

Closed Caption Log, Council Meeting, 10/18/07

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Mayor Wynn: GOOD MORNING. APOLOGIZE FOR THE DELAY. I'M AUSTIN, TEXAS MAYOR WILL WYNN, IT'S MY PRIVILEGE TO WELCOME EVANGELIST JACKIE JOHNSON OF THE AGAPE CHRISTIAN MINISTRIES WHO WILL LEAD US IN OUR INVOCATION. PLEASE RISE.

THANK YOU, MAYOR AND COUNCILMEMBERS. HEAVENLY FATHER, WE ARE GATHERED TOGETHER TODAY FOR A PURPOSE AND COME TO YOU AS HUMBLE AS WE KNOW HOW. REALIZING THAT YOU ARE OUR SOURCE. IT IS A JOY TO PAUSE FOR A MOMENT, TO INVITE YOU INTO THIS PLACE TO HAVE YOUR WAY. TAKING THE TIME TO PAUSE FOR A MOMENT FROM OUR RESTLESS, BUSY MORNING, IN HOPES TO FIND RESTFULNESS THROUGHOUT THE DAY. WE PRAY FOR UNANIMITY IN THIS PLACE AND -- UNITY AND RELEASE YOUR PEACE THROUGHOUT THIS SESSION. TODAY THERE IS AN AGENDA, THERE ARE TASKS AND THERE IS BUSINESS AT HAND. AMIDST THE CONVERSATIONS AND DEBATE, WE PRAY FOR DISCERNING MINDS THAT LISTEN INTENTLY TO WHAT IS RIGHT. AMID THE EXCHANGE OF THESE IDEAS, THERE WILL BE VARIED OPINIONS AND BELIEFS. I AM THANKFUL THAT WE ARE NOT ALL CREATED THE SAME. BUT UNIQUELY SCULPTURED TO REFLECT THE DIVERSITY WITHIN THE WORLD. I AM GRATEFUL FOR THOSE HERE TODAY, WHO TAKE SERIOUSLY THE NOTION OF SERVANT LEADER. THE TASKS THEY HAVE BEEN CALLED TO DO IS DEMANDING. AND RARELY IS IT COUPLED WITH A WORD OF APPRECIATION FROM CONSTITUENTS. SO MAY ALL WHO WORK TO BETTER

OUR COMMUNITY, STRENGTHEN NEIGHBORHOODS AND IMPROVE PEOPLE'S LIVES BE BLESSED WHERE THEY ALWAYS HAVE MORE THAN ENOUGH IN EVERY AREA OF LIFE. AND FINALLY, OH, HOLY ONE, I OFFER BEFORE YOU THE PROCESS BY WHICH THE WORK OF THIS COUNCIL IS DONE, FOR THE LESSONS THEY TEACH US ARE NOT FOUND IN THE FINAL RESULT, BUT IN THE MEANS AND METHODS BY WHICH THEY COME TO A CONSENSUS OF IDEAS. I OFFER THESE HUMBLE WORDS IN THE NAME OF ALL THAT IS LIFE-GIVING, ALL THAT IS JOYFUL, ALL THAT INSPIRES AND GIVES US TRUE MEANING. IN THE MIGHTY NAME OF JESUS I PRAY, AMEN. THANK YOU.

Mayor Wynn: THANK YOU, JACKIE. THERE BEING A QUORUM PRESENT, AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, OCTOBER 18th, 2007. WE ARE HERE IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING 301 WEST SECOND STREET. IT'S APPROXIMATELY 10:28 A.M. APOLOGIZE FOR THE DELAY IN STARTING. WE HAD AN EXCITING PRESS CONFERENCE A FEW MINUTES AGO UPSTAIRS WITH A NUMBER OF OUR COLLEAGUES ABOUT SOME ITEMS THAT WE WILL TAKE UP LATER REGARDING 0 ENERGY CAPABLE NEW HOMES HERE IN AUSTIN. LET'S SEE, WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. I'LL GO THROUGH THOSE NOW. LET'S SEE, WE WILL NOTE THAT ON ITEM NO. 6, IT WAS RECOMMENDED, NOT REVIEWED, BY THE -- WAS REVIEWED BY ALSO RECOMMENDED BY THE PUBLIC HEALTH AND HUMAN SERVICES SUBCOMMITTEE. ITEM NO. 12 WILL BE POSTPONED TO NOVEMBER 1st, 2007. AS PART OF THE CONSENT AGENDA. ITEMS NUMBER 16 AND 17 HAVE BEEN WITHDRAWN. ON ITEM NO. 20, WE WILL CORRECT THE DOLLAR AMOUNTS. FOR THIS CONSTRUCTION CONTRACT. WE WILL -- WE WILL INSERT THE CORRECT AMOUNT OF 5,999,456.89 PLUS A \$419,961.98 CONTINGENCY FOR A TOTAL CONTRACT AMOUNT NOT TO COMPETE \$6,419,418.87. FUNDING IN THE AMOUNT OF 315,029.36 IS AVAILABLE IN THE FISCAL YEAR 2007-2008 CAPITAL BUDGET OF THE PUBLIC WORKS DEPARTMENT. THIS IS THE CONSTRUCTION CONTRACT FOR THE -- FOR THE MARTIN LUTHER KING, JR. BOULEVARD STREET RECONSTRUCTION AND UTILITY

ADJUSTMENTS FROM LAMAR OVER TO RIO GRANDE STREET. ITEM NO. 29 IS A -- IS A -- A TECHNICALITY. WE ACTUALLY HAD IDENTICAL BIDS, SO HERE IN A FEW MINUTES AS PART OF THE CONSENT AGENDA WE WILL CONDUCT A -- A STATE MANDATED DRAWING, A LOTTERY, TO CHOOSE THE WINNER OF THAT MEDICAL SUPPLY AGREEMENT ITEM. ITEM NO. 33 IS OUR NORMAL BOARD AND COMMISSION APPOINTMENTS. THERE ARE NONE THIS WEEK, SO WE WILL REMOVE ITEM 33 FROM THE AGENDA. ON ITEM NO. 39 WE WILL NOTE THAT COUNCILMEMBER LEFFINGWELL IS AN ADDITIONAL CO-SPONSOR OF THE TREE PLANTING. ON ITEM 47, WE WILL CHANGE THE SUGGESTED DATE OF THIS PUBLIC HEARING TO NOVEMBER 8th, 2007, NOT NOVEMBER 1st. ITEM 54 ALSO HAS BEEN WITHDRAWN. ITEM NO. 69 WE SHOULD NOTE THAT A VALID PETITION HAS BEEN FILED IN OPPOSITION TO THIS REZONING REQUEST. ITEM NO. 73, WE SHOULD NOTE THAT THE STAFF RECOMMENDATION TO DENY THE AMENDMENT TO THE RESTRICTIVE COVENANT IN THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO FORWARD IT TO COUNCIL WITHOUT A RECOMMENDATION. ON ITEM NO. 74, WE SHOULD NOTE THAT THE STAFF RECOMMENDATION IS TO GRANT NEIGHBORHOOD COMMERCIAL CONDITIONAL OVERLAY OR LR-CO COMBINED DISTRICT ZONING WITH CONDITIONS, THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT NEIGHBORHOOD COMMERCIAL CONDITIONAL OVERLAY, LR-CO COMBINING DISTRICT ZONING WITH CONDITIONS. ITEM NO. 83, WE SHOULD NOTE THAT IT'S RECOMMENDED BY BOTH THE RESOURCE COMMISSION AND ENVIRONMENTAL BOARD WITH COMMISSION, THAT BEING THE PROPOSED LONG-TERM WATER AGREEMENT WITH LCRA. ON ITEM NO. 86, THE WATER CONSERVATION PORTION OF THE CODE WAS RECOMMENDED BY THE CITIZENS WATER CONSERVATION COMMITTEE AND THE RESOURCE MANAGEMENT COMMISSION. ON ITEM NO. 81, A PUBLIC HEARING REGARDING THE FULL PURPOSE ANNEXATION OF THE STORAGE FACILITY, WE SHOULD CORRECT THE ACREAGE TO READ 11...21 ACRES, NOT 24.5. ITEM NO. 91 HAS ALSO BEEN WITHDRAWN. SO OUR SCHEDULE THIS MORNING AFTER WE GET THROUGH THE CONSENT AGENDA HERE IN THE NEXT FEW MINUTES, THEN DEPENDING ON THE NUMBER OF DISCUSSION ITEMS IF ANY, WE WILL HAVE A MORNING

BRIEFING, AN UPDATE FROM WORKSOURCE, OUR WORKFORCE DEVELOPMENT BOARD HERE IN AUSTIN AND CENTRAL TEXAS. AT NOON WE BREAK FOR GENERAL CITIZENS COMMUNICATION, AT 4:00 WE TAKE UP ALL OF OUR ZONING CASES AND MATTERS, 5:30 AS USUAL WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS, OUR MUSICIAN TODAY IS JONAS ALVAREZ, STAY TUNED. AND THEN WE HAVE A NUMBER OF PUBLIC HEARINGS POSTED THAT WILL TAKE UP -- WE'LL TAKE UP SOMETIME AFTER 6:00 P.M., USUALLY AFTER ALL OF OUR ZONING CASES ARE CONCLUDED. WE SHOULD NOTE NOW THAT ITEM NO. 84, PUBLIC HEARING, STAFF WILL BE REQUESTING A POSTPONEMENT TO DECEMBER 6th, 2007. AND THEN ON ITEM NO. 8 -- 90, EXCUSE ME, 90, WHICH IS THE POSTED PUBLIC HEARING REGARDING SOLICITATION, STAFF WILL BE REQUESTING THAT TO BE POSTPONED TO NOVEMBER 29th, 2007. THIS IS -- SINCE OUR POSTING SAYS THAT WE CAN'T TAKE UP THOSE ITEMS UNTIL 6:00 P.M., TECHNICALLY WE ALSO CAN'T POSTPONE THEM, TAKE UP THAT VOTE FOR POSTPONEMENT UNTIL 6:00 P.M., PLEASE NOTE I FEEL VERY STRONGLY WE WILL BE POSTPONING ITEM NO. 84 AND 90 FOR A NUMBER OF WEEKS AND SO IF YOU ARE -- IF YOU WERE PLANNING ON COMING DOWN THIS EVENING TO GIVE US TESTIMONY, THERE WON'T BE THAT NEED. WE SHOULD ALSO NOTE THAT ITEM NO. 3 IS OFF THE CONSENT AGENDA. AS IT RELATES TO OUR PUBLIC HEARING TAKING UP LATER, WHICH IS ITEM NO. 82. CURRENTLY, COUNCIL, THERE ARE NO ADDITIONAL ITEMS PULLED OFF THE CONSENT AGENDA. COUNCILMEMBER KIM?

Kim: I JUST WANTED TO MAKE NOTE THAT THE AFFORDABLE HOUSING TASK FORCE PUBLIC HEARING ON NOVEMBER 8th WILL BE AT 2:00 P.M. TIME CERTAIN INSTEAD OF 6:00 P.M.

Mayor Wynn: THANK YOU. ADDITIONAL ITEMS TO BE ITEMS TO BE PULLED OFF THE CONSENT AGENDA BEFORE I READ THE PROPOSED CONSENT AGENDA? HEARING NONE THEN I WILL PROPOSE A CONSENT AGENDA. IT WILL BE TO APPROVE ITEMS NUMBER 1, OUR MINUTES FROM OUR LAST MEETING, FROM OUR ECONOMIC GROWTH AND REDEVELOPMENT SERVICES APPROVING ITEMS NUMBER 2, ITEM NO. 3 IS PULLED OFF THE CONSENT AGENDA UNTIL AFTER OUR PUBLIC HEARING, FROM OUR FINANCIAL ADD

ADMINISTRATIVE SERVICES WE WILL BE APPROVING ITEM NO. 4, FROM OUR HEALTH AND HUMAN SERVICES DEPARTMENT WE WILL BE PRAWCHG..... APPROVING ITEMS NUMBER 5, NUMBER 6 PER CHANGES AND CORRECTIONS, AND NUMBER 7. FROM OUR LAW DEPARTMENT WE WILL BE APPROVING ITEM NO. 8. FROM OUR LIBRARY DEPARTMENT APPROVING ITEM NO. 9. FROM OUR PARKS AND RECREATION DEPARTMENT APPROVING AGENDA ITEMS 10 AND 11. FROM OUR POLICE DEPARTMENT, WE WILL BE POSTPONING ITEM NO. 12 TO NOVEMBER 1st, 2007. PER CHANGES AND CORRECTIONS. AND WE WILL BE APPROVING ITEMS 13 AND 14. FROM OUR PUBLIC WORKS DEPARTMENT, WE WILL BE APPROVING ITEM NO. 15. WE WILL BE NOTING -- WITHDRAWING ITEMS 16 AND 17 PER CHANGES AND CORRECTION. WE WILL BE APPROVING ITEMS 18, AND 19. APPROVING ITEM 20. PER CHANGES AND CORRECTION. APPROVING ITEMS 21, 22, 23, 24, AND 25. FROM OUR PURCHASING OFFICE WE WILL BE APPROVING ITEMS 26, 27, AND 28. AND AT THIS TIME WE WILL CONDUCT THE DRAWING FOR ITEM NO. 29 SO WE CAN INCLUDE THAT IN THE CONSENT AGENDA. AGAIN, THERE WERE TWO IDENTICAL BIDS AMONG TWO BIDDERS AS SOME MANUFACTURERS OFFER SET PRICING TO DISTRIBUTORS. SO WHEN BIDS ARE IDENTICAL, STATE LAW REQUIRES THAT LOTS ARE CAST TO DETERMINE THE AWARDEE. SO THIS MORNING WE WILL BE DRAWING LOTS TO MAKE A DETERMINATION OF WHICH COMPANY GETS THE AWARD ON THESE ITEMS, WHICH ARE ALL AIRWAY HUDSON SIZES 6, 7, 8 AND 10. THE PURCHASING OFFICER HAS THE ENVELOPE READY FOR DRAWING. SO IF YOU WILL BRING THAT UP I GUESS THAT I WILL PULL ONE NAME OUT OF THE ENVELOPE.

BYRON JOHNSON PURCHASING OFFICER. YES I DO. THE STATE LAW HAS A MANDATE IF THERE ARE IDENTICAL BIDS THAT THEY ARE DONE IN THE PRESENCE OF THE GOVERNING BODY AND IN A MANNER DESCRIBED BY THE MAYOR. SO THIS IS SOME SMALL ITEMS BUT IS REQUIRED UNDER THE STATE LAW.

Mayor Wynn: YES, SIR, THANK YOU. SO FOR OUR CONSENT AGENDA THE CONTRACT ON ITEM NO. 29 FROM OUR PURCHASING DEPARTMENT WILL BE GOING TO McKESSON

MEDICAL SURGICAL. THANK YOU.

THANK YOU.

Mayor Wynn: CONTINUING ON WE WILL ALSO BE APPROVING FROM THE PURCHASING DEPARTMENT ITEM NO. 30, FROM OUR TELECOMMUNICATIONS AND REGULATORY AFFAIRS DEPARTMENT WE WILL BE APPROVING ITEM NO. 31. FROM OUR WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT APPROVING ITEM 32. WE ARE NOTING THAT ITEM NO. 33 IS PULLED FROM THE -- IS WITHDRAWN AS THERE ARE NO APPOINTMENTS TO OUR BOARD AND COMMISSIONS. ITEMS FROM COUNCIL WILL BE APPROVING ITEM 34, 35, 36, 37, 38, 39 PER CHANGES AND CORRECTION, 40, 41, 42 AND 43. WE WILL BE SETTING THE PUBLIC HEARINGS WITH THE VOTE TO APPROVE ITEM 44, 45, 46, AND 47 PER CHANGES AND CORRECTION. THEN WE WILL NOTE THAT ITEM NO. 91, OUR ADDENDUM HAS BEEN WITHDRAWN. I WILL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? COUNCILMEMBER MCCRACKEN?

McCracken: WE HAVE A BIG DAY TO BECOME THE NATION'S AND WORLD'S LEADER IN CLEAN TECHNOLOGY AND CLEAN ENERGY. THAT IS OUR GREAT LOCAL SUCCESS STORY OF HEEL I DON'T.....HELIO VOLT,WE HAVE THE PROPOSAL TO GET THEM TO STAY HERE AND EXPAND. TO PUT THIS IN PERSPECTIVE OF WHAT A BIG DEAL THIS IS FOR THE WORLD, AUSTIN, THE CLEAN ENERGY SECTOR, HERE'S FROM FACTS FOR YOU. HELIOVOLT IN THE SECOND QUARTER OF THIS YEAR RECEIVED \$77 MILLION IN VENTURE CAPITAL FUNDING. ALL AUSTIN COMPANIES COMBINED IN THE FIRST QUARTER OF 2007 RECEIVED \$45 MILLION OF VENTURE CAPITAL FUNDING. I THINK THAT WE HEARD A LITTLE BIT EARLIER FROM ANGELA -- ANGLOS ANGELOUO TOLD ME IT MAY BE THE LARGEST SINGLE CAPITAL INVESTMENT AT ANY COMPANY AT ANY TIME IN THE CITY OF AUSTIN, THE AUSTIN REGION, INCLUDING DELL. WE'VE HAD A LOT OF COMPETITION FOR HELIOVOLT AS REFLECTED BY THE INTERNATIONAL CONFIDENCE AND EXPECTATIONS FOR THEM AND ITS TECHNOLOGY. THE GOVERNOR OF PENNSYLVANIA MADE DIRECT PHONE CALLS TO HELIOVOLT

TO GET THEM TO COME TO PENNSYLVANIA. WE KNOW FROM EARLIER A COUPLE OF YEARS AGO WE WENT HEAD TO HEAD WITH PENNSYLVANIA ON A WIND TURBINE MANUFACTURER, WE LOST ON THAT ONE. THIS WAS SERIOUS COMPETITION. WHEN WE DID -- ONE WE DID TAKE SERIOUSLY. THE TECHNOLOGY IS NANO TECH BASED USING MATERIAL CALLED I HAD TO GET THIS RIGHT, UH, COPPER CELLANIDE, A NANO TECH BASED -- BASED MATERIAL SO NOT ONLY IS HELIOVOLT THE MOST EXCITING SOLAR ENERGY COMPANY TO EMERGE OUT OF AUSTIN, IT'S PROBABLY ALSO ONE OF THE MOST EXCITING NANO TECHNOLOGY BASED COMPANIES TO COME OUT OF AUSTIN AS WELL. WHAT IT IS, IT'S A THIN FILM APPLICATION REPLACES THE BULKY HEAVY SILICON BASED PANELS. KIND OF A THIN -- IT IS A THIN FILM SOLAR APPLICATION. IT'S REALLY -- REALLY OFFERS THE ABILITY TO TRANSFORM HOW SOLAR ENERGY CELLS THAT -- PANELS ARE POSITIONED WHERE THEY ARE APPLIED. THIS -- THIS -- THIS IS ALL PART OF OUR CITY'S VISION THAT WE DID FIRST THE SOLAR REBATES, ALSO THE GREEN CHOICE PROGRAM STARTING IN 1999. IT HAS BECOME THE NATION'S UNQUESTIONED LEADER IN CLEAN ENERGY AND CLEAN TECHNOLOGY. THIS IS A HUGE STEP FORWARD. RED HERRING MAGAZINE LISTED AS ONE OF THE TOP 10 CLEAN TECH COMPANIES TO WATCH. HOPEFULLY EVERYBODY IN THE WORLD WILL BE WATCHING, KEEPING THEM HERE IN AUSTIN, TEXAS. GREAT WORK TO THE GREATER AUSTIN CHAMBER, THE GREATER ECONOMIC GROWTH DEVELOPMENT STAFF. JOB WELL DONE.

Mayor Wynn: THANK YOU, COUNCILMEMBER. I ALSO NOTE THAT WE HAVE A HANDFUL OF FRIENDS HERE SIGNED UP NOT WISHING TO SPEAK BUT IN FAVOR OF ITEM NO. 2, DAVE PORTER, JEREMY MARTIN, MIKE ROLLINS, WELCOME, GENTLEMEN, THANK YOU FOR YOUR SUPPORT. FURTHER COMMENTS ON THE CONSENT AGENDA? MAYOR PRO TEM?

Dunkerly: I WOULD LIKE TO CALL ATTENTION TO ITEM NO. 35. WHAT WE'RE DOING IN THIS ORDINANCE IS RENAMING OR ADDING TO THE NAME OF OUR CITY HALL PLAZA, DAN H. DAVIDSON AUSTIN CITY HALL PLAZA. I REALLY THINK THIS IS A SIGNIFICANT NOMINATION AND MR. DAVIDSON WAS A CITY MANAGER HERE FOR MANY YEARS. DURING THE TIME OF HIS TENURE, HE AND THE CITY COUNCIL ACCUMULATED THE

BLOCKS AROUND OUR CURRENT CITY HALL THAT REALLY HAVE BEEN THE SPUR FOR ALL OF THE ECONOMIC DEVELOPMENT ALONG SECOND STREET AND AROUND THE CITY HALL INCLUDING THE TWO BUILDINGS ON EITHER SIDE. SO THE COMMUNITY REALLY OWES HIM I THINK A DEBT OF GRATITUDE FOR HAVING THE FORESIGHT TO RECOMMEND AND TO WORK WITH THE COUNCILS TO SECURE THIS LAND AT A TIME WHEN THEY COULD AFFORD IT. CERTAINLY WE COULD AFFORD IT NOW. WE REALLY DO WANT TO HONOR AND THANK HIM FOR THAT ACHIEVEMENT. SO THANK YOU.

COUNCILMEMBER COLE?

Cole: I WOULD LIKE TO CALL ATTENTION TO ITEM NO. 22, WHERE WE ARE ACTUALLY AWARDING THE ARCHITECTURAL CONTRACT FOR THE ANIMAL SHELTER. WE HAD QUITE A BIT OF DEBATE LAST WEEK ABOUT THE LOCATION OF THAT ANIMAL SHELTER AND SPECIFICALLY RELATED TO -- TO EAST-WEST CONVERSATION. WHILE I AM VERY AWARE OF THE LONG HISTORY OF -- OF -- THROUGH MANY YEARS AND GENERATIONS OF LOCATING MORE NUISANCES IN EAST AUSTIN AS OPPOSED TO WEST AUSTIN, I SIMPLY DID NOT FEEL LIKE THAT WAS THE CASE WITH THE ANIMAL SHELTER. AS WE MOVE FORWARD I HOPE THAT WE ARE ABLE TO AMEND SOME OF THESE SENTIMENTS AS WE CREATE A VALUABLE ASSET FOR OUR ENTIRE COMMUNITY. I KNOW THAT WE HAVE THE WILL OF THIS COUNCIL TO DO THAT.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL?

Leffingwell: I'VE GOT TWO ITEMS THAT I WANT TO SAY SOMETHING ABOUT. THE FIRST IS ITEM NO. 26, WHICH IS A -- A CONTRACT FOR TREE SURVEY ALONG OUR MAJOR TRANSIT CORRIDORS AND ALSO AT ALL OF OUR CITY PARKS. AND THIS -- THIS WAS ONE OF THE RECOMMENDATIONS OF THE TREE TASK FORCE WHICH CONVENED ABOUT -- ABOUT PROBABLY A YEAR AGO NOW AND HAS WORKED VERY HARD AND THERE WILL BE MORE RECOMMENDATIONS COMING FORWARD FROM THAT GROUP AND I WANT TO SPECIFICALLY ACKNOWLEDGE THEIR WORK, THANK THEM FOR IT AND ALSO ACKNOWLEDGE THE -- THE DILIGENCE OF MY STAFF MEMBER NANCY WILLIAMS FOR ALL OF HER HARD WORK ON IT. THE SECOND IS ITEM 38 AND THIS ADDRESSES EROSION

AND SEDIMENTATION CONTROLS OF OUR -- ALL CONSTRUCTION PROJECTS, CITY-WIDE. IT ACTUALLY GREW OUT OF THE DISCUSSIONS AND THE STAKEHOLDER GROUP FOR THE REDEVELOPMENT ORDINANCE THAT'S CURRENTLY WORKING ITS WAY THROUGH THE PROCESS AND WAS IN FACT RECOMMENDED BY THE ENVIRONMENTAL BOARD THE OTHER NIGHT AS ONE OF THEIR CONDITIONS OF APPROVAL OF THAT ORDINANCE. BUT IN FACT THE PROBLEM ADDRESSES MUCH MORE THAN JUST REDEVELOPED SITES. IT IN FACT IS MORE CRITICAL ON NEW DEVELOPMENT AND NOT JUST IN THE BARTON SPRINGS ZONE BUT CITY-WIDE. SO THIS RESOLUTION STARTS THE PROCESS TO AMEND AND STRENGTHEN OUR RULES FOR EROSION CONTROLS. DURING CONSTRUCTION AND ALSO FOR MAINTENANCE, LONG-TERM MAINTENANCE OF WATER QUALITY BNP'S FOR THE LIFE OF THOSE PROJECTS.

Mayor Wynn: THANK YOU, COUNCILMEMBER, COUNCILMEMBER KIM?

Kim: THE AFFORDABLE HOUSING INCENTIVES TASK FORCE IS GOING TO HAVE THEIR PUBLIC HEARING HERE AT THE CITY HALL ON NOVEMBER 8th AT 2:00 P.M. AND TO CONTINUE THE WORK THAT ALL OF THE MEMBERS OF THE COMMUNITY PUT IN, INCLUDING THE DEVELOPERS NEIGHBORHOOD, COMMUNITY ACTIVISTS I'M HOSTING AFFORDABLE HOUSING SUMMIT ON OCTOBER 25th IN THE MORNING OVER AT THE NEIGHBORHOOD HOUSING COMMUNITY DEVELOPMENT'S OFFICE ON 1,000 EAST 11th STREET. THE PURPOSE OF THIS MEETING IS TO REALLY START THE WORK ON A 2035 PLAN FOR AFFORDABLE HOUSING. WE LOOK AT INFRASTRUCTURE SUCH AS WATER AND ROADS AND WE PROJECT WHAT OUR POPULATION WILL BE AND SO WE PLAN ACCORDINGLY. WE NEED TO START DOING THAT FOR HOUSING. THERE IS NO REASON WHY WE CAN'T DO THAT WORKING WITH THE COMMUNITY TOGETHER TO PLAN FOR OUR GROWING POPULATION AND TO MAKE SURE THAT WE INCORPORATE ALL THROUGHOUT OUR CITY ALL TYPES OF HOUSING IN ALL PARTS OF TOWN. SO I INVITE PEOPLE WHO HAVE WORKED ON THE TASK FORCE AS WELL AS THE COMMUNITY DEVELOPMENT COMMISSION AND OTHERS WHO ARE STAKEHOLDERS IN AFFORDABLE HOUSING, I LOOK FORWARD TO THE WORK IN PRESENTING THOSE IDEAS TO

THE COMMUNITY FOR -- FOR A GREAT DISCUSSION AND A VIBRANT DISCUSSION ABOUT AFFORDABLE HOUSING AND THE FUTURE OF OUR CITY. THE OTHER ITEM THAT I WOULD LIKE TO MAKE A COMMENT ABOUT IS A THIRD-PARTY AGREEMENT AND OUR M.B.E./W.B.E. SMALL BUSINESS GOALS FOR THIRD PARTY AGREEMENTS. THIS I BELIEVE IS GOING TO BE VERY IMPORTANT FOR US AS WE WORK -- LOOK FORWARD TO -- TO BUILDING MORE IN DOWNTOWN AND OTHER PARTS OF OUR CITY. MAKING SURE AS THE CITY HAS PROPERTY THAT WE ALSO INCORPORATE IN THOSE AGREEMENTS REQUIREMENTS FOR MANUSCRIPT R MINORITY AND BUSINESS OWNED PARTICIPATION. WE ARE STARTING TO DO THIS WITH G.E. OVER AT THE AIRPORT. THEY HAVE BEEN A GREAT PARTNER TO WORK WITH. I WANT TO THANK THE STAFF FOR ALL OF THEIR WORK, INCLUDING ASSISTANT CITY MANAGER RUDY GARZA, OUR LAW DEPARTMENT, DSMBR, ALL OF THE THOUGHT THEY PUT INTO THIS. OF COURSE OUR ADVISORY COMMITTEE WHO WORKED DILL GETTINGLY TO BRING THIS -- DILIGENTLY TO BRING THIS ISSUE TO US. I THINK THIS IS GOING TO BE A GREAT MODEL FOR THE STATE AND NATION, AUSTIN IS A GREAT PLACE TO DO IT, I BELIEVE, THANK YOU FOR ALL YOUR HARD WORK.

Mayor Wynn: THANK YOU, COUNCILMEMBER. COUNCIL, WITHOUT OBJECTION WE HAVE PAT JOHNSON SIGNED UP TO SPEAK IN -- I THINK IN OPPOSITION TO A NUMBER OF ITEMS. OUR RULES ARE THAT -- IF FIVE FOLKS SIGN UP TO SPEAK THAT WE WILL TAKE AN ITEM OFF THE CONSENT AGENDA. BUT I WOULD LIKE TO OFFER MR. JOHNSON A CHANCE TO GIVE US HIS --

ON ALL THREE OF -- EACH ONE OF THEM.

Mayor Wynn: ALL FOUR OF THEM NOW PAT.

COUNCIL, TODAY, I FELT THE NEED TO COME FORWARD AFTER I READ THE AGENDA. I DON'T HAVE A PROBLEM WITH WARREN STRUSS AND THEM PUTTING IN IRRIGATION PUMP OUT THERE AT ZILKER PARK BECAUSE IT'S NEEDED. BUT I DO HAVE A PROBLEM WITH OUR TAX DOLLARS BEING PAID TO A CONSTRUCTION COMPANY THAT WAS CAUGHT NOT ONCE BUT TWICE STEALING CITY RESOURCES OUT AT THE PROJECT WHERE WE PUT THE AFFORDABLE HOUSING, THE

CITY PAID FOR THE....INFRASTRUCTURE AT THE VILLAS OF FONTANA, WE HAVE SEVERE INFRASTRUCTURE ISSUES OUT THERE WHERE THE STREETS ARE BREAKING UP, STRUCTURAL DAMAGE TO THE BRIDGE UNDER MONTANA, AND WHY WE ARE PAYING THIS CONTRACTOR, OUR TAX DOLLARS ANY MORE MONEY BECAUSE OF THESE SEVERE ISSUES IS JUST COMPLETELY LUDICROUS. I REALIZE THAT YOU ALL HAVE TO GO BY THE LOW BID, BUT THE LOW BID IS NOT ALWAYS THE BEST BID. THIS WEEK I HAD SAM WEST STREET SUPERINTENDENT FROM PUBLIC WORKS MEET ME OUT THERE. AND I WANT TO SHOW HIM AND INSTEAD OF EXPLAIN TO HIM OVER THE PHONE ABOUT THESE ISSUES. AND HE AGREED. YES, WE DO HAVE PROBLEMS OUT HERE. THIS GOES BACK -- WELL, THEY HAVE A WARRANTY ON THE STREETS. WE CANNOT AFFORD TO SPEND TAX DOLLARS, IF A COMPANY IS GOING TO HAVE TO COME BACK AND FIX THEIR PRODUCT AGAIN JUST BECAUSE THERE'S A WARRANTY. THAT'S THE WHOLE ISSUE, WORKS.....WORKMANSHIP. WE DON'T WANT TO HAND MONEY OUT TO THE COMPANIES THAT SUPPLY BULLETS IF THEY ARE NOT GOING TO PUT GUN POWDER IN THE BULLETS. THIS IS THE SAME ISSUE. WE DO NOT NEED TO GIVE TAX DOLLARS TO A COMPANY THAT GOT CAUGHT NOT ONCE BUT TWICE STEALING CITY RESOURCES. THE FACT OF MATTER HE TRIED TO GET AWAY WITH AND GOT CAUGHT IS ONE THING. TO DO IT AGAIN, CAUGHT AGAIN WITH A PHOTOGRAPH. I CAUGHT HIM TWICE STEALING WATER OUT OF A WATER PLUG WITHOUT A COMMERCIAL WATER METER. DO WE WANT TO DO BUSINESS WITH THIS TYPE OF COMPANY? I'M ASKING YOU TO LOOK IN YOUR OWN LEVEL OF INTEGRITY, DO WE WANT TO DO BUSINESS, ANY MORE BUSINESS WITH A CONTRACTOR THAT GOT CAUGHT STEALING FROM THE CITY? PLEASE, AFFORDABLE HOUSING OUT THERE, THOSE PEOPLE LOVE THOSE HOMES. BUT THEY SHOULD NOT HAVE TO LIVE ON STREETS THAT ARE BREAKING UP. THAT'S IT, MAYOR ON THAT ISSUE.

Mayor Wynn: CONTINUE ON.. ON. THAT'S ALL YOUR TESTIMONY, MR. JOHNSON? IS THAT ALL OF YOUR TESTIMONY? I WAS GOING TO GIVE YOU A FEW MORE MINUTES --

OH, ITEM NO. 14. ITEM NO. 14, COUNCIL, THE REASON I WANT

TO TALK ABOUT THIS ISSUE IS BECAUSE I WANT THE PUBLIC TO UNDERSTAND HUMAN TRAFFICKING IS NOT HUMAN SMUGGLING. HUMAN TRAFFICKING WE READ IN THE MEDIA WHERE THESE HOUSES AROUND TOWN HAVE BEEN USED WHERE -- WHERE THEY BRING THE PEOPLE UP FROM MEXICO AND THEY WORK AS PROSTITUTION. THAT IS NOT JUST A ONE AREA DEAL. I CAN RELATE TO THIS PERSONALLY. I'M THE NEIGHBORHOOD WATCH CAPTAIN IN MY NEIGHBORHOOD. AND I WATCH FOR THREE DAYS THIS VAN BRING PEOPLE, MEXICAN MEN INTO A MOBILE HOME AND PADLOCK THEM IN THERE FROM THE OUTSIDE. I CALLED COMMANDER DUANE MCNEIL WITH OUR STRATEGIC COMMAND. COUPLE OF DAYS LATER THAT ISSUE DIDN'T EXIST. THIS MONEY, THE PUBLIC NEEDS TO UNDERSTAND, WE ARE NOT GOING OUT THERE DOING IMMIGRATION RAIDS. THIS MONEY IS TO TARGET INDIVIDUALS WHO TRAFFIC -- PEOPLE FROM OTHER COUNTRIES FOR THE SOLE PURPOSE OF FINANCIAL GAIN BEFORE THEY ARE RELEASED. MAKE THEM PAY A BOUNTY BEFORE THEY ARE RELEASED. THIS IS A VERY SAD SITUATION AND THIS MONEY THAT THE FEDERAL GOVERNMENT IS GOING TO GIVE US WILL GO A LONG WAYS TOWARDS STOPPING THAT ACTIVITY. THAT TYPE OF ACTIVITY IS CRIMINAL ACTIVITY. AND THAT TYPE OF CRIMINAL BEHAVIOR LEADS TO HOMICIDE. AND THAT'S NOT WHAT WE WANT IN OUR CITY. THAT'S IT ON THAT ONE.

Mayor Wynn: CONTINUE ON. ABOUT FOUR AND A HALF MINUTES LEFT.

ONE MORE. NUMBER 38. I THINK COUNCILMEMBER LEFFINGWELL PRETTY WELL PUT IT WHAT THIS IS ABOUT. I LIVE RIGHT NEXT DOOR TO THE RIVERSIDE MEADOWS STORM WATER FACILITY. THE CONTRACTOR THAT DID THE -- DID THE SITE WORK ON THAT POND IN THAT SUBDIVISION IS THE SAME CONTRACTOR THAT TRAVIS COUNTY IS SUING BECAUSE OF ALL OF THE SEDIMENT THAT WENT INTO HAMILTON POOL. THESE ONE-YEAR WARRANTIES THAT -- THAT THE -- THAT WE ARE REQUIRING, THAT YOU ARE GIVING THE DEVELOPERS, ONE YEAR WARRANTY ON INFRASTRUCTURE. WELL, THEY GO IN THERE AND THEY DO THEIR INFRASTRUCTURE, THEY MAY NOT PUT ANY HOUSES OR ANYTHING WITHIN THAT INFRASTRUCTURE WITHIN A YEAR. BUT WHEN THEY DO PUT THE HOUSES IN THE

INFRASTRUCTURE, THE ROADS BREAK UP, THE SEDIMENT GOES DOWN INTO THE STORM DRAINS, THE SEDIMENT DRAINS INTO TOWN LAKE. THE POND OUT THERE BY MY HOUSE IS FULL OF SEDIMENT. BUT BECAUSE ATTORNEYS GOT INVOLVED, AND NOT ENGINEERS, THE CITY AIN'T -- IS GOING TO HAVE TO -- TO DO ALL OF THE MAINTAINS ON THE POND NOW -- MAINTENANCE ON THE POND NOW! THERE'S MANHOLE COVERS ON TOP OF THE LEAVE ADVISORY COMMITTEE..... -- ON THE LEVEE FOR THE WASTEWATER THAT WAS BUSTED MORE THAN A YEAR AGO AND THEY STILL HAVEN'T FIXED THAT. EVEN THOUGH -- WHY IS IT THAT THE TAXPAYERS HAVE TO CONTINUALLY HAVE TO PICK UP THE BILL BECAUSE OF THE PERKS THAT WE GIVE THESE DEVELOPERS BECAUSE OF SHODDY WORKMANSHIP? EVEN THOUGH WE GET THIS SURVEY DONE AND WE FIND OUT ALL OF THESE PONDS AROUND TOWN, YOU ARE GOING TO LEARN IT'S GOING TO COST MORE IN TAX DOLLARS TO MAINTAIN THE PONDS BECAUSE OF ISSUE, QUALITY WORK ISSUES AND SEDIMENT CONTROLS THAT WERE NOT IN PLACE IN THE BEGINNING. SO I GUESS -- I GUESS ALL I CAN SAY IS I'M TIRED OF LOOKING AT THAT LANDFILL LIKE LANDFILL OVER NEXT TO MY HOUSE, THE WEEDS HAVE GROWN WAY UP. THE EROSION HAS WASHED DOWN THE DRAINAGE CHANNEL. YOU COMPLAINT EVEN SEE THE TRIPLE CHANNEL, NOW THE TAXPAYERS, ME AND YOU, ARE GOING TO HAVE TO PAY TO CORRECT THAT ISSUE. I THINK THAT IS JUST A SIN. SO, MAYOR, I'M IN FAVOR FOR COUNCIL APPROVING THESE ISSUES, I WANT YOU TO LOOK DEEP IN YOUR HEART. A MAN GOT CAUGHT STEALING, WHY SHOULD WE PAY OUR TAX DOLLARS TO A THIEF. THAT'S LIKE PARKS AND RECREATION HIRING CHILD MOLESTERS TO BE LIFE GUARDS. PLEASE LOOK AT THIS ISSUE VERY CLOSELY. YOU DON'T HAVE TO VOTE ON THIS TODAY. BUT IF YOU DO JUST REMEMBER THE PEPPER THAT YOU ARE GOING TO AWARD THIS CONTRACT TO, KEYSTONE CONSTRUCTORS. HE'S A THIEF. HE WAS CAUGHT STEALING. IF THAT'S THE TYPE OF COMPANIES THAT WE WANT TO DO BUSINESS WITH, GOD FORBID OUR SANITY. THANK YOU.

THANK YOU, MR. JOHNSON. WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS. COUPLED -- ITEM NO. 10,

ONE MUCH MR. JOHNSON IS RIGHT, WE DO -- STATE LAW IS VERY PRINT ACTIVE AS TO HOW WE WOULD AWARD CONTRACTS, MY COMMENTS ARE ABOUT THE FACT THAT WE WOULD BE -- WITH THIS PUMP, WE NOW WILL BE IRRIGATING ZILKER WITH RAW WATER AS OPPOSED TO TREATED POTABLE WATER. AND SO -- SO AGAIN THIS IS ANOTHER OPPORTUNITY AS AN ITEM THAT SOMEHOW WE COULD GEM STRAIGHT THE REMARKABLE ENERGY SAVINGS BY THE FACT THAT WE WILL BE USING RAW WATER AND NOT POTABLE WATER. HOPEFULLY AT SOME POINT SOON AS PART OF THE AGENDA SUMMARIES WE COULD SORT OF HAVE THE ENVIRONMENTAL ANALYSIS OF WHAT A BENEFIT THIS IS BY DRAMATICALLY, DRAMATICALLY REDUCING THE ELECTRICITY THAT OUR WATER UTILITY OTHERWISE WOULD CONSUME TO TREAT THE WATER, THEN TO PUMP THE WATER AND EVEN GET IT TO ZILKER AS OPPOSED TO JUST TAKING IT DIRECTLY OUT OF LADY BIRD LAKE. PERHAPS WE CAN MAKE SURE THAT WE HAVE THE TRUE -- TRUE FULL GOOD STORY TO BE TOLD WHEN WE SEE THESE ITEMS, BUT THANK YOU MR. STRUSS. ITEM NO. 19 IS OUR FINALLY THE TWIN OAKS LIBRARY, THIS IS ACTUALLY BOND DOLLARS FROM OUR 1998 BOND ELECTION. BUT SINCE THAT IS THE CASE, THIS PROJECT DOESN'T FALL UNDER THE 2,000 VOTE WHERE THE CITY COUNCIL DEMANDED THAT ALL NEW CITY FACILITIES BE CONSTRUCTED TO LEADS SILVER CERTIFICATION OR HIGHER. TECHNICALLY THIS PROJECT DOESN'T FALL UNDER THAT REQUIREMENT. I'M TOLD THAT IT PROBABLY WON'T MEET LEAD SILVER CERTIFICATION AS IS. MY STAFF HAS BEEN WORKING WITH THE CITY SERVICES, PUBLIC WORKS DEPARTMENT, PERHAPS THERE MIGHT BE AN ITEM FROM COUNCIL COMING UP IN THE NEXT FEW WEEKS OR SO WHERE WE MIGHT CAN MAKE SOME ADJUSTMENTS TO IF NOT TECHNICALLY ACHIEVE THAT CERTIFICATION FROM -- FROM THE U.S. DBC WE HAVE THE SAME NET EFFECT OF THE CONSERVATION BENEFITS OF GOOD DESIGN, GOOD MATERIAL SELECTION AND -- AND GOOD -- GOOD ENERGY EFFICIENCY SYSTEMS IN THE BUILDING. LASTLY ITEM NO. 36, THIS IS AN ITEM THAT COUNCILMEMBER LEFFINGWELL AND KIM AND I BROUGHT FORWARD THE SUMMER OF '06 TO INFORM THE TASK FORCE MADE UP OF HOME BUILDERS, ARCHITECTS AND THE HOME REMODELING PROFESSIONALS IN AUSTIN, THEY TOOK A

YEAR OR SO TO ESSENTIALLY ADVISE US ON -- ON REWRITE OF OUR BUILDING CODES. EVERY THIRD YEAR WE -- WE REWRITE ELEMENTS OF OUR BUILDING CODES. THESE ARE SPECIFICALLY RELATED TO ELECTRICITY. SO WE WILL BE ADOPTING THE RECOMMENDATIONS FROM THE TASK FORCE SO ESSENTIALLY THERE ARE 66,500 -- 6,000, 6500 OR SO HOMES THAT WILL BE BUILT THIS YEAR, HAVE TO MEET HIGHER ELECTRICITY STANDARDS, HIGHER EFFICIENCY STANDARDS IF YOU WILL, THESE HOMES ARE GOING TO BE FAR, FAR MORE ENERGY EFFICIENT. SO WORKING WITH THE MATERIALS SCIENCES, WORKING WITH THE -- WITH THE SUPPLY CHAIN, WORKING WITH THE VOLUME BUILDERS WHO COULD TAKE ADVANTAGE OF THEIR PURCHASING POWER, THESE HOMES IN AUSTIN WE PREDICT WILL BE ABOUT 19% MORE ENERGY EFFICIENT BEGINNING THIS YEAR. ALL NEW HOMES BUILT IN AUSTIN. THAT HAS A MEASURABLE, MEASURABLE POSITIVE IMPACT ON THE AFFORDABILITY OF THE HOMES. BECAUSE THE MONTHLY UTILITY BILL FOR THESE NEW HOMEOWNERS OR NEW RENTERS IN THEORY WILL BE MEASURABLY LOWER THAN EVEN THE GOOD HOMES THAT WERE BUILT THIS PAST YEAR IN AUSTIN. SO AS WE CONTINUE TO HAVE -- TO HAVE APPROPRIATE DIALOGUE AND DEBATE AND ANALYSIS ABOUT HOUSING AFFORDABILITY IN THIS TOWN, THIS IS A VERY APPROPRIATE EXPANSION OF THAT -- THAT ANALYSIS. THAT IS SAME WORKING COUPLE, SAME TAKE HOME PAY CAN AFFORD MORE OF A HOME OR CAN AFFORD A HOME THAT THEY OTHERWISE COULDN'T HAVE AFFORDED BECAUSE THEIR MONTHLY ELECTRICITY BILL IS GOING TO BE VERY, VERY LOW. IN ADDITION TO THE TECHNICALS OF THE REWRITES THAT WE WILL CONDUCT THIS EVENING, TECHNICALLY BY STATE LAW WE WILL HAVE A PUBLIC HEARING LATER TONIGHT WHERE WE WILL ADOPT THE ACTUAL CODE AMENDMENTS FOR OUR ELECTRICITY CODE, PART OF THE TASK FORCE RECOMMENDATIONS IS THE REST OF THE ROAD MAP TO GET US THE 0 ENERGY CAPABLE HOMES IN AUSTIN. THIS IS TECHNICALLY THE 2006 REWRITE THAT WE ARE ACCOMPLISHING THIS EVENING. WE THEN HAVE THE TARGET SET BY THE TASK FORCE FOR WHAT THE REWRITES WILL BE IN 2009, WHAT THEY WILL BE IN 2012, WHAT THEY WILL FINALLY BE IN 2015 TO GET US THE TRUE 0 ENERGY CAPABLE HOMES NEW HOMES BUILT HERE IN AUSTIN.

ELEMENTS OF THAT -- OF THOSE LAST TWO REWRITES CLEARLY ARE AHEAD OF THE MARKET AND AHEAD OF EXISTING TECHNOLOGY, BUT WE ARE VERY ENCOURAGED BY TECHNOLOGICAL ADVANCES BOTH ON THE MATERIAL SCIENCE SIDE, SOLAR PANELS, TO AND THROUGH THE WHOLE CONCEPT OF SMART APPLIANCES AND GOOD COMPUTER CHIPS BEING DESIGNED RIGHT HERE IN AUSTIN, TEXAS. WE ARE MAKING SOME ASSUMPTIONS AS TO THE ADVANCES THAT WILL BE MADE ON THE TECHNOLOGICAL SIDE BUT -- BUT THIS IS A REMARKABLE, REMARKABLE ACHIEVEMENT BY THIS TASK FORCE OF THE ACTUAL BIDDERS THEMSELVES ESSENTIALLY SUGGESTING ADDITIONAL REQUIREMENT, ADDITIONAL REGULATION, IF YOU WILL, LIKELY MODESTLY INCREASING THE INITIAL COST OF THE HOME, BUT EASILY, EASILY REDUCING THE COMBINED MONTHLY MORTGAGE PAYMENT AND ELECTRIC BILL OF THOSE NEW HOMEOWNERS. AND JUST AS WE ARE BEGINNING TO SEE LOCATION EFFICIENT MORTGAGES IN THIS COMMUNITY, WE HAVE ALREADY BEGUN SEEING ENERGY EFFICIENT MORTGAGES AND THE BLENDING COMMUNITY CAN FIGURE THAT OUT. THEY CAN SEE THAT A WORKING COUPLE WITH THE SAME TAKE HOME PAY CAN IN FACT QUALIFY FOR A HIGHER MORTGAGE BECAUSE THE HOME THEY ARE BUYING IS GOING TO BE SO MUCH LESS EXPENSIVE ON A MONTHLY BASIS FOR THEM TO LIVE IN BECAUSE THEIR ELECTRICITY BILL IS GOING TO BE SO LOW. SO I THINK THIS IS SORT OF A REMARKABLE COMBINATION OF SOUND ENVIRONMENTAL POLICIES, THAT IS AUSTIN ENERGY ON THE DEMAND SIDE, WILL BE REDUCING THE AMOUNT OF -- OF ENERGY WE HAVE TO SEND TO THESE HOMES, BUT THEN ON THE AFFORDABILITY SIDE THE HOMEOWNERS AND/OR RENTERS WILL ACHIEVE MUCH, MUCH LOWER MONTHLY ELECTRIC BILLS. FINALLY THE REASON WHY THE HOME BUILDERS, THE REMODELING PROFESSIONALS AND THE ARCHITECTS ARE DRIVING THESE CHANGES IS BECAUSE FUNDAMENTALLY THERE'S VALUE BEING CREATED FOR THEM. CAPITALIST FREE SOCIETY ARE MORE VALUABLE AS HOMES BECAUSE THEY ARE SO MUCH LESS EXPENSIVE TO LIVE IN BECAUSE OF REDUCED ELECTRICITY BILLS. REALLY A FABULOUS DAY. ALREADY HAS -- HAS GAINED ATTENTION NATIONALLY, PROBABLY INTERNATIONALLY AS WE MADE THAT ANNOUNCEMENT LAST

YEAR. THE NATIONAL AMERICAN INSTITUTE OF ARCHITECTS IS AWARE OF THIS WORK. MANY OF MY MAYORAL COLLEAGUES ACTIVELY ENGAGED IN CRAFTING PLANS TO REDUCE THEIR CITY'S CONSUMPTION OF ELECTRICITY AND ENERGY ARE AWARE OF -- OF THIS PRETTY REMARKABLE ACHIEVEMENT THAT WE HAVE TODAY, BUT THEN ALSO JUST AS IMPORTANTLY THE ROAD WORK, ROAD MAP FOR HOW WE GET TO TRUE 0 ENERGY CAPABLE HOMES. THE CONCEPT REAL BRIEFLY IS THAT IT'S LIKELY THAT THOSE 0 ENERGY CAPABLE HOMES WILL BE IN RAW NUMBERS ABOUT 70% MORE ENERGY EFFICIENT THAN TODAY. BUT THEN ALSO HAVE ABOUT 30% ON SITE GENERATION. EITHER THROUGH SOLAR PANELS AND/OR OTHER GENERATING FACILITIES AT THE HOME SITE ITSELF. SO IT'S -- I THINK IT'S ANOTHER FABULOUS ACHIEVEMENT. AS COUNCILMEMBER MCCracken POINTED OUT EARLIER, YOU KNOW, THE CLEAN TECH ASPECT OF OUR ECONOMY CONTINUES TO GROW AND WITH POLICIES LIKE THIS, YOU'RE GOING TO SEE ADDITIONAL ECONOMIC PROWESS IN THIS METRO REGION BECAUSE WE CONTINUE TO CHALLENGE OURSELVES FROM A POLICY STANDPOINT AND FROM A TECHNOLOGICAL STANDPOINT. SO IT'S -- IT'S VERY EXCITING ITEM ON THE AGENDA. COUNCILMEMBER KIM?

Kim: MAYOR, THIS -- THE REPRESENTATION AT THE PRESS CONFERENCE WAS AMAZING TO HAVE THE BUILDERS AND THE PEOPLE IN THE GREEN BUILDING INDUSTRY COMING TOGETHER TO TALK ABOUT THIS INITIATIVE IN AUSTIN. WHEN I WAS CONSIDERING FOR NATIONAL ADOPTION NATIONAL LEAGUE CITIES A 0 ENERGY HOME INITIATIVE FOR ALL HOMES, NEW HOMES BY 2015 WITH THE MEMBERS OF THE ENERGY ENVIRONMENT NATURAL RESOURCES COMMITTEE IT WAS MET WITH OVERWHELMING SUPPORT. THEY SEE THIS AS THE AUSTIN REALLY LEADING THE WAY. OTHER MUNICIPALITIES THAT ARE INTERESTED IN DOING THE SAME THING ON A NATIONAL LEVEL IN THEIR COMMUNITIES. SO I REALLY WANT TO APPLAUD EVERYONE WHO HAS COME TOGETHER TO WORK THROUGH THIS BECAUSE I THINK THAT IT'S GROUND BREAKING. NOT JUST FOR THE NEW HOME BUYERS THAT WILL BE TAKING ADVANTAGE OF THE LOWER UTILITY BILLS, BUT ALSO FOR THE EXISTING HOMEOWNERS AND THE EXISTING RENTERS THAT PAY UTILITY BILLS.

THROUGH OUR CONSERVATION PROGRAMS WE HAVE BEEN ABLE TO AVOID BUILDING A 500-MEGAWATT PLANT GENERATION PLANT, THAT HAS -- THAT HAS BEEN AN ENORMOUS SAVINGS FOR ALL OF THE RATEPAYERS BECAUSE IT IS VERY EXPENSIVE TO BUILD A NEW PLANT. THIS IS GOING TO TRANSLATE INTO KEEPING OUR RATES LOW TO PUSHING OFF THE NEED FOR A RATE INCREASE FOR ALL OF THE USERS OF AUSTIN ENERGY. SO I WANT TO APPLAUD THEM FOR THEIR WORK BECAUSE IT'S REALLY HELPING TO MAKE AUSTIN AFFORDABLE FOR EVERYONE. THIS IS GOING TO BE GREAT WORK AS WE CONTINUE TO -- TO LEARN HOW TO ADOPT NEW TECHNOLOGIES AND TRY THEM OUT HERE IN AUSTIN.

Mayor Wynn: THANK YOU, COUNCILMEMBER. AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE APPROVING THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

WE WILL LET THE CROWD QUICKLY CLEAR OUT BEFORE WE TAKE UP OUR MORNING BRIEFING. IF YOU WOULD PLEASE TAKE YOUR CONVERSATIONS OUT TO THE FOYER, I WOULD APPRECIATE IT. WE STILL HAVE BUSINESS TO CONDUCT THIS MORNING. COUNCIL, WE HAVE POSTED THIS MORNING AS OUR MORNING BRIEFING A PRESENTATION ON OUTCOMES, INITIATIVES, FUTURE PLANS OF WORKSOURCE OUR LOCAL REGIONAL WORKFORCE DEVELOPMENT BOARD THAT TECHNICALLY TRAVIS COUNTY JUDGE SAM BISCOE AND I SERVE AS CO-C.E.O.'S. THE -- YOU KNOW, THE CHALLENGES ARE VERY DIFFERENT THAN WHAT WE SAW IN 2003 WHEN I FIRST TOOK OVER THAT ROLE. BUT THERE ARE CHALLENGES NONETHELESS. SO I THOUGHT THIS WOULD BE A GOOD CHANCE FOR US TO HEAR FROM OUR PARTNERS AT WORKSOURCE. WELCOME.

WELCOME, GOOD MORNING, MR. MAYOR AND COUNCILMEMBERS. I'M BILL ENHOFF CHAIR OF THE WORKFORCE DEVELOPMENT BOOR AND OWNER OF

[INDISCERNIBLE] FLOORING CONTRACTOR. WITH ME TODAY IS NEW EXECUTIVE DIRECTOR ALLAN MILLER. FIRST OF ALL WE APPRECIATE THE OPPORTUNITY TO SIT IN FRONT OF THE COUNCIL TODAY AND GIVE YOU A BRIEF UPDATE ON OUR STATUS OF ACTIVITIES AS WORKSOURCE. AS YOU MAY KNOW WORKSOURCE IS THE GOVERNING AND LEADERSHIP BODY FOR THE REGIONAL WORKFORCE SYSTEM, WE PROVIDE EMPLOYMENT SOLUTIONS, WE CONNECT EMPLOYERS WITH JOB SEEKERS AND HELP TO ENSURE THE ECONOMIC VIABILITY OF OUR ECONOMY IN OUR REGION. WE ARE MADE UP OF BOARD OF 27 MEMBERS OF -- OF BOARD OF DIRECTORS REPRESENTING BUSINESS, EDUCATION, LABOR, ECONOMIC DEVELOPMENT, COMMUNITY BASED ORGANIZATIONS AND GOVERNING ORGANIZATIONS. OUR BOARD MEMBERS ARE APPOINTED BY THE MAYOR AS WELL AS JUDGE BISCOE. AND WITH THAT I'LL TURN THIS OVER TO - - TO ALLAN. WELCOME MR. MILLER, WELCOME BACK TO AUSTIN.

THANK YOU MR. MAYOR, COUNCILMEMBERS. IT'S A PLEASURE TO BE BACK IN AUSTIN. THIS IS MY SECOND TIME AROUND. I WAS HERE 14 YEARS AGO WHEN WE STARTED UP THE WORKFORCE BOARD AND SPENT THE LAST SIX YEARS IN SAN ANTONIO AND IT'S A PLEASURE TO BE BACK HERE IN THE GREAT CITY OF AUSTIN. WE HAVE PROVIDED YOU WITH A GENERAL INFORMATION PACKET THAT WE HOPE THAT YOU WILL TAKE A FEW MINUTES OF YOUR TIME TO GO THROUGH. SOME OF THE INFORMATION THAT'S IN HERE YOU WILL FIND ON YOUR LEFT-HAND SIDE SIDE THERE IN INFORMATION REGARDING OUR CAREER CENTER LOCATIONS. SO WHEN YOU HAVE CONSTITUENTS WHO CALL AND ARE LOOKING FOR -- FOR WHERE TO GO FOR EMPLOYMENT OR OTHER SERVICES RELATED TO WORKFORCE DEVELOPMENT YOU WILL KNOW WHERE TO SEND THEM. WE ALSO HAVE JUST A BRIEF DESCRIPTION OF SOME OF THE SERVICES WE HAVE AVAILABLE FOR BOTH BUSINESSES AS WELL AS JOB SEEKERS. AND THE -- THE LAST, THIS IS FROM AUGUST 2007, BUT IT GIVES YOU A SNAPSHOT OF OUR LOCAL LABOR MARKET AND ECONOMY FROM THE TEXAS WORKFORCE COMMISSION. I QUABTED TO BRIEFLY HIGHLIGHT SOME OF THE THINGS THAT WE HAVE ACCOMPLISHED DURING THIS PAST FISCAL PROBLEM HERE FOR US ENDED ON

SEPTEMBER 30th, JUST STARTED OUR NEW YEAR. DURING THIS PAST YEAR LIKE ALL AGENCIES WE HAVE A SET OF PERFORMANCE MEASURES, OUTCOMES THAT WE ARE RESPONSIBLE FOR TO OUR CONTRACTING AGENCIES WHICH HAPPENS TO BE THE TEXAS WORKFORCE COMMISSION. I'M PLEASED TO SAY THAT WE MET OR EXCEEDED 14 OF OUR 16 CONTRACTED -- 16 CONTRACTED MEASURES WITH THE STATE. THE TWO THAT WE DID NOT MEET THIS NEXT YEAR THEY HAVE BEEN REMOVED FROM THE PERFORMANCE MEASUREMENT INDEX BECAUSE OF TECHNICAL PROBLEMS, SO WE DID QUITE WELL THIS PAST YEAR IN THAT REGARD. OUR THREE CAREER CENTERS DURING THE PAST YEAR PROVIDED SERVICES OF ONE LEVEL OR ANOTHER TO OVER 124,000 INDIVIDUALS, THAT'S A LOT OF TRAFFIC THAT GOES THROUGH OUR THREE FACILITIES. PEOPLE JUST SEEKING BASIC JOB INFORMATION ON -- ON EMPLOYERS IN OUR COMMUNITY, JOB OPENINGS, ACTUAL REFERRALS AS WELL AS INDIVIDUALS THAT WERE ENROLLED IN SPECIFIC WORKFORCE EDUCATION AND TRAINING PROGRAMS WITH US. WE ALSO PROVIDED SERVICES TO OVER 6,000 AREA BUSINESSES HELPING TO STRENGTHEN THEIR WORKFORCES AND MAKE THEM MORE COMPETITIVE IN THE GLOBAL ECONOMY. OVER 62,000 INDIVIDUALS WERE ASSISTED IN EMPLOYMENT THIS YEAR PROVIDING THEM WITH MEANINGFUL WORK OPPORTUNITIES. OUR TOTAL BUDGET WE SPENT JUST OVER \$30 MILLION. THE LION'S SHARE OF THAT WAS A LITTLE OVER \$16 MILLION FOR CHILD CARE. WHICH IS GIVEN TO INDIVIDUALS WHO ARE EITHER ON PUBLIC ASSISTANCE, WHO ARE LOW INCOME WORKING FAMILIES THAT ALLOW THEM TO PARTICIPATE IN WORKFORCE EDUCATION TRAINING PROGRAMS OR TO CONTINUE WORKING. I WOULD LIKE TO TAKE JUST A FEW MINUTES TO THANK THE CITY AND ITS STAFF FOR THEIR WORK IN -- WITH US CONTRIBUTING MATCHING FUNDS ALLOWING THE CITY AND COUNTY TO DRAW DOWN AN ADDITIONAL \$1 MILLION IN FEDERAL FUNDING. WE GREATLY APPRECIATE THAT. THE INFORMATION IN YOUR PACKET ALSO CONTAINS INFORMATION ON A NUMBER OF LOCAL INITIATIVES THAT WE'VE -- WE'VE BEEN INVOLVED IN DURING THE PAST YEAR AS WELL AS THE COMING YEAR. I'LL JUST HIGHLIGHT A FEW OF THEM FOR YOU. AS YOU KNOW WE HAVE A GROWING LIMITED ENGLISH SPEAKING POPULATION.

AND WE HAVE SEVERAL PROJECTS THAT HAVE BEEN ENGAGED TO HELP THOSE INDIVIDUALS. ONE IS OUR ESL HOSPITALITY TRAINING PROGRAM THAT WE'VE PARTNERED WITH THE LITERACY COALITION OF CENTRAL TEXAS AND SEVERAL AUSTIN AREA HOTELS. TO PROVIDE THEIR CURRENT WORKERS WITH ENGLISH SECOND LANGUAGE TRAINING TO HELP THEM APPROVE THEIR MARKETABILITY AND SKILLS WITH THOSE EMPLOYERS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

WE ALSO HAVE A NEW PROGRAM FOR ENGLISH AS A SECOND LANGUAGE IN COOPERATION WITH A.C.C. AND OUR HELP INFORMATION SERVICE COUNCIL TO PROVIDE LANGUAGE SKILLS AND VOCATIONAL TRAINING IN THE AREAS OF DENTAL ASSISTANT AND ADMINISTRATIVE ASSISTANT. OUR FUTURE EFFORTS THAT WE'LL BE CONCENTRATING ON IN THE COMING YEAR INCLUDE OUR CONTINUAL WORK WITH THE GROWING LIMITED ENGLISH PROFICIENT POPULATION. THE GROWING NUMBER OF EX-OFF EX-OFFENDERS AS WELL AS THE UNDEREMPLOYED. WE'RE WORKING HARD TO BUILD A PIPELINE OF SKILLED WORKERS THAT SUPPORT OUR TARGETED INDUSTRIES SUCH AS CLEAN AREA, HEALTH CARE, BIOTECHNOLOGY AND OTHERS. WE GREATLY APPRECIATE THE SUPPORT WE'VE RECEIVED FROM THE CITY AND YOUR STAFF AND WE LOOK FORWARD TO CONTINUING TO WORK WITH YOU AND OUR OTHER PARTNERS IN THE COMMUNITY TO ENSURE THAT AUSTIN AND TRAVIS COUNTY HAS AN EDUCATED, SKILLED WORKFORCE THAT IS GLOBALLY COMPETITIVE AND SUPPORTS THE CONTINUED ECONOMIC GROWTH OF OUR COMMUNITY AS WELL AS THE PROSPERITY OF THE CITIZENS OF AUSTIN AND TRAVIS COUNTY. THANK YOU FOR THE OPPORTUNITY TO BE HERE THIS MORNING.

Mayor Wynn: THANK YOU, MR. MILLER. QUESTIONS OF ALAN OR BILL? I JUST THOUGHT IT WOULD BE APPROPRIATE THAT, FRANKLY, THE PUBLIC ALSO HEAR THESE STATS. I MEAN AS I WOULD RATTLE THEM OFF AS BEST I COULD REMEMBER, I'VE FOUND PEOPLE AMAZED THAT THERE IS THE -- AS LARGE A CONCERTED, YOU KNOW, PUBLIC WORKFORCE DEVELOPMENT EFFORT AS THERE IS IN THIS COMMUNITY AND, FRANKLY, \$30 MILLION IN SPENDING, 125,000, YOU KNOW, CITIZEN CONTACTS THROUGH THOSE THREE

CENTERS IS A GREAT STORY THAT NOT MANY PEOPLE KNOW ABOUT. YOU ARE.....

YOU ARE CORRECT, WE ARE AN UNKNOWN RESOURCE IN THE COMMUNITY. WE ARE WORKING ON THAT AS WELL. BUT THE DEVELOPMENT OF OUR BUSINESS COMMUNITY, MAKING SURE IT'S GLOBALLY COMPETITIVE AND THAT OUR CITIZENS ARE COMPETITIVE AS WELL AND ENJOY THE PROSPERITY, THAT IS ONE OF OUR PRIMARY MISSIONS. OUR CITIZENS AND OUR BUSINESSES ARE PROBABLY OUR MOST VALUED RESOURCE AND A CRITICAL PART OF THE COMMUNITY'S INFRASTRUCTURE AND OUR ABILITY TO GROW.

Mayor Wynn: AGREED, AND YOU ALL ARE CHANGING PEOPLE'S LIVES. COUNCILMEMBER KIM.

Kim: MR. MILLER, THANKS FOR YOUR WORK IN AUSTIN FOR SO MANY YEARS AND IT'S A GREAT FACILITY THAT YOU HAVE. WHENEVER I GO IN THERE, IT'S FULL OF PEOPLE, PEOPLE LOOKING FOR JOBS, PEOPLE GETTING JOB COUNSELING. YOU RUN AN EXCELLENT OPERATION. I'VE USED YOUR RESOURCES TO FIND QUALIFIED PEOPLE TO GET THE WORD OUT ABOUT JOB OPENINGS WITH MY COMPANY SO I REALLY APPRECIATE THE STAFF AT WORK FIRST. THEY ARE AN EXCELLENT GROUP OF FOLKS THAT REALLY TAKE THEIR MISSION SERIOUSLY AND ALSO WITH COMPASSION.

THANK YOU.

Kim: ONE THING I WOULD LIKE TO ASK YOU IS I'M WORKING ON AS A SOLICITATION ORDINANCES HAVE TO DO WITH PEOPLE WHO ARE HOMELESS AND ALSO WHO HAVE A CRIMINAL BACKGROUND. WHAT SPECIFIC RESOURCES DO YOU MAKE AVAILABLE TO COUNSEL PEOPLE WHO MAY HAVE A CRIMINAL BACKGROUND, HAVE SERVED THEIR TIME BUT WANT TO GET BACK INTO THE WORKFORCE AND FIND GOOD PAYING WORK? HOW DO YOU HELP THEM WITH JOB INTERVIEWS AND WHEN EMPLOYERS ASK THEM DO YOU HAVE A CRIMINAL BACKGROUND, HOW DO YOU HELP THEM TO DEAL WITH THAT SITUATION?

WE HAVE A SPECIFIC PROGRAM FOR EX-OFFENDERS,

SPECIFICALLY THOSE WHO HAVE BEEN RELEASED FROM STATE FACILITIES. THAT PROGRAM PROVIDES CAREER COUNSELING AS WELL AS CASE MANAGEMENT SERVICES. TEACHING THEM THINGS ABOUT JOB SEEKING, JOB KEEPING SKILLS, WHAT THEY ARE GOING TO NEED TO KNOW IN TERMS OF NOT ONLY FINDING A JOB BUT RETAINING THAT JOB. HOW DO YOU ANSWER THAT DIFFICULT QUESTION ON A JOB APPLICATION, ARE YOU AN EX OFFENDER. WHICH UNFORTUNATELY FOR MANY INDIVIDUALS MEANS RIGHT OFF THE TOP ELIMINATION FROM CONSIDERATION. WE'RE WORKING HARD WITH A NUMBER OF COMMUNITY AGENCIES TO WORK WITH EMPLOYERS TO GET THEM TO UNDERSTAND THAT THEY ARE PASSING OVER WHAT COULD BE A VALUABLE RESOURCE. MOST OF THE EX-OFFENDERS IN OUR COMMUNITY ARE NOT VIOLENT OFFENDERS, THEY ARE INDIVIDUALS WHOSE CIRCUMSTANCES SURROUND MOSTLY AROUND MISDEMEANOR OFFENSES. MANY OF THEM HAVE SKILLS, THEY JUST NEED A SECOND OPPORTUNITY TO GET BACK INTO THE WORKFORCE. AND WITH OUR LOW UNEMPLOYMENT NUMBERS NOW, IT'S EXTREMELY IMPORTANT WE TAKE ADVANTAGE OF EVERYONE WHO WANTS TO CONTRIBUTE AND BE A MEMBER OF THE PRODUCTIVE WORKFORCE. SO THERE'S A NUMBER OF SERVICES THAT ARE RELATED AS WELL AS TRAINING OPPORTUNITIES TO HELP THOSE INDIVIDUALS WHO NEED SKILLED DEVELOPMENT, WHETHER IT'S HELPING THEM TO OBTAIN A G.E.D., IMPROVE THEIR LANGUAGE SKILLS OR TO IMPROVE A VOCATIONAL SKILL THAT WILL ALLOW THEM TO OBTAIN A NEW CAREER, BUT THERE'S A WIDE VARIETY OF SERVICES AVAILABLE, AND AT SUCH AN INCREASING POPULATION IN OUR COMMUNITY, IT'S ONE WE CANNOT AFFORD TO IGNORE AND WE'RE WORKING HARD WITH A NUMBER OF AGENCIES TO ADDRESS THAT ISSUE.

Kim: PLEASE LET ME KNOW IF THERE IS ANY WAY I CAN HELP BECAUSE WE DO IN THE STATE OF TEXAS INVEST A LOT OF JAILS AND PRISON CELLS AND THAT IS NOT THE ANSWER WHEN IT COMES TO PROVIDING PEOPLE WITH ECONOMIC OPPORTUNITIES. UNFORTUNATELY THERE ARE PEOPLE WHO ARE COMING OUT OF THE SYSTEM AND ARE FACING VERY DIFFICULT TIMES WHEN THEY ARE FACED WITH THAT QUESTION FROM AN EMPLOYER WHO HAS MANY

APPLICATIONS TO SIFT THROUGH. SO I THINK THAT WE AS A COMMUNITY CAN PROBABLY DO MORE TO HELP PEOPLE IN THAT SITUATION WHO REALLY DO WANT TO HAVE HONEST WORK AND THEY JUST NEED TO BE GIVEN A CHANCE AND ALSO SOME GUIDANCE AND ASSISTANCE.

THANK YOU.

Kim: THANK YOU.

Mayor Wynn: OTHER COMMENTS OR QUESTIONS?
GENTLEMEN, THANK YOU ALL VERY MUCH FOR THE UPDATE AND YOUR HARD WORK. COUNCIL, I BELIEVE THAT CONCLUDES OUR POTENTIAL DISCUSSION ITEMS THIS MORNING BEFORE OUR NOON CITIZEN COMMUNICATIONS SO AT THIS TIME WE CAN GO INTO EXECUTIVE SESSION WITHOUT OBJECTION, PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO TAKE UP POTENTIALLY ITEMS NUMBER 45, LEGAL ISSUES REGARDING HOW THE ANNEXATION OF ANDERSON MILL M.U.D. ITEM NUMBER 50 POTENTIALLY, DISCUSSION RE LEGAL ITEMS RELATED TO THE PROPOSED WATER AGREEMENT WITH THE LCRA. ITEM 52, ISSUES REGARDING THE SEARCH FOR THE NEW CITY MANAGER AND LEGAL ISSUES RELATED TO RESPONSIBLE GROWTH FOR NORTHCROSS, INC., VERSUS THE CITY OF AUSTIN, ET AL. SO AT.....SO I DOUBT WE'LL GET THROUGH ALL OF THOSE IN THE NEXT 35 MINUTES, BUT WE'LL DO OUR BEST AND WE WILL CERTAINLY ANNOUNCE WHICH ITEMS WE TAKE UP. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US COMING BACK RIGHT AT NOON FOR GENERAL CITIZEN COMMUNICATION. THANK YOU.

GOOD MORNING, I'M AUSTIN MAYOR WILL WYNN.

PERHAPS MOST IMPORTANTLY WE'RE JOINED BY THE ZERO ENERGY CAPABLE HOMES TASK FORCE. THIS WAS A TASK FORCE THAT THE COUNCIL ASKED TO BE FORMED LAST SUMMER. THEY'VE SPENT ABOUT A YEAR'S AMOUNT OF WORK. IT'S A COLLECTION OF HOME BUILDERS, OF ARCHITECTS AND HOME REMODELING PROFESSIONALS WHO HAVE WORKED TOWARDS OUR GOAL BY 2015 HAVING ZERO ENERGY CAPABLE NEW HOMES HERE IN AUSTIN. WE'RE DOING THAT THROUGH THE -- EVERY THIRD YEAR REWRITE

OF OUR BUILDING CODES. IN THIS CASE ESSENTIALLY OUR ELECTRICAL ASPECTS OF OUR BUILDING CODES. AND SO WHAT THE COUNCIL WILL BE ADOPTING TODAY, LATER HOPEFULLY, WILL BE THE RECOMMENDATIONS FROM THIS TASK FORCE THAT ALSO TECHNICALLY CONDUCTING A PUBLIC HEARING WHEREBY WE MAKE THOSE SUGGESTED CODE AMENDMENTS TO OUR BUILDING CODE. WITH THE CONCEPT BEING THAT WE BELIEVE THAT WE WILL BE CONSTRUCTING NEW HOMES IN AUSTIN ABOUT 19 TO 20% MORE ENERGY EFFICIENT THAN EVEN LAST YEAR, BASED ON THE CODE AMENDMENTS. THEN WE HAVE TARGETS FOR THE REWRITE OF THE CODE FOR 2009, 2012, AND FINALLY GETTING US TO A NEW CODE IN 2015 THAT WILL REQUIRE ALL NEW DETACHED SINGLE-FAMILY HOMES IN AUSTIN TO BE ZERO ENERGY CAPABLE HOMES. A COUPLE OF QUICK STATS ABOUT WHAT THAT MEANS. SO JUST WITH THIS FIRST STEP, THIS 2006 ADOPTION OF CODE REWRITES ON OUR ELECTRICAL CODES, NEW HOMES IN AUSTIN, ABOUT 6,000 TO 6500 NEW HOMES ARE BUILT EVERY YEAR IN AUSTIN, JUST THESE NEW HOMES THAT WILL BE BUILT BEGINNING THIS YEAR WILL SAVE ABOUT 160,000-MEGAWATT HOURS OF ELECTRICITY. IT WILL SAVE THE HOMEOWNERS MORE THAN \$14 MILLION ON UTILITY BILLS. IT WILL REDUCE CARBON DIOXIDE EMISSIONS, CO-2 EMISSIONS, BY MORE THAN 100,000 TONS. THE EQUIVALENT CARBON REDUCTION WOULD BE 175,000 ACRES OF FOREST. OR TAKING 25,000 CARS OFF OUR ROADS. THIS IS A SUBSTANTIAL, SUBSTANTIAL WIN FOR THE ENVIRONMENT. IT'S A SUBSTANTIAL WIN FOR OUR UTILITY AS WE STRUGGLE, FRANKLY, WITH DELIVERING ELECTRICITY TO A GROWING POPULATION AND A GROWING..... GROWING ECONOMY, BUT THE BIG WINNERS HERE WILL BE THE HOMEOWNERS. WE WILL BE SIGNIFICANTLY, SIGNIFICANTLY REDUCING THE COST OF HOMEOWNERSHIP IN AUSTIN BY REDUCING THE UTILITY BILLS THAT HOMEOWNERS PAY EACH MONTH. AND SO I APPLAUD THE TECHNICAL EXPERTISE AND THE TIME AND EFFORT THAT OUR TASK FORCE MEMBERS PUT INTO THIS CODE REWRITE. IT'S GOING TO HAVE SUBSTANTIAL, SUBSTANTIAL BENEFITS NO MATTER HOW YOU ANALYZE THIS OPPORTUNITY. AND SO I APPLAUD THE WORK, I THINK AS WE CONTINUE TO HAVE THE APPROPRIATE DEBATE, DIALOGUE, CONVERSATION IN THIS TOWN ABOUT HOUSING

AFFORDABILITY, LET'S EXPAND THAT ANALYSIS OF AFFORDABILITY. LET'S TALK ABOUT HOW WE CAN REDUCE -- SIGNIFICANTLY REDUCE ELECTRICITY BILLS. SOME OF YOU KNOW I HAPPEN TO LIVE DOWNTOWN AND THE NATURE OF HIGH-RISE CONSTRUCTION IN DOWNTOWN, MY CHILDREN AND I FREQUENTLY HAVE \$40 ELECTRIC BILLS IN OUR 2500 SQUARE FOOT HOME. WE HAD A \$23.12 ELECTRIC BILL RECENTLY. THE MONEY THAT WE AND THESE NEW HOMEOWNERS DON'T HAVE TO SPEND ON ELECTRICITY GOES RIGHT INTO, OF COURSE, WHAT COULD BE OUR MORTGAGE PAYMENT, AND WHICH WOULD YOU RATHER INVEST IN, ADDITIONAL EQUITY IN YOUR HOME OR IN THIS CASE, FRANKLY, PAYING AUSTIN ENERGY TO BURN SOME PULVERIZED COAL IN FAYETTE COUNTY. I LIKE THE IDEA OF HAVING AUSTINITES INVESTING MORE OF THEIR TAKE-HOME PAY IN THEIR HOMES THAN IN THE UTILITY BILLS FOR THOSE HOMES. SO I PERSONALLY GET THE BENEFIT FROM IT FROM REMARKABLY LOW UTILITY BILLS. WHAT THESE LADIES AND GENTLEMEN HAVE BEEN DOING FOR US IS BY REWRITING THE CODES HAVING RELATIVELY TRADITIONAL THE TAX SINGLE-FAMILY HOMES ALSO HAVE REMARKABLY, REMARKABLY LOWER UTILITY BILLS. AND AGAIN, THIS IS A -- WE'LL BE ADOPTING THE TASK FORCE RECOMMENDATIONS TECHNICALLY CHANGING OUR CODE FOR THIS FIRST SERIES OF REWRITES, BUT SUCCESSFULLY ACKNOWLEDGING THE ROAD MAP THAT THESE FOLKS HAVE OUTLINED FOR US, THAT IS, THE NEXT SERIES OF REWRITES IN 2009, 2012 AND 2015. THIS IS A FABULOUS DAY IN AUSTIN AS WE CONTINUE THE GREAT DEBATE, CONCEPT OF HOW WE CAN DO A BETTER JOB ON OUR ENERGY POLICIES BOTH IN THIS CASE DELIVERING ELECTRICITY TO A GROWING POPULATION AND GROWING ECONOMY WHILE AT THE SAME TIME DOING THE RIGHT THING WHEN IT COMES TO PROTECTER OUR ENVIRONMENT WITH FEWER GREENHOUSE GAS EMISSIONS. SO I APPLAUD EVERYBODY HERE. WE HAVE A HANDFUL OF QUICK SPEAKERS TO GET US THROUGH BEFORE WE BEGIN OUR CITY COUNCIL MEETING. OUR NEXT SPEAKER IS ROGER DUNCAN WHOSE INTERNATIONAL REPUTATION NOW WITH ENERGY CONSERVATION, GOOD, SOUND, PROGRESSIVE POLICY INITIATIVES FOR OUR UTILITY SPEAKS FOR ITSELF. PLEASE JOIN ME IN WELCOMING FROM AUSTIN ENERGY

ROGER DUNCAN.

THANK YOU, MAYOR. [APPLAUSE]

THANK YOU, MAYOR. THANK YOU, COUNCIL, FOR YOUR GRAND LEADERSHIP IN THIS EFFORT. AS THE MAYOR ALLUDED TO, I TRAVEL QUITE A BIT THESE DAYS AND AS I TRAVEL AROUND THE COUNTRY, PEOPLE ARE ALWAYS INTERESTED IN WHAT AUSTIN ENERGY IS DOING AND THE CITY OF AUSTIN AND THE LEADERSHIP THAT WE'RE SHOWING AND IT'S BECAUSE OF THIS COUNCIL AND PREVIOUS COUNCILS OVER THE LAST COUPLE OF DECADES WE'VE ARRIVED AT THE REPUTATION THAT WE HAVE ARRIVED AT TODAY. WHEN I TELL THEM ABOUT THE LATEST INITIATIVE, THIS ZERO ENERGY CAPABLE HOMES, PEOPLE ARE JUST STUNNED. THEY HAVE -- THEY DON'T UNDERSTAND HOW WE COULD UNDERTAKE SUCH AN INITIATIVE AND ACCOMPLISH IT, AND I TELL THEM THAT, YOU KNOW, OBVIOUSLY WE HAVE GREAT GOALS. WE CAN MEET THESE GOALS UNTIL THE BUILDING STOCK OF AUSTIN BECOMES THE MOST ENERGY EFFICIENT BUILDING STOCK IN THE NATION. WE WON'T BECOME THE CLEAN ENERGY CAPITAL WITHOUT THAT. WHEN I TELL PEOPLE THAT THE QUESTION I ALWAYS GET IS HOW IN THE WORLD DID YOU CONVINCE THE HOME BUILDERS AND THE REALTORS TO DO THIS. I MEAN WHAT WERE YOU HOLDING OVER THEM. I SAID NO, YOU DON'T UNDERSTAND, OUR HOME BUILDERS WERE LEADING THIS EFFORT. OUR HOME BUILDERS SAT DOWN WITH THE ENVIRONMENTAL COMMUNITY AND WE FORMED A COLLABORATIVE EFFORT AND THE CITY AND STAFF WERE OFFERING TECHNICAL SUPPORT AND RUNNING ERRANDS PRETTY MUCH TO HELP GET THIS DONE, BUT THE LEADERSHIP WAS THERE IN OUR HOME BUILDING ASSOCIATION AND IN OUR DEVELOPMENT COMMUNITY, CITY AND WORKING WITH THE ENVIRONMENTAL COMMUNITY ON THESE ISSUES. AND THAT WAS THE MOST STUNNING NEWS THAT WE HAVE TO DELIVER AROUND THIS COUNTRY. AND I WANT TO INTRODUCE NOW ONE OF THE KEY PEOPLE ON THIS TASK FORCE WHO HELP KEEP THAT TOGETHER AND GET THE WORK DONE WITH THE HOME BUILDERS ASSOCIATION AND CEN-TEX HOMES. [APPLAUSE]

THANK YOU, MAYOR WYNN AND ROGER DUNCAN. ON BEHALF

OF THE HOME BUILDERS ASSOCIATION OF GREATER AUSTIN AND CEN-TEX HOMES, I WOULD LIKE TO THANK THEM FOR INCLUDING THE HOME BUILDING INDUSTRY ON THE ZERO ENERGY HOMES TASK FORCE. THERE IS ABSOLUTELY NO DEBATE THAT WE NEED TO BE PRESERVING OUR ENERGY RESOURCES AND MOVING TOWARDS ENERGY INDEPENDENCE. THE CITY OF AUSTIN HAS UNPRECEDENTED GOALS. THEY ARE NATIONAL LEADERS IN THEIR REBATE PROGRAMS THAT THEY OFFER TO BUILDERS AND HOMEOWNERS PUSHING THE INITIATIVE TO BUILD MORE EFFICIENT HOMES AND THROUGH INCLUDE THESE FEATURES NECESSARY TO DO SO. THE LOCAL AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE THAT ARE GOING TO BE PRESENTED TO COUNCIL TODAY ARE A PRODUCT OF THE MAYOR'S TASK FORCE MERGING DIVERSE BACKGROUNDS OF EXPERIENCE, TECHNICAL EXPERTISE AND JUST A WEALTH OF KNOWLEDGE FROM VERY TALENTED PEOPLE. THE HOME BUILDING INDUSTRY BROUGHT A COUPLE OF DIFFERENT VOICES TO THE TASK FORCE, ONE OF WHICH IS THE EXPERIENCE OF BUILDING SCIENCE. AND THE OTHER WOULD BE REALLY TAKING A STAND AS FAR AS HOME AFFORDABILITY AND KEEPING THAT IN CHECK HERE IN THE CITY OF AUSTIN. THE H.B.A. WORKS EXTREMELY HARD STANDING UP FOR THE RIGHTS OF PEOPLE TO HAVE THAT AMERICAN DREAM OF OWNING THEIR FIRST HOME. THIS INCLUDES PEOPLE LIKE POLICE OFFICERS, TEACHERS, NURSES, EMPLOYEES OF THE CITY AND JUST ALL THOSE PEOPLE WHO PROVIDE CRUCIAL SERVICES TO OUR COMMUNITY. WE BELIEVE THAT EVERY FAMILY SHOULD HAVE A RIGHT TO HOMEOWNERSHIP IN THE CITY AND HAVE AN ENERGY EFFICIENT HOME. VOLUME BUILDERS SPECIFICALLY WERE ABLE TO PROVIDE VOLUME BUILDING PRICING ADVANTAGES IN OUR EXPERIENCE WITH THAT AS WELL AS THE NATIONAL COVERAGE OF EXPERIENCE IN COMMUNITIES THAT WE BUILD ACROSS THE COUNTRY, EXPERIMENTAL HOMES AND HOMES IN CALIFORNIA, JUST BRINGING ALL THAT KNOWLEDGE TOGETHER AND BRINGING THOSE INSIGHTS OF LESSONS LEARNED TO THE TABLE. WE WERE ABLE TO REALLY TALK ABOUT WHAT WORKS AND PERFORMS WELL ON A LONG-TERM BASIS FOR A 30-YEAR COMMITMENT FOR HOMEOWNERS. MAYOR WYNN'S TASK FORCE BROUGHT

TOGETHER DIFFERENT PERSPECTIVES, MANY DIFFERENT PERSPECTIVES. IN LIGHT OF DIFFERENCES AND GOALS AND VISIONS, WE WERE ABLE TO WORK TOGETHER AND COLLABORATE, AND NUMBER 1, IDENTIFY THE MOST EFFICIENT AND EFFECTIVE MEANS OF BUILDING ENERGY EFFICIENT HOMES. NUMBER 2, KEEPING THE ECONOMIC IMPACT OF THESE INITIATIVES AT A MINIMUM WITH THE RISING HOME COSTS THAT WE'RE SEEING TODAY. HOMES BUILT TO THE NEW CODE WILL BE SAVING US ABOUT 19% IN ELECTRIC USAGE COMPARED TO TODAY'S HOME BUILT TO MINIMUM CODE STANDARDS. THIS IS HUGE. THIS IS THE LARGEST JUMP IN ENERGY CODE EFFECTIVENESS THAT THE CITY OF AUSTIN HAS HAD SINCE THEY FIRST ADOPTED ENERGY CODES BACK IN THE EARLY 1970s. SOME OF YOU MAY ASK, WELL, THERE'S 19%, WHAT ARE WE GOING TO DO ABOUT THE FUTURE, HOW DO WE GET THE REST OF THE WAY TO THE 2015 GOAL? THE REALITY OF THAT IS WE'RE GOING TO HAVE TO SEE SOME MARKET SHIFTS, WE'RE GOING TO HAVE.....HAVE TO SEE SOME TECHNOLOGY ADVANCES AND REDUCTION IN COSTS OF MATERIALS. SOME EXAMPLES OF THESE ARE HOME APPLIANCE EFFICIENCIES COMING DOWN IN COST AND BEING MORE EFFICIENT. WE'LL ALSO NEED TO SEE ADVANCES IN LIGHTING, L.E.D. LIGHTING IS STILL VERY EXPENSIVE TO INSTALL IN HOMES. WE'LL ALSO NEED TO SEE THE AVAILABILITY OF SILICONE AND THOSE PRICES TO COME DOWN. WE'RE EXCITED TO WORK WITH THE MORTGAGE COMPANIES AND APPRAISAL COMPANIES AND WORKING WITH THEM TO ACKNOWLEDGE THE VALUE OF THESE ENERGY EFFICIENT FEATURES WE ARE ADDING TO THESE HOMES. IT'S IMPORTANT FOR THEM TO TAKE THOSE LOWERED ENERGY BILLS INTO ACCOUNT WHEN QUALIFYING BUYERS. I'D LIKE TO THANK THE MAYOR, THE CITY COUNCIL, THE H.B.A. IS JUST VERY, VERY TOUCHED TO BE ABLE TO BE A PART OF THE RECOMMENDATIONS THAT WILL BE HEARD TODAY. WE THANK YOU FOR THE OPPORTUNITY TO KEEP AFFORDABILITY IN MIND AS WE MOVE FORWARD WITH THE 2015 GOAL. THANK YOU.

[APPLAUSE]

GOOD MORNING. MY NAME IS TOM SMITH. I'M BETTER KNOWN AS SMITTY, DIRECTOR OF PUBLIC CITIZENS TEXAS OFFICE. OUR GENERATION FACES THE CHALLENGE OF HOW

WE'RE GOING TO DEAL WITH THE PROBLEM OF GLOBAL WARMING. AND DAY AFTER DAY THE STUDIES THAT ARE COMING OUT SHOW THE PROBLEM IS FAR WORSE THAN ANTICIPATED AND WE HAVE VERY LITTLE TIME TO TAKE ACTIONS TO ABATE THE CAUSES OF GLOBAL WARMING. WHAT STUDY AFTER STUDY TELLS US IS THAT THE FIRST AND MOST IMPORTANT THING THAT CITIES CAN DO IS TO ADOPT CODES TO DRAMATICALLY REDUCE THEIR ENERGY USE. AND NO CITY IS DOING IT BETTER OR FASTER THAN THE CITY OF AUSTIN, TEXAS. THE AMERICAN INSTITUTE OF ARCHITECTS AFTER LOOKING AT THE PROBLEMS FOR SEVERAL YEARS SAID WE THINK WE CAN GET TO A ZERO NET ENERGY CAPABLE HOME BY 2030. AND THE U.S. CONFERENCE OF MAYORS ADOPTED THAT GOAL. BUT THAT WASN'T GOOD ENOUGH OR FAST ENOUGH FOR THE CITY OF AUSTIN BECAUSE WE KNEW HOW GRAVE THE PROBLEM WAS AND WE KNEW WE HAD SOME OF THE SMARTEST, MOST TECHNICALLY CAPABLE PEOPLE IN THE CITY, THE BUILDERS, THE REGULATORS AND THE SCIENTISTS TO FIGURE OUT HOW TO DO IT BETTER AND FASTER, AND THAT'S WHAT IS HAPPENING TODAY. THIS WILL BE THE MOST AGGRESSIVE ENERGY CODE IN THE NATION IF ADOPTED. I'M VERY PROUD OF THE CITY OF AUSTIN AND THE PEOPLE WHO WORK TORE THE CITY AND THE HOME BUILDERS FOR TAKING THIS STEP, BUT THIS IS THE FIRST STEP. TOGETHER WE'RE GOING TO HAVE TO TAKE OTHER MEASURES IN THE CITY OF AUSTIN AND BECOME APOSTLES TO SAY IF AUSTIN CAN DO IT, DALLAS CAN DO IT, HOUSTON CAN DO IT, SEATTLE CAN DO IT, WASHINGTON, D.C. CAN DO IT, AND THE NATION AS A WHOLE CAN TAKE THE STEPS NECESSARY TO GET OUR CARBON DIOXIDE EMISSIONS UNDER CONTROL. IT'S ACTUALLY A MATTER OF SUCH SIGNIFICANCE THAT IF WE DON'T DO SOMETHING VERY QUICKLY, OUR ABILITY TO CONTINUE TO LIVE ON THIS PLANET WILL QUICKLY BE ERODED. THANK YOU ALL VERY MUCH. [APPLAUSE]

AGAIN, THANK YOU ALL VERY MUCH FOR BEING HERE. HERE IN JUST A FEW MINUTES, OUR CITY COUNCIL MEETING, THE ITEM CO-SPONSORED BY COUNCILMEMBER KIM AND LEFFINGWELL AND MYSELF WILL BE TO ADOPT THESE RECOMMENDATIONS FROM THE TASK FORCE, AND THEN THIS EVENING BY LAW WE DO A PUBLIC HEARING AFTER 6:00

P.M. WHEREBY FOLKS CAN GIVE US SOME COMMENT ON THE CODE REWRITE AND WE WILL HOPEFULLY ADOPT THESE CODE AMENDMENTS INTO OUR EXISTING.....EXISTING BUILDING CODE. REMEMBER, NOW, THIS IS -- WE'RE SO PROUD OF THESE MEN AND WOMEN BEHIND ME BECAUSE HISTORICALLY OFTENTIMES THE DESIGN COMMUNITY, THE HOME BUILDING COMMUNITY, THE HOME REMODELING COMMUNITY WASN'T PARTICULARLY THRILLED WITH ADDITIONAL REGULATIONS. GENERALLY SPEAKING, IT WOULD DRIVE UP THE COST OF THE PRODUCT THAT THEY WERE TRYING TO SELL. BUT IN THIS CASE THE DESIGN COMMUNITY, THE HOME BUILDERS, THEY RECOGNIZED THE LONG-TERM VALUE IN SIGNIFICANT, SIGNIFICANT ENERGY EFFICIENCY. THOUGH TECHNICALLY THESE HOMES WILL COST A COUPLE OF THOUSAND DOLLARS MORE PERHAPS TO BUILD BECAUSE OF THE ADVANCES AND THE REQUIREMENTS IN THIS CODE, THE MASS SPEAKS FOR ITSELF IN AFFORDABILITY WITH DRAMATICALLY LOWER MONTHLY ELECTRICITY COSTS, THE NET MASS SPEAKS FOR ITSELF. AND SO THE BUILDERS AND THE ARCHITECTS RECOGNIZED THAT THERE IS A LOT OF HOME VALUE TO BE CREATED BY HAVING FOLKS, AGAIN, PUTTING THEIR TAKE-HOME PAY INTO THE EQUITY INTO THEIR HOME, NOT INTO THEIR UTILITY BILLS. I APPLAUD THE HOME BUILDERS, THE ARCHITECT, THIS TASK FORCE, MY COLLEAGUES FOR THE SUPPORT AND ENCOURAGEMENT AND THANK YOU ALL VERY MUCH FOR BEING HERE. I'M SURE THAT MEMBERS OF THE TASK FORCE AND MY COLLEAGUES AND I WILL BE AVAILABLE FOR ONE-ON-ONE CONVERSATIONS. THANK YOU VERY MUCH. [APPLAUSE]

WE HAVE A LOT OF WORK TO DO BEFORE WE CAN SET AN EXAMPLE FOR THE REST OF THE WORLD. I LIKE YOUR ATTITUDE ABOUT THE GREEN STUFF AND MAKING HOMES, THE NEW HOMES ENERGY EFFICIENT. IT'S GREAT STUFF, BUT I ENCOURAGE TO YOU KEEP ON THAT ROUTE AND MAYBE EVEN LOOK INTO HAVING A SOLAR LAKE, ANOTHER GREEN SOURCE OF ENERGY. BUT I'VE BEEN TALKING WITH PEOPLE AROUND TOWN FOR A WORLD FAIR, AND EVERYBODY I'VE TALKED TO IS PRETTY POSITIVE ABOUT IT AND A LOT OF PEOPLE SEEM TO REALLY LIKE THE IDEA, BUT I THINK BEFORE WE CAN ACTUALLY ANNOUNCE THAT IT'S A

GOOD IDEA AND DO THAT, I I THINK WE NEED TO UNDERSTAND WHAT MAKES AUSTIN A WORLD CLASS CITY. PRETTY BUILDINGS ARE NICE, GREEN HOMES ARE NICE AND IT MAKES OUR AIR A LITTLE CLEANER AND EASIER TO BREATHED, MAKES PEOPLE WANT TO COME HERE. THE MAYOR, THE TRAFFIC, WHICH NEEDS TO BE ADDRESSED, AND CAPITAL METRO DOES NOT ADDRESS THOSE PROBLEMS, AS MUCH MONEY AS THEY GET. THERE ARE MORE AND BETTER WAYS TO DO TRAFFIC CONTROL AND MAKE TRAFFIC A LOT EASIER. THINGS THAT WE COULD DO AND SHOULD BE DOING, IT'S LIKE AS MUCH MONEY AND EFFORT WE SPEND ON SAVING BARTON SPRINGS, WE SHOULD BE SAVING THAT KIND OF EFFORT, ENERGY, MONEY ON SAVING THE PLIGHT OF THE HOMELESS. ANOTHER ENDANGERED SPECIES HERE. A FEW WEEKS AGO WE HAD AN INCIDENT AT 35 AND OLTORF WHERE WE HAD HOMELESS PEOPLE FLYING SIGNS. OUR CITY TELLS HOMELESS PEOPLE GET A JOB. WELL, THEY CAN'T GET A JOB BECAUSE THEY HAVE BAD ATTITUDES, CAN'T BE ON TIME AND STUFF LIKE THAT. SHOULDN'T WE MAKE THEM AN EXAMPLE FOR THE STUDENTS THERE AT THAT SCHOOL, AT TRAVIS HIGH, AND SAY THIS IS WHY YOU SHOULD STAY IN SCHOOL, KIDS, BECAUSE YOU ARE GOING TO FIND OUT YOU ARE NOT GOING TO BE ABLE TO AFFORD A HOUSE, STAY IN SCHOOL, GO TO COLLEGE. INSTEAD WHAT DO WE DO? WE TRY TO KICK THE HOMELESS AROUND AND SAY BAD BOYS, GO HIDE SOMEWHERE ELSE, WE DON'T WANT YOU SEE YOU OUT IN THE PUBLIC. INSTEAD OF DOING THAT, WHY DON'T WE GIVE THEM JOBS. I'M SURE EVERYBODY ON THE COUNCIL REMEMBERS HOW A MESSAGE HOW WE WOULD LIKE TO BE BROUGHT ACROSS TO THE PUBLIC. WHAT BETTER WAY FOR -- BUT TO PAY THOSE GUYS TO STAND OUT THERE WITH A SIGN WITH A MESSAGE OR AN ADVERTISEMENT FOR AN UPCOMING EVENT FOR THE CITY OR SOMETHING LIKE THAT. GIVE THOSE PEOPLE JOBS. [BUZZER SOUNDING] GIVE THEM THE HUMAN DIG TI..... DIGNITY. IF WE CAN SAVE SALAMANDERS, I THINK WE CAN SAVE HUMANS AND HUMAN DIGNITY AND MAKE THIS A REAL WORLD CLASS CITY AND WE CAN BRING CULTURES FROM AROUND THE WORLD AND CELEBRATE ON THAT LEVEL. THANK YOU, FOLKS.

Mayor Wynn: THANK YOU, MR. McDONALD. RICHARD

VIKTORIN. WELCOME. YOU WILL BE FOLLOWED BY JIM ARNOLD.

GOOD AFTERNOON, COUNCIL. TODAY WITH ITEM 34 ON THE COUNCIL AGENDA, CITY OF AUSTIN SET FOR PUBLIC HEARING ON NOVEMBER 8th THE MANAGEMENT PLAN FOR THE BALCONES CANYONLANDS PRESERVE. IT IS A 30,000 ENDANGERED SPECIES PRESERVE IN WESTERN TRAVIS COUNTY. 95% PAID FOR WITH PUBLIC DOLLARS. THE B.C.P. IS LARGELY CLOSED TO THE PUBLIC. THE REVISIONS, IN MY MIND, ARE AN INVESTMENT IN THE STATUS QUO AS REGARDS PUBLIC ACCESS. THE FIRST THING I WOULD LIKE TO READ TO YOU TODAY IS REVIEWING THE HISTORY OF THE B.C.P. AND READING FROM A PAPER BY DAVID BIRDWELL AND HE IS WRITING ON THE HISTORY OF THE B.C.P. AND HOW IT CAME BACK. SPARKED BY STAFF, A WORKING GROUP WAS FORMED CHAIRED BY COUNTY COMMISSIONER AND CONSISTING OF FOUR REPRESENTATIVES FROM ENVIRONMENTAL GROUPS, FOUR REPRESENTATIVES FROM DEVELOPMENT GROUPS, FISH AND WILDLIFE AND AN AUSTIN CITY COUNCILMEMBER, NOT ONE MEMBER OF THE ORIGINAL WORKING GROUP FOR THE B.C.P. WAS A PUBLIC ACCESS ADVOCATE. AND TO THIS DAY THE PUBLIC IS STILL NOT BEING HEARD ABOUT PUBLIC ACCESS TO THE B.C.P. AS YOU GO FORWARD IN CONSIDERING PUBLIC ACCESS TO THE B.C.P., I WOULD LIKE YOU TO FOCUS ON THREE ISSUES: MONEY, FINANCING, CONSISTENCY IN SPECIES MANAGEMENT, AND WHAT I'M TALKING ABOUT THERE IS WE'RE ALLOWED TO SWIM WITH THE ENDANGERED BARTON CREEK SALAMANDER AT BARTON CREEK, BUT WE CANNOT HIKE WITH THE GOLDEN CHEEKED WARBLER. THERE IS ALSO THE MATTER THAT THE NATIONAL WILDLIFE REFUSE REFUGE OFF 1431, THEY HAVE -- THE FEDS HAVE A WELL FUNDED TRAILS PROGRAM WITH STAFF. THE THIRD ITEM AND SOLUTIONS TO...AND -- WHAT I'M CALLING FOR IS A MASTER PLAN. TODAY THE MAIN THING I WANT TO TALK ABOUT IS PRESERVE FINANCES AS IT IMPACTS PUBLIC ACCESS TO THE B.C.P. WHEN THE BCP WAS ORIGINALLY CONCEIVED, THE -- THE ECONOMICS OF IT WERE FOUNDED ON A THREE-LEGGED STOOL, IF YOU WILL. THERE WERE BONDS TO BUY BCP LAND, WE SEEDED THE BCP WITH PARK LANDS THAT WERE GRANDFATHERED, AND A DEVELOPER PARTICIPATION

FEES THAT WERE TO PAY FOR THE PRESERVE. ALL THREE OF THOSE LEGS OF THE STOOL ARE BROKEN, IN MY MIND, AT THIS TIME WHEN IT COMES TO PUBLIC ACCESS. THE BONDS, THE OVERHEAD THAT I WOULD LIKE TO PUT UP IF WE COULD. THESE ARE SOME QUOTES FROM THE BCP WEBSITE THAT THE CITY HAS UP. AND THE -- WELL, THE FIRST ONE IS ACTUALLY FROM AUSTIN AMERICAN STATESMAN ARTICLE, A RECENT ARTICLE THAT TALKS ABOUT THE ORIGINAL BOND LANGUAGE. AND THE ORIGINAL BOND LANGUAGE SAID OPEN SPACE FOR PASSIVE PUBLIC USE. CURRENTLY ON THE WEBSITE OF THE BCP -- [BUZZER SOUNDING] -- IT SAYS CONTROL OR LIMITED PUBLIC ACCESS. THE BCP IS NOT CONTROLLED PUBLIC ACCESS, IT IS CLOSED, IT'S FENCED OFF. MY TIME IS UP. JUST AS YOU ALL GO FORWARD OVER THE NEXT 20 DAYS OR SO, YOU SHOULD PREPARE FOR THE PUBLIC HEARINGS, I HOPE YOU WILL EDUCATE YOURSELF ABOUT THE BCP AND THE CONTROVERSY REGARDING PUBLIC ACCESS. THANK YOU.

Mayor Wynn: THANK YOU AND PLEASE DO TAKE ADVANTAGE OF THE PUBLIC HEARING WE WILL CONDUCT TO HAVE MORE TIME TO GIVE US MORE INPUT. THANK YOU. JIM ARNOLD IS OUR NEXT SPEAKER. WELCOME, JIM. YOU WILL HAVE THREE MINUTES, TO BE FOLLOWED BY JIMMY CASTRO.

DO WE HAVE THE [INAUDIBLE] AVAILABLE? I'M THE OWNER OF AN OFFICE BUILDING CLOSE TO ZILKER PARK. IF YOU LOOK AT THE PHOTO, CAN WE GO BACK TO THAT PHOTO? THAT'S THE BUILDING. PROBABLY MANY OF YOU ARE FAMILIAR WITH THAT. SEEMS WHENEVER I MENTION TO SOMEBODY WHERE OUR OFFICE BUILDING IS, THEY SAY OH, YOU ARE IN THAT BUILDING. I BUILT THIS A LITTLE OVER 20 YEARS AGO, I'VE OFFICED THERE FOR SOME TIME. LET'S MOVE TO THE NEXT SLIDE BECAUSE WE'RE SHORT OF TIME. THIS IS.

PICTURE OF OUR FRONT DOOR ON SATURDAY NIGHT OF AUSTIN CITY LIMITS. WE HAVE A LOT OF FOLKS, AS YOU WOULD IMAGINE, IN OUR NEIGHBORHOOD AT THE TIME OF AUSTIN CITY LIMITS. ONE OF THEM, A WITNESS, AND I HAVE INTERVIEWED HIM FIRSTHAND, TELLS ME WAS ON ACID AND CAME OVER AND ATTACKED THE BUILDING. HE RIPPED OFF A -- OUR FRONT LIGHT, LANTERN FIXTURE WE HAVE AT THE

RIGHT-HAND SIDE, HE USED THAT TO BUST OUT THE WINDOWS. YOU CAN SEE THE DAMAGE THAT WAS DONE, THE DISTANCE. THE NEXT PHOTO, THAT WOULD BE FINE. THIS NEXT PHOTO SHOWS THE BLOOD THAT HE CUT HIMSELF IN THE PROCESS OF DOING THIS. THERE WAS BLOOD YOU WILL OVER THE PLACE. YOU WOULD HAVE THOUGHT WE HAD A BATTLE SCENE OR A BATTLE HAD GONE ON. WE CAN MOVE TO THE NEXT SLIDE. THAT'S OUR ELEVATOR. THAT'S THE BLOOD ON THE HE WILL.....ELEVATOR. WE'VE GOT LOTS MORE PICTURES, BUT I'M BEING SELECTIVE ON THIS. MOVE TO THE NEXT SLIDE. HE CAME IN, WENT UP TO THE THIRD FLOOR, BUSTED OUT A WINDOW THERE. THAT'S THE WINDOW ON THE THIRD FLOOR. NEXT SLIDE, PLEASE. THAT'S A PICTURE OF THE SOFA WE HAVE IN OUR RECEPTION AREA WHERE HE BLEED ON THAT AND THAT'S THE RECEPTIONIST DESK AND YOU CAN SEE THE BLOOD THERE. THERE WAS MORE BLOOD, I DIDN'T TAKE A PICTURE OF ALL THE BLOOD AND I'M NOT PRESENTING PHOTOS OF ALL THE DAMAGE. UNFORTUNATELY I WAS OUT OF TOWN WHEN THIS HAPPENED. MY WIFE HAD TO DEAL WITH THIS. SHE HAD TO COME DOWN AT MIDNIGHT ON SATURDAY NIGHT TO ADDRESS THESE ISSUES. YOU KNOW, THERE AREN'T HANDYMEN AVAILABLE ON MIDNIGHT SATURDAY NITROGENLY SPEAKING. SHE DIDN'T HAVE A SECURITY SERVICE READILY AVAILABLE TO BRING TO THE SITE. SO SHE HAD TO DEAL WITH BOARDING IT UP AND TRY TO SECURE THE PLACE AND SHE SAID THAT WAS A VERY INSECURE FEELING SHE HAD AT THAT TIME. THERE WAS A FIGHT, THE PERPETRATOR ATTACKED TWO POLICEMEN. IT TOOK THESE TWO POLICEMEN PLUS A THIRD MAN RIDING WITH THE POLICE WHO IS AN EX-MARINE FORTUNATELY HAD SOME SKILLS IN HANDLING SITUATIONS OF THIS AND THE THREE OF THEM IT TOOK TO SUBDUE THIS PERPETRATOR. THE REASON I'M HERE IS NOT THAT IT'S THE CITY'S FAULT THAT I HAD THIS EXPERIENCE. THE REASON I'M HERE IS BECAUSE IN THE COURSE OF KEEPING AUSTIN WEIRD, WE ALSO NEED TO KEEP AUSTIN SAFE AND LEGAL. AND WHEN WE HAVE AN EVENT OF THIS SORT, WE NEED TO HAVE ADEQUATE SECURITY FOR THE NEIGHBORHOODS IN THE IMMEDIATE VICINITY BECAUSE WE ARE IMPACTED IN A MAJOR WAY. [BUZZER SOUNDING] I'M HERE TO MAKE THE PITCH TODAY THAT WE BUILD INTO THE BUDGET FOR NEXT YEAR'S ACL

SUFFICIENT SECURITY SO THAT WE HAVE A POLICEMAN WHOSE BEAT IS A BLOCK SUCH AS WHERE WE ARE AND WHO CAN INTERVENE BEFORE SOMETHING LIKE THIS GOES TO THE EXTENT THAT IT DID. THANK YOU.

Mayor Wynn: THANK YOU, MR. ARNOLD. AS DISTURBING AS IT IS, WE APPRECIATE THIS INFORMATION, SEEING THE VISUALS. YOU KNOW, GENERALLY SPEAKING MY PERCEPTION AND STATISTICALLY, YOU KNOW, AUSTIN CITY LIMITS FESTIVAL HAS BEEN A REMARKABLY SAFE EVENT. I MEAN THERE ARE VERY FEW DISTURBANCES AT THE EVENT, VERY FEW ARRESTS IN THE FOUR TO FIVE YEARS WE'VE BEEN DOING IT, BUT WE NEED TO BE MADE AWARE WHEN THERE ARE, YOU KNOW, SIGNIFICANT PROPERTY CRIMES ADJACENT TO THE PARK. I KNOW THAT WE WORK -- MY EXPERIENCE WITH THE PROMOTERS OF THE -- OF THAT MUSIC FESTIVAL IS THEY ARE VERY RESPONSIBLE, THEY HAVE BEEN VERY RESPONSIVE TO, YOU KNOW, OTHER MORE GENERAL NEIGHBOR CONCERNS, YOU KNOW, PARKING IS ALWAYS A CHALLENGE FOR EVERYBODY, HAVING THEIR DRIVEWAYS BLOCKED BY PEOPLE PARKING ILLEGALLY TO GO TO THE FESTIVAL AND THAT SORT OF THING, THE COORDINATION OF THE TRANSPORTATION I THINK IS PRETTY REMARKABLE ALL THINGS CONSIDERED THAT MANY PEOPLE, THAT SHORT OF TIME. BUT IT'S IMPORTANT THAT WE SEE THIS AND I TRUST, YOU KNOW, CITY MANAGEMENT AND A.P.D. AND THE PARKS POLICE CAN FIGURE OUT WHAT'S THE APPROPRIATE STAFFING TO MAKE SURE THIS -- KEEP SOME OF THESE THINGS FROM HAPPENING, BUT YOU CERTAINLY CAN BE ABLE TO RESPOND IMMEDIATELY AND DIFFUSE A SITUATION OR HELP A PROPERTY OWNER.

IF THERE HAD BEEN A POLICEMAN ON THAT BEAT IN THE IMMEDIATE VICINITY, WHILE IT MIGHT NOT HAVE STOPPED THE FELLOW FROM BUSTING OUT THE WINDOW, HE WOULD HAVE BEEN STOPPED FROM COMING INSIDE. AND I UNDERSTAND MY TIME IS UP SO I'M NOT GOING TO PRESS PASS ON OTHER PEOPLE'S TIMES, BUT I WOULD LIKE TO HAVE A -- MORE OF A DIALOGUE IN THE FUTURE WITH SOMEBODY ON THIS POINT, SOMEBODY THAT -- WITH CITY ADMINISTRATION SO THAT MAYBE WE CAN WORK TOWARDS

A SOLUTION NEXT YEAR.

AND STANDING RIGHT BEHIND YOU IS THE DIRECTOR OF OUR PARKS DEPARTMENT AND HE IS GOING TO GIVE YOU THAT ACCESS AND WE ALSO HAVE ONE OF OUR ASSISTANT CHIEFS, SAM HOLT, WHO IS RIGHT HERE IN THE BACK AND WE'RE GOING TO WORK WITH YOU BECAUSE WE CAN ALWAYS -- ALTHOUGH I AGREE WITH THE MAYOR, I THINK WE'VE HAD A REALLY GOOD RUN WITH THE AUSTIN CITY LIMITS FESTIVAL, WE CAN ALWAYS MAKE IT BETTER. AND SO LET'S WORK WITH YOU AND SEE WHAT WE CAN DO.

THANK YOU.

SURE.

Mayor Wynn: THANK YOU, MR. ARNOLD. JIMMY CASTRO, WELCOME. YOU WILL HAVE THREE MINUTES TO BE FOLLOWED GUY CAROL ANNE ROSE KENNEDY.

GOOD AFTERNOON, MAYOR WYNN AND COUNCILMEMBERS. I'M HERE TO SPEAK ON MY OWN BEHALF OF THE NETWORK NEIGHBORHOOD ASSOCIATION OF NORTH AUSTIN. MY FAMILY AND I HAVE LIVED IN THE AREA SINCE 1980 AND IT'S THE LARGEST NEIGHBORHOOD ADJACENT TO THE NORTH BURNET NEIGHBORHOOD WITH ONLY 23000 HOMES. SEVERAL NEIGHBORS I TALKED WITH ALL AGREE THE ENTIRE NORTH AUSTIN AREA WILL BENEFIT WITH THE NORTH BURNET GATEWAY MASTER PLAN. I'M HERE TO SPEAK IN SUPPORT OF THE NORTH BURNET GATEWAY MASTER PLAN, ESPECIALLY THE ZONING CHANGE TO IMPLEMENT THE LAND USE RECOMMENDATIONS OF THE PLAN. I WOULD LIKE TO FIRST THANK CITY STAFF FOR WORKING WITH THE DEVELOPER AND NEIGHBORS AND MAYOR WYNN AND COUNCILMEMBERS WORKING ON THIS PROJECT. ESPECIALLY COUNCILMEMBER McCracken. THIS NORTH BURNET GATEWAY MASTER PLAN WILL ENHANCE THE JOBS, RETAIL, OPEN SPACE AND COMMUNITY FACILITIES. IT IS ALSO IN THE PATH OF TWO PASSENGER RAIL LINES. FAMILIES WHO MOVE IN THE NORTH BURNET GATEWAY AREA WILL FIND SOME OF THE FINEST AMENITIES IN THE CITY OF AUSTIN. FIRST, FAMILIES FROM THE NORTH BURNET GATEWAY AREA WILL FIND EXCELLENT AUSTIN

INDEPENDENT SCHOOL DISTRICT SCHOOLS. SUCH AS THE RECOGNIZED SCHOOL OF EXCELLENCE, SUMMIT ELEMENTARY. AND THE NATIONAL BLUE RIBBON SCHOOL WILL DAVIS ELEMENTARY. AND THE MIDDLE SCHOOL SUCH AS BURNET AND MURCHISON. AND ANDERSON HIGH SCHOOL AND THE CISCO CEAMD ON CAMPUS. AND LANIER HIGH SCHOOL WITH THE HEALTH SCIENCE INSTITUTE OF AUSTIN AT LANIER TO MEET THE FUTURE HEALTH CARE SHORTAGE IN THE AUSTIN AREA. FAMILIES FROM THE NORTH BURNET GATEWAY AREA WILL ALSO HAVE EASY ACCESS TO AUSTIN COMMUNITY COLLEGE, NORTHRIDGE CAMPUS. ON STONE HOLLOW WITH ITS COMPUTER TECHNOLOGY PROGRAMS. FAMILIES FROM THE NORTH BURNET GATEWAY AREA WILL ALSO HAVE EASY ACCESS TO SOME OF THE BEST MEDICAL CARE IN CENTRAL TEXAS. WITH THE NORTH AUSTIN MEDICAL CENTER WITH OVER 149 PHYSICIANS AND SPECIALISTS, AND THE AUSTIN DIAGNOSTIC CLINIC, WITH NORTHWEST SETON CLOSE BY. TO GIVE YOU AN IDEA OF THE GROWTH IN NORTH AUSTIN, AN AVERAGE OF 300 BABIES A MONTH ARE DELIVERED AT NORTH AUSTIN MEDICAL CENTER. THE BOTTOM LINE, NORTH AUSTIN IS GROWING. KNEES KIDS WILL NEED SCHOOLS, HEALTH CARE, JOBS AND A PLACE TO LIVE THAT THE NORTH BURNET GATEWAY MASTER PLAN COULD OFFER THESE FUTURE AUSTINITES. THANK YOU, MAYOR WYNN.

Mayor Wynn: THANK YOU. WELCOME, CAROL ANNE ROSE KENNEDY. WILL YOU HAVE THREE MINUTES TO BE FOLLOWED BY LENORA GIVENS.

WELCOME, COUNCIL. THE LITTLE WHITE DUCK PART 2.
(music) THERE'S A LITTLE WHITE DUCK WALKING ON THE WATER, A LITTLE WHITE DUCK DOING WHAT SHE OUGHT TO
(music)(music) (music) SHE JUMPS RIGHT OFF OF A LILY WHITE PAD, FLAPD HER WINGS AND SHE SAID I'M BAD. (music)(music)
(music) I'M A LITTLE WHITE DUCK SWIMMING IN THE RIVER, QUACK, QUACK, QUACK (music)(music) (music) THERE'S A LITTLE BROWN MAN HANGING AT THE BORDER, A LITTLE BROWN MAN WAITING FOR AN ORDER, THE KIDS AND THEIR MOM CRIED AND SCREAMED ALL NIGHT BECAUSE HE PACKED HIS BAGS AND HE PICKED ON FIGHT (music)(music)
(music) THERE'S A HIGH WHITE TOWER BUILT INSIDE A BOARD ROOM, A HIGH WHITE TOWER WAITING FOR A QUORUM,

THEY ATE AND THEY DRANK AND THEY LAUGHED AND
PLAYED WHILE THE PEONS WORKED AND BECAME THEIR
SLAVES (music)(music) (music) THERE'S A LITTLE WHILE GIRL
CLIMBING UP THE TREE AND A LITTLE BLACK BOY FELL FROM
MAMA'S KNEE, THEY ARE HUNGRY, TIRED AND THEY ARE SO
CONFUSED, LOOK AT THE LITTLE WE THE PEOPLE BEING
USED (music)(music) (music) THERE'S A LITTLE YELLOW GIRL
BORN TO SERVE A MAN, A LITTLE YELLOW GIRL DOING WHAT
SHE CAN, SHE REACHES UP AND HE SLAPS HER DOWN, NOW
SHE'S WORKING AS A PARTY CLOWN (music)(music) (music)
THERE'S A LITTLE RED BOY ON THE RESERVATION,
WONDERING WHAT THE HELL HAPPENED TO THE NATION, SO
HE DRINKS AND PRAYS ON THE CITY BUS, DREAMING ABOUT
WHAT DELONGS TO US (music)(music) (music) THERE'S A BIG
WHITE DRUNK HEADING FOR THE WAR AND A BIG -- AND A
SMART BLACK HUNT ON ANOTHER SHORE, THE BATTLE THEY
FIGHT THEY BELONG TO YOU, THE LITTLE WHITE MAN I
BELIEVE YOU'RE SCREWED (music)(music) (music) THERE'S A
BIG WHITE DUCK LYING IN THE RIVER, A BIG WHITE DUCK
GOT A WASTED LIVER, BUT SHE LAYS HER EGGS AND SHE
CRIES ALL NIGHT HOPING THAT A MAN WILL PICK UP THE
FIGHT (music)(music) (music) THERE'S A BIG WHITE DUCK
FLOATING DOWN THE RIVER, EWWW, EWWW, EWWW
(music)(music) THANK YOU.

Mayor Wynn: OUR NEXT SPEAKER IS EVEN IN..... LA...
LENORA GIVENS. WELCOME, YOU WILL BE FOLLOWED BY
YIQIN CHEN.

[INAUDIBLE]

Mayor Wynn: YES, PLEASE.

HOW ARE YOU GUYS? I'M GOING TO READ MY SPEECH. DEAR
HONORABLE MAYOR WILL WYNN AND CITY
COUNCILMEMBERS. MY NAME IS DANIELLE WANG AND I
WORK IN DOWN AUSTIN AS A CIVIL ENGINEER IN TRAINING.
TODAY I AM HERE TO INTRODUCE [INAUDIBLE]. MY DAD HAS
BEEN WRONGLY IMPRISONED FOR MORE THAN EIGHT YEARS
FOR BEING A [INAUDIBLE] PRACTITIONER. I HAVE BEEN
CALLING FOR HELP SINCE THEN. EIGHT YEARS AGO RIGHT
AT THE VERY BEGINNING OF THE PERSECUTION AGAINST
[INAUDIBLE] PRACTITIONERS MY DAD WAS DRAGGED AWAY

FROM HOME IN EARLY MORNING OF JULY 20, 1999. HE IS A VICTIM WHO HAS BEEN SUFFERED A LOSS AND STILL TODAY REMAINS IN PRISON. THE CHINESE GOVERNMENT KIDNAPPED HIM FOR MORE THAN FOUR MONTHS UNTIL THEY FINALLY RELEASE INFORMATION ABOUT WHERE MY DAD WAS BEING HELD. ON DECEMBER 27, 1999, I WAS FIRST TIME BE ABLE TO SEE HIM ON PUBLIC COURT PROCEEDING. HE WAS ACCUSED OF BEING ONE OF THE FOUR KEY PERSONS OF [INAUDIBLE] BEIJING AND SENTENCED TO JAIL FOR A LONGTERM OF 16 YEARS. I HAVE BEEN HERE FOR A COUPLE OF TIMES AND THEN I WAS STILL AN ENGINEER STUDENT AT U.T. FOR EIGHT LONG YEARS I HAVE BEEN CALLING FOR HELP FOR HIM AND [INAUDIBLE] PRACTITIONERS WHO HAVE BEEN PERSECUTED IN CHINA. WITH KIND-HEARTED PEOPLE'S HELP I HAVE BEEN ABLE TO HOLD A CAMPAIGN FOR THIS LONG. RIGHT ABOUT HALF YEARS AGO I TRIED TO ESTABLISH A RESCUE TEAM WITH A FEW OF MY FELLOW PRACTITIONERS. RECENTLY I HAVE BEEN [INAUDIBLE] A LOT FROM THE CHINESE GOVERNMENT COMMUNIST PARTY AND MY FAMILY MEMBERS WERE HARASSED IN CHINA. I JUST CAME BACK FROM A TRIP FOR MEETINGS. MY FAMILY MEMBERS WERE FORCED TO WRITE DIFFERENT STATEMENTS ABOUT ME AND MY DAD IN CHINA AND ALSO ABOUT 15 OF MY FAMILY MEMBERS INFORMATION WAS [INAUDIBLE]. THEY HAVE BEEN SUFFERED SO MUCH AND I HAVE BEEN SUFFERED SO MUCH AND MY DAD HAS BEEN SUFFERED SO MUCH. HOPEFULLY ONE DAY I CAN BE REUNITED WITH HIM WITHOUT SO MANY HARASSMENT. I GOT PHONE CALLS HERE AND THEY WILL MAKE SO MANY PHONE CALLS SO I HAVE TO CALL 311 AND THEY TRACE BACK FROM THE ORIGIN OF CHINA. IT HAS BEEN [INAUDIBLE] COMPASSION AND FOREBEAR RANS ANSWER. IT HAS NEVER BEEN WRONG TO BE A GOOD PERSON. MY DAD SHOULD NEVER BE PERSECUTED IN THE FIRST PLACE, NOT EVEN TO MENTION THAT HE WAS SENTENCED TO JAIL FOR SUCH A LONG TIME. [BUZZER SOUNDING] I WANT TO END MY SPEECH WITH A POEM I JUST RECENTLY WRITE. A SINGLE SPARK CAN START A [INAUDIBLE] FIRE. RIGHTEOUS VOICE ARE PULLING TOGETHER. IN DARKNESS THE [INAUDIBLE] ILLUMINATES, THE TIME TO REUNITE WITH MY DAD IS COMING. THANK YOU FOR YOUR HELP. ALSO I WOULD LIKE TO EXPRESS MY THANKS TO MY CO-WORKERS AND MY FRIENDS. THANK YOU

SO MUCH.

Mayor Wynn: THANK YOU, MS. WANG. OUR NEXT SPEAKER IS YIQIN CHEN. SORRY IF I MISPRONOUNCE THAT, MS. CHEN. YOU WILL BE FOLLOWED BY JAMES HWANG.

GOOD AFTERNOON, HONORABLE MAYOR AND CITY COUNCILMEMBERS. THANK YOU FOR HAVING ME HERE. AS A LOCAL REPRESENTATIVE OF THE GLOBAL HUMAN RIGHTS TORCH RELAY, I'M GLAD TO INFORM THAW TORCH RELAY WILL COME TO AUSTIN IN APRIL 2008. [INAUDIBLE] TO HOLD THE 2008 OLYMPIC GAMES AFTER IT PLEDGED TO ADHERE TO OLYMPIC [INAUDIBLE] AND IMPROVE ITS HUMAN RIGHTS RECORD. INSTEAD ITS HUMAN RIGHTS ABUSES HAVE WORSENERED. IN RESPONSE, THE HUMAN RIGHTS TORCH RELAY, HRTR, WAS CONCEIVED AND INITIATED. HRTR IS AN INTERNATIONAL CAMPAIGN THAT SEEKS TO BRING AN END TO ALL HUMAN RIGHTS ABUSES AGAINST PEOPLE OF CHINA. WHILE HIGHLIGHTING THE PERSECUTION OF THE MOST SEVERELY PERSECUTED GROUP IN CHINA TODAY. DURING THE 2008 OLYMPICS, THE HRTR WILL SPONSOR EVENTS IN 37 COUNTRIES ON FIVE CONTINENTS TO PUBLICIZE ITS FUNDING PREMISE. THE GAMES AND THE CRIMES AGAINST HUMANITY CANNOT CO-EXIST IN CHINA. THE CHINESE COMMUNIST PARTY HAS INTENSE [INAUDIBLE] PRACTITIONERS ESTIMATED AT 100 MILLION. AND THEIR FAMILIES. IN MARCH 2006, UNITED NATIONS SPECIAL [INAUDIBLE] REPORTED THAT [INAUDIBLE] PRACTITIONERS ACCOUNTED FOR 56% OF VICTIMS OF ALLEGED TORTURE WERE IN CUSTODY BY THE CHINESE COMMUNIST REGIME. [INAUDIBLE] PRISONERS ARE KILLED TO SUPPLY AN ORGAN TRANSPLANT INDUSTRY. [INAUDIBLE] CHRISTIANS [INAUDIBLE] AND LAWYERS. THE CHINESE COMMUTIST REGIME ALSO SUPPORTS OTHER TOTALITARIAN REJET STREAMS IN PERPETRATING SLAUGHTER UPON THEIR CITIZENS IN BURMA AND NORTH KOREA. WE BELIEVE THAT THE REGIME RESPONSIBLE FOR RAMPANT POLITICAL OPPRESSION, MASS EXECUTION, [INAUDIBLE] ABORTION, I WILL LESS IT [INAUDIBLE], RELIGIOUS PERSECUTION AND OTHER HUMAN RIGHTS ABUSES SHOULD NOT BE REWARDED WITH THE HONOR AND THE PRESTIGE OF HOSTING THE OLYMPIC GAMES. WITH EFFORT WE [INAUDIBLE] BRING THE [INAUDIBLE] TO THE CHINESE PEOPLE BY IMPRESSING THE

HOPE FOR A WORLD FREE OF CRIMES. HRTR'S PARTICIPANTS, GOVERNMENT OFFICIALS, OLYMPIC MEDALISTS, INDIVIDUALS AND ORGANIZATIONS THE WORLD OVER WILL CARRY A TORCH, A SYMBOL OF JUSTICE AND THE RESPECT FOR HUMANITY TO CITIES AROUND THE WORLD. [BUZZER SOUNDING] OKAY. WE HOPE THIS EFFORT WILL HELP TO PROTECT DIGNITY OF ALL HUMAN BEINGS AND INVITE ALL TO JOIN US. [INAUDIBLE] HOST 1936 SPORTING GAMES AND SPEAK OUT WITH ONE VOICE. THE OLYMPICS AND THE CRIMES AGAINST HUMANITY CANNOT CO-EXIST IN CHINA. THANK YOU.

Mayor Wynn: THANK YOU, MS. CHEN. OUR FINAL SPEAKER IS JAMES HWANG. WELCOME, JAMES.

GOOD AFTERNOON, THAN ROBL MAYOR AND CITY COUNCILMEMBERS. I'M JAMES HWANG. I'M A SENIOR AT THE McCOMB SCHOOL OF BUSINESS AND AS VICE PRESIDENT OF THE INTERNATIONAL MEDIA ORGANIZATION AT U.T., I WANTED TO VOICE SOME CONCERNS ABOUT THE SPYING ACTIVITIES BY THE CHINESE COMMUNIST GOVERNMENT ON THE U.T. AUSTIN CAMPUS. THIS TYPE OF ACTIVITY IS NOT NEW AND IT'S ACTUALLY CARRIED OUT THROUGH THE CHINESE STUDENTS AND SCHOLARS ASSOCIATION ALSO KNOWN AS CSSA. AT PROMINENT UNIVERSITIES WITH A SIGNIFICANT CHINESE STUDENT EXCHANGE POPULATION ACROSS THE UNITED STATES. THEY ARE FUNDED DIRECTLY AND INDIRECTLY BY THE MULTIPLE CONSULATE OFFERS OF THE CHINESE GOVERNMENT. AT U.T., IT NOT ONLY FUNDS MANY ACTIVITIES ON CAMPUS, THEY ALSO PLANT LEADING MEMBERS OF THE ORGANIZATION AS SPIES THAT CARRY OUT THE WISHES OF THE CHINESE COMMUNIST GOVERNMENT. LAST YEAR AT U.T., WE WITNESSED DISRUPTIVE BEHAVIOR BY CURRENT MANAGEMENT TEAM LEADER OF THE CSSA AGAINST THE U.T. STUDENTS ASSOCIATION WHEN THEY WERE DOING A PRESENTATION ON CAMPUS ABOUT THE HISTORY OF THE COMMUNIST PARTY. THIS NOT ONLY CAUSED DISRUPTIVE BEHAVIOR, HIS AGGRESSIVE ACTIVITY PREVENTED THE EVENT FROM TAKING PLACE. THESE EVENTS ALSO HAPPEN AT COLUMBIA UNIVERSITY AT A MUCH GREATER MAGNITUDE WHEN THE COLUMBIA UNIVERSITY CSSA ORGANIZATION PRESSURED NEW YORK UNIVERSITY, HOST OF THE INTERNATIONAL

DANCE COMPETITION, TO CANCEL ON ITS CONTRACT TO HAVE THE COMPETITION. THESE ACTIVITIES HAVE ATTRACTED THE ATTENTION OF THE F.B.I. AND THEY ARE CURRENTLY MONITORING THE SITUATION ACROSS MANY STATES ON THE EAST COAST. THE AUSTIN CHINESE PROFESSIONAL SOCIETY, AN ORGANIZATION SPONSORED BY THE HOUSTON CHINESE CONSULATE GENERAL, IS A MAJOR SUPPORTERS OF THE CSSA WITH ITS PRESIDENT AS THE PRESIDENT OF THE BOARD OF DIRECTORS OF THE U.T. TSSA ORGANIZATION. I WANTED TO BRING THIS TO ATTENTION OF COUNCIL TO SEE IF A HOLISTIC APPROACH CAN BE USED TO "-AND THEIR ORGANIZATIONS. THANK YOU.

Mayor Wynn: THANK YOU, MR. HWANG. COUNCIL THAT IS CORRECT CONCLUDES OUR CITIZEN COMMUNICATION THIS DAY. WITHOUT OBJECTION, NO COMMENTS, WE WILL NOW GO BACK INTO CLOSED SECTION PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO DISCUSS POTENTIALLY LEGAL ISSUES RELATED TO THE SEARCH FOR A NEW CITY MANAGER AND/OR ITEM 53, LEGAL ISSUES REGARDING THE RESPONSIBLE GROWTH FOR NORCROSS, INC., VERSUS CITY OF AUSTIN, ET AL. WE MAY ALSO TAKE UP PURSUANT TO SECTION 551.074 DISCUSSION OF PERSONNEL MATTERS RELATED TO THE SEARCH FOR NEW CITY MANAGER. WE'RE NOW IN CLOSED SESSION. I ANTICIPATE US FINISHING THOSE CLOSED SESSION DISCUSSIONS WELL BEFORE OUR NEXT POSTED ITEMS WHICH WILL BE THE 4:00 ZONING CASES. IF WE DO CONCLUDE OUR CLOSED SESSION AGENDA, I WILL COME OUT AND MAKE THE ANNOUNCEMENT THAT WE WILL BE IN RECESS UNTIL THE 4:00 P.M. ZONING CASES. THANK YOU.

Mayor Wynn: WE HAVE BEEN IN RECESS NOW FOR ALMOST TWO HOURS. I'LL ALSO MAKE THE ANNOUNCEMENT THAT COUNCILMEMBER MARTINEZ HAS BEEN CALLED AWAY FOR A FAMILY EVENT AND WILL NOT BE ON THE DAIS FOR THE REST OF THE EVENING. BUT SIX VOTES WILL GET US THROUGH THE MAJORITY OF THINGS TODAY.

MAYOR AND COUNCIL, GREG GUERNSEY. LET ME GO THROUGH OUR 4:00 HOURS. ITEM 55, THAXTON REZONING. THE ZONING FOR THE ROT LOCATED AT THE SOUTHWEST CORNER OF THAXTON ROAD FROM INTERIM SINGLE-FAMILY

RESIDENCE, STANDARD LOT AND FAMILY ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY COMBINING DISTRICT ZONING WITH CONDITIONS. AND AGAIN, THIS IS READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. THAT'S THE ONLY ITEM WE HAVE UNDER THE CLOSED PUBLIC HEARING ITEMS.

Mayor Wynn: THANK YOU. SO COUNCIL, THE AGENDA THEN FOR THESE ITEMS I'LL ENTERTAIN THAT MOTION.

MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER McCRACKEN TO APPROVE ITEM 55 ON SECOND AND THIRD READING. FURTHER COMMENTS? HEARING NONE ALL THOSE IN FAVOR SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 5-5 WITH COUNCILMEMBERS MARTINEZ AND COLE OFF THE DAIS.

THESE ARE FOR ZONING AND PLAN AMENDMENT WHERE THE PUBLIC HEARINGS ARE OPEN. OUR FIRST ITEM IS ITEM 56, CASE C 14-2007-0138, THE OVERLOOK AT SADDLE CREEK AT 10633 MANCHACA ROAD. I UNDERSTAND WE HAVE SOME FOLKS THAT MAY HAVE SIGNED UP IN OPPOSITION TO THIS REQUEST AND SO THIS WILL BE A DISCUSSION ITEM. THAT'S ITEM 56. ITEM 57 IS CASE C 14 H 060038. THE CANFILL HOUSE. THIS IS A REZONING REQUEST TO FAMILY RESIDENCE, HISTORIC CONDITIONAL OVERLAY, NEIGHBORHOOD PLAN ZONING. COMBINING DISTRICT ZONING. THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. THE PLANNING COMMISSION DID RECOMMEND THAT REQUEST. ITEM 58, CASE C 14 H-07-0013, THE GOFF-RAD KEY HOUSE AT 1305 WEST 22nd STREET. THIS IS REQUEST TO SF-3-CO-NP. IT IS ALSO RECOMMENDED BY PLANNING COMMISSION AND RECOMMENDED FOR ALL THREE READINGS. THAT'S ITEM 5 ITEM 59, C 814-90-003.14, A HARRIS BRAJ P.U.D. AMENDMENT NUMBER 14. THIS IS A REZONING REQUEST FROM PLANNED UNIT DEVELOPMENT ZONING TO P.U.D. DISTRICT ZONING TO CHANGE CONDITIONS OF THE ZONING AND IS RECOMMENDED BY THE ZONING AND PLATTING COMMISSION AND IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM 60 IS CASE C 814-91-..... 814-91-0001.04, THE

LITTLE TEXAS P.U.D. REVISION NUMBER 4 FOR THE PROPERTY LOCATED AT 6005 SOUTH CONGRESS AVENUE. THIS IS A REZONING REQUEST FROM PLANNED UNIT DEVELOPMENT COMBINING DISTRICT ZONING TO P.U.D.-NP, COMBINING DISTRICT ZONING TO CHANGE A CONDITION OF ZONING. THE PLANNING COMMISSION DID RECOMMEND THIS REQUEST AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEMS 61, 62 AND 63 ARE ALL RELATED TO THE NORTH BURNET GATEWAY NEIGHBORHOOD AND THOSE WILL BE DISCUSSION ITEMS. 61, 62, 673. ITEM 64 IS CASE NPA-07-..... NPA-07-0017.01, AUSTIN ENERGY AND CRESTVIEW STATION. THIS IS FOR A NEIGHBORHOOD PLAN AMENDMENT. AND THIS IS FOR THE PROPERTY LOCATED AT 7520 AND 7530 NORTH LAMAR BOULEVARD AND ON ANOTHER PROPERTY AT 6909 LION DRIVE. -- RYAN DRIVE. THE STAFF IS REQUESTING AN INDEFINITE POSTPONEMENT FOR THE PROPERTY LOCATED AT 6909 RYAN DRIVE AND THEN A P TO NOVEMBER 29th FOR THE PROPERTY LOCATED AT 7520 TO 7530 NORTH LAMAR BOULEVARD. THE RELATED ITEMS, ITEM NUMBER 65, WHICH IS ALSO ON RYAN DRIVE, THIS IS CASE C 14-2007-0094, JUSTIN LANE, KNOWN AS JUSTIN LANE, FOR THE PROPERTY AT 6909 RYAN DRIVE, THE REZONING REQUEST. STAFF IS RECOMMENDING THAT IT ALSO BE AN... AN INDEFINITE POSTPONEMENT. THEN ON THE JUSTIN SUBSTATION, NUMBER 66, THE PROPERTY BEING LOCATED AT 7520 TO 7530, THIS IS A STAFF POSTPONEMENT OF THIS ITEM TO NOVEMBER 29th. THAT'S ON ITEM NUMBER 66. ITEM NUMBER 67 AND 68 ARE RELATED ITEMS. THESE ARE KNOWN AS FORT MAGRUDER PROPERTIES IN THE DAWSON NEIGHBORHOOD. NUMBER 67 AND 68. 69, C 14-2007-0104, THE CAMERON BUSINESS PARK REVISION REZONING. THIS IS A DISCUSSION ITEM. ITEM NUMBER 70, 71 AND 72 ARE RELATED TO THE UNIVERSITY HILLS NEIGHBORHOOD PLAN AND RELATED REZONINGS. THESE ARE ALSO DISCUSSION ITEMS. ITEM NUMBER 74 -- EXCUSE ME, 73 AND 74 ARE DISCUSSION ITEMS AND THESE ARE FOR DISCUSSION POSTPONEMENTS. THIS IS C 14-95-0183 RCA, AND THE RELATED ITEM IS ITEM 74, CASE C 14-2007-0087, THE VINA PLAZA FOR 12801 HARRIS RIDGE BOULEVARD. WE HAVE A NEIGHBORHOOD REQUEST FOR POSTPONEMENT TO THE 8th. THE APPLICANT WOULD PREFER THE FIRST SO WE HAVE A DISCUSSION

POSTPONEMENT ON THAT ITEM. ITEM NUMBER 75, CASE C 14-2007-0084, KNOWN AS THE ELM TERRACE PROPERTY AT 3215 EXPOSITION BOULEVARD. I UNDERSTAND WE HAVE A COUNCIL REQUEST FOR P.. POSTPONEMENT ON THIS PARTICULAR ITEM.

Mayor Wynn: MAYOR PRO TEM.

Dunkerley: MR. GUERNSEY, YES, I'LL BE REQUESTING A POSTPONEMENT UNTIL NOVEMBER THE 29th. AND MY DESIRE HERE WOULD BE TO HAVE MIKE HOCKMILLER, FROM OUR CITY H.R. DEPARTMENT, SERVE AS FACILITATOR FOR A NEIGHBORHOOD AND DEVELOPER MEETING TO TRY TO WORK OUT THEIR DIFFERENCES. THERE ARE VERY FEW -- THERE ARE SMALL TRAFFIC DIFFERENCES BETWEEN WHAT THE NEIGHBORHOOD WANTS AND THE DEVELOPER WANTS, AND I REALLY THINK IF THEY GET TOGETHER AND WORK ON THOSE THINGS, THEY CAN COME UP WITH A PROPOSAL THAT GIVES THEM A VERY GOOD DESIGN ALONG EXPOSITION THAT HAS THE FEEL OF LESS DENSITY AND THEN PERHAPS PUT MORE DENSITY IN THE BACK, WHICH I THINK WOULD BE A NICE BUFFER NO MATTER WHAT THE STATE DECIDES TO DO WITH THEIR PROPERTY. I WOULD ALSO LIKE TO REQUEST THAT THE OTHER RELATED CITY EXPERTS IN WATERSHED AND IN ENVIRONMENTAL CONCERNS ALSO MEET WITH THESE GROUPS WHEN THEY ARE DISCUSSING THOSE ISSUES. SO I THINK THIS IS ONE WHERE WE CAN HOPEFULLY COME UP WITH A BETTER PROJECT IF THE TWO SIDES GET TOGETHER AND TRY TO DISCUSS IT. SO THE COUNCIL WILL APPROVE THIS. OKAY, IF -- IF THE NEIGHBORHOOD IS NOT IN AGREEMENT WITH MIKE AFTER YOUR MEETING, WE'LL TRY TO FIND ANOTHER CONSULTANT, BUT HE IS A -- HE REALLY IS AN OUTSTANDING FACILITATOR. WE'VE USED HIM ON OTHER VERY CONTENTIOUS PROJECTS, BUT WE'RE OPEN. MAYBE HE STARTS AND IF YOU ALL AREN'T IN AGREEMENT, I THOUGHT EVERYBODY WAS IN AGREEMENT, BUT IF YOU ARE NOT IN AGREEMENT, WE'LL TRY TO FIND A FACILITATOR THAT YOU ALL CAN AGREE ON.

I THINK THERE'S A NEIGHBORHOOD GROUP REPRESENTATIVE HERE AND ALSO AN APPLICANT'S REPRESENTATIVE, IF YOU WOULD LIKE TO HEAR FROM BOTH OF THEM TO THAT REQUEST. THEY ARE ABLE TO SPEAK TO

THAT IF YOU WANT TO HEAR BREAFL.

Mayor Wynn: YES, WE WOULD. WELCOME.

HI, I'M THE PRESIDENT OF THE WEST AUSTIN NEIGHBORHOOD GROUP. IT HAS NOTHING TO DO WHATSOEVER WITH MIKE HOCKMILLER AS FAR AS HIS CAPABILITIES. HE'S THE FACILITATOR FOR THE WEST AUSTIN NEIGHBORHOOD AREA AND WE'RE HAPPY WITH HOW THAT EFFORT IS GOING ALONG. IT'S JUST WE FEEL THIS HAS BEEN A LITTLE BIT OF A CONTENTIOUS ISSUE AND WE DON'T HAVE TO HAVE ANY OF THE FEELINGS FROM THIS ZONING CASE SPILL OVER INTO -- BACK INTO THE NEIGHBORHOOD PLANNING.

Dunkerley: WHY DON'T I MAKE AN OFFER THAT YOU AND THE DEVELOPER GET TOGETHER AND SELECT A MUTUALLY AGREEABLE FACILITATOR?

THAT WOULD BE WONDERFUL. THANK YOU SO MUCH.

Dunkerley: THANK YOU.

Mayor Wynn: WELL SAID. THANK YOU. COUNCILMEMBER McCracken.

McCracken: YEAH, AND I THINK IN THAT REGARD THAT IT WOULD BE VERY HELPFUL TO HAVE SOME PLANNING EXPERTISE THROUGH THAT. I KNOW WE'VE HAD SEVERAL ZONING ISSUES RECENTLY WHERE THE SIDES HAVE COME TOGETHER WITH A COMMONLY RETAINED PLANNING EXPERT OR FIRM AND THAT'S HAD SOME POSITIVE RESULTS. THAT I COULD SEE AS PART OF THIS EFFORT. WHETHER THAT IS THAT PERSON OR TEAM ACTION, THE FACILITATORS OR IN ADDITION TO, BUT I THINK WE ALL RECOGNIZE THAT THIS IS GOING TO REALISTICALLY SET THE TEMPLATE FOR WHAT HAPPENS WITH THE PROPERTY AS IT FRONTS EXPOSITION. I KNOW THIS IS AN IMPORTANT EFFORT THAT IS BIGGER THAN THE TWO ACRES AND ALSO THAT -- YOU KNOW, THAT IT IS ALSO ABOUT THE TWO ACRES. SO I'M HOPEFUL WE CAN ALL WORK TOGETHER AND GET A GOOD POSITIVE OUT COME FOR THIS.

STAFF WILL BE PRESENT AND WE'LL INVITE THE TRANSPORTATION AND URBAN AND DESIGN STAFF TO BE PRESENT AT THAT MEETING AS WELL.

Mayor Wynn: THANK YOU, MR. GUERNSEY. SO THEN --

THE REMAINING ITEMS ARE FOR CONSENT POSTPONEMENT OR CONSENT APPROVAL WITH THE EXCEPTION OF ITEM NUMBER 74 AND 73 WHERE THERE IS A CONTESTED POSTPONEMENT. YOU COULD TAKE THE OTHER ITEMS ON CONSENT AND BOTH PARTIES COULD SPEAK --

Mayor Wynn: WE MIGHT CAN GET TO THAT PRETTY QUICKLY. IS THERE A REPRESENTATIVE FOR THE APPLICANT ON ITEM 73, 74. MS. LOPEZ-PHELPS. I'LL SAY WHAT MIGHT MAKE THIS A LITTLE QUICKER IS WE WON'T HAVE A FULL DAIS ON THE FIRST OF NOVEMBER. I'VE SENT A NOTE TO MY COLLEAGUES A MONTH OR SO AGO THAT UNFORTUNATELY I HAVE TO BE IN SEATTLE THAT DAY SO THE MAYOR PRO TEM WILL BE PRESIDING OVER THE MEETING THURSDAY, NOVEMBER 11th. I'M NOT SURE -- I DON'T KNOW WHETHER WE'RE GOING TO HAVE A FULL DAIS ON THE 8th, BUT IF THAT -- NEIGHBORHOODS WERE SUGGESTING POSTPONEMENT TO THE 8th, THAT GIVES US A FIGHTING CHANCE TO HAVE A FULL DAIS. COMMENTS, THOUGHTS?

YES, COMMENTS, THOUGHTS. ALL OF THE ABOVE. OBVIOUSLY WE'RE COMING INTO THE HOLIDAY SEASON WHICH MAKES IT VERY DIFFICULT TO GET BEFORE A FULL COUNCIL FOR A VARIETY OF REASONS. I DID UNDERSTAND YOU WERE GOING TO BE GONE THAT DAY. WE ARE CONTINUING TO HAVE DISCUSSIONS WITH THE NEIGHBORHOOD, WE'RE CONTINUING TO TRY TO FIND ALTERNATE DESIGNS TO TRY TO IMPROVE WHAT WE'VE ALREADY PROVIDED. SO AMONG OTHER REASONS, WE WOULD LIKE TO BE ON THE FIRST TO AT LEAST GET US TO A POINT WHERE WE HAVE SOMETHING BETWEEN US AND THE NEIGHBORHOOD HOPEFULLY WITH CONDITIONS AND TERMS THAT WE COULD PROVIDE AND PRESENT TO THE CITY AND THEN HAVE THE CITY STAFF WORK WITH US TO PREPARE WHATEVER DOCUMENTS YOU ALL NEED FOR THE 8th. AND THAT'S -- I GUESS IF YOU FOLLOW MY LOGIC, THAT'S REALLY THE FIRST WOULD REALLY HELP US QUITE A BIT. I SPOKE TO

DOLORES AND I WAS TRYING TO EXPLAIN THIS TO HER AND I TOLD HER WE WOULD EVEN OFFER TO AGREE TO HAVE IT POSTED ONLY FOR FIRST READING. THAT WOULD ACTUALLY ALLOW US THE PROTECTION FOR THE NEIGHBORHOOD OF NO FINAL READING UNTIL THE 8th AND IN THE EVENT WE HAVE TO FINE TUNE SOME LANGUAGE WITH LEGAL AND WITH OUR ATTORNEYS AND THE NEIGHBORHOOD ASSOCIATION. AND THEN, OF COURSE, IF IT COMES TO A POINT WHERE WE STILL HAVE TO WORK OUT SOME MINOR ISSUES AND IT DOESN'T LOOK LIKE FOR YOU ALL TO VOTE ON IT ON THE 1st, WE COULD POSTPONE IT TO THE 8th FOR FULL COUNCIL WHILE WE'RE STILL WORKING ON ANY DETAILS. WE'RE STILL HOPING WE CAN REACH SOME SORT OF AGREEMENT.

Mayor Wynn: THANK YOU, MS. LOPEZ-PHELPS. COMMENTS? I WILL SAY OBVIOUSLY THE COUNCIL ALWAYS RESERVES THE RIGHT TO CONTINUE A P AND..... POSTPONEMENT AND TO THE EXTENT COUNCIL WAS NOT PREPARED TO TAKE ACTION ON THE 1st OR SAW TOO MUCH -- YOU KNOW, LACK OF CONSENSUS ON THE PART OF THE NEIGHBORS, YOU KNOW, THIS COUNCIL CLEARLY RESERVES THE RIGHT TO NOT TAKE ACTION ON THE 1st, TO POSTPONE TO THE 8th. AND I WOULD LIKE PERHAPS THE COMPROMISE OF POSTING ONLY FOR FIRST READING ONLY AS A SECURITY THAT NO FINAL ACTION WILL BE TAKEN ON THE 1st.

Dunkerley: MAYOR, IN THE PAST, IF THERE IS STILL A LOT OF OUTSTANDING ISSUES, WE'VE EVEN KEPT THE PUBLIC HEARING OPEN. IF WE COULD START IT ON THE 1st AND TRY TO GET AT LEAST..... LEAST -- MAYBE THE ONLY PUBLIC HEARING, BUT GET THE ISSUES HEARD AND PERHAPS GET SOME KIND OF ACTION ON FIRST READING WOULD HELP US MOVE THIS ALONG.

THAT WOULD BE GREAT.

Mayor Wynn: YOU ALL ARE MORE THAN WELCOME TO CONCLUDE THE PUBLIC HEARING IN MY ABSENCE. SO THEN COUNCIL, I'LL PROPOSE A CONSENT AGENDA AND I'LL SEE IF THERE IS A MOTION FOR THAT. OUR CONSENT AGENDA TODAY ON THESE CASES WHERE WE HAVE YET TO CONDUCT THE PUBLIC HEARING WOULD BE TO CLOSE THE

PUBLIC HEARING AND APPROVE ON ALL THREE READINGS CASES 57, 58, 59 AND 60. ON ITEM NUMBER 64 TO INDEFINITELY POSTPONE THE PROPERTY AT 6906 AND TO POSTPONE TO 11-29-07 THE PROPERTY AT 7520 TO 7530 NORTH LAMAR.

AND THAT'S 6909 RYAN DRIVE.

Mayor Wynn: THANK YOU VERY MUCH. AND ON ITEM NUMBER 65, SIMPLY TO INDEFINITELY POSTPONE THAT ITEM, TO POSTPONE ITEM 66 TO NOVEMBER 29th, 2007. TO POSTPONE ITEM 73 THROUGH -- AND 74 TO NOVEMBER 1st, 2007, AND INSTRUCTING STAFF TO POST THOSE FOR FIRST READING ONLY. AND TO POSTPONE ITEM NUMBER 75 TO NOVEMBER 29th, 2007, WITH ADDITIONAL COUNCIL INSTRUCTION REGARDING A FACILITATION. I'LL ENTERTAIN THAT MOTION.

Dunkerley: MOVE APPROVAL.

Mayor Wynn: MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER McCRACKEN TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER MARTINEZ OFF THE DAIS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] THE PROPERTY OWNER WOULD LIKE TO DEVELOP THE PROPERTY FOR OFFICE AND SOME COMMERCIAL USES. WE, MAYOR, YOU HAVE ONE PROPERTY OWNER HERE THAT IS IN OPPOSITION. THERE IS A MR. CHRIS MAXWELL GAINS WHO WOULD SPEAK TO THIS ITEM ON BEHALF OF THE APPLICANT. AT THIS TIME I WILL PAUSE IF YOU HAVE ANY QUESTIONS.

THANK YOU, MR. GUERNSEY. QUESTIONS FROM COUNCIL, STAFF? WE WILL HEAR FROM MR. MAXWELL GAINS TO PRESENT THE ZONING CASE. WE HAVE A FIVE-MINUTE PRESENTATION, THEN WE WILL HEAR FROM THE NEIGHBOR IN OPPOSITION. WELCOME, MR. MAXWELL GAINS.

THANK YOU MAYOR, COUNCIL MEMBERS. MY CLIENT IS PROPOSING A SMALL MIXED USE OFFICE DEVELOPMENT WITH A SMALL CAFE, BASICALLY, TO PRIMARILY SERVE THE OFFICE OF THE DEVELOPMENT, SO RIGHT NOW THE TRACT

IS, APPROXIMATELY 1.5-ACRES, EXCUSE ME, .6-ACRES IS AN EXISTING DETENTION POND AND SO WE HAVE .9-ACRES TO DEVELOP ON. THE DETENTION POND IS PART OF THE DEVELOPMENT FOR THE APARTMENT COMPLEX, THAT IS ACROSS THE OLD MANSHACK ROAD, THAT APARTMENT COMPLEX HAS TWO OFF SITE DETENTION PONDS AND SO THIS EXISTING TRACT HAS BEEN USED IN THE SIZING OF THAT DETENTION POND FOR 65% IMPERVIOUS COVER, CHANGING GOING TO THE LR ZONING WOULD ALLOW 80%, BUT SINCE MY CLIENT DOESN'T WANT TO INCREASE THE SIZE OF THE DETENTION POND WE ARE GOING TO ONLY USE A 65% IMPERVIOUS COVER. AND SO IN ADDITION, WE HAVE A 25-FOOT COMPATIBILITY SET BACK ALONG THE SINGLE FAMILY OR THE BORDER OF THE TRACT, BUT SINGLE FAMILY LOTS. IN ADDITION, THERE IS A 15-FOOT DRAINAGE EASEMENT ALONG THAT BOUNDARY. AND SO BASICALLY, YOU KNOW, WE ARE JUST ASKING FOR A ZONING CHANGE SO THAT MY CLIENT CAN USE, YOU KNOW, USE THIS FOR A SMALL OFFICE DEVELOPMENT PRIMARILY FOR, HE WANTS TO USE IT FOR HIS OFFICES WHICH IS REAL ESTATE, A REAL ESTATE COMPANY, IN ADDITION TO SUPPORTING SERVICES, HENCE, WE ACCEPTED THE CONDITIONAL OVERLAY OF UNDER 2,000 VEHICLE TRIPS PER DAY. IN ADDITION, THE CAFE WILL BE, WILL PROBABLY STAY UNDER 2,000 SQUARE FEET DUE TO PARKING REQUIREMENTS OF EATING ESTABLISHMENTS OVER 2,000 SQUARE FEET. AND SO THAT IS THE PROJECT THAT WE ARE PROPOSING.

MAYOR WYNN: THANK YOU MR. MAXWELL-GAINS. QUESTIONS OF THE AGENT, COUNCIL? COMMENTS? IF NOT, THE RULES ARE WE NOW HEAR FROM FOLKS IN FAVOR OF THE ZONING CASE, THREE MINUTES AT A CLIP, THEN WE HEAR FROM FOLKS IN OPPOSITION. I'M TOLD THERE IS ONLY ONE OF EITHER OF THOSE SO OUR FIRST AND ONLY SPEAKER IS MR. JASON TIPTON. IS MR. TIPTON HERE? WELCOME JASON, YOU HAVE UP TO THREE MINUTES.

THANK YOU, MR. MAYOR. GOOD AFTERNOON. SPEAKING OFF BEHALF OF THE OVERLOOK AT SADDLE CREEK HOMEOWNERS ASSOCIATION WE ARE ASKING THE COUNCIL TO DENY THESE ZONING CHANGES. DO WE NOT WANT THIS TYPE OF PROPERTY AT THE FRONT OF OUR NEIGHBORHOOD. RIGHT NOW WE ARE GETTING OUR VERY

FIRST STOP LIGHT IN THIS NEIGHBORHOOD AND BECAUSE OF THAT WE ARE REALLY HOPING THAT HELPS ON OUR NEIGHBORHOOD. IT IS HARD TO GET IN AND OUT AT THIS TIME DUE TO THE LOCATION ON MANSHACK ROAD. HAVING THE DEVELOPMENT ENTER THROUGH OLD MANSHACK ROAD MEANS THEY WOULD HAVE TO ENTER INTO OUR NEIGHBORHOOD AND INTO THE COMMERCIAL PROPERTY ITSELF, THUS BRINGING A LOT MORE TRAFFIC INTO OUR NEIGHBORHOOD, MAKING IT MUCH HARDER FOR OUR RESIDENTS TO GET IN AND OUT OF THE NEIGHBORHOOD. WHAT WE ARE ASKING FOR IS WE WOULD RATHER NOT HAVE A DEVELOPMENT THERE AT ALL DUE TO PROPERTY VALUES AND OTHER CONSIDERATIONS, BUT IF SO, WE WOULD AT LEAST LIKE TO BE ABLE TO POSTPONE AND ASK THAT WE DO A TRAFFIC ANALYSIS OF THE PROPERTY AND THEN AFTER WE HAVE THE TRAFFIC LIGHT TO SEE IF IT VALUE GOING TO MAKE A BIG IMPACT UPON THE DEVELOPMENT.

MAYOR WYNN: THANK YOU, MR. TIPTON. QUESTIONS FOR MR. TIPTON? COMMENTS? THANK YOU, SIR. SO TYPICALLY WE HAVE A REBUTTAL OPPORTUNITY FOR THE AGENT. DON'T KNOW THAT THAT'S REQUIRED. I HAVE A COUPLE QUESTIONS FOR MR. GUERNSEY, IF GREG IS AVAILABLE. SO, MR. GUERNSEY, REMIND US AGAIN OF, ON WHAT IS A VERY SMALL DEVELOPMENT LIKE THIS, WHAT IS THE SORT OF STAFF OVERSIGHT WHEN IT COMES TO TRAFFIC AND/OR THROUGH THE SITE PLAN PROCESS, AND WHAT DOES OUR TRANSPORTATION STAFF LOOK AT WHEN CONSIDERING THE SITE PLAN OF A DEVELOPMENT LIKE THIS?

THE APPLICANT HAS AGREED TO LIMIT THE NUMBER OF VEHICLE TRIPS TO 2,000 PER DAY, WHICH WOULD BASICALLY WAIVE THAT REQUIREMENT FOR THE TRAFFIC IMPACT ANALYSIS. IT IS LOCATED ON AN ARTERIAL AND COLLECTOR ROADWAY SO IT DIDN'T WARRANT A NEIGHBORHOOD TRAFFIC ANALYSIS FOR THIS LOCATION. THE USES AT THE TIME OF SITE PLAN, WHEN THE PROPERTY COMES IN FOR DEVELOPMENT, OUR TRANSPORTATION STAFF WOULD LOOK AT THE EXIT AND ENTRANCE POINTS TO MAKE SURE THEY ARE AN ADEQUATE DISTANCE FROM THE INTERSECTION, THE DRIVEWAY SPACING THAT WOULD BE ADEQUATE TO SERVE THIS OR WOULD BE SUFFICIENT ENOUGH PARKING ON THE PROPERTY TO MAKE SURE THERE WAS NOT

SPILLAGE OF PARKING ON TO THE ADJACENT ROADWAY AND INTO THE NEIGHBORHOOD. SO AT THE SITE PLAN STAGE IS WHEN WE WOULD DO MOST OF OUR TRAFFIC ANALYSIS BASED ON THE ACTUAL USE THAT WOULD BE PROPOSED, IF THE LR IS GRANTED IT WOULD ALLOW FOR A MAJORITY OF NEIGHBORHOOD-ORIENTED RETAIL USES, OR COULD BE A LIMITED RESTAURANT OR PERSONAL SERVICE LIKE A BARBERSHOP OR HAIR SALON OR DRY CLEANER, BUT IT WOULD BE THE SITE AT THE TIME OF SITE PLAN THAT THAT ANALYSIS WOULD BE DONE. THERE ARE COMPATIBILITY STANDARDS SO THERE WOULD BE ADDITIONAL SET BACKS FOR PROPERTY TO THE SOUTH. THERE WOULD BE NO DRIVEWAYS WITHIN 25 FEET OF THE NEIGHBORING PROPERTY EVEN THOUGH THE EASEMENT MAY ONLY BE 15 FEET WIDE. ANY PROPOSED DRIVEWAY WOULD HAVE TO BE 25 FEET AWAY. BUILDINGS THAT ARE TWO STORIES OR 25 FEET IN HEIGHT WOULD HAVE TO BE SET BACK AT LEAST 25 FEET AS WELL.

MAYOR WYNN: RIGHT. THANK YOU. AND AGAIN, SO THE ZONING AND PLATTING RECOMMENDATION WAS LR-MU-CO AND THAT WAS ALSO A STAFF RECOMMENDATION?

YES, THE STAFF RECOMMENDATION AND THE COMMISSION RECOMMENDATION WAS SAYING I DON'T THINK THE NEIGHBORHOOD WAS AVAILABLE TO SPEAK AT THE COMMISSION WHEN THE ITEM CAME UP, AND BECAUSE IT WAS TAKEN AS A CONSENT ITEM.

MAYOR WYNN: CORRECT. FURTHER COMMENTS? QUESTIONS? COUNCIL MEMBER LEFFINGWELL.

SO I'M LOOKING AT THE PLATT, AND IT LOOKS LIKE IT IS DIVIDED INTO TWO SECTIONS HERE AND I WANT TO MAKE SURE I'M READING IT CORRECTLY THAT THE CROSS HATCHED PART OF IT IS A DRAINAGE EASEMENT AND POINT, IS THAT CORRECT?

THAT IS MY UNDERSTANDING, YES.

LEFFINGWELL: AND YOU MENTIONED THERE WERE CERTAIN COMPATIBILITY STANDARDS THAT WOULD HAVE TO BE MET BECAUSE IT ADJOIN AS SINGLE FAMILY NEIGHBORHOOD AND

THERE IS A 15-FOOT BUFFER SHOWN ON THIS PLATT
BETWEEN THE SINGLE FAMILY AND --

THAT IS RIGHT.

LEFFINGWELL: AND THE SPACE TO BE USED AS
COMMERCIAL S. THAT CORRECT?

THAT IS CORRECT. BEYOND THAT 15-FOOT AREA, THERE
WOULD BE AN ADDITIONAL 10-FOOT SET BACK REQUIRED FOR
ANY BUILDINGS.

LEFFINGWELL: THIS IS NOT SOMETHING THAT REQUIRES A
DIFFERENT ZONING? THIS WILL BE HANDLED AT THE SITE
PLAN STAGE, THAT'S CORRECT?

THE COMPATIBILITY STANDARDS WILL BE DETERMINED WITH
THE PLATT STAGE AND THE TRANSPORTATION.

SO HOW DO WE ENSURE THAT THE DRAINAGE AREA
DEDICATED AS SHOWN ON THIS PLATT AND THE WATER
QUALITY?

IT IS MY UNDERSTANDING IT WAS DONE AT THE TIME OF THE
SUBDIVISION. I DON'T HAVE A COPY OF THE SUBDIVISION,
BUT THIS IS A REGISTERED LAND SURVEYOR THAT HAS
SEALED THE DOCUMENT STATING THIS IS A TRUE AND
ACCURATE --

THIS IS A DEDICATED DRAINAGE AREA?

THAT IS MY UNDERSTANDING, THAT'S CORRECT.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? IN THE
SCHEME OF THING, I CONSIDER TO BE, WITH ALL DUE MR.
TIPTON'S CONCERN, A RELATIVELY STRAIGHT FORWARD
CASE AND OUR STAFF AND PLANNING COMMISSION ARE
VERY PRACTICED AT UNDERSTANDING COMPATIBILITY,
TRAFFIC IMPACTS, OUR DESIRE TO HAVE MORE MIX OF USES
RATHER THAN FEWER MIX OF USES AND CERTAINLY
RECOGNIZING IN-FILL OPPORTUNITIES THROUGHOUT WHAT
IS ESSENTIALLY OUR URBAN CORE. FURTHER COMMENTS?

COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: I HAVE MOVE TO CLOSE THE PUBLIC HEARING AND APPROVE THE ZONING AND PLATTING RECOMMENDATION ON THREE READINGS.

MAYOR WYNN: MOTION BY COUNCIL MEMBER LEFFINGWELL. SECONDED BY KIM TO CLOSE THE PUBLIC HEARING AND APPROVE THE PLANNING COMMISSION RECOMMENDATION ON ALL THREE READINGS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER MARTINEZ OFF THE DAIS.

MAYOR AND COUNCIL, WE NEED TO MOVE ON TO OUR NEXT ITEMS. NUMBER 61, 62 AND 63: THESE ARE RELATED TO THE NORTH BARNETT GATEWAY, MASTER PLAN. ITEM NUMBER 61 IS NP-07-0024 WHICH IS ADOPTING THE NORTH GATEWAY, 2030 MASTER PLAN THAT WOULD SERVE AS A COMPANY BINDED PLAN TO THE SOUTH AND WEST, BREAKER LANE, MOPAC ANNUAL NUT CREEK TO THE NORTH AND NORTHWEST. RELATED ITEM 62, CASE C14-2007-0157, NORTH BURNET/GATEWAY NEIGHBORHOOD MASTER PLAN. AND ITEM NUMBER 63 IS A COAT TO OVERLAY THE NORTH BURNET/GATEWAY OVERLAY DISTRICT TO ESTABLISH ASSOCIATED USE. SHE CAN COME UP AND INTRODUCE THE STAFF THAT WORKED ON THIS PLAN, AND THEY WILL HAVE A SHORT PRESENTATION INVOLVING THESE THREE ITEMS. THANK YOU.

MAYOR WYNN: MR. GUERNSEY. WELCOME.

THANK YOU.

MOLLY SCARBOROUGH, NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. THE STATE WILL BE PRESENTING THE MASTER PLAN AND ASSOCIATED REZONINGS AND CODE AMENDMENTS ITEM THE NUMBER 61 THROUGH 63 ON YOUR AGENDA. TODAY WE WILL BE BRINGING THESE FORWARD ON FIRST READING. BEFORE WE START THE PRESENTATION I WOULD LIKE TO CALL YOUR ATTENTION TO HAND OUTS THAT I THINK JERRY JUST HANDED OUT OR IS ABOUT TO HAND OUT. JUST HANDED OUT, THANK YOU, AND JUST GO

THROUGH THE CONTENTS REAL QUICK. FIRST IS THE PROPOSED NORTH BURNET/GATE READY WAY MASTER PLAN. THESE ARE STAFF CHANGES THAT CAME UP AFTER THE PRINTING OF THE DOCUMENT OR WERE IN RESPONSE TO PLANNING COMMISSION SUGGESTIONS. WE THEN HAVE A MAP OF THE PROPOSED GATE WAY DOWNRIES. THE ROADWAY CLASSIFICATIONS IN NORTH BURNE TEST/GATEWAY. A MAP OF THE PROPOSED ROADWAY CLASSIFICATIONS TO BE APPLIED IN THE AREA THROUGH THE OVER LAY AND PHASE ONE. SUB DISTRICT PLAN AND SUB DISTRICT DEVELOPMENT STANDARDS CHART FROM THE MASTER PLAN. I WOULD LIKE TO KNOW THE MAP AND CHART ARE PROVIDE THE FRAMEWORK FOR PHASE TWO ZONING CHANGES. THE YELLOW SHEET IS A LETTER FROM THE PRESIDENT OF THE MILLWOOD NEIGHBORHOOD ASSOCIATION WHO INTENDED TO BE HERE TONIGHT, BUT GOT CALLED AWAY LAST MINUTE. AND THE MOTION SHEETS FOR THE AGENDA ITEMS. ALSO NOTE THAT A COPY OF THE MASTER PLAN WAS DISTRIBUTED TO YOUR OFFICES A FEW WEEKS AGO PRIOR TO THE PLANNING COMMISSION HEARING. IF YOU DON'T HAVE A COPY OF THAT PLAN WITH YOU, AND WOULD LIKE A COPY, WE HAVE EXTRA COLOR COPIES HERE FOR DISTRIBUTION. WITH THAT, I WOULD LIKE TO INTRODUCE THE CONSULTANTS WHO WORKED WITH US ON THIS PROJECT. GARY BELAMY OF LAND DESIGN STUDIO WILL BE PRESENTING WITH ME. WE ALSO HAVE STEPHANIE MS. EARLY OF CARTER AND BURGESS WHO IS THE CONSULTANT. AND CAMILLE, THEY WILL BE ABLE TO ANSWER QUESTIONS FOLLOWING THE PRESENTATION. THE NORTH LAND GATEWAY AREA IS LOCATED IN CENTRAL AUSTIN AS MR. GUERNSEY MENTIONED, THE BOUNDARIES FOR THE PLANNING AREA ARE 183 ON THE SOUTH, BRAKIER LANE, AND I'M GOING TO TRY AND USE THE POINTER HERE. 183 ON THE SOUTH, BRAKER LANE, THEN WE'VE GOT MOPAC GOING NORTH TO WALNUT CREEK, FORMS THE NORTHERN BOUNDARY, METRIC BOULEVARD ON THE EAST BACK TO 183. SOME LAND MARKS IN THE AREA, THE UT CAMPUS HERE, GATEWAY SHOPPING CENTER AREA HERE, UNIVERSITY OF TEXAS OWNS THIS PRIMARILY VACANT TRACTS OF LAND, THEY CALL THE WESTERN TRACK AND INCLUDES THE NCC BUILDING. THE DOMAIN, CURRENT DOMAIN DEVELOPMENT YOU CAN SEE UNDER CRUX IN THIS AREA IS

APPROXIMATELY HERE, AND WE HAVE THE ACC NORTH RIDGE CAMPUS HERE. THERE IS LIGHT INDUSTRIAL USES, SOME IS OFFICE SPACE CURRENTLY, AND IN THE GATEWAY AREA, COMMERCIAL RETAIL. NOTE THAT THE PLANNING AREA IS ABOUT 2300-ACRES, THIS IS LARGER THAN DOWNTOWN THE STATE OFFICE COMPLEX AND UT COMBINED SO THIS IS A VERY LARGE PLANNING AREA. IN 2002, CITY STAFF BEGAN THE NEIGHBORHOOD PLANNING PROCESS, BUT BECAUSE OF THE UNIQUE NATURE OF THIS AREA IN THAT THERE ARE NO SINGLE FAMILY RESIDENTS WITHIN OUR PLANNING AREA, AND WE ALSO HAVE TWO RAIL LINES RUNNING THROUGH THE AREA, WE HAVE THE CAPITAL METRO COMMUTER RAIL LINE WHICH WILL BEGIN SERVICE IN 2008, AND THE UNION PACIFIC RAIL LINE WHICH SOME ARE LOOKING AT A POTENTIAL FUTURE, AUSTIN/SAN ANTONIO COMMUTER RAIL, THERE ARE ONLY THREE AREAS IN AUSTIN WHERE THESE TWO RAIL LINES COME IN A HALF MILE TO A MILE OF EACH OTHER. BECAUSE OF THESE AREAS OF THE PLANNING AREA, THE STAFF DIRECTED THE CITY TO HIRE A CONSULTANT TO LOOK AT LAND USE AND TRANSPORTATION TO CREATE A VISION FOR DEVELOPMENT IN THIS AREA OVER THE NEXT 30 YEARS. WE ALL KNOW AUSTIN IS GROWING RAPIDLY, AND WE EXPECT THE POPULATION TO DOUBLE IN THE NEXT 20 TO 30 YEARS. WE BELIEVE THIS IS AN AREA WHERE WE CAN BEGIN TO ACCOMMODATE SOME OF THAT FUTURE GROWTH AND TAKE ADVANTAGE OF THE LINKS TO RAIL TRANSIT. BEFORE WE JUMP INTO THE PLAN, IT INCLUDED EXTENSIVE PUBLIC OUT REACH AND INVOLVEMENT AND A NUMBER OF STUDIES, INCLUDING TRANSPORTATION ANALYSIS, AFFORDABLE HOUSING ANALYSIS AND A LOOK AT THE UTILITIES AND STRUCTURE IN THE AREA. ALL OF WHICH SHAPE THE RECOMMENDATIONS IN THE PLAN. IN THE INTEREST OF TIME WE WILL NOT GO INTO GREAT DETAIL OF THESE ACTIVITIES IN THE PRESENTATION, BUT WE WILL BE AVAILABLE TO ANSWER QUESTIONS. WITH THAT, I'M GOING TO TURN IT OVER TO GARY BELAMY TO PRESENT THE MASTER PLAN, AND I WILL RETURN TO DISCUSS THE NEXT STEPS FOR IMPLEMENTATION.

MAYOR WYNN: THANK YOU MISS SCARBOROUGH. WELCOME MR. BELAMY.

MAYOR, COUNCIL MEMBERS, IT IS EXCITING TO BE HERE. I THINK WE'VE BEEN WORKING ON THIS WITH YOUR VERY CAPABLE STAFF FOR THE YEAR AND A HALF, AND I THINK IT IS EASY FOR ALL OF US TO SORT OF, YOU KNOW, GET MIRELED DOWN IN THE DETAILS IN THAT AMOUNT OF TIME AND FORGET THE INCREDIBLE OPPORTUNITY WE HAVE HERE SO I'M GOING TO REINSTALL THE EXCITEMENT AND SAY THAT THIS IS AN INCREDIBLE OPPORTUNITY, MOLLY MENTIONED HOW LARGE IT IS, IT IS SOMEWHERE NORTH OF THREE TIMES THE SIZE OF MILLER AIRPORT WHICH IS A HUGE REDEVELOPMENT AREA WE'VE GOT GOING ON RIGHT NOW, SO IT IS ALSO IMPORTANT I THINK THAT WE ARE LOOKING NOW TIME, 30 YEAR IS AS LONG TIME. I WOULD CHALLENGE ALL OF TO YOU THINK WHERE YOU WERE 30 YEARS AGO, AND WHAT THE PLACE WAS LIKE WHERE YOU WERE AND HOW IT MAY HAVE CHANGED. AREAS LIKE UPTOWN DALLAS, NORTH HOUSTON, ALL THOSE THINGS ARE GOING THROUGH THESE KINDS OF CHANGES, AND WILL TAKE DECADES TO HAPPEN. SO WE ARE TRYING TO PAINT THAT PICTURE OF WHAT THE FUTURE COULD BE. THE OTHER THING THAT WE FOUND REMARKABLE ABOUT THIS AREA IS THAT IT HAS ALREADY BEEN SORT OF CLAIM BID PRIVATE SECTOR AS A VERY IMPORTANT TEST -- CLAIMED BY THE PRIVATE SECTOR AS A VERY IMPORTANT PLACE FOR THINGS TO HAPPEN. WE SEE A GREAT MARKET-BASED EXAMPLE OF WHAT HAPPENS WHEN LAND TRANSITIONS AND THAT IS FROM A SUSTAINABILITY STANDPOINT, I THINK THAT IS OUR GREATEST OPPORTUNITY IF WE ARE GETTING TO RECYCLE LAND FOR ITS NEXT ROUND OF USES. I'M GOING TO GO VERY QUICKLY THROUGH THE SORT OF SUMMARY RECOMMENDATIONS OF THE PLAN. WHAT IS IN FRONT OF YOU NOW IS THE 2035 PLAN THAT SHOWS EVENTUALLY THE AREA BUILT OUT AS A HIGHLY-CONNECTED SERIES OF NEIGHBORHOODS WITH DENSE MIXTURE OF USES, RESIDENTIAL INTRODUCED INTO THE AREA, THERE IS VIRTUALLY NO RESIDENTIAL NOW SAVE FOR A FEW HUNDRED APARTMENT UNITS. AND HOPEFULLY GOOD BALANCE OF WORK, RECREATION, SHOPPING, AND CIVIC OPPORTUNITIES, WE TRIED TO NOT LEAVE ANY STONE UNTURNED. I THINK THE THING THAT YOU SHOULD SEE ON HERE THAT IS PRETTY CLEAR IS WE'VE GOT A DISTRIBUTED OPEN SPACE SYSTEM, WE FOUND THAT WHEN YOU REACH

THESE KIND OF DENSITIES, THE INTRODUCTION OF OPEN SPACE FREQUENTLY AND IN A WELL-DESIGNED AND WELL-IMPLEMENTED WAY, IT BECOMES VERY IMPORTANT TO GIVE SORT OF NEUTRAL OR WHITE SPACE TO THAT DEVELOPMENT PATTERN. THE 2020 PLAN IS BASICALLY AN EXAMPLE OF WHAT PROJECTS WE THINK COULD BE DONE MORE QUICKLY BECAUSE THE LAND IS CURRENTLY UNDEVELOPED OR UNDER GOING REDEVELOPMENT AS WE SPEAK. THE DOMAIN ON THE NORTH LARGE PARCEL EAST OF BARNETT ROAD AND SOUTH OF IBM'S CURRENT CAMPUS, TWO CITY PARCELS, BOTH FRONTING THE RED LINE, AND UT'S 110 TO 130-ACRES WEST OF MOPAC WHICH IS MOSTLY VACANT AT THIS POINT WITH THE EXCEPTION OF MCC, THE WAY WE ORGANIZE THE NEIGHBORHOODS IS INTO SUB DISTRICTS. THE DENSEST OF THOSE IS THE COMMERCIAL MIXED USE AREA WHICH IS SHOWN IN THE PURPLE SORT OF LAVENDER COLOR, AND I WILL GO THROUGH THESE AS WE PICK THIS OFF. COMMERCIAL MIXED USE, IMAGINE THOSE ARE LOW TO MID-RISE BUILDINGS. WE ARE SUGGESTING A CAP OF ABOUT 15 STORIES WITH BONUSES UP TO 20 AND 30 STORIES IN THE VICINITY OF THE RAIL STATIONS WITH EMPLOYMENT HOUSING, SHOPPING, EVERYTHING COMBINED IN THOSE USES AND A HIGH COMPLIMENT OF CIVIC SPACE AS WELL. THE NEXT TWO, NEIGHBORHOOD MIXED USES, IS BY RIGHT 10 STORIES IN HEIGHT, AND IS PREDOMINANTLY HIGH-DENSITY NEIGHBORHOOD RESIDENTIAL WITH A COMPLIMENT OF NEIGHBORHOOD SERVICES AND SMALLER EMPLOYERS LOCATED IN THAT AREA AS WELL. NEIGHBORHOOD RESIDENTIAL, ALONG THE, GENERALLY IN THE NORTH AND NORTHEAST AREA OF THE PLAN, LIGHT GREEN, IS A FIVE-STORY MAXIMUM HEIGHT, TRANSITIONING FROM THE HIGHER-DENSITY COMMERCIAL MIXED USE TO, THERE IS A BIT OF SINGLE FAMILY NEIGHBORHOOD ON THE EAST SIDE OF METRIC IN THE NORTH PART OF THE PLAN. AND WE'RE TRANSITIONING FROM THE HIGH-DENSITY USES AND COMMERCIAL MIXED USE TOWN TO THE LOWEST AT THE EDGE OF METRIC ON THE WEST BOUNDARY, IF YOU WILL. THE NEXT IS WAREHOUSE MIXED USE. THIS IS THE LIGHTER PURPLE AREA AND GENERALLY IT IS THE AREAS OF THE DEVELOPED PART OF THE INDUSTRY PARKS THAT ARE, THAT TEND TO BE SOME OF THE OLDER BUILDINGS, WE THINK WE'RE TRYING TO SET UP THE POTENTIAL FOR

ADAPTIVE RENEWS SOME OF THESE BUILDINGS SO -- REUSE IN SOME OF THESE BUILDINGS SO IF YOU FIND A BUILDING THAT MAKES SENSE TO LEAVE THESE, AND YOU CAN CHANGE THE USE AND GO DO A SIMILAR PROPERTY TO TAKE DOWN BUILDINGS AND BUILD TALLER BUILDING, AGAIN, UP TO A TEN-STORY HEIGHT LIMIT. COMMERCIAL INDUSTRIAL IS THE AREA IN BROWN ON THE SOUTHEAST PART OF THE PLAN AND IS THE AREA THAT THERE IS A GOOD DEAL OF COMMERCIAL INDUSTRIAL USES. WE ARE LEAVING THOSE ALONE, BASICALLY, BUT SAYING THAT THEY COULD DENSIFY BY GIVING THEM A MUCH HIGHER HEIGHT LIMIT IF SOMEONE WANTED TO COME IN THERE AND DO SOMETHING IN THE WAY OF A VERTICAL USE THAT MAKES SENSE IN THAT SAME KIND OF LAND USE. AND YOU SEE THAT IN SOME LARGER AREAS. OR LARGER CITIES. THE APPROACH TO REGULATING THE PLAN IS THROUGH URBAN DESIGN AND DEVELOPMENT STANDARDS THAT ARE SIMILAR TO MANY OF THE AREAS WE HAVE IN TOWN NOW, BUT EXCEPT THAT WE ARE DEAL BE WITH MUCH TALLER BUILDINGS. THESE ARE MADE UP OF BOTH BUILDING TYPES AND STREET TYPES AND THE BUILDING TYPES ARE SORTED BY DISTRICT AND BY HEIGHT. THE MOST DOMINANT FEATURE I THINK YOU WOULD SEE IN THE LOWER RIGHT HAND PART OF THAT SLIDE IS THAT AS YOU GET UP TO FIVE, SIX, SEVEN STORIES, WE'RE MANDATING A 30-FOOT SET BACK OR ABOUT A ONE STRUCTURAL-BASED SET BACK SO WE DON'T CREATE A CANYON EFFECT WHEN WE DO HAVE THE HIGHER BUILDINGS IT. ALSO CONTROLS THE AMOUNT OF BUILDING MASS THAT IS NEEDED ON THE FRONT INSIDE PROPERTY LINES. THE STREET PLAN SUGGESTS NOT ONLY A LOT MORE CONNECTIVITY, THE BLUE STREETS THAT YOU SEE ARE GENERALLY NEW STREETS THAT HAVE BEEN ADDED TO CONNECT THE EXISTING STREETS AND PARKING LOTS THAT ARE THERE, AND THE IDEA IS TO CREATE A MUCH FINER GRAIN LEVEL OF CONNECTIVITY BOTH WITHIN THE NEIGHBORHOODS AND BETWEEN THE NEIGHBORHOODS. THERE ARE TWO OR THREE, LET'S CALL THEM INTERDISTRICT CONNECTIONS THAT WE'VE SUGGESTED AT THE FLY-OVER, OVER MOPAC IN THE SOUTH PART OF THE PLAN WHERE LONG HORN ENDS NOW, THAT WOULD GIVE BETTER EAST-WEST CONNECTIVITY AND PREVENT EVERYONE HAVING TO USE BRAKER LANES TO GO FROM

GATEWAY TO BURNET ROAD. ON THE LOWER LEFT HAND PORTION OF THE ROAD WE SUGGEST A FLY OVER ON CAPITAL TEXAS HIGHWAY AND 13 SO THE TRAFFIC THAT WANTS TO GO NORTH ON 13 AND -- 183 AND WEST ON CAPITAL HIGHWAY WILL NOT HAVE TO GET OFF AND WEAVE THROUGH THAT INTERSECTION AND CROSS ON THE BRIDGE. SO THE IDEA IS TO RELIEVE SOME OF THAT CONGESTION AT THAT INTERSECTION. THERE IS AN ADDITIONAL NORTH-SOUTH COLLECTOR, IF YOU WILL, PARALLEL TO BURNET ROAD ON THE EAST SIDE BETWEEN THE RED LINE SO GIVE BETTER CONNECTIVITY NORTH AND SOUTH THROUGH ALL THAT ZONE, AND BURNET ROAD IS REPURPOSED AS A MULTIWAY BOULEVARD THAT WOULD BE FOR CARS, BICYCLES, PEDESTRIANS AND HOPEFULLY SOME FUTURE TRANSIT ON THAT LINE SO IT BECOME AS MAJOR NORTHWEST SPINE THROUGH THE AREA. BRAKER LANE EAST AND WEST, WE ARE SUGGESTING ADDING BIKE LANES FOR THAT, AND A DEVELOPMENT PAT WOULD ALLOW BUILDINGS TO GET MUCH CLOSER TO BRAKER LANES THAT BECOME AS MAKER EAST-WEST PARK WAY RATHER THAN AN EAST-WEST ARTERIAL. THE OTHER THINGS IN THE REPORT REGARDING MOBILITY ARE TO HAVE A HIGHER LEVEL OF TRANSIT SERVICE, BOTH IN FORMS OF TRANSIT, HEADWAYS AND SO FORTH, AND WE THINK THAT, IF YOU THINK ABOUT RAIL BEING HIGH CAPACITY, LOW FREQUENCY ALL THE WAY TO SHUTTLES AND TAXIS ON THE OTHER END WHICH ARE LOW VOLUME, HIGH FREQUENCY, WE NEED TO FILL ALL THE GAPS IN BETWEEN THERE WITH AS MANY MODES OF PUBLIC TRANSIT AS WE CAN AS WELL AS PROVIDING GOOD CONNECTION FOR BIKES IN THAT AREA. IT IS PRETTY DANGEROUS TO RIDE A BIKE IN THIS DISTRICT RIGHT NOW SO THE NEW MAJOR STREETS HAVE A BIKE LANE INCLUDED. THE NEIGHBORHOOD STREETS WOULD BE BUILT IN A WAY THEY WOULD ALLOW BICYCLE TRAFFIC ON THE STREET INTERMINGLED WITH THE CARS, IF YOU WILL. WE'VE ALSO EXPLORED THE IDEA ALONG BOTH OF THE RAIL LINES OF ADDING A PARALLEL TRAIL SYSTEM ALONG THE RED LINE, ALONG THE UP LINE TO GET BETTER CONNECTIVITY NORTH AND SOUTH FROM NOT ONLY THROUGH THE DISTRICT, BUT BEYOND NORTH AND SOUTH TO THE SHUTTLE CREEK BIKE WAY INTO DOWNTOWN. PARKS AND OPEN SPACE, AS I SAID, HE VERY IMPORTANT. THERE IS A GRADEIANT OF PARKS

FROM TRAILS AND LARGE GREEN SPACES LIKE UP ALONG WALNUT CREEK DOWN TO PUBLIC PLAZAS AND SQUARES, AND THE GOAL HERE WAS TO HAVE A SIGNIFICANT CIVIC GREEN SPACE WITHIN TWO TO THREE MINUTES WALKING DISTANCE OF ALL THE RESIDENTIAL UNITS IN THE PLAN IN THOSE RESIDENTIAL UNITS ARE VIRTUALLY EVERYWHERE SO A LOT OF PUBLIC OPEN SPACE. STORM WATER MANAGEMENT, MUCH OF THIS AREA WAS DEVELOPED BEFORE THE CWO SO WE HAVE A LOT OF AREAS RIGHT NOW THAT BY RIGHT HAVE VERY HIGH IMPERVIOUS COVER AND VERY LITTLE STORM WATER MANAGEMENT MECHANISMS IN PLACE. WE'VE LOOKED AT AS MANY POSSIBLE ALTERNATIVES TO SOLVING THAT PROBLEM AS WE CAN, INCLUDING NOT ONLY MAKING THE EXISTING PUBLIC STORM WATER FACILITIES THERE MORE EFFICIENT BY ENLARGING PONDS, DEEPENING THEM AND SO FORTH, BUT ALSO IN THE LARGER PUBLIC GREEN SPACES, CONSIDERING THAT THOSE WOULD HAVE A SLIGHT DEPRESSION IN THEM SO THEY COULD FUNCTIONS A DETENTION ON THOSE NEW DEVELOPMENT SITES, AND IN THE PLAN YOU WILL ALSO SEE THAT WE ARE SUGGESTING GREEN ROOFS, SUBTERRANEAN STRUCTURED DRAINAGE AND ANY TOOLS WE CAN ADD TO THE TOOL BOX TO HELP SOLVE THE STORM WATER PROBLEM. FROM A SUSTAINABILITY STANDPOINT, WHAT KNOWS WHERE TECHNOLOGY WILL BE BY THE TIME THIS PLAN IS DONE, BUT WE'VE TRIED TO ENCOURAGE AND ENABLE THE PRIVATE SECTOR REALLY TAKE ADVANTAGE OF THE SUSTAINABILITY IDEA THAT ARE OUT THERE. IF YOU LOOKED AT THIS AREA AND COMPARED IT TO WHAT WE WOULD BE DOING TO ACCOMMODATE THE SAME NUMBER OF PEOPLE IF WE DIDN'T DO THIS, IT WOULD TAKE ROUGHLY SEVEN TIMES THE LAND AREA AT OUR CONVENTIONAL SUBURBAN DEVELOPMENT DENSITIES RIGHT NOW TO ACCOMMODATE THE SAME 80 TO 100,000 PEOPLE IT WOULD HELP TO ACCOMMODATE IN THIS PLAN. AND THE REST OF THE NUMBERS THERE ARE JUST INTERESTING TO LOOK AT. IT REALLY PERFORMS MUCH BETTER THAN THE SAME GREENFIELD DEVELOPMENT. THIS IS A QUICK CATCH OF HOW THAT CONVERSION MIGHT HAPPEN OVER TIME. THIS IS THE GATEWAY CENTER AREA, THE CENTER LEAF SLIDE IS AS WE -- LEFT SLIDE IS AS WE KNOW. THIS IS SAID UP ON A FAIRLY REGULAR BLOCK AND STREET GRID SO WE WOULD

SEE SURFACE PARKING TAKEN OUT AND ADD STRUCTURED PARKING WITH DEVELOPMENT AROUND IT WHICH WOULD ALLOW THE EXISTING ONE AND TWO STORY DEVELOPMENT TO GO UP. AND IF YOU FAST FORWARD TO 2035 IN THE DIAGRAM ON THE RIGHT YOU CAN SEE THE AFFECT OF THAT OVER 20, 30 YEARS AND THIS REDEVELOPMENT SHAPING IN OTHER CITIES AS WE SPEAK SO IT IS NOT TOO HAIR BRAINED. THE STRICT BUILDINGS THAT ARE IN THE AREA RIGHT NOW COULD BEGIN TO TRANSITION BY FIRST SEEING AN IMPROVEMENT OF PUBLIC OPEN SPACES, INFRASTRUCTURE, AND THEN EVENTUALLY SEEING SOME OF THE LOW BUILDINGS THAT ARE PROBABLY BEGINNING TO REACH THE END OF THEIR USEFUL LIVES, BEING TAKEN DOWN AND REPLACED WITH MID-RISE AND HIGHER DENSITY DEVELOPMENT. AND AGAIN, THINK ABOUT THIS HAPPENING OVER TWO OR THREE DECADES, NOT TWO OR THREE YEARS. MOLLY, I'M GOING TO TURN IT BACK OVER TO YOU FOR, SHE IS GOING TO GO THROUGH THE IMPLEMENTATION STEPS. I WILL BE GLAD TO ANSWER ANY QUESTIONS THAT I CAN.

MAYOR WYNN: THANK YOU, MR. BELAMY. WELCOME BACK MISS SCARBOROUGH.

THANK YOU. THE MASTER PLAN OUTLINES SEVEN KEY IMPLEMENTATION STEPS. TODAY WE ARE ASKING AS A FIRST STOP FOR YOU TO ADOPT THE MASTER PLAN AND THE OPPORTUNITY LAND USE MAP. AS GARY DESCRIBES, THE PLAN ESTABLISHES A VISION FOR THE AREA AND SETS THE FRAMEWORK FOR FUTURE ZONING CHANGES AND INFRASTRUCTURE IMPROVEMENTS. ON THE SCREEN YOU SEE THE PROPOSED NORTH FRONT GATEWAY MAP. IT IS BASED ON THE PLAN THAT GARY DESCRIBED BUT USES THE BROADER LAND USE CATEGORIES OF THE CITY'S COMPREHENSIVE LAND USE MAP. MOST OF THE AREA IS DESCRIBED AS MIXED USE OR HIGH-DENSITY MIXED USE. THE SECOND KEY STEP IS TO REVIVE THE LAND DEVELOPMENT REGULATIONS FOR THE PLAN. WE ARE PROPOSING TAKING A TWO-PHASE APPROACH TO ZONING. IN PHASE ONE, WHICH WE ARE ASKING TO YOU CONSIDER TODAY, THE INTENT IS TO PUT STRICTER DESIGN STANDARDS IN PLACE IMMEDIATELY WITH AN ADOPTION OF THE PLAN WHILE WE WORK ON PHASE TWO ZONING

CHANGES. SO IN PHASE ONE, WE WILL CREATE THE NORTH BURNET GATEWAY OVERLAY DISTRICT. THIS WOULD ALLOW US TO APPLY NEW STANDARDS TO THE AREA. IF YOU NOTE ON HERE, THERE ARE FEW HOLES ON THE MAP, IF YOU WILL. ONE IS THE CAMPUS AND PORTIONS OF THE WESTERN TRACT THAT ARE CURRENTLY ZONED P/PUBLIC. AS YOU KNOW, THE CITY DOESN'T HAVE AUTHORITY TO REGULATE STATE-OWNED LANDS. IN DISCUSSION WITH UT, THROUGHOUT THE PLANNING PROCESS THERE IS INDICATION THAT LIKELY USE FOR THE UT PICKLE CAMPUS WOULD REMAIN FOR UT PURPOSES, HOWEVER THEY COULD SEE THE POSSIBILITY OF THE WESTERN TRACT BEING TURNED OVER FOR PRIVATE DEVELOPMENT AT SOME POINT IN THE FUTURE. NOT TO SAY THEY HAVE THAT PLAN IN MIND RIGHT NOW, BUT THAT THAT IS A POSSIBILITY. AND ON THAT NOTE, I JUST WANT TO LET YOU KNOW THAT DURING THE PUBLIC HEARING WE WILL HAVE A REPRESENTATIVE FROM THE UNIVERSITY OF TEXAS COME UP AROUND -- AND SPEAK WITH A REQUEST FOR PHASE TWO ZONING FOR A DIFFERENT LAND USE CATEGORY FOR THAT PROPERTY. AND WE WILL DISCUSS THAT IN MORE DETAIL, BUT I JUST WANTED TO GIVE YOU A HEAD'S UP ON THAT. AGAIN, THAT WOULD BE APPLIED IN PHASE TWO ZONING IF THE UT IN THE FUTURE DECIDES TO BRING PRIVATE DEVELOPMENT TO THAT PROPERTY. BUT MOVING ON WITH THE HOLES IN THE MAP, IF YOU WILL, THE OTHER SIGNIFICANT HOLE INSPECT NORTHERN PORTION IS THE -- OTHER SIGNIFICANT HOLE IN THE NORTHERN PORTION IS THE UT PROPERTY. THEY CAME THROUGH WITH THE DEVELOPMENT AGREEMENTS ZONING CASE, DURING THE NEGOTIATION OF THAT ZONING CASE THEY WORKED WITH CITY STAFF AND FOLLOWED THE CONCEPTS OF THE NORTH BURNET GATEWAY PLAN AND WENT THROUGH A RATHER LENGTHY AND INVOLVED PROCESS FORGETTING THE PDA ZONING SO WE FEEL BECAUSE THEY WERE MEETING THE GOALS OF THE UNDERSTOOD PLAN WE WOULD LEAVE THEIR ZONING IN PLACE AND OMIT THEM FROM THE OVER PLAY. ONCE THE NORTH BURNET ZONING IS CREATED, IN PHASE ONE WILL APPLY THE STANDARDS IN THE OVERLAY DISTRICT. IF YOU LOOK AT THE BOTTOM LEFT HAND CORNER OF YOUR MAP, THIS SHOWS THE CURRENT URBAN ROADWAY BOUNDARY FROM THE CURRENT DESIGN STANDARDS. IF YOU NOTICE, IT

GOES UP NET ROAD OVER BRAKIER PLAIN SO THE AREA TO THE NORTHEAST ARE CONSIDERED SUBURBAN ROADWAYS SO UNDER OUR CURRENT CITY DESIGN STANDARDS THAT WOULD CONTINUE TO ALLOW FOR DEVELOPMENTS SET BACK FROM THE STREET WITH PARKING IN FRONT, WHICH IS CONTRARY TO OUR VISION IN THIS PLAN. AND SO IT IS A FIRST STEP, WE WOULD LIKE TO EXTEND THE URBAN ROADWAY STANDARDS AND APPLY THEM TO THE NORTH BURNET GATEWAY AREA WHICH WOULD REQUIRE BUILDING CLOSER TO THE STREETS. SECONDLY, WE WOULD IDENTIFY FOUR STREET WHICH IS CORE TRANSIT CORRIDOR STANDARDS WOULD APPLY, THAT IS BURNET ROAD, BRAKER LANE, THE NORTH GATEWAY PLANNING AREA. WITH THE EXTENSION 6 THE STANDARDS WE WOULD ALLOW FOR VERTICAL MIXED BUILDINGS ON PROPERTIES ALONG THOSE ROADWAYS. ONE ADDITIONAL MODIFICATION TO THE DESIGN STANDARDS WE WOULD APPLY TO THE NORTH BURNE TEST GATEWAY OVERLAY AREA IS TO REMOVE THE EXCEPTION FOR SITES FIVE ACRES OR MORE. ESSENTIALLY, WE WILL BE REQUIRING DEVELOPMENT ON LARGE SITES THAT ARE ADJACENT TO CORE TRANSIT CORRIDORS TO MEET THE SIDEWALK AND BUILDING PLACEMENT STANDARDS. IN THE CURRENT DESIGN STANDARDS THERE IS CURRENTLY AN EXCEPTION FOR LARGE SITES AND WE WOULD REMOVE THAT EXCEPTION. IN PHASE TWO, WE WOULD CODIFY THE DEVELOPMENT STANDARDS FOR THE OVERLAY DISTRICT BASED ON THE SUB DISTRICT MAP AND CHART OUTLINES IN THE PLAN THAT GARY DISCUSSED PREVIOUSLY. THIS WOULD ALLOW A GREATER MIX OF USE, REQUIRE BETTER URBAN DESIGN AND INCREASE ENTITLEMENTS TO ATTRACT THE HIGHER DENSITY DEVELOPMENT, RESIDENTIAL AND EMPLOYMENT THAT IS DESIRED IN THE PLAN AREA. THE CODE WILL BE EASE TO READ WITH GRAPHICS AND PHOTOS TO CONVEY THE TYPE OF DEVELOPMENT DESIRES. STAFF ANTICIPATES IT WILL TAKE SIX MONTHS TO A YEAR TO DEVELOP THE PHASE TWO ZONING, AND DURING THAT PROCESS WE WILL INVOLVE PROPERTY OWNERS IN THE AREA THEN COME BACK TO YOU FOR FINAL APPROVAL. SO AGAIN, JUST TO REITERATE, THE FIRST IMPLEMENTATION STEP, IMMEDIATE ACTION, WHAT WE ARE ASKING TO YOU DO TODAY IS ADOPT THE MASTER PLAN AND THE FUTURE LAND USE MAP, AND TO ADOPT PHASE ONE REGULATIONS. THE

FIRST STEP IS CREATING THE NORTH BURNET GATEWAY PLAN COMBINING DISTRICT, WHICH WHAT THAT DOES IS IT ADDS THE MP TO THE END OF THE ZONING STRING WHICH ALLOWS PROPERTY OWNERS TO KNOW THEY ARE IN THE OVERLAY DISTRICT. AND THE SECOND IS THE CODE AMENDMENT TO CREATE THE DISTRICT AND ASSOCIATED PHASE ONE REGULATIONS. AS A NEXT STEP, AS I MENTIONED, STAFF WILL, FOLLOWING ADOPTION OF THE PLAN, WILL BEGIN CREATING THE PHASE TWO REGULATIONS BASED ON THE MASTER PLAN. ALONG WITH PHASE TWO REGULATIONS, WE WILL CREATE A PUBLIC BENEFIT DENSITY BONUS SYSTEM. IT IS, AS WE LOOK AT INCREASING ENTITLEMENTS IN THE AREA, WE INTEND TO CREATE THE BONUS SYSTEM SO A PORTION OF THE FINANCIAL BENEFIT GAINED BY THE PROPERTY OWNER FROM THE CHANGE IN DEVELOPMENT RULES WILL BE SHARED WITH THE PUBLIC FOR THE MANY COMMUNITY NEEDS INSPECT AREA. AS GARY MENTIONED, THERE SNEAD FOR PARK, AFFORDABLE HOUSING, CIVIC FACILITIES AND MANY OTHER COMMUNITY NEEDS IN THE AREA. WE ANTICIPATE DEVELOPMENT OF THE DENSITY BONUS SYSTEM IN CONJUNCTION WITH THE PHASE TWO ZONING. THE NEXT IMPLEMENTATION STEP IS SOMETHING WE EMPHASIZE IN OUR DISCUSSIONS WITH THE PUBLIC, IT MAY BE OBVIOUS TO YOU, BUT WE REALLY WANT TO ENGAGE THE PRIVATE SECTOR IN REDEVELOPMENT. THE INTENTION HERE WITH THE POSSIBILITY EXCEPTION OF SOME CITY-OWNED SITES IN THE AREA IS NOT FOR THE CITY TO ACQUIRE LAND FOR REDEVELOPMENT BUT TO CHANGE THE FRAMEWORK FOR DEVELOPMENT AND TO ENCOURAGE PRIVATE REDEVELOPMENT IN THIS AREA. THE NEXT IMPLEMENTATION STEP IS TO ANTICIPATE INFRASTRUCTURE IMPROVEMENTS AND COMMUNITY NEEDS. AS GARY DISCUSSED, THERE ARE A NUMBER OF IMPROVEMENT NEEDS. THE BIGGEST CHALLENGE IN THIS AREA IS THE STREET NETWORK. ESTABLISHING THAT INTERCONNECTED STREET GRID THROUGH THE PLANNING AREA. THERE IS ALSO A NEED FOR NEW PARK, TRAILS, BIKE FACILITIES, CIVIC USES AS I MENTIONED BEFORE. SO WITH ADOPTION OF THE PLAN, STAFF WILL BEGIN TO INCLUDE THE NEIGHBORHOOD PLAN RECOMMENDATION IT IS IN THE VARIOUS DEPARTMENTAL PLANNING AND START GETTING THEM INTO THE CYCLE AND PLANNING AND PROCESS THESE FOR

THE VARIOUS DEPARTMENTS. WE ALSO WILL MOVE FORWARD WITH EVALUATING REDESIGN OF BURNET ROAD. IT WILL TAKE A NUMBER OF STEP, INCLUDING REQUESTING TAKING OVER THE ROAD FROM TxDOT. CURRENTLY THEY OWN AND MAINTAIN THIS SEGMENT OF BURNET ROAD. TxDOT IS GREAT AT HIGHWAY BUILDING, BUT NOT GREAT AS BUILDING URBAN ROADWAYS TO THE DEGREE WE WANT TO SEE IT IN THE PLANNING AREA. ASSOCIATED WITH RE DESIGNING THE ROADWAY WE WOULD NEED UP TO DATE THE PLANS ACCORDINGLY. ANOTHER RECOMMENDATION FOR THE STAFF TO MOVE FORWARD IS TO CREATE A COLLECTOR PLAN,ING THIS IS IDENTIFIED FOR TRYING TO GET THAT STREET GRID IN PLACE. JUST AS CURRENTLY REREQUIRE RIGHT OF WAY FOR ARTERIALS, THIS WOULD ALLOW US TO REQUIRE RIGHT OF WAY FOR COLLECTORS AS PROPERTIES REDEVELOP IN THE NORTH BURNET GATEWAY AREA SO WE WOULD LIKE TO MOVE FORWARD WITH PURSUING THAT IDEA. THE NEXT IMPLEMENTATION STEP OUTLINED IN THE PLAN IS TO EVALUATE REDEVELOPMENT OPPORTUNITIES FOR THE CITY-OWNED SITES IN THE AREA. AS GARY MENTIONED THERE ARE TWO KEY SITE, CRAMER LANE SERVICE YOUR, APPROXIMATELY 40-ACRES IN SIZE AND THE AWESOME WATER UTILITY ACRE SIDE WHICH IS ABOUT 26-ACRES IN SIZE. SO IN TALKING WITH THE DEPARTMENTS WHO USE THOSE SITES CURRENTLY, THEY RECOGNIZE THAT THE AREA IS CHANGING, BUT THERE IS A NEED TO LOOK AT AND TRY AND FIND THAT SWEET SPOT BETWEEN GETTING MORE REVENUE FROM THE SITE AS DEMANDS FOR THE AREA GROWS AND AS PROPERTY VALUES GROW, TO HELP FUND RELOCATION, AND USING THE SITES AS CATALYSTS FOR REDEVELOPMENT IN THE AREA. AND THEN THE LAST IMPLEMENTATION STEP IS TO DESIGNATE A REDEVELOPMENT COORDINATOR FOR THIS AREA. THE REDEVELOPMENT COORDINATOR IDEA IS TO ASSIST PROPERTY OWNERS IN THE REDEVELOPMENT PROCESS TO HELP MANAGE THE DENSITY PROCESS OVER TIME AND TO COORDINATE WITH THE VARIOUS CITY DEPARTMENTS AND OTHER AGENCIES TO SEE THESE IMPLEMENTATION STEPS AND TO SEE THESE RECOMMENDATIONS THROUGH THEIR PLANNING PROCESSES. I WANT TO THANK YOU FOR YOUR TIME. WE

ARE ALL AVAILABLE FOR QUESTIONS THAT MAY COME UP.

MAYOR WYNN: THANK YOU, MISS SCARBOROUGH.
QUESTIONS FOR STAFF, COUNCIL, COMMENTS? COUNCIL
MEMBER KIM.

KIM: THIS IS GREAT WORKING TENTION HELPS TO
ARTICULATE THE VISION WE HAVE FOR MORE REGIONAL
GROWTH CENTERS IN THE CITY, AND THIS IS DEFINITELY AN
OPPORTUNITY FOR US TO TAKE ADVANTAGE OF THE
PARTNERSHIP WITH UT AND CAP METRO AS WE LOOK AT
MORE RAIL CORRIDORS. THERE ARE A COUPLE THINGS I
WOULD LIKE TO PROVIDE INPUT ON SINCE STAFF IS
CONTINUING TO WORK ON PHASE TWO ON THE
REGULATIONS. FIRST DENSITY BONUS SYSTEM YOU HAVE IN
YOUR REPORT CREATING SOME SORT OF ENTITLEMENTS,
SOME SORT OF ENTITLEMENTS OUTSIDE OF DOWNTOWN
FOR COMMUNITY BENEFITS IN EXCHANGE FOR AFFORDABLE
HOUSING AND PARKS AND RIGHT OF WAY AND CIVIC
FACILITIES, I JUST WANT TO MAKE SURE WE ARE USING OUR
EXISTING ENTITLEMENTS AS THE BATES LINE FOR THOSE --
BASELINE FOR THOSE BONUSES. I KNOW THAT THERE ARE
RECOMMENDATIONS HERE FORE INCREASED INTIMEMENTS,
BUT I THINK THAT THE BONUSES SHOULD BE BASED ON THE
CURRENT ENTITLEMENTS WE HAVE SO WE CAN TAKE
FURTHER ADVANTAGE 6 THOSE DEVELOPMENTS AS THEY
MOVE FORWARD. ALSO, I WOULD LIKE TO SEE WE ARE
EVALUATING ARTERIALS BECAUSE IT LOOKS ON THE MAP
THERE AREN'T ENOUGH ARTERIALS TO REALLY SUPPORT
CORRIDORS AND A GRID AND MIXED USE AND FOR IT REALLY
TO BE PEDESTRIAN-ORIENTED I WOULD LIKE FOR STAFF TO
GIVE US MORE INFORMATION ON THAT AT THE APPROPRIATE
TIME. ALSO, I WOULD LIKE FOR STAFF TO EVALUATE THE
LOWER LEVELS OF AFFORDABILITY FOR OWNERSHIP AND
AFFORDABLE HOUSINGS A RENTAL UNITS MAY NEED TO
FOCUS ON A POPULATION THAT IS A LOWER INCOME THAN
THOSE WE ARE TARGETING FOR HOME OWNERSHIP IN THE
AREA.

OKAY, THANK YOU.

MAYOR WYNN: FURTHER COMMENTS? QUESTIONS? WE

HAVE A COUPLE SPEAKERS.

MCCRACKEN:

LET ME GET THE SPEAKERS FIRST.

MAYOR WYNN: OKAY SO WITHOUT OBJECTION, COUNCIL, I WILL CALL UP THE COMBINED PUBLIC HEARING ITEMS 61, 62, 63, THAT BEING THE MASTER PLAN, PHASE ONE REGULATIONS. AS OUTLINED BY MISS SCARBOROUGH. IT LOOKS LIKE OUR FIRST SPEAKER IS WILL SHIPERDS. WILL, WELCOME. YOU HAVE THREE MINUTE, WELCOME.

MAYOR, COUNCIL MEMBER, MY NAME IS WILL SHEPHERD, HERE TO SPEAK FOR THE YOU HAVE -- THE UNIVERSITY OF TEXAS. UT DOES OWN TWO PROMINENT PARCEL, THE PICKLE RESEARCH CENTER ANT PRC WEST SITE WHICH IS ONE I WOULD LIKE TO SPEAK TO TONIGHT. GENERALLY SPEAKING, WE ARE VERY MUCH IN FAVOR OF THE PLAN, AND WE COMMEND THE STAFF FOR A COUPLE YEARS OF VERY HARD WORK THAT RESULTED IN A VERY GOOD DOCUMENT. WE DISCUSS AD FEW SPECIFIC DETAILS IN THE PLANNING COMMISSION MEETING WHICH WAS APPROVED AND SENT FORWARD WITH A RECOMMENDATION FOR YOUR APPROVAL. SPECIFICALLY THE AREA IN THE PLAN IS FOR THE PRC WEST TRACK IS DESCRIBED FOR RESIDENTIAL MIXED USE, AND WE BELIEVE THAT CAN BE RAISED TO THE SURROUNDING COMMERCIAL MIXED USE DESIGNATION BE A THE PLANNING COMMISSION AGREED WITH THAT ADDITIONALLY, WE WERE APPROACHED BY THE STAFF TO RESTRICT THE PRC WEST SITE FROM TWO USES, COMMERCIAL SERVICES AND DESTINATION OF RETAIL, WE AGREE THAT THE STAFF -- WITH THE STAFF THAT THOSE ARE NOT APPROPRIATE USED WITH THAT SITE, AND WE ARE IN AGREEMENT WITH THE RESTRICTIONS ON THOSE USES SO CONSEQUENTLY WITH THE UNDERSTANDING OF STAFF, THE CURRENT DEFINITION OF FAR WILL BE APPLIED TO THE ENTIRE TRACT AS ILLUSTRATED ON EXISTING CONDITION MAPS 2.2 AND 2.1, WE ARE VERY MUCH IN FAVOR OF THE PLAN AND WOULD ENCOURAGE TO YOU APPROVE IT.

MAYOR WYNN: THANK YOU, MR. SHEPHERD. COMMENT, QUESTIONS FOR MR. SHEPHERD, COUNCIL? LET'S SEE THEN.

THANK YOU, WILL. OUR LAST SPEAKER IS VICKY HOWARD.
WELCOME MISS HOWARD, APPRECIATE YOUR PATIENCE.
YOU HAVE THREE MINUTE, WELCOME.

THANK YOU. MY NAME IS VICKY HOWARD, AND I REPRESENT LEXUS OF AUSTIN. WE ARE IN THIS GATEWAY STONE LAKE BOULEVARD CAPITAL TEXAS HIGHWAY 260 AREA. I THINK THAT THEY'VE DONE A GREAT JOB, I'M ALL FOR THE FUTURE GROWTH OF THIS AREA. WHEN WE PURCHASED THIS LAND BACK IN 1995 WE SAW THIS AS A POTENTIAL, YOU KNOW, SECOND DOWNTOWN AREA FOR AUSTIN. WHAT I WOULD LIKE TO CHALLENGE ALL OF YOU ALL TO CONSIDER, THOUGH, IS THAT IN SOME OF THESE ZONING OVERLAYS, THERE ARE GREAT RESTRICTIONS FOR CURRENT GROWTH. ALTHOUGH THIS IS A 30-YEAR PLAN, AND I THINK THIS GROWTH, THIS RESTRICTION COMES INTO PHASE TWO, BUT I WOULD LIKE FOR YOU ALL TO KNOW THIS IS COMING IS THERE IS ONLY A ONE-TIME DEVELOPMENT OR ENLARGEMENT CHANCE. SO YOU CAN ONLY REDEVELOP YOUR PROPERTY OR I WOULD ONLY BE ABLE TO REDEVELOP MY PROPERTY ONE TIME DURING THE NEXT 30 YEARS WHICH COULD FORCE ME TO NO LONGER BE IN BUSINESS IN THAT LOCATION. IN 30 YEARS I'M PROBABLY GOING TO OUT GROW THAT FACILITY WHICH IS EXACTLY WHAT HAPPENED TO THE CAR DEALERSHIPS DOWNTOWN. I KNOW SEVERAL OF THOSE CAR DEALERS OVER A PERIOD OF TIME THEIR LAND BECAME MORE VALUABLE AS LAND FOR COMMERCIAL PROPERTY THAN IT DID FOR A DEALERSHIP SITE, AND I'M AWARE THAT WITH GROWTH I'M PROBABLY GOING TO HAVE TO LEAVE THAT AREA, BUT IN THE MEANTIME, I WOULD LIKE FOR YOU ALL TO AT LEAST CONSIDER SOME OF THE DENSITY BONUS, THE ROADWAYS, THEY ARE SHOWING TO GO RIGHT THROUGH THE MIDDLE OF ONE OF MY BUILDINGS. I WOULD LIKE THE OPPORTUNITY TO STAY THERE AS LONG AS I CAN WITH THE CHANCE TO DO THE BEST BUSINESS I CAN AND NOT BE FORCED OUT BECAUSE MY PROPERTY RIGHTS ARE VERY IMPORTANT TO ME. SO I WOULD LIKE TO CONSIDER THE FACT THAT WITH THIS GROWTH THERE ARE LOTS OF LIMITATIONS. JUST CONSIDER THE ONE-TIME GROWTH ALLOTMENT, MAYBE THERE COULD BE ANOTHER WAY TO LOOK AT THAT AS LONG AS WE WERE MOVING TOWARDS THAT 30-YEAR PLAN. THAT IS WHAT I WOULD LIKE

TO ASK. THANK YOU.

MAYOR WYNN: THANK YOU, MISS HOWARD. ARE THERE ANY OTHER CITIZENS THAT WOULD LIKE TO GIVE US SOME TESTIMONY ON THIS COMBINED PUBLIC HEARING ITEM 61, 62 AND 36, REGARDING THE NORTH BURNET GATEWAY 2535 PLAN? THANK YOU ALL. NOW COUNCIL QUESTIONS?

MCCRACKEN:

I THINK FIRST TO ADDRESS MISS HOWARD'S POINT. CHANGE WOULD BE SOMETHING REALLY IMPORTANT TO, FOR US TO BE MINDFUL OF AND WORK TOGETHER WITH YOU ALL AND OTHER PROPERTY OWNERS AS THE INNER BASE TOO. I WOULD LIKE TO KNOW MORE ABOUT THIS PHASE TWO, THIS CONCEPT OF ONLY BEING ABLE TO REDEVELOP ONCE THAT DOESN'T SOUND LIKE WE WOULD BE AIMING FOR, SO I THINK THE GOAL IS, IS TO HAVE THIS BE A POSITIVE FOR PROPERTY OWNERS, IN ADDITION TO BEING A POSITIVE THING FOR PLANNING FOR OUR FUTURE LAND GROWTH IN AUSTIN SO WE DEFINITELY WANT YOU ALL INVOLVED, AND WE APPRECIATE YOU COMING TO SPEAK TO US TODAY. I WANT TO FIRST OF ALL JUST COMMEND MOLLY SCARBOROUGH AND GARY BELAMY AND THE WHOLE CARTER BURGESS TEAM ON OUTSTANDING WORK. I REALLY APPRECIATE WHAT YOU ALL HAVE DONE. I THINK THIS IS A GOOD FIRST STEP, PHASE ONE, AND WHAT I WOULD LIKE TO SEE IS SOMETHING THAT REALLY JUMPS OUT AT YOU, WHEN WE LOOK AT THIS IS YOU KNOW, THIS SUSPECT SECOND DOWNTOWN FOR AUSTIN, SO THE QUESTION IS, YOU ARE LOOKING AT INFRASTRUCTURE, AND SO WE HAD THIS CHART HERE ON PAGE 2: 17 AND IT SHOWS WHAT THE WATER LINE SITUATION IS, FOR INSTANCE, AND THE ROADWAY SITUATION, WHAT I WOULD LIKE TO SEE IS A COMPARISON OF OUR FIRST DOWNTOWN IN TERMS OF, SO WE COULD OVERLAY THIS TO SEE WHAT WATER LINE SIZES WE HAVE AND ELECTRIC LINE, WASTE WATER LINES AND ROADWAYS SO WE CAN JUST COMPARE THESE, MY EXPECTATION IS THAT WE WILL HAVE, YOU KNOW, VERY EYE-OPENING MOMENT WHEN WE REALIZE THAT WHILE WE ARE PLANNING TO BRING IN 80,000-PLUS RESIDENTS WHERE THERE ARE BASICALLY NO RESIDENTS CURRENTLY, WE DON'T BEGIN TO HAVE ANYTHING APPROACHING THE INFRASTRUCTURE AT

THE MOMENT THAT WE HAVE IN OUR FIRST DOWNTOWN. I THINK WHEN WE SEE THOSE THINGS TOGETHER, WE WILL SEE, YOU KNOW, PUBLICLY-FUNDED INFRASTRUCTURE THAT 24 TO 36-INCH AND 8-INCH WASTE WATER LINE, WE WILL SEE THAT ALL OVER THE PLACE. SO I WOULD LIKE TO SEE SOME KIND OF MAP FROM STAFF, A COMPARISON OF THE INFRASTRUCTURE DOWNTOWN. ONE OF THE THING, BY THE WAY, BECAUSE THIS IS ALSO SETTING THE TEMPLATE FOR ROBINSON RANCH WHICH SAY JAY SENT, THIS WHOLE -- WHICH IS ADJACENT, THIS IS NOT GOING TO STOP THERE, BUT AS A RESULT, ANOTHER LAND USE TRANSPORTATION COMMITTEE, WE'VE SEEN THIS REALLY IMPRESSIVE VISION AND AS WE SAID, WE NEED TO HAVE SOME IMPLEMENTATION STRATEGIES, I KNOW A THEY WILL BRING FORWARD THE URBAN INFRASTRUCTURE DISTRICT THAT IS RUNNING PARALLEL WITH THE SH-1 SUBURBAN PLANNING DISTRICT SO I KNOW THAT IS GOING TO BE AN INCREDIBLY IMPORTANT COMPONENT OF THIS AS WE MOVE FORWARD. SO THAT IS REALLY THE MAIN OBSERVATION, THAT ALL OF THIS IS GOING TO STAND OR FALL ON THE SUCCESS OF OUR ACT TO PROVIDE INFRASTRUCTURE SO I'M PLEASED WITH THE STRATEGY THAT MANAGEMENT HAS OUTLINES IN CREATING AN INFRASTRUCTURE, FINANCE DISTRICT FOR THIS SECOND DOWNTOWN THAT IS BASICALLY THE SAME AS THE SH-130 FINANCE, THEY ARE ALSO WORKING ON AND THAT IDEALLY WOULD GIVE US TOOLS TO MAKE THIS A SUCCESS, BUT IT IS A GREAT EFFORT AND VISION, AND I REALLY APPRECIATE YOUR WORK.

MAYOR WYNN: MOLLY CAN WALK US THROUGH THE FIRST MOTION AND THEN I WILL ENTERTAIN A MOTION THAT CLOSES THE PUBLIC HEARING.

MOTION NUMBER ONE, AGENDA ITEM NUMBER 61, TO TAKE ACTION ON THE NORTH B NET GATEWAY MASTER PLAN AND LAND USE MAP. THE PLANNING COMMISSION RECOMMENDATION WAS TO APPROVE WITH THE FOLLOWING AMENDMENTS: ONE, ON THE UT WESTERN TRACT TO ALLOW COMMERCIAL MIXED USE STANDARDS, BUT NOT ALLOW DESTINATION RETAIL. TWO, WHEN CREATING PHASE TWO REGULATIONS REDUCE THE MINIMUM PARKING REQUIREMENTS TO THE 30% OF THE LAND DEVELOPMENT CODE, STANDARD MINIMUM OFF-STREET PARKING

REQUIREMENTS. FOUR, STAFF SHOULD PROVIDE CITY COUNCIL WITH VARIOUS FINANCE OPTIONS FOR INFRASTRUCTURE IMPROVEMENTS AND PROVIDE A RECOMMENDATION.

MAYOR WYNN: I WILL ENTERTAIN THAT MOTION.

MAYOR, I MOVE APPROVAL OF THE NORTH BURNET GATEWAY MASTER PLAN AND THE FUTURE LAND USE MAP AS WELL AS THE AMENDMENTS FROM THE PLANNING COMMISSION ON ALL THREE READINGS.

MAYOR WYNN: MOTION BY MAYOR PRO TEM, SECOND BY COUNCIL MEMBER McCRACKEN TO CLOSE THE PUBLIC HEARING AND APPROVE ITEM NUMBER 61 AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL IN FAVOR, SIGNIFY BY SAYING AYE. OPPOSED? MOTION PASSES ON A VOTE OF 5-0, COUNCIL MEMBERS KIM AND MARTINEZ ON THE DAIS. -- OFF THE DAIS.

MR. GUERNSEY REMINDED ME DO WE NOT HAVE ALL THE ORDINANCES OF AGENDA ITEMS AT THIS TIME, WE WERE BRINGING IT FOR FIRST READING AT THIS TIME.

MAYOR WYNN: THEN, MAYOR PRO TEM WITHOUT OBJECTION WE WILL AMEND THAT TO BE FIRST READING ONLY. THANK YOU.

MOTION NUMBER TWO, TAKE ACTION ON THE REZONING AS RECOMMENDED BY STAFF AND THE PLANNING NOTION CREATE THE NORTH BURNET GATEWAY PLANNING DISTRICT THAT STATES THAT PROPERTY IN THE NEIGHBORHOOD PLANNING COMBINED DISTRICT WILL BE SUBJECT TO THE OVERLAY REGULATIONS, PLANNING COMMISSION RECOMMENDED TO APPROVE.

MAYOR WYNN: COMMENTS, QUESTIONS? MOTION BY MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING, APPROVE ON FIRST READING ONLY ITEM NUMBER 62 AS PRESENTED BY STAFF, THAT BEING THE ZONING CASES. SECOND BY COUNCIL MEMBER McCRACKEN. FURTHER COMMENTS? HEARING NONE, ALL IN FAVOR, SIGNIFY BY SAYING AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH

COUNCIL MEMBER MARTINEZ OFF THE DAIS. [RECESS]
FORTH MAGAZINE WAD FORWARD WADFORD 3907 A

MAYOR WYNN: OKAY. FOLKS, WELCOME TO OUR WEEKLY
LIVE MUSIC GIG HERE AT THE AUSTIN CITY COUNCIL.
JOINING US TODAY IS JONAS ALVAREZ. HE COMBINES LATIN
SOUNDS AND RHYTHMS FROM AROUND THE WORLD
CREATING A FUSION OF CULTURES, AND IDEAS. HE
RELEASED HIS FIRST LP IN 2005 ENTITLED MEXICO TO TEXAS
WITH HIS BAND. THE BAND WON BEST WORLD MUSIC AT THE
2005 AUSTIN MUSE AWARDS AND JONAS HAS BEEN
RECOGNIZED FOR HIS SONG WRITING BY THE AUSTIN SONG
WRITING CONTEST AND THE IN THE INTERNATIONAL SONG
WRITERS COMPETITION. PLEASE JOIN ME IN WELCOMING
JONAS ALVAREZ. [APPLAUSE] [GUITAR MUSIC] [(music)
SINGING (music)] [SINGING IN SPANISH] (music) (music) [MUSIC]
[APPLAUSE]

THANK YOU.

MAYOR WYNN: FIRST AND FOREMOST, WHERE CAN WE BUY
MEXICO TO TEXAS?

AVAILABLE HERE, OR EMAIL ME AT JONAS ALVAREZ
MUSIC.COM, AND --

DOES THE WEB SITE TELL US UPCOMING GIGS AND WHERE
WE CAN HEAR IT?

UPCOMING GIGS AND THE NEXT ONE WILL BE AT THE BIG
ACAPULCO AT STONE LAKE AND 360.

THE WEB SITE AGAIN?

JONAS ALVAREZ MUSIC.COM.

MAYOR WYNN: GREAT. FABULOUS. BEFORE YOU GET AWAY
WE HAVE THE OFFICIAL PROCLAMATION THAT READS, BE IT
KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY
MAKES MANY CONTRIBUTIONS TOWARDS THE
DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND
CULTURAL DIVERSITY AND WHEREAS THE DEDICATED
EFFORTS OF ARTISTS FURTHER OUR STATUS AS THE LIVE

MUSIC CAPITAL OF THE WORLD, I, WILL WYNN, MAYOR OF AUSTIN TEXAS HEREBY PROCLAIM TODAY, OCTOBER 18, 2007 AS JONAS ALVAREZ DAY AND ASK ALL CITIZENS TO JOIN ME IN CONGRATULATING THIS GREAT TALENT. [APPLAUSE]

SO WHILE JONAS AND THE BAPD BREAKS DOWN ON THAT SIDE OF THE ROOM WE'LL USE THIS PODIUM TO DO OUR PROCLAMATIONS. WE TAKE THIS OPPORTUNITY EACH WEEK TO SAY THANK YOU TO A FEW WOAX, GOOD-BYE TO A FEW FOR EXAMPLE, TO.... FOLKS, RAISE AWARENESS OF THINGS GOING ON IN THE COMMUNITY. MY FIRST PROCLAMATION IS RED RIBBON WEEK. I'LL READ THE PROCLAMATION. I'M JOINED UP HERE BY AND DRESS GUADQUATA AND HUDSON AND AFTER I READ THE PROCLAMATION I THINK AND DRESS AND DRAIS WILL TALK ABOUT RED RIBBON WEEK. THE PROCLAMATION READS SUBSTANCE ABUSE IS PARTICULARLY DAMAGE TO CHILDREN, AND IS A CONTRIBUTING FACTOR IN THE THREE LEADING CAUSES OF DEATH FOR TEENAGERS, ACCIDENTS, HOMICIDES AND SUICIDES, AND WHEREAS THE TEXAS RED RIBBON CAMPAIGN PROMOTES FAMILY, INDIVIDUAL RESPONSIBILITY FOR LIVING HEALTHY LIFE-STYLES WITHOUT ILLEGAL DRUGS OR THE ILLEGAL USE OF LEGAL DRUGS, AND WHEREAS THE GOAL OF THE CAMPAIGN IS TO INVOLVE FAMILIES, SCHOOLS, BUSINESSES, CHURCHES, LAW ENFORCEMENT AGENCIES AND SERVICE ORGANIZATIONS IN THE CAMPAIGN AND TO ESTABLISH AN ATMOSPHERE THAT SUPPORTS AWARENESS, EDUCATION AND ONGOING INITIATIVES TO PREVENT ILLEGAL DRUG USE. SO NOW THEREFORE, I, WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM NEXT WEEK, OCTOBER 23 THROUGH 31, 2007 AS RED RIBBON WEEK HERE IN AUSTIN AND PLEASE JOIN ME IN WELCOMING AND THANKING AND ANDRES AND LET HIM TELL US ABOUT THE IMPORTANCE OF THIS WEEK. ANDRES? [APPLAUSE]

THANK YOU VERY MUCH, MR. MAYOR. THE EMERGED PROGRAM IS A SET OF BEHAVIORAL HEALTH SERVICES THAT IS A JOINT PROGRAM BETWEEN AUSTIN-TRAVIS COUNTY MHMR AND THE COMMUNICATE I CARE SERVICES DIVISION WHICH OPERATES THE 13 PUBLIC HEALTH CLINICS WITHIN AUSTIN-TRAVIS COUNTY. AS PART OF THAT PROGRAM WE HAVE BEHAVIORAL HEALTH SPECIALISTS THAT PROVIDE MENTAL HEALTH SERVICES TO CHILDREN, FAMILIES AND

ADULTS, ALONG WITH PSYCHIATRIC SERVICES, AND IN THE EFFORT -- THE EFFORT INVOLVES BOTH PRIMARY CARE, MEANING MEDICAL SERVICES, AND MENTAL HEALTH SERVICES TO BETTER SERVE FAMILIES AND CEASE.....ASSESS THEM FOR SUBSTANCE ABUSE AND MENTAL HEALTH DISORDERS. I WOULD LIKE TO THANK THE LEADERSHIP, WHICH INCLUDES DAVID LEAD, WHICH IS THE COMMUNICATING OFFICER OF THE -- TRISH YOUNG, WHO IS THE CEO FOR THE TRAVIS COUNTY HEALTH CARE DISTRICT, AND MR. DAVID EVANS WHO IS WITH TRAVIS COUNTY MHMR. THANK YOU VERY MUCH. [APPLAUSE]

MAYOR WYNN: OUR NEXT PROCLAMATION, I'M JOINED BY LINDA GLADDEN WHO WILL SAY A FEW WORDS ABOUT DYSLEXIA AWARENESS MONTH AFTER I READ THE PROCLAMATION, WHICH READS. DYSLEXIA IS A LEARNING DISABILITY THAT AFFECTS UP TO 15% OF AMERICANS AND IMPACTS THEIR ABILITY TO READ AND WRITE FOR LIFE. WITH APPROPRIATE INTERVENTION AND TEACHING METHODS, MOST DYSLEXIC INDIVIDUALS CAN ACHIEVE THE SAME SUCCESS AS THEIR NON-DYSLEXIC COUNTERPARTS AND THE SCOTTISH RITE IS HOUSING SOMETHING FOR THE SUPPORTERS THAT SERVES THE NEEDS OF DISELECTIONICS AND DICKERS IN CENTRAL TEXAS. AND WHEREAS THEY'RE SUPPORTED BY THE ONGOING CHARITABLE COMMITMENT FROM THE PSYCHOTIC RITE MASONS AND COMMUNITY DONATIONS, AND NOW THEREFORE, I, WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM OCTOBER 21, 2007 AS THE SCOTTISH RITE LEARNING CENTER OF AUSTIN INCORPORATED DISELECTION I CAN LEARNING CENTER OF AUSTIN DAY, AND ASK LINDA TO SAY SOMETHING ABOUT THE PROGRAM, WHAT THE MASONS ARE DOING FOR THEM BUT PLEASE JOIN ME IN THANKING HERE FOR ALL HER HARD WORK. [APPLAUSE]

THANK YOU, MAYOR WYNN. SCOTTISH RITE LEARNING CENTER IS FOCUSING ON THE TREATMENT OF CHILDREN WITH DYSLEXIA. THERE ARE 25,000 CHILDREN IN CENTRAL TEXAS WHO HAVE DYSLEXIA SO WE'RE WORKING VERY ACTION VERY HARD TO MEET THE NEED AND CERTAINLY HEIGHTEN AWARENESS OF THIS LEARNING DIFFERENCE. SO WE VERY MUCH APPRECIATE YOUR RECOGNITION AND YOUR SUPPORT, MAYOR WYNN, AND THANK YOU VERY

MUCH.

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

MAYOR WYNN: SO FOR MY NEXT PROCLAMATION TECHNICALLY IT'S A DISTINGUISHED SERVICE AWARD. I'M JOINED BY MS. SONDR A CREIGHTON WHO HAS BEEN OUR PUBLIC WORKS DEPARTMENT DIRECTOR HERE AS LONG AS I CAN REMEMBER OF LATE, AND OF COURSE I'M ALSO JOINED BY CITY MANAGER TOBY FUTRELL, SO AFTER I READ THE PROCLAMATION I'LL TURN THE MIC OVER TO TOBY WHO WILL GIVE ADDITIONAL WORDS TO SONDR A AND HOPEFULLY WE'LL HEAR SONDR A SAY A FEW WORDS. OKAY. SO CITY OF AUSTIN, OFFICIAL DISTINGUISHED SERVICE AWARD READS, FOR 22 YEARS OF PUBLIC SERVICE WITH THE CITY OF AUSTIN, DURING WHICH SHE DEMONSTRATED COMMITMENT, AND EXCELLENCE IN SERVICE TO THIS COMMUNITY, SONDR A CREIGHTON, PE, PROFESSIONAL ENGINEER, IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION, SONDR A HAS BEEN A GUIDING FORWARD IN THE DEVELOPMENT OF THE PUBLIC WORKS DEPARTMENT AS IT HAS RISEN TO THE CHALLENGE OF SERVING A POPULATION THAT HAS NEARLY DOUBLED SINCE SHE STARTED WITH THE CITY IN 1985. HER ADVANCEMENT TO DREBLGHTER OF THE PUBLIC WORKS DEPARTMENT WAS A NATURAL PROGRESSION FOR AN ENGINEER WHO HAS ALWAYS ADHERED FOR THE HIGHEST PROFESSIONAL AND PERSONAL STANDARDS. SONDR A GAINED A BROAD RANGE OF EXPERIENCE BY SERVING IN A VARIETY OF ROLES WITHIN PUBLIC WORKS BEFORE BEING NAMED THE FIRST WOMAN TO SERVE AS DIRECTOR OF THAT DEPARTMENT. SHE LEAVES PUBLIC WORKS IN THE CITY HAVING CONTRIBUTED TO MAKING AUSTIN ONE OF THE NATION'S MOST LIVABLE CITIES. THE CERTIFICATE IS PRESENTED WITH OUR ADMIRATION AND APPRECIATION, THIS 18TH DAY OF OCTOBER IN THE YEAR 2007, SIGNED BY ME BUT ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL, THIS DISTINGUISHED SERVICE AWARD, MS. SONDR A CREIGHTON. [APPLAUSE]

WE'RE LOSING TWO EXTRAORDINARY WOMEN TODAY THAT WE'RE GOING TO BE RECOGNIZING, THE FIRST OF WHICH IS SONDR A CREIGHTON AND I WANT YOU TO KNOW A FEW THINGS ABOUT THE INCREDIBLE WOMAN WHO SERVE THE

CITY OF AUSTIN. YOU ALREADY KNOW THAT SONDR
STARTED WITH THE CITY IN 1985 AND THAT SHE'S THE FIRST
WOMAN PUBLIC WORKS DIRECTOR FOR THE CITY OF AUSTIN.
SHE HAS A BACHELOR OF ARTS AND LINGUISTICS BUT ALSO
A BACHELOR OF SCIENCE IN ARCHITECTURAL ENGINEERING.
SHE'S AN AIR FORCE BRAT. BEFORE SHE WAS 8 SHE HAD
LIVED IN THREE DIFFERENT COUNTRIES AND THREE
DIFFERENT STATES. SHE CAME TO AUSTIN TO ATTEND UT
AND LEFT AFTER A YEAR AND A HALF. NOW, IS THAT AN
AUSTIN STORY? RIGHT?

MAYOR WYNN: SOUNDS LIKE AN AGGIE STORY TO ME.
[LAUGHTER]

AND OF COURSE, TO MAKE IT A REALLY AUSTIN STORY,
WHEN SHE LEFT, SHE HITCHHIKED ACROSS CANADA, MADE
HER WAY TO NEW YORK, FROM NEW YORK SHE WENT TO
GERMANY, EGYPT, ISRAEL, SPENT A YEAR ON A CABUTZ.
DURING THE YAM YAM KIPPER WAR. I'M TOLD SHE HID IN
BOMB SHELTERS. FROM THERE SHE WENT TO AFRICA
WHERE SHE REMEMBER HEARING ROARING LIONS AND
SHRIEKING BABOONS IN THE MIDDLE. NIGHT AND
SOMEWHERE IN THE MIX SHE DECIDES TO GO BACK TO UT
AND FINISH NOT ONE BUT TWO DEGREES. SO WHILE SHE'S A
STUDENT AT UT, LIKE ALL OF US, RIGHT, SHE DID
EVERYTHING BUT WAIT TABLES. SHE WORKED AS A
CONSTRUCTION ASSISTANT, A HOUSE PAINTER, DROVE A
TAXICAB. IN HER FOUR YEARS AS A DIRECTOR WITH US
SHE'S DONE EXTRAORDINARY WORK IN IMPROVING THE
INFRASTRUCTURE OF THE CITY OF AUSTIN. OVER \$600
MILLION WORTH OF PROJECTS UNDER HER DIRECTION. SHE
TALKS ABOUT TWO P'S, PROJECTS SHE'S PROUD OF AND
PAINFUL PROJECTS, AND SHE LISTS THE ONES SHE'S MOST
PROUD OF IS WHEN THE DEVELOPMENT OF THE
ACCELERATED ROAD RECONSTRUCTION PROJECT, AND
YOU'VE SEEN SOME OF THE EXAMPLES, BECAUSE A VERY,
VERY TOUGH THING WHEN WE'RE RECONSTRUCTING
ROADS, BUT SHE LISTS HER MOST PAINFUL PROJECTS AS
THE SHOAL CREEK CURB ISLAND PROJECT. [LAUGHTER]

YEAH, UH-HUH. SHE SAYS SHE IS HOWEVER -- SHE LOVES
THE FACT THAT THE CHRONICLE CALLED IT FRANKEN
CURBS. SHE HAS A FULL SCHEDULE PLAN FOR RETIREMENT.

SHE'S GOING TO SPEND MORE TIME WITH HER HUSBAND AND HER DAUGHTER, BUT MY FAVORITE PART OF THE STORY IS ONLY SONDRAL WOULD DECIDE THAT UPON RETIREMENT IT IS A TWO-YEAR GOAL TO CLIMB MOUNT KILIMANJARO WHEN SHE RETIRES. THESE ARE THE KIND OF EXTRAORDINARY WOMEN SERVING THE CITY OF AUSTIN. WE HAVE TWO THINGS WE WANT TO GIVE YOU, SONDRAL. FIRST YOUR ACE AWARD, TO SONDRAL CREIGHTON FROM 1985 TO 2007, YOUR PASSION FOR PUBLIC SERVICE, NOT ONLY MADE A DIFFERENCE BUT PROVIDES THE BENCHMARK FOR HELPING MAKE AUSTIN THE MOST LIVABLE CITY IN THE COUNTRY.

THANK YOU. [APPLAUSE]

AND OF COURSE IT WOULDN'T BE RIGHT UNLESS WE GAVE YOU YOUR VERY OWN STREET SIGN, CREIGHTON'S CROWS ROAD, 1985 TO 2007. COME SAY A FEW WORDS TO US.

THANK YOU VERY MUCH FOR YOUR KIND WORDS, AND I LOVE THE SIGN BECAUSE I REALLY SEE THAT RETIREMENT IS A TRANSITION TO A NEW PHASE IN MY LIFE AND I'M REALLY LOOKING FORWARD TO SPENDING TIME WITH MY FAMILY, MY FRIENDS, AND DOING SOME MORE TRAVELING. I REALLY WANT TO THANK SO MANY PEOPLE HERE TODAY, FIRST OFF MY HUSBAND, EENS AND MY DAUGHTER MCKALE A FOR THEIR PATIENCE AND UNDERSTANDING IN THE LATE NIGHTS AND NOT BEING ABLE TO MAKE IT TO ALL THE ACTIVITIES, AND I DEFINITELY AM PROMISING THAT I'M GOING TO MAKE IT TO EVERY ACTIVITY FROM NOW ON. I ALSO WANT TO THANK THE MAYOR AND THE COUNCIL MEMBERS FOR THEIR INCREDIBLE LEADERSHIP AND SUPPORT OF THE PUBLIC WORKS DEPARTMENT, GETTING THE 2006 BOND PASSED WAS FANTASTIC AND IS REALLY GOING TO HELP THE CITY, AND THEN I ALSO APPRECIATE THEIR INCREASING THE FUNDING FOR PREVENTIVE MAINTENANCE, WHICH IS GOING TO HELP THE ROAD SYSTEM CONSIDERABLY. TOBY, YOU HAVE BEEN AN EXTRAORDINARY LEADER AND AN INCREDIBLE ROLE MODEL, AND I CAN ONLY SAY THAT I PITY THE POOR SOUL WHO FOLLOWS IN YOUR FOOTSTEPS. [LAUGHTER] SO THERE HAVE BEEN A LOT OF CHANGES SINCE I FIRST CAME TO WORK FOR THE CITY OF AUSTIN IN 1985. WE DIDN'T HAVE PC'S. WE DIDN'T HAVE CELL

PHONES AND EMAILS, AND, YOU KNOW, WE ALL THOUGHT AS WE GOT EACH OF THOSE DEVICES THAT LIFE WAS GOING TO BE SO MUCH EASIER. [LAUGHTER] NOT SO. BUT THE ONE THING THAT HASN'T CHANGED IS THE HARDWORKING PUBLIC WORKS EMPLOYEES WHO MAKE A DIFFERENCE EVERY SINGLE DAY THAT THEY COME TO WORK. YOU KNOW, MANY OF THEM ARE OUT FIXING ROADS OR TAKING CARE OF THE SIGNS AND MARKINGS, TAKING CARE OF THE SIGNAL SYSTEM, INSTALLING BIKE WAYS AND SIDEWALKS. THE WORK IS NOT GLAMOROUS, BUT WHAT WE'VE SEEN IS EVERYBODY USES THE TRANSPORTATION NETWORK. IN FACT, WE HAVE OUR OWN WEEKLY FEATURE IN THE STATES MAN NOW THAT YOU MAY HAVE NOTICED. [LAUGHTER] A LOT OF YOU ARE ALSO INVOLVED IN DESIGNING AND INSPECTING UTILITY PROJECTS AND A VARIETY OF DIFFERENT TYPES OF ROAD PROJECTS, DRAINAGE AND EVERYTHING, AND YOU'RE MAKING SURE THAT THE COMMUNITY WILL BENEFIT BY HAVING GOOD INFRASTRUCTURE IN THE FUTURE. SOME OF YOU HAVE HAD THE OPPORTUNITY TO BE INVOLVED IN MANAGING SOME OF THE BEAUTIFUL WORLD-CLASS BUILDINGS THAT WE HAVE NOW, SUCH AS CITY HALL OR THE MEXICAN AMERICAN CULTURAL CENTER. YOU-ALL HAVE DONE A SPECTACULAR JOB, AND A FRIEND OF MINE TOLD ME THAT PUBLIC WORKS TURNS DREAMS INTO REALITY, AND I THINK THAT'S A REALLY ELEGANT WAY TO SAY WHAT YOU DO EVERY DAY. SO I REALLY WANT TO THANK ALL OF YOU FOR YOUR SUPPORT AS I'VE BEEN THE DIRECTOR AND THROUGH MY TENURE WITH THE CITY, AND MOST OF ALL THANK YOU FOR YOUR STEADFAST SERVICE TO THE CITIZENS OF AUSTIN. SO THANK YOU AND FAREWELL. [APPLAUSE]

MAYOR WYNN: BY THE WAY, LASTLY, TWO YEARS AGO SONDRALAND I WERE TALKING ABOUT THE CONDITIONS OF AUSTIN'S ROADS AND STREETS, AND SO SHE AND I RAN THE MARATHON TOGETHER TO CHECK OUT THE CONDITIONS -- [LAUGHTER]

OF THE STREETS, AND WE SAW LOTS OF POTHOLES, 26 MILES. AND THEY ALL GOT FIXED.

MAYOR WYNN: OKAY. SADLY, TO CONTINUE THIS THEME OF SAYING GOOD-BYE TO SENIOR, SENIOR CITY LEADERSHIP,

JOINED BY MS. MARTY TERRY. THIS IS MS. TERRY'S LAST CITY COUNCIL MEMBER, SITTING BESIDE ME UP ON THE DAIS AS WE MUSCLE THROUGH, YOU KNOW, HUNDREDS OF AGENDA ITEMS, USUALLY PER WEEK. ALSO JOINED BY HER BOSS, DAVID SMITH, OUR CITY ATTORNEY, AND CITY MANAGER, TOBY FUTRELL AND A NUMBER OF MY COUNCIL COLLEAGUES. I WILL READ THE DISTINGUISHED SERVICE AWARD FOR MARTY AND TOBY WILL SAY A FEW WORDS ABOUT A SPECIAL FRIEND AND COLLEAGUE. CITY OF AUSTIN, DISTINGUISHED SERVICE AWARD READS: FOR EXTRAORDINARY SERVICE TO THE CITY OF AUSTIN DURING MORE THAN 17 YEARS IN THE LAW DEPARTMENT, MARTY TERRY IS DESERVING OF PUBLIC ACCLAIM, RECOGNITION AND SOME WELL EARNED TIME OFF. MARTY HAS BEEN A DEDICATED PROFESSIONAL IN REPRESENTING THE CITY OF AUSTIN, ITS OFFICERS AND EMPLOYEES. SHE HAS DISTINGUISHED HERSELF BY DEVELOPING AND SHARING EXPERTISE IN THE AREAS OF LAND DOASM, CONSTRUCTION, WATER AND WASTEWATER AND ENVIRONMENTAL PROTECTION, WHAT MARTY CALLS HER DIRT. BEYOND THAT SHE HAS WITH GREAT PASSION AND AFFECTION AND WITHOUT RESERVE GIVEN HER TIME, SKILLS AND TALENTS IN SUPPORT OF THE CITY AND OUR CITIZENS. WITH HEARTFELT GRATITUDE IN AND A KEEN SENSE OF LOSS WE RECOGNIZE MARTY'S ACCOMPLISHMENTS, HER COMMITMENT TO OUR GREAT CITY OF AUSTIN. THERE'S NO BETTER CALLING THAN PUBLIC SERVICE. SHE WILL TRULY BE MISSED. PRESENTED THIS 18TH DAY OF OCTOBER IN THE YEAR 2007, AGAIN SIGNED BY ME BUT ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL, THE CITY OF AUSTIN DISTINGUISHED SERVICE AWARD FOR MS. MARTY TERRY. [APPLAUSE]

WELL, I TOLD YOU WE HAD TWO REALLY EXTRAORDINARY WOMEN, AND THIS IS THE SECOND. MARTY AND I GO BACK A LONG WAY AND WE'VE DONE --

DON'T.....DON'T TALK ABOUT IT.

SO MANY PROJECTS I CAN'T EVEN NAME THEM ALL.

MARTY STARTED WITH THE CITY IN 1990. SHE'S JUST A BABY IN ALL OF THIS. SHE STARTED ACTUALLY IN AUSTIN ENERGY.

I DON'T THINK MANY PEOPLE REALIZE THAT SHE PRACTICED UTILITY REGULATORY LAW FOR OVER 20 YEARS, BECAUSE WHAT MARTY IS KNOWN FOR IS THE DIRT. MARTY KNOWS EVERYTHING THERE IS TO KNOW ABOUT DEVELOPMENT AND ENVIRONMENTAL LAW. I MEAN, MARTY IS THE GO-TO PERSON WHEN YOU ARE TALKING ABOUT THE DEVELOPMENT OF LAND, WATER AND WASTEWATER SERVICE, ENVIRONMENTAL LAW, CONSTRUCTION LAW OR REAL ESTATE LAW. HER LOSS IS GOING TO BE EXTRAORDINARY FOR US IN THE CITY OF AUSTIN. I JUST CAN'T FATHOM WHAT IT'S GOING TO TALK. TALK ABOUT STEPPING INTO SOMEBODY'S SHOES. VERY, VERY, VERY DIFFICULT. SHE HAS EARNED THE RESPECT OF ANFREP OF HER COWORKERS, CERTAINLY MY RESPECT. SHE GIVES YOU THE BOTTOM LINE. SHE HAS ASSISTED WITH THOUSANDS OF ZONING CASES, HUNDREDS OF LAND DEVELOPMENT PROJECTS, MEDIATIONS, LITIGATIONS. SHE TESTIFIES MCHER SPARE TIME AT THE LEGISLATURE, AND THEN IF THAT'S NOT ENOUGH SHE TEACHES OTHER ATTORNEYS IN TOWN HOW TO DO DIRT. SHE'S A GRADUATE OF THE UNIVERSITY OF TEXAS SCHOOL OF LAW. SHE'S LICENSED IN THE U.S. DISTRICT COURTS FOR NORTHERN, SOUTHERN, WESTERN DISTRICTS OF TEXAS AND SHE'S ALSO LICENSED TO PRACTICE BEFORE THE SUPREME COURT OF THE UNITED STATES. ONCE AGAIN, INCREDIBLY DIFFICULT TO REPLACE BECAUSE WHO IS GOING TO WEAR HER SOCKS? [LAUGHTER] MARTY, THERE WE GO. THERE WE GO. [APPLAUSE] WE'RE ACTUALLY HAVING A PARTY LATER, AND MARTY, YOU ARE GOING TO BE TERRIFIED TO KNOW THAT DURING A LAY-OVER IN AN... IN AN AIRPORT WHERE I HAD -- I FOUND A SOCK SHOP AND YOU HAVE MANY PAIRS OF SOCKS COMING FROM ME. I CAN'T WAIT TO SHOW YOU EACH AND EVERY ONE OF THEM. BUT FIRST WE'LL START WITH GIVING YOU A RETIREMENT PIN. SO FROM US, YOUR VERY OWN, I DID NOT EVEN KNOW THESE EXISTED, YOUR -- YOUR VERY OWN CITY OF AUSTIN RETIREMENT PIN. YOU MAY HAVE A ONE OF A KIND, MARTY. A CITY OF AUSTIN RETIREMENT PIN. THERE WE GO. [APPLAUSE] AND ONLY BECAUSE, HONESTLY, ANYONE WHO DEALS WITH LAND DEVELOPMENT IN THIS COMMUNITY DESERVES A METAL OF HONOR, MARTY YOU GET A METAL OF HONOR. CAN T CAN ACTUALLY FIT? THERE WE GO. IT'S ON. ALL RIGHT. AND THEN I THINK THAT YOUR BOSS WOULD

LIKE TO SAY JUST A COUPLE QUICK WORDS. COME, DAVID.

THE -- I HAVE KNOWN MARTY AND HER HUSBAND FOR A LONG TIME. I THINK MASON AND I MET 30 YEARS AGO AT THE TRAVIS COUNTY COURTHOUSE WHEN WE WERE BOTH PRACTICING AT THE TIME WHAT WE CALLED COURTHOUSE LAW. IN OTHER WORDS, YOU WOULD TAKE CASES IF THEY PAID YOU, DEBATE DIDN'T MATTER WHAT IT WAS. I SUSPECT MARTY MAY BE A LITTLE BIT NERVOUS TO HAVE ME UP HERE WITH A MICROPHONE IN FRONT OF ME. I DON'T KNOW FOR SURE. THERE'S REALLY ONLY TWO POINTS I WOULD LIKE TO MAKE TO ADD TO ALL THE TRUE AND KIND THINGS THAT HAVE BEEN SAID. OR AS MARTY WOULD SAY, HERE'S THE DEAL. WHEN I BECAME THE CITY ATTORNEY I SHARED WITH MY UPPER MANAGEMENT TEAM WHAT I CALLED MY VISION, AND A KEY ELEMENT OF THAT VISION WAS TO BUILD AND MAINTAIN VERY STRONG RELATIONSHIPS OF TRUST WITH THE CLIENTS THAT WE REPRESENT AND ADVISE. NOW, MARTY'S REACTION, SHE DID NOT SAY IT, BUT HER REACTION WAS, NO SHOOT, ENSURE.....SHERLOCK. MARTY ALREADY KNEW THIS. MARTY LIVED IT DAY-TO-DAY. MARTY CARES ABOUT THE PEOPLE THAT SHE WORKS WITH AND THE PEOPLE THAT SHE WORKS FOR. AND SHE DID NOT REALIZE EARLIER TODAY THAT THE MICS WERE LIVE WHEN SHE WAS HAVING A CONVERSATION WITH THE MAYOR PRO TEM. I HAVE HER ON TAPE. [LAUGHTER] MARTY SAID, "I DON'T WANT -- I WON'T MISS THE WORK BUT I'LL MISS THE PEOPLE, IN TALKING TO THE MAYOR PRO TEM ABOUT LEAVING. BY MY OBSERVATION THAT IS ABSOLUTELY TRUE, AND MARTY, I THINK THE PEOPLE WILL MISS YOU. THIS PAST MAY THE CITY MANAGER, PUBLIC SERVICE RECOGNITION WEEK, ASKED EACH DEPARTMENT THAT WAS BEING RECOGNIZED FOR ITS COMMITMENT TO PUBLIC SERVICE TO NAME AN INDIVIDUAL THAT WOULD REPRESENT THAT DEPARTMENT, BE THE FACE OF THAT DEPARTMENT. NOW, THE LAW DEPARTMENT HAS OVER 80 EMPLOYEES, BUT WHEN THE QUESTION CAME UP IN MY EXECUTIVE TEAM, ALMOST INSTANTLY SEVERAL OF US THOUGHT ABOUT MARTY. WHEN THE QUESTION CAME UP, WHO DO YOU THINK IS THE FACE OF THE LAW DEPARTMENT? MARTY WAS THE ANSWER. I THINK YOU UNDERSTAND WHY. AND IT'S NOT JUST WHAT THE PEOPLE IN THE LAW DEPARTMENT SEE IN MARTY'S...Y'S PROFESSIONALISM AND

HER CARING. THE REACTIONS I HAVE HEARD SINCE SHE ANNOUNCED THE NEWS THAT SHE WAS RETIRING, I MEAN, THEY ARE SO VARIED, THEY'RE SO HEARTFELT, THEY'RE SO NICE, BUT THE GENERAL THEME IS, WHAT ARE YOU GOING TO DO TO REPLACE MARTY? SHE DOES SO MUCH. LAST THING I WANT TO TALK ABOUT IS I THINK WHAT MARTY HAS DONE FOR ME AS THE CITY ATTORNEY. MARTY HAS VERY MUCH A CAN-DO APPROACH TO THE PRACTICE OF LAW. OKAY, BOSS, YOU KNOW, TELL ME WHAT TO DO AND I'LL DO IT. SHE CAN DO. IT'S -- IT'S AN ISSUE OF CHARACTER, AND MARTY HAS GOOD, STRONG CHARACTER. EVERY DAY, IN HER WORDS, SHE SUITS UP AND SHOWS UP. IF I ASKED HER TO WALK INTO A BAND SAW FOR ME, I THINK SHE WOULD. [LAUGHTER] AND LET ME FINISH WITH ONE LITTLE STORY. [LAUGHTER] LET ME FINISH WITH ONE LITTLE STORY THAT HAPPENED TODAY. I WAS SITTING ON THE DAIS EARLY ON DURING THE CONSENT AGENDA. I WAS CALLED TO A MEETING WITH THE CITY MANAGER. HAD TO LEAVE. I JUST GOT MARTY'S ATTENTION. SHE IMMEDIATELY CAME UP, TOOK OVER FOR ME. WHILE I WAS IN THE MEETING WITH THE CITY MANAGER, COUNCIL FINISHED THE CONSENT AGENDA AND THEN STARTED TO RECESS AND GO INTO CLOSED SESSION FOR EXECUTIVE SESSION. THE CITY MANAGER LOOKED AT ME AND SHE SAID, ARE WE COVERED DOWN THERE? AND I SAID, MARTY'S GOT IT COVERED. AND THE CITY MANAGER GOES, OKAY, AND WE GO BACK TO OUR MEETING. NOW, I HOPE I'VE TOLD THE STORY WELL ENOUGH THAT YOU CAN SEE THE POINT I'M TRYING TO MAKE. I WAS COMFORTABLE, THE CITY MANAGER WAS COMFORTABLE, MARTY HAD IT COVERED. SO I WANT TO TAKE THIS OPPORTUNITY TO THANK YOU, MARTY, FOR YOUR SUPPORT AND FOR LETTING ME RELY ON YOU. [APPLAUSE]

MY TURN? OKAY, GUYS, YOU'RE GOING TO HAVE TO HANG WITH ME BECAUSE YOU KNOW I CRY AT THE DROP OF A HAT. FIRST OF ALL, THANK YOU, MAYOR AND COUNCIL. THIS CITY HAS BEEN INCREDIBLY GOOD TO ME. IT HAS BEEN MY HONOR AND PRIVILEGE TO SERVE THE CITIZENS OF TEXAS -- OF AUSTIN, TEXAS, AND TO WORK OVER THE YEARS WITH SOME INCREDIBLY EXCEPTIONAL PEOPLE. BUT I DO HAVE SOME SPECIAL THANKS, LIKE SONDRAL. FIRST, FAMILY AND FRIENDS. MY HUSBAND, MASON, AND MY DAUGHTER SARAH

AND RAVEN. MY DAUGHTER CELIA AND MY VERY PERFECT GRANDCHILDREN, SYLVIA. CHEF PUT UP WITH LONG HOURS AND NIGHT DUTY AND WEEKEND DUTY, WHACKY PHONE CALLS, AND THE PAY-BACK TIME IS HERE FOR THEM. THE HONEY DO LIST WILL KNOCK YOUR SOCKS OFF. ALTHOUGH MASON INSISTS THAT COOKING IS NOT ONE OF THE ITEMS ON THE LIST. I ALSO HAVE TO THANK MY FRIENDS, LINDA HOLLOWAY, MY VERY BEST FRIEND, WHO HAS BEEN INCREDIBLY SUPPORTIVE OVER THE YEARS, AND ESPECIALLY AL EX HATHAWAY. NEXT MY COLLEAGUES, THANKS TO JOHN GOODY AND FREDDIE HERRERA WHO CONVINCED ME TO COME TO THE CITY FROM LCRA. THANKS TO SALLY HENLY AND ANDY MARTIN WHO WERE CONFIDENT THAT AN OLD UTILITY REGULATORY LAWYER COULD DO DIRT AND SUPERVISE THE DIVISION. AND NOW THE HARD PART, MR. CITY ATTORNEY. I MADE A COMMIT..... COMMITMENT TO YOU SEVERAL MONTHS AGO THAT THE CONSTRUCTION LAND AND WATER DIVISION WOULD BE UP TO SPEED, BE FULLY READY AND CAPABLE OF CARRYING ON WITH A NEW DIVISION CHIEF. I BELIEVE I HAVE FULFILLED THAT COMMITMEN THE DIVISION CONSISTS OF SOME OF THE FINEST PUBLIC SERVANTS IT HAS BEEN MY PLEASURE TO WORK WITH. THEY ARE READY AND WILLING TO STEP UP TO THE PLATE, AND THAT -- AND I HAVE TO STOP AND SAY THAT THAT ALSO INCLUDES SOME FORMER MEMBERS, LIKE JOHN TRESNIKKI, COULD NOT BE HERE TONIGHT. ALL OF MY SUCCESSES ARE THE RESULT OF THEIR VERY HARD DEDICATED AND EXCELLENT WORK. ALL OF MY SHORTCOMINGS AND FAILINGS, WELL, THEY'RE MY OWN, AND THEY HAVE PROMISED ME THAT THAT THEY WILL REMIND YOU OF THAT WHEN I'M GONE. [LAUGHTER] SO I RETURN TO YOU THE DIVISION THAT WAS ENTRUSTED TO ME OVER 12 YEARS AGO, THE DIVISION I KNOW AS THE EARTH, WIND AND FIRE DIVISION, THE DIVISION THAT REGULARLY WALKS ON WATER. LADIES AND GENTLEMEN, THEY ARE DESERVING OF YOUR PRAISE AND YOUR APPLAUSE. [APPLAUSE] NOW COMES THE FUN PART. MADAM CITY MANAGER. I HAVE BEEN CARRYING THIS BAG ALL DAY LONG. OF THE CITY MANAGER I HAVE SERVED, YOU ARE THE ONE THAT HAS THE KEENEST VISION OF WHAT THIS CITY CAN AND SHOULD BE, AND YOU'VE CARED THE MOST ABOUT THE WELL-BEING OF THE CITY'S WORK FORCE. YOU PULLED US

THROUGH SOME INCREDIBLY -- AN INCREDIBLY DIFFICULT FINANCIAL PERIOD AND YOU DEMONSTRATED MOST CLEARLY THAT FEMA CONDITION MANAGE ITS WAY OUT OF A BROWN PAPER BAG. [LAUGHTER] NOW, THIS HAS NOT BEEN WITHOUT A LITTLE CONSTERNATION. THE STAFF KNOWS WHAT I MEAN. THE LATE NIGHT, EARLY MORNING PHONE CALLS AND EMAILS WITH A THOUSAND QUESTIONS YOU CAN'T ANSWER FAST ENOUGH. MY HAIRDRESSER STILL TALKS ABOUT THE TIME YOU HAD TO TALK TO ME ABOUT WATER TREATMENT PLANT NO. 4 WHILE, PICTURE THIS, FOLKS, I WAS GETTING MY HAIR WASHED FOR A HAIRCUT. ALL IN ALL, TOBY, YOU WERE RIGHT. YOU NAILED IT ON THE HEAD. IT HAS BEEN ONE VERY GOOD RIDE. SO I HAVE A SMALL GIFT FOR YOU TO REMEMBER ME BY, AND FOR YOU TO REMEMBER ALL THE GOOD FUN -- THE GOOD AND THE FUN STUFF, AND YOU HAVE TO OPEN IT RIGHT NOW. I WILL HOLD THE BAG.

ALL RIGHT. HOLD THE BAG. I'M AFRAID OF WHAT'S IN HERE.

IT WON'T BITE.

ALL RIGHT. I KNEW IT, MY OWN PAIR PAIR PARISOL.
[APPLAUSE]

HERE YOU GO. WITH THAT, MAYOR, I RELINQUISH THIS PODIUM FOR THE LAST TIME AS A VERY PROUD MEMBER OF THE CITY OF AUSTIN LAW DEPARTMENT. I THINK I'M DONE.
[APPLAUSE]

THERE IS A PARTY NEXT DOOR. [LAUGHTER]

MAYOR WYNN: FOR OUR LAST PROCLAMATION I'D LIKE TO TURN THE PODIUM OVER TO COUNCIL MEMBER LEE LEFFINGWELL.

LEFFINGWELL: GIVE EVERYONE JUST A MOMENT TO EXIT FOR THE BIG PARTY NEXT DOOR.

LEFFINGWELL: WELL, THAT WAS A VERY HARD ACT TO FOLLOW THERE SO I'M GLAD I HAVE SOME GOOD PROPS HERE. IT TOOK A SPECIAL TERM TO GET THESE SPECIAL GIFTS IN HERE TONIGHT. THEY'RE NOT NORMALLY ALLOWED

IN CITY HALL ALTHOUGH PEOPLE HAVE TRIED TO GET SOME
IN WHEN THEY'RE PARTICULARLY UPSET ABOUT
SOMETHING. SO IT'S MY PLEASURE TO ISSUE A
PROCLAMATION FOR PETS AMERICA, AND THESE FOLKS
STANDING BEHIND US WITH THEIR SHAR.....CARTRUCE T-
SHIRT. ESPECIALLY SHANNON STEWART. WHERE IS
SHANNON? THERE SHE IS BACK THERE, AND RECEIVING THE
PROCLAMATION WILL BE MIKE GUERRA, ON BEHALF OF THE
GROUP. PETS AMERICA IS A GROUP THAT WAS FORMED
PRIMARILY IN THE WAKE OF HURRICANE KATRINA WHEN SO
MANY PETS WERE LOST AND INJURED, AND WHAT THEY DO
NOW IS THEY EDUCATE THE PUBLIC ON HOW TO PREPARE
THEIR PETS FOR DISASTER ON FIRST AID FOR PETS, AND DO
A VERY GOOD JOB AT IT. AND JUST A MONTH OR SO AGO THE
COUNCIL PASSED AN ITEM WHICH PROVIDED OUR EMS
EMERGENCY PROVIDERS. THERE'S JASON MARTIN BACK
HERE WITH EMS, MADE SURE THAT THEY WOULD HAVE
OXYGEN MASKS FOR PETS, SO WHEN THEY WENT INTO A
SITUATION, ALONG WITH OUR FIRE DEPARTMENT, OF
COURSE, WHERE THERE WERE FUMES, SMOKE, ET CETERA,
THEY COULD FIT THE PETS WITH MASKS AS WELL AS THE
PEOPLE AND GET THEM ALL OUT SAFELY. SO WE'RE PROUD
OF THAT. SO THE PROCLAMATION READS, BE IT KNOWN
THAT WHEREAS PETS AMERICA, FOUNDED AFTER
HURRICANE KATRINA, WORKS WITH EMERGENCY PLANNERS
TO PROVIDE SHELTER FOR PEOPLE AND PETS ADJACENT TO
ONE ANOTHER TO ALLOW THEM TO STAY TOGETHER WHEN
EVACUATED AND WHEREAS PETS AMERICA HAS CREATED
EDUCATIONAL PROGRAMS FOR PET OWNERS AND DEVELOPED
PARTNERSHIPS WITH VETERINARIANS AND EMERGENCY
MANAGERS TO ASSIST FAMILIES WITH PETS DURING AN
DISASTER AND WHEREAS PETS AMERICA HAS EQUIPPED
LOCAL EMERGENCY RESPONDERS WITH SPECIALIZED PET
OXYGEN MASKS AND TRAINING IN THEIR USE, AND WHEREAS
PETS AMERICA HAS EXPANDED TO SERVE COMMUNITIES
NATIONWIDE, WE ARE PLEASED TO RECOGNIZE THEIR MANY
SUCCESSSES DURING THE SPECIAL MONTH. THEREFORE, I,
WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, TO
HEREBY PROCLAIM OCTOBER 2007 AS NATIONAL ANIMAL
SAFETY AND PROTECTION MONTH. [APPLAUSE]

SO MIKE IS GOING TO SAY A FEW WORDS ON BEHALF OF

PETS AMERICA AND THEN I'LL HAVE JASON COME UP AND DEMONSTRATE THE PET OXYGEN MASK FOR US.

THANK YOU VERY MUCH.

I'M MICHAEL GUERRA, FOUNDING MEMBER OF THE BOARD OF DIRECTORS OF PETS AMERICA, AND ON BEHALF OF OUR BOARD, ELAINE AKER, WHO IS OUT OF STATE, ADVISORY COUNCIL, GREAT VOLUNTEERS, OUR ANIMALS ARE WITH US, I'M VERY MUCH APPRECIATIVE OF THIS PROK.....

PROCLAMATION, COUNCIL MEMBER AND TO THE MAYOR.

PETS AMERICA WAS BORN OUT OF HURRICANE KATRINA. I KNOW WE OFTEN WONDER DID ANYTHING GOOD COME OF THAT, AND THIS IS ONE OF THOSE GREAT THINGS. WE ALL HEARD STORIES OF OWNERS AND PETS THAT WERE SEPARATED DURING THAT TIME, AND ONE OF THE THINGS THAT'S COME FROM THAT NOW IS A MOVEMENT THAT PETS AMERICA AND ELAINE HAVE SHEPHERDED NOT JUST THROUGH TEXAS BUT THROUGH OTHER STATES TO OPEN FRIENDLY SHELTERS, FOR THE TIMES WHEN WE DO HAVE EVACUATIONS, THAT OWNERS OF PETS OF ALL SIZES AND ALL FURRS AND ALL KINDS WILL NOT BE SEPARATED, AT LEAST NOT FAR, OR WILL KNOW HOW TO FIND THEIR ANIMALS DURING THAT TIME. A GREAT, GREAT ACCOMPLISHMENT IN AND OF ITSELF. BUT WE REALIZE THAT WASN'T THE ONLY THING TO DO, THAT KIND OF BEING IN THAT DISASTER RELIEF AND RESPONSE MODE WAS SEASONAL AND WE HOPED THAT IT WOULDN'T BE VERY SEASONAL AT ALL, BUT REREALIZED THAT ALSO DURING THAT TIME DOING EDUCATION AROUND SAFETY FOR PET OWNERS AND WORKING WITH EMS DEPARTMENTS AND FIRE DEPARTMENTS AROUND PET SAFETY WAS CRITICALLY IMPORTANT. SO THERE IS A BOOK COMING COMING OUT VERY SOON ABOUT EMERGENCIES AND PETS, WE'RE REALLY EXCITED ABOUT THAT. I BROUGHT SHOW AND AT ALL. BESIDES THE VOLUNTEERS WHO ARE -- PREPARED TO STAFF SHELTERS AND DO PET FIRST AID, WE BROUGHT A COUPLE ANIMALS WITH US, AND JASON MARTIN BROUGHT MOBY WITH HIM, AND THIS IS ONE OF THE MASKS THAT COUNCIL MEMBER LEFFINGWELL REFERRED TO THAT THEY CAN PUT ON, AND IT'S HOOKED UP TO A OXYGEN TENT AND ALL THE FIRE AND EMS DEPARTMENTS ARE EQUIPPED WITH THESE. LOOK HOW GREY GREAT HE IS? HE'S NOT MOVING A

BIT. WHAT A GREAT THING THAT NOW ALL THESE ARE
AROUND FOR OUR PETS IN TIMES OF DISASTER. SO THANK
YOU ALL VERY MUCH. THANK YOU COUNCIL MEMBERS.
[APPLAUSE]

THANK YOU ALL. RANCHO ALTO HE HAD BLUESTEIN ED
BLUESTEIN BLUE STEIN MANCHACA MANCHACA

WE CONCLUDED 51. WE DID NOT TAKE UP --

MAYOR WYNN: THERE BEING A QUORUM PRESENT AT THIS
TIME I'LL CALL BACK TO ORDER THE MEETING OF THE CITY
COUNCIL. WE'VE BEEN RECESSED FOR OVER AN HOUR. I
APOLOGIZE FOR THE DELAY AND APPRECIATE YOU-ALL'S
YOU-ALL'S PATIENCE. WE STILL HAVE A COUPLE ZONING
CASES TO GET THROUGH BEFORE WE THEN START
CONDUCTING OUR EVENING PUBLIC HEARINGS. SO I'LL
WELCOME BACK MR. GREG GUERNSEY.

GUERNSEY: MAYOR, I'M ADMIRING YOUR DINOSAUR UP
THERE.

MAYOR WYNN: THE PROTEST.

OH.

MAYOR WYNN: IN CASE YOU HAVEN'T HEARD MANGA'S PIZZA,
THE GREAT DINOSAUR UP ON NORTH -- GUADALUPE --
WHERE IS IT? SO THE CITY DECIDED THAT THE DINOSAUR IS
THE SIGN ADVERTISING THE BUSINESS, AND IT'S IN
VIOLATION OF OUR SIDE ORDINANCE, AND SO WE'RE GOING
TO -- AND SO I GUESS -- I GUESS PETER PAN -- PETER PAN
GOLF IS ILLEGAL TOO SO WE'RE GOING TO CHANGE OUR
SIGN ORDINANCE. THIS IS IN SUPPORT OF MANGIA'S PIZZA.
[APPLAUSE]

GUERNSEY: MAYOR AND COUNCIL, NEXT ITEM IS 67, AND 68,
I'D LIKE TO PRESENT THEM TOGETHER BECAUSE THEY ARE
RELATED. ITEM NO. 67 IS NPA-07..... NPA-07-0001.01, FORT
MAGRUDER. THIS IS WITHIN THE DAWSON NEIGHBORHOOD
PLAN, FOR AN AMENDMENT TO THE AUSTIN TOMORROW
COMPREHENSIVE PLAN TO CHANGE THE LAND USE
DESIGNATION WITHIN THEIR FUTURE LAND USE MAP FROM

SINGLE-FAMILY TO MIXED USE FOR THE PROPERTIES LOCATED AT 213 DUNLAP, 3808, 3811, 3812, 3814, 3902, 3904, 3906, WADFORD STREET, AND 3907-A REYNA STREET. THE PLANNING COMMISSION'S RECOMMENDATION WAS TO GRANT THE MIXED USE DESIGNATION FOR 207, 209, 211 AND 213, DUNLAP AND 3811, 3902, 3904, 3906 WADFORD AND 3907-A REYNA STREET AND NEIGHBORHOOD MIXED USE FOR, AND 3808, 3812 AND 3814 WADFORD STREET. THE ZONING CASE THAT'S RELATED TO A PORTION OF THIS PROPERTY I WENT OVER PREVIOUSLY. ITEMS NO. 68, CASE C14 2007-0048, LOCATED AT 3811 WADFORD. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE OR SF-3-NP, STANDS FOR NEIGHBORHOOD PLANNING, COMBINING DISTRICT ZONING, TO GENERAL COMMERCIAL SERVICES MIXED USE CONDITIONAL OVERLAY, NEIGHBORHOOD PLAN OR CS-MU-CO-NP ZONING. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT COMMUNITY COMMERCIAL-MIXED USE, CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR GR-MU-CO NP COMBINING DISTRICT ZONING. THE NEIGHBORHOOD PLAN AMENDMENT IS A COLLECTION OF VARIOUS PROPERTIES THAT ARE LOCATED NORTH OF BEN WHITE BOULEVARD AND WEST OF CONGRESS AVENUE. THE AMENDMENT SPECIFICALLY WOULD LOOK AT CHANGING THE FUTURE LAND USE MAP TO ALLOW MIXED USES ON THESE PROPERTIES. THE PLANNING COMMISSION'S RECOMMENDATION, AS I MENTIONED BEFORE, WAS MIXED USE, AND IN YOUR BACKUP MATERIAL WE HAVE A MAP THAT SPEAKS TO MIXED USE, FORT MAGRUDER 3 AND FORT MAGRUDER 1. FORT MAGRUDER 3 BEING THE TRACT THAT -- BETWEEN DUNLAP AND WEST BEN WHITE BOULEVARD AND BETWEEN DONE LAB WEST OF -- ON FORTH MANAGE 4 THAT WAS DESIGNATED FOR MIXED USE. ON THAT PARTICULAR TRACT ON FORT MAGRUDER 4, THE PLANNING COMMISSION ADDED AN ADDITIONAL CONDITIONAL THAT THE FUTURE LAND USE MAP WOULD SHOW A 75-FOOT BUFFER FROM THE EXISTING SINGLE-FAMILY PARCEL TO THE NORTH OF THAT PROPERTY, AND WHICH NO PRIMARY COMMERCIAL USES WOULD BE ALLOWED. THESE WERE PROPERTY OWNER INITIATED AMENDMENTS TO THE NEIGHBORHOOD PLAN. THERE IS DISAGREEMENT BY THE NEIGHBORHOOD, AND THEY FEEL VERY STRONGLY ABOUT SOME OF THE POSITIONS IN

OPTION..... OPPOSITION TO MIXED USE IN PORTIONS OF THIS. I'D LIKE TO COVER A COUPLE COMMENTS THAT -- ON FORT MAGRUDER 4. THE STAFF RECOMMENDED AN ALTERNATIVE RECOMMENDATION OF NEIGHBORHOOD MIXED USE. THIS CAME UP AT THE PLANNING COMMISSION MEETING. WE HAD BEEN WORKING WITH SOME OF THE SOUTH LAMAR COMBINED NEIGHBORHOODS TRYING TO CREATE A TOOL THAT WOULD CREATE A NEIGHBORHOOD MIXED USE CATEGORY THAT WOULD BE FOCUSED MORE FOR USES THAT WOULD RELATE TO NEIGHBORHOODS RATHER THAN A COMMUNITY-WIDE AREA. WE FELT THAT THE NEIGHBORHOOD MIXED USE WAS APPROPRIATE FOR THIS BLOCK AREA, THAT IT WOULD FACE DUNLAP. WE'VE ALSO RECOMMENDED THE MIXED USE ACROSS THE STREET, IMMEDIATELY ACROSS DUNLAP TO THE TRACT THAT'S BETWEEN BEN WHITE AND -- THAT IS MAGRUDER NO. 3. WE FELT IT WAS APPROPRIATE FOR THE NEIGHBORHOOD MIXED USE DESIGNATION GIVEN THE SINGLE-FAMILY USES THAT WERE EXISTING TO THE NORTH AND WERE ALREADY IDENTIFIED IN THEIR PLAN AND THAT THE NEIGHBORHOOD MIXED USE WAS ACTING AS A TRANSITION AND WOULD TRANSITION UP... UPWARD TO THE MIXED USE DESIGNATION FOR THE MORE INTENSIVE LAND USE THAT WAS ALONG BEN WHITE BOULEVARD. OUR NEW COMMERCIAL DESIGN STANDARDS WOULD TYPICALLY REQUIRE COMMERCIAL DEVELOPMENT TO FACE A STREET SUCH AS DUNLAP RATHER THAN TO BACK UP TO THE LIMITED ACCESS HIGHWAY, AND WE FELT THIS WOULD COMPLEMENT THAT. ALSO GIVEN THAT THERE WERE COMMERCIAL DESIGNATIONS -- MIXED USE DESIGNATION ALREADY ALONG BEN WHITE, THAT WE FELT THAT THAT WAS APPROPRIATE. THE NEIGHBORHOOD PLAN HAS A PORTION OF A PLAN THAT SPEAKS TO PRESERVING THE RESIDENTIAL CHARACTER OF THE INTER-NEIGHBORHOOD AND THE COMMERCIAL CHARACTER OF SOUTH 1ST STREET AND SOUTH CONGRESS AVENUE, AND THIS IS SOMETHING THAT THE NEIGHBORHOOD FEELS VERY STRONGLY AND DISAGREES WITH STAFF AND LOOKS AT THIS FORT MAGRUDER BLOCK AS BEING INTERIOR. SO I'M SURE YOU'LL HEAR SOME COMMENTS FROM THE NEIGHBORHOOD IN REGARDS TO THAT. I THINK AT THIS TIME I'LL PAUSE ON THE NEIGHBORHOOD PLANNING CASE. THE ZONING CASE SELF

ITSELF IS ON FORT MAGRUDER 1, WHICH IS THE TRACT THAT IS IMMEDIATELY EAST OF WADFORD BETWEEN, BETWEEN CONGRESS AND WADFORD, SOUTH OF CREBS AND NORTH OF DONE LAMB. IT'S INDIVIDUAL PROPERTY OWNERS BRINGING FORTH THIS REQUEST,.. STAFF HAD MADE AN ALTERNATE RECOMMENDATION FOR GRM. OOH WHICH IS A MORE RESTRICTIVE RETAIL CLASSIFICATION BUT STILL ALLOWING MIXED USES, THEY ALSO SUGGESTED THAT THE FOLLOWING USES BE PROHIBITED AND THEY WERE ALSO RECOMMENDED BY OUR PLANNING COMMISSION, THOSE WOULD PROHIBIT THE AUTOMOTIVE USES OF AUTOMOBILE REPAIR SERVICES, RENTALS, SALES, WASHING, BAIL BONDS, COMMUNITY RECREATION PUBLIC AND PRIVATE, DRIVE-THROUGH SERVICES THAT ARE ASSOCIATED AS AN ACCESSORY USE, HOTEL-MOTEL, OFF-SITE ACCESSORY PARKING, PAWNSHOP SERVICES AND SERVICE STATIONS. THE APPLICANT ALSO HAS AGREED TO A 1,000 VEHICLE TRIP CAP ON THIS PARTICULAR PROPERTY. AS I MENTIONED EARLIER, THERE ARE SINGLE-FAMILY HOMES THAT ARE LOCATED NORTH OF MAGRUDER 4 AND THERE ARE COMMERCIAL USES THAT PRETTY MUCH PRIMARILY FRONT ON CONGRESS AVENUE AND PORTIONS OF BEN WHITE. THE FORT MAGRUDER THREE TRACT RIGHT NOW IS NOT DEVELOPED, WITH A LOT OF COMMERCIAL USES, IT'S MAINLY RESIDENTIAL, AND THAT THE TRACT THAT IS IMMEDIATELY TO THE WEST, THAT IS THE CROSSHATCH TRACT, IS A VACANT TRACT RIGHT NOW. I THINK WITH THAT I'LL PAUSE AND THEN I'LL LET THE APPLICANT'S.....APPLICANT'S AGENT PRESENT THESE CASES, AND I'M SURE WE HAVE -- I KNOW AT LEAST ABOUT SEVEN PEOPLE HERE FROM THE NEIGHBORHOOD THAT WOULD CERTAINLY LIKE TO SPEAK TO THESE CASES. IF YOU HAVE ANY QUESTIONS I'LL BE HAPPY TO ANSWER THEM AT THIS TIME.

MAYOR WYNN: QUESTIONS FOR MR. GUERNSEY? COUNCIL MEMBER LEFFINGWELL.

LEFFINGWELL: THE NEIGHBORHOOD MIXED USE, IS THAT ONLY ON TRACT 4 OR IS THERE SOME OF IT ON FACING DUNLAP ON TRACT 3?

GUERNSEY: THAT IS ONLY ON THE TRACT THAT'S NORTH OF

DUNLAP, WHICH IS FORT MAGRUDER 4.

LEFFINGWELL: TRACT 4.. 4 IS THE ONLY --

IS THE ONLY ONE -- THE COMMISSION RECOMMENDED.

MAYOR WYNN: ARE THERE QUESTIONS OF STAFF, COUNCIL? COMMENTS? IF NOT, WITHOUT OBJECTION THEN WE'LL CALL UP THE COMBINED ITEMS 67 AND 68 AS THE VAST MAJORITY OF SPEAKERS ARE SIGNED UP FOR BOTH ITEMS, AND WE WILL HAVE -- WE'D NORMALLY SET A TIME -- THE CLOCK FOR FIVE MINUTES FOR THE PRESENTATION BY AN AGENT OR APPLICANT OR OWNER. IN THIS CASE THE NUMBER OF FOLKS HERE IN SUPPORT OF THIS CASE AND OR DESIGNATION HAS OFFERED TO DONATE TIME TO MR. THROWER, SO WITHOUT OBJECTION, LET'S SEE, IS TAMMY BOWMAN HERE?

SHE HAD TO LEAVE.

HOW ABOUT BROAD POLLY?

WELCOME. JOHN YERRELL? HOW ABOUT AUDRA WIRT? WELCOME, AUDRA. RON THAT WOULD GIVE YOU UP TO 11 MINUTES FOR YOUR INITIAL PRESENTATION. WE HAVE A NUMBER OF FOLKS WHO WANT TO SPEAK BOTH IN FAVOR AND AGAINST AND THEN YOU'LL HAVE A CHANCE TO REBUT AT THE END. SET THE CLOCK FOR 11 MINUTES. WELCOME.

THANK YOU, MAYOR, MAYOR PRO TEM, COUNCIL MEMBERS, RON THROWER REPRESENTING THE LANDOWNERS AT THE SOUTH END OF DAWSON NEIGHBORHOOD. THE PLAN THAT'S IN FRONT OF YOU RIGHT HERE IS THE DAWSON FUTURE LAND USE MAP WHICH WAS ADOPTED A LITTLE OVER A YEAR AGO. WE'RE GOING TO BE LOOKING AT THE SOUTH SIDE OF THE PROPERTY IN MORE DETAIL. WE HAVE PROPERTY ON BEN WHITE, DUNLAP STREET, REYNA STREET, AND IT COMPRISES OF 15 LOTS THAT ARE INSIDE THIS AREA AND THEY'RE CURRENTLY, AS YOU CAN SEE, SHOWN AS SINGLE-FAMILY ON THE FUTURE LAND USE MAP. THE AREA -- THIS IS AN AERIAL SHOWING THE FUTURE LAND USE MAP ON TOP OF THE AERIAL. YOU CAN SEE BEN WHITE TO THE SOUTH. YOU CAN SEE SOUTH CONGRESS ON THE EAST AND SOUTH FIRST

ON THE WEST, AND IN THE AREA WE HAVE THE SO-CALLED LOFTS, WHICH IS UNDER CONSTRUCTION RIGHT NOW. THERE'S PEN SALES, WHICH IS ON THE NORTH SIDE, AND ON THE SOUTH SIDE THERE'S A CAPITAL METRO TRANSIT FACILITY THAT IS CURRENTLY UNDER CONSTRUCTION. THAT FACILITY IS A TRANSIT HUB THAT WAS APPROVED BY THE PLANNING COMMISSION NOT TOO LONG AGO AND IT'S UNDER CONSTRUCTION. IT'S FOR THE CAPITAL METRO ALL SYSTEMS GO PLAN TO PUT RAPID METRO BUS SYSTEMS ON SOUTH CONGRESS AND THEN UTILITY ON THE BEN WHITE CORRIDOR. AND OUR PROPERTY FRONTS, AS I SAID, ON THE BEN WHITE CORRIDOR. TRAFFIC COUNTS, WE HAVE ABOUT 177,000 VEHICLES A DAY TODAY GOING THROUGH CONGRESS AND BEN WHITE. IN THE YEAR 2030 THEY'RE PROJECTED TO BE A LITTLE BIT CLOSER TO 265,000 VEHICLES A DAY. ZOOMING IN A LITTLE BIT CLOSER YOU CAN SEE THAT OUR PROPERTIES, 1, 3 AND 4 ARE SHOWN IN GREEN. THE PROPERTY THAT IS YELLOW INSIDE THE FORT MAGRUDER'S THREE BLOCK HAS RECENTLY ASKED THE COMMISSION TO HAVE HIS PROPERTY CHANGED TO MIXED USE AS WELL BUT CURRENTLY HE IS NOT PART OF OUR APPLICATION NOR AM I REPRESENTING HIM IN THAT ENDEAVOR. AND AN AERIAL VIEW LOOKING AT THE SITE, YOU CAN SEE THAT WE HAVE SOME SINGLE-FAMILY HOMES THAT ARE ON OUR PROPERTY, AND ON THE RIGHT-HAND SIDE BEHIND FORT MAGRUDER 4 YOU CAN SEE THE SINGLE-FAMILY HOME THAT IS ON ABOUT AN ACRE AND A HALF OF LAND. CURRENTLY THIS IS HOW THE LAND USE MAP LOOKS FOR THE DAWSON AREA. THE FUTURE LAND USE MAP SHOWS THE SINGLE-FAMILY ON BEN WHITE. OUR IDEA IS TO CHANGE IT TO MIXED USE BROWN. I AM NO LONGER IN FAVOR OF THE NEIGHBORHOOD MIXED USE DESIGNATION ON THE FORT MAGRUDER 4 AND I'LL GET INTO THAT IN A LITTLE BIT. WE HAVE A COMMERCIAL DESIGN STANDARDS THAT ARE NOW IN PLAY IN AUSTIN, AND THE IDEA OF THAT IS TO BACK THE PROPERTY -- TURN THE DEVELOPMENT AROUND SO WE NO LONGER HAVE PROPERTY FACING THE HIGHWAY. WE SHOULD HAVE PROPERTY WITH COMMERCIAL DEVELOPMENT FACING THE INTERIOR STREETS. AS SUCH, THE MAGRUDER 4 SHOULD GO MIXED USE AS WELL. IT CREATES A MORE VIBRANT STREET. IT CREATES 24-HOUR OCCUPANCY IN BOTH BLOCKS AND MAKES MORE OF AN

URBAN SETTING. CROSS SECTION 3 OF THE SITE YOU CAN SEE THERE'S THE HIGHWAY ON THE LEFT, A SINGLE-FAMILY HOME ON THE RIGHT AND I'LL ZOOM IN A LITTLE BIT AND YOU CAN SEE BY DOING A DEVELOPMENT ULTIMATELY WHEN WE GET INTO THE ZONING, THAT WE CAN HAVE A DEVELOPMENT THAT PROVIDES A GOOD AMOUNT OF DENSITY FOR THE AREA, A GREAT MIXED USE PROJECT AND CAN MEET COMPATIBILITY STANDARDS TO THE PROPERTIES ON CRABS. WE BUILT A MODEL TO HAVE A DISCUSSION WITH THE NEIGHBORS TO HAVE A STUDY OF WHAT WE COULD POSSIBLY DO ON THIS PROPERTY. WE HAVE AN ARCHITECT GENERATE A RENDERING IN CONFORM ANSWER TO THE PLAN, THE MODEL, OUR DISCUSSIONS AND EVERYTHING. SO WE LOOK FORWARD TO YOUR SUPPORT ON THIS PROPERTY. AGAIN, OUR ENDEAVOR IS FOR FIXED USE ZONING, AND WE ARE SEEKING THE MIXED USE INSTEAD OF THE NEIGHBORHOOD MIXED USE BECAUSE I HAD HEARD AT THE TIME OF THE PLANNING COMMISSION THREE HOURS PRIOR OF THIS NEW LAND USE CATEGORY, AND THE CATEGORY FITS EXACTLY WITH THE ULTIMATE USES THAT WE WANT TO DO FOR THE PROPERTY. I HAVE STATED TO THE NEIGHBORHOOD THAT ULTIMATELY WHEN WE DO COME IN FOR ZONING, THAT THERE IS ONLY SEVEN COMMERCIAL USES THAT WE WOULD LIKE TO DO ON THE FORT MAGRUDER 4 PROPERTY. THAT'S ALL THE USES THAT ARE WARRANTED FOR THAT TRACT, BUT THE PROBLEM IS, IS THAT THE ZONING DISTRICTS THAT ARE ALLOWED UNDER NEIGHBORHOOD MIXED USE ARE QUITE LIMITING IN THEIR FLOOR AREA RATIOS. WE HAVE A VERY DEEP LOT HERE, AND WE WOULD LIKE THE ABILITY TO HAVE AT LEAST A ONE-TO-ONE FAR AND AS SUCH WE NEED MIXED USE INSTEAD OF NEIGHBORHOOD MIXED USE DESIGNATION ON THIS PROPERTY. YOU HEARD MENTIONED EARLIER OF THE 75-FOOT BUILDING LINE, WHICH CAN OCCUR AT THE REAR OF THE PROPERTY, AND I THINK THAT CAN HELP AND TO ALLEVIATE A LOT OF FEARS OF ENCROACHMENT OF COURSE WE USED THIS PAST AND ALREADY ESTABLISHED LINE OF FORT MAGRUDER LANE WHICH EXISTS BEHIND THE COMMERCIAL PROPERTY, THE VACANT TRACK. AND AS YOU CAN SEE, THE 75-FOOT SET-BACK LINES UP WITH FORT MAGRUDER LANE IN THIS AERIAL VIEW AS WELL. THERE AGAIN, WE'RE LOOKING FOR YOUR SUPPORT FOR OUR

PROJECT AND I'M AVAILABLE IF YOU HAVE ANY QUESTIONS.

MAYOR WYNN: THANK YOU, MR. THROWER. QUESTIONS FOR THE AGENT, COUNCIL? COMMENTS? IF NOT, WE WILL HEAR FROM FOLKS WHO HAVE SIGNED UP IN FAVOR OF THE ZONING CASE, THREE MINUTES AT A TIME. EXCUSE ME. AND THEN FOLKS IN OPPOSITION AND THEN MR. THROWER WILL HAVE A REBUTTAL -- WE'LL JUST REMIND FOLKS THAT OCCASIONALLY IF YOU SEE ONE OF US STEP OFF THE DAIS KNOW THAT THERE'S FULL VIDEO AND AUDIO BEHIND US SO WE HEAR ALL THE TESTIMONY AND SEE IT. OUR NEXT SPEAKER IS MR. ROBBINS. WELCOME. YOU'LL HAVE THREE MINUTES TO BE FOLLOWED BY COAL ALEXANDER.

I'M ROB ROBBINS. I'M A REGISTERED ARCHITECT AND A U.S. GREEN BUILDING ACCREDITED PROFESSIONAL. I'M A PRACTICING ARCHITECT HERE IN THE CITY OF AUSTIN, AND ALSO I TEACH SUSTAINABILITY AND JUNIOR STUDIO AT THE SCHOOL OF ARCHITECTURE AT THE UNIVERSITY OF TEXAS. I AM ALSO THE OWNER OF 3812 WADFORD, WHICH IS A PART OF FORWARD MAGAZINE 4.. 4 FORT MAGRUDER 4 AND I AM ALSO THE NEIGHBOR ACROSS THE STREET FROM SONIA HUNTER'S CASE WHICH IS THE ZONING FOR THIS EVENING. I WANT TO POINT OUT THAT THIS PROJECT IS EXTREMELY ADVANTAGEOUS TO THE CITY BECAUSE OF ITS PLACEMENT IN THE NEIGHBORHOOD. IT'S ALONG A FREEWAY. IT IS ON THE EDGE OF THE NEIGHBORHOOD. IT IS NEAR A MAJOR TRANSPORTATION HUB, AND IT IS IT AN AREA THAT DUE TO NOISE IS INHOSPITABLE FOR TRADITIONALLY CONSTRUCTED WOOD FRAME SINGLE-FAMILY RESIDENCES. THIS PROJECT CREATES A RESPECTFUL TRANSITION TO THE INNER CORE OF THE NEIGHBORHOOD THROUGH USES OF NEIGHBORHOOD COMPATIBILITY STANDARDS OFF CREBS AND ALSO THE 75-FOOT NON-COMMERCIAL SETBACK THAT RON SPOKE OF EARLIER. BY ALLOW COMMERCIAL ON BOTH SIDES OF THE STREET WE KNOW FROM URBAN DESIGN PRINCIPLES THAT WE WILL CREATE MORE PEDESTRIAN ORIENTED PROJECT AND A MORE PLEASANT STREET SCAPE AND A MORE VIABLE PLACE FOR PEOPLE TO DO THEIR BUSINESS. THIS IS ALSO -- IN THE RIGHT PLACE USING APPROPRIATE PRINCIPLES FOR PROTECTING THE NEIGHBORHOOD THROUGH NEIGHBORHOOD COMPATIBILITY AND APPROPRIATE ZONING AND PROPOSED COMMERCIAL

RESTRICTION SETBACKS. IT'S GOOD FOR PROTECTING THE ENVIRONMENT THROUGH APPROPRIATE URBAN DENSITY, AND ALSO FOR REDUCING CAR TRIPS BY CREATING PEDESTRIAN ORIENTED AREAS NEW NEIGHBORHOODS AND TRANSPORTATION HUBS. THIS IS A WONDERFUL OPPORTUNITY FOR AUSTIN TO TAKE A BLIGHTED AREA AND MAKE A CONTRIBUTION THAT IS MORE SUSTAINABLE AND A MORE WONDERFUL PLACE TO LIVE. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, MR. ROBBINS. NEXT IS COAL ALEXANDER. YOU'LL BE FOLLOWED BY GLASSIST LONG.

I'M COAL ALEXANDER. I LIVE AT 210 DUNLAP STREET. WE'VE LIVED AT DUNLAP STREET FOR ALMOST A DECADE AND WE ARE IN SUPPORT OF THE LAND USE CHANGE. THANK YOU.

MAYOR WYNN: THANK YOU, SIR. WELCOME, GLADYS, YOU'LL HAVE THREE MINUTES TO BE FOLLOWED BY JULIE ALEXANDER.

I'LL GLADYS LONG AND MY HUSBAND AND I HAVE OWNED PROPERTY ON WADFORD FOR OVER 30 YEARS. WE'RE BOTH NATIVE AUSTINITES AND WE SUPPORT THE FLUM CHANGE AND THE REZONING.

MAYOR WYNN: THANK YOU, MS. LONG. WELCOME, JULIE, YOU'LL HAVE THREE MINUTES TO BE FOLLOWED BY MIKE CLEMETA.

THANK YOU. AS MY HUSBAND STATED WE LIVE AT 210 DONE LAMB STREET, WE'VE BEEN ON THE BLOCK FOR ALMOST A DECADE AND WE SUPPORT THIS CHANGE.

I'M MIKE CALEMATA. MY FAMILY HAS LIVED IN AUSTIN SINCE THE '30S, I WAS BORN AND RAISED HERE. WE OWN PROPERTY AT 213 DUNLAP AND WE SUPPORT THE PROJECT.

MAYOR WYNN: THANK YOU, SIR. WELCOME -- LET'S SEE, JIM, YOU'LL BE FOLLOWED BY HEATHER HEY WOOD.

GOOD EVENING AND THANK YOU. I AM JIM LAYSY. I LIVE AT 207 DUNLAP IN THE PROPOSED DEVELOPMENT AREA, AND I

ALSO IN MARCH WILL BE CELEBRATING MY 10TH YEAR AS A PROPERTY OWNER THERE. I'M VERY MUCH IN FAVOR OF THE PROJECT. THANK YOU VERY MUCH FOR YOUR CONSIDERATION.

MAYOR WYNN: THANK YOU, MR. LACY. WELCOME, HEATHER, YOU'LL BE FOLLOWED BY GABE GRAY A.

I RESIDE AT 3814 WADFORD STREET. I'VE BEEN THERE FOR THREE YEARS AND WE SUPPORT THE CHANGE. THANK YOU.

THANK YOU.

MAYOR WYNN: WELCOME, GABE. YOU'LL BE FOLLOWED BY CHUCK MURBI.

I LIVE AT 3814 WADFORD AND I'M IN VERY SUPPORT OF THE CHANGE.

MAYOR WYNN: THANK YOU. WELCOME, YOU'LL BE FOLLOWED BY LOOKS LIKE MAZ GUERRERO.

MY NAME IS CHARLES MURVY. I'M A NATIVE AUSTINITE, 206 DUNLAP, AND I SUPPORT THE CHANGE.

I'M GUERRERO. I'M A RESIDENT OF THE NEIGHBORHOOD AND I WANTED TO EXPRESS MY FEELINGS ON THE DEVELOPMENT THAT WILL GO ON. I HAVE BEEN LIVING HERE FOR THREE YEARS AND I'D LOVE TO TO SEE A BIG CHANGE. I'VE SEEN THE DEVELOPMENT THAT'S BEEN GOING ON IN THE NEIGHBORHOOD AND I CAN PICTURE WHAT WILL HAPPEN. I THINK IT WOULD ATTRACT MORE PEOPLE AND MORE COMMERCIAL SPACE. JUST THINK HOW MANY PEOPLE WOULD LOVE THE SHOPPING AND LIVING OFF OF CONGRESS AND HOW MUCH HOW FUN IT WILL BE TO ENJOY THE SURROUNDINGS. SO I HOPE YOU'LL HEAR ME OUT AND GO THROUGH WITH THE CHANGE.

THANK YOU. NEXT SPEAKER IS JEFER JENNIFER MURBY, TO BE FOLLOWED BY SONIA HUNTER.

I'M JENNIFER MAR BY AND I OWN PROPERTY AT 206 DUNLAP. I'VE LIVED IN THE AUSTIN SINCE THE EARLY '70S AND GREW

UP DOWN THE CORNER FROM THE DAWSON NEIGHBORHOOD AND I SUPPORT THE CHANGES FOR THIS NEIGHBORHOOD. THANK YOU.

MAYOR WYNN: THANK YOU. WELCOME, SONIA. YOU'LL BE FOLLOWED BY JAMES REYNA.

I'M SONYA HUNTER. I LIVE AT 3811 WADFORD. BEEN THERE FOR 17 YEARS. I DEFINITELY APPROVE OF THE CHANGES BEING MADE, WOULD LIKE TO GET MY PROPERTY CHANGED. I KNOW THERE'S BEEN SOME CONTENTION ABOUT WHAT MIGHT BE PUT IN MY PROPERTY. I WOULD LIKE TO LET EVERYONE KNOW THAT IF EVERYTHING GOES WELL, THIS SHOULD BE A VERY SMALL OFFICE FOR A COUPLE OF ATTORNEYS. THE PROPERTY THAT'S NEXT TO MINE IS -- HAS WEEDS ABOUT 3-FOOT TALL. THERE'S ABOUT 6 OR 8 TRUCKS PARKED THERE. BIG OLD NASTY STORAGE BUILDING. WE'D LIKE DEFINITELY LIKE SEE SOME IMPROVEMENT IN THE NEIGHBORHOOD. THANK YOU.

MAYOR WYNN: THANK YOU. JAMES HUNT CENTER.

GOOD EVENING, MY NAME IS JAMES REYNA. I AM THE SON OF MR. REYNA AND MY FATHER DIED NOVEMBER 1 OF 2006. MY FAMILY ORIGINALLY SETTLED HERE AT THAT SITE AT 211 DUNLAP IN THE EARLY 1920S. MY FIRST HOME WAS 209 DUNLAP, IN 1959. I AM THE EXECUTOR OF MY FATHER'S ESTATE. PRIOR TO MY FATHER'S ESTATE HE -- WHEN I INFORMED HIM ABOUT THIS PROJECT HE BECAME VERY EXCITED AND VERY HAPPY. IT WAS HIS DREAM COME TRUE. HE INSTRUCTED ME TO DO ALL I CAN TO CARRY THROUGH WITH THIS PROJECT AND TO HAVE IT COMPLETED. I AM IN COMPLETE SUPPORT OF THIS PROJECT. IT'S A WONDERFUL PROJECT, AND I'M SO VERY PROUD TO BE A PART OF IT. THANK YOU.

MAYOR WYNN: THANK YOU, JAMES. WELCOME, TONY REYNA, TO BE FOLLOWED BY REBECCA.

HI, I'M TONY REYNA, AND 212 DUNLAP HAS BEEN IN THE FAMILY FOR 48 YEARS, AND I SUPPORT THIS PROJECT. THANK YOU.

MAYOR WYNN: THANK YOU, MA'AM. REBECCA, WELCOME.

I'M BECKY REYNA AND MY HUSBAND COULD NOT BE HERE TONIGHT, PHIL REYNA AND HE IS A RECENT OF 3709 -- AND I'VE BEEN IN THE AREA FOR 35 YEARS AND WE SUPPORT THIS PROJECT.

MAYOR WYNN: THANK YOU, MS. RAIN EA. ARE THERE ANY ADDITIONAL FOLKS WHO WOULD LIKE TO GIVE US TESTIMONY IN FAVOR OF THIS COMBINED ZONING CASE AND FUTURE LAND USE MAP DESIGNATION? IF NOT, WE WILL GO TO FOLKS WHO HAVE SIGNED UP TO SPEAK IN OPPOSITION. OUR FIRST SPEAKER IS CYNTHIA MIDLAND. WELCOME, CYNTHIA, AND WHILE YOU'RE APPROACHING, LET'S SEE, IS SANDY MCMILL AND HERE? HELLO, SANDY, WELCOME. HOW ABOUT SHERYL -- SHERYL? SORRY, WELCOME. KATHLEEN MAGGER, WELCOME, AND LAIND OWENS. IS LINDA OWENS HERE? THAT'S FINE.

I'M DONATING MY TIME.

MAYOR WYNN: YES, MA'AM. THE RULES ARE THAT FOLKS HAVE TO BE PRESENT IN ORDER TO DONATE TIME. WE'LL CERTAINLY NOTE THAT -- FOR THE RECORD WE'LL HAVE LINDA SHOWN IN OPPOSITION AS WELL. CYNTHIA, YOU'LL HAVE 12 MINUTES AND YOU'LL BE FOLLOWED BY DANIEL UPDIKE.

OKAY. GOOD EVENING, MAYOR, MAYOR PRO TEM AND MEMBERS OF THE COUNCIL. MY NAME IS CYNTHIA MEDICALLAND, MED LAND, AND I'M THE CHAIR OF THE CONTACT TEAM AND I WAS THE ORIGINAL CHAIR WHEN WE WORKED ON OUR PLAN IN 1997, AND WE'RE THE FIRST PLAN TO GO THROUGH THE PROCESS. FIRST OF ALL, I'D LIKE TO COMMENT ON THE FINE PEOPLE THAT STOOD UP AND SAID THEY SUPPORT THIS PROJECT. UNFORTUNATELY THIS ISN'T ABOUT A PROJECT. IT'S ABOUT A FUTURE LAND USE MAP, AND WE HAVE NEVER BEEN -- WE HAD SOME MEETINGS WHERE WE DID TALK ABOUT THEIR PROPOSED PROJECT, AND WE DID VOTE ON SOME OF THE THINGS THAT THEY HAD IN THEIR PROJECT, AND WE'VE REALLY NOT TALKED ABOUT ZONING AND CONDITIONS AND STUFF LIKE THAT BEFORE THE NEIGHBORHOOD PLAN TEAM. THIS HAS ONLY BEEN

ABOUT CHANGING THE FUTURE LAND USE MAP. AND I WENT INTO GREAT DETAIL ABOUT THAT LAST YEAR WHEN WE WERE BEFORE YOU, SO I'M NOT GOING TO GO BACK OVER ALL OF IT, BUT I DO WANT TO SAY THAT OUR OPPOSITION TO THIS FLUM CHANGE IS NOT ABOUT FEAR OF DENSITY. IT IS NOT ABOUT RESISTING CHANGE. IT IS NOT VERTICAL MIXED USE. IT IS NOT ABOUT PROBLEMS WITH TRANSPORTATION CORRIDORS. OUR OPPOSITION IS ABOUT THE UNDERMINING -- THE ADOPTED NEIGHBORHOOD PLAN ITSELF AND ATTEMPTS TO CIRCUMVENT THE NEIGHBORHOOD PLAN AMENDMENT PROCESS. IN JUNE OF 2006 WE APPEARED BEFORE YOU AND DESCRIBED IN DETAIL OUR CONCERNS ABOUT THIS PROPOSED CHANGE IN OUR FUTURE LAND USE MAP, AND YOU ADOPTED OUR MAP AS IT WAS AT THE TIME, WHICH WAS A REFLECTION OF THE NEGOTIATED SETTLEMENT OF OUR 2001 REZONING CASE. FOLLOWING THAT THERE WERE A SERIES OF MEETINGS WITH MANY OF THESE PEOPLE TO DISCUSS A NUMBER -- A NUMBER OF THE PROPERTY OWNERS IN THE AREA FOR FORT MAGRUDER 1, 2, 3 AND 4. AND BY DECEMBER 2006 AFTER PRESENTING SCHEMATICS AND THREE-DIMENSIONAL MODELS, ONE OF WHICH YOU SAW A PICTURE OF TONIGHT, WE STILL ONLY HAD A REQUEST FOR A FLUM CHANGE. SO THE DAWSON NEIGHBORHOOD PLAN TEAM VOTED NOT TO HOLD ANY MORE MEETINGS UNTIL WE ACTUALLY HAD SOME ZONING AND CONDITIONS TO DISCUSS, AND THEN WE HELD SOME MORE MEETINGS, AND WHAT WAS PRESENTED TO US WAS LI-PDA ALONG CONGRESS, WHICH WAS VERY UNSTRUCTURED IN TERMS OF WE DIDN'T KNOW EXACTLY WHAT WAS BEING ASKED FOR OR PLANNED. IT WAS JUST LI-PDA, AND THEN YOU NEGOTIATE ALL THAT LATER. AND -- AND THEN COMMERCIAL-MIXED USE ON THE INTERIOR BLOCK. AND COMMERCIAL-MIXED USE WE VIEW AS TOO INTENSIVE FOR BACKING UP INTO OUR RESIDENTIAL PORTION OF OUR NEIGHBORHOOD AND IS IN DIRECT VIOLATION OF THE STATED LANGUAGE IN THE NEIGHBORHOOD PLAN THAT LIMITS COMMERCIAL DEVELOPMENT UP TO THE EXTERIOR BLOCKS, AND WE WANTED TO PROTECT THE INTERIOR OF THE NEIGHBORHOOD. WE MAINTAIN THAT NO ATTEMPT SHOULD BE MADE TO GO INTO THE INTERIOR OF THE NEIGHBORHOOD WITH COMMERCIAL DEVELOPMENT OF ANY

KIND, WHETHER IT'S NEIGHBORHOOD FRIENDLY OR IT'S COMMERCIAL -- INTENSE COMMERCIAL, WITHOUT AN AMENDMENT TO DETECT AND AN AGREEMENT WITH THE NEIGHBORHOOD PLAN THAT THAT IS WHAT WE WANT TO DO. THAT HAS NOT HAPPENED. AND IF CAM COULD BRING UP -- WE HAVE SOME VIDEO AND SOME PIE CHARTS, IF WE CAN SHOW THAT TO YOU SO THAT YOU CAN SEE OUR VOTES AND A LITTLE BIT OF VIDEO ABOUT WHAT'S HAPPENED OVER TIME. BY ADOPTING MIXED USE ALONG BEN WHITE, THE NEIGHBORHOOD MIXED USE -- IN THE NEIGHBORHOOD MIXED USE OVERLAY ON ONE-HALF OF FORT MAGRUDER, THE CITY WILL BE OVERRIDING OUR ADOPTED NEIGHBORHOOD PLAN AND FUTURE LAND USE MAP AND DENYING US THE RIGHT TO ADDRESS ZONING CHANGES THROUGH THE PLAN AMENDMENT PROCESS. A FORM CHANGE BECOMES THE AMENDMENT IN ALL FUTURE ZONING CASES ARE HANDLED IN THE NORMAL MANNER AND PROCEED AS FORWARD -- GO FORWARD WITHOUT HAVING TO GO THROUGH THE NEIGHBORHOOD PLAN TEAM. SONYA HUNTER'S PROPERTY IS AN EXCELLENT EXAMPLE OF THAT. NOW, MR. THROWER COULD HAVE FILED 14 SEPARATE ZONING CASES FOR EVERY ONE OF THESE LOTS. HE DIDN'T. HE FILED ONE FOR SONYA, BUT HE COULD HAVE FILED A SEPARATE ZONING CASE FOR EVERY ONE OF THOSE. ONCE THE FLUM IS PASSED AS AN AMENDMENT YOU CAN GO IN THERE AND FILE A ZONING CASE, AND IT DOESN'T GO THROUGH THE NEIGHBORHOOD PLAN TEAM AS AN AMENDMENT, NO MATTER WHAT IT DOES, BECAUSE AS LONG AS THE FUTURE LAND USE MAP INDICATES THAT YOU CAN DO WHATEVER IS ALLOWED UNDER MIXED USE, THEN YOU CAN PROCEED WITH IT. ONCE THIS FLUM CHANGE GOES FORWARD IT OPENS THE DOOR, LIKE I SAID, TO ZONING CASES WITHOUT OUR -- WITHOUT AN AMENDMENT. WE DO NOT SUPPORT MIXED USE OVERLAY BECAUSE IT IS TOO BROAD, IT IS NOT SPECIFIC. IT PERMITS A RANGE OF DEVELOPMENT WITH NO GUARANTEES MIXED USE WILL EVER BE BUILT. IT'S ALSO NOT -- WE HAVE MIXED USE ON BOTH SOUTH FIRST AND SOUTH CONGRESS, AS YOU CAN TELL BY LOONG AT OUR FLUM. HOWEVER, IT IS NOT MIXED USE OVERLAY. IT IS NEIGHBORHOOD MIXED USE BUILDING, WHICH WE ADOPTED BY ADDRESS. SO THIS WOULD NOT BE IN KEEPING WITH THE MIXED USE IN THE REST OF OUR PLAN.

WE SUPPORT TRUE MIXED USE. WE DO NOT SUPPORT THE BROAD -- YOU KNOW, YOU GET MIXED USE AND YOU CAN BUILD COMMERCIAL OR YOU CAN BUILD MULTIFAMILY OR YOU CAN BUILD A WHOLE RANGE OF THINGS THAT FALL WITHIN THAT CATEGORY. IT'S A CATCH-ALL CATEGORY. MOST IMPORTANT IS THE FACT THAT IN THIS NEIGHBORHOOD PLANNED ZONE, THE NEIGHBORHOOD PLANNING REPO HAD -- THERE'S FREQUENT MENTION OF THEY FEEL OR BELIEVE THAT X IS BETTER THAN Y IN OUR NEIGHBORHOOD PLAN, THEREBY USURPING OUR ROLE AS A NEIGHBORHOOD PLAN TEAM. IT'S NOT REALLY UP TO THEIR OPINION AS TO WHAT IS OR IS NOT IN KEEPING WITH OUR NEIGHBORHOOD PLAN. WE FORM LATED THE PLAN, WE VOTED ON THE PLAN. WE'VE BEEN DEALING WITH THE PLAN FOR TEN YEARS, AND WE FEEL THAT THEY SHOULD HONOR WHAT IS IN OUR NEIGHBORHOOD PLAN. IF THEY DO NOT, THIS SETS A PRECEDENT WHICH WILL HAVE A CHILLING EFFECT ON FUTURE EFFORTS IN NEIGHBORHOOD PLANNING. IT WILL RENDER NEIGHBORHOOD PLANS MEANINGLESS FOR THE CITY TO SIMPLY SAY, WELL, YOU KNOW, WE KNOW THAT'S IN YOUR NEIGHBORHOOD PLAN BUT WE DON'T LIKE IT SO HERE'S OUR PROPOSAL, AND GO FORWARD WITH THAT. IN MY LETTER TO YOU I POINTED OUT NUMEROUS INSTANCES OF IRREGULARITIES AND HOW THIS FLUM CHANGE HAS BEEN HANDLED. MANY WEAK..... WEAKNESSES IN PLAN PROCESS HAS BEEN EXPOSED. MOST RECENTLY A STUNNING ANNOUNCEMENT FROM THE CITY INTEGRITY OFFICER INDICATED TO OUR OFFICERS THAT PERSONS WITH A VESTED INTEREST IN THE OUTCOME PLAN TEAM VOTE TO RECUSE THEMSELVES, WHICH IS CURRENTLY IN THE ORDINANCE, IS NOT ENFORCEABLE AND EVERYONE IN THE PLAN AREA HAS A POTENTIAL CONFLICT OF INTEREST. APPARENTLY THAT'S STANDARD USE FOR CITY BOARDS AND COMMISSIONS IS MUCH MORE LOOSELY APPLIED THAN THE INTERPRETATION IMPOSED ON PLANNING CONTACT TEAM. I WOULD LIKE TO POINT OUT THAT AT SOME OF THESE ADDRESSES, THE HOUSE IS VACANT AND THERE ARE SEVERAL INDIVIDUALS WHO CLAIM TO BE OWNERS. WE DO NOT VERIFY THAT PEOPLE ARE OWNERS OR NOT OWNERS. WE HAVE AN EXTREMELY LIBERAL POLICY ABOUT WHO CAN BE A MEMBER OF OUR PLANNING TEAM. WE HAVE ONE OF THE LARGEST -- THE LARGEST PLAN TEAM IN THE CITY OF

AUSTIN. IT'S GOT OVER 140 MEMBERS. WE HAVE A HIGHER PERCENTAGE OF PEOPLE TURN OUT FOR SOME OF THESE MEETINGS THAN YOU HAVE TURN OUT FOR CITY ELECTIONS. WE ARE VERY INCLUSIVE AND BECAUSE OF THAT WE HAVE OPENED OURSELVES UP TO NUMEROUS PEOPLE VOTING AS LANDOWNERS THAT WE HAVE NO -- ABSOLUTELY NO INDICATION THEY ACTUALLY OWN THE PROPERTY AND WE'RE TAKING PEOPLE'S WORD FOR IT. PROPERTY OWNERS INVOLVED HAVE A SIGNIFICANT FINANCIAL STAKE IN THE OUTCOME OF THIS DECISION, AND WE UNDERSTAND THAT. THIS ZONING CHANGE, THE MORE INTENSE IT IS AND THE HIGHER THE USE IS THAT THEY CAN CLAIM FOR THIS PROPERTY, THE MORE MONEY THEY'RE GOING TO GET FROM A DEVELOPER. WE UNDERSTAND THAT. THIS IS A CAPITALISTIC SOCIETY AND WE UNDERSTAND THAT MONEY TALKS. THE PROBLEM IS THAT THERE IS NO CONSTITUTIONAL GUARANTEE THAT LAND SPECULATION IS GOING TO GIVE YOU A PROFIT. MANY OF THESE PEOPLE BOUGHT THIS PROPERTY KNOWING IT WAS SINGLE-FAMILY 3 AND KNOWING THAT THE NEIGHBORHOOD PLAN DID NOT ENCOURAGE COMMERCIAL ENCROACHMENT INTO THE CENTER OF THE NEIGHBORHOOD. SO WE UNDERSTAND, YOU KNOW, WHAT'S GOING ON AND WHY THIS IS VERY IMPORTANT, AND WE WANT TO SEE PEOPLE GET, YOU KNOW, RETURN ON THEIR MONEY, BUT I THINK THAT YOU HAVE TO BE RESPECTFUL OF THE PEOPLE WHO LIVE IN THE INTERIOR OF THE NEIGHBORHOOD THAT DO NOT WANT TO SEE COMMERCIAL CREEP AND ESPECIALLY DO NOT WANT TO SEE PEOPLE VIOLATE WHAT'S IN THE NEIGHBORHOOD PLAN IN ORDER TO GET WHAT THEY WANT. THE STREET IS NOT CONGRESS AVENUE OR SECOND STREET DOWNTOWN, AS PEOPLE WILL PORTRAY IT. IT IS A VERY SHORT, NARROW STREET. IT IS NOT CONDUCIVE TO HIGH TRAFFIC AT THIS TIME, AND THE KIND OF DEVELOPMENT THEY'RE TALKING ABOUT IS VERY INTENSE AND WILL CREATE A TOTALLY DIFFERENT KIND OF ENVIRONMENT IN THAT PART OF THE NEIGHBORHOOD. AND BY THE WAY, ONE OF THE STREETS ON THE MAP, WADFORD, IS A DEAD END THAT LOOKS LIKE IT GOES THROUGH TO BEN WHITE BUT IT DOESN'T. THERE'S ALSO AN APPARENT NEED FOR CS ZONING ON THE INNER BLOCK BECAUSE THE PROPERTY OSHS OWNERS HAVE NEVER ALLOWED DISCUSSION OF ANY OTHER

ALTERNATIVES. MR. THROWER MADE IT SOUND LIKE HE AT ONE TIME ACTUALLY DISCUSSED NEIGHBORHOOD MIXED USE, BUT HE HAS NEVER DISCUSSED WITH US ANYTHING OTHER THAN THE DESIRE TO SEE CS-MU, AND WE HAVE PROPOSED HIGH DENSITY SINGLE-FAMILY, WHICH WOULD ALLOW CONDOMINIUMS AND TOWNHOMES TO BE BUILT ON THAT PROPERTY ACROSS FROM A RESPECTFUL COMMERCIAL DEVELOPMENT, AND WE FEEL THAT THAT'S A VERY APPROPRIATE AND LESS INTENSE COMMERCIAL -- COMMERCIAL INTENSE ZONING, BUT IT WOULD ALLOW FOR INCREASED DENSITY AND IT WOULD ALSO MAINTAIN THE RESIDENTIAL CHARACTER OF THE INNER PART OF THE NEIGHBORHOOD. ONE OF THE MAJOR REASONS I'VE CITED IN OUR APPLICATION FOR THE NEED FOR NEIGHBORHOOD PLAN WAS OUR NEIGHBORHOOD WAS VERY REASONABLY PRICED. THIS WAS TEN YEARS AGO WHEN I APPLIED FOR US TO BE IN THE NEIGHBORHOOD PLANNING PROCESS. OUR NEIGHBORHOOD WAS REASONABLY PRICED AND CLOSE TO DOWNTOWN. I FORESAW GREAT PRESSURE FOR LAND SPECULATION AND REDEVELOPMENT AND BELIEVED THAT THE NEIGHBORHOOD PLAN WAS THE WAY TO ADDRESS THAT. MY PREDICTION ABOUT REDEVELOPMENT HAS COME TRUE. THE QUESTION IS, WAS MY BELIEF IN NEIGHBORHOOD PLANNING MISGUIDED. TONIGHT THE ANSWER TO THAT QUESTION IS IN YOUR HANDS. THANK YOU.

MAYOR WYNN: THANK YOU, CYNTHIA. OUR NEXT SPEAKER IS DANIEL UPDIKE. LET'S SEE, IS -- IS KIM COOK HERE? HELLO, KIM. WELCOME. HOW ABOUT CLAIRE ENCLOSSEMAN?

DANIEL, UP TO NINE MINUTES IF YOU NEED IT, AND FOLLOWED BY MYRON SMITH.

I WON'T NEED 9 MINUTES. GOOD EVENING, MAYOR, MAYOR PRO TEM, COUNCIL MEMBERS. I HOPE YOU'RE HAVING A FINE 18TH DAY OF COMMUNITY PLANNING MONTH. MY NAME IS DAN. I'M THE VICE CHAIR OF THE DAWSON NEIGHBORHOOD ASSOCIATION AND I WOULD LIKE TO TALK JUST A LITTLE BIT MORE DETAIL ABOUT WHAT CYNTHIA AND GREG MENTIONED WITH REGARDS TO THE INTERIOR OF OUR NEIGHBORHOOD. TO QUOTE FROM OUR NEIGHBORHOOD PLAN, PAGE 14, IT SAYS, QUOTE, THE PLANNING COMMISSION AND CITY COUNCIL SHOULD UPHOLD AND PRESERVE THE

RESIDENTIAL ZONING OF THE INTERIOR OF THE NEIGHBORHOOD. THEY SHOULD NOT ALLOW LOTS OUTSIDE OF THE CONGRESS AND SOUTH FIRST STREET CORRIDORS TO BE ZONED FOR COMMERCIAL OR MORE INTENSIVE USES. SO BASED ON THAT TEXT I'D LIKE TO DRAW YOUR ATTENTION TO THE MAP, AS YOU'VE SEEN ALREADY, FORT MAGRUDER 4 IS BOUNDED BY REYNA STREET, CREBS, WADFORD STREET AND DUNLAP STREET. THERE'S NOT IT DOES NOT ABUT SOUTH CONGRESS OR BEN WHITE. AND I WOULD SUBMIT TO YOU THAT -- TO A LAYPERSON THIS IS AN INTERIOR BLOCK, AND IT'S LAYPEOPLE WHO ESSENTIALLY WROTE THE NEIGHBORHOOD PLAN, AND I WOULD PROPOSE THAT THAT'S WHAT THEY INTENDED, THAT THIS IS AN INTERIOR BLOCK. ON PAGE 4 OF YOUR BACKUP MATERIALS, I'M LOOKING NOW AT THE SECOND FULL PARAGRAPH, THE LAST SENTENCE, THE CITY STAFF WROTE, QUOTE, IT WAS STAFF'S OPINION THAT THIS BLOCK SHOULD NOT BE CONSIDERED AS AN INTERIOR BLOCK FOR THE FOLLOWING REASONS, AND YOU SEE SOME BULLETS THERE. TO PARAPHRASE THE FULT BULLET, THE ARGUMENT THERE IS ESSENTIALLY THAT AT FORT MAGRUDER 4, TWO SIDES OF THAT HALF BLOCK ARE CURRENTLY COMMERCIAL, AND THE SOUTH SIDE FORT MAGRUDER 3, THAT'S PROPOSED TO BE COMMERCIAL. SO THAT'S THE ARGUMENT IN THE FIRST BULLET. THE SECOND BULLET SAYS, ESSENTIALLY, THAT IF FORT MAGRUDER 3 BECOMES COMMERCIAL, THEN FORT MAGRUDER 4, THE FOLKS THERE WOULD FACE COMMERCIAL ACROSS THE STREET. AND SO THESE TWO ARGUMENTS ESSENTIALLY SAY THAT BECAUSE OF THE PROXIMITY OF FORT MAGRUDER 4 TO CURRENT AND POTENTIAL COMMERCIAL, THEREFORE FORT MAGRUDER 4 SHOULD BE COMMERCIAL AS WELL. AND I SEE THIS AS JUST A CLASSIC CASE OF COMMERCIAL CREEP. YOU KNOW, IF YOU DEFINE SOMEONE'S HOME OR PROPERTY IN PROXIMITY TO COMMERCIAL AND IT SHOULD BE COMMERCIAL, THEN ALL THE DOMINOES FALL. PRETTY SOON THE WHOLE NEIGHBORHOOD IS COMMERCIAL. AND SO SOMEONE HAS TO DRAW A LINE SOMEWHERE, AND I THINK THE NEIGHBORHOOD PLAN CLEARLY DRAWS THE LINE AT THOSE INTERIOR BLOCKS, AND IT'S UP TO YOU-ALL TO DECIDE THIS EVENING, YOU KNOW, WHETHER OR NOT YOU AGREE WITH THAT. THE THIRD BULLET ON PAGE 4 HAS A LITTLE BIT OF A

DIFFERENT ARGUMENT. IT BASICALLY SAYS THAT IN THIS NEIGHBORHOOD THERE'S NOT A LOT OF COMMERCIAL USES ACROSS THE STREET FROM RESIDENTIAL USES. IT'S MORE COMMON IN OUR NEIGHBORHOOD FOR COMMERCIAL USES TO ABUT THE SIDE OR THE BACK PROPERTY LINE OF RESIDENCES, AND THAT'S ABSOLUTELY TRUE. IF YOU LOOK AT OUR MAP YOU SEE LOTS OF CASES WHERE RESIDENTS -- RESIDENTIAL PROPERTIES ABUT PROPERTY LINES WITH COMMERCIAL, BUT I'D LIKE YOU TO CONSIDER WHERE THAT COMES FROM. OUR NEIGHBORHOOD WAS NOT MASTER PLANNED USING 2007 LAND USE IDEASMENT OUR NEIGHBORHOOD EVOLVED BACK IN THE '20S, '30S, '40S, '50S, '60S, AND I WOULD PROPOSE TO YOU THAT WHAT OCCURRED BACK THEN IS NOT NECESSARILY THE GOLD STANDARD FOR WHAT SHOULD CONSIDER OCCUR NOW, SO AS AN ARGUMENT I THINK THAT FALLS SHORT. SO IN CONCLUSION WE HAVE A SMALL NEIGHBORHOOD. MORE IMPORTANTLY WE HAVE A VERY NARROW NEIGHBORHOOD. EVERYBODY IN THIS NEIGHBORHOOD CAN WALK TO BUSINESSES. WE DO NOT HAVE -- WE HAVE, YOU KNOW, ARTERIAL ROADS AND BUSINESSES VERY CLOSE BY, AND I WOULD ASK THAT YOU RESPECT THE WISHES OF THE NEIGHBORHOOD AND OPPOSE THE LAND USES IN OUR NEIGHBORHOOD BLOCKS. THANK YOU, AND I'M AVAILABLE FOR QUESTIONS.

MAYOR WYNN: THANK YOU, DAN. QUESTIONS FOR MR. UPDIKE? THANK YOU, SIR. SO OUR NEXT SPEAKER IS MYRON SMITH. WELCOME, MYRON. YOU'LL HAVE THREE MINUTES, TO BE FOLLOWED BY REBECCA SHE WILL.....SHE....SHELLER.

GOOD EVENING. I'M MYRON SMITH AND I AM VICE CHAIR OF THE DAWSON NEIGHBORHOOD PLAN TEAM, AND I HAVE A HOME THERE ON DAWSON AND I'VE LIVED THERE FOR 13 YEARS, LIVED THERE SINCE 1993. I'VE ALSO BEEN AN ACTIVE MEMBER OF OUR ASSOCIATION AND PART OF THE ORIGINAL GROUP OF NEIGHBORS THAT HELPED TO CRAFT OUR NEIGHBORHOOD PLAN THAT STARTED IN 1997 THAT WAS THEN ADOPTED BY CITY COUNCIL IN 1998. I COME BEFORE YOU TODAY ASKING THAT YOU HONOR OUR ADOPTED NEIGHBORHOOD PLAN AND FLUM. WHEN NEIGHBORHOOD PLANNING STARTED WE WERE THE FIRST NEIGHBORHOOD TO HAVE A PLAN ADOPTED BY THE CITY OF AUSTIN. IT WAS

AN HONOR TO WORK WITH THE CITY, TO CREATE A VISION AND LONG-TERM PLANS FOR OUR NEIGHBORHOOD. TODAY WE'RE ONE OF THE LARGEST PLANNING TEAMS IN AUSTIN. TO SUSTAIN THIS PLAN TEAM IT HAS TAKEN DEDICATION AND HARD WORK FROM A LOT OF VOLUNTEERS. MANY OF US WHO ARE TRYING TO UPHOLD OUR NEIGHBORHOOD PLAN AND FLUM ARE BEING FORCED INTO A VERY UNCOMFORTABLE POSITION OF DEFENDING THE MAJORITY OF DNPT'S MEMBERS AGAINST A PROFESSIONAL LAND DESIGNER AND OTHERS WITH A VESTED INTEREST. THE MAJORITY OF DNPT HAS VOTED ON A VISION FOR THE SOUTHERN PART OF DAWSON THAT INCLUDES MIXED USE ON THE BEN WHITE CORRIDOR AND HIGH DENSITIES TI RESIDENTIAL ON THE INTERIOR HALF BLOCK THAT BACKS UP TO MY PROPERTY. AS LONG AS THE BASE ZONING IS COMPATIBLE WITH THE NEIGHBORHOOD PLAN. NOW, I FIND IT ODD THAT DNPT'S VISION WAS NOT INCLUDED IN THE MATERIAL THAT WAS PROVIDED TO YOU-ALL BY STAFF. IF THE NEIGHBORHOOD PLANNING PROCESS IS NOT GOING TO BE TAKEN SERIOUSLY, THEN PEOPLE WILL FIND IT USELESS AND MUCH LESS LIKELY TO VOLUNTEER TO BE A MEMBER OF THEIR NEIGHBORHOOD PLAN TEAM. I'M ASKING THAT YOU VOTE AGAINST THIS FLUM CHANGE, BUT IF YOU FEEL THIS AMENDMENT HAS MERIT, THEN PLEASE PROVIDE US WITH AN UNBIASED ARBITRATOR SO THAT WE CAN DEVELOP A COMPROMISE THAT DOES NOT COMPROMISE THE INTEGRITY OF OUR NEIGHBORHOOD PLAN AND FLUM. THANK YOU VERY MUCH FOR YOUR TIME AND YOUR SERVICE.

MAYOR WYNN: THANK YOU.

IF YOU HAVE ANY QUESTIONS --

QUESTIONS FOR MS. MYRON? THANK YOU.

THANK YOU VERY MUCH.

MAYOR WYNN: NEXT SPEAKER IS REBECCA SELLER. WELCOME, REBECCA. YOU'LL BE FOLLOWED BY PETER DAVIS.

GOOD EVENING. MY NAME IS REBECCA SELLER. MY PARTNER, MIE RON AND I HAVE OWNED THE RESIDENTIAL

PROPERTY AT 209 CREBS LANE SINCE 1993. IT'S OVER 14 YEARS. MY PROPERTY IS A PART OF THIS INTERIOR BLOCK DESCRIBED IN THE PROPOSED FLUM AMENDMENT. I WANT YOU TO BE VERY, VERY CAREFUL WHEN YOU LOOK AT THIS MAP BECAUSE OFTENTIMES FORT MAGRUDER 4 IS REFERRED TO AS A BLOCK. IT IS NOT A BLOCK. IT'S A HALF BLOCK. IT IS NOT A COMPLETE BLOCK. IT IS NOT SURROUNDED BY FOUR STREETS. IT'S A HALF BLOCK THAT ABUTTS MY PROPERTY AT 209 CREBS LANE. I AM ADAMANTLY OPPOSED TO THE FLUM AMENDMENT, ESPECIALLY THE PART THAT PROPOSES TO CHANGE THE CURRENT LAND USE DESIGNATION FOR THE PORTION OF THE INTERIOR BLOCK THAT ABUTTS MY PROPERTY. I'M OPPOSED TO THE CHANGE FROM RESIDENTIAL LAND USE TO MIXED USE, EVEN NEIGHBORHOOD MIXED USE, BECAUSE OF THE POTENTIAL DETRIMENTAL EFFECTS TO MY RESIDENTIAL PROPERTY, SUCH AS INCREASED TRAFFIC, COMMERCIAL LIGHTING, INCREASED NOISES, CHANGES IN WATER RUNOFF, AND THE REMOVAL OF VALUABLE TREES. CITY STAFF HAS NOT PROVIDED REASONABLE JUSTIFICATION FOR CLASSIFYING THIS HALF-BLOCK ABUTTING MY PROPERTY AS AN EXTERIOR BLOCK. THIS PROPOSAL FOR AN AMENDMENT TO THE AUSTIN NEIGHBORHOOD FLUM HAS BEEN CONTENTION, PARTIALLY BECAUSE THE AGENT LEADING THE PROPOSAL HAS CONSISTENTLY INSISTED ON INCLUDING THIS INTERIOR BLOCK -- INTERIOR HALF BLOCK AND THEREFORE HAS CONSISTENTLY PRESENTED A PROPOSAL THAT IS AGAINST THE NEIGHBORHOOD PLAN. RON...RON THROWER WANTS THE LARGEST POSSIBLE LAND MASS FOR THE LARGEST POSSIBLE PROJECT WITH UNKNOWN BASE ZONING IN A YET TO BE DISCLOSED TRUE DEVELOPMENT PROJECT. IT IS IMPORTANT FOR THE AUSTIN CITY COUNCIL TO SUPPORT THE DAWSON NEIGHBORHOOD PLANNING TEAM TONIGHT AS THEY DID WHEN THEY SUPPORTED THE FLUM AND OFFICIALLY ADOPTED IT LAST JUNE. IN OUR SOCIETY, RULES AND GUIDELINES ARE PUT IN PLACE TO MAKE -- HELP US MAKE CIVILIZED NEGOTIATIONS WITH ONE ANOTHER. I SUPPORT THE DEMOCRATIC PROCESS. THE CITY OF AUSTIN ASKED FOR NEIGHBORHOOD INPUT IN THE PLANNING PROCESS. THE CITY OF AUSTIN ASKED OUR NEIGHBORHOOD TO DEVELOP A NEIGHBORHOOD PLAN AND LATER THE FLUM. SO IT IS

IMPORTANT THAT THE CITY COUNCIL MEMBERS NOW LISTEN TO THOSE VOICES OF THE NEIGHBORHOOD WHO DO NOT HAVE SUBSTANTIAL MONETARY INTEREST IN THIS OUTCOME. THE MAJORITY OF THE SUPPORTERS WHO ARE IN FAVOR OF THIS PROPOSED FLUM AMENDMENT DO HAVE SUBSTANTIAL MONETARY INTEREST. IT IS IMPORTANT THAT THE CITY COUNCIL DOES NOT SET A PRECEDENT WHEREBY DEVELOPERS CAN SIDESTEP THE NEIGHBORHOOD PLAN BY CHANGING THE FLUM DESIGNATION OF AN INTERIOR RESIDENTIAL BLOCK WITHOUT A MAJORITY OF THE NEIGHBORHOOD'S APPROVAL. THE DAWSON NEIGHBORHOOD HAS A REASONABLE STANCE THAT IS PRO DEVELOPMENT. THE ASSISTANCE IS LIMIT COMMERCIAL DEVELOPMENT TO THE MAJOR EXTERNAL CORRIDORS AND RESPECT THE NEIGHBORS WHILE MAKING CHANGES. I URGE THE CITY COUNCIL TO VOTE AGAINST THIS PROPOSED FLUM AMENDMENT AND THEREFORE SUPPORT THE CONSCIENTIOUS WORK OF THE CITIZENS OF DAWSON NEIGHBORHOOD. THANK YOU.

THANK YOU, MS. SELLER. OUR LAST SPEAKER IN OPPOSITION IS PETER DAVIS. WELCOME, YOU'LL HAVE THREE MINUTES.

THANK YOU. LADIES AND GENTLEMEN OF THE COUNCIL, I HAVE TWO FILM CLIPS FOR YOU TO SEE, PRESENTING THEM ON BEHALF OF THE PRESIDENT OF THE NEIGHBORHOOD ASSOCIATION. SO SIT BACK AND ENJOY.

THAT AMENDMENT OF THAT FIVE-YEAR PLAN. MY NEIGHBORHOOD IS ON DAWSON. IT'S ONE OF THE ONES WITHOUT A TECHNICAL FLUM BECAUSE WE WERE DONE BEFORE THEN. THIS IS MAKING ME REALLY NERVOUS THAT WE MIGHT BE GOING FORWARD AND LOSING ALL THAT. I DO WANT TO SAY THAT IT WAS SUGGESTED THAT NO NEIGHBORHOOD PLAN AMENDMENT COULD FORMALLY HAPPEN WITH THE DAWSON PLAN UNTIL THEY HAVE THEIR FLUM. WE WERE BEFORE YOU SUPPORTING A NEIGHBORHOOD PLAN AMENDMENT THAT WENT THROUGH FOR THE OLD WEST AUSTIN PLAN ON JUNE 8 OF THIS MONTH, ON THE 8TH OF THIS MONTH, AND, IN FACT, THE AGENT WAS RON THROWER AND MARK WALTERS WAS THE NEIGHBORHOOD PLANNING STAFF. SO THERE SEEMS TO BE

A DISCONNECT WHETHER YOU'RE ALLOWED TO DO THAT OR NOT. SO JUST TO FINISH UP I WOULD URGE YOU TO KEEP THE NEIGHBORHOOD PLAN PROCESS GOING FORWARD AS IT SHOULD AND SUPPORT PLAN B, WHICH REFLECTS THE NEIGHBORHOOD PLAN.

NICOLE ALEXANDER, ONE OF THE PROPERTY OWNERS. FIM FIM.....OWNERS.

THE HIGHLIGHT THAT HE WAS TALKING ABOUT, AND I HAPPEN TO AGREE I THINK MR. THROWER HAS SOME GOOD IDEAS. THE ONE THING THAT I WANT TO MAKE SURE THAT I BRING UP TO YOU-ALL THAT IF THERE IS A HIGHER DENSITY PROJECT GOING ON ON THE BLOCK BETWEEN DUNLAP AND BEN WHITE, THEN WE SHOULD PROBABLY DO SOMETHING A LITTLE HIGHER DENSITY ON MY SIDE OF DUNLAP MORE THAN JUST SINGLE-FAMILY HOMES, MAYBE, TOWNHOMES OR SOMETHING TO THAT EFFECT. BUT MAYBE -- I DON'T -- MAYBE, LIKE I SAID EARLIER TONIGHT, NOT AS HIGH AS DENSITY AS THE PROJECT MR. THROWER WAS TALKING ABOUT BUT A LITTLE HIGHER DENSITY THAN SF-3, AND I THINK THAT WOULD BE APPROPRIATE ON -- BEING THAT CLOSE TO BEN WHITE BECAUSE ONE OF THE THINGS WE WANT TO DO IS AS WE GET CLOSER TO THE CENTER OF THE NEIGHBORHOOD, IT GETS LESS DENSE, IT GETS MORE DENSE TOWARDS THE PERIMETERS OF IT. SO I THINK THOSE TWO BLOCKS WOULD BE PERFECT FOR IT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.]

Mayor Wynn: THANK YOU, SIR.

THANK YOU.

Mayor Wynn: LET'S SEE, IN ADDITION TO FOLKS WHO GAVE US TESTIMONY, AND/OR WHO DONATED TIME, DAVID MARKER, LAURA MORRISON AND DANNETTE SIGNED UP NOT WISHING TO SPEAK BUT IN OPPOSITION, SIGNED UP NOT WISHING TO SPEAK BUT IN FAVOR, MIKE CAME SUSMAN, AMY BELL, BEVERLY BELL, SHERYL ROBBINS, CODY, LARRY ALEXANDER, FRANK JORDAN, JOHN [INDISCERNIBLE], AMY THOMAS, LESLIE COOK, ISSUE SMILE GONZALEZ, ROBIN JORDAN, FRANK TURNER, SANCHEZ, LIPKIN, CASTRO AND GUERRERA SIGNED UP NOT WISHING TO SPEAK IN FAVOR.

SO THAT'S ALL OF THE TESTIMONY THAT WE HAVE ON THIS COMBINED ZONING CASE AND FLUM DESIGNATION. AT THIS TIME THE AGENT GETS A ONE-TIME THREE MINUTE REBUTTAL. BACK TO MR. THROWER.

MAYOR, COUNCILMEMBERS. IN MY HASTE TO PRESENT THE FLUM AMENDMENT APPLICATION, I DID NOT PRESENT THE ARGUMENTS FOR THE ZONING CASE FOR FORT MAGRUDER 1 AND I WOULD LIKE TO JUST POINT OUT THAT -- THAT THE FORT MAGRUDER 1 PROPERTY IS CORNER LE.....CURRENTLY ZONED F 3, WE HAVE ASKED FOR CS MU EQUAL TO 90% OF THAT BLOCK AND ASKING FOR CS MU FOR THE [INDISCERNIBLE] ONLY AND GR WITH THE LIST OF 11 PROHIBITED USES THAT STAFF PRESENTED AND WILL BE VOTING A RESTRICTIVE COVENANT ON THE PROPERTY PROHIBITING ADULT ORIENTED BUSINESSES. THIS PARTICULAR MAP OBVIOUSLY IS A FUTURE LAND USE MAP, YOU CAN SEE HOW NARROW THE COMMERCIAL CORAL EUGENE WATTS..... --COMMERCIAL CORRIDORS ARE. EVERY ONE OF THESE PROPERTIES IS ZONED CS, MAYBE NOT EVERY ONE, BUT 95% ARE AND BACK UP TO SINGLE FAMILY. WE ARE FACED WITH THE GROWING NEED TO GET DENSITY IN THE URBAN CORE. EVERYBODY CAN RECOGNIZE THAT. THE DENSITY IN THE URBAN CORE CANNOT AND WILL NOT OCCUR ALONG THESE CORRIDORS BECAUSE OF COMPATIBILITY. WE ARE LOOKING AT TAKING A LARGER CHUNK OF LAND AND MEETING COMPATIBILITY ON CRABS AND PROVIDING A PROJECT ULTIMATELY WITH THE PROPER ZONING THAT CAN PROVIDE THE DENSITY THAT IS WARRANTED FOR THIS AREA. A FEW POINTS THAT I WOULD LIKE TO BRING UP THAT NOTHING WOULD PLEASE ME MORE THAN TO COME FORWARD WITH THE ZONING CASE ON THIS PROPERTY AND ALL THAT I HAVE TO DO IS SAY IT'S ON THE FLUM, YOU HAVE TO VOTE FOR IT. BY NO MEANS DO I EVER TAKE THE FACT JUST BECAUSE THE FLUM SAYS IT'S MIXED USE DOES THAT IN A ZONING CASE ANY EASIER. WE PRESENTED ZONING TO THE NEIGHBORHOOD PLANNING TEAM AND WE HAVE TALKED ABOUT THE PROHIBITION OF USES THAT ARE WARRANTED FOR EACH OF THE BLOCKS OF THE PROPERTIES. AGAIN, WE ONLY TALK ABOUT SEVEN COMMERCIAL USES FOR THE FORT MAGRUDER 4 AND 21 COMMERCIAL USES FOR FORT MAGRUDER 3. WE ARE

LOOKING FOR A -- FOR A SMALL STEP IN THE PROCESS OF WHAT IT TAKES TO GET A PROJECT GOING HERE IN AUSTIN. RIGHT NOW WE HAVE LANDOWNERS IN THE AREA THAT ARE WILLING TO PUT THE PROPERTY ASSEMBLED INTO A BLOCK, TO ULTIMATELY BECOME A PROJECT. THEY WOULD LIKE TO MARKET IT TO A DEVELOPER. AND AT THAT TIME THE DEVELOPMENT CAN COME FORWARD FOR THE ZONING REGULATIONS, WHICH I HOPE VERY MUCH SO TO BE A PART OF. I PLAN ON BEING A PART OF THIS PROJECT AS LONG AS POSSIBLE. I WOULD LIKE TO ALSO POINT OUT THAT YES THIS IS A LARGE NEIGHBORHOOD PLANNING TEAM, BUT PRIOR TO OUR INVOLVEMENT IT WAS NOT A VERY LARGE PLANNING TEAM AND THE ATTENDANCE WAS NOT THAT GREAT AT ALL. I THINK IT'S DUE TO OUR EFFORTS THAT THIS PLANNING TEAM HAS GROWN, PROBABLY TRIPLED IN SIZE FROM WHAT IT WAS ORIGINALLY. AGAIN, I WOULD LIKE TO ASK FOR YOUR SUPPORT FOR STAFF RECOMMENDATION, PLANNING COMMISSION RECOMMENDATION, FOR FORT MAGRUDER 1 AND FORT MAGRUDER 1.. 1 REZONING. AS FAR AS THE REZONING, THOUGH, WE ARE LOOKING FOR THE CS-MU ZONING. AND THEN WE ARE LOOKING AT STAFF RECOMMENDATION [BEEPING] PLANNING COMMISSION RECOMMENDATION FOR FORT MAGRUDER 3 AND THEN FORT MAGRUDER 4 WITH THE NEIGHBORHOOD MIXED USE NOT BEING THE PREFERRABLE LAND USE CATEGORY FOR THAT PROPERTY BUT THE MIXED USE DESIGNATION ALONG WITH A 75-FOOT BUFFER LINE TOWARDS THE REAR OF THE PROPERTY THAT WOULD PROHIBIT THE INTRUSION OF COMMERCIAL USES ANY FURTHER BACK THAN THE ADJOINING PROPERTY TO THE WEST. I'M AVAILABLE IF YOU HAVE ANY QUESTIONS.

Mayor Wynn: THANK YOU, QUESTIONS FOR THE AGENT, COUNCILMEMBER LEFFINGWELL? WHAT DOES PRINCIPAL COMMERCIAL USES MEAN?

PROBABLY BEST FOR GREG, BUT THEY ARE THE SPECIFIC COMMERCIAL USES YOU HAVE ACCESSORY USES AS WELL. AS YOU CAN SEE IN OUR PLAN, WE WERE PLANNING ON MIGHT A PUTTING A PARKING GARAGE THAT WOULD BASICALLY STRADDLE THAT LINE. BUT WE WOULD NEED FOR THAT TO BE RECOGNIZED AS AN ACCESSORY USE, USED FOR PARKING NO THE ONLY THE PRINCIPAL COMMERCIAL

USES ON DUNLAP, BUT ALSO THE RESIDENTIAL COMPONENT OF THE DEVELOPMENT. THE GOAL HERE IS THAT WE WOULD NEVER HAVE A RESTAURANT OR AN OFFICE OR MEDICAL OFFICE OR ANYTHING ON THE BACK SIDE OF THIS PROPERTY THAT AT THE MOST IT COULD BE A RESIDENTIAL PRINCIPAL COMMERCIAL USE BACK THERE.

Leffingwell: SO YOU COULD HAVE A PARKING LOT.

YOU COULD HAVE A PARKING LOT AND AGAIN THE INTENT IS NOT TO HAVE JUST A PARKING LOT BACK THERE. AGAIN THAT'S SOMETHING THAT WHEN WE GET INTO THE FINER DETAILS OF ZONING ALL OF US CAN WORK ON TO MAKE SURE THAT THAT DOESN'T HAPPEN.

Leffingwell: OKAY.

Mayor Wynn: COUNCILMEMBER MCCRACKEN?

McCracken: BECAUSE WE ARE JUST HERE ON THE FUTURE LAND USE MAP THIS EVENING, I JUST WANT TO MAKE SURE THAT WE UNDERSTAND THE ROAD MAP. IN TERMS OF DESCRIBING, YOU KNOW, WHAT ACTUAL DEVELOPMENT WOULD GO THERE, SUCH AS WHETHER IT WAS A MULTIPLE CHOICE MIXED USE UNDER OUR -- KIND OF OUR FAILED MIXED USE OR THE VERTICAL WHERE THERE'S A REQUIRED MIX OF USE, THAT WOULD BE HANDLED AT..... HANDLED AT THE ZONING STAGE OR WE WOULD DO THAT THIS EVENING?

I UNDERSTAND THAT WOULD BE HANDLED AT THE ZONING STAGE. THAT'S ALWAYS BEEN THE INTENT OF ALL OF US.

GREG, THAT'S YOUR UNDERSTANDING, TOO? OKAY. THEN WE HAVE SEEN A -- YOU KNOW I GUESS A SPLIT NEIGHBORHOOD PROBABLY, A FEW MORE PEOPLE IN FAVOR OF THIS CHANGE THAN AGAINST. IS THERE A -- LIKE AN OFFICIAL NEIGHBORHOOD PLANNING TEAM POSITION ON THESE PROPOSALS BEFORE US?

THERE IS. THERE WAS A BALLOT DONE IN JUNE AND THE VOTE WAS FOR FORT MAGRUDER 1 TO SUPPORT, NOT ONLY THE FUTURE LAND USE MAP BUT ALSO THE REZONING OF MY PROPOSE FOR THE REZONING OF FORT MAGRUDER 1.

FORT MAGRUDER 3 WAS A VOTE TO SUPPORT TO MIXED USE, FORT MAGRUDER 4 WAS MY PROPOSAL, STAFF'S RECOMMENDATION, PLANNING COMMISSION RECOMMENDATION WAS NOT EVEN ON THE BALLOT. THEREFORE MY PROPOSAL DID FOR THE HAVE AN OPPORTUNITY TO GET VOTED ON. THE LEADERSHIP OF THE PLANNING TEAM CAME FORTH WITH A BALLOT OF HIGH DENSITY SINGLE FAMILY, WHICH THAT WAS, I BELIEVE, I HAVE TO CHECK BUT NOT SUPPORTED. THE VOTE WAS 5 TO SUPPORT THE CHANGE FROM SF TO HIGH DENSITY SINGLE FAMILY, 20 TO GO TO HIGH DENSITY SINGLE FAMILY ONLY AT THE TIME ZONING WAS KNOWN. AND THEN 18 TO KEEP IT SF CURRENTLY. BUT AGAIN I DON'T BELIEVE THAT THAT VOTE IS REPRESENTATIVE OF THE PROPOSAL THAT WE'VE HAD ON THE TABLE FOR OVER A YEAR.

McCracken: THAT -- THE PROPOSAL FOR 4 IS WHAT?

THE PROPOSAL FOR FORT MAGRUDER 4 IS FOR MIXED USE.

McCracken: OKAY. THEN IS THERE A FORT MAGRUDER 2?

FORT MAGRUDER 2 CAME OFF THE TABLE BACK IN DECEMBER I BELIEVE. WE HAD VERBAL COMMITMENTS FROM THE LANDOWNER OVER THERE THAT OWNS THE SINGLE FAMILY LAND USE DESIGNATED PROPERTIES AND HE DECIDED NOT TO GO FORWARD.

McCracken: OKAY. SO THEN -- SO THEN THIS -- SORRY, I'M TRYING TO UNDERSTAND THE RECAP THEN. WE HAVE BASICALLY THREE BLOCKS OF LAND USE CHANGES BEFORE US. AND THE -- THE OFFICIAL NEIGHBORHOOD VOTE ON TWO OF THEM WAS TO SUPPORT THE PROPOSALS BEFORE US AND THEN ON THE THIRD BEFORE US THAT QUESTION WAS NOT PRESENTED ON THE BALLOT.

CORRECT.

OKAY.

Mayor Wynn: MR. GUERNSEY, COULD YOU --

Guernsey: THE NEIGHBORHOOD REPRESENTATIVE WOULD

LIKE TO SPEAK TO WHAT THEY VOTED TO. I WAS ASKING HER WHICH WOULD BE THE MOST APPROPRIATE SLIDE TO PUT UP TO REFLECT THEIR POSITION.

Mayor Wynn: DO YOU WANT TO JOIN US, PLEASE. WELCOME BACK.

THANK YOU. OKAY. LET ME EXPLAIN THE VOTE. THE FIRST VOTE THAT WE TOOK -- THE VERY FIRST PIE CHART ABOUT TAKING FORT MAGRUDER 1, 2 AND 3 OFF OF THE BALLOT BECAUSE THERE WERE PROPERTY OWNERS THAT DID NOT WANT THEIR PROPERTY INCLUDED. SO IN FEBRUARY THE FIRST TIME THAT WE VOTED ON THE ISSUE OF THE FUTURE LAND USE CHANGE FOR THE INNER BLOCK, FORT MAGRUDER 4, 55 VOTED AGAINST THE CHANGE, 31 VOTED FOR IT. SO THERE WAS A VERY CLEAR MAJORITY THAT VOTED AGAINST THE FLUM CHANGE FOR FORT MAGRUDER 4. THE ZONING CHANGE FOR FORT MAGRUDER 4 THAT WAS LISTED ON THE SAME BALLOT, I HAVE A COPY -- NO, I DON'T HAVE A COPY OF IT. NOT HERE. BUT NAY WAS SF 3, CS, CO, NU-NP AGAINST THE CHANGE 54, FOR THE CHANGE 32. SO THAT CLEARLY LOST AND -- IN FEBRUARY. WE NEVER WENT BACK AND REVOTED ON 4 AGAINST THAT MIXED USE AND THAT ZONING DESIGNATION BECAUSE WE HAD A VERY CLEAR VOTE ON IT. IN JUNE WHEN WE WENT BACK AT THE REQUEST OF THE PEOPLE WHO WANTED ADDITIONAL OPTIONS ON THE BALLOT, WE VOTED ON I SUPPORT A CHANGE IN THE ADOPTED FLUM FROM SF TO MU FOR THESE PROPERTIES WITHOUT CONDITIONS, THERE WERE 29 WHO VOTED FOR THAT. I SUPPORT A CHANGE IN THE FLUM FROM SF TO MU FOR THESE PROPERTIES ONLY AT SUCH TIME AS THE BASE ZONING AND CONDITIONAL OVERLAYS ARE KNOWN AND APPROVED BY THE DNPT 23 AND I SUPPORT KEEPING THE CURRENT SF LAND USE AS REFLECTED IN THE ADOPTED FLUM FOR THESE PROPERTIES, 8, SO THAT THE COMBINATION OF FOR THE FLUM WHEN ZONING IS KNOWN AND AGAINST ANY CHANGE ACTUALLY IS -- IF YOU ADD THOSE TWO TOGETHER, AS BEING THE OPPOSITE OF SUPPORTING IT, THEY LOST ON THAT ONE. TWO, THE BLOCK BOUNDED BY CRABS AS -- ANYWAY NUMBER 4 ON THE MAP. I SUPPORT A CHANGE IN THE ADOPTED FLUM FROM SF TO HIGH DENSITY SINGLE FAMILY FOR THESE PROPERTIES WITHOUT CONDITIONS, WITHOUT KNOWING ANYTHING

ABOUT THE PROPOSED DEVELOPMENT, 5. I SUPPORT A CHANGE IN THE FLUM FROM SF TO HIGH DENSITY SINGLE FAMILY FOR THESE PROPERTIES ONLY AT SUCH TIME AS THE BASE ZONING AND CONDITIONS ARE KNOWN AND APPROVED, 24. AND I SUPPORT KEEPING THE CURRENT SF LAND USE AS REFLECTED IN THE ADOPTED FLUM FOR THESE PROPERTIES, 18. SO CLEARLY THE -- THE SUPPORTING A CHANGE IN THE FLUM WHEN BASE ZONING AND CONDITIONS ARE KNOWN AND ALSO NOT WANTING TO CHANGE IT AT ALL WAY OUTNUMBERED THOSE IN FAVOR OF IT. THE PROPERTY AT 313 -- 3811 WALKER STREET LOCATED ON THE BLOCK -- ANYWAY, THAT'S -- THE --

McCracken: THAT'S -- [INDISCERNIBLE] TO MOVE IT ON [INDISCERNIBLE] SO WHAT I GATHER THEN IS I -- THE WAY I SEE THIS, THIS IS KIND OF ANALOGOUS TO THE RAINEY STREET SITUATION WHERE WE DID SOMETHING LIKE THE LAND USE MAP SO THAT THERE WAS PREDICTABILITY ON WHETHER WE WERE GOING TO HAVE ANY DEVELOPMENT OCCUR TO RAINEY STREET. SAME THING IN THE UNIVERSITY OVERLAY. WE ARE AN IN ANALOGOUS SITUATION TO UNO OR RAINEY STREET. WHAT I'M SAYING IS AT LEAST -- SEEING IS THE POSITION WHERE THE NEIGHBORHOOD IS, ONE IN THREE, THE VAST MAJORITY OF FOLKS, WELL THE MAJORITY -- THE PLURALITY WAS FOR THE LAND USE CHANGE AND THEN YET IT'S A -- THE SECOND POSITION WOULD BE [INDISCERNIBLE] WITH THE ZONING CHANGE SO IT -- THAT IT APPEARS THAT NUMBER 4 IS THE AREA OF THE MOST CONTENTION. IS THAT A FAIR CHARACTERIZATION? OKAY. IS 4 THE ONE THAT'S -- ONE AND THREE WILL -- ONE IS ON SOUTH CONGRESS AND THREE IS ON -- ON BEN WHITE.

ONE IS ACTUALLY ON THE BLOCK THAT RUNS ON CONGRESS, YES.

McCracken: SO THEN WE ARE LOOKING AT -- SO 4 IS BASICALLY HALF OF -- OF THAT FIRST BLOCK ADJACENT TO -- TO SOUTH CONGRESS AND -- AND BEN WHITE; IS THAT CORRECT?

THAT'S WHAT THIS MAP REFLECTS. YEAH? THE FIRST BLOCK ADJACENT. TO -- YEAH. AND WHAT IS THE -- WHAT IS THE -- I GUESS ONE OF THE CHALLENGES THAT WE HAVE NOW IS WE

HAVE I GUESS IT APPEARS THERE'S SOME SHIFT PERHAPS OR WE DON'T KNOW -- WE KNOW IN FEBRUARY THE NEIGHBOR'S POSITION ON THE VOTE WAS DON'T MOVE [INDISCERNIBLE] HERE. THEN WE -- TRYING TO SORT IT OUT. SO THEN IN -- IN JUNE THE VOTE, CYNTHIA, WAS ON WHETHER TO GO TO HIGH DENSITY SINGLE FAMILY OR NOT GOING TO HIGH DENSITY SINGLE FAMILY.

IN JUNE WE WENT BACK AND VISITED THE HIGH DENSITY SINGLE FAMILY EVEN THOUGH THEY NEVER PROPOSED IT. WE HAVE SAID ON MANY OCCASIONS HAVE YOU CONSIDERED HIGH DENSITY SINGLE FAMILY AS AN ALTERNATIVE TO COMMERCIAL BECAUSE IT WOULD GIVE THEM MORE OPTIONS IN TERMS OF -- OF THEY COULD BUILD TOWN HOMES, THEY COULD BUILD CONDOS. THEY COULD GET MORE DENSITY AND THEY COULD -- BUT IT WOULD NOT BE IN CONFLICT WITH THE TEXT AND THE INTENT OF THE NEIGHBORHOOD PLAN. IT WOULD GIVE THEM REDEVELOPMENT PROPERTY RIGHTS BUT IT WOULD NOT --

[MULTIPLE VOICES] I APPRECIATE THAT.

WHAT KIND OF PARKING CAPACITY WOULD WE NEED, WITH THE CONTEMPLATED LAND USE NEED THAT'S BEING PROPOSED BY I GUESS A NUMBER OF NEIGHBORS?

WELL, WHAT WE HAVE LOOKED AT IN OUR PLAN, THE PLAN, THE MASSING MODEL, THE ARCHITECTS RENDERING, THE PARKING IS ACCOMMODATED ON EACH BLOCK, EACH FORT MAGRUDER AREA INDIVIDUALLY AND IT CAN COMPLY AND PROVIDE A LITTLE BIT OF ACCESS PARKING FOR SOME INTENDED USES PRIMARILY LET'S TAKE A LOOK AT FORT MAGRUDER 4. ALL WE WERE LOOKING FOR WAS GROUND LEVEL COMMERCIAL DEVELOPMENT AND THEN RESIDENTIAL UNITS ABOVE AND SOME RESIDENTIAL UNITS ON TOP OF THE GARAGE. THAT PARKING CAN BE ACCOMMODATED FOR ALL OF THOSE USES ON THAT PIECE OF PROPERTY.

McCracken: BUT CAN YOU GIVE US SOME SENSE OF WHAT IS THE ADJACENT PROPERTY USES TO -- TO BLOCK 4? I GUESS THE ONE WE ARE REALLY DISCUSSING.

IN WEST -- TO THE WEST IT'S CURRENTLY VACANT MUCH

ONE PROPERTY OWNER THAT OWNS THE LAND FROM RAINEY STREET TO SOUTH FIRST AND INCLUDES THE CHUCKY CHEESE BUILDING. TO THE NORTH IS SINGLE FAMILY, TO THE SOUTH IS FORT MAGRUDER 3, TO THE EAST IS -- THERE'S SONYA HINTER'S HOME OVER THERE, FORT MAGRUDER 1 WHICH WE ARE ATTEMPTING TO CHANGE FROM SINGLE FAMILY TO MIXED USE AND ALSO COMMERCIAL ZONING. THERE'S A CELL TOWER THAT IS ON THE CORNER OF FORT MAGRUDER -- EXCUSE ME OF WADFORD AND DUNLAP. COULD I -- COULD I GET AN AERIAL THAT MAY SHOW IT BETTER?

YEAH. THE WED IS FORT MAGRUDER 1 ON HUNTER'S PROPERTY. DIRECTLY TO THE NORTH OF HER IS A WELDING SHOP WHERE SHE TALKED ABOUT THE THREE FOOT TALL WEEDS AND ABANDONED TRUCKS, IS ABANDONED RIGHT NOW. TO THE NORTH OF THAT IS AN AUTO REPAIR AT THE CORNER OF INCREASE AND WADFORD. YOU HAVE NAPA, ... LANDSCAPE CONTRACTOR ALL FRONTING ON CONGRESS. WE HAVE A SMALL RESIDENCE THAT FRONTS ON DUNLAP THAT IS MR. EANES PROPERTY. RIGHT AT THE CORNER OF WADFORD AND DUNLAP YOU HAVE A CELL TOWER AND A PROPERTY THAT IS COMMERCIAL ZONED AND MIXED USE ON THE MAP. EVERYTHING ON THIS BLOCK IS MIXED USE EXCEPT FOR SONYA HUNTER'S PROPERTY AND MR. INC.'S SMALL HOME ON DUNLAP.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? MAYOR PROTEM?

ASKING FOR CS, NOT FOR CS DEVELOPMENT STANDARDS BUT JUST TO GET THE FAR.

THAT'S CORRECT.

Dunkerly: THAT'S CORRECT? THEN YOU WOULD AGREE TO GR DEVELOPMENT REGULATIONS WITH THE TRIP LIMITATIONS AND WITH ALL OF THOSE PROHIBITED USES. IS THAT CORRECT.

THAT'S CORRECT.

WHERE DO WE COME IN WITH THE -- WITH THE 75-FOOT

SETBACK ON THAT -- ON THAT LOT? IS THAT IN THE FLUM OR IS THIS ON HERE.

THAT DOESN'T APPLY TO FORT MAGRUDER 1. IT DOES APPLY TO FORT MAGRUDER 4. THAT IS IN MY OPINION A -- A TEXT THAT CAN BE PLACED ON THE FUTURE LAND USE --

Dunkerly: I'M SORRY ONLY APPLIES TO FORT MAGRUDER 4.

THE 75 SETBACK APPLIES TO FORT MAGRUDER 4 SO THAT WE HAVE SOME USE TRANSITION BETWEEN THE PROPERTY ON DUNLAP.

WHERE DOES IT SHOW UP, IN THE ZONING PART OR IN THE FLUM PART, THAT'S MY QUESTION. I'M REALLY CONFUSED ON THAT.

FLUM.

Dunkerly: OKAY.

THE PLANNING COMMISSION RECOMMENDATION AND MINE IS WITH THE FLUM.

Dunkerly: THAT WOULD BE ON THE FLUM.

YES, SIR.

Dunkerly: OKAY.

Cole: YOU TALKED EARLIER, I'M GETTING -- I MIGHT HAVE TO HAVE GREG'S HELP ON THIS ABOUT THE ZONING CATEGORY VERSUS THE FLUM MAP BECAUSE I WASN'T HERE WHEN WE DID RAINEY STREET OR THE UNIVERSITY OVERLAY. BUT YOU TESTIFIED AT THE PLANNING COMMISSION THAT YOU AGREED TO -- TO I THINK A NEIGHBORHOOD COMMERCIAL DESIGNATION.

NEIGHBORHOOD --

Cole: THEN SUBSEQUENTLY DIDN'T WANT TO USE THAT. CAN YOU EXPLAIN WHAT WAS GOING ON THERE?

THREE HOURS PRIOR TO PLANNING COMMISSION I GOT A CALL FROM CITY STAFF SAYING THEY CAN COME UP WITH A NEW LAND USE DESIGNATION FOR FLUM MAPS, NEIGHBORHOOD MIXED USE. WHAT THEY EXPLAINED TO ME IS THAT IT'S TO PROVIDE FOR LOWER INTENSITY COMMERCIAL USES IN PROXIMITY TO SINGLE FAMILY HOMES. FROM THE FACE VALUE THAT SOWRNDZ GREAT, WHAT WE WANTED TO DO. IT WASN'T UNTIL TWO OR THREE MONTHS LATER THAT THE ACTUAL DEFINITION CAME OUT AND THE ZONING CLASSIFICATION THAT ARE APPROPRIATE FOR MIXED USE ARE LR, NO AND LO ZONING. LR .5 FAR, LO .7, NO .35 TO 1 FAR. WE ARE LOOKING AT AN OPPORTUNITY TO HAVE A GREATER FAR WITH A PROPER DEVELOPMENT AND STILL MEET THE CAPABILITY FROM THE PROPERTY TO THE NORTH AND BY DOING THAT WE NEED ZONING GREATER THAN THE LR AND THE LO THAT THE NEIGHBORHOOD COMMERCIAL LAND USE DESIGNATION IS FIT FOR. IF WE GO TO MIXED USE DESIGNATION AND COME IN WITH A GR OR EVEN A CS ZONING CATEGORY, WE ARE STILL LOOKING AT ONLY ULTIMATELY APPLYING FOR SEVEN PERMITTED COMMERCIAL USES ALONG FORT MAGRUDER 4. THOSE WOULD BE THE COMMERCIAL USES THAT ARE MORE FITTING. SUCH AS OFFICE, MEDICAL OFFICE, RESTAURANT, ART GALLERIES AND THINGS OF THE LIKE.

Cole: OKAY. KRISTEN?

CYNTHIA.

SORRY. WHAT'S YOUR LAST NAME.

MEDLYNN. I'M SORRY. I WAS TRYING TO GET AN UNDERSTANDING OF HOW YOUR NEIGHBORHOOD WAS VOTING WANTING THIS TO OCCUR WITH THE ZONING CHANGES. WHAT IN YOUR MIND WOULD BE THE PROPER PROCESS? THEN I WANTED TO KNOW WHAT WE ACTUALLY DO.

WELL, THE WAY ACTUALLY THAT THE AMENDMENT PROCESS IS STATED IS THAT AN OWNER BRINGS YOU A PROJECT AND THEN YOU -- THEY PRESENT IT TO THE NEIGHBORHOOD PLAN TEAM AND YOU NEGOTIATE AND DECIDE WHETHER YOU CAN SUPPORT THE PROJECT OR NOT. THE -- THE

PROBLEM IS THAT BY INTERJECTING THE FUTURE LAND USE MAP AS THE PLAN AMENDMENT, THE MAP THEN BECOMES -- ONCE YOU CHANGE THE LAND USE ON A MAP, EVERYTHING THAT IT ALLOWED UNDER THAT COLOR ON THE MAP IS -- IS ALLOWED. SO IF A NEW PROJECT, MR. THROWER HAS ADMITTED THEY HAVE NOT SOLD THIS PROPERTY YET, THEY DO NOT HAVE A DEVELOPER. THEY HAVE PRESENTED YOU WITH A PROJECT THAT THEY THINK IS A LOVELY PROJECT. BUT WE DON'T KNOW WHAT WILL ULTIMATELY BE BUILT THERE. WHEN IT IS CHANGINGS FORWARD WITHOUT KNOWING THE BASE ZONING, THE CONDITIONS, LIKE ON THE GR PROPERTY NEXT TO THIS, WE HAD INPUT INTO THAT PROPERTY, YOU KNOW. AND CONDITIONS WERE PUT ON -- ON THAT ZONING CHANGE. WITHOUT THOSE BASE ZONINGS, WITHOUT KNOWING WHAT THE ZONINGS ARE, WHETHER IT'S CS OR IT'S LI OR IT'S -- IT'S GR, AND THEN DISCUSSING THINGS LIKE WHERE THE PARKING LOTS ARE AND -- AND SETBACKS AND THAT KIND OF THING AND CONDITIONAL USES, WITHOUT KNOWING THAT, YOU ARE JUST SAYING OKAY, WE ARE SAYING YOU CAN BUILD A PROJECT UNDER THIS MIXED USE OVERLAY, THAT -- THAT HAS A WIDE RANGE OF POTENTIAL ZONINGS AND CONDITIONS AND IT DOESN'T HAVE TO COME THROUGH US FOR A PLAN AMENDMENT. WE DON'T HAVE THE SAME INPUT AND ALSO IN THIS CASE YOU HAVE SEVERAL LOTS. LIKE WE SAID, YOU KNOW, YOU CAN PRESENT IT AS A SINGLE PLAN BUT EVERY SINGLE ONE OF THESE SINGLE LOTS IS GOING TO HAVE MIXED USE ON IT. IF SOMEBODY WANTS TO COME IN AND DO -- FLIP THE PROPERTY AND COME IN AND DEVELOP THOSE AS INDIVIDUAL LOTS WITH -- WITH A DIFFERENT DESIGNATION UNDER WHAT'S ON THE FLUM, THEY CAN DO SO JUST LIKE THEY ARE DOING WITH SONYA HUNTER'S LOT. SONYA'S IS THE ONLY ONE OF ALL OF THOSE LOTS THAT THEY ARE ASKING FOR A ZONING CHANGE.

Cole: OKAY.

I HAVE A QUESTION REAL QUICK.

McCracken: DO WE HAVE THE ABILITY TO GRANT A CONDITIONAL USE MIXED USE? SO THAT -- FOR THE -- STRIKES ME THAT FOUR IS THE ONE THAT WE'RE REALLY KNOTTED UP ABOUT. IT WOULD BE HELPFUL TO KNOW IF

THERE'S AN ACTUAL PROJECT. COULD WE HAVE IT ON THE LAND USE MAP A CONDITIONAL USE FOR MICKED..... MIXED USE?

WE HAVE NEVER DONE THAT BEFORE. REALLY WHERE THE CONDITIONAL USE COMES UP AT THE TIME OF ZONING. WHAT CYNTHIA IS SAYING, SAID THROUGHOUT, THEY WOULD PROBABLY BE MORE WILLING TO TALK ABOUT DIFFERENT ZONING DISTRICTS AND A FLUM AMENDMENT BUT ONLY WHEN IT'S BROUGHT TOGETHER AT THE SAME TIME. OUR CURRENT PROCESS DOESN'T REQUIRE THAT. THAT YOU CAN DO A FUTURE LAND USE AMENDMENT AND THAT'S WHAT RON HAS BROUGHT FORTH IS THE AMENDMENT EXCEPT ON FORT MAGRUDER 1 WHERE WE BOTH --

McCracken: I'M SORRY. BUT I GUESS COULD WE? IT SOUNDS LIKE THERE'S NOTHING THAT PREVENTS US FROM DOING IT, RIGHT?

IT WOULD BE RATHER AWKWARD BECAUSE THEN IF YOU HAD A CONDITION PLACED ON THE FUTURE LAND USE MAP, IT'S JUST A GENERAL INTENTION OF A FUTURE USE. AND THEN YOU WOULD CLOUD THAT IF YOU SAID WELL ONLY WHEN WE KNOW WHAT THE ZONING WOULD BE OR WHEN WE DO A CONDITIONAL USE PERMIT WOULD WE KNOW WHAT THAT FUTURE LAND USE IT. BACK YARD.

HERE'S WHY I SAY IT, WE BASICALLY DID THAT IN THE MIXED USE ORDINANCE ON INTERIOR BLOCKS. WE SAID, THE DESIGN STANDARDS MIXED USE ORDINANCE, WE SAID ON THE CORRIDORS IT'S -- IT'S VERTICAL MIXED USE AND THE OVERLAY, FUTURE LAND USE BASICALLY ENTITLEMENTS, TOO. BUT WE SAID AN INTERIOR BLOCKS THAT HAVE A MIXED USE ZONING DESIGNATION OR THAT'S SOME KIND OF COMMERCIAL DEAL THAT IT WILL BE A -- IT WILL BE A CONDITIONAL USE. SO THAT WE ARE NOT SAYING NO TO MIXED USE. WE ARE SAYING IT MATTERS AND WHAT THE MIXED USE PROPOSAL IS AND IT NEED TO HAVE NEIGHBORHOOD INPUT BEFORE -- IS THAT AND THAT GOES RIGHT BACK TO THE ZONING. WHAT YOU COULD DO, YOU DO HAVE TWO OPTIONS. ONE, YOU COULD SAY YOU WON'T CHANGE THE FUTURE LAND USE MAP AND LEAVE IT THE WAY IT IS. THEN I GUESS YOU COULD WAIT UNTIL THERE'S

ACTUALLY A PROPOSAL THAT COMES FORWARD THAT YOU CONSIDER THE ZONING. THAT'S CERTAINLY NOT WHAT RON IS ADVOCATING. THE OTHER THING THAT YOU COULD DO IS YOU COULD CHANGE THE FUTURE LAND USE MAP TO SOME CATEGORY AND THEN MAKE COMMENTS KNOWN NOW THAT WHEN THIS COMES BACK FOR THE ZONING CHANGE, THAT YOU WILL CONSIDER CERTAIN THINGS. BUT THERE'S NOT A WAY TO DO A CONDITIONAL FLUM. I KNOW WHAT YOU ARE TALKING ABOUT DOING THE CONDITIONAL USE, BUT THAT'S REALLY TALKING ABOUT ZONING THAT PROPERTY WITH -- WITH LIKE A THREE ACRE TRACT AND COMING BACK AND DOING SOMETHING MORE SPECIFIC. THAT'S JUST NOT WHERE WE ARE AT. BUT YOU CAN TAKE ACTION ON FORM AND NOT TAKE ACTION ON 4, TAKE ACTION ON ONE AND THREE IF THERE'S A CONCERN ABOUT THE FUTURE LAND USE MAP NOW. SO YOU COULD DO PART OF IT, YOU COULD DO ALL OF IT, YOU COULD DO ONE OF IT, SO YOU DO HAVE THAT OPTION BEFORE YOU.

MAYOR PRO TEM?

COUNCILMEMBER MCCRACKEN REALLY JOGGED MY MEMORY BACK TO THE OLDEN DAYS WHEN WE WERE CONSIDERING THE RAINEY STREET NEIGHBORHOOD AND THERE -- I THINK THIS IS PROBABLY THE -- THE -- WHERE PEOPLE ARE KIND OF NOT UNDERSTANDING EACH OTHER HERE. SURE THEY COULD COME IN ON A LOT BY LOT BASIS, WHICH IS WHAT MOST NEIGHBORHOOD PLANS ARE USED TO. BUT IN RAINEY STREET YOU HAD A GROUP OF NEIGHBORS, WHO WANTED TO GET TOGETHER AND DESIGN A PROJECT WHERE THEY ALL NEEDED TO COOPERATE AND I'M NOT SURE THAT'S WHAT YOU ARE DOING, BUT JUST LISTENING TO THEM, I'M HEARING THE SAME COMMENTS AS WE HEARD FROM THOSE PROPERTY OWNERS IN RAINEY STREET. TO GET THE KIND OF INTEREST IN A PROJECT OF THIS TYPE WE REALLY DID HAVE TO GIVE SOME INDICATION TO THE DEVELOPMENT COMMUNITY THAT -- THAT WE WERE INTERESTED IN A MIXED USE PROJECT ON IN THAT PARTICULAR AREA. AND THAT MAY BE WHY -- WHY THIS IS IMPORTANT HERE AND I'M NOT -- I DON'T KNOW, I'VE NOT SPOKEN TO THE -- TO EITHER THE DEVELOPER OR TO THE -- TO THE INDIVIDUAL OWNERS HERE. BUT JUST LISTENING TO IT THIS SEEMS TO BE WHAT YOU ALL ARE SHOOTING FOR

AND THAT'S WHY IT'S SO DIFFICULT TO GO LOT BY LOT AND GET IT DONE BECAUSE YOU ARE NOT GOING TO HAVE ANYBODY INTERESTED IN TRYING TO DEVELOP THIS PROJECT IF THEY ARE NOT SURE THAT THOSE USES ARE AT LEAST GOING TO BE POSSIBLE IN SOME WAY. WE HAVE GOT SOME RESTRICTIONS ON THEM, WE HAVE RESTRICTED IT TO GR DEVELOPMENT RIGHTS AND 75 FEET IS RESTRICTED BUT I THINK THAT'S THE REAL PROBLEM MAYBE WE COULD TALK ABOUT THAT FOR ANOTHER WEEK, BUT IF WE ACTED ON ONE AND THREE NOW, I JUST THINK THAT IT'S -- THAT THE THING IS NOT GOING TO GO UNLESS THERE'S SOME WAY TO GIVE SOME ASSURANCE TO A PARTICULAR DEVELOPER IN THE FUTURE. THAT -- THAT THIS -- THIS MIXED USE PROJECT IS -- IS NOT GOING TO HAVE INSURMONTABLE HURDLES LATER BECAUSE PEOPLE SPEND A LOT OF MONEY TRYING TO DESIGN AND TRYING TO -- TO DRAW PICTURES OF AND ALL OF THIS STUFF AND GETTING A PROJECT GOING, SO I THINK THAT'S WHERE -- THAT'S WHERE I'M SEEING THE MISCOMMUNICATION, THEY CAN'T DO A BLOCK BY BLOCK WITHOUT SOME ASSURANCE OF SOMETHING, BECAUSE THE PROJECT PROBABLY WON'T FLY AND YOU ALL WANT A BLOCK BY BLOCK SO YOU CAN SEE EXACTLY THAT'S -- WHAT'S GOING ON BE ON THERE. SO I DON'T KNOW -- I DON'T KNOW WHAT THE RESOLUTION IS.. IS. I'M GOING TO ASK RON, AM I THINKING ABOUT THIS RIGHT OR AM I JUST SUPER IMPOSING SOME OLD MEMORIES OF RAINEY STREET ON THIS?

NO, I THINK THAT YOU ARE STATING IT QUITE RIGHT. I THINK A DEVELOPER DOES NEED SOME LEVEL OF ASSURANCES. I THINK THAT A FUTURE LAND USE MAP CHANGE TO MIXED USE FOR THIS IS JUST ONE STEP IN THE PROCESS. THE ZONING IS THE MEATS AND POTATOES OF A DEVELOPMENT. THAT IS SOMETHING THAT GETS WORKED OUT ONLY WITH THE NEIGHBORHOOD, BUT WITH -- WITH THE STAFF, THE COMMISSIONS AND ULTIMATELY WITH THE COUNCIL. I'M HOPEFUL THAT EVERY ONE OF YOU ALL AT COUNCIL TODAY IS GOING TO BE ON THE DAIS WHEN WE DO COME FORWARD WITH THE ZONING CASE. IT WILL ALL BE FRESH ABOUT WHAT THE ACTUAL INTENT WAS THAT WAS STATED TODAY AND WOULD BE IN THE FUTURE.

MAYOR --

MAYOR.

JUST A SECOND.

I THINK THAT, YOU KNOW, WE WILL REGULARLY HAVE CASES COME FOR US, NOT REGULARLY, BUT WE HAVE THEM WHERE -- WHERE NEIGHBORHOOD PLANS SAY WE WANT TO WAIVE COMPATIBILITY STANDARDS. THEY DID IT IN UNO, EAST 12 STREET NCCD. WE KIND OF LOOK AT THE PEOPLE ADJACENT TO THE PROPOSED LAND USE CHANGES AND SAY -- THEY CAN SAY IF I DON'T -- IF I'M FOR THE CHANGE IN IMPACT, THEN WE ARE GOING TO BE MORE INCLINED TO BE FOR IT. SO -- SO I'M ASKING YOU, I WANT TO KNOW WHO HERE TONIGHT IS THE LANDOWNERS IMMEDIATELY ADJACENT TO 4, WHETHER THEY ARE FOR IT OR AGAINST IT. SO WE HAVE PEOPLE WHO LIVE IMMEDIATELY ADJACENT TO FORT MAGRUDER 4?

THEY ARE --

[INDISCERNIBLE]

Mayor Wynn: NORTHERN HALF OF THAT BLOCK.

ONE HOUSE.

THAT'S VERY HELPFUL TO KNOW. OKAY. THANKS.

OKAY.

COUNCILMEMBER LEFFINGWELL? SORRY?

Leffingwell: WELL, I THINK WHAT MAKES THIS SO CONFUSING IS TAKE WE ARE REALLY NOT USED TO DEALING WITH A FLUM WITHOUT A ZONING CHANGE AT THE SAME TIME. AND I BELIEVE -- I DON'T WANT TO MISS INTERPRET YOU COUNCILMEMBER MCCracken, YOU ARE TALKING ABOUT SOME KIND OF CONDITIONAL FLUM DESIGNATION -- A FLUM IS CONDITIONAL BECAUSE IT MEANS NOTHING, BUT THE PROPERTY COULD STILL BE ZONED SF, THE FLUM COULD SAY MIXED USE OR COMMERCIAL OR ANYTHING ELSE, BUT IT

HAS NO MEANING UNTIL THE ZONING IS CHANGE. SO THE FLUM IS CONDITIONAL, CORRECT?

I WOULD SAY THE FLUM DOES HAVE MEANING BECAUSE IT GIVES INTENTION TO THE FUTURE LAND USE -- [MULTIPLE VOICES] YOU STILL NEED TO GET THE ZONING CHANGE IN ORDER TO GET THE LIST OF PERMITTED USES TO -- TO ESTABLISH SETBACKS TO HEIGHT LIMITATIONS AND THOSE THINGS. I WAS GOING TO MENTION EARLIER, MAYOR PRO TEM, THAT IF THERE IS A VERY STRONG DESIRE TO -- TO ADDRESS BOTH OF THESE ISSUES, IF THE APPLICANT ISN'T WANTING TO FILE A ZONING CASE, THE COUNCIL COULD DIRECT STAFF TO INITIATE A CASE, THEN THE CERTAINTY WOULD BE COMING BACK AND YOU COULD ADDRESS THIS ALL AT ONCE. THAT'S -- I WAS JUST GOING TO MENTION THAT AS AN OPTION.

Leffingwell: JUST TO OVER SIMPLIFY, THE FLUM IS INTENT, THE ZONING IS REALITY.

Guernsey: THAT'S RIGHT. THE ZONING WILL FOLLOW THE FLUM AS FAR AS BEING CONSISTENT WITH IT.

COUNCILMEMBER MCCRACKEN?

AND HEARING -- YOU KNOW, THERE'S A -- I DON'T THINK THAT WE ARE READY ON FOUR, TO CHANGE THE LAND USE. THE REASON WHY IS THAT PRINCIPLE THAT IF THERE'S GOING TO BE SOME SIGNIFICANT INTENSITY CHANGE IN THE INTERIOR, NEXT TO PEOPLE'S SINGLE FAMILY HOMES, I -- I WOULD THINK THAT WE HAD A PRETTY SOLID PRINCIPLE THAT WE SHOULDN'T BE DOING THAT. I THINK ONE IN THREE ARE NOT READY, I THINK ONE IN THREE ARE READY TO GO. FOUR -- I DON'T WANT TO SAY IT WON'T BE READY TO GO, IT COULD BE, BUT WE NEED SOMETHING MORE CONCRETE ON FOUR. I THINK IN PARTICULAR GIVEN THE FACT THAT WE HAVE SINGLE FAMILY HOMEOWNERS ON -- ON THAT SAME BLOCK LIVING NEXT TO THE PROPOSED PARCELS AND SO THAT'S -- I THINK WE JUST NEED TO GET MORE CERTAINTY ON FOUR AND THEN ONE AND THREE DON'T SEEM TO BE THAT BIG OF A DEAL. ONE IS ON BEN WHITE, ONE IS ON SOUTH CONGRESS THAT SEEMS FINE. I WOULD SUPPORT ONE AND

THREE AND NOT TAKING ANY ACTION ON FOUR MYSELF.

WAS THAT A MOTION.

WOULD 4 THEN COME BACK WHEN YOU HAVE THE -- WHEN YOU HAVE THE PHONING REQUEST ON IT? YOU SAID THAT YOU COULD BRING IT --

IT DEPENDS ON WHAT YOU DO. YOU COULD END UP SAYING AS COUNCIL COULD MAKE A MOTION TO APPROVE, LET'S SAY THE PLANNING COMMISSION RECOMMENDATION ON ONE AND THREE AND THEN RECOMMEND DENIAL OR -- NO CHANGE, NUMBER 4. AT THIS TIME. THAT'S NOT TO SAY IT CAN'T COME BACK AT SOME POINT IN THE FUTURE.

I DON'T --

OR JUST --

NOT TAKE ACTION ON NUMBER 4 BUT DO LIKE AN INDEFINITE POSTPONEMENT, RECEIVER THE CASE INTO TWO PIECES.

Dunkerly: I WOULD RATHER DO THAT. I DON'T WANT A DENIAL BECAUSE THERE'S SOME RESTRICTIONS ON WHEN YOU BRING IT BACK, I BELIEVE. SO I WOULD LIKE TO IF WE ARE GOING TO ACT ON 1 AND 3 AND I'M CERTAINLY SUPPORT THAT, THEN I WOULD JUST LIKE AN INDEFINITE POSTPONEMENT ON 4 UNTIL WE CAN GET EITHER THE NEIGHBORHOOD AND THE DEVELOPER TO -- WITH THE FACILITATOR TO AGREE ON SOMETHING OR FOR THE DEVELOPER TO COME BACK WITH A SPECIFIC PLAN AND ZONING REQUEST ON THAT.

YEAH.

Gurensey:: WHAT WE CAN DO AS THE COUNCIL DESIRE, STAFF WILL HOST THE MEETING WITH THE APPLICANTS AND THE NEIGHBORHOOD CONTACT TEAM AND SEE WHAT -- WHAT CAN COME OF THAT.

I WOULD SECOND MAYOR PRO TEM DUNKERLY'S MOTION IN THAT REGARD.

Dunkerly: GOOD. SINCE IT'S BEEN SECONDED MAYOR, CAN I MAKE ONE MORE COMMENT.

Mayor Wynn: YES, YOU MAY.

Dunkerly: I THINK IF WE ARE GOING TO LOOK AT THE MIXED USE DEVELOPMENT, THAT SOMEHOW WE NEED TO GET ADEQUATE PARKING IN THAT AREA SO THAT THE NEIGHBORHOOD WILL NOT BE ADVERSELY AFFECTED BY EITHER A -- THE -- THE RESIDENTIAL UNITS OR THE -- OR THE SHOPS OR WHATEVER GOES IN THERE. SO THAT'S ONE OF THE THINGS THAT I THINK YOU REALLY NEED TO LOOK AT WHEN YOU LOOK AT -- AT THAT PARCEL 4.

Mayor Wynn: MR. GUERNSEY HELP ME WITH THIS. A MOTION BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER MCCracken. GOING TO CLOSE THE PUBLIC HEARING IN THE COMBINED CASE OUT OF 67 AND 68.

Gurnsey:: ON 67 AS I UNDERSTAND IT THERE WAS A DESIRE TO APPROVE THE PLANNING COMMISSION RECOMMENDATION ON FORT MAGRUDER 1 AND 3, DO INDEFINITELY POSTPONEMENT ON 4, GIVE STAFF DIRECTION TO GO MEET WITH BOTH PARTIES TO SEE WHAT RESOLUTION CAN COME ABOUT. THAT WOULD STILL ALLOW THE OPPORTUNITY IN THE FUTURE TO COME BACK. YOU STILL HAVE ITEM 68, 68 IS PART OF FORT MAGRUDER 1 WHICH WAS THE ZONING CHANGE AND THEN THIS IS A QUESTION, YOU HAVE THE APPLICANT'S REQUEST WHICH IS FOR CS MU CO-NP WITH ALL OF THE THINGS THAT THE COMMISSION RECOMMENDED WITH THE EXCEPTION THAT THEY WOULD LIKE THE CS FLOOR TO AREA RATIO WHERE YOU HAVE THE COMMISSION'S RECOMMENDATION WHICH IS NOT -- DOES NOT INCLUDE THAT, THAT WOULD JUST BE THE GR MU CO-NP. I DIDN'T HEAR A MOTION ON --

Mayor Wynn: SO FAR IT'S BEEN -- THEY'VE BEEN COMBINED.

Dunkerly: ADD SOMETHING TO THAT.

Mayor Wynn: I WILL CONSIDER THAT A MOTION TO CLOSE THE PUBLIC HEARING ON ITEM 67 ONLY. AND TO AS -- AS MR. GUERNSEY SO ELOQUENTLY STATED TO -- TO DEFER

INDEFINITELY ACTION ON FORT MAGRUDER 4 FOR THE FUTURE LAND USE MAP BUT TO APPROVE THE PLANNING COMMISSION RECOMMENDATION ON FORT MAGRUDER 1 AND 3.

THAT'S ON ITEM 67.

ITEM 67 ONLY.

Mayor Wynn: FURTHER COMMENTS? COUNCILMEMBER KIM?

Kim: I WOULD BE OKAY WITH EITHER THE FLUM CHANGING BECAUSE IT'S NON-BINDING ANYWAY OR WITH WHAT THE NEIGHBORHOOD IS REQUESTING TODAY TO -- TO DELAY ACTION ON THE FLUM CHANGE FOR NUMBER 4, BUT I HAVE ANOTHER QUESTION SINCE MAYOR PRO TEM DUNKERLY MENTIONED PARKING. DO WE HAVE ANY CHANGES OR ANY WAY TO CHANGE THE PARKING REQUIREMENTS FOR THE MIXED USE AS MIXED USE IS SUPPOSED TO IN THEORY REDUCE THE NEED FOR PARKING, A LOT OF THE CUSTOMERS TO THE BUSINESSES ARE THERE AT THAT SITE. ONE THING THAT I'VE HEARD ON NORTHCROSS MALL WAS WHEN HE THIS LOOKED AT MIXED USE, IT INCREASED THE NEED FOR TRAFFIC COUNTS WHICH I THINK WOULD TRANSLATE TO PARKING BUT I'M NOT SURE. IS THERE ANY WAY THAT WE CAN RE-EVALUATE MIXED USE, TRAFFIC COUNTS AND PARKING.

THERE'S A -- THE DEVELOPER WHEN THEY COME IN AND BRING A PROPOSAL, THEY CAN REQUEST SHARED PARKING OR MIXED USE PARKING WHERE THEY CAN PROVIDE OUR TRANSPORTATION STAFF AND WATERSHED PROTECTION DEVELOPMENT REVIEW AN ANALYSIS OF THE NUMBER OF TRIPS OR NUMBER OF PARKING SPACES THAT WOULD BE NECESSARY FOR BOTH MAYBE THE RESIDENTIAL USES AND COMMERCIAL USES AND THEY CAN SOMETIMES GET A REDUCTION IN THAT. IF THERE'S THAT SHARED MIX THAT MEETS CERTAIN STANDARDS THAT THEY HAVE LOOKED AT IN THE PAST.

THAT FORMULA DRIVEN OR DO THEY HAVE TO PROVIDE THAT FORMULA TO US OR IS THAT IN THE STANDARD IN THE

BOOK THAT WE USE.

Guernsey: IT IS DRIVEN BY THEM IN THE SENSE THAT THEY HAVE TO PROVIDE US THE LAND USES AND THE AMOUNT OF THOSE LAND USES IN SQUARE FOOTAGE OR UNITS. THAT'S ACTUALLY DONE AT A LATER STAGE IN THE PROCESS, THAT'S ALWAYS OPEN UP TO PROPERTY OWNER IF THEY WOULD LIKE TO MAKE THAT REQUEST. THIS IS ALSO IN THE AREA IF YOU RECALL WE HAD THE SMALL BUSINESS AMENDMENTS, A COUPLE OF YEARS AGO, WHERE WE REDUCED THE PARKING REQUIREMENTS SO YOU ALREADY HAVE A REDUCTION PARKING REQUIREMENTS OVER THE CURRENT CODE, IT WOULD ONLY BE 80% OF WHAT'S NORMALLY REQUIRED IN THIS AREA OF THE CITY. SO RIGHT NOW BECAUSE IT'S IN THE CORE AREA OF OUR CITY, THEY GET A -- A PARKING BREAK.

COUNCILMEMBER KIM.

Kim: ON THE CASES WHERE WE HAVE REDUCED THE PARKING BECAUSE OF SHARED PARKING BECAUSE THE APPLICANT HAS GONE THROUGH THAT PROCESS, CAN I GET SOME EXAMPLES OF THAT SO I CAN UNDERSTAND? CAN YOU LET ME KNOW HOW -- I DON'T NEED IT TODAY. BUT CAN YOU LET ME KNOW HOW OFTEN DEVELOPERS HAVE DONE THAT? THAT THEY KNOW HOW TO DO THAT? BECAUSE I'M NOT SURE THAT THE PUBLIC UNDERSTANDS HOW THAT WORKS OR MAYBE THE DEVELOPER IN THAT COMMUNITY IS NOT VERY AWARE OF HOW IT WORKS.

WE CAN GET THAT INFORMATION. I WILL GET A COUPLE OF EXAMPLES.

Mayor Wynn: EXAM?

.....COUNCILMEMBER MCCRACKEN.

McCracken: OF COURSE VERTICAL MIXED USE HAS A 40% PARKING REDUCTION ALREADY IN OUR CODE, TOO.

Mayor Wynn: WE HAVE A MOTION AND A SECOND ON ITEM NO. 67 ONLY WHICH WOULD BE TO APPROVE THE PLANNING COMMISSION RECOMMENDATION FOR THE FUTURE LAND

USE MAP ON FORT MAGRUDER TRACTS 1 AND 3 ONLY, POSTPONING INDEFINITELY ACTION ON THE LAND USE DESIGNATION POTENTIALLY CHANGING THE FUTURE LAND USE DESIGNATION ON FORT MAGRUDER 4. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER MARTINEZ OFF THE DAIS. I WILL ENTERTAIN A MOTION ON ITEM NO. 68 WHICH IS THE ZONING REQUEST FOR 3811 WADFORD. MR. GUERNSEY, BRIEFLY AGAIN CAN YOU CALL UP THE VISUAL THAT SHOWED THE ZONING ON THE ADJACENT PROPERTIES ON THAT BLOCK. SO ZONING AND PLATTING OR PLANNING COMMISSION AGREED WITH STAFF RECOMMENDATION OF GR.

THAT'S RIGHT. THIS -- THIS PROPERTY DOES NOT ACTUALLY FRONT ON CONGRESS AVENUE. IT FRONTS ON -- ON WADFORD WHICH IS TO THE REAR AND THE -- THE STAFF RECOMMENDATION WAS FOR GR-MU-CO-NP WITH A TRIP LIMITATION AND PROHIBITED USES. THE -- THE PLANNING COMMISSION ADOPTED THE STAFF RECOMMENDATION BOTH OF THOSE ACTUALLY INCLUDE A 1,000 TRIP LIMITATION BY THE -- BY THE PROPERTY OWNER. THE DIFFERENCE IS THAT THE PROPERTY OWNER AGREES TO ALL OF THOSE DIFFERENT CONDITIONS, BUT WOULD LIKE CS MU CO-NP FOR THOSE GR MU CO USES WITH THE SAME PROHIBITED LIST AND ALL THE GR STANDARDS EXCEPT THEY WANT A SLIGHTLY HIGHER OR DOUBLED FAR OR FLOOR TO AIR RATIO SNEFD BEING ONE ON ONE, IT'S MY UNDERSTANDING THAT THEY WANT TWO TO ONE. SO THAT WOULD REQUIRE THE CS MU CO-NP, SO THAT -- THAT THE DIFFERENCE WOULD BE IF YOU WANT THE COMMISSION WHICH WOULD BE ONE TO ONE FAR WITH ALL OF THE SAME STANDARDS OR WHAT THE APPLICANT IS ASKING FOR THE CS MU CO-NP WHICH IS A TWO TO ONE FAR WITH ALL OF THE SAME STANDARDS THAT THE COMMISSION APPROVED.

AGAIN, THE ZONING I CAN'T QUITE READ MY BACKUP HERE. DESIGNATION ON THE ZONING CASE TO THE REAR, TO THE

NORTH, TO THE SOUTH -- [LAUGHTER]

Guernsey: RIGHT NOW THE ZONING ON THE JEAPT PROPERTIES ARE CS CO-NP.

BOTH THE NORTH AND THE SOUTH ON WADFORD.

ON PARTS OF IT. ACTUALLY JUST ABUTTS A SMALL PORTION STILL ZONED SF 3. BUT THE MAJORITY OF THAT BLOCK TO THE NORTH AND TO THE WEST AND PORTIONS TO THE SOUTH ARE CS CO-NP. THERE'S STILL SOME SINGLE FAMILY SF 3 ADJACENT TO THIS.

RIGHT.

COMMENTS, QUESTIONS? MAYOR PRO TEM?

COUNCILMEMBER MCCRACKEN.

McCracken: BECAUSE THIS IS ON A BLOCK ON A CORE TRANSIT CORRIDOR IT WOULD BE ELIGIBLE FOR THE AFFORDABLE HOUSING DENSITY BONUSES, IT ULTIMATELY PROBABLY DOESN'T MATTER WHAT THE FAR IS SINCE THEY PROVIDE THE AFFORDABLE HOUSING DENSITY BONUS THERE WOULD BE NO FAR. YOU COULD HAVE A BASE FAR, WE CERTAINLY WANT TO ENCOURAGE THE AFFORDABLE HOUSING IF THEY ARE GOING TO DO MIXED USE, BUT I WILL MOVE TO CLOSE THE PUBLIC HEARING AND PROVE ON ALL THREE READINGS THE PLANNING COMMISSION RECOMMENDATION AND I WILL ADD IN THAT THE PROPERTY WILL BE ELIGIBLE FOR THE AFFORDABLE HOUSING DENSITY BONUSES AVAILABLE FOR -- FOR A VERTICAL MIXED USE PROJECT.

MOTION BY COUNCILMEMBER MCCRACKEN.

SECOND.

SECONDED BY COUNCILMEMBER COLE TO CLOSE THE PUBLIC HEARING ON ITEM NO. 68, APPROVE THE PLANNING COMMISSION RECOMMENDATION WITH THE NOTED -- NOTATION OF THE AFFORDABLE HOUSING DENSITY BONUS

DYNAMIC.

Guernsey: ONLY READ FOR FIRST READING.

Mayor Wynn: FIRST READING ONLY. FURTHER COMMENTS?

Dunkerly: MAYOR? I REALLY THINK -- I THINK EVEN IN CS YOU CAN DO THOSE DENSITY BONUSES.

RIGHT.

Dunkerly: SINCE WE DON'T KNOW EXACTLY WHAT WILL DEVELOP THERE, I WOULD REALLY LIKE YOU TO CHANGE AND CONVINCE YOU TO SUPPORT A CS ZONING WITH THE GR DEVELOPMENT RIGHTS. AND ALL OF THE TRIP LIMIT DAYS OF A THOUSAND TRIPS AND ALL OF THE PROHIBITED USES THAT THE PLANNING COMMISSION RECOMMENDED. IT DOESN'T MAKE ANY DIFFERENCE, I THINK YOUR CS GIVES YOU MORE FLEXIBILITY IN DESIGNING A REALLY NEAT MIXED USE PROJECT ALONG THERE.

McCracken: I GUESS WHAT I'M TRYING TO SAY WITH MY MOTION IS THAT THEY COULD HAVE UNLIMITED FAR, BE BOUND ONLY BY HEIGHT AND COMPATIBILITY STANDARDS IF THEY TAKE ADVANTAGE -- THIS WILL ACTUALLY INCENT THEM TO WHOEVER DEVELOPS THIS TO TAKE ADVANTAGE OF THE AFFORDABLE HOUSING DENSITY BONUSES. I THINK MAYOR PRO TEM YOU AND I ARE IN THE SAME PLACE, BUT WHAT I DID BELIEVE THOUGH WAS THAT BY GOING WITH THE PLANNING COMMISSION'S BASE FAR OF ONE TO ONE THAT WOULD MAKE IT MORE LIKELY WHOEVER DEVELOPED IT WOULD PUT IN AFFORDABLE HOUSING IN THE FUTURE BECAUSE THAT WOULD BE THEIR PATH TO GET THAT EXTRA FAR.

Dunkerly: WELL, IF THEY AREN'T ABLE TO DO THAT, I GUESS THEY CAN COME BACK AND ASK US TO.

McCracken: THEY SHOULD BE ABLE TO DO THIS WITHOUT HAVING TO COME BACK TO US IF THAT HAPPENS.

Mayor Wynn: MOTION AND SECOND ON THE TABLE, FIRST READING ONLY, PLANNING COMMISSION RECOMMENDATION

WITH ADDITIONAL NOTE DAYS. FURTHER COMMENTS?
HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0, FIRST
READING ONLY. MR. GUERNSEY?

MAYOR. COUNCIL. I JUST WANTED TO -- EARLIER TODAY I
THINK YOU MENTIONED THERE WERE TWO POSTPONEMENT
ITEMS, ITEM NO. 84 I THINK YOU MENTIONED, ALSO ITEM 90.
IF THERE WERE PEOPLE HERE KNOWING THAT THEY WILL BE
POSTPONED -- THAT YOU MAY WANT TO DO THAT.

Mayor Wynn: I DON'T HAVE ANY CHANGES AND CORRECTIONS
ANY LONGER. SO --

Guernsey: I THINK ON ITEM NO. 84, I BELIEVE THAT THAT WAS
A POSTPONEMENT TO DECEMBER 6th. THAT HAD TO DO WITH
CONDUCT A PUBLIC HEARING, CHAPTER 25-6 RELATING TO
SIDEWALKS. AND TO INCLUDE A NEW VARIANCE PROCESS
BUILDING PERMIT REQUIREMENTS AND PROPOSED FEE IN
LIEU OF PROCESS. AND THAT'S WHAT ITEM 84 WAS... WAS.
AND I'M BEING TOLD THAT IS CORRECT. 90, ON THE 0 I
UNDERSTAND IT'S -- 90 I UNDERSTAND IT'S THE 29th OF
NOVEMBER, TO CONDUCT A PUBLIC HEARING ON AN
AMENDMENT TO THE CITY CODE RELATING TO 9-4-13 AND 12-
1-27 RELATED TO SOLICITATION.

Mayor Wynn: THANK YOU, APOLOGIZE, FOLKS, EARLY THIS
MORNING I DID SAY THAT STAFF WOULD BE REQUESTING
AGAIN TO POSTPONE ITEM NO. 84, THIS PUBLIC HEARING, TO
DECEMBER 6th, 2007. AND POSTPONING ITEM NO. 90 TO
NOVEMBER 29th, 2007. I WILL ENTERTAIN THAT MOTION.
MOTION MADE BY COUNCILMEMBER LEFFINGWELL,
SECONDED BY THE MAYOR PRO TEM TO APPROVE THIS
POSTPONEMENT AS REQUESTED. ALL IN FAVOR PLEASE SAY
AYE.

AYE.

OPPOSED? MOTION TO POSTPONE PASSES ON A VOTE OF 5-

0. THANK YOU, MR. GUERNSEY.

THANK YOU. LET ME GO BACK THEN TO THE NEXT ITEM WHICH IS THE CAMERON BUSINESS PARK REVISION REZONING, THAT'S CASE C 1420070104, 8400 FURNACE STREET. THIS IS A REZONING FROM SF 3 STAND TO SF 6 TOWNHOUSE CON DISTRICT ZONING. THIS WAS A REQUEST ACTUALLY INITIATED BY THE ZONING AND PLATTING COMMISSION. I BELIEVE THERE WAS A CONCERN RAISED ABOUT OWNERSHIPMENT THE PROPERTY OWNER FILED A VALID PETITION IN OPPOSITION, STAFF HAS NOT RECOMMENDED THIS AND RECOMMENDS DENIAL OF THE SF 6 AND WE UNDERSTAND THAT AN ADJACENT PROPERTY OWNERS ARE ALSO OPPOSED TO THE SF 6 ZONING. IF YOU HAVE ANY QUESTIONS I WILL ANSWER THEM AT THIS TIME. BUT WHAT YOU HAVE AS THE PLANNING COMMISSION RECOMMENDATION TO GRANT SF 6 ZONING WITH A 46% IMPERVIOUS COVER LIMIT, 35-FOOT HEIGHT LIMITATION, 19 UNIT LIMITATION, THAT WAS INITIATED BY THE COMMISSION AND THE PROPERTY OWNER WOULD LIKE TO KEEP THEIR SF 3 ZONING AND OBJECTS TO THE UPZONING. I BELIEVE THERE'S A PROPERTY OWNER MAYBE HERE TO SPEAK IN REGARDS OR THEIR AGENT MIGHT BE HERE TO SHE IN REGARDS TO THAT.

Mayor Wynn: SO WHO IS BRINGING FORWARD THE ZONING CASE.

Guernsey: THE ZONING AND PLATTING COMMISSION INITIATED THE CASE. THE OWN.... OWNER IS OPPOSED TO UP ZONING. STAFF DIDN'T RECOMMEND IT. ADJACENT PROPERTY OWNER ALSO OPPOSED TO THE UP ZONING.

Mayor Wynn: THEN I DON'T GUESS THERE'S GOING TO BE A --

Guernsey: I GUESS I WAS THE AGENT -- YOU COULD DO THOSE THAT ARE IN FAVOR AND THEN DO THOSE THAT ARE OPPOSED WHICH I IMAGINE THE OPENERS REPRESENTATIVE WILL COME FORWARD AND VOICE THEIR OBJECTION.

I THINK FOLKS MAY HAVE BEEN CONFUSED WHEN THEY SIGNED UP. ANYBODY THAT WOULD LIKE TO GIVE US TESTIMONY ON CASE NUMBER 69, CAMERON BUSINESS

PARK REVISION REZONING? IS THERE -- EITHER? BECAUSE NO ONE SIGNED UP WITH THEIR NAMES. SOMEBODY PUT IN TESTING SYSTEM. IT FAILED. [LAUGHTER] SO IF YOU CAN JUST STATE YOUR NAME FOR THE RECORD AND -- AND --

YES, MAYOR, COUNCILMEMBERS, MY NAME IS MIKE WILSON, I'M HERE REPRESENTING A -- A NON-APPLICANT IN THIS CASE. MR. LARRY AND MR. KEITH MELTON. THE REASON THEY ARE PROTESTING OR ARE IN DENIAL OF THE PROPOSED SF 6 ZONING WAS THAT THE -- THAT THE ZONING AND PLATTING COMMISSION ATTACHED A 19 UNIT RESIDENTIAL LIMITATION ON THE PROPERTY, THE ORIGINAL APPLICATION THAT WENT BEFORE THE -- BEFORE THE PLATTING AND ZONING COMMISSION WAS A SUBDIVISION CASE. THE SUBDIVISION CASE NOTE ALL APPLICABLE ORDINANCES, STANDARDS, ET CETERA. THEIR PROPOSED USE ON THE PROPERTY IS DUPLEX. DUPLEX IS ALLOWED IN SF 3, THEY BROUGHT FORWARD TO THE ZONING AND PLATTING COMMISSION, THEREFORE THEY WERE PROPOSING 38 UNITS, IE 19 DUPLEXES. THEY HAVE 19 PROPOSED LOTS IN THE PROPOSED PRELIMINARY PLAN. THE -- THE ZONING AND PLATTING COMMISSION RESTRICTED IT TO 19 UNITS AND WHEN I CALLED STAFF TO GET A CLARIFICATION, WAS THAT 19 LOTS, WAS THAT -- WAS THAT 19 DUPLEXES, THERE'S -- THEIR RESPONSE WAS THAT -- THAT THEY DID NOT SPECIFY WHAT TYPE OF UNITS. SO THEREFORE THAT WAS OUR FIRST OBJECTION. THE SECOND OAK IS UNDER THE LAND DEVELOPMENT CODE UNDER SF 6, IT REQUIRES MINIMUM LOT SIZE OF 14,000 SQUARE FEET. WE WERE PROPOSING A MINIMUM LOT SIZE OF 8500 SQUARE FEET AND LAND CODE REQUIRES A MINIMUM OF 7,000 SQUARE FEET FOR THE LOT. SO -- SO -- SO THERE WAS ALSO -- ALSO A A LITTLE STRIP, IF YOU CAN PUT THAT MAP BACK ON SHOWING THE CURRENT ZONING CONFIGURATION. THERE'S AN INDUSTRIAL COMPLEX BEHIND THE PROPERTY..... PROPERTY. ZONED LIGHT INDUSTRIAL, THERE IS A -- THERE IS AN SF 3 STRIP IMMEDIATELY BEHIND THE PROPOSED REZONING THAT SF 3 STRIP WITH THE SF 6 ZONING DESIGNATION WILL TRIGGER COMPATIBILITY STANDARDS AND THERE ARE SOME TREES, ET CETERA, THAT -- THAT -- THAT THE APPLICANT IS ROPING TO SAVE AND WITH THAT 25-FOOT COMPATIBILITY SETBACK FROM

THAT SF 3 STRIP ZONING IN THE INDUSTRIAL PARK WOULD CAUSE SOME POSSIBLE REMOVAL OF TREES. SO -- SO THAT WAS ANOTHER ASPECT THAT WE WERE AGAINST..... AGAINST. AND WITH THAT -- THAT'S BASICALLY ALL THAT I HAVE TO SAY.

Mayor Wynn: THANK YOU, SIR. ANY OTHER TESTIMONY ON THIS ZONING CASE NUMBER 69, THE CAMERON BUSINESS PARK REVISION REZONING? MR. GUERNSEY, DID YOU WANT TO GIVE A REBUTTAL?

I WANTED TO POINT OUT THAT SF 6 DOES PERMIT THE CONSTRUCTION OF DUPLEXES AS WELL JUST LIKE AN SF 3 WOULD. ALSO IF THERE IS A MOTION MADE IN FAVOR, SINCE THERE IS A VALID PETITION AGAINST THE UP ZONING, IT WOULD TAKE AT LEAST 6 AFFIRMATIVE VOTES TO OVERRULE THE PROPERTY OWNERS' PETITION IN OPPOSITION TO THE UPZONING FROM SF 3 TO SF 6. SO IF THERE IS A.. DESIRE OF THE COUNCIL TO GO FORWARD WITH THE ZONING AND PLATTING COMMISSION'S RECOMMENDATION, THEN THE SUGGESTION WOULD BE TO POSTPONE. YOU ONLY NEED FOUR TO DENY THE REQUEST IN ACCORDANCE WITH THE WISHES OF THE APPLICANT OR THE PROPERTY --

COUNCILMEMBER LEFFINGWELL?

Leffingwell: I'LL MOVE TO CLOSE THE PUBLIC HEARING AND DENY THE SF 6 ZONING.

SECOND.

Mayor Wynn: MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER COLE TO CLOSE THE PUBLIC HEARING, ITEM NO. 69 AND DENY THIS ZONING CASE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 5-0. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

Dunkerley: WHAT HAPPENED? DID THEY COME IN FOR A

SUBDIVISION OR SOMETHING?

YES.

THAT'S WHERE I WAS GETTING. I JUST DIDN'T KNOW WHAT ACTION HAD CAUSED THIS. BUT YOU CAN HAVE CONDOS IN EITHER OF THOSE ZONING CATEGORIES.

YOU CAN HAVE IT BY OWNERSHIP TO HAVE A CONDOMINIUM BUILT UNDER OUR STZ TO REQUIRE SF-6 ZONING BUT BY THE TEXAS PROPERTY CODE CAN YOU LITERALLY CONDO AN APARTMENT, YOU CAN CONDO A CONDO, YOU CAN CONDO A TOWNHOUSE OR A DUPLEX. ALL THAT IS ALLOWED.

Dunkerley: I JUST NEEDED TO KNOW HOW IT GOT HERE AND IT GOT HERE THROUGH A SUBDIVISION ACTION.

I DON'T KNOW ABOUT CONDOING A TREE HOUSE.

Mayor Wynn: THAT BRINGS US TO THE UNIVERSITY HILLS, WINDSOR PARK NEIGHBORHOOD PLAN.

AT LAST.

MAYOR AND COUNCIL, I'LL TRY TO BE BRIEF WITH THESE. THESE ARE RELATED ITEMS, ITEMS 70, 71 AND 72. ITEM 70 IS CASE NPA-2007-023, THE UNIVERSITY HILLS COMBINED NEIGHBORHOOD PLAN, TRACKS 202, 220 AND 220-A FOR ESTABLISHING THE AUSTIN TOMORROW COMPREHENSIVE PLAN AND AMENDING IT TO RECOGNIZE THE UNIVERSITY HILLS NEIGHBORHOOD PLAN AND TO DESIGNATE ON FUTURE LAND USE A CIVIC USE FOR 7506 AND 7650 ED BLUESTEIN, WHICH IS TRACT 202 AND SINGLE-FAMILY RESIDENTIAL FOR 2350 LOYOLA LANE, TRACT 220 AND MIXED USE FOR 976 BY 367 PORTION OF TRACT 5301 LOYOLA LANE. AND THIS IS ALL GENERALLY IN THE AREA BOUNDED BY I-35 TO THE WEST, 290 BY THE NORTH. MANOR ROAD AND 51st STREET TO THE SOUTH. THE RELATED ZONING ITEMS, ITEM NUMBER 71, INVOLVES TRACT 202 SPECIFICALLY. THAT'S 7506 AND 7650 ED BLUESTEIN. AND ITEM 72 IS CASE C 142007-006.01 AND DEALS WITH TRACTS 220 AND 220 A AT 5301 LOYOLA LANE. TRACT 220 AND THAT SMALLER PORTION OF THAT SAME TRACT OF 220 A. AND WHAT I'D LIKE TO SHARE WITH YOU IS

THE PLANNING COMMISSION'S RECOMMENDATIONS ON THE TRACTS. LET ME TAKE FIRST 202, BE AND I'LL GO TO THE MOTION SHEETS WHICH I BELIEVE YOU HAVE ON THE DAIS. 202 IS AGAIN 7506 AND 7650 ED BLUESTEIN. THE CURRENT ZONING IS SF-2 AND THE PLANNING COMMISSION RELIGIOUS.....RECOMMENDATION DESIGNATES THIS PROPERTY AS CIVIC. AND ZONE LO-MU-NP. THE UNIVERSITY HILLS FOLKS THAT WORKED ON THE PLAN OBJECT TO THE MU PORTION OF THIS PARTICULAR PROPERTY AND THEY'LL SPEAK TO THAT THIS EVENING. THE NEXT ONE, THIS IS ITEM RELATE -- RELATED TO ITEM 71 AND 72. 72 BEING THE ZONING AND 70 BEING THE PLAN FOR TRACT 220. AGAIN, THIS IS AT 5301 LOYOLA LANE. THE CURRENT ZONING REFLECTS INDUSTRIAL SF-3. THE PLANNING COMMISSION RECOMMENDATION WAS FOR SINGLE-FAMILY RESIDENTIAL AS A LAND USE DESIGNATION AS SF-3 NP WITH RESIDENTIAL INFILL. THEN ON 220 A, WHICH IS A SMALLER TRACT, WHICH ADJOINS ED BLUESTEIN, THIS IS DESIGNATED BY THE PLANNING COMMISSION FOR MIXED USE AND GR-MU-NP. CURRENTLY THE PROPERTY IS OWNED BY AISD. THE NEIGHBORS IN THIS AREA WOULD LIKE TO HAVE THE PROPERTY REZONED TO BP-MP AND BE DESIGNATED AS CIVIC INSTEAD. THERE HAS BEEN SOME DISCUSSION BETWEEN THE NEIGHBORS AND AISD. THE NEIGHBORS HAVE BASICALLY CONVEYED THE MESSAGE THAT IF IT'S THE DESIRE OF COUNCIL TO GO WITH WHAT THE AUSTIN INDEPENDENT SCHOOL DISTRICT IS ASKING TO HAVE THE DIFFERENT ZONING DESIGNATION, THAT THEY WOULD AGREE TO PROHIBIT A CERTAIN LIST OF USES. AND I BELIEVE ON THE DAIS YOU HAVE A PUMPKIN-COLORED ORANGE SHEET OF PAPER THAT LISTS SOME OF THE USES THAT THE NEIGHBORHOOD WOULD LIKE TO PROHIBIT. YES, BRIGHT ORANGE PUMPKIN COLOR. AND IF THE COUNCIL WOULD GO FORWARD WITH THE COMMISSION'S..S RECOMMENDATION THAT THEY ASK, THAT AUTOMOTIVE RENTAL, AUTOMOTIVE REPAIR SERVICES, AUTOMOTIVE SALES, AUTOMOTIVE WASHING OF ANY TYPE, BAIL BONDS, COMMERCIAL OFF STREET PARKING, DROPOFF RECYCLING, COLLECTION FACILITY, EXTERMINATING SERVICES, PAWN SHOP SERVICES, RESEARCH SERVICES, SERVICE STATION, CUSTOM MANUFACTURING, GROUP HOME CLASS 2, RESIDENTIAL TREATMENT, TELECOMMUNICATION TOWER

AND RECREATIONAL SALES OR MOBILE HOME SALES BE PROHIBITED. I'LL NOTE THAT WITH AN MU THE MIXED USE DESIGNATION BECAUSE OF CERTAIN RULINGS BY THE UNITED STATES SUPREME COURT UNDER THE FAIR HOUSING ACT, WE WOULD -- STAFF WOULD SUGGEST THAT GROUP HOME CLASS 2 BE REMOVED FROM THIS LIST BECAUSE WE ARE ALLOWING OTHER RESIDENTIAL USES ON THIS PROPERTY. AND THAT I'LL CONCLUDE, I'LL LET THE NEIGHBORS COME UP AND SPEAK TO THIS ISSUE. IF WE GO AHEAD WITH THE CONDITIONAL OVERLAY AND THE PLANNING COMMISSION RECOMMENDATION TO TRACT 220, STAFF WOULD SUGGEST THAT TRACT 220 AND 220 A BE ONLY TAKEN FOR FIRST READING. WE ARE READY FOR PLAN APPROVAL AND ALL THREE READINGS ON 202 WHETHER YOU INCLUDE THE MU, THE MIXED USE DESIGNATION RELATED TO 202, OR NOT. BUT STAFF WOULD LIKE TO PREPARE AN ORDINANCE THAT WOULD ADDRESS 220 AND 220 A IF THAT CONDITIONAL OVERLAY IS ADDED. STAFF DID CONVERSE WITH AISD TODAY AND THEY HAD NO OPPOSITION TO THE NEIGHBORS' REQUEST TO INCLUDING THE LIST OF PROHIBITED USES THAT THEY HAVE REQUESTED.

Mayor Wynn: FAIR ENOUGH. SO THEN COUNCIL, WHY DON'T WE TAKE OUR PUBLIC HEARING TESTIMONY, I'LL CALL UP ALL THREE OF THESE CASES SIMULTANEOUSLY, 70, 71 AND 72. WE HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO GIVE US TESTIMONY. LET'S SEE, WE'LL START WITH SIERRA GIVENS. IS VERA GIVENS HERE? WELCOME, MACK. YOU WILL BE FOLLOWED BY AL WEBBER.

MR. MAYOR, MAY I ASK TO FOLLOW MR. WEBBER?

...

Mayor Wynn: YOU BET YOU. WELCOME. AND IS MARY BROWN STILL HERE? YES. I WANTED TO MAKE SURE YOU'RE HERE. WELCOME BE. SO AL, YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT.

THANK YOU, MR. MAYOR, FELLOW COUNCILMEMBERS. I'M AL WEBBER, THE VICE-PRESIDENT OF THE NEIGHBORHOOD ASSOCIATION. I'VE BEEN INVOLVED IN THE NEIGHBORHOOD PLANNING PROCESS SINCE I GOT THE INITIAL LETTER FROM

THE CITY ABOUT THE PROCESS. MOST OF THE PEOPLE HERE FROM UNIVERSITY HILLS HAD BEEN INVOLVED IN THE PROCESS IF NOT CONTINUOUSLY, THEN OFF AND ON THROUGHOUT THE PROCESS. OUR RECOMMENDATION FOR 202, WHICH IS TWO SITES NEAR THE INTERSECTION OF ED BLUESTEIN AND 290 IS NEIGHBORHOOD OFFICE OR LIMITED OFFICE WITH A HEIGHT RESTRICTION OF TWO STORIES ON THAT. OUR PRIMARY REASON FOR THAT IS THE LAND RIGHT THERE IS UPHILL FROM THE HOMES BELOW IT. ANYTHING THAT'S BUILT THERE, THE PEOPLE IN THOSE BUILDINGS WILL BE LOOKING DOWN INTO THE BACK..... BACKYARDS OF THE PEOPLE WHO LIVE IN THE HOMES BEHIND THAT. THAT WAS OUR PRIMARY REASON FOR WANTING A TWO-STORY HEIGHT RESTRICTION ON THAT. WE WOULD PREFER TO SEE NEIGHBORHOOD OFFICE OR LIMITED OFFICE ALSO AS OPPOSED TO MIXED USE BECAUSE WE DON'T FEEL DUE TO THE TRAFFIC AT THAT INTERSECTION TO HAVE PEOPLE LIVING THERE, THERE WOULD BE A PROBLEM WITH THE NOISE. IN ADDITION, OUR NEIGHBORHOOD IS PRIMARILY A RESIDENTIAL NEIGHBORHOOD. WE WOULD LIKE TO SEE MORE OFFICE SPACE IN THE NEIGHBORHOOD TO BRING BUSINESSES INTO THE NEIGHBORHOOD SO THAT PEOPLE CAN WALK TO WORK IF THEY WANT. TO MAKE IT MORE OF I GUESS WHAT'S TERMED A LIVEABLE CITY NEIGHBORHOOD. WE'RE VERY MUCH IN FAVOR OF THAT. ON THE AISD TRACT, THE UNIVERSITY HILLS NEIGHBORHOOD ASSOCIATION ACTING AS THE NEIGHBORHOOD PLANNING TIME HAS ALWAYS VOTED IN THE PAST TO RECOMMEND P PUBLIC DISTRICT ZONING FOR THE AISD TRACT. THAT'S BEEN THE RECOMMENDATION OF THE UNIVERSITY HILLS ZONING COMMITTEE THAT WE BROUGHT TO THE NEIGHBORHOOD PLANNING PROCESS AND WE CONTINUE TO SUPPORT IT. CITY STAFF RECOMMENDED A RESIDENTIAL OVERLAY OVER THE EXISTING SINGLE-FAMILY ZONING THAT EXISTS THERE RIGHT NOW. THE PLANNING COMMISSION WAS THE GROUP THAT ACTUALLY RECOMMENDED ADDING THE GENERAL RETAIL WITH MIXED USE ON THE STRIP THAT RUNS ALONG ED BLUESTEIN. THAT WAS A PLANNING COMMISSION DIRECTIVE. WE MET EARLIER THIS MONTH WITH THE SCHOOL DISTRICT AND THEIR POSITION ON THE TRACT ESSENTIALLY IS THAT THEY'RE TAKING NO POSITION ON THE ZONING. THAT KIND OF GOES BACK TO REFLECTING THAT

WE BELIEVE PUBLIC -- P PUBLIC DISTRICT ZONING IS BEST, THAT IT'S BETTER FOR THE PROPERTY TO BE ZONED P AND THEN IF IT GOES ON THE MARKET AND WHOEVER BUYS IT WANTS TO SPECULATE ON WHAT THEY CAN -- WHAT VALUE THEY CAN GET OUT OF IT BY RAISING THE ZONING, THEN THAT'S THE PRIVATE MARKET WORKING, IT'S NOT A PUBLIC ENTITY MAKING THAT DECISION. THEY HAVE -- THE MEMO THAT WE HAVE FROM THEM IN WRITING BASICALLY STATES THAT THE BOARD OF TRUSTEES AFFIRMED THAT THE PROPERTY IS SURPLUS AND GAVE STAFF DIRECTION TO SELL THE PROPERTY. AS A NEIGHBORHOOD, OF COURSE, WE WOULD PREFER TO SEE THE NEIGHBORHOOD REMAIN WITH THE DISTRICT. IN THE EVENT THE CITY COUNCIL PREFERS THE PLANNING COMMISSION RECOMMENDATION, WE WOULD LIKE TO TAKE THE LIST OF USES BACK TO OUR GENERAL MEMBERSHIP NEIGHBORHOOD MEETING THIS WEEKEND, THIS SATURDAY, AND AFFIRM THROUGH A FORMAL VOTE AS TO THE USES THAT WE'VE SUGGESTED BE PROHIBITED. WE DID A LIMITED SURVEY BASED ON PEOPLE THAT WE COULD REACH AS TO WHAT PEOPLE DON'T WANT TO SEE AT THAT SITE IF IT IS GENERAL RETAIL. AND OUR LIST TO YOU IS BASED ON THAT, BUT WE WOULD LIKE TO TAKE THAT BACK TO THE GENERAL MEMBERSHIP AND HAVE A FORMAL VOTE ON IT FOR THE NEIGHBORHOOD PLANNING PROCESS.

Mayor Wynn: THANK YOU, MR. WEBBER. QUESTIONS OF MR. WEBBER, COUNCIL? COMMENTS? THANK YOU, AL. LET'S SEE. OUR FINAL SPEAKER IS JO BETH WARDEN. ALL RIGHT, I'M SORRY. YOU STEPPED ASIDE. WELCOME. YOU WILL BE FOLLOWED BY JO BETH WARDEN.

MR. MAYOR AND COUNCIL, MY NAME IS VERA GIVENS. THE PROPERTY THAT AISD OWNED AS HAS BEEN STATED IS ZONED P. AND WE WOULD LIKE TO KEEP IT P. WE HAVE A NEIGHBORHOOD THAT IS A PLACE WHERE PEOPLE LIKE TO LIVE. WE HAVE A A. RE-ENTRY OF YOUNG FAMILIES INTO THE NEIGHBORHOOD. AND THAT PROPERTY WAS PURCHASED FOR A FUTURE JUNIOR HIGH SCHOOL. AND I SEE OUR NEIGHBORHOOD GROWING, SO WE NEED THIS PROPERTY TO REMAIN AVAILABLE FOR PUBLIC SCHOOLS. BUT IF IT'S NOT, THEN I'D LIKE TO SUGGEST THAT THE PERFORMING ARTS CENTER BE PLACED THERE. WE HAVE THE DELCO

CENTER THAT'S NOT VERY FAR AWAY. CAPITAL METRO HAS A WELL MAINTAINED BUS ROUTE. WE HAVE 183 ACCESS. WE CAN GO NORTH, WE CAN GO SOUTH. NORTH AUSTIN, SOUTH AUSTIN. WE ARE CENTRALLY LOCATED. WE'RE AN IDEAL NEIGHBORHOOD. IF NOT A JUNIOR HIGH SCHOOL, THEN A PERFORMING ARTS CENTER. THANK YOU.

Mayor Wynn: THANK YOU. AND JO BETH WARDEN, WELCOME BACK. YOU'RE WELCOME TO HAVE A SEAT AGAIN.

THIS IS A MAP SUPPLIED TO US FROM THE HIGHWAY DEPARTMENT BECAUSE WITH THE THREE-LANE SURFACE ROAD, THEY'RE RIGHT UP AGAINST THE WOODEN FENCE OF SOME OF THE ROTS PROTS. AND THE -- PROPERTIES. AND THE REASON I BRING THIS TO YOU IS WE'RE A VERY RICH WATERSHED, AND IF YOU WILL LOOK ON THE MAP, THE CHURCHES THAT WE'RE SPEAKING OF ARE RIGHT UP HERE. AND IF WE'RE NOT VERY CAREFUL, THERE'S A GREENBELT THERE AND THEN IF A HEAVY RAIN COMES ALONG, IT WILL FLOOD HOUSES DOWNSTREAM. WE KNOW THAT BECAUSE WE'VE LIVED THROUGH IT BEFORE. THE NEXT MAP THAT I BRING IS THE FLOODPLAIN MAP. AND IF IT FLOODS DOWN THAT GULCH BY THOSE TWO CHURCHES, THEN WE'LL HAVE ABOUT 16 HOUSES INUNDATED. I AM VERY CONCERNED ABOUT THE ENVIRONMENTAL ISSUES, AND PARTICULARLY IN OUR AREA BECAUSE FOR SO LONG NO ONE WANTED TO DEVELOP OUT THERE, AND NOW THEY'RE USING EVERY SCRAP OF LAND THAT THEY CAN FIND, BUT WE NEED TO PROTECT THE PEOPLE THAT ARE ALREADY THERE, PROTECT THEIR INVESTMENTS ALSO. SO I REITERATE WHAT AL SAID, AND WE WOULD PREFER THAT IT JUST BE NEIGHBORHOOD OFFICE OR LO WITH A TWO-STORY HEIGHT LIMITATION TO PROTECT THE NEIGHBORS THAT ARE ALREADY THERE. NOW, THE CHURCHES ARE ONLY FULL ON SUNDAY. MAYBE ONE OTHER NIGHT A WEEK. BUT WHEN YOU START PUTTING MULTI-USE AND ALL THAT IN THERE, YOU'RE GOING TO HAVE EXTRA TRAFFIC. AND IF YOU LOOK AT THAT FIRST MAP THAT WE PUT UP, YOU'LL SEE THAT IT'S VERY, VERY CLOSE TO THE THREE-LANE SURFACE ROAD THAT WE WILL HAVE TO USE BECAUSE WE WILL BE A LOCKED IN NEIGHBORHOOD. YOU CAN GET OFF OF THE FREEWAY AT BERKMAN AND THEN YOU WON'T BE ABLE TO GET BACK ON DOWN UNTIL 51st STREET. SO THERE'S GOING TO BE AN INCREASED TRAFFIC

SITUATION THERE. I THINK THAT IT WOULD REALLY BE GREAT IF WICKED BREAK WITH THE -- IF WE COULD BREAK WITH THE PLANNING COMMISSION'S RECOMMENDATION AND LET THE NEIGHBORS DO THE WORK THEY WANT THERE BECAUSE WE LIVE THERE, WE KNOW WHAT HAS HAPPENED WHEN THE HEAVY RAINS COME, AND I JUST THINK IT WOULD BE IN EVERYONE'S BEST INTEREST. WE'RE ALSO CONCERNED THAT ALL THE TREES ARE EVAPORATING ALONG THAT SERVICE ROAD. WE DO NOT WANT TO BECOME A CONCRETE JUNGLE LIKE 183 NORTH OR OLD BURNET ROAD UP TO 183. WE WANT SOME SEMBLANCE OF ORGANIZATION AND WE NEED TO PLANT THE TREES TO HELP US. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MS. WARDEN. ARE THERE ANY OTHER CITIZENS WHO WOULD LIKE TO GIVE US TESTIMONY ON THESE THREE PUBLIC HEARINGS, 70, 71 OR 72? THANK YOU ALL VERY MUCH. COUNCIL, COMMENTS, QUESTIONS?

Dunkerley: I HAVE A QUESTION FOR STAFF.

Mayor Wynn: MAYOR PRO TEM.

Dunkerley: MR. GUERNSEY, JUST CLARIFY FOR ME, MAYBE I DIDN'T HEAR YOU EARLIER, THE LEGEND AT THE TOP OF THE PAGE -- I UNDERSTAND THE PLANNING COMMISSION RELIGIOUS. THE NEXT ONE IT SAYS STAFF AND ZONING COMMITTEE RECOMMENDATION. IS THAT THE NEIGHBORHOOD PLAN TEAM COMMITTEE'S RECOMMENDATION.

THAT'S THE GROUP WE WORK WITH AND THE STAFF RECOMMENDATION. AND THE UNIVERSITY HILLS NEIGHBORHOOD ASSOCIATION RECOMMENDATION FOLLOWS THAT TO THE RIGHT IN THE LAST COLUMN.

Dunkerley: WHAT THE THIRD ONE? THAT WAS JUST THE STAFF RECOMMENDATION?

THE STAFF RECOMMENDATION AND THE COMMITTEE RECOMMENDATION. AND THAT'S PRIMARILY THE STAFF RECOMMENDATION. UNIVERSITY HILLS WAS A PRETTY SOLID GROUP AND THEY PRETTY MUCH WORKED AS A SINGLE

GROUP AS IT WENT THROUGH THIS PROCESS.

Dunkerley: SO THE UNIVERSITY HILLS NEIGHBORHOOD ASSOCIATION IS BASICALLY THE NEIGHBORHOOD PLANNING TEAM.

I WON'T SAY EXACTLY, BUT I'LL SAY JUST ABOUT THE MAJORITY OF THE MEMBERSHIP OF ONE WAS ON THE OTHER.

Dunkerley: YOURS REPRESENTS YOUR STAFF PLUS THE NEIGHBORHOOD REPRESENTATIVES THAT SERVED ON THE ZONING COMMITTEE.

THAT'S CORRECT.

Dunkerley: SOME OF WHICH ARE INCLUDED IN THE OTHER GROUP.

THAT'S TRUE, YES.

Dunkerley: OKAY. IT JUST WASN'T CLEAR TO ME.

Mayor Wynn: COUNCILMEMBER COLE.

Cole: MR. GUERNSEY, I'M SORRY, BUT I THINK I MISSED YOU TELLING US ABOUT YOUR CONTACTS WITH AISD AND THEIR PLANS FOR A SCHOOL IN THE PUBLIC AREA THAT THE NEIGHBORHOOD REQUESTS.

THE SCHOOL PROPERTY IS FOR SALE. THEY HAVE SENT US AN E-MAIL EARLIER TODAY IN REGARDS TO THE REQUEST BY THE NEIGHBORS TO PROHIBIT CERTAIN USES. AND THEY WOULD BE AGREEABLE OR THEY HAVE NOT STATED A POSITION OF OPPOSITION TO THE LIST OF PROHIBITED USES. THAT WAS GIVEN TO US AND YOU HAVE IT ON THE DAIS. I WAS NOT AWARE THAT THEY DID NOT HAVE AN OBJECTION TO THE P PUBLIC ZONING. THAT WAS NEW TO MU. I UNDERSTOOD THAT THEY JUST DIDN'T HAVE AN OBJECTION TO THE USES THAT WERE REQUESTED BY THE NEIGHBORHOOD THIS AFTERNOON TO BE PROHIBITED.

Cole: SO THEY DID HAVE AN OBJECTION TO THE REQUEST OF

THE NEIGHBORS OR THEY DID NOT?

THEY DID NOT HAVE AN OBJECTION TO THAT LIST OF PROHIBITED USES THAT YOU HAVE ON THE PUMPKIN-COLORED SHEET ON THE DAIS.

Mayor Wynn: AND DID THEY HAVE AN OBJECTION TO THE P ZONING?

IT'S MY UNDERSTANDING THAT THEY HAD A DESIRE FOR THE SINGLE-FAMILY. AND THE RETAIL, NOT THE P. BUT THEY CERTAINLY DON'T HAVE ANY OPPOSITION TO THE ADDITIONAL PROHIBITED USES THAT THE NEIGHBORHOOD OUTLINED.

Mayor Wynn: QUESTIONS, COMMENTS? MR. GUERNSEY TELLS US THEY'RE ONLY READY FOR FIRST READING ON THE AISD TRACT.

ALICE HANDED ME THE LETTER THAT THEY RECEIVED, SO THE DISTRICT -- LET'S SEE. THE DISTRICT CURRENTLY OWNS THE PROPERTY LOCATE UNDERSTAND THE SOUTHWEST QUADRANT WITHIN THE BOUNDARIES OF THE UNIVERSITY WILZ, WINDSOR PARK NEIGHBORHOOD PLAN, ON MOST INDICATIONS THE AISD BOARD OF TRUSS..... TRUSTEES AFFIRMED THAT THIS PROPERTY IS SURPLUS AND GAVE STAFF DIRECTION TO SELL THE PROPERTY. AISD IS CURRENTLY WORKING WITH A REAL ESTATE DISCOUNT HAVE THE PROPERTY ON THE MARKET BY MID OCTOBER, 2007.

Mayor Wynn: QUESTIONS, COMMENTS? AND AGAIN, YOU'RE ONLY READY FOR FIRST READING ONLY FOR THE AISD TRACT, RIGHT?

THAT'S RIGHT. IF YOU HAD ANY MODIFICATION THAT YOU WANTED TO ADD, BASICALLY THAT YOU WANTED TO ADOPT AS THE CONDITIONAL OVERLAY, THE LIST OF PROHIBITED USES, WE COULD ONLY DO THAT FOR FIRST READING. AND IN THE MEANTIME WE COULD ASK AISD PRIOR TO THIRD READING IF THERE WASN'T ANY OBJECTION TO ZONING IT P PUBLIC. WE COULD ASK THAT QUESTION ONE MORE TIME. MAYBE THAT WOULD ADDRESS THE NEIGHBORHOOD'S

CONCERNS AS WELL. AND I'LL NOTE THAT IF THAT IS THE DESIRE OF COUNCIL, STAFF AGAIN WOULD SUGGEST THAT THE GROUP HOME CLASS 2, BECAUSE OF THE FAIR HOUSING ACT, JUST BE DELETED FROM THAT LIST OF PROHIBITED USES.

Mayor Wynn: RIGHT. SO COUNCIL, I'LL ENTERTAIN A MOTION ON FIRST READING ONLY.

Dunkerley: MAYOR, ON -- I MOVE APPROVAL OF FIRST READING ONLY OF THE PLANNING COMMISSION RECOMMENDATION WITH THE LIST OF PROHIBITED USES.

ON TRACT 220 AND 220 A?

Mayor Wynn: THAT WOULD BE 220 AND 2 TWEBS A?

IS THAT THE AISD LIST?

THAT'S CORRECT.

Dunkerley: SO PLANNING COMMISSION WITH ALL OF THE PROHIBITED USES THAT THE NEIGHBORHOOD WANTS.

...

Mayor Wynn: BY ACCEPTING THE STAFF RECOMMENDATION THAT GROUP HOME CLASS 2 BE REMOVED FROM THE PROHIBITED LIST. BE REMOVED FROM THE PROHIBITED LIST, WHICH WAS STAFF RECOMMENDATION.

Dunkerley: OKAY. THAT'S FINE. THAT'S MY MOTION.

Mayor Wynn: SO WE HAVE A MOTION BY MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY FOR TRACTS 220 AND 220 A PLANNING COMMISSION RECOMMENDATION, FIRST READING ONLY, BUT WITH THE ADDITION OF THE PROHIBITED USES, BUT ADDING BACK GROUP HOME CLASS 2.

Cole: MAYOR, BE I'D LIKE TO ASK SINCE WE'RE ON FIRST READING ONLY AND SINCE WE STILL HAVE AN OPPORTUNITY TO ASK AISD IF THEY WOULD CONSIDER A P DESIGNATION

ON THIS PROPERTY OR WHAT THEIR INTENTIONS ARE FOR THIS PROPERTY THAT I CAN MAKE A FRIENDLY AMENDMENT TO THAT MOTION TO KEEP THAT DESIGNATION UNTIL WE COME BACK. DUNK THE FRIENDLY AMENDMENT IS JUST DIRECTING THEM TO CONTACT AISD.

Mayor Wynn: I'LL CONSIDER THAT THEN TO BE THE SECOND WITH THE AMENDMENT. SO WE HAVE AMENDED MOTION ON THE TABLE FOR TRACT 220, 220 A. THIS WOULD BE -- MR. GUERNSEY, THIS WOULD BE BOTH THE FUTURE LAND USE DESIGNATION AND THE ZONING CHANGE?

THAT'S CORRECT. THE PLANNING COMMISSION RECOMMENDATION FOR 220 WAS SINGLE-FAMILY RESIDENTIAL, SF-3-NP WITH THE RESIDENTIAL INFILL. 220 A WAS THE MIXED USE GR-MU-NP WITH A CONDITIONAL OVERLAY INCLUDING ALL THOSE LIST OF PROHIBITED USES AND ACKNOWLEDGING THAT STAFF WILL CONTACT AISD PRIOR TO BRINGING THIS BACK, SHARE THAT INFORMATION WITH THE NEIGHBORS AND HAVE THAT INFORMATION AVAILABLE PRIOR TO SECOND AND THIRD READING. AND THAT'S TO BE CHANGING TO TO CIVIC FOR THE LAND USE AND PNP, IF THAT WOULD BE ACCEPTABLE TO THEM.

Mayor Wynn: THANK YOU. SO MOTION AND A SECOND ON THE TABLE, FIRST READING ONLY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON FIRST READING ONLY WITH A VOTE OF SIX TO ZERO.

AND THAT LEAVES --

Mayor Wynn: TRACT 202, CONTRADICT?

CORRECT.

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Mayor Wynn: SO QUESTIONS, COMMENTS ON TRACT 202, COUNCIL? THAT'S THE 7506 AND 7650 ED BLUESTEIN. CHOOSING BETWEEN LO AND N.O. IN SOME WAYS. COUNCILMEMBER LEFFINGWELL.

Leffingwell: IS THIS READY FOR FIRST READING ONLY?

WE COULD DO THREE READINGS IF YOU CHOOSE THE PLANNING COMMISSION RECOMMENDATION. IF YOU WERE TO CHOOSE THE PLANNING COMMISSION RECOMMENDATION -- THE STAFF RECOMMENDATION OR WHAT THE NEIGHBORHOOD IS REQUESTING IF IT INVOLVES THE LO, FOR INSTANCE, IF YOU DID -- THE STAFF RECOMMENDATION IS JUST LO OPINION NP OR IF YOU DID WHAT THE NEIGHBORHOOD ASSOCIATION REQUESTED WAS LO-CO-NP AND LIMITING THE HEIGHT TO TWO STORIES, THAT WOULD BE 30 FEET IN HEIGHT. AND I DID NOT HEAR AL OR ANYONE SPEAK TO THE PROHIBITING RESIDENTIAL TREATMENT FACILITIES AND PROHIBITING CLUB AND LODGE USE. I DON'T KNOW IF THAT'S STILL A PART OF THEIR ORIGINAL REQUEST. I'M GETTING A NOD FROM AL WEBBER, SO THAT WOULD BE CLEAR ENOUGH DIRECTION. WE COULD ALTER THE LO ORDINANCE. IF DID YOU N.O., THEN I THINK WE WOULD PROBABLY JUST DO THIS FIRST READING AND REDRAFT THE LANGUAGE.

Leffingwell: SO I'LL MOVE TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY THE NEIGHBORHOOD ORGANIZATION RECOMMENDATION LO-CO-NP WITH THE RESTRICTIONS THAT YOU JUST OUTLINED.

THAT'S THE TWO STORY, 30 FEET IN HEIGHT AND CO PROHIBIT BEING RESIDENTIAL TREATMENT FACILITIES AND CLUB AND LODGE USE.

Leffingwell: CORRECT.

Mayor Wynn: MOTION BY COUNCILMEMBER LEFFINGWELL TO CLOSE THE PUBLIC HEARING AND SECONDED BY COUNCILMEMBER KIM TO DESIGNATE CIVIC AS OUR FUTURE LAND USE. AND FIRST READING ONLY CHANGE ZONING TO LO-CO-NP WITH THE RESTRICTIONS AS OUTLINED BY MR. GUERNSEY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF STOKS ZERO.

AND THAT CONCLUDES OUR ZONING ITEMS THIS EVENING. I'D LIKE TO THANK MARTY TERRY FOR HER SERVICE TO THE

CITY. IN HER HONOR I WORE HALLOWEEN SOCKS.

Mayor Wynn: WE APPRECIATE THAT, MR. GUERNSEY. THAT TAKES US TO OUR SERIES OF PUBLIC HEARINGS. WE HAVE A NUMBER BE OF THEM THAT NO ONE HAS SIGNED UP TO SPEAK. WE'LL PUT THOSE OFF UNTIL WE'RE ABLE TO SEND A FEW CITIZENS HOME. THE FIRST ONE WE HAVE SPEAKERS SIGNED UP WOULD BE 82, WHICH IS TO CONDUCT A PUBLIC HEARING AND APPROVE A RESOLUTION REAUTHORIZING THE AUSTIN DOWNTOWN PUBLIC IMPROVEMENT DISTRICT. I SAW MR. CHARLIE BETS HERE EARLIER HERE TO GIVE US TESTIMONY. HERE IS MICHAEL KNOX INTO THE ROOM FOR A PREVIOUS STAFF PREJS. STAFF PRESENTATION. WELCOME, MR. KNOX.

MAYOR, MAYOR PRO TEM, COUNCIL. MICHAEL KNOX, REDEVELOPMENT SERVICES OFFICE. ITEM NUMBER 82 IS TO CONDUCT A PUBLIC HEARING AND AFTER THE PUBLIC HEARING CONSIDER A RESOLUTION REAUTHORIZING THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT FOR A FIVE-YEAR PERIOD. AS PART OF THE REAUTHORIZATION YOU WILL BE ALSO ADOPTING A FIVE-YEAR PID SERVICE PLAN AND BUDGET AND DESIGNATING THE DOWNTOWN AUSTIN ALLIANCE AS THE ADVISORY BODY FOR THE PID. AND RELATED ITEM, ITEM NUMBER 3 WILL APPROVE AN AMENDMENT TO THE CONTRACT CR WITH THE DOWNTOWN AUSTIN ALLIANCE TO MANAGE THE PID SERVICES FOR AN ADDITIONAL FIVE YEARS. COUNCIL HAS REAUTHORIZED THE PID ON OCTOBER OF TWOWVMENT THAT FIVE-YEAR AUTHORIZATION EXPIRES THIS YEAR. UNLESS YOU TAKE ACTION, THE PID WILL DISSOLVE. THE DOWNTOWN AUSTIN PID ENCOMPASSES APPROXIMATELY 650 ACRES OR JUST OVER ONE SQUARE MILE OF DOWNTOWN. BOUNDARIES ARE MLK BOULEVARD ON THE NOR, I-35 ON THE NORTHEAST, SAN ANTONIO ON THE WEST. THE SOUTHERN BOUNDARY IS DEFINED AS PROPERTIES ON THE SOUTHSIDE OF CESAR CHAVEZ BUT INCLUDES SEVERAL OTHER PROPERTIES MUCH THE CITY HAS RECEIVED THE OWN VERSE OVER 70 PERCENT OF THE TAXABLE REAL PROPERTY, THE AREA OF ALL TAXABLE REAL PROPERTY UNDER THE PROPOSAL. AS THE LAW REQUIRES, BE THE FIVE-YEAR SERVICE PLAN HAS BEEN PREPARED. I'M JUST GOING TO SUMMARIZE THAT. IT'S IN YOUR BACKUP. SECURITY, 27% OF THE SERVICES,

MAINTENANCE, 12 PERCENT. MEMBERSHIP SIX PERCENT. ECONOMIC DEVELOPMENT 11 PERCENT IS. STREET SCAPES AND TRANSPORTATION FIVE PERCENT. ARTS AND ENTERTAINMENT MARKETING 23 PERCENT. AND THAT INCLUDES ANY AWARD WINNING DOWNTOWN TELEVISION SHOW. COMMUNICATIONS SIX PERCENT. PARKS TWO PERCENT AND THEN ANOTHER EIGHT PERCENT FOR ADMINISTRATION. THE PROPOSED METHOD OF ASSESSMENT IS THE SAME AS IT'S BEEN. NOT TO EXCEED 10 CENTS PER \$100 VALUE AND THERE ARE A NUMBER OF EXEMPTIONS. THE BUDGET FOR THE FIRST YEAR OF THE PROPOSED PID OR EXTENSION OF THE PID IS APPROXIMATELY \$2.3 MILLION. WE ANTICIPATE THAT THAT WILL GROW OVER THE FIVE-YEAR PERIOD TO SOMETHING IN THE RANGE OF 2.7 MILLION, BUT IT'S BASED ON THE INCREASING VALUE OF DOWNTOWN PROPERTIES. PURSUANT TO PROVISIONS OF THE TEXAS LOCAL GOVERNMENT CODE, STAFF HAS NOTIFIED PROPERTY OWNERS OF THIS PUBLIC HEARING AND AT THIS POINT I'LL ANSWER ANY QUESTIONS. I THINK WE'RE READY TO CONDUCT THE PUBLIC HEARING.

Mayor Wynn: THANK YOU. QUESTIONS OF STAFF REGARD OUR CONTRACT WITH -- REGARDING THE DOWNTOWN PID? THANK YOU, MR. KNOX. WE HAVE ONE CITIZEN SIGNED UP WISH TO GO GIVE TESTIMONY. MR. CHARLIE BETTS, WHO I SAW EARLIER. WELCOME. WE'LL COMBINE THIS PUBLIC HEARING, ITEM NUMBER 82 WITH OUR POSTED ITEM NUMBER 3, THE ACTUAL CONTRACT. WELCOME, CHARLIE.

THANK YOU, MAYOR. COUNCILMEMBERS, I DON'T GUESS I HAVE TO INTRODUCE MYSELF. THANK YOU VERY MUCH. I WILL JUST MAKE ONE VERY BRIEF COMMENT THAT OVER THE LAST FIVE YEARS AND EVEN PREVIOUSLY, THIS COUNCIL AND PREVIOUS COUNCILS HAVE LED THE WAY IN MAKING THE REVITALIZATION OF OUR DOWNTOWN A REAL POSSIBILITY. AND THE DAA JUST WORKS ON A DAILY BASIS MUCH PROVIDING SOME ADDITIONAL SERVICES TO SUPPLEMENT PRIMARY CITY SERVICES. AND WE TRY TO WORK EVERYDAY TO BE AN ADVOCATE ON BEHALF OF BUILDING A GREAT DOWNTOWN. AND I CANNOT IMAGINE ANY COUNCILS BEING MORE SUPPORTIVE THAN THIS ONE HAS AND PREVIOUS COUNCILS TO THIS ONE ALSO. IT'S JUST ABSOLUTELY AMAZING THE AMOUNT OF PRIVATE CAPITAL

THAT IS NOW FLOWING INTO OUR DOWNTOWN. IT'S WONDERFUL. IT'S A VERY OBVIOUS CONFIRMATION OF CONFIDENCE IN OUR DOWNTOWN. YOU'VE GOT THE FIVE-YEAR PLAN IN FRONT OF YOU. MIKE HAS DESCRIBED IT. I WOULD BE DELIGHTED TO ANSWER ANY QUESTIONS. THE FIVE-YEAR PROJECTIONS ARE SOMEWHAT DIFFICULT. THE ONLY ASSUMPTIONS THAT WE KNOW WILL BE ABSOLUTE IS THAT THERE WILL BE SOME CHANGES. BUT WE'RE DELIGHTED THAT THE DOWNTOWN PROPERTY OWNERS AFFIRM THE WORK OF THE DOWNTOWN ALLIANCE SOME 85% OF THE VALUE SIGNED PETITIONS TO REAUTHORIZE THE PID, THE PUBLIC IMPROVEMENT DISTRICT AND A LITTLE OVER 70% OF THE AREA. THANK YOU VERY MUCH. IF YOU HAVE ANY QUESTIONS, I'D BE BE HANEY TO ANSWER THEM.

Mayor Wynn: QUESTIONS OF MR. BETTS, COUNCIL? COMMENTS? THEN OBVIOUSLY THIS HAS BEEN A REMARKABLE RUN FOR THE CONTINUED OPPORTUNITY TO REVITALIZE OUR URBAN CORE AND WE APPRECIATE THE PARTNERSHIP WE HAVE WITH THE DOWNTOWN AUSTIN ALLIANCE. AND NOW OF COURSE THE PARTNERSHIP WE HAVE WITH THE GROWING NUMBER OF PRIVATE SECTOR INVESTMENTS. COUNCIL, THAT'S OUR ONLY -- ANY OTHER CITIZENS WHO WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING, ITEM NUMBER 82 REGARDING THE AUSTIN DOWNTOWN PID? MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY THE MAYOR PRO TEM TO CLOSE THIS PUBLIC HEARING, ITEM NUMBER 82, APPROVE THE RESOLUTION AS WELL AS APPROVING ITEM NUMBER 3 ON OUR EARLIER BE AGENDA. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MARTINEZ OFF THE DAIS. THANK YOU ALL. COUNCIL, THAT TAKES TO US ITEM NUMBER 83, WHICH IS TO CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING A PROPOSED LONG-TERM WATER SUPPLY AGREEMENT BETWEEN THE CITY OF AUSTIN AND THE LCRA ON. I'D APPRECIATE A STAFF FROM MS. LAURA HUFF MAN.

THANK YOU. WHAT I'D LIKE TO DO IS QUICKLY INTRODUCE THIS ITEM. WE'RE THEER HAVE A PUBLIC HEARING ON THE LONG-TERM WATER SUPPLY AGREEMENT BETWEEN LCRA

AND THE CITY OF AUSTIN. AND THEN ON NOVEMBER EIGHTH YOU'RE SCHEDULED TO APPROVE THE LONG-TERM WATER SUPPLY AGREEMENT. WHAT I'D LIKE TO DO IS TAKE US BACK TO THE BEGINNING OF THE SUMMER IN JUNE WHEN YOU ALL APPROVED A SETTLEMENT AGREEMENT WITH THE LCRA. THAT WAS THE FIRST ACTION YOU TOOK IN THIS NEGOTIATION WITH THE LOWER COLORADO RIVER AUTHORITY. AND WHAT THAT SETTLEMENT AGREEMENT DID WAS IT CREATED AN ARRANGEMENT WHEREBY AUSTIN AND LCRA WOULD SHARE THE USE OF RETURN FLOWS. WHAT WE'VE OFTEN REFERRED TO AS THE BED AND BANKS PERMITS THAT ARE PENDING AT THE STATE. WAIT WE ARRANGED FOR THAT SHARED USE IS ESSENTIALLY THE FIRST CALL ON THOSE RETURN FLOWS GOES TO THE ENVIRONMENT. SO UNTIL AND UNLESS ALL OF THE ENVIRONMENTAL NEEDS ARE MET IN THE BAYS AND HE IS TIEW WARIES, EITHER THE ARE LOWER COLORADO RIVER AUTHORITY NOR THE CITY OF AUSTIN GETS ACCESS TO THE RETURN FLOWS. ONCE THE ENVIRONMENTAL NEEDS ARE MET, THEN THE CITY OF AUSTIN GETS THE REMAINING ACCESS TO THE RETURN FLOWS AND THEN IF AND ONLY IF THE CITY OF AUSTIN DOES NOT HAVE REUSE PROJECTS TO CAPTURE ALL THAT HAVE USE, LCRA GETS ACCESS TO THE RETURN FLOWS. SO THAT IS THE SHARED ARRANGEMENT ON OUR REUSE WATER FROM THE CITY OF AUSTIN. THAT SETTLEMENT, MAYOR AND COUNCIL, REPRESENTS LNL A DECADE WORTH OF NEGOTIATIONS BETWEEN THE CITY AND LCRA ON HOW WE WOULD APPROACH REUSE IN THE CITY OF AUSTIN. AND REPRESENTS A FIRST TIME ARRANGEMENT IN THE STATE OF TEXAS FOR SHARING RETURN FLOWS. THE SECOND THING THAT THE SETTLEMENT AGREEMENT DID WAS IT RESOLVED SPECIFICALLY FIVE PERMITS THAT ARE PENDING AT THE STATE, THREE OF WHICH ARE BED AND BANKS PERMITS, ONE OF WHICH WAS A RUN OF THE RIVER OR FLOWS APPLICATION THAT LCRA HAD. AND THEN THE LAST PERMIT WAS WHAT'S CALLED THE GAR WOOD WATER RIGHTS APPLICATION. SO THE SETTLEMENT AGREEMENT RESOLVED ALL OF THESE ISSUES AND ALSO CREATE ADD FRAME WHEREBY LCRA WOULD AMEND ITS WATER MANAGEMENT PLAN, WHICH IS ESSENTIALLY ITS MASTER PLAN FOR MANAGING ALL OF ITS WATER RESOURCES TO REFLECT ALL OF THE AGREEMENTS THAT HAVE BEEN MADE

BETWEEN THE CITY AND THE LCRA. NOW, THE REASON THAT'S IMPORTANT IS BECAUSE THAT REALLY IS THE BASE PLANNING DOWNTOWN THAT LCRA USES TO MANAGE ITS MISSION. SO EVERYTHING THAT WE'VE NEGOTIATED HAS BEEN CAPTURED IN THE MOST FUNDAMENTAL OF ALL AGREEMENTS BETWEEN THE CITY AND LCRA AND IN THE LCRA'S FUNDAMENTAL PLANNING DOCUMENTS. THE NEXT THING THAT THE SETTLEMENT AGREEMENT DID AND PROBABLY THE MOST LONG-TERM THE MOST HELPFUL THANK THE SETTLEMENT AGREEMENT DID IS IT CREATED A COLLABORATION BETWEEN THE TWO PARTIES SO THAT WE WOULD CO-MANAGE OR WATER RIGHTS. IT DIDN'T REQUIRE EITHER THE LCRA OR THE CITY OF AUSTIN TO ABDICATE ITS LEGAL RIGHTS TO WATER THAT IT OWNED, BUT WHAT IT DID IS IT SET UP A FRAMEWORK WHERE WE COULD JOINTLY MANAGE THOSE WATER RIGHTS AND THEREFORE CAPITAL LIESES ON THE ACCESS AND AVAILABILITY OF WATER TO BOTH ENTITIES. WE MADE SOME CLARIFICATIONS, BUT DID NOT AMEND THE 1999 WATER SUPPLY AGREEMENT WITH THE CITY OF AUSTIN. AND FINALLY WHAT THAT SETTLEMENT AGREEMENT DID AND WHAT GETS US TO THIS EVENING IS THE SETTLEMENT AGREEMENT ASKED LCRA AND THE CITY OF AUSTIN TO WORK ON A LONG-TERM WATER SUPPLY AGREEMENT FOR THE CITY OF AUSTIN. AND THAT IS THE SUBJECT OF TONIGHT'S PUBLIC HEARING. MANY OF YOU WILL REMEMBER THAT IN 1999 THE CITY OF AUSTIN PEN ADD DEAL WITH LCRA FOR A WATER SUPPLY AGREEMENT, SO ONE QUESTION THAT PEOPLE HAVE ASKED AND A FAIR QUESTION IS, WHY ARE WE NOW DOING A SECOND LONG-TERM WATER SUPPLY AGREEMENT? WHAT THIS CHART SHOWS YOU IS SOMETHING THAT WE'VE TALKED A LOT ABOUT IN THE LAST FEW YEARS, WHICH IS JUST THE VERY STRONG GROWTH PATTERN THAT WE SEE IN OUR REGION. THE ONE PATTERN THAT IS THE MOST COMMONLY RECURRING PATTERN IN AUSTIN IS THE FACT THAT EVERY 20 YEARS WE DOUBLE IN SIZE. AND WATER PLANNING IS THE MOST BASIC AND YET THE MOST -- THE LONGEST LEAD TIME PLANNING INITIATIVE THAT ANY COMMUNITY CAN HAVE. WITHOUT ADEQUATE WATER SUPPLY PLANNING YOU CANNOT PLAN FOR A POSITIVE FUTURE FOR A COMMUNITY BECAUSE IT TAKES SUCH A LONG TIME TO MAKE SURE THAT THOSE SUPPLIES ARE IN PLACE AND THAT THE

COMMUNITY'S NEEDS ARE ADEQUATELY ADDRESSED. AND THIS CHART SHOWS IN REGION K, WHICH IS THE REGION OF THE STATE PLANNING THAT WE PARTICIPATE IN WHAT THOSE POPULATION PROJECTIONS LOOK LIKE AND JUST HOW STRONG THAT GROWTH TREND IS. THIS NEXT CHART IS A LITTLE BIT COMPLICATED, BUT WHAT IT TELLS YOU IS THE RELATIONSHIP BETWEEN THE 1999 AGREEMENT AND THE WATER THAT IS... IT PROVIDES AND THE AGREEMENT THAT WE'RE TALKING ABOUT TONIGHT. SO LET ME TAKE A MOMENT TO WALK YOU THROUGH THAT. YOU HAVE ACRES ON THE LEFT AND YOU HAVE TIME ON THE BOTTOM. AND WHAT THE RED LINES ARE SHOWING YOU IS WATER USE. AND THE UNBROKEN RED LINE IS SHOWING YOU THE PROJECTION FOR AUSTIN'S WATER USE OUT TO 2100. OUR GOAL AND WITH RECENTLY PASSED COUNCIL CONSERVATION POLICIES, WE BELIEVE WE COULD AFFECT THAT TREND LINE AND WE'RE SHOWING THAT IMPACT OF CONSERVATION WITH THE BROKEN RED LINE JUST BELOW IT. THERE'S NO QUESTION THAT ONE OF THE MOST EFFECTIVE CONSERVATION STRATEGIES THAT A CITY CAN USE OR A LONG-TERM WATER PLANNING TOOL THAT THE CITY CAN USE IS CONSERVE WATER AND DELAY THE NEED FOR ADDITIONAL WATER IN THE FUTURE. AND THAT'S WHAT THOSE TWO RED LINES ARE SHOWING. AT THE BEGINNING OF THE GRAPH YOU SEE A GREEN PORTION OF THE LINE AND THAT REPRESENTS WATER USAGE TODAY. SO THOSE TREND LINES ARE SHOWING YOU THE AMOUNT OF WATER THAT AUSTIN WILL NEED OUT UNTIL 2100. IF YOU LOOK AT THE DARK BLUE LINE AT 201,000-ACRE FEET, THIS IS WHAT WE CALL THE TRIGGER FOR THE 1999 WATER SUPPLY AGREEMENT WITH LCRA. AND THE WAY THAT THAT AGREEMENT WAS NEGOTIATED WAS AUSTIN MADE A PREPAYMENT IN 1999 FOR THE WATER AND THEN IN THAT AGREEMENT IT CALLS FOR AUSTIN TO BEGIN ANNUAL PAYMENTS ON THE WATER ONCE WE REACH TWO CONSECUTIVE YEARS OF 201-THOUSAND ACRES OF WATER USAGE. AND YOU CAN SEE THAT WITH CONSERVATION WE EXPECT TO DELAY THAT BY A FEW YEARS, BUT EVEN IN THE BEST CASE SCENARIO, WE'RE LOOKING AT MAKING PAYMENTS AROUND 2020. IF YOU GO UP TO THE LIGHTER BLUE LINE, WHAT YOU CAN SEE IS THAT 325,000-ACRE FOOT POINT IN TIME, THE 1999 CONTRACT WAS

FOR 325,000-ACRE FEET OF WATER, SO THAT'S THE AMOUNT OF WATER SUPPLY THAT WE HAVE LOCKED DOWN BY CONTRACT TODAY. AND YOU CAN SEE THAT EVEN WITH AGGRESSIVE CONSERVATION, WE WILL NEED ADDITIONAL WATER SUPPLIES AT 2050. WHAT YOU SEE BEYOND THAT, THE REST OF THOSE RED LINES, REPRESENTS THE AMOUNT OF WATER THAT WE HAVE NEGOTIATED IN THE CURRENT LONG-TERM WATER SUPPLY AGREEMENT. SO LET ME TRY AND SUMMARIZE ALL THAT. YOU HAVE UNTIL 1999 WATER AGREEMENT IN PLACE. THAT AGREEMENT GIVES YOU 325,000-ACRE FEET OF WATER. THAT AMOUNT OF WATER WILL MEET AUSTIN'S NEEDS UNTIL ABOUT 2050. WHAT WE ARE BRINGING BEFORE YOU TONIGHT IS A SECOND CONTRACT THAT WILL KICK IN WHEN WE HAVE EXHAUSTED THE SUPPLY IN THE 1999 CONTRACT AND WILL PROVIDE YOU WITH A FULL 100 YEARS OF WATER SUPPLY FOR THE CITY OF AUSTIN. AND THAT'S WHAT THAT CHART SHOWS US. THE WATER SUPPLY AGREEMENT, AGAIN IT'S A 250,000-ACRE FOOT AGREEMENT. IT ESTABLISHES ESSENTIALLY A PLANNING PROCESS, A DELIBERATIVE PLANNING PROCESS THAT HELPS US TO DETERMINE NOT ONLY THE SOURCE, BUT THE TIMING FOR WATER FOR THE CITY OF AUSTIN. THERE ARE NO PREPAYMENTS FOR THIS CONTRACT THAT IS A SIGNIFICANT DIFFERENCE BETWEEN THIS CONTRACT AND THE 1999 WATER SUPPLY CONTRACT. THE CITY OF AUSTIN WILL NOT BE WRITING A CHECK TODAY TO LOCK UP THIS WATER SUPPLY. THERE WILL BE RESERVATION FEES IN THE FUTURE ONCE AUSTIN HAS DONE SEVERAL THINGS. THE FIRST OF WHICH IS TO GIVE LCRA NOTICE THAT WE ARE IN NEED OF THE WATER. AND THE SECOND OF WHICH WOULD BE THAT THAT WATER IS AVAILABLE AND IN STORAGE FOR THE CITY OF AUSTIN. BUT UNTIL THAT POINT AUSTIN IS NOT WRITING A CHECK OR PAYING FOR THIS CONTRACT. AND THE THIRD THING THAT IS IMPORTANT ABOUT THE FINANCES OF THIS AGREEMENT IS THAT IT DOES NOT PRESET THE RATES THAT AUSTIN WILL PAY FOR THIS WATER. WHY DIDN'T WE NEGOTIATE RATES? ONE REASON IS BECAUSE IT'S HARD TO SAY WHAT THE PRECISE SOURCE OF THIS WATER WILL BE IN 50 YEARS. IT MIGHT BE WATER THAT IS STILL LEFT IN STORAGE IN THE HIGHLAND LAKES, IT MIGHT BE A SOURCE OF WATER THAT WE DON'T HAVE AT THIS POINT. IT COULD BE WATER THAT'S

BEEN PRODUCED AS A RESULT OF DESAL OR NEW TECHNIQUES OR TECHNOLOGIES THAT BECOME AVAILABLE IN THE FUTURE. SO WHAT WE DO HAVE, INSTEAD OF A FIRM RATE RIGHT NOW, IS WE HAVE THE ABILITY TO PARTICIPATE IN THE RATE-MAKING PROCESS AT LCRA JUST AS WE DO TODAY WITH OUR CURRENT WATER CONTRACT. SOME POTENTIAL SOURCES OF WATER THAT WILL BE USED TO FILL THIS CONTRACT ARE NEW OR IMITING SUPPLIES FROM LCRA. THERE COULD BE AN OPPORTUNITY FOR AUSTIN TO INDEPENDENTLY CREATE A SOURCE OF WATER, AND WE ARE ALLOWED TO DO THAT UNDER THIS CONTRACT. OR WE COULD PARTNER WITH LCRA OR WITH OTHER PARTIES. SO COUNCIL, WHAT YOU CAN SEE IN THIS CONTRACT IS THE REQUIREMENT FOR LCRA TO PROVIDE THE WATER TO THE CITY OF AUSTIN, BUT THE FLEXIBILITY FOR THE CITY OF AUSTIN TO DECIDE WHEN AND HOW IT CULTIVATES THAT WATER IN THE FUTURE. THE PLANNING PROCESS CALLS FOR US TO PROVIDE DEMAND PROJECTIONS, IN OTHER WORDS, WE NEED TO START WORKING COLLABORATIVELY WITH THE LCRA TO MAKE SURE THAT WE'RE ON THE SAME PAGE WITH REGARD FOR THE NEED FOR WATER. WE CALL THESE DEMAND PROJECTIONS. AND WE'LL BE REQUIRED TO PROVIDE THOSE TO LCRA IN 2010 AND UPDATE THOSE FIGURES EVERY FIVE YEARS. THIS REPRESENTS A BEST PRACTICE AND WATER PLANNING, SO WE WANT TO MAKE SURE THAT AS AN ORGANIZATION WE'RE DOING WHAT REPRESENTS BEST PRACTICES FOR PLANNING IN THIS AREA. IT ALSO GIVES US THE ABILITY TO CALL ON THIS WATER IN SMALLER INCREMENTS. SO IN ORDER, WHEN AUSTIN LOOKS OUT AT 2050, SAY IN 2040, AND WE SEE A NEED FOR WATER, WE CANNOT CALL ON ALL 250,000-ACRE FEET AT ONE TIME. WE COULD, FOR EXAMPLE, ASK ALL RIGHT TO PROVIDE 50,000-ACRE FEET OF WATER TO THE CITY OF AUSTIN. THE FLEXIBILITY THAT THIS WILL GIVE FUTURE COUNCILS IS THE FLEXIBLE TO CONTROL THE VOLUME AND THEREFORE THE COST OF THE WATER THAT IS CALLING ON TO PROVIDE FOR ITS FUTURE GROWTH. AND WE THINK THAT'S A REALLY IMPORTANT ELEMENT BECAUSE TO PAY RESERVATION FEES ON A FULL 250,000-ACRE FEET IS A MUCH DIFFERENT SCENARIO THAN IF YOU WERE TO CALL ON A SMALLER INCREMENT OF WATER. SO IT GIVES YOU A MORE DISCRETE PLANNING TOOL. AND THE LAST THING TO

POINT OUT IS THAT THE DISPLAY DECISION, HOW WE GO ABOUT FILLING THE CONTRACT, GIVES US A LOT OF FLEXIBILITY ON THE QUANTITY, THE SOURCE OF THE WATER AND THE TIMING OF THE WATER. MANY PEOPLE HAVE ASKED AND WE THINK IT'S IMPORTANT TO INCLUDE AN EXPLICIT PUBLIC PROCESS, WATER SUPPLY IS CERTAINLY IMPORTANT, BE AND SOMETHING THAT NEEDS TO BE THE SUBJECT OF PUBLIC PARTICIPATION, AND OF COURSE IT WOULD REQUIRE EXPLICIT COUNCIL ACTION BOTH TO CALL ON THE WATER AND TO APPROVE THE WATER SUPPLY ONCE IT'S CRAFTED. SO DOWN THE ROAD THERE'S A REAL EXPLICIT PROCESS THAT THIS COMMUNITY WILL FOLLOW TO 'PULL ALL THE TRIGGER IN ON CONTRACT FOR THE WATER SUPPLY. YOU ASKED US IN JUNE TO HAVE A PUBLIC PROCESS TO TALK ABOUT AND GET FEEDBACK ON THIS LONG-TERM WATER SUPPLY AGREEMENT. THERE'S NO QUESTION THAT THIS IS A BIG CONTRACT THAT AND IT WAS YOUR DESIRE THAT WE TALK TO THE COMMUNITY ABOUT WHAT ALL NFS THIS CONTRACT. SINCE THAT TIME WE'VE BEEN TO 10 MEETINGS AT AUSTIN BOARDS AND COMMISSIONS, PLUS TONIGHT'S PUBLIC HEARING. AND I WANT TO TALK A LITTLE BIT ABOUT THOSE 10 MEETINGS. WE WENT -- ONCE YOU APPROVED THE SETTLEMENT AGREEMENT, WE WENT TO THE THREE BOARDS AND COMMISSIONS THAT HAVE CONSIDERED THIS AND WE WALKED THEM THROUGH THE SETTLEMENT AGREEMENT AND THEN THE BASIC TERMS OF THE WATER SUPPLY AGREEMENT. WE CAME BACK TO THOSE THREE BOARDS MID SUMMER AND UPDATED THEM ON THE NEGOTIATIONS. AND THEN IN THE LAST TWO WEEKS HAVE BROUGHT THEM FINAL COPIES OF THE SUPPLY AGREEMENT. SO THEY HAD A CHANCE TO PARTICIPATE IN THIS PROCESS AT THE BEGINNING WHEN WE HAD A TERM SHEET AND THE MIDDLE WHEN WE WERE PART WAY THROUGH THE NEGOTIATIONS AND THEN HERE AT THE END WHEN WE HAD A FINAL DOCUMENT. THE MAYOR ALSO CONTACTED SIX ENTITIES IN THE REGION THAT WOULD BE INTERESTED IN WHAT WE'RE DOING HERE BECAUSE OF THEIR PROXIMITY TO AUSTIN AND ALSO BECAUSE OF THEIR RELATIONSHIP WITH LCRA. WALKED THEM THROUGH THE SETTLEMENT AGREEMENT AND THE SUPPLY AGREEMENT THAT WE WERE NEGOTIATING AND OFFERED TO PROVIDE ADDITIONAL INFORMATION AND

TO MEET WITH EACH OF THESE CITIES AND PUBLIC ENTITIES ALONG THE WAY. AND FINALLY, WE'VE USED OUR WEBSITE TO PUT THE SUPPLY AGREEMENT UP ON THE WEBSITE SO THAT PEOPLE COULD HAVE EASY ACCESS TO THIS DOCUMENT. SUE THAT'S JUST A -- SO THAT'S JUST A SNAPSHOT OF THE PUBLIC PROCESS WE'VE USED OVER THE PAST FEW MONTHS TO HAVE AS MUCH PUBLIC PARTICIPATION AS WE CAN AND STILL COMPLY WITH THE REQUIREMENT TO GET THIS AGREEMENT DONE AS QUICKLY AS POSSIBLE. AND MAYOR, THAT CONCLUDES THE PRESENTATION ON THE SUPPLY AGREEMENT. I'LL ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

Mayor Wynn: THANK YOU. QUESTIONS FOR STAFF, COUNCIL? COMMENTS? AGAIN, OUR GOAL HERE TONIGHT IS TO MAKE SURE THAT THE PUBLIC HAS A CHANCE TO GIVE US SOME FEEDBACK, COMMENTS REGARDING THIS PROPOSAL. SO WITH THAT I SUGGEST WE GO TO OUR CITIZEN SIGN-UP SHEET. WE HAVE A HANDFUL OF FOLKS WHO WOULD LIKE TO ADDRESS US. OUR FIRST SPEAKER IS ANDREW DONAHUE. WE APPRECIATE YOU AND EVERYONE ELSE'S PATIENCE TONIGHT. WELCOME. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY MR. BILL BUNCH.

OKAY. THANK YOU, MAYOR WYNN. MY NAME IS ANDREW. I AM COUNCILMEMBER COLE'S APPOINTEE TO RET SOURCE MANAGEMENT COMMISSION. AND I'M HERE TO AT LEAST TRY TO CONVEY A SENSE OF OUR COMMISSION'S VIEW ON THIS DOCUMENT AND ON THESE DOCUMENTS. CONSERVE VAIGHTS PATH TO EFFICIENT AND PRUDENT USE OF OUR WATER. IT'S FINANCIALLY GOOD FOR AUSTIN THAT WE GO THROUGH AN AGGRESSIVE CONSERVATION PROGRAM. MY CONCERN, AND I THINK THE CONCERN OF OTHER MEMBERS OF THIS COMMISSION, IS THAT IT'S VERY DIFFICULT FOR AUSTIN TO BE A PEER WITH LCRA, PARTICULARLY SINCE OUR WATER CONCERNS ARE MUCH SMALLER. I'M ALSO CONCERNED ABOUT AN ISSUE OF DOUBLE COUNTING OF WATER. OF WATER BEING SOLD TO MANY PEOPLE AND NOT REALLY BEING THERE WHEN WE NEED IT, WHICH MIGHT HAPPEN IN SUCH AN AGREEMENT. MY SECOND POINT IS I WANT EVERYONE TO REMEMBER THAT THIS AGREEMENT CAME OUT OF FIVE LAWSUITS. IN ORDERS, AUSTIN AND LCRA HAVE HAD A HISTORY OF CONFLICT. NOW, THIS MAY GIVE US

AN APPROPRIATE RESOLUTION PROCESS. BUT IT DOESN'T NECESSARILY DO IT IN A PUBLIC FASHION SO THAT EVERYBODY GETS A CHANCE TO SEE. SO IF YOU LOOK AT THE RESOLUTION THAT WE SENT TO COUNCIL AND HAS BEEN APPROVED BY THE FULL COMMISSION UNANIMOUSLY OF THE MEMBERS WHO WERE ATTENDING, IT'S BASICALLY A SET OF ITEMS TO BE ADDED TO THE SETTLEMENT AGREEMENT SUCH THAT WE ENHANCE THE PUBLIC VIEW OF THE PROCESS OF MANAGING THIS PARTNERSHIP. WE'VE GOTTEN THE AGREEMENT OF STAFF TO ACTUALLY START TO INCORPORATE THESE ISSUES. AND WE WILL SEE A FINAL AGREEMENT FROM THEM ON NOVEMBER 1st, WHICH OUR SUBCOMMITTEE ON WATER WILL REVIEW ON THE 6TH AND HOPEFULLY WE WILL THEN HAVE SOMEONE HERE WHEN YOU NEXT REVIEW THIS, EVEN THOUGH THE FULL COMMISSION WILL NOT HAVE HAD A CHANCE TO REVIEW IT, ONLY THE SUBCOMMITTEE. WHY WE THINK THE OVERVIEW IS IMPORTANT IS BECAUSE EVERY ONE OF OF IS BUSY AND STAFF HAS TOLD US THAT THEY FELT THAT COUNCIL OVERSIGHT WAS SUFFICIENT. WELL, YOU ARE VERY BUSY PEOPLE. THE ROLE OF BOARDS AND COMMISSIONS ARE TO DIG INTO THESE ISSUES AND THEN TO ADVISE YOU. AS BEST WE CAN AS INDEPENDENT PARTIES, AS I DO WITH COUNCILMEMBER COLE. I HOPE FREQUENTLY ENOUGH. HENCE WE VERY MUCH WOULD LIKE TO SEE THESE PUBLIC REVIEW PROCESSES THAT WE'VE PROPOSED AND HAVE DISCUSSED EXTENSIVELY WITH STAFF BE INCORPORATED INTO THIS AGREEMENT. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU. WE HAVE HERE THE COMMENTS AND RECOMMENDATIONS OF THE COMMISSION. BILL, IS COLIN HERE THIS EVENING?

NO, HE WENT HOME.

...

Mayor Wynn: THEN YOU WILL HAVE THREE MINUTES.

THANK YOU VERY MUCH FOR MY THREE MINUTES ON 77 PAGES AND 93 YEARS OF WATER POLICY. IT'S VERY GENEROUS OF YOU. THREE THING, POLICY, PROCESS, PARTNERSHIP, WATER CONSERVATION. PROCESS, BOTH

HOW WE GOT HERE TODAY, ALL YOU SAW FROM MS. HUFFMAN IS AFTER THE AGREEMENTS WERE WRITTEN IN THE BACK ROOM WITHOUT PUBLIC PARTICIPATION. THE TIME FOR PUBLIC PARTICIPATION WAS BEFORE A SINGLE WORD WAS WRITTEN. I UNDERSTAND THERE WAS LEGAL DISPUTES TO BE RESOLVED. THOSE DISPUTES ARE RELATIVELY MINOR 'AND BE CAN BE RESOLVED AS LEGAL DISPUTES WITHOUT SWEEPING INTO THAT BACK ROOM 100 YEARS OF PUBLIC WATER POLICY. THAT'S WHAT DONE. AND THAT'S COMPLETELY INAPPROPRIATE. SO WE ASK THAT YOU SEVER THOSE TWO, SETTLE THE DISPUTES, STEP BACK AND GIVE THE PUBLIC PROCESS. OBVIOUSLY THERE'S NO RUSH SINCE WE'RE TALKING ABOUT WATER POLICY THAT STARTS 43 YEARS FROM NOW. PROCESS GOING FORWARD, IF YOU DO THIS PARTNERSHIP, WHICH IT CERTAINLY LOOKS LIKE YOU ARE, THERE'S NOTHING IN THERE THAT SAYS THIS EXECUTIVE COMMITTEE THOOD GOING TO RUN THE PARTICIPATE IS SUBJECT TO OPEN MEETINGS ACT OR PUBLIC NOTICE, SO WE'RE SETTING OURSELVES UP FOR CONTINUATION OF BACK ROOM MANAGEMENT AND PEOPLE ARE ONLY FINDING OUT AFTER THE DEAL IS DONE. WE NEED PUBLIC OPEN MEETINGS NOTICE. IT'S RATE..... RATEPAYERS, WATER AND NEARBY CUSTOMERS. WE ARE NOT IN THE REGIONAL WATER PROVIDING BUSINESS. WE SHOULD NOT NUMBER A PARTNERSHIP WITH LCRA. THAT IS THEIR BUSINESS. WE SHOULD NOT BE SIGNING AWAY OUR RIGHTS TO OBJECT TO THEIR DELIVERY ON WATER ACROSS THE HILL COUNTRY. WE NEED TO BE A CHECK ON LCRA'S EXPANSIONIST VIEW OF PLUMBING THE WHOLE HILL COUNTRY WITH CITY WATER AND SEWER. RATHER THAN A NARN..... NARN THAT CRIME -- A PARTNER IN THAT CRIME WITH THE STATE OF TEXAS AND ITS WATER RESOURCES. SO OUR REQUEST IS THAT THE PARTNERSHIP BE COMPLETELY SHELFED OR AT LEAST AGAIN SET BACK AND HAVE THAT AN PUBLIC POLICY EXAMINATION OVER A PERIOD OF MONTHS. THIRD, WATER CONSERVATION, THERE'S 77 PAGES HERE. OUR WATER FUTURE IS IN CONSERVATION. IF WE REALLY ARE GREEN, IF WE CARE ABOUT CLIMATE CHANGE AS WE PROFESS OURSELVES TO BE THE NUMBER ONE NATIONAL LEADER, WE HAVE TO STOP OUR WASTEFUL...FUL WATER WAYS AND BECOME TRULY EFFICIENT WITH OUR WATER AS WITH OUR ELECTRICITY. [BUZZER SOUNDS] THERE'S

NOTHING COMMITTING US OR LCRA TO WATER
CONSERVATION IN THIS 77 PAGES OF AGREEMENTS. THANK
YOU.

Mayor Wynn: THANK YOU. OUR NEXT SPEAKER IS CYNTHIA
KUEHAYNE. WELCOME. YOU WILL HAVE THREE MINUTES AND
BE FOLLOWED BY JENNIFER WALKER.

MY NAME IS CYNTHIA. I AM THE ALLENDALE NEIGHBORHOOD
ASSOCIATION REPRESENTATIVE TO AUSTIN
NEIGHBORHOODS COUNCIL. I'M HERE TONIGHT IN MY ROLE
AS THE CHAIR OF THE ANC GROWTH MANAGEMENT
IMPLEMENT IMPLEMENTATION COMMITTEE WHICH SOME OF
YOU ALREADY HEARD US. THE GENERAL MEMBERSHIP OF
ANC APPROVED A CALL TO ACTION TO MANAGE AUSTIN'S
GROWTH ON JULY 25TH OF THIS YEAR. THIS TWO PAGE
DOCUMENT CALLS FOR THE CITY COUNCIL IN PARTNERSHIP
WITH ANC AND A BROAD RANGE OF COMMUNITY
STAKEHOLDERS TO I AM PARK ON VIABLE GROWTH POLICY. I
PROMISE I WON'T READ THE WHOLE THING. IT ALSO STATES
THAT IN THE AN BE SENSE AFTER COHERENT AND LIVING
PLAN TO MANAGE GROWTH, THE CITY HAS REACTED TO
VARIOUS PRESSURES AND INFLUENCES IN THE MRN THAT -- -
- IN THE MANNER THAT -- MADE DECISIONS WITHOUT
ADEQUATE DATA OR SOCIAL OR ENVIRONMENTAL IMPACT
PROJECTIONS AND IGNORED PUBLIC INPUT. NOW, HOW THAT
APPLIES HERE, I BELIEVE THAT HOLDING ONLY ONE PUBLIC
HEARING ON THIS TOPIC BY CITY COUNCIL AS PART OF ITS
LONG COUNCIL AGENDA DOES NOT PROVIDE FOR
ADEQUATE PUBLIC INPUT. ALSO, PRESENTING THIS FAR-
REACHING SUBJECT IN A DRAFT AGREEMENT PHASE DOES
NOT ALLOW US OR THE CITY COUNCIL TO SEE THE DATA AND
GET THE BACKGROUND AND TO DETERMINE IF THE SOCIAL
OR ENVIRONMENT AL IMPACT ASSESSMENTS WERE
ADEQUATE. I URGE THE COUNCIL TO ENSURE THAT AUSTIN'S
WATER NEEDS ARE ADDRESSED IN A BROAD RANGING
PUBLIC PROCESS. PLEASE DO NOT RUSH TO APPROVE THIS
AGREEMENT. I ALSO URGE THE COUNCIL TO WORK WITH
AUSTIN NEIGHBORHOODS COUNCIL TO ESTABLISH A
COMPREHENSIVE GROWTH POLICY THAT IMPROVES THE
CITY PROCESS OF ADDRESSING GROWTH DEMANDS AND
ESTABLISHES A FRAMEWORK TO DEAL WITH IMPORTANT
POLICY ISSUES SUCH AS WATER USE PLANNING. THANK

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

I UNDERSTAND THAT THE CITY OF AUSTIN LEGAL TEAMS AND STAFF ARE COMMITTED TO TRYING TO INCORPORATE THE -- THE ITEMS FROM THE RESOLUTION INTO THE SUPPLEMENTAL WATER SUPPLY AGREEMENT. SO I'M VERY HAPPY ABOUT THAT. AND -- AND I LOOK FORWARD TO SEEING IT ON NOVEMBER 1st WHEN IT'S SUPPOSED TO BE READY. I WANT TO ADDRESS A COUPLE OF TOPICS. THE CITY OF AUSTIN IS ONLY REQUIRED TO ADOPT WHAT -- WHAT THE LCRA HAS IN PLACE AT THAT TIME, WHEREAS THE CITY ALREADY HAS MORE STRINGENT RULES THAN LCRA. I WOULD HOPE THEY WOULD HAVE AT LEAST AS STRONG OF A WATER CONSERVATION AS THE CITY DOES. CONVERSELY, IN ADDITION, I WOULD LIKE THE CITY AND THE LCRA AND THEIR CUSTOMERS TO TRY TO MOVE TOWARDS THE STATE-WIDE GOAL OF 140 GALLONS PER CAPITA PER DAY. PUBLIC PARTICIPATION IS THE OTHER ITEM THAT I WANTED TO ADDRESS. I THINK THE PUBLIC PROCESS ON THIS HAS BEEN PRETTY THIN. IT'S GONE THROUGH BOARDS AND COMMISSIONS AND IT'S BEEN IN THE PUBLIC HEARING AT 9:30 ON A THURSDAY NIGHT, WHICH IS -- IS PRETTY HARD TO GET TO. I'VE HAD TO DO A LOT OF CHILD CARE JUGGLING TO PARTICIPATE IN THESE MYSELF..... MYSELF. THE PUBLIC WAS PRESENTED WITH A SUBSTANTIALLY COMPLETE DOCUMENT AND ABLE TO GO TO BOARDS AND COMMISSIONS AND PUBLIC HEARING TONIGHT TO COMMENT ON IT AND -- AND WHAT I WOULD HAVE LIKED TO HAVE SEEN IS THE PUBLIC BROUGHT IN BEFORE THERE WAS A SUBSTANTIALLY COMPLETE DOCUMENT IN ORDER TO PARTICIPATE IN THE PROCESS MORE FULLY. AND IT IS WHAT IT IS. AND -- AND WE'RE AT THIS POINT NOW BUT THE -- BUT THE POINT IS THAT IN THE FUTURE THE WATER PARTNERSHIP IS A REALLY IMPORTANT PART OF THE SUPPLEMENTAL WATER SUPPLY AGREEMENT AND I THINK THAT THE WATER PARTNERSHIP SHOULD OPERATE IN A -- AS OPEN AS POSSIBLE WAY, THEY SHOULD HAVE OPEN MEETINGS, THEY SHOULD -- THEY SHOULD CONSIDER AND USE PUBLIC INPUT, THE DECISIONS THEY MAKE SHOULD REFLECT THE VALUES OF OUR COMMUNITY AND THE PEOPLE WHO PARTICIPATE IN THE PROCESS. THE CITIZENS OF AUSTIN AND THE BOARDS AND COMMISSIONS AND THE

CITY COUNCIL SHOULD NOT BE PRESENTED ONCE AGAIN WITH THE SUBSTANTIALLY COMPLETE DOCUMENT. TO COMMENT ON AFTER THE FACT. I HOPE THAT THE PARTNERSHIP CAN OPERATE IN KIND OF A FUNDAMENTALLY DIFFERENT WAY THAN THE DRAFTING OF THESE DOCUMENTS HAS. MY OTHER THINGS ARE IN MY LETTER, THANK YOU VERY MUCH.

THANK YOU, MS. WALKER. COUNCIL THAT INCLUDES THE FOLKS WHO SIGNED UP TO GIVE US TESTIMONY ON THIS PUBLIC HEARING, ITEM NO. 83, REGARDING THE LONG-TERM WATER SUPPLY AGREEMENT BETWEEN THE CITY OF AUSTIN AND LCRA. THEY OF COURSE HAVE RECOMMENDATION FROM THE RESOURCE MANAGEMENT COMMISSION HERE WITH US, THE ENVIRONMENTAL BOARD, I THOUGHT A THIRD, I CAN'T REMEMBER -- YES. WATER AND WASTEWATER. MIGHT HAVE MISSED THIS EARLIER, SO REMIND ME NOW THE TIMING WAS NOT TO COME BACK TO COUNCIL UNTIL NOVEMBER 8th. SO TWO MORE WEEKS. THREE MORE WEEKS.

THAT'S CORRECT, MAYOR. TONIGHT WE'RE JUST CONDUCTING A PUBLIC HEARING. YOU HAVE THE THREE BOARD AND COMMISSION RECOMMENDATIONS BEFORE YOU, THEN WE'RE SCHEDULED TO COME BACK FOR FINAL ACTION ON THE 8th.

Mayor Wynn: OKAY. REMIND ME AGAIN I'M SORRY THE STATUS OF THE -- OF THE ADDITIONAL THOUGHTS, COMMENTS, CONDITIONS, IF YOU WILL, THAT CAME OUT OF OUR BOARD AND COMMISSION PROCESS.

I THINK MAYOR AND COUNCIL WHAT WE'RE LOOKING FOR IS DIRECTION FROM YOU ALL ON HOW AND WHAT TO INCORPORATE INTO THE FINAL DOCUMENT.

Mayor Wynn: OKAY. COUNCILMEMBER KIM?

Kim: THANKS, MS. HUFFMAN. BASED ON THE REQUESTS FOR OPEN PROCESS AND PUBLIC POSTING OF MEETINGS AND OPEN MEETINGS, HOW CAN WE GO ABOUT INCORPORATING SOME OF THOSE -- THOSE IDEAS IN THE AGREEMENT.

I WANT TO MAKE SURE THAT I UNDERSTAND WHAT THE REQUEST IS. WE CAN CERTAINLY TALK -- THE WATER PARTNERSHIP IS STRUCTURED TO BE TWO PEOPLE FROM LCRA AND TWO PEOPLE FROM THE CITY OF AUSTIN, IT'S ALSO SUPPORTED BY TECHNICAL GROUPS, SO FOR EXAMPLE IT WILL HAVE A FINANCE TEAM, IT WILL HAVE A WATER MODELING TEAM, I THINK WHAT FOLKS ARE ASKING FOR IS FOR THE SUBJECTS OF THOSE MEETINGS TO BE OPEN SO THAT PEOPLE CAN SEE WHAT ISSUES THAT GROUP IS WORKING ON. AND SO -- SO WHAT WE CAN DO IS WE CAN TALK TO LCRA ABOUT THAT. I THINK IN SOME WAYS THESE ARE STAFF MEETINGS, BUT THERE'S NO QUESTIONS THAT THE TOPICS THAT WILL BE CONSIDERED BY THE PARTNERSHIP ARE IMPORTANT LONG-RANGE TOPICS. YOU ALL COULD ASK -- THERE'S A WHOLE VARIETY OF WAYS THAT WE COULD CREATE A MORE PUBLIC ASPECT TO WHAT THAT GROUP IS DOING. YOU COULD ASK US TO REGULAR REPORT ON ITS ACTIVITIES TO ONE OF THE BOARDS AND COMMISSIONS OR TO YOU AS THE CITY COUNCIL OR ONE OF YOUR SUBCOMMITTEES. YOU COULD ASK US TO TELEVISE KEY MEETINGS OF THAT GROUP, HOWEVER YOU WOULD LIKE FOR US TO INCORPORATE A PUBLIC COMPONENT. WE CAN WORK ON THAT BETWEEN NOW AND NOVEMBER 8th AND I'M CONFIDENT THAT -- CONFIDENT THAT LCRA UNDERSTANDS THERE NEEDS TO BE A PUBLIC ASPECT TO THESE DISCUSSIONS. IF YOU CAN GIVE US HOW YOU WOULD LIKE FOR THAT PUBLIC INFORMATION TO LOOK, WE CAN WORK ON THAT.

IT CAN ONLY COME THROUGH A PROCESS WHERE PEOPLE CAN UNDERSTAND HOW THESE ARE PUT TOGETHER. LONGER MODELING, FINANCIAL MODELING IS VERY COMPLICATED. YOU LAY OUT SOME OF THE KEY POINTS AND THE PRINCIPALS AROUND THE AGREEMENT BUT I GOT AN E-MAIL, I THINK IT WAS FROM MARY ARNOLD, HOW SHE REALLY JUST WANTED SOME -- SOME EDUCATION ON WATER PLANNING 101 AND IT IS SUCH A -- SUCH A COMPLICATED SUBJECT AND SOMETHING THAT IS VERY IMPORTANT FOR COMMUNITY IN TERMS OF LONG-TERM WATER PLANNING. I'M WONDERING HOW CAN WE PROVIDE THAT EDUCATION TO THE PUBLIC EVEN IF IT'S SOMEONE WHO IS AN EXPERT IN THE AREA, NATIONAL EXPERT, HOW CAN WE EDUCATE JUST

IN LAYMEN TERMS WHAT IT IS THIS AGREEMENT IS ABOUT,
HOW WE ARRIVE AT DOING THIS AGREEMENT.

WE CAN DO THAT AGAIN THERE'S A -- WE'VE GOT CHOICES.
WE CAN MEET WITH PEOPLE INDIVIDUALLY. ONE THING THAT
WE MIGHT WANT TO CONSIDER IS SOME SORT OF ROUTINE
REPORTING OUT TO THE BOARD AND COMMISSIONS THAT
HAVE ALREADY SEEN AND HEARD ABOUT THE SETTLEMENT
AGREEMENT AND THE WATER SUPPLY AGREEMENT. ONE
THING THAT YOU MIGHT THINK ABOUT IS HAVING THE WATER
MANAGEMENT TEAM OR REPRESENTATIVES FROM THAT
TEAM REPORT TO THE BOARDS AND COMMISSIONS ON A
QUARTERLY BASIS OR ON SOME SORT OF ROUTINE BASIS
JUST TO UPDATE YOUR BOARDS AND COMMISSIONS ON THE
WORK THAT THEY ARE ENGAGED IN AND THEY CAN MAKE AS
PART OF THOSE UPDATES JUST REALLY ROBUST
INFORMATION OF WHAT THEY HAVE BEEN DEALING WITH,
TECHNICAL MODELING TO SUPPORT THE -- THE REUSE
PROJECT OR SOMETHING LIKE THAT, WE DO HAVE TIME IN
THOSE MEETINGS TO WALK THROUGH THOSE MODELS AND
TO TAKE THE TIME TO EDUCATE PEOPLE ON HOW WE ARE
ARRIVING AT DIFFERENT RECOMMENDATIONS AND OF
COURSE ANYTHING THAT -- THAT IS ACTIONABLE WOULD
THEN COME TO THE CITY COUNCIL ANYWAYS. THAT'S ONE
THOUGHT.

THAT WOULD GET US IN FRONT OF A GROUP OF PEOPLE
THAT IS SPECIFICALLY APPOINTED TO CONSIDER THESE
KINDS OF ISSUES.

I THINK THAT'S A GOOD IDEA ABOUT THE WORK GOING
FORWARD AND WE'RE NOT GOING TO BE DOING THIS FOR
QUITE SOME TIME BUT THERE WILL BE A TIME WHEN THE
WATER RATE WILL NEED TO BE DECIDED. WE ARE NOT
DECIDING THAT TODAY. SO I WOULD LIKE TO HAVE AN
AGREEMENT, ASSURANCES FROM THE LCRA THAT THEY ARE
AGREEING TO A PUBLIC OPEN PROCESS THAT -- THAT THEY
MAY NOT BE USED TO HAVING BUT WE CERTAINLY ARE IN
AUSTIN. SO I WOULD LIKE TO SEE THAT IN THE AGREEMENT.
IF YOU HAVE SPECIFICS AND CAN -- THAT THE ONES THAT
YOU LAID OUT TONIGHT SOUND VERY GOOD TO ME, AS A
START, I WOULD LIKE TO GET LCRA'S RESPONSE TO THAT.

YOU BET. I THINK IN THE SHORT TERM, PROBABLY THE THING THAT WE WANT TO FOCUS ON IN TERMS OF PUBLIC EDUCATION IS THE RELATIONSHIP BETWEEN CONSERVATION EFFORTS AND REUSE EFFORTS AND HOW THOSE TWO THINGS CAN HAVE SUCH AN ENORMOUS IMPACT ON THE DEMAND CURVE. BECAUSE IF WE DO A GOOD JOB WITH REUSE AND IF WE DO A GOOD JOB WITH CONSERVATION, THEN WE WILL DELAY THE NEED FOR FUTURE WATER AND THAT IS BECAUSE YOUR DEMAND PROJECTIONS ARE DUE 2010 THAT'S REALLY THE NEXT STEP IN THIS AGREEMENT. WE CAN SPEND SOME TIME TALKING ABOUT HOW WE ARRIVE AT THOSE DEMAND PROJECTIONS AND SPEND SOME TIME WITH LCRA AGREEING ON WHAT SHOULD THE WATER CONSERVATION GOALS BE, IS IT A ONE PERCENT REDUCTION OFF PEAK USE ANNUALLY OR ARE WE TRYING TO SHAVE BACK AVERAGE MONTHLY USE IN EVERY HOUSEHOLD AND THAT WILL GIVE US A CHANCE TO TALK TO BOARDS AND COMMISSIONS AND LITTLE JUST TO HAVE A COMMUNITY DISCUSSION ABOUT HOW THOSE TWO EFFORTS REALLY DO SHAPE THE DEMAND CURVE FOR WATER SUPPLY. AND THAT MIGHT BE THE STARTING POINT BECAUSE THAT WILL INTRODUCE PEOPLE TO THE WATER MODELING AND INTRODUCE PEOPLE TO THE LANGUAGE OF HOW WE CAN SERVE, WHAT KINDS OF ACTIVITIES CAN PEOPLE DO IN THEIR OWN ROUTINE DAY TO DAY LIVES THAT HAVE THE NET EFFECT OF REALLY RESHAPING HOW AND WHEN CITIES NEED NEW WATER SUPPLIES.

Kim: [INDISCERNIBLE] THANK YOU.

YOU BET.

Mayor Wynn: COMMENTS, QUESTIONS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: REALIZING THAT WE'VE ONLY HAD ONE OR TWO DAYS TO EVALUATE THE RECOMMENDATIONS OF THE RESOURCE MANAGEMENT COMMISSION AND THE ENVIRONMENTAL BOARD, STILL HAVE THE SENSE, JUST GLANCING THROUGH THEM, THAT MOST OF THEM CAN PROBABLY BE INCORPORATED IN THE AGREEMENT SO I WONDER IF -- IN THE -- IN THE NEXT WEEK OR TWO IF WE COULD GET SOME STAFF EVALUATION OF THESE

RECOMMENDATIONS AND IT WOULD BE MY INTENT TO INCORPORATE AS MANY OF THEM AS WE POSSIBLY CAN AND -- INTO THE AGREEMENT BASED IN PART AT LEAST ON THAT EVALUATION.

Mayor Wynn: FURTHER COMMENTS, THOUGHTS? WE LOOK FORWARD FOR -- FOR OBVIOUSLY TWO WEEKS, THREE WEEKS WORTH OF OPPORTUNITIES FOR FOLKS TO CONTINUE TO OPINE ABOUT THE -- ABOUT THE TECHNICALITIES OF ISSUE, FOR STAFF TO WORK ON THE ASPECTS OF INCORPORATING RECOMMENDATIONS THAT CAME TO US.

WE WILL DO IT.

THANK YOU, MAYOR.

THANK YOU ALL. TECHNICALLY COUNCIL I WILL ENTERTAIN A MOTION TO CLOSE THIS PUBLIC HEARING. MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER KIM TO CLOSE THIS PUBLIC HEARING, ITEM NO. 83, ALL IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

COUNCIL, I'M TRYING TO BE RESPECTFUL OF FOLKS WHO ARE HERE. WE HAVE A LOT OF PUBLIC HEARINGS WHERE NOBODY IS HERE TO SIGN UP. LET'S SEE, THE TWO THAT HAVE SOME FOLKS, ITEM NO. 86. CONDUCT A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO CHAPTER 25-12, ARTICLE 6, OF THE CITY CODE THAT IS THE PLUMBING CODE RELATED TO WATER CONSERVATION. WE RECOMMEND A BRIEF STAFF PRESENTATION.

GOOD EVENING, MAYOR AND COUNCIL. LEON [INDISCERNIBLE], WITH THE WATERSHED PROTECTION DEVELOPMENT REVIEW DEPARTMENT. I DO HAVE A FEW SLIDES OR A COUPLE OF SLIDES TO PRESENT TO YOU IF YOU WOULD LIKE TO SEE THOSE. I DID ACTUALLY HAVE ITEM 85, WE WILL HAVE TO SKIP TO THAT RIGHT NOW.

I WANT TO HIGHLIGHT SOME OF THE FEATURES THAT WE ARE MAKING TO THIS ITEM. ITEM 86 IS AN AMENDMENT TO THE 2003 PLUMBING CODE. ONE OF THE THINGS THAT WILL DO IS ALLOW US TO -- TO -- HAVE TIME FOR THE CONSTRUCTION OF THE NEW PLANT, ALSO DELAYS THE LCRA PAYMENT TRIGGER WHICH IS 200,000-ACRE FEET PER YEAR. ALSO REDUCES OUR ENVIRONMENTAL IMPACTS AND CREATES ENERGY SAVINGS FOR THE CITY BY TREATING LESS WATER AND PUMPING OUT LESS WATER, SO WE DO HAVE A GREAT ENERGY SAVINGS THERE WITH THE AUSTIN WATER UTILITY. THE TASK FORCE RECOMMENDATIONS ARE DESIGNED TO REDUCE PEAK WATER USE. SOME OF THE THINGS THAT WE ARE INCLUDING ARE SUBMETERING NEW MULTI-FAMILY PROPERTIES, WE ARE HAVING IRRIGATION DESIGN REQUIREMENTS FOR NEW SPRINKLER SYSTEM INSTALLATIONS, REDUCING WATER PRESSURE FOR RESIDENTIAL PROPERTIES AND WE HAVE SOME NEW FISH STANDARDS FOR CAR WASHING, MEDICAL VACUUM PUMPS AND KITCHENS. I HAVE THE STAFF HERE FROM THE AUSTIN WATER UTILITY, AUSTIN ENERGY AND FROM WATERSHED PROTECTION IF WE HAVE ANY SPECIFIC TECHNICAL QUESTIONS.

THANK YOU. QUESTIONS FOR STAFF, COUNCIL? COMMENTS? WE HAVE A COUPLE OF FOLKS SIGNED UP WISHING TO SPEAK. OUR FIRST SPEAKER WAS JENNIFER WALKER. WELCOME BACK, JENNIFER. FOLLOWED BY [INDISCERNIBLE]

OKAY. MY NAME IS JENNIFER WALKER, I'M ACTUALLY NOW I'M REPRESENTING THE CITIZENS WATER CONSERVATION COMMITTEE, WHICH IS A -- THIS COMMITTEE WAS CREATED THROUGH THE RECOMMENDATIONS OF THE WATER CONSERVATION TASK FORCE WHICH YOU ALL APPROVED IN MAY. I WANTED TO LET YOU ALL KNOW THAT WE REVIEWED THE PLUMBING CODE AMENDMENTS THOROUGHLY, QUITE THOROUGHLY THIS WEEK, WE PASSED OUR RESOLUTION IN FAVOR OF THE AMENDMENTS WITH A FEW SUGGESTIONS BECAUSE WE HAVE EXPERTS ON OUR GROUP THAT -- THAT KNOW A LOT ABOUT IRIS GOING AND OTHER CONSERVATION ITEMS AND OUR STAKEHOLDERS SO THEY CAUGHT SOME REALLY GOOD THINGS. I BELIEVE THOSE HAVE BEEN INCORPORATED INTO THE PLUMBING CODE AMENDMENTS THAT YOU ALL HAVE. AND JUST WANTED TO LET YOU ALL

KNOW THAT WE REVIEWED THEM AND THEY'RE GOOD.
WE'RE HAPPY ABOUT THEM.

Mayor Wynn: THANK YOU, MS. WALKER FOR YOUR
SERVICE..... SERVICE. EARL HARRISSTON, WELCOME,
APPRECIATE YOUR PATIENCE.

GOOD EVENING, MAYOR, COUNCIL, CITY MANAGER. AND
AUSTIN RESIDENTS. THE AUSTIN BOARD OF REALTORS
APPLAUDS THE STAKEHOLDER PROCESS THAT DEVELOPED
THE RECOMMENDED CODES THAT YOU ARE GOING TO LOOK
AT THIS EVENING. WE EXIST TO ENHANCE THE REAL ESTATE
EXPERIENCE FOR THE CONSUMER AND WE ALSO PROTECT
THE CONSUMER, PRIVATE PROPERTY RIGHTS AND
REALTORS. WE STILL MAINTAIN AS SICK SUCCESS.....AN
ARTICLE TEXAS MUNICIPALITIES HAVE NO BUSINESS
REGULATING PRIVATE REAL ESTATE TRANSACTIONS, WHAT
IS SOMETIME HAPHAZARDLY PRACTICED IN CALIFORNIA
SHOULD REMAIN IN CALIFORNIA. HOWEVER THE
STAKEHOLDER PROCESS USED TO DEVELOP THESE CODES
IS COMMENDABLE WE HOPE YOU CONTINUE IT IN THIS
PROCESS. COMMUNICATION, COOPERATION AND TRUST ARE
THE KEY INGREDIENTS FOR ANY COMMUNITY TO PLAN,
IMPLEMENT I OBJECT.....ISMINCREMENTAL COMMON
SENSE STRATEGIC MEASURES THAT WILL MAKE ALL AUSTIN
RESIDENTS WISE STEWARDS OF OUR NATURAL RESOURCES.
THE AUSTIN BOARD OF REALTORS LOOKS FORWARD TO THE
UPCOMING STAKEHOLDER CONFERENCES ON
RETROFITTING EXISTING HOUSING. GOOD NIGHT AND GOD
BLESS.

Mayor Wynn: THANK YOU, EARL. COUNCILMEMBER
LEFFINGWELL?

Leffingwell: MR. HARRISSTON, OR SHOULD I SAY COLONEL. I
WANTED TO SAY WELCOME BACK. YOU'VE BEEN GONE FOR A
WHILE, HAVE YOU NOT?

I HAVE. AND I MIGHT BE SUBJECT TO A -- TO ANOTHER
DEPLOYMENT, BUT I APPRECIATE THE SENTIMENT.

Leffingwell: WELL, THANK YOU FOR YOUR SERVICE.

THANK YOU FOR WHAT YOU ALL ARE DOING THIS EVENING.
WE LOOK FORWARD TO PARTICIPATING IN THE PROCESS
WITH YOU.

Mayor Wynn: GLAD TO HAVE YOU BACK, EARL. SO, COUNCIL
THAT'S ALL OF THE FOLKS SIGNED UP ON THIS PUBLIC
HEARING, ITEM NO. -- NUMBER 86. SO TECHNICALLY WE ARE
ALSO POSTED TO ACTUALLY MAKE THE AMENDMENTS I
GUESS. CORRECT, LEON? OKAY? SO FURTHER QUESTIONS
OF STAFF, COMMENTS, COUNCIL? COUNCILMEMBER
LEFFINGWELL?

Leffingwell: THERE ARE SOME OTHER AMENDMENTS TO THE
PLUMBING CODE THAT ARE COMING FORWARD IN ABOUT 10 -
- ABOUT 90 DAYS, IS THAT CORRECT?

I'M SORRY, I DIDN'T HEAR YOU.

Leffingwell: ADDITIONAL AMENDMENTS TO THE PLUMBING
CODE THAT WILL BE COMING FORWARD IN ABOUT 90 DAYS,
IS THAT CORRECT?

I THINK THAT WE HAVE INCLUDED EVERYTHING THAT WAS
PROPOSED.

Leffingwell: I STARTED TO SAY COUNCILMEMBER SLUSHER,
BUT MR. SLUSHER --

THANK YOU, COUNCILMEMBER, YES, WE HAVE SOME ITEMS
ON RECLAIMED WATER WHICH THE UTILITY HAS TAKEN A
MORE INTENSIVE FOCUS ON AND THEY WERE IN THE --
COMING FORWARD WITH THIS PROCESS BUT WE THOUGHT
THAT WE DIDN'T REALLY REFLECT WHERE WE WENT TO GO
WITH THE RECLAIM, SO WE HAVE ABOUT 90 DAYS ON WORK
ON THOSE AND BRING THEM BACK, TOO, WE THINK WE CAN
GIVE YOU A MUCH STRONGER PRODUCT.

OKAY. THANK YOU FOR THAT CLARIFICATION.

THANK YOU.

I DIDN'T WANT TO MAKE A COMMITMENT FOR AUSTIN WATER.

FURTHER QUESTIONS, COMMENTS OF STAFF? IF NOT I'LL ENTERTAIN A MOTION. MOTION BY COUNCILMEMBER LEFFINGWELL TO CLOSE THE PUBLIC HEARING AND APPROVE ITEM NO. 86, THIS AMENDMENT AS POSTED AND PRESENTED, SECONDED BY COUNCILMEMBER COLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0. COUNCIL, ALSO BEING -- FOLKS WHO MIGHT BE HERE TO GIVE US TESTIMONY, IF YOU DON'T MIND WE WILL HOP OVER TO PUBLIC HEARING ITEM NO. 89. CONDUCT A PUBLIC HEARING AND CONSIDER AN AMENDMENT REPEALING AND REPLACING CHAPTER 25-12, ARTICLE 11 OF THE CITY CODE TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION, AND -- I KNOW A COUPLE OF FOLKS WERE HERE EARLIER TO GIVE US TESTIMONY. I DON'T KNOW IF THAT'S STILL THE CASE. BRIEF STAFF PRESENTATION, WELCOME BACK, LEON.

I CAN'T GET THIS TO WORK. JUMPING AROUND ON YOU, TRYING TO BE COGNIZANT OF FOLKS WHO ARE HERE.

ITEM NO. 89 IS THE ADOPTION OF THE 2006 INTERNATIONAL RESIDENTIAL CODE, TAKE REPLACES THE 2000 INTERNATIONAL RESIDENTIAL CODE. SOME OF THE HIGHLIGHTS OF THIS PARTICULAR CODE. IT DOES INCORPORATE INDUSTRY SAFETY CHANGES FOR ONE AND TWO FAMILY DWELLINGS. [READING GRAPHIC] ONE OF THE HIGHLIGHTS ALSO TO MENTION WE CURRENTLY HAVE A COUPON BOOKLET PROGRAM WE ARE REVISING, IT'S BEEN IN EXISTENCE FOR 20 YEARS. WHAT WE ARE GOING TO TRY TO DO NOW IS START PROVIDING TIMED INSPECTIONS. ONE OF THE CRITICISMS THAT WE GET WE DON'T KNOW WHEN THE INSPECTORS ARE COMING. WE ARE GOING TO TRY A SMALL SECTION OF THIS, TRY TO PROVIDE A TIMED INSPECTION. THIS IS GOING TO HELP YOUR CONTRACTORS AND YOUR HOMEOWNERS. THE OTHER THING THAT -- THAT I WANTED TO POINT OUT IS THAT -- IS THAT -- THIS PROGRAM ALSO INCLUDES BATCH TESTING FOR THE HVAC SUSTAINED WATER HEATERS, SOMETHING THAT WE NEED TO WORK ON

BECAUSE THE COUPON, THE PROGRAM WASN'T REALLY WORKING TO OUR ADVANTAGE. THOSE ARE THE HIGHLIGHTS.

Mayor Wynn: THANK YOU, LEON, QUESTIONS FOR STAFF, COUNCIL? COMMENTS? EARLIER WE HAD A COUPLE OF FOLKS SIGNED UP, THEY ARE NO LONGER HERE, JEFFREY OVERMAN SIGNED UP WISHING TO GIVE US TESTIMONY. I DON'T SEE JEFFREY. ANYBODY HERE THAT WOULD LIKE TO GIVE US TESTIMONY IN THIS PUBLIC HEARING, ITEM NO. 89 REGARDING THE INTERNATIONAL RESIDENTIAL CODE 2006 EDITION? THANK YOU ALL. COUNCIL, FURTHER QUESTIONS, COMMENTS? IF NOT I'LL ENTERTAIN A MOTION.

APPROVE THE AMENDMENTS TO THE -- [INDISCERNIBLE]
NATIONAL [INDISCERNIBLE]

Mayor Wynn: MOTION BY THE MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND APPROVE THE AMENDMENT AS PRESENTED. SECONDED BY COUNCILMEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0. OKAY. SO NOW WE MIGHT CAN JUST GO BACK AND TAKE THE REST OF OUR AGENDA SEQUENTIALLY, ALTHOUGH LEON WHILE YOU ARE UP, WE MIGHT AS WELL TAKE ALL OF YOUR CODE AMENDMENTS..... AMENDMENTS. WITH YOUR POWERPOINT. GO BACK TO 85 I GUESS. IS THAT RIGHT?

YES, SIR.

I'LL MAKE THIS VERY BRIEF. DURING THE ADOPTION OF OUR NATIONAL ELECTRICAL CODE WE ENCOUNTERED SOME ISSUES WITH THE INSPECTION PART OF OUR PROCESS, THE LANGUAGE THAT WAS USED IN OUR CODE BOOK WAS THAT THIS WORK HAD TO BE DONE IN A NEAT WORKMANLIKE MANNER IF YOU CAN UNDERSTAND IT. SOMETIMES EVERYBODY HAS A DIFFERENCE OF OPINION ON THAT. SO WE -- AGAINST THE ASSIST -- AGAIN WITH THE ASSISTANCE SOME OF THE ENGINEERS AND CONTRACTORS TO HELP US

COME UP WITH BETTER DEFINITIONS AND PROVIDE SKETCHES AND DRAWINGS FOR US TO INCLUDE IN OUR AMENDMENTS. THAT WAS THE BIGGEST ISSUE THAT WE HAD, THIS IS WHY WE BRING IT TO YOU FOR ADDITIONAL INFORMATION. THIS ALLOWS US TO PROVIDE BETTER INSPECTIONS AND BETTER INSTRUCTIONS TO THE CONTRACTORS.

GREAT, QUESTIONS FROM STAFF, COUNCIL, COMMENTS? ANYBODY WHO WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING ITEM NO. 85? REGARDING OUR ELECTRICAL CODE? IF NOT I'LL ENTERTAIN A MOTION. MOTION BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER MCCracken TO CLOSE THE PUBLIC HEARING AND APPROVE THIS AMENDMENT AS PRESENTED BY STAFF, FURTHER COMMENTS. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER MARTINEZ OFF THE DAIS. LEON, 87.

ITEM 87 IS THE ADOPTION OF THE 2006 UNIFORM SOLAR ENERGY CODE WITH AMENDMENTS. WE ARE REPLACING THE 1988 UNIFORM SOLAR ENERGY CODE, 18 YEARS THAT WE HAVE BEEN USING THE EXISTING CODE. SO WE OBVIOUSLY FELT IT WAS TIME FOR THE NEW ONE. THE 2006 U.S. EC CONSOLIDATES MECHANICAL PLUMBING AND ELECTRICAL REQUIREMENTS FOR SOLAR PRODUCTION INTO ONE CODE.

QUESTIONS OF STAFF, COUNCIL? COMMENTS? IS THERE ANYBODY THAT WOULD LIKE TO GIVE US TESTIMONY IN THIS PUBLIC HEARING, ITEM NO. 87 REGARDING OUR -- OUR SOLAR ENERGY CODE? HEARING NONE I'LL ENTERTAIN A MOTION. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER MCCracken, TO CLOSE THE PUBLIC HEARING AND APPROVE THE AMENDMENT AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

ITEM NO. 88 ADOPTS THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE WITH AMENDMENTS. THE ADOPTION OF THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE REPLACES THE 2000 IECC. [READING GRAPHIC] THIS WILL RESULT AS A TYPICAL EXAMPLE, WILL RESULT IN SAVINGS OF 2515-KILOWATT HOURS ON A TYPICAL 2300 SQUARE FOOT HOME IN AUSTIN. I BELIEVE COUNCIL HAS ADDITIONAL INFORMATION IN THEIR BACKUP FOR THAT INFORMATION PROVIDED TO YOU PREVIOUSLY.

Mayor Wynn: FURTHER COMMENTS OR QUESTIONS FOR LEON? WE WILL SAVE LEON'S MOST IMPRESSIVE ONE FOR LAST. THIS IS THE ABILITY FOR US TO START DOWN THE ROAD MAP TOWARDS 0 ENERGY CAPABLE HOMES. WE HAD A NICE PRESS CONFERENCE THIS MORNING, IT'S A REMARKABLE PROGRAM THAT'S GOING TO BE VERY -- VERY WELL RECEIVED. GOING TO SET THE TONE FOR HOW FOLKS - - MORE FOLKS CAN AFFORD MORE HOMES IN AUSTIN BECAUSE WE WILL BE LOWERING THEIR ELECTRICITY BILL. WE HAVE -- ANY OTHER CITIZENS SIGNED UP WISHING TO SPEAK ON THIS PUBLIC HEARING ITEM NO. 88 REGARDING OUR IECC? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY.....-- HEARING NONE I'LL ENTERTAIN THIS MOTION. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY THE MAYOR PRO TEM TO CLOSE THE PUBLIC HEARING AND APPROVE THESE AMENDMENTS AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. ALL IN FAVOR.

AYE. MOTION PASSES ON A VOTE OF 6-0. THANK YOU, LEON, HAVE A GOOD EVENING. THAT TAKES US BACK TO I GUESS OUR ANNEXATION. PUBLIC HEARINGS, WELCOME, MS. COLLIER.

GOOD EVENING, MR AND COUNCIL. MY NAME IS VIRGINIA COLLIER FROM THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT, THIS IS THE SECOND OF TWO PUBLIC HEARINGS FOR THE FOLLOWING SET OF SIX PROPOSED FULL PURPOSE ANNEXATION AREAS. READINGS ARE TENTATIVELY SCHEDULED FOR NOVEMBER 8th. COPIES FOR

SERVICE PLANS FOR EACH OF THESE AREAS ARE AVAILABLE THIS EVENING AND IN COMPLIANCE WITH STATUTORY REQUIREMENTS THE CITY WILL PROVIDE FULL MUNICIPAL SERVICES UPON ANNEXATION. THE FIRST AREA IS ITEM NO. 76, ANNEXATION OF THE BARTON CREEK GREENBELT AREA (APPROXIMATELY 35 ACRES IN TRAVIS COUNTY AT THE SOUTHEAST CORNER OF LOOP 360 AND LOOP 1) THIS INCLUDES THE REMAINING PORTION OF THE BARTON CREEK GREENBELT NOT ALREADY IN THE CITY'S FULL PURPOSE JURISDICTION, THIS CONCLUDES MY STAFF PRESENTATION FOR ITEM NO. 76.

Mayor Wynn: THANK YOU, QUESTIONS FOR STAFF, COUNCIL? COMMENTS? ANY CITIZENS THAT WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING FOR THE FULL PURPOSE ANNEXATION OF THE BARTON CREEK GREENBELT AREA? IF NOT I'LL ENTERTAIN A MOTION.

ANNEXATION.

MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM TO CLOSE THIS PUBLIC HEARING, ALL IF FAVOR PLEASE SAY AYE.

AYE.

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

ITEM NO. 77 THE MORNING SIDE AREA INCLUDES (APPROXIMATELY 23 ACRES IN SOUTHERN TRAVIS COUNTY EAST OF MANCHACA ROAD AT THE INTERSECTION OF MANCHACA ROAD AND BECCA ROAD). AND MORNING SIDE LANE. THIS AREA IS CURRENTLY UNDEVELOPED AND INCLUDES THE PROPOSED MORNING SIDE SUBDIVISION, A 116 UNIT SMALL LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

Mayor Wynn: QUESTIONS FOR MS. COLLIER, COUNCIL? ANY CITIZENS THAT WOULD LIKE TO GIVE US TESTIMONY AT THIS PUBLIC HEARING REGARDING THE FULL PURPOSE ANNEXATION OF THE MORNING SIDE AREA? I WILL

ENTERTAIN A MOTION.

Dunkerly: MOTION TO CLOSE THE.... THE PUBLIC HEARING
AND --

Mayor Wynn: THAT'S ALL.

THAT'S IT.

Mayor Wynn: MOTION BY THE MAYOR PRO TEM, SECONDED
BY COUNCILMEMBER MCCracken TO CLOSE THE PUBLIC
HEARING, ITEM NO. 77 AS PRESENTED BY STAFF. FURTHER
COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE
SAY AYE.

AYE.

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

ITEM NO. 78, THE OF THE RANCHO ALTO V AREA
(APPROXIMATELY 11 ACRES IN SOUTHERN TRAVIS COUNTY
SOUTH OF FRATE BARKER ROAD AND WEST OF RANCHO
ALTO ROAD). THIS AREA IS CURRENTLY UNDEVELOPED AND
INCLUDES THE PROPOSED RANCHO ALTO ROAD, THIS
CONCLUDES MY PRESENTATION.

Mayor Wynn: ANY CITIZENS THAT WOULD LIKE TO GIVE US
TESTIMONY AT THIS PUBLIC HEARING, ITEM NO. 78, THE FULL
PURPOSE ANNEXATION OF THE RANCHO ALTO 5 OR B AREA?
I'LL ENTERTAIN A MOTION. TO CLOSE THE PUBLIC HEARING.
MOTION BY THE MAYOR PRO TEM, SECONDED BY
COUNCILMEMBER MCCracken TO CLOSE THIS PUBLIC
HEARING, ITEM NO. 78, ALL IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

ITEM NO. 79, THE VAUGHT RANCH AREA. (APPROXIMATELY 99
ACRES IN TRAVIS COUNTY SOUTH OF FM 2222 EAST OF THE
INTERSECTION OF FM 2222 AND VAUGHT RANCH ROAD). THIS
AREA INCLUDES THE APPROVED SECTION 2 SUBDIVISION
PROPOSED LAND USES INCLUDE MULTI-FAMILY

RESIDENTIAL, OFFICE AND GREENBELT. AND THIS
CONCLUDES ITEM NO. 79.

THANK YOU, MS. COLLIER. ANY CITIZENS THAT WOULD LIKE
TO GIVE US TESTIMONY IN THE FULL PURPOSE ANNEXATION
OF THE VAUGHT RANCH AREA?

[INDISCERNIBLE]

Mayor Wynn: MOTION BY COUNCILMEMBER MCCrackEN,
SECONDED BY THE MAYOR PRO TEM TO CLOSE THIS PUBLIC
HEARING, ITEM NO. 79, ALL IN FAVOR PLEASE SAY AYE?

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0. ITEM
NO. 80 IS THE WALNUT CREEK PARK LANDS AREA, AREA
(APPROXIMATELY 135 ACRES IN TRAVIS COUNTY SOUTH OF
OLD MANOR ROAD AND WEST OF DAFFAN LANE). THIS AREA
INCLUDES A PORTION OF OLD MANOR ROAD AND THE
REMAINING PORTION OF THE WALNUT CREEK GREENBELT
NOT ALREADY IN THE CITY'S FULL PURPOSE JURISDICTION
AS WELL AS CITY OWNED PROPERTY NOT DESIGNATED AS
PARKLAND, ITEM NO. 80.

Mayor Wynn: THANK YOU, AGAIN ANY CITIZENS THAT WOULD
LIKE TO GIVE US TESTIMONY IN THIS FULL PURPOSE
ANNEXATION OF THE WALNUT CREEK.

MOVE TO CLOSE.

MOTION BY COUNCILMEMBER COLE, SECONDED BY
COUNCILMEMBER LEFFINGWELL TO CLOSE THIS PUBLIC
HEARING, ITEM NO. 80. ALL IN FAVOR.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0.
TRAGICALLY WE DIDN'T GET IT DONE, SO MAYOR PRO TEM
MOVES, COUNCILMEMBER MCCrackEN SECONDS THAT WE
WAVE COUNCIL RULES TO GO PAST 10:00 P.M. [LAUGHTER]
TO CONDUCT OUR FINAL PUBLIC HEARING OF THE EVENING.
WELCOME.

ITEM NO. 85, OF THE MICHENER STORAGE FACILITY AREA
(APPROXIMATELY 24.5 ACRES IN TRAVIS COUNTY WEST OF
HARRIS BRANCH PARKWAY AND NORTH OF PARMER LANE).

THE MAP YOU SAW LAST WEEK AND THAT IS UP THIS EVENING IS CURRENT AND CORRECT. THIS AREA INCLUDES LOTS 1 THROUGH 4 OF HARRIS PARMER CROSSING SUBDIVISION, A -- IS DEVELOPED AS A SINGLE MINI STORAGE FACILITY SITE. THESE TRACTS ARE PARTIALLY IN THE FULL PURPOSE JURISDICTION ALONG HARRIS BRANCH PARKWAY AND THIS ANNEXATION WILL BRING THE BALANCE OF THE DEVELOPMENT INTO THE FULL PURPOSE CITY LIMITS. AS WE DISCUSSED LAST WEEK, I DID INVESTIGATE THE POSSIBILITY OF REQUESTING A ZIP CODE BOUNDARY CHANGE THAT WOULD RESULT IN THE U.S. POSTAL SERVICE MAILING ADDRESS FOR THIS LOCATION TO INCLUDE AUSTIN, TEXAS IN THE LAST LINE OF THE NAME. A LETTER FROM THE CITY WOULD INITIATE A ZIP CODE BOUNDARY REVIEW PROCESS AND UPON RECEIPT OF THE REQUEST FROM THE CITY THE ADDRESS MANAGEMENT SYSTEM MANAGER WOULD CONDUCT AN OPERATION YAM SURVEY TO DETERMINE IF -- TO DETERMINE THE IMPACTS ON WHETHER THE PROPOSED CHANGE WOULD BE COST EFFECTIVE, AT LEAST NON-COST PROHIBIT ACTIVE FOR THE POSTAL SERVICE. IF THIS REVIEW TURNS OUT POSITIVE THE NEXT STEP WOULD BE A CUSTOMER SURVEY TO DETERMINE WHETHER THE PROPOSED CHANGE WOULD BE SUPPORTED BY THE AFFECTED CUSTOMERS AND IF THE RESPONSE IS POSITIVE THE POSTAL SERVICE WOULD BE ABLE TO IMPLEMENT A BOUNDARY CHANGE. THIS CONCLUDES MY PRESENTATION FOR ITEM NO. 81.

Mayor Wynn: THANK YOU, MS. COLLIER. ANY CITIZENS THAT WOULD LIKE TO GIVE US TESTIMONY REGARDING THIS PUBLIC HEARING OF THE FULL PURPOSE ANNEXATION OF THE MICHENER STORAGE FACILITY AREA, CHANGES AND CORRECTIONS THIS MORNING WE CORRECTED THE ACREAGE OF THIS TRACT. HEARING NONE I WILL ENTERTAIN A MOTION.

SO MOVE.

MOTION MADE BY COUNCILMEMBER COLE, SECONDED BY COUNCILMEMBER LEFFINGWELL TO CLOSE THIS PUBLIC HEARING. ITEM NO. 81. ALL IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0. MS.
SPENCE? THAT'S IT? THERE BEING NO MORE BUSINESS
BEFORE THE CITY COUNCIL, WE STAND ADJOURNED. IT IS
10:03 P.M.

End of Council Session Closed Caption Log