

## **Closed Caption Log, Council Meeting, 02/15/07**

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SHOULD GOOD MORNING, I APOLOGIZE FOR OUR DELAY, OUR COMPUTER SYSTEM WAS DOWN FOR A FEW MINUTES. WE WANTED TO REBOOT IT, GIVE IT TO MY KNOWLEDGE FOR FOLKS, CITIZENS WHO MIGHT WANT TO ADDRESS US THIS MORNING TO HAVE A CHANCE TO SIGN UP. I THINK WE ARE READY TO GO NOW. SO IT'S MY PRIVILEGE TO WELCOME AUSTIN POLICE DEPARTMENT CHAPLAIN DAVID CULP, WHO WILL LEAD US IN OUR INVOCATION. PLEASE RISE.

PLEASE JOIN ME IN PRAYER. FATHER, WE COME TO YOU IN PRAYER THIS MORNING WITH THANKFUL HEARTS. WE ARE THANKFUL THAT WE CAN CALL YOU OUR FATHER, THAT WE ARE YOUR CHILDREN. WE ARE THANKFUL FOR THIS GREAT CITY OF AUSTIN. AND THE BEAUTIFUL CITY THAT IT IS. IT'S SO UNIQUE IN MANY WAYS AND -- AND WE KNOW THAT YOU HAVE FORMED THE CITY FROM YOUR CREATION. WE ARE THANKFUL FOR ALL OF THESE WHO WORK IN OUR CITY. FOR THOSE THAT ARE HERE TODAY WHO CARE ABOUT THE FUTURE OF OUR CITY. WE ASK, LORD, THAT YOU BLESS THIS MEETING RIGHT NOW. THAT YOU BLESS EVERYONE WHO PARTICIPATES. THOSE THAT ARE TALKING AND THOSE THAT ARE LISTENING. BLESS THEM WITH GOOD COMMUNICATION. WE ALSO PRAY THAT YOU BLESS US WITH PATIENCE, UNDERSTANDING. LORD, I ALSO ASK THAT YOU GIVE EVERYONE STRENGTH TO

GET THROUGH THE FULL AGENDA THAT'S PLANNED FOR TODAY. WE PRAY THAT THE DECISIONS MADE TODAY WILL BE THE BEST FOR THIS CITY. AND BASED ON WISDOM AND DISCERNMENT THAT COMES FROM YOU. MAY THE FAVOR OF THE LORD OUR GOD REST RESPONSE US THIS DAY AND THIS HOUR. ESTABLISH THE WORK OF OUR HANDS FOR US. WE OFFER THIS PRAYER THROUGH PRECIOUS NAME OF JESUS, AMEN.

A.P.D. CHAPLAIN SERVICES IS A REMARKABLE PROGRAM WITH DOZENS OF LEADERS HELPING US TO BE THE POLICE DEPARTMENT WE WANT TO BE.

WITH A QUORUM PRESENT AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, THURSDAY, FEBRUARY 15th, 2007. APPROXIMATELY 22 MINUTES AFTER 10:00 IN THE MORNING, WE ARE HERE IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING AT 301 WEST SECOND STREET. WE HAVE A FULL AGENDA TODAY. ALSO A NUMBER OF CHANGES AND CORRECTIONS TO THAT AGENDA. ON ITEM NO. 3, WE SHOULD STRIKE THE WORD RETAIL AND INSERT THE WORD BUSINESS. WE WILL BE CREATING A BUSINESS RETENTION AND ENHANCEMENT PROGRAM. ITEM NO. 4, WE SHOULD STRIKE THE WORD REPEAL AND INSERT THE WORD AND. BECAUSE WE SIMPLY WILL BE -- WILL BE CREATING POSITIONS AND REPEALING A CERTAIN ORDINANCE. ITEM NO. 16, WE SHOULD INSERT THE WORD ROUTINELY, AND ALSO INSERT THE PHRASE WITHIN ONE QUARTER MILE OF. THIS IS AN ORDINANCE ESTABLISHING A QUIET ZONE ELIMINATING THE NEED TO ROUTINELY SOUND TRAIN HORNS. OR OTHER WARNING DEVICES WITHIN ONE QUARTER MILE OF THE UP TRACKS AT DITTMAR. ITEM NO. 18 WE SHOULD NOTE THAT IT COMES TO US RECOMMENDED BY THE AUDIT FINANCE SUBCOMMITTEE. AND ITEM NO. 25, WE SHOULD NOTE THAT MAYOR PRO TEM DUNKERLY IS AN ADDITIONAL CO-SPONSOR. ITEM NO. 29, ALSO COMES -- RELATED TO ITEM NO. 18, COMES RECOMMENDED BY THE AUDIT AND FINANCE SUBCOMMITTEE. ITEM NO. 43, WE SHOULD ADD THE - - THE WORDS AND SECOND TO NOTE THE FACT THAT IT WAS APPROVED ON FIRST AND SECOND READING

ON JANUARY 25th. ITEM NO. 53, WE NEED TO -- TO CORRECT THE ZONING CASE NUMBER AT C 14-06-0150. ON THE RANCHO ALTO 7 TRACT. ITEM 57 WE SHOULD INSERT THE PHRASE CONDITIONAL OVERLAY COMBINING AND THE -- THE NOTATION OF CS 1 CO. AND REPEAT THAT FOR THE ZONING AND PLATTING COMMISSION RECOMMENDATION. THAT AGAIN BEING CONDITIONAL OVERLAY COMBINING CS 1 CO. ON ITEM NO. 60, WE SHOULD NOTE TAKE THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT NEIGHBORHOOD CONSERVATION COMBINING DISTRICT, NCCD, DISTRICT ZONING. ON ITEM NO. 67, WE SHOULD NOTED THAT THE PLANNING COMMISSION RECOMMENDATION WAS TO APPROVE HIGH DENSITY MIXED USE DESIGNATION. ON ITEM NO. 68, WE SHOULD NOTE THAT THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT PLANNED UNIT DEVELOPMENT NEIGHBORHOOD PLAN OR P.U.D.-NP COMBINING DISTRICT ZONING WITH CONDITIONS. NOTE THAT ITEM 75 AND 74 ZONING CASES.S HAVE BEEN WITHDRAWN. THOSE I BELIEVE ARE THE CHANGES AND CORRECTIONS. OUR TIME CERTAIN ITEMS FOR TODAY'S AGENDA, WE WILL THOUGHT THAT THE POSTED MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS HAS BEEN WITHDRAWN AND WILL NOT BE CONDUCTED. AT NOON WE BREAK FOR THE GENERAL CITIZENS COMMUNICATIONS. AT 2:00 WE WILL HAVE OUR AFTERNOON BRIEFING. THIS ONE A PRESENTATION ON THE FAMILIES WITH CHILDREN REPORT, WHICH WAS POSTPONED FROM A PREVIOUS COUNCIL MEETING. 4:00 WE TAKE UP OUR ZONING MATTERS. 5:30 WE HAVE LIVE MUSIC AND PROCLAMATIONS, A STAR STUDDERED FIELD TODAY, STAY TUNED. 6:00 WE HAVE PUBLIC HEARINGS, INCLUDING THE VMU OR VERTICAL MIXED USE ORDINANCE, OUR BIG BOX ORDINANCE, AND THE -- THE BILLBOARDS ISSUE. AGAIN, THE -- THE ITEM 74 AND 75 ZONING CASES WHICH HAD BEEN POSTED AS THE LATER TIME CERTAIN FOR 6:15, THOSE CASES WERE WITHDRAWN FOR CHANGES AND CORRECTIONS. COUNCIL, SO FAR WE HAVE JUST A FEW ITEMS PULLED OFF THE CONSENT AGENDA. FOR POTENTIAL DISCUSSIONS. THEY ARE ITEMS NUMBER 3, WHICH RELATES TO THE BUSINESS RETENTION ENHANCEMENT PROGRAM.

PULLED BY THE MAYOR PRO TEM. I HAVE PULLED ITEM 23 RELATED TO THE AUSTIN CLIMATE PROTECTION PLAN. AND THEN WE HAVE A -- WE HAVE A HANDFUL OF SPEAKERS WHO HAVE SIGNED UP ON ITEMS 21 AND 27. SO THOSE TWO ITEMS WILL BE REMOVED FROM THE CONSENT AGENDA. OTHER - - OTHER ITEMS TO BE PULLED OFF THE CONSENT AGENDA, COUNCIL? HEARING NONE -- COUNCILMEMBER MARTINEZ?

Martinez: I WANT TO -- I WANT TO PULL ITEM 15 JUST TO ASK A QUESTION OR TWO FOR CLARIFICATION.

Mayor Wynn: FAIR ENOUGH. WE WILL SHOW ITEM NO. 15 ALSO REMOVED FROM THE CONSENT AGENDA. ADDITIONAL ITEMS, COUNCIL? IF NOT THEN I WILL READ THIS MORNING'S CONSENT AGENDA. IT BE WILL -- IT WILL BE TO APPROVE ITEMS NUMBER 1, 2, 4, PER CHANGES AND CORRECTIONS, 5, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, PER CHANGES AND CORRECTION, 17, 18, PER CHANGES AND CORRECTION, 19, 20, 22, OUR BOARD AND ECONOMICS COMMISSION APPOINTMENTS THAT I WILL READ INTO THE RECORD. THOSE WILL BE TO OUR COMMUNITY DEVELOPMENT COMMISSION, KAREN POP IS ME REAPPOINTMENT. TO OUR DESIGN COMMISSION, CALVIN CHIN IS COUNCILMEMBER'S APPOINTMENT. TO OUR HOUSING AUTHORITY, THE CITY OF AUSTIN, KELLY ROTH IS MY REAPPOINTMENT. AND THEN TO THE MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES, A NUMBER OF TERMS HAD BEEN EXPIRING, SO THE APPOINTMENTS WILL BE -- ALL BY ME, CHIP HOWE, KATHY KASPIRSIN, SORRY, KATHY, RON LUCEY, DENISE SONLEITNER ALL REAPPOINTMENTS. AND JESUS [INDISCERNIBLE] AND TANYA WINTERS ARE APPOINTMENTS TO THE MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES. TO OUR MUSIC COMMISSION, RANDY HOUSTON IS MY REAPPOINTMENT. AND TO THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION, CHRISTINA VALDEZ IS COUNCILMEMBER MARTINEZ'S APPOINTMENT. WE WOULD ALSO NOTE THAT AS AN APPOINTMENT TO AN INTERGOVERNMENTAL BODY, UTILIZING RESOLUTION NUMBER 20070215-022, WE WILL BE REAPPOINTING COUNCILMEMBER JENNIFER KIM

AND CYD COVINGTON TO THE AUSTIN SAN ANTONIO INTERMUNICIPAL COMMUTER RAIL DISTRICT. THOSE WERE ON ITEM NO. 22 OUR BOARD AND COMMISSION AND INTERGOVERNMENTAL BODY APPOINTMENTS. TIPPING ON WITH THE CONSENT AGENDA -- CONTINUING ON WITH THE CONSENT AGENDA WOULD BE TO APPROVE ITEMS 24, 25 PER CHANGES AND CORRECTIONS, 26, 28, 29 PER CHANGES AND CORRECTION, 30, 31, AND 32. I WILL ENTERTAIN A MOTION ON THE CONSENT AGENDA.

MOVE APPROVAL.

MOTION MADE BY COUNCILMEMBER MARTINEZ. SECONDED BY THE MAYOR PRO TEM TO APPROVE THE CONSENT AGENDA AS READ, COMMENTS ON THE CONSENT AGENDA?

MAYOR?

Mayor Wynn:.

Leffingwell: I WOULD JUST LIKE TO ASK A QUESTION FROM STAFF ABOUT ITEMS NINE AND 10, THEY ARE FLOOD BUYOUT PROJECTS, I WANT TO ASK HOW THAT RELATES TO OUR MONEY THAT WE ALLOCATED IN THE BOND PACKAGE. I KNOW THIS MONEY IS COMING OUT OF THE BUDGET. BUT I WOULD JUST LIKE -- LIKE FOR A BRIEF ON THAT.

WELCOME, MS. MCCLINTOCK.

I'M WITH THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT. THE FEDERAL MONEY THAT WE HOPED TO GET FROM THE CORPS OF ENGINEER. THE CORE LIKE MANY FEDERAL AGENCIES IS OPERATING UNDER A CONTINUE..... CONTINUANCE BUDGET THIS YEAR. IN OTHER WORDS NO NEW PROGRAM STARTS, BUT WE ARE WORKING CLOSELY WITH THE FOLKS IN WASHINGTON AND WITH -- WITH LLOYD DOGGETT'S OFFICE TO TRY TO ENSURE THAT CONSIDERATION, ACTUALLY THAT THE PROJECT IS INCLUDED IN THE '08 BUDGET, WE SHOULD HERE BEFORE VERY LONG ABOUT THAT. ABOUT THAT MONEY. AND -- WERE THESE TWO PARTICULAR PROJECTS, WERE THEY

ORIGINALLY SLATED TO BE PAID FOR OUT OF BOND MONEY OR WAS THIS THE PLAN TO PAY THIS OUT OF THE OPERATING BUDGET ALL ALONG?

THE PROJECTS THAT ARE ON THE -- ON THE AGENDA TODAY?

YES.

ACTUALLY, THE PROJECTS -- THE BUYOUTS THAT ARE ON THE AGENDA TODAY ARE BEING PAID FOR NOT OUT OF A CORPS PROJECT, BUT OUT OF A PROJECT THAT WE HAVE WITH FEMA. OUR MONEY IS MONEY THAT WE HAVE TODAY WE HOPE TO BUY OUT ABOUT 118 HOMES. WITH THAT MONEY, THAT WAS ABOUT A \$6.3 MILLION GRANT THAT WAS -- THAT WE RECEIVED FROM FEMA.

OKAY. THESE ARE NOT RELATED TO THE -- TO THE CORPS OF ENGINEERS BUYOUT PROGRAM.

RIGHT, THE CORPS OF ENGINEERS MONEY WILL ALSO HELP US TO BUY OUT PROPERTIES IN ONION CREEK, WE ARE DOING THAT WITH MONEY FROM BOTH AGENCIES, FEMA AND THE COURT.

IT GETS KIND OF COMPLICATED. BUT BASICALLY WE ARE HOPING FOR SOME KIND OF BUDGET SHARING ARRANGEMENT FROM THE CORPS OF ENGINEERS IN NEXT YEAR'S BUDGET, BUT IT'S NOT IN THIS YEARS?

CORRECT. WE WILL HAVE THE MONEY -- JUST HOPING TO LEVERAGE OUR BOND MONEY IN EVERY WAY THAT WE CAN TO MAKE IT GO FURTHER.

THANK YOU.

UH-HUH.

THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, COUNCILMEMBER MCCrackEN?

McCracken: MAYOR, WILFORD HALL TWO SIGNIFICANT ITEMS WORKING IN THE EMERGING TECHNOLOGY COMMITTEES TODAY, THE FIRST IS ITEM NO. 2, THE ITEM RELATED TO THE EXPANSION

OF THE CITY'S PARTNERSHIP WITH A UNIVERSITY OF TEXAS TOWARD THE AUSTIN TECHNOLOGY INCUBATOR AND THE WIRELESS ACCELERATOR. NOW, AS A LOT OF US KNOW, THE CITY'S MODERN ECONOMY HAS BEEN FOUNDED ON A PARTNERSHIP BETWEEN THE CITY OF AUSTIN, THE UNIVERSITY OF TEXAS, THE STATE OF TEXAS AND THE GREATER AUSTIN CHAMBER ON HIGH TECHNOLOGY. THIS COUNCIL HAS RE-STABBED THIS PARTNERSHIP THROUGH OUR INVESTMENT THROUGH AUSTIN TECHNOLOGY INCUBATOR. THE FIRST THEM IS ON THE ACCELERATOR. I HAVE ASKED ISAAC IF HE CAN EXPLAIN WHAT THIS INVESTMENT IS PRODUCING FROM THE WORK OF COUNCILMEMBER KIM, COUNCILMEMBER LEFFINGWELL AND I ON THE EMERGING TECHNOLOGIES COMMITTEE.

THANK YOU, WELCOME.

THANK YOU VERY MUCH. I AM ISAAC BARCUS, I RUN THE AUSTIN TECHNOLOGY INCUBATOR AS I THINK ALL OF YOU KNOW. THE AUSTIN TECHNOLOGY INCUBATOR IS A DEFINITION OF THE IC SQUARED UNIVERSITY..... UNIVERSITY OF TEXAS. WE WORK WITH EARLY STAGE EMERGING TECHNOLOGY. ATI HAS A LONG HISTORY OF PARTNERSHIP WITH THE CITY OF AUSTIN. IN FACT, ATI WAS LAUNCHED IN 1989. WITH A 35,000 GRANT FROM THE CITY. AND IN THE 18 YEARS SINCE THEN, THE AUSTIN TECHNOLOGY INCUBATOR HAS WORKED WITH OVER 150 TEAMS, AUSTIN AREA TECHNOLOGY ENTREPRENEURS, HELPING THEM TO RAISE OVER 3 QUARTERS OF A BILLION DOLLARS IN INVESTOR CAPITAL AND CREATE MORE THAN 10,000 DIRECT AND INDIRECT JOBS IN CENTRAL TEXAS. SO -- SO IF -- YOU SHOULD GET A PRETTY GOOD RETURN ON THE INVESTMENT. WITH THE WIRELESS MONEY. WE ARE GOING TO -- WE ARE DOING THE FOLLOWING THINGS. THE FIRST THING IS PROVIDING HANDS ON SUPPORT TO EARLY STAGE WIRELESS COMPANIES IN AUSTIN.

SECOND, WORKING WITH THE CHAMBER, CITY STAFF, GOVERNOR'S OFFICE, ESPECIALLY THE EMERGING TECHNOLOGY. AND THE UNIVERSITY OF TEXAS AUSTIN AT U.T. SYSTEM TO TARGET

CANDIDATES FOR RELOCATION EXPANSION HERE IN AUSTIN. WE THINK THAT WE HAVE A TERRIFIC VALUE PROPOSITION FOR EARLY STAGE WIRELESS COMPANIES. THIRD IS BUILDING AND STRENGTHENING AUSTIN'S WIRELESS SYSTEM AND FOURTH IS ENHANCING AUSTIN'S NATIONAL AND GLOBAL GRANT FOR THE WIRELESS CENTER. THANK YOU AGAIN FOR MAKING THIS POSSIBLE.

THANK YOU.

MAYOR THE OTHER ITEM FROM THE EMERGING TECHNOLOGIES COMMITTEE IS -- WHICH IS A -- INTERNATIONALLY INNOVATIVE PARTNERSHIP BETWEEN THE CLEAN ENERGY INCUBATOR, AUSTIN ENERGY. I TRULY BELIEVE THAT NO CITY IN THE WORLD WILL BE ABLE TO SAY THAT A MUNICIPAL OWNED UTILITY WILL BE IN PARTNERSHIP FOR BETA TESTING EMERGING CLEAN ENERGY TECHNOLOGY FIRMS, TECHNOLOGIES, THAT WILL ALLOW THEM TO -- TO -- PROVE THEIR TECHNOLOGY TO BE ELIGIBLE FOR VENTURE FUNDING, WHICH WOULD BE HUGE FOR THE REALLY INNOVATIVE, CLEAN ENERGY VENTURE CAPITAL CONFERENCE THAT AUSTIN ENERGY WILL BE HOSTING IN MAY. SO THAT'S JOEL SURFACE, THE FORMER VENTURE CAPITALIST FROM SILICON VALLEY, JOINED US TODAY TO EXPLAIN WHAT THIS MEANS AS THIS IS REALLY JOEL'S IDEA.

WELCOME, THANK YOU MAYOR, THANK YOU COUNCIL. JUST TO PICK UP WHERE ISAAC LEFT OFF. THE CLEAN ENERGY INCUBATOR IS THE FIRST CLEAN ENERGY INCUBATOR IN THE NATION. IT WAS FOUNDED BY AUSTIN TECHNOLOGY INCUBATOR ABOUT FIVE YEARS AGO WITH AN EARLY SPONSORSHIP OF THE NATIONAL RENEWABLE ENERGY LAB, AS WELL AS WITH THE STATE CONSERVATION ENERGY OFFICE, WITH AUSTIN ENERGY SUPPORT. AUSTIN THE CITY, AUSTIN ENERGY HAVE BEEN GREAT SUPPORTERS OF THIS, HAS TURNED THIS INTO A WONDERFUL PROGRAM. AND HAVING THE MOST PROGRESSIVE UTILITY IN THE NATION, BEING A PARTNER TO THIS, IS ONE OF THE REASONS WHY I CAME FROM THE SILICONE VALLEY BACK TO AUSTIN TO HELP THE CITY HELP THE MAYOR ALLOW AUSTIN TO BECOME THE CLEAN



TECH CAPITAL. SO WHAT IS THIS PROGRAM? THIS IS AN ACCELERATOR PROGRAM TO BE ABLE TO HELP TAKE IDEAS THAT ARE BEING COOKED UP INSIDE OF THE CLEAN ENERGY INCUBATOR, TO BE ABLE TO APPROVE THEM MORE QUICKLY INSIDE AUSTIN ENERGY. THIS MEANS A LOT OF DIFFERENT DEMANDS ON CREATING COMPANIES AS WELL AS PROVING TECHNOLOGIES FOR THE CITIZENS OF AUSTIN. LET ME SAY IN LOOKING AT INVESTING INTO HUNDREDS IF NOT THOUSANDS OF COMPANIES IN THE PAST, THE ENERGY TECHNOLOGY COMPANIES THAT ARE SUCCESSFUL OFTEN THE NUMBER ONE FAILURE FOR THE ONES THAT ACTUALLY HAVE GOOD PROVEN TECHNOLOGIES IS NOT HAVING AN EARLY ADOPTING UTILITY TO PROVE OUT THAT TECHNOLOGY. WITH THE BRAND OF AUSTIN ENERGY AND WITH ITS PROGRESSIVE NATURE TO BE ABLE TO GO TEST THESE TECHNOLOGIES, WE THINK THAT WE CAN ACCELERATE THE DEVELOPMENT OF THESE COMPANIES, TAKE OUT THAT MARKET MODE OF FAILURE THAT WILL AT LEAST GIVE FEEDBACK TO THESE COMPANIES IF NOT GET TOMORROW TO MARKET FASTER. WHAT DOES THAT MEAN FOR THE CITY OF AUSTIN, TURNS INTO ACKNOWLEDGE ECONOMIC DEVELOPMENT ENGINE, ALLOWS THEM TO ATTRACT NEW COMPANIES TO AUSTIN THAT WILL CREATE JOBS AND WELT FOR THE CITIZENS OF AUSTIN, IT SHOULD GIVE THEM TECHNOLOGIES WHICH LOWERS THE COST OF ELECTRICITY, PROVIDES CLEANER ENERGY, REDUCES EMISSIONS, INCREASES PREDICTABILITY AND RELIABILITY OF ENERGY, HELPS US ACHIEVE OUR CLIMATE CHANGE TARGETS FASTER. SO THAT BEING SAID, WE CERTAINLY APPRECIATE THE SUPPORT OF THE COUNCIL, THE MAYOR AND SO FORTH. WE LOOK FORWARD TO THIS PROGRAM AND HAVING SOME SUCCESS STORIES TO TELL, MAYBE EVEN AS EARLY AS OUR CONFERENCE IN MAY THIS YEAR.

THANK YOU. WE WILL SAY LATER TODAY AT SOME POINT WE WILL TAKE UP ITEM NO. 23, WHICH IS THE PROPOSED AUSTIN CLIMATE PROTECTION PLAN AND AS MR. SERVICE POINTED OUT, ESSENTIALLY YOU CAN'T TALK ABOUT THE ENVIRONMENT, YOU CAN'T TALK ABOUT CLIMATE PROTECTION WITHOUT

TALKING ABOUT ENERGY. AS WE FINALLY HAVE THE NATIONAL RECOGNITION, CHALLENGES OF GLOBAL CLIMATE CHANGE BROUGHT ABOUT GREENHOUSE GASES, VIRTUAL ALL OF THOSE..... CREATED BY EITHER ELECTRICITY OR ENERGY IN THE CARS, THIS IS A VERY EXCITING TIME FOR THE CLEAN ENERGY SECTOR. I SUSPECT AND PREDICT THAT THERE WOULD BE SUBSTANTIAL JOBS CREATED IN THE CLEAN ENERGY SECTOR AS -- THAT'S VERY EXCITING FOR AUSTIN TO BE RIGHT IN THE MIDDLE OF THAT MIX AS WE TRY TO MOVE FORWARD AND DEAL WITH GLOBAL CHALLENGES. COUNCILMEMBER KIM?

I WANT TO THANK AUSTIN TECHNOLOGY I THINK BIRTH AND ISAAC BARCUS ESPECIALLY AND YOUR TEAM FOR HAVING THE COURAGE TO BRING THE TECHNOLOGIES AND TO NURTURE THESE COMPANIES. THERE ARE -- [INDISCERNIBLE] WE ALSO HAVE OUR IT DEPARTMENT WITH PETE COLLINS, WHO HAS BEEN ABLE TO BETA TEST SOME TECHNOLOGIES RELATED TO WIRELESS, IN PARTICULAR. A SYSTEM THAT WILL HELP TO DETERMINE WHERE THE ROUTERS AND BRIDGES SHOULD BE IN A WIRELESS VIERPT OUTDOORS AND SO WE ARE TESTING THAT IN EAST AUSTIN FOR A COMPANY THAT WANTS TO LEARN FROM THAT EXPERIENCE AND HOPEFULLY GET SOME FUNDING AND DO THAT IN OTHER PARTS OF THE UNITED. THERE ARE A LOT OF DEPARTMENTS HERE, INCLUDING AUSTIN ENERGY ESPECIALLY, THAT ARE WILLING TO MEET WITH PEOPLE WHO HAVE IDEAS, IF YOU HAVE GOT AN IDEA, IF YOU HAVE A PROTOTYPE AND YOU HAVE SOMETHING THAT YOU WANT TO TRY OUT, PLEASE CONTACT US BECAUSE WE ARE -- WE ARE WILLING TO SUPPORT PARTNERSHIPS THAT ARE MUTUALLY BENEFICIAL TO THIS -- THIS COMMUNITY AS WELL AS TO THE START-UP COMPANIES AND TO THE CITY.

Mayor Wynn: I WILL RECOGNIZE COUNCILMEMBER MARTINEZ, ITEM NO. 4 IS ON THE CONSENT AGENDA.

THANKS, MAYOR. OH JUST WANTED TO -- TO ACKNOWLEDGE WHAT WAS TAKING PLACE HERE ON ITEM NO. 4. IT'S A CLASSIFICATION ORDINANCE IN

THE FIRE DEPARTMENT. YOU KNOW, OBVIOUSLY COUNCIL MAKES DECISIONS ON POSITIONS WITHIN THE FIRE DEPARTMENT ON A FREQUENT BASIS, BUT I THINK TEXAS GOVERNMENT CODE MERITS DISCUSSION BECAUSE OF THE SIGNIFICANCE OF WHAT WE ARE POTENTIALLY DOING HERE. I WANTED THE CHIEF TO COME UP AND SHARE WITH US POTENTIALLY GOOD NEWS.

GOOD MORNING, MAYOR, COUNCIL, J.J.ADAME, FIRE CHIEF OF THE CITY OF AUSTIN. THE AUSTIN FIRE DEPARTMENT HAS BEEN A [INDISCERNIBLE] DEPARTMENT FOR OVER 90 CAREERS. YOU MAY HAVE HEARD ME SAY THIS, EVERY OPPORTUNITY THAT I HAVE I SAY THIS, YOUR AUSTIN FIRE DEPARTMENT IS ONE OF THE BEST FIRE DEPARTMENTS IN THE COUNTRY. I KNOW IT, I HAVE SEEN IT, I HAVE BEEN OUT THERE VISITING WITH MANY OF MY PEERS THROUGHOUT THE COUNTRY. BUT ANY DEPARTMENT THAT WANTS TO BE GREAT, WENT TO STAY GREAT, HAS TO MEET THE CHALLENGES THAT CONFRONT IT. THERE ARE -- THERE ARE COMPLEX ISSUES THAT -- THAT WE FACE IN -- IN THIS ORGANIZATION AS WITH ANY ORGANIZATION. THIS CLASSIFICATION CHANGE TODAY GIVES ME THE OPPORTUNITY TO -- TO PICK A PERSON THAT I THINK IS A -- IS THE RIGHT PERSON FOR THE JOB AND THAT IS FOR SPECIAL PROJECTS TO FACE THOSE COMPLEX ISSUES. WE ARE CREATING -- WE ARE CREATING A DIVISION CHIEF POSITION. AND IT'S -- IT'S MY PLEASURE TO ANNOUNCE THAT -- THAT WE ARE APPOINTMENT -- THAT WE ARE APPOINTING, I AM APPOINTING DON CLOPTON TO THE POSITION OF DIVISION CHIEF. DAWN CLOPTON. THE BEST PERSON FOR THE JOB. MENTS WILL BE THE FIRST WOMAN CHIEF OFFICER IN THE HISTORY OF THE AUSTIN FIRE DEPARTMENT. I WOULD LIKE TO PRESENT DAWN CLOPTON. DAWN?

THANK YOU, MAYOR.

THANK YOU, CHIEF.

FURTHER COMMENTS? COUNCILMEMBER MARTINEZ?

SURE, I JUST WANT TO CONGRATULATE DAWN. I HAVE KNOWN DAWN PRETTY MUCH MY ENTIRE CAREER, SHE'S ONE OF THE FIRST FIREFIGHTERS I MET OUT AT STATION 17 WHEN I FIRST CAME OUT. AND SERVED WITH HER ON THE EXECUTIVE BOARD OF THE FIREFIGHTERS ASSOCIATION. I BELIEVE DAWN CERTAINLY POSSESSES LEADERSHIP CAPABILITIES TO TACKLE ANY JOB THAT SHE TAKES ON. I ADMIRE AND RESPECT YOU, DAWN, CONGRATULATIONS TODAY.

Mayor Wynn: THANK YOU, COUNCILMEMBER. COUNCILMEMBER MARTINEZ -- COUNCILMEMBER MCCracken, EXCUSE ME.

McCracken: MAYOR ONE LAST ITEM. THAT IS AN ITEM THAT I'M CO-SPONSORING THAT -- THAT COUNCILMEMBER KIM IS THE SPONSOR OF, MAYOR PRO TEM DUNKERLY IS ALSO A CO-SPONSOR, ITEM NO. 25 ON -- ON ADDING OUR SUPPORT FOR -- FOR THE -- FOR THE STATE TO USE THE RAIL RELOCATION FUND, WHATEVER POINT IT BECOMES FUNDED TO -- TO RELOCATE UNION PACIFIC AND HAVE COMMUTER RAIL ON THAT LINE. AS WE EMBARK ON THIS, WHICH I THINK IS A VERY GOOD AND IMPORTANT THING, I THINK IT'S IMPORTANT ABOUT HAVING A DISCUSSION ABOUT WHAT FINANCES WOULD BE TO OPERATE SUCH A SYSTEM, WHERE THE MONEY WOULD POTENTIALLY COME FROM. I HAVE ASKED JOHN STEVENS TO GIVE US A BRIEFING ON WHAT HAS BEEN TOLD TO THE CITY SO FAR ABOUT -- ABOUT WHAT THEY ARE LOOKING FOR OPERATING FINANCING AND CAPITAL FINANCING AND WHERE THAT MIGHT COME FROM. SO --

THANK YOU, COUNCILMEMBER. I'M JOHN STEPHENS, CHIEF FINANCIAL OFFICER. AS YOU SAID, ITEM 25 TODAY IS TO APPROVE A RESOLUTION ENCOURAGING THE STATE TO PASS TO -- TO APPROPRIATE \$200 MILLION FOR THE RAIL RELOCATION FUND THAT WOULD HELP US MOVE FREIGHT RAIL FOR FREIGHT OFF OF THE UNION PACIFIC LINE THAT RUNS NOW FROM SAN ANTONIO TO GEORGETOWN. TO IMPLEMENT A PROPOSED -- A PROPOSED AUSTIN-SAN ANTONIO COMMUTER RAIL PROJECT. WE HAD BEEN IN -- IN INITIAL DISCUSSION

WITH REPRESENTATIVES OF THE RAIL DISTRICT, CONSULTANTS HIRED BY THE RAIL DISTRICT TO SHOW US WHAT THE COSTS ULTIMATELY WILL BE FOR THAT. AND THEY ARE HOPING THAT -- THAT OF THE 612 MILLION IN CAPITAL COSTS THAT THEY EXPECT TO INCUR FOR THE PROJECT, APPROXIMATELY HALF OF THAT FUNDING OR 300 MILLION WOULD COME FROM THE STATE. SO 200 MILLION IS -- IS THE NUMBER IN THE RESOLUTION TODAY. AND THEN THE OTHER HALF OF THAT 600 MILLION IN -- IN CAPITAL COSTS, APPROXIMATELY 300 MILLION AGAIN, AND APPROXIMATELY -- APPROXIMATELY SOMEWHERE AROUND \$30 MILLION A YEAR IN OPERATING COSTS WOULD BE SHARED BY ALL OF THE OTHER PARTNERS IN THE PROJECT, INCLUDING SAN ANTONIO, BEXAR COUNTY, TRAVIS COUNTY, CITY OF AUSTIN AND SO ON. SO WE ARE IN VERY PRELIMINARY DISCUSSION WITH THEM. THEY ARE STILL WORKING THROUGH A NUMBER OF ISSUES IN TERMS -- IN TERMS OF HOW THE COSTS WOULD BE ALLOCATED TO EACH PARTICIPATING JURISDICTION AND SO ON. BUT IN THE FUTURE, WE HOPE TO BRING BACK TO YOU A MORE -- A MORE FLESHED OUT PROPOSAL ON WHAT IT WOULD MEAN FOR THE CITY OF AUSTIN IN TERMS OF ANNUAL CONTRIBUTIONS. RIGHT NOW, THEIR ESTIMATE IS THAT AMONG CAPITAL METRO, FOR EXAMPLE, TRAVIS COUNTY AND THE CITY OF AUSTIN, IT WOULD BE SOMEWHERE BETWEEN FIVE AND \$7 MILLION A YEAR. BUT THOSE ARE -- THOSE ARE AGAIN PRELIMINARY NUMBERS THAT HAVE NOT YET BEEN -- BEEN ALLOCATED PRECISELY. JUST DO MAKE SURE THAT I HAVE GOT THIS DOWN CORRECTLY, THE REQUEST FROM THE AUSTIN SAN ANTONIO COMMUTER RAIL DISTRICT AUTHORITY IS THAT THE CITY OF AUSTIN, CITY OF SAN ANTONIO AND TRAVIS AND BEXAR COUNTIES CONTRIBUTE \$300 MILLION IN CAPITAL COSTS TO THE -- TO THE RELOCATION AND INFRASTRUCTURE COSTS TO GET THE LINES SET UP, IS THAT RIGHT?

YES. THE NUMBER THAT COULD BE ALLOCATED TO THE CITY OF AUSTIN TO TRAVIS COUNTY AND TO CAPITAL METRO, FOR EXAMPLE, INCLUDES DEBT SERVICE PAYMENTS ON THAT \$300 MILLION CAPITAL COST. PLUS THE -- THE CONTRIBUTION TOWARDS

OPERATING COSTS THAT THEY HAVE NOT RECOVERED THROUGH FEDERAL REVENUE.

THEY HAVE SUGGESTED THEY THINK THE 5 TO \$7 MILLION A YEAR CONTRIBUTION FROM THE CITY OF AUSTIN WOULD COME FROM.

THEY HAVE SHOWN US PRELIMINARY NUMBERS THAT WOULD COME FROM -- FROM PERHAPS A T.I.F. IS THAT COULD BE FORMED AROUND THE STATIONS, THE THREE STATIONS IN AUSTIN OR FOUR STATIONS IN AUSTIN. THAT WOULD BE ALONG THE RAIL LINE AND THEY HAVE ALSO TALKED ABOUT INCREASED SALES TAX AND SO ON. BUT AGAIN THOSE DISCUSSIONS ARE SORT OF GENERAL FOUR STATIONS ARE MCNEIL, BRAKER LANE, 35th STREET AND SEAHOLM. RIGHT OFF THE BAT I KNOW WE ALREADY HAVE A T.I.F. SLATED FOR SEAHOLM, RIGHT?

YES.

HAVE YOU -- I ASKED THESE QUESTIONS BECAUSE I BELIEVE IN DOING THIS RELOCATION, I'M ONE OF THE CO-SPONSORS, I BELIEVE WE NEED TO BE PLANNING AHEAD ABOUT ONE OF THE FINANCES ARE, HAVING A FISCALLY REALISTIC PLAN FOR ACHIEVING THIS. HAVE YOU -- BECAUSE AT THE -- IF THE CURRENT PLAN IS NOT FISCALLY REALISTIC, WE NEED TO START LOOKING FOR A DIFFERENT PLAN THAT IS FISCALLY REALISTIC. HAVE YOU REACHED ANY CONCLUSIONS ON THE ABILITY OF A T.I.F. FOR THE OTHER THREE STATIONS THAT CONCEIVABLY COULD BE T.I.F.ED, WHETHER THAT WOULD PRODUCE FIVE TO \$7 MILLION A YEAR.

WE HAVE NOT REACHED THOSE CONCLUSIONS YET. WE STILL NEED TO GO THROUGH SOME DISCUSSION WITH THE FINANCIAL CONSULTANTS THAT THE RAIL DISTRICT HAS HIRED AND GO OVER THEIR NUMBERS. AND MAKE SURE THAT WE UNDERSTAND THE PLAN. AGAIN, AT THIS POINT, NONE OF THE JURISDICTIONS HAVE -- HAVE OPTED IN. THERE ARE NO AGREEMENTS AMONG ANY OF THE JURISDICTIONS AND WE ARE STILL TALKING ABOUT THINGS AS BASIC AS HOW THE COSTS ARE GOING TO BE

ACTUALLY ALLOCATED TO EACH ONE OF THE DISTRICTS, WHETHER IT BE DONE ON RIDERSHIP, WHETHER IT WILL BE DONE ON POPULATION OR WHAT. WE DON'T KNOW YET. WE STILL HAVE SOME DISCUSSION THAT WE NEED TO GO THROUGH WITH -- WITH THE CONSULTANTS AND WITH THE DISTRICT.

McCracken: I GUESS MAYBE PERHAPS A BENCHMARK WOULD BE DO YOU HAVE A ROUGH ESTIMATE OF -- WE CAN'T USE SEAHOLM FOR T.I.F. FOR THE AUSTIN SAN ANTONIO LINE BECAUSE WE ARE USING IT FOR REDEVELOPMENT. BUT WHAT WOULD BE THE PROPERTY TAX PORTIONS ANNUAL OF THE SEAHOLM T.I.F. PRODUCE FOR SEAHOLM, DO WE HAVE AN ESTIMATE OF THAT ROUGHLY? THIS MIGHT GIVE US SOME KIND OF A BENCHMARK.

I HAVE A NUMBER THAT IS A 25 YEAR NUMBER. AND IT'S -- I AM STILL TRYING TO DETERMINE EXACTLY WHETHER THE NUMBER INCLUDES -- I HAVE NOT NAILED DOWN FOR SURE, FOR EXAMPLE, THAT THIS NUMBER INCLUDES OTHER JURISDICTIONS LIKE THE HOSPITAL DISTRICT AND LIKE AUSTIN COMMUNITY COLLEGE. SO I HAVE A --

McCracken: I'M ASKING YOU A DIFFERENT QUESTION. WE ARE DOING OUR OWN T.I.F. FOR SEAHOLM SEPARATE FROM THIS.

RIGHT.

McCracken: HOW MUCH DID WE ESTIMATE THAT OUR OWN T.I.F. ON SEAHOLM WILL PRODUCE ANNUALLY IN PROPERTY TAX? [INDISCERNIBLE] LAST MEETING.

WE ESTIMATE THAT I BELIEVE IT'S GOING TO PRODUCE APPROXIMATELY A MILLION OR A MILLION TWO. NOW THAT INCLUDES BOTH SALES TAX AND PROPERTY TAX BECAUSE THAT'S THE AT THAT WE HAVE LOOKED AT -- THE WAY THAT WE HAVE LOOKED AT FINANCING THE SEAHOLM PROJECT.

LET'S SAY CONSERVATIVELY WE ARE LOOKING AT MAYBE 500, JUST BE SIMPLE, 5 OR 600,000 BUCKS A YEAR THAT THE SEAHOLM DEVELOPMENT WILL

PRODUCE FOR OUR OWN T.I.F. FOR THE REDEVELOPMENT. IS THAT ROUGHLY --

YES.

I THINK THAT RAISES OFF THE BAT AN ISSUE OF CONCERN ABOUT IF ONE OF THE FOUR CAN'T BE USED PER T.I.F., THE ONE -- THAT ONE WE MODEL, THAT'S GOING TO PRODUCE LET'S SAY FIVE OR \$600,000 A YEAR. AND T.I.F. FUNDS -- AT THAT RATE THAT WOULDN'T EVEN GET US TO HALF TO A QUARTER OF WHAT IS BEING ASKED FOR US. I THINK THIS DOES RAISE THE QUESTION THAT WE CAN COME BACK TO IT IN -- IN THE NEAR FUTURE OF GETTING ANALYSIS ON -- ON IF YOU ALL COULD HELP US COME UP WITH WHAT YOU BELIEVE ARE FISCALLY REALISTIC OPTIONS ON HOW TO FUND THE OPERATING COSTS OF THIS LINE. WHICH EVERYTHING THAT I HAVE SEEN IS WOULD BE THE HIGHEST RIDERSHIP COMMUTER RAIL LINE IN THIS REGION. IT WOULD BE A GREAT LINE. SO WE HAVE TO HAVE A FISCALLY REALISTIC PLAN ON HOW IT'S GOING TO BE PAID FOR. THREE REGIONAL ORGANIZATIONS CAPITAL METRO, CTRMA AND AUSTIN SAN ANTONIO RAIL AUTHORITY, ALL OF WHICH ARE DOING COMMUTER RAIL IN THIS REGION. SO WE HAVE THREE DUPLICATE -- WE HAVE TRIPPLICATE ORGANIZATIONS COOK THE SAME FUNCTIONS AND SO I -- I WANTED TO HIGHLIGHT THIS BECAUSE I DO THINK WE NEED TO HAVE SOME REALISTIC PLANNING, FISCAL REALISTIC PLANNING ON WHAT WOULD BE THE BEST STRUCTURE FOR FUNDING THE BEST RAIL LINE IN THIS REGION BECAUSE I THINK THERE'S REAL QUESTIONS FROM WHAT I SEE TODAY WHETHER A T.I.F. WILL DO IT. MAYBE WE WILL COME BACK TO THIS IN THE NEAR FUTURE. I APPRECIATE THAT.

Mayor Wynn: COUNCILMEMBER KIM?

Kim: COUNCILMEMBER MCCRACKEN YOU ARE RIGHT THAT WE DO NEED TO HAVE A REALISTIC PLAN IN PLACE. WE CAN ONLY T.I.F. AN AREA ONCE, IN THE CASE OF SEAHOLM IT IS THREE BUILDINGS THAT WE WOULD HAVE ON THE TAX ROLLS THAT WE DON'T HAVE RIGHT NOW. THE OTHER STATIONS I DON'T



KNOW WHAT OTHER AREA, WHAT SPECIFICALLY THE BOUNDARIES OF THOSE AREAS WOULD BE. BUT I WOULD ASSUME THAT IT WOULD BE MORE THAN THREE AREAS, THREE BUILDINGS PER -- PER STATION THAT WE WOULD BE TALKING ABOUT. ANOTHER THING TO CONSIDER IS THAT WE ARE SHARING THIS COST WITH ROUND ROCK AND ALSO WITH SAN MARCOS, WHICH IS EXPERIENCING A LOT OF GROWTH IS THAT THEY WOULD HAVE MORE OF AN INCREMENT TO TAX IF THEY ARE EXPERIENCING MORE GROWTH. SO THAT INDECREMENT WOULD BE LARGER. SO PART OF WHY THE BOARD -- WHAT THE BOARD IS REALLY WORKING ON RIGHT NOW IS HOW TO COME UP WITH A FAIR ASSESSMENT FOR EACH OF THE AREAS. SAN MARCOS HAS A LARGE COMMUNITY POPULATION AND THEY HAVE BEEN MORE RESTRICTIVE BY RAISING FEES ON PARKING IN SAN MARCOS. SO THERE'S A LOT OF PRESSURE IN THAT AREA TO DO SOMETHING TO HELP THE STUDENTS, THOUSANDS OF WHICH COME FROM AUSTIN AND GO TO SAN MARCOS TO -- TO HAVE A HIGHER EDUCATION. ALSO WITH ROUND ROCK, THEIR LAND USE PLANNING IS VERY DIFFERENT FROM OURS. SO WHAT WE HAVE SEEN WITH THE GROUP, THE S.H. 130 CORRIDOR IS TO HELP TO -- TO SHARE EXPERIENCES AND LESSONS ON HOW TO HAVE MIXED USE, MORE DENSE DEVELOPMENT THAT IS TRANSCEND ORIENTED. TRANSIT ORIENTED. I DON'T BELIEVE ROUND ROCK IS THERE YET. I HOPE THAT WE WILL BE ABLE TO FINANCE THIS WITH OUR OTHER PARTNERS TO HELP OUR ENVIRONMENT, RELIEF THE CONGESTION ON 35, HELP THE COMMUTERS FROM ROUND ROCK WHICH DO NOT HAVE ACCESS TO THE LEANDER TO AUSTIN COMMUTER RAIL LINE. SO WE WILL CONTINUE WORKING WITH THIS AND OF COURSE WE WILL NEED THE HELP OF CONGRESS AS WELL AS THE STATE LEGISLATURE AND THIS IS JUST ONE STEP IN GETTING 200 MILLION TO RELOCATION THE UNION PACIFIC LINE OFF OF MOPAC. THERE IS DEFINITELY A BETTER USE FOR THAT LINE FOR US FOR ALL OF CENTRAL TEXAS.

Mayor Wynn: MAYOR PRO TEM?

Dunkerly: COUNCILMEMBER COLE WERE

BRAINSTORMING THIS AT OUR LAND USE COMMITTEE THE OTHER DAY, THERE TRULY ARE SOMETIMES AS MANY AS FOUR DIFFERENT T.I.F.'S PLANNED FOR A SPECIFIC AREA. THE WALLER CREEK T.I.F., OUR OWN T.O.D. T.I.F.ES, THE TROLLY LINE T.I.F.ES, DOWNTOWN MASTER PLAN, WHAT WAS THE OTHER ONE, THE -- SEAHOLM.

AUSTIN SAN ANTONIO CORRIDOR T.I.F.'S. AND ALL OF THIS IS IN THE ENVIRONMENT OF HAVING A LEGISLATURE THAT IS LOOKING AT WAYS TO CURTAIL OUR ABILITY TO FUND OUR CITY. SO WE WERE BEING VERY CAUTIOUS IN LOOKING AND TRYING TO PRIORITIZE WHAT WE NEEDED. WHEN I WAS ON THE AUSTIN SAN ANTONIO BOARD, I SAID MANY TIMES WHEN THIS CAME UP, T.I.F.ING AROUND THESE T.O.D.'S IN CERTAIN AREAS MAYBE PROBLEMATIC, PARTICULARLY IN OUR CITY, WHEN THERE ARE ALREADY T.I.F.'S PLANNED FOR THOSE AREAS. I REALLY THINK WE NEED TO PRIORITIZE WHAT WE NEED TO DO AND THEN LOOK AT THE STATE AND THE FEDERAL GOVERNMENT FOR THEIR ASSISTANCE AND PERHAPS OTHER SOURCES OF REVENUE. BUT I THINK THAT THE CAUTION TO LOOK AT -- AT OUR AREA IS REALLY -- REALLY VERY IMPORTANT WHEN YOU CONSIDER THE PROPOSALS AT THE LEGISLATURE FOR CAPPING OUR REVENUE, FOR CAPPING THE ROLLBACK RATES AND FOR CAPPING THE APPRAISALS. SO -- SO WHEN WE SAY A REALISTIC THING, THAT'S REALLY WHAT WE ARE TALKING ABOUT IS LET'S LOOK AT -- AT ALL OF THE AVAILABLE SOURCES THAT ARE THERE AND ALSO THOSE THAT -- THAT HAVE ALREADY BEEN -- BEEN SPOKEN FOR OR THAT MAY BE IMPACTED. BY ACTIONS BEYOND OUR CONTROL.

I'M WITH YOU, MAYOR PRO TEM.

COUNCILMEMBER KIM?

Kim: I DON'T THINK WE WANT OUR CITY TO BECOME A PATCHWORK QUILT OF T.I.F.'S. I HAVE SEEN IN HOUSTON HOW IT'S WORKED AND HOW IT'S NOT WORKED. WE DO NEED TO HAVE A FLEXIBILITY IN TERMS OF FUNDING THE INFRASTRUCTURE THAT WE NEED THROUGHOUT OUR CITY AND WHEN WE

SEGREGATE ONE SILO OF FUNDING TO JUST ONE AREA, IT DOESN'T ALLOW US TO TAKE ADVANTAGE AND PURSUE OTHER OPPORTUNITIES THAT BENEFIT THE WHOLE REGION. SO -- SO WE NEED TO BE OPEN TO -- TO WHAT THOSE SOURCES OF FUNDING ARE. AS WE ARE A GROWING POPULATION, WE WILL HAVE MORE PROPERTY TAX, WE WILL HAVE MORE SALES TAX. BUT IT DOESN'T HAVE TO BE IN THE FORM OF A T.I.F. JUST THAT THAT IS ONE OF THE POSSIBILITIES FOR US TO INVESTIGATE. BUT THERE ARE MANY OTHERS THAT WE CAN PURSUE.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL?

Leffingwell: JUST A QUICK COMMENT. AND I THINK THIS IS AN EXCELLENT PROJECT THIS COMMUTER RAIL. I AGREE WITH COUNCILMEMBER MCCrackEN THAT IT MAY WELL BE THE MOST SUCCESSFUL. BUT I JUST WANTED TO SAY AS WE GO FORWARD WITH TRYING TO FIGURE OUT HOW WE ARE GOING TO PAY FOR IT, BOTH THE CAPITAL COSTS AND OPERATING COSTS, AT THE SAME TIME WE START THE DISCUSSIONS ON CONTROL AND OVERSIGHT OF BOTH THE CONSTRUCTION AND THE OPERATION OF THE LINE. I DON'T WANT TO SEE THE CITY GETTING INTO THE POSITION WHERE WE ARE CONTRIBUTING LION'S SHARE OF THE MONEY, HAVE VERY LITTLE OVERSIGHT OVER THE OPERATION OF IT.

THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? CAN WE HAVE A -- AGAIN WE HAVE A MOTION AND A SECOND TO APPROVE THE CONSENT AGENDA AS READ. COUNCILMEMBER MARTINEZ?

BRIEFLY, MAYOR, ON ITEM 28, THIS -- THIS IS A -- THIS IS A -- AN ITEM THAT I ASKED TO SEND BACK TO STAFF THAT RELATES TO OUR BOND OVERSIGHT COMMITTEE. AND I JUST WANT TO THANK STAFF FOR PUTTING THE PROCESS IN PLACE THAT ALLOWS OUR BOND OVERSIGHT COMMITTEE TO ACTUALLY SEE THE RECOMMENDATIONS FROM STAFF. YOU KNOW BEFORE IT COMES TO COUNCIL. WHAT I WANT TO MAKE CLEAR, THOUGH, IS THAT WE HAD SOMETHING ALREADY IN THE WORKS AS IT RELATES TO HOUSING BONDS. SPECIFICALLY WITH OUR CDC,

SOME ASSISTANCE FROM INVESTORS AND ATTORNEYS. I WANT TO MAKE SURE THAT WE UNDERSTAND THAT THAT WORK WILL CONTINUE, THEY WILL STILL HAVE THAT OPPORTUNITY TO BRING THEIR INPUT FORWARD. I BELIEVE MARCH 1<sup>st</sup> IS THE TIME FRAME. THAT WILL BE THE RECOMMENDATION AS IT RELATES TO HOUSING BONDS. BUT THE OVERSIGHT COMMITTEE STILL GETS THE -- GETS TO REVIEW I GUESS STAFF'S RECOMMENDATION. AND I APPRECIATE YOUR WORK ON THIS.

THANK YOU, COUNCILMEMBER. FINALLY, I WILL COMMENT ITEM NO. 31, I APPRECIATE COUNCILMEMBER LEFFINGWELL JOINING ME, THIS IS TECHNICALLY JUST A WAIVER OF THE SIGNATURE REQUIREMENT FOR THE AT&T AUSTIN MARATHON WHICH WILL BE HELD THIS SUNDAY. OF COURSE IT'S NOT PRACTICAL FOR -- FOR THE RACE COORDINATORS OF A MARATHON, 26 MILES TO GO ALONG THAT ROUTE AND GET SIGNATURES OF ALL OF THE PROPERTY OWNERS. SO IT'S PER FUNCTION INVENTORY -- PERFUNCTIONARY, RECOGNIZED AS FOR THE MARATHON TO BE PULLED OFF. I WANT TO TAKE THIS PREROGATIVE. I'M RUNNING IT FOR A PHENOMENAL ORGANIZATION IN TOWN CALLED MARATHON KIDS. THIS IS A SPECTACULAR AUSTIN GROWN ORGANIZATION. 10 OR 12 YEARS OLD. IT TARGETS KINDERGARTEN THROUGH 5<sup>th</sup> GRADERS AT A TIME WHEN AISD AND MANY OF OUR SCHOOL DISTRICTS HERE LOCALLY HAVE VIRTUALLY ELIMINATED P.E. FROM THE CURRICULUM FOR CHILDREN. IN FACT IN AISD THE CHILDREN HAVE P.E. ONLY EVERY THIRD DAY. MARATHON KIDS HAS STEPPED INTO THAT VOID, FRANKLY, AND IT'S A SPECTACULAR PROGRAM. WE HAVE 45,000 -- 45,000 CHILDREN IN THE AUSTIN AREA, KINDERGARTEN THROUGH FIFTH GRADE, THAT IS A FREE PROGRAM AND THEY SIGN UP WITH THEIR PARENTS AND THEIR TEACHERS, AND THEY GET A MILEAGE LOG THAT THEY PUT ON THEIR REFRIGERATOR AT HOME. ON THE REVERSE SIDE IS A FUEL LOG WHERE THEY TRACK THEIR FRUITS AND VEGETABLE INTAKE. ON THE MILEAGE LOG THEY COLOR IN THEIR LITTLE PIE CHART. FOR 26 WEEKS, DURING THE COURSE OF THAT WEEK, THEY WALK OR RUN A MILE. AND

AFTER COMPLETING THEIR 26-MILE MARATHON OVER 26 WEEKS, THEN WE GET TOGETHER AND EACH KID GETS A MEDAL PUT AROUND THEIR NEXT, THE GOVERNOR AND I ARE USUALLY THERE, OTHER FOLKS, IT'S A FABULOUS CELEBRATION. THE KIDS LEARN ABOUT THE IMPORTANCE OF NUTRITION, ABOUT PHYSICAL ACTIVITY, ABOUT DELAYED GRATIFICATION, ABOUT GOAL SETTING. THERE'S ACTUALLY MATH SKILLS INVOLVED WHEN THE -- WHEN THE YOUNG KIDS ARE FILLING OUT THEIR PIE CHART, TRACKING THEIR MILEAGE PROGRAM. IT'S A SPECTACULAR PROGRAM. MARATHON KIDS. IT'S NOW BEING EXPORTED TO MANY CITIES ACROSS THE COUNTRY. I INTRODUCED IT AS A U.S. CONFERENCE OF MAYOR'S MEETING THREE OR FOUR YEARS AGO, NOW THEY HAVE MARATHON KIDS IN MANY OF THE BIG CITIES WHO ARE JUST LIKE AUSTIN STRUGGLING WITH THE -- WITH THE CONCEPT AND THE CHALLENGE OF CHILDHOOD OBESITY AND LACK OF NUTRITIONAL AWARENESS, PHYSICAL ACTIVITY WITH OUR YOUNGER GENERATION. WE SHOULD ALL BE VERY, VERY PROUD OF MARATHON KIDS. SO I ENCOURAGE YOU TO LOG ON TO MARATHON KIDS.COM AND THERE'S A LITTLE LINK TO MY FUNDRAISER AND YOU CAN CHALLENGE ME WITH PERHAPS A DOLLAR A MILE.

THAT'S SHAMELESS, JUST SHAMELESS.

IF I COMPLETE IT. PLEASE CONSIDER CONTRIBUTING TO MARATHON KIDS.COM TO KEEP IT A FREE PROGRAM AND THEY HAVE A TRIFK..... TERRIFIC OUTREACH PROGRAM FOR LOW INCOME KIDS. DISPROPORTIONATELY, SADLY, CHILDREN IN LOW INCOME FAMILIES STATISTICALLY ARE FAR MORE LIKELY TO BE OBESE AND HAVE POORER NUTRITION HABITS THAN OTHER KIDS. IT'S A FABULOUS PROGRAM. I APPRECIATE THE COUNCIL'S HELPING IN THE MARATHON BY WAIVING THE SIGNATORY REQUIREMENT. I ENCOURAGE ALL FOLKS TO BE AWARE OF THE MARATHON, IT'S A GREAT EVENT. WE ARE BRINGING IN MORE THAN 10,000 OUT OF TOWN GUESTS OVER THE WEEKEND. PROBABLY FOUR TO FIVE THOUSAND OF THE RUNNERS FROM OUT OF TOWN. ACTUALLY A MEASURABLE ECONOMIC IMPACT TO THE LOCAL ECONOMY BY HAVING THIS

RACE AND IT'S THE FABULOUS THINGS TO DO IN AUSTIN. THANK YOU ALL VERY MUCH. SO -- COUNCILMEMBER LEFFINGWELL?

I JUST WANT TO SAY THAT I AGREE TO CO-SPONSOR WITH YOU ON THE CONDITION THAT I WOULDN'T HAVE TO ACTUALLY RUN IT [LAUGHTER]

I DO HAVE AN EXTRA T-SHIRT.

Leffingwell: OKAY. MOTION AND SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. WE HAVE A HANDFUL OF DISCUSSION ITEMS, I BELIEVE WE CAN GET THROUGH ITEM 15 FAIRLY QUICKLY. PULLED BY COUNCILMEMBER MARTINEZ, I WILL RECOGNIZE HIM NOW.

MAYOR I HAD A QUESTION ON 15 AS IT RELATES TO -- TO WHAT APPEARS TO BE AUSTIN TAKING OVER A PORTION OF A STATE ROAD? STATE MAINTAINED ROAD?

YES, SIR, THAT'S RIGHT. ACTUALLY THIS WAS APPROVED AS AN INTERLOCAL AGREEMENT IN DECEMBER BY COUNCIL, ALONG WITH THE CONSTRUCTION CONTRACT AWARD. THIS IS TO ALLOW THE CITY TO GO AND PUT THEIR WATER LINE THAT WILL SERVE RMM AND THE CHILDREN'S HOSPITAL. IT ALLOWS US TO PUT THE WATER LINE IN AIRPORT BOULEVARD. IN ORDER TO DO THAT, WE HAD TO AGREE TO TAKE OVER MAINTENANCE. THAT WAS APPROVED BY COUNCIL LAST DECEMBER, WHAT HAPPENED IS THERE ARE A COUPLE OF TECHNICALITIES THAT REQUIRE US TO COME BACK AND GET APPROVAL AGAIN. THE WAY THAT WE DESIGNATED AIRPORT BOULEVARD WAS AN ACCEPT -- WE HAVE TO COME BACK AND DESIGNATE IT AS LOOP 1. IN ADDITION HAD HE DIDN'T WANT TO HAVE A NEW INTERLOCAL AGREEMENT, THEY PREFERRED

TO AMEND THE PREVIOUS MUNICIPAL AGREEMENT.  
SO WE ARE REALLY -- AS A POINT OF CLARIFICATION  
COMING BACK TO TAKE CARE OF THOSE  
TECHNICALITIES.

IS IT TYPICAL THAT WE END UP I GUESS OWNING  
AND MAINTAINING A STATE HIGHWAY? FOR  
PURPOSES OF -- OF EASEMENT, WHAT APPEARS TO  
BE AN EASEMENT?

WE DON'T DO THIS VERY OFTEN, BUT IN THIS CASE  
THE -- THE WATER UTILITY AND THE DESIGN  
ENGINEER HAD BEEN WORKING WITH THE  
NEIGHBORHOOD TO TRY TO FIND A DIFFERENT  
ALIGNMENT. IT WOULD HAVE REQUIRED MOVING A  
NUMBER OF LARGE TREES, IT ALSO HAD KIND OF A  
SIX TO US ROUTE THAT WASN'T ACCEPTABLE FROM  
THE WATER UTILITY TO AN OPERATIONAL  
STANDPOINT. ANOTHER ALTERNATIVE WAS TO  
ACTUALLY INSTALL THE LINE THROUGH TUNNELING  
AND THAT WOULD HAVE COST, YOU KNOW,  
UPWARDS OF A MILLION IS MY UNDERSTANDING. IN  
THE END IT LOOKED LIKE THE BEST ALTERNATIVE  
FOR THE CITY WAS TO GO AHEAD AND TAKE OVER  
MAINTENANCE OF THE ROADWAY. IT IS IN GOOD  
CONDITION. SO -- SO WE WON'T NEED TO ACTUALLY  
DO ANY PREVENTIVE MAINTENANCE UNTIL ABOUT  
2010.

SONDRA, LET ME JUMP IN. COUNCILMEMBER, I  
THINK THIS IS CONFUSING TO PEOPLE ABOUT WHY  
JUST BECAUSE WE WANT TO PUT UTILITIES IN THE  
ROAD WE ARE TAKING OVER THE MAINTENANCE.  
WHAT HAPPENS IS WHEN TXDOT OWNS THE ROAD,  
WHEN THE STATE OWNS THE ROAD, WHICH IS --  
WHICH A LOT OF PEOPLE DON'T UNDERSTAND  
HAPPENS SOMETIMES INSIDE THE CITY, THEY HAVE  
A RULE, A PRACTICE THAT THEY DO NOT ALLOW  
UTILITIES IN THEIR RIGHT-OF-WAY. WE TYPICALLY  
DON'T PUT OUR UTILITIES IN THE RIGHT-OF-WAY, WE  
HAVE OTHER ROUTES. SOMETIMES IN RARE  
OCCURRENCES THOSE OTHER ROUTES ARE VERY  
DISRUPTIVE. IN THIS CASE THAT ROUTE WAS VERY  
DISRUPTIVE IN THE NEIGHBORHOODS. GOING IN  
THROUGH NEIGHBORHOOD STREETS, GOING TO --  
GOING TO ENDANGER SOME VERY BIG TREES, IT WAS

GOING TO BE VERY DISRUPTIVE ALL THROUGH THE NEIGHBORHOOD. WE COULDN'T FIND ANOTHER GOOD STRAIGHT, SHORT, SIMPLE ROUTE. THAT WAS PRETTY MUCH THE ONLY WAY TO DO IT. SO THE RULE WITH TXDOT IS IF YOU WANT TO PUT THOSE UTILITIES, HAD HE WANT YOU TO TAKE -- THEY WANT YOU TO TAKE OVER THE ROAD. THAT'S WHY YOU DO IT. YOU WON'T SEE IT VERY OFTEN, BUT OCCASIONALLY YOU WILL AND IN THIS CASE IT WAS OUR SHORTEST, STRAIGHTEST, SIMPLEST ROUTE TO THE CHILDREN'S HOSPITAL WITHOUT A MUCH MORE EXPENSIVE, MUCH MORE DISRESULT ACTIVE ROUTE THROUGH NEIGHBORHOOD STREETS.

WITH THE -- WOULD THE AGREEMENT TRIGGER EXPENDITURES FROM THE CITY IF -- IF TXDOT DECIDED TO EXPAND THAT ROADWAY OUTSIDE OF WHAT WE OWN? WOULD WE HAVE TO COMPLY WITH WHATEVER EXPANSION OR MAINTENANCE PROJECTS THAT TXDOT MIGHT -- MIGHT END UP ON AIRPORT BOULEVARD.

WELL, IF WE TAKE IT OVER FOR MAINTENANCE, ESPECIALLY IT BECOMES OUR ROAD SO WE WOULD HAVE JURISDICTION OVER IT.

WE ONLY ANTICIPATE MAINTENANCE STARTING IN 2010?

THAT'S RIGHT, YES.

WHAT IS THAT FISCAL NOTE?

WHAT IS EXCUSE ME.

WHAT IS THE ANTICIPATED FISCAL NOTE IN 2010?

IT WOULD COME OUT OF OUR OPERATING BUDGET. ACTUALLY THE WATER UTILITY HAS AGREED TO PAY FOR THAT FIRST ROUND OF MAINTENANCE AND WE ARE ESTIMATING APPROXIMATELY \$100,000.

OKAY. THANKS, MAYOR.

IT'S ALSO A SEGMENT OF A ROAD WHERE WE HAVE ALREADY TAKEN OVER ANOTHER PORTION OF THE



ROAD FOR MAINTENANCE, SO IT'S JUST AN EXTENSION WHERE WE ALREADY HAVE MAINTAIN OF A PORTION OF THE ROAD.

Mayor Wynn: ALSO SEEMS TO ME, IF WE TAKE A GENERATION OR SO TO FULLY BUILD OUT THE MUELLER REDEVELOPMENT PLAN, IT'S PROBABLY TO OUR ADVANTAGE TO HAVE THE FLEXIBILITY OF THAT MAJOR ARTERIAL ADJACENT TO THE MUELLER TRACT TO HAVE THE DESIGN FLEXIBILITY THAT WE OFTENTIMES ASK FOR THAT USUALLY ISN'T IN THE TXDOT'S STANDARD OPERATING PROCEDURES. FURTHER COMMENTS ON ITEM NO. 15 OR QUESTIONS? IF NOT I WILL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER MARTINEZ, SECONDED BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 15 AS POSTED, FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU VERY MUCH. COUNCIL, IT SEEMS TO ME THAT WE HAVE A COUPLE OF ITEMS HERE THAT -- THAT WERE TAKEN OFF THE CONSENT AGENDA BECAUSE A NUMBER OF FOLKS SIGNED UP TO SPEAK. MANY IN OPPOSITION, SO WITHOUT OBJECTION, I THOUGHT WE MIGHT SKIP OVER A COUPLE OF OUR COUNCIL PULLED ITEMS IN ORDER TO GET SOME CITIZENS HEARD AND PERHAPS BACK TO WORK AS SOON AS POSSIBLE. LET'S SEE ITEM NO. 21, A HANDFUL OF PEOPLE SIGNED UP TO SPEAK, SOME OF THOSE IN OPPOSITION, 21 COMING FROM THE WATERSHED PROTECTION DWEMENT DEVELOPMENT, A WATER SUPPLY AGREEMENT WITH THE USGS DEPARTMENT REGARDING SOME IN STREAM MONITORING, PERHAPS -- PERHAPS A BRIEF STAFF PRESENTATION ABOUT THE -- ABOUT THE NATURE OF THE ITEM BEFORE WE CALL UP OUR CITIZENS SPEAKERS, WELCOME, MS. MCCLINTOCK. THANK YOU, MAYOR, THEM ESSENTIALLY ADDS TO AN AGREEMENT THAT WE'VE HAD WITH USGS OVER 20 YEARS. DOING STREAM GAUGING IN STREAMS AROUND AUSTIN FOR MANY PURPOSES. BUT THE REASON THAT WE ARE DOING AN ADDITION AT THIS

TIME IS TO ADD SOME STREAM GAUGES FOR OUR FLOOD EARLY WARNING SYSTEM. INFORMATION BOTH ON FLOW LEVELS AND -- AND FLOW RATES. HELPS US TO BE ABLE TO WARN THE PUBLIC RELATIVE TO FLOODING RISKS AND -- IN THEIR NEIGHBORHOODS. THE -- THE NEW STREAMS THAT WE ARE ADDING TO OUR SYSTEM WITH THIS -- WITH THIS ADDITION ARE BOGGY CREEK, FORT BRANCH, WILLIAMSON CREEK, WEST BOLIN CREEK, WALLER CREEK, LITTLE WALNUT CREEK AND SHOAL CREEK.

Mayor Wynn: THANK YOU, NANCY, QUESTIONS OF STAFF, COUNCIL? IF NOT, THEN I THOUGHT THAT WE WOULD HEAR FROM OUR FOLKS WHO WANTED TO ADDRESS US ON THIS ITEM. IF THEY ARE STILL HERE. OUR FIRST SPEAKER IS -- LOOKS LIKE HARRIS HAROLD? I'M BRYAN SMITH, BUT HAROLD WAS GOING TO DONATE HIS TIME TO ME.

FAIR ENOUGH. UP TO SIX MINUTES.

WITH THE LIMITED FUNDS THAT -- THAT THE CITY HAS AVAILABLE, THERE ARE SOME ISSUES THAT -- THAT RISE A LITTLE BIT TO MORE OF AN EMERGENCY NATURE AND SO IT'S NOT SO MUCH I'M AGAINST THIS, BECAUSE I THINK WE SHOULD HAVE SAFETY ISSUES. BUT I THINK THAT WE NEED TO HAVE ENGINEERS LOOKING AT A NUMBER OF BRIDGES THAT ARE DRIVEN OVER EVERY DAY THAT SHOULD BE LOAD LIMITED TODAY AS IN NOW. THAT -- THEY SHOULD BE RESTRICTED BECAUSE THEY HAVE BEEN SERIOUSLY UNDERMINED BY THE FLOW OF THE CREEK. SO I UNDERSTAND THE ANALYSIS. I HAVE A COUPLE OF PICTURES HERE. THIS IS THE BRIDGE WHERE ALL OF THE SUPPORTING AREA HAS COLLAPSED. AND BEGUN TO EXPOSE THE -- THE COLUMNS THAT ACTUALLY SUPPORT THE FOOTINGS OF EACH ABUTMENT OF THE BRIDGE. THEY ARE PROTECTED BY A FLAT CONCRETE THAT YOU SEE THERE. ONCE IT'S EAT TEN AWAY, IT'S GONE. THIS IS ONE OF THE TWO BRIDGES ON BURLESON ROAD BETWEEN BEN WHITE AND OLTORF. THE NEXT PICTURE IS UNDER THE SECOND BRIDGE, FOR THE SECOND -- THAT LITTLE DARK CLIFF IS THE BOTTOM OF IT, YOU CAN SEE IN THAT ANGLED AREA, THAT'S WHERE THE ABUTMENT IS SUPPOSED TO BE. IT'S

SUPPOSED TO GO ALL THE WAY UNDER THE BRIDGE. THE REST OF THE PIECES HAVE COLLAPSED, INCLUDING WHERE THE WATER DRAINS OUT, THE PIPE THAT'S LAYING ON THE BOTTOM USED TO BE SEVEN FEET OFF THE GROUND, UP IN THE TOP PART WHERE THE GRAFFITI IS AND -- AND THAT -- THOSE ARE THE ONLY PEOPLE THAT SEEM TO KNOW ABOUT THESE DANGERS. YOU DRIVE OVER THE BRIM, YOU DON'T SEE IT. BRIDGE. IT IS SERIOUSLY UNDERMINED. ABOUT SIX FEET OF DIRT, ALL OF THE PROTECTION OF THE CONCRETE IS GONE FROM BOTH SIDES. NEXT PICTURE. FROM THE OTHER DIRECTION. SPENDING MONEY ON FLOW METERS IS GREAT, IF YOU HAVE BRIDGES THAT NEED TO BE ANALYZED NOW, YOU NEED TO LOOK AT BRIDGES THAT YOU DRIVE OVER EVERY DAY INVESTIGATED. YOU CAN'T REALLY SEE IT BECAUSE IT'S QUITE DARK. THE NEXT PICTURE YOU MIGHT BE ABLE TO SEE IT, ONE. COLUMNS HAVE BEEN REDUCED TO AN AREA, NEXT PICTURE, BUT PROBABLY 60, 70%. THAT'S ACTUALLY ONE OF THE PIERS THAT SUPPORTS THAT BRIDGE. YOU SEE THE STEEL DOWN THERE IN THE BOTTOM IS COMPLETELY EXPOSED, RUSTED OUT. THAT BRIDGE IS GETTING NEAR FAILURE TO BE HONEST WITH YOU. A HEAVY LOAD COULD BRING IT DOWN. IN A GOOD RAIN WHEN THE SOIL IS YET WITH -- WITH COMPROMISED PIER AND STEEL EXPOSED, IT IS A HAZARD NOW TODAY. AND THAT BRIDGE IS NOT [INDISCERNIBLE] AND BURLESON ROAD IS USED BY LARGE TRUCKS TO PASS OVER IT AND I -- I RECOGNIZE THIS ONE BEING THAT WAY, BUT HOW MANY BRIDGES THAT I MYSELF AS AN ARCHITECT HAVE PASSED OVER AND JUST HAPPEN TO WALK OVER ON THIS OCCASION AND LOOK DOWN AND LOOK AT IT. YOU DON'T SEE THIS PROBLEM WHEN YOU ARE DRIVING OVER IT. SO I'M WONDERING HOW MANY OTHER BRIDGES THAT I HAVEN'T BEEN UNDER THAT ARE ALSO DANGEROUS. I THINK THAT WE REALLY SHOULD BE SPENDING MONEY TO ACTUALLY GO LOOK AT ALL OF OUR BRIDGES. THANK YOU. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] SOME OF THE BRIDGES WE OWN. WE OWN 2 OR 300, MOSTLY IN THE URBAN CORE, BUT MOST -- MANY OF THE BRIDGES ARE, I SPEC, UNDER TXDOT INJURES DICK. SO HOW DOES THAT WORK AND THEN ARE THE BRIDGES THAT WE OF THE

BRIDGES WE OWN, HOW IS IT WE COORDINATE WITH THE CREEK ISSUES, THAT WITH THE STRUCTURE OF THE BRIDGE ITSELF.

WATERSHED PROTECTION AND PUBLIC WORKS HAVE TO WORK COLLABORATIVELY ON THOSE ISSUES. WE HAVE A SEPARATE EROSION CONTROL AND PREVENTION PROGRAM WITHIN WATERSHED WHERE WE'RE WORKING ON SOME OF THESE ISSUES, NOT ONLY AROUND BRIDGES BUT VERY BAD EROSION SITES, YOU KNOW, AS AN EXAMPLE SHOAL CREEK, WHICH THERE'S BEEN SOME NEWS ABOUT THIS WEEK. IT'S SIMPLY A SEPARATE PROGRAM AND SOME OF OUR BOND MONEY IS GOING TO HELP FIX SOME OF THESE EROSION SITES. I CAN'T TELL YOU RIGHT NOW WHETHER ANY OF THEM ADDRESS THE BRIDGES THAT HAVE BEEN SHOWN TODAY. WE COULD COME BACK TO YOU WITH THAT INFORMATION. SANDRA IS HERE. SHE MIGHT BE ABLE TO SPEAK TO THE OVERALL CONDITION OF BRIDGES IN THEIR INVENTORY. AND THEN WHILE SANDRA IS COMING DOWN I THINK ONE THING WE'LL DO SPECIFICALLY FOR THE PHOTOS THAT WE HAVE BEEN SHOWN TODAY IS WE'LL ASK FOR AN ASSESSMENT OF THAT AND WE'LL BE FOLLOWING UP WITH YOU ON THOSE.

WE DO IS... HAVE A BRIDGE MAINTENANCE PROGRAM AND WE GO THROUGH AND IDENTIFY THOSE BRIDGES IN CONNECTION WITH TXDOT AND WE DO HAVE FUNDING AVAILABLE TO GO THROUGH AND FIX THE KEY BRIDGES. OF COURSE THERE'S NEVER ENOUGH MAINTENANCE FUNDING, BUT WE ARE ACTIVELY FIXING THE MOST CRITICAL BRIDGES THAT NEED TO BE FIXED AND IF YOU'D LIKE TO GET A REPORT SPECIFICALLY ON BURLESON I COULD PROVIDE THAT TO YOU.

MAYOR WYNN: PLEASE DO. THANK YOU.

SANDRA, WILL YOU FOLLOW UP WITH THE SPEAKERS IN THE BACK TO BE SURE WE'VE LOCATED THE LOCATIONS THEY'VE SHOWN?

MAYOR WYNN: FURTHER QUESTIONS OF STAFF, COMMENTS? AND SO I'LL GIVE -- TECHNICALLY ITEM

NO. 21, YOU KNOW, THIS IS A VERY SPECIFIC PROGRAM WITH THE USGS REGARDING CREEK FLOW MONITORING, YOU KNOW, FUNDAMENTALLY OF COURSE OBVIOUSLY THERE'S A CONNECTION. THE MORE FLOW WE'RE SEEING, THE MORE WE'D BETTER BE AWARE OF EROSION AND POTENTIAL BRIDGE UNDER PINNING, THAT SORT OF THING. QUESTIONS, COMMENTS, COUNSEL? IF NOT I'LL ENTERTAIN A MOTION ON ITEM NO. 21.

MAYOR WYNN: MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER LEFFINGWELL TO APPROVE ITEM NO. 21 AS POSTED AND OF COURSE WITH THE NOTATION ASKING FOR FOLLOW-UP REPORT FROM PUBLIC WORKS REGARDING OUR BRIDGE MAINTENANCE PROGRAM AND THEN SPECIFICALLY SOME OF THESE BRIDGE STRUCTURES THAT WE'VE SEEN PHOTOS OF THIS MORNING. MOTION AND SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL AND THANK YOU MR. SMITH. CITY COUNCIL ALSO ITEM NO. 27, WE HAD A NUMBER OF FOLKS SIGN UP WISHING TO ADDRESS THIS. , IN FACT, THESE ARE MANY OF THE SAME SPEAKERS ON ITEM 21. MR. SMITH -- EXCUSE ME, MR. SMITH YOU HAD ALSO SAIBD ASSIGNED UP TO ADDRESS THIS ON ITEM NO. 27, WHICH TECHNICALLY IS THE JOINT POWERS AGREEMENT, THE AMENDMENT OF THE JOINT POWERS AGREEMENT THAT FUNDAMENTALLY CREATES CAMPO, WHEREBY WE AS THE CITY ARE APPROVING RESOLUTION THAT AUTHORIZES THE RESOLUTION OF A MODEST REORGANIZATION, RESTRUCTURING OF THE CAMPO BOARD.

YEAH, AND ACTUALLY I ONLY CAME TO SEE THAT ONE WHEN I WAS LOOKING FOR SOMETHING TO BRING THE BRIDGES DOWN THERE, AND I HAVE ACTUALLY SPOKEN TO CAMPO AT THEIR BOARD MEETING ABOUT WHAT I FEEL IS DISENFRANCHISEIZEMENT OCCURRING WITH THE JOINT RESOLUTION POWERS ACT, REDUCING THE

NUMBER TO 18 MEMBERS, AND THE LITTLE CRYPTIC NOTE IN THERE ABOUT OTHER THINGS THAT ARE BEING DONE. I AM PERSONALLY NOT HAPPY WITH THE RESULT OF CAMPO WORK OVER THESE 20 YEARS BECAUSE THEY ARE SUPPOSED TO BE PLANNING AND THEY HAVEN'T DONE A.. A GOOD JOB BECAUSE OF THE CAT TROIVEG TRAFFIC WE HAVE. SO I'M NOT IMPRESSED THERE STRAIGHT UP. BUT I AT THE SAME TIME AM NOT IMPRESSED WITH THE LOSS OF A VOICE BECAUSE IN THAT CRYPTIC NOTE IT'S NOT MENTIONED IN THIS AGENDA AND IT'S NOT MENTIONED THAT ASIDE FROM REDUCING FROM 23 TO 18 MEMBERS, THE ABILITY TO PLACE SOMETHING ON THE AGENDA FOR THE MEETINGS OF THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION IS GOING TO BE TAKEN AWAY FROM HAVING ANY -- 23 CAN NOW PUT SOMETHING ON THE AGENDA. THAT'S GOING TO BE REMOVED. SO..SO THE ONLY THINGS THAT ARE DECIDED BY THE EXECUTIVE COMMITTEE. SO IT'S A SMALLER GROUP OF THE NEW 18 THAT ARE GOING TO GET TO PLACE THINGS ON THE AGENDA, AND THE CHAIR OF THAT CAMPO BOARD IS THE ONE WHO DETERMINES WHO GETS TO APPOINT WHO'S GOING TO DECIDE WHAT GETS ONTO THE AGENDA. SO I'M NOT REAL HAPPY WITH THE FACT THAT EVEN IF YOU'RE ON THE 18, YOU'RE ONLY GOING TO SEE THINGS ON YOUR AGENDA AND DISCUSS THEM IF THE SMALLER GROUP DECIDES. SO I'M JUST SERIOUSLY AGAINST LOSING A VOICE ON A BOARD BY NOT BEING ABLE TO GET TO SEE THINGS ON AGENDA AND GET TO SEE THINGS DISCUSSED. THAT IS NOT THE WAY TO CARRY OUT BUSINESS SO THAT, YOU KNOW, YOU CAN SEE WHAT WHAT'S HAPPENING WITH HOW DECISIONS ARE BEING MADE BY A GROUP THAT, YOU KNOW, IS GETTING FURTHER AND FURTHER BEHIND AS WE GO. AND SO AT THE EXACT MOMENT YOU'D LIKE MORE DISCLOSURE ABOUT WHAT THEY'RE DECIDING, IT'S ACTUALLY GOING TO BE LESS BECAUSE THE NUMBER OF AGENDA ITEMS WILL BE REDUCED AND NARROWLY FOCUSED WITHOUT ANYONE BEING ABLE TO, YOU KNOW, BRING SOME MORE THINGS UP BECAUSE, YOU KNOW, THERE IS NOT ENOUGH OF THE BICYCLE PATHS AND I DON'T THINK THERE'S ENOUGH COORDINATION OF THE HIGHWAY DEPARTMENT

AND THE BUS ROUTES. THERE ARE HUGE COVERED PARKING AREAS UNDER FREEWAYS AND WE HAVEN'T EVEN PLACED A METROPOLITAN RAIL THING FOR THE COMMUTER THAT WOULD LAND IN THERE. THERE'S THE FIESTA AND THE MALL THERE THAT HAVE PROBABLY ONE OF THE LARGEST AREAS OF COVERED PARKING AVAILABLE. THERE'S NOTHING RIGHT NOW, AND THERE'S A TRAIN GOES RIGHT BY THERE. WE PARK UNDER THE FREEWAY AT I-35. WHY WOULDN'T HE ABLE TO PARK UNDER THE FREEWAY NEAR THE FIESTA UP ON 35, AROUND 35TH STREET. IF YOU GO UP THERE THERE'S ENOUGH COVERED PARKING FOR AN ENORMOUS NUMBER OF CARS THAT COULD TAKE THE RAIL IN AND GET TO TOWN LAKE AND DOWNTOWN AND BE ABLE TO PROVIDE SOME WAY OF NOT HAVING GIANT TRAFFIC JAMS WHEN WE HAVE EVENTS. ADDITIONAL TIME?

MAYOR WYNN: IF THERE IS A CITIZEN IN THE AUDIENCE WHO WOULD LIKE TO ADDRESS US YOU COULD DONATE YOUR TIME TO MR. SMITH. WHAT'S YOUR NAME? WOULD YOU LIKE TO DONATE TIME TO MR. SMITH? THANK YOU. MR. SMITH?

SO -- AND THERE ARE OTHER LARGE COVERED PARKING AREAS, UNDER 1 A 3, FOR A LARGE STRETCH YOU.... UP AROUND 'OL EVEN ROAD, WHY WE AREN'T RUNNING A BUS DOWN THERE NOW. THERE SHOULD BE IN MY OPINION A BUS ROUTE -- INSTEAD OF HAVING THAT TRANSIT AREA THAT'S OUT UNCOVERED, THE BUS COULD ACTUALLY COME DOWN OFF OF 183, GO UNDER THE BRIDGE RIGHT DOWN THE MIDDLE OF IT AND THEY GET BACK UP ON, BE ABLE TO COME DOWNTOWN AND HAVE A MASSIVE AREA OF COVERED PARKING ALONG THAT WHOLE STRETCH. YOU GO UP THERE AND STAND IN THAT AREA IT'S ENORMOUS AND NONE OF THESE ARE BEING ADDRESSED IN PROVIDING PARKING LOT RIDES. THAT PARKING LOT COULD HAVE BEEN SOLD OFF. THESE ARE A BUNCH OF ISSUES THAT ARE NOT COMING BEFORE CAMPO AND I DOUBT THEY WOULD BE BECAUSE THEY HAVE TO SPEAK TO AN AGENDA ITEM SO IT'S NOT POSSIBLE TO GET THOSE THINGS UP THERE. THERE ARE A NUMBER OF THOSE INTERMIXING AREAS BETWEEN CARS AND TRAINS THAT I JUST DON'T -- I THINK ARE BEING DISCUSSED

AND COULD BE DONE WITH BUSES TODAY AND PROVIDE OVERFLOW PARKING AREAS THAT ARE COVERED. ANOTHER EXAMPLE IS MOST OF BEN WHITE HAS A GIGANTIC AREA WHERE YOU CAN PARK CARS AND PROVIDE BUSES TO EVENTS DOWNTOWN AND SO FORTH AND THAT'S NOT HAPPENING. SO THE CARS IN ZILKER PARK, PACKING THE CARS THERE AND ALL THE TRAFFIC JAMS THAT ARE RELATED COULD BE ALMOST ELIMINATED IF THERE WERE BETTER COORDINATION AND THAT'S NOT HAPPENING NOW AND I WOULD LIKE TO SEE THAT DISCUSSED MORE IN PLACES LIKE THAT, AND I THINK THAT THAT AGENDA -- THREE MEMBERS BEING ABLE TO PUT ITEMS ON THE AGENDA WE MIGHT SEE THAT TYPE OF DISCUSSION.

THANK YOU. I'LL POINT OUT THAT MY EXPERIENCE WITH CAMPO THAT VIRTUALLY EVERY CAMPO MEETING THERE IS PUBLIC TESTIMONY -- THERE IS ALSO CITIZEN COMMUNICATION SO ACTUALLY I'D ENCOURAGE YOU AT YOUR CONVENIENCE TO ATTEND THE CAMPO MEETING TO BRING THESE UP TO THE BOARD. TECHNICALLY THIS ITEM NO. 27 IS AGAIN THE CITY PATS AND RESOLUTION THAT AUTHORIZES THE EXECUTION OF THIS AMENDED JOINT POWERS AGREEMENT. WHEN YOU THINK ABOUT IT, THE FACT OF THE MATTER IS THAT THE CITY OF AUSTIN CURRENTLY HAS FOUR SEATS ON THAT 23-MEMBER BOARD. IF THIS REORGANIZATION, RESTRUCTURE GOES THROUGH, HAS TO BE APPROVED BY ALL THE OTHER SIGNATORIES OF THAT JOINT POWERS AGREEMENT, THE COUNTIES AND OTHERS, THEN WE WILL STILL HAVE FOUR SEATS ON THAT BOARD OF 18 PEOPLE. SO TECHNICALLY IF YOU'RE LOOKING AT IT FROM A -- SORT OF A MYOPIC CITY OF AUSTIN PERSPECTIVE AND MANY OF THESE ISSUES MR. SMITH BROUGHT UP ARE IN THE CITY, THE CITY OF AUSTIN WILL HAVE MORE REPRESENTATION PROPORTIONATELY ON THE NEW BOARD THAN WE HAVE CURRENTLY. ARE THERE ANY OTHER CITIZENS THAT WOULD LIKE TO ADDRESS THIS ITEM, NO. 27, THE JOINT POWERS AGREEMENT, RESTRUCTURE OF CAMPO? YES, SIR. PLEASE DO.

HI, MY NAME IS JOHN METSGER. I'M AGAINST THIS



CHANGE AND THE MAJOR REASON THAT I'M AGAINST IT, IS -- I DO UNDERSTAND ARE VIEWPOINT, GETTING, A, INCREASE IN YOUR PERCENTAGE INTO IT IS ONE NICE IDEA BUT A CONTRARY IDEA TO THIS IS THAT CAMPO CURRENTLY HAS SEVERAL MEMBERS OF THE LEGISLATIVE BODIES, BOTH THE STATE LEGISLATURE REPRESENTATIVES AND SENATORS. OKAY. IT'S MY UNDERSTANDING THAT THERE IS APPROXIMATELY 130 MPO ORGANIZATIONS ACROSS THE STATE. CAMPO SHOULD BE THE LEAD MPO IN THE STATE. THE EXAMPLE MPO, BECAUSE THEY'RE RIGHT HERE WHERE THE TEXAS CONGRESS IS. OKAY. WE NEED TO BE ABLE TO TAKE AND USE THOSE REPRESENTATIVES AND SENATORS IN ORDER TO GET PROBLEMS RESOLVED. ONE OF THE LARGEST CONTROVERSIES RIGHT NOW IS THE TOLL ROADS AND THE CONCEPT OF CIRCLING THE ENTIRE CITY OF AUSTIN WITH TOLL ROADS. I'VE RUN NUMBERS ROUGHLY AND IT IS MUCH MORE COST EFFECTIVE TO INDEX THE GAS TAX THAN IT IS TO HAVE PEOPLE GO OUT AND PAY FOR TOLL ROADS, BECAUSE ESSENTIALLY A FEE ON A TOLL ROAD IS A GAS MILEAGE ISSUE. IT COST A CERTAIN COST PER MILE FOR DRIVING. WHEN YOU TAKE AND FACTOR THAT IN, AND A LOT OF PEOPLE WILL GET MAD WHEN THEY HEAR ME SAY THIS, BUT BASICALLY WE COULD AFFORD A 25-CENT PER GALLON INCREASE IN GASOLINE AND HAVE IT MORE COST EFFECTIVE THAN CURRENTLY DOING THE TOLL ROADS, WHICH ARE A HUGE UNKNOWN ISSUE RIGHT NOW AS TO THEIR COST EFFECTIVENESS. WE NEED THE STATE LEGISLATURE TO PASS THE INDEXING OF THE STATE GAS TAX AND THIS IS SUPPOSED TO BE SOMETHING THAT I UNDERSTAND AND READ IS NOW A NATIONWIDE PROBLEM. EVERY STATE NEEDS TO BE DOING THE SAME THING. PEOPLE KEEP TALKING ABOUT THE INCREASES IN THE FUEL EFFICIENCY AS EATING AWAY AT THE REVENUES COMING IN AT THE SAME TIME THE PRICE OF FUELS ARE SKYROCKETING. AND AS WE'VE SEEN IN THE LAST FEW YEARS, THERE'S A TREMENDOUS VARIATION IN WHAT THAT ACTUAL COST IS. WELL, IF WE ARE REALLY SERIOUS ABOUT TRYING TO REDUCE OUR DEPENDENCE ON FOREIGN SOURCES OF ENERGY, THEN INCREASING THAT TAX IS A VERY VALID WAY OF DOING IT. BUT YOU'RE GOING TO LOSE AN

OPPORTUNITY TO USE THESE LEGISLATIVE PERSONNEL IF YOU KICK THEM OFF THE BOARD. RIGHT NOW THEY'RE CURRENTLY SOMEONE WHO YOU'LL BE TALKING TO AND RUBBING ELBOWS WITH. WHEN THEY'RE GONE IT'S GOING TO BE A LOT HARDER TO BRING THEM BACK IN, AND IF EVERYONE MPO IN THE STATE HAS ONE OR MORE LEGISLATIVE MEMBERS, THAT'S A GOOD PLACE TO GET COMMUNICATION GOING IN ORDER TO TRY AND EXERCISE CHANGES DOING THINGS FINANCIALLY THE BEST WAY THAT APPLIES TO THE GAS TAX. AND I DON'T WANT TO MAKE THIS JUST A GAS TAX ISSUE. I'M MAKING THIS AN ITEM FOR YOU TO CONSIDER IS PLEASE DON'T LOSE THE OPPORTUNITY. THANK YOU.

MAYOR WYNN: THANK YOU, MR. METSGER. AGAIN, I WOULD ENCOURAGE YOU TO ATTEND AND SPEAK AT A CAMPO BOARD MEETING AT YOUR CONVENIENCE. WELCOME, SIR.

I'M HARRIS HARRELL, AND I AM A MEMBER OF TEXANS AGAINST TOLLS AND AUSTIN TOLL PARTY. AND THE PUBLIC COMMENTS AT THE CAMPO MEETINGS IS LIMITED TO TEN PEOPLE, AND YOU ALSO HAVE TO SIGN UP, LIKE, THE DAY BEFORE, SO THAT DOESN'T MAKE IT REAL ACCESSIBLE TO EVERYONE. BUT THESE ISSUES AFFECT HUNDREDS OF THOUSANDS OF PEOPLE AROUND CENTRAL TEXAS, AND I DON'T THINK WE HAVE ENOUGH VOICE AS IT IS, AND TO LIMIT IT EVEN MORE IS NOT GOING TO HELP THE SITUATION. I AGREE WITH WHAT MR. SMITH AND MR. METSGER BOTH BROUGHT FORTH. THANK YOU.

MAYOR WYNN: THANK YOU, MR. HARRELL. ANY ADDITIONAL SPEAKERS ON ITEM NO. 27, THE JOINT POWER AGREEMENT, RESTRUCTURE OF THE CAMPO BOARD. THANK YOU ALL VERY MUCH. COUNCIL, COMMENTS? QUESTIONS? ITEM 27? IF NOT I'LL ENTERTAIN A MOTION.

I'LL MOVE APPROVAL OF ITEM 27.

DUNKERLEY: SECOND.

MOTION BY COUNCIL MEMBER LEFFINGWELL,

SECOND BY MAYOR PRO TEM TO APPROVE ITEM NO. 27 AS PROPOSED, WHICH AGAIN, IS JUST OUR APPROVAL OF THE -- AN EXECUTION OF THE REVISED JPA REGARDING CAMPO. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER KIM OFF THE DAIS. THANK YOU ALL VERY MUCH. COUNCIL, LET'S SEE, WORKING OUR WAY THROUGH DISCUSSION ITEMS. ITEM NO. 3 IS THE PROPOSED BUSINESS RETENTION AND ENHANCEMENT PROGRAM FOR CONGRESS AVENUE AND EAST SIXTH STREET NOW. THIS ITEM TECHNICALLY WAS PULLED BY THE MAYOR PRO TEM. WE'LL RECOGNIZE HER. I SEE THAT WE HAVE A SMALL NUMBER OF FOLKS HERE WOULD LIKE TO ADDRESS THIS. WE DO WANT TO JUST OPEN BY SAYING OUR GREAT..... I GREATLY APPRECIATE THE AMOUNT OF TIME AND EFFORT THAT THE STAFF HAS PUT INTO THIS. I'VE HAD MY PRESENTATION OF THE, YOU KNOW, LATEST THINKING AND THE BACKUP. IT'S EXHAUSTIVE AND IT IS WELL THOUGHT OUT. IT TAKES, I THINK, THE BETTER ELEMENTS OF SEVERAL EXISTING PROGRAMS THAT WE HAVE AROUND THE CITY NOW. IN FACT, EVEN REACHES OUT AND BRINGS IN SOME ADDITIONAL CONCEPTS. SO AS A SPONSOR OF THAT ORIGINAL ITEM BACK IN JANUARY, I WANT TO THANK STAFF FOR THE TIME AND EFFORT THAT THEY'VE PUT INTO THIS AND THE FOLKS WHO HAVE GIVEN THEM ADDITIONAL FEEDBACK. MAYOR PRO TEM SF.

I WANT TO ECHO THOSE THANKS. I THOUGHT IT WAS AN OUTSTANDING PIECE OF WORK AND THAT'S WHERE WE'VE ASKED YOU TO STEP FORWARD TODAY AND SORT OF GO OVER THE SUMMARY AND SOME OF THE DETAILS OF THE PROGRAM AND ALLOW ALL THE OTHER COUNCIL MEMBERS TO GET A.. A GOOD PERSPECTIVE ON IT AND MAKE THEIR COMMENTS.

WE WELCOME MS. SUE EDWARDS.

THANK YOU, COUNCIL. MAYOR, MAYOR PRO TEM AND COUNCIL MEMBERS, I AM SUE EDWARDS, DIRECTOR FOR THE ECONOMIC GROWTH AND REDEVELOPMENT SERVICES OFFICE. AT YOUR JANUARY 11 COUNCIL MEETING YOU DIRECTED THE CITY MANAGER TO DEVELOP GUIDELINES AND CRITERIA FOR RETAIL, RETENTION AND ENHANCEMENT PROGRAM AND TO BRING THOSE GUIDELINES BACK FOR YOUR APPROVAL ON OR BEFORE FEBRUARY THE 15TH. IN THE PRESENTATION TODAY I WILL BE BRIEFING YOU ON THE BACKGROUND FOR ESTABLISHING THE PROGRAM, REVIEWING THE PROGRAM GUIDELINES AND LASTLY, TALKING ABOUT FUNDING FOR THE PROGRAM. AS BACKGROUND, FROM THE LATE 1950S THROUGH THE MID-1970S DOWNTOWN AUSTIN..... AUSTIN WAS A THRIVING RETAIL DISTRICT THAT SERVE THE AREA AND THE SURROUNDINGS COMMUNITIES. WITHIN A FEW BLOCKS AT 6TH AND CONGRESS THERE WAS A CONCENTRATION OF LOCAL AND NATIONAL DEPARTMENT STORES. BUT BY THE EARLY 1980S AUSTIN HAD SEEN THE DOWNTOWN CLOSING OF EIGHT LARGE RETAILERS, INCLUDING SCAR BUREAUS, YARINGS, LE VEENS, JC PENNEY AND SERIES, ALONG WITH ANOTHER HUNDRED SMALL RETAILERS. BY THE LATE 1980S, IT EXISTED AS A PLACE TO SHOP ONLY IN MEMORIES. BARTON CREEK BECAME THE PLACE TO GO FOR CLOTHES, MOVIES AND FOOD. IT WAS DURING THIS TIME THAT GROUPS BEGAN CALLING FOR A REINVESTMENT IN DOWNTOWN RETAIL. SINCE 1988 THERE HAVE BEEN NINE INDIVIDUAL REPORTS, EACH RECOMMENDING A REINVESTMENT IN DOWNTOWN RETAIL, SPECIFICALLY IN THE AREA OF CONGRESS AVENUE AND EAST SIXTH STREET. IN A STUDY OF DOWNTOWN AUSTIN CONDUCTED BY THE AMERICAN INSTITUTE OF ARCHITECTURES REGIONAL URBAN DESIGN TEAM, THE TEAM STATED THAT DOWNTOWN AUSTIN IS IN DESPERATE NEED OF A STRONGER RETAIL BASE AND WENT ON TO SAY THAT IT MAY WELL BE THAT A SIGNIFICANT NEW RETAIL BASE IN THE AREA NEAR EAST SIXTH STREET AND CONGRESS AVENUE CAN NEVER BE DEVELOPED WITHOUT SOME FORM OF PUBLIC FINANCIAL PARTICIPATION IN THE PROJECT. & THEY RECOMMENDED THAT NEW AND EXISTING BUSINESS

AIDS, SUCH AS REVOLVING LOAN PROGRAMS SHOULD BE PACKAGED TO ACCOMPLISH THIS OBJECTIVE AND MORE RECENTLY THE DOWNTOWN MARKET STRATEGY PRESENTED TO YOU BY ERA AGAIN RECOMMENDED EFFORTS BE MADE TO REVITALIZE AUSTIN. TO ADDRESS THIS ISSUE WE HAVE DEVELOPED A CHAPTER 380, ECONOMIC DEVELOPMENT PROGRAM, CALLED THE BUSINESS RETENTION AND ENHANCEMENT PROGRAM. ITS PURPOSE IS TO SUPPORT THE REESTABLISHMENT OF CONGRESS AVENUE AND EAST SIXTH STREET AS RETAIL AND URBAN ENTERTAINMENT DISTRICT DISIG DESTINATION THROUGH THE PROVISION OF LOW INTEREST LOAN. WE RECOMMEND THAT THE PROGRAM BE IMPLEMENTED AS A 12-MONTH PILOT, WHICH WE WILL MONITOR AND EVALUATE THROUGHOUT THE YEAR AND RETURN WITH A REPORT TO COUNCIL PRIOR TO THE END OF THE 12-MONTH PERIOD. THE GOALS OF THE PROGRAM ARE TO IMPROVE THE IMAGE OF CONGRESS AVENUE AND EAST SIXTH STREET AS RETAIL DESTINATIONS FOR THE COMMUNITY, FOR VISITORS AND FOR TOURISTS, TO ENHANCE EAST SIXTH STREET'S MUSIC AND ENTERTAINMENT DESCRIK, TO SOMETIME LATE PRIVATE RETAIL INVESTMENT WITHIN THE AREA, TO IMPROVE THE QUANTITY AND THE QUALITY OF GOODS AND SERVICES AVAILABLE WITHIN THE AREA, AND TO CREATE AND RETAIN JOBS. THE PROGRAM BOUNDARIES FOR THE ELIGIBLE AREA IS CONGRESS AVENUE FROM 11TH STREET ON THE NORTH, TO TOWN LAKE ON THE SOUTH AND THE ALLEYS DIRECTLY EAST AND WEST OF CONGRESS AVENUE. IN THE AREA OF EAST SIXTH BOUNDED BY CONGRESS AVENUE ON THE WEST, THE SOUTHBOUND FRONTAGE ROAD OF I-35 ON THE EAST AND THE ALLEYS DIRECTLY NORTH AND SOUTH OF EAST SIXTH STREET. THE PROGRAM IS SPECIFICALLY DESIGNED FOR EXISTING BUSINESSES WHO ARE CURRENTLY LOCATED IN THE ELIGIBLE AREA THAT ARE AT RISK OF BEING DISPLACED BY DEVELOPMENT AND FOR BUSINESSES WHO WOULD WANT TO LOCATE TO THE ELIGIBLE AREA. ONLY CERTAIN BUSINESS USES ARE ELIGIBLE FOR THE PROGRAM. THOSE USES AS DEFINED IN SECTION 25-2-4 OF THE CITY CODE ARE ART GALLON RIS, FOOD SALES, INDOOR ENTERTAINMENT, RETAIL SALES,

RESTAURANTS AND THEATERS. THE LOANS MAY BE USED FOR FACADE IMPROVEMENTS, TENANT FINISH OUT AND BUSINESS-RELATED EQUIPMENT. TO BE ELIGIBLE TO APPLY FOR A LOAN THE BUSINESS MUST BE CURRENTLY LOCATED WITHIN THE ELIGIBLE AREA OR BE WILLING TO RELOCATE TO THE HE WILL ELIGIBLE AREA AND THE APPLICANT MUST HAVE TWO YEARS OF PRIOR BUSINESS EXPERIENCE AND COMMIT TO RETAINING OR INCREASING THE NUMBER OF JOBS. THE PROGRAM PROVIDES LOW INTEREST LOANS UP TO \$250,000. INCLUDED IN THE GUIDELINES IS A SPECIAL CIRCUMSTANCE PROVISION FOR EXISTING BUSINESSES AT RISK OF BEING DISPLACED. IN SUCH CASES THE CITY MAY INCREASE THE LOAN AMOUNT UP TO \$750,000. THE CITY MAY ALSO CHOOSE TO FORGIVE THE BALANCE OF THE LOAN AFTER FIVE YEARS OF SUCCESSFUL OPERATION WITH NO LOAN DEFAULT OR LATE PAYMENTS. PREFERENCE WILL BE GIVEN TO LOCALLY OWNED, MINORITY OWNED AND WOMEN-OWNED BUSINESS. A FULL ITEMIZATION OF THE LOAN TERMS AND CONDITIONS ARE DETAILED IN THE GUIDELINES. THIS SLIDE DEPICTS SOME OF THOSE CONDITIONS. THE APPLICANT IS REQUIRED TO DEMONSTRATE A FINANCIAL NEED, HAVE APPLICABLE ZONING FOR THE PROJECT PRIOR TO DISBURSING LOAN PROCEEDS, BE CURRENT ON ALL CITY TAXES AND FEES, AND SHOW FEE SIMPLE OWNERSHIP OR A LEASE OF FIVE YEARS OR MORE. SHOULD THE BUSINESSES BE DISCONTINUED OR SOLD PRIOR TO SATISFYING THE TERMS OF THE LOAN, THE BALANCE OF THE LOAN MUST BE PAID IN FULL. LOAN TERMS AND INTEREST RATES WILL BE NEGOTIATED BASED ON THE LOAN AMOUNT, THE TYPE OF PLEDGED COLLATERAL AND THE DEMONSTRATED FINANCIAL NEED. SOURCES OF FUNDS FOR THE PROGRAM WILL BE ALLEY VACATION SALES, TEMPORARY USE OF RIGHT-OF-WAY FEES AND LICENSE AGREEMENTS, ALL DRIEFD.....DIDHE RIEFD FROM.....DERIVED FROM DEVELOPMENT WITHIN THE AREA. ALTHOUGH WE HAVE PROVIDED YOU WITH A RANGE OF ANTICIPATED REVENUE OUR REVENUE ESTIMATES ARE AT BEST ONLY ESTIMATES, AND ARE DEPENDENT ON WHAT WE KNOW AT THIS POINT ABOUT DEVELOPMENT OCCURRING IN THE AREA.

SINCE THE CITY WILL BE PROVIDING THE INITIAL FUNDS IN ANTICIPATION OF REVENUE, WE ARE RECOMMENDING THAT WE USE THE MID RANGE ESTIMATE OF \$556,852 AS A BEGINNING BALANCE FOR THE FUND. IT IS OUR INTENT THAT THIS WILL BE A REVOLVED LOAN FUND THAT WILL BE REPLENISHED BY FEES AND SALES AS DEVELOPMENT OCCURS IN THE AREA. AND, COUNCIL, IF THE PROGRAM IS APPROVED, OUR NEXT STEP WILL BE TO BRING AN ITEM TO YOU AT THE NEXT COUNCIL MEETING, WHICH IS MARCH 1, APPROVING AN ORDINANCE TO AMEND THE OPERATING BUDGET BY CREATING THE BUSINESS RETENTION AND ENHANCEMENT FUND AND APPROPRIATING THE REVENUES. THIS COMPLETES MY PRESENTATION. THANK YOU.

MAYOR WYNN: THANK..... THANK YOU, MS. EDWARDS. MAYOR PRO TEM.

DUNKERLEY: WELL, I APPRECIATE, REALLY, ALL THE HARD WORK YOU DID AND ALL THE HELP AND ADVICE THAT YOU GOT FROM OUR BANKING COMMUNITY AND OTHER EXPERTS IN OUR COMMUNITY, AND I'D LIKE TO KEEP THE BOUNDARIES OF THE ELIGIBLE AREA EXACTLY AS THEY ARE, BUT I WOULD LIKE TO PROPOSE EXPANDING THE AREA IN WHICH THE FEES ARE COLLECTED SLIGHTLY, AND THAT WOULD BE TO INCLUDE BRAZOS STREET ON THE EAST, COLORADO STREET ON THE WEST OF CONGRESS AVENUE, AND 7TH STREET ON THE NORTH AND 5TH STREET ON THE SOUTH AND EAST SIXTH STREET. I THINK BY EXPANDING IT JUST SLIGHTLY WE'LL BE ABLE TO CAPTURE MORE FEES TO GO INTO THE ELIGIBLE AREA WHERE WE HAVE JUST SUCH GREAT NEED. SO THAT WOULD BE MY ONLY SUGGESTION FOR CHANGE.

WE CAN ACCOMMODATE THAT.

MAYOR WYNN: MAYOR PRO TEM, JUST TO CONFIRM WHAT THAT REALLY IS, YOU'RE SAYING PICK UP THE ADDITIONAL HALF BLOCK ON THE OTHER SIDE OF THE ALLEY, SO IT'S JUST THE ACTUAL WIDTH OF THAT FULL BLOCK FROM CONGRESS TO COLORADO,

CONGRESS TO BRAZOS, 6TH TO 5TH AND 6TH TO 7TH, CORRECT? WELL, AND FOR INSTANCE, THERE'S A PROJECT GOING ON TWO BLOCKS AWAY HERE AT THE CORNER OF SECOND AND COLORADO, A LARGE APARTMENT COMPLEX BUILT BY METLIFE THERE AND SO THAT WOULD FALL INTO THIS BOUNDARY, AND THERE'S MEASURABLE FEES BEING PAID SIMILAR TO THESE OUTLINED HERE EARLIER. FURTHER QUESTIONS, COMMENTS? COUNCIL MEMBER COLE?

COLE: I REALIZED THAT WHEN WE FIRST CONSIDERED THIS PROGRAM WE CONSIDERED IT AS A PILOT PROGRAM, AND I FULLY UNDERSTAND THAT UPON YOUR WORK AND I WANT TO SAY THAT I APPRECIATE THAT WORK, THAT WE DETERMINED THAT CONGRESS AVENUE AND SIXTH STREET ARE JUST THE BEST LOCATIONS TO SORT OF BEGIN WITH THE PILOT PROGRAM. I WANT TO ASK YOU A BRIEF QUESTION WITH THE MAYOR PRO TEM'S EXTENSIONS OF THE BOUNDARIES, I UNDERSTOOD THAT TO BE BASICALLY THAT WE'RE INCLUDING THE AREA THAT WOULD ABOUT SIXTH STREET ON 5TH AND 7TH. IS THAT RIGHT?

COUNCIL MEMBER DUNKERLEY IS TALKING ABOUT EXPANDING THE BOUNDARIES SO IT ACTUALLY BEGINS AT FIFTH STREET AND CROSSES OVER TO SEVENTH STREET. SO IT WOULD TAKE IN THE ENTIRE BLOCK AS OPPOSED TO JUST THE HALF BLOCK WITH THE ALLEY.

COLE: AND THAT JUST GIVES US MORE OF AN AREA TO FOCUS ON FOR POTENTIAL FUNDS?

IT DOES. AS YOU NOTICED ON THE SLIDE WHERE WE TALKED ABOUT REVENUES, THERE IS -- THE REVENUE IS DERIVED FROM THE AREA AND THERE IS NOT MUCH THAT REVENUE THAT'S COMING IN RIGHT NOW. AND SO EXTENDING THE BOUNDARIES TO COLLECT THE FEES, YOU WOULD BE INCREASING THE REVENUE THAT COUNCIL MEMBER AT THIS POINT WE DON'T HAVE -- WE DON'T HAVE THAT NUMBER YET.

COLE: OKAY. I APPRECIATE YOUR WORK. THANK



YOU.

THANK YOU.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ?

MARTINEZ: MAYOR, I WANT TO ALSO THANK STAFF FOR THEIR HARD WORK. THIS ORIGINALLY STARTED WITH AN ISSUE THAT WE SAW IN THE WHITE LODGING CASE IN THE 200 BLOCK OF CONGRESS, BUT AS WE TOOK A LOOK AT THAT ISSUE AND SAW THE IMPACT THAT IT WAS HAVING ON THE SMALL BUSINESSES, WE REALIZED THAT THIS WAS SOMETHING THAT WASN'T JUST GOING TO BE A ONE-TIME OCCURRENCE, IF AND WHEN AUSTIN CONTINUES TO GROW, SO I THINK WE TOOK ONE PARTICULAR ISSUE BUT CAME UP WITH A POLICY AND A DIRECTION THAT IS GOING TO BENEFIT DOWNTOWN THROUGHOUT DOWNTOWN, STARTING WITH CONGRESS AVENUE AND SIXTH STREET AND I REALLY APPRECIATE THE HARD WORK AND CREATIVE THINKING THAT STAFF DID ON THIS TO COME UP WITH THIS SOLUTION.

MAYOR WYNN: COUNCIL MEMBER -- COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I BELIEVE I UNDERSTAND BUT I THINK THERE'S BEEN A LITTLE BIT OF CONFUSION OVER WHAT IS ACTUALLY MEANT BY INCLUDING FIFTH AND SEVENTH STREET. I THINK WHAT WE'RE ACTUALLY TALKING ABOUT IS THE AREA WOULD EXTEND FROM, FOR EXAMPLE -- FROM THE NORTHERN RIGHT-OF-WAY OF FIFTH STREET TO THE SOUTHERN RIGHT-OF-WAY OF SEVENTH STREET.

RIGHT.

SO I WOULD JUST SUGGEST WE MAKE THAT CHRIS..... CRYSTAL CLEAR WHEN YOU MAKE THAT ADDITION AND I SUPPORT IT.

WE'LL DO THAT AND WE'LL ALSO INCLUDE A MAP.

MAYOR WYNN: THANK YOU, MS. EDWARDS. WE HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO

ADDRESS THIS ON THIS ISSUE. I SEE AMON BURTON IS HERE WHO SIGNED UP TO SPEAK. WELL COM, AMON, YOU HAVE FIVE MINUTES AND BE FOLLOWED BY CHARLIE BEST.

THANK YOU, MAYOR, AND MEMBERS OF THE COUNCIL. I JUST WILL BE VERY BRIEF. I HAD THREE CONCERNS ABOUT THE GUIDELINES. I GAVE A MEMORANDUM TO LAURA HUFFMAN AND TO SUE EDWARDS. THEY AGREED TO MAKE TWO OF THOSE CHANGES AND THEY CLARIFIED THE THIRD, WHICH SATISFIED MY CONCERN, SO I'M SATISFIED WITH THE GUIDELINES AND I ALSO WANT TO EXPRESS MY APPRECIATION TO LAURA HUFFMAN AND MS. EDWARDS FOR THEIR INCREDIBLE.ABLE WORK FOR PULLING TOGETHER THE GUIDELINES IN ABOUT 30 DAYS AND ALSO THANK YOU AND THE COUNCIL FOR YOUR CONTINUED SUPPORT THAT YOU'VE HAD TO TRY TO PRESERVE BUSINESSES ON CONGRESS AVENUE. THANK YOU VERY MUCH.

THANK YOU, MR. BURTON FOR YOUR HELP ON THE PROJECT. DO YOU WANT TO ACKNOWLEDGE OUR FRIENDS -- OBVIOUSLY AN INSPIRATION FOR THIS IDEA IS, IN FACT, THE POTENTIAL DISPLACEMENT OF THEIR BUSINESS. LASMANITAS BUT AS WE STARTED UNDERSTANDING THEIR CHALLENGES WE SAW THERE ARE COMMONALITIES HERE AND WE CAN PERHAPS, AND WE DID, IN MY OPINION, CRAFT A PROGRAM THAT WILL ALLOW HOPEFULLY THE PREDECESSORS TO APPLY AND LIKELY HAVE SOME ADVANTAGE FROM THIS PROGRAM BUT ALSO STRUCTURED IN SUCH A WAY WHERE IT WILL BE PERHAPS MORE COMMON PRACTICE UP AND DOWN THE AVENUE AND NOW ON EAST SIXTH STREET. SO THANK YOU FOR BEING HERE, SISTERS, AND WE LOOK FORWARD TO YOUR APPLICATION SOON. CHARLIE BETS, THANK YOU -- OR ALEXANDER. TO BE FOLLOWED BY DENNIS MCDANIEL.

THANK YOU, COUNCIL. WE --... THE DOWNTOWN AUSTIN ALLIANCE FULLY SUPPORTS AND ENDORSES THIS PROJECT. WE ARE SO THANKFUL FOR YOU ALL SPONSORING IT AND FOR THE CITY STAFF CRAFTING IT. SUE HE HAD WHAT ARE, LAURA HUFFMAN AND ALL THE STAFF WORKED TIRELESSLY ON THIS

EFFORT AND WE ARE REALLY PLEASED WITH WHAT WE SEE. AS YOU KNOW WE'RE HELPING TO IMPLEMENT THE RETAIL STRATEGY ON CONGRESS AND EAST SIXTH STREET AND THIS JUST ADDS ANOTHER TOOL TO OUR TOOLBOX AND WE THINK IT'S CRITICAL TO SAVE LAST MAKE ANYTIME AS, AT THE SORROWS AND SO WE'RE PLEASED WITH THIS EFFORT. THE ONLY THING THAT WE'D ASK TO YOU CONSIDER IS TO EXPAND THE PILOT TO 24 MONTHS. AS YOU KNOW SOME OF THESE PROJECTS TAKE A LONG TIME TO GO INTO THE PROCESS. AND WE THANK YOU VERY MUCH FOR YOUR SUPPORT.

MAYOR WYNN: THANK YOU, MISALEXANDER.  
MAYOR PRO TEM?

DUNKERLEY: I'M SORRY, I DIDN'T MEAN TO JUMP IN BUT, YOU KNOW, THAT'S PROBABLY -- I MEAN, A GOOD IDEA BECAUSE SOME OF THESE PROJECTS REALLY WON'T BEGIN -- WON'T EVEN HAVE AN IDEA OF THE LEVEL OF FEES WE WOULD EXPECT TO GET WITHIN 12 MONTHS. SO WE MAY AT LEAST WANT TO CONSIDER ON THIS PILOT EXTENDING IT AT LEAST THROUGH THE DEVELOPMENT OF THE THREE OR FOUR MAJOR FIGHTS THAT WE ANTICIPATE COMING ON-LINE. SO, YOU KNOW, JUST A THOUGHT.

MAYOR WYNN: GOOD POINT. LET'S SEE. OUR NEXT SPEAKER, DENNIS MCDANIELS, WELCOME.

MR. MAYOR, MAYOR PRO TEM, COUNCIL MEMBERS, I'M DENNIS MCDANIEL. I'M THE PRESIDENT OF THE HERITAGE SOCIETY OF AUSTIN AND IT'S MY PRIVILEGE AND PLEASURE ON BEHALF OF OUR BOARD OF DIRECTORS AND HUNDREDS OF MEMBERS TO THANK YOU AND CONGRATULATE YOU. THIS IS A VERY GOOD THING YOU'RE DOING. THE RETAIL AND BUSINESS RETENTION PROGRAM FOR CONGRESS AVENUE AND EAST SIXTH STREET ARE TWO ONLY NATIONAL REGISTER COMMERCIAL DISTRICTS IN AUSTIN. IT'S SO IMPORTANT TO OUR CITY. CONGRESS AVENUE, YOU KNOW, THE MAIN STREET OF TEXAS AND EAST SIXTH STREET, THE LARGEST COLLECTION OF COMMERCIAL HISTORIC PROPERTIES IN THE STATE DO SO MUCH FOR OUR CITY IN... AND THE ECONOMIC POTENTIAL IS SO GREAT THAT THERE

AGAIN, I APPLAUD YOU AND CONGRATULATE YOU AND I'D LIKE YOU TO KNOW THAT THE HERITAGE SOCIETY FULLY SUPPORTS YOU AND WE'D LIKE TO DO ANYTHING WE CAN TO HELP YOU. MY ONLY REQUEST IS YOU KNOW THE VALUE OF HISTORIC PRESERVATION. YOU KNOW THAT OF ALL THE THINGS A CITY CAN DO TO INCREASE TOURISM, INCREASE SALES TAX RECEIPTS, INCREASE PROPERTY TAX RECEIPTS, HISTORIC PRESERVATION IS AT THE TOP OF THE LIST. SO MY REQUEST IS THAT YOU MAY HISTORIC PRESERVATION AN INTEGRAL PART OF YOUR PROJECT. WE'RE BEHIND YOU AND WE'D LIKE TO HELP IN ANY WAY WE CAN. THANK YOU.

MAYOR WYNN: THANK YOU, MR. MCDANIEL. LET'S SEE, JOSH ALLEN HAS SIGNED UP AVAILABLE TO ANSWER QUESTIONS IF NEED BE. JOSH, OF COURSE, IS THE DIRECTORRER OF THE EAST SIXTH STREET PROPERTY OWNERS ASSOCIATION. WE ALSO HAD LINDA AND WILLIAM HOLIDAY SIGNED UP WISHING TO... NOT WISHING TO SPEAK AS DID JAMES CHAMBER LYNN. NOT WISHING TO SPEAK. ARE THERE ANY ADDITIONAL SPEAKERS WHO WOULD LIKE TO ADDRESS IT... THIS? SCOTT.

GOOD MORNING, MAYOR, MAYOR PRO TEM, MISFUTRELL, COUNCIL MEMBERS TO THE CITY STAFF. I'M SCOTT JOHNSON. I DIDN'T ORIGINALLY SIGN UP FOR THIS. THERE ARE SO MANY GOOD ITEMS ON...ON THIS AGENDA BUT I DO STRONGLY SUPPORT THE DIRECTION OF THIS ITEM AND WANT TO SAY THAT WHILE WE -- AUSTIN ENERGY WEARS TWO HATS, IN ESSENCE THEY'RE THE ENVIRONMENTAL LEADER WITHIN THE CITY BUT THEY ALSO SUPPORT AND FUND ECONOMIC DEVELOPMENT, AND WHAT I'D LIKE TO SEE IS THAT THOSE TWO DEPARTMENTS WORK MORE CLOSELY TOGETHER. FOUR OR FIVE YEARS AGO I FACILITATED A MEETING BETWEEN MS. EDWARDS AND THE GREEN BUILDING PROGRAM TO HELP HER LEARN MORE ABOUT THAT PROGRAM BECAUSE SHE AND THE COUNCIL MEMBERS AND THE MANAGEMENT SHOULD BE PROMOTING THAT PROGRAM IN GREEN CHOICE AS ONE OF THE GOALS OR THE IDEALS AND THE CORE VALUES FOR THE CITY. AND SOME PEOPLE WHO LOOK AT AUSTIN

SUCCUMB TO EXPAND HERE OR RELOCATE HERE, THEY DON'T KNOW ABOUT THESE PROGRAMS. SO IN THE DELIBERATION ABOUT THIS PROGRAM, AND I REALIZE THAT THERE ARE MANY NEEDS WITH THESE SMALL BUSINESSES. SOME OF THOSE BUILDINGS DO NOT MEET ANY REASONABLE CODE FOR ENERGY EFFICIENCY. OBVIOUSLY NOT THE THE MOST CURRENT. MAYBE THEY MEET ONE THAT'S FIVE OR TEN YEARS OLD, BUT WE NEED ON... TO CONSIDER THAT IN THIS PLAN AS A REQUIREMENT, AND PERHAPS FOR THE CITY TO FUND IT. THEY ALREADY HAVE THE WEATHERIZATION PROGRAM, BUT WITH THE -- WITH THE GREENHOUSE GAS EMISSION SURVEY, IF YOU COME BACK AND SAY, NOT ONLY DO RESIDENCES BUT COMMERCIAL STRUCTURES HAVE TO UPGRADE AT THE TIME OF SALE, WHICH COULD BE APPROPRIATE, THERE'S NO BETTER PLACE ON... TO START THAN CONGRESS AVENUE. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, MR. JOHNSON. COUNCIL, I BELIEVE THAT CLUES OUR SPEAKER.....CONCLUDES OUR SPEAKER LIST FOR THIS ITEM NO. 3. COUNCIL MEMBER KIM?

KIM: I WAS WONDERING IF THE STAFF COULD PROVIDE US WITH SOME INFORMATION ON WHAT WE CAN DO TO HELP THE DAY CARE THAT IS ON CONGRESS AVENUE. THIS IS THE DAY CARE THAT HAS STRUGGLED TO FIND A LOCATION FOR THEIR -- THEIR CHILDREN AND THE PARENTS ARE CONCERNED ABOUT IT, AND IT DOESN'T LOOK LIKE IT'S FEASIBLE TO LOCATE ON CONGRESS AVENUE. SO THIS FUND WOULD NOT -- THEY WOULD NOT BE ELIGIBLE FOR THIS FUND. AND I JUST WAS WONDERING IF THERE'S ANYTHING THAT WE CAN THINK OF IN PROVIDING ASSISTANCE TO ALLOW THEM TO HAVE THE CHILDREN AS CLOSE TO THE PARENTS' WORK AS POSSIBLE.

COUNCIL MEMBER, PAUL HILGERS, DIRECTOR OF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. AND THIS WOULD APPLY TO US WORKING CLOSELY WITH THE ECONOMIC GROWTH AND REDEVELOPMENT SERVICES OFFICE ON ANY ENTITY THAT WOULD BE -- THAT THEY COULD FIND

THAT COULDN'T BENEFIT FROM THESE PROGRAMS. WE HAVE OUR NEIGHBORHOOD COMMERCIAL MANAGEMENT PROGRAM THAT WE HAVE -- WE HAVE SPOKEN TO THE OWNERS OF LAS, MANITAS AND THEY'RE HELPING US TO MARKET THIS TO OTHER PEOPLE IN THE CORRIDOR AS WELL, INCLUDING THE CHILD CARE FACILITY THAT YOU SPEAK OF. WE HAVE FUNDED OTHER CHILD CARE FACILITIES IN THE PAST WITH THIS PROGRAM. IT'S REALLY A JOB CREATION AND RETENTION PROGRAM, AND WE'RE HOPEFUL THAT THAT MIGHT BE AN OPPORTUNITY FOR THEM. SO WE --

IS THAT A GRANT OR A LOAN PROGRAM?

IT'S A LOAN PROGRAM. AND WE WOULD WORK WITH THEM TO STRUCTURE THAT LOAN IN A WAY THAT WOULD BE BENEFICIAL TO THEM AND TO THEIR BUSINESS AND WE HAVE ABOUT 16 OF THEM RIGHT NOW THAT ARE WORKING ACROSS THE CITY AND WE'VE JUST RECEIVED ANOTHER ALLOCATION FROM THE FEDERAL GOVERNMENT TO EXTEND THAT PROGRAM IN THE FUTURE. SO --

DO YOU KNOW HOW MUCH THAT WAS, THAT EXTENSION WAS FOR?

YEAH, IT WAS FOR \$3 MILLION.

3 MILLION.

AND THAT'S A REVOLVING LOAN POOL SO IT'S A VERY IF YOU CAN FULL.....SUCCESSFUL PROGRAM AND WE WILL BE GLAD TO SIT DOWN WITH THEM AND WORK THROUGH HOW THIS PROGRAM MIGHT SERVE THEM, AND THAT'S THE BEST OPTION THAT WE CAN FIND RIGHT NOW, AND THEN OF COURSE WE WILL CONTINUE TO EXPLORE OTHER OPTIONS WITH THEM BECAUSE OF THE SIGNIFICANCE OF HAVING THAT FACILITY AS CLOSE AS, YOU SAID, TO WHERE PEOPLE WORK. WE KNOW THAT'S A CHALLENGE.

THE CONGRESS AVENUE RETENTION FUND, THAT IS A FORGIVABLE LOAN AFTER FIVE YEARS, IS WHAT I UNDERSTAND. THIS POT OF MONEY THAT ESCALITA

WOULD APPLY FOR, COULD ANY OF THAT BE FORGIVEN OR DOES THE PRINCIPAL ALL NEED TO BE PAID BACK.

IT WOULD ALL NEED TO BE PAID BACK, PLUS THE INTEREST.

PLUS THE INTEREST.

YES, MA'AM.

SO IT'S NOT AS HELPFUL TO THEM AS WHAT WE'RE PASSING TODAY WOULD BE FOR LASMANITAS BECAUSE THEY'RE TWO DIFFERENT FUNCTIONS.

YOU'RE CORRECT. AND WE WOULD NEED TO WORK WITH THEM ON HOW THEY STRUCTURE THEIR FINANCES AND HOW -- LEVERAGE OUR MONEY WITH ANOTHER LENDING INSTITUTION, POTENTIALLY, WHICH WE HAVE DONE IN OTHER CASES WITH OTHER CHILD CARE FACILITIES AND HOPEFULLY WE COULD COME UP WITH A PACKAGE THAT WOULD BE BENEFICIAL FOR THIS BUSINESS AS WELL.

KIM: BUT I DO....

BUT I DO WANT TO SAY THEY'RE LOW INTEREST LOANS. THEY CAN BE REAR LOADED WHEN -- TO HELP MAKE A MOVE SO THEY CAN BE STRUCTURED IN A WAY TO HELP A BUSINESS. THEY'RE A LITTLE MORE FLEXIBLE.

YES, AND THEY CAN HELP SECURE ADDITIONAL LOWER INTEREST PRIVATE SECTOR DOLLARS BECAUSE WE'RE INVESTING THIS..... AS PARTNER. SO THAT'S THE WAY THE PROGRAM IS SUPPOSED TO WORK.

IT WORKS AS A LEVERAGE LOAN.

LOAN.

KIM: I JUST WISH THERE WAS MORE COMMUNITY ATTENTION TO THIS DAY CARE. I THINK A RESTAURANT IS -- LASMANITAS, I LOVE THAT RESTAURANT, BUT THIS IS A VERY IMPORTANT

SERVICE TO PARENTS, AND IT'S A WORK FORCE DEVELOPMENT ISSUE. IT IS ABOUT CHILDREN, IT IS ABOUT MAKING SURE THAT THEY ARE CLOSE BY TO THE PARENTS. THE PARENTS HAVE PEACE OF MIND THAT THEY ARE THERE AND THEY CAN VISIT THEM WHENEVER THEY NEED TO OR PICK UP A SICK CHILD IF THEY NEED TO OR VISIT A CHILD, AND I JUST WISH THAT THERE..... THERE WAS SOMETHING THAT WE COULD DO AS A COMMUNITY TO HELP THEM OUT, INCLUDING THE DOWNTOWN COMMUNITY. I THINK THAT THE POTENTIAL LOSS OF -- IMPENDING LOSS OF THIS DAY CARE FACILITY DOWNTOWN IS REALLY GOING TO HURT ALL OF US IN MAKING SURE THAT DOWNTOWN IS LIVABLE AND THAT WE HAVE A THE QUALITY OF LIFE THAT WE ENJOY, ESPECIALLY AS WE'RE BUILDING OUT DOWNTOWN AND ADDING MORE RESIDENTS. SO I'D LIKE TO CONTINUE TO WORK WITH THE STATE AND WITH THE STAFF HERE AS WELL AS THE DOWNTOWN COMMUNITY TO FIND WAYS THAT WE WILL MAKE CHILD CARE MORE ACCEPTABLE TO THE DOWNTOWN COMMUNITY, EVEN IF IT INCLUDES CHANGING THE REGULATIONS, CHANGING OUR CODES OR EVEN AT THE STATE LEVEL, BECAUSE THIS IS NOT AN ISSUE THAT ONLY WE ARE FACING. I'M SURE OTHER PLACES IN THE UNITED STATES ARE FACING THIS AS WELL. THANK YOU.

MAYOR WYNN: COUNCIL MEMBER -- IS MS. EDWARDS STILL IN THE ROOM? COUPLE QUESTIONS FOR YOU. THE PRESENTATION OVER THIS PAST SEVERAL DAYS I KNOW THAT WE TALK ABOUT WHERE WE WOULD LIKE TO SEE THE DOLLARS SPENT, AND I REMEMBER ONE OF THEM WAS -- WAS FACADE RESTORATION, OR ESSENTIALLY A LOT OF IT WAS WHAT I CALL IN A GOOD WAY, HARD CONSTRUCTION COSTS, STICKS AND BRICKS AND MORTAR, ACCESSIBILITY, CODE COMPLIANCE, THAT SORT OF STUFF. CAN WE TALK ABOUT THE FACT THAT BY DEFINITION THE BOUNDARIES OF THIS ARE OUR TWO NATIONAL HISTORIC REGISTER DISTRICTS. IT SEEMS TO ME THAT IT WOULD BE WHOLLY APPROPRIATE THAT -- I GUESS OUR HISTORIC LARKS COMMISSION HAS SOME OVERSIGHT OVER THOSE TWO -- THOSE TWO BOUNDARIES, THOSE TWO DISTRICTS WHEN IT COMES TO -- I THINK WHEN ONE



PULLS A BUILDING PERMIT, I.. I BELIEVE THAT THERE IS SOME TYPE OF HISTORIC LANDMARKS COMMISSION OVERSIGHT. I'D...I'D LIKE TO MAKE SURE WE REITERATE THAT ON LOOK AT WHAT THE FORMAT IS WHEREBY THE LANDMARK COMMISSION IS INCLUDED IN, YOU KNOW, THIS PROGRAM, PARTICULARLY WHEN.... WHEN -- NOT REWARDING THE DOLLARS BUT, IN FACT, IF THE AWARD IS GOING TO A PROJECT THAT'S GOING TO SPEND DISPROPORTIONATELY A LOT OF IT ON EXTERIOR RENOVATION WE WOULD WANT TO BE COMPLIANT AND ENCOURAGING AS MUCH AS POSSIBLE THE ADDITIONAL RESTORATION OF HISTORIC NATURE. AND THEN SECONDLY, MR. JOHNSON'S COMMENTS ON GREEN BUILDING I THOUGHT WERE VERY WELL MADE, AND THAT TECHNICALLY AS HERE LATER ON WHEN WE HOPEFULLY TALK ABOUT IT AND HOPEFULLY PASS THE AUSTIN CLIMATE PROTECTION PLAN, A BIG PART OF THAT PLAN, SOME OF IT IS ACTUALLY SOMEWHAT CONTROVERSIAL, IS THAT THE REQUIREMENT THAT OUR EXISTING STOCK OF BUILDINGS, BOTH HOMES AND OFFICE BUILDINGS, BE UPGRADED SUBSTANTIALLY WHEN IT COMES TO ENERGY EFFICIENCIES. AND SO IT SEEMS TO ME IT WOULD BE VERY APPROPRIATE AND CONSISTENT FOR US TO TAKE A PROGRAM WHERE WE'RE HELPING FOLKS RESTORE, ADAPTIVELY REUSE A STRUCTURE HERE IN OUR DOWNTOWN, EXISTING STRUCTURES LIKELY, THAT WE REQUIRE ENERGY EFFICIENCY, YOU KNOW, OF THE SENSITIVITY TO THE HISTORIC NATURE OF EITHER THE -- IF NOT THE BUILDINGS, CERTAINLY THE DISIKT THAT THEY ARE IN. SO CAN YOU TALK ABOUT WHAT WE MIGHT CAN DO TO FACILITATE THAT?

AS WE'VE POINTED OUT THESE ARE GUIDELINES AND THE ADMINISTRATIVE INSTRUCTIONS WILL GO BEHIND THAT. WE CAN CLEARLY ADD THOSE AS A REQUIREMENT. EACH ONE OF THE -- ONE OF THESE LOANS IS NEGOTIATED SEPARATELY. BASED ON THE BUILDING OR FACADE OR TENANT FINISH-OUT. SO THAT COULD BE A PART OF THE NEGOTIATION THAT WE COULD INCLUDE, IF YOU WOULD LIKE FOR US TO. WE ALSO CAN INCLUDE IT IN THE INSTRUCTIONS, IN THE GUIDELINES. WE HAVE RIGHT NOW

RESTORATION OF DETAILS AND HISTORICALLY CONTRIBUTING OR SIGNIFICANT BUILDINGS WITH THE EXPECTATION THAT WE WOULD BE GOING BEFORE THE COMMISSION WHEN THERE ARE CERTAIN HISTORIC BUILDINGS INVOLVED.

MAYOR WYNN: VERY GOOD.

ONE WAY TO DO IT MIGHT BE DEPENDING ON WHAT THEY ARE USING THE MONEY FOR, TO THEN TIE IT TO THESE ITEMS, SO IF THEY'RE USING THE MONEY TO PUT EQUIPMENT IN, WE MIGHT THEN ASK FOR ENERGY EFFICIENT EQUIPMENT TO BE PURCHASED. IF THEY'RE USING THE MONEY TO RENOVATE, WE COULD ASK FOR ENERGY AUDITS AS PART OF -- SO WE COULD WORK THROUGH SOME GUIDELINES TO HELP AS PART OF THIS.

WE CAN, YES.

MAYOR WYNN: LASTLY I'LL JUST CHIME IN IN SUPPORT OF MAYOR PRO TEM'S EARLIER COMMENT, IT SEEMS TO ME UNDERSTANDING AND APPRECIATE THE PILOT NATURE OF THE PROGRAM, BUT ALSO THE NATURE OF WHERE WHERE THE REVENUE WILL BE COMING FROM. SOME OF THESE PROJECTS NOT ONLY HAVE LENGTHY GESTATION ON THEM. EVEN ONCE THEY ARE TRIGGERED IT WILL BE , YOU KNOW -- IT COULD EASILY BE 20 MONTHS OR SO WORTH OF FEES BEING PAID AS CERTAIN LANES ARE CLOSED FOR CERTAIN PERIODS OF TIME ON SOME OF THESE PROJECTS. SO I WOULD BE SUPPORTIVE OF AN EXTENDED TIME FRAME FOR THIS PILOT. FURTHER QUESTIONS OF STAFF? COMMENTS, COUNCIL? THEN IF NOT I'LL ENTERTAIN A MOTION ON THIS ITEM NO. 3, THE BUSINESS RETENTION AND ENHANCEMENT PROGRAM. MOTION MADE BY COUNCIL MEMBER MARTINEZ TO APPROVE ITEM NO. 3. SECONDED BY COUNCIL MEMBER MCCracken. THANK YOU. MAYOR PRO TEM, WOULD YOU LIKE TO PROPOSE A FRIENDLY AMENDMENT, PERHAPS?

DUNKERLEY: YES, I WOULD LIKE TO PROPOSE AN AMENDMENT AS I READ EARLIER ABOUT EXPANDING THE AREA FROM -- TO INCLUDE BRAZOS STREET AND COLORADO STREET EAST AND WEST

AND THEN 7TH AND 5TH ON NORTH AND SOUTH SIDE OF THE DISTRICT.

COUNCIL MEMBER, DO YOU CONSIDER THAT A FRIENDLY AMENDMENT? AND PURSUANT TO COUNCIL MEMBER LEFFINGWELL'S EARLIER COMMENTS I TRUST WHERE WE'RE REALLY DEFINING THOSE BOUNDARIES AND OF COURSE SHOWING IT GRAPHICALLY AS WELL.

MAYOR?

MAYOR WYNN: YES.

MAYOR PRO TEM DUNKERLEY HAD MENTIONED THE LENGTH OF THE PILOT PROGRAM. I WAS WANTING TO SEE IF THAT'S STILL SOMETHING --

DUNKERLEY: YES, I'D LIKE TO INCLUDE THAT.

MAYOR WYNN: 24 MONTHS?

DUNKERLEY: WELL, 24 MONTHS OR UNTIL THOSE BUILDINGS ARE COMPLETE AND WE WOULD REQUEST THE STAFF TO COME BACK IF THEY NEED AN EXTENSION BEYOND THAT.

MAYOR WYNN: AND SO COUNCIL MEMBER, FRIENDLY AMENDMENT? SO AGAIN -- SO MS. EDWARDS, SO THE PILOT THEN WILL BE DEFINED AS A 24 MONTH PILOT AS WELL AS WE WILL DEFINE A PROJECT, SHOULD IT BE OCCURRING IN THAT TIME, IT COULD ALSO BE THAT A TWO-YEAR CONSTRUCTION TIME WOULD TAKE IT BEYOND THE 24 MONTHS, BUT THOSE FEES THAT WOULD BE BROUGHT IN BY THAT PROJECT, STARTING WIN.... WITHIN THE NEXT 24 MONTHS STILL GET ROLLED INTO THE PROGRAM. THANK YOU. FURTHER COMMENTS, QUESTIONS? COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: I GUESS THE DISCUSSION, IT WOULD BE IN THE GUIDELINES ON GREEN BUILDING, GREEN BUILDING UPGRADES, THAT WOULD NOT BE A PART OF THE -- PART OF THE ITEM WE'RE ADDRESSING RIGHT NOW BUT THAT WOULD JUST BE DEVELOPED

IN ADMINISTRATIVE GUIDELINES? IS THAT WHAT YOU SAID?

YES, THEY WOULD BE.

LEFFINGWELL: OKAY.

MAYOR WYNN: AGAIN, WE HAVE AN AMENDED MOTION AND A SECOND ON THE TABLE TO APPROVE ITEM NO. 3. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. COUNCIL, THAT TAKES US TO OUR NOON GENERAL CITIZENS COMMUNICATION. WE HAVE A HANDFUL OF FOLKS WHO HAD SIGNED UP WISHING TO ADDRESS US. WE'LL START WITH MR. BOB WILLIAMSON WHO I HAVEN'T SEEN YET THIS MORNING. HE SIGNED UP WISHING TO ADDRESS US DURING CITIZEN COMMUNICATION AS DID GARY JOHNSON. WELCOME, GARY. YOU'LL HAVE THREE MINUTES AND BE FOLLOWED BY CAROL..... CAROLANNEROSE KENNEDY.

MY NAME IS GARY JOHNSON. THE CITY OF AUSTIN PAYS A PRIVATE CONTRACTOR TO MANAGE THE THREE PUBLIC ACCESS TELEVISION CHANNELS, 10, 11 AND 16. THE CURRENT TWO-YEAR CONTRACT BEGAN ON OCTOBER 1, 2005, AND ENDS SEVEN MONTHS FROM NOW ON SEPTEMBER 30, 2007. UNDER THE EXISTING CONTRACT THE CITY HAS THE OPTION OF RENEWING THE CONTRACT WITH THE SAME CONTRACTOR FOR ANOTHER TWO YEARS, OR THE CITY HAS THE OPTION OF OPENING THE PROCESS TO COMPETITIVE BIDDING. TODAY I URGE THE CITY COUNCIL TO LOOK AT BEGINNING THE PROCESS OF OPENING THE RENEWAL OF THE CONTRACT TO COMPETITIVE BIDDING INSTEAD OF AN AUTOMATIC RENEWAL WITH THE SAME CONTRACTOR. THE CITY SHOULD ISSUE A REQUEST FOR PROPOSALS, AN RFP. THE CITY SHOULD SOLICIT AS MANY PROPOSALS AS POSSIBLE. THE CITY SHOULD, OF COURSE, INVITE THE CURRENT CONTRACTOR PUBLIC ACCESS,

COMMUNITY TELEVISION, INCORPORATED, TO MAKE ITS OWN BID, BUT THE CONTRACT SHOULD NOT BE AUTOMATICALLY RENEWED IN SOME BACK ROOM SWEETHEART DEAL. EVEN IF THE TAX EXEMPT CORPORATION, PACT, IS THE ONLY BIDDER, THE COMPETITIVE BIDDING PROCESS SHOULD PROVIDE THE OPPORTUNITY FOR A MUCH NEEDED REVIEW OF ITS PERFORMANCE. I AND OTHER PRODUCERS AT PUBLIC ACCESS TELEVISION ARE DISSATISFIED WITH THE SITUATION THERE. THE PRIVATE CONTRACTOR IS MAKING IT HARDER, NOT EASIER, FOR PRODUCERS TO PRODUCE TELEVISION SHOWS. THE RULES HAVE GROWN FROM 19 PAGES TO 38 PAGES. THE PRODUCERS ARE FINED AND PUNISHED FOR VIOLATING THESE RULES BUT THE STAFF, MANAGEMENT AND BOARD ROUTINELY IGNORE THEIR OWN POLICIES AND PROCEDURES OR THE MANAGERS START ENFORCING PROPOSED RULES BEFORE THEY HAVE BEEN ADOPTED. THE BOARD OF DIRECTORS MEETS IN LENGTHY EXECUTIVE SESSIONS WITHOUT EXPLANATION. MANY LONG-TIME PRODUCERS HAVE QUIT. THEY CANNOT KEEP UP WITH THE VAGUE REQUIREMENTS FOR CREW CERTIFICATION, THE UNCERTAINTY OF THE SCHEDULE CHANGING EVERY FOUR MONTHS, THE FRUSTRATION OF THEIR TAPES NOT RUNNING ON TIME, ET CETERA. IF YOU WATCH PUBLIC ACCESS YOU CAN SEE FOR YOURSELF THAT THERE ARE FEWER PROGRAMS AND THERE ARE MORE HOURS OF SLIDE SHOWS BETWEEN PROGRAMS. THE CITY OF AUSTIN SHOULD NOT AUTOMATICALLY RENEW THE CONTRACT WITH PACT FOR ANOTHER TWO YEARS. INSTEAD, THE CITY SHOULD ISSUE A REQUEST FOR PROPOSALS AND OPEN THE PROCESS TO COMPETITIVE BIDDING AS SOON AS POSSIBLE, EVEN IF PACT IS THE ONLY BIDDER, THERE NEEDS TO BE A REVIEW OF ITS PERFORMANCE.

MAYOR WYNN: THANK YOU, MR. JOHNSON. CAROLANNEROSE KENNEDY SIGNED UP WISHING TO ADDRESS US, AS DID ROBERT MACDONALD. MR. MCDONALD, WELCOME. YOU'LL HAVE THREE MINUTES AND BE FOLLOWED BY DONALD WILL HEIGHT.

GOOD MORNING. AS A GOD FEARING PEACE LOVING

NATIVE AMERICAN I ADDRESS YOU-ALL. I WANT TO THANK YOU FOR YOUR WORK ON BUILDING AUSTIN TO BECOME A WORLD CLASS CITY. THE GREEN PROJECTS THAT HAVE GONE ON THAT THE CITY SUPPORTED IS ALL FINE, AND THE SAVING OF THE SAL MANNEDDERS OVER THERE..... THERE IN BARTON CREEK IS FINE, BUT WHAT ABOUT THE LITTLE GUYS DOWN HERE, THE ONES THAT ARE WORKING FOR A LIVING? WE HAVE A PROBLEM WITH OUR LIVING WAGE HERE IN AUSTIN. HOUSING VERY HIGH COST BUT YET WE HAVE A LOT OF HIGH-TECH JOBS THAT PAY VERY GOOD MONEY AND THOSE PEOPLE CAN AFFORD NICE HOUSES BUT THE PEOPLE HAR.... THAT ARE WORKING IN THE LITTLE PLACES, NOT MUCH. SOMEBODY MAKING 5.25 AN HOUR, HAVE TO WORK 60, 70 HOURS A WEEK TO PAY FOR A PLACE TO LIVE. AND THEY HAVE TO BUY HOT DOGS TO EAT BECAUSE THEY HAVE NOTHING LEFT OVER. I'D LIKE FOR AUSTIN TO CONSIDER WHAT SOME OTHER CITIES ACROSS THE NATION HAVE DONE ABOUT IMPOSING THEIR OWN LIVING WAGE, SO PLACES LIKE WAL-MART AND OTHER BIG BOX RETAILERS COME IN, THEY CAN'T PAY THEIR LITTLE WORKERS NO MORE THAN 5.25.....5.25 AN HOUR. MAKE THEM PAY A REAL LIVING WAGE. HOW WILL THAT DO AUSTIN, SHAPE AUSTIN? FIRST, PEOPLE THAT CAN'T AFFORD A HOUSE, THEY HAVE TO GO TO THE EMERGENCY CENTER WHENEVER THEY GET SICK AND PEOPLE THAT ARE LIVING OUTSIDE GET SICK MORE OFTEN. THEY'LL SAVE A LOT OF MONEY AT BRACKENRIDGE. SORRY, UNFORTUNATELY I POLICY SCRIES THAT I DIDN'T DO THE WHOLE STUDIES AND FIND OUT HOW MUCH MONEY IS WASTED, BECAUSE PEOPLE CAN'T SLEEP INSIDE. IT'S A LOTTO. HAVE....HAVE YOU BEEN DOWN TO THE ARCH AT NIGHT TO SEE HOW MANY PEOPLE TRYING TO GET A TICKET FOR A BED AND HOW MANY PEOPLE WALK AWAY, HOW MANY PEOPLE SLEEP ON CHURCH DOORSTEPS BECAUSE THEY CAN'T GET INSIDE? IT'S A SERIOUS ISSUE, FOLKS. YOU KNOW, I APPLAUD SOME OF THE WORK THAT YOU'VE DONE. I MEAN, YOUR EFFORTS IN WHEN THE KATRINA DISASTER HAPPENED, THE EFFORTS YOU DID TO HELP THEM, TO GO DOWN THERE AND SEE WHAT YOU COULD DO FOR THEM. I WALKED THROUGH THAT STUFF AND I COULDN'T HANDLE IT. IT WAS

TOO DEPRESSING FOR ME. THIS IS DEPRESSIVE TOO. I KNOW PEOPLE OUT THERE IN THE STREETS. I KNOW PEOPLE LIVING IN THE WOODS BECAUSE, FRANKLY, THEY GO TO WORK AT A DAY LABOR OFFICE AND THEY MAKE \$42. THEY TAKE HOME \$42. HOW MUCH IS A HOTEL ROOM IN THIS TOWN? \$50? \$70? THE CHEAP ONES WHERE THE CRACK PEOPLE ARE SMOKING CRACK AT, YEAH, YOU CAN GET ONE OF THOSE FOR \$29, BUT WHO WANTS TO BE IN THAT NEIGHBORHOOD WHEN THEY WANT TO BETTER THEMSELVES, WHEN THEY WANT TO BETTER THEIR FRIENDS THAT ARE OUT THERE IN THE WOODS. WE NEED A REAL LIVING WAGE. YOU MADE A PROGRAM UP FOR HELPING BUILDERS WITH AFFORDABLE HOUSING. HELP THE PEOPLE THAT NEED HOUSING AFFORD THE HOUSING AND THE BUILDERS WON'T HAVE TO COME TO YOU FOR LITTLE TOOLBOXES AND TOOLS TO PUT IN THE LITTLE BOXES AND GET ALL THESE BIG BREAKS SO THEY CONTINUE BUILDING THEIR BIG MANSIONS FOR THEMSELVES AND NOT DOING STUFF FOR THE LITTLE PEOPLE. YOU PROTECTED THE SAL MANNEDDERS. NOW PROAK THE LITTLE PEOPLE. THANK YOU.

THANK YOU, MR. MCDONALD. DONALD WILLHEIGHT. WELCOME, YOU WILL THREE MINUTES AND YOU'LL BE FOLLOWED BY PAUL ROBBINS.

WE'VE BEEN TRYING TO STOP DRUGS OUT HERE FOR QUITE A WHILE AND I DON'T SEE ANYTHING WE'VE BEEN DOING MAKING MUCH OF A DIFFERENCE. THE BIBLE SAYS TO GIVE OUR PROBLEMS UP TO GOD. WELL, ALL THE MEMBERS OF THE BELIEVERS IN GOD MAKE UP THE BODY OF CHRIST. WE STAND UP TOGETHER AND CONFESS THE PROBLEMS, NOT LEAVE IT IN ALLOW ENFORCEMENT HANDS. WE KNOW THERE'S DRUGS BEING DEALT AT 12TH AND CHACON. LET'S OVERPOWER THEM, NOT TAKE IN FORCE BUT GO OUT THERE AND BE OUT THERE IN FRONT OF THEM WHERE THEY CAN'T DEAL DRUGS. WHEN THEY MOVE TO ANOTHER PLACE, MOVE RIGHT WHERE THEY ARE. DRUGS KEEPING ON GETTING WORSE ARE GOING TO EVENTUALLY GET TO OUR CHILDREN AND OUR GRANDCHILDREN. YOU KNOW, VIOLENCE GETS MORE. MINIMUM WAGE. PEOPLE GO OUT AND STEALING STUFF BECAUSE

THEY DON'T MAKE NOTHING WORKING. IF THEY'VE GOT SOME INCENTIVE TO BE WORKING THEN THE CRIME WOULD GO DOWN. ALL THE CHURCHES HAVE BEEN TRYING TO GO AROUND AND TALK TO, I'VE BEEN TALKING TO, DON'T SEEM TO UNDERSTAND GETTING TOGETHER AND FACING THE POLITICAL PROBLEMS OF THE WORLD BECAUSE BECAUSE UNTIL WE DO IT, UNTIL EVERYBODY COMES TOGETHER AND TRIES TO DO SOMETHING, SACRIFICE TWO HOURS OUT OF THEIR DAY ONCE A WEEK, TWO HOURS ONCE A WEEK OF EVERY PERSON IN THIS CITY COULD MAKE A DIFFERENCE TO GO OUT THERE AND CUT DOWN DRUGS. THERE'S DRUGS BEING DEALT IN BETWEEN THE ARCH AND SALVATION ARMY EVERY DAY. THOSE PEOPLE MAKE A LITTLE PAYCHECK AND IT'S IN THEIR FACE. IF THEY'RE WANTING TO LEAVE IT THEY'RE SITTING THERE GETTING IT PUSHED IN THEIR FACE EVERY DAY. LET'S STAND OUT THERE AND BABY-SIT THEM. THAT'S ABOUT IT FOR NOW.

MAYOR WYNN: THANK YOU, MR. WILL DLIT HITE. PAUL ROBBINS HAS SIGNED UP WISHING TO ADDRESS US. PAUL ROBBINS, AND PAT JOHNSON. WELCOME, PAT. YOU'LL BE FOLLOWED BY KELLY MCDONALD.

GOOD DAY, COUNCIL, MAYBE, TOBY. YOU KNOW, I WANT TO SPEAK TO YOU-ALL TODAY, IF YOU-ALL CAN WATCH ME WHEN I'M TALKING TO YOU, BREWSTER. I SPOKE WITH REBECCA CLARK ABOUT THIS YESTERDAY BUT THERE'S A GRAVE INJUSTICE GOING ON OVER AT MUNICIPAL COURT. TAKE FOR AN EXAMPLE, WE HAVE THE PUBLIC FILING OFFENSES REPORTS FOR ILLEGAL TOES. IT'S HARD ENOUGH TO GET A CITIZEN TO COME IN AND GIVE A WRITTEN STATEMENT TO THE POLICE TO PURSUE THE CRIMINAL CHARGES AGAINST THESE TOWING COMPANIES BUT WHAT IS REALLY UPSETTING IS WHENEVER YOU SHOW UP TO COURT TO... YOU HAVE THE DEFENDANT, YOU HAVE THE VICTIM, YOU HAVE THE WITNESS AND THE DETECTIVE THAT SHOWS UP IN MUNICIPAL COURT ONLY TO SEE IT GET RESET AND IT MAY GET RESET AGAIN AND AGAIN AND AGAIN. SO WHAT THAT DOES, THAT REALLY DOESN'T SOLVE ANYTHING, BECAUSE EVERY TIME A



POLICE OFFICER SHOWS UP FOR MUNICIPAL COURT, SAY, FOR INSTANCE, THAT OFFICER MIGHT BE OFF DUTY. HE GETS PAID OVERTIME. WE MAY BE SPENDING 12, \$1,500 PER OFFICER TO SHOW UP IN MUNICIPAL COURT ONLY FOR THE CASE TO BE RESET. WE HAVE TO DO SOMETHING ABOUT THIS CONTINUOUSLY RESETTING OF MUNICIPAL COURT. BECAUSE TAKE FOR INSTANCE THE FINE FOR VIOLATING A TOWING STATUTE IS A THOUSAND \$65. I'M SURE THE TAXPAYERS WOULD LIKE TO SEE THE MONEY IN THE GENERAL FUND INSTEAD OF IN THE TOWING COMPANIES' POCKETS. NOW, I'VE TALKED ABOUT THIS BEFORE, BUT SINCE THE NEW RULES WENT INTO EFFECT, DIRECTOR OF ENFORCEMENT UNIT ON A SCALE OF 1 TO 10 AS FAR AS CUSTOMER SERVICE IS BETWEEN A 4 AND A 5 BECAUSE THEY SPEND MORE TIME BEING RELIED ON FOR OTHER DEPARTMENTS. WE STILL ARE NOT HAVING THE COMPLIANCE THAT WE WANT FROM THE TOWING COMPANIES BECAUSE THEY HAVE NO INCENTIVE TO COMPLY BECAUSE WHEN THEY GO OUT AND TARGET CERTAIN SEGMENTS OF THE COMMUNITY, THEY ARE LESS LIKELY TO CHALLENGE ILLEGAL TOW OR CHALLENGE THAT \$100 OTF FEE THEY'RE PAYING, THEY'RE GETTING AWAY WITH IT MORE AND MORE. I'VE ASKED SEVERAL TIMES OVER THE LAST TWO YEARS, WHY CAN'T WE HAVE A POWERPOINT ON CHANNEL 6 THAT TELLS THE PUBLIC WHAT THOSE FEES ARE SUPPOSED TO BE? BECAUSE LIKE, FOR INSTANCE, MY MOTHER CAME UP HERE TO SEE ME LAST YEAR AND SHE SAW ME ON CHANNEL 6. SO YOU CAN'T SAY THAT THE PUBLIC IN THESE MOTEL ROOMS ARE NOT WATCHING CHANNEL 6 TO SEE WHAT'S GOING ON IN OUR COMMUNITY. ASKING FOR A POWERPOINT THAT SPECIFICALLY TELLS THE PUBLIC WHAT THE TOWING DRIVERS WERE CHARGE YOU, IF YOU OBJECT TO THE TOW IN THE PROCESS THEY HAVE TO RELEASE IT FREE. NOBODY KNOWS THAT. THESE RULES WERE PUT IN PLACE TO PROTECT THE PUBLIC. I JUST ASK THAT I WOULD LIKE TO HAVE A RESPONSE FROM STAFF ABOUT THIS CHILD MOLESTER THAT GOT ISSUED THAT LICENSE. I TALKED ABOUT THAT LAST WEEK AND I THINK THE PUBLIC IS DUE AN ANSWER FROM THE STAFF WHY WE WOULD GIVE A REGISTERED SEX OFFENDER WHO IS A CHILD MOLESTER A WRECKER LICENSE TO PICK

UP FEMALE CITIZENS WHEN THEY'RE INVOLVED IN A WRECK. I THINK THERE'S A LIABILITY THERE THAT SOMEBODY IS GOING TO HAVE TO EAT. THANK YOU.

MAYOR WYNN: THANK YOU, MR. JOHNSON. AND KELLY MCDONALD SIGNED UP. THANK YOU, KELLY. YOU'LL BE FOLLOWED BY JOHNETTE MASON.

THANK YOU, MAYOR. MY NAME IS KELLY MCDONALD AND I'M HERE ON BEHALF OF PUSH UP FOUNDATIONS, WHICH PROVIDES TRANSITIONAL HOUSING AND SUBSTANCE ABUSE TREATMENT IN EAST AUSTIN AND I WOULD LIKE TO RESPOND TO SOME OF THE CONCERNS THAT WERE RAISED BY A REPRESENTATIVE OF THE EAST CESAR CHAVEZ NEIGHBORHOOD WHO SPOKE AT THE LAST COMMENT PERIOD. FIRST OF ALL, PUSH UP DOES HAVE A CONTRACT WITH THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE SYSTEM TO ALLOW INDIVIDUALS COMING OUT OF THE PRISON SENTENCE TO COMPLETE THEIR LAST PHASE OF TREATMENT AT PUSH UP. MISRENT RE A MENTIONED THE CONCERN ABOUT A DEAD BODY AT PUSH UP AND A LARGE NUMBER OF ARRESTS. I WOULD LIKE TO CLARIFY FOR YOU THAT WHILE A CLIENT DID UNFORTUNATELY PASS AWAY AT PUSH UP, HE DIED OF NATURAL CAUSES. THEY'RE NOT RELATED TO ANY SUBSTANCE ABUSE ISSUES. AND I HAVE REVIEWED THE POLICE DEPARTMENT'S RECORDS OF ARREST AND SINCE ABOUT -- I THINK I WENT BACK TO 2002, I FOUND THAT THERE HAS BEEN SIX ARRESTS. THREE HAD NOTHING TO DO WITH PUSH UP AND THAT JUST HAPPENED TO BE WHERE INDIVIDUALS WERE PULLED OVER BY THE POLICE. THE THREE ARRESTS THAT DID INVOLVE CLIENTS, TWO INVOLVED PAROLE VIOLATION, ONE THREE AND A HALF YEARS AGO AND ONE TWO YEARS AGO AND IT'S NO SECRET THAT SOME OF THESE INDIVIDUALS THAT ARE GETTING TREATMENT FOR SUBSTANCE ABUSE HAVE HAD RUN INS WITH THE LAW BEFORE. THE THIRD ONE WAS A DISPUTE BETWEEN ROOMMATES OVER PERSONAL PROPERTY. SO THAT'S IT FOR THE ARRESTS. THE OTHER THING THAT I WOULD POINT OUT IS THAT WITH THE CONTRACT WITH TEXAS DEPARTMENT OF CRIMINAL JUSTICE, THEY MAY NOT SEND VIOLATE OR SEXUAL

OFFENDERS TO PUSH UP. THEY HAVE NOT AND CANNOT DO SO. I DO HAVE A COPY VICTIM CONTRACT AMENDMENT, WHICH WAS SIGNED RIGHT AFTER THE CONTRACT WAS SIGNED. IT'S 2005, AND I HAVE COPIES OF THAT FOR COUNCIL STAFF IF THEY WISH TO SEE IT. LASTLY, MS. RENTEREA ADDRESSED SOME COMMENTS ABOUT BROKEN PROMISES WITH THE NEIGHBORHOOD GROUP, AND I WOULD LIKE TO GIVE YOU MY PERSONAL COMMITMENT ON BEHALF OF PUSH UP THAT THEY ARE GOING TO GIVE THEIR BEST EFFORTS TO SIT DOWN AND COMPLETELY HEAR OUT THE CONCERNS ABOUT -- FROM THE NEIGHBORHOOD GROUP AND DO EVERYTHING THEY CAN TO TRY AND WORK THROUGH IT. AND WE HAVE ASKED FOR THAT SIT-DOWN MEETING. THANK YOU.

MAYOR WYNN: THANK YOU, MISMCMS. MCDONALD. WE KNOW HOW IMPORTANT REENTRY SERVICES ARE. JOHNETTE MASON, SIGNED UP WISHING TO ADDRESS US. AS EARLIER HAD DON WILLIAMSON. DON WILLIAMSON, CAROLANNEROSE KENNEDY. SO COUNCIL, THAT INCLUDES, THEN, OUR GENERAL CITIZEN COMMUNICATION. AT THIS TIME WITHOUT OBJECTION WE WILL GO INTO CLOSED SESSION PURSUANT TO SECTION 551.071 AND TAKE OUR LUNCH BREAK AND TO TAKE UP POTENTIALLY AGENDA ITEM 33 RELATED TO -- THE LEGISLATIVE SESSION, 34, LEGAL ISSUES REGARDING THE DEVELOPMENT OF NORTH CROSS MALL, 35, LEGAL ISSUES RELATED TO OUR MWBE PROCUREMENT PROGRAM AND ITEM 36, LEGAL ISSUES REGARDING SHERRI FORBES VERSUS THE CITY OF AUSTIN, WHICH RELATES TO A POTENTIAL ACTION, ITEM NO. 37. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US BEING IN CLOSED SESSION FOR MUCH OF THE EARLY AFTERNOON, PROBABLY NOT COMING BACK INTO OPEN SESSION UNTIL PERHAPS AROUND 3:00 P.M. TO TAKE UP OUR 2:00 AFTERNOON BRIEFING, AND I THINK WE HAVE ONE LAST DISCUSSION ITEM, THE AUSTIN CLIMATE PROTECTION PLAN THAT WE WILL TAKE UP AND GET DONE PRIOR TO OUR 4:00 ZONING HEARINGS. THANK YOU. HIS WIFE WHO CAME OUT INTO THE YARD TO BRING HIM PART OF HIS TOOLS THAT HE NEEDED TO FIX THE KENNEL. THE SETTLEMENT AMOUNT IS \$170,000. THE CAGES ARE MEDICAL BILLS, LOST WAGES, EXTENSIVE

SCARRING ON HER ARM AND A LOSS OF USE IN THE HAND.

THANK YOU, QUESTIONS OF STAFF? COMMENTS?  
COUNCILMEMBER MARTINEZ?

I JUST HAD A BRIEF QUESTION FOR -- FOR CITY MANAGER OR STAFF AS TO IF THERE WERE ANY FINDINGS AS TO THE POSSIBLE VIOLATION OF POLICIES OR POLICIES THAT WE CAN AMEND IN ANY WAY ASSET RELATES TO CANINE OFFICERS TO TRY TO PREVENT ANY TYPE OF --

THE INCIDENT HAS BEEN REVIEWED AND POLICIES HAVE BEEN LOOKED AT WITH AN EYE TO THAT AFTER THE INCIDENT, WE HAVE ALREADY GONE OVER THAT BOTH AT THE DEPARTMENTAL LEVEL AND AT MY LEVEL.

OKAY. THANK YOU.

THANK YOU, FURTHER COMMENTS, QUESTIONS?

I MOVE APPROVAL, MAYOR.

MOTION MADE BY COUNCILMEMBER MARTINEZ TO APPROVE ITEM NO. 37, THE SETTLEMENT WAS PRESENTED BY STAFF. SECONDED BY COUNCILMEMBER MCCracken. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0.  
THANK YOU ALL VERY MUCH.

COUNCIL, WHY DON'T WE TAKE UP OUR 2:00 BRIEFING. A LITTLE BIT LATE. WE -- WE APOLOGIZE AND APPRECIATE THE PATIENCE EVERYBODY HAS SHOWN. WE POSTED THIS I GUESS TWO MEETINGS AGO, BUT DUE TO AN OVER POWERING AGENDA, WE SENT FOLKS HOME AND DECIDED TO TAKE IT UP A A LATER DATE. WITH THAT WE WILL TAKE UP ITEM NO. 38, PRESENTATION OF FAMILIES WITH CHILDREN

REPORT, WELCOME CITY MANAGER.

THANK YOU, I'M THE ASSISTANT CITY MANAGER. MAYOR AND CITY COUNCIL, IN NOVEMBER OF 2006, COUNCILMEMBER KIM ASKED CITY STAFF TO PUT TOGETHER A REPORT THAT HIGHLIGHTED AND OFFERED A SIMPLE OUTLINE TO THE ISSUE OF DYNAMICS OF FAMILIES WITH CHILDREN WITHIN OUR COMMUNITY. THIS REPORT WILL FOCUS ON A NUMBER OF THINGS, IN PARTICULAR THREE, DESCRIBING DEMOGRAPHIC TRENZ OVERTIME AND WILL IDENTIFY SHIFTING SPATIAL PATTERNS OF FAMILIES WITH CHILDREN AND HOUSEHOLDS IN AUSTIN, ALSO A COMPARISON OF AUSTIN AND OTHER SELECT CITIES WITHIN THE STATE AND NATION. AT THIS TIME I WILL TURN OVER THE DISCUSSION TO OUR CITY DEMOGRAPHER TO DISCUSS THE FINDINGS AND CURRENT TRENDS.

WELCOME, MR. ROBBER -- MS. ROBBERSON.

BEFORE YOU START, THE PHOTO ON THE COVER IS THAT A FAMILIAR PHOTOGRAPH I SEE ON THAT COVER?

I'M NOT SURE, A STAFF MEMBER OF YOURS PUT THOSE TOGETHER, I HAVEN'T LOOKED AT THEM TOO CLOSELY.

YOU MIGHT RECOGNIZE THE AUTHOR OF THIS REPORT'S FAMILY THERE IN THE LOWER RIGHT-HAND CORNER.

RYAN ROBBERSON, FAMILY PLANNING AND ZONING. I'M HERE TO PRESENT A PIECE OF ANALYSIS THAT LOOKS AT FAMILIES WITH CHILDREN. THEY ARE A CRITICAL COMPONENT TO THE SOCIAL FABRIC OF ANY URBAN AREA. IT'S A HOUSEHOLD TYPE THAT IS BECOMING INCREASINGLY SCARCE IN MANY AMERICAN CITIES. IT'S DOWN RIGHT RARE IN SOME OF OUR MOST SUCCESSFUL CITIES. THE LAST 20 YEARS IN THIS COUNTRY HAVE WITNESSED A -- A REVITALIZATION OF SUBURBAN CORES ACROSS THE COUNTRY, UNPRECEDENTED. BUT -- BUT THIS SUCCESS IN SO MANY AMERICAN CITIES IS HAVING THE EFFECT OF SQUEEZING OUT MIDDLE CLASS

FAMILIES. MANY -- IN MANY CASES IT'S MIDDLE CLASS FAMILIES WITH CHILDREN. THE PURPOSE OF THIS WORK IS TO TRY AND IDENTIFY WHERE AUSTIN FITS WITHIN THIS LARGER CONTEXT, HOW WE COMPARE WITH OTHER CITIES, AND TO TRY AND -- AND SEE WHY WE MIGHT BE 20 YEARS FROM NOW. 10 YEARS FROM NOW. BY LOOKING AT THESE OTHER CITIES AND COMPARING SOME OF OUR OWN TRAJECTORY WITH THE TRAJECTORY OF THESE OTHER PLACES. SO LET'S BEGIN WITH A COUPLE OF SIMPLE DEFINITIONS. HOUSEHOLD SIMPLY RATHER THAN REFERS TO THE PERSON OR COLLECTION OF PERSONS OCCUPYING A HOUSING UNIT. SYNONYMOUS WITH A HOUSING A HOUSING UNIT. THE CENSUS BUREAU DEFINES A FAMILY AS ANY COLLECTION OF PEOPLE RELATED TO EACH OTHER BY BIRTH, MARRIAGE OR ADOPTION. [READING GRAPHIC] THIS IS KNOWN AS A MULTI-GENERATION FAMILY OR MULTI-GEN FAMILIES, BECOMING INCREASINGLY COMMON IN PLACES LIKE TEXAS. FAMILIES WITH CHILDREN HOUSEHOLDS ARE SILL..... SIMPLY ONE TYPE OF HOUSEHOLD IN WHICH CHILDREN, THOSE UNDER 18, ARE PRESENT. EVEN FOSTER HOMES, THE CHILDREN ARE CONSIDERED TO BE WITHIN THE FAMILY. THIS IS A SIMPLE PIE CHART OF FOUR BASIC HOUSEHOLDS THAT WE HAVE IN AUSTIN OR IN ANY CITY. LIVING ALONE HOUSEHOLDS MAKE UP 32.8%, OF COURSE THAT'S A VERY LARGE SHARE OF TOTAL FOR AUSTIN BECAUSE WE HAVE A HUGE COLLEGE AGE POPULATION AND OVER HALF OF THAT SEGMENT IS MADE UP OF COLLEGE STUDENTS. ACROSS METROPOLITAN AUSTIN, THERE ARE ALMOST 130,000 INDIVIDUALS WHO ARE IN SOME FORM OF PURSUIT OF HIGHER EDUCATION. WE HAVE SEVEN UNIVERSITIES HERE OR COLLEGES. THE -- UP TO THE UPPER RIGHT, NON-FAMILY TWO PLUS INDIVIDUALS, 13.9%, THAT INCLUDES FOR EXAMPLE TWO ADULTS LIVING TOGETHER. FAMILIES, NO CHILDREN, AND IN MANY CASES THAT CAN BE EMPTY NESTER FAMILIES. BUT THE LARGEST OF THAT, NOT THE LARGEST, BUT THE YELLOW SECTION RIGHT IN THE FRONT IS FAMILIES WITH CHILDREN. MAKING UP 28.6% OF OUR -- 26.8%. YOU WILL SEE A COUPLE OF DIFFERENT WAYS TO MEASURE THE CHILDREN, TOTAL PERCENTAGE OF THE POP PLANNING

COMMISSION THAT CHILDREN MAKE UP. I HAVE CHOSEN TO LOOK AT IT FROM A HOUSEHOLD STANDPOINT, SORT OF CONTROLS FOR HOUSEHOLD SIZE. WE ARE GOING TO COMPARE THIS, 26.8% FOR THE CITY OF AUSTIN TO 31 OTHER COMPARATIVE OBSERVATIONS. THE NEXT SLIDE IS GOING TO EXPLODE, IF YOU WILL, ABOUT 26.8%. THERE ARE THREE TYPES OF CHILDREN, EXCUSE ME FAMILIES WITH CHILDREN HOUSEHOLDS. THE VAST MAJORITY OF THOSE HOUSEHOLDS ARE MADE UP OF MARRIED COUPLES WITH CHILDREN HOUSEHOLDS, 69%. SINGLE FATHER HOUSEHOLDS, 6.7%. AND IMPORTANTLY SINGLE MOTHER HOUSEHOLDS, 24.4%. IT'S IMPORTANT BECAUSE CHILDREN LIVING WITHIN THOSE SINGLE MOTHER HOUSEHOLDS ARE AT AN ECONOMIC DISADVANTAGE COMPARED TO THE MARRIED COUPLE HOUSEHOLDS. THE PURPOSE OF THE STUDY, WE WANTED TO REALLY GET AT FOUR THINGS. ARE HOUSEHOLDS MADE UP OF FAMILIES WITH CHILDREN INCREASING OR DECREASING, IS THE TOTAL NUMBER, ABSOLUTELY NUMBER GOING UP OR DOWN? IS THE SHARE OF TOTAL HOUSEHOLDS FROM THESE HOUSEHOLDS INCREASING OR DECREASING. I USE SHARE OF TOTAL A LOT, YOU CAN SAY THAT BY PERCENTAGE. IS THE PERCENTAGE OF ALL HOUSEHOLDS, WHAT'S HAPPENING TO THAT, IS IT INCREASING OR DECREASING? WHAT ARE THE SPATIAL PATTERNS ASSOCIATED WITH FAMILY WITH CHILDREN HOUSEHOLDS? ARE THESE HOUSEHOLDS CONCENTRATED OUTSIDE OF THE CITY? WHAT ABOUT THE UNITED ARAB URBAN CORE? HOW DO THESE TRENDS COMPARE WITH WHAT'S HAPPENING IN OTHER CITIES. THE COMPARATIVE SET INCLUDES CITIES WITH TOTAL POPULATIONS OF 250,000, EITHER ABOVE OR BELOW AUSTIN'S TOTAL POPULATION, THE STATE OF TEXAS ITSELF AND THE NATION AS A WHOLE. THIS IS OUR FIRST BAR GRAPH AND IT SHOWS AN ABSOLUTE -- IN ABSOLUTELY TERMS THE NUMBER OF FAMILIES WITH CHILDREN HOUSEHOLDS FOR THE CITY OF AUSTIN. YOU CAN SEE IN 1970, THE NUMBER WAS JUST OVER 43,000, HAS CONTINUED TO INCREASE THROUGH TIME. WE FIND OURSELVES IN 2007 WITH APPROXIMATELY 76,000 OF THESE FAMILIES, SO THAT'S A 75% INCREASE OVER THAT 37 YEAR PERIOD. IT'S IMPORTANT TO KEEP IN MIND

THAT THE CITY OF AUSTIN'S TOTAL POPULATION DURING THAT SAME PERIOD INCREASED ALMOST 200%. 75% COMPARED TO 200% INCREASE FOR THE TOTAL POPULATION, SO THE NUMBER OF FAMILIES CONTINUES TO INCREASE AS OUR TOTAL POPULATION INCREASES. THIS SLIDE SHOWS HOW THE SHARE OF TOTAL HAS BEEN DROPPING PRECIPITOUSLY. YOU CAN SEE THAT WE HAVE AN '07 FIGURE THAT IS AN ESTIMATE COB GELLED TOGETHER FROM AMERICAN COMMUNITY SURVEY DATA FROM 2005 AND A CURVE FITTING ALGORITHM, THAT SHARE OF DECREASES IS STARTING TAKE SLOW DOWN A LITTLE BIT. PRIME MERRIL A FUNCTION OF OUR ETHNIC DIVERSIFICATION, AS WE CONTINUE TO SEE MORE AND MORE LATINO, MORE AND MORE ASIAN FAMILIES, I SHOULD SAY HOUSEHOLDS. WITHIN THOSE TWO GROUPS THEY HAVE A MUCH HIGHER SHARE OF THOSE HOUSEHOLDS THAT ARE FAMILIES AND THAT'S BEGINNING TO SORT OF -- SORT OF CURVE THAT SLOW DOWN IN THAT SHARE OF TOTAL. SO WITH THIS IN MIND, AN INCREASING TOTAL AND A DECREASING SHARE, LET'S COMPARE OURSELVES TO OTHER CITIES AROUND THE COUNTRY. FIRST, I WANT TO COMPARE THAT TO THE STATE OF TEXAS. BACK IN 1970, THE CITY OF AUSTIN HAS SHOWN IN THE DARK BLUE BAR, 38% WAS OUR SHARE OF TOTAL. THE STATE OF TEXAS, 46% OF ALL HOUSEHOLDS, FAMILIES WITH CHILDREN HOUSEHOLDS. AND AGAIN WE HAVE SEEN WHAT THE SHARE HAS DONE FOR AUSTIN, BUT LOOK WHAT'S HAPPENED TO THE STATE. IT DID HAVE KIND OF A FLAT PERIOD FROM 1980 TO 1990 THAT HAS CONTINUED ITS DROP IN 2000. NOTICE PARTICULARLY THE GAP BETWEEN THE CITY OF AUSTIN. THE GAP BETWEEN THE CITY AND THE STATE IN 1970 WAS ONLY 8 PERCENTAGE POINTS. THAT GAP IN 2000 HAD GROWN TO 10 PERCENTAGE POINT. SO THE CITY OF AUSTIN IS DROPPING DOWN BELOW THE STATE EVEN THOUGH THAT THE STATE IS DECREASING, THAT'S MORE A RESULT OF MARK DEMOGRAPHIC TRENDS. LOWER FERTILITY RATES, FEWER HOUSEHOLDS WITHIN THAT AGE RANGE, BABY BOOMERS MOVING OUT OF THAT STAGE. NOW WE ARE GOING TO COMPARE OURSELVES TO OTHER CITIES. AUSTIN IS THE RED BAR, WE ARE 21st OUT OF



31 OF THE COMPARATIVE SET. WHICH IS NOT SURPRISING GIVEN THE FACT THAT WE ARE -- NOT THAT WE ARE EXCLUSIVELY A COLLEGE TOWN ANYMORE, BUT THERE AGAIN A VERY, VERY LARGE YOUNG POPULATION HERE, JUST BELOW COLUMBUS OHIO, ANOTHER SORT OF COLLEGE TOWN, IT'S VERY MUCH A PEER CITY. JUST AHEAD OF NASHVILLE IN THAT RANKING. LOOK WHERE PORTLAND COMES IN AT 25th. SO FROM THE -- YOU KNOW, WE ARE ONLY A COUPLE OF PERCENTAGE POINTS AWAY FROM PORTLAND, BUT THERE ARE SOME FUNDAMENTAL DIFFERENCES BETWEEN AUSTIN'S DYNAMIC AND PORTLAND'S DYNAMIC. THE CITY OF PORTLAND IS NOT ONLY EXPERIENCING A -- A DECREASE IN IT'S TOTAL, BUT ALSO EXPERIENCING RATHER EXPERIENCING A SHARE, A DROP IN ITS SHARE AND A DROP IN ITS TOTAL POPULATION. SOMETHING TO -- TO KEEP IN MIND THAT -- THAT I DON'T HAVE A GRAPHIC FOR, BUT IT'S IMPORTANT AND I'VE GOT A GRAPHIC LATER TO THERE AT SCHOOL SYSTEMS, THE CITY OF PORTLAND AND PORTLAND PUBLIC SCHOOL SYSTEMS ARE SPATIALLY THE SAME ANIMAL. THEY ARE VERY MUCH RELATED TO ONE ANOTHER. PORTLAND IS CLOSING THREE TO FOUR SCHOOLS A YEAR, PROJECTED TO CONTINUE TO HAVE TO CLOSE THREE TO FOUR SCHOOLS A YEAR FOR THE NEXT 10 YEARS. PORTLAND, OF COURSE, HAS -- NOT ALWAYS, BUT OFTEN HELD UP AS A VERY SUCCESSFUL CITY. LIGHT RAIL IS DOING VERY WELL. THE NEW URBANIST MOVEMENT IS FINDING A STRONG FOOTHOLD IN PORTLAND. BUT ONE OF THE - - ONE OF I GUESS THE ARTIFACTS OR A SIDE EFFECT OF THAT HAS BEEN A VERY, VERY STEEP INCREASE IN REAL ESTATE, ESPECIALLY WITHIN THE CORE. AND THAT IN TURN IS MAKING IT TOO EXPENSIVE FOR YOUNG FAMILIES TO CREATE HOUSEHOLDS WITHIN PORTLAND. BUT THE SCHOOL DYNAMIC IS IMPORTANT HERE BECAUSE ONCE THAT SCHOOL SYSTEM BEGINS TO CLOSE SCHOOLS, IT SORT OF SETS UP A POSITIVE FEEDBACK SYSTEM OR MAYBE A NOT SO POSITIVE FEEDBACK SYSTEM. BUT AN AIDING AND ABETTING MECHANISM THAT IN SOME NEIGHBORHOODS IN PORTLAND SCHOOLS THAT HAVE BEEN OPENED FOR 90 YEARS, HAVE NOW BEEN SHUT TERRED. OF COURSE THAT SENDS ANOTHER MESSAGE THAT EITHER RIGHTLY OR WRONGLY IT'S

NOT ATTRACTING NEW FAMILIES. KEEP IN MIND THAT WE ARE COMPARING CITIES HERE. AND CITIES ARE DICTATED VERY MUCH BY GEOGRAPHY. I MEAN, WE -- WE TALK A LOT ABOUT HOW WE ARE THE 16th LARGEST CITY IN THE UNITED STATES. THE CITY OF AUSTIN IN OUR RELATIONSHIP TO OUR BIGGER REGION, WE ARE ABOUT IN THE MIDDLE OF - - WE HAVE ABOUT HALF OF OUR POPULATION WITHIN THE MSA IS WITHIN THE CITY. ON THE KIND OF OF THE EXTREME EDGE OF THIS ISSUE, WHICH I THINK IS IMPORTANT AS WE LOOK AT THIS, IS THE CITY OF SAN ANTONIO. MET POM TAN AREA IS 3.4 MILLION. A VERY MUCH UNDER BOUNDED CITY. I WILL SHOW YOU THE SLIDE IN A SECOND THAT'S GOING TO LOOK AT THIS RANKING BY MSA'S, IT'S GOING TO BE MUCH FLATTER. CONTINUE THE COMPARISON. SEATTLE 30th POSITION. 17th% OF THOSE HOUSEHOLDS ARE FAMILIES WITH CHILDREN HOUSEHOLDS. I THINK THAT IT'S IMPORTANT FOR US TO TRY TO KEEP IN MIND NOT SO MUCH THAT WE ARE COMPARING OURSELVES TO OTHER CITIES AS THEY EXIST NOW, BUT WHERE WE MIGHT BE 20 YEARS FROM NOW. IN THE 80s, THE MAYOR HAD -- THE MAYOR OF SEATTLE HAD A PROGRAM CALLED KID'S PLACE. THEY SAY THE EROSION OF FAMILIES WITH CHILDREN. THEY VERY MUCH TRIED TO DO SOMETHING ABOUT IT. AND BASICALLY WERE UNABLE TO TURN THE.....TURN THE TIDE. SEATTLE BECAME SO EXPENSIVE, BECAME SO POPULAR TO YOUNG PROFESSIONALS AND WEALTHY SENIORS, THAT THEY CONTINUE TO PUSH FAMILIES OUT. AND YET JUST UP THE ROAD, IF YOU WILL, IS VANCOUVER, BRITISH COLUMBIA, WHICH I DON'T HAVE A BAR FOR, BUT I THINK THAT IT'S WORTH MENTIONING. THE OVERALL SHARE FOR VANCOUVER IS NOT NECESSARILY REMARKABLE. ABOUT 30% OF THOSE HOUSEHOLDS ARE FAMILIES WITH CHILDREN. IT COMPARES BASICALLY TO DALLAS OR CHARLOTTE ON OUR GRAPH. BUT IT'S WHERE THOSE FAMILIES LIVE. DOWNTOWN VANCOUVER, AS MANY OF YOU KNOW, IS EXPERIENCING A HUGE POPULATION BOOM. THE FASTEST GROWING SEGMENT OF THAT POPULATION BOOM IS YOUNG FAMILIES WITH CHILDREN. AND IT'S -- IT'S THE RESULT OF SOME PLANNING MECHANISMS THAT WERE PUT IN PLACE IN THE '80S. THE WORLD'S

FAIR PROPERTY, WHICH IS ON THE SOUTHSIDE OF THE CITY, IN '86, ONCE THE WORLD'S FAIR WAS OVER, THAT PROPERTY BECAME AVAILABLE AND WAS SOLD TO A -- TO A WEALTHY DEVELOPER OUT OF HONG KONG. THE DOES HE MANDATED THAT 25% OF THE NEW UNITS WOULD BE FAMILY SIZED UNITS, THREE BEDROOM, FOUR BEDROOM UNITS IN THE BIG POINT TOWERS. IN THE BIG HIGH RISES. 20 PERCENT OF THOSE NEW UNITS WOULD BE AFFORDABLE HOUSING. ONE SORT OF TWIST THAT I THINK IS WORTH NOTING THAT VANCOUVER DOES DIFFERENTLY THAN WHAT I HAVE SEEN IN TEXAS AND THE SOUTH. RATHER THAN MIXING IN AFFORDABLE UNITS WITHIN A PROJECT, THEY WILL HAVE A PROJECT THAT WILL BE A MARKET RATE PROJECT RIGHT NEXT TO A SUBSIDIZED PROJECT. BUT THERE ARE DICTATES THAT THEY LOOK THE SAME. ARCHITECTURAL GUIDELINES THAT THEY LOOK THE SAME. THEY ARE OPENING NEW SCHOOLS IN VANCOUVER, THEY ARE NOT CLOSING THEM. FROM THOSE DICTATES, I REALIZE VANCOUVER HAS OTHER FUNDAMENTAL DIFFERENCES, MANY OF THOSE FAMILIES ARE PACIFIC RIM FAMILIES OR EASTERN EUROPEAN FAMILIES AND THEY ARE ACCUSTOMED TO LIVING IN A HIGH RISE SETUP. THE TOP END OF THAT IS EL PASO WITHIN TEXAS WHERE ALMOST 45% OF ALL HOUSEHOLDS ARE FAMILIES WITH CHILDREN. INTERESTINGLY ENOUGH A HIGH TECH PEER OF OURS, SAN JOSE, CALIFORNIA COMES IN SECOND. BEGIN BIG DIFFERENCES BETWEEN SAN JOSE AND AUSTIN. FOR EXAMPLE, 70% OF THE HOUSING STOCK IN SAN JOSE IS SINGLE FAMILY HOUSING STOCK. HOME OWNERSHIP IS 65% OWNER OCCUPANCY, 65%. IN A SHORT OF AN INTERESTING TWIST IS THE EXPENSIVE HOUSING FORCES FAMILIES TO MULTI-GEN UP AS THEY SAY WHERE YOU WILL HAVE CHILDREN, PARENTS, GRANDPARENT LIVING TOGETHER. IN SAN JOSE REALLY A VERY, VERY LARGE SUBURBAN ENVIRONMENT. THIS IS AN EXAMPLE WHERE HOUSING STOCK OF THE URBAN FORM IS DRIVING THAT. AS OPPOSED TO OTHER PLACES LIKE AUSTIN IT'S MORE OF A CITY, CITY CENTER, SUBURBS SURROUNDING IT. THIS IS A GRAPHIC AND A RANKING OF MSA'S. YOU CAN SEE HOW MUCH FLATTER IT IS. YOU CAN SEE THE VARIANCE. SEE HOW MSA'S, MUCH, MUCH FLATTER.

CONTROLLING FOR THAT GEOGRAPHIC EFFECT.  
FROM AN MSA RANKING, WE STAY ABOUT THE  
SAME. WE COME IN AT 20th ON THIS GRAPH.  
WHEREAS LOOK WHATTINGS TO ATLANTA -- WHAT  
HAPPENS TO ATLANTA. MOVED FROM 29th UP TO 8th.  
AGAIN THAT'S A MASSIVE MSA, MUCH, MUCH  
BIGGER THAN WE ARE. EL PASO STAYS ABOUT  
WHERE IT WAS, THE CITY OF EL PASO IS BASICALLY  
THE MSA, THERE'S NOT A DICHOTOMY BETWEEN  
THOSE TWO. THIS IS A RANKING LOOKING NOW AT  
SIMPLY SINGLE MOTHER HOUSEHOLDS RANKED BY  
SHARE OF FAMILIES WITH SINGLE MOTHER  
HOUSEHOLDS. I HAVE REVERSIONED IT LARGEST  
SHARES AT THE BOTTOM. AUSTIN 23rd. BOTTOM  
THIRD OF THIS GRIEWNG..... GRIEWNG. PLACES LIKE  
ATLANTA COME IN SECOND. MORE SINGLE FAMILY  
HOUSEHOLDS IN ATLANTA THAN MARRIED COUPLE  
HOUSEHOLDS. AUSTIN EXAMPLE, 69% OF OUR  
FAMILIES ARE MARRIED COUPLE HOUSEHOLDS.  
DETROIT OVER 55%, BALTIMORE OVER 50%. LET'S  
TRY TO LOOK AT MAPS. I REALIZE THESE MAKE  
LOOK LIKE WALLPAPER. I-35 BASICALLY COMING UP  
THE MIDDLE. YOU CAN SEE TOWN LAKE. LAKE  
TRAVIS IN THE UPPER LEFT-HAND SIDE CORNER.  
AIRPORT IN THE BOTTOM RIGHT-HAND CORNER. IF  
IT'S A DARK BROWN OR MEDIUM BROWN THERE'S A  
CONCENTRATION OF FAMILIES WITH CHILDREN. I'M  
GOING TO DO SOME ANIMATION HERE. FIRST LITTLE  
CIRCLE THAT ZOOMS IN DOWN IN THE BOTTOM  
LEFT-HAND CORNER. THAT'S CIRCLE CMENT AN  
AREA THAT WE ANNEXED. IN LATE 1970. ALMOST  
80% OF THE HOUSE HOLDS IN CIRCLE C ARE  
FAMILIES WITH CHILDREN HOUSEHOLDS. OTHER  
PARTS OF TOWN THAT ARE VERY HEAVY  
CONCENTRATIONS, NEXT DOT THAT SORT OF COMES  
IN, DOVE SPRINGS. EAST OF 35, SOUTH OF BEN  
WHITE. HEAVY CONCENTRATION OF FAMILIES.  
THIRD CIRCLE TO COME IN IS ROLLINGWOOD.  
THERE'S WESTLAKE. DAVENPORT. GREAT HILLS.  
SPICEWOOD AREA. NOW THIS -- THIS DOT THAT I  
HAVE JUST THROWN UP LOOK AT THAT AGAIN AS IT  
COMES IN, THAT'S THE NORTH LAMAR CORRIDOR.  
THIS IS FASCINATING BECAUSE THIS IS AN AREA  
THAT HAS NOT BEEN A CONCENTRATION OF  
FAMILIES. IT IS AN EMERGING CONCENTRATION OF  
FAMILIES. AUSTIN I.S.D. IS PROBABLY GOING TO

OPEN AN ELEMENTARY SCHOOL IN THIS PART OF THE WORLD. WHAT'S HAPPENING IS BECAUSE OF OUR INCREASINGLY EXPENSIVE HOUSING SITUATION, FAMILIES ARE MOVING IN TO THESE APARTMENTS THAT WERE BUILT IN THE '70S AND EARLY '80S, ALONG RUNDBERG, ALONG RUTLAND DRIVE, ALONG NORTH LAMAR. FORMERLY THERE WERE SINGLES THAT LIVED THERE AND COUPLES. THOSE FOLKS HAVE BEEN DRAWN OUT INTO NEWER APARTMENT STOCK AROUND THE.... THE CITY. AND FAMILIES ARE FLOCKING TO THESE APARTMENT COMPLEXES AND CREATING GROWTH WHERE THERE HASN'T BEEN GROWTH BEFORE. WE HAVE BEEN WORKING CLOSELY WITH THE AISD PLANNERS, FORMER COLLEAGUE OF OURS, CITY EMPLOYEE JOE SILVA, AISD WAS LUCK..... LUCKY TO STEAL HIM FROM US. THEY ARE NOW EVEN CONCERNED ABOUT THE DOMAIN. NOT THAT THEY ARE WORRIED THAT FAMILIES WILL LIVE IN THE DOMAIN, BUT IT WILL ATTRACT MORE PEOPLE OUT OF THE APARTMENT STOCK THAT'S CURRENTLY ALONG METRIC AND BECAUSE OF OUR AFFORDABLE HOUSING ISSUE THAT IN TURN WILL ATTRACT FAMILIES INTO THOSE APARTMENTS. SO -- SO WHAT A DIFFICULT THING IT MUST BE TO PLAN FOR SCHOOLS WHEN -- THERE'S NO NEW CONSTRUCTION OCCURRING HERE, BUT IT'S SIMPLY DEMOGRAPHIC TRANSITION AND CHURN. SAME THING ALONG EAST RIVERSIDE DRIVE. FIRST WE POINT OUT THAT'S EAST AUSTIN. IT'S A LITTLE MORE COMPLICATED BECAUSE THERE ARE DIFFERENT AGES OF THE APARTMENT STOCK THERE. ORIGINAL CLUSTER THAT WAS BUILT IN THE EARLY '70S IS REALLY NOW SERVING AS A PORT OF ENTRY FOR OUR CITY. FAMILIES OF INTERNATIONAL ORIGIN, THEY ARE OFTEN LARGE FAMILIES, HAVE MOVED INTO THAT HOUSING STOCK AS COLLEGE STUDENTS HAVE MOVED INTO OTHER PARTS OF TOWN, OTHER NEWER COLLECTIONS, THE NEWER COLLECTION IN NORTHWEST HILLS OFF OF FAR WEST BOULEVARD. AGAIN AISD IS WRESTLING WITH HAVING TO DEAL WITH CAPACITY ISSUES AT ELEMENTARY SCHOOLS WHERE THEY HAVE NOT HAD THIS QUESTION IN THE PAST. THERE'S TARRYTOWN, CORE EAST AUSTIN, SAINT JOHN'S NORTH LAMAR AREA AGAIN, SHOWING US CONCENTRATIONS OF CHILDREN. BUT LET'S DO THE

INVERSE OF THAT. WHERE ARE THERE PARTS OF THE URBAN CORE WHERE THERE ARE NO CONCENTRATIONS? FIRST BUBBLE THAT COMES IN? THAT'S OLD WEST AUSTIN, IT'S THE AIR JUST WEST OF LAMAR AND EAST OF MOPAC, NORTH OF THE COLORADO RIVER. VERY, VERY FEW FAMILIES THERE WITH CHILDREN. NOT THAT IT'S POSITIVE OR NEGATIVE. IT'S A PART OF TOWN WHERE ALMOST EVERYONE IS AN ADULT AND ABOVE. ANOTHER PART OF TOWN THAT SATISFIES, LIKE THAT IS NORTH HYDE PARK, NORTH LOOP AREA. THEN CRESTVIEW. IN CRESTVIEW SORT OF USED TO BE THE CIRCLE C CIRCA 1965. FULL OF FAMILIES. AND THERE'S BEEN NOT ONLY A DECREASE IN THE SHARE OF TOTAL IN CRESTVIEW, BUT AN ABSOLUTE DECREASE IN FAMILIES. MANY, MANY FEWER FAMILIES THERE NOW THAN THERE USED TO BE. DO A QUICK COUPLE OF MAPS FOR SINGLE MOTHERS. WHAT I WANT TO POINT OUT HERE, AGAIN THIS SAME KIND OF CONCENTRATION. 20%, 10% OF THE DARKER CENSUS BLOCKS, THIS EASTERN CONCENTRATION MIRRORS OUR CITY'S DISTRIBUTION OF HOUSEHOLDS, OF ETHNIC BACKGROUND, LATINO, AFRICAN-AMERICAN, ASIAN HOUSEHOLDS. THERE'S DOVE SPRINGS AGAIN SHOWING UP ON BOTH MAPS. LOTS OF CHILDREN IN VARIED FAMILIES AND LOT OF CHILDREN IN SINGLE MOTHER FAMILIES. MONTOPOLIS. EAST AUSTIN. COLONY PARK. THERE'S THE NORTH LAMAR CORRIDOR AGAIN. THE NEXT TWO MAPS ARE INTENDED TO TRY AND REPRESENT HOW THE URBAN CORE HAS BECOME MUCH MORE EXPENSIVE. THE DARK BROWN ZIP CODES NOW, NO LONGER CENSUS BLOCK LEVEL, BUT THE ZIP CODE LEVEL, IT'S HARD TO ALMOST GET AT LEAST MY BRAIN AROUND IT BECAUSE I HAVE LIVED HERE SO LONG, BUT THESE ZIP CODES EXPERIENCED A \$500 MILLION INCREASE IN FIVE YEARS IN THE TOTAL SINGLE FAMILY VALUE. SO IF YOU CAN THERE YOU CAN SEE 78704. SOUTH OF THE RIVER. IT'S A BIG ZIP CODE. JUST WEST OF 35. IN THE -- IN THE TOTAL CHANGE FROM 2000 TO 2005 COLLECTIVELY FOR ALL OF THAT PROPERTY VALUE FOR SINGLE FAMILY ONLY WAS 500 MILLION. BUT SO IN OTHER ZIP CODES, TOO, 7702 EXPRESSED WAS 500 MILLION, IN BETWEEN 200 MILLION AND 300 MILLION. THE NEXT MAP IS -- IS

THE SAME ZIP CODE SET, BUT RATHER THAN MEASURING ABSOLUTE INCREASE IN PROPERTY VALUE, IT'S PERCENTAGE INCREASE. YOU CAN SEE HOW 78702 REALLY COMES SCREAMING OFF OF THAT MAP. AND THAT FIVE YEAR PERIOD THERE WAS A 100% INCREASE IN THE SINGLE FAMILY VALUE. KEEP IN MIND THIS WAS DURING OUR TECH RECESSION. MANY OF YOU MAY HAVE SEEN THE REPORT THAT CAME OUT IN THE STATESMAN A COUPLE OF WEEKS AGO WHERE THEY LOOKED AT MEETING THE PROPERTY VALUES. THERE WAS ANOTHER 28% INCREASE SIMPLY FROM '05 TO '06. IN THE LAST SIX YEARS THERE HAVE BEEN 130% INCREASE. THERE'S PRESSURE IN MY MIND, IT'S THAT PERCENTAGE INCREASE. COUPLE MORE MAPS, PRICE PER SQUARE FOOT, THE URBAN CORE, SUPER CORE, COLLECTION, ALL OF THEM HAVING OVER \$200 PER SQUARE FOOT. THAT'S EXPENSIVE HOUSING STOCK. YET AS THE BUDGET OFFICER IS ALWAYS POINTING OUT TO ME, AFFORDABILITY IS A DOUBLE EDGED SWORD. WHEN YOU COMPARE OURSELVES NATIONALLY, WE RANK 32<sup>nd</sup> IN TERMS OF OUR MEDIAN HOUSE PRICE. WELL BELOW THE NATIONAL MEDIAN OF 220. AND IT'S ONE THING THAT IS FUELING OUR GROWTH. PEOPLE COMING HERE FROM THE COASTS, FROM THE UPPER MIDWEST, REAL ESTATE IN AUSTIN IS AFFORDABLE TO THEM FROM THEIR PERSPECTIVE. FINALLY A COUPLE OF THINGS THAT I THINK LOOKS AT WHENEVER YOU TALK ABOUT FAMILIES WITH CHILDREN, YOU ARE TALKING ABOUT NOT JUST HOUSING COSTS, HOUSING SIZE BUT YOU ARE TALKING ABOUT SCHOOL SYSTEMS. THIS IS INTENDED TO SHOW WHAT A DIFFERENT SITUATION WE HAVE THAN THE SITUATION IN PORTLAND WHERE AGAIN PORTLAND CITY AND THE SCHOOL SYSTEMS ARE THE SAME SPATIAL ANIMAL. WE SERVE OVER SEVEN SCHOOL DISTRICTS. YES, WE HAVE A LARGE PORTION OF AISD, BUT WE HAVE AN INCREASINGLY LARGE SHARE OF OUR CITY THAT'S SERVED BY DEL VALLE INDEPENDENT SCHOOL DISTRICT, MANOR, PFLUGERVILLE, ROUND ROCK, THOSE THREE AREAS ARE VERY, VERY HIGH GROWTH AREAS. ALMOST ALL OF ROBINSON RANCH IS WITHIN ROUND ROCK I.S.D. [INDISCERNIBLE] IS ENTIRELY WITHIN MANOR. THE HIGH GROWTH AREAS EAST OF THE AIRPORT ARE WITHIN DEL

VALLE. THIS IS A GRAPHIC THAT SHOWS THE PERCENTAGE OF A SCHOOL DISTRICT'S STUDENT POPULATION THAT'S INSIDE THE CITY OF AUSTIN. CERTAINLY AISD IS STILL OUR BIGGEST CONTRIBUTOR, 91% OF THOSE STUDENTS LIVE -- 93% OF THOSE STUDENTS LIVE IN THE CITY OF AUSTIN. LOOK AT DEL VALLE, ALMOST 40% OF DEL VALLE KIDS LIVE IN AUSTIN. 31% OF PFLUGERVILLE SCHOOL CHILDREN LIVE IN AUSTIN. 21% OF ROUND ROCK CHILDREN ARE IN THE CITY. SYSTEM% IN -- 17% IN MANOR. THIS IS A MOVING TARGET GOING TO LOOK DIFFERENTLY FIVE YEARS FROM NOW. FINALLY BACK TO I.S.D. AISD. THIS IS AN ENROLLMENT FORECAST, HISTORY AND ENROLLMENT FORECAST. EVEN THOUGH AISD HAS GOT THE ISSUE OF SOME PARTS OF ITS DISTRICT NOT GROWING SO RAPIDLY, IT HAS OTHER PARTS OF ITS DISTRICT GROWING VERY, VERY RAPIDLY. THEY ARE GOING TO BE BALANCING OUT THESE GROWTH AREAS. THIS IS WHERE HE DIFFERENT THAN THE PORTLAND EXAMPLE. [READING GRAPHIC] [READING GRAPHIC] ANY QUESTIONS?

THANK YOU, MR. ROBINSON. COUNCILMEMBER KIM?

THANK YOU, THIS IS ABSOLUTELY FASCINATING. I THINK THAT WE ALL KIND OF SENSE THAT THINGS ARE SHIFTING IN OUR CITY AS WE SEE A LOT OF DEVELOPMENT WITH HIGH RISE CONDOS THAT ARE ONE OR TWO BEDROOM. BUT IT'S NOT ALWAYS EASY TO PUT KIND OF CONNECT THE DOTS. I THINK THAT YOUR ANALYSIS OF WHAT'S HAPPENED IN AUSTIN, TALKING ABOUT THE FRIENDS THAT WERE EXPERIENCE -- THAT WE'RE EXPERIENCING AS WELL AS COMPARISON WITH OTHER CITIES IN TERMS OF CASE STUDIES WITH PORTLAND FOR EXAMPLE BEING A SITUATION WHERE THEY ARE HAVING A -- HAVING TO CLOSE SCHOOLS, IT REALLY HELPS US AS POLICY MAKERS TO TO -- TO MAKE THE RIGHT CHOICES AS FAR AS BUDGET, LAND USE PLANNING, TRANSPORTATION PLANNING, MAKE SURE THAT AUSTIN IS A GOOD PLACE TO RAISE A FAMILY 10 YEARS FROM NOW, 20 YEARS FROM NOW. I THINK THAT'S WHAT WE WANT. WE WANT TO HAVE A CITY WITH CHILDREN ABSOLUTELY. I'M INTRIGUED BY VANCOUVER THEIR POINT TOWERS, I DON'T THINK



PEOPLE ARE NECESSARILY USED TO THAT HERE IN AUSTIN, BUT THEY ARE IN OTHER PARTS OF THE UNITED STATES. FOR EXAMPLE WHERE THE LAND IS VERY EXPENSIVE. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER MARTINEZ?

Martinez: MAYOR, LOOKING THROUGH THE PRESENTATION SLIDES, 13 AND 14 SPECIFICALLY, I THINK WHAT THIS INFORMATION INDICATES IS CLEARLY WHAT WE'RE GOING THROUGH, ESPECIALLY IN OUR SCHOOL SYSTEM. WE'RE GOING THROUGH THE REINVENTION OF MANY OF OUR CORE URBAN SCHOOLS. I THINK WHEN YOU LOOK AT OVER TIME HOW FAMILIES HAVE TRENDED TOWARDS THE PERIMETER OF THE CITY WE'RE SEEING WHY. THERE SIMPLY ISN'T THE POPULATION WITHIN THAT URBAN CORE TO SUSTAIN THOSE SCHOOL FACILITIES. AS CRITICAL AS THEY ARE, I THINK THIS IS THE KIND OF INFORMATION AS COUNCILMEMBER KIM SAID, THAT NOT ONLY WE WOULD NEED, BUT THAT OUR POLICYMAKERS AT AISD WHAT ALSO NEED TO TRY TO STEM THAT TIED IN THE FUTURE SO THAT WE DON'T CONTINUE TO PUSH THE FAMILIES COMPLETELY OUT OF URBAN CORE FORCING THE CLOSURE OF SCHOOLS WHERE SOME OF OUR MOST NEEDY AND UNINSURED POOR STILL LIVE, EVEN THOUGH THEY DON'T LIVE IN LARNG CONCENTRATIONS. I APPRECIATE THIS NMS AND THE WORK YOU'RE DOING FOR US.

Mayor Wynn: AGREED. COMMENTS? MAYOR PRO TEM.

Dunkerley: [INAUDIBLE - NO MIC]. I REALLY AGREE WITH YOU ON PORTLAND. WHEN WE WERE THERE FAIRLY RECENTLY, ONE OF THE THING I NOTED IS THAT THEIR SCHOOL POPULATION IN PORTLAND IS ONLY HALF OF WHAT AISD'S POPULATION IS, SO THAT DOESN'T INCLUDE ALL THE -- ALL THE OTHER DISTRICTS WE HAVE AROUND THERE. AND WHEN I PURSUED IT AT A LOT OF DIFFERENT MEETINGS THAT I WENT TO, I DISCOVERED THAT THE SINGLE-FAMILIES ARE MOVING -- WITH CHILDREN ARE MOVING ACROSS THE RIVER INTO WASHINGTON

WITH OUR BUILDING, MORE AFFORDABLE, BUT SINGLE-FAMILY HOMES THAT HAVE YARDS. SO THAT'S REALLY DRAWING SO MUCH OF THE POPULATION. WHAT I DON'T KNOW IS IF PORTLAND HAS DONE ANYTHING IN THEIR NEW DEVELOPMENT TO ADD MULTIBEDROOM APARTMENTS OR WHETHER THEY'RE ALL FOCUS ON THE ONE AND TWO -- PRIMARILY ONE AND TWO BEDROOM UNITS. SO I DON'T KNOW -- WHAT I'D LIKE TO KNOW IS ARE THEY PROVIDING ENOUGH OF THOSE AND ARE THEY STILL MOVING OUT OF THE CITY BECAUSE THEY WANT SOMETHING MORE OF A SUBURBAN SETTING FOR THEIR CHILDREN. AND THAT I WAS NOT ABLE TO GET. AS ANOTHER LITTLE POINT I WANT TO MAKE IS THAT BECAUSE OF WHAT I USED TO DO, I WAS VERY INTERESTED IN THEIR LEVELS OF GOVERNMENT AND HOW THEY FINANCED THEM AND WHAT KIND OF SHAPE THEY WERE IN. THEY HAVE A CITY AND A COUNTY AND A METRO, AND I DISORDER NOT ANY LEVEL OF GOVERNMENT IS ADEQUATELY FUNDED. SO I DON'T WANT TO BE A FINANCE OFFICER IN PORTLAND AT ANY LEVEL. AND PART OF THE REASON THAT THEY'RE HANDICAPPED THAT WAY IS BECAUSE THEY HAVE A STATE -- THEY HAVE STATE MANDATE ON INCREASES IN REVENUE. THEY HAVE A REVENUE LIMIT BY THE STATE, AND YOU SEE ALL SORTS OF WHAT I THINK ARE NOT VERY GOOD FINANCIAL ACTIVITIES BY ALL LEVELS OF GOVERNMENT THERE TO GET AROUND THE REVENUE CAPS. SO I THINK THERE ARE SEVERAL LESSONS WE CAN LEARN FROM PORTLAND.

Mayor Wynn: COUNCILMEMBER MCCracken?

McCracken: RYAN, DO YOU HAVE INFORMATION ON HOW MANY SCHOOLS IN AUSTIN ARE CLOSING OR AT RISK OF CLOSING AT THE MOMENT?

WELL, WE SPOKE WITH JOEL SILVA, AND THEY HAVE -- THE EXAMPLE OF BECKER ELEMENTARY LAST YEAR AND -- WHERE THEY WANTED TO REPURPOSE THAT SCHOOL. IT'S A RELATIVELY ISOLATED EXAMPLE AND THAT MOST OF THE DISTRICT SCHOOLS ARE NEAR CAPACITY. THEY'VE HAD ISSUES AT THE MIDDLE SCHOOL LEVEL, BUT THAT'S A PERFORMANCE ISSUE, IT'S NOT SO MUCH A

DROPPING OF ENROLLMENT. SO IF I SAID THAT AISD IS FACED WITH CLOSING SCHOOLS, I MISSPOKE.

McCracken: YOU DIDN'T. I WAS TRYING TO FIGURE IT OUT. THERE IS A PLACE LIKE OLD WEST AUSTIN HAD VIRTUALLY NO CHILDREN. WHAT IS THAT --

FOR EXAMPLE, PEASE THAT USED TO SEVEN OLD WEST SOUTH AUSTIN A FABULOUSLY POPULAR SCHOOL AND IT'S A PURELY COMMUTER SCHOOL T HAS NO DISTRICT, BUT DOWNTOWN WORKERS BRING THEIR CHILDREN IN AND TAKE ADVANTAGE OF IT. WHERE MY CHILDREN WENT, BREAKER WOODS -- BREAKER WOODS IS 50%.% TRANSFER. SO AISD I THINK HAS BEEN CREATIVE IN MARKETING THE SCHOOLS WHERE THEY HAVE SOME EXTRA CAPACITY, BUT THEIR BIGGEST HEADACHE IS GOING TO BE HOW TO PROVIDE CAPACITY IN PARTS OF TOWN WHERE THEY HAVEN'T HAD TO WORRY ABOUT IT BEFORE.

McCracken: THAT'S THE AREAS LIKE THE DES MOINES OR FAR WEST.

IT'S THE NORTH LAMAR CORRIDOR THAT THEY'RE LOOKING AT AS THEIR HOTTEST ISSUE AND THEN POSSIBLY -- I DON'T WANT TO SPEAK FOR THEM, BUT THEY MAY HAVE TO BRING ANOTHER BOND BEFORE THE CITIZENRY TO FUND A SCHOOL ON THE EAST RIVERSIDE DRIVE AREA IN ADDITION TO SERVING SUBURBAN HIGH GROWTH AREAS THAT WILL COME FROM LIKE GOODNIGHT RANCH, FOR EXAMPLE.

McCracken: DO WE HAVE ANY -- I'M AWARE THAT VAGUELY THE SCHOOLS HAVE CLOSED, BUT I JUST DON'T KNOW WHERE THERE WAS. ANECDOTALLY BECKER, FOR INSTANCE. IKT...

IT'S STILL OPEN.

McCracken: YEAH, BUT THAT'S A SCHOOL THAT WAS PUT ON THE CHOPPING BLOCK BECAUSE OF THE DECLINE OF SCHOOL AGE CHILDREN AND THAT IN THE 78704 AREA. ARE YOU AWARE OF OTHER SCHOOLS HAVING A TRAJECTORY OR SIMILAR DYNAMIC AS BECKER DOES WHERE THEY'RE HAVING

## DECLINING SCHOOL AGE POPULATIONS?

I'M NOT. AND WE CAN GET THAT INFORMATION FOR YOU. AND AGAIN, I THINK THAT THERE'S ENOUGH GROWTH WHERE THEY'RE TAKING ADVANTAGE OF DECLINING ENROLLMENTS OR OVER CAPACITY AND TRYING TO MAKE UP FOR THAT FOR THEIR HIGH GROWTH AREAS. BUT I CAN ASK JOEL SILVA FOR SOME SPECIFIC INFORMATION AND KY GET THAT TO YOU.

McCracken: IT WOULD HELP US TO KNOW IF WE'RE GOING TO BE HAVING SOME REDEVELOPMENT STRATEGY TARGETED AT BRINGING SCHOOL AGE KIDS, MAKING SURE WF HOUSING FOR FAMILIES THAT'S AFFORDABLE, THAT WE KNOW WHERE TO TARGET OUR EFFORTS, WHICH WOULD BE THE IDEAL WOULD BE A PLACE WITH AN ELEMENTARY SCHOOL WITH A DECLINING SCHOOL AGE POPULATION, THAT'S AN AREA WHERE THERE WOULD BE A LOT OF POSITIVE INCIDENTS ALL THE WAY AROUND, WE HAVE TO KNOW WHERE THOSE ARE.

A GOOD EXAMPLE THAT HAVE IS THE REDEVELOPMENT OF THE OLD AIRPORT SITE WHERE THERE'S A DEDICATED ELEMENTARY SCHOOL SITE. THE SCHOOL SYSTEM WILL BE WATCHING THAT AND SO THEY'LL BE ABLE TO TAKE ADVANTAGE OF IF FAMILIES DO INDEED MOVE INTO THE OLD AIRPORT, THEY'LL BE READY TO GO.

McCracken: WHAT IS WORKING ELSEWHERE? I KNOW YOU DID AN EXAMPLE OF VABL CIEWFER WHERE -- VANCOUVER WHERE YOU SAID THAT THEY'RE MANDATING 25 PERCENT OF THE UNITS AND 20% BE FAMILY SIZED AND 20 PERCENT BE AFFORDABLE. HOW ARE THEY FUNCTIONALLY GETTING THAT AGGREGATE NUMBER IF THEY'RE DOING SEPARATE DEVELOPMENTS.

I CAN GET WITH THEM AND WE CAN DO SOME DIGGING IF FOR THAT.

McCracken: THAT MIGHT BE A GOOD MODEL FOR DOWNTOWN AREA. A FEE SO THAT THE CITY DEVELOPS ITS OWN OR DOES A PRIVATE DEVELOPER

DO IT? IT WOULD BE NICE TO KNOW THE MECHANICS OF HOW THEY GOT TO THAT POINT. THAT MIGHT BE A GOOD MODEL FOR US IN DOWNTOWN SINCE WE NOW ARE AWARE OF TODAY A SUCCESSFUL DOWNTOWN DEVELOPMENT MODEL THAT INCLUDES AFFORDABLE HOUSING, WHICH I THINK WE'VE ALL BEEN SEARCHING FOR. BUT IN ADDITION TO VANCOUVER, HAVE YOU FOUND IN YOUR RESEARCH OTHER EXAMPLES OF PLACES THAT WERE SUCCESSFUL IN REVERSING THE TIDE?

IT'S ONE OF THE FEW ONES. THE MORE COMMON EXAMPLE IS THE AMERICAN CITY THAT'S STRUGGLING TO KEEP CHILDREN. VANCOUVER REALLY STANDS OUT AS AN ANOMALY TO -- OWE AN ANOMALY TO MY KNOWLEDGE.

McCracken: HAVE YOU TO THINK MORE THAN SIX MONTHS IN ADVANCE TO DO SOMETHING ABOUT THIS. AND SPEAKING OF THINKING MORE THAN SIX MONTHS IN ADVANCE, I THINK NEXT TAKING UP THE CLIMATE PROTECTION PROPOSAL PACKAGE, AND ONE OF THE THINGS THAT I FOUND VERY COMPELLING AND EVERYBODY I TALKED TO HAD HEARD THIS, THEY DO DOUBLE TAKE IS THE COST SAVINGS FOR ELECTRIC AND WALL STREET USE FROM LIVING IN PLACES LIKE WHAT THE MAYOR DESCRIBED IN HIS OWN EXPERIENCE THAT IF YOU CAN DO FROM MY HOUSE WITH THE EXPERIENCE OF PAYING 400 BUCKS TO PAYING 40 OR 50 BUCKS A MONTH, THAT'S A HUGE MONTHLY SAVINGS. IT'S NOT LIKE BETTER FOR WATER USAGE AND HELPS US PUT OFF BUILDING WATER PLANTS AND ELECTRIC PLANTS. IT'S GREAT FOR THE MONTHLY HOUSEHOLD BUDGET. I THINK IT WOULD BE HELPFUL IN THAT REGARD AS WE WORK THROUGH THE NEXT ITEM, THE CLIMATE PROTECTION AND GLOBAL WARMING THAT PERHAPS WE CAN TAKE THE INFORMATION WE'VE GATHERED TO GIVE SOME PICTURE OF TOTAL HOUSING EXPENSES, SOMETHING SIMILAR TO THE CONCEPT AND THE LOCATION OF AN EFFICIENT MORTGAGE WHERE IT'S -- THE LOCATIONS FACTOR IN THE FACT THAT YOU ONLY NEED ONE OR MORE CARS BASICALLY IN F. YOU LIVE IN THE RIGHT PLACE. BUT PERHAPS YOU COULD GET SOME KIND OF AGRICULTURE GATE HOUSING CHART, EXPENSES,

SAYING THAT THIS HOUSING UNIT, WHETHER IT'S A CONDO OR APARTMENT OR SINGLE-FAMILY HOUSE BASED ON ITS PAST ENERGY AND WATER USAGE AND THE LOCATION FROM EMPLOYMENT CENTERS, HERE'S WHAT YOU CAN EXPECT TO PAY EACH MONTH ON HOUSING, LIKE MORTGAGE, AND TRANSPORTATION AND ELECTRIC, WATER. SO WE WOULD SEE THAT THESE -- THE GREEN BUILDING IN PLACES ACCESSIBLE TO TRANSIT, THAT THESE PLACES THAT THE TOTAL HOUSING PRICE WOULD BE VERY DIFFERENT IN YOU'RE LIVING SOMEWHERE THAT IS LOCATION EFFICIENT AND GREEN BUILT. YEAH, AFFORDABLE LIVING AS THE MAYOR PRO TEM SAID. IF WE TAKE THAT UP NEXT, THAT WOULD BE A HELPFUL PIECE OF INFORMATION AS WE LOOK AT ISSUE OF RESALES AND THINGS LIKE THAT. THANKS A LOT, RYAN. IT WAS GREAT.

Mayor Wynn: COUNCILMEMBER COLE.

Cole: I REALLY APPRECIATE THE WORK THAT YOU'VE DONE AND HAVE TOUCHED ON SOMETHING THAT HAS BEEN SOMEWHAT OF AN ISSUE THAT I'VE THOUGHT ABOUT A LONG TIME. AND THAT IS THE FACT THAT WE SPEND SO MUCH TIME TALKING ABOUT INFILL, DENSITY AND AFFORDABLE HOUSING, BUT IT'S CLEAR FROM THIS INFORMATION ONE OF THE MIGHT MARY THINGS DRIVING THE DECISION OF WHERE FAMILIES WITH CHILDREN LIVE ARE THE SCHOOLS. AND THAT IF WE DON'T WORK WITH AISD TO LOOK AT THAT INFORMATION THE SAME AS WE LOOK AT OTHER INFORMATION, WE'RE NOT GOING TO MAKE A DENT IN WHERE WE'RE DROPPING GROWTH. SO WHAT I WANT TO ASK YOU TO DO -- AND I APPRECIATE THIS INFORMATION -- IS TO TAKE US A CHART SHOWING THESE SCHOOLS THAT HAVE INCREASING ENROLLMENT. AS YOU TALK ABOUT THE TRANSFERS IN THE INFILL NEIGHBORHOODS, WHICH I'M AWARE OF WITH BRYKERWOOD AND CASIS, THAT WE SEE A PATTERN WHERE PEOPLE CAN OR CANNOT AFFORD TO MOVE BACK INTO THOSE NEIGHBORHOODS WITHOUT FAMILIES AND WE HAVE HIGH TRF AREAS. AND WHAT I THINK IS THE CASE, JUST TO SHARE WITH MY COLLEAGUES, IS THAT AS WE MOVE FROM MOPAC FURTHER EAST AND IT BECOMES AFFORDABLE, WE

SEE MORE CHILDREN LIVING THERE AND THE ENROLLMENT INCREASING, BUT AS THE HOUSING PRICES INCREASE, THERE'S NOT AN INCREASE IN TURNOVER, BUT STILL THERE ARE EXCEPTIONS TO THAT RULE IN CERTAIN NEIGHBORHOODS AND I THINK WE NEED TO LOOK AT THAT AND UNDERSTAND THAT PATTERN AS WE LOOK AT AFFORDABLE HOUSING WHERE IT IS AND AS WE PLAN TO MAKE THAT AVAILABLE FOR CHILDREN.

IT WOULD BE A FUN MAP TO MAKE. WE'LL GET ON IT.

Cole: OKAY.

Mayor Wynn: COUNCILMEMBER KIM.

Kim: I WAS SURPRISED TO HEAR THAT THERE ARE SCHOOLS THAT HAVE SUCH HIGH TRANSFER RATES BECAUSE THAT THEN PUTS MORE TRIPS ON OUR ROADS AND ALSO MORE TIME INTO THE DAY OF A PARENT WHO HAS TO TAKE THEIR CHILD TO SCHOOL BECAUSE THEIR CHILD CAN'T WALK OR TAKE THE BUS. AND SO I WAS WONDERING IF WE COULD SEE THAT IN TERMS OF THE SCHOOLS IN OUR URBAN AREAS WHERE WE HAVE FEWER FAMILIES WITH CHILDREN ESPECIALLY, AND I ASSUME THAT WOULD BE AISD, THOSE SCHOOLS IN TERM OF THE TREND OTHER TIME OF POPULATION, SHARED POPULATION THAT ACTUALLY LIVES IN THAT -- THE BOUNDARIES OF THAT SCHOOL VERSUS THE POPULATION THAT HAS BEEN TRANSFERRED IN FROM OTHER PLACES. BECAUSE I ASSUME THOSE CHILDREN ARE COMING FROM OTHER AREAS THAT -- I DON'T KNOW WHERE THEY'RE COMING FROM. I DON'T KNOW HOW WE CAN GET THAT INFORMATION. SO TO KNOW AS A CONSUMER AND A PARENT HOW THEY'RE MAKING THAT CHOICE OF WHERE THEIR CHILDREN WILL GO, THAT WILL HELP US TO KNOW WHAT WE SHOULD DO TO MINIMIZE THE -- I GUESS THE HASSLE IN HAVING TO GET THEIR KIDS TO SCHOOL. SO THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? AGAIN, THANK YOU MR. ROBINSON. THIS IS FASCINATING INFORMATION TO HAVE. SO COUNCIL, THAT LEAVES US WITH ONE ACTION ITEM PRIOR TO OUR 4:00 O'CLOCK ZONING CASES, AND THAT IN

FACT IS, AS COUNCILMEMBER MCCRACKEN SORT OF  
TEED UP EARLIER, OUR ITEM FROM COUNCIL, ITEM  
NUMBER 23, WHICH IS THE PROPOSED AUSTIN  
CLIMATE PROTECTION PLAN. SOME OF YOU ALL  
MAY KNOW THAT -- OF COURSE, I WAS JOINED DOWN  
HERE BY THE CO-SPONSORS, COUNCILMEMBERS  
LEFFINGWELL AND MCCRACKEN LAST WEEK, BUT  
ALSO WAS FLATTERED TO HAVE OTHER  
COUNCILMEMBERS IN THE ROOM AS WELL AS OF  
COURSE THE CITY MANAGER AND HER SENIOR CITY  
MANAGEMENT STAFF AS WE ROLLED OUT THIS PLAN  
WHICH FRANKLY HAS BEEN MONTHS IN THE  
MAKING. REALLY YEARS SORT OF -- ON THE  
PROOFRY. VERY SPECIFICALLY A LOT OF WORK  
DONE BY DIFFERENT CITY DEPARTMENTS OVER THE  
LAST FEW MONTHS AS WE STARTED FIGURING OUT  
WHAT IT IS WE COULD DO HERE AS THE LOCALITY  
HERE IN AUSTIN TO IN FACT MIMIC WHAT HAS  
HAPPENED ALL OVER THIS COUNTRY, WHICH IS  
WHERE CITIES, LOCAL GOVERNMENTS ARE IN FACT  
TAKING THE LEADERSHIP ROLE WHERE WH IT  
COMES TO CLIMATE PROTECTION. AND IN FACT IN  
THE FACE OF LACK OF FEDERAL LEADERSHIP ON  
THE ISSUE. JUST THIS PAST MONTH THE  
INTERNATIONAL PANEL ON CLIMATE CHANGE  
CLOSED THE DOOR ON ANY SERIOUS DEBATE ON  
WHETHER HUMAN ACTIVITY IS THE PRIMARY FORCE  
BEHIND GLOBAL WARMING, SAYING THAT THE DATA  
IS UNEQUIVOCAL. AND NOW THAT SCIENTIFIC BODY  
FINALLY HAS BEEN JOINED BY A NUMBER OF  
LEADING BUSINESSES HERE IN THE U.S. JUST A  
COUPLE OF WEEK AGO WE HEARD THE  
ANNOUNCEMENT BY THE CEO'S OF ALCOA WITH A,  
BP, CATERPILLAR, DUKE ENERGY, LEHMAN  
BROTHERS. JUST THIS WEEK THE CEO OF EXXON  
MOBILE ACKNOWLEDGED GLOBAL WARMING,  
CLIMATE CHANGE AS THE SIGNIFICANT CHALLENGE  
THAT HE AND HIS INDUSTRY NEED TO START  
TAKING ACTION TO COMBAT. SO WHAT WE  
ANNOUNCED LAST WEEK IS OUR AUSTIN CLIMATE  
PROTECTION PLAN. I BELIEVE THERE ARE SOME  
SUMMARIES THAT ARE SOMEWHERE IN THE ROOM  
AVAILABLE FOR FOLKS WHO MAYBE HAVEN'T SEEN  
SOME OF THE DETAILS. IT'S AGGRESSIVE, IT'S ALSO  
LONG-TERM. IT'S MADE UP OF FIVE DIDN'T PARTS  
GENERALLY SPEAKING. WE HAVE A MUNICIPAL



PLAN, THAT IS WHAT WE AS A CITY ORGANIZATION WILL DO. THE CITY MANAGER HAS HER DEPARTMENT HEADS SCOURING EACH OF THEIR INDIVIDUAL DEPARTMENTS NOT ONLY LOOKING AT THEIR INDIVIDUAL CONTRIBUTIONS TO GREENHOUSE GASES, BUT WHAT IT IS THEY CAN DO STRATEGICALLY TO BEGIN TO REDUCE THOSE AND THEN FUNDAMENTALLY WHAT WOULD BE THEIR FUNDAMENTAL TARGETS AND THEIR POLICIES FOR HELPING THE OVERALL CITY ORGANIZATION BECOME CARBON NEUTRAL BY 2020. AND THEN THERE'S THE UTILITY PLAN. AUSTIN ENERGY HAS A FABULOUS GENERATION LONG RECORD NOW WHEN IT COMES TO ENERGY CONSERVATION, ENERGY EFFICIENCIES, USE OF RENEWABLES, SOME VERY PROGRESSIVE POLICIES THAT HAVE BEEN MODELED REALLY THROUGHOUT THE COUNTRY THIS LAST GENERATION OR SO, BUT AUSTIN ENERGY IS STEPPING UP WITH THEIR AGGRESSIVE UTILITY PLAN THAT IN MANY WAYS CAN BE CHARACTERIZED AS BEING AHEAD OF THE MARKET, AHEAD OF TECHNOLOGY, BUT WITH SOME OF THE NATURE OF THESE LONGER TERM GOALS BUILT INTO THIS PLAN. WE BELIEVE THAT AUSTIN SHOULD IN FACT BE PUSHING THE MARKET AND PUSHING TECHNOLOGY AS WE HAVE DONE IN...IN THE PAST TO HEINOUS BUMP UP OUR RENEWABLE GOALS A FULL 50%. FROM 20% OF OUR ENERGY BY 2020 TO NOW 30 PERCENT BY 2020 TO ACHIEVE -- MANY PEOPLE KNOW THAT AUSTIN ENERGY IS ALREADY DECLARED IN WORKING TOWARDS 500 MEGAWATTS OF SAVINGS THROUGH ENERGY EFFICIENCY AND CONSERVATION. NOW WE'RE ASKING THEM TO BUP THAT UP TO 700 MEGAWATTS AND SAVINGS THROUGH ENERGY AND CONSERVATION. ESSENTIALLY BUILDING A SECOND, A VERY LARGE CONSERVATION POWER PLANT, IF YOU WILL, A VIRTUAL POWER PLANT. CARBON NEUTRALITY ON ALL NEW GENERATION. AND REMEMBER THAT OF COURSE EVEN TODAY FULLY TWO-THIRDS OF ALL OF OUR GENERATION HERE LOCALLY COMES FROM EITHER COAL OR NATURAL GAS. AND SO A BIG ELEMENT OF THIS PLAN WILL BE FOR THE RECOGNITION OF THOSE CONTRIBUTIONS TO CO 2, CAPPING AND ULTIMATELY REDUCING OUT UTILITY EMISSIONS. WE HAVE A HOME AND

BUILDINGS PLAN WHERE WE'RE GOING TO HAVE THE COUNTRY'S MOST EFFECTIVE BUILDING CODES -- SORRY, I LOST MY SPOT HERE. HAVE AUSTIN HAVE THE MOST EFFECTIVE BUILDING CODES FOR BOTH RESIDENTIAL AND COMMERCIAL PROPERTIES IN THE NATION. WE ALREADY ARE WELL ON OUR WAY THROUGH THE GREEN BUILDING PROGRAM THAT WE'VE HAD IN PLACE NOW FOR 15, 17 YEARS. SOME OF YOU ALL KNOW THAT THIS COUNCIL HAS ALREADY PASS ADD RESOLUTION AND WORK HAS ALREADY BEGUN, AMENDMENTS ARE ALREADY COMING TOWARDS THE CITY COUNCIL THIS SPRING FOR ALL NEW SINGLE-FAMILY HOMES IN AUSTIN TO BE CONSTRUCTED BEGINNING IN 2015 TO BE ZERO ENERGY CAPABLE HOMES. LIKELY THAT WILL BE ACHIEVED BY HAVING DRAMATIC ENERGY EFFICIENCIES BUILT INTO THESE NEW HOMES, BUT ALSO HAVING ON-SITE GENERATION MAKE UP THAT DIFFERENCE. WE NOW ARE ASKING THAT ALL COMMERCIAL BUILDINGS BE 75% MORE ENERGY EFFICIENT THAN WE'RE CURRENTLY ACHIEVING. AND FOR THE FIRST TIME WE'VE ANNOUNCED THAT WE ARE GOING TO WORK TOWARDS A PLAN WHEREBY WE CAN HAVE THE REQUIREMENT THAT ALL EXISTING HOMES AND STRUCTURES ALSO BE RETROFITD FOR ENERGY EFFICIENCIES. THE FACT OF THE MATTER IS PROBABLY 90% OF ALL STRUCTURES THAT WILL BE IN THIS TOWN 15, 20 YEARS FROM NOW ARE HOMES, BUILDINGS THAT EXIST TODAY, AND SO WE CAN'T LET THAT LARGE A SEGMENT OF OUR BUILDING STOCK FLY UNDER THE RADAR SCREEN WHEN IT COMES TO SMART, COST EFFECTIVE, ENERGY EFFICIENT PRANLZ, PROGRAMS, WHETHERRIZATION, MORE EFFICIENT -- WEATHERIZATION, MORE EFFICIENT APPLIANCES, THINGS THAT PEOPLE WILL WANT TO DO ANYWAY, THAT WENT TO WORK TO WHERE WE HAVE THAT RIMENT REQUIREMENT IN PLACE THAT HAS A NEW OWNER TAKES POSSESSION AFTER HOUSE OR A BUILDING, THEN THEY HAVE THE ABILITY TO TAKE ADVANTAGE OF THE SAVINGS THAT THEY WILL HAVE FROM DRAMATIC ENERGY EFFICIENCIES MOVING FORWARD. THIS IS AN IDEA OF PUTTING MONEY BACK INTO THE CONSUMER'S POCKET AND WITH THAT MONEY THEY WILL BE FINANCING, PURCHASING, IMPROVING THE ENERGY EFFICIENT

NATURE OF THE HOMES AND BUILDINGS. WE'RE ANNOUNCING A COMMUNITY PLAN WHERE A CITYWIDE CLIMATE ACTION TEAM WILL START INVENTORYING OUR COMMUNITY'S GREENHOUSE GAS EMISSIONS AND DEVELOPING LONG-TERM STUDIES WHERE WHEN IT COMES TO TRANSPORTATION AND LAND USE PLANNING, EMERGING TECHNOLOGIES, WASTE MANAGEMENT, NATURAL AREAS AND LANDSCAPING, MULTIGENERATIONAL EDUCATION, OUTREACH FOR THE REST OF THIS METRO ECONOMY TO ALSO PLAY ITS ROLE IN THE DRAMATIC REDUCTION IN GREENHOUSE GASES BEING EMITTED HERE FROM CENTRAL TEXAS. AND FINALLY WHAT WE'RE CALLING AS A GO NEUTRAL PLAN AND ITS MECHANISMS FOR BUSINESSES AND INDIVIDUALS TO REDUCE THEIR EXISTING CARBON FOOTPRINT. SEVERAL MODELS EXIST CURRENTLY. WE KNOW THAT SOUTH BY SOUTHWEST THIS YEAR FOR INSTANCE IS WORKING WITH GREEN MOUNTAIN ENERGY AND THEIR PURCHASING OFFSETS TO MAKE THIS YEAR'S FESTIVAL, SOUTH BY SOUTHWEST, A CARBON NEUTRAL. ESSENTIALLY WHAT THEY'RE DOING, THEY'RE GOING ON A WEBSITE, BUYING THE CREDITS, THEY'RE BUYING CLEAN ENERGY CREDITS AND OTHER FORMS OF OFFSETS OUTSIDE OF AUSTIN FRANKLY. WHAT WE WANT TO DO IS DEVELOP A PLAN WHEREBY LOCAL BUSINESSES, INDIVIDUALS AND ORGANIZATIONS CAN GO ON OUR CITY'S WEBSITE, THEY CAN USE THE CALCULATOR, IF YOU WILL, TO FIND OUT WHAT THEIR FOOTPRINT IS AND HOW THEY CAN AND SET THEIR -- OFFSET THEIR INDIVIDUAL CONTRIBUTIONS. MEANWHILE WE CAN KEEP THOSE CREDITS, IF YOU WILL, LOCAL. AND SO WE'LL HAVE THE ABILITY FOR BUSINESSES AND INDIVIDUALS AND ORGANIZATIONS TO PURCHASE CREDITS AND THEY CAN BE THINGS LIKE HELP CREATE MORE EFFICIENT LIGHTING AT LITTLE LEAGUE BALL FIELDS SOMEWHERE HERE IN TOWN BY CHANGING OUT SOME INEFFICIENT, PERHAPS EVEN INCANDESCENT LIGHTING AT AN OLD BALL FIELD. LOCAL TREE PLANTING PROGRAM. OUR LOCAL PROGRAM THAT HELPS LOW INCOME FOLKS IN OUR COMMUNITY WITH THEIR WEATHERIZATION AND ENERGY EFFICIENT UPGRADES TO THEIR HOMES. SO HAVE A LOCAL GO NEUTRAL PLAN WHERE YOUR OFFSETS THAT PEOPLE ARE ALREADY

PURCHASING BEGIN TO PURCHASE THEM, BE AWARE OF THEM AND THEN HAVE THOSE IMPROVEMENTS BE MADE HERE LOCALLY. SO AGAIN, IT'S AGGRESSIVE, IT'S LONG-TERM, IT'S FIVE MAJOR PARTS. IT HAS BEEN WELL THOUGHT THROUGH BY CITY DEPARTMENTS AND OUR UTILITY. WE'VE ALREADY HAD GOOD FEEDBACK FROM STAKEHOLDERS. I WANT TO ALSO JUST STRESS WHAT THIS SECTION ITEM IS -- THIS ACTION ITEM IS, IT'S A RESOLUTION, OF COURSE, THAT STATES THESE TARGETS THAT, STATES OUR GOALS AND DIRECTS THE CITY MANAGER TO BEGIN THESE PROCESSES, BOTH INTERDEPARTMENTALLY, BUT ALSO WITH THINGS LIKE OUR BUILDING CODES. MY STRONG SUSPICION THAT IT WILL TAKE MONTHS' WORTH OF WORK AND MONTHS' WORTH OF FEEDBACK FROM STAKEHOLDERS, TECHNICAL ADVISORS THROUGHOUT THE COMMUNITY TO START TO COME UP WITH THE SPECIFICS THAT FUNDAMENTALLY ULTIMATELY WILL COME BACK TO COUNCIL FOR FORMAL ACTION. FOR INSTANCE, ON THE HOMES AND BUILDING PLANS, MOST OF THAT WORK, MUCH OF THAT WORK WOULD REQUIRE US CHANGING CERTAIN ORDINANCES AND OUR CODES. THAT'S A VERY STRUCTURED, VERY LONG-TERM PROCESS AND INCLUDES MANY, MANY BOARDS AND COMMISSIONS. SO THERE WILL BE A NUMBER OF ARENAS AND FORUMS AND OPPORTUNITIES, OUTREACH PROGRAMS WHEREBY CITIZENS, TECHNICAL ADVISORS, INTERESTED PARTIES WILL BE INVOLVED IN THE FORMULATI OF WHAT WILL BE OUR LONG-TERM STRATEGY LONG BEFORE IT COMES BACK TO COUNCIL FOR FORMAL ACTION. NOW, WE ARE CHANGING OUR STRATEGIC PLAN WITH AUSTIN ENERGY WITH THIS DIRECTION AND OF COURSE WE'RE SENDING THE CITY MANAGER ON HER WAY ON A NUMBER OF SPECIFIC TARGETS TO MEET, BUT AGAIN, THERE'S BEEN SOME MISUNDERSTANDING, MISCOMMUNICATION ABOUT SPECIFICALLY WHAT THIS ACTION ITEM DOES TODAY, BUT I'LL TELL YOU FIRST AND FOREMOST THAT I'M VERY, VERY PROUD OF THIS PLAN. IT'S GOING TO TAKE A LOT OF TIME,EST FOR US TO ACHIEVE IT. SOME ELEMENTS OF IT WILL BE ACHIEVED LONG AFTER WE ARE OFF THIS DAIS. IT'S VERY, VERY IMPORTANT THAT AUSTIN IN MY OPINION PLAYS THE ROLE THAT WE

SHOULD BE PLAYING AND THAT IS A NATIONAL LEADERSHIP ROLE WHEN IT COMES TO DEMONSTRATING WHAT LOCAL SOLUTIONS CAN MEAN TO A GLOBAL PROBLEM. I'VE BEEN PROUD TO HAVE WORKED WITH LITERALLY DOZENS AND DOZENS OF MAYORS ACROSS THE COUNTRY THE LAST TWO YEARS OR SO. THREE OR FOUR HUNDRED CITIES NOW HAVE ESSENTIALLY SIGNED THE U.S. CONFERENCE OF MAYORS CLIMATE PROTECTION AGREEMENT. IT IS VERY ENCOURAGING TO SEE WHERE THESE CITIES ARE COMING FROM. THIS ISN'T THE TYPICAL SHORT LIST OF WHAT I'D CONSIDER TO BE PROGRESSIVE CITIES IN THIS COUNTRY. CITIES THAT WE'RE COMPARED WITH FREQUENTLY AND THAT WE WORK WELL TOGETHER WITH. WE HAVE DOZENS AND DOZENS OF CITIES AND LOCALITIES AND CONSERVATIVE CITIES IN THE SOUTH BY THE DOZENS, IN OUR HEARTLAND BY THE DOZENS WHO ARE ALL TAKE SOMETHING REALLY IMPRESSIVE LOCAL ACTIONS TO COMBAT THIS GLOBAL PROBLEM, REFERRING FROM CHANGING OUT THE RED LIGHTS TO LED TO AND THROUGH CONVERTING THEIR FLEETS TO CHANGING LAND USE PATTERNS AND BUILDING CODE ORDINANCES AND GREEN BUILDING PROGRAMS AND DEMANDING LEAD RATED MUNICIPAL BUILDINGS. IT'S ACROSS THE BOARD AND IMPRESSIVE AND I THINK IT'S IMPORTANT THAT AUSTIN CONTINUES TO MAINTAIN A NATIONAL LEADERSHIP ROLE WHEN IT COMES TO LOCAL GOVERNMENTS TAKING ACTION AND HELPING US COME UP WITH LOCAL SOLUTIONS TO AGAIN WHAT IS A BIG GLOBAL PROBLEM. I APPRECIATE MY CO-SPONSORS HELP WITH THIS. WE KNEW THAT WE HAD A LOT OF MORAL SUPPORT WITH THE REST OF THE COUNCIL. WE HAVE THIS GENERATION OR LONGER, LONG REPUTATION HERE IN AUSTIN FOR PROGRESSIVE ACTION WHEN IT COMES TO ENERGY, WHEN IT COMES TO THE ENVIRONMENT, AND THIS IS THE APPROPRIATE THING IN MY FOND FOR THE CITY TO BE DOING AND I ALSO WANT TO COMMEND THE CITY MANAGER AND HER STAFF FOR ALL THE EFFORT AND WORK THAT SHE HAS PUT INTO THIS THISEST TO GET US HERE SO FAR. COUNCIL, I WILL SAY THAT WE HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO ADDRESS US, BUT BEFORE WE TAKE CITIZEN COMMENTS,

PERHAPS WE OPEN IT UP FOR A LITTLE BIT OF ADDITIONAL OPENING STATEMENTS. I'M SORRY I WAS SO LONG-WINDED. BEFORE WE HEAR FROM OUR CITIZENS. COUNCIL, ANY COMMENTS? IF NORKTS WE'LL GO TO -- IF NOT, WE'LL GO TO CITIZEN FEEDBACK AND PERHAPS GET SOME MORE IDEAS AND INPUT. SO WITH THAT -- BY THE WAY, I BELIEVE WE HAVE PASSED OUT IN ADDITION TO YOUR BACKUP, WITH THE RESOLUTION THAT'S IN OUR BACKUP, WE HAVE PASSED OUT A FRONT AND BACK SUMMARY OF OUR AUSTIN CLIMATE PROTECTION PLAN. AND SO LET'S TAKE UP SOME SPEAKERS. I APPRECIATE EVERYBODY'S PATIENCE. FIRST SPEAKER IS SCOTT JOHNSON. SCOTT WAS HERE EARLIER. WELCOME BACK. AND IS DONNA HOFFMAN IN THE ROOM? WELCOME BACK. SO SCOTT, DONNA HAS OFFERED YOU HER TIME, SO YOU CAN HAVE UP TO SIX MINUTES IF YOU NEED THEM. WELCOME.

GOOD AFTERNOON, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS, MS. FUTRELL, CITY STAFF. THANK YOU, MAYOR AND YOUR STAFF. IT'S A VERY STRONG FRAMEWORK THAT YOU BRING FORWARD AND THANK YOU TOO TO COUNCILMEMBERS MCCRACKEN AND LEFFINGWELL FOR SUPPORTING THIS. THE DEBATE IS OVER AND REALLY HAS BEEN OVER FOR FIVE YEARS NOW SINCE THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, BASICALLY A U.N. SANCTIONED GROUP, THE 2500 SCIENTISTS THAT ARE MEMBERS OF THAT FIVE YEARS AGO SAID THAT MAN HAS VERY DISCERNIBLE IMPACT ON THE CLIMATE, AND EVEN TAIWAN AND CHINA, THOSE SCIENTISTS HAD TO AGREE WITH THAT CONSENSUS DOCUMENT AND THEY'RE THE ONES THAT ARE GOING TO TAKE ADVANTAGE OF FOSSIL FUELS TO A MUCH GREATER EXTENT OVER THE NEXT COUPLE OF GENERATIONS THAN WE ARE PARTICULARLY AS THEY BUILD UP THEIR COUNCILMEMBER ALVAREZ. THE EFFECTS ARE ALREADY EVIDENT OF CLIMATE CHANGE. I'VE HAD THE TIEBILITY TRAVEL TO ABOUT 50 COUNTRIES WORLDWIDE. AND IN THE SOUTH PACIFIC THESE ISLANDS ARE EXPERIENCING RISING WATER LEVELS. AND AS IS MENTIONED IN THE AL GORE PRESENTATION, THERE IS AN ISLAND CHAIN IN THE SOUTH PACIFIC, I BELIEVE IT'S THE TONGA

ISLANDS, MAYBE YOU KNOW, MAYOR, THAT'S MADE A PACKET WITH NEW ZEALAND TO SAY WHEN THE WATER RISES WE'RE GOING TO BE SAILING OUR BOATS DOWN TO NEW ZEALAND. WE WANT TO RELOCATE THERE. I'M SAYING THIS FOR THE BENEFIT OF THE TV AUDIENCE THAN PERHAPS THE COUNCIL, BUT THAT'S VERY POWERFUL. AND I'VE TALKED TO A LOT OF PEOPLE AS I TRAVELED. I WAS IN ASIA RECENTLY AND SOME OF THEM WANT THE CITIZENS OF AUSTIN, TEXAS AND THE STATE OF TEXAS AND THE U.S. TO DRIVE A LITTLE BIT LESS, TO BUY MORE HYBRIDS, USE MORE ENERGY, TO DO THINGS THAT ARE REASONABLE, NOT TO CHANGE THEIR LIFESTYLES SO MUCH THAT THEY CAN'T ENJOY A REASONABLE QUALITY OF LIFE. I THINK ALL THIS CAN MAKE SOME SACRIFICES ALONG THOSE REGARDS. REGARDING THE CLIMATE ACTION TEAM THAT THE COUNCIL I ASSUME WILL FORM OVER THE NEXT MONTH OR SO, I WOULD HOPE THAT THOSE FOLKS WOULD NOT ONLY BE ENGAGED MEMBERS OF THE TASKFORCE OR THE ACTION TEAM, BUT THEY WOULD ALSO BE SOMEWHAT KNOWLEDGEABLE, GIVE THEM HOME.....HOMEWORK, GIVE THEM SOME IMPETUS TO STUDY UP ON THE ISSUE AND COME PREPARED. I'VE WORKED WITH TASKFORCE BEFORE, SOME WORK WELL, SOME DON'T WORK WELL, AND PART OF IT IS BECAUSE SOMETIME THE ELECTED OFFICIALS PICK PEOPLE THAT THEY THINK SHOULD BE HONORED OR PICK FREEMAN THE BUSINESS COMMUNITIES OR CERTAIN ENTITIES AND THOSE FOLKS MAY NOT BE THE MOST QUALIFIED TO DEAL WITH THIS ISSUE. DEFINITELY WE NEED THE BUSINESS COMMUNITY ON BOARD, NEED THOAM HAVE THEIR OWN IDEAS IN PLACE RATHER THAN FOR THE CITY TO NUDGE THEM. IMPLEMENTATION. IMPLEMENTATION OF ANY TYPE OF PLAN REALLY HAS TO BE DONE AT A VERY HIGH LEVEL WITHIN THE CITY. SENIOR MANAGERS NEED TO SEE THE PLAN'S IMPLEMENTATION AND I CAN SPEAK FROM EXPERIENCE WORKING SOME ON THE LOCAL OZONE SMOG PLAN, AND THAT PLAN, WHILE IT'S ROBUST AND WE'RE ONE OF THE FIRST CITIES IN THE NATION TO HAVE SUCH A PLAN CALLED THE CLEAN AIR ACTION PLAN, KNOWN AS THE EARLY ACTION COMPACT. THAT PLAN RIGHT NOW IS NOT BEING IMPLEMENTED FULLY BECAUSE SOME OF THE

PLANNERS DIDN'T THINK ABOUT HOW YOU IMPLEMENT SUCH A PLAN SINCE IT WAS NEW. SO RIGHT NOW WE DON'T KNOW IF THERE'S FRAUD WITHIN THE SYSTEM ON EMISSIONS TESTING. D.P.S. IS WORKING ON THAT ISSUE. WE DON'T KNOW IF GAS STATION VAPOR RECOVERY IS BEING DONE BECAUSE TCEQ HAS NOT AUTHORIZED THE STAFF TO DO AUDITS. WE DON'T KNOW IF -- WE ACTUALLY DO KNOW THAT WE'RE NOT ENFORCING THE HEAVY DUTY DIESEL IDLING REQUIREMENTS THAT SAYS VEHICLES THAT ARE SEVEN TONS OR GREATER CAN ONLY IDLE FOR FIVE MINUTES OR LESS. AND THIS IS BASED ON MY RESEARCH WITH CITIES, MUNICIPAL COURT AND TALKING TO TRAVIS COUNTY. SO WHEN THIS PLAN IS PUT INTO PLACE, WE NEED TO SET TARGETS, WE NEED TO HAVE FOLLOW-UP, WE NEED TO DO THINGS THAT WE NEED TO DO. AND I HOPE Y'ALL HAVE THE STAYING POWER. I KNOW SOME OF THE PEOPLE HAVE THE STAYING POWER TO HELP YOU ON THIS. ONE PROPOSAL THAT I HOPE FINDS ITS WAY INTO THE RECOMMENDATION IS THAT WHEN WE FIND THIS THAT WE LOOK TO PROMPT THE STATE TO PUT TOGETHER THEIR OWN CLIMATE ACTION TEAM OR TASKFORCE ON THIS ISSUE. I NOTICED EARLIER TODAY YOU HAD A RELIGIOUS ON COMMUTER RAIL AND THAT'S -- YOU HAD A RECOMMENDATION ON COMMUTER RAIL AND THAT'S GREAT PROMPTING THE STATE TO GET MORE INVOLVED IN THIS ISSUE AND ALLOCATE MORE FUNDS. WE NEED TO PROMOTE A TASKFORCE ON A STATE LEVEL, USE THE INFLUENCE THAT WE HAVE. WE ALSO NEED TO LOOK AT CAPS. AND IF WE CAPPED OUR CO 2 EMISSIONS IN THE FUTURE, THEN WE CAN'T NECESSARILY TRADE WITH OTHER STATES, BUT AGAIN PROMPTING THE STATE TO TAKE ACTION TO CAP CO 2 EMISSIONS AND THEN HAVE A TRADING SYSTEM THAT THEY'RE TRYING TO FACILITATE NOW BETWEEN CALIFORNIA AND THE NORTHEASTERN STATES. AND IF WE CAN DO IT, THEN MAYBE THERE'S HOPE THAT TEXAS CAN DO IT SOME DAY WITH A NEW GOVERNOR OR A NEW LEGISLATURE. SO I'D LIKE TO COMMEND YOU ON THIS FRAMEWORK THAT WE HAVE IN MIND. I'LL BE WORKING CLOSELY TO TRY TO HELP IT HAPPEN. I'LL BE TRYING TO MONITOR THE SITUATION, AS SOME OF YOU KNOW, THAT I HAVE AN INTEREST IN IT. AND



I WOULD JUST LIKE TO ENCOURAGE THE PEOPLE THAT ARE LISTENING TO THIS TO KNOW THAT THIS IS A MULTIGENERATIONAL ISSUE. IT REQUIRES MULTIGENERATIONAL EDUCATION. I HEARD COUNCILMEMBER LEFFINGWELL TALK ABOUT SOME OF THE ISSUES RELATED TO THE COMMUNITY PLAN, LAND USE AND TRANSPORTATION WITH EFFECTIVE EMISSION REDUCTIONS FROM VEHICLES, INCIDENT GATING THOSE TWO PLANNING STRATEGIES. THAT'S ABOUT THE ONLY WAY THAT WE CAN REALLY GET SOME MAJOR REDUCTIONS IN OZONE FORMING EMISSIONS, ASIDE FROM THE POWER PLANTS. POWER PLANT ISSUE BEING ADDRESSED, TIME LINE I DON'T KNOW HOW THAT'S GOING TO WORK OUT. [ BUZZER SOUNDS ] THANK YOU VERY MUCH FOR YOUR TIME. I'D BE GLAD TO ANSWER ANY QUESTIONS.

Mayor Wynn: THANK YOU, MR. JOHNSON. OUR NEXT SPEAKER IS ROGER JENNINGS. WELCOME. AND IS RANDALL GENERALLING HERE? WELCOME. SO ROGER, YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT AND YOU'LL BE FOLLOWED BY BILL BUNCH.

THANK YOU, MAYOR AND THANK YOU, COUNCIL FOR ALLOWING ME TO SPEAK. I HAVE A GREEN BUILDING COMPANY THAT WORKS HERE IN THE CITY OF AUSTIN, MAINLY ON THE EAST SIDE. AND EARLIER OUR COMPANY TOOK AN OATH BASICALLY TO MAKE ALL OUR HOMES FIVE STAR GREEN BUILDINGS AND WE BELIEVE WE MAY BE THE FIRST SPEC COMPANY TO ACHIEVE THAT GOAVMENT WHAT I'D LIKE TO SHARE WITH THE COUNCIL IS A SUCCESS STORY, AND WE NOT ONLY BUILD HOMES, BUT WE ALSO ANALYZE THEM. I HAVE A DEGREE IN MECHANICAL ENGINEERING, SO YOU WORK WITH AN ENGINEERING COMPANY TO MODEL OUR HOME BEFORE THEIR BUILT FOR CONSUMPTION AND EFFICIENCY AND WE HAVE DISCOVERED THAT YOU CAN ACTUALLY BUILD A HOME FOR LESS THAN YOU WOULD BUILD A REGULAR CODE MINIMUM HOME, WHICH IS OUR BENCHMARK, AND MAKING INTELLIGENT DISUTDS ACTUALLY -- DECISIONS ACTUALLY SHAPE ABOUT 20% OF THE OVERALL CON ASSUMPTION OF THAT HOME. AND THAT WAS A NET SAVINGS OVER A CONVENTIONAL CODE MINIMUM

BUILT HOME. AND WE ARE ALSO INVOLVED VERY DEEPLY IN RESEARCH WHEN IT COMES TO THE BUILDING OF RESIDENCES AND TRYING TO HIT. OUR GOAL BY THE END OF NEXT YEAR IS TO MAKE ZERO ENERGY CAPABLE HOMES AS A SPEC, IN THE SPEC ENVIRONMENT. AND I CAN TELL YOU THAT WE'RE EXPECTING TO HAVE VERY FEW CALL BACKS. WE'RE LOOKING AT INDOOR AIR QUALITY. WE'RE ALSO LOOKING AT COMFORT LEVELS AND MAKING SURE THAT ALL OF THOSE ARE MAINTAINED AND WE'RE FINDING THAT IT IS A VERY INEXPENSIVE THING TO DO AND IT REALLY DOES NOT REQUIRE THAT THE BUILDING INDUSTRY REINVENT ITSELF. SO THIS IS SOMETHING I'D LIKE TO SHARE WITH THE COUNCIL ALSO. IF Y'ALL WOULD LIKE ME TO PRESENT YOU WITH A MORE DETAILED STUDY OF THE HOUSES THAT WE'RE DOING FOR YOUR INFORMATION, I WOULD BE MORE THAN HAPPY TO DO THAT. I ALSO WOULD LIKE TO ADDRESS THE LEGACY SYSTEMS THAT ARE IN PLACE HERE IN AUSTIN, AND I BELIEVE IT IS EXTREMELY IMPORTANT THAT WE MOVE FORWARD WITH A PLAN TO UPGRADE THE EXISTING STOCK OF HOMES. IT IS IMPOSSIBLE IN MY OPINION FOR AUSTIN TO REACH ITS ENERGY GOALS OR ITS CONSERVATION GOALS WITHOUT ADDRESSING THE PROBLEM OF THE LEGACY SYSTEMS THAT ARE IN PLACE. AND I WOULD ALSO LIKE TO SHARE THAT MY EXPERIENCE SHOWS THAT IT DOES NOT HAVE TO BE AN ONEROUS TASK. IT'S WELL WITHIN THE PURVIEW OF THE MARKETPLACE TO TAKE CARE OF THAT. I LOOK AT A HOME THAT IS NOT ENERGY EFFICIENT THE SAME WAY I WOULD LOOK AT A HOME THAT MIGHT HAVE A HOLE IN THE ROOF. IT'S SIMPLY IN DISREPAIR. IT'S NOT SOMETHING THAT I WOULD LIKE TO HAVE MY CHILDREN AND MY NEIGHBORS HAVE TO DEAL WITH AS FAR AS THE CONSUMPTION AT THAT HOME AND THE CO<sub>2</sub> AND THE KNOX SUS THAT IT NUTS THE AIR BY YEAR AFTER YEAR CONSUMING MORE THAN ITS FAIR SHARE OF ELECTRICITY. I ALSO BELIEVE THAT THE ROI, THE RETURN ON INVESTMENT FOR ENERGY UPGRADES FOR EXISTING HOMES IS VERY HIGH. THE LOW HANGING FRUIT IS SOMEWHERE BETWEEN 20 TO 25 PERCENT, AND CAN YOU REACH VERY EASILY A 15 PERCENT RETURN ON INVESTMENT WHICH WILL PAY BACK AS THE YEARS GO ON, INCLUDING AS THE

PRICE OF GAS AND ELECTRICITY GO UP, THAT INVESTMENT RETURNS AT A HIGHER RATE. SO I BELIEVE IT'S NOT ONLY A GOOD THING FOR THE CITY BECAUSE THE CITY IS MANDATED TO SERVICE THOSE HOMES, BUT ALSO IT'S A GOOD THING FOR THE HOMEOWNER BECAUSE IT IMPROVES THEIR QUALITY OF LIFE AND IT ALSO DID HE DECREASES THEIR OVERALL MONTHLY BILL. SO IF I CAN HELP IN ANY WAY WITH SOME OF THE THING THAT ARE COMING UP, I'D BE MORE THAN HAPPY TO LEND MY EXPERTISE.

Mayor Wynn: THANK YOU, MR. JENNINGS. VERY IMPRESSIVE. BILL BUNCH. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOW BID SARAH SHOENFELDER.

...

THANK YOU, MAYOR, MEMBERS OF THE COUNCIL. I'M HERE ON BEHALF OF SAVE OUR SPRINGS ALLIANCE. AND OF COURSE VERY SUPPORTIVE OF THE CITY HAVING AN AGGRESSIVE CLIMATE PROTECTION PLAN THAT WOULD BRING US INTO ALIGNMENT WITH THE GLOBAL COMMUNITY AND IN PARTICULAR THOSE CITIES AND COUNTRIES WHO HAVE ENDORSED THE KYOTO PROTOCOL. YOU SHOULD HAVE RECEIVED AN E-MAIL LETTER FROM US EARLIER TODAY IF YOU DO NOT HAVE HARD COPIES HERE. SPECIFICALLY THE ABSENCE OF THE KYOTO TARGET OF REDUCING CITYWIDE EMISSIONS CONSISTENT WITH WHAT THE U.S. HAS BEEN CHALLENGED TO DO, WHICH IS SEVEN PERCENT BELOW 1990 LEVEL EMISSIONS BY 2010 OR 2012 AT THE GREATEST. THIS IS WITHIN THE MAYORS' AGREEMENT. AND IF WE DON'T HAVE IT WITHIN OUR PLAN, IT LOOKS TO ME LIKE IT'S A BACKSLIDING. AND PERHAPS THERE'S A GOOD REASON NOT HAVE IT IN THERE, BUT WE SHOULD DISCUSS THAT AND WE SHOULD PUT IN A PROPER TARGET. RIGHT NOW THERE'S NO TARGETS IN THIS PLAN FOR CONSTITUENT AS A WHOLE AS OPPOSED TO JUST THE TARGETS THAT ARE MR. THR FOR THE CITY'S INTERNAL OPERATIONS AND ITS OWN DEPARTMENTS AND AUSTIN ENERGY. THE BOARDS AND COMMISSIONS, THE COMMUNITY HAS NOT

BEEN INVOLVED IN THIS PROCESS, SO WE ASK YOU TO SEND IT BACK TO THEM TO GAIN THE CITIZEN INVOLVEMENT AND BACKING FOR THIS PLAN. THE WORD TRANSPORTATION IS ON THIS TWO-PAGE OUTLINE, WHICH IT'S REALLY MORE OF AN OUTLINE THAN A PLAN. BUT THAT'S ALL. OUR TRANSPORTATION SYSTEM, AUTOMOBILE, TRUCK EMISSIONS ARE A HUGE PART OF OUR GLOBAL GREENHOUSE GAS EMISSIONS AND THERE'S NO WAY WE CAN REALLY BE A LEADER IN ADDRESSING THE VERY REAL THREATS THAT OUR ENTIRE PLANET FACE WATER AND WASTEWATER GLOBAL WARMING IF WE ARE NOT AGGRESSIVELY ENGAGING OUR TRANSPORTATION SYSTEMS AND THE WAY WE TRAVEL AS A COMMUNITY AS A WHOLE. IT'S A LITTLE BIT OF CONCERN TO US OR ACTUALLY QUITE A BIT OF CONCERN THAT YOU DIDN'T HAVE MAJOR INDUSTRY LEADERS FROM OUR BUSINESS COMMUNITY HERE ENDORSING AND BEING PART OF THIS PLAN. WE HAVE TO HAVE FULL PARTICIPATION AND INNOVATION THAT COMES FROM PRIVATE SECTOR PARTICIPATION. AND THERE'S SO MUCH PRESS NOW ABOUT MAJOR CORPORATE LEADERS EMBRACING GLOBAL WARMING THAT IT'S A LITTLE BIT SURPRISING AND DISCONCERTING TO NOT HAVE THOSE CORPORATE AUSTIN LEADERS HERE EMBRACING AND LEADING THIS PLANNING EFFORT FROM THE GIT-GO. SO I HOPE YOU'LL GUESS THOSE CONCERNS DIRECTLY AND REACH OUT TO THE COMMUNITY TO HAVE THEM BE PART OF THIS. THANK YOU.

Mayor Wynn: THANK YOU, MR. BUNCH. OUR NEXT SPEAKER IS SARAH SHOENFELDER. IS CHAD SPRINGER HERE? SARAH, YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT.

THANK YOU, MAYOR, THANK YOU, COUNCILMEMBERS. I AM A REALTOR AND LANDLORD IN ADDITION TO BEING A REAL ESTATE INVESTOR WHO REHABS HOUSING STOCK HERE IN AUSTIN. AND I BELIEVE THAT THERE'S SOME REALLY EXCITING DEVELOPMENTS FOR OUR FUTURE AND THIS CITY IN TERMS OF ENERGY EFFICIENCY, AND I REALLY HOPE TO SEE INCENTIVES MORE PUBLICIZED FOR THE HOMEOWNER AS WELL AS FOR

LANDLORDS BECAUSE I FEEL LIKE A LOT OF THE PROGRAMS ARE REALLY NOT BEING SPREAD TO THE PUBLIC IF PEOPLE ARE NOT INFORMED A LITTLE BIT MORE ABOUT WHAT'S OUT THERE FOR US, WE SIMPLY DON'T KNOW ABOUT SOME OF THE PROGRAMS AND REBATING THAT THERE IS. ONE THING I WANT TO ASK THE COUNCIL MEMBERS AND MERIT TO CONSIDER -- AND THE MAYOR TO CONSIDER IS PARTICULARLY THE NOTION OF THE RETROFITTING OF CODE FOR EXISTING STRUCTURES. AS YOU MENTIONED, 90 PERCENT OF OUR HOUSING STOCK THAT IS CURRENTLY IN PLACE IN AUSTIN WILL BE OUR HOUSING STOCK IN 15 YEARS, I THINK YOU MENTIONED. AND ONE OF OUR DIFFICULTIES AS A CITY IS TO REALLY EMBRACE OTHER INNER CITY NEIGHBORHOODS AND HISTORIC NEIGHBORHOODS. I AS AN INVESTOR YERKSD JUST FOR THE PURPOSES OF INFORMING MYSELF BETTER FOR THIS MEETING, DROVE AROUND EAST AUSTIN AND CENTRAL AUSTIN TO TAKE A LOOK CLOSER AT WHAT IS EXISTING IN OUR NEIGHBORHOODS. A LOT OF HOUSES ARE ON THE BRINK OF LIT.... LITERALLY FALLING OVER, LET ALONE BE CLOSE TO SOMETHING THAT WE COULD TRULY RETROFIT OR EMBRACE ENERGY EFFICIENCY. AND THE ONE PROBLEM I SEE IS THAT ALTHOUGH THE IDEA OF REESTABLISHING CODE OR ALTERING CODE DOES OFFER US SOME REALLY IMPORTANT ENERGY POSSIBILITIES, YOU COULD SIGNIFICANTLY INCREASE THE COST TO SELL A HOME AS AN INDIVIDUAL. FOR MYSELF, I DO ENDEAVOR TO TRY TO BRING MY HOUSES UP TO A HIGHER LEVEL OF ENERGY EFFICIENCY FOR THE COMFORT OF MY TENANTS, FOR MY OWN PORTFOLIO, BUT THE ONE THING I SEE WHEN I'M TRYING PROPERTIES FROM INDIVIDUALS IS THAT HOUSING STOCK IS ALREADY AT AN ALL TIME LOW IN AUSTIN. AFFORDABILITY IS A HUGE KEY ISSUE ESPECIALLY WITHIN OUR URBAN CORE AND FOR A LOT OF INDIVIDUALS THEY SIMPLY CAN'T COME UP WITH THE MONEY TO BRING THEIR HOMES TO A NEW POINT OF ENERGY EFFICIENCY. I THINK A LOT OF PEOPLE WOULD LOVE TO BE ABLE TO GET BETTER APPLIANCES, TO HAVE BETTER INSULATION IN THEIR HOMES, BUT I ASK THE CITY TO LOOK AT WHERE THOSE ARE GOING TO COME FROM. AS AN INDIVIDUAL OR A SENIOR

CITIZEN ON A FIXED INCOME, ARE THEY REALLY GOING TO BE ABLE TO COME UP WITH TENS OF THOUSANDS OF DOLLARS TO BE ABLE TO REPLACE THE WINDOWS IN THEIR HOME, TO BETTER INSULATE THEIR HOMES? I THINK THAT THE KINDS OF LOW INCOME FAMILY THAT WE REALLY WANT TO BRING IN -- AN INDIVIDUAL WAS TALKING ABOUT FOSTERING FAMILY DEVELOPMENT IN THE CITY OF AUSTIN. ONE THING THAT I REALLY WORRY ABOUT IS THAT FAMILIES CANNOT AFFORD THESE OLDER HOMES THAT REALLY MAKE OUR CITY AN INTERESTING AND BEAUTIFUL PLACE TO LIVE. PERSONALLY I ALSO LOOK AT THIS PROGRAM AND CAUTION COUNCILMEMBERS TO LOOK AT A WAY THAT DOESN'T PENALIZE THE HOMEOWNER, BUT RATHER INVOLVES THE HOMEOWNER AS A PARTNER IN THE PROGRAM THAT COULD REDUCE OVERALL GREENHOUSE GASES IN AUSTIN. FORGIVE ME, I'M NOT USED TO SPEAKING IN FRONT OF A LARGE AUDIENCE LIKE THIS. BUT THE ONE PROBLEM RIGHT NOW IN TERMS OF RETROFITTING CODE AND SAYING THAT WE HAVE A DEADLINE OR A GOAL OF BRINGING ALL OF OUR EXISTING HOUSES STOCK UP TO 75% INEFFICIENCY IS THAT THE PEOPLE WHO CAN REALLY AFFORD THAT ARE UNFORTUNATELY THE ONES THAT ARE NOT ALREADY ON THE BRINK OF FORECLOSURE AND THERE ARE MANY PEOPLE IN OUR CITY WHO ARE BARELY ABLE TO PAY THEIR TAXES, LET ALONE STAY LONG-TERM AS PART OF OUR CITY'S FUTURE. IF THERE WAS A MORE REALISTIC PLAN THAT BETTER PUBLICIZED INCENTIVES AND BETTER INVOLVED THE PUBLIC AS A PARTNER, I THINK THERE'S A LOT OF REALLY POSITIVE DEVELOPMENTS, AND I THINK PEOPLE WOULD NOT ONLY WANT TO BRING THEIR HOMES UP FOR THEIR COMFORT LEVEL, BUT THEY WANT TO SEE IT FOR THE FUTURE DEVELOPMENT AND GENERATIONS OF AUSTINITES. HOWEVER, I THINK IT'S VERY IMPORTANT TO ADDRESS THE AFFORDABILITY OF THIS AND TO REALLY LOOK AT WHERE THAT MONEY'S GOING TO COME FROM. ARE PEOPLE REALLY GOING TO BE ABLE TO COME UP WITH THAT MONEY AT THE POINT OF SALE? THERE ARE A LOT OF PEOPLE WHO CAN BARELY COME TO THEIR CLOSINGS WITH ENOUGH TO PAY FOR THEIR TAXES. WHAT HAPPENS TO THOSE PEOPLE? I CAN'T

PERSONALLY SAY THAT I WOULDN'T WANT TO SEE OUR CITY ENDEAVOR TO MAKE IT A MORE GREENHOUSE REDUCED CITY AND A MUCH MORE ENERGY EFFICIENT CITY. AND EVEN SOME CHANGES IN OUR CODE, MAYBE A VERY APPLICABLE KIND OF CHANGE. BUT I DO ASK YOU TO TRY TO EDUCATE HOMEOWNERS RATHER THAN PENALIZING THEM AND TO MAKE THESE PROGRAMS EXCITING RATHER THAN TRULY DETRIMENTAL FINALLY TO..... FINANCIALLY TO THEM. DON'T SEE FORECLOSURE RATES GO UP BECAUSE PEOPLE CANNOT AFFORD TO SELL AND THAT IS A POSSIBILITY IF PEOPLE COULD HAVE COME UP WITH TENS OF THOUSANDS OF DOLLARS TO RETROFIT THEIR HOMES TO CODE. THANK YOU VERY MUCH FOR YOUR TIME. I REALLY AM EXCITED ABOUT THIS CITY AND WHERE WE'RE GOING. AND I REALLY HOPE THAT A SENSITIVE PLAN WILL BE ADDRESSED. THANK YOU.

Mayor Wynn: THANK YOU FOR YOUR FEEDBACK. YES, THERE WILL BE A LOT MORE BEFORE THE PLAN IS FINALIZED. NEXT SPEAKER IS KEN GOHEEN. IS AMANDA AND MARION STILL HERE? HELLO. SO KEN, YOU WILL HAVE UP TO NINE MINUTES FOR YOU NEED IT. WELCOME.

THANK YOU, COUNCILMEMBERS, FOR ALLOWING ME TO SPEAK. MY NAME IS KEN. I AM THE PRESIDENT OF THE REAL ESTATE INVESTMENT CLUB HERE IN AUSTIN. I REPRESENT ABOUT 700 OR 800 INVESTORS HERE IN THE AUSTIN AREA. AND WE'RE TAKE AGRICULTURE NEUTRAL STANCE ON THIS BECAUSE THERE ARE SOME THINGS ABOUT THIS PLAN THAT WE'RE REALLY EXCITED ABOUT. LIKE, FOR EXAMPLE, YOU'RE THINKING ABOUT DOING 700 MEGAWATTS OF SAVINGS THROUGH CONSERVATION EFFORTS. WE VERY MUCH APPLAUD THAT. (INDISCERNIBLE). WE'RE VERY EXCITED THAT. WE THINK THAT THERE ARE THINGS THAT WE'RE VERY EXCITED ABOUT, BUT WE HAVE ONE CONCERN THAT WE'RE VERY CONCERNED ABOUT. AND THAT IS NUMBER THREE HERE WHERE WE'RE TALKING..... YOU'RE TALKING ABOUT -- WHERE YOU WANT TO INCREASE ENERGY EFFICIENCY BY 75 PERCENT IN ALL EXISTING HOMES. AND ALSO REQUIRING ALL COST EFFECTIVE RETROFITS AND UPGRADES TO ALL

PROPERTIES AT THE POINT OF SALE. I HAVE HELPED OTHER PEOPLE WITH DOING REHABS OVER THE LAST 10, 15 YEARS IN THE AUSTIN AREA, AND UNFORTUNATELY YOU HAVE A REQUIREMENT AT THE POINT OF SALE DO THESE RETROFITS THERE ARE A LOT OF HOMEOWNERS IN THIS TOWN WHO CANNOT AFFORD THAT. LET ME GIVE YOU AN EXAMPLE. IF YOU'RE GOING TO INCREASE IT BY 75%, YOU'RE GOING TO ASK PEOPLE TO PROBABLY REPLACE THE WINDOWS IN THE HOME, WHICH USUALLY RUNS ABOUT \$200 OR SO PER WINDOW. THE NEW ENERGY EFFICIENT AIR CONDITIONING AND HEATING UNIT MIGHT BE TWO TO THREE THOUSAND DOLLARS, FOR EXAMPLE. PUTTING INSULATION IN THE HOME UP, ANOTHER COUPLE THOUSAND DOLLARS. SO VERY EASILY THE COST COULD BE 10 TO \$15,000 FOR THE HOMEOWNER TO BRING THE PROPERTY UP TO THE CURRENT CODE. AND UNFORTUNATELY IF YOU'VE GOT SOMEBODY IN A SITUATION WHERE THERE'S LITTLE OR NO EQUITY IN A HOME, AND MAYBE THEY'RE GOING THROUGH A DIVORCE SITUATION WHERE RIGHT NOW THEY HAVE TWO INCOMES AND SUDDENLY ONE OF THE INCOMES GOES AWAY BECAUSE THE HUSBAND OR WIFE TAKES AWAY, NOW WE HAVE A PROPERTY OWNER WHERE THE HOMEOWNER IS BARELY MAKING THE PAYMENTS AND YOU'RE ASKING THEM TO COUGH UP ANOTHER 10 OR 15..... 10 OR 15 THOUSAND DOLLARS TO THE SALE, CHANCES ARE THEY MIGHT END UP IN FORECLOSURE AND THERE ARE SOME SERIOUS CONSEQUENCE WATER AND WASTEWATER.....CONSEQUENCES WITH THAT. I'M GETTING AHEAD OF MYSELF HERE. BECAUSE OF THE INCREASED COSTS, YOU WILL HAVE INCREASING FORECLOSURE RATES IN THE CITY OF AUSTIN AND HAVE TO HAVE SERIOUS ISSUES NOT ONLY WITH THE FOASHT OF A HOME, BUT ALSO BECAUSE OF THE INCREASING NUMBER OF FORECLOSURES WILL DRIVE DOWN HOUSING PRICES IN GENERAL. I THINK THAT WILL HAVE A SEVERE IMPACT ON THE INCOME COMING INTO THE CITY AS FAR AS TAX REVENUES. LIVEABILITY ISSUES IN GENERAL BECAUSE IF THERE ARE A LOT OF ABANDONED HOUSES AROUND, THERE'S THINGS LIKE VANDALISM. WE'RE CONCERNED ABOUT THE REQUIREMENT THAT



YOU'RE REQUIRING SELLERS TO FUND THIS AT THE POINT OF SALE. WE THINK THERE WILL BE A LOT OF ISSUES WITH THAT. THERE WILL ALSO AN PROBLEM IF YU GOING TO REQUIRE SOME TYPE OF A -- SOME KIND OF CERTIFICATION PROCESS IN ORDER TO CERTIFY THIS HOME IS READY TO SELL, WHICH MEANS YOU WILL HAVE SOMEBODY, LIKE A HOME INSPECTOR OR SOMEBODY ALONG THOSE LINES THAT SAYS THIS HOUSE IS READY TO BE SOLD AND THERE WILL BE A COST FOR THAT. I DON'T KNOW WHAT THAT WILL BE, BUT PROBABLY SOMETHING IN THE WORK. THAT'S JUST ONE MORE BARRIER TO HOME OWNERSHIP FOR A LOT OF PEOPLE, PLUS ONE MORE BUREAUCRATIC LAYER THAT PEOPLE DON'T WANT TO TALK ABOUT. PEOPLE WON'T BE ABLE TO AFFORD THESE MANDATED UPGRADES. AN INCREASE IN FORECLOSURES. AND REALLY I THINK THE BIG PROBLEM YOU WILL SEE IS THERE WILL BE A BIG PROBLEM WITH VALUE OF HOUSES ACROSS THE CITY OF AUSTIN. I DON'T KNOW HOW SOME OF YOU YOUNGER COUNCILMEMBERS MAY NOT REMEMBER THIS, BUT BACK IN THE LATE '80'S HERE IN TEXAS WE HAD THE SO-CALLED REAL ESTATE CRASH WHERE WE SAW HOUSING VALUES DROP 20 AND 30%. AND THAT WAS CAUSED BY THE TAXING REFORM ACT OF '86 THAT CAME INTO EFFECT AND PLUS WE HAD THE OIL PATCH BUST AT THE SAME TIME AND IT CAUSED ALL KINDS OF PROBLEMS HERE IN TEXAS. SOMETHING LIKE THAT COULD HAN AGAIN F YOU'RE REQUIRING SELLERS TO COME UP WITH THE COST OF FUNDING THESE UPGRADES FOR ENERGY EFFICIENT HOMES, I THINK YOU WILL SEE A LOT MORE FORECLOSURES. AND THAT WILL IMPACT HOMES ALL ACROSS AUSTIN, NOT JUST THE FORECLOSURES. AN ALSO YOU WILL HAVE INCREASING NUMBER OF ABANDONED HOMES AND THAT WILL AFFECT THE QUALITY OF LIFE IN AUSTIN AS I'M SURE YOU ARE ALL WEAR WHEN HAVE YOU VACANT HOMES, YOU HAVE INCREASING VANDALISM AND IT HAS INCREASING PRESSURE ON THE STANDARDS DEPARTMENT BECAUSE THEY WILL HAVE TO GO OUT AND BOARD UP MORE HOMES BECAUSE THE VANDALS BREAK OPEN WINDOWS AND DOORS AND THAT'S A PROBLEM. THIS IS WHAT WE PROPOSED FOR THIS PARTICULAR PART ON THE ON YOUR PROPOSED ORDINANCE. RATHER THAN

HAVING POINT OF SALES ISSUE, WE HOPE YOU WILL HAVE REBATES, COST EFFECTIVE RETROFITS AND UP UPGRADES. HAVE YOU SOME GREAT PROGRAMS AT THE CITY NOW, THINGS LIKE THE SOLAR ENERGY REBATE PROGRAM THAT YOU HAVE NOW WHERE YOU OUR UP TO 12,000 OR \$13,000 TOWARDS PUTTING SOLAR ENERGY IN THE HOME. GREAT PROGRAM. NOT MANY PEOPLE KNOW ABOUT THAT. YOU'VE ALSO GOT THE PROGRAM FOR PUTTING A NEW WATER FIRKT.....EFFICIENT TOILETS IN HOMES NOW. ANOTHER GREAT PROGRAM THAT'S NOT WELL PUBLICIZED. I THINK WE SHOULD INCREASE SOMETHING LIKE THAT. ANOTHER REPRESENTATION WE MAKE IS MAYBE YOU HAVE REDUCED ENERGY RATES FOR THE CITY OF AUSTIN UTILITY CUSTOMERS IF THEY IMMEDIATE MOOET THE NEW STANDARDS. GIVE PEOPLE AN INCENTIVE TO COME UP TO THE NEW STANDARD RATHER THAN REQUIRING THEM AT SALE. I THINK A LOT OF PEOPLE WOULD BE INTERESTED IN THAT. ANOTHER PROPOSAL WE MIGHT WANT TO CONSIDER IS ADVERTISE THE (INDISCERNIBLE). I THINK THE CITY IS NOT DOING A GOOD JOB AT THIS. THESE ARE GREAT PROGRAMS YOU HAVE. WE COULD DO MORE. IF PEOPLE KNEW ABOUT THESE PROGRAMS, I THINK A LOT MORE PEOPLE WOULD TAKE ADVANTAGE OF THEM. AND ALSO OUR MORE ZERO OR LOW INTEREST LOANS LIKE YOU'RE DOING NOW FOR PEOPLE WHO DO THE WEATHER STRIPPING AND LINKS LIKE -- THINGS LIKE THAT. THAT'S A GREAT PROGRAM. DO MORE OF THAT. I WOULD RATHER SEE SOMETHING LIKE THIS THAN SEE WHAT YOU GUYS ARE PROPOSING, WHICH IS DO A POINT OF SALE REQUIREMENT BECAUSE I SEE A LOT OF LONG-TERM PROBLEMS WITH THAT SORT OF ISSUE. THAT CONCLUDES MY PRESENTATION. IF YOU HAVE IF QUESTIONS, I WILL BE GLAD TO ANSWER THEM.

Mayor Wynn: THANK YOU. COUNCILMEMBER LEFFINGWELL?

Leffingwell: SIR, I BELIEVE YOU SPOKE ABOUT THE BUYER BEING -- EXCUSE ME, THE SELLER BEING RESPONSIBLE FOR 15 TO \$20,000 WORST OF UPGRADES IF THOSE WERE NOSE MEET THE NEW REQUIREMENTS, BUT IT'S MY UNDERSTANDING, I

BELIEVE, IT HASN'T BEEN ENTIRELY FLESHED OUT, BUT THAT WOULD BE THE BUYER'S RESPONSIBILITY. AND THESE EXPENSES COULD POTENTIALLY BE ROLLED INTO A MORTGAGE AND PAID OFF OVER TIME AND MORE THAN OFFSET BY THE SAVINGS AND ENERGY COST. JUST AS AN EXAMPLE, I REMEMBER A FEW MONTHS AGO THE FOUNDATION COMMUNITIES OPEN GARDEN TERRACE, WHICH IS A LOW COST HOUSING FACILITY OUT ON I-35 THAT STARTED AT 30% MFI, AND THEY FOUND IT COST EFFECTIVE IN THEIR CASE TO IMPLEMENT ALL KINDS OF ENERGY SAVING MEASURES. THEY HAVE RAINWATER HARVESTING ON SITE. THEY HAVE SOLAR POWERED WATER HEATERS. THEY HAVE SOLAR PANELS. THEY HAVE ENHANCED INSULATION, ETCETERA. SO THE COST IS NOT NECESSARILY ADVERSE TO AFFORDABILITY. AND MY GUESS IS, I HAVEN'T RUN THE NUMBERS MYSELF, BUT IF THE ENERGY UPGRADES WERE ROLLED INTO A HOUSE AND REFINANCED IN THAT MANNER, THAT THE OFFSET AND SAVINGS AND UTILITY COST WOULD PROBABLY MORE THAN PAY FOR THAT.

MY PROBLEM IS THAT MOST BUYERS WHEN THEY'RE GOING INTO A HOUSE THEY WANT TO PURCHASE, THEY DON'T WANT TO HAVE TO WAIT TWO OR THREE OR FOUR MONTHS FOR A CONTRACTOR TO GO IN AND DO A BUDGE OF UPGRADES WHILE THEY'RE WAITING TO MOVE INTO THEIR HOME. MOST BUYERS WANT THE HOUSE TO BE READY TO GO WHEN THEY'RE READY TO MOVE IN, ESPECIALLY WHEN YOU CLOSE. AND TO REQUIRE A BUNCH OF CONTRACTORS GOING AND DOING UPGRADES LIKE THAT, A MONTH, TWO MONTHS, WHATEVER IT TAKES DO THAT, THAT'S GOING TO CAUSE SOME PROBLEMS WITH BUYERS WANTING TO BUY THOSE PARTICULAR HOUSES AN THAT GENERALLY DEPRESSES PRICES AS A GENERAL RULE. SO THERE ARE SOME PROBLEMS WITH THAT. I UNDERSTAND WHERE YOU'RE COMING FROM ON THAT AND THAT MAY BE A WORKABLE SOLUTION, BUT THAT DOESN'T SOLVE THE PROBLEM COMPLETELY.

Mayor Wynn: THANK YOU. NEXT SPEAKER IS PAUL ROBINS. ACTUALLY, I WANT TO POINT OUT, ON THE PARAGRAPH THAT MR. GOHEEN WAS REFERRING TO,

THE 75% TARGET IS ONLY FOR NEW CONSTRUCTION. OBVIOUSLY IT SEEMS TO MANY OF US THAT THE TARGET FOR ENERGY EFFICIENCY UPGRADES ON EXISTING PARTICULARLY OLDER HOMES WILL BE FAR LESS THAN THAT, BUT WE ALREADY HAVE ON OUR BOOKS OUR GOAL OF ALL NEW SINGLE-FAMILY HOMES BY 2015 BE ZERO ENERGY NET CAPABLE. ESSENTIALLY THE GOAL THEN FOR NON-SINGLE-FAMILY STRUCTURES, ALL NEW CONSTRUCTION BY 2015 TO BE 75% MORE ENERGY EFFICIENT. THIS IS NOT THE SAME ELEMENT AS THE POINT OF SALE REQUIREMENT ON EXISTING HOMES. WELCOME MR. ROBBINS.

IS THERE ANYONE IN THIS ROOM THAT MIGHT DONATE THREE MINUTES OF THEIR TIME, SUCH AS MARY ARNOLD? COULD I HAVE MARY'S COMMENTS?

Mayor Wynn: YOU MAY HAVE HER MINUTES, MR. ROBBINS, WELCOME.

HI. I'M PAUL ROBINS. I'M AN ENVIRONMENTAL ACTIVIST AND CONSUMER ADVOCATE. AND FIRST I WANT TO COMMEND YOU ALL FOR A VERY FAR REACHING AND FAR SIGHTED PLAN. I HOPE YOU WILL REFINE SOME OF YOUR METRICS TO MEASURE THESE THINGS. I THINK UTILITIES AND BUILDINGS AND WATER IS VERY DEFINED. I THINK TRANSPORTATION AND SOLID WASTE GOALS ARE VERY LOOSE. I HOPE YOU WILL COME UP WITH SOME GOALS THAT THE TASKFORCES THAT YOU APPOINT CAN WORK ON. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

THIS ISSUE DID COME UP IN THE 1980S, LATE 1980S, DONE AT A WRONG TIME, DURING THE BUST, THERE WERE A LOT OF REAL ESTATE FORECLOSURES AND IT ULTIMATELY WAS ABANDONED. BUT THERE WAS A STATISTICALLY VALID POLL RUN AT THAT TIME. THEY ASKED FOR GENERAL PUBLIC. THIS WAS 20 YEARS AGO, THEY ASKED THE GENERAL PUBLIC THE QUESTION. IF THEY WERE BE RETROFITTED IF THEY WERE NOT MANDATED. 75% OF THE PUBLIC SAID THEY DID NOT BELIEVE THAT RENTAL UNITS WOULD BE MANDATED UNLESS THEY WERE FORCED TO. LOOK AT AUSTIN'S AGGRESSIVE RENTAL PROGRAM.

THE -- THE RETROFITS THAT WE GIVE ARE QUITE GENEROUS. BUT APPROXIMATELY 10,075,000 UNITS -- 175,000 UNITS HAVE NOT TAKEN THE PROGRAM OR HAVE NOT TAKEN THE PROGRAM IN ANY MAJOR WAY. DESPITE 16 -- EXCUSE ME, SOMEWHERE BETWEEN 24 YEARS FOR SINGLE FAMILY DUPLEX AND 16 YEARS FOR MULTI-FAMILY UNITS. REGARDING THE ALLEGATION THAT THIS MAY COST AS MUCH AS \$20,000 A UNIT, I THINK THAT WE SHOULD REFER TO THE -- TO THE ORDINANCES THAT ARE ON THE BOOKS IN OTHER PLACES. THESE ORDINANCES ARE CAPPED. SO THAT IF IT DOESN'T GO ABOVE A CERTAIN MINIMAL LEVEL, YOU DON'T HAVE TO PAY ANYMORE. I BELIEVE IN SAN FRANCISCO IT'S LIKE ONE PERCENT IN THE STATE OF WISCONSIN, WHICH MANDATES RETRO FITS FOR RENTAL DWELLINGS, IF YOU CAN PROVE THAT IT'S MORE THAN A FIVE-YEAR PAY BACK, YOU DON'T HAVE TO DO THE RETROFIT. SO PERHAPS PEOPLE'S CONCERNS THAT THIS IS GOING TO COST A FORTUNE ARE MISPLACED. OTHER THAN THAT, I -- I WANT TO GIVE BACK TO MY ORIGINAL COMMENT. OVERALL, I THINK THE PROGRAM IS VERY FARSIGHTED. I COMMEND THE COUNCIL FOR MOVING FORWARD. I WILL BE HAPPY TO HELP YOU IN ANY WAY THAT I CAN.

Mayor Wynn: THANK YOU, MR. ROBBINS. SO -- LET'S SEE, ALSO RICK COVER SIGNED UP NOT WISHER TO SPEAK BUT IN FAVOR OF THIS ITEM, NUMBER 23. COUNCIL, THAT CONCLUDES THE CITIZENS COMMENTS ON THIS ITEM. QUESTIONS OF STAFF? COMMENTS? WE HAVE A -- WE HAVE A MINIMUM HERE IN FRONT OF US, JUST A REMINDER, THIS ITEM DOES NOT HAVE A FISCAL IMPACT. PART OF THE PLAN, OF COURSE, IS ASKING THE CITY MANAGER TO DEVELOP WHAT WOULD BE THE FISCAL IMPACT BOTH IN A POSITIVE AND A COSTLY WAY FOR THESE ELEMENTS OF THE PLAN. SO THIS COMES AT NO COST TO THE CITY AS WE TAKE THE ACTION TO DIRECT THE CITY MANAGER TO BRING FORWARD THIS PLAN OVER THE PERIOD OF TIME NEEDED. COMMENTS, QUESTIONS? COUNCILMEMBER MCCRACKEN.

McCracken: FIRST, I REALLY WANTED TO

CONGRATULATE YOU IN YOUR LEADERSHIP THAT THIS IS A -- THIS IS ONCE AGAIN AUSTIN STEPPING FORWARD TO PROVIDE NATIONAL LEADERSHIP IN, YOU KNOW, ONE REACTION I HEARD OH, YEAH AUSTIN IS GOING TO DO SOMETHING ABOUT GLOBAL WARMING, RIGHT? EXCEPT THAT PEOPLE SAID THAT WHEN WE DECIDED TO DO THE FIRST GREEN POWER PROGRAM, NOW PEOPLE FROM AROUND THE WORLD COME TO US TO LEARN HOW OUR GREEN POWER PROGRAM WORKS. THEY SAID OH, YEAH RIGHT AUSTIN IS GOING TO GET THE AUTO MANUFACTURERS TO DO PLUG IN HYBRID CARS. NOW FOUR DIFFERENT CAR MANUFACTURERS HAVE ANNOUNCED TO PLANS TO DO PLUG-IN HYBRID CARS. PEOPLE AROUND THE COUNTRY AND AROUND THE WORLD LOOK TO US TO PROVIDE LEADERSHIP ON ECONOMICALLY SOUND FORESIGHTED ENVIRONMENTALLY ORIENTED IMPROVEMENTS, BOTH IN OUR UTILITIES AND IN JUST PROVIDE GENERALLY ECONOMICALLY SOUND ENVIRONMENTAL LEADERSHIP. WE HAVE DONE IT AGAIN HERE. I HEARD AN INTERESTING OBSERVATION FROM ONE OF OUR BUSINESS LEADERS IN THE LAST COUPLE OF WEEKS. HE SAID THAT WHAT HE WAS DISCOVERING AROUND THE COUNTRY WAS THAT THE COAL PLAN PROPOSAL FROM THE STATE OF TEXAS WAS DAMAGING TEXAS' REPUTATION AMONG CORPORATIONS AND BUSINESS LEADERS AROUND THE COUNTRY. THAT THEY WERE LOOKING AT TEXAS AS AN UNSAVORY PLACE TO DO BUSINESS BECAUSE OF THE MASSIVE EXPANSION OF COAL PLANTS WAS MAKING TEXAS LOOK LIKE A POLLUTING BACK WATER. THE SCWERS OF COURSE, IS ALSO TRUE. CONVERSE. IF YOU ARE ENVIRONMENTALLY SOUND LEADERSHIP, THAT IS BEYOND YOUR RESPONSIBILITIES TO HAVE A BETTER ENVIRONMENT, BETTER AIR QUALITY, BUT IT ALSO -- IT ENHANCES OUR REPUTATION IN THE INTERNATIONAL IMAGE AS A CITY THAT IS RESPONSIBLE AND FORESIGHTFUL. I DO BELIEVE THAT IT WOULD BE HELPFUL TO HAVE SOME KIND OF INFORMATION REPORT AT THE TIME OF SALE THAT WOULD SAY FOR HOMES AND POSSIBLY OTHER REAL ESTATE TRANSACTIONS THAT WOULD SAY OKAY HERE IS THE COST OF THESE UPGRADES FOR WEATHERIZATION, WHETHER IT'S WINDOWS OR

WEATHER STRIPPING, HERE IS THE MONTHLY SAVINGS IN YOUR WATER AND ELECTRIC BILL TO SEE A PURE NET OUT OF THE ONE OF THE REASONS THAT I THINK THAT WOULD BE HELPFUL IS OUR EXPERIENCES AS COUNCILMEMBER LEFFINGWELL POINTED OUT IS TIME AND TIME AGAIN WE HAVE FOUND NOT ONLY IS THERE AIR QUALITY AND WATER QUALITY ADVANTAGE TO DOING THE RIGHT THING, BUT THERE'S -- EVERY TIME THAT WE HAVE SEEN IT, THERE'S A COST ADVANTAGE TO DOING THE RIGHT THING, TOO. WE HAVE FOUND THAT -- WHEN WE DID THE GREEN CHOICE PROGRAM, IT WAS VIEWED AS A PURELY ENVIRONMENTAL DEAL UNTIL ALL OF OUR MAJOR FORTUNE 500 EMPLOYERS RAN THE NUMBERS, THEY ALL STARTED BEGGING US TO BUY MORE GREEN POWER BECAUSE THEY WERE SAVING MONEY ON THEIR ELECTRIC BILLS. WE HAVE NOW GOTTEN TO THE POINT THAT WE HAVE TO HOLD LOTTERIES TO BE PART OF THE GREEN CHOICE PROGRAM BECAUSE WE HAVE SO MANY COMPANIES AND HOUSEHOLDS WHO WANT TO BE A PART OF IT. SO, YOU KNOW, MAYOR AND CITY STAFF, I REALLY DO COMMEND YOU ALL FOR -- FOR PUTTING TOGETHER A VERY VISIONARY PROGRAM THAT WILL -- THAT WILL REESTABLISH IN OUR IMPORTANT ROLE OF PROVIDING LEADERSHIP IN THIS AREA, IT WILL ALSO I AM POSITIVE MAKE A POSITIVE BENEFIT FOR PEOPLE IN THEIR POCKETBOOKS AT THE SAME TIME THAT WE ARE ALL WORKING TOGETHER TO DO THE RIGHT THING.

MAYOR PRO TEM?

Dunkerly: I, TOO, WANT TO THANK YOU, MAYOR, AND THANK THE TWO CO-SPONSORS. I JUST WANT TO MAKE TWO POINTS. FIRST, THIS REALLY IS THE INITIATION OF A PROCESS. AND SO EVERYBODY WILL HAVE AN OPPORTUNITY TO -- TO PARTICIPATE ALONG THE WAY AS ORDINANCES HAVE TO BE CHANGED AND PUBLIC HEARINGS HAVE TO BE HELD AND THOSE SORTS OF THINGS. FOLLOWING UP ON SOMETHING THAT -- THAT PAUL ROBBINS SAID, IN ADDITION TO THE PROGRAMS THAT HE MENTIONED, THAT WILL HELP FACILITATE SOME OF THESE CHANGES, WE ALSO HAVE PROGRAMS THAT ARE FEDERALLY FUNDED FOR LOW INCOME

INDIVIDUALS THAT COULD HELP IN THE -- IN THIS CONSERVATION EFFORT. I'M SURE THAT WE WILL LOOK AT OTHER PROGRAMS ALONG THE WAY THAT WOULD HELP MEET THE NEEDS BY THOSE FOLKS SO THANK YOU FOR INITIATING THIS AND I REALLY APPRECIATE IT.

MAYOR PRO TEM.

FURTHER COMMENTS, QUESTIONS,  
COUNCILMEMBER LEFFINGWELL?

I WANT TO SAY THAT I THINK THAT IT'S REALLY IMPORTANT THAT WE GO AHEAD AND -- WITH THIS CLIENT PROTECTION PLAN. I JOIN THE OTHERS, MAYOR, IN THANKING YOU FOR YOUR LEADERSHIP ON IT. ONE OF THE REASONS THAT I THINK THAT IT'S IMPORTANT WE AS A CITY MOVE FORWARD WITH THIS, QUITE FRANKLY THE NATIONAL GOVERNMENT AND THE STATE GOVERNMENTS HAVE NOT DONE ENOUGH. AND I THINK THAT WE HAVE TO BEGIN THESE INITIATIVES NOW AND THE LOCAL -- ON THE LOCAL LEVEL. AS I SAID THE OTHER DAY, THE SUM OF EVERYTHING THAT WE DO LOCALLY BECOMES GLOBAL POLICY, NATIONAL POLICY AT LEAST BECAUSE I THINK MUCH OF THE GLOBE AT LEAST IN THE INDUSTRIALIZED WORLD IS ALREADY BEYOND US IN SOME OF THESE EFFORTS. SO -- SO WE HAVE IN THE PAST ADDRESSED IN ENERGY AND WATER CONSERVATION A NUMBER OF WAYS PRIMARILY VOLUNTARY. THE SO-CALLED CARROT APPROACH. I THINK THAT WE ARE NOW MOVING IN BOTH WATER CONSERVATION AND ENERGY CONSERVATION TO A MANDATORY REGULATED APPROACH AND I THINK THAT THAT'S A GOOD THING, IT'S A NECESSARY THING AND I ABSOLUTELY SUPPORT IT. IN A NUMBER OF AREAS THAT -- THAT YOU TOUCHED UPON A MOMENT AGO, REDUCTION OF GREENHOUSE GASES BY REDUCING OUR INPUT TO A LANDFILL, REDUCING GREENHOUSE GOODS BY USING THE -- REDUCING THE AMOUNT OF ENERGY THAT WE USE TO CIRCULATE WATER. DOING THE SAME THING BY ACQUIRING OPEN SPACE. MANY THINGS THAT WE DO WILL IMPINGE AND TOUCH AND IN SOME WAY AFFECT OUR CARBON FOOTPRINT. THEY WILL BE THINKING ABOUT THOSE THINGS NOW AND



EVERYTHING THAT WE DO. JUST BRIEFLY I WANT TO MENTION THAT NEXT MEETING I'M GOING TO BRING -- BE BRINGING FORWARD AN INITIATIVE TO -- TO MAKE AUSTIN A -- A NATIONAL CERTIFIED HABITAT COMMUNITY BY THE NATIONAL WILDLIFE FEDERATION. THAT, TOO, WILL IMPINGE ON OUR CARBON FOOTPRINT BECAUSE IT WILL AFFECT WATER USAGE AND ENERGY USES THERE BE SO I'M PROUD TO BE A CO-RESPONSE OR ON THIS. PRIVILEGED ACTUALLY, I WANT TO MOVE APPROVAL OF ITEM 23. THE CLIMATE PROTECTION PLAN.

THANK YOU, COUNCILMEMBER. SO MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MCCracken TO APPROVE ITEM NO. 23. COUNCILMEMBER KIM?

I JUST WANT TO SAY THAT WE HAVE A LOT TO BE PROUD OF IN AUSTIN AND IN HELPING TO PROTECT THE ENVIRONMENT AND IT'S GREAT THAT WE HAVE A UTILITY THAT IS -- GIVES US THE RESOURCES ABILITY TO DO THAT. NOT SO MANY MUNICIPALITIES IN THE U.S. HAVE THAT OPPORTUNITY AND AS SUCH WE SHOULD TAKE THAT RESPONSIBILITY SERIOUSLY TO DO THIS AND SET AN EXAMPLE FOR THE REST OF THE NATION. ANOTHER THING THAT WE ARE CHALLENGED WITH IS THE NEW COAL POWER PLANTS THAT ARE GOING TO BE SITED -- SITED IN TEXAS, HOW THAT'S GOING TO CONTRIBUTE TO GLOBAL WARMING. I HOPE THAT TXU WILL NOT DO THAT, THAT THEY WILL USE CLEAN COAL TECHNOLOGY JUST AS THE CITY OF AUSTIN IS COMMITTED TO DOING. SHOULD WE DEVELOP A NEW PLANT? IT WILL BE CLEAN COAL. AND TO REALLY MAKE SURE THAT WE ALL BENEFIT FROM CLEAN AIR AND STOP GLOBAL WARMING FROM HAPPENING.

Mayor Wynn: THANK YOU, COUNCILMEMBER. A MOTION AND A SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THANK YOU ALL VERY MUCH. COUNCIL, THAT TAKE  
US US TO OUR 4:00 POSTED ZONING CASES. [ONE  
MOMENT PLEASE FOR CHANGE IN CAPTIONERS] WE  
HAVE OUR BACKUP ORDINANCES PASSED OUT HERE  
ON THE DAIS. GREG GUERNSEY.

Guernsey: PARDON ME MAYOR AND COUNCIL, WE'VE  
HAD SOME NEGOTIATION GOING ON OUTSIDE. AND  
NOW I HAVE SOME PETITIONS THAT HAVE BEEN  
WITHDRAWN, I WAS TRYING TO GET THOSE BEFORE I  
CAME IN HERE.

Mayor Wynn: YOU ARE WELCOME TO STAY OUT IN  
THE HALL LONGER IF YOU KEEP THAT UP. YOU 'EM  
GO -- LET ME GO THROUGH THE 4:00 ITEMS, STOP  
YOU HEARINGS HAVE BEEN CLOSED. THE FIRST IS 39  
. C14-05-0112 - RIVERSIDE NEIGHBORHOOD PLAN -  
TRACT 9 - APPROVE THIRD READING OF AN  
ORDINANCE AMENDING CHAPTER 25-2 OF THE  
AUSTIN CITY CODE BY REZONING PROPERTY  
LOCALLY KNOWN AS 1708, 1712 AND 1720 SOUTH  
LAKESHORE DRIVE (TOWN LAKE WATERSHED) FROM  
MULTI-FAMILY RESIDENCE-MEDIUM DENSITY (MF-3)  
DISTRICT ZONING TO COMMUNITY COMMERCIAL-  
CONDITIONAL OVERLAY (GR-CO) COMBINING  
DISTRICT ZONING WITH CONDITIONS. THIS IS READY  
FOR CONSENT APPROVAL ON ALL THREE READINGS,  
I WILL NOTE THERE IS A REVISED ORDINANCE THAT  
IS BEING PASSED OUT TO YOU THAT WOULD  
CLARIFY THAT -- THAT IMPROVEMENTS WITHIN THE  
BUFFER AREA -- PROPOSED TO BE RECONSTRUCTED  
WOULD REQUIRE COMPLIANCE WITH ALL CODE  
REQUIREMENTS. SO IF IN THE FUTURE THERE'S  
SOMETHING THAT REQUIRES A VARIANCE OR  
WAIVER, THAT WOULD STILL BE REQUIRED. ITEM  
NO. 40 IS CASE C14-06-0078 - SOUTH IH-35 TRANSIT  
FACILITY - APPROVE SECOND/THIRD READINGS OF  
AN ORDINANCE AMENDING CHAPTER 25-2 OF THE  
AUSTIN CITY CODE BY REZONING PROPERTY  
LOCALLY KNOWN AS 7902-7926 SOUTH IH-35 SERVICE  
ROAD SOUTHBOUND (SOUTH BOGGY CREEK  
WATERSHED) FROM COMMUNITY COMMERCIAL (GR)  
DISTRICT ZONING TO LIMITED INDUSTRIAL SERVICE-

PLANNED DEVELOPMENT AREA (LI-PDA) AND THE APPLICANT HAS REQUESTED A POSTPONEMENT OF THIS ITEM TO JULY 26th, 2007. SO IT'S JULY 26th POSTPONEMENT. ITEM NO. 41 IS C14-06-0098 - HARRIS RIDGE - PROPERTY LOCALLY KNOWN AS 13809 HARRIS RIDGE BOULEVARD WE HAVE BEEN SPEAKING WITH THE APPLICANT, WAITING FOR A REAL ESTATE TRANSACTION TO OCCUR TO GET THE APPROPRIATE COVENANT SIGNED. BECAUSE THERE CANNOT BE A SPECIFIC DATE DETERMINED, STAFF WOULD REQUEST THAT THIS ITEM BE INDEFINITELY POSTPONED. THE PUBLIC HEARING HAS ALREADY BEEN CLOSED AND WE WILL JUST BRING THIS BACK AFTER THEY HAVE SIGNED THOSE AGREEMENTS AND DOCUMENT. INDEFINITE POSTPONEMENT ON ITEM NO. 41, HARRIS RIDGE. 42 . C2A-84-002 - SCHLUMBERGER PDA AMENDMENT #5 - APPROVE -- I THINK WE HAVE A SHORT DISCUSSION ON THAT ITEM TO CLARIFY A COUPLE OF ISSUES. THAT HAVE BEEN PRESENTED, THE RESTRICTIVE COVENANTS THAT THEY HAVE BEEN EXECUTED ON THIS PROPERTY. ITEM NO. 43 IS C814-06-0106 - 208 BARTON SPRINGS ROAD - APPROVE THIRD READING OF AN ORDINANCE OF THIS PROPERTY. THIS WILL BE A SHORT DISCUSSION ITEM. THE PARTIES HAVE WITHDRAWN THEIR PETITION TO NO LONGER HAVE THE PETITION BE A VALID PETITION, BUT THE APPLICANT WOULD LIKE TO SAY A FEW COMMENTS ABOUT THIS CASE. 44 . C14H-05-0017 - BAUGH-COLBY HOUSE - APPROVE THIRD READING OF AN ORDINANCE AMENDING CHAPTER 25-2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 1102 ENFIELD ROAD (SHOAL CREEK WATERSHED) FROM -- STAFF RECEIVED A NEW PETITION THIS AFTERNOON THAT -- THAT PETITIONS AGAINST ADDITIONAL THINGS THAT HAD NOT BEEN MENTIONED IN THE NEIGHBORHOOD'S FIRST PETITION. I THINK THAT WE WILL KEEP THAT AS A DISCUSSION ITEM. THE APPLICANT IS AGREEABLE TO POSTPONE THIS ITEM AND WOULD LIKE TIME TO READ OVER THIS NEW PETITION THAT WAS JUST SUBMITTED THIS AFTERNOON. THE NEIGHBORHOOD HOWEVER WOULD LIKE TO GO FORWARD THIS EVENING. THAT CONCLUDES THE CONSENT ITEMS THAT I CAN OFFER UNDER THIS

SECTION OF OUR AGENDA.

Mayor Wynn: COUNCIL, JUST TO GET A COUPLE OF THINGS OFF THE BOOKS THEN, PROPOSED CONSENT AGENDA WILL BE TO -- TO APPROVE ON ALL -- ON THE THIRD -- THIRD READING, ITEM NO. 39, POSTPONE ITEM NO. 40 TO JULY 26th, 2007. AND TO INDEFINITELY POSTPONE ITEM NO. 41. I'LL ENTERTAIN A MOTION.

SO MOVE.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM. SECONDED BY COUNCILMEMBER COLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? COUNCILMEMBER LEFFINGWELL?

Leffingwell: JUST A QUESTION ON 39. I BELIEVE THAT YOU COVERED IT. BUT I BELIEVE THAT YOU SAID THE -- THE CO REQUIRING 100-FOOT SETBACK ON THAT, THAT ANY APPROVED INFRASTRUCTURE WOULD STILL HAVE TO GO THROUGH THE VARIANCE PROCEDURE?

Guernsey: IF IT'S NOT PERMITTED ALREADY BY THE WATERFRONT OVERLAY DISTRICT. THAT'S CORRECT. IF THEY WANT TO PROPOSE SOMETHING THAT'S NOT ALREADY PERMITTED, FOR INSTANCE, HIKE AND BIKE TRAILS ARE PERMITTED IN THAT -- IN THAT BUFFER AREA. BUT IF THEY ACTUALLY WANTED TO CONSTRUCT A WATER QUALITY POND FOR THE ACTUAL PROJECT, THEY MAY NEED TO SEEK WAIVERS OR VARIANCES FROM -- FROM PLANNING COMMISSION IN ORDER TO DO THAT.

Leffingwell: I KNOW THAT WAS A QUESTION THAT WAS ASKED. THE ANSWER IS YES, A VARIANCE WOULD BE REQUIRED FOR --

THAT'S CORRECT. THE ORDINANCE HAS ACTUALLY BEEN CORRECTED TO MAKE SURE THAT IT'S MORE CLEAR AND ADDRESSES THAT PARTICULAR ISSUE.

THANKS.

Mayor Wynn: MOTION AND SECOND ON THE TABLE TO

APPROVE THE CONSENT AGENDA. COUNCILMEMBER MARTINEZ.

Martinez: I KNOW THAT THE APPLICANT IS PLANNING TO SAY STUFF ON ITEM 43. IS THAT GOING TO HAPPEN NOW?

Mayor Wynn: AFTER WE DO THE CONSENT AGENDA. WE ARE JUST DOING 39, 40, 41.

Martinez: THANKS.

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

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. -  
- MOTION PASSES ON A VOTE OF 6-0 WITH  
COUNCILMEMBER KIM OFF THE DAIS.

Gurensey:: ITEM NO. 42, THIS IS-- LET ME GO THROUGH 4:00.

I THINK THESE WILL BE BRIEF DISCUSSIONS, CORRECT.

THE BAUGH COLBY HOUSE I'M NOT SURE.

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> C2A-84-002 - SCHLUMBERGER PDA AMENDMENT #5 -  
APPROVE THIRD READING OF AN ORDINANCE  
AMENDING CHAPTER 25-2 OF THE CITY CODE BY  
REZONING PROPERTY LOCALLY KNOWN AS 8311 RR  
620 NORTH (BULL CREEK WATERSHED FROM  
RESEARCH AND DEVELOPMENT-PLANNED  
DEVELOPMENT AREA R&D - PDA) COMBINING  
DISTRICT ZONING TO RESEARCH AND  
DEVELOPMENT-PLANNED DEVELOPMENT AREA (R&D  
- PDA) COMBINING DISTRICT ZONING TO CHANGE A  
CONDITION OF ZONING WITH CONDITIONS. WE  
PREPARED A NEW ORDINANCE, RECEIVED A NEW  
LAND PLAN THAT WOULD CLARIFY THE WATER  
QUALITY PROVISIONS THAT -- THAT THE  
STRUCTURES WILL BE DESIGNED AND THE CAPTURE

[INDISCERNIBLE] WILL BE DESIGNED TO MORE CURRENT CODE. THERE IS STILL I THINK A REQUEST BY THE APPLICANT TO ALLOW MULTI-FAMILY RESIDENTIAL AS A PERMITTED USE ON LOT 1. THE APPLICANT'S REPRESENTATIVE IS HERE THIS EVENING IF YOU WOULD LIKE TO ADDRESS SOME QUESTIONS TO HIM. THIS IS READY FOR THIRD READING. BUT THE ORDINANCE AS STATED AT PRESENT DOES NOT INCLUDE THE APPLICANT'S CONTINUED REQUEST FOR THE ALLOWANCE OF MULTI-FAMILY ON THAT -- ON LOT 1.

WELL THEN WITHOUT OBJECTION, COUNCIL, PERHAPS WE COULD HEAR FROM THE AGENT.

MAYOR, COUNCILMEMBERS, I'M BEN TURNER, HERE ON BEHALF OF USL AUSTIN RESERVE, THE UNDERLYING LANDOWNER FOR THIS PROPERTY. AS YOU KNOW, LOTS 2, 3, 4 ARE -- ARE TO BE USED AS CONCORDIA UNIVERSITY. THEIR NEW CAMPUS. LOT 1 YOU HAVE APPROVED IN SECOND READING. THE ADDITIONAL USES, IN ADDITION TO COLLEGE AND UNIVERSITY AND THE EXISTING RESEARCH AND DEVELOPMENT USES, SENIOR HOUSING AND CONGREGANT CARE. THE OWNER IS ASKING THAT MULTI-FAMILY 2 BE ADDED SO THAT THE LOT IS UNDER CONTRACT TO A SENIOR HOUSING DEVELOPER, BUT HAS NOT CLOSED AND HAS NOT MOVED VERY FAR DOWN THE ROAD. JUST OUT OF CONCERN OF IT -- OF THEM HAVING A USE OUT THERE, THEY ARE ASKING FOR MULTI-FAMILY 2 ON THE PROPERTY. MULTI-FAMILY 2 IF DEVELOPED AT MULTI-FAMILY TWO AND COLLEGE AND UNIVERSITY TRIPS THAT WOULD BE GENERATED OUT THERE ARE ABOUT 10,000 TRIPS PER DAY LESS THAN IF IT WERE DEVELOPED AS RESIDENTIAL -- I'M SORRY, R AND D AND UNIVERSITY. SO THE TRIP COUNT WOULD COME DOWN. THEY HAVE AGREED TO -- TO FULL WATER QUALITY CURRENT ENVIRONMENTAL STANDARDS. SO THAT IS -- THAT IS A REQUEST IS IT MULTI-FAMILY TWO BE ADDED TO THIS ONE LOT ONLY.

THOUGHTS, COMMENTS, COUNCIL?

I GUESS IT WOULD BE CORRECT FOR MR. GUERNSEY. GREG, WOULD YOU DESCRIBE FOR US THE

DIFFERENCE BETWEEN MF 2 AND THE SENIOR YEAR CONGREGANT CARE?

CONGREGANT CARE IS A FACILITY THAT'S DESIGNED TYPICALLY FOR THE ELDERLY. PEOPLE ARE STILL MOBILE, IF THERE WAS AN EMERGENCY, A FIRE, THEY COULD EVACUATE THE BUILDING, BUT THERE ARE ADDITIONAL SERVICES, THEY MAY BE PROVIDED ON SITE. MEALS, ROOM CLEANING, MAY ACTUALLY HAVE -- HAVE A -- HAVE A NURSE OR MEDICAL TECHNICIAN ON PREMISE. THAT -- THAT WOULDN'T NECESSARILY ADMINISTER INJECTIONS BUT WOULD MAYBE IF THERE WAS A -- IF THERE WAS A PRESCRIPTION THAT NEEDED TO BE FILLED ON SOMETHING, IF THEY COULD PROVIDE THOSE TYPES OF SERVICES, THEY ARE LICENSED FACILITIES, A PERSONAL CARE FACILITY BY THE STATE OF TEXAS. AND WOULD HAVE TO SEEK SUCH A LICENSE TO OPERATE THAT TYPE OF A FACILITY. I WOULD NOTE THAT MULTI-FAMILY, WE DO HAVE MANY APARTMENTS IN THE CITY DESIGNED FOR MULTI-FAMILY. THEY JUST PROVIDE MAYBE DIFFERENT SERVICES, THEY MAY PROVIDE LAUNDRY SERVICES. THEY MIGHT PROVIDE RECREATIONAL FACILITIES THAT ARE DESIGNED MORE WITH THE NEEDS AND THE IDEA OF TAKING CARE OR PROVIDING SERVICES TO THE ELDERLY. SO -- SO WE DO HAVE THOSE TYPES OF FACILITIES THAT AREN'T NECESSARILY LICENSED BY THE STATE, BUT THEY ARE MARKETING TO AN OLDER POPULATION.

WOULD THERE BE A DIFFERENCE IN THE NUMBER OF UNITS OR THE DAILY CAR TRIPS BETWEEN THE SENIOR CONGREGANT FACILITY AND FM 2 FACILITY.

TYPICALLY ON CONGREGANT LIVING A LOWER TRIP GENERATION. MANY TIMES THE FACILITIES WOULD PROVIDE BUS TRANSIT FOR THE PEOPLE THAT LIVE IN THESE PERSONAL CARE FACILITIES SO THEY COULD TAKE TRIPS TO THE MALL AND WOULD NOT HAVE TO WORRY ABOUT DRIVING OR FINDING PARKING SPACES. THAT'S NOT UNCOMMON. WE HAVE SEVERAL FACILITIES OF CONGREGANT CARE TYPES IN AUSTIN. THE MARRIOTT OPERATES ONE ON SPICEWOOD SPRINGS ROAD BETWEEN MESA AND LOOP 360. THE FORUM OFF OF 2244 AND IN THE

MOPAC AREA. WEST MINSTER FOR THE MOST PART IS A CONGREGANT FACILITY AT MOPAC HERE 35th STREET. SO WE HAVE MANY EXAMPLES OF THEM. AND THERE'S A GREAT DEMAND FOR THESE TYPES OF FACILITIES.

McCracken: IN TERMS OF THE SIZE, ARE WE TALKING A DIFFERENCE IN THE NUMBER OF UNITS, IF IT'S MF 2 VERSUS WHETHER IT'S CONGREGANT CARE?

IT'S DIFFICULT TO SAY. THE WAY THAT THEY DESIGN IT. BUT TYPICALLY THEY WOULD TAKE THE SAME FOOTPRINT, SAME AREA AS A MULTI-FAMILY LOWER DENSITY PROJECT. THAT'S NOT UNCOMMON.

McCracken: IS THAT THE APPROACH THAT YOU ALL ARE CONSIDERING, IT WOULD BE BASICALLY THE SAME SIZE AND SAME SCOPE OF DEVELOPMENT WHETHER IT'S MF 2 OR WHETHER IT'S CONGREGANT CARE.

IT IS SIMPLY A USE COUNTY GORE, YES, SIR. VERY -- USE CATEGORY, VERY SIMILAR IN DENSITY.

Gurensey:: IN EITHER CASE THEY WOULD BE SUBJECT TO THE PDA AS FAR AS WATER QUALITY, IMPERVIOUS COVER LIMITATIONS. SO THEY WOULD BE BINDING REGARDLESS OF WHICH USE -- IF MULTI-FAMILY WERE INCLUDED, THEY WOULD BE SUBJECT TO THE SAME WATER QUALITY REGULATIONS AS THE -- AS THE CONGREGANT LIVING.

McCracken: LET ME ASK ANOTHER QUESTION THEN, DO YOU ALL HAVE ANY KIND OF ANALYSIS OR OPINION ABOUT -- ABOUT WHETHER THIS DEVELOPMENT WOULD HAVE A MEASURABLY DIFFERENT ENVIRONMENTAL IMPACT, WHETHER IT'S MF 2 VERSUS CONGREGANT CARE? SOUNDS LIKE THE FOOTPRINT WOULD BE EXACTLY THE SAME. THE WATER QUALITY RULES WOULD BE EXACTLY THE SAME. ANYTHING ELSE THAT'S DIFFERENT WE SHOULD BE AWARE OF?

IF IT'S MULTI-FAMILY, WE DON'T DISCRIMINATE AGE WISE OF FAMILIES LIVING IN A MULTI-FAMILY DEVELOPMENT. THEY COULD EASILY CATER TO



FAMILIES WITH YOUNG CHILDREN AS THEY COULD TO OLDER FOLKS..... FOLKS. IN A CONGREGANT CARE USUALLY A MORE CONTROLLED SETTING.

REAL QUICK ANSWER, THOUGH. DO YOU ALL HAVE -- SOME SORT OF DIFFERENT ENVIRONMENTAL IMPACT? BECAUSE I'M NOT HEARING OF A DIFFERENT ENVIRONMENTAL IMPACT.

DOGS AND CATS, PETS THAT MIGHT ROAM OUTSIDE, A MULTI-FAMILY PROJECT MAY ALLOW DOGS AND CATS AS PART OF THEIR DEVELOPMENT. IF THERE'S A CONCERN ABOUT BIRD HABITAT OR SOMETHING THAT MAY BE AN ISSUE.

OKAY.

SOUND LIKE IN A -- KIND OF A THEORETICAL SENSE POSSIBLY PETS, BUT THAT'S REALLY WHAT WE ARE TALKING ABOUT IS THE ONLY DIFFERENCE..... DIFFERENCE.

PHYSICALLY THE BUILDINGS AND THE OCCUPATION SHOULDN'T OPERATE TOO MUCH DIFFERENTLY..... DIFFERENTLY.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL?

Leffingwell: I WAS JUST GOING TO SAY THAT IN ADDITION TO PETS, IT'S A FACT THAT MULTI-FAMILY USE OPEN TO ALL AGES, IF YOU WILL, I KNOW THAT YOU SAID YOU COULDN'T ADD THAT SPECIFIC ISSUE, BUT GENERALLY AMONG PEOPLE WHO WORK WITH THE BCP, DON'T WANT THAT KIND OF HOUSING ADJACENT TO IT BECAUSE PEOPLE TEND TO USE THE BCP AS A WALKING PATH OR PERSONAL PARK AND THERE IS ALSO THE INCREASED LIKELIHOOD OF MORE PETS. SO AS A GENERAL RULE BCP PEOPLE THAT I HAVE TALKED TO, AND I HAVE TALKED TO THEM ABOUT THIS SPECIFIC CASE, SAY THAT THE RETIREMENT COMMUNITY AND THE CONGREGANT LIVING ASPECT OF IT WOULD BE A LESS INTENSIVE USE WITH REGARD TO BEING ADJACENT TO THE BCP AND THIS PARTICULAR TRACT IS PROBABLY THE NUMBER ONE MACRO SITE FOR WARBLER HABITAT IN TRAVIS COUNTY. IT'S OUT JUST AT THE

INTERSECTION OF 2222 AND 620. SO THE ZONING AND PLATTING COMMISSION MADE THIS RECOMMENDATION FOR -- FOR THAT SAME REASON. LESS INTENSIVE RESIDENTIAL USE BECAUSE OF ITS PROXIMITY TO THE BCP. FURTHER COMMENCE, QUESTIONS? MR. GUERNSEY WE ARE POSTED FOR THIRD READING, THE AMENDMENT -- THE 5th AMENDMENT AS WRITTEN AND POSTED. INCLUDES CONGREGANT LIVING BUT NOT --

MF 2.

McCracken: MAYOR, IS THERE A STAFF RECOMMENDATION ABOUT MF 2 VERSUS CONGREGANT CARE?

ORIGINAL STAFF RECOMMENDATION REPRESENTED TO THE COMMISSION, PRESENT AT FIRST READING, DID PROVIDE FOR MULTI-FAMILY AS BEING ONE OF THE USES THAT WAS PERMITTED. ZONING AND PLATTING COMMISSION DID NOT INCLUDE THAT AS PART OF THE RECOMMENDATION.

COMMENTS, QUESTIONS?

McCracken: I WILL MOVE TO APPROVE ON THIRD READING BUT TO ALLOW MF 2 IN ADDITION. AND MULTI-FAMILY USE.

YES.

Mayor Wynn: MOTION BY COUNCILMEMBER MCCRACKEN TO APPROVE ITEM NO. 42, THIS FIFTH AMENDMENT ON THIRD READING WITH THE INCLUSION OF MF 2. MULTI-FAMILY, MAESM STANDARDS AS MODIFIED BY THE PLANNED [INDISCERNIBLE]

Mayor Wynn: THANK YOU VERY MUCH. MOTION ON THE TABLE. , MOTION FAILS FOR LACK OF A SECOND. I WILL ENTERTAIN A DIFFERENT MOTION. COUNCILMEMBER LEFFINGWELL.

Leffingwell: MAYOR, I WILL MOVE TO APPROVE ITEM ON THIRD READING THE ZONING AND PLATTING COMMISSION RECOMMENDATION WITH THE

ADDITION OF CONGREGANT LIVING AS OUTLINED IN THE PROPOSED ORDINANCE BEFORE US.

Mayor Wynn: MOTION BY COUNCILMEMBER LEFFINGWELL TO APPROVE ON ITEM NO. 42 AS POSTED ON THIRD READING. SECONDED BY COUNCILMEMBER COLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. ITEM 43. ITEM NO. 43 IS C814-06-0106 - 208 BARTON SPRINGS ROAD - APPROVE THIRD -- KNOWN AS THE HYATT PROPERTY OWNED BY FAIRFIELD DEVELOPMENT. THIS IS A REZONING FROM COMMERCIAL-LIQUOR SALES-NEIGHBORHOOD PLAN (CS-1-NP) COMBINING DISTRICT ZONING AND LAKE COMMERCIAL-NEIGHBORHOOD PLAN (L-NP) COMBINING DISTRICT ZONING TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT ZONING. PREVIOUSLY WE HAD A VALID PETITION AND I'M IN RECEIPT TODAY WITH -- WITH THREE SIGNATURES, WITHDRAWING THEIR NAMES FROM THE PETITION. I HAVE BEEN TOLD BY A GENTLEMAN THAT REPRESENTS THE FOURTH ENTITY, I THINK -- THE FAMILY THAT THEY HAVE WITHDRAWN THEIRS, ALTHOUGH I DON'T HAVE ANY EVIDENCE OF THAT. I THINK HAVING TWO OF THE THREE SIGNATURES IS SUFFICIENT TO BRING DOWN THE VALID PETITION. IT WOULD TAKE FOUR AFFIRMATIVE VOTES TO APPROVE THIS READING. THE APPLICANT WOULD LIKE TO MAKE A FEW COMMENTS WITH REGARD TO THIS, THE OTHER PETITIONERS ARE HERE IN THE AUDIENCE THAT HAVE WITHDRAWN THEIR NAMES. THEY MAY OR MAY NOT HAVE ADDITIONAL COMMENTS AS WELL. SO AT THIS TIME WITH THESE COMMENTS STAFF COULD ACTUALLY OFFER THIS AS NOW A CONSENT ITEM ON THE -- ON THE P.U.D. CASE. IN THIS CASE MR. VONS SON WILL COME FORWARD, HE WILL MAKE A FEW COMMENTS WITH REGARD TO THE HYATT P.U.D. YOU HAD ASKED PREVIOUSLY TO HAVE KIND OF A 3 D PRESENTATION. WE CAN

CERTAINLY DO THAT. BUT GIVEN THE CHANGE IN EVENTS THAT OCCURRED IN THE LAST TWO HOURS, WE WOULD OFFER THIS AS A CONSENT ITEM INSTEAD. THANK YOU, MR. GUERNSEY. COUNCIL, WITHOUT OBJECTION, WELCOME.

THANK YOU, MY NAME IS PAUL JOHNSON WITH FAIRFIELD RESIDENTIAL, WE ARE THE APPLICANT ON THIS CASE. JUST TO UPDATE YOU ON WHERE WE ARE AT ON EVERYTHING. OF COURSE THIS CASE STILL COMES TO YOU WITH RECOMMENDATIONS FOR APPROVAL FROM THE PLANNING COMMISSION, CITY STAFF, ENVIRONMENTAL REVIEW BOARD, DOWNTOWN COMMISSION AS WELL AS A BINDING AGREEMENT THAT WE HAVE WITH THE BOULDIN CREEK NEIGHBORHOOD ASSOCIATION. IN ADDITION THAT DISCUSSION SURROUNDING PROPERTY OWNERS WE HAVE MADE SOME COMMITMENTS TO THEM WITH REGARD TO WORKING WITH THEM AND MOVING FORWARD AND I WANTED TO KIND OF PUBLICLY MAKE THOSE STATEMENTS, ALSO TO GO ON THE RECORD THAT -- THAT FOR EXAMPLE WITH ONE PROPERTY OWNER MS. MATTHEWS, WE HAVE AGREED CONTINUE WITH THE GOOD FAITH DISCUSSION PROVIDING HER ACCESS AGREEMENT TO GET BACK TO HER PROPERTY. IN ADDITION TO THAT, THE ZONING CASE ON HER PROPERTY, WOULD CONTAIN THE REMOVAL OF THE CURRENT CONDITION PREVENTING FOR ALTERNATIVE ACCESS, FAIRFIELD AGREES NOT TO OPPOSE THAT. THEN THIRDLY, WANTED TO GO ON THE PUBLIC RECORD BASICALLY STATING THAT FAIRFIELD IS STILL STRONGLY ENCOURAGING MS. MATTHEWS TO PROVIDE ALSO AN ACCESS AGREEMENT TO THE PROPERTY OWNER TO THE SOUTH. MS. FINKLESTEIN SO THAT SHE CAN HAVE ACCESS THROUGH THAT NEW ACCESS AS WELL. SO I JUST WANTED TO PUBLICLY STATE THAT UNDERSTANDING OF THE LEFTY OF THIS -- WE ARE GOING TO COME UP WITH A TO DO LIST, MOVE FORWARD WITH THAT, WRAP THIS THING UP. I WANTED TO COME AND PUBLICLY STATE THAT AS WELL AND THEN JUST BASICALLY RESPECTFULLY REQUEST YOUR APPROVAL AND BE GLAD TO ANSWER ANY QUESTIONS THAT YOU HAVE.

Mayor Wynn: THANK YOU, QUESTIONS OF MR.

JOHNSON, COUNCIL? APPRECIATE YOUR COMMENTS. THOSE OF MS. MATTHEWS THAT WE HAVE HERE IN WRITING. MR. GUERNSEY, ARE THERE OTHER PARTIES THAT NEED TO ADDRESS US PERHAPS?

YES, MAYOR, WE HAVE AN ADJOINING PROPERTY OWNER THAT WOULD LIKE TO SPEAK.

WELCOME.

MAYOR, MY NAME IS HATHAN DALET, ONE. ADJOINING LANDOWNERS, WE HAVE TRIED TO DILIGENTLY WORK WITH MR. PAUL JOHNSON. WE HOPE THAT THE GOOD FAITH EFFORT THAT HE'S MADE AND THE GESTURES WILL ALLOW US TO CONTINUE TO WORK TOGETHER AND PROVIDE A MORE COHESIVE PLAN BETWEEN THE TWO PROPERTIES. HOPEFULLY THAT WILL ALLOW US TO HAVE OUR PROPERTY MOVE FORWARD AS WELL.

Mayor Wynn: THANK YOU, COMMENTS, QUESTIONS, COUNCIL? COUNCILMEMBER MARTINEZ?

Martinez: I JUST WANTED TO MAKE A FEW ACKNOWLEDGEMENTS. THERE WAS AN EDITORIAL IN TODAY'S PAPER REFERRING TO OBVIOUSLY THE BEAUTIFUL ASSET THAT WE HAVE IN TOWN LAKE AND THE TRAIL. AND I CERTAINLY ACKNOWLEDGE THAT. BUT I DON'T THINK THAT YOU WOULD SEE THIS LEVEL OF AGREEMENT FROM THE NEIGHBORHOODS, FROM -- FROM, YOU KNOW, THE ADJOINING PROPERTIES OR COUNCIL IF WE REALLY THOUGHT THAT, YOU KNOW, THIS WAS SOME TYPE OF OUTLANDISH.....LANDISH EGG.....LANDISH EGREGIOUS DEVELOPMENT. IS CERTAINLY IS MORE THAN WHAT IS THERE TODAY. WE ARE TAKING THE CURRENT ZONING, ZONED L, WE ARE HAVING A P.U.D. THAT I AM PRODUCE THE IMPERVIOUS COVER -- THAT INCREASES THE IMPERVIOUS COVER, BUT I THINK THAT YOU SEE SOMETHING THAT THE COMMUNITY CAN BENEFIT FROM THAT WE CAN ENHANCE THE SOUTH SHORES OF TOWN LAKE NEAR DOWNTOWN. I WANT TO COMMEND EVERYONE FOR THEIR HARD WORK. I KNOW THAT THERE ARE -- THERE IS STILL MUCH WORK LEFT TO BE DONE. I HOPE THAT IT CAN PROVE TO BE FRUITFUL, I

APPRECIATE ALL OF YOU ALL'S PATIENCE, UNDERSTANDING AND I JUST, YOU KNOW, I WANT FOLKS TO KNOW THAT COUNCIL DOESN'T -- FOR ME ANYWAY, I DON'T TAKE THESE DECISIONS LIGHTLY. I CERTAINLY WOULDN'T NUMBER SUPPORT OF A PROJECT LIKE THIS IF I THOUGHT THE COMMUNITY WAS ACTUALLY LOSING A WONDERFUL ASSET SUCH AS OUR HIKE AND BIKE TRAIL AND TOWN LAKE CORRIDOR. I JUST WANTED TO MAKE THESE COMMENTS AND SAY THANKS TO EVERYONE THAT WORKED SO HARD.

THANK YOU COUNCILMEMBER. COUNCILMEMBER KIM?

I HOPE THAT WE CAN PROVIDE, THAT WE WILL SEE THAT THERE WILL BE APPROPRIATE ACCESS FOR MS. MATTHEWS BUSINESS AS WELL AS FOR THE FURNITURE STORE, WHICH IS OWNED -- THE PROPERTY IS OWNED BY THE FINKLESTEINS BECAUSE THAT IS A BLIND SPOT WHERE PEOPLE ARE HAVING TO GO IN AND OUT OF THE ALLEY AND THERE HAVE BEEN A NUMBER OF ACCIDENTS AND I FEAR THAT IT WILL GET WORSE, ESPECIALLY WITH CONSTRUCTION HAPPENING AT THAT SITE AND WHEN THE SITE IS BUILT OUT AND FULLY OCCUPIED. SO SO IT'S REALLY IMPORTANT FOR THE CITY. THAT THE FLOW TRAFFIC THAT IS -- THAT THEY PROVIDE, THAT THEY HAVE ACCESS ON YOUR PROPERTY BECAUSE TO TIE UP AND TO CAUSE ACCIDENTS ON BARTON SPRINGS ROAD IS GOING TO AFFECT THIS ENTIRE PART OF DOWNTOWN. SO I APPRECIATE YOUR WORKING WITH THEM TO DO THAT FOR THEM AND FOR US. BUT I ALSO WANT TO SAY THAT -- THAT WE'VE HAD A NUMBER OF CASES VALVING SOUTH SHORES FOR TOWN LAKE. BOTH SIDES OF RIVERSIDE. ALSO ISSUES ABOUT REEXTENDING THE TRAIL, HIKE AND BIKE TRAIL ON TOWN LAKE. DOESN'T SEEM TO ME THAT WE REALLY HAVE A COMPLETE PICTURE OF WHAT THAT WOULD LOOK LIKE OR A COMMUNITY CONSENSUS AROUND THAT. BOULDIN CREEK NEIGHBORHOOD ASSOCIATION IS ONE OF THE PARTIES, I APPRECIATE YOUR WORKING ON CASES AS THEY COME UP. AS WELL AS BUSINESS EVENNERS WHO NEED TO BE REPRESENTED AND INVOLVED IN YOUR NEIGHBORHOOD ASSOCIATION AS WELL. SO --

SO I HOPE THAT WE CAN WORK TOGETHER AND WORK WITH THE CITY STAFF ON SOME SORT OF A PLAN MAYBE JUST REINITIATING THE PLANS THAT WE HAD IN THE PAST FOR THE SOUTH SHORE OF TOWN LAKE TO COME UP WITH SOMETHING THAT WE CAN SUPPORT FOR THIS AREA.... AREA.

THANK YOU, FURTHER COMMENT, QUESTIONS? IN FACT I GUESS THAT I WILL ENTERTAIN A MOTION THEN ON THIS THIRD READING ITEM NO. 43.

AS PRESENTED TODAY.

Mayor Wynn: MOTION MADE BY THE MINOR, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE ITEM NO. 43 ON THE THIRD READING, FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. MR. GURP SEE, TAKE UP OUR -- GUERNSEY, TAKE UP OUR PUBLIC HEARING CONSENT.

WE HAVE ITEM NO. 44. WHICH IS THE BAUGH COLBY HOUSE AND -- AND -- I THINK THE APPLICANT AND THEIR -- OR THE PROPERTY OWNER AND THEIR REPRESENTATIVE ARE ENTERING THE CHAMBERS AGAIN. THE -- OH, I ALMOST FORGOT. ON THE LAST ITEM -- [LAUGHTER] --

MR. WALTON, WELCOME.

THE NEIGHBORHOOD WANTED TO SAY ONE ITEM.

Mayor Wynn: WELL DESERVED MOMENT.

MAYOR, THANK YOU. COREY WALTON, BOULDIN CREEK NEIGHBORHOOD ASSOCIATION. THANK YOU, MAYOR. MAYOR PRO TEM, COUNCILMEMBERS. IN SUMMATION, REALLY, THE -- THANK YOU FOR YOUR VOTE ON WHAT I THINK YOU ALL KNOW WAS A VERY DIFFICULT PROCESS WITH I THINK SETTING GOOD PRECEDENT TO OUTLINE AGAIN OUR THANKS TO FAIRFIELD FOR REALLY COMING TO THE TABLE.

WITH THE IDEA OF LISTENING AND BEING WILLING TO COME UP WITH SOME -- SOME MEANINGFUL CHANGES TO THEIR INITIAL PLANS. SOME OF THOSE CHANGES OF COURSE MOST IMPORTANT TO THE WHOLE COMMUNITY I THINK THE -- THAT WE ARE FINDING THAT THEY COULD KEEP THEIR -- THEIR DEVELOPMENT OFF THE TOWN -- THE WATERFRONT OVERLAY, STILL MAKE IT WORK. THEIR OFFER OF COMMUNITY BENEFITS FOR -- FOR ENTITLEMENTS OVER AND ABOVE THE EXISTING LAND DEVELOPMENT CODE. AMOUNTS -- IN THE AMOUNT OF -- OF OVER \$14,000 FOR -- FOR EACH ADDITIONAL LINEAR FOOT ABOVE THE CS 1 ZONED AREA OF THE SOUTH PARCEL. AND AN ADDITIONAL \$14 PER SQUARE FOOT FOR WHAT WAS A RESTRICTED SORT OF A RANGED IN -- REIGNED IN ADDITION TO ANY ADDITION TO THE FOOTPRINT AND THE HEIGHT TO THE EXISTING HOTEL, HYATT HOTEL BUILDING. ADDITIONAL RESTRICTIONS INCLUDED WE THOUGHT A MORE SOLID STARTING HEIGHT MEASUREMENT FORMULA. AND ALSO SORT OF REIGNING IN SOME OF THE COMMERCIAL USES THAT THEY -- THAT THEY -- SO THAT THEY MORE FOLLOWED THE INTEBILITY OF THE WATERFRONT OVERLAY FOR -- INTENT OF THE WATERFRONT OVERLAY FOR PEDESTRIAN USES. WE THINK THAT -- THAT THIS IS REALLY THE -- THE BEGINNING WE HOPE FOR FUTURE PROCESSES BETWEEN DEVELOPERS, NEIGHBORHOODS AND THE COMMUNITY AT LARGE. IN ADDRESSING DEVELOPMENT IMPACT, PARTICULARLY IN THE AREA OF AFFORDABLE HOUSING, WE THINK THAT -- WE HOPE THAT THIS REALLY SETS A STARTING POINT FOR -- FOR CONTINUING IN THAT DIRECTION WITH THAT PROCESS AND ALSO WITH -- WITH THE HELP FROM THE DEVELOPER IN THE NEGOTIATION PROCESS WITH THE NEIGHBORHOODS TO PROVIDE THE MEANS THAT THE -- THAT THE NEIGHBORS CAN REALLY -- CAN REALLY DEAL ON THE LEVEL PLAYING FIELD BY PROVIDING THE -- THE MONETARY ASSISTANCE FOR THE LEGAL FEES FOR NEIGHBORHOOD ASSOCIATIONS. SO AGAIN I APPRECIATE COUNCILMEMBER KIM'S ALLUSION TO TRYING TO MAKE MORE OF A JOINT EFFORT AMONG THE DEVELOPERS IN REFINING THEIR PLANS MORE OF A -- OF JOINT EFFORT. AND CERTAINLY THE -- THE



NEIGHBORHOOD ASSOCIATION AS I STATED IN THE LAST READING, OUR NEIGHBORHOOD, OUR MEMBERSHIP IS WHILE IT SERVES PRIMARILY RESIDENT CONCERNS BECAUSE WE ARE THE ONLY REPRESENTATIVE ORGANIZATION FOR OUR RESIDENTS, THERE ARE VEHICLES FOR OUR BUSINESS COMMUNITY MEMBERS, THEY ARE WELCOME AND -- AND WILL CONTINUE TO -- TO WELCOME THEM AS ADVISORY MEMBERS. SO THANK YOU AGAIN FOR -- FOR YOUR HELP IN THIS RATHER TEDIOUS AND -- AND INTRICATELY WE'VE..... WOVEN PROPERTY ISSUE. THANK YOU AGAIN. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

THE NEIGHBORHOOD PRESENTED US TODAY WITH A NEW PETITION AND AS YOU RECALL THE OWNER HAS ALREADY FILED A PETITION AGAINST HAVING HISTORIC ZONING PLACED UPON THIS PROPERTY. AND SO CURRENTLY THIS PROPERTY IS ZONED MF-3, WHICH IS MULTI-FAMILY MEDIAN DENSITY, NEIGHBORHOOD PLAN, COMBINING DISTRICT ZONING, AND THE REQUEST THAT STAFF IS BRINGING FORWARD ON A CASE INITIATED BY THE HISTORIC LANDMARK COMMISSION TOFS.....WAS TO MF-3 COMBINING DISTRICT ZONING. AT YOUR SECOND READING THIS ITEM COUNCIL APPROVED THE REZONING OF THIS PROPERTY TO MF-3, BUT WITH A CONDITIONAL OVERLAY THAT WOULD LIMIT THE DENSITY TO TWO SINGLE-FAMILY DWELLINGS, TWO SINGLE-FAMILY DWELLINGS THAT ARE DETACHED. IN ADDITION, AT SECOND READING COUNCIL IMPOSE ADD MAXIMUM HEIGHT LIMITATION OF 35 FEET AT GROUND LEVEL. THE PETITION PRESENTED BY THE NEIGHBORHOOD TODAY WOULD STATE THAT THEY OBJECT TO ANY REZONING CLASSIFICATION OTHER THAN SF-1, SF-2, SF-3 OR MF-3 THAT WOULD RESULT IN THE PROPERTY HAVING MORE THAN TWO SINGLE-FAMILY DETACHED UNITS OR AN ATTACHED UNIT. SO IF THERE WERE TWO UNITS AND THEY WERE ATTACHED, THEY FILED A PETITION AGAINST ATTACHED UNITS. IN ADDITION, THEY WOULD OBJECT TO THE CREATION OF ANYTHING THAT WOULD HAVE A MINIMUM LOT AREA OF 12 OR -- LESS THAN 12,000 SQUARE FEET. IN LIGHT OF THE

PETITION, THE APPLICANT HAS ASKED SINCE IT WAS RECEIVED THIS AFTERNOON, AN ADDITIONAL TWO WEEK OF TIME TO CONSIDER THE PE...PETITION AND LOOK AT THEIR OPTIONS. THE NEIGHBORHOOD IS PRESENTED AND HAS STATED TO ME THAT THEY WOULD LIKE TO HEAR THE CASE THIS EVENING. SO THEY HAVE REPRESENTATIVES HERE AND THE APPLICANT IS HERE. YOU CAN LISTEN TO BOTH SIDES AND CONSIDER THE POSTPONEMENT REQUEST.

Mayor Wynn: MR. GUERNSEY, I SUSPECT THAT WE'VE ALREADY USED THE APPLICANT'S SINGLE POSTPONEMENT REQUEST EARLIER, CORRECT?

I BELIEVE THAT'S TRUE. AND THE PETITION AS WE SEE IT IS VALID. IT'S PROBABLY -- WE DON'T HAVE THE PRECISE NRKS BUT THERE'S ENOUGH SIGNATURES HERE THAT WE COULD A COMPARE IT TO PREVIOUS PETITIONS AND TELL YOU THAT IT'S OVER 60%.

Mayor Wynn: BUT YOU CAN CONFIRM THAT IT WAS JUST RECEIVED THIS AFTERNOON.

THAT'S CORRECT. THE PETITION WE RECEIVED THIS AFTERNOON IS OVER 60 PERCENT AND IT HAS SOME ADDITIONAL LIMITATION S TO IT THAN THE PREVIOUS NEIGHBORHOOD PETITION.

Mayor Wynn: SO COUNCIL, WE HAVE ESSENTIALLY A REQUEST ON ONE SIDE TO POSTPONE BECAUSE OF A NEW PETITION, A REQUEST BY THE NEIGHBORHOOD TO HEAR THE CASE. THOUGHTS, COMMENTS?

McCracken: MAYOR, I THINK IT WOULD BE HELPFUL TO HEAR FROM EACH SIDE BRIEFLY TO SEE WHAT THE SOURCE OF THE DIFFERENCE MIGHT BE BECAUSE IT SEEMS LIKE WE WERE VERY CLOSE, AND IF WE CAN GET TWO DETACHED SINGLE-FAMILY DWELLINGS, WHAT I DON'T HAVE A SENSE OF IS IT SOUNDS LIKE THE REMAINING ISSUE IS THE 12,000 SQUARE FEET PER LOT. BECAUSE OTHERWISE THEY MIRROR EACH OTHER, IS MY UNDERSTANDING. MAYBE THAT'S NOT THE CASE.

SORRY, COUNCILMEMBER, I DIDN'T HEAR ALL THE QUESTION.

McCracken: I'M TRYING TO FIGURE OUT WHAT KIND OF A DIFFERENCE WE HAVE BECAUSE OUR SECOND READING WAS TWO DETACHED SINGLE-FAMILY DWELLINGS.

AND WITH YOUR SECOND READING THEY WOULD BE DETACHED SINGLE-FAMILY HOMES, THEY WOULD BE SUBJECT TO THE NEW McMANSION ORDINANCE. I UNDERSTAND THE APPLICANT IS ACTUALLY AGREEABLE TO SOME ELEMENTS OF THE McMANSION ORDINANCE, BUT NOT ALL OF THEM. BUT IF IT WAS TO BE DEVELOPED AS TWO MORE SINGLE-FAMILY HOMES, THEY WOULD HAVE TO COMPLY WITH ALL OF THE CONDITIONS THAT ARE OUTLINED IN THE CURRENT McMANSION OR RESIDENTIAL DESIGN ORDINANCE. THAT AND THE ONLY WAY THEY COULD DEVIATE FROM THAT IS TO DO DETAILED PLANS THAT APPEAR BEFORE THE RESIDENTIAL DESIGN COMMISSION AND SEEK WAIVERS OR VARIANCES FROM THOSE RESTRICTIONS OR GO TO THE BOARD OF ADJUSTMENT.

McCracken: IT HAS TO BE DONE BY THE COMMISSION?

YOU CAN SET A HEIGHT LIMIT OF 35 FEET AND IF THEY CHOSE A DEVELOPMENT TYPE THAT WASN'T SUBJECT TO McMANSION, THEN THAT WOULD BE LIMITED TO A HEIGHT LIMIT OF 35 FEET. FOR INSTANCE, IF THENTED TO DO A CHURCH THEY WOULD BE LIMITED TO A HEIGHT OF 35 FEET. SO THAT STILL HAS MEANING ON YOUR SECOND READING ACTION. IF THEY WERE GOING UNDER THE RESIDENTIAL DESIGN ORDINANCE THEY WOULD HAVE A HEIGHT OF 32 FEET.

McCracken: IF THEY'RE GOING TO BUILD A HOUSE -- IF THEY'RE GOING TO BUILD TWO HOUSES, THEY'LL HAVE TO COMPLY WITH McMANSION ORDINANCE EVEN THOUGH WE SET A 35-FOOT HEIGHT. SO IT SOUND LIKE OUR SOLE DIFFERENCE IS -- SOLE ISSUE IS THE 12,000 FEET PER LOT, IS THAT RIGHT?

IF THEY DO DECIDE TO DO A DIDN'T FORM OF HOUSING, AND I UNDERSTOOD THERE WAS A WISH TO DO A TOWNHOUSE DESIGN, WHICH THE NEIGHBORHOOD'S PROPOSED, THEY WOULD NOT BE SUBJECT -- AS THE RULES STAND TODAY, THE McMANSION ORDINANCE.

McCracken: OUR SECOND READING, WHAT WE PASSED ON SECOND READING WAS TWO DETACHED. WE COULDN'T DO ATTACHED TOWNHOMES, CORRECT?

THEY COULD NOT THE WAY THE ORDINANCE IS WRITTEN AND DRAFTED TODAY?

SO I JUST WANT TO FIGURE OUT WHAT OUR DIFFERENCES ARE. SO WHAT WE PASS ODD SECOND READING THE ONE ISSUE LEFT THEN WOULD BE THE LOT SIZE, CORRECT?

THERE WAS NO LOT SIZE LIMITATION AT SECOND READING.

McCracken: RIGHT.

SO THERE IS AN ISSUE ABOUT LOT SIZE, BUT I THINK THE ISSUE WITH THE NEIGHBORHOOD IS TILL THEY WOULD LIKE TO KEEP THEM DETACHED. THEY WOULD LIKE TO KEEP THEM ATTACHED.

McCracken: OKAY. WELL, CAN WE GET MORE INFORMATION ON THE LOT SIZE? I CERTAINLY DON'T KNOW WHAT THE LOT SIZES WE'RE TALKING ABOUT ARE.

THE LOT SIZE THAT'S BEEN DRAFTED BY THE NEIGHBORHOOD'S PE ADVERTISE WOULD ASK YOU NOT TO CREATE LOTS LESS THAN 12,000 SQUARE FEET. THE PROPERTY IS ONLY ABOUT 13,000 SQUARE FEET RIGHT NOW. THEY COULD ONLY HAVE ONE LOT TO DEVELOP ON THE PROPERTY. SO IT WOULD SUGGEST THAT YOU COULD ONLY DO WHAT'S CALLED A TWO FAMILY RESIDENTIAL USE. IF THERE WERE TWO DETACHED DWELLINGS, YOU WOULD HAVE ONE IN THE FRONT, MAYBE ONE IN THE BACK. ONE IN THE BACK WOULD BE SMALLER, THEY WOULD BE SUBJECT TO THE McMANSION

ORDINANCE. THEY WOULD NOT BE ABLE TO SUBDIVIDE INTO SINGLE-FAMILY HOMES THE WAY THE PETITION IS WORDED NOW.

McCracken: IF WEP NOT TO SIDE WITH THE NEIGHBORHOOD ON THE LOT SIZE DEAL, WE WOULD CREATE TWO LEGAL LOTS OUT OF 13,000 SQUARE FEET?

YES, YOU COULD.

Mayor Wynn: AGAIN, COUNCIL, THE REQUEST IS EITHER A POSTPONEMENT OR TAKE UP OF DISCUSSION LATER. COUNCILMEMBER MARTINEZ.

Martinez: MAYOR, I -- JUST FOR MY OWN SAKE I'D LIKE TO HAVE MORE TIME TO UNDERSTAND WHAT THE PE PETITION IS FROM THE NEIGHBORS, SO I'M OKAY WITH SUPPORTING A TWO WEEK POSTPONEMENT. I THINK THAT WE HAVE A NEW REQUEST BY THE NEIGHBORS AND I THINK IT REQUIRES DUE DILIGENCE AT LEAST ON OUR PART. AND I'D LIKE TO TRY TO GET A BETTER UNDERSTANDING WHAF IT IS THEY'RE -- OF WHAT IT IS THEY'RE ASKING.

Martinez: UNDERSTOOD. I'LL MAKE A MOTION FOR A TWO WEEK POSTPONEMENT.

Mayor Wynn: MOTION BY COUNCILMEMBER MARTINEZ TO POSTPONE ITEM NUMBER 44 FOR TWO WEEKS TO MARCH 1st, 2007. SECONDED BY THE MAYOR PRO TEM. COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THANK YOU, MAYOR. LET ME MOVE ON TO THE 4:00 O'CLOCK PUBLIC HEARING ITEMS. I'LL START WITH ITEM NUMBER 45, THIS IS CASE C-14-06-0085. SH, THE ZACHARY SCOTT SUBDIVISION TRACT 1 AT 10016 TO TENNESSEE 136 OLD LOCKHART HIGHWAY. WE HAVE A POSTPONEMENT ON THIS ITEM AND ALSO ON ITEM 46. , THE ZACHARY SCOTT SUBDIVISION TRACT 2. THIS IS A POSTPONEMENT REQUEST, APPLICANT'S FIRST REQUEST TO MARCH FIRST IN ORDER TO FINALIZE SOME TRAFFIC PHASING AGREEMENTS. ITEM NUMBER 47 IS CASE C-14-06-144, RANCHO ALTO

AT FRATE BARKER RANCHO ALTO ROAD. THIS IS A REZONING REQUEST FOR SINGLE-FAMILY RESIDENCE STANDARD LOT SF-2 ZONING FOR TRACT 1 AND COMMUNITY COMMERCIAL ZONE FOG TRACT 2. AND THE ZONING AND PLATTING COMMISSION WAS TO RECOMMEND THIS ZONING EXCEPT ON TRACT 2 BEING NEIGHBORHOOD COMMERCIAL LR WITH CONDITIONS. AND THIS IS READY FOR FIRST READING ONLY. ITEM NUMBER 48 IS CASE C-14-06-0145, RANCHO ALTO NUMBER 2 AT 12200 TO 12222 RANCHO ALTO ROAD. THIS IS A REZONING REQUEST FROM INTERIM SINGLE-FAMILY FAMILY RESIDENCE TO SINGLE-FAMILY RESIDENCE DISTRICT ZONING AND IT IS RECOMMEND BY THE ZONING AND PLATTING COMMISSION. THIS IS READY FOR CONSENT APPROVAL ON FIRST READING. ITEM 49 IS CASE C-14-06-146, RANCHO ALTO. THIS IS A REZONING REQUEST AT 1900 TO 1920 RALPH COX ROAD AND 11 WILL HUNDRED TO 11916 DAVE SIG K DRIVE. THIS IS A REZONING REQUEST FROM INTERIM SINGLE-FAMILY TO INTERIM SF-2 DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED THIS REQUEST. THIS IS READY FOR CONSENT APPROVAL ON FIRST READING. ITEM NUMBER 50 IS CASE C-14-06-147, RANCHO ALTO NUMBER 4. THIS IS A REZONING REQUEST AT 1700 TO 1724 O'CALLAHAN DRIVE. THIS IS A REZONING REQUEST FROM INTERIM SF 2 FAMILY DISTRICT ZONE TO GO SINGLE-FAMILY RESIDENCE STANDARD LOT. THE ZONE TOFS GRANT QUT. THIS IS READY FOR CONSENT APPROVAL ON FIRST READING. ITEM NUMBER 51 IS RANCHO ALTO NUMBER 5. THIS IS A REZONING REQUEST FROM 1800 TO 1820 RALPH COX DRIVE TO 11802 TO 12229 TO 12212224 BUZZ SCHNEIDER DRIVE AND 1609-1641 PAVELICH PASS AND 12116 TO 12124 VERCHOTA DRIVE TO SINGLE-FAMILY RESIDENCE STANDARD LOT DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMEND THE REZONING REQUEST TO SF 2 AND THIS IS READY FOR CONSENT APPROVAL ON FIRST READING. ITEM NUMBER 52 IS CASE C-14-06-149, RANCHO ALTO 6 AT 1701 McCLANAHAN DRIVE AND 1700 STOEDEL LANE. THIS IS A REQUEST FROM INTERIM SINGLE-FAMILY TO SINGLE-FAMILY RESIDENCE SF-2 DISTRICT ZONING AND THE ZONING AND PLATTING COMMISSION RECOMMENDED THIS

REQUEST. IT'S READY FOR CONSENT APPROVAL ON FIRST READING ONLY. ITEM 53 IS CASE C-14-OF-1050 RANCHO ALTO. THIS IS A REZONING REQUEST AT 12113 VERCHOTA DRIVE TO 16 TO 1628 PAVELICH PASS AND 1602 STOEEL LANE. THIS IS A REQUEST FROM INTERIM SINGLE-FAMILY RESIDENCE STANDARD LOT DISTRICT ZONING TO SINGLE-FAMILY RESIDENCE STANDARD LOT DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT THIS REQUEST WITH CONDITIONS AND IT IS READY FOR CONSENT APPROVAL ON FIRST READING. ITEM 54 IS CASE C-14-06-151, RANCHO ALTO 8, 1813 TO 1913 RALPH COX TO 1800 TO 1824 BILL BAKER DRIVE. THIS IS A REZONING REQUEST FROM INTERIM SINGLE-FAMILY RESIDENCE STANDARD LOT DISTRICT ZONING TO SINGLE-FAMILY RESIDENCE STANDARD LOT SF-2 DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED THE REZONING REQUEST WITH CONDITIONS. THIS IS READY FOR CONSENT APPROVAL ON FIRST READING. ITEM NUMBER 55 IS CASE C-14-06-152 RANCHO ALTO 9 AT 1801 TO 1825 BILL BAKER DRIVE. THIS IS A REZONING REQUEST FROM INTERIM SINGLE-FAMILY RESIDENCE TO SF-2 DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT SF-2 DISTRICT ZONING. THIS IS READY FOR CONSENT APPROVAL ON FIRST READING. ITEM NUMBER 56 IS CASE C-14-06-06-191. WE HAVE A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD. THE APPLICANT AGREES TO THIS POSTPONEMENT. IT IS TO MAFN EIGHTH. -- TO MARCH EIGHTH. ITEM NUMBER 57 IS CASE C-14-0-225, SAN FELIPE MARKET AT 7701 SAN FELIPE BOULEVARD. THIS IS A REQUEST FROM COMMUNITY COMMERCIAL CONDITIONAL OVERLAY TO COMMERCIAL DISTRICT SALES DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED TO GRANT THE COMMERCIAL LIQUOR SALES OR CS-1 COMBINING DISTRICT ZONING WITH CONDITIONS. THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 58 IS CASE C-14-06-#- 232 AT 11200 FM 2222. THIS IS A REZONING REQUEST FROM INTERIM SINGLE-FAMILY RESIDENCE STANDARD LOT DISTRICT ZONING TO COMMUNITY COMMERCIAL SOAFL GIEN '89ING DISTRICT ZONING. THE ZONING

AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT THE GR-CO. THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 59 IS CASE C-14-06-39. THIS IS EXPIRES HOUSE AT 1500 HARDIN AVENUE. THIS IS RECOMMENDED TO YOU BY BOTH THE LANDMARK COMMISSION, ZONING AND PLATTING COMMISSION TO SF-3-H COMBINING DISTRICT ZONING. THIS IS READY FOR CONSENT ON ALL THREE READING. ITEM NUMBER 60 IS CASE C-14-04-196.01, THE HORN BUILDING. THIS IS AT GUADALUPE AND AVENUE A. THIS IS A REZONING REQUEST TO AMEND THE NEIGHBORHOOD CONSERVATION COMBINING DISTRICT ZONING TO ALLOW FOR AN ADDITIONAL LAND USE WITHIN THIS. THE ZONING AND PLATTING COMMISSION RECOMMENDED THIS REZONING -- THE PLANNING COMMISSION RECOMMENDED THIS REZONING CASE TO YOU THIS PAST TUESDAY WITH A CONDITION THAT THE ADDITIONAL USE OF HOSPITAL SERVICES LIMITED BE ALLOWED TO A MAXIMUM OF 10,000..... 10,000 SQUARE FEET AND NOTING THAT THIS IS FOR THE PROPERTY LOCATE THE AT 4611 GUADALUPE. WITH THAT CHANGE AND ON THE PLANNING COMMISSION'S RECOMMENDATION WE CAN OFFER THAT FOR FIRST READING ONLY. AGAIN, THAT'S ITEM NUMBER 60 ON THE PLANNING COMMISSION'S RECOMMENDATION. 61 THIS IS C-14-06-112. THIS IS A DISCUSSION ITEM. IT'S STOMACH TUM NUMBER -- IT'S ITEM NUMBER 61. ITEM NUMBER 62 IS CASE C-14-06-220, THE THORNTON BUNK LOWS AT 2206 TO 2210 THORNTON ROAD. THE PLANNING COMMISSION THIS PAST TUESDAY DIRECTED STAFF TO PLACE THIS ON AN UPCOMING PLANNING COMMISSION AGENDA FOR RECONSIDERATION. STAFF RECOMMENDS POSTPONEMENT OF THIS ITEM TO MARCH FIRST. SO THIS IS STAFF RECOMMENDATION FOR POSTPONEMENT ON ITEM NUMBER 62 TO MARCH 1st AND THIS IS IN LIGHT OF THE PLANNING COMMISSION'S DIRECTION TO STAFF TO BRING THIS ITEM BACK FOR RECONSIDERATION AT THEIR NEXT MEETING. ITEM 63 IS NPA-6-0010.01. THIS IS AND AMENDMENT TO THE NEIGHBORHOOD PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE-FAMILY TO OFFICE USE FOR THE PROPERTY LOCATED AT 2201-22..2205 EAST TWO AND A HALF



STREET. A RELATED ITEM IS ITEM NUMBER 64 AT THAT SAME ADDRESS. IT IS TO AMEND ZONING FROM FAMILY RESIDENCE TO GENERAL OFFICE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDS TO GRANT THE REQUEST FOR BOTH THE CHANGE TO THE FUTURE LAND USE MAP TO OFFICE AND THE GO-NP-NP. THIS WAS BROUGHT BACK TO YOU BECAUSE OF A NOTICE OR AND IS -- ERROR. I SPOKE TO THE CITY CLERK AND SHE'S INDICATED THERE IS AN INDIVIDUAL THAT SIGNED UP IN OPPOSITION, BUT NOT -- NOT WANTING TO SPEAK TO THIS ITEM. WEEK SEEK CLARIFICATION OF THAT, BUT IF THERE IS NO ONE TO SPEAK TO THIS ITEM, YOU COULD STILL TAKE THIS STOMACH TUM AS A CONSENT ITEM. SO THIS WILL BE A DISCUSSION ITEM ON ITEM NUMBER 63 AND 64.

Mayor Wynn: WE'LL TAKE THAT UP IN A FEW MINUTES. THANK YOU.

ITEM NUMBER 65 IS CASE NPA-06-0015. O 1. THIS IS SPRINGDALE ROAD EAST MLK COMBINED NEIGHBORHOOD PLAN. THIS IS A NEIGHBORHOOD PLAN AMENDMENT. THIS WILL BE A DISCUSSION ITEM. IT IS RELATED TO ITEM NUMBER 66, WHICH IS CASE C-14-06-0021. THIS IS A VOANING CASE FOR THAT SAME PROPERTY LOCATED AT 0 SPRINGDALE ROAD. THIS IS A DISCUSSION ITEM. ITEM NUMBER 67 IS CASE NPA-06-0019.01, THE EAST AVENUE P.U.D. FOR THE PROPERTY LOCATED IN THE 3400 NORTH AT I-35 KNOWN AS CONCORDIA UNIVERSITY: THIS IS A DISCUSSION ITEM AS WELL AS THE RELATED ITEM, NUMBER 68 AT THE SAME ADDRESS. IT'S ALSO A DISCUSSION ITEM. ITEM NUMBER 69 IS CASE C-14-06-0183. THE CBL/SEVENTH AVENUE AND RIO GRANDE PROPERTY AT 605 ACKNOWLEDGED 715 WEST SEVENTH STREET. THIS IS A DISCUSSION ITEM. ITEM NUMBER 70 IS CASE C-14-06-121 KNOWN AS THE DES MOINES AT 10700 TO 1100 BURNET ROAD, 11100 TO 11900 BURNET ROAD AND 2800 BLOCK OF BRAKE EVERYBODY LANE AND 3300 BLOCK WEST BRAKER LANE. WE HAVE A POSTPONEMENT REQUEST FROM THE NEIGHBORHOOD. THE APPLICANT AGREES TO YOUR NEXT MEETING OF MARCH 1st. SO THAT CAN

BE OFFERED AS A CONSENT POSSIBILITY. THAT CONCLUDES THE POSTPONEMENT ITEMS. MAYOR, I'LL NOTE IF CASE THERE ARE PEOPLE HERE OR PEOPLE LISTEN, ITEM NUMBER 74 AND 75 ON YOUR AGENDA, WHICH ARE ZONING CASES THAT TYPICALLY COME UP AT 4:00, WHICH ARE SCHEDULED AT A TIME CERTAIN AT 6:15 FOR THE UNIVERSITY ENTERPRISE PROPERTIES AT 1901 AND 1903 AS MENTIONED, THE MAYOR MENTIONED EARLIER TODAY AND I'LL MENTION AGAIN NOW THAT THESE TWO CASES, ITEMS 74 AND 75 HAVE BEEN WITHDRAWN AND THERE'S NO, REQUIRED ON THOSE ITEMS.

Mayor Wynn: WE WILL POSTPONE ITEMS 45 AND 46 TO MARCH 1st, 2006. TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY CASES 47, 48, 49, 50, 51, 52, 53, 54, 55. TO POSTPONE ITEM NUMBER 56 TO MARCH EIGHTH, 2007. TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS ITEMS 57, 58 AND 59. TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY WITH CHANGES AS READ INTO THE RECORD BY MR. GUERNSEY ITEM NUMBER 60. TO POSTPONE ITEM NUMBER 62 TO MAFN 1st -- MARCH 1st... 1st, 2007. AND TO POSTPONE ITEM NUMBER 70 TO MARCH 1st, 2007. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.? OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

MAYOR, I'VE JUST BEEN TOLD, AND COUNCIL, I'VE JUST BEEN TOLD WE HAVE A POSTPONEMENT REQUEST ON ITEM NUMBER 69. THIS IS CASE C-14-06-0183. THE CL IT B AT SEVENS AND RIO GRANDE PROPERTY. I DON'T KNOW THE SPECIFICS OF IT, BUT MR. RUSTHOVEN CAME FORWARD AND MENTIONED THERE IS AN INDIVIDUAL HERE SEEKING A POSTPONEMENT OF THIS ITEM. AND I DO NOT KNOW WHAT THE AGENT'S POSITION WOULD BE ON THAT.

Mayor Wynn: FROM AN OPPOSING PARTY APPARENTLY.

MY NAME IS BEN PROCTOR. I RIVER..... LIVE AT 705 EIGHTH STREET. GOOD EVENING. EARLIER IN THE WEEK I DID SUBMIT A REQUEST FOR A

POSTPONEMENT TO THE PROJECT AT 7TH AND RIO GRANDE RTION , CONSIDERATION OF THE PROJECT, BASED ON THE LACK OF A TRAFFIC IMPACT ANALYSIS. I'M CERTAINLY NOT A TRAFFIC EXPERT, BUT I DO LIVE IN THE AREA AND I HAVE CULTED MY OWN -- I HAVE CONDUCTED MY OWN SURVEY AND HAVE DISCOVERED AFTER SEVEN DAYS, WEEKDAYS, OF MONITORING TRAFFIC AT THIS EXACT INTERSECTION THAT SOME 2700 CARS A DAY PASS THROUGH THAT INTERSECTION. I KNOW THAT THE PROPONENTS OF THE DEVELOPMENT HAVE INDICATED THAT THEY WOULD LIMIT THE IN AND OUTS TO THE CONDOMINIUM DEVELOPMENT TO 2,000 A DAY, AND I REALIZE THAT THAT NUMBER MAY HAVE BEEN ARRIVED AT BY FORMULA, BUT I REALLY DON'T KNOW THAT IT'S REALISTIC AND I THINK THAT THE COUNCIL SHOULD KNOW WHAT THE EXACT TRAFFIC IMPACT IS BEFORE PROCEEDING WITH CONSIDERATION OF THE MATTER AND RESPECTFULLY REQUEST THAT A POSTPONEMENT IS IN ORDER AND REQUEST THAT THAT BE CONSIDERED.

Mayor Wynn: THANK YOU, MR. PROCTOR.  
COUNCILMEMBER MARTINEZ.

Martinez: MAYOR, WAS 69 POSTED FOR ANYTHING OTHER THAN FIRST READING?

Mayor Wynn: TECHNICALLY THEY'RE ALL POSTED AS A ZONING CHANGE. IT'S USUALLY UP TO THE LEGAL STAFF WHETHER OR NOT THEY'RE PREPARED FOR ONE, TWO OR THREE READING.

MAYOR AND COUNCIL, THERE IS NO ORDINANCE PREPARED FOR THIS ONE. IT IS -- I'M SORRY. IT'S FIRST READING ONLY. IT'S A DISCUSSION ITEM BECAUSE IT IS A CONTESTED MANNER.

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Martinez: MR. PROCTOR, BECAUSE OF THAT, FIRST READING WILL NOT MAKE IT FINAL TONIGHT AND WILL PROVIDE YOU WITH ADDITIONAL TIME TO CONTINUE TRY TO RESEARCH THE TRAFFIC IMPACT.

COULD YOU REPEAT THAT PLEASE?

Martinez: THIS VOTE TONIGHT THAT WE'RE TAKING WILL BE ON FIRST READING ONLY, WHICH MEANS IT WILL COME BACK TO COUNCIL AND YOU WILL HAVE ADDITIONAL TIME TO CONTINUE YOUR TRAFFIC ANALYSIS. SO POSTPONEMENT IS NOT NECESSARILY -- IT'S NOT NECESSARY AT THIS POINT IF YOU'RE JUST SEEKING ADDITIONAL TIME. THERE WILL BE ADDITIONAL TIME.

DO I UNDERSTAND YOU THAT THE PUBLIC COMMENT PERIOD WILL NOT BE CLOSED THEN FOR SECOND READING. IS THAT UNDERSTOOD?

Mayor Wynn: NO, SIR, IT'S NOT. THE WILL OF THE COUNCIL WOULD BE TO WHETHER OR NOT TO CLOSE THE PUBLIC HEARING, THERE IS -- IT'S VERY FREQUENT THAT THERE'S ADDITIONAL COMMENT AND ADDITIONAL INFORMATION THAT'S BROUGHT BEFORE COUNCIL BETWEEN A FIRST READING -- POTENTIALLY THE CLOSING OF A PUBLIC HEARING AFTER A FIRST READING AND THEN WHENEVER THE FINAL ACTION MAY OR MAY NOT OCCUR ON A COUNCIL VOTE. BUT TECHNICALLY -- FRANKLY, I WANT TO BE RESPECTFUL OF MR. PROCTOR'S REQUEST TO POSTPONE; HOWEVER, COUNCIL, IT'S -- THE FORMAT THAT WE HAVE HERE IS UNWRITTEN AND IT'S SOMEWHAT LOOSE IN THAT WE TEND TO RESPECT POSTPONEMENT REQUESTS, BUT GENERALLY SPEAKING IT'S FROM EITHER THE PROPONENT AGENT OF A POTENTIAL PROJECT AND/OR THE SORT OF ORGANIZED, OFTEN TIMES NEIGHBORHOOD ASSOCIATION THAT MAY BE IN OPPOSITION. MAYOR PRO TEM?

Dunkerley: EVEN IF WE CLOSE THE PUBLIC HEARING, I WILL ASK YOU PERSONALLY TO STEP FORWARD AND TELL US ABOUT YOUR TRAFFIC RESULTS. YOU WILL HAVE AN OPPORTUNITY TO SPEAK.

THANK YOU, MA'AM. I WAS HOPING THAT THE CITY ITSELF MIGHT UNDERTAKE THE TRAFFIC IMPACT ANALYSIS.

Mayor Wynn: IT COULD VERY EASILY BE THAT IF

COUNCILMEMBER TAKES ACTION TONIGHT IT COULD ALSO INCLUDE ANY NUMBER OF ADDITIONAL INSTRUCTIONS TO STAFF. OFTEN TIMES TRAFFIC IS ONE OF THOSE ITEMS TO BE FURTHER RESEARCHED.

THANK YOU.

Dunkerley: I THINK MAYBE THE OTHER THING WE MIGHT DO DURING THE DISCUSSION IS HAVE STAFF DISCUSS WHAT THEY DO WITH THE TRAFFIC IMPACT STUDIES AND ANALYSIS AS THEY'RE GOING THROUGH THIS PROCESS.

Mayor Wynn: SO THEN COUNCIL, WITHOUT OBJECTION THEN WE WILL STILL CONSIDER 69 TO BE A DISCUSSION ITEM FOR LATER TONIGHT. IN PART RESPECTING THE FACT THAT THERE'S DOZENS OF PEOPLE WHO HAVE SIGNED UP WISHING TO SPEAK AND IN THEORY ARE HERE OR WILL BE HERE LATER THIS EVENING. SO AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ EARLIER. FURTHER DISMENTS HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.?

AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

MAYOR AND COUNCIL THAT BRINGS US TO I GUESS OUR FIRST DISCUSSION ITEM. I'LL JUST POINT OUT THERE IS ONE OTHER ITEM WHERE I GUESS WE HAD OPPOSITION THE LAST TIME WE HAD THE CASE BEFORE YOU, BUT AS I UNDERSTAND THERE'S NOT OPPOSITION TODAY ON ITEMS NUMBER 65 AND 66. THESE WERE ITEMS THAT WERE BEFORE YOU EARLIER AND POSTPONED, AND IT'S CASE NP AN 46-0015.01 SPRINGDALE EAST MLK COMBINED NEIGHBORHOOD PLAN FOR FO THE PROPERTY LOCATED AT 0 SPRINGDALE ROAD. THIS IS FROM -- TO CHANGE THE FUTURE LAND USE MAP AND AMENDMENT TO THE AUSTIN TOMORROW COMPREHENSIVE PLAN FOR THAT AREA FROM OPEN SPACE TO MIXED USE. AND CASE 66, C-14-06-0221, THE SPRINGDALE ROAD-EAST MLK COMBINED NEIGHBORHOOD PLAN FOR THAT SAME ADDRESS,

BUT TO TO REZONE THE PROPERTY FROM PUBLIC NEIGHBORHOOD PLAN OR PNP COMBINING DISTRICT ZONING TO COMMUNITY COMMERCIAL MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. AND THE COMMISSION RECOMMENDED ON THE CHANGE TO THE COMPREHENSIVE PLAN TO THE MIXED USE DESIGNATION AS REQUESTED AND HAD A SLIGHT CHANGE TO THE REQUEST ON THE COMMUNITY COMMERCIAL MIXED USE COMBINING DISTRICT NEIGHBORHOOD PLAN ZONING, AND THAT WOULD BE TO PROHIBIT APARTMENTS. AND THEN TO CHANGE THE MULTI-FAMILY TO TOWNHOUSE CONDOMINIUM RESIDENCE NEIGHBORHOOD PLAN OR COMBINING DISTRICT ZONING ON THE OTHER TRACT. BUT MAYOR, I UNDERSTAND THERE ARE NO SPEAKERS ON THIS ITEM AND MR. RUSTHOVEN CAN MAKE A BRIEF PRESENTATION TO ADDRESS THIS TO FAMILIARIZE YOURSELF WITH THIS AGAIN.

Mayor Wynn: MS. GENTRY IF CAN YOU CONFIRM, I'VE LOST MY SCREEN, BUT IF YOU COULD JUST CONFIRM THAT I THOUGHT I SAW ONE SPEAKER SIGNED UP. IT MAY HAVE BEEN THE AGENT FOR THE CASE, CORRECT?

THAT'S CORRECT.

MAYOR, I'M JERRY RUSTHOVEN WITH THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. AS MR. GUR SI STATED, ITEM 65 AND 66 ARE RELATED. THIS ITEM IS A REZONING TO CORRECT A MACE STAKE MADE IN THE EAST MLK NEIGHBORHOOD PLAN. THERE WERE 25 ACRES THAT WERE MISTAKENLY ZONED P PUBLIC. MR. CESAR FROM GRAVES DOUGHERTY REPRESENTS THE PROPERTY OWNERS. THE CITY AGREED TO FILE A CIES TO CORRECT THE MISTAKE. THE PROPERTY OWNERS SOUGHT GR-MU ZONING. THE APPLICANT IS IN AGREEMENT WITH THAT REQUEST AND I UNDERSTAND A COUNCILMEMBER HAS AN AMENDMENT TO THAT RECOMMENDATION THAT HE IS ALSO OKAY WITH. AND WITH THAT WE HAVE NO SPEAKERS AND WE CAN OFFER THE ITEM FOR APPROVAL. THAT WILL BE THE COMBINED CASE 65

AND 66.

IT WOULD BE TO CHANGE THE FUTURE LAND USE MAP TO MIXED USE ZONING FROM OPEN SPACE ON TRACT ONE AND TO CHANGE ON TRACT TWO FROM OPEN SPACE TO MULTI-FAMILY. THE ZONING CASE ON 66 WOULD BE TO CHANGE THE ZONING FROM P PUBLIC NP TO GR-MU-CO-NP ON TRACT ONE. AND THE APPLICANT IS IN AGREEMENT WITH IT. AND I BELIEVE COUNCILMEMBER MARTINEZ HAS ONE ADDITION TO THE STAFF RECOMMENDATION.

Mayor Wynn: THANK YOU. FURTHER QUESTIONS OF STAFF? COUNCILMEMBER MARTINEZ.

Martinez: MAYOR, THIS IS A FAIRLY LARGE LOT IN EAST AUSTIN THAT WAS INADVERTENTLY ZONED P AND THE OWNER IS JUST TRYING TO GET IT BACK TO THE COMPATIBLE ZONING WITH THE ADJACENT PROPERTIES. THERE WAS A CONCERN FROM THE NEIGHBORS ABOUT MULTI-FAMILY UNITS, AND THIS AREA OF EAST AUSTIN IS OFFSPRING DALE ROAD NEAR EAST 51st STREET, AND I CERTAINLY UNDERSTAND THEIR CONCERNS BECAUSE WE DO HAVE SOME APARTMENT COMPLEXES THAT ARE LESS THAN DESIRABLE. SO WHAT I WOULD SUGGEST AND WHAT I SUGGESTED TO THE AGENT WAS IF WE COULD JUST APPLY A CONDITIONAL USE, BECAUSE IT'S MY UNDERSTANDING THAT THE CURRENT OWNER IS NOT WANTING TO DEVELOP THE SITE, CISMPLY GET IT ZONED BACK TO A COMPATIBLE ZONING. SO IF WE PUT A CONDITIONAL USE ON IT, IF IT'S EVER DEVELOPED AS A MULTI-FAMILY PROJECT, IT WOULD HAVE TO COME BACK BEFORE COUNCIL, GIVING THE NEIGHBORHOODS THAT PUBLIC INPUT THAT THEY I THINK DESERVE AND WOULD LIKE TO HAVE.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? MAYOR PRO TEM.

Dunkerley: IF THAT WAS A MOTION, I WAS GOING TO SECOND IT.

Martinez: MY MOTION IS TO JUST ADD A CONDITIONAL USE TO IT SO IF IT IS EVER

DEVELOPED MULTI-FAMILY IT WOULD HAVE TO COME BACK TO COUNCIL FOR PUBLIC INPUT.

THE WAY WE WOULD INCORPORATE THAT, THIS IS READY FOR FIRST READING ONLY, BUT AT THE ORDINANCE WE WOULD MAKE MULTI-FAMILY A CONDITIONAL USE ON THIS PROPERTY. AND THE APPLICANT IS IN AGREEMENT WITH THAT.

Mayor Wynn: SO COUNCIL WE HAVE A MOTION ON THE TABLE TO CLOSE THE PUBLIC HEARING ON THIS COMBINED CASE 65 AND 66, TO APPROVE ON FIRST READING ONLY WITH FURTHER DIRECTION INCLUDING THE CONDITIONAL USE AS OUTLINED BY COUNCILMEMBER MARTINEZ THAT WILL BE BROUGHT BACK BY STAFF FOR SECOND AND THIRD READING. FURTHER DISMENTS HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.?

AYE.

Mayor Wynn: ONS SND MOTION PASSES ON A VOTE OF SEVEN TO ZERO. 10 MINUTES, MR. GUERNSEY.

THANK YOU, MAYOR. ITEM NUMBER 61 IS CASE C-14-06-0112. THIS IS THE SLAUGHTER-2458 PROPERTY ON WEST SLAUGHTER LANE. THIS WAS A REZONING REQUEST FROM NEIGHBORHOOD COMMERCIAL OR LR DISTRICT ZONING TO COMMUNITY COMMERCIAL DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION AND THE STAFF RECOMMENDATION ARE TO DENY THE REQUEST FOR GR DISTRICT ZONING AND TO LEAVE THE LR DISTRICT ZONING. THE APPLICANT IS SEEK AGRICULTURE REZONING CHANGE TO GR AND IT WOULD BE AGREEABLE TO PROHIBIT THE FOLLOWING USES ON THIS PROPERTY, WHICH WOULD BE AUTOMOTIVE USES, WHICH INCLUDE AUTO RENTAL, AUTOMOTIVE REPAIR SERVICES, AUTOMOBILE SALE, AUTOMOBILE WASHING. THE PROPERTY IS HALFWAY IN BETWEEN SOUTH FIRST AND MANCHACA STREET AND THE REQUEST FOR GR ZONING IS IN AN AREA THAT'S NOT LOCATED AT AN INTERSECTION. THERE IS SOME GR ZONING THAT'S LOCATED NORTH, WHICH IS AN EXISTING DAY CARE THAT WAS LIMITED TO A DAY CARE COMMERCIAL



USE BY A PREVIOUS CONDITIONAL ZONING SITE PLAN. THERE ARE PROPERTIES THAT ARE FURTHER TO THE SOUTH THAT ARE SINGLE AND SOUTHWEST. YOU HAVE SOME APARTMENT TRACTS IN UNDEVELOPED LAND FURTHER TO THE EAST. TO THE NORTH YOU HAVE SOME OFFICE TRACTS AND FURTHER TO THE NORTH YOU HAVE RESIDENTIAL. AT THIS POINT I THINK I'LL PAUSE AND LET THE APPLICANT'S REPRESENTATIVE, MR. BENNETT, COME FORWARD TO SPEAK ON BEHALF OF THE OWNER.

Mayor Wynn: THANK YOU. MR. BENNETT, YOU WILL HAVE A FIVE-MINUTE PRESENTATION. HE CLESH CLER

I WOULD LIKE TO EXPLAIN THE USES THAT ARE AROUND THIS PIECE OF PROPERTY AS MR. GUERNSEY INDICATED TO YOU. THE TRACT RIGHT HERE IS DEVELOPED WITH A TOTAL OF 300 APARTMENT UNITS. THIS IS THE SUBJECT TRACT THAT WE'RE REZONING NOW, WHICH IS ADJACENT TO A DRAINAGEWAY AS WELL AS ELECTRICAL SUBSTATION TO THE REAR OF THE PROPERTY. THERE'S NOT A REPAIR HERE. THIS PROPERTY IS DEVELOPED WITH 200 UNITS AND THE FWROT JUST HERE ON THE EDGE OF THE SCREEN IS CURRENTLY UNDEVELOPED AND JUST ABOUT COMPLETED WITH A 241 UNIT SMART HOUSING PROJECT. AS MR. GUERNSEY INDICATED TO YOU, THE NEAREST REAL COMMERCIAL DEVELOPMENT OR RETAIL DEVELOPMENT IS TO THE WEST AT MANCHACA ROAD, WHICH IS APPROXIMATELY HALF MILE, THREE-QUARTERS OF A MILE AND BACK OVER EAST TO FIRST STREET. WE THINK WITH THE GENERAL RETAIL IN THIS LONG STRETCH OF PROPERTY THAT IT WOULD PERHAPS SERVE THE NEEDS OF THE 650 UNITS THAT ARE RIGHT HERE IN THE IMMEDIATE VICINITY AND CLOSE WALKING DISTANCE TO THIS PROPOSED ZONING CHANGE. WE HAVE AGREED TO PROHIBIT CERTAIN USES CONSIDERED TO BE SOMETIMES NOT APPROPRIATE, SUCH AS THE AUTOMOTIVE, THE PAWN SHOPS, WHICH IS IN YOUR BACKUP MATERIAL. ADDITIONALLY WE'VE MET WITH THE ON OWE DISCUSSED IN ZONING CHANGE WITH THE PRESIDENT OF THE SLAUGHTER CREEK NEIGHBORHOOD ASSOCIATION AND HE HAS

INDICATE THAT HAD THEY DIDN'T HAVE A PROBLEM WITH IT. IF THEY DID, THEY PERHAPS WOULD REI HAVE IT IT AGAIN ON THE -- REVISIT IT AGAIN ON THE SECOND AND THIRD READING. THE PROPERTY IS ON SLAUGHTER LANE, WHICH IS A SIX LANE, TURN LANES AND MEDIANS. IT IS DESIGNED TO HANDLE ANY TRAFFIC; HOWEVER, WITH THIS SMALL DEVELOPMENT I THINK IT'S PROBABLY ANYBODY THAT LIVES IN THE HAVEN'T RATHER THAN SOMEONE THAT'S GOING TO COME FROM NORTH AUSTIN PERHAPS. THE 2,000 TRIP LIMITATION ALSO RESTRICTS THE SIZE OF THE DEVELOPMENT ON THE PROPERTY. AND WE FEEL THAT EVEN THOUGH WE'RE NOT ON THE CORNER OF AN INTERSECTION, WITH THESE USES IN CLOSE PROXIMITY TO THE SERVICES PERHAPS RATHER THAN GETTING IN YOUR CAR AND DRIVE HALF A MILE, THREE-QUARTERS OF A MILE DOWN THE ROAD JUST TO PICK UP SOMETHING, A GALLON OF MILK OR WHATEVER, WE FEEL THAT ZONING SHOULD BE GR AND SO THEREFORE REQUEST THAT COUNCIL CONSIDER THE GR ZONING. I DON'T BELIEVE YOU HAVE ANYONE TO SPEAK AGAINST IT, MAYOR. THANK YOU.

Mayor Wynn: THANK YOU, MR. BENNETT. COUNCIL IS CORRECT. THERE ARE NO SPEAKERS FOR OR AGAINST ON ITEM 61. QUESTIONS OF THE AGENT, COUNCIL, OR OF STAFF? COMMENTS? MR. GUERNSEY, GERNGS REMIND ME -- AGAIN, REMIND ME THE STAFF AND COMMISSION RECOMMENDATION?

THE PLANNING COMMISSION'S RECOMMENDATION ON A VOTE OF 8-1 WAS TO RECOMMEND DENIAL OF THE ZONING REQUEST TO GR DISTRICT ZONING AND THE STAFF RECOMMENDATION WAS ALSO TO RECOMMEND DENIAL OF THE REZONING REQUEST TO GR DISTRICT ZONING. THAT WOULD LEAVE THE PROPERTY AT UNRESTRICTED LR ZONING.

Mayor Wynn: COMMENTS, COUNCIL, THOUGHTS? AGAIN, WE HAVE NO SPEAKERS EITHER WAY ON ITEM 61. COUNCILMEMBER MARTINEZ.

Martinez: I WOULD BE MORE INCLINED TO CONSIDER THIS REQUEST IF WE HAD MORE INFORMATION ON

WHAT POTENTIAL FUTURE DEVELOPMENT MIGHT BE THERE. THOUGH JUST WITH A BLANKET REQUEST AND WITHOUT FURTHER DETAIL, I THINK WE SHOULD WAIT UNTIL WE GET MORE INFORMATION BEFORE WE START MAKING ZONING CHANGES. SO I'M GOING TO MAKE A MOTION TO DENY.

Mayor Wynn: MOTION BY COUNCILMEMBER MARTINEZ TO CLOSE THE PUBLIC HEARING AND DENY ITEM NUMBER 61. SECONDED BY THE MAYOR PRO TEM. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION TO DENY PASSES ON A VOTE OF STOAFN..... SEVEN TO ZERO. THANK YOU VERY MUCH. MR. GUERNSEY, I DOUBT WE COULD GET ANOTHER CASE IN BEFORE OUR BREAK FOR LIVE MUSIC UNLESS YOU HAVE ANOTHER SUGGESTION.

MAYOR, THE NEXT CASE WOULD ONLY BE THE TWO CHRIS TOW RAY CHURCH CASES, ITEM 63 AND 64. I THINK THERE'S ONE INDIVIDUAL HERE THAT SAID SHE COULD --

Mayor Wynn: WHY DON'T WE CALL THESE TWO UP QUICKLY. COMBINED ITEM 63 AND SCOAMPLT.

IT'S FOR THE CRISTOREY CATHOLIC CHURCH. ONE SPEAKER IS STANDING PRESENT.

THANK YOU, MAYOR AND CITY COUNCIL. I AM REBECCA NAVARRO REPRESENTING MY MOTHER, MARIA, WHO RESIDES AT 2213 EAST TWO AND A HALF STREET. THE ZONING IS FOR THE THE 2201 TO 2205, FOUR BLOCKS. AND OUR CONCERN IS THE FACT THAT ON ANY GIVEN DAY, PRIMARILY ON SUNDAYS, THE DRIVEWAY TO HER RESIDENCE IS BLOCKED BY CHURCH MEMBERS AND I FEEL THAT THESE LOTS COULD BE BETTER SERVED AS A PARKING AREA TO KIND OF GET THE PARKING A LITTLE UNDER CONTROL THERE. MY MOTHER IS 93 AND IN AND OUT OF THE HOSPITAL, AS YOU CAN IMAGINE. AND AT ANY GIVEN TIME, THE E.M.S. PEOPLE MAY NEED TO

COME IN AND PICK HER UP, AND WE'VE HAD TROUBLE WITH THAT AND AS FAR AS BRINGING HER HOME FROM THE HOSPITAL WE'VE HAD TO GO INTO THE CHURCH AND ASK THE ANNOUNCEMENTS TO MOVE THE VEHICLES SO WE CAN BRING HER IN IN HER WHEELCHAIR, AND THAT IS -- I'M OPPOSING THIS ON BEHALF OF OUR FAMILY AND THE NEIGHBORHOOD AND THE SECOND AND A HALF STREET. THANK YOU.

Mayor Wynn: MR. GUERNSEY, SO IS SHE THE APPLICANT?

NO.

Mayor Wynn: WHEN WE CALL THE PUBLIC HEARING THE APPLICANT ALWAYS HAS A FIVE-MINUTE PRESENTATION AND THEN WE HAVE FOLKS IN FAVOR. THERE ARE FOUR PEOPLE, TWO OF WHICH ARE IN FAVOR. I'M SORRY, WHEN YOU CALLED HER UP, I PRESUMED SHE MUST HAVE BEEN THE APPLICANT FOR THIS COMBINED CASE. IT'S 5:30, THAT TAKES US TO OUR BREAK FOR LIVE MUSIC AND PROCLAMATIONS. STAY TUNED FOR A STELLAR LINEUP FOR MUSIC AND PROCS AND WE WILL CONDUCT PUBLIC HEARINGS AFTERWARDS. THANK YOU VERY MUCH.

Mayor Wynn: OKAY, FOLKS. IT'S TIME FOR OUR WEEKLY LIVE MUSIC GIG HERE AT THE AUSTIN CITY COUNCIL. JOINING US TODAY IS SINGER, SONG WRITER AND KEYBOARDIST NAKIA. HE HAS ALREADY NAID MAID A NAME FOR HIMSELF IN THE AUSTIN MUSIC SCENE AS A MEMBER OF THE SMALL STARS AS WELL AS WITH HIS OWN BAND, THE SOUTHERN COUSINS. HE'S ALSO APPEARED WITH WILL TAYLOR'S STRINGS ATTACHED AND ALSO IN SACK TAYLOR'S THE ROCKY HORROR SHOW. NOW HE'S READY TO MAKE A BROADER IMPACT, A RELEASE PARTY WILL BE ACROSS THE STREET AT LAMBERT'S SATURDAY NIGHT. WE'LL HEAR ABOUT THAT LATER. THE NEW DISK FEATURES FOUR ORIGINALS THAT MIXES ROCK, SOUL AND BLUES INFLUENCE. PLEASE JOIN ME IN WELCOMING NAKIA.  
[ APPLAUSE ] . [ MUSIC PLAYING ] . [ MUSIC PLAYING ]

[ APPLAUSE ]

Mayor Wynn: FIRST AND FOREMOST INTRODUCE YOUR FAMILY FROM ALABAMA.

OVER HERE WE HAVE MY GRANDMOTHER, MY BROTHER, HIS WIFE. MY MOM AND DAD. MY NEPHEW BEHIND HIM IS JUAN. AND THEN RIGHT BESIDE HIM IS MY PARTNER ROBERT. AND THEN THERE'S RAJE, HER DAUGHTER AND THEN OVER THERE IS MY KEYBOARD PLAYER, DEAN.

WELCOME, EVERYBODY.

MY SON BEN CAME ALL THE WAY FROM CHICAGO.

SO TELL US WE HAVE THE EP RELEASE PARTY ACROSS THE STREET SATURDAY NIGHT. WHERE ELSE CAN WE HEAR YOU, SATURDAY NIGHT?

NAKIA.NET. TOMORROW NIGHT I'M DOING A SOLO GIG AT PULONICS. SATURDAY NIGHT IS ACROSS THE STREET AT LAMBERT'S. FREE PARKING BECAUSE OF CITY HALL RIGHT HERE. IT MAY BE BEST VENUE IN TOWN JUST BECAUSE OF THAT. GREAT FOOD. START AT 10:00. IT WILL BE A FULL BAND SHOW WITH HORNS AND BACKUP SINGERS. LATER ON I'LL BE DOING A SHOW WITH KGSR AT MERCURY HALL ON MARCH 1st AND THEN OVER AT CONTINENTAL CLUB ON MARCH SECOND. AND THEN PLAYING RAJE'S ANNUAL SOUTH BY SOUTHWEST PARTY AS WELL.

...

Mayor Wynn: BEFORE YOU GET AWAY, THE OFFICIAL PROCLAMATION READS: BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY AND WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATISTIC..... STATUS AS THE LIVE MUSIC CAPITOL OF THE WORLD, THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS DO HERE BY PROCLAIM TODAY FEBRUARY 15TH, 2007 AS NAKIA DAY IN AUSTIN TEXAS AND CALL ON ALL SIT

SEBS..... CITIZENS IN CONGRATULATING ME ON THIS FINE TALENT. [ APPLAUSE ] PHOTOGRAPHY SO WHILE NAKIA AND THE BAND BREAKS DOWN, WE'LL USE THIS POAD DWROWM DO A FEW PROCLAMATIONS. I'LL HAVE THE FIRST FEW AND THEN MY COUNCIL COLLEAGUES WILL TAKE A COUPLE MORE. THE FIRST ONE IS A FABULOUS ANNUAL EVENT THAT AUSTIN ENERGY SPONSORS AT THE PALMER AUDITORIUM. IT'S THE ANNUAL REGIONAL SCIENCE FESTIVAL. CORE LOSS HAS JOINED ME HERE AND HE'S GOING TO AT A SAI A FEW FORZ ABOUT THE FESTIVAL. THERE'S PROBABLY FOUR OR FIVE THOUSAND KIDS THERE, KINDERGARTEN THROUGH HIGH SCHOOL, I GUESS. AND EACH YEAR A FABULOUS AWARDS CEREMONY WHERE THE KIDS GET TO DISPLAY THEIR SCIENCE PROJECTS. AND THESE KIDS HAVE BEEN IN SCHOOL DISTRICTS ALL ACROSS THE REGION COMPETING INDIVIDUALLY IN THEIR CLASSROOM AND IN THEIR SCHOOL AND THEIR SCHOOL SYSTEMS WITH THEIR PROJECTS AND ULTIMATELY THE BIG WINNERS COME DOWN TO PALMER. IT'S A FABULOUS DISPLAY OF YOUNG TALENT IN THIS TOWN AND IT'S THE WAY AUSTIN ENERGY CAN PROMOTE SCIENCE AND MATS AND ENGINEER TO GO OUR YOUNG PEOPLE. I GO EVERY YEAR. I ENCOURAGE FOLKS TO GO BY AND SEE THE EXHIBIT OF THE SCIENCE PROJECTS AND JOIN US AS WE AWARD A BUNCH OF FINE YOUNG PEOPLE. THE PROCLAMATION READS: THE SCIENCE FESTIVAL 2007 WILL SHOWCASE THE TALENT OF ALMOST 4,000 PRE-K THROUGH HIGH SCHOOL STUDENTS FROM PUBLIC, HOME AND PRIVATE SCHOOLS THROUGHOUT THE AUSTIN AREA AND WHEREAS SCIENCE FARES LIKE SCIENCE FESTIVAL 2007 WITH THE THEME INQUIRE, LEARN, CREATE, HELP SPARK AN INTEREST IN CHILDREN TO PURSUE SCIENCE, MATH AND ENGINEERING CAREERS WRAND AS WE CONGRATULATE THE PARTICIPANTS, ESPECIALLY THOSE WHOSE WINNING PROJECTS WILL GO ON TO THE STATE AND EVEN INTERNATIONAL COMPETITIONS AND WE THANK AUSTIN ENERGY FOR SPONSORING THIS IMPORTANT EVENT FOR THE SEVENTH YEAR IN A ROW. SO NOW THEREFORE I, WILL WYNN, MAYOR OF AUSTIN, DO HERE BY PROCLAIM FEBRUARY 21st THROUGH 24TH, 2007 AS AUSTIN ENERGY'S REGIONAL SCIENCE

FESTIVAL DAYS IN AUSTIN AND PLEASE JOIN ME IN CONGRATULATING AND THANKING CARLOS AND ALL THE MEN AND WOMEN AT AUSTIN ENERGY FOR THE SPONSORSHIP. AND CARLOS, PLEASE SAY A FEW WORDS ABOUT THE FESTIVAL. [ APPLAUSE ]

THANK YOU, MAYOR. FIRST I WANT TO RECOGNIZE AUSTIN ENERGY'S GENERAL MANAGER WHO IS HERE IN THE AUDIENCE, JUAN GARZA. EVER SINCE AUSTIN ENERGY BECAME THE TIEGHTSED SPONSOR OF THE REGIONAL SCIENCE FESTIVAL AND NOW IS RESPONSIBLE FOR ALL OPERATIONS OF THE FAIR, PARTICIPATION BY STUDENTS HAS DOUBLED, ESPECIALLY IN THE ELEMENTARY AND MIDDLE SCHOOL DIVISIONS. AND NOW THEY REPRESENT FIVE COUNTIES. BUT ALL OF THIS WOULDN'T BE POSSIBLE WITHOUT THE HELP OF SOME 500 VOLUNTEERS, ESPECIALLY CITY OF AUSTIN EMPLOYEES FROM THROUGHOUT THE ORGANIZATION, CITY MANAGER, FROM LAB CHEMISTS TO ENGINEERS AND PLANNERS AND ADMINISTRATIVE ASSISTANTS AS WELL AS EMPLOYEES FROM THE PRIVATE SECTOR, ESPECIALLY OUR HIGH-TECH COMPANIES. WE WANT TO THANK ALL OF THEM FOR THEIR CONTINUED SUPPORT AND INVITE EVERYONE TO THE SCIENCE FEST NEXT THURSDAY FOR THE MIDDLE SCHOOL AND THE HIGH SCHOOL STUDENTS AND NEXT SATURDAY FOR THE ELEMENTARY SCHOOL STUDENTS.

Mayor Wynn: OKAY. WE'RE IN BLATANT VIOLATION OF THE TWO AGGIE RULE THIS AFTERNOON. [ LAUGHTER ] AND I'M HALF THE PROBLEM. OKAY. I'M JOINED BY A NUMBER OF OUR SORT OF SENIOR CITY MANAGEMENT, OF COURSE, TOBY FUTRELL OUR CITY MANAGER, BUT ALSO SOME OF OUR KEY PUBLIC SAFETY AND OUR OFFICE OF EMERGENCY MANAGEMENT PERSONNEL BECAUSE WE'RE HERE TO GIVE A CERTIFICATE OF APPRECIATION TO TROY KIMMEL, FINE TEXAS A&M GRADUATE, BUT ALSO A FABULOUS AND FAMOUS METEOROLOGIST HERE IN TOWN FOR ALL OF HIS PUBLIC SERVICE TO OUR CITY. YOU PROBABLY DON'T KNOW, BUT TROY VOLUNTEERS COUNTLESS HOURS THROUGHOUT THE YEAR, EVERYTHING FROM CIVIL DEFENSE AND TO

AND THROUGH VERY IMPORTANT METEOROLOGICAL VOLUNTEERING WHEN IT COMES TO EVERYTHING FROM OUR HURRICANE KATRINA EFFORTS TOABLE THROUGH THIS PAST MONTH WE HAD OUR BILL CHILL OF 2007. TROY WAS WITH US 24/7 BOTH ON THE CONFERENCE CALLS TO ALL THE OTHER SCHOOL SYSTEMS AND MAJOR EMPLOYERS AND GOVERNMENTS AND UP AT OUR OFFICE OF EMERGENCY MANAGEMENT OVER BY THE MUELLER AIRPORT WHEN IT CAME TO ADVISING US AND EVEN WORKING WITH ALL THE OTHER METEOROLOGISTS IN TOWN LAKE TO HELP US COME UP WITH THE RIGHT MODELING TO FIGURE OUT WHAT IT IS WE COULD TELL Y'ALL AS FAR..... AS FAR IN ADVANCE AS POSSIBLE TO MAKE EVENTS LIKE THAT AS SAFE AS WE CAN BE FOR EVERYBODY. SO I'LL READ THE CITY OF AUSTIN CERTIFICATE OF APPRECIATION PRESENTED TO TROY AND THEN TOBY WILL SAY A FEW WORD ALSO. THIS CERTIFICATE OF APPRECIATION READS: PRESENTED TO TOY KIMMEL FOR YOUR WISE COUNCIL..... COUNSEL THAT HAS HELPED US. THANK YOU FOR YOUR YEARS OF PUBLIC SERVICE. THE CITY WILL ALWAYS NUMBER YOUR DEBT PRESENT THIS HAD 15TH DAY OF FEBRUARY, 2007, SIGNED BY ME, BUT ACKNOWLEDGED BY THE ENTIRE CITY COUNCIL, CERTIFICATE OF APPRECIATION AND THANKS TO MR. TROY KIMMEL. [ APPLAUSE ]

Futrell: WELL, TROY, I JUST CAN'T THANK YOU ENOUGH. YOU MAY NOT KNOW BUT WHEN YOU HAVE EVENTS THAT ALL CENTER AROUND THE WEATHER, EVERYTHING TURNS ON WHAT THE METEOROLOGIST SAYS. WHEN YOU ACTIVATE 28 AGENCIES AND THE COMBINED EMERGENCY CENTER IS OPENING UP AND EVERYTHING, EVERY DECISION, ALL THE RESOURCES, IT ALL TURNS ON WHAT THE WEATHER GUY SAYS IS GOING TO HAPPEN. AND POOR TROY IN THE HOT SEAT FOR US WAS ANSWERING QUESTIONS FOR US AT 4:00 IN THE MORNING, 3:00 IN THE MORNING, FROM HIS CAR, FROM HIS OFFICE, FROM HIS HOME, WHEREVER HE WAS, MORNING, NOON, EVENING, NIGHT, HE WAS THERE FOR US HANGING WITH US ALL THE WAY THROUGH THAT. SO WE HAVE A COUPLE OF THINGS FOR YOUR APPRECIATION BECAUSE I KNOW I SLEPT



BETTER KNOWING THAT YOU WERE NOT SLEEPING DURING THAT WEATHER EVENT. WE HAVE A 50-DOLLAR GIFT CERTIFICATE TO TRULUCK'S FOR YOU, BUT MORE IMPORTANT WE HAVE YOUR VERY OWN ICE SCRAPER, WE'VE HAD IT ENGRAVED, THE BILL WIND CHILL 2007 -- THE BIG CHILL 2007 SO YOU WILL ALWAYS THINK ABOUT THAT WONDERFUL THREE-FOUR DAY EVENT YOU SPENT WITH US AT THE EMERGENCY CENTER. THANKS, TROY. [ APPLAUSE ]

UNEXPECTED. I APPRECIATE IT VERY MUCH. I DON'T BELIEVE I CAN PUT IT ANY OTHER WAY, BUT IT IS FUN TO GET THE CHANCE TO WORK WITH THE PEOPLE THAT YOU SEE BEHIND ME. WE'RE VERY FORTUNATE IN THE CITY OF AUSTIN TO HAVE A GROUP, OUR POLICE DEPARTMENT, OUR FIRE DEPARTMENT, EMERGENCY MEDICAL PERSONNEL, OUR OFFICE OF EMERGENCY MANAGEMENT, UP THROUGH THE CITY MANAGER'S OFFICE AND THE MAYOR'S OFFICE THAT REALLY MOST CITIZENS IN THE CITY OF AUSTIN MAY NOT REALIZE IS AN OPERATION, BUT IT'S THERE 24 HOURS A DAY, SEVEN DAYS A WEEK IN THE EMERGENCY OPERATIONS CENTER. A LOT OF PEOPLE MAKE THAT HAPPEN FOVMENT ME TO BE ABLE TO HAVE SOME INPUT AS FAR AS THE WEATHER IS CONCERNED I HAVE TO ALSO GIVE A PLUG TO OUR AUSTIN POLICE DEPARTMENT CIVIL DEFENSE BATTALION AND THE OTHER GROUPS OF VOLUNTEERS WHO SFOAFERB THE POLICE DEPARTMENT AND FOR OUR OFFICE THAT DEALS WITH COMMUNITY ISSUES AND THING LIKE THAT. IT'S SOMETHING I ENJOY DOING. I CERTAINLY APPRECIATE THIS. IT'S UNEXPECTED. PEOPLE LISTENING TO THE RADIO THIS MORNING KNOW IT WAS UNEXPECTED BECAUSE I DIDN'T KNOW ABOUT IT UNTIL THIS MORNING. THANK YOU VERY MUCH AND I APPRECIATE EVERYONE BEING UP HERE WITH ME TODAY. AND AGAIN TF FOR BEING HERE THIS EVENING AS WELL. [ APPLAUSE ]

Mayor Wynn: FOR OUR NEXT PROCLAMATION I'M JOINED BY PAUL LEWIS. WE'RE GOING TO HEAR ABOUT THE CAPITAL OF TLTION POSTCARD SHOW AND SALE BEING HELD NEXT WEEKEND, THE 23rd AND 24TH, WHENEVER THAT IS. SO I'LL READ THE PROK AND WE'LL HEAR MORE DETAILS FROM PAUL.

IT SAYS, THIS YEAR MARKS THE CENTENNIAL OF THE PICTURE POSTCARD. IN 1907 FOR ONLY ONE CENT, PEOPLE COULD MAIL PICTURE POSTCARDS WITH A MESSAGE AND THEY'VE BEEN DOING SO BY THE MILLIONS EVER SINCE. AND WHEREAS THE CAPITAL OF TEXAS POSTCARD CLUB WAS ORIGINATED IN 1992 TO FOSTER THE ENJOYMENT OF BUYING, SELLING AND TRADING POSTCARDS OF ALL SORTS, INCLUDING THE POPULAR IMAGES OF AUSTIN AND TEXAS. AND WHEREAS WE URGE CITIZENS TO CHECK OUT THE 15TH ONLY CAPITAL OF TEXAS POSTCARD CLUB SHOW AND SALE AT THE WIND HAM GARDEN HOTEL WHERE THEY CAN DISCOVER THE FUN OF POSTCARD COLLECTING, A HOBBY THAT ALLOWS YOU TO HOLD A PIECE OF HISTORY IN YOUR HAND. I DO HERE BY PROCLAIM FEBRUARY 23rd AND FOURTH, 2007 AS THE OFFICIAL CAPITAL OF TEXAS POSTCARD CLUB SHOW AND SALES DATE HERE IN AUSTIN AND ASK MR. PAUL LEWIS TO COME TELL US MORE ABOUT THE SHOW AND HOW WE CAN GET INVOLVED. PAUL?

THANK YOU, MAYOR WYNN. [ APPLAUSE ] THE CAPITAL OF TEXAS POSTCARD CLUB HAS A DIVERSE MEMBERSHIP OF PEOPLE WITH ONE THING IN COMMON, THEY ALL LOVE TO COLLECT POST POSTCARDS. THE DIVERSITY OF COLLECTING INTERESTS IS ALSO VERY GREAT. ALMOST EVERY ENDEAVOR OF HUMAN ACTIVITY AT ONE TIME OR ANOTHER HAS BEEN RECORDED WITH A PICTURE POSTCARD, FROM ARCHITECTURAL MONUMENTS SUCH AS THE STATE CAPITOL TO FARMERS WORKING IN THE FIELD, TRANSPORTATION, COURT HOUSES, YOU NAME IT. EVEN SPECIAL EVENTS, THANKSGIVING, VALENTINE'S DAY THAT JUST HAPPENED YESTERDAY, IT'S ALL BEEN MEMORIALIZED IN POSTCARDS AND PEOPLE LOVE TO COLLECT THEM. SO OUR CLUB FOR 15 YEARS HAS BEEN PUTTING ON A SHOW WHERE DEALERS WILL COME TO AUSTIN AND MAKE AVAILABLE THOUSANDS UPON THOUSANDS OF CARDS THAT YOU CAN BUY FROM JUST A FEW CENTS TO A FEW DOLLARS TYPICALLY. I'D LIKE TO RECOGNIZE SOME MEMBERS OF THE CLUB IN OUR AUDIENCE WHO HAVE BEEN MOVERS AND SHAKERS IT IN HELPING THIS. MR. AND MRS. BOB GRAY AND THEIR

GRANDDAUGHTER ARE PRESENT AND MR. GARY MULLIGAN ALSO PRESENT. THE MEMBERSHIP PUTS TOGETHER A LOT OF EFFORT IN ATTRACTING DEALERS TO COME AND WE WOULD HOPE THAT THE ATTENTION BROUGHT BY THIS PROCLAMATION WILL BRING LOTS OF PEOPLE INTERESTED IN COLLECTING POSTCARDS TO THE SHOW. AND WE HAVE ANOTHER OPPORTUNITY FOR PEOPLE TO BECOME INVOLVED IN POSTCARD COLLECTING. WE HAVE A CLUB THAT MEETS MONTHLY FOR 10 MONTHS OUT OF THE YEAR AT THE SENIOR ACTIVITY CENTER, THE ONE AT 29TH AND LAMAR BOULEVARD, FRONTING ON SHOAL CREEK STREET. WE MEET THE SECOND WEDNESDAY OF EVERY MONTH FROM 7:00 TO 9:00 P.M. NO REAL QUALIFICATION S TO JOIN, JUST THAT YOU LIKE CON VIF ALTY AND TRADING POST CARS, BUYING THEM, SNACKS. WE ALL HAVE A GOOD TIME. IT'S ALSO CUSTOMARY FOR POSTCARD CLUBS TO ISSUE A CARD MEMORIALIZING THEIR PARTICULAR SHOW, AND I HAVE ONE TO GIVE TO MAYOR WYNN THAT HAS SPECIFICS OF OUR SHOW ON THE BACK SO THERE IS A PIECE OF HISTORY YOU MAY HOLD IN YOUR HAND.

THANK YOU, MAYOR WYNN FOR BRINGING ATTENTION TO OUR EVENT. [ APPLAUSE ]

Mayor Wynn: WE'LL HAVE A LITTLE FUN HERE IN A SECOND. MAYBE BEFORE I READ THE PROCLAMATION WE'RE HONORING LATIN WORKS MARKETING COMPANY, A FABULOUS AUSTIN BASED COMPANY WITH A CERTIFICATE OF CONGRATULATIONS ON A COUPLE OF SPECTACULAR SPOTS THAT THEY CUT THAT WERE SHOWN -- ONE OF THEM WAS SHOWN IN THE SUPERBOWL AND HAS WON MANY OF THE AWARDS AS FAVORITE OF ALL TV SUPERBOWL COMMERCIALS. I THOUGHT MAYBE BEFORE I READ THE PROCLAMATION WE'LL HEAR FROM ANNIE OR ALEX. LET'S WATCH THESE TWO SPOTS.

Mayor Wynn: THE FIRST ONE WE SAW LITERALLY HAS BEEN RATED ON A NUMBER OF POLLS AS THE FAVORITE COMMERCIAL DURING THE SUPERBOWL PRESENTATION. SO LET ME READ A CERTIFICATE OF

CONGRATULATIONS AND ASK ALEX OR MANNY TO SAY A FEW WORDS ABOUT THIS REMARKABLE HOMEGROWN TALENT IN AUSTIN AND WHAT THEY'RE DOING NOW NATIONALLY AND INTERNATIONALLY. SO IT'S THE CITY OF AUSTIN CERTIFICATE OF CONGRATULATIONS AS THE CREATORS OF ONE OF THE TOP SUPERBOWL COMMERCIALS THIS YEAR, AT THAT TIME LIEN WORKS -- TEACHING IMMIGRANTS FROM DIFFERENT COUNTRIES HOW TO ORDER BUD LIGHT. THE SPOT WAS RANKED MOST WATCHED BY TIVO AND MOST POPULAR AD IN SEVERAL OTHER TOP NATIONAL POLLS. WE'RE PLEASED TO RECOGNIZE ONE OF OUR OWN FOR A WINNING PERFORMANCE. STINT IS PROUD OF YOU, PRESENTED THIS 15TH DAY OF FEBRUARY IN THE YEAR 2007 SIGNED BY ME AND ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL, CERTIFICATE OF CONGRATULATIONS TO LATIN WORKS MARKETING. [ APPLAUSE ]

YOU KNOW, IT'S NOT MANNY AND ALEX, BUT WE'VE GOT 60 PLUS PEOPLE BACK ON FOURTH AND CONGRESS. IT'S GUYS LIKE SERGIO WHO IS OUR CHIEF CREATIVE OFFICER AND PRESIDENT OF THE COMPANY. IT'S GUYS LIKE SEF TAYLOR AND ERIC HERNANDEZ WHO WROTE THE SPOT. A GUY LIKE MIKE McLOCKLAND WHO IS A PRODUCER. AND ALL THE OTHER PEOPLE THAT HAVE MADE LATIN WORKS WHAT IT IS TODAY AND REALLY PUT US ON THE MAP. QUICK STORY, A FEW DECADES AGO WHEN MR. ROY SPENCE AND COMPANY OPENED UP THIS LITTLE SHOP CALLED GSD AND MAY YOU RECALL THE PEOPLE ON MADISON AVENUE LAUGHING AT THIS, QUOTE, POE DUNK TEXAS AGENCY. AND I TELL YOU WHAT, MR. SPENCE AND COMPANY ROSE TO THE OCCASION BY WINNING ACCOUNTS SUCH AS SOUTHWEST AIRLINES AND BMW AND CHILLY'S AND WAL-MART. IT'S OUR WAY OF DOING JUST A LITTLE BIT SOMETHING TO RAISE THE BAR FOR THE ADVERTISING COMMUNITY HERE IN AUSTIN, LATIN WORKS PARTICIPATING AND HAVING OUR SPOT RUN ON NATIONAL TV. AND WE'D LIKE TO THINK THAT WE ARE HELPING MR. SPENCE AND COMPANY PUT AUSTIN ON THE MAP IN THE ADVERTISING COMMUNITY. SO THANK YOU VERY MUCH TO EVERYONE. THANK YOU. [ APPLAUSE ] [ONE

MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

AND BASICALLY ALL I'D LIKE DO IS ADD TO WHAT MAN ANY JUST SAID. IT REALLY IS THE SHOW OF AN ENTIRE ORGANIZATION THAT'S VERY COMMITTED TO DOING GREAT WORK AND YOU KNOW WE ALSO WON THE WALL STREET JOURNAL ONLINE POLL, WHICH WAS REALLY TERRIFIC. TO HAVE A SMALL LITTLE SHOP OF 60 PEOPLE OUT OF AUSTIN, TEXAS WINNING NATIONALLY IS REALLY SOMETHING THAT WE'RE VERY PROUD OF AND AGAIN IT'S A TESTAMENT TO THE PEOPLE WE HAVE AND THE COMMITMENT THAT THEY PUT INTO THE BUSINESS. AND I JUST WANT TO SAY A LITTLE BIT. I KNOW THERE ARE PEOPLE WHO ARE ALWAYS CURIOUS HOW DO THESE TYPE OF COMMERCIALS HELP TO SELL PRODUCT, IN THIS PARTICULAR CASE BEER. REALLY IT'S A TRIED AND TRUE FORMULA BASICALLY, WHICH IS ABOUT IDENTIFYING INSIGHTS IN EVERYDAY LIFE THAT PEOPLE CAN RELATE TO AND THEN FINDING THE COMEDY IN THAT AND BRINGING IT TO LIFE ON THE SCREEN. SO THAT'S BASICALLY WHAT YOU'RE SEEING, WHETHER IT'S AN IMMIGRANT EXPERIENCE OR WHETHER IT'S AN EXPERIENCE WITH A SPOUSE OR A SIGNIFICANT OTHER, ULTIMATELY THERE'S COMEDY IN ALL THOSE THINGS AND THAT'S WHAT OUR GUYS SOUGHT TO APPEAR CHUR HERE. AND I THINK BASED ON YOUR REACTION IT LOOKS LIKE THEY DID A GREAT JOB. THANK YOU VERY MUCH. WE APPRECIATE IT. [ APPLAUSE ] [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] INTERNATIONAL MOTHER LANGUAGE DAY BUT.... THEN WE'RE GOING TO ABOUT THE IMPORTANT MISSION OF THE AUSTIN BANK LOW SCHOOL, PARTICULARLY FOR OUR BANGLADESH COMMUNITY HERE IN AUSTIN. SO I'LL READ THE PROCLAMATION AND THEN WE'LL HEAR ABOUT THE SCHOOL. PROCLAMATION READS, THE YAITIONS. UNITED NATIONS HAS STABBED INTERNATIONAL MOTHER LANGUAGE DAY TO RAISE AWARENESS AMONG ALL PEOPLES OF THE EVEN DURING VALUE OF THEIR LANGUAGES AND WHEREAS LANGUAGE IS AN ESSENTIAL COMPONENT OF I.. IDENTITY, ONE WHICH PEOPLE OF EAST PAKISTAN DECLARED TO MAINTAIN, WHEN THEIR GOVERNMENT DECLARED, THE STATE

COMMEMORATES THOSE WHO DIED IN THAT PROTEST AND WHEREAS WE JOIN THE LOCAL BANGLADESH COMMUNITY WHO AUTHORIZED THE SCHOOL TO TEACH THEIR LANGUAGE TO FUTURE GENERATIONS AND RECOGNIZING THE MEMORABLE DAY IN THEIR HISTORY. NOW THEREFORE I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM FEBRUARY 21, 2007 AS INTERNATIONAL MOTHER LANGUAGE DAY AS RECOGNIZED BY THE UNITED NATIONS HERE IN AUSTIN, AND WOULD LOVE TO HEAR FROM PERHAPS THE PRINCIPAL OR SOME TEACHERS OR THE PARENTS ABOUT THE AUSTIN BANK LOW SCHOOL AND PLEASE JOIN ME IN WELCOMING THESE BEAUTIFUL CHILDREN TO THE CITY HALL.  
[APPLAUSE]

THANK YOU. ON BEHALF OF BANGLA SCHOOL AND BANGLADESH ASSOCIATION OF GREATER AUSTIN I WOULD LIKE TO THANK YOU FOR PROCLAIMING FEBRUARY 21 AS INTERNATIONAL MOTHER LANGUAGE DAY IN AUSTIN. IT IS A GREAT HONOR FOR THE BANGLADESH COMMUNITY AND THE MARCHERS OF THE LANGUAGE MOVEMENT. FEBRUARY 21 IS AN IMPORTANT LANGUAGE FOR EVERYONE IN THE WORLD WHO SPEAKS THEIR MOTHER LANGUAGE EVERY DAY. THE DAY WAS PROCLAIMED AS INTERNATIONAL MOTHER LANGUAGE DAY BY THE UNITED NATIONS IN 1999. MOHAN, AS WE CALLED IT IN BANGLA MEANS GLORIOUS 21ST IS THE SIGNIFICANT DAY IN THE LIVES OF PEOPLE WHO SPEAK BANGLA ALL AROUND THE WORLD. IN 1962 THE PEOPLE OF BANGLADESH SACKFIED..... SACRIFICED THEIR LIVES WHEN THE GOVERNMENT OF BANGLADESH DECLARED. IT IS THE ONLY KNOWN LANGUAGE IN THE WORLD FOR WHICH PEOPLE SACRIFICED THEIR LIVES. THIS IS WHY ON FEBRUARY 21 WE REMEMBER THE AND CELEBRATE THE LANGUAGE ITSELF. ON BEHALF OF AUSTIN BANGLA SCHOOL AND BANGLA ASSOCIATION OF GREATER AUSTIN I'M PROUD TO PRESENT OUR BANGLADESH YOUNG STARS WHO WILL CARE..... CARRY ON THEIR HAIR HERITAGE AND CULTURE AS THEY GROW UP TO BE BANGLADESHANS FROM AUSTIN, TEXAS WHO MOST CERTAINLY SPEAK TEXAN. WE HOPE THEY WILL

CARRY ON THE HERITAGE OF THIS LAND THAT IS THEIR HOME, AUSTIN, TEXAS, AND WE ALSO HOPE THAT THEY WILL ALSO CARRY ON THE ONE THAT IS OF THEIR ANCESTORS. WE WOULD LIKE TO INVITE ALL OF YOU TO COME AND ENJOY THE KIDS FROM OUR SCHOOL AT TEXAS SCHOOL FOR BLIND ON FEBRUARY 24 AT 4:00 P.M. MAYOR WYNN, THE STUDENTS OF AUSTIN BANGLA SCHOOL WOULD LIKE TO PRESENT YOU WITH A LITTLE TOKEN OF NOTES OF THEIR OWN. [APPLAUSE]

THANK YOU ALL FOR THIS GREAT HONOR.  
[APPLAUSE]

MAYOR WYNN: AT THIS TIME I'LL TURN THE PODIUM OVER TO COUNCIL MEMBER BREWSTER MCCRACKEN.

MCCRACKEN: WE'LL HAVE OUR NEXT PROCLAMATION. EARLIER TODAY WE HAD -- WE WERE KIND OF CALLING THE EMERGING TECHNOLOGIES MORNING HERE IN THE CITY OF AUSTIN BECAUSE WE HAD TWO THINGS THAT COULD ONLY HAPPEN IN AUSTIN, TEXAS. THE FIRST THING WAS WE AWARDED \$200,000, WHICH IS OUR PARTNERSHIP CONTRIBUTION TO THE AUSTIN WIRELESS ALLIANCE, ACTUALLY AUSTIN ALLIANCE ACCELERATOR AT IC SQUARE, WHICH RUNS THE AUSTIN INCUBATOR, AND WE ALSO THEN AFTER THAT ENTERED INTO AN AGREEMENT BETWEEN AUSTIN ENERGY AND THE AUSTIN CLEAN -- ENERGY INCUBATOR AT AUSTIN TECHNOLOGY INCUBATOR TO ENTER INTO WHAT IS THE WORLD'S FIRST AGREEMENT BETWEEN A UTILITY AND A CLEAN ENERGY INCUBATOR FOR THE DEVELOPMENT AND BETA TESTING OF EMERGING TECHNOLOGY, CLEAN ENERGY EMERGING TECHNOLOGY AT A UTILITY AND WE DON'T THINK ANY OTHER CITY IN THE WORLD CAN DO THIS, AND THIS IS A CHANCE FOR AUSTIN TO BECOME A GLOBAL LEADER IN NEW SORT OF WIRELESS COMPANIES AND NEW START UP CLEAN ENERGY COMPANIES. BUT THERE'S A COMMON THREAD IN ALL OF THIS AND THAT IS THAT THIS IS A PARTNERSHIP BETWEEN THE CITY OF AUSTIN AND IC SQUARED. WHAT WE ARE DOING AND WHAT WE'VE BEEN DOING EVER SINCE DR. GEORGE

KISMESKI GOT THIS IDEA ABOUT THREE OR FOUR DECADES AGO WAS THE WAY WE BECAME SOMETHING OTHER THAN A UNIVERSITY BANKING AND GOVERNMENT TOWN WAS WE ESTABLISHED A PARTNERSHIP. THE PARTNERSHIP OF THE CITY OF AUSTIN, THE UNIVERSITY OF TEXAS, THE STATE OF TEXAS, FEDERAL GOVERNMENT AND THE GREATER AUSTIN CHAMBER. WE LESS THAT LAG BUT IN THE LAST TWO YEARS WE ARE REESTABLISHING THE PARTNERSHIP AND ONE OF THE REALLY AMAZING THINGS THAT HAS HAPPENED IS THAT IC SQUARED HAS BEEN REALLY THE CATALYST FOR ALL OF THE DEVELOPMENT OF THESE EMERGING TECHNOLOGY COMPANIES THAT NOT ONLY CHANGED AUSTIN BUT THAT ARE CHANGING THE WORLD AS A RESULT. WE'RE ACTUALLY THE 10TH ANNIVERSARY NOW OF SOMETHING ELSE THAT DR. KOSMEHSKI STARTED WHICH IS THE MASTER'S OF SCIENCE AND TECHNOLOGY COMMERCIALIZATION. IT'S NOT JUST - IC 2 IS NOT JUST ABOUT CATALYZING THE DEVELOPMENT OF IMPRESSIVE NEW EMERGING TECHNOLOGY COMPANIES BUT THEY'RE ALSO THE MASTER'S IN SCIENCE, TECHNOLOGY COMMERCIALIZATION PROGRAM EDUCATING PEOPLE TO GO OUT AND HAVE THE THE TOOL TAKE THE PATROLLING COMING TO THE UNIVERSITY OF TEXAS AND CATALYZE IT INTO NEW KINDS OF COMPANIES, NO WAYS TO CHANGE THE WORLD. AND SO WE'RE LUCKY TO HAVE YOU-ALL AND WHAT I'D LIKE TO DO IS TURN IT OVER TO DR. JOHN BUTLER. IF YOU COULD JUST TELL US MORE ABOUT WHAT YOU'RE UP TO AND MORE ABOUT THE 10TH ANNIVERSARY OF THE PROGRAM.

THANK YOU VERY MUCH, COUNCILMAN. LET ME JUST IS A..... SAY IT IS A PLEASURE ON BEHALF OF THE UNIVERSITY OF TEXAS, BEHALF OF THE PRESIDENT AND VICE PRESIDENT CERTAINLY TO BE HERE TODAY. MATH AND SCIENCE AND SCIENCE AND TECHNOLOGY COMMERCIALIZATION IS A UNIQUE PROGRAM AT THE UNIVERSITY OF TEXAS. THE CONCENTRATION IS ON CREATION AND THE CONCENTRATION IS ON REALLY HOW DO YOU TAKE TECHNOLOGISTS OUT OF THE LABORATORY TO CREATE JOBS AND TO PRODUCE WEALTH, AND AS COUNCILMAN MCCRACKEN SAID, WE DO IT NOT



ONLY IN THE CITY OF AUSTIN, WHICH IS OUR EXPERIMENT, BUT ALSO ACROSS THE GLOBE. THE PEOPLE STANDING BEHIND ME, WE HAVE LARRY SEA CREST, WHO IS THE NEW DIRECTOR, WE HAVE MEMBERS OF THE FACULTY. WE ARE ABSOLUTELY HONORED THAT ALL.... ALTHOUGH WE DID NOT WIN THE NATIONAL CHAMPIONSHIP IN FOOTBALL, THAT THE CITY OF AUSTIN HAS TAKEN TIME TO LOOK AT PROGRAM THAT GEORGE CSKPESKI CREATED. IT CELEBRATED 30TH ANNIVERSARY, TECHNOLOGY AND COMMERCIALIZATION PROGRAM IS GOING STRONG. LET ME JUST SAY ONE THING ELSE ABOUT THE PROGRAM. WE KNOW WHAT AN MBA IS. IT'S A GREAT PROGRAM THAT IS DESIGNED TO ALLOW PEOPLE TO ENHANCE THE MANAGEMENT OF COMPETENT AND THE MANAGEMENT OF MONEY. THE MASTERS OF SCIENCE PROGRAM IS DESIGNED TO TEACH PEOPLE HOW TO CREATE WEALTH AND HOW TO CREATE THEIR COMPANIES. SO ON BEHALF OF THE IC SQUARED NUT AT THE UNIVERSITY OF AUSTIN AND THE FACULTY THAT STANDS BEHIND ME AND A NUMBER OF STUDENTS THAT STAND BEHIND ME, YOU I WOULD LIKE TO SAY THANK YOU VERY ACTION VERY MUCH AND THANK.....COUNCIL, THANK YOU SO MUCH FOR THE \$200,000. AND HOOK EM HORNS. [APPLAUSE]

AND WE HAVE A PROCLAMATION, JUST TO KIND OF PUT THIS IN PERSPECTIVE, EVERYBODY ALWAYS ASKED HOW DID SILICON VALLEY GET STARTED AND IT WAS REALLY A PARTNERSHIP BETWEEN PALO ALTO, THE STATE OF CALIFORNIA AND STAND FORD UNIVERSITY. THEY FIGURED OUT HOW TO TAKE THE GREAT NEW RESEARCH COMING OUT OF STANFORD AND COMMERCIALIZE IT INTO SISCO SYSTEMS AND GOOGLE THAT STAYED THERE IN THE SILICON VALLEY AFTER THE TECHNOLOGY LEFT STANFORD. THAT'S WHAT THE IC SQUARED INSTITUTE IS DOING IN AUSTIN AND WE'RE ALREADY SEEING INCREDIBLE RESULTS SO THIS IS A BIG DEAL FOR OUR COMMUNITY. THE PROCLAMATION, BE IT KNOWN THAT WHEREAS THE MASTERS OF SCIENCE AND SCIENCE TECHNOLOGY COMMERCIALIZATION AND ITS PARENT HAVE BEEN INSTRUMENTAL IN THE OVERALL DEVELOPMENT OF AUSTIN AND THE CITY'S EMERGENCE AS A WORLD CENTER FOR

TECHNOLOGY AND INNOVATION, AND THIS IS THE PREEMINENT COMMERCIALIZATION TECHNOLOGY PROGRAM IN THE WORLD AND ITS GRADUATES HAVE ACCELERATED THE LEVEL AND PACE OF ENTREPRENEURSHIP BOTH IN TEXAS AND FOR THE NATION, THIS IS THE 10TH ANNIVERSARY OF THE FIRST GRADUATING CLASS OF THE MSJC PROGRAM AND THE 30TH ANNIVERSARY OF THE FOUNDING OF THE IC SQUARED INSTITUTE AND ITS INNOVATIVE IMPACT ON OUR CITY. THEREFORE WILL WYNN, THE MAYOR OF THE CITY OF AUSTIN TEXAS DOES HERE BY PROCLAIM THE ENTIRE YEAR OF 2007 AS THE 10TH -- THE ANNIVERSARY YEAR OF UT'S MS AND SCIENCE TECHNOLOGY COMMERCIALIZATION AND THE IC SQUARED INSTITUTE IN AUSTIN TEXAS, THE HIGH-TECH CAPITAL OF THE WORLD. [APPLAUSE]....

DUNKERLEY: DUNK AT THIS TIME WE HAVE A DISTINGUISHED SERVICE AWARD FOR JULY..... JULIE MILLER, SO IF JULIE WILL COME FORWARD.  
[APPLAUSE]

AND I HAVE TO TELL YOU A LITTLE STORY ABOUT JULIE. YEARS AGO.

YOU'RE TELLING STORIES NOW.

YEARS AGO WE WORKED TOGETHER, AND EVEN THOUGH I AM YEARS AND YEARS AND YEARS OLDER THAN JULIE, I ALWAYS USED TO TELL HER THAT SHE WAS NOT ONLY A WONDERFUL EMPLOYEE BUT A GREAT ROLE MODEL, AND I WANTED TO BE -- IF I EVER GREW UP, I WANTED TO BE LIKE JULIE, BECAUSE SHE DONATED SO MUCH OF HER TIME TO THIS COMMUNITY IN VARIOUS VOLUNTEER EFFORTS. YOU REMEMBER THAT, JULIE?

I DO, BUT THIS IS WHO I WANT TO BE LIKE.

OKAY. ANYWAY, SO IT IS REALLY MY GREAT PLEASURE TO HELP RECOGNIZE JULIE ANN AGOMEZ MILLER. SHE IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. SHE STARTED AS AID IN FINANCE, THEN MOVED TO THE CUSTOMER UTILITY SERVICE OFFICE WHERE SHE WAS A KEY MEMBER OF THE ELECTRIC UTILITY CIS IMPLEMENTATION TEAM.

MOST RECENTLY AS A PROJECT MANAGER IN CTM. SHE MANAGED IMPLEMENTATION OF THE ATC/EMS RECORDS MANAGEMENT SYSTEM, AND THE 311 CUSTOMER SERVICE REQUEST SYSTEM. JULIE ALWAYS WORKED TO ASSURE THE CITY WORK WAS DONE IN THE BEST POSSIBLE MANNER AND SHOWED COMMITMENT TO HER COWORKERS. IN ADDITION SHE CONTRIBUTED TO THE COMMUNITY THROUGH VOLUNTEER EFFORTS, HELPING LOCAL NON-PROFITS SUCH AS FOR THE CHILDREN, SAFE PLACE AND KLRU. HER EFFORTS BOTH AS A PUBLIC SERVANT AND AS A COMMUNITY VOLUNTEER HAVE CONTRIBUTED IN MAKING AUSTIN A GREAT PLACE TO LIVE. THIS CERTIFICATE IS PRESENTED IN APPRECIATION ON THE 15TH DAY OF FEBRUARY IN THE YEAR 2007 AND IS SIGNED BY OUR MAYOR, WILL WYNN, AND WITH ALL OF OUR SIGNATURES -- NAMES LISTED TOO. SO JULIE, CONGRATULATIONS. [APPLAUSE]

I HOPED YOU REMEMBERED THAT.

YES, I DID REMEMBER THAT. I REALLY THANK EVERYONE FOR BEING HERE, ESPECIALLY THE PEOPLE THAT I'VE PUT THROUGH SO MUCH, LIKE MARK MOSIK OVER THERE. BUT BETTY SAID THAT SHE WANTED TO BE LIKE ME WHEN SHE GREW UP AND I REALLY WANT TO BE LIKE DR. TIMMY BEAR.....MYBARENOF BEHIND ME. I LIKE WORKING AS A CITY PLOIP AND I THINK I DID THE BEST I COULD SO THANK YOU VERY MUCH FOR THIS AWARD.

WE'RE NOT GOING TO GET HER GET AWAY JUST THAT QUICKLY. YOU KNOW THAT JULIE AND I ACTUALLY STARTED ABOUT THE SAME YEAR WITH THE CITY, SO I'M WATCHING ALL MY FRIENDS LEAVE. IT'S BEGINNING TO FEEL VERY, VERY LONELY AND JULIE, WHEN I ACTUALLY HEAR THE PROJECTS YOU'VE BEEN WORKING ON LATELY I'M WORRIED THAT WE DROVE YOU OFF. 311, I'M GETTING NERVOUS. I WANT TO HEAR JUST A FEW COMMENTS WHAT YOUR COWORKERS OVER THE YEARS HAVE SAID ABOUT YOU. I WANT TO READ THEM. JULIE GAVE THE COMMUNITY COUNTLESS HOURS OF HER OWN TIME TO MAKE SURE THE

UTILITY SERVICE CONVERSIONS WERE DONE IN THE VERY BEST WAY POSSIBLE. JULIE ALWAYS EXEMPLIFIED THE BEST IN DEDICATION TO PUBLIC SERVICE AND COMMITMENT TO HER COWORKERS. THAT COMES OUT OF AUSTIN ENERGY. JULIE'S COMMITMENT TO PUBLIC SERVICE WENT FAR BEYOND HER OFFICIAL JOB. SHE HELD AN INGRAINED BELIEF THAT PUBLIC SERVICE WAS MORE THAN A JOB TO GO TO EVERY DAY, BUT RATHER AN OPPORTUNITY TO BE AN INTEGRAL PART OF MAKING AUSTIN A GREAT PLACE TO LIVE. THAT CAME OUT OF THE HEALTH DEPARTMENT. THE CITY OF AUSTIN HAS LOST PERHAPS ONE OF ITS MOST HARDWORKING ETHICAL EMPLOYEES WHEN JULIE MILLER RETIRES. 311 CITYWIDE INFORMATION CENTER WILL MISS HER CALM AND THOUGHTFUL DEMEANOR, HER DEDICATION TO PROVIDING EXCELLENT CUSTOMER SERVICE AND HER GREAT SENSE OF HUMOR. OUT OF 311. TO ME SHE WILL ALWAYS BE THE PROJECT MANAGER, PROJECT MANAGER, THAT COMES OUT OF THE EMS, AND I THINK I'LL SUM IT UP WITH COMMUNITY CARE SERVICES. SHE WILL BE MISSED, AND JULIE, YOU WILL BE MISSED. LET'S GIVE MERE A ROUND OF APPLAUSE. [APPLAUSE]

SO WE'RE HERE TO HONOR KAREN COX, WHO IS A RECENT -- RECENT..... RECENTLY RETIRED EXECUTIVE DIRECTOR OF CASA, WHICH IS A COURT-APPOINTED SPECIAL AD... ADVOCATE. I KNOW A LITTLE ABOUT THIS ORGANIZATION. MY AID, ANDY WORMAN HAS BEEN A CASA VOLUNTEER SINCE I KNEW HIM, ACTUALLY AND ABOUT TWO YEARS..... YEARS AGO WHEN WE WERE TALKING ABOUT HIS TERMS OF EMPLOYMENT, HE SAYS, NOW, YOU HAVE TO UNDERSTAND, HE SAYS, IF IT'S CASA, I HAVE TO TAKE OFF, NO QUESTIONS ASKS. CASA DAY. WE AGREED ON THAT. SO THAT GIVES ME A FEEL FOR THE DEDICATION THAT THE CASA VOLUNTEERS HAVE. BEFORE I READ THE PROCLAMATION I'M GOING TO INTRODUCE THE PRESENT ELECT, DENISE CON WAY, TO TELL US A LITTLE BIT MORE ABOUT CASA AND A LITTLE BIT MORE INTIMATE DETAIL ON KAREN COX HERSELF AND HER SERVICE TO CASA. I DO KNOW THAT SHE STARTED OFF AS A VOLUNTEER. SHE WORKED HER WAY UP THROUGH THE RANKS

AND BECAME AN EXECUTIVE DIRECTOR, BUT NOW I'LL INTRODUCE DENISE TO TELL US A LITTLE BIT MORE.

THANK YOU. THANK YOU, COUNCILMAN. UNDER KAREN'S DIRECTION, SHE STARTED WITH A SMALL NONPROFIT, NOT VERY WELL KNOWN. IN 10 1/2 YEARS SHE'S TAKEN IT TO BEING NATIONALLY AND STATE RECOGNIZED, ONE OF THE PREMIERE NON-PROFITS. SHE'S DONE AN EXCELLENT JOB. SHE'S FOUND -- UNDER HER GUIDANCE, CHILDREN HAVE FOUND PERMANENT LOVING HOMES WHEN THEY HAVE BEEN ABUSED AND ABANDONED BUT FOUND PARENTS WHO LOVED THEM. KAREN, WHAT A WONDERFUL, WONDERFUL WOMAN YOU ARE. THANK YOU VERY MUCH. [APPLAUSE]

HAVE TO GET READY FOR THE SMALL -- THIS IS A DISTINGUISHED SERVICE AWARD FOR NEARLY 11 YEARS OF DEDICATED SERVICE TO OUR CITY THROUGH HER LEADERSHIP OF CASA OF TRAVIS COUNTY, KAREN COX IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. KAREN BEGAN WORKING WITH CASA AS A VOLUNTEER ADVOCATE, THEN MOVED TO THE HELM IN 1996 AND HAS BEEN INSTRUMENTAL IN IMPLEMENTING PROGRAM DEVELOPMENT FOR THE AGENCY. UNDER HER DIRECTION CASA HAS TRIPLED ITS SCOPE WITH 428 VOLUNTEERS NOW PROVIDING A VOICE FOR 1248 ABUSED AND INSPECTED CHILDREN. THE ORGANIZATION ALSO BOASTS A STRONG STAFF TO GUIDE VOLUNTEERS THROUGH THE MAZE OF SOCIAL AND LEGAL SYSTEMS, TO HELP RESCORE CASA CLIENTS THEIR CHILDHOOD. UNDER HER LEADERSHIP GRANTS AND CONTRIBUTIONS HAVE GROWN ALSO AND SHE HAS BEEN NAMED THE CAPITAL AREA UNITED WAY AND NATIONAL CASA DIRECTOR OF THE YEAR. WITH THIS CERTIFICATE WE JOIN IN ACKNOWLEDGING AND EXPRESSING OUR APPRECIATION FOR THE POSITIVE IMPACT KAREN COX HAS HAD ON OUR COMMUNITY. PRESENTED THIS 15TH DIFFICULT.....DAY OFFEBRUARY, THE YEAR 2007, THE CITY COUNCIL OF AUSTIN TEXAS, MAYOR WILL WYNN, MAYOR PRO TEM BETTY DUNKERLEY, MYSELF, LEE LEFFINGWELL, JENNIFER MARTINEZ, BRUCE..... BREWSTER MCCRACKEN AND

SHERYL COLE. CONGRATULATIONS. KAREN.  
[APPLAUSE]

THANK YOU. OH. CASA, YOU GET TO WORK WITH THE BEST PEOPLE IN THE WORLD, THE MOST DEDICATED STAFF THAT, REALLY, THEY'RE PAID PEANUTS, AND THEY REALLY TAKE CARE OF OUR CITY'S CHILDREN. AND YOU GET TO WORK WITH VOLUNTEERS LIKE ANDY MORMON, WHO MAKES SURE THEIR EMPLOYER LETS THEM OFF TO GO TO COURT AND SPEAK UP FOR THESE KIDS. THEY SPEND COUNTLESS HOURS AND THEY MAKE SURE THAT CHILDREN DO NOT GET RUN OVER IN THEIR HOMES, AND THEY MAKE SURE THAT CHILDREN FIND A SAFE HOME THAT WILL LOVE THEM FOREVER, WHICH IS WHAT ALL CHILDREN DESERVE. SO IT'S BEEN AN HONOR TO WORK WITH PEOPLE LIKE DENISE CONWAY FROM THE BOARD, WHO -- SHE'LL WASH WINDOWS IF THAT'S WHAT IT TAKES TO RAISE MONEY FOR CASA. SO THANK YOU. PLEASE, MORE PEOPLE VOLUNTEER. WE HAVE 600 CHILDREN THIS MONTH. WE'RE THOUGHT COVERING, AND I NEED TO QUIT WORRYING ABOUT IT, SO JUST STEP FORWARD AND TAKE CARE OF THEM. THANK YOU. [APPLAUSE] I CALL BACK TO ORDER THE MEETING OF THE CITY COUNCIL. TECHNICALLY WE WERE IN CLOSED SESSION EARLIER, TAKING UP ITEM NO. 33 RELATING TO THE LEGISLATIVE SESSION. NO DECISIONS WERE MADE. WELCOME BACK MR. GREG GUERNSEY, AND EARLIER MR. GUERNSEY, WE... WE HAD A COMBINED ZONING CASE OUT OF 63 AND 64 AND MY UNDERSTANDING IS NOW THAT WE'VE HAD THE ONE PIECE OF TESTIMONY, IN THEORY, IN ON OPPOSITION, FOLKS HERE WHO ARE READY TO SPEAK IN FAVOR DON'T BELIEVE THEY NEED TO DO SO.

THAT'S.....THAT'S RIGHT, ON ITEM NO. 63 AND 64 BEFORE THE BREAK, THE CITIZENS JUST WANTED TO STATE THEIR OPPOSITION TO THE CASE. THEY LEFT. THEY DID GIVE A COPY FOR THE RECORD WE'LL PUT IN THE FILE AND MAINTAIN. WE CAN OFFER NOW ITEM NO. 63 AND 64 FOR CONSENT ON THREE READINGS OF BOTH 63 AND THREE READINGS OF 64. THIS IS CASE MPA-06-0010. CRAIS CHURCH, HOLLY PLAN AND BY CHANGING THE FUTURE LAND USE

MAP FROM SINGLE-FAMILY TO OFFICE USE FOR THE PROPERTY LOCATED AT 2201 TO 2201 EAST 2 1/2 STREET AND THE ACCOMPANIES CASE IS C 14-06-091. THE CRISTO REY CHURCH, SAME ADDRESS, REZONING, TO GENERAL OFFICE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR GOCOMP COMBINING DISTRICT ZONING AND IT IS RECOMMENDED TO YOU BY THE PLANNING COMMISSION ON BOTH OF THOSE ITEMS AND WE CAN OFFER THAT FOR THREE READINGS.

MAYOR WYNN: MOTION MADE BY COUNCIL MEMBER MCCracken TO CLOSE THE PUBLIC HEARING AND APPROVE ITEMS 63 AND 64 ON ALL THREE READINGS. THAT INCLUDES THE ZONING CHANGE AND THE FUTURE LAND USE MAP DESIGNATION. SECKED BY COUNCIL MEMBER MARTINEZ. FURTHER COMMENTS? HEARING NONE ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? MOTION PASSES ON YOU.... ALL THREE READINGS WITH A VOTE OF 5-0 TO COUNCIL MEMBERS KIM AND LEFFINGWELL OFF THE DAIS. WELCOME.

MAYOR AND COUNCIL LET ME CONTINUE ON OUR NEXT ITEM, 67 AND 68. THESE ARE RELATED ITEMS DEALING WITH THE EAST AVENUE PUD, ALSO KNOWN AS THE CONCORDIA UNIVERSITY PROPERTY. ITEM NO. 67 IS CASE MPA-06-0019.01, AND THIS IS IN THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN AND THIS WOULD BE AN AMENDMENT TO THE FUTURE LAND USE MAP TO ALLOW HIGH DENSITY MIXED USE DESIGNATION FOR THE PROPERTY LOCATED AT 3400 NORTH IH-35. ON THE RELATED ITEM IS A PUD, A PLANNED UNIT DEVELOPMENT, C 814-06-0175, AGAIN THE EAST AVENUE PUD AT 3400 NORTH I-35 SERVICE ROAD. THIS IS A REQUEST FROM GENERAL OFFICE NEIGHBORHOOD PLAN OR GOCO, COMBINING DISTRICT ZONING, LIMITED OFFICE MIXED USE NEIGHBORHOOD PLAN, LOMUNP COMBINING DISTRICT ZONING GENERAL COMMERCIAL SERVICES MIXED USE NEIGHBORHOOD PLAN OR CS-MU NP COMBINING DISTRICT ZONING TO

PLANNED UNIT DEVELOPMENT COMBINING DISTRICT ZONING. THE PLANNING COMMISSION LAST TUESDAY NIGHT DID RECOMMEND APPROVAL FOR THE HIGH DENSITY MIXED USE DESIGNATION RELATED TO ITEM NO. 67, AND ITEM NO. 68. THEY ALSO RECOMMENDED THE REZONING REQUEST TO PUD AND RECOGNIZE THE PLAN THAT WAS PRESENTED BY THE APPLICANT FOR THE PROPERTY NOTING 11 ITEMS PROPOSED FOR THE EAST AVENUE PUD, AND YOU HAVE THESE ON YOUR DAIS. IT'S A LIST OF 11, ON A DARK PIECE OF PAPER. IN ADDITION THEY ADDED CONDITIONS THAT THERE BE A TRAFFIC IMPACT ANALYSIS WOULD ADDRESS THE STREETS TO ENSURE THAT THEY WOULD NOT CHANGE THE LETTER GRADE, OR THE RATING LIST BY NO MORE THAN ONE LETTER AND THAT THEY WOULD OPERATE AT AT LEAST A LEVEL NO WORSE THAN A LEVEL C ON THESE ROADWAYS.

GREG, THE BOTTOM HALF IS CUT OFF OF OUR COPY.

WELL, THOSE ARE SPEAKING NOTES THAT I WILL BE INTRODUCING SOME INDIVIDUALS IN A MOMENT. I'D LIKE TO POINT OUT THAT IT WAS A SPLIT COMMISSION VOTE ON A VOTE OF 5-3-1 REGARDING THIS ITEM. THERE IS AN AGREEMENT, IT'S MY UNDERSTANDING, BETWEEN THE NEIGHBORHOODS AND THE APPLICANT THIS EVENING. I'LL BRIEFLY JUST NOTE THAT IT IS THE CONCORDIA CAMPUS THAT'S APPROXIMATELY 22.205 ACRES OF LAND. THEY'RE REPRESENTED BY ALICE GLASCO AND RICHARD SUTTLE THIS EVENING REGARDING THE NEIGHBORHOOD PLAN, AND REZONING CHANGE. THE STAFF RECOMMENDATION DOES DIFFER FROM THE PLANNING COMMISSION RECOMMENDATION, AND THE PLANNING COMMISSION RECOMMENDATION HAS ADOPTED THE CONCEPTUAL PLAN, DID ACKNOWLEDGE THAT THERE WOULD BE ADDITIONAL DISCUSSION BETWEEN THE NEIGHBORHOOD AND THE DEVELOPER AND THAT WOULD PROBABLY CONTINUE ON TO THE CITY COUNCIL, NEGOTIATIONS WOULD BE ONGOING. AT THIS TIME I'LL PAUSE, MAYOR AND COUNCIL, AND IT'S MY UNDERSTANDING THAT MR. RICHARD SUTTLE WILL COME FORWARD AND SPEAK WITH REGARDS TO THE



COLLEGE AND THEIR POSITION, FOLLOWED BY JENNA MCCAN, THAT ACTUALLY IS WORKING ON BEHALF OF THE NEIGHBORHOOD, THAT WILL ADDRESS THE 11 POINTS THAT THE COMMISSION ADOPTED, JEN AND MY CAIL MEADE WILL COME FORWARD AND SAY A FEW WORDS. THEY WOULD LIKE THE HEARING TO BE OPEN, NO ACTION TO TAKE PLACE, HOWEVER THAT THERE ARE OTHER INDIVIDUALS THAT MAY HAVE SIGNED UP THAT MAY NOT BE AWARE OF ANY AGREEMENTS THAT HAVE BEEN MADE BETWEEN THE NEIGHBORHOOD AND THE APPLICANT REGARDING CONTINUING THE DIALOGUE AND THE SUGGESTION, AS I UNDERSTAND FROM BOTH THE OWNER AND THE NEIGHBORHOOD, THAT THIS ITEM COME BACK ON THE 1ST OF MARCH. SO IF THERE IS SOME ADDITIONAL INFORMATION PROVIDED I'LL LET THE ADDITIONAL SPEAKERS THEN PROVIDE THAT INFORMATION. AT THIS TIME I'LL PAUSE.

MAYOR WYNN: SO THE SUGGESTION IS IN LIEU OF THE STANDARD PUBLIC HEARING FORMAT WE'LL JUST HEAR FROM THESE INITIAL SORT OF AGENTS FIRST AND THEN WE'LL JUST SEE IF OTHER FOLKS WANT TO GIVE US SOME TESTIMONY?

THAT'S RIGHT. MR. SUTTLE WOULD I GUESS BE REPRESENTING THE AGENT IN THIS CASE, OR THE PROPERTY OWNER, AND WILL SPEAK TO GENERALLY WHAT HIS UNDERSTANDING IS OF THE AGREEMENT. JENA WILL EXPLAIN THE 11 POINTS THE COMMISSION AGAIN TOOK AS PART OF THEIR RECOMMENDATION, AND THEN THEY'LL -- MIKALE WILL COME FORWARD AND SPEAK GENERALLY TO THE NEIGHBORS' POSITION. THEY'D LIKE TO OPEN THE PUBLIC HEARING BUT THERE MAY BE INDIVIDUALS THAT ARE NOT AWARE OF THESE ARRANGEMENTS BEEN MADE BETWEEN THE NEIGHBORHOOD AND THE APPLICANT AND THEY STILL MIGHT WANT TO SPEAK TO THIS ITEM TODAY.

FAIR ENOUGH. SO COUNCIL, WITH THAT WITHOUT OBJECTION, WELCOME MR. SUTTLE.

MAYOR, MEMBERS OF THE COUNCIL, MY NAME IS RICHARD CUT HE WILL. I'M HERE ON BEHALF OF THE

APPLICABLE, WHICH IS THE ENTITY KNOWN AS EAST AVENUE. THAT'S THE ENTITY THAT ACTUALLY HAS THE CAMPUS UNDER CONTRACT FROM CONCORDIA UNIVERSITY. I ALSO HAVE THE PLEASURE OF REPRESENTING CONCORDIA UNIVERSITY ON THEIR NEW CAMPUS OUT ON 620, SO I HAVE A LITTLE BIT, IF YOU HAVE QUESTIONS ON EITHER END OF THIS TRANSACTION, I MIGHT BE ABLE TO HELP. THE CRITICAL POINT ON THIS CASE IS THAT TIME IS RUNNING OUT. THE PROJECT HAS BEEN IN THE PROCESS NOW FOR A PRETTY GOOD WHILE AND WE'RE LOOKING FORWARD TO WRAPPING IT UP. WE NOW HAVE SOME ADULT SUPERVISION AND JANA HAS HELPED MOVE THE BALL IMMENSELY IN A SHORT PERIOD OF TIME AND I ANTICIPATE WILL CONTINUE TO HELP TO MOVE THE BALL. WHERE WE WOULD LIKE TO DO TONIGHT IS GENERALLY TURN IT OVER TO JANA, LET HER TELL YOU ABOUT..... ABOUT WHAT PROGRESS WE'VE.....WE'VE MADE AND WHERE WE'RE TRYING TO HEAD AND START ANSWERING QUESTIONS TONIGHT. THE APPLICANT HAS HIS TEAM HERE TONIGHT. IF YOU HAVE QUESTIONS, WE HAVE PSP, ARCHITECTURAL AND PLANNING TO TELL HOW WE GOT TO THIS POINT. ALICE GLASCO IS HERE, OUR TRAFFIC ENGINEER IS HERE, I BELIEVE OUR ACOUSTIC ENGINEER MIGHT BE HERE. AND WHEN WE COME BACK MARCH 1 HOPEFULLY WE COME BACK WITH AN AGREEMENT ON HOW IT WILL LOOK SO IT CAN BE DONE EITHER ALL THREE READINGS ON THE FIRST OR THE FOLLOWING WEEK. THE REASON THAT'S PORT IS THERE ARE CONTRACTUAL OBLIGATIONS THAT ARE IMPORTANT THAT START TICKING IN OFF IN MARCH THAT AFFECT CONCORDIA. SO THAT'S WHAT WE'RE HERE TONIGHT. I'M HAPPY TO REPORT A LOT OF PROGRESS. LAWYERS FROM BROWN MCCARROLL HAVE BEEN WORKING ON THIS. JANA MCCAN HAS BEEN WORKING ON THIS AND I'LL BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE OF THE APPLICANT AT THIS POINT. OTHER THAN THAT I'LL TURN IT OVER TO MISMCCAN.

THANK YOU, MR. SUT HE WILL. QUESTIONS OF MR. SUTTLE. COUNCIL? IF NOT, WELCOME. MISMS. MCCAN?

THANK YOU. MY NAME IS JANA MCCAN WITH ROMEA DESIGN GROUP AND HAVE JUST RECENTLY STARTED WORKING ON THIS PROJECT AND WANTED TO CLARIFY THAT I'M REPRESENTING BOTH THE INTERESTS OF THE DEVELOPER AND THE NEIGHBORHOOD, WHICH IS A LITTLE UNUSUAL, TO BRING TO BEAR UPON THIS PROJECT BEST PRACTICES IN URBAN PLANNING, URBAN DESIGN. AND THERE'S -- JUST A THREE SLIDE PRESENTATION HERE ABOUT THE KIND OF VISION FOR THIS, WHICH IS A HIGH DENSITY MIXED USE PROJECT THAT WE THINK IS IN KEEPING WITH THE PLANNING COMMISSION SUSTAINABLE CITY INITIATIVE AND WE FEEL LIKE IT IS AN APPROPRIATE KIND OF PROJECT FOR THE FAIRLY UNUSUAL LOCATION UP AGAINST A FREEWAY BUT ALSO PARTIALLY UP AGAINST A NEIGHBORHOOD AND PARTIALLY UP AGAINST THE HOSPITAL. SO IT'S A COMPLEX SITE, AND IT REQUIRES, I THINK, MORE DESIGN AND MORE UNDERSTANDING OF THE SITE THAN JUST WHAT A TYPICAL PUD GENERALLY DEMANDS OF AN APPLICANT. THIS JUST REPRESENTS US ACTUALLY 12 POINTS OF AGREEMENT BETWEEN THE NEIGHBORHOOD AND THE DEVELOPER THAT WE'VE DERIVED AT THIS POINT AND MUCH OF IT POINTS, REALLY POINTS 4 THROUGH 12 WERE ALREADY AGREED UPON LARGELY BEFORE ROMA CAME INTO THE PROJECT ON LAST WEEKEND. THE FIRST AND PROBABLY THE FIRST THREE, THOUGH, ARE PROBABLY THE MOST CRITICAL AT BEING ABLE TO UNDERSTAND HOW THE SITE COULD LAY OUT AND REALLY UNDERSTAND HOW YOU CAN DEVELOP APPROPRIATE SCALES. THE FIRST THING TO DO WOULD BE TO DEFINE THE STREET OR DRIVE NETWORK PLAN, AND WE'VE DONE THAT, AND WE HAVE AN I WILL LUST..... ILLUSTRATIVE SKETCH THAT YOU'LL SEE IN A MOMENT BUT THAT'S STARTS TO SAY HOW IT'S GOING TO CONNECT WITH THE SURROUNDING AREA AND STARTS TO BREAK THE SITE DOWN INTO MANAGEABLE BLOCKS THAT ARE CONSISTENT WITH THE COMMERCIAL DESIGN STANDARDS, JUST HOW WOULD THE USES BE ARRANGED ON THE SITE IS SOMETHING THAT WE ARE GOING TO BE GETTING INTO, HOPEFULLY IN THE NEXT TWO WEEKS. BUT WHAT WE REALLY WANT TO DO ON ITEM NO. 3 IS DEFINE BLOCK BY BLOCK AND

EVEN IN A SUB BLOCK BY BLOCK BASIS WHERE SHOULD THE -- YOU KNOW, WHERE SHOULD HEIGHT BE CONCENTRATED OR NOT, HOW SHOULD WE SCALE DOWN TO THE NEIGHBORHOOD RATHER THAN JUST SAY, OKAY, COMPATIBILITY STANDARDS RULE. WE ARE REALLY TAIL..... TAIL ORING IT CAREFULLY TO ENSURE COMPATIBILITY. SO THE DEVELOPER AND THE NEIGHBORHOOD AGREE THAT THE DESIGN STANDARDS AND MIXED USE ORDINANCE OR COMMERCIAL DESIGN STANDARDS SHOULD BEAR UPON THIS SITE AND THEY AGREED TO COMPLY WITH IT BUT WE'D ALSO LIKE TO TAKE IT A STEP FURTHER AND GET VERY SPECIFIC ABOUT EXACTLY WHAT THAT LOOKS LIKE ON THE SITE. WE WOULD LIKE TO DELINEATE WHAT THE STREET SCAPES ARE GOING TO BE LIKE, USING THE GREAT STREETS TYPE OF STANDARDS, BUT INSTEAD OF LEAVING IT VAGUE WE WANT TO DELINEATE WHERE IS THE LANDSCAPE AND WHERE ARE THE STREET TREES, PARKING ET CETERA. WE WANT TO BE ABLE TO DO SOME KIND OF A SPECIAL FEATURE, LIKE A GREEN WAY HIKE AND BIKE TRAIL OR PROMISE NAD IN.....PROMENADE OR OTHER FEATURES, SOMETHING THAT BECOMES VERY SPECIAL AND THERE'S A PROPOSAL FOR AFFORDABLE LIVING, OPEN SPACE, TREE PRESERVATION, SUSTAINABLE VIRM SITE AND BUILDING DESIGN, ADHERENCE TO THE URBAN CORE PARKING STANDARDS AND TO GO AHEAD AND CONSTRUCT OR POST PHYSICAL FOR THE OFF-SITE TIA ROADWAY IMPROVEMENTS. AND FINALLY THE 12TH POINT IS TO CONTINUE TO COMMUNICATE WITH THE NEIGHBORHOOD EVEN AFTER THE PUD PROCESS IS COMPLETE. MAY I HAVE THE NEXT SLIDE, PLEASE? AND THIS IS JUST AN INITIAL CONCEPT OF HOW THIS 22-ACRE SITE COULD BE BROKEN DOWN AND CONNECTED, AND WE HAVE THREE GIVEN POINTS OF ACCESS INTO THE SITE. TWO EXISTING CURB CUTS OFF OF IH-35, WHICH IS ON YOUR RIGHT, AND ONE ON 32ND STREET, WHICH IS AT THE LOWER PART OF THE SCREEN THAT WE'RE DEALING WITH, AND WE'RE BASICALLY PROPOSING TO CONNECT THOSE THROUGH THE SITE TO START TO DEFINE THESE MANAGEABLE BLOCK SIZES. AND ONCE -- CONCORDIA IS THE STREET THAT YOU SEE AT THE TOP OF THE SLIDE THERE. SO THAT WE REALLY HAVE AN INTERCONNECTED SYSTEM, AND

WHAT WE'RE PROPOSING TO DO IS DEVELOPED MIXED USE SITES ALONG I-35 AND USE THOSE SITES WITH POSSIBLE TOWER LOCATIONS TO REALLY SHIELD THE INTERIOR OF THE NEIGHBORHOOD, THE SITES TO THE WEST, OR THE LEFT OF THE SCREEN, AND CREATE BETTER RESIDENTIAL SITES, THAT'S LARGELY MULTIFAMILY RESIDENTIAL AND A HOTEL SITE THAT WE'RE LOOKING AT TRYING TO LAY OUT IN THE NEXT COUPLE OF WEEKS. ONE REVISION I WOULD MAKE ON THE SCREEN IS THAT YOU SEE A STREET CALLED LUTHER LANE, AN EAST WEST STREET THAT WOULD THEN CONNECT -- SHOWING IT CONNECTING TO I-35. THIS AGAIN IS JUST A CONCEPT, AND THE CHURCH, WHICH IS IN THE UPPER LEFT-HAND CORNER IS CONCERNED ABOUT THIS CONNECTIVITY AND THAT'S SOMETHING WE'LL BE WORKING TOWARD TO MAKE SURE THAT THE GRID SYSTEM IS COMPATIBLE. THE STREET SYSTEM WOULD WORK WITH IT,. NOT GOING THROUGH, WHICH IS THEIR DESIRE. SO THAT HAS COME UP AND WE'LL CONTINUE WORKING WITH THE CHURCH, AS WELL AS THE NEIGHBORHOOD, ON THAT. BUT THIS IS SHOWING PROVISIONALLY A PARK AREA THAT PREFERS A LOT OF THE LARGE TREES ON THE SITE, WHICH IS PROBABLY THE MOST WONDERFUL THING ON THE SITE, IS WE'RE GOING TO ATTEMPT TO CONSERVE ALL OF... OF THE TREES OR CONSERVE AND MOVE THEM. I KNOW THIS IS A VERY SCHEMATIC PRESENTATION BUT I KNOW -- I WANT TO BE BRIEF, SO IF YOU HAVE QUESTIONS, I THINK I'LL LEAVE THAT THERE AND HOPE THAT WE CAN CONTINUE. I THINK WE HAVE MADE SOME GOOD PROGRESS, AND WE WANT TO DO IT IN MORE DETAILS THAN THIS. THIS IS JUST THE FIRST SORT OF STREET CONCEPT AND BLOCK PLAN. THANK YOU.

MAYOR WYNN: THANK YOU, JANA. QUESTIONS FOR MS. MCCAN? COUNCIL MEMBER MCCrackEN?

WHERE ARE YOU-ALL AT THE MOMENT? IS IT THAT YOU-ALL HAVE REACHED AGREEMENT ON THIS GENERAL STREET SYSTEM AND THE USES THAT WOULD GO THERE?

WE ARE -- I MEAN, PROBABLY WITH THAT ONE REVISION THAT I JUST MADE ABOUT THE LUTHER

LANE GOING ALL THE WAY THROUGH TO CONNECT THE I-35 FRONTAGE ROAD.

ROAD.

MCCRACKEN: AND IF IT WERE NOT TO CONNECT, WHAT WOULD BE THE SITUATION? WOULD IT JUST STOP THERE AT THE LINE YOU DREW UP THE MIDDLE?

RIGHT, BUT WE WOULD STILL HAVE A ROAD RUNNING NORTH-SOUTH ON THE LEFT-HAND SIDE, OR WEST PART OF THE UPPER LEFT MULTIFAMILY PARCEL. SO IT WILL BE INTERCONNECTED. I DON'T THINK IT WILL BE A PROBLEM AT ALL.

ALL.

WE JUST WANT TO BE SENSITIVE TO THE CHURCH'S ISSUE THERE AND WORK WITH THEM.

LUTHER WOULD CONNECT TO THE MAIN SPINE DRIVE BUT THEN NOT GO THROUGH TO I-35? IS THAT THE SUGGESTION?

THE SUGGESTION IS THAT IT ACTUALLY STOP AT THE END OF -- WHERE YOU SEE THE CUL-DE-SAC KIND OF, WHICH IS THE CURRENT CONDITION TODAY, THAT LUTHER LANE NOT GO PAST THAT POINT.

PERSONALLY I THINK THAT WOULD BE A BIG MISTAKE. I THINK FROM A PLANNING STANDPOINT WHAT YOU'VE COME UP WITH, A PURE INTERCONNECTING SYSTEM IS REALLY A MODEL, SO WHATEVER --

I THINK IT WOULD WORK BETTER TOO BUT -- BUT I THINK WE NEED TO ADDRESS THEIR CONCERNS. THERE MAY BE OTHER WAYS TO ADDRESS THEM.

PERSONALLY I DON'T THINK A CHURCH HAS A VETO OVER A PLANNING ON INTERCONNECTED STREET SYSTEMS. I THINK YOU'VE COME UP WITH SOMETHING VERY GOOD THAT REPRESENTS THE BEST PLANNING PRINCIPLES THERE. WHAT -- WHAT

IS OUR STATUS IN TIME FRAME ON THE OTHER ISSUES SUCH AS FAR DENSITY, PIKE, MIX OF USES, ASSESSMENT OF THE NOISE ISSUES?

I THINK WE'RE -- YOU KNOW, WE'RE CLEAR ON THE KINDS OF... OF USES THAT WE WOULD LIKE THERE AND I THINK EVERYONE AGREES ON THE LIST OF PROHIBITED USES. I THINK WHAT WE'RE NOW TRYING TO TACKLE IS REALLY LAYING OUT THE BLOCK, BLOCK BY BLOCK AND TRY AND ACCOMMODATE TO SEE WHAT IT LOOKS LIKE TO INCORPORATE THE DEVELOPER'S PROGRAM AND TRY AND UNDERSTAND HOW THAT CAN BE MAPPED AND SCALED WITHIN THIS AREA AND UNDERSTAND WHAT IT LOOKS AND FEELS LIKE. YOU CAN ALREADY SEE THAT AT THE TOP OF WHERE WE HAVE SINGLE-FAMILY NEIGHBORHOODS TO THE NORTH, WE'RE SUGGESTING THAT ON THOSE EDGES, YOU KNOW, WE HAVE ONLY 35 TO 40-FOOT HEIGHTS, , AND THAT WE CREATE SORT OF A MUCH MORE RESIDENTIAL STREET SCAPES ALONG CONCORDIA. AND THEN STEP UP TO SOMETHING THAT MIGHT BE IN THE 85 TO 90-FOOT RANGE, HEIGHT RANGE AFTER THAT. SO WE'RE TRYING -- WE'VE ALREADY SORT OF DISCUSSED AND RESOLVED, I THINK, THAT NORTHERN PART OF THE AREA AND NOW WE NEED TO WORK DOWN ON THE SITE AND LOOK -- I THINK OUR NEXT MEETING IS TOMORROW NIGHT, AND WE'LL BE LOOKING AT THE HOTEL SITE, WHICH IS THE CENTRAL LARGEST SITE IN THE AREA. SO I THINK WE JUST NEED TO LOOK AT, YOU KNOW, REALLY ASSESSING WHERE WE'RE PARKING THINGS, WHERE IS THE RETAIL GOING TO BE LOCATED, GIVE IT A LOT MORE FLESHED OUT SENSE OF DEVELOPMENT PROGRAM, WHAT DOES THAT REALLY LOOK LIKE ONCE YOU PUT IT ON THE SITE. BUT ACCORDING TO THIS GENERAL FRAMEWORK.

MY LAST QUESTION IS WHAT IS YOU-ALL'S MEETING SCHEDULE GOING FORWARD IF THE IDEA IS TO COME FORTH BY MARCH 1?

WHAT IS OUR MEETING SCHEDULE?

HOW MANY MEETINGS.

WE'VE BEEN MEETING AT A FAIRLY RAPID PACE, PROBABLY LIKE EVERY OTHER DAY, SO I THINK THAT'S GOING TO PROBABLY JUST BE EVERY TWO TO THREE DAYS UNTIL WE GET TO MARCH 1.

WELL, GOOD LUCK. IT'S A REAL PROMISING START.

THANK YOU.

I HAVE A QUICK QUESTION.

MAYOR WYNN: COUNCIL MEMBER COLE?

COLE: I HAVE A VERY QUICK QUESTION ON ITEM NO. 7 OF THE AGREED-TO ITEMS. I BELIEVE THAT YOU -- IT'S AFFORDABLE LIVING, 80% MFI. CAN YOU EXPLAIN THAT TO ME?

THIS IS THE DEVELOPER'S PROPOSAL TO ACTUALLY UNDERWRITE A CAR SHARE PROGRAM IN ORDER TO MAKE AVAILABLE VEHICLES THERE, SO THE IDEA BEING THAT PEOPLE WOULD NOT HAVE TO HAVE A SECOND CAR OR A FIRST CAR, AND THEN ON A MONTH-BY-MONTH BASIS THAT WOULD END UP REDUCING THEIR RENT MORE SIGNIFICANTLY OR REDUCE THEIR COST OF LIVING SO THAT IT'S EVEN MORE COMPETITIVE THAN AN AFFORDABLE HOUSE UNIT. SO THIS IS -- THIS IS A LITTLE UNUSUAL, AND THIS IS THE FIRST TIME I'VE REALLY WORKED WITH CAR SHARING PROGRAM AS AN AFFORDABILITY ITEM.

WELL, CONGRATULATIONS ON A GOOD START.

THANK YOU VERY MUCH.

MAYOR WYNN: FURTHER QUESTIONS OF MS. MCCAN, COUNCIL? THANK YOU. JANA?

WELCOME, MS. MEADE?

BRIEFLY, COUNCIL MEMBERS, MY CEL REED WITH BROWN MCCARROLL. ANDY MARTIN IS HERE SOMEWHERE, ELSE WITH BROWN MCCARROLL AND WE'RE REPRESENTING HANCOCK ASSOCIATION. HANCOCK IS NOT THE ONLY NEIGHBORHOOD



ASSOCIATION INVOLVED. THIS IS ALSO -- THIS PROJECT ALSO IMPACTS K IMPACT, WHO YOU GUYS HAVE HEARD A LOT FROM IN THE LAST FEW YEARS AND EASTWOOD NEIGHBORHOOD ASSOCIATION. WE ARE DELIGHTED TO BE WORKING WITH JANA AND I THINK RICHARD IS RIGHT THAT SHE HAS BROUGHT SOME ADULT SUPERVISION TO THE PROCESS AND HAS MADE US WALK THROUGH EACH OF THE CONCERNS THAT THE NEIGHBORHOOD AND THE DEVELOPER HAS HAD AND REALLY, I THINK MAKE SOME SIGNIFICANT PROGRESS TOWARD WHAT I THINK ULTIMATELY IN A WEEK AND A HALF WILL BE A REALLY POSITIVE PLAN AND A GOOD DEVELOPMENT FOR THIS COMMUNITY, WE HOPE. I JUST WANTED TO TOUCH ON SOME OF THE ISSUES THAT WE STARTED WITH AT NEIGHBORHOOD CONCERNS, CONNECTIVITY AND TRAFFIC FLOW IS PROBABLY THE MAJOR CONCERN BUT ALSO BUILDING FLOOR TO AIR RATIO, TYPES OF USES AND TO SORT OF SUM IT UP, WHETHER THIS DEVELOPMENT ENDS UP BEING IN THE CHARACTER - - CONSISTENT WITH THE CHARACTER OF THAT EXISTING NEIGHBORHOOD. AS YOU GUYS KNOW, THIS NEIGHBORHOOD IS NOT AT ALL A VERSE.....AVERSE TO DEVELOPMENT. THIS IS A NEIGHBORHOOD THAT NEGOTIATED UNO, SO WE FEEL VERY POSITIVE THAT WE'RE GOING TO BE ABLE TO COME UP WITH SOMETHING THAT WORKS FOR THE DEVELOPER AND WORKS FOR THE NEIGHBORHOOD AND PROTECTS THOSE THINGS THAT THEY FEEL SO STRONGLY ABOUT AND VALUE. I DO WANT TO SAY THAT THE POINTS OF AGREEMENT THAT MS. MCCAN POINTED OUT I THINK ARE JUST A STARTING POINT. FOR INSTANCE, WE DO STILL HAVE A LOT OF DISCUSSION TO DO ABOUT TYPES OF USES AND SOME OF THESE HAVE PROPOSED THAT WE THINK WILL GENERATE TRAFFIC AND OTHER POTENTIAL PROBLEMS FOR THE COMMUNITY, BUT AGAIN, I THINK MS. MCCAN HAS BEEN SO BRILLIANT IN HELPING US WORK ON THOSE FUNDAMENTALS SUCH AS THE GRID PATTERN FOR THE STREETS, BEFORE WE START TALKING ABOUT HOW TO PUT PARTICULAR USES IN THE MIX, AND SO THAT'S STILL ON THE HORIZON FOR US TO DISCUSS AND HOPEFULLY WE'LL MAKE PROGRESS ON THAT TOMORROW NIGHT. ANOTHER THING I

WANTED TO POINT OUT IN RESPONSE TO COMEB'S.. COUNCIL MEMBER'S COAL'S..'S QUESTION, WE SUPPORT THE CAR SHARING PROGRAM AND THE AFFORDABLE LIVING PROPOSED, WE ARE INTERESTED IN HAVING FURTHER DISCUSSION WITH THE DEVELOPER ABOUT ENHANCING THAT AFFORDABILITY THROUGH SOME ACTUAL AFFORDABLE HOUSE..... PRICING ON HOUSING AND RENT AND THAT AFFORDABLE DISCUSSION HAS NOT ENDED AND WE WILL CONTINUE THAT. SO I THINK THERE'S A LOT OF WORK TO BE DONE, BUT I WILL TELL YOU WE'RE ALL VERY, VERY POSITIVE THAT HOPEFULLY WE'LL BE ABLE TO..... ABLE COME BACK TO YOU ON MARCH 1 WITH A GREAT PRODUCT THAT WORKS FOR EVERYBODY. APPRECIATE YOUR TIME IN ALLOWING US TO SPEAK. THANKS.

MAYOR WYNN: THANK YOU, MS. MEADE. SO THEN COUNCIL, THE SUGGESTION IS WE KEEP THIS PUBLIC HEARING OPEN. THERE ARE A HANDFUL OF FOLKS WHO ARE HERE WHO PERHAPS WERE PREPARED TO TALK ABOUT THE CASE BUT SEEMS TO ME THERE'S NOT MANY DETAILS THAT ARE STILL WORKED THROUGH, PERHAPS THAT TESTIMONY COULD BE SAVED FOR A LATER DATE. SO WE WON'T KEEP ANYBODY FROM TESTIFYING IF THEY SO DESIRE ON THIS COMBINED CASE 67 AND 68, THE CONCORDIA CASE AS WE KNOW IT. WELCOME. PLEASE STATE YOUR NAME FOR THE RECORD.

I MIGHT GIVE UP MY TIME EXCEPT I'VE BEEN HERE FOR THREE OR FOUR HOURS NOW. I'M JERRY MYERS. I LIVE ON HARRIS AVENUE, WHICH DEAD ENDS AT RED RIVER RIGHT ACROSS FROM THE PROPOSED CONCORDIA DEVELOPMENT, AND I DO WANT TO SAY AT PLANNING COMMISSION THE OTHER NIGHT WHEN I SAW THAT JANA MAKE MCCANADIAN THIS HAPPENED IN A VERY SHORT PERIOD OF TIME SO THERE ARE PEOPLE IN THE NEIGHBORHOOD DIDN'T GET THEIR EMAIL THAT DAY, DIDN'T KNOW THAT JANA WAS WORKING ON THIS PROJECT, AND I FEEL MUCH MORE -- I WOULDN'T SAY 100% BUT MUCH MORE OPTIMISTIC ABOUT WHAT MAY COME ON THE SITE NOW. I'VE LIVED HERE FOR 16 YEARS. IT'S -- THE ELEMENTARY SCHOOL IS IN THE NEXT BLOCK. WE'RE A SINGLE-FAMILY NEIGHBORHOOD, ONE STORY

HOUSES PRIMARILY, A COUPLE OF TWO STORY HOUSES AND THIS THING IS GOING TO HAVE -- THIS DEVELOPMENT IS GOING TO HAVE A BIG IMPACT, AND I WANTED -- ONE THING THAT MAYOR WYNN SAID THAT MOST OF THE CONCERNS HAVE BEEN -- HAD BEEN ADDRESSED, I AM ALSO CONCERNED ABOUT THE HISTORIC CHARACTER OF MY NEIGHBORHOOD, AND THE FACT THAT ON THE CONCORDIA CAMPUS IS JILLIAN... HALL, WHICH IS DETERMINED AS A HISTORIC LANDMARK AND, IN FACT, THE WHOLE CON.... CONCORDIA CAMPUS HAS BE HAS BEEN DETERMINED FOR HISTORIC DISTRICT. I DON'T SEE THIS COMING UP. I DON'T SEE ANY DISCUSSION ON IT. I THINK THAT, YOU KNOW, IT -- MY -- I GUESS BEST-CASE SCENARIO IS TO SEE JILLIAN HALL ADAPTIVE REUSE FOR THE BUILDING WHICH WAS DESIGNED BY HARVEY P SMITH AS ONE OF THE PREMIERE ARCHITECTS IN TEXAS IN THE 1920S, AND THIS -- THIS BUILDING IS COMPLETELY INTACT. I BELIEVE IT'S ELIGIBLE AS AN AUSTIN LANDMARK, AND I KNOW THAT THERE ARE OTHER PLACES, OTHER CITIES THAT VALUED THEIR HISTORY AND THEIR HISTORIC ARCHITECTURE THAT CAN FIND A WAY TO BRING THE EXISTING HISTORIC RESOURCES INTO PLAY IN THE REDEVELOPMENT OF THIS SITE AND I JUST WANTED TO LET YOU KNOW THAT. THANK YOU.

MAYOR WYNN: THANK YOU. WELCOME.

THANK YOU FOR ALLOWING ME TO SPEAK. MY NAME IS BRIAN PENN. I AM A LONG TIME MEMBER AND ON THE CURRENT COUNCIL OR BOARD OF ST. PAUL LUTHERAN CHURCH. MY WIFE AND I HAVE ONE CHILD AT ST. PAUL SCHOOL, TWO CHILDREN WHICH ATTEND CONCORDIA CATHOLIC HIGH SCHOOL. ALL THESE THREE ENTITIES OPERATE ADJOINING TO THIS PROPOSED PUD. ST. PAUL CHURCH HAS ABOUT 850 MEMBERS AND THE GRADE SCHOOL ABOUT 180 STUDENTS, AND THE HIGH SCHOOL APPROXIMATELY 107 STUDENTS, ALONG WITH STAFF, PROBABLY OF ABOUT 50 OR 60. MY REASON FOR SPEAKING TONIGHT IS TO MAKE THE COUNCIL AWARE OF OUR EXISTENCE IN PROXIMITY TO THE PROPOSED PUD, NOT JUST THE HIGHWAY OR HOSPITAL. WE ALSO WANT YOU TO BE AWARE THAT

WE HAVE BEEN MEETING WITH THE DEVELOPER AND HOPE TO BE INCLUDED IN THE FUTURE MEETINGS WITH MS. MCCAN AS WE HAVE NOT BEEN SO FAR. WE WANT TO MEET WITH THE NEIGHBORHOOD REPRESENTATIVES AND THE NEGOTIATIONS AND WE ALSO ARE CONCERNED WITH TRAFFIC FLOW. IN CLOSING WE SEE OPPORTUNITY WITH OUR PROSPECTIVE NEIGHBOR. WE SEE STABILITY AND GROWTH FOR OUR CHURCH, SCHOOL AND HIGH SCHOOL. AS MAYOR WYNN EARLIER SAID TONIGHT, IT IS GOOD TO SEE DEVELOPERS WORKING WITH THE COMMUNITY AND WE SINCERELY APPRECIATE THE OPEN DIALOGUE THAT WE'VE HAD WITH THE DEVELOPER AND HOPE TO CONTINUE TO HAVE THIS WITH THE REPRESENTATIVES AND HOPEFULLY WITH MS. MCCAN. THANK YOU FOR YOUR TIME.

THANK YOU, JOHN.

DID I SAY THAT? KIDDING.

MAYOR WYNN: ANY OTHER CITIZENS LIKE TO ADDRESS US ON THIS CONTINUATION OF THIS PUBLIC HEARING, ON WHAT WE CALL THE CONCORDIA TRACT, KNOWING THAT THERE WILL BE TIME FOR MORE TESTIMONY AS HOPEFULLY MORE OF THESE DETAILS COME FORWARD ON THE 1ST OF MARCH. THANK YOU ALL VERY MUCH. SO THEN I GUESS THAT REQUIRES NO ACTION, MS. TERRY? WE'RE -- JUST CONTINUATION OF THE PUBLIC HEARING, NO ACTION WILL BE TAKEN?

TERRY: THAT'S CORRECT.

MAYOR WYNN: THANK YOU. MR. GUERNSEY?

GUERNSEY: IT'S MY UNDERSTANDING YOU'LL BE THEN CONTINUING BOTH 68 AND 69 TO MARCH 1?

MAYOR.....

MAYOR WYNN: 67 --

67 AND 68. [LAUGHTER]

MARCH 1. PARDON ME.

MAYOR WYNN: NO SUCH LUCK.

LET ME GO TO ITEM 69, CASE C 14-06-0183. THIS IS THE PROPERTY KNOWN AS THE CLB AT 7TH AND RIO GRANDE PROPERTY. PHYSICAL ADDRESS AT 605 TO 615 WEST 7TH STREET. THIS IS A REZONING REQUEST FROM COMMUNITY COMMERCIAL GR DISTRICT ZONING TO CENTRAL BUSINESS DISTRICT CVD CAN COMBINING DISTRICT SOAK. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT DOWNTOWN MIXED USE CONDITIONAL OVERLAY OR DMU COMBINING DISTRICT ZONING WITH THE TRIPLE IMPLEMENTATION OF VEHICLE TRIPS PER DAY. THE PROPERTY ITSELF IS ABOUT 18,000 SQUARE FEET OR .04 -- .407 ACRES. IT IS LOCATED IN THE DOWNTOWN AREA AT THE CORNER OF RIO GRANDE AND 7TH, JUST NORTH OF 6TH AND WEST OF NUECES. THE PROPERTY RIGHT NOW IS DEVELOPED WITH A RETAIL OFFICE TYPE USES TO THE NORTH, IS ZONED GENERAL OFFICE, AND OFFICE AND PARKING USES TO THE SOUTH. THERE'S AN EXISTING RESTAURANT AND RETAIL USE IS ZONED CBD. TO THE EAST IS ALSO ZONED CBD WITH CONDITIONAL OVERLAYS AND DESIGNATED FOR OFFICE AND PARKING USES AND TO THE WEST IS ALSO ZONED CBD AND OFFICES. THE PROPERTY IS LOCATED IN A CAPITAL VIEW CORRIDOR FOR A PORTION OF THE TRACT AND IT IS LOCATED IN THE SHOAL CREEK WATERSHED. THE DESIGN COMMISSION HAS LOOKED AT THIS AND HAS ENDORSED THE PROJECT WITH SEVERAL CONDITIONS. THEY MOVED TO APPROVE IT WITH THE HEIGHT OF 400 FEET AND ASKED THAT THE CLB PARTNERS LOOK AT THE PROJECT'S LEVEL OF DETAIL FOR BUILDING AND STREET SCAPES SO THAT IT WOULD BE COMPATIBLE WITH THE DETAIL USED IN THE HISTORIC BUILDINGS IN THE AREA, THAT THE ABOVEGROUND GARAGE BE COMPLETELY SCREENED, A MAJORITY OF TRAFFIC WILL BE KEPT TO RIO GRANDE STREET, THAT SERVICE ACCESS WILL BE FROM THE ALLEY, THAT A 15-FOOT SETBACK OF THE RESIDENTIAL TOWER BE MAINTAINED, THAT THE PROPOSED RENTAL FLEX SPACE FOR THE 2ND AND 3RD FLOORS FACING RIO GRANDE BE RETAINED. THE CURB CUT AND GARAGE

ENTRANCE TO RIO GRANDE BE DESIGNED TO FAVOR PEDESTRIANS, THAT CLB PARTNERS AGREE TO CONTRIBUTE \$60,000 TO THE SHOAL CREEK GREEN WAY, THAT THE CLB PARTNERS WORK WITH CAPITAL METRO AND THE CITY OF AUSTIN AND BRING APPROPRIATE TRANSIT TO THE DEVELOPMENT AND THAT THE PARTNERS WORK WITH THE CITY OF AUSTIN TO ADDRESS THE AFFORDABLE HOUSING. THE DOWNTOWN COMMISSION ALSO RECOMMENDED APPROVAL OF THIS WITH AN 11-1 FLORIDA AIR SHOW AND THIS ALSO -- TO LET YOU KNOW WHAT THE STAFF RECOMMENDS IS ON THIS, STAFF ALSO RECOMMENDED THE CBD CURE ZONING WITH AN INCREASE FROM 8 TO 1 TO 11 TO 1 WITH A 2,000 TRIP LIMITATION. IN ADDITION PUBLIC RESTRICTED COVENANT THAT WOULD AT THE OWNERS HE EXPENSE TO PARTICIPATE IN THE GRAY STREETS PROGRAM WHICH THE APPLICANT HAS AGREED TO AND I THINK AT THIS POINT I'LL PAUSE. THE APPLICANT REPRESENTATIVE, TURNER GOLD AND STEWART WOLF WILL HAVE A RATHER LENGTHY, I THINK, PRESENTATION ON THE PROJECT. IT WILL GO INTO MORE DETAIL ABOVE THE BUILDING ITSELF AND THE SURROUNDING AREA. AT THIS TIME I'LL PAUSE.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. BUT BEFORE WE --

ONE OTHER POINT. IN ADDITION TO THE BACKUP THAT YOU HAVE, WE HAVE RECEIVED NUMEROUS EMAILS, I BELIEVE IT'S UP TO 959 EMAILS THAT ARE OPPOSED TO THIS REZONING REQUEST THAT HAVE BEEN RECEIVED THIS WEEK, IN ADDITION TO THE EMAILS IN OPPOSITION AND IN FAVOR THAT YOU ALREADY HAVE IN YOUR BACKUP. WE DO HAVE THE STACK OVER HERE ON MY LEFT. THEY....THEY WERE ALL DIRECTED TO THE MAYOR AND COUNCIL OFFICES. IF YOU WOULD LIKE TO REVIEW ANY OF THEM NOW WE HAVE THEM AVAILABLE FOR YOUR REVIEW.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. BEFORE WE BEGIN THE PUBLIC HEARING I NEED TO MAKE AN ANNOUNCEMENT. SOME OF YOU ALL

KNOW MY CHILDREN AND I LIVE AROUND THE CORNER FROM THIS -- FROM THIS PROPERTY. I HAPPEN TO HAVE OWNED DIFFERENT PROPERTIES IN DOWNTOWN THROUGHOUT MY SEVEN YEARS HERE ON THE DAIS, AND OCCASIONALLY I AM SMART ENOUGH TO ASK OUR CITY ATTORNEY, SHOULD I BE RECUSING MYSELF FROM VOTING ON PARTICULAR MATTERS, AND IN THE SEVEN YEARS I THINK I'VE RECUSED MYSELF TWO OR THREE TIMES, PERHAPS, MOSTLY RELATED TO PROPERTY THAT I OWN OVER ON EAST SIXTH STREET. AND SINCE MY HOME IS AROUND THE CORNER FROM THIS PROPERTY, I'VE ASKED THE CITY ATTORNEY, WE WALKED THROUGH THE SITUATION, AND ESSENTIALLY THERE ARE TWO RECUSAL STANDARDS THAT WE AS COUNCIL MEMBERS HAVE TO CONSIDER. ONE IS THE CITY AND ONE IS THE STATE. UNDER THE CITY CODE I HAVE TO RECUSE MYSELF IF A PROPERTY IN WHICH I HAVE A SUBSTANTIAL INTEREST COULD BE AFFECTED BY A VOTE OR DECISION OF THIS COUNCIL. UNDER STATE LAW I HAVE TO RECUSE MYSELF WHEN A PROPERTY IN WHICH I HAVE A SUBSTANTIAL INTEREST COULD BE SUBJECT TO A SPECIAL ECONOMIC EFFECT THAT IS DISTINGUISHABLE FROM THE EFFECT ON THE GENERAL PUBLIC. CLEARLY THAT IS THE CASE WITH MY HOME, AROUND THE CORNER FROM THIS PROPERTY, AND IT'S IRRELEVANT WHETHER THE EFFECT IS POSITIVE OR NEGATIVE OR WHETHER MY VOTE OR THE VOTE OF THE COUNCIL WOULD BE IN LINE WITH MY ECONOMIC INTEREST OR AGAINST MY ECONOMIC INTEREST. THE RECUSAL STANDARD IS QUITE CLEAR BOTH FOR THE STATE LAW AND CITY CODE. SO TRAGICALLY I HAVE TO MISS THIS ONE.  
[LAUGHTER]

COWARD.

MAYOR WYNN: I CAN'T EVEN ASK IF I COULD RUN THE PUBLIC HEARING. HONESTLY, I ASKED IF I COULD STAY AND RUN THE PUBLIC HEARING AND THEN LEAVE BEFORE THE DELIBERATION AND THE.....DELIBERATION AND THE VOTE. I WAS TOLD THAT IS NOT THE STANDARD. I HAVE TO BE OFF THE DAIS. I TRUST I CAN WATCH IT ON TV. SO WITH THAT I'M GOING TO TURN THE DAIS OVER TO THE VERY CAPABLE HANDS OF OUR MAYOR PRO

TEM BETTY DUNKERLEY BUT PLEASE FORGIVE ME  
BUT I MUST RECUSE MYSELF.

DUNKERLEY: THANK..... THANK YOU VERY MUCH  
AND I KNOW OUR CITY CLERK IS GOING TO HELP ME  
FROM TIME TO TIME IF I NEED HELP, BUT AT THIS  
TIME WE'LL HAVE THE APPLICANT COME FORWARD  
AND THOSE THAT ARE IN FAVOR OF THIS PROJECT  
WILL BE NEXT. I UNDERSTAND, AND I WANT TO  
MAKE SURE WITH THE AUDIENCE THAT I'VE GOT  
THIS STRAIGHT. I HAVE A SHEET OF PAPER HERE  
THAT SAYS ALL OF YOU HAVE AGREED TO A TIME  
LIMIT OF 45 MINUTES PER SIDE, AND THERE IS A LIST  
HERE OF THOSE FOLKS THAT WILL ACTUALLY BE  
SPEAKING BOTH FOR AND AGAINST, AND I  
UNDERSTAND THAT AFTER EACH SIDE IS  
COMPLETED, THAT I WILL THEN READ INTO THE  
RECORD ALL OF THOSE THAT ARE HERE AND IN  
SUPPORT BUT ARE NOT SPEAKING, AND THAT'S  
WHERE I'M LOOKING FOR THE CITY CLERK TO GIVE  
ME THAT INFORMATION. SO IF THOSE ARE THE  
AGREED UPON GROUND RULES WE'LL START AND  
WE'LL CALL ON STEVE DRENNER AS THE AGENT FOR  
THE DEVELOPERS. 45 MINUTES A SIDE, NOT  
COUNTING -- I GUESS COUNTING MR. DRENNER,  
ACCORDING TO THIS. OKAY.

I THINK THAT'S CORRECT.

MAYOR PRO TEM, COUNCIL MEMBERS, PLEASED TO  
BE HERE TONIGHT ON BEHALF OF CLB, AND MIKE  
MCGINNIS, WHO ARE BOTH I THINK KNOWN  
COMMODITIES IN THIS COMMUNITY. CLB OF COURSE  
DEVELOPED THE AUSTIN CITY LAW OFFICE PROJECT  
AND MIKE HAS DONE A NUMBER OF THINGS IN THE  
AREA OF THIS PROPERTY THAT HAVE BEEN  
SUCCESSFUL. LET ME JUST START BY TELLING YOU  
WHAT I INTEND TO DO AND THAT'S BASICALLY  
DESCRIBE WHAT IT IS THAT WE PROPOSE TO BUILD,  
AND THEN TELL YOU FROM OUR DISCUSSIONS WITH  
SO MANY FOLKS WHY THEY SUPPORT THE PROJECT  
AND SORT OF DETAIL WHAT THE PROJECT DOES AND  
WHAT IT DOES NOT DO. I THINK MOST OF YOU ARE  
VERY FAMILIAR NOW WITH THE SITE. ONE AERIAL  
PICTURE TO REFRESH YOUR MEMORY. PLEASE NOTE  
THAT THE CAPITAL VIEW CORRIDOR IMPACTS A



CORNER OF THIS SITE. THIS PROJECT WOULD BE ENTIRELY CONSISTENT WITH THE CAPITAL VIEW CORRIDOR. THIS IS A PICTURE THAT REFLECTS THE ZONING IN THE AREA AND THESE -- THIS IS EXISTING ZONING. SO OUR SITE IS PARTIALLY ALREADY ZONED CBD-CO. THE PART ON THE NORTHEAST CORNER IS ZONED GR. OUR REQUEST IS FOR CBD-CURE. AS YOU CAN SEE WE BELIEVE THAT'S ENTIRELY CONSISTENT WITH THE REMAINDER OF THAT BLOCK BETWEEN 6TH AND 7TH TREAT IN THAT AREA. THAT'S AN AERIAL VIEW OF THE SITE. YOU'LL NOTE THAT THERE'S KIND OF A NONDESCRIPT ONE STORY BUILDING THAT I'LL SHOW YOU AT GROUND LEVEL THERE TODAY AND THEN THERE IS A PARKING LOT THAT BOTH FUNCTIONS TO SUPPORT THAT ONE-STORY BUILDING, NOW VACANT AND RENTS 616. THIS IS OUR SITE FROM THE WEST LOOKING BACK TO THE SOUTHEAST. BASICALLY WE GO OVER TO THE RANCH 616 BUILDING, THE WHITE BUILDING THAT YOU SEE IN THE BACKGROUND, TO THE CORNER. I'M GOING TO REVERSE IT AND SHOW YOU THE SITE FROM THE EASTERN SIDE LOOKING BACK TO THE SOUTHWEST. SO AGAIN, JUST BEHIND THE RANCH 616 BUILDING OVER TO THE CORNER. THIS IS A DIAGRAM OF OUR PROPOSAL. YOU'LL NOTE THAT WE LEAVE RANCH 616 AND THE LITTLE PAINT STORY THAT'S NEXT TO IT IN PLACE, AND THEN YOU SEE THAT WE HAVE A -- WHAT'S CALLED A RETAIL PARKING BASE. I'LL DESCRIBE THAT FOR YOU ON THE NEXT SLIDE. WE HAVE A 15-FOOT SETBACK FROM THE BASE OF THE BUILDING TO WHAT -- THE TOWER PORTION OF THE BUILDING, AND YOU SEE THAT THE TALLER PORTION OF THE PROJECT IS LOCATED ALL THE WAY TO THE WESTERN EDGE OF THE PROJECT. THIS IS OUR PROJECT IN A VERTICAL FASHION. WE HAVE TWO FLOORS OF UNDERGROUND PARKING, THEN ABOUT FOUR AND A HALF FLOORS OF ABOVE-GRADE PARKING THAT IS SEPARATED BY A LARGE RETAIL FLOOR. SO AT... THE GROUND LEVEL IS ABOUT AN 18 TO 20-FOOT RETAIL FLOOR AND THEN THE 4 AND A FOUR AND A HALF FLOORS OF PARKING IS ABOVE THAT. AND THEN WE HAVE THE TOWER PORTION. SO WITH THE AMENITY AREA ON TOP, WE TOP OUT AT ABOUT 395 FEET. THAT TOP PORTION WILL BE A WORKOUT AREA AND AN OUTDOOR AREA. YOU'LL NOTE ON THIS PICTURE THE

-- WHERE THE PROJECT NARROWS IS ABOUT 68 FEET IN THE AIR. THAT'S ALSO WHERE THAT 15-FOOT SETBACK ON THE 7TH STREET SIDE OCCURS. THERE'S ALSO A 7-FOOT SETBACK ON THE RIO GRANDE SIDE. I'M GOING TO BUILD THE PROJECT FOR YOU TO, AGAIN, HELP YOU SEE IT. THIS IS THE RANCH 616 BUILDING AND THE PAINT STORE THAT WILL NOT CHANGE. YOU'LL ALSO NOTE THAT NOTHING GOES OVER THE TOP OF THAT. THIS IS THE RETAIL AREA IN LIGHT BLUE THAT WILL AGAIN BE ABOUT 7300 FEET, NOT A LARGE RETAIL AREA BUT IT BANDS BOTH THE 7TH STREET SIDE AND THE RIO GRANDE SIDE. THEN YOU SEE A SUGGESTION THAT WAS HAID AT THE DESIGN COMMISSION, SOME LIVE/WORK SPACE, FLEX SPACE ON THE RIO GRANDE SIDE OF THE PROJECT THAT WOULD MASK THAT EDGE OF THE GARAGE. THEN THE REMAINDER OF THE ABOVE-GRADE GARAGE, WHICH AGAIN ACCORDING TO DESIGN COMMISSION RECOMMENDATIONS, WOULD BE FULLY SCREENED. THEN YOU HAVE THE SETBACK, AND THEN THE TALLER PORTION OF THE PROJECT. AND IT IS OUR INTENT TO HAVE THAT SETBACK BE A LANDSCAPED AREA, AS YOU CAN SEE IN THE PICTURE. WHY DO SO MANY SUPPORT? LET ME TELL YOU FIRST OF ALL THAT BASED ON THE INFORMATION THAT WE HAVE, THIS MAP REFLECTS THE PEOPLE THAT HAD TAKEN A POSITION FROM THIS AREA, AND AS YOU CAN SEE, IT'S -- IT'S AN ENORMOUS AMOUNT OF SUPPORT. THE GREEN REFLECTS SUPPORT. THE ORANGE REFLECTS NON-SUPPORT. IF THERE'S SOMEONE HERE TONIGHT WHO IS NOT SHOWN ON THIS MAP, I'D BE HAPPY TO CORRECT THE MAP, BUT I THINK YOU GET THE FEEL FOR THE OVERALL SENTIMENT OF THE FOLKS WHO LIVE, WORK AND DO THEIR BUSINESS IN THIS AREA. WHAT THE PROJECT DOES, THIS IS PUTTING DENSITY WHERE THE MUST.....COMMUNITY WANTS IT. I KNOW THERE'S BEEN A TREMENDOUS AMOUNT OF WORK DONE ON THINGS LIKEN VISION CENTRAL TEXAS, AND ONE OF THE BASIC CONCEPTS THAT CAME OUT OF ENVISION CENTRAL TEXAS IS WE NEED TO PROVIDE DENSITY IN AREAS LIKE DOWNTOWN AND DOWNTOWN WOULD BE MAYBE THE PRIMARY ONE. I KNOW THIS COUNCIL HAS BEEN COMMITTED TO DOING THAT. IT ALSO IS WHERE THE DENSITY IS PRESENTLY ALREADY ALLOWED. WHEN YOU LOOK

AT THE EXISTING ZONING, THIS IS NOT BREAKING NEW GROUND. WITH CBD ZONING ALREADY ON THE BLOCK BETWEEN 6TH AND 7TH STREET, WHETHER THE IT TALL BUILDINGS EXIST THERE TODAY, YOU CAN BET IN THIS KIND OF MARKET WHERE THERE'S NOT CAPITAL VIEW CORRIDOR IMPACTS, THERE WILL BE TALL BUILDINGS IN THIS NEXT CYCLE. THERE'S ALREADY JUST A COUPLE OF BLOCKS TO THE EAST A TALL OFFICE BUILDING IN THIS BLOCK, THE CAR AMERICA PROJECT. IT ALSO ADDS ON RESIDENTIAL TO THE AREA. I COULDN'T STRESS THIS ENOUGH. I THINK FOR A LOT OF PEOPLE THE ISSUE STARTS AND STOPS HERE. THIS IS AN AREA THAT DOES NOT HAVE A TREMENDOUS AMOUNT OF RESIDENTIAL. THIS WAS -- THIS IS A BUSINESS AREA, AND THERE'S A NEED FOR, IN A LOT OF PEOPLE'S MIND, TO HAVE THE TYPE OF ACTIVITY THAT RESIDENTIAL BRINGS AND PARTICULARLY PEOPLE WHO OWN THEIR RESIDENCE. SO IT MAY BE THE MOST IMPORTANT ISSUE IN TERMS OF SPURRING THE TYPE OF REDEVELOPMENT IN THIS AREA THAT THE MAJORITY OF THE FOLKS WOULD LIKE TO SEE. IF YOU LOOK AT THIS MAP THERE'S A LOT OF COLORS BUT LET ME DRAW YOUR EYE TO THE GREEN, BECAUSE THE GREEN AREAS ARE THE AREAS WHERE THERE'S PRESENTLY RESIDENTIAL, AND YOU DON'T SEE A LOT OF IT. YOU SEE OUR SITE RIGHT IN THE VERY MIDDLE THAT'S IN RED FOR, AGAIN, A LOT OF FOR FOLKS, HAVING ANOTHER OPPORTUNITY TO PUT A GREEN AREA ON THIS MAP IS AWFULLY IMPORTANT. ANOTHER ISSUE, THIS IS CONSISTENT WITH DOWNTOWN DESIGN GUIDELINES. THIS IS AN AREA THAT'S BEEN STUDIED BEFORE, CONTINUES TO BE STUDIED, BUT ONE THING THAT HAS REMAINED CONSISTENT IS THIS AREA, AND YOU CAN SEE THE RED DOT ON THIS MAP, WHICH SHOWS CORE DOWNTOWN IN THE DOWNTOWN DESIGN GUIDELINES. THIS IS ANOTHER MAP IN THAT SAME BOOK THAT REFLECTS THAT. THERE WAS SOME QUESTION AT THE DESIGN COMMISSION AS TO WHETHER SOME OTHER LANGUAGE IN THERE CREATED A PROBLEM BECAUSE IT WAS INCONSISTENT WITH THE PICTURES, AND I THINK THE DESIGN COMMISSION AND THEIR DECISION CLEARLY REFLECTS THAT IT'S THEIR INTENT THAT THIS BE THE BOUNDARY FOR THE CORE DOWNTOWN

AND THAT THIS PROPERTY LIES WITHIN IT. THE STREET EXPERIENCE IS SOMETHING THAT IT'S EASY TO GLOSS OVER WHEN YOU TALK JUST ABOUT HEIGHT, BUT IT'S A VERY IMPORTANT PART OF THIS PROJECT. AGAIN, THE PICTURE YOU SAW EARLIER OF RANCH 616 LOOKING BACK TO THE WEST, THE SOUTHWEST, THIS IS A PERSPECTIVE THAT WOULD SHOW YOU HOW IT WOULD LOOK AFTER THE PROJECT IS BUILT. AGAIN RANCH 616 IN PLACE, A VERY ACTIVE STREET SCENE WITH RETAIL ON THAT GROUND FLOOR, WITH GREAT STREETS PROVIDED ON 7TH STREET, THE SAME WOULD BE TRUE OF RIO GRANDE. THIS IS THAT PICTURE THAT I SHOWED YOU EARLIER OF LOOKING BACK FROM THE -- TOWARD THE EAST, AND AGAIN, ANOTHER PERSPECTIVE THAT WOULD SHOW YOU WHAT IT WOULD LOOK LIKE AFTER THE PROJECT IS BUILT, FOR A LOT OF FOLKS, THE MANY SUPPORTERS THAT THIS PROJECT HAS, THAT'S THE TYPE OF ENVIRONMENT THAT THEY WOULD LOVE TO SEE, AND AGAIN, ANCHORED BY THE IDEA THAT ABOVE THAT RETAIL ARE OWNED RESIDENCES. THERE'S ALSO CURRENTLY, IT'S NOT A REALLY PRETTY STREET SCENE. WE HAVE DUMPSTERS AND SO FORTH THAT ARE LOCATED ON THE STREET. OUR PLAN WOULD BE TO CONSOLIDATE ALL OF THE DUMPSTERS AND THE TRASH ACTIVITIES TO THE ALLEY, NOT ONLY FOR OUR PROJECT BUT FOR THE OTHER RETAIL PROJECTS IN THAT AREA. SO WE SHOULD MAKE THIS MUCH MORE EFFICIENT AND GET THE DUMPSTERS OFF THE STREET AND GET THEM INTO THE ALLEY WHERE THEY SHOULD BE. PROPER PLANNING FOR VEHICLES IS CRITICAL, AND WHAT WE HAVE PROPOSED IS WE THINK THE BEST WAY TO DO THAT. OUR TRAFFIC WOULD BE SEPARATED. THE PARKING GARAGE WOULD BE SEPARATED SO THAT THE RETAIL PARKING, AGAIN, SUPPORTING THE 7300 RETAIL SQUARE FEET PLUS THE RANCH 616 BUILDING, WOULD BE ACCESSED OFF OF 7TH STREET AND WOULD GO IN THE UNDERGROUND PORTION OF THE GARAGE, TWO STORIES UNDERGROUND. THE CONDOMINIUM PARKING WOULD BE ACCESSED OFF OF RIO GRANDE AND IT WOULD BE THE ABOVE GRADE PARKING. THE OTHER THING THAT TENDS TO GET LOST IN THE SHUFFLE IS THE NUMBER OF TRIPS

THAT THE PROJECT WOULD PRODUCE. THE REALITY IS THAT ESTIMATES BASED ON THIS NUMBER OF RESIDENCES AND THE RETAIL THAT WE ARE PROJECTING IS ALMOST 1500 TRIPS. IF WE WERE TO DO WHAT MANY ON THE OPPOSITION SIDE HAVE ASKED US TO DO, BUILD A 120-FOOT PROJECT, IF THAT WAS AN OFFICE PROJECT, WHICH IT LIKELY WOULD BE, IT WOULD IT WOULD MORE THAN DOUBLE THE TRIPS. SO THE IDEA THAT RESIDENTIAL IS THE RIGHT THING TO DO HERE IS ABSOLUTELY TRUE, AND TO DO IT PROPERLY YOU NEED HEIGHT. SO YOU CAN'T SEPARATE THE USE FROM THE HEIGHT, YOU CAN'T SAY, WELL, GEE, I'D LIKE FOR IT TO BE 120 FEET. I'D LIKE FOR IT TO BE ON RESIDENTIAL. I'D LIKE TO GET THE BENEFIT OF THAT BUT I DON'T WANT TO HAVE TO ALLOW A TALL BUILDING. THOSE THINGS ARE CONNECTED. BUT AGAIN, KEEP IN MIND FROM A TRAFFIC STANDPOINT THAT THE BIGGEST THING THAT WE DO IS WE PROVIDE A USE THAT LIMITS THE NUMBER OF TRIPS. I WOULD ALSO SUGGEST TO YOU THAT WE DID OUR STUDY USING AUSTIN CITY LOFTS AS AN EXAMPLE, AND WE MEASURED AGAINST THE ITE ESTIMATED TRIPS, THE ACTUAL TRIPS THAT PEOPLE TOOK, AND WE SAW A 30% REDUCTION BECAUSE OF THE RESIDENTIAL PROJECTS BEING DOWNTOWN FROM WHAT THE ITE MANUAL WOULD ESTIMATE. SO THE PROPOSED PROJECT TRIPS ARE PROBABLY THE ACTUAL -- THE ACTUAL TRIPS ARE PROBABLY EVEN LESS THAN THAT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS. ]

NOTE THAT THE TOWER PORTION WOULD BE WHERE THE EXISTING BUILDING IS ROUGHLY, SO IT DOES NOT EXTEND ACROSS ALL THE SITE. RANCH 616 AND THERE..... THERE WILL BE OTHERS THAT TALK ABOUT THE BENEFITS OF RETAINING RANCH 616, I WOULD TELL YOU AS I'VE GONE THROUGH THIS PROCESS WITH WE MADE A COMMITMENT EARLY ON TO DO WHAT WE COULD DO TO NOT ONLY KEEP RANCH 616, BUT TO ENHANCE ITS ABILITY TO EXIST. AND BY DOING THAT WE LEFT THE BUILDING, WE DIDN'T BUILD OTHER THE TOP OF IT. WE EXTENDED THEIR LEASE TO WHERE THEY HAVE A 30 YEAR LEASE AND DON'T NEED TO WORRY ABOUT WHAT HAPPENS IN THE NEXT FIVE OR 10 YEARS. THEY WILL

REMAIN OPEN DURING THE CONSTRUCTION. WE WILL VALET PARK THEM DURING THAT PERIOD OF TIME. WE'VE DONE ALL WE CAN DO TO MAKE RANCH 616 A VIABLE ENTITY IN THE NEAR FUTURE AFERBTD.....AND AFTER THAT. IT COMES AT A TREMENDOUS COST BOTH FROM A CONSTRUCTION STANDPOINT AND FROM AN ECONOMIC STANDPOINT TO RAISE THAT BUILDING, BUILD THE BUILDING THAT WE CAN BUILD IN THAT AREA. IT'S IN THE CAPITOL VIEW CORRIDOR, BUT WE COULD BUILD A BUILDING THAT WOULD BE ESSENTIALLY 68 FEET HIGH AND IT WOULD BE FAR MORE PROFITABLE, BUT WE THINK FOR THE COMMUNITY AND FOR OUR PROJECT IT'S IMPORTANT TO KEEP BUSINESSES LIKE RANCH 616. SO WE'RE PROUD TO HAVE MADE THAT COMMITMENT AND I THINK THAT'S A REAL BENEFIT. AREA NEEDS, ONE OF THE THINGS THAT WE TALKED ABOUT EARLY ON WITH THE LOCAL NEIGHBORHOOD ASSOCIATION WAS IN PROVIDING SUPPORT FOR THE SHOAL CREEK GREENBELT. AND AS I'LL DETAIL FOR YOU A LITTLE LATER, WE'RE MAKING A SIGNIFICANT CASH CONTRIBUTION TO THE GREENBELT TO HELP ALL WHO ARE IN THIS AREA BE ABLE TO ENJOY IT. A COUPLE OF THING ABOUT WHAT THE PROJECT DOES NOT DO. IT DOES NOT EXPAND THE BAR SCENE, THE RESTAURANT SCENE THAT IS FAIRLY PREVALENT IN THIS AREA, BECOMING MORE SO. AS YOU DRIVE DOWN SIXTH STREET I'M SURE IN THIS AREA YOU'RE NOTING THAT THERE IS A LOT OF BARS AND RESTAURANTS, RESTAURANTS THAT SURVIVE IN LARGE PART OF THEIR ALCOHOL SALES, WHICH ARE FINE, BUT AGAIN, FOR THE FOLKS WHO LIVE AND INVEST IN THIS AREA, I THINK THEY WANT TO HAVE A BALANCE OF USES. THEY WANT TO AVOID HAVING THIS AREA OVER TIME BECOME MUCH LIKE SIXTH STREET EAST OF CONGRESS. AND IT'S IMPORTANT THAT FOR THOSE FOLKS THAT THIS PROJECT SPUR THAT REDEVELOPMENT IN A WAY WHERE THOSE THINGS ARE BALANCED. AND IT DOESN'T BECOME JUST AN ENTERTAINMENT DISTRICT. ONE OF THE THINGS THAT THE PROJECT DOES IS NOT TURN ITS BACK ON THE AREA TO THE NORTH. YOU SEE THE CARR AMERICA BUILDING THAT FRONTS ON SIXTH STREET WITH ITS PARKING GARAGE FACING SEVENTH STREET AND TO THE NORTH. THIS PROJECT, AS YOU SAW ON THE PRIOR SLIDE, FACES --

PUTS ITS FRONT TO THAT AREA TO THE NORTH. IT DOESN'T REALLY HAVE AN UNATTRACTIVE SIDE, BUT WE THOUGHT IT WAS IMPORTANT THAT IT FACE THE AREA TO THE NORTH. IT'S BEEN ALLEGED THAT THE PROJECT WILL CAUSE TOO MUCH SHADE. ONE OF THE BENEFITS OF MY JOB IS YOU GET TO LEARN -- YOU GET TO LEARN A LITTLE SOMETHING ABOUT EVERY PROJECT. I'VE LEARNED ABOUT SHADE STUDIES ON THIS ONE. AND I WOULD TELL YOU THAT FROM THE STUDIES THAT I HAVE SEEN, ONE OF THE THING THAT A POINT TOWER DOES IS LIMIT THE AMOUNT OF SHADE TO OBVIOUSLY THE VERTICAL PERSPECTIVE. AND AS YOU LOOK AT PROPERTIES THAT ARE CLOSE TO IT, IT ACTUALLY CAUSES LESS SHADE THAN SOMETHING THAT'S A BLOCK OF YOUR BUILDING. AND I GUESS THAT MAKE SENSE TO FOLKS WHO CAN VISUALLY SEE THAT BETTER THAN I CAN, BUT HI TO SEE THE NUMBERS. ONE OF THE THINGS WE FOUND WAS IF YOU COMPARE THE SHADE THAT WE WOULD CAST ON THE MILK SHAKE MEDIA BUILDING, WHICH YOU WOULD SEE JUST TO THE NORTH OF RANCH 616 THERE, IT COMPARES TO 120-FOOT BUILDING. WE HAVE ABOUT TWO PERCENT MORE SHADE. IF YOU, THOUGH, COMPARE THE SHADE THAT MILK SHAKE MEDIA CASTS ON ITS NEIGHBOR TO THE WEST, IT'S MORE THAN DOUBLE WHAT WE WOULD CAST ON MILK SHAKE MEDIA. SO LET'S KEEP THE SHADE DISCUSSION RELATIVE. ANY TIME WE HAVE A BUILDING THAT'S HIGHER THAN ANOTHER WE'RE GOING TO HAVE ADDITIONAL SHADE. I THINK THE POINT TOWER FOR THOSE IN THIS AREA DOES A FAR BETTER JOB OF LIMITING THAT THAN WOULD A BLOCKY BUILDING. WE'VE HEARD THAT THERE'S SOME CONCERN THAT AREA STRUCTURES WOULD BE -- WOULD HAVE A BROB THE CONSTRUCTION ACTIVITIES. WE HAVE EXPERTS WHO WILL BE HAPPY TO TESTIFY TO THAT IF ANYBODY WOULD WANT TO HEAR FROM THEM. THERE'S NO SHORTAGE OF PROJECTS GOING ON IN DOWNTOWN RIGHT NOW. THIS IS NOT SOMETHING THAT WOULD REQUIRE DYNAMITING. THERE'S PROBABLY A GREATER CHANCE THAT WHEN THE INTEL BUILDING GOES DOWN THAT IT WOULD CAUSE A PROBLEM THAN WITH WHAT WE WILL BE DOING ON THIS SITE, BUT WE'RE ALSO WILLING TO STAND BEHIND THAT COMMITMENT WITH REGARD

TO ANYONE WHO WOULD BE DAMAGED. WE DON'T THINK THERE WILL BE. MAYBE THE BEST EXAMPLE AGAIN, THE OPPORTUNITY TO LEARN AS I WAS QUESTIONING THE STRUCTURAL ENGINEER, HE SAID, WELL, MAYBE THE BEST HISTORIC PROPERTY IN THIS CITY IS THE CAPITOL. AND DO YOU REMEMBER THAT THEY DID A HUGE CONSTRUCTION JOB RIGHT NEXT TO IT WITHOUT DAMAGE TO THE CAPITOL. THE LIGHT WENT ON FOR ME. IT'S BEEN ALLEGED THAT THIS PROJECT WOULD HURT THE HISTORIC PROPERTIES IN THE AREA. AND I WOULD JUST TELL YOU THAT I DON'T KNOW OF A PROBLG THAT'S RECEIVED MORE -- PROJECT THAT'S RECEIVED MORE SCRUTINY FROM THE DESIGN COMMISSION THAN THIS ONE. WE RECEIVED TWO POSITIVE VOTES FROM THE DESIGN COMMISSION, INCLUDING THIS ONE THAT SPECIFICALLY SAID WE BELIEVE THAT 400 FEET IS AN APPROPRIATE HEIGHT FOR THE PROJECT. AND THE SECOND THING I WOULD TELL YOU IS OUT OF THAT GROUP OF SUPPORTERS THERE ARE MANY OF THEM WHO ARE IN HISTORIC PROPERTIES. THIS ISN'T A PROJECT THAT WILL HURT THE HISTORIC AREA. WE THINK IT WILL ENHANCE THE HISTORIC STRUCTURES IN THIS AREA AND THE MANY FOLKS WHO OWN THOSE PROPERTIES OR WORK IN THOSE PROPERTIES TEND TO AGREE AS YOU SEE ON THIS MAP. IN THE LIGHT GREEN THOSE ARE SUPPORTERS WHO ARE IN HISTORIC PROPERTIES. FINALLY I WOULD TELL YOU THAT THERE WERE THOSE WHO WOULD SAY, GEE, LET'S STOP. LET'S NOT DO THIS UNTIL WE HAVE A DOWNTOWN PLAN. AND I WOULD TELL YOU THAT THIS EASH HAS BEEN PLAN -- I WOULD TELL THAW THIS AREA HAS BEEN PLAND FOR MANY YEARS. I THINK THE EXISTING PLAN, THE NEW PLAN WILL BENEFIT, BUT I DON'T THINK THAT ON ANY DOWNTOWN PLAN YOU'RE GOING TO PROBABLY GET MORE PARTICIPATION THAN YOU SEE ON THIS MAP. AND I THINK THAT IT'S TELLING THAT ALL THOSE WHO PARTICIPATE, WHO HAVE MADE THE INVESTMENT IN DOWNTOWN, WOULD LIKE TO SEE THIS PROJECT AS YOU SEE ON THE MAP. SO LET ME CLOSE WITH THAT AND LET THE SPEAKERS TO FOLLOW CARRY ON.

Dunkerley: THANK YOU VERY MUCH. MARK



OBERHALZER.

HELLO. I'M AN ARCHITECT ON THE DESIGN TEAM WITH BRETT ROADIE. AND WE -- LET ME GET A SLIDE UP HERE. WE SPENT A LITTLE TIME LOOKING AT FOUR OTHER CITIES THAT HAVE HAD -- HAVE EXPERIENCED REALLY EXPANSIVE GROWTH LIKE AUSTIN IS EXPERIENCING AND HAVE TAKEN MEASURES TO GUIDE THAT GROWTH. AND I WANTED TO SHOW YOU SOME OF THE GUIDELINES THAT THEY'VE COME UP WITH IN FOUR CITIES. IN THE FIRST CITY WE LOOKED AT TWO OLDER CITIES, BROOKLYN AND CHICAGO, AND THEN TWO NEWER CITIES THAT ARE MORE SIMILAR TO AUSTIN IN THAT THEY HAVE DOWNTOWNS THAT DON'T HAVE A LOT OF RESIDENTIAL DEVELOPMENT. BUT THIS IS A LIST OF RECOMMENDATIONS THAT CAME -- THAT WAS IMPLEMENTED IN 2001 FOR BROOKLYN BECAUSE OF ALL THE -- BECAUSE OF THE GROWTH FROM MANHATTAN THAT JUMPED THE RIVER. THEY REQUIRE ADJACENT TO HISTORIC AREAS, THEY REQUIRE A STREET WALL BUILDING. STREET WALL BEING, OF COURSE, PART OF A BUILDING THAT COMES UP STRAIGHT FROM THE SIDEWALK UNTIL THE FIRST SET BACK, WITH THE IDEA THAT YOU SCALE -- NO MATTER HOW TALL THE BUILDING IS YOU SCALE IT TO THE STREET AT A REASONABLE HEIGHT. BROOKLYN IS ALSO REQUIRING GROUND FLOOR RETAIL TO ENHANCE THE URBAN EXPERIENCE. STREET PLANTING AND ALL OF THESE THINGS TO MAKE THE -- REQUIRE NEW BUILDING TO ADD TO THE CITY RATHER THAN TO DETRACT FROM IT. MOST INTERESTINGLY AND MAYBE PERTINENTLY IS THE LITTLE DIAGRAM ON THE LOWER LEFT WHICH IS A COMPARISON OF WHAT YOU COULD DO ON THE SAME SIDE IN BROOKLYN. IF YOU CHOOSE TO DO A BULKY, EXTRUDED BUILDING, YOU CAN GO UP TO 210 FEET HIGH, BUT IF YOU DO A POINT TOWER WITH A BASE YOU CAN GO UP TO 400 FEET HIGH AND IT'S A RECOGNITION THAT A POINT TOWER IS MUCH MORE FRIENDLY THAN A BIG, BULKY BUILDING. THE MIDDLE COLUMN IN BLUE IS WHAT OUR TOWER -- THE CORRESPONDENCE OF OUR TOWER TO THE ZONING REGULATIONS AND THEN THERE'S A SECTION OF OUR TOWER WITH A RED DOTTED LINE THAT ILLUSTRATES WHAT WE COULD DO WITH THE

SAME SITE IN BROOKLYN ACCORDING TO THEIR ZONING. FSHS IN CHICAGO A STREET WALL IS REQUIRED THROUGHOUT THE WHOLE DOWNTOWN DISTRICT, NOT JUST ACROSS FROM HISTORIC ZONES. THEY DON'T SPECIFY RETAIL, BUT THEY DO SAY THE GROUND FLOOR HAS TO BE 60% GLAISESSED, WHICH LEADS YOU TO RETAIL PRETTY QUICKLY. CHICAGO SPECIFICALLY REQUIRES TALL BUILDINGS TO BE SEPARATED INTO A BASE, A MIDDLE AND A TOP, SO THERE'S TWO SET BACK REQUIREMENTS. AND THAT'S REAL SIMILAR TO OUR BUILDING, WE SET BACK 15 FEET FROM SEVENTH STREET AND THEN AGAIN AT THE TOP WHERE THE AMENITY LEVEL IS LOCATED. STREET IMPROVEMENTS ARE REQUIRED AND THEN THE HEIGHT LIMITS IN CHICAGO ARE 440 FEET FOR RESIDENTIAL, 600 FOR OFFICE. THAT'S WITHOUT REREVIEW. IF YOU ADD ON SOME DESIRABLE CHARACTERISTICS SUCH AS UNDERGROUND PARKING, GREEN ROOF, YOU CAN GO HIGHER. PORTLAND IS ANOTHER CITY WE LOOKED AT, AND THEY ALSO HAVE THE STREET WALL REQUIREMENT WHICH REALLY FAVORS POINT TOWERS. THEY HAVE HEIGHTS RANGING FROM 30 TO 75 FEET. ACTIVE GROUND FLOOR USE IS REQUIRED. THAT MOSTLY INVOLVES RETAIL OF COURSE. THEY HAVE A SPECIFIC RECOMMENDATION FOR BUILDINGS WITH CLOSE TO HISTORIC DISTRICTS, WHICH IS -- IF YOU'RE WITHIN 25 FEET OF THE HISTORIC DISTRICT, YOUR BUILDING CAN ONLY BE 75 FEET HIGH UNTIL YOU'RE 25 FEET AWAY. AND WE'RE AT 50 FEET AWAY FROM THE CENTER LINE OF SEVENTH STREET AT 68 FEET BEFORE OUR TOWER STARTS. AND THEN THE HEIGHT LIMIT IN PORTLAND IS 460 FEET. PORTLAND IS COMPRISED OF A LOT OF DIDN'T HEIGHT LIMITS, BUT ESSENTIALLY IF YOU BRING TO THE TABLE A DESIRABLE BUILDING. AND WHAT PORTLAND WANTS IS DOWNTOWN HOUSING WHICH THEY NEED MORE OF, YOU CAN PROCEED UP TO THAT 460-FOOT HEIGHT. AND THEN THE LAST CITY THAT WE LOOKED AT WAS SEATTLE, WHICH IN SOME WAYS IS THE CLOSET TO AUSTIN IN TERMS OF THE HEIGHT LIMIT. AGAIN, A STREET WALL IS REQUIRED. THEY HAVE DIFERBLS RANGES, 65 -- BETWEEN 65 AND 85 FEET. THERE'S ALSO A SETBACK REQUIREMENT FROM AN HISTORIC DISTRICT. THIS IS 65 FEET HIGH WITHIN 15 FEET OF THE HISTORIC

DISTRICT. IT REQUIRES THAT THE BUILDING HAVE FACADE MODULATION WHICH MEANS ARTICULATION SO THAT IT'S NOT BULKY. THEY REQUIRE TOWERS TO BE NO WIDER THAN 120 FEET AND OUR MAXIMUM WIDTH IS 112 FEET. THEN THEY REVERSE THE LIMITS, 340 FEET FOR OFFICE, 400 FOR RESIDENTIAL BECAUSE THEY WANT TO ENCOURAGE RESIDENTIAL DOWNTOWN. SO ON THE SAME SITE YOU CAN GO HIGHER WITH A RESIDENTIAL BUILDING. SO OVERALL THERE'S A TREND IN THESE CITIES TO PREFER RESIDENTIAL BUILDINGS AND PREFER POINT TOWERS. THANK YOU.

Dunkerley: OUR NEXT SPEAKER IS LISTED AS KEVIN WILLIAMSON.

GOOD EVENING, COUNCIL, MY NAME IS KEVIN WILLIAMSON, I'M HERE TO REPRESENT RANCH 616. FOR THOSE OF YOU WHO DON'T KNOW ABOUT MY BUSINESS, I'LL TELL YOU A LITTLE BIT ABOUT IT. WE'RE A RESTAURANT ON THE CORNER OF SEVENTH AND NUECES AND WE'RE OPEN FOR BUSINESS SEVEN DAYS A WEEK, LUNCH SERVICE MONDAY THROUGH FRIDAY AND DINNER SERVICE SEVEN NIGHTS. WE ALSO HAVE HAD LIVE MUSIC AT THE RESTAURANT FOR GOING ON OUR EIGHTH YEAR FOR LIVE MUSIC THERE. I JUST WANTED TO POINT OUT THAT WHEN THIS INITIAL DEVELOPMENT BEGAN THAT THE LANDOWNER AND THE DEVELOPER INCLUDED US FROM THE VERY BEGINNING OF THEIR TALKS TO ENSURE US THAT THEY WOULD TRY TO INCORPORATE OUR LOCALLY OWNED AUSTIN BUSINESS INTO THEIR DEVELOPMENT, WHICH IN TODAY'S ENVIRONMENT IS -- WELL, IT'S A VERY BIG DEAL AND I WOULD ENCOURAGE THAT TO HAPPEN IN ANY SITUATION THAT IT COULD. THE AMENITIES THAT THEY'RE WILLING TO OFFER US AND HELP US AS AN INDEPENDENT BUSINESS IN AUSTIN IS THE TAX RELIEF, THE TAX BUSHD ON THE PARKING IN THE BACK THAT WAS MENTIONED EARLIER, PROVIDE VAG LAY PARKING FOR -- VALET PARKING FOR OUR CUSTOMERS DURING THE CONSTRUCTION, EXTEND THE GREAT STREETS PROGRAM AROUND TO THE AREA WHERE SEVENTH AND NUECES IS AND ALSO PROVIDE ADDITIONAL PARKING IN THE DEVELOPMENT FOR OUR CUSTOMERS AND OTHER

BUSINESSES IN THE AREA ONCE THE DEVELOPMENT IS FINISHED. WE ARE TREMENDOUSLY EXCITED ABOUT THE OPPORTUNITY OF WORKING WITH CLB AND HAVING CUSTOMERS 200 FOR LUNCH AND 2, 300 FOR DINNER EVERYDAY IN THE RESTAURANT AND LISTENING TO THEIR QUESTIONS AND THEIR EXCITEMENT ABOUT THE POTENTIAL OF THESE RESIDENCES HAS LED ME TO LEND THAT TO YOU AS WELL. WE'VE HAD A TREMENDOUS AMOUNT OF ENCOURAGEMENT FOR THIS DEVELOPMENT AND I'M VERY EXCITED ABOUT THE POTENTIAL AND APPRECIATE YOUR CONSIDERATION. THANK YOU.

Dunkerley: BOB HIGLEY. MY LINEUP ON THE SIDE ISN'T AGREEING WITH MY LIST, SO WE'LL GET THAT STRAIGHT IN A MINUTE.

MAYOR PRO..... MAYOR PRO TEM DUNKERLEY AND COUNCILMEMBERS, FOR THOSE OF YOU WHO KNOW ME FROM MY DAY JOB, I'M HERE NOT REPRESENTING THE STATE, BUT DR. ANDREW SHEPHERD WHO HAS A BUSINESS LOCATED AT THE NORTHWEST CORNER OF SEVENTH AND RIO GRANDE. HIS STREET ADDRESS IS 700 RIO GRANDE. THIS IS DIRECTLY CATTY-CORNER FROM THE PROPERTY. BEFORE I MAKE MY POINTS, I'D JUST LIKE TO ASK THOSE IN SUPPORT OF THE PROJECT HERE TONIGHT TO EITHER STAND OR RAISE YOUR HAND. THANK YOU. DR. SHEPHERD HAS OPERATED HIS BUSINESS IN THIS LOCATION SINCE 1969. OBVIOUSLY THE PROPOSED PROJECT WOULD HAVE VERY DIRECT IMPACTS ON HIS PROPERTY. WHEN HE FIRST LEARNED ABOUT THE PROJECT, WHILE NOT OPPOSED, HE WAS MORE CURIOUS THAN ANYTHING TO TRY TO UNDERSTAND IT. AS HE LEARNED MORE ABOUT IT, HE BECAME MORE AND MORE FAVORABLE AND TONIGHT I'M HERE TO SAY THAT HE STRONGLY REPRESENTS IT. THE REASONS THAT HE FINDS THIS SOMETHING THAT HE STRONGLY SUPPORTS ARE THAT, NUMBER ONE, IT ARE INTRODUCES PERMANENT RESIDENTS INTO THIS AREA, WHICH WITHOUT THE PERMANENT RESIDENTS REALLY LACKS THE ATTRIBUTES OF THE NEIGHBORHOOD. THIS IS A GREAT DESIGN. IT ADDRESSES THE STREET WELL, IT PARKS THE TRAFFIC WELL, IT REDUCES THE IMPACT TO THE SKYLINE, IT HELPS MAINTAIN A LOCAL BUSINESS, IT

ADDRESSES THE GREAT STREETS PROGRAM, AND IT'S SOMETHING THAT HE WANTS AS A NEIGHBOR. IT COMPLIMENTS THE AREA TO CREATE A REAL NEIGHBORHOOD. AGAIN, THAT IS PROBABLY THE STRONGEST FOCUS OF HIS INTEREST. I'D LIKE JUST FOR A MINUTE TO ADDRESS THE URGENCY, AND -- AND THAT HAS TO DO WITH THE CALL TO WAIT UNTIL THIS IS DONE UNTIL AFTER THE PLANS ARE DONE FOR THIS AREA. IF YOU LOOK AT THE CONSTRAINTS IN THE AREA WITH SHOAL CREEK ON THE WEST, THE HISTORIC NEIGHBORHOOD ON THE NORTH, BASICALLY GUADALUPE ESTABLISHING THE DOWNTOWN ON THE EAST, SIXTH STREET ON THE SOUTH AND THE CAPITOL VIEW CORRIDORS, YOU DON'T REALLY HAVE TO STUDY THIS AREA EXTENSIVELY TO DETERMINE WHERE CAN YOU PUT DENSE RESIDENTIAL DEVELOPMENT. IF YOU ACCEPT DENSE RESIDENTIAL DEVELOPMENT AS A GOOD GOAL FOR THIS AREA, YOU DON'T HAVE MANY PLACES WHERE YOU COULD ACTUALLY PUT IT. WHAT COULD CHANGE, IF THERE'S DELAY, IS THE MARKET OPPORTUNITY. THIS MARKET WE SEE NOW AND THE FINANCING, THE MARKET INTEREST TO BUILD THESE KIND OF RESIDENTIAL TOWERS IN DOWNTOWN AUSTIN WILL NOT BE HERE FOREVER. AND IF THIS PROJECT DOESN'T GET BUILT, IT PROBABLY WON'T BE A RESIDENTIAL TOWER. SO THESE ARE THE REASONS WHY DR. SHEPHERD STRONGLY URGES YOU TO SUPPORT THIS PROJECT. THANK YOU.

Dunkerley: THANK YOU VERY MUCH. I DON'T HAVE YOUR NAME, SO IF YOU'LL --

I'M MARTHA CIEWNZ AND I BELIEVE MY NAME WAS OMITTED FROM YOUR LIST. MY NAME IS MARTHA COONS AND I THANK YOU FOR THE OPPORTUNITY TO SPEAK IN FAVOR OF THIS PROJECT. I'M HERE AS A PRIVATE CITIZEN WHO HAS WATCHED AUSTIN'S GROWTH AND DEVELOPMENT FOR 42 YEARS. I HAVE FREQUENT THIS HAD AREA AS AN OWNER OF A SMALL BUSINESS FOR SOCIAL OCCASIONS AND AS A MEMBER OF THE AUSTIN WOMEN'S CLUB. I HAVE A LIST OF MEMBERS OF THE AUSTIN WOMEN'S CLUB WHO ARE IN SUPPORT OF THE PROJECT. I LIVE IN THE OLDEN FIELD NEIGHBORHOOD AND HAVE A FEW OF

THE DOWNTOWN AUSTIN LAND SCAIB. I THINK THE ONLY SMART WAY TO PRESERVE MUCH OF THE CURRENT AMBIANCE OF THE NEIGHBORHOOD IS TO ENCOURAGE HIGH QUALITY RESIDENTIAL PROPERTY. THE INHABITANTS OF THAT KIND OF PROPERTY WILL NOT WANT THE HONKY-TONK ATMOSPHERE OF EAST SIXTH STREET, SO I STRONGLY ENCOURAGE YOU TO VOTE IN FAVOR OF THIS PROJECT. THANK YOU FOR YOUR ATTENTION.

Dunkerley: TED FITH.

MAYOR PRO TEM AND COUNCILMEMBERS, MY NAME IS TED SIFF. I'VE LIVED IN DOWNTOWN AUSTIN FOR DECADES. I'VE LIVED IN AUSTIN SINCE 19 -- IN DOWNTOWN AUSTIN SINCE 1973 AND OWNED WHAT IS NOW MY FAMILY'S HOME AT 604 WEST 11th STREET FOUR BLOCKS NORTH OF THIS PROJECT SINCE 1978 FOR 29 YEARS. NOW IN MY FOURTH DECADE AS A DOWNTOWN RESIDENT, I ASK YOU IF NOT HERE ON THIS BLOCK, WHICH IS ALREADY 60% CDB ZONED, WHERE WOULD WE PUT DOWNTOWN DENSITY? IF NOT NOW, I SAY, IN MY FOURTH YEAR AS A DOWNTOWN RESIDENT, WHEN WILL WE GET DOWNTOWN DENSE RESIDENCES? 158 PROPOSED NEW HOMEOWNERS ARE PART OF THIS PROJECT. AS CO-CHAIR OF DANCO, THE DOWNTOWN AUSTIN NEIGHBORHOOD COALITION, I'M HERE TO REPORT DANCO'S UNANIMOUS SUPPORT FOR THIS PROJECT. YOU HAVE LETTERS IN YOUR BACKUP FROM DANA, THE DOWNTOWN AUSTIN SNOATD, FIVE RIVERS NEIGHBORHOOD ASSOCIATION, JUDGES HILL NEIGHBORHOOD ASSOCIATION AND OLD AUSTIN NEIGHBORHOOD, ALL MEMBERS OF DANCO. AS THE REGISTERED REPRESENTATIVE OF THE OLD AUSTIN NEIGHBORHOOD, I HAVE PROMISED TO TELL YOU THAT AT LEAST TWO RESIDENTS IN OUR NEIGHBORHOOD, BEN PROCTOR AND BLAIR FOX, ARE OPPOSED TO THIS PROJECT, BUT YOU'VE SEEN FROM STEVE DRENNER'S MAP THE VAST MAJORITY OF LANDOWNERS AND RESIDENTS IN OUR NEIGHBORHOOD, WHICH IS OVER THESE DECADES TURNED MOSTLY TO PROFESSIONAL OFFICE SPACE ARE VERY MUCH IN FAVOR OF THIS PROJECT. IN FACT AT 400 FEET I WOULD BE OPPOSED TO THIS PROJECT IF IT WASN'T HIGH DENSITY RESIDENTIAL,

IF IT DIDN'T HAVE ALL THE CONDITIONS THAT YOU'VE ALREADY HEARD THAT MAKE IT A MODEL PROJECT FOR DOWNTOWN. A MODEL PROJECT THAT WILL BENEFIT OUR NEIGHBORHOOD, WILL BENEFIT DOWNTOWN AUSTIN AND ALL OF AUSTIN. SO THANK YOU FOR CONSIDERING THIS AND APPRECIATE YOUR TIME.

Dunkerley: WILL STAKELY? KEVIN BURNS?

HOWDY. MY NAME IS KEVIN BURNS. I'M A RESIDENT OF DOWNTOWN AUSTIN. I'M A SMALL BUSINESS OWNER IN DOWNTOWN AUSTIN. I WAS ON THE BOARD OF THE DOWNTOWN AUSTIN NEIGHBORHOOD ASSOCIATION WHEN CLB PARTNERS PRESENTED THIS. I WAS THE URBAN PLANNING CHAIR FOR THE DOWNTOWN AUSTIN NEIGHBORHOOD ASSOCIATION WHEN THIS WAS PRESENTED. WHEN CLB PARTNERS PRESENTED THIS PROJECT TO US THERE WERE A HANDFUL OF THINGS THAT WE REQUESTED AS THE NEIGHBORHOOD ASSOCIATION THAT THIS PROJECT IS IN. WE REQUESTED THAT THEY BURY AS MUCH PARKING AS POSSIBLE. WE REQUESTED THAT THEY PROVIDE A GREAT PEDESTRIAN EXPERIENCE FOR US, PROVIDE GREAT STREETS OF RETAIL EXPERIENCE AND PROVIDE AS MANY RESIDENCES AS POSSIBLE. WE PUSHED FOR THEM TO GO AS TALL AS THEY POSSIBLY WOULD GO IN A SMALL POINT TOWER TYPE OF PROJECT. THEY DID ALL THESE THINGS. ABOVE AND BEYOND THAT WE ASKED THEM TO CONTRIBUTE TO THE SHOAL CREEK TRAIL, WHICH HAS BEEN KIND OF A STEPCHILD OF DOWNTOWN AUSTIN AND THEY'VE AGREED TO GIVE \$75,000 TOWARDS THE IMPROVEMENTS OF SHOAL CREEK TRAIL. SO AS A DOWNTOWN RESIDENT, AS A FORMER MEMBER OF THE BOARD WHEN THIS WAS VOTED UPON AND NOW A SENIOR ADVISER TO THE DOWNTOWN AUSTIN NEIGHBORHOOD ASSOCIATION, I'M HERE TO SAY THAT WE SUPPORT IT, THE STEERING COMMITTEE SUPPORTED IT UNANIMOUSLY. WE'RE A 800 MEMBER ORGANIZATION, 800 DUES PAYING MEMBERS. THAT'S THE VOICE OF DOWNTOWN AUSTIN. ABOVE THAT I'M ON THE BOARD OF THE WEST END AUSTIN ALLIANCE. THE WEST END AUSTIN ALLIANCE WAS

PRESENT THIS HAD PROJECT AND WE VOTED TO SUPPORT THIS PROJECT. AND SO IT PROVIDES WHAT WE'RE LOOKING FOR. THE REALITY IS AUSTIN'S GOING TO DOUBLE IN SIZE OVER THE COURSE OF THE NEXT 20 YEARS LIKE IT'S DONE FOR THE PAST 100 AND SOMETHING ODD YEARS. THE SUBURBS WILL TOIN GROW, BUT WE ONLY HAVE SO MANY AVAILABLE, BUILDABLE BLOCKS IN DOWNTOWN AUSTIN. SO I SAY THAT THAT WE DO IT RIGHT. CLB PARTNERS HAS PRESENTED US WITH A GREAT PROJECT AND I APPLAUD THEM. THANK YOU.

Dunkerley: ANDREW CLEMENTS.

MAYOR PRO TEM AND COUNCILMEMBERS.

I THINK YOU'VE HAD AN ABLE PRESENTATION BY THE APPLICANT TONIGHT THAT I THINK IS VERY FULL AND MAKES A STRONG ARGUMENT FOR EVERYTHING, THE ENTITLEMENTS THEY ARE SEEKING. I HOPE I CAN ADD A VIEW VALUABLE PERSPECTIVES OF SUPPORT. AS A FORMER PRESIDENT OF THE DOWNTOWN AUSTIN NEIGHBORHOOD ASSOCIATION, I CAN VOUCH THAT THE DOWNTOWN RESIDENTS ARE VERY EXCITED ABOUT JUST THIS SORT OF PROJECT THAT'S MIXED USE, WILL BRING MANY MORE RESIDENTS TO THIS PART OF DOWNTOWN. AS A FORMER -- AS A DOWNTOWN COMMISSIONER, ONE OF THE COMMISSIONERS THAT DID A STUDY OF DOWNTOWN SITES THAT ARE TRULY DEVELOPABLE. THIS WAS ONE OF THOSE RARE SITES WHERE THERE IS NOT A CAPITOL VIEW CORRIDOR RESTRICTION FKS.... WE NEED TO ENCOURAGE AS MUCH HEIGHT AS DENSITY AS POSSIBLE. AND THEN AS A STRONG SUPPORTER AND PERSON THAT WAS INVOLVED IN ENVISION CENTRAL TEXAS, AND STILL A MEMBER OF THE TRANSPORTATION AND LAND USE COMMITTEE OF ENVISION CENTRAL TEXAS, I HOPE YOU WILL RECOGNIZE THAT THIS IS ONE OF THOSE PROJECTS WE CAN REALLY ENABLE AUSTIN TO ACHIEVE THE PREFERRED GROWTH SCENARIO THAT'S BEEN PUT FORTH UNDER ENVISION CENTRAL TEXAS. AND THEN JUST AS AN ARCHITECT AND AN URBAN PLANNER I HOPE YOU WILL RECOGNIZE THAT THE ENTITLEMENTS THAT THEY'RE SEEKING HERE WILL



ENABLE THE PROJECT THAT REALLY AND TRULY WILL HELP DOWNTOWN AUSTIN ACCOMPLISH THE VISION OF 25,000 RESIDENTS IN DOWNTOWN AND THEN I HOPE YOU WILL FOLLOW YOUR OWN STAFF'S RELIGIOUS WHO ARE YOUR PARTNERS IN ACHIEVING THE GREAT VISION THAT HAS BEEN SET OUT FOR DOWNTOWN AUSTIN AND THEN I HOPE YOU'LL -- THE DESIGN COMMISSION THAT IS YOUR ADVISORY BODY FOR AESTHETIC AND DESIGN CONSIDERATIONS, I HOPE YOU'LL RECOGNIZE THAT THEY SUPPORT THE FULL ENTITLEMENTS THAT THIS APPLICANT IS SEEKING. AND ALSO TAKE TO HEART I THINK THEY REALLY DID LOOK AT THIS PROJECT IN DEPOSIT ITS AND I THINK THE APPLICANT IS ALREADY RESPONDING TO THOSE. I HOPE IF YOU GRANT THE ENTITLEMENTS, YOU WILL ALSO LOOK AT WHAT THE DESIGN COMMISSION REALLY RECOMMENDED FOR THIS PROJECT. THANK YOU VERY MUCH.

Dunkerley: THANK YOU. I DON'T KNOW HOW MUCH TIME IS LEFT, BUT CHARLIE BETS IS NEXT ON MY LIST OR KENT COLINS. CAN YOU STEP FORWARD?

MY NAME IS KENT COLINS. I'M THE CHAIRMAN OF THE DOWNTOWN AUSTIN ALLIANCE. I'M LAST YEAR'S CHAIRMAN OF THE HERITAGE SOCIETY OF AUSTIN. AND I'D LIKE TO FIRST SAY THAT THE ALLIANCE VOTED THIS WEEK UNANIMOUSLY THE BOARD VOTED TO SUPPORT THIS PROJECT. THE DOWNTOWN AUSTIN ALLIANCE REPRESENTS OVER 500 PROPERTY OWNERS IN DOWNTOWN. BUT ON A PERSONAL NOTE I'D LIKE TO ADD THAT WHILE PRESIDENT OF THE HERITAGE SOCIETY LAST YEAR, I PARTICIPATED IN A WALKING TOUR OF THE OLD AUSTIN NEIGHBORHOOD BECAUSE THERE'S A WEALTH OF HISTORIC HOMES IN THAT NEIGHBORHOOD. AND ON THAT TOUR SEVERAL PEOPLE ASKED ME ABOUT THIS PROJECT AND WHAT I THOUGHT OF THE HEIGHT AND HOW IT RELATED TO THE HISTORIC RESIDENCES OVER HERE. AND WHAT I TOLD THEM WAS THAT IF YOU LOOK AT THE CONDITION A LOT OF THE HISTORIC HOMES OVER THERE AND THE FACT THAT THEIR POPULATED BY ATTORNEYS, FORGIVE ME, AND THAT MANY FEWER OF THOAPZ HOMES -- OF THOSE HOMES ARE

POPULATED BY PLACES LIKE THE TEA EMBASSY AND SOME OF THE RESTAURANTS AND THAT AS WE GET MORE DENSE RESIDENTIAL ON THE PERIPHERY OF THAT HISTORIC AREA, IT'S ONLY GOING TO ENCOURAGE AND HELP THE DEVELOPMENT OF A LOT OF THOSE HISTORIC HOMES TO BE MORE LIKE THE KIND OF BUSINESSES THAT WE NEED OVER THERE, MORE PURE RETAIL, MORE OF THE TYPE OF BUSINESSES THAT PEOPLE WANT TO WALK TO BOTH IN THE DAYTIME AND IN THE EVENING. THANK YOU VERY MUCH.

Dunkerley: THANK YOU. JIM DAMERON? ONE MINUTE. GO AHEAD, ONE MINUTE.

MAYOR PRO TEM AND COUNCIL, MY NAME IS JIM DAMERON. I COME TO THIS PARTICULAR DISCUSSION WITH THE PERSPECTIVE OF HAVING BEEN A MEMBER OF THE CAMPAC GROUP THAT WAS INSTRUMENTAL IN PUTTING TOGETHER THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN A COUPLE OF YEARS AGO. AND THAT PROCESS -- AND IN THAT PROCESS WE RAN INTO THE EXACT SAME KIND OF ISSUE THAT YOU'RE DEALING WITH HERE TONIGHT, WHICH IS WHERE DO YOU PUT DIFFERENT TYPES OF STRUCTURES? WHERE DO YOU PUT DIFFERENT TYPES OF DWELLING UNITS? AND OUR CONCLUSION WAS AS WE WERE GOING THROUGH OUR PLAN THAT THERE ARE SO MANY PEOPLE WHO WANT TO LIVE IN THE TYPE -- WHO WANT TO LIVE IN THE TYPE OF ARRANGEMENT THAT IS BEING PROPOSED TONIGHT THAT IF YOU DON'T FIND A PLACE TO PUT IT WHERE IT'S COMPATIBLE WITH THE THINGS AROUND IT, YOU WILL FIND THE PRESSURE BUILDING IMMENSELY TO PUT IT IN PLACE WHERE'S IT REALLY DOESN'T BELONG. AND THE CAMPAC GROUP HAS UNANIMOUSLY ENDORSED THIS PARTICULAR PROJECT AND WE DO SO NOT BECAUSE IT HAS A DIRECT IMPACT ON OUR NEIGHBORHOOD, BUT BECAUSE WE KNOW THAT IF -- [ BUZZER SOUNDS ] -- THIS PROJECT IS NOT APPROVED IN THIS LOCATION, IT'S LIKELY GOING TO BE THERE IS GOING TO BE A LOT OF PRESSURE TO PUT IT IN PLACE WHERE'S IT DOESN'T BELONG NEAR NEIGHBORHOODS. THANK YOU VERY MUCH.

Dunkerley: IS THAT IT? I'M SORRY, YOU ALMOST GOWPT. ALL RIGHT. THAT CONCLUDES THE 45 MINUTES FOR THOSE INDIVIDUALS THAT ARE SPEAKING ON BEHALF OF THE PROJECT. AND THEN NOW WE GO TO THE 45 MINUTES FOR THOSE IN OPPOSITION. WE'LL START CAN CAT JONES. CAT?

GOOD EVENING, THANK YOU FOR HEARING FROM THIS SIDE TOO. I'M CATHERINE JONES, THE OWNER AND FOUNDER OF MILK SHAKE MEDIA, WE'RE A BRANDING CREATIVE AGENCY HERE IN AUSTIN, FOUNDED IN AUSTIN AND WE ARE HOUSED IN THE HISTORIC MARTIN HOUSE ACROSS THE STREET FROM THIS PROJECT. I WANTED TO COME AND TALK TO YOU TONIGHT A LITTLE BIT ABOUT SOME OF WHY WE'RE ONSING THE PROJECT. MOST OF YOU HAVE ALREADY SEEN MY LEGO MODEL, BUT WE BROUGHT IT AS REFERENCE SO YOU CAN SEE THE SCALE THAT WE'RE TALKING ABOUT AND WE FEEL LIKE IT'S INCOMPATIBLE WITH THE NEIGHBOR. ONE OF THE FIRD THINGS I WANTED TO ADDRESS IS WE'VE HEARD FROM A NUMBER OF PEOPLE THAT WE AREN'T A NEIGHBORHOOD AND WE FEEL STRONGLY THAT WE ARE A GREAT NEIGHBORHOOD. WE SEE OUR BOUNDARIES AS SIX TO 12 STREETS AND GUADALUPE TO SHOAL CREEK. WE FEEL LIKE THE KIND OF NEIGHBORHOOD THAT WE ACTUALLY HAVE GOING ON HERE IS THE KIND OF THING THAT A LOT OF THE NEW DEVELOPMENTS DOWNTOWN ARE ACTUALLY TRYING TO CAPTURE BECAUSE WE ALREADY HAVE RESIDENCES, SMALL BUSINESSES AND RETAILERS LIVING IN HARMONY, REUSING SOME REALLY COOL HISTORIC BUILDINGS AND OTHER BUILDINGS TO CO-EXIST IN HARMONY AND BE PART OF A NEIGHBORHOOD. THE ARCHITECTURE OF THE NEIGHBORHOOD, WHICH HAS ALREADY BEEN MENTIONED TONIGHT IS THESE TYPES OF BUILDINGS, ONE, TWO, THREE STORY BUILDINGS, MANY OF THEM HISTORIC, THIS IS THE CHARACTER OF THE NEIGHBORHOOD THAT WE LIVE IN. YOU CAN ALSO SEE IT'S ALL NEIGHBORHOOD STREETS IN THE AREA THAT I'VE DEFINED AS THE BOUNDARIES OF OUR NEIGHBORHOOD, THERE IS NOT ONE TRAFFIC LIGHT. THERE ARE MANY DEAD ENDS ON WEST STREET AND THERE ARE A LOT OF FOUR-WAY STOPS. MANY OF THE STREETS, INCLUDING SEVENTH

STREET, WHICH IS THE ONE LOST HERE, DOESN'T EVEN HAVE A DOUBLE YELLOW LINE. THAT'S THE STREET THAT THIS PROJECT FRONTS ON. IT IS NOT A TRAFFIC CORRIDOR. THERE'S A LOT OF NEIGHBORS. YOU'LL MEET SOME OF THEM TONIGHT AFTER ME THAT LIVE IN THE NEIGHBORHOOD AND THEY'RE FANTASTIC PEOPLE. THEY'RE FASCINATING CHARACTERS. THEY'RE THE BEST OF WHAT AUSTIN IS ALL ABOUT. IT IS SO FUN TO LIVE AND WORK RIGHT ALTOGETHER AND TO CO-EXIST AS WE ENJOY AUSTIN. IN THE NEIGHBORHOOD WE HAD HEARD THAT PEOPLE DON'T THINK THERE'S RESIDENTS LIVING THERE SO SOME OF THE NON-EXISTING RESIDENTS WALKED THE BLOCKS AND NOTED ON HERE EVERY PLACE YOU SEE ORANGE IS WHERE THERE ARE PEOPLE LIVING. THERE ARE OVER 300 RESIDENTS LIVING IN THIS AREA. IT THERE IS NEIGHBORHOOD OPPOSITION. THESE ARE SOME OF THE PROPERTIES NEARBY THAT ARE IN OPPOSITION. THERE ARE MORE THAN WHAT HAD YOU PREVIOUSLY SEEN. OUR MAIN ARGUMENT ABOUT THIS IS THAT WE FEEL THAT IT'S IN THE WRONG LOCATION. OUR FIRST REQUEST IS THAT YOU DO WAIT FOR DOWNTOWN PLAN TO MAKE THIS KIND OF DECISION. IF THIS WAS A BUILDING THAT WAS IN THE CORE OF THE CENTRAL BUSINESS DISTRICT, IT WOULD BE NO PROBLEM. IT'S NOT ABOUT THE FACT THAT IT'S NOT A GREAT PROJECT OR A POINT TOWER OR THAT RESIDENTIAL WOULDN'T BE GRVMENT THE POINT IS THAT WE FEEL LIKE IT'S IN THE WRONG LOCATION. WE FEEL LIKE THE DOWNTOWN PLAN WOULD ADDRESS THIS EXACT SITUATION. WE FEEL THAT THIS IS ON THE EDGE OF THE CENTRAL BUSINESS DISTRICT AND THE QUESTION IS WHERE EXACTLY IS THE EDGE AND WHAT HAPPENS AT THE EDGE? AND THOSE ARE THE KINDS OF ISSUES THAT THE PLAN -- THAT THE CITY HAS JUST EMBARKED IN CREATING WOULD ADDRESS. WE FEEL LIKE IF AUSTIN IS ACTUALLY GOING TO TAKE PLANNING SERIOUSLY, WE NEED TO ALLOW OURSELVES TO WORK WITH ROMA AND DEVELOP THIS DOWNTOWN PLAN TO ADDRESS TRICKY DECISIONS LIKE THIS. THIS IS A COMPLEX DECISION. IT'S NOT A REALLY CLEAR DECISION. AND THAT'S WHY WE THINK THE PLAN IS OUR FIRST REQUEST. IF YOU PLACE THIS BUILDING HERE, YOU CAN SEE IN THE IMAGE THERE

IS NOTHING ELSE NORTH OF SIXTH STREET OF THIS HEIGHT. THERE IS JUST NOTHING. IT IS THE ONLY SKYSCRAPER NORTH OF SIXTH AND WEST OF GUADALUPE. THE OTHER IMAGES THAT YOU'VE SEEN SHOW IT WITH DOWNTOWN IN THE BACKGROUND, BUT THERE IS NOTHING IN THIS AREA OF THIS HEIGHT AND YOU CAN SEE IT IN THIS DIAGRAM. THIS COMPARES IT TO ON THE RIGHT YOU'LL SEE SEMI BUILDING, MILK SHAKE, AND RANCH 616. YOU WILL SEE THE SCALE OF THAT AND ON THE LEFT YOU WILL SEE THE UNIVERSITY OF TEXAS TOWER, WHICH IS A GOOD REFERENCE FOR PEOPLE SO THEY CAN SEE HOW TALL THIS BUILDING IS. ALL THE PRINCIPLES OF URBAN PLANNING, IF YOU LOOK AT ANYONE WHO TALKS ABOUT HOW ADJACENT BUILDINGS NEED TO NOT CHANGE MORE THAN A COUPLE OF STORIES FROM ADJACENT BUILDINGS, CERTAINLY YOU NEED TO BE STEPPING DOWN AND TRANSITIONING AND FEATHERING THE EDGE OF THE CENTRAL BUSINESS DISTRICT. WE FEEL LIKE WHEN YOU LOOK AT THIS TYPE OF DIAGRAM YOU CAN SEE CLEARLY THIS IS NOT WHAT'S GOING ON HERE. THIS IS A REALLY DRAMATIC CLIFF THAT WE'VE GOT GOING ON HERE. WE FEEL LIKE IT'S IN THE WRONG LOCATION ALSO BECAUSE IT'S NOT ON A TRANSIT CORRIDOR. THIS IS SEVENTH STREET LOOKING EAST FROM THE SITE. AND YOU CAN SEE IT BECOMES A ONE WAY STREET, TWO BLOCKS EAST. IF YOU LOOK LEFT IT BECOMES A STOP SIGN ONE BLOCK WEST OF THE PROJECT. SO REALLY IT'S A FOUR BLOCK STREET AND IT DOESN'T HAVE -- IT'S NOT A TRANSIT CORRIDOR. WE ALSO FEEL LIKE THIS ISN'T THE RIGHT SITUATION BECAUSE WHILE IT LOOKS LIKE YOU CAN SEE IN THIS DRAWING HERE THE LOTS OF CONCERN ARE IN PINK AND EVERYTHING IN GREEN IS CBD SEEND. THE YELLOW ARE HISTORIC AND THE BLUE ARE MF-4-G.O. YOU CAN SEE EVERYTHING NORTH OF SEVENTH IS ZONED A HEIGHT THAT COULD NEVER GO HIGHER THAN 60 FEET. MOST OF THE BUILDINGS ARE ALREADY ONE, TWO, THREE STORIES MAYBE. YOU CAN SEE THAT IN THE BLOCKS THAT WE'RE TALKING ABOUT ON SIXTH STREET IT LOOKS LIKE THEY'RE ALL ZONED CBD, BUT IF YOU OVERLAY THE CAPITAL VIEW CORRIDOR YOU CAN SEE THAT THOSE ARE REALLY CBD AND ZONING ONLY. THOSE BUILDINGS ARE CURRENTLY

ONLY A COUPLE OF STORIES TALL AND COULD NEVER BE DEVELOPED MORE THAN 60 FEET BECAUSE THEY'RE IN THE VIEW CORRIDOR. SO AGAIN, IT LOOKS LIKE THEY'RE ALL CBD, BUT THEY'RE NOT DEVELOPED THAT WAY CURRENTLY AND THE CAPITAL VIEW CORRIDORS WILL LIMIT THEM. SO THIS ISN'T REALLY AN AREA WHERE WE HAVE SKYSCRAPERS ALREADY. WE ALSO FEEL THAT IT'S REALLY GOING TO CHANGE THE CHARACTER OF THE NEIGHBORHOOD. I KNOW THERE'S A LOT OF PEOPLE. PART OF WHAT I'VE REALIZED IN WORKING ON THIS PROJECT IS THAT THERE ARE A NUMBER OF PEOPLE WHO BELIEVE IT'S FINE TO PUT A 400-FOOT BUILDING ACROSS THE STREET FROM AN HISTORIC TWO STORY BUILDING LIKE MINE. THERE ARE A NUMBER OF PEOPLE WHO DON'T BELIEVE THAT'S OKAY. I THINK WE'RE GOING TO HAVE BOTH KINDS OF PEOPLE IN THE WORLD AND THE POINT IS TO MAKE SURE THAT WE REPRESENT BOTH OF THOSE CHOICES IN DOWNTOWN AND WE DON'T FORCE ONLY ONE TYPE OF CHOICE DOWNTOWN. I THINK WE REALLY HAVE TO RESPECT THE DEMOCRATIC PROCESS HERE AND THE FACT THAT NOT EVERYONE CAN GOING TO AGREE TO THAT. I HAPPEN TO BE THE PROPERTY OWNER THAT IS DIRECTLY ACROSS THE STREET FROM THIS AND I HAPPEN TO BE ONE OF THOSE PEOPLE BOEING LOING WITH MY STAFF WHO FEELS LIKE THIS IS JUST NOT APPROPRIATE HERE. BUT THERE ARE A LOT OF PEOPLE WHO THINK IT'S JUST FINE. THEY DON'T ACTUALLY OWN MY PROPERTY. ONE OF THE THINGS THAT'S BECOME CLEAR WORKOGTHIS TOO IS THAT THERE'S A QUESTION ABOUT WHERE THE BOUNDARIES OF THIS NEIGHBORHOOD. IF YOU GO THROUGH ALL OF THE DIFFERENT MAPS AND BOUNDARIES THAT HAVE BEEN DRAWN OF WHERE THE EDGES OF DOWNTOWN AND CENTRAL BUSINESS DISTRICT, THEY CHANGE QUITE A BIT. THAT'S ANOTHER REASON WHY WE FEEL LIKE THE WORK WITH ROMA TO DEVELOP THE DOWNTOWN PLAN WOULD REALLY ADDRESS THAT. HERE IN DOWNTOWN COMMISSIONS LETTER TO COUNCIL ON AUGUST 3RD ONE OF THE THINGS THEY NOTE IS THEY SAY THE AREA NORTH OF WEST STICKS..... SIXTH ALONG RIO GRANDE REPRESENTS A PART OF AUSTIN THAT MANY PEOPLE WOULD LIKE TO RETAIN IN SOMETHING CLOSE TO ITS CURRENT

MAKEUP. IT'S A VERY SPECIAL PART OF DOWNTOWN. IT'S REALLY THE LAST REMAINING NEIGHBORHOOD OF THIS CHARACTER DOWNTOWN. AND YOU KNOW, IF WE WANT TO HAVE THAT KIND OF MIX IN YOUR DOWNTOWN, THIS IS IT, THIS IS A REALLY SPECIAL AREA AND I THINK WE HAVE TO BE VERY CAREFUL ABOUT WHAT WE DO WITH IT. WE NEED TO -- HERE'S A LETTER THAT THE DESIGN COMMISSION WROTE TALKING ABOUT RESPECTING ADJACENT HISTORICAL BUILDINGS, ENCOURAGING THE INCLUSION OF LOCAL CHARACTER AND CREATING BUILDINGS TO HUMAN SCALE. AGAIN, WE DON'T FEEL LIKE THE JUMP FROM THE ONE AND TWO STORY BUILDINGS AROUND THERE TO A 400-FOOT BUILDING DOES CROOET..... CREATE BUILDINGS TO HUMAN SCALE. WE FEEL THAT'S COMPLETELY COUNTER TO GOOD URBAN PLANNING. THIS IS A QUOTE FROM ROMA WHEN THEY WERE PRESENTING TO YOU FOR YOU TO SELECT THEM TO DO OUR DOWNTOWN PLAN, TALKING ABOUT THE HISTORIC DISTRICTS OF DOWNTOWN AND HOW VERY IMPORTANT THEY ARE IN ESTABLISHING THE CHARACTER OF THE CITY AND THAT THEY HAVE A LOT OF EXPERIENCE IN DEFINING THOSE AND PLANNING FOR THEM. WE'D LIKE TO HAVE THE OPPORTUNITY TO DO THAT IN THIS PROJECT. THE HERITAGE SOCIETY HAS TAKEN A GENERAL POSITION ABOUT NOT ENCROACHING ON HAVING SKY SCRAPERS ENCROACH ON HISTORIC AREAS. THEY VEHEMENTLY TO BE THE GENTRIFICATION AT THE COST OF ENVIRONMENTAL INTEGRITY AND HISTORIC FABRIC OF OUR CITY. WE FEEL LIKE THEY'RE SPOT ON WITH THAT. IT'S A VERY POWERFUL LETTER AND WE FEEL LIKE IT'S EXACTLY THE SITUATION THAT'S GOING ON HERE. THESE ARE SOME IMAGES. THESE TWO ARE ACTUALLY FROM HOUSTON OF WHY WE THINK SCALE MATTERS. A LOT OF PEOPLE HAVE SAID THE ONLY THING THAT MATTERS IS EXPERIENCE. WE UNDERSTAND THAT THAT IS A REALLY KEY PART OF DESIGNING THESE TYPES OF -- THESE TYPES OF EXPERIENCES. WE DO THINK THAT SCALE MATTERS. AND AS YOU CAN SEE WHAT HAPPENS WHEN YOU PUT A SKYSCRAPER NEXT TO A TWO STORY BUILDING. IT'S COMPLETELY OUT OF SCALE AND WE FEEL LIKE THAT'S PART OF THE PEDESTRIAN AND HUMAN EXPERIENCE TOO.

THESE BUILDINGS, THE ONE ON THE RIGHT IS ONE ACTUALLY HERE IN TOWN WHERE WE'VE SURROUNDED AN HISTORIC BUILDING WITH MUCH, MUCH, MUCH TALLER BUILDINGS. GEBL, GIVING BACK TO RESPONSIBLE PLANK, THESE ARE SOME MORE QUOTES FROM ROMA WHEN THEY WERE PITCHING TO YOU FOR YOU WHEN YOU SELECTED THEM TO DO THIS DOWNTOWN PLAN FOR US. THEY BRING UP THE POINT NOTION THAT ECONOMIC DEMAND WILL FILL -- THAT ANY ECONOMIC DEMAND WILL FILL THIS SPACE OVER ANY SINGLE DEVELOPMENT PSYCH SELL A PROPOSITION. STRATEGIC CHOICES HAVE TO BE MADE ABOUT WHAT AREAS GO FIRST. TOO OFTEN THE DEVELOPMENT PROCESS ENDS UP WITH A STRATEGY THAT LOOKS LIKE A BAD CASE OF THE MEES HE WILLS. THAT'S REALLY WHAT WE FEEL LIKE IS GOING ON HERE. IF YOU ALLOW A BUILDING OF THIS SCALE TO GO INTO THIS NEIGHBORHOOD BEFORE THE PLAN IS DONE, YOU'RE BASICALLY THWARTING ANY ABILITY FOR A PLAN TO SAY HOW CAN WE ACTUALLY PLAN OUR CITY APPROPRIATELY AS TO WHERE HEIGHT AND DENSITY REALLY BELONG? I WANT TO BE REALLY CLEAR ABOUT THAT TOO BECAUSE THIS IS NOT AN ARGUMENT AGAINST THE GOALS THAT WE'VE SET FOR DOWNTOWN OR AGAINST DEVELOPMENT OR AGAINST DOING SOMETHING GREAT ON THAT CORNER. WE ALL BELIEVE AND WANT SOMETHING GREAT ON THAT CORNER AND I THINK EVERYONE, EVEN THOSE IN OPPOSITION, AGREE THAT RESIDENTIAL IS WHAT NEEDS TO GO THERE. SO THE ARGUMENTS THAT AN OFFICE TOWER IS WHAT'S WANTED ARE JUST WRONG. I THINK EVERYONE AGREES WE ALL WANT RESIDENTIAL AND WE AGREE THAT WE NEED TO BRING MORE DENSITY AND MORE TAX BASE THERE AS PART OF THIS CITY'S LARGER CHALLENGE THAT WE'RE TRYING TO ACCOMPLISH WITH HOW WE BRING DENSITY DOWNTOWN. PRAW HOWEVER, OUR FIRST REQUEST, LIKE I SAID; THAT WE WAIT FOR DOWNTOWN PLAN. IT IS 18 MONTHS TOO LONG IN THE LIFETIME OF THE CITY TO MAKE A CHOICE LIKE THIS. THIS IS NOT -- IF IT WERE CLOSER TO CONGRESS, IF IT WERE DOWNTOWN, THAT WOULD BE A DIFFERENT SITUATION, BUT IT'S NOT. IT'S RIGHT ON SEVENTH AND RIO GRANDE IN THIS VERY



SPECIAL AREA OF DOWNTOWN. WE DON'T HAVE TO ACHIEVE ALL OUR DENSITY GOALS IN ONE ECONOMIC CYCLE AND QUITE FRANKLY WE WANT THE PLAN WE PAID FOR. WE'LL SPEND MORE THAN \$600,000 FOR THE PLAN AND THE PLAN WILL ADDRESS THESE TYPES OF SITUATIONS AND WE THINK THAT IT'S ONLY WISE TO GIVE IT A CHANCE TO HELP NAVIGATE THESE REALLY COMPLEX DECISIONS. AGAIN, WE'D RATHER SEE A STEP DOWN ON THE EDGES OF CBD AND WE ALSO FEEL THAT DOWNTOWN IS (INDISCERNIBLE). SO WE NEED TO SEE DOWNTOWN PROJECTS THAT REALLY THINK ABOUT HOW WE ARE GOING TO INCORPORATE ALL OF THE DIFFERENT TYPES OF PEOPLE THAT WE WANT TO HAVE DOWNTOWN. AS I'VE SAID, IF YOU ARE GOING TO MAKE AN AD HOC DECISION BEFORE THE PLAN IS DONE, WE WOULD URGE YOU TO CONSIDER DMU ZONING RECOMMENDED BY THE PLANNING COMMISSION. WE FELT LIKE THE PLANNING COMMISSION REALLY SPENT A LOT OF TIME COMING ON-SITE, STUDYING THE PROJECTS, AND MADE A VERY BOLD AND BRAVE MOVE TO RECOMMEND DOWNTOWN MIXED USE. THIS IS ON THE EDGE OF CBD AND THAT IS THE APPROPRIATE ZONING THAT WE HAVE IN PLACE RIGHT NOW. WE FEEL LIKE -- I'VE HAD PEOPLE SAY IF YOU'RE WILLING TO GO TO 120 WHAT'S WRONG WITH 400. TO US WHAT THAT MEANS IS THAT DMU OF 120 BUILDING IS LESS OUT OF SCALE WITH THE EXISTING NEIGHBORHOOD. THERE'S A LOT OF PEOPLE IN THE NEIGHBORHOOD WHO STILL THINK 120 IS TOO HIGH, BUT DMU IS LESS OUT OF SCALE WITH EXISTING NEIGHBORHOOD THAN 400 IS. AGAIN, SOME OF THE REASONS WE THINK DMU COULD WORK HERE, WE LOOK AT IN A CONE -- NAKONA, WHICH WAS A CONTROVERSIAL PROJECT, BUT THAT WOULD BE LOWER THAN WHAT WE'RE TALKING ABOUT WITH 400 FEET. WHEN WE LOOK AT NACONA, YOU CAN SEE THAT ON THE RIGHT, ON THE BOTTOM HERE YOU'VE GOT THE VERY BOTTOM IS THE BASE PLATE OF THE LOTS WE'RE TALKING ABOUT, THE TWO IN PINK ARE THE ONES WE'RE REZONING, BUT THAT WHOLE HALF A BLOCK THERE AND THEN THE NACOMA ABOVE IT, SO THE FOOTPRINTS ARE SIMILAR. IT'S GOT 95 UNITS IN IT, SO YOU COULD ACCOMPLISH TWO-THIRDS OF THE DENSITY GOALS THAT WE WOULD ACCOMPLISH

WITH THE NUMBER OF UNITS IN THE PROPOSED 400-FOOT TOWER AND IT'S BROUGHT A TAX BASE OF MORE THAN \$58 MILLION. CURRENTLY THE TWO LOTS THAT ARE BEING REZONED HAVE A TAX BASE A LITTLE WIT UNDER A MILLION DOLLARS. SO IF YOU WANTED TO ACCOMPLISH TAX BASE, DENSITY AND SOMETHING THE NEIGHBORHOOD COULD ACTUALLY GET AROUND DOING A RESIDENTIAL PROJECT ON THIS CORNER, IT'S SOMETHING THAT WE THINK COULD BE THE WAY THAT YOU PICK NO WINNERS AND NO LOSERS FROM THE SITUATION. THE OTHER THING THAT NACONA DOES IS IT PUTS ALL THE PARKING UNDERGROUND. ONE OF THE CONCERNS WE HAVE IS RIGHT NOW WE'RE LOOKING AT THE ABOVE GROUND PARKING AND THAT PROJECT SUCCESSFULLY PUT ALL THE PARKING UNDERGROUND BECAUSE WITH THE SMALLER BUILDING YOU NEED LESS PARKING. SOME OF THE THINGS THAT WE'VE BEEN TALKING ABOUT RECENTLY WITH THE APPLICANT I WANTED TO TALK ABOUT NOW. IF YOU ARE GOING TO GO AHEAD AND PASS THIS AS REQUESTED, THERE ARE SEVERAL ITEMS THAT WE'D LIKE YOU TO CONSIDER. FIRST OF ALL, ON THE DESIGN AND TECHNICAL SIDE, WE FEEL THAT WE... WE WOULD LIKE YOU TO MOVE ALL THE INGRESS AND EGRESS OFF OF SEVENTH STREET. IT'S A FOUR BLOCK STREET BASICALLY AND IT JUST CAN'T HANDLE IT. WE THINK YOU NEED TO MOVE IT OFF OF SEVENTH STREET, PROBABLY ON TO RIO GRANDE LIKE THE DESIGN COMMISSION RECOMMEND. SECONDLY WE FEEL THAT YOU NEED TO MOVE IT. ANY ABOVE GROUND PARKING AS FAR WEST AS POSSIBLE, PREFER LIGHT 617 LOT AND FACING RIO GRANDE. WE WOULD LIKE TO SEE THE LIVE WORKS SPACE BE THE FACADE OF THE BUILDING ON SEVENTH STREET, BUILDING THE EAST SIDE OF THE BUILDING. THE FOLKS WHO ARE ON RIO GRANDE ARE IN SUPPORT OF THE PROJECT, SO THE ONES IF YOU WANT TO ADDRESS THE CONCERNS OF THE ONES IN OPPOSITION, THIS WOULD ADDRESS THAT. IN ADDITION TO THE 15-FOOT SET BACK AT 68 FEET, WE'D LIKE TO SEE ADDITIONAL SETBACKS TO THE TOWER THAT MAKE THIS ACTUALLY BE A POINT TOWER SO IT CONTINUES TO INCREMENTALLY NARROW AS IT GOES UP. RIGHT NOW WE ACTUALLY FEEL LIKE THE TOWER IS VERY BLOCKY. IT ONLY

HAS ONE SET BACK AND THEN IT'S JUST THIS BIG RECTANGLE. WE WOULD LIKE TO SEE IT BECOME A POINT TOWER. WE'RE IN SUPPORT OF THAT, BUT WE WANT A POINT TOWER IF WE'RE GOING TO HAVE A POINT TOWER, SO LET'S HAVE ADDITIONAL SETBACKS AS WE GO. WE'D LIKE TO INCLUDE A FEW KEY NEIGHBOR TO BE DETERMINED MUTUALLY WHO THOSE ARE. ON THE REVIEW TEAM OF ARCHITECTURE TO DETERMINE THAT THE ARCHITECTURE IS CONSISTENT WITH THE HISTORIC NEIGHBORHOODS, EVERYTHING FROM MATERIALS TO FORMS TO SHAPES. WE DON'T FEEL THAT THE GLASS AND COPPER ARE CONSISTENT WITH THE MATERIALS OF THE NEIGHBORHOOD RIGHT NOW. WE'D LIKE TO MAKE SURE THE FIRST FLOOR RETAIL WILL NOT INCLUDE A COCKTAIL LOUNGE OR MUSIC VENUE. WE WANT TO MAKE SURE THAT THE CONSTRUCTION TECHNIQUES USED TO MONITOR AND -- THE CONSTRUCTION TECHNIQUES USED AND MONITORING WILL MITIGATE ANY DAMAGE TO HISTORIC BUILDINGS NEARBY. WE'VE TALKED TO THE DEVELOPER ABOUT WORKING WITH NEARBY PROPERTIES THAT ARE CONCERNED ABOUT DAMAGE TO MUTUALLY SELECT AN ENGINEER TO INSPECT THE PROPERTY BEFORE AND AFTER CONSTRUCTION AT THE DEVELOPER'S EXPENSE AND PAY FOR ANY DAMAGE, REPAIRS OR CLEAN UP CAUSED TO THE NEARBY PROPERTIES THAT OCCURS DUE TO CONSTRUCTION AND DURING CONSTRUCTION. WE ARE INTERESTED IN HAVING NO CONSTRUCTION ON WEEKENDS, POSSIBLY JUST ON SUNDAYS. AND WE WOULD ALSO LIKE THAT THE DEVELOPER AGREES THAT THIS BUILDING WILL BE BUILT AS DEFINED BY THIS PROCESS IF YOU DECIDE TO PASS IT. ANY FUTURE CHANGES IN THE CAPITAL VIEW -- CAPITOL VIEW CORRIDORS, WE WANT TO MAKE SURE IT DOESN'T CHANGE THE DESIGN OF THIS BUILDING ON THESE LOTS. WE WANT TO TALK ABOUT THE POINTS ON THE COMMUNITY BENEFITS. I KNOW THAT COUNCIL CAN'T FORCE ANY COMMUNITY BENEFITS, BUT WE'VE BEEN IN CONVERSATIONS WITH THEM AND WE UNDERSTAND THAT THE DEVELOPER CANNOT AFFORD ANY AFFORDABLE HOUSING ON THE SITE BECAUSE DEVELOPMENT COSTS ARE SO EXPENSE ACTIVE DOWNTOWN. WE UNDERSTAND THERE'S AN

INTENTION TO OFFER 75,000 TO THE SHOAL CREEK GREENWAY AND ANOTHER 175,000 TO THE COMMUNITY LAND TRUST FOR BUILDING AFFORDABLE HOUSING ELSEWHERE. WE'D LIKE TO SEE THAT COMMUNITY BENEFIT PACKAGE INCREASE. IN EXCHANGE FOR THE ADDITIONAL HEIGHTEN TITLE. GRANTED WE'D LIKE TO SEE THE APPLICANT PROPOSE AN FOARNLT PACKAGE THAT OFFERS MORE ON THE RANGE OF \$10 A SQUARE FEET FOR ADDITIONAL SQUARE FOOTAGE OFFERED TO THE ENTITLEMENT. AS YOU KNOW, THE HYATT AGREEMENT IS COMING IN AT MORE LIKE \$14 A SQUARE FEET. OTHER CITIES HAVE DENSITY PROGRAMS LIKE 22 TO \$25 A SQUARE.....SQUARE FOOT. THE EXPECTATION IN OUR CITY HAS BEEN INCREASING WITH RECENT PROJECTS AND WE BELIEVE THAT BECAUSE THIS PROJECT IS ON THE EDGE OF CDB AND NOT IN THE CORE, THAT SHOULD PLAY A ROLE IN THE SIZE OF THIS COMMUNITY BENEFIT PACKAGE AS WELL. IN TERM OF THE ZONING, MY FINAL TWO PIECES ON THIS LIST ARE THAT WE WOULD PREFER TO SEE A D.M.U. CURE ZONING FOR THESE LOTS EVEN IF YOU ARE GOING TO GRANT THE ENTIRE HEIGHT REQUIREMENT THAT IS SOUGHT HERE. IN LIEU OF WAITING FOR DOWNTOWN PLAN WE FEEL LIKE A D.M.U. ZONING WOULD PROANTLY RECOGNIZE THIS AS THE EDGE OF CBD AND IN A TRANSITION ZONE. YOU COULD HELP SET A ZONING PRECEDENCE THAT'S IMPORTANT TO THE NEIGHBORHOOD AND ESPECIALLY NORTH OF THE PROJECT. WE'RE VERY CONCERNED ABOUT OTHER SKYSCRAPERS JUST CONTINUE TO GO MOVE NORTH INTO THIS HISTORIC NEIGHBORHOOD. SO A D.M.U. CURE ZONING LIKE WHAT SPRING GOT IS SOMETHING THAT WOULD BE OF INTEREST TO US. AND FINALLY, OUR FINAL REQUEST IS IN A WE WOULD LIKE TO SEE IF WE COULD WORK WITH THE CITY TO HELP GETTING ONE OF THE NEIGHBORS, BLAIR FOX, TO GET A HANDICAPPED ZONED PARKING SPOT. HE CAN'T PARK IN HIS DRIVEWAY AND HE NEEDS STREET PARKING AND WE DO FEEL THIS WILL BRING A LOT MORE TRAFFIC TO THE STREETS AND THAT'S SOMETHING THAT WE WOULD WANT TO WORK WITH THE CITY ON. SO FOR ALL THESE REASONS, AGAIN, WE ASK THAT YOU CONSIDER WAITING FOR THE

DOWNTOWN PLAN. THIS IS NOT A STRAIGHTFORWARD BLACK AND WHITE SITUATION. WE THINK THAT WOULD ADDRESS IT. IF YOU'RE GOING TO GO AHEAD AND MAKE A ZONING, WE FEEL THAT D.M.U., WHICH IS INTENDED FOR THE EDGES OF CBD AND TO BE TRANSITIONAL IS A BETTER CHOICE AND THEN IF YOU'RE GOING TO GO AHEAD AND GRANT IT, ALL THESE THINGS I'VE JUST WALKED THROUGH ARE THINGS THAT WE WOULD ASK YOU TO CONSIDER ON BEHALF OF THE NEIGHBORS AND THE STAKEHOLDERS HERE IN OPPOSITION. THANK YOU.

Dunkerley: THANK YOU. I THINK THIS IS CAT SMITH. I MAY NOT BE SAYING IT RIGHT.

FIRST I'D LIKE TO SAY IT WAS NICE TO HEAR FROM MS. MCCANN TALK ABOUT HEIGHT COMPATIBILITY IN NEIGHBORHOODS. PLANNING WITHOUT A VISION IS A HA LEWIS NATION. MAYOR WYNN, WHEREVER YOU ARE, COUNCILMEMBERS, EVERYBODY KNOWS. MY NAME IS KATHLEEN SMITH. I REPRESENT MYSELF AND BLAIR FOX. BLAIR OWNS AND RESIDES AT 709 RIO GRANDE FOR 13 YEARS. I HAVE LIVED THERE FOR 12 YEARS. WE HAVE FOUR OTHER RESIDENCES. BUILT IN 1905, 709 IS THE HISTORIC PRIVATE HOME OF TWO-TIME TEXAS GOVERNOR JOE SAYERS. WE ARE AT THE CORNER OF EIGHTH AND RIO GRANDE AND YES, WE ARE THE GOLD HOUSE WITH THE RED SQUIGGLE SKULL CHUR IN THE YARD. WE ARE ONE OF THE CLOSEST RESIDENTS TO THIS PROJECT, LESS THAN A BLOCK AWAY. YOU CLAIM THE HEIGHT OF THE BUILDING WON'T SET A PRECEDENT. YESTERDAY IT WAS SIXTH STREET, TODAY IT'S SEVENTH STREET. WHERE WILL IT BE TOMORROW? SPRING AUSTIN PARTNERS NOW OWNS THE LOTS NEXT TO OUR HOME. WHAT WILL YOU SAY TO US WHEN SPRING ASKS FOR A ZONING CHANGE NEXT TO BLAIR'S HOUSE? WHEN DO YOU STOP CROSSING YOUR OWN LINES? THE HISTORIC URBANISM OF AUSTIN IS A FINE, RARE AND FRAGILE THING. IT MUST BE SUPPORTED BY ALL ITS BUILDINGS. THIS AREA IS SMALL, BUT GIGANTIC WITH AUSTIN'S HISTORY. THE ISSUE TO BE CONSIDERED IS THE LOCATION, NO LESS THAN THE DESIGN, TO BE A TRULY DEMOCRATIC PROCESS,

BOTH VACIALS MUST BE ON THE TABLE. THE VIFTED INTERESTS -- THE VESTED INTEREST IS NOT THE DEMOCRACY, BUT A THOUSAND LETTERS PLUS OPPOSING THIS PROJECT ARE THE TRUE VOICE OF AUSTIN. COUNCILMEMBERS, DEVELOPERS ARE DESIGNING THIS TOWN, NOT YOU, NOT THE PLANNING COMMISSION, NOT THE CITY OF AUSTIN. IN THE HISTORY OF AUSTIN, YOUR TIME ON THE CITY COUNCIL IS SHORT, BUT THE CONSEQUENCE OF THIS SKYSCRAPER THAT VIOLATES THE URBAN. URBANISM THAT YOU CLAIM TO HOLD SO TRUE AND SO DEAR WILL BE YOUR LEGACY. THANK YOU. [ APPLAUSE ]

Dunkerley: TERRY MEYERS?

HI, MAYOR PRO TEM, COUNCIL, THANK YOU FOR HAVING US HERE TONIGHT. I SEE THAT THE CENTRAL AUSTIN NEIGHBORHOODS ARE SOMEWHAT DIVIDED ON THIS ISSUE, BUT I'M COMING TO YOU TONIGHT NOT AS A RESIDENT OF THE NEIGHBORHOOD, BUT AS A PROFESSIONAL. I'M AN ARCHITECTURAL HISTORIAN AND HISTORIC PRESERVATION CONSULTANT. I'VE WORKED IN THIS FIELD FOR OVER 20 YEARS. I DO NATIONAL HEDGE NOMINATIONS, BUT I ALSO DO SECTION 106, WHICH IS THE CULTURAL RESOURCE COMPONENT OF THE ENVIRONMENTAL IMPACT ASSESSMENT. ONE OF THE THINGS WE HAVE TO DO WHENEVER IT THERE'S FEDERAL MONIES IN A PROJECT IS WE HAVE TO COMPLY WITH FEDERAL LAW. FEDERAL LAW PUTS FORTH WHAT CONSTITUTES INTEGRITY IN AN HISTORIC DISTRICT AND I JUST WANTED TO READ A LITTLE BIT FROM THE SECRETARY OF INTERIOR GUIDELINES FOR HISTORIC PROPERTIES AND HISTORIC DISTRICTS. AND I WOULD SAY I THINK THAT THERE'S 24 RECORDED TEXAS HISTORIC LANDMARKS, A NUMBER OF NATIONAL REGISTER PROPERTIES, PROBABLY A COUPLE DOZEN AUSTIN LANDMARKS IN THIS NEIGHBORHOOD, AND THE VAST MAJORITY OF PROPERTIES IN THIS AREA ARE HISTORIC. THIS CONSTITUTES AN HISTORIC DISTRICT. THE SEVEN ASPECTS OF INTEGRITY ARE LOCATION, DESIGN, SETTING, MATERIALS, WORKMANSHIP, CEILING AND ASSOCIATION. I STRONGLY FEEL THAT IF I WAS REVIEWING THIS

PROJECT FOR A FEDERAL UNDERTAKING OR ANYTHING THAT WAS USING FEDERAL DOLLARS, THIS WOULD BE -- THIS TOWER WOULD BE CONSIDERED AN ADVERSE EFFECT. IT FLIES IN THE FACE OF THESE ASPECTS OF INTEGRITY THAT WE HAVE PUT OUR NEIGHBORHOODS UNDER JIEWT ANY FOR NATIONAL REGISTER STATUS AND WILL ALSO DO FOR LOCAL HISTORIC STATUS. SOME OF THE THINGS WON'T CHANGE. WE HAVE HISTORIC BUILDINGS, MANY OF THEM HAVE CHANGED FROM INDIVIDUAL USE, RESIDENTIAL USE TO LAWYERS, BUT IT'S ADAPTIVE USE OF THE HOUSES AND BUILDINGS IN THIS AREA STILL RETAIN ESSENTIAL QUALIFICATIONS THAT MAKE THEM ELIGIBLE FOR NATIONAL REGISTER OR LOCAL DESIGNATION. THEY STILL RETAIN THEIR DESIGN, THEIR MATERIALS, THEIR WORKMANSHIP, SOMETHING THAT THEY WON'T RETAIN IF THIS TOWER GOES THROUGH IS INTEGRITY OF SETTING. SETTING IS THE PHYSICAL ENVIRONMENT OF THE HISTORIC PROPERTY AND IN ORDER TO HAVE AN HISTORIC DISTRICT, HAVE YOU TO HAVE AN HISTORIC SETTING. WHEN THE PEOPLE WHO ARE OUT ON THE STREETS AND LIVING IN THESE BUILDINGS AND USING THESE BUILDINGS COME OUT OF THEIR BUILDINGS NOW, THEY ARE IN AN HISTORIC ATMOSPHERE. IF THIS TOWER IS COMPLETED, IT WILL REDUCE OR COMPLETELY DO AWAY WITH INTEGRITY OF SETTING AND IT WOULD ALSO DO AWAY WITH INTEGRITY OF FEELING, OF THE ASSOCIATION THAT YOU HAVE RK THAT YOU RECOGNIZE. YOU HAVE PLACED YOU GO IN DOWNTOWN BOSTON OR I THINK -- I CAN'T THINK OF VERY MANY PLACES IN TEXAS, BUT ACTUALLY MANY OF THE SMALL TOWNS HAVE ESTABLISHED DESIGN GUIDELINES AND HISTORIC DISTRICTS BECAUSE THEY KNOW THAT HERITAGE TOURISM, THAT THE CHARACTER OF THEIR HISTORIC DISTRICTS IS VERY VALUABLE, NOT ONLY IN TERMS OF ESSOS, BUT ALSO IN TERM OF DOLLARS. I WOULD JUST URGE YOU TO THINK ABOUT WHAT THIS REALLY -- LOOK AT THE LEGO DESIGN, THINK ABOUT WHAT THIS TOWER IS GOING TO MEAN IN THIS VERY, VERY SIGNIFICANT HISTORIC DISTRICT. THANK YOU. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] HISTORICAL BUILDINGS TO OUR SIDE AND ACROSS THE STREET FROM US. AND WHAT

DREW ME TO THE NEIGHBORHOOD 14 YEARS AGO, THAT WAS THE FIRST HOME AND RESIDENCE THAT I EVER PURCHASED FOR \$69,000 AT THE TIME. IT'S ABOUT 853 SQUARE FEET, RIGHT NOW I'M PAYING PROPERTY TAXES OF \$3,444 BUT I'M VERY GRATEFUL TO BE THERE. IT'S A WONDERFUL NEIGHBORHOOD. WE DON'T HAVE ANY YELLOW DIVIDER LANES IN FRONT. THERE ARE NO TRAFFIC LIGHTS. THERE ARE FOUR WAY STOP SIGNS AND IF THE CORNER OF OUR PROPERTY LOT, THE TRAFFIC GOES INTO ONE WAY, ONE LANE. IT'S A VERY ACQUAINT PICTURESQUE NEIGHBORHOOD. I DON'T SEE THE RUSH IN DROPPING A SKY SCRAPER ONE BLOCK OVER FROM US. THIS IS NOT IN CONSISTENCY WITH OUR CURRENT STRUCTURE OR THE TYPE OF NEIGHBORHOOD THAT WE HAVE. THERE ARE OVER 30 HISTORICAL BUILDINGS IN THIS AREA. THIS WOULD JUST DESTROY THE AMBIENCE OF THIS. WE ARE NOT AGAINST DEVELOPMENT, PERHAPS SOMETHING LIKE THE NACONA, UNDER GROUND PARKING, HEIGHT LEVEL THAT'S MORE REASONABLE..... REASONABLE. IF YOU VOID THIS IN, YOU ARE SETTING A POLICY PRECEDENCE THAT WOULD LET ALL OF THE OTHER DEVELOPERS RUN RABID WITH THE SKY THE LIMIT ON THE HEIGHT, PLEASE TAKE THE TIME TO CONSIDER THIS PROJECT AND WHAT IT WOULD INVOLVE FOR ALL OF THE PROPERTY OWNERS. THE DEVELOPERS SEEM TO HAVE SPENT A LOT OF TIME CONSULTING A SEVEN YEAR RESTAURANT ON THE CORNER, RANCH 616, THEY SEEM TO HAVE SPENT A LOT OF TIME REASSURING THEM ABOUT TAX FOR THE PARKING AND THAT TYPE OF THING AND HELPING THEM FINANCIALLY AND ASSURED THEM THAT THEY WILL HAVE CUSTOMER PARKING. BUT WHAT ABOUT ME, THE LITTLE PEPPER, THE TAXPAYER -- LITTLE PERSON, TAXPAYER, PROPERTY PERSON WHO HAS BEEN THERE. I HAVE AN 80-YEAR-OLD NEIGHBOR, THE PROPERTY THAT THE DEVELOPER AND ANOTHER PROPERTY OWNER THAT VIRTUALLY CONTROLLED THE BLOCKS NEXT DOOR TO ME. I HAVE 12-BARS LISTENING TO THAT LOUD MUSIC EVERY TIME I COME HOME. FROM MY BEDROOM WINDOW ALONE I'M LOOKING AT THREE BARS, RANCH 616, THE STAR BAR, LITTLE WOODROW'S. THERE ARE 12-BARS NOW IN THE NEIGHBORHOOD



NEXT TO ME. WHEN I MOVED THERE, THERE WERE NO ALCOHOL ESTABLISHMENTS AT ALL. KATZ'S WAS THE ONLY ALCOHOL ENTERTAINMENT TYPE OF CENTER THERE. NOW THERE ARE 12-BARS WITHIN THAT AREA. I HAVE WORKED WITH THE TRAVIS COUNTY ATTORNEY'S OFFICE 21 YEARS, I COME HOME FROM WORK A FEW BLOCKS AWAY, I COME HOME FROM WORK, THE FIRST THING THAT I HEAR IS AMPLIFIED PIPED OUT MUSIC COMING FROM RANCH 616. THEN IT TAKES OFF FROM THERE. I LISTEN TO THE LIVE MUSIC COMING FROM THE KEY CLUB ON TOP OF THE, YOU KNOW, PARK, THEY HAVE AMPLIFIED MUSIC. SO FOR ALL OF THE TAX MONEY THAT I PAY, IT'S NOT A VERY QUIET PLACE OR TRANQUIL PLACE TO LIVE. WE CAN'T GET THE POLICE TO ENFORCE THE NOISE ORDINANCE. N ARE THIS SKY SCRAPER PROJECT, PLEASE TAKE SOME TIME TO CONSIDER THE IMPACT THAT YOU HAVE. YOU ARE ELECTED OFFICIALS. THIS TAKES A FEW MOMENTS TO MAKE A DECISION BUT WE -- WE WILL BE LIVING WITH IT FOR YEARS AND YEARS. WE WOULD LIKE THE DEVELOPER TO PLEASE CONSULT WITH US AS MUCH AS HE DID RANCH 616. IF YOU WOULD PLEASE GIVE US SOME INPUT AS TO THE DESIGN, THE APPEARANCE OF THE BUILDING, WE WOULD LIKE SOME ASSURANCE THAT THEY ARE GOING TO PERHAPS EVEN PAY FOR SOUND PROOF WINDOWS. WE HAVE 24 BEDROOM WINDOWS FACING NUECES STREET. INSTEAD OF LOOKING OUT AT AN OAK TREE WITH SOME TURTLE DOVES ON THE BRANCHES, I WILL NOW BE LOOKING AT A SKY SCRAPER. MY ENTIRE CONDOMINIUM PROJECT IS COMPLETELY OPPOSED TO THIS. SO I'M REPRESENTING THE GROUP OF PEOPLE THAT THE DEVELOPER SAID DID NOT EXIST. I WANT TO THANK YOU VERY MUCH FOR YOUR TIME AND CONSIDERATION. BECAUSE I ALSO WORK FOR ELECTED OFFICIALS, I KNOW THAT IT'S SOMETIMES VERY DIFFICULT TO HAVE CHARACTER AND BACKBONE AND MAKE THE RIGHT DECISION FOR THE LITTLE GUY. I DON'T HAVE THE DEEP POCKETS THAT THESE DEVELOPERS DO. NOBODY IN MY BUILDING DOES. BUT PLEASE CONSIDER US AND I THINK WE DESERVE MORE CONSIDERATION THAN OUR LITTLE RESTAURANT THAT'S BEEN THERE SEVEN YEARS. THANK YOU VERY MUCH FOR YOUR

TIME AND CONSIDERATION. [ APPLAUSE ]  
MARYANNE? MARRY ANNE GOLDEN?

MAYOR PRO TEM, COUNCILMEMBERS, THANK YOU SO MUCH FOR ALLOWING US TO SPEAK. I COME HERE REPRESENTING THE OPPOSITION OF THE AUSTIN WOMAN'S CLUB. I AM THE DESIGNATED REPRESENTATIVE OF THE AUSTIN WOMAN'S CLUB. BUT BEFORE I TELL YOU WHAT I WANTED TO SHARE WITH YOU TONIGHT, I WOULD LIKE FOR THOSE MEMBERS OF THE AUDIENCE WHO OPPOSE THIS PROJECT TO PLEASE EITHER STAND UP OR RAISE YOUR HAND. [ APPLAUSE ] THE PROPOSED ZONING WILL BE CATER-CORNERED TO THE NORTH AFTER CONVENIENTS CHATEAU OWNED AND MAINTAINED BY THE AUSTIN WOMEN'S CLUB FOR OVER 70 YEARS. IT'S BOTH A NATIONAL AND TEXAS HISTORIC REGISTERED LANDMARK. BUILT IN 1874 BY HARVEY NORTH A MEMBER OF THE HONOR GUARD FOR ABRAHAM LINCOLN'S FUNERAL AND HIS WIFE. IRA EVANS, THE YOUNGEST SPEAKER OF THE TEXAS HOUSE OF REPRESENTATIVES WAS THE HOME'S NEXT OWNER AND FROM HIS HOME HE CONTINUED HIS SUPPORT OF EDUCATION BY MAKING SUBSTANTIAL CONTRIBUTIONS TO HUSTON TILLOTSON COLLEGE. THE MEMBERS OF THE AUSTIN WOMAN'S CLUB HAVE BEEN INVESTING THEIR ENERGY AND FINANCING IN PRESERVING AND MAINTAINING THIS FACILITY SINCE 1929. AND WHEN IT WAS PURCHASED BY A GROUP OF WOMEN, INSTRUMENTAL IN AUSTIN AND TEXAS HISTORY, INCLUDING GOVERNOR MAKE FERGUSON, MS. BLANTON, MRS. CASIS, MRS. PENNYBACKER, ALL NAMES THAT YOU WILL RECOGNIZE, THE LIST GOES ON. AS PART OF A HISTORIC DISTRICT WE ARE SURROUNDED BY BUILDINGS WITH FAMILIES WHO MADE THE AUSTIN COMMUNITY WHAT IT IS TODAY. FAMILIES THAT SAW BY WORKING TOGETHER AND LIVING TOGETHER THEY COULD ACHIEVE GREAT THINGS. THEY LIVED IN THE ORIGINAL CITY NEIGHBORHOOD. THIS PROPOSED BUILDING SITS IN WHAT NATIONAL GUIDE BOOKS REFER TO AS THE BEST EXAMPLE OF A VISIBILITY ATTORNEY NEIGHBORHOOD LEFT IN THE STATE OF TEXAS. THIS IS WHERE THE AUSTIN CHAMBER OF COMMERCE ENCOURAGE WILLING TOURISM WITH WALKING

TOURS AND CARRIAGE RIDES. SIMPLY THIS HISTORICAL AREA IS A PART OF AUSTIN'S ATTRACTION TO THE REST OF THE WORLD COMMUNIT THREATEN THE CHARACTER OF THIS BUILDING, 30 OTHER HISTORICAL STRUCTURES IS A 400-FOOT MONOLITH. A BUILDING OF 400 FEET IS OUT OF PLACE IN A HISTORIC DISTRICT. URBAN PLANNERS WILL TELL YOU SO. LISTEN TO THE WORDS OF ANDREAS DUANEY, A WORLD RENOWNED EXPERT. PLACE MORE THAN IS IN STICK BUILDINGS IN MODERNISTIC AREAS. YOU CLAIM TO WANT MIXED USE BUILDINGS. THIS IS WHAT YOU HAVE HERE. YOU HAVE A MIXED USE NEIGHBORHOOD. A NEIGHBORHOOD OF RESIDENTS, OF SMALL BUSINESSES AND NON-PROFITS. MANY OF THE FACILITIES ARE RECYCLED FOR CURRENT USES, OTHER HOUSE LIFE LONG RESIDENT AND STILL OTHERS ARE CONDO UNITS. ALL OF THESE PEOPLE PAY TAXES TO THE CITY OF AUSTIN, EVEN THE HISTORIC STRUCTURES. I WAS ASKED A COUPLE OF DAYS AGO, WHY WE SHOULD CARE ABOUT HISTORIC STRUCTURES, THEY ARE JUST OLD. MY REPLY WAS HOW CAN WE KNOW WHERE WE WANT TO GO IF WE DO NOT KNOW WHERE WE HAVE BEEN? YOU ARE MAKING HISTORY. ARE YOU PREPARED TO OWN THE HISTORY THAT YOU ARE CREATING? ARE YOU PREPARED TO HEAR FROM FUTURE GENERATIONS, WHY WOULD ANYONE PUT SOMETHING LIKE THIS HERE? IS YOUR ANSWER BECAUSE IT IS RIGHT? OR IS IT BECAUSE WE MIGHT NEED IT. BE SMART. PLEASE BE COURAGEOUS, MAKE THE DECISION TO DRAW THE LINE AND SAY THIS PROJECT DOES NOT BELONG HERE. THANK YOU FOR YOUR TIME AND CONSIDERATION. [ APPLAUSE ]

Dunkerly: LINDA STEVENS.

GOOD EVENING, MAYOR PRO TEM, DUNKERLY, AND COUNCILMEMBERS, I'M LINDA MCNEILAGE, I HAVE LIVED AT 606 HAWTHORNE STREET FOR THE PAST 37 YEARS. BUT THE FIRST 25 YEARS OF MY LIVE I LIVED IN MANHATTAN IN NEW YORK CITY. YOU MIGHT THINK IF THERE IS ANY CITY THAT COULD TAKE ANOTHER SKY SCRAPER OR TOWER NEW YORK COULD. BUT I WAS INTERESTED RECENTLY TO READ IN THE NEW YORK TIMES LAST MONTH ABOUT THE

DECISION REACHED BY NEW YORK CITY  
AUTHORITIES CONCERNING THE PROPOSAL FOR THE  
CONSTRUCTION OF A 30-STORY SLIM TOWER NEAR  
76th STREET. SUPPORTERS ARGUED THAT NEW YORK  
IS A CITY WHERE LARGE SCALE AND JUXTAPOSITION  
DOESN'T DESTROY THE QUALITY OF THE STREET  
SCAPE. THEY MAINTAINED THIS WOULD BE A  
GRACEFUL COMPLIMENT TO NEARBY BUILDINGS.  
WERE THE AUTHORITIES PERSUADED BY THESE  
SENTIMENTS? NO, THEY WERE NOT. THEY  
RESOUNDINGLY REJECTED THESE ARGUMENTS AND  
THEY RESOUNDINGLY REJECTED THE ZONING  
WAIVER THAT WAS REQUESTED. WHY? BECAUSE  
THEY DETERMINED THAT THE SCALE OF THE  
PROPOSED TOWER WAS "OUT OF PLACE, JUST TOO  
BIG, AND THAT ITS PRKS TO SEE TO AN HISTORIC  
AREA IN MAN MAN TAN WOULD REND THE FABRIC  
OF THAT AREA AND THAT IT WAS INAPPROPRIATE.  
AS ONE COMMENTER NOTED, THE AUTHORITIES  
WHO MADE THIS DECISION SHOWED BACKBONE BY  
NOT BUYING THE ARGUMENT THAT THE CITY  
WOULD NOT BE ADVERSELY IMPACTED BY THE  
MANNERS OF HEIGHT AND SCALE OF A 30 STORY  
TOWER JUST JUXTAPOSITION TO AN HISTORIC  
NEIGHBORHOOD. I BELIEVE THERE IS MUCH TO BE  
LEARNED BY LOOKING AT WHAT LEADER OF OTHER  
CITIES WHO HAVE HAD VAST EXPERIENCE IN  
DEALING WITH DEVELOPMENT PRESSURES HAVE  
LEARNED AS THEY HAVE DEALT WITH PROPOSALS  
WHICH CAN ADVERSELY AFFECT THOSE INHEHE  
EFFABLE QUALITY AND CHARACTERISTICS OF A  
CITY THAT MAKE A CITY A GREAT CITY. LET US  
BUILD TALL BUILDINGS IN AUSTIN, LET US BUILD  
THEM WITHIN THE CORE OF THE CBD. LET US  
MAINTAIN TRANSITION AREAS SO WE DON'T END UP  
WITH SKY SCRAPERS AND TOWERS JUST TAKE  
POSSESSED -- JUXTAPOSED NEXT TO ONE OF THE  
MOST HISTORIC AREAS IN THE CITY OF AUSTIN. I  
URGE YOU NOT ONLY TO SHOW BACKBONE LIKE THE  
NEW YORK CITY AUTHORITIES DID, BUT TO HAVE A  
VISION FOR AUSTIN. THE CHARACTER OF AUSTIN IS  
IMPORTANT TO ALL TEXANS. PLEASE TAKE HEED OF  
WHAT LEADER OF OTHER GREAT CITIES HAVE  
LEARNED THAT THERE ARE TIMES WHEN IT'S  
IMPORTANT TO SHOW THAT YOU HAVE BOTH THE  
RESOLVE AND THE VISION TO DRAW THE LINE

CONCERNING AN INAPPROPRIATELY PLACED PROJECT PROPOSAL JUXTAPOSED TO A VALUABLE HISTORIC AREA. IT IS IMPORTANT SOMETIMES TO JUST SAY NO. I STRONGLY BELIEVE THIS IS ONE OF THOSE TIMES. THANK YOU. [ APPLAUSE ] BEN CROCKTER.

> WE ARE RUNNING OUT OF TIME, WE ARE GOING TO.

GOOD EVENING, I'M LAURA MORRISSON, PRESIDENT OF THE SAUCE NEIGHBORHOOD COUNCIL AND ALSO THE STEERING COMMITTEE OF THE OLD WEST AUSTIN NEIGHBORHOOD ASSOCIATION. I HAVE WORKED WITH MIKE MCGINNIS FOR SOME YEARS. WE ARE BOTH MEMBERS OF THE BOARD OF DIRECTORS OF THE WEST END AUSTIN AL APPLIANCE..... APPLIANCE. I HAVE ENJOYED WORKING WITH HIM. HE INVITED THIRD TO GREAR MEMBERS TOGETHER OF ANC AND OWANA TO DISCUSS HIS PROJECT AND HIS DESIRE TO SEEK OUR SUPPORT FOR IT. AT THE TIME THE FOLKS THAT WERE THERE WERE THREE MAJOR CONCERNS, PROBABLY NOT SURPRISES TO YOU. ONE THAT THE MASSIVE INCREASE IN ENTITLEMENT SHOULD COME ALONG WITH A SIGNIFICANT DONATION TO COMMUNITY AND BENEFIT TO THE COMMUNITY. SECOND THERE WAS A CONCERN EXPRESSED ABOUT WHERE THE LINE IS GOING TO BE DRAWN SO THAT WE CAN MAKE SURE THAT WE PROTECT THE PRESSURE HISTORIC AREA THAT WE HAVE TO THE NORTH OF IT. THIRD, THE COMPATIBILITY AND LACK OF A GRACEFUL TRANSITION BETWEEN THIS PROJECT AND THE NEIGHBOR AND THE ADJACENT NEIGHBORHOOD. THE ANC EXEKS ACTIVE COMMITTEE AND THE OWANA STEERING COMMITTEE BOTH HAD OPPORTUNITIES TO DISCUSS THIS CASE NOW. BOTH BODIES HAVE VOTED TO OPPOSE THIS ZONING CASE BASED ON THE CONCERNS THAT I JUST MENTIONED. I WANT TO FOCUS SOME ON THE TRANSITION ISSUE BECAUSE I THINK THAT IT'S REALLY IMPORTANT THAT WE ALL KEEP IN MIND THAT APPROPRIATE TRANSITION AND COMPATIBILITY OF MASS AND SCALE IS REALLY A CORE AND FUNDAMENTAL CONSTRUCT IN OUR DEVELOPMENT CODE AND OUR STANDARD AND IN OUR APPROACH TO ZONING IN AUSTIN AND THE

CODE THAT WAS CREATED WAY BACK IN 1984, SOME SMART FOLKS PUT IN THAT THE COMPATIBILITY STANDARDS TAKE WE HAVE NOW THAT ENSURE THAT COMMERCIAL USES AS THEY APPROACH TRADITIONAL NEIGHBORHOODS STEP DOWN IN SCALE. WE HAVE A DOWNTOWN MIXED USE ZONING DISTRICT WHICH IS EXPLICITLY CREATED TO PROVIDE AN INTERIM STEP DOWN OF INTENSITY AND HEIGHT AS YOU TRANSITION OUT OF THE CENTRAL BUSINESS DISTRICT AND EARLIER TONIGHT YOU TALKED -- YOU HEARD ROMA TALK ABOUT HOW AT CONCORDIA IS GOING TO BE IMPORTANT TO STEP DOWN AND TRANSITION INTO THE NEIGHBORHOODS. WE HAVE TAKEN GREAT PAINS IN THE CITY TO FIND BALANCE AND COMPATIBILITY IN THE NEW CODES THAT WE HAVE RECENTLY IMPLEMENTED. WITH THE COMMERCIAL DESIGN STANDARDS, A BASIC PREMISE IS THAT WE ARE ENCOURAGING DEVELOPMENT TO ENLIVEN OUR CORRIDORS AND INCREASE DENSITY BUT TO DO SO IN SUCH A WAY THAT RESPECTS THE NEED FOR COMPATIBILITY. HOW DO WE ACHIEVE THIS -- THIS BALANCE AND THE OTHER BALANCES THAT WE HAVE FOUND. BY BRINGING STAKEHOLDERS TO THE TABLE, THAT WORKED VERY CREATIVELY IN A PUBLIC PROCESS TO ACHIEVE THE STATED GOALS IN A MANNER THAT RESPECTED EVERYBODY'S PRIORITIES. APPROVAL OF THE ZONING CASE TONIGHT WOULD BE A STEP OUTSIDE THE BOUNDS OF THE FUNDAMENTAL CONCEPT OF TRANSITION AND COMPATIBILITY THAT IS INHERENT IN OUR LAND DEVELOPMENT CODE. IT WOULD ALLOW A CLIFF TO BE BUILT UP AGAINST THE ADJACENT AREA IN STARK VIOLATION OF THE TENANTS OF OUR CODE AND WHICH AS YOU KNOW ACCORDING TO THE PLANNING COMMISSION IS NOT APPROPRIATE. A DECISION OF THIS MAGNITUDE IS REALLY A MAJOR POLICY SHIFT BECAUSE IT ABANDONS ADOPTED PRINCIPLES THAT WE ALREADY HAVE AND IT SHOULD NOT MEET THAT KIND OF DECISION SHOULD NOT BE MADE UNDER THE GUISE OF A ZONING CASE. IT DEMANDS A PUBLIC AND DEMOCRATIC PROCESS THAT ALLOWS -- [ APPLAUSE ] STAKEHOLDERS, ALLOWS ALL STAKEHOLDERS TO FIND A RESOLUTION THAT MEETS THE GOALS OF ON YOU ARE COMMUNITY. I WOULD ASK TONIGHT THAT YOU

-- THAT YOU NOT APPROVE THIS ZONING REQUEST,  
THANK YOU.

Dunkerly: IS OUR TIME UP? LOOKING TO -- 30  
SECONDS.

TAKE ADVANTAGE OF IT.

THANK YOU, MAYOR PRO TEM. I'M TIM FLOCUS, I  
ALSO OPPOSE THIS PROJECT. I'VE HAD THE  
OPPORTUNITY TO WORK WITH MY NOW FRIENDS  
AND NEIGHBORS. AND I WANT TO THANK THEM ALL  
FOR THEIR TIME. I VERY BRIEFLY WANT TO SAY TWO  
THINGS. THREE PEOPLE DORA MONEC, ANDRE  
TELLER, LINDA STEVENS ALL FOREWENT THROUGH  
OPPORTUNITY SO WE COULD PRESENT OUR  
PRESENTATION TO YOU, I WANT TO THANK THEM  
AND ACKNOWLEDGE THEM. LASTLY I WANT TO  
POINT OUT EVERYTHING THAT WAS HERE THAT A  
NEIGHBOR TO SOME EXTENT HAS A VESTED  
INTEREST IN THIS PLACE. THAT STACK OF A  
THOUSAND E-MAILS THAT CAN TO YOUR OFFICES  
WAS A POLICY DECISION -- WAS THE OPINION OF  
THIS CITIZENRY ON THE POLICY DECISION THAT YOU  
ARE ASKED TO MAKE REGARDING CLIFFS AND  
TRANSITIONS, PLEASE CONSIDER THEM.

Dunkerly: THANK YOU. [ APPLAUSE ]

I WANT TO TAKE THIS OPPORTUNITY TO THANK ALL  
OF YOU ON BEHALF OF THE COUNCIL FOR MAKING A  
PRESENTATION LIKE THIS THAT -- THAT REALLY  
TOOK US ABOUT AN HOUR AND A HALF RATHER  
THAN -- RATHER THAN MANY, MANY HOURS THIS  
EVENING. I DO THINK THAT THE FOLKS THAT YOU  
SELECTED TO SPEAK WERE MANY OF THEM TO THE  
POINT. SO WE THANK ALL OF YOU. VERY MUCH. AT  
THIS TIME I WOULD LIKE TO SEE IF THE COUNCIL --  
MR. GUERNSEY? EXCUSE ME.

[INDISCERNIBLE]

Dunkerly: WHAT?

NEUTRAL. OKAY, I COULDN'T CALL THE -- I DIDN'T  
CALL THE NEUTRAL. I THOUGHT THERE WERE ONLY

TWO SIDES.

MY NAME IS ROSS SMITH, MAYOR PRO TEM AND COUNCIL. I SIGNED UP NEUTRAL BECAUSE I WOULD LIKE TO FRAME THIS DECISION THAT YOU HAVE FOR YOU A LITTLE BIT DIFFERENTLY. IF YOU LOOK AT 7<sup>th</sup> STREET, FROM -- FROM GUADALUPE TO -- TO SHOAL CREEK, WHAT YOU HAVE IS WITH THE EXCEPTION OF TWO HOUSES THAT WERE BUILT IN 1900, YOU HAVE AN ASSORTMENT OF ONE AND TWO STORY CINDER BLOCK AND BRICK BUILDINGS, IN ESSENCE FIVE BLOCKS THAT ARE RIPE FOR REDEVELOPMENT. THE DECISION THAT YOU MAKE TONIGHT AND IN A COUPLE OF WEEKS OR WHENEVER IS GOING TO KICK-OFF A LAND RUSH ON THOSE FIVE BLOCKS. WHETHER IT IS FOR 40 STORY -- 30 STORY TOWERS OR -- OR BMU -- VMU, WHATEVER IT MIGHT BE, YOUR DECISION ON THIS BLOCK IS GOING TO KICK-OFF A LAND RUSH ON THOSE OTHER FOUR BLOCKS BECAUSE THEY WERE ALL RIPE FOR REDEVELOPMENT. AS SOON AS YOU MAKE THIS, YOU ARE LIKELY TO START GETTING OTHER PROPOSALS COMING IN. THE REASON WHY IS BECAUSE CATCH, THE CONDO MARKET ACCORDING TO THE NEW YORK TIMES THE CONDO MARKET IN NEW YORK, PHILADELPHIA AND MANY OTHER MAJOR CITIES HAS COLLAPSED. THERE'S A LOT OF FREE CASH FLOATING AROUND LOOKING FOR PROJECTS. THEY ARE LOOKING AT AUSTIN BECAUSE WE ARE STILL A HOT MARKET. ONE OF THE DEVELOPERS ALLUDED TO THIS. HE SAID WE NEED TO GET THIS GOING NOW. I THINK IT'S BECAUSE THEY ARE WORRIED THAT THEY MAY NOT GET IN BEFORE THE MARKET COLLAPSES HERE, IF THAT SHOULD HAPPEN. THEY DON'T WANT TO GET STUCK HOLDING PROPERTY THEY CAN'T DO SOMETHING WITH. SO AT THE LEAST I WOULD ASK YOU TO TAKE A COUPLE OF WEEKS, PONDER WHAT KIND OF DEVELOPMENT YOU WANT TO GO ALONG THIS ENTIRE STRETCH BECAUSE THAT IS THE DECISION THAT YOU WILL BE MAKING. I WOULD ALSO SUGGEST THAT YOU DO NOT PUT A WHOLE LOT OF STAKE IN -- IN THE VALUE OF THE CAPITOL VIEW CORRIDORS FOR GUIDING YOUR DECISION BECAUSE THOSE CORRIDORS ARE IN PLAY AT THE LEGISLATURE AS WE SPEAK. WHAT THE "LEGE" GIVETH, THE "LEGE" CAN TAKE AWAY. SO



THIS IS BIGGER THAN THE DECISION ON THIS ONE BUILDING. SO I WOULD -- I WOULD ASK YOU TO -- TO DISCUSS IT TONIGHT AS YOU CHOOSE, BUT TAKE A COUPLE OF WEEKS AND THINK ABOUT WHAT YOU -- WHAT YOU WANT TO GO HERE ALONG THIS ENTIRE STRETCH. THANK YOU. [ APPLAUSE ]

Dunkerly: MR. GUERNSEY, I THINK THAT WE HAVE FINISHED WITH OUR 45 MINUTES FOR EACH SIDE AT THIS POINT AND I SUPPOSE NOW WE ARE READY FOR COUNCIL DELIBERATION. I WILL OPEN IT UP TO OUR COUNCILMEMBERS WHO HAVE COMMENTS OR QUESTIONS FOR -- FOR EITHER THE STAFF OR FOR THE -- FOR THE AGENT OR FOR ANYONE ELSE, SO -- SO THIS IS UNUSUAL. NOBODY WANTS TO SPEAK. COUNCILMEMBER MCCRACKEN?

McCracken: ONE QUESTION THAT I HAD WAS -- WAS ON THE SUGGESTION OF NO COCKTAIL LOUNGE, THE VENUE IN THE FIRST FLOOR, I ASSUME THAT MEANS OTHER THAN RANCH 616 ON THE LIVE MUSIC SIDE, PERHAPS MR. DRENNER YOU COULD END SPEAK TO THE INTENDED USES IN THE DEVELOPED PORTIONS OF THE REDEVELOPMENT.

YES, COUNCILMEMBER. IT'S -- IT'S NOT OUR INTENT TO HAVE BARS OR LIVE MUSIC VENUES IN THAT FIRST FLOOR, WE ARE HAPPY TO PROHIBIT THOSE AS POSSIBLE USES ON THAT FIRST FLOOR.

McCracken: THEN ALSO THIS -- THIS MAY BE FOR CITY STAFF. I THINK IT WOULD BE VERY HELPFUL TO -- TO HAVE -- LOOK INTO THE ISSUE OF -- OF HANDICAPPED PARKING SPACE SOMEWHERE ON -- ON THAT 700 BLOCK OF RIO GRANDE. MY UNDERSTANDING IS THAT THIS -- THE DEVELOPMENT WILL ACTUALLY INCREASE THE AMOUNT OF PARKING AVAILABLE SO IN ALL LIKELIHOOD YOU WOULD HAVE REDUCED STREET PARKING. THAT SAID I THOUGHT IT WAS A FAIR SUGGESTION.

WE COULD GET WITH OUR PUBLIC WORKS DEPARTMENT. HANDICAPPED PARKING REGARDING THAT. WITH OR WITHOUT THIS CASE.

YEAH, THANKS.

Dunkerly: ANY OTHER QUESTIONS OR COMMENTS?  
COUNCILMEMBER MARTINEZ?

Martinez: ONE OF THE COMMENTS THAT I WANTED TO MAKE IS THAT WE HEARD A LOT OF FEEDBACK ABOUT HOW -- WHEN YOU LOOK AT THE LEGO MODEL, ABOUT HOW IT -- IT DOESN'T MATCH I GUESS ADJACENT STRUCTURES OR DOESN'T APPEAR COMPATIBLE WITH ADJACENT STRUCTURES. I DON'T DISAGREE WITH HAS STATEMENT. OBVIOUSLY YOU CAN SEE 400 FEET IS VASTLY DIFFERENT THAN 65 FEET. IN THIS AREA OF DOWNTOWN AND IN MANY OTHER AREAS OF DOWNTOWN, I BELIEVE WHAT WE ARE SEEING IS A CONSEQUENCE OF POLICIES THAT WE ADOPTED MANY YEARS AGO. WHICH I WHOLEHEARTEDLY SUPPORT. THOSE POLICIES ARE CAPITAL VIEW CORRIDORS. THE REASON THAT BLOCK ON SIXTH STREET IN MY OPINION IS NOT FURTHER DEVELOPED, IS BECAUSE THERE'S A HEIGHT RESTRICTION. SO -- SO WHERE YOU MOVE OUT OF THE CORRIDOR, WHERE YOU FIND AREAS AND CAN PURCHASE LAND OUT OF THE CORRIDORS, THAT'S WHERE YOU ARE GOING TO SEE THE HEIGHT. SO IT DOES CREATE SPORADIC HEIGHTS ALL THROUGH DOWNTOWN, ALL THROUGH THE WESTERN PART OF DOWNTOWN. YOU'LL -- YOU'LL SEE WHAT WE'RE DOING WITH THE OLD POST OFFICE SITE, IT'S GOING TO BE A VERY UNIQUE DESIGN BECAUSE THERE'S A CAPITAL VIEW CORRIDOR AND SO YOU ARE GOING TO SEE SPORADIC HEIGHTS THAT ARE BLOCKS APART. I THINK THAT'S PART OF THE CONSEQUENCE, I'M NOT THIS MISSING -- I'M NOT MISSING THE COMMENTS THAT WERE MADE. I THINK THERE ARE A LOT OF VALID COMMENTS. AS I'M LOOKING AT A CAPITOL VIEW CORRIDOR MAP HERE, THERE'S POINTS ON THIS MAP THAT INDICATE WHERE OUR TALLER STRUCTURES ARE OUTSIDE OF THE CORRIDOR. THEY CLEARLY ARE SPORADICALLY PLACED THROUGHOUT THESE VIEW CORRIDOR AREAS IN THE SOUTHWEST AND IN THE SOUTHEASTERN PART OF DOWNTOWN AREA. SO I JUST THINK THAT THAT'S A CONSEQUENCE THAT IT'S A REALITY OF WHAT WE CHOSE TO DO. WE CHOSE TO PROTECT THE VIEW OF THE CAPITOL BASED ON

STRUCTURES THAT WERE IN PLACE MANY YEARS AGO WHEN THIS CONVERSATION TOOK PLACE. AND WE CHOSE TO NOT PUT THOSE CORRIDOR VIEWS IN PLACE IN AREAS THAT WE FELT LIKE WE COULD DEVELOP HEIGHT. THIS IS ONE OF THOSE AREAS. IT IS ON THE CUSP OF CBD, I KNOW IN SOME PEOPLE'S MIND IT'S NOT CONSIDERED CBD. BUT IT IS RIGHT ON THE EDGE. AND I JUST THINK THAT THAT'S AN IMPORTANT ASPECT IN THE CONSIDERATION OF WHAT WE ARE DOING TONIGHT AND THAT YOU HAVE TO TAKE THAT INTO CONSIDERATION NOT ONLY TONIGHT, BUT AS WE MOVE FORWARD BECAUSE I DON'T THINK THIS IS THE LAST THAT WE ARE GOING TO SEE OF -- OF TRYING TO DEVELOP HIGHER DENSITY OUTSIDE OF THE VIEW CORRIDORS, WHICH IS WHERE WE HAVE BY POLICY SAID THAT'S WHERE WE WANT IT TO BE. THANKS, MAYOR.

Dunkerly: COUNCILMEMBER COLE?

Cole: I'M GOING TO START BY SAYING THAT I REALLY APPRECIATE THE GENTLEMAN WHO SIGNED UP NEUTRAL AND WHAT HE SAID THAT IN TERMS OF WE CAN'T THINK OF THIS IN TERMS OF JUST THIS PIECE OF PROPERTY AND THE PEOPLE WHO ARE AFFECTED JUST BY THIS LITTLE PIECE OF PROPERTY. WE HAVE MADE A DECISION TO BUILD DOWNTOWN AND TO CONCENTRATE ON DENSITY IN OUR INFILL AREAS, IN PARTICULAR DOWNTOWN. I REALLY APPRECIATED ANC'S COMMENTS ABOUT WELL YOU STILL HAVE TO LOOK AT THE TRANSITIONS. AND I THINK THIS IS A HARD CASE WHEN YOU LOOK AT THE TRANSITION ISSUE AND THE HISTORIC NEIGHBORHOODS CLOSELY LOCATED TO THIS. BUT I THINK ON BALANCE TO -- TO BE CONSISTENT WITH OUR POLICIES OVERALL AND WHAT WE KNOW ABOUT THE GROWTH THAT'S OCCURRING IN THE AREA THAT -- THAT I WILL HAVE TO SUPPORT THE PROJECT.

Dunkerly: COUNCILMEMBER MCCRACKEN?

McCracken: I'M READY TO MAKE A MOTION --

Dunkerly: NO. I THINK -- DID SOMEONE DOWN HERE

RAISE THEIR HAND?

Kim: I WANT TO THANK EVERYONE FOR COMING OUT HERE. SEEMS LIKE THERE'S VERY SPLIT IN SUPPORT AND OPPOSITION IN THIS ROOM. I ALSO APPRECIATE THE APPLICANT TAKING TIME TO GET INPUT FROM THE NEIGHBORING TENANTS AND THE PROPERTY OWNERS AND THAT IS ALSO COMPELLING TO ME THAT THEY REALLY DID THEIR WORK IN GETTING INPUT AND ALSO MAKING SURE THAT THEY HELP THE COMMUNITY OUT IN TERMS OF SHOAL CREEK AND ALSO THE COMMUNITY LAND TRUST. I APPRECIATE THAT. I GOT A CALL FROM A PROPERTY OWNER THERE, WHO WOULD BE IN THE SHADE SOMEWHAT FROM THIS DEVELOPMENT, SHE TOLD ME THAT SHE SUPPORTS IT BECAUSE SHE THINKS IT'S THE RIGHT THING TO DO. SOME OF YOU MAY NOT AGREE WITH THAT, BUT I THINK THAT IF WE WANT TO MAKE SURE THAT DOWNTOWN AND PEOPLE ARE ABLE TO LIVE DOWNTOWN AS WELL AS IN OUR CENTRAL CITY CORRIDOR, WE NEED TO BE ABLE TO WORK WITH CONSTRAINTS THAT WE HAVE WITH REGARD TO THE McMANSION ORDINANCE, WITH REGARD TO OUR -- OUR WATERSHED PROTECTION ORDINANCES AS WELL AS ALL OF THE OTHER ORDINANCES THAT SAY WHERE WE ARE NOT GOING TO HAVE DEVELOPMENT AND AT THE SAME TIME ENCOURAGE DEVELOPMENT WHERE WE ARE ABLE TO THE INFRASTRUCTURE AND WHERE IT'S ENVIRONMENTALLY APPROPRIATE. SO I WILL BE SUPPORTING THIS PROJECT.

COUNCILMEMBER MCCRACKEN?

McCracken: I'M GOING TO MAKE A MOTION. I'M GOING TO EXPLAIN WHY I'M MOVING TO APPROVE THIS PROPOSAL. FIRST, I THINK THAT IT'S A VERY FAIR POINT. BECAUSE OF THE -- BECAUSE OF THE DOWNTOWN PLAN THAT'S IN PROCESS THAT WE NOT ENGAGE IN [INDISCERNIBLE] VERY FAIR AND IMPORTANT POINT. AND AS YOU DECIDE FROM A NON-AD HOC, FROM A PLAN PERSPECTIVE, WHAT IS THE PROPER WAY TO APPROACH THIS. IT IS THE BLOCK. NOT THE ALLEY. IT IS THE BLOCK. WE WERE REMINDED EARLIER TODAY WHEN WE DID CONGRESS AVENUE RETAIL FUND. WE ACTUALLY

EXTENDED PAST THE ALLEYS AND INCLUDED THE BLOCKS, YOU KNOW, AND -- EXTENDED THE BLOCKS TO GO FROM 5th TO 6th AND THEN 6th TO 7th BECAUSE THE BLOCK WAS THE PROPER UNIT OF ANALYSIS. AND IN THAT SENSE YOU ARE LOOKING AT IT FROM A BLOCK PERSPECTIVE ON THE SIXTH STREET CORRIDOR, WHAT IS PROPER BOUNDARIES OF HEIGHT THAT ARE IN KIND OF THE NO KIDDING CATEGORY. TO ME AT LEAST I THINK THIS IS NOT A -- NOT A VERY RADICAL POSITION AT ALL, BUT THE SIXTH STREET CORRIDOR IS THE -- IS CLEARLY A PROPER CORRIDOR FOR TALL BUILDINGS IN THE CITY. AT LEAST, YOU KNOW, TO -- YOU KNOW, I CAN'T EVEN REMEMBER THE NAME OF THE STREETS. THAT GET -- NEAR WHOLE FOODS. BUT WEST PROBABLY WEST AVENUE OR SOMETHING LIKE THAT. THE ONE AFTER THAT. BOWIE, THANK YOU. BUT FROM THE BLOCK PERSPECTIVE, WE ALREADY HAVE TALL BUILDING CONDO TOWERS ON THE OTHER SIDE OF SIXTH STREET. MUELLER BLUEPRINT AND POST OFFICE SITE. THE NEXT QUESTION IS OKAY WELL IF THE BLOCK IS THE PROPER UNIT OF ANALYSIS, WHAT ARE SOME EXAMPLES WHERE WE HAVE A STEP BACK FOR A TALL BUILDING THAT GOES PAST THE ALLEY? THE ANSWER I'M LOOKING AT IT RIGHT NOW, IT'S 301 CONGRESS. WHEN YOU ARE WALKING..... WALKING DOWN CONGRESS AVENUE, YOU THINK OF THE 300 BLOCK OF CONGRESS AS HAVING A TALL BUILDING ON IT, BUT ACTUALLY THAT TALL BUILDING DOES NOT START UNTIL AFTER THE ALLEY LINE AT 301 CONGRESS AND THE FIRST HALF OF THAT BLOCK IS TAKEN UP BY A -- BY A THREE STORY STRUCTURE. IN FACT THIS WOULD NOT BE A CONTROVERSIAL PROJECT IF THIS TOOK UP THE ENTIRE BLOCK OF 6th TO 7th RIO GRANDE AND NUECES, ON SIXTH STREET, ACROSS THE STREET FROM TWO OTHER 400-FOOT CONDO TOWERS THIS WOULD NOT BE CONTROVERSIAL. INSTEAD WE HAVE A DEVELOPMENT SCALED BACK TO RESPECT A HURRICANE BUILDING, LOCAL SMALL BUSINESS, RESTAURANT, SHRUNK ITS HEIGHT BACK MUCH AS 301 CONGRESS HAS DONE AS TO JUST A PORTION BEHIND THE ALLEY. I ALSO THINK THAT IT'S IMPORTANT TO REMEMBER THAT IN ADDITION TO STEP DOWN EFFECTS, THE DIFFERENT RULE APPLIES IN THE CENTRAL BUSINESS DISTRICT FROM

ELSEWHERE. STEP DOWN EFFECTS ARE CRITICAL OUTSIDE OF CENTRAL BUSINESS DISTRICTS, EDGE EFFECTS ARE THE PREFERRED MODEL AND CENTRAL BUSINESS DISTRICTS EXAMPLES WOULD -- WOULD BE CENTRAL PARK IN NEW YORK WHERE THE PARK AND TALL BUILDINGS ARE BOTH IMPROVED BY THEIR JUXTAPOSITION, UP ON MICHIGAN AVENUE AROUND OAK STREET IN CHICAGO, THAT MEETING KIND OF EDGE EFFECT. FROST BANK TOWER NEXT TO THE TWO STORY ACROSS BRAZOS FROM A TWO STORY RESIDENTIAL BUILDING WHEN OUR PLANNING COMMISSION LIVES IN. SO REMEMBER THE STREET MATTERS AND THE STREET -- WANTING TO -- THE EXAMPLE THAT THIS COUNCIL BELIEVES THE STREET MATTERS IS THAT WE INCLUDED BOTH SIDES OF LAMAR FROM THE DOWNTOWN PLAN. INCLUDING THE WEST SIDE WHICH NOBODY THIS IS IS PART OF DOWNTOWN. BUT IT MAKES NO SENSE THE PLANNED EAST SIDE OF LAMAR AND NOT PLAN THE WEST SIDE. THEY SHOULD BE CONSIDERED A COHERENT UNIT. THAT I EXPECT MEANS [INDISCERNIBLE] WILL HAVE MUCH LOWER HEIGHTS THAN THE REST OF DOWNTOWN BECAUSE IT BELONGS IN A FUNCTIONAL UNIT WITH THE WESTSIDE. FINALLY THE ISSUE OF COMMUNITY BENEFIT IS AN MORE ISSUE. ALSO WHAT GOVERNING DOWNTOWN IS VERY DIFFERENT THAN WHAT GOVERNS ELSEWHERE. SOME POTENTIAL INCREASE IN HEIGHT BECAUSE WE ALREADY MADE A DECISION THAT THE TALL BUILDING IS GOING DOWNTOWN. THAT'S WHERE THEY GO. IN FACT WE ACTUALLY HARM THE VALUE OF DOWNTOWN IF WE ALLOW TALL BUILDINGS EVERYWHERE. YOU HAVE TO HAVE SOME MARKED CONSTRAINTS ON THAT. AS SUCH YOU HAVE TO HAVE SOME, BUT YOU DON'T EXCEPT THE SAME DEPTH AS YOU DO EVERYWHERE ELSE. I THINK IN THAT REGARD I'M VERY IMPRESSED BY A PRESERVATION OF A LOCAL SMALL BUSINESS. SOMETHING THAT WE HAVE HAD TO FIGHT LIKE ANYTHING TO GET NATIONAL HOTEL CHAIN TO THINK ABOUT DOING. I STILL DON'T THINK THAT THEY HAVE ACTUALLY DONE IT ON CONGRESS AVENUE. NOW WE HAVE A DEVELOPER HERE WILLINGLY GIVING IT AND I THINK IT'S SETTING A GOOD EXAMPLE THAT I HOPE OTHERS WILL FOLLOW IN THE FUTURE. MY MOTION IS FIRST TO CLOSE THE

PUBLIC HEARING, THEN I THINK WE CAN ONLY GO FIRST READING TONIGHT. SO TO APPROVE THE FOLLOWING ON FIRST READING ONLY: THE STAFF RECOMMENDATION OF AN FAR OF 11 TO 1 WITH LESS THAN 2,000 VEHICLE TRIPS A DAY. BUILDINGS CONSTRUCTED OVER 60 FEET IN HEIGHT ARE REQUIRED TO BE 75% RESIDENTIAL USE. 15 BUILDING STEP BACK ON 7th STREET IS REQUIRED ON ANY BUILDING OVER [INDISCERNIBLE] ... REQUIRED ON ANY BUILDING OVER 68-FOOT IN HEIGHT AND THEN THE PARTICIPATION, THE GREAT STREETS PROGRAM FOR THE PORTIONS OF THE PROJECT ON FRONTING ALONG RIO GRANDE AND 7th STREET, PROBABLY NEED A RESTRICTIVE COVENANT THAT GREEN BUILDING, TWO STAR LEVEL, PROVIDES TWO LEVELS OF UNDERGROUND PARKING. THE ABOVE GROUND GARAGE PORTIONS WILL BE SCREENED AND THE PLANNING COMMISSION'S RECOMMENDATION THAT PROVIDE FOR WORK, FLEX BASE, THE PERIMETER, THE SECOND FLOOR OF THE GARAGE FACING RIO GRANDE STREET. 75% MUST BE PEDESTRIAN ORIENTED USES WITH A MAXIMUM OF 40 FEET BETWEEN PEDESTRIAN ENTRANCES TO THE BUILDING. ACCESS TO THE PARKING GARAGE SHALL RESTRICT RESIDENTIAL ACCESS TO RIO GRANDE STREET. THE SERVICE ALLEY WILL BE FROM THE ALLEY. AND THEN A \$250,000 CONTRIBUTION PROVIDED AS FOLLOWS, 500 FOR RESIDENTIAL UNIT TO SHOAL CREEK GREEN LAND IMPROVEMENTS WITH THE AUSTIN PARKS FOUNDATION, REMAINDER BE MADE TO EITHER THE HOUSING TRUST FUND OR SMART HOUSING CAPITAL IMPROVEMENT PROJECT FUND FOR ANY OTHER ENTITY DESIGNATED BY THE CITY OF AUSTIN, WHOSE PRIMARY PURPOSE IS TO PROVIDE AFFORDABLE HOUSING, CONTRIBUTIONS WILL BE MADE UPON THE COMMENCEMENT OR CONSTRUCTION AND FINALLY ON THE GROUND FLOOR OF THE PROHIBITION OF NO COCKTAIL LOUNGES OR MUSIC VENUES IN THE FIRST FLOOR OTHER THAN -- OF COURSE EXCLUDING RANCH 616 FOR THEIR CURRENT OPERATIONS WHICH MUM [INDISCERNIBLE]

Dunkerly: DO YOU HAVE A SECOND?

[INDISCERNIBLE]

Dunkerly: DO WE HAVE A SECOND? ALL RIGHT. WE HAVE A MOTION AND A SECOND AND I WANTED TO ASK IF THERE WAS ANY OTHER DISCUSSION BEFORE WE ASK THE CITY CLERK TO READ ALL OF THOSE THAT WERE IN FAVOR THAT DIDN'T GET TO SPEAK AND ALL OF THOSE OPPOSED WHO DIDN'T GET TO SPEAK AND BEFORE WE TAKE OUR VOTE ON FIRST READING. SO ANY OTHER COMMENTS? COULD I ASK THE CITY CLERK TO READ THOSE NAMES FOR US, PLEASE.

THE FOLLOWING PEOPLE SIGNED UP FOR JOHN HORTON, MAN DREW OLIVER, AND THESE TWO PEOPLE DONATED TO ANDREW OLIVER, HOWEVER ONE OF THEM IS FOR, ONE OF THEM IS AGAINST, RICK ENDANGER GEL IS FOR, [INDISCERNIBLE] IS AGAINST, MARCH..... MARTHA KOONTS, ANA MILLER, DON MASH, LARSON FOR, ANTONIO ALEA, MICHAEL MCGINNIS, DUDLEY SIMMONS, LYDIA MILLER, SCOTT LAURIS, BOB MILLER, ALL FOR. THESE PEOPLE DONATED TO TED [INDISCERNIBLE] ALL FOR, MARGARET MUNO, DEANNA -- APOLOGIZE, ZUNA, AMANDA BIRD, JASON BURKEOWITZ. THESE PEOPLE DONATED TO JEB VOIGT. LEN NET HARNESS, JOSHUA MILLER, TERRY [INDISCERNIBLE] THE WON KNEE NATHAN DONATED TO JEB BOYT. ANDREW CLEMENTS, THEY ARE FOR, SANDY WILDER, MICHAEL ENRIGHT. LEE ALEXANDER IS FOR, CARLA KIRBY, LAURA PERRY, MATT BALL DONATE TO HIM. THE FOLLOWING DONATED TO STEVE DRUNERT, THEY ARE FOR, MICHELLE ROGERSON, AMANDA WHEATLY, MICHELLE HOUSEMAN, LUCY MILLER, JOHN CURRY DONATED TO KEVIN BURNS, HE IS FOR. ROGER COLVIN DONATED TO WILL STECKLY, THEY ARE BOTH FOR. MICHAEL JOYCE, GARY FARMER, BOTH DONATED TO MARK OVERHOLTZER, JILL -- EXCUSE ME KAREN RICHARDSON, THEY ARE FOR, ANDREW SHEPHERD DONATED TO BOB HUGLEY, ANDREW IS FOR. THESE TWO DONATED TO LINDA TEAM WHO IS FOR, HOWEVER THEY REGISTERED AS AGAINST, MARGARET HILL AND STEVE BRYANT, SENIOR. SUSAN JACKSON AND JOE BUD REGISTERED AS FOR DONATING TO KEVIN WILLIAMSON. EMILY ROMERO DONATED TO CHARLIE BETS, BOTH ARE



FOR. AUTUMN RICH. MIKE MAHONE, DON RICOSSKI,  
BOTH ARE FOR. PAUL NUN MAN, JOHN GREEN WAY,  
JOSHUA MATHIS, TRES -- TRESSY [INDISCERNIBLE],  
KENNY ENGINEER..... JERARD. [INDISCERNIBLE]  
ALL ARE FOR. FOLLOWING ARE AGAINST [READING  
NAMES. INTO THE RECORD] [READING NAMES INTO  
THE RECORD]

Martinez: I WOULD LIKE TO REQUEST THAT WE KEEP  
THE PUBLIC HEARING OPEN. [ APPLAUSE ]

Dunkerley: IS THAT A FRIENDLY AMENDMENT?

Martinez: IT IS. AND IF WE CHOSE TO CONDUCT A  
PUBLIC HEARING AGAIN, I WOULD HOPE THAT WE  
WOULD MAKE THE SAME CONSIDERATIONS OF  
BALANCING EQUAL TIME SO THAT WE CAN PLAN  
APPROPRIATELY FOR THAT R I JUST THINK THAT'S  
AN IMPORTANT ASPECT OF THIS.

Dunkerley: IF EVERYBODY AGREE THAT IF YOU'VE  
SPOKEN ONCE THAT YOU WON'T SIGN UP TO SPEAK  
AGAIN, IT'S NOT THAT WE DON'T WANT TO HEAR  
YOU AGAIN, BUT YOU WERE SO ELOQUENT THIS  
TIME, THERE'S NO NEED TO DO IT TWICE. WOULD  
YOU LIKE TO COMMENT? I THOUGHT YOU WERE  
COMING UP --

I'LL ONLY STATE THAT JUST AS WE MADE AN  
AGREEMENT TO RESPECT THE COUNCIL'S TIME, WE  
WOULD LIKEWISE IN THE EVENT IF THE PUBLIC  
HEARING REMAINED OPEN WE WOULD ATTEMPT TO  
MAKE A SIMILAR AGREEMENT TO BRIEFLY AND  
CONCISELY ADDRESS ANY REMAINING ISSUES.

Dunkerley: OKAY. AND MAYBE NEXT TIME WE COULD  
MAKE THE TIME EVEN SHORTER.

AND WE WOULD AGREE WITH THAT AS WELL.

Dunkerley: THANK YOU. IF THAT'S AGREEABLE WITH  
THE COUNCIL... ALL OF THOSE IN FAVOR OF THE  
MOTION MADE BY ECONOMIC AND SECONDED BY  
COUNCILMEMBER KIM, PLEASE SAY AYE.

AYE.

Mayor Wynn: ALL THOSE OPPOSED? DING DUNK ALL THOSE OPPOSED? OKAY. WE HAVE A SIX VOTES FOR WITH THE MAYOR OFF THE DAIS. [ APPLAUSE ] MR. GUERNSEY, DOES THAT CONCLUDE OUR ZONING IN.

MAYOR PRO TEM, IT DOES. I WANT TO MAKE SURE THAT ONCE AGAIN IF THERE'S ANYONE IN THE AUDIENCE FOR ITEMS 74 OR 75, THESE WERE NEIGHBORHOOD PLAN AMENDMENT REZONING ITEM RELATED TO THE UNIVERSITY ENTERPRISES, AN ITEM THAT WAS TIME CERTAIN AT 6:15, APPLICANT HAS WITHDRAWN THEIR REQUEST FOR CONSIDERATION OF ITEMS 74 AND 75. SO THIS CONCLUDES OUR ZONING ITEMS FOR THIS EVENING.

Dunkerley: GREAT. THANK YOU. OKAY. WE ARE NOW READY FOR OUR 6:00 O'CLOCK PUBLIC HEARING. I SEE MR. ADAMS COMING FORWARD ON ITEM NUMBER 71.

MAYOR PRO TEM AND MEMBERS OF THE COUNCIL, MY NAME IS YORJ ADD DOMES, WITH THE -- GEORGE ADAMS WITH THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. ITEM 71 IS TO CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AMENDING CHAPTER 25-2 SUBCHAPTER E OF THE DESIGN STZ AND MIXED USE OF THE CITY CODE REGARDING VERTICAL MIXED USE AND THE OPT IN, OPT OUT PROCESS. THE AMENDMENTS THAT ARE BEFORE YOU THIS EVENING WERE INITIATED BY THE COUNCIL IN DECEMBER OF 2006. THE PROPOSED AMENDMENTS WERE IDENTIFIED BY A GROUP CONSISTING OF NUMEROUS MEMBERS OF THE DESIGN STANDARDS TASKFORCE, WHICH INCLUDED BOTH NEIGHBORHOOD AND DEVELOPMENT COMMUNITY REPRESENTATIVES. THESE AMENDMENTS WENT TO THE PLANNING COMMISSION ON JANUARY 30TH AND THE PLANNING COMMISSION UNANIMOUSLY RECOMMENDED THEM ON A 9-0 VOTE. VERY BRIEFLY I'D LIKE TO PROVIDE AN OVERVIEW OF THE AMIES AND THEN I'D BE GLAD TO ANSWER ANY QUESTIONS YOU MIGHT HAVE. THEY CONSIST OF THREE CHANGES TO SECTION 4.3 OF THE DESIGN STANDARDS, WHICH IS THE SECTION

ON VERTICAL MIXED USE BUILDINGS. PART ONE OF THE AMENDMENTS AMENDS SECTION 4.32, WHICH DEFINES WHERE VMU BUILDINGS ARE ALLOWED TO SPECIFY THAT PROPERTIES WITHIN THE VMU OVERLAY DISTRICT, WHICH ARE USED EXCLUSIVELY FOR RESIDENTIAL USE, AND THAT DO NOT HAVE THE VMU COMBINING DISTRICT ZONING DESIGNATION MAY PERMIT A VMU BUILDING ONLY UNDER THE FOLLOWING CONDITIONS: FIRST, THROUGH THE CONDITIONAL USE PERMIT PROCESS AND THEN SECONDLY THROUGH THE OPT IN PROCESS. AND THE CHANGE HERE IS PRIMARILY THAT LAST ONE. TYPICALLY THESE TYPES OF PROPERTIES ARE CURRENTLY IN THE ORDINANCE, THESE TYPES OF PROPERTIES WOULD BE HANDLED AS AN OPT OUT AND THIS AMENDMENT WOULD CHANGE THAT TO AN OPT IN. PART TWO OF THE ORDINANCE AMENDS SECTION 4.3.5-C, WHICH DEFINES THE TYPES OF OPT IN OR OPT OUT APPLICATIONS, AND THIS CLARIFIES THAT A NEIGHBORHOOD MAY REQUEST THAT THE COUNCIL AMEND THE BOUNDARIES OF THE VMU OVERLAY DISTRICT TO REMOVE A PROPERTY FROM THE OVERLAY DISTRICT THROUGH THE OPT IN, OPT OUT PROCESS. PART 3 ESTABLISHES AN EARLY DETERMINATION PROCESS THAT WOULD PERMIT VMU DEVELOPMENT TO GET FORWARD BEFORE THE COMPLETION OF THE OPT IN, OPT OUT PROCESS THAT IS DESCRIBED IN THE DESIGN STANDARDS ORDINANCE. THIS EARLY DETERMINATION PROCESS WOULD BE SUBJECT TO TAKING THE REPRESENTATION TO THE PLANNING COMMISSION FOR THEIR RECOMMENDATION AND THEN FINALLY IT WOULD BE THE FINAL DECISION WOULD BE MADE BY COUNCIL. WITH THAT I'D BE GLAD TO ANSWER ANY QUESTIONS YOU HAVE ON THE AMENDMENTS. THANK YOU.

Dunkerley: ANY QUESTIONS? COUNCILMEMBER MCCracken.

McCracken: YES. SINCE I AND LAURA MORRISON HERE ARE PARTIALLY BOTH AT FAULT FOR Y'ALL HAVING THIS BEFORE YOU TONIGHT, I WANTED TO GIVE AN ADDITIONAL LAYER OF INFORMATION THAT THIS IS - - THAT THE OPT IN, OPT OUT PROCESS IN WHICH WE EXCHANGE DEVELOPMENT BONUSES AND MORE

DENSITY IN EXCHANGE FOR AFFORDABLE HOUSING, THAT PROCESS IS GOING TO BE DECIDED BY NEIGHBORHOODS COMING AND MEETING AND MAKING RECOMMENDATIONS TO COUNCIL. THAT WAS ORIGINALLY SUPPOSED TO BE DONE BY NOVEMBER OR DECEMBER, AND WE'RE JUST GETTING THE LETTERS OUT FOR VERY LEGITIMATE REASONS NOW. BECAUSE WE WANT TO GET THIS RIGHT. THIS HAS CAUSED A LOT OF THING THAT WERE IN THE PIPELINE TO GET STUCK. AND WE WANT MORE AFFORDABLE HOUSING AND WE WANT THE ABILITY TO TRADE OFF DENSITY FOR MORE AFFORDABLE HOUSING. I THINK IT'S ONE OF THE GREAT INNOVATIONS OF THIS. I THINK IT WAS ACTUALLY LAURA'S IDEA INITIALLY TO FIND A WAY TO DO TWO THINGS, WHICH IS TO MAKE SURE THAT WE'RE NOT CONVERTING EXISTING RESIDENTIAL PROPERTIES INTO VERTICAL MIXED USE AND HAVING IT BE TORN DOWN AND ALSO ALLOWING PROJECTS TO GO FORWARD. THE TASKFORCE ALSO DID CONCLUDE THAT NEIGHBORHOODS AS THEY WENT THROUGH THE OPT IN, OPT OUT PROCESS MIGHT IDENTIFY SPECIFIC DEVELOPMENTS ALONG CORE TRANSIT CORRIDORS THAT DIDN'T MAKE SENSE. THE EXAMPLE EVERYBODY CITED ON THE TASKFORCE IS THAT THERE ARE SOME LITTLE COTTAGE HOMES -- COTTAGE HOUSES ON SOUTH FIRST STREET THAT HOLD PLACES LIKE THE BOULDIN CREEK COFFEE HOUSE. NEIGHBORS SAY WE WANT TO KEEP THAT. THAT'S ARCHITECTURALLY UNIQUE AND WE'RE NOT INTERESTED IN THAT BEING TORN DOWN TO BE REPLACED WITH A MODERN VMU BUILDING. THAT WOULD STILL HAVE TO COME TO COUNCIL FOR APPROVAL AND THAT THAT WOULD BE ALLOWED TO BE CONSIDERED IN THE OPT IN, OPT OUT PROCESS. I THINK OVERRULE WHAT THIS DOES IS IT ALLOWS VMU TO GET STARTED RIGHT AWAY AND GET AFFORDABLE HOUSING ON THE GROUND RIGHT AWAY AND IT ALSO PROVIDES A LITTLE MORE FLEXIBILITY IN THE OPT IN, OPT OUT PROCESS, BUT I DON'T THINK IT IS BY ANY MEASURE SUBSTANTIALLY RETHINKS THE ENTIRE VMU OVERLAY BY A LONG SHOT.

Dunkerley: ANYONE ELSE HAVE A QUESTION OR

COMMENT? COUNCILMEMBER MARTINEZ?

Martinez: MAYOR PRO TEM, I DO HAVE SOME, I GUESS, CONCERNS ABOUT WHAT APPEARS TO BE PUTTING A PARAMETER IN PLACE THAT JUST -- IT SEEMS LIKE IT'S ELIMINATING THE WORK ON WHAT WENT INTO CREATING VERTICAL MIXED USE. WHAT WE DID IN VERTICAL MIXED USE IS ELIMINATE CORE TRANSIT CORRIDORS AND LET THE NEIGHBORHOODS HAVE INPUT ON WHERE THOSE WERE SO THAT THE DENSITY BONUSES AND THE INCENTIVE TO DO VERTICAL MIXED USE DID NOT ENCROACH UPON THE NEIGHBORHOODS. AND I THINK WE DID THAT, SOUTH FIRST STREET, SOUTH CONGRESS, I THINK WE ALL AGREE THAT THOSE ARE THE AREAS THAT WE WOULD LIKE TO SEE THAT. AND HOPEFULLY BRING IN SOME AFFORDABLE HOUSING PROJECTS AND OTHER MIXED USE PROJECTS THAT ARE COMPATIBLE WITH THE NEIGHBORHOOD. BUT WHAT WE'RE DOING HERE IS TO ME IT SOUNDS LIKE IS GIVING THE NEIGHBORHOOD THE AUTHORITY TO, ONE, COMPLETELY OPT OUT OF VMU AS AN ENTIRE NEIGHBORHOOD HE, MEANING ALL THE WORK WE JUST DID TO IDENTIFY THE CORRIDORS AND TO INCENTIVIZE THE VMU, NOW A NEIGHBORHOOD CAN COME TO UP US AND JUST COMPLETELY OPT OUT. SO EACH INDIVIDUAL PROPERTY OWNER ON A CORE TRANSIT CORRIDOR HAS TO COME HERE AND ASK US FOR WHAT WE'VE ALREADY GRANTED THEM THROUGH THIS PROCESS. SO I HAVE CONCERNS ABOUT THAT. THE OTHER CONCERN I HAVE IS THAT IF A NEIGHBORHOOD IS GOING TO HAVE INDIVIDUAL CARTE BLANCHE VETO OVER SOMETHING DESIGNATED AS VMU, I DON'T KNOW WHERE THERE'S ANY CONSIDERATION TO THE PROPERTY OWNER. AND WHILE I AGREE THAT NEIGHBORHOODS MAY LOVE TO KEEP WHAT WAS ONCE THE HIGH TIME TEA BAR ON SOUTH FIRST STREET. I'M NOT SURE WHAT IT'S CALLED NOW AND WHILE THEY MAY LOVE TO KEEP A SMALL BUSINESS LIKE THAT, WHAT DO WE DO WHEN THE OWNER SAYS, ACTUALLY, I'D LIKE TO TRY THIS. I'D LIKE TO GO FOR THOSE DENSITY BONUSES. I'D LIKE TO BUILD SOME AFFORDABLE HOUSING AND KEEP MY RESTAURANT ON THE BOTTOM FLOOR, BUT MAYBE ADD SOMETHING UNIQUE TO IT. WELL, OUR RESPONSE TO

THEM NOW IS YOU'VE GOT TO STRIKE A ZONING CASE BECAUSE THE NEIGHBORHOOD WANTS YOU TO KEEP IT JUST LIKE IT IS. WHAT DO WE DO IN CASES WHERE A PROPERTY OWNER IS LEASING SPACE TO A UNIQUE, LONG ESTABLISHED RESTAURANT LIKE A PALVOS WHERE THE NEIGHBORHOOD WANTS TO KEEP THEM, BUT THE PROPERTY OWNER SAYS I HAVE A LARGE ENOUGH LOT AND I WANT TO TRY THIS VERTICAL MIXED USE AND DEVELOP IT. THEY'VE GOT TO STRIKE A ZONING CASE AND COME HERE AND ASK FOR WHAT WE'VE ALREADY SAID IS WHERE WE WANT THAT TO EXIST. AND SO I'M CONFUSED ABOUT WHERE THIS CAME FROM AND WHY WE'RE GOING BACK AND SEEMINGLY UNDOING WHAT WE DID IN PUTTING VERTICAL MIXED USE AND IDENTIFYING THESE AREAS TO INCENTIVIZE THIS TYPE OF DEVELOPMENT.

McCracken: COUNCILMEMBER, I THINK THAT THOSE ARE THE CONCERNS I FIRST HAD AS WE ENTERED INTO THESE DISCUSSIONS, BUT THAT WAS PART OF THE COMPROMISE WE STRUCK. AND FOR STARTERS, NOBODY WOULD GET A VETO ON ANYTHING. IT WOULD STILL REQUIRE A MAJORITY OF THE COUNCIL TO AGREE TO MAKE THOSE BOUNDARY CHANGES. THIS IS ABOUT -- WE WILL HAVE TO HAVE THE OPT IN, OPT OUT VOTE FOR EACH NEIGHBORHOOD SOMETIME LATER THIS SUMMER, SO WE'LL HAVE TO HAVE THIS VOTE NO MATTER WHAT, BUT ALL WE'RE SAYING IS THAT AS PART OF WHEN WE MAKE THAT VOTE THE NEIGHBORHOODS WILL HAVE THE LATITUDE TO RECOMMEND SOME BOUNDARY ADJUSTMENTS. BUT I HAVE TOLD THE NEIGHBORS AND I THINK IT'S VERY HELPFUL FOR YOU TO MAKE THIS STATEMENT TOO AND I THINK THAT I'VE HEARD DANETTE AND LAURA MAKE THE SAME STATEMENT TOO AND I EVEN HEARD BRYAN KING MAKE THE STATEMENT THAT VMU IS GOING TO BE GREAT AND THAT THE MAXIMUM EXTENT THAT THIS COULD REALISTICALLY BE DONE IS ON SMALL AREAS. IT WAS SIMPLY AN EFFORT -- AND I CONCLUDED IT WAS A FAIR EFFORT TO PROVIDE FLEXIBILITY FOR THE FOLKS ON THE GROUND IN THOSE SITUATIONS THE BEST, THAT THEY WOULD STILL HAVE TO COME DURING THAT REVIEW PERIOD AND GET A MAJORITY OF THE COUNCIL TO AGREE

WITH THEM. SO I THINK IT'S FAIR AND I DON'T THINK IT UNWINDS THE CORE TRANSIT CORRIDORS. LORD KNOWS IF I DID I SURE WOULDN'T BE SUPPORTING IT BECAUSE I'VE GOT THE SCARS FROM THREE YEARS WORKING ON THIS.

Dunkerley: COUNCILMEMBER?

Martinez: IS THERE ANY CONSIDERATION FOR OR -- WAS THERE ANY DISCUSSION ABOUT THE PROPERTY OWNER? AND LET ME GIVE YOU AN EXAMPLE. IF STAFF COMES TO US AND SAYS WE HAVE A PROPERTY WE'VE IDENTIFIED AND WE THINK IT SHOULD BE ZONED HISTORIC, WE WOULD MOVE IT THROUGH THE PROCESS, BUT WE STILL GIVE THE OWNER THE RIGHT TO FILE A VALID PETITION CREATING A LARGER MAJORITY OF THE COUNCIL HAVING TO AGREE ON STAFF'S RECOMMENDATION. IT SEEMS LIKE THAT WOULD BE LOGICAL IF COUNCIL IS GOING TO ADOPT POLICY THAT SAYS THIS IS VMU, THIS IS WHERE WE WANT IT, THIS IS WHERE WE WANT TO INCENTIVIZE IT. IF AN OWNER WANTS TO DO THAT, BUT THE NEIGHBORHOOD SAYS WE DON'T WANT YOU TO DO THAT TO YOUR PROPERTY, I THINK THAT THE PROPERTY OWNER HAS SOME RIGHTS TO STATEMENT TO USE -- TO ATTEMPT TO USE THE TOOL THAT WE'RE PUTTING IN PLACE. AND I DON'T SEE THAT IN THE CURRENT SITUATION.

Dunkerley: THAT'S A GOOD POINT.

McCracken: MY BELIEF IS THAT WOULD REQUIRE REMOVAL OF A PROPERTY OF IN POINT WOULD REQUIRE A VALID PETITION VOTE BECAUSE THE ORDINANCE HAS TAKEN EFFECT AND THE BOUNDARIES OF THE OVERLAYS HAVE BEEN SET. SO MY EXPECTATION IS THAT IT WILL BE USED ON AN EXTREMELY LIMITED BASIS AND IT WILL BE ON PROPERTIES FOR WHICH THERE IS BROAD CONSENSUS. AND I THINK PROBABLY -- LAURA MIGHT BE ABLE TO SPEAK BEST OF WHERE THE NEIGHBORHOOD DYNAMICS ARE ON THAT. IF YOU DON'T MIND, LAURA.

Dunkerley: JUST A MOMENT, IF YOU WOULD. BECAUSE

I WANT MAYBE LAURA TO ADDRESS MY QUESTION TOO, SO I JUST WANTED TO ASK IT BEFORE YOU COME UP. I HAVE CONCERNS ABOUT THIS LAST WEEK AND THAT'S ONE OF THE REASONS WE WAITED FOR YOU TO GET BACK. AND AGAIN, MY CONCERN WAS THE IDEA OF BEING ABLE TO GO IN AND SELECT ONE PARTICULAR PROPERTY TO BE PULLED OUT OF SOMETHING THAT, LIKE I SAID, WE'VE GENERALLY CONSIDERED. NUMBER ONE, I DIDN'T UNDERSTAND SOME EXAMPLES AND SOME REASONS FOR IT, AND SECOND, I FELT LIKE IN A WAY PERHAPS I HADN'T THOUGHT ABOUT IT FROM THE PROPERTY OWNER PERSPECTIVE, BUT IN A WAY THAT MIGHT HAVE IMPLICATIONS THERE THAT WE REALLY HAVEN'T CONSIDERED. SO I WANTED YOU TO SORT OF GIVE ME SOME EXAMPLES AND TELL ME WHY YOU THOUGHT THIS WAS IMPORTANT, AND I'D APPRECIATE THAT.

I JUST CAN'T GET ENOUGH OF BEING DOWN HERE WITH YOU GUYS. [ LAUGHTER ] I GUESS I REALLY WOULD LIKE TO EXPLAIN THAT IN THE BEGINNING THERE WAS SERIOUS CONFUSION AND THERE WERE PEOPLE AMONG THE NEIGHBORHOOD PEOPLE THAT WERE TRYING TO LEARN, AND THERE WERE PEOPLE ON THE TASKFORCE THAT THOUGHT THAT THIS WAS PART OF WHAT WAS GOING FORWARD, AND IT WASN'T UNTIL SOMEWHAT LATER THAT IT BECAME CLEAR THAT THERE WAS CONFUSION ABOUT THAT. SO THERE ARE PEOPLE THAT ACTUALLY WERE NOT ALL JUST NEIGHBORHOOD PEOPLE THAT WERE ON THE TASKFORCE THAT THOUGHT THAT THIS WAS AN OPTION WHEN THEY SUPPORTED IT. SOME EXAMPLES, I DON'T THINK IT'S GOING TO HAPPEN THAT OFTEN. AND I DO BELIEVE THAT PEOPLE DO THINK THAT WITH VMU YOU'RE GOING TO GET BETTER STUFF. WE ALREADY HAVE MU ALL ALONG MANY OF THESE CORRIDORS, FANNED YOU CAN BUILD AN MU PROJECT -- IF YOU BUILD A VMU PROJECT, CHANCES ARE IT'S GOING TO BE BETTER BECAUSE IT'S GOING HAVE THE PEDESTRIAN STUFF THAT'S ENLIVENS THE STREET AND ALL THAT. SO THAT'S WHY IT'S NOT REALLY GOING TO HAPPEN THAT OFTEN. IT DOES ADD ADDITIONAL OPTIONS SO IT MAY IN SOME CASES, LIKE IF THERE IS AN MU -- IF IT ISN'T MU ALREADY ON THE PROPERTY, ADD



ADDITIONAL CHOICES THAT MIGHT PROMPT SOMEBODY TO REDEVELOPMENT WHEN WE DON'T WANT TO. AND THE EXARMZ I CAN THINK OF, FOR INSTANCE, WOULD BE IF THERE ARE SOME ENVIRONMENTAL FEATURES, LIKE A GROVE OF OAK TREES THAT ARE A PROPERTY THAT YOU REALLY WANT TO MAYBE FOR THE COMMUNITY'S SAKE NOT INCENTIVIZE REMOVING THEM. OR ANOTHER EXAMPLE, SOMEBODY HAD MENTIONED TO ME IS WE'VE SEEN SEVERAL CASES OF FOLKS AGGREGATING SMALLER LOTS INTO LARGER LOTS, AND THEN PUTTING IN BIG DEVELOPMENTS THERE. AND IF WE HAVE THREE SMALL LOTS WITH CHERISHED, ICONIC BUSINESSES THAT WERE ACTUALLY WANTING TO BE ABLE TO PRESERVE IN THIS TOWN AND THOSE INDIVIDUAL LOTS ARE ALL THAT HAVE THE VMU OPTION, THAT MIGHT BE A REAL STIMULUS TO GO IN AND MOW DOWN THOSE ICONIC BUSINESSES AND PUT IN A BIG OLD VM UFBT PROJECT. SO THOSE ARE A COUPLE OF EXAMPLES.

Dunkerley: I'M NOT AT ALL WANTING TO OFFEND ANY PARTICULAR NEIGHBORHOOD ASSOCIATION, BUT THERE ARE SOME NEIGHBORHOOD ASSOCIATIONS IN AUSTIN THAT HAVE VERY, VERY FEW, VERY, VERY ACTIVE MEMBERS. NOT YOURS. YOU'VE GOT A LOT.

McCracken: YOU'VE GOT A LOT OF ACTIVE MEMBERS.

...

Dunkerley: THERE ARE SOME WHERE THERE ARE VERY FEW PEOPLE ON THE EXECUTIVE COMMITTEE OR IN THE NEIGHBORHOOD ASSOCIATION. AND THERE ARE TIMES WHEN THERE HAVE BEEN CONFLICTS BETWEEN LANDOWNERS AND THAT ASSOCIATION. AND SO I'M REALLY -- I'M REALLY CONCERNED THAT YOU MIGHT HAVE SOME PERSONAL CONFLICTS BEING CARRIED OUT IN THIS WAY. AND THAT WAS ONE OF MY CONCERNS. YOU KNOW, ALL OF THE AREAS HERE IN CENTRAL AUSTIN, THEY ARE SO ACTIVE, THIS WOULD NOT HAPPEN HERE, BUT THERE ARE SOME OTHER AREAS WHERE PEOPLE ARE NOT AS ACTIVE. AND I HAD A CONCERN ABOUT THAT BECAUSE I THINK IT SETS UP A SCENARIO THAT'S

REALLY NOT HEALTHY.

WE'LL CERTAINLY WANT TO WATCH OUT FOR THAT AND I WANT TO KNOW -- AND I KNOW THAT THERE ARE STAFF ON COUNCIL AND AMONG SOME OF THE NEIGHBORHOOD ACTIVISTS THAT ARE REALLY PRETTY COMMITTED TO MAKING THIS A SMOOTH PROCESS AND REACHING OUT TO NEIGHBORHOODS. SO HOPEFULLY IF SOMETHING LIKE THAT COMES UP AND I DON'T REALLY KNOW WHERE YOU MIGHT BE TALKING ABOUT, IF YOU HAVE A NEIGHBORHOOD PLAN TEAM IN PLACE, THAT MEANS YOU'VE GOT REPRESENTATIVES STAKEHOLDERS AT THE TABLE. SO THERE WILL BE SOME CHALLENGES IN THE AREAS WHERE THERE ARE CORE TRANSIT CORRIDORS WHERE WE DON'T HAVE TEAMS YET AND THERE AREN'T THAT MANY OF THEM. EVEN WHERE WE DON'T HAVE PLANS WE HAVE TEAMS IN PLACE BECAUSE WITH WE HAVE PLANS UNDERWAY.

Dunkerley: IF YOU DIDN'T HAVE A NEIGHBORHOOD PLANNING TEAM OR CONTACT TEAM OR WHATEVER YOU CALL THEM NOW IN PLACE, WOULDN'T IT BE THE ASSOCIATION THAT'S THERE THAT WOULD MAKE THAT DECISION?

WELL, IT'S THE ASSOCIATION, BUT OBVIOUSLY IT NEEDS TO GET INPUT FROM THE FOLKS THAT ARE INVOLVED IN OTHER PARTS OF THE COMMUNITY. SO WHILE THE SOARKS I WOULD CERTAINLY ASSUME -- DUNK DAWNGD AREAS WHERE THERE ARE NO NEIGHBORHOOD PLANS, THAT'S A DID CONCERN.

McCracken: MAYOR PRO TEM, I THINK THE EXTENT THAT IF A MAJORITY OF THE COUNCIL WERE OF THE OPINION THAT WE SHOULD NOT HAVE THE AUTHORITY TO AMEND THE BOUNDARIES, THEN IT WOULDN'T MATTER IF THIS PROVISION WAS IN HERE IN THE FIRST PLACE BECAUSE IT WOULD BE AN INDICATION THAT A MAJORITY OF THE COUNCIL WOULD NEVER APPROVE THE BOUNDARY AMENDMENT REQUEST FROM A NEIGHBORHOOD. AND I AM GOING TO BE VERY DUBIOUS ABOUT -- I THINK LAURA DID A GREAT JOB OF COMMUNICATING THIS TO A LOT OF THE FOLKS ON THE TASKFORCE, AND I DID TOO THAT THERE'S

GOING TO BE A GREAT DEAL OF SCEPTICISM FROM THIS COUNCIL ABOUT MAKING ANY SIGNIFICANT CHANGES TO THE OVERLAY BOUNDARIES BECAUSE THESE WERE WORKED OUT VERY -- OVER A LONG TIME. ONE OF THE REASONS I'M SO TICKED OFF AT WHAT'S HAPPENING AT NORTH CROSS, WE SET HARD TO SET THE BOUNDARIES TO INCLUDE NORTH CROSS. THESE ARE ALL OUR BABIES AND WE FEEL JEALOUS ABOUT THEM AS A TASKFORCE. AND I THOUGHT THIS COUNCIL, WHICH IS COMMITTED, IS UNLIKELY TO BE SYMPATHETIC TO MANY CHANGES TO THE OVERLAY BOUNDARIES BECAUSE WE WORKED VERY HARD TO DEFINE THEM. BUT I DO THINK IT MAKES SENSE TO HAVE THE FLEXIBILITY IN THERE. AND I THOUGHT IT WAS A FAIR COMPROMISE THAT I DON'T THINK -- I DON'T THINK IS THREATENED. IF I DID, I WOULD NOT BE SUPPORTING PUTTING THAT PROVISION IN HERE TONIGHT. I THINK IT'S GOING TO BE OKAY.

CAN I ADD ONE MORE THING? THIS IS A REALLY INTERESTING DYNAMIC BECAUSE THE NEIGHBORHOODS ARE ASKED TO COME FORWARD AND EMBRACE HUGE CHANGES TO THEIR NEIGHBORHOODS. AND THEY'RE GIVEN THE OPPORTUNITY TO MAKE RECOMMENDATIONS TO COUNCIL. AND IT'S SORT OF LIKE A GOOD FAITH EFFORT HAS TO BE MADE BY THE NEIGHBORHOOD TO BE THOUGHTFUL AND CAREFUL ABOUT REACHING THE GOALS, BUT PROTECTING THEIR NEIGHBORHOOD, AND A GOOD FAITH EFFORT HAS TO BE MADE BY COUNCIL IN TERMS OF RESPECTING THE RECOMMENDATIONS. IT'S YOUR DECISION, BUT RESPECTING THE RECOMMENDATIONS. BUT THAT BALANCE NEEDS TO BE HELD. I DON'T THINK -- I'M CERTAINLY -- IN THE BEGINNING I HEARD FOLKS SAY I'M JUST GOING TO OPT OUT OF EVERYTHING. PEOPLE HAVE GOTTEN EDUCATED AND UNDERSTOOD A LITTLE ABOUT WHAT MORE IS COMING DOWN THE PIKE, BUT IS REALLY IS A GOOD FAITH EFFORT ON THE NEIGHBORHOOD'S PART AND IN RESPONSE FOR THE COUNCIL TO LISTEN CAREFULLY. AND HOPEFULLY WE'LL KEEP THAT BALANCE FKT.

Martinez: MAYOR PRO TEM, I CERTAINLY AGREE WITH

YOU, LAURA, AND THERE HAS TO BE A BALANCE. BUT YOU MENTIONED COUNCIL AND NEIGHBORHOODS. BUT THERE'S A THIRD PRONG TO THAT AND THAT'S THE INDIVIDUAL PROPERTY OWNER. WHERE'S THE BALANCE FOR THEM? I JUST WANTED TO ASK IF WE'RE GRANTING THE AUTHORITY TO A NEIGHBORHOOD TO CHERRY PICK IF YOU WILL INDIVIDUAL PROPERTIES TO OPT OUT AS A RECOMMENDATION, WHY ARE WE ALSO HAVING A PROVISION THAT ALLOWS THEM TO OPT OUT AS AN ENTIRE NEIGHBORHOOD ASSOCIATION.

McCracken: PART TWO SIMPLY SAYS THEY CAN REQUEST THE REMOVAL OF PROPERTIES FROM ONE OR MORE AND IN CONCEPT --

IN THAT CAN THEY REQUEST THAT ALL PROPERTIES BE REMOVED IN ONE REQUEST?

McCracken: THEY WOULD HAVE TO NOTIFY EVERY PROPERTY OWNER -- AFFECTED PROPERTY OWNER WOULD HAVE TO BE NOTIFIED AND IF IT'S LIKE A NEIGHBORHOOD PLAN AMENDMENT. SO IT WOULD BE SUBJECT TO VALID PETITION RULES AND THE STANDARD PROCEDURAL PROTECTIONS. SOMEONE'S PROPERTY CANNOT BE REMOVED FROM THE 84 LAY WITHOUT NOTICE TO THE PROPERTY OWNER. IF THIS VOTE IS HAPPENING ANYWAY BECAUSE WE HAVE TO MAKE THE OPT IN, OPT OUT VOTE NO MATTER WHAT, BUT IT JUST ADDED AN ISSUE THAT CAN BE ADDRESSED AT THAT TIME. I CAN TELL YOU OFF THE BAT THERE'S NO WAY I WILL VOTE IN FAVOR OF REMOVING AN ENTIRE NEIGHBORHOOD FROM A CORE TRANSIT CORRIDOR. THOSE ARE IN THERE FOR GOOD REASONS.

Dunkerley: IS THERE A WAY THAT WE CAN ADDRESS COUNCILMEMBER MARTINEZ'S ISSUE ABOUT THE PROPERTY OWNER? IS THERE A WAY THAT WE CAN REQUIRE A SUPER MAJORITY OF THE COUNCIL ON AN INDIVIDUAL OR A GROUP WHERE A PROPERTY OWNER OBJECTS?

McCracken: WE CAN MAKE IT SUBJECT TO THE VALID PETITION RULES FROM AN OBJECTING PROPERTY OWNER WHOSE PROPERTY IS IDENTIFIED -- WHOSE

PROPERTY IS REQUESTED TO BE REMOVED.

Martinez: I THINK IT'S A STEP IN THE RIGHT DIRECTION. MARTY, ARE WE ABLE TO MAKE THAT KIND OF AMENDMENT ON THIS?

I NEED TO DEFER TO DEBRA THOMAS.

WE COULD MAKE THAT AMENDMENT, BUT ACTUALLY BECAUSE IT IS PART OF THE ZONE THE PROCESS, IT WOULD ALREADY BE SUBJECT TO THAT.

Dunkerley: OKAY.

Martinez: FAIR ENOUGH.

Dunkerley: ALL RIGHT. ARE THERE ANY OTHER COMMENTS OR DISCUSSION?

McCracken: MAYOR PRO TEM, I'LL MOVE TO CLOSE THE PUBLIC HEARING AND -- DOES IT HAVE TO BE APPROVED ON ALL THREE READINGS?

WE HAVE AN ORDINANCE, SO YOU CAN DO IT ON ALL THREE READING.

McCracken: I'LL MOVE TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS?

Dunkerley: IS THERE A SECOND? THERE'S A MOTION AND A SECOND. ALL IN FAVOR PLEASE SAY AYE? ALL THOSE OPPOSED? OKAY. IT PASSES ON A VOTE OF SIX TO ZERO WITH THE MAYOR OFF THE DAIS. THANK YOU ALL. THANK YOU, STAFF AND THANK YOU, LAURA. NOW WE ARE DOWN TO OUR NEXT PUBLIC HEARING, ON BIG BOXES. AND I HAVE THE WATERSHED PROTECTION STAFF STEPPING TO THE DAIS.

..

MY NAME IS TAMMY WILLIAMSON. I'M HERE TO PRESENT ITEM 72. IT'S THE BIG BOX DRAFT ORDINANCE AND REVISIONS AND RECOMMENDATIONS. COUNCIL, ON DECEMBER 14TH, 2006, YOU CONSIDERED A PROPOSED AMENDMENT

TO THE CODE THAT MADE RETAIL USE THAT IS 100,000 SQUARE FEET OR MORE IN SIZE A CONDITIONAL USE. COUNCIL ON THAT NIGHT YOU CLOSED THE PUBLIC HEARING AND VOTED TO APPROVE THE AMENDMENT ON FIRST READING. COUNCIL AT THAT TIME YOU DIRECTED THE TIRM TO INITIATE A CODE AMENDMENT THAT WOULD ALLOW COUNCIL TO ESTABLISH A LARNG RETAIL USE AS A PERMITTED USE IN GR OR A LESS RESTRICTIVE ZONING DISTRICT AND ALLOW PROPERTY OWNER TO BE EITHER PROCESS TO AUTHORIZE A LARGE RETAIL USE. STAFF WENT BACK AND ATTEMPTED TO MAKE THE ZONING A CONDITIONAL USE. THE USES PARALLEL. THE PROPOSED CRITERIA THAT COUNCIL WOULD CONSIDER IN THE ZONING PROCESS WOULD BE THE SAME CRITERIA AS THE PLANNING COMMISSION CONSIDERS AND THE CONDITIONAL USE PROCESS IN MAKING THESE USES PARALLEL. BOATS THE COUNCIL AND LAND USE COMMISSION WOULD BE ABLE TO ESTABLISH CONDITIONS THAT WOULD MAKE THE LARGE RETAIL USE COMPATIBLE WITH THE NEIGHBORHOODS. HOWEVER, IN THIS PROCESS WE WERE NOT ABLE TO MAKE -- WE COULDN'T MAKE THE USES SYNC UP. AS YOU MAY, CONDITIONAL USE PERMITS DO EXPIRE AFTER THREE YEARS AND THE ZONING DOES NOT EXPIRE. AND IF THE PROJECT HASN'T STARTED, THE CONDITIONAL USE PERMIT WOULD EXPIRE, BUT THE ZONING STILL STAYS IN PLACE, SO STAFF DID HAVE SOME DIFFICULTY IN MAKING THOSE TWO ITEMS SYNC UP AS YOU REQUESTED. THE PLANNING COMMISSION CONSIDERED THE PROPOSAL TO ALLOW A LARGE RETAIL USE OF THE 100,000 SQUARE FEET OR MORE AS PERMITTED USE IN GR LESS RESTRICTIVE ZONING DISTRICT. THE PLANNING COMMISSION RECOMMENDED THAT THE COUNCIL APPROVE THE AMENDMENT TO ESTABLISH THE LARGE RETAIL USE AS CONDITIONAL USE AS YOU REQUESTED AND SENT FORTH ON DECEMBER 14 ITS WITH THE FOLLOWING CHANGES. THAT YOU DEFINE LARGE RETAIL USE AS ONE PRINCIPAL USE AND ACCESSORY YIEWS. YOU ADD FUTURE REUSE OF A LARGE SITE AS A FACTOR TO BE CONSIDERED WHEN REVIEWING A REQUEST FOR A CONDITIONAL USE PERMIT AND THE ADD THE REQUIREMENT THAT NOTICE OF AN APPLICATION

FOR CONDITIONAL USE PERMIT ALSO BE SENT TO BUSINESS OWNERS WHO RENT SPACE FOR THE BUSINESSES.

Dunkerley: EXCUSE ME JUST A MINUTE, COULD WE INTERRUPT YOU RIGHT THERE? THEY KEPT TELLING ME THAT THE CLOCK HAS NOW MOVED PAST 10:00 AND WE HAVE A RULE THAT SAYS THAT WE NEED A MOTION TO SO THAT WE CAN CONTINUE OUR DELIBERATIONS. SOCO I GET A MOTION -- SO COULD I GET A MOTION TO THAT EFFECT? OKAY. WE HAVE A MOTION BY COUNCILMEMBER MCCRACKEN. DO I HAVE A SECOND? COUNCILMEMBER LEFFINGWELL. ALL IN FAVOR PLEASE AAYE. NOW, TAMMY, YOU CAN LEGALLY CONTINUE. [ LAUGHTER ]

THE PLANNING COMMISSION ALSO SUGGESTED THAT COUNCIL CONSIDER CREATING A NEW ZONING DISTRICT OR OVERLAY DISTRICT THAT ALLOWS LARGE RETAIL DEVELOPMENTS AS A PERMITTED USE. AND TONIGHT THE COUNCIL HAS TWO ORDINANCES BEFORE YOU. THE FIRST ORDINANCE CONTAINS BOTH A CONDITIONAL USE PROCESS AND THE PROCESS FOR CREATING LARGE RETAIL USE AS A PERMITTED USE AND THE SECOND ORDINANCE IS IS THE CONDITIONAL USE PERMITS ONLY. THE STAFF RECOMMENDATION, WE RECOMMEND THAT THE COUNCIL ADOPT THE PLANNING COMMISSION RECOMMENDATION WITH ONE CHANGE TO THE LANGUAGE REQUIRING NOTICE TO BUSINESS OWNERS, BUT STAFF RECOMMENDS THAT NOTICE BE PROVIDED TO ALL UTILITY SERVICE ADDRESSES LOCATED WITHIN 500 FEET OF THE SITE AS SHOWN IN THE CITY UTILITY ERRORS OF THE DATE OF THE FILING OF THE APPLICATION. THIS PROVISION FURTHER DEFINES THE NOTICE RECIPIENTS AND REMOVES THE NEED FOR THE STAFF TO DIFFER RIN SHAIT BETWEEN -- DIFFERENTIATE BETWEEN BUSINESS AND NON-BUSINESS, WHICH MAY NOT BE ALWAYS CLEAR IN OUR CODE. SO WE DID MAKE THE CHANGE AS YOU REQUESTED TO GO FROM 300 TO 500 FEET. SO THAT IS STAFF'S RELIGIOUS RECOMMENDATION BEFORE YOU THIS EVENING. ARE THERE ANY QUESTIONS?

Dunkerley: ANY QUESTIONS OF STAFF?

COUNCILMEMBER COLE? COUNCILMEMBER  
MCCRACKEN?

McCracken: I JUST HAD A QUESTION. THIS IS FOR  
LEGAL. THIS IS PROBABLY DEBRA. WE HAD  
EXTENSIVE PUBLIC PROCESS ON THE BIG BOX AREA  
THAT WORKED ITS WAY INTO OUR DEVELOPMENT  
AGREEMENT. SO THE FIRST QUESTION IS THE  
MUELLER REDEVELOPMENT EXEMPT FROM THIS  
ORDINANCE?

YES, THE MUELLER REDEVELOPMENT P.U.D. IS  
EXEMPT FROM THIS ORDINANCE BECAUSE THE P.U.D.  
SPECIFICALLY SAYS THAT THE DEVELOPMENT OF  
THAT SITE IS SUBJECT TO THE REGULATIONS THAT  
WERE IN EFFECT ON THE EFFECTIVE DATE OF THAT  
ORDINANCE, WHICH WAS BACK IN 2004.

McCracken: WOULD THAT BE THE CASE, DEBRA, EVEN  
IF THE COUNCIL APPROVED SOME ZONING CHANGE  
WITHIN THE PLANNED...NED UNIT DEVELOPMENT?

YES, UNLESS THE COUNCIL ACTUALLY DECIDED TO  
MAKE CHANGES REGARDING BIG BOX USES ITSELF.  
BUT JUST GOING INTO THE ORDINANCE TO MAKE  
CHANGES, GENERAL CHANGES TO THE ZONING  
WOULD NOT IN ANY WAY SUBJECT THAT PROPERTY  
TO THE BIG BOX ORDINANCE.

McCracken: IS THAT POSSIBLE?

YES.

McCracken: THANK YOU, DEBRA.

Dunkerley: COUNCILMEMBER COLE?

I BELIEVE THE PUBLIC HAS BEEN CLEAR ON THE  
NECESSITY OF THIS ORDINANCE, AND WE'VE SEEN  
THAT A PUBLIC HEARING IS NECESSARY. MIEFL  
THAT WE APPROVE THIS ON ALL THREE READINGS  
AND THE PLANNED UNIT RECOMMENDATION WITH  
THE STAFF ON THE NOTICE TO 500 FEET AND --

Dunkerley: DO WE HAVE ANY SPEAKERS?



Cole: I'M SORRY.

YOU DO HAVE SPEAKERS. WOULD YOU LIKE TO HEAR THOSE IN FAVOR FIRST?

Dunkerley: ABSOLUTELY. LET'S DO THE PUBLIC HEARING, COUNCILMEMBER. THANK YOU. WE'LL HAVE ALL THOSE IN -- ALL THOSE IN FAVOR OF THE ORDINANCE SPEAKING FIRST, SO IF YOU WILL -- CITY CLERK, CAN YOU READ OFF OUR --

YES. THE FIRST SPEAKER WOULD BE HOPE MORRISON. THE NEXT SPEAKER IS SUSAN MOFFETT. THE NEXT SPEAKER A JAN TRIPLET.

Dunkerley: I THINK JAN'S COMING FORWARD NOW.

GOOD EVENING, COUNCILMEMBERS. I CERTAINLY APPRECIATE THE LATE HOUR AND I WILL BE VERY BRIEF. I AM JAN TRIPLET. I OWN THE BUSINESS SUCCESS CENTER. IT IS A VIRTUAL INCUBATOR FOR OWNERS OF EXISTING BUSINESSES. I GAVE TESTIMONY AT THE PLANNING COMMISSION ABOUT THE. ISSUE ABOUT MAKING SURE THAT NOT ONLY THE OWNER'S OF PROPERTY, BUT RENTERS OF BUSINESSES GET AN OPPORTUNITY TO HEAR ABOUT A DEVELOPMENT COMING IN. IT NEEDS TO BE AS THE PLANNING COMMISSION APPROVED IT BECAUSE IN SOME CASES THE BUSINESSES DON'T HAVE UTILITIES. THEY ARE ALREADY PAID FOR. SO IT WILL ELIMINATE A LARGE GROUP OF PEOPLE WHO DON'T HAVE LIGHT, WATER, ETCETERA, THAT WOULD FALL UNDER THE STAFF'S RECOMMENDATION. THIS CAME ABOUT BECAUSE OF AN ISSUE WITH A TENANT AT NORTHCROSS MALL WHO WAS NOT INFORMED BEFORE SHE RENEGOTIATED AND SIGNED HER LEASE THAT THE WAL-MART WAS GOING IN NEXT TO HER. THIS IS A WAY TO PREVENT THAT FROM HAPPENING TO ANY OTHER BUSINESS. PLEASE, DO NOT CHANGE THE PLANNING COMMISSION'S AMENDMENT. THANK YOU.

THE NEXT SPEAKER IS LAURA MORRISON.  
DANETTE....ETTE CLE MEANTE.

Dunkerley: SUSAN MOFFETT IS BACK IN THE CHAMBER

NOW.

I HEARD YOU. I WAS ACTUALLY SIGNED UP TO ANSWER QUESTIONS ONLY BECAUSE I DIDN'T WANT TO DRAG THIS PROCESS OUT. I KNOW YOU'VE ALL HAD A LATE NIGHT AND THERE ARE MANY OTHER CASES THAT NEEDED TO BE HEARD. WE'VE HAD A IT THOROUGH HEARING ON THIS, SO I JUST WANTED TO SAY THAT I'M HAPPY TO ANSWER QUESTIONS, BUT -- AND I KNOW THAT THE CHANGE -- THE CHANGE WITH THE UTILITY BILLS WAS WELL INTENTIONED AND JAN IS MUCH MORE EXPERT ON THAT THAN I AM, AND I BOW TO HER EXPERTISE IF SHE DOES NOT THINK THAT WILL CATCH THE BUSINESS OWNERS, I WOULD DEFER TO HER ON THAT. THANK YOU.

MAYOR PRO TEM, YOU HAD ONE SPEAKER AGAINST, THAT'S LAURA ATHERTON.

LAURA?

Cole: MAYOR PRO TEM, HI A QUESTION FOR JAN. WHERE DID SHE GO? I'M JUST UNCLEAR ABOUT WHETHER YOU THINK THE CURRENT LANGUAGE IN THE PLANNING COMMISSION'S RECOMMENDATION REGARDING BUSINESS OWNERS IS SUFFICIENT NOTICE OR WHETHER WE NEED TO AMEND THAT WITH REGARD TO THE UTILITY BILLS.

I'M NOT SURE THAT I'M CLEAR OF THE QUESTION. WOULD YOU MIND SAYING IT AGAIN?

Cole: ARE YOU RECOMMENDING JUST USING THE PLANNING COMMISSION RECOMMENDATION?

YES, MA'AM, I AM. THANK YOU.

Kim: I JUSTICE A HAVE A QUESTION. MY INTENTION WAS ASKING THE STAFF WAS TO MAKE IT STRONGER IN TERM OF NOTIFICATION. RIGHT NOW IT IS ONLY GOING TOWARDS -- TO THE PROPERTY OWNERS THAT OWN THE PROPERTY, NOT THE TENANTS, SO THE PURPOSES IS TO STRENGTHEN AND ADD MORE NOTIFICATION, NOT LESS.

COUNCILMEMBER, I APPRECIATE THAT. AND THAT'S

WHY I ORIGINALLY BROUGHT THAT POTENTIAL AMENDMENT TO THE PLANNING COMMISSION AND I STATED AS I THOUGHT IT WAS BEST, WHICH WAS TO ADDRESS THE ISSUE TO ALL OF THE BUSINESSES WHO RENT PROPERTY IN THE AFFECTED AREAS. AND USED THAT AS THE CRITERIA BECAUSE IF YOU RENT A SPACE, YOU MAY HAVE A THREE TO FIVE-YEAR LEASE OR LONGER, BUT YOU MAY NOT BE PAYING UTILITIES. THOSE MAY BE PICKED UP BY THE PERSON WHO OWNS THE PROPERTY. AND MY CONCERN IS WE MAY LEAVE SOME PEOPLE OUT.

Kim: LET ME ASK THE STAFF THEN. THE STAFF WAS AVAILABLE SO ANSWER THE QUESTION ABOUT HOW TO GET TO THE TENANTS. BECAUSE MY PURPOSE OF ADDING THAT LANGUAGE IS TO NOTIFY THE TENANT. AND IF WE NEED TO DO CURRENT RESIDENT OF SUITE B 16 OR WHATEVER IT IS, I DON'T KNOW HOW TO SKIN THAT CAT, BUT THAT'S WHY I WANTED THE LANGUAGE. I DID NOT SPECIFICALLY ASK FOR UTILITY, WHO IS SEEING THE UTILITY BILL RLTD BUT I WANTED TO ASK STAFF WHAT ARE YOUR IDEAS OR WHAT IS YOUR RECOMMENDATION?

DEBRA THOMAS WITH THE LAW DEPARTMENT. THE ADDRESSES THAT WE GET FOR THE TENANTS ACTUALLY DO COME FROM THE UTILITY RECORDS. THAT IS HOW WE GET THE INDIVIDUAL ADDRESSES. AND BY SAYING THE UTILITY SERVICE ADDRESSES, IT WOULD BE WHEREVER THERE IS A UTILITY SERVICE, WE WOULD GET HE... THE ADDRESS AND WE WOULD BE ABLE TO SEND A NOTICE TO THAT.

Kim: SO ARE WE TAKING SOMETHING OUT FROM THE PLANNING COMMISSION'S RECOMMENDATION OR ARE WE ADDING? WHAT I SAW A DRAFT WAS WE ARE ADDING TO THE PLANNING COMMISSION'S RECOMMENDATION.

IF WE JUST SAY BUSINESS TENANTS OR BUSINESS OWNERS WHO RENT THEIR SPACE, WE DON'T REALLY KNOW WHO THOSE PEOPLE ARE, SO WE WERE TRYING TO GET EVERY SINGLE ADDRESS THAT WE COULD GET. ACTUALLY, WE BROADENED IT BECAUSE WE WENT BEYOND -- EVERYBODY WHO HAS A UTILITY SERVICE, WE WILL GET THAT

PERSON, WHETHER THEY'RE A RENTER OR OWNER, SO THERE WILL BE SOME DUAL NOTICE, BUT THAT IS AS BROAD AS WE COULD GET TO MAKE SURE THAT WE GOT AS MANY RENTERS AS WE COULD.

WE DIDN'T DRAFT IT THAT WAY. THE PROPOSAL WOULD BE JUST TO CHANGE THAT FROM BUILDING. WE COULD DEFINE BUILDING OWNER AS THE PERSON WHOSE NAME IS LISTED IN THE UTILITY RECORDS? WE COULD DO THAT ALSO.

Kim: I WOULD WANT IT TO BE IN ADDITION.

WE COULD DO THAT.

Kim: FOR THE PLANNING COMMISSION RECOMMENDATION WAS IT JUST TO 300 FEET? IT WAS ONLY TO 300 FEET?

WE EXTENDED IT TO FIVE.

WHICH WAS NOT PART OF THE PLANNING COMMISSION RECOMMENDATION. IT WAS ONLY TO 300 FEET. RATHER THAN AS AN INTERESTED PARTY ACCORDING TO OUR CURRENT ORDINANCE SZ UP TO 500 FEET AND THAT IS WHERE WE HAD A PROBLEM IN TERM OF NORTH CROSS MALL NOTIFICATION, PEOPLE WITHIN 300 AND 500, EVEN THOUGH THEY WOULD HAVE BEEN AN INTERESTED PARTY, REGARDLESS OF WHAT THAT REALLY MEANT, THEY DID NOT GET NOTICE BECAUSE THEY WERE BEYOND 300 FEET. THAT'S ANOTHER THING THAT I'M TRYING TO ACCOMPLISH HERE. SO I GUESS I'LL ASK THE ATTORNEY IF WE CAN DO THAT TO HAVE THE LANGUAGE TO ADD TO THE PLANNING COMMISSION THE PROVISION OF 500 FEET OR DO WE NEED TO MAKE SOME CHANGES. WE'RE GOING TO NEED TO MAKE CHANGES, BUT WE'VE GOT YOUR INSTRUCTION AND WE KNOW EXACTLY WHAT IT IS YOU WANT SO WE CAN ADD THAT LANGUAGE IN, WHICH WILL ENABLE YOU TO ADOPT THIS ON ALL THREE READING TONIGHT.

Kim: THEN THAT'S WHAT I WOULD LIKE TO DO IF IT'S ACCEPTABLE TO THE MAKER OF THE MOTION.

Dunkerley: EXCUSE ME. COUNCILMEMBER  
LEFFINGWELL.

Leffingwell: THE PLANNING COMMISSION  
RECOMMENDATION REFERS TO OWNERS OF  
BUSINESSES AND TO ME IT SOUNDS LIKE THAT IS  
SUFFICIENT. IN TERMS OF HOW YOU WILL  
ACTUALLY DETERMINE WHO THE OWNERS OF THE  
BUSINESSES ARE, HOW YOU WILL NOTIFY THEM, I  
THINK IT'S A LEVEL OF DETAIL WE DON'T REALLY  
NEED TO GET INTO IN AN ORDINANCE LIKE THIS. IT'S  
SORT OF AN ADMINISTRATIVE DETAIL. DO YOU SEND  
IT OUT BY FIRST CLASS MAIL OR SECOND CLASS  
MAIL OR DO A DOOR HANGER OR WHATEVER. I  
BELIEVE MY UNDERSTANDING IS THAT THE OWNER  
OF BUSINESSES, THE EXACT LANGUAGE OF THE  
PLANNING COMMISSION RECOMMENDATION WOULD  
ACHIEVE THE OBJECTIVE THAT WE'RE TRYING TO  
GET AT. IS..

MAYOR PRO TEM, IF I COULD SPEAK TO THAT. IF ITS  
ORDINANCE IS TAILORED ONLY TO BUSINESS  
OWNERS OR TENANTS, THEN IF WE FAIL TO CATCH  
ONE, THEN WE HAVE BAD NOTICE. SO WHAT WE'RE  
TRYING -- WHAT WE WERE TRYING TO DO IS SYNC IT  
UP WITH SOMETHING THAT WOULD ALLOW US TO  
GET AS MUCH AS WE COULD GET SO THAT OUR  
NOTICE WOULDN'T BE BAD BECAUSE THERE'S NOT  
GOING TO BE AN EXACT TRUE UP. YOU ARE GOING  
TO HAVE SITUATIONS IN WHICH TENANTS DON'T  
HAVE UTILITY SERVICE. THERE IS NO RECORD -- THE  
REASON WHY WHEN WE HAVE PROPERTY OWNERS,  
WE HAVE THE TRAVIS COUNTY APPRAISAL DISTRICT  
RECORDS WHICH TELL US IN THE LOCAL  
GOVERNMENT CODE, WHICH TELLS US THOSE ARE  
THE OWNERS, THOSE ARE THE ONES YOU NOTIFY.  
THE MINUTE WE GO TO TENANTS WE HAVE NO  
RECORD OF THAT OTHER THAN THE BEST WE CAN  
DO IS OUR UTILITY RECORDS. SO I UNDERSTAND  
WHAT YOU'RE SAYING IT IS A LEVEL OF DETAIL, BUT  
THE DIFFICULTY I WANT TO MAKE SURE IS THAT WE  
DON'T GET OURSELVES INTO A SITUATION THAT  
BECAUSE WE HAVE A TENANT WHO DIDN'T HAVE  
UTILITY SERVICE, WE'RE GOING TO HAVE FAULTY  
NOTICE.

..

Leffingwell: I'M NOT ADVOCATING FOR USING THE UTILITY BILL METHOD. I'M JUST SAYING NOTIFY THE OWNERS OF THE BUSINESSES. IF PART OF THAT PROCESS IS USING A UTILITY BILL, IF IT INVOLVES SOMETHING ELSE, THAT'S THE RESPONSIBILITY THAT YOU HAVE IS TO NOTIFY THE OWNER OF THE BUSINESS. WHETHER OR NOT THEY OWN THE PROPERTY, THE PERSON WHO IS RUNNING THE BUSINESS. AND I JUST DON'T UNDERSTAND WHY --

Dunkerley: COULD I MAKE A COMMENT THERE? I THINK WHAT I'M HEARING IS STAFF GETTING AT IS REALLY A TECHNICAL PROBLEM. THEY DON'T KNOW WHO THE TENANTS MIGHT BE. AND THERE'S NO WAY OF GETTING A COMPREHENSIVE UNIVERSE OF WHO THOSE PEOPLE MIGHT BE BECAUSE YOU CAN'T SEND IT JUST TO THE PROPERTY OWNER. YOU MAY NOT BE ABLE JUST TO SEND IT TO THE UTILITY OWNER BECAUSE IT MIGHT NOT CATCH THEM. SO WE'VE GOT TO PICK SOME WAY OF NOTIFYING SOMEBODY THAT DOESN'T LEAD TO A FAULTY NOTICE ON EVERY SINGLE INSTANCE THAT THIS COMES UP. SO I THINK THAT'S THE DILEMMA.

THAT IS THE DILEMMA. THE DILEMMA WE HAVE IS THERE -- IS THAT THE BURDEN IS ON US TO NOTIFY THE TENANTS, THEN WE HAVE NO WAY OF GETTING THE TENANTS' NAME. OTHER THAN THROUGH -- IN OUR BEST JUDGMENT THE UTILITY SERVICE RECORDS. SO THAT'S THE REASON WHY WE KEYED IT TO THAT.

Kim: I JUST WANT TO CLARIFY. I DID NOT ASK -- MAYOR PRO TEM, MAY I SPEAK? I DID NOT ASK FOR UTILITY RECORDS. THAT WAS NOT MY IDEA. I JUST WANTED TO REALLY EXPAND NOTIFICATION FROM 300 TO 500 FEET TO SYNC THAT LOOPHOLE, CLOSE THAT LOOPHOLE IN TERMS OF NOTIFICATION. SO I THINK THIS IS A SURPRISE TO THE COUNCIL AND IT'S A SURPRISE TO THE ADVOCATES OF THIS ISSUE OF UTILITY RECORDS, WHEN DID THIS COME UP? WHEN DID YOU ALL THINK OF THIS IDEA? BECAUSE I DIDN'T ASK FOR UTILITY RECORDS.

NO, THAT IS CORRECT YOU DIDN'T. WHEN WE WERE WORKING WITH THE NORTHCROSS PROPERTY AND WE WERE TRYING TO NOTIFY AS MANY PEOPLE AS WE COULD, THE ONLY WAY WE COULD GET THE -- THE WAY WE GOT THE MOST PEOPLE WAS TO USE THE UTILITY.....UTILITY ERROR. THAT WAS THE BEST INFORMATION THAT WE COULD GET. THAT'S ALSO HOW THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT NOTIFIES PERSONS FOR THE NEIGHBORHOOD PLANNING PROCESS, THEY USE THE UTILITY RECORDS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] NOTICE TO ALL ADDRESSES LOCATED IN THE SITE AS SHOWN ON UTILITY RECORDS AS OF THE DATE OF APPLICATION IS FILED.

ANY OTHER COMMENTS? A ALL RIGHT, IF THERE ARE NO OTHER COMMENTS --

I HAVE ANOTHER QUESTION, OF WAS DANA? OR JANA? YEAH.

JANUARY.

JANUARY.

HOW -- JAN. HOW MAY I BE OF HELP?

I WANT TO SEE IF YOU UNDERSTOOD THE STAFF'S RECOMMENDATION AND WHAT YOUR COMMENT WAS ABOUT THAT.

I DO UNDERSTAND THE DILEMMA THEY FACE. I USED TO WORK FOR STATE GOVERNMENT AI UNDERSTAND THAT TIME IS PRECIOUS AND RESOURCES ARE PRECIOUS. THERE ARE OTHER WAYS TO GET THAT THE LIST BEYOND UTILITIES AND WHAT I RECOMMEND THAT THE COUNCIL CONSIDER, IF YOU ARE GOING TO DEFINE IT FURTHER THAT WE LOOK AT TAX ROLES. EVERYONE WHO HAS A BUSINESS HAS AN EIN NUMBER OR A TAX ID NUMBER OR A SALES TAX NUMBER AND THAT WOULD CATCH PEOPLE WHO HAVE EXECUTIVE SUITES WHERE THEY AREN'T PAYING UTILITIES FREQUENTLY, WOULD CATCH HOME-BASED BUSINESSES AND IT WOULD CATCH OTHERS AND I

THINK THAT THAT IS AN AFFORDABLE WAY TO DO WHAT THE STAFF NEEDS TO DO WHICH IS TO MAKE SURE THAT THEY AREN'T MISSING PEOPLE AND I CERTAINLY APPRECIATE THAT AS A SMALL BUSINESS OWNER OF 25 YEARS BUT I CAN TELL FROM YOU MY OWN CLIENT BASE THAT THERE ARE MANY OF THEM WHO WOULD NOT HAVE FOUND OUT ABOUT SITUATIONS AT NORTH CROSS EVEN WITH THE BEST INTENTIONS OF THIS COUNCIL, IF IT WERE JUST UTILITIES. SO I'M JUST VERY CONCERNED AND I THINK THERE IS A WAY TO ADDRESS THIS.

COULD I MAKE SUGGESTION THEN. THAT WE GO AHEAD AND CONSIDER A VOTE ON THIS, BUT THEN DIRECT THE STAFF TO GO AND SEE IF THE MAILING LISTS ARE AVAILABLE BY ZIP CODE FOR, AND I SUPPOSE ZIP CODE WOULD BE THE BEST WAY TO GET THE AREA, TO JUST SEE TECH TECHNICALLY IF THEY ARE ABLE TO GET THIS INFORMATION IN A WAY THAT QUO MAIL NOTICE TO THOSE IN ADDITION TO THE REGISTERED PROPERTY OWNERS. AND I SUPPOSE WE COULD COME BACK AND MAYBE SKIED THE CITY ATTORNEY -- ASKED THE CITY ATTORNEY, COME BACK AND EITHER REPORT THESE OR AMEND WHAT WE PASSED TONIGHT OR HOW CAN WE GET THIS INFORMATION.

REMEMBER THIS IS AN AMENDMENT TO THE LAND DEVELOPMENT CODE BUT BECAUSE IT IS AN AMENDMENT TO THE LAND DEVELOPMENT CODE THE CHARTER REQUIRED A SPECIFIC PROCESS THAT IT HAS TO GO THROUGH THE PLANNING COMMISSION PROCESS.

MY RECOMMENDATION TO YOU ALL IS THIS: I WOULD SUGGEST THAT YOU THAT WE GO FORWARD, I WOULD RECOMMEND THAT WE WOULD GO FORWARD RIGHT NOW WITH THE STAFF'S SUGGESTED CHANGES THAT WE HAVE, THAT WILL CATCH A LARGE MAJORITY OF PEOPLE. WE STILL NEED TO LOOK AT OUR PROCESS BE UNDER INTERESTED PARTIES AND THAT SECTION OF THE CODE, JUST BECAUSE THIS PROCESS HAS RAISED A NUMBER OF ISSUES ABOUT HOW WE HANDLE THAT. I WOULD SUGGEST THAT WE, IN CONJUNCTION WITH THAT, LET THE STAFF<sup>nd</sup> TAKE ARE -- STAFFSUNDAY



TAKE AN INVESTIGATION OF HOW WE CAN BEST GO ABOUT EXPANDING NOTICE TO FOLKS WHO ARE NOT ON THE PROPERTY ROLE, WHAT OTHER MEANS ARE OUT THERE, LET US REPORT BACK TO YOU AND THEN IF WE CAN REPORT BACK TO YOU ON THAT, THEN YOU CAN THEN TELL US THAT YOU WOULD LIKE FOR US TO START THE PROCESS TO CARRY FORWARD WITH WHATEVER RECOMMENDATIONS THAT YOU ALL WANT US TO DO.

I THINK THAT IS THE DILEMMA WE HAVE RIGHT NOW AND I THINK THAT IS PROBABLY GOOD ADVICE BECAUSE WE CAN'T DIRECT TO YOU DO SOMETHING UNTIL WE KNOW IF WE CAN ACTUALLY GET THAT DATA IN A WAY THAT WE CAN NOTICE A SPECIFIC AREA. SO YOU CAME THROUGH AGAIN. MAYOR PRO TEM, WITH THAT EXPLANATION, I THINK, I GE WITH THE ATTORNEY THAT THE -- I AGREE WITH THE ATTORNEY THAT THE BEST THING WOULD BE TO GO AHEAD TONIGHT WITH THE PLANNING COMMISSION RECOMMENDATION THAT IS BEFORE US WITH THE LAST-MINUTE ADDITION BY THE STAFF THAT WE HADN'T SEEN BEFORE BUT NOW WE HAVE CLARITY ON WHAT IT MIGHT BE SO IN MY OPINION, AND THEN AS THE ATTORNEY SUGGESTED, AT A LATER DATE TAKE A LOOK AT HOW WE COULD IMPROVE THE NOTICE PROCESS TO INCLUDE TENANTS, BUSINESS OWNERS, ET CETERA. I DON'T THINK THAT IS SOMETHING WE ARE GOING TO BE ABLE TO SOLVE ON THE FLY HERE TONIGHT.

AND I WILL TAKE THAT AS AN AMENDMENT.

MAKE A MOMENT.

I A MOTION BEFORE THE PUBLIC HEARING STARTED.

DO WE HAVE A MOTION TO CLOSE THE PUBLIC HEARING.

I MAKE MOTION TO CLOSE THE PUBLIC HEARING.

SECOND?

JUST TO CLARIFY YOUR MOTION THAT WAS THE

PLANNING COMMISSION.

I MOVED THAT WE ADOPTED PLAN DOING BEFORE US WITH THE AMENDMENT AS STATED BY STAFF ON THE NOTIFICATION AND THAT WAS ALL THREE READINGS?

ALL THREE READINGS.

AND COUNCIL MEMBER LIVING WE WILL, YOU -- LEE LEFFINGWELL YOU SECONDED THAT.

I MOVE COUNCIL MEMBER KIM DID SECOND IT.

I SECONDED. [LAUGHTER]

NOW, DO WE HAVE ANY OTHER AMENDMENTS?

I HAVE ONE COMMENT ALLUDED TO EARLIER, WE TRIED TO FIND A WAY TO DEVELOP A PROCESS THAT WAS NOT DUPLICATING REGARDING THE PUBLIC HEARS SO IF AN APPLICANT WAS TRYING TO GET A CHANGE IN ZONING, AND A LARGE RETAIL USE SUCH AS A BIG BOX, THAT WE COULD STREAMLINE THAT INTO ONE PUBLIC HEARING INSTEAD OF HAVING TO HANDLE TWO PROCESSES SEPARATELY. WE ALSO SPECIFYD IF SOMETHING LIKE THIS THAT THE PROCESSES SHOULD BE IDENTICAL, IT PROVED NOT TO BE POSSIBLE AT LEAST AT THIS POINT, AND WE WERE UNABLE TO FIND A WAY TO MAKE THOSE PROCESSES COMPLETELY IDENTICAL SO THAT EFFORT WILL HAVE TO BE DEFERRED INDEFINITELY, I SHOULD SAY, AND THE PLANNING COMMISSION SHOULD THE MOTION WE SHOULD PASS TODAY AND THAT IS WHAT I WILL BE SUPPORTING.

ANY OTHER COMMENTS? I WOULD LIKE TO MAKE A COMMENT, THIS IS NOT EXACTLY WITH I WOULD LIKE TO HAVE SEEN THE ORDINANCE. I WAS TRYING ALSO TO TRY TO GET A SINGLE PUBLIC HEARING AND AS COUNCIL MEMBER LEFFINGWELL SAID, I COULDN'T DO IT, I ALSO WANTED INCENTIVE TO GET THE BIG BOXES TO RESIST TRYING TO COME INTO THE INNER CITY NEIGHBORHOODED AND AT THIS TIME HAVE NOT BEEN ABLE TO DO THAT, BUT I THINK AS I TOLD SOME OF THE FOLKS YOU JUST

BEAT ME DOWN AND I'M GOING TO SUPPORT IT, EVEN THOUGH IT IS NOT EXACTLY AS I WOULD HAVE DONE IT BUT I DO THINK IT WILL SOLVE SOME OF THE PROBLEMS WE'VE SEEN RECENTLY. SO WE'LL LOOK FORWARD TO THE PLANNING COMMISSION WORKING ON OTHER ZONING CATEGORIES IN THE FUTURE. SO WITH NO OTHER QUESTIONS, OKAY, COUNCIL MEMBER MARTINEZ.

I JUST WANTED TO THANK THE FOLKS THAT WORK SO HARD ON THIS, I KNOW IT IS NOT WHAT THEY WANTED EITHER WHEN WE FIRST STARTED OUT BUT IT IS BETTER THAN WE HAVE NOW. I THANK YOU AND JACK, APPRECIATE ALL YOUR PATIENCE, COMMITMENT, ROBIN, IF YOU ARE OUT THERE, THANK YOU. I LEARNED A LOT FROM YOU GUYS, HE STARTED IN A DIFFERENT POSITION AND I'M HERE TODAY IN FULL SUPPORT OF THIS BECAUSE I THINK IT IS A BALANCE PROCESS. DEMOCRACY, WE WENT THROUGH A LENGTHY, LENGTHY DISCUSSION TO GET HERE AND I THINK WE CAN STILL WORK ON IT TO IMPROVE IT SO I APPRECIATE THE WORK. THANKS.

IF THERE ARE NO OTHER COMMENTS, I WOULD LIKE TO ASK THAT, SINCE A MOTION HAS BEEN MADE AND SECONDED AND ALL THOSE IN FAVOR, PLEASE SAY AYE. ALL THOSE OPPOSED? THE MOTION PASSES ON A VOTE OF 6-0.

DID HE SNEAK AWAY FROM US?

HE DID. I HEAR HE IS VERY ILL.

PROBABLY HAD A FLAT TIRE ON THE WAY BACK.

PROBABLY DID. ALL RIGHT, WE ARE ON TO OUR, IF I'M NOT MISTAKEN, THE LAST ITEM ON OUR AGENDA SO WE HAVE A PUBLIC HEARING ON SIGNS SO WE HAVE OUR STAFF COMING FORWARD.

GOOD EVENING, MAYOR PRO TEM, COUNCIL MEMBER, MY NAME IS STEVE WILL KINNISON WITH THE WATERSHED PROTECTION DEVELOPMENT AND REVIEW DEPARTMENT HERE TO PRESENT ITEM NUMBER 73 WHICH IS A PUBLIC HEARING TO

CONSIDER ACTION ON QUESTION MADE BY REAGAN NATIONAL ADVERTISING TO WAVE AND MODIFY SIZE AND LOCATION REQUIREMENTS. ESTABLISHED IN SECTION 25-10-152-B-6 OF THE CITY CODE WHICH IS THE SIGN REGULATIONS. THE SEEN REGULATIONS ALLOW FOR THE REMOVAL OF EXISTING BILLBOARDS AND THEIR RELOCATION TO OTHER SITES IN THE CITY. HOWEVER, THERE IS A NUMBER OF CONDITIONS RELATING TO HOW THAT CAN HAPPEN. WHAT WE HAVE HERE TONIGHT IS REQUEST TO REMOVE FIVE EXISTING BILLBOARDS AND RELOCATE FIVE BILLBOARDS, THOSE FIVE TO NEW LOCATIONS. THESE EXIST, THE EXIST ONES, FOUR OF THEM ARE IN THE URBAN CORE AND, LOSE THAT SLIDE AGAIN HERE. ARE IN THE URBAN CORE AND ONE IS JUST OUTSIDE, AND THEY EXIST AT 1208 1/2 EAST 11th TREES THIS IS A GENERAL MAP HERE IN FRONT OF YOU. THE GREEN ARE THE EXISTING ONES AND THE ORANGE ARE THE NEW LOCATIONS. NUMBER ONE IS THE SIGN LOCATED AT 1208 EAST, 1/2 EAST 11th STREET. NUMBER TWO IS 6403 NORTH LAMAR, NUMBER THREE IS 2007 SOUTH LAMAR, NUMBER FOUR IS 8711 NORTH LAMAR, AND NUMBER FIVE IS 6400 BURLESON ROAD. THESE WOULD BE RELOCATED TO THESE ORANGE DOTS AS YOU SEE. THE FIRST ONE BEING AT 3205, NORTH FM 620. 3717 NORTH FM 620, 6900 NORTH FM 620 AND 6901 NORTH FM 620 AND FINALLY 97406 BIBBROOK PLACE. GO BACK TO THE SLIDE SHOW HERE. TO DO THIS GENERALLY SPEAKING WITH THE FIVE BILLBOARDS WE ARE LOOKING AT THE NEED FOR 25 WAIVERS TO ACCOMPLISH THIS. FIVE ARE FOR RELOCATING SIGNS TO SOMETHING OTHER THAN AN EXPRESS WAY CORRIDOR, WHICH IS FOR ALL SIGNS. FIVE ARE ALL SIGNS NEED WAIVERS TO RELOCATE TO A SCENIC ROADWAY WHICH IS PROHIBITED IN THE ORDINANCE. FIVE WAIVERS FOR ALL THE SIGN, ONE FOR EACH WITH A SIGN FACE EXCEEDING THE ORIGINAL SIZE, THE ORIGINAL SIZE IS 300 SQUARE FEET, THE NEW SIZE OF THE SIGN FACES WILL BE 672 SQUARE FEET. FIVE WAIVERS ARE NEEDED FOR THE SIGNS TO BE RELOCATED IN PERP TUESDAYTY, INSTEAD OF 25 YEARS MAX DEFINED IN THE ORDINANCE, THREE WAIVERS ARE FOR SIGNS LOCATED WITHIN 500 FEET OF RESIDENTIAL STRUCTURE IN A RESIDENTIAL ZONING DISTRICT.

ONE WAIVER IS ARE NOT ORIGINAL SIGN NOT INSIDE THE URBAN CORE AREA DEFINED AND ONE IS TO RELOCATE TO A TRACT THAT IS NOT ZONED AS A COMMERCIAL AND INDUSTRIAL-BASED DISTRICT. OF COUNCIL HAS AUTHORITY TO WAVE ALL OF THESE REQUIREMENTS. IF IT DETERMINE THAT WAIVER OR MODIFICATION IS JUSTIFIED BY THE HE IS I CAN -- AESTHETIC BENEFIT TO THE CITY, IN MAKING THE DETERMINATION THE COUNCIL MAY CONSIDER THE FOLLOW, THE NUMBER OF NONCONFORMING OFF PREMISE SIGNS TO BE REMOVED, THE CHARACTERISTICS 6 THE SITES WHICH THE SIGNS ARE TO BE REMOVED AND CHARACTERISTICS MUCH THE SITES TO WHICH THE SIGNS IS TO BE RELOCATED AND OTHER REL VANT FACTORS. -- OTHER RELEVANT FACTORS. WE'VE PREPARED A LITTLE SLIDE SHOW HERE ON THE PAIRS OF SIGNS IN TERMS OF THOSE BEING REMOVED AND THOSE TO BE RELOCATED, SO THIS IS THE FIRST PAIR. THE TOP PHOTOGRAPH IS THE EXISTING SIGN, BILLBOARD, LOCATED ON EAST 11th STREET. AND THE PROPOSED LOCATION OF 3205 NORTH FM 620. SECOND PAIR IS THE SIGN FURTHER BACK IN THE BACKGROUND THERE, 6403 NORTH LAMAR AND THE PROPOSE3717. NORTH FM 620. THE FIRED PAIR, THE EXISTING SIGN IS THE 2007 SOUTH LAMAR AND THE PROPOSED SIGN IS 6900 NORTH FM 620. THE FOURTH PAIR IS AT, SIGN AT 8711 NORTH LAMAR AND THE PROPOSED LOCATION IS 6901 NORTH FM 620. AND THE FINAL ONE IS 6400 BURLESON ROAD AND THE PROPOSE THE LOCATION IS 9701 BIBBROOK PLACE WHICH IS NEAR - - BILBROOK PLACE WHICH IS NEAR SLAUGHTER LANE. THANK YOU VERY MUCH, IT IS GETTING LATE SO THAT IS THE INFORMATION WE HAVE, WE SENT OUT NOTICES TO PROPERTY OWNERS WITHIN 300 FEET AND REGISTERED NEIGHBORHOOD ASSOCIATIONS AND WE RECEIVED LETTERS IN OPPOSITION FROM THE 2222 COALITION OF NEIGHBORHOOD ASSOCIATIONS, THE SCENIC AUSTIN AND THE STEINER RANCH HOMEOWNERS ASSOCIATION WHICH ALSO CONDUCTED A SURVEY RESULTING IN 263 COMMENTS AND 460 PEOPLE OPPOSED AND FIVE IN FAVOR, AND I HAVE THOSE AVAILABLE TOO IF YOU WANT THOSE. AND IF YOU HAVE ANY QUESTIONS, I WOULD BE MORE THAN

HAPPY TO ANSWER.

EXCUSE ME, COUNCIL MEMBER KIM.

YOU SAID THAT YOU RECEIVED COMMENTS FROM  
NEIGHBORS IN THE AREA?

CORRECT.

HOW DID YOU, SO YOU DID WE SEND A MAILING  
ASKING FOR COMMENTS?

YES, WE NOTIFIED PROPERTY OWNERS AND  
REGISTERED NEIGHBORHOOD ASSOCIATIONS IN 300  
FEET.

THAT IS PART OF OUR ORDINANCE-TO-THAT,  
RELOCATION OF A SIGN TO THE AREA.

ONLY FOR WAIVERS?

ONLY FOR WAIVERS.

SO THE WAIVER REQUEST IS LAID OUT, I WANT TO  
ASK STAFF, DOES STAFF HAVE A RECOMMENDATION  
ON THE REQUEST?

OUR RECOMMENDATION WOULD BE TO DENY THE  
WAIVERS. THE, FROM THE BENEFIT OF THE CITY, THE  
EXISTING SIGNS TO REMOVE WOULD BE OF A  
CERTAIN BENEFIT, HOWEVER THERE ARE  
NUMEROUS OTHER SIGNS IN THE AREA AND SO THE  
RELATIVE BENEFIT TO LOSING THAT BILLBOARD  
VERSE WHAT WOULD BE GAINED IN MOVING THEM  
TO AN AREA WITH FEWTORY NO SIGNS WOULD NOT -  
- FEWER TO TO NO SIGNS I SIGNS WOULD NOT  
BENEFIT.

AND I'M ASSUMING INFORMATION WOULDN'T HELP  
YOUR CASE BUT ABOUT THE NUMBER OF POINTS  
AND THE NUMBER OF DOLLARS OF REVENUE WE GET  
FROM THE EXISTING SIGNS VERSUS THE NEW SIGNS?

I DON'T HAVE AN ANSWER TO THAT.

OKAY. MISS MEAD, SINCE YOU ARE REPRESENTING

THEM, DO YOU HAVE THAT INFORMATION?

COUNCIL MEMBER, WE ACTUALLY DID SEND THAT INFORMATION TO YOUR OFFICE IN SHORT AND WHAT WAS TO DELIVER TO YOU A SPREAD SHEET THAT SHOWED THE NUMBER OF THE CIRCULATION FOR THE SIGNS THAT WERE TO BE REMOVED AND THE SIGNS THAT ARE TO BE RELOCATED. IT SHOWED THAT OVERALL WE ACTUALLY WILL LOSE ABOUT 30,000 CIRCULATION POINTS, AS YOU CALL THEM, IN THE RELOCATION. WE HAVE SOME SIGNS, THE ONES PARTICULARLY THAT ARE PRESENTLY ON LAMAR THAT HAVE VERY HIGH CIRCULATION IN THE 27 TO 28,000 RANGE, AND AS WE RELOCATE THOSE SIGNS THEY WILL BE RELOCATED TO AREAS WHERE THAT CIRCULATION IS AROUND 13,000. SO THOSE WERE THE TWO THAT WERE PRIMARILY RESPONSIBLE FOR THAT ACTUAL REDUCTION IN THE NUMBER OF THOSE CIRCULATION POINTS, BUT THE BENEFIT BEING THAT THOSE NOR AREAS WHERE -- THOSE ARE IN AREAS WHERE REAGAN BELIEVES THERE IS MORE COMMERCIAL GROWTH AND USES WHERE PEOPLE ARE, YOU KNOW, IN THE RETAIL MARKET AND THEY ARE SHOPPING AND, YOU KNOW, THE BILLBOARDS ARE MORE APPROPRIATE IN THOSE AREAS SO THERE IS A TRADE OFF, WE ARE LOSING SOME CIRCULATION IN THE VERY HIGH TRAFFIC AREAS IN THE AREA LIKE NORTH LAMAR BUT THERE IS A TRADE OFF BECAUSE OF THE DEVELOPMENT WE ARE SEEING IN THOSE AREAS.

THANK YOU VERY MUCH. HE COUNCIL MEMBER LEFFINGWELL.

QUESTION FOR STAFF. THE ORDINANCE HAS A NUMBER OF PROVISIONS DICTATING WHEN YOU CAN MOVE A BILLBOARD AND JUST TO BRIEFLY RECAP, I THINK YOU HAVE TO, THE EXISTING BILLBOARD HAS TO BE IN A DESIGNATED AREA AND THE NEW, THE REPLACEMENT BILLBOARD HAS TO BE SMALLER THAN THE EXISTING BILLBOARD, CAN'T PUT UP ON YOUR HOUSING AND IF YOU PUT UP A NEW BILLBOARD YOU CAN ONLY LEAVE IT UP FOR 25 YEARS AND FINALLY AND MOST IMPORTANTLY IN MY MIND YOU CAN'T PUT A NEW BILLBOARD IN A SCENIC ROADWAY. IT SOUNDS LIKE WE HAVE

REQUESTING VARIANCES TO EVERY ONE OF THESE PROVISIONS, SEVERAL TIMES, AND IN THIS PARTICULAR REQUEST S. THAT CORRECT?

YES, SIR.

DO ALL OF THE SIGNS REQUEST VARIANCES FOR ALL OF THE RESTRICTIONS?

NO, THEY DON'T. TWO OF THE SIGNS ARE NOT IN OUR ZONING JURISDICTION SO THE PROXIMITY OF A RESIDENTIAL USE AND A RESIDENTIAL ZONE DOES NOT APPLY. SO THAT WOULD BE ONE, TWO OF THOSE THAT AREN'T PART OF THAT.

YEAH BUT BASICALLY THEY ARE ALL ON A SEEN I CAN ROADWAY.

CORRECT.

AND -- SCENIC ROADWAY.

CORRECT.

AND THEY ARE ALL BIGGER THAN THE PREVIOUS SIGN.

YES.

LOOKED LIKE OVER TWICE AS BIG, AS A MATTER OF FACT. AND I THINK THE PROVISION THAT COULD YOU ONLY LEAVE IT UP FOR 25 YEAR, THE NEW BILLBOARD, AND IS THAT STILL BEING REQUESTED AS A VARIOUS THAT PART -- VARIANCE THAT PART?

YES.

SO, IT LOOKS LIKE BASICALLY THIS IS ASKING FOR A WAIVER OF THE SIGN ORDINANCE TO ME.

[APPLAUSE]

HOUSE MEMBER ELECT, I WANTED TO POINT OUT THAT REAGAN HAS WITHDRAWN THE PERPITUITY REQUEST, THE 25-YEAR WAIVER.

ARE THERE ANY MORE COMMENTS FROM COUNCIL



UNTIL WE HEAR -- SPEAKERS. WILL YOU CALL THE SPEAKERS UP.

YES. THE FIRST SPEAKER IS, THEY ARE ALL AGAINST, CAROL LEE. SAN FREDERICK NORTON IN THE AUDIENCE? AND ELAINE STEPHAN. YOU HAVE NINE MINUTES.

GOOD EVENING. MAYOR PRO TEM AND COUNCIL MEMBER, I'M SORRY THAT WE LOST THE MAYOR'S ATTENTION THIS EVENING. WE APPLAUD AUSTIN'S POLICY AND DESIRE TO BE A

BILL: BILLBOARD FREE -- DESIRE TO BE A BILLBOARD FREE CITY. HE UNDERSTAND PROHIBITING NEW BILLBOARDS INCREASES THE QUALITY OF LIFE, ECONOMIC DEVELOPMENT AND TOURISM. WE THOUGHT WITH PASSAGE OF THE HILL COUNTRY ROADWAY ORDINANCE YOU ALSO APPRECIATED THE IMPORTANCE OF OUR FIVE SCENIC ROADWAYS FOR OUR QUALITY OF LIFE, ECONOMIC DEVELOPMENT AND TOURISM, THAT IS THE REASON HCRO WAS PASSED. WHAT WE DON'T UNDERSTAND IS WHY WOULD YOU APPROACH WAIVERED FOR EVERY RESTRICTION EXCEPT THE PERPETUITY NOW WHICH 25 YEAR AS LOT CAN HAPPEN SO THAT IS NOT A BIG GIVE, WHY WOULD YOU APPROACH WAIVERS FOR EVERY RESTRICTION SET FORTH FOR LOCATING BILLBOARDS AS REAGAN ADVERTISING IS ASKING THAT DO YOU TONIGHT, WE SEE NO COMPELLING REASON FOR GRANTING THESE WAIVERS OF THESE RESTRICTIONS. REAGAN NATIONAL WANTS TO RELOCATE THESE BILLBOARD TO OUR SCENIC ROADWAYS, OUR HILL COUNTRY ROADWAYS. THE HILL COUNTRY IS UNIQUE WITH ITS TOP GRAPHICAL DIVERSITY AND SCENIC VISTAS, THE CANYON, HABITAT PRESERVE, LAKES AND CREEKS. THE SPECIFIC SITES THAT REAGAN NATIONAL HAS SELECTED WHICH YOU WILL SEE MORE ABOUT LATER, MAY NOT BE VERY ATTRACTIVE BUT THE EFFECT THE OF THESE BILLBOARDS ARE NOT LIMITED TO THESE LOCATIONS. THESE LITTLE BOARD WILL BE INDIVIDUALSABLE FOR MILES FROM MANY DIRECTIONS. THE AREA SURROUNDING THE SMALL PLOTS OF LAND IS HILL COUNTRY AND

RESIDENTIAL, NOT DENSE COMMERCIAL, INDUSTRIAL DEVELOPMENT. THE 300 CIRCLE FOR NOTIFICATION DOESN'T COME CLOSE TO INCLUDING THE STAKE HOLDERS WHO WILL BE EFFECTED BY THESE BILLBOARDS. I WOULD LIKE TO SHOW YOU WHAT IS BEHIND 620, I MEAN YOU CAN LOOK DOWN 620 AND THERE ARE, AS YOU WILL SEE, SOME GRANDFATHERED AREAS THAT ARE NOT PARTICULARLY ATTRACTIVE. THE NEWER DEVELOPMENT THAT WE'VE GOTTEN OUT THERE, SOME OF IT IS VERY ATTRACTIVE, THEY'VE COMPLIED WITH HILL COUNTRY ROADWAY ORDINANCE, EVEN THE MCDONALD'S DOESN'T HAVE GOLDEN ARCHES REACHING TO THE SKY. THEY COMPLY WITH THE ORDINANCE AND IT IS SET BACK, THE HOME DEPOT, THE WAL-MART, ALL THESE PLACES THAT TYPICALLY LIKE TO HAVE BIG SIGNS UP IN THE SKY HAVE NOT DONE IT THERE. AND IT IS REALLY VISIBLE FROM, THIS IS BEHIND 620 GOING TO THE EAST. AND THAT TOWER THAT YOU SEE AND THE CELL PHONES AND STUFF ARE WHERE THE SIGNS ARE GOING TO BE LOCATED. WE CAN'T SEE THE ONE STORY RUSTIC THE ONE STORY CORRUGATED CAR WASH, WE WILL BE ABLE TO SEE THE SIGNS THAT ARE LOCATED ON THOSE PLACES. THIS IS FROM BEHIND THERE THIS IS FROM RIVER PLACE AND YOU STILL SEE THAT. EVEN FROM THE METROPOLITAN PARK, YOU SEE THE THINGS THAT ARE GOING UP ON 620, THAT IS MILES AWAY. 300 FEET DOESN'T COME CLOSE TO ADDRESSING THE STAKE HOLDERS THAT ARE INVOLVED IN THIS. IT IS GOING TO BE ILLUMINATION, VISIBILITY, THE FLASHING IS GOING TO BE SEEN FOR MILES AND MILES AND IT IS TOTALLY INAPPROPRIATE IN THIS AREA. OUR HILL COUNTRY ROADWAY SHOULD NOT SERVE AS YOUR DUMPING GROUNDS FOR WHATEVER YOU DON'T DESIRE INSPECT DESIRED DEVELOPMENT ZONE. I APPRECIATE WHAT YOU ARE DOING WITH THE DESIRED DEVELOPMENT ZONE BUT DON'T MAKE OUR HILL COUNTRY ROADWAYS YOUR DUMPING GROUND. THANK YOU. [APPLAUSE]

OUR NEXT SPEAKER IS LORRAINE ATHERTON. THE NEXT ONE IS GARDINE SUMNER. THEN THE NEXT SPEAKER IS LESLIE MCCULLUM. AND IS CAROLYN

COOK STILL IN THE AUDIENCE? THEN LESLIE, YOU HAVE SIX MINUTES.

MAYOR PRO TEM, COUNCIL MEMBER, MY NAME IS LESLIE MCCULLUM, I REPRESENT THE TEXAS OAKS SOUTH NEIGHBORHOOD ASSOCIATION. WE ARE DIRECTLY SOUTH ALONG THE PLACE FROM SQUATTER CREEK, 750 HOMES THERE AND WHERE THEY WANT TO PUT THIS BILLBOARD IS RIGHT ON THE EDGE OF SLAUGHTER LANE AND RIGHT ALONG THE ENTRANCE TO OUR SUBDIVISION. THERE ARE RESIDENTS, AS YOU KNOW, WITHIN THE PROHIBITED DISTANCE OR THEY WOULDN'T BE ASKING FOR THE WAIVER. YOU AND I BOTH KNOW THE BILLBOARD COMPANIES ARE CASH COWS, THEY MAKE LOTS OF MONEY. AND WE ALL KNOW, AT LEAST SOME OF US KNOW, THAT THE MONEY THAT THESE, THAT THIS BUSINESS HAND CONTRIBUTED IN THE LEGISLATIVE PROCESS IN WASHINGTON IS HOW LAID BEBIRD -- LADY BIRD JOHNSON'S DEDICATED EFFORT TO TRY TO REMOVE THE BILLBOARDS FROM THE HIGHWAY SYSTEM TURNS INTO THE BILLBOARD PRESERVATION ACT. WE HOPE THAT HERE IN AUSTIN THAT WE HAVE A BETTER REPRESENTATIVE GOVERNMENT THAN WE GOT IN WASHINGTON BACK IN THE '60s THAT BROUGHT US THE BILLBOARD PRESERVATION ACT AND WE DEARLY HOPE THAT YOU ARE GOING TO STICK WITH THE POLICY THAT YOU ADOPTED LAST YEAR AND PLEASE DO NOT ALLOW THIS HORRIBLE HUGE BILLBOARD RIGHT ALONG SLAUGHTER CREEK LANE THAT IS THE PATH TO LADY BIRD JOHNSON'S WILD FLOWER CENTER. TALK ABOUT THE IMPORTANCE OF TOURISM, THIS IS ONE OF THE MAINER TOURIST TEST THINGS INFORMATION OUR CITY, AND IT IS A TRIBUTE TO A WONDERFUL WOMAN WHO WORKED THROUGHOUT HER LIFE TO BEAUTIFY TEXAS, TO PRESERVE OUR SCENIC HERITAGE AND OUR NATIVE PLANTS AND WE DON'T WANT THIS ON THE ENTRANCE TO OUR SUBDIVISION THAT WE HAVE TO DRIVE BY EVERY DAY TWO OR THREE TIMES. HERE IS A SUBDIVISION APPLICATION, THERE IS A PROPOSAL TO PUT IN ABOUT 220 HOMES THAT IT WAS ABOUT LESS THAN A QUARTER MILE FROM WHERE THIS BELL BOARD WOULD BE LOCATED -- BILLBOARD WOULD BE LOCATED, AND WHILE WE'RE NOT VERY HAPPY WITH

VARIOUS ASPECTS OF THAT SUBDIVISION PROPOSAL, I WOULD NOT WISH THIS BILLBOARD TO BE THE PRIMARY VIEW FEATURE FOR WHAT IS GOING TO BE ANOTHER HOUSING DEVELOPMENT IN THE VERY NEAR FUTURE THAT IS GOING TO BE EVEN CLOSER THAN WE ARE. THERE IS ANOTHER CONDO PROJECT THAT IS GOING RIGHT ACROSS ON THE NORTH SIDE OF SLAUGHTER LANE. THIS IS GOING TO DEVALUE THOSE HE PROPERTIES AND PLEASE DON'T INFLICT THIS ON US. THANK YOU. [APPLAUSE]

THE NEXT SPEAKER IS PATRICIA MICHAEL. AND IS MARGARET HILL IN THE AUDIENCE.

HERE.

AND WILLIAM MEACHEM. AND SUSAN MOVE FIT. -- MOFFITT. YOU HAVE NINE MINUTES.

PRO TEM, MEMBERS OF THE COUNCIL THIS IS A MAP OF OUR NEIGHBORHOOD. FIRST OF ALL, I WOULD BE LEERY OF NEIGH TAKES 25 WAIVERS -- LEERY OF ANYTHING THAT TAKES 25 WAIVERS. THANK YOU FOR ALLOWING ME TO SPEAK. I'M FROM THE TEXAS OAKS SOUTH NEIGHBORHOOD ASSOCIATION AND SOUTH AUSTIN. I'LL KIND OF POINT OUT THINGS ON THE MAP THAT LESLIE POINTED TO YOU. THIS IS SLAUGHTER LANE. THIS IS THE RAILROAD TRACK, AND THIS IS BILBROOK. BILBROOK IS THE ONLY WAY IN TO AN ISLAND THAT IS DEFINED BY SLAUGHTER CREEK TO TRIBUTARIES ON BOTH SIDES OF THE RAILROAD TRACK AND THE PARK. WE HAVE 750 HOMES HERE AND THREE OTHER SECTIONS OF OUR SUBDIVISION OF UP HERE, WE WERE ALL PLATTED AS SMALL-LOT SUBDIVISIONS. RIGHT HERE IS CASEY ELEMENTARY SCHOOL, THE MAIN VIEWER OF THIS BILLBOARD. I DON'T THINK MOST BILLBOARD CONTENT IS APPROPRIATE FOR CHILDREN OF THAT AGE, THERE ARE 925 OF THEM IN THAT SCHOOL RIGHT NOW. WE HAVE RIGHT HERE DR HORTON IS PUTTING IN 160 CONDOMINIUM, THEY LOOK LIKE A SMALL-LOT SUBDIVISION BUT THEY ARE COMING IN UNDER A CON MINUTE YUM DEED. -- CONDOMINIUM DEED. RIGHT HERE SEN STOCK EXCHANGE PUTTING IN -- RIGHT HERE CENTEX IS PUTTING IN 200 LOTS ON BUILDABLE LAND. WE HAVE ALONG FROM SOUTH

FIRST, WHICH IS RIGHT HERE OVER TO BILBROOK WHICH IS RIGHT HERE, WE HAVE 1400 APARTMENTS THAT HAVE GONE IN IN THE LAST TWO YEARS. WE ARE ABSOLUTELY COVERED WITH AFFORDABLE HOUSING. WE ARE UNDER HUGE DEVELOPMENT PRESSURE. THERE IS NOTHING BUT RESIDENTIAL NEIGHBORHOOD ALL THE WAY THROUGH HERE EXCEPT A FEW SMALL BUSINESSES THAT WERE GRANDFATHERED IN WHEN WE WERE BROUGHT IN TO THE CITY. THIS WEDGE HERE IS FILL IN THE COUNTY, THIS HAS NOT BEEN AND NEXTED YET. THIS IS -- BEEN ANNEXED YET. THIS IS PART OF OUR PROBLEM, WE ARE SURROUNDED BY CITY BUT AN AREA THAT HAS NOT BEEN ANNEXED YET SO WE DON'T HAVE A TWICE MAINTAIN THE QUALITY OF OUR NEIGHBORHOOD AND WE ASKED YOU FOR HELP WITH THAT BEFORE WE PRESENTED WITH YOU MORE THAN 500 PETITIONS THE OTHER DAY. WE ARE A QUIET, WHOLESOME RESIDENTIAL AREA, WE ARE VERY LOW CRIME. -- LOW IN CRIME. WE ARE OR TEGS SPRINGS AND -- ARTISIAN SPRINGS AND NATURAL AREAS AND THEY ARE INTEGRATED IN OUR HOMES. WE ARE ASKING TO YOU PLEASE LET US LIVE IN OUR AFFORDABLE HOMES WITH DIGNITY AND GRACE. PLEASE SPARE US THIS UNSIGHTLY LANDMARK ON OUR LANDSCAPE. THAT IF ALLOWED WOULD SIGNIFICANTLY NEGATIVELY IMPACT OUR QUALITY OF LIFE. THIS WOULD NOT EVEN BE CONSIDERED IN CIRCLE C. DO YOU HAVE ANY QUESTIONS ABOUT THE MAP? YOU MAY NOT BE FAMILIAR WITH THIS AREA. THANK YOU.

THE NEXT SPEAKER IS PETER. AND IS JOE AND NORTON IN THE YOU HAD WEDNESDAY AND LEWIS PORTER, JOHN GRONES. AND PAT BULA. YOU HAVE 15 MINUTES.

EXCUSE ME, ONE OTHER POINT, THE PHOTOGRAPH THAT WAS SHOWN OF THE LOT ON BILBROOK IS NOT THE LOT THAT WAS IN, THAT WAS A MISTAKEN PHOTOGRAPH.

MY NAME IS PETER AND I'M REPRESENTING 2222 TONIGHT, WE ARE SPEAK ON OPPOSITION OF PLACING ANY BILLBOARDS 0 ANY SCENIC PLACE IN AUSTIN. WE ARE SUPPORTIVE OF THE GENERAL

PREMISE OF THE ORDINANCE TO REMOVE THE BILLBOARDS FROM THE CORE CITY, THEY SHOULD BE REMOVED BUT NOT PUT ON ANY SCENIC ROADWAYS IN TOWN. WHAT I'M GOING TO DO TONIGHT IS TALK ABOUT OUR PARTICULAR SECTION OF 620 CLOSE TO WHERE 2222 IS BUT FIRST WE WILL START WITH SPECIFIC COMMENTS ABOUT ECONOMIC LOCATIONS ON 620 WHERE THE APPLICANT HAS PROPOSED TO PLACE BILLBOARDS. THIS AREA IS AN AREA IN TRANSITION. IT STARTED AS COUNTY PROPERTY ANDS WITH UNDEVELOPED. IN THE COUNTY PERIOD PEOPLE PUT UP WHAT THEY FELT LIKE, IT WASN'T ANY REGULATION, REALLY. NOW THAT WE ARE GETTING CITY TYPE REGULATION AND CITY-TYPE DEVELOPMENTS IN THE TERRITORY, THE TERRITORIES CHANGING COMPLETELY, I WILL SHOW YOU SOME PICTURES OF WHAT I CALL THE NU GENERATION OR SECOND GENERATION DEVELOPMENT AS OPPOSED TO THE FIRST GENERATION OR COUNTY PERIOD OF DEVELOPMENT OBJECT TERRITORY. AND WE CAN SEE WITH THE LOCATIONS THAT WERE PRESENTED BY THE DEVELOPER, THEY ARE ALL FIRST GENERATION DEVELOPMENT DEVELOPMENT PROPERTIES. I WAS EXPECTING THE APPLICANT TO HAVE PICTURES OF WHERE THE BILLBOARDS WERE GOING TO GO A I DON'T HAVE MY OWN PICTURES OF THAT BY I HAVE DESCRIPTION OF THE SPECIFIC LOCATIONS. AND SOME OF THEM ARE REALLY UNFORTUNATE CHOICES BECAUSE THE PARTICULAR LOCAL SITUATIONS, NOW THE FIRST ONE IS THE 3205 RM 620 NORTH THAT PARTICULAR LOCATION IS NEXT TO THE HUDSON FIRE STATION, WHICH SITS ON THE CORNER OF THE SIDE STREET AND ARE ON 620, DIRECTLY ACROSS THE STREET IS THE HUDSON BEND MIDDLE SCHOOL. THE BIGGEST SIGN, THE BIGGEST THING VISIBLE TO THE CHILDREN IN THE SCHOOLYARD IS GOING TO BE THIS SIGN THIS PROPOSED SIGN. IT IS GOING TO BE PROBABLY, I DON'T KNOW THE EXACT DISTANCE BUT IT IS GOING TO BE A COUPLE HUNDRED FEET FROM THE CORNER OF THE SCHOOL PROPERTY. IF YOU COULD NAUGHT PICTURE UP ON THE SCREEN, WE COULD SEE KIND OF THE IMPACT THAT THAT SIGN MIGHT HAVE ON THIS. THIS IS ACTUALLY A PICTURE OF THE BILLBOARD THAT REAGAN HAS THAT BANK OF AMERICA

BUILDING AT 620 AND 2222, THAT IS A BILLBOARD WE SHOULD GET RID 5 WE POSSIBLY CAN, AND THAT PICTURE WAS TAKEN TODAY AND ON THAT BILLBOARD IS AN AD FOR SHINER BEER. IT IS VERY LIKELY THAT AD JUST LIKE THAT COULD APPEAR NEXT TO THE SCHOOL, HUDSON BEND MIDDLE SCHOOL, AND THE BILLBOARD IS GOING TO LOOK ABOUT LIKE THAT FROM THE VANTAGE POINT OF THE CHILDREN IN THE SCHOOLYARD. I SUGGEST THAT IS PROBABLY NOT THE BEST LOCATION FOR A BILLBOARD. I HOPE THAT IS NOT THE END OF THE TIME.

YOU HAVE 15 MINUTES.

OKAY. THE NEXT BILLBOARD IS AT 3717, NORTH RM 620, IT IS ON THE TOP OF THE HIGHEST HILL ANYWHERE NEARBY. A PREVIOUS SPEAK HER SHOWED THAT HILL FROM THE VANTAGE POINT, THAT IS 3717 620. IT IS GOING TO BE VISIBLE FROM MANY NEIGHBORHOODS FOR MANY, FOR A GREAT DISTANCE. THERE IS A WHOLE BUNCH OF PEOPLE WHO ARE DEVELOPING VERY UPSCALE HOMES, IMMEDIATELY TO THE EAST OF THAT THAT DEVELOPMENT AND I BONDER IF ANY OF THE BUILDERS OR THE PEOPLE BUYING THOSE HOMES WERE THE PEOPLE LIVING THERE HOME HAVE BEEN PROPERLY NOTICED ABOUT THIS SINCE THEY ARE PROBABLY NOT IN THE CITY OF AUSTIN BUT I WOULD EXPECT IF THEY DID KNOW ABOUT THIS, THEY WOULD BE DOWN HERE TONIGHT. THE THIRD LOCATION IS THE 6901 RM 620, IS THE CURRENT LOCATION OF THE RANCH ROAD RUSTICS COMMERCIAL ESTABLISHMENT. THAT IS A FIRST GENERATION PROPERTY THAT IS IN THE MIDDLE OF A BUNCH OF SECOND GENERATION DEVELOPMENTS, IT IS A LITTLE BIT UNFORTUNATE. I HAVE ACTUALLY SOME PICTURES, IF COULD YOU PUT THE FIRST SLIDE UP, THAT WOULD BE GREAT. I'M AFRAID I TOOK THESE PICTURES SO THEY ARE NOT VERY GOOD, BUT, AND THIS IS AWFULLY DARK BUT THE CENTER OF THE PICTURE IS THE WELLS FARGO BANK, ON THE RIGHT SIDE IS THE LOT, THE BUSINESS WHERE THE PROPOSED BILLBOARD IS GOING TO GO. ONE OF THE SIGNIFICANT THINGS HERE IS THAT WELLS FARGO BANK LOOKS LIKE PRETTY STANDARD KIND OF A

BANK BUT IT IS SET BACK ON THE PROPERTY SO WHEN YOU DRIVE BY YOU ARE NOT HIT IN THE FACE WITH THE WELLS FARGO BANK, YOU CAN SEE IT VERY WELL AND GO INTO THE BANK, THE FRONT OF THE BANK BUILDING IS PROBABLY BEHIND THE BACK OF THE BUILDING ON THE LOT THAT THE BILL INTEROORD PROPOSED FOR. IMMEDIATELY TO THE LEFT OF THAT, IF YOU COULD PUT THE NEXT SLIDE UP PLEASE, AGAIN I AM AFRAID A TERRIBLE PICTURE BUT IT IS A WALGREENS DRUGSTORE WHICH IS IMMEDIATELY TO THE LEFT OF THE WELLS FARGO BANK AND IT IS GAIN FAIRLY REASONABLE SECOND GENERATION DEVELOPMENT. BOTH THOSE BUILDINGS ARE SET REASONABLY FAR BACK FROM THE STREET, ALTHOUGH THEY SHOULD BE A LITTLE BIT FARTHER BUT THEY HAVE A PRETTY REASONABLE FEEL AND I SUBMIT THEY CONFORM TO THE SPIRIT OF THE HILL COUNTRY ROADWAY ORDINANCE. IF YOU COULD SCHOTT NEXT SLIDE PLEASE. THE -- COULD SHOW THE NEXT SLIDE PLEASE. THE BUSINESS TO THE RIGHT AND IMMEDIATELY ADJACENT TO THE PROPERTY WHERE THE BILLBOARD GOES WHICH CONSISTS OF THE RANCH ROAD RUSTICS AND THERE IS A SMALL HOUSE THERE IS THE TOWN HOME DEVELOPMENT AND THIS IS THEIR DRIVEWAY ON RM 620. OUR ORGANIZATION CONTACTED THEM TODAY AND CONTACTED THE MANAGEMENT AT THE SITE AND THEY WERE UNAWARE OF ANY KIND OF BILLBOARD ACTIVITY THAT MIGHT BE OCCURRING RIGHT NEXT TO THEIR PROPERTY, AND THEY WERE PRETTY SURE THEY HAD NOT BEEN NOTICED AND THEY WERE PRETTY UNHAPPY. JUST A POINT OF INTEREST. THE NEW DEVELOPMENT, I SUGGEST, ARE REALLY PRETTY MUCH INCOMPATIBLE WITH THE TRADITIONAL BILLBOARD KIND OF THING. NOT TO MANY ON 620 EXCEPT ON 620 AND 2222 AND WE SHOULD TRY TO GET RID OF THOSE BILLBOARDS AND NOT TRY TO PUT MORE TO ADD TO THE COMPUSION THERE -- CONFUSION THERE IS THE KIND OF DEVELOPMENT THAT IS TYPICAL TO THE TERRITORY AND TO MY WAY OF THINKING BILLBOARDS DO NOT GO G IN THAT KIND OF A TERRITORY. I PUT TOGETHER A FEW OTHER PICTURES SO WE COULD SEE THIS IS NOT THE ONLY DEVELOPMENT GOING ON HERE. BUT BEFORE WE DO THAT LET'S HIT ONE ISSUE



I THINK THATS THATS -- I THINK HAS BEEN A LITTLE  
CONFUSING TO SOME PEOPLE, THE SAME WAS MADE  
TO ME THERE IS A BUNCH OF COMMERCIAL  
DEVELOPMENT THERE AND WHY SHOULDN'T THERE  
BE BILLBOARDS BECAUSE IT IS NOT SCENIC ANY  
MORE. MY RESPONSE IS YOU CAN HAVE  
DEVELOPMENT AND STILL HAVE A SCENIC  
ROADWAY. SOME WERE NOT SCENIC OR DON'T  
CONFORM BUT I SUGGEST THAT PEOPLE HAVE  
PROPERTY ALONG THE SCENIC ROADWAYS, THEY  
HAVE THE RIGHT TO DEVELOP THEIR PROPERTY. WE  
AT 2222 HAVE WORKED WITH A VARIETY OF  
DEVELOPERS TO PRETTY AMENABLE AGREEMENTS  
ABOUT HOW TO DEVELOP PROPERTY AND STILL  
MEET THE CONCEPT AND DESIRES 6 THE HILL  
COUNTRY ROADWAY AND SCENIC ROADWAY  
CONCEPTS AND WE THINK ARE PRETTY HAPPY WITH  
THAT AND IF YOU LOOK AT 620 IN GENERAL WE ARE  
MAKING PRETTY GOOD PROGRESS IN MAKING THAT  
HAPPEN. I SUGGEST PUTTING MORE BILLBOARDS ON  
THE ROAD IS A STEP IN THE WRONG DIRECTION  
WASN'T SHOULD GET RID OF THE ONES WE HAVE  
AND NOT ADD MORE TO THE TERRITORY. GIVE THEN  
A WE CAN HAVE DEVELOPMENT AND A SCENIC  
ROADWAY, WHAT KIND OF DHOINGS WE END UP. --  
KIND OF THINGS DO WE END UP WITH. AAPOLOGIZE  
FOR THE SLIDES, THEY SHOULD BE BLITHER. THAT IS  
THE HOME DEPOT ON 620, IMMEDIATELY NORTH OF  
THE INTERSECTION HAD THIS STORE IS A COUPLE  
BLOCKS AWAY FROM THE TWO NORTHERN MOST  
BILLBOARDS THAT ARE PROPOSED. THERE IS A SIGN  
THAT SAID HOME DEPOT BUT IT IS NOT A HUGE SIGN  
ON A POLL, WE HAVE A VEGETATIVE BUFFER TO  
HIDE THE PARKING LOT AND BUILDING, YOU CAN  
SEE THE HOME DEPOT THERE BUT IT IS NOT RIGHT  
ON THE STREET AND IT DOESN'T HIT YOU IN THE  
FACE THAT IS THE KIND OF DEVELOPMENT YOU SEE  
ON THE ROAD AND SHOULD BE DEVELOPING TO  
HAVE THE ROADWAY. THE NEXT SLIDE PLEASE.  
THERE IS ANOTHER SHOT OF HOME DEPOT  
DEVELOPMENT. IMMEDIATELY TO THE RIGHT IS  
REGIONS BANK BRANCH WHICH IS LAST NICE  
DEVELOPMENT. THE NEXT SLIDE PLEASE. WE DROVE  
UP QUITE FAR FORTH UP TO -- NORTH, UP TO 9500,  
AGAIN IT IS SUBDUED BUILDINGS, THE BUILDINGS  
ARE SET BACK FROM THE ROADWAY, TYPICALLY

VEGETATIVE BUFFER SO THE BUILDINGS ARE NOT RIGHT UP TO THE STREET, NOT RIGHT IN YOUR FACE. THIS IS STILL A FAIRLY RURAL-TYPE ROADWAY. THE NEXT SLIDE PLEASE. ANOTHER CONDO OR APARTMENT COMPLEX, SAME KIND OF THING IF YOU COULD DO THE NEXT SLIDE THIS SHOW AS ROADWAY IMMEDIATELY ACROSS THE STREET FROM THE LAST APARTMENT COMPLEX. YOU DON'T SEE BIG SIGNS STICKING UP ACROSS THE LANDSCAPE, THE BIGGEST I SAW HERE IS THE POWER POLES ON THE RIGHT SIDE OF THE STREET. I'M HOPING IN A LATER DEVELOPMENT WE CAN PUT THAT UNDER GROUND. TO THE NEXT SLIDE PLEASE THIS IS THE CHURCH AT CANYON CREEK, ANOTHER SIMILAR DEVELOPMENT. NEXT SLIDE PLEASE. ANOTHER APARTMENT COMPLEX, SAME DEVELOPMENT. PLEASE THE NEXT ONE THIS IS WAL-MART ENTRANCE WHICH IS JUST NORTH OF FOUR POINTS DRIVE, A FEW BLOCKS AWAY FROM THE BILLBOARDS PROPOSED AT 620 AND 2222. THE MAIN ENTRANCE TO WAL-MART, YOU CAN BARELY SEE THE WAL-MART STORE BACK THERE BUT IT IS A HUGE STORE. AGAIN IT IS A BIG DEVELOPMENT, THEY PUT A TON OF MONEY INTO IT, THEY THINK THEY CAN, SUCCESSFUL OR THEY WOULDN'T DO IT, YET IT DOESN'T HAVE BEEN TO BE AN EYE OR IS ON THE ROAD -- EYE SORE ON THE ROADWAY. YOU CAN DO THE NEXT SLIDE. ANOTHER APARTMENT COMPLEX. THERE IS A HUGE NUMBER OF THESE ALONG THIS ROADWAY AND IN GENERAL I THINK THEY DO NOT MIX WELL WITH BILLBOARDS. THE NEXT SLIDE PLEASE. THIS IS JUST NORTH OF THE FOUR POINTS DRIVE WHICH IS THE NEXT STREET UP FROM 2222 THIS IS A MCDONALD'S AND I APOLOGIZE FOR THE POOR PHOTOGRAPHY, BUT IT IS A REAL MCDONALD'S BACK THERE, YOU CAN SEE IT FROM THE STREET BUT IT IS NOT IN YOUR FACE, THEY DO NOT HAVE A HUGE GOLDEN ARCHES SIGN THEY'VE ABIDED AND ALL THE OTHER DEVELOPMENTS HAVE ABIDED WITH THE RULES AND THEY HAVE SUCCESSFUL DEVELOPMENTING AND I BELIEVE THEY BELIEVE THEY WILLABLE SUCCESSFUL AND THIS IS THE KIND OF DEVELOPMENT WE SHOULD. HAVE I BELIEVE THE APPLICANT HAS PUT FORTH A BUNCH OF PICTURE ABOUT THE PARTICULAR SITES THEY SELECTED AND

THESE ARE FIRST GENERATION AND THEY WILL BE REDEVELOPED. THE PROMPT UP THERE IS BECOMING WAY TO VALUE TO BELIEVE HAVE THOSE KIND OF PROPERTIES ON THEM ANTIC THE 6901 SITE NEXT TO THE WELLS FARGO SITE, I CAN'T BELIEVE THE BEST USE OF THAT LOT IS GOING TO BE A BILLBOARD BECAUSE THE LOT IS A PRIME COMMERCIAL PROPERTY. THE BOTTOM LINE IS WE SHOULD BE TAKING THESE EXISTING BILLBOARDS OUT OF THE TERRITORY AND CLEANING UP THE TERRITORY AND NOT ADDING NEW BILLBOARDS, I EMMORE TO YOU NOT -- EMMORE TO YOU -- EMPLORE TO YOU NOT GRANT THESE VARIANCES. THANK YOU. [APPLAUSE]

THE NEXT SPEAKER IS JEFF JACK AND HE HAS HAD TIME DONATED TO HIM SO MR. JACK, YOU HAVE SIX MINUTES.

GOOD EVENING, COUNCIL, MY NAME IS JEFF JACK, PRESIDENT OF THE ZOKER ASSOCIATION AND I'M LIKE MOST PEOPLE HERE WHO DON'T WANT A BILLBOARD BEING MOVED TO THEIR AREA. ONE OF THE PROPOSED BILLBOARDS TO RELOCATED IS IN MY BACKYARD. WE'VE GOT THE BROKEN SPOKE AND HAYWARD NEON, TRIPLE-X BOOKSTORE, HALF A DOZEN USED CAR LOTS AND A WHOLE BUNCH OF BILLBOARDS. AND AS STEVE SAID, YOU TAKE THIS ONE BILLBOARD OUT OF MY NEIGHBORHOOD, IT WON'T MAKE ANY DIFFERENCE. WE HAVE AN ECLECTIC MIX. NOW, I WOULD BE A BAD PRESIDENT OF A NEIGHBORHOOD ASSOCIATION IF I SAID I DIDN'T WANT TO GET RID OF IT, WOULD LIKE TO. BUT I CERTAINLY DON'T WANT TO PUT IT ON SCENESCENIC OR TIERIAL -- ARTERIAL OF OUR CITY. [APPLAUSE] TOMORROW I'M GOING TO DRIVE DOWN TO MY HOME IN BATON ROUGE AND THEN GOING TO NEW ORLEANS AND IF YOU'VE EVER DRIVE THEN A STRETCH YOU KNOW YOU GO THROUGH SWAMP AND AS A KID I WAS ALWAYS MESMERIZED BY GOING THROUGH BEAUTIFUL WILDERNESS. YOU DRIVE IT TODAY, IT IS BILLBOARD AFTER BILLBOARD. ONE OF THE REASONS WE LIVE IN TEXAS BECAUSEst BECAUSE AS A KID I HEARD IT SONG, THE STARS ARE BRIGHT DEEP IN THE HEART OF TEXAS. BILLBOARDS ARE BRIGHT TOO. WE HAVE A CIVIC VALUE IN PROTECTING THE HILL COUNTRY,

WHEN I CAME TO TEXAS AND I STOOD OUT IN WEST TEXAS AND I LOOKED AND I COULD SEE THE HORIZON TO BOTH ENDS, I COULD SEE BEAUTY, AND I DIDN'T SEE BILLBOARDS. NOW WHY DOES REAGAN WANT TO MOVE THESE SIGNS? THE CAR COUNT IN MY NEIGHBORHOOD IS VERY HIGH, 25, 20 THANK YOU, THEY WANT TO MOVE IT -- 25, 20,000, THEY WANT TO MOVE-TO-SOME PLACE THAT IS 13,000. YOU THINK THEY WANT TO LOSE MONEY? NO, THEY PLAN ON THAT CAR COUNT GOING UP ON 620. IT IS INTERESTING, WE HAVE A DESIRED DEVELOPMENT ZONE AND A DRINKING WATER PROTECTION ZONE AND IN THAT ZONE THIS COUNCIL FOR YEARS HAS SAID WE WANT TO DISCOURAGE GROWTH. AND IRONICALLY, BY APPROACHING THESE VARIANCES, IN A BACK DOOR WAY, WE LEGITIMIZED GROWTH A - - LEGITIMIZE GROWTH ALONG OUR SCENIC BORDER, OUR DRINKING WATER PROTECTION ZONE BY AUTHORIZING BILLBOARDS TO GET BUILT ON THOSE ARTERIALS. THE HILL COUNTRY ORDINANCE WAS PIECE OF LEGISLATION PASSED BY THIS COUNCIL TO PROTECT THIS SCENIC QUARTER, ITS SCENIC BUTTE BEAUTY CAN WE GRANT 25 VARIANCES THAT GO TO THE DIRECT HEART OF THE ORDINANCE. YOU MIGHT AS WELL SAY IT IS OPEN SEASON, COME ON DOWN. LET'S LOOK AT IT FROM A BIG PICTURE. MR. REAGAN IS GOING TO MAKE LOTS OF MONEY WHEREVER HE PUTS HIS BILLBOARDS, THE COMMUNITY IS GOING TO LOSE A TREASURE. I DON'T MIND KEEPING ONE OF THOSE BILLBOARDS IN MY BACKYARD SO THAT WHEN I DRIVE DOWN 620, I DON'T HAVE TO LOOK AT IT OUT THERE. [APPLAUSE]

THE NEXT SPEAKER IS CAROL. AND PAUL WHEELER ANNE MARIE AND ED KING. BE A WE HAVE 12 MINUTES.

THANK YOU. MY NAME CAROL, I'M HERE TONIGHT ON BEHALF OF 2222 CONA. I WOULD LIKE TO TALK TO YOU ABOUT THE PROCESS, FRANKLY I DO 23409 HAVE A CLUE WHY WE ARE HERE TONIGHT BUT WE ARE SO LET'S TALK ABOUT IT. THE ORDINANCE CLEARLY EXCLUDES BILLBOARDS SUCH AS THE ONES IN DISCUSSION TONIGHT. THERE IS AN UNFORTUNATE THING THAT HAPPENED WHEN THAT ORDINANCE WAS IMPLEMENTED IN THE LDC,

THE LAND DEVELOPMENT CODE FOR THOSE OF YOU WHO DON'T DO THIS ALL THE TIME, AND THE SIZE LIMITS WERE INCORPORATE UNDERSTOOD THE SCENIC ROAD -- INTO THE SCENIC ROLLED SIGN DISTRICT. THEN COMES ALONG THE BILLBOARD RELOCATION ORDINANCE, THAT THE SIGNAGE REQUIREMENTS CAN BE NEGATED BY THE COUNCIL, AT A HEARING LIKE THIS. WHAT HAPPENS HERE IS THAT THE HCRO IN ADDITION TO A SIGNAGE LIMITS HAD CLEARLY SPECIFIED PROCESS FOR GRANTING WAIVERS AND VARIANCES TO THE SIGNAGE, INCLUDING A HEARING BEFORE A LAND USE COMMISSION, AND THAT HEARING WAS NORMALLY ACCOMPANIED BY STAFF REPORT AND A STAFF RECOMMENDATION WHICH WE DIDN'T REALLY GET TONIGHT ALTHOUGH, THANKS TO COUNCIL MEMBER KIM WE DID ACTUALLY GET A RECOMMENDATION BUT THERE WAS NOTHING FORM, FORTH COME NEW YORK BACK UP MATERIAL PROVIDED TO THIS ITEM TONIGHT SO WHAT WE HAVE HERE IS A MULTILEVEL SUB VERSION OF THE HCRO, FIRST BY CONSIDERING THE POSSIBILITY OF ALLOWING THESE BILLBOARDS IN THE HILL COUNTRY ROADWAY THE AT ALL, BUT ALSO BY CIRCUMVENTING THE REQUIREMENTS 6 THE VARIANCE PROCESS. IT IS IS IS RUN-AROUND. I DON'T BELIEVE IT WAS THE COUNCIL'S INTENTION TO UNDER MINE THE HCRO TONIGHT AND I DON'T REALLY BELIEVE IT IS THE COUNCIL'S DESIRE TO ADD BLITHE TO THE ROADWAYS BUT THAT IS WHAT IS BEING ASKED OF YOU. EVERYTHING ABOUT THIS REQUEST IS AGREIGE US, THE AGREIGE US, THE LOCATION 6 THE SIGNS IS OUTRAGEOUS AND TO ADD INSULT TO INJURY THE APPLICANT WANTS TO INSTALL SIGNS THAT ARE LARGE ARES THAT THOSE RELOCATED. THE HCRO AND SCENIC ROADWAY SIGN LIMIT SIDE IS 64 SQUARE FEET. THE SIGNS THAT ARE BEING PROPOSED OF 672 SQUARE FEET, MORE THAN 10 TIMES THE ALLOWED SIGNAGE OF THE HILL COUNTRY ROADWAY AND SCENIC ROADWAY PROVISIONS MUCH THE CODE. KNEW NEW SIGN IS GOING TO BE 14 BY 48. DO YOU KNOW HOW WIDE 48 FEET IS, IT IS FOUR STREET LANES. 48 FEET IS THE WIDTH OF RM 2222, IT IS THE WIDTH OF THE HIGHWAY, THAT IS HOW WIDE THOSE SIGNS WILL BE, IF THAT GIVES YOU SOME PERSPECTIVE ON WHAT WE'RE TALKING ABOUT HERE. THESE GIANT

SIGNS ARE DISTRACTION TO DRIVERS AND THEY ARE A TRAFFIC HAZARD AND I CAN'T BELIEVE THE CITY COUNCIL WILL SUPPORT THESE HUGE DRIVER DISTRACTIONS, IT IS SO INS CAN TENT WITH YOUR ROLE TO PROTECT PUBLIC SAFETY AND THREE OF THESE BILLBOARDS WILL BE PLACED IN 500 FEET OF RESIDENTIAL BUILDINGS. THIS IS WHERE THE ORDINANCE SAYS THEY ARE POSED TO BE MOVED FROM, NOT TOO. SUPPOSED TO BE REMOVING FROM SCENIC ROADWAYS NOT MOVING THEM TOO SCENIC ROADWAYS. WHAT IS THE COMPELLING REASON FOR GRANTING THESE WAIVERS? THERE IS NO COMPELLING REASON IS THE ANSWER. SURE IT WILL MAKE THEM LOT OF MONEY, GREED IS GOOD, WE KNOW ABOUT THAT BUT IS THAT SUFFICIENT JUSTIFICATION FOR GUTTING THE ROADS AND WORSE FOR CIRCUMVENTING THE NORMAL VARIANCE PROCESS AS SPECKFIED IN THE -- SPECIFIED IN THE ORDINANCE. WE'VE BEEN HERE BEFORE AND WE KNOW HOW THE GAME IS PLAYED, THE DEVELOPERS COME TO COUNCIL ASKING FOR THE MOON AND STARS FEELING CONFIDENT THEY WILL AT LEAST GET THE MOON THAN WORKS MOST OF THE TIME BUT TONIGHT WE HAVE A BUSINESS INTEREST ASKING FOR THE MOON, STAR, GALAXY AND UNIVERSE. FRANKLY, WE ARE ALL BAFFLED THAT THE COUNCIL WOULD GIVEDORTION SUCH AN OUTRAGEOUS REQUEST IT IMPLIED REAGAN NATIONAL IS IMMUNE TO THE RULES FOR THE REST OF US IT INDICATES JUST JUSTIFICATION IS NOT NECESSARY IF YOU ARE POWERFUL ENOUGH, IF YOU WANT IT YOU, GETMENT PLEASE DON'T LET THIS HAPPEN TONIGHT, PLEASE HONOR YOUR OWN CITY CODE. PLEASE HONOR THE HILL COUNTRY ROADWAY ORDINANCE AND PLEASE HONOR THE PROPER VARIANCE PROCESS YOU SET UP. PLEASE DO NOT OPEN THE DOOR TO MORE INVASIONS ON SCENIC AND HILL COUNTRY ROADWAYS BY THE BLITHE OF BILLBOARDS THIS F THIS REQUEST IS GRANTED TONIGHT IT IS ONLY A TIME BEFORE 2222, 360 AND OTHER HILL COUNTRY SCENIC ROADWAYS ARE PUT ON THE BLOCK THE WAY 620 IS BEING DONE TONIGHT. PLEASE DENY THE REQUEST BEFORE YOU. I'M GOING TO DID YOU DO ONE OTHER THING, I'M GOING TO ASK TO YOU GET RID OF THE RELOCATION ORDINANCEMENT WAS FLAWED IN ITS INCEPTION

AND IT IS DEMONSTRATED TONIGHT IN THIS MAJOR  
OUTING TO BE A BIG STEP IN THE WRONG  
DIRECTION. BILLBOARDS THROUGHOUT AUSTIN AND  
THE ETJ SHOULD BE PHASED OUT THE BLITHE  
SHOULD NOT BE ALLOWED TO MOVE TO OTHER  
AREAS 6 THE CITY IT SHOULD BE REMOVED AND NOT  
RELOCATED. PLEASE RECONSIDER THIS YOUR  
UNFORTUNATE ORDER THAN AND DO NOT GRANT  
THESE WAIVERS AND VARIANCES. THANK YOU.  
[APPLAUSE]

MAYOR PRO TEM, I HAVE A QUESTION OF THE  
SPEAKER. JUST FOR CLARIFICATION I THOUGHT YOU  
SAID YOU WERE SHOCKED THAT THE COUNCIL  
WOULD EVEN CONSIDER THIS, THERE IS, THERE  
EXIST AS VARIANCE PROCESS AND ANYONE IS  
ENTITLED TO ASK FOR IT AND THEY ARE ENTITLED  
TO GET A HEARING BEFORE COUNCIL.

I'M SORRY, SIR, THAT IS NOT WHAT I MEANT, I  
MEANT YOU WOULD SERIOUSLY CONSIDER  
APPROACHING THOSE, NOT HEARING THEM.

THANK YOU.

THANK YOU VERY MUCH FOR THE CLARIFICATION.

THE NEXT SPEAKER IS JANET. [ONE MOMENT PLEASE  
FOR CHANGE IN CAPTIONERS]

THIS SIGN WOULD HAVE A VERY NEGATIVE IMPACT  
ON THE SIX HOUSEHOLDS THAT LIVE ON THE WEST  
SIDE OF 620 RIGHT HERE AT THIS LOCATION. AS WE  
DRIVE NORTH AND HAVE TO TURN LEFT INTO OUR  
DRIVEWAYS, ONCOMING TRAFFIC THAT'S COMING  
SOUTH WILL BE DISTRACTED BY THIS PROPOSED  
ENORMOUS BILLBOARD. THIS IS ALREADY A  
DANGEROUS SITUATION FOR US, TURNING LEFT  
INTO OUR DRIVEWAYS. AND YON'T THIS SIGN WOULD  
-- AND I DON'T THINK THIS SIGN WOULD ENHANCE  
OUR SAFETY IN ANY WAY. I WOULD ALSO LIKE TO  
TALK A LITTLE BIT ABOUT THE FAIRNESS OF  
RELOCATING SIGNS IN THIS AREA, ESPECIALLY 3205  
AND 3717. WE'RE AN UNINCORPORATED AREA. WE  
ARE TOTALLY UNPROTECTED UNLESS YOU CAN  
PROTECT US FROM HAVING THESE BILLBOARDS PUT

IN OUR NEIGHBORHOOD. THERE ARE FIVE EXISTING BILLBOARDS ALREADY IN THIS AREA AND I'VE MARKED THEM ON THE MAP. THOSE BILLBOARDS APPEARED OVERNIGHT MANY YEARS AGO WITHOUT A HEARING, WITHOUT ANY INPUT FROM THE FEW RESIDENTS WHO LIVE THERE. THIS IS WHAT'S BEEN REFERRED TO AS FIRST GENERATION DEVELOPMENT. LONG, LONG TIME AGO. THANK HEAVENS YOU HAVE ALLOWED US TO COME HERE AND HAVE SOME SAY OTHER WHETHER OR NOT WE HAVE TWO MORE PUT IN OUR AREA. AND I'M HOPING THAT YOU WILL NOT ALLOW EVEN MORE BILLBOARDS TO BE PUT THERE BY REAGAN. WHEN REAGAN SAYS THAT THIS IS A COMMERCIAL AREA, IS ALREADY COMMERCIAL, ALREADY HAS BILLBOARDS, THAT'S A LITTLE BIT DISINGENUOUS BECAUSE AS I SAID WE DIDN'T EVER HAVE A CHANCE TO HAVE INPUT AS TO WHETHER OR NOT WE WANTED THOSE BILLBOARDS. DOES THAT MEAN MY TIME'S UP? [ BUZZER SOUNDS ] WELL, THANK YOU FOR STAYING HERE TO HEAR US TONIGHT. [ APPLAUSE ]

THE NEXT SPEAKER IS JURY REGARD KINNEY -- GERARD KINNEY. IS LAURA MORRISON IN THE AUDIENCE?

[INAUDIBLE - NO MIC].

AND DAVID GREEN? YOU HAVE SIX MINUTES -- NINE MINUTES, I'M SORRY.

THANK YOU. MAYOR PRO TEM, MEMBERS OF THE COUNCIL, I'M GERARD KINNEY, LIFELONG AUSTINITE, ARCHITECT, MEMBER OF THE DESIGN COMMISSION, CHERRYWOOD NEIGHBORHOOD STEERING COMMITTEE, UPPER BOGGY CREEK PLANNING TEAM, MEMBER OF SCENIC TEXAS EXECUTIVE BOARD AND PRESIDENT OF SCENIC AUSTIN. THE ORDINANCE THAT PASSED FOUR-THREE A LITTLE OVER A YEAR AGO AND WHICH WE STRENUOUSLY OPPOSED ALLOWS THE RELOCATION OF BILLBOARDS FROM AREAS WHERE SOMEONE DECIDED WE DON'T WANT THEM TO LOCATIONS THAT SOMEONE DECIDED WE DO. SO NOW WE HAVE THE OPPORTUNITY TO RELOCATE BILLBOARDS



FROM ONE NEIGHBORHOOD TO ANOTHER ONE, FROM ADJACENT ONE BUSINESS TO ADJACENT ANOTHER BUSINESS. TO TRANSFER AN EXISTING NONCONFORMING USE FROM ONE PIECE OF PROPERTY TO ANOTHER ONE, ALL VERY BAD IDEAS. AS WE SAID LAST YEAR WHEN THIS ORDINANCE PASSED, WE HAVE CONTINUALLY MAINTAINED THAT THE WAY THAT BILLBOARDS WILL DISAPPEAR IN AUSTIN IS BY ATTRITION. INDEED, SINCE THE INVENTORY WAS MADE IN 1999 AND AS WAS TOLD TO YOU BY STAFF AT THE PRESENTATION LAST YEAR, OVER 60 BILLBOARDS BY OUR COUNT, STAFF SAYS 120 BILLBOARDS HAVE DISAPPEARED THIS WAY BY ATTRITION. AT ONE HEARING THE MAYOR -- I WISH THE MAYOR HAD STAYED TO HEAR ME SAY THIS -- SUGGESTED THAT THIS DOESN'T ALWAYS HOLD TRUE, THE POINT I'M MAKING ABOUT ATTRITION. HE POINTED OUT THAT THE BILLBOARD ON THE SOUTHSIDE OF EAST FIFTH JUST WEST OF NUECES. YOU MAY KNOW IT IT'S CLOANTIAL BANK SITE. YOU'VE PROBABLY SEEN IT. IT'S A TRI FACE SIGN. IT HIS POINT WAS THAT THAT BILLBOARD STAYED, COLONIAL BANK BUILT THE BANK BUILDING AND THE BILLBOARD STAYED. SO HE SAID SEE THERE, GERARD, IT DOESN'T WORK. AND I SAID TO HIM, MR. MAYOR, WELL, LET'S WAIT AND SEE. IF WE COULD HAVE THAT FIRST SLIDE, SIR. LET'S WAIT AND SEE WHAT HAPPENS. I SAID THERE'S A PIECE OF PROPERTY JUST TO THE WEST OF THAT BILLBOARD, AND I'LL BET YOU THAT THAT BILLBOARD WILL GO AWAY. WELL, THE PHOTOGRAPH THAT YOU SEE RIGHT NOW IS THE PHOTOGRAPH STANDING AT THE BANK LOOKING WEST AT THE BILLBOARD. YOU SEE THERE'S A LARGE OBJECT ON THE OTHER SIDE THE BILLBOARD THAT'S A BUILDING. CONTINUE AROUND THERE IF YOU WOULD, AS WE ROTATE AROUND OUT INTO FIFTH STREET AND SEE IT ROTATING ON AROUND, YOU START SEEING THE FACE THE BILLBOARD. AS YOU GO ON AROUND IT STARTS TO DISAPPEAR. AND PRETTY SOON IT'S ALMOST GONE. SO IT'S ACTUALLY GETTING BETTER. WE'RE ACTUALLY -- ACTUALLY GETTING RID OF OUR BILLBOARD. OF COURSE WHAT WILL HAPPEN IS THAT THAT BILLBOARD WILL BE TAKEN DOWN. THE QUESTION IS WHY ISN'T IT ALREADY GONE DOWN? WELL, MAYBE THERE'S NOT A RECIPIENT SITE YET

OUT ON A SCENIC ROADWAY FOR IT. [ LAUGHTER ]  
THE PROBLEM WITH THE PROCESS THAT WE HAVE IS  
THAT IT DEPENDS ON RELOCATING BILLBOARDS  
FROM NEXT TO SOMEBODY'S BUSINESS TO NEXT TO  
SOMEBODY ELSE'S BUSINESS. I DOUBT THAT YOU'RE  
-- HEARD THE WHOLE THING ABOUT NOTIFICATION  
RELATIVE TO NORTH CROSS AND BIG BOX AWHILE  
AGO AND I WAS THINKING, I WONDER IF ALL THE  
TENANTS AND ALL THE BUSINESS OWNERS WERE  
NOTIFIED AROUND WHERE THESE BILLBOARDS ARE  
GOING. AND I WONDER IF THEY HAD BEEN -- I  
NOTICE THERE ARE NONE OF THEM DOWN HERE, SO  
MAYBE THEY ALL WANT THE BILLBOARDS BESIDE  
THEM, BUT I'LL LET BET YOU THE PROBLEM IS THEY  
WEREN'T NOTIFIED. BUSINESSES DON'T WANT  
BILLBOARDS BESIDE THEM ANY MORE THAN  
RESIDENTS WANT BILLBOARDS BESIDE THEM. IT  
BRINGS DOWN THEIR PROPERTY VALUES AND THEY  
KNOW THAT, BUT THEY HAD NO CHOICE IN THIS.  
THIS ORDINANCE WAS PASS UNDERSTAND A WAY  
THAT WITHOUT THE -- THIS HAS WAIVERS. THE ONES  
THAT DON'T HAVE WAIVERS SUDDENLY SOMEONE  
GETS A BILLBOARD BESIDE THEIR PROPERTY. IT'S A  
VERY BAD IDEA. WE WERE TOLD BY  
COUNCILMEMBER THAT WERE SUPPORTING THIS ILL  
CONCEIVED ORDINANCE THAT THEY HAD MADE  
SURE THAT THE RECIPIENT SITES WOULD BE  
SUITABLE FOR BILLBOARDS. WHILE WE MAINTAIN  
THAT AUSTIN HAS NO SITES THAT ARE SUITABLE  
FOR BILLBOARDS AND PAST COUNCILS HAVE  
AGREED MAKING THE ELIMINATION OF BILLBOARDS  
A CITY GOAL, IT CERTAINLY CAN BE ARGUED THAT  
IF ONE MUST RELOCATE, THERE MUST BE  
CONDITIONS AND THE ONE IN PLACE ARE WELL  
INTENDED. IE, NO BILLBOARDS ON SCENIC  
ROADWAYS, NO BILLBOARDS ADJACENT TO  
RESIDENCES, REDUCE THEIR SIZE, ALL THOSE  
THINGS. THE APPLICANT TONIGHT WOULD HAVE  
YOU GRANT VARIANCE S TO ALL OF THOSE GOOD  
IDEAS. LAST YEAR THE CITY THOUGHT THAT IT HAD  
A DEAL AND THIS WAS TOLD TO ME VERY DIRECTLY  
BY A COUPLE OF COUNCILMEMBERS IN PRIVATE  
MEETINGS THAT THE SIGN COMPANY WOULD NOT  
PULL THIS KIND OF STUNT, THAT THEY WOULD  
HONOR THE INTENT OF THE ORDINANCE. BUT AS WE  
KNOW FROM THAT SAME COMPANY'S FOUR MEGA

BILLBOARDS OUT ON 130 THAT ARE CURRENTLY IN LITIGATION, THIS COMPANY WILL GO TO ANY EXTENT TO PLACE THESE UGLY MONSTERS ANYWHERE THEY WILL BE SEEN BY MORE PEOPLE. I KNOW THAT'S A STRONG STATEMENT, BUT IT'S JUST THE TRUTH. DENY THIS INSULTING APPLICATION AND REPEAL THE ILL CONCEIVED ORDINANCE ON WHICH IT IS BASED. DON'T SHIFT NONCONFORMING USES FROM ONE PROPERTY TO ANOTHER. AND I DO WANT TO MAKE ONE OTHER -- ASK YOU ONE OTHER QUESTION. I'M FROM SOUTH AUSTIN. HAVE Y'ALL OF BEEN OUT TO BURLESON ROAD? HAVE YOU EVER GONE OUT THERE AND DRIVEN OUT ON BURLESON ROAD IN CLOSE TO WHERE THE BILLBOARD IS, THE BUSINESSES OUT THERE? THE IDEA OF MOVING A BILLBOARD -- AND THIS PARTICULAR ONE IS OUTSIDE THE CORE -- TO A SCENIC ROADWAY IS PREPOSTEROUS. THAT ANYONE WOULD THINK THAT IT IS IMPROVING THE AESTHETICS OF ANYTHING -- IF YOU MOVED -- ONE OF THE EXISTING BILLBOARDS OUT ON THE SCENIC ROADWAYS THAT WERE THERE GRANDFATHERED TO BURLESON ROAD YOU WOULD IMPROVE THE LOOKS OF BOTH PLACES. [ LAUGHTER ] PLEASE DENY THIS ORDINANCE. THANK YOU. [ APPLAUSE ]

THE NEXT SPEAKER IS TERRY ROSS. MR. ROSS HAS THREE MINUTES.

MAYOR PRO TEM AND COUNCILMEMBERS, THANK YOU VERY MUCH FOR GIVING US SO MUCH OF YOUR ATTENTION ON THIS TOPIC TONIGHT. I DON'T HAVE THAT MUCH TO ADD TO WHAT SOME OF THE OTHER SPEAKERS HAVE ALREADY SAID. I WOULD LIKE TO POINT OUT THAT IF YOU'RE GOING TO GRANT THESE 25 WAIVERS, I THINK IT'S INCUMBENT ON EITHER PASS TWO OTHER WAIVES BEFORE YOU DO THAT. THE FIRST WOULD BE TO WAIVE LOGIC AND REASON AND THE SECOND ONE WOULD BE TO WAIVE YOUR CONCERN ABOUT PUBLIC SAFETY. WITH RESPECT TO LOGIC AND REASON, I THINK IT'S CLEAR THAT IT'S HARD FOR THOSE OF US THAT AREN'T IN YOUR POSSESSION POTION TO UNDERSTAND WHY -- IN YOUR POSITION TO UNDERSTAND WHY YOU WOULD PASS AN ORDINANCE AND THEN GRABLS WAIVERS -- AND THEN GRANT TWIEFERZ ABSOLUTELY EVERY

NUMB THE ORDINANCE IN THE FIRST PLACE. SO THAT'S MY FIRST CONCERN. BUT I WANT TO FOCUS MANY OF MY COMMENTS ON THE 3205 RANCH ROAD 620 LOCATION. BECAUSE I THINK IT SHOWS SORT OF THE DID HE PARAGRAPHTY OF WHAT IS BEING PROAND HERE. IF YOU ARE FAMILIAR WITH THAT INTERSECTION, IT'S BEEN ALLUDED TO EARLIER, ON ONE CORNER THERE'S THE FIRE DEPARTMENT. THE ONLY WAY THE FIRE TRUCKS AND THE AMBULANCE CAN GET ON TO SIX 20 IS TO COME THROUGH THE INTERSECTION. AT THAT SAME INTERSECTION IS HUDSON BEND MIDDLE SCHOOL. ALL THE SCHOOL BUSES ARE ROUTED THROUGH THAT INTERSECTION. THERE'S A LARGE CONDOMINIUM DEVELOPMENT RIGHT ACROSS FROM THAT. THE ONLY ROUTE FOR PEOPLE WHO LIVE IN APACHE SHORES TO GET IN AND OUT IS THROUGH THAT INTERSECTION. SO WHY WE WOULD WANT TO A HUGE BILLBOARD AT THIS INTERSECTION THAT WOULD DISTRACT PEOPLE AND WHY WE WOULD WANT TO PUT SOMETHING UP THERE THAT WOULD DISTRACT DRIVERS IS WAY BEYOND ME. SO AGAIN, GRANT THE TWO WAIVERS, WAIVING LOGIC AND REASON, GRANT THE WAIVER SAYING YOU'RE NO LONGER CONCERNED ABOUT PUBLIC SAFETY, AND THEN GRANT THE 25 WAIVERS THAT IS BEING REQUESTED OF YOU. AT LEAST YOU WILL BE CONSISTENT. THANK YOU. [ APPLAUSE ]

THE NEXT SPEAKER IS ROB KRAUTHERS. YOU HAVE THREE MINUTES, SIR.

MY NAME IS ROB AND I'M A RESIDENT OF STEINER RANCH AND ALSO A BOARD MEMBER OF THE HOMEOWNERS ASSOCIATION. STEINER RANCH IS LOCATED JUST OFF 620 BETWEEN 2222 AND THE MANSFIELD DAM. I AM ALSO HEADING UP THE COMMUNICATIONS COMMITTEE. MY PURPOSE IN BEING HERE IS TO HELP OUR RESIDENTS COMMUNICATE THEIR VIEWS TO COUNCIL FOR YOUR CONSIDERATION. WE DID A SURVEY OF OUR RESIDENTS IN EARLY JANUARY WHEN THIS ISSUE WAS FIRST COMING UP TO COUNCIL, AND WE GOT A PRETTY GOOD RESPONSE TO THAT SURVEY. COULD YOU SHOW THAT SLIDE? COULD YOU FLIP IT OTHER TO OART SIDE? SO WE HAD ABOUT 465 PEOPLE WHO RESPONDED TO OUR SURVEY. 460 WERE IN

OPPOSITION TO THE VARIANCE AND FIVE WERE IN FAVOR. ALSO WE RECEIVED OVER 250 COMMENTS FROM RESIDENTS IN OUR AREA, AND THIS INFORMATION HAS ALL BEEN FORWARDED TO ALL OF YOU. IT SHOULD BE IN YOUR MAILBOXES A COUPLE OF DAYS AGO. SO JUST WANTED TO BRING YOUR ATTENTION TO HOW THE FOLK WHO ACTUALLY LIVE OUT IN THIS AREA FEEL ABOUT THIS VARIANCE REQUEST. THANK YOU. [ APPLAUSE ]

THE NEXT SPEAKER IS KATE MANN. YOU HAVE THREE MINUTES.

THANK YOU ALL FOR STAYING UP SO LATE. I AM VERY DISAPPOINTED TO HAVE LEFT MY HOME. I HAVE A NEWBORN WHO IS GETTING IN HIS JAMMIES RIGHT NOW AND I'D MUCH RATHER BE HOME WITH HIM THAN OUT IN THE COLD, BUT I WAS ACTUALLY NOTICING THE OTHER DAY WE HAVE A BOOK AT OUR HOUSE CALLED IF YOU GIVE A MOUSE A COOKIE AND IT KIND OF SEEMS APPROPRIATE RIGHT NOW. IF YOU'RE FAMILIAR. I ASSUME THAT HAD REAGAN WAS CONSULTED LAST YEAR WHEN COUNCILMEMBERS DIRNGLY AND LEFFINGWELL WERE WORKING SO HARD FOR A YEAR TO PUT THIS ORDINANCE TOGETHER SO I'M SURPRISED THAT ALL OF A SUDDEN IT DOESN'T WORK. THERE WERE SOME COMMENTS THAT A LOT OF THE NON-ZONED AREAS WEREN'T CONSIDERED ADJACENT RESIDENCES, BUT WE'VE ALREADY DISCOVERED THAT ACTUALLY ALL OF THEM IF YOU LOOK AT A GIS MAP ARE NEAR RESIDENCES. THREE OUT OF FIVE BILLBOARDS DON'T ALREADY MEET REGISTRATION REQUIREMENTS. OVER THE LAST COUPLE OF YEARS YOUR SIGN OFFICIALS HAVE SPOKEN WITH US ABOUT WAYS TO ENFORCE THEIR SIGN REGISTRATION REQUIREMENTS. IT'S ACTUALLY THE ONLY WAY THAT THE CITY OF AUSTIN GETS DIRECT REVENUE FROM THESE SIGNS, AND THREE OF THESE FIVE BILLBOARDS AREN'T EVEN REGISTERED. I DON'T THINK THEY'RE ASKING FOR 25 WAIVERS OUT OF NICENESS, REGARDLESS OF LOSING CIRCULATION POINTS. WE'RE ALL SMART ENOUGH TO KNOW THAT THIS IS ABOUT MONEY. IN CLOSING I'D JUST LIKE TO POINT OUT A LITTLE SECTION IN THE ORDINANCE AS IT'S WRITTEN RIGHT NOW THAT THE ORIGINAL

LOCATION OF A RELOCATED SIGN, IN ADDITION TO BEING WITHIN THIS BOUNDARY OR ON A SCENIC ROADWAY DISTRICT OR WITHIN 500 FEET OF HISTORIC SIGN DISTRICTS, IT'S ALSO WITHIN THE BOUNDARIES OF A REGISTERED NEIGHBORHOOD ASSOCIATION THAT HAS REQUESTED REMOVAL OF A ASSIGNMENT WE'VE HEARD FROM LOTS OF NEIGHBORHOOD ASSOCIATIONS, SO ASSUMING THAT THIS VARIANCE IS GRANTED, WHICH I AM OBVIOUSLY NOT IN FAVOR OF, I GUESS WE'LL SEE YOU SOON. AND THAT'S ALL I'VE GOT TO SAY.

THE LAST SPEAKER IS MIKAEL MEADE. AND YOU HAVE THREE MINUTES.

COUNCILMEMBERS, MIKAEL MEADE AGAIN REPRESENTING THE APPLICANT, REAGAN NATIONAL TITION. I THINK STAFF DID A GOOD JOB OF SHOWING EACH OF THE LOCATIONS THAT WE'RE TALKING ABOUT HERE. THE SIGNS THAT WE WANT TO RELOCATE AND THE LOCATIONS WE WANT TO RELOCATE TO. WHAT I WAS A LITTLE SURPRISED TO HEAR STAFF MAKE THE STATEMENT OF WAS THAT WE'RE ASKING FOR 25 WAIVERS AS IF WE'RE TRYING TO VARY FROM 25 PARTS OF THE CODE. WE'RE TALKING ABOUT 10 SIGNS HERE, SO WE'RE ASKING FOR ONE WAIVER FOR EACH OF THOSE SIGNS, WE WOULD BE TALKING ABOUT 10 WAIVERS IN THAT CASE. OUR REQUEST IS VERY SIMPLE. WE HAVE REQUESTED THAT WE REALLY BE ALLOWED TO DO THREE THINGS. THAT WE BE ALLOWED TO RELOCATE TWO SIGNS WHICH ARE NOT WITHIN THE CORE AREA THAT WAS DESIGNATED AS RELOCATION AREA WHEN THE SIGN ORDINANCE WAS PUT IN PLACE. THREE OF THE SIGNS THAT WE'RE TALKING ABOUT RELOCATING ARE WITHIN THAT AREA. TWO ARE NOT. HOWEVER, EACH OF THOSE TWO IS WITHIN A MILE OF THAT AREA. WE'RE ALSO ASKING TO RELOCATE SIGNS THAT ARE IN TWO AREAS THAT ARE NOT EXPRESSWAY CORRIDORS, AND WE'RE ASKING TO RELOCATE THOSE SIGNS TO AREAS THAT ARE SCENIC. SO I THINK IT'S A LITTLE BIT AFTER MISCHARACTERIZATION TO SAY THAT WE'RE ASKING FOR 25 WAIVERS. OUR REQUEST REALLY IS ALL THAT SIMILAR. I WILL STATE, HOWEVER, THAT

WE'VE HEARD FROM STAFF FOR THE FIRST TIME TONIGHT THAT IT'S STAFF'S OPINION THAT WE ARE ALSO ASKING FOR A WAIVER FROM THE DISTANCE REQUIREMENT FROM RESIDENTIAL. WE SURVEYED THAT BEFORE WE STARTED THIS PROCESS. WE DID NOT FIND THAT WE WERE IN PROXIMITY TO RESIDENTIAL. STAFF HAS SAID THAT WE ARE WITHIN PROXIMITY TO RESIDENTIAL AND WE DO WANT TO TAKE AN OPPORTUNITY TO LOOK AT THAT ISSUE BECAUSE IT'S A DISCREPANCY AND THAT WAS ACTUALLY NOT PART OF OUR REQUEST. AND FINALLY, WE DID MAKE IS REQUEST FOR THE WAIVER OF THE REQUIREMENT THAT AT THE END OF 25 YEARS THE RELOCATED SIGN WOULD COME DOWN. AND AS I MENTIONED AT THE BEGINNING OF THE HEARING TONIGHT, THE APPLICANT HAS WITHDRAWN OUR REQUEST AND SO THAT REQUEST IS NO LONGER ON THE TABLE. AND UNFORTUNATELY THERE WAS NOT GOOD COMMUNICATION WITH STAFF AND STAFF PRESENTED THAT AS STILL BEING ON THE TABLE, BUT THAT REQUEST HAS BEEN WITHDRAWN. AND I JUST WANT TO, AS I SAID, STAFF DID A GOOD JOB OF SORT OF GIVING YOU THE DATA ABOUT WHERE WE'RE ASKING TO RELOCATE FROM AND TO, BUT I DO WANT TO -- IF SOMEBODY CAN GET MY PRESENTATION UP. I DID WANT TO JUST TAKE AN OPPORTUNITY, DESPITE THE GREAT PHOTOGRAPHS THAT SOME MEMBERS OF THE VARIOUS NEIGHBORHOOD ASSOCIATIONS TOOK, ALTHOUGH THERE ARE DEFINITELY PARTS OF 620 THAT ARE QUITE SCENIC, WHERE THERE ARE VISTAS, VIEWS OF THE LAKE, ETCETERA, WE'RE NOT ASKING TO PLACE SIGNS IN THOSE AREAS. [ BUZZER SOUNDS ] I'LL JUST SCROLL VERY QUICKLY THROUGH EACH OF THE LOCATIONS THAT WE'RE TALKING ABOUT WHERE WE HAVE ACTUALLY SHOWN A SIMULATION OF WHAT EXACTLY WHERE THE BOARD WOULD BE AND WHAT IT WOULD LOOK LIKE. AND SO I'D JUST LIKE TO TAKE THE OPPORTUNITY TO SHOW YOU THAT IN EACH OF THESE LOCATIONS. SO IT'S PROBABLY SOMEWHAT UNFAIR TO SHOW THOSE VERY KEENIC PARSD OF THESE ROADWAYS BECAUSE WE WERE CAREFUL TO NOT MAKE THE REQUEST THAT WE BE PLACED IN THOSE AREAS. SO I WOULD LIKE TO MAKE THE REQUEST, HOWEVER, AND I'M WRAPPING

UP, MAYOR PRO TEM, THAT WE DO HAVE AN OPPORTUNITY TO LOOK AT THIS RESIDENTIAL DISTANCE ISSUE BECAUSE SINCE WE DID NOT REQUEST THAT, WE DON'T WANT TO BE IN THE POSITION THAT WE'RE HAVING TO COME BACK TO ASK FOR IT.

Dunkerley: MY QUESTION, ARE YOU ASKING FOR TIME TO GO CHECK THAT?

WE WOULD LIKE TO HAVE THAT TIME IF POSSIBLE TO GO AND -- WE NEED TO CLEAR THAWP DISCREPANCY. TONIGHT WAS THE FIRST THAT WE HAD BEEN TOLD THAT THAT WAS AN ADDITIONAL ISSUE.

Dunkerley: OKAY. THERE MAY BE OTHER THINGS THAT THE COUNCIL MIGHT LIKE TO ASK YOU TO CHECK ON. ARE THERE ANY OTHER QUESTIONS OR COMMENTS? COUNCILMEMBER MCCRACKEN?

McCracken: YEAH. I THINK THAT WE WILL PROBABLY NEED TO ASK STAFF TO COME GO ANALYZE SOME OF THE ISSUES BECAUSE IT LOOKS LIKE IN THE RELOCATION THERE'S MORE SUBSTANTIAL CHANGES GOING ON, AND SO I THINK AT THE TIME THAT WE GET THE NMS BACK WE CAN TAKE THIS UP AGAIN, BUT WE NEED TO -- WE HAVE QUITE A FEW VARIANCES IN HERE AND IT'S A LITTLE BIT OF NEWS TO US, SO WE NEED TO GET IT SORTED OUT.

AND TO US.

McCracken: McYEAH. SO LET'S SEND IT OFF TO STAFF AND THEY CAN COME BACK AND GIVE US THE ANALYSIS AND YOU CAN LOOK AT IT.

Dunkerley: ALL RIGHT. ANY OTHER COMMENTS?

Leffingwell: MAYOR, IF THERE'S A SUGGESTION THAT WE POSTPONE THIS, I WOULD BE OPPOSED TO THAT. [ APPLAUSE ]

McCracken: COUNCILMEMBER, WE'RE NOT READY TO TAKE ANY KIND OF, ACTION TONIGHT. IN TERMS OF - I DON'T KNOW IF IT'S A POSTPONEMENT, IT'S JUST



DIRECTION TO STAFF TO GO TAKE THIS, GIVE US THE INFORMATION, COME BACK WITH THE INFORMATION. IT'S NOT --

Leffingwell: YOU MAY NOT BE READY, BUT I AM BECAUSE I KNOW THAT ALL THESE SIGNS ARE BEING TRANSFERRED TO A SCENIC ROADWAY, SO THAT KIND OF -- [ APPLAUSE ] WITHOUT THOSE PARTICULAR VARIANCES, NONE OF THE SIGNS CAN BE MOVED.

Dunkerley: ANY OTHER DMEMENTS? COMMENTS? DO I HEAR A MOTION FOR POSTPONEMENT OR FOR ACTION?

Leffingwell: MAYOR PRO TEM? OH.

Dunkerley: EXCUSE ME, COUNCILMEMBER COLE.

Cole: WE'VE LISTENED TO SOME TREMENDOUS TESTIMONY TODAY ABOUT HOW WE DIDN'T WANT TO CLUTTER THE SCENIC ROADWAYS, AND AS I UNDERSTOOD THE ORDINANCE TO WORK, THE NET EFFECT OVER 25 YEARS WOULD HAVE BEEN FOR US TO LOSE 10 SIGNS BECAUSE NO ONE WANTS THE BILLBOARDS, NOT IN THE INNER CITY, NOT ON THE SCENIC ROADWAYS. SO I WAS OPEN TO LISTENING TO THIS BECAUSE I THOUGHT THAT WAS THE NET EFFECT, BUT WHEN WE COME FORWARD WITH 25 WAIVERS, COUPLED WITH SIZE ADDITIONS THAT I WAS NOT AWARE OF, I THINK THE ONLY APPROPRIATE COURSE OF SECTION.....ACTIONIS FOR US TO SEND THIS BACK TO STAFF FOR BETTER ANALYSIS. AND I'M CLEAR THAT THE ONLY THING I WANT TO HEAR IS JUST A AS I REMEMBER -- WHAT THE APPLICANT IS ASKING FOR. THAT JUST NEEDS TO BE WORKED OUT BETWEEN THE APPLICANT AND STAFF BEFORE WE EVEN COME TO A PUBLIC HEARING. I MEAN, I'M JUST SAYING THAT WE NEED TO POSTPONE THE MATTER UNTIL WE GET FURTHER INFORMATION BECAUSE WHAT'S BEFORE US IS -- I GUESS WE COULD POSTPONE IT INDEFINITELY, YEAH.

Dunkerley: IS THAT A MOTION?

Cole: THAT'S A MOTION.

McCracken: SECOND.

Dunkerley: WE HAVE A MOTION AND A SECOND FOR POSTPONEMENT UNTIL THE VARIANCE ISSUE IS CLARIFIED, IS RESIDENTIAL ISSUE IS CLARIFIED AND ANY OTHER COMMENTS THAT THE STAFF -- THAT THE COUNCIL WOULD HAVE IF THEY COULD COMMUNICATE THAT TO OUR STAFF LATER, WE WILL TRY TO GET ALL OF THOSE THINGS CLEARED UP.

Leffingwell: MAYOR PRO TEM, I'D LIKE TO MAKE A SUBSTITUTE MOTION TO DENY ALL THE VARIANCES.  
[ APPLAUSE ]

Kim: I'LL SECOND. FRD.

Dunkerley: OKAY. THERE'S BEEN A MOTION AND A SECOND TO DENY ALL THE VARIANCES. ANY COMMENTS?

Martinez: TOIPT ASK STAFF -- I WANT TO ASK STAFF A QUESTION. BY VOTING TO REJECT THE VARIANCE REQUEST, WHAT STATE DOES THAT PUT THE APPLICANT IN IN TERMS OF BEING ABLE TO I GUESS REFINE THE INFORMATION AND COME BACK TO COUNCIL FRKS AT SOME POINT THAT'S POSSIBLE?

THE APPLICANT WOULD NOT HAVE AN OPPORTUNITY TO -- MY UNDERSTANDING IS THERE IS NO APPLICATION. THIS CAME FORWARD AS AN ITEM OF COUNCIL TO SET A PUBLIC HEARING AND CONSIDER IT. LET ME BACK OFF AND START FIRST OF ALL BY MAKING SURE THAT THE RECORD IS CLEAR. THERE WAS NO POLITICIAN PRESENTED IN THIS MATTER -- THERE WAS NO APPLICATION PRESENT UNDERSTAND THIS MATTER. I VERIFIED THAT CAN STAFF EARLIER. BUT WHAT THAT DOES IS IT PUTS THE REAGAN NATIONAL IN THE POSITION OF AT LEAST FOR THIS EVENING NOT GETTING THE WAIVERS THAT HAD BEEN POSTED FOR PUBLIC HEARING. SO IT IS A DENIAL. WHAT I DON'T KNOW, I DON'T BELIEVE THERE'S A LIMITATION. YOU KNOW, ON ZONING THERE'S A LIMITATION WHEN

SOMETHING CAN COME BACK. WHAT I'M NOT CLEAR ON AND I WILL HAVE TO DEFER TO STAFF TO FIND OUT WHETHER THEY HAVE ANY KIND OF LIMITATION IN TERMS OF BEING ABLE TO COME FORWARD WITH AN APPLICATION FOR A WAIVER.

COUNCIL, DAVID LLOYD, ASSISTANT CITY ATTORNEY. THE RELOCATION ORDINANCE DOESN'T INCLUDE A TIME LIMITATION ON APPLICATION FOR ANOTHER MODIFICATION OR A WAIVER. SO THEY COULD BRING THE REQUEST BACK IF YOU DENY IT TONIGHT.

SO THERE IS NO LIMITATION AND SO WHAT THEY CAN DO IS THEY CAN -- THEY CAN FILE AN APPLICATION FOR WAIVERS AND HAVE THEM BROUGHT BEFORE COUNCIL AND HAVE THEM CONSIDERED.

Dunkerley: ANY OTHER DISCUSSION?

Kim: MAYOR PRO TEM? ONE THING I WOULD LIKE TO ASK FOR STAFF TO DO IS GIVEN THAT THERE WERE SO MANY COMMENTS THAT WE RECEIVED FROM PEOPLE THROUGH OUR NOTIFICATION PROCESS, I WOULD LIKE STAFF TO RESEARCH IF WE CAN CREATE A VALID PETITION PROCESS FOR RESIDENTS AND PROPERTY OWNERS SURROUNDING THE PROPOSED LOCATIONS FOR RELOCATIONS OF SIGNS. I THINK THAT IT'S SOMETHING THAT WE NEED TO LOOK AT JUST AS WE HAVE A ZONING CASE AS SOME SORT OF VALID PETITION PROCESS AND I WOULD LIKE FOR STAFF TO LOOK INTO THE FEASIBILITY OF THAT AND BRING THAT ITEM BACK FOR US IF POSSIBLE.

WE'LL BE HAPPY TO DO THAT.

Dunkerley: COMMENTS? OKAY. THERE'S BEEN A MOTION AND A SECOND TO DENY THE VARIANCES, ALL OF THOSE IN FAVOR, PLEASE SAY AYE.

AYE.

Dunkerley: ALL THOSE OPPOSED? OKAY. THE MOTION PASSES ON A VOTE OF SIX TO ZERO WITH THE

MAYOR OFF THE SSDI DYE AS. -- OFF THE DAIS. [ APPLAUSE ] OKAY. THERE BEING NO FURTHER BUSINESS THIS EVENING, THE MEETING IS ADJOURNED. AND THANK YOU, CITY CLERK, FOR HENNING ME ONCE AGAIN.

## **End of Council Session Closed Caption Log**