

Closed Caption Log, Council Meeting, 04/19/07

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Mayor Wynn: GOOD MORNING, I'M AUSTIN MAYOR WILL WIN, IT'S MY PRIVILEGE TO WELCOME PASTOR CRAIG SOMMER FROM ST. MARTIN'S EVANGELICAL LUTHERAN CHURCH, PLEASE RISE.

A LITTLE REFACE. THE CASWELL HOUSE ACROSS FROM SAINT MARTIN'S RECENTLY, THERE WAS A BOOK SIGNING EDITED BY MAX SHERMAN FORMER DEAN OF THE L.B.J. SCHOOL, IT'S A BARBARA JORDAN BOOK. THE MORNING AFTER THEY -- THEY USED OUR PARKING LOT, THE MORNING AFTER I HAD A FREE GIFT IN MY BOX OF THE BOOK. I'M SMART ENOUGH TO REALIZE THAT THERE ARE A FEW PEOPLE MORE ELOQUENT THAN ME MUCH ONE OF THOSE IS BARBARA JORDAN. I THOUGHT IT MIGHT BE APPROPRIATE TO USE HER PRAYER FROM 1978 AT THE NATIONAL PRAYER BREAKFAST. YOU WILL HAVE TO IMAGINE HER VOICE AS I READ IT. LET US BOW OUR HEADS, CLOSE OUR EYES AND OPEN OUR HEARTS TO THE ONE WHO IS GREATER THAN WE. WE ARE SO HUMAN AND INADEQUATE TO THE TASK WHICH IS OURS, TO SERVICE YOUR TRUSTEES FOR THE BENEFIT OF YOUR PEOPLE, HELP US TO BE MINDFUL THAT WE ARE NOT ALONE, WHEN WE NEED WISDOM WE NEED ONLY TO ASK FOR IT. YOU HAVE PROMISED TO BESTOW IT LIBERALLY, WE ARE WEAK AND IF WE ARE PATIENT YOU WILL RENEW OUR STRENGTH. STRENGTH IN US. YOU KNOW THAT WE ARE ORDINARY AND OFTEN

FIND IT DIFFICULT TO LOVE OUR NEIGHBORS AS OURSELVES. BUT WE KNOW THAT IF WE FAIL TO LOVE, WE FAIL NOT ONLY OUR NEIGHBORS, BUT ALSO YOU. WHEN WE SUCCUMB TO HATRED, GREED, SELF CENTEREDNESS, WE GIVE YOU CAUSE TO REVOKE THE PLACE YOU TRUSTED IN US. WE BESEECH YOU TO MOVE SO POWERFULLY WITHIN US THAT WE AVERT SINFULNESS. WE SIN WHEN WE FOLLOW OUR OWN COUNSEL RATHER THAN YOURS, HELP US TO TRUST IN YOU RATHER THAN TO RELY TOTALLY ON OURSELVES. TEACH US TO KNOW THAT IF WE ARE TO BE SUCCESSFUL STEWARDS, WE MUST BE YOUR SERVANTS. WE KNOW THAT WE CANNOT SOLVE THE MANY DIFFICULTIES WHICH BESET YOUR PEOPLE, BUT YOU CAN. WE CANNOT RECONCILE PEOPLE'S WHOSE PREJUDICE AND NARROW SIGHTED SELF INTEREST PREVENT BROTHERHOOD, BUT YOU CAN. WE CANNOT INFUSE HOPE TO THOSE WHO DESPAIR, BUT YOU CAN. SINCE YOU CAN DO ALL THAT WE CANNOT DO, GIVE US THE GOOD SENSE TO WORK WITH YOU IN PARTNERSHIP FOR THE BENEFIT OF ALL HUMAN KIND. HELP US TO RESIST OUR INCLINATION TO BE THE SENIOR PARTNER. AS WE WORK TOGETHER, KEEP TALKING TO US AND HELP US TO LISTEN. GUIDE US IN OUR DECISIONS AND GRANT US THE WISDOM, COURAGE AND SELFLESSNESS TO DISCERN THE DIFFERENCE BETWEEN GOOD AND BAD. FACT AND FICTION. REALITY AND ILLUSION. AMEN.

THANK YOU, PASTOR SOMMER, YOU DO A GREAT BARBARA JORDAN. THERE BEING A QUORUM PRESENT I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, APRIL 19th.... 19th, 2007. APPROXIMATELY 10:15 IN THE MORNING. WE ARE IN THE COUNCIL CHAMBERS, 301 WEST SECOND STREET HERE IN DOWNTOWN, AUSTIN. BEFORE COUNCIL STARTED ASKING FOR ITEMS FOR NEXT WEEK, WALKING THROUGH THE CHANGES IN CORRECTION, AS A POINT OF PRIVILEGE I WOULD LIKE TO RECOGNIZE COUNCILMEMBER KIM WHO WOULD LIKE TO SAY A FEW WORDS.

YES, THANK YOU, MAYOR. I WOULD LIKE TO EXPRESS MY DEEPEST SYMPATHY FOR THE VICTIMS

OF THE VIRGINIA TECH SHOOTING AND THIS HAS BEEN A VERY SHOCKING FOR ALL OF US AND RIGHT NOW I THINK THAT WE HAVE MORE QUESTIONS THAN WE HAVE ANSWERS ABOUT THIS VIOLENT ACT FROM A VERY, VERY SICK MAN. PARTICULARLY HIT HARD IS BLACKSBURG VIRGINIA, THE VIRGINIA TECH STUDENTS AND THEIR FAMILIES AND ALSO COMMUNITY ALL ACROSS THE NATION. TOMORROW NIGHT IN FACT THE AUSTIN KOREAN PRESBYTERIAN CHURCH WILL BE HOLDING A VIGIL AT 8:00 P.M., THE PUBLIC IS INVITED, IT WILL BE CONDUCTED IN KOREAN. I WOULD LIKE TO ASK AS WE MOURN THIS TRAGEDY, I WOULD LIKE TO ASK FOR A MOMENT OF SILENCE IN HONOR OF THE FALLEN VICTIMS. ... TO SET UP A TRUST FUND THAT WE WOULD DISTRIBUTE THE PROCEEDS FROM BLOCK 21, THAT THEY WOULD MAKE SIGNIFICANT CONTRIBUTIONS INTO THAT FUND UNTIL THE LIBRARY ACTUALLY OPENS. THE INTENT WAS TO CREATE AN ENDOWMENT THAT WOULD THROW OFF ENOUGH INTEREST EARNINGS TO COVER THE DIFFERENCE BETWEEN THE CURRENT OPERATING COSTS OF THE SMALL LIBRARY AND THE NEW OPERATING COSTS OF THE -- OF THE BIGGER OPERATING COSTS OF THE NEW LIBRARY. THIS WAS A BUDGET STRATEGY THAT WE THINK IN THE LONG TERM WILL BE VERY, VERY BENEFICIAL TO OUR LIBRARY SYSTEM. JUST WANTED TO LET YOU KNOW THAT WE WOULD BE BRINGING IT FORWARD.

THANK YOU, MAYOR PRO TEM. MY INSTINCT IS, COUNCIL, THAT MIGHT ALSO BE THE OPPORTUNITY FOR US TO -- TO CONSIDER ANOTHER ITEM OR TWO TO SORT OF PLAY OUT THAT LONGER TERM SERIES OF DECISIONS, INCLUDING THE LOCATION OF THE NEW CENTRAL LIBRARY, ET CETERA. SO -- SO COUNCILMEMBER LEFFINGWELL?

IF I MIGHT, I WOULD LIKE TO TAKE THIS OPPORTUNITY TO ANNOUNCE THAT MY SECRETARY, KELLY BRUALT HAS BEEN ACCEPTED INTO THE L.B.J. MASTER'S PROGRAM AT THE SCHOOL OF PUBLIC AFFAIRS. STARTING THIS FALL WITH A FULL SCHOLARSHIP BY THE WAY. SO I JUST WANTED TO PUBLICLY CONGRATULATE HER AND

THANK HER FOR THE SERVICE THAT SHE'S
RENDERED TO MY OFFICE IN THE PAST.

Mayor Wynn: THANK YOU, COUNCILMEMBER.
CONGRATULATIONS TO KELLY. [APPLAUSE]
ADDITIONAL POTENTIAL FUTURE ITEMS FROM
COUNCIL AS BEST WE KNOW THEM? THEN HEARING
NONE, WE WILL GO THROUGH THIS WEEK'S
CHANGES AND CORRECTIONS TO OUR POSTED
AGENDA. THEY ARE -- WE SHOULD HAVE NOTE ITEM
NO. 14 IS TECHNICALLY RELATED TO ITEMS 43 AND
44. ON ITEM NO. 25 WE SHOULD INCLUDE
COUNCILMEMBER MARTINEZ AS AN ADDITIONAL
CO-SPONSOR.

WE SHOULD NOTE THAT THE ITEMS WERE POSTED
CORRECTLY, HOWEVER PLACED IN THE WRONG
AGENDA CATEGORIES. THEY SHOULD HAVE BEEN
REFLECTED AS ONE OF THE 4:00 P.M. HEARING ON
RESTRICTIVE COVENANTS, HEARINGS CLOSED,
THEY WERE POSTED CORRECTLY FROM A LEGAL
STANDPOINT. OUR TIME CERTAINS TODAY AT NOON,
WE BREAK FOR GENERAL CITIZENS
COMMUNICATIONS, AT 3:00 WE WILL TECHNICALLY
RECESS THE MEETING OF THE CITY COUNCIL TO
CONDUCT OUR OUR AUSTIN HOUSING FINANCE
CORPORATION BOARD OF DIRECTORS MEETING
WITH JUST A COUPLE OF ITEMS ON THAT BRIEF
AGENDA. AT 4:00, COUNCIL CONDUCTS ZONING
MATTERS. THEN AT 5:30 WE HAVE LIVE MUSIC AND
PROCLAMATIONS AND OUR MUSICIANS TODAY ARE
THE BISCUIT BROTHERS, SO STAY TUNED AND
BRING YOUR KIDS AND TUNE YOUR KIDS INTO
CHANNEL 6 THIS AFTERNOON, GREAT
ENTERTAINMENT. WE HAVE A COUPLE OF ITEMS
PULLED OFF THE CONSENT AGENDA. ITEM NO. 4
TECHNICALLY IS BEING PULLED OFF THE CONSENT
AGENDA BECAUSE A NUMBER OF SPEAKERS WOULD
LIKE TO ADDRESS US REGARDING THE PUSHUP
FOUNDATION. I AM PULLING ITEM NO. 13 AS WE
HAVE POSTED A VERY BRIEF POTENTIAL
DISCUSSION IN CLOSED SESSION REGARDING THAT
REAL ESTATE MATTER. AND THEN ITEM NO. 14
TECHNICALLY WON'T BE ON OUR CONSENT AGENDA
BECAUSE IT RELATES TO -- TO KIND OF THOSE TWO
ZONING CASES, ITEMS 43 AND 44, WE WOULDN'T

TAKE ACTION ON ITEM NO. 14 UNTIL SUCH TIME AS WE HAD MADE A DECISION ON THE ZONING FOR THOSE -- FOR THAT PROPERTY. SO ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA? HEARING NONE I WILL THEN READ -- MAYOR PROTEM?

Dunkerly: LET ME ASK, ON -- ON WHEREAS THE FRANCHISE AGREEMENT FOR THE CABS.

ITEM 17 I BELIEVE IS OUR TAXI ITEM.

I WOULD LIKE TO -- TO PULL THAT FOR JUST SOME COMMENTS.

Mayor Wynn: RIGHT. ITEM 17 WILL BE OFF THE CONSENT AGENDA. MS. GENTRY. SO COUNCIL THEN WITHOUT -- WITHOUT OBJECTION, I WILL NOW READ OUR CONSENT AGENDA FOR -- PROPOSED CONSENT AGENDA THIS MORNING NUMERICALLY. THESE WILL BE THE ITEMS THAT WE WILL APPROVE WITH A SINGLE VOTE. THE CONSENT AGENDA TODAY WILL BE TO APPROVE ITEMS 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 18, 19, 20, 21, 22, 23, ITEM 24 ARE BOARD AND COMMISSION APPOINTMENTS, I WILL READ INTO THE RECORD. TO OUR CHARTER REVISION COMMITTEE, ROXANNE EVANS IS COUNCILMEMBER COLE'S APPOINTMENT. JANICE PINELLI COML'S APPOINTMENT, STEVEN CHANG IS COUNCILMEMBER KIM'S APPOINTMENT. TO OUR SOLID WASTE ADVISORY COMMISSION, RICK COFFER IS THE APPOINTMENT. WE ALSO WILL BE APPROVING ITEM 25 PER CHANGES AND CORRECTION. ITEM 26, 27, 28, 29, APPROVING THE SETTING OF THESE PUBLIC HEARINGS, ITEMS 30, 31, 32, AND 33. I WILL ENTERTAIN A MOTION TO APPROVE THE CONSENT AGENDA AS READ. MOTION MADE BY COUNCILMEMBER KIM, SECONDED BY COUNCILMEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS?

Leffingwell: I WANT TO SAY A FEW --

Mayor Wynn: LEFFINGWELL.

Leffingwell: OH --

Mayor Wynn: GO AHEAD.

Leffingwell: ITEM NO. 26 WILL START AN ANALYSIS OF WAYS TO LIMIT THE USE OF PLASTIC SHOPPING BAGS IN AUSTIN. IN ADDITION TO PRIMARILY BEING MADE FROM FOSSIL FUELS, A LOT OF IT BY THE WAY, WHEN THEY ARE THROWN AWAY, THESE BAGS USUALLY AFTER ONLY ONE USE WIND UP LITTERING OUR STREETS, CLOGGING OUR SEWER SYSTEM, POLLUTING OUR CREEKS AND RIVERS, THREATENING OUR WILDLIFE OR WINDING UP IN OUR LANDFILL AND TAKING ABOUT 1,000 YEARS TO DECOMPOSE. SO I BELIEVE THAT WE NEED TO START THIS DIALOGUE TODAY TO ARRIVE AT A REASONABLE AND RATIONAL POLICY THAT WE MAY BE ABLE TO ARRIVE AT TOGETHER TO HELP MITIGATE SOME OF THOSE IMPACTS. I WANT TO EMPHASIZE THAT WE ARE ONLY STARTING A DIALOGUE TODAY. WE ARE NOT CONSIDERING OR ADOPTING ANY POLICY. THE REASON THAT WE ARE TAKING THIS APPROACH IS BECAUSE WE WANT TO MAKE SURE THAT WE ENGAGE ALL OF THE STAKEHOLDERS IN THE PROCESS TO TRY TO ACHIEVE SOME CONSENSUS ABOUT FIRST WHAT OUR GOALS SHOULD BE, AND WHAT ARE THE BEST WAYS TO ACHIEVE THOSE GOALS. AGAIN, WE ARE NOT TRYING TO DICTATE A POLICY. SO WE ARE GOING TO ENGAGE GROCERS AND OTHER STORE OWNERS, TALK WITH SHOPPERS AND CITIZENS, INDUSTRY GROUPS AND SO HE WHAT WE CAN -- SEE WHAT WE CAN COME UP WITH BY WORKING TOGETHER COOPERATIVELY. WE WILL ALSO TAKE A LOOK AT POLICIES BEING ADOPTED ELSEWHERE AROUND THE COUNTRY AND AROUND THE WORLD. WHAT WE ARE NOT GOING TO DO IS SPEND ANY MONEY ON THIS. WE ARE GOING TO SPEND A LITTLE BIT OF TIME TO TRY TO FIND A POLICY THAT MAKES SENSE FOR US HERE IN AUSTIN. AS EVERYONE KNOWS, WE ARE A CITY HERE THAT TAKES PRIDE IN BEING ON THE LEADING EDGE OF ENVIRONMENTAL POLICIES. I THINK THIS -- THIS ITEM HONORS THAT REPUTATION. IN ADDITION, MAYOR, TO BEING IN LINE WITH YOUR RECENTLY ADOPTED POLICY TO REDUCE GREENHOUSE GAS EMISSIONS. SO I WANT

TO THANK YOU AND ALSO MAYOR --
COUNCILMEMBER MARTINEZ FOR CO-SPONSORING
THIS ITEM AND I LOOK FORWARD TO -- TO
STARTING THIS DIALOGUE OVER THE NEXT 60 TO 90
DAYS. THE RESOLUTION CALLS FOR 90 DAYS, I
WOULD STRONGLY URGE THAT WE BE ABLE TO TO
COME BACK TO COUNCIL WITH SOME
RECOMMENDATIONS WITHIN 60 DAYS SO YOU CAN
GET SOMETHING DONE THIS SUMMER. THANK YOU.

Mayor Wynn: AGREED, THANK YOU.

COUNCILMEMBER KIM?

Kim: THANK YOU, MAYOR. I WOULD LIKE TO BRING
TO ATTENTION WE ARE ADDING TO OUR
LEGISLATIVE AGENDA SUPPORT FOR SENATE BILL
1054 BY SENATOR JUDITH ZAFFIRINI AND THIS
RELATES TO HAZING. COLLEGE STUDENTS FROM
U.T., ST. EDWARD'S, AUSTIN COMMUNITY COLLEGE,
CONCORDIA AND HUSTON TILLOTSON AND OTHERS
MAKE UP A LARGE PORTION OF AUSTIN'S
POPULATION. AND HAZING IS A PROBLEM ON
CAMPUS ASSASSINATION-WIDE. THERE'S CURRENT --
NATIONWIDE. THERE IS CURRENTLY NO AGENCY
COLLECTING STATISTICS ON HAZING, IT HAPPENS IN
MANY TYPES OF ORGANIZATIONS SUCH AS
BUSINESS CLUBS, ATHLETICS, GREEK
ORGANIZATIONS. THE DEATH OF JACK LAST
DECEMBER, 2005 AT U.T. AUSTIN WAS A RESULT OF
HAZING AND FROM ALCOHOL POISONING AS A
RESULT OF A HAZING RITUAL. IT SERVED AS FOR ME
A WAKEUP CALL AND TO THE AUSTIN COMMUNITY.
HE WAS A PLEDGE IN A FRATERNITY AT U.T. AFTER
A LONG SEMESTER DURING HAZING ACTIVITIES
WHICH INCLUDED EXTREME PHYSICAL ACTIVITY
WITHOUT REST OR WATER AND LATER REPEATED
INCIDENT OF BINGE JACKING, JACK FINALLY
SUCCUMBED TO ALCOHOL POISONING ON THE
NIGHT HE WAS SUPPOSED TO BECOME AN ACTIVE
MEMBER OF THAT FRATERNITY. LAST YEAR I
CREATED A STUDENT TASK FORCE TO ADDRESS
SOME OF THE SAFETY CONCERNS THAT THE
STUDENTS HAVE. THE TASK FORCE HAS ALREADY
BEEN SUCCESSFUL IN OPENING UP A DIALOGUE
BETWEEN STUDENTS, ADMINISTRATORS, PUBLIC

SAFETY OFFICERS AND APARTMENT MANAGERS. ISSUES OF ALCOHOL ABUSE, DOMESTIC VIOLENCE AND CRIME PREVENTION HAVE BEEN ADDRESSED. SO OUR SUPPORT HERE OF THIS PARTICULAR BILL WOULD CHANGE THE DEFINITION OF HAZING TO INCLUDE ANY ACTIVITY THAT INVOLVES FORCING OR COERCING A STUDENT TO CONSUME AN ALCOHOLIC BEVERAGE, LIQUOR OR DRUG THAT -- OR CREATES AN ENVIRONMENT IN WHICH THE STUDENT REASONABLY FEELS FORCED COERCED TO CONSUME ANY OF THOSE SUBSTANCES. IT ALSO APPLIES HAZING LAWS TO FORMER STUDENTS OF AN ORGANIZATION WHO MAY PARTICIPATE IN SUCH HAZING ACTIVITIES. SO I WANT TO THANK MY COLLEAGUES FOR THEIR SUPPORT IN ADDING THIS TO OUR LEGISLATIVE AGENDA AS I BELIEVE THIS WILL OFFER SOME LOCATION TO OUR STUDENT POPULATION, KEEP THEM SAFE. THE NEXT MEETING IS TOMORROW AT 1:00 P.M. AT THE U.T. CAMPUS, AT THE POLICE BUILDING. IF ANYONE WANTS INFORMATION ON THAT THEY CAN CONTACT MY OFFICE.

Mayor Wynn: THANK YOU, COUNCILMEMBER?

...

> COUNCILMEMBER LEFFINGWELL?

I JUST WANT TO HIGHLIGHT ITEM NO. 25, A RESOLUTION TO INITIATE A CODE CHANGE TO CHAPTER 25 OF THE CITY CODE. THIS PERTAINS TO WATERFRONT OVERLAY ORDINANCE. THIS AMENDMENT WOULD ALLOW APPEALS TO CITY COUNCIL WHICH CURRENTLY DECIDED FINALLY IN THE LAND USE COMMISSION, THIS WILL BE A CHANGE TO ALLOW THOSE APPEALS TO THE CITY COUNCIL ON VARIANCES TO THE WATERFRONT OVERLAY.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?
COUNCILMEMBER COLE?

Cole: YES, I WOULD LIKE TO TAKE THIS OPPORTUNITY TO RECOGNIZE NUMBER 23, THIS -- THIS IS AN AFRICAN-AMERICAN RADIO STATION

THAT IS A NON-PROFIT THAT EMPHASIZES ISSUES IMPORTANT TO THE AFRICAN-AMERICAN COMMUNITY AND I'M GLAD TO SEE US RENEW OUR CONTRACT WITH THEM TO PUBLICIZE THE CITY COUNCIL MEETINGS AND THEY DO THAT. IT HAS BEEN IN OPERATION FOR THE PAST 25 YEARS AND IT HAS A COUPLE OF PROGRAMS AS A DIRECT RESULT OF THE QUALITY OF LIFE INITIATIVE, THOSE PROGRAMS ARE HEALTH TALK AND ALSO CULTURAL CONNECTIONS. I REFUSED -- RECEIVED A FEW CALLS IN MY OFFICE ABOUT SOME OF THE BUREAUCRACIES NOT BEING AIRED. THAT IS BECAUSE THEY ARE UNDERGOING RENOVATIONS FOR THE NEXT SIX TO EIGHT WEEKS, BUT SOME PROGRAMS WILL BE PRETAPED AND AIRED LATER. I WOULD LIKE TO SAY I APPRECIATE MY COLLEAGUES SUPPORT OF THIS ITEM.

Mayor Wynn: THANK YOU, COUNCILMEMBER, FURTHER COMMENTS ON OUR CONSENT AGENDA? I WILL BRIEFLY POINT OUT ITEM NO. 19 IS AUSTIN ENERGY SPENDING, \$540 MILLION AS A PROPOSAL FOR ESSENTIALLY RELIABILITY UPGRADES AND I JUST WANT TO -- TO ASSURE PEOPLE THAT AS MUCH TIME AND EFFORT AS WE IN AUSTIN ENERGY SPEND ON IMPORTANT CONSERVATION EFFICIENCY, RENEWABLE PROGRAMS, ENVIRONMENTAL PROGRAMS, AUSTIN ENERGY CLEARLY HAS THE REPUTATION AS -- AS THE MOST PROGRESSIVE UTILITY IN THE COUNTRY, ONCE AGAIN NEXT WEEK WE WILL RECEIVE FOR THE FIFTH CONSECUTIVE YEAR THE U.S. DEPARTMENT OF ENERGY'S FIRST PLACE TROPHY FOR THE MOST IMPRESSIVE AND PROLIFIC CONSUMER DRIVEN GREEN CHOICE RENEWABLE ENERGY PROGRAM IN THE COUNTRY. PROFESSIONALS IN AUSTIN ENERGY NEVER LOSE SIGHT OF THE FACT THAT THE CORE BUSINESS REMAINS TO KEEP THE ENERGY AND ELECTRICITY FLOWING TO ALL OF ITS MANY CUSTOMERS. THIS IS ANOTHER BIG INVESTMENT IN A SERIES OF INVESTMENTS TO ASSURE LONG-GOING RELIABILITY TO OUR CUSTOMERS, TO MAKE SURE THAT THE LIGHTS DO IN FACT STAY ON. ALSO A COST EFFECTIVE ENVIRONMENTALLY FRIENDLY WAY... WAY. HATS OFF AGAIN FOR AUSTIN ENERGY FOR HARD WORK, GOOD MEN AND WOMEN.

COUNCIL, WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THANK YOU ALL VERY MUCH. COUNCIL, WE HAVE A COUPLE OF DISCUSSION ITEMS, I THINK A COUPLE OF THEM WE CAN TAKE UP -- PRETTY SHORT ORDER. ITEM NO. 17 WAS PULLED BY THE MAYOR PRO TEM, THIS IS OUR TAXI FRANCHISE THAT WAS POSTED FOR SECOND READING ONLY. MAYOR PRO TEM?

Dunkerly: THANK YOU VERY MUCH. REALLY THIS -- THIS SHOULDN'T TAKE LONG. BASICALLY DIRECTIONS TO STAFF. ON THIS ITEM, THE -- THE FIRM THAT DID NOT WIN THE -- WAS ON THE LOSING SIDE OF THE VOTE LAST WEEK, THEIR OWNER IS OUT OF TOWN FOR TWO WEEKS AND RATHER THAN PULL THIS DOWN ON SECOND READING, WE WILL LEAVE IT ON SECOND READING BUT I WANT TO MAKE SURE THAT THE STAFF -- WITH THE STAFF THAT THEY MAKE SURE THAT THE THIRD READING IS -- IS AFTER THE TIME THAT -- THAT HE'S RETURNED FROM THIS MEDICAL EMERGENCY. SO -- SO THAT WOULD BE ONE DIRECTION. THE SECOND DIRECTION IS THAT FROM THE DISCUSSION ON THE DAIS LAST WEEK, IT SEEMED THAT A COUPLE OF THINGS REALLY MADE IT -- THE DIFFERENCE IN THE AWARD AND THAT WAS THE MODEL OF OWNERSHIP, WHICH IS DEPICTED AS AN OWNER-OPERATOR STYLE OF OWNERSHIP. I WOULD LIKE TO MAKE SURE THAT IN THE FRANCHISE ITSELF THAT IT CLEARLY STATES THAT 51% OF THE STOCK BE OWNED BY AN OWNER-OPERATOR AND THEN WITH SOME CRITERIA ABOUT WHAT THAT MEANS. IN OTHER WORDS, HOW MUCH DRIVING TIME DO YOU HAVE TO LOG PER WEEK TO MEET THAT DEFINITION OF AN OWNER-OPERATOR. FOR EXAMPLE, THE -- THE OWNER OF THE OTHER COMPANY WAS AT ONE TIME A DRIVER. BUT THIS IS A DIFFERENT MODEL. SO WE WANT TO MAKE SURE THAT THAT'S CLARIFIED. I THINK THERE WERE SOME OTHER

THINGS, PARTICULARLY THE DISPATCH SYSTEM THAT SEEMED TO BE OF -- OF GREAT IMPORTANCE THAT THE -- THAT THE GROUP -- THAT THE LONE STAR HAD AGREED TO PUT IN. SO IF YOU CAN JUST BRING BACK SOME CRITERIA ON -- FOR US TO CONSIDER ON THIRD READING TO -- TO MAKE SURE THAT WHAT WE'RE TRYING TO SEE IN THIS MODEL ACTUALLY STAYS IN THE MODEL AND IT DOESN'T CHANGE AND ACTUALLY BECOME SIMILAR TO THE MODEL THAT THE -- THAT THE OTHER OWNER REALLY HAS IN PLACE.

SONDRA CREIGHTON, DIRECTOR OF THE PUBLIC WORKS DEPARTMENT. ANCE TO YOUR FIRST QUESTION, THE THIRD READING WILL BE ON MAY 17th AND THAT WILL BE AFTER THE OWNER --

THANK YOU VERY MUCH.

RETURNS. IN REGARDS TO THE SECOND COMMENTS, WE WILL MAKE SURE THAT WE GET THAT INFORMATION NOTIFICATION INTO THE FRANCHISE AGREEMENT, MAKE SURE WE RUN THAT BY THE COUNCIL BEFOREHAND.

THANK YOU.

THANK YOU, MS. CREIGHTON. COUNCILMEMBER MARTINEZ?

Martinez: I THINK LONE STAR CAB CERTAINLY MADE A PROPOSAL THAT IS UNIQUE. IT DOES INCORPORATE A NEW FRANCHISE, IF YOU WILL, A NEW FRANCHISE ARRANGEMENT IN BEING, YOU KNOW, CAB DRIVER OWNED. I CERTAINLY AM SUPPORTIVE OF TRYING TO DO WHAT WE CAN, ASSURING THAT THIS UNIQUE STYLE IS SUPPORTED AND CAN BE SUCCESSFUL. I DO WANT TO, I GUESS, JUST PUT ONE NOTE OF CAUTION THAT I -- I'M NOT SURE THAT WE CAN CHANGE THE CRITERIA FOR AWARDDING A FRANCHISE IN THE MIDDLE OF THE GAME. SO TO SPEAK. I THINK WE CAN -- I THINK THEY ARE CERTAINLY OPEN TO IT. THEY HAVE PROPOSED IT IN THIS MANNER, SO I BELIEVE THAT THEIR PROPOSAL IS GENUINE. BUT I'M ALSO GOING TO BE -- CURIOUS AS TO HOW WE ARE ABLE TO ADD

ADDITIONAL CRITERIA AT THIS POINT AND I HOPE THAT WE -- THAT DIALOGUE TAKES PLACE WITH LONE STAR IF THAT'S WHAT WE ARE GOING TO BE DOING.

I DIDN'T UNDERSTAND THAT REQUEST TO BE A REQUEST IN CHANGING ANY CRITERIA. RATHER JUST TO ENSURE THAT THE CRITERIA ON WHICH THEY WERE SELECTED THAT THAT IS REPRESENTED IN THE WAY THAT THEY HANDLE THEIR FRANCHISE. IS THAT CORRECT?

Dunkerly: THAT'S REALLY THE INTENT. IF THEY ARE COMING IN AS AN OWNER-OPERATOR AND IT DID SEEM FROM THE DISCUSSION ON THE COUNCIL THAT WAS WHAT WAS UNIQUE ABOUT THE PROPOSAL AND THAT'S SORT OF WHAT I THINK MOST PEOPLE EXPECT, IS THAT WE JUST CLARIFY AND DEFINE WHAT THAT IS.

WE WILL SEND THAT THROUGH THE MAYOR AND COUNCIL BEFOREHAND FOR REVIEW.

THANKS. WE HAD ONE CITIZEN WHO SIGNED UP TO JOIN US, I SAW MR. HOWARD EARLIER. SO YOU ARE -
-? THANK YOU. FURTHER ITEMS ON NUMBER 17. WITH ADDITIONAL SUGGESTION, DIRECTION FROM THE MAYOR PRO TEM. IF NOT I WILL ENTERTAIN A MOTION ON ITEM NO. 17. MOTION MADE BY COUNCILMEMBER MARTINEZ, SECONDED BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 17 AS POSTED. MS. CREIGHTON?

I BELIEVE THE WAY THAT THE ITEM IS POSTED IS TO AWARD TO A FRANCHISE, SO I BELIEVE THAT YOU WILL HAVE TO SPECIFICALLY STATE WHO YOU ARE AWARDED TO.

WHAT WE WILL DO IS LIST THE NAME OF THE FRANCHISE RATHER THAN THE FRANCHISE HOLDER, WE WILL MAKE THAT MOTION, AS AMENDED. THE ORDINANCE AS LISTED DOES NOT CONTAIN THOSE ELEMENTS FOR COMPUTER DISPATCH OR 51% OWNER OPERATED. WE HAVE THOSE TERMS AS GIVEN BY MAYOR PRO TEM, SO THE MOTION WOULD BE NAMING THE FRANCHISE AND

INCLUDING THOSE AMENDMENTS.

Mayor Wynn: PERHAPS COUNCIL --

Dunkerly: I DIDN'T MEAN TO --

Mayor Wynn: PERHAPS A RESTATED MOTION BY COUNCILMEMBER MARTINEZ WOULD BE TO APPROVE ON SECOND READING THAT WHICH WE APPROVED ON FIRST READING WITH THIS ADDITIONAL DIRECTION FOR STAFF PRIOR TO THIRD READING.

Martinez: MAYOR, I WILL ADD TO THE MOTION THAT IT WOULD BE AWARD [INDISCERNIBLE] LONE STAR CAB COMPANY THIS FRANCHISE ON SECOND READING.

Mayor Wynn: WE HAVE A MOTION BY COUNCILMEMBER MARTINEZ, SECONDED BY COUNCILMEMBER LEFFINGWELL, TO APPROVE ON SECOND READING ONLY THE FRANCHISE TO LONE STAR CAB COMPANY WITH THIS ADDITIONAL DIRECTION AND SUGGESTION PRIOR TO THIRD READING. FURTHER COMMENTS?

A CLARIFICATION. I HEARD YOU SAY IT BUT I DID NOT HEAR COUNCILMEMBER MARTINEZ IN HIS MOTION SAY THAT THOSE ADDITIONAL CRITERIA IN THERE. I WANT TO MAKE SURE THAT WE ARE ON THE SAME PAGE.

Mayor Wynn: COUNCILMEMBER MARTINEZ? MOTION ACKNOWLEDGES THAT COMMENT. OKAY. SO -- SO MOTION AND SECOND ON THE TABLE, SECOND READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE.....

NO.

MOTION PASSES ON A VOTE OF SECOND READING

WITH THE MAYOR PRO
TEM,.....CANCOUNCILMEMBERS MCCracken
AND COLE VOTING NO. THANK YOU VERY MUCH. [APPLAUSE] ITEM NO. 4 IS REGARDING -- REGARDING
NOTION AND EXECUTION OF A CONTRACT WITH THE
PUSHUP FOUNDATION INCORPORATED OF AUSTIN.
WE HAVE A -- A NUMBER OF FOLKS WHO SIGNED UP
WISHING TO SPEAK. ALL BUT ONE IN FAVOR. AND
MY -- MY READ ON THIS ITEM PRIOR TO CONSENT
AGENDA OF COUNCIL, WITH -- WAS THAT THERE
LIKELY WAS GOING TO BE A APPROVAL OF THIS
ITEM. ALTHOUGH SINCE MORE THAN FIVE PEOPLE
SIGNED UP, EVEN THOUGH THEY WERE HERE
SIGNING UP IN FAVOR, YOU KNOW THE RULES ARE
THAT IT'S PULLED OFF THE CONSENT AGENDA. WITH
YOU CERTAINLY WANT TO LET PEOPLE SPEAK WHO
WANT TO AND OBVIOUSLY ANYBODY WHO WANTS
TO SPEAK IN OPPOSITION SHOULD TAKE THIS
OPPORTUNITY. SO WITH THAT -- WITHOUT
OBJECTION, WHAT I WOULD LIKE TO DO IS GO
AHEAD AND CALL UP MS. RENTERIA WHO SIGNED
UP TO SPEAK IN OPPOSITION. BASED ON DISCUSSION
OF COUNCIL, IF THERE IN FACT IS STILL -- STILL A
LIKELIHOOD OF THIS BEING APPROVED, WE MAY
NOT HAVE TO GO THROUGH THE OTHER DOZEN OR
SO SPEAKERS WHO ARE ALL HERE IN SUPPORT.
WELCOME, MS. RENTERIA.

THANK YOU FOR THE OPPORTUNITY. I'M A LITTLE
MORE NERVOUS THAN I USUALLY AM ADDRESSING
YOU BECAUSE THE PUSHUP PEOPLE HAVE
INTIMIDATED ME, THREATENED LAWSUIT AGAINST
ME PERSONALLY AND AGAINST THE EAST CESAR
CHAVEZ PLANNING TEAM COLLECTIVELY, TWICE. I
THINK THIS IS AN EQUITY ISSUE. THAT YOU NEED
TO TAKE VERY SERIOUSLY. WE HAVE BEEN
WORKING WITH THE BUREAUCRACY SINCE 2004 ON
OUR COMPLAINTS ABOUT THIS ORGANIZATION. AND
IF THERE OF COURSE A WEST AUSTIN
NEIGHBORHOOD -- AND IF THERE WAS A WEST
AUSTIN NEIGHBORHOOD THAT HAD BEEN DEALING
WITH CODE VIOLATIONS I DON'T THINK IT WOULD
HAVE TAKEN THREE YEARS TO GET TO THIS POINT. I
WOULD ALSO LIKE TO POINT OUT TO YOU THAT THE
LAST TWO PUFF PIECES IN THE STATESMAN ABOUT
THIS ORGANIZATION DOES NOT MENTION THE FACT

THAT THEY THREW OUT 20 HOMELESS MEN TO BE ABLE TO TO SERVE 20 FELONS COMING OUT OF TDCJ FACILITIES. WHICH HAS BEEN OUR MAJOR ISSUE WITH THIS ORGANIZATION. WE NEVER HAD A PROBLEM WITH THEM WHILE THEY WERE SERVING LOCAL HOMELESS PEOPLE. WHEN THEY DECIDED TO GO AFTER THE BIG BUCKS WITH TDCJ AND BRING IN SERIOUS FELONS, THAT'S WHEN WE STARTED HAVING TROUBLE. YOU SHOULD ALSO BE AWARE THAT THEY ARE NOT -- WE ALLEGE THAT THEY ARE NOT FINANCIALLY STABLE AND YOU SHOULD BE VERY AWARE THAT THEY BACKED OUT OF A TWO-YEAR PROCESS WITH THE PLANNING TEAM AND THE HOUSING DEPARTMENT TO BUILD A STATE OF THE ART WOMEN AND CHILDREN'S HOMELESS SHELTER IN OUR NEIGHBORHOOD, WHICH WE FULLY EMBRACED. YOUR HOUSING DEPARTMENT SPENT ALMOST TWO YEARS AND TENS OF THOUSANDS OF DOLLARS DESIGNING A STATE-OF-THE-ART WOMEN AND CHILDREN'S SHELTER. AND WHEN WE REQUESTED FREEDOM OF INFORMATION AND STARTED QUESTIONING THE FINANCIAL STABILITY OF THIS ORGANIZATION, THEY THREW THOSE WOMEN AND CHILDREN OUT ON THE STREET AND SOLD THAT BUILDING FOR A MILLION DOLLARS. NOW, I WANT TO KNOW WHY DO THEY NEED EMERGENCY FUNDING WHEN THEY HAVE POCKETED A MILLION DOLLARS OFF KICKING WOMEN AND CHILDREN TO THE STREET. IT'S WRONG FOR YOU TO CONTINUE TO BAIL OUT AN ORGANIZATION THAT'S NOT ONLY LOST OF CONFIDENCE OF ITS NEIGHBORS, BUT LOST THE CONFIDENCE OF THE HOMELESS SERVICE PROVIDER NETWORK. WHEN THEIR OPERATIONS GOT SHODDY, THEY STARTED LOSING THE REFERRALS FROM THE LOCAL AGENCIES. IN 2005 THEY FILED PAPERS WITH THE SECRETARY OF STATE, SWITCHING FROM A NON-PROFIT TO A RELIGIOUS ORGANIZATION. AND WHEN THEY STARTED THUMPING CLIENTS IN THE HEAD WITH THE BIBLE, YOUR COMPETENT, SUCCESSFUL PROVIDING AGENCIES STOPPED REFERRING CLIENTS TO THAT AGENCY. AND THIS IS NOT THE TIME TO BAIL THAT AGENCY OUT. AND THIS IS NOT FAIR. HAD THIS BEEN A WEST AUSTIN OR A NORTH AUSTIN OR A SOUTHWEST AUSTIN OR AN OAK HILL NEIGHBORHOOD GROUP, THAT

BROUGHT THESE ISSUES TO YOUR ATTENTION IN 2004, WE WOULDN'T BE HERE TODAY.

Mayor Wynn: THANK YOU, MS. RENTERIA. PERHAPS BEFORE WE TAKE SOME OTHER SPEAKERS, I HAVE A COUPLE OF QUESTIONS, IF I CAN, BECAUSE I NEED STAFF CLARIFICATION AS TO THE NATURE OF THIS ITEM. WE HAVE THIS ON -- ON THE AGENDA A TIME OR TWO. THIS IS THE FIRST TIME THAT WE ARE APPARENTLY ABOUT TO TAKE ACTION ONE WAY OR THE OTHER. WELCOME. SO REMIND ME, STAFF IT'S PROPOSING -- I GUESS A FOUR MONTH, MONTH TO MONTH CONTRACT EXTENSION WITH PUSHUP.

GOOD MORNING, MAYOR, DAVID LURIE, DIRECTOR OF HEALTH AND HUMAN SERVICES. WE HAVE BEEN CONTRACTING WITH THIS AGENCY SINCE 1999. THEIR MOST RECENT CONTRACT EXPIRED AT THE END OF MARCH. SO WHAT YOU HAVE BEFORE YOU IS A FEW CONTRACT FOR A -- FOUR MONTH PERIOD TO BE RENEWED MONTH TO MONTH BASED ON THEM MAKING GOOD PROGRESS RELATIVE TO THE CODE ENFORCEMENT ISSUES. AND ALSO DURING THE PERIOD IT'S OUR INTENT TO GO OUT FOR REQUESTS FOR APPLICATIONS FROM VARIOUS PROVIDERS IN THE COMMUNITY TO MAKE A DECISION ABOUT LONG-TERM PROVISION OF THESE SERVICES.

Mayor Wynn: SO IS IT FAIR TO SORT OF CHARACTERIZE THIS. ONE, WE DO ACKNOWLEDGE, I THINK EVERYBODY HAS TO, SIGNIFICANT CODE VIOLATIONS AND -- AND GENERALLY SPEAKING PROBLEMS WITH THE -- WITH THIS FACILITY AND THE LOCATION. IS IT SORT OF A FAIR CHARACTERIZATION THAT WHAT THIS ESSENTIALLY DOES, THIS FOUR MONTH EXTENSION, IF YOU WILL, IS TO ALLOW THERE NOT TO BE THE LOSS OF POTENTIAL SERVICES WHILE -- WHILE EITHER THE PROCESS CONTINUES WITH -- WITH THE TECHNICALITIES OF CODE VIOLENCES, BUT FUNDAMENTALLY MORE IMPORTANTLY GIVES YOU AND YOUR STAFF TIME IF NEED BE, YOU KNOW, SEEK ALTERNATIVES AND TO MAKE SURE THAT -- THAT SERVICES, SOCIAL SERVICES WE TRY TO PARTNER WITH AND HELP FUND ACROSS THE

COMMUNITY CONTINUE FOR FOLKS IN NEED.

THAT'S CORRECT, THIS WOULD ENABLE TO CONTINUE TO PROVIDE SERVICES TO CLIENTS AT THAT PARTICULAR FACILITY. ALSO ENABLE US TO GO OUT WITH A PROCESS TO REVIEW THE POTENTIAL FOR SERVICE PROVISION IN THE LONG TERM TO ASSURE THAT WE ARE GETTING THE BEST POSSIBLE SERVICE AT THE BEST PRICE. THIS PARTICULAR AGENCY WOULD NOT BE PRECLUDED FROM PARTICIPATING IN THAT PROCESS, BUT WOULD NEED TO BE ABLE TO DEMONSTRATE THROUGH THEIR PROPOSAL THAT THEY COULD IN FACT PROVIDE THE NEEDED SERVICES ON AN ONGOING BASIS AND WOULD BE CONSISTENT IN TERMS OF CODE COMPLIANCE. AND WOULD NEED TO BE ABLE TO DEMONSTRATE THAT THEY HAVE GOT THE FINANCIAL CAPACITY TO SUSTAIN THESE SERVICES OVER AN EXTENDED PERIOD OF TIME.

AND IT SEEMS TO BE, MR. LURIE, YOU HAVE MORE EXPERIENCE AT THIS THAN I DO, BUT SEEMS TO ME THIS IS, YOU KNOW -- I WOULD CHARACTERIZE THIS AS A PRETTY STRONG STATEMENT. TO REALLY ANY OF OUR CONTRACT SERVICE PROVIDERS THAT -- THAT YOU ARE GETTING A MONTH TO MONTH EXTENSION, NO MORE THAN FOUR OF THOSE MONTH TO MONTH AND SO I WOULD CHARACTERIZE THIS, COUNCIL, AS A PRETTY STRONG SIGNAL, FRANKLY, THAT THERE HAVE BEEN AND THERE ARE PROBLEMS AND THIS IS A PRETTY SHORT LEASH FOR ONE TO MAKE SURE THAT THIS COMMUNITY, THE COUNCIL, IS SATISFIED WITH OPERATIONS AND LIKELIHOOD OF FUTURE SUCCESS.

YES, MAYOR, THIS AGENCY HAS PROVIDED SERVICES FOR A DIFFICULT TO REACH AND DIFFICULT TO SERVE POPULATION. AS YOUR BACKGROUND INFORMATION INDICATES, THERE HAVE BEEN A SERIES OF ONGOING ISSUES. VARIOUS DEPARTMENTS FROM THE CITY OF AUSTIN PROVIDE ALL KINDS OF SUPPORT, TECHNICAL ASSISTANCE WITH THE GOAL BEING TO HAVE A SUCCESSFUL ORGANIZATION THAT CAN IN FACT PROVIDE THESE SERVICES, BUT WE ARE AT A POINT IN TIME WHERE -

- WHERE WE NEED TO -- TO TAKE A VERY CLOSE LOOK AT THE BEST WAY TO ASSURE THE PROVISION OF THESE SERVICES IN THE FUTURE AND I THINK THAT YOUR CHARACTERIZATION IN TERMS OF BEING A VERY STRONG STATEMENT IS ACCURATE, YES, SIR, THANK YOU.

Mayor Wynn: THANK YOU, QUESTIONS OF STAFF, COUNCILMEMBER MARTINEZ?

Martinez: DAVID, I WANTED TO ASK ABOUT THE MEETING THAT WE HAD THE OTHER DAY. CAN YOU EXPLAIN TO ME THE AGREEMENT THAT MR. OBEGADAYU YEAHED TO TO COME IN COMPLIANCE WITH THE CODE VIOLATIONS. I DIDN'T KNOW THAT WE WERE GOING TO TALK ABOUT THE CODE VIOLATIONS ON THIS PARTICULAR ITEM, BUT SINCE WE ARE, THERE WERE ISSUES LINED OUT FOR ME THE OTHER DAY ADDRESSING ALL OF THE VIOLATIONS AND AN AGREEMENT BY THE PUSHUP FOUNDATION TO -- TO COME INTO COMPLETE COMPLIANCE WITHIN SIX MONTHS, I BELIEVE HE HAS THROUGH SEPTEMBER?

YES, COUNCILMEMBER -- THERE ARE A NUMBER OF CODE VIOLATIONS THAT HAVE BEEN IDENTIFIED. THERE'S A TIME FRAME, TIME LINE ASSOCIATED WITH THAT. IN FACT THE MONTH TO MONTH RENEWAL PART OF THIS AGREEMENT IS INTENDED TO BE IN A POSITION TO MONITOR AND ASSURE THAT THEY ARE MAKING MEANINGFUL PROGRESS IN TERMS OF COMING INTO COMPLIANCE WITH THOSE CODE VIOLATIONS AND, IF YOU WANT TO GET INTO SPECIFICS SO BAD THAT YOU COULD PROVIDE STAFF -- THE SWERNT.....INTENT IS THEY NEED TO DEMONSTRATE THAT. IT BEEN VERY CLEARLY DEFINED FOR THEM, IT'S MY UNDERSTANDING THAT THEY ARE IN AGREEMENT WITH THOSE EXPECTATIONS.

CAN YOU EXPLAIN TO ME WHY, IF WE VENTURED AS A CITY INTO AN AGREEMENT WITH THEM TO ALLOW FOR THE SIX MONTH PERIOD TO COME INTO COMPLETE COMPLIANCE, WHY HAVE WE NOT ENTERTAINED THE MONTH TO MONTH EXTENSION FOR THAT SIX MONTH PERIOD AS WELL? WHY ARE

WE ONLY DOING FOUR MONTHS? SEEMS LIKE IF WE CUT THEIR FUNDING OFF AT FOUR MONTHS, THEN THEY STILL AREN'T COMPLETELY WHERE THEY NEED TO BE WITH CODE COMPLIANCE, WHY WOULD THEY CONTINUE TO -- TO ATTEMPT TO BE COMPLIANT? IDENTIFIED OVER THE YEARS IN TERMS OF THE PROGRAM PERFORMANCE, RECORD KEEPING ASSOCIATED WITH THAT AND THE FINANCIAL VIABILITIES ARE VERY IMPORTANT -- ARE A VERY IMPORTANT ISSUE THAT NEEDS TO BE ADDRESSED. IT'S OUR OPINION THAT THE FOUR MONTH PERIOD IS A REASONABLE PERIOD OF TIME TO DO BOTH -- ENABLE US TO DETERMINE WHAT OTHER OPTIONS THERE ARE AVAILABLE IN ADDITION TO THIS AGENCY TO PROVIDE SERVICES AND PROVIDE PUSHUP WITH A SUFFICIENT AMOUNT OF TIME WITH VERY CLEAR DEADLINE TO -- TO BE ABLE TO TO DEMONSTRATE THEIR ABILITY TO SUSTAIN THESE SERVICES. SO WE GOT A NUMBER OF TRACKS HERE WE ARE GOING DOWN. YES, SIR THE CODE COMPLIANCE IS A SIX-MONTH PROCESS. BUT WE BELIEVE FROM -- FROM OUR PERSPECTIVE IN TERMS OF THE PROVISION OF SERVICES THAT -- THAT THE FOUR MONTH IS A REASONABLE PERIOD OF TIME.

AS THE PUSHUP FOUNDATION -- HAS THE PUSHUP FOUNDATION FALLEN BEHIND ON ANY OF THEIR FINANCIAL OBLIGATIONS TO THE CITY OR TO AHFC. ARE THEY BEHIND ON ANY OF THEIR FINANCIAL OBLIGATIONS TO US.

BEHIND IN THE SENSE OF --

OWING US MONEY THAT THEY ARE NOT PAYING THEIR PAYMENTS ON TIME, THEY ARE IN ARREARS ON PAYMENTS.

I AM NOT AWARE OF ANY CURRENT SITUATIONS LIKE THAT. THERE HAVE BEEN OVER THE YEARS FROM TIME TO TIME WHERE THAT HAS BEEN AN ISSUE. THE ANNUAL AUDITS FOR A NUMBER OF YEARS HAVE POINTED OUT SOME -- SOME CONCERN IN TERMS OF FINANCIAL VIABILITY, IF THERE'S INCOME AS COMPARED TO EXPENSES, BUT AT THIS PRESENT TIME I'M NOT AWARE, CERTAINLY

COULDN'T CITE ANY SPECIFIC SITUATIONS WHERE THEY ARE IN ARREARS AS FAR AS PAYMENTS ARE CONCERNED. I REALLY DON'T KNOW.

Cole: MAYOR?

Mayor Wynn: COUNCILMEMBER COLE.

Cole: IT IS MY UNDERSTANDING THAT THIS ORGANIZATION HAS DONE A TREMENDOUS JOB SERVICING OUR POPULATION AND UNDER OUR CONTRACT. IS THAT CORRECT?

COUNCILMEMBER COLE, THE ORGANIZATION HAS DONE GOOD WORK. THEY ARE -- I THINK IT'S VERY CHALLENGING TASK IN TERMS OF THE POPULATION THAT WE ARE TRYING TO REACH AND SERVE AND THERE ARE A NUMBER OF INSTANCES WHERE THE PUSHUP FOUNDATION HAS PROVIDED VALUABLE SERVICES FOR THE COMMUNITY. ACTUALLY IT'S FOR THAT REASON THAT WE HAVE WORKED SO CLOSELY WITH THE ORGANIZATION TO PROVIDE A GREAT DEAL OF TECHNICAL SUPPORT AND ASSISTANCE TO -- TO ESTABLISH A BASIS ON WHICH THEY CAN BE SUCCESSFUL. AND THERE ARE -- THERE ARE AREAS WHERE PROGRESS HAS BEEN MADE. BUT THERE CONTINUE TO BE VERY SERIOUS CHALLENGES.

Cole: I WOULD LIKE TO KNOW AND PERHAPS THE ASSISTANT CITY MANAGER THAT KNOWS, I WOULD LIKE YOU JUST TO OUTLINE SOME OF THE THREE MAJOR CODE COMPLIANCE ISSUE THAT'S WE HAVE GIVEN THEM SIX MONTHS TO -- TO COMPLY WITH SO THAT THE COUNCIL GETS A CLEAR UNDERSTANDING OF THAT BECAUSE I DON'T WANT US KIND OF TALKING OUT OF TWO SIDES OF THE -- OF OUR NECK SAYING THAT WE WANT YOU TO COMPLY, WE WANT YOU TO KEEP CONTRACT, BUT AT THE SAME TIME WE ARE WORKING SO HARD TO GET SOMEBODY ELSE TO HAVE THE CONTRACT. WE RECOGNIZE THAT THEY ARE AN ORGANIZATION THAT IS PROVIDING A VALUABLE SERVICE TO THE COMMUNITY. SO IF WE REALLY HAVE OUTLINED A PROCESS FOR THEM TO COMPLY WITH AND WE REALLY MEAN FOR THEM TO COMPLY WITH AND

GIVE THEM EVERY BASIS TO COMPLY WITH THAT, I WOULD LIKE TO KNOW WHAT THE PROBLEMS ARE.

SURE, COUNCILMEMBER. ASSISTANT MIRM, I..... CITY MANAGER, I WANTED TO CLARIFY ONE PARTICULAR ISSUE. THE SIX MONTH PERIOD HAD TO DO WITH A DEFERRAL AGREEMENT SPECIFIC TO THE ZONING VIOLATIONS WHICH RELATED TO THE CAR WASH. THERE WAS A DEFERRAL AGREEMENT THAT WAS ENTERED INTO WHICH WAS A SIX MONTH PERIOD. AS MR. DAVID LURIE EXPLAINED, THE FOURTH MONTH IS BASICALLY TO ALLOW US A POINT IN TIME TO GO OUT FOR PROPOSALS, GIVE US AN OPPORTUNITY TO EVALUATE AND COME BACK WITH A RECOMMENDATION AND THEN IF THERE'S A TRANSITION PERIOD OR NOT. SO THAT WAS THE FOUR MONTH PERIOD. CODE VIOLATIONS ARE -- ARE -- WE HAVE GOT A NUMBER OF THEM. IN LARGE PART ELECTRICAL, HAS TO DO WITH SOME INTERIOR PLUMBING RELATED TO THE WATER HEATER CONNECTIONS. A VARIETY OF DIFFERENT THINGS LIKE THAT. WE DID HAVE A MEETING WITH THE PUSHUP THE OTHER DAY. THEY HAVE MADE A LOT OF PROGRESS ON THEIR ISSUES. WHAT WE HAVE COMMITTED TO THEM IS THAT WE WILL SEND SUBSEQUENT INSPECTORS OVER TO -- TO VERIFY THE PROGRESS THAT THEY HAVE MADE. SO THEY WILL BE A CONTINUAL DIALOGUE THROUGHOUT THIS PROCESS TO GIVE THEM AN OPPORTUNITY TO DEMONSTRATE, YOU KNOW, THEIR CONTINUED COMMITMENT AND FOCUS TO ADDRESS THESE ISSUES AND ALSO TO GET TO AN END RESULT OF ADDRESSING THE ISSUES THAT ARE OUTSTANDING.

Cole: OKAY. THE OTHER CONCERN THAT I HAVE, I'M GLAD TO HEAR THAT YOU ARE CONTINUING TO WORK WITH THEM AS AN ORGANIZATION, TO BRING THEM INTO CODE COMPLIANCE. BUT I HEARD MR. LURIE SAY A COUPLE OF TIMES ABOUT THEIR FINANCIAL VIABILITY. AND I KNOW THAT WE HAVE A NUMBER OF NON-PROFITS THAT WE HAVE CONTRACTS WITH THAT OFTEN COME UP WITH FINANCIAL VIABILITY ISSUES. AND I WOULD LIKE FOR YOU TO GIVE US -- WHAT MAKES THEIR FINANCIAL VIABILITY AN ISSUE HERE IN -- AND SOME IDEA OF WHAT THEY CAN DO TO COMPLY

WITH THAT.

ONE OF THE THINGS THAT WE HAVE BEEN ABLE TO -
- TO WORK WITH THEM ON IS -- IS OF COURSE THERE
HAS BEEN FUNDING THAT HAS COME THROUGH
NEIGHBORHOOD HOUSING AND PAUL CAN
PROBABLY SPEAK TO THAT A LITTLE BIT BETTER.
WHERE THERE HAVE BEEN LOANS TO THE
FACILITIES AND THEY HAVE BEEN PRETTY
DILIGENT ABOUT -- ABOUT WORKING THROUGH
THOSE LOANS, EVEN TO THE EXTENT THAT THE
CITY HAS -- HAS RESTRUCTURED SOME OF THOSE
LOANS AND -- AND MADE IT A WHOLE LOT MORE
FEASIBLE ON A MONTHLY BASIS TO PAY -- TO THE
POINT TO WHERE WE REDUCE DRASTICALLY A LOT
OF THEIR INTEREST RATES. SO FROM A FINANCIAL
STANDPOINT ON THE LOANS, THOSE ISSUES HAVE
BEEN VERY SUCCESSFUL. THEY ARE NOT AT A
POINT WHERE THEY ARE IN DEFERRAL ON THOSE
LINES. THEY ARE KEEPING UP WITH THE LOANS BUT
I THINK THIS -- THIS REALLY IS FOCUSED MORE ON
THE STABILITY OF THE ORGANIZATION FROM A
MONITORING, FROM AN AUDITING, FROM A
MANAGEMENT STANDPOINT FROM A
CONTRACTUAL OBLIGATION STANDPOINT. THEN OF
COURSE AS MR. LURIE TALKED ABOUT CODE ISSUES
AND ZONING ISSUES, WHICH ALSO RAN THE
CONSIDERATIONS HERE THAT MAKE IT A VIABLE
ORGANIZATION FOR THE FUTURE.

I UNDERSTAND, I'M GLAD THAT YOU HAVE BEEN
PARTICULARLY CONCERNED WITH MAINTAINING
THEM AS A VIABLE ORGANIZATION, THAT
FINANCIAL VIABILITY IS ONE OF YOUR CRTIONS,
BUT I WOULD LIKE TO TO KNOW IF WE HAVE DONE
RESTRUCTURING FOR OTHER NON-PROFITS.

COUNCILMEMBER COLE, NOT SO MUCH IN TERMS OF
RESTRUCTURING. IT'S FROM TIME TO TIME WE GET
AGENCIES THAT GET INTO FINANCIAL DIFFICULTIES
OVER THE YEARS. WE HAVE A FEW THAT HAVE
ACTUALLY GONE OUT OF BUSINESS BECAUSE OF
THAT. IN THE CASE OF PUSHUP, THEY HAVE BEEN
MAKING A VERY CONCERTED EFFORT TO TRY TO
CONTROL THEIR EXPENSES, MAKE SOME
ADJUSTMENTS IN ORDER TO COME IN LINE WITH

THEIR BUDGET TO HAVE A BALANCED BUDGET. AT THE TIME THAT THE WOMEN'S SHELTER WAS DISCONTINUED, WE ACTUALLY REPROGRAMED SOME OF THE FINANCIAL SUPPORT FOR THOSE ACTIVITIES OVER TO THE MEN'S SHELTER, WHICH IN EFFECT GAVE PUSHUP A SUBSTANTIAL INCREASE IN CITY FUNDING FOR THE MEN'S SHELTER. WHEN PUSHUP ASKED FOR A DAILY RATE COMPARABLE TO THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE RATE, WE AGREED TO THAT. MOST RECENTLY PUSHUP HAS REQUESTED ANOTHER 50% INCREASE IN THEIR RATE. WE THINK THAT THE OTHER THING THAT WE HAVE DONE IS PROVIDE CASH ADVANCES TO THIS AGENCY. WHICH IS QUITE UNUSUAL FOR US TO DO FOR SOCIAL SERVICE AGENCY. MY POINT SIMPLY IS THAT I THINK THE CITY OF AUSTIN HAS GONE ABOVE AND BEYOND IN TERMS OF TRYING TO EXIST FROM A FINANCIAL PERSPECTIVE OF -- TRYING TO ASSIST FROM A FINANCIAL PERSPECTIVE OF THIS ORGANIZATION. WE BELIEVE IN OUR DEPARTMENT THAT WE ARE OUT OF TIME WHERE IT'S APPROPRIATE AND PRUDENT FOR US TO PROCEED WITH A PROCESS THAT WILL ENABLE THEM TO -- TO KIND OF REORGANIZE, REDEVELOP, WHAT IT IS THEY ARE PROPOSING TO US, BUT ALSO LOOK AT WHAT THE OTHER OPTIONS ARE WITHIN THE COMMUNITY TO ASSURE THAT THESE SERVICES ARE PROVIDED. [WE ARE AT A TIME]

I UNDERSTAND. I DON'T HAVE A PROBLEM AT ALL WITH YOU LOOKING AT ORGANIZATIONS AND CONTINUING TO WORK WITH THEM. I WAS SIMPLY TRYING TO MAKE THE POINT THAT WE HAVE DONE SIMILAR HELP OF OTHER NON-PROFIT AGENCIES AND RESTRUCTURING AND LOANS AND COMPLIED WITH ADDITIONAL REQUESTS THAT THEY HAVE ASKED SO THAT WE DON'T GIVE THE IMPRESSION THAT THIS ORGANIZATION IS SOMEHOW BEING UNUSUAL IN OUR WORKING WITH THEM.

THAT'S CORRECT, COUNCILMEMBER. WE HAVE CERTAINLY WORKED CLOSELY WITH A LOT OF ORGANIZATIONS OVER THE YEARS BECAUSE CLEARLY OUR OBJECTIVE HERE IS WE WANT THESE CLIENTS TO BE SERVED APPROPRIATELY AND EFFECTIVELY AND WE NEED SUCCESSFUL, VIABLE

COMMUNITY BASED ORGANIZES TO -- TO DO THAT. SUCCESSFULLY. SO -- SO IN THAT LIGHT I WOULD SAY THAT IT IS CONSISTENT WITH WHAT OUR OVERALL MISSION HAS BEEN.

Cole: THANK YOU.

Mayor Wynn: FURTHER COMMENTS OF STAFF BEFORE WE PERHAPS HEAR FROM A NUMBER OF FOLKS HERE IN SUPPORT OF THIS ITEM? AGAIN, COUNCIL, MY INSTINCT IS THAT THERE WAS MEASURABLE SUPPORT FOR THIS INTERIM FOUR MONTH EXTENSION, SO MY HOPE WAS THAT WE WOULDN'T HAVE TO NECESSARILY HEAR FROM ALL OF THESE SPEAKERS AND TAKE US WELL PAST LUNCH. THERE'S OBVIOUSLY A COUPLE OF KEY FOLKS WHO ARE HERE, EVEN HAVE SOME PEOPLE DONATING TIME TO THEM TO SPEAK IN FAVOR OF PUSHUP. WITHOUT OBJECTION I'M GOING TO JUMP AROUND A LITTLE BIT AND CALL UP A COUPLE OF THOSE SPEAKERS TO THE PODIUM. FIRST SPEAKER WILL BE GAVINO FERNANDEZ, WELCOME BACK, MR. FERNANDEZ, WILLIE WILLIAMS STILL HERE? YOU WILL HAVE THREE MINUTES FOLLOWED BY JEFF HOWARD.

I THINK THERE WERE OTHER FOLKS THAT HAD DONATED TIME TO ME.

Mayor Wynn: SO FAR NOT ON THE SIGNUP SYSTEM. LET'S SEE. IS MR. WILLIAMS OR MR. ALEXANDER IN THE ROOM? I ASK, GENTLEMEN, BECAUSE OUR RULES ARE YOU NEED TO BE PRESENT. IDENTIFY YOURSELF AS PRESENT IN THE CHAMBERS --

SIX MINUTES, MAYOR. MAYOR WELCOME AND WELCOME GENTLEMEN.

GOOD MORNING, COUNCIL, MY NAME IS GAVINO FERNANDEZ, I'M HERE TO SPEAK ON BEHALF OF LULAC DISTRICT 7 DIRECTOR, HE WAS IN -- HE WAS IN A PRIOR COMMITMENT AND COULDN'T BE HERE. I SERVE AS HIS DEPUTY DIRECTOR. MORE IMPORTANTLY I'M HERE ALSO TO SPEAK AS -- AS COORDINATOR WITH CONCILIO, THE COALITION OF MEXICAN-AMERICAN ASSOCIATIONS, MORE

IMPORTANT THAN THAT I'M HERE TO SPEAK AS A HOMEOWNER, I LIVE FOUR BLOCKS FROM THIS FACILITY. PUSHUP WAS BROUGHT TO OUR COMMUNITY BY THE CITY OF AUSTIN. AT THAT TIME WE DID HAVE CONCERNS BECAUSE WE WERE UNAWARE OF THE TYPE OF SERVICES THAT WAS GOING TO BE DELIVERED. WE WERE CONCERNED WITH SECOND STREET AND CESAR CHAVEZ WERE BEING MADE INTO A SOCIAL SERVICES HUB, IF YOU WILL. SECOND STREET WE HAVE ALL OF THE MHMR FACILITIES. THROUGHOUT THE YEARS IN WORKING AND MONITORING THIS PROGRAM, WE HAVE COME TO UNDERSTAND AND WORK WITH PUSHUP. MORE IMPORTANTLY UNDERSTAND THE SERVICES TO WHOM THEY PROVIDE. AS AN ASSISTANT TO A COMMISSION, IN GOING THROUGH MANY OF THESE SOCIAL AGENCIES, I HAVE ALSO COME TO LEARN THAT THEY ARE NOT CLIENTS. THEY ARE CUSTOMERS. BECAUSE IF THESE CUSTOMERS WOULDN'T BE THERE, FUNDING WOULD NOT BE THERE. SO -- SO AS A HOMEOWNER, AND A MEMBER OF A NEIGHBOR -- MEMBER OF THE NEIGHBORHOOD, I ALSO HAD COMMISSIONS WITH THE COMMISSIONER PRESIDENT OF EAST TOWN LAKE CITIZENS WHO ARE ALSO IN SUPPORT OF THIS PROGRAM IN THAT AREA. THEN ENTERS THE ISSUE AGAIN FOR NEIGHBORHOOD PLANS AND BOUNDARIES AND EXISTING NEIGHBORHOODS. SO -- SO TO SAY THAT THE NEIGHBORHOOD IS AGAINST THIS PROGRAM, IS NOT TOTALLY 100% TRUE. SO I JUST WANTED TO MENTION THAT FACT. TO THIS COUNCIL. THEY HAVE THE ISSUE OF ZONING AND HEREIN ENTERS THE ISSUE OF GENTRIFICATION. PUSHUP HAS BEEN PERFORMING CAR WASH SERVICES SINCE 1999. YET, AS PART OF THE GENTRIFICATION, WE ARE GETTING PEOPLE THAT MOVE INTO THE NEIGHBORHOOD WHOSE EXPECTATIONS OF QUALITY OF LIFE ARE DIFFERENT FROM THOSE THAT WE HAVE LIVED WITH FOR MANY, MANY YEARS. WE HAVE A CAR WASH ON COMAL AND CESAR CHAVEZ, SO -- SO AGAIN THE ISSUE OF -- OF PICK AND SELECT ON THE CODE ENFORCEMENT ALSO BECOMES ANOTHER ISSUE. SO -- SO IN A WAY I'M KIND OF GLAD THAT THIS ISSUE SURFACED BECAUSE IT GIVES YOU THE OPPORTUNITY AS LEADERS AND TRUSTEES OF OUR

TAX DOLLARS AND POLICY MAKERS TO REVISIT HOW WE OR HOW YOU AS A GOVERNMENT IMPLEMENT CORRECTED CHANGES THAT NEED TO BE MADE. HOPEFULLY IN AN EQUITABLE WAY, IN LIEU -- I WENT WHERE BEN TO SAN ANTONIO TO SPEAK TO H.U.D. H.U.D. LISTENED TO PUSHUP. CONCURRED AND AGREED TO CONTINUE TO WORK WITH BEN. BECAUSE OF THE SERVICES AND THE QUALITY OF SERVICES THAT HE PROVIDES TO HIS CUSTOMERS..... CUSTOMERS. HE'S WORKING ON THE ZONING ISSUE, THERE ARE MANY BUSINESSES IN EAST AUSTIN THAT ARE PROBABLY NOT COMPLYING. BUT -- BUT BECAUSE WE ARE TOLD THAT -- THAT NON-COMPLIANCE IS BASED -- IS COMPLAINT DRIVEN, WELL, YOU KNOW, IT'S HERE AND HE'S WORKING ON IT, IT HAS SUBMITTED A CONDITIONAL USE PERMIT USE AND WE AS THE NEIGHBORHOOD ARE READY TO BEGIN THE PROCESS TO SUPPORT THAT. ONE THING THAT WOULD HELP, SEE THAT'S ANOTHER HURDLE. YOU WANT HIM TO COMPLY YET THE PROGRESS WAS IN THE -- WITHIN THE INTERNAL GOVERNMENT IS AT A VERY SLOW PACE. WE ARE HERE TO TO SUPPORT THE CONDITIONAL USE PERMIT. TO OFFER THE CAR WASH. THE CAR WASH SERVICE IS AN ADDITIONAL FINANCIAL SUPPLEMENT TO THE ORGANIZATION. IN TALKING TO BEN, BEN'S OBJECTIVE IS TO -- TO GRADUALLY BECOME SELF SUFFICIENT. BECAUSE HIS TIME COULD BE BETTER SERVED IN I AM PRIEWFLG THE QUALITY OF SERVICES TO THESE CUSTOMERS. THAN HAVING TO DEAL WITH ISSUES OF THIS NATURE FOR MERELY \$14,000 A MONTH. BECAUSE \$14,000 A MONTH, IF YOU LOOK AT THE OVERALL BUDGET IS NOT -- NOT THAT MUCH. I DO WANT TO PUBLICLY THANK COUNCILMEMBER MARTINEZ AND COLE AND MAYOR I KNOW THAT YOU HAVE ALWAYS MADE GOOD COMMENTS ABOUT THE PROGRAM. I KNOW A LOT OF THESE ISSUES AND DECISION TIME COMES IT'S VERY, VERY DIFFICULT. MAIN TIMES YOU ARE PUT IN A POSITION THAT YOU HAVE TO MAKE THESE HARD DECISIONS AND MANY TIMES THOSE PEOPLE THAT PUT YOU IN OFFICE. THE OVERALL IS THE SERVICE TO THE CUSTOMERS. THANK YOU COUNCILMEMBER AND THANK YOU, MAYOR.

Mayor Wynn: NEXT SPEAKER JEFF HOWARD, FOLKS WANTED TO DONATE TIME TO JEFF. IS PAMELA JOHNSON HERE? THANK YOU, STEVEN BLACK WELL, YOU HAVE --

I WON'T NEED NEARLY ALL THAT TIME. JUST REAL BRIEFLY, MY NAME IS JEFF HOWARD, GOOD MORNING, COUNCILMEMBERS. I REPRESENT PUSHUP FOUNDATION AND BEN OGBODIEGW..... OGBODIEGWU ASKED ME TO SPEAK ON LAND USE ISSUES, I REPRESENT LAND USE ISSUES ONLY, NOT ON THE CONTRACT. SINCE CODE COMPLIANCE HAS BEEN RAISED AS ISSUES IN THE CONTRACT, I WANTED TO VISIT WITH YOU BRIEFLY TO TALK TO YOU ABOUT THE EFFORTS THAT THEY HAVE MADE TO ADDRESS THOSE VIOLATIONS. WHEN I WAS RETAINED BY BEN TO REPRESENT PUSHUP FOUNDATIONS, BEN MADE IT VERY, VERY CLEAR TO ME THAT HIS GOAL WAS ABSOLUTE COMPLIANCE WITH THE CITY REQUIREMENTS. SO MY PARTICIPATION AND THE PARTICIPATION OF OTHER DESIGN PROFESSIONALS LIKE RICK VAUGHAN, KARL CONNALLY WILL BE TO ACHIEVE THAT COMPLIANCE. LET ME ASSURE YOU THAT'S OUR GOAL, WHAT WE ARE WORKING FOR. SPECIFICALLY ON THE ZONING VIOLATIONS, BEN HAS BEEN -- PUSHUP FOUNDATIONS HAS SPENT A CONSIDERABLE AMOUNT OF TIME, MIND EFFORT TO SUBMIT A CONDITIONAL USE PERMIT. THAT'S GOING TO BE PENDING WORKING ITS WAY THROUGH THE SYSTEM. DOES TAKE TIME. HE'S BEEN ADDING THE BUILDING MAINTENANCE VIOLATIONS. WITH RESPECT TO THE DEFERRAL MENTIONED BY THE ASSISTANTS CITY MANAGER, THAT WAS A SIX MONTH DEFERRAL ON THE ZONING VIOLATIONS, AS PART OF THAT DEFERRAL THERE WAS AN AGREEMENT THAT THE CAR WASH WOULD HAVE A GRACE PERIOD OF 30 DAYS. WE HAD SUGGESTED THAT THAT CAR WASH WAS VERY IMPORTANT, BOTH IN TERMS OF THE COMMUNITY AND THE PROGRAMS AND IN TERMS OF THE FINANCES OF PUSHUP FOUNDATIONS. WE HAD SOUGHT TO MAYBE EXTEND THAT. UNFORTUNATELY WHERE WE ARE RIGHT NOW IS WE HAVE A 30 DAY GRACE PERIOD DUE TO EXPIRE. WE PERHAPS WOULD LIKE TO MAYBE HAVE THAT GRACE PERIOD EXTENDED ON A

MONTH-TO-MONTH BASIS LIKE THIS CONTRACT SO THAT WE CAN -- AS -- ACHIEVE COMPLIANCE. WE LOOK FORWARD TO WORKING WITH STAFF ON RESOLVING THESE CODE COMPLIANCE ISSUES, WILL DO EVERYTHING THAT WE CAN TO -- TO SATISFY COUNCIL AND SATISFY STAFF THAT THIS ORGANIZATION MEANS WHAT IT SAYS IN TERMS OF -- OF MEETING THOSE CODE VIOLATIONS. WITH THAT I WILL BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.

Mayor Wynn: THANK YOU, MR. HOWARD. QUESTIONS FOR MR. HOWARD, COUNCIL? THANK YOU, SIR. AND -- AND BEN, WOULD YOU LIKE TO COME ADDRESS US? LET'S SEE A COUPLE OF FOLKS WANTED TO DONATE TIME TO MR. OGBODIEGWU -- I CAN NEVER GET THAT RIGHT.

YOU ARE DOING GREAT.

IT'S OLGA MER CAD DO HERE. HOW ABOUT MARYANNE CANE. BEN UP TO NINE MINUTES IF YOU NEED IT.

GOOD MORNING, MAYOR WILL WYNN. I'M -- MAYOR PRO TEM AND COUNCILMEMBERS, I'M VERY HIGHLY DELIGHTED TO BE HERE. FIRST OF ALL, LET ME TELL YOU I'M BEN OGBODIEGWU, THE FOUNDER AND ALSO THE EXECUTIVE DIRECTOR OF PUSHUP FOUNDATIONS. I REPRESENT PEOPLE THAT NOBODY TALKS ABOUT. I REPRESENT AS YOU KNOW HOMELESS INDIVIDUALS, PEOPLE FROM JAILS AND PRISONS, WE HAVE 75% AFRICAN-AMERICAN -- [INDISCERNIBLE] PERCENT FERNZ, 35 SPERZ WHITE, 25 SPERZ HISPANIC, 3% OTHERS. I THANK THE COUNCIL VERY MUCH BECAUSE THEY AGREE THAT IT IS VERY HARD TO [INDISCERNIBLE] HOWEVER, PUSHUP HAS A TRACK RECORD OF WORKING IN THE COMMUNITY AND HELPING THE COMMUNITY. I WOULD MENTION FEW THINGS THAT WE HAVE DONE SINCE WE HAVE BEEN IN THE CITY OF AUSTIN. PUSHUP WORKED WITH THE POLICE DEPARTMENT TO CLOSE A CRACK HOUSE IN OUR NEIGHBORHOOD. WHICH HAVE BEEN THERE FOR [INDISCERNIBLE] YEARS, WE WORKED VERY CLOSELY WITH POLICE DEPARTMENT AND CHIEF McDONALD WAS THE

PERSON THAT HELPED US TO CLOSE THAT. PUSHUP FOUNDATIONS WAS INVOLVED IN FORMING COMMUNITY [INDISCERNIBLE] I WENT ALSO TO NEW YORK, WE WORKED VERY HARD TO ESTABLISH COMMUNITY COURT. PUSHUP ALSO HELPED FOR EAST CESAR CHAVEZ PLANNING TEAM, PLAN -- EAST CESAR CHAVEZ PLAN. WE HELPED ALSO, WE WORKED ON THE COMMUNITY. WE HELPED ALSO TO GET IT PASSED WITH THE COUNCIL. SO PUSHUP FOUNDATION HAS A VERY, VERY GOOD TRACK RECORD WITH THE COMMUNITY AND WORKING WITH THE CITY. AS A MATTER OF FACT, 2000 TO 2002 I WAS THE CHAIRMAN OF AUSTIN AREA HOMELESS COALITION. DURING THAT TIME A LOT OF THINGS WERE ACHIEVED. SO WE ARE A VERY POSITIVE ELEMENT IN THE COMMUNITY. BUT LET ME ADDRESS SOME OF THE ISSUES THAT WAS RAISED BY LAURIE RENTERIA. A VERY GOOD FRIEND OF MINE. I WORK WITH HER IN THE EAST CESAR CHAVEZ PLANNING TEAM. WE ARE PART OF THE EAST CESAR CHAVEZ PLANNING TEAM. SO SHE'S A FRIEND. BUT LET ME ADDRESS SOME OF THE ISSUES THAT SHE BROUGHT UP HERE. ONE, IN TERMS OF CODE VIOLATION, COUNCIL I WANT YOU TO KNOW THAT PUSHUP IS DOING EVERYTHING JUST LIKE OUR COUNCIL SAID TO BE IN COMPLIANCE AND WE WANT TO BE IN COMPLIANCE. AS A MATTER OF FACT WE HAVE SPENT NUMEROUS AMOUNT OF MONEY, WE HAVE HIRED [INDISCERNIBLE] PEOPLE THAT VOLUNTEERED TO HELP PUSHUP BECAUSE THEY LIKE WHAT WE DO. BUT WE DON'T [INDISCERNIBLE] PERMIT, WE DON'T [INDISCERNIBLE] THE JOB THAT THE CITY STAFF HAVE TO DO. SOMETIMES NOW WE HAVE ISSUES OF THE CITY STAFF COMING BACK TO SIGN-OFF ON WORK THAT WE HAVE ALREADY DONE. IT IS VERY DIFFICULT AND THE MEETING THAT I HAD WITH THE ASSISTANT CITY MANAGER AND THE DAVID LURIE, [INDISCERNIBLE] I SHARE THIS PROBLEMS WE HAVING WITH THEM, THEY SAID THEY COULD HELP. YOU SEE IN THAT SITUATION I DON'T HAVE ANYTHING TO DO. WE HAVE DONE OUR OWN PART, BUT WE NEED THE CITY STAFF TO COME BACK AND SIGN-OFF ON WHAT WE HAVE DONE. IN TERMS OF PUSHUP, WE HAVE WORKED VERY WELL. PROVIDING SERVICES. I AM VERY SURPRISED TO

HEAR ABOUT ALL OF THE ISSUES MENTIONED. AS FAR AS I'M CONCERNED, BASED ON OUR RECORD, ALL OF THE ISSUES ILLUMINATED BY STAFF HAVE ALL BEEN CORRECTED. AND CONCLUDED. YOU SEE, PUSHUP BELIEVES IN FACTS, YOU KNOW. SO TO ME, BRINGING SOMETHING THAT HAPPENED IN 2002 OR 2003 WE HAD ALREADY TAKEN CARE OF THAT. SO IT'S NOT UNUSUAL AS FAR AS I'M CONCERNED. WE ARE NOT AFRAID OF DEALING WITH ISSUES. WE ARE NOT AFRAID OF CONFRONTING PROBLEM BECAUSE WHAT REALLY MATTERS IN LIFE IS NOT THE PROBLEM THAT YOU HAVE, BUT HOW YOU DEAL WITH THE PROBLEM. YOU KNOW WE CONFRONT PROBLEMS HEAD ON, WE MADE ADJUSTMENT. WE HAVE DONE PRETTY WELL. IN TERMS OF FINANCE, YES, YOU SEE GOVERNMENT CANNOT BE EVERYTHING. WE ARE NOT THE ONLY ONE THAT THE CITY OF AUSTIN IS FUNDING AND THEN IF YOU LOOK AT HOW YOU ARE FUNDING HAS BEEN DISTRIBUTED THERE IS AN ISSUE OF DISPARITY OF FUNDING. BUT I'M NOT GOING TO TALK ABOUT THAT. HOWEVER, WE ARE VERY, VERY HAPPY WITH THE CITY IN THE WAY THAT THE CITY HAS WORKED WITH US VERY MUCH. AND THAT IS WHY WE ARE DOING EVERYTHING WE CAN TO BE SELF SUFFICIENT. YOU KNOW. CITY CANNOT, YOU KNOW -- THE AMOUNT OF MONEY THAT YOU ARE GIVING US IS NOT ENOUGH TO TAKE CARE OF THE PROBLEM. WHEN WE CLOSED THE WOMEN'S PROGRAM, WE CLOSED THE WOMEN'S PROGRAM NOT BECAUSE WE WANT TO CLOSE THE WOMEN'S PROGRAM. WE CLOSED IT BECAUSE WE COULD NOT GET HELP FROM AUSTIN HOUSING FINANCE CORPORATION AS THEY PROMISED AND VOTED BY THE COUNCIL. THIS WE WENT THROUGH THIS PROCESS FOR MORE THAN FOUR YEARS. AS A MATTER OF FACT, U.S. SENATOR KAY BAILEY HUTCHINSON WAS THE ONE THAT GET INVOLVED, THAT'S HOW -- HOW AUSTIN HOUSING FINANCE CORPORATION FINANCED OUR LOAN. BUT THEY NEVER DID WHAT THEY SAID THEY ARE GOING TO DO. WE HAVE ALL OF THE DOCUMENTATION. ALSO LET ME ALSO TALK ABOUT [INDISCERNIBLE] WHEN WE START THE BUILDING, WE HAVE THE ISSUE WHEREBY THE AUSTIN HOUSING FINANCE CORPORATION AND [INDISCERNIBLE] DEPARTMENT

255,000 FROM US. ACCORDING TO THE ACTION THE
ISSUE THEY SHOW THAT THEY DID WORK OF 14,000,
[INDISCERNIBLE] I'M THE DIRECT TO HAVE OF THE
PUSHUP FOUNDATION. [INDISCERNIBLE] THE WORK.
WE SENT PUBLIC INFORMATION OUT TO THEM
TWICE TO PROVE, TO SHOW US HOW THEY SPEND
THE MONEY. THEY COULD NOT DO THAT. HOLDING
OUR MONEY. WHEN WE TALK ABOUT FINANCE, AND
ANOTHER THING THAT I WANT TO SAY IS THAT WE
ARE WORK VERY WELL WITH THE COUNCIL. YOU
KNOW. THE ISSUE I'M HAVING IS YOU GIVE US A
CERTIFICATE OF OCCUPANCY, 2005. YOU REISSUE
THAT. 2005. SAID EVERYTHING IS FINE. ALL OF A
SUDDEN NOW ALL OF THIS CODES ARE COMING UP.
BUT WE ARE DOING EVERYTHING THAT WE CAN TO
RECONCILE THAT. LAST TIME I SPOKE I PLEADED
WITH THE COUNCIL, PLEASE GIVE US TIME WITH
THE CAR WASH. IF YOU CAN DO ONE MONTH
EXTENSION JUST LIKE YOU DID WITH CONTRACT,
WE WOULD APPRECIATE THAT. BECAUSE WE ARE
DOING EVERYTHING THAT WE CAN TO BE IN
COMPLIANCE. I TOLD YOU, I SAID THE -- THE CAR
WASH IS VERY, VERY IMPORTANT. YOU WILL HEAR
FROM -- FROM THE CLIENTS THAT BENEFITED FROM
THE CAR WASH. HELP US. WE ARE DOING
EVERYTHING THAT WE CAN TO BE IN COMPLIANCE.
WE HAVE SPENT OVER \$15,000. ON THIS ISSUE. AND
THAT -- I PROVIDED IT TO THE CITY STAFF WHEN WE
HAD A VERY GOOD MEETING ON THE 17th. I SHOWED
THEM ALL OF THE DOCUMENT. WENT THROUGH
THAT, THAT THEY LOOKED AT THAT. ALSO OUR
MONEY IS VERY, VERY IMPORTANT. THIS 155,000,
THE CITY STAFF HAVE NOT BEEN ABLE TO SHOW OR
JUSTIFY HOW THEY SPEND THE MONEY.
[INDISCERNIBLE] WE ARE GETTING RETALIATION
ON THEIR END. I THINK YOU KNOW WE NEED THAT
MONEY. BECAUSE WE ARE STRUGGLING, YES, BUT
WE NEED THAT MONEY. AND WE ARE -- WE HAVE
NOT BEEN ABLE TO GET ANY JUSTIFICATION. WHY?
THEY CLAIM DECENT WORK -- PUBLIC WORKS SAID
WORK FOR 10,000. NEVER DID ANY WORK. YOU
CANNOT PROVE THAT BY SHOWING PICTURES. HE
NEED TO SHOW HOW YOU SPENT THE MONEY,
WHOM YOU WROTE THE CHECK TO. WE HAVE NOT
BEEN ABLE TO GET ANY ANSWER. FROM AUSTIN
HOUSING FINANCE OR PUBLIC WORKS. RATHER

[INDISCERNIBLE] THAT -- THE COMMUNITY HAS TO -
- THE COMMUNITY HAS THE RIGHT TO KNOW
WHAT'S GOING ON HERE. BECAUSE ANYTHING THAT
I SAID I PROVE IT. I HAVE THE DOCUMENTATION TO
DO THAT. YOU CANNOT SAY ANYTHING THAT WE
DO NOT KNOW. I HAVE THE DOCUMENTATION TO
SHOW YOU. WHERE IS THE MONEY. YOU SAID THAT
YOU DID THE WORK. BUT YOU DID NOT DO ANY
WORK. AND YOU COULD NOT PRODUCE WHOM YOU
GAVE THE CHECK TO. I THINK THE COUNCIL NEEDS
TO KNOW THAT. I HOPE THAT YOU ARE NOT GOING
TO KEPT THAT MONEY -- [BUZZER SOUNDING]
THANK YOU. [ONE MOMENT PLEASE FOR CHANGE IN
CAPTIONERS]

Mayor Wynn: I THINK THEY WOULD BE RESPECTFUL
ENOUGH NOT TO SPEAK IF THEY SEE THE ITEM
HAVING SOME SUPPORT. COUNCILMEMBER
MARTINEZ?

Martinez: MAYOR, I AGREE. I THINK THE FOLKS WHO
HAVE SIGNED UP ARE IN FAVOR. AND I THINK THE
COUNCIL IS CERTAINLY AMEANABLE TO THE
MONTH TO MONTH FOUR-MONTH CONTRACT. SO
WITH THAT I WOULD MOVE APPROVAL OF THIS
ITEM.

SECOND.

Mayor Wynn: MOTION BY COUNCILMEMBER
MARTINEZ, SECONDED BY COUNCILMEMBER COLE
TO APPROVE THIS ITEM NUMBER 4 AS PRESENTED
TO US BY STAFF. AGAIN, THIS FOUR-MONTH, MONTH
TO MONTH EXTENSION OF THE CONTRACT WITH
PUSHUP FOUNDATIONS. COMMENTS? I WILL SAY I
WILL APPLAUD STAFF. LIKE IT OR NOT, STAFF HAS
SPENT A LOT OF ADDITIONAL TIME AND EFFORT
AND MONEY DISPROPORTIONATELY, FRANKLY,
TRYING TO GET THEIR ARMS AROUND THE MOVING
PARTS TO THIS, BOTH ON THE IMPORTANT SERVICE
PROVISIONS OF THE CONTRACT ITSELF, BUT THEN
ALSO OF COURSE ON THE CODE COMPLIANCE
ISSUES THAT ARE VERY IMPORTANT TO ALL OF US,
VERY IMPORTANT TO NEIGHBORHOODS. AND I
THANK STAFF FOR THAT. I KNOW THAT THERE'S
GOING TO BE A LOT OF ADDITIONAL WORK AND

ANALYSIS THAT'S GOING TO HAVE TO BE DONE OVER THESE NEXT FEW MONTHS ON BOTH OF THESE FRONTS. AND I APPRECIATE EVERYBODY'S FLEXIBILITY AND PATIENCE AS WE STRUGGLE THROUGH TO MAKE SURE THAT SERVICES ARE PROVIDED AND.... IN A SOUND WAY THAT IS AS COMPLIANT AS POSSIBLE WITH WHAT IS A GROWING AND THRIVING NEIGHBORHOOD. FURTHER COMMENTS ON THE MOTION, ITEM NUMBER 4. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL VERY MUCH. [APPLAUSE] SO COUNCIL, THAT'S ALL OF OUR POTENTIAL DISCUSSION ITEMS, IN PART BECAUSE I HAVE A QUESTION OR TWO ABOUT ITEM NUMBER 13 THAT IS APPROPRIATE FOR CLOSED SESSION, A REAL ESTATE MATTER. SO WITHOUT OBJECTION WE WILL NOW GO INTO CLOSED SECTION PURSUANT TO SECTION 551.071 TO TAKE UP POTENTIALLY ITEM 34 RELATED TO LEGAL ISSUES CONCERNING THIS LEGISLATIVE SESSION. ITEM NUMBER 36 REGARDING LEGAL ISSUES REGARDING A PIECE OF REAL ESTATE AT THE CORNER OF THIRD AND NORTH LAMAR. AND ITEM NUMBER 37, POTENTIAL LEGAL ISSUES RELATED TO AUSTIN FILTER SYSTEMS, INC. VERSUS THE CITY OF AUSTIN, WHICH HAS A POSTED ACTION ITEM NUMBER 38. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US COMING RIGHT BACK OUT AT NOON FOR OUR GENERAL CITIZEN COMMUNICATION, SO WE'RE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE'VE BEEN RECESSED ONLY FOR ABOUT 10 MINUTES OR SO. EARLIER IN CLOSED SESSION WE TOOK UP ITEMS 36 AND 37. AS POSTED, NO DECISIONS WERE MADE, BUT BOTH OF THOSE HAVE RELATED ACTION ITEMS THAT WE'LL NOW TAKE UP IN OPEN SESSION. FISHS I'D LIKE TO CALL UP -- FIRST I'D LIKE TO CALL UP ITEM NUMBER 13, WHICH IS ESSENTIALLY A REAL ESTATE MATTER

RELATED TO A PIECE OF PROPERTY AT WEST THIRD STREET AND LAMAR. WE HAD A COUPLE OF QUESTIONS ABOUT THIS AUTHORIZATION TO ADVERTISE, BUT THE QUESTIONS WERE ANSWERED. WE WELCOME MS. MARTY TERRY.

THANK YOU, MAYOR AND COUNCIL. MARTHA TERRY, ASSISTANT CITY ATTORNEY. AGENDA ITEM NUMBER 13 IS A RECOMMENDATION BY STAFF AND REQUEST THAT YOU AUTHORIZE ADVERTISING FOR SEALED BIDS FOR OFFER OF SALE A TRACT OF LAND WHICH IS LOCATED AT THIRD AND LAMAR. IT'S KNOWN AS 301 NORTH LAMAR. FOR NOT LESS THAN A FAIR MARKET VALUE OF 1.2 MILLION AND SUBJECT TO CERTAIN RESTRICTIONS. EARLIER YOU WERE GIVEN A -- ASSISTANT CITY MANAGER RUDY GARZA PREPARED A MEMO AND CIRCULATED TO MAYOR AND COUNCIL THAT LINED OUT THE RESTRICTIONS THAT WERE INCLUDED -- THAT WILL BE INCLUDED IN THE INVITATION FOR BID. I AM HERE TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE. STAFF RECOMMENDS THAT YOU AUTHORIZE THIS SO THAT WE CAN GET THIS PROPERTY UP, GET IT FOR SALE AND COMPLETE THE TRANSACTION.

THANK YOU, MS. TERRY. QUESTIONS FOR STAFF, COUNCIL? I WOULD LIKE TO SAY I'M VERY PLEASED WITH THIS FOREMOTT. NOT ONLY ARE WE CONTINUING WHAT HAS BEEN A VERY POSITIVE TREND OF PUTTING ESSENTIALLY EXCESS CITY PROPERTY OUT ON THE MARKET TO REALIZE BOTH FRANKLY SOME CAPITAL GAINS, BUT MORE IMPORTANTLY LONG-TERM REINVI G RATION, REVITALIZATION DISPROPORTIONATELY IN OUR DOWNTOWN AREA. WE'VE DONE IT VERY SUCCESSFULLY HERE ALREADY IN THIS BUILDING AND THIS WILL BE ANOTHER WILL EXAMPLE OF THAT. AND SECONDLY WITH THIS THERE ARE A NUMBER OF RESTRICTIONS AND APPROPRIATE SORT OF CONTROLS BUILT INTO THIS PROCESS WHEREBY HOPEFULLY WHAT DOES GET BUILT ON THAT PROPERTY LONG-TERM IS VERY MUCH IN LINE WITH THE REST OF OUR ONGOING EFFORTS TO REVITALIZE OUR DOWNTOWN. SO WITHOUT FURTHER QUESTIONS OR COMMENTS, I'LL

ENTERTAIN A MOTION ON ITEM NUMBER 13, COUNCIL? MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MARTINEZ TO APPROVE ITEM NUMBER 13 AS PRESENTED BY STAFF. 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 MCCracken OFF THE DAIS.

THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MS. TERRY. SO COUNCIL, THAT TAKES US TO ITEM NUMBER 38, WHICH IS AN ACTION ITEM RELATED TO OUR CLOSED SESSION DISCUSSION ON ITEM NUMBER 37, LEGAL ISSUES REGARDING THE LAWSUIT. AND WELCOME A BRIEF STAFF PRESENTATION.

GOOD AFTERNOON, MAYOR AND COUNCIL. MY NAME IS CHRISTOPHER COPPOLA. I'M AN ASSISTANT CITY ATTORNEY FOR THE CITY OF AUSTIN. I'M HERE TODAY TO SEEK COUNCIL APPROVAL FOR SETTLEMENT OF A LAWSUIT ENTITLED AUSTIN FILTER SYSTEMS, INC. VERSUS CITY OF AUSTIN. STAFF RECOMMENDS THAT COUNCIL AUTHORIZE SETTLEMENT AND ALSO AUTHORIZE AN ADDITIONAL \$25,000 FOR THE THORNBERRY ROAD PROJECT. AND I'M HERE TO ANSWER ANY QUESTIONS THAT COUNCIL MAY HAVE.

AND CHRIS, I THINK THE SETTLEMENT AMOUNT IS 60,000?

YES, SIR, THE SETTLEMENT AMOUNT IS \$60,000.

AND THEN THE 25,000 ADDITION FOR THE CONTINGENCY ON THE CONTRACT?

FOR A CONTINGENTLY S.S.I. ON THE THORNBERRY ROAD CONTRACT, THAT'S CORRECT.

Mayor Wynn: QUESTIONS, COMMENTS? QUESTIONS FOR STAFF, COUNCIL? AND MR. COPPOLA, THE PROJECT ITSELF IS NOW THE TIMING STILL IN LINE AND THE PROJECT HAS BEEN MOVING FORWARD?

THE PROJECT IS MOVING FORWARD AND IT'S SCHEDULED TO BE COMPLETED I BELIEVE AT THE END OF JULY THIS YEAR. IT'S MORE OR LESS ON SCHEDULE, YES, SIR.

FURTHER QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION ON THIS ACTION ITEM 38.

Dunkerley: I'LL MOVE APPROVAL.

Mayor Wynn: MOTION BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU. SO COUNCIL, THAT TAKES US TO OUR NOON GENERAL CITIZEN COMMUNICATIONS. WE HAVE A NUMBER OF CITIZEN WHOSE HAVE SIGNED UP WISHING TO ADDRESS US THIS WEEK. OUR FIRST SPEAKER SIGNED UP IS TERRY ROBINSON. WELCOME MR. ROBINSON. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY JOE McFERRIN.

GOOD AFTERNOON, MR. MAYOR, CITY COUNCILMEMBERS. MY NAME IS TERRY ROBIN..... ROBINSON AND I WOULD LIKE TO DISCUSS THE FORT BRANCH 25 YEAR FLOODPLAIN ELEVATION. AS A WITNESS TO THE STORMS OF 1981, I WISH TO INFORM THIS BODY THAT HOME ON ELEANOR STREET, FAR FROM EVEN THE 100 YEAR FLOODPLAIN ELEVATIONS, RECEIVED WATER DAMAGE TO THEIR FLOORING. BASICALLY LITTLE WALNUT CREEK IS A NATURAL (INDISCERNIBLE). IT'S POSSIBLE THAT THIS BODY MAY NOT BE FULLY AWARE OF THE STRUCTURAL THREATS THIS IS TO THE FORT BRANCH RESIDENTS. I WOULD LIKE TO BELIEVE THIS IS ALSO THE REASONS THAT THE

PROPOSED PLANS FOR THE PROPOSED FLOODPLAIN ELEVATION HAVE NOT FOLLOWED THROUGH TO DATE. THE HOG PEN OR HUNGRY HILL FOR MOST ELDER EAST AUSTIN RESIDENTS CAN NORMAL CONDITIONS BE REACHED FROM WEBBERVILLE ROAD TO THE NORTH AND TWO ACCESS ROADS THAT LEAD INTO ED BLUESTEIN BOULEVARD TO THE EAST. THERE IS NO SOUTHERN ROUTE, NO NEIGHBORHOOD OR ANYTHING UP UNDER IT, NO ROAD LEADING EAST ON WEST. DURING WEBBERVILLE FLOOD -- DURING FLOODING WEBBERVILLE ROAD IS COMPLETELY INACCESSIBLE TO VEHICLES. IT IS HARD TO NAVIGATE IN EVEN MILD RAIN. THAT IS MY ISSUE. DOWN IN THE NEIGHBORHOOD THERE, IT'S A SMALL NEIGHBORHOOD IN THE FORT BRANCH NEIGHBORHOOD. I'M NOT SURE WHY THE FORT BRANCH RESIDENTS HAVEN'T ACTUALLY COME UP HERE IN FRONT OF YOU THEMSELVES. IT CAME TO MY ATTENTION TRYING TO HELP MY GRANDFATHER AND FATHER SELL A PIECE OF LAND. THE LAND IS WITHIN THE 25 YEAR FLOODPLAIN ELEVATION. THERE'S A CITY -- REST ON A CITY EASEMENT. THERE'S A BIG OLD ROCK RIGHT ACROSS THE STREET FROM THAT THAT THE CITY PUT DOWN THERE. THERE'S SUPPOSED TO BE A ROAD THERE ON A LOT OF REALTORS MAPS THERE IS A ROAD THERE AND THERE IS A BRIDGE ALREADY THERE. THE PROPERTY VALUE, THE VALUE OF THAT PROPERTY IS NOW 12,000-DOLLAR AT FAIR MARKET VALUE. IT WAS \$8,000 WHEN SHE BOUGHT IT. THERE HAS FOR THE BEEN A (INDISCERNIBLE) IN THE FORT BRANCH NEIGHBORHOOD OR ANYTHING. AND I'M JUST LOOKING AT THE FACT THAT ALL OF THESE PROPOSALS AND EVERYTHING, THIS IS A SERIOUS CONDITION. I'M AWARE ALSO THAT AUSTIN HAS MANY 25-YEAR FLOODPLAIN ELEVATIONS. I WANT TO COMMEND YOU GUYS ON THE WORK YOU'VE ALREADY DONE IN EAST AUSTIN. YOU'VE DONE A LOT OF REALLY GOOD THINGS AS FAR AS FLOODING CONCERNS. THIS PARTICULAR NEIGHBORHOOD IS A CONCERN TO ME PERSONALLY. THE (INDISCERNIBLE) SIMPLY BECAUSE IT TRULY IS A HAZARD. WITH FLASH FLOODING AND STUFF, THERE WON'T BE A WAY FOR MEDICAL PERSONNEL, OFFICERS OR ANYBODY TO GET INTO THAT

NEIGHBORHOOD WHEN WE HAVE FLASH FLOODING
HERE IN AUSTIN. I'VE BEEN SPEAKING ABOUT THE
SUBJECT WITH SEVERAL OF YOU GUYS -- [BUZZER
SOUNDS]

Mayor Wynn: I'LL TELL YOU, IT SO HAPPENS THAT MR.
GEORGE OSWALD IS IN THE ROOM. HE'S ONE OF OUR
KEY SENIOR OFFICIALS IN OUR WATERSHED
PROTECTION DEPARTMENT. AND IF YOU DON'T
MIND, I'LL BET IF YOU VISIT WITH HIM FOR A
MINUTE OR TWO, HE COULD GIVE YOU SOME
INSIGHT AS TO THE ONGOING SORT OF LIST WE HAD
OF FUTURE PROJECTS.

IT'S BEEN ONGOING SINCE -- MY GRANDMOTHER
BOUGHT THE PROPERTY IN LIKE 1985. I JUST FIGURE
IT'S HER TIME. HER AND THOSE PEOPLE DOWN
THERE.

Mayor Wynn: HE CAN PROBABLY GIVE YOU SOME
INSIGHT INTO THAT. THANK YOU. JOE McFER ARE
REN. WELCOME. YOU WILL HAVE THREE MINUTES
AND BE FOLLOWED BY CAROL ANNE ROSE
KENNEDY.

GOOD AFTERNOON. I'M JO McFERREN AND I'M HERE
STRICTLY FOR A PERSONAL USE. IT HAS TO DO WITH
THE PROPOSED BUILDING OF THE WAL-MART AT
NORTHCROSS MALL. I LIVE ON THE CORNER OF
ROCK WOOD AND STILLWOOD LANE IN THE NORTH
SHOAL CREEK NEIGHBORHOOD. THAT'S TWO
BLOCKS WEST OF BURNET ROAD. AS YOU KNOW,
GOING SOUTH ON BURNET ROAD IT'S THE FIRST
TRAFFIC LIGHT SOUTH OF THE 183 INTERSECTION.
WE BUILT OUR HOUSE IN 1971. AT THAT TIME
ROCKWOOD WAS NOT CUT THROUGH TO BURNET
ROAD, SO WE DESIGNED THE GARAGE ENTRANCE
ON THE ROCKWOOD SIDE. THINGS CHANGE, AND
AUSTIN GREW AND THE TRAFFIC GOING BY THIS
INTERSECTION HAS MADE GETTING OUT OF MY
DRIVEWAY, PLAYING RUSSIAN ROULETTE. MY
CONCERN IS THE IMPACT THAT THIS DEVELOPMENT
WILL HAVE ON THE TRAFFIC ON ROCKWOOD AND
THE AFFECT IT WILL HAVE ON THE VALUE OF MY
PROPERTY. STHRS HEAVY TRAFFIC ON -- THERE IS
HEAVY TRAFFIC ON BURR.....BURNET NOW. I

BELIEVE IT HAS AND WILL BE AFFECTED MORE WITH THE DPLAIN OPENING. THE BUSES TAKE UP ONE LANE OF TRAFFIC, WHICH ADDS TO THE PROBLEM. NOW WITH THE ANTICIPATION OF INCREASED AUTO TRAFFIC AS WELL AS 18-WHEELERS DELIVERING TO THE NORTH CROSS SITE AND FROM 183 THERE ARE THREE TRAFFIC LIGHTS THAT ONE HAS TO GO THROUGH TO GET TO ANDERSON LANE, THERE IS ABSOLUTELY NO QUESTION IN MY MIND THAT ROCKWOOD IS GOING TO BE IMPACTED. AS YOU KNOW, ROCKWOOD TURNS SOUTH, CROSSES STECK, CROSSES ANDERSON LANE, AND ENDS AT FOSTER LANE, WHICH IS THERE BY SUN HARVEST. A WHOLE LOT EASIER GOING THAT WAY THAN FIGHTING THE TRAFFIC ON BURNET ROAD. AT THIS TIME I'M ALSO INCLUDING THE FACT THAT TRUCKS USE ROCKWOOD, EVEN THOUGH THERE IS A NO THROUGH TRUCK SIGN, I AM TOLD THAT THIS CANNOT BE ENFORCED. THE DEVELOPMENT OF THE SUPER SIZED WAL-MART AT THIS LOCATION IS ABSOLUTELY BEYOND MY UNDERSTANDING. I HOPE YOU WILL TAKE THESE CONCERNS SERIOUSLY. PUTTING YOURSELVES IN OUR SHOES AND WORKING WITH THE NEIGHBORHOODS TO ARRIVE AT A SOLUTION FOR THE REDEVELOPMENT OF THE MALL AREA TO THE SATISFACTION OF EVERYBODY INVOLVED. THE VALUE OF OUR HOMES ARE AT STAKE. THANK YOU FOR YOUR ATTENTION.

Mayor Wynn: THANK YOU. PERHAPS JUST A QUICK QUESTION OF MR. SMITH. MY INSTINCT IS WE BOTHERED TO PROPERLY POST THE NO TRUCK TYPE SIGNAGE ON A STREET SPECIFICALLY SO WE CAN ENFORCE IT. WOULD THAT BE YOUR -- I DON'T KNOW THE DETAILS OF THAT POSTING.

YEAH, AND I DON'T KNOW THE DETAIL OF THE POSTING, BUT I'D LIKE SOMEONE TO VISIT WITH MS. McFERREN, MARTY, IF YOU WOULDN'T MIND, AND FIND OUT WHAT -- I SEE RANDY STONE WHO IS OUR ADVISOR TO A.P.D.-- ON WHAT THE ISSUES ARE AND WHY THIS CAN'T BE ENFORCED.

Mayor Wynn: THANK YOU. CAROL ANNE ROSE KENNEDY, WELCOME. YOU WILL BE FOLLOWED BY

COLIN A CLARK.

WELCOME BACK, COUNCIL. THANK YOU FOR HAVING ME. STATE OF THE UNION ADD DRESS, POTLY MANNERS. I APOLOGIZE FOR THE CONDITION OF THIS. IT'S MY FIRST DRAFT AND I DIDN'T HAVE TIME TO SLEEP ON IT. FOR EVERY SON I RAISED TO CONFINE HIS PEA AND POOP TO THE FLUSHABLE....ABLE TOILET WATER I HAVE SEEN HUNDREDS AND THOUSANDS OF MEN WITH PITIFUL POTTY PRACTICES IN MY HOME, SCHOOLS, OFFICES, CONVENIENCE STORES, PARKS, PUBLIC TRANSPORTATION RESTROOMS, ETCETERA. MY LIFE WORK, 773 SCWIKS TAKES ME ALL OVER AUSTIN, TEXAS AND THE US. DUE TO MY FREQUENT USE OF PUBLIC TRANSPORTATION TO INCLUDE BUSES, PLANES AND OCCASIONAL SUPER MAN AND TRAINS, I HEAVILY DEPEND ON THE CLEANLINESS OF MY BASIC NEEDS OF THE ELIMINATION OF MY BASIC NEEDS THAT UNIVERSAL HUMANS SHARE. OVER SEVERAL YEARS I HAVE ISOLATED AND THOROUGHLY INVESTIGATED A NATIONWIDE AND GRAVE PROBLEM, THE DES PICK CABLTY OF MOSTLY MEN'S RESTROOMS IN CONVENIENCE STORES. I LAY 100% OF THE BLAME NOT ON THE OWNER OR OPERATORS, BUT THE MALE CUSTOMERS, WHO ARE 91% OF IMMIGRATION STATUS AND OF ILL POTTY REPUTE. Y'ALL CAN CONSIDER YOUR INABILITY TO SPEAK ENGLISH AS Y'ALL'S ONLY BLESSING AT THIS POINT IN TIME AND SPACE. LEFT YOU BE OFFENDED BY MY HONEST OBSERVATIONS. AMERICA'S SAFETY AND HEALTH IS BEING COMPROMISED AND DOWN RIGHT RAPED AS THIS PROBLEM INFILTRATES OUR FOOD TRAINS. I HAVE ALWAYS HAD A DEEP AND IMPENETRABLE FAITH THAT CAN YOU TEACH AN OLD DOG NEW TRICKS. ON THE LEFT HAND, TEENAGE DOGS ARE MORE OF A CHALLENGE. I HAVE ARRIVED AT A VIABLE, REACHABLE AND TEACHABLE SOLUTION. CONVENIENCE STORE OWNERS, LISTEN UP. I STAND HERE TODAY TO OFFER MY SERVICES AS POTTY MONITOR FOR ONE HOUR AT YOUR MOST TROUBLESOME HOUR OF YOUR STORE'S DAY. I RECOMMEND PUTTING OUT OF ORDER SIGN ON THE WOMAN'S BATHROOM AND I WILL GO INTO THE MEN'S BATHROOM AFTER EACH USE AS IF I NEED TO

GO. IF IT'S A MESS TO INCLUDE EVEN ONE DROP OF PEE ON THE SEAT OR ON THE FLOOR, I WILL GIVE CHASE TO THE PERPETRATOR BEFORE HE HAS A CHANCE TO PAY FOR HIS CHILLY DOGS AND TWINGEYS. I'LL BE REAL NICE AND INVITE HIM TO COME BACK AFTER HE'S CHANGED HIS WAYS AND NOT ONE MOMENT BEFORE. MY CELL NUMBER IS CU 1 KENNEDY. THE AREA CODE IS OUT OF HOUSTON AND MY BUSINESS IS KENNEDY SPATIAL CENTER. THAT WOULD BE #- 281-KENNEDY. WHEN YOU IN AMERICA DO AS THE TEXANS DO. THANK YOU.

Mayor Wynn: THANK YOU. COLIN CLARK. YOU WILL BE FOLLOWED BY BETSY TODD.

THANK YOU. COLIN CLARK WITH SAVE OUR SPRINGS, AND WE ARE STILL ADVOCATING FOR PROTECTION OF BARTON SPRINGS AND THE EDWARD'S AQUIFER. AND WE WANTED TO SHOW Y'ALL SOME OF THE VIDEO FOOTAGE, IF YOU COULD ROLL THE TAPE. VIDEO FOOTAGE OF POLLUTION FROM THE ADVANCED MICRODEVICES CONSTRUCTION SITE. THIS WAS FILMED A COUPLE OF WEEKS AGO FOLLOWING A RELATIVELY SMALL STORM, LESS THAN TWO INCHES RECORDED AT CAMP MABRY AND WE WANTED TO BRING IT TO YOUR ATTENTION. THIS IS THEIR NEW HEADQUARTERS OFF OF SOUTHWEST PARKWAY. AND HERE WE HAVE WATER RUNNING DIRECTLY THROUGH A SILT FENCE. I DON'T THINK THAT'S THE WAY THEY'RE SUPPOSED TO FUNCTION. THE WATER IS ALSO MOVING UNDERNEATH THE SILT FENCE. THIS IS A LARGE AMOUNT OF DIRTY WATER RUNNING OFF OF THE SCRAPED HILLSIDE. AND HERE YOU CAN SEE THEY HAVE A PUMP RUNNING AND THEY'RE ACTUALLY PUMPING DIRTY WATER OUT OF A POND. AND THEN ON THE OTHER SIDE OF THE ROAD THERE, HERE IS THE DIRTY WATER COMING OUT OF A CULVERT UNDERNEATH THE ROAD. AND THE SEC YOU'LL SEE THE CONSTRUCTION SITE BEHIND IT. AND THIS WATER CONTINUED TO FLOW, MAKING ITS WAY TOWARDS WILLIAMSON CREEK RLTD GOING THROUGH ROCK BERMS THERE, AND TO ANOTHER SILT FENCE FURTHER DOWNSTREAM WHERE, WOULDN'T YOU KNOW IT, THERE'S ANOTHER HOLE IN THE SILT FENCE AND THE WATER

IS -- DIRTY WATER TRAVELLING THROUGH THE SILT FENCE ON DOWN AS WATER DOES, DOWNSTREAM. THIS IS IN THE CONTRIBUTING ZONE, BUT VERY CLOSE TO THE RECHARGE ZONE, AND THIS MUCKY WATER WAS FLOWING TOWARDS WILLIAMSON CREEK AND IT MIGHT HAVE BEEN DROND INTO THE AQUIFER AND THE RECHARGE ZONE BEFORE IT ACTUALLY GOT TO WILLIAMSON CREEK. WE DON'T REALLY KNOW THAT BECAUSE THESE THING HAPPEN WHEN IT RAINS, WHEN NOBODY'S OUT THERE WATCHING. SO WE WANTED TO BRING THIS TO YOUR ATTENTION BECAUSE A.M.D. TOLD THE COMMUNITY THAT THEY WERE GOING TO SET THE STANDARD FOR RESPONSIBLE DEVELOPMENT, BUILDING IN THE BRINK WATERSHED. AFTER THIS INCIDENT HAPPENED, WHAT A.M.D. TOLD THE AUSTIN CHRONICLE WAS NO STORM WATER SYSTEM IS PERFECT. WE TOLD THEM THAT AWHILE AGO AND THEY DIDN'T LISTEN. SO MAYBE THIS IS WATER UNDER THE SILT FENCE, SO TO SPEAK, BUT WE DO THINK THE CITY CAN TAKE SOME ACTION TO PREVENT THESE TYPE OF PROBLEMS, ONE OF WHICH COULD BE LIMITING CONSTRUCTION TO PHASES. A.M.D. WENT IN AND SCRAPED THE WHOLE SITE TO TRY TO BUILD IT ALL AT ONCE, SO THEY HAD AN ENORMOUS AMOUNT OF SOIL EXPOSED TO WHEN A RAIN CAME THERE WAS A LOT OF SOIL TO BE WASHED OFF. [BUZZER SOUNDS] TWO QUICK THING. THE CITY DIDN'T FINE A.M.D. A PENNY AS FAR AS WE KNOW SO THERE'S NO ECONOMIC DISINCENTIVE FOR COMPANIES NOT TO POLLUTE. SOMETHING ELSE THE CITY COULD DO IS ALLOCATE BUDGET FUNDS TO BUY AND PROTECT LAND TO COMPLEMENT THE BOND FUNDS THAT VOTERS APPROVED. THANK YOU.

Mayor Wynn: THANK YOU. THE NEXT SPEAKER IS BETSY TODD. COUNCILMEMBER LEFFINGWELL.

Leffingwell: I DON'T THINK THERE'S ANYONE HERE FROM STAFF THAT COULD COMMENT ON THIS ITEM --

Mayor Wynn: I THINK THERE IS, YES.

Leffingwell: I GUESS I'D LIKE TO KNOW IS FIRST OF

ALL, DID ANY OF THIS SILT REACH WILLIAMSON CREEK? AND SECOND, WHAT STEPS HAVE BEEN TAKEN TO ENSURE THIS DOESN'T HAPPEN AGAIN?

GOOD AFTERNOON, MAYOR AND COUNCIL. MY NAME IS LEON BARBER,.. I'M RESPONSIBLE FOR THE INSPECTION DIVISIONS THAT WE HAVE IN THE CITY OF AUSTIN. THAT INCLUDES THE ENVIRONMENTAL INSPECTION GROUPS. WE GOT THE E-MAIL ON WEDNESDAY RIGHT BEFORE NOON. WE DID SEND INSPECTION OUT TO MAKE SOME INVESTIGATIONS. WHAT WE FOUND WAS THAT THE CONTRACTOR WAS INDEED PUMPING FROM A POND INTO THE DRAINAGE AREA THERE THAT YOU SAW IN THE VIDEO. WE IMMEDIATELY ISSUED A WRITTEN NOTICE OF VIOLATION. THAT'S ABOVE A VERBAL, BELOW A RED TAG. AND THE CONTRACTOR CEASED HIS OPERATIONS AT THE TIME. OUR UNDERSTANDING IS THAT SOME OF THE SEDIMENTATION DID GET INTO SOME OF THE AREAS THAT GO INTO WILLIAMSON CREEK, BUT IT DIDN'T GET THAT FAR. TODAY I UNDERSTAND THE A.M.D. ARE CLEEBING OUT -- CLEANING OUT THE AREAS RIGHT NOW WITH SHOVELS OR WHATEVER THEY NEED TO DO TO CLEAN ITEM. THEY HAVE COME UP WITH A CONTINGENCY PLAN IF IT HAPPENS AGAIN. THEY HAVE MADE SPECIAL EFFORTS TO WORK WITH THEM TO MAKE SURE THIS DOESN'T HAPPEN AGAIN.

Leffingwell: DOES THE CONTINGENCY PLAN A MEET WITH YOUR REQUIREMENT SNZ ARE YOU SATISFIED WITH WITH THAT?

YES, SIR. WHAT THIS SIMPLY IS, THEY'RE GOING TO HAVE PUMP TRUCKS. IN CASE THIS SEDIMENTATION BASIN APPEARS TO BE GETTING CLOGGED, THEY'LL HAVE PUMP TRUCKS AVAILABLE TO PUMP OUT THAT WATER.

Leffingwell: THANK YOU.

Mayor Wynn: THANK YOU. FURTHER QUESTIONS OF STAPH? THANK YOU -- QUESTIONS OF STAFF? THANK YOU. AND WELCOME, MS. TODD. YOU WILL

BE FOLLOWED BY ROBIN ROSS.

THANK YOU, MAYOR AND THANK YOU ALL FOR GIVING ME OPPORTUNITY TO COME TALK TO YOU TODAY. I AM BETTY TODD AND I AM A RESIDENT OF THE NORTH SHOAL CREEK NEIGHBORHOOD ASSOCIATION. AND MY NEIGHBORHOOD IS ONE THAT MOST PEOPLE DON'T KNOW ABOUT, AND FRANKLY I'M HAPPY ABOUT THAT. I'D JUST AS SOON NOBODY KNEW ABOUT IT. I WAS VERY HESITANT TO COME TALK TO YOU TOYED BECAUSE THE LAST THING I WANT IS FOR A LOT OF PEOPLE TO KNOW ABOUT IT BECAUSE IT'S A GREAT NEIGHBORHOOD AND IT'S KIND OF HIDDEN. IT'S THE KIND OF NEIGHBORHOOD THAT I GREW UP IN. I GREW UP IN A VERY SMALL TOWN, ABOUT 5,000 PEOPLE. IT'S A DIVERSE NEIGHBORHOOD, IT'S AFFORDABLE. IT'S CLOSE TO DOWNTOWN. I CAN GET TO WORK IN 20 MINUTES. AND IT'S JUST GREAT. AND IT HAS A BEAUTIFUL -- I'M PASSING AROUND A LITTLE MAP OF OUR NEIGHBORHOOD FBT IT HAS A WONDERFUL ELEMENTARY SCHOOL, PILLOW ELEMENTARY, RIGHT IN THE MIDDLE OF OUR NEIGHBORHOOD. IT HAS SIDEWALKS. PEOPLE WALK THEIR DOGS. IT'S A GREAT PLACE. I HAVE NOT BEEN A MEMBER OF OUR NEIGHBORHOOD ASSOCIATION UP UNTIL RECENTLY. IT SEEMED TO BE -- I MEEND TO...MEANED TO DO IT, BUT HAD NOT DONE IT BECAUSE IT SEEMED TO BE RUNNING LIKE CLOCKWORK. EVERYONE WAS TAKING CARE OF THINGS IN OUR NEIGHBORHOOD. THERE WAS NO CONTROVERSY. THINGS SEEMED TO BE RUNNING FINE. THEN OF COURSE THE NORTHCROSS THING CAME ALONG. AND I BEGAN TO BE MORE CONCERNED ABOUT TRAFFIC, PARTICULARLY TRAFFIC ON ROCKWOOD AS IT AFFECTED OUR ELEMENTARY SCHOOL. I KNEW THAT I HAVE SEEN CUT THROUGH TRAFFIC ON THAT STREET AND I HAVE DELIBERATELY TRIED TO SLOW DOWN TRAFFIC ON THAT STREET JUST BY THE WAY I TRAVEL ON THAT STREET. AND I BEGAN TO BE MORE CONCERNED ABOUT THAT. SO I STARTED ATTENDING MEETINGS. WELL, THERE'S A DANGER TO ATTENDING MEETINGS. YOU GET DRAFTED. AND I HAVE BEEN DRAFTED TO BE THE CO-CHAIR OF OUR -- AT LEAST ON AN INTERIM BASIS THE CO-CHAIR OF

OUR DEVELOPMENT COMMITTEE. WHETHER I GET BURNED OUT IN THE NEXT SIX MONTHS BEFORE THEY HAVE TO NAME A PERMANENT ONE, I DON'T KNOW, BUT I'M HERE TODAY NOT REALLY TO TALK ABOUT NORTH CROSS. FROM WHAT I UNDERSTAND IN THE FEW MEETINGS I'VE ATTENDED IN TALKING TO THE LAWYERS, IT'S PRETTY MUCH A DONE DEAL AND THERE'S NOT MUCH WE CAN DO ABOUT IT. BUT IN WORKOGTHIS DEVELOPMENT COMMITTEE, WHAT WE UNDERSTAND ALREADY IS THAT THERE'S A LOT OF NEW DEVELOPMENT GOING IN ON THE BORDERS OF OUR NEIGHBORHOOD. AND I AM VERY CONCERNED ABOUT WHAT I'VE LEARNED ABOUT THE PROCESS IN TERMS OF LOOKING AT THE IMPACT ON STREETS LIKE ROCKWOOD AND AFFECT ON THAT ELEMENTARY SCHOOL BECAUSE THERE WAS A MEMO THAT WENT OUT IN THE NORTHCROSS SITUATION THAT DID NOT EVEN LOOK AT THE IMPACT ON ROCKWOOD BEFORE THAT PROJECT WAS APPROVED. AND WHAT I WANT TO DO IS TALK TO YOU ABOUT WHAT WE CAN DO IN THE FUTURE -- [BUZZER SOUNDS] -- WITH FUTURE DEVELOPMENTS TO MAKE SURE THAT WE WORK TOGETHER TO PROTECT THE SAFETY OF THOSE CHILDREN. IT SEEMS LIKE THIS WEEK, AT LEAST FOR ME, THE SAFETY OF OUR CHILDREN IS SOMETHING THAT HAS BEEN ON MY MIND A LOT. AND IF WE CAN WORK TOGETHER TO LEARN FROM PAST EXPERIENCE.....EXPERIENCES TO MAKE OUR PROCESSES BETTER, TO PROTECT OUR CHILDREN, I THINK THAT'S WHAT WE SHOULD DO. I HAVE TALKED TO SOME OF YOUR CITY STAFF AND I REALLY APPLAUD THE STAFF WHO CALLED ME SINCE I PUT THIS ITEM ON THE AGENDA, BUT SO FAR WHAT HAS BEEN OFFERED IS THAT THE MEMO WAS CORRECT AND THE PROCESS WAS DONE CORRECTLY. AND IF THAT'S THE CASE, THEN I THINK WE HAVE A PROBLEM. AND WHAT I'D LIKE TO DO IS TALK TO YOUR OFFICES ABOUT HOW WE CAN CHANGE THAT TO MAKE SURE THOSE SCHOOLS GET PROTECTED. AND PARTICULARLY IN MY CASE PILLOW ELEMENTARY.

Mayor Wynn: FAIR ENOUGH. THANK YOU, MS. TODD. AND YOU'RE WELCOME TO CONTACT OUR OFFICES AND WE'LL GLADLY BEGIN THAT DIALOGUE. ROBIN

ROSS, WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY KATHY KORREA.

THANK YOU, GOOD AFTERNOON, MAYOR WYNN AND COUNCILMEMBERS. I APPRECIATE THE OPPORTUNITY TO TALK TO YOU TODAY. LIKE THE PREVIOUS SPEAKER, I AM ALSO SPEAKING AS A NEWLY INVIGORATED VOTER AND A NEWLY INVOLVED MEMBER OF MY NEIGHBORHOOD ASSOCIATION, IN THIS CASE IT'S THE CRESTVIEW NEIGHBORHOOD ASSOCIATION. I LIVE ABOUT THREE BLOCKS FROM NORTH CROSS MALL. I AM ABOUT TWO BLOCKS SOUTH AND ONE BLOCK OFF OF BURNET. MY HUSBAND AND I LOVE OUR NEIGHBORHOOD. WE REALLY WANT THE NORTHCROSS REDEVELOPMENT TO REPRESENT AUSTIN'S VALUES OF CREATIVITY, SUSTAIN ANLT AND WHAT -- SUSTAINABILITY AND WHAT WE ALL LIKE TO SAY, WEIRDNESS. TODAY I REALLY WANT TO TALK ABOUT DEMOCRACY. IT SEEMS LIKE WHAT WE HAVE UNFOLDING IN NORTHCROSS AUSTIN IS GOVERNMENT BY DEVELOPER. THE PLANS FOR NORTH ACROSS' FUTURE, RATHER THAN BEING INITIATED BY THE CITY AND INVOLVING NEIGHBORS, HAVE BEEN MADE BY AN UNELECTED, OUT OF TOWN DEVELOPER. THE CITY GOVERNMENT, WHICH WE VOTED FOR, SHOULD BE CHARGED WITH KEEPING THE DEVELOPER'S PROJECT CONSISTENT WITH THE VALUES OF THE CITY. INSTEAD, THE OVERWHELMING FEELING I HAVE AFTER READING ALL THE COVERAGE AND DOING EXTENSIVE RESEARCH INTO THE SITUATION IS THAT THE COUNCIL SEEM TO BE DEFERRING TO THE DEVELOPER RATHER THAN TO THE CONSTITUENTS. WE ELECT OUR CITY OFFICIALS. UNFORTUNATELY WE DON'T ELECT DEVELOPERS OR RETAIL ESTABLISHMENTS. WHEN IT REALLY COMES DOWN TO IT, DESPITE THE OPEN HOUSE AND EVERYTHING ELSE THAT THEY'VE DONE, LINCOLN PROPERTIES AND WAL-MART DON'T REALLY HAVE TO LISTEN TO US. YOU DO. IT'S YOUR JOB TO PROTECT US FROM EXPLOITIVE BIG BUSINESS. IF THE CITY GOVERNMENT STAND STAND UP FOR CITIZENS AGAINST COMPANIES THAT PROFIT AT OUR EXPENSE OR BRING DISASTROUS TRAFFIC TO OUR NEIGHBORHOODS, WHO IS GOING TO STAND UP FOR

US? AS AN AUSTIN RESIDENT AND VOTER I RELY YOU ON TO MAKE DECISIONS FOR OUR CITY. WE PAY YOU TO UNDERSTAND THE FINE PRINT OF ZONING CODES THAT WE CAN'T OR DON'T HAVE TIME TO AND TO THINK ABOUT THE IMPACT THAT MAJOR PROJECTS WILL HAVE ON OUR QUALITY OF LIFE. IN VOTING FOR YOU WE'RE TRUSTING YOU TO REPRESENT OUR SHARED VALUES. IN AUSTIN WE OFTEN TALK ABOUT VALUE AND CREATIVITY, ENVIRONMENTISM, INNOVATION AND AGAIN WEIRDNESS. THE NORTH CROSS REDEVELOPMENT AS OUR BUMPER STICKERS HAVE SEEN, IS NONE OF THESE THINGS. HOW CAN WE SAY WE'RE A GREEN CITY AND WEIRD CITY WHEN WE TAKE AN INCREDIBLY VALUABLE PIECE OF CENTRAL REAL ESTATE AND BUILD A GIANT WAL-MART ON IT. THIS IS NOT CREATIVE, PROACTIVE OR SUSTAINABILITY. THE NORTHCROSS DEVELOPMENT IS GOING TO BE AROUND A LONG TIME. IT'S GOING TO BE A LEGACY OF THIS CITY COUNCIL AND OF THIS CITY MANAGER. EARLY IN THIS PROCESS YOU APPROVED A SITE PLAN THAT DID NOT FIT WITH THE VALUES OF AUSTIN. YOU STILL HAVE TIME TO CORRECT THAT MISTAKE BEFORE CONSTRUCTION BEGINS OR GOES ANY FURTHER ON A BUILDING THAT LAST 15 OR 20 YEARS, AND ON THE FRUSTRATION AMONG THE ELECTRIC TORE RAT UNTIL OR BEYOND THE LAST ELECTION. PLEASE RESPOND TO THE WILL OF THE PEOPLE AND STAND UP TO THE DEVELOPER THAT WE DID NOT HAVE A CHANCE TO ELECT. DON'T APPROVE THE SECONDATE SOOIT LAN. RESTORE OUR FAITH IN LOCAL DEMOCRACY AND BUILD A NORTH CROSS THAT DOES REFLECT OUR VALUES.

Mayor Wynn: THANK YOU. KATHY KORREA. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY HUGH McC.A.N.

MAY I DONATE MY TIME TO MY FRIEND DARLENE METER?

SURE. WELCOME.

THANK YOU, KATHY. THANK YOU, MAYOR WYNN AND COUNCILMEMBERS. MY NAME IS MARLENE

METER. I AM A NURSE EDUCATOR WITH A MASTER'S DEGREE AND I SPECIALIZE IN PEDIATRIC NURSING. I HAVE SERVED THIS COMMUNITY FOR MORE THAN 20 YEARS WITH OUR CHILDREN. THE PROPOSED 24 NORTH CROSS MALL RECONSTRUCTION WITH A WAL-MART PRESENTS A SEVERE HEALTH THREAT TO THE RESIDENTS AND SURROUNDING NEIGHBORHOODS. THIS PLAN WILL INCREASE THE TRAFFIC ON THE SURROUNDING STREETS BY 15,000 PLUS, AND IN SOME ESTIMATES ALMOST 30,000 CAR TRIPS A DAY. THE IMPACT OF THE INCREASE IN DIESEL AND AUTO EMISSIONS ON INDIVIDUALS WITH ASTHMA, REACTIVE AIRWAY DISEASE, CARDIO PULMONARY DISEASE IS POTENTIALLY FATAL. THE NEIGHBORHOODS SURROUNDING NORTHCROSS MALL AND FEEDER STREETS ARE FILLED WITH ELDERLY AND CHILDREN, SECOND ONLY TO CANCER, ASTHMA IS THE PRIMARY CAUSE OF DEATH FOR CHILDREN, AND THE LEADING CAUSE OF HOSPITAL..... HOSPITALIZATION IN THIS COUNTRY. THAT'S AN IMPACT ON OUR HOSPITALS AND THE HEALTH CARE SYSTEM THAT IS DREADFULLY OVERLOADED. THE NUMBER ONE CONTRIBUTING FACTOR TO ASTHMA IN THIS NATION IS EXHAUST FROM AUTOMOBILES AND DIESEL. THIS IS NOT A DONE DEAL AND YOU CAN AND WILL RETAIN YOUR POWER. I IMPORE YOU TO DENY THE PERMITS THAT WILL TURN NORTHCROSS MALL, BURNET ROAD AND ANDERSON LANE INTO AN EXHAUST BELCHING HEALTH AS SARD. AUSTIN INDEPENDENT SCHOOL DISTRICT LUCY REED PRESCHOOL ADVANCEMENT CENTER IS VISIBLE FROM THE PARKING LOT AND DELIVERY DOCK BE OF THE PROPOSED WAL-MART. A PRESCHOOL THROUGH GRADE 8 IS ACROSS THE STREET. WOOTEN ELEMENTARY REDEEMER SCHOOL ARE BLOCK AWAY. PILLOW AND FIVE OTHER ELEMENTARY SCHOOLS AND MIDDLE SCHOOLS ARE WITHIN ONE MILE RADIUS OF THIS PROPOSED SUPER CENTER. RESEARCH FROM THE CENTERS FOR DIESEL CONTROL INDICATES THAT HEALTHY CHILDREN EXPOSED TO LEVELS OF EXHAUST FUMES ARE MORE LIKELY TO DEVELOP ASTHMA AND CARDIO PULMONARY DISEASE WHEN THEY BECOME ADULTS. WHAT WILL HAPPEN TO THE NEIGHBORHOOD ALREADY SUFFERING FROM

PULMONARY AND CARDIAC DISEASES IF THIS WAL-MART COMES IN. WHAT WILL HAPPEN WITH THE INCREASE IN TRAFFIC FOR OUR FIRST RESPONDERS, OUR E.M.S. AND OUR FIREMEN? WILL THEY BE ABLE TO GET TO THE PEOPLE THAT SO DESPERATELY NEED THEM WHEN YOU DIAL 911? THANK YOU. AND I HAVE CONES OF A BRIEF REVIEW OF LITERATURE THAT PROVIDES WEBSITES IF YOU WOULD LIKE TO LOOK AT THEM LATER. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. HUGH MCCANN.
WELCOME, HUGH. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY AKWASI EVANS, WHO WILL BE FOLLOWED BY MELVIN MILLER.

IF... THANK YOU, MAYOR WYNN AND THE COUNCILMEMBERS. I WAS HERE A FEW WEEKS AGO AND I BROUGHT FORTH THE ISSUE OF THE NEW TRAFFIC STUDY AND WAS PLEASED TO SEE AFTER I LEFT THAT THERE WAS SOME FOLLOW-UP DISCUSSION. I READ THE CLOSED CAPTIONS FOR THE MEETING. I ALSO MET WITH LAURA HUFFMAN AFTER HIS MEETING AND WE DISCUSSED HOW THE CITY HAD RAISED THE BAR FOR LINCOLN. UPON FURTHER DISCUSSION VIA E-MAIL SHE SENT ME A FEW THINGS CONCERNING THE ISSUE OF RAISING THE BAR. SHE TOLD ME THAT THE CITY REQUESTED THE USE AFTER HIGHER TRIP GENERATION RATE FOR THE WAL-MART STORE, THE INCLUSION OF OTHER RECENT PROJECTS SUCH AS THE INFINITY DEALERSHIP, THE INCLUSION OF PROJECTED TRAFFIC FOR SOME OF THE OTHER SURROUNDING PAD SITES SUCH AS THE SLOT SKIS AND THE BANK, THE EXAMINATION OF OPTIONS FOR REDUCING TRAFFIC INTO RESIDENTIAL AREAS, A COUPLE OTHER THINGS. AND THAT ALL THESE THINGS WERE DISCUSSED WITH THE TRAFFIC CONSULTANTS FOR LINCOLN JANUARY 19TH, SIX WEEKS BEFORE THE OPEN HOUSE THAT WE ALL WENT TO AND WATCHED THE TRAFFIC DEMONSTRATIONS, THAT SORT OF THING. WHAT SHE ALSO TOLD ME IS THIS DATA IS BASED ON THE NEW SITE PLAN AND THAT THIS THIS DOESN'T APPLY TO THE ORIGINAL SITE PLAN. AND THAT BASICALLY THAT MEAN IT DOESN'T REALLY MATTER THAT THE SITE PLAN THAT HAS ALREADY BEEN APPROVED, ALL THESE

CHANGES HAVE NO IMPACT TO. IT'S BEEN THREE MONTHS NOW SINCE THAT JANUARY 19TH DISCUSSION WITH LINCOLN'S TRAFFIC PEOPLE. IT SEEM THE DATA THAT THEY USE FOR THE OPEN HOUSE IS STILL NOT AVAILABLE FOR ME OR ANYONE ELSE TO SEE. I'VE ALSO ASKED FOR THE HIGHER TRIP GENERATION RATES THAT THE CITY REQUESTED FROM LINCOLN PROPERTIES, AND I HAVEN'T RECEIVED THAT EITHER. SO CURRENTLY I STILL HAVE NO ANSWERS TO THE QUESTIONS I HAVE, AND I COULD KEEP ASKING AND ASKING QUESTIONS, BUT I THINK I'M GOING TO STOP AND ASK A COUPLE OF THINGS THAT WE MIGHT HAVE A COUPLE OF ANSWERS TO. HOW CAN TIMES HAS A SITE PLAN THIS SIZE BEEN APPROVED JUST BEFORE A NEW TRAFFIC STUDY SHOWS THAT THE TRAFFIC ANALYSIS FOR THAT PLAN IS OFF BY 50%? AT WHAT POINT COULD WE SAY THAT IT WOULD BE IRRELEVANT RESPONSIBLE TO NOT LOOK AT THIS NEW DATA AND APPLY IT TO THE APPROVED PLAN? INSTEAD OF DISCUSSING THE UNWILLINGNESS OF LINCOLN TO ADJUST THE SIZE OF THE STORE, WHICH I'VE HEARD A LOT ABOUT, I'VE ALSO HEARD ABOUT THIS ISSUE THAT WE CAN'T FORCE THEM TO MITIGATE TRAFFIC ON THE ALREADY APPROVED SITE PLAN, I THINK WE SHOULD LOOK AT WHAT WE CAN DO. IF THE TRAFFIC IMPACT IS BAD, AND IT SEEM THAT WE ALL FIRE IT WILL BE, IT WILL BE THE COMMUNITIES AND SMALL BUSINESSES THAT SURROUND THE SITE PLAN THAT WILL SUFFER. BASICALLY WHAT I'M SAYING AND WHAT I'M GETTING AT IS THAT IF WE LOOK AND ASK FOR A NEW TRAFFIC IMPACT ANALYSIS OR IF WE DO ONE OURSELVES, WE ARE INVESTIGATING NEW RESEARCH. WE ARE NOT DOING ANYTHING ELSE. AND IF WE DO THAT BEFORE LINCOLN BREAKS GROUND ON THIS PROPERTY, WE CAN ALL SIT DOWN TOGETHER AND SAY WHAT IS REALLY GOING TO HAPPEN HERE? I'M WORRIED ABOUT MY CHILDREN, I'M WORRIED ABOUT THE CHILDREN AT THESE SCHOOLS AND I'M HOPING THAT Y'ALL TAKE THIS INTO CONSIDERATION BEFORE DEMOLITION PERMITS ARE GIVEN OUT. THANK YOU VERY MUCH FOR YOUR TIME.

Mayor Wynn: THANK YOU, MR. MCCANN.

COUNCILMEMBER MCCRACKEN.

McCracken: YEAH, WE HAD AN UPDATE AFTER MR. MCCANN'S PRESENTATION A FEW WEEKS AGO AND THE COUNCIL RECEIVED SOME INFORMATION ABOUT REVISED TRAFFIC IMPACTS THAT WERE PRETTY STARTLING, SPECIFICALLY CITY STAFF WENT AND DID A RECOUNT OF THE BEN WHITE AT I-35 WAL-MART BECAUSE THAT WAL-MART'S TRAFFIC IMPACT ANALYSIS WHEN IT OPENED ABOUT TWO YEARS AGO STATED THAT IT WOULD HAVE AN ADJUSTED TRIP COUNT OF 8,846 TRIPS A DAY. IN DECEMBER STAFF HAD HAD COUNTED AN ACTUAL TRAFFIC COUNT OF 15,109 TRIPS, WHICH WAS OVER - - ALMOST 100% HIGHER. STAFF AT THE TIME TOLD US THAT THERE WOULD AN 41.8% -- UP TO THAT INCREASE IN TRAFFIC DUE TO THE FACT THAT IT WAS DECEMBER. SO STAFF WENT BACK AND COUNTED THE TRAFFIC AGAIN ON TUESDAY, JANUARY NINTH, WHICH IS TYPICALLY THE LOWEST DAY OF THE WEEK FOR TRAFFIC, AT A CLOSE GROESRY STORE, AND THE TRAFFIC COUNT CAME IN AT 14,192 TRIPS DURING THAT DAY. AND THAT IS ALMOST 100% HIGHER AND JANUARY IS SMOSSSED TO HAVE A -- OWE SUPPOSED TO HAVE A 15% LOWER TRAFFIC MONTH, BUT THERE HAS BEEN NO DROPOFF AT ALL BETWEEN THE I-35 AND BEN WHITE WAL-MART, WHICH IS SMALLER THAN THE PROPOSED WAL-MART. AND THEN STAFF WENT AGAIN ON SATURDAY, JANUARY 27TH AND DID A TRAFFIC COUNT AT THE SUPER WAL-MART AT BEN WHITE AND CAME UP WITH 17,453 TRIPS, WHICH WAS MORE THAN 100% HIGHER. SO WE HAVE AT LEAST IN THE EXAMPLE OF A SIMILAR WAL-MART, SMALLER, BUT ONLY A WAL-MART WITH A GAS STATION THAT IT IS NOT PRODUCING 50% MORE TRAFFIC, IT IS IN AUSTIN PRODUCING OVER -- AS MUCH AS OVER 100% HIGHER TRAFFIC. SO WHAT I'VE ASKED LAURA HUFF MAN TO DO IS ALSO -- SHE'S DIRECTED STAFF TO DO THIS, IS TO DO A TRAFFIC COUNT AT THE I-35 AND NORWOOD SUPER WAL-MART, WHICH IS ROUGHLY THE SAME SIZE AS THE SUPER WAL-MART PROPOSED FOR NORTHCROSS TO SEE IF IT'S AN ABERRATION. WE KNOW FROM THE DECEMBER TRAFFIC COUNTS THAT THEY WERE WILDLY HIGHER THAN THE

TRAFFIC IMPACT ANALYSIS THAT STATED IT WOULD BE FOR EVERY WAL-MART IN AUSTIN. THE NORWOOD SITE HAS NOT BEEN TESTED YET, BUT WE'RE GOING TO GET ANOTHER ONE. AND IT APPEARS THAT THE ITE REVISIONS FROM AUGUST 2006, AT LEAST IN AUSTIN, TEXAS, ARE CONSERVATIVE. SO WHAT THAT MEANS IS WE DO HAVE A PROBLEM. BUT MY OTHER UNDERSTANDING IS THAT THERE IS A SECOND SITE PLAN GOING THROUGH REVIEW AT THE MOMENT, AND ON THAT SECOND SITE PLAN STHEF TO DO A REVISED TRAFFIC IMPACT ANALYSIS BASED ON THE NUMBERS WE'RE SEEING, THE AUGUST 2006 ITE JOURNAL IS A STARTING POINT, NOT THE CEILING. SO I SHARE YOUR CONCERNS. WE'RE WORKOGIT.

Mayor Wynn: COUNCILMEMBER KIM.

[INAUDIBLE - NO MIC].

Mayor Wynn: YES. APPROACH THE MIC, PLEASE.

IF THEORY MOVE THE SECOND SITE PLAN PROPOSAL, WHAT RECOURSE DOES THE CITY HAVE IN LIGHT OF ALL THIS NEW INFORMATION?

McCracken: MY UNDERSTANDING WAS THAT THERE WAS A BUSINESS REASON WHY THEY HAVE CHOSEN TO FILE A SECOND SITE PLAN, WHICH WAS AT LEAST WHAT STATED IN THE PRESS, THAT THEIR FIRST SITE PLAN WAS DEFECTIVE. I DON'T KNOW THAT, BUT THEY APPEAR TO HAVE HAD A REASON. AND I'M NOT ENGAGED IN MIND READING. BUT THAT SAID THEY CAN'T HAVE TWO SITE PLANS AT THE SAME TIME. THEY HAVE A SECOND SITE PLAN PEOPLE RIGHT NOW AND WE ARE NOW IN POSSESSION OF INFORMATION THAT SHOWS THAT THE ITE FORMULAS ARE JUST WAY OFF BASS WHEN IT COMES TO SUPER WAL-MARTS OVER 200,000 SQUARE FEET.

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Mayor Wynn: COUNCILMEMBER KIM.

Kim: MAIRKS I WANT TO ADDRESS THE RESIDENTS

THAT ARE HERE REGARDING NORTH CROSS MALL. AND I SHARE YOUR CONCERNS ABOUT WHAT LINCOLN PROPERTIES IS DOING AND WHAT WAL-MART IS DOING AND IT'S DLEER TO ME THAT THEY'RE JUST THUMBING THEIR NOSE AT THE NEIGHBORS, AND THIS IS NOT THE WAY WE WANT TO GO ABOUT BUSINESS. I'M OPEN TO ANY AND ALL IDEAS THAT YOU HAVE AS FAR AS WHAT THE COUNCIL CAN DO. I AM VERY CONCERNED ABOUT THE TRAFFIC. I'M GLAD THAT COUNCILMEMBER MCCRACKEN HAS ASKED FOR THOSE NUMBERS AND WE HAVE THOSE NUMBERS. NOW WHAT WE DO WITH THEM IS A QUESTION WE NEED TO ANSWER. AND I THINK WAL-MART STILL CAN HELP TO ADDRESS THE TRAFFIC CONCERNS AND WE CAN STILL NEGOTIATE THAT WITH THEM AND WE CAN PARTICIPATE IN THAT AS WELL. I STILL WANT INFORMATION FROM OUR CITY STAFF ON THE CRIME NUMBERS. I AM STILL CONCERNED ABOUT THE NUMBERS OF VIOLENT CRIME, AGGRAVATED ASSAULT. ASSAULT WITH A DEADLY WEAPON AT WAL-MART SUPER CENTERS AS COMPARED TO OTHER TYPE OF SUPER CENTERS AND I STILL NEED INFORMATION FROM THE STAFF. THANK YOU.

Mayor Wynn: THANK YOU ALL. OUR NEXT SPEAKER IS AKWASI EVANS, WHO I THOUGHT I SAW EARLIER. WELCOME. YOU WILL BE FOLLOWED BY MELVIN MILL IRRELEVANT. IT -- MILLER.

GOOD AFTERNOON, MAYOR, COUNCILMEMBERS, STAFF. THANK YOU FOR THESE FEW MINUTES TO TALK WITH YOU BRIEFLY ABOUT THE QUALITY OF LIFE FOR AFRICAN-AMERICAN BUSINESSES IN AUSTIN. I WANT TO FIRST COMMEND YOU ON THE WORK THAT YOU HAVE DONE OVER THE PAST COUPLE OF YEARS WITH THE QUALITY OF LIFE PANEL. WE HAVE SEEN SERIOUS AND POSITIVE PROGRESS THROUGH THAT; HOWEVER, IT HAS NOT TRICKLED DOWN TO AFRICAN-AMERICAN ENTREPRENEURS AND BLACK BUSINESSES IN THIS CITY. AND ALL OF YOU KNOW, LESS THAN THREE OUT OF 100 AFRICAN-AMERICAN BUSINESSES ARE IN AUSTIN. OF ALL THE BUSINESSES IN AUSTIN, LESS THAN THREE% ARE AFRICAN-AMERICAN. AND OF THAT TWO AND A HALF, THREE PERCENT, THE

MAJORITY ARE STRUGGLING TO SURVIVE. MANY, LIKE MY OWN, FACING INSOLVENCY. I STARTED MY BUSINESS IN AUSTIN IN 1987, ALMOST 20 YEARS AGO. AND WE ARE IN A WORST CONDITION FINANCIALLY NOW THAN WE WERE IN 1988, 1989, 1990. WE NOW THAT THE ECONOMY IS GOING TO DOWNTURN, BUT OUR ECONOMY IS NOT RECEIVING RECIPROCITY FOR THE VIVMENT THAT WE MAKE INTO -- INVESTMENT WE MAKE INTO THIS CITY AS CONSUMERS AND TAXPAYERS AND WE NEED YOUR HELP AS ELECTED LEADERS, AS CITY LEADERS TO FIND OUT WHAT CAN BE DONE TO MAKE SURE THAT BLACK BUSINESSES ARE INCLUDED IN THE MATRIX THAT MAKE THIS CITY SO ATTRACTIVE TO TREPS AROUND THE -- ENTREPRENEURS AND THE COUNTRY. YOU HAVE PROVIDED INCENTIVES FOR LARGE BUSINESSES TO COME TO AUSTIN. YOU GIVE THEM TAX INCENTIVES, BUT FEW OF THOSE BUSINESSES DO BUSINESSES WITH BLACK FOLKS. WHEN SENATOR KIRK WATSON, FORMERLY THE MAYOR OF WATSON AND FORMERLY THE CHAIRMAN OF THE GREATER AUSTIN CHAMBER OF COMMERCE, AND I TALKED PRIOR TO HIS ELECTION, I ASKED HIM AS CHAIRMAN OF THE GREATER AUSTIN CHAMBER OF COMMERCE HOW MANY OF THE BUSINESSES WHO ARE MEMBERS OF THE GREATER AUSTIN CHAMBER DO BUSINESS WITH BLACK FOLKS? AND THE FORMER MAYOR SAID PROBABLY NONE. PROBABLY NONE. YOU HAVE MAJOR CORPORATIONS COMING TO THIS CITY EVERY MONTH, EVERY WEEK APPLYING FOR PERSONALITIES TO IS BUILD IN THIS CITY, AND THERE'S NO INCENTIVE FOR THEM TO PROMOTE THEIR BUSINESSES OR TO ADVERTISE FOR EMPLOYEES THROUGH BLACK MEDIA. ENTERTAINERS COME TO AUSTIN EVERY WEEK. ARETHA FRANKLIN WILL BE IN TOWN TONIGHT, BUT IF YOU WANT TO FIND OUT ABOUT IT, YOU HAVE TO GO TO WHITE MEDIA, FOR THE BLACK MEDIA. WE HAVE A BLACK RADIO STATION THAT IS STRUGGLING FOR SURVIVAL BECAUSE IT IS NONPROFIT AND IT IS NOT GETTING THE SPONSORSHIPS THAT IT MERITS BASED ON ITS LISTENERSHIP. KZIS AS OVER THREE-QUARTERS OF A MILLION LISTENERS EVERYDAY, BUT THERE ARE NO CAR DEALERSHIPS, APPLIANCE STORES,

CLOTHING STORES, SUPERMARKET OUTLETS
APPEALING TO THOSE LISTENERS AND OUR
READERS AND OUR BUSINESSES. [BUZZER SOUNDS]
BLACK BUSINESSES ARE CRUCIAL TO THE QUALITY
OF LIFE FOR AFRICAN-AMERICANS IN ANY CITY,
AND IF AUSTIN IS TO HAVE A QUAWMENT OF LIFE
FOR AFRICAN-AMERICAN, YOU HAVE TO DO
SOMETHING TO MAKE SURE THAT THE BUSINESSES
THAT ALREADY EXIST HERE ARE SUPPORTED AND
SUSTAINED. I'M HERE TO ASK YOU TO PLEASE DO
WHATEVER YOU CAN, AND I'D BE GLAD TO HELP IN
ANY WAY I CAN TO MAKE SURE THAT THOSE OF US
WHO HAVE BEEN OPERATING BUSINESSES IN THIS
CITY AND PAYING TAXES CAN GET SUPPORT AND
GET SOME RECIPROCITY. I THANK YOU FOR
LISTENING.

Mayor Wynn: THANK YOU, MR. EVANS. MELVIN
MILLER WILL BE OUR FINAL SPEAKER.
COUNCILMEMBER COLE, EXCUSE ME.

Cole: I WANTED TO ADDRESS SOME OF THE
COMMENTS MADE BY MR. EVANS. I THINK THAT
AUSTIN AS A WHOLE HAS A PROBLEM WITH SMALL
BUSINESSES, BUT PARTICULAR TO AFRICAN-
AMERICAN BUSINESSES. AND I WOULD LIKE TO
INVITE YOU TO COME TO MY OFFICE AND LET US DO
SOME BRAINSTORMING ON WHAT WE CAN DO
ABOUT THIS.

Mayor Wynn: U.T. AND WELCOME MR. MILLER. YOU
HAVE THREE MINUTES.

THANK YOU, MAYOR WYNN AND COUNCIL. I'M
AMAZED AT THE PATIENCE AND HARD WORK Y'ALL
DO AND IT TAKES TO RUN OUR COMMUNITY. I'VE
NEVER SPOKEN BEFORE YOU. FIRST I WANT TO
INTRODUCE MYSELF AND I WANT TO SAY I'M
CONCERNED ABOUT WAL-MART. IT'S NOT MY
AGENDA TODAY, BUT CENTRAL AUSTIN, ALL OF
AUSTIN IS. AND NO TO WAL-MART. WAL-MART HAS
PLENTY OF BUSINESS. AND THE QUALITY OF OUR
COMMUNITY IS MY TOPIC, SPECIAL NEEDS FOR
SHILTER IS WHY I'M HERE TO SPEAK TO YOU. FIRST I
WANT TO INTRODUCE MYSELF. AS A CHILD I CAME
TO AUSTIN WITH MY FAMILY ON VIEKSES. WE

STOPPED TO VISIT THE CAPITOL. ABOUT 25 YEARS AGO I CAME TO SUMMER SCHOOL AND HERE I AM NOW A LONG TIME RIZ DENT OF AUSTIN. BARTON SPRINGS BRINGZ WAS CRYSTAL -- BARTON SPRINGS WAS CRYSTAL CLEAR. AND HUMAN NEEDS WERE NOT THE BIG BIG ISSUES OF TODAY. TODAY I'M AMAZED AND GRATEFUL TO ALL THE VAST ORGANIZATIONS AND CARING FOLKS WHO WORK TO MAKE AUSTIN AND TRAVIS COUNTY WHAT IT IS AND WHAT IT'S BECOMING AND WHY PEOPLE ARE COMING HERE IN SUCH VAST NUMBERS. THE MAYOR'S MENTAL HEALTH TASKFORCE IS A WORLD CLASS APPROACH. THANK YOU. MY SISTER'S NEED FOR CARE FOR SERIOUS AND PERVASIVE BRAIN DISORDER WHEN I WAS A TEEN BEGAN MY JOURNEY BEING AN ADVOCATE AND HAVE WORK AS A PROVIDER OF MENTAL HEALTH SERVICES DOING INPATIENT COMMUNITY WORK INVOLVED IN MENTAL HEALTH ISSUE IN SOME FORM EVEN WHEN I'VE DONE OTHER EMPLOYMENT. I WANT TO ACKNOWLEDGE SOME OF THE ORGANIZATIONS THAT ARE PROVIDING SHELTER TO SPECIAL NEEDS FAMILY AND SHELTER OPTIONS IN GENERAL. MY SISTER MAINTAINS WITH FAMILY SUPPORT AND THE WORK OF AUSTIN TRAVIS COUNTY AND MHMR. I CANNOT UNDERLINE WHAT IT MEANS TO ME AND MY PERSONAL STORY. IF I HAD MORE TIME WE COULD GO THERE. BUT WHAT I'M HERE FOR IS TO SHARE WITH YOU, I'M A CANCER SURVIVOR. IT'S PUT A NEW LIGHT IN MY LIFE. AIDED BY MY AIRING WIFE AND DAUGHTER, FRIENDS AND MEDICAL TEAM, I CELEBRATE BEING A SURVIVOR. I'M NOW A STUDENT AT U.T. AGAIN IN SOCIAL WORK, WHICH I WANT TO THANK THE DEAN. WHAT A GREAT SCHOOL. DEAN WHITE, MY CURRENT PROFESSOR BARBARA ANDERSON AND MY INTERNSHIP WITH CATHOLIC CHARITIES OF CENTRAL TEXAS, I HAVE SEEN A LOT OF NEEDS. ONE OF THESE I'M HERE TO ADDRESS IS THE NEED FOR SHELTER. THE LIST OF ORGANIZATIONS IS TOO LONG AT THIS MOMENT. PERHAPS AT THE END I CAN ACKNOWLEDGE AND THANK SOME OF THE THINGS I HAVE LEARNED AS I'VE GATHERED NUMBERS. I HAVE LEARNED A LOT ABOUT THE VARIOUS PROGRAMS, THANKS TO C.A.N., COMMUNITY ACTION NETWORK, TALKING TO PAUL HILGERS. HE WAS GREAT. HE POINTED ME IN

THE RIGHT DIRECTIONS ABOUT THE NUMBERS. AND WE TALKED ABOUT TO GIVE DIGNITY MEANS WE'LL GET DIGNITY THROUGHOUT OUR COMMUNITY. HOUSING IS AN ISSUE. THANKS THANGZ TO IN A TASHA OF -- [BUZZER SOUNDS]

WE'RE CLOSING? LET ME GET TO THE POINT. OUR NUMBERS ARE OUT OF BALANCE. WE HAVE OVER 2,000 PEOPLE IN THE WOODS, IN THE STREETS, IN THE D.A.R.S. WE NEED TO PROVIDE SOME ALTERNATIVE, BE IT A TENT CITY, KATRINA CABINS, BUNK HOUSES AND WAREHOUSES. WE NEED TO HELP PEOPLE GET OUT OF THE -- INTO SHELTERS SO THEY CAN GET THEIR TREATMENT. THAT'S THE THING I'M HERE TO SPEAK ABOUT. AND I HAVE BEEN MOVED IN MY CURRENT WORK TO SAY THERE IS SPONSORSHIP FROM CARING PEOPLE OF AUSTIN, BUSINESS CORPORATIONS, DEVELOPERS AND FAITH BASED INITIATIVES. THANK YOU SO MUCH AND THANKS TO EVERYONE WHO SERVES OUR COMMUNITY.

Mayor Wynn: THANK YOU, MR. MILLER. APPRECIATE YOU BEING HERE. SO COUNCIL, THAT CONCLUDES ALL OF OUR CITIZENS WHO SIGNED UP FOR GENERAL CITIZEN COMMUNICATION. TECHNICALLY WE HAVE NO DISCUSSION ITEMS TO TAKE UP PRIOR TO -- AS A COUNCIL PRIOR TO OUR 4:00 O'CLOCK ZONING HEARING. WE HAVE A POSTED 3:00 O'CLOCK AHFC MEETING THAT HAS A VERY LIMITED TWO ITEM AGENDA. SO WITHOUT OBJECTION MY SUGGESTION WOULD BE WE'RE GOING TO RECESS ANYWAY, BUT WE RECESS THIS CITY COUNCIL MEETING AND THEN MY RECOMMENDATION IS WE WON'T NEED TO RECONVENE AS A BODY, WE'LL RECONVENE AS AHFC, BUT FRANKLY NOT UNTIL APPROXIMATELY 3:45 -- AH, WE HAVE EXECUTIVE SESSION. OKAY. SO THEN, TO PLAN THE REST OF OUR AFTERNOON, WE WILL GO INTO EXECUTIVE SESSION AND TAKE UP OUR REMAINING CLOSED SESSION ITEM, WHICH IS ITEM 34 REGARDING THIS CURRENT LEGISLATIVE SESSION. AND AS SOON AS WE FINISH THAT CLOSED SESSION DISCUSSION, WE WILL THEN BE IN RECESS UNTIL 3:45 P.M. OR SO TODAY. SO WE'RE NOW IN CLOSED SESSION PURSUANT TO SECTION 551.071 TO TAKE UP ITEM

NUMBER 34. WHEN THAT CLOSED SESSION DISCUSSION IS CONCLUDED, I WILL WALK OUT TO ANNOUNCE OUR RECESS. THANK YOU.

Mayor Wynn: THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL TO ORDER THIS MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS MEETING AND WELCOME MR. PAUL HILGERS.

THANK YOU, MR. PRESIDENT. I AM PAUL HILGERS AND I AM HERE WITH THE AUSTIN HOUSING FINANCE CORPORATION AGENDA TODAY. FIRST ITEM, THE AHFC BOARD MEETING TODAY IS TO APPROVE THE MINUTES OF THE APRIL FIFTH, 2007 MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION.

THANK YOU, MR. HILGERS. I'LL ENTERTAIN THAT MOTION, BOARD. MOTION BY BOARD MEMBER LEFFINGWELL, SECONDED BY BOARD MEMBER MARTINEZ TO APPROVE ITEM NUMBER ONE, THESE MINUTES AS POSTED. ALL IN FAVOR? OPPOSED? MOTION PASSES ON A VOTE OF FIVE TO ZERO WITH BOARD MEMBERS..S COLE AND KIM OFF THE DAIS.

> AHFC NUMBER TWO IS TO APPROVE THE NEGOTIATION AND EXECUTION OF A LOAN TO ARREST.....ARDENT RESIDENTIAL IN COMPLIANCE WITH APPLICABLE REQUIREMENTS AND PERFORMANCE GOAL UNDER THE REBT AT HOUSING DEVELOPMENT ASSISTANCE PROGRAM IN AN AMOUNT NOT TO EXCEED \$710,350 TO ASSIST IN THE DEVELOPMENT OF NOT LESS THAN 30 YIEWNTS OF AFFORDABLE RENTAL HOUSING FOR LOW INCOME FAMILIES AT 1418 THROUGH 1500 SOUTH LAMAR LFERD. BOULEVARD. STAFF IS RECOMMENDING THE BOARD OF DIRECTORS APPROVE THE HONE TO ARDENT RESIDENTIAL AND BY DOING SO A DEEPER LEVEL OF AFFORDABILITY WILL BE CREATED IN THE SOUTH LAMAR AREA. THIS ACTION WILL ACTUALLY FURTHER ALL THREE OF OUR GOALS THAT ARE LISTED IN THE AFFORDABLE HOUSING INCENTIVES TASKFORCE OF DEEPENING LEVELS OF AFFORDABILITY, PRESERVING LONGER TERM AFFORDABILITY AND DISBURSING THAT

AFFORDABILITY GEOGRAPHICALLY. ARDENT RESIDENTIAL IS REDEVELOPING THIS PROPERTY AS A REDEVELOPMENT THAT WILL INCLUDE RESIDENTIAL UNITS AND RETAIL SPEES SPAIS FOR LEASE TO BUSINESSES. AT A ZONING HEARING THE DEVELOPER AGREED TO PROVIDE 10% OF THE UNITS AT 85% OF MEDIAN FAMILY INCOME. AFTER NEIGHBORHOOD INPUT AND DISCUSSIONS AT THAT HEARING, CITY COUNCIL DIRECTED STAFF TO DEVELOP OPTIONS TO REACH DEEPER LEVELS OF AFFORDABILITY AND ENCOURAGE US TO HIT 50% OF MEDIAN FAMILY INCOME BY SUBSIDIZING RENTS. STAFF IS PLEASED TO PROVIDE THE BOARD AN OPTION FOR CONSIDERATION AT 50% OF MEDIAN FAMILY INCOME. WHAT WE'RE PROPOSING IS FOR A 40 YEAR AFFORDABILITY PERIOD, 10% OF THE UNITS, AT LEAST 30, WILL BE AT 30% OF MEDIAN FAMILY INCOME FOR A TOTAL OF \$1.1 MILLION OR LESS THAN \$37,000 A UNIT OR ANOTHER WAY TO LOOK AT IT, LESS THAN \$1,000 PER UNIT PER YEAR. WE COULD NOT CONSTRUCT 50 UNITS -- 30 UNITS AT 50% OF MEDIAN FAMILY INCOME ANYWHERE CLOSE TO THIS PRICE. THIS DEAL REFLECTS A PUBLIC PRIVATE PIP THAT LEVERAGES PUBLIC FUNDING TO REACH THESE DEEPER LEVELS OF AFFORDABILITY. AND BECAUSE THESE UNITS SERVE RESIDENTS EARNING AT OR LOW 50% OF MEDIAN FAMILY INCOME WE EXAMINED DIFFERENT SOURCES OF FUNDS THAT ARE POSSIBLE FOR THIS LOAN AND THIS LOAN IS ELIGIBLE EITHER UNDER THE GENERAL OBLIGATION BONDS AND LOCAL FUNDS OUR HOUSING AND TRUST FUND DOLLARS. THE 1.1-MILLION-DOLLAR LOAN WE'RE TALKING OF CONSISTS OF TWO DIFFERENT COMPONENTS. A \$397,650 IN REIMBURSEMENTS OF FEES AND A WATER LINE, AND THE COST WOULD BE REIMBURSED WHEN ALL AFFORDABLE UNITS ARE LEASED AND THROUGH OUR NORMAL FEE REIMBURSEMENT PROCEDURES THROUGH THE WATER DEPARTMENT. THESE REIMBURSEMENTS ARE CONTINGENT UPON FUTURE COUNCIL ACTION. THE BALANCE OF THE LOAN, \$710,350, WOULD BE FORGIVEN AFTER 40 YEARS AS LONG AS THE AFFORDABILITY REQUIREMENTS ARE MET. AND I'LL ALSO BE CLEAR THAT STAFF HAS FOLLOWED THE NEW HOUSING BOND GUIDELINES THAT WAS

ACCEPTED ON MARCH THE EIGHTH. THE HOUSING BOND REVIEW COMMITTEE WAS CONVENED BY CONFERENCE CALL ON MONDAY AND SUPPORTS THE PROPOSAL, AND THEREFORE STAFF IS RECOMMENDING AS A CONSIDERATION THE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$710,350 TO COME FROM THE 20% OF THE ANNUAL ALLOCATION FOR COUNCIL PRIORITIES. AND THAT IS THE RECOMMENDATION THAT STAFF HAS FOR COUNCIL TO CONSIDER. SO AGAIN, TO CONCLUDE, STAFF IS RECOMMENDING THAT THE AHFC AUTHORIZE THE NEGOTIATION AND EXECUTION USING THE GENERAL OBLIGATION BONDS. AND I'M HERE AND WILL BE GLAD TO ANSWER ANY QUESTIONS YOU MAY HAVE.

Mayor Wynn: THANK YOU. QUESTIONS FOR STAFF, BOARD? I'LL TELL YOU, IT IS SO MUCH -- SO ENCOURAGING TO HAVE THAT ADDITIONAL FLEXIBILITY OF HAVING THE VOTERS APPROVE OUR PROPOSITION LAST NOVEMBER THAT ALLOWS US THIS FLEXIBILITY BOTH ON THE HOME OWNERSHIP SIDE AND THE RENTAL SIDE. LIKELY OVER THE NEXT SIX TO SEVEN YEARS, BUT TO HAVE THAT FLEXIBILITY IS LUXURIOUS AND WE APPRECIATE THE VOTERS GIVING US THAT ABILITY. MAYOR PRO TEM?

Dunkerley: I THINK TO THANK STAFF FOR COMING FORWARD WITH THOSE PROPOSALS AND I REALLY DO AGREE WITH YOU AND THE BOND COMMITTEE THAT THE BOND MONEY IS APPROPRIATE HERE. THERE ARE SOMETIMES PROJECTS THAT WE HAVE THAT WE REALLY WANT TO DO THAT WOULDN'T MEET THE BOND CRITERIA, SO I THINK IT'S PRUDENT TO SAVE OUR HOUSING TRUST FUND DOLLARS FOR THOSE, SO I APPRECIATE IT AND VERY GLAD YOU WERE ABLE TO MEET THAT LEVEL OF ABILITY. THANK YOU.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: YEAH. THIS IS THE FIRST PROJECT TO COME FORWARD AROUND THE VMU OVERLAY, AND LONG INTO THE PROCESS, THE HISTORY IS WE DID NOT HAVE AFFORDABILITY IN THERE AND WE WERE

TRYING TO LOOK AT WAYS TO INSERT VERTICAL MIXED USE DEVELOPMENT. AND PAUL CAME TO MY OFFICE AND SAID YOU DON'T WANT TO MISS OUT ON THIS OPPORTUNITY TO BUILD IN AFFORDABILITY AS PART OF THE DENSITY BONUS STRUSH. AND SO REALLY I THINK THAT WHAT WE HAVE FOUND IS TO BE AN ENORMOUSLY SUCCESSFUL EFFORT THAT WE'RE DOWN TO GET 50% AFFORDABILITY THAT NEVER COULD HAVE HAPPENED. AND IT WAS PAUL HILGERS IDEA TO DO IT. I'M VERY GRATEFUL AND PROUD THAT YOU'RE BRINGING THIS INNOVATION IN ALL OF OUR REDEVELOPMENT EFFORTS.

I APPRECIATE THAT VERY MUCH.

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Mayor Wynn: FURTHER QUESTIONS OF STAFF. COMMENTS? MOTION BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO APPROVE STAFF RELIGIOUS OF THIS ITEM -- STAFF RECOMMENDATION OF THIS AHFC ITEM NUMBER 2, REGARDING THE USE OF THOSE BOND FUNDS TOWARDS THIS ARDENT PROJECT. FURTHER COMMENTS? QUESTIONS? THAT MOTION IS STATED WELL ENOUGH, MS. TERRY?

MAYOR AND COUNCIL, IT IS NOT ONLY THE USE OF THE BONDS, BUT YOU'RE ACTUALLY APPROVING THE NEGOTIATION AND EXECUTION AFTER LOAN TO ARDENT RESIDENTIAL IN COMPLIANCE WITH THE APPLICABLE REQUIREMENTS AND PERFORMANCE GOALS UNDER THE RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM IN THE AMOUNT STATED IN THE AGENDA. SO WITH THE UNDERSTANDING THAT THAT'S WHAT THE MOTION IS, YOU'RE GOOD TO GO.

Dunkerley: ABSOLUTELY, THE WHOLE PACKAGE.

McCracken: MAYOR, I WANTED TO ADD ONE MORE THING TOO. IT REALLY CAN GO WITHOUT SAYING, BUT THE DEVELOPER, PARTICULARLY BRETT DENTON, WAS THE PERSON THAT REALLY TOOK SOME UNPRECEDENTED COURAGE IN THE WHOLE

VMU AFFORDABILITY DISCUSSION OF OPENING HIS BOOKS AND EDUCATING ALL OF US AND REALLY THE COMMUNITY ON WHAT WORKED AS A SUCCESSFUL MODEL. SO I REALLY DO APPRECIATE HIS COURAGE AND PIONEERING SPIRIT AND ALSO HIS OPENNESS IN HELPING US DO SOMETHING THAT WE'RE SEEING WORKS FINANCIALLY AND WORKS TO PRODUCE A LOT OF AFFORDABILITY. THANKS A LOT, FRED.

AND MR. PRESIDENT, IF I COULD, JUST TAKE A MATTER OF PERSONAL PRIVILEGE. I APPRECIATE THE ACCOLADES THAT BOARD MEMBER MCCracken DAVE ME, BUT I WANT TO SHARE THOSE WITH MARGARET SHAW AND ALSO KELLY WISE, WHO HAS BEEN INSTRUMENTAL IN THE VMU NEGOTIATIONS AND CERTAINLY IN THIS NEGOTIATION. WE'RE FORTUNATE TO HAVE THEM WORKING FOR US IN THE CITY.

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

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH BOARD MEMBER KIM OFF THE DAIS.

THAT'S ALL THE BUSINESS BEFORE THE FINANCE CORPORATION TODAY.

Mayor Wynn: THANK YOU, MR. HILGERS. THEREFORE THIS AHFC BOARD MEETING STANDS ADJOURNED. AT THIS TIME A QUORUM BEING PRESENT I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE HAVE BEEN IN RECESS FOR A COUPLE OF HOURS. WE'LL TAKE UP OUR 4:00 O'CLOCK ZONING CASES. WELCOME MR. (INDISCERNIBLE).

AFTERNOON, MAYOR, MAYOR PRO TEM AND COUNCILMEMBERS. I'M JERRY RUST O'SVEN....SVEN WITH THE ZONING AND PLATTING COMMISSION DEPARTMENT. FIRST.....43 IS TO APPROVE SECOND AND THIRD READINGS OF AN ORDINANCE AMENDED

CHAPTER 25-2 OF THE AUSTIN CITY CODE BY ZONING THE PROPERTY AT 1500 SOUTH LAMAR BOULEVARD TO GR AND CS ZONING TO GR-MU-CO DISTRICT ZONING. THE SECOND CASE IS CASE 14, CASE C-14-06-124, TO APPROVE ON SECOND AND READINGS AN ORDINANCE AMENDING CHAPTER 25-2 OF THE PROPERTY BY REZONING THE PROPERTY AT 1418 SOUTH LAMAR BOULEVARD TO GR-MU-CO ZONING. THIS CASE WAS ALSO APPROVED ON FIRST READING BY SEVEN TO NOTHING. WE DO HAVE ONE CHANGE WE WOULD LIKE TO ADD TO THIS CASE SINCE FIRST READING. THE TWO CASES WHICH ARE SEPARATED BY A PUBLIC OF RIGHT-OF-WAY ORIGINALLY HAD A CONDITIONAL OVERLAY LIMITING THE TRIPS. THE APPLICANT IS SEEKING TO TIE THE TWO TRACKS TWOAG A RESTRICTIVE COVENANT AND TIE THE TRIPS. WE HAVE REMOVED THE CONDITIONAL OVERLAY LIMITING THE TRIPS AND I WILL READ TO YOU THE WORDING FROM THE RESTRICTIVE COVENANT. (READING THE RESTRICTIVE COVENANT). THOSE TWO CASES ARE READY FOR SECOND AND THIRD READING.

Mayor Wynn: THANK YOU, MR. RUSTHOVEN. QUESTIONS FOR STAFF ON THESE TWO CASES OR COMBINED CASES ESSENTIALLY WHERE WE'VE ALREADY CONDUCTED THE PUBLIC HEARING? IF NOT, THEN AS PROPOSED BY STAFF, I'LL ENTERTAIN A MOTION FOR THIS CONSENT AGENDA? MOTION BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO APPROVE THIS PROPOSED CONSENT AGENDA BY STAFF, ITEMS 43 AND 44 WITH THE NOTED AMENDMENT ON SECOND AND THIRD READINGS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER KIM OFF THE DAIS. IF YOU DON'T MIND, MR. RUSTHOVEN, WHILE WE'RE HERE, LET'S CALL UP ITEM NUMBER 14, WHICH WAS REGARDING THE VACATION OF CYNCO STREET, THAT WAS RELATED TO THIS ITEM. AND WELCOME A BRIEF STAFF PRESENTATION.

MAYOR AND COUNCILMEMBERS, LORRAINE RISER, MANAGER OF REAL ESTATE. WE'RE REQUESTING A VACATION OF CINCO STREET, IT'S A CUL-DE-SAC

LOCATED SOUTH OF BARTON SPRINGS AND NORTH OF LAMAR. IT AAIZ.....THE CITY OF AUSTIN IS RETAINING A PEU AND A DRAINAGE EASEMENT ON THE PROPERTY. THERE IS A WASTEWATER LINE, A GAS LINE AND DRAINAGE, AND AUSTIN ENERGY LINES THROUGH THE STREET AREA.

Mayor Wynn: THANK YOU. QUESTIONS OF STAFF, COUNCIL? THIS RELATES TO OUR PREVIOUS VOTE AS THIS HELPS ENABLE THE NEW PROJECT THAT WE ARE NOW PREPARED TO INVEST SOME BOND MONIES INTO. MS. TERRY?

YES. MAYOR AND COUNCIL, YOU WERE PREVIOUSLY GIVEN ADDITIONAL BACKUP WITH AN ADDITIONAL ORDINANCE IN YELLOW WITH SOME ADDITIONAL TERM, WHICH MAKES THE VACATION CONTINGENT UPON CLOSING. AND HELP ME WITH THIS LORRAINE. THE MAIN POINT IS IT'S CONTINGENT UPON CLOSING SO THAT THE ACTUAL VACATION DOES GO WITH THE OWNER OF THE PROPERTY WHO ARE PURSUING THE ZONING CHANGE, AND THE AGREEMENT WITH THE CITY OF AUSTIN FOR AFFORDABLE HOUSING, IS THAT CORRECT?

THAT'S CORRECT.

Mayor Wynn: THANK YOU, MS. TERRY. SO COUNCIL, QUESTIONS, COMMENTS? ON THIS VACATION? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 14 AS PRESENTED BY STAFF. MOTION MADE BY COUNCILMEMBER MARTINEZ, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE ITEM NUMBER 14 AS PRESENTED BY STAFF AND FURTHER CLARIFIED BY LEGAL. FURTHER COMMENTS? HEARING HEARING. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER KIM OFF THE DAIS. THANK YOU. WELCOME BACK, MR. RUSTHOVEN.

MAYOR AND COUNCIL, I'LL NOW TAKE YOU THROUGH THE 4:00 O'CLOCK ZONING ITEMS WHICH ARE PUBLIC HEARINGS AND POSSIBLE ACTION. THE FIRST IS CASE 39, WHICH IS CASE C-14--2007-11, LAMAR MANCHACA MIXED USE. THIS IS TO REZONE THE PROPERTY AT 2711-2715 SOUTH LAMAR AND

2803-2902 MANCHACA FROM GENERAL COMMERCIAL SERVICES TO GENERAL COMMERCIAL SERVICES CONDITIONAL OVERLAY ZONING TO PERMIT THE EARLY DETERMINATION OF VERTICAL MIXED USE ON THE PROPERTY. STAFF IS REQUESTING A POSTPONEMENT OF THIS ITEM TO MAY THIRD, TO 2007 BECAUSE IT WILL BE AT THE PLANNING COMMISSION ON MAY FOURTH.

> THE SECOND CASE THAT'S OFFERED FOR CONSENT IS CASE 40, CUT LESS THAN ZONING. THIS IS TO CONDUCT A PUBLIC HEARING AND AMEND AN ORDINANCE APPROVING CHAPTER 25-2 OF THE AUSTIN CITY CODE BY CAN REZONING PROPERTY LOCALLY KNOWN AS 9006 CULLEN LANE FROM I-R ARE R ZONING TO GR-CO ZONING. STAFF RECOMMENDS APPROVAL OF THIS ITEM AS DOES THE ZONING AND PLATTING COMMISSION. THIS IS RELATED TO THE NEXT ITEM, ITEM 41, C-14-06-204 SLAUGHTER ZONING TO CONDUCT A PUBLIC HEARING AND A PARAGRAPH AN ORDINANCE BY REZONING THE PROPERTY AT 160 SLAUGHTER LANE FROM INTERIM RURAL RESIDENCE TO COMMUNITY COMMERCIAL DISTRICT ZONING. STAFF RECOMMENDATION IS TO GRANT COMMUNITY.....COMMUNITY COMMERCIAL CONDITIONAL OVERLAY DISTRICT ZONING. I DO FOR BOTH OF THESE CASE VZ ONE CHANGE TO THE RESTRICTIVE COVENANT, WHICH IS ON INDICT AS. THAT IS A CHANGE TO ITEM 9 ON THE RESTRICTIVE COVENANT, WHICH WOULD STATE THAT THE NOISE LEVEL OF MECHANICAL EQUIPMENT, INCLUDING OUTDOOR SPEAKERS, MAY NOT EXCEED 70 70-DECIBELS AT THE WEST PROPERTY LINES. ANY OUTDOOR SPEAKERS SHALL BE ORIENTED AWAY FROM THE SINGLE-FAMILY NEIGHBOR TO THE WEST OR BY SOME OTHER SCREENING DEVICE. THIS IS AN AGREEMENT THAT WAS PREACHED BETWEEN THE DEVELOPER AND THE NEIGHBORHOOD. AND KY OFFER THOSE BOTH FOR CONSENT APPROVAL. THE NEXT CASE IS CASE 42, C-14-07-13, CASWELL LOFTS. THIS IS TO CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AMENDING CHAP KERR 25-2 OF THE AUSTIN CITY CODE BY VOANING PROPERTY AT 2205 NORTH LAMAR BOULEVARD AND 2209 SHOAL CREEK BOULEVARD FROM GENERAL

OFFICE MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN TO THE SAME ZONING TO CHANGE A CONDITION OF ZONING. ON THIS CASE THE STAFF IS REQUESTING A POSTPONEMENT TO MAY THIRD, 2007 BECAUSE IT WAS ALSO POSTPONED AT THE PLANNING COMMISSION AND WILL BE HEARD BY THEM ON APRIL 24TH. THAT CONCLUDES THE CONSENT AGENDA. WE HAVE ONE REMAINING CASE, CASE 45, AND IT IS A DISCUSSION ITEM.

Mayor Wynn: THANK YOU. SO COUNCIL, THE PROPOSED CONSENT AGENDA ON THESE PUBLIC HEARING CASES WILL BE ON POSTPONE ITEM NUMBER 39 TO MAY THIRD, 2007, IT CLOSE THE PUBLIC HEARING AND APPROVE BOTH ITEMS 40 AND 41 ON ALL THREE READINGS, NOTING THE CHANGE TO ITEM NUMBER NINE ON THE RESTRICTIVE COVENANT. AND TO POSTPONE ITEM NUMBER 42 TO MAY THIRD, 2007.

MAYOR? I'VE JUST BEEN INFORMED THAT WE HAVE A SPEAKER ON ITEM NUMBER 40. LET'S GET A MOTION AND A SECOND ON THE CONSENT AGENDA AND WE'LL HEAR FROM MS. HAMBRIGHT AND SEE IF THERE'S STILL THE WILL.

MAYOR, I'VE JUST BEEN INFORMED THAT THEY DO NOT NEED TO SPEAK.

Mayor Wynn: THANKS.

AND WE'RE ALSO APPROVING BOATS OF THESE CASES ON FIRST READING ONLY. WE HAD THEM READY FOR ALL THREE.

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Mayor Wynn: ITEM 40 AND 41, COUNCIL, WILL BE FOR FIRST READING ONLY. WE'RE POSTPONING 39 AND 42 AND WE'LL BE CLOSING THE PUBLIC HEARING AND APPROVING ON FIRST READING ONLY, NOTING THE CHANGE TO ITEM NUMBER NINE ON THE RESTRICTIVE COVENANT. I'LL ENTERTAIN THAT MOTION. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY COUNCILMEMBER

LEFFINGWELL TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

MAYOR, OUR ONE AND ONLY DISCUSSION CASE TODAY IS ITEM 45, CASE C-14-06-191, FOX HILL. IT'S LOCATED AT 11421 TO 11717 SOUTH I-35 SERVICE ROAD NORTHBOUND. IT IS FROM INTERIM RRL ZONING TO RURAL RESIDENCE ZONING ON TRACT ONE AND MF-2-CO ON TRACT TWO. STAFF RECOMMENDATION IS TO APPROVE THIS TRACT WITH A CONDITIONAL OVERLAY LIMITING THE DENSITY TO NO MORE THAN 12 UNITS PER AIRCRAFT. TRACT ONE REPRESENTS A PROPOSED FLOODPLAIN. IT DOES NOT REPRESENT THE EXISTING FLOODPLAIN ON THE SITE. THE APPLICANT, THE OWNER OF THE PROPERTY, IS PROTESTING A PROPOSED MAP CHANGE FROM FEMA AND TRACT ONE, THE RESIDENTIAL RESIDENCE, WOULD BE THE AREA UNDER THE FLOODPLAIN IF IT WERE APPROVED BY FEMA. STAFF SUPPORTS THIS CHANGE BECAUSE IT IS LOCATED ON I-35. IT'S ADJACENT TO ONION CREEK. WE FEEL THAT MF-2 ZONING IS APPROPRIATE FOR THE TRACT. I DO HAVE STAFF HERE FROM BOTH THE AUSTIN WATER UTILITY AS WELL AS THE FLOODPLAIN SECTION OF THE WATERSHED PROTECTION TO DISCUSS SOME ISSUES THAT HAVE BEEN RAISED BY MR. JUSTIN SPILLMAN, WHO I BELIEVE IS HERE TO DISCUSS THE CASE. IF YOU HAVE ANY QUESTIONS, I'M AVAILABLE.

Mayor Wynn: THANK YOU. QUESTIONS FOR STAFF, COUNCIL? IF NOT, WE WILL HEAR THE APPLICANT OR AGENT'S PRESENTATION ON ITEM NUMBER 45, THE FOX HILL PROPERTY. THEN WE'LL HEAR FROM A COUPLE OF CITIZEN SPEAKERS. WELCOME. YOU WILL HAVE A FIVE-MINUTE PRESENTATION.

GOOD AFTERNOON, MAYOR AND COUNCIL. MY NAME IS RICK VAUGHN AND I'M REPRESENTING

THIS CASE BEFORE YOU THIS AFTERNOON. I THINK RATHER THAN TO GO INTO A LONG DISSERTATION, THIS TRACT WAS ANNEXED INTO THE CITY OF AUSTIN AT THE SAME TIME PER AS THE ONION CREEK SUBDIVISION. IT WAS ZONED RR. IT WAS THEN OWNED BY LUMBERMAN'S AND WHEN THEY TOLD SOLD IT THEY ENTERED INTO RESTRICTIVE COVENANTS RESTRICTING DENSITIES AND USE OF THE PROPERTY. THE INTENDED USE OF THE PROPERTY HAS BEEN FOR WHITE QUITE AWHILE NOW MULTI-FAMILY WITH A DENSITY RESTRICTION OF 12 UNITS PER ACRE, WHICH IS RATHER LOW DENSITY COMPARED TO SOME OF THE PROJECTS YOU SEE IN THAT AREA. WE HAVE BEEN WORKING WITH WATERSHED PROTECTION DEVELOPMENTAL REVIEW. WE HAVE A PRELIMINARY PLAN WHICH HAS BEEN SUBMITTED AND REVIEWED BY STAFF. THEY HAVE LOOKED AT THE FLOODPLAIN OF ONION CREEK AND WE HAVE GONE OUT AND DONE SURVEY WORK CROSS-SECTIONS ON THE PROPERTY TO ESTABLISH THE ELEVATION THAT IS ACCEPTED AND PROPOSED BY THE CITY OF AUSTIN AND BY FEMA. THAT LINE HAS BEEN ESTABLISHED ON THE GROUND AND HAS BEEN AGREED TO BY ALL PARTIES. WE DO HAVE A PROTEST IN TO FEMA. WE HAVE NOT HEARD OSH RECEIVED THE FINAL APPROVAL FROM FEMA, BUT IN TALKING TO THE FEMA REVIEWERS ALONG WITH THE CITY OF AUSTIN REVIEWERS, THEY FEEL COMFORTABLE THAT THERE IS NO IMPACT ON THE FLOODPLAIN AND THAT THE ELEVATION AS ESTABLISHED SHOULD BE ON THE NEW FEMA MAPS. TODAY WE HAVE TOM WINKLY, WHO IS CIVIL ENGINEER ON THE PROJECT, AND WE WILL BE GLAD TO ANSWER ANY QUESTIONS THAT Y'ALL MAY HAVE PERTAINING TO THE ZONING, THE LAND USE OR ANY OF THE ISSUES BEFORE YOU.

Mayor Wynn: THANK YOU, MR. VAUGHN. QUESTIONS OF THE AGENT, COUNCIL? COMMENTS? IF NOT, THEN WE WILL HEAR FROM FOLKS-- THERE ARE NO FOLKS SIGNED UP IN FAVOR OF THE ZONING CASE. WE WILL NOW HEAR FROM FROM FOLKS IN OPPOSITION AND THEN MR. VAUGHN WILL HAVE A ONE TIME THREE MINUTE REBUTTAL. OUR LONE SPEAKER IS MR. JUSTIN SPILLMAN. WELCOME,

FOLKS. SO JUSTIN, YOU WILL HAVE UP TO NINE MINUTES WHEN YOU'RE READY.

THANK YOU. I'M JUSTIN SPILLMAN. I REPRESENT THE OWNERS OF THE 250-ACRE TRACT, WHICH IS FOR ALL PRACTICAL PURPOSES THE ONLY TRACT SURROUNDING THIS PROPERTY THAT HAS IMMEDIATE VIEWS FROM THE SOUTHERN EASTERN SIDES. MY FAMILY'S OWNED THE PROPERTY SINCE MY GRANDPA BOUGHT IT IN 1923. IT HAS SOME AMAZING VIEWS OF DOWNTOWN. IF YOU GO OUT THERE AND LOOK UP TO THE HILL YOU CAN LOOK RIGHT DOWN CONGRESS AVENUE. YOU CAN SEE DOWNTOWN, THE SKYLINE. SOME OF THESE PICTURES WERE NOT TAKEN TO REALLY SHOW THE QUALITY OF THE VIEWS OF DOWNTOWN, THEY WERE TAKEN FOR OTHER REASONS IN REGARD TO I WROTE A LETTER LAST NIGHT AFTER I SAW THIS AGRICULTURAL USE MANTRA THAT WAS PRESENTED BY THE APPLICANT, AND IF YOU LOOK -- THERE ARE SEVERAL IRKZ,.....ISSUES, BUT IF YOU LOOK AT THE BOTTOM PICTURE ON -- THE BOTTOM LEFT ON PAGE 2, YOU'LL SEE THAT THERE'S A BUNCH OF STREAKS GOING ACROSS THE PROPERTY. THIS IS ACTUALLY THE 114 ACRES THAT THE APPLICANT'S OWNED FOR A GOOD NUMBER MUCH YEARS. AND ALL THAT OTHER DIRT WORK YOU SEE IN THERE IN THE MIDDLE WHERE IT LOOKS SCREWED UP IS WHERE THE APPLICANT DUG UP HIS WHEAT CROP WHEN HE WAS MOVING DIRT IN FR THAT 114 ACRES ON TO THE 89-ACRE TRACT THAT IS THE ISSUE OF THIS ZONING MEETING. AND IF Y'ALL CAN PUT UP THAT PICTURE OF THAT TRACT IN QUESTION, IT'S INTERESTING IF YOU COMPARE -- LIKE I SE IN THE LETTER YES, IF YOU COMPARE EXHIBITS A AND A-1 REGARDING THE FLOODPLAIN. THE FLOODPLAIN HAS CHANGED GREATLY BETWEEN WHAT THE AERIAL PHOTOGRAPHY SAYS AND WHAT THE ON THE GROUND SURVEY SAYS. SO I'VE TALKED WITH FEMA, THEY CALLED ME BACK TODAY, AND FEMA IS UNDER THE IMPRESSION IS THAT IT'S THE CITY'S OBLIGATION TO REALLY IMPOSE ANYTHING THAT'S GOING TO HAPPEN IN REGARD TO THE PROPERTY AND THE DEVELOPMENT ON THAT PROPERTY. SO I DON'T KNOW WHERE FEMA STANDS AS FAR AS THE FACT

THAT ALL THE DIRT WORK THAT WAS DONE BACK -- AS THE PICTURES ARE DATED, ON CHRISTMAS EVE OF 2005, WHICH IS KIND OF STRANGE, BUT AS THE PICTURES SHOW, THERE'S A GOOD PORTION WHERE THERE'S A LOT OF GRAVEL ON THE TOP RIGHT PICTURE ON PAGE 1. THAT USED TO ALL BE FARMLAND AND NOW THERE'S GRAVEL EXPOSED. SO ALL THIS TALK ABOUT EVERYTHING BEING DONE FOR AGRICULTURAL PURPOSE I DON'T THINK IS THERE. YEARS AGO WHEN THEY BOUGHT THAT PROPERTY THERE WAS A PIECE OF -- THERE WAS A STOCK POND IN THE MIDDLE OF IT. THAT WAS BULLDOZED IN BECAUSE IT WAS GOING TO BE WETLANDS WHEN HE WANTED TO DEVELOP AND THAT CAME OUT OF ONE OF THE APPLICANT'S -- WELL, MR. (INDISCERNIBLE). OUR CONCERNS ARE THE FACT THAT WE UNDERSTAND THAT THE PROPERTY IS IN THE DESIRED DEVELOPMENT ZONE. WE UNDERSTAND THAT EVENTUALLY EVERYONE IN THE AREA IS GOING TO DEVELOP. WE'RE NOT GOING DEVELOPMENT, -- WE'RE NOT AGAINST DEVELOPMENT, BUT WE WANT IT DONE IN THE RIGHT TYPE OF WAY SO THAT THE DEVELOPMENT THAT DOES OCCUR ADDS VALUE TO THIS AREA BECAUSE IT IS A GOLD MINE FOR THE CITY AS FAR AS TAX BASE AND AS FAR AS QUALITY OF LIVING FOR THE FUTURE CONSTITUENTS IN THE CITY OF AUSTIN. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

BECAUSE OF THE CHARACTER OF THE ROADWAY THAT WAS BUILT IN THE SOUTHERN PORTION OF THAT PROPERTY WHERE YOU CAN KIND OF SEE ON THE PICTURE BEHIND YOU, GOING THROUGH -- THROUGH THERE. WHEN THAT ROAD WAS BUILT, IT CHANGED THE FLOODPLAIN OR CHANGED WHERE THE WATER WAS GOING ON OUR ACREAGE AND, YOU KNOW, INCREASED THE BURDEN ON OUR LAND. THIS IS A -- A CLEAR CASE, IN MY OPINION, YOU KNOW, IN MY 29 YEARS, MY FATHER IS 62 YEARS -- HIS BIRTHDAY IS NEXT WEEK, 62 YEARS, IT'S A MATTER THAT WE HAVEN'T SEEN ANYTHING LIKE THIS. IT'S A MATTER THAT WE REALLY WANT TO MAKE SURE THAT THE CITY REALLY LOOKS INTO THESE ISSUES BECAUSE I HAVE BEEN TOLD BY THE APPLICANT'S ATTORNEYS THAT THE APPLICANT

HAS NO DESIRE FOR ANYONE ELSE TO ENFORCE THE RESTRICTIVE COVENANTS THAT WERE IN PLACE BY LIC. THAT BEING SAID LIC IS NOT TAKEN ANY ACTION TO ENFORCE THE RESTRICTIVE COVENANTS REGARDING THE VIOLATIONS THAT I THINK ARE OCCURRING UNDER THE RESTRICTIVE COVENANT. ADDITIONALLY THE RESTRICTIVE COVENANTS COVENANTS FURNISHED BY LIC PROTECT THE VIEWS FROM THE NORTH. THE VIEWS FROM THE NORTH ON ONION CREEK THERE ARE AT LEAST 100 YARDS OF TREES THAT PEOPLE ARE GOING TO HAVE TO BE LOOKING THROUGH BEFORE THEY EVEN SEE THE CALIBER OF THE BUILDINGS THAT ARE BUILT ON THE PROPERTY. HOWEVER, OUR PROPERTY IS ABOVE THE PROPERTY IN QUESTION AND WE ARE GOING TO BE LOOKING AT THE BACK DOOR OF EVERY, YOU KNOW, OF EVERY MULTI-FAMILY UNIT THAT'S BUILT ON THERE. AND SO -- SO IT'S REALLY OF TRYING TO PROTECT THE CITY. IT'S A QUESTION OF -- OF SAYING, YOU KNOW, IS THIS REALLY WHAT'S GOING ON HERE? , YOU KNOW. IT'S A MATTER THAT IF THINGS HAVE GONE THROUGH FEMA AND FEMA IS ON BOARD WITH MOVING THE FLOODPLAINS, THEN MY RECOMMENDATION WOULD BE TO LIMIT IT TO EIGHT UNITS PER ACRE SO THAT THE APPLICANT DOESN'T INCREASE THE DENSITY BY HIS PRIOR ACTS THAT MAY OR MAY NOT HAVE REALLY BEEN DONE UNDER THE GUISE OF AGRICULTURE. NO CROP HAS EVER BEEN PRODUCED ON THAT TO BE HARVESTED IN ALL OF THE YEARS AFTER WE RENTED THE 114 ACRES. THE APPLICANT HASN'T TRIED TO HARVEST ANY CROP ON THERE. THEY HAVE BREEDING HORSES THAT DIDN'T -- IT WASN'T -- PRODUCTIVELY AND ECONOMICALLY MANAGED OPERATION. DO YOU HAVE ANY QUESTIONS FOR ME NOW? I DON'T KNOW HOW MUCH TIME THAT I HAVE LEFT?

Mayor Wynn: YOU HAVE ABOUT TWO MORE MINUTES LEFT. QUESTIONS FOR MR. SPILLMAN, COIN? COMMENTS?

SINCE THERE'S NO COMMENTS, I WILL -- A COUPLE OF THE THINGS THAT I WILL POINT OUT IN REGARD TO OTHER ISSUES IS ONE IS WHERE THE WASTEWATER SERVICE IS GOING TO COME FROM

ON THIS. WE HAVE BEEN APPROACHED BY THE APPLICANT REGARDING SELLING A PIECE OF OUR PROPERTY TO GIVE THEM AN ACCESS EASEMENT ACROSS OURS TO GET TO THEIRS. THAT CAME UP, YOU KNOW, BACK SEVERAL MONTHS AGO, YOU KNOW, WE TOLD THEM, YOU KNOW, WE REALLY NEED TO HAVE SOME ASSURANCES REGARDING THE DEED RESTRICTIONS ON ALL OF THE DIFFERENT PIECES OF ROT THAT THEY OWN, BECAUSE I DON'T REALLY WANT TO BE LOOKING DOWN AT 600 SOME HOUSES, WHICH I UNDERSTAND IS NOT PART OF THIS ZONING CASE, BUT IT'S A MATTER THAT THEY HAVEN'T FINISHED FIGURING OUT WHERE THEY ARE GOING TO GET STUFF. I UNDERSTAND IT'S NOT THE CITY'S OBLIGATION TO ENFORCE ZONING, THE PRIVATE DEED RESTRICTIONS, BUT AT THE SAME TIME I JUST THINK THAT THERE'S A BIG ISSUE REGARDING THE NUMBER OF ACRES THAT -- THAT FUNNEL DOWN TO THIS AREA. BECAUSE BASED ON THE APPLICANT'S NUMBERS FOR THEIR SEWAGE CAPACITY, THEY HAVE 1300 LUE'S IN THE -- IN THE DRAINAGE BASIN BESIDES WHAT ACREAGE IS SERVED BY THEIR TRACT. THAT'S 325-ACRES WORTH OF SERVICE. THERE'S 58-ACRES OWNED BY GEORGE - - WELL, USED TO BE GEORGE [INDISCERNIBLE] AND EPISCOPALIAN CHURCH THAT CLEARLY GOES INTO THAT DRAINAGE BASIN. WE HAVE 250 ACRES. THE URBANS WHO -- I HI IT'S HFH CAPITAL OWN 500-ACRES MORE OR LESS BETWEEN I-35, BRADSHAW ROAD AND 1327. A SIGNIFICANT PORTION OF THEIR ACREAGE DRAINS DOWN THAT SAME DIRECTION. I DON'T THINK THE NUMBERS BASED ON DRAINAGE BASIN REALLY TAKE INTO ACCOUNT THAT -- THE FACT THAT OTHER OWNERS CAN MAKE THEIR PROPERTIES DRAIN BASED ON THE ACTUAL ELEVATIONS AND TOPOGRAPHY ALL DOWN INTO THIS SAME 114.... 114-ACRES, TRUE, YOU KNOW, OUR 250 ACRES, CERTAINLY THE PART THAT'S TOWARD THE CREEK IT WOULDN'T BE DRAINING DOWNSTREAM. BUT A SIGNIFICANT PORTION OF OUR PROPERTY IS ALL UPSTREAM AND WE COULD VERY EASILY GET THAT CHANGED AND SAY INSTEAD OF IT GOING TO THE NEXT TRIBUTARY WHICH IS I THINK WHAT THEY DID WHEN THEY GET GOT THEIR NUMBERS, THEY SAID WELL IT'S THIS TRIBUTARY TO THE EAST WHERE OTHER SERVICE IS

GOING TO BE PROVIDED. I THINK THAT THE SAME THING COULD HOLD TRUE IN THE FACT THAT IT VERY EASILY COULD BE A SITUATION WHERE THEIR PROPOSED WASTEWATER PLANS ARE NOT SUFFICIENT FOR THE AREA. AND THEN AS A FINAL NOTE, I KNOW TIME IS UP. I WILL JUST SAY THAT I UNDERSTAND THERE WAS A WATER MEETING WITH THE CITY LAST WEEK AND IT'S GOING TO BE FIVE YEARS BEFORE THERE'S WATER CAPACITY TO SERVE THIS DEVELOPMENT AND ALL OF THE AREA SOUTH OF THE CREEK. I HEAR THERE'S 200 LUE'S MORE OR LESS OF AVAILABLE CAPACITY. THAT'S SIGNIFICANTLY LESS THAN THE AMOUNT OF LUE'S THAT WOULD BE NECESSARY JUST FOR THE MULTI-FAMILY PORTION, NOT EVEN THE OTHER 114 ACRES THAT THEY PLAN TO DEVELOP. SO I THINK THERE'S SOME REAL CONCERNS HERE S. I APPRECIATE YOUR TIME, THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. SPILLMAN. COUNCIL, THAT'S ALL OF OUR CITIZENS WHO SIGNED UP IN OPPOSITION TO THIS ZONING CASE. WE NOW HAVE A ONE TIME REBUTTAL FROM MR. VAUGHAN.

MAYOR, THANK YOU. WHAT I WOULD LIKE TO SAY IS WHAT I'M AWARE OF ON THE 87 ACRES THAT'S BEING PROPOSED FOR ZONING TODAY, IS THAT THE OWNER WENT IN AND PREPARED THAT FOR AGRICULTURAL USES, THEY DID SOME ENVIRONMENTAL OR AGRICULTURAL EROSION CONTROL, IF YOU WILL. PULLED SILT BACK AND FILLED IN AREAS THAT HAD ERODED AWAY FOR THEIR GRAIN SORGHUM AND WINTER WHEAT. I CAN'T SPEAK TO THE 117 ACRES. I DON'T KNOW ABOUT THAT. BUT ... WE HAVE INDIVIDUALS FROM THE CITY OF AUSTIN STAFF PLUS MR. WINKLY IS HERE TO ADDRESS ANY QUESTIONS CONCERNING THE FLOODPLAIN, THE ELEVATION, THE FEMA APPLICATIONS, ANYTHING THAT -- THAT RELATES TO THAT FLOODPLAIN. IN -- IN 2005, I'M STARTING TO SHOW MY AGE, STILL SAYING 19 -- THE CITY OF AUSTIN INSPECTORS WENT OUT, MARK MALDING LOOKED AT THE CROSSING THAT MR. SPILLMAN WAS TALKING ABOUT WHERE THEY HAD THE ROAD THAT WENT IN. THEY LOOKED AT IT, AGREED THAT THAT WAS FOR AGRICULTURAL ACCESS BACK INTO

THE RANCH. LOOKED AT WHAT WAS DONE AND FELT THAT IT WAS OKAY. NO RED TAGS WERE ISSUED, NO CITATIONS WERE ISSUED. I TALKED TO MILK MULDEN OUT IN THE FIELD, THE INSPECTOR ABOUT IT. THE LAWSUIT THAT WAS TALKED ABOUT WAS QUITE A WHILE AGO. IT REALLY HAD NOTHING TO DO WITH THE -- WITH THE DRAINAGE OR THE CREEK CROSSING. IT WAS OTHER ELEMENTS THAT WERE RELATED TO THAT, THOSE HAVE ALL BEEN SETTLED, GONE AWAY. NOW THAT -- ESPECIALLY SINCE LIC HAS -- HAS SOLD THE PROPERTY. SO THAT'S REALLY A NON-ISSUE. AND ESPECIALLY IN THE ZONING CASE. WHERE WE TALK ABOUT THE WASTEWATER FACILITIES, THE WASTEWATER WAS SIZED FOR THE DRAINAGE BASIN THAT WOULD FLOW INTO THE FOX HILL DEVELOPMENT. THE LIFT STATION WAS OVERSIZED. A -- A -- THE DESIGNERS AND THE CITY HAS AGREED THERE'S ABOUT 4.3 LUE'S PER GROSS ACRE OF CAPACITY. FOR THE OFF-SITE. AND THAT TAKES IN A PORTION OF MR. SPILLMAN'S PROPERTY THAT DRAINS TO THE ONION CREEK DEVELOPMENT AND DOWN TO THE LIFT STATION. THE 50 ACRES SOUTH OF THE CHURCH THAT HE WAS TALKING ABOUT AND A PORTION OF THE URBAN PROPERTY. THAT GOES DOWN THROUGH THERE. AND -- AND THAT WAS REVIEWED BY THE CITY. THE -- THE CAPACITY -- [BUZZER SOUNDING] AND WAS INCREASED QUITE A WHILE AGO. AGAIN, MR. WINKLY IS HERE, YOU HAVE CITY STAFF HERE TO ADDRESS ANY QUESTIONS THAT THE COUNCIL MAY HAVE ON THIS.

Mayor Wynn: THANK YOU, MR. VAUGHAN. QUESTIONS FOR THE AGENT? COUNCIL? THANK YOU, SIR. SO, MR. RUSTHOVEN, SORRY, IF YOU COULD SORT OF SUMMARIZE AGAIN FOR US THE STAFF'S PROCESS AND RECOMMENDATION AND THEN THE FORMAT THERE AT THE ZONING AND PLATTING COMMISSION.

SURE. THE STAFF RECOMMENDATION WAS TO GRANT RURAL RESIDENTIAL, RR FOR TRACT 1, THE PROPOSED FLOODPLAIN. AND MF 2 CO FOR TRACT 2. WITH THE CO BEING A LIMIT TO 12 UNITS PER ACRE. THE ZONING AND PLATTING COMMISSION AGREED WITH THE STAFF RECOMMENDATION, HOWEVER

THEY ADDED ADDITIONAL CONDITIONAL OVERLAY FOR TRACT 1. I WILL READ THAT TO YOU NOW. THAT SAYS THAT IMPROVEMENTS ON TRACT 1 ARE LIMITED TO DRAINAGE, UNDERGROUND UTILITY IMPROVEMENT, HIKE AND BIKE TRAILS OR THOSE IMPROVEMENTS THAT MAY BE OTHERWISE REQUIRED BY THE CITY OF AUSTIN OR SPECIFICALLY AUTHORIZED IN THIS ORDINANCE. WE ALSO HAVE A RESTRICTIVE COVENANT THAT TIES THE DEVELOPMENT DOWN TO THE ASSUMPTIONS IN THE T.I.A. AND THE APPLICANT HAS POSTED \$44,000 IN FISCAL FOR IMPROVEMENTS AT ONION CREEK PARKWAY AT I-35.

Mayor Wynn: THANK YOU. COUNCILMEMBER LEFFINGWELL?

I'M LOOKING AT THE BACKUP. I'M -- WHAT I'M LOOKING FOR IS THE FLOODPLAIN. HOW MUCH OF THIS PROPERTY IS IN THE FLOODPLAIN. AND I'M NOT SEEING ONE THAT -- THAT THERE IS A FLOODPLAIN CHART, BUT IT LOOKS LIKE IT'S FOR THE ENTIRE TRACT. IT'S NOT SPLIT UP INTO TRACT ONE AND TWO. DO YOU HAVE ANYTHING LIKE THAT? AM I MISSING IT HERE?

LET ME PUT SOMETHING UP REAL QUICK. THE MAP THAT IS UP RIGHT NOW IS THE FLOODPLAIN MAP FROM THE CITY OF AUSTIN'S GIS SYSTEM. AND IF YOU CAN PUT ON THE NEXT MAP, WHICH IS THE PROPOSED ZONING MAP. COULD YOU FLIP IT THE OTHER WAY, PLEASE. THE -- THE TRACT 1, WHICH IS THE -- THE RURAL RESIDENTIAL PIECE IS THE PROPOSED FLOODPLAIN. THAT THEY HAVE REQUESTED FROM FEMA. IN OTHER WORDS THE BOUNDARY BETWEEN TRACT ONE AND TRACT 2 IS THE 100 YEAR FLOODPLAIN.

IT'S THE PROPOSED 100 YEAR FLOODPLAIN THAT THE OLYMPIC IS REQUESTING FROM FEMA. THE APPLICANT. FEMA PROPOSED IN THEIR RECENT REVISIONS THEY WERE MAKING COUNTY WIDE. THEY PROPOSED A LARGER FLOODPLAIN HERE, MY UNDERSTANDING IS THAT WAS BASED UPON AERIAL SURVEY WORK. I DO HAVE GARY HERE FROM WATERSHED TO ADDRESS THAT. THE

APPLICANT IS PROTESTING THAT PROPOSED CHANGE. THE CITY IS SUPPORTING THE APPLICANT. THAT APPLICATION IS IN FEMA'S HANDS RIGHT NOW. IF FEMA AGREED WITH STAFF AND THE APPLICANT THE FLOODPLAIN WOULD BE THE LINE THAT IS SHOWN BETWEEN TRACT 1 AND TRACT 2.

Leffingwell: IF FEMA AGREES WITH THE STAFF THEN THAT WOULD BE THE FLOODPLAIN. BUT THE -- THE EXISTING FLOODPLAIN IS CONSIDERABLY LARGER. CORRECT?

YES, SIR. GARY COSET WITH THE FLOODPLAIN OFFICE. FEMA IS -- HAS -- WE HAVE SUBMITTED TO MR. WINKLY'S REQUEST TO FEMA AND IT'S UNDER REVIEW ALONG WITH SEVERAL OTHERS, WE EXPECT A RESPONSE BACK BY HOPEFULLY THE END OF SUMMER. HOWEVER, FOR DEVELOPMENT PURPOSES, WE HAVE ACCEPTED THE NEW MAP. AND WE HAVE -- WE HAVE MR. WINKLY HAS SUBMITTED GROUND SURVEY INFORMATION. WE HAVE REVIEWED IT AND WE AGREE WITH HIS -- WITH HIS SURVEY INFORMATION AND THE DELINEATION OF THE FLOODPLAIN AS SHOWN ON THIS MAP BEFORE YOU.

Leffingwell: OKAY. SO IF THE PROTEST IS NOT ACCEPTED, AND THIS -- THIS REQUEST IS APPROVED, YOU WOULD HAVE QUITE A BIT OF PROPERTY IN TRACT 2 THAT'S IN THE 100 YEAR FLOODPLAIN.

YES, SIR, THAT -- THAT WOULD BE THE EVIDENT EVENTUALITY.

Leffingwell: IN ANY CASE, IF ANY PROPERTY WITHIN THE 100 YEAR FLOODPLAIN WOULD STILL HAVE TO HAVE A FLOODPLAIN VARIANCE, CORRECT, REGARDLESS OF THE ZONING IT WOULDN'T MATTER.

THAT IS CORRECT. I WOULD LIKE TO OFFER OUR EXPERIENCE WITH FEMA ON THOSE KIND OF SO-CALLED PROTESTS. THIS PROTEST INVOLVES BETTER INFORMATION. THAT IS BETTER GROUND SURFACE ELEVATION INFORMATION FROM THEIR SURVEYOR AS -- AS REFLECTING DIFFERENCES WITH

THE MAP TOPOGRAPHIC INFORMATION, WHICH WAS LIDAR. WE -- IN MY EXPERIENCE, FEMA HAS ALWAYS ACCEPTED THESE KIND OF INFORMATION, BETTER INFORMATION TYPE SO-CALLED PROTESTS. SO WE -- WE FEEL RELATIVELY CONFIDENT THAT FEMA WILL IN FACT ACCEPT THIS.

Leffingwell: OKAY. THAT'S HELPFUL, THANKS.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? CAN YOU HELP ME UNDERSTAND AND ADDRESS, WE HEARD MR. SPILLMAN TALK ABOUT I GUESS THE WATER SERVICE TO THIS TRACT. AND I BELIEVE THAT I HEARD HIM SAY THAT IT APPARENTLY IS YEARS AWAY FROM DELIVERING WATER DOWN HERE, SO THEREFORE WHAT WOULD BE THE RATIONALE FOR THE ZONING NOW. CAN YOU HELP ME UNDERSTAND THAT LOGISTIC?

SURE, ACTUALLY WE HAVE DAVID JUAREZ HERE FROM THE AUSTIN WATER UTILITY, HE CAN ADDRESS THAT ISSUE. DAVID PEREZ.

MR. PER, WELCOME BACK.

GOOD EVENING, MAYOR, COUNCIL, DAVID JUAREZ AUSTIN WATER UTILITY. AS WAS MENTIONED EARLIER, THIS TRACT IS BEING PROVIDED OR IS NOT ACTUALLY IN OUR WATER CCN, IT'S IN THE CREEDMORE AMAHA CCN, IT WAS ALLUDED TO EARLIER THAT THERE WAS A MEETING WITH A NUMBER OF DEVELOPERS THAT ARE ACTUALLY ARE IN THE CNN OF GREED MOORE-MAHA, THE ISSUE AT HAND IF THEY WERE TO GO FORWARD WITH THIS SCR, THEY WOULD BE REQUIRED TO GET A WATER FROM CREEDMORE OR WAHA WATER SUPPLY CORPORATION OR LOOK AT ANOTHER ALTERNATIVE AND LOOK AT THE CITY PROVIDING SERVICE WITH -- WITH BEING REMOVED FROM THEIR CCN AND ALSO GETTING SOME OTHER APPROVALS FROM TCEQ AROUND THE CITY ACQUIRING THAT CCN AS PART OF OUR WATER CCN. WHAT WAS EARLIER AS FAR AS US PROVIDING WATER SERVICE TO THE AREA, ONE OF THE PLANS THAT WE HAD IN PLACE IN OUR LONG-TERM WATER SUPPLY PLAN WAS TO PROVIDE A LARGE

TRANSMISSION MAIN, PUMP STATION AT THE -- IN THE PILOT KNOB AREA. THAT WAS NOT INCLUDED IN OUR C.I.P. FOR A NUMBER OF YEARS. POSSIBLY COME ON LINE IN 2017, 2018. SO IN ORDER FOR US TO PROVIDE SERVICE FOR DEVELOPMENT ALONG THAT EASTERLY ROUTE ALONG THE BORDER, OF OUR TWO CCN'S, THAT WOULD NEED TO TAKE PLACE. AGAIN FOR THIS TRACT TO -- TO GET SERVICE AT THIS POINT WOULD BE TO EITHER GET IT FROM CREEDMORE MAHA OR FROM THE CITY OF AUSTIN AT A LATER DATE. I MIGHT ADD THAT THEY ARE CURRENTLY IN OUR WASTEWATER CCN, SO WE ARE ABLE TO PROVIDE SOME WASTEWATER SERVICE TO THIS TRACT.

Mayor Wynn: THAT SERVICE ESSENTIALLY IS ALREADY DOWN THERE, THAT IS THE MAINS ARE -- THE TRUNK I GUESS OF THAT CLOSEST WASTEWATER LINE IS ALREADY AVAILABLE FOR THE DEVELOPMENT?

WELL, THE APPLICANT WOULD BE REQUIRED TO CONSTRUCT A LIFT STATION AND A FORCE MAIN TO GET OVER TO OUR ONION CREEK WASTE WATER TREATMENT PLANT.

WHO BUILDS THAT AND WHO BUILDS WHAT I WOULD CALL THE OFF-SITE CORRECTION?

THE APPLICANT WOULD BE REQUIRED AND WE WOULD LOOK AT SOME COST PARTICIPATION THERE BECAUSE WE WOULD TRY TO OVERSIZE THOSE LINES SO THAT WE COULD INCLUDE CAPACITY FOR FUTURE DEVELOPMENT.

Mayor Wynn: ALL RIGHT. ADDITIONAL QUESTIONS FOR DAVID? COUNCIL? THANK YOU, SIR. MR. RUSTHOVEN, I JUST -- I'M -- CAN YOU GIVE ME A FEEL FOR -- FOR HOW -- HOW COMMON IT IS THAT WE FIND OURSELVES IN, YOU KNOW, RELATIVELY UNIQUE SITUATION I GUESS WHERE WE HAVE A DIFFERENT WATER CCN THAN THE CITY OF AUSTIN AND WE HAVE THIS -- YOU KNOW, ZONING CASE, LAND USE CASE IN FRONT OF US THAT -- THAT APPARENTLY IN... IN SOME FORM OR FASHION IS CONTINGENT ON THEM GETTING WATER FROM

SOMEONE ELSE. YOU HAVE DONE THAT BEFORE, I GUESS?

YES, ACTUALLY IN THIS AREA OF THE CITY WE HAVE APPROVED ZONING CASES THAT DO NOT HAVE WATER AND WASTEWATER SERVICES AVAILABLE. WHAT HAPPENS IS THOSE PROPERTIES ARE NOT ABLE TO GET APPROVED SITE PLANS OR SUBDIVISIONS UNTIL THE SERVICE IS AVAILABLE, BUT AS FAR AS LAND USE PLANNING, DETERMINING WHAT USES ARE ALLOWED OUT THERE, WE -- WE RELY UPON KIND OF A DIFFERENT SET OF STANDARDS. ONE DOESN'T ALWAYS NECESSARILY HAVE TO FOLLOW THE OTHER. OF COURSE IF THEY - - IF THE CITY DOESN'T BUILD THE LINES OR IF THEY DON'T GET RELEASED FROM CREEDMORE OR WHATEVER, THEY CAN'T TAKE ADVANTAGE OF THE ZONING, BUT WE TRADITIONALLY HAVE NOT HELD UP ZONING, PER SE, BASED UPON AN AREA WHERE WE KNOW THE SERVICE IS GOING TO BE AVAILABLE, WE JUST DON'T KNOW AT THIS TIME WHEN OR WHO IS GOING TO PROVIDE IT.

Mayor Wynn: SO OUR FOCUS AGAIN IS ON LAND USE, WHAT STAFF IN ITS PROFESSIONAL RECOMMENDATION AND THEN THE COMMISSION RECOMMENDATION DOES AS TO WHAT IS THE -- [MULTIPLE VOICES]

THE WAY WE LOOK AT IT, THEY WILL NOT BE ABLE TO GET THE SITE PLAN FOR THE APARTMENT UNTIL THEY HAVE THE WATER AND WASTEWATER ISSUE RESOLVED. SO WE WERE JUST LOOKING AT AN -- ON I-35 ADJACENT TO ONION CREEK, IS THIS AN APPROPRIATE LOCATION FOR MULTI-FAMILY, WE FELT THAT IT WAS.

I GUESS FOR YOU OR MS. TERRY, IT DOESN'T -- IN FACT WE HAD THIS RELATIVELY UNIQUE SITUATION OF US ZONING A PROPERTY THAT ESSENTIALLY -- SOME FORM OR FASHION DOESN'T HAVE THE UTILITIES AVAILABLE CURRENTLY FOR THAT USE. THAT DOESN'T IN ANY WAY EXPOSE THE CITY IN SOME TYPE OF -- YOU KNOW, SOME TYPE OF ARRANGEMENT WHEREBY WE PROVIDE ENTITLEMENTS ON A LAND USE STANDPOINT

KNOWING THAT -- THAT THE UTILITIES AREN'T THERE. THEN SOMEHOW SAY IF ANOTHER -- IF ANOTHER UTILITY PROVIDER DOESN'T DELIVER ON THE SERVICE REQUIRED TO MEET OUR LAND USE DESIGNATION, WE DON'T HAVE SOME EXPOSURE OR SOME REQUIREMENT TO -- TO OFFSET TO --

NO. WE DO NOT. IT IS VERY COMMON FOR CITIES TO -- TO HAVE FULL PURPOSE ANNEXED AREAS IN OTHER UTILITIES CERTIFICATED AREAS FOR DELIVERY OF WATER SERVICE. ESSENTIALLY CREEDMORE MAHA HAS REPRESENTED ITSELF AND THE STATE OF TEXAS HAS EXTENDED TO IT A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THIS AREA TO DELIVER WATER SERVICE. IT MAY NOT BE THE DEVELOPER'S PREFERRED SOURCE FOR WATER, BUT THEY DO HOLD THE -- THE CERTIFICATE AND THEY DO HOLD THEMSELVES READY, WILLING AND ABLE TO SERVE. HOW THAT ALL GETS RESOLVED, HOW THAT ALL GETS ULTIMATELY DECIDED IN THE END IS GOING TO BE - - MAY INVOLVE NEGOTIATIONS WITH US AND CREEDMORE MAHA MAY INVOLVE NEGOTIATIONS WITH THE DEVELOPER. IF THERE'S A DECISION TO ULTIMATELY MOVE TO A DIFFERENT SERVICE PROVIDER, A DECISION AT THE STATE LEVEL AS OPPOSED TO THE CITY LEVEL. SO BASICALLY IT IS COMMON PRACTICE, ALTHOUGH WE ARE NOT USED TO IT BECAUSE WE HAVE OUR OWN WATER UTILITY, VERY COMMON PRACTICE FOR THERE TO BE A SITUATION IN WHICH THERE ARE CERTIFICATED SERVICE AREAS FOR OTHER SERVICE PROVIDERS YET THE CITY IS GOING AHEAD -- SO THEY WOULD ASSIGN OR GRANT OR LEGISLATE THE APPROPRIATE LAND USE. IT SHOULD NOT STAY IN THE WAY OF THE CITY'S PUBLIC INTEREST, PUBLIC PURPOSE DETERMINATION OF WHAT THE APPROPRIATE LAND USE IS.

THANK YOU, FURTHER QUESTIONS, COMMENTS? AND -- AND MR. REST HOVE CONVENIENT, HOW MANY READINGS IS STAFF READY FOR ON THIS?

STAFF IS PREPARED FOR ALL THREE READINGS AT THIS TIME.

Leffingwell: I'M GOING TO MAKE A MOTION TO CLOSE THE PUBLIC HEARING AND APPROVE THE ZONING AND PLATTING RECOMMENDATION ON ALL THREE READING.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM, TO CLOSE THIS PUBLIC HEARING AND APPROVE ON ITEM NO. 45 THE ZONING AND PLATTING COMMISSION RECOMMENDATION WHICH AGAIN INCLUDES THOSE -- THE CONDITIONS OF THE 12 UNITS PER ACRE ON TRACT 2, THOSE ADDITIONAL RESTRICTIONS ON TRACT 1, THE TRACT ZONED R.R., AND -- AND REMIND ME --

THE RESTRICTIVE COVENANT TYING TO THE ASSUMPTIONS IN THE TRAFFIC IMPACT ANALYSIS.

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

AYE.

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

MAYOR THAT CONCLUDES YOUR ZONING ITEMS. IT'S NOT YET 5:00.

Mayor Wynn: THANK YOU, MR. RUSTHOVEN. RECORD TIME. MS. GENTRY? WELL, SO, COUNCIL, TECHNICALLY THERE'S NO MORE ITEMS TO TAKE UP ON THIS AGENDA. SO -- SO I GUESS WITH THAT WE STAND ADJOURNED. IT IS 4:58 P.M. ALTHOUGH DO NOTE THAT AT 5:30, WHOEVER WANTS TO, WILL COME BACK AND JOIN ME FOR LIVE MUSIC AND -- STATE TUNED FOR THE BISCUIT BROTHERS AT 5:30, THEN WE HAVE A HANDFUL OF PROCLAMATIONS FOR SOME VERY WORTHY CITIZENS. WE ARE NOW ADJOURNED. THANK YOU VERY MUCH. SOUTH TEXAS, CITY OF SAN ANTONIO, CENTRAL TEXAS,

Okay, can we have your attention, please, welcome to our live music gig at the Austin City Council. BISCUIT BROTHERS BRING MUSIC AND LEARNING TO PERFORMANCES EVERYWHERE. THEIR EMMY AWARD WINNING

SHOW IS ANYMORED RIGHT EAR IN AUSTIN AND
CAN BE SEEN ON P.B.S. STATIONS ALL ACROSS THE
COUNTRY, PLEASE JOIN ME IN WELCOMING THE
BISCUIT BROTHERS.

THANK YOU, EVERYBODY, THANK YOU, MR.
MAYOR. WE ARE HONORED TO BE HERE. MUSIC IS
SO IMPORTANT TO US. THE WONDERFUL THING
ABOUT MUSIC IS THAT YOU CAN ENJOY IT WHETHER
YOU ARE 90 OR ONE YEAR OLD. TODAY WE WEREN'T
SURE WHAT SONG TO SING.

WE HAVE A FRIEND NAME DANIEL HERE. HE LIKES
YOU ARE MY SUNSHINE. LET'S SING THAT ALONG
WITH DANIEL.

(music) YOU ARE MY SUNSHINE, MY ONLY SUNSHINE,
YOU MAKE ME HAPPY, WHEN SKY'S ARE GRAY. YOU
NEVER KNOW, DEAR, HOW MUCH I LOVE, PLEASE
DON'T TAKE MY SUNSHINE AWAY. (music)(music)

(music) YOU ARE MY SUNSHINE, MY ONLY SUNSHINE,
YOU MAKE ME HAPPY, WHEN SKY'S ARE GRAY. YOU
NEVER KNOW, DEAR, HOW MUCH I LOVE, PLEASE
DON'T TAKE MY SUNSHINE AWAY. (music)(music)
EVERYBODY CLAP, SING ALONG WITH US, OKAY.

(music) YOU ARE MY SUNSHINE, MY ONLY SUNSHINE,
YOU MAKE ME HAPPY, WHEN SKY'S ARE GRAY. YOU
NEVER KNOW, DEAR, HOW MUCH I LOVE, PLEASE
DON'T TAKE MY SUNSHINE AWAY.

(music) YOU ARE MY SUNSHINE, MY ONLY SUNSHINE,
YOU MAKE ME HAPPY, WHEN SKY'S ARE GRAY. YOU
NEVER KNOW, DEAR, HOW MUCH I LOVE YOU,
NEVER DON'T TAKE MY SUNSHINE AWAY.
(music)(music) NEVER TAKE MY SUNSHINE AWAY.
ONE MORE TIME. NEVER TAKE MY SUNSHINE
AWAAAAAY! (music)(music) [APPLAUSE]

WOW, SO TELL US, HOW CAN WE SEE YOU LIVE
AGAIN SOON, HERE IN AUSTIN, WHERE ARE YOU
GIGGING NEXT.

YOU CAN ALWAYS CHECK OUR WEBSITE,

www.biscuitbrothers.com.

WE HAVE A REAL BIG SHOW COMING UP AT THE PARAMOUNT ON THE THIRD OF JULY, KICKING OFF INDEPENDENCE DAY EARLY WITH A BIG FUNDRAISER AT THE PARAMOUNT THEATER FOR THE EDUCATIONAL MISSION OF THIS PROJECT. COME CHECK THAT OUT.

TALK ABOUT THE T.V. SHOW. FILMED HERE IN AUSTIN.

IT IS FILMED HERE. IT'S A MUSIC CITY OF ALL AGES. YOU DON'T HAVE TO BE 18. IT'S ABOUT MUSIC EDUCATION, HOW YOU CAN USE MUSIC AS A LANGUAGE TO EXPLORE ALL OF LIFE.

Mayor Wynn: WHEN DOES IT AIR, WHAT DAY?

IT AIRS ACTUALLY EVERY DAY IN AUSTIN. BUT SATURDAY MORNINGS AT 8:00 -- 8:00 AND --

KLRU 2 EVERY DAY, MONDAY THROUGH FRIDAY AT 12 NOON. WE ARE SEEN THROUGHOUT THE NATION, AS FAR WEST AS ORANGE COUNTY, FAR EAST AS BUFFALO, NEW YORK. WE ARE VERY PROUD TO SAY THIS IS AN AUSTIN INSTITUTION, AN AUSTIN PRODUCT THAT WE ARE GIVING TO THE NATION.

WE ARE PROUD OF YOU ALL. BEFORE YOU GET AWAY.

WE HAVE A NEW CD.

OKAY. [INAUDIBLE - NO MIC]

THERE YOU GO.

THANK YOU, COUNCILMAN.

I TRUST CD'S ARE AVAILABLE ONLINE, PERHAPS EVEN AT WATERLOO.

ACTUALLY BOTH. GO TO THE WEBSITE OR GO TO WATERLOO.

VARIOUS TOY STORES WILL HAVE THEM, ALSO.

FAIR ENOUGH. BEFORE YOU GET AWAY, WE HAVE THE OFFICIAL PROCLAMATION THAT READS: BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARD THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY, WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER OUR STATUS AS THE LIVE MUSIC CAPITAL OF THE WORLD, NOW THEREFORE I WILL WYNN MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM TODAY APRIL 19th, 2007, AS THE BISCUIT BROTHERS DAY IN AUSTIN AND CALL ON AND YOU CITIZENS TO JOIN ME IN CONGRATULATING THIS GREAT AUSTIN TALENT. [APPLAUSE]

FABULOUS.

THANK YOU, SIR. WHILE THE BISCUIT BROTHERS BREAK DOWN ON THAT SIDE OF THE ROOM, WE WILL START OUR WEEKLY PROCLAMATIONS OVER HERE. WE USE THIS OPPORTUNITY EACH WEEK TO SAY THANK YOU, CONGRATULATIONS TO WORTHY CITIZENS, ALSO GREAT CAUSES. WE TRY TO USE THE OPPORTUNITY TO PROMOTE A -- GOOD THINGS THAT ARE HAPPENING AROUND THE CITY. THIS IS A PERSONAL PRIVILEGE, PLEASURE FOR ME, THOUGH, TO GIVE AN OFFICIAL CITY PROCLAMATION, A CERTIFICATE OF CONGRATULATIONS TO MY GOOD FRIEND LAWRENCE WRIGHT WHO EARLIER THIS WEEK WAS NOTIFIED THAT HE WON THE PULITZER PRIZE FOR NON-FICTION FOR HIS BOOM THE LOOMING TOWER, AL-QAEDA, THE ROAD TO 9/11. A FABULOUS LITERALLY AND JOURNALISTIC ACHIEVEMENT. I'M GOING TO READ THE CERTIFICATES OF CONGRATULATIONS. MAYBE TALK A LITTLE BIT ABOUT LARRY. THEM ASK HIM TO SAY A FEW WORDS BUT NOT ONLY HIS WORK HERE, LIFE HERE IN AUSTIN AND THE MANY OTHER WAYS HE TOUCHES THIS COMMUNITY. SO THE OFFICIAL CITY OF AUSTIN CERTIFICATE OF CONGRATULATIONS READS: FOR HAVING RECEIVED A PULITZER PRIZE FOR NON-FICTION FOR HIS BOOK OF LOOMING TOWER, AL-QAEDA AND THE ROAD TO 9/11, LAWRENCE WRIGHT IS DESERVING OF PUBLIC

ACCLAIM AND RECOGNITION. MR. WRIGHT'S BOOK IS A THOUGHTFUL AND INCREDIBLY WELL RESEARCHED INVESTIGATION INTO THE TERRORIST ATTACKS OF SEPTEMBER 11TH, 2001 AND WAS NAMED ONE OF THE TOP BOOKS BY THE NEW YORK TIMES, WASHINGTON POST, AWARDED THE LIONEL GILBER SORRY, PRIZE, THE JOHN ANTHONY LUCAS BOOK MEDAL AND JUST A, YOU KNOW, FABULOUSLY WELL RECEIVED BOOK IN ADDITION TO THIS REMARKABLE ACCOMPLISHMENT AND AWARD THIS PAST WEEK. MR. WRITHE ALSO HAS A ONE MAN PLAY CALLED MY TRIP TO AL-QAEDA, THAT HAS PLAYED TO SOLD OUT PERFORMANCES OFF BROADWAY, IN FACT LARRY JUST CAME BACK FROM NEW YORK THIS PAST WEEK. SO WE ARE PLEASED AND GRADUATE ONE OF AUSTIN'S OWN FAVORITE SONS FOR HIS STELLAR ACHIEVEMENT IN THE WORLD OF LITERATURE AND JOURNALISM, PRESENTED THIS 19th DAY OF APRIL, THE YEAR 2007, SIGNED BY ME, MAYOR WYNN, BUT ACKNOWLEDGED BY THE ENTIRE CITY COUNCIL. MAYOR PRO TEM DUNKERLY, COUNCILMEMBERS LEFFINGWELL, MARTINEZ, KIM, MCCRACKEN AND COLE, PLEASE JOIN ME IN CONGRATULATING ONE OF OUR FAVORITE SONS, MR. LAWRENCE WRIGHT. [APPLAUSE]

THANK YOU.

WELL, THANK YOU, MAYOR AND I'M REALLY HONORED, REALLY HONORED. ROBERTA AND I MOVED HERE IN 1980 AND WE STAYED BECAUSE WE WANTED TO BE A PART OF AN ENLIGHTENED AND CREATIVE COMMUNITY, WHICH AUSTIN IS AND THERE ARE VERY FEW OF THEM. SOMETIMES I FEEL LIKE I'M IN ROME SURROUNDED BY THE GOTHs. AND FORTUNATELY WE HAVE -- WE HAVE SOMETHING REALLY SPECIAL HERE AND TO BE IN A TOWN THAT HONORS THE ARTS, AS AUSTIN DOES, IS A VERY SPECIAL AND RARE PRIVILEGE. SO I WANT TO THANK MY FRIEND THE MAYOR AND ALL OF THE MEMBERS FOR -- FOR GIVING ME THIS PROCLAMATION, WHICH I WILL TREASURE. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: DON'T LEAVE YET. OKAY. THAT'S THE

SPECTACULAR LITERARY ACHIEVEMENT. ALSO WANT TO SAY A FOR YOU WORDS ABOUT LARRY -- LARRY HAPPENS TO WRITE FREQUENTLY FOR THE NEW YORKER. AUSTIN IS ONE OF THOSE FEW PLACES WHERE SOMEONE OF -- OF LAWRENCE WRIGHT'S STATURE, WHO ESSENTIALLY SORT OF LIVED ANYWHERE BECAUSE OF TECHNOLOGY NOW AND SENDING IN HIS WRITINGS TO A GREAT PUBLICATION LIKE THE NEW YORKER, BUT CHOOSES TO LIVE HERE IN AUSTIN. ALSO, LARRY HAS BEEN THE INSPIRATION BEHIND THE -- THE SWEAT EQUITY BEHIND A FABULOUS GROUP IN TOWN CALLED CAST, CAPITAL AREA STATUARIES, ONE DAY THEY WERE PERTURBED WITH HOW LITTLE PUBLIC STATUARY THERE IS, WHAT LITTLE THERE IS IS MORE FORMAL TRADITIONAL OLD GUYS WITH THEIR HANDS IN THEIR LAPEL. SO THEY WANTED TO DO SOMETHING ABOUT IT. SO THEY WENT OUT AND RAISED A BUNCH OF MONEY ON THEIR FIRST PROJECT AND HIRED A -- AN ABSOLUTELY INTERNATIONALLY RENOWNED SCULPTOR AND GIFTED TO THE CITY OF AUSTIN THE GREAT STATUE CALLED PHILOSOPHER'S ROCK AT BARTON SPRINGS JUST OUTSIDE OF THE POOL GATES. YOU KNOW, THREE LITERARY GIANTS HERE IN TOWN AND THEN A FEW YEARS LATER TEAMED UP AGAIN AND DECIDED TO -- THAT WAS SO MUCH FUN, TO DO IT AGAIN. AND SO JUST A COUPLE OF YEARS AGO, WE UNVEILED THE SECOND GET TO THE CITY, WHICH IS A STATUE OF ANGELINA EBERLY ON CONGRESS AVENUE, BETWEEN 6th AND 7th STREET. THE LADY CANNONERE. THEY ARE YEARS IN THE MAKING, CHOOSING BOTH THE RIGHT SUBJECT MATTER, OF COURSE THE RIGHT SCULPTOR, THE RIGHT PLACE IN TOWN TO -- TO PLACE THE -- PUTS THE STATUTE AND FORMALLY TO GIVE IT TO THE CITY. ON BEHALF OF A GRATEFUL CITIZENRY, WE WANT TO THANK LARRY FOR THE INSPIRATION BEHIND CAST. HAS HE A FABULOUS SMALL GROUP OF CONFEDERATES WHO WORK WITH HIM. IT'S A GREAT COLLECTIVE OF FOLKS IN TOWN WHO WANT TO GIVE BACK TO THIS COMMUNITY. PLEASE JOIN ME ONCE AGAIN IN CONGRATULATING AND THANKING MR. LAWRENCE WRIGHT. [APPLAUSE]

OUR NEXT PRO PROCLAMATION IS FOR NATIONAL INFANT IMMUNIZATION AWARENESS WEEK. SADLY WE DO TEND TO FORGET ABOUT THE IMPORTANCE OF THIS AND EACH YEAR AS WE TRY TO START SCHOOL AS PARENTS OF PUBLIC SCHOOL KIDS, WE HAVE TO BE REMINDED THE IMPORTANCE OF KEEPING UP WITH IMMUNIZATIONS AND NOW BECAUSE THERE ARE GOOD STATE LAWS TO MAKE SURE THAT WE HAVE OUR CHILDREN IMMUNIZED BEFORE THEY START SCHOOL, MORE IMPORTANTLY TO HAVE THEM HEALTHY AND IMMUNIZED THROUGHOUT THE COURSE OF THE YEAR. I WILL READ THE PROCLAMATION, KIRK WILL COME UP AND SAY A FEW WORDS ABOUT THE WEEK AND WHY WE ARE TRYING TO RAISE AWARENESS. THE PROCLAMATION READS VACCINES ARE AMONG THE 20th CENTURY MOST EFFECTIVE AND COST EFFECTIVE TOOLS FOR RIDDING DISEASE AND DEATH AND A PROVEN WAY PARENTS CAN PROTECT THEIR CHILDREN FROM SERIOUS DISEASES. WHEREAS CHILDREN NEED A SERIES OF VACCINATIONS STARTING AT BIRTH TO BE FULLY PROTECTED AGAINST 14 POTENTIALLY SERIOUS DISEASES WHICH IMMUNIZATIONS HAVE BEEN SUCCESSFUL IN PREVENTING. WE URGE PARENTS, CHILDREN'S CAREGIVERS, PUBLIC AND PRIVATE HEALTH CARE PROVIDERS TO ADVANCE THE HEALTH OF OUR CHILDREN BY ENSURING EARLY AND ON TIME IMMUNIZATIONS FOR INFANTS AND TODDLERS TWO YEARS OLD AND YOUNGER. NOW THEREFORE I WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM THE WEEK OF APRIL 21st THROUGH 28th OF 2007 AS NATIONAL INFANT IMMUNIZATION AWARENESS WEEK AND CALL ON CURT BECKER TO TALK ABOUT OUR PUBLIC HEALTH DEPARTMENT AND HOW WE ARE TRYING TO RAISE AWARENESS. JOIN ME IN THANKING CURT AND HIS COLLEAGUES FOR SOME VERY FINE WORK. [APPLAUSE]

THANK YOU VERY MUCH. THANK YOU, MAYOR WRITTEN. NATIONAL INFANT IMMUNIZATION WEEK IS A NATIONAL EFFORT TO EDUCATE PARENTS, CAREGIVERS, PROVIDERS AND COMMUNITIES ON THE IMPORTANCE OF TIMELY INFANT IMMUNIZATIONS. VACCINES ARE AMONG THE 20th

CENTURY'S MOST SUCCESSFUL AND COST EFFECTIVE PUBLIC HEALTH TOOLS AVAILABLE FOR PREVENTING DISEASE AND DEATH. EACH DAY 11,000 BABIES ARE BORN IN THE UNITED STATES WHO WILL NEED CHILD VACCINATIONS. PARENTS AND CAREGIVERS NEED TO TAKE RESPONSIBILITY FOR THEIR CHILD -- FOR THEIR CHILD'S IMMUNIZATIONS AND THEY ARE ENCOURAGED TO BECOME INFORMED CONSUMERS AND KEEP A RECORD OF EACH IMMUNIZATION VISIT. VACCINES NOT ONLY SAVE LIVES, THEY SAVE MONEY. EVERY DOLLAR OUR NATION SPENDS ON MEASLES, MUMPS, RUBELLA VACCINE GENERATES ABOUT \$23 IN TOTAL SAVINGS OR ABOUT \$9 BILLION EACH YEAR AND SINCE WE RECEIVED THIS PROCLAMATION LAST YEAR, WE WERE ABLE TO OPEN UP A NEW SHOTS FOR TOTS CLINIC IN EAST AUSTIN, WHICH WE ARE VERY PROUD OF. AND -- AND FOR ANYONE NEEDING TO -- TO MAKE AN APPOINTMENT FOR IMMUNIZATIONS OUR NUMBER IS 972-5520. I ALSO WANTED TO -- TO JUST TAKE A MINUTE TO ACKNOWLEDGE THE -- THE FINE WORK OF SHELLY WITHROW AND WE ARE GOING TO BE PUTTING ON A CONFERENCE HERE IN AUSTIN FOR NATIONAL INFANT IMMUNIZATION WEEK. AND I DON'T KNOW SHELLY IF YOU WANT TO THANK SOME OF YOUR SPONSORS FOR THEIR TIME AND EFFORT.

PLEASE DO.

THIS WEDNESDAY, APRIL 25th, WE WILL BE HAVING AN AUSTIN TRAVIS COUNTY IMMUNIZATION CONFERENCE AT THE HILTON HOTEL. WE ARE VERY EXCITED TO HAVE A LOT OF COMMUNITY PARTNERS THAT ARE GOING IN WITH US ON THIS -- ON THIS CONFERENCE. WE WILL HAVE ABOUT 150 PEOPLE ATTENDING THE CONFERENCE, HEALTH CARE PROVIDERS, SCHOOL DISTRICTS, DAYCARE CENTER OPERATORS THAT WILL ALL BE THERE, OTHER IMMUNIZATION STAKEHOLDERS. WE HAVE IN ADDITION TO AUSTIN TRAVIS COUNTY HEALTH DEPARTMENT, WE ALSO HAVE TRAVIS COUNTY MEDICAL ALLIANCE WHO IS SPONSORING THE EVENT, ST. DAVID'S FOUNDATION, COMMUNITY HEALTH FOUNDATION, ALONG WITH A MARY GROUP. WE ARE VERY EXCITED TO HAVE ALL OF

THESE DIFFERENT SPONSORS THAT WE HAVE FOR
OUR EVENT ON APRIL 25th. [APPLAUSE]

Mayor Wynn: THANK YOU.

WE HAVE GONE FROM DAY TO WEEK, NOW ABOUT
TO DO A FAIR HOUSING MONTH. OBVIOUSLY
HOUSING IS A CRITICAL PART -- OF WHAT WE DO
HERE IN THE CITY OF AUSTIN. JUST A FEW MINUTES
AGO WE ENDED OUR COUNCIL MEETING,
INEVITABLY WE END UP TALKING ABOUT LAND USE
OPPORTUNITIES AND HOW WE CAN INVEST MONEY
JUDICIOUSLY TO TRY TO BRING MORE HOUSING,
NOT LESS TO THIS TOWN IF WE CONTINUE TO GROW.
SO TALK ABOUT FAIR HOUSING MONTH, I WILL
READ THE PROCLAMATION, CHARLES GORHAM
WILL TALK ABOUT OUR PROMOTIONS HERE WITHIN
THE CITY. THE PROCLAMATION READS SAFE
AFFORDABLE HOUSING IS PART OF THE AMERICAN
DREAM, THE FAIR HOUSING ACT OF 1968 AND ITS
AMENDMENT IN 1988..... 1988 OPENED THAT
POSSIBILITY OF RACE, COLOR, SEX, NATIONAL
ORIGIN, RELIGIOUS DISABILITY OR FAMILIAL
STATUS. WHEREAS THE CITY OF AUSTIN IS LIKEWISE
DEDICATED TO ENSURING THAT ALL CITIZENS
RECEIVE EQUAL TREATMENT WHEN BUYING OR
RENTING A HOME, WE ENCOURAGE EVERYONE TO
RECOGNIZE THE IMPORTANCE OF FAIR HOUSING
PRACTICES AND TO CONTINUE TO WORK TO
CHANGE ATTITUDES AND REMOVE BARRIERS THAT
LIMIT ACCESS AND CHOICE. SO NOW THEREFORE I,
WILL WYNN, MAYOR OF AUSTIN, DO HEREBY
PROCLAIM APRIL 2007 AS FAIR HOUSING MONTH IN
OUR TOWN AND ASK CHARLES TO COME SAY A FEW
WORDS ABOUT THE WORK IN HIS DEPARTMENT.
PLEASE JOIN ME IN THANKING AND
CONGRATULATING OUR HOUSING DEPARTMENT
HERE IN THE CITY OF AUSTIN. CHARLES? [
APPLAUSE]

THANK YOU, MAYOR.

EVERY YEAR WE DO COME AND RECEIVE A
PROCLAMATION FROM THE MAYOR, WE ARE VERY
HAPPY TO RECEIVE THEM. THIS YEAR WE HAVE
BEEN EXTREMELY INVOLVED IN THE LAWS THAT

DEAL WITH FAIR HOUSING HERE IN THE CITY OF AUSTIN. WE HAVE INCREASED THE NUMBER OF CASES THAT WE HAVE TAKEN, WE RESOLVED QUITE A FEW AND TOMORROW WE ARE HAVING OUR ANNUAL SEMINAR AT THE -- AT THE LEARNED RESEARCH CENTER OUT BY THE AIRPORT, 2800 SPIRIT OF TEXAS DRIVE. WE HAVE SOME VERY IMPORTANT PEOPLE COMING IN FROM ALL OVER THE COUNTRY, ESPECIALLY FROM -- FROM WASHINGTON D.C., WE HAVE SOME -- SOME PEOPLE FROM -- FROM THE HOUSING AND URBAN DEVELOPMENT ORGANIZATION THAT ARE GOING TO COME TO DO PRESENTATIONS FROM THE JUSTICE DEPARTMENT. WE WILL HAVE SOME ATTORNEYS COME IN TO GIVE US A LEGAL UPDATE AS TO SOME OF THE NEW CASES THAT HAVE COME TO FRUITION AFTER BEING IN TRIAL. WE WILL ALSO HAVE PRESENTERS COMING FROM THE RIO GRANDE LEGAL AID SOCIETY AND WE WILL ALSO HAVE QUITE A FEW SPEAKERS THAT ARE FROM THE LOCAL AREA THAT ARE GOING TO BE HERE WITH INFORMATION REGARDING HOUSING AS IT RELATES TO DESIGN AND CONSTRUCTION. ALSO AS IT RELATES TO ACCOMMODATION OF SEXUAL HARASSMENT AND ONE OF OUR OWN CITY ATTORNEYS WHO IS OUR ATTORNEY I SHOULD SAY - - SHE WILL ALSO BE PRESENTING ON SEXUAL HARASSMENT AND ACCOMMODATIONS AS WELL. SO WE ARE VERY HAPPY TO CONTINUE TO WORK THAT WE ARE DOING, WE ALSO THANK THE MAYOR FOR HIS SUPPORT. THANK YOU VERY MUCH. [APPLAUSE]

Mayor Wynn: NEXT, WE HAVE NATIONAL VOLUNTEER RECOGNITION WEEK, WE ARE JOINED BY A NUMBER OF FINE CITY OF AUSTIN EMPLOYEES WHO SPEND A LOT OF TIME, EFFORT, HOURS, VOLUNTEERING, SO I WILL READ A PROCLAMATION AND JOANNA JOHNSON WILL TALK ABOUT THE RECOGNITION WEEK THAT WE HAVE HERE INTERNALLY AND HOW PERHAPS FOLKS CAN GET MOTIVATED TO ALSO VOLUNTEER. THE PROCLAMATION READS: MILLIONS OF VOLUNTEERS WORKING IN THEIR COMMUNITIES UTILIZE THEIR TIME AND TALENT DAILY TO MAKE A REAL DIFFERENCE IN THE LIVES OF CHILDREN, ADULTS, ANIMALS AND THE

ELDERLY. WHEREAS EXPERIENCE TEACHES US THAT GOVERNMENT BY ITSELF CANNOT SOLVE ALL OF OUR NATION'S SOCIAL PROBLEMS BUT THE ENTIRE COMMUNITY CAN EFFECT POSITIVE CHANGE WITH VOLUNTEER ACTION, NO MATTER HOW BIG OR SMALL. WHEREAS AUSTIN'S VOLUNTEER FORCE IS A GREAT TREASURE AND WE ARE PLEASED TO ACKNOWLEDGE THEIR VITAL CONTRIBUTIONS TO THE SUCCESS OF NUMEROUS PROGRAMS WITHIN OUR COMMUNITY, INCLUDING THE EFFORTS OF MANY CITY DEPARTMENTS AND PROGRAMS. SO NOW THEREFORE I WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM THE WEEK OF APRIL 16th THROUGH 20, 2007, AS NATIONAL VOLUNTEER RECOGNITION WEEK AND ASK JOANNA TO SAY A FEW WORDS ABOUT ALL OF THE PROGRAMS WE HAVE HERE INTERNALLY. I CAN'T TELL YOU HOW IMPRESSIVE AND PROUD I AM TO SEE HOW MANY HOURS THE CITY OF AUSTIN EMPLOYEES PUT IN ON A VOLUNTEER BASIS. JOANN IS THAT.

I JUST REPRESENT A SMALL FRACTION OF THE VOLUNTEER COORDINATORS THAT WE HAVE. WITH ME ARE THE DEPARTMENT LEADERS FROM THE LIBRARY, POLICE DEPARTMENT, OFFICE OF EMERGENCY MANAGEMENT, AVIATION, WE HAVE PARKS DEPARTMENT AND WETLAND, WILD LAND CONSERVATION, SORRY ABOUT THAT. WE HAVE NINE DEPARTMENTS IN THE CITY OF AUSTIN THAT ACTUALLY HAVE FUNDED VOLUNTEER COORDINATORS AND OUR FOCUS EVERY DAY IS TO RECRUIT, TRAIN AND SERVE THE CITY OF AUSTIN THROUGH VOLUNTEERS THAT ARE EAGER TO COME IN AND HELP DELIVER THESE SERVICES. WE ARE EXCITED ABOUT OUR JOB EVERYDAY AND WE KNOW THAT WITHOUT THOSE SERVICES WE COULD NOT BE THE GREAT CITY THAT WE ARE. WE APPRECIATE MAYOR AND COUNCIL FOR RECOGNIZING THIS WEEK ALONG WITH OTHER NATION -- ACROSS THE NATION THAT IS NATIONAL VOLUNTEER WEEK. THANK YOU.

Mayor Wynn: THANK YOU. [APPLAUSE]

Mayor Wynn: OKAY, MY NEXT PROCLAMATION IS REGARDING EDGE WEEK. I -- I'M JOINED BY RANDY

BAKER, WE HAVE A COUPLE OF OFFICIALS FROM THE CHAMBER OF COMMERCE HERE WITH US AND I WILL READ THE PROCLAMATION AGAIN, HAVE RANDY SAY A FEW WORDS ABOUT INNOVATION AND WHAT -- WHAT WE ARE TRYING TO PROMOTE WITH EDGE WEEK. SO PROCLAMATION READS: THE GREATER AUSTIN CHAMBER OF COMMERCE AND IN PARTNERSHIP WITH THE CITY IS PROPOSING AN ANNUAL CELEBRATION OF TECHNOLOGY CALLED EDGE WEEK. AND WHEREAS THE CITY AND THE CHAMBER ARE PUBLICIZING SEVERAL INVASIONS -- INNOVATION AND TECHNOLOGY RELATED EVENTS WHICH ALL FALL WITHIN A CLOSE TIME FRAME AS A GROUP IN ORDER TO DRAW POTENTIAL INVESTORS, LARGE HIGH-TECH COMPANIES AND TECHNOLOGY MEDIA TO AUSTIN TO ATTEND. WHEREAS THE FUTURE YEARS MORE EVENTS LIKE THIS WILL BE ENCOURAGED DURING EDGEWOOD TO FACILITATE EVEN BETTER PROMOTION OF AUSTIN'S TECHNOLOGY SECTOR, TO THE REGIONAL AND NATIONAL TECHNOLOGY BUSINESS COMMUNITY. SO NOW THEREFORE I WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM APRIL 27th THROUGH MAY 16th, 2007, AS EDGE WEEK AUSTIN, 2007 THE CUTTING EDGE OF IDEA AND RENOVATION, CALL ON MR. RANDY BAKER TO SAY A FEW WORDS ABOUT THE PROGRAM, WHY WE SHOULD CONTINUE TO PROMOTE JOB GROWTH IN THIS VERY IMPORTANT SECTOR HERE IN AUSTIN, RANDY?

THANK, MAYOR.

I BROUGHT A CHEAT SHEET.

YOU ARE PREPARED.

AGE. WELL, THANK YOU. I APPRECIATE IT. I WANT TO FIRST ON BEHALF OF THE CHAMBER AND THE AUS-TEX ALLIANCE THANK YOU MAYOR, THE CITY COUNCIL FOR ALL OF THE SUPPORT THAT YOU HAVE SHOWN TO US AND OUR INDUSTRY AND THE ENTIRE TECH INDUSTRY. WE REPRESENT ABOUT 18% OF ALL OF THE BUSINESSES IN CENTRAL TEXAS, ABOUT 28% OF ALL OF THE WAGES GENERATED SO WE ARE THE -- THE LARGEST SINGLE COMMERCIAL BUSINESS SECTOR IN CENTRAL TEXAS. AND -- AND

WE FORMED WITH -- WITH THE CHAMBER OF COMMERCE, WE FORMED EDGE WEEK TO ALLOW THE CHAMBER OF COMMERCE TO GO OUT AND BRING TOGETHER SEVERAL DIFFERENT EVENTS IN THE COMMUNITY THAT ARE ALREADY OCCURRING. TAKE THOSE OUT TO A REGIONAL AND NATIONAL AUDIENCE, PROMOTE THEM, HOPEFULLY BRING MORE INVESTORS, MORE OF THE RIGHT PEOPLE THAT WE NEED TO COME TO THESE EVENTS TO SHOWCASE AUSTIN'S TECHNOLOGY, INDUSTRY TO SHOWCASE OUR IDEAS AND OUR INNOVATION. THIS YEAR SOME OF THE EVENTS THAT WILL BE PART OF THIS WILL BE THE U.T. -- U.T. AUSTIN'S IDEA TO PRODUCT COMP FIGURE, THE AUSTIN CHAMBER AND I TRIPLE E, WHICH IS THE ENGINEERING ASSOCIATION, IT'S A NATIONAL ASSOCIATION, ACTUALLY HOLDING A PARTY FOR ENGINEERS HERE IN AUSTIN, WE ARE CALLING IT THE BRAIN PARTY. AND ATC WILL BE DOING A POWER LUNCH ON THE GAMING INDUSTRY. WE WILL HAVE THE INTERNATIONAL MOOT COURT COMPETITION FINALS GOING ON AND THEN FINALLY AUSTIN ENERGY, PART OF OUR AUSTIN CITY, AND ATI WILL BE HOLDING A CLEAN ENERGY VENTURE SUMMIT FOR OUR CLEAN ENERGY INDUSTRY. SO AS THE YEARS GO ON, WE EXPECT MORE EVENTS WILL COME UNDER THIS. THE CHAMBER OF COMMERCE WILL ADD THOSE EVENTS TO THE LIST, USE THAT TO PROMOTE OUT TO THE REGIONAL AND NATIONAL PRESS AND TO THE PEOPLE ON THE WEST COAST AND EAST COAST THAT MIGHT WANT TO COME HERE AND LEARN A LITTLE BIT MORE ABOUT OUR INDUSTRY. AGAIN, I THANK YOU. I APPRECIATE IT. AND APPRECIATE ALL OF Y'ALL'S SUPPORT. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] AVAILABLE. I'LL JUST SAY. I'VE BEEN VERY IMPRESSED OVER THE LAST SEVEN YEARS NOW WITH THE OUTREACH THAT THE CENTRAL TEXAS COMMUNITY -- THERE'S ACTUALLY A CLEAN AIR COALITION OF ELECTED OFFICIALS THROUGHOUT OUR FIVE COUNTY REGION, ALL FIVE COUNTY JUDGES AND SEVEN CITIES REPRESENTED ON THAT COALITION THAT PARTNERS WITH THE CLEAN AIR FORCE TO DO EVERYTHING IMAGINABLE, BIG THINGS LIKE OUR INSPECTION AND MAINTENANCE PROGRAMS FOR INDIVIDUAL CARS TO GET TESTED

EVERY YEAR BUT ALSO TO AND THROUGH SEEMINGLY SMALLER PROGRAMS DOWN TO THINGS LIKE THE ELECTRIC LAWN MOWER PROGRAM. OF COURSE OUR GOAL IS TO REDUCE EMISSIONS, TO KEEP OUR AIR AS CLEAN AS WE CAN FOR OUR COUNTY BUT MOSTLY FOR OUR CITIZENS, PARTICULARLY OUR CHILDREN, AND THE MOST VULNERABLE FOLKS IN THE COMMUNITY. AUSTIN AND CENTRAL TEXAS IS ONE OF THE LARGEST -- AUSTIN AS A CITY IS ONE OF THE LARGEST CITIES THAT STILL IS IN COMPLIANCE WITH THE CLEAN AIR ACT. WE TAKE A LOT OF PRIDE IN THAT BUT WE'RE ALWAYS HAVING TO STRUGGLE TO MAKE SURE THAT WE CONTINUE TO HAVE CLEAN AIR AS OUR COMMUNITY AND ECONOMY CONTINUES TO GROW. SO I'LL READ THE PROCLAMATION AND SCOTT WILL TALK TO US A LITTLE ABOUT THE ELECTRIC LAWN MOWER PROGRAM. THE PROK READS, GASOLINE POWERED LAWN AND GARDEN EQUIPMENT IS RESPONSIBLE FOR BETWEEN 5 AND 10% OF THE URBAN AIR POLLUTION IN URBAN AREAS. WITH GAS MOTHERS RESPONSIBLE FOR MOST OF THOSE EMISSIONS. THEY CONTRIBUTE TO GROWN LEVEL SMOG AND CAN ADVERSELY AFFECT HEALTH AND ELECTRIC LAWN MOWERS ARE QUIET, COST ONLY \$5 A YEAR TO RUN AND ARE KIND TO THE ENVIRONMENT SINCE THEY REDUCE OZONE FORMING AND CARBON DIOXIDE EMISSIONS AND REDUCE GAS AND OIL SPILL RUN OFF. AND WHEREAS THE ELECTRIC LAWN MOWER PROGRAM IS OFFERING REBATES TO CITIZENS WHO BRING THEIR LAWN MOWERS TO TRADE IN ON THE PURCHASE OF AN ELECTRIC MOTHER ON SATURDAY APRIL 28 AND SCOTT WILL TELL US WHERE AND HOW ONE MAKES THAT HAM. SO NOW THEREFORE, I WIL WIN, MAYOR OF THE CITY OF AUSTIN, DO HEREBY PROCLAIM THAT DAY, APRIL 28, 2007 AS THE CENTRAL TEXAS ELECTRIC LAWN MOWER PROGRAM DAY AND ASK MR. SCOTT JOHNSON TO TELL US MORE ABOUT THE PROGRAM, WHERE IT OCCURS AND WHERE ONE CAN TRADE IN THEIR OLDER GLASS POLLUTING LAWN MOWER FOR A CLEAN, QUIET, ECONOMIC ELECTRIC LAWN MOWER. SCOTT?

THANK YOU VERY MUCH, MAYOR. COUNCIL

MEMBERS. AND IF YOU'VE BEEN ON THE FENCE OVER THE LAST SIX YEARS OR SIX OF THE LAST TEN YEARS WE'VE HAD THE PROGRAM, NOW IS THE TIME TO MAKE THE CHANGE, TO MAKE THE SHIFT, AND AS THE MAYOR SAID, THESE LAWN MOWERS ARE QUIET AND CLEAN, BUT BEST OF ALL THIS YEAR THEY'RE PRICED MORE AFFORDABLY THAN EVER, IF YOU HAVE A GAS POWERED LAWN MOWER AND YOU'RE ABLE TO TRADE THAT IN, WE RECYCLE IT IN A ENVIRONMENTALLY FRIENDLY WAY. WE SCRAP IT AND TURN THE MELTSES INTO REBAR FOR BUILDING MATERIALS FOR A CONTRACT THAT WE HAVE. THIS YEAR IF YOU TRADE IN YOUR GAS POWERED LAWN MOWER AND YOU WANT A CORDLESS ONE, ONE THAT HAS A BATTERY IN, NOT ONE THAT YOU DRAG A CORD AROUND, YOU CAN GET ONE FOR \$234 PLUS TACK TAX, THAT'S VERY ECONOMICAL, AND AS THE MAYOR SAID IT DOES USE SOME ELECTRICITY BUT WHEN YOU CALCULATE THAT ELECTRICITY, IT'S VERY SMALL IN COMPARISON TO THE POLLUTION GENERATED BY A GAS POWERED LAWN MOWER. I'D LIKE TO ALSO ENCOURAGE PEOPLE IF THEY WANT TO TO GET A PUSH LAWN MOWER. THAT'S A GOOD CHOICES, AND JUST TO LANDSCAPE THEIR LAWN IN A WAY THAT DOESN'T AFFECT THE ENVIRONMENT BECAUSE YOU DON'T HAVE TO MOW IT. I'D LIKE TO ALSO POINT OUT THAT THERE ARE A COUPLE EVENTS COMING UP. MY EVENT IS SAT, APRIL 28 AT SOUTH AUSTIN STARTING AT 8:30 IN THE MORNING. TO QUALIFY FOR THE DISCOUNT YOU DO NEED A TRADE IN. PLEASE COME BY 10 OR 10:30. WE'LL BE THERE THROUGH 2:30 ON THAT PARTICULAR DAY. ALSO AS THIS ISSUE OF CLIMATE CHANGE IS UPON US, THERE ARE MANY THINGS THAT YOU CAN DO TO HELP REDUCE YOUR CARBON DIOXIDE FOOTPRINT. THIS IS ONE OF THEM AND WE NEED TO BE THINKING ABOUT THAT FOR OURSELVES AND FOR FUTURE GENERATIONS AS WELL. I WOULD LIKE TO THANK THE PEOPLE THAT HELPED PUT THIS ON AS SPONSORS, THOSE BEING SAMSUNG AUSTIN, ALSO THE CENTER FOR MAXIMUM POTENTIAL BUILDING SYSTEMS. I WOULD ALSO LIKE TO THANK SOME PEOPLE ALONG THE WAY WHO HAVE HELPED THIS PROJECT OUT, THOSE FOLKS BEING FROM AUSTIN ENERGY, PARTICULARLY AT THE BEGINNING,

THOSE BEING ROGERSON DUNCAN, ED CLARK, DOROTHY COMMITTEES TER, OTHERS THAT HAVE HELPED THE PROGRAM ALONG THE WAY, FORMER MAYOR PRO TEM JACKIE GOODWIN AND IN RECENT YEARS OTHERS SUCH AS WADE JOHNSON AND THOMAS PABLO VICH, THOMAS WORKING FOR THE PLANNING COUNCIL OF GOVERNMENT. SO THANK YOU VERY MUCH FOR THIS HONOR AND YOU'RE LIVING IN SOME CONSTRUCTION SO YOU'VE GOTTEN OUT OF THE LAWN MOWER BUSINESS ALTOGETHER, BUT HOPEFULLY OTHERS WILL BE INSPIRED TO MAKE THAT MOVE WHERE THEY DON'T NEED TO WORRY ABOUT A LAWN. THANK YOU AGAIN.

THANK YOU, SCOTT. [APPLAUSE]

MAYOR WYNN: AND WITH THAT I'LL TURN THE PODIUM OVER TO MAYOR PRO TEM BETTY DUNKERLEY.

DUNKERLEY: WELCOME, LADIES. I THINK I'M A LITTLE BIT UNDER DRESSED TODAY, SO STEP FORWARD. TODAY WE HAVE A PROCLAMATION FOR THE RED HAT SOCIETY. AND THE PROCLAMATION READS, BE IT KNOWN THAT WHEREAS THE RED HAT SOCIETY WAS STARTED ON APRIL 25, 2000, AND HAS SPREAD TO INCLUDE MORE THAN A MILLION MEMBERS WORLDWIDE, WITH REGISTERED CHAPTERS IN GREAT BRITAIN, NEW ZEALAND, AUSTRALIA AND CANADA AS WELL AS THE UNITED STATES, AND WHEREAS TEXAS BOASTS 1760 REGISTERS CHAPTERS AND MORE THAN 35,000 MEMBERS, WHILE AUSTIN HAS 39 REGISTERED CHAPTERS AND ALMOST 800 MEMBERS, AND WHEREAS THE AUSTIN AREA WILL BE HOME TO TWO RED HAT CONVERGENCES THIS YEAR, THE FIRST IN HE WILL.....ELGIN IN APRIL AND A LARGER GATHERING HERE IN OUR FINE CITY IN OCTOBER. THEREFORE, I WIL WYNN, MAYOR OF THE CITY OF AUSTIN DO HEREBY PROCLAIM APRIL 25, 2007 AS THE RED HAT DAY AND IT'S SIGNED BY MAYOR WILL WYNN. [APPLAUSE]

PRETTY HATS OVER TEXAS, I WANT TO THANK YOU.

THANK YOU ALL SO MUCH. YOU LOOK BEAUTIFUL.

THANK YOU VERY MUCH. WILL WYNN BLANK.....
BLANK.....

TOMORROW WE'LL HAVE A LONGER PRESS CONFERENCE. IT WILL BE AT 10:00 A.M. ON CRIME VICTIMS RIGHTS WEEK, AND THIS IS THE PROCLAMATION. BE IT KNOWN THAT WHEREAS, CRIME AND VIOLENCE IN OUR CITY AFFECT US ALL, BUT MOST ESPECIALLY THE VICTIMS OF CRIME, BE THEY HUMOR ANIMAL VICTIMS, AND WHEREAS THE CITY OF AUSTIN IS COMMITTED TO ADDRESSING THE OVERLAP OF CHILD ABUSE, NEGLECT, DOMESTIC AND DATING VIOLENCE AND ANIMAL MAL TREATMENT. THE POLICIES AND ORDINANCES CONTAINING CONSEQUENCES TO OFFENDERS FOR COMMITTING THESE CRIMES AND WHEREAS, THE CITY OF AUSTIN SEEKS TO ENSURE THAT ALL CRIME VICTIMS AND SURVIVORS KNOW THEIR RIGHTS AND ARE TREATED WITH DIGNITY AND RESPECT, RECOGNIZE AS KEY PARTICIPANTS WITHIN OUR JUSTICE CENTER AND OUR SERVICES THAT PROVIDE HELP AND HOPE TO THEM. NOW, THEREFORE, I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, PROCLAIM APRIL 22 TO 28, 2007 AS CRIME VICTIMS RIGHTS WEEK, SIGNED BY MAYOR WILL WYNN, AND WE HAVE SOMEONE WHO WANTS TO SAY A FEW WORDS.

MY NAME IS AMANDA VAN HOOZER. I'M THE CO-CHAIR FOR THE VICTIM SERVICES TAX FORCE HERE IN TRAVIS COUNTY, AND AS A MEMBER OF THE TASK FORCE I'D LIKE TO THANK THE MAYOR AND THE COUNCIL FOR THEIR CONTINUED SUPPORT OF OUR PROGRAMS AND FOR DESIGNATING THIS WEEK AS A TIME OF NATIONAL REMEMBRANCE, REFLECTION AND RECOMMITMENT TO VICTIMS OF CRIME AND THEIR SURVIVORS. THE PURPOSE OF THE TASK FORCE IS TO EDUCATE THE COMMUNITY AND POLICY MAKERS ABOUT THE NEEDS OF VICTIMS, TO ADVOCATE FOR VICTIMS RIGHTS AND TO IMPROVE THE DELIVERY OF SERVICES TO THOSE VICTIMS. THE TASK FORCE IS THE OFFICIAL PLANNING BODY OF THE TRAVIS COUNTY COMMUNITY JUSTICE COUNCIL AND THE

COMMUNITY ACTION NETWORK AND I WOULD LIKE
TO INVITE YOU TO COME OUT TOMORROW
MORNING AT 10:00 A.M. HERE AT COUNCIL
CHAMBERS TO HELP US KICK OFF CRIME VICTIMS
RIGHTS WEEK. THANK YOU. [APPLAUSE]