

Closed Caption Log, Council Meeting, 04/12/07

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Mayor Wynn: GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN, IT'S MY PRIVILEGE TO WELCOME PASTOR TIMOTHY TUTT FROM THE UNION MIGHTED CHRISTIAN CHURCH TO LEAD US IN OUR INVOCATION. HIS BEAUTIFUL DAUGHTER MARY AUSTIN IS WITH HIM, PLEASE RISE.

THANK YOU, MR. MAYOR. PLEASE JOIN ME IN PRAYER. GOD, ON THIS DAY WE PRAY FOR OUR CITY COUNCIL. MAY ALL OF THEIR DECISIONS BE SO FAIR, SO WISE, AND SO CLEARLY COMPASSIONATE THAT NO ONE HAS ANYTHING TO COMPLAIN ABOUT. AND WE PRAY FOR US ALL, MAY ALL OF OUR ACTIONS BE SO KIND, SO PURE AND SO JUST THAT WE PREACHERS SEE NOTHING BAD TO PREACH AGAINST. AMEN.

Mayor Wynn: THANK YOU, PASTOR TUTT.

YOU'RE WELCOME. IF YOU ALL REMEMBER, WHEN WE DEDICATED THIS CITY COUNCIL CHAMBER ROOM TWO YEARS AGO AND CHANGE, WE HAD THE AUSTIN AREA INTERRELIGIOUS MINISTRIES COME IN AND PERFORM THAT SERVICE FOR US. PASTOR TUTT WAS SERVING AT THE TIME OF BOARD CHAIR OR PRESIDENT, WHATEVER THE TITLE MIGHT BE. AND LED A SPECTACULAR MULTI-DENOMINATIONAL SERVICE HERE FOR THESE CHAMBERS AS WE DEAD..... DEDICATED THE BUILDING. THANK YOU

AGAIN FOR THAT. THERE BEING A QUORUM PRESENT, AT THIS TIME I WILL ALL TO ORDER THIS MEETING OF THE CITY COUNCIL. IT IS THURSDAY, APRIL 12th.... 12th, 2007, HERE IN THE COUNCIL CHAMBERS OF CITY HALL, 301 WEST SECOND STREET. APPROXIMATELY 10:18 A.M. WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. BEFOREHAND I WOULD LIKE TO SAY THAT COUNCILMEMBER LEFFINGWELL WILL NOT BE HERE TODAY. HE'S ACTUALLY IN FORT WORTH, BECAUSE HE'S BEING AWARDED THE 2006 CONSERVATIONEST OF THE YEAR BY THE TEXAS SECTION OF THE AMERICAN WATER WORKS ASSOCIATION OR A.W.A.A. AND IN THEIR SORT OF PRESS RELEASE, ACKNOWLEDGING COUNCILMEMBER.....COUNCILMEMBER LEFFINGWELL SPECIFICALLY FOR HIS LEADERSHIP AND DRIVE ON THE WATER CONSERVATION TASK FORCE THAT HE LED FOR MONTHS THAT -- WHOSE RESULTS WILL NOW BE COMING TO THE CITY COUNCIL HERE IN JUST A COUPLE OF WEEKS. IN THEIR PRESS RELEASE THAT MENTION THAT AUSTIN HAS BEEN CATAPULTED TO NATIONAL PROMINENCE FOR ITS INNOVATION IN WATER CONSERVATION. PROUD OF COUNCILMEMBER LEFFINGWELL, WHO RECEIVED THAT CONSERVATIONIST OF THE YEAR AWARD [APPLAUSE]

Mayor Wynn: OKAY -- SO LET'S SEE, COUNCIL, AGAIN OUR -- OUR NEW PRACTICE IS TO TRY TO, WHEN WE CAN, ALERT ONE ANOTHER AND THE PUBLIC TO ANY POTENTIAL UPCOMING ITEMS FROM COUNCIL ON FUTURE MEETINGS. ANY COMMENTS OR THOUGHTS? COUNCILMEMBER COLE?

I WOULD LIKE TO ASK ME TO -- EVERYONE TO JOIN ME FOR FRESH AIR TOMORROW, FRIDAY, A PROGRAM THAT WE WORKED ON PURSUANT TO THE MAYOR'S CLIMATE PROTECTION PLAN AND AUSTIN ENERGY, WE WILL BE RECYCLING OLD ELECTRONIC HARDWARE THROUGH GOODWILL, WE WILL HAVE H.E.B. AS A PARTNER IN A PROGRAM AND A 10:30 NEWS CONFERENCE AND FRESH AIR FRIDAY EVENTS FROM 11:00 TO 1:00.

THANK YOU, COUNCILMEMBER. COUNCILMEMBER

KIM?

I WOULD LIKE TO INVITE EVERYONE TO GO TO YOUR NEIGHBORHOOD PARK, IT'S MY PARK DAY IS ON SATURDAY, WE WILL -- WE WILL BE SIGNING UP PEOPLE TO VOLUNTEER THROUGH THE WEBSITE, AUSTIN PARKS.ORG, AND YOU CAN VOLUNTEER TO - - TO WORK WITH YOUR NEIGHBORS ON YOUR PARK AND WE REALLY WE LIE ON VOLUNTEERS A LOT TO HELP MAKE SURE OUR PARKS ARE READY FOR THE SPRING AND SUMMER FOR EVERYONE TO ENJOY. ALSO AN ITEM THAT I HAVE BEEN WORKING ON IS FOR -- FOR CREATING A 3 D MAP OF AUSTIN THAT WILL HELP US IN OUR ZONING CASES AND ON LAND DEVELOPMENT, SOMETHING THAT -- THAT I WORKED ON IN PASSING RESOLUTION TO MAKE THAT SOFTWARE AVAILABLE AT THE ONE-STOP SHOP FOR CITIZENS TO LOOK AT DIFFERENT PROJECTS, TO ACTUALLY GOOGLE SKETCH UP TO CREATE THREE 3 MODELS OF DIFFERENT TYPES OF BUILDING ON AUSTIN LANDSCAPE. WE DON'T HAVE A BASE MAP OF -- A 3 D BASE MAP OF AUSTIN. SO I WILL BE WORKING WITH THE STAFF TO BRING THAT FORWARD FOR US, FOR SOME SORT OF PLAN TO FINANCE THAT, HOW TO IMPLEMENT CREATING SUCH A MAP FOR AUSTIN.

Mayor Wynn: FURTHER COMMENTS?
COUNCILMEMBER MARTINEZ?

Martinez: NOT REALLY TALKING ABOUT UPCOMING ITEMS, SINCE WE ARE MAKING SOME ANNOUNCEMENTS ON EVENTS THIS WEEKEND. THE BANGLADESH COMMUNITY WILL BE CELEBRATING THE BENGALI NEW YEAR THIS WEEKEND. TWO EVENTS, ONE AT RICHARD MOYA PARK, THE OTHER ONE AT ZILKER PARK, RUNS ALL DAY, THE EVENT AT RICHARD MOYA IS FREE AND OPEN TO THE PUBLIC. THERE WILL BE FOOD AND LOTS OF MUSIC AND DIFFERENT CULTURAL EVENTS THAT WILL GO ON THROUGHOUT THE DAY. EVERYONE IS WELCOME AND INVITED TO COME OUT.

THANK YOU, COUNCILMEMBER. COUNCIL, IN A COUPLE OF MEETINGS, LIKE THE EARLY MEETING IN MAY, I'M GOING TO BE BRINGING FORWARD I

EXPECT WITH THE COUNCIL CO-RESPONSE OR TWO AN ITEM GENERALLY RELATED TO -- TO A STUDY OF THE PEAK OIL SITUATION, AS YOU KNOW AUSTIN ENERGY, ONE OF OUR FUEL SOURCES FOR OUR ELECTRICITY IS NATURAL GAS. ABOUT 30% OF OUR GENERATION IS FUELED BY NATURAL GAS. AS WE START TO WORK TOWARDS AND THROUGH OUR LONGER TERM, BROADER CLIMATE PROTECTION PLAN, ONE PIECE OF THAT IS TO MAKE SURE THAT AS A UTILITY AUSTIN ENERGY IS LOOKING AT AND ANALYZING AS OUR OTHER UTILITIES, OF COURSE, THE WHOLE SITUATION WITH THIS MIX OF FUEL SOURCES, I SUSPECT WE WILL HAVE ITEMS RELATED TO THAT. WE HAVE A COUPLE OF POSTED CHANGES AND/OR CORRECTIONS TO THIS WEEK'S MODEST AGENDA. THE FIRST NOTE IS THAT ITEM NO. 3 RELATED TO THE PUSHUP FOUNDATION, WILL BE POSTPONED TO APRIL 19th, 2007. NEXT WEEK. ON ITEM NO. 15, AN ITEM FROM COUNCIL REGARDING THE WALLER CREEK CITIZEN ADVISORY COMMITTEE, WE SHOULD NOTE THAT COUNCILMEMBER KIM IS AN ADDITIONAL -- COUNCILMEMBER MCCracken IS AN ADDITIONAL COME SPONSOR OF THAT. ITEM NO. 23 HAS BEEN WITHDRAWN BY STAFF. ALSO OUR TIME CERTAINS TODAY, AT 10:30, AS SOON AS WE FINISH OUR CONSENT AGENDA, WE ARE GOING TO HAVE A MORNING BRIEFING, THIS ONE IS REGARDED THE MAYOR'S MENTAL HEALTH TASK FORCE, MONITORING COMMITTEE, DR. SUSAN STONE WILL WALK US THROUGH A VERY IMPRESSIVE ANNUAL REPORT FOR THAT IMPORTANT BODY OF WORK. AT NOON GENERAL CITIZENS COMMUNICATION, 4:00 ZONING MATTERS. 5:30 LIVE MUSIC AND PROCLAMATIONS, STAY TUNED FOR THE SOUTH AUSTIN JUG BAND, SHOULD BE VERY ENTERTAINING. AT 6:00 WE HAVE A COUPLE OF PUBLIC HEARINGS TO CONDUCT. SO, COUNCIL, SO FAR, ONLY ITEM NO. 15 HAS BEEN PULLED OFF THE CONSENT AGENDA. THAT WAS PULLED BY COUNCILMEMBER COLE I SUSPECT TO SORT OF FORMALLY INTRODUCE THE -- THE COMMITTEE AND THE CONCEPT. ANY ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA? HEARING NONE, I WILL READ OUR PROPOSED CONSENT AGENDA NUMERICALLY. IT WILL BE TO APPROVE

ITEMS 1, 2, TO POSTPONE ITEM NO. 3 TO APRIL 19th, 2007, TO APPROVE ITEMS 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, ITEM 14 ARE OUR BOARD AND COMMISSION APPOINTMENTS, THEY ARE TO OUR CHARTER REVISION COMMITTEE, MAYBE BAKER IS MAYOR PRO TEM'S APPOINTMENT, GUS GARCIA IS COUNCILMEMBER MARTINEZ'S APPOINTMENT, CHAD WILLIAMS IS COUNCILMEMBER MCCracken'S APPOINTMENT AND RICK CHAPA IS MY APPOINTMENT. THOSE ARE THE FIRST FOUR OF SEVEN MEMBERS OF OUR CHARTER REVISION COMMITTEE. TO OUR ELECTRIC UTILITY COMMISSION, BUDDY RUIZ IS THE MAYOR PRO TEM'S APPOINTMENT, HUMAN RIGHTS COMMISSION, LISA SCHEPPS IS MY APPOINTMENT. TO OUR WATER AND WASTEWATER COMMISSION, MARIO ESPINOZA IS MAYOR PRO TEM'S APPOINTMENT. THAT'S ITEM NO. 14 ON THIS MORNING'S CONSENT AGENDA. WE WILL ALSO BE APPROVING ITEM NO. 16, 17 AND 18, I'LL ENTERTAIN A MOTION ON OUR CONSENT AGENDA.

SO MOVE.

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

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER LEFFINGWELL OFF THE DAIS, I WON'T BE REPEATED THAT EACH VOTE, THANK YOU, MS. GENTRY. SO, COUNCIL, THAT TAKE US TO PERHAPS OUR ONE DISCUSSION ITEM THAT WE CAN TAKE UP PRIOR TO THE 10:30 BRIEFING ON THE TAX FORCE, ITEM NO. 15 AN ITEM FROM COUNCIL, A RESOLUTION INVOLVING THE WALLER CREEK.

Cole: THANK YOU, MAYOR, MAYOR PRO TEM DUNKERLY AND I HAVE BEEN WORKING HARD TO PUT TOGETHER AN ADVISORY COMMITTEE TO ADVISE ON DESIGN, SETBACK, NOISE ISSUES THAT WILL COME UP, AN IMPLEMENTATION OF A

REGULATORY PLAN. WE TRIED TO MAKE SURE THAT WE GOT ALL OF THE STAKEHOLDERS LOCATED ON WALLER CREEK, WE INADVERTENTLY LEFT OFF THE MEXICAN AMERICAN CULTURAL CENTER AND A PERSON RECOMMENDED BY THEM AS A PERMANENT SLOT. ALWAYS AFTER FURTHER DISCUSSION WITH MY COLLEAGUES, I THINK WE NEED TO ADD ANOTHER ADDITIONAL OPEN CITY SLOT. THANK YOU.

Mayor Wynn: COUNCIL, I CONSIDER THAT A MOTION BY COUNCILMEMBER COLE, SECONDED BY THE MAYOR PRO TEM TO FIRST AMEND THE POSTED ITEM NO. 15 TO ADD TWO ADDITIONAL REPRESENTATIVES, ONE FROM THE MEXICAN AMERICAN CULTURAL CENTER AND ONE ADDITIONAL OPEN CITIZENS SLOT. FURTHER COMMENTS, QUESTIONS? REMIND ME, COUNCIL, THE TOTAL NUMBER OF --

15.

MEMBERS WILL BE 15 NOW. CORRECT? COMMENTS?

Martinez: MAYOR, I WANT TO THANK COUNCILMEMBER COLE AND DUNKERLY FOR MAKING THIS AMENDMENT. I THINK OBVIOUSLY THE WALLER CREEK TUNNEL PROJECT IS GOING TO BE EXTREMELY VITAL TO THE SUCCESS OF THE MEXICAN AMERICAN CULTURAL CENTER. I REALLY APPRECIATE YOU GUYS RECOGNIZING THAT -- THAT THEY NEED A SEAT AT THE TABLE, WOULD LIKE TO HAVE A SEAT AT THE TABLE. I JUST WANT TO SAY THANK YOU.

I ALSO WANT TO ADD THAT THE MEXICAN AMERICAN CULTURAL CENTER WAS VERY -- VERY HELPFUL DURING THE PROCESS OF GETTING THIS STARTED.

RIGHT.

SO WE HAVE A MOTION AND A SECOND ON THE TABLE FOR THIS AMENDED ITEM NO. 15. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR

PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0. THANK YOU ALL VERY MUCH. COUNCIL, I THINK THAT TAKES US CLOSE ENOUGH TO 10:30, BY THE TIME WE ACTUALLY START THE DISCUSSION, WE WILL BE OKAY TIME-WISE, I WOULD LIKE TO CALL UP POSTED ITEM NO. 19, OUR MORNING BRIEFING, WHICH AGAIN IS THE PRESENT TAFTION THE 2006 ANNUAL REPORT REGARDING THE MAYOR'S MENTAL HEALTH TASK FORCE. WELCOME, DR. SUSAN STONE. BEFORE I TURN IT OVER TO DR. STONE, JUST POINT OUT THAT -- THAT IT WAS TWO AND A HALF OR THREE YEARS AGO PERHAPS THAT - - THAT AS ONE INITIATIVE I STARTED TALKING ABOUT THE PHYSICAL FITNESS OF OUR COMMUNITY. FRANKLY BASED ON IN PART OF RISING COSTS OF HEALTH CARE IN THIS CITY AND COMMUNITY, AND VERY QUICKLY AND APPROPRIATELY I WAS CHALLENGED BY SOME MENTAL HEALTH PROFESSIONALS IN TOWN THAT SUGGESTED THAT MENTAL HEALTH OF COURSE IS JUST AS IMPORTANT TO US AS OUR PHYSICAL HEALTH AND SO WE -- WE DID TAKE SORT OF PARALLEL TRACKS, PHYSICAL NUTRITION, AVOIDING RISKY BEHAVIORS. AT THE SAME TIME WE FORMED A TASK FORCE, WE HAD APPROXIMATELY 90 OR SO MENTAL HEALTH PROFESSIONALS AND CITIZENS STEP UP AND VOLUNTEER FOR THAT TASK FORCE. IT WAS VERY, VERY IMPRESSIVE GROUP OF PEOPLE. FUNDAMENTAL BODY OF WORK WITH A NUMBER OF VERY TARGETED SORT OF COMMITTEE ASSIGNMENTS. NOW IN OUR SECOND YEAR, WE WILL NOW GET -- GET THE ANNUAL REPORT REGARDING OUR MONITORING COMMITTEE. I AM VERY PROUD OF THE FOLKS WHO PUT A LOT OF TIME AND EFFORT INTO THIS. WELCOME DOCTOR STONE.

I'M DELIGHTED TO HAVE THE OPPORTUNITY TODAY TO PRESENT TO YOU A BRIEF OVERVIEW OF OUR SECOND ANNUAL REPORT OF THE MAYOR'S MENTAL HEALTH TASK FORCE MONITORING COMMITTEE. AS

MAYOR WYNN SAID, THE ORIGINAL TASK FORCE MET FOR FOUR MONTHS, AND PUT TOGETHER A VERY IMPRESSIVE TASK FORCE REPORT THAT CONTAINED 39 CRITERIA ABOUT HOW TO MOVE AUSTIN TO BECOME A NATIONAL MODEL FOR A MENTALITY HEALTHY COMMUNITY. ONE OF.....COMMUNITY, ONE RECOMMENDATION WAS TO FORM A UPONITORING COMMITTEE. TO MAKE SURE IT DIDN'T SET UP ON A SOLVE BUT CAME TO FRUITION. WE BEGAN MEETING IN MAY OF 2005. PRESENTED OUR FIRST ANNUAL REPORT TO YOU BACK IN FEBRUARY OF 2006. THIS IS OUR SECOND ANNUAL REPORT. I'M GOING TO KIND OF GOING OVER SOME COMMUNITY PROGRESS, PROGRESS WE MADE, CHALLENGES WE STILL HAVE, SPECIFIC ACTIVITIES THE MONITORING COMMITTEE HAS TAKEN ON OVER THE PAST YEAR. FIRST I WANT TO KIND OF GO OVER THE ROLE OF THE MONITORING COMMITTEE, HOW WE HAVE OWFD..... IDENTIFIED THAT, IT WAS SKETCHY AT FIRST. BASICALLY WHAT WE HAVE DECIDED TAKE WE DO IS, NUMBER ONE, WE DOCUMENT THE PROGRESS THAT WE HAVE MADE AS A COMMUNITY TOWARDS BECOMING A NATIONAL MODEL FOR A MENTALLY HEALTHY COMMUNITY. ALSO WORK ON COORDINATING PLANNING EFFORTS. THERE'S A LOT OF PLANNING EFFORTS GOING ON AROUND MENTAL HEALTH ISSUES, SO WE REALLY ARE TRYING TO COORDINATE THOSE EFFORTS. IN THOSE AREAS WHERE THERE AREN'T PLANNING ACTIVITIES GOING ON, WE ARE TRYING TO TAKE THE LEAD, CLAB BRAT OTHER ENTITIES -- COLLABORATE ON OTHER -

ATTACHED TO THE APPENDICES YOU WILL FIND A NUMBER OF ACTION PLANS THAT CROSS REFERENCE SPECIFICALLY THE 39 CRITERIA IN THE TASK FORCE REPORT. WE ARE TRYING TO FOLLOW THROUGH ON THOSE THINGS, PLUS DEVELOPING NEW ACTION ITEMS AS THE COMMUNITY CHANGES, THINGS MOVE FORWARD. JUST IN TERMS OF A FEW LOGISTICAL ISSUES ABOUT THE MONITORING COMMITTEE, WE HAVE BEEN VERY PLEASED THAT WE HAVE BEEN ABLE TO EXPAND OUR MEMBERSHIP SIGNIFICANTLY DURING THE PAST YEAR, WE ACTUALLY HAVE A WAITING LIST OF PEOPLE TO BE

ON OUR MONITORING COMMITTEES. WE FEEL LIKE THAT'S A VERY GOOD PROBLEM TO HAVE. WE HAVE BEEN INVITED TO DO A NUMBER OF COMMUNITY PRESENTATIONS AND COLLABORATIVE EVENTS, YOU WILL SEE AGAIN THE APPENDICES A LIST OF THOSE PRESENTATIONS, WE ACTUALLY HAVE BEEN INVITED TO ATTEND AND PRESENT AT A NATIONAL CONFERENCE IN ORLANDO, FLORIDA, THIS YEAR ABOUT OUR MONITORING COMMITTEE, COLLABORATIVE EFFORT, WE ARE VERY PLEASED WITH THAT. ALSO IN THIS REPORT YOU WILL FIND KIND OF A DOCUMENTATION OF THE VARIOUS COLLABORATING ENTITIES THAT WE HAVE IDENTIFIED THAT WE ARE WORKING ON IN SPECIFIC AREAS..... AREAS. WE HAVE IDENTIFIED SIX FOCUS AREAS THAT WE THINK RELATE TO A MENTALLY HEALTHY COMMUNITY. WE ACKNOWLEDGE THAT A MENTALLY HEALTHY COMMUNITY ISN'T JUST ABOUT MENTAL HEALTH SERVICES BUT A MYRIAD OF THINGS THAT RELATE TO THE MENTAL HEALTH OF OUR COMMUNITY. WE HAD SIX FOCUS AREAS I'M GOING TO GIVE YOU VERY BRIEF UPDATES ON SOME OF THE PROGRESS IN THOSE AREAS. THERE'S A LOT MORE IN THE REPORT THAN I WILL TALK ABOUT. I WANTED TO HIGHLIGHT A FEW THINGS. THE FIRST AREA IS SCHOOLS AND YOUTH. WE IDENTIFIED THAT AS A FOCUS AREA BECAUSE WE ACKNOWLEDGED THAT THE MENTAL HEALTH OF OUR COMMUNITY REALLY DEPENDS UPON OUR CHILDREN. STARTING WITH OUR CHILDREN IS A WAY TO PREVENT MORE SERIOUS MENTAL HEALTH ISSUES FROM ARISING. THE ORIGINAL TASK FORCE REPORT DIDN'T REALLY ADDRESS CHILDREN'S ISSUE VERY MUCH. WE MADE IT A FOCUS AREA FOR US. I'M VERY PLEASED TO SAY THAT THE AUSTIN INDEPENDENT SCHOOL DISTRICT HAS BEEN VERY ACTIVE, DONE A NUMBER OF VERY INNOVATIVE AND RECOGNIZED ACTIVITIES IN TERMS OF THE MENTAL HEALTH OF OUR KIDS IN THE SYSTEM. SO THEY RECEIVED NATIONAL RECOGNITION AND ACTUALLY HAVE BEEN DESIGNATED AS A TECHNICAL ASSISTANCE PROVIDER TO OTHER COMMUNITIES IN SOME OF THEIR MENTAL HEALTH INITIATIVES, VERY IMPRESS I.IVE, OBVIOUSLY ALL OF THE FOCUS OF ACADEMIC SUCCESS TENDS TO BE A DISTRACTION OF WHAT WE ARE TRYING TO DO,

WE ARE REALLY WORKING ON KEEPING THE FOCUS ON MENTAL HEALTH ISSUES WITH THE SCHOOL DISTRICT AND WITH THE OTHER SCHOOL DISTRICTS IN OUR AREA AS WELL. ANOTHER FOCUS AREA IS CRIMINAL JUSTICE PREVENTION AND DIVERSION. WE HAVE A NUMBER OF THINGS GOING ON IN THIS AREA IN OUR COMMUNITY AND WE HAVE BEEN AGAIN NATIONALLY RECOGNIZED. THE NATIONAL INSTITUTE OF CORRECTIONS HAS DESIGNATED TRAFFIC TO BE WHAT THEY CALL A LEARNING SITE, WHICH THEY ARE WORKING WITH US FOR A YEAR TO DEVELOP A DOCUMENT THAT LET'S TRAVIS COUNTY TEACH OTHER COUNTIES ACROSS THE COUNTRY HOW TO DO MENTAL HEALTH DIVERSIONS. SO IT'S QUITE AN HONOR. WE HAVE ALSO BEEN CHOSEN AS THE ONLY COUNTY IN THE NATION TO BE A TESTING SITE FOR A MENTAL HEALTH JAIL DIVERSION COST SIMULATION TOOL. A MOUTHFUL, BUT A REALLY INNOVATIVE TECHNOLOGY THAT ALLOWS US TO DO SOME PRIORITIZED PLANNING BASED ON COST BENEFIT OF MENTAL HEALTH JAIL DIVERSION ACTIVITIES. WE ARE THE FIRST COMMUNITY IN THE NATION TO HAVE A PUBLIC DEFENDERS OBVIOUS DEDICATED TO MENTAL HEALTH ISSUES, SO WE ARE GETTING A LOT OF NATIONAL FOCUS IN THAT REGARD. WE JUST RECEIVED A FEDERAL GRANT TO DEVELOP A JUVENILE MENTAL HEALTH COURT. ONE OF THE CHALLENGES THAT WE HAVE IS ALMOST TOO MUCH GOING ON IN THIS AREA. WE ARE REALLY TRYING TO KEEP AN EYE ON MAKING SURE WE PRIORITIZE THESE EFFORTS, MAKE SURE THAT WE ARE MOVING FORWARD IN THAT REGARD. ANOTHER FOCUS AREA FOR US IS HOUSING. YOU KNOW, HOUSING IS -- HAS LONG BEEN IDENTIFIED AS A CRITICAL COMPONENT TO THE SUCCESS OF INDIVIDUALS WITH MENTAL HEALTH PROBLEMS. WE HAVE SEEN A LOT OF PROGRESS OBVIOUSLY THE PASSAGE OF THE AFFORDABLE HOUSING BONDS WHICH HAS BEEN A MAJOR STEP IN THE RIGHT DIRECTION FOR OUR COMMUNITY, THE CITY'S FUNDING OF TRANSITIONAL HOUSING FOR PEOPLE COMING OUT OF THE HOSPITAL. THESE ARE ALL PROGRESSIVE MOVES AND PROGRESS IN THIS AREA, BUT WE STILL HAVE A LONG WAY TO GO IN THIS REGARD. IT'S STILL A CRITICAL NEED AND WE WILL BE TALKING

ABOUT SOME OF THE ACTIVITIES THAT THE MONITORING COMMITTEE HAS DONE, WILL BE DOING TO TRY TO ADDRESS THAT NEED. ACCESS TO MENTAL HEALTH SERVICES IS AN OBVIOUS COMPONENT, FOCUS AREAS FOR MENTALLY HEALTHY COMMUNITY. ALSO SEEN SOME PROGRESS IN THAT AREA IN THE PAST YEAR. WE HAVE A VERY INNOVATIVE, INTEGRATED BEHAVIORAL HEALTH PROGRAM IN THE CITY CLINICS WHERE BEHAVIORAL HEALTH CONSULTANTS ADDRESS THE NEEDS OF PEOPLE COMING TO OUR CLINICS, THE HEALTH CARE DISTRICT HAS CHOSEN TO EXPAND THAT PROGRAM SO IT'S PERVASIVE ACROSS OUR COMMUNITY. AGAIN THAT HAS BEEN GETTING NATIONAL ATTENTION. WE ALSO HAVE SEEN THE -- THE HEALTH CARE DISTRICT CONVENED A GROUP OF STAKEHOLDERS TO ADDRESS PSYCHIATRIC CRISIS SERVICES. THIS WAS A MAJOR COMPONENT OF THE ORIGINAL TASK FORCE PLAN. THEY PULLED TOGETHER A GROUP OF STAKEHOLDERS THAT HAD BEEN MEETING FOR MONTHS TO TRY TO COME UP WITH A WAY TO ADDRESS THESE. AN INTERIM PLAN, TO EXPAND ACCESS. WE ALSO HAVE SEEN IN THE LAST YEAR AN EXPANSION OF SUBSTANCE ABUSE SERVICE AVAILABILITY. AGAIN THIS IS AN AREA WHERE WE STILL HAVE A LONG WAY TO GO, WITH FUND BEING RESTRICTIONS, ELIGIBILITY, WE DON'T HAVE ENOUGH ACCESS TO MENTAL HEALTH SERVICES. WE THINK THAT OUR COMMUNITY IS ADDRESSING THIS SOME PRETTY INNOVATIVE WAYS. COMMUNITY AWARENESS IS ONE OF OUR AREAS, TRACKING MEDIA EVENTS, ACTIVITIES, THAT RELATE NOT JUST TO MENTAL HEALTH, BUT RELATE TO A MENTALLY HEALTHY COMMUNITY. WE HAVE ALSO CREATED AN ONLINE CALENDAR WHERE PEOPLE CAN GO TO OUR WEBSITE AND CLICK THE CALENDAR TO SEE ANY KIND OF ACTIVITIES GOING ON. IN THE PAST 30 DAYS, WE'VE HAD 163 PEOPLE ACCESS THAT CALENDAR. SO WE FEEL LIKE WE ARE MAKING A LOT OF PROGRESS. THERE'S STILL LONG WAY TO GO TO ELIMINATE STIGMA AROUND MENTAL ILLNESS, BUT WE ARE WORKING ACTIVELY IN THIS AREA. FINALLY FAITH BASED ACTIVITIES. WE ACKNOWLEDGE THAT THE FAITH BASED ACTIVITIES GO ACROSS ALL OF OUR FOCUS AREAS. WITH YOU.....BUT THERE'S BEEN A

LOT OF INTEREST IN THE LAST YEAR AND A HALF AMONG FAITH BASED ENTITIES AROUND MENTAL HEALTH ISSUES. OFTEN A PASTOR OR MINISTER IS THE FIRST PERSON SOMEBODY APPROACHES WHEN THEY HAVE A MAEMENT.....MENTAL HEALTH ISSUE. WE ARE WORKING CLOSELY AND HOPING TO INCREASE OUR TIES WITH THEM OVER THE COMING YEAR. A BRIEF UPDATE ON SOME OF THE GOALS AND PRIORITIES WE IDENTIFIED IN 2006. ONE OF THE THINGS THAT WE NOTED AS WE STARTED TRYING TO IMPLEMENT THESE CRITERIA IS THAT WE REALLY DON'T HAVE A GOOD PICTURE OF WHAT MENTAL HEALTH SERVICES CURRENTLY EXIST IN AUSTIN AND TRAVIS COUNTY. WE PARTED WITH AUSTIN TRAVIS COUNTY MHMR THE CITY AND COUNTY HEALTH DISTRICT TO PUT TOGETHER A BEHAVIORAL HEALTH SYSTEM MAPPING REPORT THAT REALLY IDENTIFIES FOR OUR COMMUNITY WHAT KINDS OF BEHAVIORAL HEALTH SERVICES WE HAVE, WHAT'S THE CAPACITY, WHAT ARE THE WAITING LISTS, WHERE ARE THE SERVICES LOCATED, WHERE ARE THE FUNDING STREAMS FOR THE CURRENT SERVICE DELIVERY SYSTEM. SO WE PUBLISHED THAT REPORT DURING THIS PAST YEAR AND WE WILL BE UPDATING THAT REPORT YEARLY. SO THAT WE CAN REALLY DOCUMENT CHANGES IN CAPACITY. WE WILL ALSO FOLLOW UP ON THAT REPORT BY DEVELOPING A GEOGRAPHIC MAP OF WHERE SERVICES EXIST, WE WILL BE DOCUMENTING SERVICE CAPACITY FOR INDIVIDUAL PRACTITIONERS IN ADDITION TO SERVICE PROVIDERS WHICH IS WHAT THAT REPORT CONTAINS. ONE OF THE THINGS WE IDENTIFIED AS A GOAL IS TO DEVELOP CONCRETE CRITERIA. HOW DO WE KNOW IF WE ARE BECOMING MENTALLY HEALTHY COMMUNITY OR NOT. WE DEVELOPED A SCORE CARD CONTAINED IN THIS REPORT THAT YOU CAN LOOK THROUGH. WE WILL BE UPDATING THAT YEARLY AGAIN TO TRY TO DOCUMENT PROGRESS THAT WE ARE MAKING OR MAYBE AREAS WHERE WE ARE NOT DOING SO WELL, TRY TO HIP SIZE..... HYPOTHESIZE WHY THAT IS. WE THINK THAT'S GOING TO BE HELPFUL. AS YOU PROBABLY REMEMBER, ONE OF THE PRIORITIES IN THE ORIGINAL TASK FORCE REPORT AS DEVELOPMENT OF A SUICIDE PREVENTION PLAN. I REPORTED TO

YOU IN THE FIRST ANNUAL REPORT THAT PLAN WAS COMPLETED IN 2005. IN 2006 THE MONITORING COMMITTEE PARTNERED WITH THE AUSTIN TRAVIS COUNTY SUICIDE PREVENTION COALITION TO FORM A JOINT SUBCOMMITTEE TO REALLY LOOK AT HOW WE CAN BETTER GET DATA ABOUT SUICIDE IN OUR AREA. WE HAVE A HIGH SUICIDE RATE, THE HIGHEST RATE ACTUALLY OF ANY LARGE METROPOLITAN AREA IN TEXAS. ONE OF THE PROBLEMS THAT WE HAVE IN TRYING TO ADDRESS THAT IS THE DATA THAT'S AVAILABLE ON SUICIDE ISSUES IS VERY OLD. IT'S HARD TO GET REAL-TIME DATA. WE ARE WORKING ON TRYING TO DEVELOP A SYSTEM TO ADDRESS THAT. WE ALSO STARTED WORKING ON THE HOUSING ISSUES THAT I MENTIONED EARLIER. WITH THE ASSISTANCE OF THE AUSTIN TRAVIS COUNTY MHMR CONSUMER COUNCIL, WE DISTRIBUTED A HOUSING SURVEY TO - - TO HUNDREDS OF MENTAL HEALTH CONSUMERS IN OUR COMMUNITY TO TRY TO FIND OUT WHAT THEY WANT IN TERMS OF HOUSING. WHAT DO THEY NEED? WHERE ARE THEY CURRENTLY LIVING, ARE THEY SATISFIED, WHAT WOULD MAKE IT BETTER? SO THE RESULTS OF THAT SURVEY ARE IN THIS REPORT. WE ALSO DID A SURVEY OF -- OF BORED AND CARE HOME PROVIDERS, AS WE KNOW IT'S NOT -- WE KNOW THEY DO. BOARD AND CARE. WE WERE ABLE TO DO A SURVEY. WE WILL BE FOLLOWING UP THESE WITH A SURVEY OF HOUSING PROVIDERS ACROSS THE COMMUNITY IN DEVELOPING A COMPREHENSIVE HOUSING REPORT THAT REALLY DOCUMENTS FOR OUR COMMUNITY WHAT WE CURRENTLY HAVE IN TERMS OF HOUSING CAPACITY FOR INDIVIDUALS WITH MENTAL HEALTH NEEDS AND WHAT DO WE PROJECT THAT WE REALLY THINK THAT WE NEED, TO DEVELOP SOME RECOMMENDATIONS FOR PRIORITIZING THOSE NEEDS AS WE TRY TO FILL THOSE GAPS BECAUSE IT'S STILL A CRITICAL AREA. WE ALSO IDENTIFIED PSYCHIATRIC EMERGENCY SERVICES AS ONE OF OUR GOALS AND PRIORITIES. WHILE WE WEREN'T INVITED TO BE A STAKEHOLDER IN THE PSYCHIATRIC EMERGENCY SERVICES PLAN, WE WILL BE WATCHING CAREFULLY TO SEE -- IT DID MAKE A NUMBER OF INTERIM RECOMMENDATIONS, SO WE WILL BE KIND OF WATCHING AS A

MONITORING COMMITTEE TO SEE THE PROGRESS OF THAT. IN TERMS OF ADDITIONAL GOALS AND PRIORITIES FOR 2007, AS I ALREADY MENTIONED, WE WILL BE DOING CONSUMER HOUSING, DOING THE BEHAVIORAL HEALTH SERVICE SYSTEM MAPPING UPDATES. WE ARE ALSO GOING TO BE DEVELOPING AN ONLINE RESOURCE TOOL KIT THAT WILL BE AVAILABLE FOR PEOPLE, WE WILL HAVE THINGS LIKE A SPEAKER'S BUREAU, DOCUMENTS, MATERIALS THAT ARE AVAILABLE TO PEOPLE WHO HAVE INTEREST IN THESE AREAS, WE WILL BE DOING THAT ONLINE. WE ARE ALSO DEVELOPING A TRAINING CURRICULUM. HOW TO IDENTIFY MENTAL HEALTH ISSUES, HOW TO DETERMINE WHEN YOU REFER TO A MENTAL HEALTH PROFESSIONAL AND -- DEVELOPING KIND OF A RESOURCE TOOL KIT FOR THEM IN TERMS OF WHERE SERVICES MIGHT EXIST. A VERY SPECIFIC ISSUE THAT WE ARE WORKING IN COLLABORATION WITH A NUMBER OF DIFFERENT CHILD SERVING ENTITIES IS THAT -- IS HOUSING FOR CHILDREN WHO ARE TRANSITIONING FROM CHILD SERVING AGENCIES TO ADULT SERVING AGENCIES. PARTICULARLY FOCUSING ON FOSTER CHILDREN. AS YOU PROBABLY READ IN THE NEWSPAPER, IT'S A CRITICAL SHORTAGE OF PLACES TO HOUSE THESE FOSTER CHILDREN AND THEY ARE HAVING TO STAY IN C.P.S. OFFICES AND HOTELS. WE ARE REALLY LOOKING ON DEVELOPING A POLICY DOCUMENT THAT TRIES TO ADDRESS THIS ISSUE, WHERE THE PROBLEMS COME AND WHAT THE NEEDS ARE. WE ARE WORKING WITH CASEY FAMILY PROGRAMS, C.P.S., A NUMBER OF OTHER ENTITIES TO DEVELOP THAT DOCUMENT. FINALLY WE ARE WORKING ON REALLY INCREASING DIVERSITY ON OUR COMMITTEE. AS I MENTIONED EARLY ON, WE HAVE EXPENDED OUR -- OUR MEMBERSHIP SIGNIFICANTLY IN THIS PAST YEAR, BUT WE REALLY RECOGNIZE THAT WE NEED MORE DIVERSITY, WE REALLY NEED TO STUDY MORE, HOW TO MAKE SURE THAT THE REPRESENTATION ON OUR COMMITTEE IS BALANCED AND REPRESENTATIVE OF OUR COMMUNITY. THAT'S JUST A BRIEF OVERVIEW OF A VERY LONG REPORT. I WOULD BE HAPPY TO TAKE ANY QUESTIONS IF YOU

HAVE ANY.

Mayor Wynn: THANK YOU, DURING STONE. A COUPLE OF QUESTIONS THAT I WILL KICK-OFF. SO THE -- CAN YOU HELP US SORT OF PUT BUDGETS AND COSTS IN THE CONTEXT? IT SEEMS THE GOOD NEWS FOR MUCH OF THIS SEEMS TO ME IS THERE'S NOT SORT OF DIRECT COST INVOLVED NECESSARY. ALTHOUGH I DID NOTE A NUMBER OF CRIMINAL JUSTICE PARTS THAT WE HAVE GOING, YOU KNOW, OF -- PUBLIC DEFENDER OR JUST ADDITIONAL COURT PERSPECTIVES ON FOLKS WITH MENTAL HEALTH ISSUES, CAN YOU TRY TO GIVE US JUST AN OVERVIEW OF -- OF HOW MUCH IF ANY REALLY COST WE LOOK AT AS THEY START TO TRY TO IMPLEMENT SOME OF THESE PLANS.

WELL, I THINK -- ONE OF THE THINGS THAT I THINK IS AN OPPORTUNITY FOR US IS THAT I THINK A LOT OF THESE THINGS ARE GOING ON ALREADY. THAT WE REALLY ARE PROBABLY NOT OPTIMIZING AND USING THOSE RESOURCES MOST EFFICIENTLY. I THINK THAT THERE ARE -- YOU KNOW, WE DO FOR EXAMPLE IN THE CRIMINAL JUSTICE AREA, WHICH I THINK IS A GOOD EXAM WE..... EXAMPLE, PULLING TOGETHER PROBATION AND THE COIRTS AND THE LAW ENFORCEMENT AND ALL OF THE VARIOUS ENTITIES TO DEAL WITH THAT, AS YOU START PUTTING YOUR HEAD TOGETHER, A LOT OF THINGS THAT WILL BE DONE, RELATIVELY RESOURCE NEUTRAL. IN THE JAIL DIVERSION PIECE IS DIVERT TO WHAT? CAN YOU HAVE ALL OF THESE ACTIVITIES, INNOVATIVE RAMS TO TRY TO GET PEOPLE WITH MENTAL ILLNESS OUT OF THE CRIMINAL JUSTICE SYSTEM. IF YOU DON'T HAVE SERVICES IN THE GENERAL COMMUNITY TO REFER THEM TO, YOUR EFFORTS ARE GOING TO BE UNSUCCESSFUL..... UNSUCCESSFUL. I THINK THE MAJOR RESOURCE PIECE IS HAVING THEM AVAILABLE. WHAT WORK IS IS COMMUNITY OUTPATIENT SERVICES. IF WE REALLY HAD AN IDEAL SERVICE SYSTEM, WE WOULDN'T HAVE TO FOCUS SO MUCH ON CRISIS, WE REALLY PROVIDE INVENTIVE SERVICES UP FRONT TO PREVENT THEM FROM GETTING INTO CRISIS.

YOU MENTIONED BRIEFLY ABOUT THE CRISIS INTERVENTION AS FAR AS MENTAL HEALTH IS CONCERNED. THE COMMITTEE THAT WE HAVE HAD IN PLACE FOR A COUPLE OF YEARS JUST WORKING ON THAT SMALL PIECE OF WHAT YOU ARE TALKING ABOUT. AS YOU KNOW THAT GROUP INCLUDED SETON, ST. DAVID'S, MHMR, THE CITY, THE COUNTY, THE ACTUAL FOLKS THAT WERE INVOLVED IN THAT. FOR A LITTLE BIT OF THAT EMERGENCY TREATMENT, TO FILL IN THE GAP. I THINK WE WERE VERY SUCCESSFUL IN THE SHORT TERM, LOOKING AT THE LONG-TERM SOLUTIONS. THE CITY DID ADD AN ADDITION TO THE HOUSING BONDS, ANOTHER MILLION TO PROVIDE TRANSITIONAL HOUSING FOR -- FOR FOLKS THAT ARE COMING OUT OF SHOAL CREEK OR COMING OUT OF -- OF ACUTE TREATMENT FOR MANY AND AS THEY TRANSITIONED BACK INTO THE COMMUNITIES. SO WE ARE STILL WORKING ON THAT. MY REAL QUESTION IS WE DON'T HAVE SOMEBODY REPRESENTING YOUR GROWN ON THAT COMMITTEE AS WE LOOK AT OUR LONG-TERM SOLUTIONS FOR THAT LITTLE PIECE. WE PROBABLY NEED TO HAVE A STRONG LIAISON WITH YOU SO THAT YOU ARE WORKING WITH US, AND THAT -- THAT THESE -- BEEN KIND OF PARALLEL EFFORTS IN A WAY THAT THEY REALLY FIT TOGETHER. YOU MAY ALREADY HAVE A LIAISON THERE.

THE HEALTH CARE DISTRICT KEPT US VERY INFORMED, WE HAVE BEEN MEETING ON A REGULAR BASIS WITH THEM. ALL OF THE STAKEHOLDERS PUT RESOURCES ON THE TABLE, VERY IMPRESSIVE, VERY IMPRESSIVE.

ABSOLUTELY, WE HAVE ST. DAVID'S PUTTING IN ADDITIONAL MONEY TO THE NON-PROFITS, YOU HAD SETON OPENING UP SHOAL CREEK. THE HOSPITAL DISTRICT REFURBISHING, GOING TO REFURBISH THAT AREA. THE COUNTY FUNDED A MOBILE CRISIS TEAM THAT WOULD GO OUT INTO THE COMMUNITY AND THE CITY PUT IN A MILLION FOR THE HOUSING. SO I SEE DAVID OUT IN THE AUDIENCE THERE AND SO WE WERE HAPPY TO GET THAT ONE LITTLE START, BUT IT IS JUST A SMALL COMPONENT OF YOUR OVERALL VISION AND -- AND PLAN AND WE APPRECIATE EVERYTHING THAT YOU

HAVE DONE. HOPE THAT WE CAN HELP CONTINUE THOSE EFFORTS.

THANK YOU VERY MUCH.

THANKS.

Mayor Wynn: ON THE PHYSICAL FITNESS SIDE, THE COMMITTEE THAT WE HAVE AND WE ARE WORKING TOWARDS, YOU KNOW, SORT OF A SIMILAR MODEL, HOW WE GO ABOUT EVEN MEASURING, YOU KNOW, SORT OF THE FITNESS NUTRITION LEVEL OF PAUX IN THE AUSTIN AREA, WE ACTUALLY STUMBLED ACROSS A GREAT PARTNER WITH THE CITY FOR DISEASE CONTROL AND PREVENTION IN ATLANTA. THE CDC ACTUALLY KEEPS SORT OF THIS -- THIS ANNUAL LOG WHERE MY UNDERSTANDING IS THAT THEY ACTUALLY CONDUCT A PHONE SURVEYS OF -- OF SAY THE TOP 100 CITIES IN THE U.S. FOR THEM TO TRACK THINGS LIKE CHILDHOOD OBESITY, EVEN THINGS LIKE DAILY NUTRITIONAL HABITS OF CITIZENS. SO WE TAP INTO THAT, WE HAVE SORT OF SOMEWHAT CRAFTED AN AUSTIN VERSION OF THAT DATA, THOSE DATA POINTS FROM THE CDC, ALLOWS US, YOU KNOW, FIRST AND FOREMOST TO BENCHMARK OURSELVES TO SEE IF WE ARE IMPROVING IN DIFFERENT CATEGORIES, ALSO SEE HOW WE SORT OF RATE AND RELATE TO OTHER PEER CITIES, IS THERE A SIMILAR SORT OF ORGANIZATION, YOU KNOW, NATIONALLY I GUESS IN -- ONE OF THE -- YOU KNOW, THE -- IN ONE OF THE DEPARTMENTS IN DC THAT COULD PERHAPS SERVE THAT SAME PURPOSE.

I THINK FIRST OF ALL LET ME SAY THAT WE HAVE LOOKED THROUGH ALL OF THE VARIOUS ORGANIZATIONS, NONE OF THAT EXISTS, I THINK THAT IT IS TELLING, THERE IS ALL OF THIS ATTENTION TO PHYSICAL FITNESS, BUT WE DON'T HAVE SIMILAR INDICATORS OMEN TALE HEALTHY COMMUNITIES. THE APPROPRIATE ENTITY WOULD BE THE NATIONAL INSTITUTE ON MENTAL HEALTH. ONE OF THE THINGS THAT WE ARE HOPING TO DO IS TO BRING THEIR ATTENTION TO THE FACT THAT THIS DOESN'T EXIST. IT DOES EXIST ON THE PHYSICAL HEALTH SIDE. MAYBE SEE IF WE CAN GET

THEM TO PARTNER WITH THE CDC TO PUT SOMETHING LIKE THIS TOGETHER. I THINK THAT IT'S A CRITICAL COMPONENT.

AGREED. FURTHER QUESTIONS, COUNCILMEMBER KIM?

THANK YOU FOR BRINGING THIS ATTENTION TO US, ALLOWING US TO HAVE A DISCUSSION ABOUT MENTAL HEALTH AND THE NEEDS IN THIS COMMUNITY BECAUSE OFTENTIMES PEOPLE DON'T TAKE THE TIME TO THINK ABOUT IT AND IT'S STILL A STIGMA, TALKING ABOUT HEALTH. I JUST WANTED TO -- TO TALK TO YOU AND TO THE MENTAL HEALTH ADVOCATES AND THE COMMUNITY ABOUT THE ASIAN AMERICAN POPULATION IN PARTICULAR BECAUSE THIS IS A GROUP THAT IS STILL OUR POPULATION IS STILL TRYING TO GET DATA ON WHAT THE NEEDS ARE, BUT I LOOKED JUST BRIEFLY ON THE WEBSITE OF THE NATIONAL ASIAN AMERICAN SPECIFIC ISLAND OR MENTAL HEALTH ASSOCIATION, WHICH IS THE NATIONAL GROUP. I PULLED SOME INFORMATION THERE THAT I THOUGHT WAS VERY -- VERY INTERESTING. ASIAN AMERICAN FEMALES CONSISTENTLY HAVE THE HIGHEST RATE OF SUICIDE, EVERY SEVEN HOURS AN ASIAN CHILD IS ARRESTED FOR A VIOLENT CRIME. SOUTHEAST ASIANS ARE AT SERIOUS RISK FOR EMOTIONAL BEHAVIORAL PROBLEMS. 40% OF SOUTHWEST ASIAN SUFFER FROM DEPRESSION, [INDISCERNIBLE] ANXIETY, 14% FROM POST-TRAUMATIC STRESS DISORDER ... HAVE HOUSEHOLD INCOMES OF LESS THAN 15,000 COMPARED TO NON-HISPANIC WHITES AT 22%. DOMESTIC VIOLENCE IS AN INCREASINGLY SERIOUS PROBLEM IN THE ASIAN AMERICAN PACIFIC ISLANDER COMMUNITIES AFFECTING BOTH WOMEN AND CHILDREN. LOOKING AT MASSACHUSETTS, 39% OF THE VIETNAMESE RESPONDENTS AND 47 PERCENT OF CAMBODIAN RESPONDENTS REPORTED THEY KNOW A WOMAN PHYSICALLY ABUSED OR INJURED BY HER PARTNER. ASIAN AMERICAN ELDERLY EXPERIENCE SERIOUS MENTAL HEALTH PROBLEMS. SHOW A GREATER PREVALENCE OF DIMENSION SHOULD THAN THE GENERAL POPULATION. IN THE SUICIDE

RATE FOUND TO BE 10 TIMES HIGHER THAN FOR WHITE ELDERLY WOMEN. UTILIZATION RATES FOR HEALTH SERVICES ARE LOW. LESS LIKELY TO USE MENTAL HEALTH THAN WHITE AMERICANS, FREQUENTLY PREFER TO GO TO A PRIMARY CARE PHYSICIAN RATHER THAN SEEK HELP FROM A MENTAL HEALTH CLINICIAN. IN SEATTLE UP TO ONE-HALF OF ALL VISITS OF PRIMARY CARE PHYSICIANS ARE DUE TO CONDITIONS CAUSED BY OR EXHAUST BAITED BY MENTAL HEALTH OR MENTAL HEALTH OR EMOTIONAL PROBLEMS. THERE'S A LOT OF CHALLENGES TO THE FIELD OF MENTAL HEALTH. FOR WORKERS AND FOR ADVOCATES IN THE ASIAN AMERICAN COMMUNITY. THERE NEEDS TO BE MORE DATA, EVALUATION, RESEARCH. THERE NEEDS TO BE MORE BILINGUAL PARAPROFESSIONALS IN THIS FIELD AND IT IS A VERY DIVERSE POPULATION REQUIRING CULTURALLY APPROPRIATE INTERVENTION STRATEGIES. WE STILL REMAIN A SILENT VOICE IN THE MENTAL HEALTH ARENA. I LOOK FORWARD TO WORKING WITH YOU, SHARING THIS INFORMATION ON OUR COMMUNITY WITH YOUR GROUP. I WOULD BE MORE THAN HAPPY TO HAVE A CONVERSATION AND FORWARD THIS INFORMATION TO YOU. THANK YOU FOR YOUR WORK ON THIS.

THANK YOU.

Mayor Wynn: COUNCILMEMBER MARTINEZ?

Martinez: ALSO WANTED TO THANK YOU FOR ALL OF THE WORK THAT YOU GUYS HAVE PUT IN. BRINGING THIS INFORMATION FORWARD. AND IT LOOKS LIKE YOU GUYS DID INCREDIBLE WORK IN OUTREACH AND THEN ACCESS TO TREATMENT AND EVEN AS IT RELATES TO TRANSITIONING, YOU KNOW, BACK INTO MAINSTREAM SOCIETY. ONE OF THE THINGS THAT -- THAT I DIDN'T SEE WAS SPECIFIC MENTAL HEALTH TREATMENT. ONE OF THE THINGS THAT HAS COME FORWARD TO US IS THE ISSUE OF SHOCK THERAPY TREATMENT. THERE'S A GROWING GROUP OF ADVOCATES IT IS THAT BELIEF TAX -- MENTAL HEALTH CARE. I WAS WONDERING IF YOU GUYS TALKED ABOUT THAT TYPE OF TREATMENT, IF SO WHAT CAME OUT OF THOSE CONVERSATIONS OR IF

THAT'S AN ISSUE THAT YOU GUYS WERE CHARGED IN LOOKING AT.

IT'S NOT SOMETHING THAT WE DISCUSSED AS A COMMITTEE. IT IS AN ISSUE THAT'S OUT THERE. I KNOW AS A MAEMENT PROFESSIONAL AS A PSYCHIATRIST I CAN SAY THAT IT'S ACTUALLY VERY EFFECTIVE FORM OF TREATMENT. I THINK THERE'S A LOT OF KIND OF COMMUNITY AWARENESS ISSUES ABOUT WHAT IT'S REALLY ABOUT, WHERE IT IS. AS A COMMITTEE WE REALLY HAVEN'T ADDRESSED IT, SYSTEMIC ISSUES RATHER THAN TREATMENT RELATED ISSUES AS A COMMITTEE.

THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS FOR DR. STONE? AGAIN, THANK YOU VERY MUCH, I TRUST BY THE WAY DAVID THIS IS GOING TO BE AVAILABLE PERHAPS ON THE CITY WEBSITE OR FOR FOLKS TO USE AS A RESOURCE AS WE CONTINUE TO WORK TOWARDS FIXING WHAT HAS BEEN A VERY FRAGMENTED SERIES OF SERVICES. I GUESS THAT WAS A YES. ALL RIGHT. THANK YOU.

THANK YOU.

THANK YOU, DR. STONE. FURTHER COMMENTS, QUESTIONS, COUNCIL? IF NOT THEM WE HAVE ACTUALLY NOW ACCOMPLISHED OUR CONSENT AGENDA AND OUR ONE DISCUSSION ITEM AND OUR MORNING BRIEFING. WITHOUT OBJECTION WE WILL NOW GO INTO CLOSED SESSION PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO TAKE UP ONLY ONE ITEM TODAY IN CLOSED SESSION, THAT BEING ITEM NO. 20, LEGAL ISSUES REGARDING POTENTIAL LEGISLATION AND THIS YEAR'S 80th LEGISLATIVE SESSION. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US COMING BACK OUT RIGHT AT NOON FOR THE GENERAL CITIZENS COMMUNICATION. THANK YOU.

Mayor Wynn: THERE BEING A QUORUM PRESENTS -- ACTUALLY, WE NEVER HAD A RECESS. WE'VE BEEN IN CLOSED SESSION FOR THE LAST HOUR OR SO

PURSUANT TO SECTION 551.071. WE TOOK UP ITEM NUMBER 20, LEGAL ISSUES REGARDING POTENTIAL LEGISLATION IN THIS SESSION. WE DIDN'T QUITE FINISH THOSE DISCUSSIONS. WE'LL DO THAT AFTER CITIZEN COMMUNICATION DURING OUR LUFNLG BREAK. WE NOW WILL GO 15 MINUTES LATE, SORRY, TO OUR NOON GENERAL CITIZEN COMMUNICATION. WE HAVE A HANDFUL OF SPEAKERS WHO WOULD LIKE TO ADDRESS US. OUR FIRST SPEAKER IS MR. SCOTT JOHNSON. YOU WILL BE FOLLOWED BY JEAN ARMSTRONG.

GOOD AFTERNOON, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. MY NAME IS SCOTT JOHNSON. I'M THE PROJECT MANAGER OF THE CENTRAL TEXAS ELECTRIC LAWN MOWER PROGRAM. THIS PROGRAM STARTED 10 YEARS AGO. WE HAVEN'T HAD IT EVERY YEAR, BUT IT'S A WAY FOR PEOPLE TO UPGRADE THEIR GAS POWERED LAWN MOWERS TO ELECTRIC ONES TO REDUCE AIR POLLUTION AND REDUCE NOISE IN THEIR NEIGHBORHOOD. I WAS HOPING TO COME DOWN AND CHAMPION WHY PEOPLE SHOULD GET IN THE PROGRAM, AND I AM GOING TO DO THAT, BUT I WANT TO STATE UP FRONT THAT THE PROGRAM I MANAGE, WHICH IS ONE THAT WAS SUPPOSED TO HAPPEN THIS SATURDAY THE 14TH FROM #- 8:30 TO 2:30 ILLUSTRATED UP ON THE FLYER THERE, HAS BEEN POSTPONED DUE TO LACK OF PRODUCT FROM THE MANUFACTURER, I'M SAD ON TO SAY. WE ARE GOING TO RESCHEDULE THE EVENT FOR A LATER SATURDAY IN APRIL, BUT I DON'T KNOW WHICH ONE YET. I'LLING BE REFERRING PEOPLE TO THE WEBSITE WHICH YOU CAN SEE ON YOUR SCREEN THERE, WHICH IS CMPBS.ORG/ELECTRICLAWN DLEEN MOWER. OR THEY CAN CALL ME AT 389-2250, WHICH IS ALSO ON YOUR SCREEN. THE PROGRAM ITSELF IS REALLY MORE ABOUT SCRAPPING OLD LAWN MOWERS THAN IT IS ABOUT SELLING NEW LAWN MOWERS. WE DO PROVIDE SOMEONE WITH A NEW LAWN MOWER WHEN THEY SELL IT. AND THE DISCOUNTED PRICE THIS YEAR WHEN YOU HAVE A TRADE IN IS ONLY \$239. IT'S A 60-DOLLAR DISCOUNT OFF OF THE REGULAR RETAIL PRICE. THAT PUTS IT FIRMLY IN THE LOWER END OF COST FOR ALL LAWN MOWERS, INCLUDING GAS-POWERED ONES. THE

CARBON EMISSIONS ON A PER PERSON BASIS FROM GAS POWERED LAWN MOWERS IS APPROXIMATELY 105 TO 110 POUNDS PER YEAR. WHILE THAT IS NOT AS GREAT AS DRIVING YOUR CAR, USING A LOT OF ENERGY OR TAKING A LOT OF PLANE FLIGHTS, IT IS SIGNIFICANT. SO IF YOU'RE NOT ABLE TO OR WILLING TO GET OFF THE ELECTRIC GRID OR DO WITHOUT YOUR CAR, THIS IS ONE OF THE MOST EFFECTIVE WAYS TO REDUCE YOUR OZONE FORMING EMISSIONS WHICH AFFECT OUR HEALTH NEGATIVELY AS WELL AS REDUCING OUR CARBON EMISSIONS. IF YOU GO TO A PUSH LAWN MOWER, ONE WITHOUT ELECTRICITY, THAT'S AN EVEN BETTER OPTION AND I HOPE PEOPLE PURSUE THAT. WHAT WE'D LIKE TO EMPHASIZE IS THIS IS ALSO A WATER QUALITY PROGRAM BY NOT FILLING THE SMALL OIL AND GAS RECEPTACLES, YOU'RE NOT SPILLING FUEL ON THE GRASS AND THEREFORE THAT FUEL IS NOT WASHING INTO OUR CREEKS AND RIVER SOURCES, AND THAT IS ONE THING THAT'S ALSO DESIRABLE. I'D ENCOURAGE PEOPLE TO GO TO THE WEBSITE THAT'S LISTED UP THERE OR TO CALL ME FOR MORE INFORMATION. WE DO INTEND TO HAVE THE PROGRAM. WE HOPE YOU GET A LOT OF PARTICIPATION. THIS IS A PROGRAM THAT I MANAGE. THERE IS ANOTHER PROGRAM THAT'S DONE BY ANOTHER NONPROFIT THAT HAPPENS IN MAY, AND INFORMATION ON THAT PROGRAM IS IN YOUR ENERGY PLUS NEWSLETTER. BOTH PROGRAMS ARE COMPLIMENTARY. I'D LIKE TO SWITCH GATHERS AND HAD -- GEARS AND MENTION ALSO THAT THERE ARE SOME ISSUES PERTAINING TO AIR QUALITY AND ONE OF THOSE IS HAPPENING OUT IN THE DOWNTOWN AREA RIGHT NOW. [BUZZER SOUNDS] THE VERTICAL CONSTRUCTION THAT'S GOING UP, CREATING A LOT OF OZONE AND GREENHOUSE GAS EMISSIONS, IF I COULD SAY THE SITE OVER HERE, THE INTEL SITE WITH ALL OF THE DEM....DEMOLITION OR DECONSTRUCTION ACTIVITY THAT'S CREATING A LOT OF EMISSIONS FROM THE VEHICLE OR FROM THE EQUIPMENT ITSELF AS WELL AS FROM THE PULVERIZING OF THE CEMENT. I THINK THE CITY COULD DO A BETTER JOB IN THE FUTURE IN LOOKING AT THE TOTAL ENVIRONMENTAL IMPACTS OF THE DECONSTRUCTION PROCESS AND HOW IT AFFECTS

PEOPLE'S HEALTH NEGATIVELY. I'LL BE HAPPY TO ANSWER ANY QUESTIONS.

Mayor Wynn: THANK YOU, MR. JOHNSON. OUR NEXT SPEAKER IS JEAN ARMSTRONG. WELCOME, JEAN. YOU WILL BE FOLLOWED BY CAROL ANNE ROSE KENNEDY.

MAYOR WYNN, CITY COUNCILMEMBERS, I WANT TO THANK YOU FOR YOUR TIME. I LIVE IN THE NEIGHBORHOOD JUST NORTH OF ANDERSON LANE BETWEEN ROCKWOOD AND BURNET ROAD. I'VE LIVED THERE FOR ABOUT SEVEN YEARS. WHEN I STARTED LOOKING FOR A HOME, I HAD TO LOOK FOR A LONG TIME TO FIND A NEIGHBORHOOD THAT WAS SAFE AND AFFORDABLE AND WAS STILL SOUTH OF 183. AND I DID FIND A HOME. I'VE BEEN VERY, VERY HAPPY THERE. AND IN THAT TIME I'VE REALLY SEEN OUR NEIGHBORHOOD BLOSSOM INTO A HAVEN FOR FAMILIES WHO WANT TO LIVE IN AUSTIN, BUT THEY CAN'T AFFORD THE PRICES SOUTH OF 2222 OR WEST OF MOPAC. I'VE ALSO SEEN OUR NEIGHBORHOOD BECOME ENRICHED BY A NUMBER OF LOCALLY OWNED BUSINESSES, AND I'VE TAKEN YOUR ADVICE, MAYOR WYNN. I HAVE BOUGHT LOCALLY, I'VE BOUGHT MY SEWING MACHINE AT SEW MUCH MORE AND I'VE BOUGHT MY COFFEE AT LOCAL SHOPS. LIKE EVERYONE ELSE I WAS TOTALLY TAKEN BY SURPRISE THAT ONE OF THE LARGEST WAL-MARTS IN CENTRAL TEXAS WAS GOING TO BE BUILT ON THE SITE OF THE NORTH CROSS MALL. I WANT TO MAKE IT CLEAR THAT I AM NOT OPPOSED TO WAL-MART. IT'S NOT AN ISSUE WITH THIS COMPANY TO ME. IT'S AN ISSUE OF WHAT IS APPROPRIATE FOR THIS SITE. AND A WAL-MART OR ANY OTHER BIG BOX STORE LIKE THAT IS NOT APPROPRIATE FOR WHAT IS PRIMARILY A RESIDENTIAL AREA WITH SOME SHOPPING. IT'S GOING TO INCREASE THE TRAFFIC GREATLY. I DID GO OVER AND LOOK AT LINCOLN PROPERTIES' PLANS. I DON'T THINK THEIR LITTLE TURN LANES AND ADJUSTMENTS TO LIGHTS ARE IN THE LONG RUN GOING TO BE SOLUTION TO THE TRAFFIC THAT'S GOING TO BE BROUGHT IN. I'M CONCERNED ABOUT THE INCREASED NOISE AND AIR POLLUTION, PARTICULARLY DURING THE BUILDING, WHICH I

UNDERSTAND IS GOING TO BE A TWO-YEAR PROCESS. AND I THINK THERE'S A REALISTIC CONCERN ABOUT AN INCREASE IN CRIME IN A NEIGHBORHOOD WHERE PEOPLE CAN WALK THEIR DOGS AT 10:00 AT NIGHT WITHOUT ANY WORRY AND LEAVE THINGS OUT IN YOUR FRONT YARD AND KNOW THAT TWO WEEKS LATER THEY'RE GOING TO BE THERE. I FEEL THAT THE CITY COUNCIL HAS REALLY LET OUR NEIGHBORHOOD DOWN IN A BIG WAY, AND I HAVE TWO QUESTIONS. IS THE CITY GOING TO LET WAL-MART AND A DALLAS-BASED COMPANY WHO DOESN'T HAVE A REAL INTEREST IN AUSTIN, DECIDE WHAT DEVELOPMENT WILL BE LIKE HERE? AND WHO IS GOING TO MAKE THESE IMPORTANT DECISIONS? IS IT GOING TO BE THE ELECTED MAYOR AND CITY COUNCIL OR IS IT GOING TO BE THE OFFICE OF CITY MANAGER THAT ISSUES PERMITS AND BUILDING PERMITS? THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU, MS. ARMSTRONG. OUR NEXT SPEAKER IS CAROL ANNE ROSE KENNEDY. I THOUGHT I SAW HER EARLIER. YES. AND SHE'LL BE FOLLOWED BY SEAN HAYDEN.

THANK Y'ALL FOR HAVING ME. ILL EAGLE EMMY GRANTS. WITH ALL DUE RESPECT, DIGNITY AND HONOR, MY WORDS TODAY ARE DIRECTLY TO ALL HUMAN SERVICES OF ALL COLORS WHO ARE BORN OWTION THE BORDER OF OUR 50 REUNITED STATES OF AMERICA. I EXTEND MY WELCOME TO EACH AND EVERY ONE OF Y'ALL TO MY HOMELAND, MY HEART AND MY HOME, TO INCLUDING MY OWE OVUM OFFICE. I DO BELIEVE FROM THE DEEPEST SPACES OF MY MIND AND SOUL AND BODY THAT YOU HAVE RISKED YOUR LIFE AND TIME ON EARTH IN PURSUIT OF YOUR DREAM OF THE LIFE, LIBERTY AND PURSUIT OF HAPPINESS THAT I WAS BORN WITH. MY LUCK HAS NOTHING TO DO WITH THE IRISH KENNEDIES. LET'S TALK ABOUT EATING, DRINKING AND BEING MARRIED. I'M GOING TO BEGIN WITH OUR INTERNATIONAL FOOD CHAINS, MCDONALD'S, PRISONS, SCHOOLS, TACO BELL, NURSING HOMES, TACO CABANA, LOONIES AND GOLDEN CORRAL. AT MCDONALD'S I ORDERED THREE PLAIN CHICKEN SANDWICHES WITH FIVE HOT MUST.....MUSTARDS

TO GO. WHAT I GOT WAS THREE CHICKEN SANDWICHES WITH WIMPY LETTUCE AND SLIMY MAYO AND THREE HONEY MUSTARDS IN A WAL-MART BAG TO GO AWAY. I WENT AWAY. CHINESE RESTAURANTS NEVER SCREWED UP MY ORDER. INDIAN RESTAURANTS NEVER SCREWED UP MY ORDER. ITALIAN RESTAURANTS NEVER SCREWED UP MY OWN. TONY'S SOUL FOOD KITCHEN GAVE ME A BETTER ORDER THAN I ORDERED. FURTHERMORE, IF I WERE TO PLACE AN ORDER WITH A GERMAN RESTAURANT, I CAN LAY MY LIFE THAT THEY WOULD NOT MISS INTERPRET MY ORDER. I'M SICK AND TIRED OF BEING SICK AND TIRED OF APPLYING EMPTY CALORIES DIRECTLY TO MY HIPS. IF Y'ALL WANT TO FEED ME WHEN YOU'RE IN MURLT, DO AS THE TEXAN DO, YOU HAVE TWO CHOICES, SPEAK THE QUEEN'S ENGLISH OR READ MY LIPS. ELSE I'M GOING TO STOP BY H. E. BUTT AND HAVE A CANDLELIGHT BREAKFAST AT MY WHITE HOUSE. BYOB, THAT WOULD BE BRING YOUR OWN BISCUITS. AMERICA, LOVE ME OR LEAVE ME. DON'T MAKE ME KICK YOUR BRASS OUT OF TEXAS. (SPEAKING. [SPEAKING SPANISH] (IN YOUR FACE. AND I HAVE A REQUEST FOR THE COUNCIL. WOULD YOU PEOPLE PLEASE LOOK AT ME WHEN I TALK? IT ONLY HURTS FOR PLEA THREE MINUTES. THANK YOU.

Mayor Wynn: OUR NEXT SPEAKER IS SEAN HAYDEN. WELCOME. YOU WILL BE FOLLOWED BY BRIDGET WALLACE?

AFTERNOON, MAYOR AND COUNCIL. I'M SHAUN HAYDEN AND I WOULD LIKE TO TALK ABOUT THE PROPOSED DEVELOPMENT THAT LINCOLN PROPERTIES, THE BIG BOX WAL-MART WITH THE 500,000 SQUARE FOOT, THREE-STORY PARKING GARAGE AT THE NORTH CROSS MALL SITE. MYSELF AND SEVERAL THOUSAND OTHERS ARE OPPOSED TO THIS DEVELOPMENT. THE CITY OF AUSTIN IS PUSHING FOR DEVELOPMENT AND NEW DESIGN STANDARDS, WHICH INCLUDES VERTICAL MIXED USE. I'M SURE YOU'RE FAMILIAR WITH VMU. THERE ARE ALL EXARND. SOME EXMPLZ ARE THE DOMAIN, 30TH AND AIRPORT, GUADALUPE. THE EAST LOFTS. EVEN OVER HERE AT SECOND STREET DISTRICT,

WHICH IS GREAT PEDESTRIAN FRIENDLY AREAS. I'M PERSONALLY IN FAVOR OF VERTICAL MIXED USE AND GROWTH BECAUSE THE CITY IS GOING THAT WAY AND I FEEL A LITTLE GREAT DIRECTION FOR THE CITY TO GO IN. IT CUTS DOWN ON TRAFFIC AND I BELIEVE IT CUTS DOWN ON OZONE ACTION DAYS WHICH I THINK HAS TO COST THE CITY MONEY GIVING FREE BUS RIDES AND SUCH TO THE CITIZENS HERE IN AUSTIN. IF YOU'RE FAMILIAR WITH NORTH CROSS PLAN, I HAVE A LITTLE DESIGN HERE THAT SHOWS THE RESIDENTIAL AND --

Mayor Wynn: IF YOU LIKE, YOU CAN LAKE IT DOWN ON THE TABLE OVER HERE AND OUR FOLKS WILL PUT IT ON THE CAMERA FOR YOU.

IF YOU LOOK AT THE PLAN -- CAN YOU SEE IT? AH. SO THIS IS THE DESIGN THAT WE'RE LOOKING FOR AT NORTH CROSS. WE'RE LOOKING AT A VERTICAL MIXED USE HERE. PEDESTRIAN FRIENDLY, YOU KNOW, COURTYARDS, GARDENS, LARGE WALKWAYS. WE HAVE THE RETAIL. AND I'M NOT A BIG FAN OF WAL-MART, BUT THEY CAN PLOP A BIG CHUNK OVER HERE AND USE IT. THEY HAVE A PUBLIC ACCESS, WHICH THERE'S GOING TO BE A LIBRARY BUILT DOWN THE STREET NEXT TO A NEW CAR LOT, AND I LIVE RATHER CLOSE TO ONE AND I CAN HEAR IN MY LOSS THE INTERCOM OVER THE VOICE WAY. VERSUS -- CAN YOU FLIP IT? THIS IS THE LINCOLN PROPERTIES' PLAN, THIS SAME OLD 70'S STYLE BIG BOX, NOTHING. YOU'RE DRIVING AND PARKING. IS THIS THE WAY THAT AUSTIN WANTS TO GO? MY QUESTION IS WHY ARE WE SKIPPING THIS AT NORTH CROSS WHEN THE WHOLE BURNET CORRIDOR AND ANDERSON IS OPEN TO DISCUSSION OF VERTICAL MIXED USE. SO MY PLACE, I'M ASKING TO YOU LOOK INTO THE FUTURE, LET'S STEP INTO THE 21st CENTURY AND NOT ALLOW THIS TO HAPPEN. LISTEN TO THE CITIZENS OF HOW CERTAINLY THOUSAND DO NOT WANT THIS BIG BOX. THERE ARE THINGS GOING ON NOW AND PEOPLE DO NOT WANT BIG BOXES HERE IN AUSTIN. THAT'S WHAT MAKES AUSTIN, AUSTIN. THE STREETS IN THIS AREA WILL NOT SUPPORT THIS LOOK, WHAT'S GOING ON HERE. PEOPLE ARE GOING TO START CUTTING THROUGH TRAFFIC TO AVOID THE

TRAFFIC, CUT THROUGH THE NEIGHBORHOODS. AND WITH THE SPEED BUDGET PULLED IN 2000, THERE'S NO SPEED BUMPS. SO WHAT'S GOING TO HAPPEN IN THESE NEIGHBORHOODS WHEN THESE PEOPLE RIP THROUGH TRYING TO GET HOME AS FAST AS THEY POSSIBLY CAN. I'M ASKING YOU TO ALLOW VMU AT NORTH CROSS. IN THE LONG RUN THIS WILL GENERATE MORE REVENUE FOR THE CITY SO YOU CAN GET MORE REVENUE OUT OF COMMERCIAL, OUT OF RESIDENTIAL -- [BUZZER SOUNDS]

SO PLEASE JUST LISTEN TO THE CITIZENS AND DON'T LET THIS HAPPEN, PULL THEIR PERMIT AND LET US MOVE FORWARD IN THE DIRECTION THAT AUSTIN IS GOING. THANK YOU VERY MUCH.

THANK YOU, MR. HAYDEN. THE NEXT SPEAKER IS BRIDGET WALLACE, TO BE FOLLOWED BY DONNA BETH MCCORMICK. WELCOME.

I GUESS BRIDGET ISN'T HERE.

...

Mayor Wynn: APPARENTLY NOT.

GOOD AFTERNOON, CITY COUNCIL, MEMBERS AND MAYOR. MY NAME IS DONNA BETSZ MCCORMICK AND I LIVE IN ALLENDALE. I MOVED THERE IN 1962. THE HUSBAND IS NO LONGER THERE, BUT THE NEIGHBORHOOD IS. NORTH CROSS MALL IS OUR NEIGHBORHOOD MALL. TRUE, IT'S NOT THE SHINING STORE IT ONCE WAS, BUT IT CAN SHINE AGAIN WITH STORES SUCH AS FROST BROTHERS, LEONES, BELL'S, A WONDERFUL HANDBAG STORE, BOOKSTORE, JEWELRY STORE, RESTAURANTS AND A MOVIE THEATER. TO HAVE NORTH CROSS TO SHINE AGAIN WILL TAKE THE COOPERATION OF THE CITY COUNCIL, BACKED BY THE CITY STAFF, WHO WILL GIVE THEM UP TO STATE AND CORRECT INFORMATION. AND DEVELOPERS WORKING WITH THE NEIGHBORHOOD ASSOCIATIONS AND EVERYONE INVOLVED. EVERYONE WILL HAVE TO BE OPEN MINDED AND WORK ACROSS ALL OF OUR DIFFERENCES FOR SOMETHING THAT WILL LAST

YEARS AND YEARS, AND MAYBE WE NEED TO HAVE A MEDIATOR, A THIRD PARTY THAT IS NOT SO EMOTIONALLY INVOLVED TIED TO EITHER SIDE TO HELP US WORK OUT OUR DIFFERENCES. OF COURSE THE FOCUS HAS BEEN WAL-MART, THE SUPER CENTER, THE MONSTER BUILDING, THE PARKING GARAGE. WHY THIS IN A NEIGHBORHOOD, THEY'VE ALWAYS BEEN ON A HIGHWAY. IT'S NOT NECESSARY TO SELL LAWN MOWERS AND FURNITURE AND TIRES. WRECKED.....WE COULD HAVE A SMALLER WAL-MART OR STORE, 80,000, 100,000 SQUARE FEET. AND THERE'S OTHER PLACES IN THE NEIGHBORHOOD THAT SELL THE TIRES AND THE LAWN MOWERS. AND A PARKING GARAGE, A THREE-STORY PARKING GARAGE? HOW MANY OLD PEOPLE LIKE ME AFTER BEING IN WAL-MART FOR AN HOUR CAN FIND THEIR CAR? DO YOU KNOW HOW SCARY THAT IS WHEN YOU COME OUT AND CAN'T FIND YOUR CAR? I DO. I THOUGHT SOMEBODY HAD STOLEN MY CAR. WHAT WILL HAPPEN IF WAL-MART DECIDES THAT THAT IS NOT A GOOD BUSINESS VENTURE AND WE'LL JUST CLOSE IT UP LIKE THEY DID OUT ON 183. ARE WE GOING TO HAVE A BIG BOX IN THE MIDDLE OF THE NEIGHBORHOOD? MAYBE WE NEED SOME FINANCIAL INCENTIVES FOR THE NORTHCROSS DEVELOPMENT SUCH AS HAS BEEN OFFERED BY SOME OF THE OTHER AREAS IN TOWN, BUSINESSES AND PARKING AND SHOPPING AREAS. ALAN DALE IS A MIDDLE CLASS NEIGHBORHOOD. IT ATTRACTS A LOT OF PEOPLE THAT WANT TO MOVE IN. THERE'S A LOT OF REMODELLING GOING ON. AND OF COURSE THE HOUSE PRICES ARE GOING UP, BUT IT'S CLOSE IN AND PEOPLE WANT TO LIVE THERE SO THEY DON'T HAVE TO DRIVE SO FAR. HOW ABOUT CHIPPING IN SOME PERKS FOR WAL-MART? THIS AREA IS HOME. I SHOP UP AND DOWN ANDERSON LANE. I GO TO MEETINGS ON ANDERSON LANE AND TEX ESPRESSO. AND LET'S NOT HAVE IT BRIGHT LIGHTS AND LOTS OF TRAFFIC. WOULD YOU LIKE TO LIVE CLOSE TO A BIG BOX SUPER STORE? PROBABLY NOT. LET'S TREAT IT AS YOUR NEIGHBORHOOD. THANK YOU ALL VERY MUCH.

Mayor Wynn: THANK YOU. COUNCILMEMBER KIM?

Kim: THANK YOU FOR BEING HERE TODAY AND SPEAKING WITH THE REST OF YOUR NEIGHBORS ABOUT NORTHCROSS MALL AND I SHARE YOUR FRUSTRATION BECAUSE EVERYTHING THAT YOU ALL HAVE BEEN SAYING TO US, YOU'RE RIGHT. YOU'RE RIGHT THAT THERE ARE GOING TO BE ALL THESE TRAFFIC PROBLEMS THAT IS REALLY GOING TO HELP THE NEIGHBORHOOD IN A LOT OF DIFFERENT WAYS IN TERMS OF THE WALKABILITY OF THAT NEIGHBORHOOD, THE SAFETY OF THAT NEIGHBORHOOD, TO BE ABLE TO HAVE PEDESTRIANS ON THE STREET WITH SO MUCH TRAFFIC. AND I WISH WE COULD FIND? OTHER SOLUTIONS TO HELP YOU ALL AND TO HELP THE DEVELOPER TO SEE THE LIGHT. WE'VE HAD MEETINGS AND MORE MEETINGS, AND IT DOESN'T SEEM LIKE THEY'RE BUNDLING. AND I'M AT MY WIT'S END TO FIND SOME SORT OF SOLUTION THAT WE COULD PURSUE LEGALLY. I'VE LOOKED AT SOME SORT OF PUBLIC PARTICIPATION IN THE PROJECT. IT DOESN'T SEEM THAT THERE'S ANY SUPPORT FOR THAT E TO MAYBE PUT IN SOME AFFORDABLE HOUSING OR SOME OTHER RETAIL OR EVEN PUT SOME OTHER -- A COMMUNITY CENTER OR SOMETHING LIKE THAT. I REALLY WISH THAT WAL-MART WOULD LOOK AT A GROCERY ONLY CONCEPT STORE, WHICH THEY DO HAVE IN OTHER PARTS OF THE UNITED STATES AND SEEM TO WORK. AND I THINK IT WOULD BE GOOD FOR THEM TO OFFER THAT INSTEAD OF WHAT THEY'RE PLANNING RIGHT NOW. SO I'M OPEN TO ANY IDEAS THAT YOU CAN BRING TO US.

THAT'S WHY MAYBE A THIRD PARTY MEDIATOR MIGHT HAVE TO WORK WITH US AS THE NEIGHBORHOODS AND THE DEVELOPERS. IN FRISCO I UNDERSTAND THEY DID GO TO A GROCERY STORE , WAL-MART DID.

Kim: REALLY? I THINK THAT WOULD WORK HERE.

OUTSIDE OF DALLAS THAT, THEY DID GO SMALLER AND I THINK IT'S ABOUT 60 OR 80,000 SQUARE FEET.

Kim: THAT WOULD BE BE MUCH MORE ACCEPTABLE.

MAYBE THEY COULD DO THAT.

Kim: THANK YOU. CONGRATULATIONS ON YOUR RECOGNITION FOR YOUR CONTRIBUTIONS TO THE DEMOCRATIC PARTY.

THANK YOU.

Kim: SHE GOT A BIG LIKE BOWL OR --

THE TRUE BLUE DEMOCRAT AWARD.

Mayor Wynn: THANK YOU. THAT'S THE LAST OF THE SPEAKERS THAT HAVE SIGNED UP REGARDING NORTHCROSS. WE HAVE A FEW MORE SPEAKERS TO GO. I'M JUST SAY THE FRUSTRATION THAT COUNCILMEMBER KIM POINTS TO, TALK ABOUT, IS THE FACT THAT WHEN PROPERTY IS ZONED APPROPRIATELY FOR A PROPOSED' USE, THOSE CASES DON'T EVEN COME TO THE CITY COUNCIL. AND SO NOT ONLY DOES THE CITY COUNCIL HAVE NO DISCRETION ON THAT SITE PLAN IN THE ZONING APPLICATION, STATE LAW ALSO IS VERY CLEAR WHEN IT COMES TO DISCRETION THAT CITY STAFF HAS. AND SO WHEN PROPOSALS ALSO MEET THE CURRENT CODE, THE CURRENT REGULATIONS THAT ANY CITY HAS, ESSENTIALLY CITY STAFF IS REQUIRED TO ALSO APPROVE A PLAN. SO THERE HAS BEEN LITERALLY, TECHNICALLY NO DISCRETION WHATSOEVER OF CITY COUNCIL REGARDING THAT PROPOSED DEVELOPMENT, VERY LITTLE DISCRETION ON THE CITY STAFF SIDE. SO THAT CASE IS VERY, VERY DIFFERENT THAN SOME OTHER EXAMPLES THAT WE'RE PROUD OF. WHY SEE WHAT'S HAPPENING AROUND TOWN, PARTICULARLY MUELLER, OF COURSE, WHERE WE NOT ONLY HAD FULL DISCRETION, WE ACTUALLY OWN THE LAND. SO THIS IS ONE OF THE FRUSTRATING CASES WHERE WE AS AN ELECTIVE GOVERNING BODY ESSENTIALLY ARE NOT TECHNICALLY AT THE TABLE. WE HAVE TRIED TO INSERT OURSELVES AS BEST WE CAN. WE HIRED ONE OF THE STATE'S MOST SPECTACULAR LAND USE ATTORNEYS WHO WE HAVE USED BEFORE ON THESE TYPE CASES WHERE WE HAD SOME DISCRETION, SOME LEGAL MANEUVERABILITY. HE HAS SERVED

US VERY, VERY WELL TO CHANGE PROPOSED DEVELOPMENTS, AND HE IS ADVISING US THE BEST HE CAN, BUT AGAIN LIMITED BY SOME INTERPRETATIONS. SO I APPLAUD AND APPRECIATE ALL THE TIME, EFFORT THAT NEIGHBORS CONTINUE TO PUT IN TO THAT EFFORT TO SEE IF THERE CAN BE IMPROVEMENTS MADE OR CHANGES MADE TO THAT PROPOSAL. THIS COUNCIL I THINK VIRTUALLY ON A WEEKLY BASIS WITH OUR ZONING VOTES AND PROJECT THAT WE HAVE BEEN APPROVING IN THE LAST YEAR OR TWO, I THINK SEND VERY STRONG SIGNALS ABOUT WHAT THIS COMMUNITY PREFERS, WHEN IT COMES TO VERTICAL MIXED USE, WHEN IT COMES TO DESIGN STANDARDS, WE OF COURSE HAVE AN ORDINANCE ON THE BOOKS WHEREBY A LARGE BIG BOX RETAIL IS NOW A CONDITIONAL USE. AND SO HAD THIS APPLICATION BEEN FILED THIS WEEK, THEN THERE WOULD BE DISCRETION FOR US TO LIKELY CHANGE WHAT MIGHT BE BUILT, BUT THE WAY THE RULES WORK, THE CITY OF AUSTIN HAS TO FOLLOW THE LAW, HAS TO FOLLOW OUR RULES THAT ARE IN PLACE WHEN PROJECTS COME FORWARD AND WE FIND OURSELVES FRUSTRATED, BUT CONTINUING AND WILLING TO PUT TIME AND EFFORT INTO HOPEFUL AMENDMENTS AND CHANGE, IMPROVEMENTS TO THAT PLAN. SO WE APPRECIATE THE EFFORT YOU ALL HAVE MADE. EXCUSE ME. SO OUR NEXT SPEAKER, PAUL ABINA. SORRY IF I MISPRONOUNCED THAT. THEN YOU WILL BE FOLLOWED BY PAT JOHNSON. WELCOME. YOU WILL HAVE THREE MINUTES.

MY NAME IS PAUL ABI U.N. A. THIS IS A 200-DOLLAR BILL THAT AUSTIN ENERGY DEPOSIT REQUIRED BECAUSE OF BAD CREDIT TO BE APPLIED A YEAR LATER, BUT FOR FOLLOW THROUGH IN A BILL IS LATE. \$200 IS A LOT OF MONEY FOR SOME PEOPLE HERE AND MORE THAN THEY MAKE A MONTH IN MY BARRIO. MS. FUTRELL MAKES 20 TIENLZ THAT MUCH. BESIDES, DON'T HAVE THE JOBS THAT YOU CAN ELIGIBLE RATE BECAUSE YOU GIVE THEM AWAY TO SELECTED PEOPLE, LIKE THE NEW FIRE CHIEF. YOU NEVER HIRE FROM THE NEIGHBORHOOD DESPITE THE HIGH TAXES. SO IF YOU REMEMBER, MOST OF THE (INDISCERNIBLE) ARE BLACKS,

TRYING TO SAVE MONEY. AND THEN YOU KNOW THAT DEATH BY HEAT, WHICH IS HORRIBLE, HAPPENS TO MOSTLY BLACKS. MENTAL HEALTH, HOMELESS, TRAFFIC JAMS, HEALTH CARE, LOW GRADUATION RATE, POVERTY, POLLUTION OF CREEK AND REZ.... RESERVOIRS WITH PLASTICS, LOCAL BUSINESSES, YOU DON'T CARE ABOUT. YOU ARE COMMITTED ON IMPOSING VICIOUS ORDINANCES ON US AND ENFORCING THEM. YOUR CRITERIA FOR GATHERING FUNDS BOTH BY CONTRIBUTION AND BY FORCE, HAVE PUT THESE POOR AMERICANS IN A FREEZE THAT EVEN TODAY'S DICTATORS DON'T DO WHAT DO YOU TO YOUR OWN CONSTITUENTS. THIS IS YOUR ENDORSEMENT OF ALL THE MAJSES..... IMAGES OF MASS EVICTIONS THAT I'VE SEEN IN A TRAGIC TIME LINE OF OLD MOVIE CLIPS. YOU SHOULD STOP (INDISCERNIBLE) THIS MONSTER. THIS BILL IS ALREADY PAST DUE. AND I REMEMBER THE CUSTOMER SERVICE LADIES WARNING ME OR GETTING DISCONNECTED ABOUT THREE TIMES DURING ONE 15 MINUTE INTERVIEW. WE ARE USED TO INTIMIDATION, BUT NOW IT'S COMING FROM BLACK PEOPLE. THANK YOU.

Mayor Wynn: THANK YOU, PAUL. IT MIGHT HELP US IF YOU WERE TO SEND YOUR COMMENTS TO US IN WRITING AS WELL. WE MIGHT BE ABLE TO RESPOND TO IT BETTER. PAT JOHNSON? WELCOME, PAT.

MORNING, COUNCIL, MAYOR, CITY MANAGER. TODAY'S TOPIC IS A TOPIC THAT I THINK THAT WE NEED TO TALK ABOUT BECAUSE I DO NOT NL THAT OUR CALL TAKERS UP THERE AT 311 AND SNUNSZ AT C TECH -- AT 911 C TECH ACTUALLY GET THE RECOGNITION FOR THE SERVICE THEY PROVIDE TO THE CITIZENS. 911 CALL TAKER TAKES A LOT OF VERBAL ABUSE FROM CALLERS, MORE THAN YOU CAN IMAGINE. THEY'RE STRESSED OUT AT THE END OF ANYWHERE..... THEIR SHIFTS. THEY'RE DEDICATING TO PROVIDING A PROFESSIONAL SERVICE TO OUR CITIZENS. THEY'VE MADE GREAT STRIDES WITH EXTRA TRAINING TO OVERCOME THE PROBLEMS BE WITH CAD IN ITS EARLY DAYS AND THEY'RE VERY COURTEOUS TO CALLERS AT VERY TENSE MOMENTS. THEY TAKE A LOT OF HELL FROM CITIZENS. OUR DISPATCHERS ARE VERY WELL

TRAINED STAFF. WITH THE ADDITIONAL TRAINING THAT THEY'VE RECEIVED, WE PROBABLY HAVE SOME OF THE BEST DISPATCHERS IN THE STATE. ALSO OUR POLICE DISPATCHERS AND E.M.S. DISPATCHERS AND AFD DISPATCHERS ARE STRESSED OUT JUST AS BAD AS OUR CALL TAKERS ARE. THEY'RE VERY COURTEOUS WHEN THEY CONTACT A CALL IRRELEVANT FOR ORIGINAL INFORMATION THAT'S NOT ORIGINAL THROUGH IN THE CAWG THAT'S SENT TO DISPATCH FOR THE CALL TAKER. THEY ALSO HAVE MADE GREAT STRIDES SINCE C TECH HAS BEGUN ITS OPERATION DEALING WITH THE CAD PROBLEMS. ALL OF THE EMPLOYEES OF THE EMERGENCY COMMUNICATIONS CENTER DESERVE OUR RECOGNITION FOR THEIR OUTSTANDING SERVICE TO THE TAXPAYERS AND ALL OUR CITIZENS, NOT JUST ANY PERSON IS ABLE TO HANDLE A JOB AS A 911 CALL TAKER. IT TAKES A STRONG PERSON WHO CAN ENDURE DAILY ABUSE FROM SOME CITIZENS WHO CURSE, THREATEN AND SCREAM IN THE PHONE. COUNSELING SHOULD BE PROVIDED TO THOSE CALL TAKERS. THEY NEED TO KNOW THAT COUNSELOR IS PROVIDED AND PAID FOR BY THE TAXPAYERS AND THE CALL TAKERS SHOULD NOT HAVE TO PAY OUT OF THEIR POCKET FOR THEIR OWN DOCTOR'S EXPENSE TO SEE A COUNSELOR BECAUSE OF JOB RELATED STRESS. I PROBABLY CALL 911 MORE THAN THE AVERAGE CITIZEN DOES, REPORTING ANYTHING FROM DRUNK DRIVERS, STRANDED CITIZENS, STRANDED MOTORISTS, ROAD HAZARDS, COLLISIONS, CRIME IN PROGRESS. AND I GOT TO WHERE I KNOW A LOT OF THOSE CALL TAKERS. THEY KNOW MY VOICE, I KNOW THEIR VOICE. THEY CAN BE REST ASSURED WHENEVER I CALL THEY'RE GOING TO GET THE EXACT LOCATION BECAUSE A LOT OF TIMES WHEN SOMEONE IS BROKE DOWN ON THE HIGHWAY OR THEY'RE SNROFLD A COLLISION THEY DON'T HAVE THE FOGGIEST IDEA WHERE THEY'RE AT. AND THE SOLE REASON IS FOR E.M.S. TO GET THE NECESSARY HELP TO THE PEOPLE THAT NEED OUR HELP. AGAIN, I'D LIKE TO TAKE THIS TIME TO SAY THANK YOU FOR YOUR SERVICE TO OUR CITIZENS. [BUZZER SOUNDS] THE COUNCIL AND THE CITY NEEDS TO SHOW THESE PEOPLE A LITTLE BIT MORE RECOGNITION BECAUSE THEY TAKE A HELL OF A

LOT OF HELL, MORE THAN YOU WILL EVER TAKE IN A LIFETIME, SERVING THE CITIZENS OF AUSTIN. AGAIN, THANK YOU FOR YOUR SERVICE, ALL YOU CALL TAKERS OUT THERE. THERE'S NO REASON YOU SHOULD HAVE TO GO HOME STRESSED OUT TO THE MAX AND TAKE OUT YOUR STRESS RELATED ISSUES ON YOUR FAMILIES. AGAIN, COUNCIL, I ASK THAT YOU PERSONALLY, EACH ONE OF YOU, RECOGNIZE THE C TECH STAFF, ALL OUR CALL TAKERS AND OUR DISPATCHERS FOR THE SERVICE THEY PROVIDE FOR OUR CITIZENS. THANK YOU.

Mayor Wynn: THANK YOU, MR. JOHNSON. OUR LAST TWO SPEAKERS ARE HERE TO TALK ABOUT THE PUSHUP CAR WASH, BEN OGBODIEGWU. I ALWAYS MISPRONOUNCE THAT. AND GAVINO FERNANDEZ.

GOOD AFTERNOON, MAYOR, MAYOR PRO TEM AND COUNCILMEMBERS. MY NAME IS BEN. I'M THE FOUNDER AND EXECUTIVE DIRECTOR OF PUSHUP FOUNDATIONS. I'M HERE TO GIVE OUR FULL STORY. FIRST OF ALL, LET ME BACK THE COUNCIL BECAUSE WE HAVE HAD GOOD RELATIONSHIP WITH THE CITY OF AUSTIN AS WELL AS COMMISSIONER COURT. AND I THANK THE COUNCIL VERY, VERY MUCH BECAUSE (INDISCERNIBLE). BUT I'M HERE TODAY TO STATE OUR OWN STORY AND SHOW YOU WHAT WE HAVE DONE. WE ARE VERY MUCH MORE INTERESTED IN BEING IN COMPLIANCE. WE HAVE PASSED ON EVERYTHING WE KNOW HOW TO BE IN COMPLIANCE AS FAR AS OUR CAR WASH IS CONCERNED. WE HIRED ATTORNEYS, WE HIRED ATTORNEYS, WE HIRED ORDINANCE CONSULTANT. WE HAVE BEEN PAYING A LOT OF MONEY TO RESOLVE THESE -- RESOLVE THESE ISSUES. BUT I'M SORRY THAT IT WAS NOT AS TO THE CITY. CAR WASH IS VERY, VERY IMPORTANT TO THE COMMUNITY. CAR WASH IS VERY, VERY IMPORTANT TO THE CLIENTS. AND CAR WASH IS VERY, VERY IMPORTANT TO OUR PROGRAM. WHY I AM HERE IS TO APPEAL TO THE COUNCIL TO RECONSIDER BECAUSE WE HAVE GIVEN A DEADLINE TO CLOSE THIS CAR WASH THAT HAS BEEN IN PLACE FOR EIGHT YEARS SERVING THE COMMUNITY. THERE IS NO THREAT TO THE COMMUNITY. WHAT IS THE THREAT TO COMMUNITY? THERE IS NO THREAT.

YOU DON'T NT THEM TO DO CAR WASH, YOU WANT THEM TO GO THROUGHOUT AND USE DRUGS. WE ALL PAY. WE PAY WITH OUR LIVES, WE PAY WITH OUR MONEY TO SUPPORT THE ADDICTION. SO I AM APPEALING TO THE COUNCIL, PLEASE GIVE US EXTENSION. LET THIS CAR WASH PROCEED. WE ARE READY TO DO WHATEVER THE COUNCIL ASK TO DO. WE'VE ALREADY HAD SITE PLAN, WE ALREADY -- WE HAVE DONE EVERYTHING WE ARE ASKED TO DO. NOW LET ME TALK ABOUT THE CITY CODE. CITY CODE, WE HAVE DONE EVERYTHING. IN FACT, I'M VERY, VERY SURPRISED WHAT I SAW IN THE PAPER BECAUSE THAT'S NOT THE CASE. WE HAVE DONE EVERYTHING THAT WE KNOW HOW. WE HAVE REPAIRED EVERY VIOLATION THAT CAME TO US. THE ONLY THING THAT WE ARE APPEALING IS (INDISCERNIBLE). YOU REISSUED CERTIFICATE OF OCCUPANCY TO US ON JUNE 2005. SO HOW -- WHERE ARE THESE CODE VIOLATION COMING FROM? AT THE SAME TIME, I WANT THE CITY, PLEASE, PLEASE, PLEASE, DO NOT STOP THE CAR WASH. [BUZZER SOUNDS] THANK YOU.

Mayor Wynn: THANK YOU, BEN. AND WELCOME GAVINO. YOU HAVE THREE MINUTES.

GOOD AFTERNOON, COUNCIL. MY NAME IS GAVINO, FERNANDEZ AND I'M HERE TO SHOW SUPPORT FOR BEN'S PUSHUP PROGRAM AND THE CAR WASH AND WE HOPE THAT YOU FIND IT IN YOUR HEARTS TO MAINTAIN THIS BUSINESS. I LIVE THREE BLOCKS FROM PUSHUP. AND HAVE WORKED VERY WELL WITH THE NEIGHBORHOOD AND THE NEIGHBORHOOD HAS WORKED VERY WELL WITH BEN. I'M ALSO HERE TO TALK ABOUT YESTERDAY WE HAD THE OPPORTUNITY TO MEET WITH NINA PERALES. AND SHE WAS HERE BECAUSE SHE WAS WANTING TO GET TESTIMONY FROM AUSTIN NATIVES AND TRAVIS COUNTY RESIDENTS BECAUSE THERE'S A CANYON CREEK DISTRICT M.U.D. THAT HAS CHALLENGED THE CONTINUING EXISTENCE OF CIVIL RIGHTS LAWS. THE CIVIL RIGHTS LAWS THAT WERE ADOPTED BY THE LATE L.B.J. PRESIDENT. AND IT'S A CASE THAT'S GOING TO GO BEFORE THE SUPREME COURT. AND SHE WANTED SOME PEOPLE FROM AUSTIN TO TALK ABOUT AND LISTEN TO

HISTORICAL DISCRIMINATION IN THIS COUNTY AND THIS CITY. AND I MENTIONED TO HER HISTORICAL, YOU SHOULD JOIN ME TOMORROW AT THE CITY COUNCIL TO WITNESS ONGOING DISCRIMINATION. I DON'T KNOW WHAT'S WORSE, IF IT'S THE DISCRIMINATION OR BEING IGNORED, BECAUSE BEING IGNORED ONLY ADDS WOUND TO THE INJURY. ONLY ADDS INJURY TO THE WOUND. IF YOU LOOK AT THE CITY OF AUSTIN WEBSITE ON THE CONNECT, WHEN YOU FLIP IT ON, YOU HAVE THE ISSUE OF WAL-MART AND YOU HAVE THE ISSUE OF HOW DIFFERENT NEIGHBORHOODS FROM DIFFERENT SECTORS OF TOWN ARE TREATED BY THIS GOVERNMENT. YOU HAVE WAL-MART, HAVE YOU THE TRIANGLE, YOU HAVE CONCORDIA. CITY STAFF, CITY RESOURCES CAME AND WERE MADE AVAILABLE TO THESE NEIGHBORHOODS TO TRY TO FIND AND MITIGATE THE POTENTIAL DAMAGE THAT THIS PRIVATE DWROPPER WAS..... DEVELOPER GOFS TOING MAKING. YET WHEN NEIGHBORHOODS FROM EAST AUSTIN COME AND EXPRESS TO YOU A CONCERN OF CONDOS S BUILT ON CESAR CHAVEZ AND WE WANT A 90 DAY MORATORIUM, IT IS COMPLETELY IGNORED. YOU'RE THE DEVELOPER. THIS ISN'T A PRIVATE DEVELOPER. YOU ALSO HAVE THE ISSUE OF A GENERAL.....GENTRIFICATION. WHY NOT LIST THIS ON THE WEBSITE? GENTRIFICATION. LAST MONTH 60 FAMILIES WERE DISPLACED FROM EAST AUSTIN. NEXT MONTH 20 FAMILIES WERE DISPLACED FROM EAST AUSTIN. WE ALSO HAVE THE HOLLY POWER PLANT ISSUE. IT'S GOING TO BE CLOSING DOWN IN 175 DAYS. BUT JUST BY LOOKING AT THE VISUALS THAT THE CITY SENDS OUT BY THE INTERNET GIVES YOU -- ILLUSTRATES TO YOU HOW IN YOUR EYES OUR NEIGHBORHOODS DON'T EXIST. COUNCIL, WE HAVE A LONG WAY TO RECEIVE EQUITABILITY IN DELIVERING AND DEALING WITH NEIGHBORHOODS. [BUZZER SOUNDS] BECAUSE I DON'T THINK WE'LL EVER REACH THE ISSUE OF BEING FAIR. THANK YOU, MAYOR.

Mayor Wynn: THANK YOU, MR. FERNANDEZ. SO LET'S SEE, DID BRIDGET WALLACE EVER MAKE IT INTO THE CHAMBERS? APPARENTLY NOT. SO COUNCIL, THAT CONCLUDES OUR GENERAL CITIZEN

COMMUNICATION. AT THIS TIME WE WILL GO BACK INTO CLOATIONED SFOATION SOME SORT PERIOD OF TIME PURSUANT TO SECTION 551.071 ABOUT LEGAL ISSUES REGARDING THIS CURRENT LEGISLATIVE SESSION. WHILE WE HAVE LUNCH WHVMENT WE EBL THAT DISCUSSION I WILL COME OUT AND ANNOUNCE THAT WE HAVE ENDED CLOSED SFOATION THE DAY AND THEN WILL FORMALLY RECESS THIS MEETING OF THE CITY COUNCIL BECAUSE WE WON'T HAVE ANY ACTION ITEMS TO TAKE UP UNTIL OUR 4:00 O'CLOCK ZONING WORK. SO WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US HAVING THAT DISCUSSION PERHAPS FOR HALF AN HOUR, THEN WE WILL BE IN RECESS. THANK YOU.

Mayor Wynn: THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE'VE BEEN PLAYING FRISBEE THE LAST TWO AND A HALF HOURS. [LAUGHTER] WE'LL NOW GO TO OUR 4:00 O'CLOCK ZONING HEARINGS, APPROVAL OF ZONING ORDINANCES AND APPROVAL OF COVENANTS.

LET ME GO THROUGH THE 4:00 O'CLOCK ITEMS WHERE THE PUBLIC HEARINGS ARE CLOSED. AND I'LL READ IN THE ITEMS THAT WE CAN OFFER FOR CONSENT. ITEM NUMBER 24 IS CASE C-14-06-0121 KNOWN AS THE DOMAIN. THIS IS TO APPROVE SECOND AND THIRD READING FOR THE PROPERTY LOCATED AT 10700 TO 11,000 BURNET ROAD. 11100 TO 11 #- HUNDRED BURR NOTE ROAD AND THE 2800 BLOCK OF BRAKER LANE AND 3300 BLOCK OF BRAKER LANE TO FROM MAJOR INDUSTRIAL PLANNED DEVELOPMENT AREA COMBINING DISTRICT ZONING TO MAJOR INDUSTRIAL PLANNED DEVELOPMENT AREA COMBINING DISTRICT ZONING. I'D LIKE TO POINT OUT TWO ITEMS. FIRST ON YOUR DAIS THERE'S A CHANGE MADE TO CLARIFY THE ORDINANCE ON PAGE 7 OF 8, LINE 20 UNDER PARAGRAPH Q, THE LINES 20, 21, 22 ARE REPLACED WITH THE FOLLOWING LANGUAGE: BURNET ROAD IS CURRENTLY NOT A CORE TRANSIT CORRIDOR, HOWEVER, THE FOLLOWING SUBSECTIONS OF CHAPTER 25-2, SUBSECTION E, DESIGN STANDARDS AND MIXED USE, SECTION 222,

CORE TRANSIT CORRIDORS, STANDARDS SHALL APPLY TO ALL PROPERTIES ADJACENT TO BURNET ROAD. AND THEN ON LINE 24 THE REFERENCE TO SECTION 2.2.2, CORE TRANSIT CORRIDORS, SIDEWALKS, BUILDING PLACEMENT: THAT IS DELETED. WITH THAT ONE CHANGE AND ONE ADDITIONAL CHANGE TO THE RESTRICTIVE COVENANT ON PAGE 2 OF THE RESTRICTIVE COVENANT, PARAGRAPH 3, THERE'S A REFERENCE TO OUR AUSTIN ENERGY GREEN BUILDING PROGRAM. THE APPLICANT'S AGENT WOULD LIKE TO BRING FORWARD AN AMENDMENT TO THAT SECTION OF THE RESTRICTIVE COVENANT. AND I WILL INTRODUCE MR. STEVE DRENNER TO SPEAK TO THAT ONE CHANGE.

...

Mayor Wynn: THANK YOU, MR. GUR SI. WELCOME MR. DRENNER.

COUNCILMEMBERS, LET ME READ THIS TO YOU IF I CAN. THE REPLACEMENT LANGUAGE WOULD BE AS FOLLOWS: ALL NEW RESIDENTIAL AND COMMERCIAL BUILDINGS SHALL COMPLY WITH ONE OF THE FOLLOWING STANDARDS: A, A MINIMUM OF THE TWO STAR LEVEL UNDER THE AUSTIN ENERGY GREEN BUILDING PROGRAM IN EFFECT ON APRIL 12TH, 2007, OR B, A MINIMUM OF THE LEAD SILVER CERTIFICATION FOR CORE AND SHELL FOR RESIDENTIAL AND OFFICE DEVELOPMENT FOR LEAD CERTIFICATION FOR RETAIL DEVELOPMENT UNDER THE LEAD PROGRAM. PROVIDED, HOWEVER, ALL BUILDINGS CERTIFIED UNDER THE LEAD SYSTEM MUST AT A MINIMUM REQUIRE AN INCREASE IN ENERGY EFFICIENCY TO 14% ABOVE ASHRA 92.1, 2004 USERS MANUAL.

Mayor Wynn: FURTHER QUESTIONS? I WANT TO THANK YOU AND YOUR CLIENTS AND THE TEAM. ONE OF OUR FUNDAMENTAL GOALS HERE IN AUSTIN, PARTICULARLY AS WE STARTED MOVING FORWARD WITH OUR CLIMATE PROTECTION PLAN IS WE'RE GOING TO START REDUCING DRAMATICALLY ENERGY CONSUMPTION IN THIS TOWN. THE GOOD NEWS IS WHAT THAT TRANSLATES TOO TO

DIRECTLY IS SAVING FOR YOUR FUTURE RESIDENTS, YOUR TENANTS. SO WE'RE GOING TO CONTINUE TO ENCOURAGE MORE CONSERVATION IN AN APPROPRIATE ACHIEVABLE WAY AND PASS THOSE SAVINGS DIRECTLY ON TO YOUR FUTURE CUSTOMERS. SO THANKS FOR THE TIME AND EFFORT. I KNOW IT'S DIFFICULT TO GET YOUR ARMS AROUND SOME OF THE TECHNICALITIES OF THE ISSUES, PARTICULARLY WITH THE MULTIBUILDING, LARGE COMPLEX LIKE THIS THAT IS PROPOSED. SO HATS OFF TO YOU AND APPRECIATE THE PATIENCE AND HARD WORK YOU ALL SHOWED.

THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. SO MS. TERRY, DOES THAT -- FROM A LEGAL STANDPOINT, YOU ALL ARE COMFORTABLE WITH THESE CHANGES AS FAR AS CRAFTING THEM INTO ALL THE APPROPRIATE DOCUMENTS?

YES, SIR, WE ARE GOOD TO GO. THE LANGUAGE IS BEING CHANGED RIGHT NOW IN THE RESTRICTIVE COVENANT. THE FOLKS WHO SIGNED THE ORIGINAL RESTRICTIVE COVENANT ON BEHALF OF THE APPLICANTS ARE HERE AND AVAILABLE TO SIGN THAT RESTRICTIVE COVENANT. AND HAVE COMMITTED THAT THEY WILL DO SO BEFORE THEY LEAVE THE BUILDING TODAY, SO WE ARE READY TO GO ON SECOND AND THIRD READING ON THIS MATTER.

Mayor Wynn: MS. TERRY? COUNCILMEMBER MCCRACKEN.

McCracken: MY UNDERSTANDING IS THAT THE APPLICANT HAS SUGGESTED A REVISION REGARDING THE SIDEWALK STANDARDS, AND I WAS JUST CONFIRMING THAT BECAUSE WE HAVE A HAND UP. I WAS WANTING TO SEE IF WE ALL HAVE THAT.

YES. THAT WAS THE LANGUAGE I READ JUST BEFORE THE COVENANT PECULIAR McIT'S DIFFERENT FROM WHAT I --

McCracken: IT'S DIFFERENT FROM WHAT I HAVE FROM THE APPLICANT. WHAT I HAVE IS TO PROVIDE THE STAFF RECOMMENDATIONS REGARDING SIDEWALK STZ BY AGD THE FOLLOWING SENTENCES, SIDEWALKS SHALL BE REQUIRED TO BE BUILT IN CONFORMANCE WITH THE GATEWAY NORTH BURNET PLAN AND THE PORTION OF BURNET ROAD ADJACENT TO THE PROPERTIES REDEVELOPED WITH CURB AND GUTTER.

WELL, PERHAPS I'LL LET THE OWNER'S REPRESENTATIVE COME FORWARD. JUST PRIOR TO THE MEETING THIS ISSUE CAME UP, WE SPOKE WITH OUR ATTORNEYS AND LOOKED THROUGH THE SECTIONS AND THE LANGUAGE I READ IN WAS SOMETHING THAT WAS, AS I UNDERSTAND, ACCEPTABLE TO THE APPLICANT THAT ACHIEVED THE GOAL THAT THEY WERE ASKING ABOUT OF CLARIFYING THE SIDEWALK PROVISIONS.

COUNCILMEMBER?

McCracken: MR. DRENNER, THIS IS -- I REALLY APPRECIATE THE GREAT WORK YOUR WHOLE TEAM HAS DONE TO WORK WITH US ON SINKING THIS UP TO MAKE SURE THAT THIS IS THE FIRST PROJECT IN OUR SECOND DOWNTOWN AND THAT IT REALLY DOES BECOME THE MODEL OF THE ENTIRE BLGDOUT OF THIS SECOND DOWNTOWN. ONE OF THE THINGS THAT WE HAD ALL WORKED TOGETHER ON WAS ON THE SIDEWALK STANDARDS, NOT SAYING THEY HAVE TO BE BUILT NOW, BUT ON BURNET ROAD, BUT TO PROVIDE SIMPLY THAT WHEN THE GATEWAY NORTH BURNET PLAN IS IMPLEMENTED AND BURNET ROAD IS ACTUALLY REDONE TO CONFORM TO BEING KIND OF OUR GATEWAY BOULEVARD IN THE SECOND DOWNTOWN, THAT THAT'S WHEN THE SIDEWALK STANDARDS WOULD HAVE TO BE MET BY THIS DEVELOPMENT ALONG BURNET ROAD.

THAT'S CORRECT. AND THOSE SIDEWALK STANDARDS WOULD BE THE SIDEWALK STANDARDS SET FORTH IN THE DESIGN STANDARDS.

McCracken: I THINK WE HAVE A SLIGHTLY

DIFFERENT SET OF STANDARDS THAN THE GATEWAY NORTH BURNET PLAN. SIMPLY AS THEY'RE PLACED AS COMPARED -- I KNOW MR. BELL MY IS HERE -- MR. BELLAMY IS HERE. YOU SHOWED ME THE STREET CROSS-SECTIONS FROM THE PLAN. THEY JUST HAVE A LITTLE BIT DIFFERENT CONFIGURATION. THEY'RE EFFECTIVELY THE SAME.

RIGHT. MY POINT WAS THEY ARE THE -- IT'S THE 15-FOOT WIDTH THAT IS REQUIRED AND THE PROVISIONS WITH REGARD TO THE DESIGN STANDARDS ON WHERE TREES CAN BE LOCATED AND THE CLEAR ZONE THAT'S REQUIRED UNDER THE DESIGN STANDARDS.

McCracken: I JUST CAN'T FIND THE SENTENCE THAT Y'ALL HAVE GIVEN NECESSITY IN THIS DOCUMENT.

ABOUT WHEN WE ARE REQUIRED TO BUILD IT?

McCracken: YES.

IT IS THAT THE SIDEWALKS ADJACENT TO BURNET ROAD WILL BE REQUIRED UPON REDEVELOPMENT OF BURNET ROAD.

McCracken: WHERE IS THAT IN THIS DOCUMENT?

LET ME -- THERE SHOULD BE A..A THIRD ITEM THAT WAS LISTED THAT SPECIFIED. LET ME SEE IF I CAN GET THE EXACT LANGUAGE.

COUNCILMEMBER, I BELIEVE THAT THAT'S NOT IN THE ORDINANCE NOW. THEY READ THAT INTO THE RECORD AS AN EDIT OF THE ORDINANCE.

McCracken: I DID NOT HEAR THAT READ INTO THE RECORD AND THAT'S WHY I WANTED THAT -- I WAS LOOKING FOR IT TO BE READ AND I DID NOT HEAR IT READ.

GOT YOU.

GO FOR IT. THAT WAS WHAT WAS DISCUSSED, BUT WHAT THE COUNCILMEMBER IS LOOKING FOR IS

WHAT IS --

A SPECIFIC LANGUAGE.

THE SPECIFIC LANGUAGE TO BE READ INTO THE RECORD.

THERE ARE A FEW THINGS. ONE WAS THAT THRB LD A REVISION -- THERE WOULD BE A REVISION REGARDING BUILDING STANDARDS, AMENDING THE SECOND SENTENCE OF SUBPART A TO READ AS FOLLOWS. AND GREG, YOU DIDN'T READ THAT YET, HAVE YOU? THIS PORTION? PARKING STRUCTURES OR SURFACE PARKING LOTS ARE PROHIBITED BETWEEN THE BUILDINGS AND THE PROPERTY LINE ADJACENT TO BURNET ROAD PROVIDED THAT A HIKE AND BIKE TRAIL WILL BE PROVIDED IN THIS AREA. THE SECOND IS A REVISION TO THE STAFF RELIGIOUS REGARDING SIDEWALK STANDARDS BY DELETING THE FOLLOWING TWO SENTENCES, A HIKE AND BIKE TRAIL MAY BE USED IN LIEU OF A SIDEWALK IF IT MEETS THE LOCATION AND MINIMUM WIDTH STANDARDS OF 2.2. B SIDEWALKS, HIKE AND BIKE TRAIL STANDARDS SHALL BE PROVIDED BY THE TIME OF THE SITE PLAN. AND THAT'S, COUNCILMEMBER MCCRACKEN, TO MAKE SURE THAT THERE WILL BE A SIDEWALK, NOT JUST A HIKE AND BIKE TRAIL. AND THEN THE THIRD WAS THAT SIDEWALKS SHALL NOT BE REQUIRED TO BE BUILT ON THE PROPERTIES ADJACENT TO BURNET ROAD UNTIL SUCH TIME AS BURNET ROAD HAS CURB AND GUTTER.

McCracken: THE ONLY THING I WANTED TO ADD THERE IS THAT IT WOULD BE -- THE SIDEWALKS WOULD BE -- THEY WOULD BE BUILT IN CONFORMANCE WITH THE GATEWAY NORTH BURNET PLAN.

WHICH IS FINE.

McCracken: THANK Y'ALL VERY MUCH.

Mayor Wynn: THANK YOU. FURTHER COMMENTS, QUESTIONS ON THE AMENDMENTS ON ITEM NUMBER 24, THE PROPOSED SECOND AND THIRD

READING OF THE DOMAIN? HEARING NONE,
WELCOME BACK, MR. GUERNSEY.

LET ME THEN CONTINUE ON TO THE OTHER ITEMS.
AT 4:00 O'CLOCK WHERE THE HEARINGS HAVE BEEN
CLOSED. ITEM 25 IS C-14-06-0123, ARREST DENT 1 AT
1500 SOUTH LAMAR BOULEVARD. THIS IS A STAFF
POSTPONEMENT OF THIS ITEM TO APRIL 19TH. ITEM
NUMBER 26 IS CASE C-14-06-01..0124, ARDENT 2 AT
1418 SOUTH LAMAR BOULEVARD. THIS IS RELATED
TO THE PREVIOUS ITEM, ITEM NUMBER 25. STAFF IS
ALSO REQUESTING A POSTPONEMENT OF THIS ITEM
FOR ONE WEEK TO THE 19TH. THAT'S ITEM NUMBER
26. ITEM NUMBER 27 IS CASE C-14-06-0157. THIS IS
FOR THE PROPERTY LOCATED AT 13233 POND
SPRINGS ROAD, A REZONING REQUEST TO
COMMUNITY COMMERCIAL CONDITIONAL
OVERLAY FOR TRACT ONE, COMMERCIAL LIQUOR
SALES CONDITIONAL OVERLAY COMBINING
DISTRICT ZONING FOR TRACT 2. AND COMMUNITY
COMMERCIAL CONDITIONAL OVERLAY COMBINING
DISTRICT ZONING FOR TRACT 3. AND IT'S READY
FOR CONSENT APPROVAL ON SECOND AND THIRD
READINGS. THAT'S ITEM NUMBER 27.

Mayor Wynn: THANK YOU, MR. GUERNSEY. SO
COUNCIL, OUR PROPOSED CONSENT AGENDA ON
THESE CASE WHERE'S WE HAVE ALREADY
CONDUCTED AND CLOSED THE PUBLIC HEARINGS
WOULD BE TO APPROVE ON SECOND AND THIRD
READING ITEMS NUMBER 24, NOTING ALL OF THE
ADDITIONAL CHANGES AND COMMENTS,
FORMALITIES, AMENDMENTS THAT THE CITY'S
LEGAL WILL NOW BE DRAFTING INTO THE
DOCUMENTS. TO POSTPONE ITEM 25 AND 26 FOR
ONE WEEK UNTIL APRIL 19TH, 2007, AND GOAN
APPROVE ON SECOND AND THIRD READING ITEM
NUMBER 27. I'LL ENTERTAIN THAT MOTION. MOTION
MADE BY COUNCILMEMBER MARTINEZ, SECONDED
BY COUNCILMEMBER MCCracken TO APPROVE
THE CONSENT AGENDA AS READ. FURTHER
COMMENTS? HEARING NONE, ALL THOSE IN FAVOR
PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER LEFFINGWELL OFF THE DAIS.

LET ME THEN CONTINUE ON TO THE ITEMS WHERE THE ZONING AND NEIGHBORHOOD PLAN AMENDMENTS, PUBLIC HEARINGS AND POSSIBLE ACTION, SO THESE ARE PUBLIC HEARING ITEMS. THE FIRST ITEM IS NUMBER 28, CASE NPA-07-007.01, JAMESTOWN CONDOS, LOCATED IN THE NORTH AUSTIN CIVIC ASSOCIATION NEIGHBORHOOD PLAN. THIS IS AN AMENDMENT TO THE AUSTIN TOMORROW COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION ON THE FUTURE LAND USE MAP FROM COMMERCIAL TO MIXED USE. THIS IS RECOMMENDED BY THE PLANNING COMMISSION TO APPROVE THE DESIGNATION OF MIXED USE. AND THAT'S ON ALL THREE READINGS. A RELATED ITEM ON ITEM NUMBER 29. THIS IS CASE C-14-07-0007, JAMESTOWN CONDOS FOR THAT SAME PROPERTY TO REZONE THE PROPERTY FROM GENERAL COMMERCIAL SERVICES NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT GENERAL COMMERCIAL SERVICES CONDITIONAL OVERLAY NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. AND THIS IS READY FOR ALL THREE READINGS. ITEM NUMBER 30 IS CASE C-14-07-0010, CARDINAL STATION. THIS IS A REZONING OF THE PROPERTY LOCATED AT 3306 TO 3310 SOUTH SECOND STREET FROM FAMILY RESIDENCE DISTRICT ZONING TO P DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT P DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON FIRST READING ONLY. ITEM NUMBER 31 IS CASE C 814-06-0109 KNOWN AS THE LAKE SHORE P.U.D. THAT IS A DISCUSSION ITEM. MAYOR MAY THANK YOU, MR. GUERNSEY. SO COUNCIL, OUR PROPOSED CONSENT ON THESE CASES WHERE WE HAVE YET TO CONDUCT THE PUBLIC HEARING WOULD BE TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS THE COMBINED CASE OF 28 AND 29, THAT BEING THE FUTURE LAND USE MAP AND THE ZONING FOR THE

JAMESTOWN CONDO PROPERTY. AND TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY ITEM NUMBER 30, CARDINAL STATION. I'LL ENTERTAIN THAT MOTION. MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER LEFFINGWELL OFF THE DAIS.

THANK YOU. THAT THEN ALLOWS US TO PROCEED ON TO ITEM 31, THE LAKE SHORE P.U.D. AT 2201 LAKE SHORE BOULEVARD. THIS IS A REZONING REQUEST FROM MULTI-FAMILY RESIDENCE MEDIUM DENSITY NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING TO PLANNED UNIT DEVELOPMENT NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE PUD COMBINING DISTRICT ZONING WITH CONDITIONS. THIS PROPERTY IS APPROXIMATELY 50.15-ACRE TRACT OF LAND AND IS CURRENTLY DEVELOPED WITH APARTMENTS, APPROXIMATELY 760 APARTMENT UNITS. THE CURRENT ZONING IS MF-3 AND WOULD ALLOW TODAY IF YOU HAD -- WERE TO REDEVELOP THIS SITE WITH A MIXTURE OF ONE AND TWO BEDROOM APARTMENTS, A GROSS NUMBER OF APPROXIMATELY 1,323 UNITS. THE PROPOSED REQUEST IS FOR 2,500 LIVING UNITS AND APPROXIMATELY 100,000 SQUARE FEET OF RETAIL. AS I MENTIONED BEFORE, THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST. THEY RECOMMENDED THE STAFF RECOMMENDATION WITH SOME MODIFICATIONS. THEY, THE PLANNING COMMISSION RECOMMENDED A LIMITATION OF 1800 UNITS INSTEAD OF THE 2500..... 2500 UNITS THAT WERE REQUESTED. AND A MAXIMUM OF 80% OF THE FINAL SQUARE FOOTAGE OF THE PROJECT WILL BE FOR RESIDENTIAL UNITS, EXCLUDING ANY UNITS THAT ARE BUILT AS PART OF A LIVE-WORK UNIT. THE MAXIMUM IMPERVIOUS

COVER BEING 85 PERCENT INSTEAD OF THE 80 SPIRS THAT WAS OWE 80% THAT WAS REQUESTED BY THE APPLICANT. THAT THE FINAL BUILDING PLACEMENT WOULD PRESERVE AN UNOBSTRUCTED LINE OF SIGHT FROM EL MONT DRIVE TO LAKE SHORE BOULEVARD OVER AREAS EIGHT, NINE AND 10, WHICH ARE LOCATED IN THE CENTER OF THE PROJECTS. THAT ALL BUILDINGS BE BUILT TO A MINIMUM OF TWO STAR GREEN BUILDING STANDARDS AND THAT FUNDS WILL BE PROVIDING EQUALLING TO \$650 TO RESIDENTIAL UNIT TO BE MADE AVAILABLE TO THE PARKS DEPARTMENT ON PARKLAND IMPROVEMENTS SPECIFIED IN THE RIVERSIDE NEIGHBORHOOD PLAN, INCLUDING IMPROVEMENTS TO COUNTRY CLUB CREEK. THE APPLICANT HAS AGREED TO USE SOME TECHNIQUES AND SOME THINGS THAT THEY FEEL THAT WERE SUPERIOR THAT STAFF CONCURRED WITH. THESE INCLUDE A SUSTAINABLE SITE DESIGN WHICH INCORPORATED THAT THERE WOULD BE 50% OF THE NON-ASBESTOS DEMOLITION WASTE WOULD BE RECYCLED OR SALVAGED. THAT THEY WOULD USE RECYCLED MATERIALS FOR PLANTERS, BENCHES, OTHER SITE IMPROVEMENTS. THAT 80% OF THE LANDSCAPING WILL USE NATIVE PLANTS. THE APPLICANT HAS AGREED TO PARTICIPATE IN THE GREEN BUILDING PROGRAM, BUT NOT TO THE TWO STAR RATING THAT THE PLANNING COMMISSION RECOMMENDED. THEY'VE ALSO RECOMMENDED OR THEY WOULD AGREE TO CONSTRUCT A WATER QUALITY POND INSTEAD OF PAYING A FEE IN LIEU OF FOR WATER QUALITY IMPROVEMENT. TO MAKE IMPROVEMENTS ALONG WILLOW CREEK BY REMOVING INVASIVE PLANT CEASE SPOOES CEASE. THEY'VE ALSO AGREED TO SET BACK OFF LAKE SHORE BOULEVARD. CURRENTLY ON THE WATERFRONT OVERLAY THERE'S A 50-FOOT SET BACK FROM LAKE SHORE BOULEVARD. THEY AGREED TO PROVIDE A PEDESTRIAN FRIENDLY LAYOUT THAT WOULD PROVIDE FOR BUILDING SIDEWALKS AND PLANTER STRIPS AND STREET TREES BELONG LOING BOTH SIDE OF THE INTERNAL DRIVEWAYS THAT WOULD TRAVERSE THE SITE. THEY HAVE ALSO PROVIDED FOR CONNECTIVITY OR HIKE AND BIKE TRAIL WHICH THE DEVELOPER WOULD BUILD ALONG THE WILLOW CREEK

GREENWAY THAT RUNS GREEN ELMONT DRIVE AND TOWN LAKE. FINALLY THAT THEY'VE AGREED TO PROVIDE FOR COMMUNITY PARK THAT WILL INCLUDE PUBLICLY ACCESSIBLE COMMUNITY PARK OF AT LEAST 20,000 SQUARE FEET IN SIZE. THE ENVIRONMENTAL BOARD ALSO REVIEWED THIS REQUEST AND DID RECOMMEND IT, DID ALLOW FOR SOME DEVELOPMENT IN THE CRITICAL WATER QUALITY ZONE, AND THAT WAS RECOMMENDED BY THE ENVIRONMENTAL BOARD ON A 10-1 VOTE. AND THE PARKS AND RECREATION BOARD RECOMMENDED THE PROJECT AS WELL, BUT SUBJECT TO THE CONDITION THAT \$650 PER UNIT IN FUNDS BE PROVIDED FOR PARK IMPROVEMENTS. I THINK AT THIS TIME I'LL PAUSE. THE PROPERTY AS DWAPD AGAIN IS -- AS DEVELOPED AGAIN IS DEVELOPED AS A MULTI-FAMILY PROJECT WITH 760 APARTMENTS UNDER THE CURRENT ZONING. IF YOU WERE TO BUILD A MIX OF ONE BEDROOM AND TWO BEDROOM AND APPROXIMATELY A 50/50 MIX, THE GROSS DENSITY THAT WOULD BE ALLOWED WOULD BE 1323 UNITS AND THEY ARE REQUESTED 2500 UNITS. IF YOU HAVE ANY QUESTIONS I'LL BE MORE THAN HAPPY TO ANSWER THEM AT THIS TIME. THE APPLICANT DOES HAVE SPEAKERS AND PEOPLE FROM THE NEIGHBORHOOD ARE HERE TO SPEAK ON THIS PROJECT.

Mayor Wynn: CORRECT. ACTUALLY, IT'S A COIM OF FOLK WHO WANTED TO SPEAK TO US, BUT FOLLOWING OF COURSE THE PRESENTATION BY THE APPLICANT AND/OR THEIR AGENT, SO AT THIS TIME WE'LL HAVE A FIVE MINUTE APPLICANT PRESENTATION FOLLOWED BY FOLKS WHO MAY WANT TO SPEAK IN FAVOR OF THE ZONING REQUEST. WE'LL HEAR FROM FOLKS IN OPPOSITION AND THEN THE AGENT IN THIS CASE WILL HAVE A THREE MINUTE REBUTTAL.

THANK YOU. I'M HERE ON BEHALF OF CYPRESS REAL ESTATE ADVISERS. IF YOU BACK UP FOR A MINUTE AND LOOK AT THE BIG PICTURE OF THE RIVERSIDE LAKE SHORE AREA, YOU SEE IT'S ONE OF THE HIGHEST CRIME AREAS IN THE CITY. THERE'S A SEA OF ASBESTOS FILLED APARTMENTS JUST SCREAM FOG REDEVELOPMENT. NEW NATURAL

EVOLUTION THAT HAZARD EVOLVED INTO ONE OF THE HIGHEST DENSITY AREAS IN OUR CITY WITH A DISPROPORTIONATE AMOUNT OF RENTAL VERSUS FOR SALE PRODUCT. QUALITY RETAIL IS LACKING. THERE'S PLENTY OF BAIL BOND PLACES AND PAWN SHOPS AND NOT MANY STARBUCKS, IF ANY. CHANGE IS NEEDED OR THIS AREA WILL CONTINUE JUST AS IT IS TODAY. THIS PROPOSED P.U.D. IS PROPOSED BY CYPRESS REAL ESTATE ADVISORS. THEY HAVE ACTUALLY ACQUIRED 50 ACRES OF LAND. THEY'RE AN OWNER, NOT A SPECULATOR. WE BEGAN MEETING WITH THE NEIGHBORHOOD GROUP 15 MONTHS AGO AND HAVE HAD AN ONGOING DIALOGUE AND I COMMEND THEM FOR THEIR DEDICATION AND THEIR PASSION AND I WISH I COULD TELL YOU TONIGHT THAT WE HAD REACHED AGREEMENT WITH THEM, BUT WE HAVEN'T AND THEY'LL EXPLAIN TO YOU WHAT THEIR CONCERNS ARE. THIS IS A VERY SIGNIFICANT PROJECT IN TERM OF PIONEERING NEW DEVELOPMENT INTO AN AREA THAT IS DESPERATE FOR REDEVELOPMENT, I BELIEVE. WE'VE NOW RECOGNIZED THE AFFORDABILITY ASPECT OF GREEN BUILDING, AT A SIGNIFICANT COST UP FRONT AND SUBJECT TO THE COUNCIL APPROVING THIS PROPOSAL, CYPRESS HAS AGREED TO SEEK A TWO-STAR ENERGY RATING ACROSS THE BOARD. WE THINK THIS WILL SHOW A DECREASE IN UTILITY BILLS, MAKING APARTMENTS MORE AFFORDABLE IN THE FUTURE. THE MAYOR HAS PUT AUSTIN AT THE FOREFRONT OF REDUCING OUR CARBON FOOTPRINT. HOPEFULLY THE LAKE SHORE P.U.D. WILL RAISE THE BAR FOR OTHERS TO FOLLOW IN THE FUTURE. OTHER ASPECTS OF THIS PROJECT, AS GREG MENTIONED, WE'VE DOUBLED THE WATERFRONT WATERFRONT OVER LAY FROM 50 FEET TO 100 FEET. WE INTEND TO CREATE A PARK LAKE SETTING A TRAIL, PARK I AM PROOVMENTZ SO THAT THE SOUTHSIDE OF LAKE SHORE LOOKS JUST LIKE THE NORTH SHORE. IT WILL BE BE OPEN TO THE PUBLIC. THIS IS A MIXED USE PROJECT THAT'S INTENDED TO INCLUDE APPROXIMATELY 50 TO UP TO 100,000 SQUARE FEET OF OFFICE, RETAIL, LIVE-WORK UNITS, IN ADDITION TO THE RESIDENTIAL. THE BUSINESS PLAN FOR THIS PROJECT IS THAT 60% OF THE UNITS WOULD BE FOR SALE SUBJECT TO

MARKET ACCEPTANCE. IT'S INTENDED TO BE AN ALTERNATIVE TO DOWNTOWN HOUSING. THE UNITS ARE EXPECTED TO COST ABOUT HALF OF WHAT UNITS ARE GOING FOR TODAY DOWNTOWN. THE NEIGHBORHOOD PLAN DESIGNATES THIS AREA AS MIXED USE AND WE BELIEVE THAT THIS PROJECT WITH THE MIXED USE ASPECT IS ACTUALLY CONSISTENT WITH THAT. MULTI-FAMILY WILL CONTINUE TO DOMINATE DOWN THERE. THE SITE IS ZONED FOR UP TO 1800 UNITS DEPENDING ON THE MIX, APPROXIMATELY 1800 UNITS AND THE EASY THING FOR CYPRESS TO DO IS JUST TO REDEVELOP INTO THREE-STORY BUILDINGS JUST LIKE THEY ARE TODAY AND 10, 20 YEARS FROM NOW WE'LL BE TALKING ABOUT THIS SAME ISSUE. AGAIN, WE BELIEVE THAT THIS PROJECT WILL TURN THE MARKET. CYPRESS IS ACTUALLY I THINK PIONEERING THIS DEVELOPMENT. THEY'RE PUTTING THE STAKE IN THE GROUND IN THE AREA SAYING WE BELIEVE IN THE AREA, WE BELIEVE IT'S GOING TO CHANGE AND WE'RE GOING TO PUT A DEVELOPMENT DEVELOPMENT THERE AND WE BELIEVE THAT IT WILL BE -- WE WILL PUT A QUALITY DEVELOPMENT THERE AND WE BELIEVE IT WILL BE SUCCESSFUL. WE RESPECTFULLY ASK YOU TO SUPPORT OUR PROJECT. THANK YOU.

Mayor Wynn: THANK YOU. QUESTIONS OF THE AGENT, COUNCIL? WE'LL HAVE TIME I GUESS AFTER THE PUBLIC TESTIMONY AND THE REBUTTAL. THANK YOU VERY MUCH. SO WITH THAT, WE'LL GO TO OUR CITIZEN TESTIMONY. WE ONLY HAVE TWO SPEAKERS. NOBODY HAS SIGNED UP TO SPEAK IN FAVOR OF THE PROJECT, BUT TWO FEEKZ FOEKZ HAVE SIGNED UP IN OPPOSITION, MS. TONI HOUSE IS FIRST, AND IS CARL BRAUN HERE. AND JEAN MATSER WHO I SAW EARLIER. HELLO. SO TONI, BE YOU WILL HAVE UP TO NINE MINUTES IF YOU NEED IT AND YOU WILL BE FOLLOWED BY GALE GOLF.

I AM ACTUALLY GALE GOLF. WE SWITCHED ON YOU.

Mayor Wynn: THEN YOU TAKE YOUR SWITCH AND TONY HAS NINE OR YOU HAVE 15 COMBINED.

I MIGHT NEED A LITTLE BIT MORE SINCE SO FEW OF

US ARE SPEAKING AND LINDA WATT KINS I BELIEVE HAS DONATED HER TIME. MAYOR, COUNCILMEMBERS, MY NAME IS GALE GOFF AND I'M HIRE TO TALK ABOUT WHY WE SIMPLY DON'T FEEL THE P.U.D. IS WHAT IT SHOULD OR COULD BE. TO UNDERSTAND WHY IT NEEDS A LITTLE WORK LET'S LOOK FOR A COMPARISON. LET'S COMPARE IT TO A P.U.D. THAT IS A COMMUNITY COLLABORATION, A MODEL FOR RESPONSIBLE PLANNING AND SUSTAINABILITY. I'M TALKING ABOUT MUELLER. THE LAKE SHORE P.U.D. WILL PLACE 2400 TO 2500 RESIDENTIAL UNITS ON 50 ACRES, WHICH IS 48 TO 50-UNITS PER ACRE. THE MUELLER P.U.D. WILL PLACE 400.... 400 RESIDENTIAL UNITS ON 709 ACRES, 5.64 RESIDENTIAL UNITS PER ACRE. THE LAKE SHORE P.U.D. WILL INCLUDE THREE STORY TO 12 STORY MULTI-FAMILY BUILDINGS AND TOWNHOMES. THE RESIDENTIAL PORTION OF THE MUELLER P.U.D. WILL INCLUDE A MIX OF SINGLE-FAMILY DETACHED HOMES WITH YARDS, ATTACHED ARE FOUR TO SIX UNIT BUILDINGS AS WELL AS APARTMENTS AND CONDOS, MANY IN MIXED USE BEINGS. EAST RIVERSIDE NEIGHBORHOOD NEEDS SINGLE-FAMILY HOUSING, NOT MORE GATED MULTI-FAMILY ENCLAVES. THE LAKE SHORE P.U.D. WILL ADD A PROJECTED 4100 NEW RESIDENTS IN AN AREA WITH AN EXISTING POPULATION DENSITY OF 25.19 PERSONS PER ACRE. THE MUELLER P.U.D. WILL ADD A PRONGED 10,000 RESIDENTS AT BUILD JU ON TO AN AREA WITH A CURRENT POPULATION DENSITY OF 2.62 PERSONS PER ACRE. THE LAKE SHORE P.U.D. WILL PROVIDE 50 FEET OF LANDSCAPE SET BACK FROM THE SOUTH LAKE SHORE BOULEVARD ALREADY REQUIRED BY THE WATERFRONT OVERLAY AND AN ADDITIONAL 50 FEET TO ACCOMMODATE ENTRY DRIVES, WET POND AND TO PUSH BUILDINGS OUT OF THE FLOODPLAIN. THE DRAINAGE EASEMENT ALONG WILLOW CREEK WILL BE LANDSCAPED. ONLY A SMALL TOWN SQUARE IN THE MIDDLE OF THE PROJECT IS ACTUALLY DESIGNED AS A PUBLIC GATHERING PLACE. THE MUELLER P.U.D. WILL INCLUDE OVER 22%, 160 160-ACRE, OF PUBLIC OPEN SPACE AND PARKLAND, INCLUDING 73 ACRES OF GREENWAYS, A 30-ACRE COMMUNITY AND 32-ACRES OF NEIGHBORHOOD AND POCKET PARKS

AND A TOWN SQUARE. 16 ACRES OF PUBLIC OPEN SPACE OF PARKLAND PEREZ DENT. THE RIVERSIDE AREA DESPERATELY NEEDS MORE USABLE PUBLIC OPEN SPACE AND PARKS, NOT JUST THE LANDSCAPING OF SET BACKS. THEREFORE WHAT'S NEEDED IS MORE OPEN SPACE ON LAND THAT'S DEVELOPED TO ACCOMMODATE THE BURDEN OF THE INCREASED POPULATION ON NEIGHBORING PARKLAND. THAT IS THE ONLY WAY TO PREVENT THE INCREASED POPULATION THAT THE DEVELOPMENT BRINGS FROM FURTHER BURDENING THE TINY SPEC OF PARK BE LAND WE HAVE. THE EXISTING APARTMENTS ARE MULTI-FAMILY THREE WITH LARGE OPEN LAWNS AND THEY'RE BEING REPLACED WITH 85 PERCENT BUILDING COVERAGE, 12 STORY BUILDINGS AND THIS IS SIMPLY NOT THE BEST DEVELOPMENT -- THE BEST USE OF A P.U.D. IN THIS AREA. THE AUSTIN PARKLAND FORMULA IS FIVE ACRES PER ONE THOUSAND RESIDENTS. THE URBAN VILLAGE AT MUELLER INCLUDES 16 ACRES PEREZ DENT. THE LAKE SHORE P.U.D. OFFERS NO AFFORDABILITY COMPONENT AND OBLITERATES APPROXIMATELY 760.... 760 CURRENTLY AFFORDABLE UNITS. THE MUELLER P.U.D. REQUIRES AT LEAST THE MINIMUM OF 25 PERCENT OF ITS FOR SALE RESIDENTIAL BE AFFORDABLE AT 80% MFI AND REQUIRES THAT RENTAL HOUSING UNITS BE MADE AVAILABLE AT FAIR MARKET RENTS. THE PROJECT COULD SIMPLY BE BE BETTER. THE COUNCIL APPLIES SOME ADDITIONAL RECOMMENDATIONS, THEN WE FEEL IT COULD BE. SPECIFIC RECOMMENDATIONS THAT WOULD BE REQUIRED TO CREATE A BETTER P.U.D. ARE CAPPING THE RESIDENTIAL UNITS AT 1800 MAXIMUM. EVEN THAT TRANSLATES TO 36 HOWTION UNITS PER ACRE. TO THRAIR NO MORE THAN -- TO REQUIRE THAT NO MORE THAN 80% OF THE PROJECT BE DEVOTED TO RESIDENTIAL UNITS, A REQUIREMENT WHICH PROMOTES A TRUE MIX OF USES. ADDITIONALLY THE COMMERCIAL USES LISTEN THE P.U.D. SHOULD BE THOSE PERMITTED WITHIN THE WATERFRONT OVERLAY, THEREFORE ENCOURAGING PEDESTRIAN-FRIENDLY ACTIVITY. THE STAFF RECOMMENDS LIMITING THE SQUARE FOOTAGE FOR COCKTAIL LOUNGE AND LIQUOR SALES TO BE DIVIDE INTO NO MORE THAN THREE

SITES AT A MAXIMUM OF 3,000 SQUARE FEET EACH. EVEN THIS IS TOO MUCH FOR THIS TRACT. TWO SITES AT 2500..... 2500 SQUARE FEET EACH WILL BE AMPLE TO SERVE OUR AREA SO ALREADY HEAVY WITH SIMILAR USES. LET'S LIMIT THE IMPERVIOUS COVER TO SURVIVE% TO ALLOW FOR MORE -- TO 65% TO ALLOW FOR MORE GREEN SPACE WITHIN THE DEVELOPMENT. PARKLAND DEDICATION FUN OF \$650 PER UNIT SHOULD BE DEAD CAWFSSED TO NEIGHBORHOOD PLAN PARK OBJECTIVE, INCLUDING THE COUNTRY CLUB CREEK TRAIL PROJECT. THIS IS CRITICAL SINCE THE PROJECT IS TRIPLING THE POPULATION ACROSS THE STREET FROM THE SOLE STRIP OF PARKLAND SERVING AUSTIN'S DENSEST NEIGHBORHOOD. WE'RE VERY GLAD THE AGREEMENT REQUIRES R. THERE'S BEEN MUCH DISCUSSION AT COUNCIL LATELY ABOUT P.U.D. ZONING CATEGORY AND THE CONCLUSION THAT CURRENT P.U.D. REQUIREMENTS BE BETTER ARTICULATED IN ORDER TO BE ABLE TO ACHIEVE THE COMMUNITY THAT WE DESIRE. IN THE AN BE SENSE OF REVAMPED P.U.D. LANGUAGE, ALL OF THESE RECOMMENDATIONS FOR THE LAKE SHORE P.U.D. ARE MINIMUMS NECESSARY TO CREATE THE POSITIVE DEVELOPMENT FOR THE EROC COMMUNITY. THANK YOU.

GOOD AFTERNOON. I WON'T NEED NINE MINUTES. MY NAME IS TONY HOUSE. I FLIF THE RIVERSIDE NEIGHBORHOOD. I'M A MEMBER OF THE EROC PLANNING TEAM AND A CO-FOUNDER OF RIVER CITY RESIDENTS. PLEASE DENY THIS APPLICATION FOR REZONING. THE PURPOSE OF REZONING IS TO ALLOW DEVELOPMENT THAT IS VASTLY SUPERIOR TO WHAT CITY CODE WOULD ALLOW UNDER TRADITIONAL ZONING. THIS PROJECT DOES NOT FALL INTO THAT CATEGORY. THE PROPOSED PROJECT CONFLICTS WITH OUR NEIGHBORHOOD PLAN. ONE OF THE PRIMARY GOALS OF THE PLAN IS TO INCLUDE HOME OWNERSHIP OPPORTUNITIES. ALTHOUGH APPLICANT IS HOPE ING IT TO OFFER 60% OF ITS UNITS FOR SALE, APPLICANT HAS REFUSED TO COMMIT TO PARKING ANY OF THE UNITS AS FOR SALE PROPERTIES. WROU U. WITHOUT THAT -- WITHOUT THAT COMMITMENT, RIVERSIDE, ALREADY SATURATED WITH RENTAL PARDON MES,

COULD END UP WITH AN ADDITIONAL 2500 RENTAL APARTMENTS. THIS PROJECT WILL REMOVE 760 AFFORDABLE UNITS FROM RIVERSIDE. DURING THE PLANNING COMMISSION HEARING, APPLICANT HAD OFFERED A MERE FIVE PERCENT AFFORDABLE RENTAL UNITS IN RETURN, AND AT 80% MFI, THOSE RENTAL UNITS WILL BE OUT OF REACH OF MOST CURRENT RESIDENTS. APPLICANT WILL NOT COMMIT TO PROVIDING ANY AFFORDABLE UNITS FOR SALE. AT 95% RESIDENTIAL AND ONLY FOUR PERCENT COMMERCIAL, THIS PROJECT CAN BARELY BE CLASSIFIED AS MIXED USE. IT CERTAINLY WILL NOT APPRECIABLY CONTRIBUTE TO THE NEIGHBORHOOD GOALS OF CREATION EMPLOYMENT AND RETAIL OPPORTUNITIES IN EROC. WE APPRECIATE APPLICANT'S PROPOSAL TO CLEAN UP ITS PORTION OF WILLOW CREEK, BUT THAT DOES NOT BEGIN TO OFFSET THE DRAMATIC INCREASE IN IMPERVIOUS COVER APPLICANT PLANS FOR THIS SITE. GOING FROM 35% IMPERVIOUS COVER TO 80 OR 85% IS NOT ACCEPTABLE IN A NEIGHBORHOOD THAT HAS ONLY THREE PERCENT GREEN SPACE. APPLICANT'S CONDITIONAL OFFER TO CONTRIBUTE TO THE PARK'S FUND IS SIMPLY SELF-SERVING AS RIVERSIDE'S ONLY COMMUNITY GREEN SPACE IS ACROSS THE STREET FROM THE PROPOSED DEVELOPMENT. PLEASE ENSURE THAT YOU APPLY THESE MINIMUM CONDITIONS TO THE P.U.D., PROVIDING FUNDING EQUALLYING \$650 PER RESIDENTIAL UNIT TO BE AVAILABLE TO THE PARKS DEPT FOR PARKLAND IMPROVEMENTS. SPEAKS NEED THE EROC NEIGHBORHOOD PLAN GOALS AND OBJECTIVES, INCLUDING THE COUNTRY CLUB CREEK TRAIL PROJECT, LIMITING THE MAXIMUM NUMBER BE OF RESIDENTIAL UNITS TO 1800, AND AS PLANNING COMMISSION ALSO RECOMMENDED, LIMITING THE IMPERVIOUS COVER TO 65% REQUIRING A MAXIMUM OF 80% OF THE FINAL SQUARE FOOTAGE OF THE PROJECT TO BE RESIDENTIAL USES, EXCLUDING ANY UNITS BUILT AS PART OF A LIVE-WORK UNIT, AND PRESERVING AN UNOBSTRUCTED LINE OF SIGHT FROM ELMONT DRIVE TO LAKE SHORE. AND WE DO APPRECIATE THE APPLICANT'S AGREEMENT TO UTILIZE THE TWO STAR GREEN BUILDING STANDARD, WHICH SHOULD BE REQUIRED OF ALL NEW DEVELOPMENTS. THANK

YOU.

Mayor Wynn: THANK YOU, MS. HOUSE. QUESTIONS, COMMENTS OFFICE..... OF EITHER SPEAKER, COUNCIL? IF NOT, THEN WE NOW HAVE A THREE MINUTE REBUTTAL FROM THE AGENT. WELCOME BACK, MR. ARMBRUST.

MAYOR, COUNCIL, I THINK ANY COMPARISON TO ROBERT MUELLER IS NOT FAIR BECAUSE OF THE PUBLIC INVESTMENT THAT HAS BEEN MADE WITH ROBERT MUELLER. THIS IS A PRIVATE SECTOR TRYING TO BRING FORWARD A HIGH QUALITY DEVELOPMENT WITH HEAVILY LANDSCAPED AMENITIES PROJECT WITH WIDE SIDEWALKS, REALLY AN URBAN KIND OF ATMOSPHERE. IT'S VERY, VERY EXPENSIVE TO DO THIS KIND OF A PROJECT. BUT I WILL MAKE ONE COMPARISON. ON THE OPEN SPACE, SHE IS CORRECT, ROBERT MUELLER HAS APPROXIMATELY 22% OPEN SPACE. THIS PROJECT HAS 18.4% OPEN SPACE. IN MY JUDGMENT THAT'S NOT THAT BIG AFTER DIFFERENCE. ON THE ISSUE OF IMPERVIOUS COVER, THE SITE TODAY IS PRESENTLY ZONED FOR AN IMPERVIOUS COVER OF 65%. WE'RE ASKING TO GO TO 80% IMPERVIOUS COVER. IN RECOGNITION THAT THAT IS AN INCREASE, THE APPLICANT HAS PROPOSED TO DO A WET POND. AS YOU'RE AWARE, WATER QUALITY FACILITIES ARE NOT REQUIRED IN AN URBAN WATERSHED, BUT IN RECOGNITION OF THE IMPERVIOUS COVER INCREASE AND AS PART OF THE AESTHETICS, THE APPLICANT IS PROPOSING TO DO A WET POND. WE'RE HERE TO ANSWER ANY QUESTIONS IF YOU HAVE ANY.

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

McCracken: YEAH. MR. ARMBRUST, I KNOW YOU HAD SPOKEN EARLIER ABOUT THE HOUSING PRICES ON THE FOR SALE SITE, BUT I FORGOT. COULD YOU REPRESH US ON THAT?

THEY'RE PROJECTED TO START IN THE LOW 200'S.

McCracken: WHAT MFI DOES THAT TRANSLATE TO,

MEDIAN FAMILY INCOME?

I DO NOT KNOW OFFHAND.

McCracken: ANY UNDERSTANDING IS THAT WILL PROBABLY BE SOMEWHERE IN THE 100 RANGE. AND I WANTED TO MAKE THAT POINT BECAUSE ONE OF THE THING WE'VE LEARNED AT THE MUELLER REDEVELOPMENT WAS THAT WE ACTUALLY OMITTED THE MIDDLE CLASS IN THE MUELLER REDEVELOPMENT. YOU CAN QUALIFY FOR AFFORDABLE HOUSING OR YOU CAN GET THERE ON ABOVE MARKET AND THESE ARE BOTH IMPORTANT, BUT ONE OF THE THING THAT I REALLY LIKE ABOUT WHAT'S BEING PROVIDED IN THIS DEVELOPMENT ON THE FOR SALE SIDE IS THAT THIS IS ONE OF THE HIGHEST QUALITY DEVELOPMENTS WE'VE SEEN COME THROUGH HERE THAT WILL PROVIDE AN OPPORTUNITY FOR MIDDLE CLASS AUSTINITES TO LIVE ON TOWN LAKE AND REALLY HAVE AN OPPORTUNITY AND NOT -- AS PART OF THAT, EVERYTHING WE'VE BEEN TRYING TO DO IN THE CITY HAS OVERLOOKED THAT PRICE RANGE. SO THIS WILL FILL AN IMPORTANT MARKET GAP FOR A LOT OF AUSTINITES. AND I APPRECIATE THAT.

Mayor Wynn: COUNCILMEMBER COLE.

Cole: MR. ARMBRUST, I'M TRYING TO REMEMBER WHAT YOU SAID THAT YOU WERE GOING TO DO EITHER ABOUT PARKLAND DEDICATION FEES, CHING WERE RECOMMENDED BY THE PARK BOARD. AND I ALSO THOUGHT THAT MAYBE YOU CON.... CONTEMPLATED SOME PARK ON THE FACILITY. AND IT'S JUST INCREASINGLY WITH DOWNTOWN WE'RE SEEING A DEMAND ON OUR PARKS AND I THINK WE NEED TO BE CLEAR ABOUT WHAT YOUR PROJECT IS ANTICIPATING.

COUNCILMEMBER, WITH RESPECT TO THE PARKLAND DEDICATION FEE, WE UNDERSTAND THERE'S AN ORDINANCE IN PROGRESS THAT IS SUPPOSED TO BE CONSIDERED BY COUNCIL ONE OF THESE DAYS SOON. AND WHAT WE WOULD PROPOSE IS THAT WE'RE NOT TRYING TO BE GRANDFATHERED FROM THAT ORDINANCE, BUT

THE PROJECT, GIVEN THE QUALITY OF IT, INTENDS TO SPEND A LOT OF MONEY, SOMETHING IN EXCESS OF A MILLION FAF.... AND A HALF DOLLARS ON PARK-LIKE IMPROVEMENTS. SO WHAT WE WILL LIKE IS TO HAVE THE ASPECT OF TODAY'S CURRENT ORDINANCE CARRIED FORWARD WHEREBY AN OWNER IS ABLE TO OBTAIN A REIMBURSEMENT OF UP TO 50% OR A CREDIT OF UP TO 50% FOR FACILITIES THAT ARE BUILT ON SITE. AND THEN WITH RESPECT TO THE FEE ITSELF, WE'RE AGREEABLE TO PAY WHATEVER FEE COMES INTO EXISTENCE THAT YOU ADOPT IN THE FUTURE. BUT THE CREDIT FOR ON-SITE IS IMPORTANT TO US BECAUSE OF THE AMOUNT OF MONEY THAT'S GOING TO BE SPENT.

Cole: CAN YOU EXPLAIN HOW THE CREDIT ON-SITE THAT YOU WOULD APPLY IT -- I'M JUST NOT CLEAR ABOUT HOW THAT WILL WORK.

TODAY, UNDER TODAY'S ORDINANCE, IF YOU'RE SUBJECT TO THE PARKLAND DEDICATION FEE, YOU PAY THE FEE, BUT IF YOU'RE DOING ON-SITE, FOR EXAMPLE, SWIMMING POOLS OR PARKLAND, EXCLUSIVE OF THE LAND COST, BUT FOR THE IMPROVEMENTS YOU BUILD YOU GET A 50% CREDIT AGAINST THE FEE THAT YOU WOULD OTHERWISE OWE. SO WE'RE ASKING TO CARRY THAT FORWARD.

Cole: OKAY. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER KIM.

Kim: MR. ARMBRUST, CAN YOU TELL ME ABOUT THE TRIP? I GUESS STAFF HAD PUT TOGETHER AN ESTIMATE ON THE TRIPS. AND I'M SORRY I DON'T HAVE IT IN FRONT OF ME. MAYBE GEORGE ZAPALAC IS HERE, MAYBE I CAN GIVE ME SOME INFORMATION ON THE TRIPS. WAS THIS BASED ON THE 1800 UNITS OR ON 2500 UNITS? AND CAN YOU GO THROUGH EACH ONE LIKE FOR APARTMENTS AND THE RETAIL AND THE SHOPPING AND THE EXISTING APARTMENTS?

YES, COUNCILMEMBER. GEORGE ZAPALAC WITH

WATERSHED PROTECTION AND DEVELOPMENT REVIEW. THE PROJECTED TRAFFIC IS FOR 2500 APARTMENT UNITS, 13,000 TRIPS PER DAY. AND FOR 100,000 SQUARE FEET OF RETAIL USES, ABOUT 48,4900 TRIPS PER DAY. AND THEN THE EXISTING APARTMENTS GENERATE ABOUT 4200. SO THE NET INCREASE IS ABOUT 13,700 TRIPS PER DAY.

Kim: SO MOST OF THE TRIPS THEN ARE COMING FROM THE APARTMENTS?

YES, THAT'S CORRECT.

Kim: MR. ARMBRUST, I DISCUSSED THIS WITH YOU EARLIER. MY CONCERN ABOUT THIS DEVELOPMENT IS THAT IT'S GOING TO PUT A LOT OF TRIPS ON A ROAD, EAST RIVERSIDE, FOR PEOPLE WHO -- BECAUSE THEY DON'T HAVE A PLACE TO REALLY WORK IN THAT AREA IN YOUR DEVELOPMENT OTHER THAN THE THREE SEPARATE BUILDINGS FOR THE LIVE-WORK, THAT THEY'RE GOING TO BE ON THE ROADS WITH SINGLE OCCUPANCY VEHICLES TO GO INTO DOWNTOWN OR WHEREVER IT IS THEY WORK. SO I THINK THE PLANNING COMMISSION'S RECOMMENDATION THAT 20% OF THE DEVELOPMENT BE LIVE-WORK OR OFFICE, A COMBINATION OF THE TWO, IS REALLY MORE IN LINE WITH WHAT WE WOULD LIKE TO SEE IN TERM OF MIXED USE AND PEOPLE LIVING AND WORKING IN THE SAME AREA. AND SO I DON'T KNOW WHAT TRANSIT OPTIONS ARE RIGHT NOW. I DON'T KNOW IF THERE'S A STOP AT LAKE SHORE THAT GOES STRAIGHT INTO DOWNTOWN OR TO OTHER PARTS OF AUSTIN WHERE PEOPLE WOULD WORK THERE, BUT HAVE YOU CONSIDERED THE PLANNING COMMISSION'S RECOMMENDATION? IS THAT SOMETHING THAT YOU COULD ACCEPT IN TERMS OF THE 20% THAT WOULD BE NONRESIDENTIAL OR THE LIVE-WORK SPACE.

COUNCILMEMBER, WE'RE PROPOSING UP TO 100,000 FEET OF NONRESIDENTIAL, WHICH WOULD BE RETAIL OFFICE, LIVE-WORK. WE WOULD ALSO LIKE TO HAVE A PROVISION, IF WE COULD, THAT SAID THAT WE COULD TRANSFER RESIDENTIAL INTO THAT, INTO NONRESIDENTIAL USES AS LONG AS WE

DON'T MESS UP THE TIA. BUT THE PLANNING COMMISSION RECOMMENDATION TO DO 20% OF THIS SITE AS A NONRESIDENTIAL, IF YOU WORK THROUGH THE NUMBERS, THAT MEANS THAT YOU HAVE TO DO ABOUT 500,000 SQUARE FEET OF COMMERCIAL SPACE ON 50 ACRES. AND IT JUST -- IT WOULD BE SO OUT OF CHARACTER, IT WOULD BE LIKE A COUPLE OF WAL-MARTS AND A TARGET THERE. IT DOESN'T FIT.

Kim: I CAN ASSURE YOU I WON'T BE LOOKING FOR A WAL-MART OR TARGET OVER THERE.

I UNDERSTAND. BUT IT'S A LOT. THAT'S A LOT OF NONRESIDENTIAL SPACE. AND WHEREAS WE THINK 100,000 IS VERY AGGRESSIVE, VERY AGGRESSIVE, AND THIS IS NOT ON RIVERSIDE DRIVE. IF YOU BACK UP AND LOOK AT THE BIG PICTURE, THAT WHOLE AREA NEEDS TO BECOME MORE MIXED USE. WE NEED TO GET RID OF JUST ALL THE CLASS C APARTMENTS THAT ARE OUT THERE TODAY. IT NEEDS THE TRANSITION. THE WHOLE AREA NEEDS TO BECOME MORE MIXED USE. YOU'RE RIGHT ON TARGET, BUT TO DO 500,000 FEET OF COMMERCIAL ON 50 ACRES I THINK IS MISSING THE MARK.

Kim: RIGHT, BUT FOR PEOPLE LIVING THERE, FOR THEM TO GET ON THE CONGRESS BRIDGE THEY HAVE TO GET ON RIVERSIDE DRIVE AND IT'S ALREADY PRETTY CONGESTED TAKING THAT RIGHT TURN FROM RIVERSIDE GOING WESTBOUND, GOING ON TO THE NORTH FRONTAGE ROAD ON TO THE I-35 BRIDGE OR GOING DOWN RIVERSIDE TO CONGRESS AVENUE AND GOING NORTH. SO THAT'S THE ONLY WAY, UNLESS THEY'RE TAKING A CANOE OR SOME OTHER WAY THAT I CAN'T THINK OF RIGHT NOW OR THEY'RE RUNNING TO WORK, BUT BASICALLY WE'RE GOING TO SEE A LOT OF EVEN MORE TRAFFIC, AND WE'RE TRYING TO MAKE THAT AREA MORE PEDESTRIAN FRIENDLY WITH THE OTHER DEVELOPMENTS ALONG EAST RIVERSIDE, SO WE'VE GOT TO MAKE SURE THAT THEY'RE COMPATIBLE. AND I'M NOT LOOKING FOR A BIG BOX OVER THERE. THAT'S NOT THE WAY THAT I WOULD APPROACH OR I WOULD HOPE THAT YOU WOULD APPROACH FILLING IN THAT RETAIL SPACE BY JUST GETTING

ONE LARGE TENANT TO FILL UP THAT SPACE. WHAT WE'RE -- WHAT WE'RE SEEING MORE AND MORE IS PEOPLE WHO WANT TO HAVE THE VIEWS OF DOWNTOWN, BE CLOSE TO THE PARK, BE CLOSE TO THE TOWN LAKE TRAIL, IS THEY WOULD LIKE TO HAVE AN OFFICE, LIKE A HOME OFFICE, A LIVE-WORK SPACE WHERE THEY CAN HAVE MAYBE THEIR CLIENTS COME IN DOWNSTAIRS, THEY WORK ABOVE '. AND I KNOW THAT YOU ALREADY HAVE THAT CONCEPT, BUT YOU JUST HAVE VERY LITTLE OF IT. AND I WOULD LIKE TO SEE MORE OF THAT SO THAT WE'RE REDUCING THE NUMBER OF TRIPS OVERALL SO THAT PEOPLE AREN'T FORCED TO LEAVE IN THEIR CAR FOR DOING THEIR EVERYDAY ERRANDS OR JUST IN THEIR EVERYDAY LIFE.

..

McCracken: MAYOR, I HAVE A SUGGESTION. I THINK COUNCILMEMBER KIM HAS IDENTIFIED AN IMPORTANT ISSUE, BUT ACTUALLY I THINK THE COUNCIL HAS A PROCESS IN PLACE TO ADDRESS IT AND THAT IS THE RIVERSIDE CORRIDOR PLAN IN WHICH WE HAVE SPECIFICALLY REQUESTED THAT THE CORRIDOR PLAN IDENTIFY A RECONFIGURATION OF RIVERSIDE TO INCLUDE RAIL TRANSIT THAT WOULD RUN FROM THE AIRPORT INTO DOWNTOWN, WHICH IS ONLY -- IT'S ONLY ABOUT FIVE MILES FROM THE AIRPORT INTO DOWNTOWN ALONG RIVERSIDE. AND IT STRIKES ME THAT ONE OF THE BEST THINGS WE CAN DO TO INCENTIVIZE A TRANSIT CONNECTION BETWEEN THE AIRPORT AND DOWNTOWN IS TO PROVIDE HIGH QUALITY MIXED INCOME HOUSING CLOSE IN. SO I PERSONALLY BELIEVE THAT THANKS TO ALL OF OUR WORK ON THIS COUNCIL WE HAVE IN PLACE A PROIS THAT WILL A PROCESS THAT WILL ADDRESS COUNCILMEMBER KIM'S -- THE IMPORTANT ISSUE SHE'S ADDRESSED. I DON'T THINK TRYING TO FORCE THE MARK ON 500,000 SQUARE FEET OF OFFICE IS THE WAY TO GO ABOUT IT. INSTEAD BUILD FOR THE DENSITY AND THE TRANSIT IS THE WAY TO ACHIEVE THE GOALS. I THINK THAT'S MORE CONSISTENT WITH ENVISION CENTRAL TEXAS AND WILL GET US WHERE I THINK WE HAVE A

COMMONLY HELD VISION.

Kim: WELL, I THINK THAT -- SORRY, MAYOR. I GUESS THERE ARE DIFFERENT WAYS THAT YOU CAN APPROACH IT. I AM CONCERNED ABOUT THE NUMBER OF TRIPS THAT THIS IS GOING TO GENERATE BECAUSE IT IS ONLY -- IT IS MOSTLY APARTMENTS RIGHT NOW. AND 100,000 SQUARE FEET OF RETAIL, ESPECIALLY IF YOU'RE GOING TO PUT -- IS THAT YOUR INTENTION, SO PUT ONE LARGE TENANT THERE?

NO, NO. IT'S TO HAVE LIVE-WORK, SOME OFFICE AND THEN SERVICE RETAIL LIKE LAUNDRY, STARBUCKS, RESTAURANTS. REALLY KIND OF NEIGHBORHOOD ORIENTED RETAIL PROJECTS, OFFICE LOCATIONS. COUNCILMEMBER, JUST TWO OTHER THOUGHTS. ONE, LAKE SHORE IS A TRANSIT CORRIDOR. IT'S SERVED BY BUS, BUT REALLY IF YOU THINK ABOUT IT, THE EASIEST WAY TO GET DOWNTOWN FROM THIS PROJECT WOULD REALLY BE TO GO ACROSS THE LAKE ON PLEASANT VALLEY AND COME DOWN SEVENTH STREET AND YOU'RE DOWNTOWN. AS OPPOSED TO GO ALL THE WAY BACK TO RIVERSIDE DRIVE.

Kim: I GUESS THAT WOULD BE BE ONE WAY TO DO IT. I JUST DON'T KNOW IF SEVEN STREET WITH THAT INTERSECTION OVER THERE AT PLEASANT VALLEY AND SEVENTH STREET. THAT'S A GOOD QUESTION. PEOPLE WILL TAKE IT IF THAT'S THE EASIEST ROUTE, THEY'LL CHOOSE ONE OVER THE OTHER, WHICHEVER WILL SHAVE MINUTES OFF THEIR COMMUTE. BUT I DO SHARE THE NEIGHBORHOOD'S CONCERN ABOUT THE NUMBER OF TRIPS. AND I AGREE WITH COUNCILMEMBER MCCracken, WE DO WANT TO HAVE THE DENSE DEVELOPMENT. WE WANT TO PUT AS MUCH AS WE CAN OVER THERE. IT'S JUST THAT THE NATURE OF IT JUST FOR ME ISN'T MIXED USE ENOUGH. I APPRECIATE IT.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION. MAYOR PRO TEM.

Dunkerley: I MOVE APPROVAL OF THE STAFF

RECOMMENDATION WITH FOUR CHANGES THAT I THINK THE DEVELOPER AND THE STAFF HAVE BEEN WORKING ON AND HAVE AGREED TO. AND I'D LIKE TO READ THESE INTO THE RECORD SO THAT MY -- AND MY MOTION IS TO CLOSE THE PUBLIC HEARING AND FOR FIRST READING ONLY. SO THESE FOUR CHANGES HOPEFULLY CAN GET INCORPORATED BY SECOND READING. NUMBER ONE, THE AREAS DESIGNATED FOR PUBLIC USE SHALL BE FULLY ACCESSIBLE TO THE PUBLIC NO LATER THAN SIX YEARS AFTER THE REDEVELOPMENT ACTIVITY STARTS. NUMBER TWO, 20% OF ALL THE UNITS IN EXCESS OF THE MF 3 MAXIMUM OF 1800 UNITS HAS BEEN RESERVED FOR RESIDENTS EARNING 80% OR LESS OF MEDIAN FAMILY INCOME. THAT'S 80% OF MEDIAN FAMILY INCOME. NUMBER 3, THE LAKE SHORE P.U.D. SHALL BE SUBJECT TO -- THIS IS WHAT WE WERE TALKING ABOUT, COUNCILMEMBER COLE. THE LAKE SHORE P.U.D. SHALL BE SUBJECT TO ANY CITYWIDE PARKLAND DEDICATION FEES APPROVED BY THE CITY COUNCIL WITHIN 18 MONTHS OF THE P.U.D. ORDINANCE ADOPTION. UP TO A MAXIMUM OF \$650 PER UNIT. PROVIDED THAT THE OWNER SHALL RECEIVE A CREDIT FOR THE COSTS ASSOCIATED WITH THE ON-SITE PUBLIC SPACE AND PARK IMPROVEMENTS. ALL FEES COLLECTED BY THE CITY SHALL BE USED FOR PARKLAND IMPROVEMENTS MADE ALONG TOWN LAKE PARK WITHIN ONE MILE OF THE LAKE SHORE P.U.D. BOUNDARIES. THE PRECEDING SHALL SATISFY ALL CITY OF AUSTIN PARKLAND DEDICATION REQUIREMENTS FOR THE P.U.D. AND LASTLY THAT RESIDENTIAL MAY BE BE CONVERTED TO COMMERCIAL AS LONG AS THERE IS NO INCREASE IN THE NET PEAK VEHICLE TRIPS. THAT'S MY MOTION.

Mayor Wynn: MOTION BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER MCCracken TO APPROVE ON -- CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY STAFF RECOMMENDATION WITH THE FOUR CHANGE AS NOTED BY THE MAYOR PRO TEM, NUMBER BE ONE BEING THE ACCESSIBILITY OF THE PUBLIC SPACE. TWO, 20% AFFORDABILITY STANDARDS. THREE, THE PARKLAND DEDICATION FEES, AND FOUR, THE

TRAFFIC --

McCracken: I JUST WANT TO CLARIFY. IT'S MY UNDERSTANDING THAT 20% OF THE AFFORDABILITY IS ON RENTAL AND NOT FOR SALE. 20% OF THE INCREMENT ABOVE 1800 AT 80% MFI IS FOR THE RENTAL UNITS, NOT ON THE FOR SALE UNITS.

Dunkerley: THAT'S RIGHT.

Mayor Wynn: AND THEN I WOULD SIMPLY REQUEST THAT THE TWO STAR STANDARDS THAT WE HEARD MR. ARMBRUST RESPOND TO EARLIER IS SOMEHOW INCORPORATED INTO IS THIS PRIOR TO SECOND READING, MS. TERRY. SO MOTION AND A SECOND ON THE TABLE FOR FIRST READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED?

NO.

Mayor Wynn: MOTION PASSES ON FIRST READING ONLY ON A VOTE OF FIVE TO ONE WITH COUNCILMEMBER KIM VOTING NO AND COUNCILMEMBER LEFFINGWELL OFF THE DAIS. THANK YOU ALL VERY MUCH. CLER SO COUNCIL, THAT ACTUALLY TAKES US TO OUR 5:30 BREAK FOR LIVE MUSIC AND PROCLAMATIONS. WE NOW ONLY HAVE THE TWO PUBLIC HEARINGS THAT WILL OCCUR SHORTLY AFTER 6:00 P.M., SO TECHNICALLY WE WILL NOW RECESS THIS AUSTIN CITY COUNCIL MEETING BEING THAT THERE ARE NO CLOSED SESSION ITEMS TO TAKE UP DURING THE BREAK. WE SHOULD BE BACK IN OPEN SESSION SHORTLY AFTER 6:00 P.M. FOR TWO PUBLIC HEARINGS. WE ARE NOW IN RECESS. THANK YOU.

Mayor Wynn: FOLKS, IF I CAN HAVE YOUR ATTENTION PLEASE, WELCOME TO OUR LIVE MUSIC GIG AT THE THURSDAY CITY COUNCIL MEETING. JOINING US TODAY IS THE SOUTH AUSTIN JUG BAND. WE'RE IN FOR A TREAT. A FIVE-PIECE STRING BAND -- [APPLAUSE] IF..A FIVE-PIECE STRING BAND THAT COMBINES JAM GRASS SWING WITH TRIEWB DOOR STYLE. THEY WON THEIR THIRD CONSECUTIVE

AUSTIN MUSIC AWARD FOR THE BEST BLUE GRASS
FWHAND TOWN. THE BAND'S LATEST RECORDING
REACHED THE TOP 10 ON AMERICAN CHARTS.
PLEASE JOIN ME IN WHACKING THE SOUTH AUSTIN -
- JOIN ME IN WELCOMING THE SOUTH AUSTIN JUG
BAND. [APPLAUSE] [(music) MUSIC PLAYING
(music)(music)] [(music) MUSIC PLAYING (music)(music)
] [(music) MUSIC PLAYING (music)(music)] SCLAP
CLAP.

Mayor Wynn: IF I KNEW YOU NEED ADD VOCALIST, I
WOULD HAVE JURPD IF. TELL US ABOUT THE
WEBSITE. I KNOW YOU CAN BUY THE CD'S AT
WATERLOO.

WE'RE PLAYING TONIGHT AT THREADGILL'S AT 9:00
O'CLOCK. THREADGILL'S..'S SOUTH. OUR WEBSITE IS
SOUTH AUSTINJUGBAND.COM. IT TOOK US MONTHS
TO COME UP WITH THAT ONE. AND WHAT THE LAST
QUESTION? OH, YEAH, CD'S AT WATERLOO.

Mayor Wynn: YOU CAN ALSO BUY THE CD'S ONLINE, I
SUSPECT.

IT'S HAR TO HEAR WHAT YOU'RE SAYING RIGHT
HERE.

Mayor Wynn: CAN YOU BUY THE CD'S ON THE WEB BE
SITE IN.

YES, YOU CAN. CD'S, T-SHIRTS, STICKERS.

Mayor Wynn: BEFORE YOU HEAD OFF OVER TO THE
SAFE CONFINES OF SOUTH AUSTIN, WE'VE GOT A
PROCLAMATION THAT READS, BE IT KNOWN THAT
WHEREAS THE LOCAL MUSIC COMMUNITY MAKES
MANY CONTRIBUTIONS TOWARDS THE
DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC
AND CULTURAL DIVERSITY AND WHEREAS THE
DEDICATED EFFORTS OF AUSTIN'S ARTISTS
FURTHER OUR STATUS AS THE LIVE MUSIC CAPITOL
OF THE WORLD. NOW THEREFORE I, WILL WYNN,
MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, DO
HERE BY PROCLAIM TODAY APRIL 12TH, 2007 AS THE
SOUTH AUSTIN JUG BAND DAY IN AUSTIN, TEXAS
AND CALL ON ALL CITIZENS TO JOIN ME IN

CONGRATULATING THIS FINE TALENT. [CHEERS
AND APPLAUSE].

Mayor Wynn: SO WHILE THE BAND BREAK DOWN
OVER ON THAT SIDE OF THE ROOM -- I FORGOT TO
SAY THAT THE SOUTH AUSTIN JUG BAND
PROCLAMATION MIGHT DOUBLE AS A GET OUT OF
JAIL FREE CARD TONIGHT, BUT IT EXPIRES AT
MIDNIGHT. [LAUGHTER] OKAY. WE HAVE A THEME
GOING, AND IT'S A REAL PRIVILEGE AND HONOR,
THIS IS FUN FOR ME TO HAVE MY FRIEND JOHN
CIEWNZ FROM WATER LIEU RECORDS UP HERE. YOU
MAY HAVE READ IN THE NEWSPAPER TODAY, THE
BIG SPREAD ABOUT THE 25TH ANNIVERSARY OF
WATERLOO, JUST A SPECTACULAR AND TRULY
ICONIC, SMALL, LOCALLY OWNED BUSINESS HERE
IN TOWN THAT DOES SO MUCH FOR THIS
COMMUNITY. JOHN WILL SPEAK HERE IN A SECOND
AND TALK ABOUT THE PARTY HE'S THROWING
SUNDAY FOR A BUNCH OF US TO GO BY AND LISTEN
TO SPECTACULAR AUSTIN MUSIC. BEFORE I READ
THE PROCLAMATION, AND ASK JOHN TO SAY A FEW
WORDS ABOUT HIS HISTORY AND WHAT'S ALL
HAPPENING HERE OVER THE LAST 25 YEARS WITH
HIM AND HIS BUSINESS AND THE MUSICIANS IN
TOWN, I JUST WANT TO ALSO POINT OUT THAT JOHN
HAS BEEN ONE OF THE INSPIRATIONS BEHIND WHAT
IS I THINK THE BEST THING WE HAVE DONE IN 25
YEARS IN THIS TOWN FOR MUSICIANS, WHICH IS
THE HEALTH ALLIANCE FOR AUSTIN MUSICIANS OR
HAM. [APPLAUSE] WITH THE INSPIRATION AND
HARD WORK OF FOLKS LIKE JOHN, WE HAVE THIS
PHENOMENAL COLLABORATIVE MODEL WHEREBY
ST. DAVID'S PROVIDES PRIMARY DENTAL CARE,
SETON PROVIDES PRIMARY HEALTH CARE AND THE
SIMMS FOUNDATION PROVIDES MENTAL HEALTH
SERVICES FOR MANY OF OUR 8,000 WORKING
MUSICIANS THAT WE HAVE IN THIS TOWN. OF
COURSE, THE VAST MAJORITY OF THOSE
MUSICIANS, UNDERSTANDABLY, ARE LOW INCOME,
MOST OF THEM ARE UNINSURED, AND SO FINALLY
AFTER DECADES..... DECADES OF TALKING ABOUT
SERVICES LIKE DENTAL, HEALTH AND MENTAL
CARE WE HAVE THIS COLLABORATIVE EFFORT
WHERE ALMOST A THOUSAND OF THOSE MUSICIANS
ARE RECEIVING SERVICE THRUZ THAT

COLLABORATION AND ALSO THROUGH GREAT DONATIONS FROM CITIZENS AND BUSINESSES AROUND TOWN. AND IT'S SPEARHEADED REALLY IN MANY WAYS AT SIXTH AND LAMAR WITH WATERLOO RECORDS. WE'RE GOING TO KICK OFF OUR SECOND ANNUAL HAM APPRECIATION DAY ON OCTOBER -- THE FIRST TUESDAY. THE FIRST TUESDAY IN OCTOBER WILL BE HAM DAY WHEREB BUSINESSES ALL ACROSS THIS COMMUNITY, LARGE, SMALL, OF ALL SHAPES AND SIZES AND SERVICES, WILL DEDICATE A PORTION OF THAT DAY'S SALES PROCEEDS TO THE HAM FUNDS SO WE CAN HAVE SERVICES FOR EVEN MORE OF OUR MUSICIANS, KEEP THEM GAINFULLY EMPLOYED, HAPPY, HEALTHY AND THE PRODUCTIVE VIBRANCY THAT THEY BRING TO WHAT TRULY IS THE LIVE MUSIC..... MUSIC CAPITOL OF THE WORLD. NOW WITH ALL THAT I GET TO READ A PROCLAMATION FOR OUR GOOD FRIEND JOHN KUNZ, WHICH READS, WHEN JOHN OPENED WATERLOO RECORDS IN 1972, AUSTIN WAS SMALLER, BUT HAD PLENTY OF MUSIC LOVERS. AND WHEREAS WATERLOO'S GREAT MUSIC SELECTION AND ALSO THE POLICY OF LOG CUSTOMERS TO LISTEN TO ANY ALBUM BEFORE BUYING T AND WHEREAS THEY HAVE BECOME AN AUSTIN ICON BECAUSE OF ITS CONTINUED EMPHASIS ON CUSTOMER SERVICE, ITS SUPPORT FOR TEXAS AND AUSTIN MUSICIANS, MANY WHO ARE PLAYING AT WATERLOO'S ANNIVERSARY CONCERT THIS IS... SUNDAY. SO THEREFORE I, WILL WYNN, MAYOR OF THE GREAT LIVE MUSIC CAPITOL OF THE WORLD, AUSTIN, TEXAS, DO HERE BY CON....CONGRATULATE WATERLOO ON 25 YEARS OF SUCCESSFUL BUSINESS AND DO HERE BY PROCLAIM SUNDAY, APRIL 15TH, 2007 AS WATERLOO RECORDS DAY HERE IN AUSTIN. AND PLEASE JOIN ME IN THANKING AND CONGRATULATING A BIG FRIEND OF THIS TOWN, MR. JOHN KUNZ. [APPLAUSE]

THANK YOU, MAYOR. ON BEHALF OF MYSELF AND THE VERY TALENTED, KNOWLEDGEABLE FOLKS, MEN AND WOMEN AT WATERLOO RECORDS, BOTH TODAY AND FOR THE LAST 25 YEARS, OUR SINCERE APPRECIATION. YOU KNOW, WE'VE GOT THE GREATEST JOB IN THE WORLD BECAUSE WE GET TO SIT AROUND AND LISTEN TO GREAT MUSIC ALL DAY

LONG AND THEN SHARE IT WITH ALL OF OUR MUSIC LOVING FRIENDS. AND WE GET TO DO IT HERE IN AUSTIN, TEXAS, THE LIVE MUSIC CAPITOL OF THE WORLD. THOSE MUSIC LOVING AUSTIN FRIENDS ARE FOLK FROM ANYWHERE AROUND THE CORNER IN AUSTIN TO ANYWHERE AROUND THE WORLD. SO IT'S A REALLY COOL THING BEING ABLE TO SHARE ALL THE GREAT MUSIC THAT COMES OUT OF HERE WITH FOLKS EVERYWHERE. ANOTHER ONE OF THE THINGS THAT WE LOVE ABOUT WHAT WE DO IS BEING ABLE TO TURN PEOPLE ON TO FREE LIVE MUSIC, WHICH WE DO OFTEN WITH IN STORE PERFORMANCES, KIND OF LIKE THEY DO HERE AT CITY COUNCIL WITH THE SOUTH AUSTIN JUG BAND THIS AFTERNOON. AND FOR OUR 25TH ANNIVERSARY WE DECIDED TO DO IT A LITTLE BIT THE BIGGER. WE'VE GOT A STAGE GOING UP IN OUR PARKING LOT THIS SUNDAY, AND EVERY ONE OF YOU AND ALL OF YOUR FRIENDS ARE CERTAINLY INVITED, SO COME ON DOWN. IT'S A FREE CONCERT THIS SUNDAY FROM NOON TO 7:00. WE'RE STARTING THING OFF WITH CAROLYN WONDERLAND, THEN WE HAVE RUTHIE FOSTER, GRUPO FANTASMA. JOE ELY. OF COURSE I WILL BLOW IT ON MY FAVORITE GUY. AND THEN FINISHING IT OFF WITH OMAR AND THE HOWLERS. HOPEFULLY THEY WILL HAVE SPECIAL GUESTS, BUT YOU WILL BE IN SUSPENSE. HOPE TO SEE YOU THERE. THANKS, EVERYONE. [APPLAUSE] MAYOR SO FOR MY NEXT PROCLAMATION, I'M VERY HONORED TO BE JOINED HERE BY PEGGY ZU LEVMENT IKA LYNCH BECAUSE WE'RE GOING TO HONOR HER WITH HER DAY AS WELL ON SATURDAY. PEGGY IS A SPECTACULAR, UNPARALLELED POET HERE IN THIS TOWN. AND THAT PLAYS SO WELL INTO JUST THIS CONSTANT THEME WE HAVE HERE IN AUSTIN OF CREATIVITY, OF ARTS, OF THE SPOKEN, THE PLAYED, THE PERFORMED WORD AND THE CONVERGENCE THAT WE HAVE HERE IN THIS TOWN OF EVERYTHING FROM POETRY TO MUSIC TO FILM TO GAMING, COMING TOGETHER IN THE INTELLECT THAT IS OUR CITIZENRY IS ALWAYS FUN TO CELEBRATE. SO I'M GOING TO READ THE PROCLAMATION ABOUT PEGGY'S DAY AND THEN WE'RE GOING TO HEAR FROM PEGGY. THIS PROCLAMATION READS REED READS, PEGGY LYNCH, AUSTIN'S FIRST LADY OF

POETRY IS AN INTERNATIONALLY REKNOWNED
POET, AUTHOR AND LECTURER AND WHEREAS SHE
WAS KNIGHTED DAME OF GRACE BY THE
SOVEREIGN ORDER OF SAINT JOHN OF JERUSALEM,
POET LAWYER RET AND PERMANENT POET IN
RESIDENCE AT PARIS ACADEMY AND 2005 POET
LAWYER RET INTERNATIONAL TO THE WORLD
CONGRESS OF POETS. AND WHEREAS PEGGY IS THE
AUTHOR, CO-AUTHOR AND EDITOR OF 37 BOOK OF
POETRY, INCLUDING FROM HIDE TO HORN, ABOUT
150 YEARS OF THE TEXAS STATE OF MIND. SHE IS
ALSO THE FOUNDER OF POETRY IN THE ARTS
INCORPORATED, A FORMER DIRECTOR OF THE POET
SOCIETY OF TEXAS AND A FORMER DIRECTOR OF
POETS INTERNATIONAL. NOW THEREFORE I, WILL
WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS DO
HERE BY PROCLAIM SATURDAY, APRIL 14TH, 2007 AS
PEGGY ZULEIKA LYNCH DAY IN AUSTIN AND
PLEASE JOIN ME IN WELCOMING AND DON CON
GRAT LATING THIS SPECIAL, SPECIAL COME ALONG
US. [APPLAUSE]

THANK YOU, MAYOR WYNN. LET ME SAY THAT
(INDISCERNIBLE). HE CAME TO THE POETRY
SOCIETY OF TEXAS SUMMER CONFERENCE, WHICH
JIM JOHNSON AND I TOOK CARE OF TWO SUMMERS
AGO. AND HE CAME TO THE BAN THE QUESTION
AND HE GAVE -- TO THE BAN THE QUESTION AND HE
GAVE THE MOST WONDERFUL POEM FROM
MEMORY. HE ABSOLUTELY STUNNED EVERYONE
THERE. SO I BOW TO YOU, MAYOR. IT'S VERY
WONDERFUL TO HAVE THIS VERY GREAT MOMENT.
BUT IT'S NOT ME WHO DESERVES IT, IT'S THE
CITIZENRY OF THIS TOWN WHO SUPPORT POETRY
AND THE POETRY THAT IS BEING PRESENTED THIS
WEEK, THE REST OF THIS WEEK, WHICH IS FOUR
DAYS, TODAY AND ON THROUGH SUNDAY IS THE
AUSTIN INTERNATIONAL POETRY FESTIVAL, AND
SUSAN STOCKTON, COME HERE, SHE'S A
REPRESENTATIVE OF THAT GROUP. I'M JUST AN OLD
BOARD MEMBER. WOULD YOU SAY A FEW WORE?

MY NAME IS SUSAN STOCKTON AND I AM WITH THE
AUSTIN INTERNATIONAL POETRY FESTIVAL. I HAVE
A BAG OF GOODIES, A T-SHIRT FOR THE MAYOR AND
ANNA NICOLE SMITH THOLG. WE -- AND AN...

ANTHOLOGY. I WANTED TO KICK OFF THE FESTIVAL. IT STARTS TODAY WITH OUR OPENING CEREMONY GOING ON NOW. TOMORROW WE'LL HAVE A SLAM AND MANY OTHER EVENTS. SATURDAY HERE AT CITY HALL OUT ON THE PLAZA WILL BE THE FIRST OFFICIAL POETRY ON THE PLAZA READING AT 12:30. WE DID INVITE THE MAYOR AND ANY OTHER COUNCIL THAT WANT TO COME AND READ THEIR POETRY IS FINE BY US. SATURDAY NIGHT WE'LL HAVE A BIG READING AT RUTA MIGHT I CAN'T, AND WE WILL HAVE PRESIDENT LARRY THOMAS WHO HAS JUST BEEN NAMED THE TEXAS POET LAWYER RET. AND TEXAS IS OUR CLOSING ALONG WITH A BUNCH OF YOUTH ACTIVITIES. THE UNIQUE THING ABOUT THE AUSTIN INTERNATIONAL POETRY FESTIVAL IS THAT IT IS THE LARGEST OPEN FESTIVAL IN THE WORLD. THERE'S NOT ANOTHER ONE LIKE IT. SO WE'D LIKE TO INVITE EVERYONE TO COME OUT TO ALL EVENT, COMPETENT FOR JUST A FEW ARE FREE, OPEN TO THE PUBLIC. COME TO POETRY'S BIGGEST PARTY.

Mayor Wynn: STU SO MUCH. [APPLAUSE] IRNGS I.....

I....

I WANT TO SAY ONE OTHER THING. ISN'T IT NICE WHEN YOU GET OLDER THAT PEOPLE WILL KISS YOU? [APPLAUSE]

Mayor Wynn: MY NEXT PROCLAMATION IS REGARDING THE WEEK OF THE YOUNG CHILD. I'M JOINED BY SELMA AND CINDY WHO WILL SAY A FEW WORDS ABOUT THE WEEK WHILE WE'RE TRYING TO RAISE AWARENESS FOR THE PROGRAM AND HEAR ABOUT THEIR GOOD WORKS. I'LL READ THE PROCLAMATION AND THEN WE'LL HEAR FROM THE LADIES. IT READS, CHILDREN ARE AUSTIN'S MOST PRECIOUS RESOURCE AND EVERY CHILD HAS A RIGHT TO LIVE IN GOOD RELATE, TO GROW IN A SAFE ENVIRONMENT, HAVE A POSITIVE SELF-IMAGE WRVMENT AS WE ACKNOWLEDGE THE VALUABLE, VITAL WORK OF PEOPLE WHO CARE FOR CHILDREN AND WOULD SPEAK UP FOR THEM SINCE THEY CANNOT VOICE THEIR OWN NEEDS OR CONCERNS. AND WE EXTEND OUR CONGRATULATIONS TO

THOSE EXCEPTIONAL PROVIDERS AND ADVOCATES WHO ARE BEING HONORED AT THE WEEK OF THE YOUNG CHILD AWARDS RECEPTION AND WHEREAS WE ENCOURAGE ALL CITIZENS TO RECOGNIZE PARENTS AND CHILD CARE PROFESSIONALS THIS WEEK AND JOIN WITH THEM IN RENEWING OUR COMMITMENT TO PROTECT THE INTERESTS OF ALL CHILDREN AT ALL TIMES IN ALL SITUATIONS UNDER ALL CIRCUMSTANCES. NOW THEREFORE I, WILL WYNN, MAYOR OF AUSTIN, DO HERE BY PROCLAIM APRIL 23rd THROUGH 28TH, 2007 AS THE WEEK OF THE YOUNG CHILD HERE IN AUSTIN AND ASK SELMA AND/OR CINDY TO COME SAY A FEW WORD ABOUT THE AWARD RECEPTION AND PLEASE JOIN ME IN WELCOMING THEM TO THE CITY COUNCIL CHAMBERS. [APPLAUSE]

THANK YOU, EVERYONE. SOUTH.....AUSTIN IS A WONDERFUL PLACE TO RAISE CHILDREN AND CINDY AND I HAVE BEEN WORKING IN THE ARENA OF CHILD CARE PROVIDERS FOR SOME TIME. WE ARE ALWAYS EXCITED ABOUT THIS TIME OF YEAR BECAUSE DURING THE WEEK OF YOUNG CHILDREN WE GET TO HONOR PEOPLE WHO WORK WITH CHILDREN ON THE 24TH WE WILL HAVE HAVING OUR AWARDS RESENGS AND CINDY HAS MANAGED TO GET US A REALLY FINE PLACE FOR THIS AWARD, AND SHE AND HER ORGANIZATION ARE PROVIDING PLAQUES FOR OUR RECIPIENTS. ON THE 25TH WE ARE GOING TO BE HERE AGAIN LOOKING AT OUR REPORT CARD. A COUPLE OF YEARS AGO THE UNITED WAY AND SUCCESS BY 6, ALONG WITH FAMILY CONNECTIONS, WORK SOURCE CHILD CARE SOLUTIONS AND OTHER ORGANIZATIONS HAVE GOTTEN TOGETHER TO EVALUATE WHERE WE STAND AND WHERE WE ARE CURRENTLY IN PROVIDING THE BEST FOR THE CHILDREN IN AUSTIN. WE ARE COMING UP ON OUR SCORES, AND THIS YEAR WE HOPE TO HAVE DONE A LITTLE BETTER, SO ON THE 25TH WE ARE LOOKING FWHARD..... FORWARD TO THAT ALSO. THIS WEEKEND THE AUSTIN ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN WILL HAVE ITS ANNUAL CONFERENCE FOR CHILD CARE PROVIDERS SO THEY RECEIVE MORE TRAINING AND WILL KNOW BETTER HOW TO SERVE AUSTIN'S CHILDREN. WE

REALLY APPRECIATE EVERYTHING EVERYONE HAS DONE FOR US IN THIS COMMUNITY AND WE WILL CONTINUE TO WORK WITH YOU AND WITH YOUR CHILDREN. THANK YOU SO MUCH. [APPLAUSE]

Mayor Wynn: OKAY. THIS IS GOING TO BE A COMPLICATED, BUT VERY FUN PROCLAMATION TO DO BECAUSE WE'RE GIVING HONORARY CITIZENSHIP CERTIFICATES TO OUR VISITORS FROM OUR GERMAN SISTER CITY KOBLENZ. IT'S A SPECTACULAR SISTER CITY RELATIONSHIP WE HAVE THIS THEM. IT'S A FANTASTIC TOWN. I VISITED IT A COUPLE OF SUMMERS AGO AND I LOOK FORWARD TO BEING BACK. THE MAYOR FROM KOBLENZ HAS BEEN TO AUSTIN A COUPLE OF TIMES OVER THE LAST COUPLE OF YEARS, BRINGS A LARGE DELEGATION, BUT MORE IMPORTANTLY REALLY THAN HE OR I TALKING AND MEETING WITH ONE ANOTHER IS THERE'S A FABULOUS COLLABORATION AND EXCHANGE OF YOUNG PEOPLE BETWEEN OUR TWO CITIES. THE TRIP THAT I MADE TO KOBLENZ WE HAD A COUPLE DOZEN SECOND GRADES FROM HILL LEARNLT AND WE HAD -- SUMMIT ELEMENTARY AND WE HAD A COUPLE DOZEN HIGH SCHOOL KIDS FROM ANDERSON WHO ARE GOING THROUGH THE GERMAN LANGUAGE PROGRAM THERE. SO IT'S A FASCINATING, FABULOUS RELATIONSHIP BETWEEN THE TWO CITIES. THE RELATIONSHIP IS SO GOOD AND PRO LIVIC IN PART BECAUSE VERY MUCH SO BECAUSE OF RHONDA ANDERSON WHO HAS SERVED AS THE CHAIR OF THE PROGRAM. WITH THAT I'LL TURN THIS OVER TO RENADA, WHO WILL SORT OF TALK ABOUT THE SISTER CITY RELATIONSHIP, TALK ABOUT THIS EXCHANGE BETWEEN BOTH OUR GERMAN STUDENTS AND THE AUSTIN HOSTS. THESE YOUNG PEOPLE FROM AUSTIN WHO HOST OUR FRIENDS FROM GERMANY AND THEN WE'LL LINE THEM UP AND I'LL HAND OUT HONORARY CITIZENSHIP CERTIFICATES. RENATA ANDERSON, WELCOME BE. [APPLAUSE]

THANK YOU. MAYOR WYNN, MAYOR PRO TEM DUNKERLEY, LADIES AND GENTLEMEN, I AM HERE TODAY TO TELL YOU A LITTLE ABOUT THE PROGRAM WE HAVE AND SPECIFICALLY ABOUT THE

SCHOOL EXCHANGES, ELEMENTARY SCHOOL, MIDDLE SCHOOL AND HIGH SCHOOL. AT THIS TIME WE HAVE A GROUP OF 25 STUDENTS FROM KOBLENZ AND THREE TEACHERS AND THE THREE TEACHERS FROM ANDERSON HIGH SCHOOL ARE HERE TODAY. THIS PROGRAM HAS BEEN BE GOING SINCE 1991 AND WE ARE INCREDIBLY PROUD OF THE LONGEVITY OF THIS PROGRAM. BOTH SCHOOLS SELECT KIDS FROM OTHER SCHOOLS IN THE CITIES AND BRING THEM HERE TO AUSTIN OR AUSTIN DOES THE SAME THING TO GO TO KOBLENZ. ON THE ELEMENTARY SCHOOL LEVEL, THE CHILDREN FROM AUSTIN GO TO KOBLENZ WITH FAMILY MEMBERS AND STAY WITH THEM AND THE DPRIDZ KOBLENZ AND STAY WITH FAMILY MEMBERS. ALL OF THE STUDENTS THAT YOU SEE ARE HOUSED WITH FAMILIES HERE IN AUSTIN AND THEY ARE ALL HERE ON THE LEFT, OR MOST OF THEM ANYWAY. SO WE ARE VERY THANKFUL TO THE CITY OF AUSTIN, MAYOR WYNN IN PARTICULAR, MARGIE (INDISCERNIBLE). THEY HAVE DONE A WONDERFUL JOB TO BRING THESE STUDENTS ALL THE TIME AND WE WANT TO CONTINUE THIS AS LONG AS IS POSSIBLE. THANK YOU FOR LISTENING TO ME. [APPLAUSE] [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] [PRESENTING CERTIFICATES]..... CERTIFICATES]

MAYOR WYNN IS THE SPECIAL GUEST HERE IN MY EYES BECAUSE IT'S MARCEL BOES. [PRESENTING CERTIFICATES]

MAYOR WYNN: JOIN ME IN CONGRATULATING OUR NEW CITIZENS. [APPLAUSE]

AMERICAN STUDENTS COME AND JOIN YOUR GUESTS. OH.

AMERICAN STUDENTS AND FAMILIES PLEASE MAKE YOUR WAY HERE.

THE PARENTS NEED TO COME OVER. COME ON OVER.

MAYOR WYNN: WE'RE GOING TO HEAR FROM A REPRESENTATIVE FROM OUR GUESTS, PLEASE.

OKAY. I'D LIKE TO THAWPG..... THANK YOU FOR WELCOMING UP AS A GUEST IN AUSTIN. WE ENJOYED OUR VISIT TO AUSTIN AND APPRECIATE THE CHANCE TO VISIT DIFFERENT PLACES IN AND AROUND AUSTIN. FURTHERMORE THIS GAVE US A CHANCE TO LEARN NEW THINGS ABOUT A DIFFERENT CULTURE, TO IMPROVE OUR LANGUAGE SKILLS AND MAKE NEW FRIENDS, AMERICAN AND GERMAN AS WELL. THANK YOU. [APPLAUSE]

I WOULD LIKE TO THANK YOU ON BEHALF OF THE WHOLE EXCHANGE GROUP FOR SHOWING US AROUND IN THE CITY HALL AND FOR RECOGNIZING US AS HONORED GUESTS IN AUSTIN. I WOULD ALSO LIKE TO THANK ALL THE FAMILIES WHO ARE SITTING HERE RIGHT NOW FOR HOSTING US AND FOR DOING THEIR BEST TO MAKE THIS EXCHANGE AN UNFORGETTABLE EVENT FOR US. THANK YOU.

MAYOR WYNN: YOU'RE WELCOME, THANK YOU. [APPLAUSE]

NICOLE BISSAN.

MAYOR WYNN: SO NOW WHAT WE'RE GOING TO DO IS WE'RE GOING TO GIVE THE CITY OF AUSTIN CERTIFICATES OF APPRECIATION TO OUR HOSTING STUDENTS AND THEIR FAMILIES. WHAT I THOUGHT ABOUT DOING IS I'LL -- THESE ARE ALL THE SAME, OF COURSE, WITH THE NAMES CHANGED HOWEVER SO LET ME READ ONE OF THESE CERTIFICATES OF APPRECIATION AND THEN WE'LL CALL UP THE INDIVIDUAL STUDENTS AND THEIR FAMILIES TO RECEIVE THEM. THE CITY OF AUSTIN CERTIFICATE OF APPRECIATION READS, THROUGH THE GENEROSITY AND WHO.... WHO IS..... HOSPITALITY EXTENDED TO OUR VISITORS FROM COBB LENS GERMANY THROUGH THIS THREE-WEEK STAY, THESE PEOPLE HAVE RENDERED VALUABLE SERVICE TO THE CITY OF AUSTIN, TEXAS. THIS CERTIFICATE IS RENDERED IN APPRECIATION OF THEIR CONTRIBUTION IN STRENGTHENING THE TIES FROM AUSTIN AND KOBLENZ. SIGNED BY ME AND ACKNOWLEDGED BY THE ENTIRE CITY COUNCIL, THESE CERTIFICATES OF APPRECIATION WILL NOW BE GIVEN OUT TO OUR HOST STUDENTS AND THEIR

FAMILIES. RENADA? [PRESENTING CERTIFICATES]

MATT COLLY. WILLIAM DUNN. JENNA ERHARDT.
JESSICA FLY. ANDREW GLEN. LANE GRISWALL.
DAVID KELL. RYAN MCCORD. LAURA MARKS.
ANDREW MANKER. BRIAN MANKER. DONOVAN
MOORE. EMILY NINUS. CAROLYN PROK. DANIEL
WOOK. EVAN -- OH, TOO FAST? HE WILL EVEN
ROWLEY..... -- ELLEN ROLLEY. TO HIM
STIED.....TOM STIEDER. NICOLE TOURS. INGRID
TOWER. BETH WILT. CHRIS ZANA. BUSHKA.
JILENSKI. ANITA BILLINGS, SANDRA SHAR WIN,
MARGIE TEEBS, AND JILL OMABACON. IF YOU'RE IN
THE AUDIENCE PLEASE COME FORWARD.
[APPLAUSE]

MAYOR WYNN: FOLKS, FOR OUR NEXT
PROCLAMATION I'D LIKE TO TURN THE PODIUM
OVER TO MAYOR PRO TEM BETTY DUNKERLEY.

DUNKERLEY: THANK YOU VERY MUCH. I HAVE A
PROCLAMATION HERE TODAY IN HONOR OF THE
COMMUNITY DEVELOPMENT WEEK. BE IT KNOWN
WHEREAS THE COMMUNITY DEVELOPMENT BLOCK
GRANT CDBG PROGRAM WAS ENACTED IN 1974 TO
PROVIDE GRANTS TO ELIGIBLE COMMUNITIES
ACROSS THE COUNTRY TO PROVIDE DECENT, SAFE
AND SANITARY HOUSING, A SUITABLE LIVING
ENVIRONMENT AND EXPANDING ECONOMIC
OPPORTUNITIES FOR LOW AND MODERATE
INCOMES, AND WHEREAS THE CITY OF AUSTIN HAS
RECEIVED MORE THAN \$200 MILLION IN FEDERAL
GRANT DOLLARS OVER THE LAST 32 YEARS FOR
PROGRAMS RANGING FROM CHILD CARE, FAIR
HOUSING SERVICES AND BUSINESS DEVELOPMENT,
TO TRANSITIONAL HOUSING AND WOMEN AND
CHILDREN'S SHELTERS AND WHEREAS CDBG HAS
ALSO HELPED TO CREATE AND RETAIN JOB
OPPORTUNITIES AND ASSIST IN THE
REDEVELOPMENT AND REVITALIZATION OF
CENTRAL EAST AUSTIN. NOW THEREFORE I WILL
WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS DO
HEREBY PROCLAIM APRIL 9 TO THE 15TH, 2007 AS
COMMUNITY DEVELOPMENT BLOCK GRANT CDBG
WEEK IN AUSTIN, AND I'D LIKE TO TAKE JUST A
MOMENT TO HAVE THE COMMUNITY THINK ABOUT

THAT \$200 MILLION THAT HAS COME TO US THROUGH FEDERAL FUNDS. AS YOUR FORMER FINANCE DIRECTOR I CAN TELL YOU THIS CITY WOULD NOT BE THE SAME AS IT IS TODAY IF THOSE FUNDS HADN'T BEEN THERE, AND VERY FRANKLY, I DON'T KNOW WHAT WE WOULD HAVE DONE WITHOUT THEM. SO I'D LIKE TO ASK PAUL HILGERS TO SAY A FEW WORDS.

THANK YOU. THANK YOU VERY MUCH, MAYOR PRO TEM. WE DO THIS ONCE A WEEK. WE SET ASIDE SOME TIME AND THIS IS BEING DONE ALL OVER THE NATION TO CELEBRATE WHAT WE CALL COMMUNITY DEVELOPMENT BLOCK GRANT WEEK. AND IT GIVES US AN OPPORTUNITY TO STOP AND REFLECT, EACH ONE OF US IN OUR COMMUNITY, AND THINK ABOUT WHAT GREAT WORK HAS BEEN ACCOMPLISHED THROUGH THE WORK OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. TODAY WE'RE CELEBRATING OUR PARTNERS ALSO. WE'VE GOT SOME OF THEM HERE AND I'LL ASK THEM TO SAY SOMETHING IN A SECOND, BUT MOST IMPORTANTLY WE'RE CELEBRATING THE PEOPLE WHOSE LIVES HAVE CHANGED AS A RESULT OF THE PARTNERSHIP WE HAVE WITH THE FEDERAL GOVERNMENT. THE BASIC PRINCIPLE BEHIND THIS PROGRAM IS THAT THE FEDERAL GOVERNMENT PROVIDES DOLLARS TO LOCAL COMMUNITIES WHO GO THROUGH A FAIRLY RIGOROUS PUBLIC PROCESS TO DETERMINE WHAT THE HIGHEST AND BEST NEEDS OF THE COMMUNITY ARE FOR THE -- TO INVEST THOSE DOLLARS IN. WE'RE IN THE MIDDLE OF THAT PROCESS NOW. WE'LL BE DOING PUBLIC HEARINGS AGAIN IN MAY, AND WE'LL SUBMIT OUR PLAN AS A RESULT OF THAT SOMETIME TO THE UNIVERSITY -- THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN AUGUST. BUT THE FUNDS ARE FLEXIBLE FOR LOCAL USES. IN AUSTIN WE USE THOSE FUNDS FOR HOUSING, CHILD CARE, FAIR HOUSING COUNSELING, BUSINESS DEVELOPMENT AND TO CREATE SAFE NEIGHBORHOODS AND TO REVITALIZE NEIGHBORHOODS, AND SOME OF THE TERRIFIC AGENCIES THAT WE HAVE THAT USE THESE DOLLARS ARE AGENCIES SUCH AS THE AUSTIN

AREA URBAN LEAGUE, THE AUSTIN TENANTS COUNCIL, THE UNITED CEREBRAL PALSY OF, FAMILY ELDER CARE, FOUNDATION COMMUNITIES AND MANY OTHERS. IN THE PAST THREE YEARS WE'VE HAD A 22% REDUCTION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM THE FEDERAL GOVERNMENT. THIS YEAR WE'RE GLAD TO SAY THAT THE PROJECTIONS ARE THAT WE WILL HOLD STUDY AND THEY WON'T CONTINUE THE REDUCTIONS OF THOSE DOLLARS IN THE INFECTION YEAR'S BUDGET AND WE'RE HOPING THAT CONGRESS WILL SEE FIT TO INCREASE THE ALLOCATION. TOWARDS THAT END THE U.S. CONFERENCE OF MAYORS, INCLUDING MAYOR WILL WYNN, HAVE PASSED A RESOLUTION LISTING THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AS ONE OF THEIR TOP TEN PRIORITIES IN THEIR URBAN PLAN FOR AMERICA. WE ARE BLESSED IN AUSTIN TO HAVE A VERY COMMITTED COMMUNITY. YOU JUST SAW A BUNCH OF FAMILIES HERE WHO GAVE THREE WEEKS OF THEIR TIME TO THE SISTER CITY PROGRAM. WE'RE A VERY GIVING CITY. WE ARE BLESSED TO HAVE OUTSTANDING AGENCIES THAT ARE REPRESENTED HERE TODAY BY THREE OF OUR BEST PARTNERS, AND I'D LIKE TO ASK THEM TO SAY SOMETHING, BECAUSE THEY REPRESENT THE KIND OF QUALITY THAT YOU WILL SEE THAT IS -- THAT IS REALLY CARRIED OUT THROUGHOUT THIS ENTIRE PROGRAM. WE ARE BLESSED TO HAVE A CITY COUNCIL THAT HAS SUPPORTED OUR PROGRAMS AND OUR STAFF, WE'RE BLESSED WITH AN OUTSTANDING STAFF, BUT WE'RE ALSO BLESSED WITH THESE OUTSTANDING PARTNERS. I'D LIKE TO INVITE FIRST JEFFREY RICHARDS, PRESIDENT OF THE AUSTIN AREA URBAN LEAGUE, AND THEN I'LL ASK KATHY STARK WITH THE AUSTIN TENANTS COUNCIL TO COME UP AND WALTER MORE ROW TO COME UP AND SAY A FEW WORDS AND THEN I'LL HAVE A FEW CLOSING THINGS TO SAY.

THANK YOU, MR. HILGERS. MAYOR PRO TEM, MR. MAYOR, MEMBERS OF THE COUNCIL AND MEMBERS OF THE COMMUNITY. ONCE IN A GREAT WHILE YOU HAVE AN OPPORTUNITY WHERE THERE IS A SYNERGY OF SUSTAINABILITY AND INNOVATIVE

IDEA AND THINGS THAT WORK AND HAVE GREAT RESULTS. TOO OFTEN WE MAY SEE IN THE COMMUNITY WHERE YOU'LL SEE A GREAT IDEA BUT IT DOESN'T LAST VERY LONG OR SOMETHING THAT HAS BEEN VERY LONG-STANDING BUT NOT VERY EFFECTIVE. BUT WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND I CAN SAY ON THE PART OF THE AUSTIN AREA URBAN LEAGUE, WE HAVE WORKED AS A PARTNER WITH THE CITY FOR 30 YEARS IN THIS PROGRAM. AND NOT JUST ONE OR TWO HOMES HAVE WE REPAIRED WITH ROOFS AND SEWER AND WATER AND HEAT AND SO FORTH, BUT CLOSE TO 12,000 HOMES. 12,000 OF YOUR CITIZENS AND FELL FELLOW WORKERS HAVE BEEN BENEFITED BY THIS PROGRAM IN THIS ONE AGENCY. AND THERE ARE MANY, AS YOU WILL HEAR SOME THIS EVENING. MANY HANDS MAKE LIGHT WORK, AND AS THE PRESIDENT I KNOW THAT I DON'T DO THIS ALONE. ENACT ONE OF OUR PERSONS THAT'S IN THIS PROGRAM I'M GOING TO ASK HIM TO STAND, JOHN MINK. HE IS A QUALITY CONTROL INSPECTOR FOR THESE PROGRAMS. YOU'LL SEE HIM IN THE COMMUNITY BECAUSE HE GOES TO MAKE SURE THAT THE MONEY THAT IS INVESTED IS WELL SPENT. AND IN ADDITION TO THAT WE HAVE NOT ONLY THE PUBLIC'S INVOLVEMENT, BUT NOW MAYOR WILL WYNN HAS ISSUED A CALL THAT HE CALLS THE MAYOR'S HOUSING CHALLENGE, THAT ENCOURAGES THE PRIVATE SECTOR AND CITIZENS TO SUPPORT AND LEVERAGE WHAT THE PUBLIC SECTOR IS DOING THROUGH THIS THROUGH DONATIONS TO HELP OTHERS LIVE IN THEIR HOMES LONGER, TO PASS THOSE ON TO FUTURE GENERATIONS FOR THE WEALTH THAT THAT BRINGS. I'M VERY PROUD TO LIVE IN THIS WONDERFUL EXPERIENCE THAT WE CALL AUSTIN, TEXAS AND THIS IS ONE OF THOSE REASONS WHY. THANK YOU VERY MUCH.
[APPLAUSE]

I'M KATHERINE STARKS. I'M THE DIRECTOR OF THE AUSTIN TENANTS COUNCIL AND I WANTED TO THANK THE MAYOR, THE COUNCIL MEMBERS, ESPECIALLY PAUL HILGERS AND HOUSING COMMUNITY AFFAIRS. THE AUSTIN TENANTS COUNCIL IS PROBABLY THE ONLY AGENCY IN THE

CENTRAL TEXAS AREA THAT HAS AS ITS MISSION SAFETY AND AFFORDABLE HOUSING AND ITS TARGET IS TENANTS AND ITS TARGET IS PEOPLE WHO FEEL THEY'VE BEEN DISCRIMINATED, WHETHER THEY'VE BEEN DISCRIMINATED BASED ON HOUSING, CHOICE, IF THEY'RE DISABLED, IF THEY'RE A MINORITY, IF THEY'RE A FAMILY AND THEY FEEL THAT THEY HAVE NOT BEEN TREATED EQUALLY. AND SO WE COULD NOT DO THE WORK THAT WE DO AND HAVE DONE FOR 34 YEARS IN THE CITY OF AUSTIN WITHOUT THE CITY SUPPORT DURING THAT ENTIRE TIME. THANK YOU.
[APPLAUSE]

I'M THE DIRECTOR OF FOUNDATION COMMUNITIES AND VERY SIMPLY PUT, WE CAN'T DO OUR WORK WITHOUT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS. WHEN WE GO TO... TO BUILD A LEARNING CENTER OR BUILD HOUSING FOR FOLKS THAT HAVE BEEN HOMELESS, WE DEPEND ON PRIVATE SUPPORT BUT THE PUBLIC SUPPORT IS ESSENTIAL TOO, SO I REALLY APPRECIATE COUNCIL AND STAFF FOR WORKING WITH US AND HOPE THAT THE FEDERAL GOVERNMENT WILL INCREASE COMMUNITY DEVELOPMENT FUNDING: IT'S Hugely IMPORTANT TO OUR COMMUNITY. [APPLAUSE]

I WANT TO THANK THESE REPRESENTATIVES FOR COMING AND GIVING OF THEIR TIME TO HELP US CELEBRATE THIS WEEK AND I ESPECIALLY WANT TO DO THREE THINGS. I WANT TO THANK FIRST THE CITY COUNCIL AGAIN FOR THEIR STRONG SUPPORT FOR THIS PROGRAM AND FOR THIS DEPARTMENT AND FOR THE MISSION THAT WE HAVE TO SERVE LOW AND MODERATE INCOME FAMILIES AND MAKE THIS A BETTER COMMUNITY FOR ALL PEOPLE WHO LIVE IN IT. SECONDLY, I'D LIKE TO THANK THE REST OF THE CITY MANAGEMENT STAFF, OUR PARTNERS IN OTHER DEPARTMENTS WHO HELPED US MAKE THIS A BETTER PLACE AND MAKE THESE CDBG DOLLARS GO FARTHER. WE'VE PARTNERED ALMOST WITH EVERY DEPARTMENT, PARTICULARLY THE PARKS DEPARTMENT ON SOME VERY GREAT THINGS TOGETHER. I'D LIKE TO THANK THE STAFF OF THE COMMUNITY HOUSING DEVELOPMENT DEPARTMENT WHO WORKED VERY HARD TO

DELIVER A SERVICE TO LAST YEAR OVER 46,000 PEOPLE WHO CALLED OUR OFFICES FOR HELP. AND SO WE'RE PROUD TO WORK IN THIS PROGRAM. WE CALL ON EVERYBODY TO CALL THEIR FEDERAL REPRESENTATIVES TO TALK ABOUT HOW IMPORTANT IT IS AND EDUCATE THEM ABOUT THE NEED TO KEEP THIS FUNDING GOING, AND HOW GREAT THESE INVESTMENTS ARE IN THIS COMMUNITY, AND WE THANK YOU FOR GIVING US THE OPPORTUNITY TO CELEBRATE IT TODAY. THANKS VERY MUCH. [APPLAUSE]

OH, YEAH. AND THERE'S CAKE IN THE LOBBY FOR ANYBODY WHO WANTS TO COME HAVE CAKE.

AND NOW I HAVE A PROCLAMATION THAT I WANT TO PRESENT TO THE PAN AMERICAN GOLF ASSOCIATION OF AUSTIN.

THE PROCLAMATION READS, BE IT KNOWN THAT WHEREAS THE PAN AMERICAN GOLF ASSOCIATION OF AUSTIN WAS ESTABLISHED IN 1957 TO PROVIDE A GOLF VENUE FOR HISPANICS, BUT TODAY HAS DIVERSIFIED A MEMBERSHIP WITH A COMMITMENT TO ENHANCE FELLOWSHIP AMONG GOLFERS AND ENTHUSIASM FOR THE SUPPORT, MEN WOMEN, SENIORS AND JUNIORS, AND WHEREAS THE PAN AMERICAN GOLF ASSOCIATION PROVIDES SCHOLARSHIPS AND HELPS THE NEEDY IN OUR COMMUNITY, AS WELL AS SPONSORS GOLF TOURNAMENT, AND WE EXTEND BEST WISHES TO THE PAN AMERICAN GOLF ASSOCIATION OF AUSTIN ON THE OCCASION OF THEIR 50TH ANNIVERSARY CELEBRATION, WHICH INCLUDES TOURNAMENTS ON TWO AREA COURSES AND A GRAND FIESTA FOR ITS 200 MEMBERS. THEREFORE I WILL WYNN, MAYOR OF THE CITY OF AUSTIN TEXAS DO HEREBY PROCLAIM APRIL 20 AND 21, 2007 AS THE 50TH ANNIVERSARY OF NATIONAL PAN AMERICAN GOLF ASSOCIATION OF AUSTIN. WE CONGRATULATE YOU. MR. PENA,.

THANK YOU, COUNCIL MEMBER MARTINEZ AND ALL THE. I'M JESSE PENA. I'M THE CHAIRMAN OF THE 50TH -- AUSTIN 50TH CELEBRATION HERE IN AUSTIN, AND WE ARE VERY PROUD TO AT LEAST HAVE BEEN

A PART OF THIS GREAT CITY, IT'S AN ASSOCIATION, GOLF ASSOCIATION TO OFFER AN ALTERNATIVE GOLFING MEMBERSHIP TO THE FOLKS HERE IN AUSTIN. WE PLAN TO HAVE TWO DAYS OF CELEBRATION AND WE INVITE THE COUNCIL MEMBERS AND THE MAYOR TO COME ON OUT AND ENJOY THE CELEBRATION. WE'RE GOING TO HAVE A BIG, WHAT WE CALL A BIG FIESTA OVER AT THE BEST WESTERN HOTEL ON SOUTH I-35 WHERE WE HAVE OUR COMRADES FROM ALL AROUND THE NATION, MEMBERS OF THE GOLFING COMMUNITY WILL BE COMING IN AND JOINING US AND HAVING A GOLF TOURNAMENT AND CELEBRATING OUR 50 YEARS AS A GOLF ASSOCIATION. I'D LIKE TO INTRODUCE OUR PRESIDENT, MR. HERMAN A. AYALLA TO SAY A FEW WORDS.

THANK YOU, JESSE. COUNCIL MEMBERS, THANK YOU VERY MUCH. LET ME TALK ABOUT THE PAN AMERICAN GOLF ASSOCIATION REAL QUICK. WE HAVE -- I DON'T KNOW, JESSE, 28, 29 CHAPTERS NATIONWIDE.

EXCUSE ME, I'M SORRY, IT'S 43. AUSTIN HAPPENS TO BE THE ONE OF THE OLDEST CHAPTERS AND WE TAKE VERY MUCH PRIDE IN OUR ASSOCIATION. WE NOT ONLY PLAY GOLF BUT AS OUR PROCLAMATION READ, WE ALSO PRIDE IN GIVING FUNDS TO LOCAL GRADUATE GOING TO COLLEGE AND MY SON WAS ONE OF THE GRADUATES FROM ST. EDWARDS THIS YEAR WHO WAS A RECIPIENT OF THAT SCHOLARSHIP, BUT NOT ONLY AT THE CITY LEVEL BUT AT THE NATIONAL LEVEL. ALL THE CITIES TAKE PRIDE IN AND THE NATIONAL TAKE PRIDE. WE HAVE A NATIONAL GOLF TOURNAMENT EVERY YEAR. THIS YEAR IT HAPPENS TO BE IN FORT WORTH. NEXT YEAR IN EL PASO. IT ROTATES ON A TEN-YEAR ROTATION AND EVERY YEAR AT NATIONAL THEY GIVE AWAY THOUSANDS OF DOLLARS. EVERY YEAR WE GIVE OUT THOUSANDS OF DOLLARS IN SCHOLARSHIPS. ALSO, AS JUNIOR GOLFERS, THEY -- WE MOVE UP THE RANKS. THEY START AS JUNIOR GOLFERS. THEY START AS PGA MEMBERS, AND WE'VE GOT SEVERAL WHAT WE CALL WINNERS. WE'VE GOT SOME LOCAL JUNIORS WHO HAVE BECOME PGA SANCTIONED

PROFESSIONALS WHO TEACH ALONG WITH, A RESIDENT WHO WAS A PAN AMERICAN GOLF ASSOCIATION MEMBER WHO HAS ACTUALLY WON ON THE PGA TOUR. SO WE NOT ONLY PLAY IN THE LOCAL LEVEL BUT WE ENCOURAGE GOLFERS TO NOT ONLY TAKE IT UP AS A RECREATION BUT AS A CAREER, AND IT HAS MOVED UP AND THAT'S WHAT WE WANT TO DO AS AN ASSOCIATION. BUT TO KEEP IT SHORT, AGAIN, COUNCIL MEMBERS, WE INVITE YOU GUYS ON THE WEEKEND -- ON SATURDAY TO COME ON OUT AND ENJOY OUR FIESTA. GOING TO BE BARBECUE AND FUN AND HAVE A GOOD TIME. THANK YOU -- OH, I'M SORRY, ONE OTHER THING. I'M GOING TO GIVE AWAY TO COUNCIL MEMBER MARTINEZ, IT READS, PGA 1957,-2007 AUSTIN, 50TH ANNIVERSARY, GREAT STATE OF TEXAS FLAG AND IT HAS OUR GREAT STATE CAPITAL AND THE GOLFER'S SWING ITSELF. THANK YOU.

THANK YOU. [APPLAUSE]

HELLO. I'M HERE TO PRESENT A PROCLAMATION HONORING PARK DAY WITH SHARE KUHL AND WITH AUSTIN PARKS FOUNDATION, AND THIS SATURDAY WE'RE ASKING FOR EVERYONE IN AUSTIN TO GO TO YOUR NEIGHBORHOOD PARK. THERE ARE 45 PARKS, WHERE WE NEED YOUR HELP. IT'S TO HELP WITH A LOT OF PROJECTS THAT WE NEED TO BE ABLE TO KEEP OUR PARKS IN SHAPE, RELY ON YOU TO MAKE IT AN INVITING PLACE, A SAFE PLACE AND AN ENJOYABLE PLACE FOR EVERYONE. AND SO THE PROCLAMATION READS: BE IT KNOWN THAT WHEREAS AUSTIN IS BLESSED WITH 209 PARKS ENCOMPASSING NEARLY 17,000 ACRES OF TRAILS, GREEN BELTS, ATHLETIC FIELDS, POOLS AND PLAY SCAPES, AND WHEREAS TO ASSIST THE AUSTIN PARKS AND RECREATION DEPARTMENT IN MAINTAINING AND IMPROVING THESE ASSETS, THEY WORK WITH VOLUNTEERS, COMMUNITY GROUPS AND BUSINESSES TO ADOPT PARKS THROUGHOUT THE AUSTIN AREA, AND WHEREAS DURING THE FOUNDATION'S ANNUAL IT'S MY PARK DAY, 1600 VOLUNTEERS WILL BE WORKING ON 45 PARK PROJECTS, PAINTING, TRAIL BUILDING, REMOVING INVASIVE SPECIES. I'M SURE THEY'LL POINT THOSE OUT TO ME. MULCHING AND WEEGD.

THE FOUNDATION HOPES TO TOP LAST YEAR'S 3400 HOURS OF VOLUNTEER LABOR AND TO INTEREST MORE GROUPS IN ADOPTING THEIR LOCAL PARKS. NOW THEREFORE I WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM APRIL 14, 2007 AS IT'S MY PARK -- IT'S MY PARK DAY, AND IT'S SIGNED BY THE MAYOR, WILL WYNN.
[APPLAUSE]

I AM SHERRI KUHL AND I'M THE CURRENT PRESIDENT OF AUSTIN PARKS FOUNDATION BOARD, AND ON BEHALF OF THE BOARD AND THE STAFF OF THE AUSTIN PARKS FOUNDATION I'D LIKE TO THANK COUNCIL MEMBER KIM AND THE MAYOR AND THE COUNCIL FOR THIS RECOGNITION FOR IT'S MY PARK DAY, WHICH IS SATURDAY, THE 14TH, AS SHE SAID, AND REALLY WOULD LIKE TO ENCOURAGE FOLKS TO COME OUT AND VOLUNTEER ON THAT DAY. THERE'S REALLY THREE GOALS OF IT'S MY PARK DAY. ONE IS TO GET MUCH NEEDED PARK WORK DONE IN OUR LOCAL PARKS THAT WE'RE BLESSED TO HAVE 17,000 ACRES OF HERE IN AUSTIN, AND WE WORK CLOSELY WITH WARREN STUEUS AND THE AUSTIN PARKS DEPARTMENT TO COORDINATE THOSE WORKS TO GET THE WORK DONE THAT'S NEEDED. ANOTHER THING IS TO BUILD A VOLUNTEER BASE FOR THE LOCAL PARKS. THAT'S ONE OF THE THINGS THAT MEANS THE MOST TO ME, WORKING WITH AUSTIN PARKS FOUNDATION, IS I THINK IT'S REALLY IMPORTANT FOR PEOPLE TO FIND THAT LOCAL PARK THAT HAS MEANING TO THEM IN THEIR COMMUNITY AND TO WORK TO EMBRACE TO TAKE CARE OF THAT PARK. THE THIRD GOAL IS TO HELP BUILD PROJECT LEADERS THAT CONTINUE THOSE PROJECTS ON IN THE FUTURE, AND AS COUNCIL MEMBER KIM SAID, WE HAVE 45 PROJECTS THIS YEAR GOING ON ON SATURDAY, ALL OVER AUSTIN. PARKS ALL OVER AUSTIN, AND IT'S NOT TOO LATE TO SIGN UP TO WORK AT ONE OF THOSE EVENTS. THE EASIEST WAY TO DO THAT IS TO GO TO THE WEB SITE FOR THE FOUNDATION, WHICH IS WWW.AUSTIN PARKS.ORG, AND YOU CAN LOOK AT ALL THE DIFFERENT PARK PROJECTS AND FIND ONE IN YOUR NEIGHBORHOOD AND SIGN UP TO HELP OUT. SO THANK YOU AGAIN FOR THE RECOGNITION AND I HOPE EVERYBODY CAN GET

OUT ON SATURDAY AND WORK IN YOUR PARK.
THANKS. [APPLAUSE] (music) [MUSIC]
TRANSITIONAL.

THERE BEING A QUORUM PRESENT AT THIS TIME
I'LL CALL BACK TO ORDER THE MEETING OF CITY
COUNCIL THAT'S BEEN IN RECESS FOR ONE HOUR
WHILE WE HAD LIVE MUSIC AND PROK MAIGS. WE
NOW HAVE TWO PUBLIC HEARINGS TO KENTUCKY.
THE FIRST ONE IS POSTED AS ITEM NO. 32, WHICH IS
PUBLIC HEARING TO CONSIDER AN APPEAL OF A
PLANNING COMMISSION DECISION. WELCOME, MR.
GEORGE SEP LACK.

GOOD EVENING. I'M WITH THE REVIEW
DEPARTMENT. THIS ITEM IS AN APPEAL OF A SITE
PLAN AT -- LOCATED AT 1109 EAST 52ND STREET.
THE REQUEST BEFORE YOU IS A REVISION OF AN
APPROVED CONDITIONAL USE PERMIT WHICH WAS
ORIGINALLY APPROVED IN APRIL 2006 FOR A
TRANSITIONAL HOUSING FACILITY FORMERLY
KNOWN AS ENCORE HOUSE. TRANSITIONAL
HOUSING IS A CONDITIONAL USE IN THE CS ZONING
DISTRICT, AND IT IS DEFINED AS USE OF A SITE FOR
SUPERVISION OR DETENTION OF MORE THAN 15
RESIDENTS WHO ARE MAKING THE TRANSITION
FROM INSTITUTIONAL TO COMMUNITY LIVING. IT
INCLUDES HALFWAY HOUSES FOR JUVENILE AND
ADULT OFFENDERS AND HOMELESS SHELTERS. THE
NEW OPERATOR -- THE PREVIOUS SITE PLAN WAS
APPROVED FOR 35 BEDS. THE NEW OPERATOR,
BANNUM INCORPORATED IS REQUESTING AN
INCREASE TO 58 BEDS AND THAT'S THE REASON
THIS CASE IS BEFORE YOU. THE ADDITIONAL
CAPACITY REQUIRES EIGHT ADDITIONAL PARKING
SPACES IN ADDITION TO THE TEN THAT ARE
CURRENTLY PROVIDED ON-SITE THE APPLICANT
ATTEMPTED TO OBTAIN A VARIANCE FROM THE
BOARD OF ADJUSTMENT TO NOW PROVIDE THESE
ADDITIONAL PARKING SPACE. HOWEVER, THIS
REQUEST WAS DENIED IN JANUARY AND AGAIN IN
FEBRUARY WHEN RECONSIDERATION WAS
REQUESTED. THE STAFF DETERMINED THAT THE
PROJECT MET ALL ORDINANCE REQUIREMENTS FOR
THE CONDITIONAL USE PERMIT WITH THE
EXCEPTION OF PARKING. BECAUSE PARKING WAS

NOT PROVIDED ON THE SITE PLAN AND THE VARIANCE WAS NOT OBTAINED, THE STAFF RECOMMENDED DISAPPROVAL OF THE CONDITIONAL USE PERMIT WHEN IT WAS PRESENTED TO THE PLANNING COMMISSION. IF THE PARKING WERE PROVIDED, STAFF WOULD RECOMMEND APPROVAL. ON JANUARY THE 30TH THE PLANNING COMMISSION APPROVED THE CONDITIONAL USE PERMIT WITH EIGHT CONDITIONS AS LISTED IN YOUR SUPPORT MATERIAL. OF THOSE EIGHT STAFF HAS DETERMINED THAT ONLY FOUR CAN BE ENFORCED BY THE CITY. THE REMAINING FOUR ARE EITHER A MATTER OF STATE AND FEDERAL REGULATION OR SHOULD BE IN A PRIVATE RESTRICTIVE COVENANT BETWEEN THE APPLICANT AND THE NEIGHBORS. THE FOUR WHICH THE CITY CAN ENFORCE ARE, GOSH, TO COMPLY WITH THE PARKING REGULATIONS, TO PROVIDE AN ON-SITE MANAGER, TO PROVIDE 24-HOUR SECURITY AND TO REQUIRE THAT EMPLOYEES WALK THE PROPERTY DAILY. THE FOUR CONDITIONS THAT THE COMMISSION RECOMMENDED WHICH THE CITY CANNOT ENFORCE ARE SUCCESSFUL ENFORCEMENT OF THE RULES SET FORTH IN BANNUM'S FEDERAL CONTRACT, A RESTRICTIVE COVENANT WITH THE NEIGHBORS CONCERNING BANNUM'S FEDERAL CONTRACT, AN INSURANCE BOND OF \$15,000 TO ENFORCE THE RESTRICTIVE COVENANT, AND A PROHIBITION AGAINST THE USE OF THE FACILITY FOR STATE AND COUNTY RELEASEEES. THE CONDITIONAL USE PERMIT IS BEING APPEALED BY TWO OWNERS OF PROPERTY WITHIN 300 FEET WHO FEEL THAT THE PROPOSED USE IS NOT IN THE BEST INTEREST OF THE NEIGHBORHOOD AND WILL CREATE NEGATIVE IMPACTS. THE COUNCIL'S OPTIONS ON THIS ISSUE ARE FIRST, TO REVERSE THE COMMISSION'S ACTION AND DENY THE SITE PLAN. SECONDLY, TO UPHOLD THE COMMISSION'S ACTION AND APPROVE THE SITE PLAN WITH CONDITIONS, OR THIRDLY, TO MODIFY THE COMMISSION'S ACTION. IF THE COUNCIL DOES WISH TO APPROVE THE SITE PLAN, THEN STAFF WOULD RECOMMEND INCLUDING ONLY THOSE FOUR ITEMS THAT THE CITY CAN ENFORCE. I'D BE GLAD TO ANSWER ANY QUESTIONS.

MAYOR WYNN: THANK YOU, MR. ZAPLACK. QUESTIONS OF STAFF, COUNCIL? IF NOT, THEN WE WILL CONDUCT -- WE HAVE , YOU KNOW -- PER OUR CITY CODE WE HAVE A FORMAL APPEAL PROCESS. RUNS VERY SIMILAR TO A ZONING PUBLIC HEARING, AND SO WE WILL NOW CONDUCT THAT PROCESS. WE START WITH -- CITY STAFF THAT WE JUST HEARD. WE NOW HAVE A PRESENTATION FROM THE APPELLATE. WE HAVE A SUGGESTION OF FIVE MINUTES FOR THAT PRESENTATION BY THE PERSON MAKING THE APPEAL, AND THEN WE HEAR FROM FOLKS IN SUPPORT OF THE APPEAL, THREE MINUTES APIECE. THEN WE HEAR FROM FOLKS IN OPPOSITION AND THEN THE PERSON MAKING THE APPEAL HAS A ONE-TIME THREE MINUTE REBUTTAL. SO WITH THAT WE'LL SET THE CLOCK FOR FIVE MINUTES AND WELCOME A PRESENTATION FROM THE APPEALING PARTY AND OR THEIR AGENT.

MAYOR WYNN: WELL, YEAH, OUR RULES DON'T NECESSARILY ADDRESS THAT. MY INSTINCT IS LET'S HAVE A FIVE-MINUTE PRESENTATION. YOU'RE WELCOME TO SHARE THE TIME OR GO TO WHATEVER SEQUENCE YOU MIGHT PREFER. I GUESS THAT'S MAKING A PRESUMPTION, BY THE WAY, THAT THESE TWO APPEALING PARTIES, ALTHOUGH - - I'M SURPRISED THAT THERE'S TWO FOLKS THAT ARE APPEALING. OKAY. SO MS. MEBANE AND MR. OLENICK, AND SO IS THIS -- DO YOU-ALL -- ARE YOU ALL COMING FOR THE SAME REASON? IS THIS ESSENTIALLY A COMBINED OR JOINT APPEAL OR IS ONE APPEAL PERHAPS AGAINST ONE ASPECT OF SAY THE CONDITIONS APPROVED BY THE PLANNING COMMISSION AND ONE NOT?

WE FILED SEPARATE APPEALS AT DIFFERENT TIMES, AND WE WERE TOLD THAT IT WASN'T NECESSARY TO HAVE TWO SEPARATE APPEALS. IT'S NOT LIKE A PETITION WHERE YOU NEED A LOT OF PEOPLE. SO IT WAS COMBINED, BUT WE'D STILL BOTH LIKE TO PRESENT.

MAYOR WYNN: WELL, THEN, TELL YOU WHAT, WHY DON'T WE SET THE CLOCK FOR THREE MINUTES AND WE'LL HEAR TWO THREE MINUTE PRESENTATIONS. KEEP IN MIND THERE'S TIME FOR REBUTTAL AT THE

END OF ALL THE TESTIMONY AND MY INSTINCT IS COUNCIL MAY HAVE ADDITIONAL QUESTIONS FOR EACH OF YOU. SO WE'LL START WITH A THREE MINUTE PRESENTATION FROM TWO DIFFERENT.....DIFFERENT A.. APPEALANTS.

WE'RE TRYING TO FOLLOW OUR CITY CODE. WE HAVE A 10,000 PAGE CODE AND THIS IS ONE PAGE OF IT AND IT TELLS ME HOW I'M SUPPOSED TO DO THIS. I'M GOING TO SET THE CLOCK FOR FIVE MINUTES --

I'LL PRESENT FOR FIVE.

AND WE MAY HAVE QUESTIONS OF THE SECOND APPELLANT AFTER THIS.

THANK YOU. MR. MAYOR, COUNCIL MEMBERS, I'M HERE TODAY TO APPEAL, AS WAS STATED, THE -- IN RECENT YEARS THE SUBJECT OF TRANSITIONAL HOUSING HAS GAINED MORE PROMINENCE PARTLY DUE TO OVERLOADED PRISON SYSTEMS, TO CUT TAXPAYER COSTS, TO RECHANGE -- NEIGHBORHOOD BASED FOR PROFIT CONTRACTORS. THEY CONTRACTORS ARE EAGER TO QUALIFY FOR SUCH PROGRAMS BECAUSE THEY RECEIVE A GENEROUS ASSURED PROFIT ON THEIR INVESTMENT. SO MUCH SO THAT FORMER ELDER CARE FACILITIES, BATTERED WOMEN'S SHELTERS, BATTERED GROUP HOMES, ET CETERA, ARE BEING CONVERTED TO PRERELEASE CONVICT HOUSING EXACTLY AS WAS DONE ON OUR STREET. THE COST OF THESE NECESSARY SERVICES THEN SHIFTED TO OTHER PUBLIC PROGRAMS AT CITY EXPENSE ARE LOST ENTIRELY TO THE COMMUNITY. THE BOTTOM LINE IS THAT WHILE APPEARING TO SAVE TAXPAYER MONEY BY CUTTING PRISON BUDGETS, THE TOTAL COST TO THE TAXPAYER IS REALLY MUCH GREATER. SOME WOULD CALL THIS FUZZY MATH. WHEN ASKED, TRADITIONAL HOUSING PROVIDERS WILL GLOWINGLY TELL YOU THAT THEIR SUCCESS RATE IS 60, 70, 85%, WHICH IS THE RESULT OF THEIR PARTICULAR MANAGEMENT STYLE. THEY MAY OR MAY NOT BE JUSTLY PROUD. WHAT I WANT TO FOCUS ON IS THE RECIDIVISM RATE, WHICH IS THE CONVERSE NUMBER, WHICH RESULTS FROM THOSE WHO FAIL TO COMPLETE THE PROGRAM

SUCCESSFULLY. SOME CONTRACTORS WHEN THEY DISCOVER AN INDIVIDUAL WHO HAS FAILED TO KEEP THE PROGRAM AGREEMENTS, SIMPLY DROP THAT PERSON FROM THE PROGRAM AND DUMP THEM ON THE STREET. OTHER CONTRACTORS, SUCH AS BANNUM, WILL TEND TO REARREST THE VIOLATOR WHEREUPON THEY ARE REQUIRED TO COMPLETE THE BALANCE OF THEIR SENTENCE. WHILE THERE'S SOME DEBATE OVER WHICH OF THESE PROCESSES IS SUPERIOR, THE ON THE GROUND EXPERIENCE IN THE ADJACENT NEIGHBORHOOD IS ESSENTIAL ESSENTIALLY THE SAME. BY THE TIME THE VIOLATORS ARE DISCOVERED, THEIR CRIMES HAVE HAD AN EXPENSIVE IMPACT ON THEIR SURROUNDINGS. DIFFERENT MANAGEMENT STRATEGIES WILL ONLY ADDRESS HOW LONG THAT IMPACT PERSISTS. A SEPARATE WAY OF IMPACT, WHICH IS SELDOM CONSIDERED, IS THE RESULT OF THE ASSOCIATES, THE VIOLATORS ATTRACT TO THE AREA WHO ARE NOT REMOVED WITH THE VIOLATOR. THESE FOLLOW-UP IMPACTS CAN ONLY BE MITIGATED BY INCREASING THE LAW ENFORCEMENT WORKLOAD AT CITY BUDGET COST. WIDESPREAD KNOWLEDGE OF THESE UNAVOIDABLE IMPACTS TENDS TO REINFORCE THE GENERAL PUBLIC RESPONSE OF NOT IN MY NEIGHBORHOOD, WHICH WE'VE ALL HEARD AND PERHAPS BECOME SOMEWHAT INURED TO. THIS REFRAIN IS NOT A RESULT OF HYSTERIA BUT A VALID RESPONSE TO OBSERVED IMPACTS AND NEEDS TO BE CONSIDERED VERY SERIOUSLY. THE CONCEPT THAT THEY NEED TO BE SOMEWHERE RESULTS IN THESE PROGRAMS BEING CLUSTERED IN NEIGHBORHOODS WHERE RESIDENTS ARE LESS INFORMED ABOUT PROPOSED NEW SITES AND AREN'T AWARE OF STRATEGIES FOR OPPOSITION. CURRENTLY IN AUSTIN THE BULK OF CONVICT TRANSITIONAL HOUSING IS FOCUSED ON TWO OR THREE EAST SIDE NEIGHBORHOODS. MY THESIS IS THAT THESE PROGRAMS DON'T NEED TO BE ANYWHERE OUTSIDE THE PENAL SYSTEM. THEY....THEY CAN BE MOST ECONOMICALLY AND EFFECTIVELY MANAGED WITHIN THE PRISON SYSTEM. REALTORS AND CONTRACTORS ARE CONSTANTLY REFINING THEIR STRATEGIES FOR IMPOSING THEIR PLANS ON THE COMMUNITY.

MEANWHILE THE CITIZENS HAVE FEW EFFECTIVE AVENUES FOR REDRESS. I, WE, ARE HERE TODAY TO URGENTLY REQUEST YOU TO REVERSE PLANNING COMMISSION'S DECISION, AND KEEP THE NUMBER OF BEDS AT 35 AND NOT INCREASE IT TO 58. THIS WILL NOT CREATE A HARDSHIP FOR THE OWNER SINCE HIS ONLY REASON FOR REQUESTING CHANGE IS THAT HE WANTS IT. HE ALREADY HAD A VIABLE BUSINESS FOR FIVE YEARS WITH 35 BEDS. YOUR DECISION TODAY WILL HIGHLIGHT WHETHER YOU'RE INTERESTED IN CONTINUING TO WORK TO PROTECT AUSTIN BUSINESSMEN AND NEIGHBORHOODS OR ARE WILLING TO ABANDON US TO THE FORCES OF BIG NATIONAL BUSINESS. FINALLY, A FEW WORDS ABOUT THE PROPERTY OWNER SEEKING THE VARIANCE ARE IN ORDER, BECAUSE THE VARIANCE ATTACHES TO THE PROPERTY, NOT TO THE WOULD BE CONTRACTOR. AS EXPLAINED IN THE SHORT HISTORY WHICH YOU SHOULD ALL HAVE A COPY OF THAT I GAVE YOU EARLIER, EUGENE MEES PULLED ABATE AND SWITCH ON THE NATURE IN 2001 WHEN HE GOT HIS FIRST ZONING CHANGE FROM 20 BEDS TO 35. HE CLAIMED A SUCCESSFUL FAITH BASED TRANSITIONAL HOME AT THAT LOCATION NEEDED TO EXPAND TO REMAIN AN ECONOMICALLY VIABLE ENTERPRISE. AS SOON AS HE GOT THE ZONING CHANGE HE BOOTED OUT THE CHARITY GROUP AND PUT IN ENCORE HOUSE AND THAT'S WHEN OUR TROUBLES BEGAN. THIS PAST GENERAL WHEN HE THOUGHT HE HAD THE ADJUSTMENT FROM 35 BEDS TO 58 IN THE BAG HE ONCE AGAIN ACTED IN BAD FAITH BY SUMMARILY EXPELLING ENCORE HOUSE RESIDENTS AND MANAGEMENT. HE THEN PROCEEDED TO INITIATE REMODELING WITHOUT A PERMIT UNTIL CITY INSPECTOR ISSUED A STOP-WORK ORDER. TWO WEEKS LATER HE ARE YOU MARRIED WORK COVERTLY UNTIL STOPPED BY A SECOND CITATION. I'M JUST WINDING UP. FOR NEARLY TWO MONTHS THEREAFTER THE PROPERTY STOOD ABANDONED AND BECAME A HOME FOR NUMEROUS TRANSIENTS. RECENTLY CITY CODE COMPLIANCE DIANE SCHMIDT POSTED THE PROPERTY AS A HAZARDOUS SITE AND COMMANDED IT BE SECURED. WITHIN A FEW DAYS THE FRONT DOOR WAS WIDE OPEN AGAIN WITH

EVIDENCE OF HABITATION, WITH PERSON UNKNOWN CAMPING INSIDE THE BUILDING COULD EASILY BECOME A LOCUS FOR CRIMINAL ACTIVITY FROM DRUG USE TO CRIMINAL ASSAULT. AS OF THIS MORNING IT WAS STILL UNSECURED. THIS OWNER DOESN'T CARE FOR THE NEIGHBORHOOD, HIS OWN TENANTS OR STAFF NOR EVEN HIS OWN PROPERTY. I WOULD REMIND YOU THAT WE ARE JUST ONE BLOCK NORTH OF THE SHOWCASE MUELLER REDEVELOPMENT SITE SO THAT -- SO THAT NEIGHBORHOOD WITH ITS BRAND-NEW SHOPS AND SOON TO BE HOMES AND PARKS IS SURE TO BE AFFECTED ALSO. THIS IS ONE MORE THING TO THINK ABOUT WHEN YOU MAKE YOUR DECISION TO KEEP THE OCCUPANCY AT NO MORE THAN 35 BEDS. THANK YOU.

MAYOR WYNN: THANK YOU. WALTER -- SORRY, NEXT SPEAKER IN SUPPORT OF THE APPEAL, IN FACT, ONE OF THE APPELLATES, YOU'RE NICKI MEBANE. WHY DON'T YOU COME FORWARD. DID YOU SAY THERE'S IS SOMEONE IN THE ROOM WILLING TO DONATE TIME TO ?U.

RIGHT.

MAYOR WYNN: WHO MIGHT THAT BE?

ROBERT.

MAYOR WYNN: WHAT'S YOUR NAME, SIR?

ROBERT M.

MAYOR WYNN: OKAY. SO NICKI, YOU'LL HAVE UP TO SIX MINUTES IF YOU NEED IT. WELCOME.

OKAY. THANK YOU. THANK YOU COUNCIL MEMBERS. ORIGINALLY, AS WALTER SAID, THIS WAS A 20 BED FAITH BASED HALFWAY HOUSE AND THE LADY RUNNING IT WOULDN'T PUT UP WITH RESIDENTS DISOBEYING ANY OF THE RULES. SHE HAD CURFEWS. SHE WOULD NOT ALLOW DRUGS OR LIQUOR. IF THEY WERE, THEY WERE KICKED OUT. SHE HAD A STRONG SENSE OF COMMUNITY HAVING RESIDENTS VOLUNTEER TO DO THINGS IN THE

NEIGHBORHOOD. WHEN SHE CAME TO THE NEIGHBORHOOD FOR SUPPORT IN ALLOWING THE HOUSE INCREASE TO 35 BEDS, WE SUPPORTED IT. SHORTLY THEREAFTER SHE LEFT AND THE CURRENT OWNER, WHO WHO IS REQUESTING THE INCREASE IN BEDS TOOK OVER AND IT WENT INTO EFFECT AS ENCORE HOUSE. THE OWNER AND MANAGER OF ENCORE HOUSE DIDN'T HAVE THE SAME RESPECT FOR THE NEIGHBORHOOD. RESIDENTS WERE ALLOWED TO COME IN THE CLUB. FROM TIME TO TIME THEY WERE LOUD AND OBNOXIOUS. THEY WERE DRINKING, WHICH WAS A VIOLATION OF THEIR PROBATION. THERE WAS NO SIGN TO ME OF ANY CURFEW, AND MY PROBLEMS DIDN'T END THERE. THEY PUT TRASH IN OR NEAR MY DUMPSTER. I TRIED REACHING BOTH THE OWNER AND THE MANAGER OF THE PROPERTY BUT THEY NEVER RETURNED MY PHONE CALLS. THE NEIGHBORHOOD HAS BEEN AMENABLE TO HAVING A HALFWAY HOUSE. THAT'S NOT A PROBLEM, BUT WE'RE NOT IN FAVOR OF INCREASING BEDS. THIS WOULD CONTINUE TO SET A PRECEDENT FOR A ALLOWING AN INCREASE. NEXT WE WOULD EXPECT THAT THEY WOULD COME TO US TO ADD A SECOND STORY AND WANT TO INCREASE EVEN MORE BEDS. BANNUM HAS PRESENTED A GLOWING PICTURE OF HOW WONDERFUL THINGS WOULD BE UNDER THEIR REGIME IF THEY WERE RUNNING THE HALFWAY HOUSE, BUT THE TRUTH OF THE MATTER IS THEY COULD, A, MIGHT NOT BE ABLE TO LIVE UP TO THEIR PROMISES, B, THEY COULD SELL OR SUBLEASE THE SPACE IN A MATTER OF A YEAR OR TWO. CONTROLLING THEIR RESTRICTIVE COUGH THANTS WOULD ALSO BE A NIGHTMARE. WHO WOULD ENFORCE THE VIOLATIONS OF THE COVENANTS? HOW ENFORCEABLE ARE THESE COVENANTS? WE HAVE BEEN UNABLE TO GET ANSWERS FROM THE CITY AS TO HOW WE WOULD HAVE THEM ENFORCED OUTSIDE OF A LAWSUIT. SO YOU HAVE A SCENARIO -- SCENARIO OF A SMALL, PREDOMINANTLY HISPANIC STREET FIGHTING A GIANT CORPORATION. IN MY OPINION 15,000 THAT THEY ARE OFFERING IS JUST A DROP IN THE BUCKET FOR A DEFENSE TEAM. SO HOW FAR WOULD IT GET? JUST WHEN THIS EAST SIDE NEIGHBORHOOD IS SEEING RESURGENCE WITH THE REDEVELOPMENT

OF MUELLER AIRPORT AND THE DELL CHILDREN'S HOSPITAL ABOUT A BLOCK AND A HALF AWAY, IT IS NOT AN OPPORTUNE TIME TO INCREASE THE NUMBER OF BEDS, WHICH ALSO PRESENTS THE OPPORTUNITY TO INCREASE THE POTENTIAL FOR THE PROBLEMS IN THE NEIGHBORHOOD. SAFETY IS ALSO A FACTOR. CURRENT OWNERSHIP HAS LEFT DOORS FOR VAGUE RANTS TO COME AND GO AS THEY PLEASE. THIS PRESENTS AN OPPORTUNITY ALSO FOR POTENTIAL DRUG DEALS AND SOME SMALL CHILD GETTING DRUG IN TO EITHER PARTICIPATE IN DRUGS OR SEX. AND I WOULD CERTAINLY HATE FOR THAT TO HAPPEN. THE HOUSE HAS NOW BEEN BOARDED UP AT THE URGING OF THE NEIGHBORS. ALTHOUGH THERE ARE NOT MANY SINGLE-FAMILY HOMES AT 52ND AND LANCASTER, THE NUMBER OF CHILDREN, MANY OF THEM HISPANIC, IS NUMEROUS BECAUSE THEY LIVE WITH PARENTS IN APARTMENTS. I'VE WATCHED A SCHOOL BUS UNLOAD AND I SAW NO LESS THAN 30 CHILDREN UNLOADING FROM ONE BUS. IT IS MY UNDERSTANDING THAT TWO BUSES SERVICE THIS AREA. SO WHILE THE NUMBER OF SINGLE-FAMILY HOMES IS SMALL, BECAUSE OF THE MULTIFAMILY HOMES THE POTENTIAL FOR DANGER IS GREATER THAN THAT OF IN A SINGLE-FAMILY RESIDENCE NEIGHBORHOOD. DISRESPECT BY CURRENT OWNER MANAGER IS ANOTHER PROBLEM WE FACE. THEY DO NOT PLAY BY THE RULES. MAJOR CONSTRUCTION HAS TAKEN PLACE BEFORE THE SALE EVEN CLOSED. THEY FELT LIKE THEY COULD DO MAJOR STRUCTURAL, PLUMBING AND ELECTRICAL REMODELING WITHOUT GETTING THE REQUIRED PERMITS. EVEN AFTER A STOP ORDER WAS PLACED ON CITY -- ON THE DOOR BY CITY ENFORCEMENT, SEVERAL COMPLAINTS WERE MADE. ALL OF THIS CAN BE VERIFIED BY ENNIS, CON ASSISTANCE YO AT THE CITY OF AUSTIN CODE ENFORCE HIM. AS A SIDE NOTE. DURING CONSTRUCTION FOR A MONTH OR SO THEIR CONSTRUCTORS USED MY PARKING LOT EVEN AFTER I REQUESTED THAT THEY NOT. THIS WAS A CONSTANT HASSLE. I STILL DO NOT UNDERSTAND THEIR HARDSHIP, WHAT THEIR HARDSHIP IS, THAT THEY NEED TO INCREASE BEDS. AS I MENTIONED BEFORE. WHY WOULD WE WANT TO INCREASE THE

CHANCE THE CHANCE FOR INCREASING PROBLEMS BY INCREASING RESIDENTS. IN CLOSING AND SUMMARY I WOULD SAY, THIS IS A BAD LOCATION IN THE FIRST PLACE, FOR A HALFWAY HOUSE WITH A BAR RIGHT ACROSS THE STREET AND A LIQUOR STORE RIGHT ON THE CORNER. HELP OUR NEIGHBORHOOD RETAIN ITS INTEGRITY BY KEEPING THE BEDS LIMITED TO ITS CURRENT OCCUPANCY. THANK YOU.

MAYOR WYNN: THANK YOU, MA'AM. SO, COUNCIL, WE NOW HEAR FROM FOLKS WHO ARE SUPPORTIVE OF THIS APPEAL PRESENTATION THAT WE'VE JUST HEARD. I NOTICE THAT HANDFUL OF FOLKS SIGNED UP FOR AND A HANDFUL AGAINST. IT MIGHT BE THAT FOLKS ARE SUGGESTING THEY'RE IN OPPOSITION TO THIS PROJECT. SO IF WE CAN, LET'S JUST ASK FOLKS WHO ARE HERE TO SPEAK, WHO HAVE SIGNED UP TO SPEAK, IN SUPPORT OF THE APPEAL POSITION THAT WE JUST HEARD TWO PRESENTATIONS FROM. PLEASE COME FORWARD AND STATE YOUR NAME FOR THE RECORD AND YOU'LL HAVE THREE MINUTES. WE JUST DON'T KNOW WHAT FOR FOLKS -- WHICH SIDE OF THE ISSUE THEY'RE ON. YOU'LL HAVE THREE MINUTES. WELCOME.

MAYOR, SIMILAR TO HER, I'M GOING TO DONATE MY NAME TO RAY OLENICK.

OKAY. WELL, MR. OLENICK? YOU'RE WELCOME TO COME ADDRESS US. RAY? SORRY. SO YOU'LL HAVE SIX MINUTES IF YOU NEED IT. WELCOME.

THANK YOU. RAY OLENICK. OKAY. WE ARE NOT AGAINST HALFWAY HOUSES AND THE LIKE PER SE. WHAT WE'RE AGAINST IS THE TYPE OF PROFIT-DRIVEN IMPERSONAL CONVICT HOUSING THAT HAS ALREADY IMPACTED OUR NEIGHBORHOOD VERY NEGATIVELY AT ITS CURRENT LEVEL OF 35 BEDS. OUR NEIGHBORHOOD IS LOCATED EAST OF I-35, JUST NORTH OF THE MUELLER REDEVELOPMENT. TEN YEARS AGO WE MOVED ON TO A STABLE, LARGELY LATINO BLUE COLLAR, VERY FAMILY ORIENTED STREET WITH NO CRIME TO SPEAK OF. IT HAD A VERY PLEASANT COMMUNITY FLAVOR WITH TACK

OH...TACO STANDS. WE FELT QUITE COMFORTABLE PURCHASING PROPERTY THERE. IT WAS A NICE PLACE TO LIVE. THERE WAS ALSO A UT SHUTTLE BUS STOP NEARBY ACROSS CAMERON, HEAVILY USED BY STUDENTS FROM THE CITY LIGHTS APARTMENT COMPLEX ON BROAD MOORE. THEN IN 2001 ENCORE HOUSE OPENED NEAR THE TAVERN AND THE TWO LIQUOR STORES THEN. AND IT IMMEDIATELY BROUGHT WITH IT PROBLEMS INVOLVING DRUGS, BOTH DEALERS AND THEIR CUSTOMERS, PROSTITUTION, BURGLARY, VAGUE.....VAGUE RAINS. WE'RE TOLD THAT AT LEAST ONE COUNCIL MEMBER, AND I BELIEVE, I'M NOT SURE, THAT IS MAYOR PRO TEM DUNKERLEY, HAS TAKEN THE TROUBLE TO ACQUIRE SOME CRIME STATISTICS THAT WOULD BEAR OUT OUR CLAIM OF INCREASED CRIME. THOSE WHO LIVE THERE, HOWEVER, HAVE MORE DIRECT EXPERIENCE. I HAVE REGULARLY WITNESSED DRUG PEOPLE WALKING GLASSY EYED UP AND DOWN AND UP AND DOWN THE STREET AT ALL HOURS, PROSTITUTES LOIT RING ON THE STOOP OF THE DEPARTMENT WE'RE FANTASTICKING UP FOR MY 88-YEAR-OLD MOTHER, PEOPLE PEDDLING STOLEN JEWELRY AND TOOLS. I'VE BEEN SOLICITED ON MY OWN DOORSTEP FOR THAT, PANHANDLING AND SOME VOLUNTEERS AT ANIMAL TRUSTEES, WHICH IS RIGHT UP AGAINST ENCORE HOUSE, REPORT HABITUAL PANHANDLING, SOMETIMES AGGRESSIVE ALMOST TO THE POINT OF EXTORTION. NOW, WE'RE TALKING ABOUT THE WORK OF REACID.....

RECIDIVISMS AND THEIR ASSOCIATES, THE PEOPLE THEY ATTRACT. WHAT KIND OF OFFENDERS ARE THEY? WE CAN'T LEARN BY ASKING BUT WE CAN SURMISE BY THE TYPE OF CRIMES THAT THEY COMMIT. LOTS OF DRUG OFFENSES, AND A LOT OF BURGLARY HOUSE BREAK INS, SO ON THAT GOES WITH THAT, AND WE ALSO KNOW ABOUT THE LEVEL 1 VIOLENCE SEX OFFENDERS BECAUSE THEY HAVE TO NOTIFY US. WE WOULD GET THEIR POSTCARDS AND PUT THEM UP IN THE LAUNDRY ROOM FOR THE BENEFIT OF THE WOMEN WHO USE IT, AND THOSE POSTCARDS WOULD DISAPPEAR VERY QUICKLY. WE'D PUT THEM UP AGAIN. THEY'D DISAPPEAR AGAIN. THAT WAS KIND OF SCARY BECAUSE WOMEN AND KIDS USE THAT LAUNDRY

ROOM AT ALL HOURS. ALL THESE PROBLEMS WORSENERED WITH TIME TO THE POINT THAT I FELT NERVOUS EVEN GOING OUT TO THE DUMPSTER AFTER DARK BECAUSE I FELT LIKE THE STREETS BELONGED TO THEM. THERE HAS BEEN A DEFINITE DEADLINE IN... DECLINE IN THE NEIGHBORHOOD SOASHLIZING THAT WE USED TO SEE AND ON CAMERON STUDENTS HAVE STOPPED RIDING THE UT SHUTTLE. I WAS TOLD BY ONE OF OUR LONG-TERM TENANTS WHO USES THAT BUS STOP DAILY THAT THEY QUOTE, GOT TIRED OF THE DRUNKS AND PANHANDLERS HITTING ON THEM, END QUOTE, ADMITTEDLY ANECDOTAL BUT I KNOW THIS MAN AND I BELIEVE HIM. QUESTION: HOW DO WE KNOW IT'S THE ENCORE-RELATED PEOPLE RESPONSIBLE FOR THIS? WELL, APART FROM THE EVIDENCE OF OUR OWN EYES, THE POLICE TELL US WAWLT SUSPENDS A LOT OF TIME WORKING OUTDOORS, HE SEES WHAT'S GOING ON THE STREET AND HE TALKS TO THE POLICE WHO PATROL THE AREA. AS A PARTICULARLY EGREGIOUS EXAMPLE OF HOW IT WORKS, ONE DROP OUT WHO WAS ON THE BLOCK, CONVINCED HIS ENTIRE CIRCLE OF DRUG FRIENDS TO RELOCATE FROM ACROSS TOWN. THEY HUNG AROUND FOR SEVERAL YEARS UNTIL ARRESTED ONE BY ONE FOR THEIR OWN CRIMES. WE DIDN'T IMAGINE THAT..... THIS. THE POLICE TOLD US. FOR PROFIT TRANSITIONAL CONVICT HOUSING SERVES AS A MAGNET FOR CRIMINAL ACTIVITIES, AND IT'S THAT SIMPLE. SO ADDING 28 BEDS TO THE CURRENT FACILITY WILL EXACERBATE THE CURRENT PROBLEMS. YU JEEZ MEESE HAS NO HARDSHIP THAT REQUIRES IT. HE WANTS TO SELL THE BUILDING TO BANNUM, A GIANT FLORIDA BASED CORTION WHICH WILL DRAW MONEY OUT OF OUR OWN CITY AND STATE COVERS SO THAT HE CAN MAKE MORE MONEY. BUT THAT DOESN'T CONSTITUTE A HARDSHIP. FIRST, OUR NEIGHBORHOOD IS HOME TO HUNDREDS OF CHILDREN, FROM INFANTS TO TEENAGERS LOOKING FOR ROLE MODELS. THEY DESERVE A DECENT ENVIRONMENT TO GROW UP IN. SECOND, JUST ONE BLOCK SOUTH OF US THE MUELLER REDEVELOPMENT IS RAISING GREAT PROMISE AS A MODEL COMMERCIAL RESIDENTIAL COMMUNITY WITH MAJOR STORES, A CHILDREN'S HOSPITAL, PARKS, HOMES AND CONDOS TO COME.

THE PRESENCE OF A 58 BED CONVICT HOUSING FACILITY NEAR THE CORNER OF CAMERON AND 52ND STREET WOULD NOT ONLY CRUSH OUR OWN HOMES OF UPGRADING OUR NEIGHBORHOOD IN LINE WITH THE IMPROVEMENTS TAKING PLACE TO THE SOUTH, BUT ITS EFFECT COULD GO OVER CROSS 51ST STREET INTO THE DEVELOPMENT ITSELF. MANY AUSTIN IETS STAND TO LOSE, AND ONLY ONE, EUGENE MEES, STANDS TO GAIN. I HOPE YOU WILL ACT IN FAVOR OF AUSTIN BUSINESSES AND NEIGHBORHOODS AND APPROVE OUR APPEAL. THANK YOU. [APPLAUSE]

MAYOR WYNN: YOU'RE WELCOME. SO AGAIN, FOLKS WHO ARE HERE IN SUPPORT OF THE APPEAL, STATE YOUR NAME FOR THE RECORD.

GOOD EVENING. MY NAME IS VERONICA. GOOD EVENING, COUNCIL MEMBERS, MR. MAYOR. WE ARE NOT HERE TO TALK ABOUT BEING AGAINST HALFWAY HOUSING, NOT EVEN -- WHAT WE'RE HERE TO TALK ABOUT IS ALMOST DOUBLING IN THE BEDS ON THE EAST SIDE. FROM A NONPROFIT TO A FOR PROFIT COMPANY, THEIR HARDSHIP BEING IF THEY DON'T DOUBLE THE BEDS THEY CAN'T MAKE PROFIT. A LOT OF THIS DISCUSSION HAS BEEN DIRECTED TO BANNUM. THEY HAVE VERY STRICT REGULATIONS, AND IT SOUNDS VERY NICE, ALTHOUGH A LOT OF THEIR PROMISES HAVE BEEN BROKEN. I WOULD LIKE TO SEE THOSE REGULATIONS PUT INTO PLACE. THE ONLY PROBLEM IS THIS DISCUSSION IS A RED HERRING. CLEARLY WE SHOULD BE TALKING ABOUT THE USE OF THE LAND AND NOT THE USER. I'M SAYING THAT BANNUM MAY BE A GOOD USER OF THIS LAND, BUT DOUBLING OF THE BEDS WILL BE THERE PERMANENTLY, MEANING WHEN BANNUM LEAVES WE'LL HAVE DOUBLE THE AMOUNT OF BEDS. IF SOMEONE ELSE..... ELSE MOVES IN WE'LL HAVE DOUBLE THE AMOUNT OF BEDS, AND THIS NEIGHBORHOOD HAS BEEN CONSTANTLY WALKED ALL OVER. THEY STARTED OUT WITH 20 BEDS, 35 BEDS. 58 BEDS? THIS IS A PRECEDENT ON THE EAST SIDE. THIS IS WALKING ALL OVER NEIGHBORHOOD THAT CANNOT SPEAK FOR THEMSELVES. SO I'M HERE TODAY TO SPEAK FOR THEM, TO SPEAK FOR

THE LATINOS, FOR THE CHILDREN, FOR THE UT STUDENTS, TO SPEAK FOR ANYBODY WHO CANNOT MAKE IT HERE TODAY BUT WOULD LIKE TO SAY THAT DOUBLING THE BEDS IN THIS NEIGHBORHOOD ON THE EAST SIDE IS JUST A BAD IDEA. IT'S JUST BAD PUBLIC POLICY. THIS AREA, A FORMER WEED AND SEED AREA ON THE EAST SIDE IS NOT IDEAL FOR HALFWAY HOUSING. THERE'S A LIQUOR STAR AND A BAR ACROSS THE STREET. THERE'S MULTIFAMILY HOUSING ACROSS THE STREET, DIRECTLY ACROSS THE STREET. CLEARLY THE PLANNING COMMISSION TRIED TO ALSO MAKE A WINK AND NOD TO BANNUM, AGENCY EIGHT TO THEIR MOTION AND EXPECTING A SMALL PARTIALLY ORGANIZED AREA TO PULL \$15,000 AND BRING UP A GREAT LAWYER TO BEAT THIS FLORIDA BASED NATIONAL COMPANY. I'M SURE JOHN JOSEPH HERE DOESN'T EVEN WORK FOR 15,000 TO SUPPORT THEM. CLEARLY THAT'S NOT ENOUGH MONEY TO DEFEND US. WE'VE BEEN MET WITH NOTHING BUT BROKEN PROMISES. WITH A LATE NOTICE TO THE NEIGHBORS ABOUT THIS INCREASE IN BEDS, WITH DOUBLE THE ORDERS FROM THE CITY. THE REAL ISSUE AT HAND IS NOT ABOUT JUST RULES AND COMPANY POLICIES. YOU CANNOT TIE A CONDITIONAL USE PERMIT TO A SPECIFIC USER. DOUBLING THE NUMBER OF BEDS ON THE EAST SIDE IS JUST BAD POLICY BECAUSE THEIR HARDSHIP IS NOT THAT THEY CANNOT MAKE ENOUGH MONEY. THE HARDSHIP IS THAT THEY'RE FOR PROFIT, AND THAT'S A PROBLEM. IF THEY'RE SUCH GOOD CORPORATE CITIZENS WHY DON'T THEY SHOW WHERE THE PEOPLE THAT WERE THERE BEFORE WENT? HAVE THEY GONE BACK TO JAIL? INTO THE LOCAL NEIGHBORS, WHERE THEY KNOW PEOPLE AND PROBABLY HAVE MANY CONTACTS? THIS HALFWAY HOUSE HAS LESS PEOPLE ON THE STREET AND BUILDING IN A BAD AND SAD DILAPIDATED STATE. THANK YOU.

MAYOR WYNN: THANK YOU, VERONICA. AGAIN, FOLKS WHO SIGNED UP WISHING TO SPEAK IN SUPPORT OF THIS APPEAL. WE'LL NOTE THESE FOR THE RECORD, AND THEN WE'LL NOW HEAR FROM FOLKS, THREE MINUTES AT A TIME, WHO ARE IN OPPOSITION OF THE APPEAL. STATE YOUR NAME

FOR THE RECORD AND YOU HAVE THREE MINUTES.

MAYOR, COUNCIL, I'M JOHN JOSEPH ENGINEER, I'M WITH THE LAW FIRM OF CLARK THOMAS AND WINTER. I'M HERE ON BEHALF OF MY CLIENT, BANNUM INCORPORATED AND MR. EUGENE MEES, THE CURRENT PROPERTY OWNER. I DON'T KNOW WHERE TO START. MANY THINGS WERE SAID. I DON'T THINK MOST WERE RELEVANT. THE STAFF, WHEN THEY'VE MADE THEIR REVIEW OF THIS PROJECT, BROKE DOWN THE CONDITIONS OF A CONDITIONAL USE PERMIT. IT'S IN YOUR BACKUP. LET ME TELL YOU WHICH PAGE IT IS. AND IN THAT IT SAYS A CONDITIONAL USE MUST COMPLY WITH THE REQUIREMENTS OF THIS TITLE, COMPLY WITH THE OBJECTIVES AND PURPOSES OF ZONING DISTRICT. HAVE BUILDING HEIGHT AND BULK SCALE LANDSCAPING, PROVIDE CONVENIENT OFF STREET PARKING. 1 THROUGH, LIKE, 8 PLUS 3. ALL OF WHICH EXCEPT FOR PARKING STAFF SAID FULLY COMPLIED WITH THE REGULATIONS. I THINK MAYBE THAT AT... THAT THE PREVIOUS SPEAKERS WERE UNDER THE IMPRESSION THAT THIS IS A VARIANCE. IT'S NOT. IT DOESN'T HAVE TO SATISFY BURDEN OF A HARDSHIP. THIS IS A USE MODIFICATION OF A CONDITIONAL USE PERMIT. THEY WERE TALKING ABOUT CRIME STATISTICS. I THINK AN IMPORTANT STATISTIC WOULD BE TO LOOK AT THE MCCAIB HOUSE. ONE OF THE OFFICERS OF THE WINDSOR NEIGHBORHOOD ASSOCIATION I THINK SENT YOU AN EMAIL. HER NAME IS MEG. BROOKS. I THINK SHE WORKS AT THE DISTRICT ATTORNEY'S OFFICE. SAID SHE SPOKE WITH OFFICERS THAT PATROLLED THE AREAS, DISTRICT REPRESENTATIVE OFFICERS WHO COVER THE AREA INCLUDING 1915 MLK AND THEY REPORT NO INCREASE OF CRIMINAL ACTIVITY OR NUISANCE BY LIVING AT THE MCCAIB HOUSE. THE REASON THAT THIS IS A BETTER IMPROVEMENT, ALBEIT AN INCREASE IN NUMBER OF BEDS, WHICH IS NOT FOR A PROFIT, IT IS FOR A CONTRACT REQUIREMENT FOR THE FEDERAL CONTRACT, IS BECAUSE THIS IS A MUCH STRICTER OPERATION. IT IS REQUIRED TO BE STRICTER THROUGH CONTRACT WITH THE BUREAU OF PRISONS. ANY CONTRACT WITH THE BUREAU OF BRINGS ONS REQUIRES STRICT COMPLIANCE. ANY

VIOLATION OF THAT, ANY FAILURE TO MAINTAIN THAT NOT ONLY JEOPARDIZES THAT FACILITY'S CONTRACT BUT THAT OPERATOR, MY CLIENT, BANNUM, WHO HAS MULTIPLE LOCATIONS AROUND THE COUNTRY, THEIR ABILITY TO CONTINUE TO DO WHAT THEY DO FOR A LIVING. SO THE IDEA THAT THE CRIME IN THIS AREA IS A DIRECT CORRELATION OF THE TRANSITIONAL HOUSING IS A BIT SURPRISING, BUT EVEN IF WE ASSUME IT'S THE CASE, BY THEIR OWN WORDS THE ENCORE HOUSE, A STATE AND COUNTY TRADITIONAL FACILITY DOES NOT HAVE THOSE REQUIREMENTS. THEY'RE NOT REQUIRED. THEY CAN STAY THERE AS LONG AS THEY WANT. THEY CAN COME IN AND OUT WHEN THEY WANT. THIS -- THE FEDERAL PROGRAMS ARE MORE STRICT, AND THAT'S WHY I THINK WE HAVE SOME SUPPORT FROM THE COMMUNITY WHEN WE MET WITH THEM. NO MATTER WHAT HAPPENS TONIGHT, THIS PROPERTY HAS A CONDITIONAL USE PERMIT FOR TRANSITIONAL HOUSING, NO MATTER WHAT HAPPENS TONIGHT. EITHER IT'S A 58 BED FACILITY THAT'S FEDERAL CONTRACT, VERY STRICT RULES, OR IT IS THE SAME THAT THEY JUST SPOKE ABOUT, THAT EXACERBATED CRIME, AS THEY SAID. THANKS.

MAYOR WYNN: THANK YOU, MR. JOE.... JOSEPH. ADDITIONAL SPEAKERS IN OPPOSITION OF THE APPEAL? WELCOME.

WINDSOR PARK NEIGHBORHOOD ASSOCIATION. ONE OF THE THINGS THAT WE HAD WAS TO ASK BANNUM TO COME AND TALK TO US. THERE WERE A NUMBER OF QUESTIONS. I'D LIKE TO LET YOU KNOW ABOUT SOME OF THEM. ONE OF THEM WAS THE NUMBER OF RESIDENTS IS TOO HIGH, SHOULD BE LOWER. DEFINITE CONCERN BY THE NEIGHBORHOOD. WE FOUND OUT THAT IT IS DEFINITELY A CONTRACTUAL NUMBER. NUMBER TWO, PARKING WILL BE A PROBLEM, DOESN'T MEET OF NUMBER OF SPACES REQUIRED FOR NUMBER OF OCCUPANTS. PARKING WASN'T A PROBLEM. ONE OF THE THINGS THAT I ASKED FOR WAS SOME OF THE RULES AND REGS, STAFFING, ET CETERA, AND WE FOUND OUT THAT THE MOST NUMBER OF PEOPLE THAT WOULD BE NEEDING PARKING DURING A DAY

WOULD BE FIVE. THERE MIGHT BE A COUPLE OTHER PARKING SPACES THAT MIGHT BE NEEDED FOR PEOPLE COMING AND GOING BUT THAT WOULD BE IT. THE RESIDENTS THEMSELVES ARE NOT GOING TO BE ALLOWED TO DRIVE, NOT BE ALLOWED TO HAVE THEIR VEHICLES. THEY WILL HAVE TO USE THE BUS. THEY CAN'T HAVE VISITING. VISITORS ARE ALLOWED ON THE WEEKENDS, VERY LIMITED, THOUGH, AS FAR AS THE TIME, FROM NOON TILL 5:00 P.M. SO THAT ANY BUSINESSES IN THE NEIGHBORHOOD, ESPECIALLY THE LOUNGE ACROSS THE STREET, WOULD MOST LIKELY NOT BE AFFECTED BY THOSE. THE OTHER -- ANOTHER ONE WAS THE RESIDENTS WILL USE ALCOHOL AND HANG OUT ON THE STREET CORNER. WELL, THE RULES AND REGS FOR THE FEDERAL GUIDELINES ARE TEN PAGES LONG, AND ONE OF THE THINGS THAT THEY DO IS THEY HAVE BOTH DRUG BREATHALYZER AND ALSO URINE TESTING. WHEN THESE PEOPLE COME BACK INTO THIS FACILITY, THEY HAVE TO GO THROUGH THE BREATHALYZER TESTING. THEY'RE ON A VERY STRICT TIMING. WHEN THEY LEAVE THE PLACE THEY HAVE TO SAY WHERE THEY'RE GOING, THEY'RE GIVEN A CERTAIN AMOUNT OF TIME TO GET THERE, THEY HAVE TO CALL BACK AND TELL THE FACILITY DIRECTOR, THE COUNSELORS, THAT THEY'VE ARRIVED AT THE PLACE WHERE THEY'RE GOING. WHEN THEY LEAVE THAT PLACE THEY HAVE TO CALL AND LET THEM KNOW WHEN THEY ARE LEAVING AND WHAT TIME THEY'RE GOING TO BE EXPECTED BACK. SO THEY DON'T HAVE MUCH LEEWAY. AND IF THEY DON'T COME BACK IN THAT PARTICULAR TIME PERIOD, ACCORDING TO WHAT WE WERE TOLD BY BANNUM, THE FEDS WILL BE CALLED AND THEY WOULD BE PUT ON LIST AS A -- SOMEBODY THAT HASN'T COME BACK. I THINK YOU KNOW WHAT I MEAN. WILL THERE BE ADEQUATE STAFFING? YES, THAT WAS A BIG QUESTION FROM OUR NEIGHBORHOOD. THERE IS GOING TO BE PROFESSIONAL STAFFING IN THE AMOUNT OF THREE PROGRAM COUNSELORS, ONE EMPLOYMENT VOCATIONAL COUNSELOR, NINE COUNSELOR AIDS THAT WILL BE WORKING PART-TIME AND A DIRECTOR. THERE'S NO MENTION OF A CLEANING CREW OR MEAL PREPARATION STAFFING IS ONE OF THE OTHER COMMENTS THAT WAS MADE.

WELL, THIS IS PART OF THE REQUIREMENTS FOR THE RESIDENTS THEMSELVES. THEY WILL BE REQUIRED TO DO THE CLEANING OF THE FACILITY. THEY WILL BE REQUIRED TO PREPARE THE MEALS. WHAT WILL HAPPEN IF AND WHEN BANNUM INCORPORATED DECIDES TO CLOSE OR LEASE OUT THE FACILITY? WE DO HAVE THE CONDITIONAL OVERLAY. I THINK WE DO HAVE A PROBLEM AS FAR AS WHAT THE CITY CAN ENFORCE AND WHAT CANNOT BE, BUT WHAT THEY ALSO HAVE AS PART OF THE CONDITIONAL OVERLAY THAT THEY WILL HAVE TO BE SIGNED WITH AN AGREEMENT WITH THE NEIGHBORHOOD ORGANIZATION. IN CLOSING, WHAT I'D LIKE TO SAY IS I WOULD MUCH RATHER HAVE A 58 BED FACILITY RUN BY THE FEDS WITH THE REQUIREMENTS ARE THERE THAN TO GO BACK TO THE 35 BED FACILITY THAT HAS CREATED PROBLEMS FOR THE NEIGHBORHOOD. AND ONE MORE THING, I DON'T LIVE ACROSS THE STREET. I DON'T LIVE NEXT DOOR. SO I DON'T HAVE THE PROBLEMS THAT THE SPEAKERS BEFORE DID, BUT THIS IS SOMETHING THAT HAS BEEN ON MY MIND FOR DECADES, AND IF IT WERE TO GO IN NEXT DOOR TO ME OR ACROSS THE STREET FROM ME, I WOULD WANT TO TAKE ADVANTAGE OF THE FACT THAT THEY DO HAVE COMMUNITY RELATIONS ADVISORY BOARDS THAT I COULD BECOME A MEMBER OF.

MAYOR WYNN: THANK YOU, MA'AM. AGAIN, OTHER TESTIMONIES IN OPPOSITION TO THE APPEAL? THANK YOU ALL VERY MUCH. SO NOW OUR COMBINED APPELLATES WOULD HAVE A THREE MINUTE REBUTTAL. IN FACT, WITHOUT OBJECTION, NICKI AND WALTER CAN HAVE THREE MINUTES THAT THEY MAY HAVE HEARD. WELCOME BACK, FOLKS.

OKAY. I WOULD JUST ASK, WOULD -- WE CAN READ, WOULD YOU LIKE TO HAVE 58 BEDS RUN BY -- OR HAVE TRAVIS COUNTY INMATES, EX-CONVICTS IN THERE? BECAUSE THERE IS NO WAY YOU CAN ENFORCE THAT IS FOREVER GOING TO BE REGULATED BY THE FEDERAL GOVERNMENT. THERE IS JUST -- FROM WHAT I'VE BEEN TOLD, CANNOT BE ASSURED THAT THIS WILL CONTINUE

TO BE A FEDERALLY RUN HALFWAY HOUSE. I AGREE, IT SOUNDS GREAT, BUT I'M JUST SAYING I BELIEVE YOU GRANT 58 BEDS, YOU'VE GOT IT, FOREVER. THANK YOU.

MAYOR WYNN: THANK YOU. MA'AM? -- WALTER, WOULD YOU LIKE TO REBUT ANYTHING YOU HEARD OR --

YES. IT'S BASICALLY THE SAME THING. THIS ZONING VARIANCE GOES TO THE PROPERTY. AT PRESENT THE PROPERTY IS OWNED BY EUGENE MEESE. BANNUM IS NOT PART OF THE PICTURE. THEY ARE ATTEMPTING TO GET A CONTRACT. THEY HAVEN'T GOT ONE NOW. ALL OF THE POLICIES THAT THEY CLAIM WOULD BE SO STRICT ARE CORPORATE POLICIES. THEY CAN HAVE A BOARD MEETING AND CHANGE THEM AT ANY TIME, BUT THE ZONING CHANGE WILL NEVER CHANGE. THEY PULLED ABATE AND SWITCH ON US ONCE. WE'VE BEEN BURNT. WE DO NOT WANT THIS TO GO WITH THIS PROPERTY ON A HOPE THAT BANNUM WILL KEEP THEIR WORD, OR THAT EUGENE MEESE WILL KEEP HIS WORD.

MAYOR WYNN: THANK YOU, WALTER. SO COUNCIL, TECHNICALLY THAT CONCLUDES OUR PRESCRIPTIVE APPEAL PROCESS FOR THIS CASE. QUESTIONS, COMMENTS? MAYOR PRO TEM?

MAYOR WYNN: MR. ZAPLACK, WELCOME BACK.

DUNKERLEY: YOU SAID THAT THERE WERE FOUR THINGS THAT THE CITY COULD ENFORCE, AND YOU MENTIONED PARKING, THE ON-SITE MANAGER, 24-HOUR SECURITY AND EMPLOYEES WALKING THE PROPERTY DAILY.

THAT'S CORRECT.

DUNKERLEY: OKAY. SO THOSE FOUR THINGS, THE PARKING, THAT MEANS THAT THEY WOULD HAVE TO ACQUIRE ADDITIONAL OFF-SITE PARKING TO COMPLY WITH THE CITY, OR WHAT DOES THAT PARTICULAR --

THEY WOULD EITHER HAVE TO PROVIDE ADDITIONAL PARKING ON-SITE, AND APPEARS THERE'S NOT SUFFICIENT ROOM TO DO THAT, OR THEY WOULD HAVE TO OBTAIN OFF-SITE PARKING. THERE MAY BE THE POSSIBILITY OF EXECUTING A LEASE WITH ANOTHER BUSINESS IN THE AREA THAT WOULD HAVE PARKING AVAILABLE, BUT WE HAVE NOT SEEN THAT YET.

DUNKERLEY: AND ALTHOUGH WE COULDN'T ENFORCE ALL OF THOSE TEN PAGES THAT SOMEBODY TALKED ABOUT, THE 24-HOUR SECURITY ON-SITE MANAGER AND WALKING THE PROPERTY DAILY, WE COULD ENFORCE.

YES, MA'AM, WE COULD.

DUNKERLEY: OKAY. ALL RIGHT. THANK YOU.

THANK YOU.

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS? COUNCIL MEMBER COLE?

COLE: I HAD A QUICK QUESTION OF THE NEIGHBORHOOD, RUTH ANN, IS THAT RIGHT? RIEWD.....RUTH MARIE. HOW MANY -- THE APPLICANTS ACTUALLY CAME OUT AND MET WITH YOU, BANNUM, THEY MET WITH THE NEIGHBORHOOD ASSOCIATION, THE WHOLE NEIGHBORHOOD ASSOCIATION?

AT OUR -- AND PARDON ME, I DON'T REMEMBER NOW, I THINK IT WAS A JANUARY MEETING THAT THEY CAME TO. JOHN WAS THERE AND ALSO ONE OF THE NATIONAL REPRESENTATIVES WHO OVERSEES THE FUNCTIONING, THE OPERATIONS OF THE BUILDING ITSELF, OR OF THE PROGRAM ITSELF CAME AND ANSWERED QUESTIONS. THAT'S WHERE WE FOUND OUT, FOR INSTANCE, HOW STRICTLY THEY'RE REGULATED AS FAR AS TIMING IS CONCERNED.

COLE: OKAY. AND I'M ASSUMING THAT THE TESTIMONY THAT YOU GAVE HERE TODAY WAS REPRESENTATIVE OF ALL THE QUESTIONS THAT

WERE ASKED AND ANSWERED AND THE CONCERNS OF THE GROUP AS A WHOLE?

YES.

COLE: OKAY. THANK YOU.

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS? MR. ZAPLACK, HAVE ANOTHER STAFF QUESTION. I'M SORRY, I MAY HAVE MISHEARD MAYOR PRO TEM'S QUESTION. THE WHOLE ISSUE OF -- I THINK MANY FOLKS CAN RECOGNIZE THE FACT THAT THIS CONTRACTUAL AGREEMENT WITH THE FEDERAL FACILITY IS, IN FACT, FAR MORE RESTRICTIVE, BUT WHAT CAN WE DO AS A CITY TO ENSURE THAT THAT'S THE CASE LONG-TERM? I MEAN, IS THE -- MS. TERRY, IS THERE A WAY THAT THE CONDITIONAL USE PERMIT IS CONDITIONED ON ANY NUMBER OF THINGS, INCLUDING THE LITTLE -- LITERAL OPERATOR AND OR, YOU KNOW, SERIES OF OPERATIONS WITHIN THE PROPERTY?

TERRY: LET ME SEE IF I CAN KIND OF HELP. YOU CAN GET TO THE OPERATIONS ON THE PROPERTY, AND, IN FACT, THAT'S WHAT THE FOUR CONDITIONS THAT THE PLANNING COMMISSION RECOMMENDED THAT WE CAN ENFORCE, ARE ALL DIRECTED AT OPERATIONS ON THE PROPERTY AND HOW THAT OPERATION IS CARRIED FORTH. WHEN YOU HAVE A SITUATION WHERE YOU HAVE CONCERNS ABOUT NEIGHBORHOOD CRIME, WHERE YOU HAVE CONCERNS ABOUT WHAT IS GOING ON ADJACENT TO THE PROPERTY THAT MIGHT BE RELATED TO THE PROPERTY, THAT IS ALL -- THOSE ARE ALL CONDITIONS WHICH THE CITY CAN ADDRESS, NOT NECESSARILY THROUGH THE CONDITIONAL USE PERMIT, BUT THROUGH HOW IT OPERATES IN TERMS OF ITS POLICE PATROLS AND SO ON AND SO FORTH IN THE NEIGHBORHOOD. BUT IN TERMS OF WHAT'S TAKING PLACE ON THE PROPERTY AND THE USE ON THE PROPERTY, YOU CAN GET TO THE THINGS SUCH AS THE -- PROVIDE THE ON-SITE MANAGER, PROVIDE THE 24-HOUR SECURITY. WHAT WE CAN'T DO, WHAT THE CITY CANNOT DO, IS WE CAN'T GET INVOLVED IN THEIR FEDERAL CONTRACT. IF THEY -- IF THEY SECURE A FEDERAL CONTRACT, WE CAN'T GET

INVOLVED IN THAT BECAUSE THAT'S THE FEDERAL JURISDICTION, WHICH WE HAVE NO CONTROL OVER. IF THEY HAVE A STATE AND COUNTY CONTRACT, THEY'RE OBLIGATED THROUGH THEIR LEGAL RELATIONSHIP WITH THE STATE AND COUNTY, AND IT IS UP TO THE STATE AND COUNTY TO TAKE CARE OF THAT. THAT IS NOT WITHIN THE CITY'S PURVIEW, BUT WHAT THE CITY CAN DO IS PUBLIC POLICY, POLICE POWER KIND OF FUNCTIONS, WHICH INCLUDE, YOU KNOW, CRIME CONTROL, SO ON AND SO FORTH. I HOPE I'VE HELPED YOU. ASK ME MORE QUESTIONS IF I DIDN'T GET TO WHAT IT WAS YOU WERE TRYING TO GET TO.

MAYOR WYNN: COUNCIL MEMBER MCCRACKEN?

MCCRACKEN: I DON'T KNOW WHAT THE APPROPRIATE STEP IS, WHERE IS THE OTHER HALFWAY HOUSE IN AUSTIN LOCATED? CAN YOU GIVE US A SENSE, DO WE HAVE A LOT OF HALFWAY HOUSES OR SOME GEOGRAPHICAL DISTRIBUTION?

COUNCIL MEMBER, WE DON'T HAVE A COMPLETE LIST. I KNOW THERE IS ONE ON NORTH LAMAR IN THE VICINITY OF KOENIG LANE. I'M SORRY, I DON'T HAVE THE OTHER LOCATIONS WITH ME AT THIS TIME.

I GUESS --

I'M NEW TO AUSTIN AND ONE OF THE THINGS I FOUND OUT IS THAT THE EAST SIDE HAS APPARENTLY GOTTEN ALL KINDS OF RAW DEALS ACCORDING TO --

MA'AM, THERE WAS A SPECIFIC QUESTION BY COUNCIL MEMBER. IF YOU HAPPEN TO KNOW ADDRESSES, PLEASE ANSWER THE QUESTION. IF NOT, PLEASE SIT DOWN.

ON WHEELLESS LANE THERE IS A HALFWAY -- NOT EVEN A -- HALFWAY HOUSING THAT IS RUN BY -- AND I FORGOT THE -- I DON'T HAVE THOSE RECORDS WITH ME, BUT THEY DO HAVE SEX OFFENDERS THERE. I HAVE GONE BY PERSONALLY TO VISIT THIS PLACE BECAUSE I NOTICED HOW MANY SEX

OFFENDERS WERE LISTED FOR THIS PARTICULAR PLACE. IT IS A WELL-KNOWN, WELL RUN FACILITY, AND THEY HAVE AUDIO VISUAL, TVs ON 24 HOURS A DAY, SEVEN DAYS A WEEK. THE PEOPLE WITH THE -- WHO ARE SEX OFFENDERS OR HAVE THE ELECTRONIC BRACELETS ET CETERA AND ARE NOT SUPPOSED TO GO OUT INTO THE NEIGHBORHOOD. THERE ARE SEVERAL OTHER HOUSES I HAVE, AND THE MAIN THING ABOUT IT IS KNOWING WHAT THE TERMINOLOGY IS, AND I'M NOT GOOD AT IT YET EITHER. THERE ARE TWO HOUSES THAT RECENTLY WON OUR YARD OF THE MONTH AWARD BECAUSE THEY'RE SO WELL KEPT, AND THESE ARE HOUSES FOR MENTALLY CHALLENGED PEOPLE.

MCCRACKEN: THANKS. WE'RE GOT ANOTHER BIG HEARING. I APPRECIATE THAT. THAT WOULD NOT BE IN THE AREA, THEN, IN THE NEIGHBORHOOD. BUT --

FOLKS, IF YOU WANT TO APPROACH THE PODIUM AND YOU HAVE AN ADDRESS WITH A SPECIFIC RESPONSE TO A COUNCIL MEMBER'S QUESTION, I'LL ALLOW YOU TO DO THAT. I AM NOT GOING TO ALLOW YOU TO SHOUT OUT INFORMATION WHILE WE'RE TRYING TO CONDUCT THIS APPEALS HEARING. THANK YOU VERY MUCH. WELCOME BACK, MR. SEPLACK.

COUNCIL, THERE IS ONE AT 2406 MANOR ROAD, AND THE PUSH UP FOUNDATION, 1711 EAST CESAR CHAVEZ. THERE ARE PROBABLY OTHERS BUT THOSE ARE TWO THAT WE KNOW OF.

ONE OF THOSE WOULD BE CLOSE, ONE NOT PARTICULARLY CLOSE. BUT I'M GATHERING INFORMATION IS THAT THIS IS NOT BECOME A CONCENTRATION OF HALFWAY HOUSES WHICH WOULD BE TROUBLING, AND I'M SORRY, SOMEONE MAY HAVE ASKED THIS AND I JUST MISSED IT, BUT DO WE HAVE STATISTICAL INFORMATION ABOUT CRIME REPORTS FROM THIS LOCATION OR FROM THIS PARTICULAR AREA? AND THIS WOULD BE FOR CITY STAFF. MAYOR PRO TEM DUNKERLEY MAY HAVE THE INFORMATION FOR US.

DUNKERLEY: I DO HAVE A PRINTOUT OF THE CALLS FROM THAT LOCATION. OVER A THREE-YEAR PERIOD THERE HAVE BEEN 118 CALLS. 25 OF THOSE WERE TO EMS FOR SUCH THINGS AS RESPIRATORY CODE 3, CHEST PAIN, THAT SORT OF THING, ET CETERA. THERE WERE 29 NON-EMERGENCY CALLS, AND MOST OF THOSE, JUST LOOKING AT THEM, WERE WARRANT SERVICES WHERE SOMEBODY COMES OUT TO SERVE A WARRANT, AND THEN, OH LET'S SAY, WE HAD SEVERAL HERE WHERE THERE WERE CALLS MADE AND THEN THEY HUNG UP AND [INAUDIBLE] THE CALL. AND THEN THERE WERE PROBABLY 19 CALLS TO APD FOR -- IN THREE YEARS, SO THAT'S, WHAT, ABOUT SIX A YEAR. FOR THINGS LIKE CRIMINAL MISCHIEF, THEFT OF SERVICE, ONE PUBLIC INTOXICATION, A SUSPICIOUS PERSON, THAT KIND OF STUFF. SO -- SO THIS IS 19 AND THREE YEARS OF.....INTHREE YEARS OF WHAT I WOULD CALL -- YOU CAN JUST TAKE A LOOK AT THAT.

MCCRACKEN: OKAY. THANK YOU VERY MUCH.

MAYOR WYNN: MR. SEPLACK, IF YOU COULD WALK ME THROUGH AGAIN THE CONDITIONS BY THE PLANNING COMMISSION.

THE FOUR CONDITIONS THAT THE CITY COULD ENFORCE WOULD BE ONE, TO COMPLY WITH PARKING REGULATIONS, TWO, TO PROVIDE AN ON-SITE MANAGER, THREE, TO PROVIDE 24-HOUR SECURITY, AND FOURTH, TO REQUIRE THAT EMPLOYEES WALK THE PROPERTY DAILY. THOSE WERE THE FOUR THAT THE CITY COULD ENFORCE.

MAYOR WYNN: THANK YOU. FURTHER QUESTIONS, COMMENTS? THOUGHTS? AND SO THE PLANNING COMMISSION'S CONDITION ON PARKING, YET THE -- MY UNDERSTANDING IS THE, I GUESS, BOARD OF ADJUSTMENT, OR WHOMEVER HEARS THAT ISSUE HAS DENIED THE --

YES --

THE VARIANCE REQUEST.

YES, THE BOARD OF ADJUSTMENT DENIED THE VARIANCE REQUEST. HOWEVER, THE -- THEY CAN COMPLY WITH THE PARKING REGULATIONS IF THEY ARRANGE FOR OFF-SITE PARKING. SO WHEN THE PLANNING COMMISSION SAYS COMPLY WITH PARKING REGULATIONS, THAT CAN BE SATISFIED IF THEY CAN DEMONSTRATE THAT THEY HAVE AN ARRANGEMENT FOR OFF-SITE PARKING.

MAYOR WYNN: AND IS THERE SOME DEADLINE TO GET THAT DONE? HOW WOULD THAT WORK? I MEAN, IN THEORY, IF THIS THING -- IF THAT CONDITION -- IT GETS APPROVED WITH THAT CONDITION, SOME WEEKS OR MONTHS, YEARS LATER --

LET ME DEFER TO GEORGE FOR THE PROCESS, BUT FUNDAMENTALLY, THEY DON'T GET THEIR PERMIT APPROVAL UNTIL THEY DEMONSTRATE THEY HAVE SATISFIED THE PARKING REQUIREMENTS, IF THAT'S A CONDITION THAT YOU WISH TO IMPOSE. GEORGE CAN SPEAK TO THE EXACT PROCESS AND THE TIMING ON THAT.

THEY HAVE 180 DAYS FROM THE TIME THAT THE PERMIT WAS APPROVED BY THE PLANNING COMMISSION TO SATISFY ALL THE CONDITIONS. SO THAT WAS IN -- THAT WAS JANUARY 30, SO THEY HAVE UNTIL JULY TO COMPLY WITH THE CONDITIONS. AND I SHOULD CLARIFY MY PREVIOUS ANSWER. THEY ARE IN NEGOTIATIONS WITH AN ADJOINING PROPERTY OWNER OVER THE USE OF SOME OFF-SITE PARKING. BUT THEY DO NOT HAVE AN EXECUTED LEASE AT THIS TIME.

MAYOR WYNN: ALL RIGHT. THANK YOU, MR. SEPLACK. QUESTIONS? COMMENTS? MOTIONS?

DUNKERLEY: MAYOR.

MAYOR WYNN: MAYOR PRO TEM?

DUNKERLEY: I'LL MAKE A MOTION TO DENY THE APPEAL BUT TO INCLUDE ALL FOUR OF THE ITEMS THAT WE PREVIOUSLY LISTED AS REQUIREMENTS

FOR THE CONDITIONAL USE PERMIT INCREASE.

IF I CAN HELP YOU, MAYOR PRO TEM, WITH THE MOTION, BASICALLY WHAT YOU'RE DOING IS YOU ARE DENYING THE APPEAL BUT ADDING CERTAIN CONDITIONS TO THE DENIAL OF THE APPEAL SO THAT THE CONDITIONAL USE PERMIT --

I COULDN'T HAVE SAID IT BETTER.

SO THAT THE CONDITIONAL USE PERMIT NOW HAS THE ADDED FOUR CONDITIONS THAT THE PLANNING COMMISSION RECOMMENDED THAT THE STAFF HAS LAID OUT THAT WE CAN ENFORCE.

DUNKERLEY: THAT'S MY MOTION.

MCCRACKEN: I HAVE A QUESTION FOR MARTY, MAYOR.

MAYOR WYNN: YES.

DOES THE CLOCK OF COMPLIANCE RESTART NOW THAT WE'RE --

LET ME DEFER THAT TO GEORGE. I THINK THAT WHAT THEY'RE SAYING IS THAT THE COMPLIANCE WITH THE PARKING REGULATIONS RUNS FROM THE DATE OF THE ORIGINAL CONDITIONAL USE PERMIT, AND THE REASON FOR THAT IS THAT BECAUSE WHAT YOU-ALL ARE DOING IS AFFIRMING THE ADDITIONAL -- YOU ARE AFFIRMING THE APPROVAL OF THE CONDITIONAL USE PERMIT AS RECOMMENDED BY THE PLANNING COMMISSION EXCEPT MODIFYING THE CONDITIONS TO ONLY THOSE FOUR.

THAT'S CORRECT. IT'S 180 DAYS FROM THE DATE THE PLANNING COMMISSION APPROVED THE PERMIT, SO IT'S ABOUT -- IT'S ALREADY BEEN ABOUT TWO MONTHS SO THERE ARE ABOUT FOUR MONTHS LEFT.

THANK YOU.

MAYOR WYNN: WE HAVE A MOTION ON THE TABLE

TO DENY THE APPEAL AND INCLUDE THE FOUR
CONDITIONS -- MODIFICATIONS --

COLE: SECOND.

MAYOR WYNN: SECONDED BY COUNCIL MEMBER
COLE. COMMENTS? COUNCIL MEMBER MARTINEZ?

MARTINEZ: I JUST WANT TO MAKE A COUPLE
COMMENTS. YOU KNOW, THIS -- THE ISSUE OF
TRANSITIONAL HOUSING IS -- IT'S KIND OF SIMILAR
TO THE NEXT PUBLIC HEARING THAT WE'RE GOING
TO HAVE WHERE THERE ARE STRONG FEELINGS ON
EACH SIDE OF IT, AND SOME OF THE PERCEPTIONS
AND INFORMATION IS REAL AND SOME OF IT I
THINK IS UNFOUNDED IN BOTH OF THESE CASES.
BUT WHAT IS IMPORTANT TO ME AND TO US AS A
CITY IS THAT WE PROVIDE NECESSARY SERVICES.
WE'RE NOT SOME SMALL SLEEPY TOWN THAT CAN
JUST AVOID THE ISSUE THAT WE FACE AS IT
RELATES TO TRANSITIONAL HOUSE THAN AND
PEOPLE TRYING TO REENTER INTO SOCIETY IN A
WAY THAT IS AS SAFE AS POSSIBLE AND IN THE
BEST WAY THAT WE CAN DO IT HERE IN AUSTIN. SO
I'M GOING TO SUPPORT THE MOTION THAT'S ON THE
TABLE, AND I JUST WANT PEOPLE TO BE AWARE
THAT WE ARE NOT -- YOU KNOW, WE'RE CERTAINLY
COGNIZANT OF THE CONCERNS THAT ARE BEING
LAID OUT. WE KNOW THAT PEOPLE HAVE GENUINE
CONCERNS ABOUT THE -- SOME OF THE SERVICES
THAT WE PROVIDE AS A SERVICE, BUT WE HAVE TO
DO THE BEST JOB THAT WE CAN TO CONTINUE TO
PROVIDE THESE SERVICES AND TO INCREASE THOSE
SERVICES AS WE GROW AS A CITY. AND I THINK
THAT'S WHAT WE'RE DOING HERE. WE SEE THAT THE
REGULATIONS FOR THE TRANSITIONAL HOUSING IN
THIS CASE ARE GOING TO INCREASE BECAUSE OF
THE NUMBER OF BEDS THAT WILL BE INCREASED,
AND SO I THINK IT'S THE BEST POSSIBLE WAY OF
PROVIDING THIS SORELY NEEDED SERVICE IN OUR
COMMUNITY, AND I WANT US TO BE MINDFUL OF
THAT AND NOT THINK THAT BY COUNCIL'S ACTIONS
IT DOESN'T MEAN THAT WE DON'T CARE ABOUT
NEIGHBORHOOD OR THAT WE'RE NOT CONCERNED
WITH SOME OF THE ISSUES THAT WERE CITED, BUT
WE ARE TRYING TO BALANCE SOMETHING THAT'S

VERY DIFFICULT FOR SOME FOLKS TO LIVE WITH, TO DIGEST, BUT IT'S SOMETHING THAT WE -- I FEEL LIKE WE'RE OBLIGATED TO DO AS A CITY AND AS A COUNCIL. SO I'LL BE SUPPORTING MAYOR PRO TEM'S MOTION.

MAYOR WYNN: THANK YOU, COUNCIL MEMBER. FURTHER COMMENTS? AGAIN, WE HAVE A MOTION AND A SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING, DENY THE APPEAL AND INCLUDE THE FOUR MODIFICATIONS OR CONDITIONS BY THE PLANNING COMMISSION. VERY DIFFICULT ISSUE IN 21ST ISSUE OF AMERICAN CITIES. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0, COUNCIL MEMBER LEFFINGWELL OFF THE DAIS. COUNCIL, THAT TAKES US TO OUR LAST PUBLIC HEARING, ITEM 33, CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT AND POTENTIALLY APPROVE A RESOLUTION SELECTING 2201 EAST BEN WHITE BOULEVARD AS A SITE FOR A SECOND DAY LABOR CENTER. WELCOME BRIEF STAFF PRESENTATION. MR. DAVID LORI. WELCOME.

MAYOR. IT'S A PERSONAL PRIVILEGE. WE HAVE A TRANSLATOR HERE. SHE'S STANDING RIGHT HERE ON THE SECOND ROW, AND SO IF ANYONE NEEDS TRANSLATION SERVICES SHE'S CERTAINLY AVAILABLE. [IN SPANISH]

MAYOR WYNN: THANK YOU, COUNCIL MEMBER.

WELCOME, MR. LORI.

GOOD EVENING, DAVID LORI, DIRECTOR OF HEALTH AND HUMAN SERVICES. THE HEARING TONIGHT IS TO CONSIDER A STAFF RECOMMENDATION, WHICH WAS ALSO PREMD BY YOUR PUBLIC HEALTH AND HUMAN SERVICES SUBCOMMITTEE FOR A SOUTH DAY LABOR SITE AT 2201 EAST BEN WHITE BOULEVARD. AGAIN, JUST TO GIVE YOU A LITTLE BIT OF BACKGROUND AND PERSPECTIVE ON THIS,

WE CURRENTLY HAVE A SITE AT 51ST AND IH-35 THAT'S BEEN OPERATIONAL SINCE 1999. VERY SUCCESSFUL PROGRAM. OVER 22,000 PLACEMENTS IN THE LAST FISCAL YEAR, AND FUNDING FOR A SECOND SITE WAS INCLUDED IN THE OLD 607 APPROVED BUDGET. IN OCTOBER OF 06 YOU REQUESTED A DAY LABOR COMMUNITY ADVISORY COMMITTEE TO REVIEW POTENTIAL SITES. WE NARROWED IT DOWN TO FIVE THAT THEY EXAMINED VERY CLOSELY AND PROVIDED A REPORT OF PROS AND CONS RELATIVE TO THOSE SITES. STAFF THEN CONSIDERED THAT REPORT AND AS RESULT IS RECOMMENDING THIS SITE, WHICH WE FEEL COMES THE CLOSEST TO MATCHING UP WITH THE CRITERIA THAT YOU DIRECTED US TO CONSIDER IN TERMS OF LOOKING AT A SOUTH AUSTIN DAY LABOR SITE, AND THESE ARE THE CRITERIA. APPROXIMATE PROXIMITY IN THE NEIGHBORHOODS, TRYING TO IDENTIFY A SITE THAT WOULD PROVIDE BUFFER OR SEPARATION FROM RESIDENTIAL AREAS, GOOD ACCESS AND VISIBILITY FOR BOTH EMPLOYERS AND LABORERS, GOOD PUBLIC TRANSIT, LABOR SUPPLY ACCESSIBLE TO THE SITE, AND LOOKING AT THE PHYSICAL LAYOUT THAT WOULD ACCOMMODATE TRAFFIC FLOW AND EFFICIENT OPERATIONS OF THE PROGRAM AND THE OVERALL ASSESSMENT INCLUDING COST AND SOME OTHER RELATED FACTORS. THE FIVE SITES THAT THE COMMITTEE REVIEWED, THREE WERE IN THE -- TWO, EXCUSE ME, WERE IN THE EAST RIVERSIDE AREA AND THREE WERE IN THE EAST BEN WHITE AREA, AND YOU CAN SEE THE ADDRESS IS INDICATED THERE. IN GENERAL A LOT OF LABORERS RESIDE IN THE EAST RIVERSIDE AREA AND THAT'S WHERE WE HAVE A NUMBER OF INFORMAL SITES THAT ARE CURRENTLY OPERATING THE BEN WHITE AREA. HOWEVER, PROVIDES FOR MUCH MORE BUFFER IN TERMS OF COMMERCIAL AND INDUSTRIAL AREAS AND HAS GOOD PUBLIC TRANSIT TO FACILITATE LABORERS COMING FROM EAST RIVERSIDE AND OTHER PARTS OF EAST -- SOUTH AUSTIN. SO AGAIN, THE REASONS WHY WE FEEL THAT THIS COMES CLOSEST TO MATCHING UP WITH OUR CRITERIA, ONE IS WE HAVE A GREAT DEAL OF COMMERCIAL INDUSTRIAL BUFFERS. WE HAVE EXTREMELY GOOD

HIGHWAY ACCESS FROM ALL DIRECTIONS, A NUMBER OF CAPITAL METRO BUS LINES BASICALLY COME INTO THIS AREA. THERE'S GOING TO BE A NEW CAPITAL METRO HUB ALSO LOCATED FAIRLY CLOSE THAT WILL FACILITATE ACCESS, PARTICULARLY FROM SOUTH AUSTIN. ANOTHER ADVANTAGE OF THIS PARTICULAR SITE IS WE'LL BASICALLY BE USING IT AS IS SO THERE'S VERY LITTLE UP FRONT INVESTMENT AND, IN FACT, WE'RE GOING TO BE RECOMMENDING -- PART OF THIS RECOMMENDATION IS THAT THIS BE A ONE-YEAR PILOT AND BECAUSE WE DON'T HAVE SIGNIFICANT COSTS INITIALLY, THIS WILL ENABLE US TO MOVE IN RELATIVELY QUICKLY, OPERATE THERE ON A ONE-YEAR BASIS AND THEN EVALUATE THE EFFECTIVENESS OF THE PROGRAM AND THEN COME BACK WITH RECOMMENDATIONS IN TERMS OF POTENTIAL FOR LONG-TERM. THIS MAP HERE AGAIN JUST SHOWS YOU WHERE THE SITE IS, THE BLUE AND RED AREAS BEING COMMERCIAL AND INDUSTRIAL, AND THEN THE YELLOW AREA THERE NORTH AND ACROSS BEN WHITE BOULEVARD IS RESIDENTIAL. COUPLE MORE MAPS HERE JUST TO ALSO DEPICT THE LOCATION. THE STAR THERE BEING THE -- THE RED STAR BEING THE LOCATION. YOU CAN SEE BEN WHITE BOULEVARD AND THE ACCESS ROAD AND WHERE 71 QERJS..... 71 CONVERGES VERGES WITH I-35. SO GOOD ACCESS FROM ALL DIRECTIONS. THE TWO GREEN CIRCLES REPRESENT BUS STOPS IN VERY CLOSE PROXIMITY TO THE PROPERTY, AND AGAIN IN TERMS OF THIS PICTURE YOU CAN SEE THE BASIC INDUSTRIAL COMMERCIAL PROPERTY SURROUNDING IT. JUST ANOTHER PICTURE DEPICTING THE SAME THING. THIS PICTURE IS TO SHOW YOU THE TRAFFIC FLOW ON THE SITE ITSELF. THE ACCESS POINT WOULD BE OFF OF THE FRONTAGE ROAD, COME INTO THE AREA AND TRAFFIC WOULD BE CIRCULATED AROUND THE PARKING LOT AND BACK OUT TO THE FRONTAGE ROAD. IT'S OUR INTENTION TO USE THE EXTERIOR SPACE OF THE BUILDING, WHICH IS COVERED UNDER THAT ROOF THERE ON THE EAST SIDE OF THE -- OF THE BUILDING ITSELF. THIS PICTURE SHOWS THE BUS LINES, AGAIN, GOOD ACCESS FROM PARTICULARLY THE EAST RIVERSIDE AREA, AND YOU CAN SEE THE TRAVIS HEIGHTS LINE THERE OF

DOVE SPRINGS, AND ST. JOHN'S. THE QUESTION THAT THAT THE COMMITTEE COMMITTEE MEETING HAD TO DO WITH PLEASANT VALLEY ROAD AND THE YELLOW LINE THERE SHOWS DOVE SPRINGS ALONG PLEASANT VALLEY, WHICH THEN CONNECTS TO, I BELIEVE IT'S -- I'M SORRY, ST. JOHN'S CONNECTS WITH DOVE SPRINGS THEN, AND ON DOWN TO THE SITE. AND JUST A COUPLE MORE PICTURES OF THE SITE THAT SHOWS THE LARGE PARKING AREA WHICH WILL ALLOW FOR GOOD TRAFFIC FLOW AND CIRCULATION IN AND OUT OF THE PROPERTY. AND THIS IS THE COVERED AREA THAT WE WOULD BE USING PRIMARILY. AND I HAVE A ANOTHER PICTURE DEPICTING THE SAME THING. OUR NEXT STEPS TONIGHT, WE'RE CONDUCTING A PUBLIC HEARING, HAVE AN ACTION ITEM FOR YOUR CONSIDERATION. IF YOU APPROVE OF THIS PARTICULAR SITE AS MOVING FORWARD WITH IT, THEN WE WOULD PROCEED WITH EXECUTING THE LEASE. WE HAVE SOME SLIGHT BUILDING MODIFICATIONS TO PROVIDE FOR ACCESS TO RESTROOMS AND THEN MOVE FORWARD WITH AN OPERATIONAL PLAN AND OPEN AS QUICKLY AS WE POSSIBLY CAN. WE'D LIKE TO HAVE THE PROGRAM UP AND RUNNING LATE SPRING, EARLY SUMMER BECAUSE OF THE HIGH VOLUME NEED ASSOCIATED WITH THE HEAVY CONSTRUCTION PERIOD. A COUPLE ITEMS THAT WERE BROUGHT UP AT THE SUBCOMMITTEE THAT I WANTED TO REPORT ON. THERE WERE SOME QUESTIONS ABOUT ENTRANCE SIGNAGE AND WE'VE BEEN WORKING WITH THE OPERATORS OF MIDNIGHT RODEO AND WE WILL BE ABLE TO PROVIDE FOR SIGNAGE. THERE WERE SOME QUESTIONS ABOUT THE BACK ALLEYWAY ON THE NEIGHBORING PROPERTY, AND MY UNDERSTANDING FROM CODE ENFORCEMENT IS THAT IS A LEGAL USE FOR THAT EXISTING PROPERTY, BUT IT WOULD BE OUR INTENT TO PUT UP A BARRIER AND BASICALLY CIRCULATE THE TRAFFIC AS WAS INDICATED IN THAT PICTURE SO THAT THE TRAFFIC WOULD COME OFF OF THE FRONTAGE ROAD, CIRCULATE THROUGH THE PROPERTY AND BACK OUT ONTO THE FRONTAGE ROAD, NOT ALONG THAT ROADWAY BEYOND -- TO THE WEST ON THE ADJOINING PROPERTY. WE WOULD PUT UP BARRIERS TO PREVENT THAT FROM

HAPPENING. THERE WAS ALSO A QUESTION ABOUT EXCLUSIVE USE OF THE PROPERTY DURING THE TIME THAT WE'RE USING IT AND THE LEASE WOULD PROVIDE FOR EXCLUSIVE USE DURING THOSE TIMES. I REALLY WANT TO EMPHASIZE, THOUGH, BECAUSE THERE'S BEEN SOME, I THINK, MISCOMMUNICATION OR MISUNDERSTANDING OUT IN THE PUBLIC THAT MIDNIGHT RODEO WOULD CONTINUE TO OPERATE ON THIS PROPERTY. THIS IS - - THIS IS A SHARED USE ARRANGEMENT, WHERE THE NIGHTCLUB OPERATES FOUR NIGHTS A WEEK AND THE DAY LABOR PROGRAM WOULD BE OPERATING DURING -- DURING THE DAY. ONE OTHER ITEM THAT WAS BROUGHT UP BY THE NEIGHBOR HAD TO DO WITH A PRIVACY FENCE, AND WE'RE CONTINUING TO WORK WITH -- WITH THE IMMEDIATE NEIGHBOR BUT ALSO WITH THE OWNER OF THE PROPERTY, MISWALLACE, TO TALK ABOUT SOME THINGS WE MIGHT BE ABLE TO DO TO ADDRESS THAT PARTICULAR CONCERN BUT DO IT IN A WAY THAT IS PLEASING AESTHETICALLY, THAT WOULD NOT CAUSE ANY ISSUES IN TERMS OF ONGOING MAINTENANCE OR PERHAPS IN TERMS OF SAFETY ISSUES AS FAR AS LINE OF SIGHT FROM THE MIDNIGHT RODEO PARKING LOT. BUT WE HAVE HAD GOOD COOPERATION. THE OWNER HAS BEEN EXTREMELY SUPPORTIVE OF US ON THIS AND I'M PRETTY CONFIDENT THAT WE CAN WORK OUT A SOLUTION THERE THAT WILL BE MUTUALLY BENEFICIAL. SO MAYOR, THAT CONCLUDES OUR PRESENTATION AND YOU HAVE YOUR PUBLIC HEARING SCHEDULED.

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

MARTINEZ: MR. LORI, WHEN YOU TALKED ABOUT THE ALLEYWAY THAT WAS BROUGHT UP AS A CONCERN, THE NEIGHBORING PROPERTY HAS AN EXISTING ALLEYWAY, IF YOU WILL. IT'S NOT REALLY AN ALLEY, BUT THEY HAVE AN EXISTING ROAD STRUCTURE BEHIND IT, AND PEOPLE ARE USING THAT TO DRIVE INTO THE PARKING LOT OF MIDNIGHT RODEO. THIS BARRIER THAT YOU'RE PROPOSING THAT WE PUT UP, IS THIS A PERMANENT BARRIER OR IS THIS GOING TO BE ONLY A BARRIER

WHEN WE'RE USING THE DAY LABOR FACILITY OR IS THIS A CODE VIOLATION THAT NEEDS TO BE ADDRESSED?

WELL, MY UNDERSTANDING, COUNCIL MEMBER, FROM MATTHEW CHRISTIANSON, FROM CODE ENFORCE HIM,.....ENFORCEMENT, THAT THE USE FOR THAT PARTICULAR PROPERTY IS A LEGAL USE. HOWEVER, WE WOULD NOT WANT TO ADD TO THAT IN TERMS OF ACCESSING THAT ROADWAY FROM THIS PROPERTY. SO IT WOULD BE OUR INTENT, AND AGAIN, THIS IS A JOINT USE SITUATION. SO, YOU KNOW, THE MIDNIGHT RODEO OPERATION, THAT'S THEIR OPERATION, AND THEY NEED TO MAKE A DETERMINATION AS TO HOW -- HOW THEY CONDUCT THEIR BUSINESS ON THE PROPERTY, BUT WE, THE CITY, IF WE'RE ON THIS PROPERTY, WE'RE GOING TO HAVE A BARRIER UP THERE DURING THE TIMES THAT WE ARE USING THE PROPERTY SO THAT EMPLOYERS WILL NOT EXIT ONTO THAT ROADWAY. THAT'S OUR INTENT.

MARTINEZ: BUT WHEN YOU SAY THAT IT'S A LEGAL USE FOR THAT -- THE PROPERTY THAT IT'S ACTUALLY ON, DOESN'T MAKE IT A LEGAL USE FOR MIDNIGHT RODEO TO USE IT WHEN THEY'RE OPERATING, DOES IT?

I DON'T THINK I'M THE BEST PERSON TO ANSWER THAT QUESTION. I DON'T KNOW IF SOMEBODY FROM CODE ENFORCEMENT WOULD WANT TO COMMENT, BUT AGAIN, YOU KNOW, WE WERE LOOKING AT IT FROM THE STANDPOINT OF OUR USE. MATT, DO YOU WANT TO COME FORWARD AND LOOK?

TO SAY THAT IT'S A LEGAL USE FOR THAT EXISTING PROPERTY, NOBODY USES IT FOR PARKING, AND THAT EXISTING OWNER DOESN'T USE IT FOR ANYTHING. IT'S PEOPLE WHO ARE GOING TO MIDNIGHT RODEO, TO AND FROM, THAT ARE USING THAT, AND SO I'M TRYING TO FIGURE OUT HOW WE ADDRESS THE CONCERN OF DISCONTINUING THAT USE.

GOOD EVENING. MATTHEW CHRISTIANSON, ASSISTANT DISTINGUISH MANAGER WITH SERVICES

CODE ENFORCEMENT. IN REGARD TO THE MIDNIGHT RODEO, THEY DO HAVE A SITE PLAN IN EFFECT AND IT DOES NOT SHOW ACCESS FROM THAT ALLEYWAY. MATH....

MARTINEZ: SO THAT WOULD MAKE IT AN ILLEGAL USE IF CUSTOMERS OF MIDNIGHT RODEO WERE ENTERING AND EXITING THE PARKING LOT THROUGH THAT.... THAT?

THAT IS CORRECT.

AND SO ARE WE ADDRESSING THAT? HAVE WE -- I MEAN, ARE WE GOING TO ENFORCE THE CODE AS IT RELATES TO MIDNIGHT RODEO AND NO LONGER ALLOW INGRESS AND EGRESS AT THAT POINT?

AT THIS POINT, THIS WAS A REQUEST FOR INFORMATION IN REGARD TO THE ALLEYWAY. WE JUST DISCOVERED TODAY THAT MIDNIGHT RODEO DID NOT HAVE PERMISSION AS PART OF THEIR SITE PLAN TO USE THAT, SO THIS WOULD TURN INTO A CODE ENFORCEMENT CASE.

THANKS, MATT.

MAYOR WYNN: FURTHER QUESTIONS OF STAFF? COUNCIL? COMMENTS? IF NOT, WE HAVE A NUMBER OF FOLKS WHO HAVE SIGNED UP WISHING TO GIVE US TESTIMONY, SO AT THIS TIME WE WILL TAKE THAT TESTIMONY. I THINK WE CAN JUST CALL THESE UP IN THE SEQUENCE THAT THEY APPARENTLY SIGNED UP, WHATEVER THE COMPUTER SHOWS HERE FOR ME. SO OUR FIRST SPEAKER WILL BE LORI RENT REA. YOU'LL HAVE THREE MINUTES. YOU'LL BE FOLLOWED BY TOM VAND NE STAT.

THANK YOU, MAYOR. I AM A MEMBER OF THE DAY LABOR COMMUNITY ADVISORY COMMITTEE. I REPRESENT THE AUSTIN NEIGHBORHOODS COUNCIL ON THAT COMMITTEE, AND I AM CHAIRING THE COMMUNITY OUTREACH AND SITE LOCATION RECOMMENDATION SUBCOMMITTEE, BUT I'M SPEAKING TO YOU TONIGHT AS AN INDIVIDUAL, AS AN INDIVIDUAL AD ROW..... ADVOCATE FOR

PEOPLE WHO STAND ON WORK CORNERS BECAUSE UNTIL YOU OPENED FIRST WORKERS WE HAD 300 MEN STANDING AT SANCHEZ ELEMENTARY FOR ABOUT FOUR YEARS. SO I KNOW WHAT IT'S LIKE TO HAVE THE IMPACT OF DAY LABOR IN YOUR NEIGHBORHOOD, AND I PERSONALLY SUPPORT THIS SITE BECAUSE IT IS NOT UP IN SOMEBODY'S NEIGHBORHOOD. I DID MY VERY BEST AS AN AUSTIN NEIGHBORHOODS COUNCIL REPRESENTATIVE TO CONTACT THE PLANNING TEAMS AND THE NEIGHBORHOOD ASSOCIATIONS SOUTH OF BEN WHITE THAT WOULD INCLUDE THAT AREA. WE HELD A SPECIAL MEETING WITH THOSE NEIGHBORS, AND BUSINESSPEOPLE, AND GENERALLY THE COMMUNITY NEIGHBORHOOD ASSOCIATION DID NOT HAVE A PROBLEM WITH ANYTHING EAST OF WOOD DLT WARD.....DLTAWARD. THE ORIGINAL STAFF RECOMMENDATION WAS 2101, WHICH IS ANOTHER 100 BED PRISON PAROLE PROGRAM ON THE EAST SIDE, AND I DIDN'T LIKE THAT SITE BECAUSE I THOUGHT IT WAS A BAD IDEA TO MIX PAROLEEES AND DAY WORKERS, AND THE NEIGHBORHOOD PEOPLE DIDN'T LIKE IT BECAUSE OF THIS ALLEY ISSUE THAT COUNCIL MEMBER MARTINEZ IS RAISING AND CREATING BIG TRAFFIC JAMS WITH THE LARGE CONSTRUCTION, YOU KNOW, CAB -- CREW CAB TRUCKS AND TRAILERS TRYING TO GET IN AND OUT OF THAT LOCATION. BUT GENERALLY THE NEIGHBORS IN THAT NEIGHBORHOOD SAID, GO ANYWHERE EAST. JUST DON'T PUT IT RIGHT THERE WHERE YOU'RE GOING TO CREATE A TRAFFIC JAM FOR PEOPLE TRYING TO GET TO WORK IN THE EARLY MORNING RUSH HOUR. AND FINALLY, I WANT TO REMIND YOU I'M SPEAKING AS AN INDIVIDUAL, NOT AS A MEMBER OF THE COMMITTEE BECAUSE THE COMMITTEE DID NOT RANK OR RATE THESE SITES IN ANY ORDER. WE GAVE YOU OUR PROSE..... PROS AND OUR CONS. BUT I GOT TO SAY ONE OF THE MEMBERS OF OUR ADVISORY COMMITTEE CAME UP WITH A GOOD ONE. AND I DON'T WANT TO TELL YOU WHO IT IS. HE SAID, LORI, THIS IS AUSTIN. WE'RE THE LIVE MUSIC CAPITAL OF THE WORLD. ALL WE'RE TALKING ABOUT IN THIS TOWN IS MIXED USE DEVELOPMENT. I MEAN, HOW -- HOW ELSE TO KEEP AUSTIN WEIRD

THAN TO HAVE WORKERS BY DAY AND DANCERS BY NIGHT. I THINK IT'S A VERY COOL MIXED USE IDEA THAT NEEDS TO GIVE IT A TRY.

MAYOR WYNN: THANK YOU, MESS RENTERA. TOM VANDER STAT. YOU'LL BE FOLLOWED BY CARLA CHEATAM.

MR. MAYOR, COUNCIL MEMBERS, TOM, I'M THE PASTOR OF THE CONGREGATIONAL CHURCH OF AUSTIN AND TONIGHT I'M REPRESENTING THE RELIGION AND LABOR NETWORK OF AUSTIN. IN THE RELIGION AND LABOR NETWORK REALLY STRUGGLED WITH HOW TO RESPOND TO THIS PROPOSAL TO BUILD A NEW DAY LABOR CENTER ON BEN WHITE BOULEVARD, AND TO BE HONEST WE'RE AMBIVALENT ABOUT IT. ON THE ONE HAND WE AGREE WITH YOUR EFFORT TO RESPOND TO THE NEEDS OF CITIZENS OF AUSTIN WHO RELY ON DAY LABOR TO SUPPORT THEMSELVES, THEIR FAMILIES AND THEIR CHILDREN. LET US KNOW FORGET THAT THESE CITIZENS AND RESIDENTS OF AUSTIN ARE AMONG THE MOST ECONOMICALLY VULNERABLE AND ECONOMICALLY EXPLOITED PEOPLE IN OUR CITY. SO WE THANK YOU, THE CITY COUNCIL, FOR YOUR EFFORTS TO HELP THESE PEOPLE IN THEIR EFFORTS TO FIND AN HONEST DAY'S WORK FOR AN HONEST DAY'S PAY AS THEY CONTRIBUTE TO THE GROWTH AND DEVELOPMENT OF OUR CITY. IN PARTICULAR WE THANK YOU FOR STAFFING THE DAY LABOR ADVISORY COMMITTEE, FOR PASSING THE RESOLUTION OPPOSING STATE REPRESENTATIVE SEB LER'S HOUSE BILL 9040 4:30 WHICH WOULD MAKE IT ILLEGAL FOR THE CITY TO BUILD OR OPERATE DAY LABOR CENTERS AND FOR BRINGING BEFORE THE CITY THIS PROPOSAL TO BUILD A NEW DAY LABOR CENTER. ON THE OTHER HAND, WE HAVE SERIOUS RESERVATIONS AND CONCERNS ABOUT THIS LAY LABOR CENTER. I ATTENDED A PUBLIC HEARING POSTED BY THE... THE DAY LABOR ADVISORY COMMITTEE EARLIER THIS YEAR AND ACCORDING TO THE LIST OF DAY LABOR CENTER BEST PRACTICES THAT YOUR ADVISORY COMMITTEE PRESENTED TO THE PUBLIC, A DAY LABOR CENTER SHOULD BE LOCATED IN OR VERY KNEE AN AREA WHERE A HIGH

CONCENTRATION OF DAY LABORERS CURRENTLY LIVE, AND IT SHOULD BE LOCATED IN OR VERY NEAR AN AREA WHERE DAY LABORERS CURRENTLY HAVE SUCCESS FINDING JOBS. WE BELIEVE THE BEN WHITE LOCATION IS TOO FAR AWAY FROM AREAS IN SOUTHEAST AUSTIN WHERE MANY DAY LABORERS CURRENTLY LIVE AND CURRENTLY FIND WORK, ESPECIALLY THE EAST RIVERSIDE DRIVE AREA. AND LOOKING AHEAD TO THE FUTURE, WE BELIEVE POSSIBLE EFFORTS TO FORCE WORKERS FROM THE EAST RIVERSIDE DRIVE AREA TO THE BEN WHITE LOCATION WILL BE INEFFECTIVE AS WELL AS INHUMANE AND UNJUST. SO WE'RE REALLY OF TWO MINDS REGARDING THIS PROPOSAL. WITHOUT HESITATION, WE SUPPORT YOUR EFFORTS TO RESPOND TO THE NEEDS OF DAY LABORERS. THEY ARE HARDWORKING PEOPLE WHO LIVE ON THE EDGE OF JUST MAKING IT HERE IN AUSTIN. PEOPLE WHO FACE A NUMBER OF DIFFICULT CHALLENGES AS THEY TRY TO GET BY AND RAISE THEIR FAMILIES HERE. AND WE BELIEVE THAT WE, THE CITY, HAVE AN ETHICAL OBLIGATION TO HELP THESE PEOPLE, OUR NEIGHBORS, OVERCOME THESE DIFFICULT CHALLENGES, AND WE DO BELIEVE THAT A HIGH-QUALITY WELL FUNCTIONING DAY LABOR CENTER THAT FOLLOWS BEST PRACTICES IS ONE WAY TO DO THAT. BUT WE ARE CONCERNED THAT THE LOCATION YOU HAVE CHOSEN IS NOT IDEAL, AND WE BELIEVE THE PROPOSED SITE WILL NOT TRULY MEET THE NEEDS OF MANY POOR SOUTHEAST AUSTIN CITIZENS WHO RELY ON DAY LABOR. SO IN THE END WE SUPPORT THIS ORDINANCE BUT WE DO SO WITH SOME RESERVATIONS. THANK YOU.

MAYOR WYNN: THANK YOU, FOR ALL YOUR SERVICE.

MAYOR WYNN: CARLA CHEATAM, CHATHAM. WE WILL SHOW YOU, YOU HAVE SIGNED UP IN FAVOR. THANK YOU VERY MUCH. DAVID JIMENEZ. DAVID JIMENEZ, SIGNED UP WISHING TO SPEAK. CHECK CHECKED THE IN FAIF OR FOR BOX. ODD FANTASTIC LAND. FICLIN. FOLKS WANT TO DONATE TIME FOR YOU. HANG ON. THE RULES ARE THEY NEED TO BE PRESENT IN THE CHAMBERS NODS. IS MARY AND OR

TIM TRENTON HERE? HOW ABOUT MARK MAJOR?
HELLO, MARK, WELCOME, AND KATHY SETS
CERTIFICATE CERTIFICATE.

THANK YOU, MAYOR, THANK YOU COUNCIL. IT IS
MY PLEASURE TO APPEAR BEFORE YOU ON BEHALF
OF THE NEIGHBORS OF THE PARKER CRIME TASK
FORCE. I'D LIKE TO QUICKLY REMIND YOU OF
OTHER TIMES I'VE APPEARED BEFORE YOU
ADVOCATING PARKS AND QUICKLY THANK THE
MAYOR AND COUNCIL FOR HELPING CHANGE THE
FACE OF COUNCIL. I'M HERE IN A DIFFERENT
CAPACITY. WITH THAT EXPERIENCE I KNOW THAT
THIS IS A CITY COUNCIL INTERESTED IN SOLUTIONS.
MY CAPACITY TODAY IS TO QUESTION AND OPPOSE
AND PERHAPS DELAY THE LOCATION OF THIS DAY
LABOR CENTER ON BEN WHITE BOULEVARD. MY
REASONING IS SEVERAL, BUT YOU'RE GOING TO
HEAR PLENTY OF THAT WITH OTHER SPEAKERS, SO I
UNDERSTAND THAT I AM LATE TO THIS PROCESS. IT
STARTED A LONG TIME AGO AND I UNDERSTAND
THAT MUCH GREAT WORK HAS GONE INTO IT. I CAN
ONLY HOPE THE POSSIBILITY FOR SOLUTION, THE
WEIGHT OF OUR ISSUES AND CONCERN CONVINCED
THE COUNCIL TO PLEASE DELAY AND EXAMINE
THIS ISSUE FOR A LITTLE BIT LONGER IN ORDER TO
DO WHAT I KNOW YOU-ALL WANT AND THAT'S TO
IMPROVE THE LIVES OF THE CITIZENS OF ALL
AUSTIN INCLUDING THE WORKERS. FIRST OF ALL, I
WOULD LIKE TO BEGIN WITH A SOLUTION TO THIS.
IF YOU WERE TO DRAW, AS THE PREVIOUS PEOPLE
POINTED OUT YOU WOULD FIND 40% OF THE RADIUS
INCLUDES -- THAT WOULD BE THE BUR LE SON
PARK. WE CALL IT THE 4-1. IF YOU WERE TO SIMPLY
MOVE DOWN THE ROAD TO THE ABANDONED
CAMPAIGN HEADQUARTERS OF THE KINKY
FRIEDMAN SITE, WHICH USED TO BE ENTERPRISE
RENTAL CAR, IT'S ONLY A SHORT DISTANCE AWAY,
THAT SAME CIRCLE WILL HAVE 100% OF
INDUSTRIAL AREAS INCLUDED IN IT. THIS PLACE
HAS A SERVICE DESK, A WAITING AREA,
RESTROOMS, WATER. IT HAD THE TRAFFIC FLOW
IDENTICAL TO MIDNIGHT RODEO BECAUSE IT WAS
FOR SERVICING CAR RENTALS. PEOPLE PULL IN,
THERE'S AN AREA TO AWRN AROUND IN BACK,
PEOPLE PULL OUT. IT HAS APPROXIMATELY THE

SAME DISTANCE FROM THE ORIGINAL EAST RIVERSIDE LOCATION. IT HAS ALL THE CRITERIA, INCLUDING NO PROXIMITY TO. ANOTHER PIECE OF CRITERIA THAT IT HAS IS THAT IT IS NOT NEXT TO A PAROLEEE CENTER THAT THE PRESIDENT OF YOUR SITE SELECTION COUNCIL POINTED OUT, THEY WISH TO NOT HAVE THE LOCATION -- THE ADDRESS OF THAT PAROLEEE CENTER IS 2201 EAST B WHITE B. THE ADDRESS OF THE PROPOSED SITE IS 2201 EAST BEN WHITE A. ALL WE HAVE DONE HERE IS MOVED NEXT DOOR. WE IN THE NEIGHBORHOOD ARE NOT OPPOSED TO WORKERS FINDING WORK, BUT WE DO BELIEVE YOU SHOULD PROTECT THEIR SAFETY AND THEIR CREDIBILITY IN THE PROCESS. THEY ARE GOING TO BE AT A SITE THAT IF YOU SHOW UP AT 10:00, AND WE TESTIFIED EARLIER -- SOMEONE WILL TESTIFY LATER TO, 130 PEOPLE STANDING OUTDOORS LOOKING FOR WORK WHO ARE CONVICTED FELONS AND SEX OFFENDERS. WE HAVE NOT SEEN ANY ADEQUATE PLAN THAT WOULD KEEP THESE PEOPLE FROM SIMPLY WALKING ACROSS TO A LOWER CONTROLLED DAY LABOR CENTER AND GETTING TO A NON-CONTROLLED JOB SITE. THE CONDITION HERE EXISTS THAT A SEX OFFENDER COULD BE GETTING A JOB AT A SCHOOL. WE HAVE NOT SEEN ANY PLAN TO PREVENT THAT FROM HAPPENING. WE URGE THE COUNCIL TO WEIGH THIS DECISION, TABLE IT UNTIL WE CAN EXAMINE OTHER SITES, LIKE THE SUCCESSFUL ONE I GAVE YOU. WE URGE YOU TO DELAY THIS DECISION UNTIL WE CAN LOOK INTO THE PROPER CONTROLS TO ENSURE THAT THESE FELONS LOOKING FOR WORK ARE NOT MIXING WITH AND TAINTING THE REPUTATION OF THESE OTHER PEOPLE LOOKING FOR WORK. LASTLY, SAFETY. IN THE PAST THREE MONTHS THREE PEOPLE HAVE DIED AT THIS VERY SITE CROSSING BEN WHITE. THERE IS A NOTION THAT BEN WHITE IS A BARRIER FROM THE RESIDENTIAL AREA DIRECTLY TO THE NORTH, 100 YARDS AWAY. MY HOUSE IS 300 YARDS AWAY NORTH OF THAT, 300 YARDS JUST TO THE SOUTH -- TO THE WEST OF THAT IS MABEL DAVIS PARK WHERE THE SCAPE PARK IS. THE BUS RIGHTS -- OF THE CHILDREN THAT GO TO YOUTHWORKS AND WINDSOR ELEMENTARY RIDE, WINDSOR ELEMENTARY IS JUST NORTH OF THE PARK. THIS IS A RESIDENTIAL BEDROOM

COMMUNITY THAT THIS PLACE IS ABOUT TO GO INTO. THIS SITE, RIGHT ACROSS THE STREET THERE IS A TRANSIENT CAMP WITH WHERE PEOPLE OH PORE EM PEOPLE WILL TESTIFY THEY WITNESS PEOPLE COMING ACROSS THE STREET FROM EXISTING LABOR CENTERS. IT IS DURING THOSE TRAFFIC PATTERNS THAT PEOPLE HAVE BEEN STRUCK BY VEHICLES AND KILLED. FOR THE SAFETY OF THE WORKERS THIS IS A BAD LOCATION. LASTLY, OUR NEIGHBORHOOD IS GOING THROUGH A VICIOUS CYCLE OF CRIME. DURING THE LAST THREE YEARS WE'VE SEEN THINGS GO FROM PETTY THEFT TO NOW WE HAVE TWO ACTIVE TRANSIENT CAMPS, ONE ACROSS THE STREET FROM THIS LOCATION, ONE JUST TO THE WEST OF THAT ON BURLESON. WE HAVE MISSION HILLS, WHICH IS AN ACTIVE CRACK AND DRUG TRADE. THERE'S A GAS STATION JUST NORTH OF CAT LEAN A, CATTY-CORNER IN GOOD VISIBILITY WHERE THERE'S ACTIVE PROSTITUTION HAPPENING, AND THINGS HAVE -- RIDICULOUS THINGS LIKE PEOPLE'S AIR-CONDITIONING UNITS ARE GETTING STOLEN FROM THE SIDE OF THEIR HOUSES FOR THE COPPER. LAST TUESDAY MY HOUSE WAS BROKEN INTO BY TWO GENTLEMEN AT 1:00 IN THE AFTERNOON. THEY ENTERED THROUGH THE FRONT WINDOW. THEY RANSACKED THE PLACE FOR 4R5 MINUTES, STOLE MY PROPERTY. THE VERY NEXT DAY I GOT A CALL FROM AN OFFICER WHO WAS NOT RELATED. IN FACT, HE WAS ENGAGED IN A VICE OPERATION DRUG STING, AND WHEN HE CAPTURED THESE TWO GENTLEMEN HE FOUND MY PROPERTY IN THEIR TRUCK. I WAS LUCKY I GOT SOME OF MY PROPERTY BACK. UNFORTUNATELY I LEARNED IN THE PROCESS THAT THESE WERE MID-LEVEL DRUG AND CRACK DEALERS, AT MISSION HILL ACROSS THE STREET. THE WORKERS THAT ARE GOING TO UTILIZE THIS PROPOSED DAY LABOR CENTER SHOULD NOT HAVE CAST ASPERSIONS THAT THEY ARE RESPONSIBLE FOR THIS CRIME. I ASK THE CITY COUNCIL TO PLEASE DELAY THIS UNTIL A PLAN CAN BE PUT IN PLACE TO CLEAN UP THE CRIME IMMEDIATELY ACROSS FROM THIS DAY LABOR CENTER BEFORE PLACING THE CENTER. WE'RE HAVING PROBLEMS WITH ABSENCE OF PROPERTY OWNERS. ONE WAY THE CITY COUNCIL COULD HELP

US IS GIVING US SOME SORT OF POWER OF ATTORNEY TO PRESS TRESPASSING CHARGES AGAINST PEOPLE WHO ARE SQUATTING IN VACANT PROPERTIES AND ON VACANT LAND CAMPING. THESE ARE NOT HOMELESS PEOPLE. MY NEXT DOOR NEIGHBOR WORKS FOR ARCH HERE DOWNTOWN. SHE IS A HOMELESS ADVOCATE. WE IDENTIFY THESE AS TRANSIENTS BECAUSE THESE ARE PEOPLE WHO HAVE DECIDED TO INDULGE IN DRUG USE AND CRIMINAL ACTIVITY TO SUPPORT THAT USE. THEY ARE NOT TAKING ADVANTAGE OF CITY SERVICES AND ARE INSTEAD VICTIMIZING OUR NEIGHBORHOODS. QUITE FRANKLY, THE NEIGHBORHOOD AND THE NEIGHBORHOOD ASSOCIATIONS, WHICH ARE EAST, IT'S -- IF THE HONORABLE CHAIRPERSON OF THE SITE SELECTION COMMITTEE SPOKE TO PEOPLE WHO DESIRED THINGS EAST OF WOOD WARD, THEY WERE SPEAKING ABOUT US. WE NEVER HEARD FROM THEM. WE ARE A AN INVISIBLE NEIGHBORHOOD. WE'RE WORKING FAMILIES WHO CAN'T AFFORD TO LIVE IN TRAVIS HEIGHTS AND TARRYTOWN WHO HAVE OTHER NAMES AND ASSOCIATIONS AND NAMES FOR THE NEIGHBORHOODS. OKAY. IF WE ARE TOO BUSY TO EVEN CONSIDER THE PROS AND CONS OF A DAY LABOR SITE, WE ARE THINKING MORE POLICE SUBSTATION. IF THE CITY WOULD LIKE TO SPEND MONEY IN OUR NEIGHBORHOOD WE WOULD LIKE TO SEE A POLICE SUBSTATION ON MISSION HILLS. IT COULD HELP THIS AND OTHER PROGRAMS. IN THE MEANTIME, PLEASE CONSIDER TABLING THIS IN ORDER TO TAKE JUST A LITTLE MORE TIME TO EXAMINE OTHER SUCCESSFUL SITES, LIKE THE ABANDONED ENTERPRISE I GAVE TO YOU. THAT DOES MEET THE CRITERIA OF THE SITE SELECTION, AND I'M SORRY ALSO TO THE HONORABLE SITE SELECTION COMMITTEE, MAIBT MAY NOT HAVE ALL THE LIVE MUSIC OPTIONS OF THE OTHER SITES BUT IT DOES MEET THE REST OF THE CRITERIA. I JUST CAN'T BELIEVE THAT WAS ONE OF THE MAIN PURPOSES FOR THIS DAY LABOR CENTER IS TO KEEP IT WEIRD. WE WANT TO KEEP IT HONORABLE, LEGITIMATE AND MATCHING UP HARDWORKING PEOPLE WITH JOBS AND NOT HAVE TO HAVE THEM CARRY THE BURDEN THAT ARE BEING THRUST ON THEM UNFAIRLY DAILY. PLEASE

TAKE THE TIME TO EXAMINE THE CONFLICT OF INTEREST BETWEEN THE CURRENT LABOR CENTER AND THE PROPOSED LABOR CENTER AND MAKE SURE THAT THE CONTROLS ARE IN PLACE. PLEASE EXAMINE THE POSSIBILITIES OF CONFLICT OF INTEREST BECAUSE IT IS OUR BELIEF THAT THE PROPERTY OWNER OF THE HALFWAY HOUSE, THE LABOR CENTER PRIVATE AND THIS NEW PUBLIC LABOR CENTER IS THE SAME PERSON AND IS PERHAPS NOT ACTING WITH THE BEST INTEREST OF THE NEIGHBORHOOD IN MIND. PLEASE TAKE THE TIME TO EXAMINE CLEANING UP THE CRIME BEFORE ESTABLISHING THE DAY LABOR CENTER IN THE NEIGHBORHOOD. AND WITH THAT, I THANK YOU VERY MUCH. I YIELD THE REMAINDER OF MY TIME TO RICHARD ELMER. AND I THANK THE COUNCIL FOR PLEASE CONSIDERING THIS, AND I UNDERSTAND HOW INCONVENIENT IT CAN BE TO PULL UP THE ROOTS ON THESE PLANS AND CONSIDER A NEW PATH. BUT IN DOING SO, YOU HAVE THE POTENTIAL TO DO WHAT I'VE SEEN IN THE PAST, THAT'S IMPROVE THE QUALITY OF THE LIFE OF THE CITIZENS, THE TAXPAYERS, THE WORKERS AND THE POOR OF THIS CITY AND COME OUT WITH THE OPTIMAL PROPOSAL WITH ONLY A LITTLE MORE TIME. THANK YOU VERY MUCH. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.] THESE FOLKS ARE FOLKS WHO ARE NEEDING WORK, LOOKING FOR WORK AND THE FOLKS WHO USE THIS SERVICE ARE PEOPLE WHO NEED EMPLOYEES. AND IF ANYONE IS CASTING DISPERSIONS ON THAT COMMUNITY, IT WAS THE COMMENTS THAT I JUST HEARD. AND I'M SORRY IF THAT'S WHERE -- THAT'S WITH A I HEARD.

Mayor Wynn: THANK YOU. THE NEXT SPEAKER IS BRYAN SMITH. WELCOME MR. SMITH. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY CHARLES CHARA. WELCOME.

I LIVE IN THAT LITTLE BLACK DOT. MY CHILDREN ATTENDED LINDER. I DON'T KNOW WHY YOU PUT SO MANY SEX OFFENDERS, DO THE CHILDREN NOT GET THE SAME DEAL. WE NEED TO BRING THE CITY INTO THE 21st CENTURY AND STOP TREATING THEM LIKE CATTLE. WHY DON'T YOU PUT CATTLE PENS

AROUND THEM AND LEAVE THEM IN THE HEAT. YOU COULDN'T LOOK FOR AN AIR CONDITIONED SITE LIKE A TACO CABANA. I DON'T THINK A SITE IS NECESSARY AT ALL. IF YOU'RE INTENDING TO SPEND \$35 A MONTH ON THE RENT FOR THIS -- \$3,500 A MONTH ON THIS SITE, THAT WOULD PAY FOR 300 PAGERS. IF YOU ACTUALLY HAD A PROGRAM WHERE THESE PEOPLE COULD, JUST LIKE THE TEACHERS AND THE SUBSTITUTE TEACHERS, WHEN THEY NEED A SUBSTITUTE TEACHER, THEY GET CALLED AND IT GOES DOWN A LIST. YOU COULD DO THE SAME THING WITH THE PAGERS. THIS THING WOULD BE DONE -- YOU'RE TAKING TIME AWAY FROM THESE PEOPLE'S FAMILY ALREADY. THEY HAVE HAVE TO CATCH A BUS AND TRANSFER AN HOUR AWAY FROM THEIR WILL FAMILIES. YOU WANT TO GET THEM OUT OF RIVERSIDE DRIVE WHERE IF THEY DON'T HAPPEN TO GET A JOB THEY CAN GO BACK AND WATCH THEIR KIDS. YOU'RE NOT THINKING OF THE WORKERS. ALL YOU'RE TRYING TO DO IS PUSH THEM ASIDE. THINK ABOUT THEM. TRY TO PROVIDE A PROGRAM THAT ACTUALLY PROVIDES A SERVICE TO THEM SO THEY DON'T HAVE TO LEAVE THEIR FAMILY AND THEY GET A CALL, A PAGE, THEY CAN GO TO A PAY PHONE AND THEY CAN SET UP TO BE PICKED UP. A LOT OF THE PEOPLE GETTING PICKED UP ON RIVERSIDE DRIVE ARE WAITING ON A CAR POOL. THEY'RE NOT ACTUALLY SOLICITING FOLKS. THEY HAVE THEIR LITTLE SYSTEM OF GETTING A JOB AND THEY GO UP AND THEY MAY WORK FOR THE SAME LOCATION FOR A COUPLE OF WEEKS, SO THEY'RE GOING OUT AND GETTING PICKED UP. IT'S STILL GOING TO KEEP HAPPENING ON RIVERSIDE DRIVE BECAUSE THEY'RE EIGHT WAITING FOR THEIR CAR POOL. YOU DON'T SEEM TO UNDERSTAND THE SOCIOLOGY OF THAT EITHER. PLEASE PROVIDE A SERVICE FOR THESE WORKERS, DON'T PEN THEM UP LIKE CATTLE IN THE SUN. THANKS. [APPLAUSE]

Mayor Wynn: THANK YOU. CHARLES CHARA, SORRY IF I'M MISPRONOUNCING THAT. THE NEXT SPEAKER WILL BE CARL BRAWN. AND LET'S SEE, IS GEORGE REYNOLDS HERE. SO CHARLES YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT. WELCOME.

GOOD EVENING, MAYOR, GOOD EVENING,
COUNCILMEMBERS. HIERM ON -- I'M HERE ON
BEHALF OF MY BUSINESSES. I HAVE THREE
BUSINESSES ACROSS THE STREET FROM THE
PROPOSED LABOR SITE ALSO I'M HERE ON BEHALF
OF 218 PEOPLE THAT SIGNED A PETITION RIGHT
HERE I HAVE IN MY HAND THAT DO NOT WISH TO
SEE THE LABOR SITE AT 2201 EAST BEN WHITE. I
WISH TO TELL YOU RIGHT HERE THAT SOME OF THE
REASON THAT WE OPPOSE THIS SITE ARE FIRST, THE
SITE IS TOO CLOSE THAN THE PREVIOUS SPEAKER
HAVE KITTED TO PAROLE OFFICE AND A HALFWAY
HOUSE. I HAVE A BUSINESS ACROSS THE STREET
FOR 15 YEARS. THE LADY MENTIONED THAT THEY
HAVE MET WITH THE BUSINESS OWNER. MY
BUSINESS IS AT 2238, 2234 AND 2250 EAST BEN
WHITE. NOBODY MET WITH ME. NOBODY BE CAME
AND ASKED ME. DIDN'T HEAR FROM ANY OF THESE
PEOPLE THAT THEY MENTIONED THEY MET WITH
THE NEIGHBORHOOD BUSINESSES. AS IT IS RIGHT
NOW WE DEAL WITH ALL THE PEOPLE THAT COME
FROM THE PROBATION OFFICE ACROSS THE STREET
ON A DAILY BASIS. THEY DESTROY PROPERTY.
THERE HAS BEEN MORE THAN 20 BREAK-INS INTO
MY BUSINESS JUST IN THE LAST FIVE YEARS. THE
AREA IS FAR FROM BEING THE IDEAL AREA FOR A
LABOR SITE. I HAVE HERE ALSO AN ARTICLE FROM
THE "AUSTIN AMERICAN-STATESMAN" DATED BACK
TO MAY 22nd, 2006. IN THE ARTICLE IT SAYS POLICE
STRUGGLE IN STREET CLEANUP. HARD WORK
REMAIN IN VIOLENT, DRUG RIDDEN SOUTHEAST
AUSTIN. HERE THEY POINTED TO MISSION HILL
DRIVE, WHICH IS ACROSS THE STREET A
SUBDIVISION THEY JUST TALKED ABOUT, A
SUBDIVISION RIGHT ACROSS THE STREET FROM THE
LABOR SITE. WITH RESPECT TO COUNCIL, THESE
ARE HARD WORKING PEOPLE THAT ARE GOING TO
COME AND WORK. WE RESPECT THAT. WE'RE HARD
WORKING PEOPLE AND WE WANT PEOPLE TO
WORLT. BUT DO WE WANT TO MIX THE GOOD
PEOPLE THAT ARE LOOKING FOR WORK WITH THAT
PARTICULAR LABOR -- PARTICULAR PAROLE SITE
THAT IS RIGHT NEAR THE OFFICE? AS THE
GENTLEMAN INDICATED, BOTH BUILDINGS ARE
OWNED BY THE SAME PEOPLE, THE 2101 AND THE
2201, THEY'RE OWNED BY THE SAME PEOPLE.

OBVIOUSLY IT IS IN THEIR INTEREST TO BRING IT OVER THERE. I SECOND THE VOICE OF THE GENTLEMAN THAT THE KINKY FRIEDMAN PREVIOUS HEADQUARTER IS A GOOD SPOT, IS A FURTHER SPACE PLAYS. IT'S FURTHER AWAY FROM THE NEIGHBORHOOD AND IT WOULD SERVE THE PURPOSE. IT WOULD SERVE THE PEOPLE THAT WANT TO WORK. IT SERVE THE CONTRACTOR THAT WANT TO FIND SOMEONE. ANOTHER REALLY IMPORTANT SUBJECT RIGHT HERE. THE GENTLEMAN BROUGHT THE BUS STATIONS. THESE BUS STATIONS ARE USED -- I URGE ALL OF YOU TO GO TO THAT BUS STATION BETWEEN 1:00 O'CLOCK AND TWO TO 3:00 O'CLOCK ON A DAILY BASIS. THERE IS A CHARTER SCHOOL RIGHT ACROSS THE STREET. ALL THESE KIDS, THERE ARE TROUBLED TEENS THAT LIVE IN THAT NEIGHBORHOOD OR WORK OR GO TO THAT SCHOOL RIGHT HERE. THEY ALL USE THAT SAME BUS STATION AND THERE WILL BE HUNDREDS OF THEM AT THE TIME I INDICATED WAITING TO GO ON THESE BUSES. DO YOU GUYS REALLY WANT TO MIX THE TWO TOGETHER? WE ARE PROPOSING THAT FURTHER SITE THAT WE THINK IT IS WORTH LOOKING AT BECAUSE IT DOES NOT HAVE THE CHARTER SCHOOL NEXT TO IT. IT DOES NOT HAVE THE PROBATION OFFICE NEXT TO IT. IT DOES NOT HAVE THE PAROLEE HUNDRED OF THEM TO LIVE RIGHT NEXT TO IT. ONE IMPORTANT THING THAT NOBODY TALKED ABOUT, WE HAVE A DANCE CLUB THAT HAVE ALCOHOL IN IT. WHO IS TO SAY THAT THESE PEOPLE THAT DIDN'T FIND WORK, 20 OF THEM CAME TO FINE WORK AND 10 DIDN'T. THOSE 10, THEY HANG AROUND, THEY DIDN'T HAVE MONEY TO LEAVE. THEY DON'T HAVE NO MONEY TO GET ON THE BUS AND GO BACK HOME. WHAT DO YOU THINK THEY'RE GOING TO DO? THEY'RE GOING TO STAND ON THE CORNER AND CARRY A STAND. THEY'RE GOING TO BREAK INTO BUSINESSES TO GET MONEY. THEY'RE GOING TO BREAK INTO PROBABLY THAT BUSINESS TO GET ALCOHOL AND DRINK. ONE OF MY BUSINESS IS A LIQUOR STORE RIGHT ACROSS THE STREET. I OWN A LIQUOR STORE AND THAT LIQUOR STORE, WHAT DO YOU THINK THESE PEOPLE ARE GOING TO DO? EVERYBODY TOLD ME, WHY YOU DOING THIS? THESE PEOPLE GOING TO BE GOOD FOR YOU. THEY WILL COME AND BUY LIQUOR

FROM YOU. I SAY NO, I WANT WHAT'S GOOD FOR THE NEIGHBORHOOD, NOT JUST GOOD FOR THE LIQUOR STORE. THE LIQUOR STORE HAVE ITS CUSTOMERS ALREADY, BUT THIS NEIGHBORHOOD THAT SHOWED UP HERE, AND SOME DIDN'T, BUT THE ONES THAT COULDN'T I HAVE THEIR SIGNATURE A RIGHT HERE, 218 OF THEM. THOSE PEOPLE COULDN'T SHOW UP, BUT THEY ASKED ME TO SPEAK ON THEIR BEHALF. SO WE URGE YOU NOT TO BE JUST A RUBBER STAMPER. WE URGING TO YOU OUT THERE AND LOOK AT THE ISSUE. LOOK AT IT FROM ALL DIRECTIONS, FROM OUR PERSPECTIVE, FROM THESE PEOPLE PERSPECTIVE. WE URGE YOU TO WORK WITH US JUST LIKE UNT TO WORK WITH THESE LABOR PEOPLE. WE WANT THESE LABOR PEOPLE TO HAVE A JOB SO THEY CAN SPEND MONEY IN OUR BUSINESS. YES, WE DON'T WANT THEM TO BE NAN AREA WHERE THEY ALLOW THEM TO GO GET ALCOHOL OR BREAK INTO A NIGHTCLUB THAT IF THEY KNOW IS A NIGHTCLUB THEY COULD GO IN AND GET THEIR ALCOHOL. THERE IS MANY THINGS HERE ON THE TABLE THAT WAS LEFT OUT BY THE GENTLEMAN THAT SPOKE FIRST AND SHOW US HOW GREAT IS THE AREA AND HOW GREAT IS THE PLACE AND ABOUT MIEWFB AND THE LIVE CAPITALS. ALL THESE ARE GREAT STUNTS, BUT THEY'RE NOT GREAT FOR THIS COMMUNITY. THEY'RE NOT GREAT FOR THESE PEOPLE THAT LIVE HERE. I APPRECIATE YOU GUYS THAT YOU TAKE A GOOD LOOK AT ALL THIS THAT I HAVE MENTIONED TO YOU. IT IS IN EVERYONE'S INTEREST THAT EVERYONE HAVE A JOB BECAUSE WE THINK WHEN THEY HAVE A JOB IT COME BACK TO THE COMMUNITY. [BUZZER SOUNDS] THANK YOU FOR YOUR TIME.

Mayor Wynn: MAYOR PRO TEM?

Dunkerley: I WOULD JUST LIKE TO MAKE A GENERAL COMMENT ABOUT THIS WHOLE ISSUE. TZ MANY OF YOU KNOW -- AS MANY OF YOU KNOW I WORKED FOR THE CITY FOR MANY YEARS BEFORE I WAS ELECTED TO THE COUNCIL. FOR MANY OF THOSE YEARS I ACTUALLY WORKED WITH THE DAY LABOR SITE THAT WE HAVE ON NOSHTH I-35. AND 10 YEARS AGO I WAS LOOKING FOR A SOUTH DAY LABOR SITE AND THEN THE ECONOMY FELL AND WE WEREN'T

ABLE TO DO THIS. BUT I GUESS MY CONCERN, I'VE BEEN AT THAT SITE MANY, MANY, MANY TIMES AND I THINK IT'S WELL RUN, IT'S WELL MANAGED. AND YOU KNOW, THE PEOPLE THAT I SAW COMING THERE, THEY WERE GOOD WORKERS. MANY OF THEM WERE VERY FINE ART SANS, AND THEY WERE DOING A SERVICE FOR OUR ECONOMY. AND THEY WERE ADULTS. AND I DON'T THINK YOU HAVE TO WORRY ABOUT THEM ASSOCIATING OR NOT ASSOCIATING WITH FELONS OR COMING OVER TO YOUR SHOP AND GETTING LIQUOR AND DRINKING BECAUSE THE PEOPLE THAT I SAW WERE FAMILY PEOPLE AND THEY WERE PEOPLE THAT WERE TRYING TO MAKE A LIVING AND SUPPORT THEIR FAMILIES. IN FACT, IF YOU HAVE THE KIND OF PROBLEMS THAT YOU DESCRIBE HERE, I WOULD BE ENCOURAGING THEM TO COME -- ENCOURAGING THEM TO COME BECAUSE I THINK THEY WOULD MAKE YOUR AREA SAFER RATHER THAN NOT AS SAFE. SO THAT'S JUST SOME GENERAL COMMENTS.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. OUR NEXT SPEAKER IS CARL BRAUN. CARL BRAUN SIGNED UP WISH TO GO SPEAK. WELCOME. YOU WILL HAVE THREE MINUTE AND BE FOLLOWED BY ROND..... RONALD POTS, WHO WILL BE FOLLOWED BY SAM GUZMAN.

I'M CARL BRAUN WITH THE BURLESON HEIGHTS NEIGHBORHOOD ASSOCIATION. LAST WEEK THE HEALTH AND HUMAN SERVICES SUBCOMMITTEE NOTED THAT THE RIVERSIDE LOCATIONS WERE INAPPROPRIATE BECAUSE OF CLOSE PROXIMITY TO A NEIGHBORHOOD. WELL, THIS SITE IS ADJACENT TO THE SOUTH SOUND DRI OF THE EAST RIVERSIDE, OLTORF COMBINED PLANNING AREA. AND IT'S ALSO ON THE BOUNDARY OF THE BURLESON PARKER NEIGHBORHOOD. AND IT'S ADJACENT TO MAYBE HE WILL DAVIS PARK AND TO A SENIOR CITIZENS DEVELOPMENT. THEREFORE I'D APPRECIATE IT IF Y'ALL WOULD KIND OF USE THE SAME CRITERIA AS THE SUBCOMMITTEE, LOOK AT THE PROXIMITY TO THE NEIGHBORHOOD, AND ALSO CONSIDER THE INDUSTRIAL AREA WEST OF I-35 AND SOUTH OF BEN WHITE THAT'S BEEN MENTIONED BEFORE AND AWAY FROM THE PAROLE OFFICE AND HALFWAY

HOUSE. THANKS.

Mayor Wynn: THANK YOU, CARL. RONALD POTS. WELCOME, MR. POTS. TIEW WILL HAVE THREE MINUTE AND BE FOLLOWED BY SAM GUZMAN.

THANK YOU, MAYOR AND COUNCILMEMBERS. FIRST OFF I'D LIKE TO FURTHER INTRODUCE MYSELF. I'M THE DIRECTOR OF RISK MANAGEMENT FOR THE OMNI HOTEL THERE AT BEN WHITE AND 35. I'M ALSO, SOME OF YOU MAY KNOW ME AS RECENTLY RETIRED OF FROM THE AUSTIN POLICE DEPARTMENT. AS OF TWO MONTHS AGO I WAS A LIEUTENANT WITH THE AUSTIN POLICE DEPARTMENT. I RUN THE SECURITY FOR THE OMNI ABOUT 16 YEARS OFF DUTY AND DOING THAT NOW AS ANOTHER JOB. THE CONCERN THAT WE HAVE IN THIS AREA, MANY OF THESE CONCERNS HAVE BEEN BROUGHT OUT ALREADY, AND IT HAS NOTHING TO DO, AS COUNCILMEMBER DUNKERLEY SAID, THE PEOPLE THEMSELVES. A LOT OF THESE WORKERS ARE FROM THE HISPANIC COMMUNITY AND OTHERS AND WE ARE VERY PRO THAT. WE ARE THE HOTEL FROM SALTILLO MEXICO POLICE THAT COME UP TO AUSTIN THEY STAY AT OUR HOTEL EVERY TIME. WE'RE VERY MUCH FRIENDS WITH THAT COMMUNITY, SO THIS IS NOT POINTED TOWARDS THE PEOPLE. I THINK THIS SITE ACTUALLY HURTS THEM AS IT'S ALREADY BEEN STARTED, THE MAJORITY OF THE POOPLATION THAT WOULD USE THIS SITE IS IN THE RIVERSIDE AREA. SO IF THEY ASK THEM TO GET ON BUSES AND MEET DID LINES TO MEET THE DAY LABOR FORCES IS GOING TO BE A HARDSHIP ON THEM. THE ADDRESS ON RIVERSIDE WHERE THE BINGO HALL IS, I THINK SERVED A LOT BETTER PLACE FOR THEIR NEEDS, THAT MOST OF THEM LIVE IN THAT AREA, AS ALREADY BEEN STATED BY YOUR OWN STAFF, THAT THE MAJORITY OF THE WORKERS WOULD BE COMING FROM THAT AREA. THAT WOULD BE A HARDSHIP. ALSO WHAT'S NOT BEEN MENTION UNDERSTAND THIS AREA IS THIS IS THE MAIN AVENUE FOR PEOPLE TO COME DOWN TO THE AIRPORT. YOU'RE GOING TO HAVE LINES OF CARS TRYING TO GET INTO THIS PARKING LOT THAT ARE GOING TO BE STOPPED ON THE FRONTAGE ROAD WHICH YOU'VE GOT PEOPLE

GOING TO THE AIRPORT AND THAT'S GOING TO BE A HARDSHIP ON THEM TO NEGOTIATE TRAFFIC BE. IT'S NOT A REALLY FRIENDLY TRAFFIC AREA. SOME OF THE OTHER THINGS THAT HAVE BEEN BROUGHT UP, THE AMERICAN YOUTH WORKS CENTER WHICH IS JUST A COUPLE OF BLOCKS FROM THERE, THIS IS A CENTER FOR ABOUT 500 KIDS. THESE ARE KIDS THAT HAVE BEEN PUT OUT OF THE HIGH SCHOOLS IN THE AUSTIN AREA AND ARE TRYING TO RECEIVE EITHER G.E.D. OR IF THEY'RE KICKED OUT OF THE PROGRAM, THERE'S ANOTHER PROGRAM THERE FOR THEM TO TRY TO GET THEIR HIGH SCHOOL DIPLOMAS. THERE'S ABOUT 500 KID THERE. AS IT'S ALREADY BEEN STATED, YOU GO TO THE BUS STOPS IN THE AREA, THESE KIDS ARE AT THESE BUS STOPS. A LOT OF THESE KIDS ARE THERE TRYING TO GET AN EDUCATION. MANY OF THEM ARE STILL VIEKT MAZE MOOIZING THAT -- VICTIMIZING THAT AREA. I HAVE GREAT KNOWLEDGE OF THE SCHOOL THERE. MY GIRLFRIEND IS A TEACHER THERE. THEY USE OFF DUTY POLICE OFFICERS, THEY'RE THERE FOUR HOURS A DAY, THE BUDGET HAS CUT THEM DOWN TO TWO HOUR A DAY. MANY OF THESE KID THAT ARE NOT WORKING IN THE CLASSROOMS ARE SKIP OUTING AND VICTIMIZING THE AREA. IC THEY'RE GOING START READ FOOEDING OFF THESE PEOPLE OVER THERE. AGAIN, PEOPLE MAY NOT BE BUYING DRUGS. I AGREE WITH THAT, THAT THE PEOPLE STHESMZ ARE MOSTLY GOOD PEOPLE, BUT IT DOESN'T MAKE THEM NOT BECOME VICTIMS. WE HAVE FOUND THAT A LOT OF THESE KIDS THAT ARE IN THE AUSTIN YOUTH WORKS COME FROM VERY HOSTILE FAMILIES SOMETIMES SO THEY CAN GET VERY AGGRESSIVE. [BUZZER SOUNDS] I WOULD KEEP THAT IN MIND BECAUSE THERE ARE THOSE KID. JUST IN CLOSING, WE ALSO HAVE THE HALFWAY HOUSE THAT IS CLOSE BY, SO I THINK OVERALL WE SHOULD LOOK AT THIS A LITTLE BIT CLOSER. LOOK AT THE RIVERSIDE AREA. I THINK IT'S SERVED THOSE PERSONS A LOT BETTER IN THE LONG RETURN AND I THINK THEY WOULD BE A BETTER LOCATION. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU FOR ALL YOUR SERVICE.
SAM GUZMAN, WELCOME. YOU'LL BE BE FOLLOWED
BY RICK TORRES, WHO WILL BE FOLLOWEDLY RICH

ELMER.

MY NAME IS SAM GUZMAN. THANK YOU, MAYOR AND COUNCILMEMBERS. I'D LIKE TO SAY THAT I NORMALLY WOULD NOT BE IN OPPOSITION OF ANYTHING, ANY EFFORTS THAT WOULD ALLOW WORKERS AND WORKING PEOPLE THE OPPORTUNITY TO SEEK WORK AND TO BE ABLE TO GET WORK AND GET TO WORK. AND I'M NOT IN OPPOSITION TO THAT TONIGHT EITHER. I ALSO WOULD LIKE TO SAY RIGHT OFF THAT I APPRECIATE THE COMMENTS THAT COUNCILMEMBERS MARTINEZ AND DUNKERLEY MAKE REGARDING THESE WORKERS. AND I'D LIKE TO SAY SOMETHING IN SPANISH TO THE WORKERS. [SPEAKING SPANISH] A [APPLAUSE] BUT MAYOR, I ALSO UNDERSTAND AND SUPPORT MY NEIGHBORS. I'VE LIVED IN THIS COMMUNITY ON SANTA MONICA FOR 30 YEARS. I NEVER MOVED BECAUSE I LOVE MY NEIGHBORHOOD AND I LOVE MY NEIGHBORS, AND I STILL DO. HOWEVER, THERE HAS BEEN SOME ISSUES, AND I THINK THEY HAVE SOMEWHAT BEEN MIXED, BUT NOT BY MY NEIGHBORS. THEY HAVE NOT IN MY DISCUSSIONS WITH THEM EVER HAD ANYTHING DISPARAGING TO SAY ABOUT THE WORKERS. AS A MATTER OF FACT, THERE IS AN APARTMENT COMPLEX THAT IS MAINLY OCCUPIED - - ACTUALLY, FULLY OCCUPIED BY IMMIGRANTS. AND I'VE HAD SOME OF THE PRESENTERS SAY TO ME, WE DON'T HAVE ANY PROBLEMS WITH THEM, WITH THEM LIVING THERE AND WITH THAT SITE. BECAUSE THEY LIVE THEIR LIFE PEACEFULLY LIKE ALL OF US AND WE DON'T HAVE ANY PROBLEMS WHATSOEVER. SO I THINK THAT THE ISSUE IS THAT SITE AND I THINK WHAT WE'RE ASKING IS TO CONSIDER FURTHER THAT SITE AND PERHAPS FIND ONE THAT IS MORE SUITABLE AND MORE CONDUCIVE, UNDERSTANDING FULLY THAT YOU HAVE A JOB TO DO AND YOU CAN DO IT AND DO YOU IT FOR ALL THE CITIZENS. IN THIS CASE I APPLAUD YOU FOR DOING IT FOR THESE WORKERS, BUT OUT OF OUR EMOTIONS WITH WHAT'S HAPPENING IN THE NEIGHBORHOOD, I THINK IT HAS BEEN MIXED WITH THIS ISSUE, BUT NOT INTENTIONALLY BY MY NEIGHBORS, NONE WHATSOEVER. THERE HAS NEVER BEEN ANYTHING

DISPARAGING ABOUT THE WORKERS THEMSELVES. BUT THERE IS A LOT OF THINGS GOING ON, A LOT OF NEGATIVE THINGS GOING ON IN OUR NEIGHBORHOOD. AND THIS WOULD NOT -- I DON'T THINK WOULD ADD TO IT, HOWEVER, WE DO THINK THAT THERE WOULD -- THERE COULD BE A BETTER SITE, MORE SUITABLE SITE. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. RICK TORRES. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY RICH ELMER.

THANK YOU, MR. MAYOR AND CITY COUNCILMEMBERS. I TOO AS ECHOED JUST A LITTLE AGO, THE OPPORTUNITY TO LOOK FOR WORK IS SOMETHING I ENCOURAGE PERSONALLY, BUT I DO HAVE CONCERNS AS A NEIGHBOR OF THAT AREA. THE FIRST ISSUE IS WHEN IT'S SET UP HERE THAT THE CONCERNS OF THE NEIGHBORHOOD WERE ADDRESSED, THAT IS INCORRECT. IT'S A MISSTATEMENT. AND I THINK JUST LIKE MY NEIGHBORS THAT WE HAVE NOT HAD ENOUGH TIME TO GATHER OUR FORCES AND PUT OUR THOUGHTS TOGETHER, AND I WOULD APPRECIATE AN TOWNT DO THAT. -- AN OPPORTUNITY TO DO THAT. SECONDLY, I WOULD LIKE TO KNOW WHAT THE HOURS OF THE OPERATION FOR THE DAY LABOR FACILITY WOULD BE SPECIFICALLY, THE DAYS AND THE HOURS OF OPERATION AND HOW WOULD THE ISSUE OF ELIMINATION TAKE PLACE. THIS PARTICULAR LOCATION IS SOMEWHAT DIM, ESPECIALLY EARLY IN THE MORNING AND IN THE EVENING AS IT GETS DARK EARLY. HOW IS THAT GOING TO BE TAKEN CARE OF? I ALSO WANT TO KNOW HOW ARE YOU GOING TO DEAL WITH THE ISSUE OF PEOPLE ARRIVING AT THE FACILITY EARLY TO GET A PREFERRED SPOT EARLY OR ENSURE THEY GET A GOOD OPPORTUNITY? WHO IS GOING TO BE RESPONSIBLE FOR THAT? AND WHO IS GOING TO BE LIABLE FOR THAT? VEHICLES COMING IN BY THE PEOPLE SEEKING WORK, BIKES, PEDESTRIAN TRAFFIC, CARS, WHAT HAPPENS TO THOSE VEHICLES IF A PERSON DOES GET LABOR? DO THEY JUST LEAVE THEM IN THE PARKING LOT? IS IT OKAY WITH EVERYBODY? DO THEY DROP IT OFF IN

THE NEIGHBORHOOD AND PICK IT UP LATER? THOSE ARE ISSUES OF CONCERN. I TOO ECHO THE POINT OF IF A PERSON ISN'T FORTUNATE ENOUGH TO BE SELECTED FOR A JOB THAT DAY, WHAT WILL THAT PERSON DO? WILL THEY JUST HANG AROUND? AND THE LAST THING WE NEED IN THAT AREA IS MORE PEOPLE WITH IDLE TIME. WE DON'T NEED THAT. THAT'S NOT ANYTHING NEGATIVE TO ANYBODY AT ALL REGARDLESS OF RACE, COLOR OR CREED, BUT IT IS AN ISSUE OF CONCERN. WE DON'T NEED THE IDLE HANDS. I ALSO WANT TO KNOW WHAT TYPE OF ADDITIONAL SECURITY WOULD BE PUT IN PLACE ON THE FACILITY? WOULD THERE BE ON-SITE PHYSICAL SECURITY? WOULD THERE BE CAMERAS? LIKE THE GENTLEMAN POINTED OUT EARLIER, THE ISSUE BE OF TRAFFIC, YES, IT IS A CONCERN, BUT ONE OF THE THING THAT I AM CERTAINLY PROUD OF IS THE FACT THAT WE'RE SO CLOSE TO THE AIRPORT. PEOPLE COMING IN AND OUT OF AUSTIN SEE US FAIRLY EARLY, AND I WONDER IF THE CITY OF AUSTIN REALLY WANTS THAT LOOK, THE CHAOTIC LOOK OF A LOT OF VEHICLES COMING IN AND OUT. WE ALL KNOW THE VEHICLES ARE NOT YOUR CONTINUE KEL PASSENGER TYPE VEHICLES. WE'RE TALKING HEAVY CONSTRUCTION, TRAILERS. AND NOT JUST ONE OR TWO, BUT A NUMBER BE OF THEM. BUZZ WITH BUZZ I THANK YOU VERY MUCH FOR YOUR TIME. APPRECIATE ANY QUESTIONS YOU HAVE.

Mayor Wynn: WELCOME MR. ELMER. YOU WILL BE FOLLOWED BY OMAR ANGEL.

THANK YOU FOR YOUR TIME. I'VE SPOKEN TO YOU REGARDING -- I'M THE ADJACENT NEIGHBOR RUNNING THE STORAGE FACILITY. AND I PROMISE THAT IF I COULD GET A SIX-FOOT PRIVACY FENCE SORT OF HALFWAY ON THE PROPERTY THERE SO IT WOULD JUST BE A SCREENING EFFECT ON MINE, THAT WOULD APIECE MY NEED AS A DIRECT NEIGHBOR. IN HEARING A COUPLE OF SPEAKERS TALK ABOUT MOVING IT FURTHER WEST ON BEN WHITE, I WOULD THROW THIS OUT AS A SUGGESTION IF YOU'RE CONSIDERING TABLING IT. I THINK IF THOSE SITES WOULD WORK AND SOMEONE TOLD ME THE SITES WERE TOO EXPENSIVE, BUT I

THINK IF YOU WOULD ADD 24 OR \$36,000 TO YOUR BUDGET, YOU COULD PROBABLY GET THAT SITE, THAT WOULD BE CLOSER TO THE BUS STOP AND IT WOULD A PIECE EVERYONE IN KEEPING IT AWAY FROM THE PAROLE AREA AND THE TRANSITIONAL HOUSING. MY FEAR IS WHEN YOU MIX THE TRANSITIONAL HOUSING PEOPLE AND THE PAROLE OFFICE WITH PEOPLE THAT HAVE BEEN IN PRISON FOR FIVE, 10, 15, 20 YEARS WITH THE DAY LABOR CROWD, I THINK THAT'S A SIDE THING FOR THE DAY LABOR PEOPLE TO BE NEXT TO THOSE PEOPLE BECAUSE OF THE POSSIBLE CRIME AND ALL THE THINGS THAT THE HARDENED CRIMINALS THAT ARE ON PAROLE THAT ARE TRYING TO DO SITE, MIGHT TRY TO TAKE ADVANTAGE OF THE DAY LABOR PEOPLE AS THEY COME HOME WITH THEIR MONEY. SO I THINK MOVING IT TWO OR THREE BLOCKS FURTHER WEST MAY COST YOU ONLY 24, \$36,000 A YEAR MORE, BUT IT WOULD BE BETTER FOR THE NEIGHBORHOOD. THERE IS DEFINITELY NO HOUSE HOUSING ANYWHERE AROUND THAT SITE WEST OF BEN WHITE, AND MR. LURIE WAS PROPER IN STAYING WITHIN THE BUDGET, BUT I THINK IF YOU WOULD OPEN IT UP, YOU MIGHT SOLVE THAT PROBLEM. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. OMAR ANGEL? TO BE FOLLOWED BY EMILY TEMM. WE WILL USE OUR TRANSLATOR. MA'AM, THERE'S A HAND-HELD MIC TO THE SIDE OF OMAR. YOU PROBABLY HAVE TO TURN THE MIC ON. THERE'S A LITTLE SWITCH ON THE TOP.

IT'S ON?

Mayor Wynn: YES.

GOOD EVENING, GENTLEMAN OF THE COUNCIL AND LADIES. MY NAME IS OMAR ANGEL. AND I AM A MEMBER OF THE (INDISCERNIBLE). AND IT'S AN ORGANIZATION THAT DEDICATES ITSELF TO SUPPORT LABORERS OF LOW INCOME. AND ALSO IN DEFENSE OF THEIR LEGAL RIGHTS. WE RECOGNIZE THE EFFORTS OF THE CITY AND YOUR PREOCCUPATION TO ONE OF THE MOST VULNERABLE GROUPS IN THE CITY. THE DAY

LABORERS. AND TO DEVELOP A PROGRAM TO ENSURE THE WELFARE OF THE FAMILY. WE KNOW THAT THE CITY OF AUSTIN IS CHARACTERIZED FOR TAKING -- MAKING DECISIONS BASED ON CIVIL AND CONSTITUTIONAL RIGHTS OF THE PEOPLE AND IT'S PREOCCUPIED IN PROTECTING THEM. A VERY IMPORTANT PART OF THIS IS NOT CRIMINALIZING THE SEARCH FOR WORK ON PUBLIC STREETS. IT IS THEIR ONLY WAY TO SUPPORT THEIR FAMILIES, TO LOOK FOR WORKDAY AFTER DAY IN A WAY THAT IS FAIR AND DIGNIFIED. THAT YOU CAN OFFER THIS TO THESE WORKERS. I WOULD LIKE TO STRESS THE IMPORTANCE OF THE CREATION OF A NEW LABORERS CENTER, THE OPPORTUNITIES THAT THIS PRESENTS TO IMPROVE THE WORKMEN'S LIVES. ALSO THAT THE CITY IS DOING THIS AND WHEN -- ON THE STATE LEVEL THERE ARE INITIATIVES THEY'RE TRYING TO IMPEDE THAT THE CITY WILL GRANT ECONOMIC RESOURCES TO WORKMEN CENTERS. BUT I ALSO WOULD LIKE TO POINT OUT BASED ON THE RESEARCH BEING DONE BY THE NATIONAL NETWORK -- NATIONAL DAY LABOR ORGANIZATION IN DIFFERENT CITIES OF THE COUNTRY THAT FOR DAY LABORERS CENTERS TO EXIST OR TO SUCCEED, YOU MUST CONSIDER THE FOLLOWING POINTS: FIRST, THAT THE LABORERS ARE BEING DISPLACED. AND CORNERS ALREADY ESTABLISHED. THIS IS VERY DIFFICULT. BECAUSE THIS HAPPENS BECAUSE OF A MAJORITY OF THE WORKERS LIVE IN THE AREA AND THEY ARE CONSUMERS OF THE BUSINESSES ALREADY ESTABLISHED IN THESE AREAS. NAND....AND IN THE PARTICULAR CASE OF RIVERSIDE, THAT AREA WILL BE DEVELOPED IN THE NEAR FUTURE. AND THIS IMPLIES THAT THE WORK FOR WHICH THE DAY LABORERS ARE BEING CONTRACTED WILL BE DONE EXACTLY AT THAT LOCATION. AND SECOND, THE ADMINISTRATION SHOULD PROVIDE SERVICES OF COUNSELING TO THE WORKERS. SO THAT THEY CAN BE ABLE -- SO THAT THEY WILL BE ABLE TO GET PAID FOR BACK PAYMENT OR BACK SALARIES THAT THEY WERE DENIED BY THEIR EMPLOYERS. AND ALSO TO ENSURE THAT THEIR RIGHTS WILL BE RESPECTED BY THEIR BOSSES. AND ALSO TO EDUCATE THEIR BOSSES OR EMPLOYERS ABOUT THEIR RESPONSIBILITIES AND TO BE FAIR AND JUST.

SO THAT THEY CAN PROVIDE FAIR AND DIG...
DIGNIFIED DEALINGS WITH THE WORKERS. FAIR
WAGES AND JOB SECURITY. AND THIS WAY THE
WORKERS WILL FEEL VERY COMFORTABLE IN
USING THE SERVICES OF THE NEW CENTER. AND
ALSO TO PROVIDE TRAINING FOR THE WORKERS
ABOUT THESE TOPICS. AND THE ADMINISTRATION
SHOULD GET INTO AN AGREEMENT WITH THE
WORKERS AS TO THE SALARY, AS TO A FAIR WAGE.
AND SO THAT THE EMPLOYERS WILL ALSO RESPECT
THIS. THIRD,. AS THE WORKERS ARE THE MAIN
ELEMENT, THE NATIONAL DAY LABOR
ORGANIZATION NETWORK RECOMMENDS THAT THE
DECISIONS TAKEN IN ANY CENTER, WORKMEN'S
CENTER, MUST (INDISCERNIBLE) WITH THE DIRECT
PARTICIPATION OF THE LABORERS. THAT IS, THAT
THE WORKERS WOULD HAVE A VOICE AND A VOTE
IN THE DECISION-MAKING PROCESS. AND LAST, I
WOULD LIKE TO RECOGNIZE THE EFFORT OF THE
CITY OF AUSTIN AND ALL THE WORK YOU'RE DOING
TOWARDS THIS NEW CENTER FOR WORKMEN. AND
WE HOPE THAT THIS WILL BE FOR THE BEST
INTEREST OF THE CITY OF AUSTIN. THANK YOU. [
APPLAUSE]

Mayor Wynn: THANK YOU. EMILY TEMM.

Martinez: MAYOR, I WANTED TO ASK STAFF SOME
QUESTIONS ABOUT SOME OF THE ISSUES THAT
WERE JUST BROUGHT UP.

Mayor Wynn: WE HAVE ONE FINAL SPEAKER. I
BELIEVE. EMILY TEMM, WELCOME. YOU WILL HAVE
THREE MINUTES.

ACTUALLY, I THINK I HAD TIME DONATED TO ME.
DOES THAT SHOW UP?

Mayor Wynn: LET'S SEE. IT HADN'T YET. NO. IS THERE
SOMEBODY HERE WHO WANTS TO DONATE TIME?

[INAUDIBLE - NO MIC]

Mayor Wynn: EMILY, TAKE SIX MINUTES IF YOU
NEED.

I HOPE IT WON'T TAKE THAT LONG. GOOD EVENING, I AM SPEAKING HERE TONIGHT BOTH AS THE VICE-CHAIR TO THE ADVISORY COMMITTEE, BUT ALSO AS A COMMUNITY ORDERSEER AND WORKER ADVOCATE FOR WORKERS DEFENSE PROJECT. I WOULD LIKE TO FIRST OF ALL APPLAUD THE CITY OF AUSTIN FOR THEIR COMMITMENT TO CREATING SAFE AND DIGNIFIED HIRING CENTERS TO SERVE THE NEEDS OF WORKERS AND EMPLOYERS WHO ARE BUILDING OUR GROWING CITY. AND TO RECOGNIZE IN PARTICULAR THAT COMMITMENT BOTH AT THE CITY LEVEL AND ALSO RECENTLY OPPOSING THE PROPOSED STATE LEGISLATION THAT WOULD PROHIBIT CITIES FROM FUNDING DAY LABOR CENTERS. WE THINK THAT DAY LABOR CENTERS ARE AN IMPORTANT RESOURCE FOR WORKERS IN THE DMUNT. AS A MEMBER OF THE DAY LABOR ADVISORY COMMITTEE I UNDERSTAND WELL THE CHALLENGES IN LOCATING A DAY LABOR HIRING SITE. THE COMMITTEE SCoured SOUTH AUSTIN BETWEEN RIVERSIDE AND BEN WHITE LOOKING FOR SUITABLE OPTIONS FOR A CENTER. WE COONS CONS STRAIGHTED IN LOOKING IN THE IMMEDIATE AREA OF RIVERSIDE WHERE THERE ARE CURRENTLY HUNDREDS OF WORKERS WHO LOOK FOR WORK EVERYDAY. WE'RE ALSO VERY FOCUSED ON LOOKING AT THAT AREA BECAUSE AS OMAR HAS SCUDDDED, BECAUSE NATIONAL EXPERIENCE AS BEST PRACTICES INDICATE THAT DAY LABOR CENTERS ARE MOST SUCCESSFUL WHEN THEY ARE PLACED WHERE WORKERS AND EMPLOYERS ALREADY NATIONALLY MEET. INFORMAL CORNERS ARE CREATED BY VERY NATURAL MARKET FORCES. I ALSO WOULD LIKE TO SPEAK TO SOME -- A LITTLE BIT MORE TO THE RIVERSIDE AREA AND SOME OF THE CONCERNS THAT CAME UP WHILE THE COMMITTEE WAS EVALUATED THAT RIVERSIDE AREA. NOW, WE HEARD AND WE'VE REPRESENTED THAT THERE WAS OPPOSITION FROM THE COMMUNITY IN THE RIVERSIDE AREA, BUT I JUST WISH TO DRAW TAINGS TO THE FACT THAT THE DAY LABORERS MAKE UP A VERY LARGE PORTION OF THE COMMUNITY IN THE RIVER A SIDE AREA. THEY LIVE, THEY SHOP, THEY HAVE THEIR FAMILIES AND THEY LOOK FOR WORK AND WORK IN THAT VERY COMMUNITY. AND I

THINK IT'S FORT TO RECOGNIZE THAT -- IT'S IMPORTANT TO RECOGNIZE THAT WHEN WE'RE SAYING THERE'S COMMUNITY OPPOSITION, THAT COMMUNITY VOICE MAY NOT HAVE BEEN REPRESENTATIVE OF THE HOUSE THOUSANDS OF LOW INCOME FAMILIES THAT LIVE IN THE IMMEDIATE AREA WHERE WE WERE LOOKING AT DAY LABOR SITES IN THAT RIVERSIDE AREA. AND TO BE CLEAR, I'M NOT SPEAKING AS JUST THE COMMUNITY ADVISORY VICE-CHAIR, BUT I'M SPEAKING FROM MY OWN PERSPECTIVE AS WORKING WITH THIS GROUP FOR THE PAST TWO YEARS. I BELIEVE THERE'S A LARGER CONTEXT BEING TEXT HERE THAT IS NOT BEING SPOKEN ABOUT AND THAT CONTEXT IS THE PLAN FOR REDEVELOPMENT IN THE RIVERSIDE AREA. I'M CONCERNED THAT WHILE THIS ISSUE REALLY ISN'T ENTIRELY ABOUT DAY LABORERS, THAT IT'S ABOUT LOW INCOME FAMILIES WHO MAY VERY WELL BE DISPLACED BY DEVELOPMENT PLANS THAT DON'T SEEM TO BE TAKING INTO ACCOUNT THE NEEDS OF THAT LOW INCOME COMMUNITY AND ARE NOT RIGHT NOW PROVIDING LONG-TERM EMPLOYMENT OPTIONS FOR WORKERS IN THAT AREA. I RECENTLY WATCHED A DOCUMENTARY ON THE HISTORY OF AUSTIN AND I WAS STRUCK BY A PATTERN OF DEVELOPMENT AND MARGINALIZATION OF COMMUNITIES OF COLOR IN EAST AUSTIN. IT TALKED ABOUT THE BUILDING MOPAC AND DISPLACING A LARGE PART OF THE AFRICAN-AMERICAN COMMUNITY OF CLARKSVILLE. IT TALKED ABOUT WHAT'S BEEN GOING ON IN THE EAST SIDE WITH THE GRADUAL GENTRIFICATION. AND THESE ARE VERY DIFFICULT ISSUES AND I'M CONCERNED WHAT MIGHT BE GOING ON IN THE RIVERSIDE AREA MAY BE FOLLOWING IN THE FOOTSTEPS OF SOME OF THOSE PAST SITUATIONS. REDEVELOPMENT DOESN'T HAVE TO MEAN THAT. IT DOESN'T HAVE TO MEAN DISPLACEMENT, IT DOESN'T HAVE TO MEAN EXCLUSION OF WORKING CLASS PEOPLE, BUT IN THIS CASE IT SEEMS TO BE THAT, AND IT SEEMS TO ME THAT THERE WAS OPPOSITION AS WELL FROM LARGE DEVELOPERS TO PUTTING A DAY LABOR CENTER IN THE RIVERSIDE AREA. I COMMEND THE HARD WORK OF THE DAY LABOR COMMUNITY ADVISORY COMMITTEE, AND

THE CITY STAFF IN COLLECTING INPUT FROM ALL SIDES, BUT I ALSO CHALLENGE US TO THINK VERY CAREFULLY ABOUT WHAT THAT LARKER PROCESS IS -- WHAT THAT LARGER PROCESS IS AND NOT TO BE DETERRED BY OPPOSITION. THIS DISCUSSION ABOUT BUFFERS AND STATEMENTS THAT THE COMMUNITY OPPOSES DAY LABOR CENTERS ARE DIFFICULT TO HEAR WHEN YOU THINK ABOUT WORK BEERS AND FAMILIES WHO ARE MEMBERS OF OUR COMMUNITY, MEMBERS OF OUR COMMUNITY WHO ARE OFTEN NOT THE VOICES THAT ARE HEARD THE MOST LOUDLY. I BELIEVE THAT LOCATING A DAY LABOR CENTER IN THE RIVERSIDE AREA WOULD BE AN INDICATION OF THINKING ABOUT -- OF HOW TO HAVE A ROW DEVELOPMENT PROCESS THAT WOULD ACTUALLY BE INCLUSIVE AND THAT WOULD PROVIDE FOR THE LOW INCOME MEMBERS OF OUR FAMILY WHO IRONICALLY WOULD MOSTLY SH LIKELY BE THE BUILDERS THAT BE BUILDING THOSE NEW DEVELOPMENTS IN THE AREA. I DO COMMEND THE CITY OF AUSTIN FOR ITS COMMITMENT TO DAY LABOR TO PROVIDING A NEW HIRING CENTER, BUT WE DO STRONGLER BELIEVE THAT THERE SHOULD BE SOME CAREFUL CONSIDERATIONS TAKEN ABOUT SELECTING THAT SITE IN PARTICULAR AND THINKING ABOUT RESPONDING TO THE NEEDS OF THE DAY LABORERS WHO WOULD MOST LIKELY BE BE SERVED BY THAT SITE. THANK YOU.

Mayor Wynn: THANK YOU. AND THANK YOU FOR YOUR SERVICE. SORRY, COUNCILMEMBER, I HAD ONE MORE LATE SIGN-UP SPEAKER. [APPLAUSE] OUR LAST SPEAKER IS PEDRO (INDISCERNIBLE). [SPEAKING SPANISH]

GOO.... GOOD EVENING, MY NAME IS PEDRO, MEMBER OF THE DAY LABOR ADVISORY COMMITTEE AND IN THE NAME OF THE DAY WORKERS IN THE CITY, WE APPRECIATE THE CITY HELP. MEMBER OF THE DAY LABOR ADVISORY COMMITTEE. IN THE NAME OF THE DAY WORKERS FROM THIS CITY, WE APPRECIATE THE CITY'S CONCERN ABOUT OPENING A NEW LABOR CENTER. BUT WE WANT TO EXPRESS OUR CONCERNS THAT AFTER THE OPENING OF THE NEW CENTER AN

ORDINANCE WILL BE CREATED IN ORDER TO FORBID THE WORKERS TO GATHER IN THE RIVERSIDE CORNER TO LOOK FOR WORK. SINCE WE BELIEVE THAT AN IDEAL PLACE TO PUT A CENTER IS WHERE THE WORKERS ALREADY ARE AND THAT WAY THE CITY WILL NOT HAVE TO SPEND MONEY ON TRANSPORTATIONABLE ON OTHER RESOURCES. WE WOULD LIKE THE GOVERNMENT TO CAREFULLY ANALYZE THIS RECOMMENDATION. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: THANK YOU. SO COUNCIL, THAT CONCLUDES -- ARE THERE ANY OTHER CITIZENS WHO WOULD LIKE TO ADDRESS US ON THIS PUBLIC HEARING, ITEM NUMBER 33 RELATED TO THE POTENTIAL LOCATION OF THIS DAY LABOR SITE? THANK Y'ALL VERY MUCH FOR YOUR INPUT. WE VALUE IT. SO COUNCIL, AGAIN, THAT'S ALL OF OUR CITIZEN INPUT AND TESTIMONY ON THIS PUBLIC HEARING. COUNCILMEMBER MARTINEZ?

Martinez: THANKS, MAYOR. I JUST WANTED TO ASK A COUPLE OF QUESTIONS ABOUT THE PREVIOUS SPEAKER. IT MIGHT TURN INTO LEGAL ADVICE, BUT I'M NOT SURE. I WANTED TO KNOW IF WE'VE LOOKED INTO PROVIDING SOME SORT OF SERVICE EITHER BY LISTING THE CONTRACTORS THAT USE THE SERVICE SO THAT IF A DAY LABORER IS NOT PAID THEIR WAGE OR GIVEN THEIR COMPENSATION THAT THEY'RE DUE THAT WE SOMEHOW ASSIST THEM IN TRYING TO OBTAIN THAT BY CONTACTING THE CONTRACTORS AND FACILITATING THAT, IF YOU WILL?

COUNCILMEMBER MARTINEZ, JUST TO BE CLEAR, THIS IS NOT AN EMPLOYMENT SERVICE. WE'RE BASICALLY PROVIDING A SAFE, ORGANIZED PLACE WHERE EMPLOYERS AND LABORERS CAN MEET AND TRANSACT BUSINESS BETWEEN THEMSELVES. SO WE ARE NOT AN INTERMEDIARY. WE ARE NOT PART OF THOSE NEGOTIATIONS. AND THAT'S AN IMPORTANT ASPECT IN TERMS OF HOW THIS PROGRAM IS STRUCTURED. BUT WE DO GATHER INFORMATION IN TERMS OF EMPLOYERS. WE GET LICENSE PLATE NUMBERS, FOR EXAMPLE. THE LABORERS DO SIGN UP BY NAME, SO IT IS A BETTER

SITUATION THAN A TOTALLY ANONYMOUS ONE OUT ON A STREET CORNER, AND IN THOSE INSTANCES WHERE THERE ARE ISSUES RAISED ABOUT NONPAYMENT, THERE IS THEN SOME INFORMATION THAT WE CAN TURN OVER TO THE APPROPRIATE AUTHORITIES TO PURSUE THAT.

..

Martinez: ARE WE CONTACTING THE APPROPRIATE AUTHORITIES WHEN THIS OCCUR ARE....OR ARE WE PROVIDING THAT INFORMATION AND ALLOWING THEM TO MAKE THAT CONTACT?

I MIGHT HAVE BEN PROVIDE THAT INFORMATION FOR US. HE'S THE ASSISTANT DIRECTOR FOR HUMAN SERVICES.

COUNCILMEMBER, AT THE CURRENT SITE WE HAVE AN A.P.D. OFFICER THERE. WE HAVE FORMS THERE THAT THEY NEED TO COMPLETE. AND IN SOME CASES WE'LL HELP THEM COMMUNICATE WITH THE EMPLOYER, BUT IF THEY DO NEED TO GET TO THE POINT OF FILING A CLAIM, THEN THEY GET SOME ASSISTANCE IN FILLING OUT THE PAPERWORK, BUT THEN THEY HAVE TO FILE IT ON THEIR OWN. WE TELL THEM WHERE -- WHERE THEY CAN GET ASSISTANCE. THEY ALSO I THINK GET ASSISTANCE FROM THE EQUAL JUSTICE CENTER IF THINK GET TO THAT POINT. SOMETIMES IT'S JUST A MATTER OF A MISCOMMUNICATION AND WE CAN CALL THE EMPLOYER AND SMOOTH IF OUT AT THAT POINT, BUT WE TRY NOT TO GET INTO THE ACTUAL FILING OF CLAIMS OURSELVES.

Martinez: CAN YOU TELL ME WHAT -- I GUESS WHAT THE RATIONALE BEHIND US NOT PROVIDING MORE OF AN (INDISCERNIBLE) PROGRAM? IS IT A LEGAL ISSUE? IS IT JUST A POLICY DECISION THAT WE DON'T?

YES, COUNCILMEMBER, THERE ARE SOME LEGAL ISSUES ASSOCIATED WITH HOW INVOLVED WE GET IN TERMS OF THIS PROCESS. AGAIN, WE'VE BEEN ADVISED THAT WE PROVIDE AS MUCH INFORMATION AS WE CAN, WE HAVE SUPPORT

SERVICES AVAILABLE, WE HAVE ADVOCACY GROUPS AVAILABLE WHO WILL COME IN AND ASSIST DIRECTLY. I THINK VINCE'S POINT ABOUT HAVING AN A.P.D. OFFICER ON SITE IS REALLY IMPORTANT AND DOES A LOT TO FACILITATE THAT. BUT THERE ARE SOME LIMITATIONS AS I UNDERSTAND IT IN TERMS OF LEGAL ASPECTS AND POTENTIAL LIABILITY THAT WE'VE BEEN ADVISED TO NOT BECOME DIRECTLY INVOLVED AND RESPONSIBLE FOR FOLLOWING THROUGH WITH THAT PROCESS. BUT I CAN CERTAINLY GET BACK TO YOU AND PROVIDE MORE SPECIFICS ON THAT IF THAT WOULD BE HELPFUL.

Martinez: THANK YOU. THANK YOU, MAYOR.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER KIM.

Kim: HOW DO WE KNOW THAT THE DAY LABORER WHO USE THE SITE ARE BEING TRANSPORTED BACK SAFELY TO AN AGREED UPON LOCATION? THAT THEY'RE NOT JUST LEFT STRANDED SOMEWHERE AND DON'T HAVE TRANSPORTATION BACK TO EITHER THE DAY LABOR SITE OR TO A LOCATION THAT A HE OR SHE IS AGREEABLE TO?

WELL, AGAIN, COUNCILMEMBER KIM, BECAUSE WE WORK REGULARLY WITH THESE EMPLOYERS THAT UTILIZE THE SITE, WE GET TO KNOW THEM OVER TIME AS WELL AS THE LABORERS. IF THERE BECOME DIFFICULTIES, WE'RE ABLE TO FOLLOW UP DIRECTLY WITH THEM. THE MAJORITY OF THE LABORERS DO NOT COME BACK TO THE SITE. WHEN THEY FINISH THEIR WORK, THEY GET HOME. AND IT'S EITHER THROUGH PUBLIC TRANSPORTATION OR THE EMPLOYERS WHO PROVIDE TRANSPORTATION FOR THEM. BUT VERY, VERY FEW COME BACK TO THE SITE ITSELF.

Kim: SO THEY HAVE THE EXPECTATION THAT THEY WILL WORK OUT HOW TO GET BACK?

THAT'S CORRECT. BUT AGAIN THAT'S TO BE WORKED OUT BETWEEN THE TWO PARTIES

DIRECTLY.

Kim: AND DO WE HAVE A MINIMUM WAGE FOR EMPLOYERS WHO USE THE SITE? DO WE SET A MINIMUM AMOUNT THAT EMPLOYERS MUST PAY PIER HOUR?

WELL, AGAIN, BECAUSE WE'VE BEEN ADVISED NOT TO BE IN A POSITION OF DICTATING THAT TRANSACTION, THAT'S BETWEEN THE LABORER AND THE EMPLOYER, WE HAVE GUIDELINES WHICH ACTUALLY WERE DEVELOPED AND RECOMMENDED BY THE LABORERS THEMSELVES. OUR GUIDELINE IS EIGHT DOLLARS PER HOUR AND THAT'S WHAT WE ENCOURN IN TERM OF PAYMENT. AGAIN, IT'S A TRANSACTION THAT'S NEGOTIATED BETWEEN THE INDIVIDUALS INVOLVED. BUT I WOULD SAY FOR THE MOST PART THE ACTUAL PRACTICE IS CONSISTENT WITH THAT GUIDELINE AND FOR SKILLED LABORERS, THEY PAY A HIGHER RATE.

Kim: SO IF SOMEONE IS A CARPENTER OR TILE LAYER, THEN --

THAT'S CORRECT. AND THE LABORERS PARTICIPATED IN THE PROCESS TO ESTABLISH WHAT THOSE RECOMMENDED GUIDELINES SHOULD BE.

Kim: I HEARD A STATISTIC THAT -- I DON'T THINK IT'S FOR AUSTIN AND I DON'T THINK IT'S FOR OUR LABOR SITE. I'M SURE WE'RE DOING BETTER THAN THIS. ' THAT ONE OUT OF EVERY FIVE TIMES A DAY LABORER GETS WORK THAT HE DOESN'T GET PAID. HAVE YOU HEARD ANYTHING ABOUT THIS STATISTIC?

I DON'T HAVE WITH ME THE SPECIFIC STATISTICS ON THAT. I COULD CERTAINLY PROVIDE YOU INFORMATION, ANECDOTALLY I WOULD SAY IN TERM OF OUR ORGANIZED SITE WE DO MUCH BETTER THAN THAT AND IN FACT THE EXPERIENCE HAS BEEN ONE OF THE MAJOR ADVANTAGES TO HAVING THIS TYPE OF AN ORGANIZED SITE IS THAT YOU GREATLY REDUCE THAT OCCURRING IN THE COMMUNITY AT LARGE AND THE KINDS OF

PROBLEMS THAT LABORERS HAVE IN TERMS OF BEING EXPLOITED, NOT PAID, SO FORTH, IN THESE INFORMAL SETTINGS.

Kim: OKAY. THANK YOU.

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

Dunkerley: MR. LURIE, ON THIS PARTICULAR RELIGIOUS YOU'RE MAKING TODAY, -- THIS PARTICULAR RELIGIOUS YOU'RE MAKING TODAY, IT'S FOR A ONE-YEAR LEASE WITH NO UP FRONT COST AS FAR AS CONSTRUCTION, SO THAT IN CASE THIS SITE WAS NOT SUCCESSFUL AFTER A YEAR, YOU COULD -- WE COULD RECONSIDER AND LOOK FOR ANOTHER SITE. BUT IN ORDER TO MAKE IT SUCCESSFUL, HAVE YOU THOUGHT OF POSSIBILITIES OF PERHAPS WORKING WITH CAP MET TOW OR WHAT HAVE YOU -- OF CAP METRO OR WHAT HAVE YOU TO BE ABLE TO TRANSPORT, A TRANSPORT FOR THE DAY LABORERS FROM RIVERSIDE TO THIS LOCATION? I DO KNOW THEY COME EARLY AND THEY LEAVE EARLY. IF THEY DON'T GET JOBS BY X HOURS IN THE MORNING, USUALLY THERE ARE NOT VERY MANY PEOPLE LEFT. SO I'M WONDERING IF YOU'VE TALKED TO OUR CAPITAL METRO SYSTEM AND WHAT HAVE YOU BEEN ABLE TO WORK OUT?

YES, MAYOR PRO TEM, YOU ARE CORRECT, IT IS A ONE-YEAR PILOT THAT WE ARE RECOMMENDING. WE WILL BE ABLE TO EVALUATE ITS EFFECTIVENESS. THERE WILL BE SOME RELATIVELY MINOR RENOVATIONS TO ALLOW FOR ACCESS TO THE RESTROOMS, BUT AGAIN THAT'S A BIG ADVANTAGE FOR US IS TO NOT HAVE A MAJOR UP FRONT COST SO WE CAN GET IN, HAVE THIS PILOT, ASSESS IT, EVALUATE AND DERNL AT THAT POINT WHAT -- AND DETERMINE AT THAT POINT WHAT WE WOULD RECOMMEND LONGER TERM. AS YOU RECALL, WE WORKED VERY CLOSELY WITH CAPITAL METRO FOR THE FIRST SITE THAT WE DEVELOPED UP NORTH. INITIALLY WE PROVIDED SOME TRANSPORTATION, THE FIRST FEW WEEK OR SO FROM DOWNTOWN. CAPITAL METRO WAS VERY

ACCOMMODATING, IN FACT, MADE SOME SCHEDULING CHANGES TO ACCOMMODATE THOSE EARLY HOURS. AND THAT'S WORKED VERY WELL. THEY'VE BEEN ENGAGED IN THIS PROCESS WE'VE HAD FROM TIME TO TIME A CAPITAL METRO REPRESENTATIVE ATTENDING THE ADVISORY COMMITTEE MEETINGS, FOR EXAMPLE. SOME OF OUR STAFF MET RECENTLY WITH SOME OF THE LABORERS ON EAST RIVERSIDE AND TALKED ABOUT WAYS THAT IF WE COULD PROVIDE AT LEAST INITIALLY MAYBE SOME TRANSPORTATION OPPORTUNITIES WE COULD FACILITATE THEM GETTING TO THAT SITE. I THINK WHAT IS VERY IMPORTANT IN TERMS OF OUR EXISTING SITE IS ALTHOUGH WE MADE SOME SPECIAL PROVISIONS INITIALLY, VERY QUICKLY THE LABORERS ADAPTED AND VERY SUCCESSFULLY USED THE PUBLIC TRANSIT SYSTEM TO ACCESS THAT SITE. AND I WOULD HOPE AND EXPECT THAT WE WOULD HAVE THE SAME RESULTS HERE. BUT WE'RE CONTINUING TO HAVE THAT DIALOGUE AND LOOKING AT WAYS THAT WE COULD IN PARTNERSHIP WITH CAPITAL METRO ENHANCE THE TRANSPORTATION OPPORTUNITIES, PARTICULARLY FROM THE EAST RIVERSIDE AREA TO THE SITE.

Dunkerley: ONE LAST THING. I'M VERY INTERESTED IN US BEING GOOD NEIGHBORS TO THE SURROUNDING BUSINESSES, ETCETERA. I THINK THAT WAS VERY IMPORTANT AT OUR OTHER SITE AS WELL, SO I WOULD URGE THAT YOU DO THE AESTHETIC-LOOKING PRIVACY FENCE FOR THE STORAGE UNITS ON ONE SIDE AND MAKE SURE THERE IS SOME BARRIER THERE FOR THAT UNOFFICIAL DRIVEWAY TO MAKE SURE THAT THE TURNING CIRCUMFERENCE -- THAT THEY DON'T GET -- TRY TO MAKE IT EASY AND GO THROUGH THAT VERY NARROW DRIVEWAY BACK THERE, BUT THEY ACTUALLY FOLLOW THE PLANS THAT HAVE YOU IN MIND. SO I WOULD LIKE TO SEE THAT BARRIER UP AND THE PRIVACY FENCE UP AS WEL AND THAT WOULD AT LEAST GET US US OFF TO A GOOD START WITH THAT NEIGHBOR. AND THEN HOPEFULLY THE HELP FROM CAPITAL METRO WILL HELP US WITH THE TRANSPORTATION SITUATION AND IF IN A YEAR WE FIND THAT IT'S NOT SUCCESSFUL, THEN I

WOULD EXPECT YOU TO REEVALUATE IT AND COME BACK TO US WITH ANOTHER RELIGIOUS. ANOTHER RECOMMENDATION.

YES, MAYOR PRO TEM. WE WOULD PUT UP A BARRIER IN TERM OF THAT ROADWAY IN THE BACK. AS YOU KNOW, THERE ARE A NUMBER OF INTERESTS INVOLVED HERE. WE HAVE THE IMMEDIATE NEIGHBOR, WE HAVE THE PEOPLE OPERATING MIDNIGHT RODEO AND WE HAVE THE OWNER OF THE PROPERTY. AND WE'RE GOING TO WORK WITH ALL OF THOSE TO SEE IF WE CAN COME UP WITH A SOLUTION ABOUT THAT -- THE LINE OF SIGHT ISSUE.

Dunkerley: I WOULD APPRECIATE IT. THANKS.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? I'LL JUST SAY I'M -- I UNDERSTAND THE CHALLENGE. I'M DISAPPOINTED THAT APPARENTLY THERE WASN'T MORE INFORMATION GIVEN PARTICULARLY TO SOME NEIGHBORS RELATIVELY NEARBY. I SEE THIS DAILY HERE IN CITY ORGANIZATIONS. THIS CITY PUTS FORTH A CONCERTED EFFORT TO TRY TO REACH OUT AND GET AS MUCH INFORMATION OUT AS POSSIBLE, BUT STILL USUALLY I'M ALWAYS STILL AMAZED, HOWEVER, THAT SOME FOLKS OFTEN TIMES NEARBY A PARTICULAR ZONING CASE OR A FACILITY LIKE THIS AREN'T AWARE OF IT. SO WITH THAT IN MIND, A COUPLE OF QUESTIONS. MR. LURIE, THE STAFF RECOMMENDATION IS TO DO THIS, EXECUTE A ONE-YEAR LEASE AGREEMENT WITH HOPEFULLY SOME RENEWAL OPTIONS. THAT WOULD BE IF IT WORKS WE CAN CONTINUE THAT SUCCESS. SO THAT -- WE'VE NEGOTIATED A DEAL WITH THIS PROPERTY OWNER AND I GUESS MY QUESTION IS HOW MUCH TIME DO WE HAVE BEFORE WE EITHER EXECUTE THE LEASE OR LOSE THIS OPPORTUNITY? OFTEN TIMES WHEN WE PURCHASE A PIECE OF PROPERTY, WE'LL GET IT IN CONTRACT AND WE MIGHT HAVE 60, 90 DAYS MUCH INTERNAL DUE DILIGENCE AND THE TIME FOR THIS COUNCIL TO MAKE A DECISION. I GUESS MY QUESTION TO YOU, THIS BEING A LEASE SITUATION, NOT A SALE CONTRACT, HOW MUCH TIME DO WE HAVE WHILE THIS IS CONTINUING TO BE PURSUED? HOW MUCH

MORE TIME BEFORE -- IF WE DON'T EXECUTE THE LEASE, DO WE LOSE THIS OPPORTUNITY?

DEAN HARRIS FROM REAL ESTATE HAS BEEN NEGOTIATING THE LEASE AND PROCESSING IT FROM THAT STANDPOINT. MY IMPRESSION IS THAT IF WE HAVE AN INTEREST HERE THAT WE PROBABLY NEED TO MOVE PRETTY QUICKLY. I DON'T THINK WE HAVE ANY SORT OF GUARANTEE THAT THIS OPPORTUNITY IS GOING TO BE AVAILABLE TO US OVER AN EXTENDED PERIOD OF TIME, BUT I'M GOING TO DEFER TO DEAN TO SEE IF HE WANTS TO ADD ANYTHING SPECIFIC IN TERM OF THE LEASE NEGOTIATIONS. IT'S NOT AS THOUGH WE HAVE SOME SORT OF A LOCKED IN ARRANGEMENT HERE IN TERMS OF TIME PERIOD, RIGHT, DEAN?

RIGHT.

DO YOU AGREE THAT THIS IS SOMETHING THAT IF WE'RE GOING TO DO IT, WE WOULD NEED TO MOVE FORWARD FAIRLY QUICKLY?

Mayor Wynn: MY LAST QUESTION, MR. LURIE -- I DRIVE BY IT ALL THE TIME, BUT I CAN'T PICTURE IT ANY LONGER. BUT THE FRIEDMAN CAMPAIGN BUILDING, WAS THAT -- HOW MUCH ANALYSIS WAS GIVEN OR THOUGHT GIVEN TO THAT PARTICULAR SITE?

WELL, AS CAN YOU IMAGINE, SORT OF A FLUID SITUATION IN TERMS OF AVAILABLE REAL ESTATE. THE FATALLY OF THE MATTER IS WE'VE ACTUALLY BEEN PURSUING IT. THE MAYOR PRO TEM MENTIONED QUITE SOME TIME AGO THAT WE'RE LOOKING AT A SOUTH SITE. THIS SPECIFIC STAFF PROCESS THAT STARTED BEFORE WE GOT THE ADVISORY COMMITTEE ENGAGED HAS BEEN OVER A YEAR THAT WE'VE BEEN AT THIS. AND AGAIN, DEAN HARRIS HAS REALLY LOOKED EXTENSIVELY THROUGHOUT THE COMMUNITY AT A LOT OF PROPERTIES AND ACTUALLY STARTED WITH THE LIST I THINK IN THE RANGE OF 50 TO 60 PROPERTIES. AND FOR A NUMBER OF REASONS NARROWED IT DOWN TO THE FIVE THAT THE ADVISORY COMMITTEE FOCUSED ON. THAT PARTICULAR

PROPERTY DEAN DID CONSIDER. AS I UNDERSTAND IT, THE SPACE IS CONSIDERABLY LARGER THAN WHAT WE WERE LOOKING FOR AND THE PRICE AS WELL IS EXPECTED TO BE CONSIDERABLY MORE THAN WE WERE ANTICIPATING. AND MY UNDERSTANDING IS THAT SINCE IT'S BEEN VACATED ACCORDING TO DEAN THAT THAT PROPERTY OWNER HAS GOTTEN A LOT OF INTEREST EXPRESSED IN TERM OF THAT PROPERTY, WHICH AGAIN TENDS TO DRIVE UP THE PRICE IN TERM OF THE DEMAND AND INTEREST. BUT I WOULD JUST SIMPLY SAY IT WAS ELIMINATED IN TERMS OF THE SIZE AND COST.

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

Martinez: I MAKE A MOTION TO APPROVE FOR ONE YEAR.

Mayor Wynn: MOTION BY COUNCILMEMBER MARTINEZ, SECONDED BY THE MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND TO APPROVE THIS RESOLUTION THAT INCLUDES DIRECTING THE CITY STAFF TO GO FORWARD EXECUTING A ONE-YEAR LEASE AGREEMENT WITH RENEWAL OPTIONS ON THIS PROPERTY. FURTHER COMMENTS? I GUESS THAT I WOULD LIKE TO SAY THAT -- THAT I WOULD LIKE TO SEE US, WHETHER IT BE THE -- THE COMMITTEE THAT HELPED US WITH THE SITE SELECTION AND/OR PERHAPS THE STAFF THROUGH MR. LURIE'S OFFICE COME UP WITH A SERIES, WITH CITIZENS INPUT, A SERIES OF SORT OF QUESTIONS OR PARAMETERS, BENCHMARKS, IF YOU WILL, THAT WE MAINTAIN DURING THIS FIRST YEAR. SEEMS TO ME IT WOULD BE MORE SOUND, MORE OBJECTIVE, IF AN ADVANCE -- IN ADVANCE OF OPENING UP THESE OPERATIONS WE CAN HAVE AS MUCH CONSENSUS AS WE CAN AS TO WHAT WOULD CHARACTERIZE SUCCESS FOR THIS FACILITY AND THEN THEREFORE, YOU KNOW, SIX, EIGHT, NINE, 10 MONTHS INTO OPERATIONS IF ENOUGH OF US ARE COMFORTABLE THAT THOSE MEASURES OF SUCCESS HAVE BEEN SATISFIED..... SATISFIED,, YOU KNOW, WE CAN CONTINUE LOOKING. MY INSTINCT IS THAT -- IS

THAT MY INSTINCT IS THAT THIS PROBABLY IS NOT A PERMANENT SOLUTION FOR US DOWN THERE. I GUESS WE WILL TALK INDIVIDUALLY AMONGST EACH OTHER OVER TIME, THAT WE WOULD LIKE TO CONTINUE A SITE SEARCH IN SOME FORM OR FASHION. I DON'T -- I KNOW AWFULLY BUSY, LOTS OF REAL ESTATE PROJECTS GOING ON WITH THE STAFF. BUT -- BUT SO MEANWHILE WE COME TO AN AGREEMENT, IN ADVANCE TO SOME DEGREE WHAT WOULD BE THE MEASURES OF SUCCESS FOR THIS FACILITY. WHILE AT THE SAME TIME SHOULD THE PROPERTY BECOME AVAILABLE AND PERHAPS EVEN FRANKLY CLOSER TO -- TO WHERE WE BELIEVE MOST OF THE DAY LABORERS CURRENTLY RESIDE, I WOULD LIKE TO SEE US HAVE THE FLEXIBILITY TO POTENTIALLY PURSUE THAT WHILE WE MAINTAIN THIS -- YOU KNOW, IN A SENSE TEMPORARY YEAR TO YEAR TYPE OF FACILITY OPERATING. SO -- THANK YOU ALL VERY MUCH. WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE STAFF RECOMMENDATION ON THIS PROJECT. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0. THANK YOU ALL VERY MUCH. [APPLAUSE] THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL, ON OUR POSTED AGENDA, WE NOW STAND ADJOURNED. IT IS 9:05 P.M.

**End of Council Session Closed Caption
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