

## Closed Caption Log, Council Meeting, 06/07/07

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ESTEEMED COUNCIL MEMBERS, EMPLOYEES AND FRIENDS OF THE CITY OF AUSTIN, I STAND BEFORE YOU TODAY TO CHALLENGE YOU TO KEEP AUSTIN WEIRD. KEEP AUSTIN WEIRD. NOT WORDS YOU WOULD EXPECT FROM THE MINISTER OF A RE--RELIGIOUS TRADITION, OR ARE THEY? I SUSPECT THE PERSONS WHO COINED THE PHRASE WERE NOT STUDENTS OF THE STUDY OF WORD OR GINS, OR IF THEY WERE PERHAPS IT WAS THE SUBTLE ATTEMPT TO INFLUENCE THE CULTURE OF OUR CITY. KEEP AUSTIN WEIRD. THE STUDY OF ETYMOLOGY, WORD OR GINS, TELLS US THAT THE CONTEMPORARY ENGLISH WORD WEIRD COMES FROM THE OLD ENGLISH WORD WEIRD, WYRD, WHICH MEANS OUT OF THE ORDINARY, WHICH MEANS NOT OF THIS WORLD, WHICH MEANS HOLY. KEEP AUSTIN WEIRD, KEEP AUSTIN HOLY. BROTHER, AND SISTERS AS WE GATHER TOGETHER TO MAKE DECISION DECISIONS WHICH AFFECT THE COMMUNITY AND CITY, LET US REMEMBER WE ARE IN THE PRESENCE OF THE SPIRIT THAT DATES, RE REDEEMS AND SU STAINS US. LET US PRAY. HOLY MYSTERY, IN OUR MANY SPIRITUAL TRADITIONS WE CALL UPON YOU BY MANY NAMES, WE COME BEFORE YOU TODAY THANKFUL FOR THE MANY GIFTS WE HAVE RECEIVED. AS WE GATHER TODAY, GIVE US WISDOM. MAY OUR WORDS, OUR ACTIONS, MAY OUR DECISIONS HELP TO KEEP AUSTIN WEIRD. HELP TO KEEP AUSTIN HOLY, AS YOU ARE HOLY. WE ASK THIS IN YOUR NAME, YOU WHOSE HOLY MYSTERY CREATES, RE REDEEMS AND SU STAINS US BOTH NOW AND FOREVER.

MANEAND--AMEN.

THANK YOU, FATHER JAMIE. THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL TO ORDER THIS MEETING OF THE CITY OF AUSTIN CITY COUNCIL. THIS IS THURSDAY JUNE 7, 2007, APPROXIMATELY 10:25 A.M. WE ARE IN THE COUNCIL OF THE CITY HALL BUILDING 301 WEST 2nd STREET. WE HAVE A HANDFUL OF CHANGES TO THIS WEEK'S POSTED AGENDA. THEN I'LL WALK THROUGH OUR HOPE HOPEFUL SCHEDULE TODAY BEFORE THAT THIS IS AN OPPORTUNITY FOUR COUNCIL MEMBERS TO ANNOUNCE POTENTIAL UPCOMING ITEMS FROM COUNCIL IF THERE ARE ANY. HEARING NOW, WHAT I'LL DO NOW IS WORK THROUGH THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THEY ARE TO ITEM NUMBER 8, WE NEED TO STRIKE THE WORD AUTHORIZE AND INSERT THE PHRASE APPROVE AN ORDINANCE AUTHORIZING. THIS IS REGARDING OUR CITY'S BUSINESS RETENTION ENHANCEMENT PROGRAM, ITEM NUMBER 8, WHICH ACTUALLY BE PULLED OFF THE CONSENT AGENDA FOR A BRIEF PRESENTATION IN A FEW MINUTES. ITEM NUMBER 17 WE NEED TO STRIKE THE WORD AND AND INSERT THE WORD THE REGARDING THE ASIAN AMERICAN RESOURCE CENTER. ON ITEM NUMBER 44, THE AWARD AWARDING OF A CONTRACT, WE NEED TO CORRECT THE DOLLAR AMOUNT. INSERT THE CORRECTED DOLLAR FIGURE WHICH IS \$6,907,617.8 \$6,907,617.80. THEM 60, WE NEED TO ADD COUNCIL MEMBER COLE AS AN ADDITIONAL SPONSOR. ON ITEM NUMBER 62, WE NEED TO STRIKE THE WORD EQUIPMENT AND INSERT THE WORD EQUIPPING. ON ITEM NUMBER 69, WE NEED TO INSERT THE WORD RE REINVESTMENT ZONE, REGARDING THE WALLER CREEK TAX INCREMENT FINANCING RE REINVESTMENT ZONE, AND ALSO INSERT THE DESCRIPTOR OF IT BEING IN THE VICINITY OF WALLER CREEK BETWEEN 12TH STREET AND TOWN LAKE. THEN ON ITEM NUMBER 73, ONE OF OUR ZONING CASES, WE NEED TO CORRECT THE ZONING CASE NUMBER, IT IS C 142007-0013, THE CASWEL ZONING CASE. OUR SCHEDULE THIS MORNING HERE AFTER OUR CONSENT GEN DARKS--AGENDA, WE ANTICIPATE HAVING A COUPLE OF SHORT DISCUSSION ITEMS THEN THE MORNING BRIEFING WHICH IS THE POLICY DISCUSSION REGARDING THE FISCAL YEAR 07 07-08 BUDGET AND THAT PRESENTATION WILL BE

GIVEN BY STAFF. AT NOON WE BREAK FOR THE GENERAL CITIZEN COMMUNICATIONS. AT THREE O'CLOCK WE WILL CONDUCT AN AUSTIN HOUSING FINANCE CORPORATION BOARD MEETING. WE HAVE A SHORT POSTED AGENDA FOR THAT SET OF BUSINESS. AT FOUR O'CLOCK WE GO TO THE ZONING CASES. AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. THE MEW SI SHAN TODAY IS GARY GRAVES. AT SIX O'CLOCK WE HAVE PUBLIC HEARINGS AND POSSIBLE ACTION ON THOSE. COUNCIL, SO FAR ITEM NUMBER THREE HAS BEEN PULLED BY STAFF FOR A BRIEF PRESENTATION. THIS IS REGARDING AN AGREEMENT WITH THE LCRA, NUMBER 8 REGARDING CONGRESS AVENUE BUSINESS RETENTION FUND LOAN HAS BEEN FULFILLED BY COUNCIL MEMBER COLE AND WE'LL HAVE THAT DISCUSSION SHORTLY. ITEM NUMBER 55, AN ITEM FROM SEVERAL OF US WILL BE PULLED ALSO FOR A SHORT STAFF PRESENTATION. SO ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA, COUNCIL, OR TO BE ADDED BACK. HEARING NONE, THEN I WILL READ THE PROPOSED CONSENT AGENDA NUMERICALLY. IT WILL BE TO APPROVE ITEMS 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14,, 15, 16, 17 FOR CHANGES AND CORRECTION, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 PER CHANGES AND CORRECTION, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54 ARE THE BOARD AND COMMISSION APPOINTMENTS I WILL READ FOR THE RECORD, TO THE ANIMAL ADVISORY COMMISSION, LAYER TUCKER IS A CONSENSUS APPOINTMENT, THE TRAVIS COUNTY COMMISSIONERS COURT NOMINEE. TO THE CHILDCARE COUNCIL, DOCTOR WALLACE IS COUNCIL MEMBER COLE'S APPOINTMENT. TO THE COMMISSION ON IMMIGRANT AFFAIRS, RANDY COE IS CONSENSUS APPOINTMENT. THE COMMUNITY DEVELOPMENT, ROB HANNAH, ETHICS REVIEW, JODY HUGHES IS COUNCIL MEMBER LEFFINGWELL'S APPOINTMENT, INTO PARKS AND RECREATION, LYNN AGRERO COUNCIL MEMBER MEMBER MARTINEZ'S AND ALSO PURSUANT TO RESOLUTION AS POINT. AND REPLACEMENT OF COUNCIL MEMBER TO INTERGOVERNMENTAL BODY, WE WILL BE POINTING COUNCIL MEMBER MARTINEZ TO SERVE THE CITY OF AUSTIN AS BOARD REPRESENTATIVE FOR THE CAPITAL METRO BOARD IN THE POSITION BEING VACATED BY COUNCIL MEMBER LEFFINGWELL, ITEM NUMBER 54 ,

APPOINTMENT APPOINTMENTS TO BOARDS AND COMMISSION. CONTINUING WITH THE CONSENT AGENDA, WE'LL BE APPROVING ITEMS 56, 57, 58, 59, 60 PER CHANGES AND CORRECTION, 61, 62 PER CHANGES AND CORRECTION, 63, 64, 65, 66, 67, 68 AND 69 PER CHANGES AND CORRECTION. I'LL ENTERTAIN A MOTION TO APPROVE THE CONSENT AGENDA AS READ.

SO MOVED . MOTION MADE BY COUNCIL MEMBER MCCracken AND SECONDED BY MAYOR PRO TEM. COUNCIL MEMBER MARTINEZ.

THANKS, MAYOR. WANTED TO GIVE STAFF ALL MORE DIRECTION ON ITEM 56 AND 57. 56 IS RELATED TO PARKING IN THE FRONT YARD. ITEM 57 IS MOBILE FOOD ESTABLISHMENTS. WE HAVE THIS ON A PREVIOUS AGENDA AND POSTPONED, WE ARE BRINGING IT BACK FLOW TO CORRECT SOME OF THE ISSUES. AS FAR AS POSTING NOTIFICATION. I WANTED TO MAKE SURE THAT RIGHT NOW THE ORDINANCE THE WAY IT'S DRAFTED, THE ONLY POSTING NOTIFICATION IS FOR US TO POST IT IN A LOCAL PUBLICATION. I JUST REALLY THINK WHEN YOU ARE TALKING ABOUT MOBILE FOOD INVENTORIES, THERE ARE SEVERAL HUNDRED IN TOWN, AND THEN WHEN YOU ARE TALKING ABOUT PARKING IN THE FRONT YARD WITHIN A NEIGHBORHOOD YOU HAVE HUNDREDS OF HOMES, WE NEED TO NOTIFY PEOPLE A LITTLE BIT BETTER ABOUT THE ORDINANCES THAT WE'RE ENACTING ESPECIALLY AS RELATES TO PARKING IN THE FRONT YARD. LITTLE DO THESE PEOPLE KNOW THAT THEY ARE GOING TO START RECEIVING FINES AND IF THEY DON'T PAY THE FINES IT'S GOING TO TURN INTO A WARRANT FOR ARREST. I'M GOING TO ASK STAFF TO COME UP WITH SOMETHING IN THE ORDINANCE THAT REQUIRES US TO NOTICE EVERY RESIDENT WITHIN THE NEIGHBORHOOD THAT CHOOSES TO OPT INTO THE PARKING ORDINANCE. THAT NOTICE BE IN ENGLISH AND IN SPANISH. LIKE-WISE WITH THE MOBILE FOOD VENDORS WE REQUIRE OUR VENDORS TO REGISTER WITH THE HEALTH DEPARTMENT TO MAINTAIN CERTAIN HEALTH CODES. I WOULD LIKE TO CREATE A NOTICE PROVISION FOR THE MOBILE FOOD VENDING ORDINANCE THAT WE NOTICE EVERY REGISTERED MOBILE FOOD VENDOR ABOUT POTENTIAL CHANGES TO THIS ORDINANCE.

WHAT THIS ORDINANCE ALLOWS FOR IS A LARGER BUFFER ZONE. LITTLE DO THE FOOD VENDORS KNOW THEY ARE ABOUT TO BE LITERALLY PUT OUT OF BUSINESS IF THEY ARE WITHIN 500 FEET OF A RESIDENT, THE MICROBUSINESSES WILL BE SHUT DOWN OR HAVE TO FIND ANOTHER LOCATION. I WANT TO US NOTIFY THEM SO THEY CAN COME DOWN AND BE PART OF THE PROCESS AND THE PUBLIC HEARINGS WHEN THESE OPT IN PERIODS FOR THESE TWO ORDINANCES TAKE PLACE. THANKS, MAYOR.

THANK YOU COUNCIL MEMBER. FURTHER COMMENT?  
COUNCIL MEMBER COLE.

I WANTED TO POINT OUT ON ITEM NUMBER 51, I'M PLEASED TO SPONSOR THE RENAMING OF THE PARK PA VILLE ONTO THE NOBLE . SHE WAS ESPECIALLY ACTIVE IN AFFORDABLE HOUSING ISSUES. SHE DID THAT AT Y TIME AND CREATED THE BLACK SHARE NEIGHBORHOOD COALITION. SHE AND HER HUSBAND OWNED ROSE WOOD BARK CUE. THIS IS AN OUTSTANDING NOMINATION TO OUR COMMUNITY. THANK YOU.

THANK YOU. AGAIN WE HAVE A MOTION AND SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ AM FURTHER COMMENTS.

ONE LAST COMMENT, MAYOR. WE'RE NOT GOING TO BE MEETING BEFORE JUNE 19. SO ITEM 53 BY MAYOR PRO TEM, COUNCIL MEMBER COLE AND MYSELF, I WANT TO INVITE EVERYONE ON JUNE 19 TO COME OVER TO EAST AUSTIN AND CELEBRATE JUNETEENTH. I THINK IT WILL BE MORE THAN APPROPRIATE FOR ALL OF US TO BE THERE.

A GREAT PARADE EVERY YEAR YEAR. FURTHER COMMENTS, WE'LL NOTE ON ITEM NUMBER 5, ITEM RELATED TO NOISE ABATEMENT PROGRAMS AROUND THE AIRPORT, WE CONDUCTED A PUBLIC HEARING A COUPLE WEEKS AGO AND CLOSED THE PnB HEARING HEARINGMENT FOR THE RECORD MR. JOHN EMPY HAS SIGNED UP IN OPPOSITION, ITEM NUMBER 5 REGARDING A NOISE STUDY UP UPDATE. FURTHER COMMENTS ON THE CONSENT AGENDA. COUNCIL MEMBER.

I HAD MY STAFF, THEY JUST SHOT ME AN E-MAIL ON ITEM NUMBER 11 ON THE CONSENT AGENDA. AGAIN, THIS IS EXACTLY WHAT I JUST TALKED ABOUT WHERE WE'RE ADOPTING A NEW ORDINANCE AS IT RELATES TO CHAINING OF OUR DOGS. I WANT, I'D LIKE FOR DAVID TO COME UP AND EXPLAIN THE NOTIFICATION PROVISION WITHIN THE ORDINANCE.

ITEM NUMBER 11 IS REGARDING RECOMMENDATIONS FROM THE ANIMAL ADVISORY. WELCOME OUR DEPARTMENT DIRECTOR.

THANK YOU, DAVID LURY, DIRECTOR OF HEALTH AND HUMAN SERVICES. THE ORDINANCE IS AN ENHANCEMENT OF ANIMAL WELFARE ORDINANCES IN THE CITY AND WOULD PROHIBIT THE CHAINING AND HAVE AN ENCLOSURE RIMPT FOR DOGS ON PROPERTIES. WE WORK CLOSELY WITH CHAIN- CHAIN-FREE AUSTIN AND THE ANIMAL ADVISORY COMMISSION IN DEVELOPING THE RECOMMENDED RECOMMENDED AMENDMENTS IN THE ORDINANCE. IT CALLS FOR AN EFFECTIVE DATE OF OCTOBER 1 TO PROVIDE A TIME PERIOD TO INFORM THE COMMUNITY OF THE CHANGES AND ALSO TO IMPLEMENT A PILOT PROGRAM WE DEVELOPED TO PROVIDE SOME FINANCIAL ASSISTANCE FOR FENCING FOR LOW INCOME FAMILIES. OUR INTENT, COUNCIL MEMBER, WOULD BE TO PROVIDE A PRESS RELEASE, TO DEVELOP FLIERS IN ENGLISH AND SPANISH, HAVE THOSE AVAILABLE IN NEIGHBOR CENTERS. ALL THE REGULAR OUTREACH WE DO IN TERMS OF ANIMAL SERVICES THROUGH OUR ANIMAL CONTROL VEHICLES, INFORMATION THROUGH 311, AND ALSO WE WOULD BE WORKING CLOSELY AGAIN WITH CHAIN-CHAIN-FREE AUSTIN TO DO SOME PUBLIC OUTREACH AND PROVIDE PUBLIC INFORMATION. AND WHEN WE GET TO ACTUAL ENFORCEMENT, OUR INTENTION IS INITIALLY TO ISSUE WARNINGS RATHER THAN VIOLATION. AGAIN, PROVIDING PEOPLE SUFFICIENT INFORMATION AND TIME TO COME INTO COMPLIANCE COMPLIANCE. AGAIN, IN THOSE SITUATIONS WHERE WE HAVE COMPLAINT, WE HAVE SITUATION WHERE WE WOULD BE ISSUING A WARNING, ALSO HAVE AN OPPORTUNITY TO PROVIDE SOME ASSISTANCE IF APPROPRIATE IN TERMS OF THE FENCING REQUIREMENT. AGAIN, THAT WOULD BE A PILOT PROGRAM THROUGH OUR DEPARTMENT WITH USE OF THE DONATIONS FUND THAT WE

HAVE AVAILABLE TO US. AND ALSO CHAIN-FREE AUSTIN HAS BEEN WORKING TO GET DONATIONS, CONTRIBUTIONS THAT WOULD EXPAND EVEN FURTHER THE OPPORTUNITY FOR PROVIDING THAT FINANCIAL ASSISTANCE.

DAVID, I WANT TO THANK YOU FOR ALL YOUR WORK ON THIS AND THE CHAIN-FREE AUSTIN FOLKS AS WELL. THEY STEPPED UP WITH HELPING US CREATE THE FUNDING TO ASSIST PEOPLE THAT NEED TO BUILD KENELS THAT DON'T CURRENTLY HAVE THEM. I APPRECIATE ALL THEIR EFFORTS. THANK YOU.

MAYOR WILL WYNN: COUNCIL MEMBER KIM.

THANK YOU. I WANT TO THANK THE STAFF AND TASK FORCE MEMBERS FOR THEIR WORK ON THE TASK FORCE RECOMMENDATIONS. WE'RE NOW GOING TO HAVE, BE ABLE TO FUND MORE AFFORDABLE HOUSING PROJECTS FOR PEOPLE OF LOWER INCOME AND WHO ARE WORKING FAMILIES. AND I ALSO APPRECIATE THE INPUT FROM THE OTHER GROUPS THAT HAD SUGGESTIONS AND SOMETHING THAT IS GOING TO BE HELPFUL FOR US AS WE'RE GOING TO THE CITY TO ACCOMMODATE ALL THE HOUSING NEEDS AND GROWING NEEDS FOR HOUSING WITH THE GROWING POPULATION.

MAYOR WILL WYNN: THANK YOU, FURTHER COMMENTS ON THE CONSENT AGENDA. HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. OPPOSED IN MOTION PASSES A VOTE OF 7-0. THANK YOU ALL VERY MUCH. WE'LL GIVE THE ROOM A COUPLE MINUTES TO CLEAR. THEN WE'LL TAKE A COUPLE OF THE DISCUSSION ITEMS FOR THIS MORNING. FOLKS, IF YOU ALL CAN TAKE YOUR CONVERSATIONS OUT TO THE FOYER, WE HAVE A HANDFUL OF ITEMS TO TAKE UP THIS MORNING. COUNCIL, WITHOUT OXIDE LIKE TO CALL UP ITEM NUMBER 55. I BELIEVE THIS HAS SUPPORT BUT I THINK IT WOULD BE INTEREST TO GO HAVE A BRIEF STAFF PRESENTATION FROM MR. ROGER DUNCAN.

THANK YOU, MAYOR AND COUNCIL. THE BRIEF EXPLANATION OF THIS ITEM IS THAT THIS ASKS THE COUNCIL FOR THE CREATION OF A CONTINGENCY PLAN IN THE EVENT IN THE FUTURE THAT IN ESSENCE WE RUN INTO A SHORST

SHORTAGE OF OIL IN THIS COMMUNITY. FIRST SLIDE. THE OIL, MAXIMUM OIL PRODUCTION OCCURS WHEN ROUGHLY HALF THE RECOVERABLE OIL IS STILL IN THE GROUND. THAT DEPENDS ON GEOLOGY AND A NUMBER OF FACTORS. BUT PRETTY MUCH IT CAN BE MODELED AS A BELL SHAPED CURVE BASED ON THE DISCOVERY HISTORY, WELL START TIMES, PRODUCTION RATES AND DURATIONS. NOW, WE'RE NOT OUT OF DANGER NEXT SLIDE PLEASE. WE ARE NOT IN DANGER OF RUNNING OUT ANY TIME SOON. WHEN YOU SEE IN A MOMENT, THE PROBLEM IS NOT WHEN YOU RUN OUT OF OIL, IT'S WHEN THE GAP OCCURS BETWEEN THE FORECAST AND THE USE OF OIL AND THE SUPPLY OF THAT I'LL I'LL THAT OIL. THAT IS WHEN CRITICAL ISSUES CAN ARISE. 80 PERCENT OF ALL THE WORLD'S OIL COMES FROM A FEW REMAINING LARGE FIELDS, AND THESE FIELDS WERE DISCOVERED MORE THAN 35 YEARS AGO. MOST OF THEM WERE DISCOVERED MORE THAN 50 YEARS AGO. THE SECOND ONE UP ON THE LIST, MEXICO'S CANTERL, HAS GONE INTO STEEP DECLINE, LOSING 20 PERCENT OF PRODUCTION IN THE LAST 12 MONTHS, AND THAT IS 60 PERCENT OF MEXICO'S PRODUCTION. THERE HAS BEEN NO OTHER SUPER GIANT FIELDS IN THE WORLD DISCOVERED. THE LAST GIANT SUPER GIANT FIELD DISCOVERY WAS MADE IN 1969. THE QUESTION IS WHEN WILL WE PEAK. THERE'S LOTS OF DISCUSSION OVER THAT. SOME PEOPLE FEEL THAT WORLD PRODUCTION HAS PEAKED ALREADY. MANY ARE SAYING WITHIN THE NEXT FIVE YEARS, A FEW MORE 5-15. HARDLY ANYONE IS SAYING THAT GREATER THAN 20 YEARS. FREIGHTER FREIGHT--GREATER THAN 20 YEARS PEAK OIL WILL OCCUR. AT THE TIME THIS OCCURS, AGAIN, THE DEMAND GROWS IN A HEALTHY ECONOMY, EXCEEDING THE PRODUCTION. THE FIRST THING YOU HAVE IS PRICE INCREASES, AND THE SECOND IS THE SHORTAGES START TO DEVELOP. THIS IS WHAT THIS PLAN SPEAKS TO. OIL IS THE MAIN FORM OF ENERGY USED IN THE UNITED STATES. AUSTIN'S SHARE, WE CONSUME ABOUT 52,000 BARRELS A DAY. DURING THIS PRESENTATION THE CITY WILL CONSUME OVER 100 BARRELS OF OIL. THE COST TO AUSTIN ON AN ANNUAL BASIS, DEPENDING ON THE PRICE OF OIL, COULD RUN INTO THE BILLIONS OF DOLLARS EASILY. \$200 OIL HITS FOR VARIOUS REASONS. WE RUN INTO SERIOUS ISSUES ON CITY POLICIES AND BUDGETS HOW TO PROTECT AND



EXPAND LOCAL RESOURCES. YOU GET INTO FUNDAMENTAL ISSUES OF FOOD PRODUCTION, WATER SUPPLY, LOCAL INDUSTRY MAINTAINING THE QUALITY OF LIFE. THIS RESOLUTION SAYS ESSENTIALLY THE CITY COUNCIL SUPPORTS THE UNDERTAKING OF A CITYWIDE ASSESSMENT STUDY INVENTORING WHAT OUR RESOURCE REQUIREMENTS ARE AND DEVELOPING A COMPREHENSIVE ENERGY DEPLETION RISK ASSESSMENT AND ACTION PLAN, ESTABLISH AN ATTACHING FORTH TO' ASSESS EXPOSURE TO DIMINISHING SUPPLIES OF OIL AND NATURAL GAS, AND I DON'T THINK NATURAL GAS IS THE URGENT PROBLEM IN THE NEXT SEVERAL YEARS. PEAK OIL IS SOMETHING THAT COULD OCCUR WITHIN THE NEXT FEW YEARS FOR THE CITY. DEVELOP RECOMMENDATIONS TO ADDRESS VULNERABLES, COMPOSED OF REPRESENTATIVES OF CITY DEPARTMENTS, THE MANAGERS SHALL REPORT THE MAKE-UP TO THE CITY COUNCIL WITHIN EIGHT WEEKS. THE CHARGE OF THE TASK FORCE WILL BE TO ACQUIRE AND STUDY THE CURRENT AND CREDIBLE DATA ON THE ISSUES OF OIL AND NATURAL GAS PRODUCTION DEPLETION, SEEK COMMUNITY AND BUSINESS INPUT, COORDINATE WITH APPROPRIATE AGENCIES, DEVELOP RECOMMENDATIONS FOR THE COUNCIL TO INCLUDE IN THEIR LONG-TERM STRATEGIC PLANNING METHODS FOR EDUCATING THE PUBLIC, AND ISSUE A FINAL REPORT WITHIN NINE MONTHS OF THE DATE OF THE RESOLUTION. FINALLY, AFTER ISSUANCE OF THE REPORT THE CITY MANAGER WILL MAKE RECOMMENDATIONS TO THE COUNCIL REGARDING NECESSARY FUNDING AND DIRECTION TO CITY DEPARTMENTS FOR DEVELOPMENT OF A PLAN. AGAIN, TO EMPHASIZE WE ARE NOT STARTING A NEW PROGRAM. THERE IS NO REAL BUDGET IMPACT ON THIS. WE ARE WRITING A CONTINGENCY PLAN IN THE EVENT OF SHORTAGES. THE TASK FORCE CHARGE SHALL EXPIRE AFTER ISSUANCE OF THE FINAL REPORT TO CITY COUNCIL. WORD WIDE CONVENTIONAL OIL WILL LIKE TO LAY PEAK, IN MY AND OTHER OPINIONS, BY 2010. AT THAT TIME WE WILL NEED TO HAVE THE CONTINGENCY PLAN IN PLACE. THANK YOU.

THANK YOU, MR. DUNCAN. QUESTIONS? AGAIN, WE APPRECIATE THE PRESENTATION, ROGER. ITEM NUMBER 55

POSTED IS APPROVING THE RESOLUTION DIRECTING THIS MANAGEMENT TASK FORCE. FURTHER QUESTIONS, ? HEARING NONE, ALL THOSE IN FAVOR. OPPOSED? MOTION PASSES 7-0. THANK MR. DUNCAN AND COUNCIL COUNCIL. ITEM NUMBER 8 WAS PULLED OFF THE CONSENT AGENDA BY COUNCIL MEMBER COLE. WE HAVE A HANDFUL OF PEOPLE HERE WHO WOULD LIKE TO ADDRESS THIS. FIRST I THINK IT WOULD BE APPROPRIATE TO HAVE A BRIEF STAFF PRESENTATION REGARDING THE BUSINESS RETENTION AND ENHANCE AM PROGRAM AND THEN THIS SPECIFICS PROPOSAL. WELCOME MS. SUE EDWARDS.

THANK YOU. MAYOR, MAYOR PRO TEM, COUNCIL MEMBERS, I AM SUE EDWARDS, DIRECTOR FOR ECONOMIC GROWTH AND SERVICES OFFICE. YOU HAVE BEFORE YOU THE APPROVAL OF AN ORDINANCE AUTHORIZING A NEGOTIATION AND EXECUTION OF A LOAN AGREEMENT WITH LAS MANITAS INC IN THE AMOUNT OF \$750 \$750,000. BEFORE YOU BEGIN YOUR CONSIDERATION OF THIS ITEM, I WOULD LIKE TO BRIEFLY REVIEW WITH YOU THE BACKGROUND AND THE REASONING LEADING UP TO THE CREATION OF THE BUSINESS RETENTION AND ENHANCEMENT PROGRAM. AS YOU HAVE HEARD IN A PREVIOUS PRESENTATION, BY THE EARLY 1980S AUSTIN HAS SEEN THE CLOSING OF EIGHT LARGE RETAILERS AND A HUNDRED OTHER SMALLER BUSINESSES OF SINCE THAT TIME THERE HAVE BEEN NINE INDIVIDUAL STUDIES RECOMMEND RECOMMENDS A REINVESTMENT IN DOWNTOWN RETAIL SPECIFICALLY FOCUSED IN THE AREA OF CONGRESS AVENUE AND EAST SIXTH STREET. TO ASSIST IN ACHIEVING THE GOAL OF PRESERVING DOWNTOWN RETAIL, IN FEBRUARY OF THIS YEAR YOU APPROVED A 24-MONTH PILOT, CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM, CALLED A BUSINESS RETENTION AND ENHANCEMENT PROGRAM, AND ADOPTED GUIDELINES AND ELIGIBILITY CRITERIA THAT WOULD PROVIDE LOW INTEREST LOANS TO CERTAIN TYPES OF BUSINESSES WHO WERE WILLING TO LOCATE WITHIN THE CONGRESS AVENUE EAST SIXTH STREET ELIGIBLE AREA. A FORMER MAYOR, NOW A STATE SENATOR, DESCRIBED DOWNTOWN AS THE CITY'S LIVING ROOM, THE HEART AND SOUL OF ON YOU ARE COMMUNITY, THAT WHICH WE NEED TO PRESERVE. ALTHOUGH WE ARE NOT THERE IT APPEARS WE ARE

MOVING IN THE RIGHT DIRECTION. IN THE PAST FIVE YEARS OVER 100,000 PEOPLE HAVE MOVED INTO DOWNTOWN AND MADE IT THEIR HOME. WITHIN THAT SAID THE GOAL OF THIS PROGRAM IS TO PROMOTE RESTORATION OF DOWNTOWN AS AN ECONOMIC ENGINE, TO DEVELOP CONGRESS AVENUE AND EAST SIXTH AS RETAIL DESTINATIONS, TO ENHANCE EASE SIXTH STREET LIVE MUSIC AND ENTERTAINMENT DISTRICT, AND TO CREATE AND RETAIN JOBS. TODAY THE BUSINESS RETENTION AND ENHANCEMENT PROGRAM HAS RECEIVED ONE APPLICATION, LAS MANITAS, INC. WHICH MEETS THE SPECIAL CIRCUMSTANCES DEFINITION IN THE GUIDELINES WHICH STATE THAT FOR EXISTINGS BUSINESSES WITHIN THE ELIGIBLE AREA THAT ARE REQUIRED TO RELOW CASE DUE TO DEVELOPMENT, BUT REMAIN IN THE ELIGIBLE AREA, THE CITY MAY INCREASE THE LOAN UP TO \$750,000, OF WHICH THE OUTSTANDING LOAN BALANCE MAY BE FORGIVEN IF THE PROJECT CONTINUES TO SUCCESSFULLY OPERATE FOR A PERIOD OF FIVE YEARS AFTER LOAN CLOSING. LAS MANITAS APPLICATION IS FOR \$750,000 LOAN FOR THE PURPOSE OF CONSTRUCTING IMPROVEMENTS TO A BUILDING LOCATED AT 227 CONGRESS AVENUE, WHICH WILL BE CONVERTED INTO A RESTAURANT. ALTHOUGH YOU HAVE THE TERM LETTER IN YOUR BACKUP, THE SIGNIFICANT TERMS OF THE AGREEMENT INCLUDE A \$750,000 LOAN AT SIX PERCENT FOR 20 YEARS, FORGIVABLE AFTER THE FIRST FIVE YEARS PROVIDED THERE IS NO DEFAULT, A \$94 \$94,000 EQUITY CONTRIBUTION FROM LAS MANITAS, A DEED OF TRUST LEAN AGAINST THE BUILDING LOCATED AT 227 CONGRESS AVENUE, AND A COMMITMENT TO RETAIN AT LEAST 15 FULL-TIME PERMANENT EMPLOYEES FOR A MINIMUM OF FIVE YEARS. THERE ARE SEVERAL DOCUMENTS THAT ARE REQUIRED PRIOR TO CLOSING. HAZARD INSURANCE, KEY PERSON LIFE INSURANCE, A TITLE POLICY COMMITMENT, AND AN APPRAISAL LETTER ON THE VALUE OF THE MORGUED-- MORGUED--MORTGAGED PROPERTY NOT LESS THAN 15 PERCENT OF THE A. THE DOCUMENTS ARE TO BE PRESENTED TO THE HISTORIC COMMISSION FOR EVALUATION AND ENERGY AUDIT REQUIRED TO BE CONDUCTED BEFORE AND AFTER THE BUILDING RENOVATION. THIS LAST SLIDE DEPICTS THE LOAN PAYMENT SCHEDULE. IF LAS MANITAS AFTER THE FIRST FIVE YEARS MEETS ALL OF THE TERMS OF THE AGREEMENT,

THEY HAVE NO OTHER OBLIGATION AND THE LOAN IS FORGIVEN. HOWEVER, SHOULD AT ANY TIME DURING THE FIRST FIVE-YEAR PERIOD A DEFAULT OCCUR, THE FORGIVENESS ASPECT OF THE LOAN DISAPPEARS AND LAS MANITAS IS OBLIGATED TO PAY THE ENTIRE AMOUNT OF THE LOAN AS DEPICTED ON THE LOAN SCHEDULE. THIS CONCLUDES MY PRESENTATION.

MAYOR WILL WYNN: THANK YOU, MS. E EDWARDS. A COUPLE OF QUESTIONS. CAN YOU BRIEFLY DESCRIBE THE LENGTH OF TIME, THE ANALYSIS THAT YOU AND YOUR STAFF DID AS THE APPLICATION CAME FORWARDFORWARD. MY INSTINCT IS THERE WERE A NUMBER OF MEETINGS, A LOT OF ANALYSIS OF THE APPLICATION, OF THE FINANCIAL SITUATION, OF THE OPPORTUNITY. IF YOU COULD SORT OF BRIEFLY DESCRIBE THAT.

WE TOOK PROBABLY EIGHT WEEKS TO LOOK AT THIS. WE LOOKED AT THE FINANCIALS. OUR APPLICATION IS VERY THOROUGH AND IT REQUIRED BOTH A BUSINESS PLAN THAT OUTLINED EXACTLY WHAT THE BUSINESS WAS GOING TO BE DOING, WHAT THEY WERE GOING TO BE SERVING, HOW THEY WERE GOING TO DO IT, HOW MANY TABLES THEY WERE GOING TO BE SERVING. WE LOOKED AT WHAT THEY WERE WANTING TO DO, AND TO EXPECT IN THE FUTURE. THEY GAVE US FINANCIALS OF THE BUSINESS. WE HAD THE FINANCIALS REVIEWED BY THE HOUSING FOLKS IN ORDER TO DETERMINE WHETHER OR NOT THESE INDIVIDUALS WOULD BE GENERALLY TO REPAY THE LOAN. WE HAD PERSONAL INCOME TAX INFORMATION THAT WE LOOKED AT FROM BOTH OF THE PEREZ SISTERS. WE HAD A NUMBER OF MEETINGS. I APOLOGIZE, I DON'T REMEMBER EXACTLY HOW MANY. IN NEGOTIATING WITH THE PEREZ SISTER'S REPRESENTATIVE ATTORNEY. WE HAD PROBABLY 20 MEETINGS WITH THE ATTORNEYS FOR THE CITY TO DISCUSS THE APPLICATION. SO IT WAS LOOKED AT IN A NUMBER OF DIFFERENT WAYS OVER A PERIOD OF AT LEAST EIGHT WEEKSWEEKS.

MAYOR WILL WYNN: I GUESS IN ADDITION TO THAT OR IN ADVANCE OF THAT, THE PROGRAM ITSELF, THIS PARTICULAR LOAN PROGRAM, MY INK STING IS IT'S PROBABLY MODELED AFTER SEVERAL OF EXISTING LOAN PROGRAMS THAT WE

HAVE FOR YEARS BEEN MAKING NEIGHBORHOOD COMMERCIAL LOANS, AND SO WE ALREADY HAVE, MY INSTINCT IS, WE ALREADY HAD A TEMPLATE, A FORMAT, BY WAY STAFF WAS VERY PRACTICED AT COMING UP WITH THE APPLICATION FORM ITSELF AND THEN THE ANALYSES THAT WOULD GO INTO INDIVIDUAL LOAN APPLICATIONS.

YES, WE WORK VERY CLOSELY WITH NEIGHBORHOOD HOUSING OF THIS THEY ASSISTED US WITH THE APPLICATION PROCESS AND WITH THE LOAN IT PROCESS ITS ITS. I WILL TELL YOU THAT THERE IS A DIFFERENCE BETWEEN THE APPLICATION PROCESS THAT WE HAVE AND THAT NEIGHBORHOOD HOUSING USES SIMPLY BECAUSE THEY USE FEDERAL FUNDS AND THERE ARE CERTAIN FEDERAL REQUIREMENTS THAT THEY HAVE THAT WE DO NOT HAVE.

MAYOR WILL WYNN: ALL RIGHT. THEN LASTLY FOR ME, AT LEAST YOU PROBABLY TOUCHED ON THIS AND I MAY HAVE JUST MISSED IT. THE SOURCE OF REVENUE FOR THIS FUND, CAN YOU DESCRIBE, ONE, I'M PROUD THAT OVER ESSENTIALLY THE LAST SIX MONTHS OR SO WE IDENTIFY WHAD WOULD BE THE SIN UN UNBUDGETED NONTAX DOLLARS THAT COULD GO INTO A FUND THAT WE COULD MAKE SURE WE HAVE GEOGRAPHICIC BOUNDARIES WE HAVE A TIME LINE FOR THIS YOU KNOW, FOR THIS FUND, AND SO IF YOU CAN MAKE SURE THAT FOLKS ARE AWARE OF WHERE THE DOLLARS COME FROM AND HOPEFULLY THERE'S GOING TO BE A SERIES OF PROJECTS THAT LONG TERM WILL BENEFIT THE TAX BASE, VITALITY OF OUR DOWNTOWN, USING THOSE UN UNBUDGETED, NONTAX DOLLARS TO ALSO THEN CONTINUE THE SUCCESS OF SMALL BUSINESSES UP AND DOWN THE AVENUE.

YES. THE COUNT COME FROM THROUGH SOURCES, SALE OF RIGHT-OF-WAY, USE, TEMPORARY USE OF RIGHT-OF-WAY, AND LICENSE AGREEMENTS THAT ARE, THAT COME FROM THE DEVELOPMENTS THAT ARE WITHIN THE DESIGNATED AREA. WE TALKED ABOUT THAT LAST TIME. I DO HAVE, IF YOU WOULD LIKE FOR ME TO, I DO HAVE A MAP OF THE DESIGNATED AREAS THAT I COULD PUT UP. THIS IS A REVOLVING FUND. AS WE SOME DEVELOPMENT IN THE DESIGNATED AREA, THANK YOU, THE FUND WILL CONTINUE

TO INCREASE. IF THIS LOAN IS APPROVED, THE FIRST PAYMENTS FROM THIS LOAN WILL GO DIRECTLY INTO THE FUND ITSELF. AS WE GET DEVELOPMENT, AND SOME OF THE DEVELOPMENTS THAT WE HAVE TALKED ABOUT BEFORE ARE THE MET LIFE BUILDING THAT IS UNDER CONSTRUCTION NOW ACROSS FROM THE CHILDRENS MAY SEE UP, THE NEWSPAPER ANTICIPATED TO START CONSTRUCT, THE MARRIOTT HOTEL, THE FIFTH AND CONGRESS GARAGAGE RETAIL 721 CONGRESS CONDOMINIUMS. AND AS THOSE DEVELOPMENTS COME ON BOARD AND THEY APPLY FOR THE TEMPORARY USE OF RIGHT-OF-WAY OR THEY HAVE LICENSE AGREEMENTS, THEN THAT MONEY WILL GO INTO THE FUND AS WELL TO KEEP THE FUND REVOLVING.

MAYOR WILL WYNN: WE HAVE THESE ONE-TIME UNBUDGETED NONTAX DOLLARS FROM DEVELOP DEVELOPMENTS BEING PUT INTO THE FUND, AND THEN AS WE MAKE THESE LOANS AND HOPEFULLY THERE WILL BE A NUMBER OF THEM OVER THE NEXT COUPLE OF YEARS, ALSO THE INDIVIDUAL, THE BORROWERSER BORROWERSER'S MONTHLY PRINCIPAL AND INTEREST PAYMENTS COME BACK INTO THE FUND ITSELF.

YES, THEY DO.

MAYOR WILL WYNN: FURTHER QUESTIONS FOR MS. EDWARDS, COUNCIL? COUNCIL MEMBER COL.

I WANT TO FOLLOW UP ON THE CHASHIZATION OF THE TUNDS. WE RECEIVED A LOT OF E-MAILS ABOUT THAT. YOU SAY THE FUNDS COME FROM SALE OF THE RIGHT-OF-WAY, USE OF RIGHT-OF-WAY AND LICENSE AGREEMENTS.

THAT IS CORRECT.

ESSENTIALLY THOSE ARE DEVELOPER FEES.

YES, THEY ARE .

COUNCIL MEMBER COLE: IF THOSE FUNDS WERE NOT QUUD TO GO INTO THIS PROGRAM, WOULDN'T THEY GO INTO THE GENERAL FUND ?

YES, THEY WOULD.

OKAY. SO THAT WOULD BE A BUDGETED SORT OF TAX DOLLAR ITEM ONCE THEY ARE ENTERED INTO THE GENERAL FUND, WE WOULD BE ABLE TO USE THEM FOR GENERAL PURPOSES FOR CITY.

YES, YOU COULD .

COUNCIL MEMBER COLE: WHEN WE SET UP THE PROGRAM, IT WAS MY UNDERSTANDING THAT WE MADE THE LOANS EITHER FORGIVABLE OR UNFORGIVABLE. IS THAT CORRECT ?

THAT IS CORRECT. THERE ARE TWO CRITERIA. ONE IS, AS I MENTIONED IN MY PRESENTATION, THERE'S A SPECIAL CIRCUMSTANCE FOR RESTAURANTS OR INDIVIDUAL BUSINESSES THAT ARE BEING REQUIRED TO MOVE BECAUSE OF DEVELOPMENT. THOSE SPECIAL CIRCUMSTANCE ARE ELIGIBLE FOR A LOAN OF UP TO \$750,000. UNDER THE NORMAL CIRCUMSTANCES WHERE WE ARE TRYING TO ENCOURAGE SOMEONE TO MOVE INTO THE DISTRICT, OR SOMEONE IS MOVING WITHIN THE DISTRICT OF THEIR OWN ACCORD, THE MAXIMUM AMOUNT OF THAT LOAN IS \$250,000.

OKAY. SO IT'S TOTALLY AT COUNCIL'S AT THIS POINT WHERE WEATHER WE MAKE THAT LOAN FORGIVABLE OR UNFORGIVABLE.

IT IS.

MAYOR WILL WYNN: MAYOR PRO TEM.

MAYOR PRO TEM BETTY DUNKERLEY: I WOULD LIKE THE ADD A FEW THINGS TO WHAT THE MAYOR HAS PREVIOUSLY SAID. OUR DOWNTOWN REALLY IS ECONOMIC ENGINE FOR OUR REGION. IT IS NOT SPECIFICALLY LOCATED TO THOSE FEW BLOCKS THAT WE ARE TALKING ABOUT TODAY. I THINK ANOTHER REALLY VALID REASON TO CONSIDER TRYING TO DIVERSIFY THE MIX OF RETAIL IN THE DOWNTOWN AREA RELATES DIRECTLY TO OUR TOURISM AND HOTEL INDUSTRIES HERE, WHICH BRING A LOT OF ECONOMIC IMPACT TO OUR CITY, AND THEY ARE CLEAN INDUSTRIES

AND INDUSTRIES WE LIKE TO SUPPORT. THEY HAVE TOLD US NUMEROUS TIMES THAT WHEN OUR VISITORS COME TO THIS AREA, IN THE DAYTIME HOURS THERE IS ABSOLUTELY NOTHING TO DO IN THIS DOWNTOWN AREA BECAUSE THE BARS ARE CLOSED. SO FOR A NUMBER OF YEARS WE HAVE HAD STUDY AFTER STUDY SAYING, HOW CAN WE DIVERSIFY THE RETAIL BUSINESS IN EAST SIXTH AND ON CONGRESS OF WE LIKE TO HAVE OUR BAR SCENE THERE BUT WE DON'T WANT ALL BARS. SO WE'RE TRYING TO ENCOURAGE RESTAURANTS AND ART GALLERIES AND OTHER KIND OF RETAIL THAT WOULD BE INTERESTING FOR PEOPLE WHO VISIT OUR CITY THAT CAN ACTUALLY SHOP IN OUR DOWNTOWN AREAS. SO THESE PROGRAMS HAVE BEEN IN PLACE, OR THE DESIRE FOR THE PROGRAM HAS BEEN IN PLACE, FOR A NUMBER OF YEARS YEARS. I KNOW THAT I HAVE HAD SOME REQUESTS TO GET NOT ONLY THE GUIDELINES FOR THIS PROGRAM BUT SOME OF THE INFORMATION ON THE STUDIES THAT HAVE BEEN DONE. FRANKLY, I'M SENDING THOSE REQUESTS TO YOU, MS. EDWARDS EDWARDS. SO I HOPE YOU WILL BE ABLE TO RESPOND TO THAT. SO I REALLY AM ENCOURAGED BY THE PROGRAM. WE HAVE PEOPLE THAT SAY THIS IS ONLY GOING TO HELP LAS MANITAS. THAT IS NOT TRUE. AS YOU MENTIONED, THE FUND WILL BE REPLENISHED FROM THE OTHER HIGH RISES THAT ARE GOING UP IN THIS AREA THAT DIRECTLY HAVE A NEGATIVE IMPACT ON OUR LOCAL BUSINESSES ON SIXTH AND CONGRESS. SO THAT IS I THINK THE PUBLIC BENEFIT THAT WE'RE GOING TO GET FROM THESE TYPES OF PROGRAMS. I AM GOING TO BE SUPPORTING THIS LOAN , AND I'M GOING TO BE SUPPORTING OTHER LOANS IN THE FUTURE THAT WILL EITHER MAINTAIN LOCAL BUSINESSES DOWNTOWN THAT ARE BEING DISPLACED BY DEVELOPMENT, OR ENCOURAGE OTHER LOCAL BUSINESSES TO RETURN TO THE SIXTH AND CONGRESS AREA. THANK YOU.

MAYOR WILL WYNN: THANK YOU, MAYOR PRO TEMMENT FURTHER QUESTIONS OR COMMENTS FOR MS. EDWARDS? WE HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO ADDRESS THIS ITEM. THANK YOU MS. EDWARDS COUNCIL, WITHOUT OBJECTION WE'LL TAKE SOME TESTIMONY FROM SOME CITIZENS. A HANDFUL OF FOLKS SIGNED UP NOT



WISHING TO SPEAK. LET'S SEE. R MEYERS, DAVID IRMAN, S WILLIAMS, JANE WILLIAMS AND LIE AN GARCIA SIGNED UP NOT WISHING TO SPEAK IN OPPOSITION. AND A HANDFUL OF FOLKS WHO WOULD LIKE TO SPEAK IN FAVOR FAVOR. THE FIRST SPEAKER IS MR. AMO AMON BERK MAN WHOM I SAW EARLIER. WELCOME, AMANN. YOU HAVE THREE MINUTES. WELCOME.

THINK YOU MR. MAYOR, MEMBERS OF THE COUNCIL. I WANT TO THANK YOU FOR THE WORK YOU PUT IN IN CONNECTION WITH DEVELOPING THE PROGRAM THAT WOULD PROVIDE SOME DIE VARSITY AND PROTECT SMALL BUSINESSES. I REPRESENT LAS MANITAS AND THE PEREZ ASSIST , -- CYNTHIA AND LYDIA. WHAT I WANT TO SAY ABOUT THIS, WHEN I GOT INVOLVED IN DECEMBER, THE CONTROVERSY BETWEEN THE DEVELOPER AND LAS MANITAS HAD BEEN GOING ON FOR MONTHS. WHEN I HAD MY FIRST MEETING WITH THEM, EVEN THOUGH I PRACTICED LAW FOR 30 YEARS AND BUSINESS TRANSACTIONS, EVEN I WAS SHOCKED AT THE DEGREE OF POLARIZATION AND LACK OF TRUST AND THE LACK OF COOPERATION BETWEEN THE PARTIES. WE ALL LOOK AT IT AT THAT POINT AND SAID, THIS DOESN'T MAKE SENSE. LAS MANITAS YOU CAN DAMAGE THE DEVELOPMENT OF THIS PROPERTY. I WAS BEING TOLD BY THE DEVELOPER WE WANT YOU OUT IN TWO WEEKS, BUT DECEMBER 131, THAT YOU ARE NOT IN BUSINESS ANYMORE. THE LAWYERS LOOKED AT EACH OTHER AND SAID THAT IS MUTUAL DESTRUCTION. WE NEED TO GET CREATIVE AND DO SOMETHING TO PROMOTE ECONOMIC GROWTH AND PROTECT SMALL BUSINESSES OF WE STARTED WORKING ON IT AND WITH YOUR HELP, MANY OF YOU STEPPED UP TO COME UP WITH A PROGRAM. WHAT WE DID IS, WE SAID STRAIGHT OUT, WE USUALLY GO INTO CITIES, THEY OFFERING US MILLIONS OF DOLLARS, WE SEEK REBATES, WE SEEK WAIVER WAIVERS, WHAT WE WILL DO ON THIS IS THAT WE DON'T WANT TO PAY YOU DIRECTLY, BUT WE WANT TO GO AHEAD AND NOT SEEK WAIVERS, WITH RESPECT TO THALLY VACATION WHICH HE NEED, TO NOT SEEK WAIVERS WITH RESPECT TO THE CLOSING OF LIENS, SO THAT MONEY WOULD BE AVAILABLE SO THAT A SMALL BUSINESS LIKE LAS MANITAS BEING DISPLACED COULD RELOCATE. SO WE WORKED ON THAT BASIS, AND WITH YOUR HELP, WE CAME

UP WITH A PROGRAM THAT IS ON ONGOING, THAT I THINK IS A VERY, VERY CONSTRUCTION PROGRAM. BECAUSE WHAT LAS MANITAS DOES NOT WANT IS CONGRESS AVENUE TO BE A CONTINUOUS SERIES OF HOTELS, BANKS, CONDOMINIUMS, AND NATIONAL FRANCHISES. WE WANT THIS TO BE AS DIVERSE AND VIBRANT AS YOU DO. SO LAS MANITAS SAID, LOOK, WE WANT TO PARTICIPATE IN THIS, AND IF YOU WANT TO DO IT IN THE FORM OF A LOAN, WE'LL PARTICIPATE IN AND WE'LL PAY, WE WANT TO CONTRIBUTE TO THIS FUND SO THAT THERE'S MORE MONEY TO PAY FOR OTHER, SO THERE ARE OTHER PARTICIPANTS, SMALL BUSINESSES CAN JOIN IN THIS. AND SO UNDER THIS PROGRAM IN THE FIRST FIVE YEARS, LAS MANITAS WILL PAY \$270,000 OF PRINCIPAL AND INTEREST IN THIS THAT IS AVAILABLE FOR ANOTHER SMALL BUSINESS TO BE ABLE TO TAKE THESE FUNDS AND ALSO BE ABLE TO STAY ON CONGRESS AVENUE. SO THAT IS WHAT WE HAVE TRIED TO DO WITH THIS PROGRAM. I URGE YOU TO SUPPORT THIS PROGRAM, AND AS YOU HAVE, AND IT'S BEEN EXTREMELY COMPLICATED. MS. EDWARDS, WHO HAS BEEN VERY SUPPORTIVE ON THE STAFF STAFF. YOU ASKED THE QUESTION ABOUT HOW THOROUGH, THIS HAS BEEN SO THOROUGH IT HAS TAKEN A HUGE AMOUNT OF MY TIME. I'M GLAD THEY HAVE BEEN THOROUGH BUT I THINK THIS IS A VERY GOOD PROGRAM. IT'S BEEN COMPLICATED TO WORK OUT BUT I THINK IT'S GOOD FOR AUSTIN, HUGE AMOUNT OF TAXES WILL COME FROM THE DEVELOPMENT, FROM THE MARRIOTT HOTEL AND LAS MANITAS CAN, BETWEEN 20 AND 25 EMPLOYEES, AND FOR THE KIND OF WAGES THAT THEY PAY, THIS IS A GOOD FOR DOWNTOWN. I URGE YOU TO SUPPORT IT AND I URGE YOU TO ACCEPT THE PROGRAM AS WE HAVE PROPOSED IT. THANK YOU. I'D BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU HAVE.

MAYOR WILL WYNN: QUESTIONS FOR MR. BURDEN, COUNCIL.

COUNCIL MEMBER KIM: MR. BURTON, WHAT KIND OF EQUIPMENT AND WORK IS GOING TO BE CONSIDERED FOR REIMBURSEMENT, .

SORRY, WHAT?

COUNCIL MEMBER KIM: WHAT KIND OF EQUIPMENT AND WORK ARE YOU GOING TO BE PAYING FOR WITH THESE

FUNDS THAT YOU WILL BE ASKING FOR REIMBURSEMENT FOR THE CITY FOR ?

YES, MA'AM, THE FUNDS WILL BE USED TO PAY FOR THE RESTORATION OF THIS HISTORIC BUILDING TO MAKE IT ADAPT ADAPTABLE FOR A RESTAURANT. THE BUILDING ON THIRD AND CONGRESS, FOUR OR FIVE DOORS DOWN THAT THE SISTERS OWN. THAT MONEY WILL GO INTO, THEY HAVE TO BUILD A COMPLETION EXTENSION AT BACK FOR COMMERCIAL KITCHEN THAT MEETS THE CITY REQUIREMENTS. IT HAS NO INFRASTRUCTURE FOR ELECTRICAL, HVAC, PLUMBING THAT SAYS CITY REQUIREMENTS. IT HAS TO BE DONE AND STRIPPED OUT TO ADAPT THAT. AND OUR MINIMUM ESTIMATED NUMBERS FROM THE CONTRACTOR AND THE ARCHITECTS ARE \$844 \$844,000 UP TO A MILLION ONE TO DO THE PROJECT. BUT AT LEAST A MINIMUM ESTIMATE OF 844. I DON'T THINK IT'S BEEN SAID YET. LAS MANITAS HAS GUARANTEED THAT IT'S GOING TO PUT IN AT LEAST \$94,000 INTO THIS OF CAPITAL IN ADDITION TO WHAT THEY WOULD BE PAYING UNDER THE FIVE YEARS. AND IT'S PROBABLY GOING TO BE MORE THAN THAT. AT LEAST 94. AND IT WILL GO FOR ALL THE ITEMS TO FACILITATE A RESTAURANT.

COUNCIL MEMBER KIM: SOME OF THE FUNDS WILL BE USED FOR EQUIPMENT, KEVIN EQUIPMENT, THAT THEY WILL NEED ?

YES, MA'AM.

COUNCIL MEMBER KIM: SO THAT KITCHEN EQUIPMENT WOULD HAVE TO BE DEPRECIATE THE OVER TIME FOR ACCOUNTING PURPOSES, RIGHT, BECAUSE IT HAS A USE LIFE OF ONLY A CERTAIN AMOUNT OF YEARS DEPENDING ON THE TYPE OF EQUIPMENT ACCORDING TO THE IRS QUESTIONED, CORRECT?

CERTAINLY.

COUNCIL MEMBER KIM: THANK YOU VERY MUCH.

THANK YOU.

MAYOR WILL WYNN: FURTHER QUESTIONS FOR MR. BURTON, COUNCIL? THANK YOU, AMAN.

THANK YOU.

MAYOR WILL WYNN: NEXT SPEAKER IS MALCOLM GREEN STEIN. WELCOME, YOU HAVE THREE MINUTES.

THANK YOU, MAYOR, COUNCIL COUNCIL. I HAVE BEEN LIVING IN AUSTIN SINCE 1973. AS YOU CAN IMAGINE, A LOT OF CHANGES HAVE TAKEN PLACE. I AM VERY MUCH CONCERNED ABOUT THE LACK OF HOME OH GENEITY THAT HAS TAKEN PLACE IN AUSTIN, ESPECIALLY IN DOWNTOWN, IN THE DOWNTOWN CONGRESS AREA. THE HIGH-END CONDOS ARE ATTRACTING RICH PEOPLE. THE RESTAURANTS HAVE THE SAME TYPE CLIENT EEL. I WALKED BY A MENU TODAY, \$ \$12 FOR A CHICKEN SALAD SANDWICH. THESE KIND OF PLACES ARE ATTRACTING ONE GROUP OF PEOPLE. IF YOU WANT TO FIND WORKING CLASS MINORITIES IN THE DOWNTOWN AREA, WHAT YOU NEED TO DO IS LOOK IN THE KITCHEN KITCHENS OR COME IN AFTER HOURS AND INSPECT THE CLEAN CLEANING CREWS. THAT IS THE ONLY PLACE YOU WILL FINE THE DIVERSITY IN THE DOWNTOWN AREA. EXCEPT FOR LAS MANITAS. LAS MANITAS IS THE SOUL MOW THAT THE DAYCARE CENTERS HAVE MOVED, IT'S GOING TO BE THE SOLE PLACE IN THIS AREA FOR DIVERSITY. IT'S THE ONLY PLACE IN AUSTIN WHERE KARL ROBE, KAREN HUGHES AND HOMELESS PERSON ARE EATING IN A RESTAURANT AT THE SAME TIME. IT'S THE THING THAT MAKES AUSTIN WHAT IT IS. THE TYPE OF PLACE WHERE YOU KNOW YOU HAVE WORKING CLASS PEOPLE WORKING THERE, THAT YOU CAN ATTRACT PEOPLE FROM ALL CROSS-SECTIONS WHO WILL FEEL COMFORTABLE IS THERE BECAUSE THE OWNERS OF LAS MANITAS HAVE MADE EVERYBODY FEEL COMFORTABLE THERE. AND I AM ASKING YOU TO SUPPORT THIS LOAN PROJECT SO THAT THEY CAN CONTINUE TO EXIST ON CONGRESS AVENUE AND CONTINUE TO ATTRACT THE PEOPLE THAT GIVE AUSTIN THE CHARACTER THAT BRINGS PEOPLE INTO THIS TOWN AND HAS THEM COME HERE INSTEAD OF ALL THE OTHER PLACES THEY CAN CHOOSE TO COME FOR A VISIT. THANK YOU.

THANK YOU, MALCOLM. NEXT SPEEMSPEAKER IS MARTA K

KATARA. YOU WILL BE FOLLOWED BY ROB LIPPENCOTT.  
WELCOME.

GOOD, MAYOR, MEMBERS OF THE COUNCIL. I COME THIS MORNING IN SUPPORT OF LAS MANITAS. THANKS TO MIKE LEAVY, HE SOMETIMES MANAGES TO BRING OUT THE BEST IF ME. WHEN I READ HIS LETTER TO THE PUBLIC ABOUT ALL THE HORRIBLE THINGS THAT WOULD HAPPEN THE IF WE FUND THIS PROJECT, I THOUGHT OF ALL THE HORRIBLE THINGS THAT WOULD HAPPEN IF WE DIDN'T FUND THIS PROJECT. SO I'M URGING YOUR SUPPORT FOR THIS PROJECT. I'M A FOUNDING MEMBER OF THE GREATER AUSTIN HISPANIC CHAMBER OF CUSTOMERS, AS IS THE FORMER MAYOR, GUS GARCIA IS WHO IS HERE. I HAVE KNOWN THE PEREZ SISTERS SINCE THEY WERE STUDENTS AT THE UNIVERSITY, AND THEY WAITED ON TABLES AT THE BACK DOOR WHICH WAS OUR HEADLINESERS EAST AT THAT TIME. AND I URGE YOU, LIKE MALCOLM DID, TO SUPPORT THIS BECAUSE OF OUR, YOU KNOW, FIRST DIVERSITY ISSUES, AND BECAUSE WE NEED A HEADLINERS THAT WE CAN ALL AFFORD DOWNTOWN. AND WE DO HAVE IT IN LAS MANITAS. I ALSO URGE YOUR SUPPORT BECAUSE YOU CANNOT IMAGINE HOW LAS MANITAS HAS BECOME A TOURIST DESTINATION. I DON'T KNOW OF ANY HOTEL THAT IS A TOURIST DESTINATION BUT I DO KNOW THAT THE FIRST THING PEOPLE DO WHEN THEY HIT TOWN IS CALL EVERYBODY THEY KNOW AND SAY, CAN YOU MEET ME IN LAS MANITAS. AND IF YOU LOOK AT CONVENTIONS GOING ON AT THE AUSTIN CONVENTION CENTER AND IF IT'S ESPECIALLY A LATINO CON VENG OR DIVERSITY CONVENTION, YOU'RE GOING TO SEE JUST JUST HORDS OF PEOPLE WALKING DOWNTOWN TO LAS MANITAS. AND YOU KNOW THAT IS A DAY YOU DON'T WANT TO GO THERE PROBABLY. BUT I DO URGE YOUR SUPPORT FOR THIS PROJECT. I THINK THAT LAS MANITAS, IF YOU LOOK AT THE REASONS GIVEN IN THE AUSTIN CHRONICLE, I DON'T KNOW WHETHER IT WAS AN EDITORIAL BUT IT WAS A WONDERFUL PIECE LAS MANITAS HAS DONE MORE FOR PR FOR THIS CITY THAN YOU COULD POSSIBLY, POSSIBLY INVEST IN THIS PROJECT. I DO ASSURE YOU THAT . THANK YOU VERY MUCH.

MAYOR WILL WYNN: THANK YOU. NEXT SPEAKER IS ROB LIPPENCOTT, WHO I SAW EARLIER. WELCOME. YOU WILL

HAVE THREE MINUTES. AND JIM WALKER AND MARCUS ARE HERE FOR QUESTIONS IF NEED BE.

HOW YOU ALL DOING TODAY. I JUST HAD SOME QUESTIONS. IN FIVE YEARS MY DAUGHTERS, I'M ASSUMING ARE GOING TO BE RUNNING MY BUSINESS WHICH IS ABOUT A MILE FROM THIS ONE. AND WE'LL HAVE FINANCE CHARGES THERE PROBABLY AT THAT TIME. THEY WILL HAVE TO BE PAYING THAT. AND AT THAT POINT, THE PAYMENTS FOR LAS MANITAS WILL GO AWAY. AND I WAS JUST WONDERING, DO YOU ALL THINK THAT THEY ARE GOING TO LOWER THEIR PRICES OR KEEP THEM ARTIFICIALLY LOW SO THAT IT'S UNFAIR IN THE TACO MARKET? OR DO YOU THINK THEY ARE GOING TO MAYBE PASS THE SAVINGS ON TO THEIR EMPLOYEES? THUS MAKING IT UNFAIR COMPETITION IN THE LABOR MARKET? OR WHAT I'M HOPING THEY DO IS JUST PUT THE MONEY IN THEIR POCKET. IF EITHER OF THE FIRST TWO HAPPEN IT'S GOING TO BE UNFAIR COMPETITION FOR MY DAUGHTERS IN THE TACO BUSINESS. AND SO, THAT WAS ONE QUESTION. THEN ISN'T THERE SOMEBODY IN THEIR BUILDING NOW THAT THEY ARE GOING TO REMODEL? WON'T THAT PERSON BE BEING DISPLACED BECAUSE OF DEVELOP DEVELOPMENT? WHY WOULDN'T, ARE WE GOING TO NEED TO SUBSIDIZE THEM AT THAT POINT? WE HAVE JUST DONE A DEVELOP DEVELOPMENT ON SOUTH CONGRESS WHERE MARS RESTAURANT HAS MOVED IN AND WE HAD TO PAY DEVELOPMENT FEES THAT ARE GOING TO BE PASSED ON TO THEM IN THEIR RENT. THIS E HAD TO BORROW A LOT OF MONEY TO DO IT. AND NOW THEY ARE NOT GOING TO BE ON AN EXACTLY EVEN PLAYING FEEL, I WOULDN'T THINK, WITH SOMEBODY WHO IS GETTING THEIR DEAL SUBSIDIZ SUBSIDIZED. SO ANYHOW, I HAD THOSE, SOME QUESTIONS OF THOSE, IF ANYBODY WANTS TO ADDRESS THEM THEM.

MAYOR WILL WYNN: THANK YOU MR. HIPEN EN--LIPPENCOTT EN--LIPPENCOTT. COMMENT FOR MR. LIPPENCOTT, COUNCIL? THANK YOU, ROB. A FINAL SPEAKER, SAVING THE BEST FOR LAST, AT LEAST LOOKS-WISE, MAYOR GARCIA, WELCOME.

THANK YOU MR. MAYOR, COUNCIL MEMBERS. I THINK IT WAS NOVEMBER OF THE YEAR 2001 WHEN I CAME TO THE MAYOR'S OFFICE. I THINK I APPOINTED YOU TO BE THE

CHAIRMAN OF THE ECONOMIC --DEVELOPMENT COMMITTEE OF THE COUNCIL. YOU AND MAYOR PRO TEM CAME UP WITH A GREAT PLANLVE YOU WANTED TO KEEP AUSTIN DIVERSE. I THINK THAT YOU DOPPED WHAT IS NOW BASICALLY AN INFORMAL POLICY OF KEEP AUSTIN WEIRD. THAT HAS HELPED AUSTIN, I THINK, TREMENDOUSLY. IN ESSENCE, IT HAS HELPED CREATE AN ATMOSPHERE IN AUSTIN THAT MAKES IT VERY ATTRACTIVE, LIKE MS. KATARAS SAID, TO GOPGOP--DEVELOPMENT TAKING PLACE. THIS TRANSACTION FITS INTO THAT SCHEME OF THINGS. I THINK THAT YOU ARE DOING THE RIGHT THING. I LISTENED TO THE COMMENTS BY THE MAYOR PRO TEM AND BY YOU, MAYOR. I THINK YOU ARE RIGHT ON TARGET. THIS IS A VERY, VERY GOOD THING FOR AUSTIN SO THAT WE KEEP THE DIVERSITY THAT WE HAVE. THE QUESTION THAT WAS ASKED ABOUT ARE WE DISPLACING ANYBODY AT THE CORNER OF THIRD AND CONGRESS, NO, THAT BUILDING IS OWNED BY LAS MANITAS AND THEY HAVE A LITTLE ART STUDIO THERE WHICH WILL BE MADE PART WHEN THEY DO THE REDEVELOPMENT. BUT IT IS A VERY GOOD PROGRAM PUT TOGETHER BY THE STAFF. I COMMEND THE STAFF, I COMMEND MR. BURTON. IT'S A DELICATE THING. IT'S GOT SOME PROVISIONS THAT NEED TO BE, NEED TO STAY IN PLACE SO THAT IT DOESN'T CREATE ANY TAX CONSEQUENCES. IS I'M HERE TO SAY GO FOR IT IT'S THE RIGHT THING TO DO, IT'S RIGHT FOR AUSTIN. THANK YOU VERY MUCH. I'LL BE GLAD TO ANSWER ANY QUESTIONS.

THANK YOU, MAYOR. QUESTIONS FOR MAYOR GARCIA.  
THANK YOU.

YES.

MAYOR WILL WYNN: COUNCIL THAT IS ALL OF OUR CITIZEN TESTIMONY FOR THIS ITEM. ITEM NUMBER 8. FURTHER QUESTIONS OF STAFF FOR ANYBODY ELSE OR COMMENTS COMMENTS? COUNCIL MEMBER COLE .

COUNCIL MEMBER COLE: I WILL NOT BE SUPPORTING THIS MOTION FOR A COUPLE OF REASONS. FIRST, I'VE HEARD AT LEAST THREE SPEAKERS MENTION DIVERSITY. I KNOW THIS COUNCIL IS A FIRMLY COMMITTED TO DIVERSITY BECAUSE WE SUPPORTED PROGRAMS ON EAST SEVENTH, ELEVENTH AND TWELFTH, BUT I'M CONCERNED WITH THE

GEOGRAPHIC BOUNDARIES OF THIS PILOT PROGRAM AND I'D LIKE TO MENTION AT THIS TIME I'D LIKE TO SEE THAT EXPANDED AT THIS TIME OR INTO THE FUTURE. I DON'T KNOW OF ANY AFRICAN AMERICAN BUSINESSES LOCATED ON CONGRESS OR EAST SIXTH STREET AND KNOW OF VERY FEW HISPANIC BUSINESSES LOCATED ON THOSE. WE HAVE MADE COMMITMENTS TO AREAS WHERE THERE ARE THOSE BUSINESSES BUT HAVE NOT EXPANDED THIS PROGRAM TO INCLUDE IT. THAT IS WHAT I'M CONCERNED ABOUT, THE DIVERSITY IN THIS PROGRAM AT THE THIS POINT. SECOND, I KNOW WE HAVE ALSO MADE A COMMITMENT TO CREATE A NEW DOWNTOWN AT THE GATEWAY AREA AND WOULD I HOPE THAT WOULD BE A GEOGRAPHIC AREA THAT WOULD BE IN THE FUTURE CONSIDERED FOR THIS PROGRAM IF WE ARE GOING TO SUPPORT AND FUND IT. I DO NOT BELIEVE THE PROGRAM SHOULD HAVE FORGIVABLE LOANS AT THE END OF FIVE YEARS IN THIS SITUATION, THE APPLICANTS WILL STILL OWE THE THE--THE CITY APPROXIMATELY \$700,000, AND I THINK THAT IS TOO MUCH MONEY TO BE FORGIVEN AT THAT POINT. FINALLY, I'M CONCERNED WE DON'T SET A BAD PRECEDENT FOR THE CITY IN THAT WE HAVEN'T EXTENDED TO OTHER AREAS WITHIN THE CITY. I WILL NOT BE SUPPORTED.

MAYOR WILL WYNN: THANK YOU. FURTHER COMMENTS?

COUNCIL MEMBER LEFFINGWELL: I WANT TO SAY THAT I'M A SUPPORTER OF THE BRE PROGRAM AND I VOTED FOR IT A FEW MONTHS AGO. AND I AM ESPECIALLY SUPPORTIVE OF EFFORTS TO KEEP LAS MANITAS DOWNTOWN AND HAVE PERSONALLY BEEN INVOLVED IN SOME OF THOSE EFFORTS. I HAD HOPED THAT WE COULD ARRIVE AT AN ALTERNATIVE SOLUTION BUT I'M NOT GOING TO BE ABLE TO SUPPORT A LOAN THAT IS PREORDAINED TO BE FORGIVEN, IN PART BECAUSE THIS CURTAILS OPPORTUNITY FOR OTHER SMALL BUSINESSES THAT WANT TO TAKE ADVANTAGE OF THIS PROGRAM TO LOCATE DOWNTOWN ON CONGRESS AVENUE AND SIXTH STREET IN THE FUTURE. FINALLY, I AGREE THAT IT'S NOT TAX MONEY, BUT IT IS MONEY THAT THE CITY IS OWNED BY THE TAXPAYERS SO WE HAVE A FIDUCIARY RESPONSIBILITY TO BE A GOOD CUSTODIAN OF THAT MONEY. I WILL NOT BE SUPPORTIVE OF THE FORGIVABLE LOAN BUT I WOULD BE SUPPORTIVE OF A LOAN TO LAS MANITAS UNDER



FAVORABLE TERMTHANK YOU.

COUNCIL MEMBER KIM: I'M GOING TO BE SUPPORTING THE LOAN. FIRST OF ALL, THE PEREZ SISTERS DID NOT ASK TO BE PUT INTO THIS SITUATION. IT IS A NATIONAL CORPORATION THAT DECIDED TO BE PLACED DOWNTOWN. AS A RESULT WE AS A COUNCIL I BELIEVE HAVE AN OBLIGATION TO MAKE DOWNTOWN AS LIVABLE AND ATTRACTIVE AND AS VIBRANT AS IT IS AND THAT INCLUDES KEEPING LAS MANITAS DOWNTOWN WHERE THE CLIENT EL IS AND THEIR LOCALLY CUSTOMERS EXPECT THEM TO BE. IF THEY WERE TO GO SOMEWHERE ELSE IN HAD THE CITY WHERE THE RENT ARE CHEAPER, I DO NOT BELIEVE THAT A LOT OF THE CLIENTS WOULD FOLLOW THEM, AS THEY ARE DOWNTOWN AND THAT IS SPECIFICALLY WHY SOME OF THEM CHOOSE LAST LAS MANITAS BECAUSE OF THE CONVENIENCE ON CONGRESS AVENUE. ANOTHER THING, THE RESTAURANT BUSINESS IS TOUGH TOUGH. IT IS NOT ONE THAT I BELIEVE THE PEREZ SISTERS ARE DOING IT JUST TO BECOME WEALTHY. IT IS A VERY TOUGH BUSINESS. IT IS SOMETHING WHERE THEY TAKE PRIDE IN THEIR BUSINESS THEY SHARE THEIR NET PROFITS WITH THEIR EMPLOYEES THROUGH BONUSES, AND THEY TAKE CARE OF MEDICAL EXPENSES WHEN THEY NEED TO. THEY ALSO ARE HELPFUL TO THE COMMUNITY IN MANY WAYS IN PROVIDING LUNCHES TO THE DAYCARE, STUDENTS, KIDS, AND THERE ARE A NUMBER OF THINGS THEY DO AS WELL IN TERMS OF CHARITABLE CONTRIBUTIONS. BUT THIS LOAN DOES MAKE SENSE FOR IT TO BE FRIRFABLE AFTER FIVE YEARS. THEIR ATTORNEY JUST MENTIONED THAT SOME FUNDS WILL BE USED FOR EQUIPMENT. THE EQUIPMENT IS DE DEAPPRECIABLE AND WITH ACCELERATED DEPRECIATION SOME OF THAT WILL NOT BE OF VALUE, MUCH VALUE AFTER FIVE YEARS. SO DOESN'T MAKE SENSE FOR THEM TO BE PAYING FOR THAT EQUIPMENT FOR 20 YEARS WHEN AFTER FIVE YEARS IT DOESN'T HAVE MUCH VALUE AT ALL. AND THIS IS NOT EQUIPMENT THAT THEY WOULD CHOOSE TO BUY IF THEY WERE STAYING IN THEIR CURRENT LOCATION. THIS IS EQUIPMENT THAT THEY NEED AND ALSO THE RENOVATION RENOVATIONS TO THE BUILDING, TO BE ABLE TO CONTINUE TO EXIST. SO SOME OF THE COMPLAINTS THAT WE HAVE BEEN HEARING ARE FROM OTHER SMALL BUSINESSES, AND I

JUST SAY THAT THAT, THE ONE OF THE REASONS I'M SUPPORTING THIS IS BECAUSE THEIR REPAYMENTS WILL GO INTO A FUND THAT WOULD BE THERE FOR OTHER BUSINESSES IN THE FUTURE. THEY ARE EXPERIENCING SOMETHING THAT OTHER BUSINESSES ON CONGRESS AVENUE AND EAST SIXTH ARE GOING TO BE FACING, WHICH IS THE PRESSURE TO RELOCATE AS THAT VALUE OF THAT PROPERTY INCREASES. SO THIS IS NOT JUST FOR LAS MANITAS, THIS IS FOR OTHER BUSINESSES THAT ARE IMPORTANT TO AUSTIN. WE LIVE IN A SOCIETY WHERE WE TAKE CARE OF ONE ANOTHER AND WE DON'T EXPECT PEOPLE TO HAVE TO GO OUT OF BUSINESS BECAUSE OF OUR CHANGES IN OUR ECONOMY WHERE WHEN WE HAVE AN OPPORTUNITY TO DO SOMETHING ABOUT IT, AND I BELIEVE WE DO HERE.

MAYOR WILL WYNN: THANK YOU, COUNCIL MEMBER. FURTHER COMMENT, QUESTIONS? BEFORE I ENTERTAIN A MOTION I'D LIKE TO ALSO SPEAK BRIEFLY ABOUT THE SOURCE OF THESE FUND. MR. BURTON TOUCHED ON IT BRIEFLY. BUT ALSO I WANT FOLKS TO REMEMBER THE CONTEXT OF WHAT WILL BE CONSTRUCTED THERE ON MOST OF THAT BLOCK DOWN TO ABOUT THIRD, SECOND, CONGRESS. THE FOLKS AT WAIT LODGING ARE PROPOSING IN THIS ROUND NUMBERS A \$200 MILLION SECOND CONVENTION CENTER HOTEL. OUTSIDE OF LAS VEGAS, PERHAPS ONLY ORLANDO IS THE ONLY OTHER CITY IN THE WESTERN HEMISPHERE WHO WANT THIS PRODUCT AND CAN HAVE THE DEVELOPMENT COMMUNITY BUILD IT WITHOUT DIRECT PUBLIC INVESTMENT IN THAT CONVENTION CENTER HOTEL. IF YOU REMEMBER PREVIOUS COUNCIL INVESTED I BELIEVE IT WAS \$30 MILLION IN OUR EXISTING HILTON CONVENTION CENTER HOTEL, WHICH HAS BEEN A SPECTACULAR SUCCESS FINANCIALLY BOTH AT AN INDIVIDUAL INVESTMENT BUT ALSO MORE IMPORTANTLY, HOW IT HAS GROWN THE CONVENTION BUSINESS DISPROPORTION ATLY CREDITED WITH HAVING THAT STYLE PRODUCT ADD ADJACENT TO THE CONVENTION CENTER. WHILE, WHITE LODGING IS PROPOSING TO BILLED A SECOND CONVENTION CENTER WITH NO PUBLIC INVESTMENT WHATSOEVER WHATSOEVER. AND NOT ONLY ARE THEY NOT ASKING FOR PUBLIC INVESTMENT THEY ALSO ARE NOT

HAVING FEE FEES WAIVED THAT WE REGULARLY WAIVE BECAUSE IN PART, IT'S SO MUCH MORE EXPENSIVE TO BUILD IN YOUR DOWNTOWN THAN IN SUBURBAN AREAS OF YOUR CITY, IT HAS BEEN COMMON PRACTICE OF THIS AND NUMEROUS PREVIOUS COUNCILS, TO WAIVE CERTAIN FEES, LANE CLOSURE FEES, AIR RIGHTS, PARKING METER RENTAL RENTALS, THINGS THAT DEVELOPERS DON'T PAY WHEN THEY BUILT OUT ON THE GREEN GREENFIELD SITE IN THE SUBURBS BUT HAVE TO PAY DOWNTOWN. TO TRY TO SOMEWHAT LEVEL THE PLAYING FIELD PREVIOUS COUNCILS HAVE BEEN WAIVED THOSE FEES. THOSE FEES ALSO ARE NOT GOING TO BE WAIVED AS PART OF THIS PROJECT. SO THE PROJECT THAT IS PROPOSED TO BE BUILT APPROXIMATELY \$200 MILLION SECOND CONVENTION CENTER HOTEL THAT WILL GROW THE CONVENTION BUSINESS. THIS WON'T BE CANNIBALIZATION OF THE EXISTING HOTEL INVENTORY BECAUSE IT'S A DIFFERENT PRODUCT AND EXPANDS THE NUMBER OF CONVENTIONS AND STYLE AND SCOPE OF CONVENTIONS COMING TO TOWN. EACH YEAR THE PROJECT WILL PROBABLY BE PAYING ABOUT \$2 MILLION EVERY SINGLE YEAR IN ADDITIONAL TAXES TO THE COMMUNITY. THE PROJECT WILL PROBABLY START PAYING \$4 MILLION EVERY SINGLE YEAR IN HOTEL, MOTEL, OR BEST TAX WE CALL IT. THE BED TAX IS WHERE THE COMMUNITY ALSO FUNDS OUR PERFORMING AND VISUAL ARTS PROGRAMS. MILLIONS OF DOLLARS A YEAR. SO THE SYNERGY, THE BENEFITS THAT THIS ECONOMY, OUR VISUAL AND PERFORMING ARTS COMMUNITY, THE TAX BASE, THE VIBRANCY, THE VISITOR INDUSTRY IN TOWN, IS REMARKABLE. THEY ALSO WILL BE HIRING ABOUT 600 PEOPLE TO WORK IN THAT SECOND CONVENTION CENTER HOTEL OF MANY MANY OF THOSE JOBS ARE GOOD BUT ENTRY LEVEL JOBS. SO WE HAVE A SPECTACULAR INFLUX OF GOOD ENTRY LEVEL JOBS IN THE CORE OF OUR DOWNTOWN, 600 OF THEM APPROXIMATELY OF YOU'RE GOING TO HAVE A VERY IMPORTANT PRODUCT BE BUILT THAT THEN EXPANDS THE PROFITABILITY, THE VITALITY OF OUR VISITOR INDUSTRY, A VERY IMPORTANT INDUSTRY IN THIS TOWN, THE PERFECT INDUSTRY. PEOPLE COME TO TOWN, SPEND MONEY AND LEAVE. WE SHOULD WANT TO CONTINUE TO PROMOTE AND EXPAND HOW WELL OUR VISITOR INDUSTRY DOES THIS

TOWN. BUT THE PROJECT WOULD NOT HAPPEN WITHOUT THE COOPERATION OF ADD ADJACENT PROPERTY OWNERS, IN PART BECAUSE THERE'S GOING TO BE ANALLY VACATION. ALLY VACATIONS REQUIRE THE CONSENT OF ADJACENT PROPERTY OWNERS. LAS MANITAS AT THEIR NEW LOCATION, THE CORNER OF THIRD AND CONGRESS, WILL BE CONSENTING TO THAT COOPERATION TO ALLOW THIS PRODUCT TO EVEN BE BUILT. SO HAD WE DONE NOTHING, MORE THAN LIKELY, THIS PROJECT DOESN'T HAPPEN. BUT EVEN IF IT DID HAPPEN WITHOUT THIS PROGRAM OR LOAN INVOLVED, AS WE HAVE SEEN IN OTHER POTENTIAL DEVELOPMENTS AROUND TOWN, THE DEVELOPER WOULD PAY DIRECTLY, IN THIS CASE TO LAS MANITAS, NEGOTIATE SOME BIG TRANSACTION, AND WE COULD JUST BE OUT OF THIS DEBATE. WE COULD JUST LET WHITE LODGING AND PERHAPS LAS MANITAS COME TO A BIG SEVEN, SIX FIGURE ARRANGEMENT TO MAKE THIS PROJECT HAPPEN D. I DON'T THINK THAT IS GOOD POLICY. I THINK GOOD POLICY IS INSTEAD OF HAVING THESE ONE- ONE-OFF NEGOTIATED SORT OF PRIVATE DEALS, WHAT IF WE TAKE THOSE SAME FUNDS, PUT THEM IN A POOL, AND OBVIOUSLY, THERE WAS AN INTENT TO HELP LAS MANITAS AND GET LAS MANITAS EE COOPERATION FOR THIS LARGER PROJECT, BUT WE SHOULD WANT THERE TO BE SOUND POLICY, PARAMETERS, GUIDELINES, TRANSPARENCY, WHEN IT COMES TO HOW FUNDS COULD BE UTILIZED FOR OTHER BUSINESSES . SO YES, THE MAJORITY OF THIS INITIAL INFLUX OF FUNDS INTO THIS RETENTION PROGRAM IS PROPOSED TO GO TO LAS MANITAS. KEEP IN MIND OVER THE NEXT FIVE YEARS THEY WILL BE PAYING BACK ABOUT \$270,000 BACK INTO THAT FUND. BUT THE FUND IS ALSO GOING TO GROW. IT'S GROWING WITH UNBUDGETED NONTAX DOLLARS THAT WILL HELP THIS DOWNTOWN BUT THEN FUNDAMENTALLY THIS COMMUNITY CONTINUE TO HAVE THE VITALITY, THE SPECTRUM OF BUSINESSES, LARGE, SMALL, WHERE WE WANT THEM. WE HAVE FOR DECADES TALKED ABOUT THE NEED TO HAVE INVESTMENT ON CONGRESS AVENUE AND TO THE EXTENT THAT NOW DOLLARS INVESTED IN FACADE RESTORATION, ADA COMPLIANCE, IN LIFE SAFETY, FIRE EXITING PRODUCTS , THEN EVERYBODY WINS BY HAVING CONGRESS AVENUE IMPROVED PHYSICALLY UP AND DOWN THE AVENUE. SO I'M VERY SUPPORTIVE OF FIRST AND

FOREMOST THE PROGRAM, THE FORM MAT OF THE CITY STEPPING IN AND HAVING BOUNDARIES AND GUIDELINES FOR HOW DOLLARS CAN BE AVAILABLE TO ANY BUSINESS THAT WANTS TO APPLY. AND THEN SPECIFICALLY, FOR THIS LOAN. AND I VERY MUCH RESPECT AND APPRECIATE VARYING OPINIONS ON THIS, BOTH FRIENDS IN THE COMMUNITY AND COUNCIL COLLEAGUES, BUT I WILL GLADLY ENTERTAIN A MOTION ON ITEM NUMBER 8. MOTION MADE BY COUNCIL MEMBER MARTINEZ, SECONDED BY COUNCIL MEMBER KIM TO APPROVE ITEM NUMBER 8 AS POSED. COUNCIL MEMBER MARTINEZ.

COUNCIL MEMBER MARTINEZ: SLOBA THERE'S BEEN A LOT OF DISCUSSION AND ARTICLES IN THE NEWSPAPER. I WON'T GO INTO ALL OF THE POINTS THAT YOU JUST MADE BY I CERTAINLY AGREE WITH MANY OF THEM. ONE OF THE CONCERNS THAT WAS BROUGHT TO OUR ATTENTION OVER THE DISCUSSIONS IS THE SECURITY TO THE TAXPAYERS. ACTUALLY, THE SECURITY TO THE POLICY THAT WE ARE CREATING THAT WE MAINTAIN THE CULTURAL VITALITY AND THE CHARACTER DOWNTOWN. BETWEEN YEAR SIX AND 20 OF THE FORGIVABLE PORTION OF THE LOAN, I THINK THAT THERE IS ROOM FOR IMPROVEMENT TO THAT SECURITY. AND SO WITH THAT, I WANT TO ASK FOR AN AMENDMENT TO THE ORDINANCE AS IT'S WRITTEN, AND THE AMENDMENT WOULD COME IN PART 2 BEGINNING LINE 29, THAT SAYSSAYS WITH AN ADDITIONAL REQUIREMENT THAT IN THE EVENT THAT THE PROPERTY IS TRANSFERRED, THE OWNERSHIP OF LAS MANITAS CHANGES, OR THE RESTAURANT OPERATIONS CEASE AT ANY TIME BETWEEN YEARS FIVE AND 20, THAT AN ADD JUST THE PRINCIPAL AMOUNT BASED ON THE NUMBER OF YEARS REMAINING IN THE 20-YEAR PERIOD IS REINSTATED AND PAY PAYABLE IN FULL TO THE CITY OF AUSTIN. WHAT THAT DOES, IT SAYS THAT IF THE SISTERS DECIDE THEY DON'T WANT TO RUN THE RESTAURANT FIVE, SIX YEARS FROM NOW AND THEY SELL AND TRANSFER IT, THE REMAINING PRINCIPAL ON THE 20-YEAR FORGIVABLE LOAN IS PAID BACK TO THE CITY SO THAT WE CAN REINVEST IN OTHER LOCAL BUSINESSES, IF YOU WILL, AND MAINTAIN THE GOALS OF THE POLICY THAT WE ESTABLISHED IN THE PROGRAM.

MAYOR WILL WYNN: IF YOU DON'T MIND, I'D CONSIDER THAT

JUST AN AMENDED ORIGINAL MOTION BY THE MAKER MAKER. COUNCIL MEMBER KIM, DO YOU ACCEPT THAT AS A FRIENDLY AMENDMENT? COUNCIL, WE HAVE AN AMENDED MOTION AND SECOND ON THE TABLE APPROVING ITEM NUMBER 8. FURTHER COMMENTS. MAYOR PRO TEM OKAY. MR. BURTON. PLEASE. YOU MAY MAKE SOME COMMENTS FROM THE APPLICANTS.

I CERTAINLY RESPECT FROM COUNCIL MEMBER MARTINEZ, THE GOAL HE DESIRES TO ACHIEVE IN THIS. AND HE AND I BRIEFLY TALKED ABOUT IT. THIS WAS BROUGHT UP BY THE STAFF IN THE DISCUSSIONS. AND AS I MENTIONED, ONE OF THE REASONS WHY WE BACKED OVER OF THAT IS BECAUSE, I MEAN, THE TAX LAWS ARE COUNTER INTUITIVE, AND YOU CAN END UP WITH PHANTOM INCOME FROM A TRANSACTION EVEN THOUGH IT DOESN'T SEEM TO MAKE ANY SENSE THAT THERE OUGHT TO THE BE ANY TAX. WHEN THAT, WHEN A PROPOSAL TO KEEP A CONTINUING OBLIGATION OWED TO THE CITY WAS BROUGHT UP, I CONSULTED WITH A TAX LAWYER AT A MAJOR ONE OF THE MAJOR STATEWIDE LAW FIRMS, AND THEY TOLD ME THAT WHAT COULD HAPPEN HERE IS THAT THERE COULD BE AN ADVERSE TAX CONSEQUENCE, THAT THERE WOULD BE PHANTOM INCOME FROM INTEREST NOT PAID DURING THIS INTERIM PERIODLVE AND THEY SAID THAT IS WHAT WE NEED TO BE CARE CAREFUL OF. AND THAT IS WHY IT WAS BACKED OFF DURING THE DISCUSSIONS WITH THE STAFF BECAUSE THERE WERE TAX CONSEQUENCES TO THIS. I WOULD JUST URGE YOU, I'M NOT A TAX LAWYER, I HAD TO JUST SEEK ADVICE ABOUT THIS. BUT THERE ARE POTENTIAL TAX CONSEQUENCES ADVERSE TO LAS MANITAS IN DOING THIS. SOUND LIKE A REALLY GOOD IDEA, BUT IT REALLY SCARES ME ABOUT COMPLICATED THE TRANSACTION AT THIS STAGE WHEN IT DOES HAVE POTENTIAL TAX CONSEQUENCES. THANK YOU, SIR.

MAYOR WILL WYNN: THANK YOU, MR. BURTON. MAYOR PRO TEM.

MAYOR PRO TEM BETTY DUNKERLEY: I UNDERSTAND THE POSSIBLE AND I THINK YOU MOW WHAT WE ARE TRYING TO ACCOMPLISH HERE. I AM GOING TO SUPPORT THE AMENDMENT. BUT IF YOU COME UP WITH A DIFFERENT

STRUCTURE THAT WILL ASSURE US THAT OUR LOAN IS REPAYED IN CASE THE BUSINESS CLOSES OR IS SOLD, I WILL BE GLAD TO RECONSIDER IT AT THAT TIME. BUT THE ISSUE HERE IS HOW TO GET OUR PROTECTION IN THE OUT YEARS. IF WE CAN DO THAT IN A WAY THAT IS NOT HARMFUL IN ANY WAY TO THIS BUSINESS, GET WITH YOUR TAX ATTORNEY AND WE'LL BE GLAD TO RECONSIDER THIS AT A LATER TIME.

MAYOR WILL WYNN: THANK YOU, MAYOR PRO TEM. FURTHER COMMENTS, QUESTIONS?

I AM NOT TRYING TO IMPOSE ANY OTHER IMPLICATIONS ON THE ACTUAL RESTAURANT, THE BUSINESS. I JUST WANT TO TRY TO CREATE A LITTLE BIT MORE SECURITY FOR THE CITY'S INVESTMENT.

MAYOR WILL WYNN: I AGREE AS WELL. AGAIN WE HAVE AN AMENDED MOTION AND SECOND ON THE TABLE APPROVING ITEM NUMBER 8. FURTHER COMMENTS. HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A, SORRY, MAYOR PRO TEM.

MAYOR PRO TEM BETTY DUNKERLEY: I WANTED TO MAKE MY COMMENTS ABOUT SOMETHING ELSE.

MAYOR WILL WYNN: OKAY.

MAYOR PRO TEM BETTY DUNKERLEY: I THINK THIS WAS REALLY A VERY GOOD CATCH THAT COUNCIL MEMBER MARTINEZ MADE, ALTHOUGH I ON THE POSSIBLE TAX CONSEQUENCES. BUT I REALLY THINK THIS IS SOMETHING, AT LEAST THE EFFECT OF WHAT WE ARE TRYING TO GET, SHOULD BE INCLUDED IN OUR ONGOING GUIDELINES. SO WITHOUT ANY OBJECTION FROM THE COUNCIL, I'D LIKE TO ASK THE CITY MANAGER TO INCLUDE THAT IN OUR FUTURE GUIDELINES FOR THIS PROGRAM. SO THANK YOU.

MAYOR WILL WYNN: GOOD SUGGESTION. MOTION PASSES A VOTE OF 5-2 WITH COUNCIL MEMBERS COLE AND LEFFING WELL VOTING NO. STAFF IS REQUESTING WE TAKE UP ITEM LATER THIS AFTERNOON AS THEY ARE FINE-TUNING THE PRESENTATION FOR THE PUBLIC. AND SO WITHOUT OBJECTION, WE WILL NOW GO INTO CLOSED SESSION

PURSUANT TO SECTION 551.072 OF THE OPEN MEETINGS ACT TO TAKE UP POTENTIALLY ITEM NUMBER 71, A REAL ESTATE MATTER REGARDING REAL PROPERTY AT THE CORNER OF WEST THIRD STREET AND LAMAR COMMONLY KNOWN AS 301 NORTH LAMAR. WE ARE IN CLOSED SESSION AND I ANTICIPATE US COMING BACK AT NOON TO TAKE UP THE GENERAL CITIZEN COMMUNICATION. THANK YOU. YOU.. .  
.....

ITEM 71, WAS THE POSTED. PUBLIC PRESENTATION, MARTY TERRY.

MARTHA TERRY, ASSISTANT CITY ATTORNEY. GOOD AFTERNOON. BEFORE YOU ON THE DAIS ARE TWO ORDINANCES. THIS MATTER CONCERNS THE SALE OF A LOCATION OF THE NORTHEAST CORNER OF WEST 3RD AT LAMAR. THIS IS ATTRACT THAT IS OWNED BY THE CITY. IT IS COMMONLY KNOWN AS 301 NORTH LAMAR. WE HAVE A MAP, AN AERIAL PHOTO OF IT IS OUTLINED IN RED ON THAT AERIAL PHOTO. WE PURSUANT TO YOUR INSTRUCTIONS PUT THIS OUT FOR SEALED BIDS. WE'VE RECEIVED TWO RESPONSIVE BIDS. YOU HAVE BEFORE YOU TWO ORDINANCES, ONE WHICH ACCEPTS THE SEALED BID, THE HIGHEST SEALED BID OFFER, 1,300,000 FROM PERRY LORE RENS, ANOTHER ORDINANCE WHICH IS TO REJECT ALL BIDS WHICH WOULD SEND US BACK INTO THE PROCESS TO START ALL OVER AGAIN. SO YOU MAY ACCEPT THE HIGHEST RESPONSIVE BID OR YOU MAY REJECT ALL BIDS AND SEND US BACK AGAIN TO SECURE ADDITIONAL SEALED BIDS.

THANK YOU, MS. TERRY. COUNCIL MEMBER KIM? OKAY.

KIM: MOTION TO ACCEPT THE HIGHEST BID.

SO MOTION BY COUNCIL MEMBER KIM, SECONDED BY COUNCIL MEMBER MARTINEZ TO APPROVE THIS ORDINANCE, ITEM NO. 72, ACCEPTING THE HIGHEST BID. FURTHER COMMENTS? NOT ONLY IS THIS OBVIOUSLY GOOD FINANCIALLY FOR THE CITY, SIMPLY THE CAPITAL GAINS OF THIS ONE-TIME INFUSION OF CASH, BUT ALSO REALLY MORE IMPORTANTLY PUTTING THIS PROPERTY BACK IN THE HANDS OF THE PRIVATE SECTOR, SPATE US SEEING SOME SOUND, GOOD, MIXED USE TAX BASE DELIVERED ON THIS



OTHERWISE VACANT TRACT OF LAND. SO MOTION TO SECOND ON THE TABLE TO APPROVE ITEM NO. 72 72 ACCEPTING THIS HIGHEST BID. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 6-0, COUNCIL MEMBER COLE OFF THE DAIS.

THANK YOU.

THANK YOU, MS. TERRY. SO COUNCIL, THAT TEAS..... TAKES US TO OUR NOON GENERAL COMMUNICATION. WE HAVE A NUMBER OF FOLKS WHO WOULD LIKE TO ADDRESS US THIS AFTERNOON. OUR FIRST SPEAKER IS DANIELIAN HE IS..... LLANES. WELCOME. YOU HAVE THREE MINUTES.

THANK YOU, MAYOR, GOOD MORNING, COUNCIL. GOOD TO BE HERE AGAIN. TODAY I'M WANTING TO TALK TO YOU ABOUT THE PROPOSAL FOR THE ANIMAL SHELTER AND COUNCIL MEMBER MARTINEZ, OUR POSITION TODAY IS BASED ON INFORMATION WE RECEIVED AFTER WE HAD MET WITH YOU, AND SO BASED ON THE INFORMATION THAT GOT, AND I WANT TO SAY THAT WE ARE ALSO IN SOLIDARITY WITH THE NEIGHBORHOOD ASSOCIATION WHERE THE ANIMAL SHELTER IS LOCATED. WE'RE ADVOCATING FOR LEAVING THE ANIMAL SHELTER WHERE IT IS, THE BOND MONEY FOR IT CAN TAKE CARE OF ALL THE PROBLEMS THERE, AND WHAT WE'RE ADVOCATING FOR THE PROPOSED SITE ON AIRPORT IN EAST AUSTIN IS AFFORDABLE HOUSING, REAL AFFORDABLE HOUSING. ACTUALLY THIS PRESENTS A VERY, VERY GOOD OPPORTUNITY TO CREATE A GOOD MODEL FOR -- FOR REAL AFFORDABLE HOUSING ON THE EAST SIDE, AND SO THAT'S WHY WE'RE HERE TODAY. WILL ALL THOSE HERE WHO ARE PRESENT WHO ARE SUPPORTING THIS ISSUE PLEASE STAND UP SO YOU CAN SEE? NOW -- AND I WANT TO TELL YOU THAT OUR CHAIR, THE GOVALLE NEIGHBORHOOD PLANNING TEAM, THAT INCLUDES EIGHT NEIGHBORHOOD ASSOCIATIONS, THREE COMMUNITY ORGANIZATIONS, AND SEVEN BUSINESSES, AND WE HAVE REVIEWED THE SITUATION AND SO I'M HERE ON BEHALF OF THAT SEGMENT OF THE

COMMUNITY TO SAY TO YOU THAT WE HOPE THAT THE ANIMAL SHELTER STAYS WHERE IT IS, AND ASIDE FROM THAT, THAT WE START LOOKING INTO DEVELOPING THIS 44 ACRES INTO A REALLY GOOD, REAL AFFORDABLE HOUSING MIXED USE PROJECT. AND AFTER SAYING THAT, WE WOULD LIKE TO SEE AT LEAST 75% SINGLE FAMILY HOMES THERE, AS WELL AS MULTI- -- MULTI-UNIT HOUSING THERE. AND IT PRESENTS A REAL GOOD OPPORTUNITY TO CREATE A -- AN HONEST -- ALMOST AN ENTIRE NEIGHBORHOOD, BECAUSE THE HEALTH DEPARTMENT IS THERE AND IT WOULD BE GREAT FOR THE COMMUNITY FOR IMMUNIZATIONS AND THINGS OF THAT NATURE. SO THAT'S WHY I'M HERE TODAY, AND IF YOU HAVE ANY QUESTIONS I'D LOVE TO ANSWER THEM.

MAYOR WYNN: THANK YOU, DANIEL. QUESTIONS FOR MR. LLANAS? COUNCIL MEMBER MARTINEZ?

MR. LLANAS, WHAT INFORMATION DID YOU RECEIVE?

THE INFORMATION THAT STAFF WAS GIVING US, STATISTICS ABOUT THE FLOODING. THEY CAME TO US AND TOLD US THAT IT WAS FLOODPLAIN ISSUES. THOSE ISSUES WE HAVE FOUND OUT ARE NOT FLOODPLAIN ISSUES. THEY'RE DRAINAGE ISSUES, WHICH CAN BE REMEDIED, AND ALSO EXPANSION ISSUES. THE EXPANSION ISSUES -- ALL THE PROGRAMS THAT THE ANIMAL SHELTER WOULD LIKE TO DO CAN STILL BE DONE THERE AT THE PRESENT LOCATION.

MARTINEZ: I WANT TO LET YOU KNOW THAT I FEEL LIKE YOUR PRESENCE HERE TODAY AND YOUR NOW POSITION ON THIS ANIMAL SHELTER IS AT BEST DISINGENUOUS. WHEN YOU AND I MET AND WHEN MS. ALMANZA WAS THERE WITH US, YOU GUYS CAME IN AND SAID WE DON'T HAVE A PROBLEM WITH THE ANIMAL SHELTER IN EAST AUSTIN. WHAT WE'D LIKE TO TALK TO YOU ABOUT IS AFFORDABLE HOUSING. AND YOU HAVE A PIECE OF PROPERTY OVER HERE THAT WE THINK CAN BE USED FOR AFFORDABLE HOUSING. WE DON'T NEED A BALL FIELD. WE DON'T NEED A WALKING TRAIL. WE NEED HOMES. I IMMEDIATELY AGREED WITH YOU. I IMMEDIATELY CONTACTED STAFF AFTER THAT MEETING AND THE CITY MANAGER AGREED WITH ME, AND WE HAVE SET UP A MEETING TO BEGIN THIS DISCUSSION

ABOUT CREATING AFFORDABLE HOUSING, RIGHT THERE ON THAT PROPERTY THAT YOU GUYS IDENTIFIED. AND AT THE TIME YOU SAID YOU HAD NO PROBLEMS WITH AN ANIMAL SHELTER IN EAST AUSTIN. YOU EVEN LAID OUT A DIAGRAM SAYING MAYBE WE JUST ORIENTED TOWARDS 183, WE CREATE THE DOG PARK ON THIS SIDE, BUT BACK HERE, LET'S TAKE THIS OPPORTUNITY BECAUSE WE OWN THIS LAND AND BUILD SOME AFFORDABLE HOUSING. NOW YOU'RE COMING IN HERE AND SAYING YOU'RE OPPOSED TO IT MOVING TO EAST AUSTIN BECAUSE OF DRAINAGE ISSUES?

SIR -- IT'S ALMOST CORRECT WHAT YOU SAID. I -- WHAT -- GONZALES MARTINEZ MARTINEZ IT IS CORRECT WHAT I SAID.

THE FACT IS THAT -- WE DID TALK ABOUT THE ANIMAL SHELTER, AND EVEN A COUPLE OF YEARS AGO WHEN THE HEALTH DEPARTMENT CAME WANTING TO PUT AN ANIMAL HOTEL THERE, WE SAID WE DON'T THINK THIS IS A GOOD USE FOR IT. NOW, WHEN DORINDA CAME TO US AND WE WENT TO YOUR OFFICE, WE WERE TOLD THAT THIS IS ALREADY DOWN THE PIKE, THAT THIS WAS ALREADY IN THE PROCESS, AND FOUND OUT LATER THAT IT'S ONLY A PROPOSAL, THAT IT'S NOT A DONE DEAL, THAT IT ISN'T ALREADY IN THE PROCESS. AND WHAT I SAID TO YOU, MR. MARTINEZ, WAS THAT WE WANT TO SEE AFFORDABLE HOUSING AND MULTI-USE IN THERE, AND IF THE ANIMAL SHELTER HAS TO GO THERE, THAT'S WHEN I DREW THAT DRAWING FOR YOU. BUT I DID NOT SAY THAT WE HAD NO PROBLEM WITH THAT. THAT IS NOT ACCURATE. I DID NOT SAY, AND WE DID NOT SAY, THAT THERE IS NO -- WE HAD NO PROBLEM WITH THE ANIMAL SHELTER. WHAT WE SAID WAS IF WE HAVE TO NEGOTIATE, THEN THIS IS WHAT WE WANT TO NEGOTIATE FOR. BUT SINCE THEN WE HAVE FOUND OUT THROUGH THE NEIGHBORHOOD NETWORK, THROUGH THE AUSTIN NEIGHBORHOODS COUNCIL, WHEN WE MET WITH OWANNA AND WITH THE ANIMAL ADVOCATES, THEY HAD INFORMATION AND THEY DO HAVE INFORMATION AND I BELIEVE THAT THEY HAVE IT WITH THEM TO CONTRADICT WITH DORINDA AND WHAT CITY STAFF HAD BROUGHT TO US, AND THAT'S WHY WHEN I STARTED MY REMARKS I ADDRESSED THAT TO YOU, BECAUSE IT IS A VERY DIFFERENT PICTURE. SO WHEN SOMEONE COMES WITH A PROPOSAL, AT THE VERY FIRST WHEN WE WALKED IN YOUR

OFFICE WE TOLD YOU THAT TWO YEARS AGO THE ANIMAL SHELTER PEOPLE CAME, AND WE SAID WE DIDN'T WANT THAT. WE STILL WANTED AFFORDABLE HOUSING. WHEN WE WERE DOING OUR NEIGHBORHOOD PLAN WE SAID THE SAME THING. THAT PARCEL WOULD BE GREAT FOR A PUBLIC-PRIVATE PARTNERSHIP WITH -- WITH THE GUADALUPE DEVELOPMENT CORPORATION, WITH HABITAT FOR HUMANITY, TO CREATE REAL AFFORDABLE HOUSING. THAT'S OUR PRIMARY PUSH. I'M NOT BEING DISINGENUOUS. THINGS HAPPENED FROM ONE DAY TO THE NEXT, AS YOU SHOULD KNOW, AND CERTAINLY, YOU KNOW, I DON'T WANT TO CREATE ANY CONFLICT BETWEEN ME AND YOU AND ANY MISUNDERSTANDING, BUT INFORMATION CHANGES, AND I MUST SAY THAT THIS COMES VERY CLOSE TO DISINFORMATION, AND YOU KNOW THAT IN A LOT OF ARENAS AND A LOT OF AREAS CITY STAFF CONTROLS THAT INFORMATION, AND IT'S ONLY WHEN WE OUT IN THE PUBLIC TAKE IT UPON OURSELVES TO RESEARCH AND FIND OUT WHAT'S REALLY GOING ON, THEN THINGS ARE DIFFERENT, AND THIS IS A SITUATION -- THIS SITUATION IS EXACTLY LIKE THAT. WE WERE TOLD ONE THING -- [APPLAUSE]

WE WERE TOLD ONE THING BY A CITY OFFICIAL IN TWO SEPARATE MEETINGS, AND THEN LATER WE FIND OUT THAT THOSE ARE ERRONEOUS ASSUMPTIONS. I HAD A PLANNING COMMISSIONER EMAIL ME YESTERDAY AND IN HIS EMAIL HE SAID, WELL, YOU KNOW, SINCE IT'S GOING TO MOVE, I'D LIKE TO SEE IT THERE, BUT SINCE IT'S GOING TO MOVE, YOU SEE, STAFF SO OFTEN PRESENTS THINGS AS THOUGH THEY'RE ALREADY DONE, AND I CAN TELL YOU THAT STAFF DOES NOT HAVE THE AUTHORITY TO CREATE POLICY, AND BY DISINFORMING US, THEY ARE, IN FACT, CREATING DE FACTO POLICY. THIS HAPPENS NOT ONLY IN THE NEIGHBORHOOD PLANNING PROCESS. IT HAPPENS IN A LOT OF ARENAS AND I THINK THAT A LOT OF YOU KNOW WHAT I'M TALKING ABOUT.

THANK YOU.

MARTINEZ: IT'S NOT ABOUT BEING DISDISINGENUOUS, IT'S THAT INFORMATION CHANGES. HAD I BEEN ABLE TO TALK TO YOU BEFORE I WOULD HAVE, BUT I AM VERY ACTION VERY HAPPY THAT YOU ARE GOING FORWARD AND I ENCOURAGE YOU TO GO FORWARD AND WE ALL ENCOURAGE YOU TO GO

FORWARD AND CREATE A REAL MODEL FOR AFFORDABLE HOUSING, A REAL MODEL FOR AFFORDABLE HOUSING. THIS IS A GOLDEN OPPORTUNITY. THANK YOU, MR. MAYOR. I APPRECIATE YOUR PATIENCE WITH ME.

MAYOR WYNN: THAT'S ALL RIGHT.

DUNKERLEY: MAYOR?

MAYOR WYNN: MAYOR PRO TEM DUNKERLEY DUNK I WOULD ALSO LIKE TO JUST COMMENT ON THE GENERAL ISSUE OF THE ANIMAL SHELTER. WE DO HAVE TO BUILD A NEW ANIMAL SHELTER. THE ONE THAT WE HAVE NOW IS TOTALLY INADEQUATE. IT REALLY CAN'T PASS THE STATE INSPECTIONS, AND WE ARE REQUIRED UNDER STATE LAW TO HAVE SUCH SHELTERS. WITH THAT IN MIND, KNOWING THAT WE HAD TO MOVE, WE PROPOSED TO THE BOND ADVISORY COMMITTEE RELOCATING THAT SHELTER TO THE SITE THAT WE BOUGHT MANY YEARS AGO FOR THE HEALTH DEPARTMENT, AND ALL DURING THAT PROCESS THAT WAS THE SITE THAT WAS ON THE TABLE. WE NOW HAVE \$12 MILLION TO USE FOR THAT SITE. IT'S REALLY NOT ENOUGH TO DO ALL THE THINGS WE NEED TO DO, BUT TO THE EXTENT THAT WE HAVE ADDITIONAL SPACE THERE TO ACCOMMODATE AFFORDABLE HOUSING, I AM CERTAINLY SUPPORTIVE OF THAT. BUT IF YOU COULD EVER SEE OUR STAFF WHEN THE RAIN COMES, TRYING TO WORK WITH THIS LOCATION ON CESAR CHAVEZ THAT IS IN A FLOODPLAIN, THEY'RE OUT LITERALLY RISKING THEIR LIVES, MUCKING IN WATER THAT IS UNHELPFUL TO TRY TO SAVE AND MOVE THE ANIMALS AROUND. SO THERE IS NO DOUBT THAT WE ARE GOING TO MOVE THAT SHELTER FROM THAT LOCATION, AND THAT HAS BEEN TRUE WELL -- AT LEAST SINCE THE ADVISORY COMMITTEE -- BOND ADVISORY COMMITTEE CAME ALONG. SO I AM VERY SUPPORTIVE OF THE AFFORDABLE HOUSING. COUNCIL MEMBER MARTINEZ CAME IMMEDIATELY TO US AND SAID, THIS IS A GREAT OPPORTUNITY, I AGREED WITH HIM AND I'M SUPPORTING IT, BUT WE ALSO HAVE TO HAVE TO FOLLOW -- HAVE TO COMPLY AND HAVE TO PROVIDE UNDER STATE LAW SHELTERS FOR THESE ANIMALS, AND SO WE -- AND IT WILL BE A STATE OF THE ART THING. IT WILL BE ALMOST TOURIST ATTRACTION. SO IT WILL BE ADEQUATE TO TAKE CARE OF THEM. IT WILL NOT BE

INTRUSIVE IN THE NEIGHBORHOOD, AND WE'RE VERY HAPPY TO SUPPORT, AS I ALWAYS DO, AFFORDABLE HOUSING IN EAST AUSTIN AND THROUGHOUT THE CITY.

COUNCIL MEMBER.

MAYOR WYNN: THANK YOU, MR.....MR.IAN HE...IAN HE IS. YOUR TIME HAS EXPIRED. NEXT SPEAKER IS ERIKA MASON. FOLLOWED BY BRIAN LEONARD. FAIR ENOUGH, YES, MA'AM.

HELLO, AGAIN, MY NAME IS VALERIE JOINER AND I SINCERELY THANK EACH OF YOU FOR THE OPPORTUNITY TO STAND HERE TODAY TO VOICE MY CONCERNS. I'M A PROUD EMPLOYEE OF THE SOUTHWEST KEY PROGRAM, CURRENTLY FOR EIGHT YEARS NOW. SOUTHWEST KEY IS A GREAT WORK OF SERVICE DEDICATED TO YOUTH AND THEIR FAMILIES BY EMPOWERING THEM WITH KNOWLEDGE, SKILLS AND TOOLS TO SUCCEED. AND TO SUCCEED FAIRNESS MATTERS. I WAS TOLD A LONG TIME AGO TO WORK HARD, TO GET AHEAD, AND THAT'S THE WAY IT'S SUPPOSED TO BE. BUT IT JUST DOESN'T ALWAYS HAPPEN THAT WAY ALL OF THE TIME FOR EVERYONE. AND GENTLEMEN AND LADIES I SUBMIT TO YOU THAT THAT'S THE PART THAT'S UNFAIR. WE, THE SOUTHWEST KEY PROGRAM ARE REQUESTING \$800,000 FROM OUR GREAT CITY OF AUSTIN TO SIMPLY COMPLETE A WONDERFUL PROJECT THAT WE STARTED IN THE EAST AUSTIN COMMUNITY. WE STRONGLY BELIEVE THAT NO ONE SHOULD HAVE TO WORK TWICE AS HARD TO GET HALF AS FAR, AND WE TRULY BELIEVE THAT IT CAN BE DIFFERENT. WE HONESTLY BELIEVE THAT IT CAN BE DIFFERENT BECAUSE WE ENVISION A LEVEL PLAYING FIELD, A PLAYING FIELD RIGHT HERE IN THE CITY OF AUSTIN THAT'S LEVELED FOR EVERYONE, WITH NO HIDDEN BARRIERS, NO UNJUST HURDLES OF SORTS, AND WE FEEL THAT A LEVEL PLAYING FIELD WILL SIMPLY AFFORD EVERYONE THE OPPORTUNITY TO EXCEL, TO GO FORWARD, ESPECIALLY, LADIES AND GENTLEMEN, ESPECIALLY THE HISTORICALLY DISENFRANCHISED RESIDENTS OF THE EAST AUSTIN NEIGHBORHOOD. I'M FROM FLORIDA AND I'VE BEEN HERE A LITTLE OVER 26 YEARS NOW. I MARVEL AT THE WORK THAT SOUTHWEST KEY HAS DONE. I'M PROUD TO BE THERE. IT'S A SERVITUDE THAT I GET WITH A FEELING OF GOING TO WORK TO HELP SOMEBODY, TO STRIVE TO CHANGE THOSE THINGS

THAT NEED TO BE CHANGED, AND WE FEEL THAT A LEVEL PLAYING FIELD WOULD ALSO CHANGE THE DIRECTION OF RACIAL AND CULTURE DIFFERENCES, AND THEY WOULD BE ACKNOWLEDGED AS POSITIVE ATTRIBUTES FOR A DIVERSE SOCIETY. PLEASE LEVEL THE PLAYING FIELD. PLEASE LEVEL THE PLAYING FIELD SO THAT THE MAGNITUDE OF SYSTEMATIC IMBALANCES AFFECTING THOUSANDS OF PEOPLE IN EAST AUSTIN, THE RESIDENTS OF EAST AUSTIN, THE AUSTIN IETS THAT LIVE THERE WILL START ITS RAPID DECLINE, AND MORE IMPORTANTLY, LADIES AND GENTLEMEN, OUR ELECTED OFFICIALS, WE ASK PRAYER FULLY, AGAIN, WE SAY PRAYERFULLY SIRS AND MAMS, THAT YOU LEVEL THE PLAYING FIELD SO THAT THE ECONOMICALLY POOR WOULDN'T BE DISADVANTAGED ANYMORE REGARDLESS OF SOCIOECONOMIC STATUS. I PERSONALLY BELIEVE IN A PASSAGE OF SCRIPTURE THAT READS, YOU HAVE NOT BECAUSE YOU ASK NOT. WE'RE SIMPLY ASKING FOR \$800,000 TO COMPLETE A GREAT WORK FOR A GREAT CAUSE IN A GREAT CITY. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, MIST JOINER. BRIAN LEONARD WOULD LIKE TO ADDRESS US. WELCOME, MR. LEONARD. YOU'LL BE FOLLOWED BY RON COLDIRON.

GOOD AFTERNOON, MEMBERS OF THE COUNCIL. GOOD TO SEE YOU TODAY. I'D LIKE TO SHOW YOU SOMETHING AMAZING. THIS IS BARTON SPRINGS. IT'S NOT IN THE HEART OF AUSTIN TEXAS. IT IS AUSTIN TEXAS. IT OFFERS COMMUNITY, RELAXATION AND HEALING YEAR AROUND FOR ANYONE WHO CHOOSES TO GO THERE. IF YOU EVER WANT TO FEEL A GOOD OLD COMMUNITY VALUES OF HAPPINESS, SHARING AND FRIENDSHIP, GO CHECK IT OUT ANY SUMMER NIGHT BETWEEN 9:00 AND 10:00. IT'S PRETTY AMAZING WHAT HAPPENS THERE. IF YOU'VE NEVER HAD THAT EXPERIENCE YOU OWE IT TO YOURSELF TO GO. IT CUTS RIGHT THROUGH ALL THE STORIES WE TELL OURSELVES ABOUT WHAT IS IMPORTANT AND GETS RIGHT TO THE HEART OF THE MATTER, WHICH IS PEOPLE COMING TOGETHER TO SHARE SOMETHING THAT THEY LOVE. THAT IS ONE OF THE HIGHEST COMMUNITY VALUES I CAN IMAGINE AND IT IS THIS GREAT SERVICE TO ALL AUSTIN..... AUSTINITES THAT BARTON SPRINGS NATURALLY PROVIDES. FOR A GROWING NUMBER

OF AUSTINITES BARTON SPRINGS IS MUCH MORE THAN A PLACE TO SWIM. IT IS A HISTORIC LANDMARK AND ONE OF THE MAIN REASONS THAT SOME PEOPLE ACTUALLY CHOOSE TO LIVE HERE. THIS YEAR -- THIS YEAR THE SPRINGS HAVE ALREADY BEEN CLOSED MANY TIMES DUE TO FLOODING. I LEFT FOR TEN YEARS AND ONLY BEEN BACK TO ONE YEAR. IN THE 12 YEARS I LIVED HERE PREVIOUSLY I CAN COUNT THE NUMBER OF TIMES THAT BARTON SPRINGS WAS CLOSED THIS WAY. IT'S OBVIOUS THAT UPSTREAM CONSTRUCTION THAT WAS ALLOWED TO OCCUR HAS HAD A DEVASTATING EFFECT ON THE SPRINGS, BUT I AM NOT HERE TO MAKE AN ISSUE OF THAT. I AM HERE TO ASK THE CITY TO TAKE RESPONSIBILITY FOR THE SITUATION AS IT EXISTS NOW. THE SMALLEST RAIN CAN CAUSE THE SPRINGS TO FLOOD. I'D LIKE THE CITY TO BE HONEST ABOUT THIS AND RECOGNIZE THE SERIOUSNESS OF THIS PROBLEM. THE FACT THAT THE SPRINGS FLOOD SO OFTEN IS UPSETTING ENOUGH, BUT WHAT I'M REALLY HERE TO TALK ABOUT IS WHAT HAPPENS WHEN BARTON SPRINGS FLOODS? WHAT HAPPENS WHEN THIS HISTORIC AUSTIN LANDMARK WHICH IS AT THE HEART OF AUSTIN PARKS AND IS THE HEART OF THE CITY, FLOODS? THIS GIANT SPRING/POOL WHICH IS OVER AN ANTE OF 8TH OF A MILE LONG, A FEW LIFE PRESERVERS TO CLEAN. HUNDREDS OF THOUSANDS OF PEOPLE COULD BE ENJOYING THE HEALING WATERS OF BARTON SPRINGS BUT IT IS CLOSED INDEFINITELY BECAUSE NO ONE KNOWS HOW LONG IT'S GOING TO TAKE TWO GUYS WITH AN AIR HOSE TO CLEAN THE POOL. YOU CAN SEE HERE THE GUYS JUST KIND OF SITTING AROUND. I HAVE NO ISSUE WITH THE ACTUAL LIFEGUARDS. I DON'T THINK THIS SHOULD BE THEIR JOB. I'D LIKE TO SUGGEST THAT THE CITY HAS SOME OF THEIR PARK STAFF TRAINED FOR FLOOD DUTY. THERE SHOULD BE A RESPONSE TEAM THAT CAN GO DOWN THERE AND HANDLE THE SITUATION IN AN EFFICIENT AND PROFESSIONAL MANNER AND IN A WAY THAT I WOULD EXPECT SUCH AN IMPORTANT LANDMARK FOR THIS CITY TO BE TREATED. FOR ME THIS IS A MORAL ISSUE. IT IS AN ISSUE OF RESPECT, AND I TRULY DO NOT UNDERSTAND WHY BARTON SPRINGS IS NOT BEING TREATED WITH MORE RESPECT. THESE PICTURES SPEAK FOR THEMSELVES. I DID NOT SEE ANY OF THESE IMAGES WHEN I TOOK THESE PICTURES. THESE IMAGES CAME TO LIFE AS THE PLAY OF WATER AND LIFE, AS



AN EXPRESSION OF THE ENERGY OF LOVE THAT BARTON SPRINGS IS. I HAVE NO CONTROL OVER THESE IMAGES. THEY'RE ALL PRODUCTS OF CIRCUMSTANCE. AFTER THE LAST FLOOD AND LONG CLOSED PERIOD I TOOK ANOTHER ROLL OF FILM, BUT I DIDN'T GET ANYTHING LIKE I HAD GOTTEN BEFORE.

MAYOR WYNN: PLEASE CONCLUDE YOUR COMMENTS.

INSTEAD I GOT THIS. THE SPRINGS ARE CRYING FOR MORE RESPECT AND THEY SENT ME HERE TO TELL YOU THIS. I HOPE YOU HEAR THIS MESSAGE WITH AN OPEN HEART AND TAKE ACTION TO CHANGE THIS SAD AND POORLY MANAGED SITUATION. THANK YOU FOR YOUR TIME AND ATTENTION, AND WE HAVE A GIFT FOR YOU IF I MIGHT PRESENT IT.

MAYOR WYNN: YOU MAY. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I SEE THE PARKS DIRECTOR OUT HERE, MR. STRUCE, AND I WONDER IF YOU WOULD MAKE YOURSELF AVAILABLE FOR A MINUTE TO EXPLAIN THE NEW BARTON SPRINGS MASTER PLAN AND THE EFFORTS THAT ARE ALREADY UNDER WAY TO REMEDY SOME OF THESE PROBLEMS.

AND WARREN, WHILE YOU'RE AT IT WOULD YOU ALSO MAYBE TALK ABOUT THE RESTRAINTS THAT WE HAVE WHEN WE CLEAN THE POOL BY FISH AND WILDLIFE AND THE METHODOLOGIES THAT WE HAVE TO USE BASED ON OUR AGREEMENT WITH FISH?

I WILL, CITY MANAGER. THANK YOU, COUNCIL MEMBER. MAYOR AND COUNCIL, WARREN STRUCE, DIRECTOR AUSTIN PARKS AND RECREATION DEPARTMENT. THE GENTLEMAN IS INDEED CORRECT. WE'VE HAD, AS -- WE'VE HAD AN INCREDIBLY WET YEAR THIS YEAR. 13 DIFFERENT TIMES IN WHICH BARTON SPRINGS POOL HAS FLOODED. THE MOST THAT I CAN REMEMBER. WE'VE HAD AN EXTREMELY WET YEAR AND WE CONTINUE TO HAVE FLOODING. WE ARE IN THE PROCESS NOW OF HAVING A BARTON SPRINGS MASTER PLAN CONDUCTED BY GOD FRIDAY AND LUM BOCER, LUM BACKER ASSOCIATES, TO LOOK AT ALONG WITH THE STAKEHOLDERS, FRIENDS OF BARTON SPRINGS AND A

NUMBER OF OTHER STAKEHOLDERS TO LOOK AT JUST THIS ISSUE AND MANY OTHER ISSUES ASSOCIATED WITH BARTON SPRINGS. WE'RE WELL ON THE WAY TO FINDING SOLUTIONS TO MANY OF THESE ISSUES, AND WE'RE LOOKING FORWARD TO PRESENTING THE COUNCIL HERE IN ABOUT -- IN ABOUT A MONTH TO SIX WEEKS TO TALK ABOUT OUR FINDINGS WITH RESPECT TO THE CONSULTANT. SO WE'RE LOOKING FORWARD TO ADDRESSING THIS ISSUE AS WELL AS MANY OTHER ISSUES WITH RESPECT TO BARTON SPRINGS POOL. I'D LIKE TO SCRKS OUR ASSISTANT DIRECTOR TO COME DOWN, AND VISIT WITH US A LITTLE BIT ABOUT SOME OF THE PROVISIONS THAT WE PUT IN PLACE AFTER A FLOOD SO THAT WE CAN BETTER MAKE THE POOL AVAILABLE QUICKLY. IF YOU WILL?

ON A POSITIVE NOTE BEFORE YOU START, NICE JOB ON DEEP EDDIE POOL.

THANK YOU VERY MUCH.

GREAT EVENT, THE BATHHOUSE BEING RENOVATED.

THANK YOU VERY MUCH. MY NAME IS FAHAD. I'M ASSISTANT DIRECTOR OF PARKS AND RECREATION DEPARTMENT. THIS YEAR WE HAD A CHALLENGE. WE STARTED WITH HAVING A BIG DROUGHT IN NOVEMBER AND DECEMBER, AND THAT CAUSED SOME ISSUES WITH US, AND THEN STARTING IN JANUARY WE STARTED HAVING NUMEROUS FLOODS THAT CAME OVER THE UPPER DAM. THE WAY WE NORMALLY CLEAN THE FACILITY, WE DRAIN THE POOL AND WE HAVE GUARDS. THEY ACTUALLY WATER BLAST THE WHOLE SHALLOW END OF THE POOL, AND WHAT YOU-ALL JUST SAW IN THE VIDEO, THOSE ARE THE LIFEGUARDS ACTUALLY HOSING OUT THE SILT AND ALGAE WITH THE UNDERWATER HOSING SYSTEM. THERE'S ONLY ONE 2 INCHES HOSE THAT WE HAVE, AND REALLY THERE'S A LOT OF WATER PRESSURE INVOLVED WITH THAT. AND IF WE ADD MORE STAFF, THE ONLY THING IT'S GOING TO CREATE IS MORE -- IT'S GOING TO BE HAZARDOUS FOR THE STAFF TO HAVE MULTIPLE IN THE WATER AND DOING THE SAME THING [INAUDIBLE]

MAYOR WYNN: WE'RE HAVING A PRESENTATION BY CITY STAFF, AND I APPRECIATE YOUR SILENCE. THANK YOU VERY

MUCH.

AND ALSO, THERE ARE SOME -- SOME THINGS WE'VE DONE IN THE PAST, WHICH WE HAVE AN UNDERWATER CLEANING SYSTEM THAT WE HAVE SCUBA DIVERS THAT GO UNDERWATER, AND THEY'RE ACTUALLY SCRUBBING THE LIMESTONE EVERY WEEK, TWO OR THREE TIMES A WEEK. THERE IS REALLY -- I DON'T -- AS FAR AS EXPEDITING THE PROCESS WITH MORE STAFF, I THINK WE CAN DO SOME -- SOME THINGS, AND I'LL BE MORE THAN HAPPY TO TALK TO THE GENTLEMAN, TO GO OVER SOME OF THE METHODS AND SOME WAYS WE CAN DO CLEANING, FOR EXAMPLE, THE STEPS, THE SHALLOW WATER, BUT AS FAR AS THE DEEP END, WE'RE ALSO VERY RESTRICTED BECAUSE OF THE 10 A PERMIT AND HOW MUCH WE CAN DO IN THE POOL AND WHAT AREA OF THE POOL. ANY QUESTIONS? I HOPE I ANSWERED THE QUESTION.

AND I THINK MAYBE JUST AS ONE THING, WE UNDERSTAND THAT THERE ARE MANY FOLKS THAT HAVE IDEAS ABOUT DIFFERENT WAYS THAT WE CAN HANDLE THE POOL. THAT IS ONE OF THE REASONS FOR HAVING ALL THE STAKE WHO STAKE HOLDER MEETINGS, AS PART OF THE MASTER PLAN WITH THE MONEY THAT WE ARE INVESTING TO MAKE THINGS BETTER AT THE POOL. SO WHAT I WOULD SUGGEST FAHAD, IS THAT YOU HAVE A CHANCE TO MEET WITH OUR SPEAKER AND WE'RE LISTEN TO YOUR IDEAS AND SEE WHAT WE CAN INCORPORATE. MAYBE THERE ARE THINGS -- WE FIND THINGS ALL THE TIME THAT WE CAN DO BETTER AND DIFFERENTLY THERE. THE POOL IS AS IMPORTANT TO EVERYBODY UP HERE AS IT IS TO EVERYBODY OUT THERE. AND THIS COUNCIL HAS MADE A MASSIVE INVESTMENT, EACH YEAR COMMITTED TO MAKING SURE THE POOL IS MAINTAINED AND STAYS HEALTHY.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ?

MARTINEZ: I'D ALSO LIKE TO JUST INVITE THE GENTLEMAN TO MAYBE PARTICIPATE WITH FRIENDS OF BARTON SPRINGS AND COME DOWN DURING THE ANNUAL CLEANING. IT'S GOING TO HAPPEN AGAIN THIS JULY, AND I WILL TELL YOU FROM FIRSTHAND EXPERIENCE MY SON AND I WENT OUT THERE AND WERE ABLE TO LOOK AT WHAT THEY DO, AND

THE LIFEGUARDS ARE NO MORE COMMITTED TO TAKING CARE AND PRESERVING BARTON SPRINGS THAN ANYONE ELSE THAT'S OUT THERE. WE HAVE BIOLOGISTS THAT COME OUT THERE THAT CHECK ON THE HEALTH OF THE SALAMANDERS. IT'S JUST AN INCREDIBLE OPERATION, AND I THINK GETTING A FIRSTHAND EXPERIENCE OF EVERYTHING THAT GOES ON AS OPPOSED TO TAKING A FEW PICTURES FROM THE TOP OF THE HILL OF THE LIFEGUARD SCRUBBING SOMETHING, I THINK THERE'S A LITTLE MORE INFORMATION THAT COULD BE PROVIDED TO YOU ABOUT WHAT GOES ON. AND I WANT TO THANK STAFF FOR ALL THEIR HARD WORK, BECAUSE I KNOW THEY'RE COMMITTED TO THIS AND I'VE SEEN IT AND I LOOK FORWARD TO THIS YEAR'S CLEANUP AS WELL.

MAYOR WYNN: THANK YOU. OUR NEXT SPEAKER IS RON COLDIRON. WELCOME, MR. COLDIRON. YOU'LL BE FOLLOWED BY SUSAN FEIN.

HELLO. WE MOVED TO AUSTIN OVER 20 YEARS AGO BECAUSE IT'S UNIQUE AS A CITY IN TEXAS. I TURNED DOWN A LUCRATIVE OFFER TO STAY WHERE I WAS. MY ALSO WOULD HAVE GOTTEN BETTER OFFERS TO GO TO ANOTHER CITY. OUR SMALL BUSINESS IN NORTHWEST HILLS IS OVER TWO YEARS OLD WITH 10 EMPLOYEES. WE CHOSE AUSTIN BECAUSE OF THE MIX OF INGREDIENTS FOUND NOWHERE ELSE WE'VE EVER BEEN. WAL-MART CHOSE AUSTIN BECAUSE IT CHOSE EVERY CITY IN TOWN EVERYWHERE. DOES THE CHAMBER OF COMMERCE BRAG TO PROSPECTIVE EMPLOYERS ABOUT HOW MANY COMARTS WE HAVE? DO THEY CROW ABOUT OFFICE DEPOTS OR MCDONALD'SS? NO. EVERYONE HAS ALWAYS WANTED TO MOVE TO AUSTIN BECAUSE OF ITS UNIQUENESS, ITS BEAUTY AND ITS CHARACTER. OUR WEIRDNESS, IF YOU WILL, IS PART OF OUR APPEAL. BUT OUR CHARM IS GRADUALLY SLIPPING AWAY FROM US. OUR MUSICIANS CAN'T AFFORD US AND NIGHTCLUBS HAVE BEEN SQUEEZED OUT. OLD NEIGHBORHOODS HAVE SEEN MANY HOUSES BULLDOZED FOR MCMANSIONS. SMALL SHOPS CLOSE WHEN BIG BOXES OPEN. WE ARE SEEING THE SYSTEMATIC DESTRUCTION OF THE CIVIC QUALITY THAT MAKE UP OUR CHARACTER. MUCH AS POLLUTION AFFECTS THE EARTH, AUSTIN IS BEING DAMAGED BY OUR OWN PROGRESS. WE MUST FIND A

SMARTER WAY TO THRIVE. TEXAS ALREADY HAS A HOUSTON AND A DALLAS/FORT WORTH. WE DON'T NEED TO COPY THEM. WE NEED TO RETAIN OUR SINGULARITY. WE CAN NEVER SIMPLY GROW OUR WAY OUT OF OUR PROBLEMS. WE MUST THINK OUR WAY TO A BETTER FUTURE. AUSTIN IS AN OASIS IN A DESERT OF BLANDNESS AMONG THE CITIES OF TEXAS. WE ARE THE LARGEST CHARMING PLACE LEFT IN TEXAS. IF WE PAVE OVER OUR OASIS WITH MEGA PARKING LOTS, WE WILL BECOME THAT DESERT OF BLANDNESS. THE SUBURBS WILL CONTINUE TO SPRAWL. THERE'S NOT MUCH THE CITY OF AUSTIN CAN DO ABOUT THAT. WE MUST DECIDE TO PROTECT THE CHARM OF OUR INNER CITY OR WE WILL BECOME JUST ANOTHER BLAND SUBURB OF SAN ANTONIO. EVERYONE AGREES THAT IT'S TIME FOR NORTHCROSS MALL TO CHANGE. YOU REPRESENT THE CITIZENS AND NEIGHBORHOODS OF AUSTIN, NOT THE DEVELOPERS AND CHAIN STORES. THE BIG BOX STORES' GOAL IS TO SATURATE EVERY MARKET. THEY WILL ENCROACH FURTHER AND FURTHER INTO OUR ESTABLISHED NEIGHBORHOODS UNTIL YOU STOP THEM. HOW MANY NEIGHBORHOODS WILL BE DAMAGED BY THIS ENCROACHMENT BEFORE THEN? ONE IS TOO MANY. PLEASE LIMIT THE EVER ENLARGING MEGA BOXES TO THE AREAS ALONG THE SUPER HIGHWAYS THAT CAN PROPERLY ACCOMMODATE THEM. FIND A WAY FOR NORTHCROSS TO CHANGE INTO SOMETHING UNIQUE AND APPEALING TO OUR SINGULAR HERITAGE. THANK YOU.

MAYOR WYNN: THANK YOU, MR. COLDIRON. SUSAN FEIN. SUSAN? WELCOME. YOU'LL HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY RICK FRANKLIN.

GOOD AFTERNOON. THANK YOU FOR BEING HERE. I ALSO WANT TO SPEAK ABOUT BARTON SPRINGS. I CAN APPRECIATE EVERYONE'S LOVE OF THE SPRINGS. TWO WEEKS AGO WHEN I SIGNED UP TO SPEAK HERE TODAY I DID NOT EXPECT TO RECEIVE ANY CALLS. I DID, HOWEVER, RECEIVE THREE CALLS FROM VARIOUS MEMBERS OF PARKS AND RECREATION AND VARIOUS OTHERS. I BELIEVE THAT IT WAS DONE SO THAT YOU WOULD KNOW EXACTLY WHAT WE WERE GOING TO SPEAK ABOUT TODAY. SO I HAVE TO CHANGE WHAT I WAS GOING TO SAY SINCE YOU HAVE BEEN PREPARED IN ADVANCE.

MAYOR WYNN: SORRY, SUSAN, I'M GOING TO HAVE TO SAY, WE HAVE NO IDEA. WE NEVER GET TOLD ANYTHING ABOUT THESE SPEAKERS BY STAFF. MY INSTINCT IS THEY WANT TO BE HERE --

THEY DID ADDRESS EXACTLY THE ISSUES THEY ASKED ME ABOUT LAST NIGHT AND I DON'T REALLY WANT TO WASTE MY THREE MINUTES.

MAYOR WYNN: WE'RE NEVER TOLD ANYTHING, SO GO AHEAD.

OKAY. GOOD. I FEEL A LITTLE SET UP, ACTUALLY. SO -- ANYWAY, WHAT I'M HERE TO SAY IS THAT THE SPRINGS IS CLOSED IN THE LAST EIGHT MONTHS MORE THAN IT'S BEEN OPEN, THROUGH A LOT OF IMPROPER PLANNING, AND YOU CAN TELL ME THAT THERE'S A MASTER PLAN HAPPENING BUT RIGHT NOW THE SPRINGS ARE CLOSED. AND THERE ARE WAYS THAT ARE NOT BEING DEALT WITH. FOR INSTANCE, THEY HAD A DIGGING OUT AT THE END OF LAST YEAR TO BUILD -- TO DIG OUT THE BOTTOM OF THE DEEP END OF THE POOL. IT WAS CLOSED FOR ALMOST TWO MONTHS. IT WAS SUPPOSED TO BE CLOSED FOR THREE WEEKS. TWO WEEKS AFTER THAT THEY CLOSED FOR SPRING CLEANING. WOULD THAT NOT HAVE BEEN POSSIBLE TO DO AT THE SAME TIME? THINGS LIKE THAT. THERE IS NOT SOMEBODY REALLY WATCHING. I WENT DOWN FOUR TIMES IN ONE DAY DURING ONE OF THE DAYS THAT IT WAS CLOSED TO FIND NOBODY WORKING, NOT A SINGLE PERSON. IT WAS A FRIDAY. OKAY? THEN I'VE GONE BACK SUBSEQUENTLY AND MAYBE THERE'S TWO OUT OF THE FOUR OR SIX LIFEGUARDS WORKING. MY QUESTION IS, WHY IS THIS THE RESPONSIBILITY OF THE LIFEGUARDS? THAT MIGHT HAVE BEEN FINE FOR THEM WHEN THE SPRINGS FLOODED ONCE EVERY SIX MONTHS OR SO, BUT NOW THE SPRINGS ARE FLOODING EVERY TIME IT DRIS ELSE AND THAT'S A SERIOUS ISSUES. THEY'RE PISSED OFF. THEY DO NOT WANT TO BE DOING THIS WORK. DWLOOBL IT SHOULD..... I DON'T BELIEVE IT SHOULD BE THEIR RESPONSIBILITY. THEY'RE AN HOURLY WAGE EMPLOYEE, THEY'RE HAPPY TO READ A BACK, PLAY SOME MUSIC, HAVE SOMETHING TO DRINK. THEY'RE GREAT KIDS, GREAT LIFEGUARDS BUT NOT MEANT TO BE DOING MAINTENANCE ON SPRINGS WHEN IT'S SUCH A

BIG POOL. I FIND IT HARD TO BELIEVE THAT ONE 2-INCH HOSE IS ALL THAT CAN BE AFFORDED BY THE SPRINGS. IF YOU-ALL ACTUALLY GO DOWN THERE AND SEE HOW IT IS BEING CLEANED. IT IS RIDICULOUS. I WOULDN'T CLEAN MY BASEMENT LIKE THAT. SO THERE'S GOT TO BE OTHER WAYS. THE RETAINING WALL THAT KEEPS THE FLOOD FROM REACHING THAT BACK RETAINING WALL, PERHAPS IN THE INTERIM OF A MASTER PLAN -- I'M THRILLED THERE IS GOING TO BE A MASTER PLAN -- PERHAPS THAT WALL COULD BE RAISED 6, 8 FEET, JUST ENOUGH TO KEEP IT FROM BREACHING EVERY TIME IT DRIZZLES. I'M READY TO GO PUT SANDBAGS OUT THERE. I HAVE OFFERED TO THE PARKS AND RECREATION TO SET UP A COMMUNITY OF PEOPLE THAT WOULD COME AND HELP CLEAN THE POOL, BECAUSE I KNOW THAT THERE IS SO MANY PEOPLE LIKE MYSELF THAT WOULD BE HAPPY TO GO CLEAN, NOT JUST ON A FRIENDS OF BARTON SPRINGS DAY. WE'RE FRIENDS OF BARTON SPRINGS, I'M THERE ALMOST EVERY MORNING. I WOULD BE VERY ACTION VERY HAPPY TO SET UP SOME KIND OF A COMMUNITY STRUCTURE. AND THE LAST THING I GUESS, BECAUSE THAT MAY BE MY BELL, IS THE STAKEHOLDERS MEETINGS, HOW DOES ONE GET ON THIS COMMITTEE? HOW DOES ONE GET ON THE BOARD FOR THIS? BECAUSE I WOULD LIKE TO PARTICIPATE WITH THAT. I'M SURE MR. LEONARD WOULD LIKE TO PARTICIPATE WITH THAT. AND I THINK IT MIGHT BE GOOD TO HAVE SOME PEOPLE THAT ARE ACTUALLY THERE EVERY SINGLE DAY, AND MAYBE YOU DO ALREADY. I DON'T KNOW WHO'S ON -- WHO'S ON THAT BOARD. BUT I WOULD LIKE TO PARTICIPATE WITH THAT, AND I THANK YOU FOR ALL THE GOOD WORKS YOU HAVE DONE IN FAVOR OF BARTON SPRINGS. I JUST FEEL THAT AT THIS TIME IT IS NOT BEING CARED FOR, IT IS NOT BEING RESPECTED AND THE COMMUNITY ITSELF IS NOT BEING SERVED WELL BY HOW ITS BEING MANAGED. THANK YOU.

MAYOR WYNN: THANK YOU, SUSAN, FOR YOUR THOUGHTS, COMMENTS AND OFFER TO SERVE. AND HOPEFULLY STAFF WILL VISIT WITH YOU AND MR. LEONARD BEFORE YOU-ALL LEAVE. THANK YOU. MR. FRANKLIN, WELCOME. YOU'LL HAVE THREE MINUTES AND YOU'LL BE FOLLOWED BY ELIZABETH GONZALES.

THANK YOU, MR. MAYOR. GOOD AFTERNOON, MAYOR AND

COUNCIL MEMBERS. MY REASON FOR BEING HERE IS TWOFOLD, AND THEY ARE RELATED. ORIGINALLY I CAME TO PROTEST THE EXCLUSION OF THE PROPER COMMUNITY INPUT TO THE SELECTION OF POLICE CHIEF, BUT AFTER ANOTHER MOTHER LOST HER SON THIS WEEKEND IN ANOTHER SENSELESS SHOOTING I REALIZED THAT THE PROBLEM WE HAVE IN AUSTIN IS BIGGER THAN JUST THE SELECTION OF A NEW CHIEF, IS A LACK OF EDUCATION. WE MUST LEARN WHAT IN AUSTIN'S CULTURE WOULD MAKE A MAN FEEL THAT HE WAS BETTER OFF RUNNING FROM THE POLICE, WITH THE POSSIBILITY OF BEING SHOT IN THE BACK, THAN BEING ARRESTED BY THEM. I'VE PRODUCED A POWERPOINT PRESENTATION THAT OUTLINES A PROGRAM IN THE MIDDLE SCHOOL THIS YEAR. AS YOU CAN SEE, THERE ARE SIGNIFICANT INCREASES IN MATH AND READINGS SCORES BUT MORE IMPORTANTLY NO AFRICAN-AMERICAN MALE WENT TO THE ALTERNATIVE LEARNING CENTER THIS YEAR. THIS PROGRAM THAT WORKS IS A PROGRAM THAT TEACHES YOUNG AFRICAN-AMERICAN MALES WHAT IT TAKES TO BE A MAN IN THESE TROUBLED TIMES, WHAT IT TAKES TO SURVIVE AND WHAT IT TAKES TO BE THE BEST PERSON THEY CAN BE AGAINST ALL ODDS. I'D ASK THAT THIS COUNCIL FIND A WAY TO FUND THIS PROGRAM, IT'S ABOUT \$120,000 FOR 300 YOUNG MEN IN THE FIRST YEAR, SO THAT WE CAN EXPAND IT AND TEACH ALL OF OUR YOUNG MEN TO BE MORE THAN US AND TO BE BETTER THAN US. AND THAT WE CAN ASK OUR YOUNG AFRICAN-AMERICAN MALES TO BE MORE THAN US AND BETTER THAN US, SHOULDN'T WE BE ASKING THE SAME THING OF OURSELVES. SOMEONE SAID TO ME THIS IS THE SAME PROBLEM THEY HAVE IN EACH CITY ACROSS THE COUNTRY, THE SHOOTINGS. WE HAVE TO ASK OURSELVES, DO WE WANT TO BE LIKE EVERY OTHER CITY OR DO WE WANT TO BE THE BEST CITY IN THE WORLD? THE NEXT POLICE CHIEF SELECTED SHOULD BE THE ONE WHO IS IMBUED WITH THE VALUES CULTURE OF A COMMUNITY, THAT RESPECTS THE HUMANITY OF EVERY MAN, WOMAN AND CHILD REGARDLESS OF OUR DIFFERENCES. I WOULD CHALLENGE THIS COUNCIL, EVERY POWER BROKER, AND EVERY DECISION MAKER WITHIN THE SOUND OF MY VOICE TO SEARCH YOUR HEARTS AND ASK YOURSELF, AM I DOING EVERYTHING I CAN TO MAKE THIS CITY BETTER OR AM I JUST GOING THROUGH THE MOTIONS? CAN I WORK OUTSIDE MY



COMFORT ZONE AND STOP THE INCESTUOUS CROSS POLLENNIZATION THAT PRODUCES THE SAME RESULTS. CAN I WORK WITH PEOPLE I DON'T PARTICULARLY LIKE BUT PEOPLE WHO MAY HAVE NEW, INVENTIVE, INNOVATIVE CREATIVE IDEAS THAT CAN HELP THIS COMMUNITY ADDRESS THE MANY PROBLEMS. FINALLY, THIS COUNCIL MUST DEMAND A SWIFT, JUST AND TRANSPARENT INVESTIGATION TO SHOW A COMMUNITY THAT ALREADY FEELS THAT IT'S OKAY TO KILL PEOPLE OF COLOR, THAT THIS IS NOT WHERE THE HEART OF AUSTIN LIES. WE MUST SHOW OUR CHILDREN IN THE WORLD OUR HUMANITY STARTING WITH THE LEADERSHIP. I'D ALSO ASK THIS COUNCIL INCORPORATE AS MANY COMMUNITY INPUTS AS POSSIBLE IN SELECTION OF THE NEW CHIEF AS THIS PERSON HAS THE SAFETY, SECURITY AND THE VERY LIVES OF EVERY MAN, WOMAN AND CHILD. I THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, MR. FRANKLIN. QUICK QUESTION FOR YOU, RICHARD. [APPLAUSE]

MAYOR WYNN: HAS YOUR POWERPOINT PRESENTATION BEEN PRESENTED TO ONE OF OUR STANDING COMMITTEES REGARDING THE AFRICAN-AMERICAN QUALITY OF LIFE WORK THAT'S ONGOING?

AS OF YESTERDAY IT HAS, OR AT LEAST I GAVE IT TO THEM. I WAS OUT OF TOWN. I HAD TO GIVE IT TO MR. LENDER, THE RESOURCE ADVISORY COMMITTEE OR WHATEVER.

HE HAS IT.

MAYOR WYNN:

WERE YOU AWARE OF IT?

MAYOR WYNN: I KNOW THE CHIEF WAS IN A COMMITTEE MEETING YESTERDAY.

THEY HAD A COMMITTEE MEETING YESTERDAY ACTUALLY TALKING ABOUT THESE KIND OF TRAINING PROGRAMS AND THEY HAD SEVERAL PRESENTATIONS. I CAN FOLLOW UP WITH YOU TO MAKE SURE THAT WAS ONE OF THE ONES

PRESENTED, BUT I KNOW THEY MET EXTENSIVELY LAST NIGHT UNTIL 10 SOMETHING LAST NIGHT.

I WANT TO EMPHASIZE THAT THE SCORES WERE OFF THE CHARTS. I THINK MR. MARTINEZ HAS ALREADY SEEN THEM. SCORES OFF THE CHARTS BUT THE MOST IMPORTANT PORTION OF THAT WAS THE YOUNG MEN DIDN'T GO TO ALTERNATIVE LEARNING CENTER. THEY ACTUALLY WERE LOOKING FORWARD TO GOING TO SCHOOL EVERY DAY.

I HAVE A QUESTION, MAYOR.

MAYOR WYNN: COUNCIL MEMBER COLE.

COLE: WHEN EXACTLY WAS THE PROGRAM ESTABLISHED?

AT THE BEGINNING OF SCHOOL YEAR LAST YEAR. I TALKED TO THE PRINCIPAL AT THE COVINGTON AFTER ONE OF THE BOYS CONFERENCES, SHE SAW IT ON THERE AND SHE SAID, I NEED HELP. AND THERE'S A VIDEO AND THERE WAS PRESENTATIONS ALSO OF HER AND HER TALKING ABOUT THE EFFECT IT HAD, AND THAT VIDEO WAS DONE THE DECEMBER PRIOR TO US GETTING THE TAKS SCORES BACK AND THEIR SCORES ARE UP 43% IN READING AND MATH, THE 7TH GRADERS AND NO 7TH GRADER FAILED READING THIS YEAR, AND SOME OF THOSE BOYS, AND I'VE GOT VIDEO OF THEM ALSO, SOME OF THEM HAD NEVER PASSED THE TAKS TEST BEFORE. SO IT WAS JUST, YOU KNOW, A -- BRINGS TEARS TO MY EYES TO REALIZE WHAT THEY DID.

HAS THIS PRESENTATION BEEN PRESENTED TO AISD?

I PRESENTED TO THE BOARD CHAIRMAN TUESDAY, AS A MATTER OF FACT, BECAUSE I JUST GOT THE SCORES BACK LAST WEEK THAT WE COULD INCORPORATE INTO WHAT WE HAD ALREADY DONE. WE KNEW WE WERE HAVING SOME EFFECT BUT WE HAD NO IDEA HOW BIG THE EFFECT WAS, HOW LARGE -- HOW IMPACTFUL IT WAS, AND NOW WE KNOW. THESE KIDS RESPONDED, THEY GET IT, AND WE THINK WE CAN GET IT TO SOME OTHER KIDS AND EVENTUALLY SPREAD THIS ACROSS THE BOARD. AND IF WE'VE GOT KIDS WHO WANT TO GO TO SCHOOL AND LEARN AND BE GOOD CITIZENS, THEN WE DON'T HAVE TO WORRY ABOUT EVER

THAT CONVERSATION ABOUT BEING SHOT IN THE BACK OR CONFRONTATIONS AND SO FORTH, BECAUSE THEY WANT TO GO GOOD CITIZENS SO THEY WANT TO DO BETTER. AND THEN ALL WE HAVE TO DO IS WORRY ABOUT OURSELVES BEING BETTER PEOPLE.

COLE: DOES THIS HAVE ANY CONNECTION WITH THE AFRICAN-AMERICAN MEN AND BOYS CONFERENCE?

IT CAME OUT OF THAT. IT WAS AN OFFSHOOT, ONE OF THE TANGENTS, AS IT WERE. I WAS CONTACTED BECAUSE THE PRINCIPAL SAW ME AND CONTACTED ME THROUGH THAT. SHE ACTUALLY SENT FEELERS OUT AND I SAID IF YOU CALL ME I WILL COME.

COLE: AND I NOTICE THE TWO ADVISERS, CLARENCE BEE BEE AND HERMAN MATHEWS. IS THERE ANY DISCUSSION OF A BOARD FOR THE PROGRAM?

I'M SORRY, WHAT WAS THE QUESTION?

IS THERE ANY DISCUSSION OF A BOARD FOR THE PROGRAM OR HAS ONE BEEN ESTABLISHED?

WE HAVEN'T ESTABLISHED A BOARD ACTUALLY, NO. IT'S A VERY SMALL PROGRAM. WE HAVE TWO GENTLEMEN WHO ARE GOING TO DO THE PROGRAM AND TWO GENTLEMEN CONSULTANTS ON THE PROGRAM. WE'RE TRYING TO CUT IT - - WE KNOW IT WORKS. WE DON'T NEED TO ADD A WHOLE BUNCH OF PEOPLE AND SAY, LET'S OVERSEE IT. WE'RE TRYING TO THINK OUTSIDE THE BOX AND PRESENT SOMETHING THAT'S NEW THAT ACTUALLY DOES WORK. IT'S WORKED ALREADY AND WE KNOW THAT IT WORKS. WE CAN ALWAYS HAVE A BUNCH OF PEOPLE COME IN. WE'VE GOT TWO CONSULTANTS WHO ARE VERY OUTSIDE THE BOX THINKERS AND THAT'S WHAT IT'S BEEN TAKING. WE ARE SPEAKING THEIR LANGUAGE AND THEY'RE RESPONDING. AND, YOU KNOW, WE'RE JUST SAYING, LOOK, YOU KNOW, THE BOTTOM LINE IS YOU'VE GOT TO SUCCEED. THESE YOUNG MEN HAVE TO UNDERSTAND THEIR OPTION IS UNACCEPTABLE. THEY HAVE TO SUCCEED.

COLE: LET ME ASK YOU ONE LAST QUESTION. I KNOW YOU

WERE IN MY OFFICE THE OTHER DAY SO YOU MIGHT HAVE DISCUSSED THIS WITH MY AIDE. DID YOU DO THAT?

YES.

WHAT -- CAN YOU JUST GIVE US A SAMPLE, IS THIS ONLY DONE AT COVINGTON OR OTHER SCHOOLS IN THE ISD?

I DID IT ONLY AT COVINGTON ON A WEEKLY PROGRAM, TWO HOURS OF EVERY WEEK. IT'S CALLED POSITIVE PATTERN INTERRUPT. THEY MUST -- PART OF THE PROGRAM IS BASED -- A LOT OF FUN THINGS WE WERE DOING IN THERE BUT ALSO THE KIDS HAD TO BE PASSING THE COURSE. I DIDN'T COME EVERY TIME AT THE SAME TIME OR SAME DAY. SO IF THEY WERE NOT PASSING THEY COULDN'T GO TO THAT CLASS. IT WAS A CARROT. THEY COULDN'T COME. AND OBVIOUS TIMES SOMEBODY MIGHT MISS A CLASS AND THEY WOULD BE UPSET BECAUSE THE WHOLE WEEK LONG THAT'S ALL THEY TALKED ABOUT TILL THE NEXT CLASS CAME AROUND, AND I WASN'T HERE LAST WEEK. I GO, HEY MAN, THAT'S THE WAY IT GOES. IF YOU AIN'T THERE YOU DON'T GET IT. THAT'S WHAT I'M TELLING THESE KIDS. THE REAL WORLD IS THEY'VE GOT TO SUCCEED AFTER 12 YEARS SO THAT'S WHAT WE'RE TELLING THEM. IT'S ON YOU. I DON'T CARE WHETHER THE TEACHER LIKES YOU, DOESN'T LIKE YOU, YOUR PARENTS LIKE, YOU GOT ALL THE MONEY IN THE WORLD, NO MONEY AT ALL. AT THE END OF 12 YEARS IT'S ON YOU, AND THAT'S WHAT WE'RE TELLING THEM, AND THEY UNDERSTAND THAT, AND THEY GO BACK AND ASK MORE OF THEIR TEACHERS, MORE OF THEMSELVES. AND THAT'S WHAT WE'RE ASKING, HELP US GET THAT MESSAGE OUT TO SOME MORE KIDS.

COLE: THANK YOU.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: HAVE YOU MADE THIS PRESENTATION TO THE CAN, COMMUNITY ACTION NETWORK?

NO.

LEFFINGWELL: COULD YOU BE INTERESTED IN DOING THAT.

ABSOLUTELY.

LEFFINGWELL: CONTACT ME. CONTACT MY OFFICE. THERE'S A MEETING TOMORROW. IT WOULD BE TOO LATE TO GET ON THAT AGENDA BUT THE FOLLOWING MONTH WE COULD CERTAINLY ARRANGE SOMETHING LIKE THAT.

I'LL DO THAT. THANK YOU.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ?

MARTINEZ: I WOULD LIKE TO SUGGEST ACM AND MR. LUREY MEET WITH MR. FRANKLIN AND TRY TO HELP HIM WITH VARIOUS PRESENTATIONS. I THINK THERE'S A MULTITUDE OF FOLKS HE COULD REACH OUT TO AND SPEAK TO ABOUT THIS PROGRAM, SUCH AS THE AISD CITY COUNTY JOINT SUBCOMMITTEE AS WELL. BUT WHEN I LOOK THROUGH THE PRESENTATION AND YOU LOOK AT SOME OF THE RESULTS OF THE PROGRAM, PHYSICAL AGGRESSION DOWN 100%, STUDENTS WITH KNIVES, DOWN 100%, THEFT DOWN 100%, AGGRESSION TOWARD ADULTS, DOWN 100%. IT SPEAKS TO THERE MIGHT BE SOMETHING TO THIS THAT WE NEED TO LOOK INTO, THAT IF MR. FRANKLIN AND MR. BIFFY AND MR. THOMPSON HAVE COME UP WITH SOMETHING THAT'S SUCCESSFUL I'D LIKE TO TAKE A LOOK AT IT AND SEE IF WE CAN INCORPORATE IT INTO HEALTH AND HUMAN SERVICES.

I'M ACTUALLY SITTING ON MY HANDS RIGHT NOW BECAUSE I REALLY WANT TO TELL YOU HOW EXCITED I AM ABOUT. I HAVE CRIED HUGE CROCODILE TEARS ABOUT HOW THESE KIDS RESPOND. YOU'D HAVE TO SEE THE EMAILS AND THE WAY THEY RESPOND TO EVERYTHING THAT WAS GOING ON. THEY STOP FIGHTS NOT ONLY BETWEEN THEMSELVES BUT OTHER KIDS IN THE HALLWAY. THEY TUCK THEIR OWN SHIRTS IN WITHOUT BEING ASKED. THEY DO THINGS YOU WOULD HOPE ALL KIDS WOULD DO. TRUST ME, JUST BECAUSE THEY'RE DOWN SOUTH DOESN'T MEAN THEY'RE NOT DOING WELL. THERE WERE THUGS IN HERE, BUT YOU COULD SEE THE CHANGE, AND IF YOU TALK TO THE TEACHERS, I'VE GOT VIDEOS OF THEM ALSO. IF YOU TALK TO THE TEACHERS YOU SEE HOW THEY RESPONDED AND

THEY BECOME KIDS YOU WANT TO HAVE AROUND.

MAYOR WYNN: THANK YOU, MR. FRANKLIN FOR ALL YOUR WORK. [APPLAUSE]

MAYOR WYNN: NEXT SPEAKER IS ELIZABETH GONZALES. ELIZABETH GONZALES WOULD LIKE TO ADDRESS US, AND THEN SHE IS TO BE FOLLOWED BY DIANA CASTANEDA. WELCOME.

THANK YOU. ACTUALLY NAME IS ERIKA MASON AND I'M GOING TO SPEAK. I'M HERE TODAY REPRESENTING SOUTHWEST KEY AND I'D LIKE FOR EACH OF YOU TO KNOW THAT I PROVIDE CASE MANAGEMENT SERVICES TO AT RISK AND PUBLIC YOUTH. AND IT IS MY FEELING THAT THE EAST AUSTIN COMMUNITY DEVELOPMENT PROJECT IS A LONG AWAITED PROJECT IN THE COMMUNITY. I CAME TO AUSTIN 20 YEARS AGO FROM MICHIGAN AND I CALL IT HOME. I WAS BAPTIZED IN EAST AUSTIN. 80% OF MY CASELOAD IS CONCENTRATED IN THAT AREA. IT'S MY FEELING AND EXPERIENCE THAT THE YOUTH WITH OCCUPIED..... WITHOUT OCCUPIED TIMES AND MINDS CAN LEAD TO TROUBLE. PARENTS LACK THE SKILLS AND KNOWLEDGE AND TRAINING AVAILABLE TO EMPOWER THEIR OWN YOUTH AND TO CHALLENGE FORWARD MOVEMENT. THE EAST AUSTIN COMMUNITY PROJECT CAN ALSO SUPPORT IN BOTH THESE AREAS, AND IT COULD BE A PLACE WHERE PROGRAMS LIKE THAT OF MR. FRANKLIN'S ARE WELCOME ALL DAY EVERY DAY. PLANS TO OFFER A WIDE SPECTRUM OF SERVICES, INCLUDE TRAINING SERVICES AND RECREATION. I KNOW THAT SOME PEOPLE MIGHT OFFER ON... OPPOSITION IN THINKING THAT THE MILLENNIUM CENTER IS AVAILABLE IN THAT SAME DEMOGRAPHIC BUT THE REALITY IS THAT THE PERSONS THAT LIVE CLOSEST TO THIS CONDITION AFFORD TO PATRONIZE THE ESTABLISHMENT. THIS IS AN OPPORTUNITY, I THINK, FOR THE CITY TO HAVE A CHANCE TO PARTICIPATE IN THE MUCH NEEDED URBAN RENEWAL IN THAT AREA AND NOT THE URBAN REMOVAL. WITH A COMBINATION OF SUPPORT FROM THE COMMUNITY -- ACCOMPANIED WITH THE REPUTATION OF SOUTHWEST KEY, THE POWER TO SUCCEED IS READILY AVAILABLE AND ALL THEY NEED ARE THE TOOLS AND THE PLACE TO MAKE THESE THINGS HAPPEN. WE'RE ASKING THE SUPPORT OF

THE CITY. THIS IS A HUGE INITIATIVE, AND I THINK IT NEEDS TO BE UNWRAPPED IN THE COMMUNITY WHERE IT'S MOST NEEDED. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, ERIKA. CASTANEDA, DIANA. YOU HAVE THREE MINUTES AND FOLLOWED BY LISA WADDELL.

MY GIVE ME A CHANCE TO DO THIS THIS WAY. I'M HERE TO TALK TO YOU A LITTLE BIT ABOUT MY EXPERIENCE ON THE SCHOOL BOARD AND THE SELECTION PROCESS OF THE SUPERINTENDENT, AT THE TIME WAS JIM FOX. WE HAD -- WE HAD CONSULTANTS THAT CAME IN AND WERE HIRED, AND THESE PEOPLE WERE SUPPOSED TO RECRUIT PEOPLE THAT WOULD BE GOOD FOR AUSTIN INDEPENDENT SCHOOL DISTRICT. WHAT I SAW IS THAT YOU HIRED A VERY -- A FIRM THAT YOU ONLY PAID A MINIMUM AMOUNT OF MONEY THAT LOOKS LIKE THEY DID A MINIMUM AMOUNT OF WORK. YOU GOT ONE PERSON THAT WAS DIVULGED TO US LAST WEEK AT THE -- WHAT IS THE COMMITTEE THAT YOU HAD, THE COMMITTEE -- THE SAFETY TASK FORCE.

MAYOR WYNN: YES.

AND IT WAS -- THERE WAS ONLY -- ONE OF THE FINALISTS WAS A CANDIDATE, AND THAT WAS MR. RINGY, I BELIEVE, FROM FLORIDA. NOW, YOU-ALL PAID AN AWFUL AMOUNT OF MONEY -- A LARGE AMOUNT OF MONEY FOR ONE RECRUIT. IT DOESN'T MINIMIZE THE FACT THAT THESE OTHER INDIVIDUALS THAT ARE SOME OF THE FINALISTS ARE, YOU KNOW, MAYBE WENT THROUGH A PROFESSIONAL MAGAZINE OR WENT THROUGH A NEWSPAPER AND SAW THE ADDS AND PARTICIPATED IN.....ADDRESSESAND PARTICIPATED IN THAT BUT IT TELLS ME WITH THE EXPERIENCE I HAVE IS THEY DIDN'T DO A THOROUGH ENOUGH JOB TO FIND US A WORLD-CLASS CANDIDATE, WHEN YOU CONSIDER MR. RANKE, FOR A WORLD-CLASS CITY. AND SO, I MET A MR.-- DR. PETER SHARP, FORMALLY SOUTHWEST TEXAS, AT TEXAS STATE, WHO DOES WORK IN THE AREA OF POLICE AND COMMUNITY, AND THE RELATIONSHIP, AND IT SEEMS TO ME THAT THE REPORT THAT I THINK MR. MARTINEZ AND MR. LEFFINGWELL RECEIVED FROM DR. SHARP IS AN EXCELLENT MODEL TO LOOK AT AND PERHAPS YOU MIGHT WANT TO BRING HIM IN AS YOU GO THROUGH YOUR INTERVIEW

PROCESS THIS NEXT WEEK WITH THE POLICE CANDIDATES. MAYBE WITHIN THOSE FIVE WE HAVE A WORLD-CLASS CANDIDATE, AND HOPEFULLY THAT'S THE ONE THAT THE CITY MANAGER WILL RECOMMEND AND THAT YOU WILL HIRE. BUT IN THE CASE IF IT ISN'T, THEN I REALLY WANT TO IMPRESS UPON YOU HOW, AS AN ELECTED OFFICIAL, WHICH I HAVE BEEN, IT IS DEFINITELY INCUMBENT UPON YOU-ALL TO GO BACK AND ASK FURTHER QUESTIONS AND TO ASK FOR BETTER CANDIDATES, IF THAT IS THE CASE. IF WE'RE HERE, IF THESE ARE THE BEST, AND CONSIDERING THE SITUATION WITH THE SHOOTING THIS WEEK, WE ABSOLUTELY NEED SOMEONE SOON AND HOPEFULLY THEY WILL BE THE BEST. BUT COUNCIL MEMBERS, IF YOU HAVE TO MOVE BEYOND THE GOVERNANCE ISSUE IN TERMS OF YOU DOING THIS INVESTIGATION OR OTHER PEOPLE ON YOUR BEHALF, PLEASE DO SO. AT THIS TIME -- AT THIS TIME WE HAVE -- YOU HAVE AN INCREDIBLE RESPONSIBILITY UPON YOU, AND -- TO THIS COMMUNITY, AND NOW TO THE WORLD, BECAUSE THEY'RE LOOKING AT US AND HOW WE TREAT OUR CITIZENS IN THIS TOWN, AND AT THIS MOMENT I'M REALLY CONCERNED ABOUT THAT THE VERSION THAT PEOPLE OF COLOR THAT LIVE IN THIS COMMUNITY ARE PERCEIVING OUR POLICE DEPARTMENT, OUR POLICE CHIEF AND THE LEADERSHIP IN THIS TOWN. SO I HOPE I'M NOT GIVING YOU MIXED MESSAGES, BUT WHAT I DO HOPE IS YOU'LL MAKE THE ABSOLUTE VERY BEST DECISION, AND THERE ARE MANY OF US WATCHING AND MANY OF US WANTING TO PARTICIPATE. AND THANK YOU, CITY MANAGER, FOR PROVIDING US THE OPPORTUNITY TO HAVE THESE INTERVIEWS AND CLUSTER MEETINGS. I THINK THAT'S GONE A LONG WAY AND THANKS TO THE COMMUNITY ORGANIZATIONS THAT HAVE PUSHED FOR THIS. THANK YOU SO MUCH.

MAYOR WYNN: THANK YOU, MS. CASTANEDA. [APPLAUSE]

MAYOR WYNN: THANK YOU.

THANK YOU.

MAYOR WYNN: LET'S SEE, LISA WADDELL HAD SIGNED UP WISHING TO SPEAK. I GOT A NOTE THAT SHE MAY HAVE DECLINED, AND SEAN HEYDIN IS OUR FINAL SPEAKER.



SORRY IF I MISPRONOUNCED THAT, SEAN. WELCOME. YOU HAVE THREE MINUTES.

GOOD AFTERNOON, MAYOR AND COUNCIL. I LIVE IN WOOT INNEIGHBORHOOD WHICH IS A COUPLE MILES FROM THE NORTHCROSS MALL AREA AND I WILL BE AFFECTED BY THE DEVELOPMENT THAT'S GOING ON, WITH THE WAL-MART IN AUSTIN TEXAS. PROPERTIES WHICH IS A DALLAS BASED COMPANY, AT THE NORTHCROSS MALL SITE, SO THIS BIG BOX STORE IN THIS AREA, I DON'T THINK IT'S GOING TO WORK WELL. I MEAN, BIG BOXES DO FINE ALONG THE FREEWAYS AND SUCH, SO PEOPLE CAN GET IN AND OUT. THIS MALL IS ALL OLD AND DILAPIDATED. SOMETHING NEEDS TO HAPPEN AND IT HAS HAPPENED AND I'M -- I'M NOT A BIG FAN OF WAL-MART BUT IF THEY WANT TO STICK SOMETHING IN THERE, GREAT. STICK A GROCERY STORE. BUT WE DON'T NEED SOMETHING THAT'S MASSIVE, OLD SCHOOLS, '80S DESIGN. IF YOU LOOK AROUND HERE, THE WAY THE CITY IS GOING, WITH VERTICAL MIXED USE, THE CITY IS STARTING TO LOOK REALLY -- WE'RE STEPPING INTO TIMES. WE'RE STEPPING UP, MAKING IT LOOK GREAT AND I THINK THAT THIS OLD SCHOOL DESIGN IS JUST GOING TO BRING DOWN THAT AREA OF TOWN. I MEAN, THE FACT THAT WE ARE STARTING THE GROUP THAT'S ORGANIZING OUR CITIZENS AND COMING BACK AND COMPLAINING ABOUT WHAT'S GOING ON, THAT THEY -- WAL-MART, AND PROBABLY, THEY GO, HEY, WE HAVE A NEW PLAN, A NEW SITE PLAN, HOW ABOUT THIS, LOOPHOLES THEY'RE TRYING TO FIT THROUGH. SO NOW YOU-ALL HAVE AN OPPORTUNITY TO DENY THIS SECOND PLAN. I KNOW YOU'RE SAYING YOUR HANDS ARE TIED AND THIS, THAT AND THE OTHER, BUT I THINK THAT YOU DO HAVE THE OPPORTUNITY TO DO SOMETHING. FROM MY UNDERSTANDING, THE CITY ATTORNEY IS SAYING THAT THE COUNCIL COULD BE PERSONALLY SUED BY THESE ORGANIZATIONS, LIKE WAL-MART AND LINCOLN PROPERTIES, AND THAT THEY WILL NOT BE SUPPORTED BY THE CITY. I HOPE THIS IS NOT TRUE. I MEAN, TO ME THAT ALMOST LIKE SAYING -- TELLING A FIREMAN TO GO INTO A BURNING BUILDING TO SAVE BURNING BABIES, BUT IF YOU GET BURNED WE'RE NOT GOING TO PAY FOR YOUR HOSPITAL BILL. THAT JUST MAKES NO SENSE TO ME, WHICH I WOULD HOPE THAT THE CITY WOULD BACK UP ITS OWN

PEOPLE AND SUCH. SO -- I MEAN, ANOTHER PROBLEM TOO IS THAT I'M HOPING THAT YOU-ALL AREN'T SAYING, WELL, THIS IS NOT MY NEIGHBORHOOD. IT DOESN'T REALLY AFFECT YOU. I MEAN, I KNOW, MAYOR, YOU'RE SO -- YOU'RE VERY, VERY OPPONENT FOR WHAT'S GOING ON DOWN AT THE HIKE AND BIKE TRAIL, BECAUSE I KNOW YOU'RE A BIG FAN, YOU USE IT AND SUCH. MCCRACK IN, I DON'T KNOW IF YOU LIVE IN THAT AREA. I HEARD YOU POSSIBLY DO. THIS MIGHT AFFECT YOU, BUT I THINK THAT THIS CITY -- SOMETHING THAT COULD BE AN ITEM -- A GREAT DESIGN THAT COULD HELP EVERYBODY, NOT JUST ONE BIG PARKING LOT WITH A BIG BOX IN THE MIDDLE OF IT. AND HISTORY SAYS THAT WAL-MART MAY PULL OUT IN A FEW YEARS, AND WE HAVE SHELLS UP AND DOWN 183 OF AN OLD WAL-MART THAT WAS THERE THAT PULLED OUT BECAUSE THEY WEREN'T MEETING THEIR NUMBERS. SO IN MY MIND IT SEEMS LIKE IF THEY BUILD THIS BIG SHELL AND BIG BOX, THAT -- AND IN A COUPLE YEARS FROM NOW WE'RE GOING TO HAVE TO REDO THIS ALL OVER AGAIN. REAL QUICKIE JUST WANT THE CITY COUNCIL TO BACK UP. SEEMS LIKE MS. KIM HERE IS THE ONE SUPPORTER. I WISH YOU GUYS WOULD BACK HER UP AND HELP US OUT. YOU CITY COUNCIL OF AUSTIN, YOU GUYS CAN MAKE SOMETHING HAPPEN. I KNOW YOU CAN. THANK YOU GUYS. ENJOY YOUR AFTERNOON.

MAYOR WYNN: THANK YOU, SEAN. LIKEWISE. WELL, COUNCIL, THAT'S ALL OF OUR CITIZENS WHO SIGNED UP FOR THIS WEEK'S GENERAL CITIZEN COMMUNICATION. EXCUSE ME. I THINK WE HAVE ONE POTENTIAL DISCUSSION ITEM THAT WE'LL TAKE UP LATER THIS AFTERNOON, THAT BEING THE POTENTIAL AGREEMENT WITH THE LCRA. THERE WILL BE A STAFF PRESENTATION LATER THIS AFTERNOON. AT THIS TIME WITHOUT OBJECTION I'D RECOMMEND THAT WE GO AHEAD AND RECESS THIS MEETING OF THE CITY COUNCIL TO TAKE A LUNCH BREAK, AND THEN WE'LL COME BACK AFTER A QUICK BITE AND HAVE OUR BUDGET PRESENTATION FROM CITY MANAGEMENT. SO AT THIS TIME WE ARE NOW IN RECESS, AS WE HAVE NO CLOSED SESSION ITEMS REMAINING, AND I ANTICIPATE US COMING BACK APPROXIMATELY 1:30 P. ABOUT 35 MINUTES, AFTER A LUNCH BREAK TO TAKE UP OUR BUDGET PRESENTATION. WE ARE NOW IN RECESS. THANK YOU. MONEYA MONEY A MONEYA

TEST....TO..WANNABE IAN HE IS YAM HE IS LLAMAS IAN HE IS  
ORGAN DAY GRANDE GRANDE GLANG GRANDE LEANNA  
WALL....ANGELINA

THERE BEING A QUORUM PRESENT AT THIS TIME I'LL CALL  
BACK TO ORDER THIS MEETING OF THE AUSTIN CITY  
COUNCIL. WE'VE BEEN IN RECESS FOR ABOUT 50 MINUTES  
OR SO. NICE LUNCH BREAK. WE NOW WILL TAKE UP POSTED  
BUDGET POLICY DISCUSSION. WE ACTUALLY POSTED IT FOR  
A MORNING BRIEFING, BUT INSTEAD WE WILL DO IT NOW,  
AND WITH THAT I'LL TURN IT OVER TO THE CITY MANAGER.

ALL RIGHT. COUNCIL, TODAY WE'RE SCHEDULED FOR A  
PRESENTATION AND DISCUSSION OF BUDGET POLICY, AND  
LET'S SEE. THERE WE GO. WE'RE UP. THIS IS ALL PART OF A  
CONTINUING DEVELOPMENT OF THE PROPOSED BUDGET.  
BACK IN MAY WE PRESENTED TO YOU THE CITY'S FIVE-YEAR  
FINANCIAL FORECAST. OUR BEST ESTIMATE, BASED ON  
DATA WE HAD AT THE TIME, OF THE FINANCIAL PICTURE THE  
CITY FACES OVER THE UPCOMING YEARS. WE ARE STILL  
ALMOST TWO MONTHS AWAY FROM PRESENTING A  
PROPOSED BUDGET TO YOU. THIS WILL BE WHEN YOU  
REVIEW THE PROPOSED BUDGET AT THE END OF JULY.  
AFTER THAT THERE ARE GOING TO BE A SERIES OF PUBLIC  
HEARINGS, DEPARTMENTAL BUDGET PRESENTATIONS THAT  
WILL GO ON FOR SIX-PLUS WEEKS, AND FINALLY YOU WILL  
CONVENE IN EARLY SEPTEMBER TO APPROVE THE BUDGET.  
TO TODAY'S STEP IN THE BUDGET PROCESS IS FOR THE  
COUNCIL TO HAVE A DISCUSSION ON A WIDE RANGE OF  
BUDGET POLICY ISSUES THAT WILL HELP GUIDE US AS WE  
GET DOWN TO THE DETAILED WORK OF PREPARING THE  
ACTUAL BUDGET. IN THE UPCOMING WEEKS WE'LL BE  
INCORPORATING THE DIRECTION WE GET FROM YOU TODAY  
AS WELL AS WORK THROUGH A VARIETY OF OUTSTANDING  
ISSUES TO GET TO A BUDGET. IT'S IMPORTANT TO NOTE  
EXACTLY HOW WE DO GET FROM THE FORECAST TO THE  
PROPOSED BUDGET. WHEN YOU LOOK AT A THREE OR FIVE-  
YEAR FINANCIAL FORECAST, THE FIRST YEAR OF OUR  
FINANCIAL FORECAST, FISCAL YEAR '08, WAS NOT THE  
PROPOSED BUDGET FOR FISCAL YEAR '08. THE DATA AND  
ASSUMPTIONS USED FOR THE FORECAST WERE BASED ON  
THE FIRST SEVERAL MONTHS OF THE CURRENT FISCAL  
YEAR. SO THE FORECAST SIMPLY PROVIDES A TOOL. IT'S A

TOOL TO FRAME THE DISCUSSION ON BUDGET PRIORITIES, WHICH WE WILL THEN USE TO PROPOSE THE ACTUAL BUDGET. FOR THE PROPOSED BUDGET, WE HAVE ABOUT THREE MORE MONTHS OF INFORMATION THAT WE'LL USE TO GET TO THAT BUDGET, AND DURING THIS TIME WE'LL BE WORKING THROUGH A SERIES OF OUTSTANDING ISSUES. SO, FOR EXAMPLE, ON THE EXPENDITURE SIDE WE'LL DETERMINE OUR FINAL HEALTH INSURANCE COST, WE'LL BE EXTRAPOLATING WHAT OUR FUEL COSTS ARE EXPECTED TO BE. WHEN YOU'RE ON THE REVENUE SIDE NOW YOU'LL HAVE MORE MONTHS OF ACTUAL DATA TO ANALYZE, SO WE'LL BE LOOKING HARD AT OUR OTHER REVENUE CATEGORIES, SUCH AS DEVELOPMENT REVENUE OR INTEREST REVENUE, CHARGES FOR SERVICES. AND WE'LL MAKE ADJUSTMENTS AS NEEDED TO BOTH OUR CURRENT YEAR ESTIMATE AND OUR PROJECTIONS FOR FISCAL YEAR '08. FOR BOTH OUR REVENUE AND EXPENDITURES, ESTIMATES AND ASSUMPTIONS WILL CHANGE, SO WE'LL BEGIN THE VERY DETAILED PROCESS OF BUILDING THE PROPOSED BUDGET THAT ARE PRESENTED TO YOU AT THE END OF JULY. EXPECT THE ESTIMATES AND THE ASSUMPTIONS TO CHANGE OVER THAT TIME. NOW, ADDITIONALLY TODAY WE'RE GOING TO BE GIVING YOU A STATUS UPDATE ON THE COUNCIL'S BUDGET INITIATIVE THAT WERE DEVELOPED DURING YOUR RETREAT WORK SESSIONS. YOU IDENTIFIED A SERIES OF COUNCIL BUDGET INITIATIVES, 21 IN TOTAL, AND THEY WERE ORGANIZED UNDER EACH OF YOUR FOUR NEW ADOPTED COUNCIL PRIORITIES. SO JUST AS A REMINDER, THE FOUR NEW COUNCIL PRIORITIES, ONE, A RICH SOCIAL AND CULTURAL COMMUNITY. TWO, A VIBRANT URBAN FABRIC, THREE, A HEALTHY AND SAFE CITY, AND FOUR, A SUSTAINABLE ECONOMIC DEVELOPMENT AND FINANCIAL HEALTH FOR YOUR CITY. HOWEVER I SHOULD NOTE THAT WE GROUPED SEVERAL OF THESE TOGETHER IN SOME LOGICAL CLUSTERS SO YOU WILL ACTUALLY SEE ONLY 16 FINAL INITIATIVES IN THIS PRESENTATION. OUR STATUS REPORT WILL NOT ONLY REVIEW WHAT IS AND WILL BE WORKED ON, BUT WILL ALSO PROVIDE A RECAP OF THE CURRENT RESOURCES ALLOCATED FOR THE INITIATIVE, AS WELL AS ANY NEW FUNDING NEEDED IN THE UPCOMING YEAR, FOR THE INITIATIVE. SO BEFORE TURNING IT OVER TO OUR BUDGET OFFICER I WANTED TO FIRST WALK YOU

THROUGH THE BRIEFING BOOK THAT EACH OF YOU HAVE BEEN GIVEN THE THE FIRST SECTION OF THE BRIEFING BOOK IS THE POWERPOINT PRESENTATION WE'RE GOING TO WALK YOU THROUGH TODAY. THE SECOND SECTION IS A SERIES OF TWO-PAGERS THAT ARE WRITE-UPS ON EACH OF THE 16 COUNCIL BUDGET INITIATIVES. THESE WRITE-UPS PROVIDE A MORE DETAILED STATUS OF EACH OF THE INITIATIVES THAT WE'LL BE REVIEWING IN THE PRESENTATION FOR YOU. AND THE THIRD AND FINAL SECTION OF YOUR BRIEFING BOOK CONTAINS JUST GENERAL BACKUP INFORMATION, INCLUDING LAST MONTH'S FINANCIAL FORECAST POWERPOINT PRESENTATION, SO YOU CAN REFER TO THAT TODAY AS YOU WORK THROUGH THE BUDGET PROCESS. OR IF YOU ALSO HAVE THE ONE-PAGE INDEX OR CROSSWALK, HOW THE 21 INITIATIVES WERE ORGANIZED OR CLUSTERED DOWN INTO 16 INITIATIVES. AND IT ALSO HAS AN INDEX OF THE COUNCIL'S BUDGET QUESTION AND ANSWERS TO DATE.... DATE. NOW, TODAY'S PRESENTATION HAS ALSO BEEN ORGANIZED INTO THREE SECTIONS OR THREE COMPONENTS. SO WE'RE GOING TO START WITH GREG. GREG IS GOING TO BRIEFLY RECAP THE FINANCIAL FORECAST FROM LAST MONTH. SO FOCUSING ON THE FORECAST YEAR FOR FISCAL YEAR '08, WHICH BEGIN WILL..... AGAIN WILL STERVE AS A STARTING POINT FOR THE PREPARATION OF THE PROPOSED BUDGET, BUT ITSELF NOT THE BUDGET. THE SECOND PART OF OUR PRESENTATION TODAY WILL FOCUS ON THE COUNCIL'S BUDGET INITIATIVE AND ALL THE DIFFERENT ASSISTANT CITY MANAGERS WILL BE WALKING YOU THROUGH THE STATUS OF THOSE 16 INITIATIVES, INCLUDING THE PROPOSED RESOURCES FOR THE UPCOMING YEAR. EACH ASSISTANT CITY MANAGER WILL TAKE THE INITIATIVES THAT THEY APPOINT ON. AND HERE'S THE OPPORTUNITY IN THE PRESENTATION FOR YOU TO CONFIRM THE DIRECTION WE'RE TAKING TO IMPLEMENT YOUR PRIORITY INITIATIVES. WE BELIEVE THESE FIRST TWO STEPS IN THE PRESENTATION ARE WHAT WILL HELP LAY OUT THE CONTEXT FOR THE UPCOMING BUDGET, WHERE WE ARE IN THE BASE BUDGET, COST DRIVERS AND ANY NEW PROJECTED OR ENHANCED CORE SERVICE ENHANCEMENTS. AND THEN THE THIRD AND LAST COMPONENT OF THE PRESENTATION TODAY WILL BE A DISCUSSION OF VARIOUS BASIC POLICY ISSUES THAT WE WILL THEN USE AS

ASSUMPTIONS IN PREPARING THE BUDGET. WE WILL ALSO SEEK YOUR INPUT ON ANY ADDITIONAL POLICY BUDGET QUESTIONS THAT YOU BELIEVE WE SHOULD ADDRESS DURING THE PREPARATION OF THE UPCOMING BUDGET. SO WITH THAT I'M GOING TO TURN IT OVER TO GREG AND HE'S GOING TO START ON THE FIRST SECTION, WHICH IS A BRIEF RECAP OF THE '08 FORECAST.

THANK YOU, CITY MANAGE. GREG CANAL I, BUDGET OFFICER. AND AS THE MANAGER SAID I'M GOING TO SPEND THE FIRST PART OF THIS PRESENTATION JUST BRIEFLY REVIEWING FOR YOU THE FORECAST THAT WE PRESENTED TO YOU BACK IN MAY, AND I'LL START BY BRIEFLY JUST LOOKING AT OUR REVENUE FOR FY '08. SO AS WE DISCUSSED DURING THAT FINANCIAL FORECAST PRESENTATION, AND IN LINE WITH OUR ECONOMIC OUTLOOK THAT THAT JOHN SHARED WITH US ALL, OUR REVENUE PROJECTIONS AS THEY STOOD AT THE FORECAST RESULTED IN AN ADDITIONAL \$37.3 MILLION. SO LET ME WALK YOU THROUGH AND ADDRESS SOME OF THE ASSUMPTIONS BEHIND THAT INCREASE. FIRST LOOKING AT PROPERTY TAX REVENUE, WHICH ACCOUNTS FOR ABOUT 30% OF OUR OVERALL REVENUE, THE CURRENT ESTIMATE FOR THE EFFECTIVE TAX RATE PLUS AGAIN THE ONE PENNY FOR THE DEBT SERVICE ASSOCIATED WITH THE RECENT BOND ELECTION, THAT'S 39.54 CENTS, WHICH IS A REDUCTION OF 1.7 CENTS FROM OUR CURRENT TAX RATE OF 41.26 CENTS. AGAIN, IN THE CURRENT ESTIMATE OF THE ROLL-BACK TAX RATE IS 41.2 SENTENCE AND THAT IS ALSO LOWER THAN OUR CURRENT TAX RATE. LOOKING AT OUR ASSESSED VALUE WE ARE ASSUMING AN OVERALL INCREASE IN OUR AV OF ABOUT 10.5%. THIS IS A \$6.3 BILLION INCREASE, AND THIS INFORMATION, OF COURSE, IS WHAT'S DRIVING THE REDUCTION IN OUR EFFECTIVE TAX RATE. JUST A NOTE, OBVIOUSLY, WE WORK WITH THE APPRAISAL DISTRICT TO GET THE FINAL CERTIFIED ROLL AND THAT FINAL CERTIFIED ROLL, WE WILL NOT GET THAT UNTIL THE SEND OF JULY. IN FACT, NOT UNTIL AFTER WE GO TO PRINT ON THE BUDGET. SO, IN FACT, WHEN WE COME BACK TO YOU THE END OF JULY THERE MIGHT BE A SLIGHT VARIATION IN WHAT THE CERTIFIED TAX ROLL IS AND WHAT IS IN THE DOCUMENT. WE'RE IN CONSTANT COMMUNICATION WITH

THE APPRAISAL DISTRICT BETWEEN NOW AND THAT TIME. LOOKING AT SALES TAX, WE ARE CURRENTLY ASSUMING A 7.5% INCREASE OVER OUR CURRENT YEAR ESTIMATE OF 9.5%, AND THIS 9.5% IS HIGHER THAN OUR BUDGET. AGAIN WE TALKED ABOUT WE'VE INCREASED OUR CURRENT YEAR ESTIMATE BASED ON OUR COLLECTIONS WE'VE SEEN SO FAR THIS MONTH, AND WE WILL CONTINUE TO MONITOR THAT AS WE GET CLOSER. WE'LL HAVE ONE MORE SALES TAX PAYMENT BETWEEN NOW AND THE TIME WE GO TO PRINT ON THE BUDGET. AND THEN FINALLY THE OTHER CATEGORY OF REVENUE THAT WE TALKED IN DEPTH ABOUT OF THE FORECAST WAS OUR TRANSFERS AND THEY ACCOUNT FOR ABOUT 20% OF OUR REVENUE FOR BOTH AUSTIN ENERGY AND AUSTIN WATER UTILITY, AND THE FORECAST THAT WE PUT TOGETHER ASSUMED THAT WE WERE GOING TO KEEP THE RATE -- THE TRANSFER RATES THE SAME AS WERE ESTABLISHED BY POLICY AT 9.1% AND 8.2% RESPECTIVELY. SO THEN LET'S QUICKLY MOVE OVER TO THE OTHER SIDE OF THE LEDGER, ON THE EXPENDITURE SIDE. OUR COST DRIVERS IN OUR CORE SERVICE INVESTMENT THAT WE TALKED ABOUT IN THE FORECAST RESULTED IN INCREASE OF EXPENDITURES OF \$61.2 MILLION. AND WE BUILT THE FORECAST AROUND SEVERAL KEY ASSUMPTIONS. FIRST OF ALL, IT MAINTAINS BASE BUDGET FUNDING TO MEET CURRENT SERVICE LEVEL FOR OUR PUBLIC SAFETY CONFESS SOCIAL SECURITY SERVICES PUBLIC HEALTH AND SOCIAL SERVICES, PUBLIC PARKS AND LIBRARY AS WELL AS OUR DEVELOPMENT SERVICES. SECONDLY WE'VE ADDRESSED THOSE ITEMS IN THE BUDGET THAT HAVE BUILT IN ANNUAL COST INCREASES OR COST DRIVERS, INCLUDED MAINTAINING 2. OFFICERS PER THOUSAND PLAICHTION, WHICH POPULATION, RESULTS IN AN ADDITIONAL 39 OFFICERS NEXT YEAR. IT ALSO MAINTAINS ENHANCED WORK FORCE FOR FIRE DEPARTMENT AND FUNDING THE COMMITMENTS FOR THE PUBLIC SERVICE CONTRACTS. IT HAS COST INCREASES ASSOCIATED WITH SOME OF THE REMAINING 1998 BOND FACILITIES THAT ARE GOING TO BE OPEN NEXT YEAR, SPECIFICALLY GUS GARCIA AND COUNTY PARK REC CENTERS AS WELL AS THE COLORADO RIVER PARK -- THE OTHER RIVER PARK. FUNDING FOR STREET MAINTENANCE, FUNDING TO INCREASE SOCIAL SERVICES BY 23.5.....23.5% AND FUNDING FOR WORK FORCE

INVESTMENTS. AND QKLY TOUCHING ON INVESTMENTS IN OUR WORK FORCE, INCLUDES ADDITIONAL CONTINUATION OF OUR PAY FOR PERFORMANCE PROGRAM, CONTINUATION OF OUR MARKET STUDY PROGRAM WHERE WE'LL BE ASSESSING ONE-THIRD OF THE WORK FORCE EACH YEAR, A 15% FACTOR FOR OUR HEALTH INSURANCE COST, AND AGAIN AS WE DISCUSSED, IN WORKING WITH OUR PROVIDERS, HEALTH INSURANCE COSTS ARE CONTINUING TO SHOW STEEP INCREASES. IT ALSO IS A CONTINUATION IN THE INVESTMENT OF THE RETIREMENT CONTRIBUTION TO THE ERS PER THE COUNCIL'S FUNDING PLAN, AND IT ALSO INCLUDES ADDITIONAL TRAINING FOR OUR FRONT LINE EMPLOYEES. THE THIRD SET OF EXPENDITURES TURS THAT GO INTO THAT 61.2 MILLION ARE OUR CORE SERVICE INVESTMENTS, OUR GROWTH-RELATED INVESTMENTS, INCLUDING ADDITIONAL SERVICES FOR GRAFFITI ABATEMENT, THE ONE STOP SHOP, URBAN DESIGN, PEAK ROAD AMBULANCES FOR OUR EMS DEPARTMENT, RESOURCES FOR PARKS AND FUNDING FOR LIBRARY MATERIALS. ANOTHER CATEGORY IN OUR CORE SERVICE INVESTMENTS WERE INTERNAL CONTROLS. THE INVESTMENTS WE INCLUDED THERE INCLUDED HR RESOURCES FOR MUNICIPAL COURT, POLICE AND PARK, FINANCIAL RESOURCES FOR THE PLEAT DEPARTMENT, THE FIRE DEPARTMENT AND OUR PARKS DEPARTMENT, AND ADDITIONALLY AND IMPORTANTLY POSITIONS AND ADDITIONAL FUNDING FOR EMS COMMUNICATIONS AND FIRE DISPATCHING. AND THEN THE THIRD CATEGORY OF COURSE IS THE BUDGET -- COUNCIL BUDGET INITIATIVES WHICH ARE MOMENTARILY GOING TO HEAR MORE ABOUT, FUNDING AND RESOURCES FOR THESE WERE ALSO INCLUDED IN THIS FORECAST, ALTHOUGH NOT ONLY IN THE GENERAL FUND BUT THROUGHOUT OUR CITY AND ENTERPRISE FUNDS AND VARIOUS CIP'S. SO BRINGING THOSE TWO TOGETHER OUR REVENUE AND EXPENDITURE ASSUMPTIONS THAT WE HAD PRESENTED BACK IN MAY FOR OUR FORECAST, WE GET TO THIS -- OUR FORECAST GAP, AS WE PRESENTED IT. AND NOW, THIS SLIDE ACTUALLY WE'RE GOING TO SHOW YOU GAPS, AGAIN, WHICH ARE THE DIFFERENCE BETWEEN OUR PROJECTED REVENUE AND OUR PROJECTED EXPENDITURE INCREASE UNDER TWO DIFFERENT TAX RATE SCENARIOS.



[ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS. ]

ACM'S WILL BE WALKING YOU THROUGH MOMENTARILY, HAVE BEEN INCLUDED IN THIS GENERAL FUND FORECAST AND REFLECTED IN THESE NUMBERS OR IN OTHER ENTERPRISE FUNDS AND CIP FUNDING THROUGHOUT THE ORGANIZATION. AGAIN, I'LL JUST MENTION, THE ASSUMPTIONS AND ESTIMATES WE USED IN PUTTING THE TRAS TOGETHER WILL CHANGE AS WE CONTINUE THE DETAILED PROCESS OF PREPARING A BALANCED BUDGET THAT WE'LL BE PRESENTING TO YOU AT THE END OF JEWEL. WITH THAT I WILL TURN IT BACK OVER TO THE CITY MANAGER.

ALL RIGHT, COUNCIL, THAT IS A BRIEF RECAP. FINANCIAL FORECAST

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PARKS FACILITIES AND PUBLIC SPACES, IMPLEMENTING THE BARTON SPRINGS POOL MASTER PLAN, AND DEVELOPING A LONG-TERM LANDFILL PLAN. WITH THAT, BURT.

GOOD AFTERNOON, ASSISTANT CITY MANAGER OVER COMMUNITY SERVICES. THE FIRST MISH TITCH IS TO IMPROVE DOWNTOWN QUALITY OF LIFE. THE CITY OF AUSTIN AND DOWNTOWN AUSTIN ALLIANCE PROVIDE A WIDE RANGE OF SERVICES IN OUR UNIQUE DOWNTOWN AREA. THE CRIT CONTRACTS WITH THE DAA AND PECAN OWNERS ASSOCIATION FOR MAKE TANG THE DOWNTOWN PID AND EAST SIXTH STREET. A REPORT WAS PRESENTED BACK IN MARCH OF 2007 WHICH VERY SPECIFICALLY OUTLINED FUNDED AND UNFUNDED RECOMMENDATIONS FOR MAKING IMPROVEMENTS TO CLEANLINESS AND CODE ENFORCEMENT. THE DOWNTOWN PIGG--PID ENCOMPASSES THIS AREA. IN THE AREA OF CLEANLINESS AND PEDESTRIAN SAFETY, AN INTERDEPARTMENTAL TASK FORCE HAS BEEN WORKING WITH THE DOWNTOWN STAKEHOLDERS TO IMPLEMENT CLEANLINESS IMPROVEMENTS AND RESEARCH OPPORTUNITIES FOR WHAT WE BELIEVE ARE GOING TO BE FUTURE ENHANCEMENTS. SINCE THE START OF THIS TASK

FORCE WE HAVE BEEN ABLE TO COMPLETE OR NORLY COMPLETE A NUMBER OF THESE RECOMMENDATIONS AND ARE EXCITED ABOUT THAT. WE ARE ABLE TO PURCHASE A PRESSURE WASHING MACHINE FOR SIDEWALKS, WHICH WAS A BIG PRIORITY FOR OUR STAKEHOLDERS, WE PLACED FILTER MATERIALS WITHIN THE TREE GREATS TO CATCH LITTER, WE CONFIGURED THE IRRIGATION SYSTEMS TO PROVIDE WATER ACCESS, AND ASSESSED AND INSTALLED BROKEN TREE GRATES WHERE NEEDED. CURRENT RESOURCES OF APPROXIMATELY 2.1 MILLION ARE ALREADY DEDICATED TO THESE EFFORTS. WE ALSO HAVE PLANNED IMPLEMENTATION EFFORTS TO EMPHASIZE LITTER ABATEMENT, SIDEWALK WASHING AND REPAIR, REPAIR, ALLY RECONSTRUCTION AND CLEANLINESS, GRAFFITI REMOVAL, TREE GREATS AND BIKE RAKES N ADDITION WE HAVE RESEARCH GOING ON IN THE AREAS OF INCLUDING A PILOT PROGRAM FOR INSTALLING AND MAINTAINING NEWSRACKS, A BIRD MIGRATION RELOCATION PLAN, AND REGULATION OF AUTOMATED TELLER MACHINES. ADDITIONAL FUNDING RECOMMENDED FOR FISCAL YEAR '08 TOTALS 50,000 TO PURCHASE AND INSTALL ADDITIONAL ASH TRAYS TO HELP REDUCE A VAST AMOUNT OF CIGARETTE BUTTS, CAPITAL IMPROVEMENT FUNDING OF 2 200,000 WHICH ALLOCATED FOR SIDEWALK REPAIR IN FISCAL '08 AS WELL, AND 300,000 TO RECONSTRUCT FIVE DOWNTOWN DOWNTOWNALLIES, WHICH ALL COSTS ARE INCLUDED IN THE CITY'S RECENT FIVE-YEAR FORECAST. STAFF CONTINUES TO EMPHASIZE CODE ENFORCEMENT IN THE DOWNTOWN AREA, ENFORCEMENT OF CITY CODE A BROAD AND UNDERTAKING PROCESS RANGING FROM HEALTH INSPECTIONS, TRAFFIC AND PARKING CONTROL, MANAGING CODE COMPLIANCE BY SPECIAL EVENTS TO FIRE INSPECTIONS. OVER THE YEARS WE HAVE ADDED INSPECTORS PRIMARILY IN THE CODE ENFORCEMENT AREA, BUT THESE HAVE BEEN PRIMARILY ADDED TO GEOGRAPHICALLY COVER AREAS IN THE CITY AND MEET DEMANDS OFF THE LAST THREE YEARS. WE HAVE CITY RESOURCES DEDICATED, AND SUPPORTED BY FUNDS TOTALLY APPROXIMATELY \$900,000. WE HAVE IN FUNDING REQUESTED ADDITIONAL FUNDING RECOMMENDED FOR FISCAL YEAR '08 THAT TOTALS \$200,000 FOR TWO ADDITIONAL RIGHT-OF-WAY MANAGEMENT INSPECTORS TO MONITOR THE GROWING NUMBER AND DEMAND AND

FREQUENCY OF EVENTS TAKING PLACE IN THE DOWNTOWN AREA, AND THEN ONE ADDITIONAL SANITARIAN FOR DOWNTOWN RESTAURANT INSPECTIONS. THESE ALSO -- INCLUDED IN THE FIVE-YEAR FORECAST. THE CITY PROVIDES PATROL SERVICES FOR DOWNTOWN AREA. WE HAVE A NUMBER OF ANALYSIS INVOLVING THIS, APD'S DOWNTOWN AREA COMMAND COVERS 3.SQUARE MILES AND IS STAFFED BY ABOUT 120 OFFICERS AND 13 CIVILIANS. THE DA FUNDS AND OPERATES THE DOWNTOWN RANGERS PROGRAM PARKS PATROL ALSO FUNDED BY DAA AND SECURES PARKS AND GREEN SPACES WITHIN AND IMMEDIATELY ADJACENT TO THE DOWNTOWN AREA. THEN WE HAVE OUR PARKS PATROL THAT OPERATE SEVEN DAYS A WEEK AND CONSISTS OF FOUR ASSIGNED OFFICERS FROM THE CITY'S PUBLIC SAFETY AND EMERGENCY MANAGEMENT DEPARTMENT. HOWEVER, WE DO NOT HAVE ANY ADDITIONAL POLICING RESOURCES PROPOSED AT THIS POINT. WITH THESE PROPOSED RECOMMENDATIONS WE BELIEVE WE CAN MOVE CLOSER TO ACHIEVING THE OUTCOME THAT THE CITY OF AUSTIN PROVIDES THE BEST AND HIGHEST QUALITY SERVICES TO RESIDENT, BUSINESSES AND VISITORS COMING TO OUR UNIQUE DOWNTOWN AREA. NEXT INITIATIVE IS TO IMPROVE THE HIKE AND BIKE TRAIL, LIGHTING AND CONNECTIVITY. THERE IS A 1.1 MILE CONNECTIVITY GAP IN THE TUN TOWN LIKE HIKE AND BIKE TRIAL ALONG RIVERSIDE DRIVER WITH ADDITIONAL LIGHTING NEEDED. THERE IS CURRENTLY NO CAPITAL FUNDING IDENTIFIED TO CONNECT THE GAP. STAFF AND PARKS AND RECREATION DEPARTMENT IS WORKING DILIGENTLY WITH THE PROPERTY OWNERS FOR REDEVELOPMENT DURING THIS 1. 1.1 MILE STRETCH TO SECURE EASEMENTS, PARK IMPROVEMENT AGREEMENTS, LAND DEDICATION AND CONSTRUCTION TO FACILITATE CONNECTING THE GAP WITH PRIVATE INVESTMENT. WE HAVE HAD AN EXCELLENT PARTNER IN THE TOWN LAKE TRAIL FOUNDATION WHICH IS PROVIDING \$40,000 FOR A RIVERSIDE BOARDWALK PROJECT STUDY. THE CURRENT ESTIMATED CONSTRUCTION COST OF A BOARDWALK ABOVE THE WATER IS IN THE \$12-15 MILLION RANGE. THE STUDY WILL BE USED AS A COMPREHENSIVE RESOURCE FOR ALL STEAK STAKEHOLDERS, PROVIDER NEEDS ASSESSMENT AND TOOLS FOR FUNDRAISING AND INCREASING

COMMUNITY OUT OUTREACH. THE NEW FUNDING NEED OF 1 00 000 IS IN THE FORECAST TO BEGIN PRELIMINARY DESIGN FOR THE TOWN LAKE BOARDWALK AND GET IT CLOSER TO A REALITY. PARTNERING WITH AUSTIN ENERGY TO PROVIDE LOW LEVEL LIGHTING TO REDUCE HAZARDS ALONG DARK AREAS OF THE TRAIL. IN ADDITION THEY RECEIVED AN ALLOCATION OF 100,000 IN THE --IN THE FISCAL YEAR 2007 BUDGET AND IS MOVING FORWARD WITH INSTALLATION OF LIGHTING NEAR THE FOUR SEASONS HOTEL. THE PROJECT IS INTENDED TO ASSIST TRAIL USERS IN IDENTIFYING TRAIL CONDITIONS RATHER THAN FULLY ILLUMINATE THE TRAIL. IT'S VERY CONSISTENT WITH OUR EFFORTS TO REDUCE LIGHT POLLUTION AROUND THE LAKE. TO GIVE YOU SOME IDEA, SOME SECTIONS OF THE TRAIL THAT HAVE ALREADY BEEN IDENTIFIED FOR LIGHTING INCLUDE SHOAL CREEK, RAILROAD SECTION, RAINY TO PLAY SCAPE SECTION, AND IN THE FRONT OF THE RADISSON. THE TOWN LAKE TRAIL FOUNDATION STUDY IS EXPECTED TO BE COMPLETED BY AUGUST OF THIS YEAR ALONG WITH THE FIRST INITIAL STAGE OF TRAIL LIGHTING. NEXT INITIATIVE IS IMPROVE MAINTENANCE OF PARKS AND PUBLIC SERVICE. PARKS AND RECREATION DEPARTMENT IS RESPONSIBLE FOR MAINTAINING OVER 16,000 ACRES OF PARK LAND, OVER 1.2 MILLION SQUARE FEET OF PARK FACILITIES AND 110 PLAY SCAPES. AS AUSTIN CONTINUES TO GROW THE DEMANDS ON PARKS AND PUBLIC SPACE WILL INCREASE ACCORDINGLY. THE MAINTENANCE OF PARKS AND PUBLIC SPACE INCLUDE NOT ONLY PARK LAND MAINTENANCE BUT ALSO MAINTENANCE OF MANY OF ITS BUILDINGS, INCLUDING RECREATION AND SENIOR CENTERS AND PLAYGROUND MAINTENANCE OVERALL. INVESTMENT IN THIS AREA WILL HELP THE DEPARTMENT THE STAFFING NEEDED TO NOT ONLY PROTECT BUT ALSO PRE SIVES PARKS FACILITIES AND PUBLIC OPEN SPACE AT AN ACCEPTABLE LEVEL. CURRENT PARKS AND FACILITY MAINTENANCE RESOURCES INCLUDE 9.2 MILLION AND 149 FTE'S. THE THREE AREAS BELOW ARE COMPONENTS OF THE FACILITIES AND PARKS MAINTENANCE ACTIVITIES. IN 2004 THE FACILITIES MAINTENANCE DIVISION OPERAT OPERATED WITH 28 EMPLOYEES, IN 2000 STAFFING WAS AS HIGH AS 39 EMPLOYEES. THE CURRENT STAFF OF 28 EMPLOYEES MUST MAINTAIN OVER 74 FACILITIES AND THERE ARE SEVERAL NEW NEW--FACILITIES COMING ON LINE OVER

THE NEXT FEW YEARS INCLUDING TURNER ROBERTS, GUS GARCIA RECREATION CENTER, THE MEXICAN AMERICAN CULTURAL CENTER AND THE TOWN LAKE PARK. THE ADDITION OF THE PROPOSED EMPLOYEES IN FISCAL YEAR '08 AT ESTIMATED ONGOING COST OF \$380,000 EACH YEAR WOULD RESULT IN A 25 PERCENT INCREASE IN SCHEDULED PREVENTIVE MAINTENANCE AS WELL AS FEWER UNSCHEDULED REPAIRS. PAR CURRENTLY HAS 110 PLAY ESCAPES, STATE AND FEDERAL LAW MINIMUM SAFETY STANDARDS MUST BE MAINTAINED IN PARK SYSTEMS. THESE STANDARDS IN MOST PART ARE ADDRESSED THROUGH THE EFFORT OF THE CURRENT CREWS, THESE CREWS ARE STRETCHED THIN AND ADDITIONAL RESOURCES ARE NEEDED. THE ADDITION OF THE FOUR EMPLOYEES AT ESTIMATED ONGOING COST OF \$175,000 EACH YEAR WOULD PROVIDE ADDITIONAL RESOURCES THAT WOULD ADDRESS PLAYGROUND MAINTENANCE NEEDS. WE PRESENTLY HAVE 100 MILES OF TRAILS IN THE AUSTIN PARK SYSTEM INCLUDING APPROXIMATELY 30 MILES OF GRANITE GRAVEL TRAILS. THE TEN-MILE TOWN LAKE HIKE AND BIKE TRAIL HAS THE HIGHEST PROFILE AND IS THE MOST USED. STAFF CURRENTLY DEALS WITH REPAIRING RUTS AFTER RAINS AND RESURFACING WORN AREAS ARE ACCOMPLISHED THROUGH EFFORTS OF THREE EMPLOYEES AND USAGE CONTINUES TO GROW. SOME TRAIL CONDITIONS ARE LEFT WAITING FOR REPAIRS UP TO FIVE DAYS. THE ADDITION OF FOUR EMPLOYEES WOULD ALLOW THESE REPAIRS TO BE DONE IN HALF THE TIME CURRENTLY TAKES. THESE ADDITIONAL RESOURCES WOULD ALSO ALLOW TRAIL RESURFACING TO BE COMPLETED ON AN ANNUAL BASIS RATHER THAN SIMPLY RESPONDING TO SPOT REPAIRS FOR TRAIL HAZARDS OR HEAVY RAINS AND ESSENTIALLY OPERATE IN A MUCH MORE PROACTIVE MANNER. THE ESTIMATED ANNUAL COST OF THESE RESOURCES IS APPROXIMATELY \$180,000. OVERALL THE NEW FUNDING PROPOSED HERE IS FOR \$730,000 FOR 15 FTE'S TO SERVE AS A DEDICATED TEAM IN THE AREA OF FACILITIES, PLAY SCAPES AND TRAILS WITHIN THE PARK SYSTEM. THE NEXT INITIATIVE WILL BE TO BEGIN IMPLEMENTATION OF THE BARTON SPRINGS POOL MASTER PLAN. THE GOAL OF THE BARTON SPRINGS POOL MASTER PLAN IS TO RETURN THE SITE TO ITS FORMER GLORY WHERE THE WATER WAS

CLEANER AND THE EXPERIENCE WAS MORE ENJOY  
ENJOYABLE. ON OCTOBER 19, 2006, THE COUNCIL ADOPTED  
A RESOLUTION CONFIRMING INTENT TO APPROPRIATE  
\$500,000 IN THE ANNUAL CAPITAL IMPROVEMENTS PROGRAM  
UNTIL THE FULL IMPLEMENTATION OF THE BARTON SPRINGS  
MASSOR PLAN. THE ANNUAL FUNDING COULD BE USED FOR  
DEBT SERVICE DEPENDING ON TOTAL FUNDING  
REQUIREMENTS OF THE FINAL MASTER PLAN. IN EARLY 2007  
THE CITY HIRED ARCHITECTS TO DEVELOP A SHORT AND  
LONG-TERM NEEDS ASSESSMENT THAT WILL BE  
INCORPORATED INTO THE MASTER PLAN BY THE END OF  
AUGUST OF 2007. THE FIRM'S ASSESSMENT INCLUDES THE  
HISTORIC BATH HOUSE, A NEW SOUTH GATE, UPSTREAM  
AND DOWNSTREAM DAM MODIFICATIONS, GROUNDS AND  
LANDSCAPE MODIFICATIONS, AS WELL AS THE  
RESTORATION AND MODIFICATIONS OF EE LIZA SPRINGS,  
OLD MILL SPRINGS, AND ZIL KER PONDS. FINAL PLAN WILL  
INCLUDE RESTORATIONS TO THE SWIMMING POOL, BUILDING  
AND SURROUNDING GROUNDS THAT RESPECT THE VERY  
UNIQUE AND NATURAL HISTORICAL SETTING, AND ALSO  
ACCOMMODATE THE SIGNIFICANT USER DEMANDS ON  
AUSTIN'S MOST POPULAR PARK A AMACHINE TYPOPULAR--  
AMENI THE TY. TODAY APPROXIMATELY 30 PERCENT OF THE  
GRAVEL BAR HAS BEEN REMOVED AND WE ARE SCHEDULED  
TO COMPLETE ADDITIONAL REMOVAL DURING THE WINTER  
PART OF THE SEASON THIS YEAR. TO GIVE YOU A STATUS  
WHAT HAS TAKEN PLACE AS FAR AS OUTREACH, THE FIRST  
TOWN HALL MEETING TO RECEIVE INPUT ON THE MASTER  
PLAN WAS HELD ON APRIL 1 AT CITY HALL AND 42 PEOPLE  
SIGNED UP TO SPEAK. WE HAD A NUMBER OF  
REPRESENTATIVES FROM A NUMBER OF GROUPS  
ATTENDING THE HEARING, INCLUDING OUR NEIGHBORHOOD  
COUNCIL, THE PO POLAR BEARS, UNIVERSITY OF TEXAS,  
CONSERVATION DISTRICT DISTRICTRB THE BOY SCOUTS,  
FRIENDS OF BARTON SPRINGS POOL, OUR SPRINGS, AND  
SAVE BARTON CREEK SOME YANGS. THIS COUNCIL HAS  
REMAINED COMMITTED TO APPROXIMATELY \$ \$500,000 EACH  
FISCAL YEAR UNTIL ALL NECESSARY IMPROVEMENTS IN THE  
MASTER PLAN ARE IMPLEMENTED, AS WE GET CLOSER TO  
COMPLETION STAFF WILL BE HAPPY TO GOP FINANCING  
OPTIONS FOR FULL CONSIDERATION. THE LAST INITIATIVE IN  
MY AREA IS TO DEVELOP LONG-TERM LANDFILL PLANS. ON

JANUARY 12, 2006, THE CITY COUNCIL APPROVED RESOLUTION ADOPTING THE PRINCIPLES FOR DELIVERY OF SOLID WASTE SERVICES IN ACCORDANCE WITH THE LONG-TERM REGIONAL SOLID WASTE MANAGEMENT PLAN. THIS COMPREHENSIVE PLAN EMPHASIZING REDUCTION, REUSE AND RECYCLING OF WASTE WILL ENCOMPASS A PRIORITY OF ACTIONS BASED ON AN ANALYSIS OF THE PROJECTED IMPACT ON LANDFILL CAPACITY AND RELATED ISSUES IN TRAVIS COUNTY. THE ESTABLISHMENT OF A MULTI-MULTIFACETED SOLID WASTE MANAGEMENT FACILITY COULD BE MANAGED AND OPERATED BY THE CITY OF AUSTIN IN COOPERATION WITH OTHER GOVERNMENTAL ENTITIES IN THE REGION, BY PRIVATE LANDFILL OPERATOR OR SOME COMBINATION OF THESE ENTITIES. THIS FACILITY WOULD BE ORGANIZED INTO AN ENVIRONMENTAL ENTERPRISE ZONE TO FOSTER LOCAL AND REGIONAL ECONOMIC DEVELOPMENT. ADDITIONALLY THE FACILITY WOULD PROMOTE WASTE DIVERSION OR RECYCLING METHODOLOGIES TO DECREASE THE CITY'S AND THE REGION'S RELIANCE ON LANDFILLS AND TO MEET THE COUNCIL'S ZERO WASTE INITIATIVE. AFTER THE PLAN IS DEVELOPED AND APPROVED BY COUNCIL, SOLID WASTE SERVICES WILL REQUEST THE FUNDING REQUIREMENTS AS NEEDED. THIS PLAN WILL BE IN CONJUNCTION WITH A LONG-RANGE SOLID WASTE PLANNING TASK FORCE AND AD HOC COMMITTEE OF THE SOLID WASTE ADVISORY COMMISSION. THE TASK FORCE REPRESENT A BROAD SPECTRUM OF MULTI-MULTISTAKEHOLDER INTERESTS AND COME A WORK UNDERTAKEN BY THE CITY OF AUSTIN SOLID WASTE ADVISORY COMMISSION AND OTHER CENTRAL TEXAS SOLID WASTE PLANNING EFFORTS. AT PRESENT SOLID WASTE SERVICE IS COMPLETING A DRAFT OF A REQUEST FOR QUALIFICATIONS TO SECURE THE SERVICES OF A CONSULTANT TO PROVIDE A FRAMEWORK FOR AUSTIN TO MEET ITS LONG-TERM SOLID WASTE MANAGEMENT STRATEGIC GOAL AS WELL AS THE COUNCIL'S ZERO WASTE INITIATIVE WHILE ASSURING THE CITY CONTINUES TO MAINTAIN ADEQUATE DISPOSAL CAPACITY IN THE REGION. THE OBJECTIVE OF THE PROJECT IS TO ASSIST ALL AVAILABLE DATA AND CONDUCT A COMPREHENSIVE AND INTEGRATED EXPERT EVALUATION, PROVIDING DATA, RECOMMENDATIONS, AND WRITTEN DOCUMENTATION IN

SUPPORT OF ZERO WASTE INITIATIVES FOR THE CITY OF AUSTIN AND SURROUNDING REGIONS WHICH INCLUDES NOT ONLY TRAVIS COUNTY, WILLIAM WILLIAMSON COUNTY, BASTROP, HAYS, BLANCO AND BURN ET COUNTY. THE ZERO WASTE PLAN WILL EMPHASIZE METHODOLOGIES TO REDUCE THE AMOUNT OF SOLID WASTE SENT TO LOCAL AND REGIONAL LANDFILLS. SOLID WASTE SERVICES INCLUD INCLUDED FUNDING OF 65,000 IN THE FIVE-YEAR FINANCIAL FORECAST RECENTLY PRESENTED TO COUNCIL FOR CONSULTING SERVICES TO COMPLETE THE PLAN. THE PROPOSED SCOPE OF SERVICES INCLUDES ENGAGING A QUALIFIED CONSULTANT TO DEVELOP A ZERO WASTE PLAN, WHICH IS VITAL TO OUR FUTURE AND OUR HEALTH, AND OVERALL ENVIRONMENTAL SUSTAINABILITY AND ECONOMIC SECURITY OF THE SURROUNDING REGIONS IDENTIFIED ABOVE. THIS COMPREHENSIVE PLAN EMPHASIZING REDUCTION, REUSE AND RECYCLING OF WASTE WILL ENCOMPASS A PRIORITY OF ACTIONS BASED ON AN ANALYSIS OF THE PROJECTED IMPACT ON OUR CAPACITY AND RELATED ISSUES IN OUR COUNTY. SOME OF THE RECOMMENDATIONS ARE TO INCLUDE ELEMENTS OF PUBLIC EDUCATION AND OUT OUTREACH TO PROMOTE THE CONCEPTS OF THE PLAN. IN ADDITION, IT WILL HAVE EFFECTIVE METHODOLOGIES FOR MAXIMIZING PRODUCER RESPONSIBILITY THAT WILL ALSO BE CONSIDERED. IN ADDITION, RECOMMENDATIONS PROVIDED BY THE CONSULTANTS TO THE TASK FORCE WILL BE INTEGRAL COMPONENTS OF A LONG RANGE SOLID WASTE PLAN BASED ON GOALS PUT FORTH BY THE CITY OF AUSTIN. LASTLY, THE TASK FORCE WILL LOOK CLOSELY AND PROVIDE CONSULTANT INPUT AND RECOMMENDATIONS ALONG THE WAY. OTHER ISSUES BEING CONSIDERED CONCERNING LONG-TERM LANDFILL PLANS ARE REMAINING CAPACITY WITHIN EXISTING PERMITTED FACILITIES IN THE REGION, AVAILABILITY OF SUITABLE LAND WITHIN THE REGION FOR PERMITTING OF NEW FACILITIES AND ASSURANCE OF COMPETITION AND OTHER MEANS OF CONTROL IS COSTS IF NEW COMPETING FACILITIES ARE NOT AVAILABLE AVAILABLE. THE PLAN IS FOR THE PRESENTATION OF THE ZERO WASTE PLAN TO BOTH, NOT ONLY SOLID WASTE ADVISORY COMMISSION AND THE COUNCIL IN EARLY 2008. AT THIS TIME THAT CONCLUDES MY PRESENTATION. I'LL



TURN IT OVER TO MS. FUT FUTRELL SO WE CAN CONTINUE WITH OTHER INITIATIVES.

NOW WE WILL MOVE TO THE NEXT SET OF. ASSISTANT CITY MAKING LAURA HOFFMAN IS UP NEXT. SHE HAS RESPONSIBILITY FOR FOUR OF THE BUDGET INITIATIVES AND SHE WILL BE TALKING TO YOU ABOUT COMPLETING THE DOWNTOWN MASTER PLAN, EXPEDITING REDEVELOPMENT OF THE GREEN WATER TREATMENT PLANT AS WELL AS THE TOWN LAKE INTAKE STRUCTURE, SUPPORTING OUR CUTTING EDGE BUSINESSES, EMERGING TECHNOLOGIES AND AUSTIN'S CREATE OF CLASS, AND FINALLY FOCUSING ON SMALL BUSINESS DEVELOPMENT AND SUPPORTING WOMEN MINORITY-OWNED BUSINESS ENTERPRISES. LORI, YOU ARE UP.

THANK YOU CITY MANAGER. FIRST WE'D LIKE TO TALK ABOUT THE DOWNTOWN MASTER PLAN. AS WE SAID EARLIER, DOWNTOWN ALL ACROSS THE COUNTRY REPRESENT THE HEART AND SOUL OF CITIES BUT ALSO THE ECONOMIC GUY FOR CITIES-- CITIES--ENERGY FOR CITIES. AT YOUR RETREAT YOU FOCUSED ON THE DOWNTOWN MASTER PLAN AS A WAY TO ACHIEVE A RICH SOCIAL AND CULTURAL COMMUNITY. YOU DIRECTED US TO PULL TOGETHER A DOWNTOWN MASTER PLAN THAT WOULD COMBINE THE MANY EFFORTS THAT ARE GOING ON DOWNTOWN. I WANT TO TALK ABOUT JUST A FEW OF THESE. ULTIMATELY WHAT WE ARE LOOKING FOR HERE IS A LIVABLE, WALKABLE, AFFORDABLE DOWNTOWN THAT REFLECTS AUSTIN'S VALUES. YOU DIRECTED US TO MOVE FORWARD WITH A COMPREHENSIVE EFFORT THAT PULLED TOGETHER A LOT OF STAKEHOLDER INPUT-- INPUT-- VOLUME, THAT INTEGRATED WITH THE DOWNTOWN TRANSIT DISTRICT OVER AT THE CONVENTION CENTER, THAT MODERNIZED AND FOCUSED ON THE IDEA THAT AT THE END OF THE DAY YOU WANTED IT TO BE AN IMPLEMENTABLE PLAN, NOT JUST A VISION FOR AUSTIN'S FUTURE BUT AN IMPLEMENTABLE PLAN. I WANTED US TO INCORPORATE ISSUES WHICH INCLUDED EVERYTHING FROM WHERE RAIL WILL TERMINATE AT THE CONVENTION CERTAIN AREA BUT ALSO HOW WE WILL MOVE IT OVER TO THE CITY'S MAJOR PUBLIC PRIVATE PARTNERSHIP FOR REDEVELOPMENT. AND YOU ASKED US TO TAKE A LOOK AT BEST PRACTICES FOR

AFFORDABLE WORKFORCE HOUSING HOUSING. LATER WE WILL TALK ABOUT HOW TO ACHIEVE OTHER AFFORDABLE HOUSING GOALS IN THE DOWNTOWN MASTER PLAN. YOU WANTED US TO EMPHASIZE THE DOWNTOWN AS A PLACE FOR EVERYONE. WE HAVE BEGUN THE DOWNTOWN MASTER PLAN. AS YOU RECALL WE ISSUED A REQUEST FOR QUALIFICATIONS AND THE CITY COUNCIL SELECTED THE A GROUP. MANY OF YOU HAVE BEEN IN DISCUSSIONS WITH AROMA EXPRESSING YOUR VISION FOR DOWNTOWN. THEY HAVE BEEN MEETING WITH LOTS OF STAKEHOLDER GROUPS IN THE COMMUNITY AND IN THE DOWNTOWN AREA SO THEY ARE IN PHASE ONE OF THE DOWNTOWN MASTER PLAN. WE HAVE A FY '07 CURRENT RESOURCES AT \$200,000 FOR THIS PHASE. WHEN THEY COMPLETE THIS, AND WE EXPECT THEM TO COMPLETE THE INITIAL SURVEY AND STAKEHOLDER PHASE IN THE EARLIER FALL, THEY WILL BE COMING UP TO REPORT TO YOU AS CITY COUNCIL AND GET YOUR DIRECTION FOR PHASE TWO. WHAT WE HAVE LOADED IN NEXT YEAR'S BUDGET IS \$400,000 FOR PHASE TWO OF THE DOWNTOWN PLAN AND THAT WILL INCLUDE, FOR EXAMPLE, ORDINANCE WRITING TO ACHIEVE SOME OF THE POLICY GOALS THAT YOU PRIORITIZED IN THE FALL. THE SECOND PRIORITY IS THE GREEN WATER TREATMENT RE REDEVELOPMENT. THIS FITS IN WITH THE DOWNTOWN PLAN. THERE IS NO QUESTION THAT THE GREEN REDEVELOPMENT PROJECT RENTS THE SINGLE MOST SIGNIFICANT OPPORTUNITY WE HAVE FOR A PUBLIC PRIVATE PARTNERSHIP IN DOWNTOWN AUSTIN AND PARTNERSHIP THAT CAN REFLECT VALUES WE HAVE INCORPORATED INTO THE DOWNTOWN PLAN. YOU INCLUDED THIS IN YOUR PRIORITY CALLED VIBRANT URBAN FABRIC AND ASKED US TO EXPEDITE THE REDEVELOPMENT OF THE GREEN TEAM PLANT, AND ALSO THE TOWN LAKE INTAKE STRUCTURE DIRECTLY ACROSS THE STREET. WE, AS MANY OF YOU MAY RECALL, THIS IS OUR OLDEST WATER TREATMENT PLANT. IT WAS BUILT IN 1924. RIGHT NOW IT PRODUCES AN AVERAGE OF 18 AND A HALF MGD MILLION GALLONS PER DAY, AND THAT TREATMENT CAPACITY IS GOING TO BE REPLACED BY 2011, REPRESENTING SLIGHTLY OVER TEN PERCENT OF THE CITY CITY'S TREATMENT NEEDS TODAY A RELATIVELY SMALL PLANT IN OPERATION. WE BRIEFED YOU SEVERAL WEEKS AGO ON THE DECOMMISSIONING PROCESS. THIS

THIS IS GOING TO BE THE FIRST DECOMMISSIONING OF A WATER PLANT WE HAVE HAD IN AUSTIN. THERE ARE A LOT OF TECHNICAL ISSUES AND WE WILL KEEP THE COUNCIL ACTUALLY APPRISED OF HOW THE DECOMMISSIONING IS MOVING FORWARD. WHEN WE DECOMMISSION THE PLANT IT CREATES LOT OF OPPORTUNITY FOR REDEVELOP REDEVELOPMENT. YOU HAVE DESIGNATED THIS SITE AS THE FUTURE SITE OR ADJACENT TO IT BASED ON YOUR DISCUSSION A COUPLE OF WEEKS AGO, FOR FUTURE LIBRARY, ALSO AN OPPORTUNITY FOR US TO REINSTATE THE GRID, TO IMPROVE TRANSPORTATION DOWNTOWN. IT'S AN OPPORTUNITY FOR US TO INCORPORATE AFFORDABLE HOUSING AMONG THE MAYBE PRIORITIES THAT YOU HAVE DISCUSSED AS PART OF THIS RE REDEVELOPMENT PROJECT. THE RFP FOR GREEN WATER TREATMENT PLANT IS EXPECTED TO BE ISSUED LATE THIS FALL OR EARLY NEXT WINTER. WHAT WAY ARE TRYING TO DO HERE, WE'RE TRYING TO TIME THE SELECTION OF THE CONSULT CONSULTANT FOR THE REDEVELOP THE PROJECT WITH THE DE DECOMMISSIONING ITSELF. AS WE DISCUSSED LAST WEEK THERE ARE SOME OPPORTUNITIES FOR US TO WORK BETWEEN THOSE TWO GROUPS SO THAT WE CAN TAKE ADVANTAGE OF SOME OF THE DECOMMISSIONING DECISION DECISIONS THAT WILL HAVE TO BE MADE ALONG THE WAY. FOR EXAMPLE, THERE WILL BE A BIG HOLE IN THE GROUND AND RATHER THAN FILLING IT UP IT MIGHT BE USED FOR UNDER UNDERGROUND PARK FOR FUTURE REDEVELOPMENT AND WE SEE LOTS OF WAYS FOR THE TO COLLABORATE AND WE WILL MAKE SURE THE TIMING ALLOWS FOR THAT KIND OF COLLABORATION. THE OTHER THING TO MENTION HERE IS THAT IT'S BEEN A PRIORITY OF THE CITY COUNCIL TO TAKE A LOOK AT THE INTAKE STRUCTURE ACROSS THE STREET AND FIND WAYS TO CREATIVELY REUSE THAT PROPERTY FOR SOME AMENITIES THAT WOULD BE CONSISTENT WITH TOWN LAKE TRAIL. WE HAVE PUT TOGETHER A TEAM TO SPECIALIZE IN THAT AND WE WILL COME BACK TO NEW THE FALL WITH A BRIEFING ON HOW TO APPROACH THIS PROPERTY. IT IS SITUATED DIFFERENTLY THAN GREEN BECAUSE SINCE IT HAS BEEN DECOMMISSIONED IT HAS BEEN CONVERTED INTO PARK LAND AND THERE IS A DIFFERENT SET OF LIMITATIONS THAT WE WILL HAVE REDEVELOP

REDEVELOPING THAT PROPERTY. THE GREEN TREATMENT PROJECT IS IS--ESTIMATED AT 27.5 MILLION, TO GET THE PROPERTY READY FOR REDEVELOPMENT. AS WE TALKED EARLIER, IN FY '07 WE HAVE IDENTIFIED CURRENT RESOURCES IN THE AMOUNT OF \$8.3 MILLION FOR STREAM BANK STABILIZATION, ROADWAY CONSTRUCTION, THE GRID THAT I REFERRED TO, AND UTILITY RELOCATIONS, ALL OF WHICH WILL BE NECESSARY IN ORDER TO MAKE THIS PROPERTY VIABLE FOR REDEVELOPMENT. IF FY '08 WE'RE LOADING IN THE 13.4 MILLION PRIMARILY FOR THE DECOMMISSIONING PROJECT. WHAT I SHOULD SAY HERE, THAT IS ALREADY INCLUDED IN THE WATER UTILITIES CAPITAL IMPROVEMENT PROGRAM. WHAT WE ARE LOOKING AT IS USING A PORTION OF THE PROCEEDS EITHER FROM A SALE OR A LEASE OF THAT PROPERTY IN THE REDEVELOPMENT TO REIMBURSE THE UTILITY FOR THESE EXPENSES. NEXT CITY COUNCIL PRIORITY HAS TO DO WITH CUTTING EDGE BUSINESSES, EMERGING TECHNOLOGIES AND AUSTIN'S CREATIVE CLASS. AUSTIN HAS FOCUSED ITS ECONOMIC DEVELOPMENT ON ITS STRENGTHS AND WHAT SETS US APART FROM OTHER AMERICAN CITIES. SO WE HAVE A FOUR-PART ECONOMIC DEVELOPMENT STRATEGY--STRATEGY. THE FIRST IS FOCUS ON SMALL BUSINESS. THE SECOND IS FOCUS ON THE CREATIVE AND CULTURAL ARTS HERE IN AUSTIN. THE THIRD IS THE TRADITIONAL RECRUITMENT AND EXPANSION. THE FOURTH, WHICH WAS ADDED LAST YEAR, IS EMERGING TECHNOLOGY. WHAT YOU ASKED US TO DO IS TO SUPPORT CUTTING EDGE BUSINESSES, EMERGING TECHNOLOGIES, AND AUSTIN'S CREATIVE CLASS AS PART OF YOUR PRIORITIZATION. WE ARE DOING THIS IN MANY WAYS, PART OF WHICH IS WORKING WITH THE EMERGING TECHNOLOGY CITY COUNCIL SUBCOMMITTEE WHICH HAS PROVIDED GUIDANCE AND DIRECTION IN THIS AREA OF EMERGING TECH. WE FOCUSED ON CLEAN ENERGY, WIRELESS, GAMING, AND SO FOR EXAMPLE LAST YEAR WE DID AN ECONOMIC DEVELOPMENT STUDY OF THE GAMING INDUSTRY IN AUSTIN, BIOTECHNOLOGY, DIGITAL CONVERGENCE AND CITE EF INDUSTRIES. ALSO LOOKING AT CREATIVE SEMINARS AIM AT MEETING EMERGING TECHNOLOGY NEEDS HERE IN AUSTIN. WE ARE FINDING THIS IS A YEAR COMPRISED MOSTLY OF SMALL AND VERY SMALL BUSINESSES, WHERE WE CAN HELP

BY CONNECTING RESOURCES RESOURCES. THE SUBCOMMITTEE OF THE CITY COUNCIL HAS LOOKED FOR WAYS FOR US TO PLAY THAT ROLE. CURRENT RESOURCES IN FY '07 INCLUDE \$1.4 MILLION FOR A VARIETY OF PUBLIC PRIVATE AGREEMENTS WHICH INCLUDE ATI CLEAN ENERGY INCUBATOR, THE ATI WIRELESS CONTRACT, SKILL POINTS ALLIANCE, AND EVEN OPPORTUNITY AUSTIN AS WAYS THAT WE CAN HELP FUND OTHER ORGANIZATIONS AND NONPROFITS WORKING ON THIS AREA OF EMERGING TECHNOLOGY. WE ALSO HAVE A PORTION OF THE BOND PROGRAM THAT WAS DEDICATED TO THE AUSTIN FILM STUDIOS IN FY '07 AT \$650 \$650,000 AND THOSE ARE BONDS APPROVED IN ORDER TO IMPROVE THE BUILDING, THE SECURITY, THE AIR CONDITIONING, AND TO MAKE THAT A MORE SUITABLE PLACE FOR FILMING HERE IN AUSTIN. IF FY '08 THE NEW FUNDING IS \$25,000 FOR AUSTIN TECHNOLOGY COUNCIL WHICH IS A GROUP FOCUSED ON EMERGING TECH. THAT WILL HELP FUND NOT ONLY A CONFERENCE DESIGNED TO PULL THIS GROUP OF PEOPLE TOGETHER HERE IN AUSTIN BUT ALSO SOME ADDITIONAL SEMINARS THAT WE'LL BE ABLE TO CONDUCT IN THE AREA OF EMERGING TECHNOLOGY. THEN THERE'S THE BULK OF THE BOND FUNDS WHICH IS THE \$4.3 MILLION FOR THE AUSTIN FILM STUDIO'S PROJECT. LAST PRIORITY MTHIS AREA IS SMALL WOMEN AND MINORITY BUSINESS ENTERPRISES. THIS FITS NICELY WITH ECONOMIC DEVELOPMENT STRATEGY, ONE OF THE FOUR THAT WE FOCUS ON. WHY WE FOCUS ON SMALL BUSINESS, BECAUSE OVER 90 PERCENT OF AUSTIN'S BUSINESSES ARE SMALL BUSINESSES, MEANING THEY HAVE FEWER THAN 100 EMPLOYEES. SO THE BACKBONE OF OUR ECONOMY IS SMALL BUSINESS AND IT'S SOMETHING THAT IF WE WANT TO DO A GOOD JOB AT ECONOMIC DEVELOPMENT, THIS IS AN AREA THAT WE HAVE TO HAVE ADDRESSED. YOU HAVE FIT THIS INTO YOUR PRIORITY CALLED SUSTAINABLE ECONOMIC DEVELOPMENT AND FINANCIAL HEALTH. AND WHAT YOU HAVE ASKED US TO DO IS TO FOCUS ON SMALL BUSINESS DEVELOPMENT AND SUPPORT WOMEN AND MINORITY OWNED BUSINESS ENTERPRISES. SO IN THE AREA OF SMALL BUSINESS DEVELOPMENT, WE HAVE THE BUSINESS SOLUTIONS CENTER WHICH MANY OF YOU HAVE SEEN IN ACTION. WE HAVE A HOW-TO FOR STARTING, OPERATING AND FUNDING A NEW BUSINESS, AND A MEET-

THE-LENDER PROGRAM. MANY OF YOU YOU HAVE ATTEND  
ATTENDED OUR HOW-TO SEMINARS AND MEET THE LENDER  
AND KNOW THESE ARE SUCCESSFUL INITIATIVES WHERE WE  
PUT TOGETHER CURRICULUMS THAT DO A COUPLE OF  
THINGS. IN OUR HOW-TO PROGRAM WHAT WE DO IS FOCUS  
IN A PARTICULAR AREA AND DEVELOP AN ENTIRE  
CURRICULUM AROUND THAT BUSINESS AREA. SO WE'LL  
TEACH PEOPLE HOW TO WRITE BUSINESS PLANS, HOW TO  
GET LOANS, AND HOW TO EXPAND A BUSINESSBUSINESS IN  
THE MEET THE LENDER PROGRAM WE ARE PRIMARILY  
CONNECTING THE LENDING WITH THE SMALL BUSINESS  
COMMUNITY IN AUSTIN AUSTIN. THIS HAS BEEN A  
SUCCESSFUL PROGRAM OUT OF WHICH MANY SMALL  
BUSINESSES ARE GETTING LOANS THEY MIGHT NOT  
OTHERWISE KNOW HOW TO GET. IN THE DEPARTMENT OF  
SMALL AND MINORITY BUSINESS RESOURCES, DnCIous  
SMBR, WE HAVE PULLED IN HOUSE AS YOU KNOW THE  
CERTIFICATION PROCESS, WE HAVE IN THAT FUNCTION THE  
CONTRACT COMPLIANCE AND MONITORING FUNCTION, AND  
ALSO THE ON ONLINE PLAN ROOM. COMBINED OUR FY '07  
CURRENT RESOURCES IN THE AREA OF SMALL BUSINESS  
ARE \$1.6 MILLION AND TEN FTE'S FOR THE SMALL BUSINESS  
SIDE OF THIS. I NEED TO CORRECT THE NEXT NUMBER. IT'S A  
TYPO. IT IS ACTUALLY \$.2 MILLION AND 4 FT--4 FTE FOR THE--  
24 FOR THE DEPARTMENT OF SMALL AND MINORITY  
BUSINESS RESOURCES. THOSE ARE FY '07. IN FY '08 THE  
NEW FUNDING IS 84,000, WHICH INCLUDES ONE F FTE FOR  
GETTING CONNECTED, AS WELL AS 40 NETWORKING  
EVENTS, WHAT WE ARE FINDING IS A NEED TO PROVIDE  
MORE AND MORE OPPORTUNITIES TO CONNECT SMALL  
BUSINESSES WITH IMPORTANT RESOURCES WHnRKs THOSE  
ARE LENDING RESOURCES, BUSINESS PLANNING  
RESOURCES, ANY OTHER KIND OF TECHNICAL BUSINESS  
PLANNING RESOURCE. THIS FUNDING WOULD ALLOW US TO  
DO MORE OF THAT. \$120,000 FOR SMALL BUSINESS NEEDS  
ASSESSMENT. HERE WHAT WE WANT TO FOCUS IS ON TAKE  
A STEP BACK THIS YEAR AND MAKE SURE THAT THE  
SERVICES WE ARE PROVIDING TO THE SMALL BUSINESS  
COMMUNITY ARE ON TARGET. SO WHAT THIS FUNDING  
WOULD ALLOW US TO DO IS TO TAKE THAT LOOK, COMPARE  
THE SERVICES THAT WE PROVIDE TODAY WITH THE NEEDS  
IN THE SMALL BUSINESS COMMUNITY AND MAKE SURE WE

ARE STILL ON TARGET WITH HOW WE ADDRESS THIS INITIATIVE. THEN 350,000 INCLUDES FIVE FULL-TIME EMPLOYEES FOR THE CERTIFICATION PROCESS IN SDS SDSMBR, THAT IS THE PROCESS WE CONTRACT THE OUT LAST YEAR BUT WE ARE PULLING IT IN HOUSE AND THIS IS THE FUNDING REQUIRED TO DO THAT. SO MAYOR AND COUNCIL, THOSE ARE YOUR PRIOR ORTS IN THE AREA OF ECONOMIC DEVELOPMENT AND SERVICES AND HOW WE ARE ADDRESSING THOSE IN THE COMING YEAR.

LAURA, THE CORRECTION ONE MORE TIME. THE CORRECTION IS 2.2 MILLION ?

YES.

AND 24 FTE'S.

THAT IS CORRECT.

THANKS. ALL RIGHT. NEXT UP WE HAVE JOHN STEVENS STEVENS. HE HAS TAKEN THE LEAD ON DEVELOPING THE INVENTOR THE OF UNFUNDED TRANSPORTATION AND INFRASTRUCTURE PROJECTS AND THEN DOING A NUMBER OF THINGS INCLUDING REVIEWING AND LOOKING FOR FUNDING OPTIONS AND LOOKING AT THAT IMPACT ON OUR OVERALL FINANCIAL HEALTH. JOHN, YOU'RE UP.

THANK YOU, CITY MANAGER. COUNCIL, THIS INITIATIVE IS UNDER YOUR PRIORITY OF VIBRANT URBAN FABRIC AND ACTUALLY COMPRISED OF FIVE SEPARATE INITIATIVES. THIS IS ONE THAT WAS COLLAPSED OR WHERE WE TOOK SEVERAL INITIATIVES AND COLLAPSED THEM INTO THIS ONE BECAUSE THEIR OVERLAPPING THEME IS FUNDING. WHAT WE DID WAS TOOK ALL THESE INITIATIVES, PUT THEM TOGETHER AND THEY WERE REFERRED BY COUNCIL TO THE AUDIT AND FINANCE COMMITTEE WHERE IN MAY WE REVIEWED AN INVENTORY OF POTENTIAL PROJECTS UNDER THIS INITIATIVE AND PROVIDED INFORMATION ON ESTIMATED FUNDING THAT WOULD BE NEEDED FOR THESE PROJECTS, EITHER OPERATIONS AND MAINTENANCE OR CAPITAL COSTS. WE WERE NOT ABLE TO QUANTIFY FUNDING FOR SOME OF THE INITIATIVES. FOR EXAMPLE, THE TRANSIT ORIENTED DEVELOPMENT SORT OF CORRIDOR PLANS

BECAUSE WE ARE NOT FAR ENOUGH ALONG IN THE PLANNING PROCESS. HOWEVER, FOR THOSE PROJECTS THAT WE WERE ABLE TO QUANTIFY, WE ESTIMATED THAT THEY WOULD REQUIRE ANNUAL A AND M COSTS OF 4.6 MILLION AND ANNUAL DEBT SERVICES COSTS OF 29.MILLION. THESE INCLUDED THE NORTH BURN ET GATEWAY REDEVELOP REDEVELOPMENT THAT WE LOOK AT, THE DOWNTOWN CIRCULATOR SYSTEM, WHICH AT THAT POINT WAS BASED ON A REQUEST OF \$8 \$80 MILLION FROM CAPITAL METRO. WE LOOKED AT THE STATE HIGHWAY 130 AREA AND WHAT SORT OF DEBT THE CITY WOULD HAVE TO ABSORB AT THE END OF THAT 15-YEAR PERIOD THAT WAS PROPOSED FOR THE DISTRICT, AND WE LOOKED AT THE AUSTIN SAN ANTONIO RAIL CORRIDOR. WE ALSO REVIEWED THE OPTIONS THAT WE HAVE FOR FUNDING THESE TYPES OF PROJECTS, INCLUDING TAX INCREMENT FINANCING, PUBLIC IMPROVEMENT DISTRICTS, PUBLIC IMPROVEMENT BONDS, AND SO FORTH. AND THEN FINALLY, WE REVIEWED SOME DRAFT PRINCIPLES THAT COUNCIL CAN CONSIDER IN EVALUATING THESE TYPES OF PROJECTS AND HOW THEY MIGHT BE FINANCED. THE AUDIT AND FINANCE COMMITTEE HAS REQUESTED SOME ADDITIONAL INFORMATION THAT WE ARE GOING TO DEVELOP AND THEN REVIEW WITH HAD THEM LATER ON, AND ALSO REVIEW AGAIN CONSIDERED FINANCIAL POLICIES FOR THESE INITIATIVES AS WE GO THROUGH THE BUDGET PROCESS.

ALL RIGHT. NEXT WE HAVE ASSISTANT CITY MANAGER MIKE MCDONALD. PIKE HAS JOINT RESPONSIBILITY ALONG WITH THE CITY AUDITOR FOR THE EXTERNAL AUDIT OF THE POLICE DEPARTMENT. MIKE.

GOOD AFTERNOON, MAYOR AND COUNCIL RK MICHAEL MCDONALD, ASSISTANT CITY MANAGER OVER THE PUBLIC SAFETY DEPARTMENTS. I WILL BE PROVIDING AN OVERVIEW OF THE EXTERNAL AUDIT OF POLICE SERVICES. IN TAKING ACTION TO' SURE AUSTIN REMAINS A SAFE CITY, AND MAINTAINING COSTS, IN FEBRUARY OF 2007 YOU APPROVED A CONTRACT OF 315 315,000 WITH MGT OF AMERICA TO CONDUCT AN AUDIT OF THE POLICE DEPARTMENT AND POLICE SERVICES. THE AUDIT FOCUSES ON THE EVALUATION OF POLICE OPERATIONS RELATING TO BUDGETARY PRACTICES, OVER OVERTIME PRACTICES, COST



TRENDS, STAFFING LEVELS, AND DEPLOYMENT STRATEGIES. IT ALSO EXAMINES BEST PRACTICE CRITERIA AND PERFORMANCE LEVELS, RE RELIABILITY OF PUBLIC SAFETY PERFORMANCE MEASURES, IDENTIFICATION OF COST DRIVERS, BARRIERS, AND OPPORTUNITIES TO REDUCE COSTS AND PUBLIC SAFETY. IT EXAMINES OVERTIME VERSUS PERMANENT STAFFING, AND BENCHMARKING AND COMPARING AUSTIN'S POLICE OVERSIGHT APPROACH. THE AUDIT IS ALSO EVALUATING THE FEASIBILITY OF CONSOLIDATING OUR PARK POLICE, AIRPORT POLICE AND MARSHALS WITH APD. MGT OF AMERICA IN COLLABORATION WITH THE CITY AUDITOR HAS BEGUN THE FIRST PHASE OF THE ASSESSMENT OF THE AUSTIN POLICE DEPARTMENT THE POLICE MONITOR'S OFFICE, AND OUR PSUM DEPARTMENT. MGT HAS FINISHED WITH INTERVIEWS, RIDE ALONGS AND FOCUS GROUPS. ITS SURVEYS HAVE BEEN MADE TO PEER CITIES, RESPONSES ARE DUE WITHIN THE NEXT COUPLE OF WEEKS. THE OFFICE OF THE CITY AUDITOR WILL SCHEDULE A MIDPOINT MEETING WITH APD, P PSUM AND THE POLICE MONITOR MONITOR'S OFFICE IN EARLY JULY TO DISCUSS THE PROGRESS AND THE REMAINDER OF THE AUDIT WORK AND TO SOLICIT FEEDBACK. AUSTIN LISTING, THE OUTREACH COMPONENT FOR THE AUDIT, WILL HOST A PUBLIC INPUT FORUM ON JUNE 30 AT CITY HALL. THERE ARE SEVERAL METHODS OF PROVIDING COMMENTS PRIOR TO THE FORUM TAKING PLACE. A WEBSITE WHICH ALLOWS E-MAIL RESPONSES, A WEB LOG ON, COOP, IN COOPERATION WITH THE AUSTIN AMERICAN STATESMAN, A 800 NUMBER, AND A LOCAL NUMBER, RESPONSE BOXES HAVE BEEN PLACED AN I HIGH TRAFFIC LOCATIONS AND MADE AVAILABLE FOR COMMUNITY AND NEIGHBORHOOD GROUP MEETINGS, AND RESPONSE BOXES WILL BE PLACED AT THE MEET THE CHIEF FORUMS TAKING PLACE JUNE 1 1-12. MGT WILL PROVIDE A REPORT TO THE CITY AUDITOR AND IT'S EXPECTED TO BE COMPLETED BY CEMENT. THE OFFICE OF THE CITY AUDITOR WILL REVIEW THOSE RESULTS AND PROVIDE THEM TO THE COUNCIL AUDIT AND FINANCE COMMITTEE IN DECEMBER. COUNCIL, AS A SPECIAL NOTE I'D LIKE TO ADD THAT ON A MONTHLY BASIS, AND SOMETIMES EVERY OTHER WEEK, THE CITY AUDITOR IS PROVIDING UPDATES TO THE PUBLIC SAFETY TASK FORCE IN ADDITION TO THE REPORTS THAT THEY WILL BE GIVING TO THE AUDIT COMMITTEE. THAT

COMPLETES MY PRESENTATION. I'LL TURN IT BACK OVER TO THE CITY MANAGER.

NEXT UP JUAN GARSA, GENERAL MANAGER OF AUSTIN ENERGY, STEPPING UP TO THE PODIUM. HE IS THE EXECUTIVE LEAD ON PROBABLY ONE OF THE MOST AMBITIOUS INITIATIVES, THE CLIMATE PROTECTION PLAN. JUAN.

MAYOR AND MEMBERS OF THE COUNCIL, GENERALLY MANAGER FOR AUSTIN ENERGY. EARLIER IN THE YEAR THE COUNCIL PASSED A RESOLUTION DIRECTING STAFF TO BRING TO YOU A PLAN THAT WOULD IMPLEMENT A CITYWIDE CLIMATE PROTECTION PLAN THROUGH MEASUREMENT OF CARBON EMISSIONS AND THEN THE DEVELOPMENT OF A PLAN TO REDUCE THE CARBON EMISSIONS. THE PLAN ROUGHLY, IN BROAD SCALE, INCLUDES A MUNICIPAL COL POE , UTILITY COMPONENT, COMPONENT DEALING WITH HOMES AND BUILDINGS, A COMMUNITY PLAN, AND A GO NEUTRAL COMPONENT. THE MUNICIPAL PLAN INVOLVES 100 PERCENT OF RENEWABLE ENERGY FACILITIES BY 2012. I CAN TELL YOU WE ARE PREPARED TO PROVIDE WIND ENERGY FOR ALL FACILITIES BY 2009. FURTHER DIRECTS US TO MAKE THE ENTIRE CITY FLEET OF VEHICLES CARBON NEUTRAL BY 2020. HERE I CAN REPORT THAT FLEET IS CURRENTLY DEVELOPING A BASELINE STUDY FOR ALL THE ROLLING STOCK AND THE PROTECTION PLAN STAFF WILL WORK WITH FLEET TO DEVELOP A PLAN TO LOOK AT MAKING AT FUTURE PURCHASES OF VEHICLES EITHER FLEXIBLE FUEL OR BIO BIODIESEL. WE FURTHER WERE DIRECTED TO DEVELOP PLANS TO MAKE GREENHOUSE GARKS, ALL THE DEPARTMENT REGARDING ENERGY AND GAS EMISSIONS. THE AUSTIN ENERGY BASELINE INVENTORY IS COMPLETE AND WE HAVE HAD IT CERTIFIED BY CALIFORNIA CLIMATE REGISTRY, THE FIRST IN THE NATION THAT IS DOING THAT. THE AUSTIN WATER UTILITY IS WORKING WITH AE ENVIRONMENTAL CARE DIVISION TO CREATE A BASELINE INVENTORY FOR THEMSELVES AND WE WILL DO LIKE-WISE WITH THEIR FINDINGS. ALL OTHER INVENTORIES OF CRIT FA-CITY FACILITIES WILL FOR NEXT YEAR. THE MAYOR IN ONE OF THE CITY MANAGER MEETING HAS ALREADY ADDRESS THE THE DIRECTORS TO EMPHASIZE WHY WE NEED A CLIMATE PROTECTION PLAN. WE ARE LOOKING TO TAKE

THAT TO THE REST OF THE CITY STAFF THROUGH A WEBSITE WITH IS--WHICH IS IN THE PROCESS OF DEVELOPMENT. THE UTILITY PLAN INCLUDES OFFSETTING A 700 MEG WATT POWER PLANT THROUGH EFFICIENCY AND CONSERVATION. I HAVE TO TELL YOU, WE HAVE BEEN REMARKABLY SUCCESSFUL IN DOING THAT IN THE PAST PASTMENT YOU ALL KNOW WE HAVE AVERTED CONSTRUCTING A 450 MEGA WATT PLANT ALREADY AND I THINK WE CAN DO THnMP THE CONSEQUENCES FOR THE FUTURE MEAN THAT AT SOME POINT OUR LOAD CURVE GOES FLAT. OF COURSE, THE COST OF PROVIDING SERVICES TO OUR CUSTOMERS WILL CONTINUE TO ESCALATE. SO WE WILL HAVE SOME VERY INTERESTING RATE DISCUSSIONS BECAUSE THE WAY WE APPROACH RATES IN THE FUTURE, WHERE WE CAN SEE OUR LOAD GROWING ALWAYS INTO THE FUTURE, IS NOT GOING TO BE THE SAME FUTURE THAT WE WILL HAVE. SO WE PROBABLY WILL NOT BE ABLE TO HAVE A RATE THAT LASTS 13 YEARS LIKE THE CURRENT RATE HAS LASTED. THERE IS ONE GLIMMER OF HOPE HOPE. THAT IN THE WORK THAT WE HAVE DONE TO PROMOTE THE HYBRID ELECTRIC VEHICLE. THE IF IN FACT THE TRANSPORTATION SECTOR IS ELECTRIFIED AS WE'D LIKE TO SEE IT, THEN WE CAN SEE SOME PRETTY SIGNIFICANT GROWTH WITHOUT HAVING TO ADD ADDITIONAL POWER PLANTS BECAUSE THAT LOAD WILL BE SERVICED IN THE EVENING HOURS WHEN WE TRADITIONALLY HAVE OUR LOWEST USE OF OUR PLANTS. WE ALSO CALLED FOR 30 PERCENT OF ENERGY NEEDS THROUGH RENEWABLE BY 2020. WE ARE HARD AT WORK AT THAT. STAFF CONTINUES TO EVALUATE PROPOSALS AS THEY COME AT US US. AS YOU ALL KNOW, THE PRIMARY SOURCES ARE WIND ENERGY AS WELL AS SOLAR AND SOME BUYA BUYA--BIOMASS BEGINNING TO COME OUT. WE'D LIKE TO SEE ALL GENERATION CARBON NEUTRAL FOR THE UTILITY AND WE'D LIKE TO SEE A CARBON CAP AND REDUCTION PLAN. AUSTIN ENERGY IS WELL UNDER UNDERWAY WITH ENERGY EFFICIENCY PROGRAM AND ARE ACTIVELY RESEARCHING NEW RENEWABLES FOR THE FUTURE. WE DO EXPECT OUR RENEWABLE PROGRAM TO REACH NINE PERCENT OF THE CURRENT FEW MIX. THE HOMES AND BUILDINGS PLAN CALLS FOR MAKING ALL NEW SINGLE-FAMILY HOMES ZERO NET NETEN GUY CAPABLE BY 2015. THAT'S A VERY VERY AGGRESSIVE GOAL. WE CALLED

FOR INCREASING EN ENEFFICIENCY IN OTHER BUILDINGS, EXISTING BUILDINGS, BY 75 PERCENT BY 2015, AND WE'D LIKE TO, WE WANT TO DO THAT BY IMPROVING OBVIOUSLY, THE EFFICIENCY OF THE EXISTING STOCK. WE'D LIKE TO SEE AN ENHANCED WIND BUILDING PROGRAM. THE FIRST SET OF ENERGY CODE CHANGES WILL BE BROUGHT TO CITY COUNCIL FOR CONSIDERATION DURING ONE OF THE AUGUST COUNCIL MEETINGS. IN THE FUTURE RECOMMENDATION FOR A POLICY CHANGE WHICH WILL AFFECT ALL CITY FACILITIES WILL ALSO BE BROUGHT TO CITY COUNCIL. WE DON'T HAVE A SCHEDULE FOR THAT BUT EXPECT TO BRING IT IN THE NEAR FUTURE. THE COMMUNITY PLAN INVOLVES THE ESTABLISHMENT OF A CITY CLIMATE ACTION TEAM, THE INVENTOR OF THE GREENHOUSE GAS EMISSIONS FROM ACTIVITIE ACTIVITIES COMMUNITIWIDE. WE WILL WORK WITH STAKEHOLDERS AND TECHNICAL ADVISERS TO COME UP WITH THAT PLAN SO THAT EVERYBODY IS PROMPTLY INCLUDED. AND WE EXPECT TO REPORT TO CITY COUNCIL WITH A FULLY FLESHED OUT PLAN SOMETIME IN THE FORESEEABLE FUTURE. THE PRELIMINARY MEETINGS WITH IN-HOUSE STAFF HAVE BEGIN BUT WE HAVE NOT YET MET WITH ANY OUTSIDE GROUPS OUTSIDE THE CITY STAFF. FINALLY, THERE IS A GO- GO-NEUTRAL PLAN. BASICALLY, THIS IS SOMETHING WHERE WE EXPECT TO PROVIDE INFORMATION TO THE GENERAL PUBLIC SO THAT HE CAN BEGIN TO LOOK AT WHAT THEIR CARBON FOOTPRINT IS. IT WOULD INVOLVE WORKING TO ESTABLISH A WEBSITE WHICH WILL HAVE A CARBON CALCULATOR WITH AUSTIN-BASED CARBON OFFSET THAT PEOPLE WILL HAVE VIABLE FOR PURCHASE. MIGHT INVOLVE A WAY OF PROMOTING CARBON NEUTRAL TY AMONG VISITOR, PROVIDING, AGAIN, THE CARBON CREDITS IN THE EVENT THEY WANT TO CALCULATE THEIR USAGE OF CARBON OR EMISSIONS GETTING TO AUSTIN. IT WILL INVOLVE A RECOGNITION PROGRAM FOR FOLKS DOING OUTSTANDING WORK IN THIS ARENA. IT SHOULD PROVIDE OPPORTUNITIES FOR LOCAL BUSINESSES TO GET INVOLVED AND TO MEASURE THEIR CARBON EMISSIONS AND GET INVOLVED IN A CARBON OFFSET PROGRAM. THE COSTS SO FAR, WE ROUGHLY THINK DURING THE CURRENT YEAR WE WILL PROBABLY SPEND AROUND \$100,000 FOR PRE PREPLANNING EFFORT. THIS IS BASICALLY FOR A COUPLE OF STAFF THAT

HAVE BEEN WORKING ON IT SINCE THE ADOPTION OF THE RESOLUTION. FOR THE NEXT YEAR WE SEE ABOUT \$1.2 MILLION FOR SUPPORT AND STAFF, EIGHT FTE'S IN THREE DIFFERENT SECTIONS OF THE DEPARTMENT THAT WOULD WORK ON THE PLAN. WE SEE THE FIGURE OF \$100 \$100,000 IN THE CORRECT IDCIP FOR SOLAR ROOF PLAY BE A LITTLE LOW. I DID HAVE MY STAFF LOOK AT IT AGAIN TODAY AND OUR THINK THINKING IS MAB HALF A MILLION MIGHT BE MORE APPROPRIATE FOR THAT NUMBER. IT WILL DEPEND TO A LARGE DEGREE ON OUR ABILITY TO EVEN GET THE PANELS. THERE IS SUCH A HIGH DEMAND FOR PANELS WORLDWIDE THAT WE ARE HAVING DIFFICULTY GETTING THEM INTO AUSTIN.

I THOUGHT THAT MIGHT HAVE BEEN A TYPO, JUAN.

ACTUALLY, SHOULD BE 5 500,000.

THAT IS WHAT I WAS THINKING.

ALL RIGHT, WAP, --JUAN, THANK YOU. FOUR MORE INITIATIVES, COUNCIL. RUDY GARSA, POINT ON THREE OF THE COUNCIL'S BUDGET INITIATIVES, COMPLETING WALLER CREEK TUNNEL, INCREASING STREET PREVENTIVE MAINTENANCE, AND IMPLEMENTING GREGIVE WATER CONSERVATION PROGRAM TO ACHIEVE A ONE PERCENT REDUCTION IN PINK DATA WAY OUT.

GOOD AFTERNOON, MAYBE AND COUNCIL, RUDY GARSA ASSISTANT CRIT MANAGER OVER THE INFRASTRUCTURE ENTERPRISE DEPARTMENT. FIRST ITEM IS THE WALLER CREEK TUNNEL. IN THE AREA OF CULTURE THE POLICY BUDGET INCLUDES FUNDING FOR THE ENHANCE AM OF QUALITY OF LIFE IN DOWNTOWN. RELATED TO THAT IS OF COURSE BEGINNING OF CONSTRUCTION OF THE WALLER CREEK TUNNEL. OVER THE PAST SEVERAL MONTHS SKILL MEMBER COLE AND MAYOR PRO TEM HAVE TAKEN LEAD WITH THE WALLER CREEK TUNNEL. WE HAVE NOW FORMED THE CITIZEN ADVISORY COMMITTEE AND WORKING CLOSELY WITH THE STAKEHOLDERS IN THE CITIZEN ADVISORY COMMITTEE, COUNCIL AND STAFF WILL DEVELOP THE PLAN FOR ULTIMATELY THE DEVELOPMENT OF THE CORDON FOR WALLER CREEK TUNNEL ALONG WITH THE CONTINUED

CONSTRUCTION. FUNDING FOR THIS PROJECT WILL COME FROM TWO SOURCES. INITIALLY THE DESIGN AND EARLY STAGES OF ADMINISTRATION WILL BE FROM THE PREVIOUSLY ISSUED VENUE BONDS, BUT ULTIMATELY THE BULK OF THE COSTS WILL BE FUNDED THROUGH THE INCREMENT TAXES OF THE TIF THAT WILL BE ESTABLISHED. IN FACT, TODAY CITY COUNCIL APPROVED AND SET PUBLIC HEARING FOR JUNE 21, WHICH WILL BE THE LAST STEP PRIOR TO TAKING ACTION TO ESTABLISH THE TIF, AND WE EXPECT HAD A TO HAPPEN ON JUNE 21. CURRENTLY, WHERE WE ARE, WE ARE WORKING WITH THE CONSULT CONSULTANT TO FINALIZE THE DESIGN PLANS AND THE CONSTRUCTION PHASE SERVICES OF WALLER CREEK TUNNEL. WE EXPECT TO COME BACK TO CITY COUNCIL IN AUGUST FOR APPROVAL OF THAT AND AWARD OF THAT CONTRACT. DESIGN IS EXPECTED TO TAKE APPROXIMATELY 24 MONTHS AND WE ARE WORKING DILIGENTLY TO DO THAT. THE CURRENT RESOURCES FOR THE DESIGN EFFORTS AND ADD ADMINISTRATION ARE \$25 MILLION. AGAIN, THOSE ARE FROM THE PREVIOUSLY ISSUED VENUE BONDS. THE ADD ADMINISTRATION SERVICES INCLUDE A PROJECT MANAGEMENT TEAM THAT HAS ALREADY BEEN ESTABLISHED. THE TEAM INCLUDES THE OVERALL PROJECT MANAGER, A TECHNICAL LEAD, AND ALSO WE HAVE INCORPORATED A POSITION FOR COMMUNITY OUTREACH AND STAKEHOLDER OUTREACH, SOMEBODY THAT CAN PROVIDE INFORMATION TO THE PUBLIC. WE CERTAINLY RECOGNIZE THERE WILL BE A LOT OF INFORMATION REQUESTS AND INTEREST IN THIS PROJECT. IN ADDITION TO THE PROJECT ADMINISTRATION, WE HAVE ALSO ESTABLISHED A STAFF EXECUTIVE OVERSIGHT TEAM TO ENSURE THAT WE MAINTAIN OUR FOCUS, MAINTAIN WITHIN BUDGET AND SCHEDULE AND ARE ADEQUATELY ADDRESSING ALL OF THE INTERESTS FOR THIS PROJECT. NEXT YEAR'S BUDGET WILL INCLUDE AN ADDITION IT WILL \$3.5 MILLION THAT IS FROM INTEREST EARNINGS OF, AGAIN, THOSE \$25 MILLION PREVIOUSLY ISSUED. THAT WILL ALSO FUND THE CONTINUATION OF THE DESIGN EFFORTS. NEXT ITEM IN THE PRIORITY AREA OF VIBRANT URBAN YOU ARE FABRIC IS STREET PREVENTIVE MAINTENANCE. PUBLIC WORKS MAINTAINS AN EXPENSIVE SYSTEM TO MANAGE AND-EXTENSIVE SYSTEM TO MANAGE AND CATEGORIZE THE

STREETS. IT USES A GRADING SYSTEM TO A SCHOOL SYSTEM OF A, B, C, D AND F. A OF COURSE BEING EXCELLENT, B BEING GOOD, C IS FAIR, D IS ROAD CONDITIONS THAT ARE POOR, AND F IN THIS CASE IS NOT FABULOUS BUT ACTUALLY FAILED FAILED. SO THOSE ROADS ARE AGAIN THE ONES THAT ARE IN THE MOST POOR CONDITION. OUR APPROACH HAS ALWAYS BEEN A TWO-PRONG APPROACH. FOR THE STREETS IN THE FAILED CATEGORY WE HAVE RE RECONSTRUCTION IS A THE OLD RECOURSE. IN FACT OUR COUNCIL HAS ALREADY TAKEN THE LEAD AND STEPS TO BEGIN TO ADDRESS THAT THROUGH THE RECENTLY 2006 APPROVED BONDS BY THE VOTERS. WITH A 85 MILLION THAT WILL BE USED FOR RECONSTRUCTION OF THOSE STREETS IN THE PLEASE-- MOST CRITICAL NEED. THE OTHER PART IS THE OPERAT OPERATING BUDGET WHERE WE FUND PREVENTTIVE MAINTENANCE MAINTENANCE. CERTAINLY NO SURPRISE THAT THE MORE PREVENTIVE MAINTENANCE THAT WE DO, WE DID A COUPLE OF THINGS, WE MAINTAIN OUR ROADWAY IN THE EXCELLENT TO FAIR CONDITION, BUT WE ALSO FOREGO AND DEFER THE MORE COSTLY EFFORTS OF RECONSTRUCTION. ANOTHER EFFORT THAT OUR COUNCIL MADE IN THE CURRENT YEAR BUDGET, IN FACT, WAS TO INCREASE PREVENTIVE MAINTENANCE FROM EIGHT TO NINE PERCENT. TO DO THAT, THE CITY COUNCIL IN THIS CURRENT YEAR BUDGET APPROVED ANNE CARRIES OF \$ \$MILLION FROM THE GENERAL FUND--\$2 MILLION FROM THE GENERAL FUND. THAT ALONG WITH THE USE OF ONE-TIME MONIES OF 7.1 MILLION ALLOWED US TO REACH THE NINE PERCENT PREVENTIVE MAINTENANCE IN THE CURRENT BUDGET. VERY QUICKLY, THE RECAP OF THE 7.1, IT IS IMPORTANT TO NOTE THAT IS GOING TO BE A CHALLENGE THAT WE CONTINUE TO SEE AND WILL BECOME A BIGGER CHALLENGE AS WE GO ON IN THE FUTURE. 7.1 MILLION IS MADE UP OF 2. 2.8 MILLION FROM QUARTER SENT MONEY, 1.1 MILLION FROM FUND BALANCE THAT WE REAL REALIZED THROUGH SAVINGS, EFFICIENCIES, ACCRUALS AND ALSO EXPENSE REFUNDS, AND FINALLY 3.2 MILLION FROM BILLED CENTRAL TEXAS. LOOKING FORWARD INTO THE NEXT YEAR BUDGET, NEXT YEAR YEAR'S BUDGET, IN ORDER TO MAINTAIN THE FISCAL YEAR 2007 LEVEL OF NINE PERCENT, WE WILL REQUIRE, AGAIN, THE RELY ON ONE-TIME FUNDS. HOWEVER, I NOTED

TO YOU THE BREAKDOWN OF THE ONE-TIME FUNDS FROM THE CURRENT YEAR, THEY WON'T BE AVAILABLE TO US. SO IN FACT WE ARE RELYING STRICTLY ON FUND BALANCE, EFFICIENCIES AND SAVINGS ONCE AGAIN, TO JUST MAINTAIN THE NINE PERCENT FUNDING OF PREVENTIVE MAINTENANCE. AND HOWEVER, THE POLICY BUDGET DOES CONSIDER TAKING ANOTHER STEP TO OUR ULTIMATE GOAL OF TEN PERCENT. AND WE ARE PLANNING TO REACH THE NEXT STEP OF NINE AND A HALF PERCENT. TO DO THAT WILL REQUIRE AN ADDITIONAL \$2.9 MILLION GENERALLY FUND CONTRIBUTION THAT IS ON TOP OF THE CURRENT \$2 MILLION CONTRIBUTION, AND ALSO \$2.6 MILLION THAT COULD BE REALIZED THROUGH TRANSPORTATION REVENUES IF IN FACT WE CONSIDER RAISING THE TRANSPORTATION FEE 12.8 PERCENT. VERY QUICKLY, AN INCREASE OF 12.8 PERCENT TO OUR TRANSPORTATION FEE IS APPROXIMATELY, JUST UNDER 50 CENTS, 48 CENTS FOR A SINGLE-FAMILY RESIDENTS PER MONTH. I WANT TO TALK ABOUT JUST QUICKLY ON THE PREVENTIVE MAINTENANCE, WHAT WE HAVE FOUND, WE HAVE FOUND OURSELVES IN A SITUATION WHERE STAFF AND CREWS HAVE BEEN VERY EFFICIENT, VERY DILIGENT, AND IN FACT HAVE STRETCHED OUR LIMITED RESOURCES AS FAR AS WE COULD GO. WHAT WE HAVE DONE, BECAUSE THE INVENTORY IS ALWAYS AT A DIFFERENT POINT, ROADS IN THE EXCELLENT CONDITION ALL THE WAY DOWN TO FAILED CONDITION. WHAT OUR CREWS HAVE DONE, IN ORDER TO STRETCH THOSE DOLLARS, WE HAVE FOCUSED ON THE MORE AFFORDABLE APPROACHES OF SEAL COAT, CRACK SEAL, AND IN FACT IN THE CURRENT YEAR, MORE THAN HALF, APPROXIMATELY 60 PERCENT OF ALL THE PREVENTIVE MAINTENANCE WILL BE ON A MORE AFFORDABLE SEAL COAT APPROACH. HOWEVER, LOOKING FORWARD, BECAUSE WE HAVE NOW REDUCED THAT INVENTORY THAT CAN BE DONE THROUGH SEAL COAT AND CRACK SEAL, WE WILL BE DOING MORE OF OUR EFFORT ON THOSE THAT REQUIRE OVERLAY, WHICH IS BASICALLY SCRAPING OFF THE TOP AND A THICKER LAYER OF ASPHALT. THAT IS MORE COSTLY. TO PUT IN IT PERSPECTIVE, A SEAL COAT LANE MILE COSTS APPROXIMATELY 8,000 PER LANE MILE WHEREAS AN OVERLAY IS MORE THAN FIVE TIMES THAT AT 50,000 PER LANE MILE. SO CERTAINLY ALTHOUGH



THE BUDGET MAY GROW BECAUSE OF THE COST INVOLVED, OUR EFFORTS ARE SOMEWHAT LIMITED. HOWEVER, WE STILL BELIEVE THAT WITH THE PLAN IN PLACE AND THE CONSIDERATION OF A FEE INCREASE, WE CAN REACH NINE AND A HALF PERCENT. I WANT TO CLOSE OUT THIS AREA WITH JUST A FURTHER EMPHASIS ON THE FACT THAT JUST I DON'T WANT TO LOSE SIGHT THAT WE ARE CERTAINLY RELYING ON ONE-TIME FUNDS TO MAINTAIN NINE PERCENT AND THE ADDITIONAL FUNDS THAT ARE REFERRED TO IS TO GET TO THE NEXT STEP AND RECOGNIZING AS WE GO FORWARD THAT WILL BE A CHALLENGE TO ADDRESS--A CHALLENGE TO ADDRESS. THE FINAL AREA THAT I AM REVIEWING IS IN THE AREA OF HEALTHY SAFE CITY. THE COUNCIL INITIATIVE IS THE IMPLEMENTATION OF THE WATER COUNCIL TASK FORCE RECOMMENDATION. IN MAY OF THIS YEAR OUR COUNCIL APPROVED THE RECOMMENDATION AND THESE INCLUDED SEVERAL STRATEGIES INCLUDING INDOOR STRATEGY RELATED SPECIFICALLY TO PLUMBING FIXTURE, TUBS, TOILETS AND FAUCETS, CHANGES TO PLUMBING CODE AND OUTDOOR STRATEGIES. THIS IS AN AREA EXTREMELY SIGNIFICANT, RECOGNIZING THAT 50 PERCENT OF OUR WATER USE IS FOR IRRIGATION. SO CERTAINLY THE AREA OF OUT OUTDOOR STRATEGIES WE MUST FOCUS ON WATER MANAGEMENT. THE POLICY BUDGET WILL INCLUDE RESOURCES AND EFFORTS NECESSARY TO IMPLEMENT AN APPROPRIATE WATER MANAGEMENT PLAN AND ALSO STAFFING AND RESOURCES TO MONITOR AND ENFORCE COMPLIANCE WITH THOSE PLANS. IN ADDITION TO THAT, THE OUT OUTDOOR STRATEGIES INCLUDE EFFORTS TO CREATE A DESIGN STANDARDS AND PERMITTING REQUIREMENTS FOR OUR IRRIGATION CITY OF MIAMI CITY OF MIAMI--IRRIGATION SYSTEMS. FINALLY, THE CATEGORY INCLUDES FUNDING FOR INCREASING LEAK DETECTION CONTRACT, ALSO TO RELOCK AT WATER SCETS. THAN WOULD BE TO ENCOURAGE WATER CONSERVATION. ALSO A SIGNIFICANT INCREASE IN OUR PUBLIC EDUCATION AND AND MARKETING FOR WATER CON INVESTIGATION. IN FACT, OUR CURRENT PLAN INCLUDES AN INCREASE OF 50 PERCENT IN OUR JOINT EFFORT WITH LCRA AND THE WATER IQ INTERLOG. CURRENTLY WE ARE INVESTING APPROXIMATELY \$4 HOW 9 MILLION AND AND--\$4.9 AND HAVE A STAFF OF 25. IN THE UPCOMING BUDGET

THE POLICY BUDGET WOULD INCLUDE AN ADDITIONAL 3.3 MILLION AND NINE FTE'S FOR WATER CON INVESTIGATION INVESTIGATION--CONSERVATION. I WANT TO POINT OUT THAT IS NOT ALL NEW MONEY. STAFF HAS GONE AND RE PRIORITIZES AND ALLOCATED WITHIN THE EXISTING BUDGET APPROXIMATELY \$700,000. REALLOCATED POSITIONS FROM WITHIN THE WATER UTILITY TO COVER THOSE NEEDS. THE NET IMPACT TO THE UTILITY IN 2008 WILL IN FACT BE LESS THAN THE 3.3 AND BE 2.6. VERY QUICKLY, THE PLAN CURRENTLY FOR THE 2.6 MILLION WILL INCLUDE FUNDING OF \$875,000 FOR THE INCREASED PUBLIC EDUCATION AND OUTREACH. THAT OF COURSE INCLUDES THE \$150,000 WHICH IS A 50 PERCENT INCREASE WITH THE WATER IQ PROGRAM. 1.2 MILLION TO FURTHER ENHANCE AND INCREASE OUR WATER FIXTURE REBATE PROGRAM AND ALSO AN ADDITIONAL \$6 \$600,000 TO FURTHER EXPAND OUR LEAK DETECTION EFFORTS. IN FACT, WE CONTINUE TO MAKE VERY EXPEDIENT PROGRESS AND EXPECT TO BE HERE IN AUGUST BEFORE THE CITY COUNCIL FOR APPROVAL OF THE CHANGES TO OUR ORDINANCE FOR THE WATER MANAGEMENT POLICIES. THAT CONCLUDES MY PRESENTATION.

COUNCIL, WE'RE ON THE LAST BUDGET INITIATIVE. CHIEF OF STAFF BASILAO IS THE NEED ON THE FINANCIAL BUDGET INITIATIVE, IMPLEMENTING A COMPILATION OF AFFORDABLE HOUSING INITIATIVES. THIS WOULD BE IS SO COMPREHENSIVE THAT WE COULD NOT HOLD PAUL HILGERS TO A SINGLE SLIDE. HAVE YOU TO FORGIVE US, WE HAVE FOUR SLIDES. KRISTIN, YOU ARE UP.

THANK YOU. GOOD AFTERNOON, SKILL. AS THE CITY MANAGER SAID, THIS IS YOUR LAST PRIORITY THAT WE ARE GOING TO GO OVER IN THE AREA OF THE AFFORDABLE HOUSING. IT IS UNDER SUSTAINABLE ECONOMIC DEVELOPMENT AND FINANCIAL HEALTH. THE INITIALIVE IS FOCUSED ON AFFORDABLE HOUSING INCLUDING IMPLEMENTATION OF DENSITY BONUSES AND HOUSING BOND YOU CAN TELL IT IS BROAD AND WIDE. THERE IS NO WAY WE COULD BE LIMITED IN THE AMOUNT OF SLIDES THAT WE WOULD HAVE. FIRST COUNCIL, AUCE KNOW THIS IS NOT A NEW PRIORITY FOR THE COUNCIL AT ALL. THE CITY COUNCIL HAS RECOGNIZED AFFORDABLE HOUSING AS A

CRITICAL PRIORITY FOR THIS COMMUNITY FOR SOME TIME. BY YOUR FUNDING AND SUPPORT OF THE HOUSING TRUST FUND FOR EIGHT YEARS WHEN IT WAS ORIGINALLY PLANNED FOR ONLY FOUR YEARS, YOU HAVE PUT OVER \$5.8 MILLION INTO THE AFFORDABLE HOUSING TRUST FUNDS. AND FOR FY '08, WE ARE INCLUDING AN ADDITIONAL MILLION DOLLARS FOR THAT TRUST FUND. AS PART OF THE SMART HOUSING RESOLUTION COUNCIL ADOPTED, YOU HAVE INSTITUTED A 40 PERCENT TAX INCREMENT ON PUBLIC PROPERTIES THAT GOES BACK TO THE TRUST FUND. THIS SO FAR AS IS GENERATED ABOUT \$725,000 AND WE'RE ANTICIPATING FOR FY '08 THAT WE WILL GENERATE AN ADDITIONAL \$175,000. AGAIN, BOTH OF THESE COMMITMENTS ARE GOING TO CONTINUE AND ARE INCLUDED IN YOUR BUDGET FOR FY 2008. AT OUR LAST COUNCIL MEETING WE SPEND TIME DISCUSSING RECOMMENDATIONS . AFFORDABLE HOUSING INCENTIVES TASK FORCE THAT THE COUNCIL POINTED. AS YOU KNOW, THIS TASK FORTH WAS COMPRISED OF REAL ESTATE PROFESSIONALS, PRIVATE AND NONPROFIT DEVELOPERS, HOUSING ADVOCATES, ACADEMIC AND NEIGHBORHOOD REPRESENTATIVES. THE TASK FORCE REWARDS PROJECTS THAT MEET THE CORE VALUES OF DEEPER AFFORDABILITY TARGETS, LONGER AFFORDABLE PERIOD, AND BROADER AFFORDABILITY GEOGRAPHIC DISPERSION OF THOSE PROJECTS. THIS WILL SERVE AS A GUIDING PRINCIPLE IN ALL OF OUR PROJECTS THAT WE DO IN AUSTIN. TODAY YOU ACTED ON SEVERAL ACTIONS RECOMMENDED BY THE TASK FORCE, AND WE WILL COME BACK TO YOU WITH THOSE PLANS TO IMPLEMENT. SPECIFICALLY, THERE ARE THREE RECOMMENDATIONS THAT I WANT TO TALK TO YOU ABOUT NOW. FIRST IS THE PILOT PROGRAM TO SUPPORT THE COST OF A FEE WAIVER PROGRAM BASED ON DENSITY BONUSES. WE TALKED A LITTLE BIT ABOUT THIS LAST TIME IN AN EFFORT TO BUDGET FOR THIS PROGRAM. TO BALANCE THE COMPLEXITY OF OUR REAL ESTATE MARKET AND ITS CHANGING ENVIRONMENT, AS WELL AS OUR FINANCIAL RESPONSIBILITY, WE RECOMMEND A PILOT PROGRAM FOR FY '08. IN DOING THAT, WE WOULD CAP AT \$750,000 TO REIMBURSE FOR FEE WAIVERS. IN ADDITION, WE RECOMMEND THAT THOSE FEE WAIVERS BE BASED ON A REIMBURSEMENT SCHEDULE RATHER THAN WAIVING THE FEES UP FRONT. IT GIVES US

ADDITIONAL CONTROL IN WHICH TO BUDGET FOR THOSE EXPENDITURES. IN ADDITION, WHILE THE \$750 \$750,000 CAP IS RECOMMENDED FOR FY '08, WE WOULDN'T ACTUALLY INCUR THOSE COSTS UNTIL FY '09 BECAUSE OF THE REIMBURSEMENT SCHEDULE. SO ANYTHING THAT IS APPROVED WE ACTUALLY WOULD NOT NEED TO ALLOCATE THOSE DOLLARS UNTIL FY '09. IN ADDITION, DEPENDING ON THE COUNCIL'S DESIRE AND HOW WE EXECUTE THIS PROGRAM, WE COULD COME BACK TO THE COUNCIL ON A REGULAR BASIS AND, OBVIOUSLY, LET YOU KNOW AS WE APPROACH THAT CAP SO YOU WOULD KNOW ABOUT PROJECT PROJECTS AND MAKE SOME OTHER DECISIONS IF YOU WANTED TO FUND THOSE PROJECTS AND IF WE NEEDED TO EXPAND THAT CAP CAP. BUT WE BELIEVE THAT THIS WILL GIVE US AN OPPORTUNITY TO EVALUATE THE DEMAND AND SEE WHAT KIND OF RESPONSE WE HAVE FOR THIS PROGRAM WHILE BEING ABLE TO ANTICIPATE THE BUDGET IMPACT. SECOND, AS WE TALKED ABOUT LAST, AT THE LAST COUNCIL MEETING, WE RECOMMEND A COMPREHENSIVE HOUSING MARKET STUDY. THIS IS IN ORDER TO PLAN FOR OUR NEEDS TO USE ALL OF OUR DOLLARS, NOT JUST OUR FEDERAL DOLLARS IN THE PROGRAMS THAT YOU SEE I KNOW BUT HOW WE INCORPORATE OUR HOUSING BONDS, WHICH I'LL TALK TO YOU ABOUT MORE IN A MINUTE. IN DEVELOPING A HOUSING MARKET STUDY, WE WILL ANALYZE THE HOUSING DEMAND AND SUPPLY NEEDS BY INCOME, HOUSING TYPE, LOCATION, AND OTHER FACTORS FOR THE CITY, AND WE WILL INCLUDE MULTIPLE SUB MARKETS SO THAT WE CAN ACTUALLY PINPOINT PARTICULAR AREAS IN WHICH WE'RE TRYING TO INFLUENCE AFFORDABLE HOUSING. THE ESTIMATED COST FOR THIS PROJECT, BOTH IN STAFF AND CONSULTING COSTS, IS \$3 \$300,000. WE RECOMMEND THIS FUNDING IN FY '08 AS WELL. HOWEVER, WE ALSO RECOMMEND THAT WE USE ONE-TIME MONEY, AND THIS IS INCLUDED IN OUR ONE-TIME CRITICAL LIST. THIS REPORT WILL SERVE AS A FOUNDATION FOR CREATING A STRATEGIC PLAN IN FY '09 FOR ALL OF OUR HOUSING INVESTMENTS, AND THIS IS SOMETHING THAT WAS RECOMMENDED BY THE AFRICAN AMERICAN QUALITY OF LIFE COMMITTEE, THE CDC AND THE BOND OVERSIGHT COMMITTEE. FINALLY, ONE OF THE KEY ELEMENTS OF THIS PROGRAM AND ANY PROGRAM IN WHAT

WE HAVE SEEN IN SMART HOUSING ALREADY, IS THE AVAILABILITY OF EXPEDITED REVIEW FOR THESE PROJECTS. TO EXPAND THE INCENTIVE FOR MULTIFAMILY DEVELOPMENT AND PREPARE FOR THE INCREASED DEMAND OF OUR EXPEDITED REVIEW, NOT ONLY IN REDEN SHALL BUT ALSO IN OUR COMMERCIAL SITE REVIEW, THE FORECAST INCLUDED ADDITIONAL EMPLOYEES IN WATERSHED PROTECTION DEVELOPMENT AND REVIEW, TO HELP EXPEDITE THE REVIEW THROUGHOUT THE DEVELOPMENT PROCESS. NOW I'M GOING TO TALK TO YOU ABOUT BONDS FOR A MOMENT. AS YOU KNOW, ON NOVEMBER 7 OF 2006, THIS COMMUNITY PASSED FOR THE FIRST TIME \$5 \$55 MILLION IN HOUSING BONDS BONDS. WE'RE USING THESE BOND TO INCREASE HOME OWNERSHIP AND RENTAL OPPORTUNITY. THE CARRY CATEGORIES TO FOCUS ARE FIRST COMPETITIVE AWARDS TO NONPROFIT AND PRIVATE DEVELOPERS. THIS IS THROUGH OUR NOTICE OF FUND AVAILABILITY PROCESS WHICH WILL BE CONDUCTED ON A QUARTERLY BASIS. TIME SENSITIVE ACQUISITIONS OF THE THEN THIRD, SPECIFIC PROJECTS THAT FULFILL COUNCIL PRIORITIES SUCH AS V VMU. OUR FIRST EXAMPLE OF THIS AND ACTUALLY OUR FIRST BOND- BOND-DOLLAR INVESTMENT WAS IN THE STONE RIDGE PROJECT WHERE WE WERE ACTUALLY ABLE TO BUY DOWN ADDITIONAL AFFORDABILITY IN THAT PROJECT. ALL APPLICATIONS FOR THIS WILL BE REVIEWED BY THE ADVISORY COMMITTEE CONSISTING OF HOUSING, FINANCE AND COMMUNITY REPRESENTATIVES. WE HAVE REQUESTED FIVE ADDITIONAL FTE'S, WHICH WAS INCLUDED IN OUR FORECAST, TO IMPLEMENT THIS PROGRAM FROM APPLICATION THROUGH CONTRACT NEGOTIATION AND ALSO THROUGH THE MONITORING PROCESS. AS WE WORK THROUGH THIS PROGRAM. IN ADDITION, WE WILL CONTINUE TO EXPAND CURRENT PROGRAMS, WORKING TOWARDS INCREASED AFFORDABLE HOUSING OPPORTUNITIES AND MEETING OUR CORE VALUES. LAURA TALKED TO YOU A BIT ABOUT THE REDEVELOPMENT OF GREEN WATER TREATMENT PLANT AS WELL AS DOWNTOWN PLANNING PROCESS. WE ANTICIPATING IN E BOTH OF THOSE. AS WELL AS CONTINUING TO LOOK AT VERTICAL MIXED USE OPPORTUNITIES, OPPORTUNITIES WITH TRANSIT ORIENTED DEVELOPMENT, AND SMALL HOUSING PARTNERSHIPS. IN

ADDITION, BECAUSE OF THE SUCCESS AND PASSAGE OF HB 47 470 AND BASED ON THE COUNCIL ORDINANCE PASSED IN JANUARY OF THIS YEAR, AS OF SEPTEMBER 1, WHICH IS WHEN THE LEGISLATION WILL TAKE EFFECT, WE WILL HAVE CREATED A HOMESTEAD PRESERVATION DISTRICT IN AUSTIN. SO AGAIN, WE WANT TO EXPLORE THIS NEW FUNDING TOOL THAT WE WILL HAVE FOR FY '08. WE HAVE INCLUDED ADDITIONAL FTE'S IN OUR AUSTIN HOUSING FINANCE CORPORATION TO SUPPORT THE DEMAND, AND THIS AGAIN, WAS INCLUDED IN OUR FINANCIAL FORECAST. AND WE LOOK FORWARD, SCHL, TO WORKING ON THIS PRIORITY WITH YOU AND CONTINUING THE GOOD WORK OF BRINGING MORE AFFORDABLE HOUSING INTO THIS COMMUNITY. THAT CONCLUDES MY PRESENTATION. THANK YOU.

MAYOR PRO TEM, COUNCIL, LET'S PAUSE HERE BEFORE WE GO ON TO THE THIRD AND FINAL SECTION AND SEE IF YOU HAVE ANY COMMENTS, DISCUSSION, ANYTHING WE NEED TO TALK ABOUT ON THE 16 COUNCIL BUDGET INITIATIVES.

MAYOR PRO TEM BETTY DUNKERLEY: THANK YOU CITY MANAGER. AT THIS POINT IF ANYONE WANTS TO MAKE SOME -- --COMMENTS OR ASK QUESTIONS ON OUR PRIORITIES DISCUSSED, WE ARE READY. COUNCIL MEMBER LEFFINGWELL .

COUNCIL MEMBER LEFFINGWELL: I HAVE A COUPLE OF QUESTIONS. I THINK THEY ARE FOR MR. GARS. THE FIRST ONE IS ON THE WALLER CREEK TUNNEL AND THE SIGNED RFP. IS THAT GOING TO BE THE EXISTING RFP OR IS NEW ONE GOING TO BE ISSUED ?

WE ARE REMAINING WITH THE EXISTING DESIGN CONSULTANT TEAM.

OKAY. I OPPORTUNITY CEL. THAT'S GOOD. ANOTHER QUESTION, WELL, A COMMENT ON THE WATER CONSERVATION. ALL OF THE EXPENSES NEEDED NEXT YEAR FOR WATER CONSERVATION ARE GOING TO BE OVERCOME BY THE SAVINGS THAT THOSE COSTS GENERATE. THE COST OF CONSERVATION BEING ABOUT 1.13 AND THE COST OF NEW CONSTRUCTION OF WATER TREATMENT PLANTS PLANTS

OTHERWISE REQUIRED IS ABOUT TRIPLE THAT.

CERTAINLY, MONTH DOUBT.

JUST WANTED TO MAKE THAT COMMENT.

MAYOR PRO TEM BETTY DUNKERLEY: ANY OTHER COMMENTS OR QUESTIONS. THANK YOU, MANAGER, I THINK IT'S TIME FOR TO YOU GO TO SPECIFIC DIRECTION.

OBVIOUSLY, AS YOU HAVE MORE TIME TO GO THROUGH THE MATERIAL, THE BUDGET QUESTION AND ANSWER PROCESS IS AVAILABLE TO YOU FOR YOU TO GIVE US ADDITIONAL FEEDBACK ON ANY OF THESE. NOW WE'RE ON TO THE THIRD AND FINAL SECOND SHnB OF THE PRESENTATION TODAY, AN OPPORTUNITY FOR COUNCIL TO HAVE A DISCUSSION WITH US ON VARIOUS BUDGET POLICIES. THE OBJECTIVE OF THIS SECTION IS TO GET CONFIRMATION OF THE FINANCIAL AND BUDGET POLICI POLICIES UPON WHICH THE PROPOSED BUDGET WILL BE BUILT. IT'S TO PROVIDE COUNCIL REALLY ONE LAST OPPORTUNITY TO COMMENT ON AND GIVE DIRECTION BEFORE WE GET INTO THE PREPARATION OF THE PROPOSED BUDGET, BEFORE THE JULY HIATUS. SO I'M GOING TO BE ASKING YOU PERIODICALLY AS WE PAUSE FOR EACH QUESTION FOR GENERAL DIRECTION ON PELVES THAT WE WILL THEN USE AS ASSUMPTIONS IN PREPARING THE PROPOSED BUDGET. THEN WE'LL ALSO BE LOOKING FOR INPUT ON ANY ADDITIONAL POLICY AREAS THAT YOU BELIEVE WE SHOULD ADDRESS DURING THE BUDGET PREPARATION. OBVIOUSLY, OUR FOCUS HAS BEEN AND WILL CONTINUE TO BE ON THE GENERAL FUND BUT THE INTENT IS NOT TO LIMIT THE DISCUSSION. SO WE WILL BE LISTENING FOR ANY POLICY ISSUES OR CONCERNS YOU MAY HAVE THAT AFFECT ANY OF OUR OTHER FUNDS. I'VE LAID OUT THE DISCUSSION INTO THE SIX TOPICS THAT YOU SEE HERE WITH JUST THE SEVENTH BROAD CATEGORY OF WHAT ELSE. AFTER EACH ONE OF THESE SECTIONS, WE WILL PAUSE AND SEE WHAT THE DISCUSSION IS ON THE TOPIC. SO LET'S START WITH THE FIRST ONE, AND THAT IS THE TAX RATE. AS GREG WALKED YOU THROUGH, OUR CURRENT ESTIMATED TAX RATE EFFECTIVE PLUS A MENNY, AND THE ROLL BACK RATE, ARE BOTH PROJECTED TO BE BELOW OUR CURRENT TAX

RATE OF 41.2 41.26 CENTS. REMEMBER, AUSTIN IS ONE OF FIVE LOCAL TAXING JURISDICTIONS. FOR 2007 THE CURRENT YEAR, THE COMBINED TAX RATE IS \$2. \$2.52, OF WHICH AUSTIN RENTS ONLY 16.4 PERCENT. THE SINCERITY OF AUSTIN HAS DONE A GOOD JOB OF KEEPING IT IN LINE . YOU CAN SEE THE TAX RATE INCREASED ONLY 36 PERCENT SINCE 1993, FROM A HIGH OF 64.1 CENTS, TO THIS YEAR'S LOW OF 41 POINT 26 CENTS. AS I MENTIONED, OUR CURRENT ESTIMATED PROJECT SHOWN OF BOTH THE EFFECTIVE PLUS ONE PENNY TAX RATE, AND THE ROLL BACK RATE, SHOW A CONTINUED DECREASE IN OUR TAX RATE. DECREASING THE TAX RATE TO THE ESTIMATED ROLL BACK RATE INSTEAD OF TO THE EFFECTIVE PLUS ONE PENNY RATE SCENARIO RESULT IS IN AN ESTIMATED 10 10.9 MILLION IN ADDITIONAL REVENUE. SO HERE WE GET TO YOUR FIRST QUESTION FOR DISCUSSION. COUNCIL, THE DIRECTION I AM LOOKING FOR ON THIS ISSUE IS ARE YOU WILLING TO GO ABOVE THE EFFECTIVE PLUS ONE CENT RATE AS LONG AS THE RATE DOESN'T SURPASS OUR CURRENT RATE-- SURPASS OUR CURRENT RATE. ANY DISCUSSION ON TAX RATE.

MAYOR PRO TEM BETTY DUNKERLEY: ANY COMMENTS HERE HERE? I'D LIKE TO MAKE A COMMENT. I THINK WITH OUR CONTINUING DECREASE IN OUR EFFECTIVE RATES, I THINK THAT WE SHOULD RATHER HAVE AS A POLICY THAT WE GO TO THE ROLL BACK RATE FOR THE NEXT FEW YEARS BECAUSE WHEN YOU COMPARE THE TAX RATE 39 CENTS THAT WE ARE TRYING TO SUPPORT OUR CITY ON, IT'S SIMPLY NOT ADEQUATE WHEN YOU LOOK AT OTHER MAJOR CITIES LIKE FORT WORTH WITH OVER 80 CENT TAX RATE AND HOUSTON AND DALLAS IN THE MID 60S AND AND SAN ANTONIO MUCH HIGHER THAN OURS. THAT WOULD BE MY SUGGESTION. I DON'T KNOW ABOUT MY COLLEAGUES. SORRY, . I LOOKED AT YOU. YOU ARE SPENDING TO SEE MY EYES .

COUNCIL MEMBER COLE: I'D LIKE TO SAY THAT DURING THIS FIRST YEAR IN OFFICE, I HAVE BEEN AMAZED BY THE GROWTH AND ALSO THE NUMBER OF PEOPLE WITH VERY LEGITIMATE PROGRAMS THAT COME BEFORE US US. AND ASK FOR FUNDING. AND THEY ARE DOING A GREAT JOB. SO IT'S VERY HARD FOR ME TO SIT HERE AND RECOMMEND



THAT WE SIMPLY STAY AT THE EFFECTIVE TAX RATE KNOWING THE CHALLENGES, ESPECIALLY IN OUR SOCIAL SERVICE CONTRACTS, WE'RE FACING THIS YEAR IN CUTS FROM THE FEDERAL AND STATE GOVERNMENT THAT WE'LL PROBABLY BE ASKED TO ASSIST WITH THAT ARE WITHIN OUR BUDGET PRIORITIES PRIORITIES. SO I WOULD DEFINITELY THINK THAT AS A POLICY MATTER, WE WOULD GO TO THE ROLL BACK RATE.

MAYOR PRO TEM BETTY DUNKERLEY: .

MAYOR PRO TEM BETTY DUNKERLEY: COUNCIL MEMBER MCCracken.

I DID A COUPLE OF CALCULATIONS OF MY AN UNDERSTANDING OF THE PROJECT PROJECTED GAP ON THE BUDGET NUMBERS IS THIS, PROJECTED REVENUE INCREASES OF 33 MILLION WE SAW, AND THE PROJECTED COST INCREASES OF 66 MILLION, WHEN WE GO TO PROJECTED REVENUE INCREASE SIDE, THAT DOES NOT INCLUDE PROJECTED PROPERTY TAX REVENUE INCREASE. THAT SCRUS COMES FROM PROJECTED REVENUE INCREASES FROM SALES TAX AND TRANSFERS TRANSFERS. IS THAT CORRECT ?

GREG OR DONDONE--DONNA, EITHER ONE.

WE ARE SPEAKING TO NEW GROWTH VERSUS TAX RATE.

COUNCIL MEMBER, IT DOES INCLUDE, I'M GOING TO SAY, PROBABLY 12 MILLION DOLLARS IN REVENUE FROM NEW CONSTRUCTION. IN OTHER WORDS, PROPERTY THAT WAS NOT ON THE TAX ROLLS LAST YEAR BUT DOES NOT INCLUDE, OTHER THAN THE ONE CENT THAT WE ADDED DUE TO THE 2006 BOND PROGRAM, DOES NOT INCLUDE THE TAX INCREASES BEYOND THAT.

THAT GETS TO A POINT I WAS SURPRISED TO LEARN, WHICH KIND OF GETS TO THE STATE BUDGET RULES. MY AN UNDERSTANDING IS UNDER THE STATE'S MANDATE ON HOW LOCAL GOVERNMENT REPORT THEIR BUDGETS, OUR STARTING POINT IS THE SAME AMOUNT OF MONEY WE RAISED LAST YEAR. IT IS NOT THE SAME AMOUNT OF MONEY

PLUS INPHRASE OR THE SAME AMOUNT OF MONEY PLUS POPULATION GROWTH. WHICH ARE REQUIRED BY STATE LAW, USES OUR STARTING POINT ON PROPERTY TAX REVENUE, THE SAME AMOUNT OF MONEY WE RAISED LAST YEAR EVEN IN THE CASE OF AUSTIN, WE HAVE HAD INFLATION AND VERY EXPLOSIVE POPULATION GROWTH AND ECONOMIC GROWTH, IT'S TRIGGERED NEED TO HIRE NEW POLICE OFFICERS AND MAINTAIN MORE ROADS. IS THAT ACCURATE ?

THAT IS ACCURATE, COUNCIL MEMBER. THAT IS WHAT THE EFFECTIVE RATE TURNS OUT TO BE, IT GIVES YOU THE SAME AMOUNT OF MONEY YOU HAD LAST YEAR.

COUNCIL MEMBER MCCRACKEN: THE EFFECTIVE RATE IS NOT THE SAME AMOUNT PLUS INFLATION OR POPULATION GROWTH IT'S THE SAME AMOUNT REGARDLESS. IN FACT BECAUSE WE ARE A FAST GROWING OPPORTUNITY, WE END UP BEHIND BECAUSE WE HAVE A BIGGER POPULATION TO SERVE AND WE HAVE INFLATION, INCLUDING EXEXPLOSIVE INFLATION ON CONSTRUCTION MATERIALS . AND THAT IS ONE OF THE REASONS WE STARTED TALKING ABOUT THE COST DRIVERS. BECAUSE THE PROBLEM FOR US IS THE EFFECTIVE TAX RATE, IT HAS NEVER FACTORED IN THE NATURAL COST DRIVERS THAT HAPPEN IN ANYBODY'S BUDGET, OUR, AN INDIVIDUAL, ANYBODY ANYBODY'S BUDGET .

COUNCIL MEMBER MCCRACKEN: SEEMS LIKE AN OUTDATED MODEL MODEL. GETS TO MY NEXT QUESTION. WHAT IS THE INCREASE IN COST OF STREET MAINTENANCE PER PERCENT? I THINK I LEARNED THAT IT USED TO COST US A MILLION DOLLARS PER PERCENT FOUR YEARS AGO AND IT'S NOW COSTING US FOUR MILLION PER PERCENT.

SUCH A HARD QUESTION TO ANSWER BECAUSE IF YOU REMEMBER RUDY'S PRESENTATION WE ARE ACTUALLY GETTING IN A NUMBER OF FACTORS. THE INFLATION COST OF STREET MAINTENANCE, THE THAT WE HAVE HAD TO MOVE TO A DIFFERENT METHOD BECAUSE WE ARE NOW GETTING TO OUR STREETS THAT ARE IN WORSE CONDITION SO WE HAVE MOVED FROM SEAL COAT AND CRACK SEAL TO OVERLAY, WHICH IS FIVE TIMES MORE EXPENSIVE. JOHN,

SONDRA, SEE IF YOU CAN ANSWER BETTER THAN THAT.

I BELIEVE TO GET TO TOTAL ONE PERCENT WOULD BE APPROXIMATELY 6.4 MILLION. FOR A ONE PERCENT INCREASE GOING FROM NINE PERCENT TO TWO PERCENT, IT'S ABOUT 3.2 FOR THE HALF PERCENT THAT WE HAD PROPOSED TO MOVE UP. AND AGAIN, AS THE CITY MANAGER SAID, THAT IS BECAUSE THE METHODOLOGY THAT WE MUST USE ON THE ADDITIONAL LANE MILES WE'LL DO IN 2008 IS THE OVERLAY METHOD, WHICH AS RUDY SAID IS MUCH MORE EXPENSIVE.

COUNCIL MEMBER MCCRACKEN: SO IT'S COSTING 6.4 MILLION PER PERCENT OF LANE MILES MAINTAINED. DO WE KNOW ROUGHLY, I GOT A BRIEFING ON THIS A COUPLE WEEKS AGO, DO WE KNOW WHAT THE COST WAS TO MAINTAIN ONE PERCENT, SAY FOUR OR FIVE YEARS AGO?

I NEED TO DEFER THIS TO SOMEBODY WHO KNOWS MORE THAN I DO ABOUT IT.

I DON'T HAVE THOSE NUMBERS WITH ME EXACTLY. BUT REALLY IF YOU CONSIDER THAT WE NEEDED THIS YEAR \$2 MILLION MORE JUST FOR THE ASPHALT, THAT IS VERY SIGNIFICANT. THEN WE ARE LOOKING AT ALSO CONTRACTING WORK OUT, YOU KNOW, AND IT'S COSTING TWICE AS MUCH AS WHAT WE WOULD HAVE ANTICIPATED. SO THOSE GIVE YOU SOME KIND OF BALLPARK FIGURES TO BE LOOKING AT. COSTS HAVE GONE UP DRAMATIC DRAMATICALLY, MAINLY BECAUSE OF THE ASPHALT MATERIAL. THAT IS WHAT HAS INCREASED SIGNIFICANTLY SIGNIFICANTLY.

COUNCIL MEMBER MCCRACKEN: DO YOU HAVE A BALLPARK FIGURE OF WHAT IT COSTS EITHER PER PERCENT OR MAYBE FRAME IT THIS WAY, WE WERE MAINTAINING MAINTAINING EIGHT PERCENT WHEN I FIRST CAME HERE IN 2003, AND WHAT WAS IT COSTING IN 2003?

KIND OF HARD TO LOOK AT IT THAT WAY BECAUSE WE ACTUALLY HAVE A MIX OF SEAL COAT, YOU KNOW. SO SEAL COAT A FEW YEARS AGO WAS ABOUT \$5,000 A LANE MILE. NOW IT'S UP TO \$8,000 A LANE MILE. DOING AN

OVERLAY, YOU KNOW, ONE OF OUR OTHER STRATEGIES, AGAIN WE HAVE A MIX OF ALL THE STRATEGIES WE USE, SO FOR AN OVERLAY--OVERLAY SEVERAL YEARS AGO WAS 35,000 OR MAYBE EVEN 30,000 A LANE MILE AND NOW IT'S UP TO 50 50,000 A LANE MILE. IF WE ARE CONTRACTING OUT IT GOES AS HIGH AS 87,000 A LANE MILE. THE COSTS HAVE CERTAINLY INCREASED DRAMATICALLY. WITHOUT ACTUALLY GOING THROUGH AND BREAKING DOWN HOW MANY LANE MILES WE GET OF SEAL COAT AND HOW MUCH THAT WAS A FEW YEARS AGO AND HOW MANY WE DID OF OVERLAY AND HOW MUCH THAT WAS A FEW YEARS AGO IT'S HARD TO GIVE YOU A PRECISE ANSWER ON THAT.

THAT IS SOMETHING WE COULD DO ON A BUDGET QUESTION.

DEFINITELY.

WE COULD GIVE YOU A SENSE OF WHAT THE INCREASES HAVE BEEN OVER A PERIOD OF TIME.

COUNCIL MEMBER MCCRACKEN: AND ALSO JUST LISTENING TO THE TWO EXAMPLES YOU CITED, ONE WAS A 37 AND A HALF PERCENT COST IN THREE TO FOUR YEARS AND THE OTHER WAS A 40 PERCENT COST INCREASE. SO WE ARE SEEING.

SIGNIFICANT.

40 PERCENT COST INCREASE IN ROAD MAINTENANCE JUST TO MAINTAIN THE STATUS, PER PERCENT, EVEN WITHOUT EXPANDING THE AMOUNT OF PERCENTAGE. KIND OF IS THE CHALLENGE WE ARE DEALING WITH. JOHN HAWKING TOLD US IN THE ECONOMIC FORECAST THAT WE HAD HAD FOUR PERCENT POPULATION GROWTH IN ONE YEAR, WHICH WAS, HE SAID, JUST SOMETHING UNPRECEDENTED UNPRECEDENTED. DO WE KNOW IN TERMS OF NUMBER OF PEOPLE HOW MUCH OUR POPULATION INCREASED OVER THE PAST YEAR?

GOSH, OVER THE LAST YEAR.

COUNCIL MEMBER MCCRACKEN: THE REASON I ASK THAT,

SOME OF OUR BUDGET RESPONSIBILITIES ARE TIE TO TO--  
TIED TO POPULATION.

I SEE, GREG IS SCRAMBLING FOR IT. I'M AFRAID IF I GIVE YOU  
A NUMBER I'M PULLING OUT OF A MEMORY INSTEAD OF  
GIVING IT TO YOU EXACTLY. ESTIMATES RIGHT NOW ARE  
AROUND 7350,000--730,000 PEOPLE IN THE CITY. ONCE  
AGAIN, THIS IS THE DETAIL WE CAN GET YOU ON WHAT WE  
BELIEVE THE ESTIMATE IS. GREG, CAN YOU GET TO THAT BY  
GETTING TO THE NUMBER OF POLICE OFFICERS THAT WE  
NEED TO ADD?

LOOKS LIKE ABOUT 735 TO PROJECTING ABOUT 750 FOR 508  
WHAT WE PUT THE BUDGET, WHAT WE'LL PUT THE BUDGET  
ON THOSE PROJECT SHUNCE, , , .

I REMEMBER WHEN WE GOT HERE OUR POPULATION WAS  
LESS THAN 700,000. WE ADDED 50,000 MORE PEOPLE AND  
THE STATE TELLS US WE'RE REQUIRED TO REPORT THE  
SAME DOLLAR TOTAL IN A THREE YEAR PERIOD, SERVE  
50,000 MORE PEOPLE WITH THE SAME DOLLAR FIGURE. YOU  
SEE WHY WE FACE A COLLEGE--A CHALLENGE. WE HAVE  
OUTDATED STATE BUDGETING RULES. IT DOESN'T ACCOUNT  
FOR THE INCREASE IN PEOPLE. GREG, HOW MANY POLICE  
OFFICERS ARE WE PROJECTING WILL BE REQUIRED TO HIRE  
BASED ON OUR POPULATION INCREASE AND OTHER ITEMS ?

39 ADDITIONAL OFFICERS THAT WE WILL AT THIS POINT  
LOAD INTO THE BUDGET.

THAT IS OUR LARGEST NUMBER OF EMPLOYEES WE'RE  
HIRING IN ONE GIVEN AREA?

I DON'T HAVE THAT NUMBER OFF THE TOP OF MY HEAD. I  
WOULD THINK FOR THE MOST PART, ALTHOUGH COMPARED  
TO SOME OF THE YEARS IN THE LATE '90S, PROBABLY  
HIGHER NUMBERS BUT WE CAN CERTAINLY PULL THAT.

COUNCIL MEMBER MCCRACKEN: SORRY, BUT IN TERMS OF  
THIS YEAR'S PROJECTED BUDGET.

ABSOLUTELY.

YES.

YEAH.

COUNCIL MEMBER MCCRACKEN: I KNOW WE HAD PROJECTED THE, HOW MUCH WE ARE PROJECTING TO INVEST IN GROWTH RELATED SERVICE AND INTERNAL CONTROL INVESTMENTS, TWO MORE THINGS RELATED TO--

PRETTY MUCH \$7 MILLION.

COUNCIL MEMBER MCCRACKEN: ANOTHER EXAMPLE WHERE THE STATE REQUIRES TO US START WITH THE SAME AMOUNT OF MONEY AS WE RAISED LAST YEAR AND YET BECAUSE GROWING SO FAST WE HAVE TO RAISE \$7 MILLION JUST TO TREAD WATER. WE HAVE TO INCREASE OUR INVESTMENTS ON SERVICING, BUILDING PERMITS, AND ON AUDITING ACTIVITIES JUST TO TREAD WATER. SO THAT, YOU KNOW, THAT IS NOT ANY KIND OF PROFLIGATE ISSUE, JUST TO MAINTAIN THE RATE OF POPULATION AND ECONOMIC GROWTH. AND THEN WHAT IS THE CURRENT YEAR FY '07 TOTAL SIZE ORIGINAL FUND BUDGET.

WE'RE AT 535 MILLION.

COUNCIL MEMBER MCCRACKEN: 535 MILLION. SO IF WE WERE TO, WE HAVE A PROJECTED BUDGET GAP UNDER THE STATE REPORTING RULES WE HAVE TO FOLLOW, CONFLICTING WITH OUR RATE OF GROWTH OF ABOUT 27 AND A HALF MILLION.

27.5.

COUNCIL MEMBER MCCRACKEN: AND IF WE WERE AT THE ROLL BACK RATE, WHAT WOULD OUR BUDGET--

WE WOULD GET AN ADDITIONAL \$10.9 MILLION OFF OF THAT GAP.

COUNCIL MEMBER MCCRACKEN: SO WE WOULD BE DOWN TO 17 MILLION.

A LITTLE UNDER 17.

COUNCIL MEMBER MCCRACKEN: AND IF WE WERE AT THE ROLL BACK RATE, WITH A WOULD THE SIZE OF THE GENERAL FUND BE, AND IF WE WERE AT THE EFFECTIVE RATE, WHAT WOULD BE THE GENERAL FUND SIZE BE ?

WELL, AT THE FORECAST TODAY, TOTAL REVENUE WE'RE GOING TO ABOUT 30 MILLION, GETTING INTO THE 60 MILLION RANGE, PLUS ANOTHER 10, 11 MILLION AT THE ROLL BACK, AGAIN, BASED ON CURRENT ESTIMATES THAT WE HAVE HAD FROM THE APPRAISAL DISTRICT KNOWING THEY WILL MOSTLILY CHANGE A BIT. SO YOU ARE IN THE 570 MILLION RANGE.

COUNCIL MEMBER MCCRACKEN: JUST WHAT IS 17 MILLION, TO KIND OF, THAT IS A 2.9 PERCENT OF THE BUDGET. WE ARE TALKING, 17 MILLION SOUNDS A LOT BUT IT'S BASICALLY A ROUNDING ERROR IN THE SIZE OF OUR BUDGET. MY SENSE IS, Y'ALL, THAT WE HAVE A CHALLENGE THAT 9 PERCENT OF THE CITIES IN AMERICA WOULD KILL TO HAVE, WHICH IS WE HAVE, YOU KNOW, PROSPERITY, RAPIDLY GROWING ECONOMY. SO WE HAVE A COLLEGE IN COLLEGE-- A A--A CHALLENGE TO DEAL WITH. A LOT OF US COME FROM TOWNS WHERE THE EFFECTIVE TAX RATE IS MEANINGLESS. (CHANGE IN CAPTIONER) TEST....

KIM: I WANTED TO ASK THE CITY MANAGER ABOUT THE STREET MAINTENANCE, AND IT SEEMS THAT WE'RE GETTING TOWARDS THE 10% STREET MAINTENANCE AND IF WE DO 10% THAT OVER EIGHT YEARS IT WOULD SAVE \$120 MILLION IN TERMS OF NOT HAVING TO DO RECONSTRUCTION OF STREETS THAT HAVE GONE BEYOND REPAIR AND HAVE TO BE TOTALLY RECONSTRUCTED. IS THAT CORRECT?

I'M GOING TO LET SANDRA COME AND MAKE SURE THAT THE SAVINGS NUMBER IS A CORRECT NUMBER, BUT IT IS CLEAR THAT IF WE CAN STAY UP WITH THE STANDARD OF STREET MAINTENANCE OF 10%, IN THE LONG-TERM WE WILL SAVE MONEY AND WE WILL SAVE IT ON SAVING ON RECONSTRUCTION, WHICH IS THE MOST EXPENSIVE COST TO A CITY, AND THAT'S WHEN YOUR ROADS HAVE FAILED AND THERE'S NOTHING LEFT YOU CAN DO EXCEPT

RECONSTRUCT.

KIM: I'M LOOKING AT THE CHART ON THE SLIDE -- ACTUALLY ON THE BACKUP, THE TOP CHART THAT TALKS ABOUT THE 10% MAINTENANCE.

I THINK IT WAS IN YOUR BUDGET Q AND A.

GOING TO 10% MAINTENANCE OVER THE TEN YEARS WOULD RESULT IN A SAVINGS OF ABOUT \$120 MILLION.

KIM: OKAY. BUT WHAT IS -- WHAT IS IT THAT WE WERE RECEIVING FROM CAPITAL METRO FOR STREET MAINTENANCE? AND WHEN DID THAT END AND WHAT IS OUR -- WHAT IS THE REASON FOR THEM CUTTING THAT OFF?

WE HAD RECEIVED SEVERAL MILLION -- WELL, MILLIONS -- TENS OF MILLIONS OF DOLLARS OVER THE YEARS, BCT FUNDS, BUILD CENTRAL TEXAS FUND AND ALSO THROUGH QUARTER SENT FUNDING. THIS YEAR WE HAVE \$7.1 MILLION IN ONE-TIME FUNDS. NEXT YEAR WE HAVE \$4.4 MILLION IN ONE TIME FUNDS AND A PORTION OF THAT IS BUILD CENTRAL TEXAS FUNDS. LAST YEAR FOR THE FIRST TIME THE BOARD DECIDED THAT THEY WERE GOING TO INVEST THAT MONEY IN THE CAPITAL METRO TRANSIT FACILITIES AND THAT THEY WOULD NO LONGER TRANSFER TO THE CITY OF AUSTIN.

KIM: IS THAT SOMETHING THAT THE BOARD COULD CHANGE THEIR MIND ON, THAT THEY COULD GO BACK TO FUNDING ROAD MAINTENANCE FOR AUSTIN BECAUSE THEIR BUSES CREATE SO MUCH MORE DAMAGE TO OUR ROADS?

HISTORICALLY -- THAT IS THE REASON, THAT THEY WERE MAKING A CONTRIBUTION TO THE PREVENTIVE MAINTENANCE AND THE STREET PROGRAM, IS BECAUSE OF THE , YOU KNOW -- BASICALLY THEY USE UP A LARGE PORTION OF THE DESIGN LIFE FOR THE ROADS. SO THEY COULD DECIDE TO DO THAT.

KIM: SO IF CAP METRO IS -- BECAUSE THEY'RE NOT GIVING US THOSE ONE-TIME FUNDS AS THEY WERE IN THE PAST, IT'S BEEN CUT DOWN SIGNIFICANTLY, NOW TO HAVE TO



KEEP IT AT 9% IN ADDITION TO GOING UP TO 9 1/2%, WE'RE HAVING TO RAISE THE TRANSPORTATION USER FEE AS WELL AS DIP INTO THE GENERAL FUND?

THAT'S RIGHT.

KIM: OKAY. ALL RIGHT. THANK YOU, MS. CREIGHTON.

I ALSO HAVE A QUESTION ABOUT THE ONE STOP SHOP AND THE EXPEDITER REVIEW PROCESS.

THAT WOULD BE LAURA, OBVIOUSLY.

THANKS, MS. HOFFMAN. I UNDERSTAND THAT ONE OF THE PRIORITIES FOR BUILDERS AND DEVELOPERS WAS TO PARTICIPATE IN AFFORDABLE HOUSING DENSITY BONUSES. ONE OF THE KEY THINGS THAT THEY VALUE WAS EXPEDITED REVIEW. CAN YOU TELL ME A LITTLE MORE ABOUT HOW THAT WOULD WORK, HOW MANY MORE EMPLOYEES, WHAT EXACTLY THAT APPROACH IS, THE TEAM APPROACH, THAT HELPS THEM WITH THE I GUESS EXPEDITING THEIR PERMITS?

RIGHT NOW WE DO HAVE -- WE DO HAVE EXPEDITED REVIEW IN EVERY DIVISION EXCEPT FOR ONE FOR AFFORDABLE HOUSING PROJECTS, SO IF YOU COME INTO THE SITE PLANNING PHASE WE HAVE A DEDICATED SITE PLAN REVIEW TEAM. IF YOU GO THROUGH THE RESIDENTIAL REVIEW SECTION WE PROMISE A SHORTER REVIEW PERIOD. THE PIECE THAT WE NEED TO ADD, AND IT'S PRIMARILY BECAUSE WE'VE GOT VMU COMING IN, VERTICAL MIXED USE PROJECTS, WE NEED TO EXPEDITE REVIEW IN THE BUILDING DESIGN AND REVIEW SECTION OF THE DEPARTMENT, AND SO WHAT WE WANT TO DO THERE IS WE'VE ALREADY GOT SOME FPE'S LOADED INTO -- WE'VE GOT FTE'S LOADED INTO THE ONE STOP SHOP. WE SPECIFICALLY HAVE IT LOADED INTO THE BUILDING REVIEW FUNCTION AND WHAT WE WANT TO DO IS TAKE THIS YEAR AND USE THOSE ADDITIONAL RESOURCES TO SEE IF WE CAN DELIVER AN EXPEDITED REVIEW THAT MATCHES THE VMU WE'RE GOING TO SEE COMING THROUGH THAT DIVISION BECAUSE AFFORDABLE HOUSING COMES THROUGH A NUMBER OF DIVISIONS. SO THIS WILL BE NEW FOR US. WE DO HAVE SOME RESOURCES

ADDED IT. IT WILL BE IN THE COMMERCIAL DESIGN REVIEW AND WE'LL MAKE SURE THAT WE MATCH UP THE DEMAND FOR VERTICAL MIXED USE WITH THOSE RESOURCES.

AND LAURA, CAN YOU SPEAK TO -- YOU WERE GOING TO TRY TO GUARANTEE AN OUTCOME. THAT'S HOW YOU WERE GOING TO TRY TO PRESENT THIS. YOU WERE GOING TO MEASURE IT BY SAYING YOU WOULD GIVE THIS KIND OF A TURN AROUND.

RIGHT. NORMALLY WHAT WE DO IS IF THE REVIEW PERIOD IS 7 DAYS WE'LL TRY AND CUTS THAT IN HALF SO WHAT WE'LL COME FOR IN THE BUDGET WITH IS A PROPOSAL OF HOW WE'LL CUT THOSE REVIEW TIMES AND WE'LL WANT TO CUT THEM IN HALF AT LEAST IN ORDER TO PROVIDE AN EXPEDITED REVIEW. AND I SHOULD ADD THAT WE ALSO HAVE EXPEDITED INSPECTIONS SO WHAT YOU WILL HAVE ONCE WE ADD THIS IS YOU WILL HAVE EXPEDITED REVIEW AND INSPECTION ALL THE WAY THROUGH THE ONE-STOP SHOP.

I JUST WANT TO BE SURE BECAUSE I KNOW THAT VMU AND AFFORDABLE HOUSE..... HOUSING, PEOPLE ARE THINKING THAT THEY'RE THE SAME THING. THEY'RE NOT. VMU IS REALLY JUST FOR GR, COMMERCIAL ZONING, AND AFFORDABLE HOUSE BEING WAS FOR CBD AND DMU, MULTIFAMILY, SINGLE FAMILY ZONING, SO THEY'RE VERY SEPARATE. BUT YOU'RE SAYING THAT YOU'RE GOING TO NEED STAFF FOR COMMERCIAL DESIGN BECAUSE OF VMU FOR EXPEDITED REVIEW.

ANY PROJECTS THAT WOULD COME THROUGH THE COMMERCIAL REVIEW VERSUS THE RESIDENTIAL REVIEW SECTION OF THE DEPARTMENT, WE NEED ADDITIONAL RESOURCES FOR THAT, BECAUSE UP UNTIL THIS POINT WE HAVEN'T BEEN PROVIDING EXPEDITED REVIEW FOR COMMERCIAL BUILDING PROJECTS THAT INCORPORATE AFFORDABLE HOUSING INTO THEM. SO THAT'S THE AREA WE'RE FOCUSED ON.

THAT'S THE AREA -- THAT'S REQUIRING THE ADDITIONAL STAFF, THEN.

THAT'S EXACTLY RIGHT.

THAT'S RIGHT.

THANK YOU.

MCCRACKEN: THERE ARE DENSITY BONUSES IN VMU. IN FACT, ONLY DENSITY BONUSES HAVE BEEN USED TO DATE ARE THE VMU DENSITY BONUSES FOR AFFORDABLE HOUSING. THE AFFORDABLE HOUSING TASK FORCE DENSITY BONUSES HAVE ARE VERY SIMILAR AND THEY'RE ALL BASICALLY 10%. THE VMU HAS BEEN THE MOST ACTIVE WHERE THE DENSITY BONUSES HAVE COME INTO PLAY, IN MEASURING WHETHER DENSITY BONUSES IS REQUIRED BY AFFORDABLE HOUSING, THAT'S AN ISSUE THAT COMES UP THAT IS NOT SEPARATE. IT'S ALL PART OF THE SAME.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS?

OKAY. WE'RE GOING TO MOVE TO THE NEXT QUESTION. IN PRIOR YEARS WE HAVE DONE A COMPREHENSIVE ASSESSMENT OF OUR GENERAL FUND C'S EVERY TWO YEARS. THE LAST REVIEW IS PART OF LAST YEAR'S BUDGET PROCESS. NOW, THIS IS NOT A SCHEDULED YEAR COMING UP IN ORDER TO DO THAT REVENUE INITIATIVE. WHEN WE DO AN ASSESSMENT OF GENERAL FUND C'S, WE ARE ALWAYS MINDFUL ABOUT THE EFFECT OF INCREASING FEES. FOR EXAMPLE, IF YOU INCREASE FEES FOR SWIMMING POOLS, IT CAN IMPOSE A BURDEN ON A LARGE NUMBER OF RESIDENTS. SO IN GENERAL WHEN WE DO THIS WE LOOK AND FOCUS MORE ON FEES THAT AFFECT A RELATIVELY SMALL GROUP OF PEOPLE WHO ARE COMING IN FOR A SPECIALIZED SERVICE AND PAYING A SPECIFIC FEE. FOR EXAMPLE, REGULATORY OR INSPECTION FEES. LAST YEAR'S REVENUE INITIATIVE RESULTED IN APPROXIMATELY \$1.4 MILLION IN ADDITIONAL REVENUE TO THE GENERAL FUND. WE BELIEVE THERE ARE SOME FEES THAT MAY WARRANT A REVIEW THIS YEAR, PARTICULARLY SOME VERY SPECIFIC DEVELOPMENT FEES WHERE WE HAVE LOOKED AT OUR PEER CITIES AND SEE THAT OURS ARE MUCH LOWER. WHILE WE HAVE NOT DONE A COMPREHENSIVE ASSESSMENT, WE ARE WILLING TO LOOK AT SOME TARGETED FEES THAT MAY BE IN NEED OF ADJUSTMENTS. SO MY QUESTION IS, SHOULD

I DO A REVIEW OF CERTAIN FEES IN '08. REMEMBER, THIS IS NOT A YEAR WE WOULD TYPICALLY DO A FEE REVIEW. AND I WANTED TO SEE IF THE ANSWER IS YES, ARE THERE ANY SPECIFIC FEES OR TYPES OF FEES THAT YOU WOULD SUPPORT OR, RELATIVELY,..... ALTERNATIVELY NOT SUPPORT INCREASING.

MAYOR WYNN: LET ME SAY THAT I REMEMBER THE LAST REVIEW, NOW, HOW IMPRESSED I WAS WITH HOW COMPREHENSIVE IT WAS AND ESSENTIALLY THEY'RE SCHEDULED AND STAGGERED IN SUCH A WAY TO KEEP US RELATIVELY CURRENT WITH THE COST OF THOSE SERVICES. SO I CERTAINLY WOULD HANDICAP THE EFFICACY OF A LOT OF TIME AND EFFORT ON THAT. COUNCIL MEMBER MARTINEZ?

MARTINEZ: IN THE FACE OF A \$20 MILLION BUDGET SHORTFALL, I WOULD SAY THAT AT THIS POINT I'D FIND IT HARD-PRESSED TO SET SOME PARAMETERS THAT WOULDN'T LET US LOOK AT EVERY OPPORTUNITY TO CLOSE THAT GAP. SO IF WE'RE GOING TO GET INTO THIS WITHOUT THERE BEING ANY SACRED COW SO WE CAN CLOSE THE BUDGET GAP, GAP, WE SHOULDN'T HAVE ANY SACRED COW.

DUNKERLEY: I REALLY DON'T SUPPORT JUST A FULL-BLOWN REVENUE LOOK. I'D RATHER WAIT TILL THE FOLLOWING YEAR ACTION BUT I WOULD ENCOURAGE THE STAFF THAT DOES THE REVENUE PROJECTIONS IN THE CITY TO TAKE A LOOK AT THOSE AND JUST SEE IF THERE'S ANY THAT JUMP OUT AT THEM THAT LOOK OUT OF LINE, AND PERHAPS THEY COULD LOOK AT ONE OR TWO, OR HOWEVER MANY THAT THEY THINK. BUT AT THIS TIME THAT COMPREHENSIVE REVIEW, I WOULD WAIT TILL IT'S DUE.

MAYOR WYNN: COUNCIL MEMBER KIM?

KIM: ACTUALLY, THERE IS ONE C I WOULD LIKE FOR US TO REVIEW FOR RESTAURANTS VERSUS CONVENIENCE STORES. I UNDERSTAND THERE'S A GROUP OF CONVENIENCE STORE OWNERS THAT ARE BEING CHARGED THE SIMILAR -- THE SAME FEE FOR RESTAURANTS JUST BECAUSE THEY HAVE HOTDOGS AND PRECOOKED ITEMS. SO I'D LIKE FOR THE HEALTH STAFF TO LOOK AT THAT FEE AND

SEE IF WE CAN HAVE SOME PARITY IN THOSE FEES AND WORK WITH THE ASSOCIATION ON THAT.

MAYOR WYNN: COUNCIL MEMBER MCCrackEN?

MCCrackEN: YEAH, I THINK IN LINE WITH COUNCIL MEMBER MARTINEZ JUST SAID, WE'RE BEING TOLD WE NEED TO SPEND \$7 MILLION JUST TO KEEP UP WITH ALL THE BUILDING PERMITS. SO IF WE'RE HAVING TO SPEND -- IN THE INTERNAL CONTROLS, THOSE TWO THINGS COMBINED, THE GROWTH DRIVEN COST. SO IF WE'RE SIGNIFICANTLY LOWER THAN OUR PEER CITIES ON SOME THINGS LIKE PERMIT FEES AND WE'RE HAVING TO SPEND \$7 MILLION JUST TO MANAGE THE AD -- ADMINISTRATIVELY THIS GROWTH, WE SHOULD LOOK AT THE FEES AND SEE THAT THEY'RE IN LINE WITH OTHER CITIES, I BELIEVE.

MAYOR WYNN: COUNCIL MEMBER COLE?

COLE: I JUST BASICALLY WANT TO SAY THAT I CONCUR WITH COUNCIL MEMBER MARTINEZ AND MCCrackEN'S COMMENTS.

ALL RIGHT. THE NEXT POLICY AREA IS OUR UTILITY TRANSFER RATES, AND WE ALWAYS JUST FRAME THIS QUESTION EACH YEAR AS A DOUBLE-CHECK. AS YOU'RE AWARE, LAST YEAR WE RECEIVED AN ACROSS THE BOARD INCREASE IN OUR AUSTIN ENERGY BOND RATINGS. WE'VE DONE A NUMBER OF THINGS OVER THE LAST SEVERAL YEARS TO EARN THAT INCREASE, BUT PROBABLY NONE MORE IMPORTANT THAN MAINTAINING CONSISTENCY IN OUR UTILITY TRANSFER POLICIES. EVEN DURING THE DOWNTURN, WHEN WE COULD HAVE TAKEN THE EASY WAY OUT AND REPLACED OUR LOST SALES TAX REVENUE WITH UTILITY FUNDS, THIS COUNCIL RESISTED AND INSTEAD DID THE HARD WORK NECESSARY TO BALANCE THE BUDGET. BUT I'M GOING TO FRAME THE QUESTION. I'D LIKE TO RECONFIRM THAT OUR BUDGET SHOULD BE PREPARED AT OUR HISTORICAL TRANSFER RATES OF 8.2% FOR THE WATER UTILITY AND 9.1% FOR AUSTIN ENERGY.

MAYOR WYNN: COMMENTS? THOUGHTS? OBJECTIONS,

RATHER? HEARING NONE.

ALL RIGHT. THAT BRINGS US TO A DISCUSSION OF THE BUDGET STABILIZATION RESERVE POLICY. THE BUDGET STABILIZATION FUND WAS ESTABLISHED SEVERAL YEARS AGO, BUT IN 2006 THE COUNCIL AMENDED THE POLICY DURING THE BUDGET ADOPTION PROCESS, AND THEY AMENDED IT TO DO THE FOLLOWING TWO THINGS. FIRST, AT THE END OF EACH YEAR ANY UNBUDGETED OR EXCESS REVENUE IN UNSPENT APPROPRIATIONS ARE DEPOSITED INTO THE FUND, AS IS EXPECTED TO BE THE CASE THIS UPCOMING YEAR. THEN DURING THE BUDGET PROCESS THAT FUND MAY BE USED FOR CRITICAL CAPITAL COSTS AND ONE-TIME EXPENDITURES, BUT ONLY ONE-THIRD OF THE TOTAL AMOUNT OF THE RESERVE, WITH TWO-THIRDS BUT TWO-THIRDS WOULD REMAIN IN RESERVE FOR THE FUTURE. THIS POLICY WAS ESTABLISHED TO PROVIDE GUIDELINES TO CONTINUE THE JUDICIOUS USE OF THE RESERVES FOR THESE ONE-TIME EXPENDITURES AND CAPITAL ITEMS AS OPPOSED TO SPENDING THE MONEY ON ONGOING NEEDS. NOW, I WANT TO STRESS, DON'T LET THE TERMINOLOGY, ONE TIME EXPENSES MISLEAD YOU. THESE ARE ITEMS THAT THE CITY NEEDS AND HAS NORMALLY FUNDED THROUGH THE DEPARTMENTAL OPERATING BUDGETS IN YEARS PAST. TAKING THESE OUT OF THE DEPARTMENTAL BUDGETS AND FUNDING THEM THROUGH THE BUDGET STABILIZATION RESERVE REALLY HAS SIMPLY ALLOWED US TO BALANCE THE BUDGET IN A DIFFERENT WAY. THE MAIN DIFFERENCE BETWEEN THESE ONE-TIME EXPENDITURES AND THOSE THAT REMAIN COMING OUT OF DEPARTMENTAL BUDGETS IS THAT IN A DOWNTURN, IN A CRISIS, THESE ARE THE KINDS OF EXPENDITURES YOU CAN MORE EASILY DEFER. SO IT'S ABSOLUTELY NECESSARY, THESE ARE THE THINGS THAT YOU WOULD DEFER FIRST, IF ABSOLUTELY NECESSARY, IN A DOWNTURN, BUT THESE ARE THINGS THAT WE BUY THAT ARE CRITICAL FOR DEPARTMENTAL OPERATIONS. FOR EXAMPLE, FLEET REPLACEMENT ARE IN HERE FOR OUR PUBLIC SAFETY DEPARTMENTS. IT EXPENDITURES, COMPUTER REPLACEMENTS. IT EXPENDITURES ARE IN THESE DOLLARS. THIS TABLE PROVIDES WITH YOU A PRELIMINARY LIST OF THE THINGS THAT ARE PROPOSED TO BE FUNDED WITH

ONE-TIME MONIES. AS WE DEVELOP THE BUDGET WE'RE GOING TO BE REFINING THE AMOUNTS NEEDED FOR THESE CATEGORIES, BUT YOU CAN SEE THAT THE TOTAL IS CURRENTLY 23.2 MILLION, AND THAT INCLUDES, BY THE WAY, A CHANGE FROM THE FORECAST BECAUSE WE'VE ADDED THE \$300,000 THAT KRISTEN SPOKE TO YOU ABOUT FOR A HOUSING MARKET STUDY IN THAT COUNCIL BUDGET INITIATIVE. THIS 23.2 MILLION IS 8.1 MILLION HIGHER THAN THE ANTICIPATED AVAILABLE BALANCE PER OUR CURRENT FINANCIAL POLICIES, OF 15.1 MILLION. AND AS I'VE SAID BEFORE, WE'RE GOING TO BE CONTINUING TO DEFINE ALL THESE NUMBERS AS WE MOVE THROUGH THE PROCESS. NOW, WITH REGARD TO THE POLICY ISSUE, I'M ASKING, ARE THERE ANY CHANGES THAT YOU WOULD LIKE US TO MAKE IN REGARD TO OUR RESERVE POLICY?

MAYOR WYNN: MAYOR PRO TEM?

DUNKERLEY: I WOULD LIKE TO MAKE JUST ONE SUGGESTION AND IT'S REALLY NOT TO CHANGE THE OVERALL POLICY, BUT IS TO MAKE A ONE-YEAR DEVIATION FROM THAT POLICY. WHEN YOU PRESENTED THE FORECAST IN DETAIL SEVERAL COUNCIL MEETINGS AGO, I NOTICED THAT WE HAD A FAIRLY BIG GAP THIS YEAR BUT THAT IT SORT OF STABILIZED IN THE OUT YEARS, AND I THINK AT THIS TIME THIS ONE TIME USE OF ABOUT 5 MILLION EXTRA DOLLARS FROM THAT FUND WILL HELP SMOOTH THAT OUT. THAT WOULD BE ONE OF THE SUGGESTIONS I WOULD LIKE TO HAVE CONSIDERED.

MAYOR WYNN: COUNCIL MEMBER COLE?

COLE: I'M NOT -- I DON'T HAVE ENOUGH INFORMATION ABOUT HOW THE SMOOTH OUT PROCESS WOULD WORK OR WHAT IS CAUSING THIS. I GUESS FUTURE ANNEXATIONS. CAN YOU GIVE ME A LITTLE BIT MORE EXPLANATION ABOUT WHY WE HAVE SUCH A GAP NOW THAT WE ANTICIPATE WILL GO AWAY?

THERE ARE MANY THINGS THAT CAN CAUSE A FLUCTUATION IN A FINANCIAL FORECAST. IT COULD BE BRINGING ON NEW FACILITIES, THE DIFFERENT TIMING OF BRINGING ON NEW FACILITIES, BECAUSE THAT'S ONE OF YOUR COST DRIVERS. IT COULD BE THE DIFFERENCE IN HOW CONTRACT COSTS

ARE LAID OUT AS AN EXAMPLE, LABOR COST. ONE OF THE THINGS THAT IS SMOOTHING OUT THE COST IN UPCOMING YEARS, WHICH IS SOMETHING THAT WE'RE ALSO GOING TO HAVE TO TAKE A LOOK AT, IS AN ASSUMPTION THAT WE'RE GOING TO BE MAKING THAT WE ARE GOING TO BE BEING MORE EQUAL AND SMOOTH IN HOW WE PUT EMPLOYEE BENEFITS ON THE TABLE FOR ALL OF OUR WORK FORCE. SO THERE ARE JUST A NUMBER OF THINGS THAT CAN HAPPEN. HEALTH CARE COSTS, HOW LABOR COSTS ARE DISTRIBUTED, HOW NEW FACILITIES COME ON-LINE, ANNEXATIONS CAN MAKE A VERY BIG DIFFERENCE BECAUSE A BIG ANNEXATIONS CAN BRING IN A LOT OF PUBLIC SAFETY COSTS WITH IT. A GROWTH SPURT, ADDING POSITIONS INTO DEVELOPMENT REVIEW CAN MAKE A BIG DIFFERENCE.

DUNKERLEY: I THINK ANOTHER THING THAT COMES INTO PLAY TOO IS THAT LOOKING OUT FOR THE NEXT FIVE YEARS, YOU'RE NOT GOING TO HAVE THE SAME RATE OF GROWTH, PROBABLY, IN EITHER INFLATION OR POPULATION, AND SO I THINK THAT'S ANOTHER THING THAT, LIKE YOU SAID, THE SPURTS THAT WE GET FROM TIME TO TIME HAVE A BIG IMPACT THERE. I THINK --

YOU KNOW WHAT -- PIGGYBACKING ON THAT JUST A LITTLE BIT, A LOT OF FOLKS HAVE TALKED ABOUT THE FACT THAT -- AND IT IS ADULT DISCUSSION TO HAVE, IS HOW CAN YOU HAVE ANY GAP WHEN YOU'RE IN -- IN A HIGH-GROWTH TIME. AND PART OF WHAT HAPPENS IN A HIGH-GROWTH TIME IS YOUR DEMAND HAPPENS EARLY FOR SERVICES BEFORE YOUR TAX BASE AND YOUR REVENUE IS ON THE GROUND. SO YOUR COSTS ARE FRONT LOADED BEFORE YOU BUILD YOUR TAX BASE, YOUR REVENUE BASE IS BUILT. SO THAT'S ANOTHER THING THAT CAN HAPPEN, IS THAT YOU HAVE TO SINK YOUR INVESTMENT ON THE FRONT END WHILE YOU WAIT FOR YOUR TAX BASE AND YOUR REVENUE STREAM TO GROW OR COME IN FROM THAT GROWTH, AND THAT'S ANOTHER THING THAT CAN HAPPEN ON THOSE SLIDES, THOSE CURVES.

COLE: WELL, I UNDERSTAND THAT BETTER NOW, AND ESPECIALLY THE GROWTH ISSUE THAT YOU JUST EXPLAINED, THEN I CAN SEE HOW TAKING THE 5 MILLION OUT FROM STABILIZATION -- FROM STABILIZATION RESERVE



FUND COULD JUST BE A ONE-TIME DEAL AND DO NOT CHANGE OUR POLICY TO DO THAT IN THE FUTURE.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I'D JUST LIKE TO EXPRESS MY SUPPORT FOR THAT AS WELL, ONE TIME WITHDRAWAL OF MONEY FROM THE BUDGET, STABILIZATION FUND AND MAKE CERTAIN THAT IT IS SPECIFIED TO BE A ONE-TIME ACTION ONLY.

MAYOR WYNN: YES?

ALSO, AS IT RELATES TO ONE-TIME CRITICAL COSTS, IT LOOKS LIKE WHEN YOU LOOK AT 1% RETIREMENT CONTRIBUTION AND YOU LOOK AT SERVICE INCENTIVE ENHANCEMENT, THAT'S NOT A ONE-TIME COST IF WE'RE GOING TO HAVE TO REFUND THAT THE NEXT YEAR. SO WHY WOULD WE PAY FOR SOMETHING WITH ONE-TIME COSTS WHEN WE KNOW NEXT YEAR'S BUDGET WE'RE GOING TO HAVE TO COME UP WITH THAT MONEY SOMEWHERE. SO I WANT US TO BE -- TO NOT PUT ONE-TIME CRITICAL COST ITEMS THAT WE KNOW ARE GOING TO RECUR NEXT YEAR. THERE'S NO WAY TO FUND IT.

LET ME WALK YOU THROUGH THOSE AND EXPLAIN WHY THEY'RE IN ONE TIME COSTS AND JOHN, IF YOU CAN SUPPLEMENT THIS, HELP ME. THE SERVICE ENHANCEMENT -- SERVICE INCENTIVE PAY ENHANCEMENT IS A LUMP SUM. IT'S DONE EACH YEAR. IT IS NOT INTENDED TO CONTINUE AFTER THE CONTRACTS COME UP FOR RENEWAL, AND WE HAVE A CHANCE TO REVISIT THE PUBLIC SAFETY PREMIUM. SO THE SERVICE ENHANCEMENT IS LUMP SUM ONE TIME AND IT'S REVISITED EACH YEAR. IT DOESN'T BUILD INTO BASE AND SO EACH YEAR YOU HAVE A CHANCE TO DECIDE IF YOU'RE GOING TO FUND IT OR NOT FUND IT. THE ONE -- THE 1% ON RETIREMENT IS ALSO BEING DONE AS A LUMP-SUM, ONE-TIME FOR X NUMBER OF YEARS. IT -- ONCE WE HIT TRIGGERS, IT GOES AWAY, SO IT DOESN'T BUILD, IT DOESN'T STAY AND BUILD ON ITSELF. IT'S GOING TO END AT A PERIOD -- ONCE WE HIT CERTAIN TRIGGERS IN THE RETIREMENT FUND. JOHN, CAN YOU HELP ELABORATE ON THAT A LITTLE BIT MORE?

THAT'S EXACTLY RIGHT AS TO WHAT YOU SAID. IN FACT, WE HAD -- WE HAD TRIGGERS IN THERE THAT COULD HAVE CAUSED US TO GO TO 2% THIS YEAR AND WE DIDN'T. WE REMAINED AT 1% BECAUSE, IN FACT, THEY HIT THE EARNINGS MARK -- THEY EARNED GREATER THAN 12% ON THEIR MARKET RETURN FOR THE FUNDS' INVESTMENTS. SO THIS IS SOMETHING THAT, YOU KNOW, IF THE INVESTMENTS PERFORMED EXTREMELY WELL THE ENTIRE SUBSIDY COULD GO AWAY. WE DON'T KNOW EXACTLY WHEN THAT'S GOING TO HAPPEN, BUT, IN FACT, WE DID NOT HAVE TO, UNDER THE AGREEMENT THAT COUNCIL APPROVED, WE DID NOT HAVE TO MOVE FROM 1% TO 2%.

AND WE HAVE PROJECTIONS OF WHEN WE HOPE THE FUND WILL BE HEALTHY AND IT WILL ALL GO AWAY, AND I CAN GET YOU SOME OF THAT DETAIL ON THE ORIGINAL PRESENTATION TO COUNCIL.

THANKS. I'D ALSO LIKE TO SEE THAT THE OTHER ONE TIME CRITICAL COSTS REQUESTS BROKEN DOWN WITH A LITTLE MORE DETAIL. MAYBE WE DON'T NEED 8.4 MILLION FOR VEHICLE REPLACEMENT. MAYBE WE CAN GET AWAY WITH LESS.

WE'RE GOING TO CONTINUE TO SCRUB THOSE BUT WE WILL DO THAT FOR YOU. EACH YEAR WE GIVE A LINE-ITEM DETAIL OF EACH OF THE ONE-TIME COSTS FOR EACH OF THE COUNCIL TO LOOK AT.

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS?

ALL RIGHT. NOW I'D LIKE TO MOVE ON TO EMPLOYEE BENEFITS, ARE BASICALLY OUR INVESTMENT IN OUR WORK FORCE. AS WAS DISCUSSED IN DETAIL IN THE FINANCIAL FORECAST, I PLAN TO CONTINUE MANY OF THE SUCCESSFUL BENEFITS THAT WE HAVE IN PLACE FOR OUR EMPLOYEES NOW. JUST TO RECAP A COUPLE QUICKLY, 3 1/2% PAY FOR PERFORMANCE IN BASE PAY. WE HAD UP TO 25% OF THE WORK FORCE ELIGIBLE TO RECEIVE C'S PERFORMANCE PAY OF ANOTHER 1 AND A HALF% IN BASE. OUR CONTINUING MARKET STUDY PROGRAM WHERE WE EVALUATE COMPENSATION FOR ONE-THIRD OF OUR WORK FORCE EACH YEAR. THE 2% LUMP SUM SERVICE ENHANCEMENT

PAY FOR OUR NONPUBLIC SAFETY, NON-UNIFORMED WORK FORCE, AS WE JUST TALKED ABOUT. AND FINALLY THE NEW BILINGUAL PROGRAM ADDED LAST YEAR IN WHICH EMPLOYEES IN 97 TITLES ARE ELIGIBLE FOR \$150 A MONTH STIPEND. THERE ARE CURRENTLY ABOUT 442 EMPLOYEES ELIGIBLE FOR THIS PROGRAM. NOW, COUNCIL, THIS IS A HOLD EVEN PROGRAM IN INVESTMENT IN THE WORK FORCE RIGHT NOW. SO MY QUESTION IS, ARE THERE ANY CHANGES YOU WOULD LIKE TO CONSIDER IN THESE WORK FORCE INVESTMENTS?

MAYOR WYNN: THOUGHTS, COUNCIL? COUNCIL MEMBER MARTINEZ?

MARTINEZ: LAST YEAR WHEN WE IMPLEMENTED THE BILINGUAL PROGRAM, WE SELECTED CERTAIN JOB TITLES TO GO INTO THAT. MAYBE IF WE CAN REVIEW THOSE JOB TITLES TO SEE IF ALL THOSE TITLES STILL WARRANT BEING IN THE BILINGUAL PROGRAM, AND IF SOME THAT WE LEFT OUT SHOULD BE ADDED TO IT.

WE'LL DO THAT, AND I WOULD BE REMISS IF I DIDN'T TELL YOU THERE'S A LOT OF PRESSURE TO ADD TITLES ON THE BILINGUAL PROGRAM. WE DID CULL IT DOWN AND PRIORITIZE VERY HEAVILY TO GET IT WITHIN BUDGET. SO THERE IS A LOT OF PRESSURE ON OTHER TITLES. WE CAN ALSO LOOK, THOUGH, TO BE SURE THAT WE THINK, AFTER THE END OF THIS YEAR, THAT THE RIGHT TITLES WERE PICKED..... PICKED.

MAYOR WYNN: COUNCIL MEMBER KIM?

KIM: CAN YOU TALK IN MORE DETAIL ABOUT THE MARKET STUDY PROGRAM? BECAUSE WE DID THAT BEFORE AND WE INCLUDED -- I THOUGHT ALL THE JOB TITLES. ARE THERE SOME JOB TITLES THAT HAVEN'T BEEN -- SOME POSITIONS THAT HAVEN'T BEEN STUDIED YET AND WHAT ARE THEY OR WHY ARE WE STILL DOING THIS?

HERE'S WHAT -- HERE'S THE WAY THE PROGRAM WORKS. WE FINISHED ALL OF OUR JOB TITLES IN A YEAR. ACTUALLY, THOUGH, THE ASSESSMENT TOOK ABOUT TWO YEARS TO COMPLETE, BUT EVERY JOB TITLE IN THE CITY WAS DONE.

TO MAINTAIN MARKET COMPETITIVENESS, WHAT WE'VE DONE THAN, AND WE'VE DONE THIS IN YEARS PAST UP UNTIL THE DOWNTURN WHEN WE STOPPED FOR A PERIOD OF TIME ALL PAY INCREASES, EVEN PAY FOR PERFORMANCE, IS THAT TO MAINTAIN IT WE THEN TAKE THE FIRST PEOPLE WHO GOT THE ADJUSTMENTS OR WHERE WE'RE HAVING THE MOST CRITICAL TURNOVER OR RETENTION PROBLEMS, ONE-THIRD OF THE WORK FORCE AT A TIME GOES THROUGH IT EACH YEAR. SO EVERYBODY GETS LOOKED AT ONCE EVERY THREE YEARS FOR MARKET COMPETITIVENESS, AND IT BECOMES A CYCLE TO BE SURE THAT AT LEAST ONCE EVERY THREE YEARS YOUR PAY IS LOOKED AT TO MAKE SURE YOU HAVE KEPT UP WITH MARKET COMPETITIVENESS.

MAYOR WYNN: THOUGHTS, COMMENTS?

ALL RIGHT. AS WE HAVE DISCUSSED THROUGHOUT THE YEAR AND DURING THE FORECAST PRESENTATION, THE AUSTIN WATER UTILITY IS FACING SIGNIFICANT COST INCREASES. THE UTILITY HAS PROJECTED THE ADDITIONAL DEBT SERVICE OVER THE FORECAST PERIOD TO FUND THEIR FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM WHICH IS CURRENTLY ESTIMATED TO BE A \$1.3 BILLION PROGRAM. THE BULK OF THESE PROGRAMS ARE ASSOCIATED WITH TREATMENT PLANT IMPROVEMENTS, SERVICE EXTENSIONS AND IMPROVEMENTS, FOR THE SOUTHEAST AND NORTHEAST, BASED ON GROWTH AND DEMAND IN THOSE AREAS, IMPROVEMENTS TO THE RECLAIMED WATER SYSTEM AND REHABILITATION OF AGE AGING INFRASTRUCTURE. THIS YEAR THE UTILITY HAS ALSO INCLUDED OPERATION AND MAINTENANCE FUNDING IN THE FORECAST FOR TWO PRIMARY THINGS. IMPLEMENTATION OF THE RECOMMENDATIONS OF THE WATER CONSERVATION TASK FORCE AND REPAIR CONTRACTS TO IMPROVE THE FIRE HYDRANT WATER LEAK AND MAIN BREAK RESPONSE TIME. '08 IS THE THIRD YEAR OF A PLANNED FIVE-YEAR RATE INCREASE PROGRAM WHICH WE BEGAN IN '06 FOR THE WATER UTILITY. THE COMBINED WATER AND WASTEWATER RATE INCREASE FOR NEXT YEAR IS 9.8%, FOLLOWED BY 7% IN EACH OF THE -- OF THE LAST TWO YEARS OF THAT FIVE-YEAR RATE IMPLEMENTATION PLAN. YOU SEE IT UP ON THE SCREEN, FOR THE TOTAL OVER THE FIVE-YEAR PLAN. THE NEXT SLIDE SHOWS YOU WHAT A RESIDENT IN AUSTIN

CURRENTLY PAYS MONTHLY, AND THIS IS BASED ON AN AVERAGE RESIDENTIAL CUSTOMER FOR THE WATER UTILITY WHO USES ABOUT 8,500 GALLONS OF WATER AND ABOUT 5,000 GALLONS OF WASTEWATER MONTHLY. AUSTIN IS AT \$54.01 RIGHT NOW. IT'S ABOVE SAN ANTONIO BUT BELOW CLK. AUSTIN'S RATE IS SLIGHTLY ABOVE ROUND ROCK'S RATE BUT BELOW THE REST OF THE SURROUNDING CITIES IN OUR AREA, SUCH AS SAN MARCOS, CEDAR PARK, PFLUGERVILLE AND GEORGETOWN. THE RATE INCREASE WE HAVE MENTIONED FOR 2008 WOULD INCREASE THE MONTHLY WATER AND WASTEWATER BILL BY APPROXIMATELY \$5.29. PERHAPS MOVING US SOMEWHERE BETWEEN CORPUS AND GEORGETOWN, ABOUT UP A NOTCH. I WOULD LIKE TO SAY THERE ARE VERY BIG RATE INCREASES IN THE WORKS FOR THE OTHER CITIES ON THIS GRAPH, CITIES THAT ARE FACING VERY MUCH THE SAME AGING INFRASTRUCTURE REINVESTMENTS THAT AUSTIN HAS ALREADY STARTED, AND OUR POSITION MAY VERY WELL REMAIN UNCHANGED, IF NOT BETTER. SO WITH THAT, COUNCIL, MY LAST QUESTION BEFORE WE ASK JUST THE GENERAL QUESTION, I WANTED TO CONFIRM SUPPORT FOR THE WAY WE HAVE LAID OUT THE RATE IMPLEMENTATION PLAN.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL AND THEN KIM.

LEFFINGWELL: THE TOTAL OF 1.3 BILLION, WHAT -- WHAT PORTION OF THAT, IF ANY, IS ALLOCATED FOR THE AUSTIN CLEAN WATER PLAN, WHICH IS BASICALLY A FEDERALLY MANDATED REPAIR PROGRAM?

I'M GOING TO LET OUR WATER UTILITY DIRECTOR, PEREZ, COME DOWN AND GIVE YOU A LITTLE BIT OF A BREAK-OUT OF THAT.

COUNCIL MEMBER FOR THE AUSTIN CLEAN WATER PROGRAM, WE'RE MANDATED TO COMPLETE THAT PROGRAM BY JUNE OF 2009. SO NEXT YEAR IT'S ABOUT \$103 MILLION, AND THE FOLLOWING YEAR IT'S ABOUT \$50 MILLION. SO WE HAVE ABOUT \$150 MILLION REMAINING FOR AUSTIN CLEAN WATER PROGRAM.

LEFFINGWELL: IT'S A RELATIVELY SMALL PERCENTAGE.

FROM THE 1.3.

LEFFINGWELL: FROM THE 1.3 BILLION.

YES, SIR.

LEFFINGWELL: OKAY. MY NEXT QUESTION FOR YOU, I GUESS, AS WELL, IS ONE OF THE RECOMMENDATIONS OF THE CONSERVATION TASK FORCE WHICH WAS ADOPTED WAS ESTABLISHMENT OF A FIFTH TIER FOR RESIDENTIAL WATER RATES. DO YOU SEE THAT HAVING ANY IMPACT ON REVENUE OR IS THAT INTENDED PRIMARILY -- DO YOU SEE IT AS BEING A COST NEUTRAL ITEM BECAUSE IT WILL ALSO DRIVE DOWN THE USAGE OF WATER?

COUNCIL MEMBER, WE PLAN TO IMPLEMENT THE FIFTH TIER IN FISCAL YEAR 2009. WE ARE OUT WITHIN OUR RFP TO BRING A CONSULTANT ON BOARD, AN EXPERT IN CONSERVATION RATES AND COST OF SERVICE STUDIES FOR WATER AND SEWER RATES. WE WILL COMPLETE THAT STUDY NEXT FISCAL YEAR, SO BY THE TIME WE ARE DOING THE 2009 BUDGET CYCLE WE'RE LOOKING AT A FIFTH TIER RATE AS WELL AS FOR OTHER CUSTOMER CLASSES AS WELL.

LEFFINGWELL: YEAH, THE COST OF SERVICE STUDY WILL ALSO INCLUDE COMMERCIAL RATES, WHOLESALE WATER RATES AS WELL, CORRECT?

THAT'S CORRECT. IT WILL INCLUDE ALL OF OUR CUSTOMERS COSTS.

LEFFINGWELL: SO THESE NUMBERS DON'T INCLUDE THE POTENTIAL IMPACT OF THAT? THIS IS JUST STRICTLY --

FOR 2008 WE'RE NOT INCLUDING A FIFTH YEAR RATE IMPACT.

LEFFINGWELL: YEAH. AND FINALLY, ON THE BUDGET IMPACT OF THE REUSE WATER, AS I UNDERSTAND IT, WE'RE AK  
SELL.....ACCELERATING AS A RESULT OF THE TASK FORCE

RECOMMENDATION GOES, WE'RE ACCELERATING THE IMPLEMENTATION OF THAT, SO THAT'S SOMETHING THAT WAS PLANNED ALL ALONG BUT ONLY TO BE SPREAD OUT OVER A LONG PERIOD OF TIME; IS THAT CORRECT?

THAT'S CORRECT. WE HAVE INCORPORATED THE TASK FORCE RECOMMENDATIONS FOR REUSE SPENDING AND WE'VE IDENTIFIED APPROXIMATELY 26 TO \$28 MILLION IN THE FIVE-YEAR WINDOW.

OKAY.

MAYOR WYNN: COUNCIL MEMBER KIM?

KIM: LOOKING AT THE WATER RATE INCREASES, I REMEMBER WHEN MR. LIPPY WAS THE DIRECTOR OF WATER UTILITY, WE WENT THROUGH A PRESENTATION ON WATER RIGHT INCREASES, AND I REMEMBER THAT THEY WERE MUCH LOWER THAN THIS. SO IT JUST SEEMS TO ME LIKE WE KEEP ADJUSTING IT UP IN TERMS OF THE PERCENTAGE FOR THE NEXT FIVE YEARS, AND IT'S TROUBLING TO ME BECAUSE WE HAVE INDUSTRIES THAT ARE ALREADY REUSING A LOT OF WATER, THE SEMICONDUCTOR INDUSTRY, AND THEY HAVE EXPRESSED CONCERN ABOUT THE COST TO THEIR BUSINESS IN TERMS OF THE WATER RATE. THEY PAY FOR WATER MUCH MORE IN AUSTIN THAN OTHER FACILITIES IN THE UNITED STATES. AND I WAS JUST WONDERING WHAT THE PROJECTION IN THE PAST, OR IF YOU CAN GET THAT TO ME LATER BECAUSE I AM CONCERNED ABOUT THE IMPACT ON OUR ECONOMY IN TERMS OF THE WATER RATE.

JUST TO GIVE YOU A BACKGROUND AS TO WHY THERE HAS BEEN A SLIGHT CHANGE FROM THE LAST FIVE-YEAR FORECAST TO THIS FIVE-YEAR FORECAST, THE CIP SPENDING IS THE MAJOR COST DRIVER FOR OUR RATE INCREASES. IF YOU LOOK AT JUST FY 2008, THE FUNDING GAP FOR AUSTIN WATER UTILITY, BETWEEN WHAT WE BRING IN AND WHAT WE NEED TO SPEND TO MEET OUR OPERATING REQUIREMENTS AS WELL AS CIP SPENDING IS AROUND \$53 MILLION. TO MEET THAT GAP, SINCE WE'RE AN ENTERPRISE FUND WE DON'T GET ANY SALES TAX OR PROPERTY TAX REVENUES. IT IS SOLELY FROM FEES AND REVENUES. SO THE \$53 MILLION GAP WILL BE COVERED THROUGH FEES,

OTHER INCREASES IN THE SYSTEM GROWTH AND REVENUES AS WELL AS RATE INCREASES. RATE INCREASES FOR NEXT YEAR IS ESTIMATED TO BRING AROUND \$30 MILLION. SO 30 MILLION, 53 -- FROM THE \$53 MILLION GAP, 30 MILLION WILL COME FROM RATE INCREASES. CIP SPENDING NEXT YEAR ALONE IS \$276 MILLION. 103 OF THAT IS FOR AUSTIN CLEAN WATER PROGRAM. THAT IS SOMETHING WE HAVE TO DO. FOR EXAMPLE, THE RATE COMPARISON, THE AVERAGE BILL COMPARISON THE CITY MANAGER JUST WASN'T THROUGH, SAN ANTONIO LOOKS PRETTY GOOD ON THE SCALE. WE JUST LEARNED A COUPLE WEEKS AGO THAT THEY WILL BE UNDER AN EPA ORDER VERY SIMILAR TO AUSTIN, AND THEY HAVE TO DEVELOP NEW WATER SUPPLY SOURCES FOR THEIR CUSTOMERS. SO YOU WILL SEE IN THE NEXT FIVE YEARS -- FIVE TO SEVEN YEARS THEIR RATE INCREASES TO BE TRIPLING AND QUAD RIEWP LINK LOOP HE WILLING. SO OTHER CITIES ARE BEHIND US IN TERMS OF CIP SPENDING AND MAKING INVESTMENTS IN REHAB, MAKING INVESTMENTS IN REUSE, MAKING INVESTMENTS IN CONSERVATION. WE'RE AHEAD OF MOST OF THE TEXAS CITIES IN THOSE AREAS. SO IN TERMS OF RATE INCREASES, WE HAVE TRIED TO SCRUB AND RESCRUB THESE NUMBERS. 9.8% BETWEEN WATER AND SEWER COMBINED, IT'S BARELY ENOUGH TO COVER OUR REQUIREMENTS FOR NEXT YEAR.

COUNCIL MEMBER, IT IS TRUE, IT IS A LARGER THAN THE ORIGINAL FORECAST, AND WE WILL GET YOU A COMPARISON OF THE TWO. ANYTHING, RUDY, YOU CAN ADD?

COUNCIL MEMBER, ONE THING I WOULD LIKE TO ADD, VERY SIMILAR TO THE DISCUSSION CITY MANAGER TALKED ABOUT WHEN WE TALKED ABOUT OUR INVESTMENT IN OUR UP FRONT COST, VERY SIMILAR TO WHAT'S HAPPENING EXPONENTIALLY IN THE UTILITY IS GROWTH IS NOT SLOWING DOWN. IN FACT, WE CONTINUE TO SEE TREMENDOUS GROWTH IN ALL PARTS OF THE CITY, PARTICULARLY IN THE FURTHER PARTS OF THE CITY THAT'S REQUIRING EVEN GREATER INFRASTRUCTURE INVESTMENTS, AND WE WON'T SEE OUR RETURN ON INVESTMENTS FOR 20, 25, 30 YEARS BUT THE COSTS ARE NOW. SO WE'RE SEEING IN THE NORTHEAST AREA, SOUTHEAST AREA, TREMENDOUS INVESTMENTS IN OUR CIP THAT TYPICALLY YOU WOULD EXPECT WOULD SEE A REVENUE RECOVERY, BUT AGAIN,



THAT WILL BE SIMILAR TO THE GENERAL FUNDING -- WITH TAX GROWTH, OUR REVENUE IN TAX WILL BE MUCH FURTHER DOWN THE ROAD.

ONE OTHER THING THAT I WOULD ADD IS THAT THE COST OF ALL THE MATERIALS AND THE COST OF CONSTRUCTION, MOST RECENTLY ON ALL OF THESE PROJECTS HAS BEEN SIGNIFICANTLY HIGHER THAN THEY'VE BEEN IN YEARS PAST. WE'VE SEEN 30 TO 50% INCREASES IN SOME OF THESE PROJECTS.

KIM: I UNDERSTAND THAT. YOU MENTIONED THAT SOME OF THIS WAS CIP, AND I DON'T KNOW HOW WE'RE PAYING FOR WATER TREATMENT PLANT. ARE WE DOING IT THROUGH BONDS OR THROUGH CIP? HOW MUCH ARE WE SPENDING ON WATER TREATMENT PLANT NO. 4 FOR THE NEXT THREE YEARS?

TREATMENT PLANT 4 IS FUNDED BOTH BY CURRENT REVENUES AS WELL AS BONDS. 80% OF THE FUNDING WILL COME FROM BONDS AND THE REMAINING 20 FROM CURRENT REVENUES OR RATES. NEXT YEAR OUR FORECAST SHOWS WE'LL SPEND ABOUT 18 TO \$20 MILLION ON PLANT 4.

KIM: OKAY. SO THAT'S INCORPORATED IN YOUR BUDGET WHEN YOU HAVE TO PAY IT BACK WITH THE WATER RATE, INCLUDING THE WATER RATE INCREASE, RIGHT?

THAT'S CORRECT.

KIM: THANK YOU.

MAYOR WYNN: FURTHER COMMENTS?

OKAY. AND THAT IS ACTUALLY IT, COUNCIL, SO OUTSIDE OF -  
- IF THERE ARE OTHER THINGS THAT YOU WOULD LIKE TO FRAME RIGHT NOW OR QUESTIONS YOU'D LIKE TO ASK, OBVIOUSLY WE HAVE OUR BUDGET QUESTION AND ANSWER PROCESS SET UP. WE HAVE THE BEGINNING OF THAT INDEX FOR YOU RIGHT NOW IN THE BACK OF YOUR BRIEFING BOOK THAT WAS DISTRIBUTED, AND WE CAN WRAP UP WITH JUST A SLIDE THAT SHOWS YOU YOUR NEXT STEP. DO WE HAVE OUR SLIDE UP? WELL, BOTTOM LINE IS YOU HAVE YOUR

PROPOSED BUDGET COMING AT THE END OF JULY. THEN YOU'LL MOVE INTO SIX WEEKS OF OUR BUDGET, PUBLIC HEARINGS, OUR DEPARTMENTAL PRESENTATIONS, AND IN EARLY SEPTEMBER YOU WILL BE DOING THREE READINGS OF YOUR BUDGET READINGS. SO WE HEAD IN NOW TO THE VERY DETAILED BUDGET PRESENTATION, AND WE WILL BE PUTTING THIS PRESENTATION UP ON THE WEB SITE, AND GREG, ANYTHING ELSE TO CLOSE WITH? ALL RIGHT. THANK YOU, COUNCIL.

MAYOR WYNN: OKAY. THANK YOU. I LOOK FORWARD TO THE FORMAL PRESENTATION NEXT MONTH. OKAY. COUNCIL, LET'S SEE. AT THIS TIME I AM GOING TO RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL, CALL TO ORDER THIS MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION. WELCOME, MR. PAUL HILGERS. WE HAVE A BRIEF 5 POINT AGENDA.

THANK YOU, MR. PRESIDENT. I AM PAUL HILGERS AND I'M HERE TO PRESENT AS QUICKLY AS POSSIBLE THE AGENDA FOR THE AUSTIN HOUSING FINANCE CORPORATION. AGENDA ITEM NO. 1 IS TO APPROVE THE MINUTES. I HAVE A CORRECTION IN THAT WE ARE APPROVING THE MINUTES NOT OF THE APRIL 19 MEETING BUT OF THE MAY 24 MEETING. THE MINUTES ARE THE SAME, THE DATE IS WRONG. SO WE WOULD ASK FOR YOU TO APPROVE THEM WITH THAT CORRECTION.

MAYOR WYNN: ALL RIGHT. MOTION MADE BY BOARD MEMBER MARTINEZ, SECONDED BY THE VICE PRESIDENT TO APPROVE THE MEETINGS OF THE MAY 24, 2007 BOARD MEETING OF HFC. ALL IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH BOARD MEMBER MCCracken OFF THE DAIS.

HFC ITEM NO. 2 IS TO AUTHORIZE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH LG -- LJA ENGINEERING AND SURVEYING INCORPORATED IN AUSTIN, TEXAS, FOR PROFESSIONAL ENGINEERING AS FAR AS FOR THE COUNTY PARK

SUBDIVISION AND SITE PLAN DESIGN IN AN AMOUNT NOT TO EXCEED \$500,000. THIS ACTION STARTS THE HOUSING DEVELOPMENT ON A PROPOSED 200-ACRE COUNTY PARK SITE LOCATED NEAR THE INTERSECTION OF LOYOLA LANE AND DECKER LANE FOR LOW TO MODERATE INCOME FAMILIES. THE AREA WILL INCLUDE SINGLE AND MULTIFAMILY HOUSING DEVELOPMENT. LJA IS AN SCPEHSSED AND QUALIFIED FIRM AND WILL PROVIDE SITE ANALYSIS, AND FEASIBILITY STUDIES FOR THE SITE. SCHEDULED TO OPEN IS THE NEW OVER TON ELEMENTARY ALONG WITH THE CITY'S RECREATIONAL FACILITY, PARKS FACILITY. THIS IS OBVIOUSLY A JOINT PROJECT BETWEEN THE INDEPENDENT SCHOOL DISTRICT AND THE CITY'S PARKS AND RECREATION DEPARTMENT. ONE OF THE REASONS THAT THIS PROJECT HAS TAKEN A WHILE TO GET STARTED IS TO ALLOW THIS DEVELOPMENT TO OCCUR, WHICH WAS THE REQUEST OF THE NEIGHBORHOOD. WE WOULD LIKE TO SEE THE DEVELOPMENT OF A MINIMUM 100 LOTS IN THE AREA WITHIN A YEAR, AND WITH THE OPENING OF THE NEW SCHOOL THE SUBDIVISION WILL ADD SIGNIFICANTLY TO THE SCHOOL'S POPULATION. WE'RE EXCITED ABOUT THE OPPORTUNITY TO BEGIN THE DEVELOPMENT IN EARNEST, AND SO WE BRING THIS FORWARD FOR YOUR APPROVAL.

MAYOR WYNN: QUESTIONS OF STAFF, BOARD? MOTION MADE BY BOARD MEMBER MARTINEZ TO APPROVED AS POSTED, SECONDED BY BOARD MEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES AGAIN ON A VOTE OF 6-0.

THE NEXT ITEMS ARE SPECIFIC HOUSING DEVELOPMENTS WITH THREE OF OUR MOST OUTSTANDING PARTNERS THAT WE HAVE IN THE CITY, AND SO WE'RE GLAD TO BRING THEM TO YOU. THE FIRST YOU'LL SEE ITEM NO. 3 IS TO APPROVE THE NEGOTIATION AND EXECUTION OF THE LOAN OF UP TO \$500,000 TO THE GARDEN TERRACE HOUSING CORPORATION TO EXPAND THEIR CURRENT FACILITY FROM 85 TO 100

SINGLE ROOM OCCUPANCY UNITS AT 1015 WEST WILLIAM CANON DRIVE. TODAY'S APPROVAL WILL GIVE THE GARDEN TERRACE THE OPPORTUNITY TO ASSIST MORE PEOPLE IN THE AUSTIN COMMUNITY. THIS FACILITY, WHICH AS YOU KNOW IS A SUBSIDIARY OF OUR NONPROFIT FOUNDATION COMMUNITIES PROVIDES AFFORDABLE RENTAL, WHO'S YEARLY INCOMES ARE NO MORE THAN 50% OF MEDIAN FAMILY INCOME AND MOST OF THEM ARE MUCH LOWER THAN 50% OF MEDIAN FAMILY INCOME. THIS IS THE FIRST OF THE THREE SRO'S THAT FOUNDATION COMMUNITIES HAS PUT IN PLACE AND THEY'RE ABLE TO EXPAND IT. THEY'VE GONE THROUGH THE ZONING PROCESS AND SO THEY WILL THEN ADD THIS ALONG WITH THE SPRING TERRACE FACILITY, WHICH IS OPENED AND THEN WE ARE COMING BACK FOR SKY LINE TERRACE, SO WE ACTUALLY WILL HAVE ABOUT 350 UNITS OF SRO'S THROUGH THE SERVICES THE FOUNDATIONS COMMUNITIES. SO AGAIN, VERY EXCITED ABOUT THIS PROJECT AND THE ABILITY TO SUPPORT THIS OUTSTANDING PARTNER, AND SO WE RECOMMEND THIS FOR YOUR APPROVAL.

MAYOR WYNN: THANK YOU, MR. HILGERS. QUESTIONS OF STAFF? BOARD? THESE ARE GREAT PARTNERS. I'LL ENTERTAIN A MOTION. MOTION MADE BY BOARD MEMBER MARTINEZ, SECONDED BY BOARD MEMBER LEFFINGWELL TO APPROVE ITEM NO. 3 AS PRESENTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES AGAIN ON A VOTE OF 6-0.

THANK YOU, HFC ITEM NO. 4, AGAIN ANOTHER OUTSTANDING PARTNER, AUSTIN NEIGHBORHOOD ALLIANCE FOR HABITAT INCORPORATED, AN AFFILIATE OF AUSTIN HABITAT FOR HUMANITY. WE'RE ASKING FOR THE AUTHORIZATION OF A LOAN TO NEGOTIATE AND EXECUTE A LOAN, FORGIVABLE LOAN FOR UP TO \$265,000 FOR THE PURCHASE OF TEN VACANT LOTS IN THE FRONTIER AT MONTANA SUBDIVISION IN THE MONTOPOLIS NEIGHBORHOOD BY AUSTIN HABITAT FOR HUMANITY TO BUILD TEN SINGLE-FAMILY WHOSE HOUSEHOLDS INCOME DO NOT EXCEED 80%. AND AGAIN,

MOST OF THESE FAMILIES AS YOU KNOW ARE AT THE 5 TO 55% OR BELOW MEDIAN FAMILY INCOME, INCOME LEVELS. CURRENTLY HABITAT HAS ALREADY BUILT SIX HOMES IN THE SUBDIVISION AND WILL BUILD A TOTAL OF 30 NEW HOMES FOR THEIR CLIENTS. THEY HAD ORIGINALLY PROPOSED TO BUILD 20 BUT THE NEIGHBORHOOD WAS SO POSITIVELY ENCOURAGED BY THE INCOME LEVELS THEY WERE ABLE TO ACHIEVE, THEY ASKED HABITAT TO EXPAND THAT AMOUNT TO 30, AND SO THESE -- THE BUILD OUT OF THESE ADDITIONAL TEN HOMES IS EXPECTED TO BE COMPLETE IN FISCAL YEAR 2008, AND OF COURSE THIS IS PART OF OUR 81-UNIT SUBDIVISION THERE AT FRONTIER VALLEY. AND SO WE AGAIN BRING THIS TO YOU FOR YOUR APPROVAL.

MAYOR WYNN: QUESTIONS, COMMENTS? IF NOT I'LL -- COUNCIL MEMBER -- BOARD MEMBER MARTINEZ MOVES THAT WE APPROVE ITEM NO. 4. SECONDED BY BOARD MEMBER MCCrackEN. FURTHER COMMENTS? HEARING NONE ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

AND THEN FINALLY, AGAIN, ONE OF THE OLDEST NEIGHBORHOOD NONPROFIT COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS THAT WE'VE HAD IN THIS COMMUNITY, THIS ITEM IS TO APPROVE THE NEGOTIATION AND EXECUTION OF A LOAN TO THE GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION, OR RELATED ENTITY TO INCREASE FUNDING PREVIOUSLY AUTHORIZED BY THE AFC MOTIONS THAT ARE LISTED NEW ENGLAND -- I.....LISTED IN THIS -- I WON'T READ THE NUMBERS BY \$693,239 FOR A TOTAL AMOUNT NOT TO EXCEED \$1,693,239, UNDER -- UNDER THE RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM AND IN COMPLIANCE WITH APPLICABLE FEDERAL REGULATIONS, INCLUDING TITLE 24, CODE OF FEDERAL REGULATION SECTION 85.40, PERFORMANCE GOALS FOR THE DEVELOPMENT OF A 22-UNIT AFFORDABLE RENTAL FACILITY FOR LOW TO MODERATE INCOME FAMILIES AT 813 EAST 8TH STREET. THE BOARD OF DIRECTORS PREVIOUSLY AUTHORIZED FUNDING FOR THIS PROJECT IN JUNE 2006 AND APRIL 2007. HOWEVER,

THE BUDGET FOR THE PROJECT HAS INCREASED SUBSTANTIALLY FOR A VARIETY OF REASONS, INCLUDING CONSTRUCTION AND MATERIAL COST. GUADALUPE WILL AFFAIR 22 OFFER 22 UNITS TO FAMILIES MAKING LESS THAN 50% OF MEDIAN INCOMES AND NO FAMILIES IN THIS SUBDIVISION -- OR IN THIS COMPLEX WILL EARN MORE THAN 60% OF MEDIAN FAMILY INCOME. AGAIN, THIS IS AN INDICATION OF WHEN WE HAVE DEVELOPMENTS THAT ARE ACHIEVING MUCH LOWER AFFORDABILITY, IT'S JUST MORE SUBSIDY THAT'S REQUIRED TO MAKE THOSE WORK. MONTHLY RENTS WILL RANGE FROM \$306 TO \$400 FOR A ONE BEDROOM RUNT, 361 TO \$4,775 FOR A TWO BEDROOM UNIT AND \$575 TO \$650 FOR A THREE BEDROOM UNIT, RIGHT THERE NEXT TO I-35, PRETTY CLOSE TO OUR DOWNTOWN. SO WE'RE EXCITED ABOUT BRINGING THIS DEVELOPMENT TO YOU FOR YOUR INCREASED FUNDING TO MAKE THIS POSSIBLE. SO WITH THAT WE BRING THAT FOR YOUR APPROVAL AS WELL.

MAYOR WYNN: MOTION BY COUNCIL MEMBER -- BY BOARD MEMBER LEFFINGWELL, SECONDED BY BOARD MEMBER MARTINEZ TO APPROVE THIS ITEM NO. 5, THE GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH BOARD MEMBER KIM OFF THE DAIS.

I BELIEVE THAT'S ALL THE BUSINESS BEFORE THE FINANCE CORPORATION ACTUALLY FOR THE MONTH, MR. PRESIDENT, SO --

MAYOR WYNN: THANK YOU MR. HILGERS, THERE BEING NO MORE BUSINESS BEFORE THIS AUSTIN HOUSING CORMS, WE NOW STAND ADJOURNED. CALL BACK TO ORDER THE MEETING OF THE AUSTIN CITY COUNCIL THAT WILL TAKE US NOW TO OUR FOWRS -- ACTUALLY, RIGHT, BEFORE WE DO OUR ZONING, MR. GUERNSEY, WE HAD EARLIER IN THE DAY, HAD SET ASIDE ITEM NO. 3, APPROVAL OF ORDINANCE RELATED TO SETTLEMENT AGREEMENT BETWEEN THE CITY

OF AUSTIN AND THE LCRA. I WOULD APPRECIATE A BRIEF STAFF PRESENTATION FROM LAURA HUFFMAN.

THANK YOU, MAYOR AND COUNCIL MEMBERS. WHAT I'D LIKE TO... TO DO TODAY IS WATCH YOU THROUGH THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF AUSTIN AND THE LOWER COLORADO RIVER AUTHORITY. THIS REPRESENTS OVER A YEAR'S WORTH OF WORK BY A REALLY TALENTED TEAM OF CITY OF AUSTIN EMPLOYEES AND A COUPLE OF OUTSIDE FOLKS, AND I WANT TO RECOGNIZE THIS TEAM NOW. LESLIE ROUTER, OUR DEPUTY CFO, FROM THE AUSTIN WATER UTILITY, TERESA LIEWT, BART JENNINGS ALSO FROM THE AUSTIN WATER UTILITY, OUR INTERNAL ATTORNEYS WERE ROSS CROW AND SHARON SMITH. LEAD EXTERNAL ATTORNEY WAS KEN RAMIREZ AND AMONG CAME JACOBS AND OUR CRACKER JACK WATER MODELER, RICHARD HOF POWER. THIS IS A GROUP OF PEOPLE THAT SPENT OVER A YEAR WORKING WITH COUNTERPARTS AT THE LCRA TO BRING FORWARD THIS SETTLEMENT AGREEMENT. SO WHAT DOES IT DO? ONE OF THE MOST IMPORTANT PLANNING EFFORTS THERE ANY COMMUNITY IS HOW YOU PLAN FOR WATER, WITHOUT A VIABLE SAFE DRINKING WATER SUPPLY COMMUNITIES CAN'T GROW AND THEY CAN'T THRIVE. BY CONTRAST, COMMUNITIES THAT DO A GOOD JOB OF THIS, COMMUNITIES THAT ARE INNOVATIVE AND THINK IN TERMS OF LONG-RANGE PLANNING DO QUITE WELL AND THEY ENSURE THEIR OWN SUSTAINABILITY INTO THE FUTURE. AUSTIN FITS INTO THIS SECOND CATEGORY AND THIS SETTLEMENT AGREEMENT IS A KEY REASON WHY. THERE ARE FOUR KEY COMPONENTS IN THE SETTLEMENT AGREEMENT. THE FIRST IS THAT WE HAVE ESTABLISHED A FORMAL WATER PARTNERSHIP BETWEEN THE CITY OF AUSTIN AND LCRA. AND WHAT THESE TWO ENTITIES ARE AGREEING TO DO IS TO JOINTLY MANAGE WATER RIGHTS AND TO JOINTLY PLAN FOR FUTURE WATER SUPPLIES. THIS REPRESENTS A FUNDAMENTAL SHIFT IN THE RELATIONSHIP BETWEEN THE CITY OF AUSTIN AND LCRA, AND IT MOVES US TOWARDS A VIABLE PARTNERSHIP FOR THE FUTURE. THE SECOND THING THAT THE SETTLEMENT AGREEMENT DOES IS IT SETTLES A LONG-STANDING DISPUTE ON HOW REUSE WATER WILL BE REUSED BETWEEN LCRA AND THE CITY OF AUSTIN. ARE REUSE WATER IS THE EFFLUENT THAT'S

PRODUCED AS A RESULT OF WASTEWATER TREATMENT AND IS PUT BACK INTO THE REFERS..... RIVERS AND SO WE HAVE BEEN DISCUSSING AND DEBATING FOR YEARS WHO OWNS THIS WATER AND HOW THIS WATER SHOULD BE USED AND THIS AGREEMENT SETTLES THAT DISPUTE. THERE ARE A TOTAL OF SIX DISPUTES BETWEEN LCRA AND THE CITY OF AUSTIN, ALL IN THE FORM OF PERMITS WITH THE STATE OF TEXAS THAT WE HAVE BEEN DISPUTING FOR -- AS LONG AS SINCE 1999. SO THE SETTLEMENT AGREEMENT RESOLVES ALL SIX PERMITS AND CLEARS THE WAY FOR A POSITIVE PARTNERSHIP INTO THE FUTURE WITH LCRA. AND THE LAST THING THAT THIS SETTLEMENT AGREEMENT DOES IS IT CREATES A FRAMEWORK FOR NEGOTIATING A SECOND LONG-TERM WATER SUPPLY AGREEMENT BETWEEN LCRA AND THE CITY OF AUSTIN. RIGHT NOW WE HAVE A LONG-TERM WATER SUPPLY AGREEMENT. WE TYPICALLY REFER TO THAT AS THE 1999 WHAT ARE 1999 WATER AGREEMENT. WE EXPECT FOR THAT WATER SUPPLY TO LAST UNTIL AROUND 2050. WE ARE HOPEFUL THAT STRONG EFFORTS LIKE CONSERVATION WILL HELP DELAY AND IMPROVE THE AMOUNT OF TIME THAT WE CAN USE THAT WATER SUPPLY. WHAT THIS AGREEMENT IS DOING IS IT'S CREATING A LONG-TERM WATER SUPPLY THAT WOULD KICK IN AT ABOUT 2050 OR A LITTLE THEREAFTER. AND I'M GOING TO TALK A LITTLE BIT ABOUT WHAT WE'VE GOT IN THE SETTLEMENT AGREEMENT THAT SETS UP AN NEGOTIATING FRAMEWORK FOR THAT SECOND LONG-TERM WATER SUPPLY CONTRACT. SO THE WATER PARTNERSHIP. FUNDAMENTALLY WHAT THIS GROUP IS GOING TO BE CHARGED WITH AND WHAT YOU'RE APPROVING IN THE SETTLEMENT AGREEMENT IS THAT THE CITY COUNCIL AND THE LCRA BOARD OF DIRECTORS ARE ESTABLISHING FORMALLY A WATER PARTNERSHIP THAT HAS AN EXECUTIVE COMMITTEE THAT IS COMPRISED OF TWO MEMBERS FROM LCRA AND TWO PEOPLE FROM THE CITY OF AUSTIN. THEY'RE GOING TO BE CHARGED WITH CO-MANAGING THE WATER RIGHTS BECAUSE BOTH LCRA AND THE CITY OF AUSTIN OWN WATER RIGHTS. THEY'RE GOING TO PLAN FOR FUTURE WATER SUPPLY STRATEGY. SO -- AND MOST IMPORTANTLY THEY'RE GOING TO COLLABORATE ON THE WATER MODELING AND THE DEMAND PROJECTIONS THAT HELP YOU PLAN FOR THOSE FUTURE WATER SUPPLIES. SO RATHER THAN THE TWO LARGEST PUBLIC



ENTITIES IN AUSTIN DOING THESE THINGS INDEPENDENTLY WE'RE GOING TO DO THEM TOGETHER AND AS A TEAM. THE REUSE WATER AGREEMENT. THIS WAS THE INITIAL REASON THAT LCRA AND THE CITY OF AUSTIN BEGAN NEGOTIATING A YEAR AGO, AND HOW WE'RE GOING TO APPROACH THIS PARTICULAR WATER SUPPLY WORKS THIS WAY. FIRST -- LET ME DESCRIBE THE FUNDAMENTAL SHIFT HERE, BECAUSE PREVIOUSLY ALL OF THE DISCUSSIONS BETWEEN LCRA AND THE CITY OF AUSTIN HAS CENTERED AROUND HOW WE CAN DIVIDE THE WATER, WHAT PERCENTAGE WOULD AUSTIN GET, WHAT PERCENTAGE WOULD LCRA GET AND WHAT WOULD YOU CARVE OUT FOR THE ENVIRONMENT. THE SHIFT IN THIS AGREEMENT IS THAT WHAT WE ARE DOING IS WE ARE USING THIS WATER IN THIS -- IN THE FOLLOWING WAY. WE ARE AGREEING THAT THE FIRST CALL ON THE WATER GOES TO THE ENVIRONMENT AND HERE'S HOW THAT WORKS. BASED ON THE MOST CURRENTLY AVAILABLE SCIENTIFIC DATA WE ARE GUARANTEEING THAT THE FLOW NEEDS OF THE STREAMS AND THE BASE..... BAYS AND ESTUARIES ARE MET. ONCE THOSE NEEDS ARE MET THEN THE CITY OF AUSTIN CAN USE WHATEVER REMAINS OF THIS REUSE WATER SUPPLY. AFTER THE CITY OF AUSTIN HAS -- ONCE AUSTIN HAS USED WHAT IT WANTS TO USE, THEN LCRA CAN USE WHATEVER REMAINS. SO THE FIRST CALL GOES TO THE ENVIRONMENT. AUSTIN CAN PLAN FOR 100% OF THE REUSE BEYOND THAT POINT, AND THEN LCRA CAN USE WHATEVER IS NOT BEING USED EITHER FOR ENVIRONMENTAL PURPOSES OR BY THE CITY OF AUSTIN IN THE FORM OF REUSE PROJECTS. AND JUST TO FAMILIARIZE FOLKS WITH WHAT REUSE PROJECTS MIGHT INCLUDE, THEY COULD INCLUDE ANYTHING FROM IRRIGATION PROJECTS TO POTENTIALLY PROVIDING A WELL WATER SUPPLY TO A FUTURE WATER TREATMENT PLANT THAT IS EITHER DOWNSTREAM OR NEAR TO THE OUTFALL WHERE THE REUSE GOES BACK INTO THE RIVERS. ONE OF THE THINGS THAT WE'VE BEEN STRUGGLING WITH, BECAUSE THE TERMINOLOGY IS DENSE AND BECAUSE THE SUBJECT MATTER COMPLEX IS WHAT DOES THIS MEAN TO THE AVERAGE PERSON IN AUSTIN? WHAT IT MEANS IN EASY TERMS IS THAT FOR EVERY ACRE OF EVERY USE WATER THAT AUSTIN IS USING WE ARE NOT GOING TO BE PAYING FOR AN ACRE FOOT OF WATER OUT OF OUR WATER SUPPLY

CONTRACT WITH LCRA. SO IN VERY SIMPLE MATERIALS, IF AUSTIN WERE TO USE SOMEWHERE ON THE ORDER OF 60 TO 70,000 ACRE-FEET OF WATER A YEAR THROUGH REUSE, AT TODAY'S WATER RATES WE WOULD SAVE SOMEWHERE BETWEEN 7 AND \$8.5 MILLION ANNUALLY IN RAW WATER COST. TODAY WE PAY \$115 PER ACRE FOOT OF WATER. IT IS EXPECTED AND ANTICIPATED THAT THAT RATE WILL GO UP BY ABOUT 4% FOR THE FORESEEABLE FUTURE. WATER IS GETTING MORE EXPENSIVE. SO THE ABILITY TO INCORPORATE A FREE WALL WATER RESOURCE INTO OUR WATER PLANNING IS SIGNIFICANT, AND OVER TIME COULD SAVE 10S OF MILLIONS OF DOLLARS FOR AUSTIN RATE PAYERS. RESOLVING THE EXISTING PERMIT DISPUTES. I JUST TALKED ABOUT THE MAJOR PERMIT THAT WE ARE RESOLVING, AND, IN FACT, THERE ARE THREE BED AND BANKS PERMITS THAT THAT REUSE PROJECT RESOLVES AT THE STATE. AND THEN THERE ARE THREE OTHER PERMITS THAT ARE PENDING AT THE STATE THAT INCLUDE WATER RIGHTS FOR LCRA, AND WE'VE DONE IN EACH OF THESE PERMITS IS WE HAVE GUARANTEED THAT AUSTIN IS NOT IN ANY WAY SUBORDINATING ITS WATER RIGHTS, AND THAT THE WATER RIGHTS THAT ARE BEING APPLIED FOR BY LCRA ARE NOT RELYING IN ANY WAY ON THE REUSE WATER. SO WHAT AUSTIN IS GETTING OUT OF THE PERMIT -- OUT OF THE SETTLEMENT HERE IS A GUARANTEE THAT NONE OF OUR CURRENT WATER RIGHTS FOR THE REUSE WATER IS BEING COMPROMISED AND WHAT WE'RE DOING IS WE'RE CLEARING A WAY FOR LCRA TO GET PERMITS FOR SOME RATHER IMPORTANT WATER RESOURCES FOR LCRA TO DO PLANNING FOR ALL OF ITS CUSTOMERS, OF WHICH WE ARE ONE. THE LAST PIECE OF THIS SETTLEMENT AGREEMENT SETS UP THE NEGOTIATING FRAMEWORK FOR THE SECOND WATER SUPPLY CONTRACT THAT I DISCUSSED, AND WE'RE CALLING THIS THE 2007 WATER SUPPLY CONTRACT. IN THE SETTLEMENT AGREEMENT WE HAVE ONLY SOME VERY BROAD TERMS, WHICH WE WILL FLESH OUT OVER THE SUMMER, AND WE WANT TO INCLUDE A BROAD PUBLIC DISCUSSION OF THIS PIECE. HERE ARE THE BASIC TERMS. WE ARE OBLIGATING LCRA A TO PROVIDE AND FOR AUSTIN TO PURCHASE UP TO 250,000 ACRE-FEET OF WATER ONCE THE 1999 WATER SUPPLY IS EXHAUSTED. SO WHEN WE HAVE -- WHEN WE HAVE GROWN TO SUCH AN EXTENT THAT THE

1999 WATER SUPPLY IS NO LONGER SUFFICIENT TO SERVE OUR CITIZENS, THIS SECOND WATER SUPPLY CONTRACT WILL KICK IN. WHAT AUSTIN HAS NEGOTIATED IS THAT WE WILL NOT PAY ANY RESERVATION FEES OR ANY OTHER UP-FRONT FEES FOR THIS WATER SUPPLY CONTRACT. SO WE ARE ESSENTIALLY LOCKING IN A 100 YEAR WATER SUPPLY AT NO UP FRONT COST TO THE CITIZENS OF AUSTIN. THE DETAILS OF THIS AGREEMENT NEED TO BE WORKED OUT OVER THE COURSE OF THE SUMMER, AND WHAT THE SETTLEMENT CALLS FOR IS THAT BY AUGUST 31, 2007 BOTH LCRA AND THE CITY OF AUSTIN WILL BE IN A POSITION TO BRING FORWARD A COMPLETELY FLESHED OUT CONTRACT FOR THIS FUTURE WELL WATER SUPPLY. ONE OF THE THINGS THAT WE THINK IS VERY IMPORTANT ABOUT HAVING THE SUMMER IN ORDER TO ACCOMPLISH THIS IS THAT WE WANT TO BE SURE AND INCORPORATE OUR BOARDS AND COMMISSIONS AND ALSO A BROADER COMMUNITY DISCUSSION WITHIN AUSTIN AND AMONG LCRA'S DOWNSTREAM CUSTOMERS ABOUT HOW THIS IS BEING APPROACHED. WE UNDERSTAND THE LONG-TERM WATER SUPPLY IS AN IMPORTANT ISSUE AND VERY WORTHY OF A LOT OF PUBLIC DISCUSSION. SO, MAYOR AND COUNCIL, THAT IS, IN SENSE ESSENCE THE FOUR KEY AGREEMENTS. THE NEXT STEPS ARE TO COMPLETE THE LONG RANGE WATER SUPPLY CONTRACT. WE HAVE UNTIL THE END OF AUGUST TO DO THAT SO YOU CAN EXPECT TO SEE US EARLY SEPTEMBER WITH ANOTHER ACTION ITEM. AND THEN WHAT WE NEED TO DO IS WE NEED TO BEGIN IMPLEMENTATION OF THE SETTLEMENT AGREEMENT, WHICH WILL INCLUDE THINGS LIKE APPLYING FOR JOINT PERMITS AT TCEQ, AMENDING THE EXISTING PERMIT APPLICATION TO SAY MAKE SURE THAT AUSTIN'S WATER RIGHTS ARE PROTECTED AND REUSE WATER IS NOT INCLUDED IN THOSE PERMITS. SO THERE WILL BE A LOT OF DETAILED WORK IN THE STATE PERFORMING PROCESS THAT WILL FOLLOW APPROVAL OF THIS ITEM. AND MAYOR, THAT CONCLUDES MY PRESENTATION.

MAYOR WYNN: THANK YOU, MS. HUFFMAN. QUESTIONS?  
COUNCIL MEMBER MARTINEZ?

MARTINEZ: I JUST HAD ONE QUESTION. WHEN WE TALK ABOUT REUSE WATER, WE KEEP TALKING ABOUT IF WE USE

IT, THEN WHAT WE DON'T USE LCRA HAS RIGHTS BACK TO THAT. BUT WHAT IF -- DOES IT ALLOW US A PROVISION TO STORE IT, TO USE IT AT A LATER DATE? IF WE CREATE A RESERVOIR FOR REUSE WATER AND MAINTAIN IT OURSELVES, HOLD IT UNTIL WE NEED IT, IS THERE SOMETHING IN THIS AGREEMENT THAT ALLOWS US TO DO THAT?

THERE IS NOTHING THAT WOULD PREVENT US FROM DOING THAT. IN FACT, THAT IS A POINT OF DISCUSSION THAT WOULD BE REALLY GOOD FOR THAT JOINT MANAGEMENT COMMITTEE, BECAUSE THE IDEA OF STORAGE EITHER IN A RESERVOIR OR IN AN AQUIFER ARE BOTH VERY VIABLE IDEAS THAT COMMUNITIES ALL OVER THE COUNTRY ARE GOING TO HAVE TO CONSIDER FOR REUSE WATER AND ALSO FOR FLOOD FLOWS, BECAUSE THERE'S ALWAYS EXTRA WATER DURING HIGH FLOOD TIMES. SO THOSE ARE BOTH REALLY GOOD OPPORTUNITIES FOR US.

MARTINEZ: OKAY. THANK YOU.

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

LEFFINGWELL: JUST TO FOLLOW UP ON MIKE'S QUESTION, CURRENTLY THERE IS NO DISPUTE THAT THE WATER BELONGS TO US UNTIL WE PUT IT BACK INTO THE RIVER, CORRECT?

THAT'S CORRECT. THIS IS AN INTERESTING AREA OF WATER LAW. IT IS -- THERE IS NO QUESTION THAT THE WATER BELONGS TO THE CITY OF AUSTIN UNTIL IT'S PUT BACK INTO THE RIVER AND THEN THAT BECOMES THE SUBJECT OF MUCH DEBATE. SO THE CITY CAN DO WHAT'S CALLED DIRECT REUSE, WHICH IS TO TAKE THAT WATER BEFORE IT GOES INTO THE RIVER AND USE IT FOR OUR PURPOSES, AND THIS AGREEMENT DOES NOT PREVENT US FROM ANY PROJECT THAT WE MIGHT COME UP WITH FOR DIRECT REUSE.

LEFFINGWELL: BUT YOU'RE SAYING IN THE EVENT WE DECIDE TO STORE WATER, MR. MARTINEZ SUGGESTING A RESERVOIR, THAT MIGHT BE UNFAIR PLAY AND WOULD BE

SUBJECT TO A NEW PROTEST, ARE YOU THINKING?

I'LL GIVE YOU THE SHORT ANSWER. THERE IS NOTHING IN THIS AGREEMENT THAT PREVENTS US FROM DOING THAT. SO I WOULD SAY THIS. THAT WOULD BE A LONG RANGE WATER SUPPLY ISSUE. IT WOULD BE VERY APPROPRIATE FOR THAT JOINT PARTNERSHIP TO CONSIDER HOW TO DO THAT BECAUSE THOSE ARE VERY EXPENSIVE DECISIONS, BUT THIS AGREEMENT WOULD NOT PREVENT US FROM THAT KIND OF PROJECT.

LEFFINGWELL: OKAY. FURTHER QUESTIONS, COMMENTS? WE DO HAVE THE CITIZENS WHO SIGNED UP WISHING TO SPEAK. MR. MUNCH, WOULD YOU LIKE TO ADDRESS THIS? THANKS, BILL.

GOOD AFTERNOON, BILL BARNS WITH SPRINGS ALLIANCE SPEAKING AGAINST THIS PROPOSAL. THERE IS ZERO BACKUP PROVIDED TO THE COMMUNITY ON THIS MATTER. THE ORDINANCE YOU'RE BEING ASKED TO APPROVE DELEGATES TOTAL AUTHORITY TO THE CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENT THAT HAS ABSOLUTELY NO GUIDANCE OR GUARDRAILS WHATSOEVER ON IT. THAT'S A COMPLETE AND DIFFICULT INDICATION OF YOUR ROLE AS POLICY MAKERS FOR THE CITY MANAGER, AND IT'S DECLARE DARE DERELICTION OF YOUR DUTY. I CALLED SOMETHING ASKING IS THERE INFORMATION I COULD HAVE ON THIS? OH, THERE'S NOTHING. JUST THE ORDINANCE. YOU'VE JUST BEEN GIVEN A PRESENTATION THAT MAKES IT CLEAR THERE'S SOMETHING RELATIVELY COMP. RENS I HAVE OUT THERE BUT YOU'RE DENYING THAT TO THE PUBLIC AND IT'S IMPOSSIBLE FOR YOU TO GET USEFUL, HELPFUL INFORMED PUBLIC INPUT ON THIS AND IT'S PRETTY CLEAR THAT YOU'RE APPARENTLY NOT EVEN INTERESTED IN THAT. ONE MATTER THAT IS PARTICULARLY IMPORTANT THAT MS. HUFFMAN DIDN'T EVEN MENTION, SETTLING THE DISPUTES OF THE TCEQ PERMITS. SHE MENTIONED SIX PERMITS. I WAS ONLY EVEN AWARE OF ONE, AND I'VE BEEN PAYING ATTENTION TO THIS BUSINESS FULL-TIME. AND THAT IS AN APPLICATION BY LCRA TO ADD DIVERSION POINTS FOR THE WATER THAT IT ACQUIRED FROM THE COAST RICE FARMERS TO ALLOW THEM TO DIVERT THAT WATER FROM THE HIGH LAND LAKES. THE CITY

FILED A TIMELY PROTEST TO THIS PERMIT SOME YEARS AGO, AND IT HASN'T BEEN MOVED. IT'S JUST BEEN SITTING THERE. THOSE RIGHTS ARE SENIOR TO THE CITY OF AUSTIN'S WATER RIGHTS, THE ONLY WATER ON THE RIVER THAT IS SENIOR TO THE CITY'S WATER RIGHTS. ALLOWING THAT WATER TO BE DIVERTED FROM THE HILL COUNTRY ALLOWS LCRA TO BASICALLY SUBURBANIZE AND TURN THE 281 CORRIDOR INTO A NEW I-35 CORRIDOR, WHICH WOULD BE A DISASTER FOR THE CITY, FOR THE CITIZENS OF THE STATE OF TEXAS. LITERALLY, IT'S ALMOST HARD TO UNDERSTAND OR EVEN IMAGINE WHAT LCRA CAN DO PLUMBING THE HILL COUNTRY WITH THAT WATER. THERE'S NO WAY YOU CAN LOOK YOURSELF IN THE MIRROR AND CONSIDER YOURSELF A RESPONSIBLE ELECTED OFFICIAL OR RESPONSIBLE GREEN ENVIRONMENTALIST CONCERNED ABOUT THE WELL-BEING OF THE HILL COUNTRY AND VOTE FOR THIS WITHOUT BACKING UP, PUTTING ALL THE INFORMATION OUT THERE AND LETTING THE PUBLIC WEIGH IN ON IT. AND I'M TALKING ABOUT THE VOTERS WHO PUT YOU IN OFFICE. I'M TALKING ABOUT THE PEOPLE IN BURNET COUNTY, LLANO COUNTY, BLANKO..... BLANCO COUNTY, MEDINA COUNTY, AND SO FORTH, CER....KERR COUNTY. THIS IS AN OUTRAGE. YOU DO NOT SET 100 YEARS OF WATER POLICY BY BACK ROOM LAWSUIT NEGOTIATION IN SECRET. PLEASE DO THE RIGHT AND RESPONSIBLE THING. PUBLISH A PROPOSED TERM SHEET, OUTLINE, PUTTING THE BOARDS AND COMMISSIONS LIKE YOU'RE DOING FOR THE SUMMER, LIKE YOU'RE DOING FOR PART OF IT, PUT THE WHOLE THING THROUGH THAT PROCESS, AND LET THE GOODWILL OF YOUR CITIZENS AND THE PEOPLE WHO ARE AFFECTED BY WHAT YOU'RE DOING HAVE SOME VOICE IN THE MATTER. THANK YOU.

MAYOR WYNN: THANK YOU, MR. MUNCH. SO, MS. HUFFMAN, I KNOW YOU JUST WENT THROUGH IT, BUT JUST AS A REMINDER, SO NOW, HERE IN THE NEXT MONTH OR TWO, YOU-ALL WILL BE BRINGING FORTH THE ACTUAL AGREEMENTS, POLICIES THAT THEN SPECIFICALLY WE WILL SEND TO ALL OF OUR BOARDS, COMMISSIONS TO GET ALL THE CITIZENRY AND ADVISORY INPUT THAT WE CAN?

ON THE NEW 2007 RAW WATER SUPPLY AGREEMENT, THAT'S CORRECT. WE'LL BE GOING FORWARD THROUGH THE

BOARDS AND COMMISSIONS WITH THAT PIECE OF THE AGREEMENT. THE SETTLEMENT AGREEMENT THAT'S BEFORE YOU TODAY IS BEFORE YOU FOR ACTION. THE TWO ARE TIED TOGETHER IN THIS WAY, AND I WILL SAY, BY THE WAY, THAT WE ARE SCHEDULING WITH ALL THE RELEVANT BOARDS AND COMMISSIONS TO WALK ENEMY THROUGH THE SETTLEMENT AGREEMENT OVER THE COURSE OF JUNE AND WE'LL BE WORKING WITH THAT SAME SET OF BOARDS AND COMMISSIONS ON THE RAW WATER SUPPLY AGREEMENT. PART OF WHAT THE SETTLEMENT AGREEMENT SAYS IS IF AN AGREEMENT IS NOT REACHED BY THE END OF AUGUST ON THE RAW WATER SUPPLY AGREEMENT, THEN THE SETTLEMENT AGREEMENT IS NOT FINALIZED. SO THERE IS A RELATIONSHIP BETWEEN THE RAW WATER SUPPLY AGREEMENT THAT WILL BE COMING FORWARD AT THE END OF THE SUMMER AND THE SETTLEMENT AGREEMENT.

MAYOR WYNN: RIGHT. THANK YOU, MS. HUFFMAN. FURTHER QUESTIONS, COMMENTS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: SO THE PROCESS, TODAY'S AGENDA ITEM IS TO APPROVE THE NEGOTIATION AND EXECUTION OF THE AGREEMENT?

OF THE SETTLEMENT AGREEMENT.

LEFFINGWELL: OF THE SETTLEMENT AGREEMENT. SO YOU'RE GOING TO BE PUTTING THIS BEFORE THE BOARDS AND COMMISSIONS FOR INFORMATION PURPOSES ONLY IT WILL NOT REQUIRE RECOMMENDATION ONE WAY OR THE OTHER FROM THEM AND WILL NOT REQUIRE ANY FURTHER ACTION FROM COUNCIL?

THAT IS CORRECT.

LEFFINGWELL: I'VE GOT ONE MORE QUESTION. IN RESPONSE TO ONE OF MR. MUNCH'S COMMENTS, HOW WOULD THE SETTLEMENT AGREEMENT AFFECT WHATEVER LCRA DOES AS FAR AS THEIR WATER SUPPLY OPERATIONS IN THE HILL COUNTRY? I'M HAVING A HARD TIME SEEING HOW THAT WOULD -- THE SETTLEMENT AGREEMENT WOULD BEAR UPON THAT, IF I UNDERSTOOD HIM CORRECTLY.

WELL, THE SETTLEMENT AGREEMENT DOESN'T DIRECTLY ADDRESS HOW OR TO WHOM THEY SELL WATER. IN FACT, THIS IS REALLY ABOUT HOW AUSTIN AND LCRA WILL OPERATE THEIR WATER RIGHTS. AND, IN FACT, THERE IS A PROVISION, I'M ASSUMING THAT THE SPECIFIC PERMIT THAT HE WAS REFERRING TO WAS THE GAR WOOD APPLICATION, AND WE HAVE A SPECIFIC PROVISION THAT GUARANTEES THAT NOT ONLY IS AUSTIN NOT SUBORDINATING ITS WATER RIGHTS BUT THAT THAT IS IN NO WAY RELYING ON REUSE WATER IN ORDER TO MEET THE PERMIT REQUIREMENTS.

LEFFINGWELL: SO THIS IS AN AGREEMENT STRICTLY WITH -- BETWEEN US AND LCRA WITH REGARD TO OUR WATER OPERATIONS HERE AT THE CITY OF AUSTIN?

AND THE PERMITS THAT ARE IN DISPUTE AT TCEQ, CORRECT. IT DOES NOT SPEAK TO HOW LCRA WILL MANAGE WATER RESOURCES THROUGHOUT THE BASIN.

LEFFINGWELL: OKAY.

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

COLE: MS. HUFFMAN, I HAVE A QUESTION BASED ON MR. BUNCH'S COMMENTS ON IF YOU CAN JUST GENERALLY SAY IF THERE'S PARTS OF THIS AGREEMENT THAT ARE CONFIDENTIAL THAT ARE BEING HELD OUT OR WITHHELD FROM THE PUBLIC OR OPEN RECORDS. I DIDN'T UNDERSTAND THAT COMMENT.

I'M NOT SURE THAT I DID EITHER EXCEPT TO SAY THAT WE WILL -- WE'LL BE MORE THAN HAPPY TO POST THIS ON THE WEB. AS I MENTIONED EARLIER WE ARE SCHEDULING RIGHT NOW AND PROBABLY HAVE RIGHT NOW SCHEDULED BOARD AND COMMISSION BRIEFINGS SO THAT BOARDS AND COMMISSIONS HAVE A SENSE OF WHAT'S IN THE SETTLEMENT AND ALSO WE WANT TO INITIATE THE CONVERSATION ABOUT THE RAW WATER AGREEMENT. SO THIS IS A PUBLIC DOCUMENT. LCRA HAD THIS BEFORE THEIR BOARD EARLIER THIS WEEK, AND SO WE'RE HAPPY TO ANSWER QUESTIONS. WE'RE HAPPY TO PUT IT UP ON THE



WEB SITE AND MAKE IT AVAILABLE.

MAYOR WYNN: COUNCIL MEMBER MCCRACKEN?

MCCRACKEN: I WANT TO CONGRATULATE LAURA AND YOUR ENTIRE TEAM. I THINK IT'S DIFFICULT TO SAY WHAT A SIGNIFICANT ACHIEVEMENT THIS IS BECAUSE THIS IS -- RIGHT NOW THERE'S A WATER RACE THROUGHOUT TEXAS TO TRY TO GRAB THE LAST REMAINING PARCELS OF WATER RIGHTS AND THE COMMUNITIES THAT ENSURE THEIR WATER FUTURE ARE PLOIS FOR THE PLOYS FOR THE FUTURE AND THOSE THAT DIDN'T ACT WOULD FATE A TENUOUS FUTURE. ON TOP OF THAT WE'VE HAD A HISTORICALLY CHALLENGING RELATIONSHIP BETWEEN THE LCRA AND CITY COUNCIL. THE TWO THINGS THAT WE CAN DO WITH THIS AGREEMENT, IS ESTABLISH A AGREEMENT PARTNERSHIP WHERE THERE WAS ONCE CONFLICT AND ALSO TO ENSURE THE WATER SUPPLY FOR THE CITY OF AUSTIN FOR A HUNDRED YEARS ARE BOTH MONUMENTAL ACHIEVEMENTS AND YOU AND YOUR WHOLE TEAM DESERVE A TREMENDOUS AMOUNT OF CREDIT AND THANKS.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? IF NOT I'LL ENTERTAIN A MOTION ON ITEM NO. 3.

MAYOR WYNN: MOTION MADE BY COUNCIL MEMBER MCCRACKEN, SECONDED BY COUNCIL MEMBER MARTINEZ TO APPROVE ITEM NO. 3 AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER KIM OFF THE DAIS. THANK YOU ALL VERY MUCH. SO COUNCIL, THAT TAKES US TO OUR 4:00 ZONING HEARINGS, ORDINANCES, RESTRICTIVE COVENANTS. WELCOME MR. GREG GUERNSEY.

THANK YOU, MAYOR AND COUNCIL. LET ME GO TO OUR 4:00 ZONING ORDINANCES AND COVENANTS, OUR HEARINGS HAVE BEEN CLOSED. I'D LIKE TO OFFER THE FIRST ITEM, NO. 73, CASE C 14-... 14-2007-0013, CASWELL LOFTS AT 2209

SHOAL CREEK BOULEVARD. THIS IS A REZONING REQUEST TO GENERAL OFFICE MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR GO-MU-CO MP COMBINING DISTRICT ZONING TO CHANGE TO CONDITIONAL ZONING AND THIS IS READY FOR CONDITIONAL APPROVAL ON SECOND AND THIRD READINGS. ITEM NO. 74 IS CASE C 14-06-0220, THORNTON BUNGALOWS AT 2206 TO 2210 THORNTON ROAD. THIS IS A REZONING REQUEST FROM URBAN FAMILY RESIDENCE-CONDITIONAL OVERLAY OR SF-5-CO COMBINING DISTRICT ZONING TO SINGLE FAMILY RESIDENCE CONDOMINIUM, CONDITIONAL OVERLAY OR SF-4B-CO COMBINING DISTRICT ZONING. IPDZ THERE MAY BE A QUESTION FROM COUNCIL ON THIS ITEM. IF NOT, THE ORDINANCE HAS BEEN PREPARED. I KNOW THE NEIGHBORHOOD WOULD STILL LIKE SOME CHANGES ON THIS PROPERTY, BUT THEY WERE PRESENT AT THE LAST PUBLIC HEARING. THERE'S NEIGHBORHOOD REPRESENTATIVES HERE AS WELL. ITEM NO. 75, I BELIEVE IS A DISCUSSION ITEM. I NEED JUST TO CLARIFY SOME THINGS THAT ARE HAPPENING ON THAT.

MAYOR WYNN: SO COUNCIL, IS THERE A COMMENT OR CONCERN ON ITEM NO. 74? IF NOT WE WILL LEAVE THE PROPOSED CONSENT AGENDA ON THESE CASES WHERE WE'VE CLOSED THE PUBLIC HEARING WILL BE TO APPROVE CASES 73 AND 74 ON SECOND AND THIRD READINGS AS PRESENTED BY STAFF. FURTHER COMMENTS? I'LL ENTERTAIN THAT MOTION. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? COUNCIL MEMBER MARTINEZ?

MARTINEZ: REAL QUICK ON ITEM 74, I THINK ONE OF THE REQUESTS FROM THE NEIGHBORS WAS TO APPLY MCMANSIONS TO THIS PROPOSAL, AND THIS MCMANSIONS WAS INTENDED FOR A SINGLE STRUCTURE AND THIS IS SF 4B REQUEST WITH MULTIPLE UNITS, AND WE AGREED TO SCALE DOWN THE UNITS TO 14. WHILE APPLYING MCMANSIONS TO THIS OBVIOUSLY YOU IMPACT THE FIRE AND THEREFORE IMPACT THE ABILITY TO BUILD THE 14 UNITS. SO I WILL BE SUPPORTING THIS AS IT IS WITH THE LIMIT TO 14 UNITS.

MAYOR WYNN: THANK YOU COUNCIL MEMBER. A MOTION AND SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

MAYOR WYNN: AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON A VEET OF 6-0 WITH COUNCIL MEMBER KIM OFF THE DAIS.

VERY GOOD. LET ME GO ON TO THE 4:00 ZONING AND NEIGHBORHOOD PLAN AMENDMENT, PUBLIC HEARINGS. THESE ARE ITEMS WHERE THE PUBLIC HEARING HAS NOT YET TAKEN PLACE. FIRST TIME I'D LIKE TO OFFER ITEM NO. 76, THIS IS CASE C 12 M-07-0001 RCA, AND KNOWN AS CAMDEN PROPERTY LOCATED AT STATE FARM WAY AND WEST PARMER LANE. THIS IS TO APPROVE A RESTRICTIVE COVENANT AMENDMENT. IT'S BEEN RECOMMENDED BY THE COMMISSION. IT HAS BEEN EXECUTED, AND IT'S READY FOR APPROVAL. ITEM NO. 77, I UNDERSTAND THAT THERE ARE INDIVIDUALS THAT HAVE SIGNED UP FOR THAT ITEM. THAT'S AT THE RESERVE OF WEST HILL ESTATES. THAT WILL BE A DISCUSSION ITEM. ITEM NO. 78 IS CASE C 14-07-0020, NORTH PARK SWEETS/WOOD FIN SUITE, LOCATED AT 7685 NORTHCROSS DRIVE. THIS IS A REZONING REQUEST FROM COMMUNITY COMMERCIAL OR GR DISTRICT ZONING AND COMMERCIAL LIQUOR SALES, CS-1, DISTRICT ZONING TO COMMUNITY COMMERCIAL MIXED USE, CONDITIONAL OVERLAY OR GR-MU.....GR-MU C ORCHLTS COMBINING ZONING. IT WAS TO GRANT THIS REQUEST AND THIS IS READY FOR ALL THREE READINGS. ITEM NO. 79 IS ALSO RELATED TO ITEM NO. 80. ITEM 79 IS CASE NPA-07-..... NPA-07-0011.01, 502 GREEN HOMES LOCATED AT 502 WEST 55TH STREET. THIS IS A CHANGE TO THE NORTH LOOP PLAN, AMENDMENT TO THE AUSTIN TOMORROW COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP FROM SINGLE FAMILY TO MULTIFAMILY. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST FOR MULTIFAMILY DESIGNATION. ITEM NO. 80, THE RELATED ZONING CASE FOR THAT SAME PROPERTY IS CASE C 14-07-0026, PRESENTING A REQUEST FROM FAMILY RESIDENTS, SF-3 MNP TO MEDIUM DENSITY NEIGHBORHOOD PLAN OR MF-3-NP, THE PLANNING COMMISSION RECOMMENDATION -- THE ZONING AND PLANNING COMMISSION

RECOMMENDATION WAS TO GRANT THE REQUEST AND THIS IS READY FOR ALL THREE READINGS. ITEM NO. 81 IS CASE C 142007-0008, ZIMMERMAN LANE CONDOMINIUMS AT 11,121 ZIMMERMAN LANE. THE REQUEST IS FROM SINGLE FAMILY STANDARD LOTTO SF-2 DISTRICT ZONING TO TOWNHOUSE CONDOMINIUM RESIDENCE AND SF-6 DISTRICT ZONING. THE PLANNING COMMISSION VOTED TO GRANT THE REQUEST WITH A CONDITIONAL OVERLAY, THE PROPERTIES 9 UNITS AND SOME LIMITATIONS ON IMPERVIOUS COVER AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE THRE READINGS.

82 IS C 14-2007-0008, FOR A PROPERTY LOCATED AT 165, SERVICE ROAD NORTHBOUND. THIS IS A REZONING REQUEST FOR SINGLE FAMILY RESPECT OR SF TWO DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES, CS DISTRICT ZONING. THE ZONING AND PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE GENERAL COMMERCIAL SERVICES WITH A CONDITIONAL OVERLAY AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NO. 83 IS CASE C 14-2007-0047, CHILD DEVELOPMENT CENTER AT 2300 CEDAR BEND DRIVE, THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE OR SF-3 DISTRICT ZONING TO GENERAL OFFICE, GO, DISTRICT ZONING. THE ZONING AND PLATting COMMISSION GRANTED THE REQUEST WITH A CONDITIONAL OVERLAY AND THIS IS READY FOR CONSENT APPROVAL. NEXT DOOR IS AN ADJACENT PROPERTY THAT IS THAT IS BEING USED IN COMBINATION WITH THIS TRACT A ITEM NO. 84, CASE C 14-2007, 0050, AUSTIN DIAGNOSIC CLINIC A PROPERTY LOCATED AT 12201, 12 AND 2312, 2316, 2400, 2402 AND 2404 CEDAR BEND DRIVE. THIS IS A REZONING REQUEST FROM GENERAL OFFICE CONDITIONAL OVERLAY OR GOCO COMBINING DISTRICT ZONING TO THAT SAME ZONING DISTRICT IN ORDER TO CHANGE CONDITIONS OF ZONING. THE ZONING AND PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST AND THIS IS ALSO READY FOR ALL THREE READINGS.

ITEM NO. 85 IS CASE C 14-82-091 RCT, THE 21 RIO PROPERTY AT 2103 AND 2105 RIO GRANDE. STAFF IS EXPECTING A POSTPONEMENT OF THIS ITEM TO JUNE 21. ITEM NO. 86 IS CASE C 14-87-111 RCT, NORTHCROSS CONDOS AT 7685

NORTHCROSS DRIVE. THIS IS A REQUEST TO TERMINATE RESTRICTIVE COVENANT. THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT THE TERMINATION AND THIS IS READY FOR CONSENT APPROVAL. YMG NO. 8 78 IS CASE C 14-06-0208 EASTBOURNE CROSSING AT 3400 TO 3517 ROCK OF FM 973. THIS IS A REZONING REQUEST FROM DEVELOPMENT RESERVE OR DR DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES, OR CS, DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT GENERAL COMMERCIAL SERVICES WITH A CONDITIONAL OVERLAY OR CS-CO ZONING AND THIS IS READY FOR CONSENT APPROVAL ON FIRST READING ONLY: ITEM NO. 88. THIS IS CASE C 14-07-0009, THE SOUTH URBAN LOFTS LOCATED AT 4367 SOUTH CONGRESS AVENUE. THIS IS A REZONING REQUEST FROM GENERAL COMMERCIAL SERVICES MIXED USE, NEIGHBORHOOD PLAN OR CS-MU MB COMBINED DISTRICT ZONING AND LIMITED DESCRIL SERVICES OR NP TO GENERAL COMMERCIAL SERVICES MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR CS-MU-CO-NP COMBINING DISTRICT ZONING AND MULTIFAMILY RESIDENCE, CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR MF-6 CO-NP. THE PLANNING COMMISSION'S RECOMMENDATION WAS TO GRANT THE REQUEST, AND MS 6 CO-NP COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT AND APPROVAL. I WILL NOTE ON ITEM NO. 88 THAT WE HAVE A RESTRICTIVE COVENANT WHERE THE OWNER HAS AGREED THAT ALL RESIDENTIAL AND COMMERCIAL DEVELOPMENT ON THE PROPERTY OR ANY PART THEREOF SHALL COMPLY WITH THE AUSTIN GREEN BUILDING OR GBP FOR THE MINIMUM OF TWO-STAR RATING. IN ADDITION AS A COMPONENT OF COMPLYING WITH THE TWO-STAR RATING REQUIREMENTS, THE ENERGY MUST SHOW THAT THE BUILDING PERFORMANCE 25% BETTER THAN CITY OF AUSTIN CODE, CERTIFICATION SHALL BE SPECIFIED BY THE VERSION OF THE RATING SYSTEM IN THE CURRENT TIME OF DESIGN. SO THAT IS SOMETHING THAT WAS OFFERED IN ADDITION...

ITEM NO. 89, CASE C 14-07-0004. THIS IS A BURGER KING/SHELL FOOD STORE, SCOFIELD RIDGE PARKWAY AT 13205 BURNET ROAD. I UNDERSTAND THAT THERE MAY BE A REQUEST FROM COUNCIL POSSIBLY TO POSTPONE THIS

ITEM TO AUGUST. AUGUST 24 I BELIEVE IS THE DAY. THAT'S NO. 89. ITEM NO. 90, CASE C 14-0011 ON RUSSELL DRIVE IS A DISCUSSION ITEM. ITEM NO. 91 IS CASE C 14-2007-0017. STASSNEY OFFICE CONDOS AT 1210 GOBI DRIVE. THIS IS OWE WE HAVE A STAFF POSTPONEMENT ON THIS ITEM TO JUNE 21. ITEM 92 IS CASE C 14-07-0019, THE SOUTH LAMAR CONDOS AT 3508 SOUTH LAMAR BOULEVARD. WE HAVE AN APPLICANT POSTPONEMENT REQUEST, FIRST REQUEST TO JUNE 21. ITEM NO. 93, CASE C 14-06-0188, PARKER LANE AT 1406 TO 1506 PARKER LANE. WE HAVE I GUESS YOU COULD SAY A CONSENSUS POSTPONEMENT ON THIS ITEM, AND WE HAD A MEETING WITH THE APPLICANT, THE NEIGHBORHOOD AND STAFF, AND THERE WAS GENERAL CONSENSUS IN THE ROOM THAT THIS ITEM BE POSTPONED TO A MEETING OF JUNE 21. AND BOTH THE -- THE APPLICANT IS BRINGING BACK ANOTHER PROPOSAL TO THE NEIGHBORHOOD TO CONTINUE DISCUSSIONS. ITEM NO. 94 IS CASE C 14-2007-0014, KNOWN AS THE WEB ESTATES PROPERTY AT 4700 CITY PARK ROAD. WE HAVE A NEIGHBORHOOD POSTPONEMENT ON THIS ITEM TO YOUR JUNE 21 MEETING FROM THE WESTMINSTER GLENN NEIGHBORHOOD ASSOCIATION. THAT CONCLUDES THE CONSENT ITEMS I CAN OFFER AT THIS TIME.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. SO, COUNCIL, THE PROPOSED CONSENT AGENDA ON THESE CASES WHERE WE HAVE YET TO CONDUCT A PUBLIC HEARING WILL BE TO CLOSE THE PUBLIC HEARING ON ITEM NO. 76 AND APPROVE RESTRICTIVE COVENANT TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS ITEM 78, TO APPROVE THE FUTURE LAND USE MAP OF ITEM NO. 79 AND TO CLOSE THE PUBLIC HEARING AND APPROVE THE ORDINANCES OF CASES NOS. 80, 81, 82, 83 AND 84, TO POSTPONE ITEM NO. 85 TO JUNE 21, 2007, ITEM NO. 6, APPROVE THE TERMINATION OF THE RESTRICTIVE COVENANT, CLOSING THE PUBLIC HEARING. ON ITEM NO. 87, CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY. ON ITEM 88, CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS OF THE ORDINANCE AND THE RESTRICTIVE COVENANT. TO POSTPONE ITEM NO. 89 TO AUGUST 23, 2007, AND TO POSTPONE ITEMS 91, 92, 93 AND 94 ALL TO JUNE 21, 2007. I'LL ENTERTAIN THAT MOTION MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCIL

MEMBER MARTINEZ, TO APPROVE THE CONSENT AGENDA AS READ. 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, MR. GUERNSEY.

GUERNSEY: I THINK THAT BRINGS US BACK TO ITEM NO. 75, THE PUBLIC HEARING HAS BEEN CLOSED, BUT I WANTED TO BRING COUNCIL, I GUESS A LITTLE UP TO SPEED ON THIS. THIS IS CASE C 14-2007-0011, THE LAMAR AND MAN CHK VMU PROJECT AT 27112715 SOUTH LAMAR AND 2803 MANCHACA ROAD. THIS IS A REZONING REQUEST FROM THE GENERAL COMMERCIAL SERVICES DISTRICT OR CS TO CS-CO ZONING. THE COUNCIL APPROVED ON FIRST READING THE CS-CO ZONING. SINCE THAT TIME WE HAVE A RESTRICTIVE COVENANT THAT SPEAKS TO AN ADDITIONAL RESTRICTION ON THE PROPERTY THAT ALL RESIDENTIAL AND COMMERCIAL DEVELOPMENT SHALL COMPLY WITH THE AUSTIN GREEN PROGRAM, THE GBP, PARENTHESES, TWO-STAR RATING IN ADDITION AS A COMPONENT FOR COMPLYING WITH TWO-STAR REQUIREMENTS, ENERGY, MUST SHOW THE BUILDING PERFORMS 25% BETTER THAN THE CITY OF AUSTIN ENERGY CODE CERTIFICATION SHALL BE MET AND SPECIFIED BY THE VERSION OF THE RATING SYSTEM AT THE TIME OF DESIGN. THERE IS A PRIVATE AGREEMENT THAT I'M NOT SURE OF ALL THE CONDITIONS THAT I UNDERSTAND THE PARTIES HAVE AGREED TO, AND PERHAPS THE APPLICANT'S AGENT, MICHELLE OR METCALF CAN SPEAK TO THAT, DRENNER GOLD AND STEWART WOLFF. AND I THINK WITH THAT WE'RE READY FOR THREE READINGS, WITH THE ADDITIONAL RESTRICTIVE COVENANT THAT I READ INTO THE RECORD AND AS I SAID BEFORE, THERE IS A PRIVATE AGREEMENT BUT I'M NOT PRIVY TO EXACTLY WHAT THAT IS. IF EVERYONE IS HAPPY I GUESS WE COULD TAKE IT ON CONSENT.

MAYOR WYNN: QUESTIONS, COMMENTS? CONFIRMATIONS? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: WHAT'S GOING ON?

I CAN EXPLAIN WHAT'S MCTHE PRIFERT RESTRICTIVE COVENANT DOCUMENT IF THAT WOULD HELP.

LEFFINGWELL: THERE WAS A LOT OF DISCUSSION AT THE LAST MEETING ABOUT TYING THIS TO A PARKLAND ON THAT ONE PARCEL WHERE THE UNITY CHURCH IS RIGHT NOW, SO COULD YOU GO INTO THAT?

YEAH, I CAN.

LEFFINGWELL: THAT DISCUSSION?

LET ME PUT SOMETHING UP HERE THAT WILL SHOW YOU HOW WE DIVIDED -- THERE'S REALLY FOUR DIFFERENT DOCUMENTS THAT COVER THE RESTRICTIONS ON THIS PROPERTY. ONE IS THE PUBLIC RESTRICTIVE COVENANT WE JUST TALKED ABOUT THAT WAS JUST MENTIONED BY GREG ABOUT THE TWO-STAR GREEN BUILDING. WE ALSO ARE WORKING ON AN LLI WITH THE PARKS DEPARTMENT TO DEDICATE A PORTION OF THE LAND AS PARKS AND ALSO SELL THE HOUSE TO THEM AS PART OF THAT LOI. WE HAVE A PRIVATE RESTRICTIVE COVENANT THAT IS PRIVATE NOW THAT WILL BECOME PUBLIC WHEN THE ZONING CASES HAPPEN. THERE ARE ZONING CASES THAT HAVE TO GO WITH THIS. WE CAN'T BUILD THE TOWNHOUSES BACK THERE WITHOUT THE ZONING CASE, SO THIS IS COMING BACK TO YOU ON THE LAND THAT'S NOT THE VMU. THE LAND WE'RE TALKING ABOUT HERE ON ALL THE RESTRICTIONS ARE BACK HERE ON THE LAND BEHIND THE VMU, AND ON THAT ONE WE'RE DONATING PRIVATE PARKLAND, WE'RE AGREEING TO THE DOWN ZONINGS. WE'RE RESTRICTING..... RESTRICTING USES ON THE DOWN ZONED PROPERTY. WE'RE LANDSCAPING AROUND THE POND AND WE'RE LIMITING TRIPS OUT TO DELL CURT ON TO NONE, SO WE'RE HAVING NO TRIPS OUT TO DELL CURTO AND THAT'S ALL COVERED IN THE PRIVATE RESTRICTIVE COVENANT. SO THREE OF THESE DOWPTS AND ACTUALLY A FOURTH, WHICH IS THE ZONING ORDINANCE ITSELF, WE'RE COVERING EVERYTHING THAT WE TALKED ABOUT.

SO THERE'S ALSO DISCUSSION ABOUT THE HOUSE THAT'S



ON THAT PROPERTY?

YES. AS FAR AS THE HOUSE IS CONCERNED, WE HAVE AN LOI THAT WE'VE BEEN TRADING WITH THE PARKS DEFENDANT. THE PARKS DEPARTMENT HAS OUR LLI AND WE'RE NEGOTIATING THE TERMS OF THAT RIGHT NOW.

LEFFINGWELL: AND THERE WAS ALSO DISCUSSION OF MOVING THE POND OFF OF THAT PARCEL AND MOVING IT SOMEWHERE ELSE. IS THERE AGREEMENT ON THAT OR YOU'RE STILL PLANNING ON PUTTING THE POND THERE?

NO, WE'RE PLANNING ON KEEPING THE POND WHERE IT WAS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS. ] LA LAMAR.

SECOND.

MAYOR WILL WYNN: MOTION BY COUNCIL MEMBER MCCracken AND SECONDED BY CON SILL MEMBER COLE ACKNOWLEDGING THE PRIVATE RESTRICTIVE COVENANT.

THERE ARE PEOPLE FROM THE NEIGHBORHOOD IF YOU WANT TO HEAR THEIR RESPONSE.

MAYOR WILL WYNN: I WOULD GLADLY HEAR THAT. MOTION AND SECOND ON THE TABLE. PERHAPS IF MR. KEANE WOULD APPROACH.

LOST ALL MY PAPERS. WAS THERE A QUESTION? YOU WANT MY COMMENTS?

MAYOR WILL WYNN: IF YOU CAN MAKE IT RELATIVELY BRIEF JUST COURT .

I HOPE YOU POSTPONE THE CASE AND DO NOT GO FORTH WITH IT UNTIL WE RESOLVE ALL THE HOLIES IN THE RESTRICTIVE COVENANT AND UNTIL WE GET A FIRM AGREEMENT IN HOW THE PARK WILL COME INTO PLAY. AT THIS JUNCTURE THERE ARE TWO DIFFERENT PEOPLE VYING FOR THE HOUSE, A DAYCARE CENTER, WE HAVE NO AGREEMENT IN WRITING, A LETTER RF INTENT BUT NOTHING AGREED TO ON PRAISE. WE DON'T KNOW IF IT CAN GO

ABOVE MARKET VALUE, IF THE DEVELOPER WANTS THAT. THE QUAGMIRE OF THE WHOLE CASE BECAUSE THERE ARE THREE DIFFERENT OR MULTIPLE PARCELS LINKED TOGETHER BUT WE ARE ONLY LOOKING AT THE V VMU AND THE OTHER PARTS HAVEN'T HAD ZONING CASES COME UP YET AND THE OTHER PARTS ARE WHERE THE PARK IS GOING TO BE. THIS SHOULD BE BROUGHT FORTH AS A UNIFIED , CLEAR CUT, EASILY DELINEATED SO WE CAN TELL WHAT IS GOING ON. THE DESIRE OF THE NEIGHBORHOOD IS TO GIVE DENSITY BONUSES AND TRADE-OFFS IN EXCHANGE FOR A THREE-ACRE PARK, NO PARK, PUT A BOND ON THE RC, OR IT'S WORTHLESS. WHEN I SPOKE TO THIS A FEW WEEKS AGO, I THINK I KIND OF GOT OFF TRACK ON TRYING TO EXPLAIN TO YOU ABOUT THE FLOODPLAIN. WE HAVE BEEN LOOKING FOR A PARK AND FLOODPLAIN ON THREE DIFFERENT SITES FOR SIX YEARS IN OUR NEIGHBORHOOD. WE ARE DELIGHTED TO HAVE A PARK AND A FLOODPLAINRB IT'S A PERFECT PLACE FOR A PARK. THE POINT I WAS TRYING TO MAKE, THE THREE ACRES THAT THE DEVELOPER WILL GIVER UP, AND NOT EVEN ALL THREE BECAUSE THE PARK WILL BUY A THIRD FOR APPROXIMATELY A HALF MILLION DOLLARS, THE DEVELOPABLE PROPERTY OUTSIDE THE FLOODPLAIN IS ONLY ABOUT 20,000 SQUARE FEET. SO WE ARE NOT ASKING FOR THIS 1.7 MILLION WORTH OF PARK LAND. IT'S A VERY SMALL SLIVER WITH A FLOODPLAIN THROUGH THE MIDDLE OF IT. CAN'T BE DEVELOPED ON EITHER SIDE. AGAIN, WE'RE LOOKING FOR A THREE-ACRE PARK, NO DETENTION PANNED IN THE MIDDLE WITH A FENCE AROUND AND LIABILITIES AND ISSUES LIKE THAT. THE POND CAN GO UNDERGROUND. YOU ALL REMEMBER THE WALL GREENS CASE WE WERE DOWN HERE MANY YEARS AGO. THEY GOT CREATIVE AND PUT THE DETENTION PANNED UNDER THE PARKINGING LOT. THERE'S PLENTY OF ROOM DO THAT HERE ALSO. SO NO REASON TO DESTROY A BIG SECTION OF THE ONLY CHANCE WE HAVE FOR PARK LAND IN AN AREA OF 500 ACRES IN OUR NEIGHBORHOOD ASSOCIATION 6,200 SOME ODD PEOPLE, AND ZERO GREEN SPACE. NONE. YOU HAVE TO CROSS A MAJOR ARTERIALARTERIAL YOU HAVE TO CRASS BEEN WHITE FOR KIDS TO GET TO A, PA. WE HAVE TRIED AND TRIED. THIS IS A CHANCE TO DO A WIN WIN-WIN SITUATION. GET US A PARK, A GREAT VMU PROJECT, PUT IN SOME CONDOS, BUT IT'S NOT

THERE YET. SO PLEASE, PLEASE DO NOT APPROVE UNTIL WE CAN WRESTLE TOED THE GROUND AND GET A TRUE WIN WITH WYNNE FOR THE NEIGHBORHOOD AND IMPORTANT THE CITY. THANK YOU VERY MUCH.

THANK YOU MR. KING. QUESTIONS. COUNCIL MEMBER LEFFINGWELL .

COUNCIL MEMBER LEFFINGWELL: I DON'T HAVE A QUESTION, BUT AS WE DISCUSSED AT THE LAST MEETING, I THINK WHAT I SAID RIGHT NOW YOU HAVE A DE FACTO PARK. THE CITY DOESN'T OWN BUT IT'S OPEN SPACE THAT IS OUT OUTABLE FOR PARK PURSE, GREEN SPACE. SO IF THIS DEVELOPMENT PROGRESSES AS CURRENTLY PLANNED, WITH THE POND ON THAT PROPERTY, WILL YOU HAVE LESS THAN WHAT YOU HAVE NOW IN ACTUALITY. SO I THINK THIS ISSUE NEEDS TO BE RESOLVED. I'M GOING TO MAKE A SUBSTITUTE MOTION TO APPROVE ON SECOND READING ONLY AND COME BACK WITH, TRY TO COME BACK JUNE 21 WITH SOME RESOLUTION TO THIS.

IN COMMENT TO YOUR, IN RESPONSE TO YOURMENT COULD, YES, WE'D HAVE TO WORK AROUND THE CHURCH AND AROUND THE POND. THE OTHER ISSUE IS THE HOUSE ON THE OTHER END AND WHAT HAPPENS TO IT. THERE'S A CHANCE THAT IT MIGHT SELL TO SOMEONE ELSE. SO ANOTHER THIRD. THREE-ACRE PARK, AND WARREN HAS SAID IT'S PRETTY MUCH UN UNUSABLE IF THERE'S A POND ON ONE END AND DAYCARE ON ANOTHER IT'S NOT A WORKABLE PARK. WE NEED A WORKABLE PARK.

MAYBE--

POINT OF ORDER, MAYBE.

YES, COUNCIL MEMBER LEFFINGWELL.

EXCUSE ME ?

I SAID POINT OF ORDER. HAS THERE BEEN A SECOND TO MY MOTION YET?

MAYOR WILL WYNN: NO, I WAS GOING TO SUGGEST THAT IN

LIEU OF SUBSTITUTE MOTION AND SECOND AND POTENTIAL VOTE THERE COULD SIMPLY AND REQUEST OF THE MAKER OF THE MOTION TO CONSIDER SECOND READING ONLY.

I DO NOT AGREE TO THAT. I WANT TO EXPLAIN WHY. BECAUSE THIS IS A PROCESS TO ASK ONE QUESTION, THAT IS, SHOULD WE ALLOW DENSITY IN EXCHANGE FOR AFFORDABLE HOUSING. AND THIS WAS A PROCESS CRAFTED BY THE REPRESENTATIVES FROM THE AUSTIN NEIGHBORHOODS COUNCIL ON THE TASK FORCE. IT WAS SUPPOSED TO TAKE 30 DAYS. WE ARE NOW IN THE MONTH OF THIS PROCESS. THERE IS GOING TO BE ANOTHER CASE FOR ZONING COMING FORWARD FOR THE PROMPT ADJACENT TO THE PARK AREA. WE WILL HAVE A FULL-BLOWN ZONE CASE COMING FORWARD LATER THIS SPER THAT WILL BE RIGHT SPOT ON POINT TO TAKE UP ISSUES LIKE THIS . BUT THE PROCEDURE WE ARE HERE ON TODAY IS A NEW PROCEDURE, OWN THE FIRST TIME WE EVER USED AND ASKS ONE QUESTION, --DENSITY FOR AFFORDABLE HOUSING. THAT IS IT. THESE ARE IMPORTANT ISSUES AND WILL GET A HEARING AT THE ZONING CASE. I DON'T THINK THAT PROCEDURALLY WE SHOULD BE UNDERMINING SOMETHING THAT WAS SUPPOSED TO BE A 30-DAY PROCESS, CRAFTED BY THE AUSTIN NEIGHBORHOOD COUNCIL REPS. I ASK WE HANDLE THOSE PARKS ISSUES IN THE ZONING CASE AND NOT IN THE DENSITY OF AFFORDABLE HOUSING QUESTION WE HAVE BEFORE US TODAY.

MAY I ADDRESS THE AFFORDABLE HOUSING?

MAYOR WILL WYNN: NO, MR. KING. IF A COUNCIL MEMBER ASKS A QUESTION OF YOU, YOU MAY RESPOND.

OKAY.

MAYOR WILL WYNN: AGAIN, COUNCIL MEMBER LEFFINGWELL, ARE YOU STILL PROPOSING A SUBSTITUTE MOTION FOR SECOND READING ONLY .

COUNCIL MEMBER LEFFINGWELL: THAGE MY MOTION.

MAYOR WILL WYNN: WE HAVE A STUB STUDENT MOTION TO

APPROVE ON SECOND READING ONLY THIS ORDINANCE AND PUBLIC RESTRICTIVE COVENANT, ACKNOWLEDGING THE PRIVATE. MOTION DIES FOR LACK OF A SECOND. TAKES US BACK TO OUR MAIN MOTION AND SECOND. MR. KING, WOULD YOU CARE TO SAY A FEW WORDS ABOUT THE HOUSING AFFORDABLE TY ASPECT.

IN THE OPT-IN OPT-OUT PROCESS WE QUERIED THE NEIGHBORHOODS ABOUT WHAT WE THINK IS APPROPRIATE FOR THE AFFORDABILITY LEVEL. WE HAVE BEEN GOING THROUGH THAT PROCESS IN ALL FIVE AREAS. WE HAVE UNANIMOUSLY ENDORSED A 60 PERCENT MFI LEVEL ON THE MU DENSITY BONUSES AM I HOP YOU APPLY AND HONOR THAT REQUEST IF YOU ARE GOING TO APPROVE THIS ONE WITHOUT THE OTHER CONDITIONS THAT WE PUT 60 PERCENT MFI BECAUSE IF WE DON'T HAVE THAT AT THIS JUNCTURE, WE WILL NOT BE ABLE TO GET IT AT A LATER JUNCTURE. SO MY REQUEST IS THAT IF WE ARE TALKING ABOUT DENSITY VERSUS MFI AND AFFORDABILITY THE FIVE NEIGHBORHOODS HAVE SPOKEN CLEARLY, ALTHOUGH WE HAVE ALL HAD TO EXTEND BECAUSE OF WORKING ON THIS AND OTHER PROJECTS, BUT WE HAVE ALL MET AND UNANIMOUSLY AGREED 60 PERCENT MFI ON AFFORDABILITY ON DENSITY BONUSES. THANK YOU.

MAYOR WILL WYNN: THANK YOU FOR ALL YOUR WORK. AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE. LET ME STATE THIS CORRECTLY. WE TECHNICALLY WILL BE APPROVING ON SECOND AND THIRD READING THE ORDINANCE AND THE PUBLIC RESTRICTIVE COVENANT. THEN I GUESS PART OF THIS MOTION, WE ACKNOWLEDGE THE PRIVATE RESTRICTIVE COVENANT COVENANT. MAYOR, THERE IS NO OBLIGATION TO ACKNOWLEDGE THE PRIVATE RESTRICTIVE COVENANT. IN FACT, COUNCIL'S ACTION CANNOT BE CONDITIONED UPON THAT. BUT THE COUNCIL IS APPROVING THE ORDINANCE ON SECOND AND THIRD READING AND APPROVING THE RESTRECKTIVE COVENANT BECAUSE, OF COURT, THAT IS NOT BY AN ORDINANCE. JUST A STRAIGHT UP OR DOWN VOTE.

MAYOR WILL WYNN: MOTION AND SECOND ON THE TABLE. SECOND AND THIRD READING. FURTHER COMMENTS. I DO LOOK FORWARD TO, AND IT WILL BE VERY APPROPRIATE, AS

COUNCIL MEMBER MCCracken pointed out, to vet the rest of these issues, particular particularly the park, very important park land issue, at the subsequent zoning vote. Hearing no further comments, all those in favor please say aye. Opposed. Motion passes on a vote of 6-1 with Council member Leffingwell voting no.

Thank you maybe and Council. Wanted to point out in the last the applicant cannot file the new case until this case is actually disposed of. We can't have two pending zoning cases on the same property by the same individual filing both. I want to make sure that is clear. So they can now proceed to go forward and file the other case with this case being finished. The I'll introduce the division manager of our current planning division. I must excuse myself. I'm taking a little trip up 183 to the city of Cedar Park and I will see you next time on a Thursday.

Mayor Will Wynn: Thank you Mr. Guernsey. Good luck up north. Welcome, Mr. West Over.

I'm Jer West Over planning and zoning. Next case is Case C 14 -- 2007 located at 7902 Texas Ploom Road. The request is from Dr. Development Reserve zoning to SF 1 for single family residents large lot conditioning overlay zoning. The staff recommendation is to approve zoning with an implement aches of 150 vehicle trips per day. The zoning and planning recommendation is to approve zoning with a limit of 12 residential units. Right now the property is a small ranch and homestead. The applicant intends to develop the properties into 12 lots which we will put up on the board for you. There is neighborhood opposition. I'm available for any questions.

Mayor Will Wynn: Questions for staff? If not we will conduct our public hearing. We will have the applicant and/or agent please come forward. We'll set the clock for five minutes. Then we'll hear for

FOLKS IN FAVOR OF THE ZONING CASE. WE HEAR FROM FOLKS IN OPPOSITION, THEN THE APPLICANT AND/OR AGENT HAS A ONE-TIME THREE-MINUTE REBUTTAL. WELCOME, SIR.

HI, MY NAME IS CHRIS BLACK BURN WITH WATER LOO DEVELOPMENT, THE AGENT AGENT ON THIS PROPERTY IN QUESTION QUESTION. HERE TIGHT WE RECEIVED UNANIMOUS CONSENT A FEW WEEKS AGO FROM ZAPGO AND REQUEST THIS SAME CONSENT TONIGHT ON ALL THREE READINGS. AT THIS TIME I'LL JUST BE ANY TO ANSWER ANY QUESTIONS AND RESPOND TO ANY COMMENTS FROM ANY OF THE CITIZENS. THANK YOU.

MAYOR WILL WYNN: MR. BLACK BURN, IF YOU WOULD IN THE MIND, I DID SEE A VISUAL SOMEWHERE. WE HAVE ONE IN BACKUP. IF YOU COULD PERHAPS WITH STAFF'S HELP PUT ON OUR OVER OVERHEAD PERHAPS A COPY OF THE PROPOSED LAYOUT. JUST MAKE SURE WHEN COUNCIL SEES THAT THERE IS NO QUESTIONS BEFORE YOU TAKE YOUR SEAT. QUESTIONS OF MR. BLACK BURN, COUNCIL? THANK YOU, SIR. THAT BEING THE CASE, WE NOW HEAR FROM FOLKS IN OPPOSITION. DEBORAH WEST. WHILE SHE APPROACHES, LOOKS LIKE JOHN SHEW SIGNS UP NOT WISHING TO SPEAK, ALSO IN OPPOSITION. GIVE HER A HANDHELD MIKE AND SHE CAN USE THE OVERHEAD IF SHE PREFERENCES.

MY NAME IS DEBORAH WEST. MY HUSBAND CRAIG AND I SHARE A FENCE WITH THE PROPERTY UP FOR REZONING. MY HUSBAND SPOKE BEFORE BUT IS OUT OF THE COUNTRY THIS EVENING. THANK YOU FOR YOUR ATTENTION AND YOUR TIME IN SERVING THE CITY. I'M HERE TO REPRESENT THE VOTERS IN NORTHWEST AUSTIN AND THOSE NEIGHBORS WHO OWN PROPERTY SURROUNDING THE ESTATE OF VIRGINIA POOL. THE ESTATE THAT YOU JUST SAW IS THE AREA THAT IS DARKENED THERE BUT ALL OF THIS IS THE GREEN SPACE DOWN IN HERE. AND WE CHOSE TO LIVE IN AUSTIN ONLY BECAUSE OF THE GREAT REPUTATION OF THE STOOLS AND----SCHOOLS AND THE BUT TY OF THE AIRIA. WHEN WE MOVED THERE WITH OUR CHILDREN I DIDN'T REALIZE THAT I WAS GOING TO HAVE TO DRIVE TO THE NEAREST PARK, TO SWIMMING POOL, BECAUSE THERE'S NOTHING WITHIN CLOSE DISTANCEMENT THERE ARE SOME

PARKS ON THE OTHER SIDE OF THE VERY BUSY SIDE SPRINGS. WE DROVE PANE YEARS, MY CHILDREN WERE IN T BALL, SWIMMING, SOCCER PRACTICE. WE DROVE EVERYWHERE. I GET UP BEFORE THE CRACK OF DAWN TO DRIVER MY YOUNGEST TO SWIM PRACTICE. I WANT YOU TO TAKE A LOOK AT THE SWIMMING POOLS IN THE AREA BECAUSE I DRIVE MORE THAN 20 MINUTES TO THE NEAR NEAREST 50 METER POOL, WHICH IS WHAT THEY DO IN THE SUMMER, LONG COURSE. THE NEAREST POOL IS NORTHWEST. THERE ARE NO SWIMMING POOLS SOUTHWEST, SPECIFICALLY 50 METER POOLS WEST. OVER THE YEARS MY CHILDREN HAVE BEEN COMPETITIVELY SWIMMING THEIR TEAM HAS LOST THE BID TO SWIM AT SUMMER LONG CORE SEASON AT THE NORTHWEST POOL BUILT OVER 50 YEARS AGO AND WE HAVE HAD TO DRIVE TO BARTHOLOMEW, DOWN BY THE CHILDREN'S HOSPITAL, AND ONE SUMMER WE HAD TO DRIVE TO GARRISON AND SOUTH AUSTIN FOR THE SWIM PRACTICE PRACTICE. UT AUSTIN PRIZE ITSELF ON THE SWIMMING PROGRAM AND KID ARE FUTURE SWIMMERS. MANY CLUBS AND TEAMS IN AUSTIN ARE BASED IN THE NORTHWEST, TEXAS GOLD, LONG STAR, AND TEXAS AQUAT IX. ALL IN THE NORTHWEST BUT NO 50 METER POOLS FOR US. THE CITY HAS NOT BUILT A SMALL POOL SINCE 1996 AND NOT A 50 METER POOL IN OVER 26 YEARS AM WHEN I ASKED SHERRY SERATI THIS OF THE NABEHOOD PLANNING AND DEPARTMENT SHE SAID USUALLY A DEVELOPER WILL PUT IN A POOL. SWIMMING POOLS ARE ATTRACTIVE. PEOPLE WANT TO LIVE NEAR TO THEM. NEIGHBORS IN THE AREA HAVE SMALL PERSONAL POOLS BUT NO ONE HAS A 50 METER POOL. THE NORTHWEST HAS BEEN DEVELOPED AND REZONED WITHOUT THE BENEFIT OF MASTER PLANNING. PRETTY OWNERS PAY HIGH PROPERTY TAXES BUT WE HAVE NOT HAD THE BENEFIT OF A MASTER PLAN WHICH WOULD GIVE OUR NEIGHBORHOOD PARKS AND POOLS AND GREEN SPACES OTHER AMENITIES. SWIMMING POOLS REQUIRE FLAT LAND AP THAT IS BECOMING RARE, WHICH BRINGS US BACK TO THE TRACT OF LAND AT VIRGINIA POOLS ESTATE. SORRY, THIS IS SO LARGE, BUT WE, , DRIVEWAY SITS AT THE CORNER OF WHERE THE POND WOULD BE CECTED. I'M DISORIENTED NOW. RIGHT HERE. AND IT'S ABOUT 25 FEET FROM WHERE THE ENTRANCE WHERE YOP YOPON WOULD BE



CONNECTED. OKAY. SORRY. OKAY. NOT IN FOCUS. THIS  
PIECE OF PROPERTY, ALL THE GREEN SPACE THAT IS HERE  
IS UNIQUE IN THE NORTHWEST AUSTIN BECAUSE WE ARE  
DEVELOPED ALL THE WAY AROUND HERE. THE FIVE ACRES,  
ALMOST SIX THAT IS IN QUESTION HERE THAT IS IN THE CITY  
IS FLAT LAND EASILY DEVELOPED. THIS LAND JOINS  
HOWEVER LAND VERY STEEP AND NOT EASILY DEVELOPED  
AND GOES INTO A DRAINAGE POND HERE THAT IS FOR  
COLLECTION FOR THE BULL CREEK AND EDWARDS AQUIFER  
WATER TABLE. THE PARKS PEOPLE HAVE SAID THEY ARE  
LOOKING FOR LAND FOR A WRECK CENTER AND THERE'S \$20  
MILLION AVAILABLE FOR LAND ACQUISITION. THERE'S FLAT  
LAND WITH MATURE TREES IN AN AREA WHICH THE CITY  
COULD BUY TO DEVELOP RESPONSIBLY INTO A GREEN AREA  
WHICH WOULD SERVE A LARGE PART OF NORTHWEST  
AUSTIN BUT THIS WOULD ONLY BE POSSIBLE IF YOU WOULD  
VOTE TO OPPOSE REZONING THE FLAT SECTION OF LAND.  
CURRENTLY IT IS ZONED DEVELOPMENT RESERVE. IT IS  
RESERVE WHILE NORTHWEST GREW UP AROUND IT. BE THE  
CITY COUNCIL WITH VISION WITH A LONGVIEW PROTECTING  
GREEN SPACE AND RESPECTFUL OF THE COMMUNITIES AND  
NEIGHBORHOODS. AT THE ZONING COMMITTEE IN MAY THE  
COMMITTEE ANSWERED COT LAND BE DEVELOPED INTO  
HOUSES. NOT THE MORE VITAL QUESTIONS ABOUT SHOULD  
THE OPPORTUNITY BE USED FOR THE HIGHER GOOD OF A  
PARK OR OTHER SPACE. WE ASK THE BETTER QUESTION .  
TO OUR NEIGHBORS. AND RECEIVED SOME VERY STRONG  
ANSWERS. NO ONE WANTED TO HAVE THE 12 HOUSES ON  
THE CITY LAND AND ADDITIONAL FOUR OR FIVE ON THE  
CURRENTLY AREA OF THIS ESTATE. ALL WERE IN FAVOR OF  
A PARK EXCEPT FOR ONE LADY WHO WANTED TO KEEP THE  
LAND AS IT IS, A HORSE RANCH. WE COLLECTED OVER 60  
VOTER SIGNATURES IN A VERY SHORT PERIOD OF TIME AND  
MORE HAVE COME IN SINCE WE SENT SOME OF THEM TO  
YOU. THIS IS A HIGHER PARTICIPATION RATE THAN MOST  
ELECTIONS AND THE INPUT IS PRACTICALLY UNANIMOUS  
FOR A PARK, NOT DEVELOPMENT. THE CITY COULD BUY THE  
LAND, DEVELOP HIKE AND BIKE TRAILS AND USE THE FLAT  
LAND FOR A 50 HAD-METER POOL. PERHAPS THE REC  
CENTER OR AN ANY WAY SCAPE AND FEW TENNIS COURSE.  
ENTRANCES COULD BE GATED AND TRAFFIC DESIGN  
RESPECTFUL OF EXISTING NEIGHBORS AS WELL AS

RESTRICTIVE TO LIMIT SPEEDING. THIS COULD PROVIDE PARK ACCESS AND DISCOURAGE THROUGH TRAFFIC WHICH IS A MAJOR CONCERN OF THE NEIGHBORS. PLEASE SUPPORT THE NEIGHBORHOOD AND VOTERS WITH A MUCH NEEDED GREEN SPACE. PLEASE VOTE NO TO THIS REZONING. I APOLOGIZE FOR GOING SO FAST. IN MY NERVOUSNESS.

MAYOR WILL WYNN: NO NEED TO APOLOGIZE, FOR THE RECORD I GAVE MS. WEST JOHN CHEW'S THREE MINUTES. QUESTIONS FOR MS. WEST, COUNSEL? COUNCIL ?

I WANTED TO SHOW YOU HOW A 50-METER POOL--

MAYOR WILL WYNN: BRIEFLY.

HOW THE POOL WOULD FIT ON HERE. THERE IT FITS.

MAYOR WILL WYNN: THANK YOU.

WITH PARK COUNCIL, FOR THE RECORD, LOOKS LIKE SUSAN BLACKBURN DID NOT WISH TO SPEAK. SHE IS IN FAVOR. MR. BLACKBURN, YOU GNAW HAVE A CHANCE FOR A ONE THREE-THREE-MINUTE REBUTTAL. BEFORE WE OPEN UP FOR QUESTIONS.

THANK YOU. I GUESS THE QUESTION TO ME IS, YOU KNOW, GIVING UP THE PROPERTY AND LETTING IT BE TURNED INTO A PARK. I THINK ANY OF US, IF SOMEONE KNOCKS ON YOUR DOOR AND SAYS IF YOU HAVE A VACANT PIECE OF PROPERTY BEHIND YOU AND THEY SAY, WELL, WIER EITHER GOING TO PUT HOUSES OR A PARK, MOST PEOPLE WOULD PROBABLY PREFER A PARK. I THINK I PROBABLY WOULD. THIS PROPERTY, THOUGH, WE'RE LOOKING AT, IS AN INVESTMENT IN A DEVELOPMENT FOR, GORE US TO GO AS A PARK WOULDN'T MAKE SENSE OBVIOUSLY. WE MET WITH HOME OWNER ASSOCIATIONS OUT THERE THREE WEEKS AGO. THE WESTS WERE INVITED AT THE PREVIOUS MEETING ALONG WITH ANOTHER NEIGHBOR THERE THAT SPOKE AGAINST THE PROPERTY. HE CAME TO THAT MEETING BUT I DON'T BELIEVE THE WESTS WERE THERE. SOMEWHERE, 60, 75 FOLKS. WE SPENT AN HOUR ON THE PROJECT GOING THROUGH WHAT OUR PLANS WERE. AND WHILE SOME OF

THEM SAID IT WOULD BE NICE TO KEEP IT AS IT WAS TODAY, NO ONE WAS OPPOSED TO IT. THEY THOUGHT 12 LOTS, 10,000 SQUARE FEET, LOOKED GREAT, A BIG OR BIGGER THAN AND OF THE LOTS IN THE SURROUNDING AREAS. REGARDING THE PARKS, I LOOKED ON A MAP AND WITHIN A HALF MILE STREET WALKING DISTANCE, THERE ARE FOUR DIFFERENT PARKS, SORRY, THREE PARKS AND ONE SWIMMING POOL. TANGLE WOOD PARK, OAK VIEW PARK, EL OF THE BULL CREEK GREENBELT, AND CANYON VISIT VISTA POOL. ALSO THREE SCHOOLS WITHIN A HALF MILE. TYPICALLY SCHOOLS HAVE SCAPE SCAPES AND PARKS, THORSE ARE LAUREL MOUNTAIN, CANYON VISIT AT A MIDDLE SCHOOL, AND NORTH OAKS. STRETCH TO A MILE AND GREAT HILLS HAS HAD A COMMUNITY PARK. SO THERE ARE SEVERAL PARK AREAS WITHIN EASY WALKING DISTANCE OF THE PROJECT IN QUESTION. ADDITIONALLY AS WAS SHOWN ON THE MAP EARLIER THERE'S A FOUR-ACRE GREENBELT ADJACENT TO OUR PROPERTY THAT'S CURRENTLY PLATTED UNDER THE WEST HILL ESTATE SECTION 2 PLAT, RESERVED AS WATER QUALITY AND DRAINAGE EASEMENT AND WILL REMAIN GREENBELT, RESTRICTED TO THAT BY PLAT. WOULD BE HAPPY TO ANSWER ANY QUESTIONS.

MAYOR WILL WYNN: THANK YOU MR. BLACKBURN.  
QUESTIONS FOR THE AGENT, COUNCIL FIVE MINUTES.  
COUNCIL MEMBER LEFFINGWELL .

COUNCIL MEMBER LEFFINGWELL: I HAVE A QUESTION FOR THE PARKS DIRECTOR, IF I MAY . I WOULD LIKE FOR YOU TO COMMENT ON HOW THIS PARCEL OF RAND, WHAT THE POTENTIAL FOR FUTURE PARK USE IS FOR THIS PARTICULAR PIECE OF LAND.

WARN STREW, DIRECTOR OF PARKS AND RECREATION DEPARTMENT, WHEN WE DID OUR INFALL ANALYSIS, AS THE GENTLEMAN JUST INDICATED, WE HAVE A NUMBER OF PARKS AROUND THIS POSSIBLE DEVELOP DEVELOPMENT. WE HAVE OAK VIEW THAT IS LESS THAN A HALF A MILE AWAY. SO IT DOESN'T, UNFORTUNATELY MEET OUR INFALL ANALYSIS REPORT FOR PARK TO GO HERE. I DID SPEAK TO THIS ISSUE, I THINK LAST WEEK, AND INDICATED THAT WE DON'T HAVE UNFORTUNATELY, DON'T HAVE THE FUNDING FOR THIS AT THIS POINT, TO EITHER ACQUIRE OR DEVELOP

IT. I HAVEN'T QUITE HONESTLY WALK THE LAND SO I DON'T KNOW WHAT REALLY IT COULD BE USED FOR, COUNCIL MEMBER, WITHOUT WALKING AND SEEING HOUTHOW IT MIGHT BE USED .

COUNCIL MEMBER LEFFINGWELL: IT'S NOT A PART OF, ANY PART OF YOUR PLANNING AT THIS TIME.

THAT IS CORRECT, IT IS NOT.

MAYOR WILL WYNN: FURTHER QUESTIONS, COMMENTS. JUST TO CONFIRM, I BELIEVE I HEARD WE HAVE UNANIMOUS APPROVAL FROM ZONING AND PLANNING COMMISSION.

CORRECT, WITH THE CONDITION LIMITING THE DEVELOPMENT TO 12 UNITS, WHICH IS WHAT THE APPLICANT IS REQUESTING.

MAYOR WILL WYNN: AND ALSO STAFF RECOMMENDATION.

THE STAFF ACTUALLY RECOMMENDED IT WITH THE TRIP LIMITATION 150 TRIPS PER DAY BUT THAT IS ROUGHLY THE SAME THING. EYE HER HER--EITHER WAY WOULD BE FINE.

MAYOR WILL WYNN: OKAY. QUESTIONS, COMMENTS. COUNCIL MEMBER MCCrackEN.

MAYOR WILL WYNN: MOTION BY COUNCIL MEMBER MCCrackEN AND SECOND BY COUNCIL MEMBER COLE. FURTHER COMMENTS. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED. MOTION PASSES ON A VOTE OF 7 7-0. THANK YOU ALL VERY MUCH. COUNCIL, THAT LEVERS US WITH ONE ZONING DISCUSSION CASE, JUST A FEW MINUTES BEFORE WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. WE HAVE A HANDFUL OF SPEAKERS WHO SIGNED UP WISH TO GO GIVE TESTIMONY ON ITEM NUMBER 90, I BELIEVE IT IS. SO MY RECOMMENDATION, WITHOUT OBJECTION THEN, WOULD BE FOR US TO GO AHEAD AND RECESS THE MEETING WITH THE AUSTIN CITY COUNCIL RK TAKE UP THE LIVE MUSIC PROCLAMATIONS, AND AS SOON AS WE FINISH THAT, TAKE UP ITEM NUMBER 90 AS THE LAST ZONING PUBLIC HEARING ITEM OF THE DAY. WE ARE NOW IN

RECESS. STAY TUNED FOR GARY GRAVES. GRAVES.. . . . .

MAYOR WILL WYNN: FOLKS, ATTENTION PLEASE. TIME FOR THE WEEKLY LIVE MUSIC GIG AT THE AUSTIN CITY COUNCIL MEETING. THAT ISIVE TEXAN GARY GRAVES ACOUSTIC SONG WRITER, HIS DEBUT CD ENTITLE LOVE IS DANGEROUS THING WAS REECE LEASED IN 2003. HE HAS SHARED THE STAGE WITH AUSTIN ARTISTS AND PERFORM AT SOUTH BY SOUTHWEST AND HOSTED AND PERFORMED OPEN MIKE GIGS AT CACTUS CAFE AND LONG BRANCH N. HE IS WORKING ON HIS NEXT CD CD. JOIN ME IN WELCOMING MR. GARY GRAVES.

THANK YOU. A SONG CALLED A GOOD MAN HERE. . . (MUSIC)

(APPLAUSE)

MAYOR WILL WYNN: GREAT FABULOUS. TELL US, GARY, WHERE CAN WE SEE YOU NEXT ?

I USUALLY PLAY AT THE SCOOT INN ON MONDAY NIGHTS. THAT IS WITH CALVIN RUSTLE. HE IS BAND STARTED THERE. I HANG OUT WITH JASON AND THOSE GUYS. I DROP IN AT THE CACTUS CAVE A, AND THAT IS GRAHAM WEBER . AND ALSO FIND SOME OF MY STUFF ON MY SPACE, GARY GRAVES MUSIC, GO TO THE DISCUSSION WITH SOME SAMPLE UP THERE. IF YOU WANT TO BUY A CD, THAT IS THE ONLY PLACE CAN YOU GET IT AT THIS POINT. SELF PRODUCE.

MAYOR WILL WYNN: BEFORE YOU GET AWAY, WE HAVE A SPECIAL PROCLAMATION THAT READS, WHEREAS THE LOCAL MUSIC COMMITTEE MAKES MANY CONTRIBUTIONS TO AUSTIN'S CULTURAL DIVERSITY AND WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER THE STATUS OF THE LIVE MUSIC CAPITAL OF THE WORLD, THEREFORE I, MAYOR OF THE CITY OF AUSTIN TEXAS, DO CLEAN AIR THIS AS GRARE GRAVES DAY IN AUSTIN AND JOIN ALL CITIZENS IN WRECK MYSELFING THIS GREAT YOUNG TALENT.

. TALENT.

(APPLAUSE)

AND SO WHILE GARY BREAKS DOWN HERE I'M GOING TO  
TURN THAT PODIUM OVER TO MAYOR PRO TEM BETTY  
DUNKERLEY.

IT'S MY PLEASURE TODAY TO READ THE PROCLAMATION FOR  
THE NATIONAL HOME BUYERS MONTH AND THE  
PROCLAMATION READS, BE IT KNOWN THAT WHEREAS HOME  
OWNERSHIP HAS BEEN A HALLMARK OF THE AMERICAN WAY  
OF LIFE, AND FOR MILLIONS OF AMERICAN WORKING  
FAMILIES, OWNING A HOME HAS COME TO SYMBOLIZE THE  
AMERICAN DREAM, AND WHEREAS THE CITY PROVIDES A  
VARIETY OF RESOURCES TO ASSIST OUR RESIDENTS IN  
BECOMING HOMEOWNERS, INCLUDING OUR SMART  
HOUSING, DOWN PAYMENT ASSISTANCE, FIRST TIME HOME  
BUYER EDUCATION AND FINANCIAL SUPPORT OF  
NONPROFITS AND AND--PRIVATE DEVELOPERS WHO BUILD  
AFFORDABLE HOUSING, AND WHEREAS DURING THIS  
SPECIAL MONTH WE REDEDICATE OURSELVES TO THE  
AMERICAN DREAM, AND TO EVERY AUSTIN AUSTINITE WHO  
SEEKS TO AIT, NOW THEREFORE I, MAYOR OF THE CITY OF  
AUSTIN TEXAS, DO PROCLAIM JUNE 2007 AS NATIONAL HOME  
BUYERS MONTH. IT'S SIGNED BY OUR MAYOR, AND I'D LIKE  
TO PRESENT THIS TO OUR HOUSING GURU, PAUL HILGERS.

(APPLAUSE)

THANK YOU, MAYOR PRO TEM. IT'S A GREAT HONOR TO  
COME UP AND ACCEPT THIS FROM THE MAYOR PRO TEM  
AND ALL OF THE COUNCIL MEMBERS AND THE MAYOR WHO  
PROMOTE AND SUPPORT THE EFFORTS OF THIS  
DEPARTMENT AND THIS CITY IN TRYING TO INCREASE THE  
OPPORTUNITIES FOR HOME OWNERSHIP FOR ALL OF OUR  
CITIZENS. AUSTIN HAS A VERY LOW HOME OWNERSHIP RATE  
RELATIVE TO THE REST OF THE COUNTRY, ABOUT 48-49  
PERCENT, THE REST OF THE COUNTRY ABOUT 66 66-70  
PERCENT DEPENDING UPON WHICH STATISTICS YOU HEAR.  
ONE POINT I WOULD MAKE, THERE ARE A LOT OF PEOPLE  
OUT THERE WHO CAN ACHIEVE HOME OWNERSHIP IF THEY  
WILL JUST LOOK AT THEIR -- --OPPORTUNITIES, GET THEIR  
CREDIT IN ORDER. THE MONEY THEY PAY FOR RENT CAN GO  
TO HOME OWNERSHIP IF THEY TAKE THE TIME TO  
UNDERSTAND THAT IT REALLY IS IMPORTANT TO GET GOOD  
CREDIT TO HAVE A GOOD LENDER, AND TO HAVE ENOUGH

CONFIDENCE IN YOURSELF. THAT WILL ALLOW TO YOU  
ACHIEVE THE GREAT AMERICAN DREAM OF HAVING A HOME.  
WE HAVE TWO PEOPLE I'VE ASKED TO SAY JUST A COUPLE  
OF BRIEF WORDS. ONE, MICHAEL WILLARD, EXECUTIVE  
DIRECTOR OF AUSTIN HABITAT FOR HUMANITY. ONE OF OUR  
OUTSTANDING PARTNERS THEY ARE BUILDING HOMES FOR  
US RIGHT NOW ALL OVER THE CITY IN A COUPLE OF VERY  
EXCITING PROJECTS. I WANT TO ASK MIKE TOLL SAY  
SOMETHING. ALSO I'LL ASK FRANCY FERGUSON, THE  
CHAIRPERSON OF THE HOUSING WORKS NONPROFIT, A NEW  
NONE PROFIT WHO HELPED WITH THE MESS ACT--PASSAGE  
OF GENERAL OBLIGATION BOND AND WORKING TO OPEN A  
DIALOGUE TO GET AUSTIN INVOLVED IN AFFORDABLE  
HOUSING IN AUSTIN. MICHAEL, PLEASE COME FORWARD.

PAUL, THANK YOU VERY MUCH.

(APPLAUSE). AS EXECUTIVE DIRECTOR OF HABITAT FOR  
HUMANITY HERE IN AUSTIN, FIRST THING IS HOME  
OWNERSHIP DOES MAKE A DIFFERENCE AND DOES FOR OUR  
FAMILIES WHO ARE ABLE TO MOVE INTO HOMES, TO THE  
HOMES WE ARE ABLE TO BUILD. AND ALEX ONISY IS A GREAT  
EXAMPLE, MOVED INTO HIS HOUSE IN 2005. IN MAY OF THIS  
YEAR HE WALKED ACROSS THE STAGE WITH HIS DIPLOMA  
FROM HOUSTON COLLEGE. HE MADE A DIFFERENCE  
BECAUSE HE WAS ABLE TO OWN HIS OWN HOME. BUT MORE  
IMPORTANT TO ME THAN THE FACT THAT HE WAS ABLE TO  
GRADUATE THROUGH COLLEGE IS THE EXAMPLE HE SET  
FOR HIS THREE CHILDREN . ONE, IF YOU WORK HARD AND  
ARE WILLING TO PUT IN TIME ANDEN GUY TO OWN YOUR  
OWN HOME, CAN YOU MAKE A DIFFERENCE AND YOU CAN  
IMPROVE YOUR OWN SITUATION. SO ALEX IS JUST ONE  
EXAMPLE OF HOME OWNERSHIP BEING ABLE TO BE THE  
SPRINGBOARD FOR PEOPLE TO HAVE BETTER EDUCATION,  
HAVE BETTER HEALTHCARE, BETTER ACCESS TO ECONOMIC  
INDICATORS FOR THEM TO MOVE AND GO FORWARD. SO I  
CELEBRATE THE FACT THAT HOME OWNERSHIP MONTH IS  
BEING CELEBRATED HERE IN JUNE, I'M GLAD THE CITY IS  
DOING THAT. I'M GLAD THE CITY IS COMMITTED TO  
PROVIDING HOME OWNERSHIP FOR OUR POLICE AMEN, FIRE  
AMEN AND TEACHERS BUT I ALSO WANT TO SAY YOU HAVE  
TO WORRY ABOUT HOME OWNERSHIP FOR THE CUSTODIANS  
AND SERVICE PERSONNEL AS WELL BECAUSE THOSE FOLKS

WITH THE BACKBONE OF OUR COMMUNITY AND THEY ARE THE FOLKS GOING TO MAKE A DIFFERENCE. IF WE CAN KEEP THEM HERE AS HOMEOWNERS WE ARE GOING TO CONTINUE TO HAVE A THRIVING OPPORTUNITY. THANK YOU, PAUL.

(APPLAUSE)

GOOD EVENING, IT'S A PLEASURE TO BE HERE ON BEHALF OF HOME OWNERSHIP. I WORK FOR NEIGHBOR WORKS AMERICA AS WELL AS HOUSING WORKS. AT NEIGHBOR WORKS AMERICA I LEARNED ABOUT MIXED INCOME NEIGHBORHOODS. AUSTIN HAS A FINE TRADITION OF HAVING MIXED INCOME IN NEIGHBORHOODS. MANY OF OUR TRADITIONAL NEIGHBORHOODS AND YOU FIND APARTMENTS AND HOMES FOR SALE AND CONDOMINIUMS AND THIS KIND OF DIVERSITY IS WHAT KEEPS A NEIGHBORHOOD HEALTHY SO THAT OLDER PEOPLE AND YOUNGER PEOPLE AND SINGLE PEOPLE AND FAMILIES CAN ALL LIVE IN ONE PART OF TOWN. IN ADDITION, HAVING A MIXED INCOME COMMUNITY THAT INCLUDES OUR LOW-INCOME RESIDENTS AND OUR HIGHER INCOME RESIDENTS CREATES A REAL THING COMMUNITY. BUT NOT CONCENTRATING POVERTY, OUR SCHOOLS DO BETTER, OUR CRIMINAL JUSTICE AND SOCIAL SECURITY, SECURITY SYSTEMS DO BETTER. AND SO BUILDING OUR CITY AS WE GROW, AS A MIXED INCOME CITY, WITH ALL PARTS OF TOWN HAVING MANY HOUSING OPTIONS, IS WHAT HOUSING WORKS SUPPORTS AND WE LOOK FORWARD TO ADVANCING THAT VISION IN PARTNERSHIP WITH THE CITY, WHICH MEANS ALL PARTS OF THE CITY. JUST AS ALL PARTS OF THE CITY, DIVISIONS OF THE CITY SUPPORT OUR BEING A GREEN CITY FOR WHICH WE ARE PROUD, ALL PARTS OF THE CITY WILL BE WORKING WITH US AND WE HOPE TO BE WORKING WITH THEM TO MAKE OURSELVES AND GROW OURSELVES AS A DIVERSE AND MIXED INCOME CITY THROUGHOUT TOWN. THANK YOU.

(APPLAUSE)

MAYOR WILL WYNN: FOR MY NEXT PROCLAMATION, IT'S GIB TO BE ABOUT CELEBRATING THE 30TH ANNIVERSARY OF ESTHER'S FOLLIES. THAT'S RIGHT, 30 YEARS.



(APPLAUSE)

FABULOUS INSTITUTION DOWN AT SIXTH AND RED RIVER. IF YOU HAVEN'T BEEN, YOU NEED TO GO BACK IF YOU HAVEN'T BEEN THERE LATELY. BEFORE I READ THE PROCLAMATION, SHANNON HAS TOLD ME THAT SOME OF THE TALENT THERE WANTS TO PERFORM A SKIT. I'M GOING TO SAVE THE PROCLAMATION AND NOT READ UNTIL AFTER I SEE WHAT THEY DO JUST IN CASE. PLEASE JOIN ME IN WELCOMING SHANNON SEDWICK.

THANK YOU VERY MUCH, MAYOR. IT WAS 30 YEARS AGO WHEN ESTHER'S FOLLIES STARTED ACROSS THE STREET AT THE ELD LIBERTY LUNCH DOING COME TY AND THEATER. AFTER ONE OF OUR EARLY SHOWS THE COUNCIL CONDEMNED THE PROPERTY AND WE RECEIVED AN EVICTION NOTICE. IT'S TRUE. THEY SAID THEY NEEDED ANOTHER PARKING LOT FOR CITY STAFFERS BUT WE GOT THE INSIDE INFO FROM BETTY BAKER BAKER. CERTAIN MEMBERS WERE BECOMING THIN SKINNED ABOUT THE JOKES THEY COULD HEAR BOOMING FROM THE SOUND SYSTEM INTO THE OPEN WAUSE OF THE OLD CITY HALL. SO WE APPLIED FOR A 750 DOLLAR RELOCATION LOAN BUT THE LOAN WAS DENIED. SO WE MOVED, LIBERTY LUNCH CONTINUED FOR 25 YEARS AND PACKED UP OUR ESTHER WILLIAMS SWIM SOOTS AND MOVED TO SIXTH STREET. THEN THE CITY MAYOR RECOGNIZ RECOGNIZED THE VALUE AND POWER OF BEING THE BUTT OF OUR JOKES. HE GAVE US ADVICE, BE CARE CAREFUL OF POLITICAL JOKES, THEY MIGHT JUST GET ELECTED. AUSTIN POLITICAL PEOPLE HAVE BEEN LAUGHING AT THEMSELVES EVER SINCE. WE WANT TO THANK YOU FOR SENDING US ON THE ROAD TO SUCCESS.

(APPLAUSE).

(SKIT)

WE ARE SO HONORED BY THIS RECOGNITION. ALMOST EVERYTHING THAT WE HAVE BEEN MISSINGLVE THOUGH WE ARE GRATEFUL, WE STILL HAVE TO SAY, DON'T WE GET A STATUE BESIDES STEVY RAY? THANK YOU COUNCIL, WE MUST GO NOW. WE DRIVE I 35. IF WE DON'T GET STARTED WE'LL NEVER GET HOME. IT'S ALREADY AFTER FIVE. AND

NOW WE TAKE YOU TO THE OFFICE OF MAYOR WILL WYNN.

(APPLAUSE)

IT IS A LOT OF WORK BEING THE MAYOR OF AUSTIN. I  
THOUGHT IT WAS GOING TO BE A WAY TO HANG OUT WITH  
BANDS AND MEET GIRLS. HOW YOU DOING. I GOT TO MAKE A  
BUNCH OF IMPORTANT DECISIONS LIKE WHERE AM I GOING  
TO PUT THE NEW LOFTS DOWNTOWN. DO I WANT TO TEAR  
UP THE MIDNIGHT CAT OR DON'S DEPOT? OUGHT TO BE  
SOMETHING THAT PEOPLE IN AUSTIN DON'T USE. OH, OH,  
YEAH. AUSTIN CITY LIBRARY. THERE WE GO OH, I WONDER  
HOW OH, PAST AUSTIN CITY COUNCIL DEALT WITH THIS.

OH, OH, WAKE UP, WILL WYNNE.

WHO WHO ARE YOU ?

I'M THE SPIRIT OF AUSTIN MAYORS PAST. I'M KIRK AUSTIN. I  
FINISHED MY FIRST YEAR IN THE TEXAS SENATE. IT WAS A  
PAIN IN THE NECK. I CAN'T TURN TO THE LEFT ANYMORE. ALL  
MY VISION IS TO THE RIGHT.

WHAT ARE YOU DOING HERE ?

I'M HERE TO TELL YOU YOU'RE GOING TO BE VISITED BY  
THREE GHOSTS, GHOST OF AUSTIN PAST, AUSTIN PRESENT  
AND AUSTIN FUTURE.

ARE YOU A GHOST ?

MIGHT AS WELL BE THERE AT THE TEXAS CAPITOL. I'M  
OVERSHADOWED BY DAN PATRICK. CAN YOU LON ME \$20 ?

FOR ?

THE PARK.

THE LOVE THE PARK.

NO, TO PARK DOWNSTAIRS. ALSO TO GET HOME. GIVE ME  
THAT DAMN MONEY.

IT'S CAROL KEETEN AND MELON CAMP.

HI THERE, I'M HERE TO SET YOU STRAIGHT, WILL WYNN.

DON'T HIT ME.

I'M JUST GOING TO GIVE YOU SOME ADVICE, SON. I WANT YOU TO DO FOR AUSTIN WHAT I DID.

TURN INTO A REPUBLICAN AND MARRY MY WHO WILL SCHOOL SWEETHEART ?

NO, I WANT YOU TO BE A CHEERLEADER FOR AUSTIN, I WANT YOU TO BE A SURED THAT YOU REMEMBER THE MOST IMPORTANT THING ABOUT OUR FUTURE, THE KIDS OF AUSTIN.

HIGH.

I GOT MY GRANDKIDS.

HI.

I DON'T HAVE TIME.

MUCH BETTER THINGS TO DO. I GOT TO ARM WRESTLE AND SMOKE CIGARS WITH KINGY FREEDMAN. I'M ONE TOUGH GRAND MAKE.

HI GRAND MA.

HEY, YOU WANT TO GO SWIM SWIMMING IN BARTON SPRINGS ?

IT'S THE SALAMANDER. WE HAVE SOMETHING MORE FUN WE ARE GOING TO DO. WE ARE GOING TO GO DOWN TO MARRIOTT AND GO TO LAS MANITAS.

THEY REALLY ARE THE FUTURE OF AUSTIN.

WHOA.

STOP RIGHT RITE THERE. DON'T TELL ME. SPIRIT OF AUSTIN

PRESENT. I KNEW WE WERE A DIVERSE FIDE CITY.

FORGET THAT, MAN. WE MAY HAVE RUN OUT OF EAST AUSTIN.

WE ARE BEING FORCED TO MOVE SOMEWHERE OUTSIDE OF AUSTIN WITH A LOWER TAX BASE.

WE ARE MOVING TO WEST LAKE HILLS. GUESS WHO IS GOING TO DINNER.

SEE YOU LATER, PUTO.

MUST BE SPANISH FOR MAYOR MAYOR.

THIS IS TER . AUSTIN IS LOSING ALL ITS UNIQUE CHARACTER.

WHO.

DON'T TELL ME, SPIRIT OF AUSTIN FUTURE.

THAT'S RIGHT, JENNIFER GAIL.

I THOUGHT YOU MOVED TO DALLAS.

I DID, WHERE DO YOU THINK THE FUTURE IS HEADED TO? WE GREW SO MUCH WE HAD TO MIX WITH DALLAS AND AND WACO.

WHAT AM I GOING TO DO.

I MOVED UP. YOU ARE THE MAYOR.

YOU'RE THE GOVERNOR OF TEXAS IS THIS.

THAT'S LESLIE. I AM THE NEWEST WINNER OF AMERICAN IDOL. SEE YOU LATER.

TER EL AUSTIN IS LOSING EVERYBODY THAT IS MAKING IT UNIQUE. WHAT CAN WE DO TO PREVENT IT IT? OH, I KNOW WHAT I'M GOING TO DO. I'M GOING TO DO SOMETHING DRASTIC. SOMETHING THAT WILL BE REMEMBERED BY GENERATIONS FOR YEARS TO COME. I PROCLAIM JUNE

ESTHER'S FOLLIES MONTH. HIT IT.

YOU REMEMBER AUSTIN 30 YEARS AGO. BACK WHEN ALL THE RESTATE RIGHTS WERE LOW. BACK WHEN JIMMY CARTER WAS THE MAN IN POWER. CROSSTOWN DOWNTOWN IN LESS THAN AN HOUR.

BACK THEN IT WAS EASIER TO PAY THE BILLS BEFORE WEST LAKE TURNED INTO SILICONE HILL. WE WERE WEARING BET BOTTOMS AND WHOLE FOODS WAS NOTHING BUT AN APPLE CART. BUT WE HAVE GROWN. THE SUMMERS ARE STILL HOT AS HELL BUT NOW THE HIPPIES ALL WORK FOR DELL.

WHEN IT COMES TO POLITICS WE KNOW OUR FATE.

WE ARE A LITTLE BLUE DOT IN A BIG RED STATE.

AUSTIN STILL LIBERAL, NICE TO KNOW.

THE SENATE DEMOCRATS NEED A PLACE TO GO. THREE CHEERS WE ARE KEEPING AUSTIN WEIRD. THEY SAY THAT AUSTIN IS STILL A LITTLE STRANGE, THANK GOD SOME THINGS WILL NEVER CHANGE. THANK YOU SO MUCH.

(APPLAUSE)

MAYOR WILL WYNN: OKAY. IT'S KILLING ME. TELL YOU WHAT, INSTEAD OF CALLING IT JUNE ESTHER'S FOLLIES MONTH, WHY DON'T WE DECLARE THE YEAR 2007, ENTIRE YEAR, AS ESTHER'S FOLLIES 30TH ANNIVERSARY YEAR.

ALL RIGHT.

MAYOR WILL WYNN: THE PROCLAMATION READS, BE IT KNOWN THAT AS WHEREAS ESTHER'S FOLLIES OPENED ITS DOORS ON APRIL 11 1987 AND THE JOKE HAS BEEN ON US EVER SINCE, IT CONTINUES TO SELL OUT ITS THEATER DOWN ON HISTORIC SIXTH STREET NIGHT AFTER NIGHT, AND WHEREAS ESTHER'S HAS EMPLOYED 100 PERFORMERS WITH UNIQUE TALENTS, AND WHEREAS FOUNDER SHANNON SEDWICK'S DRIVE AND TALENT AS BUSINESS WOMAN, PERFORMER AND INVOLVED CITIZEN HAVE BENEFITTED THE COMMUNITY IN MANY WAYS AND CONTINUE TO DO SO, AND

WHEREAS ESTHERS IS SO UNIQUE UNIQUELY AUSTIN THAT IN ITS WINDOW WAS INCORPORATED INTO THE DESIGN OF OUR NEW CITY COUNCIL CHAMBERS, I, MAYOR WILL WYNN, DO HERE BY PROCLAIM THE YEAR 2007 AS ESTHER'S FOLLIES 30TH ANNIVERSARY YEAR. PLEASE JOIN ME IN THANKING SHANNON AND THIS REMARKABLE TALENT WE HAVE HERE.

(APPLAUSE)

I APPRECIATE THAT. FOR MY CAST, BECAUSE WE ALL LOVE BEING HERE IN AUSTIN, THERE'S NO BETTER PLACE TO BE IN. THANK YOU SO MUCH.

(APPLAUSE)

MAYOR WILL WYNN: THANK YOU. WELCOME. I KNOW IT'S A TOUGH ACT TO FOLLOW BUT WE HAVE THE TALENT BEHIND ME TO DO IS. NEXT PROCLAMATION REGARDING AUSTIN'S ANNUAL JUNETEENTH CELEBRATION. JOINED HERE BY THE MEMBERS OF THE GREATER EAST AUSTIN YOUTH ASSOCIATION JUNETEENTH COMMITTEE THAT WILL HEAR ABOUT THE DIFFERENT ACTIVITIES OCCURRING, REALLY BEGINNING FATHER'S DAY WEEK WEEKENDS ALL THE WAY THROUGH TO JUNE 19 INCLUDING A FABULOUS PARADE THROUGH MUCH OF EAST AUSTIN AND AS WELL ATTENDED A PARADE AS WE COULD POSSIBLY HAVE, THOUSANDS AND THOUSANDS OF MOSTLY KIDS AND YOUNG PEOPLE LINING THE STREETS, REALLY FUN TO BE PARTS OF THAT PARADE. IF YOU HAVEN'T DONE IT, BE SURE YOU COME JOIN US THIS YEAR. I'LL READ THE PRO CLAIMATION AND WE'D HEAR FROM THE COMMITTEE ABOUT THE DIFFERENT ACTIVITIES AND MORE ABOUT THE PARADE. THE PROCLAMATION READS, BE IT KNOWN THAT WHEREAS SINCE ITS BEGINNING IN GALVESTON IN 1865, JUNETEENTH HAS BEEN A CELEBRATION OF EMANCIPATION AND A TIME FOR COMMUNITY GATHERING AND FES ACTIVITIES, THIS YEAR'S LOCAL JUNETEENTH THEME IS FROM SLAVERY TO FREEDOM, AND WHEREAS AUSTIN'S ANNUAL EVENTS INCLUDE S, BEAUTY PAG PAGANTS, DRUM LINE COME PE TILGES, MOTORCYCLE SHOW, ART EXHIBIT, BICYCLE RIDE, FUN RUN AND WALK, INTER INTERGENERATIONAL CELEBRATION WITH ACTIVITIES FOR ADULTS AND YOUTH, AND WHEREAS WE'RE

PLEASED TO ACKNOWLEDGE THE SPONSORSHIP OF OUR LOCAL FES ACTIVITIES, PARTICULARLY THE GREATER EAST AUSTIN YOUTH ASSOCIATION, THE COMMITTEE AND THE PARKS AND WRECK TRACE DEPARTMENT, SO NOW, THEREFORE, I, MAYOR WILL WYNN, DO HERE BY PROCLAIM JUNE 15-19, 2007, AS OUR ANNUAL JUNETEENTH CELEBRATION IN AUSTIN. PLEASE JOIN ME IN CONGRATULATING AND PREPARING TO HAVE A LOT OF FUN WITH THE GREATER EAST AUSTIN YOUTH ASSOCIATION.

(APPLAUSE)

THANK YOU, MAYOR. MAYOR, COUNCIL MEMBERS AND ALL PRESENT, ON BEHALF OF THE GREATER AUSTIN YOUTH ASSOCIATION AND THE JUNETEENTH COMMITTEE, WE ARE HONORED IN RECEIVING THIS PROCLAMATION AND FOR THE RECOGNITION OF JUNETEENTH. AS THE MAYOR SAID, THIS YEAR YEAR'S ANNUAL PARADE AND TRADITIONAL CELEBRATION WILL BE HELD ON TUESDAY, JUNE 19, AT THE HISTORICAL ROSEWOOD PARK. THE CELEBRATION OF JUNETEENTH IS A TIME TO REFLECT ON THE POSITIVE PROGRESS THAT AFRICAN AMERICANS HAVE MADE SINCE THE SIGNING OF THE EMANCIPATION PROCLAMATION IN 1865, FREEING ALL SLAVES. JUNETEENTH IS ALSO A TIME WHEN ALL OF HUMANITY SHOULD HUMBLE THEMSELVES, REALIZING THAT WE STILL HAVE A LOT OF HEALING TO DO BEFORE WE CAN SAY THAT THE FOUNDING PRINCIPLES OF OUR COUNTRY, LIBERTY, JUSTICE , AND EQUAL TY, ARE REALITY FOR ALL AMERICANS. THE TRUTH WE STILL HAVE A WAYS TO GO. AS PART OF THE HEALING PROCESS, WE ENCOURAGE ALL AUSTINITES TO JOIN IN AND PARTICIPATE IN THE SCHEDULED CELEBRATIONS AROUND THE COMMUNITY FOR JUNETEENTH. WE, THE MEMBERS OF THE JUNETEENTH COMMITTEE, RECOGNIZE THE ONLY WAY TO KEEP HOPE ALIVE IS FOR ALL PEOPLE TO STAY UNITED ACROSS EVERY CULTURAL LINE, AND TO WORK TOGETHER TOWARD IMPROVING THE ILLS WE FACE IN SOCIETY. WE THANK THE CITY OF AUSTIN, THE CITY COUNCIL, OUR MAYOR, THE MANAGER OF PARKS AND RECREATION, AND STUART, AND FOR THEIR CONTINUED SUPPORT YEAR AFTER YEAR FOR OUR JUNETEENTH CELEBRATION IN AUSTIN. AGAIN, THANK YOU.

(APPLAUSE)

MAYOR WILL WYNN: IT WILL BE FUN. GET EVEN ON T V. GOOD. HOW ARE YOU. YOU.. RIGHT HERE TO MY SIDE. SPEAKING OF FATHER'S DAY, A BUNCH OF GOOD EVENTS GOING ON THAT WEEKEND. WE ARE HERE TO HIGHLIGHT THE 7TH ANNUAL FATHER'S DAY PARADE. WE'LL HEAR ABOUT SPECIFICALLY THE YOUTH FOUNDATION PROGRAM. I'LL READ THE PROCLAMATION AND MONA GONS LESS WILL SAY A FEW YEARS ABOUT THEIR PARADE ACTIVITIES AND HOW IMPORTANT IT IS PARTICULARLY FOR FOLKS IN SOUTH EAST AUSTIN, HOW EASY IT WILL BE TO TIE INTO A BUNCH OF FUN ACTIVITIES. THE PROCLAMATION READS, FATHER AND FATHER FIGURES PLAY A VALUABLE ROLE IN THE LIVES OF CHILDREN, HELPING THEM DEVELOP PHYSICALLY, MORALLY INTO STRONG MEMBERS OF THE COMMUNITY WHEREAS FES FESTIVITAS IN DOVE SPRINGS BRINGS TOGETHER SCHOOLS, FAMILIES AND NEIGHBORHOODS TO HONOR FATHERS, AND WE'RE PLEASED TO JOIN RIVER CITY YOUTH FOUNDATION, FATHERS ACTIVE IN COMMUNITIES AND EDUCATION, FACE, THE SOUTHEAST COMMUNITY OF NEIGHBORHOODS, OR SCAN, THE AUSTIN POLICE AND FIRE DEPARTMENTS, THE CHURCH OF GLAD TIDINGS AND THE 78744 COMMUNITY YOUTH DEVELOPMENT PROGRAM IN SALUTING DADS. SO NOW THEREFORE I, MAYOR WILL WYNN, DAD AND FATHER OF THE AUSTIN, FATHER AND MAYOR OF THE AUSTIN, SORRY, CAME OUT WRONG, THAT WOULD BE A SLIP, PROUD FATHER OF TWO GIRLS, DO HERE BY PROCLAIM JUNE 9, 2007, AS THE 7TH ANNUAL FATHER'S DAY RALLY AND . THANK YOU FOR JOINING KNEE ME IN ENCOURAGING THE COMMUNITY MEMBERS. WE'LL HEAR FROM MONA GANS LEST. THANK YOU.

THANK YOU, MAYOR AM WE DELIGHTED TO BE HERE. WHO WOULD HAVE THOUGHT WHEN WE FIRST STARTED THIS EVENT SEVEN YEARS AGO THAT IT WOULD BE SUCH A CHERISHED TRADITION IN AUSTIN. WHO WOULD HAVE THOUGHT THAT SO MANY PEOPLE WOULD RECEIVE HEALING FROM BEING INVOLVED IN SOMETHING LIKE THIS. A PARADE, A SIMPLE PARADE THAT BRINGS TOGETHER PEOPLE TO CELEBRATE THE IMPORTANCE OF FATHERS IN OUR LIVES. WHO WOULD HAVE THOUGHT. BUT HERE WE ARE ABOUT TO



CELEBRATE OUR SEVENTH ANNUAL FATHERS DAY RALLY AND PARADE IN DOVE SPRINGS. AND WITH ME TODAY ARE SOME REALLY WONDERFUL PEOPLE FROM THE AREA, INCLUDING THE WINNER, THE TOP WINNER, OF OUR FATHERS ESSAY CONTEST. EACH YEAR WE HAVE A CONTEST IN OUR COMMUNITY, THROUGHOUT THE SCHOOLSMENT WE HAVE A PANEL OF JUDGES, AND THEY HAVE SELECTED MARTA HERNANDEZ AS THE TOP WINNER IN OUR COMMUNITY AND SHE IS HERE WITH HER WHOLE FAMILY TODAY, DEMONSTRATING THE LOVE OF A CHILD FOR HER FATHER, THE IMPORTANCE OF THE FATHER IN HER LIFE, HELPING HER TO MAKE DECISION DECISIONS THAT ARE GOOD EACH AND EVERY DAY AS SHE PREPARES FOR COLLEGE AND CAREER, EVEN THOUGH SHE IS ONLY IN FOURTH GRADE. SO, I ASKED HER IF SHE WAS COMFORTABLE SAYING SOMETHING ABOUT HER DAD, AND SHE VERY BRAVELY SAID YES. SO I AM GOING TO ASK MATA TO JOIN ME UP HERE.

. OKAY.

YOU WROTE A BEAUTIFUL ESSAYS THAT SO IMPRESSED THE JUDGES THAT THEY SELECTED YOU AS THE TOP WINNER. TELL US WHAT IT IS THAT YOU SAID ABOUT YOUR DAD.

WELL, HE TAKES CARE OF ME CRnRF DAY HE GETS ME PREPARED TO STUDY. STUDY.. HE HELPS ME TO GET EVERY ASSIGNMENT RIGHT.

AND YOU LOVE HIM.

AND I LOVE HIM.

AND SHE DOES LOVE DADDY.

(APPLAUSE)

WINNER . SENORA.

I'D LIKE TO INTRODUCE MAT MATA'S FATHER.  
(CONVERSATION IN SPANISH)

MATA, AND HE IS ENCOURAGING EVERYONE TOO, IT'S ALL

ABOUT LOVE, RESPECT AND ALSO UNDERSTANDING  
BECAUSE MR. HERNANDEZ, YOU TOLD ME THAT YOU EVERY  
DAY WANT TO KNOW EVERYTHING THERE IS TO KNOW  
ABOUT WHAT YOUR CHILDREN ARE GOING THROUGH. YOU  
WANT TO BE THEIR FRIEND, YOU TOLD ME.

SI (SPEAKING IN SPANISH)

I'D LIKE TO THANK BOTH OF YOU FOR SHARING WITH OUR  
COMMUNITY ABOUT THIS IMPORTANT ROLE NOT ONLY OF  
THE FATHER BUT ALSO OF THE CHILD. THANK YOU BOTH .  
LET'S GIVE THEM A ROUND OF APPLAUSE.

(APPLAUSE)

I WANT YOU TO KNOW THAT I KNOW THAT A LOT OF THE  
CHILDREN IN OUR COMMUNITY, THEY DON'T HAVE THEIR  
DAD. A LOT OF US, OUR DADS ARE NO LONGER IN OUR LIVES  
FOR DIFFERENT REASONS. SO AT THIS EVENT THIS YEAR  
FOR THE FIRST TIME, WE ARE GOING TO HAVE A VERY  
SPECIAL COMMEMORATION OF ALL THE DADS JUST NOT  
WITH US ANYMORE AND WE ARE GOING TO HAVE A MOMENT  
OF SILENCE AND WE WILL BE RELEASING SOME DOVES. I  
WANT TO ENCOURAGE ALL OF YOU TO JOIN US AT THIS  
SPECIAL EVENT. THE FATHER KIDS SOCCER GAME STARTS  
AT MENDEZ MIDDLE SCHOOL AT NINE O'CLOCK. WE ARE  
GOING TO PLAY TOGETHER AND FOLLOWED BY THE PARADE  
WHICH STARTS AT 10:30 ACROSS THE STREET AT THE DOVE  
SPRINGS LIBRARY. IT'S A VERY SHORT PARADE. IT'S ONLY  
ABOUT FOUR OR FIVE BLOCKS LONG. BUT IT'S UPHILL. THEN  
WE'RE GOING TO HAVE THE BIG RALLY AT THE RIVER CITY  
YOUTH FOUNDATION. WE'LL HAVE ALL KINDS OF FUN GAMES  
AND ALL KIND OF WONDERFUL THINGS. WE WILL BE  
CROWNING THE DAD OF THE YEAR, MR. HERNANDEZ,  
ACTUALLY GETS TO WEAR A CROWN. AND MATA IS GOING TO  
GET TO WEAR A PRINCESS CROWN AND THEY WILL GET TO  
RIDE, WE ARE HOPING, IN THE FIRE TRUCK. TO BY, IS THAT  
OKAY? YOU HEARD IT. THEY WILL GET TO BE THE GRAND  
MARSHALS OF THE PARADE PARADE. WE ALSO HAVE SOME  
OTHER WINNERS RECOGNIZED AND THEY ARE NOT HERE  
BUT I WANT TO RECOGNIZE VIRIANA MARRED NEST AND  
BRANDA, ALSO BELISA DASEAND MS. TORSI. THEY ARE  
WINNERS AND THEIR DADS WILL BE THERE. WE INVITE

EVERYONE TO COME AND CELEBRATE WITH US. IF YOU CAN'T MAKE IT, CELEBRATE WHEREVER YOU ARE BECAUSE IF THE FATHERS ARE POSITIVELY INVOLVED AND THEY ARE ACTIVE, OUR CHILDREN WILL EXPERIENCE SUCCESS. THE RESEARCH BACKS IT UP. RIGHT? THEY GO TO SCHOOL, THEY DO WELL, THEY GO TO COLLEGE, THEY SUCCEED. THAT IS THE LEAST THAT WE CAN DO FOR THEM, ISN'T IT? SO YOU'RE LOOKING AT THE BANNER, THE ANNUAL FATHERS RALLY AND PARADE, SATURDAY. WHAT DAY? JUNE 9. RIGHT? NOT SUNDAY, BUT SATURDAY. AND BOY ARE WE GOING TO HAVE FUN. SO COME ON OUT. LEAVE YOUR POCKETBOOKS AT HOME BECAUSE THIS IS TOTALLY FREE. THANK YOU ALL SO MUCH FOR ALLOWING US SOME TIME TO SHARE WITH YOU. THANK YOU.

(APPLAUSE).

MAYOR WILL WYNN: FOR MY FINAL APPEARANCE HERE, ACTUALLY A DISTINGUISHED SERVICE AWARD FOR MR. BOB KAHN, JOINED BY CITY MANAGER TOBY FUTRELL AND JUAN GARSA FROM AUSTIN ENERGY. I'LL READ THE DISTINGUISHED SERVICE AWARD AND I SUSPECT TOBY AND JUAN WOULD LIKE TO SAY A FEW WORDS AND THEN WE'LL HEAR FROM BOB. THE AWARD READS, FOR HIS DILIGENT SERVICE AND DEDICATION TO THE CITIZENS OF AUSTIN DURING HIS 16 YEAR CAREER WITH THE CITY, BOB KAHN DESERVING THE PUBLIC ACCLAIM. HE JOINED AUSTIN ENERGY AS A SENIOR ATTORNEY IN SEPTEMBER 1985, WORKED THREE YEARS LATE TOR WORK IN PRIVATE PRACTICE AND RETURNED IN 199 1994. HE WAS NAMED VICE-PRESIDENT OF LEGAL SERVICES AND TWO YEARS AGO BECAME DEPUTY GENERAL MANAGER OF ADMINISTRATIVE SERVICES. BOB HAS PLAYED A KEY ROLE IN THE OPERATION OF AUSTINEN GUY BY PROVIDING DEDICATED LEADERSHIP, EXPERIENCE, AND ASSISTANCE ON A WIDE VARIETY OF FRONTS. HE HAS ALSO BEEN A GREAT SERVICE TO ALL MUNICIPALLY OWNED ELECTRIC UTILITIES IN TEXAS BY SAFEGUARDING OUR INTERESTS AT THE LEGISLATURE ESPECIALLY THERE DRAFTING LEGISLATION THAT IMPLEMENTING RETAIL DE DEREGULATION IN THE STATE YET ALLOWING FOR MUNICIPALLY OWNED AND COOPERATIVELY OWNED ELECTRIC UTILITIES TO REMAIN IN BUSINESS. THE CERTIFICATE IS PRESENTED IN ACKNOWLEDGMENT AND

APPRECIATION IN JUNE 2007, THE AWARD FOR MR. BOB KAHN.

(APPLAUSE).

SIXTEEN YEARS WITH THE CITY, MOVING ON TO GREENER PASTURES. I COULD GO ON AND ON AND ON ABOUT THE PROFESSIONAL ACCOMPLISHMENTS OF BOB BUT INSTEAD I THINK I WANT TO SHARE JUST A FEW PERSONAL NOTES THAT HIS PEERS AND COWORKERS WANTED YOU JUST TO KNOW ABOUT BOB TO PUT A HUMAN FACE ON BOB. YOU MAY NOT KNOW BUT BOB IS A BLINDLY LOCALLY CLEVELAND FAN, THE BROWNE, INDIANS, HERES, ALL OF THEM. DANGEROUS FOR BOB PARTICULAR PARTICULARLY IN THE PLAYOFFS HE IS IN THE WRONG TERRITORY BUT HE HAS HOLD UP WELL. YOU KNOW, BOB IS A VERY PRUDENT MAN. HE MAY NOT LOOK IT BUT HE LIKES HOT CARS, I'M TOLD CARS REALLY FAST, SPORTS CARS, BOB YOU HAVE A BRAND NEW LEXUS SPORTS CAR ?

MY WIFE MADE ME GET IT.

UH-HUH. I KNEW I SHOULD HAVE WATCHED THE MARKET STUDIES. YOU KNOW THE LAST ONE IS SO LOVINGLY WRITTEN. BOB IS A BOTTOM LINE GUY. I HONESTLY, I LOVE PEOPLE WHO DEBT TO THE BOTTOM LINE. BOB IS THE MOST DIRECT PERSON I KNOW. SO DIRECT HE NEVER BEATS AROUND THE BUSH. I'M GOING TO READ THIS QUOTE TO YOU, AND I SAY THIS WITH GREAT LOVE. COME ON, I HAVE TO HOLD YOU WHILE I SAY THIS. ALL RIGHT. SOMEONE WROTE, NEVER BEATS AROUND THE BUSH, SOMETIMES IT'S UNCOMFORTABLE WHEN HIS STYLE OVERWHELMS HIS SOCIAL SKILLS.

CHUCK .

.

(LAUGHTER.)

LOVES TO PLAY POKER, A VERY GOOD PLAYER. THE MAN HAS A POKER FACE. MY FAVORITE, HE IS HAD A SERIOUS SCOTCH WHISKEY DRINK DRINKER, HE CAN DISCUSS SINGLE

MALT LIKE A PROFESSIONAL. THIS MAN HAS BEEN A TREMENDOUS ASSET FOR THE CITY, PLAYING A KEY LEADERSHIP ROLE IN THE UTILITY INDUSTRY IN THE STATE, AND HE IS GOING ON TO A VERY IMPORTANT ROLE IN THAT INDUSTRY IN THE STATE, WE SHOULD BE EXTRAORDINARILY PROUD THAT HE SPENT YEARS HERE IN THE CITY OF AUSTIN LENDING HIS EXPERTISE AND TALENT TO THE CITY. I'M PROUD AND PLEASED THAT WE HAD HIM FOR THE TIME WE DID. WE'RE VERY FORTUNATE TO HAVE HAD THIS KIND OF TALENT AND SKILLS WITH US. THANK YOU, BOB.

(APPLAUSE)

AND JUAN, I KNOW YOU WANT TO SAY SOMETHING BEFORE WE LET BOB GET TO THE MICROPHONE.

I'M NOT GOING TO POKE FUN FUN. AFTER THAT PERFORMANCE, I AIN'T GOING TO TRY. LET ME JUST GET SERIOUS A LITTLE. YOU ALL KNOW I'VE WORKED, FOLKS THAT KNOW ME, I WORKED FOR FOUR DIFFERENT CITIES, THE FOURTH CITY, AND EVERY ONE THAT I WORKED WITH HAS ITS FAIR SHARE OF STARS WORKING FOR THEM. BUT I HAVE FOUND AN ABUNDANCE OF PEOPLE WORKING FOR AUSTIN THAT I CALL TREASURES BECAUSE THAT IS THE ONLY WAY THAT YOU CAN DESCRIBE THEM. WARREN CHEW, TOBY FUTRELL, JOHN STEVENS, VICKY SHOE BETTER, MELISSA WEST HORN WHO WORKS FOR ME, FOLKS WHO DEDICATED THEIR TIRE CAREERS TO THE CITY AND ARE BRILLIANT AT WHAT THEY DO. PROBLEM IS ONE OF THOSE STARS. I AM GOING TO MISS HIM AND AS MUCH AS I HATE LISTENING, I AM SO VERY PROUD OF HIM BECAUSE I THINK BY THEIR ACTION THEY VALIDATE THE QUALITY AND CALIBER OF EMPLOYEE THAT WE HAVE WORK FOR THE CITY OF AUSTIN AND I THINK HE IS GOING TO DO GREAT.

(APPLAUSE)

SIX STEEN YEARS IS A LONG TIME. THE CITY OF AUSTIN AND AUSTIN ENERGY HAS BEEN LINING A FAMILY THE ME AM I'M GOING TO MISS WORKING HERE. I CAN TRULY SAY THERE HASN'T BEEN ONE DAY WHEN I DIDN'T GET UP AND TRULY LOOK FORWARD TO COMING TO WORK FOR AUSTIN ENERGY AND THE CITY AND TACKLING ISSUES WE'RE FACING. I

ENJOYED EVERY DAY THAT I WORKED HERE. THANK YOU  
VERY MUCH. I'LL MISS YOU ALL.

(APPLAUSE)

I HAVE A PROCLAMATION HERE TODAY TO TALK ABOUT  
ENTERTAINMENT RATINGS AND LABELING AWARENESS  
MONTH, WHICH IS THE MONTH OF JUNE. THIS IS AN  
IMPORTANT TOPIC FOR ME FOR A NUMBER OF REASONS.  
FIRST OF ALL, IT REALLY TALKS ABOUT THE IMPACT THAT  
MEDIA VIOLENCE HAS ON CHILDREN AND AS THEY GROW UP  
AND DEVELOP. AND SEE ALL THESE IMAGES ON TELEVISION,  
HOW IT FRAMES THEIR MIND, THEIR PSYCHE. I THINK IT'S  
VERY IMPORTANT THAT WE DO WHAT WE CAN TO RAISE  
AWARENESS NATIONALLY ON THIS IMPORTANT TOPIC,  
ESPECIALLY FOR PARENTS AND EDUCATORS AND  
COMMUNITY LEADERS. IT'S SOMETHING THAT I THINK IS  
GETTING MORE ATTENTION AS WE LOOK AT VIDEOGAMES  
AND U TUBE AND ALL THE DIFFERENT FORMS OF IMMEDIATE  
YARKS SEEMS THAT OUR CHILDREN ARE BEING BOMBARDED  
BY VERY NEGATIVE AND VIOLENT IMAGES AND I THINK WE  
NEED TO DO SOMETHING ABOUT IT. I HAVE A PROCLAMATION  
TO ANNOUNCE THE AWARENESS MONTH MONTH. AND  
MAYBE WE CAN HAVE YOU SAY A FEW WORD WHEN I'M DONE  
DO. BE IT KNOWN THAT WHEREAS AVERAGE MEN YOUTH  
SPEND MORE THAN 45 HOURS A WEEK EXPOSED TO TV,  
FILM, INTERNET AND MUSIC AND WILL WITNESS IN IT  
VIOLENT INCIDENTS AND KILLINGS THROUGH THESE MEDIA  
AND WHEREAS SCIENTIFIC STUDY AND NUMEROUS EXPERTS  
CONCLUDE MEDIA VIOLENCE INCREASES LEVELS OF  
AGGRESSION AND CAN LEAD THEM TO VIEW IT AS AN  
ACCEPTABLE MEANS OF SETTLING CONFLICTS, AND  
WHEREAS BECAUSE OF THE HEALTH AND WELFARE OF OUR  
CHILDREN IS IMPORTANT, WE ENCOURAGE PARENTS TO  
TAKE A MORE ACTIVE ROLE IN MONITORING THE TYPE OF  
MEDIA TO WHICH CHILDREN HAVE ACCESS AND LEARN  
ABOUT ESTABLISHED RATING SYSTEMS. THEREFORE I,  
MAYOR WILL WYNN DO HERE BY PROCLAIM JUNE 2007 AS  
ENTERTAINMENT RATINGS AND LABELING AWARE  
AWARENESS MONTH. SIGNED BY THE MAYOR. DO YOU WANT  
TO SAY A FEW WORDS?

(APPLAUSE)

HONORABLE MAYOR AND COUNCIL MEMBERS AND THOSE PRESENT, PARENTS AGAINST MEDIA VIOLENCE WANT TO THANK YOU FOR THE PRO CLAIMATION AND SUPPORT OF ISSUES CONNECTED WITH CHILDREN AND PARENTS IN THE AUSTIN COMMUNITY. SPECIAL THANKS TO COUNCIL MEMBER GENERAL FOR FOR-- FOR--JENNIFER KIM FOR HELPING US TO BRING THIS ISSUE TO LIGHT HERE IN AUSTIN. PARENTS AGAINST MEDIA VIOLENCE IS A NONPROFIT ORGANIZATION AND THE SOLE OBJECTIVE IS TO CREATE AWARENESS AMONG PARENTS AND CHILDREN ABOUT ADVERSE HEALTH IMPACTS OF VIOLENT CONTENT IN MEDIA TARGETED AT CHILDREN. I'M GOING TO GIVE YOU A COUPLE OF STATISTICS. ACCORDING TO THE AMERICAN ACADEMY OF PEDIATRIC, AVERAGE AMERICAN CHILDREN SPEND SIX HOURS 24 MINUTES EVERY DAY ON MEDIA. MEDIA IS NOT ONLY TELEVISION TELEVISION. MEDIA INCLUDES VIDEO GAMES, INTERNET, HANDHELD, MUSIC, OTHER ELECTRONICS. IT'S BEEN SAID OUR CHILDREN ARE LIVING IN TIMES WHEN THEY SPEND MORE TIME ON MEDIA THAN SCHOOL. ACCORDING TO SOME OF THE REPORTS THAT ARE AVAILABLE, 40 PERCENT OF THE MEDIA CONTENT TARGETED AT CHILDREN ARE VIOLENT. SO FIGURE. THINK OF IT. SIX HOURS, 40 PERCENT, TWO AND A HALF HOURS ALMOST OF MEDIA THAT IS VIOLENT. YOU KNOW, CHILDREN ARE AWAKE 12 HOURS OF WHICH TWO AND A HALF HOURS ARE EXPOSED TO VIOLENCE. SINCE 2001 THIS CHAPTER OR THIS ORGANIZATION HAS BEEN WORKING TOWARDS CREATING AWARENESS AMONG PARENTS AND CHILDREN, ORGANIZING PROGRAMS TO INCLUDE MEDIA REHAB AND OTHER INITIATIVES, PLUS RUN AGAINST MEDIA VIOLENCE EVENTS IN OTHER CITIES. WE ARE PLANNING A FIRST RUN HERE IN AUSTIN IN THE FALL, AND WE WILL OF COURSE MAKE SURE THAT, YOU KNOW, DO AS MUCH PUBLICITY SO PEOPLE CAN PARTICIPATE IN IT. ON BEHALF OF THIS CHAPTER, I ONCE AGAIN THANK THE MAYOR, JENNIFER KIM, COUNCIL PERSON AND COUNCIL MEMBERS FOR THE PROCLAMATION AS WELL AS PROVIDING THE OPPORTUNITY TO SPEAK ABOUT OUR OBJECTIVES IN HELPING CHILDREN AND PARENTS IN THE COMMUNITY OF AUSTIN. THANK YOU VERY MUCH.

(APPLAUSE). (APPLAUSE).. . . ( CHANGING CAPTIONER). TEST

TEST VICKREY BONIUK TINA TINA TINA BUOY TINA BUI TINA  
BUOY BLANK HIND T SAL MAN SAUL MAN NED MCDANIEL  
PETER BARLIN BRYANT COLMAN COLMAN LOZANO SHANCH  
WEB ESTATES LONGARO AND CLARK WEB BONY EERJ HE IS  
BO NERJ HE IS BONE EERJ DINE PEN BROCK DINEPENBROK  
JULIA SCHLEBER JULIA CELEBBER

THERE BEING A QUORUM PRESENT AT THIS TIME I'LL CALL  
BACK TO ORDER THIS MEETING OF THE AUSTIN CITY  
COUNCIL. APOLOGIZE FOR THE DELAY. WE'VE HAD SOME  
ISSUES. IF I REMEMBER CORRECTLY, MR. WEST HOAFN WE  
HAD TWO CASES TO TAKE UP.

I BELIEVE WE HAVE JUST ONE.

OKAY. ITEM NO. 90,.

THIS CASE IS CASE C 14-07-0011, LOCATED AT 4405, 4407 AND  
4411 RUSSELL DRIVE. THE EXISTING ZONING IS MULTIFAMILY  
AND DENSITY 3, LO LIMITED OFFICE ZONING. REQUEST IS TO  
CS COMMERCIAL SERVICES ZONING. THE STAFF  
RECOMMENDATION IS TO APPROVE WITH A TRIP LIMITATION  
OF 300 TRIPS. THE ZONING AND PLANNING COMMISSION  
RECOMMENDATION WAS DENIAL OF THE ZONING TO LEAVE  
THE LO ZONING THERE. THE REASON THE STAFF IS  
REQUESTING AN LR CATEGORY IS WE FEEL IT'S MORE  
APPROPRIATE GIVEN THE EXISTING LAND USES IN THE AREA  
AND THE REASON WE ARE RECOMMENDING THE 300 TRIPS IS  
BECAUSE THE NEIGHBORHOOD TRAFFIC ANALYSIS WAS  
PERFORMED BY THE STAFF AND RUSSELL DRIVE WAS  
CONSIDERED TO BE ABOVE DESIRABLE OPERATING LEVEL.  
THEREFORE WE RECOMMENDED A CAP OF 300 TRIPS. THE  
APPLICANT IS IN AGREEMENT WITH THE STAFF  
RECOMMENDATION OF LR-MU-CO. HOWEVER THEY WOULD  
PREFER THAT THE TRIP BE ESTABLISHED AT 500 RATHER  
THAN 300 TRIPS. THE PROPOSED USE FOR THE EXISTING  
STORE THAT IS THERE RIGHT NOW WOULD BE FOR A PAINT  
STORE. HOWEVER, THAT STORE HAS NOT OPENED UP YET  
BECAUSE THEY DO NOT HAVE THE CORRECT ZONING AND  
WE DO HAVE SOME NEIGHBORHOOD OPPOSITION TO THIS  
CASE. I'M AVAILABLE IF YOU HAVE ANY QUESTIONS.

MAYOR WYNN: THANK YOU. QUESTIONS OF STAFF,



COUNCIL? IF NOT, THEN WE WILL CONDUCT OUR PUBLIC HEARING IN CASE NO. 90, AND WE'LL WELCOME THE APPLICANT AND OR AGENT.

GOOD EVENING MAYOR, COUNCIL MEMBERS. MY NAME IS DEAN THOMAS RESPECT VICKREY AND ASSOCIATE ASSOCIATES. I'M WITH THE OWNER. I HAVE THE OWNER AND PROPOSED TENANT SO IF THERE ARE QUESTIONS WE'LL BE ABLE TO ANSWER THOSE. TO GIVE A BRIEF HISTORY THIS SITE IS LOCATED, AS I SAID, ON RUSSELL DRIVE. IT'S IMMEDIATELY ADJACENT TO THE SOUTH WOOD SHOPPING CENTER. THE OWNER OF THESE LOTS ALSO OWNS THE SHOPPING CENTER AND THEY DO SHARE A PARKING LOT AND OTHER ACCESS POINTS FROM BEN WHITE, RUSSELL DRIVE AND SEVERAL OTHER STREETS. THE BUILDING HAS BEEN THERE SINCE 1977. THERE'S BEEN SEVERAL OTHER USES. CURRENTLY THEY'RE JUST TRYING TO PUT THE PAINT STORE THERE BUT THE ZONING DOESN'T ALLOW IT AT THIS POINT. THERE ARE SOME OPPOSITION FROM THE NEIGHBORHOOD AND THE PLANNING COMMISSION AS FAR AS PUTTING THE RETAIL USE ADJACENT TO THE SINGLE FAMILY RESIDENCES BUT AS YOU CAN SEE FROM THE PHOTO THE SINGLE FAMILY HOME ADJACENT IS ALSO ADJACENT TO THE SHOPPING CENTER, WHICH IS ZONED GR AND CS AND IN THIS INSTANCE THE NEIGHBORHOOD RETAIL THAT THE STAFF RECOMMENDED, WE TALKED WITH THE NEIGHBORHOOD ASSOCIATIONS, WE TALKED WITH THE STAFF AND FELT LIKE WE COULD -- WE COULD WORK WITH THE MORE RESTRICTIVE ZONING AND IT JUST APPEARED THAT IN THIS INSTANCE THE NEIGHBORHOOD RETAIL IS NOT ASKING TOO MUCH IN THIS INSTANCE, AND ACTUALLY MAKES MORE SENSE THAN THE MF-3 AND LO THAT..... THAT IS CURRENTLY ZONED FOR. I DO HAVE THE ZONING MAP THAT YOU CAN SEE. I PUT THAT UP. YOU CAN SEE ON THE TRACTS THAT ONLY A SMALL PORTION OF THE -- LOTS 5 AND 6 WHERE THE EXISTING BUILDING IS IS ZONED MF-3. THE REMAINDER IS ZONED LO. THE OWNER THAT OWNS THE SHOPPING CENTER AND THE LOTS HAS MADE A LOT OF IMPROVEMENTS TO THE SHOPPING CENTER. HE'S TRIED TO BE A GOOD NEIGHBOR TO THE FOLKS OUT HERE. YOU CAN ASK ANY OF THE -- ANY OF THE PEOPLE THAT LIVE IMMEDIATELY ADJACENT. HE, YOU KNOW, WORKS WITH

THEM, FIXING FENCES, TRIMMING TREES. ANYBODY THAT'S BEEN BY THAT SHOPPING CENTER SINCE HE'S TAKEN IT OVER CAN SEE THE IMPROVEMENTS THAT HAVE BEEN OUT THERE FROM WHAT IT WAS AT ONE POINT. THESE ARE MODEST FAMILY HOMES AROUND HERE. THIS ISN'T THE HOTTEST PART OF TOWN, BUT THE OWNER HAS DONE A LOT OF IMPROVEMENTS IN MAKING THINGS BETTER OUT THERE AND REALLY FEELS LIKE THE PAINT STORE AND SOME OF THE OTHER TENANTS THAT HE'S BRINGING IN ARE MAKING A POSITIVE IMPACT RATHER THAN A NEGATIVE ONE IN THIS INSTANCE. THE NEIGHBORHOOD'S CONCERNS OVER TRAFFIC ARE SOMEWHAT, WE BELIEVE, UNFOUNDED IN THIS INSTANCE THE PAINT STORE PRIMARILY INDICATORS TO WHOLESALE PAINTERS AND NOT RETAIL, ICI PAINT COMPANY, NORMAL DOES THEIR RETAIL OUTLETS THROUGH HOME DEPOTS AND THOSE TYPES. THESE ARE PRIMARILY PROFESSIONAL PAINTERS THAT COME IN TO PICK UP LARGE QUANTITIES OF PAINT OR FOR THE MOST PART HAVE THEM DELIVERED TO THE JOB SITE. SO IT'S NOT A LOT OF WALK IN TRAFFIC. WE'RE NOT TALKING ABOUT AN INTENSIVE RETAIL USE HERE. THE OWNER DOES KEEP MANAGEMENT ON-SITE THAT KEEPS THE LOIT RING DOWN. THERE WERE ISSUES ABOUT DAY LABORERS OR THERE WOULD BE LOITERING. THEY WORKED HARD TO IMPROVE THE LOOK OF THE SHOPPING CENTER IN THE WHOLE AREA AND HE IS ADAMANT ABOUT KEEPING LOITERING AWAY FROM THE PROPERTY AND WOULD ENFORCE THOSE ORDINANCES. OTHER ITEMS THAT WE WOULD LIKE TO BRING TO YOUR ATTENTION ARE THE FACT THAT THE TRIP COUNT IS RIGHT NOW CONSIDERING TO BE ALL IN AND OUT OFF OF RUSSELL DRIVE WHEN, IN FACT, THE SITE DOES HAVE ACCESS TO BEN WHITE FROM THE PARKING LOT OF THE SHOPPING CENTER. SO WE DON'T FEEL LIKE AN INCREASE IN TRIPS PER DAY FROM 300 TO 500 IS UNREASONABLE CONSIDERING THAT NOT EVERY TRIP WILL GO ONTO AND OFF OF RUSSELL DRIVE. HE'S GOT ACCESS THROUGH BEN WHITE AND AS YOU CAN SEE THERE ARE FIVE STRAINTS THAT ADJOIN OR CONNECT TO THE SHOPPING CENTER. A LOT OF THE NEIGHBORHOOD USES THIS AS A CUT THROUGH OR A WAY TO CONNECT BETWEEN OTHER AREAS IN THE NEIGHBORHOOD AT PRESENT. AND SO A LOT OF THE TRAFFIC THAT WOULD BE COMING TO THE SITE WOULD BE

COMING OFF OF BEN WHITE AND NOT SPECIFICALLY OFF OF RUSSELL DRIVE AND INCREASING THE TRAFFIC IN THAT AREA. THAT'S PRETTY MUCH ALL I HAD THERE. THIS IS AN OVERALL. YOU CAN SEE WHERE THE SITE IS IN RELATION TO THE SHOPPING CENTER AND ALSO THE STREETS THAT WE TALKED ABOUT THAT JOIN THE SITE, AND IF YOU CAN SHOW THE CLOSE-UP, IF WE HIT THAT ONE, THIS GIVES YOU A BETTER VIEW OF THE -- THE SITE IS IN THE LOWER CENTER THERE. THAT'S THE EXISTING BUILDING. AS WE SAID, WE'RE NOT PLACING A NEW BUILDING. WE'RE JUST CHANGING FROM THE LO THAT'S BEEN THERE. IT'S BEEN LAND USES OF CHURCHES. IT WAS A CONSTRUCTION SAFETY TRAINING CENTER FOR ONE POINT. WE'RE NOT CHANGING THE BUILDING OR ANY OF THE PARKING OR ANYTHING. IT'S JUST A LAND USE CHANGE THAT THEY'RE REQUESTING, AND I'LL WRAP IT UP WITH THAT AND BE ABLE TO ANSWER ANY QUESTIONS IF YOU HAVE THEM AFTER.

MAYOR WYNN: THANK YOU, MR. THOMAS. QUESTIONS FOR THE AGENT, COUNCIL? COMMENTS? THANK YOU, SIR. SO THEN WE'LL HEAR FROM FOLKS IN OPPOSITION. WE NORMALLY HEAR FROM FOLKS IN SUPPORT. THERE ARE NONE. THEN WE'LL HEAR FROM FOLKS IN OPPOSITION. MS. BETTY EDGE MAN. BETTY, APPRECIATE YOUR PATIENCES, AND YOU'LL BE FOLLOWED BY GUADALUPE SOSA.

MY NAME IS BETTY EDGE MAN. MY GRANDSON HAD THIS SHIRT MADE FOR ME AND IF YOU DON'T REMEMBER IT'S WRITTEN ACROSS THERE WITH HIS FOOTBALL NUMBER. HE'S ONLY CHANGES..... 12 AND HE CHANGES TEAMS QUITE A BIT SO I THOUGHT I'D BETTER GET WEAR OUT OF THE SHIRT WHILE I COULD. I AM IN OPPOSITION TO ANY CHANGES THAT WOULD BRING MORE TRAFFIC INTO THIS NEIGHBORHOOD. I WOULD -- I GUESS I COULD MAKE THIS SHORT AND SWEET AND SAY PLEASE UPHOLD ZAP'S DENIAL BECAUSE THAT'S THE ONLY WAY I CAN LOOK AT IT. I THINK THIS NEIGHBORHOOD IS GOING TO CHANGE OVER THE YEARS, BUT RIGHT NOW WE HAVE GOOD MODEST HOMES, LIKE THE PERSON SAID, AND I WILL TELL THEM, ONE THING, THE APPLICANT'S AGENT. WHENEVER A NOTIFICATION IS SENT OUT AND WHENEVER THEY GO AND FILE A CASE THAT IS COVERED BY OUR UMBRELLA, THE NUMBER ONE NUMBER ON THE TOP IS ALWAYS MINE. THE COMMUNITY

ASSOCIATION, SO HE NEVER CALLED ME. I NEVER KNEW WHAT HE LOOKED LIKE UNTIL HE WENT TO PLANNING COMMISSION, NEVER MADE ANY ATTEMPT TO TALK WITH ME, AND IF WE DIDN'T -- SOME PEOPLE HERE TONIGHT DIDN'T KNOW WHAT HE LOOKED LIKE BECAUSE THEY HAD NEVER SEEN HIM BEFORE. HE HAD NEVER COME TO A MEETING OR ANYTHING. SO I WOULD ASK THAT YOU UPHOLD ZONING AND PLANNING ON THE 300.....ON THE 300 TO 500 THAT MAY NOT SO MUCH OF A PROBLEM, BUT TO UPHOLD THE ZONING AND PLANNING DENIAL. THANK YOU.

MAYOR WYNN: THANK YOU, MS. EDGEMAN. GUADALUPE, SOSA. IS JENNIFER THOMAS IN THE ROOM? OR HOW ABOUT ROBERTO CARDENAS? YOU HAVE TO THREE MINUTES IF YOU NEED IT, MIST SOSA.

GOOD EVENING, CITY COUNCIL MEMBERS. MY NAME IS GUADALUPE SOSA AND I'M HERE TO SPEAK TO OPPOSITION TO THE CHANGE IN ZONING TO C 14-07-0011 ON PROPERTIES LOCATED AT 4405, 4407 AND 4411 RUSSELL STREET. WHY? I LIVE ABOUT FOUR OR FIVE BLOCKS FROM THE SUBJECT PROPERTY. I MOVED TO THAT LOCATION WHEN THE NEIGHBORHOOD WAS STILL CONSIDERED FAR SOUTH AUSTIN. TODAY WE'RE PRACTICALLY PART OF DOWNTOWN AUSTIN. I HAVE LIVED IN THE SAME HOUSE FOR OVER 30 YEARS AND HAVE SEEN SOME CHANGES IN OUR AREA, BUT MOSTLY OUR LITTLE NEIGHBORHOOD IS STILL A QUIET LOVELY PLACE TO LIVE IN AND RAISE A FAMILY, AND WE WANT TO KEEP IT THAT WAY. THE ZONING THAT IS MENTIONED IS INCOMPATIBLE WITH OUR NEIGHBORHOOD WHICH IS MADE UP OF MOSTLY SINGLE FAMILY RESIDENCES. WE HAVE MANY CHILDREN WALKING ON BEN WHITE TO SCHOOL. IN THE DESIGNATION, INCREASING TRAFFIC WILL ADVERSELY IMPACT THE SAFETY AND THE WELL-BEING OF THE CHILDREN. THE TRAFFIC NEAR RUSSELL IS ALREADY TWICE AS MUCH AS RECOMMENDED -- AS ARE RECOMMENDED DENSITY FOR OUR COLLECTOR STREET OF ITS SIZE. THE PROPOSAL TO INCREASE THE TRAFFIC FROM 2500 TRIPS TO 4500, OR EVEN 5,000 TRIPS IS UNACCEPTABLE. WE NEED TO REDUCE IT TO 1200, WHICH IS WHAT IT NEEDS TO BE. IF ANYTHING NEEDS TO BE CHANGED IN WHAT USED TO BE SOUTH WOOD MALL IS THE IMPERVIOUS COVER. CURRENTLY IT SEEMS TO BE 100%. THERE'S HARDLY ANY

GRASS OR TREES AND VERY LITTLE LANDSCAPING ON THE PROPERTY. IT IS NOT A VERY ATTRACTIVE PLACE, AND IT COULD EVEN BE A MAGNET FOR CRIME IF ALLOWED TO -- BE DEVOID OF VEGETATION. I BEG YOU TO PLEASE NOT DO THAT TO OUR NEIGHBORHOOD. PLEASE DO NOT CHANGE THE ZONING DESIGNATION FOR THE SUBJECT PROPERTY. AND WE ARE NOT OPPOSED TO PROGRESS OR CHANGES IN ZONING. IT'S JUST THAT THE -- WE HAVE IN OUR NEIGHBORHOOD ASSOCIATION, WE HAVE THE VMU OVERLAY ON THIS PARTICULAR PROPERTY AND OUR NEIGHBORS, THE NEIGHBORHOOD MEMBERS ARE AMENABLE TO IT, BUT CONSIDERING THAT THE CURRENT ZONING DOES NOT CHANGE. THE NEIGHBORHOOD ASSOCIATION SUPPORTS PROGRESS BUT NOT -- DO NOT PROVIDE OR AUTHORIZE CS ZONING FOR THIS PARTICULAR PROPERTY OR ANY IN THE SOUTH WOOD MALL. THE SOUTH WOOD MALL PROVIDED A COMMUNITY SERVICE TO OUR NEIGHBORHOOD WHEN THEY WERE THERE BECAUSE THE ELDERLY POPULATION COULD WALK TO BUY GROCERIES AND OTHER NECESSITIES. CURRENTLY THERE'S NOT MUCH OF A SERVICE TO OUR NEIGHBORHOOD. SO I AM BEGGING YOU TO PLEASE DO NOT GRANT THE CHANGE IN ZONING. THANK YOU.

MAYOR WYNN: THANK YOU, MS. SOSA. ALSO FOR THE RECORD ACTION LOOKS LIKE DEBRA BEAN HAS SIGNED UP AVAILABLE TO ANSWER QUESTIONS, AND HAS A NEUTRAL POSITION. SO MR. THOMAS, YOU'RE WELCOME TO COME BACK AND GIVE US A -- ONE-TIME THREE MINUTE REBUTTAL.

IF I COULD, I'D LIKE TO GIVE MY THREE MINUTES TO THE OWNER OF THE PROPERTY, DAVID BONIUK. HE CAN SPEAK MORE.

MAYOR, CITY COUNCIL, I APPRECIATE BEING ABLE TO SPEAK WITH YOU TODAY. WE PURCHASED SOUTH WOOD MALL ABOUT 1989, IF I AM CORRECT, AND AT THAT TIME WE PURCHASED IT, IT WAS IN SERIOUS DECLINE. WATER WAS POURING INTO TENANT SPACES. TENANTS WERE FLEEING THE PROPERTY. BASICALLY IT WAS NOT BEING TAKEN CARE OF. WE HAVE MOVED IN AND REHABILITATED THE PROPERTY, FIXED IT UP, CHANGED THE LOOK. IT REALLY WAS IMPOSSIBLE TO FILL IT WITH RETAIL TENANTS GIVEN WHERE ALL OF THE RETAIL GROWTH HAS SHIFTED IN

AUSTIN, BUT WE TRIED TO DO THE BEST WE COULD TO PROVIDE TENANTS THAT DO PROVIDE SERVICES TO THE NEIGHBORHOOD. WE HAVE A GYM IN THERE THAT PROVIDES A PLACE FOR PEOPLE TO WORK OUT IN THE AREA. WE HAVE A.. A DIALYSIS CLINIC THERE. I'M SURE THAT THE PEOPLE THAT IN THE AREA THAT HAVE TO GO THERE FOR DIE.... DIALYSIS ARE GLAD IT'S CLOSE BY. WE HAVE A CHARTER SCHOOL ON THE PROPERTY THAT CERTAINLY PROVIDES SERVICE TO THE COMMUNITY. WE HAVE RADIOLOGICAL -- I COULD GO ON, BUT THE POINT BEING THAT WE'VE TRIED TO BE A GOOD NEIGHBOR AND TRIED TO COME UP WITH USES THAT ARE NOT OBJECTIONABLE TO ANYBODY. I DON'T THINK THAT ANYBODY CAN SAY THAT DURING OUR OWNERSHIP WE'VE REALLY HAD A USE THAT'S OBJECTIONABLE. THE SUBJECT WE'RE TALKING ABOUT TODAY HAS A BUILDING THAT'S BEEN IN EXISTENCE THERE FOR, YOU KNOW, 30 YEARS. IT HAS HAD A NUMBER OF USES. WE ARE IN AGREEMENT THAT A CS DESIGNATION IS NOT APPROPRIATE FOR THIS. WE WOULD CERTAINLY LISTEN TO THE STAFF RECOMMENDATION OF LR. AS FAR AS THE MU, THAT'S FINE WITH US TOO. THE LOCAL COMMUNITY HAD APPROACHED US PRIOR TO ANY OF THIS ABOUT HAVING AN MU DESIGNATION ADDED TO OUR PROPERTY, AND WE'RE GLAD TO DO THAT AND WORK WITH THEM IN THE FUTURE ABOUT SOME MIXED USES. THE ISSUE ABOUT THE NUMBER OF CARS PER DAY REALLY STEMS FROM THE FACT THAT WE'RE LOOKING AT THREE SEPARATE TRACTS HERE COMBINED IN THIS ZONING CHANGE. THERE IS VACANT TRACTS OF LAND -- I DON'T KNOW IF YOU STILL HAVE THAT TO PUT UP -- THERE ARE BETWEEN TWO BUILDINGS THERE, BASICALLY SAT VACANT FOR YEARS AND YEARS AND YEARS, 40 YEARS, 50 YEARS, I DON'T KNOW, HOWEVER LONG THEASES BEEN PLATTED. HAS TREES ON IT. NOBODY BOUGHT THOSE TRACTS. IT WAS ALLOWED TO GROW UP, GROW UP. WE NEVER COULD GET THE PROPERTY OWNERS TO TAKE CARE OF IT. WE ENDED UP DOING IT OURSELVES. WE ACQUIRED IT BECAUSE WE'RE THE NATURAL OWNER FOR THAT. NO ONE ELSE WAS GOING TO BUY THAT PIECE OF PROPERTY AND DO ANYTHING WITH IT. THEY'RE SURROUNDED BY US. SO WE BOUGHT IT WITH THE IDEA IT WOULD MAKE A GOOD ADDITION. THE DISTANCE DOWN RUSSELL DRIVE TO ANY OF THESE TRACTS IS VERY MODEST. I DON'T SEE THAT A CASE

COULD BE MADE THAT YOU'RE ADDING TRAFFIC BACK INTO THE COMMUNITY. RUSSELL DRIVE AS YOU GO BACKWARDS DOESN'T GO THROUGH TO ANYWHERE. IT GOES INTO THE COMMUNITY. YOU CAN CERTAINLY, YOU KNOW, TURN RIGHT ON RED OR -- AND GO OTHER PLACES, BUT IT'S NOT REALLY A THROUGH TRAFFIC KIND OF PLACE. ANYBODY THAT WOULD WANT TO COME TO THAT BUILDING AND LEAVE IS JUST GOING TO COVER A SMALL DISTANCE. ALREADY HAS COMMERCIAL ON EITHER SIDE. I SEE MY TIME IS UP BUT I'D JUST LIKE YOU TO CONSIDER THAT WE WOULD AGREE WITH THE STAFF RECOMMENDATION BUT THE USE -- THESE CARS PER DAY REALLY AREN'T ABOUT HOW MANY CARS PER DAY. IT'S LIKE A BOOK VALUE. THEY CALL A PAINT STORE, YOU KNOW, 225 CARS PER DAY. THESE FOLKS DO 20 TRIPS A DAY OUT OF THERE. IF I HOLD THE WHOLE PROPERTY, THOUGH, TO 300 CARS AND I HAVE 225 DESIGNATED TO THAT ONE BUILDING, I REALLY CAN'T DO ANYTHING WITH THE REST OF THAT PROPERTY THAT WE PAID GOOD MONEY FOR YOU. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, SIR. QUESTIONS FOR THE OWNER, COUNCIL? MR. WEST HOAFN, REMIND ME, I GUESS I MISSED THE FIRST PART OF THIS. THE STAFF RECOMMENDATION WAS THE LR-MU-CO WITH THE 300 TRIP LIMITATION. SO WHAT WAS THE ZONING AND PLANNING COMMISSION?

THEY RECOMMENDED ON A VOTE OF 7-0 DENIAL OF THE REQUESTED ZONING. IN OTHER WORDS, LEAVE THE MF-3 AND LO ZONING AS IT EXISTS TODAY.

MAYOR WYNN: OKAY. SO THEY -- AND THEY HAVE THE ABILITY JUST LIKE WE DO, THEY COULD HAVE PROPOSED A DIFFERENT ZONING OTHER THAN WHAT WAS APPLIED FOR, IS THAT CORRECT?

THAT IS CORRECT, AND WE PRESENTED THEM OUR STAFF RECOMMENDATION AND CHOSE TO VOTE FOR DENIAL.

THAT WAS ZONING AND PLATTING OR PLATTING COMMISSION.

ZONING AND PLATTING.

MAYOR WYNN: ALL RIGHT. COUNCIL MEMBER MCCrackEN?

MCCrackEN: I GUESS I'D LIKE A LITTLE BIT BETTER SENSE OF WHAT THE INTENTION IS OF THE PROPERTY OWNER, WHAT THEY WANT TO DO WITH THIS PROPERTY. I SOMEHOW DIDN'T GET THAT.

THE WAY THAT THIS CAME UP, REALLY, IS THAT THIS BUILDING THAT WE HAVE SITTING THERE, WE DID A LEASE WITH THE PAINT STORE, AND THEY GOT --

MCCrackEN: WHAT?

WE DID A LEASE WITH I SHY PAINT AND THEY'RE A DIVISION OF GLID DID. EN AND THEY INDICATOR TO COMMERCIAL PAINTERS. THEY WENT THROUGH THE PROCESS THEY NEEDED FOR SMALL REHAB, PAINTING AND EXTERIOR SIGNAGE AND THAT SORT OF THING. NOBODY RAISED ANY RED FLAGS ABOUT ZONING. IT SEEMED SO OBVIOUS THAT THIS WAS NOT A PROBLEM THAT NOBODY CHECKED IT. IT'S CONTIGUOUS WITH THE REST OF OUR PROPERTY THAT'S GR. WE MISSED THAT THERE WAS A LITTLE MF-3 IN THE CORNER ON THE LO THERE. WHEN THEY WENT TO GET THEIR CERTIFICATE OF OCCUPANCY SOMEBODY HAPPENED TO LOOK THERE AND SEE, OOPS, YOU DON'T HAVE THE RIGHT ZONING. SO WE HAVE A BUILDING THAT BASICALLY HAS BEEN MADE READY, HAS SIGNAGE, IS STOCKED WITH PAINT, EMPLOYEES WERE HIRED THAT HAS BEEN JUST SORT OF SITTING HERE FOR EIGHT MONTHS. BUT THE EMPLOYEES ARE JUST TWIDDLING THEIR THUMBS AND WE'RE JUST ASKING THAT THIS USE BE ALLOWED. AND AT THE SAME TIME WE THOUGHT, WELL, WE NEED TO DO SOMETHING ABOUT THESE OTHER TWO TRACTS TO TRY AND GET SOME SORT OF USE OUT OF THOSE. WE DON'T REALLY WANT TO PUT ANY GREAT USE IN THERE THAT WOULD NEED A CS ZONING SO WE'RE FINE WITH THE LR-MU THAT WAS PROPOSED. I JUST NEED A LITTLE FUDGE ROOM IN THE TRIPS PER DAY JUST TO ALLOW SOME USE AT ALL OF THAT OTHER PROPERTY. THAT'S REALLY IT.



AND THIS IS -- I'M SORRY, THIS IS THE SOUTH WOODS MALL?

RIGHT, SOUTH WOODS CENTER. IT WAS SOUTH WOOD MALL BUT IT DOESN'T REALLY HAVE A MALL AREA PER SE ANYMORE. IT HAS A LITTLE HM AREA IN IT BUT THE GM GOES TO THE WHOLE CENTER.

BACKGROUND ON THIS..... WHICH YOU A LEADED TO, THE SOUTH WOOD MALL PEOPLE HAVING GOING AROUND TO THE VMU SHOW MEETINGS SAYING WE WANT THIS AREA MIXED USE, AND SO I THINK WE MAY HAVE A DISCONNECT FROM THE SPEAKER FROM WHAT THE NEIGHBORHOOD -- I MEAN, DAVID CAME AND SAID WE WANT THIS MIXED USE, WHICH SUPPORTIVE WITH THE ZONING PREPARATION AND CHRIS HUGH AND THE PRESIDENT OF THE NEIGHBORHOOD ASSOCIATION COMING TO ALL THE MEETINGS SAY WE WANT THIS AREA AS MIXED USE. WE'VE HAD AN EXCEPTIONALLY CLEAR DIRECTION FROM THE NEIGHBORHOOD THAT THEY HAVE A VISION THAT IS CONSISTENT WITH THE PROPOSED ZONING THAT WE HAVE BEFORE US, AND SO I PERSONALLY AM FINE WITH THE ZONING REQUEST. YOU KNOW, IT SEEMS SOMEWHAT OF A PROBLEM WOULD ARISE IF THEY'VE GOTTEN THIS FAR DOWN THE STORE, WITH A FULLY STOCKED STORE AND ATTENDANT IN PLACE AND THEY COULDN'T USE THE PLACE EVEN WITH THE TENANT READY TO GO.

OTHER QUESTIONS FOR ME?

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I GOT A QUESTION OF STAFF. COULD YOU TELL US WHAT LR GETS YOU THAT LO DOESN'T?

MAINLY IT'S THE RETAIL USES. LR WOULD ALLOW FOR A PAINT STORE. LO WOULD LIMIT IT TO AN OFFICE TYPE USE. SO.

LEFFINGWELL: SO LR YOU CAN HAVE OFFICE OR RETAIL USES; IS THAT CORRECT?

THAT'S CORRECT.

LEFFINGWELL: SO ONE THOUGHT THAT I'M HAVING IS PERHAPS AN LR ZONING DESIGNATION WITH THE ONLY LR USE BEING A PAINT STORE. I DON'T KNOW IF THAT'S A SPECIFIC CATEGORY OR NOT.

WHAT THE CATEGORY THAT WE USE FOR A PAINT STORE WOULD BE GENERAL RETAIL SALES CONVENIENCE.

SO THE PAINT STORE COULDN'T STAY THERE UNDER -- COULDN'T OPERATE UNDER THE STAFF RECOMMENDATION? IS THAT.

NO, IT COULD. WHAT I'M SAYING IS A PAINT STORE IS TO US, WE CATEGORIZE THAT AS GENERAL RETAIL SALES, CONVENIENCE, WHICH ALLOWS -- WHICH A LOT OF RETAIL SALES FALLS UNDER GENERAL RETAIL SALES, CONVENIENCE.

LEFFINGWELL: OKAY. I'M MISSING SOMETHING. THE STAFF RECOMMENDATION WAS LR-MU-CO.

CORRECT.

LEFFINGWELL: BUT YOU CAN HAVE THAT USE IN THAT ZONING DECISION NATION?

WHAT I'M SAYING IS WE DO NOT HAVE THE SPECIFIC USE FOR A PAINT STORE. RATHER ACTION WE CONSIDER A PAINT STORE TO BE THE USE GENERAL RETAIL SALES, CONVENIENCE. THAT USE IS ALLOWED WITHIN THE LR ZONING CATEGORY.

LEFFINGWELL: OKAY. AND WOULD NOT BE UNDER THE EXISTING ZONING?

THAT IS CORRECT.

LEFFINGWELL: AND IT'S NOT A PREEXISTING USE?

NO, IT'S NOT.

LEFFINGWELL: OKAY.

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

COLE: CAN I ASK THE APPLICANT, I KNOW YOU DISAGREE WITH THE STAFF'S RECOMMENDATION ON THE TRIP LIMITS. I WAS NOT CLEAR ON WHY YOU NEEDED THE 500 TRIPS VERSUS THE 300 TRIPS.

BECAUSE THE WAY THAT -- MY UNDERSTANDING, I COULD BE WRONG, STAFF CAN CORRECT ME ON THIS. THE WAY I UNDERSTAND THIS, IT'S KIND OF LIKE WHEN YOU GO TO GET YOUR CAR FIXED, THERE'S A BOOK VALUE ASSIGNED TO A REPAIR, EVEN IF IT TAKES THEM TEN MINUTES YOU PAY FOR AN HOUR OF THEIR LABOR. THE DESIGNATION FOR THIS AT 300 -- SHOWS THAT A PAINT STORE USES 225 TRIPS PER DAY, AND IF I USE UP THAT AMOUNT OF TRIPS PER DAY OUT OF ALL THESE THREE TRACTS COMBINED, IT DOESN'T LEAVE ME VERY MUCH TO DO ANYTHING ELSE ON THE REST OF THE PROPERTY. THE REALITY IS THIS PAINT STORE DOESN'T GENERATE ANYTHING LIKE THAT. IT ONLY GENERATES 20 TRIPS PER DAY, BUT I CAN'T GET AROUND THE FACT THAT THE BOOK THAT THE CITY USES CALLED THIS 225 TRIPS A DAY. WE'RE NOT GOING TO PUT ANY USES -- THERE'S NOT EVEN ROOM TO PUT USES THAT WOULD GENERATE 500 TRIPS PER DAY, BUT I NEED THE FUDGE ROOM SO THAT WHEN THEY LOOK AT A USE AND THEIR BOOK SAYS, OH, THIS IS 100 TRIPS A DAY, THEN I CAN GO AHEAD AND PUT SOMETHING IN THERE. WITHOUT THAT EXTRA FUDGE ROOM I CAN'T. I'M LIMITED TO 75 TRIPS PER DAY ON THESE OTHER TWO TRACTS AND I'M NOT SURE THAT THAT WOULD BE ENOUGH.

OKAY. THANK YOU.

I DON'T WANT ANYTHING LIKE 2,000 OR 5,000 OR WHATEVER SOMEONE WAS MENTIONING. I MEAN, I'D HAVE TO BUILD, YOU KNOW, A SKYSCRAPER TO GET THAT. WE'RE NOT INTERESTED IN DOING THAT TO THE NEIGHBORHOOD.

MAYOR WYNN: QUESTIONS, COMMENTS? AGAIN, MR. WESTHOVEN, THE EXISTING ZONING.

IT'S LF 3 AND LO. REQUEST WAS ORIGINALLY FOR CS. AS

YOU HEARD THEY'RE IN AGREEMENT OF LR-CO. HOWEVER THEY DIFFER ON THE RECOMMENDED NUMBER OF TRIPS THEY WOULD PREFER, 500 TO 300. THE STAFF RECOMMENDED 300 BECAUSE THE STREET RUSSELL DRIVE IS A RESIDENTIAL COLLECTOR AND IT EXCEEDED THE DESIRABLE OPERATING LEVEL. SO IN THAT CASE WE ARE BOUND BY THE CODE TO RECOMMEND NO MORE THAN IS -- WHICH IS 300 TRIPS A DAY. THAT IS WHY WE RECOMMENDED THE 300 TRIPS A DAY. HE IS REQUESTING THAT YOU GO TO 500 TRIPS.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: THE CURRENT ZONING IN THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS FOR MF-3 TO REMAIN AS IT IS AND LO TO REMAIN AS IT IS. WHAT WOULD BE THE IMPACT OF THE ENTIRE PARCEL BEING LO?

THE TRAFFIC IMPACT? OR THE.

LEFFINGWELL: THE IMPACT ON EXISTING USES OR PLANNED USES.

BASICALLY WHAT THEY COULD DO IS WITH THAT EXISTING BUILDING THEY COULD ONLY USE IT FOR AN OFFICE USE AND ON THE PROPERTY THAT IS VACANT THEY COULD ONLY DEVELOP IT FOR AN OFFICE USE OR MORE PARKING FOR THE RETAIL CENTER -- OR THE EXISTING CENTER IF THEY DESIRE.

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS? THOUGHTS?

COLE: MAYOR, I'M PREPARED TO MAKE A MOTION.

MAYOR WYNN: COUNCIL MEMBER COLE.

COLE: I WOULD LIKE TO MOVE THAT WE GO WITH THE STAFF'S RECOMMENDATION AND DO THE 300 TRIP LIMIT.

MAYOR WYNN: MOTION BY COUNCIL MEMBER COLE TO CLOSE THE PUBLIC HEARING AND APPROVE THE STAFF RECOMMENDATION, THAT BEING LR-MU-CO WITH A TRIP

LIMITATION OF 300 TRIPS, SECONDED BY COUNCIL MEMBER KIM. COMMENTS?

LEFFINGWELL: QUESTION.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: FOLLOW ME ON THIS TO SEE -- WOULD YOU ACCEPT A FRIENDLY AMENDMENT TO MAKE THE ONLY ALLOWED LR USE THE EXISTING USE ON THE PROPERTY NOW? , THE REST LO USES?

COLE: YES.

MAYOR WYNN: AND COUNCIL MEMBER KIM? DO YOU UNDERSTAND THE -- AND WE DON'T HAVE THE ORDINANCE READY FOR THIS OTHER ANYWAY, DO WE, MS. TERRY?

THIS IS FIRST READING ONLY. SO WHAT WE DO IS ORDINANCE ROW LO, THE ONLY USE BEING RETAIL RETAIL CONVENIENCE AND NO OTHER LO USES. OKAY?

MAYOR WYNN: SO WE HAVE A FRIENDLY AMENDED MOTION AND SECOND ON THE TABLE, FIRST READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. NO? OPPOSED? MOTION PASSES ON A FIRST READING 7-0.

THANK YOU.

MAYOR WYNN: THANK YOU, MR. WESTHOVEN. HAVE A GOOD EVENING. OKAY. SO COUNCIL, LET'S SEE, THAT TAKES US TO OUR 6:00 PUBLIC HEARINGS AND POSSIBLE ACTIONS. WE HAVE A NUMBER OF PUBLIC HEARINGS. ALL BUT ONE OF THEM HAVE NO SPEAKERS HERE SIGNED UP, SO MIGHT AS WELL TAKE THE ONE WHERE FOLKS HAVE BEEN WAITING SO PATIENTLY. PUBLIC HEARING POSTED ITEM NO. 95 IS TO CONSIDER AN ORDINANCE REGARDING THE ESTABLISHMENT OF PARKLAND DEDICATION FEE. WELCOME, MR. WARREN

STRUCE.

THANK YOU VERY MUCH, MAYOR. COUNCIL, WARREN STRUCE, DIRECTOR OF PARKS AND RECREATION DEPARTMENT. THIS IS INDEED A VERY EXCITING NIGHT FOR THE PARKS AND RECREATION DEPARTMENT. WE HAVE BEEN WORKING A LONG TIME ON THIS JEANLD ITEM AND AGENDA ITEM AND WE'VE COME TO COUNCIL TO ASK FOR YOUR APPROVAL TONIGHT TO CONSIDER REVISING THE PARKLAND DEDICATION ORDINANCE SO WE CAN BETTER MEET THE NEEDS OF GROWTH AS WE MOVE FORWARD IN THE FUTURE. AS WE TALKED ABOUT TODAY IN THE BUDGET SESSION, WE TALKED ABOUT THE CITY OF AUSTIN BEING ONE OF THE FASTEST GROWING REGIONS IN THE COUNTRY, AND IN DOING SO WE HAVE TO LOOK AT WAYS THAT WE CAN KEEP TRACK WITH GROWTH AS WE CONTINUE TO MOVE FORWARD IN MAKING OUR PARKS AND RECREATION AMENITIES AVAILABLE TO THIS GROWING POPULATION. AND I THINK IT'S REAL IMPORTANT FOR US TO TALK ABOUT HOW WE'RE GOING TO DO THAT. THERE'S NOT THAT MANY DIFFERENT FUNDING TOOLS TO DO THAT THAT MAKE IT AVAILABLE TO US TO MAKE OUR PARKS KEEP TRACK WITH GROWTH. AND LET ME TALK TO YOU A LITTLE BIT ABOUT THOSE FUNDING TOOLS THAT WE CURRENTLY HAVE. WE HAVE OBVIOUSLY THE CAPITAL IMPROVEMENT PROGRAM, WHICH ARE BONDS THAT WE WERE VERY FORTUNATE TO HAVE APPROVED IN NOVEMBER. THAT'S ONE FUNDING TOOL WE UTILIZE TO KEEP TRACK WITH GROWTH IN THE PARKS AND RECREATION DEPARTMENT. BUT IT'S NOT ENOUGH. WE HAVE OTHER FUNDING TOOLS. I NOTICED THAT WE HAVE MANY OF OUR SUPPORTERS HERE TONIGHT FROM AUSTIN PARKS FOUNDATION. WE HAVE PUBLIC/PRIVATE PARTNERSHIPS THAT HELP US KEEP TRACK WITH GROWTH AND KEEP PARKS AND RECREATION AMENITIES GROWING SO THAT WE CAN KEEP TRACK WITH GROWTH AND BE THE BEST PARK SYSTEM IN THE COUNTRY. WE ALSO UTILIZE PUBLIC/PUBLIC PARTNERSHIPS, SCHOOL DISTRICT AND THE PARKS AND RECREATION DEPARTMENT, SO AS THE SCHOOL DISTRICT GROWS MAYBE WE CAN LEVERAGE AND COLLABORATE WITH THE SCHOOL DISTRICT PROPERTIES TO CONTINUE TO MEET THE NEEDS OF GROWTH. WE ALSO HAVE OPPORTUNITIES FOR GRANTS, BUT AS WE ALL KNOW THAT OUR GRANTS,

BOTH LOCAL, STATE AND FEDERAL GRANTS, HAVE BEEN DECIMATED IN THE LAST FIVE YEARS. THEY HAVE ALL BUT DISAPPEARED, SO THAT FUNDING OPPORTUNITY IS NOT NECESSARILY AFFORDED TO US TO KEEP TRACK WITH GROWTH. SO WHAT DO WE DO AT THIS POINT? WE STARTED IN 1985 AND STEWART STRONG WERE TALK TO YOU ABOUT THE HISTORY OF THE PARKLAND DEDICATION ORDINANCE BUT WE'RE COMING TO YOU TONIGHT TO HOPEFULLY REVISE AND AMEND THE ORDINANCE TO MAKE IT MUCH MORE APPROPRIATE AND HELP US MEET THE NEEDS OF GROWTH. WE NEED TO HAVE A RELIABLE FUNDING TOOL, WHICH THE PARKLAND DEDICATION ORDINANCE WILL ALLOW US TO DO. THIS IS WHY WE'RE HERE THIS EVENING, TO TALK TO BUT THE ABOUT THE REVISION OF THE PARKLAND ORDINANCE. LET ME ASK YOU TONIGHT, MR. STEWART STRONG WILL COME TO YOU AND TALK TO YOU ABOUT THE PARKLAND HISTORY TO KEEP YOU A FRAMEWORK OF WHAT WE'RE ASKING FOR. WE'RE ALSO GOING TO ASK FOR CURTIS SOLIZ WHO HAS WORKED TIRELESSLY FOR THE LAST COUPLE MONTHS, WORKING WITH STAKEHOLDERS AND COMMUNITY GROUPS AND PUBLIC MEETINGS TO TALK ABOUT HOW BEST TO DO THIS. SO LET ME ASK THAT STEWART COME UP AND VISIT WITH YOU AND THEN RICARDO WILL GIVE YOU A RELY BRIEF POWERPOINT PRESENTATION ON OUR RECOMMENDATIONS.

GOOD EVENING, MAYOR AND COUNCIL. I'M STEWART STRON ASSISTANT DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT. I WANT TO GIVE YOU SOME HISTORIC PERSPECTIVE ON THIS THING. WHEN THE CITY PASSED THE PARK DEDICATION ORDINANCE IN 1985, IT WAS ON THE HEELS OF COURT CASES IN... IN THE STATE WHERE OTHER CITIES HAD TRIED THIS. SOMETIMES THEY GOT THE MODEL WRONG, BUT THE CITY WAS PREPARED TO FOLLOW THOSE COURT RULINGS SO THAT OUR ORDINANCE METHOD TEST. OVER THESE 22 YEARS WE'VE HAD THE ORDINANCE, IT'S BEEN VERY BENEFICIAL FOR THE CITY. TO DATE WE HAVE ACCEPTED ABOUT A THOUSAND ACRES OF LAND, ADDITIONAL PARKLAND FOR THE CITIZENS OF AUSTIN. IT'S BEEN ABOUT, OH, 44 TRACTS, PARKS THAT WE KNOW, ADDITIONS TO THE DAVIS WHITE NORTHEAST PARK, CONVICT HILL PARK, SCOFIELD, BRIANNA, A LOT OF

GREENBELT EXTENSIONS WHICH WE NEED SORELY. ALSO THERE IS THE OPPORTUNITY TO PAY FEES. ABOUT 89 OF OUR PARKS HAVE BENEFITED WITH ADDITIONAL IMPROVEMENTS THROUGH THE FEE SYSTEM. IT'S BEEN A GREAT BENEFIT TO US. IT IS A SUPPLEMENTAL FUNDING SOURCE, AS WARREN MENTIONS. THE CITY OF AUSTIN TAXPAYER PAYS MOST OF THE BILL BUT THIS IS AN OPPORTUNITY FOR GROWTH TO HELP PAY FOR ITSELF AND PAY FOR SOME OF THE BURDEN ADDING TO OUR CITY AS FAR ASS. WHEN WE INITIALLY DID THIS THE MODEL OF GROWTH WAS A SUBURBAN, SINGLE FAMILY TRACT MODEL. CLEARLY THAT'S OUTDATED. WE NEED TO GO BACK AND REVIEW THAT AND SEE IF THE TYPE OF GROWTH THAT AUSTIN CAN EXPERIENCE IS REALLY RESPONDING THROUGH OUR PARK ORDINANCE. RICARDO SOLIZ WILL LEAD YOU THROUGH OUR RECOMMENDATION AND THE ANALYSIS OF THE EXISTING ORDINANCE AND THE PROPOSAL FOR THE AMENDMENT.

I'LL TALK A LITTLE BITS ABOUT THE PURPOSE OF THE PARKLAND ORDINANCE, ADOPTED IN 1985, WAS TO PROVIDE FOR PARKS ON THE EDGE OF THE CITY, AS STEWART JUST MENTIONED. THEREFORE THE CURRENT ORDINANCE IS WRITTEN FOR A SUBURBAN TYPE OF GROWTH. TODAY AUSTIN IS EXPERIENCING A REVITALIZATION OF THE URBAN CORE ACTION AND THAT IS WHY STAFF IS RECOMMENDING AN AMENDMENT TO THE CURRENT ORDINANCE, TO KEEP PACE WITH THE DEVELOPMENT PATTERNS OF THE CITY. TODAY THE ORDINANCE REQUIRES RESIDENTIAL DEVELOPMENT THAT IS SUBDIVIDING LAND TO DEDICATE LAND OR CONTRIBUTE FUNDS FOR PARK PURPOSES. THE LAND OR FEES IS REGARDED AS MITIGATION FOR THE ADDED DENSITY AND MUST HAVE SOME BENEFIT TO THE NEW RESIDENTS..... RESIDENTS. THE DEVELOPMENTS THAT ARE REQUIRED BY CODE TO CONTRIBUTE PARKLAND OR MAKE A FINANCIAL CONTRIBUTION ARE THOSE RESIDENTIAL PROPERTIES THAT ARE SUBDIVIDING RAW LAND OR RESUBDIVIDING, IN OTHER WORDS, SUCH AS DIVIDING A LARGE LOT INTO MULTIPLE PARCELS. THE CURRENT ORDINANCE DOES NOT APPLY TO RESIDENTIAL PROPERTIES NOT SUBDIVIDING OR COMMERCIAL PROPERTIES INCLUDING INDUSTRIAL AND OFFICE-TYPE



USES. THE BASIC FORMULA FOR PROVIDING PARKLAND IN PROPORTION TO THE DENSITY IS -- IN A NEIGHBORHOOD SETTING IS FIVE ACRES FOR EVERY THOUSAND RESIDENTS. THE -- CURRENTLY THE ORDINANCE ALLOWS PROPERTY OWNERS THE FLEXIBILITY OF MEETING THEIR PARKLAND DEDICATION REQUIREMENTS BY, ONE, DONATING LAND, FEES IN LIEU OF LAND, WHICH IS BASED ON THE TRAVIS COUNTY APPRAISAL DISTRICT VALUES, A COMBINATION OF BOTH LAND AND FEES, OR ALLOWING UP TO HALF CREDIT FOR PRIVATE PARK AMENITIES, SUCH AS WHAT'S COMMON IS APARTMENT COMPLEXES THAT OFFER POOLS OR TRAILS OR BASKETBALL COURTS, FOR INSTANCE. OTHER EXAMPLES INCLUDE PLANNED UNIT DEVELOPMENTS WHERE THEY INCLUDE PRIVATELY OWNED PARKS BUT OPEN TO THE PUBLIC. THEY CAN GET HALF CREDIT FOR THEIR REQUIREMENT. THE CONTRIBUTIONS OR THE FEES IN LIEU OF LAND CAN BE USED TO PURCHASE ADDITIONAL PARKLAND, DEVELOP ADDITIONAL FACILITIES ON EXISTING OR NEAR PARKS. AS I STATED BEFORE, IT'S ESSENTIAL THAT THE PARK IMPROVEMENT BENEFITS THE RESIDENTS OF THE DEVELOPMENT THAT HAVE CONTRIBUTED. THE PARKS DEPARTMENT POLICY IS THAT THE INVESTMENT BE MADE WITHIN A ONE-MILE RADIUS OF THE NEW DEVELOPMENT. LET ME BE CLEAR THAT THESE FEES CAN BE -- CONDITION BE USED FOR PARK MAINTENANCE OR OPERATIONS. PARK PROGRAM, STAFFING OR SPECIAL EVENTS. THE LEGAL BASIS FOR THIS REQUIREMENT IS THAT FUNDING SUCH ACTIVITIES ARE MUCH TOO AMBIGUOUS. TO PROVE THAT THE PUBLIC IS TRULY BENEFITING BENEFITING FROM THESE EXPENDITURES, THEREFORE PHYSICAL IMPROVEMENTS ARE REQUIRED, CAPITAL IMPROVEMENTS. THE CURRENT CHALLENGES WITH THIS SUBURBAN TYPE OF ORDINANCE ARE THAT NOT ALL RESIDENTIAL PROPERTIES -- PROJECTS COMPLY WITH THE PARKLAND DEDICATION ORDINANCE. IN 2006 TWO-THIRDS OF THE RESIDENTIAL PROJECTS BUILT WITHIN THE CITY OF AUSTIN WERE NOT REQUIRED BY CODE TO CONTRIBUTE TOWARDS PARKLAND DEDICATION. IN ESSENCE, ADDING MORE PEOPLE WITHOUT MITIGATING FOR THAT ADDITIONAL IMPACT TO THE PARK SYSTEM IS WHAT WE'RE TRYING TO ADDRESS. THE SECOND CHALLENGE IS THAT FEES VARY FROM PROJECT TO PROJECT, CREATING AN INEQUITY BETWEEN PROPERTIES. THE FOLLOWING

CHART JUST -- ARE SOME EXAMPLES OF SOME RANDOM SUBDIVISIONS THROUGHOUT THE CITY. THE FEES PAID, DIVIDED BY THE NUMBER OF UNITS OF THAT SUBDIVISION YIELDS A PER UNIT COST. FOR INSTANCE, JUST ON THE LOWER END YOU CAN SEE GRAND OAKS AND WHAT THEY HAVE PAID, THE NUMBER OF UNITS, CYPRESS BAY, FOR INSTANCE, IF WE WERE TO DIVIDE THE UNITS BY WHAT THEY PAID THE....., THE FEE PER UNIT, IS AVERAGE THERE. ON THE HIGHER END YOU CAN SEE AT THE BOTTOM OF THE CHART, ROBERTSON HILL, RIVERSIDE SQUARE AND THE PER UNIT COST OF THAT -- WHAT THEY CONTRIBUTED AND THE NUMBER OF UNITS THAT THEY'RE PUTTING ON THE GROUND, 3300 AND 4600. THE 518 IS AN OVERALL AVERAGE THAT WE LOOKED AT IN 2006. JUST THE MONEY THAT CAME IN THAT YEAR, THE NUMBER OF UNITS THAT WE KNOW OF THAT WERE -- THAT PAID PARKLAND FEES, AND WE DID THAT SIMPLE MATH AND IT CAME UP TO ABOUT 518 IS WHAT -- JUST LOOKING AT 2006. COUNCIL, THE PARKS DEPARTMENT IS RECOMMENDING THE FOLLOWING TO ADDRESS SOME OF THESE CHALLENGES ASSOCIATED WITH THE CURRENT ORDINANCE. FIRST, TO REMIND THE COUNCIL OF THE FIRST CHALLENGE, NOT ALL RESIDENTIAL PROJECTS ARE REQUIRED TO COMPLY WITH THE PARKLAND DEDICATION ORDINANCE. STAFF RECOMMENDS THAT PROJECTS ARE -- THAT ARE NOT SUBDIVIDING PAY A PARKLAND FEE AT THE SITE PLAN STAGE OF THE DEVELOPMENT PROCESS. THIS WOULD ENSURE ALL REDEVELOPMENT PROJECTS THAT ARE ADDING DENSITY PAY THEIR FAIR SHARE. THOSE PROJECTS THAT ARE NEEDING TO SUBDIVIDE WILL CONTINUE TO COMPLY AT THE SUBDIVISION STAGE, SO WE WOULD BE CAPTURING BOTH TYPES OF DEVELOPMENTS. THE SECOND CHALLENGE IS THAT FEES LEVEL VARY FROM PROJECT TO PROJECT. THE STAFF RECOMMENDS A UNIFORM FEE PER UNIT OF \$650 PER UNIT. THE FOLLOWING ARE JUST SOME FEE COMPARISONS FROM ACROSS THE STATE AND SOME OUTSIDE OF THE STATE, BUT JUST TO SHOW WHERE AUSTIN'S PER UNIT AVERAGE IS, IN 2006 COMPARED TO SOME OTHER CITIES IN TEXAS WITH, OF COURSE, THE HIGHER END ON THE WEST COAST, PORTLAND, SEATTLE AND SAN DIEGO, SOME OF THE MORE MODERATE CITIES, SAN ANTONIO, COLLEGE STATION, AUSTIN. YOU CAN SEE JUST A PER UNIT FEE OR AVERAGE OF WHERE THEY'RE

FALLING.

MAYOR WYNN: GLAD TO SEE AUSTIN FALLS RIGHT IN THAT COLLEGE STATION RANGE. [LAUGHTER]

MAYOR WYNN: THE PROPOSED CALCULATION -- I'M GOING TO SPEND JUST A LITTLE TIME TO TALK ABOUT STAFF'S METHODOLOGY FOR RECOMMENDING THE \$650 PER UNIT. WE STARTED WITH A BASIC FORMULA OF PROVIDING PARKLAND IN PROPORTION TO THE DENSITY IN A NEIGHBORHOOD SETTING, OF FIVE ACRES PER THOUSAND RESIDENTS. PREVIOUS PARKLAND PURCHASES, AND PENDING PARKLAND ACQUISITION SUPPORTS A VALUE OF APPROXIMATELY \$100,000 PER ACRE TO ACCOMPLISH A 5-ACRE DEVELOPABLE PARK. THE DEVELOPMENT COST FOR A TYPICAL NEIGHBORHOOD PARK IS APPROXIMATELY ABOUT \$450,000, MAKING THE TOTAL COST OF THE LAND AND DEVELOPMENT AROUND 950,000. WE DIVIDED THE 950,000 BY THE THOUSAND RESIDENTS, PEOPLE -- TO GET A PER PERSON COST, WHICH IS AROUND \$950 PER PERSON. THE -- WE MULTIPLIED THAT BY THE LOWEST DENSITY PERSONS PER UNIT, WHICH IS 1.7, AND THE RESULT IS AROUND \$1,600 PER UNIT IS WHAT THAT MATH IS TELLING US. OF COURSE STAFF RECOGNIZES THAT \$1,600 PER UNIT IS WAY OUT OF THE RANGE COMPARED TO OTHER TEXAS CITIES AND THEREFORE CONSIDERING OUR AVERAGE IN 2006, WHICH WAS AROUND 518, WE -- STAFF RECOMMENDS A UNIFORM FLAT FEE OF \$650 PER UNIT. MY THIRD AND FINAL RECOMMENDATION ADDRESSES CONTRIBUTING TOWARDS AFFORDABLE NEIGHBORHOODS. AFTER NUMEROUS DISCUSSIONS WITH BOARDS AND COMMISSIONS ON THE AFFORDABLE HOUSING ISSUE, INCLUDING NEIGHBORHOOD HOUSING COMMUNITY DEVELOPMENT DEPARTMENT, WE'RE RECOMMENDING AN EXEMPTION FROM THE FEE BE GIVEN TO ONLY THOSE UNITS WITHIN A PROJECT THAT MEETS THE AFFORDABILITY DEFINITION, SO THAT IS OUR -- OUR RECOMMENDATION FOR THAT. BEFORE CONCLUDING MY PRESENTATION I'D LIKE TO AT LEAST RECAP THE THREE RECOMMENDATIONS: REQUIRE FEES BE PAID AT THE SITE PLAN STAGE AS WELL AS THOSE -- PROJECTS THAT ARE SUBDIVIDING. PROPOSE \$650 FLAT FEE FOR THOSE UNITS THAT ARE CHOOSING TO PAY FEES IN LIEU OF DONATING LAND. AND AN EXEMPTION BE GIVEN TO THE AFFORDABLE

UBTS..... UNITS WITHIN THE PROJECT. THAT CONCLUDES MY PRESENTATION, MAYOR.

MAYOR WYNN: THANK YOU. QUESTIONS FOR STAFF?  
COUNCIL? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: ALL THESE COMPARISONS WITH OTHER CITIES, NEARLY ALL OF THEM SEEM TO BE A RANGE, SO COULD YOU JUST GIVE US SOME IDEA REAL QUICKLY ON WHAT KIND OF FORMULATION THEY USE? OBVIOUSLY IT COULD BE SOMETHING SIMILAR TO OURS. I COULD SAY THAT WE CURRENTLY HAVE A RANGE OF \$123 TO \$4,600 PER UNIT, BUT GENERALLY WHAT'S THE PATTERN HERE?

THEY RANGE -- FOR INSTANCE, YOU CAN SEE SOME OF THE WEST COAST CITIES, LIKE SAN DIEGO, FOR INSTANCE, THEIR FEE IS DEPENDENT ON THE NEIGHBORHOOD PLAN AND SOME OF THEIR INFRASTRUCTURE NEEDS. SO THE FEE IS VERY SENSITIVE TO THOSE NEEDS, AND SO IT'S VERY SPECIFIC FOR THEIRS. ARLINGTON IS A FLAT FEE, SO THEIRS IS VERY SIMILAR TO WHAT WE'RE RECOMMENDING. SAME THING WITH EL PASO AND -- EL PASO IS VERY SIMILAR TO OURS, THAT WHAT WE'RE RECOMMENDING. FORT WORTH IS A FLAT FEE AS WELL. SO THOSE AS FAR AS FLAT FEES ARE CONCERNED. SAN ANTONIO, CORPUS CHRISTI, THEY'RE BASED ON LAND VALUE, IS WHAT -- WHAT WE ARE NOW, AND SO -- YEAH. SO THEY VARY. THEY VARY IN THE WAY THEY IMPLEMENT THE ORDINANCE.

LEFFINGWELL: DO ANY OF THESE OTHER CITIES USE A FORMULA THAT'S BASED ON A PER UNIT BASIS OR PER SQUARE FOOT OR NUMBER OF BEDROOMS, ANYTHING LIKE THAT?

I'M JUST VERY FAMILIAR WITH ARLINGTON, FOR INSTANCE, AND EL PASO. THERE.....THERE IS A PER UNIT FEE. SOME OF THEM -- FOR INSTANCE, SOME OF THE RANGES, EL PASO DOES HAVE A DIFFERENCE BETWEEN SINGLE FAMILY AND MULTIFAMILY, FOR INSTANCE, SO THE MULTIFAMILY HAS A SMALLER -- A LOWER FLAT FEE THAN SINGLE FAMILY. SO.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ?

MARTINEZ: I WANTED TO ASK ABOUT THE PROVISION THAT ALLOWS THE DONATION OF LAND AS OPPOSED TO THE FEE. HOW DOES THAT WORK? AND -- BECAUSE THE WAY YOU HAVE THE PROPOSAL FOR THE FEE IS THAT THEY WOULD PAY THE FEE AT THE SITE PLAN STAGE, SO IF I'M A DEVELOPER AND I'M PAYING FOR PLANS TO BE DRAWN AND I GET TO THE SITE PLAN STAGE, AM I TOLD THAT I HAVE TO PAY FEES AND OR GIVE LAND AT THAT POINT OR AM I TOLD BEFORE I SPEND MONEY ON ALL THE SITE PLAN?

WELL, NOW THAT WE'RE CHANGING IT TO THE SITE PLAN, IF YOU'RE COMING INTO THE DEVELOPMENT PROCESS AND AVOIDING THE SUBDIVISION PROCESS, THEN YES, THAT WOULD BE CONVEYED TO YOU UP FRONT, THESE ARE THE PARKLAND FEES THAT ARE OWED, JUST LIKE THE SITE PLAN FEE AND OTHER FEES THAT WOULD BE -- THAT WOULD BE REQUIRED DURING THAT SITE PLAN PROCESS.

SO DOES THE LANDOWNER GET THE OPTION TO DONATE LAND VIA THEIR SITE PLAN SUBMITTAL OR PAY THE FEES OR ON IS IT UP TO US TO DECIDE WHAT HAPPENS?

IN MOST CASES. IT DEPENDS ON IF -- IF THEIR DEDICATION IS AN ACRE OR, YOU KNOW, A HALF ACRE, FOR INSTANCE. IT WILL DEPEND ON A CASE-BY-CASE BASIS. IF IT'S LAND THAT'S VERY -- THAT'S CONSISTENT WITH OUR LONG RANGE PLANS AND IT'S SOMETHING THAT WE WOULD REALLY NEED TO HAVE FOR A CONTINUATION OF A TRAIL OR SOMETHING LIKE THIS, THEN WE WOULD BE STRONGLY ENCOURAGING DONATION OF LAND. SO --

MARTINEZ: I'M JUST CURIOUS AS TO WHO MAKES THAT DECISION. DO WE MAKE THAT DECISION, WARREN, OR -- SO A LANDOWNER DOESN'T KNOW, NECESSARILY, IF THEY'RE GOING TO HAVE TO GIVE UP PROPERTY IN LIEU OF FEES UNTIL WHEN?

AT THE SUBDIVISION TIME WE -- OBVIOUSLY IF THEY HAVE A PIECE OF PROPERTY THAT WE WOULD LIKE, WE LET THEM KNOW AND ADVISE THEM AT THAT TIME THAT THE LAND IS WHAT WE WOULD DESIRE TO HAVE AS PARKLAND, AND THEN IF NOT, THEN WE WOULD TAKE A FEE IN LIEU OF AT THAT

TIME. IT WOULD BE OUR DECISION.

MARTINEZ: AND IS THAT CONSISTENT WITH OTHER CITIES OR -- IS THAT IT IS THE CITY THAT MAKES THAT CALL? IS THAT CONSISTENT WITH OTHER CITY POLICIES?

IT'S MY ASSUMPTION, COUNCIL MEMBER, THAT'S BASICALLY THE WAY OTHER CITIES WOULD DO IT AS WE. IT'S A DECISION POINT WHETHER THE CITY CAN USE THAT LAND FOR PARKLAND OR NOT, AND IF IT CAN'T, THEN OBVIOUSLY WE WOULD CHOOSE TO GO FEES IN LIEU OF.

MARTINEZ: THANKS.

MAYOR WYNN: FURTHER QUESTIONS OF STAFF? WE HAVE A NUMBER OF FOLKS WHO WOULD LIKE TO GIVE US TESTIMONY. AND I'LL GO AHEAD AND SAY NOW, ALTHOUGH SOME OF US HAVE TALKED ABOUT THIS CONCEPTUALLY THROUGHOUT THE WEEK INDIVIDUALLY, THE CITY ATTORNEY HAS INFORMED US THAT THEY BELIEVE THAT THE POSTING, THE PROBLEM WITH THE LANGUAGE OF OUR POSTING IN THAT THE WORD -- THE VERB "TO CONSIDER" NOT POSTING ENOUGH FOR US TO TAKE ACTION ON THIS ITEM TONIGHT. WE CERTAINLY CAN AND WILL CONDUCT A PUBLIC HEARING AND GET ALL THE PUBLIC TESTIMONY, HAVE AS MUCH DELIBERATION AS WE WANT, BUT THE LEGAL ADVICE FOR US WOULD BE NOT TO TAKE ACTION TONIGHT. OBVIOUSLY WE'LL POST FOR ACTION AT OUR NEXT COUNCIL MEETING THE 21ST. AND SO WITH THAT, WE SHALL TAKE UP SOME CITIZEN TESTIMONY. APPRECIATE YOU-ALL'S YOU-ALL'S PATIENCE IN WAITING SO LONG. FIRST SPEAKER IS CHARLIE MCCAIB. CHARLIE, WELCOME. YOU'LL HAVE THREE MINUTES AND BE FOLLOWED BY LINDA GUERRERO, WHO GOT REAPPOINTED TO THE PARKS BOARD JUST IN TIME.

FORGIVE MY SLACKER LOOK HERE FOR RUNNING IN THE PARK TONIGHT. I WANT TO MENTION THAT THE AUSTIN PARKS BOARD OF DIRECTORS FOUNDATION, BOARD OF DIRECTORS, APPROVED THE FALLING STATEMENT OF SUPPORT FOR THE CHANGES TO THE PARKLAND DEDICATION ORDINANCE LAST WEEK. THE AUSTIN PARKS FOUNDATION SUPPORTS BROADENING THE APPLICATION OF THE PARKLAND DEDICATION ORDINANCE TO APPLY TO ALL

RESIDENTIAL DEVELOPMENTS OF FOUR OR MORE UNITS AT A FEE LEVEL THAT SUPPORTS ABUNDANT VIBRANT PARKS. THE CITY OF AUSTIN SHOULD NOT REDUCE THE PARKS AND RECREATION BUDGETS TO OFFSET AMOUNTS RAISED BY THE ORDINANCE AND FINALLY WE SUPPORT FEES BEING USED ON CAPITAL IMPROVEMENT PROJECTS OR ON PARKLAND ACQUISITION WITHIN THE NEIGHBORHOOD PLANNING AREA OR IF NO NEIGHBORHOOD PLANNING AREA EXISTS, ONE MILE RADIUS OF THE C AREA. THAT'S IT. THANKS VERY MUCH.

MAYOR WYNN: THANK YOU, CHARLIE. LINDA, WELCOME. YOU'LL HAVE THREE MINUTES, FOLLOWED BY ROY WAILY.

GOOD EVENING, MAYOR AND COUNCIL MEMBERS. MY NAME IS LINDA GUERRERO. I AM CHAIR OF THE PARKS BOARD, AND THIS IS SUCH A.

MAYOR WYNN:..... AWIN/WIN SITUATION. IT'S EXCITING. I WAS ON CONGRESS AND THERE WAS AN ENORMOUS BILLBOARD IN FRONT OF THIS PROJECT GOING UP, AND IT SAYS VIEWS OF PARKLAND. SO THEY ARE TOUTING OUR BEAUTIFUL PARKS AND GREEN SPACE TO SELL THEIR BUILDINGS, AND I'M REALLY PLEASED. JUST A FEW COMMENTS. ONE IS I URGE YOU TO APPROVE THE PROPOSED FEE AMENDMENT FOR THE SAKE OF OUR EXISTING AND FUTURE PARKLAND. WE MUST URBANIZE THIS FEE ORDINANCE. IT IS ANTIQUATED AND IT IS NO LONGER GIVING US WHAT WE NEED AND IT IS OUTDATED. AS YOU WELL KNOW, OUR PARKS ARE A MAJOR ECONOMIC COMPONENT AND BENEFIT TO OUR CITY. OUR PARKS CREATE VALUABLE GREEN INFRASTRUCTURE AND PROMOTE VITALITY FOR THE QUALITY OF LIFE, AND IT IS IMPORTANT THAT THE CITY CONTINUE TO HELP US WITH ENHANCEMENTS AND IMPROVEMENTS OF OUR GREAT PARK SYSTEM. I REALLY HOPE THAT YOU WILL PLEASE HELP US TO CREATE A PLANNING MODEL THAT REFLECTS OUR URBAN VISION AND PROVIDES NOURISHMENT FOR OUR PARKLAND. I REALLY APPRECIATE YOUR CONSIDERATION. A LOT OF PEOPLE HAVE TWEAKED THIS. WE'VE BEEN TO LOTS OF COMMISSIONS AND BOARDS, AND WE LOOK FORWARD TO YOUR COMMENTS TOO. THANK YOU.

MAYOR WYNN: THANK YOU, LINDA, FOR YOUR SERVICE. ROY WOOLLY. WELCOME BACK. YOU'LL HAVE THREE MINUTES, FOLLOWED BY MIKE MCCONE.

HOWDY, YOU-ALL, I'M ROY WAILY. I'M VICE CHAIR OF THE AUSTIN SIERRA CLUB. CHARLIE MIGHT APOLOGIZE FOR HIS SLACKER APPEARANCE BUT I WORE MY BEST FLIP-FLOPS THIS EVENING.

MAYOR WYNN: WE DON'T DOUBT THAT, ROY.

AND REPRESENTING THE SIERRA CLUB, NOT TOO SURPRISEDLY, WE'RE PRO PARKS, SO WE'RE VERY EXCITED ABOUT THIS, AND I AGREE WITH LINDA. IT IS A WIN/WIN SITUATION. I KNOW THAT WE HAVE BEEN VERY DEDICATED TO BRINGING MORE RESIDENTS TO THE URBAN CORE. NOT ALL OF THOSE ARE GOING TO BE COUPLES OR SINGLES -- WE'RE TRYING TO GET FAMILIES DOWN HERE, AND IT'S HARD TO TELL THE KIDS, JUST RUN OUT AND PLAY IN THE BACKYARD WHEN YOU'RE ON THE 11TH FLOOR. SO WE HAVE TO HAVE BETTER PARKS, MORE PARKS AND IT'S HARD TO DO IN THIS AREA. AND SO THE SIERRA CLUB DOES SUPPORT THE STAFF POSITION AND AGREE WITH THE EXEMPTION FOR THE AFFORDABLE HOUSING, AND PARTICULARLY. THAT'S ALSO A VERY IMPORTANT ITEM AND WEP THAT..... WE HOPE THAT YOU-ALL FOLLOW THAT RECOMMENDATION. THANKS A LOT.

MAYOR WYNN: THANK YOU. MIKE, YOU'LL HAVE THREE MINUTES. FOLLOWED BY HARRY SAVIO.

THANK YOU, MAYOR, MEMBERS OF THE COUNCIL. I'M MIKE MCCONE AND I'M IN FAVOR OF GREAT PARKS. I THINK AUSTIN HAS DONE AN ADEQUATE JOB. I'VE HAD THE FORTUNATE OPPORTUNITY TO BE BACK FROM PARIS, AND I THINK THEY DO A GREAT JOB. WE NEED TO BE A LITTLE MORE VISIONARY IN HOW WE GO ABOUT ESTABLISHING FEES. THE METHODOLOGY THAT THE PARKS DEPARTMENT HAS COME UP WITH WILL GIVE YOU FEES SO LONG AS THERE IS DEVELOPMENT, BUT IT IS NOT A SUSTAINABLE PROPOSITION. WE NEED TO THINK BEYOND THIS MODEST PROPOSAL AND THINK ABOUT A SUSTAINABLE SITUATION THAT IS MORE EQUITABLE. WE ALSO NEED TO THINK ABOUT HOW THIS



CONFLICTS WITH OUR DESIRE FOR AFFORDABLE HOUSING. WORKING WITH THE DEVELOPMENT COMMUNITY I KNOW THAT APPLYING A FRONT-LOADED FEE TO A PROJECT SOMETIMES WILL DRIVE THAT PROJECT FROM PROFITABILITY AND PROBABILITY TO A NICE DREAM BUT SOMETHING THAT NEVER GETS BUILT. ALSO, WHEN YOU'RE DEALING WITH A SITUATION SUCH AS WE ARE IN THE UNIVERSITY NEIGHBORHOOD OVERLAY, YOU HAVE A CAP ON EXACTLY WHAT YOU CAN CHARGE FOR RENTALS AND MAKE THOSE PROJECTS WORK, AND IF YOU INCREASE THIS FEE AND MAKE THOSE PROJECTS NO LONGER FEASIBLE THEY WILL NOT BE BUILT, THEREFORE WE WILL NOT HAVE ACCOMPLISHED OUR GOAL IN THAT AREA. I ALSO SUGGEST THERE ARE OTHER WAYS TO ACCOMPLISH THIS PROCESS IN ADDITION TO THESE FEES IN THE UNIVERSITY NEIGHBORHOOD OVERLAY WE HAVE CREATED OUR PARKING DISTRICT PARKING BENEFIT DISTRICT. I JUST CHECKED WITH GEORGE ADAMS BEFORE THIS MEETING AND ON THE 100 METERS THAT WE HAVE PLACED IN THE NEIGHBORHOOD WITH THE DEDICATION OF THOSE FUNDS TO PARKS AND PUBLIC IMPROVEMENTS OF THE RIGHT-OF-WAY, WE HAVE GENERATED AN AVERAGE OF \$10,000 PER MONTH. WE ARE ATTEMPTING NOW TO EXPAND THAT PROCESS AND EXPAND THOSE METERS THROUGH OTHER STREETS IN THE NEIGHBORHOOD, AND IF WE WERE TO RAISE IT TO THE THOUSAND METERS THAT WE THINK WE CAN GET IN THE AREA AND REGULATE THE ON STREET PARKING THAT CREATES A SITUATION WHERE IT'S SAFE TO PARK YOUR CAR, AND WE HAVE AN ORDERLY SYSTEM WHERE FIRE TRUCKS CAN GET UP AND DOWN THE STREETS, WE'RE SUDDENLY IN THE SITUATION WHERE WE'RE GENERATING A TREMENDOUS FEE FOR THE CITY'S PARKS DEPARTMENTS. AND SO WE WOULD SUGGEST THAT IN THE UNIVERSITY NEIGHBORHOOD OVERLAY WE LOOK CAREFULLY AND WHAT WE PROPOSE FOR THAT AREA, AND IF A PROJECT IS TO OPT INTO THE NEIGHBORHOOD OVERLAY, THAT IT BE EXEMPTED FROM THESE REQUIREMENTS SINCE IT'S ALREADY -- THEY'RE ALREADY REQUIRED TO DO THE STREET SCAPE IMPROVEMENTS, THE AFFORDABLE HOUSING AND PARKING METERS NOW, WE WOULD BE -- I THINK THAT WOULD BE A IMMIGRATE..... GREAT IDEA. ALSO I WOULD THINK THAT YOU WOULD WANT

TO LOOK AT A SUSTAINABLE SYSTEM, AND IS IT PROPER IF WE HAVE A DRAINAGE FEE THAT WE CHARGE EVERY CITIZEN, IS IT PROPER TO HAVE A PARKLAND FEE THAT WE CHARGE EVERY CITIZEN TO MAKE SURE THAT WE HAVE GREAT PARKS FOR TODAY, TOMORROW, IN DOWNTIME AND IN THE GOOD TIMES. THANK YOU. LOOK FORWARD TO WORKING WITH YOU ON THIS ITEM.

MAYOR WYNN: THANK YOU, MR. MCCONE. WELCOME, MR. SAVIO, AND YOU'LL BE FOLLOWED BY KENT COLLINS.

MY NAME IS HARRY SAVIO. I REPRESENT THE GREATER HOME BUILDERS ASSOCIATION IN AUSTIN. WE BUILD 95% OF THE HOMES IN THE FIVE COUNTY AREA, PRIMARILY DUPLEXES AND TOWNHOME CONSTRUCTION. ONE OF THE THINGS I NOTICED IN THINKING ABOUT COMING UP HERE TONIGHT IS OUR PARADE OF HOMES IS GOING ON RIGHT NOW. IT'S ON -- SIM RON HILLS SUBDIVISION. IT'S 5.8 MILES WEST OF GEORGETOWN ON HIGHWAY 29 AND THERE YOU CAN GO AND SEE 1 AND \$2 MILLION HOUSES THAT ARE ALREADY LANDSCAPED AND FULLY FURNISHED, AND YET I TALK ABOUT THAT AND BRING IT OUT BECAUSE IT'S REALLY IN STARK CONTRAST TO THE HOMES THAT MOST OF US CAN AFFORD, CERTAINLY THAT I CAN AFFORD, AND YET FOR ME, I MY OWN SMALL HOME IN NORTH CENTRAL AUSTIN IS A MANSION IN ITS OWN RIGHT. AND NOW BECAUSE -- AND SO WE WERE CONCERNED ABOUT INITIALLY WHEN THE PARKLAND DEDICATION FEE BEGAN COMING FORWARD WITH NO PROVISIONS FOR THE EXEMPTIONS FOR AFFORDABLE HOUSING, AND I THINK THAT WHAT I'M GOING TO ULTIMATELY ASK THAT YOU DO IS REALLY FOCUS ON THAT DEFINITION. THE CITY OF AUSTIN TO DATE HAS COLLECTED A FEE IN LIEU OF PARKLAND DEDICATION. THE FEE WAS REPRESENTATIVE OF THE COST OF THE DIRT. THAT HAD ADVANTAGES TO THE CITY BECAUSE THOSE LAND COSTS HAVE ESCALATED WITH EVEN FLATION. THE ADVANTAGE TO THE HOME BUYER WAS THAT ALMOST ALWAYS THAT FEE WAS PROPORTIONATE TO THE COST OF THE HOUSE. AFTER ALL, IT REALLY DOESN'T WORK FOR A BUILDER TO PUT AN INEXPENSIVE HOUSE ON A VERY EXPENSIVE LOT. AND SO THE RESULT WAS MORE LIKELY TO BE WHAT A HOMEOWNER COULD AFFORD. NOW, TO PUT A \$65,000 PLANT FEE INTO DOLLARS AND SEES, IT WAS .36% OF THE COST OF SAY A

\$180,000 HOME. ONLY 6.5% OF A MILLION DOLLARS HOUSE. IN OTHER WORDS IT HAS FIVE TIMES THE IMPACT ON THE AFFORDABLE HOUSE THAT A \$650 FEE WOULD HAVE ON THE MORE EXPENSIVE PRODUCT. IN THE PRESENTATION THAT YOU SAW TONIGHT THE PARKS STAFF REFERENCED THE GRAND OAKS SUBDIVISION WHERE THE COST PER UNIT WAS \$123, SO AGAIN, HERE -- IF THIS NEW FEE HAD BEEN APPLIED TO THAT PROJECT, IT WOULD HAVE BEEN A 300% INCREASE IN THE COST OF THAT PROJECT, AND YET AGAIN, TO THE MILLION DOLLAR HOUSES THERE'S GOING TO BE A SIGNIFICANT DECREASE IN COST. FINALLY I THINK IT'S WORTH NOTING THAT THE FEE ITSELF IS NOT REVENUE NEUTRAL. THE PARKS DEPARTMENT IS NOT ONLY PROPOSING TO BROADEN THE FEE, WHICH WE WOULD HAVE SUPPORTED, BUT IT'S BEING INCREASED TOO. PLEASE CONSIDER THAT WHEN YOU'RE CONSIDERING THIS -- THIS ORDINANCE, WHEN YOU'RE CONSIDERING HOW YOU DEFINE A AFFORDABLE AND APPLYING IT TO -- A IN CONSIDERING THE AFFORDABLE HOUSING EXEMPTION, CONSIDER THAT WHEN WEIGHING ANY NEW COST OF HOUSING IS NOT JUST THE PARK FEES THAT WE'RE CONCERNED ABOUT BUT THE CUMULATIVE IMPACT OF EVERYTHING THAT OCCURS. THE CITY CURRENTLY HAS A NUMBER OF OTHER INITIATIVES, MANY OF WHICH WE HAVE SUPPORTED LIKE THE NEW ENERGY CODE, CHANGES TO WATER CONSERVATION AND -- BUT THEY'RE ALSO PENDING WATER, WASTEWATER FEE INCREASES THAT ARE GOING TO BE MOVING FORWARD. SO AS YOU CONSIDER THIS NOW AND IN THE FUTURE, PLEASE KEEP IN MIND THE BROADER SOCIAL AND ECONOMIC IMPACTS THAT YOUR DECISIONS WILL HAVE ON THE PURCHASE OF A NEW HOME. THANK YOU.

MAYOR WYNN: THANK YOU, MR. SAVIO. KENT COLLINS. WELCOME, KENT. PHIL MENCADA. PHIL, YOU'LL HAVE UP TO SIX MINUTES,, AND YOU'LL BE FOLLOWED BY SCOTT JOHNSON.

MY NAME IS KENT COLLINS. I'M THE CHAIRMAN OF THE DOWNTOWN AUSTIN ALLIANCE AND WE -- THROUGH THE ALLIANCE WE HAVE WORKED WITH THE PARKS DEPARTMENT, WITH PROPERTY OWNERS AND WITH THE CITY TO UPGRADE THE PARKS IN DOWNTOWN AUSTIN. AS WAS SAID PREVIOUSLY, THE OPPORTUNITIES FOR CREATING

NEW PARKLAND WITHIN DOWNTOWN AUSTIN IS SEVERELY LIMITED AND THERE ARE IMPROVEMENTS, BOTH CAPITAL AND MAINTENANCE IN NATURE, THAT HAVE TO BE MADE. WE AGREE THAT THE EXISTING SYSTEM IS OUTMODED AND THAT CHANGES TO IT, AS SUGGESTED BY THE PARKS DEPARTMENT, ARE VERY MUCH NEEDED. HOWEVER, WE HAVE SOME RECOMMENDATIONS WHICH WE SUBMITTED TO YOU LAST WEEK THAT WE THINK BEAR CONSIDERATION. THOSE INCLUDE TO BASE THE PARKLAND FEES ON THE NUMBER OF BEDROOMS, WHICH IS AN INDICATION OF THE NUMBER OF RESIDENTS IN THOSE UNITS VERSUS STRICTLY ON A PER UNIT BASIS, BECAUSE SOMEONE MOVING INTO AN EFFICIENCY OR A ONE BEDROOM VERSUS SOMEONE MOVING INTO A FIVE BEDROOM HOME IS PROBABLY GOING TO USE THE PARKS ON A DIFFERENT BASIS, ON A DIFFERENT LEVEL. WE ALSO WOULD LIKE TO SEE THAT THE FEES BE ABLE TO BE EITHER PAID TO THE CITY OR TO A CERTIFIED NOT FOR PROFIT ORGANIZATION SUCH AS THE PARKS ASSOCIATION OR THE TRAIL ASSOCIATION. IN ADDITION, WE THINK -- WE HIGHLY RECOMMEND THAT THOSE FEES BE SPENT IN THE NEIGHBORHOOD PLANNING AREA FROM WHICH THEY'RE GENERATED, WHICH HAS BEEN THE RECOMMENDATION BY THE PARKS DEPARTMENT. AND FINALLY, WE ALSO BELIEVE THAT FEES SHOULD BE ABLE TO BE WAIVED FOR THOSE DEVELOPMENTS THAT PROVIDE AFFORDABLE HOUSING AND NOT JUST FOR THE UNITS THAT ARE AFFORDABLE BUT BECAUSE OF THE TO THE DEVELOPER OF PROVIDING AFFORDABLE HOUSE HOUSING AND THE PRIORITIES THAT THE CITY HAS TO PUT IN PLACE, THAT PROJECTS WHICH PROVIDE AFFORDABLE HOUSING SHOULD BE ABLE TO HAVE THE FEES WAIVED FOR THIS NEW PARKLAND DEDICATION FEE. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. COL.... COLLINS. AND OUR FINAL SPEAKER IS SCOTT JOHNSON, WHO I SAW EARLIER. SCOTT? SCOTT JOHNSON -- I'M SORRY, NOT WISHING TO SPEAK, IN FAVOR. SO COUNCIL, THAT'S ALL OF OUR CITIZEN TESTIMONY REGARDING THIS PUBLIC HEARING. FURTHER QUESTIONS OF STAFF? COMMENTS? AGAIN, WE -- BECAUSE OF THE POSTING LANGUAGE, LEGAL ADVICE IS THAT WE NOT TAKE ACTION TONIGHT, BUT WE CERTAINLY CAN AND SHOULD DELIBERATE AS MUCH AS WE CAN AND WANT TO,

AND WE'LL CERTAINLY POST FOR ACTION AT OUR NEXT MEETING. COUNCIL MEMBER KIM?

KIM: I HAVE A QUESTION FOR OUR PARKS DIRECTOR WARREN STRUCE ABOUT PARKS MAINTENANCE, BECAUSE I KNOW THAT THE FEES CANNOT BE USED FOR PARK MAINTENANCE BUT PARK MAINTENANCE IS A COST FROM OUR GENERAL REVENUE FUND, WE USE THAT, OUR GENERAL REVENUE TO FUND PARK MAINTENANCE. WHAT ARE WE ANTICIPATING IN TERMS OF THE BUDGET IMPACT FOR -- IF WE'RE ADDING MORE PARKS TO OUR INVENTORY? I DON'T KNOW WHAT THAT WOULD BE, FROM EQUIPMENT ON THE PARKS FACILITIES THEMSELVES, THE QUALITY OF THE EQUIPMENT I THINK WOULD HAVE A FACTOR IN TERMS OF HOW MUCH MAINTENANCE WE WOULD HAVE TO DO IN TERMS OF THE MATERIAL AND EQUIPMENT WE PUT ON THERE. BUT WHAT ARE SOME OF THE THINGS YOU CONSIDER IF YOU'RE GOING TO BE USING THIS FEE?

THE PARKLAND DEVELOPMENT FEE OR PARKLAND DEDICATION FEE WILL BE USED FOR CAPITAL IMPROVEMENTS, RESTORATION, RENOVATION, FOR EXAMPLE, IT WOULD ALLOW US TO BUILD TRAILS BUT IT WOULD ALSO ALLOW US TO RENOVATE TRAILS. IT WILL ALLOW US TO BUILD PLAYGROUND, PLAYSCAPES, BUT IT WILL ALSO ALLOW US TO RENOVATE PLAYGROUNDS AND PLAYSCAPES. SO IT'S GOING TO BE VERY -- IT'S GOING TO BE VERY FLEXIBLE FOR US TO MAKE IMPROVEMENTS AS WELL AS ACQUIRE AND DEVELOP NEW PARKS. THAT'S THE -- THAT'S THE REAL NICE PART ABOUT THE PARKLAND DEDICATION FEE, IT ALLOWS US TO BE FLEXIBLE IN MEETING THE NEEDS OF EVERYBODY THAT'S USING OUR PARKS, MEETING THE NEEDS OF OUR CONSTITUENCY. AS FAR AS OPERATION AND MAINTENANCE IS CONCERNED, THAT IS SOMETHING THAT WE HAVE TO CONTINUE A LINK UP ANNUALLY WITH OUR ANNUAL OPERATING BUDGET. WE HAVE A GENERAL COST IN AUSTIN FOR NEIGHBORHOOD PARKS OF ABOUT \$1,500 AN ACRE ANNUALLY TO MAINTAIN A NEIGHBORHOOD PARK. WHAT THAT CONSTITUTES IS A VERY BASIC OPERATION IN MAINTENANCE. IT CONSTITUTES MOWING, TRIMMING, LITTER PICKUP, RESTROOM CLEANING AND MINOR REPAIRS TO SOME OF YOUR FACILITIES. SO YOU HAVE AN OPERATIONS AND MAINTENANCE COST THAT WE'D

HAVE TO KEEP IN MIND EVERY YEAR AT THE GENERAL OPERATING TIME THAT WE COME TO YOU TO ASK FOR APPROVAL ON THE OPERATING BUDGET. SO IT'S A PLANNING AND A LINKING EFFORT SO THAT WHEN WE ACQUIRE AND DEVELOP NEW PARKS WE ALSO HAVE TO COME TO YOU AND ASK FOR THOSE ADDITIONAL OPERATING MONIES EVERY YEAR TO MAKE SURE THAT WE MAINTAIN THEM AS WELL.

KIM: OKAY. CAN WE ALSO USE THE FEES FOR SWIMMING POOLS? I NOTICED THAT -- I REMEMBER THAT DURING THE BOND PACKAGE DISCUSSION AND THERE WERE A LOT OF PROJECTS, THAT INCLUDED SWIMMING POOLS AND RETRO FITTING SWIMMING POOLS TO MEET THE NEW, I GUESS HEALTH AND SAFETY REQUIREMENTS FOR SWIMMING POOLS. ARE THOSE SOME OF THE PROJECTS THAT COULD BE FUNDED IF THEY'RE ON OUR PARKLAND?

ABSOLUTELY. THAT WOULD BE A FEE THAT WE OBVIOUSLY WOULD WANT TO USE FOR THOSE TYPES OF RENOVATIONS TO OUR SWIMMING POOLS AND AQUATIC FACILITIES.

KIM: THOSE ARE SOME OF THE PROJECTS THAT WE HAD TO CUT THAT WE DIDN'T MAKE IT TO THE BOND PACKAGE.

ABSOLUTELY. IT WILL ALSO ALLOW US TO ACQUIRE PARKLAND WHERE WE HAVE DISTINGUISHES DEFICIENCY IN PARKLAND, WE HEARD ONE OF THE SPEAKERS TALK ABOUT A 50-METER SWIMMING POOL. PARKLAND DEDICATION IS NOT GOING TO ALLOW US TO BUY 50-METER SWIMMING POOLS BUT ALLOW US TO LEVERAGE DOLLARS THAT ONE DAY WE MIGHT BE ABLE TO DO THAT AS WELL. THANK YOU. I HAVE A QUESTION FOR MR. HARRY SAVIO. I KNOW THAT YOU SPOKE ABOUT SOME THINGS THAT AFFECT HOME BUILDERS, AND ONE ISSUE THAT I WANTED TO ASK YOU TO ADDRESS HAS TO DO WITH WHEN THIS FEE WOULD BE IMPOSED, AND I'M READING THE ORDINANCE THAT IT WOULD BE IMPOSED AT THE TIME OF THE SITE PLAN IF SUBMITTED. AND I DON'T KNOW HOW THAT LINES UP WHEN -- AS TO WHEN PEOPLE GET THEIR FINANCING FOR THAT PROJECT. SO I JUST -- I'M WONDERING IF THERE'S A POSSIBILITY SOME PEOPLE COULD BE CAUGHT, THEY GOT THEIR FINANCING FOR THIS PROJECT FOR CERTAIN AMOUNT, BUT THEN THEY SUBMIT THEIR SITE PLAN LATER AND THAT'S WHEN WE IMPOSE THE

FEE. SO I'M WONDERING IF YOU COULD GIVE ME THAT TIMELINE BECAUSE IF WE DO PASS AN ORDINANCE ON THE 21ST I WANT TO MAKE SURE WE'RE GIVING PEOPLE ENOUGH TIME SOUP WE'RE NOT CATCHING THOSE PEOPLE THAT MAYBE WOULD GIVE AT A 30-DAY EFFECTIVE DATE AND THAT'S KIND OF THE INFORMATION I WAS WONDERING IF YOU HAVE ANYTHING TO THAT EFFECT.

COUNCIL MEMBER, I'M SORRY TO SAY, YOU'VE GOTTEN OUT OF MY SPHERE OF KNOWLEDGE BECAUSE THE TECHNICALITIES OF SITE PLAN. I CAN JUST TELL YOU AS A RULE OF THUMB, A BUILDER OR DEVELOPER LIKES TO PAY THE FEES AS LATE IN THE PROCESS AS POSSIBLE BECAUSE I THINK ONE OF THE SPEAKERS SPOKE EARLIER TO THE DIFFICULTY OF FUNDING THE COSTS ON A PROJECT, AND IT'S NOT UNUSUAL FOR IT TO TAKE TWO YEARS TO DO A DEVELOPMENT PROJECT. AND SO IF YOU'RE PAYING THAT EARLY ON IN THE PROCESS, HAVING SAID THAT, THE CAVEAT TO THAT IS IN SINGLE FAMILY RESIDENTIAL DEVELOPMENT A SITE PLAN IS NOT REQUIRED, AND SO I'M ASSUMING THAT THAT IS WHERE THE DISTINCTION OCCURS. AND SO I'M GOING TO HAVE TO YIELD TO THE COMMERCIAL DEVELOPER BUILDER GROUP WHO HAVE MORE KNOWLEDGE IN THE SITE PLAN AREA THAN I DO.

WHEN WOULD THE SINGLE-FAMILY -- I GUESS IF THE SUBDIVISION IS REQUIRED AND IT'S BASED ON A NUMBER OF UNITS, WHEN WOULD THE SINGLE FAMILY DEVELOPER HAVE TO PAY THE PARKLAND DEDICATION FEE?

I'M ASSUMING THAT IT OCCURS AT THE PLATTING.

KIM: MAYBE MS. SO LEASE CAN ANSWER THAT.

THAT'S CORRECT. IN A SINGLE FAMILY DEVELOPMENT IT WOULD BE HAPPEN AT THE SUBDIVISION STAGE, SO THE LAND THAT WOULD BE DEDICATED FOR A SINGLE FAMILY DEVELOPMENT OR FEES WOULD BE PAID AT THE SUBDIVISION STAGE JUST BECAUSE OF THE SINGLE FAMILY -  
-

KIM: SO IF THE LAND IS SUBDIVIDED -- THEY'RE ALREADY REQUIRED TO DO THAT AT SUBDIVISION ANYWAY SO THIS IS

NOT A NEW REQUIREMENT THEN.

THAT'S CORRECT.

KIM: OKAY. FOR SINGLE FAMILY HOMES. THANK YOU VERY MUCH.

MAYOR WYNN: OTHER QUESTIONS, COMMENTS STAFF OR SUGGESTIONS, DELIBERATIONS? COUNCIL MEMBER COLE?

COLE: CAN YOU GO OVER AGAIN THE LITTLE BIT OF DISCUSSION THAT I THINK WE HAD ABOUT THE AFFORDABLE UNITS AND THE PARKLAND DEDICATION FEE ON TOP OF THAT, WHETHER STAFF IS RECOMMENDING THAT OR ADDRESSING IT OR TOTALLY LOOKING TO US FOR INPUT ON THAT?

JUST TO ELABORATE ON OUR STAFF RECOMMENDATION ON AFFORDABLE UNITS?

COLE: YES.

WE WERE LOOKING AT A DEVELOPMENT THAT, FOR INSTANCE, A HUNDRED UNIT DEVELOPMENT THAT IS PROPOSING TO INCLUDE 10% AFFORDABILITY, FOR INSTANCE, THEN, YOU KNOW, IT WOULD BE TEN UNITS. THEN WE WOULD -- WE WOULD THEN CALCULATE THE PARKLAND DEDICATION FEES BASED ON 90 UNITS, FOR INSTANCE, INSTEAD OF A HUNDRED FOR THAT PARTICULAR PROJECT.

COLE: OKAY. THANK YOU. I SIMPLY ASKED YOU THAT QUESTION BECAUSE I AGREE WITH THAT APPROACH. I DO NOT THINK THAT WE SHOULD CEASE THE..... ASSESS THE DEDICATION FEE, AND I WANTED TO MAKE SURE WE HAD THAT DISCUSSION AT COUNCIL.

MAYOR WYNN: FURTHER COMMENTS, THOUGHTS? COUNCIL MEMBER MCCracken?

MCCracken: YEAH, I'LL JUST ECHO COUNCIL MEMBER COLE'S COMMENTS, THAT I SUPPORT THE PARKLAND DEDICATION FEE BUT NOT FOR AFFORDABLE UNITS. A LOT OF TIMES THESE ARE ALREADY SOMETHING WHERE WE ARE



-- I REMEMBER AS COUNCIL MEMBER MARTINEZ POINTED OUT, FOR INSTANCE, WE RECENTLY USED PORTABLE HOUSING BONDS TO BUY DOWN AFFORDABILITY COSTS. IF WE HAD HAD A PARKLAND DEDICATION WE WOULD HAVE BEEN ROBBING PETER TO PAY PAUL, USING AFFORDABLE HOUSING BONDS TO PAY PARKLAND DEDICATION FEES. SO I THINK STAFF HAS COME TO AN EXCELLENT RECOMMENDATION TO PROCEED WITH A FAIR, BROAD BASED FEE AND TO EXCLUDE AFFORDABLE HOUSING IN IT.

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

LEFFINGWELL: I DON'T KNOW IF I CAN GET AN ANSWER TO THIS. PROBABLY A LEGAL QUESTION FOR THE LAWYER HERE. WE ARE PROPOSING POSSIBLY WITH THE AFFORDABLE HOUSING GUIDELINES VARIOUS FEE WAIVERS OF ALL KINDS, AND SO HOW WOULD THAT INTERACT WITH AN ORDINANCE, FOR EXAMPLE, IN THE PARKLAND DEDICATION FEE IF IT SAID THIS FEE -- IT IS SILENT ON -- ON THE ISSUE OF WAVING THE FEE FOR AFFORDABLE HOUSING? THEN IF THE AFFORDABLE HOUSING GUIDELINES SAY THAT CERTAIN FEES COULD BE WAVED, INCLUDING PARKLAND FEES, WOULD THAT PREVAIL? OR DOES THAT MAKE ANY SENSE?

YES, COUNCIL MEMBER, IT DOES MAKE SENSE, AND AGAIN, IT'S ALL -- THE DEVIL IS IN THE DETAILS AND IT'S ALL IN HOW WE GET THE DRAFTING DONE, BUT IF THAT IS YOUR INTENTION WHEN WE GET TO THAINT.....THAT POINT WE CAN CARVE THAT OUT IN THOSE PROVISIONS AND INCLUDE THAT AS A FEE THAT IS WAVED. BUT AGAIN, YOU KNOW, IT DOESN'T NECESSARILY MATTER WHERE YOU PUT IT. IT'S JUST THAT YOU HAVE PUT IT SOMEWHERE IN A CODE PROVISION CONCERNING HOW IT GETS WAIVED. SO YOU HAVE AN OPTION. YOU CAN GO AHEAD AND PASS THIS ORDINANCE WHEN IT COMES BACK FOR ACTION AS IT STANDS WITH THE NOTION THAT LATER ON THAT YOU WOULD GO ON AHEAD AND TAKE CARE OF IT AT A DIFFERENT POINT IN TIME, OR YOU CAN TAKE CARE OF IT IN THIS ORDINANCE WHEN IT COMES BACK TO YOU.

LEFFINGWELL: I WAS JUST THINKING IT MIGHT BE BETTER -- I

DON'T KNOW, I HAVEN'T LOOKED AT IT IN DEPTH, BUT IT MIGHT BE BETTER TO JUST LEAVE IT IN THE AFFORDABLE HOUSING FEE WAIVER GLEENS BECAUSE THAT PROVISION.....GUIDELINES BECAUSE THAT PROVISION IS PROBABLY GOING TO BE CAPPED AND THIS PROBABLY WOULD NOT BE.

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS? THEN HEARING NONE, MY SUGGESTION IS THAT THE LEGAL ADVICE IS THAT THEN ON THURSDAY, JUNE 21, WE WILL POST THIS AS A NONPUBLIC HEARING. HERE IN A SECOND I COULD TAKE A MOTION TO CLOSE THE PUBLIC HEARING AND WE'LL POST THIS AS AN ITEM -- WE'LL PROBABLY -- WE'LL POST IT AS THE STAFF RECOMMENDATION AND THEN WE'LL DELIBERATE THE INDIVIDUAL AND TAKE VOTES, LIKELY INDIVIDUAL MOTION VOTES, ON POTENTIAL AMENDMENTS TO THIS PROPOSED FEE. SO MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY COUNCIL MEMBER MARTINEZ TO CLOSE THIS PUBLIC HEARING. ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. OKAY. SO A FEW MORE PUBLIC HEARINGS, COUNCIL, WITH NO CITIZENS -- FOLKS HAVEN'T SIGNED UP YET AT LEAST. ITEM NO. 96, PUBLIC HEARING REGARDING A - - AN APPEAL OF AN INTERESTED PARTY. BRIEF STAFF PRESENTATION. WELCOME.

GOOD EVENING, MY NAME IS DELGADO WITH THE WATER SHIP DEVELOPMENT DEPARTMENT. WE'RE HERE TO CONSIDER AN AMENDMENT TO SECTION 25-2-..... 25-2-713 B OF THE CITY CODE TO PROVIDE AN INTERESTED PARTY MAY APPEAL A DECISION BY THE LAND USE COMMISSION TO GRANT OR DENY A VARIANCE REQUESTED UNDER THAT SECTION FOR THE PROPERTY IN ANY WATER.....WATERFRONT OVERLAY SUBDISTRICT. CURRENT CODE STATES THAT AN APPEAL IS ONLY AVAILABLE FOR A POSITION ON PROPERTY IN CITY HALL SUBDISTRICT. THERE ARE 16 SUBDISTRICTS IN THE WATERFRONT OVERLAY. THIS STRETCHES FROM TIME WARNER DOWN TO THE WEST TO

183 ON THE EAST. AND THAT CONCLUDES STAFF PRESENTATION.

MAYOR WYNN: THANK YOU. QUESTIONS FOR STAFF, COUNCIL? COMMENTS? ARE THERE ANY CITIZENS WHO WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING? HEARING NONE, I'LL -- AND THAT'S RIGHT, AND WE ARE POSTED FOR ACTION TO APPROVE THIS AMENDMENT?

YES.

MAYOR WYNN: OKAY. STAFF RECOMMENDED AMENDMENT. I'LL ENTERTAIN A MOTION. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: WELL, COUNCIL ACTUALLY BROUGHT THIS FORWARD ABOUT A MONTH AGO. I WAS ONE OF THE SPONSORS OF IT SO I'LL MOVE TO CLOSE THE PUBLIC HEARING AND APPROVE THE AMENDMENT AS STIPULATE STIPULATED IN ITEM 96.

MAYOR WYNN:

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY COUNCIL MEMBER MARTINEZ TO CLOSE THE PUBLIC HEARING AND APPROVE ITEM 96 AS POSTED. FIRST COMMENT? HEARING KNEW, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. ITEM NO. 97.

GOOD EVENING, JUNIE PLUMBER, REAL ESTATE, PUBLIC WORKS. ITEM NO. 97 AN AUSTIN CLEAN WATER PROJECT ACROSS A PARK KNOWN AS KEELING AND FOR THIS PARK THE LEGAL FACT FINDING IS THERE IS NO OTHER FEASIBLE AND PRUDENT ALTERNATIVE TO THE TAKING OF THE PARKLAND WHICH INCLUDES ALL PLANNING TO MINIMIZE HARM TO THE PARK.

MAYOR WYNN: QUESTIONS FOR STAFF, COUNCIL? COMMENTS? ARE THERE ANY CITIZENS CITIZENS WHO

WOULD LIKE TO GIVE US TESTIMONY IN THIS PUBLIC HEARING, ITEM NO. 97, REGARDING THIS PARK..... PARKLAND ISSUE? HEARING NONE I'LL ENTERTAIN A MOTION. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER COLE, TO... TO CLOSE THIS PUBLIC HEARING AND APPROVE THE RESOLUTION AS PRESENTED. ALL IN FAVOR SAY AYE.

AYE.

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

THANK YOU.

MAYOR WYNN: THANK YOU, MS. PLUMBER. ITEM NO. 98, THIS IS ALSO A CHAPTER 26 PUBLIC HEARING, ACROSS ATTRACT KNOWN AS REICHER RANCH. TO HELP US TAKEN ACCESS TO A LIGHT FOR PUBLIC SAFETY AS YOU ENTER AND LEAVE THE SITE, FOR THIS SITE THE LEGAL FACT FINDING IS THERE IS NO OTHER FEASIBLE AND PRUDENT ALTERNATIVE TO THE TAKING OF THE PREP, WHICH INCLUDES ALL PLANNING TO MINIMIZE HARM.

MAYOR WYNN: QUESTIONS OF STAFF, COUNCIL? COMMENTS? ARE THERE ANY CITIZENS WHO WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING, ITEM NO. 98, REGARDING THIS PRESERVE, CHAPTER 26 HEARING? YES, SIR? PLEASE COME FORWARD AND STATE YOUR NAME FOR THE RECORD.

GOOD EVENING, COUNCIL MEMBERS, MAYOR. I'M PHIL MANCARA. I'M THE SENIOR MEMBER OF THE CITY OF AUSTIN ENVIRONMENTAL BOARD, AND WE TOTALLY SUPPORT THIS REQUEST, TAKING INTO ACCOUNT THAT THE CITY STAFF HAS TO GET OUT ON 620 AND SOMETIMES HAVE TO DEAL WITH SAFETY ISSUES THAT COULD IMPACT ALL OF THE CITIZENS OF THIS CITY, SO WE'RE FULLY SUPPORTING THIS REQUEST BY THE REAL ESTATE DEPARTMENT. THANK YOU.

MAYOR WYNN: ALL RIGHT. THANK YOU, MR. MARACADA IN YOUR SERVICE.

LET ME CORRECT MYSELF. WE MADE THE MOTION BUT I'M HERE SPEAKING INDIVIDUALLY AS A CITIZEN, NOT FOR THE ENVIRONMENTAL BOARD. THANK YOU.

MAYOR WYNN: FAIR ENOUGH. ANY OTHER CITIZENS WHO WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING, CHAPTER 26? THEN HEARING NONE I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCIL MEMBER MARTINEZ TO CLOSE THE PUBLIC HEARING AND APPROVE THIS RESOLUTION AS PRESENTED, SECONDED BY THE MAYOR PRO TEM. ALL IN FAVOR PLEASE SAY AYE.

MAYOR WYNN: AYE.

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

THANK YOU.

MAYOR WYNN: THANK YOU, MS. PLUMBER.

MAYOR WYNN: ITEM NO. 99, CONSIDER A REQUEST -- A WAIVER FOR MINIMUM DISTANCE FOR ALCOHOL BEVERAGE SALES. PERHAPS A BRIEF STAFF PRESENTATION.

HI, MAYOR, AND CITY COUNCIL, I'M JUDY WITH THE LAND USE REVIEW DIVISION, WATER USE PROTECTION. I'M HERE TO REQUEST A WAIVER FOR A MINIMUM DISTANCE REQUIREMENT WHICH IS 4-9-4 A, WHICH REQUIRES 300 FEET BETWEEN A BUSINESS THAT PROPOSES TO SELL ALCOHOL AND A CHURCH. THE APPLICANT OR THE OWNER IS FROM ROY INVESTMENTS AND CURRENTLY YOU MAY HAVE NOTICED AT BARTON PLACE THERE'S SOME CONSTRUCTION UNDER WAY FOR THE RENOVATION OF THE BUILDING, WHICH WILL INCLUDE CONDO UNITS IN ADDITION TO OFFICE AND RETAIL ON THE BOTTOM. THE OWNER WANTS TO HAVE RESTAURANT AT STREET LEVEL, AND THE RESTAURANT WILL SELL ALCOHOL, AND IT IS WITHIN 265 FEET OF CENTRAL PRESBYTERIAN CHURCH. LDC 494, MINIMUM DISTANCE FROM CERTAIN USES PROHIBITS THE SALE OF ALCOHOL WITHIN 300 FEET OF A CHURCH. THE OWNER REQUESTS A WAIVER UNDER THIS SECTION, WHICH IS 4-9-4. TO CONSIDER THE WAIVER, 4-9-5 -- 4-9-5 A STATES THAT YOU CAN LOOK AT

CERTAIN CRITERIA FOR CONSIDERATION, AND THERE ARE SIX ITEMS THAT YOU CAN CONSIDER AS PART OF APPROVAL. 4-9-5 B STATES THAT CITY COUNCIL MAY CONSIDER THE WRITTEN CONSENT TO A WAIVER FROM A CHURCH LOCATED WITHIN 300 FEET IF THE BUSINESS HAS JUSTIFICATION FOR THE WAIVER, AND IF A LETTER IS RECEIVED, A LETTER OF CONSENT IS RECEIVED FROM THE CHURCH. IN THIS CASE WE HAVE A LETTER FROM THE CENTRAL PRESBYTERIAN CHURCH AND THEY ARE IN FAVOR OF THE WAIVER WITH THE CONDITION THAT THE BUSINESS RECEIVES AT LEAST 50% OF ITS GROSS INCOME FROM THE SALE OF FOOD. SO WE'RE RECOMMENDING THE WAIVER REQUEST WITHIN THE 300-FOOT DISTANCE, AND THE REQUEST HAS BEEN SUPPORTED BY THE CHURCH. I'M JUST TO ADD ONTO THAT THAT IF THE CHURCH DOES WANT TO CONDITION -- THE STATE STATES THAT IT'S A 50% GROSS INCOME SALES. OUR CODE STATES 51%. DO YOU HAVE ANY QUESTIONS?

MAYOR WYNN: QUESTIONS OF STAFF? I GUESS IS THE BUSINESS APPLICANT OR THE APPELLANT, WHATEVER THE TERMINOLOGY MIGHT BE, THEY ARE IN AGREEMENT WITH THAT STIPULATION OF THE --

YES, THEY ARE.

MAYOR WYNN: OKAY. QUESTIONS OF STAFF, COUNCIL? COMMENTS? I JUST LOST MY SHEET. ARE THERE ANY CITIZENS WHO WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING, ITEM 99, THIS VARIANCE ON ALCOHOLIC SALES? HEARING NONE I'LL SPRING A MOTION. MOTION BY COUNCIL MEMBER KIM TO CLOSE THE PUBLIC HEARING AND GRANT THIS VARIANCE SECONDED BY COUNCIL MEMBER LEFFINGWELL, A REQUEST FOR WAIVER, TECHNICALLY. FURTHER COMMENTS?

LEFFINGWELL: I THINK YOU SAID IT BUT JUST FOR CLARIFICATION PURPOSES THE WAIVER DOES INCLUDE A REQUIREMENT SET FORTH BY THE CHURCH, 50% FOOD SALES.

COUNCIL MEMBER, IF I CAN ADDRESS THAT, THE RESOLUTION ACTUALLY TRACTS OUR CODE REQUIREMENTS, WHICH WOULD BE THAT THEY MUST SECURE FOOD AND

BEVERAGE PERMIT AND THAT AUTOMATICALLY TRYING RESPECT RESPECTERS THE 51% REQUIREMENT, SO THE RESOLUTION IN THE BACK DOESN'T SAY 51% MUST BE FOOD BUT IT DOES SAY THAT THEY HAVE TO HAVE THAT FOOD AND BEVERAGE PERMIT AND THAT'S WHAT WILL TRIGGER THE 51% REQUIREMENT.

SO THAT MEETS THE REQUIREMENT?

YES, SIR, THAT DOES MEET THE CHURCH'S REQUEST.

MOTION AND SECOND ON THE TABLE TO APPROVE THE REQUEST FOR WAIVER. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

AYE? OPPOSED? MOTION PASSES ON A VOTE OF 7-0. AND OUR FINAL PUBLIC HEARING, WELCOME MR. GEORGE OSWALD.

I'M IN THE HABIT OF CLOSING THESE MEETINGS OUT THESE DAYS. MAYOR, GEORGE OSWALD WATERSHED PROTECTION AND REVIEW. THE ACTION WITH ITEM 100 IS TO CONDUCT A PUBLIC HEARING TO CONSIDER VARIANCE REQUESTS BY MR. MATT WORRALL TO ALLOW CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AT 1104 RICHARDINE AVENUE IN THE 25-YEAR AND 100-YEAR FLOODPLAINS OF TANNEHILL BRANCH AND TO WAVE THE REQUIREMENT TO DEDICATE A DRAINAGE EASEMENT TO THE FULL LIMIT OF THE 100-YEAR FLOODPLAIN FOR THE FOOTPRINT OF THE RESIDENCE. CAN I HAVE THE PRESENTATION, PLEASE?

THE APPLICANT DESIRES TO CONSTRUCT A NEW TWO-STORY SINGLE FAMILY HOUSE ON A CURRENT VACANT LOT. THIS LOT IS THE RED POLYGON THERE ABOUT DEAD CENTER IN THIS EXHIBIT, AND IT IS BRACKETED BY THE MAIN BRANCH OF TANNEHILL BRANCH, AND THE DARK BLUE AREA ON THIS DISPLAY IS THE LIMITS OF THE 25-YEAR FLOODPLAIN, THE LIGHTER BLUE AREA ON THE PERIMETERS THE LIMITS OF THE 100-YEAR FLOODPLAIN. SO YOU CAN SEE THAT THIS -- THE SUBJECT LOT IS FULLY SURROUNDED FOR SOME DISTANCE BY THE LIMITS OF THE 25-YEAR

FLOODPLAIN. THIS AREA IS EAST OF AIRPORT BOULEVARD AND SPRINGDALE DRIVE ON THE EAST SIDE. THIS IS THE CURRENT CONDITION OF THE LOT. IT'S UNDEVELOPED. PROBABLY MANY YEARS AGO THERE USED TO BE SOMETHING THERE, BUT THERE'S CURRENTLY NO STRUCTURE ON THE LOT. THE -- THIS IS THE LAY OUT THAT THE APPLICANT IS PROPOSING, TWO-STORY HOUSE-SIT WAITED A THIRD OF THE WAY BACK FROM THE STREET. FIRST FLOOR FLOOR PLAN, SECOND FLOOR FLOOR PLAN, NO ELEVATION VIEWS OF THIS PROPOSAL. THE STAFF IS RECOMMENDING DENIAL OF THE VARIANCE, PRIMARILY BECAUSE OF THE SAFETY OF ACCESS. DURING A HUNDRED YEAR EVENT THE WATER WOULD BE 3 1/2 FEET DEEP AT THE CURB LINE IN FRONT OF THE HOUSE. ADDITIONALLY -- ADDITIONALLY PUTTING A NEW STRUCTURE ON THAT LOT INCREASES THE OPPORTUNITY FOR OCCUPANCY IN THE FLOODPLAIN. THERE IS A HARDSHIP CONDITION ON THIS LAND BECAUSE IT'S CURRENTLY UNDEVELOPED, SO THE ECONOMIC USE OF THE LAND IS SEVERELY LIMITED BUT IT'S STAFF'S JUDGMENT THAT THAT DID NOT OUTWEIGH THE SAFETY OF ACCESS ISSUE WITH THE POTENTIAL FOR 3 1/2 FEET OF WATER AT THE CURB LINE DURING A 100 YEAR EVENT. THE APPLICANT HAS PROPOSED TO ADEQUATELY ELEVATE THE FINISHED -- THE LOWEST FINISHED FLOOR OF THE STRUCTURE TO BE AT LEAST ONE FOOT ABOVE THE 100-YEAR FLOODPLAIN, SO THE STRUCTURE ITSELF WOULD PROVIDE A LEVEL OF SAFE REFUGE. THAT CONCLUDES MY PRESENTATION. I'LL TAKE ANY QUESTIONS YOU MAY HAVE.

MAYOR WYNN: THANK YOU, MR. OSWALD. QUESTIONS FOR STAFF, COUNCIL? MR. OSWALD, WE'RE LOOKING AT THE AERIAL PHOTOGRAPH, OBVIOUSLY THIS ENTIRE, YOU KNOW, SWATH OF THIS NEIGHBORHOOD IS IN THIS 25-YEAR FLOODPLAIN.

THAT'S CORRECT.

MAYOR WYNN: AND I DON'T KNOW THE STREET WELL, BUT MY PRESUMPTION IS THAT, YOU KNOW, VIRTUALLY ALL OF THOSE LOTS HAVE EXISTING..... EXISTING HOMES THAT ARE ALL --

THAT'S CORRECT. THERE ARE A SIGNIFICANT NUMBER OF



HOMES THERE WITHIN -- OBVIOUSLY WITH A NUMBER OF LOTS THAT ARE IN THE FLOODPLAIN.

MAYOR WYNN: AND -- MAYBE THE NATURE OF THE AGE OF SOME OF THE HOMES, IS IT LIKELY THAT MANY OF THEM, THEIR FIRST FLOORS AREN'T 3 1/2 FEET ABOVE THE CURB LINE, AND SO I GUESS HISTORICALLY THERE HAS BEEN SIGNIFICANT HOUSE FLOODING IN THIS IMMEDIATE AREA?

THAT'S CORRECT. IT'S LIKELY THAT THERE IS A SIGNIFICANT NUMBER OF HOMES WITH SUB ELEVATED FIRST FLOOR ELEVATIONS IN THAT AREA: THE APPLICANT'S PROPOSAL IS TO ADEQUATELY ELEVATE TO MEET THAT ELEMENT OF THE CODE.

MAYOR WYNN: COUNCIL MEMBER MARTINEZ?

MARTINEZ: I'M QUITE FAMILIAR WITH THIS NEIGHBORHOOD. HAPPENS TO BE AROUND FIRE STATION 5 IN EAST AUSTIN, AND THERE IS A SUBSTANTIAL, I GUESS, DRAINAGE CREEK, IF YOU WILL. IT'S CONSTRUCTED FAIRLY WELL WITH CONCRETE AND IT'S NOT LIKE IT'S JUST A -- YOU KNOW, A RAW EMBANKMENT OF A CREEK THAT FLOODS ALL THE TIME. ACTUALLY IT CONTAINS LARGE AMOUNTS OF WATER AND THE ENTIRE 13 YEARS THAT I SERVED OVER THERE WE HAD AT LEAST TWO VERY SIGNIFICANT FLOODS AND I DON'T EVER REMEMBER ANY OF THIS NEIGHBORHOOD BEING FLOODED DURING THOSE TIMES. AND YOU'RE RIGHT, IT'S SURROUNDED BY VERY SMALL, LOW INCOME SINGLE FAMILY HOMES THAT I ASSURE YOU THE MAJORITY OF THEM, IF NOT ALL, ARE WITHIN THE FLOODPLAIN. I MORE THAN LIKELY WILL BE SUPPORTIVE OF THIS WHENEVER WE GET TO THE POINT OF GRANTING THE VARIANCE. IT'S A VACANT LOT AND SOMEBODY WANTS TO BUILD A HOME ON IT AND ADD PROPERTY VALUE TO IT AND IS WILLING TO BUILD IT ABOVE THE 3-FOOT LINE, I THINK I'LL BE SUPPORTIVE OF IT.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: SO YOUR SLIDE SAID THAT IN NOVEMBER OF 2004 THERE WAS SIGNIFICANT FLOODING IN THE AREA. WAS THIS PARTICULAR PROPERTY INUNDATED OR DO YOU

KNOW?

OUR RECORDS -- LET ME GO BACK TO THE PRESENTATION. MODERATE FLOODING. WE BASICALLY HAD OUT OF BANK FLOODING BUT WE DID NOT HAVE RECORDS OF WATER GETTING IN THE HOMES ON THAT DAY. AND THAT WAS A SIGNIFICANT EVENT, SO I DON'T HAVE A MAGNITUDE ON THAT EVENT, BUT IT'S LIKELY THAT IF YOU HAVE TO GET UP CLOSE TO A 25-YEAR EVENT BEFORE YOU'RE STARTING TO GET INTERIOR FLOODING IN THIS AREA. AND WE DO NOT HAVE A SIGNIFICANT RECORDS OF INTERIOR FLOODING, ALTHOUGH THE AREA BY MODIFYING THE FLOODPLAIN IS SIGNIFICANT THERE.

LEFFINGWELL: OKAY. SO COUNCIL MEMBER MARTINEZ TALKED A LITTLE ABOUT HIS PERSONAL KNOWLEDGE OF THE CREEK IN THAT AREA, THE SIGNIFICANT IMPROVEMENTS, AND I KNOW IT TOO, BUT WERE THOSE IMPROVEMENTS IN PLACE IN NOVEMBER 2004?

THEY WERE, AND THE CHALLENGE HERE, THERE IS A CONCRETE LINE CHANNEL THERE ON THE MAIN BRANCH OF TANNEHILL BRANCH. THE ISSUE THERE IS THE CAPACITY, ALTHOUGH THAT WAS UPGRADED BACK IN THE 1980S, THE UPGRADE WASN'T SIGNIFICANT TO CONTAIN THE FLOODPLAIN, BUT IT DOES A GOOD JOB IN THE STORMS SOMETHING UP TO AND LESS THAN A 25-YEAR EVENT OF CONVEYING THE FLOW. I AGREE WITH THAT ASSESSMENT.

LEFFINGWELL: THIS IS A HUGE AREA AND A HUGE NUMBER OF HOMES THAT ARE TOTALLY WITHIN THE 25-YEAR FLOODPLAIN. WOULD ALL BE IMPACTED. I JUST WONDER IF THIS PARTICULAR AREA IS PART OF YOUR MASTER PLAN, THE FOUR-YEAR MASTER PLAN TO ALLEVIATE FLOODING IN THIS AREA?

IT IS AN AREA THAT HAS BEEN IDENTIFIED FOR STUDY, AND WE KNOW WHAT PART OF THE FIX IS, IS BASICALLY INCREASING THE CAPACITY OF THAT CHANNEL. THE RAILROAD IS IMMEDIATELY BELOW THIS AREA, BUT THAT'S NOT WHAT'S HOLDING THE WATER BACK. IT'S THE CHANNEL CAPACITY JUST ISN'T ALLOW IT TO GET THERE AS IT

SHOULD. BUT IT IS IDENTIFIED AS A PROJECT AREA.

LEFFINGWELL: POSSIBLY WITH A DETENTION POND  
SOMEWHERE YOU COULD RELIEVE FLOODING IN THIS  
ENTIRE AREA. WOULD THAT BE --

THIS IS RIGHT DOWN AT THE VERY BOTTOM OF THE  
WATERSHED, AND DETENTION ISN'T EFFECTIVE IN THOSE  
LOWER AREAS. IT WOULD TAKE STRUCTURAL MODIFICATION  
OF THE WATERWAY TO MANAGE THIS FLOODPLAIN IN THAT  
AREA.

LEFFINGWELL: WELL, I'M HAVING ADULT TIME WITH THIS ONE  
BECAUSE IT IS A SMALL STRUCTURE THAT'S BEING  
PROPOSED, AND THE OWNER OF THE PROPERTY HAS NO  
OTHER POSSIBLE USE OF THIS PROPERTY, IF THIS ISN'T  
APPROVED, COMPLETELY SURROUNDED BY HOMES THAT  
ARE ALREADY IN THE FLOODPLAIN. SO ALL THESE FACTORS I  
THINK MITIGATE IN FAVOR OF POSSIBLY APPROVING THIS  
ONE.

MAYOR WYNN: IS MR. WORRALL HERE, OUR APPLICANT?  
JUST CURIOUS. I DON'T HAVE QUESTIONS FOR HIM.

MAYOR WYNN, AND COUNCIL MEMBERS. I APOLOGIZE THAT I  
WASN'T LISTED AS THE AGENT REPRESENTING MR.  
WORRALL. WHAT I PROVIDED YOU IS AN EXHIBIT, AND THAT'S  
1101 RICHARDINE. THIS IS A HOUSE THAT THEY'VE  
CONSTRUCTED IN THE LAST COUPLE OF YEARS DIRECTLY  
ACROSS THE STREET FROM THE VACANT LOT, TO GIVE YOU  
AN IDEA OF WHAT THE STRUCTURE WILL LOOK LIKE. IN  
ADDITION TO THAT, BEING IN THE LOWER END OF THE  
WATERSHED, THIS SINGLE FAMILY HOME WILL HAVE MINIMAL  
IMPACT ON ANY POTENTIAL FLOODING AND IN ADDITION TO  
THAT IF THERE WAS A POTENTIAL FOR EMERGENCY ACCESS  
TO HAVE PROBLEMS DURING HEAVY RAIN EVENTS, I BELIEVE  
THAT THE CITY WOULD HAVE DONE LIKE THEY'VE DONE  
OVER ON HEARTWOOD RECENTLY. THEY WOULD HAVE  
POSTED A SIGN UP THERE TO BE CAREFUL THAT THE  
ROADWAY MAY BE SUBJECT TO FLOODING DURING HEAVY  
RAIN EVENTS BUT TO THE BEST OF MY KNOWLEDGE THERE  
IS NO TYPE OF SIGNAGE IN THAT AREA. AND THE OWNER  
HAS COMPLETED..... COMPLETED -- WE HAVE AGREED TO

BUILD A HOUSE TWO FEET ABOVE THE 25-YEAR FLOODPLAIN AND ONE FOOT ABOVE THE HUNDRED YEAR, AND IT WOULD CREATE A HARDSHIP FOR THIS PARTICULAR DEVELOPER, WHO'S TRYING TO GO INFILL IN AN AREA THAT'S HIS.... HISTORICALLY HAS BEEN NEGLECTED WITH THIS SITUATION THAT HE BASICALLY DOESN'T HAVE ANY WAY TO GO AROUND IT. THERE WAS -- IF THE ORIGINAL ELEVATIONS OUT HERE, IF THIS GENTLEMAN WAS A DIFFERENT KIND OF DEVELOPER, HE COULD HAVE VERY EASILY WHEN HE PURCHASED THE PROPERTY AND COME IN AND CLEARED THE ABANDONED CARS AND THE SMALL STORAGE BUILDING THAT HAD BEEN LEFT THERE, HE COULD HAVE VERY EASILY COME IN AND DONE SOME MINOR GRADING, BECAUSE WE'RE ONLY TALKING ABOUT A COUPLE INCHES ON THE ACTUAL LOT TO GET IT OUT OF THE -- BASICALLY TO DEAL WITH THE 25-YEAR FLOODPLAIN ISSUE. SO I'M AVAILABLE TO ANSWER ANY QUESTIONS.

MAYOR WYNN: THANK YOU, SIR. QUESTIONS OF AGENT -- COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: THIS EXHIBIT YOU HAVE HERE, IS THAT HOUSE OUT OF THE 25-YEAR FLOODPLAIN? IT LOOKS LIKE IT'S ALMOST AS GROUND LEVEL.

NO, SIR, IT'S IN THE 25-YEAR BUT --

LEFFINGWELL: --

THE FINISHED FLOOR -- IF YOU'LL LOOK, I APOLOGIZE FOR SAYING IT THAT WAY, BUT IF YOU'LL LOOK TO THE VERY LOWER END OF THE EXHIBIT YOU'LL SEE THE SIDEWALK THERE. THAT IS ACTUALLY THE SIDEWALK AND THEN YOU STILL HAVE ANOTHER -- APPROXIMATELY ANOTHER FOOT OF CURB BELOW THAT. SO THIS HOUSE IS -- THE ACTUAL SLAB OF THE HOUSE IS ABOVE THE HUNDRED YEAR. AND THIS IS AN EXAMPLE OF ONE THAT HE'S ALREADY CONSTRUCTED AND IT'S ACROSS THE STREET.

MAYOR WYNN: OTHER QUESTIONS OF THE AGENT? COMMENTS? THANK YOU. AND AGAIN, ANY CITIZENS LIKE TO GIVE US TESTIMONY IN THIS PUBLIC HEARING, ITEM NO. 100?

THANK YOU ALL. THOUGHTS, COMMENTS? MOTIONS?

MAYOR WYNN: MOTION BY COUNCIL MEMBER MARTINEZ, SECKED BY COUNCIL MEMBER KIM TO CLOSE THIS PUBLIC HEARING AND GRANT THE VARIANCE REQUEST. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH MAYOR PRO TEM OFF THE DAIS. MS. GENTRY? THAT'S IT. THERE BEING NO MORE BUSINESS BEFORE THIS MEETING OF THE AUSTIN CITY COUNCIL, WE STAND ADJOURNED. IT IS 8:17 P.M.

**End of Council Session Closed Caption Log**