

## Closed Caption Log, Council Meeting, 12/06/07

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Mayor Wynn: GOOD MORNING. I'M AUSTIN MAYOR WILL WYNN. IT'S MY PRIVILEGE TO WELCOME PASTOR CHARLES LEE OF THE ACT FELLOWSHIP CHURCH WHO WILL LEAD US IN OUR INVOCATION. PLEASE RISE.

LET US PRAY. LOVING FATHER, WE THANK YOU SO MUCH FOR THIS DAY THAT YOU HAVE MADE. HELP US TO REJOICE AND BE GLAD IN IT. FATHER, WE JUST ACKNOWLEDGE YOUR PRESENCE AND -- AND, LORD, THAT YOU ARE IN CONTROL OVER ALL THINGS. FATHER AS I HAVE PRAYED TO YOU EARLIER TODAY, I WANT TO JUST LIFT UP THE CITY COUNCIL MEMBERS AND THE MAYOR AND LORD LET YOU GIVE THEM WISDOM AND UNDERSTANDING AND KNOWLEDGE. IN THE SPIRIT OF DISCERNMENT TO MAKE WISE DECISIONS. LORD, I ALSO JUST -- JUST WANT TO PRAY ESPECIALLY FOR THEIR PERSONAL NEEDS, LORD. LIKE MOST OF US, I'M SURE THERE ARE -- THERE ARE THINGS THAT WE ALL GO THROUGH, TRIALS OF LIFE, STRUGGLES, CHALLENGES, LORD, MAYBE THERE'S SOMEONE IN OUR FAMILIES THAT ARE SICK OR WE HAVE ISSUES WITH OUR CHILDREN. OR JUST DIFFICULT PERSONAL TRIALS OR JUST WHATEVER IT MAY BE, LORD, I PRAY THAT YOU WILL BE SOVEREIGN OVER THEM. THAT THEY MAY TURN THOSE STRUGGLES AND TRIALS OVER TO YOU, THAT THEY MAY RECEIVE YOUR PEACE, LORD, TO MAKE DECISIONS THAT WOULD HONOR AND GLORIFY YOU. FATHER, I JUST PRAY THAT IMPORTANT THINGS ARE DISCUSSED AND DECISIONS ARE MADE, LORD, THAT YOU WOULD GUIDE US AND LEAD US AND DIRECT US IN A WAY

THAT HONORS YOU. LORD, THAT THIS CITY WILL JUST CONTINUE TO GROW AND PROSPER IN YOUR NAME. FATHER, WE JUST SURRENDER THIS MEETING TO YOU AND JUST PRAY THAT YOU WOULD HAVE YOUR WAY. IN JESUS NAME WE PRAY, AMEN.

Mayor Wynn: THANK YOU, PASTOR LEE. THE ACT FELLOWSHIP CHURCH MEETS UP CURRENTLY NORTH CENTRAL AUSTIN AREA, BURNET ROAD, NORTH LAMAR AREA. THERE BEING A QUORUM PRESENT, AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, DECEMBER 6th, 2007, WE ARE HERE IN THE CITY COUNCIL CHAMBERS OF THE CITY HALL BUILDING, 301 WEST SECOND STREET. WE HAVE A COUPLE OF CHANGES OR CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THEY ARE ... NOTING THAT ON ITEM NO. 17 WE SHOULD NOTE THAT THIS IS -- INSERT THE PHRASE FIRST READING OF AN ORDINANCE. BEGIN, THIS WILL BE THE APPROVING OF THE FIRST READING OF THE ORDINANCE TO ANNEX THE GRAND AVENUE PARKWAY AREA. ON ITEM NO. 47, WE SHOULD NOTE THIS COMES RECOMMENDED BY THE PUBLIC SAFETY TASK FORCE. ITEM NO. 46, WOULD -- AS PART OF THE CONSENT AGENDA WILL BE POSTPONED ONE WEEK TO DECEMBER 13th, '07, THIS IS THE ITEM FROM COUNCIL REGARDING THE USE OF THE SALE PROCEEDS OF THE BLOCK 21 TRANSACTION. COUNCIL'S WISH IS TO HAVE A LITTLE MORE SPECIFICITY ON THE USE OF THOSE FUNDS AND SO WE WILL BRING THAT BACK NEXT WEEK WITH MORE DETAIL. ALSO, OUR -- OUR SCHEDULE TODAY, AFTER WE GET THROUGH OUR CONSENT AGENDA THIS MORNING, WE ARE GOING TO HAVE A MORNING BRIEFING AND/OR TALK ABOUT A COUPLE OF DISCUSSION ITEMS. OUR MORNING BRIEFING WILL BE PRESENTATION OF THE DOWNTOWN AUSTIN ALLIANCE'S BIENNIAL SURVEY OF ITS MEMBERSHIP IN THE DOWNTOWN COMMUNITY. AT NOON WE BREAK FOR OUR GENERAL CITIZEN COMMUNICATIONS. AT 2:00 WE WERE POSTED TO HAVE A PUBLIC HEARING AND POSSIBLE ACTION REGARDING SOLICITATION. I KNOW THERE'S BEEN DISCUSSION AMONGST COUNCILMEMBERS REGARDING THE WHOLE IDEA OF TRYING ON GET FEEDBACK, BOTH DURING THE COURSE OF THE DAY, BUT ALSO IN THE EVENING FOR FOLKS WHO -- WHO ARE WORKING TODAY. BUT THEN THERE'S ALSO DISCUSSION

ABOUT THE NEED TO GET MORE FEEDBACK OR -- OR DATA PRIOR TO ANY ACTION AND SO MY UNDERSTANDING IS THERE MAY BE A PROPOSAL AT 2:00 TO IN FACT POSTPONE THIS ITEM WITH SOME SPECIFIC DIRECTION FOR CITY STAFF TO BRING BACK VERY SPECIFIC, MOSTLY POLICING INFORMATION TO THE COUNCIL PRIOR TO CONDUCTING THE PUBLIC HEARING AND/OR TAKING ACTION. AGAIN, WE CAN'T TAKE THAT POTENTIAL ACTION UNTIL 2:00 P.M.

AT 3:00, WE BREAK FOR OUR AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS MEETING. AT 4:00 WE TAKE UP ALL OF OUR ZONING MATTERS. 5:30 AS USUAL WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. OUR MUSICIAN TODAY IS SUZANNA, SO STAY TUNED. ALSO NOTE THAT TOMORROW, FRIDAY LIVE ON THE PLAZA THE LUCKY STRIKES WILL BE PLAYING AT NOON, PLEASE COME OUT AND ENJOY SUZANNA THIS EVENING AND THE LUCKY STRIKES TOMORROW AT LUNCH. AT 6:00 WE HAVE A NUMBER OF POSTED PUBLIC HEARINGS, POTENTIAL ACTIONS I WILL NOTE THAT ITEM NO. 103, THE STAFF WILL BE REQUESTING A POSTPONEMENT TO JANUARY 10th, 2008. BUT AGAIN WE CAN'T TAKE UP THE VOTE TO POSTPONE THAT PUBLIC HEARING UNTIL IT'S POSTED TIME WHICH IS SOMETIME AFTER 6:00 P.M. SO FAR, COUNCIL, WE HAVE -- WE HAVE A COUPLE OF ITEMS PULLED OFF THE CONSENT AGENDA. NUMBER 9 IS REMOVED FROM THE CONSENT AGENDA BECAUSE OF -- BECAUSE IT RELATES TO A LATER PUBLIC HEARING. WE WILL NOTE THAT COUNCILMEMBER KIM HAS PULLED ITEM NO. 48, WHICH RELATES TO THE SOLICITATION DISCUSSION WE WILL HAVE LATER THIS AFTERNOON. AND ITEM NO. 49 HAS BEEN PULLED BY COUNCILMEMBER LEFFINGWELL AN ITEM THAT HE IS SPONSORING IN ORDER FOR THE STAFF TO GIVE US AND THE PUBLIC A PRESENTATION PRIOR TO THAT ACTION. AGAIN, ANY ADDITIONAL ITEMS TO BE PULLED OFF THE CONSENT AGENDA BEFORE I PROPOSE A CONSENT AGENDA? ALSO PRIOR TO ME READING THROUGH THE LENGTHY PROPOSED CONSENT AGENDA NUMERICALLY, THIS WILL BE A TIME AS WE TRY TO DO EACH WEEK TO ANNOUNCE ANY POTENTIAL OR ANTICIPATED ITEMS FROM COUNCIL ON FUTURE AGENDAS. I WILL STATE THAT -- THAT MY HOPE IS TO HAVE AN ITEM FROM COUNCIL NEXT WEEK, ESSENTIALLY HAVING

AUSTIN ENERGY CRAFT AND THEN BRING FORWARD A VERY SPECIFIC PROPOSAL FOR AN UNPRECEDENTED AMOUNT OF PUBLIC AWARENESS AND THEN PARTICIPATION IN AN EXERCISE REGARDING THE FUTURE GENERATION FUEL MIX OF AUSTIN ENERGY. AS YOU KNOW, THIS PAST YEAR WE'VE - WE'VE HAD A SIGNIFICANT DIALOGUE ABOUT AUSTIN ENERGY'S ROLE, DISPROPORTIONATE ROLE WHEN IT COMES TO AUSTIN CLIMATE PROTECTION PLAN. BUT MEANWHILE THERE'S BEEN A SUBSTANTIAL AMOUNT OF DIALOGUE LOCALLY AT THE TAKE IT LEVEL AND CERTAINLY IN WASHINGTON D.C. REGARDING CARBON DIOXIDE EMISSIONS, DISPROPORTIONATELY THOSE GENERATED BY ELECTRICITY GENERATION. SO THE HOPE WITH THIS ITEM WILL BE FOR AUSTIN ENERGY'S TEAM TO COME BACK WITH A VERY SPECIFIC MULTIPLE MONTH-LONG PUBLIC FORMAT AND PROCESS WHEREBY IN THIS COMMUNITY THE OWNERS OF THIS UTILITY HELP US MAKE THE VERY IMPORTANT STRATEGIC DECISIONS WHEN IT COMES TO -- TO DECIDING WHAT ROUTE TO TAKE ON OUR FUTURE FUEL MIX FOR OUR ELECTRICITY GENERATION AS WE TRY TO MEET THE DEMAND FOR ELECTRICITY FROM THE FASTEST GROWING BIG CITY METRO ECONOMY IN THE COUNTRY. SO I ANTICIPATE THAT BEING ON NEXT WEEK'S AGENDA. JUST THE INITIAL DIRECTION FOR STAFF TO BEGIN FORMULATING THAT PUBLIC PROCESS. ANY -- ANY ADDITIONAL ANTICIPATED ITEMS FROM COUNCIL? COUNCILMEMBER MARTINEZ?

Martinez: THANK YOU, MAYOR. THE PLANNING COMMISSION UNANIMOUSLY ADOPTED A RESOLUTION LAST WEEK THAT -- THAT ASKS US TO LOOK AT THE -- THE AUSTIN TOMORROW COMPREHENSIVE PLAN. IT'S MY UNDERSTANDING THAT STAFF IS IN AGREEMENT WITH THEIR RECOMMENDATION, SO JUST FOR SAKE OF GETTING IT ON PUBLIC RECORD, I'M GOING TO BRING THE PROPOSAL NEXT WEEK THAT JUST DIRECTS STAFF TO -- TO MOVE FORWARD WITH THE RECOMMENDATIONS FROM P.C. BUT IT'S MY UNDERSTANDING THAT EVERYONE IS IN AGREEMENT THAT THE TOMORROW COMPREHENSIVE PLAN IS AN AN EVOLVING DOCUMENT. WE NEED TO HAVE CHECKS AND BALANCES WHERE WE UPDATE IT FROM TIME TO TIME. WE'RE JUST GOING TO BRING THAT FORWARD NEXT WEEK.

Mayor Wynn: THANK YOU. FURTHER ADDITIONAL ITEMS, COUNCIL? IF NOT, OUR PROPOSED CONSENT AGENDA THIS MORNING WILL BE: TO APPROVE ITEMS 1, WHICH ARE OUR MINUTES FROM OUR LAST MEETING, FROM AUSTIN ENERGY TO APPROVE ITEMS 2, 3, 4, 5 AND 6. IN THE OUR WATER UTILITY TO APPROVE ITEM NO. 7. FROM AVIATION DEPARTMENT APPROVING ITEM NO. 8. 9 HAS BEEN PULLED, RELATES TO A LATER PUBLIC HEARING. COMMUNITY CARE SERVICES DEPARTMENT WILL APPROVE ITEMS NUMBER 10 AND 11. WE WILL APPROVE FROM OUR HUMAN RESOURCES DEPARTMENT ITEM NO. 12. FROM THE LAW DEPARTMENT ITEM NO. 13. WE WILL APPROVE FROM OUR NEIGHBORHOOD HOUSING COMMUNITY DEVELOPMENT DEPARTMENT ITEM NO. 14. THEN FROM OUR NEIGHBORHOOD MAPPING AND ZONING DEPARTMENT WE WILL APPROVE ITEMS 15, 16, 17, PER CHANGES AND CORRECTION FIRST READING ONLY, 18, 19, 20, 21, 22, AND 23. FROM OUR POLICE DEPARTMENT WE'LL BE APPROVING ITEM NO. 24. FROM OUR PUBLIC WORKS DEPARTMENT, WE WILL APPROVE ITEMS 25, 26, 27, 28, 29, 3030. 31, 32, 33, 34, 35, 36, 37, AND 38. FROM OUR PURCHASING OFFICE, WE WILL APPROVE ITEMS 39, 40, 41, 42 AND 43. ITEM NO. 44 ARE OUR BOARD AND ECONOMICS APPOINTMENTS THAT I WILL READ -- BOARDS AND COMMISSIONS APPOINTMENTS THAT I WILL READ INTO THE RECORD, ALTHOUGH I THINK WE HAVE AN AMENDMENT. TO OUR ANIMAL ADVISORY COMMISSION, DAVID LYNNSTEDT IS COUNCILMEMBER MARTINEZ'S NOMINATION. TO OUR RESOURCE MANAGEMENT COMMISSION, LIZ CUNNINGHAM ALSO A -- COUNCILMEMBER MARTINEZ'S NOMINATION, AND TO THE TRAVIS COUNTY HEALTH CARE DISTRICT BOARD OF MANAGERS, DR. THOMAS COOPERWOOD IS MY NOMINATION. ALSO TO OUR CITIZENS WATER CONSERVATION AND IMPLEMENTATION TASK FORCE, THE NOMINEES WILL BE -- AND I WILL GO AHEAD AND READ THETHE -- THE INDUSTRY CLUSTER OF THE STAKEHOLDER GROUP THESE FOLKS REPRESENT. FROM OUR IRRIGATORS GENE REAGAN, FROM OUR LARGE GOVERNMENTAL [INDISCERNIBLE], RUSTY OSBORNE, FROM AN ENVIRONMENTAL GROUP JENNIFER WALKER; AND NORMAN JOHNS; FROM THE DEVELOPMENT COMMUNITY TEARSES, TERRY MITCHELL AND OUR AT LARGE REPRESENTATIVES WILL BE MARGO CLARK, RICHARD HATFIELD, NORA MULARKY AND SUSAN ROTH. THESE ARE

THE CITIZENS WATER CONSERVATION IMPLEMENTATION  
TASK FORCE NOMINATIONS.

MAYOR?

Mayor Wynn: COUNCILMEMBER MARTINEZ?

Martinez: SORRY TO INTERRUPT. ON THE WATER CONSERVATION TASK FORCE WE HAD A LATE ENTRY WOULD WHO WANTED TO BE INCLUDED. IF THERE'S NO OBJECTION I WOULD LIKE TO ADD MS. SUSAN BUTLER AT AN AT LARGE MEMBER OF THE TASK FORCE. SHE COMES TO AUSTIN FROM THE SAN ANTONIO WATER SYSTEM WHERE WE HAVE MODELED MANY OF OUR POLICIES ON THEIR WATER CONSERVATION MEASURES BECAUSE OF WHAT THEY HAVE BEEN THROUGH IN SAN ANTONIO OVER THE LAST FEW YEARS. I THINK SHE WOULD BE A VALUED ASSET TO THE TASK FORCE.

FORCE.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, THE FIFTH AND FINAL, ONE VACANT AT LARGE SPOT ON THE WATER CONSERVATION TASK FORCE, THE NOMINATION WILL BE SUSAN BUTLER.

MAYOR?

COUNCILMEMBER LEFFINGWELL.

Leffingwell: I ALSO PLANNED TO OFFER A MINOR AMENDMENT TO THE STRUCTURE OF THE TASK FORCE LATER AFTER THE -- THERE'S A MOTION TO ACCEPT THE CONSENT AGENDA. BUT IF I CAN, I'LL JUST OFFER IT NOW FOR SIMPLICITY'S SAKE.

Mayor Wynn: YES, SIR.

Leffingwell: FROM THE AGENDA, THE MINOR AMENDMENT WOULD JUST TO BE TO ADD A POSITION FROM THE MULTI-FAMILY SECTOR AND ALSO TO ADD ONE CURRENTLY VACANT AT LARGE POSITION.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, THE STRUCTURE OF OUR CITIZEN WATER CONSERVATION IMPLEMENTATION TASK FORCE WILL BE TO ADD A MULTI-FAMILY RESIDENTIAL REPRESENTATIVE AS WELL AS ONE ADDITIONAL VACANT AT LARGE POSITION. AND THIS IS PART OF ITEM NO. 44 OUR BOARD AND COMMISSION APPOINTMENTS. CONTINUING ON WITH THE PROPOSED CONSENT AGENDA. IS TO APPROVE ITEM NO. 45, INCLUDING THE AMENDMENT FROM COUNCILMEMBER LEFFINGWELL, TO POSTPONE ITEM 46 TO DECEMBER 13th, 2007, TO APPROVE ITEM 47, PER CHANGES AND CORRECTION. TO APPROVE ITEM 50, 51, 52, 53, 54, 55, 56 AND 57. TO SET THE PUBLIC HEARINGS BY APPROVING ITEMS 58, 59, 60, AND 61. AND THE -- BEFORE I ENTERTAIN THAT MOTION, I WANT TO GO BACK AND INSTEAD OF PROPOSING THAT WE APPROVE ITEM NO. 17 ON FIRST READING ONLY THE STAFF REQUEST WILL BE FOR US TO POSTPONE THIS ITEM FOR ONE WEEK TO DECEMBER 13th, 2007. THAT'S OUR PROPOSED CONSENT AGENDA. I WILL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? COUNCILMEMBER LEFFINGWELL?

Leffingwell: MAYOR? ITEM NO. 47 IS KIND OF A BIG CHANGE IN THE WAY WE DO BUSINESS IN PUBLIC SAFETY HERE IN THE CITY OF AUSTIN. IT RELATES TO THE CONSEQUENCE ADDITION OF ALL OF THE -- CONSOLIDATION OF ALL OF THE POLICE OFFICERS THAT WORK FOR THE CITY OF AUSTIN, CARRY A BADGE AND A GUN, SWORN POLICE OFFICERS WITH ALL OF THE PRIVILEGES AND RESPONSIBILITIES THAT ENTAILS TO BE CONSOLIDATED UNDER ONE COMMAND, UNDER THE AUSTIN POLICE DEPARTMENT. A COUPLE OF OTHER CHANGES THAT GO ALONG WITH THIS, AS THIS CONSOLIDATION PROGRESS OR PROCESS PROGRESSES OVER A THREE YEAR PERIOD, WE WILL BEGIN TO REPLACE PARK POLICE WITH PARK RANGERS. WE WILL ALSO BEGIN TO REPLACE NOT ALL OF THE PARK POLICE, THERE WILL STILL BE SOME POLICEMEN IN THE PARKS, BUT THE BULK OF THEM WILL BE PARK RANGERS. IN ADDITION AIRPORT POLICE WILL BE SUPPLEMENTED, WILL BE PRIMARILY SECURITY SPECIALISTS OUT THERE WITH SUPERVISION FROM POLICE

OFFICERS. AND FINALLY THERE WILL ALSO BE DIRECTION TO  
ENABLE AUSTIN POLICE DEPARTMENT TO HIRE SWORN  
PEACE OFFICERS FROM OTHER POLICE DEPARTMENTS IN  
THE STATE AND THE DEPARTMENT OF PUBLIC SAFETY AS  
WELL. AND ALL OF THESE TRANSITION OFFICERS SWORN  
OFFICERS WHO COME FROM OTHER DEPARTMENTS AND  
PARKS AND AVIATION AND MARSHAL POLICE WILL UNDERGO  
A MUCH SHORTER TRAINING PROGRAM, A TRANSITION  
PROGRAM, SINCE THEY HAVE ALREADY MET ALL OF THEIR  
REQUIREMENTS SO THE STATE OF TEXAS, THAT WILL  
RESULT IN -- IN MONEY SAVINGS AND TRAINING GOING  
FORWARD AND WE WILL ALSO HAVE A -- A MUCH LARGER  
POOL OF APPLICANTS TO DRAW FROM TO FILL OUR  
VACANCIES IN THE POLICE DEPARTMENT. I WOULD JUST LIKE  
FOR THE ASSISTANT CITY MANAGER, MIKE McDONALD TO  
COME UP AND GIVE US A VERY BRIEF SKETCH OF THIS  
PROGRAM. THIS PROPOSAL.

Mayor Wynn: WELCOME CHIEF,.

THANK YOU, MICHAEL McDONALD, PUBLIC SAFETY  
DEPARTMENT. COUNCIL, ITEM 47 IS A RESOLUTION THAT  
DIRECTS THE CITY MANAGER TO NEGOTIATE WITH THE  
AUSTIN POLICE ASSOCIATION TO CONSOLIDATE THE PUBLIC  
SAFETY AND EMERGENCY MANAGEMENT DEPARTMENT  
WHICH CONSISTS OF PARK POLICE, AIRPORT POLICE AND  
MARSHALS INTO A.P.D. THROUGH THE MEET AND CONFER  
PROCESS. THE GOAL IS TO CONSOLIDATE THE SERVICES  
WITHOUT ANY OFFICERS LOSING PAY. SOME OF THE  
BENEFITS TO CONSOLIDATION ARE A UNIFIED COMMAND  
WHERE ALL SWORN POLICE OFFICERS OPERATE UNDER THE  
A.P.D. POLICE CHIEF. PEACE OFFICERS HAVE THE SAME  
ARREST AUTHORITY AS A.P.D. OFFICERS, CONSOLIDATION  
ASSURES CONSISTENCY IN TRAINING. AND ANOTHER  
BENEFIT IS BETTER COORDINATION OF POLICE SERVICES  
THROUGH ONE AGENCY. COUNCIL, STAFF CONDUCTED A  
MORE DETAILED ANALYSIS OF THE CONSOLIDATION REPORT  
FROM 2006 AND FOUND THAT THERE WAS A MORE COST  
EFFECTIVE MANNER TO ACHIEVE CONSOLIDATION, THAT  
ALSO PROVIDED EQUAL AND IN SOME CASES GREATER  
SERVICES. THE ESTIMATED PHYSICAL NOTE ON THIS  
RESOLUTION IS 689,462. IF IMPLEMENTED IN THE FOURTH  
QUARTER OF FY '08. AND 2.8 MILLION IF IMPLEMENTED IN FY



'09. THIS IS SUBSTANTIALLY LESS THAN THE ESTIMATED 5.8 MILLION FROM THE CONSOLIDATED STUDY PRESENTED TO COUNCIL IN AUGUST OF 2006. SOME OF THE HIGHLIGHTED DIFFERENCES BETWEEN THE 2006 CONSOLIDATED STUDY AND THE CURRENT PROPOSAL ARE IN THE 2006 CONSOLIDATED STUDY ALL EMPLOYEES TRANSFERRED WITH RANK. IN THE CURRENT PROPOSAL, NO RANK THAT'S TRANSFERRED, ONLY -- THE ONLY -- ONLY -- THE SERVICE TIME IS TRANSFERRED AND ALSO THERE'S NO REDUCTION IN PAY. ANOTHER DIFFERENCE IS IN THE 2006 CONSOLIDATED PLAN, IT HAD AN -- 19 F.T.E.'S, SOME WITH RANK. IN THE CURRENT CONSOLIDATED PROPOSAL WE REDUCED THE NUMBER OF SWORN OFFICERS BY 27 AND TRANSFERRED THE REMAINING PEACE OFFICERS INTO CURRENT A.P.D. VACANCIES. THE RESOLUTION ALSO SETS A PLATFORM FOR A.P.D. TO DEVELOP A MODIFIED ACADEMY PROCESS TO ALLOW EXPERIENCED OFFICERS TO ENTER THE AUSTIN POLICE DEPARTMENT. THIS WILL ALLOW US TO QUICKLY FILL VACANCIES BECAUSE EXPERIENCED OFFICERS WOULD ATTEND MUCH SHORTER ACADEMIES AND SOME PROBATIONARY -- AND THEIR PROBATIONARY PERIODS WOULD BE MUCH SHORTER. IT IS ALSO IMPORTANT TO NOTE THAT THE NEW PROPOSAL MAY NOT BE THE EXACT PLAN APPROVED THROUGH THE MEET AND CONFER PROCESS. ALL COUNCIL RESOLUTIONS ARE REQUIRED TO HAVE A FISCAL NOTE THAT ESTIMATES THE COSTS. THE GOAL IS SIMPLY TO APPLY MORE REALISTIC COSTS TO THE CONSOLIDATION IF AGREED UPON IN THE MEET AND CONFER PROCESS AND APPROVED BY COUNCIL. THAT COMPLETES MY PRESENTATION. QUESTIONS FOR THE CHIEF? COUNCILMEMBER COLE?

I KNOW THAT IT'S THAT THE MEDIA OFTEN DOESN'T GET THE FACTS RIGHT. BUT I THOUGHT THAT I READ IN THE PAPER THIS MORNING THAT THE COST WAS OVER 10 MILLION-DOLLARS, I'M TRYING TO RECONCILE THAT WITH THE THE -- THE 689,000 YOU QUOTED US FOR 2008.

THE 10 MILLION WOULD BE THE TOTAL COST OF THE PROGRAM. WHAT YOU HAVE TO FACTOR IN IS THAT WE CURRENTLY HAVE A BUDGET. WHEN YOU BACK OUT THE CURRENT BUDGET, THEN IN THE FIRST QUARTER, IF IT WAS IMPLEMENTED IN THE FIRST QUARTER OF NEXT YEAR, THE

COST WOULD BE 683,000 -- 689,000. IF IT WAS IMPLEMENTED IN FY TWINE TWINE THE -- '09 THE DIFFERENCE BETWEEN OPERATING THAT PROGRAM AND WHAT WE CURRENTLY BUDGET FOR IT WOULD BE 2.1 MILLION.

OKAY. I ALSO WANT TO ADD THAT WE APPRECIATE YOUR WORK ON THIS, I THINK THE CHIEF HAS DONE A GOOD JOB SO FAR, WITH THE POLICE OFFICERS AND HIS TEAM. I THINK THIS WILL JUST ADD A MEANS FOR HIM TO CONTINUE DOING THAT WORK.

FURTHER QUESTIONS OF CHIEF? THANK YOU.

LET'S SAY I APPLAUD COUNCILMEMBER LEFFINGWELL AND THE -- THE TASK FORCE AND THE STAFF FOR HELPING US REALLY DRILL DOWN AND GET THE NUMBER CORRECT AND SEE THAT -- THAT FOR REAL, BUT I THINK A FAIR PRICE WE ARE FINALLY GOING TO ACHIEVE THIS CONSOLIDATION AND THE UNIFORMITY. I THINK MOST PEOPLE WOULD EXPECT OF OUR PEACE OFFICERS, SWORN PEACE OFFICERS AS THEY WEAR UNIFORMS, CARRY GUNS AROUND THE COMMUNITY. SO THANK YOU ALL FOR THAT WORK. WE HAVE A MOTION AND A SECOND ON THE TABLE. COUNCILMEMBER MARTINEZ? ANY ITEM?

Martinez: ITEM 50, MAYOR, I WANTED TO THANK COUNCILMEMBER KIM AND LFG FOR CO-SPONSORING THIS WITH ME. FOR ME THIS IS A REALLY IMPORTANT ISSUE TO -- TO EAST AUSTIN BECAUSE -- BECAUSE AS I LIVED IN THE NEIGHBORHOOD OVER THERE, HOLLY STREET, DAY IN AND DAY OUT I SEE BUILDERS TAKING ADVANTAGE OF -- OF A LOOPHOLE IN OUR REDEVELOPMENT ORDINANCE. OUR REMODEL ORDINANCE. THEY ARE LITERALLY RIPPING DOWN THE ENTIRE STRUCTURE AND LEAVING TWO-BY-FOURS UP AND CALLING IT A REMODEL. IT'S NOT. THEY ARE TAKING ADVANTAGE OF THE CODE. I THINK IT'S INCREASING THE PACE OF GENTRIFICATION IN EAST AUSTIN WHEN THESE BUILDERS CAN COME IN, BUY A HOME, STRIP IT DOWN TO A COUPLE OF TWO-BY-FOURS AND CALL IT A REMODEL WHEN IT'S REALLY A TOTAL DEMOLITION AND THEY WOULDN'T BE ALLOWED TO DEVELOP IF THEY WERE TO FILE FOR A COMPLETE DEMOLITION. I THINK THIS IS GOING TO CLEAN UP THAT LANGUAGE IN THE CODE. REALLY PROTECT SOME OF

THE SINGLE FAMILY DWELLINGS AND SOME OF THE FOLKS IN EAST AUSTIN WHO ARE BEING TAKEN ADVANTAGE OF.

Mayor Wynn: AGREED. FURTHER COMMENTS ON THE PROPOSED CONSENT AGENDA? I WILL JUST NOTE THAT WITH THE -- WITH THE CONSENT OR APPROVAL OF COUNCILMEMBER LEFFINGWELL AND MARTINEZ MAKING THE MOTIONS, CITY LEGAL NOW HAS TOLD ME THAT ON ITEM NO. 17 WE SHOULD REVERT BACK TO THE ORIGINAL RECOMMENDATION WHICH WAS TO APPROVE THIS ANNEXATION ORDINANCE ON FIRST READING ONLY, ITEM NO. 17, THE GRAND AVENUE PARKWAY ANNEXATION AREA ITEM IN THAT, YOU KNOW, STATE LAW IS VERY PRESCRIPTIVE ON HOW ONE GOES THROUGH THE CALENDAR WITH REGARDS TO ANNEXATION AND TO BE SURE THAT WE DON'T VIOLATE ANY OF THOSE -- THOSE RULES, STAFF IS REQUESTING THAT ITEM NO. 17 IN FACT BE APPROVED WITH FIRST READING ONLY. WITH CONSENT OF COUNCILMEMBER LEFFINGWELL AND MARTINEZ THAT WILL NOW BE PART OF THE CONSENT AGENDA. FURTHER COMMENTS ON OUR CONSENT AGENDA? WE DO HAVE ONE SPEAKER WHO HAS COME TO SPEAK ON ITEM NO. 50. AGAIN, REGARDING THE REMODELING ISSUE THAT COUNCILMEMBER MARTINEZ JUST SPOKE TO. MARY INGLE IS HERE, WELCOME, MARY, YOU ARE FREE TO ADDRESS US. LIMIT YOUR COMMENTS TO THREE MINUTES, WELCOME.

THANK YOU VERY MUCH. I WANTED TO SPEAK TO THE ISSUE OF REMODEL AS A CITIZEN AT LARGE. THIS IS SOMETHING THAT AFFECTS ALL OF US AND CURRENTLY THERE'S NO DEFINITION WRITTEN DEFINITION IN LAND DEVELOPMENT CODE WHICH ADDRESSES THAT TERM, REMODEL. SO ... THE ANSWER IS PRECISE LANGUAGE AND THAT WILL GIVE US MUCH CLARITY IN THIS ISSUE. I WANT TO THANK COUNCILMEMBER KIM FOR SPEARHEADING THIS ISSUE AND ALSO THANKS TO COUNCILMEMBER LEFFINGWELL'S AND COUNCILMEMBER MARTINEZ FOR SPONSORING THIS AND I KNOW AND HOPE THAT THE WHOLE COUNCIL KNOWS THAT THIS IS A -- THIS IS A PROBLEM AND A LOOPHOLE IN OUR CODE AND IT NEEDS TO BE REMEDIED. IT WILL NOT ONLY BENEFIT -- IT WILL BENEFIT THE WHOLE COMMUNITY, NOT JUST NEIGHBORHOOD BUT DEVELOPERS, REMODELERS,

HOME BUILDERS ALIKE, THANK YOU.

Kim: THANK YOU FOR BRINGING THIS TO OUR ATTENTION. I AGREE THAT WE NEED TO DO SOMETHING ABOUT THIS. IT SHOULDN'T BE THAT A FEW BAD APPLES ARE CAUSING A BLEMISH ON THE ENTIRE INDUSTRY. I WANT TO THANK THE REMODELERS ASSOCIATION AND HOME BUILDERS AND WORKING WITH ANC AND OTHER GROUPS, INCLUDING THE OTHER NEIGHBORHOODS WHO ARE DIRECTLY IMPACTED BY THAT. I WANT TO THANK YOU FOR BRINGING THIS TO OUR ATTENTION. I SAW IT WAS IN YOUR NEIGHBORHOOD NEWSLETTER AND IT'S VERY CLEAR THAT THERE ARE ABUSES, IT WAS NOT THE INTENT FOR US TO HAVE A REMODELING PERMIT TO ACTUALLY BE A NEW BUILD OR AN ADDITION. SO THANK YOU.

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

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. FOLKS, IF YOU WOULD BE KIND ENOUGH TO TAKE YOUR CONVERSATIONS OUT IN THE FOYER WE WOULD APPRECIATE IT. WE HAVE A COUPLE OF DISCUSSION ITEMS THIS MORNING AND A BRIEFING TO CONDUCT. WHAT I WOULD LIKE TO DO WITHOUT OBJECTION, COUNCIL, IS TO BRING UP BEFORE WE TAKE OUR PRESENTATIONS FROM THE DOWNTOWN AUSTIN ALLIANCE IS TO TAKE UP ITEM NO. 49. THIS IS AN ITEM FROM COUNCIL SPONSORED PRIMARILY BY COUNCILMEMBER LEFFINGWELL REGARDING OUR ECONOMIC DEVELOPMENT PROCEDURES AND I THINK -- I THINK WE ALSO HAVE A STAFF PRESENTATION REGARDING THAT. BUT I'LL TURN THE MIC OVER TO COUNCILMEMBER LEFFINGWELL LEFFINGWELL.

Leffingwell: MAYOR, ITEM 49 IS A RESOLUTION WHICH CHANGES OUR ECONOMIC INCENTIVE POLICY. AND I'M NOT GOING TO GO INTO THE DETAILS OF IT BECAUSE MR. JIM COWSER IS HERE TODAY TO BRIEFLY OUTLINE THE RESOLUTION. OF COURSE AS ALL OF US KNOW JIM IS AN

EXPERT ALSO ON OUR CITY CHARTER. WE ALL GO TO HIM FOR QUESTIONS AND OF COURSE GET HIS ANSWERS ON THOSE QUESTIONS. BUT HE IS ALSO CONTRACTED WITH THE CITY TO -- TO DO LEGAL WORK ON THEON THE SEAHOLM AND THE MUELLER PROJECT. AND THIS RESOLUTION, OF COURSE, RELATES TO -- TO A POTENTIAL CHARTER AMENDMENT THAT HAS BEEN FILED AND IS IN PROGRESS AND -- AND MIGHT POSSIBLY APPEAR ON THE BALLOT IN MAY OR POSSIBLY NOVEMBER. SO I WOULD LIKE MR. COWSER TO ALSO BRIEFLY GO THROUGH THE POTENTIAL EFFECTS AND ANALYSIS IN EFFECT OF THOSE PROPOSED CHARTER AMENDMENT AFTER HE OUTLINES OUR RESOLUTION.

Mayor Wynn: WELCOME, MR. COWSER.

THANK YOU, MAYOR, COUNCILMEMBERS. I THINK WE'RE GOING TO HAVE A POWERPOINT PRESENTATION TO GO WITH THIS, YES, THANK YOUYOU. THERE ARE REALLY THREE PURPOSES FOR THE PRESENTATION TODAY AS COUNCILMEMBER LEFFINGWELL HAS DESCRIBED. I WANT TO REVIEW WITH YOU THE PROCESS TO -- TO AMEND THE CITY CHARTER BY PETITION. GIVE A BRIEF DESCRIPTION OF IMPORTANT FEATURES OF THE PROPOSED CHARTER AMENDMENT ON -- ON RETAIL FINANCIAL INCENTIVES AND THEN TO -- NEXT SLIDE PLEASE PROVIDE AN ANALYSIS OF THE INTENDED AND WHAT ARE POTENTIALLY UNINTENDED CONSEQUENCES OF THE PROPOSED CHARTER AMENDMENT ON RETAIL FINANCIAL INCENTIVES. LET ME -- NEXT SLIDE, PLEASE. LET ME MENTION, ALSO, JUST SO EVERYBODY IS CLEAR WHAT THE CITY CHARTER IS. LAWYERS SOMETIMES USE THE PHRASE ORGANIC LAW BECAUSE FOR A CITY THE CHARTER IS THE LAW THAT REALLY IS EFFECTIVELY OUR CONSTITUTION, IT'S THE LAW THAT OUR OTHER LAWS MUST COMPLY WITH. THE -- BEING A HOME RULE CITY, WE CAN ADOPT AND AMEND OUR OWN CHARTER AND THEN ONCE A CHARTER IS IN PLACE AND/OR A CHARTER AMENDMENT IS IN PLACE, SUBSEQUENT ORDINANCES OF THE CITY, BUDGETARY MEASURES OF THE CITY, POLICIES OF THE CITY MUST ALL CONFORM TO THE LANGUAGE OF THE CHARTER. THIS PROPOSED LEGISLATION IS A CHARTER AMENDMENT. THE -- THE RETAIL FINANCIAL INCENTIVE CHARTER AMENDMENT, IN ORDER TO BE ENACTED, WOULD REQUIRE FIRST THE SIGNATURES OF FIVE PERCENT OF THE

REGISTERED VOTERS IN THE CITY, THOSE SIGNATURES WOULD THEN NEED TO BE VALIDATED BY THE CITY CLERK AND THERE'S A TIME FRAME, 120 DAYS WITHIN WHICH ALL OF THE SIGNATURES MUST BE GATHERED. IF -- IF THE SIGNATURES ARE GATHERED AND IF THE CITY CLERK VALIDATES THE PROPER NUMBER OF SIGNATURES, THE CHARTER AMENDMENT WOULD GO BEFORE THE AUSTIN VOTERS NEXT MAY, IN A MAY 2008 CITY ELECTION AND IF IT -- IF IT'S PASSED THE CHARTER AMENDMENT THEN TAKES EFFECT IMMEDIATELY. ONE FEATURE OF STATE LAW IS THAT ONCE A CHARTER AMENDMENT IS PASSED, THE CITY CAN'T REVISIT THE CHARTER FOR ANY REASON FOR TWO YEARS. SO IF THIS CHARTER AMENDMENT IS PASSED, IT IS GOING TO BE CITY LAW FOR AT LEAST TWO YEARS. ANOTHER FEATURE OF AMENDING A CHARTER BY PETITION IS -- IS ONCE THE SIGNATURES ARE BEING GATHERED ON PARTICULAR LANGUAGE AND IN A PROPOSED CHARTER AMENDMENT, THAT IS THE LANGUAGE OF THE PROPOSED CHARTER AMENDMENT. YOU CAN'T GO BACK AND CORRECT TYPOGRAPHICAL ERRORS OR UNINTENDED CONSEQUENCES OR -- OR AMEND THE LANGUAGE. SO IN EFFECT THERE IS NO LEGISLATIVE PROCESS ON A -- ON A VOTER INITIATED CHARTER AMENDMENT. ONCE THAT LANGUAGE IS OUT THERE, THAT'S WHAT WE'RE GOING TO VOTE ON. IF IT IS PASSED THAT'S WHAT THE CITY WILL HAVE IN ITS CHARTER. THE -- THE FINANCIAL, RETAIL FINANCIAL INCENTIVE AMENDMENT, THE ADVOCATES HAVE -- HAVE SPOKEN AND ON THEIR WEBSITE AND IN INTERVIEWS WITH THE MEDIA HAVE STATED THAT IT HAS TWO PRINCIPAL PURPOSES. ONE PRINCIPAL PURPOSE IS SPECIFICALLY TO PROHIBIT THE CITY FROM PAYING INCENTIVES ON THE DOMAIN WHICH IS A MIXED USE PROJECT IN NORTH AUSTIN, THE SECOND IS TO PREVENT THE CITY IN THE FUTURE FROM ENTERING INTO SIMILAR AGREEMENTS TO THE DOMAIN WHICH IS A 380 AGREEMENT, DIRECT FINANCIAL INCENTIVE TO -- IN RETURN FOR THE DEVELOPER AGREEING TO CERTAIN CONDITIONS. AND THE DOMAIN. BUT SO THE GOALS OF THE AMENDMENT, WITH RESPECT TO THAT PROJECT AND FUTURE PROJECTS LIKE IT ARE CLEAR. THE -- THE POTENTIAL DIFFICULTY FOR THE CITY IS THAT -- WHAT I PERSONALLY BELIEVE IS AN UNINTENDED CONSEQUENCE IS THAT THE AMENDMENT COULD NEGATIVE IMPACT THE CITY'S ABILITY TO

REDEVELOP ITS OWN PROJECT, ITS OWN PUBLICLY OWNED LAND AND REDEVELOPMENT PROJECTS TYPICALLY IN THOSE REDEVELOPMENT PROJECTS, ULTIMATELY WHAT THE CITY WANTS TO DO IS TAKE UNDER UTILIZED CITY LAND, DEVELOP IT IN A WAY THAT MEETS CITY GOALS AND ULTIMATELY PUT IT BACK ON THE TAX BASE AS A DESIRABLE TYPE OF PRIVATE DEVELOPMENT. EXAMPLES OF THIS ARE THE CSC REDEVELOPMENT DOWNTOWN, THE CURRENT MUELLER AIRPORT REDEVELOPMENT THAT'S IN PROCESS, FUTURE REDEVELOPMENT OF SEAHOLM POWER PLANT, POSSIBLY GREEN WATER TREATMENT PLANT. THE CITY HAS I THINK GENERALLY BEEN SUCCESSFUL IN THESE PROJECTS. WITH YOU WHEN THE CITY REDEVELOPED ITS OWN LAND, IT'S SELDOM JUST A STRAIGHT CASH TRANSACTION. THE CITY DOESN'T JUST SELL THE LAND TO A DEVELOPER AND -- AND SEE WHAT HAPPENS NEXT. THE -- THE CITY GENERAL INCLUDES COMPONENTS LIKE AFFORDABLE HOUSING, ENVIRONMENTAL PROTECTION, SMART GROWTH, GREEN BUILDING, THE TYPE OF INFRASTRUCTURE THAT'S MOST SUITABLE TO URBAN DEVELOPMENT. SO THE CITY TRIES TO ACHIEVE ITS OWN GOALS WHEN IT REDEVELOPS ITS OWN LANDS. ONE WAY THAT THE CITY TYPICALLY CAN DO THAT IS THROUGH PROVIDING FINANCIAL INCENTIVES. THE CHARTER AMENDMENT TEXT HAS A VERY SPECIFIC PROHIBITION ON SPECIAL BENEFITS FOR RETAIL PROJECTS. THE RESTRICTION IS, AND THE LANGUAGE IS ON BOARD, THE CITY SHALL NEITHER PROVIDE NOR ENTER INTO AN AGREEMENT TO PROVIDE ANY FINANCIAL INCENTIVE IN CONNECTION WITH THE DEVELOPMENT OR REDEVELOPMENT OF ANY PROPERTY THAT INCLUDES ONE OR MORE RETAIL USES. SO IT NOT JUST A PROHIBITION ON FINANCIAL INCENTIVES FOR ANY RETAIL PROJECT. IT'S JUST RETAIL, A LARGER DEVELOPMENT THAT INCLUDES RETAIL. THE DEFINITION OF A FINANCIAL INCENTIVE, FIVE OR SIX TYPE OF THINGS, BUT THE TWO ARE THAT ARE OF THE GREATEST CERTAIN TO THE CITY REDEVELOPMENT PROJECTS WOULD BE A FINANCIAL INCENTIVE MEANS ANY PAYMENT OR REBATE OF SALES TAX OR AD VALOREM TAX ON SUCH PROPERTY, WHICH IS A COMMON TYPE OF FINANCIAL INCENTIVE FOR CITY REDEVELOPMENT OR A GRANT OF FUNDS, WHICH IS ESSENTIALLY A GRANT OF CITY

FUNDS. THE APPLICABILITY OF THE LANGUAGE IS SUCH THAT -- THAT IT WOULD APPLY TO ANY PENDING AGREEMENT FOR THE PAYMENT OF A FINANCIAL INCENTIVE AND THEN THERE'S A PROVISIO, IF SUCH AGREEMENT PROVIDES THAT THE OBLIGATION IS CONTINGENT ON OR SUBJECT TO THE CITY'S APPROPRIATION OF FUNDS. NOW, THE -- THE EXACT MEANING OF PENDING AGREEMENT IS NOT NECESSARILY IMMEDIATELY CLEAR. I THINK WE KNOW THAT THE SPONSORS, BECAUSE THEY -- BECAUSE THEY INTEND FOR THE AMENDMENT TO APPLY TO THE -- TO THE DOMAIN PROJECT, BELIEVE THAT THE DOMAIN PROJECT, WHICH IS A SIGNED DEAL BUT IT'S STILL BEING PERFORMED AS A PENDING PROJECT, IF THAT IS THE CORRECT INTERPRETATION OF PENDING, THEN OTHER ITEMS, OTHER CITY FINANCIAL ARRANGEMENTS LIKE THE MUELLER AIRPORT PROJECT OR THE SEAHOLM PROJECT WOULD ALSO BE CONSIDERED PENDING AGREEMENTS. SO I THINK THERE'S SOME QUESTION AS TO WHAT PENDING MEANS, BUT CERTAINLY THE INTENT OF THE SPONSOR IS TO CAPTURE AGREEMENTS THAT ARE STILL BEING PERFORMED. LET'S GO TO THE EXCEPTION LANGUAGE WHICH IS THE NEXT SLIDE. THIS IS AN IMPORTANT EXCEPTION BECAUSE THE -- THE CHARTER AMENDMENT RECOGNIZES THAT THERE ARE TYPES OF COST PARTICIPATION THAT THE CITY CAN ENGAGE IN WITH RESPECT TO INFRASTRUCTURE THAT WOULD NOT BE CONSIDERED A FINANCIAL INCENTIVE. BUT THIS LANGUAGE IS TAILORED CLOSELY WITH THE GENERAL EFFECT THAT THE ONLY TYPE OF CITY INFRASTRUCTURE SUPPORT THAT WOULD NOT BE CONSIDERED A FINANCIAL INCENTIVE IS PRO RATA COST SHARING OR OVERSIZING OF UTILITY FOR FUTURE DEVELOPMENT. IF THE CITY IS PAYING MORE THAN IT'S PRO RATA SHARE OF THE RETAIL, OF THE INFRASTRUCTURE THAT SUPPORTS RETAIL, IT WOULD UNDER THIS DEFINITION STILL BE A FINANCIAL INCENTIVE. AND THE -- THE KEY LANGUAGE HERE IS -- IS IF THE DEVELOPER OR OWNER'S SHARE OF SUCH COSTS, THAT'S THE INFRASTRUCTURE COSTS, FAIRLY AND REASONABLY PROXIMATES THE COSTS OF CONSTRUCTION OF SUCH IMPROVEMENTS TO SERVE THE RETAIL USE THAT WOULD NOT BE A FINANCIAL INCENTIVE. IN FACT WHAT WE ARE GOING TO SEE IS IN MANY OF THE CITY PROJECTS THE CITY



USES ITS INFRASTRUCTURE FUNDING AS AN ECONOMIC DEVELOPMENT TOOL AND THAT IS ONE OF THE MOST IMPORTANT FLEXIBLE AND VALUABLE INFRASTRUCTURE SUPPORT TOOLS, DEVELOPMENT TOOLS THAT THE CITY HAS. THERE'S ANOTHER EXCEPTION, WHICH IS IMPORTANT IN THE CHARTER AMENDMENT, THAT'S AN EXCEPT FOR T.I.F. ZONES. T.I.F. IS TAX INDECREMENT FINANCING. THE CITY HAS APPROVED T.I.F. ZONES IN THE PAST. IN FACT THERE'S A T.I.F. ZONE COVERING THIS BLOCK IN WHICH WE SIT DOWN. A SIX BLOCK DOWNTOWN T.I.F. ZONE. THE T.I.F. ZONES ALLOW THE CITY TO ENTER INTO AN AGREEMENT TO SET ASIDE THE INCREMENTAL PROPERTY TAX, NOW YOU CAN USE SALES TAX, TOO, BUT THE INCREMENTAL PROPERTY TAX THAT COMES FROM A DEVELOPMENT AND SET ASIDE THAT MONEY FOR SPECIFIC SUPPORT OF OTHER USES ON THE DEVELOPMENT. FOR EXAMPLE THE DOWRNT T.I.F.DOWNTOWN T.I.F.TAKES ABOUT SIX SENT FROM THIS AREA, CSC AND OTHER DOWNTOWN DEVELOPMENTS AND USES THAT FOR STREETS, SIDEWALKS, OTHER SPECIFIC BENEFITS OF THE AREA. IF THE FORM OF THE FINANCIAL INCENTIVE IS A T.I.F., THEN IT WILL NOT BE BARRED BY THIS CHARTER AMENDMENT. THERE'S ALSO A T.I.F. EXCEPTION FOR URBAN RENEWAL, WHICH THE CITY ENGAGES IN. SO GOING TO THE SUMMARY AS TO APPLICABILITY, THE CHARTER AMENDMENT WOULD PROHIBIT THE CITY FROM FUNDING -- PENDING OR FUTURE FINANCIAL INCENTIVES, PAID FROM CITY TAXES OR GRANTS, IF IT'S IN CONNECTION WITH THE RETAIL USE AND IF THE OBLIGATION TO PAY IS SUBJECT TO CITY APPROPRIATIONS, THAT'S TYPICALLY A TERM PUT INTO CITY FINANCIAL AGREEMENTS, IF THE PROPERTY IS NOT IN A T.I.F. ZONE AND FINALLY IF THE CITY OF AUSTIN FUNDS -- IF THE CITY OF AUSTIN PAYS MORE THAN A PRO RATA SHARE OF THE INFRASTRUCTURE. THIS -- THIS LANGUAGE CLEARLY COULD AFFECT PENDING AGREEMENTS OF THE CITY OF AUSTIN. ONE THING IT WOULD CLEARLY AFFECT, WHICH I THINK IS THE INTENT, THE STATED INTENT, IS -- IS MAKING FUTURE PAYMENTS ON THE AGREEMENT WITH THE DOMAIN. THE SECOND THING THAT COULD VERY LIKELY DO IS PROHIBIT THE CITY FROM ENTERING INTO FUTURE AGREEMENTS FOR PROJECTS LIKE THE DOMAIN, WHICH IS MIXED USE DEVELOPMENTS WITH RETAIL COMPONENT. THOSE ARE PRIVATE DEVELOPMENT

PROJECTS THAT THE CITY SUBSIDIZES WITH 380 380 FUNDS. LET'S GO TO THE NEXT SLIDE. THE IMPACT ON CITY PROJECTS COULD ALSO BE SIGNIFICANT AND THREE OF THE PROJECTS, ONE OF WHICH IS CURRENTLY IN DEVELOPMENT, TWO -- ONE OF WHICH IS CURRENTLY IN ADVANCED STAGE OF NEGOTIATION, ANOTHER IS IN A FAIRLY EARLY STAGE OF NEGOTIATION, THE MUELLER REDEVELOPMENT, THE SEAHOLM REDEVELOPMENT, THE BURN NET NORTH GATEWAY, THESE ARE THREE OTHER PROJECTS THAT MIGHT BE CAUGHT UP IN THE LANGUAGE OF THIS CHARTER AMENDMENT. ON MUELLER THIS IS APPLICABLE FOR THESE REASONS, THERE IS ZIG CARNT RETAIL COMPONENT IN THE MUELLER REDEVELOPMENT. REGIONAL RETAIL ALONG I-35, TOWN CENTER THAT'S GOING TO HAVE A GROCERY STORE, RETAIL IN THE UNIVERSITY OF TEXAS AREA OF THE DEVELOPMENT, RETAIL IN THE HOSPITAL AREA. THE DEVELOPMENT AT MUELLER IS SUPPORTED BY BOND. THESE BONDS ARE BACKED BY SAME TAXES COLLECTED ON THE PROPERTY WHICH IS NOT T.I.F. FUNDED WHICH IS THE CITY TYPE OF FINANCIAL INCENTIVE THAT IS NOT FROM THE T.I.F. AND BY PROPERTY TAXES. BONDS SUPPORTED BY PROPERTY TAXES WHICH ARE FROM THE T.I.F. THE INCENTIVES UNDER THE MUELLER AGREEMENT ARE SUBJECT TO ANNUAL APPROPRIATION, THAT'S EXPRESSLY SET OUT IN THE MASTER DEVELOPMENT AGREEMENT FOR MUELLER. AND FINALLY IN MUELLER THE CITY CLEARLY IS FUNDING MANY INFRASTRUCTURE COSTS THAT IN A NON-CITY FINANCIAL INCENTIVE DEAL WOULD BE PAID BY THE PRIVATE DEVELOPER THROUGHOUT THE MUELLER PROJECT WE ARE USING THE PROJECT FUND WHICH COMES FROM LAND SALES AND BONDS AND OTHER CITY SOURCES TO FUND THE DEVELOPMENT THAT'S THE INFRASTRUCTURE DEVELOPMENT THAT SERVES THE RETAIL. LET'S GO TO THE SEAHOLM IS AN AGREEMENT THAT HAS NOT BEEN SIGNED. IT'S AN ADVANCED STATE OF NEGOTIATION. IT'S CURRENTLY PENDING. WE HAVE A DRAFT MDA STILL IN NEGOTIATION WHICH IS CURRENTLY WRITTEN, PROVIDES FOR FINANCIAL INCENTIVES FOR THE SEAHOLM DEVELOPMENT IN THE FORM OF THE CITY REINVEIGNS THE LAND SCALE -- REINVESTING THE LAND SALE PROCEEDS. THE INFRASTRUCTURE WOULD COME FROM CITY FUNDS AS WELL AS REINVESTMENT OF SALES PROCEEDS. SEAHOLM AS CURRENTLY DESIGNED IS

NOT T.I.F. FUNDED. SEAHOLM DOES HAVE RETAIL COMPONENTS PLANNED IN THE HOLD POWER PLANT AND THE HOMES ON SITE AND AS IN MUELLER THE CITY FUNDING FOR SEAHOLM UNDER THE CURRENT DRAFT AGREEMENT IS SUBJECT TO ANNUAL APPROPRIATIONS, WHICH IS NOW STANDARD SORT OF FAIR NOTICE WHEN THE CITY ENTERS INTO ONE OF THESE PROJECTS TO TELL THE DEVELOPER UNDER STATE LAW AND CITY CHARTER, FUTURE FUNDING IS SUBJECT TO ANNUAL APPROPRIATIONS. SO -- SO WHAT ARE SOME POTENTIAL CONSEQUENCES ON THIS? NEXT SLIDE. THE CITY MIGHT BE ABLE TO WORK AROUND THIS CHARTER AMENDMENT IF IT WERE PASSED. ONE THING THAT THE CITY COULD DO IS TRY TO FUND ALL FUTURE REDEVELOPMENT PROJECTS THAT HAVE NOT ALREADY BEEN SIGNED UNDER OTHER TERMS AND CONDITIONS THROUGH TAMOXIFEN ZONES, THROUGH T.I.F.ES. SERIOUS DISADVANTAGES TO T.I.F.'SS, T.I.F.'S CAN BE USED APPROPRIATELY AND CREATIVELY, IT DOES TAKE MONEY OUT OF THE GENERAL FUND. THE ONLY ONE T.I.F. CAN BE APPLIED OVER ONE GEOGRAPHIC AREA, THE CITY I THINK IS TRYING TO AVOID HAVING AN ENTIRE AREA OF THE CITY CROSS HATCHED WITH MORE T.I.F.'S LOSING FUNDS TO GENERAL REVENUE. ANOTHER LIKELY CONSEQUENCE IS THAT THE CITY IN REDEVELOPING AND SOME PROJECTS WITHOUT THE ABILITY TO PROVIDE SIGNIFICANT INCENTIVES MIGHT HAVE TO AVOID REDEVELOPMENT THROUGH THE TYPE OF PUBLIC/PRIVATE JOINT AGREEMENTS THAT WE CURRENTLY HAVE. SO LET ME GO TO THIS SUMMARY OF THE CONSEQUENCES. ONE THING THAT COULD HAPPEN UNDER THIS CHARTER AMENDMENT IS THE CITY MIGHT BE REQUIRED, MIGHT BE OBLIGATED TO DEFAULT ON ITS CURRENT AGREEMENTS TO PAY FINANCIAL INCENTIVES. ANY DEFAULT ON AN AGREEMENT COULD HAVE NEGATIVE BOND CONSEQUENCES WHETHER ON THE BONDS SUPPORTING THAT PARTICULAR PROJECT OR THE CITY'S BONDS IN GENERAL. THE BOND MARKET IS VERY SENSITIVE TO CITY DEFAULT ON A CITY OBLIGATION. THE CURRENT REDEVELOPMENT PROJECTS THAT WE'RE NEGOTIATING, THEY ARE INTENDED TO HAVE RETAIL. WE DON'T WANT TO PULL RETAIL OUT OF THERE. IT'S A GOAL IN ALL MIXED USE DEVELOPMENTS BUT WE COULD END UP HAVING TO DO REDEVELOPMENT WITHOUT RETAIL. FUTURE

REDEVELOPMENT PROJECTS AGAIN MIGHT END UP HAVING TO BE DONE WITH T.I.F. FUNDING INSTEAD OF UTILITY INFRASTRUCTURE FUNDING WHICH THE CITY HAS USED EFFECTIVELY IN THE PAST AND FINALLY THE CITY'S GENERAL QUIVER FULL OF ARROWS THAT WE USE FOR REDEVELOPMENT. WHETHER FINANCIAL INCENTIVES THROUGH INFRASTRUCTURE DEVELOPMENT, THROUGH 380, THROUGH TAX ABATEMENTS, WE WOULD END UP WITH A VERY LIMITED QUIVER OF ARROWS WHEREAS WE NOW HAVE A PRETTY EXTENSIVE ONE. COUNCILMEMBER LEFFINGWELL'S RESOLUTION WHICH I UNDERSTAND WAS PULLED OFF THE AGENDA IN EFFECT WOULD HAVE THREE MAJOR COMPONENTS. IT WOULD SAY IN THE FUTURE THE CITY WILL NOT DO THE TYPE OF PROJECT INCENTIVE THAT THE CITY HAS DONE AT THE DOMAIN, WHICH IS PRIMARILY 380 DIRECT FUNDING OF A MIXED USE PROJECT THAT THE CITY IS NOT ITSELF PARTICIPATING IN. IT WOULD ON THE OTHER HAND REAFFIRM THE CITY'S COMMITMENT TO CONTINUE TO FUND ITS CURRENT AGREEMENTS. THE AGREEMENTS LIKE MUELLER AIRPORT AGREEMENT AND IT WOULD PROTECT THE CITY'S ABILITY WHEN REDEVELOPING ITS OWN PROJECTS, THE MIXED PUBLIC PRIVATE PROJECTS TO USE THE FULL RANGE OF TOOLS THAT THE CITY CURRENTLY USES, INCLUDING INFRASTRUCTURE, FUNDING AND INCLUDING SPECIFICALLY FINANCIAL INCENTIVE TYPE OF INFRASTRUCTURE FUNDING. SO AGAIN I'M NOT HERE TO ADVOCATE ONE WAY OR ANOTHER. I'M YOUR LAWYER HERE TO TELL YOU WHAT THE POTENTIAL LEGAL CONSEQUENCES ARE. IF THERE ARE QUESTIONS ABOUT THIS PRESENTATION FROM COUNCIL I WILL BE HAPPY TO RESPOND.

COUNCILMEMBER LEFFINGWELL?

Leffingwell: WHILE THAT SLIDE IS STILL UP THERE, THERE'S ONE MORE COMPONENT TO THE RESOLUTION WHICH REQUIRES COMPLETE TRANSPARENCY IN EVALUATING THE PERFORMANCE STANDARD OF AN ECONOMIC AGREEMENT. THAT'S IN THERE, ALSO.

Mayor Wynn: THANK YOU, MR. COWSER? FURTHER QUESTIONS FOR MR. COWSER, OUR STAFF? MAYOR PRO TEM?

Dunkerly: [INDISCERNIBLE] WORKING WITH OUR FINANCIAL STAFF TO DEVELOP SOME QUARTERLY REPORTING THAT WILL TRACK -- WHAT OUR FIRM COMMITMENTS ARE AND TO MAKE SURE TO ENSURE THAT THEY ARE MEETING THEIR OBLIGATIONS. BEFORE THEY REMIT ANY PAYMENTS. REALLY ALL OF OUR CONTRACTS THAT WE ENTER INTO ARE PERFORMANCE BASED. THEY HAVE TO PERFORM OR THEY DON'T GET A REIMBURSEMENT. SO I THINK THAT WILL PREVENT THINGS IN THE FUTURE LIKE THE INTEL ISSUE WHERE WE -- WE GAVE SOME SNEBT INCENTIVES UP FRONT AND THEY MOVED. I THINK THAT WE HAVE MADE SOME CHANGES TO THAT POLICY. AND WILL CONTINUE TO REFINES IT AS -- AS OUR MARKETS CHANGE. TO TRY TO GET MORE PROTECTION WITHIN THOSE. THEY ARE A VERY VALUABLE TOOL IN CERTAIN CIRCUMSTANCES TO GET REALLY GOOD JOBS HERE FOR OUR CITIZENS AND TO HELP GROW THE TAX BASE. BY DOING THESE WE -- EVERY TIME WE DO SOMETHING TO GROW A TAX BASE IT MEANS THAT WE ARE NOT HAVING TO RAISE PROPERTY TAXES ON EVERYBODY IN ORDER TO PERFORM OUR BASIC CITY SERVICES.

YEAH. I ABSOLUTELY AGREE COUNCILMEMBER. FOR EXAMPLE ON THE MUELLER AIRPORT PROJECT, TWO OF THE PRIMARY GOALS WERE AFFORDABLE HOUSING AND ON SITE ENVIRONMENTAL PROTECTION, GREEN BUILDING. BOTH OF THOSE AREAS WE GET REPORTS BACK FROM CATELLUS, THE DEVELOPER. WE JUST GOT AFFORDABLE HOUSING REPORT SEMI ANNUAL FROM CATELLUS. SO IT'S NOT AS IF THE CITY JUST SIGNS THESE AGREEMENTS WITH FINANCIAL INCENTIVES AND THEN SITS BACK AND DOESN'T MONITOR THEM. IT'S BEING MONITORED CLOSELY AT MUELLER AND THE PRO QUO THAT WE GOT FOR THE QUID IS BEING CARRIED OUT.

FURTHER QUESTIONS, COMMENTS? COUNCILMEMBER COLE?

Cole: I REALLY APPRECIATE THE ANALYSIS THAT YOU DID ON THIS WORK, ESPECIALLY AS IT MAY BE APPLIED TO MUTUAL, BECAUSE WE HAVE PUT A SIGNIFICANT AMOUNT OF TAXPAYER RESOURCES IN THAT DEVELOPMENT FOR THE GOALS LIKE YOU MENTIONED OF NOT ONLY AFFORDABLE HOUSING AND GREEN BUILDING, BUT INNER CITY LAND USE

DEVELOPMENT. I JUST REALLY WANT TO ENCOURAGE YOU TO WORK WITH THE LAW DEPARTMENT THAT WE TAKE A PROACTIVE STAND WITH THE AGREEMENTS THAT WE HAVE WITH MUELLER SO THAT IT IS NOT ADVERSELY AFFECTED BY THIS CHARTER AMENDMENT SHOULD IT PASS.

THANK YOU, COUNCILMEMBER. AGAIN NOTHING WOULD MAKE ME HAPPIER THAN TO LOOK AT THIS AMENDMENT AND SAY NO THIS WON'T HAVE ANY EFFECT ON MUELLER AIRPORT REDEVELOPMENT. I'M GIVING YOU A LEGAL OPINION. I WOULD MUCH PREFER TO GIVE YOU A DIFFERENT LEGAL OPINION. BUT I NEED TO TELL YOU STRAIGHT WHAT I THINK THE AMENDMENT WOULD DO.

Mayor Wynn: FURTHER COMMENTS? COUNCILMEMBER LEFFINGWELL?

Leffingwell: IF WE DON'T HAVE ANY SPEAKERS SIGNED UP, READY TO MAKE A MOTION ON ITEM 49. FIRST I WANT TO THANK MAYOR PRO TEM AND COUNCILMEMBER MARTINEZ FOR AGREEING TO CO-SPONSOR THIS RESOLUTION WITH ME. I THINK IT REFINES OUR PROCESS, MAKES IT MORE TRANSPARENT. YET MAINTAINS A CREDIBILITY THAT WE HAVE TO MAINTAIN AS A CITY BOTH IN A AGAIN RAL SENSE AND -- GENERAL SENSE AND AS MR. COWSER POINTED OUT TO MAINTAIN OUR BOND RATING. WITH THAT I WILL MOVE APPROVAL OF ITEM 49 RESOLUTION.

Mayor Wynn: MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 49 AS PRESENTED AND POSTED. FURTHER COMMENTS? COUNCILMEMBER MARTINEZ.

Martinez: I JUST WANTED TO MAKE A COUPLE OF COMMENTS. I THINK WHAT THIS RESOLUTION DOES, IT DOES TAKE INTO CONSIDERATION SOME OF THE CONCERNS THAT -- THAT THE ANTI-DOMAIN FOLKS ARE BRINGING FORWARD. BUT I THINK WHAT IT DOES IT TAKES THE VALUE PORTIONS OF THEIR CONCERNS AND TURNS THEM INTO A SOUND POLICY AS OPPOSED TO AN OVERREACHING CONSTITUTIONAL AMENDMENT BY A CHARTER CHANGE. I THINK WE HAVE SEEN OVER THE LAST FEW YEARS SOME FOLKS TRY TO BRING CHARTER REVISIONS FORWARD BUT THEY ARE JUST

SO BROAD AND OVERREACHING AND ULTIMATELY COULD HAVE A SEVERE NEGATIVE IMPACT ON THE COMMUNITY. SO I THINK THIS IS THE FIRST STEP. THIS IS CERTAINLY GOING TO BE AN EVOLVING POLICY AS WE GROW AS A CITY. BUT I JUST -- I WANTED TO LET THOSE FOLKS KNOW THAT WE DO HEAR THEIR CONCERNS AND IN SOME WAYS WE DO AGREE. WE THINK THAT WE CAN COME UP WITH A SOUND POLICY THAT SPEAKS TO THOSE CONCERNS BUT YET NOT DAMAGE THE CITY'S PROJECTS THAT WE HAVE MOVING FORWARD OR ITS ECONOMIC VIABILITY IN THE FUTURE.

Mayor Wynn: THANK YOU. FURTHER COMMENTS? WE HAVE A MOTION AND A SECOND ON THE TABLE APPROVING ITEM NO. 49. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. OKAY. COUNCIL, SO THAT TAKE US TO OUR MORNING BRIEFING, THE PRESENTATION OF THE DOWNTOWN AUSTIN ALLIANCE BIENNIAL SURVEY. WELCOME, MR. CHARLIE BETS.

THANK YOU, MAYOR, MEMBERS OF THE COUNCIL, I'M CHARLIE BETTES THE EXECUTIVE DIRECTOR OF THE DOWNTOWN AUSTIN ALLIANCE. IT'S MY PLEASURE TO INTRODUCE TO YOU DR. MARIE CRANE OF CRANE & ASSOCIATES. SHE'S THE PRINCIPAL. SHE HAS BEEN DOING THESE SURVEYS FOR DOWNTOWN ALLIANCE AND THE CITY OF AUSTIN FOR APPROXIMATELY 12 YEARS. IT'S A BIENNIAL SURVEY AND WE THINK THERE'S GREAT VALUE IN THE CONTINUITY OF -- OF THIS SURVEY BEING DONE OVER A 12-YEAR PERIOD. THE FIRST ONE WAS -- WAS FIRST ONE -- FIRST SURVEY DONE IN 1995. I WILL -- I WILL NOT -- IT'S VERY TEMPTING TO GET INTO THE SURVEY MYSELF, BUT I WILL ASK DR. MARIE CRANE TO PRESENT A BRIEFING TO YOU ON HER FINDINGS OF THAT SURVEY. THANK YOU.

THANK YOU, CHARLES LEEVMENT WELCOME, DR. CRANE.

THANK YOU VERY MUCH. GOOD MORNING, MAYOR AND COUNCILMEMBERS. IT'S A PLEASURE TO BE HERE WITH YOU THIS MORNING AND A PARTICULAR PLEASURE TO TALK TO

YOU ABOUT PERCEPTIONS OF DOWNTOWN AUSTIN. I THINK THAT YOU WILL FIND THAT THE DATA COLLECTED IN 2007 CERTAINLY REVEAL THE HARD WORK AND DIRECTION THAT THE CITY HAS BEEN MOVING IN. I WANT TO START BY GOING OVER WITH YOU THE OBJECTIVES OF THIS RESEARCH AS MR. BETTS MENTIONED TO YOU THE DOWNTOWN AUSTIN ALLIANCE HAS THE CITY'S REQUEST BEEN MONITORING THE PERCEPTIONS OF DOWNTOWN STAKEHOLDERS BIANNUALLY SINCE 1995. THE OBJECTIVES OF THIS STUDY HAVE BEEN THE SAME OVER THE DURATION OF THAT 12 YEAR PERIOD. THE FIRST IS TO MONITOR STAKEHOLDERS PERCEPTIONS OF DOWNTOWN AUSTIN. IN TERMS EVER A NUMBER OF DIMENSIONS THAT ARE OFTEN USED BY CITIES, TO ASSESS THEIR DOWNTOWN AREAS, AS WELL AS INCLUDING SOME OPEN ENDED QUESTIONS TO IDENTIFY STAKEHOLDERS PERCEPTIONS OF STRENGTHS, WEAKNESSES AND RECOMMENDED CHANGES SO THEY CAN TALK IN THEIR OWN WORDS ABOUT THOSE MATTERS. A SECOND PURPOSE HAS BEEN TO MONITOR THE AWARENESS OF THE D.A.A. AND ITS PROGRAMS AND COMMUNICATIONS AS WELL AS TO ASSESS THE OVERALL EVALUATIONS THAT STAIRLD STAKEHOLDER HAVE OF THE DOWNTOWN AUSTIN ALLIANCE. A THIRD IS TO IDENTIFY THE IMPORTANT TRENDS AND CHANGES OVER TIME, WHICH I WILL SPEAK TO A LITTLE BIT THIS MORNING. AND THE FOURTH IS TO INFORM THE DAA'S PRIORITIES AND NEW DIRECTIONS FOR THE TWO YEAR PERIOD THAT FOLLOWS. THE ACTUAL STAKEHOLDERS IN THIS STUDY HAVE CHANGED OVER TIME. THE NEXT PAGE DEPICTS THE RESEARCH METHODOLOGY AND UNDER THE HEADING IN THE CENTER OF THE PAGE SEGMENT YOU CAN SEE THE FOUR STAKEHOLDER GROUPS THAT ARE INCLUDED IN THE 2007 STUDY. THE FIRST TWO WERE INCLUDED FROM THE BEGINNING. THOSE ARE DOWNTOWN PROPERTY OWNERS AND MANAGERS, AND DOWNTOWN BUSINESS OWNERS AND MANAGERS. IN 2007 INTERVIEWS WERE CONDUCTED WITH EACH OF THESE TWO SEGMENTS. THE INTERVIEWS WERE RANDOMLY SELECTED FROM ESSENTIALLY A LIST OF WHAT IS ESSENTIALLY THE UNIVERSE OF DOWNTOWN PROPERTY AND BUSINESS OWNERSOWNERS. THE THIRD STAKEHOLDER GROUP WAS ADDED A FEW YEARS AGO AND THAT IS DOWNTOWN EMPLOYEES. AND A FOURTH STAKEHOLDER GROUP WAS



ADDED TWO YEARS AGO, THOSE ARE OTHER NEARBY RESIDENTS. THE SAMPLING METHODOLOGY EMPLOYED IN 2007 WAS -- WAS USE OF A RANDOM DIGIT DIAL HOUSEHOLD SAMPLING METHODOLOGY IN WHICH -- IN WHICH ALL HOUSEHOLDS LIVING WITHIN AND I'LL SHOW YOU THE MAP, WITHIN THAT AREA HAD AN EQUAL PROBABILITY OF INCLUSION, THERE ARE 350 HOUSEHOLDS WITH THIS AREA THAT ARE INCLUDED IN THIS SURVEY. 100 OF THOSE HOUSEHOLDS INCLUDED EMPLOYEES WHO WORK DOWNTOWN AND 250 OF THEM ARE HOUSEHOLDS THAT DO NOT HAVE AN EMPLOYEE WORKING DOWNTOWN. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

LET ME CALL YOUR ATTENTION TO THE FACT THAT THERE ARE 10 DIMENSIONS. THE FAR RIGHT-HAND COLUMN OF THIS TABLE DEPICT THE FINDINGS FOR THE FOUR STAKEHOLDER GROUPS SEPARATELY. SO YOU WILL SEE THE DIFFERENCES ARE REALLY QUITE SMALL. AND IF I WERE GOING TO SUMMARIZE THIS, I WOULD SAY ALL 10 OF THESE DIMENSIONS ARE EVALUATE ODD A 10-POINT SCALE. AND THE MEANS ARE GENERALLY BETWEEN EIGHT AND NINE. FROM A PRACTICAL STANDPOINT, EMPIRICALLY YOU ALMOST NEVER GET A MEAN ABOVE NINE. AND MEANS BETWEEN EIGHT AND NINE ARE IMLENT. YOU NEVER INTERVIEW 500 PEOPLE AND GET A MEAN OF 10. IT DOESN'T HAPPEN. SO THESE ARE INCREDIBLY POSITIVE REVIEWS OF DOWNTOWN AND CONSISTENTLY SO ACROSS GROUPS. I'LL BE HAPPY TO TALK ABOUT ANY ELEMENT FOR THAT THAT INTERESTS YOU, BUT I WANT TO GO ON BECAUSE THERE'S ANOTHER TABLE THAT ELAB RATES ON THAT. -- ELABORATES ON THAT. IN ADDITION TO ASKING RESPONDENTS TO ELABORATE ON DOWNTOWN ON DIMENSIONS LIKE DESIRABLE PLACES TO GO AND THING TO DO OR SAFETY DURING DAYTIME HOURS OR CLEANLINESS OR VISUAL APPEAL, WE ASKED PEOPLE TO EVALUATE CHANGES THAT THEY PERCEIVED IN -- CHANGES IN DOWNTOWN OVER THE LAST THREE YEARS. IN ALL EIGHT DIMENSIONS, THE MAJORITY OF STAKEHOLDER GROUPS SAY THAT DOWNTOWN IS GETTING BETTER, EXPECT WITH RESPECT TO TWO DIMENSIONS. SO AGAIN THERE'S A LOT OF DATA HERE, BUT YOU WILL SEE THAT ALL FOUR GROUPS SAY THAT DOWNTOWN IS GETTING BETTER IN TERMS OF INTERESTING PLACES TO GO AND THINGS TO DO, SAFETY

DURING DAYTIME HOURS, BEING A DESIRABLE PLACE TO SHOP, BEING A DESIRABLE PLACE TO LIVE. ITS VISUAL APPEAL, THE CLEANLINESS OF STREETS AND BUILDING. GETTING BETTER IN TERMS OF SAFETY AT NIGHT AND BEING A DESIRABLE PLACE TO WORK. MOST RESPONDENTS HOWEVER, THINK THAT DOWNTOWN IS THE SAME OR GETTING WORSE WHEN IT COMES TO GETTING AROUND DOWNTOWN AND THE COMMUTE TO DOWNTOWN. SO THESE ARE THE ONLY TWO AREAS WHERE WE SEE PEOPLE ARE NOTING THAT THERE IS NOT IMPROVEMENT AND THEY'RE THE MOST LIKELY TO SAY THAT THINGS ARE GETTING WORSE WITH RESPECT TO THESE DIMENSIONS. TWO YEARS AGO THE DOWNTOWN AUSTIN ALLIANCE DECIDED IT WASN'T ENOUGH TO MEASURE THINGS LIKE CLEANLINESS AND SAFETY, WHICH MANY CITIES ASSESS. THEY WANTED TO ADD SOME ADDITIONAL MEASURES ABOUT THE CHARACTER, SORT OF THE UNIQUE OR DISTINCTIVE QUALITIES ABOUT DOWNTOWN AUSTIN. AND YOU'LL SEE THE NEXT SLIDE SHOWS I BELIEVE 10 DIMENSIONS, MAYBE 12, IN WHICH RESPONDENTS WERE ASKED TO EVALUATE DOWNTOWN AUSTIN IN TERMS OF THESE 12 DIMENSIONS, AND ASKING THEM USING A SCALE FROM ONE TO 10 HOW WELL THEY DESCRIBE DOWNTOWN AUSTIN. WHAT THIS SLIDE WILL SHOW YOU IS THAT ALL FOUR GROUPS GIVE MEANS BETWEEN, SAY, 7.5 ROUGHLY AND NINE, A LITTLE OVER NINE, IN TERMS OF EVERY DIMENSION LISTED EXCEPT THE BOTTOM TWO. SO THEY GIVE MEAN RATINGS BETWEEN 9.1 AND 9.4 WHEN IT COMES TO DESCRIBING DOWNTOWN AUSTIN AS THE HEART OF THE CITY. BUT CERTAINLY NOT TRUE IN EVERY CITY. IN TERMS OF BEING A COMMUNITY ITSELF, MEANS OF BETWEEN 8.4 AND 8.9. IT GETS MEANS OF 8.0 AND 8.7 IN TERMS OF INVITING, HISTORICALLY, FRIENDLY, EVEN EXCITING. AND STILL A MEANS FROM 7.3 TO 8.5 WHEN IT COMES TO BEING ECLECTIC, FUN, THRIVING, AND INDEED A CULTURAL HUB. IT GETS NOTELYLY LOWER MEANS IN TERMS TWOFTERMS OF TWO TRAITS THAT WERE REALLY NOT GOALS. IN FACT, THEY WERE CHARACTERISTICS THAT THE DOWN AUSTIN ALLIANCE IDENTIFIED AS TRAITS OF DOWNTOWN THAT WERE TO BE AVOIDED. AND THOSE ARE BEING A PLACE MAINLY FOR YOUNG PEOPLE OR AN EXCLUSIVE PLACE. AND YOU CAN SEE IT GETS MUCH LOWER RATINGS ON THOSE TWO DIMENSIONS. I WANT TO GO ON TO

TALK ABOUT SOME OF THE THING THAT WE CAN'T TRACK OVER TIME IN THE SAME KIND OF STRICTLY QUANTITATIVE WAY. EVERY YEAR FOR THE LAST SEVEN BIENNIALS WE'VE ASKED RESPONDENT TO TALK IN THEIR OWN WORDS IN TERMS OF THE STRENGTHS, THE WEAKNESSES AND THEIR RECOMMENDATIONS FOR DOWNTOWN. THE NEXT SLIDE IS A SUMMARY OF WHAT THEY TELL US WHEN IT COMES TO TALKING ABOUT STRENGTHS OF DOWNTOWN AUSTIN. IT'S SOMEONE WHO -- AS SOMEONE WHO HAS DECADES OF EXPERIENCE DOING MARKETING RESEARCH, I WANT TO OFFER A LITTLE BIT OF INTERPRETATION TO THIS BECAUSE I THINK IT'S IMPORTANT THAT YOU UNDERSTAND. EVERY ANSWER TO THIS IS IN ITS OWN WORDS. SORT OF DIFFICULT, BUT POSSIBLE TO CHUNK THOSE TOGETHER AND CAPTURE SOME MEANING THAT APPLIES ACROSS RESPONSES. THE INTERESTING THING ABOUT ALL THREE OF THESE THINGS IS THAT THEY ARE INTANGIBLES. THAT'S VERY DIFFERENT THAN WHAT WE SAW SIX, EIGHT AND 10 YEARS AGO. THE STRENGTHS OF DOWNTOWN AUSTIN WOULD BE A PARTICULAR NEW BUSINESS OR A PARTICULAR CHANGE. NOW THE STRENGTHS ARE -- THEY'RE INTANGIBLE, THEY'RE SWEEPING. I'LL GIVE YOU SOME EXAMPLES OF THE KINDS OF THINGS THAT ARE INCLUDED WHEN WE SAY THE ATMOSPHERE, THAT IS, THE ENERGY, THE PEOPLE, THE ATTITUDE, THE SENSE OF PLACE THAT COMES WITH HISTORY. THE QUESTION IS WHAT DO YOU CONSIDER TO BE THE MOST IMPORTANT STRENGTHS OF THE DOWNTOWN AREA? I LOVE THE ATMOSPHERE SAYS ONE. IT'S JUST AWESOME SAYS ANOTHER. IT STILL HAS SOME OF THAT QUIRKINESS ABOUT IT. I LOVE THAT YOU CAN WORK, LIVE AND PLAY THERE. THERE'S SOMETHING FOR EVERYBODY, SAYS ANOTHER. IT'S A GOOD PLACE TO KICKBACK AND RELAX. IT'S STILL PRETTY LAID BACK CULTURALLY. IT'S A FUN PLACE TO PARTY. SO A LOT OF THESE ARE ABOUT -- THERE ARE MANY MORE. IN THE LONG REPORT YOU GET MANY MORE EXAMPLES OF THIS, BUT SORT OF THE INTANGIBLE ENERGY OF WHAT IT'S LIKE TO BE DOWNTOWN, THE EXPERIENCE OF ABOUT DOWNTOWN. THE SECOND MOST COMMONLY MENTIONED STRENGTH OF DOWNTOWN HAD TO DO WITH EVENTS, HAPPENINGS, AND I'LL READ YOU SOME EXAMPLES. LET'S SEE. THEY SEEM TO HAVE MORE FESTIVALS NOW. ANOTHER, IT'S A GREAT PLACE TO TAKE

YOUR FAMILY. ANOTHER, ALL OF THE WONDERFUL CULTURAL THINGS YOU CAN DO. ANOTHER, FREE MUSIC. ANOTHER, THE MUSEUMS AND EDUCATIONAL SIGHTS. ANOTHER, STREET PERFORMERS AND ARTISANS. GREAT THINGS TO DO AND SEE FOR ADULTS AND CHILDREN. SO THERE ARE SORT OF PARTICULAR EVENTS AND CULTURAL AND ENTERTAINMENT DESTINATIONS THAT THEY CITE AS REALLY IMPORTANT STRENGTHS OF THE CITY. THE THIRD MOST WIDELY MENTIONED STRENGTH OF THE CITY AND THE FIRST TIME WE HAVE SEEN THIS APPEAR IN THE LAST 12 YEARS IS THE GROWTH. I'LL READ YOU SOME EXAMPLES OF THINGS THEY SAY, BUT DOWNTOWN IS NOW THE PLACE TO WORK AND LIVE. ANOTHER, THERE IS A GREAT EXPLOSION OF PEOPLE MOVING DOWNTOWN. ANOTHER, THE CITY MANAGES TO BALANCE THE PARKS AND RECREATION WITH THE GROWING NEEDS OF THE CITY. ANOTHER, THE GROWTH THAT HAS OCCURRED DOWNTOWN. ANOTHER, LOTS OF PEOPLE MOVING IN. ANOTHER, THE CITY PLANNERS THAT WE HAVE SOME PLACE ARE DOING A GREAT JOB. I PROMISE WE DIDN'T MAKE UP THE FINDINGS. SO I THINK THAT THE CHARACTERISTIC OF THESE ANSWERS, OPEN-ENDED ANSWERS I THINK ARE VERY IMPORTANT IN TERMS OF TALKING ABOUT THE RICHNESS OF DOWNTOWN AND THE ENERGY AND EXPERIENCE THAT PEOPLE HAVE WHEN THEY GO THERE. AND THE GROWTH IS BY AND LARGE SEEN AS A POSITIVE QUALITY. WE ASKED THEM TO TALK IN THEIR OWN WORDS ALSO ABOUT THE WEAKNESSES OR LIMITATIONS OF DOWNTOWN. THE MOST COMMONLY MENTIONED ANSWER AMONG THESE FOUR STAKEHOLDER GROUPS, BUSINESS OWNERS, PROPERTY OWNERS, EMPLOYEES AND NEARBY RESIDENTS IS PARKING. THIS IS NOT NEW. THIS IS NOT A NEW FINDING IN 2007. NOW, WHEN PEOPLE USE THEIR OWN WORDS TO TALK ABOUT THE PARKING PROBLEM, IT LACKS THE CERTAIN RICHNESS THAT THEY USE TO TALK ABOUT OTHER MATTERS. THEY SAY THINGS LIKE, PARKING IS BAD. THERE'S NOT ENOUGH PARK TO GO KEEP UP WITH GROWTH. THEY NEED TO BUILD MORE PARKING GARAGES IN DOWNTOWN. PARKING IS HORRENDOUS. OR THIS ONE, PARKING HAS IMPROVED, BUT IT'S STILL A PROBLEM. SO THERE ISN'T MUCH TO SAY EXCEPT THEY CONSIDER INADEQUATE PARKING TO BE A WEAKNESS. ALSO, A COMMONLY MENTIONED, AND THIS TOO HAS BEEN

MENTIONED FOR SOME TIME, OUR TRAFFIC AND TRANSPORTATION CONCERNS. TRAFFIC IN DOWNTOWN IS AWFUL. THE FLOW INTO AND OUT OF DOWNTOWN ISN'T EFFICIENT. TRAFFIC IS THE WORST PROBLEM. WE NEED MORE CITY BUS ROUTES, WE NEED TO IMPROVE THE TRANSPORTATION SYSTEM. DAYTIME TRAFFIC IS A DRAG. WE NEED A MASS TRANSIT SYSTEM LIKE A TRAIN OR MORE BUSES. I WILL SAY THAT COMPLETE COMPLAINTS ABOUT TRAFFIC INTO AND OUT OF THE DOWNTOWN AREA HAVE APPEARED IN THE PAST. THEY ACTUALLY ARE APPEARING WITH STRONGER LANGUAGE, NEGATIVE LANGUAGE IN 2007, BUT ALSO NEW IN 2007 ARE COMPLAINTS THAT INCLUDE A RECOMMENDATION THAT REFERENCES PUBLIC TRANSPORTATION SOLUTIONS. WE DID NOT SEE THOSE KINDS OF COMMENTS IN 2005 AND EARLIER. OTHER CONCERNS, TOO MUCH GROWTH. YOU'VE GOT TO LOVE THIS CITY. FOR THE FIRST TIME GROWTH APPEARED AS A REAL STRENGTH. AND ALSO FOR THE FIRST TIME GROWTH APPEARED AS, FOR SOME PEOPLE, A WEAKNESS OR A SHORTCOMING. AND RATHER THAN INTERPRETING THAT AS SOME INDICATION THAT THE FINDINGS MUST BE WRONG, I WOULD SUGGEST THAT INSTEAD IT MEANS THAT PEOPLE ARE SOMEWHAT CONFLICTED. NOT ONLY ONE PERSON FROM THE NEXT, BUT I THINK SOMETIMES WITHIN THEMSELVES. THEY'RE TRYING TO GROW TOO QUICKLY. THEY NEED TO SLOW THE GROWTH DOWN AND CATCH UP. ALL OF THESE LARGE CORPORATIONS DOWN HERE, THE OVERCROWDING IS A PROBLEM. THEY'RE TRYING TO DO TOO MUCH AT ONE TIME. THESE ARE EXAMPLES OF THE KIND OF COMMENTS THAT ARE APPEARING. THERE IS CONCERN ABOUT THE NATURAL ENVIRONMENT. WE SAW THAT IN 2005. IT'S EVEN STRONGER IN 2007. WE SAW FOR THE FIRST TIME SOME COMMENTS ABOUT AIR POLLUTION AND NOISE POLLUTION IN 2007, BUT THEIR COMMENTS ARE THINGS LIKE THE AIR POLLUTION HAS GOTTEN WORSE, WE'RE STARTING TO SEE POLLUTION ESPECIALLY IN THE SUMMERTIME, AND A COMMON REMARK, MORE TREES AND LANDSCAPE NEED TO BE ADDED. WE NEED MORE PARKS AND RECREATIONAL AREAS. SOME CRITICISMS, THE PARKS ARE BEING NEGLECTED, BUT GENERALLY IT'S MORE LIKE THE COMMENT THAT SAYS MORE ATTENTION NEEDS TO BE PAID TO THE ENVIRONMENT. AND I SUSPECT THAT ONE

POSSIBLE INTERPRETATION IS THAT AS MORE CONSTRUCTED AREAS, BUSINESSES, WORKPLACES AND SO FORTH APPEAR DOWNTOWN, THERE IS A COMMENSURATE INCREASE IN CONCERN AND ATTENTION TO THE GREEN SPACES THAT APPEAR WITHIN THAT CONTEXT. AND THE LAST CRITICISM IS SORT OF THE FLIP SIDE OF THE STRENGTHS, AND AGAIN IT'S CONCERN ABOUT HISTORIC PRESERVATION AND SOME LOSS OF THE DISTINCTIVE FEEL THAT IS PART OF AUSTIN'S HISTORY. THESE COMMENTS SAY IT'S TOO CROWDED DOWN THERE NOW. WE'VE HAD A CORPORATE TAKEOVER OF DOWNTOWN. IT ISN'T AS UNIQUE AS IT USED TO BE. PEOPLE AREN'T AS FRIENDLY AS THEY USED TO BE. SOMETIMES WE FORGET ABOUT THE HISTORICAL VALUE OF THE CITY. WE'RE AT A NEXUS NOW WHERE IT'S CLEAR THAT BALANCING GROWTH IS RATHER THAN JUST STRIVING FOR GROWTH, SEEMS TO BE WHAT STAKEHOLDERS ARE CALLING FOR. OH, SORRY. THE LAST SUBSTANTIVE ISSUE ABOUT DOWNTOWN THAT I WANT TO TALK ABOUT TODAY IS TRANSPORTATION TO AND WITHIN DOWNTOWN. YOU CAN SEE HERE THAT THE VAST MAJORITY, TWO THIRDS TO THREE-QUARTERS, HAVE COME TO DOWNTOWN IN THEIR OWN VEHICLE. ROUGHLY 90% COME IN THEIR VEHICLE OR THEY RIDE WITH SOMEONE ELSE. THEY EITHER COME ALONE OR WITH SOMEONE ELSE TO DOWNTOWN. I THINK MORE INTERESTING IS TO LOOK AT THE FINDINGS WITH RESPECT TO TRANSPORTATION WITHIN DOWNTOWN. HOW DO YOU TYPICALLY GET AROUND DOWNTOWN? DO YOU DRIVE YOUR OWN VEHICLE, TAKE PUBLIC TRANSPORTATION OR DO YOU WALK OR RIDE A BICYCLE? 41 TO 46%, NEARLY HALF, GET AROUND DOWNTOWN USING THEIR CARS. IN OTHER QUESTIONS ABOUT A FULLER REPORT, WE ASKED ABOUT PEOPLE WHO USE THE DILLO. AND IF THEY DIDN'T USE THE DILLO WE SAID WHY NOT. AND WE GOT ANSWERS LIKE, BECAUSE I I'VE GOT A CAR. SO PEOPLE ARE LIKELY TO USE THEIR CARS TO GET DOWNTOWN AND TO GET IN AND AROUND DOWNTOWN. AS I MENTIONED EARLIER, ONE OF THE PURPOSES OF THIS SURVEY IS TO ASSESS THE PERFORMANCE OF THE DOWNTOWN AUSTIN ALLIANCE. ROUGHLY 75 TO 90% OF THESE DIFFERENT -- FOUR DIFFERENT STAKEHOLDER GROUPS ARE FAMILIAR WITH THE DOWNTOWN ALLIANCE AND THIS SLIDE DEPICTS THE PERCENTAGE OF THOSE

STAKEHOLDERS WHO GIVE FAVORABLE EVALUATIONS, DESCRIBE THE PERFORMANCE OF THE DOWNTOWN AUSTIN ALLIANCE AS GOOD OR EXCELLENT, AND IT'S APPROXIMATELY 80% OF EACH OF THESE WORK GROUPS. WHEN I GET TO THIS POINT I'M REMINDED OF SOMETHING MY FATHER USED TO SAY. GOOD, BETTER, BEST, NEVER LET IT REST UNTIL YOUR GOOD IS BETTER AND YOUR BETTER BEST. THERE'S A LOT OF VERY POSITIVE NEWS, I THINK, IN THIS -- THESE RESEARCH FINDINGS, BUT THEY DON'T DESCRIBE THE JOB AS GETTING LIGHTER OR EASIER. STAKEHOLDERS WERE ASKED HOW IMPORTANT IT WAS THAT THE DOWNTOWN AUSTIN ALLIANCE PURSUE EACH OF THESE, I BELIEVE, 12 DIFFERENT AREAS OF ACTIVITY FROM HOUSING TO TREE PLANTING TO SHOPPING TO SECURITY AND SO FORTH. AND THERE'S ALMOST NO DIFFERENTIATION. THEY THINK ALL OF THOSE ARE REALLY QUITE IMPORTANT. THEY ALL MOSTLY GET MEANS BETWEEN 8.0 AND 8.5. AND WE ASKED THEM TO SPEAK ABOUT THIS IN THEIR OWN WORDS AS WELL USING OPEN-ENDED QUESTIONS. AND THEIR SUGGESTIONS FOR THE DAA'S ATTENTION, THERE'S NO SENSE THAT THESE ARE THINGS THE DAA COULD ACCOMPLISH ON ITS OWN. THESE AREN'T REALLY CITY FUNCTIONS, BUT THEY WERE TO IMPROVE PARKING, TO SOLVE THE TRANSPORTATION PROBLEMS, AND TO ENSURE FUTURE BEAUTIFICATION GOING FORWARD. THERE WERE SOME SORT OF AMAZING FINDINGS. ONE OF THE -- NOT ONE OF. A FEW PEOPLE, SEVERAL PEOPLE, SAID THAT THEY WANTED THE DOWNTOWN AUSTIN ALLIANCE TO CREATE OPPORTUNITIES FOR PEOPLE TO VOLUNTEER IN DOWNTOWN AUSTIN. THAT WAS SOMETHING WE HADN'T SEEN BEFORE. BUT THAT SENSE OF WANTING TO REAP A PART OF IT I THOUGHT WAS QUITE REMARKABLE. SO THE LAST SLIDE IS A SUMMARY AND THEN I'D BE HAPPY TO TAKE QUESTIONS. THE EVALUATIONS OF DOWNTOWN ARE REALLY QUITE FAVORABLE IN TERMS OF NEARLY EVERY DIMENSION WE MEASURED, THE STRENGTHS INCLUDE INTANGIBLES LIKE CHARACTER, ATMOSPHERE, EVENTS, AND THE GROWTH THAT'S HAPPENING DOWNTOWN. THE DAA IS FAVORABLY EVALUATED BY ITS STAKEHOLDER GROUPS AND SOME CHALLENGES REMAIN. IN PARTICULAR PARKING AND TRANSPORTATION. THESE SHOULDN'T BE SURPRISING. AS WELL AS ONGOING CONCERN ABOUT ATTENTION TO ALL

GREEN SPACES AND RETAINING SOME OF AUSTIN'S  
DISTINCTIVE CHARACTER AS IT GROWS.

THANK YOU, DR. CRANE. QUESTIONS FOR DR. CRANE,  
COUNCIL? COUNCILMEMBER KIM.

Kim: THANK YOU FOR THIS SURVEY. I THINK IT'S VERY GOOD  
FOR US TO HAVE FEEDBACK FROM THE COMMUNITY AT  
LARGE ABOUT THE PERCEPTION 'ABOUT DOWNTOWN. ONE  
OF THE THINGS THAT HAS BEEN RAISED TO ME IS THAT  
THERE'S A LACK OF CONVENIENCE STORES IN THE EAST  
PART OF DOWNTOWN OVER BY THE DOWNTOWN HILTON,  
WHERE THERE'S A LOT OF RESIDENTIAL GOING UP. IS THAT  
SOMETHING THAT THE DAA IS LOOKING AT, THAT YOU'RE  
WORKING WITH THEM ON?

I SHOULD PROBABLY ASK CHARLIE TO SPEAK TO THAT  
POINT, CHARLIE BETTS. I WILL SAY THAT WE DIDN'T SEE  
MUCH ABOUT THAT. I MEAN, MAYBE IT CAME UP ONCE OR  
TWICE OUT OF 550, BUT THERE WASN'T A STRONG DEMAND  
FOR THAT. NOT TO SAY THAT IT'S NOT A -- NOT TO SAY THAT  
IT'S NOT A REAL ISSUE.

COUNCILMEMBER KIM, THE DAA AND THE ECONOMIC  
DEVELOPMENT DEPARTMENT OF THE CITY A YEAR AND A  
HALF AGO JOINT VENTURED A RETAIL STRATEGY. AND WE  
ARE IN THE PROCESS OF RECRUITING RETAIL TO  
DOWNTOWN. AND THAT IS ONE OF OUR GOALS, WHAT  
YOU'RE REFERRING TO.

Kim: AND IF THERE ARE CONVENIENCE STORE OWNERS OR  
OPERATORS THAT ARE INTERESTING IN HAVING A LOCATION  
WHERE THERE'S A DEMAND, SHOULD THEY CONTACT YOU  
OR WHO SHOULD THEY CONTACT?

YES, CONTACT THE DAA, MOLLY ALEXANDER HEADS THAT  
UP. WE ARE CURRENTLY RECRUITING RETAIL AND HAVE HAD  
SOME SUCCESSES DOWNTOWN.

Kim: GREAT. ANOTHER QUESTION I HAVE HAS TO DO WITH  
AFFORDABILITY. I KNOW THERE WAS A COMMENT, TOO  
MANY HIGH END CONDOS AND HI-RISES DOWNTOWN. WHAT  
WERE THE PERCEPTIONS OF AFFORDABILITY DOWNTOWN IN



THE CITY?

I REALLY APPRECIATE THESE QUESTIONS, AND AS YOU ASK THEM I HAVE TO SORT OF THINK WHAT CLUE IS THERE IN THE DATA? BECAUSE THE PURPOSE OF THE STUDY WAS NOT TO ADDRESS THAT. I THINK OUR SORT OF BEST INDICATION OF THAT, COUNCILMEMBER KIM, COMES WHEN PEOPLE ARE ASKED TO DESCRIBE DOWNTOWN AUSTIN, AND I WOULD REFER -- CAN I GO BACK THROUGH THESE SLIDES? I CAN JUST TELL YOU WHERE IT IS. I THINK YOU HAVE A HARD COPY, DO YOU NOT? DO YOU HAVE A HARD COPY?

Kim: YES.

OKAY. YOU KNOW, THIS HAS BEEN A CONCERN OF THE DOWNTOWN AUSTIN ALLIANCE THAT DOWNTOWN AUSTIN NOT BECOME AN EXCLUSIVE PLACE EITHER ONLY FOR YOUNG PEOPLE OR ONLY FOR WELL TO DO PEOPLE. AND THAT WAS THE BASIS FOR ASKING SOME OF THE QUESTIONS THAT APPEAR ON THE SLIDE THAT SHOWS THE IMAGE OF DOWNTOWN AUSTIN. PAGE 8, WE ASKED THEM WHETHER THEY THOUGHT IT WAS AN EXCLUSIVE PLACE, AND THE FIRST STAKEHOLDER GROUP GAVE MEANS BETWEEN 4.3 AND 5.4, WHICH IS REALLY IN THE MIDDLE OF THE SCALE, BELOW AVERAGE. THAT'S REALLY LOW, THE ACTUAL EMPIRICAL MEAN ON A 10-POINT SCALE. SO THEY DON'T PERCEIVE IT AS EXCLUSIVELY THAT TYPE OF PLACE. BUT EMPLOYEES, PROPERTY OWNERS AND RESIDENTS --

Kim: I JUST WONDER WHAT THE RESPONSE WOULD BE IF THE QUESTION WERE MORE CLEAR THAT DO YOU FEEL AS A CITIZEN OF AUSTIN THAT DOWNTOWN IS ONLY A PLACE FOR THOSE WHO ARE WEALTHY, WHO CAN LIVE THERE? A LOT OF PEOPLE OF ALL INCOME RANGES THAT COME DOWNTOWN, WORK DOWNTOWN, SERVICE PROVIDERS TO PEOPLE WHO ARE ENJOYING THE RESTAURANTS AND NIGHT LIFE AND ALL THE DIFFERENT AMENITIES OF DOWNTOWN, BUT WHEN IT COMES TO LIVING DOWNTOWN, THE PERCEPTION I GET TALKING TO A LOT OF PEOPLE IS IS IT ONLY A PLACE FOR THOSE WHO HAVE HIGH INCOME WHO CAN AFFORD TO LIVE DOWNTOWN.

I DON'T DISAGREE WITH YOU, BUT NOR CAN I COMMENT

FROM THAT FROM THE LIMITATIONS OF THIS DATA. THEY SIMPLY DON'T SPEAK TO THAT IN A DIRECT MANNER.

Kim: AND HOW OFTEN DO YOU DO THE SURVEY?

THE DAA HAS BEEN CONDUCTING THE SURVEYS OF PERCEPTIONS OF DOWNTOWN AUSTIN BIANNUALLY. EVERY TWO YEARS. SO THIS IS THE SEVENTH DATA COLLECTION SINCE 1995. AND WITHIN THAT CONTEXT ONE OF THE THINGS THAT I CAN TELL YOU IS THAT THE FINDINGS OVER THAT 12-YEAR PERIOD HAVE CHANGED ENORMOUSLY. EVERY SINGLE DIMENSION THAT WE MEASURE IS MEASURED MORE FAVORABLY IN 2007 THAN IT WAS IN 1995. AND THERE WERE MANY THAT -- NOT MANY. THERE WERE SOME THAT WERE NOT MEASURED. DOWNTOWN IS A PLACE TO LIVE. CERTAINLY IT WAS NOT ONE OF THE MEASURES INCLUDED IN 1995.

Kim: SURE. IT'S JUST INTERESTING TO FIND OUT WHAT THE COMMUNITY FEELS THE INCOME MIX SHOULD BE OF RESIDENTS DOWNTOWN, IF WE'RE GOING TO BE ADDING 25,000 PEOPLE, WHAT DO PEOPLE ENVISION IN TERMS OF THE ECONOMIC DIVERSITY OF THAT POPULATION? THANK YOU.

Mayor Wynn: FURTHER COMMENTS? COUNCILMEMBER COLE.

Cole: I REALLY APPRECIATE THIS BODY OF WORK AND I'M REALLY TRYING TO WRAP MY BRAIN AROUND IT IN TERMS OF WHAT IT MEANS TO THE OVERALL VIEWPOINT OF THE CITIZENS WHO ARE COMING DOWNTOWN TO LIVE, WORK AND PLAY. AND I NOTICE THAT THE SAFETY DURING THE DAY WAS QUITE A BIT HIGHER THAN THE SAFETY DURING THE NIGHT. AND I WANTED YOUR COMMENTS ON THAT. HERE'S WHAT I CAN TELL YOU, SINCE 1995 EVALUATIONS OF SAFETY IN THE DAY HAVE BEEN HIGHER THAN EVALUATIONS OF SAFETY AT NIGHT EVERY DATA COLLECTION AND OVER THAT 12 YEAR PERIOD. PEOPLE FEEL SAFER DURING DAYLIGHT HOURS THAN THEY DO AT NIGHTTIME HOURS. AND TO SOME EXTENT IT IS UNREALISTIC TO EXPECT THOSE TO CONVERGE. IT'S A QUALITY OF THE NIGHT IS HEIGHTENED CONCERN ABOUT ONE'S SAFETY. PERCEPTIONS OF SAFETY DURING THE DAY AND PERCEPTIONS OF SAFETY DURING

THE NIGHT HAVE BOTH IMPROVED OVER TIME, BUT CERTAINLY SAFETY AT NIGHT HAS NEVER BEEN AS FAVORABLE AS SAFETY DURING THE DAY.

Cole: LET ME ASK YOU ANOTHER FOLLOW-UP QUESTION. WE'VE RECENTLY BEGAN THE CONSTRUCTION WORK ON THE TUNNEL FOR WALLER CREEK AND THINKING ABOUT THE AMENITIES THAT MIGHT GO ALONG THE CREEK. I WOULD LIKE TO WORK WITH YOUR OFFICE IN THE FUTURE TO ADD SOME QUESTIONS IN THE SURVEY ABOUT THE TYPE OF AMENITIES THAT PEOPLE WOULD LIKE TO SEE DOWNTOWN. I NOTICED THE QUESTIONS ABOUT HISTORIC BUSINESS AND ENTERTAINMENT DISTRICTS OR IF WE THINK WE HAVE TOO MUCH ENTERTAINMENT OR WHAT WOULD BRING FAMILIES DOWNTOWN, THAT TYPE OF INFORMATION.

I THINK THAT MORE QUESTIONS COULD BE ADDED ABOUT THAT. THERE ARE SOME ITEMS AND, COUNCILMEMBER KIM, I THOUGHT OF THIS IN RESPONSE TO YOUR COMMENT EARLIER. IT THERE WERE A FEW QUESTIONS ASKED THAT ARE NOT IN THIS BRIEF SUMMARY, BUT THEY ARE IN THE FULLER REPORT ABOUT THE IMPACT OF POTENTIAL CHANGES TO EAST SIXTH STREET. THEY'RE ASKED BROADLY, WOULD YOU BE MORE LIKELY TO PAY PATRONIZE EAST SIXTH STREET IF THERE WERE MORE RESTAURANTS, MORE RETAIL BUSINESSES, MORE MUSIC VENUES AND SO FORTH AND THEY RESPOND FAVORABLY TO ALL OF THEM. MOST FAVORABLY TO NEW RESTAURANTS ALONG SIXTH STREET. BUT TO RETAIL AS WELL. WHAT WE DON'T HAVE IN THIS STUDY, AND I KNOW THE DAA HAS PURSUED IN OTHER STUDIES, MUCH MORE DETAILED INFORMATION ABOUT THE TYPES OF BUSINESSES, THE TYPES OF RESTAURANTS, THE TYPES OF RETAIL ESTABLISHMENTS THAT PEOPLE THINK WOULD BE MOST APPROPRIATE OR THAT THEY WOULD BE MOST LIKELY TO PATRONIZE. AND THIS STUDY GOES BROAD, BUT IT DOESN'T GO DEEP.

Cole: OKAY. THANK YOU.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: THANK YOU VERY MUCH FOR A VERY HELPFUL SURVEY. ONE OF THE THINGS THAT WE HAVE ACTUALLY

LEARNED ABOUT RECENTLY WAS THE IDENTIFICATION OF THE LACK OF PARKING AS AN ISSUE, AND ALSO OF THE GROWING PUBLIC INTEREST IN THE MASS TRANSIT SYSTEM THAT SERVES DOWNTOWN. AS A RESULT, ONE OF THE THINGS THAT I EXPECT IS GOING TO COME FORWARD NEXT WEEK IS THAT ON THIS MONDAY, COMING MONDAY IN OUR LAND USE TRANSPORTATION COMMITTEE, MAYOR PRO TEM DUNKERLEY AND I AND COUNCILMEMBER COLE ARE GOING TO BE CONSIDERING THE ITEM TO CREATE OUR PUBLIC PARKING ENTERPRISE FUND. THAT WOULD TAKE THE PROFITS THAT WOULD FINANCE NEW PARKING IN DOWNTOWN AND USE THE PROFITS FROM THOSE PUBLICLY OWNED PARKING GARAGES TO FINANCE EXPANSIONS OF OUR TRAIL SYSTEM AND EXPAND OUR TRANSIT INFRASTRUCTURE SO THAT WE WILL ACTUALLY HAVE A TOOL THAT I EXPECT WILL COME TO THIS CITY COUNCIL NEXT THURSDAY THAT WILL MARK AUSTIN'S MOST PRACTICAL AND AMBITIOUS ENTRY INTO CREATING A PUBLIC PARKING ENTERPRISE TO FUND TRAILS AND TRANSIT SO THAT WE CAN PROACTIVELY ADDRESS THE VERY ISSUES THE SURVEY HAS IDENTIFIED AS SOMETHING OF GREAT PUBLIC INTEREST. SO THIS IS VERY HELP FOFL US AS WE WORK TO MEET THE PUBLIC INTEREST TO HAVE A GREAT DOWNTOWN. THANKS.

WONDERFUL.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? AGAIN, THANK YOU, DR. CRANE.

THANK YOU VERY MUCH, MAYOR PRO TEM. WELL, ANY SORT OF FOLLOW-UP THOUGHTS OR COMMENTS? THANK YOU ALL VERY MUCH FOR THE PRESENTATION AND THE DATA FOR US. COUNCIL, THAT I BELIEVE CONCLUDES OUR -- WELL, THEN WITHOUT OBJECTION YOU MAY COME FORWARD SINCE WE JUST HAD THIS BRIEFING. WE NORMALLY DON'T HAVE TESTIMONY REGARDING A BRIEFING. IF YOU COULD PLEASE STATE YOUR NAME FOR THE RECORD AND LIMIT YOUR COMMENTS TO THREE MINUTES. WELCOME.

MAYOR, COUNCIL, PLEASE, I'VE BEEN HERE SINCE 1999 AND THE POLICE DIDN'T PROTECT ME FROM THE DRUG DEALERS. WHENEVER I MOVE TO, (INDISCERNIBLE). THEY WOULD SEND

THE PEOPLE WHO ARE SELLING DRUGS IN THE STREET FOR THEM TO BE (INDISCERNIBLE). THEN WHEN I REPORT TO THE POLICE, THE POLICE WILL SAY THAT I HAVE MENTAL PROBLEM. THAT'S WHY I'M REPORTING SUCH INCIDENT. THEY FOLLOW ME TO THE BATHROOM AND REMOVE MY DRESS, SHE WOULD SEE HOW THE DRUG DEALERS ARE ABUSING MY BODY IN THE NIGHT. I LIVE IN (INDISCERNIBLE) FROM NOVEMBER LAST YEAR. THEY BROKE INTO MY APARTMENT, THEY BROKE THE WINDOW. I WENT INTO MY APARTMENT. AND THEY STOLE MY THINGS. THEY ROBBED MY (INDISCERNIBLE) TWICE IN THE STREET. WHEN I CALL THE POLICE, THE GOOD POLICE WILL COME. THE GOOD POLICE WILL TAKE REPORT. WHEN THEY ASSIGN THE CASE TO THE DETECTIVE, THE DETECTIVE (INDISCERNIBLE). I GOIF THE DETECTIVES WHO ARE -- I GIVE TO THE DETECTIVES WHO ARE SUPPORTING THE DRUG DEALER. BECAUSE SOMETHING HAPPENED IN WASHINGTON, THEN THE BLACK (INDISCERNIBLE) AND GIVE TO ME AND TOLD ME ANYBODY THAT LOOK AT YOU TWICE IN THE STREET, BLACK OR SPANISH MOST ESPECIALLY. (INDISCERNIBLE). IT'S A BLACK MAN. BUT HERE THE BLACK PEOPLE TOOK UP WITH THE MEXICANS AND THE SOUTH AMERICANS. THEY BROKE INTO MY APARTMENT TWICE DOWN HERE. THEY ROBBED MY PURSE TWICE DOWNTOWN HERE. THEN I MOVED IN NOVEMBER TO THE NORTH NOW. BEFORE I GO HOME FROM WHERE I WENT, MY APARTMENT HAS BEEN BROKEN INTO. I CALL A LOCKSMITH TO INSTALL A LOCK. (INDISCERNIBLE) BEFORE I CAME LAST MONDAY, THE KEYS, THE LOCKS WERE ON ALL THE TIME. AS I COME HERE IN THE AFTERNOON BEFORE I GO HOME IN THE EVENING, MY ROOM -- MY APARTMENT WOULD BE SPRAYED WITH SOME KIND OF A [ BUZZER SOUNDS ]

Mayor Wynn: MA'AM, PLEASE CONCLUDE YOUR COMMENTS. WE NORMALLY DO NOT TAKE PUBLIC TESTIMONY AT A BRIEFING. WE EMPATHIZE WITH WHAT APPEARS TO BE COMPLAINTS THAT NEED TO BE MADE TO OUR POLICE DEPARTMENT. AND/OR IF YOU'RE NOT SATISFIED WITH THE RESPONSE FROM OUR POLICE DEPARTMENT, YOU COULD CONTACT EITHER OF OUR OFFICES OR THE POLICE MONITOR'S OFFICE IF YOU'RE NOT SATISFIED WITH THE POLICE REPORT. BUT THIS PRESENTATION WE HAD JUST

THIS MORNING WAS A VERY SPECIFIC PRESENTATION REGARDING SOME DATA POINTS ON DOWNTOWN AUSTIN, BUT AGAIN, WE EMPATHIZE WITH YOUR -- WHAT APPEARS TO BE A POLICING ISSUE AND ENCOURAGE YOU TO TRY TO CONTINUE TO PURSUE THAT COURSE.

PLEASE, IF YOU CAN CONNECT ME WITH THE COUNSELOR IN CHARGE OF 78758 SO WE CAN SEE ABOUT IT. BECAUSE I CANNOT GO ON FROM THERE. (INDISCERNIBLE).

Mayor Wynn: THE ASSISTANT CITY MANAGER WILL TRY TO GET YOUR INFORMATION AND FIGURE OUT HOW WE CAN HELP YOU OUT. THANK YOU, MA'AM. COUNCIL, AS I WAS MENTIONING EARLIER, I THINK THERE ARE NO LONGER ANY DISCUSSION ITEMS OR POTENTIAL ACTION ITEMS BEFORE US PRIOR TO EITHER EXECUTIVE SESSION OR PUBLIC HEARINGS LATER TODAY. SO WITHOUT OBJECTION, WE'LL GO INTO EXECUTIVE SESSION BRIEFLY PURSUANT TO SECTION 551.071 TO TAKE UP POTENTIALLY LEGAL ITEMS REGARDING USE OF THE CITY'S RIGHT-OF-WAY, ITEM 66 AS POSTED. AND/OR ITEM 71, LEGAL ISSUES REGARDING THE SEARCH FOR THE CITY MANAGER. WE MAY ALSO TAKE UP IN ACCORDANCE WITH SECTION 551.072 OF THE OPEN MEETINGS ACT REAL ESTATE MATTERS, 68 REGARDING THE LEASE HOLD ESTATE ON BLOCK 4, ORIGINATING FROM THE COMPUTER SCIENCE CORPORATION DEAL, CSC, AND/OR ITEM 69 RELATED TO DEVELOPMENT OF THE GREEN WATER TREATMENT PLANT SITE. I ANTICIPATE US BEING IN CLOSED SESSION ONLY FOR 15 MINUTES, COMING BACK IN TIME FOR YOUR NOON CITIZEN COMMUNICATION. WE ARE NOW IN CLOSED SESSION. THANK YOU.

MAYOR: WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP ITEM NUMBER 68 REGARDING THE LEASE HOLD ESTATE. ORIGINAL CSC BUILDING HERE NEXT DOOR. NO DECISIONS WERE MADE. WE'RE NOW BACK IN OPEN SESSION. THERE IS, COUNCIL, I BELIEVE AN ACTION ITEM POSTED RELATED TO THAT PRESENTATION, THAT IS ITEM NUMBER 72, AND IF STAFF IS READY FOR A VERY BRIEF PRESENTATION, WE COULD TAKE UP THAT ITEM. IF NOT, PERHAPS WE'LL HOLD THAT PRESENTATION UNTIL AFTER CITIZEN COMMUNICATION. SO THAT TAKES US TO OUR NOON GENERAL CITIZEN COMMUNICATION. OUR FIRST SPEAKER IS

CAROL ANNE ROSE KENNEDY, TO BE FOLLOWED BY CID GALINDO. I THINK WE AT LEAST HAVE A REAL BRIEF STAFF PRESENTATION THAT WE CAN DO AT 12:30. CAROL ANNE ROSE KENNEDY. WELCOME. TO BE FOLLOWED BY CID GALINDO.

GOOD MORNING. THANKS FOR HAVING ME. EVER SINCE THE CHANGE OF THE MILLENNIUM I'VE BEEN TRYING TO GET MY FAMILY FOR CHRISTMAS TO DO NO PRESENTS, JUST YOUR PRESENCE. SO SEVEN YEARS LATER I THINK IT'S GOING TO KICK IN THIS CHRISTMAS. AND I'D LIKE TO PASS IT AROUND. MILLENNIUM CHRISTMAS. I DO CHRISTMAS ALL YEAR LONG BY THE WAY OF A PHONE CALL OR MAYBE A SONG. I MIGHT BUY YOU FLOWERS OR TAKE OUT YOUR TRASH OR TAKE TO YOU THE DOCTOR RIGHT BEFORE YOU ASK. FRESH BAGELS ARE GOOD, SUMMER, WINTER, SPRING OR FALL. I BUY A BAKER'S DOZEN FOR THE PRICE OF 12 SO I CAN SPREAD THEM REALLY FAR. I LOOK OUT FOR YOUR MOTHER, I'LL LOOK OUT FOR YOUR KID, I'LL PRETEND I DIDN'T SEE THE SHENANIGAN YOU DID. LET'S GO FOR A WALK, LET'S GO OUT TO BREAKFAST, MY PRESENT TODAY IS TO STAY BEING ONE OF US. THANK YOU.

Mayor Wynn: THANK YOU. NEXT SPEAKER IS CID GALINDO. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY JENNIFER GALE.

MAYOR AND COUNCILMEMBERS. THANK YOU. I'M CID GALINDO. I'M A MEMBER OF THE PLANNING COMMISSION. AND I'M PROUD TODAY TO BE HERE REPRESENTING THE HARD WORKING MEMBERS OF YOUR PLANNING COMMISSION, TWO OF WHICH ARE HERE WITH ME AND I'M HONORED TO HAVE THEIR PRESENTATION IN THIS LITTLE PRESENTATION. OH, HERE'S DAVE SULLIVAN, OUR CHAIR. AND TRACY AT KINS ALSO A MEMBER OF THE COMMISSION. THE COMMISSION BEGAN TWO YEARS AGO STUDYING THE IMPACT OF THE GROWTH RATES THAT WE'RE EXPERIENCING HERE IN AUSTIN TRYING TO UNDERSTAND A LITTLE BIT ABOUT THAT -- WHAT THAT MEANS FOR THE FUTURE OF OUR CITY. ONE OF THE THINGS WE HAVE BEEN WORKING ON IS A FRAMEWORK FOR GROWTH ABOUT HOW WE MIGHT BEGIN TO ABSORB THE POPULATION THAT WE ALL RECOGNIZE IS COMING AND UNDERSTAND WHAT SOME OF OUR OPTIONS

ARE IN DEALING WITH THAT. AND WHAT WE HAVE DONE IS CREATED A CONCEPTUAL FRAMEWORK THAT WILL ALLOW US TO BEGIN A COMMUNITY DIALOGUE THAT WILL HELP US REALLY THINK ABOUT WHAT'S THE KIND OF CITY THAT WE'RE TRYING TO BUILD FOR OUR COMIRNCHILDREN AND OUR GRANDCHILDREN AS WE CONTINUE TO GROW. ABOUT TWO WEEK AGO, THE PLANNING COMMISSION TOOK A VERY IMPORTANT VOTE ON A RESOLUTION WHICH WE'RE HERE TO ASK OR REQUEST THAT YOU ACT ON. AND I THINK IN FOLLOWING APPROPRIATE PROTOCOL, I WOULD LIKE TO INVITE THE CHAIRMAN OF THE PLANNING COMMISSION, DAVE SULLIVAN, TO COME AND FORMALLY REQUEST THAT YOU TAKE UP OUR RESOLUTION AT YOUR EARLIEST CONVENIENCE. SO DAVE, DO YOU WANT TO COME UP WITH ME AND SHARE WHAT I THINK IS A PRETTY IMPORTANT MOMENT?

COUNCIL, I'M NOT ON THE AGENDA. IS IT OKAY FOR ME TO MAKE THE STATEMENT?

Mayor Wynn: ABSOLUTELY.

WE'VE LEARNED THAT THE COMMISSION HAS TO APPEAR BEFORE YOU WHEN WE PASS A RESOLUTION AND WE WANT TO YOU ACT ON SOMETHING. SO AS CID MENTIONED, WE ARE FORMALLY REQUESTING THAT YOU PUT ON YOUR AGENDA AN INITIATION OF REVIEW OF THE COMPREHENSIVE PLAN. AND WE REALLY DO HAVE A TWO OR THREE-STEP PROCESS LINED OUT WHERE THE FIRST STEP WOULD BE TO SIMPLY TAKE ALL THE EXISTING ACTIONS THAT YOU HAVE TAKEN OVER THE LAST COUPLE OF DECADES AND PUT THAT IN AUSTIN TOMORROW PLAN SO THAT IT'S UPDATED TO INCLUDE THE S.O.S. ORDINANCE, THE BALCONES CANYON LAND PLAN, THE DESIRED DWOABT ZONE, DRINKING WATER PROTECTION ZONE, AFFORDABLE HOUSING REQUIREMENTS, CORE TRANSIT CORRIDORS, ETCETERA. THEN THE NEXT STEP AFTER THAT WOULD BE TO GO INTO PLANNING FOR THE NEXT 50 YEARS. SO WE HAVE FORMALLY PASSED A RESOLUTION ASKING FOR A MULTISTEP PROCESS, AND I UNDERSTAND THAT YOU HAVE THAT ON YOUR AGENDA FOR NEXT WEEK. WE'RE VERY HAPPY ABOUT THAT. THANK YOU.



Mayor Wynn: THANK YOU.

I THINK I WAS INFORMED THAT COUNCILMEMBER MARTINEZ HAS ASKED THAT THAT BE TAKEN UP NEXT WEEK AND I WANT TO JUST LET YOU KNOW WE APPRECIATE THAT. THANK YOU ALL.

Mayor Wynn: THANK YOU, MR. GALINDO FOR ALL YOUR SERVICE. JENNIFER GALE SIGNED UP WISHING TO SPEAK. JENNIFER GALE. TO BE FOLLOWED BY GUS PENA. WELCOME BACK, GUS. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY RICHARD HALLPIN.

GOOD MORNING, IT'S PENA. PENA IS SPANISH FOR PINEAPPLE. FIRST OF ALL, I'D LIKE TO THANK COUNCILMEMBER SHERYL COLE FOR HER EFFORTS IN THE COMMUNITY. IT'S BEEN OBSERVED AND REFLECTED BY MANY IN THE COMMUNITY YOU'RE A HARD WORKER OUT THERE. THANK YOU FOR EVERYTHING YOU DO. I PRAISE AND I CRITICIZE, BUT I PRAISE YOU TODAY AND MAYBE SOME OTHER TIME YOU ALL ALSO. MAYOR AND COUNCILMEMBERS, MY BACKGROUND GOES WAY BACK TO VARIOUS MAYORS AND VARIOUS CITY MANAGERS. YOU'RE NOT THE FIRST MAYOR TO HELP, WILL. TOBY FUTRELL IS NOT THE FIRST CITY MANAGER THAT I'VE SUPPORTED. DAN DAVIDSON, JORGE CORESCO, BE OTHERS. CHIEF DIE DYSON, CHIEF ELIZABETH WATSON AND CHIEF KNEE. AND ANOTHER ONE THAT I WON'T MENTION BECAUSE HE WAS PRETTY DISCRIMINATORY. AND WE HAVE HAD EFFECTIVE RELATIONSHIPS IN DEALING WITH THE CHIEFS AND POLICE OFFICERS AT THIS TIME AND THIS TIME. I WILL MENTION THIS ALSO THAT THERE ARE ISSUES TO BE IMPROVED ON IN CRIME IN AUSTIN. WE HAVE A GROUP OF PEOPLE WHO ARE TRAINED OBSERVERS, FORMER PEACE OFFICERS, PEOPLE WHO HAVE SERVED IN THE MILITARY WHO ARE TRAINED TO SNOOP AND POOP. SNOOP IS TO OBSERVE, POOP IS TO GET INFORMATION ON CRIME BEING DONE AND COMMITTED BY HOMEYS, GANG MEMBERS AND OTHER PEOPLE, FOLLOWING PEOPLE, GENERALLY HARASSING PEOPLE. WE HAVE VIDEO CAMERAS WITH THEM ALSO. SO HOMEYS, YOU FOLLOW PEOPLE YOU WILL ALSO BE FILMED AND YOUR LICENSE PLATE NUMBER WILL BE TAKEN DOWN ALSO. SO WORD TO THE WISE, HOME YESES, YOU WILL NOT TAKE OVER OUR

YOUTH. THAT WILL STOP. IT'S TOO MUCH PROBLEM OUT THERE. I'M HOLDING CHIEF ACEVEDO RESPONSIBLE FOR ADDRESSING THE CRIME HERE IN AUSTIN. I THINK OUR OFFICERS HAVE DONE A GOOD JOB. THERE HAVE BEEN OTHER ISSUES I WILL NOT SPOAT. I ALWAYS TELL THE POLICE OFFICERS, YOU STEP OVER THAT LINE, I WILL BE AGAINST YOU FOR WHAT YOU HAVE COMMITTED. OTHER ISSUES, CRIME IS ON THE INCREASE. APPROPRIATE FUNDING FOR OVERTIME FOR MORE POLICE OFFICERS ON THE STREETS, A GOOD ARTICLE CAME OUT IN THE PAPER. NOT JUST THE HOLIDAYS. CRIME IS PREVENT NOT JUST DURING THE HOLIDAY, BUT WE NEED MORE OFFICERS. IF YOU'RE WILLING TO WORK OVERTIME AND YOUR DAYS OFF, YOU'RE WILLING TO WORK AND ABLE TO WORK, ALLOW THEM OVERTIME TO WORK. WE NEED THE OFFICERS OUT THERE. THEY NEED HELP OUT THERE. VETERANS ISSUES. I ADVOCATE NEEDS FOR HOUSING, JOBS, HEALTH CARE, ETCETERA. A LOT OF VETERANS COME IN FROM IRAQ AND AFGHANISTAN WITH PTSD, SOMETHING AKIN TO VIETNAM. NOT ENOUGH MONEY HAS BEEN FUNDED FOR MHMR, MENTAL HEALTH AND MENTAL RETARDATION. WE NEED THE FUNDING. AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, DAVE EVANS, THE DIRECTOR, IS DOING A DARN GOOD JOB. WE NEED MORE FUNDING FOR MHMR AND PTSD. THANK YOU AGAIN, MAYOR AND COUNCILMEMBERS, POLICE CHIEF. REMEMBER THAT. YOU'RE OUT THERE FOR THE PUBLIC. THANK YOU.

Mayor Wynn: THANK YOU, MR. PENA. RICHARD HALPIN. OH, I HAD CALLED JENNIFER GALE. JENNIFER, YOU WILL BE FOLLOWED BY RICHARD.

THANK YOU, MAYOR WYNN, AUSTIN CITY COUNCIL. IT IS VERY GOOD TO BE BACK HOME, COMING IN FROM DALLAS. IT FEELS LIKE A VERY CLOUDY FIRST THURSDAY. AND IT'S THE THIRD DAY TO LIGHT THE MENORAH. IT'S GOOD TO BE BACK HOME TO BEGIN COLLECTING SIGNATURES TO RUN FOR COUNCIL. DOES ANYONE KNOW HOW MANY SIGNATURES YOU NEED THIS YEAR TO GET ON THE BALLOT? OKAY. THANK YOU. SO ANYONE THAT'S 18 YEARS OR OLDER CAN SIGN UP FOR PLACE 5, 4 AND PLACE 3 ON THE AUSTIN CITY COUNCIL, AND I RECOMMEND THAT EVERYONE IN AUSTIN THAT'S OLDER THAN 18, CONSIDER RUNNING FOR CITY

COUNCIL. WE ALSO HAVE (INDISCERNIBLE) AT THE CAPITOL. IT'S THE ONE DAY OF THE YEAR THEY PUT THEM ON SALE. AND YOU GET FREE MAPS. THE GIFT SHOP JUST OUTSIDE THE CAPITAL. I'LL BE ASKING PEOPLE TO SIGN MY PETITION AT SIXTH AND NORTH LAMAR OUTSIDE WATERLOO RECORDS IN THE EVENING HOURS AFTER 6:00 P.M. I WANT TO RUN FOR THE 21st CONGRESSIONAL DISTRICT. WE'RE HAVING A PROBLEM WITH OUR POLICE OFFICERS. AND DOES THAT MEAN BETTER EDUCATION? DOES THAT MEAN MORE TRAINING? YOU KNOW, DO PEOPLE HAVE TO THROW UP THEIR HANDS AND SAY DON'T TASE ME, BROTHER. DON'T TASE ME, BRO? OR DO THEY SAY DON'T SHOOT ME IN THE BACK? DON'T SHOOT ME IN THE BACK? DO THEY TELL THE POLICE OFFICERS NOT TO SHOOT THEM IN THE BACK? WE HAVE VERY, VERY AGGRESSIVE POLICE OFFICERS. A POLICE OFFICER HAD A TASER TO A MAN'S NECK UP HERE AT BLUFF SPRINGS. HE WAS GOING TO TASE THE GUY THAT WASN'T DOING ANYTHING WRONG. I TALKED -- HE WAS GOING TO TASE HIM UNTIL I TOLD HIM TO FOLLOW THE OFFICER'S ORDERS. OUR OFFICERS DON'T HAVE TACT. AND THEY ARE STILL HARASSING THE HOMELESS. SO I'M ASKING TO YOU WORK WITH OUR POLICE OFFICERS. THEY GET AT LEAST \$52,000 FOR A FIRST YEAR. CHICAGO POLICE OFFICERS, 42,000. DALLAS POLICE OFFICERS, 42,000. DALLAS POLICE OFFICERS SHOT A 15-YEAR-OLD THAT DIDN'T HAVE ANY WEAPONS. THEY SHOT ANOTHER YOUNG MAN THAT DIDN'T HAVE ANY WEAPONS. AND OF COURSE, OUR OFFICE, OUR LADY OFFICER SHOOTING ANOTHER PERSON IN THE BACK. SO NEXT WEEK WE CAN LOOK FORWARD TO A WINTER WONDERLAND WITH OR WITHOUT SNOW. THANK YOU, COUNCIL CITY COUNCIL.

Mayor Wynn: THANK YOU, JENNIFER. WELCOME, RICH. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY TED ROAN.

THANK YOU. I'M WITH AMERICAN YOUTH WORKS. I MADE A PROMISE TO MANY OF YOU, ALL OF YOU, IN FACT, I SAID IF YOU INVESTED MORE IN AMERICAN YOUTH WORKS AND WE DID A BETTER JOB, WE WOULD GO OUT AND RAISE THE NOUN MATCH YOUR FUNDS. IF YOU LOOK AT THE SLIDE THERE'S A BIG SILVER STAR THERE TO HANG ON YOUR CHRISTMAS TREE OR MENORAH SHOWING A 10 TO ONE

MATCH FOR THE MONEY YOU PUT UP TO AMERICAN YOUTH WORKS. THANK YOU. I THINK TOO OFTEN WE MAKE PROMISES AND THEN WE DON'T COME THROUGH AND SAY DID WE MEET THE PROMISE OR NOT? SO PROMISE KEPT, LADIES AND GENTLEMEN. WHAT IF WE TOOK UNEMPLOYED, UNTRAINED HOMELESS YOUTH AND ADULT OPERATIONS, WE INFORMED THEM INTO TRAINED, READY TO WORK TAX PLAYERS VERSUS TAX SPENDERS. WHAT CAN THEY BECOME TRAIN UNDERSTAND AND ABLE TO ACCOMPLISH? HERE'S ONE THAT THE CITY NEEDS, EROSION CONTROL. WE HAVE TRAILS, PARK WAYS WE NEED TO BUILD. YOU'RE TALKING ABOUT BUILDING PARKING GARAGES AND BUILDING TRAILS. WE CAN BUILD THOSE TRAILS FOR YOU. WE'RE KNOWN FOR AWARD WINNING TRAIL BUILDERS ALL ACROSS THE UNITED STATES. WHY DON'T WE STOP THE TREND OF YOUNG PEOPLE WHO GET INTO TROUBLE AND TRANSFORM SITUATIONS LIKE THIS WHERE THEY GO TO JAIL FOR HUNDREDS OF THOUSANDS OF DOLLARS A PIECE AND THEY BECOME INSTEAD OF THIS SLIDE WHERE YOU HAVE TO PAY SO MUCH MONEY FOR PUBLIC SAFETY THESE YOUNG PEOPLE BECOME THESE OUT OF LUCK, AT RISK YOUTH, NOW BUILD AS ALL OF YOU KNOW, AND HAVE BEEN TO SEE, AWARD WINNING ENERGY EFFICIENT HOMES, GREAT NEW TRAILS, PARKS AND GREENWAYS. THIS WAS A PROVEN WORKFORCE NOW THAT CAN BUILD SOLUTIONS TO CAPITAL IMPROVEMENT PROJECTS YOU HAVE, CLIMATE CONTROL PROJECTS AS THE MAYOR POINTED OUT RECENTLY, WE'RE GOING TO BE DESPERATE TO HAVE PEOPLE WHO ARE ABLE TO DO THAT. HERE'S A SLIDE THAT DOCUMENTS THE VALUE IN TERMS OF TAXPAYERS VERSUS TAX SPENDERS. IT'S PROGRAM LIKE THIS THAT RAISE THE GRADUATION RATE TO 90%. IN TRAVIS COUNTY GENERATE \$117 MILLION IN TAX REVENUE. LADIES AND GENTLEMEN, YOU WILL BE HAVING TAX GENERATORS INSTEAD OF TAX SPENDERS. FOR A FRACTION OF THE BONE JAIL COSTS, THE SAVINGS MORE THAN PAY FOR THEMSELVES AND TURNING PEOPLE INTO EMPLOYABLE WORKERS WHO WILL MEET THE WORK DEMANDS NIGHTBEAT NEEDED TO FACE THE UNFULFILLED CAPITAL IMPROVEMENT PROJECTS, CLIMATE CONTROLLED RETRO FITS AND BECOMING TAXPAYERS VERSUS TAX SPENDERS. THIS IS A RETURN ON A WIN. THIS IS WIN FOR THE TAXPAYERS, WIN FOR THE WORKERS, LESS CRIME, AND

SOLUTIONS TO OUR PROBLEMS. THANK YOU VERY MUCH FOR YOUR ATTENTION. THANKS FOR THE OPPORTUNITY TO MAKE A PROMISE WITH YOU AND GET A SIGNIFICANT INVESTMENT IN RETURN ON THAT PROMISE.

Mayor Wynn: THANK YOU. WE'RE PROUD OF THE PIP. THANKPARTNERSHIP. THANK YOU, TED. TED HAD SIGNED UP WISHING TO SPEAK. TED, WELCOME. YOU WILL HAVE THREE MINUTES, TO BE FOLLOWED BY MONICA NWEVO.

GOOD AFTERNOON, MY NAME IS TED ROAN. I WOULD LIKE TO SPEAK TO YOU TODAY, BUT I WILL LIKE EVEN MORE IF I COULD GIVE UP MY TIME TO TWO OF THE YOUNG MEN I BROUGHT WITH ME TODAY IF THAT'S OKAY WITH THE COUNCIL.

Mayor Wynn: FAIR ENOUGH. WELCOME, GENTLEMEN.

BEFORE I STARTED THE PROGRAM, I WAS NOT DOING GOOD THINGS. I WAS GETTING IN TROUBLE, GOT LOCKED UP, GOT ON PROBATION. DROPPED OUT OF SCHOOL. I HEARD ABOUT THE PROGRAM, AMERICAN YOUTH WORKS. WHEN I WAS STILL IN SCHOOL, GETTING MY DIPLOMA AND THEN I HEARD ABOUT ONE OF THE TEACHERS TOLD ME DO YOU WANT TO JOIN THE PROGRAM? I SAID YES. I JOINED THE AMERICAN YOUTH WORKS CASA VERDE BUILDERS AND SINCE THEN I'VE BEEN THERE TWO YEARS, I'VE ONLY GOT THREE MORE MONTHS TO THE END OF SCHOOL AND AFTER GETTING MY DIPLOMA I'M GOING TO GO TO A.C.C. AND GET A CONSTRUCTION MANAGEMENT DEGREE.

Mayor Wynn: THANK YOU. CONGRATULATIONS. [ APPLAUSE ]

MAYOR, CITY COUNCILMEMBERS, MY NAME IS GEORGE. IMPART OF THE CASA VERDE BUILDERS, THE AMERICAN YOUTH WORKS. BEFORE I WAS PART OF THE PROGRAM, I WAS ON THE WRONG TRACK. I DID NOT GRADUATE. BASICALLY I WAS GETTING INTO PROBLEMS WITH THE LAW OFFICERS, YOU KNOW. WHEN I FOUND OUT ABOUT THE PROGRAM, I REALLY TOOK IT INTO CONSIDERATION THAT BUILDING HOMES FOR LIKE FIRST TIME HOME BUYERS WAS A GOOD THING FOR THE COMMUNITY. I REALLY LIKE IT A LOT BECAUSE I GET TO CERTAIN SOMETHING EVERYDAY,

SOMETHING NEW. ALSO WE'VE GOT GOOD TRAINERS SUCH AS TED, ROB. AND WHAT I WOULD LIKE TO DO WITH MY FUTURE IS BE AN ELECTRICIAN. BECAUSE OF THIS PROGRAM I AM ON THE RIGHT PATH. AND BECAUSE OF THIS PROGRAM I GRADUATED WITH MY DMOAM DIPLOMA FROM DEL VALLE HIGH SCHOOL. I WOULD LIKE TO THANK THE CASA VERDE BUILDERS AND THANK YOU FOR YOUR TIME AND PATIENCE.

Mayor Wynn: CONGRATULATIONS. [ APPLAUSE ]

Mayor Wynn: THANK YOU AUDIOLOGY VERY MUCH. GENTLEMEN, WE'RE PROUD OF YOU. OUR NEXT SIGNED UP SPEAKER, MONICA NWEVO, WHO I BELIEVE MAY HAVE BEEN THE WOMAN WHO SPOKE TO US EARLIER. AND I THINK THE ASSISTANT CITY MANAGER AND OTHERS WERE IN CONSULTATION WITH HER. PAUL AVINA SIGNED UP WISHING TO SPEAK. WELCOME. YOU HAVE THREE MINUTES, TO BE FOLLOWED BY CYRUS REED.

THANK YOU. MY NAME IS PAUL AVINA. YEARS AGO I HAD TO DUCK UNDER -- (INDISCERNIBLE). THE SIGNS NOT TO EAT THE FISH HERE WERE SCARY. I SENT YOU PICTURES OF TOWN LAKE FULL OF PLASTIC STYROFOAM AND A HEADLESS DEER. I REMEMBER MEXICANS LOOKING FOR BLACK PROSTITUTES ON 11th STREET AND TALKED ABOUT SOMEONE I'D HYDEING UNDER THE BED PICKING THEIR WALLETS CLEAN. AND THE KOREANS ON KOENIG LANE, THEY CLAIMED THE KOREANS WERE GOOD. THEY WOULD SIT A CLOCK ON A LITTLE TABLE. LATINAS WOULD GO TO THE BARRIO TO GET LUCKY. I THOUGHT THEN THAT MEN HE MENTAL HEALTH WAS A PROBLEM AND -- THAT MENTAL HEALTH WAS A PROBLEM AND MONEY SHOULD BE ALLOCATED AS I SAW LOTS OF YOUNG BLACK AND LATINO BOYS ON PROBATION FOR MISDEMEANORS. PROSTITUTION IS NOW ON THE STREETS, ALCOHOL IS THERE AND HIV IS A NEW AMERICAN EXPORT. WHEN SCHOOL WAS OUT, THE AUSTIN POLICE WOULD GO OUT THERE AND STOP ON INSURANCE AND LICENSE VIOLATIONS. NO CITY BUSINESSES, NO DELIVERY TRUCKS OR TRASH TRUCKS, BUT US. (INDISCERNIBLE). IT GOT WORSE FOR US. I BELIEVE THIS VERY HALL WAS BUILT WITH FLUN THE WORKING CLASS. NSA WAS VERY ACTIVE IN THE BARRIO BACK THEN. (INDISCERNIBLE). SOME A.P.D. OFFICERS HAVE SHOWN

MENTAL PROBLEMS THAT YOU HAVE IGNORED. LOCAL HISTORY TELLSTELLS US THAT -- (INDISCERNIBLE). AND THERE'S NO WORD OF ONE RETARDED INDIAN. SO I ASK YOU TO TACKLE SOME OF THESE ILLS, THE AUSTIN POLICE RESPONSE SETS UP A A ROADBLOCK AND JUST TAKES OVER THE PREY. AFTER THE SCAVAGING IS OVER, CRIME REEMERNGZ AND THIEW HOW A.P.D. HAS BEEN OPERATING FOR YEAR. THE KILLINGS, RAPES, CYBER PORNOGRAPHY AND CORRUPT SERGEANTS IS HOW THE AUSTIN POLICE HAVE BEEN TRAINED AND BLACKS AND HISPANICS NOW IN AUSTIN PAY ALL THE FINES AND FEES YOU NEED TO SUSTAIN YOUR LIFESTYLES. MY REQUEST AGAIN, RETRAIN YOUR POLICE TO PROTECT AND SERVE. STOP (INDISCERNIBLE) DEVELOPMENT FOR THE SAKE OF REVENUE FOR OUTSIDERS. FACE THE ENVIRONMENTAL PROBLEMS YOU HAVE CREATED AND GET MR. MARTINEZ AND MS. COAL SOME HISTORY BOOKS SO THEY WON'T JUST SIT HERE. THANK YOU.

Mayor Wynn: THANK YOU. OUR FINAL SPEAKER IS CYRUS REED. CYRUS REED WANTED TO ADDRESS US REGARDING NUCLEAR ENERGY. SO COUNCIL, THAT CONCLUDES THEN OUR GENERAL CITIZEN COMMUNICATION FOR TODAY. WE EARLIER IN CLOSED SESSION WE TOOK UP ITEM NUMBER 68, REAL ESTATE MATTERS REGARDING THE LEASE HOLD SCEAT OF BLOCK 4, CSC FACILITY, AND WOULD APPRECIATE A BRIEF STAFF PRESENTATION.

THANK YOU, COUNCILMEMBERS. THE ITEM BEFORE YOU IS SFOORKS THE CORRESPONDING ITEM WITH THE EXECUTIVE SESSION. IN 2000, THE CITY OF AUSTIN ENTERED INTO A GROUND LEASE WITH THE CSC TO BUILD THE TWO BUILDINGS ON EITHER SIDE OF CITY HALL. AND PART THAT HAVE GROUND LEASE WAS THAT CSC PAID TO THE CITY OF AUSTIN FOUR MILLION DOLLARS FOR EACH OF THOSE BLOCKS IN ORDER TO BUILD THEIR BUILDINGS. UNDER THAT GROUND LEASE, CSC HAS THE ABILITY TO SELL THE BUILDINGS, BUT AS PART OF THAT PROCESS, THEY MUST FIRST COME TO THE CITY OF AUSTIN AND GIVE US THE FIRST RIGHT OF NEGOTIATION ON THE BUILDINGS. YOU'LL REMEMBER A COUPLE OF YEARS AGO WHEN THE BUILDING TO THE WEST OF CITY HALL WAS SOLD TO SILICON LABS WHO HAS NOW LOCATED THEIR HEADQUARTERS

DOWNTOWN AND THEY CAME TO THE CITY AT THAT TIME AND ASKED US WHETHER OR NOT WE WANTED TO ENTER INTO THE NEGOTIATION THROUGH THIS FIRST RIGHT OF NEGOTIATION. WHAT'S BEFORE YOU TODAY IS THE SALE OF THE SECOND BUILDING, WHICH IS THE BUILDING TO THE EAST OF CITY HALL, AND THEY ARE AGAIN IN NEGOTIATIONS WITH SILICON LABS, WHO IS PLANNING ON CONSOLIDATING ALL OF THEIR LOCATIONS IN AUSTIN INTO A DOWNTOWN CAMPUS REALLY. WE'RE EXCITED ABOUT THIS NEGOTIATION BECAUSE THIS GIVES US AN OPPORTUNITY TO FULLY HEADQUARTER SILICON LABS DOWNTOWN. THEY HAVE HAD A VERY POSITIVE EXPERIENCE AS AN ORGANIZATION WORKING DOWNTOWN. THEIR EMPLOYEES ENJOY WORKING DOWNTOWN. BUT CSC MUST FIRST COME TO US AND OFFER US THIS FIRST RIGHT OF NEGOTIATION. MAYOR AND COUNCIL, OUR RELIGIOUS TO YOU IS THE SAME AS IT WAS WHEN SILICON LABS BOUGHT THE FIRST BUILDING AND THAT'S PASS ON THIS REQUEST. THIS IS NOT A PROPERTY THAT THE CITY HAS TARGETED FOR ANY CITY PURPOSES AND WE HAVE NO BUDGET WITH WHICH TO BUY THE BUILDING. SO OUR RECOMMENDATION TO YOU IS TO PASS ON THIS NEGOTIATION AND ALLOW CSC AND SILICON LABS TO COMPLETE THEIR TRANSACTION.

Mayor Wynn: THANK YOU. QUESTIONS OF STAFF, COUNCIL? COMMENTS? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 72. MOTION BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO DENY, NOT UTILIZE OUR RIGHT OF NEGOTIATION ON THE BLOCK 4 CSC BUILDING. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION TO DENY PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU, MS. HUFF MAN. SO COUNCIL, I BELIEVE THAT'S ALL OF OUR POTENTIAL DISCUSSION ITEMS OR ACTION ITEMS PRIOR TO AT LEAST THE 2:00 P.M. POSTED BRIEFINGS. SO BASED ON THAT, WITHOUT OBJECTION WE'LL NOW GO BACK INTO CLOSED SECTION, PURSUANT TO 551.071 OF THE OPEN MEETINGS ACT TO TAKE UP POTENTIALLY ITEM NUMBER 66, REGARDING LEGAL ISSUES RELATING TO THE CITY'S RIGHT-



OF-WAY BY ATMOS ENERGY CORPORATION. WE MAY ALSO TAKE UP ANOTHER REAL ESTATE MATTER PURSUANT TO SECTION 551.072 OF THE OPEN MEETINGS ACT, AND THAT WOULD BE ITEM 69, DISCUSSING THE REAL ESTATE DEVELOPMENT OPTIONS RELATED TO THE SALE OR LEASE OF THE GREEN WATER TREATMENT PLANT. SO I BELIEVE THOSE WOULD BE THE TWO ITEMS WE MAY TAKE UP IN CLOSED SESSION. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US BEING THERE FOR A COUPLE OF HOURS, BUT COMING BACK MID AFTERNOON TO TAKE UP OUR POTENTIAL TWO AND/OR 3:00 O'CLOCK BUSINESS. WE'RE NOW IN CLOSED SESSION. THANK YOU.

Dunkerley: FOR THOSE OF YOU IN THE AUDIENCE, WE WILL RESTART OUR AGENDA AT -- IN ABOUT 10 MINUTES. SO WE HAVE A 10-MINUTE REST.

Dunkerley: I'D LIKE TO CALL THE MEETING BACK TO ORDER AND I'D LIKE TO CALL THE -- I GUESS WE RECESS THIS HEARING AND WE SCALL CALL TO ORDER THE HOUSING FINANCE CORPORATION'S MEETING AND TURN IT OVER TO MR. HILGERS TO RUN THROUGH THAT AGENDA. THEN WE'LL DISCUSS THE SOLICITATION IN JUST A FEW MINUTES.

GREAT. THANK YOU, MADAM VICE-PRESIDENT. OF THE FINANCE CORPORATION. WE HAVE FIVE ITEMS BEFORE THE AUSTIN HOUSING FINANCE CORPORATION BOARD OF DIRECTORS TODAY. SOME EXCITING ITEMS IN FRONT OF YOU. FIRST, AHFC ITEM NUMBER 1 IS TO APPROVE THE MINUTES OF THE OKTS 11th -- OCTOBER 11th, 2007 BOARD MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION.

Dunkerley: DO WE HAVE A MOTION? WE HAVE A MOTION AND A SECOND TO APPROVE THE MINUTES OF THE OCTOBER 11th BOARD MEETING. ALL THOSE IN FAVOR, PLEASE SAY AYE. AND CITY CLERK, THAT IS A 6 ON 0 VOTE WITH THE MAYOR TEMPORARILY OFF THE DIE IS AS. ITEM NUMBER 2.

ITEM NO. 2 2 IS TO APPROVE THE NEGOTIATION AND EXECUTION OF WOWN MORE CONSTRUCTION CONTRACTS WITH ELCOR HOMES IN AUSTIN TO BUILD 10 SINGLE-FAMILY HOMES ON LOTS LOCATED IN MONTOPOLIS, FRONTIER AND MONTANA SUBDIVISION IN A TOTAL AMOUNT NOT TO EXCEED

\$1,039,480 FOR ALL CONTRACTS. THIS IS A CONTINUATION OF THE PROGRAM THAT WE'RE DOING IN MONTOPOLIS. OUR SUBDIVISION THAT'S BEING BUILT OUT THERE AND THIS COMPANY WAS THE WINNER OF THE BID ON THAT CONTRACT. SO WE'RE RECOMMENDING THAT FOR APPROVAL AS WELL.

Dunkerley: ARE THERE ANY QUESTIONS, COUNCIL? MOTION HAS BEEN MADE FOR APPROVAL. DO I HAVE A SECOND? A MOTION AND A SECOND ON ITEM NUMBER 2. ALL IN FAVOR? CITY CLERK, THAT'S A 6-BE 0 VOTE WITH THE MAYOR TEMPORARILY OFF THE DAIS. ITEM NUMBER 3.

ITEM NUMBER 3 IS A VERY EXCITING ITEM FOR US BECAUSE IT IS TO APPROVE THE NEGOTIATION AND EXECUTION OF A LOAN TO MARY LEE COMMUNITY OR ITS AFFILIATE IN AUSTIN, TEXAS UNDER THE RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM IN AN AMOUNT NOT TO EXCEED \$2,250,000 IN COMPLIANCE WITH APPLICABLE GENERAL OBLIGATION BONDS REQUIREMENTS AND PERFORMANCE GOALS TO ASSIST IN THE DEVELOPMENT OF THE 64-UNIT AFFORDABLE RENTAL HOUSING APARTMENT FACILITY FOR LOW INCOME FAMILIES AND INDIVIDUALS WITH SPECIAL NEEDS ON LAMAR SQUARE DRIVE AND WAIVING THE MAXIMUM LOAN AMOUNT LIMIT. THIS ITEM, THE FUNDING FOR THIS PROJECT IS THE FIRST ITEM THAT IS PROVIDING DIRECT FUNDING THROUGH THE GENERAL OBLIGATION AFFORDABLE HOUSING BONDS TO A NONPROFIT THROUGH THE INTERPRETCOMPETITIVE PROCESS. AND IT IS IMPORTANT THAT IT GO TO PROVIDE THIS SPECIAL NEEDS FAMILY FOR LOW INCOME AND VERY LOW INCOME FAMILIES TO AN ORGANIZATION, COMMUNITY HOUSING DEVELOPMENT ORGANIZATION THAT WE'VE HAD EXPERIENCE WITH HERE IN THE PAST, THE MARY LEE FOUNDATION. THE PURPOSE OF THIS WILL BE TO DEMOLISH TWO AGING APARTMENT BUILDINGS AND PUT IN THEIR PLACE 64 NEW RENTAL UNITS THAT WILL ENHANCE THE QUALITY OF THAT ENTIRE BLOCK, THOSE OF YOU WHO ARE FAMILIAR. AND I KNOW YOU'RE ALL FAMILIAR WITH MARY LEE AND WHAT HAPPENS IN THAT AREA. THEY HAVE A LONG-TERM PLAN TO DEVELOP THAT PROPERTY AND THE ASSETS THEY HAVE THERE, AND IT IS FITTING AND PROPER THAT THEY RECEIVE AGAIN THROUGH THE COMPETITIVE PROCESS, THROUGH THE HOUSING BOND

REVIEW COMMITTEE, THROUGH TWO CYCLES OF THAT REVIEW THEY HAVE BECOME THE WINNER OF THAT COMPETITION. AND SO WE BRING THIS BEFORE YOU FOR YOUR APPROVAL FOR THE FIRST TIME WE'RE ALLOCATING DIRECT FUNDS TO A NONPROFIT THROUGH THE GENERAL OBLIGATION BONDS.

Dunkerley: ARE THERE ANY QUESTIONS? I'D JUST LIKE TO MAKE A COMMENT. MARY LEE FOUNDATION HAS BEEN A PARTNER WITH US ON OTHER PROJECTS IN THE PAST, AND THEY DO REMARKABLE WORK. AND SO I'M REALLY HAPPY TO SEE OUR BOND -- SOME OF OUR BOND MONEY GOING INTO THIS PROJECT. AND I THINK IT'S APPROPRIATE THAT THE FIRST ONE OUT OF THE SHOOT. SO DO WE HAVE ANY OTHER QUESTIONS FROM THE COUNCIL? IF NOT, COULD WE HAVE A MOTION? SECOND? WE HAVE A MOTION AND A SECOND. ALL IN FAVOR PLEASE SAY AYE. AND THE VOTE IS 7-0 WITH THE MAYOR BACK ON THE DIE DAIS, AND I'LL TURN IT BACK TO YOU AND WE'RE ON ITEM NUMBER 4 OF THE AHFC AGENDA.

Mayor Wynn:.. SO THAT VOTE IS A 7-0 VOTE. NEXT ITEM?

AHFC ITEM NUMBER 4 IS A LITTLE COMPLICATED AND ESSENTIALLY IT'S AN ITEM TO MITIGATE POTENTIAL RISK IN A TRANSACTION THAT YOU ALREADY HAVE APPROVED, AND I'LL READ THROUGH THE POSTING LANGUAGE. IT'S TO APPROVE THE NEGOTIATION AND EXECUTION OF A BACKUP PURCHASE CONTRACT FOR THE ACQUISITION OF UP TO 10 CONDOMINIUM UNITS LOCATED IN THE ALLENDALE CONDOMINIUM PROJECT LOCATED AT 7685 NORTH CROSS DRIVE IN AN AMOUNT NOT TO EXCEED \$1,137,040. ACQUISITION AGREEMENTS FOR ADDITIONAL CONDOMINIUM UNITS LOCATED IN THE PROJECT IN AN AMOUNT NOT TO EXCEED 1.67 MILLION IN THE EVENT THE BACKUP PURCHASE CONTRACT IS NOT EXERCISED OR \$42,960 IF THE BACKUP PURCHASE CONTRACT IS EXERCISED UNDER THE ACQUISITION DEVELOPMENT PROGRAM FOR RENTAL OR SALE TO LOW AND MODERATE INCOME PERSONS AND FAMILIES WITH DISABILITIES AND RESCIND MOTION NUMBER 2007-0301-AHFC 003. WHAT THAT MEANS IS THIS IS AGAIN TO HELP MITIGATE ANY POTENTIAL FROIFK THE RISK FOR THE TRANSACTION THAT INVOLVES THE UNITED CEREBRAL PALSY, WHAT THE SUMMERFIELD SUITES AND TAKING THAT

EXTENDED STAY HOTEL AND TRANSFERRING THAT PROPERTY FOR THE CONDOMINIUMS WHICH AGAIN YOU HAVE ALREADY APPROVED. ON OCTOBER 11th YOU APPROVED THE GAP FINANCING IN THE AMOUNT OF \$500,000 FOR UNITED CEREBRAL PALSY OF TEXAS TO PURCHASE THE 10 FULLY ACCESSIBLE CONDOMINIUM UNITS, WHICH WOULD BE RENTED TO LOW INCOME TENANTS. THE BACKUP CONTRACT WILL PROVIDE ADDITIONAL SECURITY TO INDUCE THE DEVELOPER TO PROVIDE WITH UCP SPECIFIED ACCESSIBILITY MODIFICATIONS TO THE CONDOMINIUM UNITS PRIOR TO ACQUISITION SO THAT UCP WILL REMAIN IN COMPLIANCE WITH THE TERMS OF THE HUD FINANCING. STAFF IS RECOMMENDING THIS ACTION. WE FRANKLY DO NOT ANTICIPATE THAT WE WILL BE USING THESE BACKUP CONTRACTS, BUT IN CASE SOMETHING DOES HAPPEN, WE STILL -- THIS WOULD GIVE US THE RIGHT TO ACQUIRE THIS PROPERTY, WHICH IS WHAT WE WANT TO DO IS OCCUR THIS PROPERTY FOR AFFORDABILITY. SO THIS ACTION PROTECTS ALL THE PARTIES INVOLVED. JIM, DO YOU SOMETHING YOU NEED TO SAY? I MEANT \$462,960. AS IS WRITTEN ON THE POSTING LANGUAGE. SORRY ABOUT THAT. SO WITH THAT CORRECTION, IF THERE ARE ANY QUESTIONS I'LL BE GLAD TO TRY TO ANSWER THEM.

THANK YOU, MR. HILGERS. QUESTIONS OF STAFF, BOARD? COMMENTS? I'LL ENTERTAIN A MOTION ON A K AHFC ITEM NUMBER 4. MOTION AND A SECOND TO APPROVE ITEM AHFC NUMBER 4 AS POSTED AND PRESENTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

AHFC ITEM NUMBER 5 IS TO APPOINT MARGARET SHAW APPEAR A DIRECTOR ON THE BOARD OF DIRECTORS FOR ARBORS THE CREEK SIDE NONPROFIT CORPORATION, AUSTIN INNER CITY BOARD OF DIRECTORS REDEVELOPMENT CORPORATION AND SIX NONPROFIT CORPORATION TO REPLACE KILLLY WISE FOR A TERM THAT WILL EXPIRE AUGUST 30TH, 2011.

Mayor Wynn: COMMENTS, QUESTIONS? MOTION MADE BY BOARD MEMBER MARTINEZ, SECONDED BY BOARD MEMBER McCRACK TONE APPROVE THIS APPOINTMENT. ALL IN

FAVOR? OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

I BELIEVE THAT'S ALL THE BUSINESS BEFORE THE AHFC BOARD FOR THIS YEAR, MR. PRESIDENT. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. HILGERS. YOU AND YOUR STAFF HAVE A GOOD HOLIDAY. COUNCIL, AGAIN, I APOLOGIZE. THAT TAKES US BACK TO OUR POTENTIAL DISCUSSION OF OUR POSTED HEARING NUMBER 73 REGARDING POTENTIAL AMENDMENTS TO THE CODE RELATED TO SOLICITATION.

MAYOR, JUST A CLARIFICATION. MY ASSUMPTION IS THAT YOU HAVE ADJOURNED THE MEETING OF THE AHFC AND RECONVENED THE MEETING OF THE AUSTIN CITY COUNCIL?

Mayor Wynn: THANK YOU VERY MUCH. THERE BEING NO MORE BUSINESS BEFORE THE AHFC BOARD, WE DO STAND ADJOINED, AS POINTED OUT BY THE CITY ATTORNEY. AND I WILL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, IN CASE THE MAYOR PRO TEM DIDN'T ANNOUNCE THIS, MS. GENTRY, EARLY EARLY THIS CLOSED SESSION WE TOOK UP ITEMS NUMBER 66, LEGAL DISCUSSIONS REGARDING THE CITY'S USE OF RIGHTS OF WAY BY ATMOS ENERGY CORPORATION. AND THE RULES SAY ITEM NUMBER 69 RELATED TO THE SALE OR LEASE OF THE GREEN WATER TREATMENT PLANT. WE HAVE NOW CONCLUDED OUR CLOSED SESSION AGENDA FOR THE DAY. WE WILL NOT TAKE UP ITEMS NUMBER 70 OR 71. SO COUNCIL, NOW THAT TAKES US TO OUR POSTED ITEM NUMBER 73, WHICH AGAIN WAS TO POTENTIALLY CONDUCT THE PUBLIC HEARING AND/OR CONSIDER AMENDMENTS RELATED TO SOLICITATION. AND MY UNDERSTANDING IS STAFF HAS A PRESENTATION PREPARED FOR US. THERE'S BEEN DISCUSSION I BELIEVE AMONGST SOME COUNCILMEMBERS IN PART BASED ON WHAT WE BELIEVE WE MAY HEAR FROM STAFF WHETHER OR NOT THERE IS GOING TO BE ANY ACTION TAKEN ON SPECIFIC AMENDMENTS. I'LL RECOGNIZE COUNCILMEMBER MCCracken.

McCracken: AND MAYOR, ONE OF THE THINGS THAT WE'VE HAD DISCUSSIONS OVER THE LAST COUPLE OF MONTHS ON THIS ISSUE, WE RECOGNIZED THAT THERE WAS ONE OF THE THINGS WE'VE LEARNED IS THAT THERE IS ACTUALLY NOT GNAT DAT TA ON WHO IS ENGAGE UNDERSTAND PANHANDLING IN THIS COMMUNITY. WE HAVE HEARD FROM FOLKS IN THE HUMAN SERVICES COMMUNITY THAT HAVE TOLD US THAT WHILE THERE'S A GOOD CENSUS DATA ON WHO THE HOMELESS ARE IN AUSTIN AND THEIR NEEDS, THAT THERE IS NOT ACTUALLY DATA ON WHO IS ENGAGE UNDERSTAND PANHANDLING AND THAT NOT EVERYBODY ENGAGING IN PANHANDLING IS HOMELESS, FOR INSTANCE. WE'VE ALSO HEARD FROM A BUSINESS OWNER WHO HAS TOLD US OF GROUPS OF MEN ARRIVING IN CARS ALONG INTERSTATE 35 AND PARKING IN HIS PARKING LOT AND HAVING LOOKOUTS AND DRIVERS AND PEOPLE ENGAGED IN APPARENTLY A FOR-PROFIT BUSINESS OPERATION. WE'VE HAD NEIGHBORS COMPLAIN TO US ABOUT RASHES OF BREAK-INS IN NEIGHBORHOODS ADJACENT TO AREAS WHERE PANHANDLERS HAVE SHOWN UP. WE'VE HAD HUMAN SERVICES REPRESENTATIVES TELL US THAT THERE COULD BE VETERANS WHO COBBLE JIBL FOR VA BENEFITS WHO ARE ENGAGED IN PANHANDLING. AND IF THEYWE HAD A BETTER UNDERSTANDING OF WHO WAS ENGAGED IN PANHANDLING, WE MIGHT BE ABLE TO BETTER UNDERSTAND LIKE THE FOLKS WHO ARE VETERANS TO RECEIVE VA BENEFITS. SO IN HAVING DISCUSSIONS WITH FOLKS IN THE COMMUNITY AND WITH COLLEAGUES ON THE DAIS, MY -- WHAT I'M OFFERING IS THAT WE TABLE THIS ITEM AND THAT WE ASK THE AUSTIN POLICE DEPARTMENT AND HUMAN SERVICES DEPARTMENT TO WORK TOGETHER AND COME BACK IN 90 DAYS ON A WORK PLAN ON HOW TO GATHER -- ON GATHERING DATA OVER THE COURSE OF A YEAR. AND TO SPEND -- WHAT I'M PROPOSING IS THAT -- THIS IS JUST DIRECTION, NOT AS A MOTION, BUT ASK THE AUSTIN POLICE DEPARTMENT AND THE HUMAN SERVICE DEPARTMENT TO COME BACK TO US IN 90 DAYS ON A WORK PLAN OF WHAT THEY'RE GOING TO DO OVER THE SUCCEEDING YEAR TO GATHER DATA ON UNDERSTANDING WHO IS ENGAGED IN PANHANDLING ALONG OUR ROADWAYS. AND THAT COULD INVOLVE SUCH AS INTERVIEWING FOLKS WHO ARE ENGAGED IN PANHANDLING TO UNDERSTAND WHAT THE

HUMAN SERVICES NEEDS ARE, WHETHER THEY'VE BEEN THROUGH OUR SYSTEM BEFORE. IT WOULD ALSO GET A BETTER UNDERSTANDING OF -- FOR PEOPLE WHO HAVE BEEN CITED FOR PANHANDLING, GETTING A COMPLETE PICTURE OF BOTH THE HUMAN SERVICES NEEDS AND ALSO THE CRIMINAL RECORDS OF FOLKS ENGAGED IN PANHANDLING. IT WOULD BE HELPFUL TO UNDERSTAND, FOR INSTANCE, WHETHER THE EXPERIENCE OF SOME OF THE BUSINESS OWNERS WE'VE TALKED TO ABOUT ORGANIZED GROUPS OF PEOPLE SHOWING UP IN CARS AND FANNING OUT AT INTERSECTIONS, WHAT IS THAT DYNAMIC? WHO IS DOING THAT? ARE THOSE FOLKS HOMELESS ALSO OR IS THAT A BUSINESS? AND FINALLY, WE HAVE HEARD FROM PRESS REPORTS THAT MAY OF THE FOLKS ENGAGED IN PANHANDLING ARE BASICALLY PEOPLE SENT ON BUSES TO AUSTIN FROM OTHER CITIES. EITHER BECAUSE IT BECOMES A WAY FOR OTHER CITIES TO BASICALLY SHIFT A SOCIAL SERVICES RESPONSIBILITY ON TO THE CITY OF AUSTIN OR FOR OTHER REASONS WE DON'T KNOW ABOUT. BUT AT LEAST THEN I THINK ONE OF THE THINGS THAT PROBABLY ALLCAME TO OUR SURPRISE AFTER GATHERING INFORMATION OVER THE LAST SEVERAL MONTHS IS THAT THERE WAS NOT ACTUALLY ANY SET OF DATA OUT THERE ABOUT WHO IS ENGAGE UNDERSTAND PANHANDLING. SO PEOPLE CAN HAVE PHILOSOPHICAL DIFFERENCES ABOUT WHETHER THIS SHOULD BE PERMITTED OR NOT PERMITTED, BUT AT LEAST WE WILL HAVE AT THE END OF A YEAR OF STUDY AN UNDERSTANDING OF WHO IS ENGAGE UNDERSTAND PANHANDLING ON THE ROADWAYS SO THAT COULD HELP US A MORTAR GETTED RESPONSE. THE FINAL POINT I'LL MAKE ON THIS IS CURRENTLY WE'LL HAVE ROADSIDE BUSINESSES SHOW UP ALONG ROADWAYS. THAT'S ILLEGAL. IT'S NOT CONTROVERSIAL THAT WE'LL SHUT DOWN PEOPLE SELLING T-SHIRTS OR VEGETABLES OR WATER OR OTHER GOODS ON THE SIDE OF THE ROAD. IT'S ILLEGAL TO HAVE ROADSIDE BUSINESSES. SO ONE OF THE THINGS WE HAVE EVIDENCE OF IS THAT SOME OF THE PANHANDLING IS FOLKS, FOR INSTANCE, ENGAGED IN A ROAD SIDE BUSINESS, BUT PRESENTING THEMSELVES AS BEING PEOPLE IN NEED ALTHOUGH THEY APPEAR TO BE OPERATING AS A BUSINESS. WE HAVE OTHER INFORMATION THAT WE HAVE PEOPLE IN GENUINE NEED AND THAT WE

MAY BE MISSING THEM IN OUR SOCIAL SERVICES RESPONSES. SO BY GETTING THE INFORMATION, WE WILL BE ABLE TO PROVIDE A MORE ACCURATE AND TARGETED SET OF INITIATIVES TO ADDRESS THE BREADTH OF THE CHALLENGE WE FACE.

Mayor Wynn: COUNCILMEMBER COLE.

Cole: I WOULD SECOND THE MOTION TO TABLE AND MAKE CLEAR THAT I DO NOT SUPPORT AN EXPANSION OF THE SOLICITATION ORDINANCE BECAUSE I SIMPLY BELIEVE THAT IT IS A CRIMINALIZATION OF THE POVERTY THAT SOME OF OUR MOST DISADVANTAGED IN OUR COMMUNITY JUST HAPPEN TO END UP IN. AND YOU CAN JUDGE THE CHARACTER OF A CITY BY THE WAY IT TREATS THE MOST VULNERABLE AMONG US. SO I'M SUPPORTING THE TABLING OF THIS ITEM AND NOT THE EXPANSION OF THE ORDINANCE WHILE I UNDERSTAND THE NEED TO GATHER DATA FOR THE POLICE DEPARTMENT. [ APPLAUSE ]

Mayor Wynn: THANK YOU. COUNCILMEMBER KIM.

Kim: I KNOW WE HAD PEOPLE SIGNED UP TO SPEAK AT THIS PUBLIC HEARING, BE AND IF YOU HAVE SIGNED UP FOR ITEM 48, WHICH IS THE ITEM THAT COUNCILMEMBER LEFFINGWELL AND I ARE SPONSORING THAT HAS TO DO WITH SOCIAL SERVICES, HAS NOTHING TO DO WITH SOLICITATION, PART THAT HAVE ALSO INCLUDES COLLECTING DATA ABOUT THE POPULATION. BUT I WANT TO THANK YOU FOR BEING HERE TODAY AND FOR SHARING YOUR THOUGHTS AND CONCERNS AND SO I WILL BE FOCUSING MORE ON COMPREHENSIVE SERVICES TO GET AT THE ROOT CAUSES OF HOMELESSNESS. I THINK THAT THERE'S DEFINITELY MORE OPPORTUNITY FOR LOOKING AT THE SPECIFIC ISSUES, SOME OTHER THINGS THAT HAVE NOTHING TO DO WITH ROADSIDE SOLICITATION. SO WE'RE ALWAYS IN OUR COMMUNITY LOOKING FOR GOOD SOLUTIONS AND INVOLVING PEOPLE WHO HAVE EXPERTISE AS WELL AS COMPASSION AND GOOD HEARTS AND ARE SERVING OUR COMMUNITY IN SO MANY WAYS.

Mayor Wynn: THANK YOU, COUNCILMEMBER.



COUNCILMEMBER LEFFINGWELL.

Leffingwell: I JUST WANT TO MAKE SURE I UNDERSTAND THE DIRECTION COUNCILMEMBER MCCRACKEN GAVE TO STAFF. IT IS ONLY TO COME BACK WITHIN 90 DAYS WITH A PLAN FOR A STUDY? IT DOES NOT REQUIRE COMING BACK WITH ANY PLAN TO AMEND THE EXISTING ORDINANCE, IS THAT CORRECT?

McCracken: THAT'S CORRECT.

Mayor Wynn: COUNCILMEMBER MARTINEZ.

Martinez: JUST AS A STARTING POINT, AND I DON'T KNOW IF COUNCILMEMBER MCCRACKEN KNOWS THIS, BUT ON TUESDAY OR WEDNESDAY THE PUBLIC HEALTH AND HUMAN SERVICES SUBCOMMITTEE MET AND THIS WAS ONE OF THE ISSUES WE TALKED ABOUT. AND BE DAVID LURIE IS HERE IN THE AUDIENCE. I KNOW THAT OUR HEALTH AND HUMAN SERVICES DEPARTMENT IS MANDATED BY FEDERAL GUIDELINES TO KEEP SOME HOMELESS INFORMATION SYSTEM, AND THAT COULD BE A GOOD TARING POINT FOR DOING SOME OF THIS FACT FINDING. WE MAY ALREADY HAVE MUCH OF THE INFORMATION THAT WE MAY NEED, WE JUST DIDN'T KNOW WE WERE TRACKING THIS. AND DAVID, IF YOU COULD COME SPEAK TO THAT INFORMATION SYSTEM THAT YOU SPOKE ABOUT THE OTHER DAY. GIVE US A LITTLE IDEA OF WHAT EXACTLY IS IN THAT DATABASE THAT YOU HAVE AND MAYBE WE CAN TALK ABOUT HOW WE CAN EXPAND THAT.

WE DO HAVE A SYSTEM IN PLACE THAT ALL OF OUR SERVICE PROVIDERS PROVIDE DATA INTO THAT INFORMATION MANAGEMENT SYSTEM. AND THAT INCLUDES INFORMATION ABOUT ETHNICITY, HISTORY REGARDING HOMELESSNESS, VETERAN STATUS, SOME HLGHTS-RELATED HEALTH-RELATED ISSUES, AND ALSO AGAIN PROGRAMS OR SERVICES THAT THEY MAY IN FACT BE ELIGIBLE FOR. IN ADDITION, WE HAVE AN ANNUAL COUNT THAT WE DO RELATED TO OUR APPLICATION TO THE FEDERAL HOUSING AND URBAN DEVELOPMENT ORGANIZATION, WHICH IS A COMMUNITY WIDE EFFORT TO GATHER DATA, SORT OF A SNAPSHOT, ONE POINT IN TIME INFORMATION RELATED TO

THE HOMELESS POPULATION. SO I THINK THE POINT HERE IS THAT WE DO HAVE SOME INFORMATION ALREADY AVAILABLE WITHIN OUR COMMUNITY THAT WE CAN BUILD UPON. IT DOES NOT NECESSARILY ADDRESS SPECIFICALLY PANHANDLING AND INDIVIDUALS WHO ARE ENGAGED IN PANHANDLING. SO I THINK THERE'S AN OPPORTUNITY TO LOOK AT THAT DATA, TO ALSO LOOK AT THE ANNUAL COUNT PROCESS THAT WE GO THROUGH TO SEE IF THERE'S AN OPPORTUNITY TO MAYBE RESTRUCTURE THAT AND RESPOND UPON IT IN TERM OF THE KINDS OF INFORMATION THAT WE COULD POTENTIALLY GATHER.

Mayor Wynn: COUNCILMEMBER MCCRACKEN.

McCracken: AND I THINK THAT IS HELPFUL DATABASE, BUT I THINK IT'S IMPORTANT THAT WE REEMPHASIZE, WE DON'T KNOW WHAT PERCENTAGE OF PANHANDLERS ARE HOMELESS. IT COULD BE A VERY LARGE PERCENTAGE OR IT COULD BE A VERY SMALL PERCENTAGE OF PANHANDLERS WHO ARE HOMELESS. THAT WAS ONE OF THE THINGS THAT I THINK WE'VE LEARNED OUT OF THIS IS THAT THERE ARE A LOT OF PEOPLE WHO SUSPECT THAT A SIGNIFICANT PERCENTAGE OF ROADSIDE PANHANDLERS ARE IN FACT NOT HOMELESS. AND THAT THERE ARE OTHERS WHO SUSPECT THAT VIRTUALLY ALL PEOPLE ENGAGE IN ROADSIDE PANHANDLING ARE HOMELESS. BUT THE ONE THING WE FOUND OUT IS THAT ACTUALLY NOBODY KNEW THE ANSWER. SO WE'RE GOING TO MOVE PAST WHAT I THINK WE ALL HAD WAS OUR ASSUMPTIONS GOING IN, AND IN FACT GET SOME DATA THAT IS DIFFERENT FROM THE DATA ABOUT THE HOMELESS, BECAUSE IT IS DATA ABOUT WHO IS PANHANDLING. AND IF, FOR INSTANCE, IT TURNS OUT THAT MOST PANHANDLERS ARE NOT HOMELESS, THE DATABASE WILL NOT BE MEANINGFUL TO US, BUT IF THEY ARE HOMELESS, THEN IT WOULD BE VERY HELPFUL TO US. BUT AT LEAST WE'LL FOR THE FIRST TIME KNOW THE ANSWER TO THAT QUESTION.

Mayor Wynn: SO THEN TECHNICALLY WE HAVE A MOTION AND A SECOND ON THE TABLE TO TABLE TO TABLE ITEM NUMBER 73, BUT WITH ADDITIONAL DIRECTION FROM -- FOR STAFF WITH REGARDS TO SORT OF STUDY AND MORE INFORMATION TO BE BROUGHT BACK TO COUNCIL. FURTHER

COMMENTS ON THE MOTION ON THE TABLE AND/OR  
DIRECTION OF STAFF?

Martinez: MAYOR, WOULD VOTING IN FAVOR TO TABLE, WOULD THIS PREVENT ANY PUBLIC TESTIMONY FROM TAKING PLACE? I THINK IF WE'RE GOING TO ENGAGE IN A 90-DAY FACT FINDING MISSION, I THINK THERE ARE SOME A FOLKS HERE WHO MIGHT HAVE A GOOD BIT OF FACTS THAT WE COULD USE. I DON'T KNOW THAT EVERYONE WOULD WANT TO SPEAK. IF YOU CAME DOWN WITH THE INTENTION OF SPEAKING AGAINST EXPANSION OF THE PANHANDLING ORDINANCE, THEN I THINK THAT'S VERY CLEAR THAT THAT'S NOT GOING TO HAPPEN, BUT IF YOU COULD PROVIDE US WITH SOME INFORMATION THAT MAYBE WE CAN TAKE A FEW MINUTES OF PUBLIC TESTIMONY SINCE THESE FOLKS TOOK THE TIME TO COME DOWN HERE.

Mayor Wynn: I DON'T DISAGREE WITH THAT. SO COUNCIL, IF YOU DON'T MIND, AS MY PREROGATIVE, WHY DON'T -- 33 FOLKS CAME DOWN HERE, AT LEAST BOTHERED TO SIGN UP. MOST OF THEM WANTING TO SPEAK. 23 IN OPPOSITION, SEVEN IN FAVOR. THERE'S A COUPLE OF -- SOME KEY FOLKS THAT I HAPPEN TO KNOW ON BOTH SIDES OF THIS ISSUE WHO ARE HERE, SO WITHOUT OBJECTION, I MIGHT JUST CALL ON A COUPLE OF SORT OF KEY ADVOCACY POINTS OUT THERE AND GET THEIR THOUGHTS OR INPUT PRIOR TO STAFF SEEKING OUT THIS FACT FINDING MISSION AND THEN WE CAN CONTINUE TO DELIBERATE THE MOTION, WHICH IS TO TABLE THIS ITEM. SO WITHOUT OBJECTION, I'D LIKE TO CALL MR. RICHARD TROXELL FORWARD. RICHARD, WELCOME. AND THEN PERHAPS -- EARLIER I SAW MARIE FLEMING IN THE AUDIENCE AND/OR JIM LEDGEWORTH. SO RICHARD, I GUESS YOU UNDERSTAND THAT TECHNICALLY WHAT'S ON THE TABLE RIGHT NOW IS A MOTION TO TABLE THIS ISSUE, WHICH MEANS IN LAYMEN'S TERMS IS GOING TO GO AWAY IF WE DON'T TAKE UP ACTION THE REST OF THE DAY, BUT WITH THE CONCEPT BEING THAT IT'S BECOMING MORE EVIDENT TO MORE PEOPLE THAT THERE ISN'T GOOD INFORMATION AT LEAST BEFORE US TODAY ABOUT THE MAKEUP AND COMPLEXITY OF PANHANDLING.

I DO UNDERSTAND THAT. THANK YOU VERY MUCH,  
COUNCILMEMBERS. GOOD DAY. MY NAME IS RICHARD

TROXELL --

Mayor Wynn: RICHARD, IF YOU DON'T MIND. LIMIT YOUR TESTIMONY TO SIX MINUTES, IF IT'S OKAY WITH YOU. WE'RE JUST TRYING TO GET SOME TESTIMONY AS TO THE CONCEPT OF WHAT STAFF WILL BE TRYING TO DO OVER THE NEXT 90 DAYS.

I UNDERSTAND, MR. MAYOR. I SIGNED UP UNDER THE RULES THAT WERE EXISTING AT THE TIME, AND I BELIEVE TWO PEOPLE HAVE OFFERED TO GIVE NECESSITY THEIR TIME. I WILL EXPECT TO TAKE THAT. THAT WAS HOW MY SPEECH WAS PREPARED.

Mayor Wynn: WITH ALL DUE RESPECT, WE ARE ABOUT TO TABLE THIS AND THERE ISN'T GOING TO BE A PUBLIC HEARING AT ALL. THEN YOU WON'T GET A CHANCE TO GIVE TESTIMONY WHATSOEVER. I'LL TURN YOUR MIC OFF AND WE'LL GO TO THE NEXT ITEM. IN LIEU OF DOING THAT, WE DECIDED TO GIVE YOU AN OPPORTUNITY TO GIVE US SOME TESTIMONY RLTS, RICHARD. EYE LIKEWE'RE GOING TO CALL ON FOLKS WHO PROBABLY HAVE GOOD INFORMATION FOR US AND/OR STAFF BEFORE WE SEND STAFF ON THEIR WAY, AND I'M GOING TO CALL ON A COUPLE OF FOLKS THAT I KNOW THAT ARE HERE THAT REALLY, BE REALLY WANT US TO DRAMATICALLY EXPAND AND AMEND THIS ORDINANCE TO OUTLAW ALL SOLICITATION IN THIS TOWN. WHY DON'T YOU TRY TO LIMIT YOUR TESTIMONY TO SIX MINUTES AND ANY COUNCILMEMBER AT ANY TIME CAN ASK QUESTIONS OF YOU AND CONTINUE DELIBERATION. WELCOME.

WELL, THANK YOU. MR. MAYOR, I ASKED YOU NOT TO CUT ME OFF IN MID SENTENCE TO SHOW US RESPECT BECAUSE I AM REPRESENTING A NUMBER BE OF PEOPLE HERE AND YOU'RE DISRESPECTING THE PEOPLE THAT I SERVE HERE TODAY. I WILL SPEAK UNTIL I AM FINISHED. WE WANT TO TALK ABOUT IT HAS BECOME THE COMBINED EFFORTS OF THE AUSTIN CITY COUNCIL AND THE DOWNTOWN AUSTIN BUSINESS COMMUNITY STARTING IN 1995 AND CONTINUING TO THIS DATE THAT HAS RESULTED IN THE CREATION OF THE CRIMINALIZATION OF HOMELESSNESS CYCLE. TWO, FURTHERMORE, HOUSE THE HOMELESS BELIEVES THAT IF AUSTIN BUSINESSES PAID FAIR LIVING WAGES, THEN THE

ISSUE TO BAN PANHANDLING CITYWIDE AND ALL OTHER,  
QUOTE, QUALITY OF LIFE ORDINANCES SUCH AS NO  
SLEEPING, NO SITTING, NO LYING DOWN, NO LOITERING, NO  
CAMPING WOULD ALL BE MOOT. PLEASE PUT THE FIRST  
VISUAL UP? THANK YOU. THE CRIMINALIZATION OF  
HOMELESSNESS CYCLE HAS SIX DISTINCT PARTS. IT BEGINS  
WHEN DOWNTOWN BUSINESSES PAY POOR WORKING  
PEOPLE LESS THAN A LIVING WAGE. THESE ARE THE VERY  
BUSINESSES DRIVING THESE ORDINANCES. THEY PAY  
PEOPLE SO LITTLE THAT THEY CAN'T AFFORD THE BASICS  
OF LIFE, WHICH ARE FOOD, CLOTHING, SHELTER, AND THEY  
BECOME HOMELESS. THEY REMAIN HOMELESS, NUMBER  
TWO, BECAUSE THE AUSTIN SOCIETAL RESPONSE IS  
WHOLLY INADEQUATE WITH ONLY 607 EMERGENCY SHELTER  
BEDS FOR EVERY MAN, WOMAN AND CHILD. AT THE SAME  
TIME THERE ARE BETWEEN FOUR AND SIX THOUSAND  
HOMELESS PEOPLE IN THE ESTIMATION OF THE CITY-  
COUNTY HEALTH DEPARTMENT. THREE, THE BUSINESSES  
AND THEIR FRIENDS ON CITY COUNCIL THEN PASS LAWS  
AGAINST THEIR CONDITION OF BEING HOMELESS, IE, NO  
SITTING, NO LOITERING, NO CAMPING, NO LYING DOWN, NO  
SOLICITATION. THEY CALL THEM QUALITY OF LIFE  
ORDINANCES FOR WHICH THESE POOR PEOPLE THEN  
RECEIVE 200 PLUS DOLLAR FINES FOR THE BUSINESSES AND  
THEIR SPECIAL INTEREST CITY COUNCILMEMBERS CREATE A  
TOTALLY SEPARATE COURT SYSTEM JUST TO DEAL WITH,  
QUOTE, THE QUALITY OF LIFE VIOLATORS CALLED  
COMMUNITY COURT. IN LIEU OF PAYING THE FINES THAT  
THEY CAN'T AFFORD, HOMELESS PEOPLE ARE TURNED INTO  
A FREE LABOR FORCE WHEN THEY THEN MUST PERFORM  
COMMUNITY SERVICE. SO FIRST, BUSINESSES WON'T PAY A  
LIVING WAGE AND WHEN WE BECOME HOMELESS AND  
POWERLESS YOU JUST TAKE OUR LABOR. PLEASE PUT UP  
PICTURE NUMBER 2. THIS IS A PICTURE OF MY FRIENDS.  
THESE ARE THE AUSTIN FIRE DEPARTMENT OUT THERE, FILL  
THE BOOT CAMPAIGN. I'M A FORMER VOLUNTEER FIREMAN  
IN NEW MEXICO. AND THESE GUYS ARE PANHANDLING. THEY  
ARE SOLICITING. BUT THE LAW IS SET UP IN SUCH A WAY  
THESE PEOPLE ARE EXEMPT. PLEASE PUT UP THE FIRST  
PICTURE? WELL, THERE, THAT'S THE POINT, IT'S A SEPARATE  
SET OF RULES. IT'S SEPARATE COURT, SEPARATE LAWS,  
SEPARATE PANHANDLING ORDINANCES. FIVE, WHEN PEOPLE

HAVE NO ALTERNATIVE BUT TO PETITION THEIR FELLOW CITIZENS FOR HELP, IE PANHANDLING, THE DOWNTOWN BUSINESSES AND THE CITY COUNCIL LAINL THEM AS SYMBOLS AND DID HE CRY THEIR SURVIVAL ACTIVITY OF PANHANDLING AS, QUOTE, UNSAFE, WHILE ALLOWING OTHERS TO REMAIN AND TO CONDUCT THE SAME IDENTICAL CONDUCT. UNSAFE FOR ONE, BUT NOT UNSAFE FOR OTHERS? WHO DO WE THINK WE'RE KIDDING? SIX, THE CYCLE IS COMPLETED AND THEIR CONTINUED HOMELESSNESS IS ASSURED WHEN PEOPLE EXPERIENCING HOMELESSNESS CAN'T GET A JOB OR RENT AN APARTMENT BECAUSE OF ALL OF THE QUALITY OF LIFE TICKETS AND WARRANTS FOR ARREST ISSUED AGAINST THEM. AS AN EMPLOYER, WHO WOULD YOU HIRE? IF YOU ARE A LANDLORD, WHO WOULD YOU RENT TO? THE TRUTH IS, PEOPLE ARE LIVING AND DYING ON THE STREETS OF AUSTIN, TEXAS AND OUR CLEBILITY ACTIVE RESPONSE IS TO CRIMINALIZE PEOPLE IN NEED. REALITY: LAST YEAR 89 PEOPLE DIED ON THE STREETS OF AUSTIN. THIS YEAR WYNN 31 PEOPLE 131 PEOPLE DIED AND IT WAS NOT A RESULT OF PANHANDLING. HOUSE THE HOMELESS DOES NOT PROMOTE PANHANDLING; HOWEVER, WE WILL FIGHT TO THE DEATH FOR A PERSON'S RIGHT TO ASK A FELLOW HUMAN BEING FOR HELP. THIS IS AS OLD AS TIME. AUSTIN HAS ALREADY BEEN LABELED THE EIGHTH MEANEST CITY IN AMERICA IN REFERENCE TO THE PASSAGE OF OUR QUALITY OF LIFE ORDINANCES AGAINST THE HOMELESS. IT HAS BECOME GLARINGLY OBVIOUS THAT A SOCIAL WAR HAS BEEN DECLARED AGAINST THE HOMELESS IN THE CITY OF AUSTIN. WILL WE NOW JOIN FORT LAUDERDALE, FLORIDA, HEMPSTEAD, NEW YORK, LAS VEGAS, NEVADA AND ATLANTA, GEORGIA IN MAKING IT ILLEGAL TO FEED THE HOMELESS? ENOUGH. ENOUGH! WE DO NOT NEED TO HAVE THIS ISSUE STUDIED JUST AS A WAY TO FIND A BACK DOOR TO COME AT THE HOMELESS AGAIN. WHAT WE NEED IS A LIVING WAGE JOBS PROGRAM. A LIVING WAGE JOB IS ONE THAT PAYS FOR THE VERY BASICS, FOOD, CLOTDZING AND SHELTER, AM I RIGHT?

YES.

WE NEED THE BUSINESS COMMUNITY TO ACT AS A RESPONSIBLE COMMUNITY PARTNER. WE WANT THEM TO

ENTER INTO RELATIONSHIP WITH AUSTIN'S HOMELESS ADVOCATES THAT PLACES A READY, WILLING, ABLE EMPLOYEE INTO A LIVING WAGE JOB. ANYONE RIGHT HERE WILL DO. THIS IS A WIN-WIN SITUATION. BY PAYING LIVING WAGES PEOPLE CAN WORK THEMSELVES OFF THE STREETS, THUS RENDERING ALL OTHER QUALITY OF LIFE ORDINANCES UNNECESSARY. AT THE SAME TIME, THIS CREATES A STABLE, LOW WAGE WORKFORCE FOR THE BUSINESS COMMUNITY. IN CLOSING I'D LIKE TO SHARE THIS POIGNANT WORDS BY MARTIN (INDISCERNIBLE). [ BUZZER SOUNDS ] FIRST THEY CAME TO THE COMMUNIST, BUT I WAS NOT A COMMUNIST, SO I DID NOT SPEAK OUT. THEN THEY CAME FOR THE SOCIALIST AND THE TRADE UNIONS, BUT I WAS NOT ONE OF THEM, SO I DID NOT SPEAK OUT. THEN THEY CAME FOR THE JEWS, BUT I WAS NOT JEWISH, SO I DID NOT SPEAK OUT. AND WHEN THEY CAME FOR ME, THERE WAS NO ONE LEFT TO SPEAK FOR ME. SO WHO WILL SPEAK FOR US? WHO WILL SPEAK FOR THE HOMELESS? CITY COUNCIL, HAVE YOU COME FOR US? OR WILL YOU HELP US WITH WHAT WE REALLY NEED? LIVING WAGE JOBS. THANK YOU. HOUSE THE HOMELESS. [ APPLAUSE ] HOUSE THE HOMELESS. [ APPLAUSE ] THANK YOU FOR THAT OPPORTUNITY, MR. MAYOR AND COUNCIL.

Mayor Wynn: THANK YOU, MR. TROXELL AND FOR KEEPING YOUR COMMENTS TO SIX MINUTES. I TRUST YOU RECOGNIZE THAT THE ACTION THE COUNCIL IS TAKING IS TRYING TO DO SOME OF THE VERY THINGS YOU'RE SUGGESTING WE TRY TO DO. COUNCIL, AGAIN, WITHOUT OBJECTION, OBVIOUSLY MR. TROXELL SPEAKS ELOQUENTLY ON ABOUT ONE SIDE OF THIS ISSUE, BUT WE DO HAVE A HANDFUL OF FOLKS WHO ARE HERE ESSENTIALLY SUPPORTING WHAT THEY BELIEVE TO BE US AMENDING, SOME WOULD SAY STRENGTHENING THAT CURRENT ORDINANCE. I'D LIKE TO AT LEAST THEM GIVE THEM AN OPPORTUNITY TO SAY A FEW WORD PRIOR TO STAFF GOING OUT TO GATHER THE INFORMATION. WOULD NAR REFLEMING LIKE TO GIVE TESTIMONY? IF YOU DON'T MIND, BEFORE YOU START SPEAKING, LET'S SEE, BY CHANCE IS JIM LEDGEWORTH HERE? WOULD YOU LIKE TO ALSO GIVE TESTIMONY? THEN MARIE, IF YOU COULD LIMIT YOUR TIME TO THREE MINUTES WE WOULD APPRECIATE IT TO GIVE JIM SOME TIME AS WELL.

THANK YOU. I'M THE FOUNDER OF VENTANA DEL SOL AND WE WORK WITH CHILDREN IN THE JUSTICE SYSTEM WHO ARE AT RISK OF FALLING INTO A HOMELESS SITUATION IF THEY END UP IN THE JUSTICE SYSTEM. WE WORK WITH MORE THAN 250 CHILDREN LAST YEAR AND THIS YEAR WE'VE EXCEEDED THAT BY FAR. THIS GROUP OF CHILDREN DON'T HAVE-- ALSO DON'T HAVE ANYONE TO SPEAK FOR THEM AND SO I COME TO YOU. WE WORK ON THE EAST SIDE AND WE WATCH THE CHILDREN CROSS THESE HIGHWAYS ON A DAILY BASIS TRYING TO GET TO AND FROM SCHOOL. WE WOULD LIKE TO ASK THE COUNCIL TO LOOK AT THE ORDINANCE, STUDY IF YOU NEED TO, BUT COULD WE TRY TO MAKE IT EASIER FOR THE CHILDREN TO TRY TO GET TO AND FROM SCHOOL, TO MAKE IT SAFER, TO MAKE IT SO THEY HAVE PRIDE IN THEIR COMMUNITY, TO MAKE IT SO THEY HAVE -- THESE KIDS ARE MORE LIKELY THAN OTHERS TO FALL INTO THE SYSTEM. WE JUST WANT TO GIVE THEM A BETTER CHANCE OF. WE'RE TALKING ABOUT STRENGTHENING AND BUILDING ON THE EAST SIDE. THIS IS A GOOD WAY TO START AND WE CAN DO THIS NOW. I BELIEVE IF WE DO AT LEAST #- 800 FEET FROM THE SCHOOL, 800 TO THOUSAND FEET FROM THE SCHOOLS ACROSS AUSTIN BECAUSE IT ISN'T JUST OLTORF AND I-35. WE'RE TALKING REAGAN AND L.B.J. AND THESE ARE ALL SCHOOLS WHERE THE CHILDREN MUST WALK. THEY DON'T HAVE A CHOICE. THEY DON'T HAVE PARENTS WHO CAN TAKE THEM TO SCHOOL AND THEY DON'T HAVE CARS F THEY LIVE NEAR THE SCHOOL, THEN THEY DON'T EVEN HAVE A BUS THAT WOULD TAKE THEM TO SCHOOL BECAUSE THEY ARE WITHIN WALKING DISTANCE. SO WE JUST ASK THAT WE GO AHEAD AND START PROTECTING THE CHILDREN NOW SO THAT THEY DON'T END UP IN A SITUATION LIKE THIS. ALSO, TO UNDERSTAND THAT FOR EVERY CHILD WHO DOES END UP IN THE JUSTICE SYSTEM, OF THE LIFETIME THAT HAVE CHILD WE'RE TALKING ABOUT \$10 MILLION TO THE TAXPAYER IN SAVINGS IF WE CAN KEEP THEM OUT OF THE SYSTEM, ONE CHILD. THOSE DOLLARS CAN BE PUT TOWARD HELPING OTHER SOCIAL SERVICES TO HELP THE CURRENT SYSTEM TOO. SO WE'RE NOT ASKING FOR A CITYWIDE BAN, WE'RE ASKING FOR THE FOLKS WHO ARE PANHANDLING TO CHOOSE AN ALTERNATIVE OR AN ALTERNATE INTERSECTION THAT ISN'T NEAR A SCHOOL. THANK YOU. OH, AND THIS IS OUR



HANDOUT AND IT TALKS ABOUT -- THIS IS FROM THE OFFICE OF JUVENILE JUSTICE. AND IT TALKS ABOUT THE RISK FACTORS FOR THE CHILDREN WHO HAVE A GREATER CHANCE OF FALLING INTO THE SYSTEM. THANK YOU.

Mayor Wynn: THANK YOU, MS. FLEMING. LET'S SEE. ALSO, JIM 11WORTH LEDGEWORTH WANTED TO GIVE TESTIMONY. IF YOU COULD GIVE US THREE MINUTES.

I MIGHT GO A LITTLE OVER. I HAD DEPENDED TWO OTHER PEOPLE -- MAYBE A MINUTE -- MAYOR WYNN AND AUSTIN CITY COUNCILMEMBERS AND OTHERS, OVER THE PAST FEW DAYS I CIRCULATED THE ENCLOSED PETITION THAT I'VE PASSED TO YOU COLLECTING 90 SIGNATURES OF MY NEIGHBORS IN THE WALNUT CREEK NEIGHBORHOOD. I WANT TO EXPRESS TO YOU SEVERAL INCIDENTS THAT EXPRESSED THEIR FEEGZ IN GENERAL AND MY CURRENT DISAPPOINTMENT WITH THE STATE OF SOLICITATION ACTIVITIES IN AUSTIN. YESTERDAY I WITNESSED A MALE AND FEMALE PANHANDLER COUPLE COMMIT A LEWD ACT AT A VACANT CONVENIENCE STORE ON THE CORNER OF BRAKER LANE AND NORTH LAMAR, LESS THAN 500 FEET FROM WALNUT CREEK ELEMENTARY SCHOOL. THANK GOODNESS IT WAS AROUND NOON AND NOT AT A TIME WHEN SCHOOL BUSES WERE DRIVING BY OR CHILDREN WERE WALKING IN THE AREA. WHEN I GOT HOME I CALLED A.P.D. I WAS TOLD BY THE DISPATCHER AT EITHER 311 OR A.P.D. THAT IT WOULD BE ANYWHERE FROM 20 MINUTES TO TWO HOURS BEFORE SOMEONE COULD GET BACK TO ME. ACTUALLY, TO MY SURPRISE, I DID GET A CALL BACK ABOUT 20 MINUTES LATER. I GAVE THE INFORMATION ABOUT WHAT I HAD SEEN. THE INDIVIDUAL TAKING THE INFORMATION SAID THAT THEY WOULD SEND AN OFFICER OUT AND GAVE ME A CITY SERVICE REQUEST NUMBER ON YOUR HANDOUT. TWO HOURS LATER I CALLED BACK AND WAS TOLD THAT THE OFFICER WHO WENT OUT COULD NOT FIND THE INDIVIDUALS I HAD DESCRIBED. TO ME THIS INCIDENT SHOWS THE FUTILITY OF A CITIZEN EVEN BOTHERING TO REPORT SUCH BEHAVIOR. SNOARDZ, THIS IS SOMETHING THAT TAXPAYERS SIMPLY HAVE TO TOLERATE BECAUSE OUR OFFICIALS HAVE CHOSEN TO BE ENABLERS OF OFTEN DRUG-INDUCED INDIVIDUALS WHO HAVE NO RESPECT FOR THE LAW OR FOR PUBLIC DECENCY. IN ANOTHER INCIDENT YESTERDAY AT

THE CORNER OF BRAKER LANE AND MOPAC I OBSERVED A GROUP OF CHURCH PEOPLE SOLICITING DONATIONS. THEY WERE GOING IN AND OUT OF THREE-LANE TRAFFIC ON BOTH MOPAC FEEDER AND BRAKER LANE COLLECTING MONEY. I CALLED ONE OVER TO MY CAR AND ASKED HER IF SHE KNEW THAT SHE WASN'T SUPPOSED TO BE GOING IN AND OUT OF TRAFFIC LIKE THAT. SHE REPLIED, IS THAT WHAT YOU STOPPED ME FOR? WELL, GOD BLESS YOU. AND THEN SHE CONTINUED HER ILLEGAL BEHAVIOR. THIS SEEMS TO BE HAPPENING MORE AND MORE AT I-35 AND MOPAC INTERSECTIONS. I BELIEVE THIS INCIDENT ALSO SHOWS A COMPLETE LACK OF RESPECT FOR THE LAW, EVEN BY SOME CHURCH AND CHARITABLE GROUPS, PROBABLY BECAUSE IT'S COMMON KNOWLEDGE THAT IT'S TOLERATED. IT SEEMS THAT A.P.D.'S OVERALL POLICY FOR DEALING WITH SOLICITATION AND ITS ATTENDING VIOLATIONS IS TO WAIT UNTIL CITIZENS COMPLAIN BEFORE THEY TAKE ANY ENFORCEMENT ACTION. WHEN I SEE THE TRASH, BEER CANS, MILK CRATES, GENERALLY FILTH IN THE IMMEDIATE AREA AROUND CORNERS WHERE PANHANDLERS PRACTICE THEIR TRADE, I QUESTION WHAT EVER HAPPENED TO THE NATIONALLY KNOWN DON'T MESS WITH TEXAS PROGRAM. EVIDENCE CLEARLY SHOWS THAT IN THIS CITY, THE DON'T MESS WITH TEXAS CAMPAIGN -- [ BUZZER SOUNDS ] -- IS NOTHING BUT EMPTY, MEANINGLESS SLOGANEERING AND A WASTE OF TAXPAYER MONEY. LAST SPRING, BRAKER LANE AND MIDDLE FISKVILLE ROAD, PANHANDLERS HAD SET UP HOUSEKEEPING WITH A COUCH, SEVERAL CHAIRS AND THE USUAL LIST OF BURGER WRAPPERS, DISCARDED GARMENTS AND ROTTEN FOOD THAT OCCURS IN SUCH CAMPS. THIS OBVIOUS EYESORE STAYED THERE FOR ABOUT A WEEK, UNTIL WE, CITIZEN TAXPAYERS FROM THE NEIGHBORHOOD, TOOK DIGITAL PICTURES AND SENT THEM TO AN APPARENTLY UNAWARE A.P.D. OUR NEIGHBORHOOD HAS BEEN FORCED TO TAKE INITIATIVE ON SEVERAL OTHER CASES WHERE PANHANDLER CAMPS HAVE BEEN SET UP. I VOLUNTEER AT THE SAINT MARK'S METHODIST CHURCH FOOD BANK ON BRAKER LANE AND HAVE SINCERE EMPATHY FOR MANY OF THE CLIENTS WHO COME THERE FOR FOOD. I EVEN HAVE EMPATHY FOR THE SELF DESTRUCTIVE PANHANDLERS WHO CAN EASILY BE OBSERVED TAKING THEIR COLLECTION TO THE CORNER CONVENIENCE STORE

AND BUYING BEER OR WINE. BUT I DO NOT BELIEVE THAT THERE'S SELF DESTRUCTIVE BEHAVIOR SHOULD BE IGNORED BY CITY GOVERNMENT THAT INSTEAD OF COMING UP WITH CONSTRUCTIVE WAYS TO SOLVE PROBLEMS, CHOOSES TO BECOME AN ENABLER CITY IN WHICH THEIR SELF DESTRUCTIVE BEHAVIOR BECOMES ACCEPTED AS THE NORM. MOISTURE MAYOR THANK YOU. AND THEN COUNCIL, AS JUST A CONTINUOUS BALANCE OF TESTIMONY, I'M TOLD THAT DIEGO BERNALL MAY HAVE A COUPLE OF QUICK COMMENTS FROM THE SOCIAL SERVICE PERSPECTIVE. AND I WILL HAVE A COUPLE OF QUESTIONS FOR STAFF AFTER MR. BERNALL SUBPOENAS.

THANK YOU VERY MUCH. I'M THE STAFF ATTORNEY WITH THE MEXICAN-AMERICAN LEGAL DEFENSE EDUCATIONAL FUND. WE HAVE SUCCESSFULLY LITIGATED SEVERAL ANTI-SOLICITATION CASES THROUGHOUT THE COUNTRY BOTH IN FRONT OF DEMOCRAT APPOINTED AND REPUBLICAN APPOINTED JUDGES. AND I WANTED TO TALK TO YOU TODAY ABOUT THE ONE THAT MAY OR MAY NOT BE OCCURRING IN THE NEXT 90 DAYS OR SO, OR IF IT HAPPENS AT ALL. BEFORE I DO THAT, I WANT TO TALK ABOUT COUNCILMEMBER KIM. NEVER BEFORE HAVE I SEEN A PUBLIC OFFICIAL TAKE A POSITION AND THEN HEAR AND LISTEN TO THE WISHES OF THE COMMUNITY, CHANGE THEIR POSITION AND DO IT PUBLICLY. I THINK THAT SHOWS REAL LEADERSHIP, AND WE WANT TO APPLAUD THAT. THANK YOU FOR THAT. THAT SAID, THIS CAN BE USED BY YOUR TASKFORCE AND WE ALSO OFFER THE SERVICES TO THE TASKFORCE IN THE EVENT WE'RE ALLOWED TO PARTICIPATE. WE THINK THAT THE CONSTITUTIONAL ISSUES THAT ARISE FROM ANTI-SOLICITATION ORDINANCES ARE VERY, VERY IMPORTANT. AND MAY BE MORE IMPORTANT THAN ANYTHING ELSE BECAUSE YOU CANNOT APIECE THE PUBLIC THROUGH SOMETHING THAT IS UNLAWFUL. FIRST, THE ANTI-SOLICITATION ORDINANCES THAT WE HAVE SUCCESSFULLY STRUCK DOWN IN OTHER PARTS OF THE COUNTRY LOOK ALMOST EXACTLY LIKE ALL THE ITERATIONS OF ORDINANCES WE'VE SEEN IN AUSTIN RECENTLY AND TWO YEARS AGO. I DISCUSSED THE SAME THING TWO YEARS AGO IN FRONT OF THIS VERY BODY. THE SECOND THING IS ANTI-SOLICITATION ORDINANCES PROHIBIT CERTAIN KINDS

OF SPEECH. IN THIS CASE SOLICITATION. WHICH WOULD MEAN THAT AS DRAFTED THE ONES THAT I'VE SEEN WOULD OUTLAW NOT ONLY SOLICITATION OF BUSINESS FROM THE SIDEWALK TO THE STREET AND VICE VERSA, BUT WHAT THAT MEANS IN REAL LIFE IS THAT YOU COULD NOT LAWFULLY HAIL A TAXI DOWNTOWN. THE GIRL SCOUTS COULD NOT HAVE SALES OF GIRL SCOUT COOK BOOKS. YOU COULD NOT HAVE A HIGH SCHOOL CAR WASH. AND MY FAVORITE, YOU PROBABLY WOULD COMPLETELY ELIMINATE THE ICE CREAM MAN BECAUSE WHAT THEY DO IS SOLICIT BUSINESS AND SERVICES FROM THE STREET TO THE SIDEWALK AND VICE VERSA. THE WAY THAT THE ONES IN AUSTIN HAVE BEEN DRAFTED WOULD PROHIBIT THE EXAMPLES I'VE MENTIONED, BUT LAW, LET'S SAY -- BUT ALLOW, LET'S SAY, THE COUNCIL TO PASS OUT FLIERS WHEN THEY'RE CAMPAIGNING THEIR POSITIONS. AND BECAUSE IT DISTINGUISHES BETWEEN DIFFERENT KINDS OF SPEECH, IT IS UNCONSTITUTIONAL, THERE IS NO QUESTION. THE OTHER THING ALONG THESE LINES IS THAT LAW ENFORCEMENT WOULD HAVE TO HEAR THE CONTENT OF THE SPEECH TO DETERMINE WHETHER OR NOT THE SOLICITATION ORDINANCE WAS BEING VIOLATED. IF YOU SEE ME TALKING TO SOMEONE ON THE STREET OR IN A CAR, YOU WOULD HAVE TO HEAR WHAT I'M SAYING TO KNOW WHETHER OR NOT I'M VIOLATING THE ORDINANCE. THAT MEANS THAT THE CONTENT OF MY SPEECH IS WHAT IS AT ISSUE AND THAT IS THE LARGEST RED FLAG FOR AN ANTI-SOLICITATION ORDINANCE. AND I ENCOURAGE YOU TO TAKE THESE RECOMMENDATIONS INTO CONSIDERATION WHEN THE TASKFORCE COMES BACK WITH ITS OWN RECOMMENDATIONS. [ BUZZER SOUNDS ]

Mayor Wynn: THAT WAS THE FULL THREE MINUTES, MR. BERNALLU.

THANK YOU VERY MUCH. [ APPLAUSE ]

Mayor Wynn: THANK YOU FOR THAT TESTIMONY. AND FINALLY, COUNCIL, JUST ANOTHER PREROGATIVE, JUDGE NANCY O'HEN GARDEN IS HERE IN THE AUDIENCE. MANY PEOPLE KNOW THAT THE JUDGE ADMINISTERS LOTS OF HOMELESS REHAB FROM A JUDICIAL PERSPECTIVE. JUDGE, YOU'RE WELCOME TO GIVE US ANY TESTIMONY OR

PERSPECTIVE YOU MAY WANT BEFORE WE TABLE THE ACTION.

FIRST, I'M NOT HERE TO TAKE A POSITION ON THE ORDINANCE, PER SE. BUT WHAT I DID WANT TO INFORM YOU, SINCE I HAVE MET WITH YOU AND TALKED WITH YOU A LOT ABOUT PROJECT RECOVERY, IS THAT THE FOLKS THAT ARE IN PROJECT RECOVERY, ALL OF THEM THAT ARE CURRENTLY THERE, RIGHT NOW THERE'S 15, IT'S FULL, ALL OF THEM SUPPLY THEIR HABIT THROUGH PANHANDLING. THERE ARE LOTS OF FOLKS THAT ARE PANHANDLING THAT DO NOT HAVE A SUBSTANCE ABUSE PROBLEM, SO I DON'T WANT TO PAINT THAT PICTURE. BUT WHAT I DO WANT TO SAY IS THAT THE TREATMENT IS WORKING. IT'S A VIABLE ALTERNATIVE. IT'S A HUMANE ALTERNATIVE. AND IT SEFERKZIT SEARCHES THE PURPOSE. AND I THINK IT'S PART OF THE PACKAGE THAT FOLKS NEED TO CONSIDER EXAMWHEN LOOKING AT THE ISSUE. I WOULD HOPE THAT WE COULD CONTINUE THAT PROGRAM. YOU HAVE BEEN VERY GENEROUS IN YOUR FUNDING FROM THE CITY. TO ALLOW US TO HAVE A PROBLEM-SOLVING COURT. AND THAT'S REALLY ALL I WAS HERE TO SAY TODAY. THANK YOU.

Mayor Wynn: THANK YOU, JUDGE, AND FOR ALL YOUR WORK. SO COUNCIL, AGAIN, WE HAVE A MOTION AND A SECOND ON THE TABLE TECHNICALLY TO TABLE THIS ITEM, NUMBER 73, WITH SOME DIRECTION OF STAFF. I THINK I'VE LOST PERHAPS THE -- SOME OF THE POTENTIAL POLICE TESTIMONY, BUT FURTHER COMMENTS ON THE MOTION TO TABLE? THANK YOU, I DO SEE SHAUN MAD DOC DOKS HERE. COMMENTS, QUESTIONS? COUNCILMEMBER KIM.

Kim: SINCE WE DID ASK A.P.D. TO LOOK INTO THIS ISSUE AND THERE IS A PROJECT THAT THEY TRIED IN SOUTHEAST AREA COMMAND AND IT HAS TO DO WITH PEDESTRIAN SAFETY, I WAS WONDERING IF THE COULD GIVE US INFORMATION ABOUT THAT SO THAT THE COMMUNITY IS AWARE OF WHAT IS GOING TO HAPPEN TO MAKE SURE THAT PEOPLE ARE SAFE IN THE ROADWAY.

THANK YOU. I'M COMMANDER MADDOX WITH THE AUSTIN POLICE DEPARTMENT. YES, THERE HAVE BEEN INITIATIVES IN AUSTIN TO DEAL WITH PRIMARILY PEDESTRIAN-

AUTOMOBILE INTERACTION, WHICH FOR THE POLICE DEPARTMENT IS KIND OF THE CENTER OF THIS WHOLE DEBATE, AND THAT'S THE SAFETY ISSUE OF WHETHER SCARS AND PEDESTRIANS -- OF WHETHER CARS AND PEDESTRIANS MIX AS OPPOSED TO FOLKS JUST CROSSING THE STREET AND STUFF, BUT ACTUALLY GETTING IN AND OUT OF THE TRAFFIC LANES. WITH THAT, THE SOUTH CENTRAL AREA COMMAND, LED BY COMMANDER JEFF ATTICS, DID DO AN OPERATION CENTERED ON AUTO-PEDESTRIAN VIOLATIONS OF THE EXISTING TRAFFIC LAWS. AND I DON'T KNOW EXACTLY WHAT THOSE NUMBERS ARE TODAY, BUT THEY WROTE A -- DRAMATICALLY INCREASED THE NUMBER OF TICKETS IN THAT AREA OF COMMAND FOR THOSE PARTICULAR VIOLATIONS. AND WHAT THEY DID FIND IN THE PERIOD OF TIME THAT THEY WERE DOING THAT IS THAT THEY REDUCED THEIR AUTO-PEDESTRIAN FATALITIES SIGNIFICANTLY. WE DON'T KNOW WHETHER FURTHER STUDY THAT THAT WAS THE SPECIFIC CAUSE OF THAT REDUCTION, BUT WE DO KNOW THAT THERE WERE FEWER AUTO-PEDESTRIAN COLLISIONS INVOLVING FATALITIES.

Mayor Wynn: THANK YOU, COMMANDER. QUESTIONS OF THE COMMANDER? COMMENTS? AGAIN, THE MOTION AND A SECOND ON THE TABLE TO TABLE THIS ITEM NUMBER 73 WITH THE DIRECTION OF STAFF TO COME BACK. I BELIEVE THE REQUEST WAS 90 DAYS. AND HOPEFULLY WITH THE INFORMATION THAT WE CAN HAVE TO JUDICIOUSLY MOVE FORWARD. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION TO TABLE PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. SO COUNCIL, EARLIER WE HAD ALSO -- COUNCILMEMBER KIM HAD PULLED ITEM NUMBER 48, A AN ITEM FROM COUNCIL FOR HER AND COUNCILMEMBER LEFFINGWELL REGARDING A RESOLUTION REGARDING THE PRIORITIZATION SFOFS THE DAY LABORERS. I'LL RECOGNIZE COUNCILMEMBER KIM.

Kim: THANK YOU, MAYOR. I WANT TO THANK THE JUDGE FOR HER COMING DOWN TO CITY HALL TODAY. I KNOW THAT SHE HAD COURT TODAY AND SO SHE WAS ABLE TO REARRANGE

HER SCHEDULE TO SPEAK ABOUT PROJECT RECOVERY. THIS IS ONE OF SEVERAL PROGRAMS THAT I WOULD LIKE TO SEE US PRIORITIZE AS WE ARE TAKING MORE INFORMATION AND COLLECTING THE DATA. IT'S CLEAR FROM THE EARLY RESULTS OF PROJECT RECOVERY AND WITH A NEW DIRECTOR OF THAT PROGRAM THAT IT IS SOMETHING THAT IS WORKING. AND SO ANOTHER PROGRAM THAT IS IMPORTANT IS ALSO FOR RE-ENTRY ROUND TABLE AND THAT IS SOMETHING THAT MR. TROXELL ADDRESSED, WHICH IS PEOPLE WHO HAVE A CRIMINAL HISTORY AND HELPING THEM TO TRANSITION INTO JOBS, WORKING WITH EMPLOYERS, WORKING WITH THE APPLICANTS AND MAKING SURE THAT THEY ARE ABLE TO FIND EMPLOYMENT SO THEY DON'T HAVE TO RESORT TO SOLICITATION AS A FORM OF INCOME. ALSO WE TOOK SOME INFORMATION AND LISTENED TO THE MEMBERS OF THE DAY LABOR ADVISORY COMMITTEE, AND THIS RESOLUTION ALSO ADDRESSES THE CITY MANAGER -- DIRECTS THE CITY MANAGER TO ADDRESS SOME OF THE ISSUES THAT WERE BROUGHT FORWARD BY THEM. AND WITH SPECIFIC ATTENTION TO THE TRAVIS HIGH SCHOOL COMMUNITY ON TUESDAY, THE POLICE DISCUSSED WITH THEM IN A MEETING INVOLVING AISD THE PEDESTRIAN SAFETY INITIATIVE. AND I EVEN SAW ON THE LOT ACROSS THE STREET FROM TRAVIS HIGH SCHOOL A MOWER SO THEY WERE MOWING THAT LOT BECAUSE THE GRASS THERE WAS VERY HIGH AND THAT CAUSED A CONCERN IN TERM OF SAFETY IN THE AREA AND THE MOWER HAD POLICE WRITTEN ON IT. THANK YOU FOR YOUR QUICK RESPONSE. THAT WAS JUST TUESDAY AFTERNOON AFTER THE MEETING. SO I WANT TO COMMEND A.P.D. I KNOW YOU WILL CONTINUE TO HAVE THE DISCUSSIONS WITH LA QUINTA INN AND THEIR SECURITY PERSONNEL AS WELL AS THE VENTANA DEL SOL AND OTHER PEOPLE IN THE AREA THAT ARE CONCERNED ABOUT THE SAFETY OF THE STUDENT AND IN PARTICULAR AT TRAVIS HIGH SCHOOL.

Mayor Wynn: WE DO HAVE A COUPLE OF SPEAKERS WHO SIGNED UP EARLIER. JUDGE, IF WE HAD QUESTIONS. GREG GIBSON SIGNED UP WISHING TO ADDRESS US. WELCOME, GREG. THANK YOU FOR YOUR PATIENCE. AND WHILE GREG MAKES IT TO THE PODIUM, KNOW THAT GUADALUPE RODRIGUEZ, OMAR RAN DLEELGEL AND SEVERAL OTHERS

SIGNED UP NOT WISHING TO SPEAK, IN FAVOR.

THERE HAVE BEEN MANY QUESTIONS REGARDING THE CHANGES TO THE LAW AND THE IMPLEMENTATION OF ORDINANCES. THERE ARE MANY QUESTIONS. I'M NOT AN ATTORNEY AND HERE TO TALK ABOUT THE LEGAL ARGUMENTS. I DO KNOW JUST FROM MY POINT OF VIEW IT DOES PRESENT SIGNIFICANT LEGAL RISK TO THE CITY, AND THAT'S MY TAXPAYER MONEY, SO IF WE CAN RESOLVE THIS WITHOUT EXTERNAL PARTIES BECOMING INVOLVED, I WOULD APPRECIATE THAT. THERE'S ALSO MANY OBSERVATIONS ON THIS ISSUE. MOST OF THEM ARE ANECDOTAL FROM WHAT I'VE HEARD, WHETHER IT'S INFORMATION FROM PARENTS AROUND TRAVIS HIGH SCHOOL OR THE STUDENTS OR THE INDIVIDUALS OF INTEREST IN AND AROUND THE NEIGHBORHOOD. MOST OF THE INFORMATION THAT I HAVE HEARD AND I HAVE LOOKED HARD FOR A LOT OF INFORMATION, IT'S NOT OBJECTIVE IN NATURE. IT'S COMPLICATED BY THE PLAQUE LACK OF DATA, THE FACT THAT A.P.D. DOES NOT HAVE A WAY TO FLAG WHETHER A PERSON IS HOMELESS OR NOT. THE FACT THAT THEY REQUIRE A PERSON TO GIVE UP AN ADDRESS AT THIS AT THE TIME OF CITATION COMPLICATES THING. THE DATA CAN'T BE CARVED OUT IN SOME UNIQUE WAY. THERE MAY BE SOME COMPLICATED SOLUTIONS TO GATHERING THE DATA. I WOULD URGE TO YOU UNIVERSITY COMMUNITY ACTION NETWORK, ECHO, THE POLICY AND PLANNING ARMS THAT DEAL WITH HOMELESSNESS. THOSE ARE EXISTING INSTRUMENTS THAT ARE YOUR RESOURCES. I WOULD DISCOURAGE ANY ADDITIONAL PLANNING BODIES. IT WOULD BE INCONSISTENT, IT WOULD BE COMPRISED OF PLAYERS WHO DO NOT KNOW THE HISTORY AND RESOURCES AND WHAT'S POSSIBLE AND WHAT'S NOT POSSIBLE. WHAT I WOULD LIKE FOR YOU TO DO -- I'M WITH THE TEXAS HOMELESS NETWORK, WHICH IS THE STATEWIDE ORGANIZATION COMPRISED OF 5400 MEMBERS, INCLUDING MANY CITIES AND COUNCILS OF GOVERNMENTS AND NONPROFIT AND FAITH-BASED ORGANIZATIONS. I DON'T HAVE A DOG IN THIS FIGHT, I'D LIKE TO SAY. WE DON'T PROVIDE DIRECT SERVICES TO THE HOMELESS. WE PROVIDE CONSULTATION AND TECHNICAL ASSISTANCE TO THOSE WHO WISH TO HELP T HOMELESS. THAT'S MY ROLE



HERE TODAY, THAT'S MY PURPOSE HERE TODAY. I WOULD ENCOURAGE YOU TO PRIORITIZE THE FUNDING OF SOCIAL SERVICES THAT HELP THE HOMELESS HOWEVER YOU CAN DO THAT WITH WHATEVER RESOURCES YOU HAVE. CLEARLY THERE ARE 6,000 HOMELESS IN THIS COMMUNITY. THERE ARE 100 BEDS AT ARCHES, THERE'S LESS THAN A COUPLE DOZEN DETOX BED. THERE'S A GAP. WHEN I HAD THE PLEASURE OF TALKING TO COMMANDER ORTIZ FROM THE SOUTH CENTRAL AREA COMMAND ON TUESDAY, I ASKED HIM IF WHENEVER THEY DID WHAT I WAS CALLING HOMELESS CAMP SITE ERADICATION EFFORTS, DID THEY EVER TAKE HEALTH AND HUMAN SERVICES WORKERS, DID THEY EVER TAKE MENTAL HEALTH PROFESSIONALS? DID THEY TAKE THE OUTREACH WORKERS THAT THE CITY HEALTH AND HUMAN SERVICES DEPARTMENT EMPLOYS ALONG WITH THEM? AND HE SAID NO. AND I ENCOURAGED HIM TO REACH OUT TO HIS FELLOW COMMUNITIES IN HOUSTON, THE HOUSTON POLICE DEPARTMENT, THE DALLAS POLICE DEPARTMENT ALL HAVE ROBUST EXPERIENCE OF GOING HAND IN HAND WITH THE MENTAL HEALTH AUTHORITY AND MENTAL HEALTH HEALTH PROFESSIONALS TO ENGAGE THESE INDIVIDUALS. I REGRET THAT MY TIME HAS EXPIRED. WE HAVE PROVIDED A HANDOUT WHICH SHOWS SOME OF THE GAPS HERE IN AUSTIN AND SOME OF THE POSSIBLE SOLUTIONS, INCLUDING RE-EXAMINING YOUR POLICIES AROUND PRISONER RE-ENTRY, HOUSING FOR SEX OFFENDERS, HEALTH CARE INSTITUTIONAL DISCHAJ. ALL OF THOSE CONTRIBUTE TO THIS PROBLEM. FINALLY I WOULD LIKE TO SAY PANHANDLING LIKE MANY OTHER FORMS OF STREET DISORDER IS CONTROLLED MORE THROUGH INFORMAL MEANS THAN THROUGH FORMAL ENHANCEMENT. I PERSONALLY OFFER YOU MY TIME AND THE TIME OF THE HOMELESS NETWORK TO PROVIDE EXTERNAL OBJECTIVE OBSERVATIONS INTO THIS PRESSING PROBLEM YOU'RE HAVING HERE. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

Mayor Wynn: THANK YOU, MR. GIBSON, BE AND FOR YOUR OFFER TO HELP. QUESTIONS FOR MR. GIBSON? COMMENTS? THANK YOU, GREG. COUNCIL, THAT CONCLUDES ALL OF OUR TESTIMONY ON THIS ITEM NUMBER 48. FURTHER COMMENTS? COUNCILMEMBER KIM.

Kim: MAYOR, BE I'D LIKE TO MAKE A MOTION FOR APPROVAL OF THE ITEM NUMBER 48.

Mayor Wynn: MOTION BY COUNCILMEMBER KIM, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE THIS ITEM AS POSTED ITEM 48. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. THANK YOU ALL VERY MUCH. SO, WITH THAT, WE NOW CAN GO TO OUR ZONING CASES. WELCOME MR. GREG GUERNSEY.

LET ME WALK THROUGH THE 4:00 O'CLOCK ZONING ORDINANCES AND RESTRICTIVE COVENANT ITEMS WHERE THE HEARINGS HAVE BEEN CLOSED. THE FIRST ONE I'D LIKE TO OFFER BY CONSENT IS ITEM NUMBER 74. THIS IS CASE C-14-2007-0065 KNOWN AS THE BASSFORD 44 TRACT AT 8437 U.S. HIGHWAY 71 WEST. AND THIS IS A REZONING OF THE PROPERTY FROM RURAL RESIDENTIAL ZONING TO SINGLE-FAMILY RESIDENCE STANDARD LOT CONDITIONAL OVERLAY COMBINED DISTRICT ZONING. I UNDERSTAND THERE'S BEEN A LETTER OF TRANSMITTAL THAT'S BEEN GIVEN TO THE CITY COUNCIL AND I'D JUST LIKE TO READ IT BRIEFLY. THIS IS AN AGENT, MR. JIM BENNETT, WHO IS THE AGENT FOR THE BASSFORD FAMILY THAT ON NOVEMBER EIGHTH THE CITY COUNCIL PASSED THE BASSFORD 44 ZONING CASE ON A 7-0 VOTE ON SECOND READING. AT THAT TIME COUNCIL ASKED THE APPLICANT PROVIDE A POSSIBLE FUTURE HIKE AND BIKE TRAIL ALONG WILLIAMSON CREEK. MY CLIENT HAS PREPARED A 60-FOOT PEDESTRIAN EASEMENT ALONG THE CREEK AND IN ADDITION TO THAT A SURVEY OF A PEDESTRIAN ACCESS EASEMENT HAS ALSO BEEN PREPARED. MY CLIENT WILL MAKE THIS DOCUMENT RECORDED PRIOR TO CITY APPROVAL OF A SUBDIVISION FOR THE PROPERTY IN A LETTER OF THE FIELD NOTES IS BEING PLACE ODD FILE IN THE ZONING CASE NUMBER C-14-2007-0065. AND SO WHAT HE'S ASKING THE COUNCIL IS YOUR INDULGENCE TO DO THIS WITH THE SUBDIVISION HE'S GIVEN THE FIELD NOTES AND THAT INFORMATION TO THE CITY, BUT THE AS SAY WOULD BE DONE WHEN HE FAILS THE

SUBDIVISION APPLICATION. IF YOU ARE WILLING TO ACCEPT THIS LETTER AND THAT PROCESS, THEN WE COULD OFFER THIS AS A CONSENT ITEM.

Leffingwell: MAYOR? I MADE THIS SPECIFIC REQUEST AT THE NOVEMBER EIGHTH MEETING AND IT'S ACCEPTABLE TO ME.

Mayor Wynn: THANK YOU. SO WITHOUT OBJECTION WE'LL CONSIDER IT ON CONSENT AGENDA AS PART OF THE RECORD.

ITEM NUMBER 75 AND 76, MAYOR AND COUNCIL, WE WOULD LIKE TO DISCUSS THOSE ITEMS. THERE'S BEEN A LOT OF NEGOTIATION AND TIME SPENT ON THESE CASES AND I'D LIKE TO PRESENT SOME THINGS TO YOU ON THIS. THAT'S ITEMS 75 AND 76.

Mayor Wynn: FAIR ENOUGH. SO OUR PROPOSED CONSENT AGENDA ON THIS AGENDA ON THE ZONING CASES WHERE WE'VE ALREADY CLOSED THE PUBLIC HEARING WOULD BE TO APPROVE ITEM NUMBER 74 ON THIRD READING, NOTING THE LETTER FROM THE APPLICANT AND AGENT FROM THE RECORD REGARDING EASEMENT. MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY MARTINEZ TO APPROVE THE CONSENT AGENDA AS PROPOSED. FURTHER COMMENTS? LEERINGHEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.? OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THANK YOU, MAYOR AND COUNCIL. LET ME THEN CONTINUE TO THE OTHER 4:00 O'CLOCK ITEMS. THROWS ARE ZONING AND NEIGHBORHOOD PLAN AMENDMENTS, PUBLIC HEARINGS AND POSSIBLE ACTION. THE PUBLIC HEARINGS ARE OPEN ON THESE ITEMS. ITEM NUMBER 77 IS C-14-2007-0112, NAJIB 11. THIS IS FOR THE PROPERTY LOCATED AT 4423423 THOMPSON LANE. THIS IS A REZONING REQUEST FROM INTERIM RURAL RESIDENCE TO GENERAL COMMERCIAL SERVICES DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST FOR CS-CO ZONING, AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 78 IS CASE C-14-2007-01890189. SH. THIS IS A RESIDENCES AT ONION CREEK AT 2500 BRANT ROAD. THIS IS

A REZONING REQUEST FROM INTERIM RURAL RESIDENCE DISTRICT ZONING TO MULTI-FAMILY RESIDENCE MEDIUM DENSITY DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION WAS TO GRANT THE MULTI-FAMILY RESIDENCE LOW DENSITY CONDITIONAL OVERLAY COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 79 IS CASE C-14-H-06-0041, THE SCHENKEN OATMAN HOUSE AT 311 WEST 41st STREET. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE NEIGHBORHOOD CONSERVATION COMBINING DISTRICT TO FAMILY RESIDENCE HISTORIC NEIGHBORHOOD CONSERVATION COMBINING DISTRICT ZONING. THE COMMISSION'S RECOMMENDATION WAS TO GRANT THE SF-3-HNCCD AND THIS IS READY FOR ALL THREE READINGS. ITEM NUMBER 80 IS CASE C-14-H-07-0023, THE HOUSE AT 906 MARIPOSA DRIVE:. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST FOR SH-3-H-NP DISTRICT ZONING AND THIS IS READY FOR CONSENT ON ALL THREE READINGS. ITEM NUMBER 81 IS CASE C-14-H-BE 07-0024, BE THE HUME ROWE HOUSE AT 4002 AVENUE C. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE NEIGHBORHOOD CONSERVATION COMBINING DISTRICT ZONING TO FAMILY RESIDENCE HISTORIC NEIGHBORHOOD CONSERVATION COMBINING DISTRICT. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE FAMILY RESIDENCE HISTORIC NEIGHBORHOOD CONSERVATION COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 82 IS CASE C-14-H-07-0025, BE THE GRANGER HOUSE AT 805 WEST 16TH STREET. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE SF-3 DISTRICT ZONE TO GO FAMILY RESIDENCE HISTORIC COMBINING DISTRICT ZONING. THE PLANNING COMMISSION WAS TO GRANT THE FAMILY RESIDENCE H OR HISTORIC COMBINING DISTRICT ZONING. THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 83 IS CASE C-14-H-07-00 TWINGS, THE BEN BENJAMIN F LEE HOUSE AT 1178 SAN BERNARD STREET. THIS IS A REQUEST FROM FAMILY RESIDENCE NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING TO FAMILY RESIDENCE HISTORIC NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM

NUMBER 84 IS CASE C-14-H-07-0027, THE JOSEPH RENFRO JUNIOR HOUSE AT 3707 GILBERT STREET. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE DISTRICT ZONE TO GO FAMILY RESIDENCE HISTORIC COMBINING DISTRICT ZONING. THE PLANNING COMMISSION WAS TO GRANT THE SF-3 H COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NUMBER 85 IS CASE C-14-H-07-0029. THIS IS THE SWEET HOME MISSIONARY BAPTIST CHURCH AT 1725 WEST 11th STREET. THIS IS A REZONING FROM FAMILY RESIDENCE NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING TO FAMILY RESIDENCE HISTORIC NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. THE PLANNING COMMISSION'S RECOMMENDATION WAS TO GRANT THE SF-3-H COMBINED DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READING. MAYOR, I'LL NOTE THAT I THINK THE APPLICANT WOULD REALLY LIKE TO SAY A FEW WORDS TO YOU ABOUT THIS CASE. I DON'T KNOW IF YOU WOULD LIKE TO HEAR THEM NOW OR HEAR THEM AT THE CLOSE OF THE CONSENT ITEMS?

Mayor Wynn: AFTER WE GET A MOTION AND A SECOND ON THE CONSENT AGENDA, WE'LL CALL THEM UP. THANK YOU.

VERY GOOD. ITEM NUMBER 86 IS CASE C-14-07-0192, HUTCH DAY CARE AT 2006 BERT AVENUE. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE DISTRICT ZONING TO LIMITED OFFICE DISTRICT ZONING. THE PLANNING COMMISSION RELIGIOUS WAS FOR GRANT LIMITED OFFICE CONDITIONAL OVERLAY COMBINING DISTRICT ZONING. THIS IS ON READY FOR CONSENT APPROVAL ON FIRST READING ONLY. ITEM NUMBER 87 IS CASE C-14--2007-000083. THIS IS THE LAMAR-MANCHACA MIXED USE. THIS IS FOR THE PROPERTY AT 2711-2715 SOUTH LAMAR BOULEVARD, TAWA 03-2901 MANCHACA ROAD AND 2806-3,000 DELL KURTO. THIS IS A REZONING REQUEST FROM GENERAL COMMERCIAL SERVICES CONDITIONAL OVERLAY COMBINING DISTRICT ZONING AND FAMILY RESIDENCE DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY COMBINING DISTRICT ZONING. THE PLANNING COMMISSION RELIGIOUS WAS TO GRANT THE COMMUNITY COMMERCIAL CONDITIONAL OVERLAY COMBINING DISTRICT ZONING, TOWNHOUSE AND CONDOMINIUM RESIDENCE CONDITIONAL

OVERLAY COMBINING DISTRICT ZONING AND FAMILY RESIDENCE CONDITIONAL OVERLAY COMBINING DISTRICT ZONING. THE NEIGHBORHOOD REPRESENTATIVE HAS HANDED ME A STATEMENT THAT THEY WOULD LIKE TO BE READ INTO THE RECORD, AND IT'S MY UNDERSTANDING WITH THIS STATEMENT THAT THIS COULD REMAIN ON THE CONSENT AGENDA. OH, I UNDERSTAND WE HAVE ONE SPEAKER ON THIS ITEM. THIS WILL BE A DISCUSSION ITEM. ITEM NUMBER 88 IS CASE C-14-2007-0156. THIS IS FOR THE PROPERTY LOCATED AT 8422 SPICEWOOD SPICEWOOD SPRINGS ROAD. THE APPLICANT HAS WITHDRAWN THIS CASE. NO ACTION IS REQUIRED. AGAIN, THAT'S ITEM NUMBER 88. ITEM NUMBER 89 IS CASE C-14-2007-0191. THIS IS THE ANDERSON MILL CHILDREN'S COURTYARD DAY CARE AT 9706 ANDERSON MILL ROAD. MAYOR, I UNDERSTAND YOU HAVE ONE INDIVIDUAL THAT WOULD LIKE TO SPEAK TO THIS ITEM. THERE MAY BE ORDERS, BUT I AM TOLD THERE IS ONE INDIVIDUAL THAT WOULD LIKE TO SPEAK TO THIS ITEM IN PARTICULAR REGARDING TRAFFIC ISSUES, SO THAT WILL BE A DISCUSSION ITEM. ITEM NUMBER 90, 91, 92, 93, 94, 95, 96, 97 AND 98 HAVE TO DO WITH VARIOUS FRATERNAL ORGANIZATIONS, SORORITIES, FRATERNITIES IN THE WEST CAMPUS AREA. THESE ITEMS WERE NOT RECOMMENDED BY THE PLANNING COMMISSION. THEY WERE RECOMMENDED BY STAFF. IT'S MY UNDERSTANDING CAM PACK, WHICH REPRESENTS A LOT OF THE NEIGHBORHOODS IN THAT AREA, HAVE REACHED AN AGREEMENT NOT TO OBJECT TO THESE AND THE UNIVERSITY AREA PARTNERS HAVE WORKED OUT A PRIVATE AGREEMENT WITH THESE VARIOUS FRATERNITIES AND SORORITIES. THESE POSSIBLY COULD BE TAKEN ON CONSENT IF YOU SO CHOOSE. IT'S MY UNDERSTANDING THAT THERE ARE NO PEOPLE PRESENT THAT WOULD SPEAK TO THESE ITEMS OF OBJECTION BE, BE AND I GUESS I SAY THAT RATHER OPENLY NOW: THESE ARE ONLY READY FOR FIRST READING. IF YOU WOULD LIKE TO CONSIDER THEM ON CONSENT, I WOULD READ THEM INTO THE RECORD. IF YOU WOULD LIKE TO DISCUSS THEM, I WILL NOT AND WE WOULD SAY THEY ARE DISCUSSION.

Mayor Wynn: WE WOULD LIKE TO CONSIDER THESE ON THE CONSENT AGENDA. THE DOZEN OR SO SPEAKERS WHO SIGNED UP TO SPEAK FOR VIR WALLY ALL OF THESE CASES

ARE ALL IN SUPPORT. THERE IS NOBODY, AS FAR AS I CAN SEE, SIGNED UP TO SPEAK IN OPPOSITION.

McCracken: MAYOR, I THINK THEY NEED TO COME BACK TOMORROW FOR SECOND AND THIRD READING. ITEM NUMBER 90 IS CASE C-14-2007-142, THE OMEGA BUILDING COMPANY. THIS IS A REZONING REQUEST FROM MODERATE ZONING TO MULTI-FAMILY RESIDENCE MODERATE HIGH DENSITY CONDITIONAL OVERLAY NEIGHBORHOOD PLAN OR MF-4-CO-MP GIEING DISTRICT ZONING. THE PLANNING COMMISSION WAS TO DENY THE REQUEST. ITEM NUMBER 94 IS CASE C-14-2007-0118, THE BETA ALPHA CHAPTER. MF-4-NP COMBINING DISTRICT ZONING. THE PLANNING COMMISSION WAS TO DENY THE REQUEST. ITEM NUMBER 96 IS CASE C-14-2007-0128. THE SIGMA ALPHA EPSILON TEXAS RHO FRATERNITY AT 24-14 PEARL STREET. THIS IS A REZONING REQUEST FROM MULTI-FAMILY RESIDENCE MODERATE HIGH DENSITY COMBINING DISTRICT ZONING TO MULTI-FAMILY RESIDENCE MODERATE HIGH DENSITY NEIGHBORHOOD PLAN. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

CLOSE ON PUBLIC HEARING AND CASES 77, 78, 79, 80, 81, 82, 83, 84 AND 85. TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY, 86, ITEM 88 HAS BEEN WITHDRAWN. AND TO CLOSE THE PUBLIC HEARINGS, AND APPROVE ON FIRST READING ONLY, CASES 90, 91, 92, 93, 94, 95, 96, 97 AND 98. I WILL ENTERTAIN IN A MOTION. MOTION MAILED BY COUNCIL MEMBER McCRACKEN, SECOND BY COUNCIL MEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. THEY HAVE A COUPLE OF COMMENTS HERE. LET'S SEE, FIRST I WILL NOTE THAT ITEM NUMBER 77, YOU WILL NOTE THAT STEVE GALE IS NOT WISHING TO SPEAK, WANTED TO BE NOTED IN OPPOSITION. ITEM 55 WOULD LIKE TO COME FORWARD BEFORE WE APPROVE ON ALL THREE READING, THE SWEET HOME MISSIONARY BACKTIST CHURCH CASE. -- PAPTIST CHURCH CASE. WELCOME.

HELLO, MY NAME IS HADY HARRIS, A MEMBER OF THE SWEET HOME MISSIONARY BAPTIST CHURCH AND ON BEHALF OF THE ENTIRE MEMBERSHIP OF THE SWEET HOME MISSIONARY BAPTIST CHURCH WE WANT TO SAY THANK YOU TO THE LAND MARK COMMISSION, THE PLANNING

COMMISSION, THIS CITY COUNCIL, AND ESPECIALLY STEVE SIDOWSKI FOR MAKING TODAY A TRULY HISTORIC ONE FOR US. GOD MOVES IN HIS OWN WAY, AND IN HIS OWN PERFECT TIMING, AND THOSE OF US WHO HAVE LIVED TO SEE THIS IN OUR TIME ARE SO GRATEFUL TO BE HERE TODAY. WE STAND ON THE FOUNDATION OF FAITH, LAID BY THOSE WHO CAME BEFORE US, THAT IS AS DEEP AS IT IS WIDE AS THE NUMBER OF YEARS IT HAS TAKEN US TO GET HERE TODAY. OUR CHURCH IS AN ULTIMATE HOMESTEAD. AND IN TAKING THIS ACTION TO LANDMARK IT, YOU NOT ONLY ENSURE THE PRESERVATION OF THIS CORNER STONE OF COMMUNITY, YOU ALSO TAKE THE MARVELOUS OPPORTUNITY TO SET SOME THINGS RIGHT. AGAIN, THANK YOU MR. SIDOWSKI, SO VERY MUCH, FOR TAKING THE INITIATIVE WITH THIS MISSION AND COMMITTING YOURSELF TO IT. AND THANK YOU LADIES AND GENTLEMEN FOR THIS TIME AND FOR ALLOWING US TO ACTUALLY SEE THE DREAMS OF SO MANY COME TRUE. AGAIN, THANK YOU.

MAYOR WYNN: YOU ARE WELCOME, THANK YOU AND THANK YOU FOR BEING HERE AND FOR YOUR PATIENCE THROUGHOUT THIS ENTIRE PROCESS. AGAIN, WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. [APPLAUSE] MAYOR PRO TEM.

BEFORE STEVE LEAVES THE CHAMBERS, I WOULD LIKE TO TAKE JUST A MOMENT TO RECOGNIZE HIM. THIS WEEK, AT THE ZONING AND PLATTING COMMISSION, WE HAD THE FIRST LOCAL HISTORIC DISTRICT BROUGHT FORWARD FOR CONSIDERATION FOR RECOMMENDATION TO THE CITY COUNCIL TO APPROVE THAT DISTRICT. I KNOW THAT NEIGHBORHOOD WORKED VERY HARD, WONDERFUL SET OF DOCUMENTATION, BUT STEVE, I WANTED TO TELL YOU THANK YOU, DID YOU A VERY, VERY NICE PRESENTATION ON THAT THING, SO I WANTED TO PASS THAT ALONG BEFORE YOU ESCAPE FROM THE CHAMBERS.

MAYOR WYNN: THANK YOU. MR. GUERNSEY, AND THE COUNCIL, WITHOUT OBJECTION, ITEM NUMBER 89 IS OUR OWN SORT OF TRUE DISCUSSION ITEM AMONGST THESE



CASES WHERE WE'VE YET TO CONDUCT THE PUBLIC HEARING. WE ONLY HAVE ONE SPEAKER IN OPPOSITION. MY INSTINCT WE CAN GET THAT DONE IN VERY SHORT ORDER AND THEN GO BACK TO THE TIME WHERE WE'VE ALREADY CONDUCTED THE PUBLIC HEARING. FOLKS, IF YOU COULD PLEASE TAKE YOUR CONVERSATION OUT IN THE FOYER, I WOULD APPRECIATE IT, WE HAVE MORE BUSINESS TO CONDUCT. THANK YOU. SO CASE NUMBER 89. MR. GUERNSEY.

THANK YOU, CASE NUMBER 9 IS C 14-200 0191. ANDERSON MILL CHILDREN'S COURTYARD DAY CARE CENTER. THE PROPERTY IS APPROXIMATELY 2.73-ACRES, AND THE ZONING AND PLANNING COMMISSION DID RECOMMEND THE STAFF RECOMMENDATION OF L-O-CO WHICH STANDED FOR LIMITED OFFICE, CONDITIONAL OVERLAY ZONING ON THIS PROPERTY. THE ZONING AND PLANNING COMMISSION, PART OF THE RECOMMENDATION, WANTED TO PROHIBIT THE FOLLOWING USES. URBAN FARM, LODGE, COLLEGE AND UNIVERSITY, COMMUNITY EVENTS, COMMUNITY RECREATION AND PRIVATE CON AGREE GOT LIVING, GROUP HOME CLOSE ONE GENERAL, CLASS TWO LIMITED, GROUP HOME CLASS TWO, HOUSEHOLD SERVICES, PRIVATE SECONDARY, PUBLIC PRIMARY EDUCATIONAL FACILITIES, PUBLIC SECONDARY HE WOULD INDICATIONAL FACILITY, RESIDENTIAL TREATMENT, SAFETY SERVICE, ALSO TO REQUIRE THAT A FENCE BE CONSTRUCTED ALONG THE NORTH PROPERTY LINE ADJACENT TO THE SINGLE FAMILY RESIDENTSES, NOTING THEY WILL SEEK A BOARD OF ADJUSTMENT FOR A 10-FOOT SOUND FENCE. 8-FOOT IS THE MAXIMUM ALLOWED. PROPERTY DISTANCE OF 150 FEET. THE PROPERTY IS CURRENTLY UNDEVELOPED AND MODERATELY VEGETATED. TO THE NORTH OF THIS IS A SINGLE FAMILY NEIGHBORHOOD, SF-2, TO THE SOUTH IS DR AND LR, RETAIL PROPERTIES WITH A FUNERAL HOME AND UNDEVELOPED TRACTS, ALSO TO THE EAST IS GR ZONING AND A RETAIL SHOPPING CENTER AND TO THE WEST SOME COUNTY LAND THAT IS UNDEVELOPS AND AN EXISTING SERVICE STATION. THERE WERE SOME FOLKS I THINK THAT SIGNS UP IN OPPOSITION, BUT AS LONG AS THE PLANNING COMMISSION'S RECOMMENDATION GOES FORWARD, I UNDERSTAND THEIR OBJECTIONS WOULD BE SATISFIED. THERE IS ONE PERSON I

THINK HERE TO SPEAK IN REGARDS TO THIS CASE, THAT HAS TRAFFIC CONCERNS THEY WOULD LIKE TO BRING TO YOUR ATTENTION. MR. RICK VAUGHN IS HERE THIS EVENING ON BEHALF OF THE APPLICANT AND PREPARED TO MAKE A PRESENTATION.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. WITHOUT OBJECTION, WE WILL CONDUCT THE PUBLIC HEARING ON THIS CASE NUMBER 89 AND HEAR FROM THE ONE CITIZEN ABOUT TRAFFIC. SO AGAIN, OUR AGENT APPARENTLY MR. RICK VAUGHN WHO WOULD LIKE TO PRESENT THE CASE. WE WILL SEPTEMBER THE CLOCK FOR FIVE MINUTES. RICK, WE WELCOME YOUR TESTIMONY.

GOOD AFTERNOON, MAYOR, COUNCIL. MY NAME IS RICK VAUGHN. I WOULD LIKE TO THANK THE NEIGHBORHOOD ASSOCIATION FOR SOME REALLY GOOD MEETINGS THAT WE'VE HAD WITH THEM. YOU CAN TELL BY THE LIST OF PROHIBITED USES, PLUS THE FENCING AND LANDSCAPING AND OTHER ISSUES, WE HAD DISCUSSED AND COME TO RESOLUTION WITH THE NEIGHBORHOOD. WE DID HAVE ONE LADY THAT WOULD LIKE TO TALK ABOUT TRANSPORTATION ON THE ANDERSON HILL ROAD WHICH IS THE SOLE ACCESS FOR THIS TRACT. THE PROPERTY IS GOING TO BE DEVELOPED AS A CHILDREN'S COURTYARD, DAY CARE FACILITY. THEY HAVE APPROXIMATELY 150 TRIPS AM, OR I'M SORRY 180 TRIPS AM AND 180 TRIPS PM SPREAD OVER THREE HOURS IN THE MORNING AND THREE HOURS IN THE AFTERNOON. WHEN WE LOOK AT THE DEVELOPMENT OF THIS SITE FOR THIS USE, OR FOR AN LO USE, THE IMPACT ON ANDERSON MILL ROAD BETWEEN 620 AND 183, I BELIEVE, IS NEGLIGIBLE. OUR PROJECT WOULD LIKE TO GO AHEAD AND PROCEED AT THIS TIME. WE WILL BE READY TO SUBMIT THE SITE PLANS, IN JANUARY WE HAVE AGREED AND WILL BE MEETING WITH THE NEIGHBORHOOD ASSOCIATION AND THE NEIGHBORS ON THE SITE PLAN AS IT IS DEVELOPED, AND AS IT PROCESSES THROUGH THE CITY. SO IF YOU HAVE ANY QUESTION, I WOULD BE GLAD TO ANSWER ANY.

MAYOR WYNN: THANK YOU, MR. VAUGHN. QUESTIONS OF THE AGENT? COUNCIL, COMMENTS? WE NORMALLY HEAR FROM FOLKS IN SUPPORT OF THE ZONING CASE. THERE ARE NO FOLKS SIGNED UP TO GIVE THANK YOU TESTIMONY. WE

THEN GO TO FOLKS IN OPPOSITION. WE HAVE ONE PERSON SIGNED UP WISHING TO SPEAK IN OPPOSITION. MISS CINDY BARON, WELCOME. YOU HAVE UP TO THREE MINUTES, AND WHILE YOU APPROACH WE WILL NOTE APPARENTLY FROM THE COMMENTS FROM MR. GUERNSEY EARLIER THAT CARL AND BRENDA SNOW AND JOANNE BAYLAND SIGNED UP NOT WISHING TO SPEAK IN OP SESSION, BUT SOME TERMS WERE SATISFIED WITH THE PROHINTED USED COMING FROM THE PLANNING COMMISSION. YOU WILL HAVE THREE MINUTES.

HI, CINDY BARON. WHAT I THINK WAS CONFUSING ALSO WAS STAFF WAS RECOMMENDING LO-CO AND THE APPLICATION WAS STILL FOR GR AND THAT IS WHAT WE ARE MAINLY AGAINST, THE GR, BUT WE ARE IN SUPPORT OF THE PROJECT AND LO-CO THE ZONING. MY MAIN CONCERN IS THE TRAFFIC ON ANDERSON MILL ROAD. I HAVE NOT FOUND ANYWHERE WHERE THERE ARE PLANS TO IMPROVE THAT SECTION OF ANDERSON MILL ROAD FROM 183 TO THE COUNTY LINE. THERE IS A CAPITAL IMPROVEMENT PROJECT GOING ON NOW FROM THE COUNTY LINE TO 620 THAT IS IMPROVING ANDERSON MILL ROAD, BUT RIGHT NOW IT IS FOUR LANES WITH NO CENTER TURN LANE AND THIS PROJECT IS ON A FLAG LOT AND HAS A VERY LIMITED ENTRANCE THERE, IF YOU CAN SEE, CIRCLED IT UP THERE. AND THERE IS MULTIPLE DRIVEWAYS RIGHT THERE REAL CLOSE, AND THERE IS SOME MAJOR COMMERCIAL PROJECTS BEING DEVELOPED ACROSS THE STREET THAT IS RESIDENTIAL AND A BIG COMMERCIAL BUILDING. AND I AM JUST VERY CONCERNED ABOUT THE TRAFFIC. RIGHT THERE IN THE SAFETY OF THE CHILDREN GOING TO THAT DAY CARE. AND THE PARENTS WHO HAVE TO TAKE THEM THERE. THERE IS NO CENTER TURN LANE TO NO PROTECTION OR ANYTHING THERE. SO I WAS HOPING THAT THE COUNCIL WOULD CONSIDER MAYBE DIRECTING THE APPLICANT TO DO A TIA OR SOMETHING TO GET SOMETHING ON THE BOOKS THAT SAYS WE ARE GOING TO ADDRESS THIS ISSUE. WYNN THANK YOU, SENDY -- CINDY. QUESTIONS, COMMENTS? THANK YOU. AS A REMINDER, SO THIS TECHNICALLY IS THE ZONING CASE, BRIEFLY DESCRIBED PUBLICLY THE PROCESS THAT OCCURS, THE TRANSPORTATION REVIEW, STAFF TRANSPORTATION REVIEW THAT OCCURS AT THE SITE PLAN.

AT THE TIME THAT THEY GO, THEY WOULD SUBMIT PLANS

FOR THE CONSTRUCTION OF THE DAY CARE, THERE IS A SITE PLAN THAT IS TURNED IN THAT SHOWS THE DRIVEWAY, LOCATION WITH THE DRIVEWAY, AVAILABLE PARKING, WE WOULD ALSO REVIEW FOR SET BACKS AND HEIGHT REQUIREMENTS, WE WOULD LOOK AT WATER EQUALITY AND DRAINAGE REQUIREMENTS BUT IT WOULD BE AT THAT TIME THAT OUR REVIEW WOULD BE DONE OF THE DRIVEWAY AND THE ACCESS ON TO THE ADJACENT ROADWAY OF ANDERSON MILL. AND IF THERE IS ENOUGH TRIPS THAT WERE TRIGGERED THAT EXCEEDS THE AMOUNT OF 2,000 WHICH WE DON'T BELIEVE WOULD BE THE CASE THEN IT WOULD ACTUALLY BE REQUIRED TO COME BACK AND ASK REZONING TO REMOVE THAT LIMITATION OF 2,000 TRIPS. BUT THAT OCCURS WHEN THE ACTUAL BUILDING DESIGN IS SUBMITTED AND THAT IS FOR TRANSPORTATION SECTION.

MAYOR WYNN: THANK YOU. QUESTIONS OF STAFF OR ANYBODY ELSE? COUNCIL, COMMENTS? AND THAT IS ALL THE SPEAKERS WE HAD SIGN UP ON THIS PUBLIC HEARING, ITEM NUMBER 89. COMMENTS OR QUESTIONS OR A MOTION. MOTION BY COUNCIL MEMBER MARTINEZ TO APPROVE ZONING AND PLATTING COMMISSION RECOMMENDATION, LO-CO WITH THE LIST OF PROHINTED USES. SECONDED BY COUNCIL MEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL. SO MR. GUERNSEY, DOES THAT TAKE US BACK TO OUR TIME INSURANCE.

WE CAN GO BACK TO TIME OR WE CAN.

MAYOR WYNN: GO BACK IN TIME.

GO BACK IN TIME OR WE ALSO STILL HAVE ONE SPEAKER AND ONE THAT WOULD LIKE TO SPEAK ON 87.

MAYOR WYNN: YES, BUT I WAS HANDED A NOTE EARLIER THAT APPARENTLY ONE OF THE NEIGHBOR'S SPEAKERS WOULD LIKE TO GET THAT TESTIMONY, AND SHE CAN'T GET HERE UNTIL 5:15. IS THAT THE CASE?

THE PRESIDENT IS HERE AND INDICATED TO US HE COULD SPEAK ON BEHALF OF THE NEIGHBORHOOD BEGAN

FORWARD WITH A READING OF ONE STATEMENT INTO THE RECORD, IF YOU WOULD LIKE. RIGHT, THAT IS CORRECT THERE. SOMEONE PERSON THAT WOULD BE IN OPPOSITION, BUT THE PERSON THAT MADE THE REQUEST THAT COULD NOT BE HERE AT 5:15, IS REPRESENTED, I UNDERSTAND BY THE PRESIDENT WHO CAN SPEAK ON BEHALF.

MAYOR WYNN: FOR THE RECORD, SOMEONE SEND CAROL GIBS AN E-MAIL THAT THE MAYOR TRIED TO STAND UP FOR HER. OKAY, ITEM NUMBER 87. PUBLIC HEARING.

CASE NUMBER C 14-2007-0083. LOCATED AT 2711-27150 5 SOUTH LAMAR BOULEVARD. THE PROPERTY IS APPROXIMATELY 12.3-ACRES IN SIZE AND THE REZONING REQUEST IS FROM CS, WHICH STANDS FOR GENERAL COMMERCIAL SERVICES TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO FOR TRACT ONE. FOR TRACT TWO, IT IS CS-CO TO CONDOMINIUM ZONING WITH CONDITIONAL OVERLAY. ON TRACT THREE IT IS FAMILY RESIDENCE, CONDITIONAL OVERLAY TO TOWNHOUSE CONDOMINIUM DISTRICT ZONING WITH A CONDITIONAL OVERLAY. TRACT FOUR IT IS SF-3 WHICH STANDS FOR FAMILY RESIDENCE. FOR ALL TRACTS, THERE IS A TRAFFIC IMPACT ANALYSIS, RECOMMENDING THESE RECOMMENDATIONS ARE RECORDED AND THE APPROPRIATE RESTRICT COVENANT. THIS IS ONLY READY FOR FIRST READING TODAY. THE PROPERTY RIGHT NOW IS, HAS CONTAINED A DAY CARE, A CHURCH AND SOME COMMERCIAL USES, SURROUNDING PROPERTIES TO THE NORTH OF SELF STORAGE TO THE SOUTH IS LR-MU AND FM-2 WITH MIXED USE COMMERCIAL PROMPTS USES AND SINGLE FAMILY, THREE, FAMILY RESIDENCE AND GR AND CS-1 AND GOOD WILL AND CONVENIENT STORES ALONG LAMAR. THE PROPERTY IS LOCATED A PORTION OF THE BARTON CREEK WATERSHED, AND IT WAS RECOMMENDED BY THE PLANNING COMMISSION, THEY APPROVED THE STAFF RECOMMENDATION WITH ADDITIONS OF RECOMMENDING BICYCLE, AND PEDESTRIAN LINKAGE BETWEEN DEL CURTO AND LAMAR, REQUESTING THAT STAFF WORK WITH THE APPLICANT TO FURTHER CLARIFY THE LANGUAGE WITH THE CONSTRUCTION ACCESS AND TO APPROVE A REDUCTION IN THE SET BACK REQUIRED BY COMPATIBILITY STANDARDS WITH TRACK 3 AND TRACT 4 AND REDUCING THE SET BACK

TO FIVE FEET. IF THE BUFFER PLAN WOULD BE INCLUDED ON THE SITE PLAN WITH THE REMAINDER OF THE PROJECT BECAUSE OF THE SF-3 ZONING BEING PART OF THEIR SITE, COMPATIBILITY NOT ON THEMSELVES IF IT WAS CONVEYED TO A SEPARATE ENTITY THEN COMPATIBILITY WOULD BE TRIGGERED BY THE SF-3 PROPERTY. WITH THAT, I THINK I WILL PAUSE. THE APPLICANT HAS A SHORT PRESENTATION, AS IS NOTED EARLIER THERE IS A -- NEIGHBORHOOD REPRESENTATIVE HERE, AND A PERSON WOULD LIKE TO SPEAK IN OP THIS REQUEST.

THANK YOU, QUESTIONS FOR STAFF? QUESTION, COMMENTS? IF NOT, WE WILL CONDUCT OUR PUBLIC HEARING. WELCOME, MR. STEVE METCAREFUL, NORMALLY WOULD GIVE A FIVE-MINUTE PRESENTATION, BUT TWO OTHERS WANTED TO DONATE TIME TO MR. METCAREFUL SO STEVE, IF YOU NEEDED IT YOU COULD USE UP TO 11 MINUTES.

HE IS NOT GOING TO NEED IT.

THANK YOU.

MAYOR, COUNCIL MEMBERS, THIS IS THE CARP REOVER OF THE BMU THAT WAS APPROVED EARLIER THIS YEAR AND THESE ARE THE DOWN ZONINGS THAT ARE GOING ALONG WITH IT. I WILL JUST BRIEFLY UPDATE YOU ON WHERE WE ARE. AGAIN, THE PROJECT BASICALLY HAS ALL ITS DENSITY PUSHED OUT TO MANCHECK, AND LAMAR AND OUT THERE WE WILL HAVE A BMU BUILDING WITH A MIX OF RETAIL, MULTI FAMILY ON THE TOP A WORK SPACE, TYPICAL BMU ENVISIONED UP AND YOU DONE THE CORRIDOR. THEN THE TRANSITION TO TOWN HOMES AS YOU GET TOWARDS THE NEIGHBORHOOD AND AFTER THE TOWN HOMES YOU GET INTO THE NEIGHBORHOOD WE'VE CREATED A POCKET PARK THAT THE NEIGHBORHOOD HAS BEEN LOOKING FOR FOR A LONG TIME SO THIS IS A REALLY GOOD PIECE OF LAND PLANNING WHERE YOU PUT THE DENSITY ON THE CORRIDOR AND TRANSITION TO LESS DENSITY AND NO DENSITY INTO THE NEIGHBORHOOD WITH A POCKET PARK. THIS IS A RENDERING OF WHAT WE ENVISION THE PROJECT TO LOOK LIKE AT THE CORNER. THESE ARE THE DOWN ZONINGS THAT I THINK GREG WENT THROUGH WITH YOU, WHERE DOWN

ZONING THE FIRST TRACT FRACTION CS DOWN TO GR AND REALLY WITH THE USES WE ARE LIMITING, YOU REALLY ALMOST HAVE AN LR ZONING. THEN WE ARE DOWN ZONING THE MIDDLE PART FROM CS TO SF-6, THEN WE ARE BRINGING THE PORTION RIGHT NEXT TO DELL CURTO, BUT NOT FOR DEVELOPMENT PURPOSES, THAT IS WHERE WE ARE PUTTING OUR POND, AND WE NEED THE SITE AREA TO BUILD THE TOWN HOMES BUT THERE IS NO DEVELOPMENT BACK THERE. THIS IS SORT OF A CORNER STONE TO THIS DEAL RIGHT HERE, HOW THE PARK LAND LOOKS. IT IS ABOUT A THREE-ACRE AREA OF PARK LAND. PART OF THAT IS BEING PURCHASED BY THE PARK LAND, PARK DEPARTMENT, PART IS BEING DEDICATED BY THE DEVELOPER AND PART IS ACTUALLY A PRIVATE PARK LAND, PRIVATELY OWNED BUT DEDICATED FOR PUBLIC USE SO WHAT YOU END UP WITH IS A THREE-ACRE AREA BACK THERE WITH NO DEVELOPMENT AND BASICALLY A POCKET PARK FOR THE UNDERSTOOD. ANOTHER RENDERING OF WHAT THAT WOULD LOOK LIKE. LAST TWO ISSUES WE WERE WORKING AT WITH THE NEIGHBORHOOD WAS THE SF-6, SF-3 STRIP THAT MR. GUERNSEY MENTIONED AS WELL AS CONSTRUCTION ACCESS OFF DEL CURTO. I THINK WE'VE GOTTEN IT NOW TO WHERE EVERYBODY IS COMFORTABLE. A REALLY GOOD PART OF THIS STORY IS ABOUT THE HUTCH WHICH I THINK IF YOU WILL REMEMBER FRONT ZONING CASE LAST TIME A LOT OF PEOPLE WERE CONCERNED ABOUT RELOCATING, AND I THINK THIS IS A GOOD STORY. WHAT CYPRESS HAS AGREED TO DO IS THEY FOUND THEM NEW LOCATION, AND THEY WILL DO THE ZONING, THEY WILL PAY FOR THE RELOCATION, THEY WILL PAY TO REDO THE NEW BUILDING, AND THEY ARE GOING TO PAY DOWN THE HUTCH MORTGAGE, SUCH THAT THE RENT PAYMENT WILL BE EQUAL OR, EXCUSE ME, THE NEW MORTGAGE PAYMENT WILL BE ACTUAL TO THEIR EXISTING RENT PAGE, AND THEY CAN STAY WHERE THEY ARE RENT FREE AT THE END OF THEIR LEASE TERM SO WE'VE FOUND A LONG-TERM HOME TO PAY THE SAME MORTGAGE RATE NOW FOR THE REST OF THEIR MORTGAGE AS THEY ARE IN A LEASE PAGE NOW SO I THINK THIS IS A SITUATION WHERE A DEVELOPER HAS REALLY STEPPED UP, AND I THINK CYPRESS DID A GREAT JOB OF TRYING TO ADDRESS THIS COMMUNITY NEED. AND OVER ALL THIS PROJECT. I THINK THIS PROJECT TOUCHED ON MOST OF

WHAT IS IMPORTANT TO THIS COMMUNITY. WE HAVE AFFORDABLE HOUSING, CREATED A PARK, RELOCATED A DAY CARE SO I THINK THIS IS A DEVELOPMENT THAT CYPRESS NIGHT TO BE COMMENDED FOR BEING A RESPONSIBLE DEVELOPER AND DOING A GOOD JOB. HAPPY TO ANSWER ANY QUESTIONS.

THANK YOU, MR. METCALF. QUESTIONS FOR THE AGENT? COMMENTS? COUNCIL MEMBER COLE.

COLE: MAYOR THIS PROJECT HAS BEEN AROUND FOR A WHILE, AND I THINK THE APPLICANT HAS DONE A GREAT JOB OF WORKING WITH THE MAYBES AND ESPECIALLY WITH THE DAY CARE SO I APPROVAL OF THE STAFF RECOMMENDATION.

MAYOR WYNN: LET'S FINISH OUR PUBLIC HEARING FIRST.

I'M SORRY.

MAYOR WYNN: WE HAVE A COUPLE OF COMMENT TO BE MADE. FURTHER QUESTIONS FOR THE AGENT OR COMMENTS. I TOO APPRECIATE VERY MUCH THE PROJECT NOW THAT I SEE IT VISUALLY. SO WE WILL NOW GO TO FOLKS IN SUPPORT OF THE ZONING CASE. OSCAR JACK IS HERE, PRESIDENT OF THE NEIGHBORHOOD ASSOCIATION, I THINK TO GIVE US TESTIMONY IN FAVOR. WELCOME, OSCAR. YOU HAVE THREE MINUTES, AND YOU WILL BE FOLLOWED BY PERRY.

OSCAR, PRESIDENT OF THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. UNTIL THE END OF THIS MONTH. BEFORE I FORGET --

CAROL GIBBS FINDS OUT, IT WAS YOUR SESSION  
[LAUGHTER]

I WILL REMEMBER, I PROMISE. BEFORE I FORGET, OUR HOLIDAY PARTY GATHERING IS GOING TO BE THIS COMING THURSDAY, A WEEK FROM TODAY, YOU ARE WELCOME TO COME. I WILL CERTAINLY BE TAKING SOME OF THE ALCOHOLIC BEVERAGES THERE TO PLEASE FEEL FREE DROP BY ANY TIME YOU LIKE. I HAVE THE STATEMENT I



WOULD LIKE TO READ, AND I DID NOT INCLUDE IT ON THE STATEMENT, BUT I WOULD ALSO LIKE TO ECHO YOURS AND COUNCIL MEMBER COLE'S STATEMENTS REGARDING THIS PROJECT. I THINK THIS IS A GREAT PROJECT TOO, I THINK THE ENTIRE CITY, THE NEIGHBORHOOD BENEFITS FROM IT SO I THINK CYPRESS SHOULD BE COMMENTED FOR IT.

MAYOR WYNN: THANK YOU.

I'M NOT TOO GOOD AT READING, ESPECIALLY I'M NOT USED TO WEARING GLASSES. I WILL BEGIN. SOUTH LAMAR NEIGHBORHOOD ASSOCIATION, VIA THIS STATEMENT, REMINDS THE AUSTIN CITY COUNCIL AND AUSTIN'S LAND USE BODIES THAT MUCH, IF NOT ALL THE SUPPORT FOR BMU IN GENERAL AND THIS PROJECT SPECIFICALLY WAS PREDICATED ON THE MUCH BALLYHOO BALLYHOOED AND PHRASE, WHICH IS PARAPHRASED AS FOLLOWS. IF YOU, THE NEIGHBORHOODS SUPPORT THE MUs ON THE CTCs, THEN WE, AUSTIN CITY COUNCIL AND ITS LAND USE ENTITIES WILL PROTECT THE CORE OF THE NEIGHBORHOODS FROM UP-ZONING. WE IN SOUTH LAMAR NEIGHBORHOOD ASSOCIATION TOOK ALL OF YOU ON THE CITY COUNCIL AND ESPECIALLY THOSE WHO PLAYED A PRINCIPLE ROLE AT YOUR WORD, WE NOW ASK THAT YOU STAND BY THESE WORDS, THAT HE REMEMBER THIS PROMISE MADE TO ALL OF THE AUSTIN NEIGHBORHOODS AND THAT YOU KEEP YOUR PROMISE WHEN YOU CONSIDER ON SECOND AND THIRD READING THE CLAWSON CASE WHICH WILL COME BEFORE YOU AGAIN IN JANUARY OF 2008. PLEASE DO NOT UP-ZONE IN THE CORE OF OUR NEIGHBORHOOD IN CONTRADICTION OF OUR OWN VISION FOR OUR OWN NEIGHBORHOOD. WE HAVE SUPPORTED BMU, AND WE EXPECT YOU TO REMEMBER, WE HOPE THAT YOU WILL REMEMBER THIS PROMISE TO US TO THE NEIGHBORHOODS. SINCERELY, AND MERRILY, OSCAR LIPCHECK. PRESIDENT, SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. HAPPY HOLIDAYS.

MAYOR WYNN: SAME TO YOU YOU, MORE OF IT, OSCAR. THANK YOU VERY MUCH. LET'S SEE, SO OSCAR WAS THE ONE SPEAKER IN SUPPORT OF THE ZONING CASE. WE NOW GO TO FOLKS IN OPPOSITION AND MISS CAMILE PERRY SIGNED UP TO SPEAK. VUL THREE MINUTES, TO BE

FOLLOWED BY A THREE MINUTE REBUTTAL IF NEED BE.

THANK YOU FOR THIS OPPORTUNITY TO SPEAK TO WHAT I BELIEVE IS AN IMPORTANT ISSUE, TRAFFIC PROBLEM AT SOUTH LAMAR AND MANCHACA ROAD. I AM NOT A MEMBER OF THE ASSOCIATION, JUST LIKE THE OVERWHELMING HOMEOWNERS IN MY NEIGHBORHOOD THAT ARE NOT. THE ASSOCIATION WAS GIVEN AUTHORITY TO SPEAK FOR EVERYONE INSPECT NEIGHBORHOOD BY THE DEVELOPER AS USUAL WITH THE CITY'S BLESSING. INSPECT BEGINNING I ASKED TOLL MEET WITH ME AND OTHERS THAT LIVE AND WORK IN THE AFFECTED YEAS THAT ARE NOT MEMBERS 6 THE ASSOCIATION, AND SHE REFUSED. THIRDLY, SKI OSCAR WHO JUST -- I ASK OSCAR WHO JUST SPOKE BEFORE THE PLANNING COMMISSION IF HE HAD READ THE TRANSPORTATION STUDY. THE ANSWER WAS. NO YET, THE ASSOCIATION DID NOT ASK FOR A POSTPONEMENT, ONLY THAT CONSTRUCTION BE ABLE TO BE RESTRICTED TO ACCESS THE SITE FROM MANCHACA AND SOUTH LAMAR, RATHER THAN DEL CURTO. THE CONCERNS ABOUT DEL CURTO ARE LEGITIMATE BUT NOT TO THE EXCLUDES COLLUSION OF THE OTHER AREAS. WHEN I LEARNED THAT DEVELOPER PREPARELED THE TRANSPORTATION STUDY FOR THE CITY, I WAS SHOCKED. IT IS LIKE HAVING THE FOX WATCH THE HEN HOUSE. WHEN I WENT TO THE WEBSITE THEIR NUMBERS WERE APPROXIMATELY FIVE YEARS OLD FOR THIS AREA AND THE STUDIES WERE NOT DONE THE SAME WAY. I BELIEVE THIS PROJECT GOES AHEAD AS PLAN WILL MAKE THE AFFECTED STREETS AND INTERSECTION MUCH MORE CON GUESTS -- CONGESTED AND MORE DANGEROUS. THERE ARE LOT OF ACCIDENTS THERE ALREADY. 89 ADVERSE AFFECTED WILL ONLY BEGIN WITH THE CONSTRUCTION PHASE AND LAST INDEFINITELY. A FEW EXAMPLES OF PROBLEMS I WILL FOUND WITH THE TIA, IT DID NOT TAKE INTO CONSIDERATION THE AFFECT OF THE TWO Ys, STREETS THAT MERGE APT AN ANGLE. MR. METCALF AT THE PLANNING COMMISSION STATEMENTED THAT THE NUMBER OF TRIPS PER DAY WOULD DECREASE BY 39 VEHICLES. I CHECKED WITH THE ECO-SCHOOL AND THE CHURCH, AND THAT IS AN EXAND RATION, THEREFORE OTHER NUMBERS MAY BE SKEWED AS WELL. I'M HERE TO ASK THAT DO YOU NOT MAKE A DECISION TODAY. FIRST,

EXCUSE ME, I HAVE SOMETHING ELSE TO MENTION ABOUT THE TIA IT. DID NOT TAKE, DID NOT EVEN DEAL WITH THE BUSES. THEY OMITTED THAT IN THEIR TIA STUDY. AND THE BUS STOPS HERE ALREADY BACK TRAFFIC UP IN ONE LANE ON EACH OF THE BOTH MAJOR STREETS, SOUTH LAMAR AND MANCHACA ROAD. I'M HERE TO ASK THAT YOU NOT MAKE A DECISION TODAY, THAT YOU POSTPONE THIS INDEFINITELY, THAT THE CITY POSTPONE THIS PROJECT UNTIL THEY UPDATE THEIR NUMBERS, MEANING ON THE CAMPO WEB SITE, AND THEIR METHODS OF STUDYING TRANSPORTATION. I WOULD BE GLAD TO ELABORATE ON SOME OF THE THINGS I'VE JUST SAID. I'LL BIDE BY THE TIME CONSTRAINTS, BUT I HAD MORE I COULD SAY, BUT THREE MINUTES IS.

MAYOR WYNN: THANK YOU, YOU MADE SOME VERY GOODS POINTS. ARE THERE ECONOMIES FOR MISS PERRY, COMMENTS? AND YOU ARE WELCOME TO ALSO GIVE US YOUR TESTIMONY FOR THE RECORD.

YES, I DO WANT IT FOR THE RECORD.

MAYOR WYNN: OKAY, WHY DON'T YOU HAND IT TO MISS GENTRY.

YOU MEAN TYPE IT OUT?

MAYOR WYNN: NEW SOME COMMENTS THAT YOU DIDN'T GET A CHANCE TO SAY, BUT WANTED --

I DIDN'T KNOW WHAT YOU MEANT BY THAT. I WILL DO THAT.

MAYOR WYNN: ALL RIGHT, THANK YOU.

THANK YOU. THANKS AGAIN FOR THE OPPORTUNITY TO SPEAK TO THIS.

MAYOR WYNN: YES, MA'AM, APPRECIATE YOUR PATIENCE THE. COUNCIL THAT IS ALL THOSE SIGNED UP FOR TESTIMONY. TYPICALLY WE HAVE A ONE-TIME THREE-MINUTE REBUTTAL FROM THE AGENT. TIME FOR MR. METCALF TO ADDRESS ANYTHING HE HEARD.

HAPPY TO ANSWER ANY QUESTIONS.

QUESTIONS FOR THE AGENT? COUNCIL. COMMENTS.  
COUNCIL MEMBER McCRACKEN.

I WANT TO POINT OUT A COUPLE OF THINGS THAT I THINK ARE PARTICULARLY NOTE WORTHY ABOUT THIS OUTSTANDING PROJECT. AND WHICH ARE PROBABLY PRETTY HELPFUL GUIDES AS WE LOOK AT THE STATE SCHOOL REZONING FOR SIMILAR ISSUE, WHAT THIS PROJECT HAS DONE IS DENSITY ON THE CORNERS OF SF-6 IN THE TRANSITION AND THE PARK INTO A SINGLE FAMILY NEIGHBORHOOD. THAT IS SOMETHING I'VE SEEN DONE IN EVERYWHERE FROM THE STAPLES AND REDEVELOPMENT TO MARKET COMMONS AND ARLINGTON VIRGINIA, AND IT IS A VERY EFFECTIVE WAY TO GET DENSITY AND TRANSITION FOR A SINGLE FAMILY NEIGHBORHOOD SO I THINK IN ADDITION TO THE MANY VALUES AND OUTSTANDING URBAN DESIGNS BUILT INTO THIS PROJECT THIS PROJECT IS A GREAT TEMPLATE FOR OTHER SIGNIFICANT REDEVELOPMENTS AS OUR CITY MOVES RESPONSIBLY INTO HAVING DENSITY ON THE CORRIDORS AND TO PROTECTING SINGLE FAMILY NEIGHBORHOODS IN THE INTERIOR WITH A COMBINATION IN THE OVERLAY AND McMASS ORDINANCE. SO APPRECIATE THE GREAT WORK CYPRESS MASS DONE AND THE SOUTH LAMAR ASSOCIATION BEING A PARTNER TO PLAN RESPONSIBLY FOR OUR CITY'S FUTURE AND MAKE IT A GREAT PLACE.

MAYOR WYNN: FURTHER COMMENTS? QUESTIONS? IF NOT, COUNCIL MEMBER COLE MOVES WE CLOSE THE PUBLIC HEARING [LAUGHTER]

THAT WOULD BE TRUE.

MAYOR WYNN: APPROVE THIS ITEM. AND REMINDING MR. GUERNSEY, PLANNING, APPROVE PLANNING COMMISSION RECOMMENDATION THAT WAS BOTH THE STAFF RECOMMENDATION OF GR-CO WITH THOSE ADDITIONAL RECOMMENDATIONS. A.

THAT IS ON FIRST READING.

ON FIRST READING ONLY. SECONDED BY COUNCIL MEMBER KIM. COMMENTS? COUNCIL MEMBER KIM.

I WANT TO THANK EVERYONE FOR WORKING ON THIS ESPECIALLY THE APPLICANT AND STEVE METCALF ANTIC MICHELLE ROGERSON IN WORKING WITH THE BEBE'S HUTCH, THAT HAS BEEN A GREAT CONCERN AND GREAT INTEREST OF MINE TO MAKE SURE WE HAVE A EQUALITY DAY CARE, CHILD AREA -- QUALITY DAY CARE AND CHILD CARE IN OUR CITY THAN FACILITY NOW WILL HAVE A NEW HOME AND A LOT OF ASSISTANCE FROM YOU AND WOULDN'T HAVE BEEN POSSIBLE WITHOUT YOUR HELP, IT IS A GOOD LOCATION, ESPECIALLY FOR IMPORTANTS THREE BLOCKS AWAY AND IT IS A HAPPY ENDING SO THANK YOU.

MAYOR WYNN: A MOTION AND SECOND ON THE TABLE. FIRST READING ONLY. FURTHER COMMENTS? HEARING NONE. ALL THOSE IN FAVOR, PLEASE SAY AYE. AYE. OPPOSED? MOTION PASSES ON A VOTE 7-0. THANK YOU ALL. SO MR. GUERNSEY, I GUESS TAKES US BACK TO ITEM 75 AND 76, THE TIME INSURANCE ITEMS WHERE WE'VE ALREADY CONDUCTED AND CLOSED THE PUBLIC HEARING. BLUE BUT THERE IS A SIGNIFICANT AMOUNT OF WORK CONTINUING SO PERHAPS THE STAFF PRESENTATION AS TO OUR CURRENT STATUS.

THANK YOU, MAYOR AND COUNCIL. OUR NEXT TWO ITEMS, BRIEFLY READ INTO THE RECORD BOTH OF THEM, ITEMS NUMBER 75 AND 76. ITEM NUMBER 75 IS CASE C14-04-0030. Time Insurance one Approve 1405-1415 East Riverside Drive. THIS IS WERE REZONING FROM LO district zoning and family residence SF-3 district zoning to community commercial-mixed use- conditional overlay GR-MU-CO combining district zoning with conditions. THE TRACT NEXT DOOR TO THIS IS ITEM NUMBER 76, CASE C14-06-0117. Time Insurance two. 1317 East Riverside Drive. And 1220 IH-35 South. THIS IS A REZONING QUESTION FROM community commercial- mixed use GR-MU combining district zoning to limited industrial service- planned development area LI-PDA combining district zoning with conditions. THE APPLICANT HAS AMENDED THEIR REQUEST TO BE GR-MU ZONING. AND THERE ARE EXISTING PETITIONS IN OPPOSITION TO THESE REZONING REQUESTS, AND ITEM NUMBER 75, THERE IS A PETITION THAT CURRENTLY STANDS, A VALID PETITION AT 32 MUCH 96%, AND -- 32.96% AND ITEM NUMBER 76 IT IS 23.73%. WE

ARE ONLY BRINGING THESE FORWARD, THESE ITEMS FORWARD TODAY FOR SECOND READING ONLY AND THERE ARE SOME ISSUES THAT NEED TO BE RESOLVED ON THESE. I WORKED WITH THE APPLICANT, MY STAFF, AND I WORKED WITH THE APPLICANT, AND ALSO WITH THE NEIGHBORHOOD ASSOCIATION, THE NEIGHBORHOOD ASSOCIATION SOUTH RIVER, EXCUSE ME, E-ROCK ARE OPPOSED TO THESE REZONING REQUESTS, BUT IN THE SPIRIT OF COOPERATION HAVE WORKED THROUGH THE FIRST READING ITEMS THAT YOU HAVE APPROVED AND ON YOUR DAIS THERE SHOULD BE SOME YELLOW COPIES. SHOULD BE A DATE OF TODAY. THERE IS TWO ORDINANCES AND A RESTRICTED COULD HAVENANT, AND WHAT I WOULD LIKE TO DO IS WALK THROUGH -- RESTRICTED COVENANT, AND WHAT I WOULD LIKE TO DO IS WALK THROUGH SOME ISSUES THAT HAVE BEEN DISCUSSED AND SOME ISSUES THAT STILL NEED TO BE RESOLVED. FIRST THIS CAME BEFORE YOU AT THE BEGINNING OF THE YEAR ON JANUARY 11, 2007. AT THAT TIME, WHEN IT CAME IN FOR FIRST READING ACTION, THE DMU OPT IN/OPT OUT PROCESS REALLY HADN'T BEEN FINALIZED TWO DAYS AFTER THE APPROVAL OF THIS ON FIRST READING WE BASICALLY HAD THE AFFECT OF THE OPT IN/OPT OUT DESIGN PROCESS COMING INTO AFFECT SO WE WERE OPERATING UNDER THE INTERIM BMU ORDINANCE, AND I HAVE PROVIDED A COPY ON YOUR DAIS IN WHITE IN THE UPPER RIGHT AND CORNER SAID EXISTS ON 11/1/07. AND ITEM 75 AND 76 THAT WILL BECOME IMPORTANT IN A MOMENT ACE KIND OF RUN THROUGH THE ORDINANCES. WE HAVE GONE THROUGH AND PUT IN THE ORDINANCES A REFLECTION OF THE ZONING ACTIONS THAT YOU HAVE TAKEN, AND I WILL NOTE IN BOTH ITEM 75 AND ITEM 76 THERE IS A FIRST POINT OF DISAGREEMENT BETWEEN THE NEIGHBORHOOD ABOUT THE ACTIONS TAKEN. WHEN THE APPLICATIONS WERE SUBMITTED THERE IS A TRIP LIMITATION OF 2,000 TRIPS PER TRACT THAT THEY HAD ASKED AND HAVE WAVED AND THESE ARE REFLECTED IN THE ORDINANCES AS WRITTEN AND YOU HAVE ON THE DAIS. BUT THE NEIGHBORHOOD CON TENDS THAT THERE WAS A TRIP LIMITATION OF 2,000 THAT WOULD PRESENT THE COMMISSION TO COUNCIL OVER THE ENTIRE PROPERTY, AND SO THAT IS A POINT OF DISCUSSION, I THINK IT MIGHT BE BEST TO ASK ONE MEMBER OF THE NEIGHBORHOOD AND

ASK THE AM DANT DISCUSS IT. IT IS MY UNDERSTANDING THE APPLICANT IS AGREEABLE TO A 2,000 TRIP LIMITATION ON THE ENTIRE PROPERTY IF THERE IS A TRAFFIC IMPACT ANALYSIS THAT IS SUBMITTED, REVIEWS AND APPROVED BY CITY STAFF AT THE TIME OF FLIGHT PLAN, AND THEY WOULD BE AGREEABLE TO THAT. THE SECOND ISSUE, AND THAT HAS BEEN BROUGHT FORWARD, IS ONE THAT DEALS WITH THE VERTICAL MIXED USE. WHEN THIS WAS APPROVED IN FIRST READING THE AFFORD. COMPONENT DID NOT EXIST IN OUR ORDINANCE, AND THERE IS, AS I UNDERSTAND, A PRIVATE AGREEMENT BETWEEN THE NEIGHBORHOOD AND THE APPLICANT THERE WOULD BE AN AGREEMENT OF 10% OF THE UNITS OWNER OCCUPIED, TO BE AT 80%. THAT ACTION WILL PROBABLY TAKE THE FORM OF A PRIVATE AGREEMENT, AND WHAT WILL HAPPEN IS THE APPLICANT WILL GO FORWARD AND PROVIDE AN APPLICATION TO OPT IN FOR THIS PROPERTY. TO FORMALIZE THE AFFORDABLE HOUSING COMPONENT, IT WILL GO TO THE COMMISSION AND COME BACK FOR ACTION, AND THAT WILL TAKE PLACE AT PROBABLY THE SAME TIME AS WHEN WE BRING FORWARD THE NEIGHBORHOOD'S APPLICATION FOR THE EAST RIVER SIDE HE-ROCK NEIGHBORHOODS FOR YOUR CONSIDERATION. THE THIRD PART OF CONTENTION AMONG THE PARTIES OF THE NEIGHBORHOOD AND THE PROPERTY OWNER ADDRESSES A PORTION OF THE AGREEMENT IN THE RESTRICTED COVENANT, AND IT IS ON THE SECOND PAGE OF THE RESTRICTED COVENANT WHERE IT SAYS THAT THE BUILDINGS THAT WOULD FRONT EAST RIVER SIDE, THAT 50% SHALL NOT EXCEED A HEIGHT OF 3 STORIES AND 50% SHALL NOT EXCEED A HEIGHT OF FOUR STORIES. IN ORDER TO ACHIEVE FOUR STORIES ON THIS PROPERTY THERE WOULD BE A REQUIREMENT TO OBTAIN A VARIANCE FROM THE BOARD OF ADJUST TOM OBTAIN A HEIGHT OF FOUR STORIES AND THE CONCERN THAT THE APPLICANT HAS, OFFERED TO ALLOW BUILDINGS TO UNGULATING BETWEEN THREE AND FOUR STORIES IF THEY WENT UP TO FOUR STOW RADIOS, THE NEIGHBORHOOD WOULD SAY THAT AGREEMENT TO HAVE THE BUILDINGS BEING APT DIFFERENT HEIGHTS WOULD APPLY, REGARDLESS OF WHETHER THE FOUR STORIES WHICH GRANTED THROUGH A VARIANCE OR NOT SOME OF IF THE VARIANCE WAS NOT SUCCESSFUL THAT THEY WOULD LIKE TO SEE VARIED HEIGHT OF THREE

STORIES FOR HALF AND ONE OR TWO FOR THE REMAINDER OF 9 PROJECT. I WILL NOTE THERE IS AGREEMENT TO A CHANGE TO THE RESTRICTIVE COVENANT ON PAGE 204. ITEM NUMBER 5 WOULD SPEAK TO A 25-FOOT HEAVILY VEGETATED BUFFER SHALL BE PROVIDED ALONG AND STRIKING THE WOOD SOUTH PROPERTY LINE JUST TO SAY THE PROPERTY LINES, RUNNING ALONG ATE JAY SENT AREAS OF THE PROPERTY. SO WE WOULD BE STRIKING THOSE WORDS SOUTH SO THERE IS AGREEMENT ON THAT ALSO NOTING ON THE PAGE THREE OF THE RESTRICTED COVENANT, THERE WAS A REFERENCES TO VENT, THAT ALSO BE STRICKEN. IN THE ORDINANCE THEMSELVES, IF THIS WERE TO GO FORWARD, STAFF WOULD RECOMMEND THAT THE REFERENCES IN BOTH ORDINANCES THAT THE PROPERTY BE EXEMPT FROM A DIMENSIONAL STANDARDS, BE IDENTIFIED AND THAT THE PROPERTY IS SUBJECT TO PARKING REDUCTION, AND THAT 10% OF THE RESIDENTIAL USE AND MIXED USE BUILDING OF THE HOUSEHOLDS BEING NOT MORE THAN 80% OF MEDIAN FAMILY INCOME, THAT WOULD BE REMOVED FROM THIS ORDINANCE ON 75 AND 76, AND THAT THE LANGUAGES SAY THAT RESIDENTIAL USE MAY INCREASE TO 65 IF THE DEVELOPMENT COMPLIES WITH CHAPTER 25-2, SUB CHAPTER E, ARTICLE 4.3, VERTICAL MIXED USE BUILDING STANDARDS, ONLY IF THIS PROPERTY IS OPTED IN. IF IT IS NOT OPTED IN THROUGH THAT PROCESS, THEY COULD NOT AVAIL THEMSELVES OF THE 65 UNITS AND THEN THEY WOULD BE LIMITED TO OUR LESSER NUMBER. THESE ARE THE CHANGES AS I UNDERSTAND THAT BOTH THE APPLICANT AND NEIGHBORHOOD UNDERSTAND, AS I SAID BEFORE THE NEIGHBORHOOD IS OPPOSED TO THE APPLICATION, THEY ARE STANDING PETITIONS IN OPPOSITION TO THIS REQUEST, IF THE ISSUE IS RELATED TO THE NUMBER OF TRIPS, ISSUES RELATED TO THE BUILDING HEIGHTS, AND I THINK WE MAY NOW HAVE AGREEMENT ON THE VERTICAL MIXED USE, IF IT COMES BACK THROUGH THE OPT IN/OPT OUT PROCESS, THEY WILL PROBABLY ADDRESS IT ANOTHER DAY. IF THOSE ISSUES WERE ADDRESSED AND STAFF CAN GO FORWARD AND DRAFT NEW ORDINANCES, AND A REVISED COVENANT, THERE IS AN AGREEMENT THAT I UNDERSTAND IS GOING TO BE DRAFTED BETWEEN THE APPLICANT AND THE PROPERTY OWNERS, OR THE NEIGHBORHOOD ORGANIZATION, THAT WOULD BE SIMILAR



TO SOME OF THE LANGUAGE THAT ENOUGH THIS DOCUMENT. BUT THAT WILL BE A PRIVATE AGREEMENT. WITH THESE ITEMS ADDRESSED QUO COME BACK NEXT WEEK FOR THIRD READING AND FINALIZE THESE DOCUMENTS. THAT WOULD BE WITH THE KNOWLEDGE OF BOTH SIDES, WORKING THROUGH THESE AND AGAIN, THE PROPERTY OWNER WOULD HAVE TO SEEK AN OPT IN APPLICATION, UNLIKE OTHER PROPERTIES IN THE CURRENT ORDINANCE TO TAKE BENEFIT OF THE DIMENSIONAL WAIVERS AND THEN IT WOULD BE REQUIRED TO PROVIDE AFFORDABLE HOUSING, AND THAT WOULD BE AT THE SUGGESTED 80%, 10% FOR 08% OF THE OWNER-OCCUPIED UNITS BUT THAT WOULD COME AT A LATER DATE.

MAYOR WYNN: SO I GUESS OUR QUESTION DO WE WANT TO END THE YEAR TALKING ABOUT TIME INSURANCE OR BEGIN NEXT YEAR TALKING ABOUT TIME INSURANCE. [LAUGHTER] SORRY. SAME AS WE DID IN '06.

AT THIS TIME, I WILL PAUSE, AND IF YOU WOULD LIKE TO HEAR FROM THE APPLICANT AND THE NEIGHBORHOOD.

MAYOR WYNN: MAYOR PRO TEM.

ON THE PRIOR CASE I ALMOST MADE COMMENT ABOUT THE NEIGHBORHOOD AND AGENTS SHOWING A GREAT EXAMPLE OF PERSEVERERANCE AND SAW THE TIME CASE AND THOUGHT I BETTER SAVE THOSE COMMENTS FOR THAT ONE SO BOTH PARTIES HAVE WORKED A LONG TIME.

IT HAS BEEN A PLEASURE WORKING WITH THE APPLICANT AND NEIGHBORS ON THIS, THEY'VE ALL BEEN EXTREMELY PATIENT WITH EACH OTHER AND STAFF, AND I APPRECIATE THAT GREATLY.

MAYOR WYNN: SEEMS TO ME COUNCIL WE SHOULD TAKE THAT FEEDBACK OR TESTIMONY FROM THE AGENT AND THE NEIGHBORHOOD TO TRY TO GET A FEEL FOR WHERE WE ARE. AND WHAT DIRECTION WE MAY GIVE STAFF PRIOR TO NEXT WEEK. SO PERHAPS IF MR. THROWER COULD COME, TAKE A FEW MINUTES TO WALK US THROUGH YOUR PERCEPTION OF WHERE WE ARE. WELCOME.

IT HAS BEEN A LONG PROCESS, FUN AND EXCITING AT TIMES AND DRAGGED ON AT A FEW OTHER TIMES. REGARDLESS OF TWO ITEMS I THINK STILL LACK A LITTLE BIT OF CLARIFICATION, WE DID FILE TWO SEPARATE ZONING CASE TWOS YEARS APART AND DO WE VIEW THIS AS TWO ZONING CASES EVEN THOUGH IT IS ONE PROJECT. WE NEED THE 2,000 TRIPS PER ZONING DICE MAKE THIS PROJECT WORK. NOW, ANY MY E-MAIL OF YESTERDAY, I HAD OFFERED TO LIMIT THE ENTIRE PROPERTY WHICH WOULD COVER BOTH CASES TO 2,000 TRIPS UNTIL WE FILED A TRAFFIC IMPACT ANALYSIS ASSOCIATED WITH THE SITE PLAN SO THERE CAN BE SOME MITIGATION PAID BY MY CLIENT TO TAKE CARE OF THE TRAFFIC CONDITIONS THAT MAY BE CAUSED BY THIS PROJECT. I OFFERED THAT AS A COMPROMISE. IN MY MIND WE ARE CORRECT IN THE WAY THE ORDINANCE IS CURRENTLY WRITTEN IN THE 2,000 TRIPS PER ZONING CASE. IN REGARDS TO THE 50% OF THE BUILDING AT FOUR STORY, 50% AT THREE STORIES, THE IDEA THERE WAS, IS THAT AT FOUR STORIES, IF WE SAW THE VARIANCES AND WERE ABLE TO ACHIEVE FOUR STORY, WE WOULDN'T SEND UP A HUGE MASS OF A STRUCTURE AND BLOCK THE VIEW FROM THE HILLSIDE. I REPEAT LEAD ASKED FOR PEOPLE TO IDENTIFY VIEW CORRIDORS THEY WOULD LIKE TO ACHIEVE AND BY NO MEANS WOULD WE BLOCK OFF ALL OF THEIR LIGHT AND AIR WITH A FOUR-STORY MONOLITHIC STRUCTURE, BY NO MEANS DID I EVERY IMPLY AN UNGULATING TWO AND THREE STORY BUILDING, IT HAS ALWAYS BEEN THREE AND FOUR STORY BUILDING. I WOULD LIKE TO RESERVE THE RIGHT THAT UNDER UNDER THE COMPATIBILITY STANDARDS WE COMPLY WITH A THREE-STORY BUILDING THAT ALL BUILDINGS SHOULD REMAIN AT THREE STORIES. I WOULD I'M AVAILABLE FOR QUESTIONS OR CLARIFICATION ON THOSE TWO MATTERS.

QUESTIONS FOR MR. THROWER? COUNCIL? WE CAN HEAR FROM --

TALK ABOUT SOME BMU RELATED STUFF, BUT I THOUGHT THAT WAS PART OF OUR PRIVATE RESTRICTED COVENANT THEN WELL ALSO GO THROUGH THE OPT IN PROCESS BEFORE THAT.

WE WOULD LIKE TO HEAR ABOUT THAT FROM EITHER

PERSPECTIVE. EVEN THOUGH IT IS A PRIVATE AGREEMENT IT HELPS COUNCIL MEMBERS .

IF OUR PRIVATE RESTRICTED COVENANT, EVEN HELP TO WE ARE NOT CURRENTLY ISN'T TO THIS, IF WE ARE -- CURRENTLY SUBJECT TO THIS, WE ARE PROPOSING IS TO DO 10% AT 80% FOR THE CONDOMINIUM UNITEMS -- UNITS ON THE SITE, AND THAT IS IN THE PRIVATE RESTRICTED COVENANT. TO UTILIZE THAT AND THE DENSITY ON THE PROJECT WE'VE GOT TO GO THROUGH THE OPT-IN PROCESS WITH THE PUBLIC HEARINGS WITH THE PROCESS THAN COMES FORWARD WITH THE COMMISSION AND COUNCIL. WYNN THE NEIGHBORHOOD PERSPECTIVE?

WELL, FIRST, LET ME JUST STATE FOR THE RECORD THAT, I'M SORRY, GALE GOTH, CHAIR OF THE NEIGHBORHOOD PLANNING CONTACT TEAM. WE DO HAVE VALID PETITIONS ON BOTH OF THESE PROPERTIES AND EVERYBODY IS AWARE OF, AND I THINK JUST TO SAY THAT AS MANY TIMES WE CAN WOULD BE A GOOD THING. TO ADDRESS THE 2,000 TRIPS PER DAY THIS PROJECT STARTED A LONG TIME AGO 2004, AND AT THAT TIME THERE WEREN'T TWO CASES THERE WAS ONLY ONE, HOWEVER THE PROJECT WAS PRESENTED THEN AS A COMPLETE ENTITY THAT WRAPPED THE ENTIRE CORRIDOR AND INCLUDED THE CASE THAT WAS ONLY BROUGHT TO NEW 2006. FROM THE BEGINNING WE HAVE BEEN CONCERNED ABOUT TRAFFIC BECAUSE FROM THE BEGINNING IT HAS BEEN AN ENTIRE PROJECT, INCLUDING THE CASE THAT GOT ADDED ON IN 2006. WE LOOKED AT MANY DIFFERENT WAYS TO DEAL WITH THE DEVELOPMENT OF THE SIZE ON THAT CORNER. THERE ARE SEVERE LIMITATIONS. THERE IS NO WAY TO PUT A LIGHT AT SUMMIT. WE HAVE ADDRESSED THAT. THERE IS VERY THRALL TxDOT CAN DO TO CHANGE THE CONFIGURATION OF THE TURN LANES THAT EXIST. EVEN THOUGH THE BLUFF IS GOING TO COME DOWN THERE IS STALE STRUCTURE LIKE A RETAINING WALL THAT WILL BE A BUILDING INSTEAD. THE SLOPE OF THE STREET, OF RIVERSIDE DRIVE IS INVISIBLE UNTIL JUST IT AS CRESTS THE HILL WHICH IS WHERE IT INTERSECTS WITH SUMMIT SO ALL OF THE WAYS TO MITIGATE TRAFFIC AT THIS SITE WERE EXPLORED FROM 2004 UNTIL NOW, ALMOST 2008. THERE ARE NO ALTERNATIVES. IF A TRAFFIC IMPACT ANALYSIS IS DONE, THEY WILL EXPLORE ALL OF THESE

AGAIN AND THERE WILL BE NO MITIGATION AVAILABLE. THERE IS NOTHING THAT CAN BE DONE. SO IF WE KNOW THAT AT THE OUTSET, WHY DO WE NOT JUST MOVE FORWARD WITH THE PROJECT THAT IS LIMITED TO THE TRIPS THAT ALREADY WILL BE VERY HARD TO ACCOMMODATE AT THAT PARTICULAR LOCATION. IT IS ALWAYS PRESENTED AS PROJECT WITH 2,000 TRIPS. THE OTHER TRACT JUST GOT ADDED ON AT THE END BECAUSE WE KNOW THAT THE SITE PLAN THAT WILL NOT EXPIRE THERE UNTIL A NEW CASE, A NEW ZONING IS GIVEN. SO THAT IS HOW WE FEEL ABOUT THE 2,000 TRIPS. THERE IS NO POSSIBLE WAY TO ADDRESS MORE THAN THAT. SO I DON'T KNOW WHAT AN OWNER COULD DO TO DO THAT. THE UNGULATING WALL WAS BROUGHT UP BY PLANNING COMMISSION AND WHEN THE COUNCIL HEARD WHAT THE CONDITIONS WERE THAT PLANNING COMMISSION HAD SUGGESTED, YOU LIKED THAT IDEA, BUT IT WOULDN'T BE JUST THIS MASSIVE STRUCTURE, AND WE SAID THAT WE DID NOT BELIEVE THAT COMPATIBILITY STANDARDS COULD BE MET WITH FOUR STORIES AFTERNOON THEY CANNOT, IT CAN NOT, THEY WOULD HAVE TO HAVE A WAIVER TO GET FOUR STORIES ON THAT PROPERTY. SO WE HAVE A SITUATION NOW WHERE YOU CAN EITHER AUTHORIZE FOUR STORIES FOR, AN ENCOURAGE A VARIANCE TO BE GRANTED OR WE CAN LOOK AT WHAT WE HAVE THERE AND ASSUME THAT COMPATIBILITY STANDARDS WOULD BE ADHERED TO AND THAT WHAT IS REALLY DESIRE SAD PROJECT LOOKS GREAT AT THAT GATEWAY TO OUR CITY. AND THAT ARISE AND FALL IN THE HEIGHTS THERE WOULD BE APPROPRIATE AND WOULD BE MORE HE IS THEYCALLY APPROPRIATE FOR THAT CORNER,EST THEYICLYLY APPROACH -- ESTHETICALLY APPROPRIATE CORNER. THE FOUR STORY IS NOT POSSIBLE FOR COME PAT. STANDARDS.

MAYOR WYNN: QUESTIONS FOR MISS GOFF? COUNCIL? COMMENTS? MR. PRINCE HERE MIND US WHAT ARE THE DECISION POINTS? PRIOR TO TEEING THIS UP.

FIRST THIS FOR SECOND READING ONLY ON BOTH OF THESE ITEMS. SECOND, YOU HAVE THE DRAFT OF THE ORTHOPEDIC NANCES ON YOUR DAIS ALONG WITH THE COVENANT. I THINK THE TWO POINT, THE FIRST IS DEALING WITH THE PARKING, NOT THE PARKING, THE TRIPS, AND WHETHER OR

NOT HE HAS INDICATED IT WOULD BE 2,000 TRIPS LIMITATION ON THE PROPERTY UNLESS A TRAFFIC IMPACT ANALYSIS IS SUBMITTED, REVIEWED AND APPROVED BY STAFF FOR THIS PROPERTY, AND YOU WOULD GET ADDITIONAL TRIPS, OR YOU ARE ACCEPT WHAT THE NEIGHBORHOOD WAS SAYING WHICH WOULD BE LANGUAGE THAT WOULD LIMIT THE PROPERTY TO 2,000 TRIMS. THE SECOND ITEM DEALS WITH THE BUILDING AND THAT IS LANGUAGE THAT IS CONTAINED IN THE COVENANT ON PAGE 204, AND WHAT I UNDERSTAND THAT MR. THROWER WOULD LIKE TO HAVE THE ABILITY TO CONTRUCT THREE STORY BUILDINGS ON THE PROPERTY IF THEY ARE COMPLIANT WITH THE COMPATIBILITY STANDARDS. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

MAYOR WYNN: COUNCIL, THOUGHTS? COUNCIL MCCRACKEN?

MCCRACKEN: THE FIRST ISSUE OBVIOUSLY IS THE TRIPS, AND THEN TO MAKE SURE I UNDERSTAND, THE SECOND ISSUE THEN IS THE ISSUE OF HOW MUCH HEIGHT TO ALLOW IN THE BUILDING AND THUS THE TWO ISSUES --

THAT'S CORRECT. AND ALSO IT REMINDED ME MAKE SURE THAT YOU UNDERSTAND THAT THE APPLICANT DID AMEND THEIR REQUEST TO GR-MU. IT'S NO LONGER -- ON ITEM NO. 76, CASE C14-06-0117, THAT THAT APPLICATION HAS BEEN AMENDED TO GR-MU. SO -- WANTED TO MAKE SURE THAT WAS NOTED.

MCCRACKEN: IF WE DO NOTHING ON THE ISSUE OF THE HEIGHT OF THE BUILDINGS, WHAT'S THE RESULT OF THAT?

IF YOU JUST LEAVE THE LANGUAGE THAT WAS ORIGINALLY APPROVED IN FIRST READING AND YOU SAY THAT 50% OF THE BUILDINGS CANNOT EXCEED 4 STORIES AND 50% CANNOT EXCEED THREE STORIES. AND SO IF THE VARIANCES FAIL HE WOULD NOT BE ABLE TO BUILD FOUR STORIES AND PROVIDED THAT HE COMPLIED WITH COMPATIBILITY HE COULD BUILD ALL THREE STORIES. THAT'S IF HE -- YOU BASICALLY TAKE NO ACTION.

MCCRACKEN: WHAT DO THE NEIGHBOR AND THE APPLICANT

EACH REQUEST FROM US IN REGARD TO THE HEIGHT ISSUE?

THE NEIGHBORHOOD WOULD REQUEST THAT -- EXCUSE ME, MAYBE I MISSPOKE HERE. IF THE VARIANCE IS NOT SUCCESSFUL HE WILL ONLY BE ABLE TO DO 50% AT THREE STORIES THE LANGUAGE AS IT STANDS RIGHT NOW. THE NEIGHBORHOOD WOULD PREFER THAT THE LANGUAGE REMAIN AS IS AND IF HE IS NOT SUCCESSFUL THE VARIANCE, THEN THE LIMITATION OF 50% AT THREE STORIES WOULD REMAIN AND THE OTHER BUILDINGS WOULD HAVE TO BE BUILT AT ONE OR TWO STORIES.

WELL, THAT WOULD CLEARLY DEFEAT THAT. I MEAN, THAT APPROACH, I THINK, WOULD BE AT ODDS WITH, YOU KNOW, KIND OF THE VISION THIS COUNCIL HAS PERCEIVED OF SAYING WE'LL PROTECT THE INTERIOR NEIGHBORHOODS AND THE IN ACCORDANCE AND PUT DENSITY ON THE CORRIDORS. ON THE OTHER SIDE OF THIS IS THAT WE ARE NOT -- I DON'T THINK WE HAVE A PENDING PROJECT HERE, AND WE HAVE THE EAST RIVERSIDE CORRIDOR PLAN WHICH WE ORDERED LAST WEEK WHICH IS GOING TO ADDRESS ISSUES LIKE HEIGHT STANDARDS AND COMPATIBILITY ISSUES ON EAST RIVERSIDE. AND SO I GUESS, MR. GUERNSEY, LET ME ASK YOU, IF WE WERE TO JUST REMOVE ANY LANGUAGE ABOUT HOW TALL THESE BUILDINGS COULD BE AND JUST LET IT BE GOVERNED BY STANDARD COMPATIBILITY STANDARDS AND OR THE RESULTS OF THE EAST RIVERSIDE CORRIDOR PLAN THE COUNCIL ADOPTS IN EIGHT MONTHS, WHAT HAPPENS THEN?

IF YOU WERE JUST -- IF YOU WERE TO MOVE PROVISION FROM THE COVENANT WHICH SPEAKS TO THE HEIGHT OF TRACTS A AND B, THEN IT WOULD BE THE HEIGHTS THAT WOULD BE ALLOWED IN THE BASE DISTRICT ZONING AS MODIFIED BY COMPATIBILITY. AND SO THE LIMITATION OF THREE STORIES OR FOUR STORIES WOULD NOT EXIST. AND THAT THEY WOULD JUST HAVE TO COMPLY WITH COMPATIBILITY STANDARDS OR THE BASE REQUIREMENTS IF THEY'RE MORE RESTRICTIVE.

MCCRACKEN: THEN WHAT I WILL PROPOSE IS TO APPROVE ON SECOND READING -- I'LL JUST RAISE ANOTHER QUESTION, I GUESS, WHAT ARE WE BEING ASKED TO

APPROVE? APPROVE ON FIRST READING WITH THE FOLLOWING CHANGES OR?

GUERNSEY: YOU CAN APPROVE THE FIRST READING WITH THE FOLLOWING CHANGES. ACTUALLY, WHAT YOU HAVE ON THE DAIS CLARIFY THE POINTS THAT YOU APPROVED ON FIRST READING, AND I'M NOT SURE HOW -- YOU COULD SAY THE VERSION THAT YOU HAVE ON THE DAIS WITH THE REMOVAL OF THE HEIGHT LANGUAGE, AND THEN WITH THE CHANGES THAT I HAVE READ EARLIER ON THE RESTRICTIVE COVENANT, ON ITEM NO. 5, TO REMOVE THE REFERENCES TO THE SOUTH PROPERTY LINE, THE 25-FOOT HEAVILY VEGETATED BUFFER SHALL BE MAINTAINED ALONG THE PROPERTY LINES THAT RUN ADJACENT TO RESIDENTIAL AREAS OF THE PROPERTY. THAT CHANGE, REMOVAL OF THE DIMENSIONAL PARKING AND THE REFERENCE TO THE AFFORDABLE HOUSING COMPONENT, BECAUSE THAT'S GOING TO BE ADDRESSED THROUGH A PRIVATE COVENANT BETWEEN THE TWO PARTIES AND THE OPT-IN/OPT-OUT PROCESS AT A LATER DATE. AND THAT ONLY LEAVES OIR -- IF THE ACCEPT THE ORDINANCES AND COVENANTS WITH THOSE CHANGES I CAN PASS IT TO THE CLERK AND THAT WOULD BE CLEAR THAT THE LAST ISSUE IS THE TRANSPORTATION --

IT MILITIA CLEAR -- MIGHT BE CLEAR TO SOMEBODY. IF YOU'D.

IF YOU'D LIKE I CAN READ THROUGH THE ORDINANCES.

MCCRACKEN: NO, THIS IS JUST REALLY HORRIBLY CONFUSING AND I THINK -- I GUESS THE CHALLENGE FOR US IS I DON'T THINK THAT THERE'S ANY POINT IN US ADDRESSING THE HEIGHT ISSUE ONE WAY OR THE OTHER, PARTICULARLY WHEN WE DON'T HAVE A PROJECT BEFORE US AND WE HAVE THIS VERY ISSUE ABOUT TO BE TAKEN UP BY THE EAST RIVERSIDE CORRIDOR PLAN SO THAT -- AND I DO BELIEVE THAT AN OUTCOME, THE BUILDING ON EAST RIVERSIDE DRIVE WHERE WE ARE -- UNDER OUR POLICY THIS COUNCIL PUTTING DENSITY ON CORRIDORS PROTECTING NEIGHBORHOODS IN THE MCMAJS ORDINANCE, I THINK THAT ONE IS TOTALLY IRRESPONSIBLE BY US AND 180 OPPOSITE OF THE POLICY WE'RE PURSUING, SO I DON'T

WANT US TO AS A COUNCIL BE APPROVING ONE STORY BUILDINGS ON EAST RIVERSIDE -- YOU KNOW, THAT WOULD BE A VISION WITH ACTION ON OUR PART, IN CONTRADICTION TO OUR POLICIES, WHICH WERE SUPPORTED BY THE AUSTIN NEIGHBORHOOD COUNCIL AND THE WHOLE CITY. SO I WOULD LIKE TO BASICALLY APPROVE ON SECOND READING, YOU KNOW, I GUESS GR-MU AND -- BUT I DON'T WANT TO LIMIT THE CAR TRIPS ON EAST RIVERSIDE AND I WANT TO BE SILENT ON THE HEIGHT. LET THAT BE HANDLED BY NORMAL ZONING AND BY THE EAST RIVERSIDE CORRIDOR PLAN. SO HOW DO WE DO THAT?

GUERNSEY: WELL, I GUESS YOU COULD APPROVE FIRST READING, WHAT YOU DID ON SECOND READ WITH THE MODIFICATIONS THAT I'VE NOTED, THAT ITEM NO. 75, THAT THE ZONING WOULD BE GR-MU-CO, THAT THE HEIGHT LIMITATIONS THAT ARE REFLECTED IN THE COVENANT, THAT THOSE ARE REMOVED FROM THE COVENANT SO THAT'S NOT THERE.

I UNDERSTAND SOUNDS LIKE THE TRIPS YOU'RE SPEAKING OF WOULD BE A 2 TO 2,000 TRIPS LIMITED UNLESS A MODIFICATION IS REVIEWED AND APPROVED AND WITH THAT DEVIATION THEY COULD HAVE MORE TRIPS BUT THEY HAVE TO GO THROUGH THE TIA PROCESS.

YEAH, I THINK THAT THEY SHOULD HAVE TO GO THROUGH THE NORMAL PROCESS. I DON'T WANT TO TRY TO ARTIFICIALLY LIMIT TRIPS ON EAST RIVERSIDE.

THAT WOULD BE -- IF THIS IS ALL ONE CASE AND IT WAS SUBMITTED YESTERDAY, THERE WOULD BE A 2,000 TRIP UNLESS THEY WOULD HAVE SUBMITTED A TRANSPORTATION IMPACT ANALYSIS.

OKAY.

SO WE CAN ADDRESS THAT.

OKAY.

AND ITEM NO. 76, IT WOULD BE FOR GR-MU-CO, AND THEN WE WILL EFFECT THOSE SAME CHANGES THAT MIGHT SPEAK



TO HEIGHT AND THE TRIPS AND THE CHANGE ALREADY NOTED EARLIER ON THE RESTRICTIVE COVENANT REGARDING THE HEAVILY BUFFERED AREA. AND RON IS WALKING UP AND ASKING --

MCCRACKEN: YEAH, THAT WOULD BE MY MOTION.

DUNKERLEY: AND I'LL SECOND THAT.

MAYOR WYNN: MOTION BY --

MCCRACKEN: JUST ACKNOWLEDGING THAT THERE WAS SOMETHING NEW TO THE NEIGHBORHOOD AND THE APPLICANT. THIS DOES RECOGNIZE THERE IS GREEN BUILDER REQUIRED ON THESE PROPERTIES.

MAYOR WYNN: SO MOTION BY COUNCIL MEMBER MCCRACKEN, SECONDED BY COUNCIL MEMBER -- I MEAN, MAYOR PRO TEM DUNKERLEY TO APPROVE ON SECOND READING AS OUTLINED BY MR. GUERNSEY. COUNCIL MEMBER KIM?

KIM: I'LL APPROVE THIS ON SECOND READING BUT I WANT TO TAKE A CLOSER LOOK AT THE TRIPS ISSUE BECAUSE I JUST HAVE SOME CONCERNS ABOUT THAT AS WELL, BECAUSE I KNOW THE AREA VERY WELL AND IT IS -- PEOPLE ARE GOING AROUND THAT CURVE FROM I-35 TO RIVERSIDE AT PRETTY FAST SPEEDS AND I JUST WANT TO MAKE SURE THAT WE'RE TAKING THAT INTO ACCOUNT WITH WHAT IS PLANNED FOR THE CORRIDOR AS WELL AS WHAT TXDOT -- THE LIMITATIONS IN TERMS OF TXDOT'S INVOLVEMENT IN THIS.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? THEN WITH THE INTENT BEING COMING BACK NEXT WEEK, MR. GUERNSEY?

GUERNSEY: COME BACK NEXT WEEK -- MY STAFF WILL WORK WITH OUR DEPARTMENT AND PERHAPS GET THE DRAFT OUT TOMORROW TO THE PARTIES OF A REVISED COVENANT AND ORDINANCE -- ORDINANCES.

MAYOR WYNN: AND IF I COULD JUST REQUEST AS PART OF THE STAFF PRESENTATION NEXT THURSDAY THAT THERE IS

-- WE'D SORT OF WALK THROUGH A VISUALIZATION AS BEST WE CAN, JUST GRAPHICALLY, OF TWO -- TWO DIMENSIONALLY OF THE CASE AGAIN.

GUERNSEY: OKAY.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: RATHER THAN TRYING TO GO THROUGH WHAT'S IN THIS, COULD YOU VERY BRIEFLY OUTLINE THE OUTSTANDING POINTS OF DIFFERENCE?

GUERNSEY: WELL, THE BIG DIFFERENCE THAT I UNDERSTAND WITH THIS ITEM THAT YOU DIDN'T DO IN FIRST READING IS YOU REMOVED THE HEIGHT RESTRICTION OF THE THREE STORIES AND FOUR STORIES, THAT SECOND, THAT THERE IS A TRIP LIMITATION OF 2,000 ON THE PROPERTY BUT ACKNOWLEDGING THAT IF A TRAFFIC IMPACT ANALYSIS IS SUBMITTED, THAT THEY COULD POSSIBLY GET MORE TRIPS ALLOWED IF THEY GO THROUGH A NORMAL TIA REVIEW AND APPROVAL WITH WATER -- PROTECTION DEPARTMENT. BUT THE REFERENCES TO THE VERTICAL MIXED USE WOULD BE ADDRESSED AS LIMITATIONS IN THIS DOCUMENT THAT THEY COULDN'T EXCEED THE TOTAL OF 65 UNITS OVERALL, BUT IN ORDER TO ACHIEVE THAT THAT THE APPLICANT WILL HAVE TO COME BACK AND SUBMIT A REQUEST TO OPT IN IN THE FUTURE THAT WILL GO TO COMMISSION AND GO TO COUNCIL, AND THIRD, THAT SOME OF THESE AGREEMENTS MAY BE PRIVATE AGREEMENTS, THAT THE CITY WILL NOT BE PART OF, BUT I UNDERSTAND THEY'LL BE NEGOTIATED AND WORKED OUT BETWEEN THE APPLICANT AFTERNOONANDTHE PROPERTY OWNER. ALL THE OTHER THINGS I THINK ARE CAPTURED FROM FIRST READING AND MAYBE CLARIFIED A LITTLE BIT MORE IN THE DOCUMENTS THAT YOU HAVE ON THE DAIS.

LEFFINGWELL: THANK YOU.

MCCRACKEN: MAYOR?

MAYOR WYNN: COUNCIL MEMBER MCCrackEN.

MCCRACKEN: I WANT TO CLARIFY, BECAUSE THIS PROPERTY IS IN THE VMU OVERLAY, I JUST WANT TO MAKE SURE, THIS MAY BE JUST A POINT OF TERMINOLOGY, THESE PROPERTIES ARE ALREADY IN THE VMU OVERLAY SUBJECT TO THE OPT OUT REQUEST FROM EROC.

MAYOR WYNN: THAT'S CORRECT.

AFFIRMATIVE ACTION, OPT IN. ENACT ENACT, IN FACT, THE COUNCIL WOULD HAVE TO HAVE ON OVERRIDING PETITION TO OPT OUT.

LET ME CLARIFY. I UNDERSTAND THAT BOTH PARTIES WOULD LIKE TO FINISH THIS AS QUICKLY AS POSSIBLE, AND SO THERE WOULD BE AN OPT IN APPLICATION BECAUSE THAT MAY ACTUALLY OCCUR BEFORE THE VMU OVERLAY ISSUES ARE BROUGHT BEFORE YOU FOR THE ENTIRE EROC AREA [INAUDIBLE]

THAT'S RIGHT. AND PART OF THIS PROPERTY IS ZONED SINGLE-FAMILY, AND IT WAS NOT PART OF THAT PROCESS, SO IT WOULD HAVE COME THROUGH THE OPT IN.

YEAH.

MAYOR WYNN: MOTION AND SECOND ON THE TABLE, SECOND READING ONLY. FURTHER DIRECTIONS, FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON SECOND READING WITH A VOTE OF 7-0. THANK YOU, MR. GUERNSEY. I BELIEVE THAT CONCLUDES OUR ZONING CASES FOR THE DAY.

GUERNSEY: THAT'S CORRECT.

MAYOR WYNN: COUNCIL, WE'RE A LITTLE BIT PAST OUR 5:30 BREAK FOR LIVE MUSIC AND PROCLAMATIONS SO AT THIS TIME YOU WILL ACTUALLY RECESS THE AUSTIN CITY COUNCIL MEETING, LIKELY TO RECONVENE IN

APPROXIMATELY ONE HOUR. THANK YOU. HARRINGTON  
REYNA LOU BY FAN ON HEHE HADDABLE ED I BELIEVE MAR  
LA MARL A EDIBLE HE HAD IBL CESAR CHAVEZ CESAR  
MCDONALD HAMMETT ET SEC PID

MAYOR WYNN: OKAY. FOLKS. WELCOME TO OUR WEEKLY  
LIVE MUSIC GIG HERE AT THE THURSDAY AUSTIN'S CITY  
COUNCIL MEETING. JOINING US TODAY IS SUSANA SHOFEL.  
SHE'S A NATIVE AUSTINITE, GREW UP SINGING IN BANDS,  
CHOIRS AND TALENT SHOWS. SHE COMBINES JAZZ, POP,  
FOLK AND URBAN SOUNDS WITH UNIQUE SONG WRITING  
AND VOCAL STYLE. SHE PERFORMS WEEKLY AT MOMO'S AND  
RECENTLY RELEASED SHUTTERS AND RINGS. JOIN ME IN  
WELCOMING SUSANA CHOFFEL.

WE'RE GOING TO DO A CHRISTMAS TUNE TODAY. IT'S  
CALLED I'D LIKE YOU FOR CHRISTMAS. [MUSIC PLAYING]  
SHOW FELL [GUITAR MUSIC] [ (music) SINGING (music) ]  
[APPLAUSE]

THANK YOU.

MAYOR WYNN: WELL DONE. SO TELL US, SO IT'S TUESDAY  
NIGHTS AT MOMO'S THROUGH THE END OF THE YEAR.

11:30.

MAYOR WYNN: AND WHERE DOES ONE BUY SHUTTERS AND  
RINGS?

YOU CAN GO ON TO WATERLOO RECORDS AND GET ONE.  
THEY'RE ALSO AVAILABLE AT CHEAPO'S DISKS AND LOVES  
WHICH IS A LOCAL STORE ON SOUTH FIRST. ALSO ON-LINE  
AT CD BABY.COM.

MAYOR WYNN: HOW ABOUT A WEB SITE OR A MYSPACE  
PAGE?

SUZANNA CHOFFEL.COM AND MYSPACE.COM/SUZANNA  
CHOFFEL. YEAH, CHECK THE SPELLING BECAUSE IT'S KIND  
OF TRICKY.

MAYOR WYNN: WE'RE PROUD OF YOU, WE'RE ALWAYS

PROUD OF NATIVE AUSTINITES HERE THAT STAY AND HELP US PROMOTE THE LIVE MUSIC CAPITAL OF THE WORLD. BEFORE YOU GET AWAY WE HAVE AN OFFICIAL PROCLAMATION THAT READS, BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TO THE DEVELOPMENTS OF AUSTIN'S SOCIAL, ECONOMIC COMMUNITY, AND THE DEDICATION OF ARTISTS FURTHER OUR STATUS AS THE LIVE MUSIC CAPITAL OF THE WORLD, I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, THE LIVE MUSIC CAPITAL OF THE WORLD, DO HEREBY PROCLAIM DECEMBER 6, 2007, TODAY AS SUZANNA CHOFFEL DAY IN AUSTIN AND JOIN ON ALL CITIZENS TO JOIN ME IN CONGRATULATING THIS FINE LOCAL TALENT. [APPLAUSE]

THANK YOU. I CAN'T BELIEVE I GOT MY OWN DAY. IT'S PRETTY COOL. [INAUDIBLE] YEAH, EXACTLY. WELL, THANK YOU VERY MUCH.

RICHARD?

MAYOR WYNN: WHILE THE BAND BREAKS DOWN OVER THERE WE'LL USE THIS PODIUM TO CONDUCT OUR WEEKLY PROCLAMATIONS. WE USE THIS TIME EACH WEEK TO, YOU KNOW, SAY THANK YOU, CONGRATULATIONS, OCCASIONALLY TO SAY GOOD-BYE. UNFORTUNATELY, TO SOME FRIENDS AND COLLEAGUES. ALSO TO RAISE AWARENESS OF ISSUES AROUND THE COMMUNITY, BUT WE'RE HERE THIS WEEK JOINED BY A BUNCH OF GOOD-LOOKING UNIFORMS AND OTHERS. COME ON DOWN. CHIEF, HOW ARE YOU? SQUEEZE IN SINCE YOU'RE ON TV. OKAY. WELL, WE'VE -- WE'VE BEEN DOING THIS A LOT LATELY, SEEMINGLY. WE'VE BEEN SAYING GOOD-BYE AND THANK YOU AND BEST WISHES TO A BUNCH OF SENIOR, SENIOR, LONG-SERVING CITY OF AUSTIN EMPLOYEES AS THEY RETIRE, AND OBVIOUSLY HERE WITH RICHARD HARRINGTON, NOW RETIRING YOU SEE A BUNCH OF COLLEAGUES HERE TO SHOW SUPPORT FOR RICHARD AND SAY THANK YOU AND CONGRATULATIONS FOR A JOB VERY WELL DONE. WHAT I HAVE HERE IS A DISTINGUISHED SERVICE AWARD FROM THE CITY OF AUSTIN THAT I'LL READ AND THEN I'M GOING TO ASK THE ASSISTANT CITY MANAGER RUDY GARZA TO SAY A FEW WORDS -- SPENT A LOT OF TIME IN OUR PUBLIC SAFETY

DEPARTMENTS. FORTUNATELY OUR CITY MANAGER HAD HER OWN MEDICAL EMERGENCY DAY. SHE HAD A LITTLE ACCIDENT AT HOME THIS MORNING, UNFORTUNATELY, AND SO SHE'S AT HOME RECOVERING WELL, I HOPE. SO I'LL READ THIS DISTINGUISHED SERVICE AWARD AND WE'LL HEAR FROM RUDY BEFORE WE HEAR FROM RICHARD. CITY OF AUSTIN, OFFICIAL DISTINGUISHED SERVICE AWARD READS: AFTER MORE THAN THREE DECADES IN PUBLIC SERVICE WITH THE CITY OF AUSTIN, DURING WHICH HE HAS DEMONSTRATED BOTH EXCELLENCE AND DEDICATION TO OUR COMMUNITY, RICHARD HARRINGTON IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. HE HAS BEEN A GUIDING FORCE IN THE GROWTH AND DEVELOPMENT OF THE EMERGENCY MEDICAL SERVICES DEPARTMENT, FIRST AS AN AUSTIN EMS AND MOST RECENTLY AUSTIN-TRAVIS COUNTY EMERGENCY MEDICAL SERVICES. RICHARD HAS EXEMPLIFIED THE DEPARTMENT'S NEED TO PRESERVE LIFE, PROMOTE HEALTH AND PROMOTE SAFETY. FOR 35 YEARS RICHARD HAS DISTINGUISHED HIMSELF AS A LEADER AND A MAJOR CONTRIBUTOR TO THE GROWTH AND DEVELOPMENT OF PREHOSPITAL MEDICINE HERE IN AUSTIN AND CENTRAL TEXAS. HE HAS TIRELESSLY GIVEN HIS TIME, KNOWLEDGE AND TALENTS IN SUPPORT OF THE EMS EMPLOYEES, THE MEDICAL COMMUNITY AND THE CITIZENS OF AUSTIN. WITH HEARTFELT GRATITUDE AND A KEEN, KEEN SENSE OF LOSS, WE RECOGNIZE RICHARD'S MANY ACCOMPLISHMENTS WITH THIS CERTIFICATE PRESENTED WITH OUR ADMIRATION AND DEEP, DEEP RESPECT AND APPRECIATION, THIS 6TH DAY OF DECEMBER IN THE YEAR 2007, SIGNED BY ME, MAYOR WYNN, BUT ACKNOWLEDGED BY THE ENTIRE CITY COUNCIL. THIS DISTINGUISHED SERVICE AWARD FOR MR. RICHARD HARRINGTON. [APPLAUSE]

THANK YOU. [APPLAUSE]

MAYOR WYNN: THAT'S ACTUALLY --

IN RESPECT FOR RICHARD, FOR THOSE OF US THAT KNOW HIM AND LOVE HIM I'M GOING TO BE REALLY QUICK BECAUSE RICHARD LIKES THINGS REALLY QUICK AND GET THEM DONE. I WANT TO SHARE QUICKLY IT CERTAINLY IS A TREMENDOUS LOSS FOR THE CITY OF AUSTIN, FOR EMS AND FOR OUR COMMUNITY. HOWEVER, THE SIGN OF A GOOD

LEADER IS THAT HE'S LEFT BEHIND NOT ONLY A LEGACY BUT HE'S LEFT BEHIND MEN AND WOMEN YOU SEE BEHIND ME TO CONTINUE HIS SERVICES. IT'S NOT VERY OFTEN THAT ANY OF US GET TO SAY SOMETHING LIKE THIS, BUT, IN FACT, RICHARD TRULY WAS ONE OF THE VERY FIRST, NO. 3, THE THIRD EMPLOYEE EVER HIRED BY THE EMS DEPARTMENT. SO HE'S BEEN THERE SINCE THE VERY BEGINNING. HE OBVIOUSLY HAS HELPED SHAPE THE POLICIES, THE PRACTICES AND HAS BEEN A TREMENDOUS IMPACT TO OUR COMMUNITY, TO THE HEALTH OF OUR COMMUNITY. BUT MORE IMPORTANTLY WHAT EVERYONE UNANIMOUSLY AGREES, THE PASSION THAT RICHARD HAS FOR SERVING HIS COMMUNITY IS SECOND TO NONE. HE IS VERY COMMITTED TO HIS COMMUNITY. HE HAS DONE AN EXCELLENT JOB, AND OBVIOUSLY THAT COMES WITH A SACRIFICE. HIS WIFE DEBBIE HAS BEEN WITH HIM THE ENTIRE TIME. SINCE THEN HE'S HAD THE PLEASURE OF GAINING THREE GRANDKIDS AND SO I KNOW HE'S ABOUT TO GO ENJOY SOME TIME WITH HIS FAMILY AND HIS TWO DAUGHTERS. I'M GOING TO READ VERY QUICKLY SOME OF HIS -- JUST TO BRAG ABOUT RICHARD. HE'S BEEN OUR DIRECTOR SINCE 2000. HE'S OBVIOUSLY BEEN WITH THE CITY SINCE 1972, BECAME PART OF THE CITY JOINT EMS DEPARTMENT, IN FACT, WAS ONE OF THE FOUNDING MEMBERS OF CONSOLIDATING THE CITY AND COUNTY EMS SYSTEM. HE'S BEEN AN AUTHOR REGARDING EMS ADMINISTRATION. HE'S BEEN A TRAINER IN INTERNATIONAL ENVIRONMENTS. HE'S BEEN IN RUSSIA, SOUTH AMERICA AND SEVERAL OTHER CITIES AND COUNTRIES, TEACHING WHAT IT -- IN THE WORLD OF EMS. RICHARD, I TOLD YOU I'D BE QUICK. THE CITY OF AUSTIN CERTAINLY IS VERY APPRECIATIVE. YOUR COLLEAGUES THANKS THANK YOU FOR EVERYTHING YOU'VE DONE. WE'RE GOING TO MISS YOU, BEST WISHES, AND OUR TRADITIONAL GIFT. I'M GOING TO READ THIS ON BEHALF OF OUR CITY MANAGER, TOBY FUTRELL, WHO COULD NOT BE HERE. 1972 TO 2007, YOUR PASSION FOR PUBLIC SERVICE NOT ONLY MADE A DIFFERENCE BUT PROVIDES A BENCHMARK FOR HELPING MAKE AUSTIN THE MOST LIVABLE CITY IN THE COUNTRY. AGAIN ON BEHALF OF OUR CITY MANAGER THANK YOU AND WE PRESENT YOU WITH THIS AWARD. [APPLAUSE]

AND I THINK EVERYONE WILL AGREE, IN FACT, ONE OF HIS EMPLOYEES TOLD ME WHEN I ASKED HIM, TELL ME SOMETHING ABOUT RICHARD, I THINK THE STREET SIGN IS GOING TO BE VERY CLEAR, RICHARD HARRINGTON WAY. [LAUGHTER] CONGRATULATIONS. [APPLAUSE]

I'LL ACTUALLY BE BRIEFER THAN RUDY WAS. FOR THE LAST 35 YEARS IT'S BEEN QUITE A RIDE. IT REALLY HAS. BUT YOU KNOW WHAT? IT REALLY IS TIME FOR A CHANGE AND I'M LOOKING FORWARD TO RETIREMENT BUT I'M ALSO PRETTY MUCH LOOKING FORWARD TOTAL FUTURE OF EMS. IT'S A GREAT, GREAT ORGANIZATION. REFLECTING UPON MY DEPARTURE SOMETHING HAPPENED LAST WEEK WHEN MY WIFE AND DEBBIE AND I WENT TO THE RETIREMENT BOARD. AFTER I HAD SIGNED THE LAST OF A GAZILLION PIECES OF PAPER, IT'S ALMOST LIKE GETTING A MORTGAGE, TRYING TO RETIRE, IT BECAME VERY CLEAR TO ME, WHEN MY WIFE TURNED TO ME AND SHE SAID, ARE YOU SAD? I REFLECTED FOR A LITTLE BIT AND GO NO, I'M NOT SAD. YOU KNOW, IT'S FURTHEST FROM MY MIND WAS BEING SAD. ACTUALLY WHAT I WAS WAS CONTENT AND VERY, VERY THANKFUL. I'VE HAD THE OPPORTUNITY OVER THE LAST 35 YEARS TO WORK ALMOST EVERY POSITION WITHIN -- EVER POSITION AND ULTIMATELY LEAD THE BEST EMS SYSTEM IN THE COUNTRY. THAT IS A TREMENDOUS HONOR AND PRIVILEGE. YOU KNOW, MY CAREER IS REALLY OVERALL BEEN EXTREMELY REWARDING AND I'M VERY HAPPY FOR THAT. THERE'S NOT ENOUGH TIME FOR ME TO BEGIN TO THANK ALL THE INDIVIDUALS THAT I'D LIKE TO RECOGNIZE, BUT I WOULD LIKE TO NOD TO FEW. FIRST AND FOREMOST A SPECIAL THANKS TO MY WIFE DEBBIE AND MY DAUGHTERS. I SAID I WASN'T GOING TO DO THIS. LATE WEEKENDS, LATE NIGHT PHONE CALLS, INCEST I HAVE PAGES INTERRUPTING MEALS IN MY CAREER. YOU'VE BEEN THE BEDROCK THAT HAS ALLOWED ME TO FOCUS ON MY CAREER FOR YEAR. I LOVE YOU AND I CAN NEVER THANK YOU ENOUGH. THE EMS EXECUTIVE TEAM, ED, VIVIAN, ERNIE, WARREN, HEATHER, JOHN, JAMES, CHRIS AND PAUL, MANY, MANY, MANY THANKS. I COULDN'T HAVE DONE IT WITHOUT YOU. MAYOR, MAYOR PRO TEM, COUNCIL MEMBERS, EMS WILL NOT BE THE ORGANIZATION IT IS TODAY WITHOUT YOUR LEADERSHIP AND SUPPORT. YOU'VE ASSURED THAT EMS HAD THE FUNDING AND



STAFFING IT NEEDED TO MEET THE DEMANDS OF A GROWING COMMUNITY AND FOR THAT I'M GRATEFUL. I COULDN'T SAY ENOUGH GOOD THING. I JUST CAN'T SAY ENOUGH GOOD THINGS ABOUT YOU AND WHAT YOU MEANT TO ME AND THE ENTIRE EXECUTIVE TEAM, RUDY, LAURA, PRESTON, MIKE, BUT -- BERT, YOU-ALL HAVE BEEN AN INSPIRATION FOR ME. I'VE LEARNED SO MUCH FROM YOU-ALL AND YOU'VE ALWAYS BEEN THERE. YOU'VE BEEN A LOT MORE THAN MY BOSSES AND COWORKERS. YOU'VE BEEN FRIENDS AND I THANK YOU FOR THAT. AND IN RETIRING IT'S MUCH EASIER KNOWING THAT THERE'S A VERY CAPABLE PERSON FILLING IN FOR ME. ERNIE, I HAVE THE UTMOST CONFIDENCE IN YOUR BEING THE RIGHT PERSON THAT WILL TAKE EMS TO THE NEXT LEVEL. GOOD LUCK, MAN. THE MOST COMMON QUESTION PEOPLE ASK ME IS WHAT AM I GOING TO DO AFTER I RETIRE? FRANKLY, I'M LOOKING FORWARD TO SPENDING MORE TIME WITH MY FAMILY, ESPECIALLY MY TWO-YEAR-OLD GRANDSON AND MY TWO GRANDSONS JAKE AND JACK. I THINK THEY'LL KEEP ME BUSY FOR A WHILE. TO MY EXTENDED EMS FAMILY I WISH YOU A HAPPY AND SAFE HOLIDAY AND THANKS FOR THE MEMORIES. THANK YOU ALL. [APPLAUSE] INCESSANT BIFANO

MAYOR WYNN: OKAY, FOLKS, IF I COULD HAVE YOUR ATTENTION. WE'RE GOING TO CONTINUE ON WITH OUR PROCLAMATIONS. WE HAVE A SECOND DISTINGUISHED SERVICE AWARD THIS AFTERNOON. I'M JOINED BY OUR FRIEND MELISSA MILLER, WHO'S THE FOUNDING SORT OF INSPIRATION AND THE SWEAT EQUITY BEHIND THE AUSTIN INDEPENDENT BUSINESS ALLIANCE, OR AIBA. YOU'VE PROBABLY BEEN SEEING NOT ONLY THEIR ADS AND PROMOTIONS ALL OVER TOWN, CERTAINLY IN MAGAZINES, PERIODICALS, BUT ALSO VISUALLY ALONG SO MANY OF OUR CORRIDORS NOW AS LOCAL INDEPENDENT -- OR MOSTLY SMALL BUSINESSES ARE BANDING TOGETHER TO CREATE SORT OF THEIR OWN IDENTITY, THEIR OWN SORT OF SENSE OF CAMARADERIE AND PLACE AS THE CITY CONTINUES TO GROW AND OUR ECONOMY CONTINUES TO BOOM AT THE SAME TIME. OKAY. SO I'LL READ THE DISTINGUISHED SERVICE AWARD, THEN WE'LL HEAR FROM MELISSA. WE SI A NUMBER OF HER FRIENDS AND FELLOW FOLKS FROM THE AIBA HERE. THE DISTINGUISHED SERVICE AWARD READS.

FOR HER CONTRIBUTIONS TO OUR CITY, THROUGH HER WORK WITH THE AUSTIN INDEPENDENT BUSINESS ALLIANCE, OR AIBA, MELISSA MILLER IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. SHE HAS STEERED AIBA FOR MORE THAN THREE YEARS HELPING IT TO BECOME THE SUCCESSFUL COMMUNITY ORGANIZATION THAT IT IS TODAY. AS DIRECTOR SHE FORGED RELATIONSHIPS WITH BUSINESS, GOVERNMENT AND NEIGHBORHOOD LEADERS THAT HAVE BENEFITED NOT JUST AIBA BUT, IN FACT, OUR ENTIRE CITY. AS A SPOKESPERSON FOR AIBA MELISSA HAS GARNERED CONSIDERABLE MEDIA ATTENTION TO RAISE AWARENESS OF THE IMPORTANCE OF LOCALLY OWNED BUSINESSES TO AUSTIN'S ECONOMY AND QUALITY OF LIFE. WE'RE PLEASED TO CONGRATULATE MELISSA ON HER WORK AND WE EXTEND BEST WISHES FOR SUCCESS IN HER FUTURE ENDEAVORS, THIS HE HAVE DAY 6TH DAY OF DECEMBER, 2007, ACKNOWLEDGED BY THE WHOLE CITY COUNCIL, THE DISTINGUISHED SERVICE AWARD FOR MS. MELISSA MILLER. [APPLAUSE]

THANK YOU SO MUCH, MAYOR. THIS IS VERY, VERY MEANINGFUL, AND, YOU KNOW, IT'S ACTUALLY BEEN A COMPLETE BLAST. IT'S BEEN SO MUCH FUN WORKING TO SUPPORT THESE LOCAL BUSINESSES AND I REALLY CALL ALL OF THE -- OWNERS OF THESE BUSINESSES, I THINK OF THEM AS CELEBRITIES. YOU WALK INTO THESE PLACES -- I GET THE CHANCE TO KNOW THESE PEOPLE AND TO WORK WITH THEM, AND THAT'S A REAL HONOR. YOU ACTUALLY THE BOARD OF DIRECTORS THAT I WILL NOW GET TO JOIN, WHICH IS VERY EXCITING, IT'S BEEN A REAL HONOR TO WORK WITH ALL OF THEM AS WELL. THEY'VE BEEN MENTORS TO ME. IT'S BEEN GREAT TO HAVE THE FREE ADVICE. I MEAN, WHAT JOB DO YOU GET TO HAVE WHERE YOU CAN, YOU KNOW, HAVE SOMEONE VOLUNTEER TO SIT DOWN WITH YOU AND EXPLAIN HOW TO DO A BUDGET OR THINGS LIKE THAT. BUT ALSO IT'S BEEN REALLY FUN TO WORK WITH YOU GUYS HERE AT STHAWG, AND I THINK CITY HALL, AND I THINK THAT WE'RE BUILDING SOMETHING REALLY BIG TOGETHER. WE ARE THE -- A MEMBER OF THE AMERICAN INDEPENDENT BUSINESS ALLIANCE AND THE AUSTIN INDEPENDENT BUSINESS ALLIANCE IS ACTUALLY ONE OF THE SHINING STARS, YOU KNOW, ACROSS THE COUNTRY. AND I THINK

THAT THE RELATIONSHIP WE HAVE WITH THE CITY AND THE SUPPORT THAT YOU'VE GIVEN US HAS REALLY HELPED TO SOLIDIFY THAT, AND THIS IS GOING TO BE A GREAT RELATIONSHIP. SO THANKS.

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

THANK YOU. LOTS OF FANS OUT THERE. CESAR CHAVEZ EAT LOCAL WEEK

MAYOR WYNN: MY FINAL PROCLAMATION BEFORE I TURN THE PODIUM OVER TO COUNCIL MEMBER MARTINEZ IS REALLY EXCITING FOR ME ON SEVERAL FRONTS, BUT IT'S THE GRAND OPENING OF THE NEW RONALD MCDONALD HOUSE UP AT MILLER. WE WILL OFFICIALLY CUT THE RIBBON A WEEK FROM TODAY, A WEEK FROM THIS MORNING ON THE 13TH, AND SO I'LL PROCLAIM NEXT -- THE 13TH, THE GRAND OPENING OF THE RONALD MCDONALD HOUSE IN AUSTIN. BUT JUST TO SOMEWHAT PUT IT IN CONTEXT, OF COURSE MOST PEOPLE RECOGNIZE THE STUNNING WORK THAT THE WHOLE RONALD MCDONALD ORGANIZATION DOES ACROSS THE COUNTRY, BUT REALLY WHAT THEY HAVE BEEN DOING WITH A LIMITED FACILITY OVER HERE BY BREK RIDGE ALL THESEBRECKENRIDGE ALL THESE YEARS, ANDAND AS WE GOT LUCKY BUT ALSO HAD SOME SOUND JUDGMENT CALLS WHEN IT CAME TIME TO CHOOSE A LOCATION FOR OUR NEW CHILDREN'S HOSPITAL, THE NEW DELL CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS, THE PLACE RIGHT THERE ON THE OLD MILLER AIRPORT, THEY HAD PURCHASED SOME LAND UP ON PARMER LANE AND FAR NORTH TRAVIS OR SOUTHERN WILLIAMSON COUNTY. WE ALSO OF COURSE TALKED ABOUT THE OPPORTUNITY THAT PRESENTED TO COLLOCATE OTHER MEDICAL FACILITIES AND OF COURSE THE FIRST ONE THAT CAME TO MIND FOR ALL OF US WAS THE RONALD MCDONALD HOUSE AND THEN TO SEE THE BOARD OF DIRECTORS AND THE TEAM PULL TOGETHER, MY FRIEND DON HE CANLES ATECKLES, MY OLDER BROTHER IN BEAUMONT BECAME ONE OF THE ARCHITECTS AND HIS TEAM DELIVERED WHAT IS ABSOLUTELY GOING TO BE THIS SPECTACULAR, SUSTAINABLE, ENVIRONMENTALLY FRIENDLY, EFFECTIVE RONALD MCDONALD HOUSE THERE AT MUELLER CAMPUS AND AS WE SEE UT'S EXPANDED RESEARCH THERE ADJACENT, SETON HAS JUST BROKEN

GROUND ON THEIR HEADQUARTER FACILITY FOR THEIR SORT OF NONMEDICAL EMPLOYEES TO BE COLLOCATED THERE. YOU'RE GOING TO SEE -- THERE'S -- YOU KNOW, WE'VE ALREADY BEEN WORKING ON THE CHILDREN'S VILLAGE ON ADJACENT TRACT OF LAND. SO THERE'S GOING TO BE THIS REMARKABLE REMARKABLE COLLOCATED SET OF FACILITIES RIGHT IN THE HEART OF THE CITY IN THE HEART OF CENTRAL TEXAS, BUT NONE MORE HEARTWARMING THAN THE RONALD MCDONALD HOUSE AND THE WORK THAT YOU SEE WHEN YOU GO OVER THERE. SO I'M VERY PROUD TO READ THIS PROCLAMATION, AND I THINK LOU BIFANO IS GOING TO TELL US A FEW WORDS ABOUT, OF COURSE, THE MISSION OF THE RONALD MCDONALD HOUSE AND HOW WE'RE GOING TO CELEBRATE NEXT THURSDAY WHEN WE OPEN. OKAY. SO THE PROCLAMATION READS: RONALD MCDONALD HOUSE CHARITY CELEBRATES THE GRAND OPENING OF THEIR SECOND FACILITY IN AUSTIN TO HOUSE FAMILIES OF CHILDREN BEING TREATED AT THE NEW DELL CHILDREN'S MEDICAL CENTER AT MUELLER, AND WHEREAS THE 30,000 SQUARE FEET BUILDING FEATURES 30 ROOMS FOR FAMILIES, A CLOSED CIRCUIT VENTILATION SYSTEM TO PREVENT CONTAMINATION, HEALING ARCHITECTURE DESIGN AND A CUSTOM-BUILT PLAYGROUND, IT'S A STATE OF THE ART GREEN BUILDING, IT IS THE FIRST SOLAR-POWERED RONALD MCDONALD HOUSE IN THE WORLD AND IS ONE OF THE TWO LEAD PLATINUM RATED BUILDINGS IN AUSTIN. SO NOW THEREFORE, I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, DO HEREBY PROCLAIM NEXT THURSDAY, DECEMBER 13, 2007 AS THE GRAND OPENING OF THE RONALD MCDONALD HOUSE AT MUELLER, AND BEFORE WE HEAR FROM LOU PLEASE JOIN ME IN THANKING THESE FINE, FINE FOLKS WHO DO SO MUCH FOR FAMILIES IN OUR COMMUNITY. LOU? [APPLAUSE]

MAYOR, YOU ARE A MOST ELEGANT SPOKESMAN FOR THE RONALD MCDONALD HOUSE. I HAVE NOTHING TO ADD TO WHAT YOU SAID. WE ARE DEEPLY APPRECIATIVE OF WHAT YOU AND THE CITY COUNCIL AND THE CITY OF AUSTIN DOES TO SUPPORT RONALD MCDONALD HOUSE. YOU SAID IT ALL IN TERMS OF WHAT OUR MISSION IS, AND THE NEW HOUSE. I WOULD JUST REMIND EVERYONE THE CAPITAL CAMPAIGN IS JUST WRAPPING UP. THIS IS A \$9.5 MILLION FACILITY AND

WE'RE IN THE HOME STRETCH FOR OUR LAST MILLION DOLLARS, SO IF ANYONE WOULD LIKE TO HELP US BRING THIS INTO THE BARN WE'D BE DELIGHTED TO ACCEPT YOUR DONATIONS. MAYOR WYNN? THANK YOU VERY MUCH, WE LOOK FORWARD TO SEEING YOU NEXT WEEK.

MAYOR WYNN: YOU BET. GOOD TO SEE YOU. THANK YOU.  
[APPLAUSE]

PLEASE FEEL FREE TO JOIN ME UP HERE. THE NEXT PROCLAMATION WE'RE GOING TO READ IS GOING TO GO TO A GROUP CALLED EDIBLE AUSTIN. SO I'M PLEASED TO LET EVERYONE KNOW THAT EAT LOCAL WEEK STARTS THIS SATURDAY, AND THIS IS A GREAT PROGRAM THAT JUST ENCOURAGES AUSTINITES TO DELVE A LITTLE BIT MORE INTO THE LOCAL EATERIES AND LOCAL SUPPLIES SUPPLIES OF FOOD WE HAVE TO GET TO KNOW OUR COMMUNITY HERE. IT'S A BENEFIT, A BENEFIT FOR URBAN ROOTS. AND THIS ORGANIZATION IS AN ORGANIZATION I MET WHEN I FIRST GOT ELECTED. AND I REALLY WANT TO HELP. WHAT THEY DO IS THEY TAKE AT RISK YOUTH AND TEACH THEM HOW TO GARDEN AND THEY DO ORGANIC GARDENING AND SELL THE PRODUCTS, AND IT GIVES THE KIDS -- YOU KNOW, JUST GIVES THEM A DIFFERENT OUTLET TO LEARN ABOUT HOW TO CULTIVATE AND GROW SUSTAINABLE FOOD FOR THEMSELVES BUT ALSO ORGANIC FOODS AND JUST TEACHES THEM A LOT OF RESPONSIBILITY. THEY'RE STILL LOOKING FOR A SITE, I UNDERSTAND. WE'RE WORKING DILIGENTLY TO FIND THEM A 2 TO 5-ACRE SITE, SO IF YOU HAPPEN TO HAVE ONE AND WANT TO LET US USE IT, GET A HOLD OF URBAN ROOTS. I WANT TO READ A PROCLAMATION AND PRESENT IT TO MARLA CAMP. IT READS, SCORES OF RESTAURANTS AND MARKETS ARE PARTICIPATING IN A BENEFIT EVENT FOR URBAN ROOTS, A NEW PROGRAM WHERE KIDS LEARN THE VALUE OF GROWING FOOD AND GIVING BACK TO THE COMMUNITY, WHILE ACQUIRING LIFE SKILLS IN THE PROCESS. PART OF THE PROCEEDS FROM LOCALLY GROWN AND MADE FOODS AT MARKETS ALONG WITH LOCALLY SOURCED ENTRIES AND DRINKS AT RESTAURANTS DURING THIS WEEK WILL GO TO URBAN ROOTS, AND WHERE IS FESTIVITIES KICK OFF SATURDAY WITH LIVE MUSIC AND CHEF'S DEMONSTRATIONS USING FRESH FOOD AT THE DOWNTOWN FARMERS MARKET. I, WILL

WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, ENCOURAGE AUSTIN TIGHTS TO EXPERIENCE FRESH FOOD IN TEXAS AND HERE BY PROCLAIM DECEMBER 8, 2007 AS EAT LOCAL WEEK. AND I WOULD LIKE TO INVITE MARLA UP AND PRESENT THIS PROCLAMATION TO YOU. [APPLAUSE]

THANK YOU SO MUCH, COUNCIL MEMBER MARTINEZ. WE REALLY APPRECIATE THIS OPPORTUNITY TO EXPOSE ALL OF AUSTIN AND OUR SURROUNDING COUNTIES AROUND AUSTIN TO THE ABUNDANCE OF LOCAL FOOD. THIS IS A WONDERFUL TIME OF YEAR RIGHT NOW. IT'S ONE OF OUR HEIGHTS -- ONE OF OUR TWO GROWING SEASONS IN OUR REGION, AND WE BROUGHT A BUNCH OF FOOD THAT YOU CAN SEE BEHIND US HERE. THIS REPRESENTS FOOD THAT YOU CAN BUY TOMORROW AT THE FARMERS MARKET -- ACTUALLY SATURDAY, AND WEDNESDAY AT THE FARMERS MARKET, AND YOU CAN FIND ALL OVER TOWN MANY RESTAURANTS ARE STARTING TO SOURCE LOCAL FOOD. AS THE PROCLAMATION SAID THIS EVENT IS A WEEK-LONG CELEBRATION WHERE ALL OF THE PROCEEDS FROM THE SPECIAL PARTICIPATING RESTAURANTS AND MARKETS WILL GO TO URBAN ROOTS, AND THIS IS A VERY EXCITING PROGRAM THAT BREAKS GROUND IN JUST A MONTH OR TWO. SO WE INVITE EVERYBODY TO PARTICIPATE IN THIS WONDERFUL EXPERIENCE. YOU CAN GO TO EDIBLE AUSTIN.COM TO SEE A LIST OF PARTICIPATING RESTAURANTS AND MARKETS, AND SPECIAL EVENTS THAT WE'LL BE HAVING THROUGHOUT THE WEEK. AGAIN, EDIBLE AUSTIN.COM HAS A WHOLE LOT OF MORE INFORMATION ON EAT LOCAL WEEK, AND SO MUCH -- WE VERY MUCH THANK THE CITY FOR ITS SUPPORT. THIS IS A WONDERFUL OPPORTUNITY TO PARTNER WITH THEM. [APPLAUSE]

JUST ONE SHORT WORD. WE WANTED TO HAVE HIM SAY, JUST A BIT ABOUT --

THANK YOU, AND THANK THE CITY AND DEFINITELY THANK EDIBLE AUSTIN. I'M RUSSELL SMITH, THE EXECUTIVE DIRECTOR OF YOUTH LAUNCH. WE'RE A LOCAL NONPROFIT THAT FOCUSES ON POSITIVE YOUTH DEVELOPMENT THROUGH LONG-TERM TRANSFORMATIVE SERVICE. WE ENGAGE PEOPLE IN SERVICE, REALLY TRANSFORMING THEIR COMMUNITIES AND AT THE SAME TIME

TRANSFORMING THEIR OWN LIVES. OUR URBAN ROOTS PROGRAM WHICH THIS SUPPORTS IS LOCAL ORGANIC FARM WHERE YOUNG PEOPLE AGED 14 TO 17 WILL LEARN ABOUT ORGANIC FARMING, WILL LEARN ABOUT HEALTHY EATING. THEY'LL LEARN ABOUT SUSTAINABILITY. THEY WILL GROW LOCAL PRODUCE AND A PORTION OF WHAT THEY GROW WILL BE DONATED TO HUNGER RELIEF. THE FARM IS GOING TO BE IN EAST AUSTIN AND ANOTHER PORTION OF WHAT THEY GROW WILL BE MADE AVAILABLE IN FARM STANDS IN EAST AUSTIN TO HELP INCREASE THE AVAILABILITY OF FRESH, AFFORDABLE PRODUCE ON THE EAST SIDE OF TOWN. AND AGAIN, THANKS TO THE CITY AND MOST AMAZING THANKS TO EDIBLE AUSTIN AND TO MARLA FOR WORK -- HAVING US BE INVOLVED IN THIS AND FOR REALLY SUPPORTING THIS PROGRAM. [APPLAUSE]

PROCLAMATION OF THE EVENING, I'D LIKE TO INVITE THE FOLKS FROM LA PATERALA UP HERE. THIS HAS BECOME A WONDERFUL AUSTIN TRADITION. IF YOU DON'T KNOW ABOUT IT YOU'RE ABOUT TO LEARN ABOUT IT. AND I ENCOURAGE EVERYONE TO TAKE THEIR FAMILIES OUT AND ENJOY LA PASTERELA WHILE IT'S SHOWING BEFORE CHRISTMAS. IT'S A CLASSIC LATINO STORY ABOUT THE ANGELS VERSUS DEVILS AND THE JURNIES OF THE SHEPHERDS TO BETHLEHEM. IT'S THE 10TH ANNIVERSARY IT'S SHOWING. WE FINALLY GET TO HAVE IT IN THE MEXICAN CULTURE CENTER. IT'S A BEAUTIFUL PRODUCTION. I ENCOURAGE EVERYONE. I WILL BE THERE TOMORROW. I HEAR IT'S ALMOST SOLD OUT BUT THERE'S STILL A FEW TICKETS, IF YOU WANT TO GET SOME, JUST SHOW UP AT THE MAC OR THERE'S A WEB SITE THEY CAN GO TO.

LAPASTERALA.COM AND YOU CAN ORDER TICKETS ON-LINE. I WANT TO HONOR THEM WITH A PROCLAMATION, IT'S THEIR 10TH ANNIVERSARY. FOR YEARS THEY'VE BEEN LOOKING FOR THEATERS EVERY WINTER TRYING TO FIND A PLACE TO HOLD THE PRODUCTION AND I'M JUST SO GLAD THAT WE HOPEFULLY FOUND A HOME WHERE WE CAN ENJOY THIS AND AS IT GROWS WE'LL HAVE A BIGGER PLACE TO HAVE IT. SO THE PROCLAMATION READS, BE IT KNOWN THAT WHEREAS IN 1997, THE FIRST PERFORMANCE OF LAPASTERLA, THE CLASSIC STORIES OF ANGELS VERSUS DEVILS WAS PERFORMED NOO AN OLD WAREHOUSE THAT

STOOD ON THE SITE OF THE NEWLY COMPLETED PHASE ONE OF THE MEXICAN CULTURAL CENTER AND THE FIRST PRODUCTION OF THE -- IN BEAUTIFUL NEW MAC FEATURES THE RETURN OF SOME OF THE ORIGINAL PLAYERS ALONG WITH THE ORIGINAL DIRECTOR AND PRODUCER AND WHEREAS AN EXHIBIT OF PHOTOS, MEMORABILIA AND STATEMENTS FROM THE NUMEROUS ACTORS, DIRECTORS, SINGERS AND DANCERS AND TECHNICIANS WHOSE LIVES HAVE BEEN ENRICHED BY PRECIPITATING IN LAPASTERELA IS ON DISPLAY IN THE LOBBY. I, THEREFORE, WILL WYNN, MAYOR OF THE CITY OF AUSTIN TEXAS DO HEREBY CLAIM DECEMBER 29, 2007, AS THE 10TH ANNIVERSARY PERFORMANCE OF LAPASTERELA. AS A SIDE NOTE. MY APPOINTEE TO THE PLANNING COMMISSION HAS BEEN IN THE SHOW AND UNFORTUNATELY SHE DOESN'T HAVE TIME TO DO IT THIS YEAR BUT WE HAVE A GREAT CAST AND I WANT TO INVITE YOU GUYS UP TO SAY A FEW WORDS ABOUT IT.

THANK YOU. [APPLAUSE]

THANK YOU SO MUCH, COUNCIL MEMBER, MARTINEZ AND MAYOR AND ALL THE COUNCIL MEMBERS. IT'S MY PLEASURE ON BEHALF OF THE AUSTIN LATINO THEATER ALLIANCE AND THE CAST AND CREW, VOLUNTEERS, PRODUCERS OF LAPASTERELA 2008 TO ACCEPT THIS PROCLAMATION. WE'RE THRILLED TO BE AT THE NEW MEXICAN AMERICAN CULTURAL CENTER. IT'S A BEAUTIFUL FACILITY. WE WANT TO CONTINUE TO DO OUR PROGRAMMING THERE. WE HOPE TO HAVE IT THERE EVERY YEAR NOW THAT WE'VE GOT THE CENTER, AND I JUST WANT TO INTRODUCE SOME OF THE PARTICIPANTS FROM THIS YEAR'S PERFORMANCE. WE WANTED TO BRING SOME OF THE ACTORS BUT THEY'RE ACTUALLY GETTING READY FOR AN 8:00 SHOW TONIGHT, SO WHAT WE HAVE HERE IS VERONICA, DE LA TORRE, ONE OF THE ACTRESSES.

IN THE SECOND ACT.

IN THE SECOND ACT.

SO SHE HAS TIME TO MAKE IT BACK. MARY LOU CASTILLO. OUR CODIRECTOR AND ONE OF THE ORIGINAL DIRECTORS



FROM 1997, AND DE LA TORRE, AND IF IT'S OKAY I'D LIKE MARGARITA TO COME UP HERE.

I THINK YOU SAID JUST ABOUT EVERYTHING BUT I'D LIKE MARG MARGARITA TO SAY A FEW MORE WORDS.

WELL, LIKE SHE SAID, WE WANT TO THANK EVERYONE AT CITY COUNCIL. IT'S AN HONOR AND THANK YOU, COUNCIL MEMBER MARTINEZ, VERY MUCH FOR THIS HONOR. BUT I WILL INVITE EVERYONE IN THIS BEAUTIFUL CITY TO COME AND ENJOY THIS NOW TRADITION THAT WE HAVE ESTABLISHED FIRST AND FOREMOST BY MR.-- STANDING HERE WITH US AND I AM HONORED THAT HE IS WITH US BECAUSE HE WAS THE ORIGINAL PRODUCER AND DIRECTOR OF THE SHOW AND TRULY THE PERSON THAT BROUGHT THIS TRADITION TO AUSTIN. SO WE THANK HIM AS WELL ON THIS DAY, BECAUSE HE'S THE ORIGINATOR OF THIS SHOW. BUT IN THAT REGARD HE AND I CHOSE TO PAY TRIBUTE TO THAT 1997 FIRST PRODUCTION WHERE WE HAD THREE STAGES, AND OF COURSE IT WAS HEAVEN, HELL AND EARTH, AND OUR AUDIENCE WAS ABLE TO ENJOY ACTORS COMING IN AROUND THEM AND ALL OF THE BEAUTIFUL ACTION OF THE THEME AND IN THE ROUND THEATER. SO WE'RE ABLE TO DO THAT ONCE AGAIN AT OUR BEAUTIFUL MEXICAN AMERICAN CULTURAL CENTER SO WE INVITE YOU TO COME THROUGH DECEMBER THE 15 TO ENJOY THIS MUSICAL COMEDY, THEATER SPECTACLE THAT WE HAVE MADE, LAPASTERELA. SO PLEASE COME AND JOIN US. [APPLAUSE]

SUZANNA JOE.

I'LL CALL BACK TO ORDER THIS MEETING OF THE CITY COUNCIL. WE HAVE CONCLUDED ALL OF OUR ZONING CASES FOR THE EVENING. WE NOW WILL TAKE UP OUR POSTED PUBLIC HEARINGS AND POSSIBLE ACTION. WE HAVE PUBLIC HEARING POSTED ITEMS NO. 99 THROUGH 103. 99 IS CONDUCT A PUBLIC HEARING AND APPROVE A RESOLUTION AUTHORIZING THE USE OF PARKLAND FOR STORM WATER IMPROVEMENTS AS PART OF THE CAESAR CESAR CHAVEZ TWO-WAY CONVERSION PROJECT. APPRECIATE A BRIEF STAFF PRESENTATION FROM MS. JENNY PLUMBER.

ITEM 99 IS A CHANGE IN PARKLAND USE. IT HELMS STORM

DRAINS CURRENTLY THAT WILL ALLOW US TO BE EFFICIENT IN THE UPGRADES TO CESAR CHAVEZ. THERE IS NO OTHER FEASIBLE AND PRUDENT ALTERNATIVE TO THE TAKING OF THE DEDICATED PARKLAND WHICH INCLUDES ALL PLANNING TO MINIMIZE HARM TO THE PARK.

MAYOR WYNN: QUESTIONS, COUNCIL? COMMENTS? THIS IS A RESOLUTION SO WE ONLY NEED FOUR VOTES, I GUESS, RIGHT, TOM?

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: IF NO ONE HAS SIGNED UP TO SPEAK I'LL MOVE TO TO CLOSE THE PUBLIC HEARING AND APPROVE THE RESOLUTION.

MAYOR WYNN: LET ME JUST QUICKLY CONFIRM, WE HAD ONE SPEAKER SIGNED UP EARLIER TO SPEAK IN FAVOR, JEFF JACK. HE LEFT, AND SO, THERE BEING NO OTHER CITIZENS HERE TO GIVE US TESTIMONY, COUNCIL MEMBER LEFFINGWELL MOVES TO CLOSE THE PUBLIC HEARING AND APPROVE THIS RESOLUTION AS POSTED. SECONDED BY COUNCIL MEMBER MCCrackEN. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

MAYOR WYNN: AYE.

AYE. MOTION PASSES ON A VOTE OF 5-0 -- 6-0 WITH COUNCIL MEMBER KIM OFF THE DAIS.

THANK YOU.

MAYOR WYNN: THANK YOU, MS. PLUMBER. ITEM NO. 100 IS CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE ON THE EAST SIXTH STREET PUBLIC IMPROVEMENT DISTRICT OR PID 2008 ASSESSMENTS. WELCOME FOR A BRIEF PRESENTATION.

GOOD EVENING, MAYOR AND COUNCIL MEMBER. ITEM NO. 100 IS PART OF THE ANNUAL FUNDING PROCESS FOR THE EAST 6 STREET PUBLIC IMPROVEMENT DISTRICT. ON NOVEMBER 8 THE COUNCIL APPROVED AT THE BUDGET PLAN FOR THE DISTRICT. COUNCIL APPROVED THE 2008 AND

THE 2008 PROPOSED ASSESSMENT ROLL. STILL REQUIRED PUBLIC HEARING TO CONSIDER PROPOSED ASSESSMENTS. APPROVAL OF THE, NOTICES TO BE MAILED TO PROPERTY OWNERS WITHIN THE AREA TO BE REVIEWED PRIOR TO THIS HEARING. PROPOSED ASSESSMENTS ON INDIVIDUAL PROPERTIES. FOLLOWING THE PUBLIC HEARING COUNCIL WILL CONSIDER APPROVAL OF THE ORDINANCE ADOPTING THE 2008 ASSESSMENT ROLL AND ASSESSMENTS.

MAYOR WYNN: THANK YOU, MR. KNOX. QUESTIONS FOR STAFF, COMMENTS? ARE THERE ANY CITIZENS HERE THAT WOULD LIKE TO GIVE US TESTIMONY REGARDING THIS EAST SIXTH STREET PID ASSESSMENT? PUBLIC HEARING. HEARING NONE I'LL ENTERTAIN A MOTION. EXCUSE ME, MOTION BY MAYOR PRO TEM, SECONDED BY COUNCIL MEMBER MCCracken TO CLOSE THE PUBLIC HEARING AND APPROVE THIS ORDINANCE AS POSTED AND PRESENTED. FURTHER COMMENTS? HEARING NONE ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER KIM OFF THE DAIS. EXCUSE ME. ITEM 101, CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE ON THE DOWNTOWN AUSTIN PUBLIC IMPROVEMENT PID AND 2008 ASSESSMENT. MR. KNOX?

ITEM NO. 101 IS ESSENTIALLY THE SAME ITEM BUT FOR THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT. AGAIN, ON NOVEMBER 8, 2007 COUNCIL APPROVED THE 2008-09 BUDGET THAT WAS PLAN FOR THE DISTRICT AND APPROVED THE 2008 ASSESSMENT RATE OF 10 CENTS TO \$100 AND THE PROPOSED 2008 ASSESSMENT ROLL. AS I SAID EARLIER, LAW REQUIRES US TO PUT OUT NOTICE FOR PEOPLE TO COME TO THE PUBLIC HEARING TO PROTEST THEIR PROPOSED ASSESSMENTS. FOLLOWING THIS PUBLIC HEARING COUNCIL WILL CONSIDER ADOPTING AN ORDINANCE TO ADOPT THE ASSESSMENT ROLL AND ASSESSMENTS.

MAYOR WYNN: THANK YOU, MR. KNOX. QUESTIONS FOR STAFF, COUNCIL? COMMENTS? LET'S SEE, MR. CHARLIE BETS IN THE AUDIENCE, NO CITIZENS SIGNED UP WISHING

TO GIVE US TESTIMONY ON THIS YEAR'S DA 8 PID ASSESSMENTS. HEARING NONE I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCIL MEMBER COLE, SECONDED BY COUNCIL MEMBER MCCrackEN, TO CLOSE THE PUBLIC HEARING AND APPROVE THIS ORDINANCE, PUBLIC HEARING 101 AS PRESENTED AND POSTED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE AGAIN OF 6-0. THANK YOU, MR. KNOX. AND ITEM NO. 2, CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE CITY'S INTENT TO CONTINUE TO TAX PERSONAL TANGIBLE PROPERTY IN TRANSIT AND WELCOME A BRIEF STAFF PRESENTATION.

GOOD EVENING, GREG CANALY PUBLIC OFFICER, THIS IS A PUBLIC HEARING TO RECEIVE INPUT ON THE CITY'S INTENT TO TAX PERSONAL PROPERTY IN TRANSIT. DURING THE LAST LEGISLATIVE SESSION THERE WAS A HOUSE BILL PASSED THAT WOULD AUTOMATICALLY EXEMPT THIS PERSONAL PROPERTY IN TRANSIT FROM TAXATION. OUR RECOMMENDATION IS TO CONTINUE THIS TAXATION AND OPT OUT OF THE OUT EXEMPTION.

MAYOR WYNN: THANK YOU, MR. CANALY. QUESTIONS FOR STAFF, COUNCIL? QUESTIONS? WE HAVE ONE CITIZEN WHO SIGNED UP ON THIS ITEM, SIGNED UP WISHING TO SPEAK BUT NEUTRAL, TONY JACKSON. MR. JACKSON STILL HERE? IF NOT WE WILL NOTE HIS COMMENTS FOR THE RECORD. SO HEARING NO ADDITIONAL COMMENTS ON ITEM NO. 102 I'LL ENTERTAIN A MOTION.

LEFFINGWELL: I WILL MOVE TO CLOSE THE PUBLIC HEARING AND CONTINUE TO TAX PERSONAL PROPERTY IN TRANSIT.

MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY COAL, TO CLOSE THE PUBLIC HEARING, ITEM 102.

MAYOR, THIS IS ITEM NO. 9 IS TO APPROVE THE ORDINANCE OF THE RELATED ITEM.

MAYOR WYNN: THANK YOU VERY MUCH. THE-RELATED ITEM IS ITEM NO. 9, WHICH IS TECHNICALLY THE ACTION ITEM, SO COMEG LEFFINGWELL MOVED THAT WE CLOSE THE PUBLIC HEARING 102 AND THEN APPROVE ITEM NO. 9 AS POSTED, AND THAT IS AN ORDINANCE ELECTING TO CONTINUE TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT. SECONDED BY COUNCIL MEMBER COLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES -- THE COMBINED MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER KIM OFF THE DAIS. AND FINALLY ITEM 103, CONDUCT A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO CHAPTER 25-6 OF THE AUSTIN CITY CODE RELATING TO SIDEWALKS. WELCOME, MR. GEORGE SEB LACK.

STAFF IS REQUESTING A POSTPONEMENT OF THIS ITEM TILL JANUARY 10, 2008 IN ORDER TO ADDRESS SOME ISSUES THAT HAVE BEEN RAISED BY CITIZENS AND COUNCIL MEMBERS.

THANK YOU, MR. ZEPLAC. SO I'LL ENTERTAIN A MOTION PER STAFF REQUEST. MOTION BY COUNCIL MEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM, TO POSTPONE ITEM NO. 103 TO THE JANUARY 10, 2008 CITY COUNCIL MEETING. FURTHER COMMENTS? HEARING NONE, ALL THOSE IF FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION TO POSTPONE PASSES ON A VOTE AGAIN OF 6-0. THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL, WE STAND ADJOURNED. IT IS 6:40 P.M.

**End of Council Session Closed Caption Log**