

Closed Caption Log, Council Meeting, 1/17/08

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GOOD MORNING, SORRY FOR THE DELAY IN GETTING STARTED. I'M AUSTIN MAYOR WILL WYNN, IT'S MY HONOR TO WELCOME DR. CHARLES KUTZ-MARKS, SR. MINISTER, UNIVERSITY CHRISTIAN CHURCH, TO LEAD US IN OUR INVOCATION, PLEASE RISE.

WILL YOU BOW YOUR HEADS WITH ME IN PRAYER? IN THE RARE MOMENTS OF AN INWARD TURN, WE PAUSE CONSCIOUSLY BEFORE YOU, OH, GOD, CREATOR OF ALL AND LOVING SUSTAINER OF EACH LIFE. THIS MORNING WE CALL UPON YOU TO MAKE EVIDENT YOUR SPIRIT IN THIS SPECIAL PLACE AND THIS SPECIAL TIME WHERE YOU HAVE BLESSED THESE OF YOUR CHILDREN WITH SINGULAR REPRESENTATIVE POWER TO BRING A GREATER MEASURE OF WHOLENESS AND JUSTICE TO THE PEOPLE OF AUSTIN, BLESS ALL WHO ARE HERE, WITH THE WISDOM TO DISCERN THE GOOD PATH. AND THEN THE COURAGE TO WALK IT. BLESS THOSE GATHERED HERE WITH AN UNACCUSTOMED UNITY OF PURPOSE, A SPIRIT THAT CAN WHAT MAKE SEEMS LIKE ONLY OPTIMISTIC HOPE TODAY TOMORROW'S GLAD REALITY. FOR THESE THINGS WE PRAY, EVER SECURE IN YOUR ABIDING PRESENCE. AMEN.

Mayor Wynn: THANK YOU, DOCTOR. SO THERE BEING A QUORUM PRESENT, AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS THURSDAY, JANUARY 17th, 2008. WE'RE IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING, 301 WEST 2nd STREET. WE HAVE A VERY LIGHT AGENDA TODAY. AND -- BUT WE DO HAVE A NUMBER OF -- COUPLE OF CHANGES AND CORRECTIONS TO ITS POSTING. THOSE ARE ... THAT ON ITEM NO. 1 WE SHOULD NOTE THAT THIS DOES NOT INCLUDE THE MINUTES FROM OUR JANUARY 16th SPECIAL CALLED MEETING. IT DOES INCLUDE THE MEETING MINUTES FROM OUR JANUARY IT SPECIAL CALLED MEETING. AND NOTING THAT ITEMS NUMBER 8 AND 9 HAVE BEEN POSTPONED, ITEM NO. 8 WILL BE POSTPONED AS PART OF THE CONSENT AGENDA TO JANUARY 31st, 2008. ITEM NO. 9 WILL BE POSTPONED TO FEBRUARY 28th, 2008. ALSO NOTE THAT -- WHAT -- WHEN WE TAKE UP OUR ZONING MATTERS AFTER 4:00, WE SHOULD NOTE THAT ITEM NO. 44 WILL BE CONSIDERED AT A 6:00 P.M. TIME CERTAIN IN CONJUNCTION WITH ITEM NO. 49, WHICH WAS THE PUBLIC HEARING TO AMEND THE EAST 11th AND 12th STREET URBAN RENEWAL PLAN. OUR SCHEDULE TODAY. I THINK WE'RE GOING TO GET THROUGH THE CONSENT AGENDA QUITE QUICKLY THIS MORNING. WE HAVE -- I ANTICIPATE US THEN TAKING UP ITEM NO. 22, WHICH IS THE NAMING OF THE NEXT CITY

MANAGER. AT NOON, WE WILL HAVE OUR GENERAL CITIZENS COMMUNICATION. AT 4:00 P.M., OF COURSE, WE TAKE UP OUR ZONING HEARINGS AND ALL ZONINGS MATTERS. 5:30 WHERE HE BREAK FOR LIVE MUSIC AND PROCLAMATIONS, OUR MUSICIAN TODAY IS EL TULA, AT 6:00 WE START OUR PUBLIC HEARINGS FOR THE EVENING. COUNCIL, BEFORE I GET INTO THE READING OF THE CONSENT AGENDA, I WOULD LIKE TO TAKE THIS OPPORTUNITY TO ASK IF THERE ARE ANY ANTICIPATED ITEMS FROM COUNCIL COMING FORWARD OVER THE NEXT FEW MEETINGS. MAYOR PRO TEM?

MAYOR, I WILL BE BRINGING -- BRINGING FORWARD AN ITEM TO AMEND OUR ORDINANCES RELATING TO TIMES OF CONSTRUCTION AND DELIVERY. TO ALLOW EVENING DELIVERIES AS WELL AS SOME CONSTRUCTION ACTIVITY IN THE DOWNTOWN AREA SO THAT TRAFFIC IS NOT DELAYED AND -- AND ESPECIALLY DURING THE RUSH HOUR. MORNING RUSH HOUR TIME. I THINK THIS WILL HELP US WITH ALL OF THE MAJOR HIGH RISE CONSTRUCTION THAT WE HAVE HERE. SO -- I WILL BE BRINGING SOMETHING FORWARD NEXT -- AT THE NEXT COUNCIL MEETING.

THANK YOU. MAYOR PRO TEM? OTHER ITEMS? COUNCILMEMBER COLE?

WE WILL BE HAVING A BRIEF PRESENTATION ON THE UPDATE OF THE WALLER CREEK TUNNEL AND THE PROGRESS ON THAT AND HIRING A DESIGN CONSULTANT AND STAFF WILL BE BRINGING THAT FORWARD VERY SOON. I THINK IN THE NEXT COUNCIL MEETING.

THANK YOU, COUNCILMEMBERS. COUNCILMEMBER MARTINEZ?

MAYOR, THE PUBLIC SAFETY TASK FORCE IS GOING TO START GEARING UP FOR 2008. IN THE SHORT TERM, ONE OF THE ITEMS THAT WE HAVE ASKED FOR A REPORT ABOUT IS THE USE OF CELL PHONES WHILE DRIVING, WHETHER OR NOT THERE HAVE BEEN MEASURABLE IMPACTS IN OTHER COMMUNITIES BY BANNING -- IN OTHER WORDS ONLY ALLOWING HANDS FREE DEVICES WHILE YOU'RE DRIVING. BUT MORE IMPORTANTLY, THE TASK FORCE IS GOING TO GEAR UP WITH PREPARATIONS FOR THIS YEAR'S PUBLIC SAFETY NEGOTIATIONS. ALL OF OUR PUBLIC SAFETY AGENCIES WILL BE NEGOTIATING A NEW CONTRACT THIS YEAR. THE TASK FORCE HAS A SUBCOMMITTEE ASSIGNED. TO MAKE RECOMMENDATIONS TO COUNCIL SO THAT WE CAN HAVE MORE OF A FOUNDATION LEADING INTO NEGOTIATIONS THIS YEAR THAN WE'VE EVER HAD IN THE PAST. AND DEVELOP A POLICY FRAMEWORK FROM COUNCIL THAT HAS RELATION TO THOSE NEGOTIATIONS.

Mayor Wynn: THANK YOU. COUNCILMEMBER KIM? NO? OKAY. ANY OTHER ITEMS FROM COUNCIL? I BELIEVE THAT ON OUR VALENTINE'S DAY MEETING, FEBRUARY 14th, I ANTICIPATE THAT I WILL BE BRINGING FROM THE CLEAN AIR COALITION THAT I CHAIR THE UPDATE AND RENEWAL OF OUR '08 FLEX PLAN. HOPEFULLY WE WILL HAVE A BRIEF PRESENTATION FROM OUR -- OUR COMMITTEE STAFF AND CITY CAN TAKE ACTION AS ARE ALL OF THE OTHER LOCAL GOVERNMENTS HERE IN OUR EARLY ACTION COMPACT AREA. I BELIEVE THAT WILL BE FEBRUARY 14th. SO ... COUNCIL, CURRENTLY WE ONLY HAVE ITEM

NO. 22, REGARDING THE NEXT CITY MANAGER PULLED OFF THE CONSENT AGENDA. ANY OTHER ITEMS TO BE PULLED THIS MORNING? IF NOT, THEN I WILL READ THROUGH OUR SHORT CONSENT AGENDA NUMERICALLY. IT WILL BE TO APPROVE ITEMS 1, FOR CHANGES AND -- PER CHANGES AND CORRECTION, FROM OUR AUSTIN WATER UTILITY, APPROVING ITEMS 2, 3, 4, AND 5. FROM OUR LIBRARY DEPARTMENT, APPROVING ITEM NO. 6. FROM OUR PUBLIC WORKS DEPARTMENT, APPROVING ITEM 7. POSTPONING ITEM 8 TO JANUARY 31st, 2008. PER CHANGES AND CORRECTIONS. AND TO POSTPONE ITEM NO. 9 TO FEBRUARY 28th, 2008 PER CHANGES AND CORRECTION. WE WILL BE APPROVING, HOWEVER, ITEM NO. 10. FROM OUR PURCHASING OFFICE, WE WILL APPROVE -- WE WILL BE APPROVING ITEMS NUMBER 11, 12, 13, 14, 15, 16, 17, 18, AND 19. FROM OUR WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT, WE WILL APPROVE ITEM NO. 20. ITEM NO. 21 ARE OUR APPOINTMENTS TO OUR BOARDS AND COMMISSIONS THAT I WILL READ INTO THE RECORD. TO OUR CITIZENS WATER CONSERVATION IMPLEMENTATION TASK FORCE, JODY McDANIEL WILL BE THE REPRESENTATIVE FOR THE COMMERCIAL PROPERTY MANAGEMENT COMPANIES. TO OUR DOWNTOWN COMMISSION, MANDY DEALY REPRESENTING THE PLANNING COMMISSION IS MY NOMINATION AND PATRICK GOETZ REPRESENTING THE URBAN TRANSPORTATION COMMISSION IS A CONSENSUS NOMINATION. THAT'S ITEM NO. 21 OUR BOARD AND COMMISSION APPOINTMENTS. WE WILL ALSO BE APPROVING ITEM 23, AND 24. WE WILL BE SETTING THE PUBLIC HEARINGS BY APPROVING ITEM 25, AND 26, AND WE WILL BE APPROVING THE ADDENDUM ITEM NO. 50. I WILL ENTERTAIN A MOTION ON OUR CONSENT AGENDA AS PROPOSED.

SO MOVED.

MOTION MADE BY COUNCILMEMBER COLE, SECONDED BY THE MAYOR PRO TEM TO APPROVE THE CONSENT AGENDA AS READ, PERHAPS BEFORE I ASK FOR COMMENTS FROM COUNCIL, THERE ARE A COUPLE OF CITIZENS SIGNED UP WISHING TO ADDRESS A COUPLE OF ITEMS ON OUR CONSENT AGENDA. OUR RULES, OF COURSE, ARE YOU REMEMBER IF WE HAVE MORE THAN FIVE CITIZENS SIGNED UP, WE WOULD TAKE AN ITEM OFF THE CONSENT AGENDA. I WOULD LIKE TO NOTE ON ITEMS 2 AND 3, THE SERVICE EXTENSION REQUESTS, A COUPLE OF FOLKS WOULD LIKE TO ADDRESS US. IS YLEM VETTERS HERE? COME FORWARD, CLEM. IS DEBORAH KIRSCHNER HERE. LOOKS LIKE YOU ARE OFFERING TO DONATE YOUR TIME TO CLEM, IS THAT RIGHT? YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT. WELCOME. THIS IS THE COMBINED ITEMS TWO AND 3.

THOSE COMBINED ITEMS I HAVE SIX MINUTES?

YOU HAVE SIX MINUTES.

OKAY, MY NAME IS CLEM VETTERS, MAYOR AND COUNCILMEMBER THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO SPEAK TODAY. NO LAWYER, ENGINEER NOR CITY PLANNER, ALL OF MY INFORMATION IS DERIVED FROM THIRD PARTY SOURCES WHICH I CAN'T MAKE ANY GUARANTEES OF. HOWEVER, I AM A CONTIGUOUS PROPERTY OWNER AND

I'M AN ELECTED BOARD MEMBER TO DEL ROY PRESERVATION ASSOCIATION. I'M NOT OPPOSED TO DEVELOPMENT. HOWEVER I BELIEVE THAT DEVELOPMENT MUST BE DONE RESPONSIBLY AND WITHIN THE CONFINES OF THE FEDERAL, STATE AND LOCAL LAWS. ON EXHIBIT 1 HERE YOU CAN SEE THAT I BELIEVE THIS COUNCIL MEETING TODAY REGARDING SERVICE EXTENSION REQUEST 2501 AND 2502 APPEARS TO BE IN A LEGAL MEETING IN VIOLATION OF STATE OF TEXAS LAW TITLE 30-1-153 E 2 B AND C. THE WATER AND WASTEWATER COMMISSION MEETING HELD IN NOVEMBER 28th, 2007, WAS IN EXHIBIT 2 PLEASE WAS IN VIOLATION OF TEXAS STATE LAW, NAMELY TITLE 30, 153, A 2 AND 3:00. EXHIBIT 40. IT DEFINES AN INTERESTED PARTY. TITLE 30-1-152, A 2, B AND C, I AM AN INTERESTED PARTY. PER TITLE 30-1-152 C I HAVE COMMUNICATED AN INTEREST IN ADMINISTRATIVE DECISIONS. EXHIBIT 3, THIS IS A COPY OF MY CERTIFIED RETURN RECEIPT REQUESTED LETTER REGISTRY AS AN INTERESTED PARTY. EXHIBIT 4. THIS IS AN E-MAIL THAT -- DATED NOVEMBER 19th, '07 FROM THE CASE MANAGER. IT CONFIRMS THAT I'M AN INTERESTED PARTY IN WRITING. FURTHER DOWN THIS PAGE, ON NOVEMBER 16th OF '07, PRIOR TO THE WASTEWATER COMMISSION'S MEETING, THE CASE MANAGER CONFIRMS AND INFORMS ME THAT I WILL BE NOTIFIED OF ALL PUBLIC HEARINGS AND ADMINISTRATIVE DECISIONS. I HAVE RECEIVED NO SUCH NOTIFICATION. MY NEIGHBORS AND ADJOINING PROPERTY OWNERS HAVE RECEIVED NO SUCH NOTIFICATION AND OUR NEIGHBORHOOD ASSOCIATION HAS RECEIVED NO SUCH NOTIFICATION IN VIOLATION OF TITLE 30. THE SECOND POINT -- OH. SO I WOULD LIKE TO KNOW WHY TITLE 30 IS NOT BEING FOLLOWED AND WHY OUR NEIGHBORS AND NEIGHBORHOOD ASSOCIATION ARE BEING KEPT IN THE DARK. I THINK IT WOULD BE WISE AND PRUDENT TO HAVE THE WATER AND WASTEWATER COMMISSION HEARING AGAIN WHILE OUR NEIGHBORHOOD ASSOCIATION AND THE TAXPAYERS ALLOW AN OPPORTUNITY TO SPEAK ABOUT WHAT'S HAPPENING TO THEIR COMMUNITY AND HOW THEIR TAX DOLLARS ARE BEING SPENT. POINT NUMBER 2, THE SERVICE EXTENSION REQUEST APPEAR INACCURATE. THE MAPS DO NOT SHOW ALL OF THE PROPERTY OWNED BY THE DEVELOPER. EXHIBIT 5. THE -- THE MAPS SHOW PROPERTY BEING OWNED BY THE DEVELOPER THAT IS NOT OWNED BY THE DEVELOPER. THEY ARE UP THERE ON THE BOARD YOU CAN SEE THEM. EXHIBIT 6 THE RECOMMENDATION APPEARS INACCURATE. IT SAYS WILL SERVE AS ADDITIONAL DEVELOPMENTS EAST AND SOUTH OF THE PROPERTY. CITY STAFF HAS TOLD ME THIS WILL BE IMPOSSIBLE. BEFORE ANY ADDITIONAL SERVICE CAN BE PROVIDED EAST OR SOUTH OF THE PROPERTY, MILLIONS OF ADDITIONAL TAX DOLLARS WILL HAVE TO BE SPENT FOR INFRASTRUCTURE TO GET THE WATER UP THE HILL. A PUMPING STATION OR WATER TOWER OF SOME KIND THEY'VE TOLD ME. THEY FAILED TO MENTION THIS IN THE RECOMMENDATION TO YOU. THEY ALSO MENTION IN THIS RECOMMENDATION IN THE DRY CREEK WATERSHED THEY LEAVE OUT WHAT APPEARS TO BE THAT -- IT'S ALWAYS IN THE MAJA CREEK WATERSHED. EXHIBIT 7. THEY CLAIM TO BE OVERSIZING THE LINE. THIS STORY HAS CHANGED. SIX MONTHS AGO, THE 24-INCH WATER LINE WOULD BARELY SUPPLY THIS DEVELOPMENT. NOW IT'S OVERSIZED? AND THAT -- I HAVE ASKED THE CITY STAFF HOW OVERSIZED IS IT? WILL IT SUPPLY ANOTHER 1,000 HOMES? NO. WILL IT SUPPLY ANOTHER 500? MAYBE. ANOTHER 200. THEY TOLD ME THAT THEY WOULD HAVE TO DO A COMPUTER MODEL TO DETERMINE THAT.

HOW OVERSIZED IS THIS PIPE? IF THE CITY IS GOING TO SPEND \$10.6 MILLION OF OUR TAXPAYER'S MONEY TO BUY PIPE, DIG TRENCHES, REPLACE STREETS, PEOPLE'S DISROIFS, INSTALL THIS -- DRIVEWAYS, INSTALL THIS PIPELINE, ISN'T THE COST MARGINAL TO MAKE THE PIPE A FOOT LARGER, GO 36 INCHES THE WHOLE WAY UP THE HILL? WHAT ARE WE GOING TO DO WITH THE NEXT DEVELOPMENT? DIG THIS PIPE UP AND REPLACE IT? CITY CODE DICTATES HOW MUCH THE DEVELOPER CAN BE REIMBURSED. WHY WOULD WE BREAK OUR OWN CITY LAWS FOR THIS DEVELOPMENT? IT PLAINLY SAYS IN THE RECOMMENDATION THAT WE ARE VIOLATING CITY CODE 25-961 AND 25-9-63. IT CLEARLY STATES THE MAXIMUM REIMBURSEMENT SHOULD BE \$1,105,380. WHY ARE WE BREAKING MORE LAWS HERE? RIGHT NOW IN THE EL ROY AREA, WHETHER YOU OWN 50 ACRES OR 200 ACRES, IF YOU WANT TO CUT OFF ONE ACRE AND SUBDIVIDE IT GIVE YOU MOTHER-IN-LAW A LOT YOU CAN'T BECAUSE THE WATER IS AT MAXIMUM CAPACITY AND THEY WON'T GIVE YOU ANOTHER WATER METER. ARE YOU GOING TO ALLOW THIS TO HAPPEN AGAIN? EXHIBIT A. POINT 3. IF THE CITY SPENDS 10.6 MILLION IT COULD BRING OVER \$13 MILLION PER YEAR. THIS SOUNDS LIKE A GREAT DEAL. I'M NOT -- I MIGHT EVEN WANT TO INVEST IN THAT. THE IMPROVEMENTS ARE 300,0 TIMES 1784 HOMES, A TAX BASE OVER A HALF A MILLION DOLLAR -- HALF A BILLION DOLLARS. BUT THAT TAX BASE BRINGING IN \$13 MILLION A YEAR IN TAX INCOME. SO THAT FOR THE CITY TO PUT IN 10 MILLION, GET 13 MILLION BACK A YEAR, SOUNDS LIKE A GREAT INVESTMENT. AS A MATTER OF FACT I WANT TO GET MY CHECKBOOK OUT AND BE PART OF THAT DEAL. EXHIBIT 13, HOWEVER, AFTER SPEAKING WITH THE CONSULTANT AND ENGINEER AND READING EXHIBIT 13, YEAH, THAT'S IT, AFTER AFTER MEETING WITH THE CONSULTANT AND ENGINEER AND READING THE PROJECT MANAGER'S OWN NOTES THAT YOU CAN SEE UP HERE ON THE BOARD, IT APPEARS THAT WANDERING CREEK IS GOING TO BE THE LARGEST MOBILE HOME PARK EVER BUILT IN TRAVIS COUNTY. [BEEPING] I DON'T HAVE ANYTHING AGAINST MOBILE HOMES, BUT EXHIBIT 10, BUT WHAT HAPPENS TO YOUR AD VALOREM TAX BASE, IT'S GOING FROM 13 MILLION A YEAR TO \$892,000. AND YOU CAN SPEAK TO A LOT OF PEOPLE EXHIBIT 11, PLEASE. MANY --

Mayor Wynn: PLEASE CONCLUDE. YOUR TIME HAS EXPIRED.

WILL I BE ALLOWED TO SPEAK ON 35 VOTE, TOO, SIR?

35002.

I MEAN 2502.

YOU ARE SPEAKING ON COMBINED ITEMS NUMBER 2 AND 3 FOR THE COUNCIL RULES YOU HAD SIX MINUTES. I WILL ALLOW YOU TO TAKE A MANUSCRIPT OR SO AND CONCLUDE YOUR PRESENTATION.

OKAY. WITH THE MOBILE HOMES THEY ARE GOING TO DEPRECIATE AND GENERALLY DEPRECIATE IN VALUE LIKE A CAR IS. THE TAX BASE IS GOING TO CONTINUE DOWNWARD. OVER THE LAST YEAR WE HAVE BEEN TOLD THE DEVELOPER WAS GRANTED FAVORS SUCH

AS A BOT WAIVER TO SPEND 8 MILLION-DOLLARS OF THEIR OWN MONEY TO PUT IN THE WATER AND WASTEWATER. WE WOULD ASK. NOW THAT THE CITY IS PAYING FOR IT THE \$8 MILLION FIGURE CHANGED TO 10.6. IF THESE MOBILE HOMES, LOTS ARE SOLD FOR \$50,500 EACH, THAT'S \$90 MILLION, THE PROJECT IS GOING TO RETAIL FOR. WHAT IS WRONG WITH THE DEVELOPER SPENDING THE \$8 MILLION THAT HE SAID THAT HE WAS GOING TO DO THE WHOLE YEAR. WITH \$10.6 MILLION SPENT FOR PROFIT, FOR PRIVATE ENTERPRISE OR \$10.6 MILLION THAT COULD GO TO FEED OUR HOMELESS, OUR SICK, OUR HUNGRY, OUR HOSPITALS OR SCHOOLS AND OUR LIBRARIES IN AUSTIN.

PLEASE CONCLUSION.

THANK YOU.

THANK YOU. OBVIOUSLY COUNCIL MR. VETTERS RAISES A BUNCH OF, YOU KNOW, TECHNICAL ISSUES. I THINK MR. VETTERS IS AWARE, CERTAINLY A NUMBER OF FOLKS ARE, HOW MUCH TIME WE HAVE TAKEN THESE TWO PARTICULAR SERVICE EXTENSION REQUESTS. WE HAVE LATE ACTION FOR AT LEAST SEVERAL MONTHS THAT I'M AWARE OF WHILE STAFF INFORMED US OF -- ON A MYRIAD OF LEGAL AND OPERATIONAL ISSUES. I THINK THAT I WOULD LIKE TO ASK MR. SMITH OR PERHAPS ASSISTANT CITY MANAGER RUDY GARZA TO TELL US -- EXCUSE ME -- [LAUGHTER] -- BOARD MEMBER -- TO GIVE US THE STAFF'S CURRENT ANALYSIS AND RECOMMENDATION.

AND DEBORAH, IF YOU WOULD SPEAK TO THE TWO LEGAL ISSUES THAT I HEARD. ONE RELATED TO [INDISCERNIBLE] AND ONE RELATED TO THE AMOUNT OF THE REIMBURSEMENT.

OKAY.

MAYOR AND COUNCIL, I CAN SPEAK TO THE NOTICE ISSUE. THE NOTICE, THE INTERESTED PARTY REQUIREMENT OF THE -- THAT THE CITIZEN WAS REFERRING TO HAS TO DO WITH THE SUBDIVISION APPLICATION THAT WAS FILED. IT DOES NOT ADDRESS THE SERVICE EXTENSION REQUEST. AND HE WAS PROVIDED ALL NOTICES WITH REGARD TO THE SITE, THE SUBDIVISION. ITS CONSIDERATION, THE -- THE COMMENTS THAT HAVE BEEN MADE WITH REGARD TO THAT. AND SO THE INTERESTED PARTY PROVISIONS OF THE CODE HAVE BEEN SATISFIED.

PERHAPS FROM AN OPERATIONAL STANDPOINT, CAN WE CHARACTERIZE THIS AS -- AS ABSOLUTELY, POSITIVELY FOLLOWING ALL OF OUR EXISTING GUIDELINES?

MAYOR, YES IT DOES. MAYOR AND COUNCIL, ROSS CROW, ASSISTANT CITY ATTORNEY. AS FAR AS THE AMOUNT OF REIMBURSEMENT, COUNCIL HAS A COMPLETE DISCRETION TO WAIVE THE CITY CODE PROVISIONS REGARDING AMOUNT AND YOU MAY BE AWARE, WE ARE IN THE PROCESS OF UPDATING THAT ORDINANCE BECAUSE IT DOES NEED UPDATING. THAT

IS THE REASON WHY YOU ARE SEEING A WAIVER ESSENTIALLY. YOU DO HAVE FULL AUTHORITY TO DO THAT.

Mayor Wynn: COUNCIL, ANY QUESTION OF STAFF OR MR. VETTERS. FOR THE RECORD, MR. HENRY GILMORE IS HERE, SIGNED UP IN FAVOR, ONLY TO SPEAK IF WE HAVE QUESTIONS OF HIM. THANK YOU ALL, STAFF. SO COUNCIL LET'S SEE I BELIEVE THAT'S ALL OF THE FOLKS WHO WANTED TO SPEAK ON ITEMS ON THE CONSENT AGENDA. AGAIN, REMIND ME WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS ON THE CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-06789 THANK YOU ALL VERY MUCH. FOLKS WHO HAD THE ITEMS ON THE CONSENT AGENDA, I WOULD WELCOME YOU ALL TO STAY BECAUSE AT THIS TIME WE WILL NOW TAKE UP ITEM NO. 22 WHICH I HAD PULLED OFF THE CONSENT AGENDA. TECHNICALLY WE ARE POSTED TO TAKE ACTION CONCERNING THE APPOINTMENT OF THE NEW CITY MANAGER. AND COMPENSATION AND BENEFITS FOR THE NEW CITY MANAGER. I BELIEVE THAT WE STILL NEED TO HAVE CONSULTATION I BELIEVE WE DO NEED TO HAVE CLOSED SESSION REGARDING COMPENSATION AND BENEFITS. WE SHOULD -- I MAKE A MOTION TO NAME THE NEW CITY MANAGER AND MEET WITH ARCUS OUR SEARCH FIRM TO DRAFT UP THE LANGUAGE THAT COULD THEN BE PRESENTED TO US IN CLOSED SESSION.

Cole: MAYOR, I WOULD LIKE TO MAKE A MOTION TO NAME MR. MARC OTT AS CITY MANAGER AND ASK THE CITY ATTORNEY TO MEET WITH OUR SEARCH FIRM TO DRAFT UP THE LANGUAGE FOR THE FORMAL RESOLUTION.

Dunkerly: SECOND THAT MOTION.

Mayor Wynn: A MOTION AND A SECOND ON THE TABLE NAMING MARC OTT AS CITY MANAGER. WE DO HAVE A COUPLE OF FOLKS SIGNED UP WISHING TO SPEAK ON THIS ITEM NOW THAT THEY HAVE HEARD THE MOTION. I WOULD LIKE TO WELCOME MR. GUS PENA IF YOU WOULD STILL LIKE TO ADDRESS COUNCIL. AS LUCIO PENA IS HERE. MR. PENA, LUCIO HAS TO BE IN THE ROOM, IS HE HERE? I COULDN'T SEE HIM, WELCOME, LUCIO. REMEMBER YOU WELL. SIX MINUTES, WELCOME.

THANK YOU, I HOPE YOU REMEMBER REAL WELL, MAYOR, THAT I HELP YOU IN YOUR CAMPAIGN AS CITY COUNCIL MEMBER, ALSO URGED YOU AT JUAN IN A MILLION, FIND RESTAURANT IN EAST AUSTIN TO URGE YOU TO RUN FOR MAYOR TO PREPARE YOURSELF FOR MAYOR. I HELPED A LOT OF YOU COUNCILMEMBERS IN YOUR ELECTIONS, LEE, JENNIFER KIM, I FULLY SUPPORT YOU. BRUCEER I HELPED YOU IN YOURS, OF COURSE CHERYL YOU ARE A GOOD FRIEND OF MINE. I CONTINUE TO HELP YOU OUT. I WELCOME MR.

OTT TO AUSTIN AND HIS FAMILY. I WANT TO MAKE SURE, MAYOR, THAT YOU AND THE COUNCILMEMBERS MAKE IT EXPLICITLY SIMPLE TO KNOW AND LET THE PEOPLE KNOW THAT THIS PROCESS WAS FLAWED. THE COMMUNITY SHOULD HAVE BEEN INVOLVED IN THE PROCESS AND THEY WERE NOT. I SHOWED YOU A COPY OF MY FORMER BRACKENRIDGE, I'M A FORMER EEO DISCRIMINATION COMPLAINT INVESTIGATOR FOR THE DEPARTMENT OF THE TREASURY FEDERAL AGENCY THAT DEALS WITH DISCRIMINATORY ACTS. I CALLED MR. OTT IN FORT WORTH, I CALLED HIM I TOLD HIM, YOU KNOW, YOU'RE A GOOD CANDIDATE. I CALLED HIM BEFORE YOU EVEN STARTED THIS PROCESS. IT IS NOT A CONFLICT OF INTEREST. I TOLD HIM THAT HE WAS A GOOD CANDIDATE. I THANKED JYLENNE FOR COMING TO SAN ANTONIO TO THINK ABOUT COMING TO THIS PROCESS. AUSTIN IS A POLITICALLY INVOLVED TOWN, MR. OTT, YOU WILL FIND THAT ALREADY. TO YOU MRS. OTT AND YOUR DAUGHTER, WELCOME TO AUSTIN. I'M GOING TO TRY TO KEEP MY EMOTIONS IN CHECK. BUT IT'S VERY DIFFICULT BECAUSE I'M A NATIVE AUSTINITE. MY FIRST SPEAKING ENGAGEMENT IN FRONT OF AN ELECTED BODY WAS IN 1967 IN THE SCHOOL BOARD WHEN THEY TOLD US WE COULDN'T SPEAK SPANISH AT JOHNSTON HIGH SCHOOL IN EAST AUSTIN. I WAS INVOLVED IN MANY, MANY MAYORAL CAMPAIGN, ROY BUTLER, FRANK COOKSEY, BRUCE TODD, KIRK WATSON, YOUR CAMPAIGN, WILL AND CAROL KEETON AT THAT TIME. I HAVE KNOWN VERY MANY CITY MANAGERS STARTING FROM MORE RAY CARASCO, AND [INDISCERNIBLE] A GOOD GUY WHO LOVED PEOPLE, HE KNEW ABOUT BEING INCLUSIVE, MADE THAT KNOWN FROM THE FIRST DAY ... WE WERE INVOLVED IN THAT -- LEE'S ISSUES ABOUT BRACK, MAYOR AND COUNCILMEMBERS. FIASCO, STILL IS. JESUS, GARZA, TOBY FUTRELL, NOW MR. OTT. IT'S INCUMBENT ON THIS BODY. WE HELPED GET YOU ELECTED TO BE INCLUSIVE. TO INCLUDE THE PROPERTY, THE COMMUNITY. THAT WAS NOT DONE. THE PROCESS WAS COMPROMISED. WE HAVE A GOOD CITY MANAGER. I'M NOT KNOCKING THAT. I'M NOT KNOCKING THAT. WHAT I'M KNOCKING IS THE PROCESS. WE WANT SOME DOCUMENTS, THE STAKEHOLDERS LIST OR THE LIST OF STAKEHOLDERS, WE MET RESISTANCE. WE ARE DISRESPECTED BY CITY STAFF AND EMPLOYEES. I USED TO WORK AS A BAILIFF AT MUNICIPAL COURT THE CITY OF AUSTIN. WE HAD A TOUGH JOB BECAUSE WE MET THE PUBLIC. AND THEY SAID WELL, YOU KNOW, I'M ANGRY AT YOU BECAUSE I WAS -- I HAVE TO PAY A FINE INSTEAD OF OTHER ADJUDICATION. THE JUDGE HAS A LOT TO DO WITH IT, NOT US. THE ISSUE IS WE WERE PROFESSIONALS. WITH THE PUBLIC. AS I REMAIN TODAY. I HAVE LUCIO OVER HERE BECAUSE HE'S THE ONE TELLING -- BETTER WATCH YOUR LANGUAGE, BETTER WATCH THE WAY YOU ACT. THE ISSUE IS I WANT LUCIO TO KNOW WHAT TYPE OF PROCESS OCCURRED AND WHAT FLAWS THAT WERE IN THERE. WELL, YOU KNOW BETTER THAN THAT. I TOLD YOU, I TOLD YOU ALL WHEN YOU WERE RUNNING FOR OFFICE, INCLUDE THE PUBLIC. WE DON'T NEED TO HAVE AN OPEN DOOR POLICY, WE ASK FOR A MEETING GIVE IT TO US. WE DESERVE THAT. HAS NOT BEEN DONE, WILL, A LOT OF YOU COUNCILMEMBERS HAVE NOT BEEN DONE. YOU ARE A RECEIPT RAN, LEE LEFFINGWELL, MARINE CORPS VETERANS DURING THE VIETNAM WAR. WHAT HAPPENED TO THE RIGHTS OF THE VETERANS? THEY WERE NOT INCLUDED IN THIS PROCESS OVER HERE. SOMETHING HAS TO BE DONE TO IMPROVE -- HOPEFULLY, MR. OTT YOU WILL STAY HERE FOR HOW MANY YEARS YOU WANT TO, WE WELCOME YOU HERE, WE WANT YOU HERE. JOLENNE I

WANT TO TELL YOU SOMETHING, MY HEART BREAKS FOR YOU, THE SYSTEM IS FLAWED. LET THE RECORD REFLECT THAT THE COMMUNITY AND THE TAXPAYERS THEY ARE THE STAKEHOLDERS SHOULD HAVE BEEN INVOLVED IN THE PROCESS. NOT HAVE A FLAWED DISCRIMINATORY PROCESS. LEARN ON THAT LADIES AND GENTLEMEN, THAT'S WHY YOU WERE ELECTED. IN THE PAPER IT SAYS WE'RE THE COUNCILMEMBERS, WE VOTE. FORGET IT. WE PAY YOUR TAX, WE HELP YOU GET INCLUDED IN THE PROCESS. DON'T DISCRIMINATE. DON'T DISRESPECT THE COMMUNITY, THAT'S NOT RIGHT. YOU GOT A LOT OF KIDS LISTENING TO ME RIGHT NOW. CIVICS AND GOVERNMENT. THE ISSUE IS THIS, MR. MAYOR, COUNCILMEMBERS. DO YOUR JOB, DUE DILIGENCE. THIS IS NOT A GOOD PROCESS. IT SMACKS OF ROYAL AUTHORITY. THERE WAS TOTAL ARROGANCE INVOLVED IN THIS PROCESS. SOME OF YOU ALL WERE JUST DISRESPECTFUL TO THE COMMUNITY. I WANT TO THANK YOU, COUNCILMEMBER KIM FOR CALLING ME. YOU RETURNED MY PHONE CALLS, CHERYL COLE YOU RETURNED MY CELLPHONE CALLS THAT'S GREAT. THE COMMUNITY HAS TO BE INCLUDED. MAKE SURE THAT THE YOUTH WHO ARE LISTENING AND VIEWING KNOW THAT THIS ELECTED BODY IS IN FOR THE BEST INTERESTS FOR OF THE COMMUNITY, NOT FOR SPECIAL INTERESTS. MR. OTT, I HEARD YOUR COMMENTS AT THE FORUM, I THOUGHT THAT THE FORUM WAS CHANGED, NOT RESPECTFUL, NOT APPROPRIATE. PLEASE UPHOLD YOUR STATEMENT OF INCLUDING THE COMMUNITY. NOT JUST THE EMPLOYEES, BUT YOU BETTER TAKE CARE OF YOUR EMPLOYEES, YOU HAVE GOOD EMPLOYEES LIKE WE HAVE GOOD CITIZENS OUT THERE IN THE COMMUNITY. BUT INCLUDE THE COMMUNITY, THAT'S OUR CONSTITUTIONAL RIGHT. THAT'S WHY WE WENT TO WAR, MY DAD WAS IN WORLD WAR I. MY OLDER BROTHER LUCIO IN WARLORD WAR TWO, KOREAN AND VIETNAM VETERANS. WE FOUGHT TO THE RIGHT TO BE INCLUDED NOT TO BE EXCLUDED REMEMBER THAT, PLEASE. LUCIO CAN GO BACK WHEN HE BECOMES 18, HE REGISTERS TO VOTE, SAYING HEY GUS PENA THIS IS WHAT I LEARNED FROM YOU. GOD BLESS AMERICA, LET ME TELL YOU SOMETHING, I DON'T FEEL GOOD NOW. LISTEN AND LEARN. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. PENA. MS. GALE HAVE YOU SIGNED UP TO ADDRESS US.

YES, SIR. I'M TRYING TO SEE OWE.

WELCOME, 3 MINUTES.

THANK YOU, MAYOR WYNN. I WANT TO WISH EVERYBODY A HAPPY HOLIDAY. THIS COMING MONDAY WE CELEBRATE MARTIN LUTHER KING, JR. DAY. 9:00 AT THE CAPITOL WE WILL MARCH TO HUSTON TILLOTSON. WE GET A BRAND NEW CITY MANAGER TODAY. THIS CITY COUNCIL IS THE SOUL AUTHORITY TO CHOOSE THAT CITY MANAGER. I HOPE YOU CHOSE WELL. I LIKE JELYNNE BURRLY, SHE'S DONE MIRACULOUS THINGS DOWN IN THE CITY OF SAN ANTONIO, SHE WOULD HAVE DONE WELL IN THE CITY OF SAN ANTONIO. MARC OTT WOULD HAVE BEEN A GOOD FACE. ACTUALLY MEETING AND REACHING OUT WITH THE PEOPLE ONCE HE'S -- HE'S SELECTED HE WILL BE ABLE TO DO. SO BUT IT WOULD HAVE BEEN NICE IF WE HAD A CO CITY MANAGER. WITH ONE HAVING THE SOLE AUTHORITY AS CHIEF EXECUTIVE OFFICER. WE CAN'T DO THAT. I DON'T APPRECIATE BEING REFERRED TO

AS STAKEHOLDERS. I DON'T WANT OUR NEW CITY MANAGER TO REFER TO US AS STAKEHOLDERS BECAUSE THE BUSINESS OF GOVERNMENT IS NOT BUSINESS. IT'S YOU AND ME. I THINK MARC OTT UNDERSTANDS THAT. IF EVERYONE COMES OUTS TO THE MARCH ON -- ON MONDAY, AT THE CAPITOL AT 9:00, WELCOME ABOARD, MARC OTT.

THANK YOU, JENNIFER. COUNCIL, THAT CONCLUDES THE TWO CITIZENS WHO WANTED TO GIVE US FEEDBACK. AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE. NAMING MARC OTT AS THE NEXT CITY MANAGER. AND ASKING THE CITY ATTORNEY TO MEET WITH ARCUS OUR SEARCH FIRM TO DRAFT UP THE LANGUAGE FOR THE FORMAL RESOLUTION THAT CAN BE PRESENTED TO US APPROPRIATELY IN CLOSED SESSION. SO A MOTION AND A SECOND ON THE TABLE. I WOULD LIKE TO CALL ON COLLEAGUES FOR ANY COMMENTS. WE WILL START BY -- IN OUR PLACE SEQUENCE AND CALL ON COUNCILMEMBER LEE LEFFINGWELL.

Leffingwell: THANK YOU, MAYOR, I WANT TO OFFER CONGRATULATIONS TO MR. OTT. YOU EMERGED FROM A VERY WELL QUALIFIED FIELD AS THE COUNCIL'S CHOICE. I'M VERY CONFIDENT. YOU HAVE MY FULL SUPPORT GOING AHEAD. I'M VERY CONFIDENT THAT YOU WILL BE ABLE TO MEET THE CHALLENGES THAT YOU WILL SURELY BE FACED WITH IN THE COMING MONTHS. I ALSO WANT TO RECOGNIZE ARCUS FOR BRINGING US SUCH A WELL QUALIFIED GROUP PEOPLE TO CHOOSE FROM AND FOR HELPING US ORGANIZE THIS PROCESS AND FINALLY I WANT TO COMMEND THE MAYOR FOR HIS LEADERSHIP THROUGHOUT THIS WHOLE PROCESS AND THE CONTACTS THAT HE'S MADE AND THE EFFORTS THAT HE'S MADE TO MAKE SURE THAT WE STAYED ON A TIME LINE AND IN A WELL ORGANIZED PROCESS. THANK YOU.

THANK YOU, COUNCILMEMBER. PLACE 2, COUNCILMEMBER MIKE MARTINEZ.

THANKS, MAYOR. WELL, WE TRIED TO KEEP IT A SECRET. FOR A FEW HOURS. BUT I THINK MAJOR APPLEWHITE IS GOING TO DO GREAT HERE AT U.T. [LAUGHTER] IN ALL SERIOUSNESS, MR. OTT, WELCOME TO THE CITY OF AUSTIN. YOUR SUCCESS IS OUR SUCCESS. YOUR FAILURE IS OUR FAILURE. WE ARE HEIR TO -- WE ARE HERE TO HELP YOU BE AS SUCCESSFUL AS YOU WANT TO BE. I LOOK FORWARD TO WORKING WITH YOU. CONGRATULATIONS.

COUNCILMEMBER KIM, PLACE 3.

I HAVE GREAT RESPECT FOR MY COLLEAGUES AND I APPRECIATE ALL OF THE HARD WORK THAT WE HAVE DONE IN THE ELECTION PROCESS. I'M ALSO EXTREMELY EXCITED ABOUT BRINGING MR. OTT ON BOARD. HE'S DONE A TREMENDOUS JOB IN FORT WORTH AND I AM SURE THAT HE WILL DO A TREMENDOUS JOB FOR US HERE IN AUSTIN. MR. OTT IS EXTREMELY TALENTED, I'M THRILLED ABOUT HAVING AN AFRICAN-AMERICAN CITY MANAGER, THE TIME FOR THIS IS LONG OVERDUE. I WILL NOT VOTE NO AGAINST SUCH A FINE CANDIDATE. HOWEVER, I CERTAINLY DO BELIEVE THERE HAS BEEN INADEQUATE

PUBLIC INPUT IN THE PROCESS, THE PUBLIC DESERVES TO HAVE THE OPPORTUNITY TO BE MORE INVOLVED IN THE DECISION THAT WILL HAVE SUCH A MAJOR IMPACT ON THIS CITY. IT IS BECAUSE OF THIS LACK OF PROCESS THAT I MUST IN GOOD CONSCIOUS ABSTAIN FROM TODAY'S VOTE. [APPLAUSE]

THANK YOU, COUNCILMEMBER. MAYOR PRO TEM, PLAYS 4, BETTY DUNKERLY.

I WANT TO TAKE THIS TIME TO WELCOME MARC OTT AND HIS FAMILY TO OUR COMMUNITY. I WAS REALLY VERY PROUD TO SUPPORT OURYOUR CANDIDACY. I THINK YOU ARE VERY WELL QUALIFIED FOR THIS POSITION. I THINK THE STAFF AND THE COMMUNITY WILL REAP THE BENEFITS OF A LOT OF HARD WORK THAT YOU HAVE DONE IN THE PAST. I ALMOST THINK YOUR WARM AND OPEN AND OUTGOING PERSONALITY WILL SERVE YOU WELL IN THIS COMMUNITY AND I THINK FROM JUST VISITING WITH YOU THAT YOU ARE GOING TO BE OPEN TO ALL PARTS OF OUR COMMUNITY AND LISTEN TO THEIR CONCERNS. I THINK LISTENING THE ONE WORD IF I HAD TO DESCRIBE YOU IS ONE WORD THAT YOU DO VERY WELL. SO THANK YOU AND WELCOME.

PLACE 5, COUNCILMEMBER MCCRACKEN.

WE HAVE A UNIFIED COUNCIL ABOUT HOW EXCITED I AND MY COLLEAGUES ARE, MARC, TO HAVE YOU AS OUR NEXT CITY MANAGER. ONE OF THE THINGS THAT WE HAVE ALL LEARNED THAT THE COMIEWNTD HAS ALREADY SEEN ALSO IS THAT MARC OTT IS A MAJOR FIGURE IN TEXAS IN PARTICULAR ON TRANSPORTATION AND LAND USE ISSUES. HE'S GOING TO BRING SOME REALLY DYNAMIC EXPERIENCES AND THINKING AS WE LOOK TO -- TO EXPANSION OF OUR RAIL TRANSIT SYSTEM. AND OF THE LAND USE CHANGES THAT WE HAVE BEEN EMBARKING ON TO IMPLEMENT ENVISION CENTRAL TEXAS. I THINK ALSO WHAT THE COMMUNITY HAS ALREADY SEEN IS THAT MARC OTT HAS THE TEMPERAMENT OF A GREAT LEADER, SOMEONE WHO CAN UNIFY NOT JUST THIS ORGANIZATION AND THIS COUNCIL BUT THIS COMMUNITY. I AM INCREDIBLY EXCITED, GOD SPEED, MAN, YOU ARE GETTING A TASTE OF IT ALREADY. WE ARE EXCITED FOR YOU. [LAUGHTER] COUNCILMEMBER COLE, PLACE 6.

IT IS A CHANGE, IT IS A HISTORIC AND IN THE WORDS OF THE OLD NEGRO GOSPEL, IT IS A HAPPY DAY. I CANNOT TELL YOU HOW ECSTATIC THIS ENTIRE COMMUNITY IS TO HAVE YOU, INCLUDING THE AFRICAN-AMERICAN COMMUNITY AND IT PLEASES ME TO TELL YOU THAT THIS -- THIS COUNCIL HAS -- UNANIMOUS SUPPORT HYPED YOU BEHIND YOU AS YOU TRANSITION INTO OUR WORLD CLASS AND SOMETIMES A LITTLE WEIRD CITY. SO IT'S WITH OPEN ARMS THAT I WELCOME YOU AND YOUR FAMILY TO AUSTIN.

Mayor Wynn: THANK YOU, COUNCILMEMBER.

I WOULD JUST LIKE TO CONCLUDE OUR COMMENTS WITH A QUICK LITTLE SORT OF HISTORY LESSON. IT WAS LAST SUMMER CURRENT CITY MANAGER TOBY FUTRELL TOLD US THAT SHE WAS PLANNING TO RETIRE IN THE -- IN THE SPRING OF THIS YEAR. DOING US A VERY

BIG FAVOR, GIVING US FRANKLY THAT NOTICE AND THE ABILITY FOR US TO GO FIND A PERMANENT REPLACEMENT PRIOR TO HER STEPPING DOWN. SHE CONTINUED TO SHOW A LOT OF FLEXIBILITY THROUGHOUT THAT PROCESS THAT WE TALKED ABOUT, THOUGHT THROUGH, TIMING. BY LATE SUMMER, SEPTEMBER, WE HAD -- WE HAD AS A COUNCIL HAD MET FACE-TO-FACE WITH THE FOUR OR FIVE SEARCH FIRMS THAT DO THIS FOR A LIVING. THERE'S JUST A HANDFUL OF FIRMS THAT REALLY HAVE PROBABLY PLACED VIRTUALLY EVERY SINGLE CITY MANAGER IN THIS COUNTRY. AND IN INTERVIEWING THEM, WE LEARNED A LOT. WE ASKED ALL OF THEM WHAT IS A GOOD PROCESS? HOW LONG SHOULD THIS TAKE? HOW MUCH SHOULD THIS COST? THERE'S A REMARKABLE CONSENSUS AMONGST THE COMPETING SEARCH FIRMS ABOUT A 75 TO 90 DAY PROCESS, ABOUT A 20 TO \$25,000 FEE. AND JUST AS IMPORTANTLY, ABOUT THE NEED FOR -- FOR US AS A COUNCIL TO -- TO ESTABLISH PARAMETERS IN ADVANCE, MAKE SURE THOSE ARE KNOWN TO -- TO THE UNIVERSE AND TRY TO STICK TO THOSE -- THOSE PARAMETERS, BOTH ON TIMING, AND ON PROCESS. BECAUSE OUR GOAL, OF COURSE, WAS TO ATTRACT THE MOST QUALIFIED FIELD THAT WE COULD. WE KNEW THAT WE HAD SOME VERY QUALIFIED PEOPLE IN HOUSE. BUT WE ALSO WANTED TO SEE THE REST OF THE UNIVERSE OF POTENTIAL CANDIDATES. AND EARLY ON FROM THE VERY FIRST THING WE DID, OF COURSE, WAS TO THEN ASK FOR PUBLIC FEEDBACK AND COMMENT ABOUT A PROFILE, WHAT SHOULD THIS NEXT CITY MANAGER HAVE -- WHO SHOULD THEY BE? WHAT SHOULD BE THE SKILL SETS? AND WE CONDUCTED A PUBLIC HEARINGS HERE IN THIS ROOM. THEN IN ADDITION TO THE COMMENTS THAT WE GOT FROM THE PUBLIC ASKING FOR THAT PROFILE, WE ACTUALLY WENT OUT AND THEN HAD OUR SEARCH FIRM MEET WITH FOLKS IN THE COMMUNITY TO GET ADDITIONAL FEEDBACK. GO SOLICIT SOME ADDITIONAL FEEDBACK ABOUT THAT PROFILE. ONCE WE HAD THAT, THEN ARCUS DID THEIR VERY FINE JOB OF LITERALLY CRIS-CROSSING THIS COUNTRY, MOSTLY WITH IPHONES, I EXPECT. TO CREATE THAT FIELD -- BY CELL PHONES TO CREATE THAT FIELD. THEY DELIVERED IN MY OPINION A VERY, VERY QUALIFIED FIELD OF CANDIDATES THAT WE WERE ABLE TO GO THROUGH A SEMIFINALIST AND NOW A FINALIST LIST. INITIALLY THE SCHEDULE WAS TO TRY TO GET THIS DONE BY THE END OF THIS PAST CALENDAR YEAR, GET IT DONE IN DECEMBER OF '07. THE THOUGHT PROCESS BEING THERE THAT OF COURSE OUR BUDGETS BEGAN IN JANUARY. THE BUDGET THAT WE VOTE ON STARTS BEING DRAFTED FROM THE BOTTOM UP THROUGH OUR DEPARTMENTS THIS MONTH. WE THOUGHT EVERYONE AGREED IT WOULD BE BETTER TO HAVE A NEW CITY MANAGER PART OF THAT PROCESS HAVING INPUT AND CERTAINLY OVERSIGHT FRANKLY LEARNING A LOT ABOUT THE ORGANIZATION IF THEY COME FROM THE OUTSIDE. EVERYONE KNOWS WE ARE ABOUT TO BEGIN SIGNIFICANT LABOR NEGOTIATIONS AND WE WANTED TO HAVE THE NEW CITY MANAGER ON BOARD FOR THAT LENGTHY AND IMPORTANT PROCESS AND WE LIKED THE IDEA OF GOABILITY THIS -- GETTING THIS VERY IMPORTANT DECISION DONE BEFORE FRANKLY CITY COUNCIL ELECTIONS STARTED IN EARNEST. HERE VERY SOON. WE OF COURSE HAVE THREE PLACES IN THE BALLOT IN MAY OF THIS YEAR. WE THOUGHT IT'S VERY IMPORTANT THAT THIS BE A VERY DISCIPLINED PROCESS, FRANKLY NOT HAVE IT BE POLITICIZED BECAUSE THIS IS FUNDAMENTALLY THE MOST IMPORTANT DECISION THAT COUNCIL'S MAKE

IN OUR FORM OF GOVERNMENT. I'M VERY PROUD OF MY COLLEAGUES FRANKLY FOR THE DISPRINT THAT WE SHOWED TO STAY WITHIN THAT TIME LINE. TO STAY WITHIN THAT PROVIDES. FUNDAMENTALLY THE PROOF IS IN THE PUDDING WITH THE CANDIDATE THAT WE NOW HAVE A MOTION AND A SECOND ON THE TABLE TO -- TO NAME MARC OTT AS OUR NEXT CITY MANAGER. SO WITH THAT, WITHOUT ANY FURTHER COMMENTS, ALL IN FAVOR PLEASE SAY AYE.

AYE.

AYE.

OPPOSED? WE WILL NOTE COUNCILMEMBER KIM'S ABSTENTION. SO FOLKS WITH THAT, I WOULD LIKE TO INTRODUCE, WELCOME AND ASK YOU TO PLEASE JOIN ME IN WELCOMING OUR NEXT CITY MANAGER, MR. MARC OTT. [APPLAUSE]

WELL, GOOD MORNING, EVERYONE.

GOOD MORNING MAYOR AND COUNCILMEMBERS. AS I CONTEMPLATED THE PROSPECT OF BECOMING THE CITY MANAGER FOR AUSTIN, I THOUGHT TO MYSELF THAT PRIVILEGE -- IF THAT PRIVILEGE ACTUALLY OCCURRED FOR ME, I WONDERED HOW I WOULD FEEL AT THIS EXACT MOMENT. I WONDERED WOULD I BE NERVOUS. JUST WHAT IT WOULD FEEL LIKE. I CAN TELL YOU THAT RIGHT NOW AT THIS MOMENT I FEEL CALM. I KNOW THAT MIGHT SURPRISE YOU. BUT I FEEL CALM. THE CALMNESS THAT I FEEL HAS EVERYTHING TO DO WITH HOW I'VE BEEN RECEIVED FROM THE VERY FIRST TIME THAT I CAME TO YOUR GREAT CITY. THE CALMNESS HAS TO DO WITH THE WAY THAT I HAVE BEEN TREATED BY THIS MAYOR AND THESE COUNCILMEMBERS. THEY HAVE DONE EVERYTHING THAT ANYONE CAN DO TO MAKE SOMEONE LIKE ME FEEL COMFORTABLE AND PARTICULARLY IN THE CIRCUMSTANCES BY WHICH WE ENCOUNTERED EACH OTHER. SO I CERTAINLY STAND HERE TODAY TO EXTEND MY HEARTFELT APPRECIATION AND GRATITUDE FOR EACH OF YOU FOR YOUR THOUGHTFUL AND DELIBERATE CONSIDERATION OF ALL OF THE CANDIDATES, BUT CERTAINLY IN REGARD TO YOUR FINAL DECISION IN SELECTING ME TO BE YOUR NEXT CITY MANAGER. I CAN'T TELL YOU HOW EXCITED AND PROUD AND PRIVILEGED THAT I FEEL TO HAVE THAT OPPORTUNITY TO PROVIDE LEADERSHIP ON YOUR BEHALF AND ON BEHALF OF THE EMPLOYEES AND ON BEHALF OF THE PEOPLE IN THIS ROOM AND ALL OF THE PEOPLE THAT LIVE HERE IN THE GREAT CITY OF AUSTIN. THIS IS YOUR CITY AND I'M PRIVILEGED TO - - TO BE PART OF THAT ALONG WITH MY FAMILY, WHO ARE SITTING IN THE FRONT ROW. THEY MAKE IT POSSIBLE FOR ME TO BE HERE, TO BE STANDING HERE TODAY. THEY MAKE IT POSSIBLE FOR ME TO DO ALL OF THE THINGS THAT I DO IN MY LIFE. CERTAINLY PROFESSIONALLY, BUT ALSO PERSONALLY AS WELL. I WILL HAVE BEEN MARRIED 10 YEARS HERE PRETTY SOON TO A WONDERFUL, WONDERFUL LADY WHO SNATCHED ME UP AT A TIME WHEN I THOUGHT THAT I WAS A CONFIRMED BACHELOR. BUT MY WIFE HAD -- MY WIFE HAD OTHER IDEAS AND I THANK GOD EVERY DAY THAT SHE DID. LADIES AND GENTLEMEN LET ME INTRODUCE MY WONDERFUL WIFE, WHOM I LOVE DEARLY, PAMELA OTT, WOULD

YOU STAND PLEASE. [APPLAUSE] AND OF COURSE PAM AND I HAVE BEEN BLESSED WITH TWO WONDERFUL, WONDERFUL KIDS. I DIDN'T -- BACK THEN WHEN I WAS A BACHELOR I DIDN'T EVEN THINK THAT I WAS GOING TO BE PRIVILEGED TO BE A DAD. I CAN TELL YOU THAT BEING A HUSBAND AND A FATHER IT DOESN'T GET MUCH BETTER THAN THAT, PLEASE I WOULD LIKE TO HAVE MY DAUGHTER CARLY STAND AND MY SON, IF YOU WILL GABRIEL, PLEASE STAND UP SO THE FOLKS CAN WELCOME YOU. PLEASE STAND. COME ON. [APPLAUSE] I LOVE YOU ALL VERY, VERY MUCH. I REALLY APPRECIATE YOU GETTING UP, RIGHT AROUND THE TIME THAT YOU WERE ABOUT TO GO TO BED LAST NIGHT TO -- TO PACK UP AND GET IN THE CAR AND COME HERE AND BE WITH ME. THAT'S VERY IMPORTANT TO ME THAT YOU ARE HERE TODAY AND I LOVE YOU FOR IT. THANK YOU. YOU KNOW THERE'S A FIRST TIME FOR EVERYTHING, I WAS STRUCK BY COUNCILMEMBER COLE'S COMMENTS ABOUT -- ABOUT THE FIRST AFRICAN-AMERICAN CITY MANAGER AND I CERTAINLY UNDERSTAND THE SIGNIFICANCE OF THAT. THERE ALWAYS HAS TO BE A FIRST IN ORDER FOR THERE TO BE A SECOND. I UNDERSTAND THAT AND I UNDERSTAND THE RESPONSIBILITY THAT COMES WITH THAT. AND I CERTAINLY INTEND TO STAND VERY TALL IN THAT REGARD, I JUST WANTED TO ACKNOWLEDGE THOSE COMMENTS BY YOU IN PARTICULAR WHILE I STAND HERE TODAY. I'VE HAD THE OPPORTUNITY OVER THE GOOD NUMBER OF WEEKS TO BOTH -- BOTH WRITE ABOUT MY PERSPECTIVES AS A PUBLIC SERVICE SPEAKER, ABOUT MY PERSPECTIVE AS A PUBLIC ADMINISTRATOR BOTH IN WRITING AND IN A VARIETY OF SPEAKING OPPORTUNITIES. AND I CAN TELL YOU THAT MY COMMITMENT TO PUBLIC SERVICE WAS FOUNDED A GOOD NUMBER OF YEARS AGO WHEN I WAS LEAVING, DOING MY LAST SEMESTER OF GRAD SCHOOL. IT WAS DURING THAT PERIOD OF TIME THAT I REALLY REALIZED THE PROFOUND IMPORTANCE OF -- OF WHAT WE DO HERE AT THE LOCAL GOVERNMENT LEVEL AND AS I SAID THE OTHER DAY AT THE CITIZENS FORUM, WHAT WE DO IS WE -- WE EFFECT THE EVERYDAY LIVES OF THE PEOPLE THAT -- THAT LIVE IN -- LIVE IN OUR CITIES IN OUR COMMUNITIES. WE DO THAT FROM THE TIME WE GET UP UNTIL THE TIME THAT YOU GO TO SLEEP AT NIGHT AND IT OCCURRED TO ME WAY BACK THEN THAT -- THAT THERE WAS NOTHING MORE IMPORTANT THAN THAT AS FAR AS I WAS CONCERNED. THAT I WANTED TO BE A PART OF IMPACTING IN THE MOST POSITIVE WAY THE QUALITY OF LIFE THAT PEOPLE ENJOY. SO -- SO I HAVE BEEN ON A MISSION NOW FOR SOME 26 YEARS AND -- AND IN THOSE EARLY DAYS I DECIDED THAT AFTER A TIME THAT I WOULD CHOOSE TO -- TO SEEK TO -- TO BECOME PART OF AND DO MY BEST TO PROVIDE LEADERSHIP FOR A PREMIER CITY IN AMERICA AROUND AND HERE I STAND TODAY. IN JUST THAT SET OF CIRCUMSTANCES. I DON'T STAND HERE BY ACCIDENT. BY LUCK OF THE DRAW. I STAND HERE BECAUSE I SET OUT ON A MISSION, SOME 26 YEARS AGO, TO BE HERE AND -- AND I HAD -- OVER THE YEARS, AS I'VE EXPERIENCED A VARIETY OF DIFFERENT CITIES AND GOVERNANCE CIRCUMSTANCES, I HAVE DISCOVERED A COUPLE OF THINGS THAT I THINK ARE -- ARE ABSOLUTELY TRUE, THAT BEING IN THIS POSITION IN THIS ROLE IS ALL ABOUT -- ABOUT LEADERSHIP. NOT JUST ANY KIND OF LEADERSHIP, THOUGH. I'M TALKING ABOUT INSIGHTFUL LEADERSHIP. I'M TALKING ABOUT INFORMED LEADERSHIP. I'M TALKING ABOUT PASSIONATE LEADERSHIP, INSPIRED LEADERSHIP. THOSE ARE THE THINGS THAT I'VE ACCUMULATED OVER THE PAST 26 YEARS AND SO I STAND HERE

TODAY AFTER HAVING BEEN IN ALL OF THOSE OTHER PLACES AND EXPERIENCED ALL OF THOSE THINGS, READY TO TAKE ALL OF THAT THAT I'VE LEARNED PROFESSIONALLY, WHAT I'VE EXPERIENCED IN LIFE OVER THE COURSE OF 51 YEARS AND APPLY THAT HERE. AT THIS TIME. IN THIS PLACE. IN THIS GREAT CITY OF AUSTIN. AND MY PURPOSE, ALONG WITH ALL OF YOU AND ALONG WITH THESE FOLKS, THIS HONORABLE BODY HERE IS TO TAKE A GREAT CITY AND MAKE IT EVEN GREATER. TO HAVE IT BECOME KNOWN AND RECOGNIZED AS THE ABSOLUTE BEST MANAGED CITY IN THE ENTIRE COUNTRY. THAT'S MY FOCUS AND I WILL BRING ALL OF THE THINGS THAT YOU HAVE HEARD ME TALK ABOUT PASSIONATELY, INFORMED LEADERSHIP, INSIGHTFUL. UNDERSTAND I'M REALLY PLEASED AND HONORED TO BE STANDING HERE TODAY. I WOULD BE REMISS IF I DIDN'T ACKNOWLEDGE A FEW OTHER PEOPLE. I WANT TO ACKNOWLEDGE JELNNE BURLEY FROM SAN ANTONIO WHO AS YOU KNOW AS A CANDIDATE FOR THIS POSITION. A VERY FINE PUBLIC ADMINISTRATOR. I WANT TO ACKNOWLEDGE HER. I CERTAINLY WANT TO ACKNOWLEDGE LAURA HOFFMAN AND RUDY GARZA, TWO FINE PUBLIC ADMINISTRATORS AND PUBLIC MANAGERS, I WANT TO ACKNOWLEDGE THEM AND LET THEM KNOW AS I STAND HERE THAT I CERTAINLY LOOK FORWARD TO WORKING WITH YOU IN THE DAYS AHEAD. I CERTAINLY WANT TO ACKNOWLEDGE ALL OF THE CITY EMPLOYEES, SOME 12,000 EMPLOYEES, I HAVE HEARD GREAT, GREAT THINGS ABOUT YOU AND I'M EXCITED ABOUT HAVING THE OPPORTUNITY TO WORK WITH YOU AND BELIEVE IT OR NOT, AT ONE POINT OR ANOTHER, OVER TIME, I'M GOING TO TRY TO -- IN SOME WAY TO TOUCH ALL OF YOU. I KNOW THAT SOUNDS LIKE A DAUNTING TASK, BUT I'M GOING TO TRY TO DO IT ANYWAY. SO MAYOR AND COUNCIL, AGAIN I THANK YOU. I'M VERY, VERY PROUD AND HUMBLLED TO BE STANDING HERE TODAY. POISED TO BEGIN IN THE VERY NEAR FUTURE AS SERVING AS YOUR NEXT CITY MANAGER. THANK YOU VERY, VERY MUCH. [APPLAUSE]

Mayor Wynn: MARC, THANK YOU AGAIN, TECHNICALLY WHAT WE HAVE JUST VOTED ON, WE HAVE NAMED MARC OTT AS THE NEXT CITY MANAGER BUT ALSO DIRECTED THE CITY ATTORNEY TO MEET WITH ARCUS RIGHT NOW AND DRAFT UP THE LANGUAGE FOR THE FORMAL RESOLUTION THAT IN A FEW MINUTES I THINK THAT WE'LL BE ABLE TO TAKE UP IN CLOSED SESSION AND COME BACK RELATIVELY SHORT ORDER, WE BELIEVE, TO TAKE ACTION ON THE RESOLUTION ABOUT THE SALARY BENEFITS, ET CETERA. SO -- SO -- WHILE I'M ABOUT TO ANNOUNCE THAT WE'LL GO INTO CLOSED SESSION. WHILE WE DO THAT, I BELIEVE THAT MARC HAS BEEN INVITED TO GO INTO THE MEDIA ROOM, CERTAINLY WILL BE AVAILABLE FOR THE MEDIA AND THE PUBLIC WHILE WE'RE IN CLOSED SESSION. SO WITHOUT OBJECTION, WHILE MARC GOES INTO THE MEDIA ROOM, PURSUANT TO SECTION 551.074 OF THE OPEN MEETINGS ACT, AND/OR PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT, WE ARE NOW IN CLOSED SESSION TO TAKE UP EITHER PERSONNEL AND/OR LEGAL ISSUES RELATED TO THE SEARCH OF A NEW CITY MANAGER. I ANTICIPATE THAT TAKING, YOU KNOW, THE -- CERTAINLY THE REST OF THIS MORNING. AND AT SOME POINT MIDDAY EARLY AFTERNOON WE MIGHT BE ABLE TO TAKE ACTION IF THAT'S THE COUNCIL'S WILL. WE ARE NOW IN CLOSED SESSION, THANK YOU.

OF.

A&M. YOU.

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Wynn: WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP ITEM NUMBER 27, THE CONTINUED PERSONNEL MATTERS RELATED TO THE NEW CITY MANAGER, THAT BEING THE RESOLUTION THAT WILL OUTLINE THE COMPENSATION AND BENEFITS PACKAGE. WE HAVE NOT QUITE COMPLETE THAT HAD WORK. WE'LL GO BACK INTO CLOSED SESSION DO THAT SHORTLY. BUT WE'RE NOW OUT IN OPEN SESSION FOR OUR NOON CITIZEN COMMUNICATION. OUR FIRST SPEAKER THIS AFTERNOON IS JOHN BOLTON. WELCOME. YOU WILL HAVE THREE MINUTES TO BE FOLLOWED BY ROBERT HAGEMAN.

MAYOR AND CITY COUNCILMEMBERS, I WAS HERE A COUNSELOR OF MONTHS AGO DISCUSSING ILLEGAL DUPLEX OPERATIONS IN SINGLE-FAMILY ZONING. IF YOU MIGHT REMEMBER, I GAVE YOU A FLOOR PLAN AFTER FIVE-PLEX AROUND A SINGLE-FAMILY HOME THAT CURRENT CITY ZONING POLICY ALLOWS AS LEGAL. NOW, I DID MEET AFTER THAT WITH ROBERT LEVINSKY AND WE DISCUSSED THESE ISSUES AND I WAS LEFT OUT OF THE LOOP WITH THAT AND I'M INCREASINGLY FRUSTRATED WITH THE LACK OF ENFORCEMENT FOR WHAT'S TAKING PLACE. THAT'S WHY I'M BACK. I WANT TO KEEP THIS IN THE FOREFRONT FOR ME BECAUSE I'VE BEEN DEALING WITH THIS FOR MANY YEARS IN MY NEIGHBORHOOD. I'M AGAIN FRUSTRATED BY THE FAILURE TO ENFORCE THE OBVIOUS ZONING INFRACTIONS, WHERE CITY ORDINANCES DEFINE A DWELLING, THEY ALSO DEFINE THE NUMBER OF DWELLINGS ON A SINGLE-FAMILY LOT. AND CITY ORDINANCE DOES NOT SUPPORT THE EXISTING OFFICIAL POLICY THAT ASSISTS THE HOMEOWNERS IN HAVING A LEGAL ACCESS DOOR. SO I JUST BROUGHT ONE OF MANY TYPICAL ZONING ENFORCEMENT INSPECTION REPORTS FOR YOU TO LOOK AT. I DIDN'T HAVE ENOUGH PHOTOGRAPHS AND I APOLOGIZE FOR THAT FOR SAYING THE STREET VIEW OF THE ZONING SNNGS. BY THE WAY, THERE ARE SIX DUPLEXES IN MY NEIGHBORHOOD IN A NEIGHBORHOOD OF 32 HOMES. SO ALMOST 30% OF THE HOMES HAVE BEEN CONVERTED TO DUPLEXES. THE ZONING INSPECTION FINDS TWO DIFFERENT FRONT DOORS, ITEM TWO STATES THE HOMEOWNER STATES THEY'VE BEEN INSPECTED PREVIOUSLY FOR THE SAME VIOLATION. THEY HAVE AN ACCESS DOOR AND THEY'RE LEGAL EVEN THOUGH THE PREVIOUS INVESTIGATIONS FOUND BOTH ACCESS DOORS LOCKED. THIS HONE OTHER ITEM NUMBER 3 ADMITTED OPERATING A RENTAL APARTMENT BY FAX AGRICULTURE PETITION FROM ALL OF THE OTHER DUPLEX OWNERS THE NEIGHBOR STATING THAT THEY DIDN'T OBJECT TO HIM HAVING AN APARTMENT. HE'S ADMITTING HE HAS A SECOND DWELLING BY SENDING THAT FAX. THE ZONING INSPECTION AGAIN FINDS MULTIPLE LOCKS ON THE DOORS. THE HOMEOWNER IN ITEM 5 ON THE SECOND PAGE STATES AFTER BEING CAUGHT FOR THE SEC TIME THAT HE WILL REMOVE THE LOCK. THE ZONING -- WHAT HAPPENS IN PRACTICE IS THE ZONING ENFORCEMENT THEN MAKES AN APPOINTMENT THREE WEEKS FROM THAT DATE TO COME BACK ON MONDAY MORNING, FOR EXAMPLE, 8:00 AM WE'LL LOOK AT THOSE DOORS

AGAIN. THEY HAVE THREE WEEKS TO TAKE OFF THE LOCKS. ZONING ENFORCEMENT LOOKS AT IT. THEY LEAVE, THEY SAY YOU'RE NOW IN COMPLIANCE. THEY LEAVE, PUT THE LOCKS BACK ON. TELL ME AS THE COMPLAINING NEIGHBOR, IF I SUSPECT THE LOCKS ARE BACK ON, YOU JUST CALL US AND WE'LL INSPECT IT AGAIN. THIS HAS GONE ON FOR YEARS. THEY PUT THE LOCKS BACK ON. AND MY POINT IS WE NEED TO DO SOMETHING ABOUT TAKING ONE OF THE ELEMENTS OUT OF THESE APARTMENTS. YOU NEED TO TAKE OUT THE KITCHEN, THE BAT ROOM OR THE SLEEPING. THAT IS THE DEFINITION OF A DWELLING. WE WANT TO SEE THE KITCHENS GONE TO THE HOMEOWNERS THEN HAVE AN APARTMENT WITH A SLEEPING AND BATHROOM AND THAT'S FINE. THEY CAN RENT THAT AS LONG AS THEY DON'T HAVE THE KITCHEN. AND THEY WANT TO COOK THEY HAVE TO THEN INTERACT WITH THE HOMEOWNER. AND WHAT I'D LIKE TO DO IS FIND SOMEBODY I CAN TALK TO FURTHER TO EXPLORE THIS. I TALKED TO MARIE SAND VALUE FOR EXAMPLE AND SHE'S BEEN IN -- YET I STILL WOULD LIKE TO STALK TALK TO OTHER CITY ATTORNEYS AND OTHER PEOPLE FOLLOWING THIS TO EXPLORE. THAT'S THE CASE.

MR. GARZA.

WE DO HAVE STAFF HERE, JASON AND MARIE AND DEPOSIT RA THOMAS -- DEBRA THOMAS. THEY'LL MEET NEW THE BACK AND YOU CAN HAVE A FURTHER DISCUSSION.

OKAY. I WANT SOMEBODY AGAIN. I COME BACK EVERY MONTH OR SO TO TALK ABOUT THIS.

Mayor Wynn: AGREED. I HOPE WE DON'T HAVE TO DO THAT, JOHN. THE NEXT SPEAKER IS ROBERT. WELCOME BACK. TO BE FOLLOWED BY DON WILLIAMSON. MAYOR AND COUNCIL, MY NAME IS ROBERT HAGEMAN. I WAS HERE ABOUT TWO MONTHS AGO WITH COMMENTS REGARDING THE RASH OF BREAK-INS FOR CARS WE'VE HAD AT OUR CONDOMINIUM PROJECT WHICH IS LOCATED AT 807 EAST 14TH STREET DIRECTLY ACROSS THE HIGHWAY FROM BRACKENRIDGE. IT'S A COMMUNITY OF 18 CONDOMINIUMS AND WE HAVE A NEIGHBORHOOD THERE, SWEED HILL NEIGHBORHOOD, WHICH IS AN OLDER NEIGHBORHOOD. AT THAT TIME, WHICH IS ABOUT TWO MONTHS AGO, WE HAD HAD 11 CARS THAT HAD BEEN BROKEN INTO. NOT ALL AT ONCE, BUT JUST EVERY WEEK OR TWO WEEKS OR SO CARS ARE BROKEN INTO. AND THE RESPONSE FROM A.P.D. AT THAT TIME TO OUR PLIGHT HAD BEEN APPEAR PATHETIC, INDIFFERENT AND SORT OF WITH AN AT TIEW. AND COMMUNICATION WITH A.P.D. HAD BEEN ONE WAY AND OUR LITTLE COMMUNITY WAS UNRAVELLING WITH FEAR AND I ASKED FOR HELP. IMMEDIATELY AFTER MY COMMENTS THAT DAY, TWO ASSISTANT PLISD CHIEFS WERE -- POLICE CHIEFS WERE HERE AND THEY CAME OVER TO TALK TO ME AND WE EXCHANGED IDEAS. THEY SAID THEY WERE GOING TO TRY TO HELP PROTECT US AND WE'LL KEEL IN CONTACT. SINCE THAT DAY WE'VE HAD SIX MORE CARS BROKEN INTO AT THAT VERY SAME SPOT AND THERE HAVE BEEN ZERO COMMUNICATIONS WITH A.P.D. WITH US, WITH ANY OF US. AFTER THE LAST ROUND OF BREAK-INS I CALLED THE NORMAL SERGEANTS, DETECTIVES, LIEUTENANTS AND I GOT NO RESPONSE FROM ANY OF THOSE FOLKS. I CALLED ONE OF THE ASSISTANT POLICE CHIEFS IN DESPERATION DOWNTOWN. I THINK IT WAS A MAN NAMED HOLT. I DIDN'T MEET THE

FELLOW. I TOLD HIM ABOUT OUR TROUBLES. HE SAID THAT THE INCREASED BREAK-INS WERE INDIRECTLY CAUSED BY THE TEXAS LEGISLATURE, AND I ALMOST FELL OUT OF MY CHAIR. AND HE WENT ON TO SAY THAT SINCE BREAKING INTO CARS WAS NOT A JAIL OFFENSE THAT THE CROOKS COULD GET OUT OF JAIL WITH JUST A FINE. THAT THERE WAS LITTLE INCENTIVE FOR THE POLICE TO GO OUT THERE AND GRAB THESE FOLKS BECAUSE THEY WOULD JUST AN REVOLVING DOOR DEAL. EFFECTIVELY SAYING THAT THIS TYPE OF CRIME WASN'T REALLY A PRIORITY WITH THAT GROUP, WITH THEIR RANK AND FILE THERE. SINCE THEN WE'VE HAD TO INSTALL A CAGE AROUND OUR CONDOMINIUM PROJECT AT A COST OF OVER \$20,000. MY QUESTION TO YOU TODAY IS WHO AT THE CITY OVERSEES THE POLICE DEPARTMENT AND REVIEWS THEIR EFFECTIVELY EFFECTIVELY? SO FAR IT'S CROOKS 17, POLICE ZERO AT OUR PLACE. AND THAT'S REALLY PRETTY POOR. I'VE BEEN AROUND THE BLOCK HERE A LONG TIME AND I'VE RUN MANY BUSINESSES. TO ME IT SEEM LIKE THERE MAY BE TOO MANY COACHES THERE OVER AND NOT TOO MANY PLAYERS. THE POLICE GUYS ON THE STREET SEEM TO BE NICE AND WANT TO DO THE JOB, BUT I'M NOT SURE THEY'RE BEING DIRECTED BY MANAGEMENT TO MAKE THE BREAK-IN STUFF A PRIORITY. WITH THE HUGE BUDGET THAT THEY HAVE, AND I SAW IN THE PAPER THE OTHER DAY AFS 3 OR 400, \$500 MILLION, IT WAS A HUGE AMOUNT OF MONEY, YOU WOULD THINK THEY COULD HANDLE THIS TYPE OF COMMON CRIME. [BUZZER SOUNDS] THE SLOGANS THAT I'VE SEEN ON THE CARS IN THE PAST SAYS TO PROTECT AND SERVE. I'M NOT SURE WHO THEY'RE PROTECTING AND WHO THEY'RE SEVENNING FKT MAYBE THERE'S SOME PART OF THE COMMUNITY THEY'RE DOING REALLY GOOD IN, BUT IT SEEM LIKE IN THE DOWNTOWN AREA AND SO MANY PEOPLE I'VE TALKED TO HAVE HAD EXPERIENCE WATER AND WASTEWATER BREAK-INS. THEY KNOW SOMEBODY WHO WAS BROKEN INTO. I'M NOT SURE WHO THEY'RE PROTECTING. I'M ASKING YOU TODAY TO PLEASE HELP US. THIS IS NOT GOING AWAY AND IT'S GETTING WORSE. THANK YOU.

Mayor Wynn: THANK YOU. I SEE COMMANDER GAMBLE IS HERE. PERHAPS IF HE COULD COME FORWARD AND GIVE US SOME ENCOURAGEMENT.

GOOD AFTERNOON, COUNCIL. I'M ASSISTANT POLICE CHIEF PAUL HOLDER. THIS IS COMMANDER GAMBLE OVER EAST I-35. I DID HAVE A CONVERSATION WITH MR.HAGEMAN AND HE GAVE YOU SOME BAD INFORMATION. NUMBER ONE, I DID NOT TELL HIM THAT THE RESULTS OR THAT THE BURGLARY THE RESULT OF THE TEXAS LEGISLATURE AND NEITHER DID I TELL HIM THAT BURGLARRED VEHICLES WAS NOT A JAILABLE OFFENSE. HE PASSED YOU BAD INFORMATION. WE'LL ALSO SHOW THAW FROM THE TIME THAT HE REQUESTED ASSISTANCE, THE AUSTIN POLICE DEPARTMENT HAS RESPONDED TO HIS REQUESTS SEVERAL TIME. WE HAVE HAD SEVERAL STUDIES DONE. AND WHERE HE CLAIMED THAT HE HA HAD OVER NINE OR SO BURGLARRED VEHICLES, AGAIN, HE'S NOT BEING TRUTHFUL. WE HAVE THE STATS HERE TO SHOW YOU EVERY TIME OUR TEAMS WENT OUT THERE, EVERY PATROL WE MADE AND THAT WE DID ANSWER HIS REQUESTS FOR HELP. SO IT'S MY UNDERSTANDING THAT MAYBE HE'S NOT SEEING THE BIG PICTURE, BUT WE HAVE DOCUMENTATION ON EVERY TIME OUR TEAM WENT OUT TO ASSIST HIM. I'LL LET COMMANDER GANL BELL GO OVER THE GAMES WE WENT OUT TO ASSIST HIM ON HIS

REQUESTS.

HELLO. I PUT THIS TOGETHER FAIRLY QUICKLY, ABOUT AN HOUR OOSMGHT I HAVE COPIES OF IT IF YOU WOULD LIKE. IT'S SOME OF THE THINGS THAT WE'VE DONE. I HAVE TALKED TO MR. HAGEMAN BEFORE AND HIS SON. I WILL HIS NAME IS MATT. I'VE REFERENCED THEIR REAL ESTATE PROPERTY, THEIR CONDO PROJECT. I HAD AN ADMINISTRATIVE ASSOCIATE PULL THE CALL LOAD STARTING LAST -- FROM AUGUST, THE CALLS TO HIS PROPERTY FROM AUGUST OF LAST YEAR THROUGH CURRENT. THERE'S FIVE REPORTED BURGLARY OF VEHICLES. THOSE WERE IN AUGUST, THROUGH AUGUST THROUGH DECEMBER THERE WERE FIVE. AND IT ALSO DOCUMENTS THE NUMBER OF DIRECT PATROLS. THERE'S 28 DIRECTED PATROLS ON HIS CALL RIS HIS TRY. THAT IS WHERE AN OFFICER GOES AND LOGS OUT ON HIS MOBILE DATA COMPUTER THAT THEY'RE OUT ON A DIRECTED PATROL. AND THAT DOESN'T INCLUDE THE ONES WHERE THEY ACTUALLY FILL OUT A DIRECTED PATROL, WHICH I HAD THEM TURN INTO ME. I JUST DIDN'T HAVE TIME TO COPY ALL OF THEM. IT WOULD BE ABOUT THIS THICK. SO WE'VE SPENT A LOT OF TIME OUT THERE. IN THE COMPUTER SYSTEM IS SHOWS 28 DIRECTED POLICIES. MOST OF THEM WERE FROM NOVEMBER OF THIS YEAR IS WHEN I GOT THE FIRST COMPLAINT. I HAVE A VERY BRIEF SUMMARY. IN SEPTEMBER OF '07 WE RECEIVED THE COMPLAINTS FROM THEM ABOUT THE BURGLARIES AT THEIR CONDO PROJECT. THERE IS A VERY DETAILED ED LETTER. I HAVE COPY FOR ALL OF YOU. BRIEFLY WHAT WE DID IS THE DISTRICT REPRESENTATIVE PROGRAM CALCULATED THE RESIDENTS -- CONTACTED THE RESIDENTS. THEY WENT OVER PERSONAL SAFETY AND SECURITY. THAT'S LIKE DON'T WALK IN THE DARK, THINGS LIKE THAT. WE BEGAN THE DIRECTED PATROL PROGRAM AT THE LOCATION, NOT JUST AT THE CONDO PROJECT, BUT IN THE NEIGHBORHOOD ITSELF. WE INCREASED PATROLS IN THE AREA. THAT WOULD BE JUST TO SHOW HIGH VISIBILITY AS A DETERRENT. WE CONDUCTED VEHICLE STINGS WHERE WE PUT A BAIT VEHICLE OUT THERE OR A VEHICLE THROUGHOUT WITH BAITED MERCHANDISE AND WE DIDN'T HAVE ANY LUCK. WE DID STILL WATCH WHERE THE REPRESENTATIVES WERE THERE AT NIGHT AND THEY DID A WATCH IN THE NEIGHBORHOOD. IT WAS PRETTY FRUITLESS. WE ALSO CONDUCTED A CRIME PREVENTION SURVEY OF THE PROPERTY AND THERE WERE QUITE A FEW RECOMMENDATIONS MADE. VERY BRIEFLY, IT'S EXTERIOR FENCING TO BE PLACED AROUND. INSTALL CONTROLLED ACCESS GATES. TO HIRE AN ON-SITE SECURITY, EITHER DRIVE-THROUGH OR FULL TIME. AN ARROW PROGRAM, WHICH IS APARTMENT OWNERS, TENANTS LIVING. IT'S KIND OF LIKE A NEIGHBORHOOD WATCH FOR PARNLTS. TRIM THE SHRUBBERY AND TO INCREASE LIGHTING ON THE SOUTH AND THE WEST ENTRANCES. AND THAT WAS ALL SUBMITTED TO THE HAGEMANS. SKIPPING ON DOWN --

Mayor Wynn: SO COMMANDER, IF YOU COULD SUPPLY YOUR DATA TO PERHAPS ALL OF OUR OFFICES AND I'D WELCOME ROBERT TO DO THE SAME. WE'RE NOT TRYING TO PIT OUR DEPARTMENT AGAINST A PROPERTY OWNER, BUT WE CLEARLY WANT TO TRY TO HELP THE SITUATION. AND THIS ORGANIZATION MADE A SIGNIFICANT STATEMENT ABOUT NEIGHBORHOOD POLICING A DECADE OR SO AGO AS WE REALLY DID START TO DECENTRALIZE OUR POLICE DEPARTMENT AND PUTTING MORE EFERS INTO SECTORS THAT

HAVE MORE CRIME. SO THE HOPE IS THAT THERE'S MORE EFFECT FROM THAT. AND HOPEFULLY WITH THESE STATS WE CAN FIGURE OUT WHAT THE REAL STORY IS OVER THERE AND ULTIMATELY TRY TO KEEP OUR CITIZENS AND THEIR PROPERTY SAFE. MR. HAGEMAN, IF YOU COULD GET YOUR STATS TO OUR OFFICES AS WELL.

10 SECS OF COMMENT. FIRST OF ALL, EXACTLY WHAT I TOLD YOU, THIS COMMANDER HOLT TOLD ME WAS EXACTLY TRUE. THE NEXT TIME I COME HERE I'LL BRING THE 17 PEOPLE WHO HAVE HAD THEIR CARS BROKEN INTO, 17 PEOPLE. I HEAR ABOUT IT EVERYDAY. THEY CALL. THERE'S NO RESPONSE FROM THE POLICE. THE POLICE SAY RLTD WELL, WE'LL GET TO IT LATER IN DATE. THE PEOPLE HAVE TO GO. THEY HAVE TO GO GET THEIR CARS FIXED. SO MAYBE THE REASON THEY DON'T HAVE REPORTS, THEY DID TRY A STING OPERATION THAT LASTED ABOUT FOUR HOURS ONCE. THEY DIDN'T GET ANY LUCK ON THAT DEAL. IT LIKE GOING FISHING AND NOT CATCHING A FISH IN THE FIRST TIME MINUTES AND SAY THERE'S NO FISH. ALL I'M SAYING IS THE THINGS I TOLD THIS COUNCIL IS EXACTLY WHAT'S HAPPENED THERE AND HOWEVER THE POLICE WANT TO SPIN IT IS FINE. IF THEY WANT TO SPIN IT HOWEVER THEY WANT TO, THAT'S THEIR PREROGATIVE. THE FACTS ARE THAT WE ARE VICTIMIZED, EVERYBODY THERE IN THE NEIGHBORHOOD IS TEAR PHI. I HAVE BEEN PLEADING WITH THE RANK AND FILE TO DO SOMETHING AND I'VE GOTTEN ZERO RESPONSE.

Mayor Wynn: WELL, WE SENSE OUR FRUSTRATION AND WE KNOW THAT FUNDAMENTALLY FROM THE COMMAND STAFF UP TO AND THROUGH THE COUNCIL OUR JOB IS TO KEEP OUR CITIZENS AND THEIR PROPERTY SAFE. WE INTEND TO FIGURE OUT HOW TO DO THAT. THANK YOU, ROBERT. THANK YOU, GENTLEMEN, CHIEF AND COMMANDER. IF UB YOU COULD DPES THAT DATA TO OUR OFFICES. THANK YOU FOR BEING HERE. DON WILLIAMSON SIGNED UP WISHING TO SPEAK. I DON'T SEE DON. I SAW HIM ON THE TRAIL YESTERDAY. GUS PENA HAD ALSO SIGNED UP WISHING TO ADDRESS US. WELCOME BACK, GUS. TO BETO BE FOLLOWED BY PAUL ROBBINS.

MAYOR AND COUNCILMEMBERS, GUS PENA. I ALSO HAVE CONCERNS ABOUT HENRY SECTOR. WE'RE IN THAT AREA NOW INSTEAD OF CHARLIE EAST. OFFICERS THROAFER NEED HELP. THEY'RE TRYING TO DO THE BEST THEY CAN. I KNOW THE ASSISTANT CHIEF SAM HOLT. I WAS A SPEAKER AT THE ACADEMY, WAS INVITED TO SPEAK AT HIS GRADUATION CLASS AND I FIND HIM TO BE A HIGHLY PROFESSIONAL, VERY INCLUSIVE, WARM AND DOWN RIGHT PROFESSIONAL PEACE OFFICER. I MAKE THAT STATEMENT. HE'S HER MY CONCERNS ABOUT HENRY SECTOR, AS HAS THE PRESS. BUT I BELIEVE HE'S THERE TO HELP OUT. THE BUDGET AS YOU MENTIONED, MAYOR, IS VERY IMPORTANT. MR. OTT IS GOING TO BE A KEY, CRITICAL COMPONENT OF THE BUDGET PROCESS. I WISH I HAD MENTIONED THIS TO HIM WHEN I WAS HERE, BUT I'M HOPING HE WILL LISTEN. AFFORDABLE HOUSING, CRITICAL AND CATASTROPHIC CUTS RN MADE BY THE UNITED WAY IN REGARDS TO THE WAY THEY ALLOCATE FUNNING IN THE WAY THEY HELP THE POOR, THE NEED DIVMENT THE MOST VULNERABLE OF OUR COMMUNITY. AND THROUGH THE MOST PRECIOUS SEGMENT OF THE COMMUNITY, OUR YOUTH AND SENIOR CITIZENS. THE GAP WIE ENS. I NEVER LIKE THIS SLOGAN, KEEP AUSTIN WEIRD. THE HECK WITH THAT, KEEP AUSTIN AFFORDABLE AND

FRIENDLY. A LOT OF US NATIVES ARE BEING LEFT OUT OF THE LOOP. DISRESPECTFUL PROCESS. ROAD INFRASTRUCTURE, FUNDING FOR YOUTH AND SENIOR CITIZEN PROGRAM. WE GET BACK TO THE GANG ISSUE HERE IN AUSTIN. YOU KNOW IT, SAM. OTHER PEOPLE HAVE KNOWN IT ALSO. BACK INFWHAKBACK IN '94 I BROUGHT IN SEVERAL LAW ENFORCEMENT AGENCIES TO HELP COMBAT GANG VIOLENCE. WE NOW HAVE FORMER GANG LEADERS WORKING WITH US TO HELP DETOUR GANG PROBLEMS AND POSSIBLE GANG MEMBERSHIP IN THE SCHOOLS. SCHOOLS HAVE BEEN INFILTRATED. THESE IDIOTS ARE LOOKING FOR MEMBERS EVERYWHERE, EVEN IN CHURCHES. THESE FORMER GANG LEADERS HAVE TURNED OUR LIVES AROUND, ARE CHRISTIANS, PRODUCTIVE MEMBERS OF SOCIETY. THEY'VE BEEN A VERY BIG HELP. WE HAVE FORMER FEDERAL INVESTIGATORS, FORMER PEACE OFFICERS HELPING US ALSO TO TRACK DOWN AND BRING INTELLIGENCE INFORMATION TO A.P.D. WE NEED HELP OUT THERE, ALSO NEED HELP OUT THERE. YOU MIGHT THINK THAT IT HAS BEEN A BREW HAWAII OVER TIME, BUT OFFICERS KNEE HELP. THEY CANNOT HAVE AN AREA FROM THE NORTHEAST AREA COME AND RESPOND TO SOUTH AUSTIN AND EXPECT THE HOOD LUM TO WAIT FOR THEM. THAT DOESN'T WORK LIKE THAT. ANOTHER THING ALSO.

WILL, IS THIS, WHY DO SOME CITY EMPLOYEES HAVE TO BE DISRESPECTFUL TO THE PUBLIC WHEN WE REQUEST SOMETHING. WHEN I WORKED WITH MUNICIPAL COURT AND PARKS AND RECREATION, MY DEMEANOR WAS ABOVE REAPPROACH. LET'S GET MORE FRIENDLY, FOLK. THIS IS THE TAXPAYERS. ANOTHER THING, THE LAST THING I WANT TO KNOW IS WHY WE WERE NOT AFFORDED A COPY OF THE STAKEHOLDERS, THE LIST OF STAKEHOLDERS. I KNOW DEBBIE RUSSELL DID TOO. CAN WE GET THAT? I WOULD APPRECIATE IT. WE WOULD APPRECIATE IT. AND MAKE THE PROCESS NEXT GO AROUND MORE FRIENDLY AND INCLUSIVE. HAVE A GOOD DAY, GOOD AFTERNOON.

Mayor Wynn: THANK YOU. PAUL ROBIN, WELCOME. YOU WILL BE FOLLOW BID RICHARD TROXELL.

COUNCIL, MAYOR, CITIZENS OF AUSTIN, I'M PAUL ROB ROBBINS, AN ENVIRONMENTAL ACTIVIST AND CONSUMER ADVOCATE. I WOULD LIKE FOR YOU TO HAVE A BOND FLOAKS THE CITY UTILITIES. ARTICLE 7, SECTION 11 STATES THAT ALL REVENUE BONDS ISSUED BY THE CITY SHALL FIRST BE AUTHORIZED BY A MAJORITY OF THE QUALIFIED EELECTRIC TORES VOTING AT AN ELECTION HELD FOR SUCH PURPOSE. VOTERS HAVE NEVER RELINQUISH THIS HAD RIGHT. IN FACT, IN 1985 WHEN THE YOU RECALL WAS PUT TO A VOTE, 69% OF THE PUBLIC WANTED TO KEEP THE CUSTOM IN PLACE. ISSUES INVOLVING NUCLEAR AND COAL PLANTS, WATER AND WATER AND WASTEWATER TREATMENT PLANTS AND LARGE SUM OF MONEY ARE A COLLECTIVE DITION THAT NEEDS VOTER INPUT. IT HAS BEEN SAID THAT VOTERS APPROVAL MAKES BOND HOUSES UNHAPPY. I BELIEVE COUNCILMEMBER DUNKERLEY RELATED THIS CRITICISM TO ME. AND I HAVE TO RESPOND THAT AUSTIN WAS NOT INCORPORATED TO MAKE WALL STREET HAPPY. IT HAS BEEN SET THAT STATE LAW SUPERSEDES CITY LAW, SO EVEN IF VOTER APPROVAL WERE REINSTATED, NOTHING LEGALLY PREVENTS UNSCRUPULOUS COUNCILMEMBERS IN THE

FUTURE FROM DEFYING THE OUTCOME AFTER REFERENDUM. BUT IT IS HIGHLY UNLIKELY ELECTED OFFICIALS WILL DEFY RESULTS OF AN ELECTION. IT HAS BEEN SAID, PROBABLY BEHIND CLOSED DOORS, THAT I, PAUL ROBINROBBINS, WANT TO TAKE AWAY THE CITY COUNCIL'S POWER. ANY POWER THAT THIS CHARTER ITEM TAKES AWAY FROM YOU AS COUNCILMEMBERS IS GIVEN BACK TO YOU AS CITIZENS. YOU ARE GIVEN THE PRIVILEGE OF A FEW SHORT YEARS OF SERVICE. YOU WILL BE VOTING FOR THE REST OF YOUR LIFE. WHY CORRUPT YOUR FRANCHISE? IT HAS BEEN SAID THAT IF COUNCILMEMBERS -- IT HAS BEEN SAID THAT COUNCILMEMBERS WERE ELECTED TO DO THE JOB OF VOTER APPROVAL. AND IF WE DON'T TRUST THEM, WE SHOULD ELECT NEW ONES. BUT ACTUALLY, COUNCILMEMBERS THEY WERE ELECTED TO FOLLOW THE CITY CHARTER. MOREOVER, THE COUNCIL-MANAGER FORM OF GOVERNMENT IS MUCH TOO COMPLEX FOR A SINGLE ELECTION TO REGULATE IT. SO I'M ASKING IN PLENTY OF TIME FOR THIS TO BE DONE IN THE MAY ELECTION AND TO BE CONSTRUCTIVE, I'VE DEVISED SOME DRAFT WORDING. COULD YOU SHOW THE SLIDE, PLEASE? ALL REVENUES -- ALL REVENUE BONDS, CERTIFICATES OF OBLIGATION OR CASH PURCHASES FOR ELECTRIC GENERATION, WATER TREATMENT, WASTEWATER TREATMENT, DRAINAGE UTILITIES AND INTERNET UTILITIES. [BUZZER SOUNDS] -- THAT ARE BUILT FOR A SERVICE LIFE OF LONGER THAN FIVE YEARS OR HAVE A CONTRACT LIFE OF LONGER THAN FIVE YEARS THAT ARE PAID FOR BY THE CITY SHALL NOT BE CHARGED FOR WITHOUT FIRST BEING AUTHORIZED BY A MAJOR OF THE QUALIFIED EEELECTRIC TORZ VOTING AT AN ELECTION HELD FOR SUCH PURPOSE. I'VE TRIED TO BE CONSTRUCTIVE AND I HOPE TO TALK ABOUT THIS FURTHER WITH YOU. THANK YOU.

Mayor Wynn: THANK YOU.

MAYOR, MAY I ASK MR. ROBBINS, WOULD YOU LEAVE A COPY OF THAT LANGUAGE OR EITHER E-MAIL IT TO ME? DAVID.SMITH... THANKS.

Mayor Wynn: THANKS. WELCOME MR. TROXELL. YOU WILL HAVE THREE MINUTES TO BE FOLLOWED BY NELSON LINDER.

MY NAME IS RICHARD TROXELL. I'M HERE WITH MY FRIEND ROGER BARNES. WE'RE HERE TO TALK ABOUT -- CAN WE HAVE THE OVERHEAD PLEASE? THIS IS JOHN. HE'S AN URBAN RECYCLER. HE MOVES FROM ONE END OF THE CITY TO ANOTHER AND THAT'S HIS CHARGE THERE, CANS. HE TURNS IT IN AT THE END OF THE DAY AND HE'S EARNED ALL OF \$10. I'M HERE TO REPORT ABOUT A SURVEY THAT WE DID IN RESPONSE TO THE LAST TIME I WAS HERE. WE TALKED ABOUT THE PANHANDLING ORDINANCE AND THERE WAS SOME TALK ABOUT NEEDING SOME FURTHER INFORMATION. IT WAS VERY CLEAR TO US THAT THE PANHANDLING ISSUE WRAPPED AROUND HOMELESSNESS AND ALL IS AN ECONOMIC ISSUE. SO WE THOUGHT WE WOULD GO RIGHT TO THE PEOPLE AND CONDUCT A SURVEY. HOUSE THE HOMELESS AND KEEP AUSTIN HOUSED, AMERICORPS CONDUCTED A SURVEY. ON DECEMBER 25TH AT THE FIRST BAPTIST CHURCH HOUSE THE HOMELESS AND AMERICORPS CONDUCTED THE EIGHTH ANNUAL THERMAL UNDERWEAR DRIVE AND THERE WE SURVEYED 625 PEOPLE WHO ARE EXPERIENCING HOMELESSNESS. THEY RESPONDED THAT 25 OF

THESE PEOPLE, 25% ARE VETERANS. 23% THE NATIONAL AVERAGE ACCORDING TO THE NATIONAL COALITION OF HOMELESS VETERANS IS 25. WE'RE VERY MUCH ALIGNED TO THAT. I'M A VIETNAM VETERAN. THIS IS APPALLING TO ME THAT 23% OF OUR HOMELESS PEOPLE ON THE STREETS OF AUSTIN ARE VETERANS. WE ASKED THE PEOPLE THERE, 526 PEOPLE, DO YOU WANT TO WORK? AND 91% SAID THAT THEY DO WANT TO WORK. I'LL SAY IT AGAIN, 91% OF THE PEOPLE SAID THAT THEY DO WANT TO WORK. WE THEN ASKED PEOPLE ARE YOU WORKING? AND 38% SAID THAT THEY WERE WORKING AT THE TIME THAT WE DID THE INTERVIEW. NOW, SOME OF THEM SAID THEY WERE WORK AGRICULTURE FEW HOURS A WEEK. SOME OF THEM SAID THEY WERE WORKING AS MANY AS 40. THE RANGE WAS ALL ACROSS THE BOARD. THE POINT IS FOLKS WANT TO WORK. HOMELESS PEOPLE WANT TO WORK. WE NEED OPPORTUNITY. THE LAST SLIDE, PLEASE, WE ASKED THEM WOULD THEY WORK 40 HOURS IN A WEEK IF THEY WERE SURE IT WOULD BE ENOUGH TO PAY FOR BASIC LIVING, CLOTHING AND SHELTER, A LIVING WAGE. 91 SPEAKERS OF THEM RESPONDED IN THE AFFIRMATIVE. 91% OF PEOPLE SAID THEY WOULD WORK FOR A LIVING WAGE. THIS IS DRAMATIC. THIS IS STUNNING. THIS SHATTERS THE MYTH THAT HOMELESS PEOPLE DON'T WANT TO WORK. WHAT'S GOING ON HERE IS WE DON'T HAVE THE OPPORTUNITY. WHAT WE ARE SUGGESTING, HOUSE THE HOMELESS, IS THAT WE CREATE A PARTNERSHIP BETWEEN THE CITY OF AUSTIN, THE HOMELESS ADVOCATE COMMUNITY AND THE BUSINESS COMMUNITY AND FORM A LIVING WAGE PROGRAM. [BUZZER SOUNDS]

Mayor Wynn: TAKE A FEW MINUTES AND CONCLUDE YOUR PRESENTATION, RICH.

THAT'S ALL WE WANT TO SAY. WE'RE GOING TO BE DOING THIS. WE'RE GOING TO DO THIS IN THIS CITY AND WE'RE GOING TO LEAD THE NATION WITH THIS GROUNDBREAKING PROGRAM BECAUSE WE THINK THAT WE HAVE -- WE COULD HAVE THE OVERHEAD CAM, PLEASE. WE HAVE A HUMAN RESOURCE THAT WE NEED TO TAKE ADVANTAGE OF BECAUSE RIGHT NOW WE'RE ON THE DO LEVMENT: WE NEED TO MOVE PEOPLE ON TO THE TAX BASE. WE HAVE THAT HUMAN POTENTIAL HERE. ALL WE HAVE IS NEGATIVISM ABOUT PEOPLE EXPERIENCING HOMELESSNESS AND WHAT WE NEED TO DO IS TO SAY THIS IS AN ASSET. LET'S FIGURE OUT HOW TO TURN IT INTO AN ASSET. SO NOOSE WHAT WE'RE SUGGESTING IS TO CREATE A LIVING WAGE JOBS PROGRAMS FOR OUR MINIMUM WAGE WORKERS SO THAT THE FOUR MILLION DOLLARS THAT WE'RE BRINGING INTO THIS COMMUNITY NOW IS THEN NOT WASTED, BUT THE PEOPLE ARE THEN PASSED ON AND PLACED RIGHT INTO A JOB, BUT NOT JUST ANY JOB, ONE THAT THEY FALL BACK OUT OF, ONE THAT PROVIDES A LIVING WAGE. THANK YOU VERY MUCH FOR THE OPPORTUNITY TO SHARE.

Mayor Wynn: THANK YOU, MR. TROXELL. AND OUR LAST SPEAKER IS NELSON LINDER. WELCOME.

AFTERNOON, MAYOR, MAYOR PRO TEM, AND ALSO COUNCIL. I AM NELSON LINDER. LET ME FIRST SHARE AN OBSERVATION THAT I THINK IS REALLY APPROPRIATE AT THIS MOMENT. THE ONE THING THAT WE ALL SHARE IS ALL OF US ARE FLAWED. AND THAT I AM IMPERFECTION IS SOMETHING THAT WE'VE ALL INHERITED. SEEING THAT AND IN SPITE

OF THAT, WE VOLLEYBALL THE GOOD SENSE TO UNDERSTAND THAT THIS IS A DEMOCRACY THAT OPERATES ON A CONSENSUS. AND I SAY VERY PROUDLY TODAY THAT AS AN AFRICAN-AMERICAN PERSON IN THIS CITY, THE USE OF FORCE IS ABSOLUTELY UNNECESSARY AND THE FAITH AND TRUST WE INVEST IN YOU IS VERY APPROPRIATE. AND THIS IS ONE EXAMPLE WHERE I CAN SAY I'M PROUD TO BE A CITIZEN OF THIS CITY IN TERNL OF HOW YOU HANDLE YOUR SELF. LET ME FIRST ESTABLISH THAT. MOVING ON, 80 YEARS AGO IN THIS VERY SAME CITY, BLACKS WERE TOLD THEY COULD ONLY LIVE IN EAST AUSTIN. THEY DEPARTED WHEATSVILLE, MASONVILLE, CLARKSVILLE TO BE IN ONE AREA. THERE WAS DESPAIR, A LACK OF HOPE, FEAR, AND THEY NO FUTURE. YET ON THIS THURSDAY, JANUARY 17TH, 2008, I THINK YOU MADE ONE OF THE MOST IMPORTANT DECISIONS IN THE CITY'S HISTORY, ONE THE WHOLE COUNTRY CAN BE PROUD OF. YOU'VE HIRED AN AFRICAN-AMERICAN TO RUN THIS CITY. I THINK THOSE SAME PEOPLE WOULD BE VERY PROUD TO KNOW IN THIS CITY YOU MADE A COURAGEOUS DECISION TO BE INCLUSIVE, TO BE FAIR, AND YOU REPRESENT TO ME THE BEST THE CITY ACTUALLY HAS. LET ME FIRST SAY THAT. I CAME HERE IN 2005 TO ALMOST THE VERY SAME COUNCIL AND I SHOWED YOU A PICTURE AFTER WEBSITE THAT HAD ALMOST NO AFRICAN-AMERICAN. SINCE THAT TIME YOU FORMED AN INITIATIVE FIRST, THEN A IMHITION. THAT COMMISSION HAS REACHED OUT TO ALL PARTS OF THIS CITY. WE TALK ABOUT THE ISSUES. WE'VE ADDRESSED SOME OF THE ISSUES AND ONCE AGAIN WHAT YOU'VE DONE THE PAST FEW MONTHS MAKES ME PROUD, MAKES MY ORGANIZATION PROUD, AND I THINK FOR MAYBE THE FIRST TIME SINCE I'VE BEEN HERE, FOR BLACK FOLKS IN THIS CITY, THEY KNOW NOW IF HAVE YOU THE PROPER EDUCATION, THE PROPER COMMITMENT, THE PROPER DISCIPLINE, YOU CAN ACHIEVE WHATEVER UBS TO ACHIEVE U. YOU, OUR ELECTED OFFICIALS, CREATED THAT ENVIRONMENT. I WANT TO SAY THANK YOU FOR WHAT YOU'VE DONE, WHAT YOU'VE BEEN THERE. I'M PROUD TODAY TO BE HERE AND SAY ONCE AGAIN, WE'RE GRACIOUS. WE'RE OPTIMISTIC. THANK YOU FOR YOUR INTEGRITY AND YOUR ABILITY TO LOOK FORWARD AND NOT BE DISTRACTED BY THE LITTLE CROWS WHO ARE PICKING AT THIS PROCESS. HAVE A WONDERFUL DAY AND A GREAT 2008.

Mayor Wynn: THANK YOU, MR. LINDER. COUNCILMEMBER COLE.

Cole: MR. LINDER, WOULD YOU LIKE TO RECOGNIZE YOUR GUESTS OR I COULD DO THAT? MR. BILLY WHITE WHO WE'RE FAMILIAR WITH AND WAS A CAPTAIN AN I GUESS CRAIG COWEN IS HERE.

WHAT I'D LIKE TO -- IN MY OPINION ONE OF THE GREATEST MEN IN THIS COUNTRY WHO TAUGHT ALL OF US TO BE BETTER WORKERS AND CITIZENS, CAM WHITE. THANK YOU.

Mayor Wynn: THANK YOU, WILLMR. LINDER. I WILL PERSONALLY REQUEST A RECORDING OF THIS CONVERSATION. [LAUGHTER] KEEP IN MY PERSONAL LIBRARY AT HOME. THERE BEING -- I BELIEVE THAT'S ALL OF OUR CITIZENS WHO HAVE SIGNED UP FOR THIS SESSION OF OUR GENERAL CITIZEN COMMUNICATION FORMAT. WITH THAT, WITHOUT OBJECTION WE'LL GO BACK INTO CLOSED SESSION. WE STILL TECHNICALLY DIDN'T QUITE FINISH THE

PERSONNEL MATTERS RELATED TO THE NEXT CITY MANAGER. WE ALSO ARE POSTED, I BELIEVE, TO TAKE UP AN ADDITIONAL POTENTIAL LEGAL ITEM, THAT BEING ITEM NUMBER 29, LEGAL ISSUES CONCERNING DER ET AL VERSUS THE -- PODER ET AL VERSUS THE CITY OF AUSTIN. AND I PLAN ON US FINISHING OUR EXECUTIVE SESSION WELL PRIOR TO THE ZONING CASES. THERE BEING NO ACTION ITEMS AFTER THAT, I SUSPECT WE'LL COME BACK IN THE NOT KNOT TOO DISTANT FUTURE TO TAKE ACTION ON OUR ITEM NUMBER 22, WHICH IS THE COMPENSATION AND BENEFITS RESOLUTION FOR THE NEXT CITY MANAGER AND THEN LIKELY WE WILL RECESS THE CITY MANAGER MEETING UNTIL 4:00 AFTER THAT TIME. SO WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US BEING IN CLOSED SESSION ONLY FOR THE NEXT I WOULD GUESS HOUR OR SO. WE'LL TAKE ACTION ON THE COMPENSATION RESOLUTION AND THEN LIKELY RECESS UNTIL 4:00 P.M. WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: THERE BAG QUORUM PRESENT, AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE'VE BEEN IN RECESS FOR ABOUT TWO AND A HALF HOURS. SO HAVING CONCLUDED ALL OF OUR EARLIER BUSINESS, AT THIS TIME WE GO TO OUR 4:00 O'CLOCK ZONING MATTERS AND WELCOME MR. GREG GUERNSEY.

THANK YOU, MAYOR AND COUNCIL. LET ME GO THROUGH OUR ZONING ORDINANCES AND RESTRICTIVE COVENANTS WHERE THE HEARINGS HAVE BEEN CLOSED. HERE ARE THE ITEMS I CAN OFFER FOR CONSENT. ITEM NUMBER 30, CASE C-14-2007-0129, THIS IS CUMMER LAND RESIDENTIAL AT BE 101 CUMBERLAND ROAD. APPLICANT IS ASKING FOR A POSTPONEMENT. WE'RE STILL WORKING ON PRIVATE COVENANTS BETWEEN THE APPLICANT AND THE NEIGHBORHOOD. ITEM 31, C-14-2007-218, THIS IS FOR THE PROPERTY AT 10700 AND 10704 LAKE LANE MALL DRIVE. THE APPLICANT IS HAVING A POSTPONEMENT AND IS WORKING ON THE CONDITIONS THAT WERE DOWN FIRST READING AND GET THAT BACK TO COUNCIL OFFICES AND STAFF. ITEM 32 AND 33, THESE ARE CASES C-14-2007-95, JUSTIN SUBSTATION AT 7530 NORTH LAMAR LFERD AND ITEM 33, NPA 07-17.01, AUSTIN ENERGY AND CRESTVIEW STATION. APPLICANT IS SCRG REQUESTING A POSTPONEMENT TO FEBRUARY 28TH. THAT CONCLUDES THIS PORTION OF THE AGENDA THAT I CAN OFFER FOR AGENT. FOR CONSENT.

Mayor Wynn: THANK YOU, MR. GUERNSEY. COUNCIL, THE PROPOSED CONSENT AGENDA ON THESE CASE WHERE'S WE'VE ALREADY CLOSED THE PUBLIC HEARING WOULD BE TO POSTPONE ITEMS 30 AND 31 TO JANUARY 31st, 2008 AND TO POSTPONE ITEMS 32 AND 33 TO FEBRUARY 28TH, 2008. MOTION TO APPROVE THE CONSENT AGENDA AS PROPOSED MADE BY COUNCILMEMBER MCCracken, SECONDED BY COUNCILMEMBER LEFFINGWELL. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSE SND MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THANK YOU, MAYOR AND COUNCIL. LET ME MOVE ON OUR 4:00 O'CLOCK ZONING. THESE ARE THE PUBLIC HEARINGS ARE OPEN AND THERE'S POSSIBLE ACTION. THE FIRST ITEM I CAN FIEWFER CONSENT IS ITEM NUMBER 34, CASE C-14-2007-0215-A, SPRINGFIELD 7 AT WILLIAM CANNON NEAR McKINNEY FALLS PARK WAIT A MINUTE THE APPLICANT HAS REQUESTED A POSTPONEMENT OF THIS ITEM TO THE 31st OF JANUARY. A RELATED ITEM, ITEM NUMBER 35 IS CASE C-14-06-215-D, SPRINGFIELD 11. THE APPLICANT HAS REQUESTED POSTPONEMENT OF THIS ITEM TO JANUARY 31st. ANOTHER ITEM THAT'S RELATED, SPRINGFIELD ITEM IS ITEM NUMBER 36,36. APPLICANT HAS REQUESTED POSTPONEMENT OF THIS ITEM TO THE 31st OF JANUARY. ITEM NUMBER 37 IS CASE C-14-067-215-B, SPRINGFIELD 14. THIS IS NEAR JAMES RANCH ROAD AND THE APPLICANT HAS REQUESTED A POSTPONEMENT OF THIS ITEM TO JANUARY 31st. ITEM NUMBER 38 IS CASE C-14-R-86-057 RCC. THIS IS A REQUEST TO TERMINATE A RESTRICTIVE COVENANT. THE RECOMMENDATION WAS TO TERMINATE THE RESTRICTIVE COVENANT AND THIS IS READY FOR CONSENT APPROVAL. THAT'S ITEM NUMBER 38. ITEM 39 IS CASE C-14-2007-0190, BRAKER LANE COMMERCIAL. THIS IS FOR THE PROPERTY LOCATED AT 1015 EAST BRAKER LANE. THIS IS A REZONING REQUEST FROM LIMITED OFFICE OR LO DISTRICT ZONING AND NEIGHBORHOOD COMMERCIAL DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY COMBINED DISTRICT ZONING. ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT THE GR-CO COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM ITEM NUMBER 40 IS CASE C-14-2007-0227 RIO VISTA. IS THIS IS A REZONING REQUEST FROM DEVELOPMENT RESERVE OR DR DISTRICT ZONING TO SINGLE-FAMILY DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT THE SF-2-CO COMBINING DISTRICT ZONING AND IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. THAT'S ITEM NUMBER 40. ITEM NUMBER 41 IS CASE C-14--2007-228, 11722 BELL AVENUE. THIS IS A REZONING TO FAMILY DISTRICT ZONING. THE RECOMMENDATION WAS TO GRANT THE FAMILY DISTRICT 17 SOWING AND THIS IS READY FOR APPROVAL ON ALL THREE READINGS. ITEM NUMBER 42 IS C-14-KNIFE 183 RCA 2 FOR THE VINA PLAZA RESTRICTIVE COVENANT COVENANT AMENDMENT NUMBER 2. THIS IS A REQUEST TO AMEND A RESTRICTIVE COVENANT FOR THAT SAME PROPERTY AND THE ZONING AND PLATTING COMMISSION RECOMMENDS WAS TO APPROVE THE RESTRICTIVE COVENANT AMENDMENT. THIS IS READY FOR CONSENT APPROVAL. ITEM NUMBER 43 IS CASE C-14-2007-0102, HILL COUNTRY SPRINGS FOR THE PROPERTY LOCATED AT 10019 I-35 SOUTH. THIS IS A REQUEST FOR REZONING FROM INTERIM RURAL RESIDENCE DISTRICT ZONING TO LIMITED INDUSTRIAL SERVICE DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT LIMITED INDUSTRIAL SERVICE, CONDITIONAL OVERLAY FOR TRACT 1, COMMUNITY COMMERCIAL CONDITIONAL OVERLAY FOR TRACT 2. WE CAN OFFER THIS AS A CONSENT ITEM IF THERE'S NO ONE HERE. THE APPLICANT AGREES WITH THE COMMISSION'S RENGs. UP.

Mayor Wynn: WE HAVE NO CITIZENS SIGNED UP WISHING TO SPEAK.

ITEM NUMBER 44, THIS IS THE EAST 12TH STREET NCCD FOR THE PROPERTIES AT 809-1951

EAST 12TH STREET. THERE'S A RELATED ITEM THAT'S SCHEDULED AT 6:00 O'CLOCK. STAFF WOULD SUGGEST THAT THIS ITEM BE TAKEN UP WITH THAT ITEM. WE DO HAVE ONE POSTPONEMENT REQUEST, BUT THAT ASKED THAT THIS BE CONSIDERED AT 6:00 O'CLOCK WITH THE URBAN RENEWAL PLAN. I BELIEVE IT'S ITEM NUMBER 49. I THINK THE MAYOR ANNOUNCE THAT HAD THIS MORNING THAT THAT MAY BE A POSSIBILITY. BE.

Mayor Wynn: YES, I DID.

ITEM NUMBER 45 WAS A NEIGHBORHOOD PLAN AMENDMENT FOR THE CENTRAL EAST NPA, A McMANSION ORDINANCE AMENDMENT FTION THIS IS CASE NPA-2007-9.01. AFTER A DISCUSSION WITH OUR LAW DEPARTMENT AND REVIEWING THE FILES, THERE'S NO ACTION NECESSARY ON THIS ITEM. ITEM NUMBER 46, HOWEVER, IS A RELATED ITEM WHERE THE FLOOR TO AREA RATIO THAT'S IN GO THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLANNING AREA, THIS WOULD BE A ZONING AMENDMENT APPLICABLE TO THE SAME PLANNING AREA. IT WOULD BE A DISCUSSION ITEM AND WOULD BE -- WOULD NEED TO BE CONSIDERED IN ORDER TO EFFECT THIS CHANGE THAT'S BEEN BROUGHT BEFORE THE COMMISSION AND BROUGHT BEFORE YOU THIS EVENING. WE HAVE NUMEROUS PEOPLE TO SPEAK TO THIS ITEM BOTH FOR AND AGAINST AND THERE'S PETITIONS I THINK THAT HAD BEEN PRESENTED TO YOU ON YOUR DAIS. JERRY RUSTHOVEN WILL BE PRESENTING THAT CASE IN A FEW MOMENTS. THAT CONCLUDES THE ITEMS I CAN OFFER FOR CONSENT AT THIS TIME. AGAIN NOTING THAT ITEM 44 WOULD BE JUST TABLED UNTIL 6:00 O'CLOCK WHEN WE BRING BACK THE YOU ARE BANL RENEWAL PLAN. ITEM 43 IS ONLY READY FOR FIRST READING, MAYOR.

Mayor Wynn: OUR PROPOSED CONSENT AGENDA FOR THESE CASES WILL BE TO POSTPONE ITEMS 34 THROUGH 37 TO JANUARY 31st, 2008. ON ITEM NUMBER 38 WE WILL BE APPROVING THE TERMINATION OF THE RESTRICTIVE COVENANT. CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS ITEM 39, 40 AND 41. CLOSING THE PUBLIC HEARING AND APPROVING THE RESTRICTIVE COVENANT AMENDMENT OF ITEM NUMBER 42. ON ITEM NUMBER 43 WE'LL CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY. WE WILL NOTE THAT ITEM 45 HAS BEEN WITHDRAWN. I'LL ENTERTAIN A MOTION. MOTION MADE BY COUNCILMEMBER MCCracken, SECONDED BY THE MAYOR PRO TEM TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

MAYOR, I DIDN'T HEAR YOU NOTE FOR THE RECORD THAT WE WOULD TABLE 44.

Mayor Wynn: WE DIDN'T TAKE ACTION ON IT, SO CORRECT, EARLIER WE HAD MENTIONED THAT WE WON'T TAKE IT UP PRIOR TO 6:00 O'CLOCK P.M. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] THE SPECIFIC REQUEST WAS TO AMEND THE McMANSION ORDINANCE TO REMOVE THE 2300 SQUARE FOOT PROVISION MUCH THE ORDINANCE, SPECIFICALLY, McMANSION ALLOWED FOR A .44 AREA RATIO OR 2300 FEET. THE QUESTION WAS THE 2300 FEET BE REMOVED FOR LOTS LESS THAN 5,750 SQUARE FEET. WHAT ARE

THE TOOLS THAT THE CENTRAL EAST AUSTIN PLAN ADOPTED WAS THE SUB STANDARD LOT TOOL THAT ALLOWS PEOPLE TO BUILD HOUSES ON LOTS THAT ARE SUB STANDARD. THE REQUEST FROM OCEAN WAS TO, ON THOSE LOTS, TO HAVE McMANSION APPLY AND THAT ONLY A .4 FAR WOULD APPLY. THE PROVISION ALLOWS FOR OVER 2300 SQUARE FEET WOULD BE REMOVED. THE PLANNING COMMISSION, STAFF HELD A UNDERSTOOD MEETING WITH OCEAN IN AUGUST WHERE THEY TOOK INPUT FROM ABOUT 30 RESIDENTS WHO SHOWED UP. THE STAFF RECOMMENDATION IS TO APPROVE THE AMENDMENT WITH ONE CONDITION, THAT CONDITION WOULD BE THAT IT WOULD NOT APPLY TO SMART HOUSING. WE DO HAVE AN AFFORDABILITY IMPACT STATEMENT AS PREPARED EARLIER SO THE NEIGHBORHOOD HOUSING COMMUNITY DEVELOPMENT DEPARTMENT AND THEY ARE RECOMMENDING APPROVAL AS LONG AS THE CONDITION IS APPLIED. THE CASE WAS TAKEN TO THE PLANNING COMMISSION, WHO RECOMMENDED APPROVAL OF THE AMENDMENT AS REQUESTED BY OCEAN, HOWEVER, THEY DID NOT INCLUDE THE CONDITION THAT THE AMENDMENT DID NOT APPLY SMART HOUSING. THEY APPROVED THE REQUEST AS IT WAS REQUESTED BY OCEAN. THE NET EFFECT OF THE AMENDMENT WOULD BE THAT IN SUB STANDARD LOTS IN THE CENTRAL EAST AUSTIN PLAN AREA, A .4 FAR WOULD APPLY. TODAY A RESIDENT CAN BUILD A HOUSE THAT IS UP TO THE .4 .4 FLOOR AREA RATIO OR 2300 FEET THIS WOULD ALLOW THEM TO TAKE OUT THE "OR 2300 FEET" IF IT IS GREATER. THE STAFF ANALYZED THE ENTIRE AREA. DETERMINED THAT THERE ARE ABOUT, I'M SORRY, 655 LOTS THAT WOULD MOST LIKELY BE IMPACTED BY THIS ORDINANCE. THOSE ARE LOTS THAT ARE ZONED SINGLE FAMILY AND ARE SUB STANDARD. THERE ARE ADDITIONAL 194 LOTS THAT ALLOW FOR BED AND BREAKFAST USE. WAN BED AND BREAKFAST USE, YOU CAN HAVE A COMMERCIAL ZONING, HOWEVER A RESIDENT MUST LIVE ON THE PROPERTY IN ORDER FOR IT TO QUALIFY AS A BED AND BREAKFAST USE. BECAUSE THOSE TRACTS ARE SUBJECT TO McMANSION IF THEY ARE A BED AND BREAKFAST OUTSIDE, HOWEVER BECAUSE OF SPACE AND REQUIREMENTS WE DON'T THINK THAT IS A VERY LIKELY SCENARIO. THERE ARE ARE 194 LOTS WHERE THAT WOULD APPLY. THERE ARE AN ADDITIONAL 98 TRACTS WITH ZONING, THIS AMENDMENT WOULD AFFECT THOSE LOTS AS WITH HOWEVER, WE FEEL THOSE LOTS ARE MAINLY ON THE COMMERCIAL CORRIDORS AND THE PROPERTY THEY WERE TO BE DEVELOPED IT WOULD BE MULTIFAMILY RESIDENTIAL SOME OF WE FEEL THIS WOULD AFFECT ABOUT 655 LOTS WITHIN THE CENTRAL EAST AUSTIN PLAN AREA. THIS AMENDMENT HAS BEEN QUITE CONTROVERSIAL. WE HAVE RECEIVED AT THIS POINT ABOUT 266 LETTERS IN OPPOSITION. WE RECEIVED THOSE ON TUESDAY. THOSE ARE IN YELLOW. I PLACED THEM ON THE DAIS EARLIER. THOSE PETITIONS WERE PRESENTED TO US BY MR. HENDERSON. WE'VE SEENED 45 LETTERS IN SUPPORT FROM THE OCEAN GROUP, I RECEIVED THOSE THIS MORNING. A LOT OF THOSE ARE ASKING FOR BACK UP, AND WE RECEIVED THEM PRIOR TO THE COMMISSION MEETING WITH THAT I WILL STOP AND SEE IF YOU HAVE ANY QUESTIONS.

THANK YOU, MR. GUERNSEY. I WILL START. SO 650-PLUS LOTS WE BELIEVE TO BE IMPACTED BY THIS AMENDMENT. CAN YOU GIVE US, IT IS HARD TO FRANKLY EVEN DEFINE LOTS AT TIMES. CAN YOU GIVE US A FEEL FOR A PERCENTAGE OF LOTS IN THE AREA THAT ARE

IMPACTED?

OF THE TOTAL LOTS THAT ARE WITHIN THE AREA, THAT WOULD REPRESENT ABOUT 4.93% OF THE TOTAL NUMBER OF PROPERTIES THAT ARE WITHIN THE CENTRAL EAST AUSTIN AREA.

APPROXIMATELY. AND ANY BENCHMARK, OBVIOUSLY WE HAD WHATEVER IT WAS, 18 MONTHS OR SO AGO, WE HAD THE LENGTHY, VERY IMPASSIONED, VERY CONTROVERSIAL, BROADER DEBATE ABOUT THE McMANSION ORDINANCE, AND ULTIMATELY MUSCLED THROUGH, PAINFULLY AT TIME, COMPROMISE THAT WE STRUCK. FROM A BENCHMARK, SORT OF REFERENCING STANDPOINT, DOES STAFF HAVE ANY IDEA AS TO, AT THE TIME WHEN THAT ORDINANCE WAS APPROVED, APPROXIMATELY WHAT PERCENTAGE OF LOTS, I GUESS IN ALL OF AUSTIN, THAT WERE SO SMALL AS TO NEEDING TO TAKE ADVANTAGE OF THE 2300 SQUARE FOOT FLOOR THAT WE PLACED IN THAT COMPROMISE?

NO, WE DON'T HAVE THAT NUMBER. I CAN TELL YOU IN A LOT OF NEIGHBORHOODS THEY WOULD NOT BE ALLOWED TO BUILD ON THE LOTS WE ARE TALKING ABOUT HERE TODAY. IT IS ONLY IN THE NEIGHBORHOOD PLAN AREA THAT HAS ADOPTED THE SUB STANDARD LOT TOOL THAT CAN BUILD ON LOT THAT IS LESS THAN 5,000 INSTEAD OF 150 YOU WOULD BE ALLOWED TO DO THAT WITHOUT SEEKING A VARIANCE. SO WE ARE TALKING ABOUT THOSE LOTS IN ONE PARTICULAR PLAN AREA THAT ADOPTED A SPECIFIC NEIGHBORHOOD PLAN TOOL, AND WE WOULD TWEAK THE McMANSION ORDINANCE ONLY FOR THOSE LOTS. THE .4 AREA RATIO, BECAUSE IT IS A RATIO BY DEFINITION, IT CHANGES THE SIZE OF THE HOUSES ALLOWED BASED ON THE HOUSE SIZE. WHEN THE COUNCIL APPROVED THE McMANSION THEY UNDERSTOOD THE LARGER THE LOT, THE LARGER THE HOUSE, UNDER A RATIO SCENARIO. THERE WAS A DECISION MAILED TO ADD-TO-BECAUSE YOU ALL THOUGHT THAT SHOULD BE THE MINIMUM/MAX NUMBER, IF YOU WILL, THAT WOULD BE ALLOWED. IF .4 WAS SMALLER THAN 2300, COULD YOU ALWAYS DO UP TO 2300 REGARDLESS OF WHAT THE .4 CALL RATION TURNED OUT TO. THIS CALCULATION WOULD TAKE THAT AWAY IN THIS LOT IN THIS NEIGHBORHOOD.

STAFF DOESN'T HAVE, AND I WOULDN'T EXPECT TO YOU FRANKLY, BUT I WILL ASK YOU ANYWAY, STAFF DOESN'T HAVE A NUMBER OR VERY EDUCATED GUESS AS TO THE, WHETHER MORE OR LESS THAN 15% OF TOTAL LOTS CITY WIDE WERE IMPACTED BY THAT ORDINANCE.

I'M SORRY, WE DON'T HAVE THAT INFORMATION.

IT STRIKES ME THE 15% IS A HIGH PERCENTAGE, BUT I WOULD LIKE TO FIGURE OUT A BENCH MARK THERE. ARE THERE QUESTIONS -- COUNCIL MEMBER COLE.

HOW MANY LOTS, CITY WIDE, WERE IMPACTED, BUT THESE HAVE A FEEL FOR HOW MANY

LOTS CITY WIDE ARE SUB STANDARD?

I'M NOT, NO, ACTUALLY, I DON'T HAVE THAT INFORMATION. WHAT I WOULD ADD TO THAT IS IT WOULD ONLY BE IN A NEIGHBORHOOD PLAN AREA THAT ADOPTED THE SUB STANDARD LOT TOOL THAT YOU COULD BUILD ON A SUB STANDARD LOT IN THE CITY.

MAYOR WYNN: QUESTIONS OF STAFF? MAYOR PRO TEM.

MAYOR PRO TEM DUNKERLEY: AT THE SAME TIME THIS ORDINANCE DOES NOT INCLUDE AFFORDABLE HOUSING, AND I GUESS MY CONCERN, PUT THIS ON THE OCEAN, IT IS REALLY NOT UNANIMOUS, AND YOU HAVE PROBABLY OVER 300 LOTS THAT ARE GOING TO BE AFFECTED BY THIS. AND SOME OF THE AMENDMENTS, REALLY, I'M JUST CONCERNED THAT THE IMPACT IS GOING TO BE TOO GREAT ON PARTICULAR NEIGHBORHOOD, INCLUDING OUR OWN AFFORDABLE HOUSE PROJECT. SO I PROBABLY WON'T BE SUPPORTING THIS ORDINANCE.

MAYOR WYNN: THAT STRIKES ANOTHER QUESTION FOR ME. DO WE HAVE A FEEL, FOR HOW, SORT OF PROLIFIC HAS BEEN THE SMART FOLKS TAKEN ADVANTAGE OF THE HOUSING PROGRAM IN THE PLANNING AREA, THAT IS, YOU KNOW, IS IT COMMON FOR ONE IN TEN HOUSES BEING BUILT TO HAVE THE PROGRAM.

THE NEIGHBORHOOD HOUSING COMMUNITY, THIS IS A VERY DIFFICULT ISSUE FOR US TO ACTUALLY GET SOME GOOD QUANTIFIABLE DATA FOR YOU ON THE IMPACT OF THIS ON AFFORDABILITY. BECAUSE THERE IS SO MANY DIFFERENT AREAS WHICH THIS AMENDMENT AMENDMENT NEEDS TO BE ANALYZED. ONE IS AND WHERE WE CAME DOWN AS STAFF ON THIS PARTICULAR AMENDMENT WAS THAT IF, IN CASE, WE HAD SOME OPPORTUNITIES FOR AFFORDABILITY ON SUB STANDARD LOTS THAT WE WANTED TO HAVE, AND IT WASN'T JUST SMART HOUSING, I WANT TO BE CLEAR ABOUT WHAT OUR RECOMMENDATION WAS, IT WAS SMART HOUSING THAT MET ESSENTIALLY THE GOALS FOR AFFORDABLE HOUSING AND THE TASK FORCE SO FAMILIES BEING SERVED SO WASN'T JUST THE REGULAR SMART HOUSE, WE NEGOTIATED WITH COLLEAGUES IN NEIGHBORHOOD PLANNING AND ZONING BASED UPON THE DESIRE OF THE NEIGHBORHOOD TO HAVE SOME IMPACT BECAUSE THE ORDINANCE ALLOWS FOR CHANGED TO THE McMANSION ORDINANCE IF A NEIGHBORHOOD COMES FORWARD, THEY CAN REQUEST THAT THE 2300 RESTRICTION BE ELIMINATED, THEY HAVE THAT OPTION, AND THAT IS COUNCIL POLICY SO THE ANSWER TO THE QUESTION IS IS THAT IF, IN FACT, ONE, SMART HOUSING DEVELOPMENT HAS BEEN DONE IN THIS NEIGHBORHOOD ON LOTS THAT ARE STANDARD LOTS, AND IN SOME CASES LOTS THAT ARE SOME SUB STANDARD THAT WOULD NOT BE AFFECTED NEGATIVELY BY THE IMPACT OF THIS REQUEST FROM THE UNDERSTOOD, IN OTHER WORDS, IF IT -- FROM THE NEIGHBORHOOD, IN OTHER WORDS IF IT IS A SMALL ENOUGH THOUSAND REALLY WOULDN'T MATTER FROM AN AFFORDABILITY STANDPOINT. THE CONSIDERATION WE HAD ALSO IS BECAUSE SMART HOUSING HAS BEEN RECOGNIZED AS A NATIONAL MODEL FOR ELIMINATING REGULATORY BARRIERS TO HOUSING AND BY HAVING DIFFERENT FARs AND

NEIGHBORHOODS AND NOT HAVING CONSISTENCY, WE WERE CONCERNED ABOUT THAT ISSUE. BUT AGAIN, SINCE NEIGHBORHOODS HAVE THE OPPORTUNITY TO DO THAT, THE REQUEST WE MADE WAS IF IT MEETS THE GOALS OF AFFORDABLE HOUSING, THAT IS LONG-TERM AFFORDABILITY, GEOGRAPHIC DISPERSION AND LOWER-INCOME FAMILY THE BEING SERVED WE WOULD SUPPORT THIS AMENDMENT THAT ANYTHING THAT MEETS THE EXTRA SMART HOUSING STANDARDS BE EXEMPTED. THAT IS A VERY LONG ANSWER TO A VERY SIMPLE QUESTION THAT YOU ASKED, MAYOR, BUT IF GIVES YOU MORE THE FULL DISCOURSE THAT WE HAD AS STAFF OF VIEWING IT FROM THE AFFORDABILITY STANDPOINT

MAYOR WYNN: I RECOGNIZE IT IS NOT AN EASY QUESTION AT ALL. SO THE RECOMMENDATION THAT YOUR STAFF MADE EXEMPTING NOT ONLY SMART HOUSING, CHARACTERIZE THIS CORRECTLY, THE EXEMPTION THAT YOU RECOMMENDED TO THE AMENDMENT, WILL YOU DESCRIBE THAT, IS IT SORT OF MORE EXPANSIVE THAN JUST SMART HOUSING.

YES. IT IS MORE LIMITING THAN JUST SMART HOUSING. IN OTHER WORDS, WE DID NOT WANT TO HAVE, FOR EXAMPLE, THE UNINTENDED CONSEQUENCE FOR HAVING AN INCENTIVE FOR PEOPLE WHO WILL SUB STANDARD LOTS TO BUILD LARGER, CLAIMING THEY WOULD JUST MEET SMART HOUSING STANDARDS, AND SO WHAT WE AGREED TO, BASED UPON THE RECOMMENDATIONS AND TRYING TO BE SENSITIVE TO THE NEIGHBORHOOD ABOUT THE REQUEST FOR AFFORDABILITY, WAS, AND KNOWING THAT WE HAD SOME NONPROFITS IN THE AREA THAT HAD SOME HISTORY IN BUILDING AFFORDABLE HOUSING, IF WE WERE MORE RESTRICTIVE IN WHAT WE ALLOWED FOR AFFORDABILITY REQUIREMENTS THAT, AND REQUESTED THE EXEMPTION, THAT IT WOULD BE A WAY TO INNOCENT THE SIGN OF HOUSING THAT WE ARE SAYING WE WANT TO INVEST IN THIS THE FUTURE WHICH ARE THE ONES THAT MADE THE CORE VALUES OF THE TASK FORCE SO IT IS MORE RESTRICTIVE IN THAT SENSE.

POTENTIALLY A SMALLER NUMBER THAN THE TOTAL NUMBER OF SMART HOUSING UNITS.

THAT IS CORRECT.

IN AN AREA.

YES, SIR, THAT IS CORRECT.

ANY FURTHER QUESTIONS? COUNCIL MEMBER LEFFINGWELL.

COUNCIL MEMBER LEFFINGWELL: A COUPLE MEETINGS AGO WE HAD DISCUSSION ABOUT ANOTHER COME POINT OF SMART HOUSE SWIG ACCESSIBILITY AND WE TALK ABOUT HOW SMART HOUSING WAS NOT BEING UTILIZED FOR A NUMBER OF REASONS BECAUSE IT WAS NOT ECONOMICALLY FEASIBLE FOR PEOPLE TO DO THAT SO I GUESS WHAT I'M HEARING IS IF SMART HOUSING WITH INCLUDED WITH THIS RESTRICTION IT WOULD PLACE YET

ANOTHER IMPEDESTRIANMENT TO THE BUILDING OF SMART HOUSING. I STATING THAT CORRECTLY.

CAN I STATE THAT ANOTHER DIRECTION, A DIFFERENT WAY.

YEAH.

IF THAT IS OKAY. OUR INTENTION HERE IS NOT TO DO ANYTHING THAT WOULD IMPEDE SMART HOUSING FROM BEING DEVELOPED.

RIGHT.

THE ASSUMPTION WE WOULD HAVE IS WHATEVER WE ARE RECOMMENDING WOULD REQUIRE ADDITIONAL FINANCING BESIDES THE BASIC SMART HOUSING TO BE SUCCESSFUL, BUT IT WOULD MEET THE STANDARDS OF SMART HOUSING AND AFORDABILITY STANDARDS. SO IN THAT SENSE, IF WE WERE JUST LOOKING FOR MARKET INCENTIVES WHICH IS WHAT SMART HOUSING WAS REALLY INTENDED TO DO, AND WHAT THE ECONOMY LEFT SMART HOUSING FOR THAT, WHICH IS WHY WE BROUGHT BACK ENHANCETH, FOR SMART HOUSING, IF WE ARE CREATING THE HOUSING THAT SHOULD BE EXEMPTED WE ARE RECOGNIZED WE WOULD HAVE TO ADD ADDITION AT SUBSIDIZING TO THE HOUSING TO MAKE IT HAPPEN.

OKAY, I GET IT

MAYOR WYNN: FURTHER COMMENTS OR QUESTIONS FOR STAFF BEFORE WE AGAIN OUR PUBLIC HEARING ON TESTIMONY. THANK YOU. SO THEN WITH THAT, COUNCIL, WITHOUT OBJECTION WE WILL GO TO OUR PUBLIC HEARING, ITEM NUMBER 46. I WILL CALL UP THIS. NOW, WE NORMALLY CONDUCT A ZONING PUBLIC HEARING WITH THE PRESENTATION BY STAFF, AND OFTEN TIMES THERE IS AN APPLICANT OR AGENT, PROMPT OWNER WHO PRESENTS HIS OR HER CASE FOR FIVE MINUTE, THEN WE HEAR FROM FOLKS IN FAVOR AND OPPOSITION. I THINK WE SHOULD CONSIDER STAFF RECOMMENDATION AS HAVING BEEN THE, YOU KNOW, THE PRESENTATION BET APPLICANT, IF YOU WILL, AND SO WE WILL NOW GO TO FOLKS WHO ARE IN FAVOR OF THE PROPOSED AMENDMENT, THREE MINUTES AT A CLIP, THEN WE WILL HEAR FROM FOLKS IN OPPOSITION. THEN OF COURSE, OPEN THE DAIS AT ALL TIMES UP FOR QUESTIONS FROM COUNCIL. SO, AGAIN, WE WILL JUST TAKE THESE IN ORDER OF FOLKS SIGNED UP WISHING TO SPEAK AND IN FAVOR OF THE AMENDMENT. OUR FIRST SPEAKER IS CRAMER, I BELIEVE IT IS. SIGNED UP WISHING TO SPEAK IN FAVOR. AS DID JIMMY BUTLER. IS MR. BUTLER HERE? YOU CARE TO GIVE US TESTIMONY, JIMMY? IT LOOKS LIKE IS HELEN TAYLOR IN THE ROOM, BY CHANCE? IS HELEN HERE? I ASK BECAUSE HELEN OFFERED TO DONATE TIME TO JIMMY. OUR RULE IS FOLKS HAVE TO BE PRESENT IN THE CHAMBER IN ORDER TO DO THAT SO WITH HELEN PRESENT HAVE YOU SIX MINUTES, WELCOME, AND YOU WILL BE FOLLOWED BY RUDOLPH WILLIAMS.

THANK YOU, MAYOR AND COUNCILMEN. I'M STANDING HERE AS PRESIDENT OF THE PROSPECT NEIGHBORHOOD ASSOCIATION. AS AN ASSOCIATION WE ARE IN FAVOR, AND WE DO SUPPORT THE OCEAN ORDINANCE AMENDMENT THAT THEY HAVE SUBMITTED. WE AS A NEIGHBORHOOD HAVE NUMEROUS SMALL LOTS, AND WE FEEL AS THOUGH THOSE LOTS WILL BE PRESERVED AND THE CHARACTER OF THE NEIGHBORHOOD WILL BE PRESERVED BETTER BY SUPPORTING THIS AMENDMENT. THANK YOU.

THE NEXT PERSON WHO IS IN FAVOR, CAN YOU LOCATE THE CITY CLERK. WILLIAMS IS NEXT SPEAKER. THE NEXT ONE IS ELAINE JONES.

GOOD EVENING. COUNCIL MEMBER, I DON'T SEE THE MAYOR, WHERE DID HE GO. ANYWAY, MY NAME IS RUDOLPH WILLIAMS, I'M THE PRESIDENT OF OCEAN, AND -- MAYOR PRO TEM.

YES.

LAWSUITER SIMON, IF HE IS IN THE CHAMBERS HAS DONATED TIME RUDOLPH WILLIAMS.

RAIL YOUR HAND. SO YOU HAVE SIX MINUTE, SIR.

THANK YOU.

I WAS LISTENING SO INTENTLY TO YOU.

THIS VOICE WAS COMING FROM GOD [LAUGHTER] SO MAYBE I'M ON A ROLE HERE ALREADY. ANYWAY, THAT IS WHAT I GET FOR LEAVING.

WE BROUGHT THIS PARTICULAR PROPOSAL FOR OCEAN BECAUSE OUR ESSENTIAL AREA BECAUSE WE HAVE A SUBSTANTIAL NUMBER OF SMALL LOTS, AND WHAT WE ARE NOTICING IN THE NEIGHBORHOOD IS THAT A LOT OF THESE LOTS ARE BEING, THE HOUSES ON THEM ARE BEING TORN DOWN AND IN THEIR PLACE, THEY WERE BEING REPLACED WITH \$300,000 HOUSES. SO THAT MEANS THAT THE POOR PEOPLE THAT USED TO LIVE THERE AND LIVE NAY FORDABLE HOUSING ARE BEING FORCED OUT OF THE NEIGHBORHOOD. THE PRIMARY AFFORDABLE HOUSING MECHANISM IN CENTRAL EAST AUSTIN IS THE RENTAL PROPERTY. IT IS ONE LITTLE HOUSE ON A SMALL LOT. THAT IS, IT IS NOT AUSTIN HOUSING AUTHORITY, IT IS NOT ANY OTHER, LIKE APARTMENTS OR ANYTHING, IT IS SMALL HOUSES. NOW, THE PRESSURE TO TEAR DOWN THOSE SMALL HOUSE US BECAUSE OF THE APPRAISAL SYSTEM AND BECAUSE OF THE TAXES IS JUST TREMENDOUS. AND SO WE WANT TO DO TWO THING, SEVERAL THING, ACTUALLY, WE WANT TO SLOW DOWN THAT PROCESS OF TEARING DOWN THESE RENTAL UNITS. WE WANT TO MAKE SURE THAT IF YOU BUILD ON A SMALL LOT, DO YOU NOT MAX OUT THE LOT, IF THE LOT FITS IN THE CHARACTER OF THE NEIGHBORHOOD AND WE WANT TO MAKE SURE THAT WE HAVE PLACES WHERE, FOR POOR PEOPLE THAT OWN THEIR PROPERTY, THAT THEY CAN ACTUALLY STAY IN IT. IN OTHER WORDS THAT WE STABILIZE THESE SPECULATIVE APPRAISALS WE CONSIDER THE APPRAISALS ON MOST OF

CENTRAL EAST AUSTIN TO BE SPECULATIVE, AND WE HOPEFULLY WILL SLOW THAT PROCESS DOWN POOR PEOPLE'S HOUSES WON'T BE AFFECTED. SO NOW, AS FAR AS AFFORDABLE HOUSING GOES THAT IS BUILT OR PROVIDED BY AFFORDABLE HOUSING AUTHORITIES, WE CONTACTED ALL OF THE AFFORDABLE HOUSING AUTHORITIES IN CENTRAL EAST AUSTIN, THE NEIGHBORHOOD CORPORATION, BLACK LANDS DEVELOPMENT CORPORATION, ARA, EVERY LAST ONE OF THEM SAID THAT MOST, WELL, EVERY ONE EXCEPT ARA SAID ALL THE HOUSES THAT THEY CURRENTLY BUILD FIT WITHIN OUR .4 PROPOSAL. SO AS FAR AS AFFORDABLE HOUSING IT DOESN'T REALLY AFFECT THOSE PEOPLE WHO ARE TRYING TO PROVIDE AFFORDABLE HOUSING, AND WHAT WE HOPED IS THAT IT WILL STABILIZE THE SMALL LOT PRICES SO THEY CAN PURCHASE SOME OF THOSE. AND IF THE CITY OWNED SOME OF THOSE, WE WANT TO YOU PUT SOME SMALL HOUSES ON THERE. MY SISTER LIVES AT 1117 SALINA, AND SHE MOVED IN THERE 15 YEARS AGO, AND IT WAS CALLED A DOLLAR HOME, A SMALL HOUSE ON A SMALL LOT, AND IT IS BUILT FOR IT, LOOKS LIKE YOU COULD FIT ABOUT TWO, MAYBE THREE PEOPLE IN THERE. HER AND HER DAUGHTER LIVED IN THERE, AND SHE SENT HER DAUGHTER ON TO COLLEGE. SHE WOULD NOT HAVE BEEN ABLE TO LIVE IN CENTRAL EAST AUSTIN WITHOUT THAT PARTICULAR TYPE OF PROGRAM. WE NEED MORE PROGRAMS LIKE THAT. WE ALSO NEED TAX, SOME TYPE OF TAX INCENTIVES FOR PROPERTY OWNERS WHO OWN RENTAL PROPERTY. WE ALSO NEED HOMESTEAD EXEMPTION FROM THE CITY. THERE ARE VARIETY OF THINGS THAT WE REALLY NEED, BUT THIS IS JUST ONE TOOL THAT WE THINK IS GOING TO BE VERY USEFUL IN PROTECTING OUR NEIGHBORHOOD, MAINTAIN THE CHARACTER, KEEPING THE PEOPLE THAT EXIST IN OUR NEIGHBORHOODS. NOW, OUR NEIGHBORHOOD PLAN, AND I DON'T KNOW IF YOU ALL -- ALL THOSE BLUE SPOTS THERE YOU SEE ARE LOTS IN THE 4,000 TO 5,000 SQUARE FOOT RANGE. NOW, UNDER THIS PROPOSAL, YOU CAN BUILD A PRETTY BIG HOUSE ON THAT PARTICULAR LOT THE. SO WHAT WE ARE SAYING IS THAT EVEN THOUGH THIS MAY BE SOMEWHAT RESTRICTIVE, .4 MAY BE SOMEWHAT RESTRICTIVE, YOU CAN STILL BUILD A PRETTY BIG HOUSE BASED UPON A .4 ON A 4,000 TO 5,000 SQUARE FOOT LOT. AS A MATTER OF FACT, I THINK IT IS, WHAT IS THE SIZE, I BELIEVE I MAY HAVE GIVEN THAT TO YOU. DID YOU ALL GET MY PACKET? I SENT YOU ALL A PACKET. ON THERE, IT BREAKS DOWN THE SIZE OF HOUSE YOU CAN PUT ON THOSE LOTS SO I THINK IT IS A PRETTY SMART WAY OF PROTECTING CENTRAL EAST AUSTIN AND I THINK IT IS A PRETTY SMART WAY OF PROTECTING THE REST OF EAST AUSTIN ALSO. NOW, IF YOU WOULD PUT THAT NEXT SLIDE UP ON OUR GOALS. AND YOU SHOULD ALSO HAVE THAT IN YEAR PACT. THIS IS OUR NEIGHBORHOOD -- PACKET. THIS IS OUR NEIGHBORHOOD PLAN GOALS, IT IS TO PRESERVE AND RESTORE AND RECOGNIZE. YOU WILL HAVE TO BRING IN I CAN'T SEE IT, RECOGNIZE HISTORIC RESOURCES AND OTHER UNIQUE NEIGHBORHOOD FEATURES, MAINTAIN AND PRESERVE THE INTEGRITY OF CURRENT RESIDENTIAL DISTRICT, PRESERVE THE EXISTING HOUSING STOCK, RESPECT THE HISTORIC ETHNIC AND CULTURAL NEIGHBORHOOD, MAINTAIN THE EXISTING CHARACTER OF HOUSING STYLES, AND NEW HOUSES SHOULD BE ONE, TWO-STORY SIZE WITH THE FIRST FLOOR LEVELS AT LEAST 2.8-INCHES ABOVE. IN OTHER WORDS, WHAT WE ARE SEEING IS WE ARE TRYING TO MEET THE GOALS OF OUR NEIGHBORHOOD PLAN, AND WE WANT YOU ALL TO KNOW THAT OUR

NEIGHBORHOOD, IF COULD TURN THAT PAGE OVER, WE WANT YOU ALL TO KNOW WHAT OUR NEIGHBORHOOD PLAN IS BECAUSE MIGHT BE A LITTLE BIT DIFFERENT FROM OTHER'S NEIGHBORHOOD PLANS. ANYBODY ELSE WANT TO GIVE ME SOME TIME?

WHAT IS YOUR NAME, MA'AM? ELAINE JONES. OKAY, THEN MR. WILLIAMS, THREE MORE MINUTES.

OKAY. ALSO, IN OUR GOALS OBJECTIVES AND PRIORITIES, WE WANT TO MAKE SURE THAT WE HAVE MULTIFAMILY HOUSING, BUT THAT IT IS DIVERSABILITY. RIGHT NOW, IF YOU LOOK IN THAT PACKET, ALL THOSE CONDOS THAT ARE BEING BUILT THAT ARE SURROUNDING EAST AUSTIN, ONLY ONE OF THEM IS AFFORDABLE AND THAT IS THE ONE BEING BUILT NOW, BUT THE NEIGHBORHOOD CORPORATION. SO THAT MEANS THAT THE ONLY AFFORDABLE HOUSING THAT IS REALLY AVAILABLE TO US ARE THE RENTAL HOUSES THAT I'M TALKING ABOUT, THE HOUSES THAT PEOPLE CURRENTLY LIVE IN AND AUSTIN HOUSING AUTHORITY. WE ALSO WANT TO MAKE SURE THAT THERE IS COMPATIBILITY. WHAT WE ARE SEEING IS THREE HOUSES ON ONE LOT. WE ARE SEEING HUGE HOUSES ON ONE LOT IN THE NEIGHBORHOOD AND IT IS CAUSING A LOT OF PROBLEMS AND CAUSING A LOT OF DISCORD BETWEEN NEIGHBORS. WE WANT TO MAKE SURE THAT, WE WANT TO ENCOURAGE THEM, THERE ARE A LOT OF EMPTY LOTS AND HOUSES THAT NEED TO BE TORN DOWN. THERE IS ENOUGH EMPTY LOTS AND HOUSES THAT ACTUALLY REALLY NEED TO BE TORN DOWN THAT PEOPLE, DEVELOPERS, HAVE ROOM TO BUILD WITHOUT NECESSARILY MAKING OUT -- MAXING OUT A SMALL LOT. AND ALSO WE WANT TO MAKE SURE WE ESTABLISH THE IMPORTANCE OF DIVERSITY OF HOUSING, DIFFERENT TYPES OF HOUSING MAKING SURE IT IS DIFFERENT TYPES FOR DIFFERENT INCOMES. RIGHT NOW WE DO NOT FEEL THAT SMART HOUSING NECESSARILY MEETS THAT BILL BECAUSE MOST OF THE TIME IF THEY ARE GOING FOR SMART HOUSING IT IS THAT 80% MFI. OUR FOLKS THAT LIVE IN OUR NEIGHBORHOODS ARE AT 30 TO 40, 50% MFI. NOW, THE CDCs, IF YOU ALL COULD BULK UP THE MONEY AND OPPORTUNITIES OF CDCs TO DO THEIR JOB, LIKE ANDERSON WHICH FOR SOME REASON WAS DOING A GOOD JOB, BUT SUDDENLY DIDN'T, THEIR JOB WAS TAKEN AWAY FROM THEM, AND BLACK LAND AND GAIN AND THOSE GUYS THAT KNOW HOW TO BUILD AFFORDABLE HOUSING, LET THEM BUILD IT, IF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT CAN'T DO IT. AND WE JUST WANT YOU TO REALLY UNDERSTAND THAT OUR NEIGHBORHOOD SUNDAY A LOT OF PRESSURE, AND THAT WE HAVE TO COME UP WITH TOOLS THAT WE CAN USE THAT WILL ACTUALLY LOOK AT THIS AS A BIGGER PICTURE. RIGHT NOW, THE CITY, THE WAY THE CITY FOLKS IS DOING IT, IT IS ONE HOUSE AT A TIME. ELAINE JONES, ONE PERSON THAT JUST GAVE ME HER TIME, SHE CALLED THE CITY AND SAID WILL YOU FIX MY BATHROOM. THEY SAID WE CAN FIX YOUR BATHROOM, BUT WE CAN'T BOUGHT SINK IN IT. THEN AT THE SAID IT IS GOING TO TAKE TWO YEARS TO DO IT. THAT IS THE TYPE OF SERVICE THAT WE ARE GETTING. IF WE CAN GET NEIGHBORHOOD HOUSING COMMUNITY DEVELOPMENT TO DO A BETTER JOB APT WHAT THEY DO, THEN MAYBE WE CAN ALSO PROTECT SOME HOMEOWNERS THAT STILL HAVE THEIR HOMES. THANK YOU.

THANK YOU, MR. WILLIAMS. OUR NEXT SPEAKER IS JULIA MITCHELL, SIGNED UP WISHING TO

SPEAK ALSO IN FAVOR. TAKE YOUR TIME. AND JULIA, YOU WILL BE FOLLOWED BY MAGONA. I HOPE I DIDN'T MISPRONOUNCE THAT.

I SUPPORT THE LIMITS ON SMALL LOTS, AND I HAVE FOUGHT FOR THIS PROJECT IN MY NEIGHBORHOOD FOR 33 YEARS. I ORGANIZED THE FIRST NEIGHBORHOOD ASSOCIATION. I BELIEVE THIS PROGRAM WILL HELP PROTECT HOMEOWNERS AND RENTERS, ALSO PEOPLE OVER 65 WOULD HAVE A TAX, PROPERTY TAX. CUT. SO I SUPPORT THE LIMITS ON SMALL LOTS, AND I HAVE FOUGHT TO PROTECT MY NEIGHBORHOOD FOR MANY YEARS. I EVEN FOUGHT WITH NEIGHBORHOOD RENEWAL.

THANK YOU, MISS MITCHELL. OUR NEXT SPEAKER IS ANTOINETTE MAGONA. WELCOME. AND YOU WILL BE FOLLOWED BY RICHARD PARTISAN.

GOOD AFTERNOON, COUNCIL. MY NAME IS MAGONIA, AND I LIVE IN THE BLACK SURE NEIGHBORHOOD AND THIS LADY POSTS THE PICTURES. THAT PICTURE IS A PICTURE OF MY MOTHER-IN-LAW'S HOUSE IN HOUSTON, AND THAT HOUSE HAS BEEN THERE FOR ABOUT 100 YEARS, AND THIS IS WHAT IS HAPPENING IN HER NEIGHBORHOOD CURRENTLY. THAT IS THE DEVELOPMENT TO THE LEAF SIDE OF HER HOUSE, IF YOU ARE LOOKING AT HER HOUSE, AND THE OTHER PICTURE IS THE DEVELOPMENT TO THE RIGHT SIDE OF HER HOUSE, THE OTHER PICTURE. AND THAT IS HER HOUSE IN THE MIDDLE. I RECEIVED MR. HENDERSON'S LETTER AND PETITION IN THE MAIL. AFTER READING IT A FEW TIMES, FIRST OF ALL I FELT THAT THE LETTER SENT OUT TO THE 78702 ZIP CODE COMMUNITY HAD MOSTLY IER RHONOUS INFORMATION. I THEN -- ERRONEOUS INFORMATION. I THEN FELT AFTER READING IT THAT MR. HENDERSON WAS TRYING HIS BEST TO DIVIDE THE COMMUNITY AND MANIPULATE THE ISSUE. I'VE SEEN HIS E-MAILS THAT HE HAS SENT TO PLANNING AND ZONING AND CITY COUNCIL. IN HIS E-MAILS HE HAS THEYENED THE OCEAN ORGANIZATION AND THREATENED OUR CITY OFFICIALS WITH LAWSUITS. FROM WHAT I'VE READ IN HIS E-MAILS AND HIS LETTER AND PETITION, HE HAS BEEN VERY DENIGRATING TO THE DELIBERATIONS OF THE PLANNING COMMISSION AND ALL BECAUSE HE MIGHT SUFFER SOME THEORETICAL ECONOMIC LOSS FROM THE SALE OR DEVELOPMENT OF HIS PROPERTY. I HAVE NOT SEEN MR. HENDERSON AT ANY NEIGHBORHOOD MEETINGS WHEN THIS ISSUE WAS BEING DISCUSSED. I DO NOT BELIEVE MR. HENDERSON CARES ABOUT THE WELFARE OF THIS COMMUNITY, ONLY ABOUT THE WELFARE OF HIS POCKET BOOK. THEREFORE, I BELIEVE THAT HIS PETITION SHOULD BE REJECTED. I ASK THAT THE .4 FAR AMENDMENT BE PASSED TO HELP SLOW DOWN GENTRIFICATION AND THE TEAR DOWNS IN OUR NEIGHBORHOOD. AND TO SLOW DOWN EXCESSIVE SPECULATIVE APPRAISALS AND TAXES, AND WE WOULD VERY MUCH LIKE TO KEEP THE CHARACTER OF OUR NEIGHBORHOOD. THANK YOU.

THANK YOU. OUR NEXT SPEAKER IS RICHARD HARDISON. WELCOME RICHARD. IS LINDA JOHNSTON IN THE ROOM? WELCOME. YOU WILL HAVE UP TO SESSION MINUTES IF YOU NEED IT AND YOU WILL BE FOLLOWED BY NATHAN WILKES.

THANK YOU, CITY COUNCIL MEMBERS AND MAYOR. I'M SECRETARY OF THE ORGANIZATION OF CENTRAL EAST AUSTIN NEIGHBORHOODS. IN 1999 THE CITY DESIGNATED OCEAN TO CONTRACT FOR NEIGHBORHOOD PLANNING AND THE CITY STAFF SUPERVISED A PLANNING PROCESS THAT RULED IN AN APPROVED NEIGHBORHOOD PLAN 2001. AT THAT TIME THERE WASN'T MUCH DEVELOPMENT IN THE NEIGHBORHOOD. WE HAD OVER 600 SUB STANDARD LOTS, SOME VACANT AND SOME WITH HOUSES AND SOME OCCUPIED AND SOME NOT. OWNERS OF THESE SMALL LOTS EXPERIENCED GREAT DIFFICULT TO BORROW MONEY TO BUILD NEW STRUCTURES ON THEIR PROPERTY, THE EAST AUSTIN MARKET WAS STILL WEAK IN 2001. THAT IS NOT THE CASE NOW. OUR NEIGHBORHOOD ADOPTED SMALL LOT ANMESTY, LEGALIZING UP TO 2500 SQUARE FEET AND ADOPTED URBAN HOME LOT SUBDIVISION, ALLOWING SUBDIVISION OF LOTS AS SMALL AS 3500 SQUARE FEET. ON LEGAL LOTS LESS THAN 5700 SQUARE FEET THE McMANSION ORDINANCE ALLOWS A 2300 SQUARE FOOT HOUSE IF IT FITS IN THE DEVELOPMENT ENVELOPE AND MEETS IMPERVIOUS REQUIREMENTS. THE REAL REGULATOR IS THE ALLOWABLE FAR. THE McMANSION ORDINANCE ADDRESSED SCALE PROBLEMS IN NEIGHBORHOODS WITH STANDARD AND LARGER LOT, BUT DID NOT ADDRESS THE SAME PROBLEM IN OUR NEIGHBORHOOD WITH MANY SMALL LOTS. THE LAWYER AND DEVELOPER THOUGHT THE DEVELOPMENT ENVELOPE SET BACK IN IMPERVIOUS COVER WOULD CONTROL SMALL LOT HOUSES WITH THE SMALLEST LOT MAINTAINING THAT BASIC RATIO. THIS IS NOT THE CASE. A 2300 SQUARE FOOT HOUSE CAN FIT ON THE LOT. WE DID NOT COME TO THIS NEIGHBORHOOD AMENDMENT PLAN EASILY. SINCE SEPTEMBER OF 2006, OCEAN HAS HELD NINE MEETINGS, MANY CONTENTIOUS THIS ISSUE WAS DISCUSSED AT LENGTH AND VOTED ON FOUR TIMES. THIS REQUESTED AMENDMENT IS A FINAL RESULT OF THIS PROCESS. THE CURRENT ORDINANCE DEVELOPS GREATER DEVELOPMENT RIGHTS, JUST AS THE FAR AUTHORIZES HOUSES ON SUB STANDARD LOTS IN AUSTIN REFLECTS HOUSES ON STANDARD AND SUB STANDARD LOTS IN OUR NEIGHBORHOOD. URBAN HOME SMALL LOT SUBDIVISIONS THAT CREATED A HUGE PROBLEM. AN EXISTING 7,000 SQUARE FOOT LOT, WHICH WE HAVE A LOT OF, WITH AN FAR OF .4 ACCOMMODATED A 2800 SQUARE FOOT HOUSE. IN OUR NEIGHBORHOOD NOW YOU CAN SUBSIDIZE THAT LOT INTO TWO PA HUNDRED SQUARE FOOT LOT, E&P EACH SUPPORTING A HOUSE RESULT INFORMATION FAR OF .5. THERE ARE ARGUMENTS AGAINST THIS. THERE IS THE TAKING OF PROMPT RIGHTS AND FAILURE TO CONDUCT AN ECONOMIC IMPACT STUDY TO THE AFFECTS OF THE AMENDMENT THIS HAPPENS WHEN THE FAR ON LOTS LARGER THAN 5750 SQUARE FEET. IN THE NEIGHBORHOOD PLAN SMALL LOTS WERE LEGAL AND DEVELOPLED THROUGH VARIANCES. LEGAL SMALL LOTS WERE CREATED IN A NEIGHBORHOOD PLAN WITH THE EXISTING NEIGHBOR SCHOOL. A .4 FAR IS THAT SCALE AND MAKES DEVELOPMENT RIGHTS 6 SMALL SF-3 LOTS THE SAME AS OTHERS IN THE REST OF THE CITY. SOME PLANNERS AND DEVELOPERS CLAIM THAT REDUCES DENSE ITSELF CLOSE TO THE CITICORP, IGNORING THE GREEN BUILDING PRINCIPLE OF REDUCING SPRAWL BY ADOPTING SMALL LOT ANMESTY, OCEAN INCREASE THE DENSITY 6 OUR NEIGHBORHOOD. IT HAS NO AFFECT ON THE NUMBER OF SF-3 HOUSE, ONLY THEIR SCALE. ONE HOUSE IS ONE HOUSE, REGARDLESS OF SIZE THIS NEIGHBORHOOD PLAN AMENDMENT ADDRESS AS GREEN

PRINCE NEAL SMALLER IS BETTER -- PRINCIPLE THAT SMALLER IS BETTER. WE ARE ENTITLED AND SHOULD BE ABLE TO BUILD THREE BEDROOM AND 2 1/2 BATHHOUSES ON ALL LEGAL HOUSES, REGARDLESS OF SIZE. THIS IS A TYPICAL HOUSING MODEL. OCEAN IS A POOR MINORITY, BLUE COLOR OR NO COLOR DIVERSE CITY NEIGHBORHOOD WITH LOT AS HOUSE SIZE FLECTING ITS AUSTIN HISTORY. THIS NEIGHBORHOOD COMPOSITION LET TO SMALLER HOUSES ON SMALLER LOTS, AND THEY ARE STILL THERE AND IN DEMAND, WITH THE LAST AFFORDABLE HOUSING IN THE CITY. WE WILL LIKE TO MAINTAIN THAT HOUSING SCALE. WE CONTACTED THE HABITAT FOR HUGETY AND ASKING THEM THE AFFECT OF THIS AMENDMENT ON THEIR PROJECTS. ALL RESPONDED THAT THE FAR AFFECT NOD AFFORDABLE HOUSING BUILDS IN THEIR NEIGHBORHOOD. WE ARE ASKING FOR YOUR SUPPORT FOR YOUR AMENDMENT. THANK YOU FOR HEARING OUR REQUEST. ARE THERE ANY QUESTIONS?

MAYOR WYNN: THANK YOU. NIL QUESTIONS FOR RICHARD, COUNCIL? THANK YOU. OUR NEXT SPEAKER IS NATHAN WILKES. WELCOME NATHAN. LET'S SEE, IS GRACE RIGGON IN THE ROOM? IS GRACE HERE? IS HOW ABOUT IS BOBBY METERS HERE? BOBBY. SO MR. WILKES YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT. WELCOME. AND YOU WILL BE FOLLOWED BY AGNES.

GOOD EVENING, MAYOR AND CITY COUNCIL. MY NAME IS NATHAN WILKES, A RESIDENT AND VOLUNTEER IN THE OCEAN NEIGHBORHOOD. IN MY STRUGGLE TO LIVE LIFE ALONG MY VALUES I HOPE TO NEVER PROFIT AT THE EXPENSE OF MY NEIGHBOR THIS SAME MAY SOUND VAGUE AND LOVEY, BUT IT IS THE WAY THAT I DO. I HAVE A SLIDE SHOW THIS EVENING SHOWING THE CONDITION OF SMALL LOTS AND HOUSES ON THIS. THE SLIDE SHOW SAMPLING OF 29 HOUSES IN EAST AUSTIN ON SMALL LOTS, THERE IS NO CHERRY PICKING IN ASSEMBLING THIS SLIDE SHOW, IT IS THE TYPICAL CHARACTER AND SCALE OF THE OLD HOUSES ON THE SMALL LOTS IN THIS NEIGHBORHOOD. I VENTURE THAT MOST OF THESE HOMES ON THESE LOTS ARE BETWEEN 500 AND 800 SQUARE FEET AND NOT ANY ONE EXCEEDING 1,000 SQUARE FEET. EVEN WITH THE RAD IF I INDICATION OF THIS AMENDMENT, -- RAD INDICATION CASH RADIFICATION OF THESE AMENDMENTS. THERE ARE MANY GENERATIONS THAT HAVE LIVED, THERE ARE MEN GENERATIONS THAT HAVE RAISINGED FAMILIES IN THESE VERY HOMES. TO MAINTAIN THOSE HOMES ARE A NECESSITY ARE UNSUITABLE IS FOSTERS INSENSITIVITY TO SIS STORE I CAN STRUGGLES TO THE COMMUNITY. CHOOSE TO DEVELOP AFFORDABLE HOUSING ALREADY IN PLACE. AFFORDABLE HOUSING HAS BEEN IN PLACE FOR DECADES AND NEEDS PRESERVATION RATHER THAN DEMOLITION. THE LOSS OF AFFORDABLE HOUSING IS THE HEART, A PROLIFERATION OF A NECESSARILY LUXURY THERE IS NO REASON TO CALL A 900 SQUARE FOOT BUILD AFFORDABLE WHEN IT IS TWICE THE AVERAGE SIZE AND HAS ALL THE MODERN COMFORTS. IT IS A PROLIFERATION OF THESE KINDS OF PROJECTS THAT DWARFS THESE VALUES AND TRULY AFFORDABLE HOUSING ONE BY ONE. BY LIMITING THE BUILDING SIZE CLOSER TO NECESSITY AND APPROPRIATE SCALE AND LUXURY ON SMALL SINGLE FAMILY LOTS, SOME SMALLER, OLDER, HULLABLER NEIGHBORHOOD HOUSES WILL BE PRESERVES RATHER THAN BEING SWAPLED FOR AN AFFORDABLE REPLACEMENT OR MORE LIKELY THE

NOT AFFORDABLE REPLACEMENT WHICH IS EVER MORE COMMON. THE CONVERSATION GONE INTO THE ISSUE OF AFFORDABLE HOUSING IN AUSTIN I FEEL THAT METRIX LIKE 08% IDENTIFY ARE USEFUL AND DO THRILL PROTECT THE COMMUNITY THAT CALL OCEAN A NEIGHBORHOOD HOME. AFFORDABILITY IS AN ISSUE AT THE NEIGHBORHOOD SCALE. WHEN METRIX TO DETERMINE THE AFFORDABILITY OF NEW HOUSING TREAT OCEAN UNDERSTOOD AND HYDE PARK AND TRAVIS HEIGHTS THE END RESULT IS THE HOMOGENIZING OF ALL OF AUSTIN AS OVER ALL CITY HOUSING PRICES CONTINUE TO CLIMB. I BRING THIS UP ONLY TO REENFORCE HOW VALUABLE EXISTING SMALL HOUSES ARE ON SMALL LOTS FOR THE FUTURE OF THIS NEIGHBORHOOD, NOTHING THAT IS AFFORDABLE WILL EVER BE DEVELOPED IN AUSTIN. IN CONCLUSION THE INTENT OF THE ORDINANCE IS TO PROTECT THE COMMUNITY INTEREST AS A WHOLE AND REDUCE THE PROFIT TIERING. AS A TRAILED OFF IT DOES ASK THE SMALL LOT EARNERS RESTRICT FUTURE DEVELOPMENT IN A MANNER THAT IS THOSE THAT MADE THE COMMUNITY WHAT IT IS TODAY. THANK YOU FOR YOUR CONSIDERATION.

THANK YOU, MR. WILKES. SO OUR NEXT SPEAKER IS AGNES. WELCOME. LET'S SEE IS NELL PETERSON HERE? IS NELL IN THE ROOM? OUR RULES WERE SHE NEEDS TO BE IN THE CHAMBERS IN ORDER TO DONATE HER THREE MINUTES. START WITH THREE, AGNES. WELCOME, NELL. HOW ARE YOU. GOOD TO SEE YOU. SO YOU WILL HAVE SIX MINUTES, WELL COME, AND YOU WILL BE FOLLOWED BY JIMMY.

I'M PASSING OUT ACTUALLY RIGHT NOW ALL THE NEIGHBORHOOD ASSOCIATION AND OTHER ASSOCIATION LETTERS 6 SUPPORT AS WELL AS MATERIALS USED BY OCEAN TO DISTRIBUTE TO NEIGHBORS AND RESIDENTS OF THE OCEAN AREA ABOUT THE PROPOSAL. IF YOU HAVE A COPY OF MR. HENDERSON'S LETTER, I WOULD SUGGEST HAVING A LOOK AT IT AT THIS TIME JUST BECAUSE I WOULD LIKE TO ADJUST THE FAIRNESS WHICH THE ISSUE IS BEING DISCUSSED WITH RESIDENTS. I REALIZE HUNDREDS OF PETITIONS WERE RECEIVED IN RESPONSE TO MR. HENDERSON'S LETTER, BUT I WOULD LIKE TO BRING UP THE POINT THAT ALL THOSE PETITIONS WERE BASED ON MISINFORMATION, INFLAMMATORY RHETORIC AND MISLEADING AND WHEN OCEAN DISTRIBUTED INFORMATION TRYING TO GATHER PETITIONS, DIDN'T HAVE THE FUNDS TO SEND TO THE WHOLE ZIP COLD AND DIDN'T FIND IT WAS RELEVANT TO THE WHOLE ZIP COLD SINCE IT WASN'T BEING IMPACTED SHOULD BE ADDRESSED. MR. HENDERSON'S LETTER SAYS IF THAT IS YOUR ZIP COLD IT WILL IMPACT YOUR ROADS AND DEVALUE YOUR PROPERTY AND EVEN IF HAVE A LARGE LOT IT IMPACTS YOU BECAUSE IT LIMITS YOUR SQUARE FOOT AND. THAT IS SIMPLY NOT TRUE IF YOU READ THE PROPOSAL, THAT IS NOT WHAT IT SAYS, IT IS ONLY SMALL LOTS AND SINGLE FAMILY LOTS. MR. HENDERSON CLAIMS IT IS ADDRESSING DENSITY SAYING IT HURTS US ALL IN THE LONG RUN, AND I THINK EVERYBODY AT OCEAN WOULD AGREE WITH THAT. THE DENSITY ISSUE ISN'T REALLY AT STAKE BECAUSE THESE ARE ONLY SINGLE FAMILY RESIDENTS ANYWAY SO IT IS THE DIFFERENCE OF BUILDING A SINGLE FAMILY RESIDENCE IN THE NEIGHBORHOOD AND THE LOTS, SO I DON'T THINK IT IS FAIR TO SAY THAT IS THIS IS A SENSITY ISSUE. HE ALSO CLAIMS THAT THE CITY WILL BE DEVALUING PROPERTY, THAT YOU CAN NEVER IMPROVE OR EXPAND UPON YOUR HOUSE. THESE ARE

ALL WAYS THAT I CAN SEE WOULD BE REALLY EMOTIONALLY CHARGING FOR SOMEBODY WHO HASN'T ACTUALLY READ THE PROSOSAL AND SINCE A COPY OF THE PROPOSAL ISN'T INCLUDED IN THE MAIL OUT A LOT OF PEOPLE WERE LED TO BELIEVE IT WAS DOING THINGS IT IS NOT AND CAUSING A LOT OF HARM TO THE NEIGHBORHOOD, WHEN IN FACT, I DO THINK THERE ARE GOOD REASONS TO BE FOR IT AND AGAINST IT, I THINK THAT THOSE REASONS SHOULD BE BASED ON FACT THE AND NOT MISLEADING INFORMATION SO I WOULD LIKE THE COUNCIL TAKE THAT INTO CONVERSATION WHEN LOOKING AT THE FACT THAT HUNDREDS OF PETITIONS WERE RETURNED IN RESPONSE TO THIS, I THINK IT IS A REALLY GOOD WAY TO GET THAT KIND OF RESPONSE, BUT I DON'T THINK IT IS VERY FAIR PUBLIC POLICY SHOULD BE BASED ON THAT KIND OF A RESPONSE. THE LETTER ALSO SAYS THAT THIS WAS TRYING TO BE SLIPPED PAST THE RESIDENTS AND LINKS THE PROPOSAL TO THE CLOSING OF A HIGH SCHOOL IN THE NEIGHBORHOOD, THINGS LIKE THAT THAT ARE KIND MUCH SCARE TACTICS AND BULLYING TACTICS, AND I THINK THAT IS RATHER UNFORTUNATE. THE SITUATION, THE NEIGHBORHOOD MEETINGS CALLED FOR MANY MONTHS AND THEN ACTUAL MEMBERS WENT OUT AND CANVASSED THE NEIGHBORHOODS, I PERSONALLY WEDGE OUT. ALL THE ASSOCIATIONS HAVE WRITTEN LETTERS OF SUPPORT. THE ONE THAT DIDN'T, THOUGH I AM FOR THE PROPOSAL, I THINK IT IS MORE IMPORTANT THAT ACTUAL RESIDENTS HAVE THEIR SAY, AND THEY ARE AGAINST IT THEY SHOULD DEFINITELY BE AGAINST IT AND HAVE THEIR SAY BECAUSE IT IS THEIR PROPERTY AT STAKE. WHEN I DID GO AND CANVASS I GOT ABOUT 13 PEOPLE THAT WERE FOR, A FEW THAT WERE UNDECIDED AND YOU WITHIN THAT ACTUALLY SIGNLED SOMETHING AGAINST IT SO I JUST LIKE THE COUNCIL TO TAKE THAT INTO CONSIDERATION AND BE SURE IT IS ACTUAL RESIDENTS OF THE OCEAN NEIGHBORHOOD THAT ARE HAVING THEIR SAY WHEN THIS PROPOSAL IS BEING DISCUSSED. I DO AGREE WITH ONE THING MR. HENDERSON'S LETTER, IT SAYS WE ARE A COMMUNITY OF MALLOTTES AND MODEST HOMES THAN IS OUR CHARACTER AND I THINK THAT IS EXACTLY THE POINT OF OCEAN'S PROPOSAL IS TO MAINTAIN THAT EXISTING HOUSING STOCK, AND THAT IS ALL THEY ARE TRYING TO DO IS PRESERVE THAT. I WOULD ALSO -- I GUESS THOSE WERE MOST OF THE POINTS I WANTED TO MAKE. JUST PLEASE CONSIDER THE BULLYING TACTICS, AND I THINK INAPPROPRIATE USE 6 GRANDIOS AND INFLAMMATORY LANGUAGE THAT WAS USED TO SOLICIT A LOT OF RESPONSES TO THIS AND MAYBE A LOT OF THOSE PEOPLE WOULD HAVE STILL VOTED AGAINST IT OR BEEN OPPOSED TO IT, BUT CHANGE THERE IS NO WAY OF KNOWING THAT NOW AND SO UNLESS WE CAN KIND OF ADDRESS IT AGAIN AND INFORM EVERYBODY AS TO WHAT THE PROPOSAL ACTUALLY SAYS THAT WOULD BE A BETTER WAY TO GAUGE WHAT PART COMMUNITY'S RESPONSE IS. THANK YOU.

MAYOR WYNN: THANK YOU. OUR NEXT SPEAKER IS COMENTE. WELCOME, YOU WILL HAVE THREE MINUTES. SHE IS NOT ON THE LIST BUT MISS ABRY IS WELCOME TO SPEAK AFTER THIS.

MAYOR, COUNCIL MEMBERS, I AM THE CURRENT PRESIDENT OF THE AUSTIN NEIGHBORHOOD'S COUNCIL. I ALSO WANTED TO MENTION THAT I WAS ON THE McMANSSION TASK FORCE. THE AUSTIN NEIGHBORHOOD AS COUNCIL EXECUTIVE COMMITTEE HAS

VOTED TO SUPPORT THE OCEAN NEIGHBORHOOD PLANNING TEAM'S APPLICATION TO LIMIT THE FAR FOR SMALLER LOTS. I JUST WANTED TO MAKE A FEW POINTS. BASED ON ON DATA PUT TOGETHER BY THE CITY DEMOGRAPHER, THE CURRENT AVERAGE FAR IN THIS AREA IS .227. 83% OF THE HOMES HAVE AN FAR OF LESS THAN .3, AND 90% OF THE HOMES HAVE AN FAR OF LESS THAN .4. SO I KNOW THAT OPPOSITION HAS BROUGHT UP THE PROPERTY RIGHTS ISSUE, BUT I ALSO WANT YOU TO CONSIDER THAT THIS NEIGHBORHOOD ADOPTED SMALL LOT ANMESTY AND URBAN HOMES, AS PLANNING TOOLS. URBAN HOMES ALLOWS THEM TO BUILD ON 3500 SQUARE FOOT LOTS, AND TO USE 65% IMPERVIOUS COVER. THAT IS A HUGE EXTRA BENEFIT TO THESE PROPERTY OWNERS OF SMALL LOTS WERE ALREADY HANDED SO PLEASE CONSIDER THAT WHEN THEY TALK TO BUT TAKING AWAY THEIR PROMPT RIGHTS. WITH THE PASSING OF THE McMANSION ORDINANCE, COUNCIL ACKNOWLEDGED THAT THE CONSTRUCTS OF THE ORDINANCE WOULD NOT WORK FOREVER NEIGHBORHOOD SO PASSED AS PART OF THE ORDINANCE WAS THE ABLE FOR NEIGHBORHOODS TO TAYLOR THINGS LIKE FAR TO MEET THEIR NEEDS. PLEASE INVESTIGATE IN FAVOR OF THIS APPLICATION AND SUPPORT THIS NEIGHBORHOOD PLANNING TEAM IN THEIR DESIRE TO PRESERVE EXISTING CHARACTER AS WELL AS RACIAL AND ECONOMIC DIVERSITY AND AFFORDABILITY OF THEIR NEIGHBORHOOD. SUPPORT THE NEIGHBORS WHO WANT TO CONTINUE LIVING IN THE NEIGHBORHOOD, VERSIONS THOSE WHO JUST WANT TO PROFIT FROM IT. THANK YOU VERY MUCH [APPLAUSE]

THANK YOU. THE NEXT SPEAKER IS MISS CADII IVORY. WELCOME MISS IVORY. YOU ALSO HAVE THREE MINUTES, WELCOME, YOU LOOKCLE.

THANK YOU, HAPPY NEW YEAR TO ALL OF YOU. I WANT TO SAY THAT I'M HAPPY THAT YOU SELECTED A NEW CITY MANAGER, AND I'M VERY PLEASED WITH HIM, BY LISTENING TO HIM, I WASN'T HERE, BUT I WAS ON MY TV WITH MY TV LISTENING SO I'M VERY PROUD AND VERY HAPPY FOR THAT. AND THANK YOU FOR THE OPPORTUNITY TO BE ABLE TO SPEAK TO YOU TODAY. I SUPPORT COMPLETELY THE OCEAN APPLICATION AND I CAN TALK ABOUT, I CAN TALK ABOUT 12th STREET WHERE I'VE BEEN LIVING FOR ALMOST 70 YEARS. AND I KNOW, I'VE SEEN THE CHANGES AND ALL THE CHANGES THAT HAVE TAKEN PLACE, EVERYBODY WAS TAKEN CARE OF, BUT I'VE BEEN CONCERNED, I HEAR QUITE OFTEN ABOUT AFFORDABLE HOUSING, AND I JUST CANNOT, I SAY TO MYSELF, AFFORDABLE FOR WHOM. EVERYTHING BUILT LATELY, NOBODY IN MY NEIGHBORHOOD CAN LIVE, AND I HAVE, I'VE HAD WORK WITH MY PLANS, THE CHESTNUT NEIGHBORHOOD PLAN, AND WE ASKED FOR HOUSES, IN-FILL HOUSES THAT WAS COMPATIBLE TO THE NEIGHBORHOOD, BUT WE DON'T HAVE ANY OF THAT AND THE REAL PROPERTY THAT HAS BEEN THERE IS STILL THERE, AND THEY NEED HELP. AND I WOULD LIKE FOR THE CITY COUNCIL TO PROPOSE SOL KIND OF PROGRAM THAT CAN ASSIST THE PEOPLE THAT, THE LANDLORDS THAT HAVE ALL THESE PROMPTS THAT IS RENTAL -- PROPERTIES THAT IS RENTAL, AND THEY CAN'T AFFORD TO REHABILITATE THEM, GIVE THEM SOME INCENTIVE TO WANT TO REHABILITATE THEIR HOUSE BECAUSE I DON'T CARE HOW MUCH YOU DEVELOP IN THE NEIGHBORHOOD THAT IS A BAD SPOT TO LOOK AT WHEN YOU COME AND SEE ALL THESE MINI McMANSIONS AND ALL THESE HOUSING, NEW HOUSING AND TWO AND THREE HOUSES ON ONE LOT, AND THREE

HOUSES DEEP ON A LOT. AND THEN YOU GO DOWN 12MENT STREET FURTHER AND THERE IS A HOUSE THAT JUMPS OUT AT ALL. SO ALL THESE DIFFERENT KIND OF HOUSES IT IS TERRIBLE. AND I'M JUST NOT PLEASED. I DON'T CARE, WITH ALL OF THESE PLANS WITH ARA I STARTED WITH THEM AND WE WERE DECEIVED, WE DIDN'T GET WHAT WE NEEDED WHAT WE ASKED FOR BECAUSE I REMEMBER JACKIE GOODMAN SAYING THREAT BE NEIGHBORHOOD DRIVEN, AND THEY DIDN'T HEAR THAT AND I CAME DOWN TO COUNCIL AND SAID DON'T GIVE THEM ANY MORE MONEY UNTIL THEY ADDRESS THE PROBLEMS THAT THE NEIGHBORHOOD ASKED FOR. THEY DID LISTEN TO ME AND YOU SEE WHAT WE HAVE UP THERE, ON 11th STREET. ALL OF THESE TOWNHOUSES AND WHATEVER IT IS, SOME OF THEM \$2,000 A MONTH IN RENT, \$1,800. WHAT CAN LIVE IN THESE HOUSES. IT IS NOT US. WHAT ARE YOU DOING. YOU ARE STEADYING DRIVING US OUT OF OUR NEIGHBORHOODS.

I AM THE PRESIDENT OF THE ROBERTSON HILLS ASSOCIATION IT. ENCOMPASSES AN AREA THAT LIES BETWEEN BRANCH STREET ON THE WEST, ANGELINA STREET ON THE EAST, 12th STREET ON THE NORTH AND 11th STREET ON THE SOUTH THAN ALSO INCLUDES THE ANDERSON AFFORDABLE HOUSING THAT WAS BUILT IN THE LATE '90s AND EARLY 2000s. IT ALSO INCLUDES THE PROPERTIES THAT THOMAS HENDERSON OWNS ON COTTON STREET. AT OUR JANUARY 13th NEIGHBORHOOD ASSOCIATION MEETING, WE HAD A SOLID MAJORITY OF NEIGHBOR ATTENDEES WHO VOTED TO SUPPORT OCEAN IN THEIR QUEST FOR THIS AMENDMENT TO THE McMANSION ORDINANCE. AND I DO HAVE A LETTER HERE, SHOULD I GIVE IT TO YOUR CLERK, AND I ALSO DO, IF FAIRNESS FOR THOSE 6 OUR NEIGHBORHOOD ASSOCIATION MEMBERS, TO DISAGREE. I HAVE A MINORITY REPORT TO GIVE THEIR POINT OF VIEW AS WELL. EVERYBODY HAS ALREADY SAID WONDERFUL THINGS THAT I AGREE WHOLE HEARTED FLEE SUPPORT OF THIS AMENDMENT. SO THAT IS ALL I HAVE TO SAY.

THANK YOU.

SAME FOLKS VERY MUCH INTERESTED WOULD THEN BE TAKEN UP AFTER THIS ITEM. SO WITHOUT OBJECTION WE'LL NOW BREAK FOR LIVE MUSIC AND PROCLAMATIONS. THE COUNCIL HAS NO CLOSED SESSION AGENDA ITEMS REMAINING, SO THEY WILL NOT BE IN SESSION WHILE WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS. AND STAY TUNED FOR EL TULE, WHO IS OUR MUSICIANS FOR TONIGHT. RIO VISTA QUINLAN SELMA BLANK BRAKER SHOE SHIEW COFT COFTS [TUNING UP]

MAYOR WYNN: OKAY, FOLKS. WELCOME TO OUR WEEKLY LIVE MUSIC GIG HERE AT THE AUSTIN CITY COUNCIL MEETING. JOINING US IS LATIN JAZZ BAND EL TULE. THEY COMBINE LATIN JAZZ, AFTER ROW, CUBAN, SALSA AND REGULAR AND I. THEY'VE BEEN INFLUENCED BY ART, HISTORY, MAYBE POLITICS, AND MYSTICAL AND CULTURAL TALES OF THE AMERICA. THE FIRST FULL-LENGTH RECORDING WILL BE RELEASED ON JANUARY 26. PLEASE JOIN ME IN WELCOMING EL TULE. [MUSIC PLAYING] AFTER RO REGULAR [MUSIC PLAYING] [(music) SINGING (music)] [SINGING IN SPANISH] REGGAE [SINGING IN SPANISH] (music)(music) REG AND I [SINGING IN SPANISH] (music)(music) [APPLAUSE]

MAYOR WYNN: A GREAT TEST FOR OUR SOUND SYSTEM IN CITY HALL. HOW DO WE FIND YOU NEXT? DO YOU HAVE A WEB SITE? WHEN IS THE RECORD COMING OUT?

WE JUST ACTUALLY FINISHED A RECORDING AND WE'RE REALLY HAPPY ABOUT IT. WE HAVE A CD RELEASE COMING UP JANUARY 26, SOME GREAT LOCAL BANDS, GREAT TIME, GREAT MEXICAN FOOD, SOUNDS LIKE A GREAT TIME FOR EVERYBODY. THERE'S A COUPLE WEB SITE, EL TULE BAND.COM AND ALSO MYSPACE, MYSPACE.COMLETULE.

BUT YOU'RE GIGGING IN TOWN FREQUENTLY?

WE PLAY IN TOWN FREQUENTLY. DOESN'T GET ANY BETTER THAN THAT. THAT'S WHAT IT'S ALL ABOUT. THAT'S WHY WE LIVE HERE.

JANUARY 26? WHAT TIME.

WE HAVE A CD RELEASE JANUARY 26. JOVITO'S. IT'S THE EARLY SHOW. WE HAVE ANOTHER SHOW COMING UP FEBRUARY 9 AS PART OF AUSTIN MUSIC FOUNDATION'S LOVE AUSTIN MUSIC MONTH.

MAYOR WYNN: THAT'S RIGHT.

AND THAT'S AT RUTA MAYA ON THE 9TH.

MAYOR WYNN: BEFORE WE GET AWAY WE HAVE AN OFFICIAL PROCLAMATION THAT READS BE IT KNOWN THAT WHEREAS THE CITY OF AUSTIN TEXAS IS BLESSED WITH MANY CREATIVE MUSICIANS WHOLLY TALENT EXTENDS TO EVERY MUSICAL GENRE, AND OUR MUSIC THRIVES BECAUSE OF WE WELCOME MUSIC PRODUCED BY LOCAL FAVORITES AND VISITORS ALIKE, SO NOW THEREFORE I, WILL WYNN, MAYOR OF THE LIVE MUSIC CAPITAL OF THE WORLD, DO HEREBY PROCLAIM JANUARY 17, 2007 AS EL TULE DAY HERE IN AUSTIN AND CALL ON ALL CITIZENS TO JOIN ME IN CONGRATULATING THIS FINE TALENT. [APPLAUSE]

THANK YOU SO MUCH. THANK YOU.

MAYOR WYNN: WELL DONE.

MAYOR WYNN: AND FOR THE FIRST TIME IN EIGHT AND A HALF YEARS WE HAVE NO PROCLAMATIONS TO FOLLOW LIVE MUSIC, SO THIS IS AN HISTORIC CITY COUNCIL MEETING AFTER ALL. AND SO APPROXIMATELY AT 6:00, IN 15 MINUTES, THE COUNCIL WILL REQUEEN TO CONTINUE OUR EXISTING PUBLIC HEARING. THANK YOU VERY MUCH. SCHUH.

MAYOR WYNN: THERE BEING A QUORUM PRESENT I'LL CALL BACK THE MEETING OF THE OUST CITY COUNCIL. WE'VE BEEN IN RECESS FOR ABOUT 40 MINUTES. I APPRECIATE EVERYBODY'S PATIENCE WHILE WE DID A NUMBER OF THINGS, AND I BELIEVE IF MEMORY

SERVES ME RIGHT WE HAD JUST CONCLUDED ALL OF OUR PUBLIC TESTIMONY IN FAVOR OF THE PROPOSED AMENDMENT, AGAIN, THIS BEING ITEM NO. 46. WE'LL NOW GO TO FOLKS WHO HAVE SIGNED UP TO SPEAK IN OPPOSITION BEFORE WE OPEN UP THE PODIUM FOR QUESTIONS TO AND FROM COUNCIL. SO OUR FIRST SPEAKER IN OPPOSITION TO THE PROPOSED AMENDMENT IS NEENAH NINA BATS. WELCOME, NINA. YOU'LL HAVE THREE MINUTES, TO BE FOLLOWED BY JEAN ADAMS, WHO WILL BE FOLLOWED BY THOMAS HENDERSON.

QUESTION, SIR.

MAYOR WYNN: YES, MA'AM?

CAN MY HUSBAND DONATE THREE MINUTES?

MAYOR WYNN: YOU BET. WHAT'S YOUR NAME, SIR? [INAUDIBLE]

MAYOR WYNN: OKAY. WE WILL GIVE NINA SIX MORE MINUTES AND NOTE YOUR DONATION.

THANK YOU, SIR. FIRST OF ALL, THANK YOU FOR GIVING ME THE OPPORTUNITY TO ADDRESS THE CITY COUNCIL ON THE MATTER AT HAND. WE CURRENTLY OWN PROPERTY IN THE EAST AUSTIN REVITALIZATION AREA. THIS PROPERTY HAS BEEN IN OUR FAMILY FOR 57-PLUS YEARS. AT THE EM BRING ON THE I CAN STAGE OF THE MCMANSION RULING WE MADE ATTEMPTS TO ATTEND THE MEETING. ON SEVERAL OCCASIONS MY HUSBAND AND I CALLED KATIE HALORAN TO SEE IF THE SCHEDULED MEETING WOULD TAKE PLACE, AND ON SEVERAL OCCASIONS IT WAS POSTPONED, RESCHEDULED, AND WE WERE NEVER GIVEN EXACT DATES AS TO WHEN WE SHOULD COME TO THE MEETING. AND I HEARD OCEAN SAY THAT MANY MEETINGS HAD BEEN HELD, OF WHICH WE LIVE AT 1502 EAST 11TH. WE HAVE PROPERTY AT 1502 EAST 11 AND 1504 EAST 11TH. AT NO POINT WERE WE ADVISED MEETINGS WERE BEING HELD. HAD WE BEEN WE WOULD HAVE ATTENDED. OKAY? SO I'M GOING TO GO ON. AFTER THE COUNTLESS CALLS AND SUPPOSEDLY THE POSTPONEMENTS OF NUMEROUS MEETINGS THERE WERE NO LETTERS FROM THE CITY ADVISING US AS PROPERTY OWNERS OF THE FORTHCOMING MEETING. AT THIS POINT I FEEL LIKE THE MCMANSION RULING IS A DAY LATE AND A DOLLAR SHORT. THE REVITALIZATION FOR EAST AUTOMATIC IS ROOTED AND GROUNDED. EAST AUSTIN NO LONGER HOLDS THE APPEARANCE OF A COMMUNITY THAT MY HUSBAND AND CHILDREN ATTENDED SCHOOL. THIS NEIGHBORHOOD NO LONGER EXHIBITS THE CULTURAL ROOTS OF MINORITY OWNERS WITH TRADITIONAL HOUSES. IN REGARD TO THE TRANSFORMATION THAT'S HAPPENED IN EAST AUSTIN IT'S ASTOUNDING. WE HAVE MANY MANSIONS BEING BUILT, MULTILEVEL COMPLEXES THAT IN NO WAY FIT INTO THE STRUCTURAL HOUSING OF EAST AUSTIN. MY QUESTION IS WHAT IS THE PURPOSE OF THE MCMANSION RULING? THE EAST AUSTIN THAT WE KNOW IS GONE AND WILL NOT BE RESTORED ACCORDING TO -- WILL NOT BE RESTORED BACK TO WHAT IT WAS PRIOR TO. NOW WE HAVE NON-NATIVES THAT ARE COMING INTO THE AREA AND BUILDING ACCORDING TO THEIR OWN DESIRE. I'M ASSUMING THAT THE ONGOING

REVITALIZATION OF EAST AUSTIN WAS INITIALLY DESIGNED TO IMPROVE THE STANDARD OF LIVING FOR NATIVE EAST AUSTINITES. THERE HAS BEEN A TREMENDOUS AESTHETIC IMPROVEMENT, BUT AGAIN, WE AS NATIVE EAST AUSTINITES AND REMAINING PROPERTY OWNERS ARE LEFT OUT. I DO BELIEVE IN ADVANCING FORWARD. I DO BELIEVE IN IMPROVEMENT, AND I ALSO BELIEVE OUR CHILDREN ARE NOT GOING TO WANT TO LIVE IN HOUSES THAT ARE LESS THAN, I WOULD SAY, 2000 SQUARE FEET, BECAUSE WHEN I LEAVE MY CHILDREN THEIR HOME I'M SURE THEY WOULD NOT WANT TO LIVE IN A HOME WITH SQUARE FOOTAGE OF 954 SQUARE FEET. THAT IS NOT GOING TO WORK WITH TODAY'S CHILDREN AND PROSPECTIVE HOMEOWNERS AFTER WE'RE NO LONGER HERE, BECAUSE SOMETIME THE YOUNG PEOPLE WILL WANT TO COME INTO THE NEIGHBORHOOD AND BUILD ACCORDING TO THEIR OWN DESIRES. WE AS PROPERTY OWNERS IN EAST AUSTIN WANT TO HAVE THE PRIVILEGE AND FREEDOM TO BUILD A STRUCTURE ON OUR LOT THE SIZE WE WANT TO BUILD. OUR AREA HAS BEEN INFILTRATED WITH MANY MANSIONS. WHY SHOULD WE BE RESTRICTED ON WHAT WE WANT TO BUILD? AGAIN, WE'VE OWNED THE PROPERTY FOR 57 YEARS. IT IS THE NON-NATIVES OF EAST AUSTIN THAT HAS CAPITALIZED ON THE INVESTMENT UP TO THIS POINT. I'M NOT MAD AT THEM, BECAUSE IT LOOKS BETTER. THERE IS IMPROVEMENTS BEING MADE. WE HAVE DILAPIDATED HOUSES THAT ARE FALLING DOWN. THE COMMUNITY IS DETERIORATING. THERE NEEDS TO BE IMPROVEMENT. I AM FOR IMPROVEMENT. THE FACE OF THE NEIGHBORHOOD HAS BEEN CHANGED FOREVER. WHY IS THE CITY IMPOSING RESTRICTIONS ON THOSE THAT HAVE LABORED TO BUY, MANY AND PAY TAXES ON THEIR PROPERTY AS THE ORIGINAL OWNERS. IF IT IS NECESSARY TO GRANDFATHER IN A CLAUSE THAT GIVES US THE FREEDOM AS LONG-TERM PROPERTY OWNERS THAT WE MAY BE ABLE TO BUILDING ACCORDING TO OUR DESIRES. THE STATEMENT THAT I HAVE MADE DOES NOT DISREGARD THOSE WHO HAVE BEEN INFILTRATED WITH ENORMOUS STRUCTURES AND INCREASE IN PROPERTY TAXES. IT IS ALL ABOUT THE FAIRNESS THAT SHOULD BE EXHIBITED TO ALL. WE WANT -- WE WANT ALSO TO CAPITALIZE ON OUR INVESTMENT. MR. HENDERSON DID SEND US A LETTER. ALSO, WE GOT LETTERS FROM THE CITY OF AUSTIN. SO I DON'T BELIEVE ANYBODY WAS AMBIGUOUS BOOZLED INTO SIGNING ANYTHING. IF YOU HAVE ANY KNOWLEDGE AND CAN READ YOU CAN UNDERSTAND WHAT'S GOING ON. YOU HAD RECEIVED LETTERS PRIOR TO THAT TIME. OCEAN SAID THEY HAD MANY MEETINGS WHICH WE WERE NOT OFFERED TO ATTEND. AND WE ALSO HAVE PROPERTY RIGHTS. I MEAN, WE PAID ON THE SMALL LOTS THAT WE OWN. I HEAR NOW THERE'S 650 PLUS LOTS THAT ARE AFFECTED. I DON'T SEE 650 PEOPLE HERE SAYING I WANT THIS AMENDMENT TO BE PASSED. SO THAT GOES TO SAY THAT THERE ARE MANY PEOPLE THAT ARE NOT REPRESENTED HERE THAT ARE GOING TO BE AFFECTED BY THIS. I AM -- I AM -- I AM JUST AS COMPASSIONATE TO THE ELDERLY THAT WANT TO MANY, BUT LET'S THINK FUTURISTICALLY. YOUR CHILDREN WILL NOT WANT TO LIVE IN A SMALL HOUSE OF 1100, 900 SQUARE FEET. AND THAT'S ALL I HAVE TO SAY. THANK YOU. [APPLAUSE]

MAYOR WYNN: THANK YOU, MS. BATS. OUR NEXT SPEAKER IS JEAN ADAMS. WELCOME, JEAN. A NUMBER OF FOLKS WANTED TO DONATE TIME TO YOU, MR. ADAMS. IS MICHAEL LA HARDO HERE? MICHAEL LA HARDO WANTED TO DONATE HIS TIME? HOW ABOUT FREDDIE

THOMAS? FREDDIE, WELCOME, AND OR STEWART CANE. STEWART CANE? THANK YOU, STEWART. SO JEAN, YOU'LL HAVE UP TO 9 MINUTES IF YOU NEED IT. WELCOME, YOU'LL BE FOLLOWED BY THOMAS HENDERSON.

OKAY. THANK YOU --

HOLD ON. SOMEBODY IS WAVING.

MAYOR WYNN: OKAY. BUT FREDDIE THOMAS IS DONATING TIME, RIGHT? WELL, I'LL TELL YOU THAT OUR RULES ARE 15 MINUTES -- ONLY FOUR PEOPLE -- FOUR PEOPLE IS THE MAXIMUM NUMBER OF FOLKS WHO CAN DONATE THEIR THREE MINUTES TO ANY PERSON SO 15 MINUTES IS OUR MAX, AND IT LOOKS LIKE FOUR FOLKS HAVE ALREADY SIGNED UP TO DONATE THEIR TIME TO THOMAS HENDERSON, AND SO IF FREDDIE THOMAS AND OR STEWART CANE WANTS TO DONATE TIME -- [INAUDIBLE]

MAYOR WYNN: ALL RIGHT. FREDDIE THOMAS DOES WANT TO GIVE TIME. ALL RIGHT. SO GENE, SORRY FOR THE CONFUSION BUT I THINK YOU'LL HAVE SIX MINUTES AND MAY BE FOLLOWED BY THOMAS HENDERSON.

I DIDN'T REALIZE I'M SO POPULAR.

MAYOR WYNN: WELL, HE JUST TOOK AWAY THREE MINUTES.

I'M A PROPERTY OWNER IN EAST AUSTIN ON EAST 10TH STREET. I CAN -- WAS HERE EARLIER AND HEARD THE VOICES FOR THE AMENDMENT. I CAN APPRECIATE MUCH OF WHAT THEY'RE ASKING, WHAT THEY'RE LOOKING FOR IN THE AMENDMENT. HOWEVER, I TAKE ISSUE WITH THE AMENDMENT AS IT'S CURRENTLY WRITTEN. PRIMARILY WHAT I'M SEEING IS A NEED IN EAST AUSTIN OR THE DESIRE THERE FOR SOME TAX RELIEF FOR RESIDENTS OF THE COMMUNITY THAT HAVE BEEN THERE FOR A LONG PERIOD OF TIME, PEOPLE WHO ARE APPROACHING SENIOR CITIZEN STATUS, IF NOT ALREADY, AND LOOKING FOR TAX REMEDIATION OR ASSISTANCE TO GRANDFATHER TAX RATES OR INITIATE CAPS. THE PROPERTY THAT I HAVE ON EAST 10TH, THE TAXES HAVE INCREASED 115% FROM 2000 TO 2006. I PURCHASED THE PROPERTY IN 2006. AT THAT TIME THE PROPERTY WAS RUN DOWN, WAS IN THE MIDST OF A RENOVATION. I REVITALIZED THE PROPERTY AT A PRETTY SIGNIFICANT EXPENSE TO MYSELF. AND THE PROPERTY AT THIS POINT IN TIME, TO COVER THE NOTE, TO COVER THE INSURANCE AND TAXES, IS \$1,320 A MONTH. THIS IS FOR A 1200 WOOD FRAME -- 1200 SQUARE FEET WOOD FRAME HOUSE ON A SMALL LOT, 3800-SQUARE-FOOT LOT. I ELECTED TO BUILD THE HOUSE, MAINTAIN IT IN EXATABILITY STANDARDS WITH THE REST OF THE NEIGHBORHOOD. THAT'S MY CHOICE. I DON'T FEEL THAT I SHOULD BE LIMITED ON WHAT HOUSING MIGHT GO ON THAT HOUSE WHENEVER THE FOLKS ACROSS THE STREET CAN PUT IN A 2300-SQUARE-FOOT HOUSE IF THEY WANT. THE ISSUE TO ME COMES DOWN TO MORE AN ISSUE OF TAXES AND PROTECTION FOR THE FOLKS WHO ARE IN THE COMMUNITY CAPACITY WHERE WE'D--WE'D LIKE TO MAINTAIN THE DIVERSITY AND

PROVIDE FOR THE FOLKS WHO HAVE LIVED IN THE COMMUNITY FOR A LONG PERIOD OF TIME AND BUILT THE COMMUNITY. SO AT THIS POINT IN TIME I'M NOT IN FAVOR OF THE AMENDMENT AS IT'S CURRENTLY WRITTEN. AGAIN, I'D LIKE TO SAY THAT I CAN SEE THE NEED FOR SOME TAX ABATEMENTS OR TAX CAPS FOR LONG-TIME RESIDENTS OF THE COMMUNITY AND PERHAPS SOME ASSISTANCE TO BUILDERS THAT WANT TO PROVIDE AFFORDABLE HOUSING IN THE COMMUNITY IN TERMS OF EITHER RENT SUPPLEMENTS OR CONSTRUCTION COSTS. I WOULD ENCOURAGE COM PATTABILITY DESIGNS WITH THE NEIGHBORHOOD. THAT DOESN'T NECESSARILY MEAN THAT YOU LIMIT SQUARE FOOTAGE. THERE'S A NUMBER OF WAYS THAT YOU CAN ENSURE EXAT COMPATIBILITY STANDARDS ARCHITECTURALLY. SOME PLACES DICTATE WHAT PAINT YOU PUT ON YOUR HOUSE. I DON'T THINK YOU HAVE TO GO THAT FAR, BUT YOU CAN CERTAINLY, I THINK, ACHIEVE SOME OF THE NOTIONS THAT ON ORONOROCEAN HAS PUT FORTH WITHOUT IMPOSING THE POINT FOR FAR TO THE SMALL LOTS IN EAST AUSTIN. THAT'S ALL I HAVE.

MAYOR WYNN: THANK YOU, MR. ADAMS.

THANK YOU. [APPLAUSE]

MAYOR WYNN: OUR NEXT SPEAKER IS THOMAS HENDERSON. WELCOME, MR. HENDERSON. LET'S SEE, IS GIGI BRYANT IN THE ROOM?

NOT HERE.

MAYOR WYNN: I DON'T SEE GIGI. HOW ABOUT KENNETH CAMPBELL? WELCOME, KENNETH. HOW ARE YOU, AND WYETTA HENDERSON. WELCOME. SO THAT'S THREE. IF THERE'S A FOURTH PERSON OUT THERE WANTS TO DONATE YOUR TIME, THOMAS YOU'LL GET YOUR MAXIMUM 15. WHAT'S YOUR NAME, MA'AM?

DEBORAH TELL.

MAYOR WYNN: THANK YOU. SO MR. HENDERSON, YOU'LL HAVE 15 MINUTES. WELCOME.

GOOD EVENING, COUNCIL. I STAND HERE AND LISTEN TO THE PEOPLE THAT ARE FOR THIS, AND I STAND BEHIND MY LETTER 100%, EVERY LINE. NOW, I DID MAKE SOME TYPE GRAPHICAL ERRORS. I'M NOT PERFECT, BUT SOMEBODY HAD TO STOP THIS. I LISTENED TO MR. RUDY WILLIAMS ON TELEVISION THIS MORNING, AND HE SAID THAT WE NEED TO PASS THIS .4 TO LOWER PROPERTY VALUES TO PEOPLE CAN AFFORD THEM. GO TO WWW.KXAN.COM. THESE ARE HIS WORDS. SO WHAT HE'S SAYING IS THAT PEOPLE WHO OWN PROPERTY IN EAST AUSTIN, THEY NEED TO LOWER THE PRICES SO OTHERS CAN COME AND BUY THEM CHEAPER. AND I LOOKED ON THE -- YOU KNOW, HOW YOU FIND OUT WHO OWNS WHAT, AND I THINK RUDOLPH WILLIAMS MIGHT OWN ABOUT 1300 PROPERTIES IN EAST AUSTIN, PRESENT ALWAYS, PROBABLY, AND I'M SURE THE TAX BURDEN AND BILL ON HIM RIGHT NOW, MAYBE HE'S NETTING A LITTLE BIT. BUT THAT'S THE COST OF DOING

BUSINESS. IF YOU WANT TO BE A LANDLORD, YOU GOT TO PAY THE PRICE. SO WHAT WE'RE TALKING ABOUT -- [VOICE FROM THE AUDIENCE]

WHAT WE ARE HERE TO TALK ABOUT IS HOW WE GOT HERE. THEY HAD FOUR MEETINGS OF VOTES ON THIS ISSUE. THIS ISSUE, IN MY UNDERSTANDING FROM SOURCES INSIDE, SAID THIS THING PASSED 8-7 IN THE MEETING. THAT'S NOT A MANDATE. SO I STAND BEFORE YOU HERE TONIGHT BECAUSE I WROTE A LETTER BECAUSE MR. RUDY WILLIAMS WOULDN'T CALL ME BACK. I EMAILED HIM AND SAID, CALL ME. LET'S TALK ABOUT THIS. I THOUGHT THAT MAYBE A .6. I HATE TO EESM SAY THAT EVEN SAY THAT TONIGHT BECAUSE I DON'T WANT ANYBODY TO GET ANY IDEAS. BUT IF .6 WOULD HAVE BEEN BROUGHT BEFORE THE PEOPLE I DON'T EVEN THINK WE'D BE HERE TONIGHT. I DON'T THINK SO. SO I THINK IF YOU VOTE ON SOMETHING BY THE FIFTH TIME THAT IT BECOMES TORTURE RATHER THAN A MANDATE. SO I SENT OUT A LETTER. WHAT I HAVE HERE IS 275 HOMESTEADERS, A COALITION IN THIS COMMUNITY WHO SENT THEM BACK. I PROBABLY WOULD HAVE GOT 800 IF I WOULD HAVE PUT A RETURN STAMP IN THE ENVELOPE. THE LADIES OF DELTA SIGMA THETA, THEY ONLY HAVE ONE VOTE, BUT ALL 50 OF THE MEMBERS OF THE HOUSE AT 1190 SAN BERNARD SIGNED THEIR SIGNATURES. SO THE CITY WAS BRILLIANT. THE CITY COUNCIL WAS BRILLIANT WHEN THE MCMANSION ORDINANCE CAME ABOUT, AND YOU ADDED THAT 2300 SQUARE FEET TO THAT. WHAT I'VE COME TO UNDERSTAND ACROSS THIS NATION IS THAT .32 TO .4 IS USUALLY RELEGATED TO HISTORICAL DISTRICTS, NOT NEIGHBORHOODSNEIGHBORHOODS. NOW, MY FAMILY HAS BEEN IN THIS CITY SINCE THE 1870'S. I'VE BEEN HERE A LONG TIME. I RESPECT THE PEOPLE WHO DONATE THEIR TIME WITH NEIGHBORHOOD ASSOCIATIONS. I DON'T HAVE ANYTHING AGAINST THAT. I APPRECIATE THAT. BUT A NEIGHBORHOOD ASSOCIATION IS A LITTLE DIFFERENT THAN A HOMEOWNERS ASSOCIATION. I HAVE A HOME IN FLORIDA. WHEN I WENT TO MY CLOSING TO BUY THIS HOUSE, I SIGNED A CONTRACT THAT I COULD -- THEY COULD TELL ME WHAT COLOR MY HOUSE WAS GOING TO BE, WHAT I COULD HAVE IN THE YARD OR NOT. I SIGNED UP FOR IT. A NEIGHBORHOOD ASSOCIATION IS SUPPOSED TO BE A GROUP OF PEOPLE WHO TRY TO MAKE THE COMMUNITY BETTER, NOT TAKE AWAY PRIVATE PROPERTY RIGHTSRIGHTS. IF THIS ORGANIZATION WAS DOWN ON 13TH AND CHICAN TRYING TO GET A POLICE SUBSTATION THAT WOULD BE GOOD. IMPROVE OUR ALLEYS AND SIDEWALKS AND PARKS. NOT COME DOWN HERE TO TRY TO TAKE AWAY PROPERTY RIGHTS FROM THE COMMUNITY. THEY HAD ABOUT 12 PEOPLE HERE TONIGHT. FOR THOSE 12, HERE'S 275 HOMESTEADERS IN THIS COMMUNITY. AND YOU KNOW WHAT? I THINK WHAT I'M GOING TO DO IS I'M GOING TO WRITE ANOTHER LETTER, AND I'M GOING TO SEND IT OUT -- I'M GOING TO SEND IT OUT TO 78721 AND 22. THERE IS GOING TO BE A COALITION IN THIS CITY FOR STUFF LIKE THIS. A CONTACT TEAM FOR THIS IS -- THIS IS SORT OF CRAZY. PAUL HILGERS HAD IT RIGHT. HE TRIED TO GET AN AMENDMENT TO THIS WHEN IT CAME BEFORE YOU SO THAT HE COULD DO SMART HOUSING AND NEIGHBORHOOD HOUSING. NOW, WHAT'S UNFAIR ABOUT THIS -- AND I'VE BEEN AROUND THIS CITY FOR 54 YEARS IN AND OUT -- ALL OF A SUDDEN SWEET HILL GETS ALL OF THEIR BUILDINGS BASICALLY DONE. GUADALUPE BUILDS AND BUILDS AND BUILDS. NEIGHBORHOOD HOUSING BUILDS THEIR HOUSES, AND SO NOW

THEY WANT TO TAKE AWAY THE CURRENT PROPERTY RIGHTS OF UNSUSPECTING PEOPLE. THERE ARE PEOPLE IN AUSTIN, TEXAS RIGHT NOW DON'T EVEN KNOW WE'RE DOWN HERE TALKING ABOUT THIS. AND THIS COULD IMPACT THEIR PROPERTY. IF YOU IF YOU WOULD HAVE PASSED THIS, CITY COUNCIL, YOU WOULD HAVE SET UP A PREDATORY SITUATION FOR REALTORS AND THESE ARCHITECTS THAT ARE ON THIS BOARD OF OCEAN --

CAREFUL. [LAUGHTER]

DO YOU WANT TO BE THE CITY COUNCIL THAT -- THAT A LITTLE UNSUSPECTING OLD LADY, AFRICAN-AMERICAN LADY, OR GRANDPA, THE HEIRS IN OUR COMMUNITY, WHEN A PREDATOR COMES IN AND SAYS TO THEM, YOU KNOW, YOUR PROPERTY WAS WORTH A LOT MORE BEFORE THEY PASSED THAT .4. NOW YOUR PROPERTY IS WORTH ABOUT 30 OR 40% LESS THAN THAT. WE ALL KNOW THAT HOMESTEAD SORT OF PROTECTS US IN THIS COMMUNITY FOR TAXES. MY HOMESTEAD IS ON COTTON STREET. I HAVE THREE LOTS FOR PEOPLE WHO ARE COMPLAINING ABOUT TAXES. MY TAXES ON EACH LOT IS ONLY \$600 A YEAR. THAT DOESN'T REALLY, YOU KNOW, SCARE M I'M NOT HERE BECAUSE I'M GOING TO PROFIT OFF OF THIS DEAL. I JUST LIVE ON COTTON STREET. I GOT A 10,000-SQUARE-FOOT LOT. I GOT SOME LOTS NEXT TO MY HOUSE. THIS DOESN'T TOUCH ME. THIS DOESN'T BOTHER ME. I'VE BEEN BACK HOME SINCE 1989. I HAVE DONE MY BEST IN THIS COMMUNITY TO HELP KIDS. I BUILT THE STADIUM AND THE TRACK, SO ANYBODY GETTING UP THERE TALKING ABOUT THOMAS HENDERSON, I STAND BY MY RECORD IN THIS COMMUNITY, AND I WILL CONTINUE TO STAND BY IT. BUT I'M NOT GOING TO SIT BY AND LET THIS HAPPEN. IT IS NOT RIGHT TO TAKE AWAY OR DIMINISH PROPERTY RIGHTS, PARTICULARLY OF UNSUSPECTING -- LOOK AT THIS ROOM. THERE'S 1700 PEOPLE GOING TO BE AFFECTED BY THIS. AND I ALSO WANT YOU TO THINK ABOUT THIS. WHENEVER AN ISSUE COMES BEFORE YOU ABOUT TAKING PROPERTY RIGHTS AWAY FROM HOMESTEADERS, INDIVIDUAL PROPERTY OWNERS, I THINK THAT PEOPLE SHOULD -- THEY SHOULD GET ABOUT 51% OF THAT NEIGHBORHOOD TO AGREE WITH IT. NOT A SMALL PETITION, NOT COVERT MEETINGS AT THE CARVER LIBRARY, NOT MEETINGS WHERE YOU'RE TORTURED ON THE FOURTH OR FIFTH VOTE AND YOU COME OUT WITH AN 8-7 AND RUN DOWN TO CITY HALL AND SAY, WE GOT IT. WE GOT IT. WE GOT THEM. WE NEED TO WELCOME AND ENCOURAGE THE DEVELOPMENT THAT'S HAPPENING IN OUR COMMUNITY. YOU SEE, I GO BACK TO WHEN WE HAD A MOVIE THEATER ON 12TH STREET. WE HAD LIVE ENTERTAINMENT ON 12TH STREET. WE HAD A CLEANERS AND A DRUGSTORE AND WE HAD A GROCERY STORE AT 12TH AND CHICAN. I GO WAY BACK. AND WE HAD A POOL HALL. YEAH, THAT'S WHERE I HUNG OUT. I THINK OCEAN COULD DO A LOT BETTER WITH THEIR TIME. I RESPECT AND LOVE SCOTTY. I'VE KNOWN HIM MY WHOLE LIFE. SHE STOOD UP AND SUPPORTED WHAT THEY WERE DOING BUT SHE SENT ME A PETITION. I GOT PETITIONS SIGNED FROM 8TH STREET AND 9TH STREET AND 10TH STREET, 11TH STREET, ALL FROM BLACK TER STER, MANY FROM BLACK STER. MR. RUDY WILLIAMS DIDN'T EVEN TALK TO HIS NEIGHBORS. YOU CAN'T DO THIS TO A COMMUNITY. YOU CAN'T SPEAK FOR THE COMMUNITY IF YOU DON'T TALK TO THE COMMUNITY. YOU JUST CAN'T DO IT. SO CITY COUNCIL, I WELCOME NEWCOMERS TO OUR COMMUNITY. ARA, NEIGHBORHOOD HOUSING SHOULD CONTINUE THE GOOD WORK

THEY'RE DOING IN OUR COMMUNITY. I'M GOING TO CONTINUE DODD WORK IN OUR COMMUNITY. I DON'T HAVE ANY PLANS. MY LOTS ARE SITTING THERE MINDING THEIR OWN. COUPLE TREES. THE ONLY PROBLEM I GOT THERE IS THE SQUIRRELS. THERE'S NO PROFIT FOR ME HERE. I LOVE THIS NEIGHBORHOOD. I THINK INSTEAD OF US GETTING IN THE WAY OF PROGRESS IN EAST AUSTIN WE NEED TO BE MORE LIBERAL WITH VARIANCES. WE NEED TO ENCOURAGE DEVELOPMENT IN OUR COMMUNITY AS OPPOSED TO PEOPLE STOPPING THE NEWCOMERS IN OUR COMMUNITY. I KNOW -- I WELCOME WHITE, BLACK, BROWN. I WELCOME YOU. THANK YOU FOR COMING TO EAST AUSTIN, BUT DON'T HAVE CLANDESTINE MEETINGS AT THE CARVER LIBRARY AND COME OUT WITH AN 8-7 VOTE TO SOMETHING SO IMPORTANT TO THIS COMMUNITY. THE VARIANCES AND THE RULES AND REGULATIONS OF THIS CITY, THE SETBACKS ARE THERE. NO MATTER WHAT THAT 2300-SQUARE-FOOT SAYS, THERE'S ONLY SO MUCH YOU CAN DO. THE PROTECTIONS ARE THERE. YOU WERE VERY SMALL TO PUT THE .4 AND THE 2300-SQUARE-FOOT CAVEAT IN THERE. THAT PROTECTS PROPERTY RIGHTS. THAT PROTECTS PROPERTY OWNERS. THAT PROTECTS THIS COMMUNITY. AND IF YOU HAVE AS A COUNCILMAN DON'T THINK PROPERTY RIGHTS ARE IMPORTANT, YOU NEED TO GET ANOTHER JOB. HERE'S WHAT I'M GOING TO DO. I'M GOING TO WRITE TO 10,000 PEOPLE IN OUR COMMUNITY, AND I'M GOING TO ASK THEM TO JOIN A COALITION OF HOMESTEADERS. WE NEVER COME BY HERE ANYMORE BECAUSE THE CITY WILL HAVE TO CHECK WITH US BEFORE THEY TAKE OUR PROPERTY RIGHTS AWAY. SO THANK YOU FOR YOUR TIME. FEAR, I SAW A 2300-SQUARE-FOOT HOUSE THAT DIDN'T SQUARE ME. I WENT TO SWEET HILL, WENT TO 14TH AND WALLER. THESE HOUSES ON 32, 3300-SQUARE-FOOT LOTS. 1800, 17 -- I MEAN, IT'S ALL HOUSE, AND THEY ARE PRETTY. THEY ARE NICE. WE WANT NICE HOUSES, EVEN IF THEY'RE BIG. SO, YOU KNOW, I DON'T WANT THIS COUNCIL TO TELL A FAMILY WHO LOSES A PARENT THE HOUSE IS 900 SQUARE FEET, THEY WANT -- YOU TELL THEM THEY CAN ONLY BUILD 1200 SQUARE FEET UNDER 4. WE WANT CHILDREN PLAYING IN THE STREETS AGAIN. OCEAN SHOULD BE TRYING TO GET BETTER PARKS AND SIDEWALKS. I THOUGHT THEY PLANTED TREES BETWEEN THE CEMETERIES, FOR THE DEAD. SO THANK YOU FOR YOUR TIME, AND I WOULD LIKE FOR THIS COUNCIL TO CONSIDER A 51% CONSENSUS ON ANYBODY WHO BRINGS ANYTHING DOWN HERE ABOUT TAKING OR LIMITING PROPERTY RIGHTS OF PRIVATE PROPERTY OWNERS. WHEN I WENT TO CLOSING ON MY PROPERTIES, OCEAN WASN'T THERE. THERE WAS NO MEMO IN MY PACKET THAT SAID I HAD TO GO TO A MEETING AT THE CARVER LIBRARY. MATTER OF FACT, TAKE ME OFF YOUR LIST. YOU DON'T REPRESENT ME. LADY CAME UP HERE A WHILE AGO AND SAID SHE'S THE PRESIDENT OF -- I NEVER SEEN THAT LADY BEFORE IN MY LIFE. NOBODY WAS AT CLOSING TO TELL ME I HAD TO GO TO A MEETING AT THE CARVER LIBRARY. I DON'T HAVE TO. I AIN'T NEVER COMING. LEAVE OUR PROPERTY RIGHTS JUST THE WAY THEY ARE, COUNCIL. THANK YOU VERY MUCH. [APPLAUSE]

MAYOR WYNN: THANK YOU, MR. HENDERSON. OUR NEXT SPERG IS ERIC SHRUPSHAR. YOU'LL HAVE THREE MINUTES, TO BE FOLLOWED BY LARRY JACKSON.

A LITTLE HOUSEKEEPING.

THAT WOULD BE THE DIMENSIONS OF THE 2300-SQUARE-FOOT HOUSE. THAT'S THE FOOTPRINT OF IT. THIS IS WHAT THIS DEBATE IS ALL ABOUT. IF YOU LOOK AT THE YOUNG LADY THERE, YOU PUT THE ONE RIGHT HERE AND MYSELF RIGHT HERE. THAT'S WHAT IT IS. THAT'S THE FOOTPRINT. YOU KNOW, THE CITY OF AUSTIN HAS COMPATIBILITY STANDARDS.

MAYOR WYNN: YOU CAN USE A HAND-HELD MIC IF YOU'D LIKE.

OH, I'LL STAND HERE. THIS IS WHAT THIS DEBATE IS ABOUT. YOU-ALL CAN SIT DOWN NOW. THANK YOU SO VERY MUCH. BUT I JUST WANTED TO GIVE YOU A VISUAL DEMONSTRATION. THAT'S THE FOOTPRINT. THOSE ARE THE DIMENSIONS OF A 2300-SQUARE-FOOT HOUSE. THE CITY HAS COMPATIBILITY STANDARDS AND YOU JUST CAN'T DROP A 2300-SQUARE-FOOT ENVELOPE FOR SINGLE-FAMILY HOMES AND ASSUME ON -- ON SMALL LOTS AND ASSUME IT FITS. YOU KNOW, YOU HAVE SETBACKS, IMPERVIOUS COVER AND YOU HAVE HEIGHT RESTRICTIONS. AND I THINK THE PROPOSAL THAT ART -- THE PROPOSED ORDINANCE SUBMITTED BY OCEAN AND SUPPORTED BY CITY STAFF WAS CARELESS AND IRRESPONSIBLE. THEY DIDN'T CONDUCT AN ECONOMIC FEASIBILITY STUDY AND THEY FAILED TO BUILD A CONSENSUS AMONG THE VARIOUS NEIGHBORHOOD GROUPS AS EVIDENT BY THE NUMBER OF PETITIONS RECEIVED TO KEEP THE CURRENT ORDINANCE IN PLACE. IT'S BEEN MY EXPERIENCE THAT THERE ARE FOUR SIMPLE PRINCIPLES WHEN IT COMES TO ASSESSING PUBLIC POLICY. YOU HAVE TO BE FOCUSED, FAST, FLEXIBLE AND FRIENDLY. FOCUSED. WHAT ARE WE TRYING TO ACCOMPLISH TO MAKE OUR COMMUNITY BETTER? HAVE WE IDENTIFIED THE BEST TOOLS TO PROTECT THE PUBLIC INVESTMENT? FAST, KEEPING UP WITH THE HOUSING MARKET. IT'S CHANGING DEMOGRAPHICS AND ETHNIC DIVERSITY AND HOW IT BALANCES WITH THE HISTORY AND THE CHARACTER OF THE NEIGHBORHOOD. FLEXIBLE. LOOKING AT A MYRIAD OF OPTIONS TO ACCOMPLISH OUR GOALS. FOR EXAMPLE, LOOKING INTO HISTORIC PRESERVATION DISTRICT, AFFORDABLE HOUSING PROGRAMS AND TAX INCENTIVES FOR DEVELOPERS, AND FRIENDLY, A POLICY THAT DOESN'T ALIENATE THE COMMUNITY BUT UNITES THEM AROUND A COMMON GOAL. YOU KNOW, AUSTIN PRIDES ITSELF ON ITS QUALITY OF LIFE, AND THE CENTRAL EAST AUSTIN AREA, WHICH WE'RE DEBATING TODAY, IS A PRECIOUS PIECE OF PROPERTY THAT CONNECTS TO THE -- THAT CONNECTS TO THE DOWNTOWN CENTRAL BUSINESS DISTRICT. HOWEVER, THE COMMUNITY CONTINUES TO HAVE CHALLENGES WITH RESPECT TO ITS ECONOMIC FOUNDATION. THE NEED TO UPGRADE THE INFRASTRUCTURE, REPAIRING AND REPLACING DILAPIDATED HOMES AND BOARDED UP PROPERTIES, IMPROVING LOCAL SCHOOLS, CREATING JOBS, PROVIDING AN ECONOMIC STIMULUS PACKAGE FOR COMMERCIAL DEVELOPMENT SUCH AS APPROVING AN EAST 12TH STREET NCCD AND ENSURING THAT THE SIGNIFICANT NUMBER OF STAKEHOLDERS ARE ENGAGED IN THE PROCESS. IN CLOSING I WOULD LIKE TO ASK THE COUNCIL TO VOTE AGAINST THE PROPOSED CHANGE AND TO QUESTION STAFF AS TO WHETHER OCEAN SHOULD HAVE BEEN OFFICIALLY RECOGNIZED BY THE CITY AS THE NEIGHBORHOOD PLAN CONTACT TEAM AND WHETHER THE PROPER STRUCTURE IS IN PLACE TO SERVE THE BEST INTERESTS OF THE CENTRAL EAST AUSTIN COMMUNITY. THANK YOU, COUNCIL MEMBERS. I'M OPEN FOR

ANY QUESTIONS THAT YOU MAY HAVE.

MAYOR WYNN: THANK YOU, MR. SHRUPSHIRE. COUNCIL MEMBERS? THANK YOU.

THANK YOU.

MAYOR WYNN: NEXT SPEAKER IS LARRY JACKSON. WELCOME, MR. JACKSON. YOU TOO WILL HAVE THREE MINUTES. [APPLAUSE]

MAYOR WYNN: AND YOU'LL BE FOLLOWED BY STELLA.

MAYOR WYNN AND PRO TEM DUNKERLEY, MEMBERS OF THE COUNCIL, THE REASON I'M HERE TODAY IS THREEFOLD. ONE, I HAVE OVER 40 YEARS OF CONTINUOUS SERVICE ON BOARDS AND COMMISSIONS IN THE CITY FROM THE DAYS OF THE HUME-ROWE OPPORTUNITY COOPERATION, OF WHICH THREE CITY DEPARTMENTS NOW ENCOMPASS. TWO, THE AUSTIN PLANNING COMMISSION, CHILD INC., A HOST OF OTHER BOARDS NEIGHBORHOOD GROUPS, ARA. I WAS A MEMBER OF THE AUSTIN PLANNING COMMISSION. I WAS A MEMBER OF THE HOUSING COMMISSION. I WAS A MEMBER OF THE AUSTIN URBAN RENEWAL BOARD AND SEVERAL OTHER CITY BOARDS. I TEND TO HAVE ALSO AN APPRECIATION FOR MR. WILLIAMS. HE IS FROM HOUSTON'S SECOND WARD AND I'M FROM HOUSTON FIFTH WARD. BUT I DISAGREE WITH HIM LARGELY ON THIS ISSUE. IF THIS HAD BEEN SOMETHING THAT WAS BLACKSHIRE NEIGHBORHOOD AND THIS WAS SOMETHING THE BLACKSHIRE HOMEOWNERS WANTED I WOULD BE IN SUPPORT OF IT. THIS IS A VERY BROAD REACH. I AM A PROPERTY OWNER IN THE SWEDISH HILL AREA. I SEE THIS AMENDMENT AS CONFISCATION OF MY PROPERTY. I CANNOT IN GOOD CONSCIENCE SUPPORT THIS BEYOND HIS HOUSE, HIS PROPERTY. I WILL NOT BE OPPOSED TO IT. I TOO AM AWARE OF THE OVERALL DIFFICULTIES THAT HOMEOWNERS ARE HAVING IN EAST AUSTIN. THIS IS NOT THE SOLUTION TO THE PROBLEM. MATTER OF FACT, FOR A LOT OF PEOPLE IT IS TOO LATE. EAST AUSTIN HISTORY, FOR WHICH PEOPLE DON'T EVEN CALL IT EAST AUSTIN ANYMORE. THEY CALL IT CENTRAL AUSTIN. THERE IS A LOST OPPORTUNITY FOR A LOT OF PEOPLE THAT ARE FROM EAST AUSTIN. LOTS OF US, MOST OF OUR FRIENDS NO LONGER LIVE INSIDE THE CITY OF AUSTIN. THEY LIVE IN MANOR, HE ELGIN, PFLUGERVILLE AND SEVERAL OTHER PLACES. THAT'S BECAUSE ECONOMICALLY THAT'S MORE IN KEEPING WITH THEIR CITY, STATE AND COUNTY JOB INCOME. I CANNOT SUPPORT THIS AND I WOULD ASK THE COUNCIL MEMBERS HERE TO RECOGNIZE THIS IS CONFISCATION OF CITIZENS' PROPERTY, AND THANK YOU.

MAYOR WYNN: THANK YOU, MR. JACKSON. [APPLAUSE]

MAYOR WYNN: STELLA ROLAND. WELCOME, STELLA. YOU ARE OUR NEXT SPEAKER. YOU'LL HAVE THREE MINUTES TO BE FOLLOWED BY JOHN GOLDSTONE.

MR. MAYOR, JOYCE ANDERSON, WHO IS IN THE BACK, IS GOING TO DONATE THREE

MINUTES.

FAIR ENOUGH, AND I'LL GIVE YOU SIX.

ALL RIGHT. THANK YOU SO MUCH. FIRST OF ALL, I'VE LISTENED SINCE 4:00 TO THE CITY COUNCIL MEETING, AND I'M SOMEWHAT BOTHERED BY THE FACT ON MY WAY DOWN HERE IN LISTENING, AND A COUPLE OF PEOPLE READING THE LETTER FROM THOMAS HENDERSON, BECAUSE THIS ISSUE THIS EVENING [INAUDIBLE]. SO I THINK WE JUST NEED TO CLEAR THAT. I WAS BORN AND RAISED, NOT IN CEA, CENTRAL EAST AUSTIN. I WAS BORN AND RAISED IN EAST AUSTIN. I WAS BORN AND RAISED AND GREW UP IN THE BOOKER T. PROJECTS ACROSS FROM THE OLD L.C. ANDERSON HIGH SCHOOL, AND WHICH WAS TALKED ABOUT IN THOMAS HENDERSON'S LETTER. THAT HIGH SCHOOL CLOSED MY SENIOR YEAR, SO I DIDN'T HAVE THE OPPORTUNITY TO GRADUATE FROM THE L.C. ANDERSON HIGH SCHOOL. SO I -- THAT KIND OF BOTHERED ME. BUT IN LISTENING TO THE 655 LOTS THAT THIS ORDINANCE WOULD IMPACT, 266 IN OPPOSITION OF THIS REZONING, AND THOSE 266 OF US THAT FILED AND SIGNED PETITIONS AND SIT BACK, WE USED OUR OWN STAMP TO MAIL THOSE BACK TO MR. HENDERSON, AND WE WERE NOT HOODWINKED OR BAM BOOZLED IN SIGNING THOSE PETITIONS. AND THEN TO SEE -- OR TO LISTEN EARLIER TO 45 FROM OCEAN. THAT CLEARLY LET'S YOU KNOW IF YOU HAVE 266 AFTERNOON 45 THAT SUPPORT, THAT THERE'S SOME KIND OF MISSCALE OR WEIGHT ON THE BALANCE. BUT THESE ARE MY CONCERNS, BECAUSE WHEN YOU TALK ABOUT PROPERTY RIGHTS AND I AM AN OWNER OF PROPERTY OVER ON ANGELINA. PROPERTY RIGHTS ARE VITAL TO YOUR FREEDOM, AND IT'S INSEPARABLE FROM IT. WITHOUT THEM YOU ARE NOTHING MORE THAN A TENANT PAYING TAXES ON PROPERTY OVER WHICH YOU HAVE LOST SOME, MOST OR ALL OF YOUR RIGHTS. AND IF I'M A PROPERTY OWNER I DON'T WANT TO LOSE MY RIGHTS TO MY PROPERTY. THREE GREAT RIGHTS ARE SO BOUND TOGETHER AS TO BE ESSENTIALLY ONE RIGHT, SO TO GIVE A MAN HIS LIFE BUT DENY HIM HIS LIBERTY IS TO TAKE FROM HIM ALL THAT MAKES HIS LIFE WORTH LIVING. AND TO GIVE HIM HIS LIBERTY BUT TAKE FROM HIM THE PROPERTY WHICH IS THE FIRST AND BADGE OF HIS LIBERTY, IS TO STILL LEAVE HIM AS A SLAVE. AND I NEED YOU-ALL TO KNOW TONIGHT THAT I'M NOT A SLAVE. BUT THAT'S WHAT A WRITER WROTE ABOUT PROPERTY, AND IF WE DON'T STAND OUR GROUND NOW, THEN WHOSE GROUND WILL WE STAND IN THE FUTURE? SO THOSE 655 LOTS THAT ARE IMPACTED, WE'RE STANDING FOR THOSE PERSONS WHO OWN THOSE LOTS. SO EITHER YOU HAVE A RIGHT TO OWN PROPERTY OR YOU ARE PROPERTY. AND IN CLOSING, I WENT ON THE INTERNET TODAY AND LOOKED UP THE CITY AND THIS AGENDA FOR TODAY, AND I SAW -- IT WAS DECEMBER 4, 2007 FROM PAUL HILGERS, AND I THINK HE WAS ASKING OR REQUESTING TO BE EXEMPT -- OR THE SMART PROJECT TO BE EXEMPT FROM THIS REZONING. NOW, IF THE CITY WANTS TO BE EXEMPT, AND I THINK THAT ALL THE PROPERTY OWNERS OUGHT TO BE EXEMPT AS WELL, BECAUSE IF THE -- IF THE CITY SAW SOMETHING WRONG WITH IT AND THEY'RE WANTING TO BE EXEMPT FROM IT, THEN AS PROPERTY OWNERS WE SEE SOMETHING WRONG WITH IT AS WELL. THANK YOU. [APPLAUSE]

MAYOR WYNN: THANK YOU, MS. ROLL AND. WELCOME, JOHN GOLD IT STONE, YOU'LL HAVE

THREE MINUTES TO BE FOLLOWED BY STEWART KEEN.

MAYOR WYNN, COUNCIL MEMBERS. MY NAME IS JOHN GOLDSTONE AND I CERTAINLY AGREE WITH ALL THE PRIOR SPEAKERS. I'M GOING TO BE BRIEF FOR A CHANGE. I OWN A LOT IN THE OCEAN AREA. HOWEVER, MY LOT IS 5750, SO IT'S NOT AFFECTED. I OPPOSE THESE ADDITIONAL RESTRICTIONS BEYOND MCMANSION. THIS IS NOTHING LESS THAN A PRIVATE TAKING, A CONDEMNATION. THERE'S BEEN NO ECONOMIC ANALYSIS DONE REFLECTING A LOSS OF VALUE TO THE SMALL LOT OWNERS. THE CITY, THE COUNTY, OR THE SCHOOL DISTRICTS. ALSO, THE SQUARE FOOTAGE NUMBERS BEING THROWN AROUND BY THE PROPONENTS ARE INACCURATE AS POINTED THE OUT BY MR. SHOPSHIRE, ACCORDING TO THINGS THAT ARE IN THE CODE. STOP THIS TAKING, OR IF YOU WILL, PRIVATE CONDEMNATION OR IN CRIMINAL LAW IT'S ACTUALLY CALLED A THEFT. THANK YOU VERY MUCH. [APPLAUSE]

MAYOR WYNN: THANK YOU, MR. GOLDSTONE. STEWART KING, WELCOME. YOU ALSO WILL HAVE THREE MINUTES TO BE FOLLOWED BY NED MCDANIEL.

THANK YOU, MAYOR AND COUNCIL. I TOO GREW UP IN EAST AUSTIN. I'VE BEEN HERE ALL MY LIFE. WE'VE BEEN PROPERTY OWNERS IN EAST AUSTIN AS LONG AS I'VE BEEN AROUND, SO -- BUT I JUST WANT TO TAKE YOU BACK TO THE EAST AUSTIN THAT I GREW UP IN. I GREW UP IN EAST AUSTIN WHEN NOBODY WANTED TO COME TO EAST AUSTIN, NOBODY. IN 1967 I WAS A 7TH GRADER AT UNIVERSITY JUNIOR HIGH SCHOOL. THAT WAS A CAMPUS ON THE UNIVERSITY OF TEXAS, HAS A JUNIOR HIGH SCHOOL. THERE WAS A BILLBOARD THAT WE USED TO WALK BY GOING DOWN 19TH STREET CROSSING 35 EVERY DAY FROM SCHOOL, AND I WANT TO READ IT TO YOU WHAT IT SAID. IT SAYS, WELCOME TO EAST AUSTIN. YOU ARE NOW LEAVING THE AMERICAN DREAM. BEWARE OF RATS, ROACHES AND PEOPLE WITH A LACK OF FOOD, CLOTHING, JOBS AND THE AMERICAN DREAM. THIS WAS A BILLBOARD THAT WAS AT THE CORNER OF 19TH STREET AND I-35. WE USED TO LAUGH AT THAT. WE REALLY DIDN'T UNDERSTAND IT THEN, BUT IT'S LIKE NOW, WHAT THIS AMENDMENT IS DOING IS TAKING AWAY THAT AMERICAN DREAM, THAT DREAM OF BEING ABLE TO DEVELOP YOUR PROPERTY TO FIT YOUR NEEDS. AND EAST AUSTIN, WITHIN A TWO MILE RADIUS FROM 7TH STREET TO MANOR ROAD, FROM I-35 TO AT AIRPORT, YOU HAVE MORE THAN FIVE NEIGHBORHOOD ASSOCIATIONS, WITHIN LESS THAN A TWO MILE RADIUS. EACH ONE OF THOSE ASSOCIATIONS HAD DIFFERENT NEEDS. SO EAST AUSTIN IS MORE CONFUSING THAN I'VE EVER SEEN IT BEFORE IN MY LIFE. BUT THIS LIMITING A PERSON'S ABILITY TO DEVELOP THEIR PROPERTY TO FIT THEIR FAMILY'S NEEDS, I AM TOTALLY AGAINST. SO THANK YOU FOR YOUR TIME. [APPLAUSE]

MAYOR WYNN: THANK YOU, MR. KING. NED MCDANIEL IS OUR NEXT SPEAKER. WELCOME BACK, MR. MCDANIEL. YOU'LL HAVE THREE MINUTES TO BE FOLLOWED BY WILLIE LOUIS..

THANK YOU. I'M NED MCDANIEL. I'VE BEEN A BROKER, A REAL ESTATE AGENT IN AUSTIN SINCE 1993. I STOOD AT 11TH STREET ABOUT SEVEN YEARS AGO AND SAID, I SMELL MONEY

HERE, BECAUSE THE CITY HAD JUST STARTED TAKING OVER SOME SORT OF DEFUNCT PROGRAM THAT WAS AT THE 15TH AND 11TH, AND STARTED DEVELOPING THOSE AREAS. WHAT I AM IN AGREEMENT WITH THESE PEOPLE ARE IS THAT THERE IS A TAKING WITHOUT EMINENT DOMAIN, WITHOUT REPRESENTATION. I UNDERSTAND THAT THE CITY'S OBLIGATION IS TO TRY AND COORDINATE AND CONTROL DEVELOPMENT IN SUCH A FASHION THAT THEY BELIEVE WOULD BE BEST SUITED FOR EVERYONE IN THE CITY, BUT TO TARGET THESE 650 PEOPLE -- I GUESS IF YOU PUT THIS ON EVERYBODY IN THE ENTIRE CITY, THEN THAT WOULD BE EQUITABLE, BUT TO TARGET THESE 650 PEOPLE AND TO DIMINISH -- AND IF I UNDERSTAND THIS, THE OBJECTIVE IS TO DIMINISH THE VALUES TO RETAIN THE COMMUNITY THAT PEOPLE PERCEIVE TO BE THERE, AND I WANT TO POINT OUT THE COMMUNITY CHANGES. WE'RE ALL A PART OF CHANGE. THIS IS A CHANGING PROCESS. IT'S A CHANGING WORLD. EAST AUSTIN IS CHANGING. I'VE SEEN IT CHANGE. I'VE BEEN HERE ACTUALLY SINCE THE '70S IN AND OUT OF THIS TOWN. IT'S CHANGED A LOT. IT'S GOING TO CONTINUE TO CHANGE. I DON'T THINK IT'S FAIR. I THINK THAT YOU-ALL WILL BE REMISS IN YOUR DUTY UNLESS, OF COURSE, YOU'RE WILLING TO INVOKE THOSE TYPES OF RESTRICTIONS ON EVERYONE WITHIN THE CITY LIMITS. AND I THINK THAT THERE'S ONE OTHER POINT THAT I'VE NOTIFIED NOTICED AND THIS IS WITH THE MCMANSION LAW. IF I'M NOT CORRECT ON THIS CORRECT ME. BUT THIS 40% IMPERVIOUS CONSTRUCTION IS NOT BY VOLUME. YOU HAVE DEVELOPED AN ENVELOPE IN WHICH PEOPLE CAN BUILD, BUT WHEN I INVESTIGATED THIS, 40% DOES NOT MEAN THAT YOU -- LIKE YOU CAN GO THREE STORIES, PERHAPS, BUT YOU CAN ONLY HAVE A CERTAIN AMOUNT OF SQUARE FOOTAGE. EVEN THOUGH YOUR VOLUME MAY CREATE MORE. I HAVE A PROBLEM WITH THESE TYPES OF CONTROLS BECAUSE IT CONTROLS DESIGN AND CREATIVITY, AND IT STARTS MAKING THINGS MORE BEIGE. I'D SAY STOP THE BEIGING OF AUSTIN. EVERYTHING IS CONTROLLED SO MUCH THAT THE CREATIVITY IS LIMITED BY SO MANY FACTORS, THEN WE'LL HAVE A -- AN ENVIRONMENT THAT WILL NOT BE WHAT YOU CAME TO WANT AND ENJOY AND THOUGHT. AND THE OTHER THING IS BECAUSE THESE HOUSES THAT WE'RE PROBABLY TALKING ABOUT, EVERYTHING HAS OBSOLESCENCE, AND THEY WILL HAVE TO BE TORN DOWN AND BUILT ON.

MAYOR WYNN: THANK YOU, MR. MCDANIEL. [APPLAUSE]

MAYOR WYNN: WELCOME, MR. LEWIS. GERALDINE IS ALSO GEFG YOU HER THREE MINUTES SO THAT WILL GIVE YOU 6.

THANK YOU, MAYOR AND COUNCIL. I JUST -- I'VE BEEN THERE, DONE THAT, RIGHT? IN YOUR POSITION. MY QUESTION IS, WOULD YOU BE APPROVING THIS IF YOU LIVED ON ONE OF THESE LOTS OR IF YOU OWNED A NUMBER OF THESE LOTS? I OWN PROPERTY IN EAST AUSTIN, AND LET ME TELL YOU, I CALLED JUST TWO DAYS AGO ABOUT A LOT AT 2011 EAST 11TH STREET. THE ASKING PRICE IS \$151,000, AND IT'S A VACANT LOT. SO NOW, YOU TELL ME WHAT'S AFFORDABLE? BECAUSE IT HAS NOTHING ON IT. AND TO DEVELOP IT YOU'RE TALKING ANOTHER CLOSE TO \$100,000. SO WOULD THAT BE AFFORDABLE IF YOU BUILD A 1200-SQUARE-FOOT HOUSE ON IT OR 1500-SQUARE-FOOT HOUSE? WOULD THAT BE

AFFORDABLE FOR SOMEONE? BUT YOU SAY IT MEETS AFFORDABLE HOUSING. THE THING THAT BOTHERS ME IS THE CITY AND NUMBER OF PEOPLE THAT TALK ABOUT AFFORDABILITY, THEY DON'T -- WHEN YOU -- WHEN PEOPLE APPLY FOR A JOB THEY DON'T SAY, WELL, WE'RE GOING TO PAY YOU SO THAT YOU CAN AFFORD TO LIVE IN THIS AREA. EVEN PEOPLE IN THE CITY, OUR POLICE DEPARTMENT, OVER 50% OF THEM LIVE OUTSIDE THE CITY. SO -- AND EVERY TIME YOU ASK THEM THEY SAY, WELL, WE CAN'T AFFORD TO LIVE WITHIN THE CITY. YOU KNOW, MY QUESTION IS, AFFORDABILITY. I WAS AT A MEETING AND MY ANALOGY IS, I OWN A LOT -- A HOUSE, AND I PARK TWO HUNDAI'S IN THE DRIVEWAY. MY NEIGHBOR HAS TWO MERCEDES. DOES THAT DECREASE MY VALUE IN NO, BECAUSE I FEEL PEOPLE SHOULD BE ABLE TO DEVELOP AND DO WHAT THEY NEED TO DO WITH THEIR PROPERTY. NOW, WE WENT TO THIS THING ABOUT CHANGING THE ORDINANCE. WE HAVE SETBACKS, WE HAVE IMPERVIOUS COVER, WE HAVE HEIGHT RESTRICTION. YOU KNOW, AND UP UNTIL ABOUT 2000 -- 1999, A 45-FOOT FRONT LOT WAS CONSIDERED AN ILLEGAL LOT. I OWN A LOT AT -- WHAT IS IT, 2814, I THINK, EAST 14TH STREET. THE TAXES ON THAT LOT, THERE'S 2250 SQUARE FEET IS MORE THAN THE TAXES ON MY HOMESTEAD. NOW, YOU TELL ME, IS THAT AFFORDABLE? TO GET A BUILDING PERMIT -- OR TO GO FOR -- TO GET A VARIANCE IT'S GOING TO COST ME \$500 UP FRONT TO EVEN TRY TO GET ANYTHING PUT ON THAT LOT THAT THE CITY AND THE COUNTY AND THE SCHOOL DISTRICTS GIVES ME NO BREAK ON BECAUSE IT'S 2250 SQUARE FEET. SO MY QUESTION AGAIN, IS THAT AFFORDABLE? WHEN YOU PAID \$900 ON A 2250 SQUARE FEET LOT, IS THAT AFFORDABLE? NOW -- AND I ASK YOU AGAIN, WOULD YOU BE WILLING TO SUPPORT THIS IF YOU LIVED IN THIS AREA AND OWNED ONE OF THESE LOTS? AND IF YOU CAN SAY YES, THEN VOTE FOR IT, BUT I'M GOING TO TELL YOU NOW, IN GOOD CONSCIENCE IF YOU SAY, WELL, I DON'T KNOW IF I WOULD VOTE -- I WOULD APPROVE IT IF I LIVED THERE, THEN I WOULD SUGGEST THAT YOU FOLLOW YOUR CONSCIENCE. ONE OTHER THING THAT I WOULD LIKE TO SAY, THAT THE CITY, THE SCHOOL DISTRICT, THE COUNTY AND THE A.C.C. ALLOWS NO CREDIT FOR RENTAL PROPERTY. SO, YOU KNOW, WHEN YOU TELL ME THAT, WELL, WE NEED IT TO BE AFFORDABLE. I PAID IN PROPERTY TAX ON THE 31ST OF DECEMBER THAN A LOT OF CITY EMPLOYEES MAKE IN A YEAR. SO NOW YOU TELL ME, IS IT AFFORDABLE? IF I CHARGE SOMEONE \$700 FOR A HOUSE AND MY TAXES IS \$250 A MONTH, JUST THE TAXES, IS THAT AFFORDABLE? AM I -- SHOULD I CHARGE \$900 A MONTH? SO THOSE ARE THE THINGS THAT YOU HAVE TO LOOK AT. AND I FEEL THAT I WOULD BE REMISS IF I DIDN'T SAY THAT IF YOU DON'T BELIEVE THE PEOPLE THAT SAYS THAT YOU NEED AFFORDABLE HOUSING, THEN TALK TO YOUR OWN STAFF, THE CITY PEOPLE. EVEN THE CITY WANTED AN EXEMPTION FROM IT. AND I ASKED MR. HILGERS, I SAID, WELL, IF IT'S NOT GOOD FOR YOU, WHY SHOULD IT BE GOOD FOR ME? YOU KNOW, I MEAN -- AND I HAVE NO PROBLEM, YOU KNOW, IF SOMEONE WERE TO BUILD A 2300-SQUARE-FOOT HOUSE, I HAVE NO PROBLEM WITH THAT, BUT MOST OF THOSE LOTS WON'T TAKE A 2300-SQUARE-FOOT HOUSE, YOU KNOW? AND I CAN SEE IT MOVING FROM THE AREA THAT WE'RE IN -- WE'RE SPEAKING OF NOW FURTHER EAST AND FURTHER EAST. BUT MY QUESTION IS, THE HOUSES THAT HAVE THE HOUSES ON IT NOW, WILL YOU GIVE ANY SUBSIDY TO THE PEOPLE IN THE 65 LOTS THAT THIS AFFECTS IF IT PASSES? WILL THERE BE ANY SUBSIDIZING DONE? THANK YOU AND I SAY AGAIN, VOTE

YOUR CONSCIENCE. THANK YOU, MAYOR.

MAYOR WYNN: THANK YOU, MR. LEWIS. [APPLAUSE]

MAYOR WYNN: AND LET'S SEE, MICHAEL CASIAS IS SIGNED UP IN OPPOSITION AND HERE TO ASK QUESTIONS IF WE MAY HAVE THEM, BUT IF YOU'D LIKE TO GIVE US TESTIMONY, MICHAEL, NOW WOULD BE THE TIME. OKAY. WELCOME. AND WHILE MICHAEL MAKES HIS WAY TO THE PODIUM, A NUMBER OF FOLKS SIGNED UP NOT WISHING TO SPEAK. THE ONE IN FAVOR OF THIS AMENDMENT NOT WISHING TO SPEAK WOB HOUSTON, VOA JONES, JOSHUA BOWLS, GISTABO ORTEZA, MARK ROGERS, CINDY WIDE NER, FERN RAT CLIFF. FOLKS NOT WISHING TO SPEAK IN OPPOSITION CHRIST JACOB AND I GUESS WE HEARD FROM DEBORAH HATAL. THANK YOU.

I'M MICHAEL CASIA, I LIVE AT 1174 SAN BERNARD. I'VE BEEN A MEMBER OF OCEAN SINCE IT BEGAN. I WAS PART OF THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLANNING TEAM. I WAS ALSO ON THE MCMANSION COMMITTEE, AND WAS PART OF THE -- THE COMMITTEE THAT VOTED FOR THE CURRENT MCMANSION ORDINANCE. I SUPPORT ALL OF MY NEIGHBORS. I LIVE WITH THEM. I SUPPORT THEM. I ALSO HAPPEN TO BE A DEVELOPER IN THE AREA AND HAVE DONE NUMEROUS PROJECTS ON SMALLER LOTS AND GENERALLY TYPICALLY SMALLER HOMES, UNDER 2,000 SQUARE FEET. I WANTED TO MAKE A COUPLE COMMENTS. I GENERALLY AGREE WITH ALL THE SIDES, FOR AND AGAINST, AND THAT'S KIND OF A DILEMMA THAT YOU GUYS HAVE TO DEAL WITH. BECAUSE WE WANT EVERYTHING. WE WANT DIAMETRICALLY OPPOSED END RESULTS. WE WANT AFFORDABLE HOUSING IN OUR NEIGHBORHOOD BUT WE ALSO DON'T WANT TO DETERIORATE OUR PROPERTY VALUES. WE WANT INCREASED PROPERTY VALUES BUT WE DON'T WANT TO PAY HIGHER PROPERTY TAXES. SO WE WANT TO -- WHEN WE SLOW DOWN DEVELOPMENT AND RESTRICT SUPPLY OF NEW HOUSING AND THAT CONSTANT REGENERATION OF NEW HOUSING, WE'RE ACTUALLY RESTRICTING SUPPLY AND THERE'S AN ECONOMIC MODEL THAT HAS BEEN REPEATED IN MANY CITIES THROUGHOUT THE COUNTRY OF WHAT HAPPENS IN URBAN AREAS WHEN THESE TYPES OF EXPERIMENTS ARE TRIED ON URBAN AREAS. WE STUDIED A LOT OF THAT DURING THE MCMANSION TASK FORCE MEETINGS. WE HAD EXPERTS FROM ALL OVER THE COUNTRY SPEAK TO US AND WHEN WE ARRIVED AT THE 2300 SQUARE FEET AND THE .4 FAR, WE AGREED THAT, YOU KNOW, IT'S OKAY TO RESTRICT PROPERTY RIGHTS TO SOME EXTENT. I TOTALLY UNDERSTAND THAT AS A GOVERNMENT AND AS A COMMUNITY WE NEED TO RESTRICT PROPERTY RIGHTS, BUT THERE IS -- THERE IS A DELICATE BALANCE AND WE SPENT ABOUT TWO YEARS STUDYING THAT -- SHOOTING FOR THAT DELICATE BALANCE. I KNEW THAT THERE WAS THE OUT AND THE POTENTIAL FOR A LOT OF CONTROVERSY IN THE NEIGHBORHOOD CUSTOMIZATION PORTION OF THAT ORDINANCE, BECAUSE IT DID KIND OF ALLOW FOR THE POTENTIAL OF GOING BACK INTO THE ORDINANCE AND TRYING TO TWEAK IT. WE COULD BE HERE TWO YEARS FROM NOW WITH THE SAME NEIGHBORHOOD NOW TRYING TO SHOOT -- YOU KNOW, GOING FURTHER AND GOING FOR A .25 FAR. AS THE DEMOGRAPHER JUST STATED OR I CAN'T REMEMBER WHO STATED IT, THE AVERAGE FAR IN THE NEIGHBORHOOD AS IS THE AVERAGE FAR IN MOST

CENTRAL NEIGHBORHOODS IS HISTORICALLY ABOUT .2: ACCORDING TO THE MCMANSION ORDINANCE THAT MEANS EVERY NEIGHBORHOOD COULD BE COMING FORWARD TO COUNCIL WITH A NEIGHBORHOOD CUSTOMIZATION WITHIN THE LIMITS OF WHAT THAT ORDINANCE SAYS TO LOWER THEIR FARMS THROUGHOUT THEIR NEIGHBORHOOD, AND YOU CAN JUST KIND OF GO DOWN THAT SLIPPERY SLOPE TO THE MORE CONSTRICTING OF SUPPLY IN AN AREA WHERE, YOU KNOW, THE REALITY IS IT'S JUST SO MUCH EASIER TO DEVELOP OUT ON THE OPEN LAND, ON THE OPEN PRAIRIE. IT'S SO MUCH EASIER AND THERE'S SO MUCH MORE INCENTIVE TO GO OUT OF THE CITY OH -- OR GO OUT IN THE OUTSKIRTS THAN IT IS TO DEVELOP WHAT WE THOUGHT WAS ENVISION CENTRAL TEXAS AND ALL OF THE PLANS WERE POINTING TO WHICH IS SOME URBANIZATION, COMPATIBLE UNDER ALL THE REGULATION THAT WE HAVE TO FALL IN. BUT STILL URBANIZATION AS A MEANS OF GROWTH. THANK YOU VERY MUCH. [APPLAUSE]

MAYOR WYNN: THANK YOU, MR. CAME CASIAS. COUNCIL, THAT CONCLUDES OUR CITIZEN TESTIMONY ON THIS ITEM NO. 46. QUESTIONS FOR STAFF OR ANYBODY ELSE? COMMENTS? COUNCIL MEMBER COLE.

COLE: I HAVE A QUESTION FOR MR. RUDY WILLIAMS. HI, HOW ARE YOU DOING? I WAS TRYING TO FOLLOW THE REASONING THAT IF WE RESTRICT THE MAXIMUM FOOTPRINT ON A LOT, THAT THAT'S GOING TO AUTOMATICALLY CONTROL AFFORDABILITY, AND I'M WONDERING IF YOU HAVE LOOKED AT THAT IN ANY OTHER CITIES OR WHY THAT SEEMS TO JUST BE A BELIEF THAT'S JUST TAKEN FOR GRANTED. AND I DON'T KNOW WHERE THAT'S COMING FROM.

WELL, THE RESEARCH IS -- AND THIS IS NOT ABOUT NEW HOUSING I'M TALK -- I'M PRIMARILY CONCERNED WITH PEOPLE WHO ARE CURRENTLY LIVING IN EAST AUSTIN. IT SEEMS LIKE THERE'S THIS NOTION THAT EAST AUSTIN IS READY FOR FULL GENTRIFICATION AND LET'S SELL IT ALL OUT. AND I'M SAYING IS THAT THERE ARE A LOT OF PEOPLE WHO LIVE ON SUBSTANDARD LOTS, AND IF WE CAN KEEP THOSE HOUSES THAT CURRENTLY EXIST THERE, THAT ARE CURRENTLY AFFORDABLE, THEN I THINK WE'RE DOING A GOOD THING. SO THE SMALL-LOT AMENDMENT IS MORE -- ONE OF THE GOALS IS TO KEEP THOSE HOUSES -- KEEP THAT HOUSING THAT CURRENTLY EXISTS, THAT'S CURRENTLY PROVIDING THE MOST AFFORDABLE HOUSING FOR THE PEOPLE IN EAST AUSTIN THERE. DOES THAT MAKE ANY SENSE?

COLE: YES, I THINK I UNDERSTAND. YOU SEE IT AS A MECHANISM TO CONTROL GENTRIFICATION.

RIGHT. AND NOT JUST CONTROL GENTRIFICATION, BUT TO PRESERVE THE AFFORDABLE HOUSING THAT ALREADY EXISTS. AS I SAID EARLIER, MOST OF THE AFFORDABLE HOUSING THAT EXISTS IS PROVIDED BY PROPERTY OWNERS. PROPERTY OWNERS WHO ARE PROVIDING RENTAL HOUSING. IT'S NOT -- ON THE SECOND BIGGEST PROVIDER OF HOUSING -- AFFORDABLE HOUSING IS AUSTIN HOUSING AUTHORITY. BUT THE BIGGEST IS THE

REGULAR PROPERTY OWNER LIKE MR. LEWIS OR MAYBE SOMEBODY ELSE OUT THERE WHO IS PROVIDING RENTAL HOUSING. NOW, ONE WAY TO DO THAT IS TO LIMIT THE SIZES OF HOUSES THAT GO ON THAT SO THEY WON'T BE -- HOW DO I SAY IT -- FORCED INTO TEARING DOWN THAT HOUSE. BECAUSE RIGHT NOW IT'S MORE IN -- IT'S MORE IN THEIR INTEREST, IT'S MORE IN THE PROPERTY OWNER'S INTEREST TO TEAR DOWN THAT HOUSE OR TO SELL THAT HOUSE BECAUSE THEY CAN GET MORE MONEY FOR THEIR BUCK BECAUSE THEIR TAXES ARE TOO HIGH. NOW, I DID NOT COME HERE TO TALK ABOUT TAXES, BUT TAXES IS THE BIG ELEPHANT IN THE ROOM. THERE'S NO WAY AROUND IT.

COLE: BUT YOU UNDERSTAND THAT WE DON'T HAVE ANY CONTROL OTHER THAN THE CITY PROPERTY TAXES, AND THAT'S THE LARGEST AMOUNT OF TAXES IN THE --

AND THIS IS WHAT I HEAR ALL THE TIME. WE DON'T HAVE ANY CONTROL. THE CITY, THE COUNTY AND THE SCHOOL BOARD SHOULD BE WORKING TOGETHER TO FIND WAYS TO MAKE COMMUNITIES SURVIVE, TO HELP COMMUNITIES SURVIVE. [APPLAUSE]

YOU DO HAVE CONTROL. AS A MATTER OF FACT, I THINK THAT YOU SHOULD TAKE A LEADERSHIP ROLE IN TRYING TO FIND WAYS OF PRESERVING THIS COMMUNITY. IT'S TOO VALUABLE --

COLE: UNDERSTAND WE DON'T HAVE DIRECT CONTROL TO PARTICULAR PEOPLE PROPERTIES --

I KNOW YOU DON'T HAVE DIRECT CONTROL OVER THE TAXES. I KNOW YOU HAVE THE SMALLEST TAX BITE BUT YOU DO HAVE A LEADERSHIP ROLE. I WAS AT THE SAME MEETING THAT MAYOR PRO TEM WAS AT WHEN THEY WERE TALKING ABOUT APPRAISAL REFORM.

COLE: OKAY. THANK YOU.

LET ME --

NO, MR. WILLIAMS. YOU HAD A QUESTION BY COUNCIL MEMBER COPY. YOU ANSWERED IT.

I DIDN'T GET TO FINISH MY ANSWER.

MAYOR WYNN: ANY QUESTIONS OF COUNCIL? COMMENTS? QUESTIONS? COUNCIL MEMBER KIM.

I HAVE QUESTIONS FOR STAFF, AND I WAS WONDERING, JERRY, DO YOU HAVE A MAP OF THE DISTRICT AND HOUSE SIZES?

I DO NOT HAVE MAPS OF THE DISTRICT AND THE HOUSE SIZES. I DO HAVE A MAP OF THE

PLANNING AREA, WHICH --

CAN YOU PUT UP THE PLANNING AREA MAP, PLEASE?

MAYOR WYNN: IF I REMEMBER CORRECTLY THAT JUST SHOWED THE INDIVIDUAL LOTS WITHIN THE BOWPD RIS OF THE -- BOWPD RIS.

YES, ALL THE LOTS IN YELLOW ARE SUBSTANDARD LOTS THAT WOULD BE AFFECTED BY THIS ORDINANCE.

KIM: OKAY. SO I THINK IT'S TURNED THE OTHER WAY, BUT -- I UNDERSTAND THAT THERE'S A SUBDISTRICT IN THIS PLANNING AREA AND THERE'S A AN AREA THAT IS OUTSIDE THE PLANNING DISTRICT AND THE PLANNING AREA. CAN YOU SHOW ME THE BOUNDARIES OF THAT, OR SOMEONE SHOW ME THE BOUNDARIES? BECAUSE I THINK THE TWO ARE QUITE DIFFERENT. YES, THIS IS THE MAP I WAS TALKING ABOUT.

THE ENTIRE NEIGHBORHOOD PLAN AREA INCLUDES ALL THE STRUCTURES THAT ARE SHOWN RIGHT HERE. THE ONE SUBDISTRICT INCLUDES JUST THIS -- JUST THIS BOUNDARY AND IT'S KNOWN AS SUBDISTRICT 1.

KIM: OKAY. SO THE ONE -- SO THE TWO LOTS -- OF THE TWO DISTRICTS -- I GUESS THE SUBDISTRICT AND THE AREA THAT IS OUTSIDE THE SUBDISTRICT, WHAT IS THE AVERAGE SIZE HOME IN THE SUBDISTRICT, WITH THE ONE ON THE LEFT?

WITHIN THE SUBDISTRICT THE AVERAGE SIZE HOME IS 1,467 FEET. FOR THE AREA THAT'S INSIDE THE PLANNING -- INSIDE THE NEIGHBORHOOD PLAN AREA BUT NOT IN SUBDISTRICT ONE IT IS 1,000 -- 1,112 FEET.

KIM: OKAY. SO THIS MAP, I ACTUALLY HAVE SEEN IT IN COLOR AND THE DARK SHADING IS ACTUALLY THE SMALLER -- SMALLER HOME SIZES. THOSE ARE HERE IN THE DARK -- IN THE BLACK, OR THE DARK GRAY, AND THEY'RE MORE IN THE AREA OUTSIDE OF THE SUBDISTRICT, AND I BELIEVE THAT'S WHERE THE LOTS ARE SMALLER. AND DO YOU HAVE THE STANDARD DEVIATION FOR THOSE AVERAGES?

SURE. WITHIN SUBDISTRICT 1 THE STANDARD DEVIATION IS 719 FEET, AND FOR THE AREA WITHIN THE PLAN BUT OUTSIDE THE SUBDISTRICT IS 427 FEET.

KIM: SO WHAT I TAKE FROM THAT IS THAT THE AREA THAT'S OUTSIDE THE SUBDISTRICT, THERE IS A LOT MORE UNIFORMITY IN THE HOUSING SIZE, WHICH IS SMALLER THAN THE ONE -- THE ONES INSIDE THE SUBDISTRICT. SO THERE'S MORE VARIANCE OF ABOUT 700 SQUARE FEET AROUND THE AVERAGE. THAT MEANS TWO-THIRDS OF THE HOMES IN THAT SUBDISTRICT ARE WITHIN PLUS OR MINUS SEVERAL HUNDRED SQUARE FEET OF THE

AVERAGE, WHICH IS OVER 1400 SQUARE FEET. THAT'S ALL I NEEDED TO KNOW. THANK YOU.
SURE.

MAYOR WYNN: COUNCIL MEMBERS, FURTHER QUESTIONS OF STAFF? COMMENTS?

COLE: I HAVE A QUESTION, MAYOR.

MAYOR WYNN: COUNCIL MEMBER COLE?

COLE: DO YOU HAVE -- DO YOU KNOW WHAT THE LOT SIZE IS AT MUELLER, THE AVERAGE LOT SIZE IN THE MUELLER DEVELOPMENT?

NO, I'M SORRY, I DO NOT. I KNOW THERE'S A VARIETY OF LOT SIZES, SOME OF WHICH ARE QUITE SMALL, BUT I DO NOT KNOW THE AVERAGE.

COLE: I THINK SOME OF THE HOUSING IN MUELLER, AND I KNOW THAT THEY HAVE SEVERAL HOUSE -- LARGE HOUSES ON SMALL LOTS. WOULD THAT BE A CORRECT ANALYSIS?

YES.

COLE: AND WOULD SOME OF THOSE LOTS ACTUALLY BE THE SAME AS THE LOTS IN CONSIDERATION NOW, I GUESS THE --

YES, I WOULD SAY THEY WOULD BE.

COLE: OKAY.

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS? THOUGHTS? MOTIONS?

COLE: MAYOR, I'LL MAKE A MOTION.

MAYOR WYNN: COUNCIL MEMBER COLE?

COLE: GO AHEAD. MAYOR. I'D LIKE TO MAKE A MOTION THAT WE NOT ADOPT THE RECOMMENDATION OF THE PLANNING COMMISSION.

DUNKERLEY: AND I WOULD SECOND THAT.

MAYOR WYNN: SO MOTION BY COUNCIL MEMBER COLE, SECONDED BY THE MAYOR PRO TEM. I GUESS THE ACTION WOULD BE TO -- WOULD IT BE JUST SIMPLY TO DENY THE --

COLE: TO DENY.

YES, IT WOULD BE A MOTION TO DENY THE APPROVAL OF THE ORDINANCE.

MAYOR WYNN: MOTION AND SECONDED BY MAYOR PRO TEM.

DUNKERLEY: WE DO HAVE A LOT OF RESTRICTIONS AS YOU'VE HEARD TONIGHT IN THE MCMANSION ORDINANCE ITSELF, AND THAT IS NOT WHAT WE ARE DENYING TODAY. WE WANT THE MCMANSION ORDINANCE -- IT IS ON THE BOOKS, AND THAT'S THE STANDARD THAT WE USE TODAY. SO IF ALL OF THE OTHER RESTRICTIONS ON THE HEIGHT, THE IMPERVIOUS COVER, THOSE KINDS OF ELEMENTS ALREADY RESTRICT THE SIZE OF THE LOT. AND ALL THE MCMANSION ORDINANCE REALLY SAYS IS THAT YOU CAN DO THE .4 OR UP TO 2300 SQUARE FEET IN COMPLIANCE WITH ALL THE OTHER RULES. AND I REALLY THINK THAT IS ADEQUATE TO COVER THESE THINGS. A MCMANSION ORDINANCE WOULD ALLOW YOU TO BUILD A MCMANSION ON A BIG LOT OR A LITTLE LOT. SO I AM GOING TO BE SUPPORTIVE OF THE DENIAL OF THIS ORDINANCE.

MAYOR WYNN: MOTION AND SECOND ON THE TABLE. FURTHER COMMENT? COUNCIL MEMBER MARTINEZ?

MARTINEZ, THANKS, MAYOR. I'M ALSO GOING TO BE SUPPORTING THE DENIAL, NOT BECAUSE I DON'T UNDERSTAND OR HAVEN'T HEARD SOME OF THE CONCERNS IN THE NEIGHBORHOOD. SPECIFICALLY BECAUSE I DON'T THINK THIS AMENDMENT ADDRESSES THE ISSUES THAT HAVE BEEN RAISED, WHICH ARE RISING PROPERTY VALUES AND GENTRIFICATION AND DEGRADATION OF THE NEIGHBORHOOD. THOSE THREE ISSUES ARE NOT ADDRESSED BY LIMITING THE FAR TO A .4 RATIO REGARDLESS OF LOT SIZE. IT'S JUST NOT. WHAT IT'S GOING TO CREATE IS AN 1100-SQUARE-FOOT HOME THAT COST \$250,000 THAT ONLY A SINGLE AFFLUENT INDIVIDUAL CAN LIVE IN. I LIVE IN CENTRAL EAST AUSTIN, AND I WAS FORTUNATE ENOUGH TO BE ABLE TO BUY A NEW HOME A FEW MONTHS AGO, BUT IT'S AN AFFORDABLE HOME AND THE REASON IT'S AFFORDABLE IS BECAUSE I DON'T HAVE A FRONT YARD AND I DON'T HAVE A BACKYARD. THE VALUE IS IN THE DIRT, NOT IN THE STICKS THAT'S CREATING THE HOME. AND THE MARKET DRIVES THAT. WE CAN REQUIRE A 200-SQUARE-FOOT HOME AND IT'S STILL GOING TO COST YOU \$180,000 BECAUSE THE LOT IS WORTH 150. LET'S ADDRESS THE ISSUES. LET'S LOOK AT HISTORIC PRESERVATION DISTRICT. LET'S GET THE HOMESTEAD PRESERVATION DISTRICT OFF THE GROUND AND RUNNING AND CREATE TRUE MEANINGFUL, LONG-TERM SUSTAINABLE TOOLS THAT HELP THE FOLKS IN EAST AUSTIN. THERE ARE PEOPLE WHO HAVE LIVED IN EAST AUSTIN, PAID TAXES AND BOUGHT THEIR HOMES FOR YEARS WHEN NOBODY WANTED TO LIVE THERE, WHEN NOBODY CARED TO TAKE CARE OF THEM. [APPLAUSE] AND NOW WE'RE GOING TO COME IN AND RIP 50% OF THEIR PROPERTY VALUES OUT FROM UNDER THEM BECAUSE WE'RE SAYING IT'S DEGRADING OUR NEIGHBORHOOD? I DON'T THINK THAT'S ADDRESSING OUR ISSUES. I WANT TO ADDRESS THESE ISSUES. I WANT US TO PUT MEANINGFUL POLICIES IN PLACE, NOT PIECEMEAL AMENDMENTS THAT DON'T ADDRESS THE PROBLEMS LONG-TERM. SO I LOOK FORWARD TO WORKING ON IT IN THE FUTURE. THE HOMESTEAD PRESERVATION DISTRICT IS GOING TO BE UP AND RUNNING THIS SPRING. WE

ARE WORKING ON IT. PAUL HILGERS MET WITH THE COUNTY COMMISSIONERS THIS WEEK. THOSE ARE THE TOOLS THAT ARE IN PLACE. THOSE ARE THE LAWS THAT ARE IN PLACE THAT WILL ALLOW US TO TRULY ADDRESS THESE CONCERNS THAT HAVE BEEN BROUGHT UP. I APPRECIATE ALL THE COMMENTS, BUT I CANNOT SUPPORT AN AMENDMENT. IF .4 IS GOOD FOR CENTRAL EAST AUSTIN, IT SHOULD HAVE BEEN GOOD FOR THE WHOLE CITY, AND IT WASN'T, AND IT'S NOT. THANKS. [APPLAUSE]

MAYOR WYNN: FURTHER COMMENTS. MOTION AND SECOND ON THE TABLE. COUNCIL MEMBER MCCracken?

I THINK SOME OF THE CONTEXT OF WHY IT WAS -- THE UNANIMOUS COUNCIL, DUE TO THE MCMANSION ORDINANCE IN THE FIRST PLACE, I THINK IT'S BEEN MISSED A LITTLE BIT TONIGHT IN A GOOD-FAITH EFFORT FOR FOLKS TO PASSIONATELY DECIDE WHY THEY'RE FOR OR AGAINST THIS PROPOSAL, BUT MICHAEL CASIAS I THOUGHT SAID IT THE BEST WHEN HE SAID WE HAVE TO FIND A BALANCE. BECAUSE ON ONE SIDE HE HAD A SITUATION THAT IS PROBABLY BEST DESCRIBED BY A REAL ESTATE LAWYER TOLD US, THAT HE HAD A CLIENT ON THE WEST COAST WHO WOULD CALL UP ON A WEDNESDAY AND SAID I'M FLYING IN ON FRIDAY NIGHT. I WANT 25 HOUSES TO BUY IN THE FOLLOWING FOUR ZIP CODES ON SATURDAY MORNING. I JUST NEED THE CONTRACTS. I DON'T NEED TO SEE THE HOUSES AND I'M FLYING OUT SATURDAY AFTERNOON AND I'LL PAY \$50,000 MORE THAN THE ASKING PRICE FOR THE HOMES. AND THEY COME IN, THEY PAY -- THEY PAY MORE THAN ANY FAMILY COULD PAY, IN OUR MOST HISTORIC NEIGHBORHOODS IN THIS CITY AND THEN THE 1031 EXCHANGE FUND GUY ARE CALIFORNIA FLY BACK OUT SATURDAY AND THE BULLDOZER WOULD COME IN A COUPLE WEEKS LATER AND RIP DOWN ALL OUR HISTORIC NEIGHBORHOODS. BECAUSE THEY HAD PAID TOO MUCH, MORE THAN ANY AUSTIN FAMILY COULD PAY FOR THESE HOMES, ONE OF THE RESULTS WAS WE WERE GETTING OUR HISTORIC NEIGHBORHOODS DECIMATED BY PROPERTY SPECULATORS BY HOME WHO WERE PAYING MORE THAN AUSTIN FAMILIES COULD PAY FOR IT AND WE WERE LOSING OUR AUSTIN HERITAGE IN THE PROCESS AND THAT WAS WRONG. AND WE HAD A RESPONSIBILITY TO PROTECT OUR HISTORIC NEIGHBORHOOD AND PROTECT THE WEST COAST SPECULATORS, IN PARTICULAR, WHO ARE OVERPAYING FOR HOMES AND OUT PRICING AUSTIN FAMILIES. MICHAEL CASIAS AK ACCURATELY DESCRIBED A BALANCE. THE BALANCE WAS WE HAVE TO SAY OKAY, THERE'S RESPONSIBILITY TO THE COMMUNITY AND THERE'S A RESPONSIBILITY TO INDIVIDUAL PROPERTY RIGHTS TOO. SO WHAT WE DID WAS WE HAD A COMPROMISE AND THE EXROO MYSELF COMPROMISE WAS IT WOULD BE A .4 FAR WHICH IS 15 OUT OF 16 MEMBERS OF THE MCMANSION TASK FORCE BELIEVED IT WAS A FAIR OUTCOME. AND IT WAS -- IT WAS A FUNDAMENTAL PART OF THE COMPROMISE. BUT A SECOND PART OF THE FUNDAMENTAL COMPROMISE TO AFFECT THE BALANCE, TO REFLECT THE POINT THAT THERE HAD TO BE SOME FLOOR AND SAID IN THE BALANCE BETWEEN PROTECTING THE COMMUNITY AND PARTICULARLY OUT OF STATE SPECULATORS, AND PROTECTING INDIVIDUAL PROPERTY RIGHTS OF PRIMARILY FAMILIES WE AS A COUNCIL, 15 OUT OF 16 MEMBERS OF THE MCMANSION TASK FORCE SET IT UP FOR 2300 SQUARE FEET. SO I PERSONALLY BELIEVE THE MCMANSION ORDINANCE IS THE RIGHT THING TO DO. I

THINK IT HAS BECOME MORE RIGHT THE MORE TIME THAT'S PASSED, AND THAT WE CAN LOOK BACK IN 20 YEARS AND SAY THAT WE STEPPED IN AT THE RIGHT TIME AS A COMMUNITY TO PROTECT WHAT WAS GREAT ABOUT OUR COMMUNITY AND OUR HERITAGE BUT WE ALSO RESPECTED PROPERTY RIGHTS AND THAT A FAIR BALANCE, AND PART OF THAT WAS THAT THERE WAS AMENDMENT OF 2300 SQUARE FEET. I THINK THAT WAS AN INCREDIBLY IMPORTANT PART OF THE COMPROMISE. I VERY MUCH RESPECT THE NEIGHBORHOODS WHO HAVE -- THEY'VE BEEN OUT THERE FIGHTING TO PROTECT OUR HERITAGE AS A COMMUNITY AND PROTECT AFFORDABILITY. AGAINST SOME BIG MONEYED INTERESTS THAT WERE TRYING TO RIP DOWN OUR HERITAGE IN OUR SINGLE-FAMILY NEIGHBORHOODS, BUT I DO THINK -- I THINK WE JUST NEED TO RESPECT THAT COMPROMISE. I THINK A LOT OF THE PROPERTIES, WHEN THEY ARE SO SMALL, THEY COULDN'T BUILD UP TO 2300 SQUARE FEET ANYWAY BECAUSE THEY COULDN'T GET OUTSIDE THE SETBACKS. BUT THE SETBACKS THING IS PROBABLY THE MOST APPROPRIATE WAY TO HANDLE THAT AND AT THE SAME TIME I THINK IT -- FOR ALL THOSE REASONS THAT'S WHY I'M GOING TO SUPPORT COUNCIL MEMBER COLE AND MAYOR PRO TEM DUNKERLEY'S MOTION, BUT I JUST WANTED TO MAKE SURE WE ALL ARE MINDFUL OF THE CONTEXT OF WHY IT WAS SO IMPORTANT TO DO WHAT WE DID IN 2006.

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

AYE.

MAYOR WYNN: OPPOSED? MOTION TO DENY THE AMENDMENT PASSES ON A VOTE OF 7-0. [APPLAUSE] SO COUNCIL, QUICKLY BEFORE WE TAKE -- COMBINE ITEM 44 AND 49, WE HAVE A COUPLE OF QUICK PUBLIC HEARINGS WITH NO CITIZENS SIGNED UP THAT WE CAN SEND A COUPLE OF STAFF MEMBERS HOME. AND SO I'LL CALL UP ITEM NO. 47, CONDUCT A PUBLIC HEARING FOR THE FULL PURPOSE ANNEXATION OF SH-130, 290 RETAIL AREA AND WELCOME A BRIEF STAFF PRESENTATION.

MAYOR WYNN: IF FOLKS COULD PLEASE TAKE YOUR CONVERSATION OUT IN THE FOYER WE APPRECIATE IT WHILE WE CONDUCT TWO PUBLIC HEARINGS. WELCOME, MRS. COLLIER.

I'M VIRGINIA COLLIER WITH THE CITY'S NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. THIS IS THE SECOND OF TWO PUBLIC HEARINGS FOR THE STATE HIGHWAY 130, 290 EAST RETAIL ANNEXATION AREA, ORDINANCE READINGS ARE TENTATIVELY SCHEDULED TO FEBRUARY 14. THIS IS AN OWNER REQUESTED FULL PURPOSE ANNEXATION. INCLUDES APPROXIMATELY 88 ACRES LOCATED IN EASTERN TRAVIS COUNTY, APPROXIMATELY 1,000 FEET WEST OF THE INTERSECTION OF STATE HIGHWAY 130 AND U.S. HIGHWAY 290 EAST. THIS AREA IS CURRENTLY UNDEVELOPED AND IN COMPLIANCE WITH STATUTORY REQUIREMENTS THE CITY WILL BEGIN PROVIDING FULL MUNICIPAL SERVICES UPON ANNEXATION. I CAN ANSWER ANY QUESTIONS YOU HAVE ON ITEM 47.

MAYOR WYNN: THANK YOU, MS. COLLIER. QUESTIONS FOR STAFF, COUNCIL? ARE THERE ANY CITIZENS HERE THAT WOULD LIKE TO GIVE US TESTIMONY ON THIS PUBLIC HEARING, NO. 47, THE FULL PURPOSE ANNEXATION OF SH-130/US-290 RETAIL AREA? HEARING NONE I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING.

I'LL MOVE.

MAYOR WYNN: MOTION MADE BY MY COUNCIL MEMBER MARTINEZ, SECONDED BY LEFFINGWELL. ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF 7-0. ITEM NO. 48, MR. STRONG?

MAYOR AND COUNCIL I'M STEWART STRONG ACTING DIRECTOR FOR PARKS AND RECREATION DEPARTMENT. THIS IS THE LOCAL STANDARDS OF CARE FOR CHILDREN IN RECREATIONAL PROGRAMS. THIS IS MANDATED BY THE STATE OF TEXAS. THEY REQUIRE THAT IF THE LOCAL ENTITY ADOPTED STANDARDS FOR RECREATIONAL PROGRAMS THAT WE HOLD THESE PUBLIC HEARINGS. WE'VE COME TO YOU THE LAST EACH SIX YEARS. THIS YEAR THERE ARE TWO TYPES OF CHANGES. ONE IS SIMPLY EDITORIAL. WE GET THE NOMENCLATURE, UNIFORM, WHEN WE APPROACH IN NUMBERS, EITHER WE SPELL THEM OR WE USE THE NUMERAL. THE ONE SUBSTANTIVE CHANGE REFERS TO THE RATIO OF LEADERS PER CHILDREN, NUMBER OF CHILDREN. IT'S -- AND THE ORDINANCE IS BROKEN DOWN BY CATEGORY. WE'RE SIMPLY MAKING A SLIGHT CHANGE IN THE NUMBERS, ONE OF WHICH IS THERE'S A RATIO OF LEADER TO CHILDREN OF 1-1-10 CHILDREN WHO ARE 6 TO 9 YEARS OLD. TODAY THE RATIO IS 1 TO 10. 10 CHILDREN. WE'RE RECOMMENDING THAT YOU CHANGE THAT TO 1 TO 12, SLIGHTLY CHANGE THIS. THE STATE ORDINANCE REQUIRES A 1-20, SO WE'RE STILL WAY UNDER THE STATE MANDATED LEADERSHIP RATIO. SO WE'RE ADDING TWO CHILDREN, IN EFFECT, TO THE CLASS. AND THE SECOND AGE CATEGORY, THOSE THAT ARE 10 TO 15, THE RATIO TODAY IS 1-12 LEADER TO CHILD. WE'RE RECOMMENDING THAT IT NOW MOVE FROM 12 CHILDREN TO 15. THE RATIONALE HERE IS SIMPLY THAT'S OUR CAP. THAT'S A COMFORTABLE SPAN OF CONTROL FOR THE CHILDREN IN THESE REGISTRATION CLASSES, BUT THAT IF WE HAVE A FAMILY THAT COMES, THEY HAVE A VISITING COUSIN OR SOMEBODY, WE HAVE TO TURN THEM AWAY. THIS WILL GIVE US A LITTLE FLEXIBILITY IN ADMITTING ONE OR TWO MORE CHILDREN TO THE CLASS SIZE. THAT'S WHAT WE'RE AFTER. OUR NORMAL OPERATING PROCEDURE IS TO KEEP THE BASE NUMBER. WE'RE LOOKING FOR A LITTLE FLEXIBILITY IN OUR SERVICE RANGE.

MAYOR WYNN: THANK YOU, MR. STRONG. QUESTIONS FOR STAFF, COUNCIL? COMMENTS? ARE THERE ANY CITIZENS WHO WOULD LIKE TO ADDRESS THIS PUBLIC HEARING, ITEM NO. 48, AMENDING THE LOCAL STANDARDS FOR CARE IN OUR PARKS AND RECREATION

DEPARTMENT? HEARING NONE, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING.

COLE: SO MOVED.

MAYOR WYNN: SECONDED BY PRO TEM TO CLOSE THE PUBLIC HEARING ON ITEM 48.

DUNKERLEY: I MOVE APPROVAL.

MAYOR WYNN: THANK YOU VERY MUCH, COUNCIL MEMBER. SO THE MOTION WAS TO CLOSE THE PUBLIC HEARING AND APPROVE THE ORDINANCE. ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. [TECHNICAL DIFFICULTIES]

MAYOR WYNN: COUNCIL, THAT LEAVES US WITH OUR TWO REMAINING PUBLIC HEARINGS THAT WE CAN TAKE UP JOINTLY, THAT BEING ITEM NO. 44, WHICH IS THE 12TH STREET NCCD CITY INITIATED CASE, AND THEN ITEM NO. 49 IS THE PUBLIC HEARING, CONSIDERATION OF AMENDING THE ORDINANCE RELATED TO THE EAST 11TH AND 12TH STREET URBAN RENEWAL PLAN. SO THAT'S THE BRIEF STAFF PRESENTATION. WELCOME, MR. GREG GUERNSEY.

THANK YOU, MAYOR AND COUNCIL. COMMUNITY DEVELOPMENT OFFICE IS ALSO COMING UP TO THE PODIUM AND WE'LL JOINTLY PRESENT THESE ITEMS. NO. 44 IS THE ZONING CASE FOR THE EAST 12TH N CL. CD AND THE RELATED ITEM THAT YOU MENTIONED, ITEM NO. 49 IS THE URBAN RENEWAL PLAN. SO THEY'LL PRESENT THE PLAN FIRST, GO THROUGH THAT, AND THEN I'M GOING TO GO THROUGH THE EAST 11TH STREET NCCD WHICH IS THE ZONING PART, ADD A FEW THINGS AND THEN WE CAN START THE PUBLIC HEARING HEARING..

GOOD EVENING, MAYOR, MAYOR PRO TEM, COUNCIL MEMBERS, BANJO NEIGHBORHOOD COMMUNITY HOUSING DEVELOPMENT. AS GREG MENTIONED, TONIGHT WE'RE GOING TO DISCUSS THE PLAN MODIFICATION AMENDMENT NO. 4 TO THE URBAN RENEWAL PLAN. THIS MODIFICATION IS THE FOURTH MODIFICATION TO THE PLAN AND INCLUDES CHANGES TO PERMITTED USES FENCING REQUIREMENTS, VARIANCES AND MULTILEVEL PARKING GARAGES. MAKE MODIFICATIONS TO THE THINGS APPROVED ON APRIL 7, 2005 AND TO ALIGN AND OR COMPORT WITH THE PROPOSED EAST 12TH STREET NCCD THAT IS ALSO BEING PRESENTED TONIGHT. A CONSENSUS BUILDING OR CONSENSUS BUILDING MEETINGS WERE HELD WITH 12TH STREET STAKEHOLDERS BEGINNING IN THE SUMMER OF 2006. BOTH THE URBAN RENEWAL AGENCY AND THE PLANNING COMMISSION HAVE HELD MEETINGS CONCERNING THESE ITEMS AND ACTION HAS BEEN TAKEN ON THESE ITEMS FROM BOTH BODIES. WHAT I'D LIKE TO DO TONIGHT, COUNCIL MEMBERS, IS TO TURN YOUR ATTENTION TO ATTACHMENT TWO -- EXCUSE ME, ATTACHMENT 1 IN THE BACKUP MATERIAL AND WALK YOU THROUGH THE PROPOSED CHANGES BY EACH BODY. [ONE MOMENT, PLEASE, FOR

CHANGE IN CAPTIONERS.]

THIS CHANGE IS BEING DONE BECAUSE PROPERTY OWNERS DID NOT ATTEND THE CONSENSUS MEETINGS FOR APRIL 2005 WHERE MODIFICATIONS WERE MADE. THE PROPERTY OWNERS ATTENDED THE CONSENSUS MEETINGS FOR THIS MODIFICATION AND REQUESTED THAT THE PERMITTED USE BE REMOVED AND REPLACED WITH MIXED USE FOR PERMITTED USES, AND UNDER THE -- ALL THE GOVERNING BODIES AGREED TO THIS PROPOSED CHANGE. ON THREE OF NINE IN ATTACHMENT 1, THIS IS THE DEFINITION BEING ADDED TO THE URBAN RENEWAL PLAN CURRENT SECTION 1.0 SECTION, ADDING DEFINITION AND LIST OF PROHIBITED USES, FOR EXAMPLE, DRIVE-THROUGH RESTAURANTS. ALL BODIES, THE URBAN RENEW AGENCY, CITY STAFF AND THE PLANNING COMMISSION ALL AGREED TO THIS PLAN MODIFICATION. ON PAGE 4 OF 9, THIS IS A ON -- THIS DEFINITION IS BEING ADDED TO THE URBAN RENEWAL PLAN, ADDING DEFINITION AND LIST OF CONDITIONAL USES. URB HAD A PLIT VOTE ON THIS RECOMMENDATION. THE AUSTIN REVITALIZATION AUTHORITY'S CONSENSUS BUILDING PROCESS, THERE WAS A CONSENSUS ON THIS PROPOSED CHANGE. AND THE PLANNING COMMISSION RECOMMENDED THIS PROPOSED CHANGE AS WELL. ON PAGE 5 OF 9, THIS DEFINITION IS BEING ADDED TO THE URB CURRENT SECTION 1.0 DEFINITION SECTION, ADDING THE DEFINITION FOR A DRIVE-THROUGH SERVICES. ONCE AGAIN, THE URB HAD A SPLIT VOTE ON THIS RECOMMENDATION. RECOMMENDATION, BUT THROUGH THE CONSENSUS BUILDING PROCESS AND THE PLANNING COMMISSION BOTH VOTED FOR THIS PLAN RECOMMENDATION OR PLAN DEFINITION ADDITION. ON PAGE 6 OF 9, THIS IS A REWRITE OF THE CURRENT EAST 12TH STREET PARKING GARAGE LANGUAGE. THIS CHANGE IS BEING MADE TO MAKE CORRECTIONS TO CLARIFY THE CURRENT LANGUAGE. AFTER FURTHER CONVERSATIONS WITH THE STAKEHOLDERS, FURTHER CORRECTIONS NEED TO BE MADE PRIOR TO COUNCIL ACTION TO REMOVE THE WORDS COMMERCIAL RETAIL AND LEAVE ONLY PEDESTRIAN-ORIENTED FOR THE TYPES OF SERVICES TO BE ALLOWED IN THE BOTTOM FLOOR OF PARKING GARAGES. FURTHER CLARIFICATION ALSO NEEDS TO BE MADE ON THE TYPE OF INTERIOR LIGHTING AND STRUCTURE SHIELD TO BE REQUIRED. I THINK MR. GUERNSEY WILL ADDRESS SOME OF THESE ISSUES. THERE WAS IN THE BACKUP ALL BODIES AGREED TO THIS PLAN MODIFICATION, VOTING YES. ON PAGE 79, THIS IS A SUB-- THIS SUBSECTION IS BEING ADDED TO THE URBAN RENEWAL PLAN, THE URP ILLUSTRATED DESIGN PLAN. THIS CHANGE IS TO ALLOW ALL FENCE HEIGHTS WITHIN THE PLAN TO BE EIGHT FEET INSTEAD OF SIX FEET CURRENTLY ALLOWED UNDER THE LAND DEVELOPMENT CODE. ALL GOVERNING BODIES VOTED YES FOR THIS RECOMMENDATION. ON PAGE 9 THIS SUBSECTION IS BEING ADDED TO THE CURRENT SECTION. THIS IS ADOPTING SMALL LOT AMNESTY AS ADOPTED BY THE CITY'S LAND DEVELOPMENT CODE FOR RESIDENTIAL AND COMMERCIAL PROPERTIES. AND FINALLY, ON PAGE 9 OF NINE, THIS SUBSECTION IS BEING ADDED TO THE URBAN RENEWAL PLAN OF THE ILLUSTRATED DESIGN PLAN. THIS CHANGE WAS NOT RECOMMENDED BY THE COMMUNITY, ARA OR THE URBAN RENEWAL AGENCY. THE PLANNING COMMISSION RECOMMENDED THIS CHANGE ONLY. IT WOULD MAKE THE 10 FEET SET BACK IN BOTH SECTIONS ONE AND TWO TO BE VEGETATIVE.

Mayor Wynn: MAYOR PRO TEM?

Dunkerley: I WAS WANTING TO HAVE YOU REPEAT THAT LAST COMMENT.

REGARDING THE 10-FOOT SET BACK, IT REQUIRES OR THE PLANNING COMMISSION RECOMMENDED THAT IN THAT 10-FOOT SET BACK THAT IT BE VEGETATIVE. AND CURRENTLY THE URA NOR DURING THE CONSENSUS BUILDING PROCESS THERE WAS NO AGREEMENT ON THAT. WE VOTED ON IT AND THE PLANNING COMMISSION ADDED THE LANGUAGE REGARDING ITS VEGETATIVE BUFFER.

Dunkerley: SO IT WOULD BE ALONG THE ALLEYS ALONG THE STRUCTURES IN THE REAR?

THAT WOULD BE CORRECT, MAYOR PRO TEM.

Dunkerley: OKAY. THANK YOU.

Mayor Wynn: COUNCILMEMBER MARTINEZ.

Martinez: THANKS, MAYOR. CAN YOU TELL ME WHY IT APPEARS -- AND MAYBE I'M CONFUSED. IT SAYS THAT IT'S ONLY A 10-FEET REAR YARD SET BACK FOR SUBDISTRICTS 1 AND 2, IS THAT CORRECT?

YES.

Martinez: SO IF WE'RE DOING CSMU ALL ALONG THAT, WHY JUST THOSE FIRST TWO SUBDISTRICTS AND NOT ANY OTHERS?

THE INTENT WAS ALONG THE -- COUNCILMEMBER, I THINK -- I WANT TO BE CLEAR. THE ORIGINAL INTENT WAS TO -- OF COURSE TO ALLOW THE BUFFER AROUND ALL THE BUILDINGS. I WOULD HAVE TO -- UNFORTUNATELY I HAVE TO GO BACK AND REALLY ASK THAT SPECIFIC QUESTION. I DON'T HAVE THE EXACT ANSWER TO THAT QUESTION, COUNCILMEMBER, I APOLOGIZE. WHY IT WAS ONLY DIRECTED TOWARD THE SUBDISTRICTS 1 AND 2, BUT I CAN ASK STAFF TO CERTAINLY PROVIDE YOU WITH AN ANSWER FOR THAT.

Martinez: THANK YOU. THANKS, MAYOR.

Mayor Wynn: FURTHER QUESTIONS OF STAFF, COUNCIL? COMMENTS?

MAYOR, LET ME PRESENT THE ZONING PIECE.

Mayor Wynn: THANK YOU PLRKS GUERNSEY.

THE ACCOMPANYING PIECE IS THE EAST 12TH STREET NCCD AND HAVE YOU A MOTION

SHEET ON THE DAIS IN YELLOW MARKED 44, IT'S ABOUT TWO PAGES LONG. LET ME KIND OF WALK THROUGH THE EAST 12TH NCCD. AND I MIGHT REPEAT A FEW THINGS THAT VAN HAD MENTIONED. VAN, YOU MIGHT WANT TO ADDRESS THE QUESTION REAL QUICK.

COUNCILMEMBER MARTINEZ, I THINK I HAVE AN ANSWER FOR YOU. THE MAP LAYS OUT THE COLOR CODES ARE FOR SUBDISTRICTS 1 IS ALL OF THE GREEN AND SUBDISTRICT 2 IS THE YELLOW. OPPOSITE OF THAT.

Martinez: SUBDISTRICT 1 IS PINK, SUBDISTRICT 2 IS GREEN.

RIGHT. I REALIZED MY MISTAKE. I WAS LOOKING AT THE NUMBERS WITHIN THOSE SUBDISTRICTS AS MEANING SUBDISTRICT 1 AND 2 AND OBVIOUSLY I SAW A COUPLE MORE SENTENCES AND FIGURED IT OUT.

IT WAS MY MISTAKE TO CLEARLY ARTICULATE THAT TO YOU.

Dunkerley: MAYOR, I HAVE A QUESTION.

Mayor Wynn: MAYOR PRO TEM.

Dunkerley: I DON'T KNOW WHICH ONE TO ASK, BUT I'VE HAD SOME PEOPLE RAISE CONCERNS WITH THAT 10-FOOT -- THE VEGETATIVE SETBACK BECAUSE ALONG THOSE ALLEYS IT IS NOT CONSISTENT AS FAR AS WHERE THE PLACEMENT OF THE STRUCTURES ARE CONCERNED. SOME OF THEM ARE ACTUALLY AS FAR BACK WITHIN FIVE FEET OF THE BACK PROPERTY LINE. IS THAT WHAT THESE OTHER GROUPS WERE OBJECTING TO THAT DID NOT WANT TO INCLUDE THAT VEGETATIVE BUFFER?

I THINK, MAYOR PRO TEM, THAT IS CERTAINLY THE CASE. AND I THINK PART OF THE REASON IS THAT THEY WANTED TO ENSURE THAT FOR EGRESS AND INGRESS PURPOSES THAT THE 10-FOOT BUFFER COULD BE UTILIZED FOR THAT. AND IF YOU ARE ACTUALLY GOING TO BE REQUIRED TO HAVE A PORTION OF THAT BE VEGETATIVE, THAT COULD IMPACT THE ACTUAL INGRESS, EGRESS ALONG THE ALLEYWAY.

I

Dunkerley: I CAN UNDERSTAND THAT. THANK YOU.

Mayor Wynn: WELCOME BACK, MR. GUERNSEY.

THANK YOU, MAYOR AND COUNCIL. GOING BACK TO THE EAST 12TH NNGD, WHICH IS A ZONING DISTRICT CHANGE AND IT IS TO CREATE A NEIGHBORHOOD CONSERVATION COMBINING DISTRICT. THE URBAN RENEWAL PLAN IS REALLY THE PLAN FOR THIS AREA WITHIN THE CENTRAL EAST AUSTIN NEIGHBORHOOD. AND THE ORIGINAL CENTRAL EAST

AUSTIN NEIGHBORHOOD PLAN, WHEN IT CAME BACK IN 2009, IT RECOGNIZED THAT THERE WAS A MASTER PLAN, AREA MASTER PLAN THAT WAS DEVELOPED, THE AUSTIN REVITALIZATION AUTHORITY WAS DONE IN 1996 AND THEN IN 1999 COUNCIL PASSED A RESOLUTION IN SUPPORT OF THE GENERAL CONCEPTS OF THE MASTER PLAN, BUT THEN IT WAS ALSO FOLLOWED UP IN 1999 WITH THE URBAN RENEWAL PLAN FOR THIS AREA. ALONG EAST 11 AND EAST 12TH. THERE IS ALREADY A NEIGHBORHOOD CONSERVATION COMBINING DISTRICT THAT EXISTS ALONG EAST 11th STREET AND THOSE PROPERTY OWNERS ALONG EAST 12TH ARE ENVOIOUS OF THAT AND WOULD LIKE TO MOVE FORWARD AND HAVE A NEIGHBORHOOD CONSERVATION DISTRICT PROVIDED FOR THIS TRACT. SO THERE WOULD BE SOME EQUITY FOR THESE TWO AREAS. CITIZENS CAME TO YOU AND SAID LET'S START MOVING. WE NEED TO GET MOVING ON AND CREATING THE NCCD IN 2006 IF YOU RECALL. THOSE THAT YOU -- THAT WERE HERE, AND SO WE STARTED TO MOVE FORWARD WITH AN NCCD TO REFLECT THE DISTRICT AT THAT TIME. DURING THE SUMMER OF '06 THERE WAS A CONCERN RAISED BY SOME OF THE PROPERTY OWNERS IN THIS AREA THAT SOME OF THE CHANGES THAT WERE PROPOSED OR THAT WERE SUGGESTED IN THE URBAN RENEWAL PLAN OR THE WAY THE PLAN EXISTED DID NOT ACTUALLY REFLECT ALL THE WANTS AND DESIRES OF THOSE PROPERTY OWNERS. SO OVER THE PAST ABOUT YEAR AND A HALF TO ALMOST TWO YEARS THERE'S BEEN DISCUSSION AND IT KIND OF BRINGS US TO WHERE WE ARE TONIGHT. THE PROPOSAL ON THE NCCD DOES ADDRESS MANY DIFFERENT ISSUES. SETBACKS FOR SUBDISTRICT 1 AND 2 ARE THE SAME. THERE'S A ZERO FRONT YARD SET BACK. ZERO STREET YARD SET BACK, INTERIOR SIDE YARD SET BACK. AND THERE'S A 10-FOOT REAR YARD SET BACK WHICH VAN HAD MENTIONED THE PLANNING COMMISSION ADDED IT BE A VEGETATIVE BUFFER. IN SUBDISTRICT 3 THERE'S A SETBACK IN THE FRONT AND A SIDE YARD SET BACK. INTERIOR OF FIVE AND A REAR YARD SET BACK OF FIVE FEET. THERE ARE HEIGHT RESTRICTIONS AS WELL IN SUBDISTRICT 1 THAT'S 60 FEET FOR THE TRACT ALONG I-35 AND SUBDISTRICT 2 BEING 50 FEET AND SUBDISTRICT 3 BEING 35 FEET. AND THERE'S A NOTE THAT THESE AREAS WITHIN THE NCCD ARE NOT SUBJECT TO COMPATIBILITY STANDARDS, SO THOSE HEIGHTS AND SET BACK REQUIREMENTS ARE NOT PART OF THIS PROPOSAL. THEY WOULD BE EXEMPTED OUT. THERE WERE IMPERFECT COVER LIMITATIONS THAT MAY BE HIGHER THAN THE CURRENT ZONING YOU WOULD SEE ON THE PROPERTY. FOR SUBDISTRICTS 1 AND 2 THERE MIGHT BE 90 SPEFERS AND IN INSTANCES THERE MIGHT BE 95%. WHERE THERE'S A COMMUNITY RETENTION POND IS NOT AVAILABLE AND THE DEVELOPER PROVIDES ON-SITE DETENTION IN 80% IN SUBDISTRICT 3. AS IN THE OTHER NCCD ON EAST 11TH AND OTHER AREAS ALONG EAST 11th, THERE IS A PARKING REQUIREMENT WHICH IS BASED ON THE LESSER OF 80% OF THE REQUIRED SCHEDULE IN THE LAND DEVELOPMENT CODE. THERE'S PROVISIONS FOR LIGHTING, THAT EXTERIOR LIGHTING MUST BE HOODED AND SHIELDED. THE BUILDING FACADE MAY NOT EXTEND IN AN UNBROKEN HORIZONTAL PLANE MORE THAN 20 FEET AND IT MUST INCLUDE WINDOWS AND BALCONES AND PORCHES AND STOOPS. THERE'S LANDSCAPING THAT'S REQUIRED IN THE STREET YARD UNLESS THERE'S LESS THAN A THOUSAND FEET OF SQUARE FOOT AREA. LANDSCAPED ISLAND MEDIANS AND PENINSULAS ARE NOT REQUIRED FOR THE PARKING LOT. FENCES ARE REQUIRED FOR A HEIGHT OF UP TO EIGHT FEET

ALONG THE SIDES AND BACK PROPERTY LINES THAT FACE EAST 12TH STREET. THERE ARE SOME ADDITIONAL REQUIREMENTS THAT PROVIDED FOR PARKING GARAGES AND I'M GOING TO GO THROUGH A COUPLE LITTLE CHANGES THAT MAY HAVE BEEN SUGGESTED IN SOME OF THESE, BUT THAT THE PARKING GARAGES THAT FRONT ON EAST 12TH AND THE SIGH STREET, THEY MUST USE THE SIDE STREET ACCESS FOR THE STRUCTURES UNLESS IT'S DETERMINED BY THE CITY OF AUSTIN BY SITE PLAN APPROVAL THAT IT'S NOT FEASIBLE, THAT THE STRUCTURES MUST BE SHIELDED FROM LIGHTS ON THE REAR SIDE AND AT LEAST 50% OF THE SHIELDING LIGHTS ON THE SIDE OF THE STRUCTURES. OVERNIGHT PARKING WOULD BE LIMITED TO THE RESIDENTS AND THEIR OVERNIGHT GUESTS ONLY. ALSO THERE WOULD BE REQUIREMENTS OF PARKING STRUCTURES LESS THAN 30 FEET IN HEIGHT, THAT THE STRUCTURES WERE TWO STORIES, BUT LESS THAN THREE FEET IN HEIGHT. 70% OF THE GROUND FLOOR AREA THAT FRONTS ON 12TH STREET WOULD BE PEDESTRIAN ORIENTED USES TO A DEPOSITTH OF AT LEAST 15 FEET. THERE ARE REQUIREMENTS THAT PARKING STRUCTURES ARE 30 FEET OR HIGHER. THAT ONE% ON THE GROUND FLOOR FRONTS ON EAST 12TH STREET MUST BE PEDESTRIAN OR COMMERCIAL USES. PEDESTRIAN ORIENTED USES WOULD INCLUDE ART GALLERY, WORKSHOP, BUSINESS SUPPORT SERVICES, CONSUMER CONVENIENCE SERVICES, CONSUMER REPAIR SERVICES, CULTURAL SERVICES, DAY CARE SERVICES OF ALL TYPES, FINANCIAL SERVICES WITHOUT A DRIVE-THROUGH, FOOD PREPARATION, FOOD SALES, WHICH WOULD INCLUDE GROCERY STORES, GENERAL RETAIL SALES CONVENIENCE OR GENERAL, PARK AND RECREATION SERVICES, PET SERVICES, PERSONAL IMPROVEMENT SERVICES, WHICH COULD BE LIKE A GYM, PERSONAL SERVICES, WHICH COULD BE A DRY CLEANER OR A HAIR SALON AND RESTAURANTS WITHOUT A DRIVE-THROUGH USE. THE DISTRICTS AGAIN ARE NOTED 1 THROUGH 18 AND WE DO HAVE PETITIONS THAT HAVE BEEN FILED BY PROPERTY OWNERS. THE PETITIONS HAVE BEEN RECEIVED AND THERE ARE FIVE DISTINCT PROPERTY OWNERS THAT SIGNED PETITIONS WHERE THEY SUPPORT THE EAST 11th STREET NCCD AS A TOOL, A ZONING TOOL FOR IMPLEMENTATION OF THE URBAN RENEWAL PLAN, BUT THE NEW DEVELOPMENTS ALONG EAST 12 ITS STREET SHOULD BE SENSITIVE TO SINGLE-FAMILY HOMES ALONG NEW YORK AND 13 ITS STREET. THESE ARE THE ADJACENT STREETS. AND THEY'RE OPPOSED BECAUSE OF THE DRIVE-THROUGH SERVICES PROVISION, INCLUDING BUT NOT LIMITED TO FAST FOOD RESTAURANTS, FINANCIAL SERVICES DRY CLEANERS AND PHARMACIES AND IN PARTICULAR THE COMPATIBILITY STANDARDS ARE NOT CONSISTENT WITH THE WHOWG OF THE CITY. AS I MENTIONED BEFORE, THE NCCD BASICALLY PROVIDES AN EXEMPTION FROM EXAT A LITTLE STANDARDS SO THEY DON'T HAVE TO MEET THE SAME HEIGHT AND SET BACK REQUIREMENTS FROM RESIDENTIAL YIEWS OR CERTAIN -- USES OR CERTAIN CIVIC USES YOU WOULD FIND ELSEWHERE IN THE CITY, NOR WOULD SCREENING BE REQUIRED FOR DUMPSTERS OR MECHANICAL EQUIPMENT OR SCREENING FOR PARKING OTHER THAN PARKING THAT MIGHT BE DIRECTLY VISIBLE FROM THE STREET. THE LAST PERSON THAT -- OF THE INDIVIDUAL PROPERTY OWNERS DID NOT COMMUNICATE WITH MY STAFF. WITH REGARD TO ALL THE DIFFERENT USES. AND THIS IS REPRESENTING THE PROPERTY AT 1425 EAST 12TH STREET BY VICKY OLIVER AND HER LEGAL COUNSEL IS HERE THIS EVENING AND IS RESPECTIVELY

ASKED FOR A POSTPONEMENT OF THIS ITEM. I DID SPEAK TO HER REPRESENTATIVE AND SHE CAN SPEAK TO HER POSTPONEMENT, BUT BEFORE I KIND OF GO THROUGH THE MOTION SHEETS, I THINK IT WOULD BE RIGHT TO HEAR FROM HER NOW. ALLISON CAN COME UP AND SPEAK TO SOME OF THESE ISSUES, IN PARTICULAR THE PROPERTY OWNER IS SEEKING TO MAKE SURE THAT THERE'S A LEGAL NONCONFORMING -- THE USE THAT EXISTS WILL NOT BECOME A LEGAL NONCONFORMING USE.

Mayor Wynn: PLEASE STATE YOUR NAME FOR THE RECORD AND TRY TO LIMIT YOUR PLEA FOR A POSTPONEMENT TO THREE MINUTES. WELCOME.

THIS IS ALLISON GARDENER. I'M HERE ON BEHALF OF A PROPERTY OWNER AT 1425 EAST 12 STREET. WE FIRST BECAME AWARE OF THIS ITEM OVER THE SUMMER WHEN IT WAS SET BEFORE PLANNING COMMISSION. WE CONTACTED CITY STAFF AT THAT TIME TO ASK FOR SOME CLARIFICATION AS TO WHETHER THE PROHIBITED ITEMS WOULD BE PROHIBITED OUT RIGHT OR IF THEY WERE GOING TO BE PROHIBITED IN CERTAIN CIRCUMSTANCES. AND THAT'S IN PART DUE TO THE WAY THE AMENDMENT -- THE NCCD WAS INITIALLY DRAFTED. DESPITE E-MAILS, PHONE CALLS, A SPECIFIC LETTER REQUESTING STAFF FOR CLARIFICATION AND FOR A MEETING, WE DIDN'T RECEIVE A RESPONSE FROM STAFF. DURING THAT TIME WE INDICATED TO STAFF THAT WE WOULD LIKE TO SIT DOWN AND MEET WITH THEM TO SEE IF THERE WAS AN AMENABLE SITUATION AND GET CLARIFICATION ON HOW THIS AFFECTED OUR PROPERTY, AND THAT IF THIS WERE TO GO BEFORE CITY COUNCIL WITHOUT A MEETING, WE WOULD BE REQUESTING A POSTPONEMENT. THE NEXT COMMUNICATION WE RECEIVED INDIRECTLY FROM THE CITY STAFF OR DIRECTLY, DEPENDING ON HOW YOU LOOK AT IT, WAS THE NOTICE FOR OUR HEARING THIS EVENING, WHICH WE RECEIVED OVER THE HOLIDAYS. I SENT AN E-MAIL LAST WEEK AND ASKED IF THE STAFF COULD DISCUSS THE MATTER AGAIN AND I HAVE NOT HEARD BACK FROM HIM. THUS THE REASON FOR OUR REQUEST FOR A POSTPONEMENT. MR. GUERNSEY CALL ME YESTERDAY AND I BELIEVE SPOKE WITH MS. MEADE IN OUR OFFICE ABOUT THE REASONING BEHIND OUR REQUEST FOR A POSTPONEMENT AS WELL.

Mayor Wynn: THANK YOU, MS. GARDENER. QUESTIONS, COMMENTS?

JUST TO FOLLOW-UP. I GUESS WE HAVE TWO OPTIONS. THERE IS AN OPTION TO HONOR THE REQUEST TO POSTPONE THE PLAN IN ITS ENTIRETY AND THE ZONING CASE IN ITS ENTIRETY THIS EVENING. IN LIGHT OF THE NUMBER OF INDIVIDUALS THAT WERE HERE FOR THE LAST ITEM AND HERE TONIGHT. YOU COULD ALSO SEVER THIS PIECE OUT AND BE DISCUSSED AT A LATER DATE. WE CAN CERTAINLY MEET WITH THE OWNER AND THE REPRESENTATIVE. I WOULD LIKE TO BRING TO YOUR ATTENTION THERE IS ANOTHER TRACT THAT WE WERE GOING TO CARVE OUT THIS EVENING, WHICH IS TRACT 9. FOR SOME REASON WE'LL NOTICE THAT WHEN SENT OUT WE DID 1 THROUGH 8, BUT WE DID NOT NOTIFY FOR TRACT NUMBER 9. SO WE COULD BRING THAT BACK WHEN WE BRING BACK TRACT 9 IF THAT'S YOUR DESIRE OR WE COULD GO FORWARD WITH THE ITEM THIS

EVENING. IT IS A FAIRLY SIMPLE ITEM DEALING WITH A NONCONFORMING USE ISSUE. YOU.

Mayor Wynn: COUNCIL, I KNOW IN THE PAST NUMEROUS TIMES WE TRY TO GET THROUGH EITHER NEIGHBORHOOD PLANS OR IN THIS CASE NCCDS ON ALL CASES THAT HAVE LITTLE TO NO-- TRACTS THAT HAVE LITTLE TO NO OPPOSITION, SETTING ASIDE OFTEN TIMES A HANDFUL THAT HAVE SOME OPPOSITION FOR A MORE EXTENDED ANALYSIS AND RECOMMENDATION BY STAFF. THE FACT THAT WE HAVE 14, 15 FOLKS HERE WISHING TO SPEAK AND A NUMBER OF OTHERS HERE INTERESTED, NOT WISH TO GO SPEAK, I WOULD RECOMMEND WE GO AHEAD AND TRY TO GET THROUGH THIS COMBINED ITEM AND I WILL BE SUPPORTIVE -- SINCE WE ARE GOING TO HAVE TO CARVE OUT ONE TRACT ALREADY, PERHAPS WE COULD CARVE OUT THE ISSUE AND/OR THE TRACT THAT MS. GARDENER IS REPRESENTING AND TAKE THAT UP WHEN STAFF HAS TO BRING BACK THE OTHER TRACT. SO WITHOUT OBJECTIONS... THANK YOU.

LET ME THEN CONTINUE THROUGH THE MOTION SHEET AND THEN IF THERE'S ANY QUESTIONS, I JUST WANT TO BRIEFLY GO THROUGH SOME THINGS. BOTH THE URBAN RENEWAL PLAN AND THE ZONING CASE ARE ONLY READY FOR FIRST READING THIS EVENING AND DEPENDING ON WHAT YOUR ACTIONS TONIGHT ARE, WE WOULD CRAFT ZONING LANGUAGE AND THE URBAN RENEWAL PLAN LANGUAGE FOR YOUR CONSIDERATION FOR SECOND READING IN APPROXIMATELY FOUR WEEKS OR SO. WE WOULD ALSO SCHEDULE THAT NIGHT, TRACT 9 FOR PUBLIC HEARING AND BRING BACK THE ADDRESS 1425 ALLISON JUST SPOKE ABOUT THAT SAME NIGHT. THE NCCD WAS RECOMMENDED BY THE COMMISSION. THERE WAS OPPOSITION THAT WAS FILED TO THE NCCD BY ADJACENT PROPERTY OWNERS, AND THAT REPRESENTED APPROXIMATELY 14.48. AND THESE ARE PROPERTY OWNERS THAT ARE OUTSIDE OF THE BOUNDARY OF THE NCCD. IF IT WAS 20%, THEN IT WOULD REQUIRE SIX OUT OF SEVEN VOTE AT SECOND AND THIRD -- ACTUALLY, AT THIRD READING, BUT THIS DID NOT BREAK THAT THRESHOLD. THE YEAR YARD SET BACK WHICH WAS DISCUSSED EARLIER ORIGINALLY STARTED AS A 10-FOOT SET BACK. THE PLANNING COMMISSION ASKED THAT IT BE A VEGETATIVE BUFFER. STAFF WOULD ASK THE COUNCIL TO MAKE SURE THAT IF IT IS THE INTENT OF COUNCIL TO PROVIDE FOR A VEGETATIVE BUFFER THAT IT WOULD ALLOW A VEHICLE CROSSING BECAUSE WE HAVE ALLEYS THAT SERVICE THESE PROPERTIES AND RATHER THAN LOAD FROM THE FRONT ON THE STREET AND HAVING DELIVERY VEHICLES PARKED IN THE FRONT, BY SAYING THERE'S A VEGETATIVE BUFFER WITH VEHICLE CROSSING, THAT WOULD ALLOW PEOPLE TO DRIVE TO THE BACK OF THEIR PROPERTY OR UNLOAD FROM THE BACK OF THEIR PROPERTY.

Dunkerley: COULD I ASK YOU SOMETHING ABOUT THAT? MY CONCERN AS YOU RECENTED JUST NOW IS STAFF RECOMMENDATION IS THAT THE PROPERTY BE ACCESSED FROM THE REAR YARD. AND TO ME IF YOU'VE GOT A VEGETATIVE BUFF ALONG THERE, I THINK THE LINE OF SIGHT BACKING OUT OF THOSE AREAS, I DON'T THINK IT'S REALLY VERY SAFE. SO I DON'T KNOW IF YOU'VE THOUGHT OF THAT.

WELL, THE VEGETATIVE BUFFER, YOU STILL HAVE TO HAVE THE ABILITY TO GET IN AND OUT SAFELY. SO THERE WOULD BE CURB RADIUSES IN THE BACK THAT YOU WOULD HAVE TO HAVE THE SIGHT DISTANCE ALONG THE ALLEY.

Dunkerley: I THINK THAT PRIEWMZ THAT SOMEONE'S GOING TO MAINTAIN THAT VEGETATIVE BUFFER IN A WAY THAT IT'S SAFE FOR THAT PROPERTY OWNER OR ETCETERA TO ENTER AND LEAVE THE PROPERTY. THAT WAS JUST A CONCERN. I JUST WANTED TO CLARIFY OUR POSITION.

I THINK PART OF THE CONCERN THAT WAS RAISED IN THE SECOND PAGE -- AGAIN, WE'VE BEEN THROUGH THE INDIVIDUAL PETITIONS. THAT WOULD ONLY OCCUR AT THIRD READING. BUT ON THE SECOND PAGE THERE WERE SOME CONCERNS THAT HAD BEEN RAISED BY CITIZENS, ONE WHICH WAS GONE GOLDSTONE THAT HE SPOKE TO YOU AT CITIZEN COMFBILITYD LAST WEEK AND BY LATER, BUT THEY'VE BEEN SHARED BY OTHER PROPERTY OWNERS AS WELL. ONE THAT PEDESTRIAN ORIENTED USES AND AGAIN I'M SPEAKING TO THE ZONING CASE. THAT THE URBAN RENEWAL BOARD AND THEIR RECOMMENDATION SAID THAT THESE GARAGE SPACES WHERE THEY HAVE PEDESTRIAN USES COULD BE COMMERCIAL OR PEDESTRIAN ORIENTED USES AS WELL AS THE PLANNING COMMISSION. THERE'S A CLARIFICATION THAT THEY ONLY BE PEDESTRIAN ORIENTED USES. UNDER OUR ZONING REGULATIONS, COMMERCIAL INCLUDES A GREAT RANGE OF USES. IT COULD BE AUTO BODY SHOPS OR MONUMENT SALES, THINGS THAT YOU WOULD NOT NECESSARILY THINK OF AS BEING PEDESTRIAN ORIENTED. STAFF WOULD HAVE NO OBJECTION IF YOU CLARIFIED THESE USES WITHIN THE GARAGE SPACES TO BE PEDESTRIAN ORIENTED. SIMILARLY YOU MIGHT HAVE TO DOWNTOWN AND CBD AND DMU AREAS WHERE HAVE YOU A PARKING GARAGE. ALSO, THERE WAS A CONCERN THAT WAS RAISED ABOUT THE SCREENING FOR PARKING GARAGES. AND THE URBAN RENEWAL BOARD SAID ALL STRUCTURES MUST HAVE COMPLETE SHIELDING OF LIGHTS FROM OTT REAR SIDE OF THE STRUCTURE AND MUST BE AT LEAST SHIELDING OF LIGHTS ON THE SIDES OF THE STRUCTURE. AND THE PLANNING COMMISSION HAD A SIMILAR RECOMMENDATION ALONG THAT LINE. THE SUGGESTED CHANGE WOULD BE THAT THE REAR MOST 50 FEET -- 50% OF THE SIDE WALLS CONTAIN THIS SCREENING. AND IT WOULD SCREEN NOT ONLY HEADLIGHTS, BUT IN A PARKING GARAGE, THE SHINING DOWN FROM WITHIN THE PARKING GARAGE THAT MIGHT ESCAPE. THE LAST PART WAS TO STRIKE COCKTAIL LOUNGE AS A PERMITTED USE AND THAT THE COCKTAIL LOUNGE, IT'S WHERE PERMITTED WOULD BE LISTED AS A PEDESTRIAN ORIENTED USE. AS COCKTAIL LOUNGES ARE NOT A PERMITTED USE IN THE NCCD AREA, THIS HELPS CLARIFY THE DOCUMENT. AND WE HAVE NO OBJECTION TO THAT ISSUE. WHETHER YOU GO TO THE WATERFRONT OVERLAY AND WE HAVE PEDESTRIAN ORIENTED USES, COCKTAIL LOUNGES ARE ALLOWED EVERYWHERE, BUT THERE WAS A CONCERN ABOUT ALCOHOL IN THIS AREA. THERE'S ALSO BEEN A COMMUNICATION BY THE PUBLIC THAT THERE'S A DESIRE TO HAVE AS MANY ITEMS IN THE URBAN RENEWAL PLAN TO BE IN THE ZONING ORDINANCE AND ADVICE VER IS A. AND I HAVE SPOKEN TO YOU PERHAPS IN THE PAST ABOUT NOT ALL THESE ITEM CAN BE SIMPLY REMOVED FROM THE PLAN AN POLICED IN THE ZONING ORDINANCE AND ADVICE VER IS A.

IT HAS A LIFE. IT WILL GO IT WERE AT THE END OF 2018. THERE ARE THINGS IF THE URBAN RENEWAL PLAN THAT HAVE FINE USES THAT ARE NOT DEFINED IN THE ZONING ORDINANCES. THE URBAN RENEWAL PLAN SPEAKS TO PRESERVING A CERTAIN AMOUNT OF HISTORIC STRUCTURES. OUR ZONING REGULATIONS CANNOT SAY YOU WILL PRESERVE THAT HOUSE OR PRESERVE A CERTAIN AMOUNT OF COMMERCIAL SQUARE FOOTAGE. THOSE ARE THING I CAN'T NECESSARILY DO. BUT THINGS THAT DEAL WITH USES IN GENERAL ARE HEIGHTS, SETBACKS THAT WE CAN ECHO IN THE ZONING ORDINANCE AND VICE VERSA. AND THERE WILL BE SOME TESTIMONY THAT I KNOW YOU WILL HEAR THIS EVENING THAT ASK THEY THA THEY ONLY BE IN ONE OR THE OTHER. BUT TO THE EXTENT THAT WE'LL MAKE THOSE MIRROR EACH OTHER WHERE IT'S POSSIBLE, WE CAN DO THAT AND BRING THAT BACK TO YOU FOR SECOND AND THIRD READING IF THAT'S YOUR DIRECTION. AND THAT'S -- WE HAVE NO OBJECTION OF DOING THAT. I THINK AT THIS TIME ALE PAUSE. IT ONLY REQUIRES A SIMPLE MAJORITY VOTE FOR THE ZONING, EVEN THOSE OF THE PETITION ITEMS BECAUSE THIS IS ONLY FIRST READING. WE WOULD SEEK CLARIFICATION ON THE VEGETATIVE SCREENING. STAFF DOESN'T HAVE ANY OBJECTION TO CHARACTERIZES THE USES AS PEDESTRIAN ORIENTED WITHIN THE GARAGE. THAT THE LIGHTING FOR THE INTERIOR LIGHTING, WHETHER IT'S SHIELDING FROM HEADLIGHTS OF CARS OR SHIELDING OF LIGHTS WITHIN THE GARAGE THAT THAT BE SCREENED AND IT'S THE REAR HALF, THE 50% HALF OF GARAGES BE SCREENED. SO OF COURSE IT'S A NEIGHBORHOOD AND CLIR PHIING THE COCKTAIL LOUNGE LANGUAGE.

Mayor Wynn: COUNCILMEMBER COLE AND THEN COUNCILMEMBER LEFFINGWELL.

Cole: I'M LOOKING AT THE PROPERTY OWNERS WHO HAVE OBJECTED TO BEING INCLUDED ININ THE NCCD. CAN YOU TELL US IF THERE IS A UNIFORM REASON THAT THESE PARTICULAR PROPERTY OWNERS HAVE EXPRESSED THEIR DESIRE TO NOT BE INCLUDED.

THE FIRST FIVE ON THE LIST THAT THEY UNIFORMLY REOPPOSE THE FOLLOWING AMENDMENTS, THE DRIVE-THROUGH SERVICE, INCLUDING, BUT NOT LINLTED TO THE FOLLOWING. AND THAT COMPATIBILITY STANDARDS ARE NOT CONSISTENT WITH THOSE IN THE CITY AS A WHOLE. AND SO AS I MENTIONED BEFORE, THE NCCD IS EXEMPT FROM COMPATIBILITY STANDARDS, SO THERE'S NOT A REQUIREMENT TO SCREEN DUMPSTERS. THERE'S NOT A REQUIREMENT TO SCREEN MECHANICAL EQUIPMENT. THERE IS ALREADY PROVISION ABOUT EXTERIOR LIGHTING BEING SHIELDED, SO THAT'S SOMEWHAT ADDRESSED. THE HEIGHTS AND SETBACKS DO NOT COMPLY WITH COMPATIBILITY STANDARDS, BUT THEY DON'T IN THE EAST 11th STREET NCCD EITHER. SO THERE IS SOME PARITY BETWEEN THE NCCD AS PROPOSED AND THE ONE THAT ALREADY EXISTS ON EAST 11th STREET.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: I JUST WANT TO CLARIFY. I BELIEVE YOU ASKED TO REMOVE WITHOUT OBJECTION NUMBER 6, 1425 EAST 12TH. WAS THAT ALL OF THE PROPERTIES THAT WERE

CONTESTED THAT YOU WANTED TO REMOVE FOR POSTPONEMENT? DO YOU WANT ME TO REPEAT THE QUESTION?

Mayor Wynn: YES.

Leffingwell: DID YOU SUGGEST THAT WE' REMOVE ALL OF THESE PROPERTIES THAT HAVE OBJECTIONS TO THEM, 1 THROUGH 6?

Mayor Wynn: WELL, I WAS INITIALLY TALKING ABOUT THE TRACT THAT MS. GARDENER HAPPENED TO REPRESENT, JUST BASED ON HER PLEA. WE'RE GOING TO HEAR FROM I SUSPECT ALL THE FOLKS THAT HAVE SOME OPPOSITION. I'M OPEN FOR SUGGESTIONS. FRANKLY WHAT I REALLY WANT TO DO IS TAKE -- I WANT TO BE RESPECTFUL OF EVERYBODY'S TIME. THEY'VE IS THE S.A.T. OUT HERE FOR FIVE HOURS ALREADY, FOUR HOURS. SINCE THEY'RE HERE, WHAT I WOULD LIKE TO DO IS AT LEAST CONDUCT SOMEHOW THE PUBLIC TESTIMONY, THE PUBLIC HEARING AS OPPOSED TO JUST UNLATERALLY POSTPONING THESE CASES ALTOGETHER.

Leffingwell: COULD I ASK MR. GUERNSEY A QUESTION? WHAT IS THE EFFECT OF JUST PULLING THEM OUT OF THE NCCD? 1 THROUGH 6? WHAT'S THE NEXT EFFECT OF THAT?

THESE PROPERTY OWNERS HAVE ASKED NOT TO BE INCLUDED, SO THEY WOULD NOT BE ABLE TO TAKE ADVANTAGE OF THE HEIGHT RESTRICTIONS. THEY WOULD BE SUBJECT TO REGULAR ZONING REGULATIONS, INCLUDING COMPATIBILITY STANDARDS.

Leffingwell: HOW DOES IT AFFECT THE OTHER PROPERTIES?

THE OTHER PROPERTIES WOULD STILL BE EXEMPT FROM COMPATIBILITY STANDARDS BECAUSE THEY WOULD BE INCLUDED IN THE NCCD. AND SO THOSE REGULATIONS, WHERE THEY'RE RELAXED, THEY WOULD GET TO ENJOY THOSE RESTRICTIONS.

Leffingwell: OKAY.

STAFF'S NOT AWARE ON THE PROPERTIES 1, 2, 3, 4 OR 5 THAT THERE ARE ISSUES THAT HAVE BEEN RAISED ABOUT POSTPONEMENT OR COMMUNICATION ISSUE REGARDING THOSE PROPERTIES. ONLY TRACT NUMBER NUMBER 6 ON YOUR LIST, THE 1425 EAST 12TH STREET.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? SO ARE YOU FINISHED, MR. GUERNSEY?

I'LL BE BACK.

Mayor Wynn: I EXPECT YOU WILL BE. SO COUNCIL, WITHOUT OBJECTION MY RECOMMENDATION WOULD BE THAT WE GO AHEAD AND CONDUCT THIS COMBINED PUBLIC

HEARING, ITEM 44, THE NCCD, AND ITEM 49, THE URBAN RENEWAL PLAN. SINCE A SMALLER NUMBER OF FOLKS HAVE SIGNED UP TO ADDRESS OUTSIDE URBAN RENEWAL PLAN, THEY HAPPEN TO BE A SUBSET I BELIEVE, TO A PERCENTAGE OF THE FOLKS THAT SIGNED UP TO ADDRESS US REGARDING THE NCCD. SO WITH THAT WE'LL TAKE -- I GUESS JUST TO SORT OF KEEP OUR SELF CONSISTENT, WE'LL JUST HEAR FROM FOLKS WHO ARE IN SUPPORT OF THIS NCCD AND THEN WE'LL HEAR FROM FOLKS IN OPPOSITION. SO OUR FIRST SPEAKER IS MATTHEW DULLA. WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY GUSTAVO (INDISCERNIBLE).

I KIND OF WISH WE HAD MORE THAN THREE MINUTES SINCE WE WAITED SO LONG. IS IT POSSIBLE?

Mayor Wynn: THOSE ARE THE COUNCIL RULE.

IT'S MY UNDERSTANDING THAT THE NCCD REPLACES THE URBAN RENEWAL PLAN. THAT'S WHY I SIGNED UP FOR BOTH, AND I DON'T KNOW. THIS HAS BEEN WAITING, BEEN POSTPONED SINCE MAY OF 2006 FOR GOING TO COUNCIL. AND WE STILL DON'T KNOW THE REASON. AND NOW WE'VE EVEN WAITED LONGER TO WAIT FOR THE URBAN RENEWAL PLAN THAT'S GOING GET WIPED WOULD YOU THE NCCD. THE NCCD IS GOING TO REPLACE IT.

Mayor Wynn: WELL, MY INSTINCT, IS THIS IS YOUR CHANCE TO GIVE TESTIMONY WITH WHATEVER YOUR ADVOCACY POINT MIGHT BE.

THIS HAS -- THE NCCD WENT THROUGH THE PLANNING COMMISSION. IT HAS BEEN POSTPONED SINCE MAY OF 2006. THERE'S BEEN NO RESPONSE AS TO WHY. A LOT OF THESE PROPERTY OWNERS GAVE UP RIGHTS. THERE'S PEOPLE TALKING ABOUT PUTTING A VEGETATIVE BUFFER. AND ITEM LIKE THAT DO NOT MAKE SENSE IN AN ALLEY. WHY WOULD YOU WANT TO PUT VEGETATION TO AN ALLEY WHICH HAS EGRESS GRES AND INGRESS TO A PIECE OF LAND? RIGHT NOW CURRENTLY JUNKIES ARE USING THE ALLEYS TO SHOOT UP. YOU HAVE PROSTITUTES. WHY WOULD YOU WANT TO HAVE VEGETATION THERE? CURRENTLY VEGETATION IS -- PEOPLE ARE NOT TAKING CARE OF IT. THE GRASS, THERE'S WEEDS. THERE'S JUST SO MUCH TO SPEAK OUT AGAINST HERE THAT IT'S HARD TO DO IT IN THREE MINUTES BECAUSE THIS -- I MEAN, YOU'VE HELD A LOT OF PROPERTY OWNERS FROM DEVELOPING THEIR LAND ON EAST 12TH STREET. WE WOULD LIKE TO BUILD AN OFFICE FOR 50 EMPLOYEES FOR THE AREA. AND EVEN THOUGH OUR CURRENT -- WE HAVE A SITE PLAN FILED WITH THE CITY, EVEN THOUGH WE MEET THE CURRENT OVERLAY, THEY ARE SAYING YOU WILL HAVE TO WAIT UNTIL THESE ITEMS PASS WITH CITY COUNCIL FOR THE NCCD. I MEAN, WE'RE TALKING ABOUT FUNDS -- YOU HAVE THREE DIFFERENT ORGANIZATIONS WORKING THROUGH HERE OR EVEN MORE WITH THE NEIGHBORHOOD ASSOCIATION. HAVE YOU THE ARA, YOU HAVE NEIGHBORHOOD HOUSING, THE URBAN RENEWAL BOARD. I MEAN, YOU'VE CREATED A HUGE BUREAUCRACY IN THIS AREA. AND ALTHOUGH A LOT OF ITEM DON'T -- AREN'T THE ITEM AS OTHER AREAS OF THE CITY IN REGARDS TO COMPATIBILITY STANDARDS, THESE OTHER AREAS DO NOT HAVE THE

BUREAUCRACY THAT YOU'VE CREATED IN THIS AREA.

Mayor Wynn: SO ARE YOU ADVOCATING FOR THE NCCD?

I'M ADVOCATING THAT IT PASSES TONIGHT. I MEAN, THIS HAS BEEN DELAYED SINCE MAY OF 2006. AND FOR NO REASON. THERE'S BEEN NO RESPONSE. FROM THE CITY. I'VE SENT E-MAILS, LETTERS. I'VE CALLED THE CITY. NOBODY KNOWS WHY THIS HAS NOT GONE TO COUNCIL.

Mayor Wynn: WELL, IT'S HERE NOW.

BUT IS IT GOING TO BE POSTPONED AGAIN BECAUSE YOU MAY HAVE A LAWSUIT AGAINST YOU?

Mayor Wynn: THE COUNCIL RRCHZ THE RIGHT TO TAKE ACTION, TO APPROVE, DENY --

IT MAY CREATE OTHER LAWSUITS.

Mayor Wynn: WE ONLY GOT SUED 212 TIME LAST YEAR. [LAUGHTER]

THE URBAN RENEWAL BOARD, AS I SAY, THEY HAVE VERY GOOD LAWYERS TOO. THIS IS -- YOU'RE STOPPING DEVELOPMENT IN THIS AREA.

Mayor Wynn: YOUR SUPPORT FOR THE NCCD IS DULY NOTED.

OKAY. THANK YOU.

Mayor Wynn: OUR NEXT SPEAKER IS GUSTAVO (INDISCERNIBLE). I HOPE I PRONOUNCED THAT CORRECT. AND YOU WILL BE -- I ALSO WILL HAVE THREE MINUTES TO BE FOLLOWED BY JOHN GOLDSTONE.

MAYOR, COUNCILMEMBERS, I'M THE PROPERTY OWNER -- FIRST OF ALL, I SUPPORT THE NCCD. I OWN PROPERTY ON EAST 12TH STREET FROM 1,000 TO 1028. I BOUGHT THE PROPERTY BACK IN 2005 AND I BOUGHT THE CWA BUILDING THROUGH A BID PROCESS THROUGH THE CITY OF AUSTIN. AND AS PART OF THE ACCEPTANCE FROM CONSTITUENT TO ALLOW ME TO PURCHASE THE PROPERTY, I HAD TO TELL THEM THAT I WOULD BE DEVELOPING ON 12TH STREET. AND THEY PUT A CONDITION THAT I HAD TO PAY \$75,000 INTO A BANK ACCOUNT BECAUSE THEY DIDN'T THABL I WAS ACTUALLY GOING TO BE PURCHASING AND DEVELOPING ON 12TH STREET. TO THIS DATE I'VE BEEN TRYING TO DEVELOP ON 12TH STREET. I HAVE THE SITE PLAN THAT IS STUCK IN THE CITY. THEY'VE GIVEN ME \$25,000 BACK AND I'M STILL TRYING TO GET THE OTHER \$50,000, AND THEY WON'T RELEASE IT UNTIL THE NCCD GETS APPROVED. I'M JUST CURIOUS WHY I CAN'T GET MY 50,000? WHY AM I BEING HELD UP? IT'S VERY DISAPPOINTING. I'M AN OWNER OF A COMPANY

THAT'S ON 24TH STREET THAT WE MOVED OVER TO THE OLD AUSTIN HOUSING AUTHORITY BUILDING ON SECOND AND CHAWMERS, I'VE BEEN TRYING TO BUILD ON 12TH STREET. I CURRENTLY HAVE OVER 50 EMPLOYEES AND I WOULD LIKE TO BUILD ON 12TH STREET. AND ORIGINALLY I WAS GOING TO DO A MIXED USE PROJECT AND I'M STILL CONSIDERING DOING THE MIXED USE PROJECT AND I HAVE TO BE CAREFUL WHAT I SAY HERE BECAUSE DEPENDING ON WHAT I SAY, I MAY NOT GET MY 50,000. SO I'M IN A LITTLE LOOP HERE. I WOULD LIKE TO BUILD. AND I WOULD LIKE TO BUILD A MIXED USE PROJECT TO WHERE I'M ABLE TO BRING IN EMPLOYEES WHO WANT TO LIVE, WHO WANT TO WORK ON THE EAST SIDE. SO PLEASE ALLOW US TO CONTINUE GOING FORWARD WITH THIS. WE WAITED QUITE A BIT. I'VE GONE TO OVER 18, 20 MEETINGS THROUGH THE ARA. I DIDN'T REALLY UNDERSTAND WHAT THE ARA IS ACTUALLY DOING ON THE EAST SIDE. I DON'T KNOW WHAT THE INTENT IS OF THAT ORGANIZATION. THAIBL THE ARA MORE THAN ANYTHING HAS CREATED CHAOS. IT HAS NOT REALLY DONE MUCH FOR WHAT THE INTENT WAS. AFFORDABLE HOUSING, WHERE ARE THEY? WHAT IS HAPPENING OVER THERE? THANK YOU.

Mayor Wynn: THANK YOU, GUS. AGAIN, THE NEXT SPEAKER IS JOHN GOLDSTONE, WELCOME BACK. YOU WILL BE FOLLOWED BY ERIC SHROPSHIRE.

MIKE TOLLSON IS GOING TO GIVE ME HIS THREE MINUTES.

> MAYOR WYNN, MAYOR PRO TEM, COUNCILMEMBERS. MY NAME IS JOHN GOLDSTONE, I'M HERE TO SPEAK TO YOU ABOUT EAST 12TH STREET NCCD AND THE URBAN RENEWAL PLAN. NO MATTER WHAT HAPPENS, I DO NOT WANT YOU TO HOLD UP THIS PROCESS. WE MUST KEEP OUR EYE ON THE BALL AND GET THIS THING PASSED WITH ALL THE HAIR ON IT. HAVING SAID THAT, I HAVE SEVERAL MAJOR POINTS THAT I WANT TO REITERATE, WHICH BY THE WAY, IF LEFT IN, AND I KNOW THAT MR. GUERNSEY HAS ANSWERED SOME OF THESE AND SANDRA HARKINS ANSWERED SOME OF THESE ITEM, BUT I WANT TO MAKE SURE THEY ARE VERY CLEAR TO YOU ALL. PLEASE INSTRUCT GREG GUERNSEY. HE APPRECIATES DIRECT SIXTH STREETS FROM THE COUNCIL, TO ATTACH TO THE NCCD FOR THE EXPRESS PURPOSE OF ALLOWING THE COUNCIL THE OPTION OF TERMINATING THE URBAN RENEWAL PLAN AS TO EAST 12TH STREET AND ESPECIALLY THE POWER WHICH NO PRIVATE PARTY NEEDS OR WANTS. EVEN THOUGH THE NCCD MAY NOT BE THE CORRECT PLACE FOR THE LAND USE REGULATIONS FOR THE URBAN RENEWAL PLAN, AND THERE ARE SOME CONFUSING PROVISIONS IN THERE THAT MAY BE INAPPLICABLE, IT WILL ALLOW THE COUNCIL TO ELIMINATE THE URBAN RENEWAL PLAN AS TO 12TH STREET IF YOU DECIDE THAT IS NO LONGER SLUM AND BLIGHT. NO PARTY ONE YOU HAVE DONE THAT, IF YOU TAKE ALL OF THE LAND USE REGULATIONS AND MOVE THOSE OVER TO THE NKTD, THERE'S NOT GOING TO BE A PARTY THAT'S GOING TO BE ABLE TO ARGUE THAT THEY WILL LOSE SOME PROTECTIONS WHEN THAT HAPPENS AND YOU ELIMINATE THE CONDEMNATION POWER. AND BY THE WAY, SEVERAL OF THE BOARDS AND ORGANIZATIONS, THE URBAN RENEWAL BOARD AND THE ARA'S ROLE IN EACH OF THE CHANGES THAT ARE GOING TO COME THROUGH AND THE OBVIOUS VARIANCES THAT ARE GOING TO BE ASKED FOR. THE ONLY

POWER THAT WILL BE LEFT WILL BE THAT CONDEMNATION POWER. IT ONLY SEEM TO BENEFIT THE ARA AND THE CITY. AND FROM THE LAND VALUES OUT THERE, WE CAN ALL AGREE IF WE LOOKED AT IT USING VALUATION, THE AREA IS NO LONGER SLUM AND BLIGHT. IGNORING THE EYESORES. AND I LIVED ON 12 ITS STREET. SPECIFICALLY, I NEED YOU TO HAVE THE STAFF CLARIFY THE NCCD AND URBAN RENEWAL PLAN AMENDMENT THAT THE MIXED USE PROVISION PASSED IN THE URBAN RENEWAL PLAN AMENDMENT APRIL SEVENTH 2005 WAS A MANDATORY MIXED USE PROVISION. I HAVE IN THOSE FOUR THINGS THAT YOU HAVE, THAT'S A, THAT'S THE PROCEEDS OUT OF THE 11th, 2005. THAT'S THE DEFINITION OF MIXED USE TODAY. IT'S ON PAGE 2 OF EXHIBIT A. OTHERWISE, IF IT WAS NOT MANDATORY, WHAT WOULD BE THE POINT OF THE EXEMPTION FROM MIXED USE FOR ONE STORY AND MULTI-STORY PROJECTS OF LESS THAN TWO THOUSAND FEET. IF IT'S VOLUNTARY, YOU DON'T NEED THE EXEMPTIONS FROM IT. AND IF IT'S VOLUNTARY, BY THE WAY, THE DEVELOPERS PROBABLY WILL NOT DO IT. ADDITIONALLY, IF IT IS MANDATORY AND YOU DETERMINE THAT IT IS MANDATORY AND YOU CLARIFY THAT IT'S MANDATORY, THEN POTENTIALLY ON EXHIBIT D ON PAGE 1 THERE MAY NEED TO BE A MODIFICATION OF THAT TYPOGRAPHICAL ERROR. NUMBER THREE, I NEED TO YOU INSTRUCT STAFF TO REMOVE THE EXTRANEIOUS LANGUAGE THAT RENDERS THE LANGUAGE OF THE BOTTOM OF PARKING GARAGES MOOT AND USELESS. OUR PROCESS WHICH ON INVOLVED THE NEIGHBORHOODS IN THE STREETTH STREET OWNERS -- THAT'S IN PAGES FIVE AND SIX OF THE PROBE NCCD. I PUT A BIG B AT THE TOP OF THAT ONE. IN SECTIONS 1 III AND V OF THE SUGGESTED LANGUAGE FOR THE URBAN RENEWAL PLAN AMENDMENT. I APOLOGIZE, THERE'S TWO DOCUMENTS COMING FORWARD HERE, SO WE HAVE TO FIX BOTH OF THEM. COUNTLESS HOURS WERE SPENT NEGOTIATING THESE PEDESTRIAN ORIENTED USES THAT WILL GO TO COMPLETE WASTE IF A DEVELOPER IS ALLOWED TO DO COMMERCIAL AND/OR RETAIL USES AS AN ALTERNATIVE. PLEASE NOTE I DRAFTED THE ORIGINAL PROVISION THAT TOOK OUT THE NON-DEFINED LAND USE CONCEPTS BECAUSE THEY'RE NOT IN THE CITY CODE WHICH HAS BEEN SAID TO YOU BY STAFF. NUMBER 4, PLEASE DIRECT MR. GUERNSEY TO CHANGE THE PARKING GARAGE SHIELDING LANGUAGE WHICH HE HAS DISCUSSED DOING. SO THAT WE AVOID THE GAWR ROWS AND THE STATE PARKING GARAGE PROBLEM OF HEADLIGHTS AND INTERIOR LIGHTS OF A PARKING GARAGE FROM SPLASHING INTO THE HOUSES THAT BACK UP TO 12 TZ STREET. WE'RE NOT JUST SHIELDING THE LIGHT, WE'RE ACTUALLY SHIELDING THE ENTIRE STRUCTURE SO THERE'S NO HEADLIGHTS COMING OUT. THE POINT WAS TO HAVE DEVELOPERS USE HARDY TO SHIELD. THEY DIDN'T HAVE ANY PROBLEMS WITH THAT. EXTERIOR LIGHTS ARE ALREADY HANDLED IN SECTION 6-B OF THE NCCD. ADDITIONALLY THERE ARE SOME TYPO CLARIFICATION IN MY EXHIBIT CRFT. URBAN RENEWAL PLAN. THE LANGUAGE NEEDS TO BE TWEAKED. THERE WILL BE THREE READINGS SO CERTAINLY I'M THEEP KEEP LOOKING AT YOUR DRAFTS. SPEAKING TO THE FAMOUS VEGETATIVE BUFFER, I WAS ACTUALLY HERE WHEN THAT WAS BROUGHT UP. IT WAS IN RESPONSE TO SEVERAL NEIGHBORHOOD COMPLAINTS THAT COMPATIBILITY WAS WAIVED IN APRIL SEVENTH, 2005. IT WAS. THEY PARTICIPATED ALSO. AND THE -- WHAT ENDED UP HAPPENING WAS THERE WAS A SUGGESTION OF LET'S PUT SOME COMPATIBILITY BACK IN. THIS WAS HAPPENING ON THE PLANNING COMMISSION UP AT THE TOP. IT CAME DOWN TO

THE REASON WHY IT WAS FOR SUBDISTRICTS 1 AND 2, THOSE ARE 50 AND 60 FEET. THEY FELT BECAUSE IT'S 35 FEET ON SUBDISTRICT 3 THEY DON'T NEED THE EXTRA PROTECTION OF A VEGETATIVE BUFFER. I SAW THAT. I WAS HERE. SO I'M ASKING TO YOU PLEASE ELIMINATE THE LAST MINUTE PLANNING COMMISSION 10-FOOT VEGETATIVE BUFFER REQUIREMENT FOR SUBDISTRICTS 1 AND TWO THAT APPEARS IN BOTH THE NCCD AND THE TEARSHEETS OF THE URBAN RENEWAL PLAN. THIS ADDITIONAL RESTRICTION WILL HARM -- IT WILL HARM MOST THE SMALL BUSINESSES YOU ARE TRYING TO HELP. BUZZ BCH IN OTHER WORDS, PEOPLE THAT ARE DOING SURFACE PARKING -- I THINK THAT'S ONLY THREE MINUTES, RIGHT?

Mayor Wynn: THAT WAS SIX.

SORRY.

PLEASE NOTE THAT THE 12TH STREET BUSINESS OWNERS AND NEIGHBORHOODS AGREED ON A DEVELOPER PAID FENCE ON THE PROPERTY OWNERS' PROPERTY, ON THE HOMEOWNERS' PROPERTIES THAT WAS TAKEN OUT BECAUSE THE CITY STAFF TOLD US THAT THEY WOULD NOT BE ABLE TO ENFORCE THAT. I'M HAPPY TO HELP DRAFT THE EASEMENT OR LICENSE GREAKS. LASTLY, I WOULD ASK YOU TO REMOVE THE ARA AS A MEDIATOR OF ANY FURTHER CHANGES AS THEY ARE NOT NEUTRAL. AND I'M SURE THEY WOULD ALSO LIKE TO AVOID THE CRITICISM THAT FOLLOWS THEM WHEN THEY CLAIM TO BE NEUTRAL. THIS WILL ALLOW THEM TO LOBBY IN THEIR OWN BEST INTEREST. AGAIN, PLEASE PUSH IT FORWARD NO MATTER HOW BAD IT LOOKS. PLEASE. THANK YOU.

Mayor Wynn: THANK YOU. ERIC SHROPSHIRE, WELCOME BACK. TIEW WILL HAVE THREE MINUTES TO BE FOLLOWED BY SCOTT WAY.

I SUPPORT THE NCCD FOR EAST 12TH STREET WITH THE EXCEPTION OF THE VEGETATIVE BUFFER. I WOULD ALSO LIKE TO ASK STAFF -- LIKE TO ASK COUNCIL TO ASK STAFF IF THEY CAN GET TO THE SECOND AND THIRD READING AS SOON AS POSSIBLE. AND I WOULD ALSO HOPE THAT WE WOULDN'T HAVE TO HAVE ANOTHER PUBLIC HEARING THAT WE'RE DISCUSSING THESE SAME ITEMS AGAIN.

Mayor Wynn: WE HOPE THAT TOO, ERIC.

THANK YOU.

Mayor Wynn: THANK YOU. SCOTT WAY, WELCOME. AND DEBRA A TALL, IS SHE STILL HERE?

I THINK SHE LEFT.

Mayor Wynn: YOU WILL BE FOLLOWED BY MICHAEL YOUNG.

GOOD EVENING, MY NAME IS SCOTT WAY. I'M A PROPERTY OWNER IN THE NCCD. I WANT TO BE VERY BRIEF AND TALK TO YOU ABOUT A COUPLE OF THINGS. FIRST OF ALL, THERE'S CONCERN AMONG SOME OF YOU ABOUT THE COMPATIBILITY WAIVERS. YOU WILL HAVE TO REMEMBER THAT MANY OF YOU WERE ON THE DAIS IN 2005 WHEN THE COMPATIBILITY WAIVERS WERE BROUGHT IN TO THE URBAN RENEWAL PLAN. AND IF YOU SUPPORTED THEM THEN, I THINK YOU WOULD SUPPORT THEM NOW. I AM NOT IN FAVOR OF THE DRIVE-THROUGHS THAT THEY HAVE. WE WANT TO TAKE THAT OUT. I WOULD LIKE YOU TO ASK STAFF TO CONSULT WITH PROPERTY OWNERS IF YOU ARE INCLINED TO ASK FOR A VEGETATIVE FWUFER. THIS IS AN ALLEY IN THE BACK. WE'RE GOING TO HAVE SIGNIFICANT PARKING CONCERNS IN THESE PROPERTIES. THEY'RE VERY SMALL. AND IF HAVE YOU A VEGETATIVE BUFFER, FIRST OF ALL IN AN ALLEY, WHAT PURPOSE IS IT GOING TO SERVE IF WE DON'T DEFINE EXABTLY WHAT WE NEED. WE NEED TREES, BUT YOU CAN HAVE TREES WITHOUT HAVING A 10-FOOT VEGETATIVE BUFFER. YOU CAN HAVE TREE BUFFERS AND STILL HAVE PARKING BETWEEN THEM. WHAT MANY PROPERTY OWNERS ALONG NEW YORK AVENUE AND 13 THE STREET ARE CONCERNED ABOUT. SO IF WE ARE GOING HAVE A VEGETATIVE BUFFER, PLEASE ASK STAFF TO CONSULT WITH THE PROPERTY OWNERS AS WE'VE REQUESTED ON MULTIPLE OCCASIONS SO WE CAN TRY TO FIGURE OUT A WAY IN WHICH WE CAN ALL SUPPORT THAT. I'LL ALSO ASK YOU TO, IF YOU CAN, CLOSE THE PUBLIC HEARING AND ALSO MOVE THIS FORWARD AND HOPEFULLY WE CAN COME BACK AGAIN AND SEE YOU PASS THIS IN THE NEXT COUNCIL SESSION. THANK YOU.

Mayor Wynn: THANK YOU. MICHAEL YOUNG, WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY THOMAS HENDERSON.

THANK YOU, MAYOR, MAYOR PRO TEM, COUNCILMEMBERS. I AM SO HAPPY TO BE HERE. I AM A PROPERTY OWNER ON 12TH STREET. I HONE HE OWN THREE LOTS, COMMERCIAL LOTS ON TRACT 4. SOME OF YOU MAY KNOW THE NEIGHBORHOOD, MAY KNOW MY PROJECT THERE. IT'S ON -- RIGHT ON THE CORNER OF 12TH AND NAVASOTA. IT THE GRAY STUCCO BUILDINGS, SINGLE STORY BUILDINGS. MY WIFE IS AN ARCHITECT, I'M AN ARTIST. THOSE ARE OUR STUDIOS AND OFFICES. WE HAVE SEVERAL PEOPLE WHO WORK THERE. WE OWN THE TWO ADJOINING LOTS NEXT TO US. WE WANT TO DEVELOP THEM WITH WHAT WE FEEL IS THE KIND OF MIXED USE, SMALL MIXED USE PROJECTS THAT WOULD BE GOOD FOR PEDESTRIAN ORIENTED BUSINESSES. AND WE ARE NOT DEVELOPERS. WE HAVE BEEN IN THE NEIGHBORHOOD FOR SEVERAL YEARS. WE LOVE OUR NEIGHBORHOOD. WE LOVE OUR NEIGHBORS. IT'S A GREAT NEIGHBORHOOD. AND I WOULD LIKE TO SEE THINGS BUILT THERE THAT ARE APPROPRIATE FOR THAT NEIGHBORHOOD. WHAT WE'RE INTERESTED IN IS THE DEVELOPMENT OF A SOCIAL FABRIC THAT INVOLVES PEOPLE BEING ON THE STREET, HAVING EXCHANGES, GOING TO STORES. THERE'S A LOT OF MY NEIGHBORS WHO LIVE THERE, THEY HAVE TO TAKE BUSES AND GO ALL THE WAY UP TO FIESTA OR GO ALL THE WAY TO SEVENTH STREET WAY OUT BY PLEASANT VALLEY TO GO TO A GROCERY STORE. THERE ARE NO GROCERY STORES ON MY STREET. THERE ARE NO GAS STATIONS, THERE ARE NO CLEANERS. THERE'S NOT A POST OFFICE. THESE ARE THINGS THAT WE REALLY NEED TO MAKE THIS A VIABLE NEIGHBORHOOD. I'M COMPLETELY FOR THE NCCD. I'VE BEEN

WORKING ON THIS FOR FOUR YEARS. I ATTENDED EVERY SINGLE MEETING. AS LIVELY AS THEY WERE, WE SEEM TO COME TO CONSENSUS ON MOST ISSUES. THE THINGS THAT I WOULD SAY THE ISSUES THAT WERE 90% OF WHAT WE DISCUSSED WERE WHAT DID PEOPLE WANT IS FOR THEIR NEIGHBORHOOD? WHAT KIND OF SERVICES? WHAT DID THEY NEED? THE COMPATIBILITY ISSUES WERE NOT DISCUSSED THAT MUCH. IT WASN'T THAT MUCH OF A BIG DEAL. SO FOR ME COMING -- WHAT HAPPENED THIS PAST SEVERAL MONTHS WERE THERE'S BEEN ALL THIS CONTROVERSY ABOUT COMPATIBILITY ISSUES AND THEN TRYING TO FORM THIS VEGETATIVE BUFFER SEEMS SOME LAST MINUTE ATTEMPT BY A FEW PEOPLE TO NOT REALLY BE INVOLVED IN THE PROCESS. I'M COMPLETELY AGAINST THE VEGETATIVE BUFFER. I WANT TO DEVELOP A VERY SMALL PROJECTS ON MY TWO LOTS. I'M SORT OF THE ANTI-DEVELOPER. I'M LIKE A MICRODEVELOPER. [BUZZER SOUNDS] I WANT TO DO SMALL PROJECTS AND THAT WOULD GREATLY AFFECT MY PARKING IF I HAD TO DO A VEGETATIVE BUFFER. IT WOULD ALSO, I AGREE WITH MAYOR PRO TEM, IT WOULD BE A SAFETY ISSUE AS WELL. BECAUSE I USE THAT ALLEY NOW TO BACK IN TO IT AND OUT OF IT FOR MY OTHER BUSINESS, AND IT'S A BIT SCARY AND I JUST DON'T THINK THAT IT WOULD BE APPROPRIATE. THANK YOU.

Mayor Wynn: THANK YOU. WELCOME BACK, MR. HENDERSON. YOU WILL HAVE THREE MINUTES.

ON SOME OCCASIONS I'VE REALLY WENT INSANE AND WAS GOING TO THINK ABOUT DEVELOPING MY PROPERTY. I SHARE THE BLOCK WITH MR. YOUNG. I OWN ABOUT 17,000 SQUARE FEET. I HAVE NO INTENTIONS OF DEVELOPING IT BECAUSE I DON'T KNOW WHAT TO DO. A COUPLE OF TIMES I'VE SAID I'M GOING TO PUT A RESTAURANT, BRING BACK THE SOUTHERN DINETTE STYLE FOOD ON 12TH STREET, BUT WHEN I STARTED LOOKING AT IT, PARKING AND EVERYTHING HAS TOLD ME NOT TO. EVERYTHING PUSHED ME OUT OF THE IDEA. I'M ABLE TO DEVELOP SOMETHING. I HAVE NOTHING ON THE BOARD. I'M WAITING ON YOU. THE BUFFER IN THE BACK, THE VEGETATIVE BUFFER, THERE'S NOTHING EQUAL ABOUT THAT ALLEY FROM PIQUITA ALL THE WAY TO 35. IT'S RAGGEDY. THE CITY IS NOT EVEN TAKING CARE OF THEIR PART OF THAT ALLEY AND YOU WANT TO HAVE A MILE OF 10-FOOT VEGETATIVE BUFFER? I THINK WE ALREADY HAVE PARKING PROBLEMS, SO TO TAKE ANOTHER 10-FOOT TO PUSH US IN MORE, THE COMPATIBILITY STANDARDS FOR PARKING JUST GO OUT THE DOOR. BY THE WAY, CAN WE DO A FRIENDLY AMENDMENT? HOW DID A 10-FOOT VEGETATIVE BUFFER? PLEASE DON'T DO THAT. I DON'T HAVE A DOG IN THIS FIGHT. I WILL DEVELOP WHEN YOU GUYS GET THROUGH SQUABBLING. MR. YOUNG HAS INVESTED MONEY IN THIS COMMUNITY. HE'S MY NEXT-DOOR NEIGHBOR. HE HAS A BEAUTIFUL BUILDING. I USED TO OWN THAT BUILDING. BUT HE BOUGHT IT FOR A HELL OF A PRICE, I TELL YOU THAT. [LAUGHTER] I OWN THE CORNER OF 12TH AND SAN BERNARD SINCE 1990, 18 YEARS I'VE OWNED THAT BUILDING. I BOUGHT THE 1218 EAST 12TH STREET MAYBE THREE YEARS AGO. SO I'M READY TO DO SOMETHING THERE, BUT PLEASE, WHATEVER ELSE YOU DO, I DON'T UNDERSTAND ALL THIS JIBBER JAB AND ALL THIS, JIBBER, JIBBER, JIBBER. WHEN YOU GET IT PASSED, I WILL BRING THE JOBS TO THE COMMUNITY. THAT IS MY PLEDGE TO YOU. SO LET'S QUIT SQUABBLING. LET'S LET 12TH STREET DEVELOP. LET'S

ENCOURAGE DEVELOPMENT. LET'S GIVE -- LET'S GIVE THE DEVELOPER THE BENEFIT OF THE DOUBT STET OF PEOPLE SQUABBLING AND OBSTRUCTERS, OBSTRUCTERS. SEE, HE SAYS HE'S BEEN ON THIS FOUR YEARS. I'VE BEEN LOOKING AT IT SINCE '95 WHEN MOST OF THIS BEGAN. SO SUPPORT THE NCCD AND PLEASE ELIMINATE THE VEGETATIVE BUFFER. THERE'S NOTHING UNIFORM ABOUT IT. HE HAS A BUILDING THAT'S FIVE FOOT FROM THE ALLEY. HE WOULD HAVE TO KNOCK HIS BUILDING DOWN TO PUT THE 10-FOOT VEGETATIVE BUFFER IN. THERE'S NOTHING UNIFORM ABOUT IT. MOST PEOPLE IT'S THEIR BACKYARD. 60, 70 FEET FROM THE BUILDINGS. AND ON SOME OCCASIONS ON SOME BLOCKS ON THE ALLEY, BUT THAT'S A RARITY. PLEASE PASS PAS THE NCCD. THANK YOU.

Mayor Wynn: THANK YOU, MR. HENDERSON. I BELIEVE THAT'S ALL THE FOLKS WHO SIGNED UP WISH TO GO GIVE US TESTIMONY IN FAVOR OF THE NCCD. THERE'S A NUMBER OF FOLKS WHO DON'T WANT TO SPEAK WHO I'LL READ INTO THE RECORD WHO ARE SUPPORTIVE. WE'LL NOW HEAR FROM FOLKS WHO WANT TO GIVE US TESTIMONY ESSENTIALLY IN OPPOSITION TO THE NCCD. OUR FIRST SPEAKER IS GIGI BRYANT WHO I CALLED EARLIER, BUT DIDN'T SEE IN THE ROOM. SHE SIGNED UP WISHING TO SPEAK IN OPPOSITION AS HAS SCOTTIE IVORY, WHO WE SAW EARLIER. HE SIGNED UP WISH TO GO SPEAK IN OPPOSITION. RUDY WILLIAMS. SORRY, I DIDN'T SEE YOU OVER THERE. THIS WOULD BE A GOOD TIME TO COME SPEAK. AND IS LIEWSHSLUCIOUS IN THE ROOM? YOU WILL HAVE UP TO PLEA MINUTES. WELCOME -- VUL YOU WILL HAVE UP TO THREE MINUTES.

I WAS MOSTLY AGAINST IT BECAUSE I WANT TO MAKE SURE, MAKE SURE-- FIRST I HAVE A QUESTION. I JUST WANT TO KNOW IF THE SMALL BUSINESS OWNERS ON 12TH STREET THAT EXIST RIGHT NOW, WILL THEY BE PROTECTED WHEN THEY BEGIN TO DO ALL THE DEVELOPMENT? AND ALWAYS I'M FOR PROGRESS, I JUST NT TO MAKE SURE THOSE EXISTING BUSINESSES ARE GOING TO BE PROTECTED. THAT'S THE QUESTION I HAVE. CAN ANYBODY TELL ME HOW THEY WILL BE IMPACTED BY IT?

Mayor Wynn: TECHNICALLY IF A STRUCTURE IS THERE, IT COULD -- EVEN IF THE RULES WERE CHANGED, IT WOULD BE CONSIDERED NONCONFORMING. LEGAL, BUT NONCONFORMING.

IF A BUILDING IS THERE AND DOESN'T MEET THE SETBACKS, ALTHOUGH MOST OF THESE HAVE BEEN REDUCED TO STOW IN MANY CASE, THE BUILDING WOULD BE CONSIDERED LEGAL NON-APPLYING AND THERE WOULD BE NO CHANGE REQUIRED OF THE PROPERTY OWNER. THE ONLY TIME THERE MIGHT BE A CHANGE THAT WOULD COME UP IS IF YOU COMPLETELY REMOVE THE STRUCTURE OR START ALL OVER, THEN YOU WOULD HAVE TO BE COMPLYING WITH THE REGULATIONS THAT EXIST. THAT'S WHAT YOU MEAN BY PROTECTING --

THEY STILL WOULD BE ABLE TO OPERATE THEIR BUSINESSES AND WOULD BE MOVED OUT, YOU KNOW? SOME OF THEM DON'T OWN THEIR BUSINESSES.

THE NCCD DOES NOT PROTECT THE TENANT IF THERE IS SOMEONE THERE, THE PROPERTY

OWNER HAS THE ABILITY TO ASK THE TENANT TO STAY OR ASK THE TENANT TO LEAVE OR RAISE THEIR RENT AND THE TENANT WOULD BE FORCED OUT. BUT ZONING WOULD NOT DO THAT. VAN CAN SPEAK TO ANYTHING IN THE URBAN RENEWAL PLAN, BUT I'M NOT AWARE OF ANYTHING IF A LANDLORD WANTED TO GIVE AN EVICTION NOTICE OR RAISE THEIR RENTS.

ONE MORE THING. WILL IT STILL HAVE COMMERCIAL AND -- RETAIL AND RESIDENTIAL ON THE CORNER OF 12TH STREET?

THE INTENT OF THIS IS TO ALLOW A MIXTURE OF USES AND THE PEDESTRIAN ORIENTED USES THAT WERE RECOMMENDED EARLIER WOULD TAKE IN A VARIETY OF RETAIL USES THAT PEOPLE WOULD WANT TO WALK TO.

OKAY.

Mayor Wynn: RUDY WILLIAMS, WELCOME BACK. IS ANTOINETTE STILL HIRE? AND HELEN TAYLOR? IS SHE IN THE ROOM? HOW ABOUT LUTHER SIMON? IS LUTHER HERE? OR JIMMY BUTLER. SO RUDY, YOU WILL HAVE UP TO SIX MINUTES, WELCOME.

THANK YOU. I BELIEVE YOU'VE BEEN PRESENTED WITH A PETITION ON THE 12TH STREET NORTH KOREA. AM I CORRECT YOU DO HAVE THAT?

Mayor Wynn: MR. GUERNSEY INTRODUCED IT EARLIER.

NOW, THE ISSUE WITH THE 12TH STREET NCCD AND I THINK MS. IVORY HIT UPON IT, IS THAT THERE ARE EXISTING BUSINESSES ON THAT CORRIDOR DEATHLY AFRAID THAT ONCE THE NCCD COMES INTO PLAY THAT THEY WILL BE FORCED OFF THE STREET. RENTS, WHATEVER THE REASON. AND SUPPOSEDLY AN NCCD IS SUPPOSED TO HELP THESE SMALL BUSINESSES SO THAT WE WOULD HOPE THAT THERE IS SOME WAY TO INCLUDE MECHANISMS OR INCENTIVES IN HERE SO THAT SMALL BUSINESS OWNERS WHO VOB THAT CORRIDOR FOR A LONG TIME CAN STAY ON THAT CORNER. THE SAME ARGUMENT THAT WE MADE TO YOU IN TERM OF THE NEIGHBORHOOD. AND WE HEARD FROM YOU JUST RECENTLY THAT THE McMANSION ORDINANCE AS IT EXISTS YOU DON'T WANT TO CHANGE IT. YOU THINK IT'S JUST FINE. AND I WOULD SUGGEST TO YOU THAT COMPATIBILITY STANDARDS THAT WE HAVE ON 11th STREET AND PRACTICALLY EVERY OTHER STREET WHERE WE REQUIRE COMPATIBILITY STANDARDS SHOULD BE ON THE 12TH STREET CORRIDOR ALSO. THEY SHOULD NOT BE TAKEN OFF. IF WE'RE GOING TO HAVE CONSISTENCY IN TERMS OF McMANSION, WE SHOULD HAVE CONSISTENCY IN TERMS OF COMPATIBILITY AND DESIGN STANDARDS. THERE IS NO REASON TO TAKE THESE THINGS OFF OF THE 12TH STREET CORRIDOR. THEY'RE NOT GOING TO INCREASE THE DEVELOPMENT ON THAT CORRIDOR AND THEY'RE GOING TO PROTECT THE NEIGHBORHOOD THAT IS SURROUNDING THE 12 ITS STREET NCCD. SO OSHA STRONGLY SUGGESTS THAT IN SOME KIND OF WAY YOU WORK IT TO WHERE COMPATIBILITY AND DESIGN STANDARDS ARE IMPLEMENTED ON THE 12TH STREET NCCD. AND I BELIEVE YOU

SHOULD HAVE A RESOLUTION FROM OCEAN STATING SUCH F YOU DON'T, I'LL MAKE SURE THAT YOU GET IT.

Mayor Wynn: THANK YOU. OUR NEXT SPEAKER IS ALLISON GARDENER. I'M NOT SURE IF SHE STILL WANTED -- PARDON?

[INAUDIBLE - NO MIC].

Mayor Wynn: OKAY. AGNES (INDISCERNIBLE). WELCOME BACK. LET'S SEE, IS NELL PETERSON IN THE ROOM? HOW ABOUT CINDY WIDENER? HELLO. WELCOME. AGNES, YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT. WELCOME.

THANK YOU. I'M HERE TO SAY I DON'T THINK THAT WE'RE AGAINST PASSING THE NCCD. I WOULD LIKE TO ARGUE THE COMPATIBILITY ARGUMENT. AND I THINK THAT IT GOES BACK TO IT'S BEEN SCUSD AGAIN AND AGAIN, THE VEGETATIVE BUFFER. THE NEIGHBORHOOD DIDN'T ASK FOR THAT VEGETATIVE BUFFER. THEY WANTED COMPATIBILITY STANDARDS. I GUESS WHAT I WOULD WANT TO ASK IS WHY WOULD YOU THINK YOU NEED TO WAIVE COMPATIBILITY STANDARDS ON 12 THE STREET RIGHT OFF OF I-35 AND A FEW BLOCKS EAST OF THE HIGHWAY TO PROMOTE DEVELOPMENT THERE? WE'VE ALREADY -- I THINK SOMEBODY FROM THE FOR SIDE PUT IT REALLY WELL. THIS IS NOT A SLUM AND BLIGHT AREA ANYMORE. I DON'T THINK YOU NEED TO GIVE DEVELOPERS INCENTIVE TO BUILD THERE BY WAIVING COMPATIBILITY STANDARDS, BUT I DO THINK IT WOULD BE H.E.B.FUL AND NECESSARY IF THE -- HELPFUL AND NECESSARY IF THE CITY COUNCIL DOES WANT TO HELP PRESERVE NEIGHBORHOODS AS THE NCCD IS SUPPOSED TO DO AND AS SEVERAL COUNCILMEMBERS HAVE SAID TONIGHT, HELP PROTECT THEM TO NOT ALLOW THINGS TO BE BUILT WITHIN FIVE FEET OF THEIR PROPERTY LINES, TO NOT ALLOW THE WAIVING OF ALL COMPATIBILITY. I THINK WE'VE SHOWN -- I THINK WE ALL KNOW WHAT HAPPENS AND IT'S BEEN ALLUDED TO AT THIS MEETING WHEN YOU DO GIVE DEVELOPERS THE BENEFIT OF THE DOUBT, SO I WOULD KIND OF WARN AGAINST DOING THAT. YOU CAN DEFINITELY DEVELOP THIS LAND PROFITABLELY WITHOUT WAVING ALL PROFITABILITY. THAT'S THE MAIN POINT I'M TRYING TO MAKE. AS IT STANDS, AS THE NCCD STANDS, THEY DON'T REALLY GIVE ANYTHING TO THE NEIGHBORHOOD IN TERMS OF -- I GUESS IN MIGHT NEED CLARIFICATION WHEN MIXED USE WAS TALKED ABOUT. I DON'T THINK THERE'S ANYTHING TO ACTUALLY REQUIRES THERE TO BE RESIDENCES. A LOT OF THEM IT'S PEDESTRIAN TRAFFIC, BUT THAT STILL MEANS A LOT OF THOSE COMMERCIAL LAND WILL PROBABLY BE EMPTY AT NIGHT AND ON THE WEEKENDS IF YOU DON'T HAVE RESIDENTIAL UNITS THERE. SO WE'RE ASKING THAT WOULD BE INCAPABILITY. THAT WOULD BE SOMETHING IF WE COULD MAKE SURE THAT THE NEIGHBORHOOD IS SURE THERE WILL BE RESIDENTS THERE SO WE HE'D SED THERE'S PROBLEMS WITH THE ALLEY, IT WOULD BE HELPFUL TO HAVE PEOPLE LIVING IN THAT DEVELOPMENT SO THAT YOU DON'T HAVE A HAVEN FOR PEOPLE TO GO FOR CRIME TO HAPPEN AT NIGHT AND ON THE WEEKENDS WHEN THE BUSINESSES ARE CLOSED. I FEEL LIKE THERE'S EVERY REASON TO REINSTATE RESIDENTIAL COMPATIBILITY. ITIT SEEMS THAT THE GOVERNING BODIES -- WELL -- I GUESS I JUST WANT TO ASK ALSO THE SAME

ARGUMENT THAT WAS MADE BEFORE, CONSIDER YOU OWNING A PROPERTY BEHIND IT AND WHAT IS BEING PROPOSED AND JUST MAKE SURE THAT'S SOMETHING THAT YOU WOULD HAVE FELT COMFORTABLE BEING BUILT AND SOMETHING THAT YOU FEEL COMFORTABLE LIVING RIGHT NEXT TO IN TERMS OF 35 AND 60-FOOT GOING UP, NOT HAVING TO GO BUY A BUILDING ENVELOPE SO YOU'RE POTENTIALLY LOOKING AT A WALL FIVE FEET FROM YOUR LAND THAT IS THAT HIGH. SO I GUESS IF YOU DO -- IF WE DO WANT TO STAND BY WHAT SAID TODAY AND HELP THE NEIGHBORHOOD AND PRESERVE IT AND PROMOTE SAFE GROAPSD, PROMOTE SUSTAINABLE GROWTH, PROMOTE RESIDENTIAL DEVELOPMENT AS WELL AS COMMERCIAL DEVELOPMENT, YOU'LL AGREE THAT THERE IS NO REASON TO WAIVE CAPABILITY FOR THE NCCD, BUT YES, LET'S PASS IT AND GET SOMETHING HAPPENING SOON. BUT PLEASE KEEP THE NEIGHBORHOOD IN MIND WHEN DO YOU SO. THANK YOU.

Mayor Wynn: THANK YOU. OUR NEXT SPEAKER IS VALERIE THAT MUCHER.TATCHER. APPRECIATE YOUR PATIENCE. WHAT INCIDENT TO TALKI WANT TO TALK ABOUT IS SOME PROMISES THAT WE AS FIRST TIME HOME BUYERS WERE MADE WHEN WE VERY FIRST BOUGHT OR HOUSES IN THE ANDERSON HILL DEVELOPMENT. ME AND MY NEIGHBORS ARE ALL FIRST TIME HOME BUYERS, A LITTLE NAIVE AND WE FOUND OUT THE HARD WAY A LOT OF THINGS. FOR INSTANCE, THAT PROMISES MADE ABOUT REAL ESTATE THAT AREN'T IN WRITING AREN'T BINDING. WE WERE PROMISED FENCES AND OOPS, THEY DIDN'T PUT IT IN THE WRITING AND SO WE NEVER GOT OUR FENCES. AND THINGS LIKE THAT. NINE YEARS LATER AFTER BUYING MY HOUSE I'M STILL SURROUNDED BY THREE VACANT LOTS. WE AS NEIGHBORS ARE EAGER FOR THESE LOTS TO BE DEVELOPED. WE'RE EAGER FOR THE BUSINESSES TO GO IN. WE'RE TIRED OF LOOKING AT BOARDED UP HOUSES AND VACANT LOTS. BUT WE ALSO WANT IT DEVELOPED IN A WAY THAT'S RESPONSIBILITY RESPONSIBLE AND MINDFUL OF THE PEOPLE THAT HAVE LIVED THERE 24/7, 365. AS THE NCCD STANDS NOW, IT WAS WRITTEN BY THE COMMERCIAL AND DEVELOPER INTERESTS. IT WAS VERY LITTLE TO NO CONSIDERATION OF THOSE OF US WHO LIVED THERE. IT'S ALL ABOUT THEIR MONEY. AND WE WANT THEM TO MAKE A PROFIT, BUT THERE IS A DIFFERENCE SOMETIME BETWEEN A PROFIT AND A KILLING. ONE OF THE THINGS THAT WE WERE PROMISED UPON BUYING OUR HOUSES IN ANDERSON HILL IS THAT TRACT TWEFLT, WHICH IS ON EAST 12TH ON THE SOUTHSIDE IN BETWEEN CURB STREET AND WALLER STREET WAS GOING TO BE DEVELOPED AS TOWNHOMES, AFFORDABLE, FIRST TIME HOME BUYER TOWN HOME. IN FACT, A DRAWING, THE ARCHITECT'S DRAWING WAS ON THE BROCHURE PROMOTING ANDERSON HILL AND THERE WAS A FULL PAGE AD IN THE CHRONICLE IN THE SUMMER OF 1998, WHICH IS WHAT LED ME TO KNOW THAT THERE WAS THIS DEVELOPMENT GOING ON. AND IT ATTRACTED ME TO END UP BUYING A HOUSE THERE BECAUSE NO TOWN HOME EVER WENT IN. SO MY NEIGHBORS AND I HAVE PUT IN A PETITION ASKING THE CITY COUNCIL TO PLEASE CONSIDER TRACT 12 TO BE SLATED FOR AFFORDABLE TOWN HOME ONLY IN WRITING. WE'VE BEEN GIVEN A LOT OF PROMISES AND MEAN OF THEM ARE EMPTY AND WE KNOW THAT NEEDS TO BE IN WRITING. THIS PETITION IS SIGNED BY ALL THE HOMEOWNERS WITHIN 200 FEET OF THIS LOT, INCLUDING MYMYSELF. I'M RIGHT NEXT TO THIS LOT. WE THINK THAT THE TOWNHOMES WILL BE AN EXCELLENT BUFFER BETWEEN THE COMMERCIAL

DEVELOPMENTS THAT WILL BE ON THE NORTHSIDE OF 12TH AND FURTHER TO THE EAST AND FURTHER TO THE WEST OF TRACT 12. AS IT STANDS NOW, YOU GO DOWN TO 11th STREET AND YOU WILL SEE CARS PARKED RIGHT ON THE CORNER AND WE DON'T WANT THAT IN OUR NEIGHBORHOOD. SO I'LL GIVE THIS TO YOUR CLERK. THANK YOU.

Mayor Wynn: THANK YOU, VALERIE. COUNCIL, I BELIEVE THAT'S ALL THE FOLKS WHO WANTED TO GIVE US TESTIMONY. A NUMBER OF FOLKS SIGNED UP NOT WISHING TO SPEAK IN FAVOR. THAT WOULD INCLUDE MICHAEL CASIS, CHRIST JAYJACOB AND LOUISIANA KRITZ, AND FOLK WHO DID NOT WISH TO BE IN OPPOSITION INCLUDING THESE LISTED. SO THAT CNGZ OUR CITIZEN TESTIMONY. COUNCILMEMBER COLE.

Cole: MAYOR, WE'VE HEARD SOME TESTIMONY ABOUT THE CONCERNS IN THE AREA AND I NOTICED THAT MR. BYRON MARSHAL IS HERE AND I WOULD LIKE TO ASK THEM TO COME DOWN TO GIVE US A BRIEF OVERVIEW ON HOW THE AUSTIN REVITALIZATION AUTHORITY HAS DEALT WITH SOME OF THE CONCERNS OR HOW THE PLANS HAVE BEEN IMPLEMENTED TO DEAL WITH THESE ISSUES SUCH AS THE SMALL BUSINESSES AND PROTECTION FOR AFFORDABLE HOUSING. IF YOU WOULD BRIEFLY ADDRESS THAT.

Mayor Wynn: WELCOME.

GOOD EVENING. THANKS FOR GIVING ME THE OPPORTUNITY TO ANSWER A COUPLE OF QUESTIONS. ONE OF THE THINGS RAISED BY MS. THATCHER IS THAT THE NCCD WAS DRAFTED BY DEVELOPERS. THE FACT IS THAT THIS WAS A COMPROMISE AND A COMPROMISE WAS STRUCK BETWEEN DEVELOPERS AND HOMEOWNERS. SOME OF THE ISSUES MS. THATCHER HAS RAISED ARE ACTUALLY COVERED IN THE NCCD. THAT TRACT 12, WHILE IT'S ZONED SF-4, I BELIEVE THAT'S THE PROPOSAL. ACTUALLY, THE CRP SAYS THAT IT HAS TO BE THE TOWNHOMES. AND THE MOST RESTRICTED IS WHAT CONTROLS HERE. THERE WAS A CONSENSUS BUILDING SESSION FOR EACH OF THOSE TRACTS, AND THE NEIGHBORS CHOOSE TO MAKE THAT -- TO ZONE IT HIGHER, BUT THE REALITY IS IT CAN ONLY BE THE TOWNHOMES AT THIS POINT. THAT IS THAT THAT WAS SOMETHING THAT WASN'T MADE CLEAR. SECONDLY, SUBDISTRICT 3 IS ALL RESIDENTIAL. AND IT'S PRIMARILY ON THE SOUTHSIDE OF 12TH STREET. IT STARTS AT A CURVE AND GOES ALL THE WAY UP TO COMAL, I'M SORRY, TO THE SOUTHWEST SIDE OF COMAL JUST WHERE THE LAWYER WHO REPRESENTS THE COMERNL PROPERTY AT THAT CORNER WAS SPEAKING EARLIER. IT STOPS THERE AT THE MARSHAL APARTMENTS. WHAT WE'VE TRIED TO DO WAS BALANCE THE NEEDS OF THE NEIGHBORHOODS WHO DIDN'T WANT PARKING TO ENCROACH INTO THE NEIGHBORHOODS WITH THOSE SMALL BUSINESSES THAT EXISTED ON THE STREET, BOTH BUSINESS OWNERS AND PEOPLE WHO ARE OPERATING BUSINESSES. TO THE EXTENT THAT A SMALL BUSINESS WAS THERE, THERE WERE TWO DIFFERENT KINDS OF SMALL BUSINESSES THERE, PEOPLE WHO HAVE BEEN THERE A LONG TIME, WHO WERE ABOUT TO -- WHO WANT TO CASH OUT. AND THEY WANT TO GET THE HIGHER THE VALUE FOR THE PROPERTIES. SO WHAT THEY WANTED TO DO WAS GET HEIGHTS AND BE ABLE TO GET -- HAD THE CAPABILITY WAIVED. AND THE RATIONALE FOR THAT FOR THEM WAS ALL

THESE LOTS, IF YOU REMEMBER THEM TO THE NORTHSIDE, THEY'RE VERY, VERY SHALLOW. SO IF YOU TELL SOMEBODY THAT THEY CAN ONLY -- THAT THEY CAN BUILD 50 FEET, BUT THEN YOU REALLY LOOK AT THE SETBACKS AND LOOK HOW CLOSE THEY ARE TO THE HOUSES THAT ABUT THEM, THEY REALLY CAN'T BUILD 50 FEET. AND IF YOU ALSO MAKE THEM, PUT ALL THEIR PARKING ON THE TRACT, WHICH IS WHAT THE NEIGHBORHOODS WANTED, THEY REALLY WOULDN'T BE ABLE TO ACCOMPLISH VERY MUCH AT ALL. WHAT HAPPENED IS THAT THOSE SMALL BUSINESSES WOULD BE FORCED TO SELL TO OTHER PEOPLE SO THAT THAT DEVELOPER COULD ACCUMULATE ENOUGH SQUARE FOOTAGE TO BE ABLE TO BUILD SOMETHING THAT'S ECONOMICALLY VIABLE. SO WHAT WE TRIED TO DO IS THIS. IF YOU'RE A SMALL BUSINESS, 2500 SQUARE FEET OR LESS YOU DON'T HAVE TO HAVE A MIXED USE BUILDING. YOU ALSO DON'T HAVE TO HAVE ON-SITE PARKING. CAN YOU USE COMMUNITY PARKING. THE CITY HAS SET ASIDE ONE PARPARCEL AT THE CORNER OF 12TH AND NAVASOTA TO BE COMMUNITY PARKING. THAT IS EITHER PARCEL 3 OR 4. I CAN'T TELL FROM HERE. SO ON THE NORTHWEST CORNER OF NAVASOTA. AND THE PARKING RIGHT NOW IS ACTUALLY BEEN NEGOTIATED WITH THE REST OF THE BLOCK SO THEY CAN INCORPORATE THAT INTO THE OVERALL DEVELOPMENT. AND THE GOAL THERE AGAIN WAS TO HELP SMALL BUSINESSES STAY IN THE AREA THEY CHOSE TO. AND THE GOAL OF NOT MAKING THEM HAVE MIXED USE IN A VERY SMALL BUSINESSBUILDING WAS BECAUSE IT DOESN'T MAKE A LOT OF SENSE. THERE'S ONE BUILDING THERE, ONE ABOUT TO OPEN AT THE CORNER OF 12TH AND -- 901 EAST 12TH STREET. IT DOESN'T MAKE SENSE TO TRY TO MAKE THAT OWNER SPLIT THAT BUILDING UP IN MANY DIFFERENT USES. WE DID ATTEMPT TO ADDRESS THE NEEDS OF THE NEIGHBORHOOD AND THOSE OTHER neighborhood and those other BUSINESSES. BOTH BUSINESS OWNERS AND PROPERTY OWNERS.

Cole: THANK YOU.

Mayor Wynn: OTHER QUESTIONS, COMMENTS? IS MR. GBLGYOU GUERNSEY? WORK YOUR MAGIC.

WE HAVE TWO ITEMS TO ADDRESS, ONE IS THE URBAN RENEWAL PLAN AND ONE IS THE ZONING ORDINANCE. STAFF UNDERSTANDS THAT TRACT 9 IS ASSOCIATED WITH THE URBAN RENEWAL PLANS AND IN THE ZONING ORDINANCE WOULD BE DEFERRED FOR ACTION WHEN WE COME BACK AFTER WE GIVE PROPER NOTICE TO PROPERTY OWNERS. AND ALSO THE INDIVIDUAL PROPERTY AT 1425 EAST 12TH STREET WHICH IS IDENTIFIED ON YOUR YELLOW SHEET AS TRACT 6 OR PROPERTY 6, INDIVIDUAL PROPERTY 6 WOULD COME BACK FOR PUBLIC HEARING ON THAT SAME DATE. WHAT YOU COULD PROCEED TO DO IS MAKE A MOTION TO APPROVE THE URBAN RENEWAL PLAN AS RECOMMENDED AND THE NCCD AS RECOMMENDED. IF YOU CHOSE, YOU COULD MAKE PART OF YOUR MOTION A MODIFICATION TO THE VEGETATIVE BUFFER IF YOU SO DESIRE TO REMOVE THE VEGETATIVE BUFFER OR MODIFY IT AS WELL TO THE NCCD, STAFF HAD BROUGHT FORWARD THE CITIZEN CONCERNS, ONE ABOUT PEDESTRIAN ORIENTED USES AND GARAGES, ONE ABOUT THE SHIELDING OF LIGHTING OF THE GARAGES TO THE REAR MOST 50 FEET ALONG THE SIDES. AND STRIKE THE WORD COCKTAIL LOUNGE FROM THE PEDESTRIAN ORIENTED USES. YOU

COULD ADD THOSE THREE THINGS AND THEN WE WOULD AFFECT THAT CHANGE. AND IF IT IS YOUR DESIRE, WE WILL TO THE BEST OF YOUR ABILITY MAKE THE URBAN RENEWAL PLAN AND ZONING REGULATIONS MATCH WHERE IT'S ALLOWED BY STATE ALLOW AND LOCAL ORDINANCE.

Mayor Wynn: THANK YOU, MR. GUERNSEY.

Cole: MAYOR, I'M PREPARED TO MAKE A MOTION. I WOULD LIKE TO RECOMMEND THAT WE ADOPT THE URBAN RENEWAL PLAN WHICH DOES NOT CONTAIN THE VEGETATIVE BUFFER AND WE ALSO ACCEPT THE STAFF RECOMMENDATIONS ON PAGE 2 OF THE MOTION SHEET, WHICH IS CHANGING THE LANGUAGE OF PEDESTRIAN ORIENTED USES TO PEDESTRIAN ORIENTED USES IN DEALING WITH THE HEADLIGHTS ON THE PARKING GARAGES AND STRIKING COCKTAIL LOUNGE FROM THE LIST OF PEDESTRIAN ORIENTED USES.

Mayor Wynn: MOTION BY COUNCILMEMBER COLE, SECONDED BY THE MAYOR PRO TEM. AND MR. GUERNSEY, REMIND ME THIS IS ONLY READY FOR FIRST READING ONLY.

THAT'S CORRECT.

Mayor Wynn: SO FIRST READING. COMMENTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: JUST A CLARIFICATION. THAT'S WITH TRACT 9 REMOVED AND PROPERTY 6 REMOVED?

YES.

Leffingwell: IS THAT YOUR MOTION? AND ALSO ON THE SUGGESTION SECOND PAGE, THE HEADLIGHTS, THAT'S THE SECOND COLUMN?

I BELIEVE IT'S TUNNEL 2 TO CLARIFY THE REQUIREMENTS FOR SCREENING OF HEADLIGHTS FOR PARKING GARAGES. YEAH, THAT SUGGESTED CHANGE IN THE COMMENTS SECTION. RIGHT.

Mayor Wynn: AGAIN, MOTION AND A SECOND ON THE TABLE TO CLOSE THIS COMBINED PUBLIC HEARING AND APPROVE ON FIRST READING ONLY AS AMENDED BY COUNCILMEMBER COLE'S MOTION. FURTHER COMMENTS? MR. GUERNSEY, HOW SOON -- FRANKLY, IT WILL TAKE YOUR EFFORTS TO CLEAN THIS UP FOR ME SO I CAN REALLY UNDERSTAND WHERE WE'LL BE AFTER THIS FIRST READING. HOW SOON, THOUGH, CAN STAFF BE PREPARED FOR SECOND AND/OR THIRD READING?

IN ORDER TO MEET THE REQUIREMENTS FOR NOTIFYING TRACT NINE FOR THE ZONING REQUIREMENTS -- BECAUSE WE HAVE ALREADY MADE THE PROPER NOTICE REQUIREMENTS FOR THE URBAN RENEWAL PLAN. IT WOULD APPROXIMATELY TAKE ABOUT

FOUR WEEKS FOR US TO BRING THIS BACK. SO THERE'S A MEETING ON THE 21st.

Mayor Wynn: VALENTINE'S DAY AND THE 28TH.

I WOULD PROBABLY SAY THE 28TH TO BE SURE AND WE CAN MEET THE NOTICE REQUIREMENTS BECAUSE WE HAVE TO RUN A NEWSPAPER AD AND GET THAT IN. SO I WOULD SAY THE 28TH. AND WE COULD POSTPONE THE ACTION ON THE URBAN RENEWAL PLAN JUST TO BE CLEAR SO THERE'S NO NOTIFICATION ISSUES WITH THAT FOR TRACT 9 AND THAT ONE INDIVIDUAL PARCEL ON TRACT 6. SO WE WOULD ON POSTPONE THE URBAN RENEWAL PLAN FOR TRACT 9 AND THE PROPERTY AT 1425 EAST 12TH STREET.

Mayor Wynn: WHICH IS PART OF THE MOTION, I BELIEVE. YES.

THAT WAY THERE WOULD BE NO ISSUE BECAUSE WE HAVEN'T HAD THE PUBLIC HEARING ON THOSE TWO. AND CHECKING MY LEGAL COUNSEL FOR THE URBAN RENEWAL DISTRICT AND THEIR AGREEMENT. WE'RE FINE. AND THEN WE WILL NOTIFY FOR ZONING FOR TRACT 9 AND BRING THAT BACK AND THEN 1425 WILL BE COMING BACK WITH THE SEC AND THIRD READINGS ITEMS. AND SO THAT'S POSTPONED AS WELL FOR TRACT -- FOR THE PROPERTY AT 1425 EAST 12TH STREET.

Mayor Wynn: MOTION AND A SECOND ON THE TABLE FOR FIRST READING ONLY. AS DETAILED BY MR. GUERNSEY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

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

THAT CONCLUDES OUR ZONING ITEMS THIS EVENING.

Mayor Wynn: THANK YOU, MR. GUERNSEY. AND ACTUALLY, TECHNICALLY THAT CONCLUDES ALL OF OUR ITEMS BEFORE THIS POSTED CITY COUNCIL MEETING. WE NOW STAND ADJOURNED. IT IS 8:54 P.M.

End of Council Session Closed Caption Log