOND.

MOTION MADE BY COUNCIL MEMBER LEFFINGWELL, SECOND BY COUNCIL MEMBER COLE, TO... TO CLOSE THIS PUBLIC HEARING AND APPROVE THIS WAIVER. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

AYE.

MAYOR WYNN: AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 7-0. COUNCIL, THAT LEAVES US WITH WOULD.....ONE ITEM, ITEM NO. 30, WHICH IS AN ITEM FROM COUNCIL THAT THERE HAD BEEN SOME DISCUSSIONS, ADDITIONAL AMENDMENTS, POSTPONE LOTS, DELAYS, SO I'LL ENTERTAIN COMMENTS ON ITEM NO. 30. WE HAVE NO SPEAKERS FOR THAT ITEM.

LEFFINGWELL: MAYOR, I PULLED THE ITEM. IS IT STILL ON THE THE TABLE?

MAYOR WYNN: IT'S STILL ON THE AGENDA. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: WELL, I WANT TO SAY I PULLED THE ITEM AND I DID WITH FULL RESPECT FOR THOSE WHO DID....PUT IT ON THE AGENDA. I DIDN'T DO THAT LIGHTLY. AND THERE ARE PARTS OF THE RESOLUTION THAT I LIKE. IN FACT, I HAD STAFF ABOUT A MONTH AGO START LOOKING INTO THE DRAFTING OF SOME RECOMMENDATIONS FOR CHANGES TO THE VERY ITEMS ADDRESSED IN THIS RESOLUTION TO SUBMIT TO THE ETHICS REVIEW COMMITTEE, BUT I DON'T SUPPORT THE PART OF THE RESOLUTION THAT DIRECTS THE ETHICS REVIEW COMMITTEE TO DEAL -- MAKE RECOMMENDATIONS OR MAKE A DETERMINATION ON CITY COUNCIL SALARY, FOR A COUPLE OF REASONS. FIRST, I DON'T THINK THEY HAVE ANY PURVIEW. THEY DON'T HAVE THE EXPERTISE. IN FACT, THE CHAIR OF THE COMMISSION WAS QUOTED IN THE PAPER THE OTHER DAY AS SAYING, THIS ISN'T THE SORT OF THING WE NORMALLY DEAL WITH. SECOND, I THINK THAT IT PUTS THE INDIVIDUAL MEMBERS OF THE COMMISSION IN A VERY UNCOMFORTABLE POSITION. THEY'RE APPOINTED BY US, SO THEY WOULD, IN EFFECT, BE RECOMMENDING A SALARY FOR THE PEOPLE THEY WORK FOR. AT BEST THAT'S VERY QUESTIONABLE. AT WORST I THINK IT CREATES AT LEAST A.. A PERCEPTION OF A CONFLICT OF INTEREST. SO, YOU KNOW, I DON'T NECESSARILY OPPOSE A SALARY INCREASE FOR CITY COUNCIL MEMBERS. WE HAVEN'T HAD ONE FOR, WHAT, SEVEN OR EIGHT YEARS, AND I THINK A SALARY INCREASE BASED ON A RETROACTIVE COLA WOULD BE VERY MUCH IN ORDER. IT WOULDN'T REQUIRE A BUDGET AMENDMENT.

SOMETHING ABOVE THAT WOULD. SO FOR THOSE REASONS, I PULLED THE ITEM FROM THE AGENDA AND I'LL BE IN OPPOSITION TO IT.

MAYOR WYNN: THANK YOU COUNCIL MEMBER. FURTHER COMMENTS, ISSUES? COUNCIL MEMBER MARTINEZ ARE MARTINEZ?

MARTINEZ: WOULD IT BE APPROPRIATE TO MAKE A MOTION TO TABLE THIS ITEM OR CAN WE JUST LEAVE IT?

MAYOR WYNN: WE CAN -- WE CAN ENTERTAIN ANY MOTION THAT COULD INCLUDE -- I GUESS I'D PROBABLY SUGGEST THAT IT BE POSTPONED VERSUS A TABLING SINCE WE'RE LIKELY TO ADJOURN THE MEETING TO BEGIN WITH, AND THEN PERHAPS DURING SOME PERIOD OF PEOPLE THERE COULD BE DISCUSSIONS ABOUT WHETHER THERE'S A -- YOU KNOW, A DIFFERENT ENTITY OTHER THAN -- A SUBMISSION, OR A SERIES OF ADVISORY ARENAS FOR US TO GET FEEDBACK ON. BUT WE CAN DO WHATEVER WE'D LIKE WITH THIS, POSTPONE, WITHDRAW, DISCUSS, AMEND. MAYOR PRO TEM?

DUNKERLEY: I'M NOT SURE I HEARD ALL OF THAT DISCUSSION. I WAS TRYING TO LISTEN CAREFULLY CAREFULLY. BUT AS I UNDERSTAND IT, IF WE WERE TO, IN FACT, SOMETHING AS -- SOME OF THE COUNCIL MEMBERS HAVE MENTIONED, WE PROBABLY WON'T HAVE TO DO A BUDGET AMENDMENT, BUT I GUESS MY QUESTION IS WE WOULD PROBABLY HAVE TO TAKE SOME KIND OF ACTION TO -- TO INSTITUTE THE COST OF LIVING INCREASES THAT WE'RE ALL DISCUSSED, SO MAYBE THAT ELEMENT COULD BE ON OUR NEXT COUNCIL AGENDA. OKAY? CAN HA JUST BE DONE AS..... THAT JUST BE DONE AS DIRECTION TO THE CITY MANAGER? OR DO WE ACTUALLY HAVE TO TAKE ACTION, SINCE WE DON'T HAVE TO HAVE A BUDGET AMENDMENT.

MAYOR PRO TEM, IF I UNDERSTAND YOUR QUESTION, THE FIRST POINT I WOULD LIKE TO MAKE, MAKE SURE EVERYBODY UNDERSTANDS, YOU COULD NOT TAKE ANY ACTION ABOUT A ROLL-BACK COST OF LIVING TONIGHT.

DUNKERLEY: I'M AWARE OF THAT.

-- SEPARATE ITEM, AND I WOULD ASK JENNY GILCHRIST TO SPEAK TO THE QUESTION OF IF IT TAKES COUNCIL TO APPROVE A ROLL BACK COST OF LIVING INCREASE TO COUNCIL MEMBERS SALARIES.

COUNCIL MEMBERS' SALARIES ARE SET BY ORDINANCE AND THE LAST ONE WAS ADOPTED IN 2000, SO YOU WOULD JUST NEED TO ADOPT ANOTHER ORDINANCE SETTING A DIFFERENT SALARY.

DUNKERLEY: SO WE COULD BRING THAT ACTION BACK AT THE NEXT COUNCIL MEETING TO INCORPORATE THE COST OF LIVING INCREASE, BOTH PAST AND FUTURE?

UH-HUH. DO WE WANT TO TABLE THIS ITEM.

MAYOR WYNN: I'LL JUST SUGGEST THAT IF AN ITEM IS COMING BACK MY RECOMMENDATION IS -- WHAT I LIKED ABOUT THE -- YOU KNOW, THE ORIGINAL FORMAT OF THIS PROPOSAL, I WAS PLEASED TO CO-SPONSOR, IS THAT WHAT IT IS IS SEEKING THIRD-PARTY ADVICE, AND BECAUSE -- YOU KNOW, NO ELECTED OFFICIAL LIKES TO, YOU KNOW, VOTE ON HIS OR HER SALARY, IT'S JUST NOT A PLEASANT THING FOR ANY PUBLIC OFFICIAL TO DO ANYWHERE IN ANY FORMAT, AND SO WHAT THIS WAS ASKING FOR SOME THIRD-PARTY ADVICE ON THE TOP -- ON ACTUALLY MAYBE THE BROAD SERIES OF ISSUES RELATED, GENERALLY, TO PAY AND/OR BENEFIT AND/OR REPORTING AND OTHER REQUIREMENTS AND PARAMETERS. SO I LIKE THAT ELEMENT OF THIS, AND SO TO THE EXTENT IF WE DO VOTE TO POSTPONE THIS INDEFINITELY OR OTHERWISE, PERHAPS WAITING FOR ANOTHER APPROACH TO COME FORWARD, IF THAT WAS TO BE THE CASE AND THERE WAS, YOU KNOW, PERHAPS THE FORMAT OF SOME TYPE OF JUST STRAIGHT COST OF LIVING TYPE APPROACH, I WOULD STILL LIKE TO HAVE THAT VETTED IN SOME ARENA OR FORMAT, GET SOME CITIZEN INPUT AND FEED BACK PRIOR TO US THEN TAKING IT UP ON THE DAIS. SO I'LL CERTAINLY BE SUPPORTIVE OF, YOU KNOW, POSTPONING THIS PARTICULAR ITEM AND WORK WITH ANY COUNCIL MEMBERS -- OR A COUPLE COUNCIL MEMBERS IF THEY WANT TO TAKE A DIFFERENT APPROACH,

BUT I'D STILL SUGGEST THAT WE REACH OUT AND ASK FOR SOME TYPE OF COMMUNITY SUGGESTIONS. FURTHER COMMENTS, QUESTIONS? THEN I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCIL MEMBER MARTINEZ TO POSTPONE ITEM 30 INDEFINITELY. BUT I'LL SECOND. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE?

AYE.

MAYOR WYNN: AYE.

OPPOSED? MOTION PASSES ON VOTE OF -- MOTION PASSES ON VOTE OF 6-0 WITH COUNCIL MEMBER LEFFINGWELL NOT VOTING. THANK YOU ALL VERY MUCH. COUNCIL, THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL WE STAND ADJOURNED. IT IS 7:49 P.M.

End of Council Session Closed Caption Log