

## Closed Caption Log, Council Meeting, 05/17/07

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Mayor Wynn: GOOD MORNING. IF I COULD HAVE YOUR ATTENTION, PLEASE. THANK YOU ALL FOR BEING HERE. I'M AUSTIN MAYOR WILL WYNN, AND IT'S MY PRIVILEGE TO WELCOME PASTOR SID JOHNSON OF THE HIGHER DIMENSION CHURCH TO LEAD US IN INVOCATION, BUT TECHNICALLY HE SHOULD BE REFERRED TO AS BISHOP DESIGNATE SID JOHNSON. SO IF YOU DON'T MIND, PASTOR JOHNSON, BEFORE YOU LEAD US IN OUR INVOCATION, I THINK THE COMMUNITY WOULD LIKE TO HEAR ABOUT YOUR UPCOMING DESIGNATION AS BISHOP. SO PLEASE INFORM US AND THEN WELCOME AND LEAD US IN INVOCATION. PLEASE RISE, FOLKS.

GOOD MORNING TO ALL OF YOU. ON DECEMBER OF 2009 I WILL BE DESIGNATED AS BISHOP. I'VE ALREADY FINISHED ONE YEAR AND I'M WORKING ON MY SECOND YEAR, SO 2008 I'LL FINISH UP MY SECOND YEAR AND THEN AFTER THAT IN 2009 I WILL BE SENDING EVERYONE AN INVITATION SO AUSTIN CAN COME OUT AND HELP US CELEBRATE MY NEW ELEVATION AS BISHOP IN THE PENTECOSTAL CHURCH. CAN WE PRAY NOW? FATHER LTD...., WE THANK YOU FOR ANOTHER DAY. THANK YOU FOR BEING ON TOP OF THE GROUND AND NOT THE GROUND ON TOP OF US. YOU SAID IN YOUR WORD IN THE MULTITUDE OF COUNCIL, PLANS ARE ESTABLISHED, SO WE HAVE GATHERED HERE TODAY IN THE MULTITUDE OF COUNCILS. NOW, FATHER, GIVE US THE WISDOM THAT WE NEED TO MAKE THE PLANS, TO MAKE EVERYBODY EVERYTHING ESTABLISHED, TO MAKE THE

RIGHT DECISIONS. IN YOUR NAME. FATHER, YOU SAID IN PROVERBS 16 THAT IT IS THE PREPARATION OF THE HEART THAT BELONGS TO THE MAN, BUT THE ANSWER COMES FROM YOU. YOU SAID IF WE COMMIT OUR WORKS INTO YOUR HANDS, THAT EVEN OUR THOUGHTS WILL BE ESTABLISHED. SO DO THAT RIGHT NOW, ANNOINT OUR MAYOR AND THESE COUNCILMEMBERS TO HEAR WITH A GODLY EAR SO THAT THEY CAN MAKE A GODLY DECISION CONCERNING OUR GODLY CITY. WE PRAY NOW, GOD, THAT EVERYONE WHO SHALL APPROACH THIS PODIUM TO MAKE AND STATE THEIR CASE THAT THEY WOULD DO IT IN THE SPIRIT OF LOVE. AND WE PRAY, GOD, THAT THE CITY COUNCILMEMBERS WILL BE ABLE TO HEAR IT. AND GOD, EVERYTHING WILL WORK ACCORDING TO YOUR PURPOSE FOR EVERYBODY'S LIFE. FOR THIS IS OUR PRAYER, WE BELIEVE THAT YOUR WILL IS GOING TO BE DONE AND YOU SAID WHERE THERE'S TWO OR THREE TOUCHING AND AGREEING THAT EVERY WORD THAT WE DECLARE AND DECREE SHALL BE ESTABLISHED AND YOUR GLORY SHALL SHINE UPON IT. NOW SHINE UPON OUR WAY, SHINE UPON OUR THOUGHTS, SHINE UPON THESE PLANS THAT ARE GOING TO BE PRESENTED TODAY AND LET THE PEACE OF GOD REST IN THIS PLACE AND LET EVERY DECISION BE MADE ACCORDING TO YOUR PURPOSE. YOU SAID FOR US IN JAMES TO COUNT IT ALL JOY, AND WHAT THAT SIMPLY MEAN IS THAT YOU WANT US TO LOOK AT IT FROM YOUR PERSPECTIVE, SO WE'RE GOING TO LOOK AT THE AGENDA, WE'RE GOING TO LOOK AT ALL THESE PLANS FROM YOUR PERSPECTIVE AND WE PRAY THAT YOU WOULD GIVE US YOUR WISDOM TO MAKE A DECISION. IN JESUS NAME WE PRAY, AMEN AND AMEN. GOD BLESS YOU.

Mayor Wynn: THANK YOU, PASTOR JOHNSON AND CONGRATULATIONS. THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, MAY 17TH, 2007, APPROXIMATELY 10:17 A.M. WE'RE IN THE CITY COUNCIL CHAMBERS HERE AT 301 WEST SECOND STREET IN DOWNTOWN AUSTIN. WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. BEFORE I WALK THROUGH THAT, COUNCIL, WE TABLE THIS OPPORTUNITY TO -- WE TAKE THIS OPPORTUNITY TO ANNOUNCE ANY POTENTIAL UPCOMING ITEMS FROM

COUNCIL. OFTEN TIMES WE DON'T HAVE ANY. SO AT THIS TIME I WILL READ OUR CHANGE AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THEY ARE -- NOTING THAT ON ITEM NO. 2 THIS COMES RECOMMENDED BY THE WATER AND WASTEWATER COMMISSION. WE SHOULD ALSO NOTE THAT ITEM NUMBER 3 COMES RECOMMENDED BY THE WATER AND WASTEWATER COMMISSION AND THE ENVIRONMENTAL BOARD. ON ITEM NUMBER 18, WE SHOULD CORRECT THE NAME OF THE POTENTIAL APPROXIMATE CONTRACTOR. WE'LL STRIKE SEEMAN'S CORPORATION. IT SHOULD HAVE BEEN SEEMAN'S ENERGY AND AUTOMATION, INC. THAT'S ITEM NUMBER 18, A CONTRACT. FOR BAGGAGE HANDLING. ITEM NUMBER 30, WE SHOULD INSERT THE DATE OF BY NOVEMBER 1st, 2015. WHAT THIS ITEM WILL BE -- SO THE CORRECTED POSTING LANGUAGE ON THIS ITEM ESSENTIALLY IS APPROVE THE RESOLUTION OPPOSING THE EXPANSION OF THOSE TWO LANDFILLS AND PLANNING FOR PERMANENT CLOSURE AND ENFORCING OPERATION STANDARDS AT BOTH LANDFILLS BY NOVEMBER 1st, 2015. THIS IS AN ITEM FROM COUNCIL FROM COUNCILMEMBERS LEFFINGWELL, MARTINEZ AND COLE. ITEM 30. ON ITEM 51 WE SHOULD NOTE THAT A VALID PETITION HAS BEEN FILED IN OPPOSITION TO THIS ZONING CASE, THEREFORE REQUIRING A SUPER MAJORITY OF THE COUNCIL SHOULD IT BE PASSED. WANTS ON ITEM NUMBER 56 WE SHOULD ADD AN ADDITIONAL SECTION OF THE CITY CODE BECAUSE TECHNICALLY THIS ALSO INVOLVES SECTION 25-8-65. SO IN OUR SCHEDULE TODAY, OUR TIME CERTAINS, AS SOON AS WE GO THROUGH OUR CONSENT AGENDA, ALTHOUGH WE DO HAVE A COUPLE OF ITEMS TO PULL OFF THE CONSENT AGENDA TO GET A HANDFUL OF CITIZEN COMMENTS, AFTER THAT WE WILL HAVE A MORNING BRIEFING ON OUR AFFORDABLE HOUSING INCENTIVE TASKFORCE. THAT SHOULD HAPPEN AROUND 10:30. AT NOON WE BREAK FOR GENERAL CITIZEN COMMUNICATION. THEN AT 4:00 O'CLOCK WE'RE GOING TO HAVE A TAX INCREMENT FINANCING BOARD, NUMBER 15, DIRECTOR'S MEETING. WE'LL TECH NECK LICK RECESS THE CITY COUNCIL MEETING, CALL UP THAT SPECIAL BOARD MEETING AND TAKE ACTION ON THAT POSTED AGENDA. IT WILL LOOK AND SEEM SIMILAR STRUCTURALLY TO HOW WE DO THE AUSTIN HOUSING FINANCE CORPORATION BOARD MEETINGS. THEN RIGHT

AFTER THAT WE'LL HAVE THE ZONING CASES NO EARLIER THAN FOUR P.M. AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. THEN AT 6:00 O'CLOCK WE HAVE PUBLIC HEARING AND POSSIBLE ACTION ON THOSE HEARINGS. SO THAT'S OUR SCHEDULE TODAY. SO FAR, COUNCIL, OFF THE CONSENT AGENDA WE HAVE ITEM NUMBER 19 SINGS TECHNICALLY WE NEED TO TAKE IT UP AFTER OUR TAX INCREMENT FINANCING BOARD MEETING. ITEM NUMBER 29 AND 30, TWO ITEM FROM COUNCIL HAVE BOTH BEEN PULLED BECAUSE WE HAVE MORE THAN FIVE CITIZEN SPEAKERS WHO HAVE SIGNED UP. AND ITEM NUMBER 64 HAS BEEN PULLED BY THE MAYOR PRO TEM. SO COUNCIL, ANY ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA OR ADDED BACK ON? THEN HEARING NONE, I WILL READ OUR CONSENT AGENDA -- I WILL PROPOSE A CONSENT AGENDA AND ASK FOR A MOTION. SO THE CONSENT AGENDA THIS MORNING WILL BE TO APPROVE ITEMS 1, 2 AND 3 PER CHANGES AND CORRECTION, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,, 17, 18 PER CHANGE AND CORRECTIONS, 20, 21, 22, 23, 24, 25, 26, 27 ARE BOARD AND COMMISSION APPOINTMENTS THAT I'LL READ INTO THE RECORD NOW. A SINGLE ONE. THAT IS TO OUR WALLER CREEK CITIZEN ADVISORY COMMITTEE, RON FLORES IS A CONSENSUS APPOINTMENT. AND HE COMES RECOMMENDED TO US BY THE PECAN STREET OWNERS ASSOCIATION, REPLACING JOSH ALLEN, WHO WAS APPOINTED BACK ON MAY THIRD. SO IT'S RON FLORES JOINING THE WALLER CREEK CITIZEN ADVISORY COMMITTEE, ITEM NUMBER 27 ON THE CONSENT AGENDA. CONTINUING ON, WE'LL APPROVE ITEM NUMBER 28, 31, 32, 33, 34, 35, 36. WE'LL APPROVE SETTING THE PUBLIC HEARING FOR 37, 38 AND 39. I'LL ENTERTAIN A MOTION FOR THAT CONSENT AGENDA. MOTION MADE BY COUNCILMEMBER KIM, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE THE CONSENT AGENDA AS READ. MAYOR PRO TEM?

I HAVE ONE QUESTION. I DON'T WANT TO PULL ANYTHING OFF THE CONSENT AGENDA, BUT I'VE HAD A COUPLE OF E-MAILS ON ITEM NUMBER 4, AND I'D LIKE TO ASK THE CITY MANAGER TO KIND OF GIVE US AN OVERVIEW OF THAT ITEM.

WE HAVE BOTH PURCHASING AND AIRPORT HERE TO SPEAK TO THIS ITEM.

MAWFERB, I THINK YOUR QUESTION HAD TO DO WITH THE COST OF THE ENTIRE SYSTEM VERSUS THIS SYSTEM.

YES. AND JUST KIND OF THE STATUS OF THE PROJECT.

FOR THE BAGGAGE HANDLING, A PORTION OF THIS IS TO COMPLETE THE SYSTEM THAT WE STARTED SEVERAL YEARS AGO. THIS WILL FINISH ADDING THE TWO AIRLINES THAT DID NOT GET BAGGAGE CAROUSELS IN THE ORIGINAL PROJECT.

AND THEN BYRON, CAN YOU MAYBE WALK THROUGH THE REST OF THE --

YES. BYRON JOHNSON, PURCHASING OFFICER. THERE'S THREE COMPONENTS TO THIS. THE FIRST COMPONENT IS THE EXISTING SYSTEM THAT WE HAVE OUT THERE, AND THIS AWARD THAT IS TIED IN WITH THE AGENDA ITEM FOR SEEMAN'S THAT ADDS THE TWO AIRLINE IN ORDER TO CHANGE THEIR CAPACITY AS AND TO MAKE THE SYSTEM SO IT MATCHES THAT. THE THIRD ITEM THAT WE WILL HAVE IS WE'RE DOING A SECURITY UPGRADE AND THAT WILL BE A SEPARATE PROCUREMENT THAT WE'RE WORKING ON NOW THAT WILL COME TO COUNCIL FOR APPROVAL THAT IS NOT PART OF THIS PACKAGE, IT IS NOT PART OF THE AWARD TO SEEMAN'S. BUT THAT'S THE THIRD PLACE POOS. AND THE LAST THING IS THIS HANDLES THE CAPACITY UNTIL THERE'S AN EXPANSION TO THE AIRPORT. SO THIS COVERS US THROUGH THAT.

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Dunkerley: THANK YOU VERY MUCH.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: A COUPLE MORE QUESTIONS. JUST TO MAKE IT CLEAR, ALL OF THESE IMPROVEMENTS AND EXPENSES ARE PAID BY THE AIRPORT, BY THE AIRPORT ENTERPRISE FUND AND THEY DO NOT COME OUT OF THE GENERAL FUND, CORRECT?

THAT IS A CORRECT STATEMENT.

Leffingwell: AND I HAVE GOTTEN A FEW QUESTIONS ABOUT THERE WAS A STATEMENT IN THE BACKUP THAT ALLUDED TO A POTENTIAL FUTURE USE OF BIO METRICS FOR IDENTIFICATION IN THE SECURITY AREA, SECURED AREA, WHICH I UNDERSTAND IS NOT PART OF THIS, BUT WOULD YOU CARE TO COMMENT AND TRY TO EXPLAIN THAT A LITTLE BIT?

AGAIN, THIS PARTICULAR PROCUREMENT IS FOR JUST THE COMPONENT THAT DOES WITH THE BAGGAGE HANDLING. WE'RE DOING A SEPARATE PROCUREMENT THAT WOULD COVER THE SECURITY THAT DOES HAVE SOME ADDITIONAL FUNDING THAT THE FEDERAL GOVERNMENT, BUT IT WILL BE A SEPARATE AWARD ITEM AND RIGHT NOW IT'S ANTICIPATED THAT WOULD COME BACK IN JUNE.

Leffingwell: THE REASON I ASK THE QUESTION IS BECAUSE IT WAS IN THE BACKUP. THERE WAS A STATEMENT THAT WE'RE TRENDING TOWARD THE USE OF BIO METRICS IN THE SECURITY AREA, AND MY ASSUMPTION WOULD BE THAT THOSE -- THE USE OF BIO METRICS WOULD BE FOR PEOPLE, EMPLOYEES WHO WORK IN THE SECURED AREA AND NOT FOR PEOPLE BOARDING AIRPLANES, PASSENGERS BOARDING AIRPLANE. COULD YOU SPEAK ON THAT?

PATTY ED WAR WITH AVIATION.

YOU PROBABLY NEED TO STEP UP TO THE MICROPHONE.

PATTY EDWARDS WITH AVIATION. THE BIO METRICS CAPABILITY FOR THE NEW SYSTEM IS FOR THE CARD READERS AND IDENTIFIERS, AND IT WOULD BE FOR EMPLOYEES. WE WOULD ONLY INITIATE THIS IF TSA REQUIRES IT IN THE FUTURE.

Leffingwell: THANK YOU. THAT'S WHAT I THOUGHT, I JUST WANTED TO GET IT CLARIFIED ON THE RECORD.

Mayor Wynn: FURTHER COMMENTS ON THE CONSENT AGENDA? COUNCILMEMBER MARTINEZ?

Martinez: WE HAVE ONE ITEM UNDER FIRE THAT IS -- IT'S THE ACCEPTANCE OF SOME GRANT FUNDINGS FOR A NEW

PROGRAM. I WOULD LIKE TO ASK EITHER OF THE CHIEFS TO MAKE SOME COMMENTS ABOUT THIS WONDERFUL NEW PROGRAM THAT WE'RE GOING TO HAVE AS IT RELATES TO A SMOKE DETECTOR PROGRAM THAT WE UNVEILED.

..MORNING, CHIEF.

GOOD MORNING, SIR. GOOD MORNING, MAYOR AND COUNCIL. THIS PROGRAM ALLOWS US TO EXPAND OUR SMOKE DETECTOR PROGRAM, ESPECIALLY IN THE AREA OF THE ELDERLY. WE'VE ALSO INCLUDED IN THIS GRANT IS SOME FUNDING FOR SMOKE DETECTORS FOR THE HEARING IMPAIRED. SO THIS IS A GREAT PROGRAM FOR OUR CITIZENS. WE'VE TEAMED UP WITH SUCH GROUPS AS MEALS ON WHEELS WHERE WE ACTUALLY ONCE A WEEK WILL GO OUT WITH THIS PROGRAM AND VISIT THE ELDERLY. THE FOLKS THAT ARE HOMEBOUND. AND WE'LL AFFORD THEM THE OPPORTUNITY TO INSPECT THEIR SMOKE DETECTOR. WE'LL GO IN THERE AND DO IT. AND THESE ARE ALSO ADVANCED SMOKE DETECTORS. THERE ARE KINDS THAT ARE WHAT'S CALLED DUAL SMOKE DETECTORS THAT DETECT DIFFERENT TYPES OF SMOKE. AND ALSO THEY'RE ADVANCED BECAUSE THEY CAN BE TESTED. THEY HAVE SILENT SWITCHES IN THEM WHERE IF FOLKS -- IF THERE'S SOME NUISANCE ALARM, IT WILL SILENCE THE ALARM FOR ABOUT 15 SECONDS AND THEN IT WILL BE REINITIATED. SO WHAT HAPPENS TO A LOT OF FOLK IN THEIR HOME IS THEY'LL GET THE NUISANCE ALARMS AND THEY'LL TAKE THE BATTERIES OUT AND THEN THEY'LL BE USELESS. SO THESE ARE ADVANCED SMOKE DETECTORS. WE'RE REAL PROUD OF THE PROGRAM. OUR PUBLIC EDUCATION FOLKS HAVE DONE AN OUTSTANDING JOB TEAMING WITH THESE DIFFERENT ORGANIZATIONS TO GET THE SMOKE DETECTORS OUT TO THE PUBLIC.

Martinez: MAYOR, AN ADDITIONAL COMMENT. AS YOU KNOW, IT'S A VERY COMPETITIVE PROCESS TO TRY TO RECEIVE THESE FEMA GRANTS EACH AND EVERY YEAR. THOUSANDS OF DEPARTMENTS ACROSS THE COUNTRY APPLY FOR FUNDING THROUGH THE FEDERAL FEMA PROGRAM. OUR TEAM WAS AGGRESSIVE IN THEIR APPROACH. THEY DRAFTED A GRANT PROPOSAL THAT WAS WELL RECEIVED. AND IT'S THIS KIND OF FORWARD THINKING AND

AGGRESSIVE NATURE THAT WILL PUT THIS TECHNOLOGY THAT'S HERE TODAY, THE TECHNOLOGY THAT DOESN'T REQUIRE YOU TO CHANGE A BATTERY EVERY SIX MONTHS, THAT DOESN'T REQUIRE YOU TO STAND UP ON A CHAIR TO TEST YOUR SMOKE DETECTOR. IT REALLY CREATES A SAFER ENVIRONMENT FOR OUR MOST VULNERABLE CITIZENS. I WANTED TO THANK THE CHIEF FOR HIS AGGRESSIVE NATURE ON THIS AND FOR BRINGING IT TO THE CITY.

CHIEF SOLIS IS HERE WITH US AND HIS GROUP HAS BEEN VERY AGGRESSIVE. THEY'VE DONE A LOT OF WORK ON WRITING THE GRANTS TO MAKE SURE THEY HIT ALL THE RIGHT BUTTONS WHEN THEY GET UP TO WASHINGTON SO WHEN THEY REVIEW THE GRANTS THEY'LL SELECT AUSTIN AS A RECIPIENTS FOR THESE GRANTS. I'D LIKE TO SINCERELY THANK THE MAYOR AND COUNCIL AND THE CITY MANAGER FOR YOUR SUPPORT IN THESE GRANT FUNDINGS BECAUSE MOST ARE MATCHING GRANTS. THEY'LL GO A LONG WAY TOWARDS PROVIDING THE SERVICES TO OUR CITIZENS.

THANK YOU, CHIEF. COUNCILMEMBER COLE.

Cole: I'D LIKE TO DIRECT YOUR ATTENTION TO AGENDA ITEM NUMBER 8. I'M VERY PLEASED TO SUPPORT THE RENAMING OF THE BOGGY CREEK PAVILION TO THE CONNALLY PAVILION. MS. CONNALLY WAS A TEACHER IN THIS AREA FOR 43 YEARS AND SHE'S GIVEN EXTENSIVE SUPPORT. SHE WAS A TEACHER FOR 43 YEARS. SHE WAS INVOLVED IN THE AMERICAN RED CROSS AND ALSO THE GIRL SCOUTS AND THE CARVER LIBRARY MUSEUM OF ARTS. I BELIEVE THERE'S A COUPLE OF PEOPLE HERE IN SUPPORT OF THE PAVILION. WOULD YOU PLEASE STAND A SECOND? WOULD YOU LIKE TO COME UP AND SAY A FEW WORDS ABOUT THE RENAMING OR DID YOU WANT TO SUPPORT THE MOTION?

...

Mayor Wynn: WELCOME.

Cole: THANK YOU FOR COMING AND WE'RE PLEASED TO DO IT. COME ON.



THANK YOU VERY MUCH. I'M MARJORIE BEEMAN AND I'M PRESIDENT OF THE ADVISORY BOARD OF THE CONNALLY GUERRERO SENIOR ACTIVITY CENTER. I KNOW SOME OF YOU ON THE CITY COUNCIL MAY NOT KNOW HER AS WELL AS THE CITY COUNCIL PRIOR. SHE ALWAYS MADE THE MEETING AND WAS INVOLVED. AND A BIG ADVOCATE FOR THE AREA. AND THAT'S HOW THE SENIOR CENTER BECAME A REALITY AND THAT'S HOW THE SOUTH AUSTIN SENIOR CENTER BECAME A REALITY. A LOT OF THE SIDEWALKS IN EAST AUSTIN SHIFTS..... SHE WAS INVOLVED WITH THAT AND JUST MAKING THINGS HAPPEN FOR HOUSING AND EVERYTHING FOR THE PEOPLE IN THE AREA. HER DREAM WAS TO HAVE A PAVILION IN THE BOGGY CREEK AREA RIGHT NEXT TO THE CONNALLY GUERRERO SENIOR CENTER. SHE'S NOT ABLE TO SEE HER DREAM BECOME A REALITY, BUT SHE SPENT HER OWN MONEY. SHE WORKED WITH THE CITY TO GET THE MONEY. ORIGINALLY TO MAKE THIS HAPPEN OF COURSE AND WHEN SHE PASSED AWAY WE HAD MADE A PROMISE THAT THIS WAS GOING TO BECOME A REALITY SO WE ARE HERE TO SUPPORT THIS TO SEE THAT IT BECOMES A REALITY AND MAKE IT HAPPEN BECAUSE SHE HAS THE GUTS AND THE FORTITUDE AND JUST -- SHE KEPT GOING AND NEVER STOPPED TO MAKE SURE THAT THING WOULD HAPPEN FOR THE AREA IN EAST AUSTIN. AND WE'RE JUST DELIGHTED TO SEE THAT YOU WILL NAME THIS THE CONNALLY PAVILION. THANK YOU.

Mayor Wynn: THANK YOU, MS. BEEMAN.

WE WANT TO SAY THANK YOU FOR THE PEOPLE WHO CAME OUT IN SUPPORT AND CONTINUE TO RECOGNIZE THE WORK OF FAITHFUL PUBLIC SERVANTS.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: ONE MORE COMMENT ON ITEM 14, WHICH IS THE CONTRACT FOR DEMOLITION OF THE OLD AUSTIN REC CENTER. AND THANK GOODNESS. IT'S BEEN A LONG TIME COMING AND I FULLY SUPPORT IT. I JUST WANTED TO ENCOURAGE THE STAFF TO WORK WITH THE CONTRACTOR. THAT'S A MULTI-STORY WOODEN BUILDING. AND ENCOURAGE THE CONTRACTOR TO REUSE, RECYCLE AS MUCH OF THAT MATERIAL AS POSSIBLE. I DON'T KNOW IF

THAT'S PART OF THE CONTRACT OR NOT, BUT I THINK WE CAN WORK TO ENCOURAGE THEM TO DO THAT AND AVOID PUTTING ALL THAT GOOD OLD WOOD INTO OUR LANDFILLS.

Mayor Wynn: AGREED. THANK YOU. AND ACTUALLY A NOTE OF THANKS TO THE HISTORIC LANDMARKS COMMISSION. OBVIOUSLY THAT STRUCTURE IS HISTORIC IN THE CONTEXT OF HOW LONG IT'S BEEN THERE AND THE HUNDREDS OF THOUSANDS OF AUSTIN CITIZENS OVER THE DECADES WHO WERE IN AND OUT OF THAT BUILDING, BUT TRAGICALLY IT'S IN VERY POOR CONDITION AND I HOPE THEY DO SALVAGE WHAT THEY CAN, BUT IT IS PROBABLY FULL OF MOLD. IT HAS LEAD PAINT IN IT. THERE'S ASBESTOS IN IT. WHAT WE'RE DOING BY HOPEFULLY EXPEDITING THE APPROPRIATE SALVAGE AND DEMOLITION THAT HAVE BUILDING IS KEEPING IT FROM BEING A MUCH LARGER ENVIRONMENTAL PROBLEM SHOULD THAT BUILDING LITERALLY COLLAPSE WITH THE NEXT SIGNIFICANT FLOOD OF SHOAL CREEK AND SPREAD SOME OF THE TOXINS DOWNSTREAM. SO SOME OF US WILL BE SORRY TO SEE IT DO IN THE CONTEXT OF OLD AUSTIN, BUT AT THE SAME TIME IT'S VERY, VERY APPROPRIATE TO HAVE THE BUILDING DEMOLISHED. AND I APPRECIATE THE HISTORIC LANDMARKS COMMISSION FOR RECOGNIZE THE THAT FACT AS WELL.

AND MAYOR, YOU NEVER KNOW, THE NEW SKATEBOARD PARK.

Mayor Wynn: THAT'S RIGHT. WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? MR. SMITH, DO YOU WANT TO CORRECT A STATEMENT I MADE EARLIER?

YES, MAYOR. I'D LIKE TO OFFER ONE POINT OF CLARIFICATION ON THE AGENDA. ITEM NUMBER BE 47, WHICH IS THE TAX INCREMENT FINANCING BOARD, IS SCHEDULED TO MEET AT 3:00 P.M. AND MAYOR, I THINK THE SHEET YOU WERE GIVEN SAID THAT IT WOULD BE AT FOUR P.M., IS WHICH IS ACTUALLY THE TIME WE BEGIN OUR ZONING. SO JUST A CLARIFICATION. TAX INCREMENT FINANCING BOARD IS SET AT THREE P.M. AND THAT MEETING CAN OCCUR AT THREE OR ANY TIME THEREAFTER.

GREAT. THANK YOU, MR. SMITH. AGAIN 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. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL VERY MUCH. SO COUNCIL, WE HAVE A HANDFUL OF DISCUSSION ITEMS TO TAKE UP THIS MORNING. IT SEEMS TO ME IT WOULD BE APPROPRIATE AND A LITTLE MORE CONVENIENT FOR MORE CITIZENS IF WE WENT AHEAD AND WENT DOWN TO ITEM 29 AND/OR 30 AND WE HAVE ABOUT A DOZEN OR SO CITIZENS WHO EARLIER WANTED TO ADDRESS US ABOUT THOSE TWO ITEMS FROM COUNCIL. SO WITHOUT FURTHER ADIEU, WE'LL LET THE FOLK WHO ARE HERE ON THE CONSENT AGENDA QUIETLY EXIT AND WE'LL TAKE UP ITEM NUMBER 29, WHICH IS AN ITEM FROM COUNCIL THAT I'M SPONSORING ALONG WITH THE MAYOR PRO TEM AND COUNCILMEMBER LEFFINGWELL, SIMPLY CLARIFYING FORMALLY BECAUSE WE HAVEN'T DONE THIS AS A FORMAL COUNCIL, INTENTIONS REGARDING WHAT I REFER TO AS THE AUSTIN ENERGY TRACT, THE 2800 ACRES OUT IN FAR EASTERN TRAVIS COUNTY. AND SO THIS ITEM THAT WE'RE BRINGING FORWARD IS -- HAS TWO POINTS TO IT. THE FIRST BEING THE FORMAL ANNOUNCEMENT BY THIS COUNCIL THAT WE DO NOT HAVE ANY INTENTION TO SELL. I PERSONALLY HAVE NEVER HAD ANY. I THOUGHT I MADE THAT CLEAR ENOUGH JUST IN THE INDIVIDUAL CONVERSATIONS THAT I COULD HAVE, OF COURSE NOT REPRESENTING THE ENTIRE COUNCIL. SO THIS AGENDA ITEM, AS POSTED, WOULD FORMAL..... FORMALLY MAKE THAT STATEMENT THAT THE CITY OF AUSTIN CURRENTLY HAS NO INTENTIONS WHATSOEVER OF SELLING THE PROPERTY, BUT ALSO DIRECTING THE STIRMENT TO CONTINUE WHAT'S A VERY APPROPRIATE ANALYSIS THAT SHOULD BE DONE. FRANKLY, AS MUCH OF OUR PROPERTY AS PRACTICAL THROUGHOUT OUR INVENTORY, THAT BEING UNDERSTANDING THE DYNAMICS OF THE SITE ITSELF, EVERYTHING FROM ENVIRONMENT AL TO ARCHEOLOGY TO OTHER INVESTIGATIONS THAT WE SHU BE AWARE OF. SO UNLESS THERE ARE ADDITIONAL COMMENTS, COUNCIL, MY INSTINCT IS WE COULD GO TAKE COMMENT FROM CITIZENS WHO CAME DOWN HERE TO ADDRESS US ON THIS ITEM. AND I BELIEVE I SAW HIM EARLIER, BUT AS A POINT OF PRIVILEGE,

COUNCIL, I'D LIKE TO CALL UP MAYOR HECTOR GONZALES OF THE CITY OF WEBBERVILLE, WHO I BELIEVE I SAW EARLIER. WELCOME, MAYOR. APPRECIATE YOU COMING DOWN.

GOOD MORNING, MAYOR. MAYOR PRO TEM, COUNCILMEMBERS, THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO SPEAK. YES, I'M AWARE OF THE RESOLUTION THAT Y'ALL ARE CONSIDERING APPROVING THIS MORNING. AND SO I WANT TO START OUT BY SAYING, YEAH, I HEAR YOUR MESSAGE LOUD AND CLEAR, YOU'RE NOT INTERESTED IN SELLING, ALTHOUGH AT THE SAME TIME I DO FEEL AS IF WEBBERVILLE WOULD BE THE MORE APPROPRIATE STEWARD OF THAT LAND. IT HOUSES THE REMAINS OF WEBBER'S FORT, THE FOUNDER OF THAT AREA BACK IN 1827 LIES ON THAT PROPERTY AS WELL AS HISTORICAL GRAVE SITES, CEMETERIES. AND THE FACT THAT IT'S IN OUR FRONT YARD, SO THAT ALSO GOES TO THE ISSUE ABOUT THE POTENTIAL OF A LANDFILL FROM WHAT I UNDERSTAND HALL PROPOSED, A REGIONAL LANDFILL AT THAT. WE DON'T WANT THAT IN OUR FRONT YARD. Y'ALL ARE PROBABLY IN RECEIPT OF LETTERS FROM COMMISSION IRRELEVANT RON DAVIS, STATE -- FROM COMMISSIONER RON DAVIS STATING HIS OPPOSITION TO A POTENTIAL LANDFILL IN ADDITION TO THE RESOLUTION THAT'S UP THIS MORNING. AS WELL AS A LETTER FROM REPRESENTATIVE DAWNA DUKE AND REPRESENTATIVE RODRIGUEZ. AND WE HAVE PROPOSED A SUBSTITUTE RESOLUTION THAT KEEPS ALL OF Y'ALL'S SAME LANGUAGE IN THAT AND ALL THAT IT ADDS IS THAT A COMMITTEE BE FORMED AND CREATED THAT INCLUDES MEMBERS OF THE AUSTIN AND REPRESENTATIVES FROM THE VILLAGE OF WEBBERVILLE, REPRESENTATIVES FROM TRAVIS COUNTY COMMISSIONS OFFICE, AS WELL AS THE TRAVIS COUNTY DELEGATION. ESSENTIALLY TO ALLOW FOR SOME DISCUSSIONS, SOME DIALOGUE. OBVIOUSLY Y'ALL STILL OWN THE PROPERTY, YOU STILL WILL REMAIN ALL THE POWER RELATED TO THAT, ALL THE FINAL DECISIONS ASSOCIATED WITH THAT. AND SO ESSENTIALLY I'M JUST ASKING THAT THAT BE CONSIDERED. FROM WHAT I UNDERSTAND, IT'S NOT GOING TO BE CONSIDERED TODAY. I ALSO CAN'T HELP BUT THINK THAT THE WHOLE POSSIBILITY OF THE CONSIDERATION OF A

LANDFILL OR POSSIBLY OTHER NOXIOUS YIEWS OF.....  
USES OF THAT LAND SUCH AS A WASTEWATER TREATMENT  
PLANT OR A CLEAN COAL BURNING PLANT, WHICH TO ME  
CLEAN COAL IS AN OXYMORON. I REALLY FEEL THAT I CAN'T  
HELP BUT THINK THAT IT APPEARS TO BE ENVIRONMENTAL  
RACISM. AND PARTICULARLY SINCE MY COMMUNITY IS THE  
MAJORITY MINORITY. IN ADDITION, MYSELF BEING HISPANIC,  
THE ELECTED OFFICIALS THAT HAVE BEEN ESSENTIALLY  
DISREGARDED AND THEIR OPINIONS ON THIS MATTER HAVE  
NOT BEEN CONSIDERED. THOSE ARE THE OPINIONS OF  
REPRESENTATIVE DAWNA DUKES, REPRESENTATIVE EDDIE  
RODRIGUEZ, SENATOR BARRIENTOS, COUNTY  
COMMISSIONER RON DAVIS AND OF COURSE MYSELF ALL  
BEING OF AN ETHNIC BACKGROUND. AND TO ADD TO THAT  
LIST, EVEN ONE OF YOUR COUNCILMEMBERS THAT HAS  
EXPRESSED A LEVEL OF FRUSTRATION ABOUT NOT BEING  
ABLE TO GET THIS TO A POINT WHERE WE COULD DISCUSS  
THIS, COUNCILMEMBER MARTINEZ. SO IT MAY NOT BE THE  
CASE, BUT IT SURE APPEARS THAT WAY THAT ALL THE  
LEADERS, THE LOCAL LEADERS THAT ARE STATING  
OPPOSITION AND ARE REQUESTING THAT THERE BE MORE  
OPEN DIALOGUE AND DISCUSSION WITH THE AREAS  
SURROUNDING THAT LAND AND THE MEMBERS OF THE  
COMMUNITY AS WELL AS REPRESENTATIVES FROM THE CITY  
OF AUSTIN AS WELL. AND Y'ALL MAY OR MAY NOT KNOW  
SOME OF THE HISTORY ASSOCIATED WITH IT. IT'S THE FIRST  
AREA OF WHAT IS SETTLED AND WHAT IS KNOWN AS TRAVIS  
COUNTY. IT GOES BACK TO 1827, PREDATES AUSTIN,  
PREDATES STATE HOOD. SOME OF THE FIRST EARLY  
SETTLERS. SOME OF STEPHEN F. AUSTIN'S POINT MEN CAME  
FROM THIS DIRECTION TO THIS DIRECTION. IN ADDITION, IN A  
RECENT ARTICLE IN THE MANOR MESSENGER, AN  
ARCHEOLOGIST WITH THE TEXAS HISTORICAL COMMISSION  
HAD STATED HIS INTENTIONS OF GETTING THE REMAINS OF  
WEBBER'S FORT DESIGNATED AS AN HISTORICAL TEXAS  
LANDMARK. IN ADDITION, REGISTERED AS AN  
ARCHAEOLOGICAL SITE. THERE'S FURTHER REASON TO NOT  
DO THAT, TO JUST DISMISS AND DISREGARD THE  
HISTORICAL SIGNIFICANCE OF THAT AS WELL AS THE  
ARCHAEOLOGICAL, NOT TO MENTION THE ENVIRONMENTAL.  
IT'S CLOSE PROXIMITY TO THE COLORADO RIVER AS WELL  
AS THE FACT THAT IT SITS ON TOP OF ALLEVIAL WATER

FLOW. A WATER TABLE THAT PROVIDES MANY OF MY CITIZENS AND OTHERS IN THE AREA THEIR WATER SUPPLY, THEY'RE DRINKING WATER. IN SOME CROARNS CORRESPONDENCE FROM COMMISSIONER DAVIS IT STATED AND PROVIDED BACKUP INFORMATION THAT SHOWED THE CONCENTRATION OF SPRINGS THERE. AND THE LETTER MENTIONED OR DRAFTED BY REPRESENTATIVE DUKES HAD SAID THAT SHE DOUBTED SERIOUSLY THAT THIS COUNCIL WOULD CONSIDER PLACING A LANDFILL NEAR THE SPRING ON HAMILTON POOL ROAD OR IN BALCONES NORTHWEST REFUGE, SO WHY IS IT THAT THIS COUNCIL WOULD CONSIDER PUTTING IT NEAR THESE SPRINGS, WHICH ARE JUST AS IMPORTANT TO US AND TO EVERYONE. SO IN ADDITION, THERE'S QUITE A BIT OF DEVELOPMENT OCCURRING IN THAT DIRECTION. AUSTIN HAS GROWN PRETTY MUCH AS FAR AS THEY CAN TO THE NORTH, TO THE SOUTH AND TO THE WEST. ALL THE PROJECTIONS SHOW THAT THE GROWTH IS GOING TO OCCUR IN THAT DIRECTION. RECENTLY AT THE CAPITOL, APRIL 16TH, THE ANNOUNCEMENT FOR VILLA MUEWS WAS.....MUSE, WHICH IS GOING TO BE A \$1.5 BILLION PROJECT WHICH WILL PROVIDE 8,000 PLUS JOBS, IS GOING TO BE A BOON FOR ECONOMIC DEVELOPMENT, FOR NOT JUST WEBBERVILLE, BUT FOR AUSTIN AND FOR CENTRAL TEXAS. AND THIS PROPERTY IN QUESTION, AUSTIN ENERGY WEBBERVILLE TRACT, IS APPROXIMATELY .6 OF A MILE FROM VILLA MUSE'S PROPERTY. THAT'S WHY LAST WEEK, AMONG OTHER EAST AUSTIN LEADERS AND OFFICIALS, JAY PADONAK, WHO IS THE FOUNDER OF VILLA MUSE, WAS AT A PRESS CONFERENCE I CONDUCTED LAST WEDNESDAY. THAT WAS A TWO PRONGED EFFORT, THE PRESS CONFERENCE. THE OBVIOUS ONE, THOSE AND I IN ATTENDANCE TO BE IN OPPOSITION TO THE POTENTIAL OF A LANDFILL AND WHILE AT THE SAME TIME SUPPORTING OF WEBBERVILLE'S ACQUISITION OF THIS PROPERTY. ONCE AGAIN, I HEAR YOU LOUD AND CLEAR NOW THAT YOU WANT TO MAINTAIN OWNERSHIP. SO ESSENTIALLY -- AND I REITERATE, ALTHOUGH I THINK AND I STRONGLY FEEL AND BELIEVE THAT WE WOULD BE THE MORE APPROPRIATE. I'M HESITANT TO SAY BETTER THAN Y'ALL. I DON'T WANT TO SAY THAT. I'M JUST SAYING MORE APPROPRIATE STEWARDS SINCE IT IS THERE. AND WEBBER'S FORT REMAINS LAY ON THAT PROPERTY. AND

ACCORD TO GO THE TRAVIS STRAM APPRAISAL DISTRICT MAPS, IT EVEN SAYS J.F. WEBBER SURVEY. THAT IS WEBBERVILLE, THAT WAS WEBBERVILLE. OF COURSE WE'D LIKE IT TO BE PART OF WEBBERVILLE AGAIN. AND I'VE BEEN TOLD BY SEVERAL MEMBERS OF CITY COUNCIL, AUSTIN CITY COUNCIL, THAT THEY WOULD LIKE TO BE GOOD NEIGHBORS TO US. AND I'D LIKE TO BELIEVE THAT, BUT I DON'T FEEL AS IF UTILIZING THAT PROPERTY FOR ANY NOXIOUS USE IS NOT VERY NEIGHBORLY. AND I HEAR THAT, YOU KNOW, NOT JUST Y'ALL, BUT MYSELF AND OTHERS, WE WANT TO THINK REGION ALI. NOT JUST LOCALLY, NOT JUST ABOUT AUSTIN, NOT JUST ABOUT WEBBERVILLE, BUT TEXT CENTRAL TEXAS AS A WHOLE BECAUSE WE ALL LIVE HERE, WE ALL DO BUSINESS HERE. SO THAT'S WHY I REALLY ASK THAT YOU SERIOUSLY CONSIDER, IF YOU'RE DEFINITELY INTENT ON APPROVING THIS RESOLUTION, WHICH I AND OTHERS HERE ARE OPPOSED TO -- AND AS I STATED, COMMISSIONER DAVIS AND REPRESENTATIVE DUKES AND RODRIGUEZ ARE ALSO OPPOSED TO THIS, THAT YOU CONSIDER APPROVING THE SUBSTITUTE VERSION, WHICH KEEPS ALL OF YOUR LANGUAGE INTACT, ALL IT ADDS IS THAT A COMMITTEE BE CREATED THAT INCLUDES MEMBERS FROM THE CITY OF AUSTIN, THE VILLAGE OF WEBBERVILLE, TRAVIS COUNTY AND TRAVIS COUNTY DELEGATION TO CONDUCT AN ANALYSIS OF THE PROPERTY TO DETERMINE THE BEST USES OF THE PROPERTY IN AND AROUND THE DESIRED DEVELOPMENT ZONE TO BENEFIT THE SURROUNDING COMMUNITIES. THAT'S PRETTY MUCH IT. I HAVE ALSO HEARD AND HAVE BEEN TOLD THAT YOU WOULD CHECK WITH US OR TALK TO US, I GUESS. NOT CHECK, BECAUSE YOU SURELY DON'T NEED OUR PERMISSION TO DO SOMETHING WITH YOUR OWN LAND, BEFORE ANYTHING WAS DONE. MEANWHILE, FROM WHAT I UNDERSTAND, NOT WILLING TO CONSIDER THIS CREATION OF THIS COMMITTEE WHILE AT THE SAME TIME LAST NIGHT ON KVUE 24 I SEE A STORY ABOUT BOTH THE POTENTIAL OF THIS LANDFILL AND THE EXISTING LANDFILL ON 290, THAT CITY OFFICIALS ARE WORKING WITH AND TALKING TO WASTE MANAGEMENT AND BFI. WE JUST WANT TO BE EXTENDED THE SAME COURTESY AS A NEIGHBORING MUNICIPALITY AND ONE THAT WILL BE MOST DIRECTLY AFFECTED BY THE DECISIONS MADE BY THIS COUNCIL. COUNCIL, WHETHER IT BE NOW OR IN THE

FUTURE. AND THAT'S WHY I JUST FEEL THAT TO BE ASSURED THAT WE'RE ALLOWED A SEAT AT THE TABLE FOR MERE DIALOGUE, JUST DISCUSSION ABOUT IT IS BY THE CREATION OF THIS COMMITTEE. AND I'M ALSO TOLD THAT I'M GOING TO BE INFORMED ABOUT ANY ACTIONS PERTAINING TO THIS. IN A LETTER FROM STIRMENT FUTRELL -- CITY MANAGER FUTRELL IN RESPONSE TO SENATOR DUKES AND RODRIGUEZ'S FIRST LETTER, NOT THE MOST RECENT ONE THAT THEY DRAFTED DAY BEFORE YESTERDAY, BUT IN AN EARLIER LETTER, IT WAS SENT BACK TO REPRESENTATIVE DUKES AND REPRESENTATIVE RODRIGUEZ. I HAVE A COPY. I LOOK AT THE SECOND PAGE THAT LISTS THE CC, BE AND WE AT WEBBERVILLE ARE AT THE CENTER OF THIS ISSUE, AND NEITHER THE VILLAGE OF WEBBERVILLE OR MYSELF IS EVEN ON THE CC LIST. IF THAT'S NOT TOILGHTS DISREGARD AND LACK OF CONSIDERATION FOR WHAT WE THINK AND FEEL, I DON'T KNOW WHAT IS. THERE'S A PRIME EXAMPLE. AND THAT'S WHY I ASK THAT Y'ALL SERIOUSLY CONSIDER EITHER NOT ADOPTING THIS RESOLUTION BECAUSE THERE'S NO NEED TO. I JUST SAID OKAY, I UNDERSTAND YOU WANT TO MAINTAIN OWNERSHIP. YOU HAVE HAD THE OWNERSHIP. AND IF YOU MUST, THEN DO THE SUBSTITUTION RESOLUTION THAT WE'VE PROPOSED THAT WOULD CREATE THIS COMMUNITY. YOU WOULD STILL MAINTAIN ALL YOUR POWER AS YOU HAVE IT NOW. IT JUST ALLOWS -- IT'S JUST A DOCTRINE THAT WOULD BE APPROVED BY Y'ALL THAT WOULD ENSURE THAT IT WOULD BE SO. I DON'T WANT TO TAKE UP TOO MUCH MORE OF YOUR TIME. I DO APPRECIATE YOU ALLOWING ME TO SPEAK. I ALSO SIGNED UP FOR ITEM 30 BECAUSE IT'S KIND OF RELATED. I APPRECIATE THE FACT THAT Y'ALL STAND OPPOSED TO THE CURRENT OPERATIONS BEING CONDUCTED BY WASTE MANAGEMENT AND BFI AND THE WAY THEY OPERATE THAT FACILITY AND ALSO WANT TO HAVE IT CLOSED. BUT THE THOUGHT OF RELOCATING AN EXISTING PROBLEM FROM ONE AREA OF EAST AUSTIN OR EASTERN TRAVIS COUNTY TO ANOTHER AREA OF EASTERN TRAVIS COUNTY MAKES ABSOLUTELY NO SENSE AT ALL TO ME. AND I'M ALSO BAFFLED BY WHY IS IT THAT AUSTIN FEELS THE NEED TO HELP NOOEZ CORPORATE GIANTS ACQUIRE ANOTHER PIECE OF PROPERTY. THEY HAVE ALL THE MONEY IN THE WORLD AND THEY STAND TO MAKE LOTS OF MONEY. I THINK THEY COULD ON THEIR VERY OWN GO ACQUIRE A



PIECE OF LAND IN A MORE SUITABLE LOCATION. THEY HAVE A TRACK RECORD OF NOT DOING THINGS RIGHT. AND THEY MAY MAKE PROMISES THAT IF ONE IS TO BE LOCATED THERE IN SOME OTHER AREA OF EASTERN TRAVIS COUNTY, WHO'S TO SAY THAT THEY WILL DO THINGS RIGHT. THEY HAVEN'T IN THE PAST. THEY'VE BEEN ABLE TO. THEY HAVE THE MEANS. BY ALL MEANS DO THEY HAVE THE FINANCIAL MEANS. IF THE TWO BROTHERS FROM WEST TEXAS THAT OPERATE -- OWN AND OPERATE TDS, IF THEY CAN AFFORD TO DO IT RIGHT, THEN WHY CAN'T THESE MULTIBILLION OPERATIONS AFFORD TO DO IT RIGHT. SO I DON'T TRUST WHEN THEY SAY WE'RE GOING TO DO IT RIGHT. I'M SORRY, I DON'T BELIEVE THAT. ONCE AGAIN, I WANT TO JUST SAY THAT I AM OPPOSED OF THE CURRENT DRAFT OF Y'ALL'S RESOLUTION. I DON'T SEE A NEED FOR THAT. AND IF YOU MUST, I PLEAD WITH YOU TO CONSIDER ADOPTING A SUBSTITUTE RESOLUTION. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MAYOR. T.W.A. COUNCIL, IF YOU DON'T MIND BEFORE I CALL ON THE OTHER SPEAKERS, I WANT TO POINT OUT A FEW THINGS WITH ALL DUE RESPECT. THIS ITEM HAS NOTHING TO DO WITH LANDFILL, MAYOR. IT HAS NOTHING WHATSOEVER TO DO WITH ITEM NUMBER 30. I STRONGLY BELIEVE THAT THE COMMUNITY NEEDS TO HAVE THIS COUNCIL TAKE A VOTE BECAUSE FOR A YEAR OR MORE, I GUESS, MAYBE TWO YEARS, THERE'S BEEN THIS SPECULATION THAT PERHAPS WE MIGHT ENTERTAIN AN IDEA ABOUT SELLING THE PROPERTY. AND JUST THE WAY THE OPEN MEETING LAWS ARE IN OUR STATE, WE CAN'T HAVE THAT DISCUSSION PRIVATELY, IT'S NOT APPROPRIATE TO DO THAT. AND IF I SAY SOMETHING, I'M JUST ONE VOTE. I DON'T REPRESENT THIS FULL COUNCIL. SO IT'S VERY APPROPRIATE -- IN FACT, THE COMMUNITY SHOULD DEMAND THAT WE TAKE A VOTE TO SAY ARE WE GOING TO BE A SELLER OR NOT. I'M SUGGESTING NOT. THAT LAND'S GOING TO BE SO MUCH MORE VALUABLE OVER THE COMING DECADES AS CENTRAL TEXAS CONTINUES TO GROW. AND FURTHERMORE, THERE'S ABSOLUTELY, POSITIVELY NO PROPOSED USE FOR THE SITE, NONE. THERE'S NOT A PROPOSAL FOR A LANDFILL, THERE'S NOT A PROPOSAL FOR A GASIFICATION COAL PLANT, THERE'S NOT A PROPOSAL FOR A WASTEWATER FACILITY. THERE'S NOT A PROPOSAL

FOR A PARK, A GOLF COURSE. THERE IS NO PROPOSAL WHATSOEVER FOR THIS LAND. AND SO -- BUT WE ARE DIRECTING THE CITY MANAGER TO DO EXACTLY WHAT YOU SUGGEST AND SEEMS APPROPRIATE AS WELL, HIRE ARCHEOLOGISTS TO GO DO THE ARCHEOLOGY SURVEY, MAKE SURE WE HAVE AN EXTENSIVE ENVIRONMENTAL SURVEY DONE ABOUT SOILS AND FLOODPLAINS AND CREEK AND SPRINGS AND HAVE THAT AVAILABLE FOR US. AND THEN TO THE EXTENT THAT THERE IS EVER A PROPOSED USE FOR THE PROPERTY, THEN ABSOLUTELY, POSITIVELY, WE COME TO YOU, COME TO THE CITY OF WEBBERVILLE, COME TO GO TO TRAVIS COUNTY, GO TO OUR DELEGATION, AND START FIGURING OUT WHAT'S -- IF THAT PROPOSED USE IS APPROPRIATE. BUT RIGHT NOW THERE'S NO PROPOSAL WHATSOEVER FOR ANY USE WHAT..... WHATSOEVER FOR THE PROPERTY AND I THINK THE CITIZENS DESERVE TO HEAR WHETHER THIS COUNCIL IS A SELLER OR NOT. AND WITH ALL DUE RESPECT, I'M SUGGESTING THAT, OUT KNOW, THE CITIZENS OF AUSTIN, AT LEAST, DESERVE TO CONTINUE TO OWN THAT PROPERTY. THEY PUT A BUNCH OF MONEY INTO IT A A LONG TIME AGO AND ONE DAY WE'LL GET VALUE OUT OF IT. BUT THERE'S NO PROPOSAL FOR ANY OF THAT ON THE TABLE TODAY.

ON THAT MATTER, SIR, YES, I UNDERSTAND Y'ALL PAID CLOSE TO 22 MILLION FOR IT IN THE EARLY '80'S, BUT CURRENTLY AS OF THIS MORNING, THE TRAVIS CENTRAL APPRAISAL DISTRICT HAS IT VALUED AT \$7,180,175. OUR OFFER ON THE TABLE IS THE SAME AS WHAT YOU PAID. RIGHT NOW THE PEOPLE OF AUSTIN ARE UPSIDE DOWN IN THAT LAND. AND WE'RE OFFERING TO HELP WITH THAT AND RECOUP THOSE. HOW LONG ARE YOU GOING TO CONTINUE TO WAIT? AND AS FAR AS YOU SAID HAVE A PRIVATE DISCUSSIONS, WELL, WE BOTH KNOW THAT'S ALLOWED WHEN IT COMES TO REAL MATTERS. THAT'S WHAT -- I'VE GONE INTO EXECUTIVE SESSION MYSELF. I'VE HAD ONE ON ONE CONVERSATIONS WITH INDIVIDUALS ABOUT REAL MATTERS E THE..... THE VERBIAGE IN HERE THAT SAYS PROPERTY MAY BE USEFUL IN PROVIDING AMONG OTHER THINGS PUBLIC SERVICES AND BENEFITS.

IT MAY BE.

I CAN'T HELP BUT READ BETWEEN THE LINES AND SAY, WELL, LANDFILL, WASTEWATER TREATMENT PLANT, POWER PLANT. IT CAN ALL BE CONSIDERED PUBLIC SERVICES AND BENEFITS. AND SO I ALSO SAY THAT, YEAH, YOU WILL SPEAK WITH OUR COMMUNITY, POSSIBLY MYSELF, THE COUNTY, THE COUNTY DELEGATION. WHEN? BEFORE OR AFTER THE FACT? YOU'RE JUST GOING TO INFORM US THAT, OKAY, WE'VE DECIDED THAT THIS IS WHAT WE'RE GOING TO DO AND NOT ALLOW US ANY INPUT BEFOREHAND? I MEAN, I HONESTLY HEAR THAT THERE IS A POTENTIAL CRISIS IN THE NEAR FUTURE FOR WHAT'S GOING TO BE DONE WITH THE GARBAGE. I DON'T UNDERSTAND THAT. I ALSO UNDERSTAND THAT AUSTIN HAS A 30-YEAR CONTRACT WITH TDS WITH APPROXIMATELY 24 YEARS LEFT ON THAT CONTRACT. SO I DON'T SEE WHERE THE CRISIS IS. SO AUSTIN DOESN'T HAVE IT, TRAVIS COUNTY DOESN'T HAVE IT. AND WHAT I'VE HEARD AND MORE FACTUALLY THAN RUMOR ABOUT THIS PROPOSED LANDFILL IS THAT IT WOULD BE A REGIONAL ONE TO ACCOMMODATE 10 TO 25 CENTRAL TEXAS COUNTIES. WHY IS IT THAT THIS COUNCIL SEEMS AND FEELS COMPELLED TO MAKE TRAVIS COUNTY, REGARDLESS OF WHAT AREA OF TRAVIS COUNTY, THE HOST OF CENTRAL TEXAS' REFUSE. THERE MUST BE A MORE SUITABLE LOCATION.

THERE IS NO PROPOSED LANDFILL FOR THIS TRACT.

OKAY.

Mayor Wynn: I DON'T KNOW HOW MANY TIMES I HAVE TO SAY THAT. THERE'S NO PROPOSED USE FOR A SINGLE ACRE OF THIS PROPERTY.

I APPRECIATE THAT.

Mayor Wynn: WE HAVEN'T PROPOSED A GOLF COURSE, WE HAVEN'T PROPOSED A THEME PARK, WE HAVEN'T PROPOSED A REGIONAL PARK, WE HAVEN'T PROPOSED A LANDFILL. THERE IS NO PROPOSED USE FOR THIS PROPERTY.

OKAY. ACCEPTED.

...

Mayor Wynn: AND BY THE WAY, BFI AND WASTE MANAGEMENT ARE OPPOSING OR ACTION ON ITEM NUMBER 29. ITEM 29 IS NOT AIDING THEM, WE ARE OPPOSING THEM AND THEY DON'T LIKE IT. THIS ISN'T-- ITEM 29 HAS NOTHING TO DO WITH ITEM 30. WE HAVE NO PROPOSED USE WHATSOEVER FOR THAT AUSTIN ENERGY TRACT OF LAND.

OKAY. WELL, ONE OTHER CONSIDERATION I'D LIKE YOU TO -- ONE OTHER OPTION I'D LIKE YOU TO CONSIDER. AUSTIN HAS GIVEN OR SOLD SOME OF THEIR HOLDINGS AT DISCOUNTED RATES. AT THE VERY LEAST CONSIDER THE POSSIBILITY OF MAKING IT A PRESERVE AND THEN THERE WE GO. IT WILL SERVE AUSTINITES, ALL CENTRAL TEXANS. ONCE AGAIN, THANK YOU. I APPRECIATE IT. Y'ALL HAVE A GOOD DAY.

Mayor Wynn: THANK YOU, MR. MAYOR. I APPRECIATE YOUR PATIENCE AND I APOLOGIZE FOR MISCOMMUNICATION AND INEVITABLE SPECULATION WHEN THERE IS A BIG VALUABLE TRACT OF PUBLICLY OWNED LAND NEARBY. I'M VERY RESPECTFUL OF THE JOB BE YOU'VE DONE IN CREATING FORMALLY THE MUNICIPALITY OF WEBBERVILLE AND YOUR WORK TO MAKE SURE YOU ALL ARE SUCCESSFUL. AND WE ALL WANT YOU TO BE SUCCESSFUL. AND I FIRMLY BELIEVE THAT WE ARE ALL IN THIS TOGETHER AS CENTRAL TEXAS AS OUR POPULATION LIKELY DOUBLES OVER THE NEXT 25 TO 30 YEARS. I THINK WE ALL RECOGNIZE A DISPROPORTIONATELY THAT GROWTH WILL GO TO THE EAST. THERE'S A LITTLE BIT OF ROOM OTHER DIRECTIONS AND HOPEFULLY STILL A LOT OF OTHER ROOM DOWNTOWN AND OTHER PLACES WITHIN THE CITY, BUT THERE WILL BE A BUNCH OF GROWTH IN EASTERN TRAVIS COUNTY. AND WE FLEW OVER LAST NIGHT AND THE CONSTRUCTION OF SH 130 ALONE IS THIS BIG SIGNAL ABOUT WHERE THERE WILL BE A BUNCH OF PEOPLE IN THE NEXT 25, 30 YEARS.

THANK YOU, SIR. AND IF I CAN BE OF ANY ASSISTANCE IN THIS MATTER WHATSOEVER, PLEASE DON'T HESITATE TO CALL ME. THANK YOU AGAIN.

Mayor Wynn: BEFORE YOU STEP OFF, SO CITY MANAGER, WE'RE ALSO DIRECTING YOU TO SPEND TIME, EFFORT,

MONEY ON ARCHEOLOGY SURVEYS, ON SOIL SURVEYS, ENVIRONMENTAL SURVEYS. WHAT'S THE LIKELY TIMING OF SOME OF THOSE REPORTS? AND I'D LIKE TO HELP MAYBE PRESENT A PUBLIC PRESENTATION OF THOSE FINDINGS.

OBVIOUSLY WE'VE FINISHED SOME INITIAL WORK ON IT AND WE COULD DO THAT WITHIN THE NEXT MONTH. AND THEN WHAT WE WOULD NEED TO DO THE NEXT STAGE OF THAT, WHICH IS MANY OF THE THINGS OF WHICH YOU ARE TALKING ABOUT, WHICH IS MAPPING OUT ALL THE WELLS, LOOKING AT ARC.... ARCHAEOLOGICAL SITES. SO KIND OF THE NEXT STAGE OF JUST BEING SURE THAT WE HAVE OUR ARMS AROUND EXACTLY WHAT IS ON THE SITE. AND REMEMBER THIS IS A VERY, VERY LARGE SITE. IT'S OVER 2800 ACRES. THE CITY HAS OBVIOUSLY OWNED IT FOR A VERY LONG TIME, WELL OVER 20 YEARS. PROBABLY BY THE END OF THE SUMMER. SO A HANDFUL OR MORE MONTHS WOULD BE ANOTHER POINT IN TIME WHERE WE COULD GIVE ANOTHER REPORT ON WHAT WE FOUND ON THE SITE.

Mayor Wynn: SEEMS APPROPRIATE. THANK YOU AGAIN, MAYOR.

THANK YOU AGAIN.

[INAUDIBLE - NO MIC].

Mayor Wynn: COUNCIL, WE STILL HAVE A NUMBER OF FOLKS WHO WERE HERE TO ADDRESS US, AND THEY'RE WELCOME TO DO SO IF THEY STILL FEEL THE NEED. I'LL GO THROUGH THESE IN ORDER. DAVID DAVISSON HAD SIGNED UP WISHING TO SPEAK. WELCOME. YOU WILL BE FOLLOWED BY JAMES BLAINE, SHOULD HE WANT TO CONTINUE TO SPEAK. WELCOME. YOU WILL HAVE THREE MINUTE.

YOU LIKE MY SHIRT? BEAUTIFUL FUTURES, WEBBERVILLE LAND. AND I KNOW IT'S NOT WEBBERVILLE'S LAND. I PERSONALLY DON'T HAVE ANY INVESTMENT IN WHO OWNS THE LAND. I LIVE IN A PRESBYTERIAN COMMUNITY JUST AROUND THE CORNER FROM THAT LAND. WE HAVE AN INTEREST IN THAT DEVELOPING INTO SOMETHING THAT REALLY IS BEAUTIFUL IN THE LONG-TERM, AUSTIN, WEBBERVILLE INTEREST. AND HAVING SEEN THE MAPS THAT

Y'ALL PRODUCED ON AUSTIN'S PROJECTED GROWTH OVER THE NEXT 20 YEARS, WE SEE THAT THAT'S GOING TO BE BE RIGHT IN THE MIDST OF A LOT OF DEVELOPMENT. WE HAVE HOMES DROPPING IN BY THE THOUSANDS OUT THERE RIGHT NOW AT THIS TIME. AND I HAVE NO CONCERNS THAT IT'S GOING TO BECOME A LANDFILL. BACK IN 1998 WHEN THE SUBTITLE D LANDFILL REGULATIONS WERE IMPLEMENTED, THE FEDERAL LANDFILL REGULATIONS, THERE WAS A BIG PUSH IN AUSTIN CALLED THE MASTER COMPOSTER PROGRAM TO EDUCATE THE PUBLIC ON LANDFILL PROBLEMS, FUTURE REQUIREMENTS AND THE PROBLEMS THAT WE HAVE WITH DISPOSAL. SO WE WERE TEACHING PEOPLE TO COMPOST. AND AT THAT TIME THE TNRCC, THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION, CAME OUT AND SHOWED US THE MAPS OF TEXAS. THEY SAID HERE'S THE OVERLAY THAT SHOWS WHERE THE UNDERLYING WATER IS WHERE WE CAN'T BUILD A LANDFILL. HERE'S THE UNDERLYING SAND WHERE WE CAN'T BUILD A LANDFILL. BY THE TIME ALL THE OVER LAYS WERE DOWN, THERE'S NO PLACE LEFT IN THE AUSTIN AREA. THIS IS AN EXAMPLE OF HOW A REGION CAN BE SUSTAINED. I THINK PART OF THIS RESOLUTION THAT WANTS TO INVESTIGATE ALL OF THE POSSIBLE USES, THE THING YOU HAVEN'T THOUGHT OF YET, THE THING THAT HAVEN'T BEEN PRESENTED TO YOU YET, THAT THAT NEEDS TO BE DONE. THE LANGUAGE THAT PRESCRIBES THAT ANY CONSIDERATION OF EVER SELLING THAT LAND TO ANYONE I FEEL LIKE DOES NOT OPEN UP THE POTENTIAL TO BEAUTIFUL FUTURES, BUT RATHER CLOSES DOWN SOME OF THE OPTIONS THAT YOU MIGHT HAVE EITHER NOW OR IN THE FUTURE AND THAT THE BENEFITS THAT YOU HAVE FROM CLOSING DOWN ANY OPTIONS NOW OR IN THE FUTURE I HAVEN'T SEEN THE -- WHERE THAT REALLY OPENS UP THIS ARENA OF POSSIBILITY FOR YOU. AND SO I DON'T SEE ANY BENEFIT OR NECESSITY TO DO THAT RIGHT NOW. YOU ALWAYS HAVE THE OPTION TO TAKE OR NOT TAKE ANY OFFER ON THE LAND. AND 10 YEARS FROM NOW BILL GATES MAY DECIDE THAT HE WOULD LIKE TO HAVE THE ENVIRONMENTAL SUSTAINABLE CENTER OF AUSTIN AND I'VE SEEN THAT YOU'VE WORK WITH ELIZABETH FRISH'S ENVIRONMENTAL GROUP ON THE AUSTIN SUSTAINABLE LIVING CENTER. I THINK THAT'S A BEAUTIFUL PROJECT AND

WOULD LIKE TO SEE SOMETHING LIKE THAT HAPPEN OUT THERE. WHETHER IT'S BEEN AUSTIN, A PRIVATE INDIVIDUAL OR WEBBERVILLE, BE I WOULD LIKE TO SEE THE OPTION REMAIN OPEN AND NOT NECESSARILY CLOSED DOWN AT THIS POINT.

Mayor Wynn: I WOULD LIKE TO SAY, MR. SMITH WILL OBVIOUSLY POINT THIS OUT TOO, BUT WHAT THIS ITEM DOES IS DECLARES THIS COUNCIL'S INTENT. WE CAN'T BIND FUTURE COUNCILS. AND FRANKLY THIS COUNCIL IS PROBABLY -- THE SEVEN OF US ARE ONLY PUT TOGETHER FOR ANOTHER YEAR OR SO, THEN IT'S ALWAYS EVOLVING AS WE HAVE STAGGERED TERMS AND ELECTIONS. SO WE IN NO WAY ARE BINDING TECHNICALLY ANY ACTION PAST NEXT YEAR. WE'RE JUST ANSWERING THE APPROPRIATE QUESTION IS THIS COUNCIL WANTING TO SELL THE LAND. AND WE'RE SAYING NO.

YOU'VE ILLUSTRATED MY POINT PERFECTLY THAT THIS WOULD HAVE NO BINDING, LASTING EFFECT, SO THERE'S NO REASON TO DO THAT. THANK YOU.

Mayor Wynn: MAYOR PRO TEM.

Dunkerley: YOU SAID MOST OF WHAT I WAS GOING TO SAY, BUT THIS IS A RESOLUTION. IT IS NOT AN ORDINANCE. AND IT JUST DECLARES OUR INTENT TODAY TO SAY THAT WE'RE NOT INTERESTED IN SELLING AT THIS TIME. THAT DOESN'T MEAN THAT NEXT THURSDAY WE COULDN'T CHANGE THIS RESOLUTION. SO IT IS -- AS THE MAYOR POINTED OUT, WE DON'T HAVE THE LEGAL AUTHORITY TO BIND FUTURE COUNCILS, SO IT'S JUST SHOWING OUR INTENT.

SO YOU UNDERSTAND MY POINT THEN THAT THERE'S REALLY NO REASON TO HAVE THAT LANGUAGE. AND THE --

Mayor Wynn: PEOPLE CAN STOP MAKING US OFFERS FOR THE NEXT YEAR IS THE INTENT. [ LAUGHTER ] OUR NEXT SPEAKER IS JAMES BLAINE. TO BE FOLLOWED BY DEBBIE FEEGAN TO BE FOLLOWED BY EVE WILLIAMS IF YOU STILL WANT TO SPEAK. WELCOME, SIR. EITHER SIDE.

GOOD MORNING, MAYOR, CITY COUNCILMEMBERS. MY NAME

IS JAMES BLAINE. I LIVE OUT THERE AT WEBBERVILLE ALSO. I WAS BORN AND RAISED THERE IN 1946. AND IT'S BEEN A WONDERFUL PLACE TO LIVE. ALL MY ANCESTORS LIVED OUT THERE. ABOUT 90% OF THE EAST AUSTINITES OF COLOR SOME WAY OR ANOTHER COME OUT OF THAT AREA. I UNDERSTAND WHAT YOU'RE SAYING ABOUT YOU DON'T RIGHT NOW HAVE A PLANS TO PUT A LANDFILL OUT THERE. THAT THERE WAS NOTHING REALLY PLANNED. THAT'S WHAT SCARES ME TO DEATH. YOU DON'T HAVE ANYTHING PLANNED FOR THE LAND. WELL, LIKE YOU SAID, MAYBE ANOTHER YEAR OR SO NONE OF YOU GUYS WILL BE BE AROUND. WELL, THEN THE NEXT CITY COUNCIL WILL COME IN AND THEY MIGHT DECIDE THEY WANT TO GO AHEAD AND DO, JUST PUT A LANDFILL OUT THERE. BUT IT'S UP TO YOU GUYS TO GET THE WHEELS IN MOTION RIGHT NOW. YOU CAN GET IT GOING. YOU KNOW WHAT'S BEST FOR THE PEOPLE OUT THERE IN EAST TRAVIS COUNTY. YOU KNOW WHAT'S THE BEST FOR -- AND WHAT WE WANT. AND WE DO NOT WANT THE LANDFILL. AND -- IT'S NOT GOING TO FIT WITH US TOO WELL AND IT SHOULDN'T FIT WITH US EITHER. I'VE LIVED HERE THE LAST 61 YEARS. AND EVERYTHING TO ME THAT HAS BEEN TO IMPROVE AUSTIN HAS BEEN -- THAT'S GOOD HAS BEEN SELECTED TO GO IN OTHER AREAS OF TOWN. WE ARE JUST NOW BEGINNING TO GET A LITTLE BIT OF GROWTH OUT THERE IN EAST AUSTIN, SOMETHING THAT PEOPLE CAN HAVE JOBS, SOMETHING THAT HELPS US OUT THERE. BUT BEFORE THIS EVERYTHING THAT ANYONE ELSE DID NOT WANT IT WAS PUSHED OUT THERE TO EAST AUSTIN. EVERYTHING. NOW WE HAVE STRUGGLED TO GET SOMETHING GOING FOR THE PEOPLE OF WEBBERVILLE AND EAST TRAVIS COUNTY. IT LOOKS LIKE Y'ALL ARE GOING TO DESTROY THE HOPES AGAIN OF PEOPLE OF COLOR IN EAST AUSTIN. AND I JUST WONDER WHAT YEAR IS IT NOW, 2007? PROMISES HAVE NOT BEEN FULFILLED IN THE LEAST LITTLE BIT. MY GRANDMOTHER AND ARE GREAT GRANDPARENTS CAME HERE WITH WEBBER, HIS FATHER. HE CAME HERE TO THE UNITED STATES. FOR YOU IT LOOKS LIKE I'M GOING TO GET THROWN OUT AT THE.....ATTHE HAN OF THE CITY OF AUSTIN. AND I'M JUST ASKING YOU WHEN WILL IT STOP. WHEN WILL YOU RECOGNIZE THAT WE TOO ENJOY LIFE AND WE DO WANT A DECENT LIFE AND A GOOD PLACE TO STAY AND RAISE OUR CHILDREN AS WELL AS DO YOU. SO YOU



KNOW SOMETHING WILL HAPPEN TO THIS NICE PIECE OF LAND. SOME OF YOU WERE OUT THERE THE OTHER DAY AND HAD A CHANCE TO LOOK AT THIS PIECE OF LAND. IT IS UP TO YOU I BELIEVE TO PUT THE WHEELS IN MOTION TO GET SOMETHING DONE WITH THIS LAND, DEFINITELY NOT A LANDFILL. SOMETHING POSITIVE, SOMETHING THAT WILL GB FOR ALL OF US. AND I DO BELIEVE ALL OF YOU WILL DO YOUR BEST TO TRY TO HELP US, THE WEBBERVILLIANS, HAVE A BEAUTIFUL CITY AS YOU HAVE HERE IN THE CITY OF AUSTIN. THANK YOU SO VERY MUCH. GOD BLESS YOU ALL.

Mayor Wynn: LIKEWISE. DEBBIE FEEGAN SIGNED UP TO SPEAK AS DID EVE WILLIAMS. WELCOME, MA'AM. YOU WILL HAVE THREE MINUTES.

THANK YOU. I AM VERY INTERESTED, CONCERNED IN EVENTUAL USE OF THE PROPERTY IN QUESTION. I'M LESS THAN A MILE FROM THE PROPERTY. I WOULD ASK THE COUNCIL TO HEAR THE CONCERNS OF THE CITY OF WEBBERVILLE ON THIS MATTER. AND I CAN'T HELP HEARING YOUR STATEMENTS, MAYOR, EARLIER ABOUT THE NO PROPOSED LANDFILL SITE. I HAVE THIS MAP PREPARED BY TRAVIS GIS THAT SAYS PROPOSED LANDFILL SITE RIGHT IN THE MIDDLE OF THE PROPERTY. I COULD BRING IT TO YOU IF YOU WOULD LIKE TO SEE IT.

Mayor Wynn: THAT'S FINE, BUT IT'S NOT A CITY OF AUSTIN DOCUMENT.

AND YET IT'S A PROPOSED LANDFILL SITE.

Mayor Wynn: FOR ALL I KNOW, SOME OF THESE PEOPLE WHO MAKE OFFERS TO BUY THE PROPERTY TO US, UNSOLICITED OFFERS, MIGHT BE QUIETLY THINKING THAT MIGHT BE A GOOD PLACE FOR A LANDFILL. WE'RE SUGGESTING THAT CITY OF AUSTIN HAS NO PROPOSED USE FOR THAT TRACT.

WELL, I JUST WANTED TO LET YOU KNOW THAT THIS IS OUT THERE.

Mayor Wynn: THAT'S SOMEBODY ELSE'S PROPOSED USE FOR THE TRACT.

THIS IS FROM TRAVIS COUNTY GIS. AND IT IS ABOUT YOUR PROPERTY.

Mayor Wynn: WELL, WE DIDN'T CREATE THAT.

OKAY. THANK YOU.

Mayor Wynn: THANK YOU. OUR NEXT SPEAKER IS EVE WILLIAMS, TO BE FOLLOWED BY JERMAINE SWIN SON. WELCOME, MA'AM. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

ALTHOUGH YOU SAY THAT A DECISION HAS NOT BEEN MADE, THE CITY OF AUSTIN IS CONDUCTING AN ENVIRONMENTAL STUDY ON THE FEASIBILITY OF THE LANDFILL. THERE ARE CITY OF AUSTIN WORKERS CRAWLING ALL OVER EASTERN TRAVIS COUNTY LOOKING FOR WELLS. THEY WERE ON MY PROPERTY. DURING THE CITY'S BUDGET YEAR WITH ITS SHORTFALL, YOU ARE BEING OFFERED A MORE THAN REASONABLE VALUE BY THE CITY OF WEBBERVILLE FOR THE LAND. I CAN ONLY IMAGINE THAT TO DENY THIS SALE OF THE LAND WILL CREATE LIBRARY CLOSURES, PARKS AND RECREATION DEPARTMENT CUT-BACKS AS WELL AS LIMITING OTHER CITY SERVICES. AS A LONG-TIME AUSTINITE AND FORMER 28 YEARS CITY OF AUSTIN EMPLOYEE, I KNOW MORE THAN OTHERS WHAT THIS MEANS. I WAS THE CURATOR OF THE GERMAN BOC NEAR PIONEER FARMS, IT WAS NATIONALLY RECOGNIZED AND CLOSED DUE TO BUDGET CONSIDERATIONS. I KNOW THAT THE PARKS DEPARTMENT DURING THESE FLUSH TIMES IS STILL STRUGGLING TO MAINTAIN CITY PROPERTIES. ADDITIONAL CUTBACKS WILL HURT AUSTIN AND ITS CITIZENS. PLEASE RECONSIDER WEBBERVILLE'S OFFER AND SELL THE PROPERTY. THANK YOU.

MAYOR WYNN: MAYOR PRO TEM? THANK YOU, MA'AM.

DUNKERLEY: ONE COMMENT. THIS LAND BELONGS TO THE ELECTRIC UTILITY AND THOSE FUNDS CANNOT BE USED FOR ANY GENERAL GOVERNMENT WORK, INCLUDING PARKS, LIBRARIES OR ANY OF THOSE THINGS. THE LAND IS AN ASSET OF THE UTILITIES SO --

THANK YOU.

OKAY. THANK YOU.

MAYOR WYNN: THANK YOU, MISWILLIAMS. GERMANE SWENS ON. YOU'LL HAVE 3 MINUTES AND FOLLOWED BY JOAN GUN LOCK.

I WAS TOUCHED AND MOVED BY THE INVOCATION THIS MORNING AND BY EVERYONE WHO HAS SPOKEN SO FAR, AND I HOPE YOU HAVE TOO. BASICALLY IT PUT HIGHER PRINCIPLES AND VALUES BEFORE INVITING MATERIAL GAIN. I THINK THAT EVEN THOUGH YOU HAVEN'T OFFICIALLY PROPOSED A LANDFILL THERE, I FEEL THAT IT'S MY RESPONSIBILITY AS THE VICE PRESIDENT OF PARK SPRINGS NEIGHBORHOOD ASSOCIATION TO GET IN EARLY JUST IN CASE IT MIGHT BE PROPOSED FOR USE LIKE THAT. AND THE ONLY THINK I CAN THINK OF THAT WOULD BE THE TRADE-OFF OF HAVING A LANDFILL THERE THAT WOULD BE REGIONAL AND INVITING UP TO 30 COUNTIES' WASTE WOULD BE MATERIAL GAIN FOR TRAVIS COUNTY. I KNOW THAT TRADITIONALLY TRAVIS COUNTY IS VERY ENVIRONMENTALLY AWARE AND VERY ENVIRONMENTALLY ACTIVE, AND THAT'S ONE OF THE MAJOR ATTRACTIONS TO OUR AREA FOR NEW RESIDENTS. THIS LAND IS ONLY 15 MILES FROM AUSTIN, AND I KNOW AUSTIN ALSO HAS A GOAL OF ZERO WASTE BY 2040. SO IT'S INCONSISTENT TO WANT A HUNDRED-YEAR LANDFILL. AND I DID READ THAT IN THE PAPER AND IT MIGHT JUST BE RUMOR ACTION BUT JUST IN CASE IT'S NOT I'M HERE TO SPEAK. I WISH THE COUNCIL COULD KEEP AN OPEN MIND FOR ALL THE POSSIBLE POSITIVE USES, LIKE WASTE SORTING CENTER FOR COUNTY WASTE FOR YOUR ZERO WASTE PLAN. PRESERVE, MAYBE A PORTION OF IT COULD BE A NATURE PRESERVE LIKE PART OF THE RHYMER RANCH WAS DEVOTED, AND ALSO MAYBE GIVING A PORTION. THE HISTORICAL PORTION, TO WEBBERVILLE TO STEWARD. ALSO WE ARE THE MOST POPULATED QUADRANT OF TRAVIS COUNTY. WE ARE ALSO THE MOST ETHNICALLY DIVERSE PORTION OF TRAVIS COUNTY. WE DO HAVE THE LEAST AMOUNT OF PARKLAND PER CAPITA. NORTHWESTERN TRAVIS COUNTY HAS THE MOST AMOUNT OF PARKLAND PER CAPITA, AND I KNOW PART OF THAT IS TO PROTECT ENDANGERED SPECIES BUT

IT DOESN'T ALWAYS HAVE TO BE FOR THAT PURPOSE. IT COULD JUST BE FOR HUMAN ENJOYMENT. AND I JUST WANT YOU TO REMEMBER THE GOLDEN RULE, THAT THE INVOCATION THIS MORNING I BELIEVE EXPRESSED, AND PUT YOURSELF IN OUR PLACE, AND THAT'S ALL I HAVE TO SAY. THANK YOU.

MAYOR WYNN: THANK YOU, MA'AM. JOE ANN GUN LOCK HAS SIGNED UP WISHING TO SPEAK, AS HAS MICHAEL HERITIMUS. MISPRONOUNCE THAT. MICHAEL AND ELLEN SPEAK AFTER THAT. WELCOME, YOU HAVE THREE MINUTES.

MAYOR.....MAYOR WYNN AND COUNCIL MEMBERS, THANK YOU FOR ALLOWING ME TO TALK WITH YOU. MY NAME IS JOE ANN GUN LOCK AND FOR OVER 35 YEARS I LIVED, WORKED AND PAID TAXES IN THE CITY OF AUSTIN. I NOW LIVE AT 8,004 BROWN CEMETERY ROAD. THIS IS DIRECTLY ACROSS THE STREET FROM YOUR PROPERTY, AND WE'VE ENJOYED LOOKING AT YOUR PROPERTY FOR YEARS. WE BUILT A NICE HOME THERE AND WE HAVE A VERY NICE VIEW.... VIEW, AND I MAINLY WANT TO MAKE SURE THAT YOU THINK ABOUT PEOPLE SUCH AS US WHO HAVE RETIRED AND MOVED OUT THERE WHEN YOU DECIDE WHAT TO DO WITH THE PROPERTY. I DON'T BELIEVE THAT ANYONE HAS CHECKED TO SEE IF THERE ARE ANY ENDANGERED SPECIES ON THE PROPERTY, BUT I BELIEVE THERE MIGHT BE, AND I WOULD LIKE VERY MUCH FOR YOU TO CONSIDER THAT WHEN YOU'RE DOING YOUR STUDIES. WE HAVE PONDS AND TREES AND MANY, MANY BIRDS. WE EVEN SAW A PELIATED WOOD PECKER THE OTHER DAY. SO WE WOULD LIKE VERY MUCH TO ASK THAT YOU LOOK AT THOSE OPTIONS BEFORE DECIDING WHAT TO DO. A NATURE PRESERVE WOULD BE A WONDERFUL USE OF AT LEAST PART OF THE PROPERTY, PLUS WE'D LIKE TO SEE THE HISTORICAL SITE PRESERVED, AND OF COURSE MY HUSBAND IS RETIRED MILITARY. HE SERVED FOR 26 YEARS PROTECTING OUR FREEDOMS, AND WE HOPE THAT HE WON'T BE REWARDED BY HAVING SOMETHING LIKE A DUMP OR SOME OTHER USE PLACED NEXT DOOR TO OUR HOME. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MISGUNLOCK. I TRUST YOU REMEMBER THE LAND WAS PURCHASED FOR, THE ORIGINAL PROPOSED USE FOR YEARS AND YEARS, THE FORMAL

PROPOSAL FOR THAT 2800 ACRES WAS A 500 MEGA WATT PULL SEVEREIZED COAL BURNING PLANT. SO I'M PLEASED TO KNOW THAT MY PREDECESSORS AND THIS COUNCIL CONTINUES TO MAKE IT VERY CLEAR THAT WE AREN'T GOING TO BE BUILDING ANY PURVE RISED COAL PLANT IN EAST TRAVIS COUNTY OR ANYWHERE ELSE.

ONE MORE THING I WANT TO ADD IS WE PURCHASED OUR PROPERTY BEFORE THE CITY BOUGHT THEIRS.

MAYOR WYNN: FAIR ENOUGH. MICHAEL -- TRY THIS --

LET ME HELP YOU, MAYOR, IF I MAY. MY NAME IS MICHAEL HYRONIMUS. IT'S EASY TO REMEMBER IF YOU CONSIDER THAT IT'S SYNONYMOUS WITH ANONYMOUS. HYRONIMUS. [LAUGHTER]

IT'S AN OLD GREEK NAME WITH A VEN RALE MEANING OF HOLY NAME. I COME IN OPPOSITION TO THE RESOLUTION ANN IN AGENDA ITEM NO. 29 AS A SEVEN-YEAR CITIZEN OF WEBBERVILLE. I RESIDE ON OPPOSES OAK ROAD ON THE EASTERN SIDE OF THE WEBBER VILLE COMMUNITY. PRIOR TO THAT TIME I LIVED FOR NEARLY 20 YEARS HERE IN AUSTIN. I AM A LONG-TIME RESIDENT THEN OF THIS COMMUNITY AND THE GREATER AUSTIN AREA. OUR CONCERN WITH RESOLUTION IN ITEM 29 ON THE AGENDA TODAY IS THAT IT LIMITS THE DEVELOPMENT OF THIS PIECE OF PROPERTY TO THE CONCERNS OF THE CITY MANAGER AND THE PLANNERS OF THE CITY OF AUSTIN. THEY HAVE ALREADY EXPRESSED BOTH PUBLICLY AND PRIVATELY AN INTEREST IN CONSIDERING A LANDFILL OR WASTEWATER MANAGEMENT PLANT ON THIS PROPERTY, AND THAT'S WHY WE'RE HERE TODAY. DESPITE YOUR GOOD WORDS, MR. .... MR. MAYOR, AND ADMITTEDLY THERE IS NO FORMAL RESOLUTION OR POLICY TO BUILD -- OR EVEN PROPOSAL TO BUILD A LANDFILL ON THIS PROPERTY, BUT PRIORITY IS ESTABLISHED BY THE CITY MANAGER'S OFFICE INCLUDE A LANDFILL AND A WASTEWATER MANAGEMENT PLANT, AND THAT IS WHY THE CITIZENS OF EASTERN TRAVIS COUNTY ARE SO CONCERNED. THESE PLANS REFLECT THE OLD COLONIAL DOGMA THAT EASTERN TRAVIS COUNTY IS ONLY GOOD FOR DIG OR DUMPING, AND IT'S TIME THAT OTHER IDEAS BE PLACED IN THE DIALOG. EASTERN TRAVIS COUNTY,

AS IT HAS ALREADY BEEN MENTIONED, IS UNDERGOING A REMARKABLE HISTORICAL PERIOD OF GROWTH WHERE NEW RESPONSIBLE DEVELOPMENT THAT BRING TOGETHER RESIDENTIAL PLANNING, COMMERCE, INDUSTRY AND RECREATIONAL NEEDS ALL TOGETHER AS EVIDENCED BY SOME OF THE NEW COMMUNITIES ARE....THAT BE BEING BUILT AROUND MANOR, LIKE SHADOW GLEN, THAT INCLUDES A GOLF COURSE AS WELL AS OTHER FACILITIES FOR PUBLIC USE. AND THE NEWLY ANNOUNCED PLANS FOR VIA MUSE, JUST A STONE'S THROW LITERALLY FROM THE PROPERTY UNDER CONSIDERATION TODAY. PLANS TO BUILD A LANDFILL OR A WASTE MANAGEMENT FACILITY IN EASTERN TRAVIS COUNTY ON THESE PEOPLE'S PROPERTY WOULD NULLIFY, ELIMINATE AND DESTROY ANY EFFORTS THAT HAVE BEEN SUCCESSFUL TO THIS POINT TO CREATE VIABLE GROWTH IN EASTERN TRAVIS COUNTY. I WOULD NOT BE HAPPY UNLESS A LANDFILL WERE TAKEN OFF THE TABLE OF DISCUSSION, AT THE BARE MINIMUM THAT SHOULD BE CONSIDERED.

MAYOR WYNN: YOUR TIME HAS EXPIRED, PLEASE CONCLUDE OR YOU CAN RISK TAKING UP ELLEN'S TIME.

THANK YOU, THEN.

MAYOR WYNN: THOSE ARE OUR RULES. THANK YOU.

AND JUST BECAUSE YOU INVOKED MY NAME HERE, THERE HAS BEEN NO, NO PUBLIC STATEMENT FROM ANY STAFF MEMBER THAT THERE IS A PROPOSAL TO PUT A LANDFILL ON THIS TRACT. THIS IS SOMETHING THAT IS BEING GENERATED BY A NUMBER OF FOLKS OUTSIDE OF THIS ORGANIZATION. WHAT WE SAID AND WHAT WE SAID IN THE MOST RECENT LETTER WAS THIS LAND WAS ORIGINALLY BOUGHT FOR INFRASTRUCTURE FOR THE UTILITIES, AND WE HAVE CONSIDERED LOOKING AT IT FOR INFRASTRUCTURE FOR UTILITIES. WE HAVE NOT TALKED ABOUT LANDFILL. IN THE LETTER WE SPECIFICALLY TALKED ABOUT IT AS INFRASTRUCTURE TO SERVE DEVELOPMENT IN THE AREA, AND THAT MAY NOT BE THE POLICY DECISION OF THE COUNCIL. AS YOU'VE HEARD THE MAYOR SAY, WE HAVE NO POLICY DIRECTION ON ANY SPECIFIC PROJECT ON THIS TRACT. AND THE LETTER ALSO GOES ON TO SAY THAT SHOULD THERE EVER BE A CONSIDERATION OF A SPECIFIC

PROJECT, THERE WOULD BE A FULL PUBLIC PROCESS WITH NOTICE OF ALL STAKEHOLDERS BEFORE WE WOULD MOVE FORWARD, WHICH IS ALWAYS WHAT HAPPENS IN OUR COMMUNITY ON A PROJECT.

MAYOR WYNN: OUR NEXT SPEAKER IS ELLEN FRAMAS. WELCOME, ELLEN. YOU'LL ALSO HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY ROGER GORDON, IF YOU CARE TO SPEAK.

GOOD MORNING. MY NAME IS ELLEN HER RON MUST AND I'M THE PRESIDENT OF THE WEBBERVILLE ECONOMIC DEVELOPMENT CORPORATION, AND I'M HERE TO SPEAK ON BEHALF OF THE ECONOMIC DEVELOPMENT CORPORATION, AND WE WOULD ENCOURAGE YOU TO VOTE NO FOR THIS RESOLUTION. IF YOU DECIDE THAT IT IS IMPORTANT THAT YOU VOTE FOR THE RESOLUTION, WE WOULD ENCOURAGE YOU TO CONSIDER THE SUBSTITUTE THAT HAS BEEN OFFERED BY OUR MAYOR THAT WOULD INCLUDE THE FORMAL ORGANIZATION OF A COMMITTEE TO ENSURE THAT THE VOICE OF ALL THE GOVERNMENTAL ENTITIES CONCERNED ARE INCLUDED IN THE DECISIONS THAT ARE MADE REGARDING THIS COMMUNITY. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU. AND OUR NEXT SPEAKER, ROGER GORDON HAD SIGNED UP WISHING TO SPEAK, AS HAD ROBIN SNIDER. ROBIN SNIDER SIGNED UP WISHING TO SPEAK. WELCOME, ROBIN. YOU TOO WILL HAVE THREE MINUTES...

MAYOR AND COUNCIL, MY NAME IS ROBIN SNIDER WITH TEXAS CAMPAIGN FOR THE ENVIRONMENT. I WAS A BOARD MEMBER OF ENVISION CENTRAL TEXAS, AND THROUGH THAT PROCESS WE WERE ABLE TO WORK IN THE FIVE-COUNTY AREA TO LOOK AT OPTIONS FOR OUR AREA AND HOW WE WANTED TO GROW, AND I WOULD URGE YOU TO WORK IN THE SPIRIT OF THAT EFFORT IN ANY CONSIDERATION OF A LARGE PIECE OF PROPERTY SUCH AS THIS. IN ADDITION, I WOULD URGE YOU TO LISTEN TO THE LONG RANGE PLAN TASK FORCE AND HAS BEEN MENTIONED BEFORE, OUR GOAL OF ZERO WASTE BY 2040 BEFORE MAKING ANY PROPOSALS REGARDING THIS LAND. WE WANT TO SEND

SIGNALS TO OUR NEIGHBORS, AND THIS MUST BE A REGIONAL EFFORT, FAR BEYOND THE CITY OF AUSTIN'S OWN EFFORTS TO GET TO ZERO WASTE. THAT USED TO BE A REGIONAL GOAL, AND I AM AFRAID THE TALK OF PUTTING -- HAVING THE CITY USE ITS LAND FOR A LANDFILL IS NOT CONSTRUCTIVE TOWARD GETTING THIS REGION ON BOARD FOR A ZERO WASTE PLAN THAT WE NEED TO DEVELOP, NOT JUST FOR THE CITY BUT FOR THE WHOLE REGION. SO I WOULD URGE CAUTION. I WOULD URGE COOPERATION WITH OUR NEIGHBORS, BOTH FOR OUR INTERESTS AS A REGION AND OUR INTERESTS AT THE STATE LEGISLATURE. THANK YOU.

MAYOR WYNN: THANK YOU, MS. SNIDER, AND IT LOOKS LIKE VERONICA RIVERA SIGNED UP NOT WISHING TO SPEAK IN OPPOSITION. COUNCIL, I SAW THE FOLKS THAT SIGNED UP WISHING TO ADDRESS THIS ON ITEM NO. 29. THAT'S ALL THE FOLKS. COMMENTS? QUESTIONS? COUNCIL MEMBER COLE? COAL I APPRECIATE THE.....

COLE: I APPRECIATE THE PEOPLE THAT CAME OUT BECAUSE I THINK IT'S IMPORTANT THAT WE LOOK AT ITEMS WITH CONSIDERATION TO OUR REGIONAL NEIGHBORS AND IT IS IMPORTANT THAT WE'VE HEARD FROM COMMISSIONER DAVIS AND STATE REPRESENTATIVE DONA DUKES AND STATE REPRESENTATIVE EDDIE RODRIGUEZ. I KNOW WE DO NOT HAVE PLANS FOR THIS LAND AND THE MOTION MAKES CLEAR WE'RE NOT SELLING THE LAND AT THIS TIME BUT WE'RE GOING THROUGH THE PROCESS OF TRYING TO DECIDE WHAT WE DO WITH IT. SO I WANT TO MAKE CLEAR TO THE STAFF THAT AS WE GO THROUGH THE PROCESS AND WE LOOK AT ARCHAEOLOGICAL INFORMATION AND GEOLOGICAL INFORMATION AND TRY TO MAKE A DETERMINATION OF OUR LONG-RANGE PLANS AS WE PLAN FOR THE CITY, THAT WE SHARE THAT INFORMATION WITH THE PUBLIC AND THE OTHER CITY OFFICIALS. SO I'D LIKE TO HAVE THAT AT A CITY COUNCIL MEETING AND BE PRESENTED THERE FOR COMMENTS FROM THOSE CITY OFFICIALS AND ELECTED OFFICIALS, STATE ELECTED OFFICIALS.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? COUNCIL



MEMBER.

KIM: I WANT TO THANK EVERYONE, I'VE HEARD A LOT OF COMMENTS AND I WANT TO REITERATE WE DON'T HAVE ANY PLANS PRESENTLY FOR THIS TRACT OF LAND BUT IT IS VERY VALUABLE FOR OUR INFRASTRUCTURE NEEDS IN THE FUTURE. WE JUST DON'T KNOW EXACTLY WHAT WE WOULD DO WITH IT AT THIS TIME. WE STILL HAVE TO WAIT, FOR EXAMPLE, FOR THE FEMA FLOODPLAIN MAPS AND FEMA IS REALLY BACK LOGGED NOW SO UNTIL WE HAVE THOSE WE DON'T KNOW WHAT WE CAN DO WITH LAND OR WHERE WE COULD PLACE WHATEVER IT IS WE'RE GOING TO PLACE THERE. SO WE'LL KEEP YOU ALL INFORMED AND OF COURSE ARE HERE TO ANSWER ANY QUESTIONS OR TO MEET WITH YOU. THIS IS GOING TO GO ON FOR SEVERAL YEARS, I ANTICIPATE, SO IT'S GOOD WE'VE HAVING THIS DISCUSSION NOW AND TALKING ABOUT IMPROVING OUR COMMUNICATION. I'M MORE THAN HAPPY TO SIT DOWN WITH YOU AS ISSUES COME UP, AND ADDRESS THOSE. THANK YOU.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ?

MARTINEZ: THANKS, MAYOR. I WANTED TO TALK A LITTLE BIT ABOUT WHAT'S TAKING PLACE HERE TODAY AND WHY I'M GOING TO BE SUPPORTING THIS MOTION, BECAUSE WE WERE PRESENTED SOME VERY IMPORTANT INFORMATION IN EXECUTIVE SESSION, AND I THINK BASED ON COUNCIL MEMBERS -- COUNCIL MEMBER COLE'S COMMENTS THAT SHE HAS REQUESTED THAT THAT INFORMATION BE MADE PUBLIC THROUGH A BRIEFING AT A COUNCIL MEETING AND I CERTAINLY AM SUPPORTIVE OF THAT. BECAUSE IT IS -- IT'S DIFFICULT TO VOTE ON AN ITEM THAT YOU SEE BEFORE YOU WHEN MANY FOLKS KNOW THAT THERE ARE MANY ISSUES THAT ARE AT STAKE HERE. BUT, YOU KNOW, AS A COUNCIL MEMBER I BELIEVE IT'S IN OUR BEST INTEREST TO MAINTAIN OWNERSHIP OF THIS PROPERTY. NOW, WHAT WE DO WITH THE PROPERTY IS A TOTALLY DIFFERENT CONVERSATION, AND THAT'S WHERE THE ANALYSIS COMES IN, AND THAT FULL ANALYSIS WILL ALSO GUIDE US DOWN THAT PATH. BUT I ALSO AM SUPPORTIVE OF THE COLLABORATIVE PROCESS OF STAKEHOLDERS HAVING INPUT, NOT NECESSARILY HAVING AUTHORITY BUT HAVING NECESSARY INPUT SO

THAT WE -- WE DON'T MAKE DECISIONS IN A VACUUM AND SO THAT WE DON'T ONLY THINK ABOUT THE CITY OF AUSTIN'S BEST INTERESTS. WE THINK ABOUT THE PEOPLE'S BEST INTERESTS, WHETHER YOU LIVE IN THE CITY OR THE COUNTY OR IN WEBBERVILLE, AND SO I WOULD ALSO -- I'M GOING ASK COUNCIL AS WE MOVE FORWARD, WHEN THE ANALYSIS IS DONE, SO CONSIDER PUTTING A STAKE HOLDER INPUT PROCESS TOGETHER TO GUIDE US IN THE DECISIONS THAT WE MIGHT MAKE IN THE FUTURE WITH REGARDS TO THIS LAND, BECAUSE I DO THINK THERE ARE MANY FOLKS THAT ARE IMPACTED OTHER THAN JUST THE CITY OF AUSTIN. AND I SECIAL CERTAINLY..... CERTAINLY WOULD LIKE TO CONTINUE DIALOG WITH THEM AND I APPRECIATE THEM BEING HERE TODAY.

MAYOR WYNN: THANK YOU. MAYOR PRO TEM?

DUNKERLEY: AS HAS BEEN STATED WE CERTAINLY ARE AT THE BEGINNING STAGES OF DUE DILIGENCE STILL. I JUST HAVE A QUESTION FOR THE CITY MANAGER. WHEN DO YOU THINK -- I THINK YOU MENTIONED IT A MIPT AGO. WHEN DO YOU THINK WE COULD DO AN INITIAL PUBLIC BRIEFING BASED ON THE VERY PRELIMINARY DATA WE HAVE RIGHT ?OW.

I THINK WE COULD SET UP WITH WHAT WE HAVE TO DATE, WHICH IS VERY PRELIMINARY -- WE COULD SET SOMETHING UP IN JUNE. WE ONLY HAVE ONE MORE MEETING LEFT IN MAY AND I ALSO THINK -- I THINK COUNCIL.....COUNCIL MEMBER COLE, YOU'RE GOING TO BE GONE FOR THAT MEETING, SO WE COULD SET UP SOMETHING IN ONE OF OUR MEETINGS IN JUNE TO DO THE PRELIMINARY DATA, AND THEN AT THAT MINUTE -- GIVE ME JUST A LITTLE BIT OF TIME TO SEE HOW MUCH MORE TIME WILL BE NEEDED TO GET TO THE NEXT PHASE BUT IT WOULD BE THROUGH THE SUMMER, TOWARDS THE END OF THE SUMMER, EARLY FALL, BEFORE WE WOULD BE DONE WITH THE NEXT PHASE OF EVALUATION ON THE PROPERTY.

DUNKERLEY: THANK YOU.

MAYOR WYNN: THAT BEING FOR US LIKELY HIRING -- I PRESUME WE WOULD GO HIRE A THIRD PARTY TO DO

ARCHEOLOGY.

YES, EXACTLY RIGHT.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I KNOW THIS IS A VERY SENSITIVE MATTER AND SO I APPRECIATE THE EFFORT. I THINK WE SHOULD AT THE EARLIEST POSSIBLE DATE, AND I THINK JUNE IS FINE, MAKE ALL THE INFORMATION THAT WE POSSIBLY CAN AVAILABLE TO THE PUBLIC ON THE STUDIES AS THEY GO FORWARD.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? ITEM NO. 29. IF NOT I'LL ENTERTAIN A MOTION. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER LEFFINGWELL TO APPROVE THIS ITEM AS POSTED WITH THOSE ADDITIONAL DIRECTIONS TO THE CITY MANAGER ABOUT THE MORE PUBLIC PRESENTATION AS INFORMATION - - TECHNICAL INFORMATION ABOUT THE SITE IS APPROPRIATE AND AVAILABLE. FURTHER COMMENTS? HEARING NONE, ALL NO, SIR IN FAVOR PLEASE SAY AYE.

AYE.

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

MAYOR WYNN: SO COUNCIL, THAT STILL LEAVES US WITH A COUPLE MORE DISCUSSION ITEMS..... ITEMS. I HAVE HESITATION ABOUT TAKING UP ITEM -- LET'S SEE, 30 RIGHT NOW IS THAT WE HAVE ABOUT A DOZEN OR SO PEOPLE WHO AT LEAST INITIALLY WANTED TO SPEAK. IT MIGHT BE -- PERHAPS THEY MIGHT BE ABLE TO KEEP THEIR COMMENTS RELATIVELY MORE BRIEF AS MUCH OF IT WAS STATED IN THIS PAST ITEM, BECAUSE I'M THINKING ABOUT -- LOOKING AT THE CLOCK THINKING ABOUT OUR 12:00 GENERAL CITIZEN COMMUNICATION. FOLKS WILL BE HERE DURING THEIR LUNCH HOUR. BUT HAVING LOOKED AT IT NOW, THERE IS 9 SPEAKERS AND MANY OF THEM I THINK COULD BE RESPECTFUL OF OUR TIME CONSTRAINT THIS MORNING. SO LET'S TAKE UP ITEM NO. 30, WHICH IS A ITEM FROM COUNCIL, A RESOLUTION OPPOSING THE EXPANSION APPLICATION

FOR BOTH THE WASTE MANAGEMENT COMMUNITY LANDFILL AND THE ALLIED OR BFI LANDFILL, AND THIS IS TECHNICALLY AN ITEM FROM COUNCIL MEMBERS LEFFINGWELL, MARTINEZ AND COLE. PERHAPS SORT OF A BRIEF, YOU KNOW, SUMMARY OF THE RESOLUTION BY ONE OF THE COUNCIL MEMBERS AND THEN WE COULD TAKE COMMENTS FROM FOLKS WHO ARE HERE IN THE AUDIENCE. I'LL RECOGNIZE ONE OF THE SPONSORS. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: WELL, FOR A BRIEF SUMMARY, THE RESOLUTION MERELY EXPRESSES THE OPINION OF THE CITY COUNCIL. WE OPPOSE THE EXPANSION APPLICATIONS THAT ARE CURRENTLY ON FILE BEFORE THE TCEQ, AND IT ALSO DIRECTS THE CITY MANAGER TO WORK WITH BOTH TCEQ AND TRAVIS COUNTY TO WORK TOWARDS THE PERMANENT CLOSURE OF THESE LANDFILLS BY NOVEMBER 2015, AND DIRECTS THEM TO TAKE OTHER ACTIONS AS NECESSARY TO WORK WITH TRAVIS COUNTY AND TCEQ TO MAINTAIN THOSE LANDFILLS AS WELL AS -- AS GOOD AS THEY POSSIBLY CAN BE MAINTAINED UNTIL THEY ARE CLOSED. AND FINALLY IT STATES THAT IF A CONTESTED HEARING BEFORE THE TCEQ IS HELD, THAT THE CITY OF AUSTIN REQUESTS TO BE A PARTY TO THAT HEARING. SO THAT'S A BRIEF SUMMARY OF THE RESOLUTION, AND I GUESS OBVIOUSLY SINCE I'M A SPONSOR I SUPPORT THE RESOLUTION AND I WOULD WELCOME ANY COMMENTS FROM THE PUBLIC.

MAYOR WYNN: THANK YOU, COUNCIL MEMBER, FOR THAT INTRODUCTION, SO WITH THAT WE'LL GO TO FOLKS WHO MIGHT WANT TO GIVE US SOME FEEDBACK ON THAT. THE SAME FOLKS WHO SIGNED UP AND SPOKE ON ITEM NO. 29. THE FIRST PERSON AGAIN WOULD BE MAYOR GONZALEZ. DO YOU CARE TO ADDRESS US, MAYOR? WELCOME. YOU'LL BE JOINED BY JAMES BLANE.

THANK YOU. I'LL BE SHORT AND SWEET. -- I STAND WITH YOU-ALL ON THIS ITEM, IN YOUR OPPOSITION. I APPLAUD YOU-ALL IN THIS. REAL QUICKLY, BACK TO ITEM 29, THE STUDIES WILL -- TRANSPORTATION FEETIBILITY STUDY WILL CONDUCTED AS WELL -- WILL IT BE CONDUCTED FOR YOU-ALL'S LAND?

MAYOR WYNN: THAT WOULD MAKE SENSE TO ME. CITY

MANAGER? SO THE QUESTION ABOUT -- THAT BY MAYOR GONZALEZ IS WOULD THERE BE SOME KIND OF TRANSPORTATION ANALYSIS OR STUDY DONE IN CONSTRUCT WITH THE AUSTIN ENERGY TRACT, THAT IS, SOME ANALYSIS OF ROAD CAPACITY OR --

YES, AND OF COURSE THAT DEPENDS ON THE USE. LONG BEFORE -- YOU HAVE TO HAVE SOME IDEA OF WHAT THE TRAFFIC THAT'S GOING TO BE GENERATED BY THE USE, SO THAT'S A LITTLE BIT OF THE TAIL END ANALYSIS AS OPPOSED TO THE FRONT END ANALYSIS, BUT WE'RE ALL AWARE THAT THE ROAD IN THE AREA IS SUBSTANDARD FOR MANY OF THE USES THAT COULD BE FOR THE TRACT AND WOULD HAVE TO BE FACTORED INTO ANY DEVELOPMENT OF THE TRACT. SO YES, WE'VE DONE AN INITIAL LOOK AT THE ROAD ALREADY, AND THEN ANY SUBSTANTIAL EVALUATION OF TRAFFIC IS GOING TO BE VERY DEPENDENT ON THE USE THAT GETS SELECTED FOR THE TRACT.

MAYOR WYNN: RIGHT. THANK YOU.

THANK YOU, ARE, MAYOR.

MAYOR WYNN: THANK YOU.

MAYOR WYNN: JAMES BLANE HAD SIGNED UP WISHING TO SPEAK ON THIS ITEM. MR. BLANE? YOU'RE WELCOME TO GIVE US SOME COMMENT, AND ALSO CLAWED BRAMBLIN HAD SIGNED UP. WELCOME BACK.

THANK YOU, MAYOR. THANK YOU, MAYOR. PRETTY WELL WHAT I HAD TO SAY ON THAT.

MAYOR WYNN: THANK YOU. THANKS FOR BEING HERE.

WELCOME, MR. BRAMBLIT. YOU'LL BE FOLLOWED BY GERMANE SWENS ON.

I'LL BE VERY BRIEF. OUR HOME IS IN AUSTIN AND WE HAVE A SMALL FARM THAT WE BOUGHT IN THE 1970S, AND WE'RE HORRIFIED WHEN THE CITY BOUGHT THE LAND NEXT DOOR, BUT I WANTED TO SPEAK ABOUT THE TRASH AND LANDFILLS. OBVIOUSLY THE FUTURE OF TRASH SHOULD BE FOCUSED

ON SORTING AND RECYCLING AND ABOVE-GROUND COMPOSTING. THE FUTURE OF TRASH SHOULD BE ZERO LANDFILL. I KNOW THE CITY OF AUSTIN HAS SET THAT AS ITS GOAL BUT I WANT TO REITERATE THAT, ESPECIALLY MY PREFERENCE TO THE 290 LANDFILL AND WITH ALL THE CONVERSATIONS OF A LANDFILL TO BE PUT NEXT DOOR TO OUR FARM.

THANK YOU, MR. BRAMBLIT. GERMANE SWENS ON?

YES.

MAYOR WYNN: YOU'LL BE FOLLOWED BY ENGLISH.

I STAND WITH YOU ON THIS. YOU KNOW, OBVIOUSLY I WOULD. AND I ALSO WOULD LIKE TO INVITE ALL OF YOU TO BECOME MEMBERS OF THE PARK SPRINGS NEIGHBORHOOD ASSOCIATION, IF YOU WOULD LIKE. AND I'M JUST SO GLAD THAT YOU-ALL WANT TO SHUT DOWN THIS LANDFILL BY 2015 AND ARE LOOKING FOR ZERO WASTE BY 2040. AND I WANT TO COMMEND YOU ON THAT. THANK YOU.

MAYOR WYNN: THANK YOU, MS. SWENSON. WEL WELCOME. IS JOYCE BEST HERE? I THOUGHT I SAW JOYCE EARLIER. JOYCE HAS OFFERED HER -- YOU HER MINUTES. YOU HAVE TO SIX MINUTES IF YOU NEED IT.

GOOD MORNING, MY NAME IS TREK, ENGLISH FOR THE RECORD AND WITH THE NORTHEAST ACTION GROUP. I WANT TO TAKE THIS OPPORTUNITY TO THANK MAYOR GONZALEZ FOR SUPPORTING THIS RESOLUTION, I ALSO WANTED TO TAKE THE OPPORTUNITY TO TELL YOU ON BEHALF OF ALL OUR FOLKS THAT WE THANK YOU FROM THE BOTTOM OF OUR HEART FOR TAKING ON THIS VERY DIFFICULT ISSUE. THE LANDFILLS, I KNOW, I WORKED WITH THE CITY COUNCIL FOR OVER FIVE YEARS JUST BRINGING UP TO YOU THE PROBLEMS THAT WE WERE FACING. BUT THE LAST FIVE YEARS I'VE BEEN WORKING WITH TRAVIS COUNTY. I WANT TO REMIND EVERYBODY THAT WE ARE THE ONES THAT ARE REALLY FACING A LANDFILL EXPANSION, AND WE ARE THE ONES THAT HAVE BEEN DEALING WITH WASTE ISSUES FOR THREE DECADES NOW AND WE'RE NOT FINISHED. WE'RE ALSO VERY CONCERNED THAT IN 2015 THERE WILL BE A NEW

CITY COUNCIL. THERE WILL BE A NEW COMMISSIONERS COURT. SO WE REALLY DON'T KNOW WHAT'S GOING TO HAPPEN IN 2015, BUT WE'RE WILLING TO TAKE WHAT WE CAN GET AT THIS TIME, AND WE REALIZE THAT YOU'RE PASSING A RESOLUTION OPPOSING THESE EXPANSIONS AS FILED. I WOULD LIKE EVERYBODY TO PLEASE NOTICE THE LANGUAGE, "AS FILED." AND I WOULD LIKE TO HAVE HAD THE OPPORTUNITY TO SPEAK AFTER THE LANDFILL OPERATORS OR REPRESENTATIVES, BECAUSE THEY ALWAYS SEEM TO SPEAK AFTER ME. I -- AND IN THE SPIRIT OF WHAT ELECT JOHNSON SAID, I WOULD LIKE EVERYBODY TO UNDERSTAND THAT FOR THE LAST -- I DIDN'T KNOW ANYTHING ABOUT THE WEBBERVILLE TRACT THE WHOLE TIME I'VE BEEN FIGHTING THIS. THIS CAME UP TO MY ATTENTION IN THE LAST THREE MONTHS, AND SEEMS LIKE EVERYBODY KNOWS MORE ABOUT IT THAN I DO. I ALSO WOULD LIKE TO SAY THAT I HAVE BEEN WORKING NOT ONLY AT TCEQ, TRAVIS COUNTY, THE CITY, THE SWAK AND SWAFER. I'VE ALSO BEEN WORKING WHERE MOST OF THE SPEAKERS BEFORE ME THAT HAVE OUR CONCERN ABOUT THE FUTURE OF OUR REGION, TO COME TO THE CAB COG. THE CAB COG MEETINGS ARE VERY IMPORTANT. THE ULTIMATE AUTHORITY IS TCEQ, BUT CAB COG, THROUGH TCEQ, IS RESPONSIBLE FOR THE REGIONAL WASTE DISPOSITION, AND THAT'S WHO THEY NEED TO COME. AND I'VE BEEN THERE RATTLING THEIR CAGE FOR OVER TWO, THREE YEARS LETTING THEM KNOW THAT THIS WAS A PROBLEM THAT WAS CREATED, AND WHEN YOU HAVE A REGIONAL DEPOSIT, THAT IT NEEDS TO BE ADDRESSED. AND JUDGE BISCOE WAS INSTRUMENTAL IN HOLDING A WASTE SUMMIT TWO YEARS AGO WHERE HE INVITED ALL THESE COUNTIES TO LOOK AT THE SITUATION AND PERHAPS COME UP WITH A SOLUTION TO OUR WASTE PROBLEM. THAT DIDN'T GO VERY FAR, BUT IN ANY CASE I'M ASKING THEM TO PERHAPS TAKE ON THE CAB COG AND MAKE THEM MORE AWARE OF THE REGION'S PROBLEM. AND IN CONCLUSION I WOULD LIKE TO CLARIFY TO ALL OUR FOLKS THAT NEXT WEEK IS WHEN OUR FIGHT REALLY IS. IT'S AT THE MANOR MIDDLE SCHOOL AT 7:00 P.M. THERE'S BEEN SO MUCH BREAK MUCH BROUHAHA OVER THE LANDFILL IN WEBBERVILLE, ALL THE FOLKS ARE CONFUSED AND THINK THERE'S ANOTHER LANDFILL IN QUESTION. AND THE ONLY THING WE'RE FACING IS AT THURSDAY AT 7:00. I

WOULD LIKE THE MEDIA TO CLARIFY THE CONFUSION THIS CREATED BY MAKING IT SEEM LIKE TODAY -- TODAY IS THURSDAY, OH IS ALSO THURSDAY, IS WHERE THIS FIGHT IS GOING TO HAPPEN. IT ISN'T. IT'S NEXT THURSDAY AT 7:00 P.M. IN MANOR. THANK YOU SO MUCH.

MAYOR WYNN: THANK YOU, MS. ENGLISH FOR ALL YOUR WORK. MELODY MCA FEE SIGNED UP WISHING TO SPEAK. YOU'LL HAVE 3 MINUTES AND BE FOLLOWED BY MARK MCFEE, WHO WILL BE FOLLOWED BY ROBIN SNIDER.

HELLO, THANK YOU, COUNCIL. I JUST WANT TO THANK YOU FOR THE RESOLUTION AND TO TAKE PARTY STATUS AND BE WITH US. THERE'S A LITTLE BIT OF CONFUSION, I THINK, ON OUR PART AND I'M NOT SURE ABOUT THE 2015 AND HOW THAT WILL PLAY OUT WITH BFI AND THEIR EXPANSION, AND THE POSITION -- THE SPLIT POSITION OF THE COUNTY. SO I DON'T KNOW IF THAT'S SOMETHING THAT'S POSSIBLE TO CLARIFY RIGHT NOW AS FAR AS IF THE COUNCIL WOULD BE IN FAVOR OF ANY EXPANSION OF BFI IF THEY GOT OUT BY 2015 AND WHAT KIND OF MECHANISM YOU THINK WOULD NEED TO BE SET IN PLACE FOR THAT TO HAPPEN.

MAYOR WYNN: THANK YOU. I SUSPECT THERE WILL BE THAT. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: FRANKLY, I DON'T KNOW WHAT THE MECHANISM WOULD BE. THE RESOLUTION MERELY DIRECTS THE CITY MANAGER TO WORK WITH TRAVIS COUNTY AND THE TCEQ TOWARDS CLOSING THE LANDFILLS BY THAT DAY. IT DOESN'T -- IT'S NOT ANY KIND OF DATE CERTAIN WHERE WE'RE REQUESTING THAT THAT BE DONE. IT'S JUST THAT THEY WORK TOWARDS CLOSING IT BY THAT DAY.

ALL RIGHT. THANK YOU.

MAYOR WYNN: THANK YOU. MARK MACAFEE.

GOOD MORNING MAYOR, AND COUNCIL MEMBERS. AFTER MORE THAN A DECADE OF HOSTS OF COMMUNITY AND ENVIRONMENTAL LEADERS TRYING TO...TO CLOSE THESE LANDFILLS IN THIS AREA DUE TO THEIR PROXIMITY TO HOMES, SCHOOLS, NATIONALLY REGISTERED HISTORIC



STRUCTURES, DAY CARES AND OTHER SENSITIVE RECEPTORS, I CANNOT TELL YOU HOW HAPPY WE ARE THAT THIS ISSUE IS BEFORE YOU. THE LETTER BEFORE YOU SIGNED BY A WIDE ARRAY AFTER ENVIRONMENTAL AND COMMUNITY LEADERS SHOWS THE BROAD BASED SUPPORT THAT WE HAVE TO CLOSE THESE PROBLEM LANDFILLS. WE ARE, HOWEVER, VERY CONCERNED ABOUT THE AMENDMENT ADDED THIS MORNING FOR SEVERAL REASONS. THE TCEQ PERMITS A SIZE RATHER THAN A DATE. SO -- AND AFTER WORKING WITH THE COUNTY FOR YEARS AND TRYING TO COME UP WITH A SOLUTION TO THIS CLOSURE DATE PROBLEM, WE REALLY HAVE NOT SEEN ANY LANGUAGE YET THAT COULD BE ENFORCED THAT OUR ATTORNEYS FEEL COULD BE ENFORCED. THE CITY ALSO HIRED AN JERG FIRM IN THE LATE 90S TO EXPLORE WHETHER THIS AREA WAS A LIABILITY TO THE CITIZENS OF AUSTIN, AND THE ENGINEERING FIRM DID INDEED COME UP WITH A REPORT THAT ENDED UP SENDING AUSTIN'S WASTE TO SOUTH -- TO THE TDS LANDFILL BECAUSE OF THEIR CONCERNS FOR MIGRATION, ET CETERA. THERE'S A HISTORY OF TOXIC WASTE OUT IN THIS AREA AS WELL-BEING.....WELL BEING PUT IN THAT AREA IN THE EARLY '70S. SO I WOULD ENCOURAGE YOU THAT RATHER THAN WORKING ABOUT A LACK OF SPACE AS YOU APPROACH THIS ISSUE, AND I AM ASSUMING THAT THAT'S WHAT HAS LED YOU TO ADD THIS LATEST AMENDMENT TO THE RESOLUTION, THAT WE WOULD BE BETTER SUITED TO PUT OUR EFFORTS INTO RECYCLING AND TO EXTEND THE LIVES OF THESE LANDFILLS RATHER THAN TO ADD -- ALLOW ANOTHER SQUARE INCH TO BE PERMITTED THERE. YOU REALLY END UP GETTING INTO A VERY SLIPPERY SLOPE WHEN YOU TALK ABOUT TRYING TO PERMIT -- TRYING TO END UP WITH THE AMOUNT BY A DATE CERTAIN. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. MCA FEE. ROBIN SNIDER, WELCOME.

FOR THE RECORD, MY NAME IS ROBIN SNIDER, EXECUTIVE DIRECTOR OF TEXAS CAMPAIGN FOR THE ENVIRONMENT. I'M SPEAKING TODAY ON BEHALF OF THOUSANDS OF SUPPORTERS OF TEXAS CAMPAIGN FOR THE ENVIRONMENT HERE IN AUSTIN, MANY OF WHOM HAVE COMMUNICATED DIRECTLY WITH YOU ABOUT THEIR SUPPORT FOR THIS

RESOLUTION, OPPOSING THE EXPANSION. I WANT TO ALSO THANK SLACK, THE CITY ADVISORY COMMISSION THAT YOU HAVE APPOINTED. THEY ORIGINALLY CRAFTED A RESOLUTION FOR YOU THAT THIS CAME FROM, AND THOSE FOLKS SERVE, OF COURSE, WITHOUT ANY COMPENSATION AND MEET EVERY MONTH TO CONSIDER THESE ISSUES, AND THEY HAVE TAKEN A STRONG POSITION IN ENCOURAGE YOU TO TAKE A STRONG POSITION AGAINST THE EXPANSION OF THESE TWO LANDFILLS. UNFORTUNATELY FROM OUR PERSPECTIVE THE COUNTY FOR A NUMBER OF YEARS HAD BEEN NEGOTIATING WITH BFI IN A SITUATION WHERE THE COUNTY WOULD NOT OPPOSE A 75-FOOT EXPANSION OF THE BFI LANDFILL, WHICH WOULD MAKE THE TOP OF THE BFI LANDFILL TALLER THAN THE TOP OF MOUNT BONNELL. THE COUNTY PRESENTED VARIOUS IDEAS TO THE NEIGHBORS, AND EACH OF THE THREE MEETINGS HELD. THE NEIGHBORS PRESENT UNANIMOUSLY REJECTED THESE NEGOTIATIONS, THAT BFI WOULD GET A 75-FOOT EXPANSION AND AGREE TO CLOSE BY 2015. THAT WAS THE DEAL ESSENTIALLY THAT WAS BEING PRESENTED, AND NEIGHBORS ARE NOT IN FAVOR OF THAT. LUCKILY THE COUNTY NEVER SIGNED ONTO AN AGREEMENT. THEY NEVER MADE THAT AGREEMENT. IT WAS NEVER PASSED BY THE COMMISSIONERS COURT, AND WE BELIEVE THAT THE CITY SHOULD STAND WITH THE COUNTY IN THE COUNTY SEEKING TO TAKE EFFECTIVE PARTY STATUS. HOWEVER, WE BELIEVE THAT THE CITY SHOULD MAKE IT CLEAR THAT THEY WILL TAKE LEADERSHIP ON THIS ISSUE, LIKE THE POSTED RESOLUTION DID, AND FLATLY OPPOSE THE EXPANSION. THE CITY, AS YOU WELL KNOW, DOES NOT HAVE TO WALK LOCKSTEP WITH TRAVIS COUNTY ON THIS OR ANY OTHER ISSUE, AND YOUR LEADERSHIP ON THIS, YOU HAVE NOT BEEN INVOLVED IN NEGOTIATIONS FOR YEARS WITH BFI OVER THIS AND YOUR RESOLUTION I HOPE DOES NOT REFLECT THAT. YOU HAVE YOUR OWN INTERESTS, PROTECTING THE RESIDENTS AND THE FUTURE GROWTH AND THE CITY'S TAX BASE AS THE RESOLUTION INITIALLY CALLED FOR. I WANT TO MAKE IT CLEAR, SOMETHING THAT MARK MENTIONED, NONE OF THE TRASH THAT IS COLLECTED BY THE FILE AWAY SERVICES OF AUSTIN, THE RESIDENTIAL TRASH GOES TO THESE LANDFILLS. IN WORKING WITH THE TCEQ, THEY DO NOT PUT TIME LIMITS ON LANDFILL PERMITS. IN FACT, THEY ARE THE

ONLY PERMITS THAT THE TCEQ ISSUES THAT DO NOT HAVE A TIME LIMIT. I'M WORKING HARD AT THE LEGISLATURE AND THE TCEQ TO TRY AND CHANGE THAT, BUT IT IS NOT HAPPENING YET. AND IN RECENT RESEARCH THAT WE GOT, THERE ARE 80 OF THE -- 83 OF THE 188 LANDFILLS PERMITTED IN TEXAS HAVE MORE THAN 50 YEARS LEFT ON THEIR PERMITS. IN FACT, THERE ARE THREE THAT HAVE MORE THAN 2,000 YEARS LEFT ON THEIR PERMITS IF THEY CONTINUE TO TAKE GARBAGE AT THE SAME RATE THAT THEY TOOK IT IN 2005. THE ISSUE OF HOW LONG THE LANDFILL STAYS OPEN IS COMPLETELY DETERMINED ON THE OPERATOR. IF BFI WANTS TO SLOW DOWN WHAT THEY TAKE IN ON A DAILY BASIS, THEIR LANDFILL ON THEIR CURRENT PERMIT COULD LAST AS LONG AS THEY WANT. SAME WITH WASTE MANAGEMENT. THEIR CURRENT PERMITS COULD LAST FOR 7,000 OR MORE YEARS IF THEY SLOWED DOWN THE RATE OF INTAKE. IT IS COMPLETELY BASED ON ON HOW MUCH GARBAGE THEY TAKE IN ON A DAILY BASIS, AND THE TCEQ HAS VERY LITTLE TO SAY ABOUT IT.

MAYOR WYNN: THANK YOU, MS. SNIDER. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I'M A LITTLE BIT PERPLEXED BY THE CONCERN OF THE 2015 DATE. THAT WAS CONTAINED IN THE ORIGINAL SLEK RESOLUTION WHICH YOU ENDORSED, AND I DON'T THINK IT HAS ANYTHING TO DO WITH THE ISSUE. THE RESOLUTION ALSO STATES THAT WE OPPOSE THE EXPANSION AS WELL, THE ADDITION OF A DATE IS JUST EXTRA ADDED ATTRACTION AND I REALLY DON'T UNDERSTAND THE CONCERN OVER IT.

I HAVEN'T SEEN THE LANGUAGE OF THE RESOLUTION. THAT'S MY CONCERN. I HAVEN'T SEEN THE LANGUAGE OF THE CURRENT RESOLUTION. I DON'T KNOW HOW IT'S COUCHED.

IT'S THE SAME -- IT'S THE SAME AS IT'S ALWAYS BEEN, THE SAME AS POSTED, EXCEPT FOR THE.... THE ADDITION OF THE 2015 DATE IN DIRECTION TO THE CITY MANAGER.

IT'S BEEN A VERY SENSITIVE ISSUE WITH THE COUNTY, AND SO WHEN YOU TALK ABOUT THE COUNTY AND THE TCEQ

AND 2015 IT RAISES A LOT OF QUESTIONS FOR THOSE OF US WHO HAVE BEEN WORKING ON THIS FOR A LONG TIME. SO I HAVEN'T SEEN THE LANGUAGE. IT COULD BE PERFECTLY FINE PRECISELY THE LANGUAGE WAS CONTAINED IN THE SWAK RESOLUTION WHICH YOU PREVIOUSLY ENDORSED.

THEN IT SHOULD BE FINE.

MAYOR WYNN: THANK YOU. COUNCIL, THAT'S ALL OF OUR CITIZENS SIGNED UP FOR TESTIMONY ON ITEM NO. 30, AND THANK YOU, COUNCIL MEMBER, FOR SOME CLARIFICATION. FURTHER COMMENTS, QUESTIONS OF STAFF OR ANYBODY? CONCERNS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: THE DETERMINATION OF WHETHER OR NOT TO GRANT ANY EXPANSION PERMITS IS NOT MADE BY THE CITY COUNCIL. IT'S NOT MADE BY THE COUNTY, EVEN, OR CAP COG, ALTHOUGH WE DO HAVE THE RIGHT TO EXPRESS AN OPINION, AND WE HAVE. THE DECISION FINALLY IS MADE BY THE TCEQ, AND THAT'S WHAT THIS RESOLUTION DOES, IS EXPRESSES OUR OPINION AND OUR REQUEST TO BE A PARTY OF ANY CONTESTED HEARING THAT WOULD TAKE PLACE BEFORE THE TCEQ WHEN THEY MAKE THEIR DECISION. SO I WOULD MOVE APPROVAL OF THE RESOLUTION.

SECOND.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY COUNCIL MEMBER COLE TO APPROVE ITEM NO. 30 AS POSTED AND CORRECTED, READ INTO THE RECORD EARLIER THIS MORNING WITH THE ADDITIONAL -- WITH THE ADDITION OF THE DATE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. COUNCIL, PERFECT TIMING. THAT TAKES US RIGHT TO OUR NOON GENERAL CITIZEN COMMUNICATION. I'LL SAY BEFORE WE GET STARTED WITH THAT, THERE'S A COUPLE OF HOUSEKEEPING ITEMS. OBVIOUSLY WE HAD POSTED A PRESENTATION THIS

MORNING REGARDING OUR FORMAL HOUSING AND SENATE TASK FORCE. WE SPENT A LOT OF TIME ON THESE LAST TWO AGENDA ITEMS. WE HAVE A COUPLE OF ITEMS THAT WE NEED TO TAKE UP IN CLOSED SESSION IMMEDIATELY FOLLOWING OUR 30 MINUTES' WORTH OF CITIZEN COMMUNICATION. SO I GUESS I'D JUST LIKE TO TELL FOLKS WHO ARE HERE WAITING, I APOLOGIZE FOR THE INCONVENIENCE AND THE DELAY, THAT WE LIKELY WON'T TAKE UP THE -- OR WE WON'T TAKE UP THE FORMAL HOUSING AND SENATE TASK FORCE PRESENTATION UNTIL APPROXIMATELY -- I WOULD GUESS AROUND 2:00 P.M. WE'LL BE IN CLOSED SESSION DURING THE LUNCH BREAK, GOING OVER SOME ITEMS. THEN WE'LL COME OUT FOR THAT HOUSING PRESENTATION, WHICH WILL LEAD US RIGHT INTO OUR FINANCING BOARD MEETING. SO I APOLOGIZE FOR THE INCONVENIENCE, BUT THAT WILL GIVE YOU A CHANCE TO GO GRAB LUNCH AND BE BACK MID-AFTERNOON. COUNCIL, THAT TAKES US TO OUR NOON CITIZEN COMMUNICATION. WE HAVE A FULL ROSTER TODAY. FIRST SPEAKER IS MR. PAT JOHNSON, WHO I THOUGHT I SAW EARLIER. PAT JOHNSON WOULD LIKE TO ADDRESS US, AS HAD LYNN GOODMAN-STRAUSS. LYNN GOODMAN-STRAUSS SIGNED UP WISHING TO ADDRESS US. WELCOME, MA'AM. YOU'LL HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY URAL JARMON.

THANK YOU FOR HAVING ME TODAY. I'M LYNN GOODMAN-STRAUSS. I LIVE AND WORK IN MARY HOUSE CATHOLIC WORKER, WHICH PROVIDES THE ONLY 12 BEDS IN TRAVIS COUNTY. WE SERVE PRIMARILY AUSTIN FOR PEOPLE WHO ARE DISCHARGED FROM THE HOSPITALS HERE AND WHO ARE INDIGENT. THAT MEANS BRACKENRIDGE, PRIMARILY. THESE PEOPLE NEED AFTERCARE. THE SHELTERS CAN'T REALLY TAKE CARE OF PEOPLE THAT NEED TO PLUG IN BREATHING MACHINES, LOCKUP CONTROLLED MEDICATIONS AND SO ON. SO WE DO THAT. I AM HERE TODAY BECAUSE THERE IS A TERRIBLE, TERRIBLE SITUATION RIGHT HERE DOWNTOWN, I CALL IT THE ELEPHANT IN THE LIVING ROOM. I WANT TO INVITE ANY OF YOU TO COME WITH ME TO THE STREETS AROUND THE ARCH AND THE SALVATION ARMY BECAUSE VERY OFTEN WHEN I GO THERE MEN AND WOMEN WERE THERE WHO HAVE BEEN DISCHARGED FROM BRACKENRIDGE WHO REQUIRE AFTERCARE. THE SOCIAL

WORKERS KNOW THAT THERE'S NO ROOM AT MARY HOUSE. THERE'S NO ROOM IN THE SICK BAYS, WHICH ARE NOT EVEN APPROPRIATE FOR THIS SITUATION, AND YET THESE PEOPLE ARE DISCHARGED A WEEK AFTER THANKSGIVING LAST YEAR. I FOUND A YOUNG MAN ON THE STREET WHOSE GI SYSTEM HAD SHUT DOWN JUST AS HE WAS BEING DISCHARGED FROM BRACKENRIDGE AFTER HIS FOURTH -- I THINK IT WAS HIS FOURTH SURGERY IN ABOUT SIX MONTHS. WE SCOOPED HIM UP OFF THE SIDEWALK. HE WAS DEHIDE RATED. HE WAS DYING. HE WENT BACK TO BRACKENRIDGE, WE TOOK HIM AND THEY HAD TO OPERATE AGAIN. THIS KIND OF NEGLECT NOT ONLY CAUSES HUMAN SUFFERING BUT, IN FACT, IT CAUSES ALL KINDS OF OVERCHARGES TO THE COMMUNITY AT LARGE. IT'S NOT COST EFFECTIVE. DID...I AM HERE TODAY BECAUSE I BROUGHT MR. DANIEL SAWNDERS, THIS YOUNG MAN IN THE BLUE SHIRT, AND I DON'T KNOW WHAT ELSE TO DO. I DON'T KNOW WHO TO COME TO. I DID NOT GO TO THE CITY MANAGER BECAUSE THE BUCK STOPS WITH YOU PEOPLE. MR. SAWNDERS HAD A HEART ATTACK LAST MAY. HE HAS NOT EVEN RECEIVED A REFERRAL TO ANY KIND OF SPECIALIST, A CARDIOLOGIST, AN INTERNIST, END ON CRONNOLOGIST FOR HIS CONDITION, WHICH ALSO INVOLVES HORMONAL IMBALANCES AND OTHER ISSUES. UNTIL I CALLED HIS CLINIC AND THEY CALLED THE NURSE WHO SIGNS OFF ON THE SPECIALTY REFERRALS CITYWIDE, AND SOMEHOW THAT DAY SHE FOUND THE TIME TO TAKE TEN MINUTES AND MAKE AN APPOINTMENT WITH THE DIETITIAN AND WITH A SPECIALIST. DO YOU KNOW WHEN THAT IS? REMEMBER, HE HAD A HEART ATTACK LAST MAY, A YEAR AGO. IT'S FOR AUGUST. NOW, THERE ARE SOME REAL ISSUES HERE REGARDING BRACKENRIDGE, AND THE THING I'M MOST CONCERNED ABOUT IS THAT WE CAN'T COMFORT THE SICK IN AUSTIN, TEXAS UNLESS THESE PEOPLE LIVE THROUGH THEIR EXPERIENCE OF SO-CALLED CARE. IT'S NOT MEDICAL CARE. IT'S MEDICAL NEGLECT. I'VE DETAILED THINGS IN THIS DE, IN THIS LITTLE TALK TO YOU.

MAYOR WYNN: WE NEED FOR YOU TO CONCLUDE. YOUR TIME IS --

YES, I WILL. I JUST QUESTION WHY THE LAST TEN YEARS HAVE BROUGHT SO MUCH MISERY ON OUR BROTHERS AND SISTERS. I'VE BEEN AROUND BRAK FOR 40 YEARS. I HAD MY

FIRST BABY THERE. I'VE WORKED FOR THE POOR ALL THIS TIME. I'VE NEVER SEEN IT LIKE THIS. THIS DEAL WAS MADE WITHOUT ANY PUBLIC MEETINGS, WHICH I CAN'T BELIEVE WAS LEGAL. IT WAS MADE IN CONFLICT OF INTEREST WITH A VERY PROFITABLE HEALTH CARE SYSTEM HERE WHO HAS THEIR OWN SYSTEM OF MEDICAL CARE, AND I CAN ASSURE YOU PEOPLE ARE NOT TREATED THAT WAY. WE ARE A CATHOLIC MINISTRY. ONE OF THE REASONS I LOVE AUSTIN, TEXAS IS BECAUSE IT WELCOMES DIVERSITY. EVERY GREAT RELIGION, AND EVEN PEOPLE OF GOODWILL WHO DON'T HAVE A RELIGIOUS AFFILIATION CARE ABOUT HUMAN BEINGS.

MAYOR WYNN: THANK YOU.

THAT'S PART OF OUR TEACHING.

MAYOR WYNN: THANK YOU.

WHAT I'M ASKING YOU NOW.

MAYOR WYNN: I'M ASKING YOU TO PLEASE CONCLUDE. YOUR TIME HAS EXPIRED. YOU'RE NOT BEING RESPECTFUL TO THE CITIZENS.

I AM ASKING YOU NOW, MR. WYNN, IF YOU WILL OVERSEE THE MEDICAL CARE OF MR. SAWNDERS. HE NEEDS SOME HELP. I'M ASKING MR. LEFFINGWELL AND MR. MARTINEZ, MS. KIM, MR. MCCRACKEN, AND MS. DUNKERLEY ESPECIALLY BECAUSE I KNOW SHE CARES ABOUT PEOPLE, TO TAKE AN INTEREST IN THIS YOUNG MAN.

LET'S ASK THE CITY MANAGER TO REMIND US OF OUR ARRANGEMENT WE HAVE WITH PROVIDING HEALTH CARE, INDIGENT HEALTH CARE IN THIS COMMUNITY.

WE'VE ACTUALLY TALKED --

WE'VE TALKED --

JUST FOR THE PUBLIC SO THEY'RE AWARE, AS YOU KNOW WE DO NOT OWN BRACKENRIDGE HOSPITAL AND WE HAVE BY TO PUBLIC VOTE OF THE CITIZENRY WE HAVE

SOMETHING THAT'S RESPONSIBLE FOR PUBLIC HEALTH CARE IN TRAVIS COUNTY. WHAT I HAVE DONE IS I HAVE GIVEN BOTH THE HOSPITAL -- THE HOSPITAL DISTRICT ADMINISTRATION NUMBERS, I HAVE ALSO OFFERED TO HELP SET UP AN APPOINTMENT, AND WE -- I HAVE SHARED INFORMATION ABOUT THE HOSPITAL DISTRICT BOARD FOR CONTACT. BUT I WILL CONTINUE TO DO THAT, AND YOU TOOK THE NUMBERS FROM ME, SO I'M ASSUMING YOU HAVE THE NUMBERS TO MAKE THAT CONTACT, BUT IF YOU NEED --

I DID.

-- NEED ASSISTANCE IN SETTING UP THE APPOINTMENT, WE WILL BE GLAD TO HELP FACILITATE THAT FOR THIS GENTLEMAN.

I'M ASKING THE PEOPLE WHO ARE ON THE COUNCIL NOW -- THIS WAS A DONE DEAL BY THE COUNCIL UNDER THE TABLE BEFORE. IT'S NOT YOUR FAULT. BUT I'M ASKING YOU, IF YOU WILL TAKE A PERSONAL INTEREST IN THIS, MR. WYNN. DO YOU CARE ABOUT OUR BROTHERS AND SISTERS HERE?

MAYOR WYNN: MS. GOODMAN-STRAUSS, I REALLY DON'T APPRECIATE INSULTING RHETORICAL QUESTION LIKE THAT.

I DON'T THINK IT'S RHETORICAL.

MAYOR WYNN: PLEASE SIT DOWN. OUR NEXT SPEAKER IS DANIEL LLANES WHO WANTS TO SPEAK TO US. I'M PLEASED THE CITY MANAGER HAS OFFERED WHAT SHE HAS OFFERED TO DO.

SHE'S WONDERFUL, AND I'M SORRY IF YOU'RE INSULTED. PEOPLE ARE BEING NEGLECTED AND DYING. PLEASE COME WITH ME DOWN THERE.

MAYOR WYNN: I UNDERSTAND --

I'LL SHOW YOU.

MAYOR WYNN: BIG CHALLENGES WE HAVE THROUGHOUT THIS COMMUNITY.



DUNKERLEY: MAYOR, COULD I MAKE ONE COMMENT?

MAYOR WYNN: MAYOR PRO TEM.

DUNKERLEY: I WOULD LIKE TO ADD ONE ADDITIONAL THING. WHEN THE HOSPITAL DISTRICT WAS FORMED THE PROPERTY TAX THAT WE USED TO HELP FUND THE CLINICS AND OTHER HEALTH SERVICES WAS TRANSFERRED TO THAT DISTRICT, AND..... DISTRICT AND LEGALLY AT THIS TIME WE ARE NOT ALLOWED AS A CITY TO ADD ANY MONEY FOR DIRECT MEDICAL CARE. WHAT I WILL DO IS I WILL CALL THE HOSPITAL DISTRICT AND ALERT THEM TO THIS ISSUE, BUT THEY ARE NOW THE OFFICIAL ENTITY THAT HAS OUR TAX BASE THAT REALLY SUPPORTS THAT. SO WE UNDERSTAND THAT IN THIS COMMUNITY THE NEEDS ARE FAR GREATER THAN WE CAN PROVIDE, AND WHETHER IT'S MENTAL HEALTH OR WHETHER IT'S THIS TYPE OF ISSUE WITH SPECIALTY NEEDS, WE WISH IT WERE DIFFERENT AND I WILL MAKE SOME CALLS, BUT RIGHT NOW TECHNICALLY AND LEGALLY WE CANNOT SPEND OUR PROPERTY TAX MONEY ON HEALTH CARE BECAUSE WE HAVE LEGALLY TRANSFERRED THAT TO ANOTHER ENTITY. BUT I WILL MAKE SOME CALLS ON YOUR BEHALF.

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

LEFFINGWELL: I AGREE WITH EVERYTHING THE MAYOR PRO TEM SAID, BUT I WOULD JUST LIKE TO ADD THAT I THINK IT'S A TERRIBLE THING THAT THINGS LIKE THIS HAPPEN, AND I THINK THAT THE HEALTH CARE SYSTEM THAT WE HAVE HERE IN THE UNITED STATES TODAY IS A NATIONAL DISGRACE THAT ALLOWS THESE KIND OF THINGS TO HAPPEN.

MAYOR WYNN: THANK YOU, COUNCIL MEMBER. WE HAVE -- COUNCIL, WE HAVE A HANDFUL OF TALKS WHO WANT TO TALK ABOUT NORTHCROSS. I THOUGHT WE COULD GET THEM ALL LUMPED TOGETHER SO WE'LL HOP OVER TO DANIEL YAM HE IS AND SUSANA WANTED TO TALK TO US ABOUT VERTICAL MIXED USE.

MAYOR WYNN: WELCOME, DANIEL, AND SUSANA.

THANK YOU, MAYOR AND COUNCIL. MY NEIGHBORS. THE VERTICAL MIXED USE -- I'LL BE AS BRIEF AS I CAN. AS YOU KNOW, THERE IS A COALITION OF NEIGHBORHOOD ORGANIZATIONS, BROAD BASED, ON THE EAST SIDE OF AUSTIN ASKING FOR -- WE WERE ASKING FOR A MORATORIUM. SOME PEOPLE ARE UP TO SPEED ON THE VMU BUT MANY PEOPLE DON'T UNDERSTAND IT, AND SOME OF THE NEWER NEIGHBORHOOD ASSOCIATIONS AREN'T ORGANIZED ENOUGH TO BE ABLE TO DIGEST IT. FRANKLY, IT'S -- IT'S REAL COMPLEX AND IT'S BEEN VERY, VERY DIFFICULT TO UNDERSTAND. BUT WHAT I WOULD LIKE TO SAY IS THAT RIGHT OFF THE TOP THE VMU SHOULD BE CUSTOMIZED FOR DIFFERENT PARTS OF THE CITY, BECAUSE -- ESPECIALLY AS IT HAS TO DO WITH THE AFFORDABLE HOUSING QUESTION. ON THE EAST SIDE 80% OF FMI IS JUST -- DOESN'T COME CLOSE. SHOULD BE 35 TO 50 AT THE VERY MOST, THE AFFORDABLE PART OF THAT. ALSO, THE VMU ORDINANCE OR THE WAY THAT I UNDERSTAND IT RIGHT NOW WILL ALSO INCREASE, OR RATHER DECREASE THE PARKING REQUIREMENTS BY 20%. AND BEING, YOU KNOW, CLOSE INTO TOWN, PARKING IS A CRITICAL SITUATION. SO THE THRUST OF OUR ASKING FOR A MORATORIUM IS FOR MORE TIME NOT ONLY TO DIGEST IT BUT I WOULD LIKE TO SEE THE VMU CUSTOMIZED TO DIFFERENT PARTS OF THE CITY. THERE ARE SOME OF MY OTHER NEIGHBORS IN OTHER PARTS OF THE CITY WHO FEEL THAT 80% OF -- IS INADEQUATE AFFORDABLE QUOTIENT. ON THE EAST SIDE IT IS NOT. WE ARE BOMBARDED BY GENTRIFY INDICATION AND WE WANT TO MINIMIZE THAT. SO THE VMU IN ITS PRESENT FORM DOESN'T ADDRESS THAT. ALSO, YOU KNOW, THE IDEA OF MIXED USE AS SOME OF MY OTHER COLLEAGUES HAVE POINTED OUT, WE ENVISIONED LOCAL BUSINESS WITH AFFORDABLE HOUSING, BUT WHAT IS REALLY HAPPENING IS CHAIN BUSINESSES COMING IN IN THESE DEVELOPMENTS AND REALLY HIGH-DOLLAR CONDOS THAT ARE NOT CONSISTENT WITH THE ECONOMICS OF THE EAST SIDE AT PRESENT. SO IF WE CONTINUE WITH THIS TREND, WE'RE NOT GOING TO HAVE AN EAST SIDE ANYMORE. SO I ALSO WANTED TO SAY, ASIDE FROM THE VMU, I WANTED TO TALK ABOUT THE POLICE MONITOR SELECTION, AND IN THE LAST

COUPLE -- LAST 30 SECONDS OR SO THAT I HAVE, AND, YOU KNOW, THE COALITION WHICH IS LOOSELY REFERRED TO AS THE AUGUST 10 COALITION, I'VE BEEN WAITING FOR THIS MOMENT TO HAVE THE SHORT LIST OF CANDIDATES. NOW, ONCE WE HAVE THAT SHORT LIST OF CANDIDATES I'D LIKE TO SEE ESPECIALLY IN THE COMMUNITIES OF COLOR A FORUM, MAYBE USING THE UNIDO..... UNIDOS COALITION AS AN OUTREACH TO THE COMMUNITY, AND WE WOULD LOVE TO MEET THOSE CANDIDATES, LOOK AT THEM, HAVE A CHANCE TO TALK TO THEM, AND THEN GIVE YOU OUR IMPRESSIONS OF WHO THE BEST CANDIDATE WOULD BE. THERE ARE OTHERS IN THAT COALITION WHO ARE ACTUALLY CALLING FOR YOU TO CREATE A PANEL MADE UP OF OUR GROUP TO REVIEW THE PROCESS UP TO THIS POINT. SO ANYWAY, THAT'S ALL I WANTED TO SAY. THANK YOU SO MUCH FOR YOUR TIME AND I KNOW THAT WE ALL DO A LOT OF WORK AND I WANT US TO ALL BE FRIENDS.

MAYOR WYNN: THANK YOU, DANIEL.

ANY QUESTIONS ABOUT ANY OF THIS?

MAYOR WYNN: COUNCIL MEMBER MCCrackEN.

I APPRECIATE THE HARD WORK. I KNOW THAT DANIEL AND SUSANA BOTH HAVE BEEN PUTTING IN AS PART OF THE VMU PROCESS AND AFFORDABLE HOUSING ADVOCATES. EARLIER TODAY COUNCIL MEMBER MARTINEZ, COUNCIL MEMBERS COAL AND I BROUGHT AN ITEM TO EXTEND BY 45 DAYS THE OPPORTUNITY TO PROVIDE INPUT TO THE COUNCIL AND THEN ALSO EXTENDED THE PERIOD OF TIME DURING WHICH WE'LL CONSIDER THE -- THAT APPLICATION. IT WAS REALLY IN DIRECT RESPONSE TO THE REQUEST OF SOME COMMUNITY LEADERS, INCLUDING YOURSELF. AND THIS WILL GIVE US MORE OPPORTUNITY FOR YOU-ALL TO, IN YOUR NEIGHBORHOODS, TO LOOK AT SOME DIFFERENT STRATEGIES. AND I THINK ONE OF THE THINGS WE'RE LOOKING AT IS WE -- NEIGHBORHOOD HOUSING HAS COME UP WITH INNOVATIVE CONCEPTS ABOUT SAYING, WHAT IF THE NEIGHBORHOOD HOUSING PURCHASED THE AFFORDABLE HOUSING UNITS AND THEN PERHAPS OFFERED THEM AT A LOWER MEDIAN FAMILY INCOME. THESE HAVE TO BE ANALYZED FOR BUDGET IMPLICATIONS BUT THESE ARE

CONCEPTS. WHAT I THINK YOU'LL HERE FROM THE AFFORDABLE HOUSING TASK FORCE COMING UP IS A BIG CHALLENGE WAS HOW MUCH YOU CAN LOAD ON TO THE DEVELOPMENT ECONOMICS BEFORE THE DEVELOPMENT ECONOMICS COLLAPSE. AND SO WHAT -- THAT'S WHY THE BONDS HAVE BEEN SUCH A GREAT ASSET FOR US, IS WE CAN LEVERAGE THE ECONOMICS OF DENSITY INCREASES IN EXCHANGE FOR AFFORDABILITY UP TO A POINT AND THEN IT DOESN'T HAPPEN AT ALL. BUT IF WE CAN LEVERAGE IT AS FAR AS WE CAN GO AND THEN SUPPLEMENT IT PERHAPS WITH BOND DOLLARS OR HUD DOLLARS OR SOME OTHER SOURCE, WE CAN GET EVEN DEEPER LEVELS OF AFFORDABLE. I COMPLETELY AGREE WITH YOU ON THE RENTAL SIDE WE DO NEED TO BE GOING LOWER. I THINK WHAT WE'RE GOING TO FIND, THOUGH, IS MUCH BELOW 80% MFI DOES REQUIRE FINANCIAL SUBSIDIES, BUT WE HAVE THAT OPPORTUNITY. AND SO I THINK, YOU KNOW, WE'RE ALL GOING TO BE WORKING TOGETHER OVER THE COMING MONTHS AND I KNOW THAT NEIGHBORHOOD HOUSING AND MYSELF AND SOME OTHER COUNCIL MEMBERS ARE GOING TO COME VISIT WITH NEIGHBORHOOD LEADERS AND AFFORDABLE HOUSING LEADERS TO LOOK AT SOME STRATEGIES OF HOW WE LEVERAGE THAT 80%, TO GET OTHER FINANCIAL SOURCES TO GET THE DEEP LEVEL OF AFFORDABILITY THAT WE ALL AGREE YOU NEED.

ONE OF THE THINGS I'VE BEEN REALLY ADVOCATING FOR IS - - AS FAR AS DEVELOPMENT AND TRYING TO GET THE COST OF EVERYTHING DOWN, LIKE I SAID, THE FORMULA FOR THE VMU RIGHT NOW AS IT RELATES TO EAST AUSTIN, AND I'M HAPPY TO SAY SHERYL COLE IS ON THIS TOO. THE FORMULA, LIKE I SAID, SHOULD BE 35 TO 50% FOR OUR PART OF TOWN. OTHER PARTS OF TOWN ARE DIFFERENT, BUT THEN ASIDE FROM THAT I THINK WE REALLY NEED TO EXPLORE A PARTNERSHIP BETWEEN THE NON-PROFITS AND THE FOR PROFITS TO BRING DOWN THE COST OF CONSTRUCTION AND OF CREATING HOUSING UNITS. BECAUSE THAT'S -- THAT'S SOMETHING THAT IS UNTAPPED YET. AND WHEN YOU COMBINE A NONPROFIT WITH A FOR-PROFIT YOU IMMEDIATELY ARE ELIGIBLE FOR A LOT OF FEDERAL HOUSING MONEY. AND I'M NOT TALKING ABOUT PUBLIC HOUSING AND CERTAINLY NOT RENTAL. WE WANT

THE HOMEOWNERS AS WELL.

THANK YOU. YOU'RE RIGHT ON IT. I TOTALLY AGREE WITH YOU AND I APPRECIATE ALL YOUR HARD WORK ON THIS. THANKS.

MAYOR WYNN: SUSANA ALMANZA WHO I SAW EARLIER. WELCOME.

DUNKERLEY: THEY ARE GOING TO BE HOLDING A SERIES OF, I THINK I BELIEVE IT'S BETWEEN 9 AND 10 STAKE HOLDER MEETINGS WITH THE NARROWED LIST OF CANDIDATES AND THAT WILL INCLUDE SPECIALTY STAKEHOLDERS, WITH FOLKS LIKE LIEW LACK LULAC, PODER. SO THERE WILL BE FOUR DAYS OF PUBLIC INPUT AND STAKE HOLDER FEEDBACK ON THE CANDIDATES, AND I THINK YOU INTENDED TO SAY POLICE CHIEF, NOT POLICE MONITOR. JUST -- YEAH.

MAYOR WYNN: WELCOME, SUSANA.

GOOD-BYE AFTERNOON. I'M SUSANA ALMANZA, IN DEFENSE OF EARTH AND HER RESOURCES, AND I TOO WANTED TO LOOK AT THE VERTICAL MIXED USE PROCESS BECAUSE THE WAY IT STANDS NOW AT THE 10%, 5% BEING AT MEDIAN FAMILY INCOME, AND THE 5% OF COURSE DOES NOTHING BUT GENTRIFY OR ACCELERATES THE GENTRIFY SAIRTION IN OUR COMMUNITY. AND ALSO WHEN WE LOOK AT THE PERCENTAGES. 10%, IF YOU BUILD THAT'S REALLY JUST ONE UNIT SO THAT'S NOT ENOUGH WHEN YOU'RE GOING TO GIVE SO MUCH TO THE DEVELOPER. AND WE -- WE PREFER AT THIS TIME WHEN WE LOOK AT IT AS KEEPING IT CASE BY CASE. IF WE STICK WITH THE NEIGHBORHOOD PLAN, BECAUSE AT LEAST WE HAVE THE LEVERAGE AS DEVELOPERS COME IN TO LEVERAGE WHAT IT IS THAT WE REALLY NEED IN OUR COMMUNITY, AND WE'VE DONE THAT IN SEVERAL PROCESSES OF BEING ABLE TO SIT DOWN AND IT'S A GIVE AND TAKE POSSIBILITY. THE OTHER THING IS THAT THE PRESENT VMU IS MORE FOR EMPTY NESTERS, WHAT THEY'RE CALLING IT NOW. THAT'S WHEN YOU WORK FOR PEOPLE WHO DON'T REALLY HAVE CHILDREN. SO IT'S NOT MADE -- WHEN YOU LOOK AT THE DIFFERENT NEIGHBORHOODS, IF A NEIGHBORHOOD IS PREDOMINANTLY MADE OF FAMILIES, THEN YOU'RE MAKING UNITS THAT ARE

ONLY FOR EMPTY NESTERS, WE'RE NOT BENEFITING FROM THAT PARTICULAR PROCESS. SO I THINK THERE'S A VARIETY OF THINGS WE NEED TO LOOK AT WHEN WE LOOK AT THESE ISSUES. THE MOST IMPORTANT THING IS WHEN PEOPLE IN THE COMMUNITY TALK TO ME AND THEY FEEL LIKE THEY'VE REALLY BEEN TREATED BAD BECAUSE FOR SO MANY YEARS THEY TOOK ON ALL THE POLLUTION AND THE EXPOSURE TO CANCER-CAUSING CHEMICALS AND SO FORTH, AND AS THEY BEGAN TO CLEAN UP AND TO BE INVOLVED IN THE PUBLIC PROCESS AND REMOVE THESE DANGEROUS FACILITIES FROM THE COMMUNITY, WHAT COMES NEXT IS DISPLACEMENT AND GENTRIFICATION AND ZONINGS AND OVERLAYS SUCH AS CONDOS. AND PEOPLE FEEL THEY'RE BEING PUNISHED BECAUSE TH TOOK A STAND TO PROTECT THE HEALTH OF THEIR CHILDREN AND THEIR FAMILIES AND NOW THEY'RE BEING RUN OUT OF THE COMMUNITY. BECAUSE THE OTHER THING WE HAVE TO LOOK AT IS THE VMU'S LOOKING AT THE TAX BASE AND WHAT DOES THAT DO TO THE PROPERTY TAXES IN OUR COMMUNITY? THERE ARE SO MANY ISSUES THAT I THINK WHEN POOR PEOPLE AND PEOPLE OF COLOR ARE NOT SITTING AT THE TABLE IN THE PROCESS, THERE IS A LOT OF THINGS THAT ARE OVERLOOKED BY PEOPLE WHO ARE NOT CONFRONTED AND LEAVING WITH THESE.....LIVING WITH THESE ISSUES ON A DAY-TO-DAY. WE MUST BE AT THE TABLE WHEN THESE VERY IMPORTANT ORDINANCES AND OVERLAYS ARE BEING DESIGNED SO THAT WE CAN ASK THOSE QUESTIONS THAT WILL BRING CONSCIOUSNESS TO PEOPLE WHO HAVE NEVER LIVED IN THESE SITUATIONS OR LIVED FROM DAY TO DAY AS TO THE MINIMUM SALARY THAT THEY ALL MAKE. I ALSO WANT TO ANNOUNCE THAT THIS TUESDAY AND THURSDAY, TUESDAY AT 6:00, 6 TO 8:00 P.M., WE'LL BE HAVING PROPERTY PROTEST WORKSHOPS AT THE SENIOR ACTIVITY CENTER AND ON THURSDAY FROM 6 TO 8, ALONG WITH NELDA WELLS SPEARS, AND THE CEASERS CHECKERS OFFICE AND WITH THE APPRAISAL REVIEW BOARD. SO WE WANT TO HELP THE COMMUNITY AND BRING THAT INFORMATION, SO THOSE TWO WORKSHOPS WILL BE TAKING PLACE NEXT WEEK BOTH TUESDAY AND THURSDAY. THANK YOU.

MAYOR WYNN: THANK YOU, MISALMANZA. WE'LL NOW GO TO

A HANDFUL OF FOLKS WHO WANT TO TALK ABOUT  
NORTHCROSS. FIRST SPEAKER IS SHEILA REITER.  
FOLLOWED BY DR. JAN TRIPLETT AND AUDLEY BLACKBURN  
AND DEBORAH FEMAT.

THANK YOU, I'D LIKE TO DONATE MY TIME TO BRAD  
ROCKWELL.

MAYOR WYNN: FAIR ENOUGH.

I'M JAN TRIPLETT. I WOULD LIKE TO DO SO ALSO, PLEASE.

MAYOR WYNN: SO YOU HAVE UP TO NINE MINUTES. BRAD,  
WELCOME.

THANK YOU FOR HAVING THE CITIZENS COMMUNICATIONS  
TODAY. MY NAME IS BRAD ROCKWELL. I'M HERE ON BEHALF  
OF RESPONSIBLE GROWTH FOR NORTHCROSS. WE URGE  
YOU TO CONSIDER THE SITE PLAN THAT IS BEING NOW  
PROCESSED BY CITY STAFF IN CONJUNCTION WITH THE TIA,  
DENY THAT SITE PLAN. IT'S OUR UNDERSTANDING THAT  
YOU'VE RECEIVED SOME LEGAL ADVICE THAT WE CONSIDER  
IN SOME RESPECTS KIND OF EXTRAORDINARY, THAT  
SOMEHOW IT'S NOT WITHIN YOUR POWER TO CONSIDER,  
AND DENY THE SITE PLAN AND THAT IF YOU DO THERE WILL  
BE SOME DIRE CONSEQUENCES TO YOU PERSONALLY. I'D  
LIKE TO ADDRESS THOSE IN A QUICK SIX-MINUTE SUMMARY.  
AND I BELIEVE A LEGAL MEMORANDUM OWE HAS BEEN  
HANDED OUT TO YOU WHERE I ADDRESS SOME OF THESE  
ISSUES IN MUCH MORE DETAIL. THE FIRST IS I'D LIKE TO  
READ YOU A SECTION OF THE LAND DEVELOPMENT COWELL  
WHICH IS THE CITY'S LAWYERS REGARDING TIA AND THIS IS  
UNDER THE APPROVAL -- THE APPROVAL PROCESS FOR  
TIA'S. IT SAYS THE COUNCIL OR DIRECTOR MAY DENY AN  
APPLICATION IF THE RESULTS OF A TRAFFIC IMPACT  
ANALYSIS DEMONSTRATES THAT THE PROPOSED  
DEVELOPMENT MAY OVERBURDEN THE CITY'S STREET  
SYSTEM. THIS IS A DISCRETIONARY POWER THE CITY  
COUNCIL HAS. OVERBURDEN IS NOT A TERM OF ART. IT'S  
NOT AN ENGINEERING TERM. IT'S A DECISION YOU GET TO  
MAKE BASED ON WHAT YOU SEE IN THE TIA. SECOND  
PROVISION IN THE LAND DEVELOPMENT CODE. THE COUNCIL  
OR DIRECTOR SHALL DENY AN APPLICATION IF THE TRAFFIC

IMPACT ANALYSIS DEMONSTRATES THAT THE PROJECT ENDANGERS PUBLIC SAFETY. THIS IS A MANDATORY DUTY BY THE CITY COUNCIL. THESE PROVISIONS BOTH SHOW THAT THE COUNCIL HAS A ROLE TO PLAY AND THAT IF CERTAIN THINGS ARE DEMONSTRATED IN THE TIA, THE COUNCIL MUST DENY THE APPLICATION. AND AGAIN, THE STANDARD HERE IS ENDANGERMENT OF PUBLIC SAFETY. THIS IS NOT AN ENGINEERING TERM. THIS IS NOT A TERM OF ART. THIS IS NOT SOMETHING THAT'S DEFINED IN THE TRANSPORTATION CRITERIA MANUAL. IT IS A BROAD TERM APPROPRIATE FOR YOU-ALL WHO ARE CONSIDERING ALL THE VARIOUS COMMUNITY NEEDS OF THE CITY. AND WHEN WE TALK ABOUT PUBLIC SAFETY, I THINK ALREADY WE CAN SEE FROM THE PREEXISTING TIA'S FROM THE FIRST SITE PLAN THAT THERE'S PUBLIC SAFETY PROBLEMS. WE ALL KNOW ANDERSON LANE AND BURNET ROAD IS VERY CONGESTED ALREADY. WE KNOW THAT WHAT LINCOLN PROPERTY AND WAL-MART ARE PROPOSING TO DO AT THE NORTHCROSS SITE WOULD BE TO DUMP JUST AN UNIMAGINABLY HIGH AMOUNT OF TRAFFIC AND CARS INTO AN ALREADY CONGESTED AREA. WHAT ARE THE PUBLIC SAFETY CONCERNS? OZONE POLLUTION FROM AUTOMOBILES DUE TO INCREASED IDLING AND CONGESTION. YOU-ALL ARE AWARE OF THIS BEING A PUBLIC SAFETY ISSUE. THERE'S CLEAN AIR ACT IMPLICATIONS THAT YOU'RE AWARE OF. BOTTLENECKS WITH BACK..... BACK-UPS FROM TURN LANES, CREATE TRAFFIC HAZARDS. CONGESTION INCREASES, SLOWS DOWN EMS RESPONSE TIMES. THOSE ARE ALL ENDANGERMENT TO THE PUBLIC SAFETY WHICH WOULD RESULT IN THESE PROJECTS. SO YOU DO HAVE AUTHORITY AS SET FORTH IN THE CODE, A DUTY TO CONSIDER THE SITE PLAN. NOW, WE'VE BEEN HEARING SOME RESPONSES FROM CITY STAFF AND I'M SURE WE DON'T HAVE PRIVY TO ALL THE INFORMATION YOU'VE BEEN PROVIDED BY CITY STAFF, BUT WHAT WE SEE IS AN OVER RELIANCE ON THE TRANSPORTATION CRITERIA MANUAL PROCEDURES, WHICH ARE VERY NARROW, WHICH ARE JUST VERY SPECIFIC SITUATIONS SUCH AS INTERSECTION FAILURES AND PRESCRIBE A DIFFERENT PROCESS FOR DEALING WITH INTERSECTION FAILURES. THAT....THAT'S A PROCESS SET FORTH IN TRANSPORTATION CRITERIA MANUAL BUT DOES NOT SURROUND PLACE OR



SUPPLANT THE LAND DEVELOPMENT CODE. THE TRANSPORTATION CRITERIA MANUAL IS CONSIDERED AS A SUPPLEMENT. IT DOES NOT REPLACE, AND IT SAYS THE TIA IN THE LAND DEVELOPMENT CODE MUST COMPLY WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND THE TRANSPORTATION CRITERIA MANUAL. IT'S NOT EITHER/OR. NOW, WHAT I'VE BEEN HEARING IN THE NEWS IS SOME FAIRLY EXTRAORDINARY ADVICE FROM THE CITY LEGAL DEPARTMENT SAYING THAT IF YOU EXERCISE YOUR AUTHORITY OVER THE SITE PLAN, THAT YOU-ALL WILL BE SUBJECT TO PERSONAL LIABILITY AND NOT BEING DEFENDED BY CITY STAFF, BY CITY LEGAL DEPARTMENT IF YOU-ALL ARE SUED. IN FACT, DAILY SAID A MEMO FROM THE CITY ATTORNEY'S OFFICE DECIDED THAT A VOTE TO REJEK THE SITE PLAN WOULD LEAVE THE MEMBERS EXPOSE INDEED A LAWSUIT IN WHICH THEY WOULD BE PERSONALLY RESPONSIBLE FOR THEIR OWN DEFENSE. AUSTIN CHRONICLE SAID, THE CITY LEGAL DEPARTMENT TOLD COUNCIL MEMBER KIM THAT MAYOR WILL WYNN AND DARRELL SLUSHER WERE PERSONALLY SUED BY LANDOWNER SR RIDGE IN NOVEMBER 2003 FOR WORKING TO STOP WAL-MART FROM BUILDING OVER THE BARTON SPRINGS AQUIFER RECHARGE ZONE. NOW, THIS ADVICE IS FAIRLY SHOCKING TO MYSELF WHO HAS HAD ONGOING EXPERIENCE IN SCOWBS AND GIVING ADVICE. I'VE NEVER HEARD OF THIS TYPE OF THING BEFORE. AND AS A FACTUAL MATTER THIS STATEMENT THAT MAYOR WYNN AND DARRELL SLUSHER WERE SUED BY SR RIDGE IS NOT TRUE. THE CITY WAS SUED, NOT THE INDIVIDUAL COUNCIL MEMBERS. THESE KINDS OF SUITS ARE PURELY FRIVOLOUS. I DON'T HAVE TIME TO GO INTO THE REASONS WHY THIS KIND OF LITIGATION IS FRIVOLOUS AND RIDICULOUS, BUT THIRD, IT'S NOT UP TO THE CITY LEGAL DEPARTMENT OR CITY STAFF TO TELL THE CITY COUNCIL WHEN CITY LEGAL SERVICES WILL BE PROVIDED TO INDIVIDUAL COUNCIL MEMBERS. THE LAW IS VERY CLEAR ON THIS AND I'M CITING TO SPECIFICALLY AN ATTORNEY GENERAL OPINION, JC 0294 FROM THE YEAR 2000 THAT SAYS WHEN AN INDIVIDUAL CITY COUNCIL MEMBER IS SUED, WHAT -- WHAT -- IT'S THE REMAINING CITY COUNCIL MEMBERS THAT MAKE A DECISION AS TO WHETHER A DEFENSE IS PROVIDED. AND THAT A DECISION IS BASED ON WHETHER IT WOULD SERVE THE PUBLIC INTERESTS FOR A

DEFENSE TO BE PROVIDED AND WHETHER THE CITY COUNCIL MEMBER WHO'S BEEN ALLEGED TO ACT IN ANY KIND OF WRONGDOING WAS ACTING IN GOOD FAITH. NOW, IT DOESN'T MATTER IF THERE WAS -- IF THE COUNCIL MEMBER WAS WRONG. THE COUNCIL MEMBER CAN STILL BE DEFENDED BY CITY COUNCIL -- BY CITY STAFF OR CITY FUNDS, CITY HIRED LAWYERS. IT'S WHETHER THERE WAS GOOD FAITH AND THAT GOOD FAITH COULD HAVE BEEN WRONG. COULD HAVE BEEN A DIFFERENCE OF OPINION WITH THE CITY ON HOW A LAW WORKS. BUT THE LAW IS CLEAR THAT IT'S NOT CITY STAFF THAT GETS TO DECIDE WHEN A CITY COUNCIL MEMBER IS DEFENDED, AND, IN FACT, YOU KNOW, AGAIN, I'VE NEVER HEARD OF THIS TYPE OF ADVICE BEING GIVEN BEFORE, AND I MEAN, I THINK THERE HAS RECENTLY BEEN A LAWSUIT BY BILL MAR YAR TI AGAINST COUNCIL MEMBER.....COUNCILMEMBER MCCracken AND MY LOOK AT THE LEGAL PLEADINGS IN THAT CASE IS THE CITY DEFENDED COUNCIL MEMBER MCCracken. SO I HOPE THAT YOU-ALL DON'T GET DETERRED FROM EXERCISING YOUR DUTIES BASED ON THIS KIND OF ADVICE YOU'RE GETTING. IT IS TO THE CITY COUNCIL THAT RESPONSIBLE GROWTH FOR NORTHCROSS IS LOOKING TO TO MAKE DECISIONS AS TO WHEN INDIVIDUAL MEMBERS WILL GET A LEGAL DEFENSE, IF THEY HAPPEN TO BE SUED BY A FRIVOLOUS LAWSUIT, AND WHEN A TIA DEMONSTRATES A BURDEN TO THE STREET SYSTEM OR A DANGER TO PUBLIC SAFETY THAT WOULD WARRANT REJECTION OF THAT SITE PLAN. THANK YOU.

MAYOR WYNN: COUNCIL MEMBER KIM? YES?

KIM: MR. ROCKWELL, I JUST WANTED TO COMMENT ON WHAT YOU SAID ABOUT WHAT I SAID ABOUT THE LAWSUITS, AND DURING MY CONVERSATIONS EARLY ON, IT DID COME UP, AND I THINK IT WAS MY MISUNDERSTANDING BECAUSE I LATER THEN LOOKED CAREFULLY AT DAVID SMITH'S..... SMITH'S MEMO AND DARRELL WIN WERE THREATENED TO BE SUED BUT THEY WERE DEPOSED AND THEY WERE REPRESENTED BY THE CITY DURING THEIR DEPOSITIONS. BUT I APPRECIATE YOUR BEING HERE. THANK YOU.

MAYOR WYNN: THANK YOU, MR. ROCKWELL. OUR NEXT SPEAKER IS AUDLEY BLACKBURN? WELCOME. AND YOU'LL

BE FOLLOWED BY DEBORAH FEMAT. IF I PRONOUNCED THAT CORRECTLY.

MAYOR WYNN: WELCOME, AUDLEY, YOU'LL HAVE THREE MINUTES.

THANK YOU, MAYOR. GOOD AFTERNOON, MAYOR AND COUNCIL. MY NAME IS AUDLEY BLACKBURN, REPRESENTING GUIDE DOG USERS OF TEXAS. MY BUSINESS IN AUSTIN IS THE BRAILLE CONNECTION, WHICH HAS BEEN HERE SINCE 1986. THERE ARE SEVERAL QUESTIONS WHICH COUNCIL AND CITY STAFF CAN INVESTIGATE BEFORE DECIDING HOW TO RESPOND TO THE NEW PLAN FOR WAL-MART AT NORTHCROSS. WHY HASN'T THERE BEEN A COMMITMENT TO WORK WITH CAPITAL METRO TO PROVIDE SAFE BUS ACCESS? I WALKED THE AREA AND DETERMINED -- AND DETERMINED THAT THERE IS NOT A SAFE PATH OF TRAVEL FROM THE BUS STOP TO THE MALL ENTRANCE. THIS MEANS THERE MAY BE A VIOLATION OF THE AMERICANS WITH DISABILITIES ACT. IN THE LATEST PROPOSAL SUBMITTED BY LINCOLN PROPERTIES, THERE ARE COMMENTS ABOUT SIDEWALKS. WHAT IS THE PLACEMENT OF THE SIDEWALKS AND HOW WILL THIS ENHANCE PEDESTRIAN SAFETY? BLIND AND VISUALLY IMPAIRED PERSONS LIVE IN THE NORTHCROSS APARTMENTS. WHEN A DRASTIC INCREASE IN TRAFFIC OCCURS, HOW WILL SAFETY BE ADDRESSED AND WHO WILL BE HELD LIABLE IF A PERSON IS INJURED OR KILLED? THERE WERE BROCHURES DISTRIBUTED TO THE NEIGHBORS BY LINCOLN PROPERTIES. WAS THIS MATERIAL PROVIDED IN BRAILLE? LARGE PRINT? OR AUDIO FORMAT? WHAT WILL HAPPEN TO THE EARLY VOTING LOCATION? WITH SAFE BUS ACCESS PEOPLE WILL NO LONGER NEED TO PAY A TAXI FARE IN ORDER TO GET TO THE VOTING LOCATION. DO WE NEED ANOTHER WAL-MART TWO MILES AWAY FROM AN EXISTING ONE WITH GOOD BUS ACCESS? TOO MANY QUESTIONS, NOT ENOUGH ANSWERS. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. BLACKBURN. OUR NEXT SPEAKER, DEBORAH FEMAT. SORRY IF I'M MISPRONOUNCING THAT DEBORAH. ALSO WANTED TO ADDRESS REGARDING NORTHCROSS SITE PLAN. MAYBE WE'LL HOLD DEBORAH'S PLACE FOR A FEW MINUTES. THAT LEAVES US WITH PAT

JOHNSON, WHO I THINK HAS JOINED US. WELCOME, PAT.

I WAS OUT THERE SHAKING HANDS AND TELLING ALL OUR CITY EMPLOYEES THAT THEY'RE DOING AN EXCEPTIONAL JOB FOR OUR CITIZENS. VERY SELDOM SEE A CITIZEN GO UP TO A CITY EMPLOYEE AND SAY THANK YOU FOR THE SERVICE YOU'RE PROVIDING FOR OUR CITIZENS, AND MORE OF OUR CITIZENS NEED TO DO THAT WHEN YOU'RE OUT THERE IN PUBLIC AND YOU SEE A PARK WORKER, A SANITATION WORKER, A STREET WORKER OR A POLICEMAN, THANK THEM FOR THE SERVICE THEY ARE PROVIDING TO YOU BECAUSE OUR TAX DOLLARS WERE..... ARE PAYING FOR IT. TODAY'S COMMENT IS OUR POLICE DEPARTMENT. THERE ARE SOME FACTS ABOUT THE POLICE DEPARTMENT. WE HAVE A TOTAL OF 142 -- 1,142 SWORN EMPLOYEES. THESE ARE CERTIFIED POLICE OFFICERS. OF THAT NUMBER ONLY 851 IS IN PATROL. NOT 2,000, WHICH WE SEE IN THE PAPER SOMETIMES. AND IN CIVILIANS EMPLOYEES WE ONLY IS 633. SO I GUESS YOU COULD SAY, YES, WE PROBABLY HAVE RIGHT AROUND 2,000 EMPLOYEES IN THE POLICE DEPARTMENT, BUT WE ONLY HAVE 851 IN PATROL. AND PATROL CONSISTS OF NINE PATROL DISTRICTS. CONSIDERING OUR POPULATIONAL LAND MASS INCREASES IN THE PAST THREE YEARS 851 PATROL OFFICERS IS NOT ENOUGH TO IMPLEMENT COMMUNITY POLICING IN OUR NEIGHBORHOODS. COMMUNITY POLICING IS WHEN A POLICE OFFICER DEVELOPS A RELATIONSHIP WITH THE RESIDENTS WITHIN THOSE NEIGHBORHOODS. BUT WHEN WE DON'T HAVE ENOUGH POLICE OFFICERS, WE HAVE OTHER OFFICERS COME OVER FROM OTHER DISTRICTS TO BACKFILL THOSE VACANT POSITIONS AND THOSE OFFICERS ONLY STAY THERE DURING THEIR SHIFT AND GO BACK TO THEIR OTHER SECTOR. CITIZEN RECOGNITION. OF COURSE, THERE ARE SO MANY POLICE OFFICERS AND PEOPLE INVOLVED IN THE POLICE DEPARTMENT, I COULDN'T RECOGNIZE THEM ALL, BUT FOR THE TIME BEING, ASSISTANT CHIEF DAVID CARTER, FOR HIS PROFESSIONALISM DURING THE ABORTION CLINIC BOMB INCIDENT, IN COMMUNICATING WITH THE PUBLIC REGARDING THE INFORMATION IN A VERY CALMING MANNER. THAT MADE A BIG DIFFERENCE. COMMANDER PATTY ROBINSON FOR HER DEDICATION IN DEVELOPING A HIGH PRODUCING DWI ENFORCEMENT UNIT

THAT HAS SAVED MANY LIVES IN THE IMPLEMENTATION OF THE TRAFFIC MANAGEMENT PROGRAM AND IN ADDITION TO SECURING A CANINE UNIT FOR OUR HIGHWAY ENFORCEMENT COMMAND. OF COURSE SOME OF US DON'T UNDERSTAND THE -- WHAT GOES ON IN THE POLICE DEPARTMENT, LIKE MOVING HIGH PRODUCING COMMANDERS OUT OF THEIR UNITS TO GO SOMEWHERE ELSE. AND COMMANDER HAROLD FOR HIS LEADERSHIP IN THE ORGANIZED CRIME UNIT AND ASSISTING IN THE CAPTURE OF A MS 13 GANG MEMBER, THE RAIDS AND OUR SUCCESSFUL NARCOTICS UNIT. ALL OF OUR POLICE OFFICERS ON CONTROL IN SWAT THAT RISK THEIR LIVES FOR OUR SAFETY DESERVE A SPECIAL RECOGNITION. IN THE UPCOMING BUDGET PROCESS WE AS CITIZENS DEMAND THAT OUR POLICE DEPARTMENT IS FULLY FUNDED TO KEEP OUR CRIME RATE LOW SO THAT WE CAN ENJOY AUSTIN AS WE HAVE OVER THE PAST 20 YEARS. CONSIDERING THE MUCH TALKED ABOUT \$28 MILLION DEFICIT IN THE NEWS MEDIA, A LOT OF US ARE WONDERING IF THE COUNCIL WAS AWARE OF THIS DEFICIT BEFOREHAND, BEFORE APPROVING YOURSELF A PAY RAISE. THANK YOU.

MAYOR WYNN: THANK YOU, MR. JOHNSON. COUNCIL, UNLESS DEBORAH FEMAT HAS JOINED US, COUNCIL, THAT CONCLUDES OUR CITIZEN COMMUNICATION THIS AFTERNOON. WE'LL NOW WITHOUT OBJECTION GO INTO CLOSED SESSION AND TAKE UP SOME ITEMS POSTED FOR FOLKS WHO ARE SORT OF TRYING TO PLAN THEIR AFTERNOON WITH US, WE STILL HAVE TO TAKE UP OUR FORMAL HOUSING INCENTIVE TASK FORCE PRESENTATION, BOTH THE STAFF AND TASK FORCE PRESENTATION, AND THEN WE HAVE OUR TIF BOARD MEETING BEFORE WE GO INTO ZONING. MY INSTINCT IS WE'LL BE IN CLOSED SESSION UNTIL AT LEAST 2:00 P.M. AND SOMETIME SHORTLY AFTER 2:00 P.M. WE'LL TAKE UP THAT TASK FORCE PRESENTATION BECAUSE I SUSPECT THERE WILL BE A FAIR AMOUNT OF QUESTIONS AND COMMENTS FROM THE COUNCIL AND THAT LIKELY WILL LEAD US RIGHT INTO THE TIF BOARD MEETING AND THEN THE ZONING. COUNCIL MEMBER MARTINEZ?

JUST AS A REMINDER, WE STILL HAVE ITEM 64 TAXI CAB FRANCHISE THAT WAS PULLED BY TREM MAYOR PRO TEM

DUNK.

WE HAVE TAKE THAT UP SHORTLY AFTER OUR LUNCHEON BREAK. SUGGEST FOLKS GRAB A BITE TO EAT OR GET SHALL WORK DONE AND BY MIDAFTERNOON WE'LL COME BACK AND TAKE UP AGAIN ITEM NO. 64 AS WELL AS THOSE BIG PRESENTATIONS. I APOLOGIZE FOR THE DELAY AND INCONVENIENCE. SO COUNCIL, WITHOUT OBJECTION WE'LL GO INTO CLOSED SESSION PURT TOO 551.071 OF OPEN MEETINGS ACT, TAKE UP SOME LEGAL ITEMS. CONSULTATION WITH OUR ATTORNEY, ITEM NO. 41, REGARDING THIS CURRENT LEGISLATIVE SESSION, 43 REGARDING OUR CITY'S MINORITY OWNED AND WOMEN OWNED BUSINESS ENTERPRISE PROGRAM, ITEM 44, LEGAL ISSUES REGARDING THE CITY OF AUSTIN VERSUS HARRY WHITTINGTON ET AL. AND 45, DISCUSSING ISSUES RELATED TO JAMES HARPER, LANDSCAPING VERSUS RODRIGUEZ BARR INC., BARR COMPANY AND THE CITY OF AUSTIN, THAT BEING -- AND THEN THERE BEING A PROPOSED ACTION ITEM NO. 46 RELATED TO THAT CASE. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US COMING BACK OUT SHORTLY AFTER 2:00 P.M. FOR ONE ACTION ITEM, ONE DISCUSSION ITEM AND SOME PRESENTATIONS. WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF EXECUTIVE SESSION. IN CLOSED SESSION WE TOOK UP THE FOUR ITEMS THAT I ANNOUNCED EARLIER, ITEMS 41, 43, 45. THEY WERE ALL LEGAL ADVICE FROM OUR ATTORNEY. ONLY ONE OF THEM HAS A RELATED ACTION ITEM, THAT BEING POSTED ACTION ITEM NUMBER 46, WHICH IS RELATED TO THAT LEGAL DISCUSSION WE JUST WILL REGARDING THE JAMES HARPER LANDSCAPING VERSUS RODRIGUEZ BAR INC. AND THE CITY OF AUSTIN ITEM. AND I WELCOME A BRIEF PRESENTATION FROM OUR CITY LAW DEPARTMENT.

MAYOR, MAYOR PRO TEM AND COUNCILMEMBERS, MY NAME IS CHRIS COP.... COPY..... COPPOLA. I'M HERE TO DISCUSS THE CASE BEFORE YOU. THE CITY HAS ENTERED AN AGREEMENT TO SETTLE THIS LAWSUIT FOR AN AMOUNT OF \$60,000 TO THE BAR COMPANY. AND I RECOMMEND THAT THE COUNCIL APPROVE THAT SETTLEMENT. AND I'M ALSO

HERE TO ANSWER ANY QUESTIONS THAT THERE MAY BE.

Mayor Wynn: THANK YOU. QUESTIONS FOR STAFF, COUNCIL. OBVIOUSLY WE HAD A SIGNIFICANT LEGAL BRIEFING IN CLOSED SESSION ABOUT THIS ITEM. COMMENTS, QUESTIONS? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 46? MOTION BY COUNCILMEMBER MCCrackEN, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE ACTION ITEM 46 AS POSTED AND PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH THE MAYOR PRO TEM OFF THE DAIS. THANK YOU ALL. WE HAVE ONE ITEM WE CAN TAKE UP BEFORE OUR BRIEFING ON THE AFFORDABLE HOUSING INCENTIVE TASKFORCE. SO LET'S TAKE UP ITEM 64 WITHOUT OBJECTION, ALTHOUGH I THINK THE MAYOR PRO TEM WILL BE BACK SOON.

I THINK, MAYOR, THAT SHE'S SEEKING SOME ADDITIONAL INFORMATION ON ITEM NUMBER 64.

Mayor Wynn: IS SHE? SO WE CAN DELAY --

IT'S YOUR DAIS, MAYOR. YOU CAN DO WHAT YOU WANT TO.

...

Mayor Wynn: ITEM NUMBER 64 IS OUR POSTED AGENDA REGARDING THE TAXI CAB FRANCHISE.

Kim: I DO HAVE QUESTIONS ABOUT THE PROVISIONS WE ADDED ABOUT THE OWNERSHIP OF THE COMPANY AND THAT AT LEAST 25% OF THE OWNERSHIP IS TO INDIVIDUAL DRIVERS. IT SEEMS RESTRICTIVE THAT WE'RE REQUIRING THAT EACH CAB DRIVER WORK 30 30 HOURS A WEEK. I HAVE A QUESTION FOR DAVID SUBMITS OUR ATTORNEY. WHERE DO WE GET THE AUTHORITY TO DO THAT AS A CONDITION OF THEM HAVING THE FRANCHISE?

Mayor Wynn: WE'LL TAKE UP ITEM NUMBER 64 AND WELCOME A PRESENTATION.

I'M SONdra CREIGHTON WITH THE PUBLIC WORK

DEPARTMENT AND I BELIEVE I WILL HAVE TO DEFER THAT TO SANDY ZIMMERMAN WITH THE LAW DEPARTMENT. SHE'S HERE TO ANSWER THOSE QUESTIONS. WOULD YOU MIND RESTATING THAT?

RIGHT. LIKE PART 4, SECTION A WHERE WE PUT IN THE REQUIREMENTS AS TO FRANCHISE OWNERSHIP, INTEREST REQUIREMENTS REQUIRING THAT AT LEAST 25% OF THE CONTROL THE COMPANY OWNERSHIP IS HELD BY INDIVIDUAL DRIVER WHO OWN A CAB AND DRIVE AT LEAST 30 HOURS PER WEEK. I'M JUST WONDERING WHAT IS THE PRECEDENT FOR ALLOWING US TO DO THAT FOR A CONDITION FOR THEM OWNING -- HAVING THE FRANCHISE?

SANDY, IF YOU WOULD BROADEN THE QUESTION TO JUST TALK ABOUT THE CITY'S LEGAL AUTHORITY FOR MAKING THAT A REQUIREMENT. WHERE DOES THAT AUTHORITY COME FROM?

THE NORTH TO MAKE -- THE AUTHORITY TO MAKE THAT REQUIREMENT COMES FROM THE CITY CHARTER, ARTICLE 11... 11 -- IT COMES FROM ARTICLE 11, AND I CAN RUN RIGHT BACK THERE TO GET MY MOATS. NOTES. I'M SORRY. ARE YOU ASKING FOR THE OVERALL STRUCTURE OF THE NUMBERS AND WHY THEY'RE CHOSEN? FOR EXAMPLE, 51% --

Kim: SAY IT AGAIN?

I WAS JUST WANTING TO MAKE SURE I WAS ANSWERING YOUR SPECIFIC QUESTION.

.....QUESTION.

Kim: THE WHOLE PART 4, SECTION A, WHERE DO WE HAVE PRECEDENT THAT THE CITY HAS THE AUTHORITY TO BASICALLY DELINEATE THE NATURE, THE FINANCIAL STRUCTURE OF THEIR BUSINESS AS A REQUIREMENT TO KEEP THE FRANCHISE?

WELL, THE CITY HAS BROAD POWERS UNDER THE ARTICLE ON FRANCHISES TO PLACE ITEMS IN THE CHARTER ORDINANCE -- SFWOO THE TAXI -- INTO THE TAXI FRANCHISE ORDINANCE. SO THE CITY HAS BROAD POWERS TO



EXERCISE ITS AUTHORITY UNDER THAT ARTICLE.

Kim: WELL, WHAT IF SOMETHING HAPPENS IN TERM OF THE PERCENTAGE THAT A DRIVER THAT HELPS THEM MAKE THAT 25% THRESHOLD IS DRIVING LESS THAN 30 HOURS ON A WEEK? WHAT WOULD THEN HAPPEN? WOULD WE HAVE TO PULL THE FRANCHISE OR WOULD THAT BE A CAUSE AGAINST THE CITY? WHAT WOULD HAPPEN?

JUST TO GO BACK AND REFRESH ON THIS. THE REASON WE INCLUDED THAT LANGUAGE IS BECAUSE THOSE WERE SOME OF THE INTERESTS THAT WERE EXPRESSED BY SOME OF THE COUNCILMEMBERS THAT THIS PARTICULAR FRANCHISE SEEMED TO BE THE ONE THAT WOULD PROVIDE THE BEST VALUE THAT THE CITY WAS SEEKING IN TERM OF HAVING A DRIVER-OWNED FRANCHISE. SO WE WERE TRYING TO STRUCTURE THIS SO THAT IT WAS MEETING THE COUNCIL INTERESTS THAT WERE STATED PUBLICLY WHEN THE SELECTION WAS MADE. SO WHAT WOULD HAPPEN IF THEY DIDN'T MEET THESE CONDITIONS WE COULD TAKE ACTION AGAINST THEM IN TERMS OF THEY WOULD BE VIOLATING THE FRANCHISE AGREEMENT THAT WE HAVE WITH THEM.

Kim: SO IF WE NEED AN INFUSION OF CAPITAL FOR SOME REASON, LET'S SAY MAINTENANCE OF EQUIPMENT OR CARS, IT WOULD CHANGE THE PERCENTAGE OF THE OWNERSHIP TO BE WITH ANOTHER INVESTOR WHO IS NOT A CAB DRIVER, THEN WE WOULD REVOKE THE FRANCHISE?

WE WOULD HAVE THE GROUNDS TO DO THAT. AND AGAIN, WE WERE TRYING TO WRITE THE LANGUAGE WITHOUT KNOWING SPECIFICALLY WHAT EXACTLY THE COUNCIL MIGHT BE INTERESTING IN HAVING IN THEIR FRANCHISE. THIS IS WHAT WE DRAFTED TO TRY TO REPRESENT THE INTEREST THAT THE COUNCIL HAD IN HAVING A DRIVER-OWNED FRANCHISE.

Kim: I THINK THAT HAVING A DRIVER-OWNED FRANCHISE IS FINE, BUT HAVING THESE SPECIFICS, WHICH WOULD -- EVEN THOUGH THEY COULD STILL BE A DRIVER-OWNED FRANCHISE AND COMPANY, IF SOMETHING -- THEY COULD STILL DO THAT, BUT FOR SOME TECHNICAL REASON NOT MEET ONE OF THESE TWO REQUIREMENTS IN TERMS OF THE

FINANCING AND OWNERSHIP.

AND WE CAN CERTAINLY LOOK AT CHANGING THAT. OR YOU MAY WANT TO SUGGEST ADDITIONAL LANGUAGE. WE WERE TRYING TO MAKE THE CITE -- WE WERE TRYING TO MAKE THE LANGUAGE CLEAR ENOUGH SO THAT WE WOULD KIND OF KNOW AT WHAT POINT WE WOULD TAKE SOME TYPE OF ACTION IF IT APPEARED THAT THEY WERE NOT GOING FORWARD AS A DRIVER OWNED FRANCHISE.

I HAVE SPECIFIC PROBLEMS WITH THIS LANGUAGE, BUT THANKS FOR THE EXPLANATION.

Mayor Wynn: THANK YOU. MAYOR PRO TEM?

Dunkerley: I WOULD LIKE TO ADDRESS THESE ISSUES BECAUSE I THINK I'M THE ONE WHO WANTED TO MAKE SURE IF THE COUNCIL WERE TO AWARD THIS CONTRACT BASED ON THE MODEL OF AN OWNER-DRIVER COOPERATIVE, MORE OR LESS THAT, THIS DIDN'T GET FLIPPED WITHIN THE NEXT YEAR. AND I THINK WITH ANY CONTRACT -- AND A FRANCHISE IS BASICALLY A CONTRACT -- NORMALLY IF THERE'S SOME VIOLATION OR SOMETHING, YOU HAVE A NOTICE TO CURE OR YOU HAVE SOME TIME FRAME TO BRING IT BACK INTO COMPLIANCE AGAIN. SO WHAT I WAS REALLY -- I CAN GIVE YOU A SPECIFIC EXAMPLE WHERE I DON'T THINK THIS IS HAVE BEEN ONEROUS AT ALL. FOR EXAMPLE, WITH 55 PERMITS, WHAT WE'RE SAYING IS THAT 51% OF THOSE PERMITS WOULD BE COLD BY OWNER DRIVERS, FULL-TIME OWNER DRIVERS. THAT WOULD BE 28 OF THOSE. AND THE OTHER CRITERIA IS THAT AT LEAST 25% OF THE 55% WOULD BE OWNED BY DRIVERS THAT OWN ONE CAB. AND THE BALANCE -- THAT WOULD BE 14. AND THE BALANCE OF THE 28 OR THE OTHER 14 COULD BE OWNED BY A SINGLE DRIVER THAT CONTROLS THE OTHER PERMITS OR MAYBE BY SEVERAL DRIVERS THAT DRIVE, BUT ALSO HAVE PERMITS IN OTHER..... AND OTHER CABS. SO WHAT YOU WOULD HAVE IS WITH 55 YOU WOULD HAVE AT LEAST 14 OF THOSE PERMITS WITH A SINGLE DRIVER, SINGLE CAB. THE BALANCE OF THE 28 OR THE OTHER 14 HE COULD HAVE ONE DRIVER CONTROLLING 14 CABS OR YOU COULD HAVE SEVERAL DRIVERS CONTROLLING SEVERAL CABS. THE OTHER 27 COULD BE CONTROLLED BY THE INVESTORS OR

WHOEVER. THAT GIVES YOU SOME ASSURANCE THAT YOU'RE GOING TO HAVE AN OWNER-OPERATED COMPANY IN THAT. SO THE FIRST THING -- NEXT THING YOU NEED TO DO IS WHAT IS AN OWNER DRIVER? AND THERE I THOUGHT THE CRITERIA THAT WE USE AT THE CITY, IF YOU WORK 30 HOURS A WEEK, YOU GET HEALTH BENEFITS AND YOU GET ALL THE OTHER THINGS THAT A FULL-TIME EMPLOYEE GETS. SO I THOUGHT THAT WOULD NOT BE TOO ONEROUS BECAUSE SOMETIMES AS A DRIVER-OWNER YOU WILL NOT BE ABLE TO DRIVE A FULL 40-HOUR WEEK. THE OTHER THING I ASKED THEM TO ADD IS MAKE SURE, BECAUSE THIS COUNCIL SEEMED TO BE AWARDED IT BASED ON THE COMPUTER DISPATCH SYSTEM TO MAKE SURE THAT THAT'S A PART OF THE CONTRACT. AND NORMALLY THESE SYSTEMS WILL GENERATE A REPORT FOR YOU THAT SHOWS THE DOWNTIME AND UP TIME AND ALL THESE OTHER THING. AND THE REQUIREMENT IS THAT THEY KEEP THOSE REPORTS ON FILE AND ON A QUARTERLY BASIS SUBMIT THEM TO THE CITY. AND IF THEIR SYSTEM GOES DOWN FOR AN EXTENDED LENGTH OF TIME, THAT THEY NOTIFY THE CITY STAFF IN CASE THERE ARE ANY CUSTOMER SERVICE COMPLAINTS THAT THEY'LL BE ABLE TO ADDRESS THEM AND SAY, THEIR SYSTEM'S DOWN, IT WILL BE UP SHORTLY, BLAH, BLAH, BLAH. SO THOSE ARE THE SUGGESTIONS THAT I THINK WOULD BE SAFE GAR OF THE SYSTEM STO WE GET A GOOD TRIAL OF A MODEL OF A FRAN DHIEZ CHOOIZ. SO THOSE WERE MY RECOMMENDATIONS THE LAST TIME WE TALKED ABOUT IT AND THOSE ARE MY RECOMMENDATIONS TODAY.

Mayor Wynn: THANK YOU. COUNCILMEMBER KIM.

Kim: I GUESS THE WAY MAYOR PRO TEM HAS LAID IS OUT, I GUESS THIS IS THE WAY THIS MEANS IN TERMS OF HOW MANY PEOPLE HAVE PERMITS, WHO HAS THE PERMANENTS, THE INDIVIDUAL FRANCHISE PERMITS? BECAUSE I DON'T READ IT THAT WAY.

THE WAY SHE LAID IT OUT IS OUR INTENT.

Kim: IN TERMS OF THE FINANCING VERSUS THE PERMITS?

YES.

Kim: BECAUSE I THINK THOSE ARE TWO DIFFERENT THINGS WHEN YOU TALK ABOUT THE PERNG OF THE EQUITY AND WHO OWNS IT VERSUS WHO IS ACTUALLY OWNING THE PERMITS. IT MAY NOT BE BE EXACTLY PROPORTIONAL. SO WHAT IS PUBLIC WORKS STAFF GOING TO DO? WHICH ONE ARE YOU GOING TO FOLLOW?

THE WAY THAT MAYOR PRO TEM LAID IT OUT IS THE WAY THAT IT WAS INTENDED TO FOLLOWED.

...

Kim: SO IS THIS DISCUSSION THEN FOR THE RECORD FOR INTERPRETATION GOING FORWARD?

YES.

Kim: OKAY. I GUESS'D LIKE TO ASK MR. CASA IF HE HAS ANY COMMENTS ABOUT THESE PROVISIONS THAT ARE AKED. IS HE -- THAT WERE ADDED. IS HE HERE? DID YOU WANT TO ADD SOMETHING?

Mayor Wynn: AND COUNCIL, WE HAVE A NUMBER BE OF PEOPLE WHO WOULD LIKE TO ADDRESS US MR. CASA BEING ONE OF THEM.

THANK YOU. WE WILL ACCEPT THE WAY IT'S INTERPRETED BY MAYOR PRO TEM DUNKERLEY.

Kim: YOU'RE OKAY WITH THAT IN TERMS OF THE NUMBER OF THE PERMITS?

YES.

Martinez: MAYOR, I HAD ONE QUESTION AND I SPOKE TO MAYOR PRO TEM DUNKERLEY ABOUT IT. THERE'S ONE LINE AT THE END OF PART 4, SECTION A, NUMBER 1, THE THIRD LINE, THAT IT COMPLETES THE SENTENCE THAT SAYS AT LEAST 51% OF THE CONTROLLING COMPANY INTEREST IS HELD BY DRIVERS WHO DRIVE AND OWN THEIR TAXI CABS, DRIVE AT LEAST 30 HOURS PER WEEK AND ARE NOT CORPORATE OFFICERS OR DIRECTOR. AND IT SEEMS LIKE THAT IS IN CONTRA TO THE SPIRIT OF THESE AMENDMENTS

THAT IT IS DRIVER OWNED AND THAT THEY HAVE A SUBSTANTIAL STAKE IN THE COMPANY. AND I WAS WONDERING IF SHE WOULD BE ACCEPTABLE TO A FRIENDLY AMENDMENT TO REMOVE THAT LANGUAGE TO ALLOW THOSE DRIVERS TO SERVE AS CORPORATE OFFICERS AND/OR DIRECTORS OF THE CORPORATION.

Dunkerley: I'VE ASKED THAT THAT BE DELETED AND YOU SHOULD HAVE A NEW COPY RELATIVELY SOON.

Martinez: THANK YOU.

Mayor Wynn: FURTHER COMMENTS OR QUESTIONS BEFORE WE HEAR FROM SOME SPEAKERS? IF I REMEMBER, MS. GENTRY, WE DID NOT CLOSE THE PUBLIC HEARING THIS TIME FOR THIS REASON. SO WE HAVE IT LOOKS LIKE 20, 25 SOME-ODD FOLKS WHO SIGNED UP NOT WISH TO GO SPEAK OR WILL ANSWER ALL IN QUESTIONS, ALL IN FAVOR OF THIS ITEM. WE DO HAVE A NUMBER BE OF FOLK SIGNED UP IN OPPOSITION. MR. KEN NETS GRANT? HE SIGNED UP WISHING TO SPEAK, AGAINST. AND THEN ROBERT LEE WAS GOING TO DONATE TIME TO MR. GRANT. SO MR. LEE, YOU WILL BE WELCOME TO SPEAK NOW IF YOU WOULD LIKE. AND MR. JEFF HOWARD HAD SIGNED UP WISH TO GO ADDRESS US. WELCOME BACK, JEFF. A NUMBER OF FOLKS WANTED TO DONATE TIME TO YOU. IS JEFFREY ROADIE HERE? STEVEN CO-BELL. HENRY OH. WELCOME. AND (INDISCERNIBLE). IT'S.... SO MR. HOWARD, YOU WILL HAVE UP TO 15 MINUTES IF YOU NEED IT, WELCOME.

THANK YOU. MY NAME IS JEFF HOWARD. I'M HERE REPRESENTING CAPITOL CITY CAB. I WANT TO FIRST OF ALL APPLAUD YOU ALL FOR ADDRESSING THE ISSUE IN THE ORDINANCE ABOUT DRIVER-OWNED CABS AND COMPUTER DISPATCH SYSTEM. IF YOU RECALL, MY CLIENT, CAPITOL CITY CAB, WAS THE APPLICANT DETERMINED BY STAFF THROUGH THE EVALUATION PROCESS AS THE APPLICANT THAT WAS BEST QUALIFIED. COUNCIL DISAGREED. AND THERE WAS REALLY ONLY TWO DISTINGUISHING CHARACTERISTICS AND THOSE WERE DRIVER-OWNED CABS AND COMPUTER-BASED DISPATCH SYSTEMS. SO IF YOU DON'T PUT THOSE IN THE ORDINANCE, THEN YOU HAVE THE POTENTIAL OF GETTING A COMPANY THAT DOESN'T DO

EITHER OF THOSE THINGS AND YOU WILL HAVE SELECTED REALLY THE SECOND BEST, NOT THE BEST APPLICANT. NOW, I RECOGNIZE THAT THERE MAY BE SOME WEARINESS ON THIS ISSUE AND I APPRECIATE YOUR PATIENCE. PLEASE KNOW THAT THE CONTENTIOUS NATURE OF THIS CASE WAS NOT THE CHOICE OF CAPITOL CITY, WHICH ONLY EVER SOUGHT TO PROVE BE ITSELF AS THE MOST QUALIFIED APPLICANT THROUGH THE SELECTION PROCESS THAT COUNCIL SET UP. AND IT DID THAT. THIS IS AN IMPORTANT ISSUE TO THE CITY, AND SO I WANT TO BRING A COUPLE OF NEW AND RECENT DEVELOPMENTS IN THIS MATTER TO YOUR ATTENTION SINCE IT'S BEEN AWHILE SINCE YOU'VE HER TESTIMONY BACK IN APRIL. AS YOU KNOW, TAXI CAB FRANCHISES ARE A PART OF OUR CITY'S PUBLIC TRANSPORTATION SYSTEM. IT PROVIDES A VERY IMPORTANT TRANSPORT SERVICE TO OUR SPECIAL NEEDS COMMUNITY, TO THOSE WHO CAN'T AFFORD A CAR AND TO THE TOURISTS AND GUESTS AND VISITORS TO OUR GREAT CITY. BECAUSE IT'S SUCH AN IMPORTANT PART OF OUR TRANSPORTATION SYSTEM, COUNCIL WISELY PASSED AN ORDINANCE THAT REQUIRED THAT THE BEST QUALIFIED APPLICANT BE AWARDED THE FRANCHISE. THE ORDINANCE IS ACTUALLY UP ON YOUR SCREEN. AND THAT'S WHAT YOU PASSED. THIS IS THE LAW THAT YOU'RE OBLIGATED TO CONSIDER. THIS IS THE COMMITMENT YOU MADE TO THE PUBLIC. AND YOU LOOK AT SECTION 13-2-3-10-B, IT SAYS THAT COUNCIL SHALL AWARD THE FRANCHISE TO THE APPLICANT THAT THE COUNCIL DETERMINES IS BEST QUALIFIED, CONSIDERING THOSE CRITERIA. AND THOSE CRITERIA ARE THE CRITERIA YOU ALL APPROVED AND WERE PART OF THE SELECTION MATRIX. NOW, IS TRUE THAT COUNCIL GETS TO DETERMINE WHO IS THE BEST QUALIFIED. THAT'S YOUR PREROGATIVE. BUT IT HAS TO BE THE BEST QUALIFIED. IT CAN'T BE THE MOST INTERESTING, IT CAN'T BE THE MOST UNIQUE CONCEPT, IT HAS TO BE THE BEST QUALIFIED. AND YOU'RE SUPPOSED TO ACCEPT THE CRITERIA THAT YOU'VE ADOPTED. I'D LIKE TO POINT OUT FOR THE RECORD THAT WHETHER COMPANY IS A DRIVER-OWNED CAB OR NOT IS NOT ONE OF THOSE CRITERIA. IT'S NOT A FACTOR ENUMERATED AND CONTEMPLATED IN THIS ORDINANCE. AND IN FACT, BE IT'S WHOLLY OUTSIDE THESE CODE CONSIDERATIONS. LONE STAR HAD SOUGHT TO MAKE

IT ONE OF THE CONSIDERATIONS FROM THE VERY BEGINNING. IT HAS BEEN ROUTINELY REJECTED AS A CRITERIA BY STAFF, UTC AND THIS COUNCIL WHEN IT ADOPTED THAT CRITERIA. IN LIGHT OF THIS ORDINANCE, MY CLIENT FOR ITS PART APPROACHED THIS PROCESS AS A MERIT-BASED PROCESS, ONE THAT THE AWARD HAD TO BE EARNED THROUGH MERIT. AND WHEN CAPITOL CITY PREVAILED WITH YOUR STAFF AND YOUR EVALUATION PROCESS, LONE STAR NATURALLY, AS THE SECOND PLACE FINISHER, SOUGHT TO QUESTION THAT REPRESENTATION WITH WHAT WE THINK WERE FRANKLY SOME UNFORTUNATE AND NEGATIVE PUBLIC AND PRESUMEABLY PRIVATE COMMENTS THAT WE TAKE SOME VERY STRONG ISSUE WITH. HAVING SAID THAT, THE RESULT WAS THAT CAPITOL CITY HAS BEEN THE SOLE FOCUS OF ALL THE SCRUTINY IN THIS CASE THUS FAR. AND THAT'S INTERESTING BECAUSE WE'RE GOING TO AWARD THE FRANCHISE TO LONE STAR AND I DON'T THINK THE SAME TOUGH QUESTIONS THAT WERE ASKED OF MY CLIENT ARE BEING ASKED OF LONE STAR. SO THAT TAKES ME TO THE FIRST NEW ITEM I WOULD LIKE TO BRING TO YOUR ATTENTION, AND THAT IS THE IMPACT THAT THE DRIVE-OWNED CLAIMS OF LONE STAR WILL HAVE ON THE FINANCIAL CONSIDERATIONS IN THIS CASE. THE APPLICATION PROCESS REQUIRED NOT JUST FINANCIAL STATUS, IT REQUIRED INFORMATION REGARDING REVENUES, FINANCING, START-UP WITH BUDGETS, OPERATING BUDGETS, ETCETERA. AND THIS INFORMATION WAS NOT AUDITED AND VERIFY FOR ACCURACY. PERHAPS IT SHOULD HAVE BEEN BECAUSE IF YOU LOOK CLOSELY AT LONE STAR'S INFORMATION ON THIS, THERE ARE SOME VERY IMPORTANT THING THAT YOU REALLY NEED TO KNOW ABOUT. FIRST, LONE STAR IN THEIR AUDITED FINANCIAL STATEMENT HAD NO PROPERTY OR EQUIPMENT. THEY HAD CASH OF ABOUT \$229,000, WHICH WAS FROM THE SALE OF STOCK. THEY HAD A LINE OF CREDIT FOR \$100,000. HOWEVER, THE AVAILABLE CASH AND THE AVAILABLE CREDIT WERE NOT ENOUGH TO COVER THEIR START-UP COSTS. THEY ALSO PROJECTED A SIGNIFICANT LOSS IN THE FIRST THREE YEARS OF OPERATION. SO TO COVER THE START-UP COST SHORTFALL AND THE FIRST THREE YEARS OF LOSSES, LONE STAR WILL NEED TO RELY ON MORE STOCK SALES. AND ACCORDING TO THEIR APPLICATION,

THOSE ADDITIONAL STOCK SALES, THERE ARE SOME THAT STOCK HAS ALREADY BEEN SOLD, BUT THEY DIDN'T GET CASH FOR IT, THEY TOOK A NOTE. ABOUT \$325,000 WERE IN NOTES RECEIVABLE. THEY ISSUED STOCK AND EXCHANGE THEY GOT AN UNSECURED NOTE. THOSE WERE SUPPOSED TO HAVE BEEN PAID 90 DAYS AFTER THEIR DUE DATE. THAT 90 DAYS EXPIRED LONG AGO. I ASKED THE AUDITOR WHETHER THEY CONFIRMED WHETHER THAT CASH HAS BEEN RECEIVED AND WHETHER THOSE NOTES ARE PAST DUE. IN ANY CASE, IT'S CRYSTAL CLEAR FROM THEIR APPLICATION THAT THEY NEED \$650,000 AS AN INITIAL INVESTMENT TO MAKE THIS ON... -- TO MEET THEIR START-UP BUDGET AND OPERATING EXPENSES. THAT'S GOING TO COME FROM PAST, PRESENT AND FUTURE SHAREHOLDERS. NOW, WHO ARE THESE INVESTORS? WELL, LONE STAR HAS REPRESENTED TO YOU AND THE PUBLIC THAT THESE INVESTOR WILL BE DRIVERS BECAUSE THEY CLAIM IT'S A DRIVER-OWNED COMPANY. INDEED AS WAS MENTIONED, THAT'S THE PRIMARY REASON THEY WERE SELECTED. THEY'RE GOING TO SELL STOCK. WELL, THEY'VE NOT ONLY ALLEGED THAT IT'S A DRIVER-OWNED COMPANY, ACCORD TO GO THEIR ATTORNEY, THIS COMPANY WILL BE RUN BY THE DRIVERS. IN ORDER TO BE A COMPANY THAT IS BOTH OWNED AND RUN BY THE DRIVER, YOU HAVE TO HAVE AT LEAST 51% OF THE STOCK OWNED BY THE DRIVERS. THAT'S THE ONLY WAY THAT THEY CAN ELECT THE BOARD OF DIRECTORS WHO MANAGE A CORPORATION. SO TO DELIVER ON THAT COMMITMENT -- SO HERE'S JUST AN OUTLINE OF WHAT IT WOULD TAKE TO DELIVER ON THAT COMMITMENT. THE INITIAL INVESTMENT IS \$650,000. 50% WOULD BE \$331,000. THERE'S ONLY MAXIMUM OF 55 POTENTIAL DRIVER SHAREHOLDERS. IF EVERY SINGLE ONE OF THEM INVEST UNDERSTAND THIS COMPANY TO MEET FWHAWN%, CAB DRIVERS WOULD HAVE TO COME OUT OF POCKET \$6,000 AS THEIR INVESTMENT. IF ONLY 40 OF THEM INVESTED, THAT WOULD BE EIGHT THOUSAND DOLLARS. IF ONLY 20 OF THEM INVESTED TO GET TO THAT 51%, YOU NEED \$16,500. WHAT KIND OF RETURN DO THEY GET FOR THAT INVESTMENT? THE FIRST THREE YEARS THEY GOT NO RETURN. THERE'S A LOSS. THAT AVERAGE LOSS ACCORDING TO THEIR APPLICATION IS \$22,000. SO THEY GET NONE OF THEIR MONEY BACK FOR THE FIRST THREE YEARS. THEY'VE GOT



AN INITIAL INVESTMENT OF \$650,000. THEY'VE GOT TO PAY BACK THAT \$650,000 BEFORE PEOPLE START GETTING BACK A RETURN. HOW LONG IS THAT GOING TO TAKE? IT'S GOING TO GET YEARS AND YEARS AND YEARS, COUNCIL. I DON'T THINK THAT THIS PROPOSAL CAN WORK. WE'VE DONE SOME ADDITIONAL INVESTIGATION. I THINK THE FINANCIAL PICTURE IS EVEN WORSE THAN THAT. THE EXHIBIT THAT'S UP ON THE SCREEN ASSUMES THAT THEIR NUMBERS REGARDING COSTS ARE CORRECT. WE ARE OF THE OPINION THROUGH VENDORS WE HAVE CONTACTED, INCLUDING VENDORS LISTED IN THEIR APPLICATION, THAT THEY HAVE UNDERSTATED THE START-UP COSTS BY AT LEAST \$30,000. WE BELIEVE THEY'VE UNDERSTATED THE COST OF THE COMPUTER DISPATCH SYSTEM BY OVER \$30,000. AND REMEMBER, THEY'VE EFFECT BE ACTIVELY SCORED AS WELL AS THEY DID BASED ON THIS COMPUTER-BASED DISPATCH SYSTEM. WE BELIEVE THAT THEY HAVE ALSO UNDERSTATED THE INSURANCE COST BY ABOUT 60,000 PER YEAR. IF THAT'S ACCURATE, ALL OF THIS WOULD MAKE THOSE LOSSES AND TIME PERIODS UP ABOVE EVEN MUCH, MUCH LONGER. THESE ISSUES NEED TO BE THOROUGHLY INVESTIGATED BEFORE YOU MAKE THIS AWARD. THIS PROPOSAL IS VERY POSSIBLY NOT SOUND AT ALL AND NOT IN THE CITY'S INTEREST. ONE FINAL RECENT DEVELOPMENT INVOLVES THE FIX FACILITY. LONE STAR WON THE CATEGORY REGARDING EQUIPMENT AND FACILITY. I DON'T THINK THEY WOULD HAVE WON THAT IF THEY HANTS PROVIDED INFORMATION REGARDING A LOCATION. WE'VE LEARNED THEY'VE LOST THAT LOCATION, AND SO THAT PART OF THEIR APPLICATION IS NOW INACCURATE. IF YOU RECALL ON FIRST READING, MY CLIENT WAS ASKED A WHOLE LOT OF QUESTIONS ABOUT WHAT THEY HAD OR DIDN'T HAVE AT THE TIME OF APPLICATION. THAT WAS IMPORTANT TO COUNCIL, WHAT IT AT THE TIME OF APPLICATION? WELL, AT THE TIME OF APPLICATION WE NOW KNOW THAT THIS IS INACCURATE. AT THE VERY LEAST I THINK COUNCIL SHOULDN'T PREJUDICE MY CLIENT FOR ANYTHING IN ITS APPLICATIONS IF COUNCIL IS NOW GOING TO ALLOW LONE STAR -- AND I UNDERSTAND THEY MAY HAVE A NEW SITE, TO COME FORWARD OVER SIX MONTHS LATER AND EFFECTIVELY SUPPLEMENT THEIR APPLICATION. AFTER WE'VE HAD A REPRESENTATION BY PANEL, AFTER

TWO READING BY COUNCIL, IF THEY ARE ALLOWED TO AMEND THEIR APPLICATION SIX MONTHS LATER, I'M NOT SURE EXACTLY HOW THAT'S FAIR. COUNCIL, I HAVE TO SAY THAT THERE ARE MANY, MANY QUESTIONS ABOUT LONE STAR'S PROPOSAL THAT JUST DON'T ADD UP FINANCIALLY. AND I'M CONCERNED THAT YOU'RE GOING TO APPROVE A FINANCIAL MODEL THAT ISN'T GOING TO WORK AND THEY'LL HAVE TO COME BACK TO YOU FOR EITHER MORE PERMITS, REVISING THIS DRIVER-OWNED SCENARIO OR MAYBE TRYING TO SELL THE FRANCHISE. I TRULY BELIEVE THAT IF YOU FOLLOW THE CRITERIA THAT YOU PASSED, LIKE THE CODE SAYS YOU MUST, AND IF YOU ASK TOUGH QUESTIONS ABOUT THE APPROACH OF LONE STAR AND THE FEASIBILITY OF THEIR PROPOSAL JUST LIKE YOU DID MY CLIENT, YOU WILL HAVE TO CONCLUDE THAT CAPITOL CITY HAS EARNED THIS FRANCHISE AS THE MOST QUALIFIED APPLICANT. I THINK AFTER ALL THE CITIZENS, DRIVERS AND VISITORS TO OUR CITY DESERVE TO HAVE THE VERY BEST, NOT THE SECOND BEST. THANK YOU. IF YOU HAVE ANY QUESTIONS I'LL BE BE HAPPY TO ANSWER THEM.

Mayor Wynn: THANK YOU, MR. HOWARD. QUESTIONS OF MR. HOWARD, COUNCIL? COMMENTS. I THINK I MAY HAVE A FEW QUESTIONS PROBABLY OF MR. SMITH HERE IN A FEW MINUTES. SO KENNETH GRANT IS NOT HERE AND COUNCIL, THE REST OF THE FOLKS WHO SIGNED UP HERE IN FAVOR OF THIS ACTION HAVE CHECKED THE BOX NOT WISHING TO SPEAK AND/OR THEY'RE HERE TO ANSWER QUESTIONS IF WE HAVE THEM. MS. GENTRY WILL PUT THOSE NAMES INTO THE RECORD. COMMENTS, QUESTIONS? CONCERNS? I GUESS MR. SMITH I'D APPRECIATE IT TO WHATEVER DEGREE YOU'RE COMFORTABLE RESPONDING TO A COUPLE OF THE COMMENTS THAT I HEARD OR QUESTIONS THAT I HAD HEARD FROM MR. HOWARD ABOUT ANY POTENTIAL LEGAL CONCERNS OR PROBLEM AWARDED THE FRANCHISE AS AT LEAST IS PRESENTED IN ORDINANCE FORM HERE.

MAYOR, I'LL ASK SANDY ZIMMERMAN FROM THE LAW DEPARTMENT TO ADDRESS THOSE SINCE SHE'S BEEN WORKING VERY CLOSELY WITH THESE ISSUES.

GOOD AFTERNOON. I WANT TO GO BACK OVER THE FRANCHISE PROVISIONS WHICH STATE THAT THE COUNCIL

MAY AWARD A FRANCHISE WITH ALL TERMS THAT ARE NOT INCONSISTENT WITH THE CHARTER FIRST OF ALL. SO THAT'S A BROAD AUTHORITY. WHEN WE GO BACK TO THE GROUND TRANSPORTATION PROVISION, WE INDEED HAVE MANY CRITERIA THAT WERE SET, THE UTC CAME UP WITH; HOWEVER, GOVERNING THAT ENTIRE PROCESS IS THE STATEMENT THAT THE COUNCIL SHALL AWARD THE FRANCHISE TO THE APPLICANT THAT THE CITY COUNCIL DETERMINES IS BEST QUALIFIED AFTER CONSIDERING THE INFORMATION IN THE APPLICATION, THE CRITERIA. CRITERIA REASONABLY RELATING TO, WHICH MAY NOT EXIST IN THE MATRIX ITSELF FOR THE DECISION. SO WHILE THERE IS A PROCESS LAID OUT, THE COUNCIL HAS WIDE DISCRETION IN DETERMINING WHAT THE COUNCIL THINKS BEST SERVES THE PURPOSE.

Mayor Wynn: THEN ALSO MS. ZIMMERMAN, SOME CONCERN THAT WE HEARD ABOUT GENERALLY SPEAKING THE FACT I GUESS THAT THIS INITIAL FRANCHISE APPLICATION PROCESS BEGAN MONTHS AGO AND IT SOUNDS LIKE -- WHICH WOULDN'T SURPRISE ME, THAT PERHAPS ONE OR MORE OF THE APPLICANTS DID THINGS LIKE CONTRACT FOR SOME PROPERTY OR HAD SOME OPTIONS ON PIES OF REAL ESTATE IN ANTICIPATION, AND THEN IF DURING THE COURSE OF THIS LENGTHY PROCESS, YOU KNOW, THOSE FACTS CHANGE, DO YOU HAVE CONCERN ABOUT AWARDING A FRANCHISE ON THIRD READING TECHNICALLY WITH DIFFERENT FACTS ON THE GROUND THAN MAY HAVE BEEN THERE WHEN THE PROCESS BEGAN MONTHS AGO?

THE FACTS THAT HAVE BEEN DESCRIBED ARE FACTS THAT HAVE BEEN QUESTIONED OR LOOKED INTO ON THE PART OF BOTH FRANCHISES. THEY ARE FACT QUESTIONS THAT AGAIN THE COUNCIL HAS DISCRETION TO MAKE THOSE DECISIONS IN ADDRESSING THOSE FACTS. I WOULD NOT ADVISE THAT THERE IS A DISPARITY THAT WOULD BE CONSIDERED ACTIONABLE UNDER THIS AND THAT IT WOULD STILL BE CONSIDERED NOT A VIOLATION OF THESE RULES OR OF THE CHARTER.

Mayor Wynn: THANK YOU. FURTHER QUESTIONS, COMMENTS? COUNCILMEMBER LEFFINGWELL. LEAF LEISURE DESCRIBE THE PROCESS THAT WOULD ENSUE IF THE PROVISIONS OF

PART 4 OR ANY OTHER PROVISIONS OF THE FRANCHISE AWARD ARE NOT MET?

IN THE HISTORY OF FRANCHISES IN THE CITY OF AUSTIN, WHAT HAS HAPPENED, WHETHER OR NOT A DUE PROCESS ISSUE WAS INCLUDED, ALTHOUGH I BELIEVE WE HAVE ONE LATER ON, IS THAT NOTICE HAS GONE OUT AND THERE'S A PROCESS IN WHICH NOTICE IS GIVEN AND 10 TO 30 DAYS TO CURE THAT VIOLATION AND THEN TO COME BACK. THE CITY HAS BEEN -- SEEN IT AS VERY IMPORTANT TO LEAVE THOSE OPEN. THESE FRANCHISE AGREEMENTS ARE VERY LENGTHY IN TERM AND SO IT WOULD BE BEST FOR THE CITY TO AWARD THAT DUE PROCESS. LEAF HE LEAF I GUESS WHAT I'M GETTING AT IS AFTER THE END TFT DAY AFTER ALL THESE PROCEDURES ARE FOLLOWED AND IT'S DETERMINED THAT, FOR EXAMPLE, LONE STAR WOULD NO LONGER BE ENTITLED TO HAVE THIS -- ENTITLED TO HAVE THIS FRANCHISE, IS THAT TRUE FOR THE CITY TO GO THROUGH THIS AND AWARD IT TO SOMEONE ELSE OR DO THEY HAVE SOME ABILITY TO TRANSFER OR SELL THEIR FRANCHISE TO ANOTHER ENTITY?

WELL, THE ABILITY TO TRANSFER FALLS INTO THE SAME CATEGORY AS AWARDED A NEW FRANCHISE, WHETHER IT'S EXTENSION, TRANSFER OR A BRAND NEW FRANCHISE. WE GO INTO THE SAME PROCESS OF THREE READINGS OF A FRANCHISE.

Leffingwell: SO IF THEY DON'T HAVE THE FINANCIAL VIABILITY OR THEY DON'T MEET THE REQUIREMENTS OF THIS AWARD, WE'LL GO THROUGH THIS PROCESS OF AWARDED IT, THE SAME PROCESS, TO ANOTHER POTENTIAL CAB COMPANY.

YES. UNDER THE CITY CHARTER THAT'S WHAT WE WOULD NEED TO DO.

Mayor Wynn: COUNCILMEMBER, IF I MIGHT ADD, JUST TO EXPLORE ALL POSSIBILITIES, OUR CHARTER IS VERY CLEAR, THE FRANCHISE CANNOT BE TRANSFERRED WITHOUT THE CONSENT OF COUNCIL. IT ALSO GIVES COUNCIL -- IT SAYS EVERY FRANCHISE IS SUBJECT TO THE RIGHT OF COUNCIL TO DECLARE A FOREFAITURE FOR FAILURE TO COMPLY WITH THE TERMS OF THE FRANCHISE, AND THAT'S AFTER

NOTICE AND HEARING, BUT THE COUNCIL ALSO RETAINS THE POWER TO AMEND AN EXISTING FRANCHISE. AND SO THAT WOULD BE AN OPTION DIFFERENT FROM GOING TO A COMPLETELY DIFFERENT FRANCHISEE.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? DMEARNZ.

Martinez: MAYOR, IT'S BEEN A VERY LONG PROCESS AND I..IT STARTED LAST YEAR, ABOUT THE SAME TIME OF YEAR LAST YEAR. SO I UNDERSTAND THAT WHENEVER SOMETHING THIS CONTROVERSIAL AND DIFFICULT TAKES PLACE IN TERMS AFTER DECISION-MAKING PROCESS, THERE WILL ALL BE PEOPLE WHO ARE NOT PLEASED WITH THE OUTCOME. SOME WILL BE, THE OTHER HALF WILL NOT, BUT I THINK WE ARE AT A POINT WHERE IT'S TIME TO MOVE FORWARD AND IT'S TIME TO PUT A THIRD FRANCHISE ON THE STREETS OF THE CITY OF AUSTIN. AND I'M HOPEFUL THAT THIS BUSINESS MODEL CAN BE SUCCESSFUL AND THAT WE CAN STRIKE SOME NEW GROUND AS IT RELATES TO HOW WE MOVE FORWARD WITH OUR CAB TRANSPORTATION IN AUSTIN. SO WITH THAT I WANT TO MOVE APPROVAL ON THIRD READING OF AWARDED THE TAXI CAB FRANCHISE TO LONE STAR CAB.

Mayor Wynn: MOTION BY COUNCILMEMBER MARTINEZ, SECONDED BY COUNCILMEMBER KIM TO AWARD ON THIRD READING THIS-- ITEM NUMBER 64, THE SECOND REVISION WE HAVE IN FRONT OF US, THAT INCLUDES NOT ONLY THE PROVISIONS THAT WERE READ INTO THE RECORD OR PRESENTED EARLIER, THIS ALSO DOES IN FACT SHOW THAT THAT COMMENT ABOUT OFFICERS OF THE CORPORATION HAS BEEN REMOVED FROM THIS MOTION. COMMENTS, QUESTIONS? MAYOR PRO TEM.

Dunkerley: AS YOU ALL KNOW, FROM THE BEGINNING PRESENTATION TO COUNCIL, I REALLY THOUGHT THE OTHER FRANCHISE WAS PROBABLY A MORE VIABLE ONE IN MY OPINION, BUT SINCE WE'VE HAD TWO READINGS WITH A FOURTH REVOTE, I THOUGHT IT WAS VERY IMPORTANT THAT WE GET THESE CRITERIA IN SO THAT WE CAN REALLY GET -- HAVE AN OPPORTUNITY TO SEE IF THIS TYPE OF MODEL ACTUALLY WORKS. AND SO I APPRECIATE THE ACCEPTANCE OF THE AMENDMENTS AND I WILL VOTE FOR THE AMENDED

ONES.

Mayor Wynn: THANK YOU, MAYOR PRO TEM AND YOUR WORK TO CREATE THE AMENDMENTS. AGAIN, MOTION AND A SECOND ON THE TABLE. THIRD READING AWARDING OF THE FRANCHISE. FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. [ APPLAUSE ] THANK YOU ALL VERY MUCH. APPRECIATE EVERYBODY OOTION 'S PATIENCE. THAT TAKES US TO OUR LONG DELAYED PRESENTATION THAT WE ACTUALLY HAD POSTD FOR THIS MORNING, BUT WE HAD A MUCH LENGTHIER SET OF DISCUSSION ITEMS OFF OUR CONSENT AGENDA. THAT BEING THE PRESENTATION FROM OUR AFFORDABLE HOUSING INCENTIVE TASKFORCE. AND WELCOME MS. CHRISTIE LOZANO.

GOOD AFBL, MAYOR AND COUNCIL. WE ARE GOOD TODAY TO PRESENT THE RECOMMENDATIONS OF THE AFFORDABLE HOUSING INCENTIVES.S TASKFORCE. AND ALSO OUR STAFF RESPONSE. BUT FIRST I WANT TO TAKE US BACK. THE GENESIS OF THIS HAS BEEN YOUR EMPHASIS AND YOUR PRIORITIZATION OF AFFORDABLE HOUSING IN THIS COMMUNITY. WHILE WE'VE HAD AN AGGRESSIVE POLICY OVER THE PAST 10 YEARS, IT IS TIME NOW FOR US TO GO BACK, REVISIT AND ADDRESS WHERE WE ARE AND IMPROVE UPON OUR PAST SUCCESSES. THE COUNCIL SPONSORS OF THIS INITIATIVE WERE COUNCILMEMBER KIM AND MAYOR PRO TEM DUNKERLEY, AND THEY'VE PROVIDED THE LEADERSHIP AND THE DIRECTION FOR THIS TASKFORCE, AND I WANT TO THANK THEM FOR THEIR PARTICIPATION IN THAT. TODAY WHAT WE'RE GOING TO DO IS TIM TAYLOR AND FRANK FERNANDEZ, WHO ARE THE CO-CHAIRS OF THE TASKFORCE, ARE GOING TO PRESENT THE RECOMMENDATIONS IN THEIR ENTIRETY AND THEN PAUL HILGERS AND MYSELF ARE GOING TO TALK ABOUT THE STAFF RESPONSE AND NEXT STEP. BEFORE I INTRODUCE FRANK AND TIM I DO WANT TO THANK BOTH OF THEM FOR THEIR LEADERSHIP AND ALSO ALL THE MEMBERS OF THE TASKFORCE. WE HAVE A DIVERSE GROUP OF

REPRESENTATIVES WHO CAME TOGETHER AND BROUGHT FORWARD VERY BOWLED RECOMMENDATIONS FOR THIS COMMUNITY. THEY HAD A COMMITMENT AND A PASSION FOR AFFORDABLE HOUSING. THEY WORKED DILIGENTLY TO GET CONSENSUS ON ALL THE RECOMMENDATIONS THAT YOU'RE GOING TO HEAR TODAY. AND THERE WERE GREAT DISCUSSIONS. SOME QUITE HEATED IN HEARING FROM DIFFERENT PERSPECTIVES. BUT IT SHOWED THE COMPLEXITY IN ADDRESSING AFFORDABLE HOUSING IN A COMMUNITY WHERE WE NEED TO BALANCE PRIVATE INTERESTS AS WELL AS PUBLIC WANTS AND DESIRES. WITH THAT I'LL NOW INTRODUCE TIM TAYLOR AND FRANK FERNANDEZ. I THINK FRANK'S GOING TO LEAD OFF THE DISCUSSION AND THEN TIM AND THEN PAUL AND I WILL FOLLOW UP WITH THE STAFF RESPONSE. PAIR MAYOR WELCOME. I APOLOGIZE FOR THE LENGTHY DELAY.

THANK YOU. WE HAD CALLS BACK AND FORTH. NO PROBLEM. TIM AND I ARE GOING TO SPLIT IF UP.....SPLITIT UP IN HALF. A QUICK BACKGROUND, AS SHE JUST ALLUDED TO, WE -- THE TASKFORCE WAS FORMED UPON YOUR DIRECTION, AND THE IDEA WAS TO -- I THINK THE CATALYST WAS A LOT OF THE DISCUSSION THAT WAS GOING AROUND AFFORDABILITY IN DOWNTOWN, AND THEN IT ENDED UP BROADENING TO -- THE SCOPE BROADENED TO THE ENTIRE CITY AND YOU TASKED US WITH REVIEWING, DEVELOPING AND RECOMMENDING SOME POLLEN HANS.S TO THE CITY'S CURRENT AFFORDABILITY POLICIES. WE MET IN THE SUMMER AND WE MET TILL FEBRUARY 20TH. AND OVER THAT WE WENT FROM BIWEEKLY MEETINGS TO WEEKLY MEETINGS AND THEN SOME SUBCOMMITTEE MEETINGS AND SOME WERE VERY CO-PA SET TICK AND SOME WERE VERY CONTENTIOUS. BUT I THINK WE CAME TO CONSENSUS AND SOMETHING THAT WHILE I THINK IT'S FAIR TO SAY THAT THE DEVELOPERS WEREN'T NECESSARILY HAPPY WITH IT, NOR WERE THE ADVOCATES, SO I DO THINK WE DO FORCE SOME COMPROMISE IN THAT. VERY QUICKLY JUST TO OUTLINE THE PROCESS, WE STARTED OFF BY TALKING ABOUT BEST PRACTICES IN OTHER CITIES, SEE WHAT WE CAN LEARN FROM OTHER COMMUNITIES. WE TALKED ABOUT THEN DECISION POINTS, WHICH IS REALLY WHAT ARE THE KEY POINT FOR CONSIDERATION WHEN DEVELOPING DIFFERENT

POLICIES. AND THEN WE LOOKED AT WHAT ARE THE CHALLENGE TO AFFORDABILITY IN OUR COMMUNITY AND WE WENT THROUGH SEVERAL DIFFERENT CASE STUDIES TO HIGHLIGHT THAT. FROM THERE WE STARTED MOVING FROM INFORMATION GATHERING TO, OKAY, HOW DO WE START FORMING THESE POLICIES. AND WE LOOKED AT TRYING TO DEVELOP SOME CORE VALUES AND FROM THERE LOOKING AT WHAT ARE THE TYPES OF INCENTIVES WE CAN PROVIDE, WHAT ARE THE PRINCIPLES THAT SHOULD GUIDE THE INCENTIVES TO PARTICULAR REPRESENTATIONS. I'M GOING TO GO THROUGH THE FIRST FOUR POINTS AND THEN I'LL TURN IT OVER TO TIM WHO WILL GIVE YOU THE SPECIFICS ON THE DIFFERENT RECOMMENDATIONS WE CAME UP WITH. STARTING OFF, BEST PRACTICES. THERE ARE NUMEROUS DIFFERENT TYPES OF INCENTIVE PROGRAMS THROUGHOUT THE COUNTRY. SOME WERE MANDATORY, SOME VOLUNTARY. AS MANY OF YOU KNOW, IN TEXAS WE'RE PRECLUDED FROM DOING ANY TYPE OF MANDATORY PROGRAM, SO WE LOOKED AT VOLUNTARY PRACTICES AND WE LOOK AT CITIES LIKE SEATTLE, ARLINGTON AND OTHER COMPARABLE COMMUNITIES TO GET A SENSE OF HOW THEY DEALT WITH THE ISSUE. AND THEN FROM THERE WE ALSO LOOKED AT WHAT ARE THE EXISTING MODELS WE HAVE HERE IN OUR OWN CITY, AND WE HAVE SMART HOUSING WHICH YOU ALL ARE VERY FAMILIAR WITH, BUT THE UNIVERSITY NEIGHBORHOOD OVERLAY, VMU AND AS WELL AS WHAT WAS DONE AT MUELLER. ONCE WE GOT THROUGH LOOKING AT SOME OF THE DIFFERENT BEST PRACTICES, WE LOOKED AT WHAT ARE YOUR DECISION POINTS, YOUR POINTS FOR CONSIDERATION? WE LOOKED AT WHAT ARE THE LEGAL ISSUES, WHAT ARE THE AFFORDABILITY REQUIREMENTS WE WOULD WANT TO HAVE SOME TERMS OF WHAT TYPE OF INCOME TARGET THEY WANT TO DO OR THE LENGTH OF AFFORDABILITY. WE LOOKED AT THE DIFFERENT COMPLIANCE PERIODS WITH THE COMPLIANCE MECHANISM, HOW IT WOULD WORK AND JUST THINKING ABOUT THOSE TYPES OF QUESTIONS TO REALLY START THINKING ABOUT A VERY BASIC GIVE-GET ANALYSIS. SO ONCE WE GOT PAST THAT POINT, WE LOOKED AT, OKAY, WHAT ARE THE CHALLENGES TO AFFORDABILITY HERE IN OUR COMMUNITY. AND TO DO THAT YOU REALLY NEED TO START LOOKING AT TWAM CASE STUDIES TO UNDERSTAND HOW DOES THIS ACTUAL



WORK IN PRACTICE. AND WE WENT THROUGH CASE STUDIES FOR YOUR PRINT..... DIFFERENT TYPES OF DEVELOPMENTS, SO WE LOOKED AT DOWNTOWN EXAMPZ, SOME SINGLE-FAMILY EXAMPLES, SOME THREE-STORY WITH DETACHED GARAGE EXAMPLES. THE BASIC DEVELOPMENT TYPES YOU HAVE GOING ON HERE IN THE CITY. WE LOOKED AT MARKET FORCES, LAND COST, COST OF THE DEVELOPMENT. MANY OF YOU MAY BE AWARE THE COSTS OF DEVELOPMENT HAVE GONE UP OVER THE LAST FOUR OR FIVE YEARS AND UNFORTUNATELY IT HASN'T REALLY STOPPED, IT'S STILL GOING UP. WE ALSO LOOKED AT REGULATORY BARRIERS, WHICH WE LOOKED AT BEFORE, AND WE LOOKED AT WHAT DOES AFFORDABILITY MEAN? AS YOU KNOW, WHAT IS AFFORDABLE DOWNTOWN IS A VERY DIFFERENT THING THAN WHAT IS AFFORDABLE WAY SOUTH OR WAY NORTH OR WAY EAST. IN TERMS OF WHAT YOU CAN ACTUALLY DO AND ALSO IN TERMS OF WHAT THE COMMUNITY AND THE NEIGHBORHOOD THINKS -- AFFORDABILITY MEANS. SO IN DOWNTOWN, FOR EXAMPLE, 80 TO 120% OF MEDIAN FAMILY INCOME IS SOMETHING THAT IS AFFORDABLE GIVEN THE PRICES FOR MARKET RATE, WHEREAS IF YOU'RE WORKING IN EAST AUSTIN WHERE THE MEDIAN FAMILY INCOME IS 30% OF THE REST OF THE CITY, THAT REALLY IS OUT OF REACH FOR THEM. AND JUST TRYING TO KEEP THAT IN CONTEXT FROM YOUR THINKING ABOUT THESE INCENTIVES. SO THROUGH THAT PROCESS WE CAME TO A POINT WHERE WE DECIDED WHAT VALUES SHOULD GUIDE OUR DECISION-MAKING PROCESS WITH RESPECT TO THE INCENTIVES AND WE CAME UP WITH WITH THREE. DEEPER AFFORDABLE TARGETS. BASICALLY THE IDEA IS IT IS DESIRABLE TO REACH DEEPER LEVELS OF AFFORDABILITY, LONG-TERM AFFORDABILITY. WE VALUE HAVING THING REMAIN AFFORDABLE OVER THE LONG-TERM. I THINK WE'VE SEEN WITH PAST POLICIES WHERE WE ARE ABLE TO PROVIDE A SUBSIDY AND IT'S A GOOD THING, BUT THEN BECAUSE OF THE WAY THE -- IT WAS STRUCTURED, BE IT WAS NO LONGER AFFORDABLE AFTER A COUPLE YEAR PERIOD OF TIME. AND LASTLY, AND THIS IS ONE THAT'S CLOSE TO MY HEART, IS GEOGRAPHIC DISPERSION. WE WANTED TO MAKE SURE THAT WE'RE NOT PROMOTING OR TRYING TO INSENT PEOPLE TO CONCENTRATE POVERTY. IT'S SOMETHING WE ALREADY HAVE AND IT'S A BIG PROBLEM BE ESPECIALLY

EAST OF I-35. SO HOW CAN WE USE THESE INCENTIVES TO MAKE SURE WE PROMOTE A MORE MIXED INCOME, MORE AFFORDABLE CITY FOR ALL OF AUSTIN. SO WE HAVE THIS BASIC GIVE-GET ANALYSIS. WHAT ARE THEY GOING TO GIVE AND GET BOTH IN TERMS OF THE CITY'S PER PEKT SPIF, FROM THE DEVELOPER'S PERSPECTIVE AND THE COMMUNITY'S PERSPECTIVE. SO ONE THING THAT BECAME A POINT OF AGREEMENT IS THAT THE INCENTIVES ARE REQUIRED TO ACHIEVE THE CORE VALUES. SO YOU WANT -- THE MORE THEY HIT ON ALL OUR CORE VALUES, THE MORE INCENTIVES WE'RE WILLING TO PROVIDE. THE OTHER PART THAT WAS REALLY IMPORTANT IS BECAUSE THIS IS A VOLUNTARY PROGRAM, NEEDED TO MAKE SURE THAT FROM THE CITY'S PERSPECTIVE, WHAT YOU'RE GIVING IN TERMS OF INCENTIVE IS BALANCED WITH THE COST OF AFFORDABILITY BECAUSE IF YOU HAVE REALLY HIGH AFFORDABILITY REQUIREMENTS, BUT NOT ENOUGH INCENTIVES, NO ONE WILL TAKE ADVANTAGE OF THEM AND THERE'S NOT GOING TO BE AFFORDABLE HOUSING BUILT INTO THESE PROCS. SO THAT WAS AN IMPORTANT CONSIDERATION. ANOTHER IMPORTANT ONE CONNECTED TO THAT IS THE PHYSICAL IMPACT OF THE CITY. HOW MUCH COULD THE CITY AFFORD TO BE GIVING THE INCENTIVES BECAUSE THAT'S A PARTICULAR CONCERN TO YOU ALL. AND LASTLY, IN LOOKING AT WE ALREADY HAVE A SUCCESSFUL PROGRAM HERE, WE DON'T NEED TO RECREATE THE WHEEL, WE JUST NEED TO BUILD ON THE BASE AND THAT'S SMART HOUSING. AND WITH THAT I'LL TURN IT OVER TO TIM, WHO IS GOING TO START WALKING YOU THROUGH THE ACTUAL INCENTIVES.

Mayor Wynn: THANK YOU. WELCOME, MR. TAYLOR, FOR YOUR PATIENCE AND HARD WORK.

THANK YOU, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. PLEASURE TO BE HERE TO PRESENT THIS. I'M GOING TO WALK YOU THROUGH VERY QUICKLY THE OVERVIEW AND IF WE HAVE SPECIFIC QUESTIONS WE CAN COME BACK. THE THREE GENERAL CATEGORIES OF INCENTIVES THAT WE DETERMINED WERE MOST LIKELY TO BE WHAT WE COULD USE TO INCENTIVIZE AFFORDABLE HOUSING OR EXPEDITE A REVIEW AND APPROVAL, EXPANDED FEE WAIVERS AND ENHANCED DEVELOPMENT ENTITLEMENTS. SO THAT

BECAME ONE OF THE DEFINING PARTS. THOSE WILL BE THE INCENTIVES WE WORK OFF OF. NEXT WE LOOKED AT WHAT WILL BE BE THE GENERAL DEVELOPMENT CATEGORIES, AND THOSE ARE GENERALLY BROKEN DOWN AS DOWNTOWN, URBAN INFILL AND SUBURBAN. AND THEN ALSO WITHIN THAT CONTEXT WE FOCUSED ON FOUR ZONING CATEGORIES, CBD AND DMU, WHICH REALLY SORT OF GO TOGETHER. AND OF COURSE MULTI-FAMILY AND SINGLE-FAMILY. WE ENDED UP ADDRESSING, AS FRANK MENTIONED, THIS WAS SORT OF CAME OUT OF THE DOWNTOWN HOUSING BOOM AND ISSUES THERE, AND SO WE FOCUSED FIRST ON CBD AND D.M.U. AND INVESTED A WHOLE LOT OF TIME WORKING ON THIS. FOR DEVELOPMENTS SEEKING -- AGAIN, IF YOU GO BACK, WHAT WE LOOKED AT ARE WHAT ARE THE INCENTIVES WE CAN OFFER AND ONE OF THEM IS INCREASED ENTITLE..S. SO GENERALLY SPEAKING, WHAT ARE THE PEOPLE DOWNTOWN ARE LOOKING FOR, SINCE THERE'S AN EIGHT TO ONE FLOOR TO AREA RATIO DOWNTOWN AND FIVE TO ONE D.M.U., WHAT WE FOCUSED ON, WHEN PEOPLE ARE SEEKING INCREASES THERE, WHAT WOULD BE THE INCENTIVE WEZ OFFERED THEM. THE INCENTIVES OFFERED FOR DEVELOPMENT SEEKING AN INCREASE ARE FAST TRACK APPROVALS, ALL DEVELOPMENT FEES WAIVED AND ANY AND ALL CITY FEES WAIVED. THAT'S A FAIRLY LONG LAUNDRY LIST. IT'S PART OF THE REPORT THAT WE PRESENTED AND WLT GET THAT OUT IF WE NEED TO, BUT IT IS ANY SORT OF FEES THAT THE DEVELOPER WOULD BE PAYING ARE WAIVED AS PART OF THE INCENTIVE PACKAGE. IN EXCHANGE FOR THAT, THAT'S THE GIFT OF THE DEVELOPER. THE GIFT TO THE CITY IS THIS, IN CDB, FOR EVERYTHING ABOVE THE EIGHT TO ONE FARR, 10% OF THE BONUS AREA MUST BE AFFORDABLE AND IN D.M.U. EVERYTHING ABOVE THE FIVE TO ONE MUST BE AFFORDABLE. SO IN OTHER WORDS, IF THERE'S 100,000 SQUARE FEET ABOVE THE EIGHT TO ONE FAR IN A CDB BUILDING, 10,000 SQUARE FEET WOULD HAVE TO BE AFFORDABLE. SAME CONCEPT IN DMU. THE AFFORDABILITY REQUIREMENT IS IF IT'S A RENTAL PROJECT, 80% OF THE NEW UNITS HAVE TO BE AFFORDABLE FOR PEOPLE MAKING 80% OF MFI OR LESS WITH A 40 YEAR AFFORDABILITY PERIOD, WHICH IS A PRETTY LONG AFFORDABILITY PERIOD, ESPECIALLY WHEN WE'RE LOOKING AT DOWNTOWN. IF IT'S AN OWNERSHIP PROJECT, CONDOS, THEN THE

AFFORDABILITY REQUIREMENT IS TO ACHIEVE 120% OF MFI OR LESS WITH PERMANENT AFFORDABILITY. THAT WOULD BE DEED RESTRICTED, POSSIBLY A COMMUNITY LAND TRUST UNITS, SO IT WOULD BE PERMANENT AFFORDABILITY. AGAIN, NOTING HERE ONE OF THE KEY CORE VALUES WAS ACHIEVING LONG-TERM AFFORDABILITY AND GEOGRAPHIC DISPERSION WITH CBD AND D.M.U. THOSE TWO ARE BEING ACHIEVED QUITE WELL WITH THOSE REQUIREMENTS OF THE GET FROM THE DEVELOPER. THE OTHER PART THAT HAVE IS THAT WE RECOGNIZE THAT THERE WILL BE SOME PROJECTS BOTH DOWNTOWN AND D.M.U. THAT ARE NOT SEEKING AN FAR WAIVER, BUT WE MAY WANT TO ENCOURAGE THEM TO PROVIDE AFFORDABLE UNITS, SO WE'RE PROPOSING THAT EVEN IF YOU'RE NOT SEEKING AN FAR BONUS, THAT THEY'RE ELIGIBLE FOR THE CBD, D.M.U. INCENTIVES, WHICH ARE THE FEE WAIVERS AND OTHER CITY FEES WAIVERED, IF THEY'LL ACHIEVE FIVE PERCENT OF TOTAL SQUARE FOOTAGE MEETING AFFORDABILITY. SO THAT'S NOT -- THERE'S NO BONUS AREA, SO IT'S NOT A PERCENTAGE OF THE BONUS AREA. THE ENTIRE PROJECT, FIVE PERCENT, WOULD HAVE TO MEET THE SAME AFFORDABILITY REQUIREMENTS. AND I DON'T KNOW -- SO THAT WOULD MEAN FOR RENTAL, FIVE PERCENT WOULD HAVE TO BE AT 80% MFI OR LESS AND WITH A 40 YEAR AFFORDABILITY AND ON OWNERSHIP 120% MFI OR LESS PERMANENT. ALSO RECOGNIZING WE LEARNED THIS THROUGH THE BEST PRACTICES, THAT THERE ARE PROJECTS WHERE PROVIDING AFFORDABLE UNITS IS PROBABLY NOT GOING TO BE FEASIBLE. WE ARE GOING TO -- WE DO RECOMMEND PROVIDING A FEE IN LIEU SITUATION. THE FEE IN LIEU WOULD BE \$10 PER BONUS SQUARE FOOT. REQUIRE THOSE FUN BE INVESTED IN AFFORDABLE HOUSING UNITS WITHIN TWO MILES OF DOWNTOWN, WHICH IS AT CONGRESS AND SIXTH, RIGHT? CONGRESS AND SIXTH. IT'S NOT CESAR CHAVEZ AND GUADALUPE. AND IF IT'S NOT SPENT WITHIN 18 MONTHS, THE FUNDS MUST BE INVESTED ELSEWHERE IN THE CITY. SO THE IDEA AGAIN, THE GEOGRAPHIC DISPERSION ISSUE IS THAT WE'RE FOCUSED ON THAT MONEY NEEDS TO BE SPENT TO PROVIDE AFFORDABILITY DOWNTOWN. AND THAT IS THE CBD, D.M.U. THE NEXT ONE WE TACKLED WAS A LITTLE BIT DIFFERENT AND A LITTLE HARDER. IT'S MULTI-FAMILY. ONE THING THAT WE DID DETERMINE THROUGH ALL THIS PROCESS, OR AT

LEAST NOT DETERMINE, BUT WE SORT OF CAME TO CONSENSUS ON, WAS THAT THERE'S A GREAT DEAL OF INCENTIVES AND PROGRAMS OUT THERE TO PROVIDE AFFORDABLE HOUSING IN THE MULTI-FAMILY CONTEXT, FEDERAL, STATE, LOCAL PROGRAMS. SO WHAT WE WERE SEEKING TO DO IS LAYER ON ONE MORE THING THAT MIGHT WORK TO INCENTIVIZE SOME. SO WHAT THE REQUIREMENTS WOULD BE TO GET THE INCENTIVES FOR THE MULTI-FAMILY, THEY WOULD HAVE TO PROVIDE 10% OF THE UNITS AT 60% OR BELOW, A 40 YEAR AFFORDABILITY PERIOD, MUST FOLLOW SMART HOUSING, REDUCE ACCESSIBILITY FROM 10% OF THE UNITS TO FIVE PERCENT, AND THEN MOST IMPORTANTLY, THIS WOULD APPLY TO GREEN FILL SITES ONLY, SO NEW DEVELOPMENT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] RECOMMENDATIONS ARE FOR SING COMPLIANCE, ESTABLISH A 2400 SQUARE FOOT THRESHOLD FOR APPLICABILITY OF THE WALL ARTICULATION REQUIREMENTS, THEN EXEMPT PROJECTS FROM THE WALL ARTICULATION REQUIREMENT IF THEY ARE AT LEAST ONE ACRE. A NEW SUBDIVISION YOU COULD EXEMPT FROM THE WALL ARTICULATION REQUIREMENTS, ALSO PROVIDE ... A NUMBER OF PEOPLE, DEVELOPERS, POINTED OUTLET THAT THE COST OF THAT WAS ADDING SIGNIFICANT MONEY TO EACH UNIT AND THEY ASKED FOR THAT TO BE ADDED AN CITY OF SAN ANTONIO. ADDITIONALLY ALLOWSOME 4 A ON SFOOM..... SINGLE FAMILY TRACTS 3-ACRES OR LONGER AND PROVIDE OPTION TO REDUCE STREET WIDTH IT IS DOWN TO 24 FEET IN NEW SUBDIVISIONS. THOSE ARE ALL OF THE INCENTIVES OFFERED. IF YOU DO THAT, THEN THEY WOULD COMPLY WITH -- LET'S SEE. WHAT THE GET WAS ON THAT. IN ORDER TO DO THAT, THAT WOULD BE ESSENTIALLY ADDITIONAL SMART HOUSING INCENTIVES THAT WOULD BE OFFERED AND THE SINGLE FAMILY WOULD STILL COMPLY WITH SMART HOUSING. THAT'S THE OVERVIEW OF THE CBDMU MULTI-FAMILY AND SINGLE FAMILY. ADDITIONAL RECOMMENDATIONS FOR HOUSING WERE TO LOOK AT THE SMART HOUSING PROGRAM ITSELF, THE OBSERVATION THAT'S WE MADE WORKING WITH PAUL HILGERS AND THE REST OF THE STAFF WERE THAT SMART HOUSING WHICH HAS BEEN AN INTERNATIONALLY RECOGNIZED BEST PRACTICE HAS NOT KEPT PACE WITH THE MARKET DUE TO

INCREASED DEVELOPMENT COST, YOU ALL ARE PROBABLY AWARE, CONCRETE, ASPHALT, STEEL HAVE GONE UP DRAMATICALLY. LAND COSTS, WITH CONTINUING BUSTLING ECONOMY, LAND CONTINUES TO GO THROUGH THE ROOF, HOUSING MARKET CONDITIONS GENERALLY. RECOGNIZING THAT THE TASK FORCE RECOMMENDED THAT WE ADD THE FOLLOWING FEE WAIVERS TO CURRENTLY APPLICABLE SMART HOUSING DEVELOPMENT, WATER METERS, SEWERS, TAPS, INSPECTIONS FOR UNDERGROUND ELECTRIC AND LANDSCAPE INSPECTION FEES. SOME OF THOSE ARE SMALL, SOME ARE BIG MUCH ONE THING THAT WE LEARNED THROUGH THIS PROCESS IS IT DOESN'T TAKE MUCH TO MAKE A HOUSE UNAFFORDABLE FOR PEOPLE AT VARIOUS LEVELS. SOME OF THESE FEE WAIVERS MAKE A BIG DIFFERENCE. IN ADDITION IF SOME OF THE DEVELOPMENTS ACHIEVING OUR CORE VALUES, THEY CAN ACHIEVE ADDITIONAL BONUS FEE WAIVERS, CONSIDER FOR IT, WATER QUALITY FEE IN LIEU, INFRASTRUCTURE REIMBURSEMENT, FEES FOR A SECOND WATER AND WASTEWATER SERVICE TO A LOT, THAT MAINLY INVOLVES PEOPLE WHO ARE ABLE TO BUILD A GARAGE APARTMENT, YOU KNOW, THAT'S GOING TO BE A FAIRLY SMALL AFFORDABLE UNIT GENERALLY SPEAKING, BUT THE CURRENTS REQUIREMENTS ARE THAT THEY HAVE TO PAY FOR THE TAPS TO RUN BACK TO THEIR GARAGE APARTMENT, WHICH IS A COUPLE THOUSAND DOLLARS AND THAT UNIT GOES FROM BEING AFFORD AFFORDABLE TO NOT BEING AFFORDABLE. A NUMBER OF PEOPLE RECOMMEND THAT. UTILITY POLE RELOCATION, NOT BIG BUT SIGNIFICANT FEE FOR SOME OF THE SMALLER DEVELOPMENT, NEIGHBORHOOD FOLKS AND THEN PARKLAND DEDICATION FEE BE WAIVED. AGAIN THOSE ARE ONLY FOR THEY ARE ACHIEVING CORE VALUES. ADDITIONAL STANDARDS TO CONSIDER FOR SMART HOUSING, LONG TERM AFFORDABILITY AND DEEPER AFFORDABILITY STANDARDS. THESE ARE SOME FROM YOU ISSUE UNDERSTAND THE RECENT PAST, DUPLEX SECONDARY UNITS ON LOTS LESS THAN 7,000 SQUARE FEET. ALLOW IMPERVIOUS COVER TO GO UP TO 50% IF THERE IS NO IMPACT ON NEARBY PROPERTIES, AGAIN THAT WOULD BE A WATERSHED DEVELOPMENT DEPARTMENT REVIEW. LASTLY TO ALLOW SECONDARY UNITS UP TO 850 SQUARE FEET ON THE SECOND STORY. ADDITIONALLY TWO DETACHED

HOUSES ON LOTS 7,000 SQUARE FEET OR GREATER WITHOUT LIMITING THEIR SIZE IF EVERYTHING ELSE IS MET. 8 BEDROOMS IN A DUPLEX, REPLACEMENT OF LEGAL NON-COMPLYING STRUCTURE USING PREVIOUS SETBACKS. SO THE LAST ONE A LOT OF PEOPLE SCRATCH THEIR HEADS ON. THERE ARE A LOT OF HOMES IN OLDER NEIGHBORHOODS IN AUSTIN THAT ARE AFFORDABLE HOMES TODAY, BUT THEY HAVE OUTLIVED THEIR USEFUL ECONOMIC LIFE AND NEED TO BE REPLACED. HOWEVER, ODDLY ENOUGH MANY OF THEM WERE BUILT 30, 40 YEARS AGO, ENCROACHING ONSET-BACKS, THINGS LIKE THAT. IN ORDER TO REPLACE THAT UNIT WITH A LIVEABLE SIZE HOUSE AND AN AFFORDABLE UNIT, IF THEY HAVE TO COMPLY WITH THE SETBACKS, GO BACK AND ENFORCE THEM THEY CAN'T REPLACE THEM. THAT WAS AGAIN, EVERY ONE OF THESE CAME OUT OF SPECIFIC ISSUES THAT -- THAT SINGLE FAMILY DEVELOPERS HAVE POINTED OUT AS -- AS THINGS THAT WOULD HELP THEM PROVIDE MORE AFFORDABLE UNITS. NEXT WOULD BE ENHANCING THE FLEXIBILITY OF SMART HOUSING. INCOME STANDARDS, 35% OF INCOME FROM A FAMILY BE SPENT ON HOUSING, THEY CAN ACTUALLY GO OVER THAT 35% THRESHOLD IF THEY GO THROUGH A CITY APPROVED HOME BUYER EDUCATION PROCESS. ALSO RECOMMEND ESTABLISHING A COMMUNITY LAND TRUST. ALTERNATIVE REQUIREMENT OF 40% OF UNITS SERVING INCOME ELIGIBLE HOUSEHOLDS, FEWER TOTAL UNITS BUT LONGER AFFORDABILITY PERIODS. AGAIN TRYING TO ACHIEVE OUR CORE VALUES. THAT'S A QUICK SUMMARY OF WHAT WE SPENT 7 MONTHS, FRANK AND I WOULD BE GLAD TO ANSWER OR IS STAFF GOING NEXT?

WE HAVE TALKED ABOUT THIS BEFORE, I WANTED TO EMPHASIZE WE TALKED ABOUT COMING UP WITH WHATEVER YOU ALL DECIDE TO IMPLEMENT, IT'S REALLY IMPORTANT TO REVISIT THIS ON A REGULAR BASIS, A LOT OF THIS IS THE WHOLE ANALYSIS IS THE FUNCTION OF MARKET CONDITIONS. IT WILL GET SKEWED OVER TIME BECAUSE THE MARKET CHANGES AND IT CHANGES PRETTY QUICKLY. IT'S REALLY IMPORTANT AS YOU VOTE ON THIS, THINK ABOUT WHAT RECOMMENDATIONS THAT YOU HAVE, TO KEEP THAT IN MIND AND BUILT IN A MECHANISM FOR THAT, SO IT DOES GET REVIEWED REGULARLY, GETS TWEAKED AS NEEDED.

THE OTHER THING THAT I WOULD ADD WHICH REALLY STUCK WITH ME, SHARED DURING OUR TASK FORCE, WHEN YOU ARE LOOKING AT THE FEES, WHETHER TO INCLUDE A FEE OR NOT INCLUDE A FEE, EVERY THOUSAND DOLLARS THAT YOU INCREASE THE COST OF HOUSING MAKES OR TAKES AWAY 18,000 INDIVIDUALS WHO CANNOT AFFORD THAT HOUSE IN THE AUSTIN AREA. SO YOU HAVE SUBSTANCE OF SCALE, WHAT EACH THOUSAND DOLLAR INCREASE IN HOUSING PRICE DOES.

I THINK THAT GOES TO THE ISSUE THAT I WAS TALKING ABOUT, ABOUT SOME OF THOSE THINGS SOUND LIKE A UTILITY POLE RELOCATION FEE. DOESN'T SOUND MUCH, BUT TWO OR THREE OF THOSE THINGS CAN EASILY ADD UP TO A THOUSAND OR \$2,000. IF YOU HAVE GONE OVER 2,000, 36,000 PEOPLE IN AUSTIN CAN'T AFFORD THAT HOUSE NOW. YOU HAVE MOVED OUT OF THEIR INCOME RANGE.

Mayor Wynn: WHY DON'T WE HEAR FROM STAFF'S PIECE OF THIS PRESENTATION. MY INSTINCT IS THERE WILL BE A NUMBER OF COMMENTS OR QUESTIONS FOLLOWING. WELCOME BACK, CHRISTIAN.

THANK YOU. THEY PROMISED THAT THEY WOULD HANG AROUND FOR QUESTIONS AT THE END. AGAIN, I WANT TO THANK TIM AND FRANK AND THE ENTIRE TASK FORCE. WE ACTUALLY HAVE A SLIDE UP IF WE CAN START THAT. THAT GIVES YOU ALL OF THE NAMES. SO YOU CAN SEE HOW DIVERSE THIS GROUP WAS. AS YOU KNOW, ANY GREAT EFFORT TAKES GREAT SUPPORT. I JUST WANT TO TAKE A SECOND AND THANK THE NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT STAFF. THEY WERE THE LEAD DEPARTMENT ON THIS AND THE WORK OF PAUL HILGERS AND MARGARET SHAW AND KELLY WEISS WAS EXTRAORDINARY. THEY DID AN EXCELLENT JOB, YOU WOULD BE VERY PROUD OF THEM. IN ADDITION WE HAD THE CONSULTANT, DIANA McIVER WORK ON THIS, HER EXPERTISE WAS INVALUABLE, WE HAD A GREAT TEAMWORKING ON THIS. PAUL AND I ARE NOT GOING TO START TO OUTLINE OUR STAFF RESPONSE TO THE RECOMMENDATIONS. FIRST, WE SUPPORT ALL OF THE RECOMMENDATIONS, HOWEVER THERE ARE SOME MODIFICATIONS THAT WE ARE GOING TO RECOMMEND TO



YOU. AND IN OTHER AREAS WE ARE GOING TO LOOK FOR YOUR GUIDANCE AT THIS TIME AS WE MOVE FORWARD, AT THE END WE ARE GOING TO WRAP UP WITH NEXT STEPS IN TERMS OF HOW WE ARE GOING TO MOVE THROUGH THIS PROCESS. FIRST, THIS EFFORT FRANK AND TIM MENTIONED THE CORE VALUES, YOU SEE THAT WOVEN THROUGHOUT THEIR PRESENTATION, BUT TRULY THIS IS A CATALYST FOR HOW WE THINK ABOUT AFFORDABLE HOUSING AND HOW WE BRING AFFORDABLE HOUSING TO THIS COMMUNITY. IT'S VERY IMPORTANT IN THIS RECOMMENDATION FOR AN INCENTIVE PROGRAM, WE ARE ALSO LOOKING AT THIS ON HOW WE FUND ALL PROJECTS. YOU ARE LOOKING AT DEEPER AFFORDABILITY TARGETS, HOW FAR DOWN TO MFI, LONGER TERM, HOW LONG, WHETHER IT'S RENTAL OR OWNERSHIP AND THEN A DISPERSION, HOW WIDE CAN WE SPREAD THAT AFFORDABLE HOUSING. SO US, TO STAFF, THIS IS -- THIS HAS BEEN REMARKABLE AND WE ARE ACTUALLY INCORPORATING THESE CORE VALUES ON HOW WE EVALUATE PROJECTS FOR OUR BOND DOLLARS AND ALSO OUR FEDERAL DOLLARS. WITH THAT I'M GOING TO TURN IT OVER TO PAUL HILGERS, YOUR DIRECTOR OF NEIGHBORHOOD HOUSING WHO IS GOING TO WALK THROUGH THE OTHER RECOMMENDATIONS.

WELCOME, MR. HILGERS.

HEALTH ALTHOUGH, COUNCIL, I AM PAUL HILGERS, DIRECTOR OF NEIGHBORHOOD HOUSING. I WANT TO TAKE MY COUPLE OF SECONDS TO THANK OUR LEADER KRISTEN WHO GAVE US GREAT SUPPORT THROUGHOUT THIS ENTIRE EFFORT. ALSO MY OTHER COLLEAGUES IN THE CITY WHO HAVE BEEN LOOKING AT THIS ISSUE AND WORKING ON IT. I HAVE TO PAY PARTICULAR RECOGNITION TO GREG GUERNSEY WHO I THINK ATTENDED EVERY MEETING THAT WE HAD, HAS AN INVALUABLE AS WE THINK THROUGH HOW WE CAN COMMUNICATE THESE CONCERNS AND ISSUES WITH THE NEIGHBORHOODS OF THIS COMMUNITY SO THAT THEY UNDERSTAND WHAT OUR INTENT IS, HOW WE WANT TO INVOLVE THEM IN THIS PROCESS, SO THAT WE CAN COMMUNICATE WHAT WE ARE ASKING FOR IN TERMS OF AFFORDABILITY IN A WAY THAT WILL ALLOW THEM TO UNDERSTAND THAT AND PROTECT AND PRESERVE THEIR NEIGHBORHOODS. SO THEY HAVE BEEN, GREG HAS BEEN

VERY, VERY HELPFUL, AS WELL AS HIS STAFF. AGAIN, WHAT YOU WILL SEE HERE I THINK IS IMPORTANT. WE ARE NOT ASKING YOU FOR ANY ACTION TODAY. WE ARE GOING TO TALK TO YOU ABOUT WHAT RECOMMENDATIONS WE THINK ARE JUST GREAT THE WAY THEY ARE. WHAT RECOMMENDATIONS WE THINK NEED SOME MODIFICATION TO GO THROUGH SOME FURTHER STAKEHOLDER PROCESS AND REVIEW, AND THEN SOME ADDITIONAL RECOMMENDATIONS THAT STAFF HAS AND AS KRISTEN SAID WE WILL GO THROUGH NEXT STEPS, I WILL ASK HER TO HELP CLOSE THIS OUT. BUT ON THE RECOMMENDATIONS THAT WE CONCUR WITH, ONE, DEVELOP CITY OWNED LAND AFFORDABLY. OBVIOUSLY A MAJOR OBSTACLE IS OUR RISING LAND COST AND WE SUPPORT THE SUGGESTION THAT THE CITY INCLUDE AFFORDABLE HOUSING WHEN REDEVELOPING CITY-OWNED LAND, ESPECIALLY DOWNTOWN, BUT ACTUALLY ANYWHERE. CURRENTLY MY DEPARTMENT THROUGH SMART HOUSING WORKS WITH ... TO PARTICIPATE IN CITY PLANNING TEAMS FOR DOWNTOWN AND WERE INCLUDED IN THE PLANS FOR REDEVELOPMENT OF THE GREEN WATER.....GREENWATER TREATMENT PLANT. PRESERVING AFFORDABLE HOUSING ALREADY IN AUSTIN IN USE IS A CRITICAL ELEMENT OF ANY COMMUNITY'S AFFORDABLE HOUSING PLAN. STAFF SUPPORTS THE TASK FORCE RECOMMENDATION TO ADOPT A CITY-WIDE PRESERVATION STRATEGY NO LATER THAN MARCH OF 2008. I WILL TALK TO YOU MORE ABOUT THAT LATER IN THE PRESENTATION. FOUR, EDUCATING POTENTIAL HOME BUYERS. WITH RISING PROPERTY VALUES AND WITH PROPERTY TAXES AND THE NATIONAL CONCERNS WITH REGARD TO SUBPRIME LENDING WITH THE NEW PRODUCTS LIKE COMMUNITY LAND TRUSTS AND EQUITY SHARING MODELS, THE CITY ENCOURAGES THE -- THE TASK FORCE ENCOURAGES THE CITY TO INVEST IN QUALITY CONSUMER FOCUSED HOME BUYER EDUCATION SERVICES. A NUMBER OF RESPECTABLE PROGRAMS AVAILABLE IN THE CITY, INCLUDING FRAMEWORKS, WHO IS WORKING WITH THE MILLER FOLKS ON THE -- MUELLER FOLKS ON THE HOUSING OUT THERE. THE FINANCE CORPORATION HAS STARTED THE HOUSING AS A MATTER HOME BUYER COUNSELING PROGRAM LAST OCTOBER. WE HAVE GRADUATED 71 CLIENTS AS OF APRIL 1st AND THE PROGRAM IS EXCEEDING

ITS GOALS AND WE SUPPORT CONTINUING AND EXPANDING THESE EFFORTS, BOTH INTERNALLY AND IN OTHER NON-PROFITS. ENCOURAGE DONATIONS TO COMMUNITY LAND TRUSTS, STAFF ALSO SUPPORT THE SUGGESTION TO ALLOW DEVELOPERS TO DONATE A PERCENTAGE OF THEIR LOTS TO A COMMUNITY LAND TRUST IN LIEU OF THE SMART HOUSING REASONABLY PRICED UNIT REFRESH MY MEMORY AS TIM MENTIONED. DENSER MULTI-FAMILY DEVELOPMENT PARTICULARLY ON GREEN FILL SITES. IT WOULD ALLOW IT TO BE DEVELOPED UNDER MORE INTENSIVE MF 6 SITE AREA REQUIREMENTS AS LONG AS COMPATIBILITY STANDARDS ARE ENFORCED AND 10% OF THE UNITS AVAILABLE TO PEOPLE EARNING AT OR BELOW 60% OF MEDIAN FAMILY INCOME. AS THE CO-CHAIRS DESCRIBED EARLIER, THE TASK FORCE RECOMMENDED PROVIDING DEVELOPMENTS FOR ADDITIONAL DENSITY, SUBSTANTIAL FEE WAIVERS AND EXPEDITING PERMITTING FOR DOWNTOWN DEVELOPMENTS THAT INCLUDE AFFORDABLE HOUSING ON SITE OR PAY A SUBSTANTIAL FEE IN LIEU OF FOR THESE UNITS. THE FEE IN LIEU OF OPTION WOULD BE AVAILABLE BOTH TO COMMERCIAL AND RESIDENTIAL DEVELOPMENTS TO INCREASE THEIR DENSITY. WE SUPPORT THESE RECOMMENDATIONS, BUT WE HAVE A COUPLE OF MODIFICATIONS TO THEM. ONE, WE BELIEVE THAT THE CONSULTANTS ON THE DOWNTOWN PLANNING TEAM SHOULD CONSIDER THESE RECOMMENDATIONS FOR DOWNTOWN AS PART OF THE OVERALL COMPREHENSIVE PLAN AND COMPREHENSIVE REPORT THAT YOU ARE GOING TO BE GETTING ON THE DOWNTOWN DEVELOPMENT STRATEGIES. FURTHER, WE THINK THAT TO BE CONSISTENT WITH OUR -- WITH REALLY OUR HOUSING POLICY AND OUR HOUSING INCENTIVE PROGRAMS, SMART HOUSING WOULD ALSO REQUIRE DEVELOPERS PARTICIPATING IN CBD-DMU INCENTIVE PROGRAM TO MEET A MINIMUM GREEN BUILDING STANDARD. SECOND WE WOULD RECOGNIZE 5% OF THE UNIT BE ACCESSIBLE INSTEAD OF THE 2% THAT IS REQUIRED IN THE BUILDING CODE. THIRD, AS I SAID EARLIER, WE RECOMMEND THE GREEN STAR BUILDING STANDARD. ONE STAR OF GREEN BUILDING STANDARD. ON SINGLE FAMILY DEVELOPMENT, AGAIN, THE TASK FORCE RECOMMENDATIONS WE AGREE WITH EXCEPT WE WOULD -- WE WOULD MODIFY THEM THAT -- THAT TO INCLUDE SOME

WORK WITH THE NEIGHBORHOOD PLANNING DEPARTMENT, TO WORK WITH NEIGHBORHOOD ASSOCIATIONS, TO REVIEW AND ADOPT THESE TOOLS. WHICH INCLUDE THOSE ALTERNATIVE BUILDING STANDARDS FOR SMART..... SMART HOUSING DEVELOPMENTS THAT MEET THE CORE VALUES. AGAIN THESE ARE LOWER INCOME PEOPLE BEING SERVED WITH LONGER TERM AFFORDABILITY. THEY WOULD BE ELIGIBLE FOR THE DEVELOPMENT STANDARDS. THAT'S THE WAY IT CAME FORWARD. SO WE WOULD RECOMMEND THAT THAT BE WORKED THROUGH THE NEIGHBORHOOD PLANNING DEPARTMENT AND WITH NEIGHBORHOODS AND THAT THE OTHER MORE COMPLICATED AND DETAILED RECOMMENDATIONS THAT WE TALKED ABOUT THAT WOULD BE CONSISTENT WITH THE RESIDENTIAL DESIGN EFFORTS THAT WENT ON, STAFF RECOMMENDS THAT THE RESIDENTIAL DEVELOPMENT REGULATION TASK FORCE CONSIDER THESE AS PART OF THEIR UPCOMING REVIEW OF THOSE DEVELOPMENT REGULATIONS WHICH IS HAPPENING ANYWAY. SO WE WOULD JUST REFER THOSE RECOMMENDATIONS TO THAT ENTITY TO SEE IF WE CAN GET THEIR CONSENSUS AND BUY OFF ON THAT. PERHAPS THE MOST CRITICAL AREA FOR US IS -- IS IN -- LET'S SEE. I'M SORRY. THE NEXT ONE IS ON THIS HOUSING STUDY. I MISSED A PAGE IN MY PRESENTATION, I'M SORRY. BUT THE STAFF, IN ADDITION TO THOSE, THE STAFF IS RECOMMENDING TWO ITEMS THAT WERE REALLY ON THE PARKING LOT, ONE THAT'S BEEN RECOMMENDED THROUGH THE AFRICAN-AMERICAN QUALITY OF LIFE INITIATIVE AND THE GENERAL OBLIGATION BOND OVERNIGHT COMMITTEE. WE BELIEVE THAT IT IS TIME FOR US TO DO A MORE COMPREHENSIVE HOUSING MARKET STUDY, TO ADDRESS ISSUES ALL THE WAY UP TO MODERATE INCOME AND ALMOST MIDDLE INCOME LEVEL INDIVIDUALS TO HAVE A COMPREHENSIVE ANALYSIS OF WHAT IS THE DEMAND FOR AFFORDABLE HOUSING. WHAT ARE THE PRICE POINTS THAT WE OUGHT TO BE HITTING, WHO IS IT THAT WE OUGHT TO BE HITTING IN -- IN ALL OF OUR -- BOTH SNEPT AND OUR SUB-- INCENTIVE AND OUR SUBSIDIZED PROGRAMS. THEN HAVE TO HAVE A STRATEGIC PLAN FOR HOUSING. WE HAVE TO DO THIS AS PARTS OF OUR 2009 FIVE YEAR CONSOLIDATED PLAN. WE ARE BASICALLY RECOMMENDING THAT WE DO THAT A YEAR IN ADVANCE SO WE HAVE ALL OF THAT

INFORMATION PRIOR TO WHEN WE ACTUALLY NEED IT TO SUBMIT OUR GRANT. THIS WILL HELP US IN OUR INVESTMENTS WITH OUR GENERAL OBLIGATION BONDS IN THE FUTURE AND ALSO WITH OUR PLANNING FOR OUR NEXT FIVE YEARS OF OUR FEDERAL DOLLARS THAT COME TO US. SO NOW, THE OTHER AREAS FOR COUNCIL GUIDANCE WE ARE GOING TO BE LOOKING TO, THIS ONE IS A BIG ONE OBVIOUSLY IS FISCAL IMPACT. THAT IS WE AS A COMMUNITY BUT AS A CITY WE ARE GOING TO HAVE TO ULTIMATELY DETERMINE HOW MUCH AFFORDABLE HOUSING WE CAN AFFORD. AND HOW WE ARE GOING TO PAY FOR IT, BOTH WITH INCENTIVES AND WITH SUBSIDIES. SO THIS IS ONE AREA WHERE WE ARE GOING TO BE ASKING VERY QUICKLY FROM COUNCIL, FOR COUNCIL GUIDANCE. THERE'S SEVERAL WAY THAT'S YOU CAN DO THIS. YOU COULD LIMIT THE INCENTIVES ON A PER UNIT BASIS OR LIMIT THE AMOUNT OF TOTAL AND/OR LIMIT THE TOTAL AMOUNT OF INCENTIVES PER PROJECT. THOSE CEILINGS COULD BE BASED UPON THE LOCATION, THE LENGTH, THE LEVEL OF AFFORDABILITY OF WHATEVER THE PROJECT IS. THE TASK FORCE DID CONSIDER THOSE OPTIONS THEY DID COME TO A CONSENSUS TO RECOMMEND ANY LIMIT ON THOSE COSTS. ANOTHER RECOMMENDATION IS TO SET AN OVERALL PROGRAM BUDGET CAP. STAFF RECOMMENDS THE OVERALL BUDGET CAP FOR BUDGETING PURPOSES AND FOR PERFORMANCE MEASURES FOR THE PROGRAM YEAR IN AT LEAST ITS FIRST YEAR OF IMPLEMENTATION. WE HAVE PUT A LOT OF TIME REVIEWING WHAT THE FISCAL IMPACT IS ON THIS. WE THINK THAT WE NEED FURTHER ANALYSIS AND DIRECTION. BUT BECAUSE IT'S DIFFICULT TO PREDICT THE IMPACT OF THE FEE WAIVERS TO THE ANTICIPATED REVENUE OF THE GENERAL FUND BASED ON THE NUMBER AND TYPE OF PROJECTS THAT MAY PARTICIPATE IN THE PROGRAM, STAFF RECOMMENDS THE FEES BE REIMBURSED TO THE DEVELOPER RATHER THAN WAIVED UP FRONT, THAT WILL PROVIDE MORE CERTAINTY TO THE BUDGETING PROCESS BUT IT WILL ALSO BE MORE PERFORMANCE BASED AND ENSURE PROVIDE SECURITY THAT WE WILL ACHIEVE THE PUBLIC BENEFIT THAT'S WE ARE SEEKING. THAT WE -- WE ALSO ARE RECOMMENDING TO CONTINUE TO WORK WITH THE BUDGET OFFICE AND YOU WILL SEE IN OUR NEXT STEPS WE WANT TO PRESENT A COST SCENARIO FOR

CONSIDERATION AS PART OF THE RETREAT FOLLOW-UP FOR THE COUNCIL INITIATIVES. AND FINALLY THERE WILL BE AN IMPACT TO THE WATERSHED PROTECTION DEVELOPMENT REVIEW DEPARTMENT AS THE DEMAND FOR EXPEDITED REVIEW INCREASES. THE SERVICE HAS BEEN A PROVEN BENEFIT TO SMART HOUSING PROGRAM, IN FACT IT'S PROBABLY THE MOST CRITICAL PART IS THE CERTAINTY THAT THAT DEPARTMENT HAS BEEN ABLE TO PROVIDE THE DEVELOPMENT COMING THROUGH THE PROCESS. BUT MOST OF THOSE PROJECTS WENT THROUGH RESIDENTIAL REVIEWMENT THE TASK FORCE RECOMMENDATIONS ARE GOING TO CALL FOR COMMERCIAL PROJECTS TO HAVE EXPEDITED REVIEW. SO WE WILL BE BRINGING BACK TO THE COUNCIL THE COST ASSOCIATED WITH A SIMILAR SMART HOUSING RESIDENTIAL REVIEW DEDICATED COMMERCIAL REVIEW TEAM AS PART OF THE POLICY BUDGET. THEN WE ARE GOING TO BE SEEKING YOUR INPUT ON ENHANCING SMART HOUSING. WE RECOGNIZE THAT IT NEEDS TO BE IMPROVED. AND THAT WE ARE APPRECIATIVE OF THE TASK FORCE RECOGNIZING THE SUCCESS OF THE PROGRAM, BUT WE DO RECOGNIZE THE STAFF THAT IT IS NOT GOING TO CONTINUE TO ACHIEVE THE RESULTS THAT IT'S HAD IN THE PAST IF WE DON'T MAKE SOME CHANGES. SO WE ARE MAKING RECOMMENDATIONS TO EXTEND SMART HOUSING PROGRAM IN SEVERAL WAYS. ONE, WE WANT TO EXTEND SMART HOUSING PROGRAM TO THE REDEVELOPMENT OF MULTI-FAMILY SITES. CURRENTLY, NO INCENTIVES OF SMART HOUSING OR FEE WAIVERS OR EXPEDITED REVIEW ARE AVAILABLE TO DEVELOPERS WHO ARE REHABILITATING ECONOMISING MULTI-FAMILY DEVELOPMENTS -- EXISTING MULTI-FAMILY DEVELOPMENTS. GIVEN THE TREMENDOUS SCERTION OF PROPERTIES UNDERWAY IT'S IN THE CITY'S BEST INTEREST TO GRANT ON A VOLUNTARY BASIS TO DEVELOPERS WHO INCLUDE AFFORDABILITY. ALSO IN FAEMENT STAFF RECOMMENDS REDUCING THE ACCESSIBILITY REQUIREMENTS FROM 10% TO FIVE PERCENT OF THE UNITS, BUILDING CODE REQUIRES ONLY 2% OF THE UNITS BE ACCESSIBLE. THE 10% REQUIREMENT IN SMART HOUSING HAS BECOME A SIGNIFICANT BARRIER FOR MARKET RATE DEVELOPERS. THE THIRD CHALLENGE SMART HOUSING CAPS THE AMOUNT OF HOUSING COSTS A HOME BUYER CAN PAY AT 28% OF THEIR INCOME. THE TASK FORCE

RECOMMENDED INCREASING THE LIMIT TO 35% OF INCOME AND REMOVING ALL LIMITS ON BUYERS WHO GRADUATE FROM CITY APPROVED HOME BUYER EDUCATION COURSES. AFTER REVIEWING CITY'S OTHER POLICIES, STAFF MODIFIES THIS RECOMMENDATION AND RECOMMENDS INCREASING THE REQUIREMENT UP TO 35% OF A HOME BUYERS' INCOME IF THE PROSPECTIVE HOME BUYER COMPLETES A CITY APPROVED HOME BUYER EDUCATION PROGRAM. WE FEEL THAT'S A MORE MODEST WAY TO EXPAND THESE LIMITS. SO NEXT STEPS, BASED UPON WHAT WE ARE LOOKING TO DO IS TO PROVIDE YOU ITEMS FOR POTENTIAL ACTION ON JUNE THE 7th. THE ENHANCEMENT OF SMART HOUSING POLICY, WE THINK THOSE RECOMMENDATIONS THAT ARE FAIRLY STRAIGHTFORWARD AND DON'T NEED A LOT OF STAKEHOLDER REVIEW ARE -- ARE BEFORE YOU ON THAT SLIDE ADDRESSING THE DEVELOPMENT WITH FEWER THAN FOUR UNITS, ALLOWING THE DONATION OF UNITS WITH THE COMMUNITY LAND TRUST. NEW INCOME PAYMENT STANDARDS. THE ACCESSIBILITY REQUIREMENTS TO -- UP TO 5% FOR CDBG -- CDB AND DMU AND VERTICAL MIXED USE DEVELOPMENTS. IN IS ANOTHER CRITICAL ONE, TO ALLOW MIXED USE DEVELOPERS TO APPLY FOR SMART HOUSING. THIS WOULD BE AN AMENDMENT TO THE SMART HOUSING RESOLUTION, NOT THE VMU ORDINANCE SO IT WOULD ALLOW THE DEVELOPERS TO ACHIEVE MORE SMART HOUSING BENEFITS IF THEY CHOOSE TO TAKE ADVANTAGE OF BOTH INCENTIVE PROGRAMS. THEY WOULD BE ABLE TO RECEIVE THOSE BENEFITS. THEN WE WILL COME BACK AND ASK YOU TO DIRECT THE STAFF AND RESULTANTS FOR THE DOWNTOWN PLAN TO INCLUDE IN THE PLANNING PROCESS THE EVALUATION OF THE CBD, DMU RECOMMENDATIONS TO MAKE AN INVENTORY OF ALL PUBLICLY OWNED LAND IN THE DOWNTOWN AREA TO CONSIDER WAYS TO INCORPORATE AFFORDABLE HOUSING ON THOSE SITES. ALSO, WE WOULD ASK YOU ON THE JUNE 7th DATE TO DIRECT THE ... [READING GRAPHIC] FOR RESIDENTS EARNING UP TO 120% OF MEDIAN INCOME BY VARIES GEOGRAPHIC AREAS, MARKET, SUBMARKETS, TO ON DIRECT STAFF TO DEVELOP FROM UNPUT OF STAKEHOLDER A CITY WIDE PRESERVATION POLICY THROUGHOUT AUSTIN TO HAVE THAT POLICY IN PLACE BY MARCH OF 2008. THOSE ARE ALL RECOMMENDATIONS THAT WE THINK YOU CAN COME

FORWARD PRETTY QUICKLY WITH. THE ONES THAT WE THINK WILL NEED ADDITIONAL STAKEHOLDER INPUT AND REVIEW ON, WE WOULD ASK -- OUR RECOMMENDATION IS THAT WE WOULD COME BACK WITH POTENTIAL ACTION IN 120 DAYS. ONE IS THE REDUCTION OF THE ACCESSIBILITY REQUIREMENTS FOR MULTI-FAMILY DEVELOPMENTS FROM 10% TO 5%. THAT IS SOMETHING WE NEED TO [READING GRAPHIC] TO INCREASE FEE WAIVERS FOR SINGLE FAMILY DWOARPS AND THOSE MEETING THE CORE VALUES. AGAIN, THINKING THROUGH ALL OF THOSE PROCESSES, THEN FINALLY THE -- ON THE RECOMMENDATIONS, ANOTHER ONE THAT WE NEED SOME TIME TO WORK THROUGH AGAIN WITH NEIGHBORHOODS, A MAJORITY OF THE TASK FORCE MEMBERS SUPPORT ALLOWING ALLOW DENSITY MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON CSLI ZONED PARTIALS, PROVIDED THERE'S NOT A CONCENTRATION OF AFFORDABLE UNITS AND THERE ARE ADEQUATE SETBACKS PROVIDED. GIVEN THE TREMENDOUS NEED FOR LAND TO DEVELOP AFFORDABLE HOUSING, STAFF IS SEEKING APPROVAL TO DEVELOPMENT REASONABLE STANDARDS TO ADDRESS THE REAL RISKS TO PUBLIC HEALTH AND SAFETY ASSOCIATED WITH POTENTIALLY CO-LOCATING RESIDENTIAL AND INDUSTRIAL USES. WOE WANT TO ENSURE WE ARE ... WE THINK THAT WE MIGHT HAVE OPPORTUNITY TO FIND? LAND THAT WOULD BE AVAILABLE FOR AFFORDABLE HOUSING THAT WOULD NOT BE A RISK TO HEALTH AND SAFETY AND WE WANT THE OPPORTUNITY TO DO THAT. I WOULD HAVE KRISTEN TO COME BACK UP TO CLOSE THIS OFF. I WANT TO SAY IN CLOSING THAT I FEEL EXTREMELY FORTUNATE TO BE FOCUSING ON AFFORDABLE HOUSING AT THIS TIME AND IN THIS CITY WITH THE COMMITMENT THAT YOU HAVE PROVIDED, WITH THE LEADERSHIP THAT ALL OF YOU HAVE PROVIDED ON THIS ISSUE, PARTICULARLY MAYOR PRO TEM, PARTICULARLY COUNCILMEMBER KIM ON THIS PARTICULAR TASK FORCE. I THINK THE TASK FORCE IS SURPRISED WITH THE UNSTANCE OF THEIR RECOMMENDATIONS TO YOU. SUBSTANCE. IT WAS A LONG PROCESS BUT ONE I THINK THE CITIZENS CAN BE PROUD OF. WE HAVE A LOT OF WORK TO DO TO TAKE ADVANTAGE OF HOW WE WILL GET TO THE NEXT LEVEL OF STAYING AHEAD OF THE AFFORDABLE HOUSING POLICIES THAT REALLY WE HAVE BEEN LOOKED TO BY THE REST OF THE COUNTRY



BECAUSE OF YOUR COMMITMENT TO MAKE SURE THAT THIS IS A HIGH PRIORITY FOR OUR COMMUNITY. WE THANK YOU VERY MUCH FOR THAT.,

THANKS, PALM, BEFORE..... PAUL, BEFORE WE TAKE QUESTIONS, I DO WANT TO MENTION ONE OTHER THING THAT'S HAPPENING RIGHT NOW. ON SOME OF THE DENSITY TOOLS THAT THE TASK FORCE TALKED ABOUT, WE ARE ALREADY TALKING TO NEIGHBORHOOD PLANNING AND ZONING TO INCLUDING THIS AS PART OF THE NEIGHBORHOOD PLANNING PROCESS, IF NEIGHBORHOODS WANT TO INCLUDE THOSE AS PART OF THEIR NEIGHBORHOOD PLAN THEY COULD DO THAT. I WANTED YOU TO KNOW THAT IS HOW WE RECOMMEND THAT THAT. WITH THAT I WILL ANSWER ANY OF YOUR QUESTIONS.

Futrell: ONE THING BEFORE YOU OPEN IT UP. WHEN YOU GO BACK TO YOUR FISCAL IMPACT. UNDER THE AREA LOOKING FOR ADDITIONAL COUNCIL GUIDANCE, DO YOU HAVE ANYTHING THERE THAT YOU ARE GOING TO PUT FORTH AS A STAFF RECOMMENDATION? OR ARE YOU LOOKING IN GENERAL FOR COUNCIL FEEDBACK HERE.

THANK YOU, CITY MANAGER. CAN I ANSWER BOTH? WHAT WE ARE CERTAINLY LOOKING FOR GUIDANCE TODAY, BUT WHAT WE ARE PLANNING TO DO IS ON JUNE THE 7th, WE ARE GOING TO START OUR POLICY DISCUSSION IN REGARDS TO THE BUDGET. AT THAT POINT WE ARE GOING TO BRING BACK ALL OF THE COUNCIL INITIATIVES FROM THE RETREAT PROCESS. THIS IS ONE OF THOSE. SO AT THAT TIME WE WOULD OUTLINE FOR YOU WHAT WE WOULD RECOMMEND ON AN OVERALL CAP, BASED ON ANY INPUT THAT YOU HAVE TODAY OBVIOUSLY. BUT WHAT WE WOULD LIKE TO BRING BACK IS AN OVERALL CAP FOR THE FIRST YEAR FUNDING OF THIS PROGRAM. AS PAUL SAID WE LOOKED AT FEES FOR PAST DEVELOPMENT PROJECTS IN THE DOWNTOWN AREA AND THROUGHOUT THE CITY AND THEY REALLY VARY. SO WITHOUT PUTTING US IN A SITUATION WHERE WE ARE JEOPARDIZING THAT REVENUE THAT GOES INTO OUR GENERAL FUND, WHAT WE WOULD BRING BACK TO YOU WOULD BE AN OVERALL CAP FOR A FIRST-YEAR PROGRAM. IN ADDITION, ANY ADDITIONAL F.T.E.'S THAT WATERSHED PROTECTION AND DEVELOPMENT REVIEW MIGHT REQUIRE

FOR A COMMERCIAL EXPEDITED REVIEW TEAM, SIMILAR SO WHAT WE HAVE, TO WHAT WE HAVE IN OUR SINGLE FAMILY FOR SMART HOUSING.

THANK YOU, I WILL START OFF BY SAYING THAT OBVIOUSLY WE ARE ALL AWARE OF THE PARKLAND DEDICATION FEE ANALYSIS AND DEBATE THAT WE ARE AND WILL CONTINUE TO HAVE. I CERTAINLY WILL BE STARTING FROM A POINT OF NOT WANTING, NOT FAVORING WAIVING THE PARKLAND DEDICATION FEE. I THINK OF ALL OF OUR GENERAL FUND DEPARTMENTS, FRANKLY, WE HAVEN'T MAINTAINED THE FUNDING FOR THAT DEPARTMENT TO AN ACCEPTABLE DEGREE. I POINT THE FINGER AT MYSELF. SO I WILL START WITH THAT. KNOWING WE ARE GOING TO HAVE ADDITIONAL COMPLIMENTING DEBATE ANALYSIS OF PARKLAND, I VERY MUCH APPRECIATE AND RECOGNIZE THE MATH THAT FRANK AND TIM SHOWED US, HUNDREDS OF DOLLARS THAT THE IMPACT UP FRONT AND WAIVED CAPITAL CONSENT AGENDATURES BY THE DEVELOPMENT TEAM, EXPENDITURES, WHAT THAT CAN MEAN FOR MORE FOLKS. I WILL START THAT, OBVIOUSLY SEE HOW WE GET TO A FINAL POINT.

MARE, IF YOU DON'T MIND, THE ONLY THING THAT I DO WANT TO SAY ON THAT ISSUE IS JUST SO YOU KNOW WHEN THE TASK FORCE ADDRESSED THIS, IT WAS EARLIER IN THE FALL, IT WAS PROBABLY OCTOBER, NOVEMBER TIME PERIOD. AND AT THAT POINT THE NEW RECOMMENDATION THAT'S COMING FORWARD TO THE COUNCIL ACTUALLY ON JUNE THE 0E7 WHICH YOU WILL BE TAKING AND MAKING A DECISION ON, WASN'T REALLY CONTEMPLATED IN TERMS OF THIS FEE WAIVER. SO THEY WERE LOOKING AT THE PARKLAND DEDICATION FEE AS IT STAND RIGHT NOW AND CLEARLY ON YOUR -- LOOKING TO YOUR DIRECTION AND THE ACTION THAT YOU TAKE ON THAT NEW PARKLAND DEDICATION FEE THAT'S COMING TO YOU ON JUNE THE 7th IN THAT NEW PROGRAM.

COUNCILMEMBER KIM?

Kim: THANK YOU, KRISTEN. I WANT TO THANK EVERYONE FOR THEIR HARD WORK, ESPECIALLY TIM AND FRANK AND THE COUNTLESS MEETINGS THAT YOU HAD TO GO TO AND

ATTEND AND I REALLY ENJOYED LISTENING TO YOUR DISCUSSION ON -- PARTICIPATING IN THIS. IN A LIMITED WAY TO GOOD WORK, I WANT TO THANK THE STAFF FOR YOUR HARD WORK, BEING ABLE TO DO THE MAPS, THE MAPS WERE SO HELPFUL. THE RESEARCH AND THE NUMBERS ALSO McIVER, WE LEARNED A LOT THROUGH THIS PROCESS. I REALLY WANT TO REITERATE WHAT THE MAYOR SAID ABOUT THE PARKLAND DEDICATION FEE. OF COURSE THE TIMING MUCH EARLIER ON, THEN WE HAVE STARTED TO LOOK AT THAT FEE AND UNDERSTAND THAT THE VALUE OF THAT FEE PRESERVING AND CREATING PARKLAND FOR A GROWING COMMUNITY. SO I DO SUPPORT NOT INCLUDING THAT AS ONE OF THE FEES BECAUSE WE DID KIND OF THROW IN THE WHOLE KITCHEN SINK IN TERMS OF FEES, THAT'S WHAT DEVELOPERS FACE IS A LONG LIST OF DIFFERENT THINGS IN TERMS OF DEVELOPMENT. I THINK THAT THE WORK THAT YOU HAVE DONE IN COMPREHENSIVE VIEW OF AFFORDABLE HOUSING, ENHANCING, APPROVING SMART HOUSING, A VERY GOOD THING THAT YOU HAVE DONE HERE. EVEN THOUGH WE WERE CHARGED WITH JUST THE DENSITY BONUSES TO BE ABLE TO LIMIT THEIR WORK, THEY CAME UP WITH A LOT OF GOOD RECOMMEND INDICATIONS FOR THE TASK FORCE MEMBERS AND OTHER MEMBERS TO INVESTIGATE, CREDIT COUNSELING, OTHER THINGS THAT WE KNOW THAT WE ARE VERY IMPORTANT IN OUR COMMUNITY TO MAKE PEOPLE READY FOR HOME OWNERSHIP AND INSTEAD OF JUST WAIVING THE REQUIREMENT IN TERMS OF THE AMOUNT OF INCOME THAT CAN GO TO HOUSING. WE REALLY NEED TO SET PEOPLE UP TO BE SUCCESSFUL HOMEOWNERS. I ALSO THINK THAT THE -- CAPPING THE FEES FOR THE FIRST YEAR IS A PRUDENT THING TO DO. BECAUSE WE DON'T KNOW WHAT IS GOING TO HAPPEN IN TERMS OF OUR REVENUE AND THAT IS OUR GENERAL REVENUE THAT WE USE TO FUND ALL OF OUR BASIC SERVICES HERE IN THE CITY. SO I -- IF YOU HAVE A RECOMMENDATION AS FAR AS A NUMBER, THEN WE CAN DISCUSS THAT, I THINK THAT IS SOMETHING THAT IS PRUDENT TO DO FOR THE FIRST YEAR OF THE PROGRAM. BUT GIVEN THAT WE SEE QUITE A BIT OF DEVELOPMENT, MORE DEVELOPMENT COMING, I THINK IT'S SOMETHING THAT WE WILL BE ABLE TO BALANCE. THANK YOU.

THANK YOU VERY MUCH.

Martinez: I WANT TO MAKE A COUPLE OF COMMENTS. WE HAD A MEETING WITH ROMA, TALKED ABOUT THE DOWNTOWN PLAN. A LOT OF DIFFERENT VALUES THAT EACH COUNCILMEMBER CARRIES AND WEIGHS DIFFERENTLY. ONE COMMENT THAT I SPOKE SPECIFICALLY TO THAT I HEAR BEING MENTIONED IN THESE TASK FORCE RECOMMENDATIONS IS AS IT RELATES TO DENSITY BONUSES, SO RIGHT NOW WE HAVE 8 TO 1 FAR. WE ARE LOOKING AT ANYTHING ABOVE 8 TO 1 FAR BEING A DENSITY BONUS AND TRIGGERING OTHER INVESTMENTS IF YOU WILL BASED ON THESE SETS OF VALUES. ONE OF THE THINGS THAT I MENTIONED YESTERDAY, I HAVEN'T CHANGED MY MIND IN 24 HOURS, SO I'M GOING TO GO AHEAD AND SAY IT AGAIN TODAY, IS I BELIEVE THINGS LIKE OFFICE, COMMERCIAL OFFICE SPACE AND HOTELS SHOULD NOT TRIGGER THAT. TRIGGER CONTRIBUTIONS TO AFFORDABLE HOUSING. BECAUSE I BELIEVE THE -- IT DISINCENTS THOSE TYPES OF DEVELOPMENTS WHICH WE SEE RIGHT NOW. ALL THAT WE ARE HAVING IS RESIDENTIAL. THE BENEFIT TO THE CITIZENS IS IN THE HOTEL/MOTEL BED TAX, IN THE ARTS FUNDING CREATED THROUGH THINGS LIKE OUR HOTEL INDUSTRY. I WANT TO MAKE SURE THAT I GOT THAT COMMENT OUT THERE BECAUSE I SEE IT AS TWO DIFFERENT THINGS. IF WE ARE TALKING ABOUT A 500-FOOT CONDO TOWER, I CERTAINLY SEE WHERE WE HAVE TO SPEAK TO AFFORDABLE HOUSING AND SOME OF THESE OTHER VALUES. BUT IF WE ARE TALKING ABOUT AN OFFICE BUILDING, I THINK THAT'S A DIFFERENT CONVERSATION. SOMETHING THAT I MENTIONED TO ROMA THAT I WANTED THEM TO KEEP IN MIND AS THEY MOVE FORWARD WITH CREATING THE MASTER PLAN AND I WANTED TO MAKE SURE THAT I MADE THAT COMMENT HERE TODAY.

THANK YOU.

ACTUALLY, MAYOR PRO TEM AND COUNCILMEMBER KIM.

I HAVE SOME QUESTIONS THAT I WOULD LIKE YOU TO -- TO CONSIDER AND I DON'T WANT THE ANSWERS TODAY. BUT JUST TO CONSIDER WHEN YOU COME BACK IN JUNE. IT REALLY RELATES TO ACCESSIBILITY. I SEE A DECREASE IN

MULTI-FAMILY AND AN INCREASE IN THE CDB. AS I WAS LOOKING HERE, I WAS THINKING OF OTHER TYPES OF ECONOMIC ENDEAVORS WHERE YOU MAY HAVE SOMETHING THAT YOU ARE SELLING, PUT A REALLY HIGH PRICE ON, YOU DON'T SELL VERY MANY OF THEM. SO YOU CAN MAYBE DROP THAT PRICE HAVE A MUCH HIGHER VOLUME OF SALES, YOU END UP MAKING A BIGGER PROFIT OVERALL. MY QUESTION HERE IS THAT'S -- IS THAT WHAT'S OPERATING IN THIS MULTI-FAMILY, YOU KNOW, WE CAN START ALL KINDS OF PROGRAMS, IF THEY ARE BENEFIT OR FEASIBLE FOR A DEVELOPER, WE DON'T HAVE ANY OF THEM. I'M WONDERING IF BY DROPPING THIS 5% IF YOU WOULD ANTICIPATE THAT YOU WOULD HAVE MORE ACCESSIBLE UNITS THAN YOU WOULD AT THE 10% LEVEL. HOW MANY MORE WOULD YOU ANTICIPATE GETTING ON THE INCREASE ON THE -- ON THE CDB SIDE WHERE WE DON'T HAVE ANY ACCESSIBILITY REQUIREMENTS RIGHT NOW. YOU DON'T HAVE -- UNLESS YOU KNOW THE ANSWER, YOU DON'T HAVE TO ANSWER RIGHT NOW, BUT THOSE ARE THE KIND OF QUESTIONS I THINK THAT WOULD BE HELPFUL TO HAVE WHEN YOU GO AND TALK TO THE MAYOR'S COMMITTEE ON DISABILITY AND THINGS LIKE THAT. I KNOW OUR OVERALL GOAL IS TO HAVE MORE ACCESSIBLE UNITS. ONE OF THE WAYS, ONE OF THE STRATEGIES THAT YOU MAY BE ABLE TO USE TO GET THAT. THAT'S MY QUESTION.

MAYOR PRO TEM, COUNCILMEMBER KIM.

I WANT TO ADDRESS THE ISSUE ABOUT COMMERCIAL DEVELOPMENT, I KNOW THAT THE DOWNTOWN PLAN IS UNDERWAY. THAT'S SOMETHING THAT WE CAN CONSIDER, INCREASE THANK FAR. AS WE DO THAT, HOWEVER, IT'S GOING TO MEAN LESS FOR AFFORDABLE HOUSING IN TERMS OF THE FEES THAT ARE GENERATED. WHETHER THAT MEANS 5 TO 1 FOR DMU, 8 TO 1 FOR CDB. WHEN WE LOOK AT THE COMMUNITIES WHO HAVE DONE THIS, AS WELL AS AFFORDABLE HOUSING, THEY HAVE NEVER EXEMPTED COMMERCIAL DEVELOPMENT, THIS IS WHY. THE REASON IS BECAUSE WHEN YOU HAVE OUR PEOPLE WHO ARE DEVELOPING LAND THAT IS INCREASING THE PRICE OF THE LAND. IT IS VERY VALUABLE. AND ALSO THE WORKERS DO NEED HOUSING. SO WE ARE CREATING HOUSING FOR LOW INCOME, UP TO MIDDLE INCOME. 20% MFI FOR OWNERSHIP.

WHAT WE ARE SEEING RIGHT NOW IS A LOT OF RESIDENTIAL DEVELOPMENT BECAUSE THE MARKET IS ASKING FOR THAT. AS THESE PEOPLE MOVE INTO THESE UNITS WE ARE STARTING TO, I'M HEARING FROM REAL ESTATE DEVELOPERS THAT THEY SEE THERE IS GOING TO BE A NEED FOR MORE OFFICE IN DOWNTOWN. THAT'S GOING TO BE THE NEXT WAVE OF DEVELOPMENT. NOT RESIDENTIAL. WE ARE PRETTY MUCH, PRETTY GOOD ON RESIDENTIAL DOWNTOWN GOING TO THE OFFICE. THAT IS THE -- THE PRIME OPPORTUNITY TO GET SOME SOURCES FOR FOREIGN POLICY THAT WE WOULDN'T GET -- I WOULD NOT SUPPORT EXCLUDING THOSE, THAT IS THE ONLY WAY THAT WE ARE GOING TO BE ABLE TO GET SOME AFFORDABLE HOUSING MONEY FROM ALL OF THIS, TO BENEFIT FROM THIS BOOM THAT WE ARE EXPERIENCING IN AUSTIN.

Mayor Wynn: COUNCILMEMBER MCCRACKEN?

I DON'T WANT TO -- I WANTED TO BRING UP A POINT THAT PAUL YOU HAD HIT ON. THAT IS ACTUALLY THE DISCOVERY THAT'S WE HAVE WORKED THROUGH THESE THINGS THAT AN IRONY OF OUR AFFORDABLE HOUSING EFFORTS, PARTICULARLY FOR SALE SIDE WHICH IS THAT WE THINK -- WE HAVE BEEN EXPLICIT TRYING TO CREATE HOUSING AFFORDABILITY FOR TEACHERS, FIREFIGHTERS, CITY EMPLOYEES, STATE EMPLOYEES, FOLKS ON FIXED INCOMES. IN OUR AFFORDABILITY PROGRAMS HAVE IN FACT EXCLUDED TEACHERS AND FIREFIGHTERS AND STATE EMPLOYEES AND CITY EMPLOYEES, BUT NOT FOR THE REASON WE THOUGHT THEY DID. WE DID BECAUSE THEY MAKE TOO MUCH MONEY. IN FACT THE AUSTIN CHRONICLE TODAY COMMENTED TODAY THAT VMU DESIGN STANDARDS, LAUDABLE GOALS, ONLY IN TANDEM WITH REAL AFFORDABLE SUSTAINABLE GROWTH FOR THE TEACHERS, FIREFIGHTERS, YOUNG PROFESSIONALS, MIDDLE INCOME FAMILIES, IDEALIZED BUT ALWAYS CONSPICUOUSLY ABSENT BECAUSE THEY MAKE TOO MUCH MONEY. TURNS OUT THAT A HOUSE -- TWO FIRST YEAR TEACHERS MAKES 140% MEDIAN FAMILY INCOME. TWO FIRST YEAR AISD TEACHER HOUSE HOLD MAKES TOO MUCH MONEY TO QUALIFY FOR ANY AFFORDABLE HOUSING PROGRAM ANYWHERE IN THE CITY OF AUSTIN, EVEN THOUGH IT'S BEEN AN EXPLICIT GOAL OF OURS. TURNS OUT THAT A FIREFIGHTER AND AN

AVERAGE CITY EMPLOYEE TOGETHER MAKE 181% MEDIAN FAMILY INCOME. ADMINISTRATIVE AVERAGE CITY EMPLOYEE WITH SERVICE -- TWO PERSON HOUSEHOLD, MAKES 129% MEDIAN FAMILY INCOME. IT TURNS OUT ON THE FOR SALE SIDE WE HAVE SEEN THIS IN MUELLER, TOO. WE SET ASIDE 25% OF OUR HOUSING TO BE AFFORDABLE. YET IT TURNS OUT NO STATE EMPLOYEE VIRTUALLY NO CITY EMPLOYEE, NONE OF OUR FIREFIGHTERS, NONE OF OUR TEACHERS, NOBODY IS ELIGIBLE FOR THE 25% HOUSING SET ASIDE FOR THE VERY PEOPLE THAT WE HAVE EXCLUDED BECAUSE THEY MAKE TOO MUCH MONEY. SO I -- I HI WHAT WE NEED TO HOPEFULLY LOOK AT, THIS IS INFORMATION THAT WE HAVE ONLY LEARNED HERE IN THE LAST MONTH OR SO. BUT WHAT IT SHOWS IS THAT ON THE FOR SALE SIDE THAT -- THAT OUR GOALS AND OUR ASPIRATIONS FOR WHAT WE ARE TRYING TO ACHIEVE ARE OUT OF SOOENG WITH.....SYNC WITH OUR POLICIES FOR THE EXACTLY OPPOSITE REASON THAT WE THOUGHT. PERHAPS A WAY TO HANDLE IS TARGET ON THE FOR SALE SIDE THAT THE HOUSING PRICE LEVELS AND THE AFFORDABILITY BONUSES WOULD BE TARGETED TO -- TO THE OCCUPATIONS THAT WE ARE TRYING TO HELP OUT OR OTHER PEOPLE AT THEIR EQUIVALENT INCOME LEVELS. WE CAN SAY OKAY WE WANT 10% OF THE HOUSING TO BE AVAILABLE AT A PRICE RANGE AVAILABLE TO A HOUSEHOLD WITH AN AVERAGE CITY EMPLOYEE AND AVERAGE STATE EMPLOYEE OR TWO -- TWO FIRST YEAR AISD TEACHERS OR SOMEONE MAKING THEIR EQUIVALENT INCOME. BUT RIGHT NOW WHAT'S GOING TO HAPPEN UNFORTUNATELY IS WE ARE GOING TO -- WE ARE GOING TO GO TO A LOT OF EFFORT TO -- TO CREATE FOR SALE HOUSING OPPORTUNITIES FOR A LOT OF PEOPLE AND THEN OUR PROGRAMS WILL NOT ACTUALLY CREATE THIS FOR SALE HOUSING OPPORTUNITIES. THIS IS SOMETHING PAUL YOU HAVE ALREADY HANDLED, LOOKING AT, SOMETHING THAT WAS SURPRISING TO ME. AND --

COUNCILMEMBER, YOU BRING UP A VERY IMPORTANT POINT ABOUT MARKET CONDITIONS AND ABOUT I THINK AGAIN WHY WE NEED TO REVIEW THESE FACTS AND THESE FIGURES. I THINK ANOTHER REASON WHY WE NEED TO DO A MARKET STUDY SO BADLY IN THIS COMMUNITY. BUT I WOULD JUST ALSO SAY THIS, THAT -- THAT WHAT WE ARE DOING AS A

COMIEWBTS AND AS A CITY WE ARE TRYING TO STIMULATE THE DEVELOPMENT OF AFFORDABLE HOUSING THAT MEETS CERTAIN CRITERIA. AND SERVES A CERTAIN POPULATION. ONE THAT WE HAVE TO SEE IF WE ARE SERVING THAT POPULATION AS YOUR COMMENT JUST SUGGESTS. SECONDLY, THE HOUSING NEEDS AND THAT'S WHY WE USE THE HOUSING CONTINUUM AS OUR WHOLE STRATEGY IS TO LOOK AT ALL INCOME LEVELS AND ALL OF THEIR NEEDS FOR HOUSING THERE. ARE MANY, MANY PEOPLE. ONE OF THE THINGS THAT THIS TASK FORCE SAID WAS SERVING PEOPLE BELOW 80% OF MEDIAN FAMILY INCOME IN THIS COMMUNITY AT THIS TIME IS MOST LIKELY GOING TO REQUIRE MORE SUBSIDIES. THERE'S SOME AREAS WE CAN STIMULATE THE MARKET OR IN MULTI-FAMILY FOR EXAMPLE WHERE WE CAN ASK FOR GREATER BENEFITS. THE EXAMPLE THAT WE DID IN SOUTH LAMAR IN THE REDEVELOPMENT OF THE STONE RIDGE WHERE WE WERE ABLE FOR A MILLION DOLLARS TO GET 30 UNITS FOR 40 YEARS IS A REMARKABLE ACHIEVEMENT IF WE CAN ACTUALLY GET THAT DONE AND HAVE THAT AS A TEMPLATE TO GO FORWARD. IT IS IMPORTANT TO NOTE THAT BY DOING THIS ANALYSIS, UNDERSTANDING THIS BETTER AS WE THINK THE MARKET STUDY ANALYSIS WE LET IS DO, WE ALSO WANT TO MAKE SURE THAT WE MEET THE NEEDS OF THE LOWEST INCOME FOLKS, HOW WE WILL BE ABLE TO FOCUS OUR SUBSIDIES MORE EFFECTIVE. HIGHER QUALITY HOMES BUILT FOR VERY LOW INCOME PEOPLE IS AN IMPROVEMENT FOR THEIR LIVES AS WELL. IT IS ALL OF THE THINGS THAT YOU ARE TALKING ABOUT WITH REGARD TO STIMULATING AN ECONOMIC BOOM FOR THE PEOPLE THAT WE ARE TRYING TO ACHIEVE THROUGH SNEBTS TO JUST GET THE MARKET TO PRODUCE WHAT WE WANT THE MARKET TO PRODUCE. THEN BEING ACCIDENT TO FOR FOCUS -- BEING ABLE TO FOCUS WHAT WE WANT TO FOCUS. THROUGH A MARKET STUDY I THINK WE CAN ACCOMPLISH THAT.

McCracken: I AGREE, I REALLY DO DISTINGUISH WHAT I HAVE DISCOVERED, THIS CAME FROM ANALYSIS THE CITY MANAGER PERFORMED AFTER ACTUALLY KELLY AND RACHEL PROCTOR MAY RANSOM NUMBERS OF OCCUPATIONS, EVERYBODY WAS LIKE WHOA THIS IS A BIG SURPRISE. BIG DIFFERENCE IN THE FOR SALE SIDE. ON THE



RENTAL SIDE YOU DEFINITELY NEED TO BE TARGETING THE LOWER MFI LEVELS. ACTUALLY THE MATH IT'S SOMETHING MORE ACHIEVABLE. ON THE FOR SALE SIDE, I THINK KIND OF THE -- THE EXPLICIT PUBLIC PURPOSE BEHIND OUR FOR SALE HOUSING EFFORTS FOR -- FOR 20 YEARS IN THE CITY HAVE BEEN TARGETED TO TEACHERS, FIREFIGHTERS, STATE EMPLOYEES, POLICE OFFICERS, MY POINT ON ALL OF THIS IS THAT WE DEFINITELY NEED TO BE DOING THE BELOW 100% MEDIAN FAMILY INCOME EFFORTS FOR SALE HOUSING. I THINK WE HAVE DISCOVERED A PROBLEM, SPECIFIC PUBLIC PURPOSE THAT WE HAVE BEEN PURSUING FOR GENERATION ARE ACTUALLY IMPLEMENTATION IS OUT OF SYNC WITH OUR STATED PUBLIC GOAL WHICH IS TO MAKE SURE THAT WE HAVE HOUSING OPPORTUNITIES FOR FIREFIGHTERS, POLICE OFFICERS, TEACHERS, STATE EMPLOYEES AND JUST THE DEAL IS THAT THE REASON WHY THERE'S NO HOUSING FOR THEM IS NOT BECAUSE WE HAVEN'T GONE TO DEEP ENOUGH LEVELS OF AFFORDABILITY. IT'S THAT THEY MAKE TOO MUCH MONEY UNDER OUR POLICIES. BUT THAT'S -- THAT'S A FOR SALE ISSUE NORKTS A RENTAL ISSUE. I THINK THAT WE NEED TO DO BOTH.

RIGHT.

BUT AT THE MOMENT WE ARE NOT DOING BOTH. WE ARE EXCLUDING FROM MUELLER AND VMU I'M GUILTY OF THIS, TOO, ALL OF THESE EFFORTS ON THE FOR SALE SIDE HAVE EXCLUDED THE VERY PEOPLE WE TARGETED OUR POLICIES TO CREATE OPPORTUNITIES FOR.

Mayor Wynn: MAYOR PRO TEM?

Dunkerly: ONE OTHER THING THAT I WOULD LIKE YOU TO DO, I KNOW THAT YOU ARE GOING TO DO IT DURING THE BUDGET PROCESS. THE CITY COUNCIL ALSO HAS A POLICY ON -- ON DEVOTING UP TO 40% OF THE INCREMENTS ON ALL OF OUR CITY-OWNED LANDS, FOR EXAMPLE, THE TWO CSC BUILDINGS HERE AND EVENTUALLY BLOCK 21 AND GREEN AND ALL OF THOSE THINGS. I KNOW IN THE BUDGET PROCESS YOU BRING THOSE ESTIMATES TO US. I WONDERED IF YOU COULD MAKE SOME ESTIMATES LOOKING OUT OVER THE NEXT FEW YEARS AS -- AS LOT 21 DEVELOPMENTS, PERHAPS SEAHOLM, SOME ROUGH

ESTIMATES ABOUT HOW MUCH ADDITIONAL INCOME WILL BE COMING IN FOR THE HOUSING PURPOSES. WHAT'S REALLY TUGS AT YOU, WE HAVE A LOT OF PRIORITIES. AFFORDABLE HOUSING IS RIGHT UP AT THE TOP. SO ARE TRAILS, PARKS, AND A LOT OF OTHER THINGS, FOR THAT REASON I ALSO AGREE WITH COUNCILMEMBER MARTINEZ THAT COMMERCIAL HOTELS NEED TO BE EXCLUDED HERE BECAUSE OF THEIR EFFORTS WITH THE HOTEL MOTEL TAXES THEY ARE PROVIDING THE COMMUNITY BENEFIT MUCH BEING THE ONLY -- ALMOST THE ONLY SOURCE OF ARTS FUNDING WHICH AGAIN IS A PRIORITY. AND HISTORIC PRESERVATION FUNDING. I THINK WE NEED TO KEEP HOUSING RIGHT UP ON TOP, BUT REMEMBER THAT THERE ARE OTHER THINGS THAT THIS COMMUNITY VALUES AS WELL, NOT ONLY THAT WE BE ABLE TO HAVE ALL OF OUR CITIZENS LIVE HERE, BUT THAT WE WOULD BE ABLE TO PROVIDE THEM THE AMENITIES THAT MAKES THEM WANT TO LIVE HERE. SO -- SO KEEP THAT IN MIND, GIVE US SOME ESTIMATES --

ONE OTHER THING THAT I WOULD SAY IS IMPORTANT FOR TO US CONSIDER IN THE HOUSING AREA, WE HAVE OTHER PARTNERS IN THIS COMMUNITY THAT WE ARE ALSO GOING TO BE REACHING OUT WITH THIS HOUSING STUDY TO SEE ABOUT HOUSING THEIR EMPLOYEES, CITIZENS, THE COUNTY, OTHER FOLKS THAT WE WILL BE REACHING OUT WITH. [MULTIPLE VOICES]

IN FACT TOUGH HAVE THIS PARTNERSHIP APPROACH BECAUSE OF PROVIDING AND I HAVE AFFORDABLE HOUSING UNITS IN THIS COMMUNITY, NOT ANY ONE OF US COULD DO IT BY OURSELVES. SO THANK YOU.

FIRST I WANT TO THANK EVERYTHING THAT WORKED ON THIS, ESPECIALLY VOLUNTEERS. THIS IS A GREAT PIECE OF WORK. I REALLY APPRECIATE IT. I WANTED ME, TOO, A LITTLE BIT. I WANT TO SUPPORT MAYOR'S COMMENTS ON PARK FEE WAIVERS, I THINK THAT'S VERY IMPORTANT. I BELIEVE COUNCILMEMBER KIM AGREES WITH THAT. AND ME, TOO. MAYOR PRO TEM DUNKERLY AND COUNCILMEMBER MARTINEZ'S COMMENTS WITH REGARD TO THE BONUS FOR HOTELS. I ALSO BELIEVE THAT WE HAVE -- WE HAVE AFFORDABLE HOUSING IS AN IMPORTANT VALUE BUT WE

HAVE OTHER VALUES, TOO. THE HOTEL SUPPORTS SOME OF THOSE. I KNOW THAT YOU ARE GOING TO DO A FINANCIAL PRESENTATION, YOU ARE GOING TO COME BACK WITH THESE NUMBERS IN JUNE, JUNE SOMETHING. I ASSUME THAT WE HAVE AT WHAT THE COST, WITH ALL OF THESE FEE WAIVERS PER UNITS WOULD BE, WHAT THE ESTIMATED AGGREGATE WOULD BE AND WHAT.... WHAT -- WHAT CAP YOU WOULD RECOMMEND. I THINK THAT'S A VERY GOOD IDEA THAT WE HAVE TO HAVE SOME KIND OF CEILING ON THIS.... THIS. AND ALSO I DON'T KNOW IF YOU LOOKED AT THE TASK FORCE LOOKED AT POSSIBLE FUNDING SOURCES. FOR EXAMPLE, COULD AFFORDABLE HOUSING BONDS MONEY BE USED TO SUPPORT THIS KIND OF AFFORDABLE HOUSING EFFORT FEE WAIVERS AND SO FORTH. SO I THINK A LISTING OF POSSIBLE SOURCES FOR THIS MONEY WOULD BE USEFUL, TOO. I TOO WANT TO ECHO THE PORTION OF THE PARK FEES. ESPECIALLY DOWNTOWN AND CDB, DMU, I WANT TO POINT OUT WE HAVE STARTED FORWARD WITH THE WALLER CREEK EXPANSION. THE FUNDING THAT WE HAVE FOR THAT ONLY COVERS THE TUNNEL, NOT THE THREE PARKS ON IT. I KNOW THAT YOU ALL ARE COMING -- THAT'S THE WATERLOO PARK, TOWN LAKE PARK AND I FORGOT THE LAST PARK, I'M SORRY. BUT ANYWAY THE POINT BEING THAT WE NEED TO KEEP OUR PARKS, ESPECIALLY DOWNTOWN, AVAILABLE FOR THE CITIZENS THAT ARE COMING DOWNTOWN WHO ARE GOING TO BE WORKING AND PLAYING. I KNOW THAT YOU ARE COMING BACK ON JUNE 7th, LOOK, YOU WILL GET A CHANCE, WE WILL GET A CHANCE TO LOOK THE AT THE PARKLAND DEDICATION ORDINANCE WHICH COVERS A ONE MILE RAIDS AROUND THE AREA THAT IS BEING REDEVELOPED. SO I WOULD LIKE YOU TO KEEP THAT IN MIND AS YOU DO YOUR ANALYSIS TO US IN THE FUTURE..... FUTURE.

I JUST WANT TO ADD, I'M IN GENERAL AGREEMENT WITH MY COLLEAGUES ON THE STATEMENT ABOUT NOT HAVING OFFICE AND HOTEL INCLUDED IN THIS -- ON THE AFFORDABLE HOUSING DEAL, BUT I WOULD ADD A CAUTION, THOUGH, THAT I DON'T THINK WE SHOULD EXCLUDE OFFICE AND HOTEL ENTIRELY FROM SOME SORT OF A PUBLIC BENEFITS DEAL. LOOK, ONE OF THE REASONS THIS DISCUSSION TRIGGERED BY THE WHOLE ISSUE AFTER

CERTAIN PROPOSED DOWNTOWN HOTEL PROJECT WHICH WANTED DEVELOPMENT BONUSES AND WANTED TO GIVE NOTHING BACK TO THE COMMUNITY IN RETURN. AND KICK OUT A RESTAURANT AND A DAYCARE IN THE PROCESS. I THINK THAT WE HAVE A REAL WORLD LIVING BREATHING EXAMPLE, I THINK WE SHOULD BE LOOKING FOR A WHOLESAL EXCLUSION -- I DON'T THINK WE SHOULD BE LOOKING FOR A WHOLESAL EXCLUSION. THEY ARE PAYING THEIR TAXES, THAT'S THE LAW. WE HAVE OUR AUDITORS GOING OUTS AND RUNNING THROUGH THEIR BOOKS BECAUSE THEY ARE NOT PAYING THEIR TAXES. MY ONLY CAUTION ON THIS IS RATHER THAN SOME WHOLESAL EXCLUSION BY OFFICE AND HOTEL THAT WE HAVE SOMETHING MAYBE DIFFERENT BUT -- THAT IS NOT JUST A FREE PASS. I DON'T THINK THAT'S BEEN THE SUGGESTION HERE, BUT WE DO HAVE AN EXAMPLE THAT YEAH YOU ARE -- ONE OF MY COLLEAGUES IS SAYING I DIDN'T SAY [INDISCERNIBLE] SO I THINK THOSE WE MIGHT JUST WANT TO REMAIN MINDFUL ABOUT NOT GIVING OFFICE AND HOTEL A COMPLETE FREE PASS FROM THE SAME PUBLIC RESPONSIBILITIES THAT IN EXCHANGE FOR DEVELOPMENT BONUS THAT'S WE ASK FOR RESIDENTIAL. CIMENT KIM.....

Kim: I THINK THIS FEEDBACK IS GOOD. THE FIRST TIME WE HAVE TALKED ABOUT THE DISTINCTION -- SINCE WE ARE TALKING ABOUT DOWNTOWN, RESIDENTIAL OFFICE COMMERCIAL AND HOTEL. THEY ARE VERY DIFFERENT. WE ARE COG DISTANT OF WHATEVER ISSUE IN TERMS OF FEES, WE DON'T WANT TO DECEMBER EXTORT THE MARKET -- DISTORT THE MARKET BECAUSE ONE DEVELOPMENT IS MORE EXPENSIVE THAN ANOTHER. IF THERE IS A CASE WHERE WE WOULD WANT TO EXEMPT SOME SORT OF FEES FROM -- IN TERMS OF THE BONUS DENSITY BONUS, WE NEED TO BE VERY CAREFUL ABOUT THAT BECAUSE RIGHT NOW IT'S VERY CLEAR WHAT THE MARKET WANTS AND SO DEVELOPERS REACT ACCORDINGLY. WHATEVER THE COUNCIL DOES HERE IS GOING TO AFFECT THAT NATURALLY. AND SO I'M GLAD TO HEAR COUNCILMEMBER MCCRACKEN'S COMMENTS ABOUT HOTEL AND OFFICE AND THE DISTINCTION OF THAT. I DO -- I AM STILL VERY BITTER ABOUT THE MARRIOTT CASE AND WHAT'S HAPPENING WITH ESCOLITA, THERE ARE A NUMBER OF SCMI EWNT BENEFITS

THAT WE VALUE, INCLUDING CHILD CARE, AFFORDABLE HOUSING, WE NEED TO DO WHAT WE CAN, WE AS A CITY DON'T HAVE A FUND TO DO THESE THINGS OURSELVES, WE ARE ASKING FOR PARTNERS, ASKING FOR BUSINESSES TO HELP MAINTAIN THE QUALITY OF LIFE, MAKE IT A BETTER AUSTIN FOR ALL OF NEWS THE FUTURE. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? WE APPRECIATE THE RELATIVELY TIGHT SCHEDULE YOU ALL HAVE PROPOSED. APPRECIATE ALL OF THE DRAMATIC WORK THAT THE TASK FORCE HAS DONE NOW FOR MONTHS. THANK YOU ALL VERY MUCH.

THANK YOU.

LOOK FORWARD TO NEXT MONTH. COUNCIL WITH THAT, I BELIEVE IT'S TIME FOR ME TO RECESS THE MEETING OF THE AUSTIN CITY COUNCIL, CALL TO ORDER THE POSTED MEETING MUCH THE TAX INCREMENT FINANCING BOARD, NUMBER 15. WELCOME BRIEF STAFF PRESENTATION.

R.

GOOD AFTERNOON, PRESIDENT WYNN AND BOARD MEMBERS. THE TIF BOARD HAS A FEW ORDERS OF BUSINESS BEFORE YOU TODAY, FIRST THE APPROVAL OF THE MINUTES FROM THE SPECIAL CALLED MEETING OF AUGUST 4th, 2005.

Mayor Wynn: BOARD MEMBERS I WILL ENTERTAIN A MOTION, MOTION MADE BY EXAM SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE THE MINUTES.

Wynn: OPPOSED?

AYE. PASSES ON A VOTE 6-0 WITH COUNCILMEMBER KIM OFF THE DAIS.

SECOND ITEM IS TO APPROVE AND RECOMMEND AWARD TO COUNCIL FOR A 24 MONTH REQUIREMENT SERVICE CONTRACT WITH EAGLE HYDRO BLAST OF PFLUGERVILLE TO PROVIDE PARK SCAPE MAINTENANCE AND REPAIR SERVICES FOR THE TIF DISTRICT THAT SURROUNDS CITY HALL, WHICH

INCLUDES THE CITY HALL BLOCK, COMPANION BLOCKS THAT CSC BUILT ON, TWO AND FOUR AS WELL AS 21. A 24 MONTH REQUIREMENTS CONTRACT TO PERFORM THE SERVICES.

Mayor Wynn: QUESTIONS OF STAFF, BOARD? IF NOT I'LL ENTERTAIN A MOTION TO APPROVE THIS SECOND POSTED ITEM.

MOVE APPROVAL.

MOTION MADE BY VICE-PRESIDENT DUNKERLY, SECONDED BY BOARD MEMBER MCCracken TO APPROVE THIS PROPOSED AND POSTED TWO YEAR CONTRACT. ALL IN FAVOR PLEASE SAY AYE?

AYE.

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

WITH THAT I THINK THAT THE LAST ITEM IS TO ADJOURN.

OKAY. THERE BEING NO MORE BUSINESS BEFORE THIS T.I.F. BOARD NUMBER 15, WE NOW STAND ADJOURNED. THANK YOU VERY MUCH, MR. EVANS. COUNCIL, WE NOW CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. HAVING NOW CONDUCTED OUR T.I.F. BOARD NUMBER 15 MEETING, I BELIEVE WE COULD TAKE UP AN ITEM THAT'S ON THE STOP YOU..... CITY COUNCIL AGENDA, SISTER ITEM, NUMBER 19 TO AUTHORIZE THE AWARD AND EXECUTION OF THIS 24 MONTH REQUIREMENT SERVICE CONTRACT AGAIN AS PRESENTED EARLIER BY OUR T.I.F. BOARD STAFF, EAGLE HYDRO BLAST OF PFLUGERVILLE FOR HARD SCAPE AND PAVER MAINTENANCE IN THIS T.I.F. ZONE. QUESTIONS OF STAFF? COMMENTS? IF NOT I WILL ENTERTAIN A MOTION, MOTION MADE BY COUNCILMEMBER MCCracken -- SORRY, MARES, SECONDED BY COUNCILMEMBER MCCracken TO APPROVE AS ITEM NO. 19 AS POSTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH

COUNCILMEMBER COLE OFF THE TIE I CAN'T..... DAIS.  
THANK YOU, FRED. SO COUNCIL WE NOW -- WE ULTIMATELY  
GO TO THE 4:00 ZONING. WE ARE ABOUT FIVE MINUTES  
EARLY BY STATE LAW WE ACTUALLY CAN'T TAKE UP THESE  
ITEMS UNTIL WE REACH THE 4:00 P.M. SO WITHOUT  
OBJECTION WE WILL NOW RECESS THIS MEETING OF THE  
CITY COUNCIL FOR A BRIEF FIVE OR SIX MINUTE RECESS  
AND COME BACK AT 4:00 TO RECONVENE. THANK YOU.

Mayor Wynn: THERE BAG QUORUM PRESENT, AT THIS TIME  
I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN  
CITY COUNCIL. IT IS 4:20 P.M. WE'VE BEEN IN RECESS FOR  
ABOUT 25 MINUTE. APOLOGIZE FOR THE DELAY. WE NOW  
TAKE UP OUR ZONING CASES AND WELCOME MR. GREG  
GUERNSEY.

THANK YOU, MAYOR AND COUNCIL. LET ME GO THROUGH  
OUR 4:00 O'CLOCK ZONING AND NEIGHBORHOOD PLAN  
AMENDMENT ITEM. THESE ARE ON FOR PUBLIC HEARING  
AND POSSIBLE ACTION BE. THE FIRST ITEM IS ITEM NUMBER  
48, CASE C 12 M-07-0001 KNOWN AS THE CAMDEN PROPERTY  
AT STATE FARM WAY AND WEST PARMER LANE. WE HAVE A  
APPLICANT POSTPONEMENT TO THIS ITEM TO MAY 24TH IN  
ORDER TO FINALIZE THE RESTRICTIVE COVENANT  
DOCUMENTS. THAT'S ON POSTPONEMENT FOR ONE WEEK  
ON THE 24 ITS. ITEM NUMBER 49 IS CASE C-14-06-236 FOR  
THE PROPERTY LOCATED ON POND SPRINGS ROAD. THIS IS  
A ZONING CHANGE REQUEST FROM INTERIM RURAL  
RESIDENCE OR IRR DISTRICT ZONE TO GO COMMUNITY  
COMMERCIAL CONDITIONAL OVERLAY COMBINING DISTRICT  
ZONING FOR TRACT 1. AND COMMERCIAL LIQUOR SALES-  
CONDITIONAL OVERLAY ZONING FOR TRACT 2. THE ZONING  
AND PLATTING COMMISSION RECOMMENDED TO GRANT THE  
REQUEST FOR GR-CO ZONING ON TRACT 1 AND CS-1-CO  
ZONING FOR TRACT TWO AND THIS IS READY FOR ALL THREE  
READINGS. ITEM NUMBER 50 IS CASE C-14-H-07-0001, THIS IS  
THE SHELBY MATTHEWS BERGQUIST HOUSE. THIS IS A  
REZONE REQUESTING FROM FAMILY RESIDENCE DISTRICT  
ZONING TO FAMILY RESIDENCE HISTORIC COMBINING  
DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION  
WAS TO GRANT THE SF-3-H COMBINING DISTRICT ZONING  
AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE  
READINGS. ITEM NUMBER 51 IS CASE C-14-06-0188, PARKER

LANE AT 1406-1506 PARKER LANE. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE DISTRICT ZONING TO MF-4 NP COMBINING DISTRICT ZONING. THE PLANNING COMMISSION RELIGIOUS WAS TO DENY THE REQUEST. I UNDERSTAND THERE MAY BE A POSTPONEMENT REQUEST FROM THE DAIS ON THIS PARTICULAR TUNNEL. AND WE DO HAVE NEIGHBORHOOD PEOPLE HERE THAT WOULD LIKE TO SPEAK TO THIS ITEM IF IT'S EITHER POSTPONED OR BEING CONSIDERED THIS EVENING. ITEM NUMBER 52 IS CASE C-14-07-0011. THIS IS LAMAR/MANCHACA MIXED USE AT 2711-2715 SOUTH LAMAR BOULEVARD AND 2803-2900 MANCHACA. WE HAVE A DISCUSSION POSTPONEMENT ITEM ON THIS PARTICULAR ONE. THERE'S AGREEMENT TO POSTPONE, BUT TO WHICH NIGHT WE'RE NOT SURE. ITEM NUMBER 53, CASE C-14-07-0013, CASWELL LOFTS. THIS IS A DISCUSSION ITEM. THERE'S A POSTPONEMENT REQUEST ON 51, AND WE DO HAVE CITIZENS THAT WOULD LIKE TO SPEAK TO THAT IF THERE IS ONE FROM THE DAIS.

...

Mayor Wynn: AGREED. MAYOR PRO TEM.

Dunkerley: THE LAST TIME THIS ITEM CAME UP, I INTENDED FOR THE STAFF TO MEDIATE A MEETING BETWEEN THE TWO PARTIES. I DIDN'T GET THAT ON THE RECORD AND I DIDN'T MAKE THAT CLEAR. I'VE SPOKEN WITH THE NEIGHBORHOOD. THEY HAVE SOME I THINK REALLY GOOD IDEAS THAT WOULD BE -- THAT NEED TO BE CONSIDERED BY THE DEVELOPER. I THINK THE DEVELOPER'S DENSITY IS TOO HIGH, SO I THINK THIS WOULD BE -- IF WE COULD GET ONE OPPORTUNITY FOR THEM TO SIT DOWN TOGETHER, I WOULD LIKE FOR THEM TO DID THAT. WHEN YOU LOOK AT OUR CURRENT ZONING MAP YOU HAVE MF-2 ON EITHER SIDE AND ACROSS THE WAY, AND I'M NOT SURE IF WE SORT OF DON'T GET THIS RESOLVED resolved AT THIS POINT THAT WE MAY NOT GET ADDITIONAL REQUESTS COMING IN FROM FUTURE OWNERS ABOUT THE SAME PROPERTY. SO I REALLY -- IT'S MY FAULT. I'M SORRY I DIDN'T MAKE IT CLEAR, BUT I WOULD LIKE TO RESPECTFULLY REQUEST A DELAY FOR THE STAFF. I DON'T KNOW HOW LONG IT WOULD BE A WEEK OR WHAT HAVE YOU, JUST TO GET THE PARTIES TOGETHER.



Mayor Wynn: MR. GUERNSEY --

MAYOR PRO TEM, WE CAN FACILITATE A MEETING. I UNDERSTAND YOU MAY NOT HAVE A FULL COUNCIL NEXT WEEK PRESENT, AND THERE IS A VALID PETITION ON THIS PROPERTY.

Dunkerley: WHEN DID THE VALID PETITION GET CERTIFIED?

I THINK IT WAS FILED JUST BEFORE THE CASE WAS LAST PRESENTED TO YOU. AND WHAT WE CAN DO IS SIT DOWN WITH THE OWNER AND THE ADJACENT NEIGHBORHOODS.

Dunkerley: I THINK THAT PUTS A LOT OF PRESSURE ON THE PARTIES, AT LEAST ON ONE OF THE PARTIES TO COME IN WITH A REASONABLE APPROACH TO THIS PROPERTY.

Mayor Wynn: IT'S YOUR UNDERSTANDING THERE WON'T BE A FULL COUNCIL ON THE 24TH, MR. GUERNSEY?

THAT'S MY UNDERSTANDING.

Mayor Wynn: THAT'S FINE.

AS I SAID BEFORE, I THINK THERE'S A NEIGHBORHOOD REPRESENTATIVE THAT WOULD LIKE TO SPEAK ABOUT THAT POSTPONEMENT IF THEY MAY.

Mayor Wynn: YES. THAT WOULD BE APPROPRIATE. WELCOME, SIR. STATE YOUR NAME FOR THE RECORD. AGAIN, WE'RE DISCUSSING ABOUT THE POSTPONEMENT, NOT THE CASE ITSELF.

YES. MY NAME IS HARK (INDISCERNIBLE). I LIVE AT 1702 ELM HURTS. I ABUT TO THE FOUR LOTS THAT ARE UNDER QUESTION HERE. AND I RESPECTFULLY DISAGREE WITH THE POSTPONEMENT IDEA MAINLY BECAUSE WE'VE MET WITH THE DEVELOPER ON EIGHT SEPARATE OCCASIONS, EITHER INDIVIDUALLY AS HOMEOWNERS OR IN GROUP SITUATIONS WITH THE NEIGHBORS AND WITH THE NEIGHBORHOOD ASSOCIATION. WE HAVE A MAN WHO IS ENTRENCHED AND WANTING MF-4 ZONING FOR A PROPERTY AS MS. DUNKERLEY SAYS IS TOO LARN FOR THE PROJECT OR HE

TELLS US HE WILL HAVE COMPLEXES WHICH HE CAN DO ON THE CURRENT ZONING. THE DEVELOPER DIDN'T CONTACT US UNTIL THREE DAYS BEFORE THE PLANNING COMMISSION MEETING. ONE OF THE NEIGHBORS WENT THE EXTRA MILE, CONTACTED HIS OFFICE, SET UP A MEETING THE NIGHT BEFORE THE PLANNING COMMISSION MEETING. WE HAD NO NEW INFORMATION PROVIDED US. HOST IT HAD IN OUR HOMES. WE'VE INVITED HIM IN OUR HOMES, SHOWN HIM OUR PROPERTIES. WE DON'T KNOW WHAT CAN BE GAINED FROM FURTHER NEGOTIATIONS. AND WOULD RESPECTFULLY LIKE TO PRESENT OUR CASE TONIGHT.

Mayor Wynn: THANK YOU, MARK. HOW ABOUT WE HEAR FROM THE APPLICANT AND/OR THE AGENT THAT'S HERE. AGAIN, A DISCUSSION IS DEBATE ABOUT WHETHER OR NOT TO POSTPONE AND THEN WHAT THAT LENGTH MIGHT BE.

MY NAME IS RYAN D. PEMBROCK. I REPRESENT THE PONIERS. I ACTUALLY OWN TWO OF THE FOUR PROPERTIES NOW. WE HAVE MET ON A NUMBER OF OCCASIONS. THERE HAS BEEN SOME GOOD BACK AND FORTS. WE DO NOT BELIEVE MF-4 IS NEEDED FOR THE ZONING. THAT WAS INITIALLY SOMEWHAT OF A MISTAKE ON MY PART BECAUSE I HAVE MF-4 PROJECT, BUT IT'S IN A CONDITIONAL OVERLAY ON THE U.T. -- BY U.T. CAMPUS. SO I WAS KIND OF ASSOCIATING SOMETHING THAT I THOUGHT WAS MF-4 THAT HAD DIFFERENT HEIGHT RESTRICTIONS AND DENSITY, SO I WAS -- I WAS PROBABLY CLOSER ACTUALLY TO AN MF-2 AND THAT WAS JUST MY MISTAKE AS A ROOKIE SMALL DEVELOPER. WE DO -- I DON'T NECESSARILY AGREE WITH MARK THAT THERE'S NO ROOM FOR NEGOTIATION, AND I DO HAVE DOCUMENTS FROM THE NEIGHBORS, SOME I PRODUCED, SOME THEY PRODUCED, THAT SHOW THAT THERE'S A LOT MORE COMMON GROUND THAN YES OR NO DECISION ON MF-4. WE WERE TALKING ABOUT MF-2 WITH SOME CONDITIONAL OVERLAYS IN THE PAST FIVE MONTHS SINCE DECEMBER. SO I THINK THAT SHOWS THAT WE HAVE NOT BEEN HARDHEADED AND STUBBORN AT DEMANDING ONE SPECIFIC ZONING. IT'S MORE THE SPIRIT OF THE DEVELOPMENT THAT WE'RE LOOKING FOR. SO JUNE, THE FIRST WEEK IN JUNE WOULD WORK GREAT FOR ME BECAUSE I HAVE A WEDDING TO ATTEND NEXT WEEKEND.

DOES THAT ANSWER THE QUESTIONS?

Mayor Wynn: THAT ANSWERS MINE. THANK YOU. QUESTIONS FOR THE APPLICANT OR AGENT? OR NEIGHBOR? WELL, SO COUNCIL, WE HAVE A DAIS REQUEST POSTPONEMENT, AND MAYOR PRO TEM WOULD THAT REQUEST BE TO JUNE THE 7TH, OUR FIRST FULL -- WOULD YOU REQUEST THE POSTPONEMENT TO BE THE JUNE 7TH MEETING WHEN WE HAVE A FULL COUNCIL? SO WITHOUT OBJECTION, THEN COUNCIL, I'D LIKE TO INCLUDE THAT IN ON THE CONSENT AGENDA THAT I'LL PROPOSE HERE IN A SECOND, BUT WE ALSO HAVE A POSTPONEMENT DISCUSSION ITEM, NUMBER 52, CORRECT, MR. GUERNSEY?

CORRECT. WE COULD DO THAT NOW OR ACT ON THE CONSENT ITEMS.

Mayor Wynn: BUT THE DISCUSSION IS ABOUT A POSTPONEMENT, NOT ABOUT THE CASE ITSELF.

THAT'S CORRECT.

Mayor Wynn: LET'S TAKE THAT UP NOW.

THIS IS CASE C-14-07-0011, LAMAR/MANCHACA MIXED USE. IT'S MY UNDERSTANDING WE FIRST HAD A REQUEST FROM THE BARTON OAKS NEIGHBORHOOD ASSOCIATION FOR A THREE-OAK POSTPONEMENT. THAT'S BEEN REVISED, I UNDERSTAND TO A ONE WEEK POSTPONEMENT AND THE APPLICANT IS IN AGREEMENT WITH THAT, BUT WE ALSO HAVE ANOTHER POSTPONEMENT I BELIEVE FROM THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. THEY WOULD LIKE THE ORIGINAL THREE-WEEK POSTPONEMENT TO JUNE 7TH. AND I DON'T KNOW WHAT ALL THE REASONS ARE, BUT THEY'RE HERE TO ARTICULATE THEM AND THEY HAVE A REPRESENTATIVE THAT CAN SPEAK TO THAT POSSIBILITY REQUEST.

Mayor Wynn: LET'S HEAR FROM THE -- THE LAMAR NEIGHBORHOOD ASSOCIATION THAT REQUESTED THE POSTPONEMENT. WELCOME.

THANK YOU, COUNCILMEMBERS. WE HAVE BEEN WORKING

WITH THE APPLICANT'S A LITTLE AND WE'RE MAKING GOOD PROGRESS AND I DO WANT TO RECOGNIZE THEM FOR THAT. WE'VE COME A LONG WAY SINCE THEIR FIRST PROPOSAL. THEY HAVE PULLED ALL THE RESIDENTIAL UNITS OUT OF WHAT WE HAD ORIGINALLY ASKED FOR AS PARKLAND. WE'RE STILL TRYING TO FIGURE OUT WHERE PARKS AND REC CAN COME INTO THE PICTURE AND ACQUIRING LAND. THIS WILL BE THE FIRST OPPORTUNITY FOR OUR NEIGHBORHOOD TO HAVE TO HAVE A PARK. WE'RE EXCITED ABOUT THAT. I THINK PARKS IS PROBABLY LOOKING FORWARD TO IT. IT'S BEEN OVER TWO YEARS NOW ABOUT WHERE CAN WE FIND A PARK. AND THIS IS A PERFECT OPPORTUNITY AND WE'RE ALMOST THERE. SO AGAIN, THEY HAVE BEEN OUCHING BACK AT OUR INSISTENCE, OUR REQUEST AND I WANT TO KNOWLEDGE THAT; HOWEVER, WE ARE ALSO DEALING WITH A RESTRICTIVE COVENANT AT THIS TIME. WE DO LIKE PRIVATE RESTRICTIVE COVENANTS. AND PART OF THAT INCLUDES IDENTIFYING THE PARK SPACE AS WELL AS THE DETENTION POND FOR BOTH THE VMU PROPERTY THAT'S THE SUBJECT OF THIS CASE AS WELL AS ANOTHER PORTION OF THEIR PROPERTY THAT THEY'LL DEAL WITH THE ZONING LATER. AS YOU MAY HAVE HEARD, FOLKS LIVING UP AND DOWN MANCHACA ARE CONCERNED ABOUT TRAFFIC AND STUFF. AND WHILE THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION HAS BEEN FOCUSING ON KIND OF THE INTERIOR OF THE HOOD, I CERTAINLY RECOGNIZE OTHERS' CONCERNS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] BUT THERE ARE SOME THINGS THAT THE CITY WON'T DO THAT NEIGHBORS CAN. ON STILL ENOUGH OUT THERE, I CAN'T IMAGINE US BEING ABLE TO WORK IT OUT WITHIN A WEEK.... WEEK. IF THERE'S SOMETHING THAT YOU ALL CAN DO TO HELP EXPEDITE THE PARK NEGOTIATIONS OR GETTING THINGS MOVING FASTER, THEN WE WILL DO OUR BEST TO WORK WITHIN THE WEEK, ALSO. BUT GIVEN HOW THINGS HAVE BEEN MOVING KIND OF SLOWLY, OUR BEST GUESS IS IT WOULD TAKE MORE LIKE THREE WEEKS BEFORE WE CAN COME BACK HERE AND SING KUM BAYA TOGETHER. THANK YOU.

THANK YOU, CARROLL. I GUESS THAT YOU SHOULD HEAR FROM THE APPLICANT TEAM.

MAYOR, COUNCILMEMBERS, MY NAME IS STEVE METCALF.

I'M HERE ON BEHALF OF THE APPLICANT. WE HAVE BEEN WORKING WITH THE NEIGHBORS A LOT. I THINK WE ARE GETTING VERY CLOSE TO A FINAL AGREEMENT. IF NOT ALREADY THERE. I THINK THAT WE HAVE -- WE PROBABLY KNEW THAT WE HAD GONE ABOUT AS FAR AS WE CAN GO IN CREATING THAT PARKLAND BACK THERE. WE HAVE MOVED OUR POND TO CREATE MORE PARK SPACE. I DON'T THINK WE CAN MOVE IT ANY FURTHER. THE ONLY THING LEFT TO DO, I THINK THE ACTUAL AGREEMENT ITSELF REGARDING THE RESTRICTIVE COVENANT, THE -- THE SUBSTANTIVE PARTS ARE DONE. THERE'S JUST A QUESTION ABOUT WHETHER OR NOT WE ARE GOING TO DO IT IN THE FORM OF A PUBLIC OR PRIVATE AGREEMENT. I THINK THAT'S PART OF AN ONGOING DISCUSSION OF THE STAFF THAT WE COULD GET RESOLVED BETWEEN NOW AND NEXT WEEK. I DON'T THINK THERE'S ANYTHING MORE SUBSTANTIVE THAT WE CAN WORK OUT WITH THE NEIGHBORS ON THIS ISSUE. WE WOULD REQUEST THAT WE HAVE A ONE-WEEK POSTPONEMENT. WE HAVE BEEN THROUGH TWO POSTPONEMENTS AT THE PLANNING COMMISSION. THE PROCESS WE ARE IN RIGHT NOW WAS DESIGNED INITIALLY AS -- AS AN EXPEDITED PROCESS. IT WAS ORIGINALLY THOUGHT TO BE A 30 DAY PROCESS, WE ARE ABOUT FOUR MONTHS INTO IT NOW. SO -- SO WE ASKED THAT THE POSTPONEMENT BE LIMITED TO ONE WEEK. WE FEEL THAT -- THAT THAT'S SUFFICIENT TIME TO GET WHATEVER REMAINING TO BE DONE TO GET DONE.

MR. METCALF YOU ARE AWARE THAT -- THAT THERE WON'T BE A FULL COUNCIL NEXT -- NEXT THURSDAY THE 24th.

YES.

COUNCILMEMBER MCCracken?

YEAH. I -- MR. METCALF WHEN DID YOU FIRE THIS INTERIM APPLICATION FOR THE AUSTIN OPT-OUT DETERMINATION?

I BELIEVE IT WAS THE FIRST WEEK OF MARCH. THE BACKGROUND IS OBVIOUSLY THIS -- IT WAS ACTUALLY A GREAT IDEA BY ONE OF OUR STAKEHOLDER, LAURA MORRISON THAT WE HAVE AN INTERIM PROCESS OPT IN AND OPT OUT THAT WOULD LAST NO MORE THAN 30 DAYS.

WE THOUGHT WE HAD THIS NAILED DOWN WHEN WE DID THE ORDINANCE THAT IT WOULD ONLY LAST 30 DAYS. I THINK ONE OF THE THINGS THAT WE HAVE DISCOVERED FROM THIS UNFORTUNATELY IS THAT WE ARE GOING ON THE FOURTH MONTH NOW OF THE PROPER THAT HE IS WE ARE TOLD WOULD LAST 30 DAYS BY ORDINANCE. UNDERSTAND THAT THERE'S IMPORTANT ISSUES TO WORK THROUGH. BUT -- BUT I DO THINK THAT BECAUSE -- THE CLEAR INTENT OF THE -- OF THE STAKEHOLDERS AND THE COUNCIL HAS NOT BEEN MET, THAT THIS ORDINANCE WAS SUPPOSED TO RESOLVE THINGS IN 30 DAYS, WE SHOULD [INDISCERNIBLE] AND GO TO MARCH 24<sup>th</sup>. THE OTHER QUESTION OF -- MARCH 24<sup>th</sup>. THE OTHER QUESTION OF PUBLIC VERSUS PRIVATE, I KNOW THAT YOU ARE ALL GETTING CAUGHT IN A CHANGE ON WHAT WE ARE SEEING BOTH ON THE COUNCIL BUT BOTH WITH COUNCILMEMBER LEFFINGWELL, COUNCILMEMBER MARTINEZ AND I WHEN WE LED THE OPEN STAKEHOLDER MEETING ON THE P.U.D. PROCESS LAST WEEK, THERE WAS BROUGHT AGREEMENT THAT WE NEED TO BE MOVING AWAY FROM PRIVATE COVENANTS BECAUSE OF THE CONCERNS ABOUT THE ENFORCEABILITY ISSUES. WE SAW THAT THE PRIVATE COVENANTS ISSUE WAS REALLY UNPOPULAR WITH THE HANCOCK, EAST WOODS ON THE CONCORDIA. THERE IS A STRONG DESIRE NOT TO HAVE ANYMORE, THAT WE DON'T WANT TO STICK IT ON NEIGHBORHOODS TO BE THE ONES TO ENFORCE THESE RULES. THAT'S JUST A LITTLE BACKGROUND. I KNOW FROM THE NEIGHBORHOODS ON THAT BECAUSE I THINK THAT'S A FAIR QUESTION. MAYOR, WHAT I WOULD SUGGEST IS THAT WE -- WE POSTPONE THIS UNTIL MAY 24<sup>th</sup>.

THANK YOU, COUNCILMEMBER.

COUNCILMEMBER KIM?

Kim: IS THAT A MOTION, COUNCILMEMBER?

I THINK WE ARE JUST IN THE DISCUSSION.

Mayor Wynn: I WILL CONSIDER THAT A DAIS PROPOSAL. SEE IF THERE'S ANY OBJECTIONS TO THAT.

Kim: MR. METCALF I WANTED TO ASK YOU, WHICH

NEIGHBORHOOD ASSOCIATIONS HAVE YOU MET WITH?  
BECAUSE I UNDERSTAND THERE ARE TWO. AND I'M GETTING  
-- CLEARLY THEIR INTERESTS ARE DIFFERENT. ONE IS  
REALLY CONCERNED ABOUT THE TRAFFIC AND ALSO HABIBI  
AND SOUTH LAMAR CONCERNED ABOUT THE PARKLAND.  
CAN YOU KIND OF RUN DOWN WHAT YOU HAVE DONE IN  
TERMS OF THE TWO I THINK THERE'S CONFUSION AT LEAST  
FROM BARTON OAKS AS TO WHAT YOU ARE PLANNING IN  
THAT DEVELOPMENT [INDISCERNIBLE]

WE HAVE MET WITH THE SOUTH LAMAR NEIGHBORHOOD  
ASSOCIATION FOR THE PAST THREE OR FOUR MONTHS.  
NUMEROUS MEETINGS. WE HAVE MET WITH THE BARTON  
OAKS ASSOCIATION ONCE OR TWICE. THEIR ISSUES JUST  
CAME UP AT ONE OF OUR MEETINGS A MONTH AGO WHEN  
THEY SAID THEY HAVE SOME TRAFFIC CONCERNS. WE HAVE  
BEEN MEETING WITH THEM ABOUT TRAFFIC. WORKING WITH  
THE AUSTIN TRANSPORTATION FOLKS, WE ACTUALLY ARE  
ALREADY PLANNING TRAFFIC IMPROVEMENTS AT THIS  
TRAFFIC. THERE ARE ALREADY TRAFFIC IMPROVEMENTS IN  
THE WORKS THAT ARE GOING TO MAKE THE EXISTING  
SITUATION BETTER. HABIBI'S HUTCH WE HAVE NOT MET  
WITH.

WE ARE GETTING THE LETTERS. I GUESS IT'S UP TO TO TO  
MEET WITH YOU. THEY HAVE A CONTRACT IN TERMS OF  
THEIR LEASE, I WOULD SUGGEST THEM TO DO THAT. TOM  
WAY TO HELP THEM IF THEY ARE MEETING A DEVELOPER,  
THAT'S A PRIVATE CONTRACT. ARE YOU -- ARE YOU WILLING  
TO WORK THINGS OUT WITH BARTON OAKS IN TERMS OF  
LISTENING TO THEIR CONCERNS? AT LEAST LAYING OUT  
WHAT THE PLAN IS? BECAUSE I AM HEARING DIFFERENT  
THINGS FROM THEM. I THINK THEY ARE CONFUSED. THEY  
MAY BE GETTING INFORMATION OTHER THAN THOSE IN THE  
SITUATION.

SURE. I WILL BE HAPPY TO MEET WITH THEM MORE. I THINK  
WE GOT MORE INFORMATION TODAY ABOUT THE TRAFFIC  
IMPROVEMENTS THAT WE ARE PROPOSING AND I THINK THE  
CITY STAFF IS ALREADY PLANNING ON DOING. I THINK THAT  
WILL ALLEVIATE SOME CONCERNS. I DO APPRECIATE YOUR  
RECOMMENDATION OF HABIBI'S HUTCH. WE FOUND THREE  
SITES OF POSSIBILITY THIS WEEK WE ARE GOING TO OR

HAVE PRESENTED TO THEM.

OKAY. THANK YOU.

COUNCILMEMBER MARTINEZ?

Martinez: SOME THOUGHTS COME TO MIND. I'M SUPPORTIVE OF THE POSTPONEMENT. I THINK THE NEIGHBORHOODS WANT TO POSTPONEMENT. I THINK THAT THE APPLICANT IS WILLING TO ACCEPT THE POSTPONEMENT. I GUESSES WHAT RAISES CONCERNS IS THAT WE ARE TALKING ABOUT PRIVATE RESTRICTIVE COVENANT AGREEMENT AND POSSIBLY PUBLIC RESTRICTIVE IMREEMENTS NOW. WE DON'T AND THE STAFF DOESN'T HAVE ANY LANGUAGE. WITH THAT BEING SAID. I WOULD HOPE THAT WE DON'T PUT OUR CITY LEGAL DEPARTMENT AND STAFF UP AGAINST THE 11th HOUR WITH NO LANGUAGE COMING TO TOWN SAYING WE NEED APPROVAL FOR THIS BECAUSE NOW WE ARE GETTING DEADLINES AND WE HAVE NOTHING DRAFTED. I'M HOPING THAT WE DON'T END UP IN THAT SITUATION. I'M NOT SAYING WE WILL.

I DO HAVE SOME LANGUAGE FOR YOU.

GREAT.

Mayor Wynn: HEARING TO POSTPONE THE ACTION OR JUST POSTPONE IT AGAIN -- COWBOY, COUNCIL, WITHOUT OBJECTION OUR PROPOSED CONSENT AGENDA THIS AFTERNOON WILL BE TO POSTPONE ITEM NO. 48 TO MAY 24th, 2007, TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS ITEMS 49, AND 50, TO POSTPONE ITEM 51 TO JUNE 7th, 2007. AND TO POSTPONE ITEM 52 TO MAY 24th, 2007. I'LL ENTERTAIN THAT MOTION. MOTION MADE BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO APPROVE THIS CONSENT AGENDA AS READ.

.....READ.

Dunkerly: MAYOR? ON ITEM 50, WOULD YOU SHOW ME VOTING NO ON THE HISTORIC DESIGNATION FOR THAT BUILDING? IT WAS BUILT ABOUT 1935. OLD ENOUGH, BUT THE



-- PROBABLY AT LEAST 2,000 OTHER STRUCTURES OF THAT SAME VINTAGE, SAME TYPE AND -- AND PEOPLE THAT LIVE THERE WERE -- WERE MAYBE COMFORTABLY WELL OFF, BUT I DON'T THINK PARTICULARLY HISTORIC. EVERY TIME WE DO AN HISTORIC ABATEMENT EVERYBODY IN THE CITY PAYS FOR IT. SO IN THIS COUNTRY I'M GOING TO VOTE NO.

MS. GENTRY, CAN YOU NOTE THAT ON ITEM 50 FOR THE MAYOR PRO TEM. THANK YOU.

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. THANK YOU ALL VERY MUCH. AS A POINT OF PRIVILEGE, WE HAVE A COUPLE OF FIRE CHIEFS IN THE ROOM. I WOULD LIKE TO RECOGNIZE COUNCILMEMBER MARTINEZ.

Martinez: THANK YOU, MAYOR, I WANT TO TAKE A COUPLE OF SECOND. THERE'S A GUEST HERE IN THE ROOM. THE FIRE CHIEF IS ACTUALLY TITLED A CAPTAIN IN THE SALT SALTILLO FIRE DEPARTMENT IN MEXICO. HE SERVES SALTILLO, A CITY COMPARABLE TO THE SIZE OF AUSTIN. IF YOU TRULY LINE US UP IN COMPARISON, THE POPULATION IS ABOUT THE SAME, BUT WE HAVE 43 FIRE STATIONS HERE? 44 FIRE STATIONS HERE AND THEY HAVE FIVE. FIRE STATIONS IN SALTILLO. AND WILFORD..... WE HAVE ABOUT 1100 FIREFIGHTERS, THEY HAVE ABOUT 70. BUT THE REASON HE'S HERE TODAY IS BECAUSE IN 2001 THE TEXAS -- THE VOTERS OF THE STATE OF TEXAS PASSED A CONSTITUTIONAL AMENDMENT ALLOWING MUNICIPALITIES TO OFFER FIRST RIGHT OF REFUSAL ANY EXCESS SURPLUS EQUIPMENT THAT'S GOING TO AUCTION AT THE TIME TO NOW BE OFFERED TO -- TO UNDERDEVELOPED COUNTRIES SUCH AS MEXICO. AND SO SINCE THAT TIME, WE HAVE ENTERED INTO EXCHANGE PROGRAMS, WE HAVE SOLD SURPLUS EQUIPMENT TO THEM. CITY MANAGER AND HER STAFF IN 2002 IMPLEMENT A POLICY THAT WE... WE NO LONGER SEND THINGS TO AUCTION UNTIL WE OFFER IT TO -- TO OUR SISTER CITY AND OTHER CITIES FOR THAT MATTER TO SEE IF SOMETHING WE CAN USE. WE STILL MAKE THE SAME TYPE

OF REMEDY AS WE DO AT AUCTION, JUST OFFERING IT TO A DIFFERENT ENTITY FIRST THAT MAY NEED IT MORE THAN OTHER FOLKS. SO THE CAPTAIN IS HERE TODAY. HE HAS PURCHASED MULTIPLE APPARATUSES, I BELIEVE TWO LADDER TRUCKS, PUMPERS AND A RESCUE TRUCK. BUT I WANT TO INTRODUCE THE CHIEF J.J. HERE, ASK HIM TO SAY A FEW WORDS, ACKNOWLEDGE THIS WONDERFUL EXCHANGE PROGRAM, THE BENEFITS THAT IT'S HAVING FOR THE CITY OF SALTILLO.

GOOD AFTERNOON, MAYOR AND COUNCIL. ONE OF THE NICE THINGS THAT -- THAT I LEARNED AFTER I ARRIVED HERE IS OUR RELATIONSHIP WITH OUR SISTER CITY, SALTILLO, ESPECIALLY IN THE FIRE SERVICE. THEY HAVE BEEN VERY GRACIOUS TO US WHEN WE HAVE SEPTEMBER INSTRUCT.....SENT -- WE HAVESENT INSTRUCTORS DOWN THERE. THEY BROUGHT GROUPS OF FIREFIGHTERS UP HERE. WE HAVE A NUMBER OF BILINGUAL FIREFIGHTERS THAT ARE ABLE TO PROVIDE THE TRAINING. I HAVE SAT IN AND LISTENED, VERY WELL PUT ON, PROFESSIONAL, JOINING US ALSO STEVEN KUSDALE, PRESIDENT OF THE LOCAL FIREFIGHTERS ASSOCIATION, STEVEN IS FUN OF THE BILINGUAL INSTRUCTORS, HE'S GOING DOWN TO MEXICO TO PUT ON SOME TRAINING. SO -- SO I WOULD LIKE TO INTRODUCE MAYOR, COUNCIL, [SPEAKING IN SPANISH] MAYOR, COUNCIL, I WOULD LIKE TO INTRODUCE THE CHIEF HERE WITH US TODAY.

Mayor Wynn: PLEASE JOIN ME IN WELCOMING OUR VISITING CHIEF.

THANK YOU. [ APPLAUSE ]

[SPEAKING IN SPANISH] [SPEAKING IN SPANISH] [ APPLAUSE ]

MAYOR, THE CHIEF WANTS TO SEND REGARDS FROM THE MAYOR OF SALTILLO AND THE GROUP THERE AND ALSO THANK YOU ALL VERY MUCH FOR ALL THAT -- ALL THAT THE CITY OF AUSTIN HAS DONE TO HELP OUR SISTER CITY IN SALTILLO. SO THANK YOU VERY MUCH.

THANK YOU, CHIEF. OKAY. SO MR. GUERNSEY, WELCOME BACK. WE HAVE COUNTRY DISCUSSION, I BELIEVE, ITEM NO.

53.

THAT'S CORRECT, IT'S CASE C 14-07-0013 THE CASWELL LOTS OF FOR THE PROPERTY LOCATED AT 2205 NORTH LAMAR BOULEVARD AND 2209 SHOAL CREEK BOULEVARD. THIS IS A REZONING REQUEST FROM GO-MU-CO-NP WHICH STANDS FOR GENERAL OFFICE MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLANNING COMBINING DISTRICT ZONING TO THAT SAME DISTRICT IN ORDER TO CHANGE SOME OF THE CONDITIONS OF THE ZONING. THE PLANNING COMMISSION MADE A RECOMMENDATION TO UNANIMOUSLY PRAISE THE CHANGE AS RECOMMENDED BY THE STAFF. THE PROPERTY IS APPROXIMATELY 1.38 ACRES, CURRENTLY BEING DEVELOPED WITH A RESIDENTIAL PROPERTY THAT'S CURRENTLY UNDER CONSTRUCTION. DURING THE PROCESS OF CONSTRUCTION IT WAS DETERMINED THAT A PORTION OR SOME OF THE BUILDINGS WERE EXCEEDING THE HEIGHT. IN ADDITION THERE WAS SOME SQUARE FOOTAGE WITHIN THE BUILDINGS THAT THEY WERE LIMITED TO BY THE ORIGINAL ZONING ORDINANCE THAT WAS DONE IN CONJUNCTION WITH THE NEIGHBORHOOD PLAN FOR THIS AREA THAT WERE SLIGHTLY LARGER. SO THE REQUEST ON THE TWO TRACTS OF LAND, TRACT ONE AND TRACT TWO WOULD BE TO INCREASE THE SIZE OF THE RESIDENTIAL UNITS BY APPROXIMATELY 85 FEET FROM 1200 SQUARE FEET TO 1285 SQUARE FEET. AND THEN FOR TRACT 1 TO INCREASE THE HEIGHT ON TRACT 1 FROM A HEIGHT OF 570 FEET TO 575 FEET. ON TRACT 2 THE REQUEST WOULD BE THAT THE HEIGHT WOULD NOT EXCEED 570 FEET, SLIGHTLY LESS THAN WHAT WAS ORIGINALLY APPROVED. WE HAVE RECEIVED A PETITION THAT WAS IN OPPOSITION TO THE REQUEST. IT'S NOT A VALID PETITION BUT STANDS AT APPROXIMATELY 13%. THERE'S A LOT OF HISTORY TO THIS CASE AND WE HAVE SOME NEIGHBORHOOD SUPPORT AND WE HAVE SOME NEIGHBORHOOD OPPOSITION. I WOULD PROBABLY LET BOTH PARTIES EXPLAIN THEIR SUPPORT IN OPPOSITION TO THIS PARTICULAR REQUEST. I THINK THAT I WILL PAUSE AT SOME POINT. IF YOU HAVE ANY QUESTIONS I WILL BE HAPPY TO TRY TO ANSWER THEM AT THIS TIME.

THANK YOU STAFF, QUESTIONS, COUNCIL?

IF NOT, REMIND ME THIS IS OUR FIRST PUBLIC HEARING ON

THIS CASE, RIGHT?

THAT'S CORRECT.

OKAY. WITH THAT WE WILL HAVE OUR APPLICANT AGENT PRESENTATION, WE THEN FOLLOW THAT UP, WE SET THE CLOCK FOR FIVE MINUTES. FOLLOW THAT UP FOR FOLKS WHO WANT TO SUPPORT THE ZONING CASE 3 MINUTES A CLICK. THEN WE WILL HEAR FROM FOLKS IN OPPOSITION, WE HAVE A BUNCH OF PEOPLE SIGNED UP NOT WISHING TO SPEAK, I THINK THE VAST MAJORITY OF THOSE, ALL OF THOSE ARE IN FAVOR BUT NOT WISHING TO SPEAK. THEN THE APPLICANT AND/OR THEIR AGENT WILL HAVE A REBUTTAL TIME. SO WE WILL SET THE CLOCK AT FIVE MINUTES AND WELCOME MR. DAVID HARTMAN.

THANK YOU, MAYOR AND COUNCIL. MY NAME IS DAVID HARTMAN, AN ATTORNEY WITH THE SMITH ROBERTSON LAW FIRM, REPRESENTATIVE OF THE APPLICANT CASWELL CENTRAL PERIOD OF TIMENERS WHO IS DEVELOPING CASWELL LOFTS. WHAT YOU WILL SEE IS BOUNDED AT THE NORTH BY CASWELL TENNIS COURT, LEFT -- WEST BY PEASE PARK, OFFICE CONDOMINIUMS ON THE SOUTH, RESIDENTIAL ON A BLOCK ABOVE IT ON THE EAST. THE SITE PLAN BASICALLY SHOWS THE PRIMARY BUILDING IN QUESTION, BUILDING C, WHICH HAS SEVERAL UNITS, 42 UNIT CONDO PROJECT. IN ESSENCE THE APPLICABLE TIME LINE QUITE FRANKLY STARTS IN 2002 AND COUNCIL DIRECTED DEVELOPMENT OF ITS CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN WHICH IS ADOPTED 2004 AND THAT FIRST BULLET POINT KIND OF DESCRIBES IF THERE WERE EXTENSIVE -- HAD THAT PLAN REZONED THIS PROPERTY, THE SUBJECT TRACT, THEIR EXTENSIVE PRIVATE RESTRICTIVE COVENANTS WHAT THE WEST UNIVERSITY NEIGHBORHOOD ASSOCIATION NOW CASWELL HEIGHTS NEIGHBORHOOD ASSOCIATION, THEY BASICALLY THE TWO APPLICABLE PRIVATE RESTRICTIVE COVENANTS LIMITED HEIGHT TO -- ALONG THE EAST TO 570 FEET MEAN SEA LEVEL, THE REST 578 FEET ALONG LAMAR. THAT'S AN ABSOLUTE GROUND LEVEL ABOUT 40 FEET HIGH, ABOUT THE SAME AS ANY SINGLE FAMILY RESIDENTIAL PROJECT. LARGEST UNIT SIZE THERE ARE 12 THAT'S 1200 SQUARE FEET, OTHER REAL DETAILED RESTRICTIVE COVENANTS

THAT PROHIBIT MECHANICAL EQUIPMENT ON THE TOP, NOISE RESTRICTIONS ET CETERA. BASICALLY KIND OF EXCUSE ME FAST FORWARD TO ABOUT MIDDLE WAY TOWARDS THE BOTTOM OF THAT TO LATE OCTOBER, NOVEMBER, DECEMBER, BROUGHT TO OUR ATTENTION THAT BUILDING C MIGHT BE BUILT A LITTLE BIT TOO HIGH. SURE ENOUGH WE STOPPED, VOLUNTARILY STOPPED CONSTRUCTION, DID SURVEY THAT STRUCTURE, SURE ENOUGH IT WAS FOUR FEET. BUILDING C WAS FOUR FEET TOO HIGH. WE OFFERED AT THAT POINT IN TIME, I THINK IT'S IMPORTANT TO FOCUS IN ON THAT, WE OFFERED TO PULL THAT BUILDING DOWN, WOULD HAVE COST US A LOT OF TIME AND MONEY TO DO THAT. THE NEIGHBORHOOD CASWELL HEIGHTS NEIGHBORHOOD ASSOCIATION TALKED AMONGST THEMSELVES, CAME BACK WITH WHAT PEOPLE BELIEVED TO BE A WIN-WIN SITUATION. LET'S LEAVE THE STRUCTURE WHERE IT'S AT, AMELIORATE ANY POSSIBLE NEXT ACTIVE EFFECT TO ADJACENT RESIDENTS BY ENHANCING BUFFERING ET CETERA. IN DECEMBER THAT NEIGHBORHOOD ASSOCIATION TOOK A VOTE ON THE BUSINESS POINTS, TOOK US UNTIL EARLIER THIS YEAR TO ACTUALLY BOIL THAT DOWN INTO AN AGREEMENT AND SIGNED AND RECORDED AGAINST THE PROPERTY. WE FILED THIS ZONING CASE TO BAICHLGLY MODIFY THE TWO GOT STANDARDS THAT WERE IN THAT -- THE NEIGHBORHOOD PLAN TO MODIFY BASICALLY THE HEIGHT AND THE RESIDENTIAL UNIT SIZE. THE 2007 AGREEMENT THAT'S BEING TALKED ABOUT RIGHT NOW BASICALLY LOWERS HEIGHT ALONG LAMAR AT DOWN ZONES TO 570 SQUARE FOOT AND ALONG THAT BUILDING C TO GO TO 575 SQUARE FOOT AND HAS, YOU KNOW, BASICALLY SOME GOOD LANDSCAPING AND OTHER GOOD MITIGATIVE EFFECTS OF BUILDING C BASICALLY. OTHER DEVELOPMENTS, IMPORTANT STATISTICS I THINK WORTH NOTING IS THAT THE WHOLE PROJECT IS BASICALLY WELL WITHIN OTHER DEVELOPMENT STANDARD, FAR, PARKING, IMPERVIOUS COVER. I HAVE GOT A HAPPENEDFUL OF SLIDE, WE WILL SHOW YOU FOR EXAMPLE THIS ONE, WHICH IS THE WEST END OF 22 AND A HALF STREET, GIVES YOU AN IDEA OF THE PROJECT RIGHT NOW. WE HAVE A COUPLE MORE WE CAN COME BACK TO IT IF YOU WANT TO. THIS I THINK IS IMPORTANT TO SHOW THAT IN ESSENCE IT HAS QUITE A BIT OF DRAMATIC DROP AS YOU

MOVE ALONG THAT BLUFF. IT'S ALSO REFLECTED ON THE SITE ON THE PROJECT ITSELF. THIS IS AN ADJACENT OFFICE CONDO PROJECT THAT IS CURRENTLY EXISTING ON THE SITE. AND THEN WE ARE BASICALLY THIS GIVES A COUPLE THE SHOTS THAT SHOWS THE LANDSCAPE BUFFERING THAT IS BEING AGREED TO DO ALONG THE PROJECT PERIMETER OF THAT BUILDING C. PARTICULARLY. YOU WILL SEE REAL GOOD BUFFERING ADJACENT TO THERE. AND THEN BASICALLY IT'S SOME GOOD LOOKING BAMBOO STRUCTURES, BAMBOO PLANTS AS WELL AS OTHERS. YOU CAN SEE FROM A VISUAL STANDPOINT BASICALLY WHATEVER IMPACT THERE MAY BE IS NEGATED AND THEN FINALLY THE ISSUE WITH RESPECT TO THE 12 UNITS THAT HAVE A PREVIOUSLY HAD A 1200 SQUARE FOOT UNIT SIZE MAXIMUM, WE HAVE MOVED THAT LANDING FORWARD THAT YOU CAN SEE ON THAT SECOND FLOOR THERE TO COMPORT WITH A BEAM STRUCTURE THERE, AND THERE'S -- BASICALLY THE WAY THAT THE CITY MEASURES THAT NOW WINDS UP NEEDING AN ADDITIONAL 85 SQUARE FOOT. THERE'S NO CHAIRCHG IN THE EXTERIOR IN IT OR ANYTHING LIKE THAT. THERE ARE SEVERAL REASONS TO SUPPORT THE ZONING CASE. NUMBER ONE IS THE DEVELOPER'S HISTORY OF WORKING WITH THE WEST UNIVERSITY NEIGHBORHOOD PLAN. I WILL COMPLETE BY SAYING THAT THE DEVELOPER, THIS PLAN ACTUALLY CALLED OUT CASWELL HEIGHTS AS ONE OF THE GROUPS INTS..... INTIMATELY INVOLVED. [INDISCERNIBLE] WEST UNIVERSITY IS GETTING INVOLVED. THERE'S A DETAILED AGREEMENT..... AGREEMENT. SCREENING AND LANDSCAPING AND ALLOWS THE PROJECT THAT IS BASICALLY THE RIGHT PROJECT AT THE RIGHT PLACE AT THE SAME TIME TO MOVE FORWARD. WE APPRECIATE IT. HAPPY TO ANSWER ANY QUESTION GOES.

THANK YOU, QUESTIONS FOR THE AGENT.

COUNCIL? GOOD NOT WE WILL GO TO FOLKS WHO SIGNED UP WHO WISH TO TESTIFY IN FAVOR OF THE ZONING CASE. WE WILL HEAR FROM FOLKS IN OPPOSITION. FIRST SPEAKER IN FAVOR IS JIM [INDISCERNIBLE] SO UP TO SIX MINUTES IF YOU NEED IT.

GOOD AFTERNOON, MAYOR AND COUNCIL. MY NAME IS JIM DAMRON, WITH CASWELL HEIGHTS NEIGHBORHOOD

ASSOCIATION AND I HAVE BEEN I HAVE BEEN THE PRIMARY CONTACT, GOING BACK ALL THE WAY TO THE ORIGINAL NEIGHBORHOOD PLAN, AT WHICH TIME THEIR ZONING CHANGE TOOK PLACE AND AT WHICH TIME WE WORKED OUT A RESTRICTIVE COVENANT THAT CONTROLS SOME ASPECTS OF THE DEVELOPMENT THAT WE THOUGHT WERE IMPORTANT TO THE NEIGHBORHOOD. WHEN THIS PARTICULAR PROBLEM AROSE BACK IN OCTOBER OF LAST YEAR, WE WERE LOOKING AT -- AN EXCESS HEIGHT ON THAT PROJECT OF ANYWHERE FROM FIVE TO 10 FEET. THIS WAS A RESULT IN MY ESTIMATION OF JUST SOME ERRORS THAT WERE MADE. I THINK SOMETIMES PEOPLE THINK DEVELOPERS NEVER MAKE MISTAKES, THAT EVERYTHING THEY DO IS ON -- ON PURPOSE. I DO NOT BELIEVE THAT TO BE THE CASE HERE. I THINK THESE WERE GENUINE MISTAKES MADE BY THESE FOLKS AND WE SET OUT WITH THAT IDEA IN MIND TO COME UP WITH A SOLUTION THAT WAS THE LEAST DAMAGING TO EVERYBODY INVOLVED. I THINK WE DID THAT WITH THE AGREEMENT THAT WE CAME UP WITH. WE PROVIDED THE NEIGHBORHOOD WITH A LANDSCAPING BUFFER FAR SUPERIOR TO ANYTHING THAT WE HAD IN THE ORIGINAL AGREEMENT. A LANDSCAPING BUFFER THAT I THINK WILL BLOCK ALL OF THIS HEIGHT OUT, REGARDLESS OF WHETHER ITS FIVE OR 10 FEET TOO HIGH, WHATEVER IT IS. WE HAVE COME UP WITH AN AGREEMENT IN THIS INSTANCE, I THINK, THAT I CAN TELL YOU IS BETTER THAN THE ORIGINAL AGREEMENT THAT WE HAD ASSUMING THAT THESE FOLKS HAD COMPLIED WITH IT EXACTLY..... EXACTLY. I'M NOT SURE HOW OPPOSITION HAS DEVELOPED AGAINST THIS TYPE OF PROPOSAL. WE HAVE WORKED WELL ALL ALONG, WITH AN AGREEMENT THAT BENEFITS THE NEIGHBORHOOD, BENEFITS THE PROJECT. NO DOWN SIDE REALLY FOR ANY NEIGHBOR. IT HAS NO DOWN SIDE FOR THE PUBLIC INTEREST. WE ARE HERE SUPPORTING THIS AGREEMENT TODAY. WE WOULD POINT OUT ONCE AGAIN AS WE DID AT THE PLANNING COMMISSION THAT A VOTE WAS TAKEN ON THIS PROPOSAL IN DECEMBER, BOTH AT A MEETING OF NEIGHBORS, BY INDIVIDUAL E-MAILS AND SIGNATURES, THE VOTE WAS 29 TO 5 IN FAVOR OF THIS PROPOSAL. AND IT WAS ONLY AFTER WE SUBMITTED THAT ROAM TO THE LAWYERS TO -- THAT PROPOSAL TO THE LAWYERS TO WORK OUT THE DETAILS OF THE AGREEMENT,

SPENT THOUSANDS OF DOLLARS IN LEGAL TIME AND MUCH OF OUR OWN PERSONAL TIME IN PUTTING THIS AGREEMENT TOGETHER AND GETTING IT SIGNED THAT WE DISCOVERED THAT THERE WAS A MAJOR OPPOSITION TO -- TO THE AGREEMENT AND THE OPPOSITION AROSE IN CONNECTION WITH THIS PARTICULAR APPLICATION FOR THE FIRST TIME. ALL THIS APPLICATION DOES IS INCORPORATE THE CHANGES THAT WE MADE IN THE AGREEMENT INTO THE CONDITIONAL OVERLAY AND MANY OF YOU MAY RECALL THAT THE CONDITIONAL OVERLAY WAS ORIGINALLY ESTABLISHED IN ORDER TO SUPPORT THE ORIGINAL RESTRICTIVE COVENANT AGREEMENT. SO -- SO WHAT WE'RE TALKING ABOUT HERE IS A RELATIVELY MINOR CHANGE IN A RESTRICTIVE COVENANT, ONE THAT WORKS TO THE BENEFIT OF EVERYBODY. ONE THAT HAS BEEN SUPPORTED BY A VOTE OF THE NEIGHBORS AND ONE WHICH ALSO I WILL ADD WE HAVE 59 SIGNATURES FOR PEOPLE IN THE NEIGHBORHOOD SEPARATE AND APART FROM THAT VOTE WHICH I WILL INTRODUCE INTO THE RECORD OF PEOPLE IN THAT NEIGHBORHOOD WHO FAVOR THIS PROPOSAL. THANK YOU VERY MUCH. QUESTIONS? IF NOT WE WILL HEAR FROM BARBARA BRIDGES. WHO WILL BE FOLLOWED BY MEREDITH MAYCOTI.

I'M BARBARA BRIDGES. I HAVE BEEN HEAD OF THE CASWELL HEIGHTS NEIGHBORHOOD ASSOCIATION FROM WEST UNIVERSITY NEIGHBORHOOD ASSOCIATION FOR THE PAST 21 YEARS. YOU WILL BE HAPPY TO KNOW I WON'T TAKE ALL THREE MINUTES TO GET THROUGH THIS. WE VOTED ON THIS TO SUPPORT THIS CHANGE. THE SAME WAY THAT WE HAVE BEEN VOTING FOR THE LAST 21 YEARS ON EVERYTHING THAT WE HAVE DONE IN OUR NEIGHBORHOOD. WE DO TAKE E-MAILS. WE -- PEOPLE PHONE IN IF THEY CAN'T COME. WE HAVE THEM SIGN AFFIDAVITS IF THEY WANT TO VOTE, IF THEY CAN'T MAKE THE MEETING BECAUSE WE WANT TO BE AS INCLUSIVE AS WE CAN IN OUR NEIGHBORHOOD. EVERYBODY CAN'T ALWAYS MAKE THE MEETINGS. I DO HOPE THAT YOU WILL SUPPORT THIS REQUEST. WE HAVE BEEN DISCUSSING CASWELL LOTS OF FOR AN AWFUL LONG TIME IN OUR NEIGHBORHOOD. WE HAVE WORKED VERY CLOSELY WITH THE DEVELOPERS HERE. AND IF I LEARN OWED OWE I DO THINK THAT WE HAVE COME OUT SORT OF AHEAD. I'M



REALLY SORRY IT WENT ABOVE THE BLUFF AND I'M SORRY THAT IT'S SORT OF BEEN -- CAUSED A RIFT IN OUR NEIGHBORHOOD. BUT I DO THINK THAT LOOKING AT A GREEN LANDSCAPE AT THE END OF OUR STREETS IS GOING TO BE A LOT BETTER THAN LOOKING DOWN ON THE ROOFS OF THE DEVELOPMENT AS WE WOULD BE DOING IF THEY HAD BUILT AS WE ORIGINALLY PLANNED FOR THEM TO BUILD. I HAVE BEEN THROUGH HUNDREDS OF HOURS NOW WITH THE PLAN AND COMING TO COUNCIL ON AND OFF. I THINK THAT I HAVE LEARNED SOMETHING FROM IT. THAT IS IF YOU CAN POSSIBLY GET TOGETHER WITH THE DEVELOPER AND THE NEIGHBORHOOD AND COME UP WITH SOME SORT OF A WIN-WIN SITUATION, AS I THINK THIS IS, IT'S BETTER THAN ABSOLUTELY REFUSING TO DEAL WITH THE DEVELOPERS AND NOT TRYING TO COME UP TO SOME SORT OF AN AGREEMENT. I THINK HERE WE HAVE COME TO AN AGREEMENT THAT ACTUALLY ENDS UP BENEFITING THE NEIGHBORHOOD. I DO HOPE THAT YOU WILL VOTE FOR THIS. THANK YOU.

THANK YOU, MS. BRIDGES. BETWEEN THE TWO OF YOU, ONLY THREE MINUTES. FOLLOWED BY MATTHEW [INDISCERNIBLE]

OKAY. MY NAME IS MEREDITH MAYCOT. I'M THE NEXT DOOR NEIGHBOR TO THE CASWELL LOTS OF. I HAVE ABOUT 250 FEET OF SHARE PROPERTY LINE MY HOUSE IS THE MOST AFFECTED HOUSE BY THE PROJECT. I WANTED TO LET YOU KNOW THAT I'M IN FAVOR OF THE ZONING CHANGE. I DO BELIEVE THIS IS AN EXAMPLE OF A REAL LIFE SITUATION WHERE MISTAKES WERE MADE AND THE NEIGHBORHOOD ASSOCIATION AND DEVELOPERS WORKED TOGETHER TO FINISHED A COMPROMISE WHERE EVERYONE WINS. MY NEIGHBORS AND I HAVE TOLERATED THE INCONVENIENCES OF INSTRUCTION FOR OVER A YEAR AND A HALF. THIS DISPUTE HAS NOW CAUSED ADDITIONAL DELAYS OF ABOUT SIX MONTHS. PLEASE VOTE TO CHANGE THE ZONING AND LET THE PROJECT BE COMPLETED SO THAT WE CAN GO ON WITH NORMAL LIFE AND HOPEFULLY GET SOME GREAT NEW NEIGHBORS ACTUALLY LIVING IN THE CASWELL LOTS OF. THANKS. [BABY MAKES NOISE] [LAUGHTER]

THAT WAS A SECOND.

Mayor Wynn: THOSE WERE THE FOLKS IN FAVOR. NOW WE GO TO SPEAKER IN OPPOSITION. MATTHEW I'M SORRY IF I MISPRONOUNCED THAT. A HANDFUL OF FOLKS WANT TO DONATE THEIR TIME. OUR RULES ARE THAT THEY NEED TO BE PRESENT IN THE CHAMBER TO DO SO. IS RONALDABLY HERE? PAUL MITCHELL? PEOPLE ALTHOUGH. ALFRED NOWELL. UP TO 12 MINUTES IF YOU NEED IT.

OKAY, THANK YOU. GOOD EVENING, MAYOR AND CITY COUNCIL. I HAVE ALREADY BEEN INTRODUCED, I LIVE IN THE WEST UNIVERSITY NEIGHBORHOOD, LESS THAN 200 FEET FROM CASWELL LOTS OF. I WOULD LIKE TO BEGIN TONIGHT BY ADDRESSING A COMMENT THAT WAS MADE DURING THE CITY COUNCIL MEETING TWO WEEKS AGO WHEN WE ASKED FOR A POSTPONEMENT. SOMEONE CALLED THOSE OF US WHO ARE OPPOSED TO THE ZONING CHANGE ONE OR TWO DISGRUNTLED NEIGHBORS. THIS IS NOT THE TRUTH. IN FACT THIS IS A MAP OF OUR NEIGHBORHOOD. THE YELLOW BLOCK IS THE CASWELL DEVELOPMENT. EVERY OWNER OCCUPIED HOME AND EVERY LONG TERM NEIGHBORHOOD IN IS REPRESENTED BY A COLOR. RED IS AGAINST, GREEN IS FOR THE ZONING CHANGE, AND GRAY IS EITHER RING KNOWN OR UNDECIDED. AS YOU CAN SEE THE MAJORITY OF OWNER OCCUPIED HOMES AND LONG-TERM RENTERS OPPOSE THE ZONING CHANGE. WE ARE HERE TODAY BECAUSE A SERIES OF MISTAKES CREATED A SITUATION WE THINK IS UNACCEPTABLE. WHEN THE DEVELOPER ASKED FOR A MASSIVE UPZONING FROM SF 3 TO GO-MU-CO-NP THE NEIGHBORHOOD SUPPORTED HIS REQUEST BECAUSE IN TURN WE RECEIVED A GUARANTEE AMONG OTHER THINGS ON THE HEIGHT OF THE DEVELOPMENT. THE IMAWRN TEE WAS IN THE FORM OF A CONDITIONAL OVERLAY AND A CITY ORDINANCE. THIS DIAGRAM REPRESENTS WHAT WAS PROMISED. A -- THE FIGURE ON THE BLUFF IS A SIX FOOT MAN. HISTORICALLY WE HAVE RELIED UPON THE BLUFF TO STRAIGHT OUR NEIGHBORHOOD FROM ANY DEVELOPMENT DOWN ON LAMAR. WE WERE TOLD BY THE DEVELOPER THAT WE WOULD HAVE TWO FOOT BUFFER BETWEEN THE TOP OF THE DEVELOPMENT AND THE BLUFF LINE. THE DEVELOPER TOLD US THAT THE BLUFF LINE WAS 572 FEET ABOVE MEAN SEA LEVEL. TAKE THEIR SITE PLAN WOULD HAVE THEM

BUILD ABOVE [INDISCERNIBLE], AGAIN THIS MEANT THAT WE WOULD HAVE A TWO FOOT BUFFER. DIAGRAM TWO SHOWS THE FIRST MISTAKE. TURNS OUT THAT THE BLUFF LINE IS NOT 572 FEET BUT 564 FEET. ABOVE MEAN SEA LEVEL. THIS IS AN 8-FOOT SWING. INSTEAD OF OUR NEIGHBORHOOD HAVING A TWO FOOT BUFFER WE FOR YOU HAVE A BUILDING THAT IS 6 FEET OVER THE BLUFF. AT THIS POINT THE DEVELOPER MADE HIS SECOND MISTAKE, AND SUBMITTED A SITE PLAN TO BUILD UP TO 574 FEET. ABOVE MEAN SEA LEVEL. THE CITY MADE THE THIRD MISTAKE WHEN IT FAILED TO CATCH THE ERROR. AND APPROVED THE SITE PLAN. DIAGRAM 3 SHOWS THE RESULT OF THIS SERIES OF MISTAKES. NOW INSTEAD OF HAVING A TWO FOOT BUFFER THE NEIGHBORHOOD HAS A BUILDING THAT SITS NEAR 10 FEET OVER THE BLUFF. THIS IS A 12-FOOT DIFFERENCE OVER WHAT WAS PROMISED. OR EQUIVALENT TO ONE STORY. IT DOESN'T END HERE, THOUGH, THIS IS WHAT IT ACTUALLY LOOKS LIKE. IT DOESN'T END HERE, THOUGH. THE DEVELOPER'S FAILURE TO DELIVER ON WHAT WAS PROMISED US IS NOT RESTRICTED TO THE BUILDING HEIGHT. ITEM NO. 1 IS SUPPOSED TO BE TWO FEET BELOW THE BLUFF, WHEN ACTUALLY THE TOP OF THE BUILDING IS ALMOST 10 FEET ABOVE THE BLUFF. WINDOWS ON THE EAST SIDE WERE SUPPOSED TO BE NO BIGGER THAN WHAT WAS REQUIRED BY CODE. THERE ARE NOW SLIDING GLASS DOORS AND LARGE WINDOWS ON THE EAST SIDE. THIS IS GOING TO CREATE NOISE PROBLEMS. THE VEGETATIVE BARRIER BETWEEN THE DEVELOPMENT AND OUR NEIGHBORHOOD WAS SUPPOSED TO BE 25 FEET UNTOUCHED. THE 25-FOOT BARRIER HAS BEEN TRIMMED BACK AND THE SCREEN HAS BEEN THINNED. SO WHEN THEY SAY THEY ARE COMING UP WITH ADDITIONAL LANDSCAPING, THAT IS DUE IN PART TO SOMETHING, A MISTAKE OF THEIRS. THEN WE WERE TOLD THAT THERE WERE ONLY SUPPOSED TO BE ONE BEDROOM UNITS IN THIS COMPLEX. RIGHT NOW THERE ARE 10, TWO-BEDROOM UNITS ADVERTISED ON VARIOUS SITES, INCLUDING THE CASWELL LOFT SITE ITSELF. WE WERE TOLD THAT THERE WERE GOING TO BE NO UNITS ABOVE 1200 SQUARE FEET. THERE ARE NOW 12 UNITS THAT ARE GOING TO BE OVER 1200 SQUARE FEET. THESE ARE THE WINDOWS ON THE EAST SLIDE IN THE SLIDING GLASS DOORS. HERE ARE THE REAL ESTATE WEBSITES. WE

THOUGHT AT FIRST IT MUST BE A MISTAKE, TWO BEDROOMS ON THERE TWICE. HERE'S ANOTHER ONE, TWO BEDROOMS AGAIN. THEN WE WENT TO THE CASWELL LOFT WEBSITES ITSELF. WE FIGURED MAYBE THE REAL ESTATE GUYS GOT IT WRONG. THERE IT IS ON THE CASWELL LOTS OF WEBSITE. SO THIS IS NOT A SINGLE MISTAKE, BUT A PATTERN OF MISTAKES WHERE EACH TIME THE DEVELOPER HAS COME OUT AHEAD..... AHEAD. WE UNDERSTAND THIS DEVELOPER IS IN GOOD STANDING WITH THE CITY, BUT THAT DOESN'T MEAN HE SHOULD HAVE A BLANK CHECK TO DO WHAT HE WANTS IN OUR NEIGHBORHOOD. THERE ARE TOO MANY MISTAKES HERE TO OVERLOOK. YOU CAN SEE THAT THE OTHER ITEMS ON THIS LIST WHICH I SHOWED YOU WE ARE CONCERNED ABOUT, BUT NOT COUNTING ON THESE THINGS TO HAPPEN BECAUSE OF HIS REPEATED FAILURE TO DELIVER ON ALL OF THE OTHER THINGS. BUT BACK TO THE BUILDING HEIGHT. WITHIN THE CONTEXT OF THE CONSTRUCTION THAT'S HAPPENING IN AUSTIN RIGHT NOW, WE UNDERSTAND THAT THE BUILDING IS POPPED UP 10 FEET OVER THE BLUFF. IT IS NOT AS EGREGIOUS OF AN ERROR OF OTHER INFRACTIONS, BUT IN THE CONTEXT OF OUR NEIGHBORHOOD IT'S A HUGE INFRACTION. THE BUILDING HEIGHT AND -- IN RESPECT TO THE BLUFF LINE WAS THE NUMBER ONE TALKING POINT AND THE NUMBER ONE NEGOTIATING POINT OF EVERY CONVERSATION IN EVERY MEETING HAD THE BLUFF. SEVEN YEARS AGO WE WENT THROUGH THE LONG ARDUOUS PROCESS OF THE UNIVERSITY NEIGHBORHOOD OVERLAY AND THE OVERPLAN AS DID YOU. WE AGREED TO THE MASSIVE HEIGHT ON THE OTHER SIDE OF SAN GABRIEL AND OTHER SIDE OF 24 FEET FOR GURN TEES THAT HEIGHT RESTRICTIONS IN OUR NEIGHBORHOOD WOULD BE RESPECTED. WE FEEL THE PROCESS OF -- MUCH NEIGHBORHOOD PLANNING RESULTING IN THAT PROCESS SHOULD BE RESPECTED. WE WORKED THOORD GET THIS CONDITIONAL OVERLAY ON THIS PROPERTY. THE DEVELOPER KNEW OF THE HEIGHT LIMITATIONS BEFORE HE BROKE GROUNDS. THE MAYOR AND CITY COUNCIL THE FIRST TWO MEETINGS IN OUR NEIGHBORHOOD HAD CENTRAL PARTNERS IN MY HOME. WE ARE NOT LATE TO THE PARTY. WE HAVE TRUSTED THESE PEOPLE. WE HAVE TRUSTED THAT THEY WOULD DELIVER ON WHAT WAS

PROMISED. WE WERE DISPLACED FROM THE NEGOTIATING TABLE WHEN A SMALL HANDFUL OF PEOPLE SPLIT OFF FROM THE NEIGHBORHOOD, INCORPORATED THEMSELVES AND NEGOTIATED WITH THE DEVELOPER FOR THE SETTLEMENT FOLLOWING THE BREAKING OF THE CONDITIONAL OVERLAY. WE ARE NOT UNREASONABLE. THE DEVELOPER IS ASKING FOR 12 UNITS TO BE INCREASED IN SQUARE FOOTAGE. WE DO NOT OPPOSE THIS REQUEST. IF THE ZONING CHANGE IS GRANTED WE ARE CONCERNED ABOUT THE PRECEDENCE THAT WILL BE SET NOT JUST FOR OUR NEIGHBORHOOD BUT FOR OTHER NEIGHBORHOODS AS WELL. CONSTRUCTION CAN BE VIEWED AS A ONE-WAY STREET. DEVELOPERS CAN BE CONFIDENT THAT ONCE THEY PUT SOMETHING UP THAT THEY WON'T BE FORCED TO TAKE IT DOWN. DEVELOPERS WILL HAVE TO -- WILL NOT HAVE TO RESPECT CONDITIONAL OVERLAYS, CITY ORDINANCES, IF THEY CAN FIND A SMALL SEGMENT OF THE NEIGHBORHOOD THAT'S SYMPATHETIC TO THE PRIVATE AND IF A DEVELOPER HAS A GOOD REPUTATION THEY WILL BE ALLOWED A GENEROUS ALLOWANCE OF MISTAKES TO BE USED IN FUTURE PROJECTS. SPECIFIC TO OUR NEIGHBORHOOD, DEVELOPS WILL NOT HAVE TO RESPECT THE BLUFF LINE BECAUSE THEY WILL BE ABLE TO POINT TO THE CASWELL LOTS OF AS AN EXAMPLE OF WHAT CAN BE BUILT. THIS MATTER IS NOT DECIDED YET. YOU CAN STILL HELP US. THE MAJORITY OF PEOPLE WHO WILL SUFFER FROM THIS ON A DAY-TO-DAY BASIS DO NOT WANT THIS [INDISCERNIBLE] AT THE SITE. AS FOR THE ARGUMENTS FROM THE OTHER SIDE, THEY HAVE DONE A REMARKABLE JOB OF ATTACKING US IN ORDER TO JUSTIFY THEIR POSITION. WHEN WE APPEALED TO THE PLANNING COMMISSION WE WERE CHASTISED AND BE LITTLED. WHEN WE ASKED FOR A POSTPONEMENT TWO WEEKS AGO WE WERE DISCOUNTED. WHEN THE HIGHLIGHT WAS VIOLATED AND NEGOTIATIONS WE REOPENED WE WERE SHUT OUT AND CUT OFF. WHEN WE SAT DOWN WITH THE DEVELOPER ASKED WHAT COULD BE DONE TO LOWER THE BUILDING WE WERE STONEWALLED. WHEN WE ASKED TO BE PART OF JIM'S NEIGHBORHOOD ASSOCIATION, WE WERE DENIED. WHEN WE ASKED HIM TO JOIN OURS, MORE DEMOCRATIC IN STRUCTURE, HE FLATLY DECLINED. WE COULD NOT EVEN GET A MEETING WITH CAN PAC THROUGH THE AUSTIN NEIGHBOR'S COUNCIL. THE SIGNATURES, THE

OTHER SIDE HAVE PUT IN FRONT OF YOU TONIGHT SUPPORTING THE ZONING CHANGE ARE LARGELY COMPRISED OF SHORT-TERM RENTERS. I LOOKED UP EACH ADDRESS. IT'S NOT THAT THESE PEOPLE DON'T HAVE A RIGHT TO VOICE THEIR OPINION, IT'S JUST AS A GROUP THEY DO NOT HAVE TO LIVE WITH THE DAY TO DAY IMPACT OF THIS DEVELOPMENT. IN FACT I WOULD BE TO GO BET THAT MOST OF THEM ARE ALREADY HOME FOR THE SUMMER. WHO KNOWS IF THEY WILL EVEN RETURN TO OUR NEIGHBORHOOD. MAYOR AND CITY COUNCIL, WE ARE NOTHING BUT A GROUP OF CONCERNED HOMEOWNERS AND LONG-TERM RERNTERS WHO NEED YOUR HELP IN HOLDING THIS DEVELOPER TO WHAT WAS NEGOTIATED, PROMISED AND AGREED TO. WITH YOUR VOTE TONIGHT, YOU CAN RESTORE OUR FAITH IN THE NEIGHBORHOOD PLANNING PROCESS. WE HAVE A CONDITIONAL OVERLAY, WE HAD THE CITY ORDINANCE, WE HAVE A SIGNED PETITION, WE HAVE A MAJORITY. ALL WE NEED IS YOUR VOTE. THANK YOU.

Mayor Wynn: THANK YOU, MATTHEW, QUESTIONS FOR MR. [INDISCERNIBLE], COUNCIL? THANK YOU, SIR. SO OUR NEXT - - WE HAVE A HANDFUL OF SPOKE FOLKS WHO STILL WANTED TO ADD US IN OPPOSITION, MAXINE JENKS, ANNE GRAVES HERE? MAXINE UP TO SIX MINUTES IF YOU NEED IT. YOU WILL BE FOLLOWED BY MARY SANCHEZ.

MY NAME IS MAXINE JENKS, I'M THE TOIRP..... ATTORNEY FOR ANNE GRAVES, NEXT TO THE UPPER STORY OF BUILDING C. SHE IS OPPOSED TO THIS ZONING CHANGE. AT 81 THE ENJOYMENT OF HER HOME IS THE MOST IMPORTANT FACTOR TO HER. I'M ASKING YOU NOT TO TAKE THIS AWAY. ANNE GRAVES UNDERSTOOD THAT THE PURPOSE OF THE CONDITIONAL OVERLAY WAS TO KEEP THE ROOF OF BUILDING C BELOW THE BLUFF. SHE DID NOT KNOW THAT THE DEVELOPER MISLED THE NEIGHBORHOOD BY PROVIDING AGE CORRECT HEIGHT THAT THE -- THAT THE CONDITIONAL OVERLAY ACTUALLY RESULTED IN THE ABILITY TO BUILD EIGHT FEET ABOVE THE BLUFF. NOT UNTIL SHE RECEIVED A WRITTEN COPY OF THE SETTLEMENT AGREEMENT DID SHE REALIZE BUILDING C WOULD DOMINATE HER PROPERTY AND THEREFORE HER LIFE. HER FIRST INNING KELING OF THIS WAS WHEN THE BEAMS WENT UP AND SHE REALIZED IT WOULD RISE ABOVE THE BLUFF

LINE. IT WAS AT THAT POINT SHE AND OTHER NEIGHBORS BECAME CONCERNED. ONCE SHE RECEIVED THE WRITTEN COPY OF THE SETTLEMENT AGREEMENT, SHE WAS NOT PART OF ANY NEGOTIATIONS AND IT WAS HANDED TO HER AS THE BEST THAT COULD BE DONE. IT WAS AT THIS POINT SHE ASKED MY ASSISTANCE. OF THE THREE CLOSEST NEIGHBORS NAMED IN THE PROV IF HERRED AGREEMENT, ONE LIVES BELOW THE BLUFF, ONE LIVES IN CALIFORNIA AND ONE IS MS. GRAVES. I WOULD ALSO POINT OUT THAT THESE OTHER TWO CLOSEST NEIGHBORS ARE NOW CONTRACTUALLY OBLIGATED TO SUPPORT THE DEVELOPER. THE CASWELL HEIGHTS NEIGHBORHOOD ASSOCIATION IS ALSO CONTRACTUALLY OBLIGATED TO SPEAK IN FAVOR OF THE DEVELOPER. ONCE THE SETTLEMENT WAS SIGNED BY ALL OF THE PARTIES BUT HER, THE CONSTRUCTION BEGAN AGAIN, WHAT HAD BEEN BEAR BEAMS NOW ACQUIRED A ROOF. AND THE STRUCTURE IS -- AND -- WAS ONLY STOPPED WHEN NEIGHBORS COMPLAINED. THE DEVELOPER CAN STOP VOLUNTARILY. BUT I -- MY UNDERSTANDING IS THAT SEVERAL NEIGHBORS WERE TOLD THAT THE STOP WORK ORDER WOULD BE ISSUED. IT WAS NOT BECAUSE HE STOPPED VOLUNTARILY. BUT HE STARTED THAT CONSTRUCTION BEFORE THE PLANNING COMMISSION HEARING, BEFORE THE CONDITIONAL OVERLAY WAS CHANGED. THIS STRUCTURE IS NOT EQUIVALENT TO A SINGLE FAMILY RESIDENTS GOING UP NEXT DOOR. THIS IS A 5,000 -- FOUR UNITS OVER 1200 SQUARE FEET. SO THAT'S A 5,000 SQUARE FOOT MONSTROSITY, ESSENTIALLY A McMANSION ON STILTS. ALL THE DEVELOPERS OFFERING MS. GRAVES IS BAMBOO. THERE ARE NO TREES OR BUSHES ON LEVEL WITH HER. THE -- THE LANDSCAPING IS FOR THE BENEFIT OF CASWELL LOTS OF. ALL SHE WILL GET AS SHE TOLD ME ONE TIME IS I'M SICK OF HEARING OF CLUMPS OF BAMBOO. THE BAMBOO THAT'S THERE ALREADY LOSES ITS LEAVES IN THE WINTER. IT DOES NOT PROVIDE A BUFFER..... BUFFER. ONE REASON WE HOPED TO GET ALONGER POSTPONEMENT I WAS TRYING TO GET AN ARCHITECT TO EVALUATE THE SITE. I WAS ABLE TO GET ONE TO DO IT VERY BRIEFLY, COULD NOT PROVIDE ME WITH ANY PLANS BECAUSE OF THE TIME LIMITATIONS. BUT HE DID ESTIMATE THAT THE BEST MITIGATING CIRCUMSTANCE WOULD BE A MASONRY WALL FOR HER BECAUSE OF HIS CONCERN FOR

THE ACOUSTICS. HE'S VERY CONCERNED WITH THE WINDOWS ALREADY THERE IN THE REAR, SIMILARLY SITUATED IN THE FRONT SHE'S GOING TO HAVE A TERRIBLE NOISE PROBLEM. HE ESTIMATED THIS WOULD COST \$17,000. MS. IMRAIFS AS I SAID IS ONLY GETTING BAMBOO. THE STOP YOU STANDS BETWEEN MS. GRAVES AND THIS DEVELOPER. PLEASE EXAMINE CAREFULLY HOW -- WHAT SHOULD HAVE BEEN A BUILDING WITH A ROOF TWO FEET BELOW THE BLUFF BECAME ONE WITH A ROOF 11 FEET ABOVE. THE CONDITIONAL OVERLAY CHANGES TO 575 FEET. RONALD REAGAN SAID PROTECTING THE RIGHTS OF EVEN THE LIST INDIVIDUAL AMONG US IS BASICALLY TOM EXCUSE THAT THE GOVERNMENT HAS FOR EVEN EXISTING. THE ONLY EXCUSE. THIS COUNCIL NEEDS TO PROVE WHY IT EXISTS AND PROTECT ANNE GRAVES. THANK YOU. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] I'M ONE HOUSE AWAY FROM CASWELL LOTS OF, NEXT DOOR TO ANNE GRAVES. LIKE OUR NEIGHBORS BELOW, OTHERS NEAR US WE HAVE LOST THE ENJOYMENT OF OUR PROPERTY FOR WELL OVER A YEAR LIVING WITH LIMESTONE DUST, DIESEL FUMES AND CONSTRUCTION NOISE COMMENSING AT THE CRACK OF DAWN. CRACK OF DAWN, WE, TOO, ARE EAGER FOR CONSTRUCTION TO END. WE ARE CONCERNED ABOUT WHAT WILL REMAIN WHEN IT DOES. WE WORRY ABOUT THE PRECEDENT THIS BREAKS AND WHAT IT MAY SET FOR THE FUTURE IN OUR DEVELOPMENT. I PARTICIPATED IN BOTH THE NEIGHBORHOOD PLANNING PROCESS AND IN MEETINGS WITH THE DEVELOPERS OF CASWELL LOFTS. I TOOK PART IN THE DISCUSSIONS OF THE REQUIREMENTS TO BE SET FORTH IN THE RESTRICTIVE COVENANT, SUPPORTED EFFORTS TO SECURE THE CONDITIONAL OVERLAY ON THE PROPERTY. I DID NOT DO THIS WITH THE UNDERSTANDING THAT THIS WAS JUST AN EXERCISE OR WITH THE EXPECTATION THAT THE RESTRICTIVE COVENANT AND CONDITIONAL OVERLAY WOULD NOT BE HONORED. I SUPPORTED THE ORIGINAL REZONING ON THE BASIS OF ASSURANCES PROVIDED BY THE DEVELOPER THAT THE PROJECT WOULD BE BUILT FOR MINIMUM IMPACT ON THE NEIGHBORHOOD. WE WERE PROMISED AN UNDISTURBED 25-FOOT BUFFER, THAT WINDOWS WOULD BE THE MINIMUM SIZE REQUIRED BY THE FIRE CODE AND MOST IMPORTANT THAT THE ROOFS OF THE BUILDINGS ALONG THE EASTERN



BOUNDARY OF THE PROJECT WOULD BE BELOW THE BLUFF. BUT WE GOT INSTEAD A SERIES OF SURPRISES, DISAPPOINTMENTS AND APOLOGIES. THREE BUILDINGS RISE ABOVE THE BLUFF ALONG THE EASTERN BOUNDARY. BUILDING C RISING SOME 10 FEET ABOVE IT AT THE END OF WEST 22 AND A HALF IS THE MOST OFFENSIVE. NOT ONLY TO ME AND ANNE GRAVES WHO CAN'T ESCAPE IT, BUT TO OTHER NEIGHBORS, PARTICULARLY THOSE WHO HELPED NEGOTIATE THE REBOUND AND CONDITIONAL OVERLAY. THIS IS NOT WHAT WE BARGAINED FOR, PRECISELY WHAT WE BARGAINED TO PREVENT. LAST FALL WHEN CALLED ON THE HEIGHT VIOLATION THE DEVELOPERS SAID THAT THEY COULD RECONFIGURE BUILDING C TO CONFORM TO THE RESTRICTIVE COVENANT AND CONDITIONAL OVERLAY. THIS IS WHAT THEY SHOULD DO. WE APPEAL TO THE CITY FOR THE SAKE OF OUR NEIGHBORHOOD AND OTHERS THAT EARNESTLY AND PAINSTAKINGLY NEGOTIATE CONDITIONAL OVERLAYS TO PROTECT THEIR QUALITY OF LIFE. THANK YOU. MERRIAM [INDISCERNIBLE] FOLLOWED BY FRANK [INDISCERNIBLE]

HI, MY NAME IS MARIA ZARAGOSA, WE HAVE OWNED A HOME IN THE WEST UNIVERSITY NEIGHBORHOOD FOR ABOUT TWO YEARS. I'M GETTING WEIRD LOOKS.

YOU HAVE HEARD, THANK YOU.

OKAY. WHEN WE FIRST BOUGHT A HOME IN THE NEIGHBORHOOD WERE ONLY ONE OF THREE RESIDENTS ON THAT STREET THAT OWNED THEIR HOMES, THE REST WERE RENTERS, ONLY TWO YEARS LATER THERE'S ONLY ONE RENTER LEFT ON THAT STREET. TILIP DATED HOUSES, HISTORICALLY RELEVANT HOMES ARE BEING -- BROUGHT BACK TO THEIR ORIGINAL BEAUTY. THERE'S HOME THAT'S REGISTERED ON THE NATIONAL HISTORIC REGISTRY, ANOTHER HOME, MY HOME THAT IS IN THE LOCAL HISTORIC REGISTRY, ANOTHER ONE IN THE PROCESS. HISTORICALLY IT'S AN IMPORTANT PART OF AUSTIN. THE REASON WHY THERE HAS BEEN SUCH A DRASTIC CHANGE IN THE NEIGHBORHOOD IS PARTLY THROUGH THE WORK OF THE CITY COUNCIL CHANGING THE ZONING OF THE UNIVERSITY AREA. THERE HAS BEEN A HUGE INCREASE IN APARTMENT HOUSING IN THE CORE OF THE NEIGHBORHOOD. STUDENTS

NO LONGER HAD TO PAY EXORBITANT RENTS TO LIVE IN AN OLD HOUSE. NOW A HUGE INFLUX OF FAMILIES BUYING INTO THE SURROUNDING NEIGHBORHOODS BECAUSE OF THE PROTECTIONS OUTLINED IN THE NEIGHBORHOOD PLAN. I CAN'T SPEAK FOR ANYBODY ELSE, BUT I KNOW THAT I WOULD NOT HAVE BOUGHT AND RENOVATED MY HOUSE IN THIS NEIGHBORHOOD IF IT HAD NOT BEEN FOR THE PROTECTIONS OUTLINED IN THE NEIGHBORHOOD PLAN. THERE ARE 8 COMMERCIAL PROPERTIES IN OUR NEIGHBORHOOD AFFECTED BY THE CONDITIONAL OVERLAY. OF THE TWO BEING DEVELOPED TWO HAVE APPROACHED THE CITY TO -- TO REMOVE A RESTRICTION. I ASK ON BEHALF OF ALL OF US THAT MADE THE BIGGEST INVESTMENTS THAT WE WILL EVER MAKE BASED ON THE STATE REPRESENTATIVE OF A NEIGHBORHOOD PLAN TO RESPECT THE INTEGRITY OF THE CONDITIONAL OVERLAY THANK YOU.

Mayor Wynn: THANK YOU, MS. ZARAGOSA. FRANK FORESTER, WELCOME, SPEAK FOR THIS SIDE IF YOU WOULD LIKE, QUICKER FOR YOU.

MAYOR, CITY COUNCIL MEMBERS, MY NAME IS FRANK FORESTER, 26 YEAR RESIDENT OF THIS NEIGHBORHOOD. I OWN A HOME. I'M A MEMBER OF THE NEW UNIVERSITY NEIGHBORHOOD ASSOCIATION, WE HAVE BYLAWS, VOTING RIGHTS, DISCUSSIONS, 33 MEMBERS AT THE MOMENT. I BELIEVE OUR OPPOSITION STEMS FROM WHAT I HAVE TO SAY. LET ME START WITH THE CASWELL HEIGHTS NEIGHBORHOOD ASSOCIATION. THE NAMED ORGANIZATION IN THE SETTLEMENT AGREEMENT. IT WAS FILED WITH THE SECRETARY OF STATE AS A PHONE PROFIT ORGANIZATION IN MAY OF '06. IT IS COMPRISED OF THREE DIRECTORS, JAMES DAMRON, TRACY DAMRON AND MEREDITH MAYCOT. I BELIEVE THEY ARE SITTING BACK THERE. THERE WAS A CHOICE ON THIS ENDANGER OPERATION WHEN FILING TO HAVE MEMBERS OR NO MEMBERS, THIS DAMRON CHECKED THE BOX WITH NO MEMBERS. WE WERE NOT INFORMED OF THIS. THE NEIGHBORHOOD DID NOT KNOW THIS AND WHEN WE WERE INFORMED WE FELT TERRIBLY DISEND FRANCHISED BECAUSE WE BASICALLY HAD NO SAY IN THAT NEIGHBORHOOD ASSOCIATION. DECEMBER 2 OF '06 NEIGHBORHOOD MEETING MET TO DECIDE TO TAKE THE VIOLATING STRUCTURE DOWN AND WORK A SETTLEMENT.

AFTER A DISCUSSION OF TWO OR THREE HOURS, THE GROUP WAS DIVIDED. AT THAT POINT MS. DAMRON, BROUGHT OUT A LIST OF 20 PEOPLE. THEY WEREN'T AT THE MEETING. SHE WAVED THE LIST. THEY WENT AWAY BELIEVING THAT HE HAD THEIR VOTE 29 TO 5 OR WHATEVER IT WAS. NO ONE GOT TO SEE THE LIST. NO DISSENTERS MENTIONED ON THE LIST. I THINK SOME PEOPLE IN RETROSPECT THINK IT WAS A VERY STRANGE WAY TO CONDUCT A MEETING. MR. DAMRON WENT OFF TO NEGOTIATE THE SETTLEMENT. WE ASSUMED THAT HE WOULD GET FEEDBACK AND HAVE INPUT AND VOTE ON IT. FROM THIS POINT ON, WE NEVER BASICALLY HEARD FROM HIM AGAIN. THEY NEVER CAME TO ANOTHER MEETING WE HAD. LATE MARCH OF '07 WE MET WITH THEM FINALLY. WE ASKED TO JOIN HIS GROUP, NO WE CAN'T DO THAT. WE ASKED HIM TO JOIN OUR GROUP. NO, WE CAN'T DO THAT, ALSO. THE NEXT WEEK THE SETTLEMENT CAME DOWN. THE SETTLEMENT, I DON'T KNOW IF YOU HAVE READ THIS, DONATES TO THE SOLE CONTROL OF THE CASWELL HEIGHTS NEIGHBORHOOD ASSOCIATION THE SUM OF 40,000 TO BE USED FOR A CIVIC PURPOSE. WE DON'T HAVE ANY SAY IN THAT. THE TWO PEOPLE, THREE DIRECTORS ON THIS GROUP, DAMRONS CONTROL ALL OF THIS 7. YOU CAN SEE WHY THE NEIGHBORHOOD FEELS DISEND FRANCHISED. IF HE WITH HAD A VOTE -- IF WE HAD A VOTE WE WOULD HAVE ASKED FOR THAT BUILDING TO BE TAKEN DOWN TO DEFEND THEIR RIGHTS NOT TO HAVE THAT BUILDING IN THEIR FACE FOR THE REST OF THEIR LIVES. WE ARE ASKING YOU TO TAKE THAT BUILDING DOWN BELOW THE BLUFF LINE. THANK FOR YOU YOUR TIME.

Mayor Wynn: DID MARY SANCHEZ EVER ARRIVE?

HELLO, GOOD TIMING. OUR FINAL SPEAKER IN OPPOSITION THEN WE WILL HEAR A REBUTTAL FROM OUR APPLICANT OR AGENT.

MY NAME IS MARY SANCHEZ I HAVE BEEN LIVING IN THIS NEIGHBORHOOD SINCE 1972, PORTION OPERATING EXTENSIVELY IN NEIGHBORHOOD ACTIVITIES TO PRESERVE THE NEIGHBORHOOD. WE ALL UNDERSTAND THAT YOU CANNOT BE INVOLVED IN INTER INTRA NEIGHBORHOOD DISPUTES AND CONFLICTS. HOWEVER I WOULD LIKE TO ASK

YOU TO CONSIDER IMAGINE YOURSELVES FACING THIS KIND OF A SITUATION IN YOUR NEIGHBORHOOD. WHAT IF A DEVELOPER HAD COME TO YOUR NEIGHBORHOOD AND ASKED FOR A HUGE ZONING CHANGE ALL THE WAY FROM SF 3 TO GO-MU WITH NP-CO ON BOTH OF THOSE ZONINGS ON TWO TRACTS OF LAND ON WHICH THEY WANTED TO BUILD 42 UNITS. AND THAT THEY PROMISED THE NEIGHBORHOOD AS YOU WOULD SEE IN EXHIBITS ONE AND TWO OF YOUR BACKUP PACKETS EXTENSIVE RESTRICTIONS ON THE PROPERTIES IF THE NEIGHBORHOOD WOULD SUPPORT THEIR REQUEST FOR THE ZONING CHANGE AND THE PROJECT TO BE DEVELOPED ON THE PROPERTIES. AND IMAGINE THAT YOU FOUND OUT TWO AND A HALF YEARS LATER SOME OF THE THINGS THEY HAD PROMISED YOU IN WRITING WERE IN THE AGREEMENT TO -- TO SUPPORT THE ZONING CHANGE TOTALLY DISAPPEARED AND YOU FOUND OUT LATER THAT A SETTLEMENT HAD BEEN REACHED WHEN ELIMINATED SOME OF THE OTHER THINGS. AND BREACHED WHAT HAD BEEN AGREED TO IN THE ORIGINAL AGREEMENT FOR EXAMPLE IN THE ORIGINAL AGREEMENT THERE WAS A CONDITION THERE WOULD BE NO LARGE WINDOWS ON THE EAST SIDE OF THE BUILDING AND YOU FOUND OUT NOT ONLY WERE THERE LARGE WINDOWS, THERE WERE SLIDING GLASS DOORS AND THE CUTBACK OF THE BLUFF HAD BEEN MANAGED SUCH THAT THERE WAS NOT 25 FEET OF LANDSCAPING THAT WOULD PRESERVE THE NEIGHBORHOOD FROM THE SOUND AND SIGHT OF THE BUILDINGS, BUT THERE WAS MAYBE 10 FEET OF THE BLUFF LEFT AND THEN ANOTHER MAYBE 10 FEET DOWN BELOW FOR THE EXTERNAL USE OF... OF THE RESIDENTS. SO THERE WAS GOING TO BE CONSIDERABLE MORE NOISE THAN THE DEVELOPER PROMISED YOU INITIALLY. IN ADDITION TO THIS, WHICH IS REALLY ALL THE RESTRICTIVE COVENANT WHICH WE UNDERSTAND IS PRIVATE, THERE WAS A ZONING VIOLATION. TOM THING THAT WE UNDERSTAND THAT YOU CAN ADDRESS IS THE ZONING VIOLATION, THE ORDINANCE VIOLATION. BUT THAT WILL HELP US TO PRESERVE THE NEIGHBORHOOD IF YOU WILL DEMAND THAT THE -- THAT THE DEVELOPER REDUCE THE HEIGHT OF THE BUILDING AND CONFORM TO THE CITY ORDINANCE. AND THE HEIGHT RESTRICTION. IF THIS WERE YOUR NEIGHBORHOOD, IF THIS WAS HAPPENING TO YOUR NEIGHBORHOOD, WE ASK THAT

YOU WOULD VOTE WHAT YOU WOULD WANT TO HAPPEN IN YOUR NEIGHBORHOOD, THANK YOU.

THANK YOU, MS. SANCHEZ. SO WHILE WE PREPARE FOR A 3 MINUTE REBUTTAL FOR THE APPLICANT OR AGENT, I WILL QUICKLY READ INTO THE RECORD FOLKS WHO SIGNED UP NOT WISHING TO SPEAK, ALL SIGNED UP IN FAVOR. THAT WOULD BE CHRISTOPHER BAIRD, JOE CHRISTIAN, DAVID HAWKINS, JOHN CARPENTER, CELIA CARPENTER, BONHAM CARPENTER, LORRAINE, THOMAS, [INDISCERNIBLE] PATRICIA VAN ELLIS, MIKE STOLE, VICKI ROBINSON, FEEB BEE WILLIAMS. WELCOME MR. -- MR. COLLINS FOR A REBUTTAL.

MY NAME IS KENT COLLINS, I AM ONE OF THE DEVELOPERS OF CASWELL LOTS OF WITH CENTRO PARTNERS. I WOULD LIKE TO REMIND COUNCIL TWO ISSUES THAT I THINK ARE BEING DISCUSSED HERE ARE THE HEIGHT OF ONE BUILDING AND THE SQUARE FOOTAGE OF YOU.... ONE OF OUR UNIT TYPES, WHICH ARE 12 DIFFERENT UNITS TYPES. I THINK THAT WE DIDN'T DO A GOOD JOB AT THE VERY BEGINNING. IF I -- I AM NOT SURE THAT -- OUR CD IS NO LONGER IN THERE, RIGHT? I CAN'T GO BACK TO OUR PRESENTATION? WELL, IT'S NOT WORTH IT. THE JEERT OF THIS SITE IS ACTUALLY BEING DOWN ZONED 8 TO 11 FEET. ONE BUILDING IS APPROXIMATELY 4 FEET HIGHER THAN THE 570 FEET. THE FRONT BUILDINGS ON THE SITE WERE ALLOWED TO BE 8 TO 11 FEET TALLER, WHICH MEANS THAT ANY LOST VIEW FROM THE ONE BUILDING, IF THERE WAS A TREE THAT WE WERE PLANTING THAT WOULD NOT LIVE WOULD BE OBSCURED ANY VIEW WOULD BE COB....OBSCURED BY THE BUILDING IN THE FRONT THAT WE ARE GIVING UP THE RIGHT TO ALLOW 8 TO 11 FEET ON THOSE BUILDINGS. I PERSONALLY THINK THAT'S SIGNIFICANT. SECONDLY THE ISSUE OF THE VEGETATIVE BARRIER. THERE'S A CITY OF AUSTIN EASEMENT ON THE PROPERTY LINE. THE TREES THAT WERE TAKEN THAT WERE MENTIONED BY THE OPPOSITION AS BEING TAKEN OR THE VEGETATIVE BARRIER BEING REDUCED WAS BECAUSE AUSTIN ENERGY CAME IN AND DID A PRUNING PROGRAM IN ORDER TO PROVIDE SERVICE TO OUR PROPERTY. PRIOR TO WHEN OUR CONSTRUCTION BEGAN. WE ALSO HAVE A COPY OF THAT AUSTIN ENERGY WORK ORDER. SO WE DID NOT REDUCE THE EXISTING VEGETATION THERE. I THINK IT'S ALSO IMPORTANT TO SHOW

THIS IS A VIEW OF THE SITE CURRENTLY AS IT EXISTS TODAY FROM MRS. GRAVES SIDEWALK. THIS IS A VIEW FROM HER BACK YARD. A VIEW FROM HER BACK YARD, THIS IS THE VIEW FROM END OF WEST 22nd AND A HALF STREET AS IT EXISTS TODAY. SECONDLY IN THE ISSUE OF TWO BEDROOM UNITS, NONE OF THE EXAMPLES THAT WERE CITED WERE OF OUR WEBSITE. THOSE WERE OTHER REALTOR AGENCIES WEBSITES. THERE WAS ONE BROCHURE UP THERE OF HAVING TWO BEDROOM UNITS. THAT WAS NOT OURS, THAT WAS A BROCHURE DEVELOPED BY THE REALTORS. IT'S CURRENTLY NOT BEING USED. THE BUILDINGS, THE APPROVED PLANS DO NOT HAVE TWO BEDROOM UNITS. THEY ARE ONE BEDROOMS IN THE LARGER UNITS HAVE ONE BEDROOM STUDIES. I HAVE JUST ENTERED INTO THE RECORD A LIST OF 60 RESIDENTS OF THE NEIGHBORHOOD WHO SUPPORT OUR PROJECT AND WHO HAVE SIGNED A LETTER AND IT ALSO TELLS WHICH ONES ARE OWNERS AND WHICH ONES ARE REPRESENTERS. LASTLY I WOULD LIKE TO JUST SAY THAT WE HAD CANPAC SUPPORT AS WELL AS THE GROUP OF PEOPLE THAT WE HAVE BEEN WORKING WITH FOR THE PAST THREE YEARS. THANK YOU VERY MUCH. IF I CAN ANSWER ANY OTHER QUESTIONS, I WOULD BE HAPPY TO.

Mayor Wynn: THANK YOU. COUNCILMEMBER LEFFINGWELL? BEFORE WE GET STARTED ON SOME DISCUSSION, I WOULD SUGGEST WE TRY TO KEEP THIS IMMEDIATE DISCUSSION SOMEWHAT BRIEF, WE WILL CLOSE THE PUBLIC HEARING, BREAK FOR LIVE MUSIC AND PROCLAMATIONS THEN TAKE BACK UP A LONGER LIKELY MORE COMPLICATED DISCUSSION IN A FEW MINUTES. GO AHEAD, COUNCILMEMBER LEFFINGWELL.

Leffingwell: I WILL KEEP IT BRIEF AND TO ONE QUESTION. FROM WHAT I UNDERSTAND, 570-FOOT MSL PRESENTATION WAS PUT THERE TO MAKE IT EVEN WITH THE BLUFF WHICH WAS THOUGHT TO BE AT 570 CORRECT. THEN WE LATER FOUND OUT FLU SOME ERROR ON I DON'T KNOW ON WHOSE PART IT WAS 564. IS THAT CORRECT?

THE BLUFF ACTUALLY AS MOST GEE.... GEOLOGICAL FORMATIONS, IT'S NOT STATIC. THE BLUFF ACTUALLY GOES FROM APPROXIMATELY 565 FEET TO PROBABLY 576 FEET

DEPENDING ON WHERE YOU MEASURE IT FROM.

Leffingwell: IT VARIES HORIZONTALLY.

IT VARIES, ONE OF THE REASON THAT'S WE STUCK WITH A FLAT EVALUATION WAS THAT IT WOULD BE IMPOSSIBLE TO SAY YOUR BUILDINGS CAN'T GO ABOVE THE BLUFF.

Leffingwell: I UNDERSTAND. IT WAS NOT A MISTAKE. IT WAS AN AVERAGING -- THE AVERAGE HEIGHT OF THE BLUFF ALONG A CERTAIN PERIMETER?

RIGHT. THE OTHER THING IS I DON'T THINK EITHER PARTY SURVEYED THE BLUFF BUT WHEN WE BEGAN, ENTERED INTO OR EXECUTED NEGOTIATIONS WITH THE NEIGHBORHOOD IT WAS A SIMPLE ISSUE OF HAND MEASUREMENT A AT A CERTAIN LOCATION THAT WE DETERMINED TO BE 570 FEET.

Leffingwell: SO IN ANY EVENT THE CO REFERS TO 570 MSL ON THE BUILDING NOT DIRECTLY TO THE HEIGHT OF THE BLUFF. SO IF YOU ARE IF YOU HAPPEN TO BE STANDING ON THE BLUFF IS 564, WHICH APPARENTLY IT IS SOMEWHERE ALONG THERE, YOU ARE ALREADY SIX FEET BELOW THE TOP OF THE ROOF LINE IF YOU COMPLIED EXACTLY WITH THE CO; IS THAT CORRECT.

ALTHOUGH I QUESTION THAT THERE'S ANYTHING ON OUR PROPERTY LINE THAT'S AT A 564 BLUFF LINE.

Leffingwell: IT WOULD BE INTERESTING TO KNOW WHAT THE BLUFF LINE HEIGHT IS AT THAT SPECIFIC LOCATION BECAUSE IF IT'S ALREADY -- MS. GRAVES LOCATION. IF IT IS ALREADY SIX FEET BELOW, IT SEEMS PROBLEMATIC OR MAYBE TRIVIAL THAT PERHAPS IT'S ANOTHER FOUR FEET DUE TO ERROR. IF IT'S ALREADY SIX FEET I GUESS WHAT I'M DRIVING AT IS WHAT DIFFERENCE DOES 10 MAKE. SO THAT'S MY QUESTION. MAISHZ.....

Mayor Wynn: I KNOW IT'S SOMEWHAT AWKWARD, BUT MY RECOMMENDATION IS THAT WE ACTUALLY CLOSE THE PUBLIC HEARING, BUT COME BACK IMMEDIATELY FOLLOWING THE LIVE MUSIC AND PROCLAMATIONS AND CONTINUE OUR DELIBERATIONS WHICH OF COURSE CAN

INCLUDE QUESTIONS AND THEN ANSWERS AND COMMENTS  
FROM FOLKS HERE IN THE AUDIENCE.

Leffingwell: SO MOVE.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER  
LEFFINGWELL, SECONDED BY COUNCILMEMBER  
MCCRACKEN TO CLOSE THIS PUBLIC HEARING, ITEM NO. 53.  
FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR  
PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0, WE  
NOW WILL TAKE A SHORT BREAK FOR LIVE MUSIC AND  
PROCLAMATIONS. THANK YOU. BOCANEGRA, QAEDA,.

GOOD EVENING, WE WANT TO START WITH LIVE MUSIC AND  
PROCLAMATIONS THIS EVENING. TONIGHT WE HAVE A  
SPECIAL GUEST JOINING US. BOCASTRIA A BAND THAT  
PMPLED AT NUMEROUS SHOWCASES WITH GRAMMY AWARD  
NOMINEES, RESPONSIBLE FOR CREATING AND HOSTING THE  
FIRST MONTHLY LATIN SHOWCASE IN AUSTIN. THEIR DEBUT  
ALBUM, ENTER THE GROOVE, WE RELEASED IN 2006, SO  
PLEASE JOIN ME IN WELCOMING BOCASTRIA. [ APPLAUSE ]

THANK YOU. [ (music) MUSIC PLAYING (music)(music) ] 25!., [ (music) SINGING (music)(music) ] [ (music) SINGING (music)(music) ] FATH., [ (music) SINGING (music)(music) ] [ (music) SINGING (music)(music) ] [ (music) SINGING (music)(music) ] [ (music) SINGING (music)(music) ] [ (music) SINGING (music)(music) ] [ APPLAUSE ] [ APPLAUSE ]

Martinez: IF YOU COULD TAKE A SECOND TO INTRODUCE US  
TO THE BAND, TELL US WHERE WE CAN GO LISTEN TO YOU  
GUYS.

WE ARE BOCASTRIA, WE ARE JUST SO HONORED TO HAVE  
YOU HERE TODAY. I ACTUALLY WROTE SOMETHING, CAN I  
READ IT? THIS IS BUDDY, THIS IS KENNETH. THIS IS NATHAN.  
THIS IS MY SISTER MADDY AND I'M TONYA. [ APPLAUSE ]  
.....[ APPLAUSE ] CLAP I GOT NERVOUS AFTER I STOPPED  
SINGING. [LAUGHTER] BUT, YOU KNOW, I FIGURED WE ARE



JUST SO HONORED TO BE HERE, IT'S KIND OF UNBELIEVABLE. BUT I JUST FIGURED SINCE I WAS AT THE MIC I WOULD SAY SOMETHING THAT MEANT SOMETHING. [LAUGHTER] THANK YOU TO CITY HALL, THANK TO THE CITY OF AUSTIN, MAYOR WILL WYNN AND EVERYONE WHO SUPPORTED US, SO MANY PEOPLE CAME OUT TODAY. WE LIKE TO THINK THAT WE ARE MAKING A DIFFERENCE BY SPREADING OUR JOY FOR MUSIC WHEREVER WE GO. WE FEEL IN DOING SO WE ARE HELPING TO SPREAD PEACE AND LOVE. THE WORLD WILL BE AT WAR UNTIL WE DECIDE PEACE IS A BETTER CHOICE. IF NOT FOR OURSELVES, THEN FOR OUR CHILDREN. MAY THEY COME TO KNOW A WORLD IN PERFECT HARMONY, THE KIND OF HARMONY WE MAKE IN BOCASTRIA, PEACE BE WITH YOU NOW AND ALWAYS. [APPLAUSE ]

McCracken: THANK YOU VERY MUCH. I HAVE SOMETHING I WANT TO READ TO YOU.

Martinez: THIS IS A PROCLAMATION, IT SAYS BE IT KNOWN WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS FOR THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY, WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AT THE LIVE MUSIC CAPITAL OF THE WORLD. I WILL WYNN DO HEREBY PROCLAIM MAY 17th, 2007 AS BOCASTRIA DAY IN AUSTIN, TEXAS. WE WANT TO PRESENTS THIS TO YOU ALL. [ APPLAUSE ]

OKAY, WE ARE PLAYING AT THE COPA BAR AND GRILL RIGHT AFTER THIS, IF YOU WANT TO JOIN US, WE ARE GOING TO HAVE BIG CELEBRATION, OUR OWN KIND WITH AN ACOUSTIC SET. THIS IS OUR FIRST TIME WITH THE UPRIGHT BASS. THEN WE PLAY -- WE ARE GONE THIS WEEKEND PLAYING OUT OF TOWN. NEXT FRIDAY WE PLAY AT TRUBADOR SALOON ON SIXTH STREET. LATIN SHOWCASE. SO CHECK OUT OUR WEBSITE [www.bocastria.com](http://www.bocastria.com) AND YOU WILL BE ABLE TO GET ALL OF THE DETAILS. THANK YOU SO MUCH. [ APPLAUSE ]

THANK YOU, GUYS, WE ARE GOING TO CONTINUE ON WITH PROCLAMATIONS, FIRST ONE IS ACTUALLY A DISTINGUISHED SERVICE AWARD. WE HAVE GUESTS HERE THAT I THINK ARE GOING TO JOIN ME. MEXICAN-AMERICAN CULTURAL

COMMITTEE.

Martinez: ALL RIGHT, WE HAVE DISTINGUISHED SERVICE AWARDS WE WANT TO GIVE OUT, ONE IS TO THE MEXICAN-AMERICAN CULTURAL COMMITTEE ONE IS TO MR. KARLA.....CARLOS CEDILLO AND STEVIE RAY VAUGHN. FOR THEIR DEDICATION AND WISE COUNCIL WORKING WITH THE AUSTIN HISTORY CENTER, THE MEXICAN-AMERICAN ADVISORY COMMITTEE IS DESERVING OF PUBLIC ACT ACCLAIM AND RECOGNITION. FOR THE PAST TWO YEARS THE COMMITTEE MADE UP OF 22 CIVIC -- 22 VOLUNTEER CIVIC LEADERS HAS HELPED GATHER PHOTOS, CORNDZ DENSE AND OTHER MEEM BEAL I CAN'T DOCUMENTING THE IMPACT OF MEXICAN-AMERICAN CITIZENS ON OUR COMMUNITY. THE COMMITTEE THEN INITIATED THE QUE VIVAN LOS 25! THE COMMITTEE CONTRIBUTED THEIR OWN TIME AND MONEY, SOLICITED DOBIE NATIONS AND OVERSAW -- DONATION IT IS AND OVERSAW THE PRODUCTION OF PORTRAITS AND BANNERS, DISPLAYED ON CONGRESS AVENUE. THIS IS IN RECOGNITION OF THEIR HARD WORK DEDICATION ON THIS PROJECT IMPORTANT TO ALL CITIZENS THE 17th DAY OF MAY IN THE YEAR 2007. SIGNED BY MAYOR WILL WYNN AND THE REST OF THE CITY COUNCIL MEMBERS OF THE CITY OF AUSTIN. CONGRATULATIONS. [ APPLAUSE ]

I WOULD LIKE TO SAY THAT THE COMMITTEE AND BAN NER PROJECT WAS AN HISTORIC EVENT FOR AUSTIN. A LONG TIME IN COMING. RECOGNITION OF AUSTIN'S HISPANIC COMMUNITY AND SOMETHING THAT WE WILL CONTINUE TO DO IN THE FUTURE. I WOULD LIKE TO THANK THE COMMITTEE FOR ALL OF THEIR HARD WORK AND ESSENTIALLY THE AUSTIN HISTORY CENTER FOR THEIR PARTNERSHIP IN THIS PROJECT. THANK YOU. [ APPLAUSE ]

NOW WE WOULD LIKE TO RECOGNIZE TWO OF THE ARTISTS. CARLOS PINEDA IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. HE OFFERED HIS SERVICES PRO BONO TO THE COMMITTEE TO PRODUCE THE ART WORK FOR BANNERS TO HANG ALONG CONGRESS AVENUE DEPICTING AUSTIN'S MOST INFLUENTIAL CITIZENS. HE PAPERED 25 PORTRAITS -- PAINTED 25 IMPORTANT TRANTS BASED ON PHOTOGRAPHERS FROM THE HISTORY CENTER'S COLLECTION, ALL OF THE ART MATERIALS DONATED AS

WELL AS HIS CONSIDERABLE TALENT, ALSO SELECTED APPROPRIATE FRAMES FOR THE COMPLETED PORTRAITS. THE CERTIFICATE IS PRESENTED WITH GRATITUDE FOR HIS BEAUTIFUL GIFT TO THE AUSTIN PUBLIC LIBRARY AND THE ENTIRE CITY THE 17th DAY OF MAY IN THE YEAR 2007. [ APPLAUSE ]

I CAN'T LET DANNY BE THE ONLY ONE TO SAY SOMETHING. [SPEAKING IN SPANISH] CEDILLO,.

LAST BUT NOT LEAST TO MR. STEVE HERRERA IS DESERVING OF PUBLIC ACT CLAIMS AND RECOGNITION. HE OFFERED HIS GRAPHIC ARTS TALENTS TO DIGITIZE CARLOS'S PORTRAITS DEPICTING AUSTIN'S MOST INFLUENCE HALL MARIJUANA CITIZENS PRO BONO. THE IMAGES WILL BE USED TO CREATE BANNERS TO HANG ON CONGRESS AVENUE. THIS CERTIFICATE IS PRESENTED WITH OUR GRATITUDE TO MR. HERRERA FOR COMPLETING THIS STEP OF THE BANNER PROJECT FOR ALL AUSTINITES TO ENJOY. THE CERTIFICATE IS PRESENTED IN RECOGNITION THEREOF THE 17th DAY OF MAY IN THE YEAR 2007. [ APPLAUSE ]

I WOULD LIKE TO SAY IT CERTAINLY WAS AN HONOR TO BE ASKED TO SERVE ON THIS COMMITTEE, A PRIVILEGE TO WORK WITH THE CART TIS, CARLOS. WITH THE ARTIST. THE WORK THAT I DID ON THE COMPUTER PALES TO THE WORK THAT HE PUT ON CON.... CANVAS. AGAIN, I'M SO HAPPY TO HAVE A CHANCE TO REMEMBER THOSE THAT COME BEFORE US AND SET THE WAY. THANK YOU. [ APPLAUSE ]

GOOD AFTERNOON, EVERYONE, I'M IVEY GONZALEZ THE NEIGHBORHOOD LIAISON FOR THE MEXICAN-AMERICAN COMMUNITY FROM THE AUSTIN HISTORY CENTER. I WOULD ALSO LIKE TO THANK MY BOSS SUE SOY AND THE AUSTIN HISTORY CENTER, THE CITY OF AUSTIN FOR ALLOWING ME TO HAVE SUCH A WONDERFUL COMMITTEE AS THE MEXICAN-AMERICAN ADVISORY COMMITTEE AND I THANK THEM FOR ALL OF THEIR HARD WORK. WITHOUT THEM WE COULDN'T HAVE PUT THIS TOGETHER. THE BANNERS WERE SHOWN AT THE SCARBOROUGH BUILDING ON THE DIEZ Y SIES DE SEPTIEMBRE, CINCO DE MAYO AT WOOLDRIDGE PARK. OUR GOAL IS TO HAVE THEM ON CONGRESS FLYING 92 BANNERS ALL OVER CONGRESS TO SHOW THE CITY OF AUSTIN ALL OF

THE CONTRIBUTIONS OF THE MEXICAN-AMERICANS. AND ALSO WE ARE GOING TO PUT THEM IN THE PUBLIC SCHOOLS AND HOPEFULLY WE WILL HAVE CURRICULUM TO GO ALONG WITH THE BANNERS TO -- TO -- FOR OUR PEOPLE TO -- TO HONOR THEIR CONTRIBUTIONS TO OUR CITY. THANK YOU VERY MUCH. [ APPLAUSE ]

WHERE DID CINDY GO? I'VE GOT ONE MORE PROCLAMATION AND THEN I'LL TURN IT BACK OVER TO THE MAYOR TO FINISH OUT. YES, IF YOU -- NO, NO, THEATER ACTION PROJECT. THERE SHE IS, I SEE HER NOW.

THIS PROCLAMATION IS GOING TO BE GIVEN TO THE THEATER ACTION PROJECT. THEY'RE A LOCAL ARTS GROUP THAT DOES ARTS PROGRAMMING WITH OUR AISD SCHOOL CHILDREN AFTER SCHOOL, SO WE CERTAINLY WANT TO SUPPORT THEM AND RECOGNIZE THEIR EFFORTS, AND WE HAVE A PROCLAMATION THAT READS, BE IT KNOWN THAT WHEREAS FOR ALMOST TEN YEARS THEATER ACTION PROJECT HAS BEEN BRINGING INNOVATIVE SOCIALLY RELEVANT ARTS EDUCATION PROGRAMS TO SCHOOL WITH A PARTICULAR EMPHASIS ON DISADVANTAGED AREAS OF AUSTIN, AND WHEREAS UNIQUE INTERACTIVE PROGRAMS, YOUNG PEOPLE LEARN TO SOLVE REAL WORLD PROBLEMS, COMING UP WITH ISSUES TO ISSUES, LIKE BULLYING AND TEEN VIOLENCE AND WHEREAS WE'RE PLEASED TO RECOGNIZE THE THEATER ACTION STAFF, BOARD, BOARD MEMBERS AND VOLUNTEERS WHO PROVIDE PROGRAMMING FOR 13,000 YOUTH THROUGH AFTER SCHOOL CARE AND ARTS CLASSES, WORKSHOPS, CONFERENCES AND COMMUNITY EVENTS. NOW, THEREFORE, I WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM MAY 19, 2007 AS THEATER ACTION PROJECT DAY. [APPLAUSE]

THANK YOU VERY MUCH.

THANK YOU VERY MUCH. I'D LIKE TO THANK MIKE MARTINEZ AND CINDY GARCIA WHO HELPED MAKE THIS DAY POSSIBLE. ON BEHALF OF THE NEARLY 40,000 PEOPLE AND THE ADULTS WHO CARE ABOUT THEM WHO WE'VE WORKED WITH IN THE LAST TEN YEARS WE'RE REALLY GLAD TO HAVE THIS BE NAMED THEATER ACTION DAY. WE USE THEATER AS TOOL IN

YOUNG PEOPLE IN EXPLORING SOCIAL ISSUES AND PROVIDE AN OPPORTUNITY FOR THEM TO DEVELOP THEIR SELF-ESTEEM. SOME OF OUR HALLMARK PROGRAMS INCLUDING THE COURAGE TO STAND, WHICH HAS BEEN TOURING SCHOOLS FOR 7 YEARS, EDUCATING FIFTH GRADERS ON HOW TO BECOME CURE RAGE US BY ASSISTANCERS IN BULLYING SITUATIONS. ENRICHMENT EVERY WEEK TO AREA SCHOOLS USING THEATER AND ART AND MUSIC, AND THE CHANGING LIVES YOUTH THEATER COMPANY WHICH IS A GROUP OF HIGH SCHOOL STUDENTS THAT CREATE ORIGINAL SHOWS ABOUT HEALTHY DATING RELATIONSHIPS AND TAKE THOSE SHOWS OUT INTO THE COMMUNITY. A FEW OF THE KIDS FROM THE CHANGING LIVE VIEW THEATER COMPANY TODAY AND I WANTED TO GIVE THEM AN OPPORTUNITY TO TALK ABOUT WHAT BEING PART OF THE PROGRAM HAS MEANT TO THEM. [APPLAUSE]

HI, EVERYONE. MY NAME IS VANESSA SIMMS AND I WANT TO TELL YOU A LITTLE BIT ABOUT HOW THIS CHANGED MY LIFE. LIKE, WHEN I DO MY SHOWS AND I SEE PEOPLE OUT THERE IN THE AUDIENCE AND THEY LIKE LOOK AT OUR SHOWS AND THEY LIKE -- MAKES AN IMPACT ON THEM, IT MAKES THEM SORT OF REALLY CHANGE THEIR LIVES, AND AFTER I GET DONE WITH MY SHOW AND THEY LIKE ASK US QUESTIONS AND THEY WANT TO ACTUALLY GET HELP, THEY'RE NOT SCARED NO MORE TO GET HELP, THEY DON'T WANT -- THEY WANT TO EXPRESS THEIR FEELINGS NOW, IT MAKES ME FEEL REALLY GOOD THAT THEY CAN DO THAT AND THEY DON'T WANT TO BE SCARED NO MORE. THEY WANT TO COME OUT. [APPLAUSE]

HI, THIS PROGRAM HAS HELPED ME A LOT IN LETTING ME KNOW AND LETTING OTHER PEOPLE KNOW THAT YOU SHOULDN'T BE SCARED IF YOU'VE BEEN SEXUALLY ASSAULTED OR RAPED OR SEXUALLY ABUSED IN ANY OTHER WAY. WHEN WE GO TO OTHER SCHOOLS I FEEL LIKE I'VE HELPED THEM IN ALL KINDS OF WAYS TO LIKE LET THEM KNOW THAT SAFE PLACE IS HERE AND YOU CAN RUN AND TELL SOMEBODY AND THEY WILL HELP YOU, AND THAT'S WHAT I WANT TO SAY. [APPLAUSE]

I JUST ALSO WANT TO THANK THE CITY OF AUSTIN FOR THE EDUCATION ALSO, THE CITY OF AUSTIN CULTURAL

CONTRACT, WHICH HAS BEEN A GREAT SUPPORT FOR THEATER ACTION PROJECT SINCE WE STARTED, AND WITHOUT THAT SUPPORT WE DEFINITELY WOULD NOT HAVE BEEN ABLE TO DO WHAT WE'VE BEEN DOING. SO THANK YOU VERY MUCH.

THANK YOU. [APPLAUSE]

THANK YOU TO COUNCIL MEMBER MARTINEZ. OKAY. SO FOR MY FIRST PROCLAMATION HERE THIS AFTERNOON, WE ARE CELEBRATING SOLID WASTE SERVICES DEPARTMENT FIRST WASTE MART BUSINESS PARTNER, AND THEY HAD AN EASY COMMUTE BECAUSE WE'RE JOINED BY SOME -- LEADERSHIP OF SILICON LABORATORIES NEXT DOOR SO THEY CROSSED THE STREET FAITHFULLY AND CAME OVER TO RECEIVE THEIR VERY FIRST WASTE SMART. WHAT I WILL DO IS I WILL READ THE PROCLAMATION. THE DIRECTOR OF OUR SOLID WASTE SERVICES DEPARTMENT WILL PRESENT A PLAQUE AND WE'LL HEAR ABOUT THE PRACTICAL AT SILICON LABS. THE PROCLAMATION READS, ALMOST 60% OF THE WASTE IN LARGE U.S. CITIES IS GENERATED BY COMMERCIAL BUSINESSES, SO SOLID WASTE SERVICES HAS INSTITUTED A NEW PROGRAM TO ENCOURAGE AUSTIN COMPANIES TO REDUCE AND RECYCLE WASTE. AND WHEREAS WE'RE PLEASED TO RECOGNIZE SILICON LABS AS A WASTE SMART TRAILBLAZER UNDER THE LEADERSHIP OF THEIR GREEN TEAM THEY HAVE ELIMINATED ALMOST 300,000 PLASTIC BOTTLES FROM THEIR WASTE STREAM. IN ADDITION TO RECYCLING ALL PRODUCTS, SCRAP AND HAZARDOUS MATERIALS AND WHEREAS THEY'RE CONTINUING WASTE REDUCTION EFFORTS BOC AT WORK AND IN CLEANUPS CONTINUE TO MAKE AUSTIN THE MOST LIVABLE CITY IN THE COUNTRY. THEREFORE I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS TO HERE BY PROCLAIM THAT SILICON LABORATORIES AS FIRST WASTE SMART BUSINESS PARTNER IN AUSTIN AND PLEASE JOIN ME IN THANKING THIS GREAT, GREAT COMPANY. [APPLAUSE] WILLY?

ON BEHALF OF THE CITY OF AUSTIN SOLID WASTE SERVICES, MY NAME IS WILLY ROSE, I'M THE DIRECTOR FOR SOLID WASTE SERVICES. IT'S A GREAT PRIDE TO BE HERE TO... TODAY TO TALK ABOUT OUR FIRST AWARD AND WE HOPE TO MAKE THIS NOT THE FIRST ONE AND ONLY ONE BUT

HOPEFULLY HAVE OTHER COMPANIES JOIN US. WASTE SMART IS A CITY OF AUSTIN SOLID WASTE SERVICES PROGRAM RECOGNIZING AUSTIN BUSINESSES, AND SO ON BEHALF OF THAT WE HAVE A PLAQUE WE'D LIKE TO PRESENT FOR SIGNIFICANT WASTE REDUCTION EFFORTS, THE CITY OF SOLID WASTE SERVICES PRESENTS TO SILICON LAB AS A WASTE SMART BUSINESS SIGNED BY ME, WILLY ROSE, DIRECTOR FOR SOLID WASTE SERVICES.

THANK YOU VERY MUCH.

THANK YOU VERY MUCH. WE ARE REALLY PLEASED TO BE ABLE TO PARTICIPATE IN THIS INNOVATIVE PROGRAM. THE PROGRAM THAT WE STARTED WAS BASED ON THIS -- THIS GREEN TEAM THAT WE HAVE HERE. THERE'S JUST A FEW OF THE MEMBERS OF THIS TEAM BEHIND ME HERE THAT ARE REALLY FOCUSED ON FIGURING OUT -- DOING CREATIVE THINGS TO FIGURE OUT HOW THE EMPLOYEES OF SILICON LABS CAN MAKE A SMALLER ENVIRONMENTAL IMPACT ON -- ON THE WORLD, AND THEY CAME UP WITH SOME VERY CLEVER IDEAS ON HOW WE COULD REDUCE THE AMOUNT OF PLASTICS AND RECYCLING AND JUST NOT -- NOT HAVE THE USE OF PLASTICS. VERY EXCITING STUFF THAT THEY DO AND I'M SURE THEY'RE GOING TO COME UP WITH LOTS MORE IDEAS. WE'RE ALSO JUST REALLY GRATEFUL FOR THIS PROCLAMATION. THIS IS ONE OF THE REASONS THAT WE LIKE BEING IN AUSTIN, AND WE REALLY LIKE BEING THE NEIGHBORS OF CITY HALL HERE TOO. IT'S VERY PLEASANT. THANK YOU VERY MUCH. [APPLAUSE]

KEEP UP THE GOOD WORK.

THANKS A LOT.

MAYOR WYNN: WHY DON'T YOU-ALL COME AROUND. FOR OUR NEXT PROCLAMATION WE'RE GOING TO TALK ABOUT PRENATAL CARE AWARENESS DAY. I'M JOINED BY FOLKS FROM OUR HEALTHY HUMAN SERVICES DEPARTMENT, WE'LL HEAR FROM DAVID LURIE THE DEPARTMENT DIRECTOR IN A SECOND. SOME OF YOU MAY HAVE SEEN THE ARTICLE IN THE AUSTIN AMERICAN-STATESMAN YESTERDAY OR THIS MORNING THAT SORT OF A REHASHING OF A REPORT THAT WE ISSUE EACH YEAR, THAT WE ISSUED JUST A COUPLE

WEEKS AGO, WHICH IS TRAGICALLY ALL THE CHILDREN WHO DIED IN TRAVIS COUNTY EACH YEAR. WE HAVE A TEAM THAT ANALYZES EVERY DEATH, WHETHER IT'S ACCIDENTAL OR NOT, AND OF COURSE THE FUNDAMENTAL ASPECT OF DOING THAT SURVEY AND STUDY, VERY DETAILED STUDY THROUGHOUT THE YEAR, A PAINFUL STUDY TO DO EACH YEAR, IS TO WORK ON PREVENTION AND HOW WE CAN AVOID ACCIDENTS. CHILDREN IN THIS TOWN DIE IN CAR WRECKS. THEY DIE OF AS FIX YAITION, BUT THEN THERE'S ALSO A SIGNIFICANT NUMBER OF DEATHS THAT FUNDAMENTALLY WE BELIEVE CAN BE PREVENTED WITH BETTER PRENATAL CARE, AND SO WE'RE GOING TO TRY TO CONTINUE TO RAISE THE AWARENESS OF HOW IMPORTANT PRENATAL CARE IS. SO I'LL READ THE PROCLAMATION AND DAVID LURIE WILL TALK MORE ABOUT WHAT HE AND HIT GRACE DEPARTMENT DO THROUGHOUT THE COURSE OF THE YEAR FOR US. THE PROCLAMATION READS: BABY IS BORN TO MOTHERS RECEIVING NO PRENATAL CARE ARE THREE TIMES MORE LIKELY TO HAVE LOW BIRTH RATE AND FIVE TIMES MORE LIKELY TO DIE THAN BABIES WHOSE MOTHERS RECEIVED EARLY PRENATAL CARE AND WHEREAS HIGH QUALITY AFFORDABLE HEALTH CARE IS AVAILABLE TO PREGNANT WOMEN IN AUSTIN AND YOUNG WOMEN, THEIR PARTNERS AND FAMILIES ARE ENCOURAGED TO LEARN ABOUT AND TAKE ADVANTAGE OF PRENATAL SERVICES, AND WHEREAS THE AUSTIN TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT IS HOSTING A CELEBRATION AT PARK SAIR GHOST A DURING WHICH THEY WILL RECOGNIZE TEN SUPER MOMS WHO HAVE GIVEN THEIR INFANTS A HEALTHY START BY RECEIVING PRENATAL HEALTH CARE AND MAKING OTHER HEALTHY DECISIONS. I WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM MAY 22, 2007 AS PRENATAL CARE AWARENESS DAY IN AUSTIN AND ASK MR. DAVID LURIE TO COME TALK ABOUT THAT EVENT, BUT MORE FUNDAMENTALLY, THE OPPORTUNITY FOR US TO RAISE AWARENESS AND HAVE MORE YOUNG WOMEN TAKE ADVANTAGE OF PRENATAL CARE. DAVID?

THANK YOU, MAYOR WYNN. WE REALLY APPRECIATE THE SUPPORT IN THIS PROCLAMATION AND THE HEIGHTENED AWARENESS REGARDING PRENATAL CARE. EARLY AND REGULAR PRENATAL CARE REALLY DOES MAKE A



DIFFERENCE IN TERMS OF BIRTH OUTCOMES. IT'S IMPORTANT FOR THE HEALTH OF BOTH THE INFANT AND THE MOTHER. AS THE MAYOR HAS POINTED OUT AND IT WAS STATED IN THE PROK MAIG, BABIES BORN TO MOTHERS RECEIVING NO PRENATAL CARE ARE THREE TIMES MORE LIKELY TO HAVE LOW BIRTH WEIGHT AND FIVE TIMES MORE LIKELY TO DIE THAN BABIES WHOSE MOTHERS RECEIVED PRENATAL CARE. IN EASTERN TRAVIS COUNTY NEARLY 1 IN 4 BIRTHS DID NOT RECEIVE ADEQUATE PRENATAL CARE. THIS DISPARITY IS MORE WIDESPREAD FOR AFRICAN-AMERICANS AND HISPANICS. OUR HEALTH AND HUMAN SERVICES DEPARTMENT HAS RECEIVED A SPECIAL GRANT FROM THE STATE DEPARTMENT OF HEALTH SERVICES FOR MATERNAL AND HEALTH HEALTH SERVICES AND SPECIFICALLY FOR MEDIA EFFORTS, OUTREACH EFFORTS ASSOCIATED WITH ENCOURAGING ACCESS AND UTILIZATION OF PRENATAL CARE SERVICES AND WE'RE WORKING WITH ALL THE PROVIDERS IN OUR COMMUNITY TO DEVELOP THE CAPACITY TO PROVIDE FOR MORE PRENATAL CARE. IT'S OUR VISION WITH THIS GRANT TO MAKE AUSTIN CITY WHERE THE HEALTHIEST BABIES ARE BORN, SO VERY CONSISTENT, MAYOR, WITH YOUR WELLNESS AND FITNESS INITIATIVES FOR THE CITY, AND THIS IS STARTING IN THE PRENATAL STAGE. SO TO RAISE THIS AWARENESS WE'RE HOSTING A SUPER MOM CELEBRATION. IT'S NEXT TUESDAY, MAY 22, AND WE'LL BE HONORING SUPER MOMS AND SUPPORTIVE DADS WHO HAVE GIVEN THEIR BABIES A HEALTHY START BY RECEIVING PRENATAL CARE AND MAKING OTHER HEALTHY DECISIONS DURING THEIR PREGNANCY. WE'RE PARTNERING WITH ANY BABY CAN, FAMILY CERKSES, THE CITY OF AUSTIN COMMUNITY CARE DEPARTMENT. OUR SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN TO PRESENT THIS EVENT, ALL OF THE SUPER MOMS AND SUPER DADS WHO WERE NOMINATED WERE NOMINATED BY THESE PARTNER AGENCIES, SO WE STRONGLY ENCOURAGE PEOPLE TO ATTEND AND PARTICIPATE, PARTICULARLY NEW MOMS ARE ENCOURAGED TO ATTEND AS THERE WILL BE INFORMATION ON PREGNANCY AND PARENTING, AND THIS EVENT AGAIN WILL TAKE PLACE FROM 11:30 TO 1:30 AT PARK ZARAGOSA RECREATION CENTER, WHICH IS LOCATED AT 2608 GONZALEZ. AGAIN, THAT'S NEXT TUESDAY, MAY 22. WE'LL HAVE MUSIC, CHILDREN'S ENTERTAINMENT,

COMPLIMENTARY MESSAGES, SNACKS AND PRIZES FOR EVERYONE WHO ATTENDS. SO WE'D LIKE YOU TO SPREAD THE WORD AND ENCOURAGE PEOPLE TO PARTICIPATE. AGAIN, MAYOR, I'D LIKE TO THANK YOU FOR THE PROCLAMATION, HELPING US HEIGHTEN THE AWARENESS THROUGHOUT OUR COMMUNITY OF THIS IMPORTANT PUBLIC HEALTH MESSAGE AND I'D LIKE TO JUST BRIEFLY ASK DR. VALADES OUR MEDICAL DIRECTOR TO INTRODUCE THE WONDERFUL STAFF BEHIND HERE WHO ARE DOING A GREAT JOB TO ENCOURAGE PEOPLE TO TAKE ADVANTAGE OF THIS VERY IMPORTANT, VERY EFFECTIVE SERVICE. SO DR. VALADEZ?

THANK YOU, DAVID. THANK YOU, MAYOR, FOR ACKNOWLEDGING THE IMPORTANCE OF WOMEN'S HEALTH AND CHILDREN'S HEALTH AND REALLY THE IMPORTANCE OF EARLY PRENATAL CARE AND AD CAT CARE. I WANT TO INTRODUCE YOU TO THE STAFF THAT MAKES THIS HAPPEN AND WORKS WITH OUR COMMUNITY PARTNERS TO KEEP OUR COMMUNITY HEALTHY. OUR PROGRAM MANAGER IS MR. LEN TRA VIN ON. WE HAVE OUR PROGRAM SUPERVISOR, VANESSA METZGER AND HER SON. KRISTEN TURPIN AND STEPHANIE, OUR PROGRAM COORDINATORS FOR THE MATERNAL CHILD HEALTH PROGRAM AND THEN WE HAVE A PARTNER IN WOMEN INFANT AND CHILDREN, DONA, FOR THAT PROGRAM. THAT PROGRAM SERVES OVER 32,000 WOMEN, I BELIEVE, WITH SERVICES OF NUTRITION AND OTHER IMPORTANT FACTS TO KEEP THEMSELVES AND THEIR BABIES HEALTHY, AND TRISHA -- TAYLOR RIVERA IS ONE OF OUR PARTNERS AS WELL. I WANT TO THANK YOU --

PLEASE JOIN ME IN THANKING THE DEPARTMENT.  
[APPLAUSE]

THANK YOU, MAYOR.

MAYOR WYNN: FOR MY LAST PROK OF THE WEEK WE'RE GOING TO TALK ABOUT THE 30TH ANNUAL O. HENRY PUN-OFF AND ONE OF MY CLAIMS TO FAME IS THE MORNING I CAN'T ELECTED MAYOR, MAY 3 OR 9, 2003, WAS THE SAME DAY AS O HENRY PUN-OFF SO I BEGAN BY ATTENDING AND DELIVERING ON ALL THE DIFFERENT CAMPAIGN SLOGANS THAT MY GUYS AND GIRLS ARE COME UP WITH,

WE ALL WILL WIN AND WILL WYNN WINS AND HAD A FUN TIME. AND I GOT ELECTED MAYOR, BY GOD. OKAY. SO I'LL READ THE PROCLAMATION AND THEN MARSHAL JONES WILL COME TALK ABOUT -- ABOUT THE 30-YEAR EVENT, PRETTY REMARKABLE, BUT ALSO FUNDAMENTALLY WHAT IT DOES AS A FUNDRAISER FOR THE MUSEUM. SO PROCLAMATION READS -- THIS MIGHT BE A TOUGH ONE TO READ. I SHOULD HAVE PRACTICED THIS FIRST. BE IT KNOWN THAT WHEREAS THE O. HENRY PUN-OFF IS ONE OF THE OLDEST AND MOST ARE YOU NEEK EVENTS IN AUSTIN. THIS YEAR'S 30ED ANNUAL EVENT HAS PEOPLE FACING OFF AT HIGH NOON IN BRUSH SCARE SQUARE. HUNDREDS OF BOOKS HAVE BEEN DONATED THAT WILL BENEFIT THE O. HENRY MUSEUM AND PROCEEDS FROM A SILENT AX AUCTION WILL HEM SUPPORT AN ADJACENT HISTORIC HOME. AND WHEREAS WE ENCOURAGE ALL AUSTINITES TO COME TAKE PART IN THE FESTIVITIES AND ENJOY MUSICAL ENTERTAINMENT DURING THE TWO CATEGORIES OF COMPETITION, PUNNIEST OF SHOWS AND HIGH LIES AND LOW PUNS. SO THEREFORE, I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM MAY 19, 2007 ALWAYS THE 30TH ANNUAL O. HENRY PUN-OFF WORLD CHAMPIONSHIPS AND COLUMNIST MARSHAL JONES COME SAY A FEW WORDS. BEFORE HE DOES PLEASE JOIN ME IN CONGRATULATING HE AND DEBORAH FOR ALL THE WORK THEY DO, AND NOT ONLY HOW FUN IT IS TO HAVE THE HISTORY OF THE TRADITION OF O. HENRY IN OUR MIDST BUT ALSO WITH THE MUSEUM. PLEASE JOIN ME IN THANKING TWO FINE FOLKS. CERTAINLY THE FRIENDS OF THE OF THE O. HENRY WANT TO THANK THE MAYOR AND PLAYER PRO TEM AND CITY COUNCIL. IT'S HARD TO FOLLOW TOPICS OF PRENATAL CARE AS SOMETHING AS FUN AS THE PUN-OFF AND THEY ORIGINALLY ASKED IF I WANTED TO GIVE AN EXAMPLE OF A PUN BUT I THINK WILL WYNN, THAT'S ABOUT AS GOOD AN EXAMPLE OF A PUN I CAN GIVE. IF YOU DON'T GET IT SHOW UP ON SATURDAY AND WE'LL PLAIN EXPLAIN IT. 30TH, ONE OF THE OLDEST PUBLIC EVENTS IN AUSTIN, IT'S JUST 32 PUN SLINGERS WHO COME UP AND ENTERTAIN US WITH THE LOWEST FORM OF HUMOR YOU'LL EVER FIND. WE START AT NOON, RUN UNTIL 5 OR 6:00 P.M. WE HAVE A SILENT AUCTION, AS WELL AS WE TAKE DONATIONS, COME BY BRUSH SQUARE AND SEE US. PARKING ON FIFTH AND RED RIVER AND THE PARK IS ON 4TH

AND RED RIVER. THANKS. [APPLAUSE]

MAYOR WYNN: NOW I'LL TURN THE PODIUM OVER TO COUNCIL MEMBER LEE LEFFINGWELL.

LEFFINGWELL: ASPHYXIAE AS FIX YATES ASPHYXIATING I THINK WEG THE WHOLE CORE HERE TONIGHT. NEXT WEEK, IN FACT, STARTING SUNDAY, THE NATIONAL COLLEGE OF EMERGENCY EFFICIENCY IS SPONSORING EMS DAY ACROSS THE COUNTRY, HONORING 750,000 EMS PARAMEDICS NATIONWIDE. SO IT'S -- IN CELEBRATION OF THIS DAY ALL THESE GUYS ARE GOING TO RIDE THEIR BICYCLES FROM NEW YORK CITY TO ROAN OAK VIRGINIA TO OBSERVE A MOMENT OF SILENCE. AREN'T YOU GOING? ANYWAY, A REPRESENTATIVE CREW WILL BE GOING. I HAVE A PROCLAMATION HERE I'M GOING TO READ IN HONOR OF EMS WEEK. BE IT KNOWN THAT WHEREAS EMERGENCY MEDICAL SERVICE TEAMS HAVE THOUSANDS OF HOURS OF SPECIALIZED TRAINING IN CONTINUING EDUCATION AND ARE ALWAYS READY TO PROVIDE LIFESAVING CARE TO PEOPLE IN NEED 24 HOURS A DAY, SEVEN DAYS A WEEK, AND WHEREAS ACCESS TO QUALITY EMERGENCY CARE DRAMATICALLY IMPROVES THE SURVIVAL AND RECOVERY RATE OF THOSE WHO EXPERIENCE SUDDEN ILLNESS OR TRAUMATIC INJURY AND WHEREAS WE ARE PLEASED TO RECOGNIZE THE PARAMEDICS, PILOTS, FLIGHT NURSES AND MEDICS, FIREFIGHTERS, PARKS AND A AIRPORT POLICE, COMMUNICATIONS MEDIC, EDUCATORS, ADMINISTRATORS AND OTHERS WHO MAKE UP THE AUSTIN COUNTY EMERGENCY MEDICAL SERVICES AND WHO PER SONIFY THE THEME FOR THE SPECIAL WEEK, EXTRAORDINARY PEOPLE, EXTRAORDINARY SERVICE. NOW, THEREFORE, I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM MAY 20 THROUGH MAY 26, 2007 AS EMERGENCY MEDICAL SERVICES WEEK HERE IN AUSTIN. AND -- [APPLAUSE]

THANK YOU FOR HONORING ALL THESE GUYS AND HERE TO ACCEPT THE AWARD ON THEIR BEHALF IS VICE ADMIRAL ERNIE RODRIGUEZ. [APPLAUSE]

THANK YOU. I'D LIKE TO TAKE JUST A SECOND TO THANK THE MAYOR, CITY COUNCIL AND CITY MANAGER, ESPECIALLY

COUNCIL MEMBER LEFFINGWELL FOR SPONSORING OUR PROCLAMATION. THIS IS VERY EXCITING FOR US. FOR EMS, THIS IS A BIG DEAL, AND WE'RE VERY HAPPY. YEAR AFTER YEAR AUSTIN, TRAVIS COUNTY EMS RESPONDS TO OVER 100,000 REQUESTS FOR ASSISTANCE FROM OUR CITIZENS AND OUR VISITORS. WE DO IT 24 HOURS A DAY, SEVEN DAYS A WEEK, WHETHER IT'S RAINING OR NOT. WE DO IT WITH SOME OF THE BEST EMS PERSONNEL IN THE COUNTRY. NO KIDDING, IN THE COUNTRY. WE DO IT WITH SOME OF THE BEST EQUIPMENT AND WE DO IT WITH SOME OF THE HIGHEST HIGHEST STANDARDS. IN THE PAST YEAR WE HAVE SEEN SOME GREAT IMPROVEMENTS, IN EVERYTHING WE DO FROM RESPONSE TIMES, TREATMENTS, TRAINING, EVEN IN THE QUANTITY OF OUR STAFFING AND THE CAPABILITIES THAT WE'RE ABLE TO PROVIDE, AND WE DO THIS ALL UNDER THE AWESOME PORT AND GUIDANCE OF OUR LEADERS, OVER HERE. WE'RE VERY PROUD OF THAT. WE COULDN'T DO THIS WITHOUT THEM. AND FINALLY WE WANT TO THANK OUR COMMUNITY. WE COULD NOT DO THIS WITHOUT YOU. WE THANK YOU FOR SUPPORTING US IN OUR MISSION OF IMPROVING OUR LIFE, HEALTH AND OUR SAFETY. WE'RE HERE FOR YOU, AND WE'RE HERE TO HELP YOU. WE'VE GOT A LOT OF EVENTS THAT WE WANT YOU TO KNOW ABOUT THAT WE'RE SPONSORING FOR EMS WEEK SO I'D LIKE JASON MARTIN TO COME UP AND INVITE YOU TO THOSE. JASON IS OUR DIVISION COMMANDER OVER PUBLIC EDUCATION.

[APPLAUSE]

I HOPE EVERYBODY IS COMFORTABLE. COUNCIL MEMBER LEFFINGWELL SAID THAT THEY NEVER GET A LONG ENOUGH BREAK SO HE SAID TO GO REALLY LONG. SO THIS PIECE OF PAPER IS REALLY IN 6 FONT. IT'S GOING TO TAKE A WHILE. SERIOUSLY, THANKS TO THE MAYOR AND COUNCIL, MANAGER'S OFFICE, ESPECIALLY TO CONGRESSMAN LEFFINGWELL FOR GETTING.....COUNCILMAN LEFFINGWELL FOR GETTING US ON THE PROGRAM. IT IS A BIG DEAL BUT THE COMMUNITY IS THE MOST IMPORTANT THING TO US. SO WE WANT TO DO IS SHOW YOU WHAT WE DO. SO STARTING ON WEDNESDAY THERE'S GOING TO BE AN OPEN HOUSE AT OF STAR FLIGHT ON THE STAR FLIGHT HANGAR. ON SATURDAY THERE WILL BE AN OPEN HOUSE AT STATION 17

AND THEN LATER AT STATION 28 THERE WILL BE ANOTHER OPEN HOUSE. ALL THIS INFORMATION IS AVAILABLE AT ATCMS.ORG. THE OPEN HOUSE AT STATION 28 WILL FINISH WITH THE NATIONALLY RECOGNIZED MOMENT OF SILENCE. THIS YEAR WE HAVE THE HONOR OF HONORING ONE OF OUR OWN. ERIC HANSON, BORN, RAISED AND EDUCATED IN AUSTIN, TEXAS, DIED IN THE LINE OF DUTY WHILE WORKING FOR MARBLE FALLS EMS. LIKE COUNCILMAN LEFFINGWELL SAID, FIVE WERE RIDING TO ROAN NOAK VIRGINIA FOR THE NATIONAL MOMENT OF SILENCE AND THE ENTIRE COUNTRY DOES IT AT THE SAME TIME. NEXT FRIDAY, MY FAVORITE ONE, PETS AMERICA PARTNERSHIP SPONSORED BY COUNCIL MEMBER MIKE MARTINEZ, WE HAVE A PLACE WHERE THEY'RE DONATING PEST MASKS WHERE WE CAN ACTUALLY GIVE OXYGEN TO ANIMALS NOW IN ADDITION TO HUMANS, AND THAT WILL BE OUTSIDE AT 10:00 ON FRIDAY. ONCE AGAIN, THANK YOU VERY MUCH. THE ONLY REASON WE'RE HERE IS BECAUSE YOU SUPPORT US AND WE SHOULD NOT AND WILL NEVER FORGET THAT. [APPLAUSE] ROANOKE ROW NOAK

LEFFINGWELL: THANK YOU VERY MUCH, GUYS, IT'S A WELL DESERVED HONOR AND ALL OF US WHO HAVE HAD AT ONE TIME OR ANOTHER OCCASION TO NEED EMS KNOW THE VALUE OF WHAT YOU DO. SO THANKS AGAIN, GUYS, VERY MUCH. APPRECIATE IT. ROANOKE ROANOKE ROANOKE HONOR' HONOREE HONOR' HONOREE SHUDDE FATH ZION BLANK.

THERE BEING A QUORUM PRESENT I'LL CALL BACK TO ORDER THE MEETING OF THE CITY COUNCIL. WE'VE BEEN ON BREAK FOR LIFE MUSIC AND PROCLAMATIONS. APPRECIATE THE PATIENCE AND THANK YOU FOR THE PATIENCE WE HAD JUST CLOSED NO. 53, THE CASWELL LOFTS CASE AND WE'RE JUST BEGINNING THE DISCUSSION, DELIBERATION, QUESTIONS OF NEIGHBORS AND OR AGENT. SO I WOULD OPEN THAT BACK UP FOR QUESTIONS OR COMMENTS. MOST OF THE NEIGHBORS AND THE DEVELOPMENT TEAM ARE BACK IN THE ROOM. SO COMMENTS, QUESTIONS? MOTIONS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: FOR THE DEVELOPER'S AGENT, MR. HARTMAN, THERE WAS SOME DISCUSSION ABOUT THE TWO

BEDROOM UNITS VERSUS -- THERE WASN'T SUPPOSED TO BE ANY TWO-BEDROOM AND THERE WERE GRAPHICS SHOWING THAT THERE WERE A NUMBER OF TWO-BEDROOM UNITS ADVERTISED. ARE THERE TWO BEDROOM UNITS OR NOT?

NO, COUNCIL MEMBER. THE PRIVATE RESTRICTIVE COVENANTS LIMIT TO ONE BEDROOM THE SITE PLAN THAT WAS APPROVED BY THE CITY OF AUSTIN SHOWS ONLY ONE BEDROOMS, AND THE GRAPHICS THAT WERE SHOWN, WE UNDERSTAND WERE DEVELOPED BY SOME BROKERS OR AGENTS THAT ARE OUT THERE, NOT A PART OF OUR -- THOSE WEREN'T DEPICTED ON OUR PARTICULAR WEB SITE. I THINK THERE MAY HAVE BEEN A BROCHURE THAT THESE AGENTS PRODUCED SOMETIME IN THE PAST THAT IS NO LONGER USED.

SO THAT WAS INACCURATE.

THAT'S CORRECT.

LEFFINGWELL: THANKS.

MAYOR WYNN: IF A COUNCIL MEMBER ASKS A QUESTION OF YOU, WHICH I THINK COUNCIL MEMBER LEFFINGWELL IS ABOUT TO DO, SO APPROACH, MATTHEW.

LEFFINGWELL: YES, PLEASE RESPOND.

IF YOU GO TO THE CASWELL LOFTS WEB SITE, THERE IS A LINK THERE THAT HAS THAT LAST PAGE THAT I SHOWED IN MY PRESENTATION THAT HAS THE TWO BEDROOM UNITS ON IT. SO IT'S EITHER A TYPO OR SOME OTHER MISTAKE BUT IT'S THE CASWELL LOFTS.

IRREGARDLESS AND I BELIEVE IF YOU SAY IT'S TRUE, IRREGARDLESS THEY HAVE STATED THAT THERE ARE NO TWO BEDROOM UNITS.

OKAY. THEY'RE ADVERTISING THEM AS SUCH, THOUGH, SO --

THANK YOU, MATTHEW.

ADDITIONAL QUESTIONS, COMMENTS? MR. GUERNSEY, IT'S BEEN A WHILE NOW, CAN YOU REMIND US OF A RECOMMENDATION THAT CAME TO US FROM STAFF AND OR THE COMMISSION?

GUERNSEY: THE STAFF RECOMMENDATION WAS TO GRANT THE APPLICANT'S REQUEST WITH A TRIP LIMITATION OF 2,000 AND THE PLANNING COMMISSIONER RECOMMENDATION WAS TO RECOMMEND THE STAFF RECOMMENDATION ON A 9-0 VOTE, AND THE ORDINANCE HAS BEEN PREPARED IN ACCORDANCE WITH THE PLANNING COMMISSION RECOMMENDED TO YOU AND IS ON THE DAIS IN THE FORM OF A YELLOW COPY. IT SPEAKS TO EACH -- EACH RESIDENTIAL UNIT MAY NOT EXCEED 1,200..... 1,285 FEET. IT SPEAKS TO THE HEIGHT RESTRICTIONS THAT ON TRACT 1 A BUILDING RESTRICTION MAY NOT EXCEED A HEIGHT OF 575 FEET ABOVE SEA LEVEL AND ON TRACT TWO THAT THE HEIGHT MAY NOT EXCEED 570 FEET ABOVE SEA LEVEL. SO THAT'S BEFORE YOU FOR YOUR CONSIDERATION.

MAYOR WYNN: AND THOSE ALL WERE INCLUDED IN THE PLANNING COMMISSION VOTE AS WELL?

THAT'S CORRECT.

MAYOR WYNN: THANK YOU. COMMENTS? QUESTIONS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I'LL MOVE APPROVAL OF THE -- THE PUBLIC HEARING IS ALREADY CLOSED, I BELIEVE, SO I'LL MOVE APPROVAL OF THE PLANNING COMMISSION RECOMMENDATION ON FIRST READING ONLY.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM TO APPROVE ON FIRST READING ONLY. THE PLANNING COMMISSION RECOMMENDATION. FURTHER COMMENTS? THOUGHTS? I'LL JUST SAY, FUNDAMENTALLY I THINK THIS IS A GOOD PROJECT, AND FRANKLY HAD THIS PROJECT COME TO US AS IS I WOULD HAVE HAD A HARD TIME NOT SUPPORTING IT. IT'S UNFORTUNATE THAT SOME MISTAKES WERE MADE. IT APPEARS THEY COULD VERY EASILY BE HONEST MISTAKES. I GREATLY APPRECIATE WHAT SEEMS TO BE A BIG EFFORT OF



TIME AND PERHAPS SOME EXPENSE ON TWO OR THREE DIFFERENT PARTIES SPENDING A LOT OF TIME AND EFFORT TRYING TO COME TO CONSENSUS, WHICH ISN'T ALWAYS POSSIBLE, BUT I APPRECIATE THE EFFORT THAT EVERYBODY HAS SHOWN, AND THE PATIENCE. WE'VE GOT A MOTION AND A SECOND ON THE TABLE TO APPROVE ON FIRST READING ONLY THIS PLANNING COMMISSION RECOMMENDATION ITEM NO. 53. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON FIRST READING ONLY ON A VOTE OF 7-0.

GUERNSEY: THAT CONCLUDES OUR ZONING ITEMS AT THIS TIME.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. HAVE A GOOD EVENING. WELL, COUNCIL, WE NOW GO TO OUR POST-6:00 P.M. PUBLIC HEARINGS. WE HAVE A HANDFUL OF THEM. I BELIEVE I CAN FIGURE OUT WHICH ONES WE CAN KNOCK OUT WITH RELATIVE EASE, BEING THAT THERE LIKELY WON'T BE ANYBODY HERE TO GIVE US TESTIMONY, THE NATURE OF SOME OF THEM. IF I CAN GET MY SCREEN UP HERE. COUNCIL, MY RECOMMENDATION, AND I KNOW IF FOLKS WILL BE PATIENT WE CAN GET THROUGH ALL THESE OTHER ONES AND GET THEM OFF THE AGENDA AND GET A BUNCH OF STAFF MEMBERS SENT HOME, AND THEN WE'LL TAKE UP THE VAST, VAST MAJORITY OF OUR FOLKS THAT ARE HERE TO GIVE US TESTIMONY ON PUBLIC HEARING NO. 54, OUR ANNUAL DRAFT ACTION PLAN FOR OUR HUD WORK HOUSING AND URBAN DEVELOPMENT WORK. SO WE'LL SKIP OVER THAT ONE SO WE CAN GET THROUGH THE REST OF THESE AND GET THEM OFF AGENDA SO WE CAN FOCUS ON HUD TONIGHT. OUR FIRST PUBLIC HEARING WILL BE ITEM FO. 55, WHICH IS THE PROPOSED STRATEGIC PARTNERSHIP AGREEMENT BETWEEN LOST CREEK AND MUD. WE WELCOME A STAFF PRESENTATION. WE'LL TAKE THESE IN ORDER, 55 THROUGH 63 AND THEN GO BACK AND DO OUR HUD HEARING. WELCOME, MISCOLLIER.

THANK YOU. MY NAME IS VIRGINIA COLLIER WITH THE CITY'S

NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. THIS IS THE SECOND OF TWO PUBLIC HEARINGS FOR THE LOST CREEK STRATEGIC PARTNERSHIP AGREEMENT. THE PROPOSED STRATEGIC PARTNERSHIP AGREEMENT WAS OUTLINED LAST WEEK AT THE FIRST HEARING. GREG GUERNSEY MENTIONED THAT FULL PURPOSE ANNEXATION OF COMMERCIAL AREAS ALONG WITH 360 WOULD BE COMPLETED IN DECEMBER OF THIS YEAR PER THE AGREEMENT. AND DEFERRAL OF THE ANNEXATION OF THE RESIDENTIAL PORTIONS OF THE MUD UNTIL DECEMBER 31, 2015. IF YOU HAVE ANY QUESTIONS I WOULD BE HAPPY TO ANSWER THOSE AT THIS TIME. COPIES OF THE STRATEGIC PARTNERSHIP AGREEMENT ITSELF ARE AVAILABLE THIS EVENING OUT IN THE LOBBY.

MAYOR WYNN: THANK YOU, MISCOLLIER. QUESTIONS OF STAFF, COUNCIL? ARE THERE ANY CITIZENS WHO WOULD LIKE TO ADDRESS THIS IN THIS PUBLIC HEARING, ITEM NO. 55 OF THIS SPA BETWEEN THE CITY OF AUSTIN AND THE LOST CREEK MUD? HEARING NONE I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCIL MEMBER MARTINEZ, SECONDED BY COUNCIL MEMBER COLE TO CLOSE THIS PUBLIC HEARING, NO. 55. ALL IN FAVOR PLEASE SAY AYE.

MAYOR WYNN: AYE.

OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF 7-0. ITEM NO. 56. MR. MURPHY, WELCOME.

GOOD EVENING, MAYOR AND COUNCIL. I'M HERE THIS EVENING TO PRESENT THE WEST BANK COMMUNITY LIBRARY PROJECT. THIS PROJECT WAS IN RESPONSE TO A RESOLUTION FROM COUNCIL THAT DIRECTED US TO CONSIDER CODE AMENDMENTS AND EXCEPTIONS TO ALLOW FOR DEVELOPMENT OF THIS TRACT. THIS TRACT REQUIRES SPECIFIC VARIANCES AND AN AMENDMENT TO SOS. THE -- FIRST OF ALL, THERE IS A VARIANCE TO SECTION 258301, 258341 AND 342 AND 454 OF THE CITY CODE. THAT ADDRESS CERTAIN REQUIREMENTS AND THERE ALSO IS AN AMENDMENT TO THE POLLUTION PREVENTION REQUIREMENTS OF THE SOS ORDINANCE. THE MAJORITY OF THIS SITE IS LOCATED IN THE LAKE AUSTIN WATERSHED. IT'S

A 10.2-ACRE TRACT WITH THE REMAINDER BEING IN BARTON -- THE BARTON PORTION OF THE SITE IS SOME OF THE MORE DEVELOPABLE AREA OF THE TRACT. AS A RESULT, THE LIBRARY CANNOT BE CONSTRUCTED ON THE TRACT IN COMPLIANCE WITH THE BARTON CREEK REQUIREMENTS OF 20% NET SIDE AREA. THE ITEM -- THE PROPOSAL IS TO DIVERT THOSE FORM WATER FROM THE SMALL BARTON PORTION OF THE SITE TO THE LAKE AUSTIN PORTION OF THE SITE AND TO TREAT THAT TO THE CURRENT STANDARDS REQUIRED FOR LAKE AUSTIN WATERSHED. THIS ITEM WENT TO THE ENVIRONMENTAL BOARD AS WELL AS TO THE PLANNING COMMISSION AND IS RECOMMENDED FOR YOUR APPROVAL. THE ORDINANCE WOULD ALLOW FOR 45,000 SQUARE FEET TO BE CONSTRUCTED OF IMPERVIOUS COVER -- PARDON ME, TO BE CONSTRUCTED IN THE BARRED ON CREEK WATERSHED AND 40,000 SQUARE FEET TO BE CONSTRUCTED INTO THE LAKE AUSTIN WATERSHED. THE STAFF CONDITIONS FOR RECOMMENDATION WERE TO LIMIT THE IMPERFECT JUST COVER TO THESE AMOUNTS, TO IMPLEMENT AN INTEGRATED PEST MANAGEMENT PLAN, TO PROVIDE AN EDUCATION KIOSK IN THE LIBRARY, TO PROVIDE NATIVE LANDSCAPING, TO PROVIDE LOW IMPACT DEVELOPMENT TECHNIQUES AND RAINWATER HARVESTING IF POSSIBLE. THE ENVIRONMENTAL BOARD ADDED A CONDITION THAT THE LIBRARY WILL PROVIDE PUBLIC INFORMATION TO ENHANCE WATER QUALITY AND EDUCATION FOR THE PUBLIC. AS I SAID, THIS WAS RECOMMENDED BY THE ENVIRONMENTAL BOARD AND ALSO BY THE PLANNING COMMISSION AND I'LL BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.

MAYOR WYNN: THANK YOU, MR. MURPHY. QUESTIONS OF STAFF, COUNCIL? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: DID THE PLANNING COMMISSION'S APPROVAL INCLUDE THE ENVIRONMENTAL BOARD CONDITIONS?

YES.

LEFFINGWELL: THANK YOU.

MAYOR WYNN: FURTHER QUESTIONS OF STAFF? COUNCIL? ARE THERE ANY CITIZENS THAT WOULD LIKE TO ADDRESS

THIS IN THIS PUBLIC HEARING, ITEM FO. 56, REGARDING THE WEST BANK COMMUNITY LIBRARY FACILITY? HEARING NONE, COUNCIL, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING AND WHATEVER YOUR PREFERENCE MIGHT BE ON ACTION, NOTING THAT WE NEED SIX VOTES -- AFFIRMATIVE VOTES TO PASS THIS AMENDMENT. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I WILL MOVE TO CLOSE THE PUBLIC HEARING AND APPROVE THE PLANNING COMMISSION RECOMMENDATION WITH THE ENVIRONMENTAL BOARD CONDITIONS, WHICH INCLUDE THE ONLY USE ALLOWED ON THIS PROPERTY IS A LIBRARY AND ANYTHING OTHER THAN THAT IS EVER BUILT ON IT THE APPROVAL IS DISCONTINUED. IS THIS IN -- ARE WE READY FOR 3 OR DO WE NEED 3? -- ON ALL THREE READINGS.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL TO CLOSE THE HEARING AND APPROVE THIS AMENDMENT AS INCLUDING THE RESTRICTION ON THE USE AS OUTLINED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. MR. MURPHY?

AGAIN, MAYOR AND COUNCIL, THIS ITEM IS ZIONIST BAPTIST CHURCH ALSO ASSOCIATED WITH THE SAME RESOLUTION COUNCIL PASSED DIRECTING STAFF TO INITIATE CODE AMENDMENTS AND VARIANCES TO ALLOW FOR DEVELOPMENT. THIS IS A CHURCH THAT HAS BEEN IN THIS LOCATION HISTORICALLY. THIS TRACT IS ACROSS THE STREET FROM THEIR EXISTING FACILITY AT 3326 PISANO TRAIL. IT'S ABOUT ONE MILE SOUTHEAST OF WILLIAM CANON AND BRODIE LANE. THE CHURCH IS PROPOSING TO DEVELOP ON THIS TRACT A NEW WORSHIP FACILITY, PARKING AND ACCESS. THE TRACT IS LOCATED IN THE BARTON SPRINGS ZONE, AND REQUIRES AN AMENDMENT TO THE POLLUTION PREVENTION REQUIREMENTS OF THE SAVE OUR SPRINGS INITIATIVE. THE CHURCH WILL BE DEVELOPING IN A MANNER THAT WILL PLACE THE DEVELOPMENT PRIMARILY OUTSIDE

OF THE TRANSITION ZONE AND WILL BE PROVIDING WATER QUALITY IN ACCORDANCE WITH THE EDWARDS RULES THAT APPLY FOR THIS AREA. THE TRACT IS CONSTRAINED IN THAT IT HAS A WATERWAY THAT RUNS THROUGH IT, AND AS A RESULT THE CURRENT REGULATIONS WOULD NOT ALLOW FOR DEVELOPMENT OF A FACILITY OF THIS TYPE. THERE ARE CERTAIN VARIANCES REQUESTED AND -- AND AS I SAID AN AMENDMENT TO SOS AMENDS SECTION 258-514 A OF THE CITY CODE TO GRANT A WAIVER, SECTION 258132 D TO GRANT A VARIANCE AND CEMENT 258-4043 OF THE CITY CODE ARE REQUIRED IN ADDITION TO THE SOS AMENDMENT. THE FACILITY WOULD RESULT IN A 100 -- I BELIEVE 132,000 SQUARE FEET. THIS WAS RECOMMENDED BY THE ENVIRONMENTAL BOARD AS WELL AS BY THE PLANNING COMMISSION. I'LL READ THROUGH THE RECOMMENDATIONS AT THIS TIME. THE STAFF CONDITIONS WERE PRIMARILY TO LIMIT PARKING OUTSIDE OF THE CRITICAL WATER QUALITY ZONE AND THE CHURCH HAS WORKED WITH US TO ACCOMPLISH THAT BASED ON THEIR CURRENT PLAN. THE BOARD CONDITIONS THAT WERE ADDED IS THAT THE APPLICANT WOULD CONTINUE TO WORK WITH STAFF TO IMPROVE THE PROJECT, WATER QUALITY, AS CLOSE AS POSSIBLE TO CURRENT CODE, AND THAT THE CHURCH HAS AGREED TO CONTINUE TO DO THAT. THE APPLICANT WILL RETURN TO THE ENVIRONMENTAL BOARD TO PRESENT THEIR SITE PLAN FINAL PRODUCT AND THE CHURCH HAS AGREED TO THAT AS WELL. 3, THE USE OF THE TRACT WILL BE LIMITED TO WORSHIP, AND I WANT TO POINT OUT THAT THIS ORDINANCE WOULD SPECIFICALLY ONLY ALLOW FOR CONSTRUCTION OF A CHURCH. IT WOULD NOT APPLY TO ANY OTHER USER TO CONSTRUCT ON THIS PROPERTY. THE STAFF WILL INVESTIGATE OPPORTUNITIES TO REALIGN PISANO TRAIL. WE LOOKED AT THAT. PISANO TRAIL IS A SUBSTANDARD TWO-LANE ROAD. WOULD HAVE TO BE BROUGHT UP TO CURRENT STANDARDS AND IN TALKING TO PUBLIC WORKS ABOUT THIS, I'VE COME TO THE CONCLUSION THAT IT WOULD BE COST PROHIBITIVE FOR THAT AND THE COST WOULD HAVE TO BE BORNE BY THE CHURCH TO REALIGN THAT. IT WOULD HAVE PROVIDED OPPORTUNITIES FOR THE CHURCH TO HAVE THAT LAND CONTIGUOUS WITH THEIR WORSHIPPING FACILITY BUT I DON'T THINK IT'S A PRACTICAL SOLUTION GIVEN THE COST OF THE PROJECT

AND THE FACT THAT IT WOULD ALSO HAVE TO HAVE WATER QUALITY FACILITIES IN PROXIMITY TO THE CREEK. THE SECOND WAS STAFF WILL -- NO. 5, THE STAFF WILL INVESTIGATE OPPORTUNITIES FOR SWAPPING LAND WITH AN ADJACENT EASTERN TRACT, THE STEVENSON TRACT. THE CITY OBTAINED THE STEVENSON TRACT AS PART OF THE FOREIGN PUD. IT HAS SPECIFIC DEED RESTRICTIONS THAT DEAL WITH EDUCATIONAL USES OF THE PROPERTY AND PRIVATE USE OF PARKLAND WOULD REQUIRE PUBLIC REFERENDUM AND A VOTE IN ORDER FOR THAT TO HAPPEN, SO THAT DOES NOT LOOK LIKE THAT WOULD BE AN OPTION UNLESS IT WOULD BE THE COUNCIL'S DESIRE TO PURSUE THAT. THE SIXTH CONDITION WAS STAFF WILL INVESTIGATE OPPORTUNITIES FOR REIRRIGATION OF DETAINED WATER ON THE ADJACENT TRACT, STEVENSON TRACT, AND FOR THOSE SAME REASONS USING PUBLIC LAND FOR A PRIVATE PURPOSE, THAT DOES NOT APPEAR TO BE A POSSIBILITY. WITH THAT I'LL CLOSE. IF YOU HAVE QUESTIONS, I CAN ANSWER THEM WITH MORE SPECIFICS AND THERE ARE OTHER TECHNICAL STAFF HERE AVAILABLE IF NEEDED.

MAYOR WYNN: THANK YOU MR. MURPHY FOR ALL YOUR WEEK. QUESTIONS FOR STAFF, COUNCIL? WE DO, AT LEAST EARLIER ONE CITIZEN SIGNED TOWP ADDRESS THIS. IS BENNY RIDGE STILL HERE? MR. RIDGE IS SHOWN IN FAVOR, AND FOR THE RECORD, AS IS -- NOT WISHING TO SPEAK BUT IN FAVOR OF THIS CASE WOULD BE LINDA SIMMS, CURTIS SMITH, GILLS WEST BROOK, CARL CROOKS COOKS, DOZER, TONYA WASHINGTON, ROBERT MCBRIDE AND RANDY FOSTER ARE ALL HERE NOT SPEAKING BUT IN FAVOR OF THIS ITEM. COMMENTS, QUESTIONS? COUNCIL?

COLE: MAYOR?

MAYOR WYNN: COUNCIL MEMBER COLE.

I KNOW THIS HAS BEEN AN ORDEAL FOR THE CHURCH AND STAFF TO WORK IT OUT AND I'M PLEASED THEY HAVE WORKED IT OUT WITH THE RECOMMENDATIONS WE ARE MAKING SO I WOULD MOVE WE CLOSE THE PUBLIC HEARING AND ACCEPT THIS ITEM.

MAYOR WYNN: MOTION BY COUNCIL MEMBER COLE,

SECONDED BY MAYOR PRO TEM TO CLOSE THIS PUBLIC HEARING AND APPROVE THIS AMENDMENT AS PRESENTED ALONG WITH THOSE RESTRICTIONS I OUTLINED. FURTHER COMMENTS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: JUST TO CLARIFY, THAT DOES INCLUDE THE ENVIRONMENTAL BOARD RECOMMENDATIONS AS WELL AS THE STAFF RECOMMENDATION?

MAYOR WYNN: COUNCIL MEMBER COLE, AS THE MAKER OF THE MOTOR..... MOTION?

COLE: YES, IT DOES.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? WE APPRECIATE EVERYBODY'S PATIENCE TO WORK THROUGH ALL THE TECHNICALITIES OF A TOUGH ISSUE. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON... ON A VOTE OF 7-0. CONGRATULATIONS, FOLKS. OKAY. ITEM NO. 58, FULL PURPOSE ANNEXATION PUBLIC HEARING. WELCOME BACK MS. COLLIER.

GOOD EVENING, MY NAME IS VIRGINIA COLLIER. THANKS AGAIN. THIS IS THE FIRST OF TWO PUBLIC HEARINGS FOR THE FOLLOWING SET OF 7 PROPOSED ANNEXATION HEARINGS. THE SECOND HEARING FOR EACH AREA IS SCHEDULED FOR NEXT THURSDAY, MAY 24 HERE AT 6:00 P.M. AND ORDINANCE READINGS ARE TENTATIVELY SCHEDULED FOR JUNE 21. I'LL BRIEFLY DESCRIBE EACH AREA IN TURN. HOWEVER IN GENERAL UPON ANNEXATION THE CITY WILL PROVIDE FULL MUNICIPAL SERVICES TO EACH OF THESE YEARS SLUG SERVICES CURRENTLY PROVIDED BY THE COUNTY AND COPIES ARE AVAILABLE OUT IN THE LOBBY THIS EVENING. ITEM FO. 58 INCLUDES AVERY RANCH GROUP 3 AND AVERY RANCH BOULEVARD AREAS. BOTH ARE LOCATED IN WILLIAMSON COUNTY AND TOGETHER THESE ANNEXATIONS BRING ABOUT 240 ACRES INTO THE FULL PURPOSE JURISDICTION. THIS WILL CONCLUDE A PERIOD OF PHASED THAT BEGAN WITH THE INITIAL PURPOSE

ANNEXATION OF THE 600-ACRE AVERY RANCH IN APRIL OF 2000 AND WILL BRING AVERY RANCH BOULEVARD INTO THE CITY'S FULL PURPOSE JURISDICTION. THIS CONCLUDES MY STAFF PRESENTATION AND I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

MAYOR WYNN: THANK YOU, MS. COLLIER. QUESTIONS FOR STAFF, COUNCIL? ARE THERE ANY CITIZENS HERE THAT WOULD LIKE TO ADDRESS THIS ON ITEM NO. 58, THIS PUBLIC HEARING FOR FULL PURPOSE ANNEXATION FOR WHAT WAS OUTLINED BY MS. COLLIER? HEARING NONE I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING.

MAYOR WYNN: MOTION MADE BY COUNCIL MEMBER MARTINEZ, SECONDED BY LEFFINGWELL, TO CLOSE THIS PUBLIC HEARING NO. 58. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF 7-0. MS. COLLIER IF I CAN INTREPT BEFORE WE GO TO OUR NEXT HEARING, WITHOUT OBJECTION, JUST AS A COURTESY, WE HAVE A NUMBER OF FOLKS WHO ARE HERE TO GIVE US TESTIMONY ON A VERY IMPORTANT INPUT FOR OUR HUD PLAN, ITEM NO. 54, INCLUDES OUR FRIEND JENNIFER, WHO HAS TO CATCH SOME TRANSPORTATION. SO -- [INAUDIBLE]

MAYOR WYNN: ARE YOU SURE? WE CAN GET YOU IN AND OUT REAL QUICKLY. [INAUDIBLE]

MAYOR WYNN: YOU ARE GOOD, JENNIFER. OKAY. SO ITEM NO. 59, MS. COLLIER. SORRY FOR THE INTERRUPTION.

THE SPRINGS AREA IS ALSO LOCATED IN TRAVIS COUNTY AND THIS IS A DEVELOPMENT OF RESIDENTIAL UNITS JUST RECENTLY PLATTED AND CONSTRUCTION IS UNDER WAY. IF YOU HAVE ANY QUESTIONS ABOUT THIS AREA, I'D BE HAPPY TO ANSWER THOSE AT THIS TIME. DAKOTA SPRINGS AREA.

MAYOR WYNN: I'M SORRY, MS. COLLIER, THIS IS ITEM NO. 59?



RIGHT.

MAYOR WYNN: THE FULL PURPOSE ANNEXATION OF DAKOTA SPRINGS. QUESTIONS OF STAFF? COUNCIL? COMMENTS? ARE THERE ANY CITIZENS WHO WOULD CARE TO ADDRESS THIS IN THIS PUBLIC HEARING, ITEM NO. 59, AS WE HEARD, THE DAKOTA SPRINGS AREA? AND HEARING NONE I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING.

DUNKERLEY: I MOVE THAT WE CLOSE THE PUBLIC HEARING AND APPROVE 59 ANNEXATION.

MAYOR WYNN: I THINK IT'S JUST FOR PUBLIC HEARING.

JUST TO CLOSE -- I'M SORRY, MAYOR AND COUNCIL, JUST TO CLOSE THE PUBLIC HEARING. THE VOTE WILL COME LATER.

MAYOR WYNN: SECONDED BY LEFFINGWELL TO CLOSE THIS PUBLIC HEARING, ITEM NO. 59, ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF 7-0.

ITEM NO. 60 IS THE GOODNIGHT RANCH NORTH AREA LOCATED IN TRAVIS COUNTY AND IS CURRENTLY IN THE CITY LIMITED PURPOSE JURISDICTION. THIS AREA IS ALSO UNDEVELOPED. HOWEVER THE PROPERTY OWNER HAS REQUESTED FULL PURPOSE ANNEXATION. CITY REVIEW AND APPROVAL OF PLATS IN ACCORDANCE WITH THE STANDARDS INCLUDED IN THE APPROVED PUD ZONING FOR THIS SITE. IF YOU HAVE ANY QUESTIONS I'D BE HAPPY TO ANSWER THOSE.

MAYOR WYNN: QUESTIONS, COMMENTS? ARE THERE ANY CITIZENS THAT CARE TO ADDRESS THIS COUNCIL REGARDING THE PUBLIC HEARING ITEM NO. 61, THE ANNEX -- FULL PURPOSE ANNEXATION PROPOSAL FOR THE GOODNIGHT RANCH NORTH AREA? HEARING NONE, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCIL MEMBER MARTINEZ. SECONDED

BY COUNCIL MEMBER MCCrackEN TO CLOSE THIS PUBLIC HEARING. ALL THIS FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. MOTION TO CLOSE THE PUBLIC HEARING PASSES ON 7-0.

62 IS THE SCWEET SWEETWATER GLEN AREA. IN ADDITION TO UNDEVELOPED LA BE LAD IN THE SEGMENT OF MANCHACA ROAD IT INCLUDES SWEETWATER GLEN SUBDIVISION, A SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND HOMES ARE CURRENTLY UNDER CONSTRUCTION. IF YOU HAVE ANY QUESTIONS I'D BE HAPPY TO ANSWER THOSE.

MAYOR WYNN: QUESTIONS, COMMENTS? HEARING NONE, AND ARE THERE ANY CITIZENS THAT CARE TO ADDRESS THIS PUBLIC HEARING, ITEM FO. 62, WHICH IS THE SWEETWATER GLEN AREA? HEARING NONE I'LL ENTERTAIN A MOTION.

DUNKERLEY: SO MOVED.

MAYOR WYNN: MOTION MADE BY MAYOR PRO TEM, SECONDED BY LEFFINGWELL TO CLOSE THIS HEARING ITEM FO. 62. ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. I THINK WE'VE SKIPPED OVER 61. MS. COLLIER.

I APOLOGIZE. 61 IS IH-35 SERVICE ROAD AT FM 1327. THE CITY LIMITS ALONG IH-35 FOLLOW THE RIGHT-OF-WAY SOUTH TO THE TRAVIS COUNTY HAYS COUNTY LINE. FM 1327 THE SERVICE ROADS WERE BILL PARALLEL TO AND EXTENDING INTO THE ETJ. THIS WOULD BRING THEM INTO THE CITY'S FULL PURPOSE JURISDICTION AND INCREASE EFFICIENCY IN THE DELIVERY OF PUBLIC SAFETY SERVICES IN THIS AREA. IF YOU HAVE ANY QUESTIONS I'D BE HAPPY TO ANSWER THOSE AT THIS TIME.

MAYOR WYNN: QUESTIONS OR COMMENTS FOR STAFF, COUNCIL? ARE THERE ANY CITIZENS WHO WOULD CARE TO ADDRESS THIS PUBLIC HEARING, ITEM FO. 61, PROPOSED FULL PURPOSE ANNEXATION OF THE IH-35 SERVICE ROAD RIGHT-OF-WAY AT FM 1327 AREA. HEARING NONE I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCIL MEMBER MCCrackEN.

MAYOR WYNN: SECOND SECONDED BY MAYOR PRO TEM TO CLOSE THIS PUBLIC HEARING 61. ALL IN FAVOR SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON 7-0.

63, THE ED BLUESTEIN RIGHT-OF-WAY AREA, THE CURRENT FULL PURPOSE CITY LIMITS FOLLOW THE OLD RIGHT-OF-WAY AND EXTENDED THE ROAD BEYOND THE CITY LIMITS AND INTO THE ETJ. THIS ANNEXATION WOULD BRING THOSE SEGMENTS OF THE ROAD INTO THE CITY'S FULL PURPOSE JURISDICTION AND INCREASE EFFICIENCY IN THE DELIVERY OF PUBLIC SAFETY SERVICES TO THIS AREA, AND THAT CONCLUDES MY PRESENTATION.

MAYOR WYNN: THANK YOU, MS. COLLIER. I SUSPECT THERE ARE NO QUESTIONS OR COMMENTS FROM COUNCIL. AND NOR WILL THERE BE ANY CITIZENS WHO CARE TO ADDRESS THIS, ITEM NO. 63, THE FULL PURPOSE ANNEX OF THE ED BLUESTEIN RIGHT-OF-WAY. HEARING NONE I'LL ENTERTAIN A MOTION. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER MCCrackEN TO CLOSE THIS PUBLIC HEARING ITEM 63. ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE, OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU, MS. COLLIER. HAVE A NICE EVENING. SO COUNCIL, THAT TAKES US TO OUR ACTIVE PUBLIC HEARING TONIGHT, ITEM NO. 54, WHICH IS THE -- RECEIVE CITIZEN COMMENTS REGARDING OUR ANNUAL DRAFT ACTION PLAN FOR HUD. WOULD WELCOME A BRIEF PRESENTATION FROM MR. PAUL HILGERS AND WE HAVE A NUMBER OF FOLKS HERE

TO GIVE US TESTIMONY.

MAYOR, I AM PAUL HILGERS, DIRECTOR OF NEIGHBORHOOD HOUSING COMMUNITY DEVELOPMENT AND I'M GOING TO DO SOMETHING OUT OF CHARACTER. I'M GOING TO GO VERY BRIEFLY THROUGH THIS PRESENTATION TODAY AND JUST HIT THE HIGHLIGHTS, BUT THIS IS A FORMAL PROCESS THAT WE'RE GOING THROUGH. IT'S PART OF OUR FIVE-YEAR CONSOLIDATED PLANNING PROCESS, WE SUBMIT THAT PLAN TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. IT'S A PLAN THAT OUTLINES THE NEED OF THE COMMUNITY AND HOW WE AS A DEPARTMENT AND COMMUNITY WILL ADDRESS THESE NEEDS THROUGH HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT AND PUBLIC SERVICE ACTIVITIES. AS PART OF THE PROCESS WE RECEIVED INPUT ON THE NEEDS OF THE COMMUNITY, THE PURPOSE OF THIS HEARING IS TO HEAR ABOUT THE COMMUNITY'S RESPONSE TO THE DRAFT PLAN THAT WE HAVE DEVELOPED AS A RESPONSE TO THE NEEDS THAT WE HAVE HEARD. THE PLAN WAS RELEASED TO THE PUBLIC ON MAY 4 AND WILL BE AVAILABLE FOR PUBLIC COMMENT THROUGH JUNE THE 5TH AT TEN LOCATIONS THROUGH THE COMMUNITY. I'M GOING TO JUST HIT THE HIGHLIGHTS OF TWO OF THESE SLIDES TODAY, AND THAT IS WANTING TO SHOW YOU BASICALLY THE FUNDING SOURCES AND THE USES OF THOSE DOLLARS THAT WE HAVE IN ALLOCATIONS THIS YEAR. ONE IS IN FISCAL YEAR 2007-2008 THE CITY EXPECTS TO RECEIVE APPROXIMATELY \$13 MILLION THROUGH FOUR HUD ENTITLEMENT GRANTS AND LOCAL FUNDING, INCLUDING AFFORDABLE HOUSING GENERAL OBLIGATION BONDS. THE GRANTS AT VARIOUS LEVELS AGAIN ARE GB, COMMUNITY DEVELOPMENT BLOCK GRANT, AND HOUSING OPPORTUNITIES FOR PEOPLE WITH AIDS. THIS YEAR IN THE PLAN WE HAVE INCLUDED THE RECOMMENDATION ON THE CITY'S FUNDING IN THE AMOUNT OF ABOUT \$1,313,000,000, 13.6 MILLION, WHICH INCLUDES \$8.3 MILLION IN THE AFFORDABLE HOUSING GENERAL OBLIGATION BONDS. STAFF RECOMMENDATIONS WILL OBVIOUSLY BE CONSIDERED AS PART OF THE BUDGET. A TOTAL ESTIMATED BUDGET AVAILABLE TO THE DEPARTMENT IN FISCAL YEAR 2007-2008 INCLUDING THE CARRY FORWARD DOLRS THAT ARE ALREADY COMMITTED TO PROGRAMS OR

HOUSING DEVELOPMENTS THAT ARE ALREADY UNDER WAY, WHICH IS UNSPENT FUNDS, IS \$49.8 MILLION. THE DRAFT ACTION PLAN CURRENTLY RECOMMENDS THAT ALL PROGRAMS FUNDED THIS YEAR WOULD BE CONTINUED TO BE FUNDED NEXT YEAR. OF THE \$49.8 MILLION IN ESTIMATED AVAILABLE FUNDING, 50% IS AVAILABLE FOR HOUSING PROGRAMS, 70% IS RECOMMENDED FOR COMMUNITY DEVELOPMENT PROGRAMS, 5% IS REQUIRED FOR DEBT SERVICE, WHICH INCLUDES PRINCIPAL AND INTEREST, AND FINALLY, 8% OF THIS FUNDING IS AVAILABLE FOR GRANT ADMINISTRATION AND CITY SUPPORT SERVICES. AND SO AFTER TONIGHT'S PUBLIC HEARING, COUNCIL, THE COMMUNITY DEVELOPMENT COMMISSION WILL MAKE ITS FINAL RECOMMENDATIONS IN JUNE AND THE RECOMMENDSES WILL BE FORWARDED TO CITY COUNCIL, WHICH THE ACTION WILL NOT BE UNTIL JULY THE 26TH, AND THEN WE'LL HAVE FINAL ACTION FROM COUNCIL ON THAT DATE AND THEN WE'LL SUBMIT THE PLAN TO HUD ON AUGUST THE 15TH. AND SO THAT IS WHAT IS BEFORE YOU AND TONIGHT YOU'RE SCHEDULED TO HEAR FROM THE PUBLIC ABOUT THIS PLAN. AND IF THERE ARE ANY QUESTIONS I'LL BE GLAD TO ANSWER THEM.

MAYOR WYNN: THANK YOU, MR. HILGERS. QUESTIONS OF STAFF, COUNCIL? IF NOT WE WILL TAKE TESTIMONY. WE HAVE 20 OR 25 FOLKS HERE WHO WOULD LIKE TO ADDRESS US. JENNIFER MCFAIL. WELCOME, JENNIFER AND WE APPRECIATE YOUR PATIENCE. YOU'LL HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY MICHAEL WILLARD.

I'LL JENNIFER MCFAIL AND I'M WITH ADAPTIVE TEXAS AND I WANTED TO GO ON RECORD LETTING YOU KNOW THAT WE SUPPORT THE PROGRAM AND WE SUPPORT THE TENANTS' RIGHTS PROGRAM. WE ALSO WANT TO BE ON RECORD AS ONCE AGAIN SAYING THAT THERE NEEDS TO BE MORE AFFORDABLE HOUSING FOR PEOPLE AT AND BELOW 30% OF MEDIAN FAMILY INCOME. I'VE SAID IT BEFORE BUT THE AVERAGE INCOME OF A PERSON WITH A DISABILITY WHO'S ON BENEFITS IS 623 A MONTH, AND I HAVE TO SAY THAT LISTENING TO THIS AFTERNOON'S DISCUSSION, WHEN COUNCIL MEMBER MCCRACKEN SAID THAT HE WOULD LIKE TO EXPAND THE ACCESS TO AFFORDABLE HOUSING PROGRAMS TO 180% OF THE MFI, THAT'S VERY DISTURBING,

BECAUSE THERE'S SO LITTLE HOUSING THAT'S TRULY AFFORDABLE TO PEOPLE BELOW THE MEDIAN FAMILY INCOME AND BELOW 30% OF THE MEDIAN FAMILY INCOME IN THE CITY. THERE ARE A LOT OF PEOPLE THAT WAIT MANY, MANY YEARS ON WAITING LISTS OVER AT THE HOUSING AUTHORITY FOR SECTION 8 VOUCHERS AND THOSE TYPES OF PROGRAMS AND THAT'S REALLY THEIR ONLY RECOURSE FOR THE MOST PART IN THE CITY. AND THAT RESULTS IN PEOPLE WAITING IN LINE FOR HOURS AND HOURS, DAYS AND DAYS ON END, AND STILL NOT GETTING THEIR NAMES ON THE LIST SOMETIMES. AND PEOPLE ARE FORCED INTO INSTITUTIONS AND FORCED TO BE APART FROM THEIR FAMILIES. AND SO IT WAS DISHEARTENING AND I ALSO WANTED TO MAKE SURE THAT YOU KNOW THAT WE OPPOSE THE AFFORDABLE HOUSING TASK FORCE RECOMMENDATIONS TO CHANGE THE SMART HOUSING PROGRAM AND I KNOW THAT STAFF SUPPORTS IT. WE WANT TO BE ON RECORD AS COMPLETELY NOT SUPPORTING THAT, AND WHEN I WAS LISTENING TO EVERYONE SPEAK THIS AFTERNOON I WAS REMINDED OF THE WORDS OF ROBERT KENNEDY IN HIS SPEECH ON THE MINDLESS MEN AS OF VIOLENCE IN AMERICA. THERE'S A SECOND TYPE OF VIOLENCE AND THOSE ARE THE SNUGS OF INDIFFERENCE AND ACTION AND DECAY, HE SAID, AND NOTHING [INAUDIBLE] THAT DEFINITION DOES THAN WHAT I HEARD THIS AFTERNOON. AFTER ALL THE YEARS WE'VE BEEN WORKING ON THIS TO HEAR SOMEONE SAY THAT THEY WANTED TO EXPAND THIS PROGRAM UP TO 180 OF MFI AND THEN WE CAN MAKE REQUIREMENTS FOR SMALL HOUSING, THAT'S [INAUDIBLE] AND THERE'S REALLY NOTHING I CAN ADD TO THAT. GOOD NIGHT.

MAYOR WYNN: GOOD NIGHT, JENNIFER, COUNCIL MEMBER MCCRACKEN?

I JUST HAD ANY STATEMENTS COMPLETELY MISREPRESENTED BY THE SPEAKER. I SAID WE SHOULD MAKE SURE WE HAVE IT AVAILABLE FOR FIREFIGHTERS. SPEAKER CREDIBILITY IS IMPORTANT FOR THE COUNCIL SO IT'S IMPORTANT TO BE ACCURATE IN YOUR STATEMENTS.

MAYOR WYNN: THANK YOU, COUNCIL MEMBER. COUNCIL MEMBER WILLARD. MICHAEL? YOU'LL HAVE THREE MINUTES,

TO BE FOLLOWED BY KAREN LANGUAGELY.

MAYOR, THANK YOU VERY MUCH. GOOD EVENING I'M MIKE WILLARD I'M THE EXECUTIVE DIRECTOR OF AUSTIN HABITAT FOR HUMANITY. WE'LL BE RAISING THE ROOF ON OUR 200TH HOUSE IN THE CITY OF AUSTIN. AND I WANT TO THANK THE CITY COUNCIL AND MAYOR AND TO THE COMMUNITY HOUSING DEVELOPMENT OFFICE FOR THEIR SUPPORT IN HELPING US REACH THIS MILESTONE TO BE ABLE TO PROVIDE 200 HOMES FOR LOW-INCOME FAMILIES HERE IN AUSTIN. THIS HOUSE, THE 200TH HOUSE WE'RE BUILDING IS BEING BUILT ON LAND THAT WE HAVE PURCHASED THROUGH FUNDING PROVIDED BY THE CITY. ALSO WANT TO THANK YOU ALL FOR YOUR SUPPORT JUST RECENTLY IN PROVIDING THE FUNDING FOR US TO INSTALL INFRASTRUCTURE AND UTILITIES ON A PROJECT WHICH WOULD YIELD 43 LOTS FOR LOW INCOME HOMEOWNERS IN NORTHEAST AUSTIN. THE ACTION PLAN THAT WE'RE REVIEWING TONIGHT TENSE TO OUTLINE FUNDING FOR HOME OWNERSHIP PROGRAMS, LIKE THE ONES THAT AUSTIN HABITAT PROVIDES. WE'RE ABLE TO SERVE FAMILIES WHO ARE 50% OR BELOW OF THE MEDIAN FAMILY INCOME, WHICH IS A SIGNIFICANT -- VERY LOW-INCOME FAMILIES, FOLKS WHO ARE WORKING HARD. IF COUNCIL MEMBER MCCRACKEN IS LOOKING FOR SCHOOLTEACHERS AND FIREFIGHTERS, WE ALSO NEED TO THINK ABOUT YOUR JANITORIAL STAFF IN THOSE SCHOOLS, YOUR GARBAGE DELIVERY FOLKS, BECAUSE THOSE ARE THE FOLKS THAT WE'RE ABLE TO SERVE THROUGH THE PROGRAM THAT WE'RE -- THAT WE OPERATE. AND IT IS WITH THE FEDERAL FUNDING THAT WE ARE RECEIVING FROM THE CITY THAT HELPS US ACQUIRE THE LAND WE'RE ABLE TO USE AND TO DEVELOP THAT LAND AND THAT IS IMPORTANT TO US BECAUSE IT HELPS US RAISE THE ROOF FOR ONE MORE FAMILY TO BE ABLE TO HAVE A SIMPLE DECENT PLACE TO LIVE. ONE OF THE CHALLENGES THAT WE DO SEE IS THE FACT THAT THE HOME OWNERSHIP RATE HERE IN AUSTIN IS 46%, ROUGHLY ABOUT 46%. ON A NATIONAL AVERAGE IT'S ABOUT 70%. WE'RE SIGNIFICANTLY DOWN IN HOME OWNERSHIP IN THIS COMMUNITY. THE FEDERAL DOLLARS THAT ARE PROVIDED THROUGH THIS PLAN HELP US ADDRESS THAT PROBLEM. AND WHEN YOU'RE LOOKING AT

VERY LOW-INCOME FAMILIES, AGAIN, FOLKS WHO ARE 50% OR BELOW, THESE DOLLARS MAKE THE DIFFERENCE BECAUSE WITHOUT THESE DOLLARS WE WOULDN'T ABLE TO ACQUIRE THE LAND AND PUT IN THE INFRASTRUCTURE. WE LEVERAGE THOSE DOLLARS BY RAISING THE FUNDS TO PUT THE HOUSE ON THE GROUND AND PUTTING THAT FAMILY IN THE HOME. THAT'S THE DIFFERENCE THAT YOU ALL MAKE AND WHY WE'RE ABLE TO TAKE YOUR DOLLARS AND LEVERAGE THEM AND MAKE A DIFFERENCE FOR THAT FAMILY. SO THANK YOU AGAIN FOR YOUR SUPPORT. ARE THERE ANY QUESTIONS?

MAYOR WYNN: THANK YOU, MICHAEL. [APPLAUSE]

MAYOR WYNN: CHRISTINE HAS HAN LONE? YOU'LL HAVE THREE MINUTES, FOLLOWED BY KAREN LANGUAGELY, WHO WILL BE FOLLOWED BY JIM GEORGE.

HI, I'M CHRISTINE HANLON AND I MANAGE A PROGRAM THAT IS UNDER COMMUNITIES AND SCHOOLS THAT'S FUNDED BY BOTH TRAVIS COUNTY AND ALSO IS FUNDED THROUGH THE CDBG DOLLARS, THE YOUTH DEVELOPMENT DOLLARS, AND WE -- THESE LAST FEW YEARS HAVE BEEN REALLY GOOD YEARS FOR US AND WE HAVE, THROUGH THIS FUNDING, WE HAVE BEEN ABLE TO HELP YOUNG PEOPLE STAY IN SCHOOL, TO MEET MENTAL HEALTH NEEDS, TO RAISE THEIR GRADES AND THEIR ATTENDANCE AND TO HELP THE WHOLE FAMILY, AND BECAUSE WE DO A WRAP AROUND APPROACH WITH OUR SOCIAL SERVICE MODEL. AND IN A FEW MINUTES YOU'LL HEAR ONE OF THE SPEAKERS SIGNED UP THIS EVENING IS MR. PEREZ AND HE'S GOING TO SHARE WITH YOU HIS PERSONAL TESTIMONY OF HIS EXPERIENCE HIS EXPERIENCE WITH OUR PROGRAM, PARTICULAR PARTICULARLY WITH HIS TEEN DAUGHTER AND HOW THIS HAS HELPED EM. ONE THING I WANT TO POINT OUT IS HOW THE CDBG DOLLARS THAT ARE FUNNELED TO OUR PROGRAM ARE USED DIRECTLY TO PURCHASE SERVICES FOR OUR FAMILIES, FOR EXAMPLE, MENTOR SERVICES FOR CHILDREN..... CHILDREN, PSYCHOLOGICAL EVALUATIONS, IF NEEDED, THERAPY SERVICES, TUTORING, SUMMER ENRICHMENT ACTIVITIES, TUTORING THAT'S SPECIFIC TOWARDS CHILDREN WITH CERTAIN LEARNING DISABILITIES, REALLY JUST A WRAP AROUND APPROACH OF WHATEVER IS



NEEDED, BUT EVERY DOLLAR OF THAT GOES DIRECTLY TO SERVICES, NO ADMINISTRATIVE OVERHEAD WITH THAT CDBG MONEY THAT WE RECEIVE. LIKE I SAID, WE'VE HAD A GOOD FEW YEARS, AND IN ORDER TO KEEP THAT UP THIS COMING YEAR I WAS HAPPY TO SEE IN THE DRAFT ACTION PLAN THAT THE PIECE OF THE PIE THAT GOES TOWARDS YOUTH DEVELOPMENT REMAINS THE SAME AS LAST YEAR, AND IF IT REMAINS THE SAME AS LAST YEAR, THEN WE'LL BE ABLE TO KEEP UP THE GOOD WORK THAT WE'VE BEEN DOING, SO WE JUST WANT TO THANK YOU FOR THAT AND ENCOURAGE YOU TO KEEP THE ACTION PLAN AS IS FOR YOUTH DEVELOPMENT. THANK YOU.

MAYOR WYNN: THANK YOU, MS. HANLON. KAREN LANGUAGELY? WELCOME KAREN. APPRECIATE YOUR PATIENCE. YOU'LL BE FOLLOWED BY JIM GEORGE AND A NUMBER OF FOLKS WANTED TO DONATE TIME TO YOU. IS TRISH OH DAY HERE? TRISH, WELCOME BACK. BETTY FRUMLY? IS BETTY HERE? I ASK BECAUSE THE RULES ARE YOU NEED TO BE PRESENT IN THE CHAMBERS TO DONATE THE TIME. AND JEANY EDWARDS, JEANY, AND DUST TIN, WELCOME. SO THAT'S THE LIMIT. OUR RULES ARE THAT UP TO FOUR PEOPLE CAN DONATE THEIR THREE MINUTES FOR A 15 MINUTE MAXIMUM PRESENTATION. YOU'LL BE FOLLOWED BY JIM GEORGE.

MAYOR, WITH YOUR PERMISSION I WOULD LIKE TO ASK IF OUR WHOLE GROUP COULD COME AND STAND BEHIND HERE.

MAYOR WYNN: OF COURSE.

I BELIEVE WE ARE SIGNED UP IN ORDER SO THE PEOPLE THAT WILL BE FOLLOWING ME WOULD BE A LOT QUICKER TO GET US IN AND OUT.

MAYOR WYNN: WE'D APPRECIATE THAT.

I DID CHECK WITH ONE OTHER SPEAKER THAT WAS IN BETWEEN OUR GROUP AND IT WAS ROY O MAL IY AND HE SAID IT WAS FINE WITH HIM IF WE ALL GO TOGETHER.

MAYOR WYNN: FAIR ENOUGH. WHY DON'T YOU JUST HAND

ONE EITHER MS. GENTRY OR COUNCIL MEMBER  
LEFFINGWELL AND THEY'LL PASS THEM OUT FOR YOU.

MAYOR WYNN: SCOOT UP A LITTLE BIT CLOSER AND YOU  
GET ON TELEVISION. [LAUGHTER]

WELL, GOOD EVENING, MAYOR AND COUNCIL. I'M KAREN  
LANGLY, EXECUTIVE DIRECTOR FOR FAMILY ELDER CARE.  
FAMILY ELDER CARE, A NONPROFIT AGENCY, HAS BEEN  
OPERATING IN THE AUSTIN AREA FOR 25 YEARS, PROVIDING  
SUPPORT FOR OLDER ADULTS AND THEIR CAREGIVERS.  
WHILE WE MAY BE BEST KNOWN IN THE COMMUNITY FOR  
THE SUMMER FAN DRIVE WHERE WE SAVE LIVES AND MAKE  
THOUSANDS OF FAMILIES AND ELDERS MORE  
COMFORTABLE FROM THE INTENSE HEAT OF THE SUMMER,  
OUR MISSION IS TO PROVIDE ESSENTIALLY SERVICES TO  
OLDER ADULTS AND PEOPLE WITH DISABILITIES SO THAT  
THEY MAY LIVE SUCCESSFULLY IN THE COMMUNITY. EACH  
YEAR OVER \$850,000 WORTH OF SERVICES ARE DONATED BY  
ATTORNEYS AND COMMUNITY VOLUNTEERS THROUGH OUR  
GUARDIANSHIP AND BILL PAYER PROGRAMS TO PROVIDE  
THE MOST PROTECTIVE SERVICES THAT KEEP OLDER  
ADULTS AND PEOPLE WITH DISABILITIES FREE FROM ABUSE  
AND LIVING IN NEGLECT. OUR IN-HOME CARE PROGRAM  
PROVIDES ESSENTIAL HOMEMAKER AND PERSONAL  
ATTENDANT SERVICES AND IS UNIVERSALLY AVAILABLE  
BECAUSE WE OFFER A SLIDING FEE SCALE. OUR HOUSING  
PROGRAM SERVES THE NEEDIEST IN OUR COMMUNITY BY  
HOUSING THOSE WHO LIVE AT OR BELOW 30% OF INCOME,  
MEDIAN INCOMEMENT WE ARE A HOMEGROWN COMMUNITY  
ORGANIZATION, SERVING PRIMARILY AUSTIN AND TRAVIS  
COUNTY. ALTHOUGH WE EXPANDED, OH WE ARE EXPANDING  
INTO THE SURROUNDING COMMUNITIES. THE CENTRAL  
TEXAS REGION HAS ONE OF THE FASTEST GROWING ELDER  
POPULATIONS IN TEXAS. WE ARE IN GROWTH MODE.  
STRATEGICALLY PLANNING FOR THE ELDER BOOM RAPIDLY  
UNFOLDING. TONIGHT WE ARE HERE TO RESPECTFULLY  
REQUEST THAT THE COUNCIL AFFIRM ITS SUPPORT FOR THE  
RECOMMENDATIONS IN THE ACTION PLAN SUPPORTING THE  
ELDERLY SERVICES SUPPORT SERVICES WITH AT LEAST  
LEVEL FUNDING, WHICH IS AROUND 120 TO \$150,000 PER  
YEAR. WHILE IT MUST BE NOTED THAT THE OLDER  
POPULATION IS RAPIDLY GROWING AND OUR COMMUNITY

MUST EXPLORE HOW TO MORE ADEQUATELY PLAN AND PROVIDE FOR THE HUGE DEMOGRAPHIC CHANGES THAT ARE TAKING PLACE, ESPECIALLY AMONG THE VERY OLD POPULATION, THIS LEVEL OF FUNDING FOR ELDERLY SUPPORT SERVICES WILL HELP TO PURCHASE MUCH NEEDED SERVICES ENABLING OLDER ADULTS TO LIVE SUCCESSFULLY IN OUR COMMUNITY. IN ADDITION, WE BEG CONSIDERATION THAT THE CITY INVEST IN FAMILY ELDER CARE'S NEW PROGRAM CENTER THAT WILL BE BUILT AT THE NEW MUELLER REDEVELOPMENT SITE ON LAND DONATED BY LOCAL PHILANTHROPIST DICK AND SARAH RAT GABEER. AS A COMMUNITY IT IS IMPORTANT THAT WE EXPAND OUR CAPACITY SO WE CAN GROW TO MEET THE NEEDS OF OLDER ADULTS. WE BELIEVE IT IS APPROPRIATE TO ACCESS CDBG FUNDING TO ALLOW US TO BUILD A PROGRAM CENTER FOR FAMILY ELDER CARE SO THAT WE CAN SERVE THE FRAIL OLDER ADULT POPULATION MORE ADEQUATELY. THE SERVICES PROVIDED BY FAMILY ELDER CARE REPRESENT THOSE DEEMED ESSENTIAL AND CRITICAL TO SUPPORT FRAIL AND VULNERABLE ADULTS TO ENSURE THAT THEY LIVE FREE FROM NEGLECT, ABUSE AND FINANCIAL EXPLOITATION. WE REQUEST CONSIDERATION OF A ONE-TIME INVESTMENT OF 250,000 THAT WILL ENABLE US TO LEVERAGE THE LAND DONATION AND THE BALANCE OF THE \$6.4 MILLION NEEDED TO DESIGN, BUILD AND OPERATE THE NEW PROGRAM CENTER AT MUELLER. INCLUDED IN THE FOLDERS THAT WE HANDED OUT ARE -- IS OUR BUSINESS PLAN WITH MORE DETAILS ON THE RETURN ON INVESTMENT, THE BENEFITS FOR OLDER ADULTS AND PEOPLE WITH DISABILITIES, BUT BRIEFLY, THE BENEFITS FOR THE CITY WILL INCLUDE EXPANSION OF OUR WORK FORCE, THEREBY CREATING MORE JOBS, ENABLING US TO BUILD MORE AFFORDABLE HOUSING COMMUNITIES, SUCH AS THE ONE THAT -- ONE CDBG AWARD, LIONS GARDENS WHICH IS LOCATED IN CENTRAL EAST AUSTIN WHERE THE AVERAGE RENT PAID BY OUR TENANTS IS \$133 A MONTH. SO TRULY AFFORDABLE FOR PEOPLE LIVING ON SOCIAL SECURITY. WE WILL BE ABLE TO EXPAND OUR PROTECTIVE AND PREVENTATIVE SERVICES, IN HOME CARE AND RESPITES, BILL PAYER, CASE MANAGE, GUARDIANSHIP SERVICES SO WE CAN SERVE MORE PEOPLE. IT IS ABSOLUTELY CRITICAL THAT WE GROW OUR SERVICES SO WE CAN PREPARE AND

CONTINUE TO EXPAND OVER THE NEXT TEN YEARS TO MEET THE NEEDS OF THE ELDER POPULATION BOOM. THE MEASURE OF A COMMUNITY IS HOW IT TREATS THOSE IN THE DAWN OF LIFE AND THOSE IN ITS TWILIGHT YEARS. SO PLEASE CONSIDER SETTING ASIDE \$250,000 TO INVEST IN OUR PROGRAM CENTER SO TO ADDRESS THE FUTURE GROWING NEEDS OF THE ELDERS IN OUR COMMUNITY. NOW I'D LIKE TO ASK JIM GEORGE TO STAND UP.

GOOD EVENING.

MR. MAYOR, MEMBERS OF COUNCIL, I'M HERE AS A POOR SUBSTITUTE FOR MY WIFE SHERYL, WHO IS DEVELOPMENT MEMBER OF THE BREKERS OF DIRECTOR OF FAMILY ELDER CARE. SHE HAD TO BE OUT OF STATE FOR FAMILY BUSINESS. LET ME SAY THAT I WANT YOU TO IMAGINE BEING POOR, OLD AND ALONE IN AUSTIN, TEXAS. WHAT HAPPENS TO YOU? WHERE DO YOU GO TO GET SOMEBODY TO HELP YOU PAY BILLS? WHERE DO YOU GO TO GET SOMEBODY TO ACT AS YOUR GUARDIAN WHEN YOU HAVE NO FAMILY? WHERE DO YOU GO TO FIND A SAFE AND AFFORDABLE HOUSING THAT CAN FIT THE NEEDS OF THE ELDERLY OR THE DISABLED? HERE IT'S FAMILY ELDER CARE. WE WILL HAVE APPROXIMATELY -- WE HAD ABOUT 998,000 SUCH PEOPLE MEETING THIS POPULATION, ELDERLY PEOPLE IN THIS CITY THAT MET THIS DESCRIPTION IN 2005. WE'LL HAVE ALMOST 180,000 IN 2015. THESE PEOPLE CAN'T DO IT BY THEMSELVES. THERE'S NO WAY TO HELP -- ONE OF THE TRAGEDIES OF OUR SOCIETY IS -- USED TO, GRANDCHILDREN TOOK CARE OF GRANDPARENTS. THERE WERE PEOPLE IN YOUR HOME AND IN YOUR COMMUNITY THAT TOOK CARE OF YOU, AND IN TODAY'S AMERICA THAT'S NOT THE CASE. AND FOR THE MOST VULNERABLE IN OUR COMMUNITY FAMILY ELDER CARE IS TO... THE GAME. IT'S THE ONLY GAME IN TOWN. FOR IT TO MEET ITS NEEDS IT HAS TO HAVE THE HELP OF THIS COMUNLT. HAS TO HAVE THE HELP OF THE CONTINUING CDBG GRANTS AND WE NEED TO HAVE THE FACILITIES WHERE WE CAN DELIVER THE SERVICES. WITHOUT YOUR HELP I DON'T KNOW THAT WE CAN GET IT DONE. AND I HOPE YOU SEE FIT TO HELP US. THANK YOU.

MAYOR WYNN: THANK YOU MR. GEORGE. LOOKS LIKE OUR

NEXT SPEAKER IS SUSAN SHAR, IS THAT RIGHT?

THAT'S RIGHT, MR. MAYOR. FIRST OF ALL, IT'S A PRIVILEGE TALKING TO THE CITY COUNCIL THAT SINCE 1975 HAS DISTRIBUTED OVER \$200 MILLION IN CDGB FUNDS FOR THIS COMMUNITY. I, AS YOU CAN SEE, NO LONGER A YOUNG CHICKEN. I'VE BEEN A REGISTERED NURSE ACTION I.....I WAS A CORONARY NURSE AT BRACKENRIDGE HOSPITAL. IFT I WAS AT AUSTIN STATE COOL SCHOOL. I WAS A LAWYER FOR TWO VERY GOOD FIRMS FOR 14 YEARS AND THEN I WAS A NANNY AND I'M NOT PROUD OF ANYTHING.

MAYOR WYNN: WE'RE PROUD OF YOU, MISCHARLOTTE.

LAST SEVEN YEARS WAS SPENT WITH FAMILY ELDER CARE.... CARE. THE STAFF IS TOTALLY COMMITTED TO TAKING CARE OF THESE FRAIL PEOPLE. THE ADMINISTRATIVE COSTS ALONE, THEY'RE ABOUT 12%, WHICH MEANS THAT THEY DON'T GET PAID A HUGE AMOUNT OF MONEY FOR DOING THAT AND THEY DO A FANTASTIC JOB AND THE PROGRAMS ARE ALL WITHIN THE PARAMETERS THAT CDBG SETS FORTH FOR THE USE OF THEIR FUNDS, AFFORDABLE HOUSING, CARE OF THE ELDERLY. WE HAVE TRANSITIONAL SHELTER AND THE ELDER SHELTER. WE HAVE 17 APARTMENTS NOW. WE USED TO HAVE JUST A FEW. WHERE PEOPLE WHO WOULD BE HOMELESS OTHERWISE AND BE AT THE MERCY OF THE CITY TO TAKE CARE OF IN OTHER WAYS. FAMILY ELDER CARE HAS ALWAYS PARTNERED WITH THE CITY. WHEN THE CITY SAID COME HELP KATRINA VICTIMS, THE ELDERLY, FAMILY ELDER CARE WAS THERE. WHEN THE COUNTY SAID COME PROVIDE GUARDIANSHIP SERVICES, FAMILY ELDER CARE WAS THERE. WHEN KAREN LAGLEY SAID LET'S BUILD LIONS GARDENS, I WAS ON THE BOARD AT THAT TIME AND I SAID, OH, LIKE MANY BOARD MEMBERS, HUD NEVER GETS MONEY THE FIRST TIME IT'S ASKED FOR. NOT ONLY HUD GAVE MONEY, PAUL HILGERS HELPED US, THE CITY GAVE US \$800,000 COMBINED, CDGB FUNDS AND HOME FUNDS, AND WE BUILT THIS INCREDIBLE COMMUNITY AT LIONS GARDENS THAT WON YOU-ALL AN AWARD, THE CITY OF AUSTIN WON AN AWARD, WENT TO WASHINGTON D.C. I BELIEVE IT WAS MAYOR WATSON. I'M NOT SURE, PAUL DID YOU GO?

SO ANYWAY, NOW, I'M CO-CHAIR OF THE CAPITAL CAMPAIGN COMMITTEE. I'M NO LONGER ON THE FAMILY ELDER CARE BOARD IN THIS JOB OF RAISING \$6.4 MILLION SO THAT WE CAN EXPAND OUR SERVICES, WHICH RIGHT NOW WE'RE SO INCREDIBLY CRAMPED. WE HAVE WAITING LISTS FOR ALL OUR PROGRAMS AND WE HOPE THE CITY WILL GIVE US THIS \$250,000. I KNOW IT WILL HELP US LEVERAGE, WHEN PEOPLE SEE THAT, WHEN OUR POTENTIAL DONORS SEE THAT THE CITY HAS SPOTTED US IN THIS FASHION WE WILL GET MORE CONTRIBUTIONS AND WE WILL BE ABLE TO BUILD THIS FACILITY AND YOU'LL BE PROUD OF IT. RIVERA HAS AGREED FOR OUR ARCHITECT FNLGHT THEY'RE AN AWARD WINNING FIRM, THEY DO FABULOUS WORK AND THEY DO IT AT A VERY REASONABLE FEE, SO I'M HOPING YOU WILL GIVE US OUR \$250,000 AND OF COURSE CONTINUE THE SUPPORT OF THE 120, \$150,000 LEVEL FOR THE ANNUAL PROGRAMS. THANK YOU. SORRY I GET SO EMOTIONAL. HAPPENS EVERY TIME.

MAYOR WYNN: THAT'S OKAY. [APPLAUSE]

MAYOR WYNN: KENDRA PETERS TO BE FOLLOWED BY JOHN DUDLEY.

THANK YOU. I'M HERE REPRESENTING FAMILY ELDER'S BILL PAYER PROGRAM. I'M ON THE STAFF. I MANAGE THE BILL PAYER PROGRAM AND I MANAGE THE SHELTER PROGRAM, HELP TO MANAGE. THOSE ARE TWO ESSENTIAL PROGRAMS THAT HELP SUPPORT THE ELDERLY AND DISABLED MEMBERS OF OUR COMMUNITY AND BOTH THE PROGRAMS HAVE BEEN SUPPORTED BY CDBG FUNDS FOR WHICH WE ARE GRATEFUL. MY TRANSITIONAL SHELTER WHICH IS FUNDED PARTIALLY BY CDBG FUNDS PROVIDES 8 BEDS TO SERIOUS AND DISABLED ADULTS WHO ARE FACING HOUSING CRISIS. JUST A MINUTE AGO I'M A CALL SO WE'RE ON CALL 247. JUST HAD A PHONE CALL FROM A WOMAN WHO WAS WORKING WITH A 60-YEAR-OLD WHO THOUGHT SHE WAS GOING TO HAVE A PLACE TO STAY TONIGHT BUT SHE.... DOESN'T AND SHE WAS DREADING TO TAKE HER TO THE SALVATION ARMY. WE..WALKED IN THE ALLEYWAY AND WE WERE BOTH SCARED. ALTHOUGH WE AREN'T AN EMERGENCY SHELTER I MADE ARRANGEMENTS FOR HER TO BE ABLE TO GO INTO OUR TRANSITIONAL SHELTER FOR TONIGHT. ALL SHE NEEDS IS TWO WEEKS UNTIL HER CHECK

COMES AND SHE HAS AN APARTMENT READY TO RENT BUT SHE WAS ACTUALLY DREADING TO HAVE TO STAY ON THE STREETS TONIGHT AND MORE DREADING HAVING TO GO DOWN TO THE SALVATION ARMY BECAUSE THAT WAS HER ONLY OPTION. THROUGH AN AGREEMENT WITH AMERICAN HOUSING FOUNDATION WE'VE ADDED 15 APARTMENT UNITS. WE PROVIDE A SAFE PLACE FOR PEOPLE TO LIVE WHILE THEY'RE WORKING TOWARDS OBTAINING PERMANENT AFFORDABLE HOUSING. AND THIS WOMAN WAS TEMPORARILY HOMELESS BECAUSE SHE WAS WAITING FOR HER RETIREMENT CHECK TO COME, HER SOCIAL SECURITY WASN'T QUITE ENOUGH, AND SHE WAS EVICTED FROM HER APARTMENT FOR FAILURE TO BE ABLE TO PAY. SO SHE'S BEEN HOMELESS FOR ABOUT SIX MONTHS NOW. LAST YEAR WE SERVED 26 INDIVIDUALS WHO WERE HOMELESS AND PROVIDED THE CASE MANAGEMENT NECESSARY FOR THEM TO OBTAIN HOUSING. CLIENTS THAT COME INTO THE SHELTER TYPICALLY ARE THOSE THAT AREN'T ABLE TO STAY AT THE SALVATION ARMY BECAUSE THEY'RE TOO MEDICALLY FRAIL AND THEY'RE AT RISK FOR BEING VICTIMIZED. WE SERVE 138 INDIVIDUALS THROUGH OUR BILL PAYING SERVICE, WHICH IS ALSO A CRITICAL SERVICE. WE MATCH VOLUNTEERS WITH CLIENTS WHO NEED ASSISTANCE WITH BASIC BILL PAYING SERVICES IN ORDER TO REMAIN INDEPENDENT AND IN THE COMMUNITY. WE SERVE OLDER ADULTS WHO HAVE COGNITIVE OR VISUAL IMPAIRMENTS. WE SERVE DEVELOPMENTALLY DISABLED ADULTS SO THE MENTALLY RETARDED CITIZENS OF OUR COMMUNITY WHO ARE LIVING ALONE. AND THE MENTALLY ILL MEMBERS OF OUR COMMUNITY WE SERVE THROUGH OUR REPRESENTATIVE REPRESENTATIVE PAYEE PROGRAM. SO BOTH STAFF AND VOLUNTEERS INSURE THAT CLIENTS MAINTAIN THEIR HOUSING, ARE FREE FROM EXPLOITATION AND RECEIVE AND MAINTAIN THEIR BENEFITS THAT PROVIDE THEM THEIR HEALTH CARE. THE MAJORITY OF OUR CLIENTS ARE AT 100% OF THE POVERTY LEVEL WHICH MEANS THEY RECEIVE \$623 A MONTH. SO IT IS A CASE MANAGEMENT TASK TO MAKE SURE THAT THEY STAY HOUSED AND FED AND RECEIVE HEALTH CARE. ENSURING THAT THEY MAINTAINING THEIR HOUSING, HAVE ENOUGH FOOD ARE OUR MAIN GOALS. WE'RE ABLE TO LEVERAGE THE NUMBER OF CLIENTS WE SERVE WITH THE VOLUNTEERS WHO GRACIOUSLY

OFFER THEIR TIME TO BECOME A PART OF OUR CLIENTS' LIVES. 48% OF OUR CLIENTS ARE MATCHED WITH VOLUNTEERS. THE NEED IS GREATER THAN WHAT WE CAN SERVE AND WE ALWAYS HAVE A WAITING LIST IN THE BILL PAYER REPRESENTATIVE PAYEE PROGRAM. I WOULD LIKE TO INTRODUCE MR. DUDLEY, WHO HAS BEEN A BILL PAYER CLIENT FOR CLOSE TO THREE YEARS AND HE WOULD LIKE TO TELL YOU BRIEFLY WHAT HAVING THE SERVICES AVAILABLE TO HIM HAS MEANT TO HIM. THANK YOU.

MAYOR WYNN: THANK YOU, KENDRA. JOHN, WELCOME.  
[APPLAUSE]

MR. MAYOR, MEMBERS OF THE COUNCIL, THANK YOU FOR ALLOWING ME TO SPEAK TONIGHT, AND I JUST WANT TO SPEAK IN SUPPORT OF FAMILY ELDER CARE AND ITS ONGOING SERVICES TO COMMUNITY. MY NAME IS JOHN DUDLEY AND I'M BLIND. I'VE BEEN A CLIENT OF FAMILY ELDER CARE FOR THE PAST THREE YEARS IN THEIR BILL PAYING PROGRAM. AND I WANT THE COUNCIL TO KNOW HOW IMPORTANT THAT IS TO SOMEONE LIKE ME, TO MYSELF AND SOMEONE LIKE ME. THE INDEPENDENCE IT ALLOWS, IT'S EVEN VALUABLE. I DON'T KNOW HOW TO DESCRIBE IT TO SOMEONE WHO'S SIGHTED BUT IF YOU CAN IMAGINE CLOSING YOUR EYES AND TRYING TO WRITE A CHECK. TO EXPLAIN HOW INVALUABLE THAT SERVICE IS, I CAN'T PUT IT INTO WORDS. SO PLEASE, I ASK CONTINUED FUNDING TO FAMILY ELDER CARE AND THEIR ONGOING WORTHY ENDEAVORS, AND I THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, JOHN.

UP NEXT IS RAMONA AND SHE'S A STAFF MEMBER IN THE FAMILY ELDER CARE GUARDIANSHIP PROGRAM.

MAYOR WYNN: GREAT. THANK YOU, MR. DUDLEY. WELCOME, RAMONA.

GOOD EVENING. MY NAME IS RAMONA BRUSH. I AM THE MANAGER OF CLIENT SERVICES FOR FAMILY ELDER CARE'S GUARDIANSHIP PROGRAM. IN THIS ROLE I HAVE BEEN HONORED TO BE PART OF A TEAM THAT ENSURES THAT THE ELDERS OF AUSTIN AND TRAVIS COUNTY RECEIVE THE



ADVOCACY AND VOICE NECESSARY TO ENJOY A HIGH QUALITY OF LIFE. LAST YEAR WE SERVED 160 ELDERS. 80% OF THEM BELOW FED POVERTY GUIDELINES. WE SERVED OLDER ADULTS THAT HAD BEEN DLAIFERD INCAPACITATED BY A COURT OF LAW. IF PEOPLE ARE THE MOST VULNERABLE OF OUR COUNTY'S RESIDENTS, THESE MEN AND WOMEN ARE YOUR NEIGHBORS WHO HAVE OUTLIVED THEIR FRIENDS AND FAMILY OR NO LONGER HAVE INVOLVED FAMILY MEMBERS. USUALLY DUE TO THEIR INCAPACITY THEY LIVE IN SITUATIONS SUCH AS GROUP HOMES OR NURSING HOMES. WE NEED TO REMEMBER THAT NURSING HOMES ARE PART OF OUR COMMUNITY, OFTEN FORGOTTEN. THE GUARDIANSHIP PROGRAM ASSIGNS TRAINED AND CERTIFIED CARE MANAGERS TO EACH OF OUR CLIENTS. OUR STAFF ARE RESPONSIBLE FOR ENSURING THAT OUR ELDERS LIVE IN THE MOST HOME-LIKE ENVIRONMENT POSSIBLE, RECEIVE THE HIGHEST LEVEL OF CARE WITH RESPECT AND DIGNITY. OUR STAFF MEMBERS ARE PASSIONATE ABOUT OUR ROLE AS CLIENT ADVOCATES. EQUALLY INVESTED ARE THE VOLUNTEERS THAT WORK WITH THESE SENIORS. OUR ELDERS ARE MATCHED WITH A VOLUNTEER WHO HAS BEEN TRAINED TO MONITOR AND ADVOCATE FOR THEIR CARE. THESE VOLUNTEERS BECOME A FRIEND AND A SUPPORT TO OUR CLIENTS WHO HAVE -- OFTEN HAVE NO ONE ELSE IN THEIR WORLD. IT IS A TRUISM THAT RESIDENTS OF NURSING HOMES RECEIVE BETTER CARE WHEN THEY HAVE REGULAR VISITORS. EACH OF OUR ELDERS REPRESENT AN INDIVIDUAL SUCCESS STORY AND ILLUSTRATES THAT WE LIVE IN A COMPASSIONATE AND VOCAL COMMUNITY THAT HONORS OUR ELDERS. OUR SERVICES ENSURE THAT OUR OLDER CITIZENS HAVE SOMEONE TO SPEAK ON THEIR BEHALF WHEN THEY ARE NO LONGER ABLE TO DO SO FOR THEMSELVES. THEY ARE NOT FORGOTTEN. WITHOUT FUNDING AND COMMUNITY SUPPORT THIS SERVICE IS NOT POSSIBLE. ON BEHALF OF OUR COMMUNITY'S ELDERS I EXPRESS APPRECIATION AND GRATITUDE FOR THE CONTINUED FUNDING, AND I WOULD LIKE FOR FRANCIS, ONE OF OUR VOLUNTEERS, TO SHARE HER STORY.

MAYOR WYNN: THANK YOU, MS. BRUSH AND WELCOME MISMCMULTY.

MAYOR AND COUNCIL MEMBERS, I AM ONE OF THE ELDER

CARE VOLUNTEERS WHO VISITS THE ELDERLY AND DISABLED IN THEIR HOMES OR IN INSTITUTIONS. THE PURPOSE OF MY VISIT IS TO BE THE EYES AND EARS FOR ELDER CARE, TO BE ALERT TO THE NEEDS OF THESE CLIENTS AND TO LET ELDER CARE KNOW OF ANY SUSPECTED ABUSE OR NEGLECT. ONE EXAMPLE OF SUCH A PATIENT OF MINE WAS MARIA, WHO WAS IN A NURSING HOME DUE TO MULTIPLE PHYSICAL AND MENTAL AILMENTS. SHE HAD NO FAMILY OR FRIENDS TO LOOK IN ON HER TO MAKE SURE THAT SHE WAS WELL-TAKEN CARE OF. IN FACT, SHE HAD BEEN THE SUBJECT OF ABUSE FROM FAMILY. DUE TO HER ILLNESS SHE COULD NOT COMMUNICATE MUCH AND SHE WAS TOTALLY DEPENDENT ON THE NURSING HOME STAFF FOR ALL HER NEEDS. I VISITED HER FOR THE LAST FIVE MONTHS OF HER LIFE. TRUE, THE NURSING HOME PROVIDED FOR HER BASIC NEEDS, BUT MY VISITS PROVIDED THE NECESSARY HUMAN TOUCH THAT SOMETIMES IS MISSING IN INSTITUTIONAL SETTINGS. I DID SIMPLE THINGS FOR HER, LIKE COMB HER HAIR, APPLY LOTION, GIVE HER A DRINK OF WATER, SOMETIMES JUST SIT AND TALK TO HER. SIMPLE THINGS TO YOU AND ME BUT THINGS THAT MADE A LOT OF DIFFERENCE IN HER LIFE. MY PRESENCE LET THE NURSING HOME STAFF KNOW THAT THERE WAS SOMEONE WHO CARED FOR HER AND WHO WAS WILLING TO STEP IN AND ADVOCATE FOR HER. I ALSO SPOKE TO THE STAFF -- TO THE NURSING HOME STAFF WHEN THERE WAS ANYTHING LACKING IN HER CARE AND I WOULD COMMUNICATE ANY SUCH EVENTS TO THE ELDER CARE STAFF. HER ILLNESS MADE HER WEAKER AND WEAKER UNTIL THERE WAS NOTHING MORE THAT I COULD DO FOR HER BUT JUST GO AND VISIT HER AND HOLD HER HAND, GIVE HER A DRINK OF WATER, MAYBE, AND ON GOOD DAYS I WOULD TAKE HER OUTSIDE AND LET THE SUNSHINE WARM HER FACE FOR JUST ONE MORE DAY. I KNOW THAT MY VISITS AND MY ACTIONS ON HER BEHALF IMPROVED HER QUALITY OF LIFE THOSE LAST FEW MONTHS OF HER LIFE, AND SO THEREFORE I KNOW THAT AS LONG AS THERE ARE PERSONS AT RISK FOR ABUSE AND NEGLECT, THERE IS A NEED FOR THE SERVICES OF ELDER CARE. THANK YOU MENT AND NOW KATHLEEN COGGIN.

MAYOR WYNN: THANK YOU FRANCIS, WELL COM KATHLEEN.

I HAVE A PRIVILEGE OF BEING A MEMBER OF THE ELDER CARE STAFF. I'M ALSO THE LAST SPEAKER FOR FAMILY ELDER CARE. I AM THE PROGRAM DIRECTOR FOR IN HOME ELDER CARE AND RESPITE SERVICES AND IN HOME CARE AND RECENT IT PROGRAM PROVIDES THE SERVICES TO ALLOW OLDER ADULTS TO MAINTAIN THEIR INDEPENDENCE AND TO SUPPORT THOSE WHO CARE FOR THEM. 89..89% OF OLDER ADULTS IN TRAVIS COUNTY LIVE IN THEIR OWN HOME, NOT HOME, BUT LIVE IN THEIR OWN HOME OR APARTMENT, AND TO BE MAINTAIN THEIR INDEPENDENCE ONCE THEY REACH THAT AGE, 75 AND PLUS, THEY NEED SOME HELP, AND THOSE WHO -- THEY MAY HAVE CAREGIVERS THAT LIVE IN A COMMUNITY AREA, THEY NEED HELP TOO, AND THEY NEED HELP WITH SERVICES SUCH AS BATHING OR GROOMING OR COMPANIONSHIP, SHOPPING AND TRANSPORTATION FOR A DOCTOR'S APPOINTMENT. THOSE ARE SERVICES THAT FAMILY ELDER CARE PROVIDES. WHEN YOU ARE LOW OR MODERATE INCOME, THOSE ARE THINGS THAT YOU CAN'T AFFORD WHEN YOU'RE TRYING TO PURCHASE THEM FROM AN AGENCY OR A SERVICE HERE IN THE COUNTY. FAMILY ELDER CARE CAN PROVIDE THEM THINGS TO THRI THE CDGB FUNDS THAT WE RECEIVE. WE ARE ABLE TO GIVE THEM ON A SUBSIDIZED RATE AND WE DO IT ON A SLIDING SCALE FEE. NO OTHER AGENCY PROVIDES THAT IN TRAVIS COUNTY. THE FUNDS WE RECEIVE LET US OFFER THEM ON -- WE DO HAVE TO PLACE CAPS ON THEM, UNFORTUNATELY. WE DON'T RECEIVE ENOUGH FUNDS TO GIVE UNLIMITED AMOUNT OF HOURS, SO WE TRY TO FUND THEM AND GIVE AS MANY HOURS AS WE CAN TO AS MANY CLIENTS AS WE CAN. THE POPULATION AS IT AGES, MORE AND MORE ADULT CHILDREN OF THESE AGING PARENTS ARE HAVING BECOME INVOLVED IN THE CARE. THAT MEANS WE'RE TRYING TO PROVIDE MORE AND MORE HOURS OF RESPITE CARE AS WELL THAT COME IN AND TAKE CARE OF -- IF YOU HAVEN'T, YOU WILL BEGIN TO EXPERIENCE TAKING CARE OF THE ADULTS AND THEY NEED RELIEF AS WELL. THAT'S BECOMING MORE AND MORE A DEMAND THAT WE'RE TRYING TO MEET IN THE COMMUNITY AS WELL. THE CDBG CLIENTS THAT WE PROVIDED SUPPORT LAST YEAR, WE HELPED IN THE COMMUNITY OVER 1200 CALLS THAT WE TOOK AND PROVIDED RESOURCE INFORMATION. WE SERVED OVER 519 CLIENTS AND 434 CAREGIVERS AND OVER 80,000

HOURS OF SERVICE. I WOULD HAVE LIKED TO BROUGHT A CLIENT WITH ME TONIGHT BUT GIVEN, OF COURSE, THE AGE AND THE HOUR, BUT I WOULD LIKE TO READ A BRIEF LETTER FROM ONE OF OUR CLIENTS SO YOU CAN GET AN IDEA OF THE SERVICES. THIS IS WRITTEN BY JOAS FIN A RODRIGUEZ GIBBS. SHE'S THE DAUGHTER OF ONE OF OUR CLIENTS, ALICIA RODRIGUEZ. SHE WRITES FAMILY ELDER CARE HAS BEEN TAKING CARE OF MY MOTHER SINCE 2001, WE STARTED USING THEIR SERVICE AFTER MY MOTHER FELL AND WE KNEW SHE COULD NOT BE LEFT ALONE IN THE HOUSE ANY LONGER. PLACING HER IN A FACILITY IS OUT OF THE QUESTION. WITHOUT FAMILY ELDER CARE I COULD NOT GO TO WORK EVERY DAY. I NEED TO WORK AND I NEED TO KNOW THAT MY MOTHER IS BEING WELL-TAKEN CARE OF AT HOME. MY MOTHER IS ADVANCED IN AGE. SHE WILL BE 100.

MAYOR WYNN: OKAY. JUST CONCLUDE.

SHE WILL BE 100 IN OCTOBER. SHE NEEDS HELP TO DRESS AND SH SHE NEEDS SOMEONE TO HELP HER PREPARE HER FOOD. SHE WALKS WITH A WALKER AND WHILE SHE MANAGES WELL SHE'S FEARFUL OF FALLING. THE CARE ATTENDANTS, SHE TALKED ABOUT HOW WONDERFUL FAMILY CARE IS AND WE MAKE IT POSSIBLE FOR HER TO KEEP HER MOTHER LIVING AT HOME WHILE SHE CAN WORK AT AS WELL AND THE PEACE OF MINDS IT GIVES HER. SHE HOPES FAMILY ELDER CARE WILL STAY AROUND FOR A LONG TIME AND CONTINUE THE SERVICE WE DO. THAT'S BECAUSE IT'S HER PLAN FOR HER MOTHER TO BE WITH HER WELL BEYOND HER 100TH BIRTHDAY AND HER MOTHER, ALICIA WANTS YOU TO KNOW SHE PLANS TO BE AROUND LONG PAST HER 100TH BIRTHDAY AS WELL.

MAYOR WYNN: THANK YOU, KATHLEEN.

I BELIEVE THAT CONCLUDES OUR PRESENTATION, MAYOR. IF YOU HAVE ANY QUESTIONS.

MAYOR WYNN: VERY IMPRESSIVE.

LEFFINGWELL: I'D LIKE TO MAKE A COMMENT.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: I WANT TO SAY BASED ON A PAST PERSONAL EXPERIENCE, I KNOW THERE'S A NO MORE DESERVING GROUP AND NO MORE DEDICATED PEOPLE IN OUR COMMUNITY AND I WANT TO THANK YOU FOR COMING DOWN.

THANK YOU VERY MUCH. I WANT TO THANK EVERYONE WHO CAME DOWN FROM THE ORGANIZATION AS WELL.

MAYOR WYNN: YES.

WE HOPE THAT FUNDS WILL BE FOUND FOR OUR NEW PROGRAM CENTER FOR OUR FACILITY, EITHER IN CDBG OR ANOTHER SOURCE THAT MIGHT BE FOUND. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, KAREN, AND WE'LL HAVE THAT APPROPRIATE DEBATE SOON. THANK YOU ALL. SO I THINK EARLIER WE HEARD THAT ROY ON MAL I WAS KIND ENOUGH TO STAND ASIDE WHILE OUR FRIENDS FROM ELDER CARE GAVE US A COMBINED PRESENTATION. SO WELCOME, MR. O MAL I, I APPRECIATE YOUR PATIENCE.

GOOD EVENING. MAYOR, MAYOR PRO TEM, MEMBERS OF THE CITY COUNCIL. MY NAME IS ROY OMALLEY AND I'M HERE ON BEHALF OF THE AUSTIN ROUNDTABLE WHICH IS A COALITION OF 25... 25... NONPROFIT HOUSING CORPGS THAT ARE WORKING TO ADDRESS MANY DIFFERENT KINDS OF AFFORDABLE HOUSING NEEDS IN THE AUSTIN COMMUNITY. A LARGE PART OF THE WORK IS DONE WITH THE SUPPORT THROUGH THE CITY OF AUSTIN, THROUGH THE HOME PROGRAM, THROUGH THE HOMELESS PROGRAMS, THROUGH THE HOUSING TRUST FUND PROGRAMS, AND WE ARE VERY APPRECIATIVE OF ALL OF THAT SUPPORT THAT OUR MEMBERS HAVE RECEIVED. I'M HERE TONIGHT TO TALK ABOUT PRESERVATION OF EXISTING AFFORDABLE HOUSING. ONE OF THE FACTS THAT MANY PEOPLE DO NOT REALIZE IN THIS COMMUNITY IS THAT THE VAST MAJORITY OF WILL ARE THE PERSONS IN THIS COMMUNITY WHO NEED AFFORDABLE HOUSING, ELDERLY PERSONS ON FIXED INCOMES, FAMILIES WITH LOW WAGES, THE PERSONS WITH DISABILITIES, ARE

NOT LIVING IN SUBSIDIZED HOUSING OF ANY KIND. THEY'RE ALL LIVING IN PUBLIC HOUSING OR IN HOUSING THAT'S SUPPORTED BY ANY CITY PROGRAMS OR VOUCHERS, BY ANY GOVERNMENT PROGRAMS OF ANY KIND. THEY'RE LIVING IN PRIVATELY OWNED, UNSUBSIDIZED RENTAL HOUSING. MUCH OF THAT HOUSING IS STARTING TO AGE, IT'S 35 TO 40 YEARS OLD. MAY NOT BE IN GREAT CONDITION, BUT THAT'S WHERE THE VAST MAJORITY ACTION OVER 60% OF THE PERSONS IN THIS COMMUNITY WHO NEED AFFORDABLE HOUSING, THAT'S WHERE THEY'RE LIVING. THEY'RE ESPECIALLY VULNERABLE TO THAT HOUSING BEING REDEVELOPED, AND WITH THE RESULTING LOSS OF THE AFFORDABLE HOUSING. NOW, THERE ARE LOTS OF REALLY EXCITING THINGS GOING ON IN THIS COMMUNITY WITH THE AFFORDABLE HOUSING. BONDS WERE PASSED BACK IN NOVEMBER AND WE THANK THE CITY COUNCIL FOR ALL OF THE WORK ON THAT, ON THE AFFORDABLE HOUSING BONDS, THE WORK OF THE AFFORDABLE HOUSING, DEVELOPMENT INCENTIVES TASK FORCE, AND THE RECOMMENDATIONS THAT YOU HEARD THIS AFTERNOON. THE REDEVELOPMENT AT MUELLER, ALL OF THOSE ARE GREAT POSITIVE ACTIVITIES. IF WE DON'T DO SOMETHING TO HELP THE AFFORDABLE HOUSING IT'S POSSIBLE WE MAY LOSE GROUND INSTEAD OF GAINING AND WE'RE REALLY CONCERNED ABOUT THAT. I WAS REALLY HAPPY TO HEAR THIS AFTERNOON WITH THE RECOMMENDATION FRS THE TASK FORCE AND FROM THE CITY STAFF THAT WE NEED TO COME UP WITH A STRATEGY, A COMPREHENSIVE STRATEGY FOR PRESERVING EXISTING AFFORDABLE HOUSING AND WITH THE TIME FRAME IN MARCH OF 2008. WE ALSO REALLY STRONGLY SUPPORT THE IDEA THAT THERE NEEDS TO BE A COMPREHENSIVE MARKET STUDY DONE TO INVENTORY -- I'LL TRY TO FINISH UP -- TO INVENTORY THE EXISTING HOUSING SO WE KNOW WHAT WE HAVE IN TERMS OF UNITS, CONDITION, RENT LEVELS AND ALSO WHAT THE DEMAND IS IN THE COMMUNITY. WE NEED TO MAKE A COMMITMENT THAT THIS COMMUNITY IS ONE IN WHICH EVERYONE CAN LIVE REGARDLESS OF INCOME OR STATUS IN LIFE AND IT STARTS WITH HOUSING AND WE APPRECIATE YOUR SUPPORT. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. OMALLEY, FOR YOUR

COOPERATION AND PATIENCE. LET'S SEE. I THINK THAT WILL TAKE US TO HELEN VODDI. HELLO, HELEN. AND YOU'LL BE FOLLOWED BY NANCY CATES, WHO WILL BE FOLLOWED BY FRANK FERNANDEZ.

I'M HELEN VERDICT I. I'M THE MANAGER OF FRENCH STEPS AND WE MANAGE THE AUSTIN RESOURCE NR FOR THE HOMELESS AND OTHER GOOD STUFF AS WELL. I'M HERE IN SUPPORT OF THE COMMUNITY PLAN, PARTICULARLY THE PART THAT ADDRESSES PERMANENT SUPPORTIVE HOUSING BECAUSE 80% OF HOMELESS FOLKS WHO GO INTO PERMANENT SUPPORTIVE HOUSING STAY HOUSED, 50 PD INCREASED INCOME, 30% HAVE INCREASED JOB SKILLS AND THOSE ARE PRETTY GOOD FIGURES BUT I WANT TO REMIND YOU THAT THERE ARE LOTS OF PEOPLE STILL LIVING AT THE AUSTIN RESOURCE CENTER FOR THE HOMELESS BECAUSE THERE ISN'T ENOUGH PERMANENT SUPPORTIVE HOUSING. ALSO IN THE PLAN THERE'S MENTION MADE OF A RECOUP RATIVE CENTER AND THAT'S DIRECTED AT GIVING HOMELESS PEOPLE APPROPRIATE TIME TO RECUPERATE WHEN THEY GET OUT OF THE HOSPITAL AND THEN PLACE THEM IN HOUSING AND THAT ADDRESSING THE STAGGERING COST OF RECIDIVISM AT BRACKENRIDGE HOSPITAL. SO WE'RE JUST HERE IN SUPPORT OF THE PLAN AND THANK YOU FOR LISTENING.

MAYOR WYNN: THANK YOU, MISVERDE FOR ALL OF YOUR WORK. NANCY CATES? NANCY, WELCOME, YOU'LL HAVE THREE MINUTES AND BE FOLLOWED BY FRANK FERNANDEZ.

GOOD EVENING, I'M NANCY CATES WITH THE MAYOR RI LEE FOUNDATION. THANK YOU FOR LETTING ME BE HERE AND FOR ALL THE SUPPORT THAT YOU PROVIDED TO US IN ALL OF THE HOUSING PROGRAMS THAT YOU HAVE FOR US. THE...MARY LEE FOUNDATION HAS BEEN HOUSING PEOPLE FOR 44 YEARS. WE FOCUS ON OUR AFFORDABLE HOUSING FOCUSES ON PEOPLE WITH VERY LOW INCOME AND THEY OBVIOUS HAVE DISABILITIES. THEY ARE PEOPLE WHO NEED OR WANT TRANSITIONAL OR PERMANENT HOUSE ENGAGE AN AFFORDABLE NEIGHBORHOOD. PRESENTLY WE PROVIDE HOUSING FOR 200 TO 250 PEOPLE AND WE HAVE AN ONGOING WAITING LIST OF PROSPECTIVE TENANTS. TO HELP OVERCOME THE CONTINUING NEED AND THE

CONTINUAL LOSS OF AFFORDABLE RENTAL HOUSING, MARY LEE IS PRESENTLY WORKING WITH THE CITY OF AUSTIN ON THE WILLOWS, WHICH WILL REPLACE 20 OLD UNACCESSIBLE APARTMENTS WITH 64 NEW AFFORDABLE AND ACCESSIBLE APARTMENTS. THE CITY HAS ALSO FORMALLY PROVIDED FUNDING FOR US TO -- TO REHAB, ACTUALLY, THE CORNERSTONE APARTMENTS AND THOSE ARE VERY POPULAR WITH OUR GROUP OVER THERE. THEY'RE BEAUTIFUL AND WE ALWAYS HAVE A LONG WAITING LIST FOR THAT. SO THAT HAS BEEN A VERY SUCCESSFUL PROJECT WITH THE CITY. AFFORDABLE MULTIPLE -- MULTIFAMILY RENTAL HOUSING IS NECESSARY AND VERY IMPORTANT TO EACH PERSON WHO LIVES IN THE MAYOR LEE FOUNDATION.....MARY LEE FOUNDATION AFFORDABLE HOUSING. WITHOUT IT THEY COULD BUILD A LIFE IN THE FUTURE. MOST PEOPLE REGARDLESS OF INCOME BEGIN THEIR LIVES WITH RENTAL HOUSING AND IT IS OFTEN AFFORDABLE MULTIFAMILY RENTAL HOUSING. PERSONS WITH LOW INCOMES OFTEN NEED TRANSITIONAL LOW COST MULTIFAMILY HOUSING FOR A LONGER PERIOD OF TIME BEFORE THEY ARE ABLE TO PURCHASE THEIR FIRST HOME AND WITHOUT IT MAY NEVER BE ABLE TO DO SO. INJURIES, ILLNESS, LOSS OF INCOME AND BREAK-UPS OF FAMILY CAN OFTEN LEAVE PERSONS HOMELESS OR NEAR HOMELESS AND IN NEED OF LOW INCOME RENTAL HOUSING. VERY AFFORDABLE MULTIFAMILY RENTAL HOUSING IS REALLY THE FOUNDATION OF ALL OTHER TYPES OF HOUSING. IT IS WHERE PEOPLE OFTEN BEGAN THEIR LIVES AND WHERE SOME FIND A HOME FOR LIFE. WE SUPPORT ALL THE MONIES THAT HAVE BEEN SET ASIDE FOR THIS TYPE OF HOUSING AND ASK THAT YOU CONTINUE TO FUND THAT IN A VERY GOOD WAY BECAUSE IT IS -- AS WE SAY, WE ARE LOSING A LOT OF IT AND WE NEED TO CONTINUE TO REPLACE THIS AND WE ARE TRYING TO DO OUR PART BY UPping OUR DENSITY WHERE WE ARE. THANK YOU.

MAYOR WYNN: THANK YOU, MS. CATES, FOR YOUR VERY IMPRESSIVE WORK.....VERY IMPRESSIVE WORK OVER THERE. MIKE FERNANDEZ I THOUGHT I SAW EARLIER, CAME WISHING TO SPEAK, AS DID LEONARD PEREZ. LEONARD CAME WISHING TO SPEAK. WELCOME, SIR. YOU'LL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY MIKE



GARBY.

THANK YOU, MAYOR AND COUNCIL MEMBERS. I WANTED TO SEE IF I COULD PASS THIS. THIS IS ALSO A -- USE SUPPORT SERVICES THAT WE HAVE RECEIVED THROUGH THE PROGRAM. THIS WAS PUT OUT BY A MENTOR THAT WAS SUPPLIED BY THE YOUTH SUPPORT SERVICES, AND I WANTED TO GIVE THE COUNCIL AN OPPORTUNITY TO LOOK AT THE WORK THAT IS PRESENTED BY THIS PROGRAM, AND I BELIEVE VERY STRONGLY THAT THE PROGRAM IS A WORKING PROGRAM FOR THE YOUTH AND AN OPPORTUNITY FOR THE KIDS TO GET OUT AND EXPERIENCE OTHER DEVELOPMENTS OF THEIR COMMUNITY, BECAUSE OUR KIDS ARE THE ONES WHO ARE THE ONES WHO ARE GOING TO GROW UP AND MAKE DECISIONS FOR THE ELDERS. THIS PROGRAM IS ALSO PAID FOR SOME OF THE DOCTORS THAT SOME OF US CAN'T AFFORD, ALSO FOR A LOT OF DIFFERENT OPPORTUNITIES THAT THE KIDS HAVE TO GO OUT AND EXPERIENCE AND GET THINGS DONE BY THEMSELVES. MY DAUGHTER WAS A VERY SHY PERSON. SHE NEVER REALLY ACTUALLY WENT OUT AND DID THINGS ON HER OWN. THROUGH THIS PROGRAM SHE'S HAD THE OPPORTUNITY TO DEVELOP MORE SELF-ESTEEM, SHE'S MORE OPEN. SHE'S MORE -- PRESENTS HERSELF AS A BEAUTIFUL, NAW A YOUNG LADY. SHE'S 15, BUT I BELIEVE WITHOUT THIS PROGRAM SHE WOULD NOT HAVE THAT MUCH OF AN OPPORTUNITY TO PRESENT HERSELF AND TO GET THE HELP THAT SHE NEEDED. SO I REALLY APPRECIATED THIS PROGRAM THROUGH THE YOUTH SERVICE -- SERVICES, AND I HOPE THAT YOU WILL CONTINUE TO SUPPORT THEM AND FUND THEM THROUGH THE PROGRAM TO HELP OTHER YOUTH CHILDREN HAVE THE OPPORTUNITY TO EXPRESS THEMSELVES LIKE MY DAUGHTER HAS EXPRESSED HERSELF, HAVING AN MENTOR, HAVING THE AGENCY, HAVING THE HELP. I BELIEVE THAT A LOT OF KIDS WITHOUT SOME OF THAT SUPPORT WOULD EVENTUALLY BE, YOU KNOW, IN THE JUVENILE SYSTEM OR IN OTHER FACILITIES, AND I THANK YOU VERY MUCH FOR THE OPPORTUNITY TO PRESENT THAT AND YOU-ALL HAVE A NICE EVENING.

MAYOR WYNN: THANK YOU, MR. PEREZ. VERY IMPRESSIVE. MIKE GARBY? AM I PRONOUNCING THAT CORRECTLY? HE SIGNED UP TO ADDRESS US AS DID FRANCIS FERGUSON.

WELCOME, MS. FERGUSON. I APPRECIATE YOUR PATIENCE. SAUL, YOU'LL BE NEXT, FOLLOWED BY SUSANA ALMANZA.

MY NAME IS FRANCIS FERGUSON. I SERVE AS THE CHAIR OF THE BOARD, WHICH IS A CROSS SECTOR NONPROFIT ENDEAVORING TO ENSURE THAT AUSTIN REMAINS AN AFFORDABLE PLACE FOR ALL OF ITS CITIZENS. WE APPLAUD THE -- AUSTIN STANDS AND YOU AS OUR CITY COUNCIL SIT TO PRESIDE OVER A PLAN THAT'S ONE OF THE MOST IMPORTANT PLANS FOR HOUSING THAT WE WILL HAVE EVER CREATED FOR AUSTIN BECAUSE WE STAND AT A CROSSROADS IN AUSTIN AS WE MOVE INTO AN ERA WHERE WE WILL BE REDEVELOPING OUR OLDER NEIGHBORHOODS, CREATING DENSITY ACROSS THE ARTERIALS WHICH WILL RESULT IN REPLACEMENT OF THE MUCH OF THE AFFORDABLE HOUSING ACROSS OUR CITY AND AS YOU'VE HEARD THAT IS WHERE THE VAST MAJORITY OF OUR LOWER INCOME RESIDENTS LIVE WHO TAKE CARE OF US. HOUSING WORKS APPLAUD THE CORE VALUES THAT HAVE BEEN EXPRESSED BY THE TASK FORCE, WHICH IS TO DELIBERATELY SERVE LOWER INCOME FAMILIES, TO ENSURE THAT THE HOUSING WE PRODUCE IS SUSTAINED LONG-TERM, AND TO STAND BY A PRINCIPLE THAT OUR NEIGHBORHOODS, MUCH AS OUR TRADITIONAL NEIGHBORHOODS ARE TODAY, ARE MIXED INCOME NEIGHBORHOODS WITH A DIVERSE HOUSING STOCK. THAT KIND OF AN APPROACH AVOIDS THE CONCENTRATION OF POVERTY WHICH COMES WITH HUGE PUBLIC COST TO OUR CITY IN TERMS OF CRIME, FAILED SCHOOLING FOR CHILDREN, LOSS OF ECONOMIC DEVELOPMENTS IN THOSE NEIGHBORHOODS. SO MIXED INCOME DEVELOPMENT IS THE WAY TO GO, FOR THE SAME OF THE FAMILIES AND FOR THE SAKE OF OUR CITY. AND I'D APPLAUD THAT WE HAVE IN THE LAST TWO YEARS DEMONSTRATED MORE COOPERATIVE WORK TO ADVANCE HOUSING THAN EVER BEFORE IN TERMS OF THE PRIVATE SECTOR, THE NONPROFIT SECTOR, THE NEIGHBORHOODS AND THE CITY ALL WORKING TOGETHER TO GET VERTICAL MIXED USE, THE TASK FORCE, WE STAND READY TO FACE THIS CHALLENGE TOGETHER AS WE NEVER HAVE BEFORE. SO I'D LIKE TO CALL OUT SEVEN POINTS THAT WE THINK ARE IMPORTANT TO BE INCLUDED IN THE PLAN. FIRST OF ALL AT THIS TIME IT'S IMPORTANT TO QUANTIFY

GOALS. MAYOR WYNN CALLED MY ATTENTION TO THE FACT WE DOUBLE EVERY 20 YEARS. WE'RE NOW IN MIDST OF ANOTHER DOUBLING SO WE NEED -- WE KNOW HISTORICALLY WHAT ARE GOING TO GO UNDER 30%, 50... 50%, WE NEED TO LAY THOSE OUT AND SET GOALS FOR THE UNITS FO SO WE HAVE NUMBER AGAINST WE CAN KEEP SCORE. WERE WE NEED AN INFORMATION SYSTEM. I APPLAUD THE STAFF CALLING FOR A MARKET STUDY AND IT SHOULD LAY THE GROUNDWORK FOR INFORMATION SOMS SO THAT WE CAN TELL HOW WE'RE DOING IN ALL PARTS OF TOWN IN TERMS OF MATCHING HOUSEHOLDS AND BEING IN THOSE VARIOUS PARTS OF TOWN. WE SHOULD HAVE THE GOALS TO MEET THOSE INCOME LAYERS, AS I ALREADY MENTIONED, SO THAT OUR FUNDING THEN TARGETS THE VARIOUS INCOME LAYERS THAT NEED SUPPORT. THE THREAT OF LOSS AT THIS TIME IS SUBSTANTIAL AND ALREADY WE'VE SEEN IT, OF COURSE THE WORK THAT WE'VE BEEN DOING TO PRESERVE SOME UNITS IN STONE BROOK BRIDGE IS ONE, SO THEREFORE NEW TOOLS FOR PRESERVATION OF PRIVATELY HELD AS WELL AS PUBLICLY HELD HOUSING IS CRITICAL. THAT HOUSING BE IN ALL PARTS OF THE CITY. THAT MEANS THAT ALL PARTS OF THE CITY MUST PARTICIPATE, THE PLANNING DEPARTMENT, TRANSIT DEPARTMENT, SO THAT TRANSIT WAYS CONSIDER WITH THE HOUSING AND TIES. THE LAST TWO ARE THE RENEWAL OF THE TRUST FUND. I BELIEVE THAT WE NEAR A TIME WHEN WE NEED TO AFFIRM OUR TRUST FUND. AND FINALLY, THAT THE HOUSING AUTHORITY IS AN IMPORTANT PART OF THIS PLAN AS THE GROUP THAT IS MOST DEDICATED AND WE NEED TO CONTINUE TO ASK THEM TO BE MOST DEDICATED TO THOSE UNDER 30% OF MEDIAN. IN FINDING THE FUNDING FOR THIS WE KNOW WE'LL ALL HAVE TO WORK TOGETHER TO FIND THAT FUNDING BUT TO NOT DO SO WILL LEAD TO HUGE PUBLIC COST.

MAYOR WYNN: THANK YOU FOR ALL YOUR WORK. WELCOME. AND YOU'LL BE FOLLOWED BY SUSANA ALMANZA, I WANT TO CALL YOU PRINCIPAL.

THAT'S OKAY. GOOD EVENING, MEMBERS OF THE COUNCIL. I'M EMPLOYED AT SOUTHWEST PROGRAM INCORPORATED, 5013 NONPROFIT CORPORATION HERE IN AUSTIN, HAS BEEN IN AUSTIN FOR APPROXIMATELY 20 YEARS, SINCE OCTOBER.

WORKING EVERY DAY IMPACTING THE LIVES OF YOUTH AND FAMILIES IN OUR COMMUNITY. AND TONIGHT I WANTED TO TALK TO YOU A LITTLE BIT ABOUT SOMETHING SOUTHWEST KIDS IS DOING IN EAST AUSTIN. OUR EAST AUSTIN COMMUNITY DEVELOPMENT PROJECT, ALL OF YOU KNOW, AS ALL OF YOU KNOW BECAUSE YOU'VE TOURED THE SITE, YOU KNOW THAT WE'RE BUILDING A CAMPUS OF OUTREACH SERVICES FOR YOUTH AND FAMILIES IN THE GOVALLE JOHNSON TERRACE COMMUNITY, ON 7 ACRES OF PROPERTY ALSO DONATED BY A FILL LAN THRO PIS AT SOUTHWEST KEY TO SERVE AND TO BRING SERVICES TO A COMMUNITY THAT HAS LONG SINCE BEEN LEFT BEHIND IN THE AREAS OF QUALITY EDUCATION, JOB CREATION, HEALTH SERVICES, AFTER SCHOOL PROGRAMMING, PARKS AND THE LIST GOES ON AND ON AND ON AND ON ABOUT A COMMUNITY THAT HAS BEEN LONG SINCE LEFT BEHIND. AND WHILE AUSTIN IS BOOMING AND HAS BEEN BOOMING IN A CONSTRUCTION BOOM IN REGARDS TO OFFICE PARKS, BUSINESSES, LOFTS, AND ALL KINDS OF OTHER KINDS OF DEVELOPMENTS, SUCH IS NOT THE CASE FOR PUBLIC FACILITIES, BUILDINGS TO BRING SERVICES TO THE COMMUNITY, TO PEOPLE IN NEED. SOCIAL ISSUES THAT ARE NOT ADDRESSED IN THE COMMUNITY WILL EVENTUALLY AND NOW EVEN AFFECT AND ADVERSELY AFFECT THE COMMUNITY. THE DEFINITION THEY SAY OF INSANITY -- NOW I GOT YOUR ATTENTION -- IS TO CONTINUE TO DOING -- CONTINUE DOING THE SAME THING OVER AND OVER AND OVER AND EXPECT DIFFERENT RESULTS. WE -- OUR MESSAGE IS CLEAR. WHAT THE PLAN IS NEEDS TO BE ADJUSTED. THE FIVE-YEAR CONSOLIDATED PLAN NEEDS TO BE ADJUSTED. WE SUPPORT FAMILY ELDER CARE AND OTHER ORGANIZATIONS THAT COME BEFORE THE COUNCIL TO BUILD FACILITIES, TO SERVE AND TO BRING SERVICES TO THE COMMUNITY, EVEN IN THE SURVEYS THAT WERE DONE AND PRESENTED BY STAFF IT HAD SURVEYS BEING COMPLETED THAT SHOW A NEED FOR PUBLIC FACILITIES. I'M NOT SURE THAT ALL THE FOLKS THAT NEED SERVICES ARE OUT THERE FILLING OUT THESE SURVEYS SO I DON'T EVEN KNOW HOW ACCURATE THAT IS. I'LL CONCLUDE IN A LITTLE BIT. OUR METHODS IS CLEAR. WE ARE ASKING THE COUNCIL TO DIRECT STAFF TO BROADEN THE VISION FOR THE NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT OFFICE TO INCLUDE FUNDING IN

THE FIVE-YEAR CONSOLIDATED PLAN FOR PUBLIC FACILITIES AND TO ALLOCATE THE REMAINING \$800,000 THAT SOUTHWEST KEY NEEDS TO COMPLETE THE EAST AUSTIN COMMUNITY DEVELOPMENT PROJECT, A CAMPUS OF OUTREACH SERVICES THAT THE COUNCIL BEGAN A COUPLE YEARS AGO WITH SOME SUPPORT. WE BELIEVE THAT THIS PROJECT IS WORTHY, THAT IT WILL POSITIVELY IMPACT YOUTH AND FAMILIES IN THAT COMMUNITY AND IN THE LARGER EAST AUSTIN COMMUNITY, AND WE BELIEVE THAT COUNCIL SHOULD BROADEN THEIR VISION, NOT JUST USE CDBG FUNDS FOR AFFORDABLE HOUSING. THAT'S IMPORTANT, BUT ALSO A LITTLE BIT, SOME OF IT, SHOULD BE USED TO BUILD PUBLIC FACILITIES TO PROVIDE SERVICES FOR OUR COMMUNITY IN EAST AUSTIN THAT'S IN NEED AND SOME THAT ARE IN CRISIS WITH A HIGH DROP-OUT RATE, LOW, UNDER EMPLOYED PAYING JOBS AND FOR PEOPLE AND FAMILIES THAT NEED SERVICES. I THANK YOU FOR YOUR ATTENTION TONIGHT. WE HAVE SOME COLLEAGUES HERE THAT WILL FURTHER THE MESSAGE OF SUPPORTING THE ALLOCATION OF \$800,000 OVER THE NEXT FIVE YEARS TO COMPLETE PHASE 1 OF THE EAST AUSTIN COMMUNITY DEVELOPMENT PROJECT IN THE JOHNSON GOVALLE NEIGHBORHOOD. THANK YOU.

MAYOR WYNN: THANK YOU. SUSANA ALMANZA? [INAUDIBLE]

MAYOR WYNN: OKAY. WELCOME. ARE YOU GOING TO SPEAK LATER? [INAUDIBLE] ALL RIGHT.

MAYOR WYNN: YOU HAVE THREE MINUTES. WELCOME.

GOOD EVENING. MAYOR AND MEMBERS OF THE COUNCIL, MY NAME IS BLANCA AND I AM THE DIRECTOR OF COMMUNITY AFFAIRS FOR SOUTHWEST KEY PROGRAM. TO PIGGY BACK ON WHAT THE DOCTOR SAID ABOUT OUR PROJECT IN THE EAST AUSTIN COMMUNITY, WHILE THE CONSTRUCTION OF THE PROJECT BEGAN A LITTLE OVER A YEAR AGO, THE PROJECT ITSELF BEGAN FIVE YEARS AGO WHEN SOUTHWEST KEY BEGAN KNOCKING ON DOORS IN EAST AUSTIN AND HANDING OUT SURVEYS TO THE COMMUNITY TO FIND OUT WHAT THE RESOURCES AND SERVICES THEY THOUGHT WERE NEEDED IN THAT COMMUNITY. TO FOLLOW THOSE SURVEYS, SOUTHWEST

KEY FORMED A COMMUNITY ADVISORY COUNCIL MADE UP OF RESIDENTS OF THE EAST AUSTIN COMMUNITY TO GUIDE OUR EFFORTS AS WE MOVED FORWARD WITH THIS PROJECT. THAT ADVISORY COUNCIL AND MEMBERS OF THE COMMUNITY THAT WE ARE THERE TO SERVE CAME UP WITH A LIST OF PROGRAMS AND SERVICES THAT THEY FELT THE COMMUNITY NEEDED, AND THOSE WERE SERVICES THAT ANY COMMUNITY IN ANY PART OF THE CITY WOULD NEED. THAT WOULD BE AFTER SCHOOL AND COLLEGE PREP PROGRAMMING, QUALITY EDUCATION, CULTURAL PROGRAMS..... PROGRAMS, GED CLASSES, AND THE LIST WENT ON AND ON. ANOTHER THING THAT THEY REQUESTED WAS A MIDDLE SCHOOL -- A COLLEGE PREP MIDDLE SCHOOL AND AS A RESULT OF THAT REQUEST SOUTHWEST KEY PRESENTED AN APPLICATION FOR A CHARTER SCHOOL THAT WOULD BEGIN HOPEFULLY IN FALL OF 2008. SO BECAUSE WE HAVE MADE SEVERAL PROMISES TO SERVE THE COMMUNITY THAT WE ARE MOVING INTO, MY JOB IS TO FORM THOSE PARTNERSHIPS WITH OTHER ORGANIZATIONS AND NON-PROFITS TO ENSURE THAT EVERYTHING WE PROMISED THE COMMUNITY WE'RE GOING TO SERVE WILL BE COMPLIED. AS A RESULT, WE HAVE FORMED PARTNERSHIPS WITH AUSTIN COMMUNITY COLLEGE TO COME IN AND DO GED AND ESL CLASSES. WE'RE WORKING ON A PARTNERSHIP WITH SKILLED ALLIANCE TO COME IN AND DO COMPUTER AND WORK FORCE TRAINING. WE HAVE PARTNERED WITH THE GROWTH CLUB TO DO SUMMER AND AFTER SCHOOL PROGRAMMING. WE'RE WORKING WITH COLLEGE FORWARD TO BRING COLLEGE PREP TO THE STUDENTS OF JOHNSTON HIGH SCHOOL. WE HAVE JUST BEEN AWARDED A NATIONAL ENDOWMENT OF THE ARTS, A GRANT TO DO A THEATER PROJECT IN EAST AUSTIN. WE WERE ALSO GIVEN \$50,000 OR PRESENTED WITH A GRANT FROM THE NATIONAL COUNCIL ON LARAZA ON LITERACY, HOMEOWNER CLASSES IN EAST AUSTIN AND THE LIST GOES ON AND ON. WE WILL CONTINUE WORKING ON THE PROGRAMS AND SERVICES THAT WE PROMISED THE COMMUNITY AND WE WILL -- WE WILL SERVE THEM AS THEY REQUESTED. THANK YOU. ON.

MAYOR WYNN: THANK YOU, BLANCA. SUSANA, WELCOME.  
[ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS. ]  
INTERGENERATIONAL INVOLVEMENT THROUGH ITS QUALITY

EDUCATION, THROUGH THE CHARTER SCHOOL, THROUGH ADULT CLASSES ON G.E.D., ESL, TRULY COMBINING SERVICES TO THE COMMUNITY, IT'S GOING TO DEVELOP A TECHNOLOGY CENTER, SOMETHING THAT HAS BEEN NEEDED IN OUR AREA FOR SUCH A LONG TIME. IT'S TRULY A COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT, BUT WE LOOK AT ITS GOING TO BE PROVIDING JOBS, IT'S PROVIDING JOBS RIGHT NOW FOR THOSE THAT ARE HELPING TO BUILD THE PROJECT AND IT'S BEEN PROVIDED THOSE JOBS BUT IT'S ALSO GOING TO BE PROVIDING JOBS FOR THOSE THAT ARE GOING TO BE PROVIDING THE SERVICES, TEACHERS, FOR THE -- FOR THE CHARTER SCHOOLS, YOU KNOW, ALL OF THE SERVICES IN G.E.D., ESL, THOSE ARE JOBS THAT'S GOING TO BE CREATED IN OUR COMMUNITY. ALSO PROVIDING A SMALL BUSINESS DEVELOPMENT IN THE AREA. WHEN WE LOOK AT THIS PROJECT, IT'S A ONE OF ITS KIND LIKE NO OTHER BECAUSE IT HAS INVOLVED THE COMMUNITY AT THE TABLE FROM THE BEGINNING, IT IS COMMITTED TO -- TO WHAT THE SERVICE THE COMMUNITY SAID IT NEEDED IN THIS PARTICULAR AREA, SO IT ENCOMPASSES ALL OF THE DIFFERENT CRITERIA WHEN YOU LOOK AT USING COMMUNITY DEVELOPMENT FUNDS. IT DEFINITELY MEETS ALL OF THE CRITERIA WE THINK IT'S A VERY, VERY IMPORTANT PROJECT FOR OUR COMMUNITY AND HOPE THAT YOU CONTINUE TO SUPPORT THE SOUTHWEST KEY PROGRAM. THANK YOU.

THANK YOU, SUZANNE. MARCELLO TOPOYA. SITTING TOO LOW IN THE CHAIR, I COULDN'T SEE YOU. WELCOME, YOU WILL HAVE THREE MINUTES, FOLLOWED BY RON CRANSTON.

MAYOR, COUNCIL, ONCE AGAIN THANK YOU FOR -- FOR LETTING US SPEAK. I AM THE DISTRICT DIRECTOR FOR LULAC HERE IN AUSTIN. LULAC IS DEDICATED OFFICIAL TO EDUCATION FOR THE WELL-BEING A LATINO COMMUNITIES, WHEN I JOINED SOUTHWEST KEY AS ONE OF THE ADVISORY BOARDS, ALMOST FOUR YEARS AGO, THEIR CONCEPT WAS SOMETHING THAT WE HAD NEVER SEEP, WELL, WE HEARD A LOT IN EAST AUSTIN, A LOT OF PROMISES. THEY FINALLY CAME THROUGH. IF YOU DRIVE THERE, YOU SEE THAT THEY HAVE A FACILITY, YOU KNOW DEFINITELY THAT THEY ARE COMMITTED, THE CITY OF AUSTIN HAS A COMMITMENT -- NEEDS THE COMMITMENT, THE COUNTY NEEDS A

COMMITMENT, THE FEDERAL GOVERNMENT NEEDS A COMMITMENT. ALL THAT WE NEED IS THAT LITTLE EXTRA PUSH TO GET IT COMPLETE. ON COMPLETION ONE OF THE THINGS, ONE OF THE BASES THAT I FOLLOW IS EDUCATION. I'M GETTING OLD, EVENTUALLY I WON'T BE AROUND. BUT HOPEFULLY THE CHILDREN WILL BE THERE TO REPLACE ME, TO REPLACE MANY OF US WHO -- WHO WILL NOT BE HERE ANYMORE, BUT TOM WAY THEY CAN DO IT PROPERLY IS GETTING AN EDUCATION, GOING SOMEWHERE WHERE THEY KNOW THEY ARE WANTED, THEY ARE NEEDED, THEY ARE APPRECIATED. IN MANY CASES WE HAVE A LOT OF RECREATION CENTERS THAT DEVOTE THEIR TIME TO CHILDREN, TO ENTERTAIN THEM, TO GIVE THEM A LITTLE EDUCATION. BUT THIS CENTER IS DEDICATED TO REALLY, REALLY GIVE THEM NOT ONLY AN AFTER SCHOOL EDUCATION THAT A LOT OF OUR CHILDREN NEED BECAUSE THEY DON'T GET ENOUGH FROM THE SCHOOLS, WHAT THEY GET IS NOT REALLY TO ME NOT NECESSARILY WHAT THEY REALLY, BUT THEY NEED ADDITIONAL. SO THIS -- THIS PLACE WILL GIVE THEM THAT OPPORTUNITY NOT ONLY IN THE COMPUTER SKILLS BUT AFTER SCHOOL, A DAYCARE CENTER, A THEATER WHERE -- WHERE THAT WILL DRAW THE CHILDREN AND -- AND A YOUNG ADULT TO BE ENTERTAINED. THEY WILL ALSO PARTICIPATE IN THE ENTERTAINMENT. IF YOU PUT IT ALTOGETHER, YOU SEE HOW FAMILY COMES TOGETHER, SOUTHWEST KEY HAS BEEN ABLE TO DO THIS AND -- IN EAST AUSTIN. TO BE ABLE TO BRING US TOGETHER ONCE MORE AND GIVE US AN OPPORTUNITY TO EDUCATE OUR CHILDREN AND TO BRING THEM FORWARD. I WANT TO THANK YOU ALL AGAIN AND I REALLY URGE YOU TO HELP AT LEAST GET THIS OUT OF THE WAY SO WE CAN ACTUALLY START ON A PROMISE THAT SOUTHWEST KEY MADE TO ME AND TO OUR PEOPLE. THANK YOU GIVE, APPRECIATE YOUR TIME.

THANK YOU MARCELLO. RON, WELCOME.

THAT'S BETTER. THANK YOU VERY MUCH, I'M RON CRANSTON REPRESENTING TONIGHT UNITED CEREBRAL PALSY OF TEXAS. BEEN IN TEXAS SINCE 1954, ASSISTING FOLKS WITH DISABILITIES. MY THEME TONIGHT IS AFFORDABLE, ACCESSIBLE, INTEGRATED HOUSING AND LONG-TERM SERVICES AND SUPPORTS. THE ACTION PLAN



THAT WE ARE DISCUSSING TONIGHT AFFECTS US WITHIN OUR ACCESS HOUSING PROJECT AND OUR HOME OF YOUR OWN PROJECT AND OTHER ASPECTS OF OUR ORGANIZATION, ONE OF WHICH IS THROUGH CDBG FUNDS WHERE THE CITY COUPLED UP WITH THE PRIVATE DEVELOPERS IN UNITED CEREBRAL PALSY WHO ALSO GOT SOME H.U.D. 811 FUNDING TO -- TO PROVIDE -- TO BUY ACTUALLY -- CDBG BOUGHT A PORTION OF THOSE OWE OVER THE BOULEVARD TO -- TO PROVIDE ACCESSIBLE, AFFORDABLE AND INTEGRATED HOUSING FOR FOLKS WITH DISABILITIES AT 30% OF THEIR INCOME. AND MOST OF THOSE FOLKS ARE AT VERY LOW INCOME AS WE HAVE KNOWN EARLIER, MOSTLY AT THE SSI LEVEL, WHICH IS \$623 PER MONTH. OTHER THINGS THAT -- THAT HAPPEN I THINK -- AND NEED TO CONTINUE TO HAPPEN IN THE PLAN ARE DEVELOPING THOSE PUBLIC/PRIVATE AND SOMETIMES MAYBE PUBLIC -- PUBLIC PARTNERSHIPS. I KNOW THAT AS -- AS FOLKS ARE -- THERE'S INITIATIVE TO MOVE FROM THE INSTITUTIONS INTO COMMUNITIES, THERE NEEDS TO BE MORE DONE IN TERMS OF -- OF WORKING WITH THE LOCAL GOVERNMENTAL AGENCIES YOURSELF, AT -- FROM THE STATE LEVEL TO INCORPORATE PROGRAMS OF LONG-TERM SERVICES AND SUPPORT SYSTEMATICALLY AS PEOPLE MOVE INTO OUR COMMUNITY. PEOPLE ARE MOVING INTO OUR COMMUNITY. FROM INSTITUTIONS LIKE NURSING HOMES AND -- AND LARGE ICF/MR'S AND STATE SCHOOLS. THE OTHER THING IS THERE ARE ABOUT 826 FOLKS WITH PEOPLE WITH DISABILITIES THAT ARE ON THE -- ON THE WAITING LIST FOR SECTION 8 AND THESE DEEP -- THE VOUCHERS ARE A NECESSITY FOR A NUMBER OF FOLKS. UNFORTUNATELY THAT -- THAT SECTION 8 IS ABOUT EVERY FOUR YEARS, HAS AT LEAST IN THE PAST AND WE NEED TO -- TO HAVE MORE SUBSIDIES LIKE SECTION 8 THAT ARE FLEXIBLE TO GET PEOPLE INTO HOUSING AROUND THE COMMUNITY AS MANY FOLKS HAVE TALKED ABOUT IN VARIOUS INTEGRATED IN VARIOUS PARTS OF THE COMMUNITY WITH -- WITH ACCESSIBILITY COMPONENTS IN THE HOUSING. WE NEED TO MAKE SURE THAT THE PLAN REFLECT THAT WE ARE GOING TO CONTINUE TO HAVE -- HAVE A DEGREE OF REGULATION IN THE ACCESSIBILITY AND THAT -- THAT THERE ARE A NUMBER OF UNITS THAT ARE BEING BUILT ARE TRULY ACCESSIBLE. ALONG WITH THOSE

WHICH ARE VISITABLE THAT FOLKS CAN GET INTO, PARTICIPATE WHAT THEIR -- WITH THEIR NEIGHBORHOODS AND FRIENDS IN VARIOUS ACTIVITIES. I WILL TRY TO BE VERY BRIEF AND FINISH YOU. THE OTHER PART OF THE CDBG THING THAT I -- THAT I MENTIONED BEFORE IS THAT YOU HAVE A WONDERFUL PROGRAM CALLED THE -- THE ARCHITECTURAL BARRIER REMOVAL PROGRAM. BUT THAT IS VITAL TO FOLKS WITH FACILITIES IN AUSTIN. ADDITIONAL DID I UNITED CEREBRAL PALSY DOES THINGS LIKE THE CITY DOES IN TERMS OF HOME OWNERSHIP, PARTICULARLY FOR FOLKS WITH DISABILITIES AND -- AND HOME BUYER ASSISTANCE, HOUSING COUNSELING, HOME BUYING COUNSELING AND -- AND BARRIER REMOVAL ARE ALL PART OF WHAT WE DID ACROSS THE STATE AND WE NEED TO CONTINUE TO WHERE THE UNITED CEREBRAL PALSY -- TO FOCUS ON FOLKS WITH DISABILITIES AND -- AND FOLKS WITH VERY LOW INCOME TO -- TO MAKE SURE THAT AFFORDABLE, ACCESSIBLE HOUSING COMES IN -- IN A MANNER OF -- OF LARGER FOCUS AND A MANNER IN THIS PLAN THAT -- THAT USES NOT JUST THE FUNDS FOR -- FOR RENTAL BUT ALSO HOME OWNERSHIP FOR FOLKS WITH DISABILITIES. I THANK YOU VERY MUCH FOR YOUR PATIENCE AND YOUR TIME.

Mayor Wynn: THANK YOU, RON.

ANY QUESTIONS.

QUESTIONS FOR MR. CRANSTON? THANK YOU, RON, FOR YOUR PATIENCE ALL NIGHT. LET'S SEE, LOOKS LIKE OUR LAST SPEAKER SIGNED UP IS MARY LEAKEY? LAKE? MARY LAKE? SIGNED UP WISHING TO SPEAK. ANY OTHER CITIZENS THAT WOULD LIKE TO GIVE US PUBLIC TESTIMONY ON THIS PUBLIC HEARING, ITEM NO. 51 REGARDING THE ANNUAL DRAFT ACTION PLAN FOR H.U.D.? THEN REMIND ME, MR. HILGERS, WE DON'T TAKE ACTION. WE SIMPLY TAKE TESTIMONY AND CLOSED PUBLIC HEARING, CORRECT.

THE ACTION WILL BE ON THE 26th OF JULY IS WHEN WE ARE BRINGING THIS BACK, THE COMMISSION WILL MEET IN JUNE, TRYING TO GET THAT SCHEDULED FOR JUNE 12th FOR THEM TO MAKE THEIR FINAL ACTION, THEN WE WILL PREPARE THE FINAL PLAN FOR YOU ON JULY THE 26th.

FAIR ENOUGH.

THANK YOU.

THANK YOU AND YOUR STAFF FOR ALL OF THEIR GOOD WORK. SO COUNCIL I WILL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY COUNCILMEMBER MARTINEZ, SECONDED BY COUNCILMEMBER MCCracken TO CLOSE THIS PUBLIC HEARING, ITEM NO. 54. ALL IN FAVOR PLEASE SAY AYE?

AYE.

OPPOSED? MOTION TO CLOSE THE HEARING PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER LEFFINGWELL OFF THE DAIS. THERE BEING NO MORE BUSINESS BEFORE THIS MEETING OF THE CITY COUNCIL, WE STAND ADJOURNED IT IS 12 MINUTES AFTER 8:00 P.M.

**End of Council Session Closed Caption Log**